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# Notice of Meeting and Agenda

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For the Ordinary  
Meeting of Council  
to be held **via  
remote video  
conference.**

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26 May 2020

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## NOTICE OF ORDINARY MEETING

**Notice** is hereby given that the next ordinary meeting of the Glamorgan Spring Bay Council will be held on Tuesday 26 May 2020 commencing at 2.00pm.

**Please note in response to COVID-19 social gathering regulations, the meeting will be held via remote video conference. Members of the public will be unable to attend the meeting.**

**Dated** this Thursday 21 May 2020.



**Marissa Walters  
ACTING GENERAL MANAGER**

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

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

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

- (1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.***
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –***
  - (a) the general manager certifies, in writing –***
    - (i) that such advice was obtained; and***
    - (ii) that the general manager took the advice into account in providing general advice to the council or council committee; and***
  - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.***



**Marissa Walters  
ACTING GENERAL MANAGER**

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# Audio/Video Recording of Ordinary Meetings of Council

As determined by Glamorgan Spring Bay Council in April 2017 all Ordinary and Special Meetings of Council are to be audio/visually recorded and streamed live.

In response to COVID-19 social gathering regulations, this meeting will be held remotely via video conference. Where possible a live stream of the meeting will be made available.

A recording of the meeting will be available via the link on the Glamorgan Spring Bay Council website following the meeting.

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

## 1. Opening

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

### 1.1 Acknowledgement of Country

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

### 1.2 Present and Apologies

### 1.3 In Attendance

### 1.4 Declaration of Interest or Conflict

*The Mayor requests Elected Members to indicate whether they have:*

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

*in any item included in the Agenda.*

## **2. Confirmation of Minutes**

### **2.1 Ordinary Meeting of Council – April 28, 2020**

#### **RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held Tuesday 28 April 2020 at 2.00pm be confirmed as a true and correct record.

### **2.2 Special Meeting of Council – May 8, 2020**

#### **RECOMMENDATION**

That the Minutes of the Special Meeting of Council held Friday 8 May 2020 at 7.00pm be confirmed as a true and correct record.

### **2.3 Special Meeting of Council – May 15, 2020**

#### **RECOMMENDATION**

That the Minutes of the Special Meeting of Council held Friday 15 May 2020 at 2.00pm be confirmed as a true and correct record.

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## **2.4 Date and Purpose of Workshop/s Held**

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### **Thursday 7 May 2020**

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1.30pm to 4.00pm on Thursday 7 May 2020 via remote conference.

**Present:**

Mayor Debbie Wisby  
Deputy Mayor Jenny Woods (till 3:00pm)  
Cllr Rob Churchill  
Cllr Keith Breheny,  
Cllr Annie Browning  
Cllr Grant Robinson  
Cllr Cheryl Arrol (till 2:45pm)

**Apologies:**

Cllr Michael Symons

**In Attendance:**

Mrs Marissa Walters (Acting General Manager)  
Mr Mick Purves (Contract Planner) – Part attendance  
Ms Josie Higgins (Executive Officer) – Part attendance

**Agenda**

- Major Projects Bill Submission
- Briefing Papers and Council Agenda
- Councillor Allowances for 2020/21
- Budget 2020/21

### **Tuesday 12 May 2020**

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1.30pm to 4.00pm on Tuesday 12 May 2020 via remote conference.

**Present:**

Mayor Debbie Wisby  
Deputy Mayor Jenny Woods (till 2:15pm)  
Cllr Rob Churchill  
Cllr Keith Breheny  
Cllr Annie Browning  
Cllr Grant Robinson  
Cllr Cheryl Arrol (till 3:40pm)  
Cllr Michael Symons

**Apologies:**

**In Attendance:**

Mrs Marissa Walters (Acting General Manager)  
Ms Josie Higgins (Executive Officer) – Part attendance



### **Agenda**

- MOU Southern Waste
- Submissions – Strategic Plan
- Corporate Calendar
- GSBC Buckland Walk Report
- Rates Resolution
- Fees & Charges
- Commercial Addendum to financial Hardship Assistance Model Policy
- 2<sup>nd</sup> April 2020 – Rain Storm – Flooding, Responsibilities & Actions
- Letter of Support – Seating in Bicheno – BCDA

### **Thursday 14 May 2020**

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1.30pm to 4.00pm on Thursday 14 May 2020 via remote conference.

#### **Present:**

Mayor Debbie Wisby  
Deputy Mayor Jenny Woods  
Cllr Rob Churchill  
Cllr Keith Breheny  
Cllr Annie Browning  
Cllr Grant Robinson

#### **Apologies:**

Cllr Cheryl Arnol  
Cllr Michael Symons

#### **In Attendance:**

Mrs Marissa Walters (Acting General Manager)

#### **Agenda**

- 2020/21 Budget Review

### **RECOMMENDATION**

That Council notes the information.

### **3. PLANNING AUTHORITY SECTION**

**Under Regulation 25 of *Local Government (Meeting Procedures) Regulations 2015* the Chairperson hereby declares that the Council is now acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993* for Section 3 of the Agenda.**

#### **RECOMMENDATION**

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

### 3.1 Development Application 2020 / 45

#### 10 Jetty Road, Bicheno (CT 157333/1)

<b>Proposal</b>	Visitor Accommodation unit
<b>Applicant</b>	Jennifer Binns Building Design
<b>Application Date</b>	18 March 2020
<b>Statutory Date</b>	27 May 2020 (extended by consent of applicant)
<b>Planning Instruments</b>	Glamorgan Spring Bay Interim Planning Scheme 2015 Planning Directive No. 6 Exemption and Standards for Visitor Accommodation in Planning Schemes
<b>Zone</b>	General Residential
<b>Codes</b>	5.0 Road and Railway Assets, 6.0 Parking and Access, 7.0 Stormwater Management, 15.0 Inundation Prone Areas
<b>Use</b>	Class: Visitor Accommodation. Type: Permitted
<b>Development</b>	Discretionary
<b>Discretions</b>	Six (including three to be dealt with via condition)
<b>Representations</b>	Two
<b>Attachments</b>	A – Application Documents B – Representations
<b>Author</b>	Robyn Bevilacqua, Graduate Planner

#### Executive Summary

Planning approval is sought to construct a single-bedroom dwelling for visitor accommodation at 10 Jetty Road, Bicheno. 10 Jetty Road is in the General Residential zone. Planning Directive No. 6 Exemption and Standards for Visitor Accommodation in Planning Schemes (PD6) is relevant.

Visitor Accommodation is a 'permitted' use in the zone. The proposal is discretionary by not meeting the following use and development standards via Acceptable Solution:

1. PD6 A1 (a) Visitor accommodation to be accommodated in existing buildings
2. D10.3.1 A2 Noise emissions from non-residential use
3. D10.3.1 A3 Light emissions from non-residential use
4. D10.4.2 A3 Building envelope
5. E6.7.6 A1 Gravel driveway
6. E15.7.5 A1 Solid walls in Inundation Prone Area

The proposal was advertised for two weeks from 8 to 28 April 2020. Two representations were received.

This Report assesses the proposal against the Performance Criteria for the standards listed above and considers the representations. The Planning Authority must consider the planner's recommendation and the representations and make a final determination by 27 May 2020.

The recommendation is to approve the application with conditions.

## **PART ONE**

### **1. Statutory Requirements**

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

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

The initial assessment of this application identified where the proposal meets the Acceptable Solutions and where a discretion is required. This report addresses only the discretion and the representations and makes a final recommendation.

The Planning Authority must consider the report but is not bound to it. It may:

1. Adopt the recommendation
2. Vary the recommendation
3. Replace an approval with a refusal (or vice versa).

The Judicial Review Act 2000 and the Local Government (Meeting Procedures) Regulations 2005 require a full statement of reasons if an alternative decision to the recommendation is made.

### **2. Approving applications under the planning scheme**

A Development Application must meet every relevant standard in the planning scheme to be approved. In most cases, the standards can be met in one of two ways:

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

If a proposal meets an Acceptable Solution, it does not need to satisfy the Performance Criteria.

In assessing this application, the Planning Authority must exercise sound judgement to determine whether the proposal meets the relevant Performance Criterion and must consider the issues raised in the representations.

### **3. The Proposal**

Approval is sought for a one bedroom dwelling plus deck and patio with a total floor area of 83.55m<sup>2</sup>, one car parking space, with a vehicle turning area and upgrades to the existing driveway.

The dwelling is to be used for visitor accommodation with occasional private use by the owners.

#### 4. Risk and implications

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

#### 5. Background and past applications

A previous application for a double-storey single residence and a visitor accommodation unit on the lot was considered and refused by the Planning Authority on 28 January 2020. This current application is essentially the visitor accommodation unit part of that application.

#### 6. Location

Jetty Road is on the northern side of Bicheno and leads to Waubs Beach as shown in Figure 1 below. It is within 300m walking distance of the local shops.

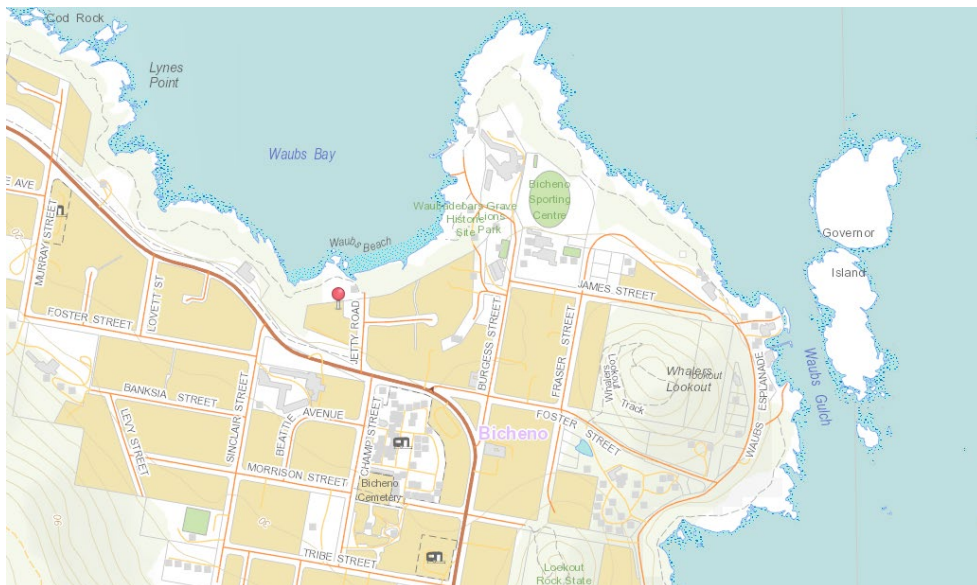


Figure 1: 10 Jetty Road (pinned) on the northern side of Bicheno

#### 7. Site Description

The site is an internal lot of 1,090m<sup>2</sup> comprised of established lawn. It slopes gently to the coast at a slope of 1:11. The 5m contour cuts across the north eastern corner of the site. All services are available.





Figure 2: 10 Jetty Road and surrounding lots (LISTmap)

## 8. Planning Instruments

- 1) Glamorgan Spring Bay Planning Scheme 2015
  - D10.0 General Residential Zone
  - E5.0 Road and Railway Assets Code
  - E6.0 Parking and Access Code
  - E7.0 Stormwater Management Code
  - E15.0 Inundation Prone Areas Code
- 2) Planning Directive No. 6 - Exemption and Standards for Visitor Accommodation in Planning Schemes

## **9. Easements and Services**

- Drainage easement along the western boundary.
- TasWater sewer gravity main and pressure main along the north boundary.
- TasWater water main along Jetty Road.
- Council stormwater main along Jetty Road

## **10. Covenants**

There are restrictive covenants listed on the title, to which Council is a party.

Summarised, these are:

1. Not to erect a building or structure that would require planning approval north of the line marked E-F on the plan
2. Not to erect a building or structure south of the line marked 'E-F with a height of more than 4m above the natural ground level.
3. Not to erect a building or structure on the lot unless it:
  - a) Minimises overlooking the adjacent public foreshore area to the north, and
  - b) Minimises visual impact from the adjacent public foreshore area to the north, and
  - c) Is constructed with materials coloured in muted tones that blend with the surrounding environment.

Legal advice is that the Planning Authority ought not take restrictive covenants into account when determining a development application. Covenants do not form part of the Tasmanian Resource Management and Planning System, even if Council is a party to the covenant.

Nonetheless, the proposal is within the restrictive covenants.

## **PART TWO**

### **11. Meeting the Standards – via Acceptable Solution**

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

- Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes
- D10.0 General Residential Zone
- E5.0 Road and Railway Assets Code
- E6.0 Parking and Access Code
- E7.0 Stormwater Management Code
- E15.0 Inundation Prone Areas Code

All bar six standards were met by Acceptable Solution.

### **12. Meeting the Standards – via Performance Criteria**

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

- PD6 A1 (a) Visitor accommodation not accommodated in existing buildings
- D10.3.1 A2 Noise emissions from non-residential use
- D10.3.1 A3 Light emissions from non-residential use
- D10.4.2 A3 Building envelope (setback for internal lot)
- E6.7.6 A1 Gravel driveway
- E15.7.5 A1 Solid walls in Inundation Prone Area

The Planning Authority must consider the representations and the Performance Criteria, and make a determination on the application by 27 May 2020.

## PART THREE

### 13. Assessing the proposal against the Performance Criteria

#### Standard 1: PD6 Visitor Accommodation Use

The objective of this standard is:

To ensure 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 the local roads or rights of way*

Performance Criteria	Planner's response
<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	
(a) the privacy of adjoining properties	<p>Four properties adjoin 10 Jetty Road: 2, 4, 6 and 12 Jetty Road, as shown in Figure 2 above.</p> <p>The only property that may be impacted by the proposed visitor accommodation unit would be 12 Jetty Road, with which it shares a boundary.</p> <p>The proposed unit is 1.5m from the rear boundary of 12 Jetty Road.</p> <p>However, there is only a toilet window in that eastern elevation, which will not impact on the privacy of 12 Jetty Road.</p> <p>The Performance Criterion is considered satisfied.</p>
(b) any likely increase in noise to adjoining properties	<p>It is unlikely there will be an issue with noise. It is a one-bedroom unit. A condition would be placed on the permit to ensure someone is readily available should an issue arise.</p> <p>The Performance Criterion is considered satisfied.</p>
(c) the scale of the use and its compatibility with the surrounding character and uses within the area	<p>The surrounding area is an enclave of around 27 residential properties, several of which are used for (or at least have permits for) visitor accommodation. Two Jetty Road properties have been approved for visitor accommodation, both as long ago as 2008/9. A further four properties have visitor accommodation permits in Chadwin Avenue.</p> <p>Under Planning Directive No. 6, any of the surrounding properties could be used for visitor accommodation (upon application for a permit). The visitor accommodation unit is compatible with existing and permitted residential and short stay accommodation uses.</p>



	<p>Lot sizes in the area range from 2400m<sup>2</sup> down to 296m<sup>2</sup>. 10 Jetty Road at 1,090m<sup>2</sup> is well within this range. While a 84m<sup>2</sup> unit located to the side of a lot as large as 1,090m<sup>2</sup> is out of keeping with general arrangements of dwellings on other lots, it is likely there will be a subsequent application for another dwelling on the lot and that application will be assessed when the time comes.</p> <p>The character of the area is of relaxation, beach and holiday. Waubs Beach is a popular beach and home to the Bicheno surf club. The visitor accommodation unit would be consistent with that character.</p> <p>The Performance Criterion is considered satisfied.</p>
(d) retaining the primary residential function of an area	<p>As noted above there are around six existing visitor accommodation permits in an enclave of 27 lots. Another visitor accommodation unit will not disrupt the primary residential function of the surrounding dwellings.</p> <p>The Performance Criterion is considered satisfied.</p>
(e) the impact on the safety and efficiency of the local road network and	<p>There is unlikely to be any negative impact on the safety and efficiency of the road network. A turning area has been provided and vehicles will be able to exit in a forward fashion in a 50kp/h zone.</p> <p>The Performance Criterion is considered satisfied.</p>
(f) any impact on the owners and users rights of way	<p>The lot does not share a right of way with any other lots. The driveway is just less than 30m in length and the apron and crossover will be widened, which will enable vehicles to pass.</p> <p>The Performance Criterion is considered satisfied.</p>

## Standard 2: Use Standards - non-residential use noise emissions (D10.3.1)

The objective of these Use Standards (noise and external lighting) is:

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

Performance Criteria	Planner's response
<b>P2</b> Noise emissions measured at the boundary of the site must not cause environmental harm.	<p>Noise from a one-bedroom visitor accommodation unit is unlikely to be any more than for standard residential use and would be very unlikely to cause environmental harm. A condition would be placed on the permit to ensure someone was readily available at all times should there be an issue.</p> <p>The Performance Criterion is considered satisfied.</p>

### Standard 3: Use Standards - non-residential use external lighting (D10.3.2)

Performance Criteria	Planner's response
<b>P3</b> External lighting must not adversely affect existing or future residential amenity, having regard to all of the following: (a) level of illumination and duration of lighting;	This standard will be met with via condition on the permit.
(b) distance to habitable rooms in an adjacent dwelling.	The neighbouring lot at 12 Jetty Road is vacant and the unit is more than 25m away from buildings on other adjoining properties. As above, the standard will be met by condition on the permit.

### Standard 4: Development Standards – building envelope (D10.4.2)

The objective of the setback and building envelope standards is:

To control the siting and scale of dwellings to:

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



Performance Criteria	Planner's response
<p><b>P3</b></p> <p>The siting and scale of a dwelling must:</p> <p>(a) not cause unreasonable loss of amenity by:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</p>	<p>Numbers 2-8 and 12 are all adjoining lots with dwellings. 12 Jetty Road is vacant.</p> <p>The location of the proposed unit close to the eastern boundary, and its maximum height of 4m will mean there will be no reduction in sunlight to a habitable room of any of the dwellings located to the south or west of number 10.</p> <p>The Performance Criterion is considered satisfied.</p>
<p>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</p>	<p>As per the above, the location and height of the unit will not cause overshadowing of the private open space of any of the lots with dwellings to the south or the west.</p> <p>The Performance Criterion is considered satisfied.</p>
<p>(iii) overshadowing of an adjoining vacant lot; or</p>	<p>12 Jetty Road is an adjoining vacant lot to the east. The shadow diagram submitted with the drawings (DRWG a06) shows that the proposed unit will not unreasonably overshadow the vacant lot. There is no shadow in midwinter until after 3pm. A future dwelling on that lot can be designed and placed to capture maximum sunlight throughout.</p> <p>The Performance Criterion is considered satisfied.</p>
<p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</p>	<p>The total footprint is 83.55m<sup>2</sup> with a maximum height of 4m. This is a small dwelling that does not negatively impact on visual amenity.</p> <p>The Performance Criterion is considered satisfied.</p>
<p>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.</p>	<p>There is a range of lots sizes in the area, and separation distances vary.</p> <p>Many lots remain generous and provide for green space and separation between dwellings.</p> <p>Some lots such as 4 and 6 Jetty Road and 3, 5, 16 and 16A Chadwin Avenue are small and provide little separation between dwellings.</p> <p>It is considered that while the prevailing separation between dwellings in the area remains in the main</p>

	<p>generous there are several instances where it is reduced.</p> <p>The Performance Criterion is considered satisfied.</p>
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#### **Standard 5: Surface Treatment of Parking Areas (E6.7.6)**

The objective of this standard is:

To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment through dust or mud generation or sediment transport, having regard to all of the following:

<b>Performance Criteria</b>	<b>Engineer's response</b>
<b>P1</b> Parking spaces and vehicle circulation roadways must not unreasonably detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following:	
(a) the suitability of the surface treatment;	The property has an existing access off Jetty Road. The existing driveway apron and crossover is a double width driveway which straddles the boundary with 12 Jetty Rd.  The applicant proposes to widen the crossover and apron to the south to provide better alignment.  The applicant proposes the driveway and parking areas are gravel. Given the lot is internal, there is not yet development on the adjacent lot and the applicant has not addressed the performance criteria it is recommended the driveway be sealed to meet the acceptable solution in the scheme. A sealed surface is consistent with other driveways in the immediate area.
(b) the characteristics of the use or development	
(c) measures to mitigate mud or dust generation or sediment transport.	

#### **Standard 6: Inundation Prone Areas (E15.7.5)**

The objective of this standard is:

- (a) *To ensure that landfill and mitigation works do no unreasonably increase the risk from riverine, watercourse and inland flooding, and risk from coastal inundation.*
- (b) *To ensure that the risk to waste water management from riverine, watercourse and inland flooding, and risk from coastal inundation is appropriately managed.*



Performance Criteria	Planner's response
<b>P1</b> Landfill, or solid walls greater than 5 m in length and 0.5 m in height, must satisfy all of the following:	
(a) no adverse effect on flood flow over other property through displacement of overland flows;	The area is not subject to flooding. But flood flow would flow from the south west to the north east corner, where the stormwater connection is and will not flow across other property.  The Performance Criterion is considered satisfied.
(b) the rate of stormwater discharge from the property must not increase;	Stormwater services were provided as part of the original subdivision and the flows from the development will not exceed those for which the system was designed.  The Performance Criterion is considered satisfied.
(c) stormwater quality must not be reduced from pre-development levels.	Stormwater will be directed from the roof through the gutters to the stormwater system and water quality will not be reduced.  The Performance Criterion is considered satisfied.

#### 14. Referrals

The application was referred to Council's Engineering Consultant, who provided input to this report.

#### 15. Concerns raised by representors

The following table summarises the issues raised by the representors and the planner's responses. The representations are provided in full at Attachment B.

Representation 1	Planner's response
1) The proposed building is still outside the covenant 2) This is part of a very different long term plan 3) It is council's responsibility to stop this happening now and in the future with the blatant disregard for regulations in Chadwin Avenue... the property is a disgrace and should be stopped 4) For over a year we have been asking council to help us get Wilson homes to fix the flooding in our back yard that has	The proposed building is within the limits set by the covenants.  The Planning Authority can only consider the application that is put before them.  If there is a disregard for planning controls the first step for civil enforcement is to give notice to Council that there is a suspected contravention under section 63B of the Land Use Planning and Approvals Act 1993.  Asking Wilson Homes to fix flooding is not within the ambit of the assessment of this application.



<p>occurred since completion of 6 Jetty Road</p> <p>5) 10 Jetty Road must stay inside the rules</p> <p>6) If the applicant builds inside his boundaries a normal property we have no objections providing it is not added to</p>	<p>The Planning Permit will set the conditions for the development and will require the developer to adhere to those.</p> <p>The Planning Authority cannot take into account potential future proposals until they are lodged.</p>
<b>Representation 2</b>	<b>Planner's response</b>
<p>The proposed dwelling will break the 4.5m eastern boundary setback and we believe this will lead to severe over development of the property and the area.</p>	<p>The 4.5m setback is the Acceptable Solution for the boundary in question and it is correct that this proposal does not meet that Acceptable Solution.</p> <p>However, if a proposal doesn't meet an Acceptable Solution, it has a second chance of satisfying a standard by becoming 'discretionary', being advertised and satisfying the alternative Performance Criterion. This is what has happened in this case.</p> <p>When an application becomes discretionary and seeks to satisfy the Performance Criterion, the Acceptable Solution is no longer relevant. It doesn't matter if it is 3m inside the Acceptable Solution or 1m – it is no longer relevant. What has to be satisfied now is the Performance Criterion.</p> <p>This report addresses the six areas where the proposal does not meet the Acceptable Solutions. The setback on the eastern boundary is one of those areas.</p> <p>In Section 3, Standard 4 above the planner has considered the relevant Performance Criteria and concluded that the proposal satisfies those.</p>
<b>Representation 3</b>	<b>Planner's response</b>
<p>Clause 3.1(a) requires that visitor accommodation must be for people away from their normal place of residence, but the development is actually for use by the applicants and when they are not using it, it will be available for use by others.</p>	<p>It is understood from the application that the primary use of the unit will be for visitor accommodation (Airbnb) and the owners will use it occasionally.</p>
<p>The proposal is not exempt from PD6, it is clearly aimed at short stay accommodation.</p>	<p>Agreed</p>
<p>The proposal does not satisfy PD6 P1 because it is not compatible</p>	<p>The use of the area is mainly residential but there are several visitor accommodation permits in the area, some of which are in adjacent properties. The character of the</p>

with the character and use of the area.	area is one of beach holidays and relaxation. Short stay accommodation is part of that character.
It is part of a staged development	Yes this is likely, but the planner and the planning authority can only consider the proposal put before them.
There is nothing comparable in the area	There are blocks and houses of very different sizes throughout the area.
It is not compatible with existing dwellings given that it will have only a 1.5m setback from [the eastern boundary]	Some sites in the area are very small and have similar setbacks, including 4, 6 and 8 Jetty Road.
What is being sought is a reduction of two thirds of the required setback	<p>When a proposal doesn't meet an Acceptable Solution there is an alternative route, which is to satisfy the Performance Criterion. When a proposal relies on satisfying Performance Criteria, the extent to which it doesn't meet the Acceptable Solution is no longer relevant.</p> <p>This is discussed in the response to representation 2 above.</p> <p>Essentially, once a Performance Criterion is relied upon, the Acceptable Solution (4.5m) is no longer relevant.</p>
No reasons are given for the setback and it can only be concluded that it is to allow for other and much more significant development on the lot	It is likely the unit has been placed to accommodate further development and a further proposal will be assessed when the time comes.
A single bedroom unit for short term accommodation is not compatible with other uses in the area	Visitor accommodation use is well established in the area with permits in Jetty Road and Chadwin Avenue.

## 16. Conclusion

The assessment of the application taken in association with the representations received identifies that the proposal is able to satisfy the relevant provisions of the Glamorgan Spring Bay Interim Planning Scheme 2015 by condition and can therefore be approved.

## 17. **RECOMMENDATION**

### **That:**

- A. Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the Glamorgan Spring Bay Interim Planning Scheme 2015, and Planning Directive No. 6 Exemption and Standards for Visitor Accommodation in Planning Schemes, Development Application 2020 / 45, to construct a Visitor Accommodation Unit at 10 Jetty Road Bicheno (CT 157333/1) be approved with the following conditions:

1. Use and development must be substantially in accordance with the endorsed plans and documents unless modified by a condition of this permit.
2. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.

### **Use**

3. The dwelling may be used either in full or part as a single dwelling or visitor accommodation interchangeably without further planning approval.
4. The maximum occupancy at any one time for visitor accommodation use shall not exceed two people.
5. This maximum occupancy must be made clear on all advertising and through signage provided in a clearly visible internal or external location near the front entrance to the building.
6. Advertising signage must be limited to a maximum of one sign no greater than 0.2m<sup>2</sup> in size and located within the property boundary. No additional signs are to be displayed without separate approval.
7. External lighting must be located, designed and baffled to ensure that no direct light is directed to nearby dwellings or private open space.
8. At least one on site car parking space must be available at all times when the dwelling is used for visitor accommodation.
9. At all times, a person must be present on site or readily available who is responsible for ensuring that activities on the premises and the conduct of persons on the premises do not detrimentally impact amenity of the locality.

### **Development**

10. No top soil is to be removed from the site.
11. The developer must implement a Soil and Water Management Plan (SWMP) to ensure that soil and sediment does not leave the site during the construction process and must provide a copy of the SWMP together with the drawings submitted for building approval.

Advice: a series of fact sheets on Soil and Water Management on building sites is available at <https://epa.tas.gov.au/epa/water/stormwater/soil-and-water-management-on-building-sites>

### **Stormwater**

12. Stormwater drainage must drain to a legal discharge point to the satisfaction of Council's Municipal Engineer and in accordance with the Building Act 2016.

## Parking and Access

13. Prior to the commencement of use, at least one car parking space must be provided on site, and must be available for car parking at all times.
14. To the satisfaction of Council's General Manager, the internal driveway and areas set aside for vehicle parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and must include all of the following:
  - a) be constructed with a durable all weather pavement
  - b) have a sealed surface of concrete, asphalt, pavers or similar
  - c) drain to an approved stormwater system
  - d) be fully complete prior to the commencement of use to the satisfaction of Council's General Manager
15. To the satisfaction of Council's General Manager, surface water runoff from the internal driveway and areas set aside for vehicle parking and turning must be controlled and drained to avoid unreasonable impact to adjoining land.

Advice: The design of drainage associated with driveways, parking areas and buildings is regulated under the Building Act 2016.
16. The existing vehicular access, from the edge of the road to the property boundary, must be widened as shown on the endorsed plans prior to the commencement of the use.

The construction must be in accordance with Council's Standard Drawing TSD-R09-v1 and to the satisfaction of Council's General Manager.

Advice: Standard drawings are available at <http://www.lgat.tas.gov.au/page.aspx?u=658>
17. The developer must advise Council's Works Manager no less than 48 hours prior to commencing any works within the Council Road Reservation.

## Construction

18. Vehicles associated with construction workers must be parked on site.
19. Through the construction process to the satisfaction of Council's General Manager, and unless otherwise noted on the endorsed plans or approved in writing by Council's General Manager, the developer must:
  - a) ensure soil, building waste and debris does not leave the site other than in an orderly fashion and disposed of at an approved facility
  - b) not burn debris or waste on site
  - c) promptly pay the costs associated with any alteration, extension, reinstatement, and repair or cleaning of Council infrastructure, public land or private property
  - d) ensure public land, footpaths and roads are not unreasonably obstructed by vehicles, machinery or materials or used for storage

## General Notes and Advice

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

- b. All costs associated with acting on this permit are borne by the person(s) acting on it.
- c. The permit takes effect 15 days after the date it was issued to you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- d. The permit and conditions on it are based on the information submitted in the endorsed plans and documents. The Planning Authority is not responsible or liable for any errors or omissions.
- e. Further and separate approval or consent may be required for the following:
  - i. Building and plumbing approval from Council under the *Building Act 2016*
  - ii. Certificate of certifiable work for Water and sewerage from TasWater under the *Water and Sewerage Industry Act 2008*
- f. *The Environmental Management and Pollution Control (Distributed Atmospheric Emissions) Regulations 2007* prohibit backyard burning in incinerators or in the open on lots less than 2,000m<sup>2</sup>, and the burning of plastics and other non-wood or non-vegetative material.
- g. The granting of this permit takes no account of covenants applicable to the land. The developer should make their own enquiries as to whether the proposed development is restricted or prohibited by any such covenant and what consequences may apply.

**Under Regulation 25 of *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson hereby declares that the Council is no longer now acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 3 of the Agenda.**

**RECOMMENDATION**

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

## 4. Public Question Time

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

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

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

### 4.1 Questions without notice

***In response to COVID-19 social gathering regulations, Council meetings will be held remotely via video conference until further notice and therefore members of the public are unable to attend the meetings.***

***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.***

### 4.2 Questions on Notice

#### **Mr Aaron De La Torre, ASU**

*I note the passing of a motion to adopt Council’s draft Statement of Expectations and the discussion around this matter at Council’s Special Meeting, held on 9 April 2020.*

*As all but Cr Robinson were in office at the time, most should remember that issues between Councillors and Managers were first raised via email to all Councillors on 12 December 2018. Given that Managers’ requests for mediation was ignored by Councillors, complaints around these types of issues have been made to the Director and Minister on numerous occasions since; the first of these was lodged in January 2019.*

*Councillors are very well aware that the Statement of Expectations came about as a result of a suggestion from the Director of Local Government following the multiple complaints that he and the Minister had received in relation to the conduct of specific Councillors and their dealings with employees of the organisation. These issues have presented themselves since the 2018 Council elections.*

Q1. *With this in mind, could Council please seek a response from Ms Lyn Mason as to what she meant by the following comments at the 9 April 2020 meeting?*

*“I think where Council has moved in the couple of months that we’ve been here is from being very concerned about having the sins of the past visited on the children of the present... . There was a feeling amongst many of the Councillors, some of who have only been there a short time, relatively speaking, that because of problems in the past with Council and heritage of practices... the blame couldn’t be placed on those people who are now holding office. ... many of these actions were not done by people in this room, they weren’t even on the Council at the time, ... I think there has been broad recognition that as a statement of good behaviour then that’s what this is.”*



### **Response from the Acting General Manager, Mrs Marissa Walters**

Some of the problems which have beset this council have their roots in practices which started before November 2018. These problems were not confined to employee/councillor relationships. If some of the current councillors were not on the council before November 2018, or had been on council for only a short time, they may have been justified in considering that the SoE was an attempt to fix problems which they did not create. These councillors may still think that, but in signing this document they have accepted that this Statement encapsulates good behaviour in elected office and in the role of general manager, and they have expressed willingness to try to improve relationships within GSBC. They are looking forward. They are also aware that most of the content of the Statement deals with interactions which are not specifically in legislation.

- Q2. *Could Council please explain what they understand the ramifications are of any breaches of this voluntary, seemingly non-binding and unenforceable Statement of Expectations?*

### **Response from the Acting General Manager, Mrs Marissa Walters**

The Statement of Expectations Committee met only a few days ago to consider this question. These matters have not yet been decided.

- Q3. *And could the members of the Committee please explain how employees should feel protected by it, or even understood, given that their very frank and honest input in interviews with Mr Preece was never reported on in any of the Section 24 Statement of Expectations Committee meetings, and with comments such as Ms Mason's above showing that even at the end of this six month ordeal those intimately involved in the Committee to address these concerns, and the setting of the Statement of Expectations, still have no idea what the original issues were or why ratepayers' money has been spent on such a statement being developed in the first place.*

### **Response from the Acting General Manager, Mrs Marissa Walters**

Glamorgan Spring Bay Council Public Question time policy clearly restricts questions to a maximum of two.

## **5. Financial Reports**

### **5.1 Financial Reports for the period ending 30 April 2020**

**Responsible Officer** – Acting General Manager

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#### **ATTACHMENT/S**

1. Profit & Loss – April 2020
2. Statement of Cash Flows – Year to Date
3. Balance Sheet – Comparative – April 2020
4. Capital Works – April 2020

#### **BACKGROUND/OVERVIEW**

The financial reports for the period ended 30 April 2020 as attached to this report are presented for the information of Council.

#### **BACKGROUND / OVERVIEW**

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

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

#### **STATUTORY IMPLICATIONS**

Various legislation.

#### **BUDGET IMPLICATIONS**

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

#### **RISK CONSIDERATIONS**

By not receiving and reviewing the major financial reports on a regular basis, such as the Profit & Loss, Statement of Cash Flows, Capital Works and Balance Sheet, Council risks not meeting its financial management obligations.

#### **OFFICER'S RECOMMENDATION**

That Council receives and notes the Financial Reports as attached to this report for the period ended 30 April 2020.

## Profit and Loss

Glamorgan Spring Bay Council

For the 10 months ended 30 April 2020

Account	YTD Actual	YTD Budget	Budget Var	Var %	2019/20 Budget	Notes
<b>Trading Income</b>						
Rate Revenue	8,382,637	8,497,440	(114,803)	-1%	8,502,440	
Statutory Charges	466,649	462,130	4,519	1%	534,500	
User Charges	763,238	740,120	23,118	3%	805,050	
Grants	478,886	478,930	(44)	0%	1,282,653	
Interest & Investment Revenue	246,856	93,300	153,556	165%	674,400	1
Contributions	66,078	33,300	32,778	98%	37,000	
Other Revenue	1,444,324	1,124,540	319,784	28%	1,729,083	2
Net Gain (Loss) on Disposal of Assets	83,190	0	83,190	0%	50,000	
<b>Total Trading Income</b>	<b>11,931,856</b>	<b>11,429,760</b>	<b>502,096</b>	<b>4%</b>	<b>13,615,126</b>	
<b>Gross Profit</b>	<b>11,931,856</b>	<b>11,429,760</b>	<b>502,096</b>	<b>4%</b>	<b>13,615,126</b>	
<b>Capital Grants</b>						
Grants Commonwealth Capital - Other	1,150,000	1,900,000	(750,000)	-39%	1,900,000	3
Grants Commonwealth Capital - Roads to Recovery	280,601	401,000	(120,399)	-30%	401,000	4
Grants State Capital - Other	350,000	0	350,000	0%	0	5
<b>Total Capital Grants</b>	<b>1,780,601</b>	<b>2,301,000</b>	<b>(520,399)</b>	<b>-23%</b>	<b>2,301,000</b>	
<b>Other Income</b>						
Other Income - PPRWS Reimbursement of Principal Loan	0	0	0	0%	61,394	
<b>Total Other Income</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>	<b>61,394</b>	
<b>Operating Expenses</b>						
Employee Costs	3,883,525	4,297,225	(413,700)	-10%	5,174,067	6
Materials & Services	5,543,504	4,657,875	885,629	19%	5,491,080	7
Depreciation	1,947,070	1,947,070	0	0%	2,336,478	
Interest	157,017	190,860	(33,843)	-18%	229,035	
Other Expenses	132,560	170,330	(37,770)	-22%	219,000	
Internal Plant used on Capital Jobs	(112,088)	(112,500)	412	0%	(135,000)	
Employee Oncoats	2,594	50,820	(48,226)	-95%	0	
<b>Total Operating Expenses</b>	<b>11,554,182</b>	<b>11,201,680</b>	<b>352,502</b>	<b>3%</b>	<b>13,314,660</b>	
<b>Net Profit</b>	<b>377,674</b>	<b>228,080</b>	<b>149,594</b>	<b>66%</b>	<b>300,466</b>	
<b>Net Profit Including Capital Grants</b>	<b>2,158,275</b>	<b>2,529,080</b>	<b>(370,805)</b>	<b>-15%</b>	<b>2,662,860</b>	
<b>Capital Works Program (Current Year WIP)</b>						
Work in Progress Capital Works - Plant Internal	112,088	0	112,088	0%	0	
Work In Progress Payroll - Salaries and Wages	155,177	0	155,177	0%	0	
Work in Progress Capital Works - On Costs	75,455	0	75,455	0%	0	
Work in Progress Capital Works - Contractor Costs	3,826,901	0	3,826,901	0%	0	
Work in Progress Capital Works - Other Costs	135,692	0	135,692	0%	0	
Work in Progress Capital Works - Materials	693,892	0	693,892	0%	0	
Work in Progress Capital Works - Consultancy	200,402	0	200,402	0%	0	
Work in Progress Capital Works - Plant Hire External	89,377	0	89,377	0%	0	
<b>Total Capital Works Program (Current Year WIP)</b>	<b>5,288,985</b>	<b>0</b>	<b>5,288,985</b>	<b>0%</b>	<b>0</b>	

### Notes

1. The TasWater final dividend will not be received in June, total investment & interest revenue is estimated to be down \$400-420k at year end.
2. Other revenue is up \$320k or 28% on budget YTD, this is primarily due to higher than expected revenue from medical income, commission earned, rental income and profit on sale of assets.
3. Commonwealth Grants - other is down \$750k on budget YTD due to the timing of grant milestone payments, some of which are likely to be carried into the next financial year and final payments made post audit.
4. Roads to Recovery Grants are down for the YTD due to the timing of milestone payments.
5. State Capital Grants are up \$350k to the receipt of Coles Bay Trailer Parking Grant.
6. Employment costs are down 10% on budget YTD due to staff vacancies.
7. Materials & Services are up \$885k or 19% on budget YTD. This is primarily in relation to increased contractor costs, legal fees and materials across a number of departments.

# Statement of Cash Flows

Glamorgan Spring Bay Council  
For the 10 months ended 30 April 2020

	JUL 2019-APR 2020	2019
<b>Operating Activities</b>		
Receipts from customers	10,868,880	11,716,062
Payments to suppliers and employees	(10,172,074)	(10,916,436)
Receipts from operating grants	479,586	1,380,641
Cash receipts from other operating activities	676,294	688,360
<b>Net Cash Flows from Operating Activities</b>	<b>1,852,687</b>	<b>2,868,626</b>
<b>Investing Activities</b>		
Proceeds from sale of property, plant and equipment	756,762	56,498
Payment for property, plant and equipment	(6,680,554)	(6,732,583)
Receipts from capital grants	1,815,601	2,737,745
Other cash items from investing activities	-	5,632
<b>Net Cash Flows from Investing Activities</b>	<b>(4,108,191)</b>	<b>(3,932,708)</b>
<b>Financing Activities</b>		
Trust funds & deposits	(16,297)	121,491
Net Proceeds/(Repayment) of Loans	271,834	3,266,680
<b>Net Cash Flows from Financing Activities</b>	<b>255,537</b>	<b>3,388,171</b>
<b>Net Cash Flows</b>	<b>(1,999,968)</b>	<b>2,324,090</b>
<b>Cash and Cash Equivalents</b>		
Cash and cash equivalents at beginning of period	3,677,197	1,353,107
Cash and cash equivalents at end of period	1,677,229	3,677,197
<b>Net change in cash for period</b>	<b>(1,999,968)</b>	<b>2,324,090</b>

# Statement of Financial Position

Glamorgan Spring Bay Council  
As at 30 April 2020

	30 APR 2020	30 JUN 2019
<b>Assets</b>		
<b>Current Assets</b>		
Cash & Cash Equivalents	1,805,488	3,805,456
Trade & Other Receivables	1,326,055	546,426
Inventories	26,817	26,817
Other Assets	115,522	101,840
<b>Total Current Assets</b>	<b>3,273,881</b>	<b>4,480,539</b>
<b>Non-current Assets</b>		
Trade & Other Receivables	15,257	15,257
Investment in Water Corporation	36,627,343	36,627,343
<b>Property, Infrastructure, Plant &amp; Equipment</b>		
Fixed Assets	115,246,165	115,869,490
Work in Progress	4,910,735	4,910,735
<b>Total Property, Infrastructure, Plant &amp; Equipment</b>	<b>120,156,900</b>	<b>120,780,225</b>
<b>Total Non-current Assets</b>	<b>156,799,500</b>	<b>157,422,825</b>
<b>Total Assets</b>	<b>160,073,381</b>	<b>161,903,363</b>
<b>Liabilities</b>		
<b>Current Liabilities</b>		
Trade & Other Payables	555,984	1,575,556
Trust Funds & Deposits	282,173	169,435
Provisions	750,592	750,592
Interest bearing Loans & Borrowings	114,529	1,402,911
<b>Total Current Liabilities</b>	<b>1,703,278</b>	<b>3,898,493</b>
<b>Non-current Liabilities</b>		
Provisions	114,059	114,059
Interest Bearing Loans & Borrowings	7,195,915	5,635,699
<b>Total Non-current Liabilities</b>	<b>7,309,974</b>	<b>5,749,758</b>
<b>Total Liabilities</b>	<b>9,013,252</b>	<b>9,648,251</b>
<b>Net Assets</b>	<b>151,060,129</b>	<b>152,255,112</b>
<b>Equity</b>		
Current Year Earnings	(1,194,983)	3,070,861
Equity - Surplus/Deficit Current Year	15,917,078	12,846,217
Equity - Surplus/Deficit Prior Years	60,905,527	60,905,527
Equity - Reserves	75,432,507	75,432,507
<b>Total Equity</b>	<b>151,060,129</b>	<b>152,255,112</b>

## AGENDA ITEM 5.1 – ATTACHMENT 4

as at 30 April 2020						
2019 - 2020 CAPITAL NEW // BICHENO - BUCKLAND - COLES BAY - ORFORD - SWANSEA - TRIABUNNA						
Department	Description	Budget Est - adopted	Govt Funding (drought relief)	Invoices rec'd to date	On-Site Progress*	Comments
<b>Roads, Footpaths, Kerbs</b>						
Buckland - Nugent Road R2R	Prep and bitumen seal 6000m	330,000	-	39,381	5%	Fully Funded by RTR - \$330,000 (additional funding of \$200,543)
Dolphin Sands		-	-	89,842	25%	\$1.0 million project fully grant funded.
Saltworks - Saltworks Road	Bitumen Sealing 700m	45,000	-	215	Complete	Project completed 2018-19
	<b>SUB TOTAL</b>	<b>375,000</b>	<b>-</b>	<b>129,438</b>		
<b>PG, Walking Tracks, Cemeteries</b>						
Bicheno Rec Ground	New Cricket Practice Nets / Surface	-	7,000	6,000	Complete	Part of \$1.0m grant - fully funded
Coles Bay Boat Trailer Parking	New carparks and footpath	400,000	-	176,559	70%	New DPIPWE Grant
Buckland Walk	Construct River Walk	32,000	-	21,762	30%	\$10k state funding, \$22k Council funds
Orford Rec Ground	New Cricket Practice Nets / Surface	-	40,000	35,220	90%	Part of \$1.0m grant - fully funded
Triabunna - Rec Ground	Electronic Score Board	-	20,000	21,036	90%	Part of \$1.0m grant - fully funded
Triabunna - Tennis Courts	Relocate to RecGround	-	250,000	221,497	80%	Part of 1.0m grant (\$10k contribution Tennis Club)
Buckland Dog Exercise Yard	Develop	-	20,000	13,715	50%	Part of \$1.0m grant - fully funded
Orford Dog Exercise Yard	Develop	-	20,000	10,302	50%	Part of \$1.0m grant - fully funded
Swansea Dog Exercise Yard	Develop	-	20,000	11,054	80%	Part of \$1.0m grant - fully funded
Swanwick Dog Exercise Yard	Develop	-	20,000	19,046	80%	Part of \$1.0m grant - fully funded
Triabunna Dog Exercise Yard	Develop	-	20,000	14,118	80%	Part of \$1.0m grant - fully funded
	<b>SUB TOTAL</b>	<b>432,000</b>	<b>417,000</b>	<b>550,310</b>		
<b>Council Buildings</b>						
Swansea Loo with a View	New constructed toilets / disability access	200,000	-	133,233	70%	Council to consider relocation
Dog Control	Microchip reading stick	5,000	-	-	50%	Moved to operational
Triabunna Old Offices	Relocate Memorial	30,000	-	680	10%	Waiting RSL advice re centotaph
Triabunna Clubrooms	Install catch nets for window protection	20,000	-	8,900	Complete	
Triabunna Clubrooms	c/fwd project from 18/19	-	-	29,205	Complete	Late invoices from 18-19
Bicheno Hall	New Chairs	-	17,500	19,485	Complete	Part of \$1.0m grant - fully funded
Coles Bay Hall	New Chairs	-	14,000	15,700	Complete	Part of \$1.0m grant - fully funded
	<b>SUB TOTAL</b>	<b>255,000</b>	<b>31,500</b>	<b>207,203</b>		
<b>Plant &amp; Equipment</b>						
Excavator 1.5T and Trailer		48,000	-	94,216	Complete	Cost relocated to replacement
IT Equipment		-	-	1,957	Complete	
	<b>SUB TOTAL</b>	<b>48,000</b>	<b>-</b>	<b>96,173</b>		
<b>Municipal</b>						
Event	Allocation for Education	-	30,000	8,626	Complete	Peter Andrews visit
	<b>SUB TOTAL</b>	<b>-</b>	<b>30,000</b>	<b>8,626</b>		
	<b>CAPITAL TOTAL - NEW</b>	<b>1,110,000</b>	<b>478,500</b>	<b>991,749</b>		





as at 30 April 2020						
2019 - 2020 CAPITAL RENEWAL // BICHENO - BUCKLAND - COLES BAY - ORFORD - SWANSEA - TRIABUNNA						
Department	Description	Budget Est - adopted	Govt Funding (drought relief)	Invoices rec'd to date	On-Site Progress*	Comments
<b>Sealed Road Pavements</b>						
Sealed Road Pavement Assessments	General Road Pavement Condition Inspection	25,000	-	-	0%	
Swansea Road Repairs	General Road Repairs Swansea	30,000	-	212	10%	
Bicheno Road Repairs	General Road Repairs Bicheno	30,000	-	212	10%	
Coles Bay Road Repairs	General Road Repairs Coles Bay	30,000	-	-	0%	
Orford Road Repairs	General Road Repairs Orford	30,000	-	-	0%	
Orford - Jetty Road	Rheban Road to West Shelly Road (460m x 6.5m)	225,601	-	225,601	Complete	Fully Funded by RTR
Orford - Louisville Road	Additional funds to complete project	30,000	-	19,837	Complete	
Buckland Road Repairs	General Road Repairs Buckland	30,000	-	-	0%	
Triabunna Road Repairs	General Road Repairs Triabunna	30,000	-	335	Complete	
	<b>SUB TOTAL</b>	<b>460,601</b>	<b>-</b>	<b>246,197</b>		
<b>Sealed Roads</b>						
<b>Various locations</b>						
Buckland	Jetpatcher costs	25,000	-	8,085	Complete	
Triabunna	Jetpatcher costs	35,000	-	77,851	Complete	
Orford	Jetpatcher costs	35,000	-	26,354	Complete	
Swansea	Jetpatcher costs	35,000	-	37,025	Complete	
Bicheno	Jetpatcher costs	35,000	-	24,403	Complete	
Coles Bay/Swanwick	Jetpatcher costs	35,000	-	25,120	Complete	
	<b>SUB TOTAL</b>	<b>200,000</b>	<b>-</b>	<b>198,837</b>		
<b>Unsealed Road Pavements</b>						
Gravel Roads - General	Resheeting - general	225,000	-	243,235	Complete	
Orford - Alice Street	Tasman Highway to Russell Street	49,000	-	46,103	Complete	Council contribution
	<b>SUB TOTAL</b>	<b>274,000</b>	<b>-</b>	<b>289,337</b>		
<b>Stormwater &amp; Drainage</b>						
Orford - Rheban Road	West Shelly properties - drainage works	12,000	-	-	0%	
		<b>12,000</b>	<b>-</b>	<b>-</b>		
<b>Bridges and Culverts</b>						
General Structures	Required repair works to a number of structures	60,000	-	9,723	30%	Works to be completed by end of May
Old Coach Road	Replace timber deck to concrete	55,000	-	53,854	Complete	Fully Funded by RTR
	<b>SUB TOTAL</b>	<b>115,000</b>	<b>-</b>	<b>63,577</b>		
<b>Parks &amp; Reserves</b>						
Coles Bay Reserve	Playground Rejuvenation Hall Surrounds	-	40,000	36,945	90%	Part of \$1.0m grant - fully funded
Swanwick Reserve	Playground Rejuvenation	-	20,000	9,027	50%	Part of \$1.0m grant - fully funded
Bicheno Lions Park	Playground / Amenities Rejuvenation / Fence	-	40,000	32,822	Complete	Part of \$1.0m grant - fully funded
Bicheno Foreshore Track	Replace old timber walkway bridge (northern end)	25,000	-	26,289		Project allocation to be reviewed
Buckland Reserve	Playground / Amenities Rejuvenation	-	5,000	1,500	80%	Part of \$1.0m grant - fully funded
Triabunna Seafarers Memorial	Replace flagpole masts	10,000	-	1,054	90%	Repaired 1 flagpole
Swansea Rec Ground	Refurbish Scorers Box - awning over servery	-	25,000	15,215	80%	Part of \$1.0m grant - fully funded
	<b>SUB TOTAL</b>	<b>35,000</b>	<b>130,000</b>	<b>122,851</b>		

<b>Council Buildings</b>						
Bicheno - Gulch Toilet	Building extension	-	60,000	31,778	90%	Part of \$1.0m grant - fully funded
Bicheno Hall	Floor Sanding, Paint, window coverings, stage carpet	-	40,000	26,562	90%	Part of \$1.0m grant - fully funded
Coles Bay Reserve	Subsurface Irrigation replacement	20,000	-	20,256	Complete	
Coles Bay Hall	Floor Sanding, painting, carpet, window curtains	-	47,000	23,887	90%	
Coles Bay Toilets	Refurbish Hall Toilets	-	20,000	33,624	Complete	Part of \$1.0m grant - fully funded
Cranbrook Hall	Paint	-	10,000	4,182	90%	Part of \$1.0m grant - fully funded
Swansea Depot Sheds	storage bays - 2 Mus / 3 Depot / 2 Bdg Dept / 2 NRM	25,000	-	30,443	90%	
Swansea Old SES Building	Community Shed / Re-use Shop	-	184,500	161,849	80%	Part of \$1.0m grant - fully funded
Triabunna Depot	Dog pound upgrade - incl power and security	12,600	-	740	20%	
Swansea Depot	Dog Pound Upgrade	7,000	-	624	0%	
Bicheno Depot	Dog Pound Upgrade	7,000	-	320	0%	
Triabunna Community Hall	Kitchen Renovations	-	20,000	23,826	Complete	FF (plus committee contribution)
Asbestos Assessment and Register	For all Council Buldings as per Building regulations	20,000	-	-	0%	
	<b>SUB TOTAL</b>	<b>91,600</b>	<b>381,500</b>	<b>358,090</b>		
<b>Plant &amp; Equipment</b>						
Bicheno Depot - Trailer	Heavy duty box trailer with brakes	3,800	-	2,216	Complete	Purchased
	<b>SUB TOTAL</b>	<b>3,800</b>	<b>-</b>	<b>2,216</b>		
	<b>CAPITAL TOTAL - RENEWAL</b>	<b>1,192,001</b>	<b>511,500</b>	<b>1,281,105</b>		
<b>Water Scheme</b>						
Prosser Plains Raw Water Scheme		3,000,000	-	3,018,347	Commissioning	BBR Grant/Loan
	<b>SUB TOTAL</b>	<b>3,000,000</b>	<b>-</b>	<b>3,018,347</b>		
	<b>CAPITAL TOTAL - NEW &amp; RENEWAL</b>	<b>\$ 5,302,001</b>	<b>\$ 990,000</b>	<b>\$ 5,291,202</b>		
			<b>84%</b>	<b>\$ \$ Expended</b>		
<b>Adopted Budget 2019-2020 / 'Total Capital Works' \$5,711,900 (New Grant \$400,000 now included)</b>						
<b>* Status of onground works - project final invoicing may still be outstanding</b>						
<b>2019-2020 R2R allocation \$601,630 (additional Drought Extension funding of \$200,543 included)</b>						



## **6. Section 24 Committees**

Nil.

## 7. Officers' Reports Requiring a Decision

### 7.1 Soldiers Memorial Screen at the Bicheno RSL Club

Responsible Officer – Graduate Planner

#### **BACKGROUND**

The Bicheno RSL sub-branch has lodged a development application for a memorial screen outside the Bicheno Memorial Hall at 78 Burgess Street.

The land is owned by the Crown and administered under licence by Council (Agreement ID 6706).

If an application is on Council or Crown-owned or administered land, the written permission of the Minister (or their delegate) and/or the General Manager must be provided.

Council has asked that applications involving Council owned or administered land go to an ordinary meeting so that it can consent to the lodgement.

Consent does not mean an application is approved – it will still be subject to the planning approval process.

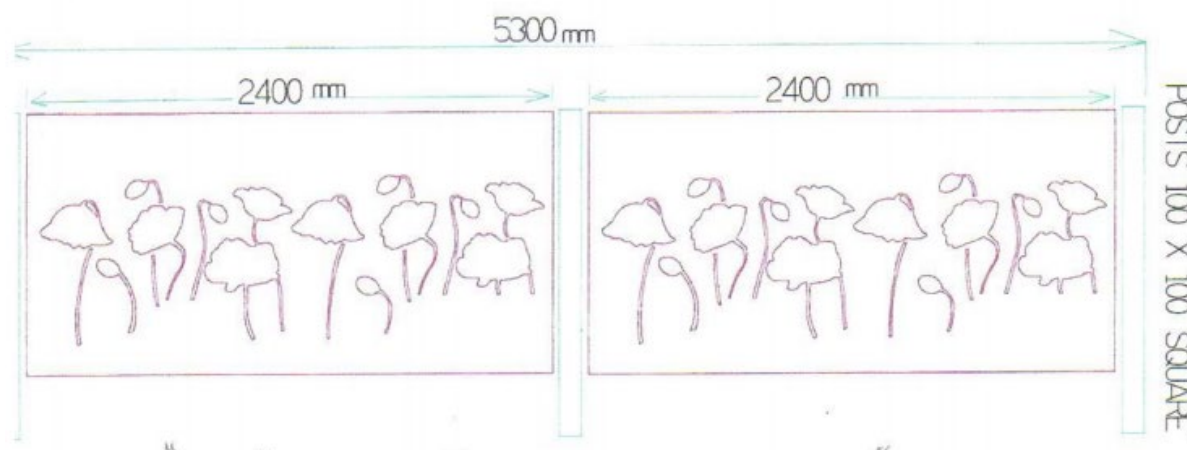
If Council agrees, the General Manager can sign the relevant section on the application form and the application will become 'valid'.

#### **THE PROPOSAL**

Two COR-TEN steel screens with poppy cut outs to be place between the existing concrete vehicle access to the hall and the driveway that goes past.

In many countries across the world, the Red Poppy is a symbol of remembrance and support for the Armed Forces. In Australia, the red poppy is worn on Remembrance Day.

COR-TEN steel is a type of steel alloy that does not need to be painted and weathers to a stable rusty finish. It is popular and 'edgy'.



The two screens together span 5300mm and are 1200mm high. The span of 5300mm matches the extent of the existing concrete parking area in from of the roller doors. The screens would distinguish the cenotaph space from the driveway that goes past while acting as a memorial.



### **BUDGET IMPLICATIONS**

The cost of the screens is \$2,156.00. The RSL Club has received a \$1,000 grant from the Community Small Grants Programme. Development application fees will be waived.

### **STATUTORY IMPLICATIONS**

If consent is given to lodge the application it will be assessed under the Glamorgan Spring Bay Interim Planning Scheme 2015.

The zone is 'Community Purpose'. The use will be 'permitted' and the development 'NPR'.

### **OFFICER'S RECOMMENDATION**

That Council consents to lodge a development application for a memorial screen at 78 Burgess Street, Bicheno (Bicheno Memorial Hall)



## 7.2 Multiple dwellings x 8 plus two existing at 70 Tasman Hwy, Bicheno (Moonya)

Responsible Officer – Graduate Planner

### **BACKGROUND**

An application has been lodged for planning approval for eight new dwellings at 70 Tasman Highway, Bicheno, also known as 'Moonya'. There are two existing dwellings on the property.

Works would involve constructing a rollover kerb and channel access from Rose Street near its junction with William Street. The existing gravel access at Bailey Street will be retained, maintained and re-graded. Information is being sought from Council's engineering consultant as to what would be required here, but in general terms he is accepting of the proposal.

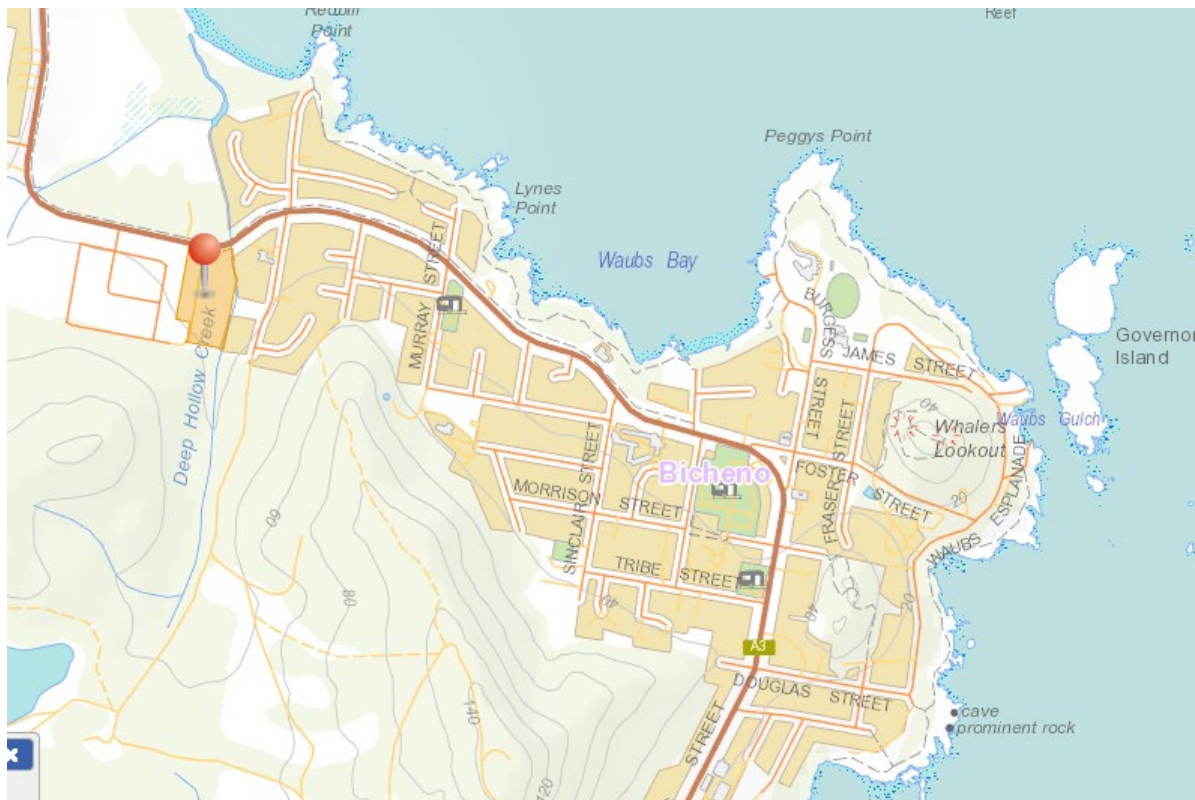
As the owner of the road reservation, Council must provide consent to lodge the application for it to become 'valid'.

Consent to lodge does not mean the application is approved – it will still be subject to the planning approval process.

If Council agrees, the General Manager can sign the relevant section on the application form and the application will become 'valid'.

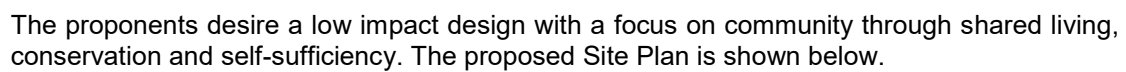
### **THE PROPOSAL**

Moonya is a unique, five-acre bush block off the Tasman Highway within the town limits, to the north of the township, as shown below (LISTmap).



It is bordered on the east by Deep Hollow Creek and to the west by a completed residential subdivision, as shown below (from LISTmap). It is zoned General Residential. While there is an easement in place, access off the Tasman Highway is not required.





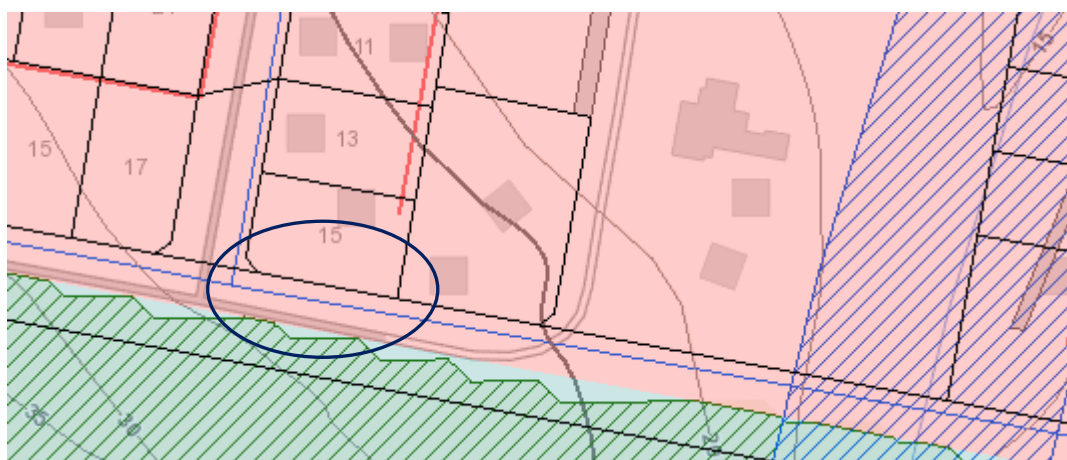
### **BUDGET IMPLICATIONS**

The access off Rose/William Street will be treated as a private driveway and a condition of the permit would require the applicant to seal the section from the pavement of the road to the property boundary, as for any driveway within the road reservation off a sealed road.

The existing access off Bailey Street is a Council road along the secondary frontage of 15 Rose Street (see the section circled below), after which it is a private road to the subject lot.

According to Council's engineering consultant, the preferred option would be that the applicants upgrade that section of Bailey Street along the secondary frontage of 15 Rose Street to an urban standard including kerb and gutter and a footpath along the northern side consistent with the remainder of Bailey Street, to be then adopted as a road maintainable by Council.

There should be no financial risk to Council.



### **STATUTORY IMPLICATIONS**

If consent is given to lodge the application, it will be assessed under the Glamorgan Spring Bay Interim Planning Scheme 2015.

The zone is 'General Residential'. The use class is 'residential', which for multiple dwellings is a 'permitted' use in the zone. The development will be 'discretionary'.

### **OFFICER'S RECOMMENDATION**

That Council consents to lodge the application for eight new dwellings at 70 Tasman Highway, Bicheno.



### 7.3 Triabunna RSLA club rooms – proposed extension

Responsible Officer – Graduate Planner

#### BACKGROUND

In April 2017, a permit was issued to extend the Triabunna RSLA premises at 1 Vicary Street. Without a request for an extension, that permit expired in April 2019.

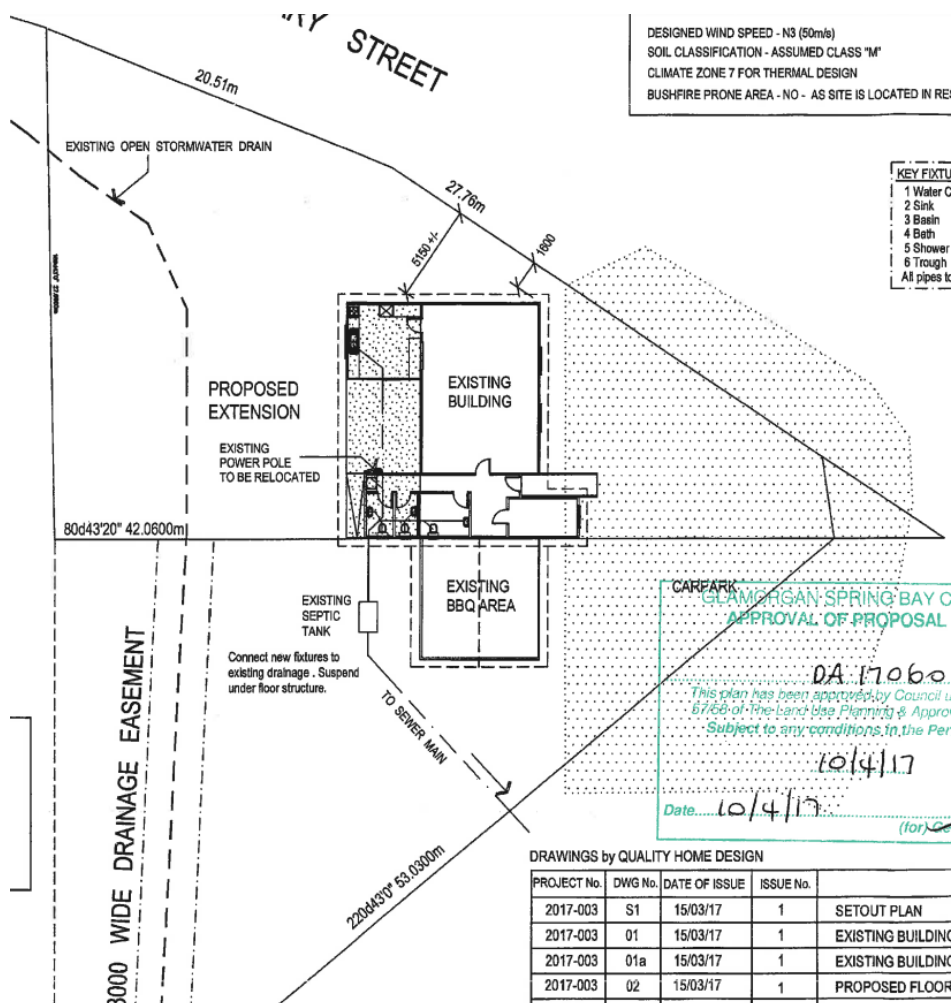
The RSLA has advised that it would like to go ahead with a new application. The land is owned by Council so Council must provide consent to lodge.

Consent to lodge does not mean an application is approved – it will still be subject to the planning approval process.

If Council agrees, the General Manager can sign the relevant section on the application form and the application will become 'valid'.

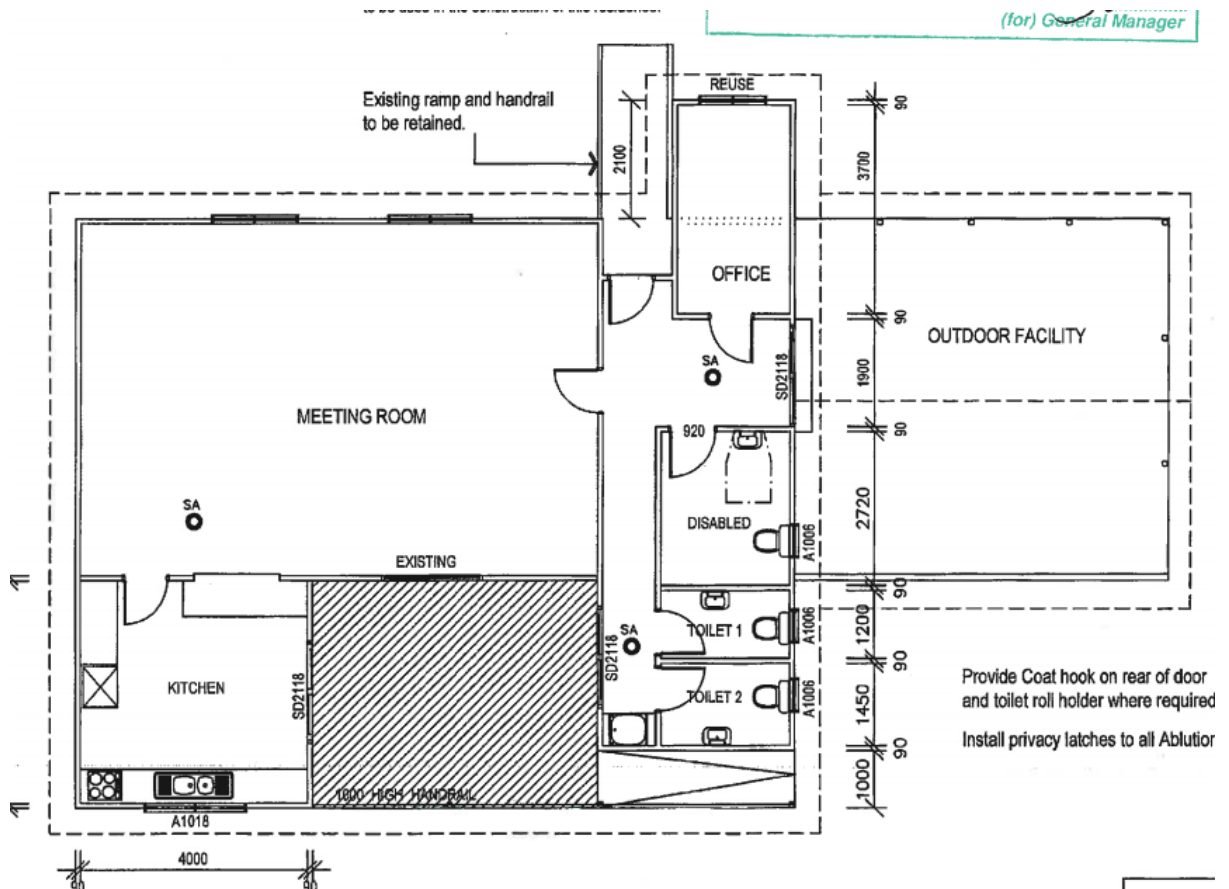
#### THE PROPOSAL

To extend the existing building on the western side as shown in the image below. The plans are those used for the original permit.





The proposed extension includes extending the existing office, relocating the existing toilets, constructing a new universal access toilet and constructing a new kitchen off the meeting room, as shown below.



### **BUDGET IMPLICATIONS**

The build is estimated to cost around \$180,000. The previous application was to rely on a grant from RSL Australia. Because the RSLA is a voluntary organisation, development application fees will be waived. There should be no other budget implications for Council. Note that there are other initiatives planned including renewing the streetscape and installing a new Cenotaph.

### **STATUTORY IMPLICATIONS**

If consent is given to lodge the application, it will be assessed under the Glamorgan Spring Bay Interim Planning Scheme 2015.

The zone is 'Community Purpose'. The use class will be 'Community Meeting and Entertainment', which is a 'permitted' use in the zone. The development will be 'discretionary' due to being located within an Inundation Prone (high risk) area and Coastal Erosion Hazard area.

### **OFFICER'S RECOMMENDATION**

That Council consents to lodge the application for extensions to the Triabunna RSLA rooms.



## **7.4 Electric Vehicle Charging Station, Noyes Street, Swansea**

**Responsible Officer – Graduate Planner**

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### **BACKGROUND**

Electric Highway Tasmania P/L has lodged a development application for an electric vehicle charging station in Noyes Street, Swansea. The road reserve is owned and maintained by Council.

If a proposal is on Council land, the written permission of the General Manager must be provided to make the application 'valid'.

Council has asked that applications involving Council-owned or administered land go to a council meeting so that it can approve the General Manager giving consent to lodge the application.

Consent to lodge does not mean an application is approved – it will still be subject to the planning approval process.

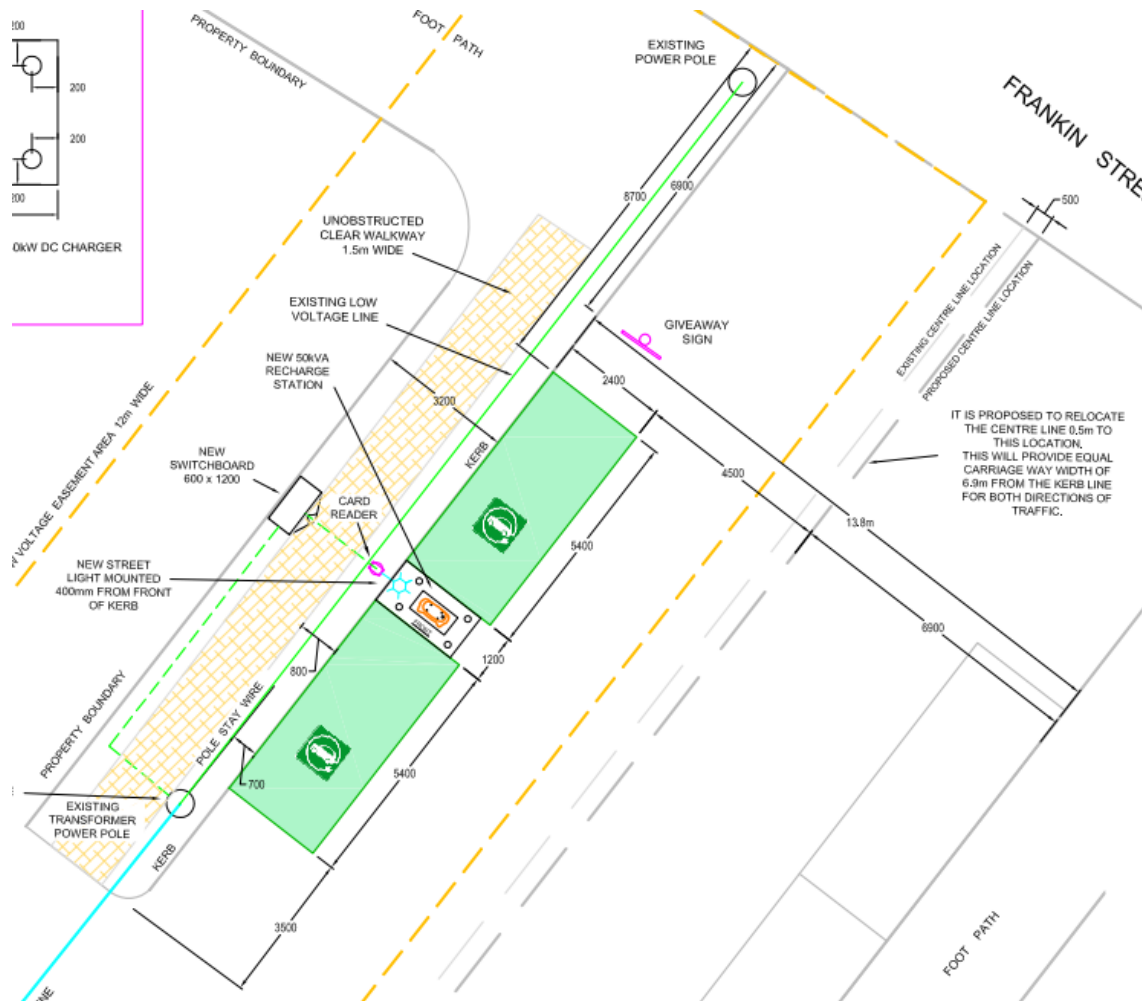
If Council agrees, the General Manager can sign the relevant section on the application form and the application will become 'valid'.

### **THE PROPOSAL**

To construct an electric vehicle charging station serving two vehicles in Noyes Street near its junction with Franklin Street, Swansea. Shown as a green line in the image below.



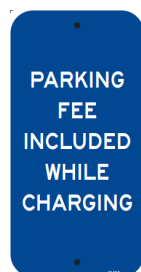
The charging station will replace two existing un-marked car parks, and the machine itself will be placed between the vehicle spaces, as shown below. The centreline of Noyes Street will move 500mm to the south to provide equal-width carriageways for both lanes of traffic.



The proposal will involve signage on the charging station, and street signs as shown below.



225x450mm sign on aluminium



x2 225x450mm signs on aluminium



### **BUDGET IMPLICATIONS**

Electric Highway Tasmania successfully applied for funding from the Tasmanian Climate Change Office for the charging station. The application was accompanied in May 2019 by a letter of strong support from Council. There should be no budget implications.

### **STATUTORY IMPLICATIONS**

If consent is given to lodge the application, it will be assessed under the Glamorgan Spring Bay Interim Planning Scheme 2015.

The zone is 'Local Business'. The use class will be 'minor utilities', which is a NPR use in the zone. The development will be 'discretionary'.

### **OFFICER'S RECOMMENDATION**

That Council consents to lodge development application for an electric vehicle charging station in Noyes Street, Swansea.

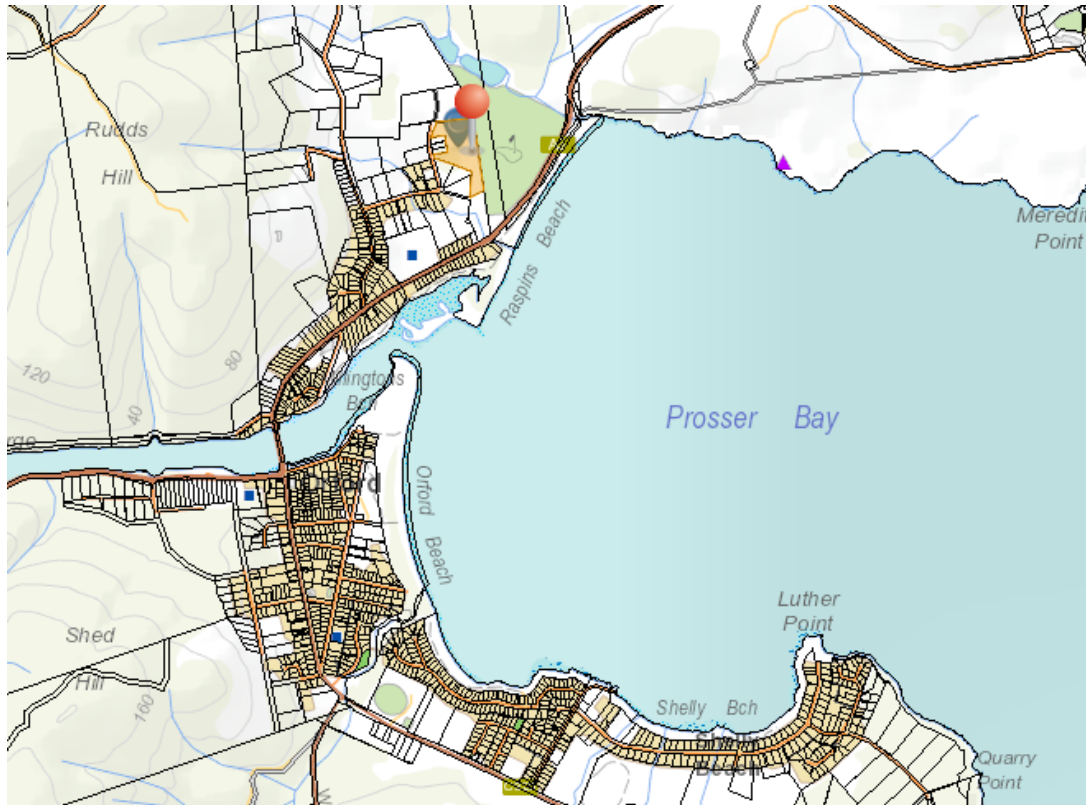


## 7.5 Proposed new road name off Holkham Court, Orford

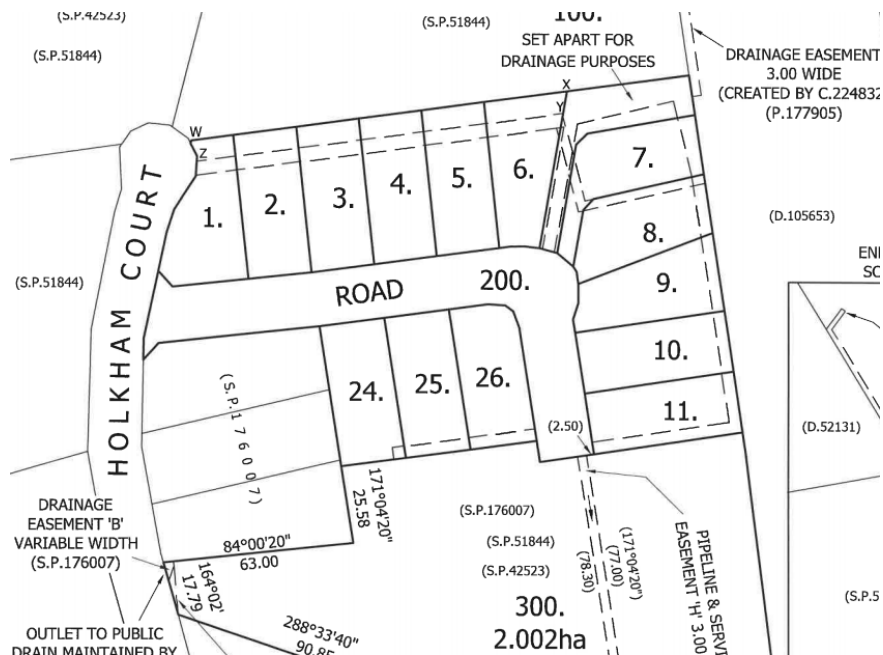
Responsible Officer – Graduate Planner

### BACKGROUND

In October 2019, the Resource Management Planning and Appeal Tribunal approved a 25-lot plus road subdivision off Holkham Court, in the northern part of Orford, pinned below.



The subdivision created a new road, named 'Road 200' in the Plan of Survey, below.



The subdivision is almost complete, the Final Plans have been submitted to council for sealing, and blocks are being sold. The developer has proposed a name for the new road.

### **NEW ROAD NAMES**

Proposals for new road names must be directed to the relevant road authority. Council is the road authority for council roads<sup>1</sup>. Any individual, organisation or authority can propose a place name to the authority.

According to the guidelines for place names<sup>2</sup>, sources of names can include, but are not limited to:

- a. Aboriginal history or culture
- b. Family history
- c. Convict records
- d. Military records
- e. Plant or animal species
- f. Historical events
- g. Land grants
- h. Associated features.

### **THE PROPOSED NAME**

The developer proposed the name 'Coco Court', which was not considered suitable by the road authority. It is understood the East Coast Heritage Museum has provided Councillors with some alternative name options.

### **CONSULTATION**

Under the *Survey Co-ordination Act 1944*, consultation must occur on proposed place names. The level of consultation depends on the type of feature to be named, the significance to the community, and any impacts on any individual.

The choice of a name for the road is not significant enough to warrant large-scale community consultation by Council. The new road is not a feature of significance to the community and the new name would not impact any individual.

Even in this time of COVID-19 restrictions where council meetings are not open to the public, publication of this report in the agenda is considered to satisfy community consultation requirements. The Nomenclature Board will follow on with advertising in the Tasmanian Government Gazette with an objection period of one month.

### **NEXT STEPS**

The road authority must decide on a name, which, if it not already in use in Tasmania, is then submitted via [Placenames Tasmania](#) to the Nomenclature Board for consideration.

Once approved, the Nomenclature Office will set the status in *Placenames Tasmania* and the new name will be published on new mapping publications and on the Land Information System Tasmania (the LIST).

### **OFFICER'S RECOMMENDATION**

That Council as the road authority chooses a name for the new subdivision road off Holkham Court.

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<sup>1</sup> [Tasmanian Place Naming Guidelines](#)

<sup>2</sup> [Rules for Place Names in Tasmania](#)



## **7.6 Memorandum of Understanding (MOU) Southern Waste**

**Responsible Officer – Acting General Manager**

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### **ATTACHMENT**

MOU Southern Waste Management Group

### **BACKGROUND / OVERVIEW**

General Managers of the southern councils have worked with the Local Government Association of Tasmania (LGAT) to form a regional group to address waste management issues in the south of the state. Now that Clarence, Glenorchy and Kingborough have left the Southern Tasmania Council Authority (STCA) there is no southern organisation to deal with waste management on a regional basis.

The State government has stated that when a waste levy is introduced, funds would be distributed to the regional bodies in the north and northwest of the State. It is imperative that the south has a body for the state to deal with. The proposed MOU is the first step to form a new regional authority in the south.

Please note the details in the attached draft MOU. The LGAT has agreed to provide management service for the group at a cost of \$75,000 per annum. This cost would be shared on a pro rata basis among the twelve southern councils. On a ratepayer basis Glamorgan Spring Bay Council's annual cost would be approximately \$3,148.

This matter was discussed at the Council Workshop held on the 12 May 2020. Council were provided a briefing on this matter at its 12 May 2020 Workshop.

### **STATUTORY IMPLICATIONS**

Various legislation.

### **BUDGET IMPLICATIONS**

This would cost Council an estimated \$3,148 per year.

### **RISK CONSIDERATIONS**

The southern councils may miss out on negotiations with the State Government about waste management projects and potentially no funds from the new waste levy if there is no regional group similar to the north and northwest regional authorities.

### **OFFICER'S RECOMMENDATION**

That Council authorises the Acting General Manager to execute the Memorandum of Understanding for the Southern Tasmanian Waste Management Group.

## **7.7 Submissions Strategic Plan**

**Responsible Officer** – Acting General Manager

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### **ATTACHMENT/S:**

1. Glamorgan Spring Council 10-year Strategic Plan 2020-2029
2. Submissions received on the Draft Glamorgan Spring Bay Council's 10-year Strategic Plan 2020-2029

### **BACKGROUND / OVERVIEW**

At the Ordinary Council Meeting held on the 24 March 2020, Council resolved to receive the Draft Glamorgan Spring Bay Council 10-year Strategic Plan 2020-2029 (the Plan) and invite community consultation and feedback over a four (4) week period with submissions closing on Friday 24 April 2020.

In accordance with the above Council Decision, an advertisement was placed in the Mercury and the Examiner with a notice placed on Council's website inviting feedback on the Draft Plan.

A total of four (4) submissions were received, copies of which are attached to this report.

The submissions were reviewed and discussed at the Council workshop held on the 7 May 2020.

During the review process, careful consideration was given to Council's ability to achieve those goals and objectives outlined in the submissions, many of which would require additional funding and resources over the coming years, particularly in respect to economic development and climate change.

The Plan has since been updated incorporating public feedback where considered appropriate in respect to Council's strategic direction and is now presented to Council for adoption.

### **STATUTORY IMPLICATIONS**

*S.66 Local Government Act 1993*

### **BUDGET IMPLICATIONS**

In adopting the Glamorgan Spring Bay Council 10-year Strategic Plan 2020-2029 Council is establishing its strategic direction over the coming years and will need to consider the goals and outcomes contained therein during future budget deliberations.

### **RISK CONSIDERATIONS**

By not reviewing the Strategic Plan, Council is non-compliant with section 66 of the *Local Government Act*.

### **OFFICER'S RECOMMENDATION**

That Council adopts the Glamorgan Spring Bay Council 10-year Strategic Plan 2020-2029 as attached to this report and acknowledges the submissions received.

## **7.8 Adoption of the 2020/21 Rates Resolution and Fees & Charges**

**Responsible Officer** – Acting General Manager

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### **ATTACHMENT/S**

1. 2020-2021 Fees & Charges
2. 2020-2021 Rates Resolution

### **BACKGROUND / OVERVIEW**

The fees and charges and the rates resolution for the 2020-2021 financial year are presented here for Council's considerations and endorsement.

The development of these documents has been undertaken in consultation with Council staff and consultants. It was presented and discussed at Council's workshop on 12 May 2020.

### **STATUTORY IMPLICATIONS**

Fees and Charges - S.205 and s.206 of the *Local Government Act 1993*  
Rates Resolution – various sections of the *Local Government Act 1993*

### **BUDGET IMPLICATIONS**

Given the current situation with the COVID-19 pandemic most fees and charges are presented with a 0% increase. Where increases have occurred, particularly in relation to development fees and charges, this is to reflect the continued increased cost to Council and ratepayers to provide these services.

As previously adopted at the 28 April Ordinary Council Meeting there is a 0% increase in the general rate in response to the COVID-19 pandemic.

### **RISK CONSIDERATIONS**

Council is required to set the fees and charges every year and make these publicly available.

### **OFFICER'S RECOMMENDATION**

That Council by absolute majority:

1. Adopts the 2020-2021 Fees and Charges (as presented in the attachments to this agenda).
2. Adopts the 2020-2021 Rates Resolution (as presented in the attachments to this agenda).



## **7.9 Commercial Addendum to Financial Hardship Assistance Model Policy**

**Responsible Officer** – Acting General Manager

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### **ATTACHMENT**

Commercial Addendum to Financial Hardship Assistance Model Policy.

### **BACKGROUND / OVERVIEW**

At the ordinary Council meeting held on the 28 April 2020, Council adopted its Financial Hardship Assistance Policy (the Policy).

The Policy enables Council to provide assistance to community members who are suffering financial hardship by providing an appropriate level of relief from Local Government rates.

An Addendum to the Hardship Policy (the Addendum) has since been developed to achieve a consistent approach to rates assistance for commercial operators across the Glamorgan Spring Bay Council.

This Addendum is intended to be supplementary to any other public benefit concessions policy or any other economic relief measure that Council may implement.

This Addendum applies to commercial/business ratepayers within the Commercial Land Use Category who are experiencing hardship due to the loss of operating revenue or reduced disposable income.

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.

A briefing was provided to Council at its Workshop on 12 May 2020.

### **STATUTORY IMPLICATIONS**

- *Local Government Act 1993*
- GSBC Rates and Charges Policy
- GSBC Financial Hardship Assistance Model Policy

### **BUDGET IMPLICATIONS**

Recognised budget implications would be the postponing of rates payments, the waiver of late payment penalties or interest and the remission of rates in confirmed cases of genuine financial hardship. The scale of rates relief would be based on the eligibility scale of rates relief measures based on a business's loss of revenue due to COVID-19 as outlined within the Addendum.

### **RISK CONSIDERATIONS**

The Addendum provides a framework and principles as outlined in Council's Financial Hardship Policy for considering rates relief to those most in need of support. By not having the Addendum in place, Council risks inconsistencies in determining and assessing applications for rates relief from commercial/business operators across the municipality faced with genuine financial hardship as a result of COVID-19.

### **OFFICER'S RECOMMENDATION**

That Council adopts the Glamorgan Spring Bay Council Commercial Addendum to Financial Hardship Assistance Model Policy as presented effective 26 May 2020.

## **7.10 Approval for New Loan**

**Responsible Officer** – Acting General Manager

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### **BACKGROUND / OVERVIEW**

As a result of the COVID-19 pandemic Council's cash position will be severely compromised this financial year and in the coming financial year.

Council's income has reduced in a number of areas in relation to user fees, TasWater final dividend not being paid and no longer an expectation to receive any part of 2020/21 Financial Assistance Grants in advance. It is expected that rate payments will be delayed due to the hardship being experienced broadly within the community with all these factors having an impact on the current year cash flow forecast.

This item was discussed with Councillors in Budget Workshops on 23 April 2020 and 7 May 2020.

### **STATUTORY IMPLICATIONS**

S.78 and S.80 *Local Government Act 1993*

### **BUDGET IMPLICATIONS**

Increased loan borrowings for 2019/20 of \$1.5million

### **RISK CONSIDERATIONS**

Council's cash position will be severely compromised if the loan is not taken up and is at risk of having insufficient cash at hand.

### **OFFICER'S RECOMMENDATION**

That Council by absolute majority, subject to Treasury approval, authorise the Acting General Manager to take out an additional loan up to \$1.5million in the current financial year for general operational purposes.

## **7.11 Memorandum of Understanding – Local Government Association of Tasmania Funding**

**Responsible Officer** – Acting General Manager

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### **ATTACHMENT**

MOU – LGAT Funding

### **BACKGROUND / OVERVIEW**

The Commonwealth awarded funds to the Local Government Association of Tasmania to progress long-term financial and asset management practices across Tasmanian councils. Whilst the project has been completed, LGAT have quarantined remaining funds and are offering Glamorgan Spring Bay Council \$15,000 towards the completion of Council's long term financial and asset management plans to a base level of maturity by 31 December 2020.

### **STATUTORY IMPLICATIONS**

*S.70 Local Government Act 1993*  
*S.70B Local Government Act 1993*

### **BUDGET IMPLICATIONS**

\$15,000 to be provided to Council to undertake to complete the following before 31 December 2020:

- Initiate and complete Asset Management Plans for the major Asset Classes.
- Finalise an Asset Management Strategy and Asset Management Policy.
- Update the 10 year financial plan and integrate it with the Asset Management Plans.

There is likely to be additional consultant and staff costs to complete the plans.

### **RISK CONSIDERATIONS**

Council are required to have these plans in place and are currently not compliant with the requirements of the *Local Government Act 1993*. Council had plans in place to complete this work this calendar year and the contribution will financially assist with these projects.

### **OFFICER'S RECOMMENDATION**

That Council authorise the Acting General Manager to enter into the Memorandum of Understanding with the Local Government Association for their contribution of \$15,000 towards Asset Management Plans, Strategy & Policy and an integrated 10 year financial plan as presented in the attachments to this agenda item.



### MEMORANDUM OF UNDERSTANDING

This is a Memorandum of Understanding between the Local Government Association of Tasmania (LGAT) and Glamorgan Spring Bay Council.

The Commonwealth awarded funds to the Local Government Association of Tasmania to progress long-term financial and asset management practices across Tasmanian Councils. While the project has been completed, some funds remain and have been quarantined for the purposes of:

- 1) Councils focused activities in order to get lagging councils to a base level of maturity.
- 2) Strategic sectoral activity such as research, training and tools.

Glamorgan Spring Bay Council is receiving funding related to Purpose 1.

The Local Government Association of Tasmania undertakes to:

- direct funding of \$15,000 to Glamorgan Spring Bay Council to support the development of their long-term financial plan and asset management planning.

Glamorgan Spring Bay Council undertakes to complete the following before 31 December 2020:

- Initiate and complete Asset Management Plans for the major Asset Classes.
- Finalise an Asset Management Strategy and Asset Management Policy.
- Update the 10 year financial plan and integrate it with the Asset Management Plans.
- Report to LGAT on the outcomes.

Signed for and on behalf of the Local  
Government Association of Tasmania

Signature of witness

Name of witness (block letters)

Address

Occupation

Signature of CEO

Name of CEO

Date

Signed for and on behalf of Glamorgan Spring Bay Council	) )	..... Signature of General Manager
..... Signature of witness		
..... Name of witness (block letters)		..... Name of General Manager
..... Address		
..... Occupation		

Draft

## 7.12 Application for Grant Funding – Roads and Bridges

Responsible Officer – Acting General Manager

### **BACKGROUND / OVERVIEW**

Applications for Commonwealth grant funding under Bridges Renewal Program Round 5 and Heavy Vehicle Safety and Productivity Program close on 29 May 2020.

Both programs require 50% matching in funding which can come from Roads to Recovery or other grants.

During the recent flooding event Council lost a bridge on Rheban Rd which needs to be replaced at the cost of \$260,000 and is likely to be eligible for funding under the Bridge Renewal Program. Council's 50% contribution (\$130,000) could come from the 2020/21 Roads to Recovery allocation.

The objectives of the Heavy Vehicle Safety and Productivity Program are to increase the productivity and safety of heavy vehicle operations, including through the provision of driver fatigue management rest areas and the enhancement of heavy vehicle networks. In addition, livestock transport industry proposals, which improve heavy vehicle safety and productivity for specific livestock transport operations will also be eligible for funding, provided they are submitted by an eligible Council under the Drought Communities Programme Extension funding and associated with a **public road**.

Rheban Rd is a stock route for livestock transport and may be eligible for funding under this program. This road is in need of resheeting since the recent rain events. Council's 50% contribution could come from the 2020/21 Roads to Recovery allocation. Whilst significantly more work could be done on this road it is proposed to allocate up to \$125,000 of the Roads to Recovery funding to this road if the grant is successful, providing a total project value of \$250,000. This should provide in the order of 20km of resheeting.

The total Roads to Recovery allocation for 2020/21 is \$601,631.

### **STATUTORY IMPLICATIONS**

Various

### **BUDGET IMPLICATIONS**

Allocation of 50% co-funding from the 2020/21 Roads to Recovery Program. Council have applied for assistance from the State Emergency Fund, in response to flood damage. If funding is forthcoming this could be used as the co-contribution.

### **RISK CONSIDERATIONS**

If Council do not apply for the grant they may miss out on necessary funding for urgent road and bridge works.

### **OFFICER'S RECOMMENDATION**

That Council authorise the Acting General Manager to:

1. Submit an application for funding as follows:
  - \$130,000 grant to replace Rheban Rd Bridge under the Commonwealth Bridge Replacement Program.
  - \$125,000 to resheet a portion of Rheban Rd under the Commonwealth Heavy Vehicle Safety and Productivity Program.
2. Execute any forthcoming grant deeds in line with applications for funding in this agenda item.

## **7.13 Rain Storm – Flooding, Responsibilities and Actions**

**Report Author** - Senior Engineering Consultant GSBC, Mr Harry Galea

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### **ATTACHMENT/S**

1. Summary of effected Properties (*Note: Identified emails/correspondence & attachments received from residents in respect to the rain event has been provided to Councillors under separate cover*)
2. Harry Galea – Experience and Qualifications

### **BACKGROUND**

A rain event on 2 April 2020 caused significant flooding in the Orford region however inundation damage was recorded broadly along the East Coast. Bureau of Meteorology information recorded daily rainfall totals but unfortunately the closest time based rainfall intensity was recorded at Maria Island and Dunalley. The time based rainfall intensity information is necessary to assess the rarity of the flood event - i.e. known as ARI (Average Recurrence Interval) or 1 in xx year ARI flood; OR current terminology AEP (Annual Exceedance Probability) or 1% AEP flood. For this document we shall use ARI given that AEP is only well understood by practitioners in the flood management industry.

Daily rain fall totals recorded in the GSBC municipality from 9am 2 April to 9am 3 April were - Orford (121mm rainfall), Maria Island (36mm), Triabunna (121mm), Swansea (52mm), Bicheno (52mm) and Coles Bay (52mm). Other southern Tasmania rainfall totals for the same period to allow comparisons are Hobart (36mm) and Huonville (23mm).

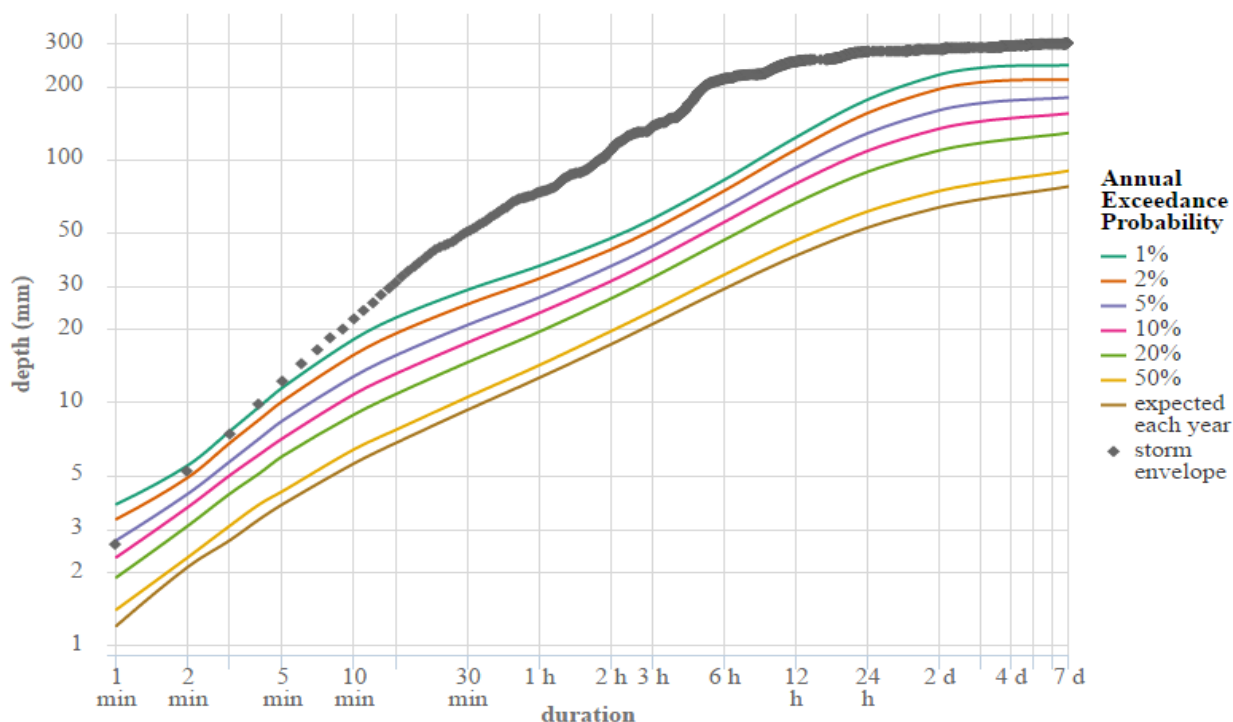
As a result of the stormwater inundation following the 2 April rain event the GSBC received numerous requests for assistance from property owners and 18 items of correspondence best summarised as either seeking action to minimise damage of future flood events or requests for reimbursement for the damage caused. Of the 22 letters/emails 17 were from residences in the Orford region. (Refer Attachment 1).

### **STORM FREQUENCY ANALYSIS**

As mentioned it is not possible to definitely determine the maximum ARI of the rain storm given the lack of time based rainfall intensities records. However there is value in analysing the rain fall design intensity charts used for the Orford township.

## Grindstone Point: storm envelope compared to design IFD

Station number 092149 location: -42.4425°S 147.9967°E height: 10 m  
Design IFD grid point: 42.4375°S 147.9875°E



**Note:** The drawn black line shows a storm event in 2016 - a very significant event for Orford (as it was for a number of locations across Tasmania). As mentioned unfortunately the BoM were unable to provide a profile for the 2 April 2020 storm.

Attempting to analysis the peak ARI is impossible given the lack of time based information. However there are some observations that are worthy to note. Based on a 24hr total of 121mm (for Orford) then the chart indicates a 24hr event has a 5% AEP (= 1 in 20 year storm). However the rainfall rates over the 24 hr period would not have been perfectly even - there would have been times of higher intensity and times of lower intensity. It would seem little doubt in my view that at times the ARI (for very short durations) would have exceeded the 1 in 20 year ARI. This is important given the catchments surrounding Orford are relatively short and flooding is caused by high intensity short duration storms rather than long durations.

### **LAW AND LEGISLATION FRAMEWORK**

As you would expect, common law and parliamentary legislation influence roles and responsibilities relating to stormwater. The discussion below is not intended to be an exhaustive commentary of law and legislation relating to all matters concerning water management but instead a snapshot of those laws/legislation having relevance to the stormwater inundation on 2 April.

The Tasmanian legislation *Water Management Act* 1999 provides a framework to regulate and licence the extraction and collection (i.e. dams) of water from natural sources (rivers, streams etc.). The Act does not assign responsibility for the channel and/or maintenance of a natural watercourse.



The Tasmanian legislation *Urban Drainage Act* 2013 places obligations on Councils to provide a stormwater system only in urban areas. Within urban areas a Council need to provide a point of discharge for each property in a designated urban area - whether underground or above ground infrastructure. The Act requires a Council to prepare a Stormwater Management Plan (SMP) - although the Act doesn't specify the contents of a SMP it is accepted practice to include a stormwater improvement plan and design standards. Whether a SMP has been prepared or not, the industry has best practice standards that are used in the design and construction of stormwater systems. These design standards aim to provide a 1 in 5 year ARI capacity for urban systems (and for some major residential stormwater trunk lines the design frequency may be increased to 1 in 10 year ARI). Flows above this standard would flow unabated until discharging into a natural water course.

Common law sets standards concerning stormwater. These common laws have been set by the courts over a number of centuries. A key law is that a lower property must accept any stormwater emanating from higher land and at a volume that the land would produce if the land was undeveloped. The downstream property owner does not have to accept stormwater if significantly concentrated (by actions other than what would be concentrated by nature) and the volume over and above what the higher land would produce if it remained undeveloped.

The *Emergency Services Act* places an obligation on local government, in areas outside the Cities (i.e. Launceston, Hobart, Devonport and Burnie) to support and fund services to provide emergency relief in times of natural disaster or catastrophe (fire, flood, road trauma, major accident). This is generally action by most Councils by providing funds to support their local emergency services such as the SES.

#### **CLASSIFYING THE CORRESPONDENCE RECEIVED ON STORMWATER FLOODING**

As mentioned, 22 property owners emailed to the Council seeking rectification of damage, compensation and/or system modification to alleviate future flooding. As a guide the concerns raised can be classified into 3 groups –

1. Stormwater inundation caused by an overflow from a nearby or adjacent natural water course (i.e. the volume of stormwater flow was beyond the capacity of the creek bed). It is considered that for 7 properties this was the mode of flooding.
2. Stormwater inundation caused by overland flow generated from higher land i.e. again the intensity of the storm event (whether for a few minutes or longer) resulted in a volume of run-off that could not be absorbed into the ground and hence flow naturally as sheet flow onto lower land. It is considered that for 8 properties this was the mode of flooding.
3. Stormwater inundation primary caused by block driveway culverts, blocked open drains or lack of open drains capacity. It is considered that for 4 properties this was the mode of flooding.

#### **DISCUSSION/COMMENT**

It is appropriate and proper that a Community expects its local Council to provide services in order to have orderly development, appropriate standards for households that live in close proximity and assistance in times of urgency or an emergency.

Although the Council should be active and visible in times of emergency to assist those in need, it may not necessarily lead that the fault or principle cause of flooding rests with the local Council. Of course, a Council has a role to provide drainage services to drain water away from residential properties in urban areas - but this is limited to a normally accepted level of service - in Australia a storm event of 1 in 5-10 years.

The storm event on 2 April has a recurrence frequency much greater than 1 in 20yr ARI. It is very apparent that the storm intensity during 2 April was beyond what is able to be ameliorated by a local council stormwater system (a system of open drains and underground drains). This is evidenced by video footage of the huge sheet flow of water from higher land/hills onto the lower land and evidenced by natural water course unable to cope with the flow.

Even with the above said, the Council has a responsibility to ensure the stormwater system is capable to perform adequately for a certain level of service. My understanding is that the GSBC do not have a Stormwater Management Plan formally approved under the *Urban Drainage Act*. Such a Plan would clearly specify the level of service that is affordable and should contain a priority list of actions/improvements and timeframes to address - the time frame may be over a longer-term period depending on the availability of funds. Inputting into the stormwater improvement plan would be knowledge gained from the 2 April storm event, the experience of long-standing community members and staff and deficiencies identified in any technical analysis of the stormwater system.

Even though the Council do not have responsibility for flooding caused by:

- a lack of capacity within a natural water course
- nor sheet flow of stormwater from higher land to lower land and
- nor where the Council's stormwater system infrastructure fails given the storm intensity is beyond what should and could reasonably be provided;

Each and every item of correspondence should be subject to a detail inspection by an experienced stormwater engineer to determine if the amelioration of the subject issue is simple, the subject issue is/is not within the Council's responsibilities (or a neighbouring property responsibility) and such information would input into either an immediate action plan (for simple and straight forward matters) or listed for consideration/prioritisation in the preparation of a longer-term Stormwater Improvements Plan.

In this regard the GSBC should either reserve funds or seek state government support in the order of \$300 - 500,000 to fund the inspections, preparation of a Municipal Stormwater Management Plan (including a prioritised stormwater improvement plan) and of course implementation of the simple fixes in the immediate action plan.

## **CONCLUSION**

1. That the storm event on the 2 April 2020 included rainfall intensities beyond the level of service standards provided in any local government urban stormwater system.
2. The majority of flooding/stormwater inundation was caused by a lack of capacity of a number of natural water courses; or broad land stormwater sheet flow generated on higher land and flowing onto lower land.

## **RECOMMENDATION**

1. That the Glamorgan Spring Bay Council provide/acquire funds to a value of up to \$500,000 to:
  - (i) allow preparation of a Stormwater Management Plan in accordance with the Urban Drainage Act 2013 (for the defined Urban areas).
  - (ii) allow onsite inspections that may identify simple or low cost solutions for inclusion on an immediate action plan.
  - (iii) also allow identification/confirmation of key causes of the flooding and solutions (or where the technical solution not immediately obvious then identification of further analysis and design) to be considered for prioritisation and inclusion into a long-term stormwater improvement plan (as part of the Stormwater Management Plan mentioned above).
  - (iv) implement the immediate action plan.
2. That for the preparation of the Stormwater Management Plan that the template and resources of the Local Government Association of Tasmania (LGAT) and Institute of Public Works Engineering of Australia (IPWEA) be utilised including seconding an experienced local government practitioners to assist in preparation of the SMP.
3. That to undertake the onsite inspections (to facilitate 3(i) and 3(ii) above) that a consultant, with direct experience in local government stormwater management, be engaged.



**AGENDA ITEM 7.13 – ATTACHMENT 1**

#	Property	Mode of Flooding
1	11 Russell Street Orford	Overland flow; blocked culverts
2	31A Holkham Court Orford	Creek overflow
3	10 Aubin Court, Orford	Overland flow
4	7A/7B Burgess Street Swansea	Blocked driveway culverts
5	7 Sea View Cres Orford	Overland flow
6	10 Walters Drive Orford	Creek overflow
7	9 Russell Street Orford	Overland flow, blocked culverts
8	9 Bluff Road Spring Beach	Road damage
9	30 High Street Pontypool	Overland flow
10	58 Bernacchi Drive	Lack of open drain capacity
11	2 Burgess Street Swansea	Salt Water Creek overflow
12	15 Russell Street Orford	Overland flow, inadequate street drainage
13	12 Walters Drive Orford	Creek overflow 2 emails
14	7 Prosser Street Orford	Underground spring discharging
15	28a Charles Street Orford	Overland flow
16	35 Strawberry Court Orford	Creek overflow
17	24 Holkham Court Orford	Creek overflow
18	4 Tasman Highway Orford	Under capacity, drain leading from Highway
19	3 Walters Drive, Orford	Creek overflow
20	13 Russell Street, Orford	Overland flow, inadequate street drainage
21.	8 Riverside Drive, Orford	To be determined
22.	23 West Shelly Beach Road, Orford	Groundwater, surface sheet flow and culvert failure

### **Harry Galea - Experience and Qualifications**

The report has been prepared by Harry Galea. Infrastructure related experiences and qualifications are listed below.

#### **Experience:**

Principal Engineer responsible traffic management, road infrastructure maintenance, stormwater, sewerage reticulation and water supply provision at the:

- City of Launceston between 2007 and 2017. Launceston has responsibility for 400km of sealed public road, 400km of unsealed public road network and Over 300km of underground stormwater reticulation. Prior to 1 July 2009 Launceston was also responsible for sewerage reticulation and water supply reticulation (and associated headworks) for the municipality.
- Principal Engineer responsible traffic management and road infrastructure budgeting at the Northern Midlands Council between 1995 and 2005. Northern Midlands Council had responsibility for 400km of sealed public road, 500km of unsealed public road network, sewerage reticulation and water supply reticulation (and associated headworks).
- Principal Engineer responsible traffic management and road infrastructure maintenance at the Town of Camperdown between 1990 and 1995. Town of Camperdown has responsibility for 150km of sealed public road network, sewerage reticulation and water supply reticulation (and associated headworks).
- Represented the City of Launceston, Northern Midlands Council, Town of Camperdown and Healesville Shire Council as an Expert Witness as various Town Planning Appeals heard by State Government sponsored Tribunals. The role of Expert Witness spanned a total period of over 35 years.

#### **Qualifications:**

- Bachelor of Engineering (Civil)
- Graduate Diploma in Municipal Engineering
- Masters of Business Administration (Technology)

It is considered that the author has the experience and qualifications to prepare this report.

## 7.14 Retrospective Approval - Letter of In-principle Support – Bicheno Community Development Association Inc. – Additional seating around Bicheno

**Responsible Officer** – Acting General Manager

### ATTACHMENT/S

1. In-principle Letter of Support from Council to the Bicheno Community Development Association Inc.
2. Correspondence from the Bicheno Community Development Association Inc.

### BACKGROUND/OVERVIEW

The Bicheno Community Development Association Inc (BCDA) has written to Council requesting a letter of support in their application through the Destination Action Plan (DAP) group to obtain a DAP specific State Government Grant for the purchase and installation of an additional 11 seats to be located around Bicheno. Refer attachment 2.

The BCDA proposed the following locations for the installation of the seats. As a number of the proposed locations were not on Council land, Council was unable to provide support for those installations and an explanation for not endorsing the seating in these locations is provided below:

Location No.	Location (Bicheno)	Comments/Conditions
1.	At the Western Lookout, opposite Diamond Waters Rise.	This area is not Council land and therefore an approach will need to be made to the landowner by BCDA.
2.	Opposite numbers 122/124 Tasman Highway	This area is not Council land and therefore an approach will need to be made to the landowner by BCDA.
3.	North West corner of Gordon Street.	This area is not Council land and therefore an approach will need to be made to the landowner by BCDA.
4.	Around half way between Nailer Avenue and Murray Street.	Council has provided in-principle support for the installation of seating on this location subject to the BCDA obtaining Crown Land approval.
5.	Near the entrance to the proposed "wheel park".	Council has provided in-principle support for the installation of seating on this location subject to the BCDA obtaining Crown Land approval.
6.	Near the entrance to the Log Cabin Store carpark.	This area is not Council land and therefore an approach will need to be made to the landowner by BCDA.
7.	Adjacent to the end of Foster Street (facing South)	Council would not be able to provide its support at this stage for this location due to Aboriginal Heritage concerns.
8.	South of the boat ramp (facing North/North West)	Council would not be able to provide its support at this stage for this location due to Aboriginal Heritage concerns.
9.	Near the northern end of Peggy's Point (facing North)	Council would not be able to provide its support at this stage for this location due to Aboriginal Heritage concerns.
10.	On the Eastern side of Peggy's Point (facing East)	Council would not be able to provide its support at this stage for this location due to Aboriginal Heritage concerns.
11.	On the northern side of the footway adjacent to the proposed "wheel park"	Council would not be able to provide its support at this stage for this location due to Aboriginal Heritage concerns.

Due to the timeframe between the receipt of the request from the Bicheno Community Development Association Inc., the closing of applications for funding and the date of the next Ordinary Council meeting, an email was circulated to Councillors seeking their support in-principle for the provision of a letter of in-principle support by the Mayor on behalf of Council.

As the majority of Councillors responded supporting the provision of an in-principle letter of support to the BCDA, this in-principle support was provided subject to the BCDA obtaining approval from Crown land for the installation of the seating on locations 4. and 5 only as outlined in the table above.

#### **OFFICER'S RECOMMENDATION**

That Council retrospectively endorses the letter of in-principle support provided to the Bicheno Community Development Association Inc. by the Mayor on behalf of Council in support of its application for funding through the Destination Action Plan (DAP) group to seek a DAP specific State Government Grant dated 14 May 2020 and subject to the conditions contained therein.





**BICHENO COMMUNITY DEVELOPMENT ASSOCIATION INC.**  
P.O Box 3 Bicheno, Tasmania 7215

18 April 2020

The Mayor  
Glamorgan Spring Bay Council  
PO Box 6  
Triabunna 7190

cc. General Manager

Dear Mayor Wisby

**Re: Additional seating around Bicheno**

You may remember, some months ago I brought up with you the need for additional seating around Bicheno so that when people are out walking there are rest places. This is particularly for older people, young families and those with infirmities. Currently there are few rest seats around Bicheno streets.

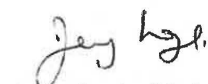
After consultation over the last few months with Community members and the Bicheno Health Group we have identified 11 places where we believe a bench seat could be installed. A list is attached. After talking to Council staff, we believe the total purchase and installation cost (onto a concrete slab) would be in the order of \$1800 each, and the positions recommended would not cause an obstruction to Community members or Council workers. We are proposing the bench seats would be the same as those currently installed by Council outside the Bicheno IGA supermarket.

Currently the Destination Action Plan (DAP) group have the opportunity to seek a DAP specific State Government Grant for the purchase and installation of 6 seats (seats 1-6 on the attached list). However, before doing so we need to have Council approval for the seating installations (either by Council staff or contractors as Council decides) and a firm estimate of the cost per seat (purchase price and installation cost if Council was to do the installation). Precise locations could be agreed at a later date. We have selected these first 6 seats as the priority as we note many people choose to make their daily along the track adjacent to the highway, however there are no rest seats along this walk, and as people get older they can no longer manage the walk without a rest.

**We are aware that current circumstances mean that your workloads are very high, however if you are able to provide us with a decision by mid May we will be able to apply for the grant. We believe our chances of receiving the grant are very high.**

We should note that we believe funds can be raised in the Community for the remaining 5 seats on the list, and will look forward to discussions at a later date with Council re these seats.

Yours sincerely



Jenny Logie (Mrs)  
President





## Proposed additional seats for the Bichenovillage

In response to the request from the BCDA the DAP Group, with input from the Bichenovillage Community Health Group recommends the installation of a total of 11 additional seats, with six of them placed at points alongside the Tasman Highway and the remaining five at points along the Foreshore Footway. The recommended sites are listed below in priority order:

### Tasman Highway

(Note: Numbers 1-5 are all at points along the cycle/ foot path)

1. At the Western Lookout, opposite Diamond Waters Rise
2. Opposite numbers 122/124 Tasman Highway
3. On the North West corner of Gordon Street
4. Around half way between Nailor Ave and Murray Street
5. Near the entrance to the proposed "wheel park" *-opposite United Seniors station*
6. Near the entrance to the Log Cabin Store car park

### Foreshore Footway

7. Adjacent to the end of Foster Street (facing South)
8. South of the boat ramp (facing North/ North East)
9. Near the northern end of Peggy's Point (facing North)
10. On the Eastern side of Peggy's Point (facing East)
11. On the northern side of the Footway adjacent to the proposed "wheel park"

**AGENDA ITEM 7.14 – ATTACHMENT 2**



**OFFICE OF THE MAYOR**

14 May 2020

To whom it may concern

**LETTER OF SUPPORT**


On behalf of the Glamorgan Spring Bay Council, it is with pleasure that I provide this in-principle letter of support to the Bicheno Community Development Association Inc. (BCDA) in its application for funding under the available Destination Action Plan group State Government Grant, for the installation of additional bench seating on the following locations:

- Around half way between Nailor Avenue and Murray Street, Bicheno; and
- Near the entrance to the proposed “wheel park”, Bicheno.

As the above locations are located on Crown land under Council lease, this in-principle support is subject to the BCDA obtaining Crown land approval for the placement of the seating.

I wish the Bicheno Community Development Association Inc. every success in its application.

Yours sincerely



Clr Debbie Wisby  
**MAYOR**

## **7.15 Councillor Allowances**

**Responsible Officer** – Acting General Manager

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### **BACKGROUND / OVERVIEW**

In accordance with regulation 42 of the Local Government (General) Regulations 2015 allowances for Mayors, Deputy Mayors and Councillors are adjusted annually by an inflationary factor at the 1 November each year.

In recent weeks, Ms Christina Holmdahl, Chair of LGAT has written to Elected Members throughout the State suggesting that due to COVID-19, consideration be given by Elected Members to not taking the automatic increase for the 2020/2021 period.

### **COMMENTS**

Feedback from Elected Members to the Acting General Manager in recent days has indicated that individuals are supportive of this suggestion by the Chair of LGAT and do not wish to take the automatic increase for the 2020/2021 period in recognition of financial hardship placed on many individuals and businesses within the municipality due to COVID-19.

In determining this matter, Council will need to consider each Elected Member's position and the decision will require absolute majority of Council. Should any individual Elected Members wish to take the automatic increase at the 1 November 2020, this will need to be reflected in Council's decision.

### **STATUTORY IMPLICATIONS**

- R.32 *Local Government (General) Regulations 2015*
- GSBC Policy No. 4.2 – Payment of Allowances & Expenses & Provision of Facilities for Councillors

### **BUDGET IMPLICATIONS**

A reduction in the payment of Councillor Allowances for the 2020/2021 would be reflected in the 2020/2021 budget.

### **RISK CONSIDERATIONS**

Nil.

### **OFFICER'S RECOMMENDATION**

That Elected Members of the Glamorgan Spring Bay Council do not wish to take the automatic increase to the Councillor Allowances for the Mayor, Deputy Mayor and Councillors at the 1 November 2020 for the 2020/2021 period.

## **7.16 Corporate Calendar**

**Responsible Officer** – Acting General Manager

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### **ATTACHMENT**

Corporate Calendar

### **BACKGROUND / OVERVIEW**

The Corporate Calendar has been developed over the past few months with the most recent version presented to the Council workshop held on the 12 May 2020.

The Corporate Calendar details the legislative reports, plans and Council policies that require review or development over the next twelve (12) months.

This working document will be reviewed regularly and updated as progress is made on the actions contained therein and will be presented to Councillors for information on a regular basis.

The document reflects the priority of the review or development process and has been colour coded as follows:

- Red = high priority
- Amber = Medium Priority
- Green = Low Priority
- Grey = Current – not due for at least twelve months

### **STATUTORY IMPLICATIONS**

- Various Acts and Regulations, in particular section 70 of the *Local Government Act 1993*
- Various Council Policies, Strategies and Plans

### **BUDGET IMPLICATIONS**

No budget implications are recognised.

### **RISK CONSIDERATIONS**

By not having such a tool in place to review Council's policies, strategies and plans and to ensure that regulatory and legislative reporting requirements are being met, there is risk to Council in that it may not meet its strategic and statutory obligations.

### **OFFICER'S RECOMMENDATION**

That Council receives and notes the Corporate Calendar as attached to this report.

## **7.17 Buckland Walk Trail**

**Responsible Officer** – Acting General Manager

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### **ATTACHMENT**

Buckland Walk Trail – Construction Review

### **BACKGROUND / OVERVIEW**

Information from GSB staff would suggest that the original idea for the Buckland Walk came from a Crown Land Services Officer who was working on weed management in the area. It is reported that this officer had noticed on a map how the various reserves in Buckland all joined up and would make a great walk around the township. This idea and map were passed on to the Secretary of the Buckland Community Group by Council's NRM Manager.

In May 2015 the Secretary of Buckland Community Group had written to the former General Manager suggesting the project. In 2018, the State Government were offering a \$10,000 election commitment grant for a suitable community project and an application was made by the former General Manager and Works Manager. The grant was successful and funds received in May 2018 to put towards Stage 1 of the project. Council provided an additional \$22,000 in the 2018/2019 budget and carried this over to the 2019/2020 budget.

In October 2019 an application was made to Crown Land Services for a license, this was approved in November 2019. A license between Crown Land and Council was signed in December 2019, by the General Manager of the day. The grant was extended with works due for completion in January 2020.

There is no evidence of further community consultation on the project.

At the time the site was deemed to not need planning approval, however the proximity to the water and riparian zone indicate otherwise and independent planning advice would be required to assess the site.

There were no detailed engineering design drawings of the walking track prepared before commencing work on the project.

Substantial works have been undertaken on completing Stage 1 of the project.

A number of residents in Buckland have raised concerns over the project with Elected Members and the General Manager.

The Councillors requested that work on the walkway cease and the site closed, due to safety concerns and pending further investigation. Recent rain events further damaged the site. In early May an independent expert was asked to visit the site, review the planned walking track proposed and provide a recommendation.

A report was received on 6 May 2020, see attached. This was distributed to Councillors and workshopped on 7 May 2020 and 12 May 2020. Feedback from Staff involved in the project has also been provided to Councillors.

### **STATUTORY IMPLICATIONS**

Various

### **BUDGET IMPLICATIONS**

The budget implications for completing rectification works are in the order of \$120,000 to complete stage 1 of the project. Ongoing annual maintenance costs in the order of \$5,000-20,000.

Alternative option to terminate the project and reinstate/rehabilitate the site would be in the order of \$50,000.

In addition, Council may be required to repay the State Government grant of \$10,000.

### **RISK CONSIDERATIONS**

There are a number of risks with the current walkway including:

- Lack of community consultation.
- Insufficient planning permits have been sought.
- Lack of engineering design.
- Lack of consultation and approval from Council.
- The current cutting into the bank is a safety risk.
- The site is at risk of erosion.
- The site is at risk of flooding and requiring ongoing maintenance. The extent and frequency of flooding warrants further investigation.
- There is concern over private property encroaching on the planned walkway or that the walkway crosses private land, further survey and rectification may be required.
- Insufficient budget to complete the works to an appropriate standard.
- Appropriate drainage and stormwater management needs to be factored into any design.

### **OFFICER'S RECOMMENDATION**

1. That Council terminate the project and reinstate/rehabilitate the extent of works already constructed as outlined in recommendation of the report attached to this agenda item and in consultation with Crown Land Services.
2. That on completion of such works to a standard acceptable Crown Land Service, Council authorise the General Manager to terminate the license with Crown Land Services.

## **7.18 Communities Combating Pest and Weed Impacts During Drought Program - Biosecurity Management of Pests and Weeds - Round 2 Funding Offer**

**Responsible Officer** – Manager Natural Resources

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### **BACKGROUND / OVERVIEW**

On the 19<sup>th</sup> December 2019 the Australian Government invited local councils via a restricted competitive process to apply to deliver projects under the Communities Combating Pests and Weed Impacts During Drought Program - Biosecurity Management of Pests and Weeds - Round 2 in selected Local Government Areas (LGAs) in 2019–2021.

At the time of the announcement the council offices had closed and most of the NRM team of council were on leave. Given the importance of accessing this funding to support our farming community, regardless of being on leave the necessary team members worked over January to get the grant application together as the closing date was the 5<sup>th</sup> February. This of course involved significant discussions and negotiations with the 19 landowners who were eligible and keen to participate in the project.

The objectives of the program are to:

- stimulate economic activity in areas where projects take place
- facilitate local employment in areas where projects take place
- increase farm business profitability
- assist communities manage the negative impact of pest animals and weeds during drought on agricultural production
- contribute to the government's broader biosecurity objectives
- provide pest animal and weed control benefits to communities where projects take place.

The intended outcomes of the program are:

- the detrimental economic, social and environmental effects associated with pest animals and weeds during drought is reduced
- Councils and other groups such as Landcare work together to reduce the impacts of pest animals and weeds in eligible LGAs
- increasing the use and uptake of innovative natural resource management technologies and best management practices
- the information, financial and institutional capacity of communities and their participation in natural resource management is increased.

This program would assist in meeting the many objectives in the *Glamorgan Spring Bay Weed Management Plan 2015-2020* and the *Prosser, Little Swanport and Swan Apsley Catchment Plans*.

The total amount of funding received is \$174,220. The funding is for chemical, fertilizer, pasture seed, labour, on ground project management, detection dog and handler costs. In-kind contribution from the landholders involved is at least \$169,808.

This work builds on and values add the work currently being undertaken in line with the Round 1 funding received via the same grant program. It will also value add the funding soon to be received from the Tasmanian Government under the Weed Action Fund.



### **STATUTORY IMPLICATIONS**

*The Local Government Act 1993*

Part 3. Division 2.

20. Functions and Powers

(1) In addition to any functions of a council in this or any other Act, a council has the following functions:

- (a) to provide for the health, safety and welfare of the community;
- (b) to represent and promote the interests of the community;
- (c) to provide for the peace, order and good government of the municipal area.

Council supporting the farming community in meeting their statutory obligations to control Zone A declared weeds under the *Tasmanian Weed Management Act 1999*.

### **BUDGET IMPLICATIONS**

In kind contribution by Council is Officer time only to the value of \$17,840 for Administration/communication and reporting / GIS mapping and Natural Values Atlas upload of weed data /Drone use and imagery manipulation / preparation.

### **OFFICER'S RECOMMENDATION**

That Council:

1. Endorse Council staff to execute the grant program in accordance with the grant deed.
2. Council provide the Acting General Manager with the Delegation to sign the Grant Deed when it is provided by the Australian Government.

## 7.19 Availability of Unconfirmed Council Minutes to the Public

**Responsible Officer** – Acting General Manager

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### **BACKGROUND / OVERVIEW**

Regulation 35 of the *Local Government (Meeting Procedures) Regulations 2015* provides:

- (1) The minutes of a meeting, other than a closed meeting –
  - (a) as soon as practicable but at least at the next ordinary council meeting, or next council committee meeting, that is open to the public, are to be circulated to all councillors; and
  - (b) at that next ordinary council meeting or next council committee meeting, after any necessary correction, are to be confirmed as the true record by the council or the council committee and signed by the chairperson of the meeting.
- (2) The general manager is to ensure that the minutes, and copies of any extract from the minutes, as confirmed under subregulation (1)(b), of a meeting that was open to the public are available to the public –
  - (a) on the council's website for inspection; and
  - (b) at the public office of the council for inspection, free of charge, and for purchase by payment of the fee specified in Schedule 1 –

Within 7 days after the minutes are so confirmed.

### **OFFICER'S COMMENTS**

Historically, Glamorgan Spring Bay Council has made its confirmed minutes (other than minutes of a closed meeting) publicly available following their confirmation at the next Ordinary Council Meeting.

In accordance with Council resolution 31/20 the draft Council Meeting Minutes are provided to Council within ten (10) calendar days of the Council Meeting.

Whilst Council is adhering to the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is suggested that Council may wish to consider making the unconfirmed minutes of a Council meeting (other than a closed meeting), available to the public via Council's website at least two weeks prior to the next ordinary Council Meeting rather than waiting until they are confirmed.

This time frame allows Councillors to advise the minute taker of any grammatical or typographical errors or query a matter in respect to the minutes prior to them being made publicly available.

By making the unconfirmed minutes available to the public at least two weeks before the next Ordinary Council Meeting, this provides greater transparency and an opportunity for members of the public to submit or ask questions in relation to the minutes.

### **STATUTORY IMPLICATIONS**

- *Local Government (Meeting Procedures) Regulations 2015*

### **BUDGET IMPLICATIONS**

No budget implications are recognised.

### **RISK CONSIDERATIONS**

By not making the minutes of a meeting (other than a closed meeting) available to the public within a reasonable timeframe rather than waiting until they are confirmed at the next ordinary Council meeting, Council risks a lack of transparency and potential loss in public confidence.

### **OFFICER'S RECOMMENDATION**

That Council makes the unconfirmed minutes of a Council meeting (other than a closed meeting) publicly available via Council's website at least two weeks before the next ordinary Council Meeting.

## **8. Notices of Motion**

Nil.

## **9. Petitions**

Nil.

## 10. Questions Without Notice

## 11. Confidential Items (Closed Session)

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

- Item 1: Minutes of Closed Session – Ordinary Council Meeting held on the 28 April 2020**  
As per the provisions of regulation 34 of the Local Government (Meeting Procedures) Regulations 2015.
- Item 2: Minutes of Closed Session – Special Council meeting held on the 15 May 2020**  
As per the provisions of regulation 34 of the Local Government (Meeting Procedures) Regulation 2015.
- Item 3: Future Options for Visitor Information Centres**  
As per the provisions of regulation 15 (2) (a) & (c) (i) (ii) (ii) of the Local Government (Meeting Procedures) Regulations 2015.

Recommendation
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That Council moves into closed session (Time:    )
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***The audio recording of meeting will now be switched off.***

***Mayor to check that audio recording has been terminated.***

## 12. Close

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

**CONFIRMED** as a true and correct record.

Date:

**Mayor Debbie Wisby**