



Notice of Meeting and Agenda

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

23 June 2020

NOTICE OF ORDINARY MEETING

Notice is hereby given that the next ordinary meeting of the Glamorgan Spring Bay Council will be held on Tuesday 23 June 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 18 June 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 Late Reports

1.5 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 – May 26, 2020

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held Tuesday 26 May 2020 at 2.00pm be confirmed as a true and correct record.

2.2 Date and Purpose of Workshop/s Held

Tuesday 9 June 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 2.00pm to 5.00pm on Tuesday 9 June 2020 via remote conference.

Present:

Mayor Debbie Wisby
Deputy Mayor Jenny Woods (till 3.30pm)
Clr Chery Arnol (till 4.00pm)
Clr Keith Breheny
Clr Annie Browning
Clr Rob Churchill
Clr Grant Robinson

Apologies:

Clr Michael Symons (due to work commitments)

In Attendance:

Mrs Marissa Walters (Acting General Manager)
Mr Deon Ballingan (Executive Manager – Development) – (till 2.20pm)

Agenda

- Meet & Greet Mr Deon Bellingan, Executive Manager – Development
- Code for Tenders and Contracts Policy
- Review of Council's Public Question Time Guidelines
- Private Works Policy
- Risk Management Strategy & Risk Management Policy
- Bicheno Library Lease Renewal
- Lady Gowrie Child Care Centre Swansea
- Councillor Discussion

Tuesday 16 June 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 3.00pm on Tuesday 9 June 2020 via remote conference.

Present:

Mayor Debbie Wisby
Deputy Mayor Jenny Woods
Clr Chery Arnol (1.40pm to 2.50pm)
Clr Keith Breheny
Clr Annie Browning
Clr Rob Churchill
Clr Grant Robinson
Clr Michael Symons

Apologies:

Nil.

In Attendance:

Mr Deon Ballingan (Executive Manager – Development)
Mr Mick Purves, Senior Planning Consultant

Agenda

- Local Provisions Schedule

RECOMMENDATION

That Council notes the information.

3. Public Question Time

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

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

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

3.1 Questions 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 or alternatively left in the post box outside the Council Chambers located at 9 Melbourne Street, Triabunna.

3.2 Questions on Notice

Mr John Heck

- Q1. *The evidence has been provided to the most inappropriate inclusion of the Howells Hill 9 Lots “Held in Trust” within the Marina Views Estate. When will Council “Remove the 9 Lots”, rezone the whole area as recreational open space and provide the Engineer’s Roadworks Specifications for the formation of Spencer Street between Roberts And Selwyn Streets providing save access for the Triabunna Look Out for the site to be shovel ready for funding of Covid 19 1.8 Billion Regional Infrastructure Fund. The Combined Community Project is for a Look Out, Bus/Car Parking, Sensory Terraced Gardens/Walkways and Welcome Signage visible to the Tasman High Way.*

Response from the Acting General Manager, Mrs Marissa Walters

In response to part one of Mr Heck’s question. There are two bundles of land owned by Council on ‘Howells Hill’. Both consist of 11 ordinary titles, a central starfish-shaped lot and roads. All 22 residential lots are owned by Council as ‘ordinary land’.

- Lots 94 and 85 (the reserves) and the roads were transferred to Council by the Housing Department in November 1979.
- Lots 62-67 were transferred to Council from Housing in June 2003.
- Lots 25-27, 28-35 and 68-72 were transferred to Council from Housing in November 2013.

If land is held in trust, it is generally noted on the transfer documents. There is no indication on any of the above transfer documents the land was to be or is held in trust.

In response to part two of Mr Heck's question about the 'Combined Community Project'. A search of Council's records has indicated that since 2002 there have been various requests from Council to the applicant for further information in respect to a development application lodged relating to the parcel of land mentioned in Mr Heck's question.

The development application was subsequently placed 'on hold' until 2005 and finally withdrawn by the Lions Club in 2014.

- Q2. *Re: Procedural Failure resulting Time Wasting Exercise. How many employees of GSBC are represented by the Australian Service Union who under the cloak or should that be joke of "Council Transparency" is running I believe an endless campaign taking up valuable time for what is so laughably sad to any ratepayer with knowledge of previous administrations management . The availability of uncensored whole minutes prior to inclusion within the Agenda is to be applauded by Ratepayer and I think ASU.*

Response from the Acting General Manager, Mrs Marissa Walters

As this matter relates to the personal choice of individual Council employees, Council is not in a position to respond.

With respect to your comments regarding the availability of minutes, Council resolved at the ordinary Council meeting held on the 26 May 2020 to make the unconfirmed long 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.

Mr Yon Kikkert

- Q1. *Could you please, in the interests of transparency and accountability to GSBC ratepayers provide them a comprehensive itemised list of the names and fees of each and every external consultant report and legal service incurred by GSBC since October 2018?*

Response from the Acting General Manager, Mrs Marissa Walters

With respect to the provision of the names and fees of each and every external consultant report, any agreement between Council and an external provider is considered to be commercial in confidence and therefore Council is not at liberty to make that information publicly available.

Legal services incurred by Glamorgan Spring Bay Council are considered to be both commercial in confidence and of a confidential nature. Any decision to make such information publicly available would be a decision for Council.

Ms Karen Tantari, ASU

- Q1. *I note with disappointment that Council has limited the number of questions that Mr De La Torre can ask on notice to two, as is the case with questions without notice. Limiting the number of questions that can be asked only leads to lesser accountability. Can Council please provide a reason for limiting the number of questions that the public can ask on notice, as the legislation and regulations provide for no such ability and I can find no records of any such limit having applied to any other person in the past?*

Response from the Acting General Manager, Mrs Marissa Walters

Council has set out its policy on Public Question Time in its document *Public Question Time: how do I ask a question*, which is on Council's website. This states that there is a limit of two (2) questions per person. This refers to all questions to be dealt with in Public Question Time, not just questions without notice, and is in accordance with the *Local Government (Meeting Procedures) Regulations 2015*, Regulation 31 (7), which allows a council to determine any other procedures to be followed in respect to public question times at an ordinary council



meeting. This measure is in place to try to ensure that all persons have a reasonable opportunity to have a question heard and answered.

To understand the reasoning behind this, one need only go to the minutes and the recording of the April 2020 Ordinary Council Meeting. On this occasion the Mayor agreed to allow more than two questions per person. Mr De La Torre submitted three questions without notice, which were answered in the meeting. This took just over 6 minutes of the 15 minutes usually allowed for PQT, or 40% of the time. In addition, Mr De La Torre submitted 9 questions on notice, which I obligingly answered in writing before the agenda was published. I did not keep track of how long this took, but it is safe to say it was not the work of a moment.

This shows that allowing an unlimited number of questions by any member of the public is not practicable, given that questions provided on notice before the meeting require staff time to research and answer in writing before the agenda is published. Similarly, in an Ordinary Council Meeting there is time set aside for public questions, but it cannot be unlimited. It is therefore seen to be equitable to limit questions to two per person.

- Q2. *And secondly, I too am interested in an answer to Mr De La Torre's question on notice. Could the members of the s24 Statement of Expectations Committee please explain how employees should feel protected by the final statement of expectations, or how they can feel understood, given that their very frank and honest input in interviews with Mr Preece was never reported on in any of the Committee meetings, and with comments such as those made by Ms Mason's in Council's April Council meeting 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

- Interviews with members of Staff and with Councillors were confidential, which may explain why they were able to be frank and honest, as stated. The interviews were conducted to provide a basis for the clauses included in the Statement of Expectations. It would have been grossly unfair to publicise the details of those confidential interviews, and it is difficult to see how an employee would have felt 'protected' by having such details revealed in open meetings and on Council's website.
- There is a range of legislation to protect employees. The SoE was never intended to replace such legislation, but it does contain guidelines for proper behaviour which are relevant to all employees and their relationships with elected members. I refer you to sections 3 and 4 of the SoE.
- Council does not agree with your assertion that the members of the SoE Committee and other Councillors have no idea what the original issues were. Sufficient guidance was provided by the Director in his original advice to the General Manager. In the four months from January to April 2020, when the SoE was being prepared, a wide range of matters between the Mayor, Councillors, and General Manager were discussed, and this is reflected in the signed document.
- Council disagrees with your labelling the SoE process an 'ordeal'. A lot has been learned by both Councillors and the General Manager during this process, and Council is working steadily to address outstanding matters. The Mayor, Councillors, and the incumbent General Managers during this time have worked willingly and constructively, not as those undergoing 'a prolonged and unpleasant experience', as you infer.
- Council sought external help to assist with the SoE, as recommended by the Director of Local Government. All councils and governments engage outside services when necessary.

The Executive Committee, FAI

- Q1. *We are writing in regard to the 2020 financial year Capital Works budget, and the funds allocated to Coles Bay for Road works, and not yet spent. There appears to be approximately \$40,000 not yet spent, however it has been budgeted to be spent in Coles Bay, over the road works and road sealing budgets.*

For the last 9 years, the FAI have been asking Council to address a pedestrian vs vehicle safety issue along The Esplanade in Coles Bay, between the two intersections of Harold St passing the commercial jetty, with no workable solution being reached in that time. Last year the FAI presented a proposal to Council to install traffic calming devices along the Esplanade, between both intersections of Harold Street. Our request was declined at the time of submission, as Council stated they could not afford this. The cost quoted to FAI was approximately \$30,000 by Tony Pollard on July 2nd 2019. In that email Tony also advised FAI that the proposal had been in workshop discussions but had not made it to the annual budget. No explanation as to why this did not make it to the annual budget was provided. We have attached the original proposal for your reference. Please also speak to Deputy Mayor Woods, as she was at the FAI meeting where this proposal was voted on by our members.

We are now nearing the end of the financial year and we can see monies allocated on the Capital Works budget to Coles Bay and not spent that Council could use to install these traffic calming devices. Please don't fall into the trap that the last Council did, budgeting for Capital Works in Coles Bay and never even attempting to complete the works and fulfill budget commitments. Completing this project under this year's budget would be an excellent goodwill gesture to the ratepayers of Coles Bay, who have suffered a decade of austerity measures, despite representing 17% of the financial rate base of Glamorgan Spring Bay, contributing \$1.065million this financial year in General Rates, with only \$45K of that being spent so far this financial year on Capital Works, or 4.2% of our General Rate contribution coming back in Capital Works.

We know that this Council is trying to avoid the errors of the past. Completing this project with the balance of this years budgeted funds would show the Coles Bay voters and ratepayers that this new Council is learning the lessons of the past, making fundamental changes, and avoiding repeating the same mistakes that have infuriated ratepayers in this region over the last decade, with regard to items on the Capital Works budget never being completed in Coles Bay and our budget allocation not being fulfilled. From a personal perspective, it would also be appreciated, as it was the last major work that Adrian Sullivan, a former FAI Executive member completed on behalf of the FAI before he sadly passed away last year. It would be wonderful for the community, and for Adrian's family, to know that Adrian's final effort for the community has paid off.

Will Council please reconsider these works under this year's budget? If those funds budgeted and not yet spent are earmarked for another roads project in Coles Bay before the end of the financial year, please advise the FAI what that project is and when it will be undertaken. If the money budgeted is not to be spent at all this financial year, please advise why the FAI proposed traffic calming devices cannot be installed under this year's budget. We look forward to the Council's response.

Response from the Acting General Manager, Mrs Marissa Walters

The matter is under consideration by Council officers to be included in the Coles Bay Foreshore Project which will commence in 2021 with an anticipated completion date September 2021.

4. PLANNING AUTHORITY SECTION

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

RECOMMENDATION

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

4.1 Development Application 2019 / 334

16017 Tasman Highway, Apslawn (Devils Corner) (CT 115708/4)

Proposal	Intensification of use, modifications / additions, and car parking.
Applicant	Cumulus Studio
Application Date	14 November 2019
Statutory Date	24 June 2020 (extended by consent of applicant)
Planning Instruments	Glamorgan Spring Bay Interim Planning Scheme 2015
Zone	Significant Agriculture
Codes	5.0 Road and Railway Assets, 6.0 Parking and Access, 7.0 Stormwater Management, E14.0 Scenic Landscapes
Use Classes	'General Retail and Hire', 'Food Services' and 'Tourist Operation' – all discretionary uses
Development	Discretionary
Discretions	Nine
Representations	One
Attachments	A – Application Documents B – Representation
Author	Robyn Bevilacqua, Graduate Planner

Executive Summary

Planning approval is sought for the 'Devils Corner 5-year vision': to expand the wine tasting area, construct a new lower-level cellar door, relocate and expand the two existing food services, increase car parking spaces from 36 to 73 and provide three more toilets.

The existing uses on the site are: 'General Retail and Hire' (wine sales), 'Food Services' (food stalls) and 'Tourist Operation' (lookout and views). These are all discretionary uses. No new use is proposed. The proposal is discretionary by not meeting the following use and development standards via Acceptable Solution:

1. D27.3.1 Discretionary use
2. D27.4.1 Building height
3. D27.4.2 Side and rear setbacks
4. E5.5.1 Intensification of traffic at existing junctions
5. E5.6.4 Sight distance at junctions
6. E6.6.3 Parking - motorcycles
7. E6.6.4 Parking - bicycles
8. E7.7.1 Stormwater retained on site
9. E14.7.2 Scenic landscapes

The proposal was advertised for two weeks from 6 to 20 May 2020. One representation was received.

This Report assesses the proposal against the Performance Criteria for the nine standards listed above, and considers the representation. The Planning Authority must consider the report and the representation to make a final determination by 24 June 2020.

The recommendation is to approve the application with conditions.

PART ONE

1. Statutory Requirements

The Glamorgan Spring Bay Interim Planning Scheme 2015 (the planning scheme) provides the overriding considerations for this application.

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.

Matters of policy and strategy are primarily a matter for preparing or amending the planning scheme.

The initial assessment of this application identified that the proposal meets the relevant Standards of the planning scheme by Acceptable Solution bar nine, where a discretion is required. This report addresses those nine discretions and the representation 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.

The Planning Authority must exercise sound judgement in determining if the proposal meets the relevant Performance Criteria or not.

3. The Proposal

The 'Devils Corner 5-year vision'. This includes demolishing the existing cellar door and building an expanded wine tasting area in that space, creating a new lower-level, partially 'dug in' cellar door, relocating and expanding the existing food services, providing additional outdoor seating and decking, three new toilets (one with universal access), and increasing car parking from 36 to 73 spaces (three with universal access).

This will result in an increased total floor area, from 765m² to 1250m² (including decks). An architectural 'tower' would be constructed over the stairway to the new lower level cellar door. Works are proposed to be undertaken all as one stage. However, some works may be staged once costings are confirmed. A second stage would be limited to the fit out of the new cellar door.

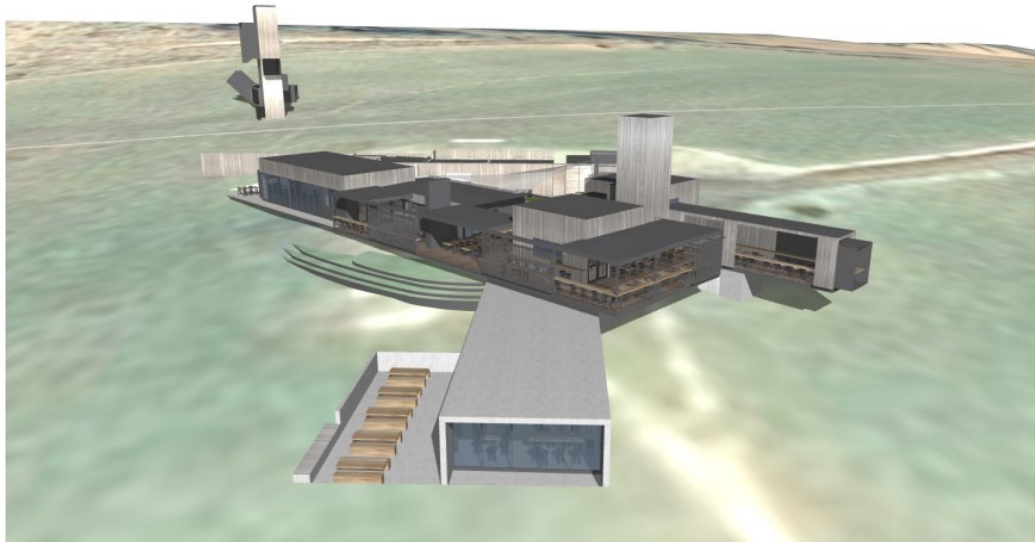


Figure 1: A perspective of the complex. The existing viewing tower is in the background. The new 'tower' over the stairs to the cellar door is visible in the midst of the complex (from the application documents).

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

Previous applications include: wine sales centre and signage (2000), cellar door and signage (2012), signage (2013), shed, toilet and storeroom (2014), extension of cellar door, two food outlets, toilets, lookout, car parking, decking and shading (2015), signage (2015) additions to winery (2015 and 2018), signage (2018).

6. Location

Devils Corner is situated between Cranbrook and Bicheno, commencing from the Tasman Highway on the north side of Cherry Tree Hill running south through to Moulting Lagoon, as shown in Figure 2 below.

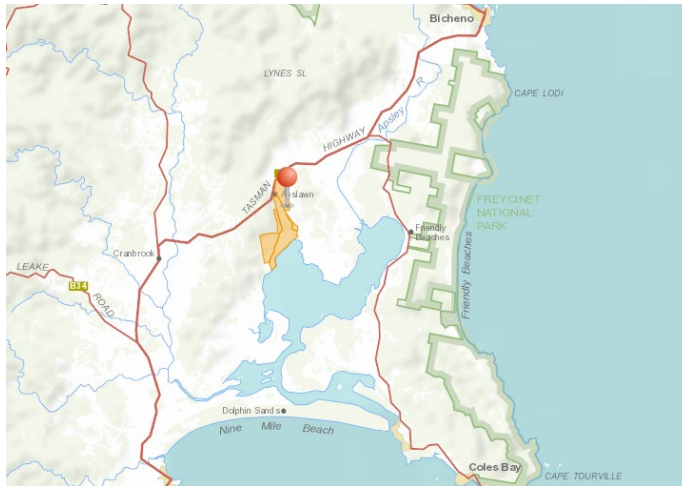


Figure 2: Devils Corner pinned (LISTmap)

7. Site Description

The 4.3 hectare site, owned by Brown Brothers, has the Tasman Highway on its western boundary and Sherbourne Road on its north eastern boundary, as shown in Figure 3 below. It is flanked by larger lots to the south and north east as seen in Figure 3. These are also owned by Brown Brothers and operate as vineyards.



Figure 3: Devils Corner title, with the Tasman Highway on the west boundary, Sherbourne Road on the north-east boundary, and vineyards to the east and south (LISTmap).

There are three existing vehicle access points to Devils Corner off Sherbourne Road, shown in Figure 4 below.

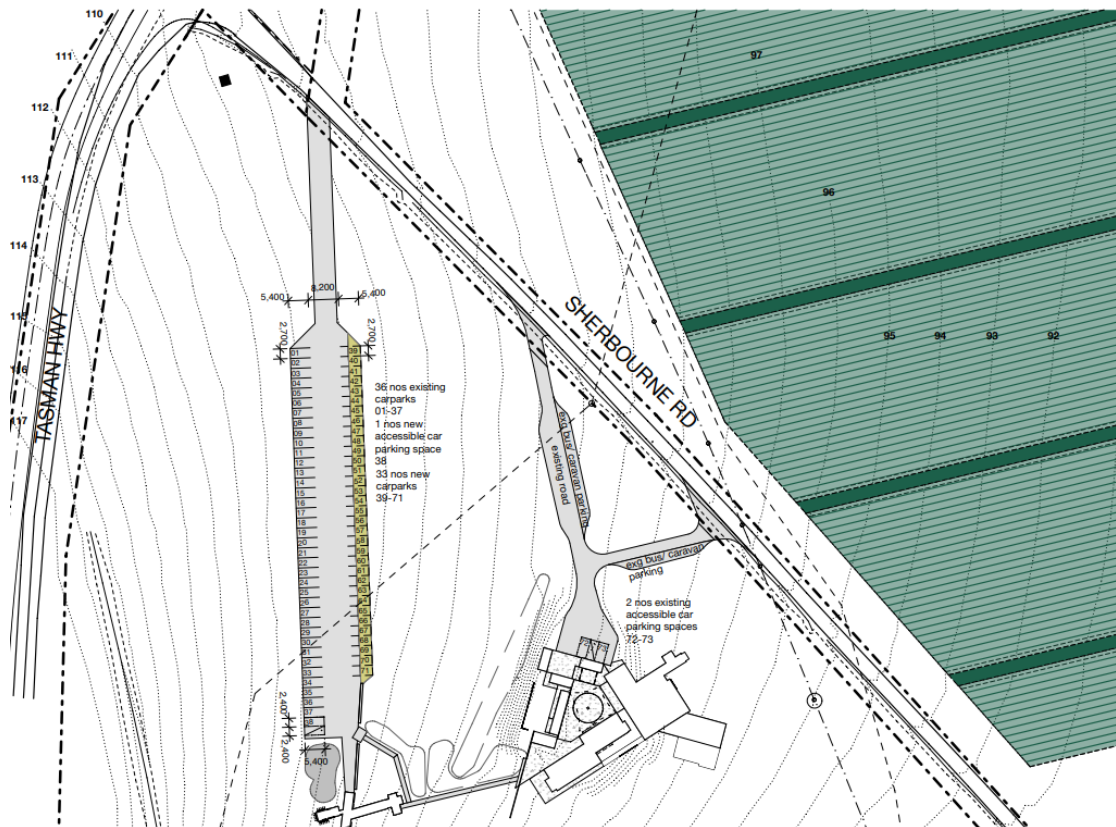


Figure 4: Parking Plan showing the three existing access points off Sherbourne Road (from the application documents).

Most of the land on the west of the highway is owned by another vineyard, with one uncleared lot that appears to be used for residential purposes. There are four lots zoned Rural Resource to the south west of the site that are largely uncleared and also used for residential purposes.

The site is prime agricultural land, zoned Significant Agriculture. The Significant Agriculture zone extends from north/west of the Tasman Highway, across the northern side of Cherry Tree Hill and down to Moulting Lagoon as shown by the mid-brown area in Figure 4. All the land under discussion here is in the Significant Agriculture zone.

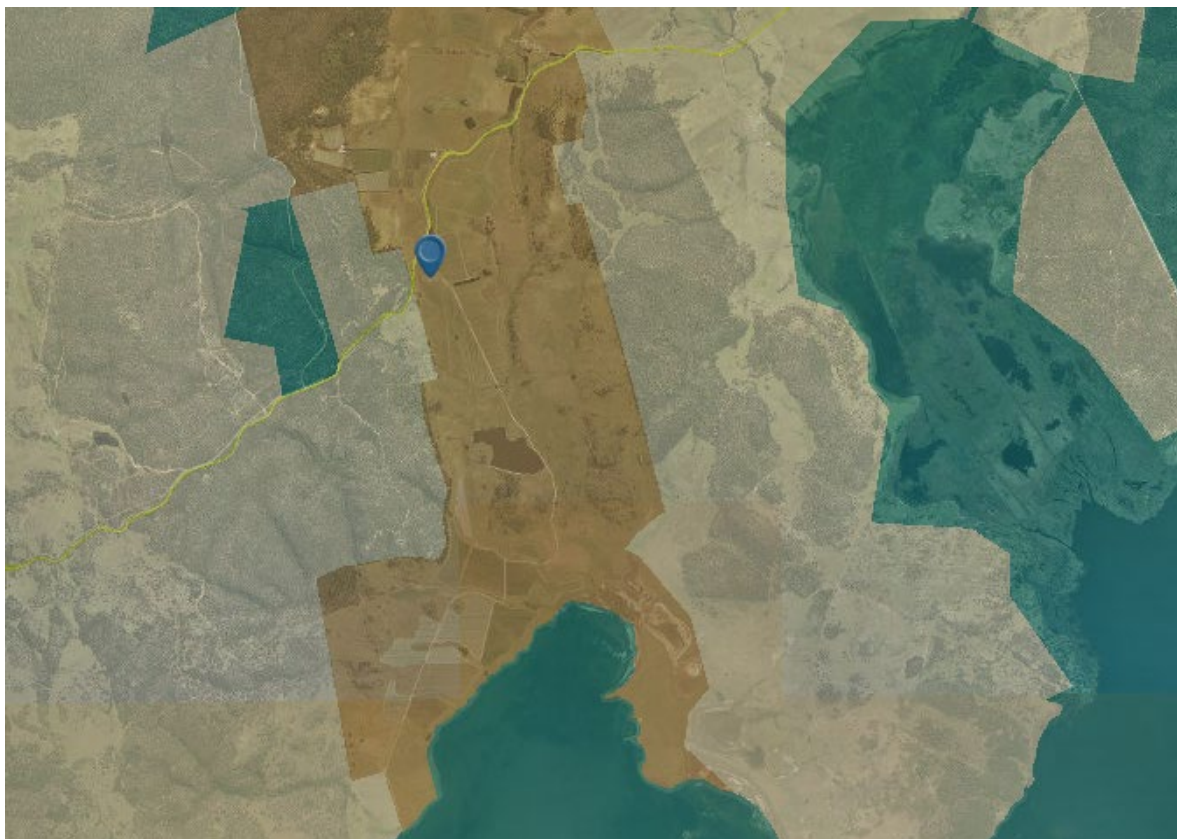


Figure 5: the Significant Agriculture zone - the mid brown area running north to south, with Devils Corner pinned (LISTmap)

8. Planning Instrument and relevant provisions

The Glamorgan Spring Bay Planning Scheme 2015 is the planning instrument and the relevant provisions are found in:

- D27.0 Significant Agriculture Zone
- E5.0 Road and Railway Assets Code
- E6.0 Parking and Access Code
- E7.0 Stormwater Management Code
- E14.0 Scenic Landscapes Code

9. Easements, Services and Covenants

Nil.

PART TWO: ACCEPTABLE SOLUTIONS v PERFORMANCE CRITERIA

10. Meeting the Standards via Acceptable Solution

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

- D27.0 Significant Agriculture zone
- E5.0 Road and Railway Assets code
- E6.0 Parking and Access code
- E7.0 Stormwater Management code
- E14.0 Scenic Landscapes code

All bar nine standards were met by Acceptable Solution. These will be assessed in this report.

11. Meeting the remaining Standards via Performance Criteria

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

1. D27.3.3 Discretionary use
2. D27.4.1 Building height
3. D27.4.2 Side and rear setbacks
4. E5.5.1 Intensification of use at existing junctions
5. E5.6.4 Sight distance at accesses and junctions
6. E6.6.3 Number of motorcycle parking spaces
7. E6.6.4 Number of bicycle parking spaces
8. E7.7.1 Stormwater to be retained on site
9. E14.7.2 Appearance of buildings and works within scenic landscape areas

The Planning Authority must consider the planner's comments, the representation and the Performance Criteria, and make a determination by 24 June 2020.

12. Note on addressing the discretionary use classes

The existing uses are: General Retail and Hire (wine sales), Food Services (food stalls) and Tourist Operation (lookout and views). These are all discretionary.

In most cases, when there is an application for development for existing discretionary uses, section 9.2 of the planning scheme provides that the discretionary use provisions do not need to be assessed again – as long as the proposal does not 'substantially intensify the use'.

In this case, the proponent claims that the use will not be intensified, and the development is just to cater for the existing intensity of use. That may be the case, but because there is essentially a doubling of capacity, the discretionary uses are assessed again in this report.

PART THREE: ASSESSMENT

Standard 1: Discretionary use (D27.3.3)

The objective of this provision is:

To ensure discretionary non-agricultural uses do not unreasonably constrain or restrain the agricultural use of agricultural land.

Performance Criterion P3	Planner's comments
A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:	
<p>(a) <i>the characteristics of the proposed non-agricultural use;</i></p> <p>(b) <i>the characteristics of the existing or likely agricultural use;</i></p>	<p>Devils Corner consists of a cellar door, two food stalls and a viewing tower, all of which are non-agricultural uses. These non-agricultural uses exist already, and do not conflict with or fetter the surrounding agricultural use (viticulture).</p> <p>The four uses (wine sales, food service, tourist operation and viticulture) complement each other. The non-agricultural uses complement and support the agricultural use and vice versa.</p> <p>It remains possible that some of the smaller land parcel on which the Devils Corner winery sits could be planted out to vines itself in the future if the owners wanted.</p> <p>Viticulture lends itself to existing alongside non-agricultural uses such as those existing here. This model is common around the state, and further.</p> <p>The non-agricultural uses are not seen to conflict with or fetter the agricultural use on adjoining land, in fact the uses complement and support each other.</p>
(c) <i>setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</i>	<p>The complex is set back around 50m from its north east boundary (Sherbourne Road) and around 70m from the nearest vines along that boundary.</p> <p>The complex is set back around 50m from its southern boundary and around 100m from the closest vines to the south east (based on LISTmap State aerial photo shown in Figure 3).</p>



	These are considered more than adequate separations of the non-agricultural and agricultural uses.
(d) <i>any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</i>	<p>It is considered there will be no adverse impacts on amenity from the existing agricultural use on the existing non-agricultural uses, in fact the surrounding vineyards add to amenity of the non-agricultural uses rather than detract from it.</p> <p>It is considered that the non-agricultural activities (cellar door, food stalls and lookout) do not constrain or restrain the agricultural use of the surrounding and adjoining land.</p> <p>This Performance Criterion is considered satisfied.</p>

Standard 2: Building Height (D27.4.1)

The objective of the building height development standard is:

To ensure that building height contributes positively to the rural landscape and does not result in unreasonable impact on residential amenity of land.

Performance Criterion	Planner's comments
D27.4.1 P1 Building height must satisfy all of the following:	
(a) be consistent with any Desired Future Character Statements provided for the area	Not applicable: There are no Desired Future Character Statements for the area.
(b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by overlooking and loss of privacy	Not applicable: There are no residences on adjoining lots.
(c) if for a non-residential use, the height is necessary for that use	<p>The use is non-residential and the proposal includes a 12.5m 'tower' (made from an upended shipping container) above the new stair to the proposed lower level cellar door.</p> <p>Its existence is purely architectural. It is designed to mimic the existing viewing tower. The new 'tower' is not, in building</p>

	<p>terms, necessary for the construction of the stairwell and will serve no practical purpose. There will be no access to it. It will create a height feature over the stairwell.</p> <p>While not necessarily for practical purposes, the new tower can be seen as necessary to maintain the existing architectural design elements of the complex, which is part of the attraction. As such the tower can be seen as necessary to each of the uses of the site: General Retail and Hire (wine sales), Food Services (food stalls) and Tourist Operation (lookout tower and views).</p> <p>As non-bulky points of interest, the two 'towers' as part of the complex can be seen as contributing positively to the rural landscape.</p> <p>The tower cannot unreasonably impact on residential amenity because the adjoining land is not used for residential purposes.</p>
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Standard 3: side and rear setbacks (D27.4.2)

The objective of this provision is:

To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.

Performance Criterion	Planner's response
D27.4.2 P2 Building setback from side and rear boundaries must satisfy all of the following:	
(a) be sufficient to prevent potential for land use conflict that would fetter non-sensitive use of adjoining land;	<p>The site is not used for residential purposes (which is a sensitive use) and thus does not fetter the agricultural use.</p> <p>Notwithstanding that, the complex is set back around 50m from its boundary with Sherbourne Road, on the opposite side of which is vineyard, and around 50m from its boundary with the land to the south, across which is also vineyard.</p> <p>These distances are considered sufficient to prevent any potential land use conflict.</p> <p>The site does not adjoin land zoned Environmental Management.</p>



<p>(b) be no less than:</p> <p>(i) 40 m, if the lot is greater than 1 ha or if there is an existing building set back less than this distance, the setback must not be less than the existing building;</p>	<p>The lot is greater than one hectare.</p> <p>The setbacks are more than 40m.</p> <p>This Performance Criterion is considered satisfied.</p>
<p>(j) 20 m, if the lot is less than or equal to 1 ha or if there is an existing building set back less than this distance, the setback must not be less than the existing building.</p>	<p>Not applicable – the lot is more than 1 hectare.</p>

Standard 4: existing accesses and junctions (E5.5.1)

The objective of this provision is to:

Ensure the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.

Performance Criterion	Planner's comments
<p>E5.5.1 P2</p> <p>Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p>	
<p>(a) the increase in traffic caused by the use;</p>	<p>The representation raised an increase in traffic as an issue.</p> <p>The intersection of Tasman Highway and Sherbourne Road has been upgraded by the Department of State Growth (DSG) as part of the Great Eastern Drive project and the safety and efficiency of the intersection has increased rather than decreased.</p>
<p>(b) the nature of the traffic generated by the use;</p>	<p>The representor states that 'visitation to this popular cellar door has led to vehicular accidents and near misses at the turnoff' and 'many vehicles attempt their right turn from the inside (left) lane, they seem to hesitate, get their bearings and launch without checking blind spot or rear vision mirror and are usually focused on oncoming traffic in the 100k/hr zone'.</p> <p>The road and intersection upgrade recently completed by the road authority (Department of State Growth or DSG) has improved the safety of the intersection for visitors to the state, as well as locals, and</p>



	has ameliorated the situation described by the representor.
(c) the nature and efficiency of the access or the junction;	As above
(d) the nature and category of the road;	The Tasman Highway is a Category 4 road from Swansea to north of St Marys. Cherry Tree Hill is a narrow and windy section of the highway. The Great Eastern Drive highway upgrades also include the intersection turnoff for Coombend / Freycinet Vineyard to make the road less difficult to drive for those who don't know the road.
(e) the speed limit and traffic flow of the road;	The intersection upgrade was undertaken to improve the safety of the intersection taking into consideration the speed limit and the traffic flow.
(f) any alternative access to a road;	There is no alternative access.
(g) the need for the use;	The complex is seen as a valuable part of the tourism and holiday industry on the East Coast.
(h) any traffic impact assessment; and	The DSG advised that a Traffic Impact Assessment was not required because it intended to upgrade the junction.
(i) any written advice received from the road authority.	<p>The Road Authority (DSG) advised it has upgraded the intersection.</p> <p>The Performance Criterion is considered satisfied. The safety of the intersection has increased rather than reduced.</p>

Standard 5: Sight distance at accesses and junctions (E5.6.4)

The objective of this provision is to:

Ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.



Performance Criterion	Engineer's comments
E5.6.4 P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:	
(a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.	While sight distances have not been specifically assessed, the intersection has been upgraded by the road authority to their required standards and this Performance Criterion is considered satisfied.

Standard 6: number of motorcycle parking spaces (E6.6.3)

The objective of this provision is to

ensure that enough motorcycle parking is provided to meet the needs of likely users of a use or development.

Performance Criterion	Engineer and Planner's comments
E6.6.3 P1 The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:	
(a) motorcycle parking demand;	Motorcycle parking demand is anticipated given the nature of the road and its attraction to motorcycling.
(b) the availability of on-street and public motorcycle parking in the locality;	There is no on-street or public motorcycle parking in the area.
(c) the availability and likely use of other modes of transport;	Other modes of transport include car and bus. The application provides the required car and bus parking to meet the Acceptable Solutions. However, motorcyclists travel by motorcycle because they enjoy it, rendering the availability of other modes of transport irrelevant.



(d) the availability and suitability of alternative arrangements for motorcycle parking provision.	<p>Motorcycles could park in the vehicle car parks and the site seems large enough to cater for motorcycles informally if required</p> <p>The Acceptable Standard would require one motorcycle park for the increased intensity of use.</p> <p>It is considered that this Performance Criterion is satisfied by the fact that motorcyclists can use the car parking spaces.</p>
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Standard 7: number of bicycle parking spaces (E6.6.4)

The objective of this provision is:

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

Performance Criterion	Engineer's and planner's comments
E6.6.4 P1 The number of on-site bicycle parking spaces provided must have regard to all of the following:	
(a) the nature of the use and its operations;	The nature of the use is attract visitors. While certainly not in the majority, some visitors do choose to travel by bicycle.
(b) the location of the use and its accessibility by cyclists;	It would be a tough ride up Cherry Tree Hill whether travelling north or south. Tourist travelling by bicycle would be likely to stop and enter the site.
(c) the balance of the potential need of both those working on a site and clients or other visitors coming to the site.	<p>Given the location, it is unlikely that employees would travel by bicycle.</p> <p>It could be expected that touring cyclists would access the site.</p> <p>A condition requiring no less than two bicycle spaces is recommended and the Performance Criterion will be satisfied.</p>

Standard 8: stormwater drainage and disposal

The objective of this provision is:

To ensure that stormwater quality and quantity is managed appropriately.

Performance Criterion	Engineer's response
E7.7.1 P1	
Stormwater from new impervious surfaces must be managed by any of the following:	
(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles	Stormwater is to be disposed of on site. Details including water sensitive urban design were submitted with the application. This Performance Criterion is considered satisfied.
(b) collected for re-use on the site;	
(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.	

Standard 9: Appearance of buildings and works within Scenic Landscape Areas (14.7.2)

The objective of this provision is:

To ensure that buildings and works do not cause an unreasonable change to, or have an unreasonable adverse impact on, the scenic landscape value of Scenic Landscape Areas.

Performance Criterion P1	Planner's comments
Buildings visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary:	
(a) have external finishes that are non-reflective and coloured to blend with the landscape;	<p>The external finishes will be:</p> <ul style="list-style-type: none"> - fibre-cement panels with paint finish - vertical rough-sawn Tas Oak timber board with no finish - exposed concrete <p>These materials are all non-reflective. A colour for the paint has not been specified. A permit would include a condition that all finishes have a Light Reflectance Value (LRV) of no more than 40%.</p>



<p>(b) be designed to:</p> <ul style="list-style-type: none">i. <i>incorporate low roof lines that follow the natural form of the land;</i>ii. <i>minimise visual impact in height and bulk;</i>iii. <i>minimise cut and fill;</i>	<p>Figure 5 below shows a sequence of low roof lines that follow the natural form of the land. The lines are mainly horizontal with two lightweight vertical lines - being the existing lookout tower (not shown in the elevations) and the proposed new 'tower' to mimic the lookout, above the stairwell to the new lower-level cellar door.</p> <p>The buildings are low to the ground and the towers themselves are slender and lightweight rather than bulky.</p> <p>The new cellar door will be cut into the site and partly below ground level (1.5 to 2m). This will contribute to the minimum visual impact of the complex. There does not appear to be any fill. The proposed structures either follow the slope of the land or disappear into the land.</p>
<p>(c) be located below skylines</p>	<p>Devils Corner is below the skyline from whichever direction viewed.</p>
<p>(d) be located to take advantage of any existing native vegetation or exotic vegetation for visual screening purposes.</p>	<p>The site is cleared and surrounded by vineyards. Devils Corner has been designed to contribute to the landscape via its architectural elements. It is not designed to be screened from view. The view lines move through the site, across the vineyards in the foreground through to the majestic views of Moulting Lagoon with Freycinet Peninsula in the distance.</p> <p>This Performance Criterion is considered satisfied, with a condition to ensure low Light Reflectance Values on the finishes.</p>

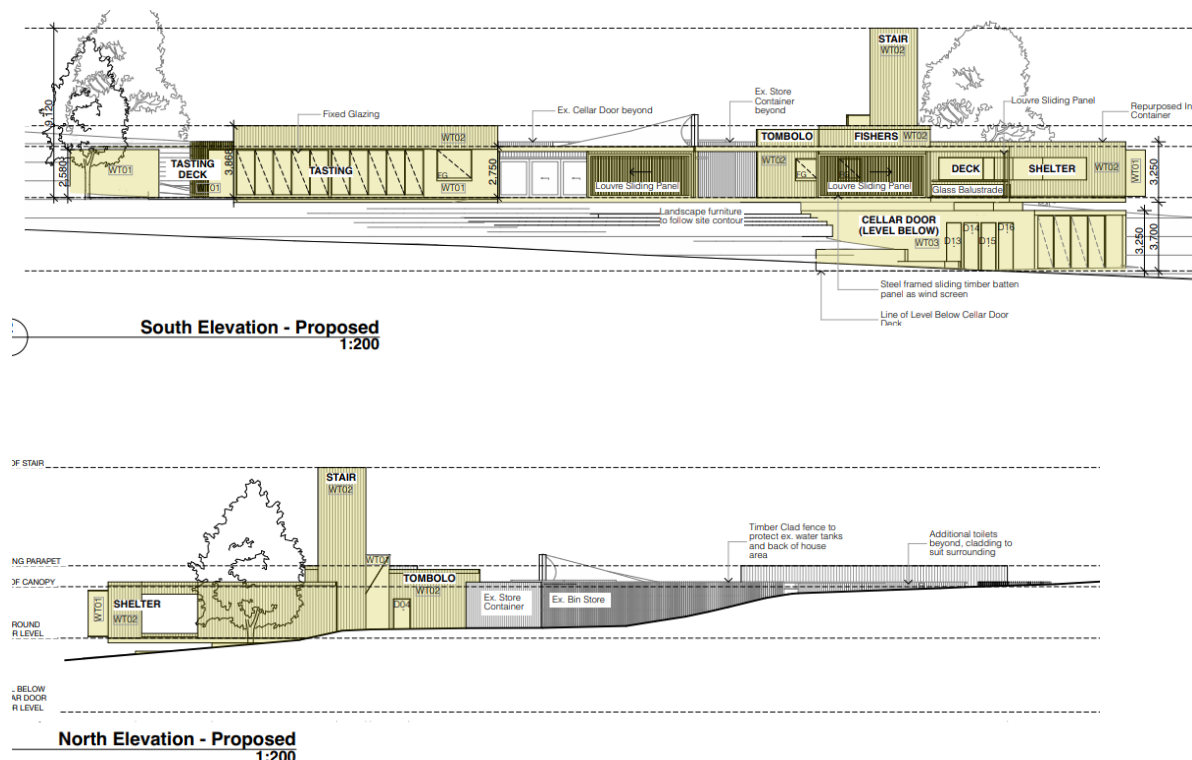


Figure 5: the north and south elevations showing a sequence of low buildings that follow the shape of the land.

13. Referrals

The application was referred to:

- Council's engineering consultant, who provided input to the Roads and Railway Assets, Parking and Access, and Stormwater Management sections of this report.
- Council's environmental health consultant who assessed the onsite wastewater report, which recommends minor works to the existing system to ensure it will be adequate for increased visitor numbers to the year 2025. This will be addressed when the plumbing application is submitted.
- The Department of State Growth who advised they have upgraded the intersection of Tasman Highway and Sherbourne Road.
- TasNetworks who advised that:
 - The only works that appear to impact on TasNetworks' assets relate to the extension of the car parking and TasNetworks has no objection to the work proceeding on the premise that the ground level is not increased within the 12m-wide easement.
 - All works should be carried out in accordance with TasNetworks' guidance regarding working near overhead power lines, at <https://www.tasnetworks.com.au/safety/working-near-powerlines/overhead-powerlines>
 - The applicant should contact the TasNetworks connection team to ensure the development has the appropriate power supply. More

information regarding connections and alterations is found at <https://www.tasnetworks.com.au/connections-and-alterations>.

14. Concerns raised by representor

The following table summarises the issues raised by the representor and the planner's responses. The representation is provided in full at Attachment B.

Representation issues	Planner's response
<p>Overall this is 'death by a thousand cuts':</p> <ul style="list-style-type: none"> from just planting a few vines to hundreds of hectares of irrigated vines, severely impacting on Moulting Lagoon wetlands and marshes and the Apsley River. From a trial of two gas guns to 60 shots an hour from multiple guns. To the cellar door, food stalls, car parking and lookout tower contributing to the closure of the Cherry Tree Hill lookout. In another five years will there be an application to build accommodation? 	<p>The land is zoned Significant Agriculture. The use of the land for 'resource development' (including propagating, cultivating or harvesting plants) is a No Permit Required use in that zone.</p> <p>All the surrounding land is zoned either Significant Agriculture or Rural Resource. In these zones, it is actually residential use that is discretionary.</p> <p>Residential use in these zones is only approved as long as it does not fetter the agricultural use of the land, not the other way around.</p> <p>The cellar door and food stalls are discretionary uses in the Significant Agriculture zone, and can be approved only if they serve or sell produce from the region, which it is understood they do (from menus on the website).</p> <p>It is unfortunate the Cherry Tree Hill lookout had to be closed. Given the increase in traffic over the last five years however, it would likely have happened even without the Devils Corner development.</p> <p>The determination of this application cannot consider what might be proposed in another five years.</p>
<p>Increased traffic: the application states there will be no change to traffic movements. How is that so when it is predicted that average peak visitation is going to double from 400 to 800?</p>	<p>This has been discussed in the body of the report. The junction has been upgraded to cater for the increased traffic.</p>
<p>Junction upgrade: Is the Department of State Growth going to upgrade the junction of Tasman Highway and Sherbourne Road? Just for Devils Corner or for a new south bound lane?</p>	<p>The junction has been upgraded as part of the Great Eastern Drive project.</p>



<p>External lighting: the proposal is to increase the external lighting over new and expanded deck areas. This should be switched off at 5pm (close of business) to prevent impacts on fauna and visual pollution. There is already an after-hours security light.</p>	<p>There is no requirement for lighting to be restricted in the applicable provisions of the planning scheme.</p> <p>The application states that there is very limited requirement for external lighting due to the hours of operation during daylight but there will be some external lighting to undercover deck areas.</p> <p>It is unlikely the business would leave the lights on at night if not needed as this would be an unnecessary cost.</p> <p>A condition will be placed on the permit to ensure lighting is baffled and restricted to the site.</p>
<p>Accessibility: Accessible car parking is to increase from two to three parks. Is that sufficient? Still no access to the lookout for those with mobility and access issues.</p>	<p>The proposal exceeds the Acceptable Solution for accessible parking.</p> <p>Access to buildings for people with disability is dealt with through the Building Code of Australia at the building permit stage, rather than the planning scheme.</p>
<p>Views: the existing lookout would need to be increased by 12 to 15 metres, and have a lift installed to meet the same standards of scenic view and accessibility of the closed roadside lookout. The plans seem to indicate another tower being constructed. If so, a condition should be applied requiring a lift to the new lookout.</p>	<p>Based on the architect's advice, the second 'tower' is purely architectural. There will no stairs up and no lookout from it. It will sit above the proposed stairs down to the new cellar door to give height and as a point of interest.</p> <p>The proposed new cellar door will have a ramp installed to make it accessible.</p>
<p>Landscaping: there is no plan for landscaping.</p>	<p>This is discussed in the section relating to Scenic Landscape Areas, although that section relates to screening, which is not relevant in this case.</p> <p>Given the views and beauty of the place is one of its major attractions, it is unlikely that the development will be left unattractive.</p> <p>The plans do show 'landscape furniture to follow site contour' in the south elevation.</p>
<p>Septic outflow: an additional septic tank is required and should be a condition of approval.</p>	<p>Council's environmental health consultant requested an onsite wastewater report, which was provided. That report recommended some minor modifications to the existing system to ensure it can cater for requirements up to 2025. This will be picked up at the plumbing permit stage.</p>

<p>Water use and storage: there seems to be no provision for increased water storage. Increasing toilets from three to six and an expectation that the three businesses will double their patronage and therefore water use should be reflected in increased water storage and self-sufficiency. This would also reduce the volume of stormwater runoff and improved management of normal rainfall patterns.</p>	<p>The planning scheme does not address water use and storage.</p> <p>According to the application, the expansion is required to better cater for the already existing number of visitors. This is thought to be at least mostly the case as the complex was designed and built in 2015 and tourism to Tasmania, at least until the COVID-19 situation, had increased markedly since then.</p> <p>Since there is no reticulated water to the area, the complex is collecting its own stormwater on site and must be aware of the water needs and that it can cater for those.</p>
<p>Car parking: the plan shows an increase from 40 to 80 spaces and also involves a widening of the existing 40 parks area. The bus and van car parks, staff parking and Sunday concert parking (150-200 vehicles) are not shown on the plans.</p>	<p>The number of car parks and bus parks proposed meets the Acceptable Solution for the size of the venue.</p>

15. Conclusion

The assessment of the application taken in association with the representation 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.

16. Recommendation

That:

A. Pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993*, the Glamorgan Spring Bay Interim Planning Scheme 2015 Development Application 2019 / 334, for expansion, modifications and intensification of use at 16017 Tasman Highway Applawn (Devils Corner) (CT 115708/4) 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.

Advice: The developer may submit photographs showing the existing condition of roads, footpaths, kerb and gutter and similar in the nearby area as evidence of the existing conditions prior to any works occurring

Amenity

3. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282-1997, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development and use.

4. All external surfaces must be finished using colours with a Light Reflectance Value of no more than 40%. Details of the colour scheme must be submitted to Council's General Manager with the construction drawings. If considered satisfactory, the colour scheme will be endorsed and will form part of the permit.

Stormwater

5. Stormwater drainage must be retained on site to the satisfaction of Council's General Manager and in accordance with the Building Act 2016.

Parking and Access

6. At least seventy three (73) car parking spaces, inclusive of all allocation for use by people with disability required under the National Construction Code as determined by a building surveyor or otherwise proposed, must be provided on site and must be available for car parking at all times.
7. The siting of car parking spaces must generally accord with the endorsed plans.
8. Unless approved otherwise by Council's General Manager at least two bicycle parking spaces for customers must be provided prior to the use commencing. The spaces must be provided within 30 metres of the entrance and to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.
9. Parking and vehicle circulation roadways and pedestrian paths serving five or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting, or as otherwise approved by Council's General Manager.
10. To the satisfaction of Council's General Manager, the internal driveways 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 Standards Australia (2002): Australia Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Sydney and to the satisfaction of Council's General Manager and must include all of the following:
 - a) Be constructed with a durable all weather pavement;
 - b) Provision for two-way traffic;
 - c) On site turning;
 - d) Have a gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
 - e) Drained to an approved stormwater system;
 - f) Be fully complete prior to the commencement of the expanded use to the satisfaction of Council's General Manager.
11. 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 and may require a

Certificate of Likely Compliance or Plumbing Permit under the Building Act 2016.

12. Car parking spaces, vehicular access and vehicular turning areas, including line marking, signage and drainage, and access to all such areas, must be constructed and maintained to the satisfaction of Council's General Manager.

Construction

13. 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>

14. No top soil is to be removed from the site.
15. Through the construction process to the satisfaction of Council's General Manager, and unless otherwise noted on the endorsed plans or approved in writing by Council's General Manager, the developer must:
 - a) Ensure soil, building waste and debris does not leave the site other than in an orderly fashion and to be disposed of at an approved facility.
 - b) Not burn debris or waste on site.
 - c) Promptly pay the costs associated with any alteration, extension, reinstatement, 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.
16. The developer must provide a commercial skip (or similar) for the storage of builders waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.

Advice: construction waste, other than of a quantity and size able to be enclosed within a standard 140 litre mobile garbage bin, will not be accepted at Council's Waste Management Centres. All asbestos-based waste must be disposed of in accordance with the Code of Practice for the Safe Removal of Asbestos NOHSC: 2002(1988). No material containing asbestos may be dumped at Council's Waste Management Centres.

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 the 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. TasNetworks regarding power supply and the extension of car parking within the 12m-wide easement
- f. All works should be carried out in accordance with TasNetworks' guidance regarding working near overhead power lines, to be found at <https://www.tasnetworks.com.au/safety/working-near-powerlines/overhead-powerlines>
- g. The applicant should contact the TasNetworks connection team to ensure the development has the appropriate power supply. More information regarding connections and alterations is found at <https://www.tasnetworks.com.au/connections-and-alterations>.
- h. 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:)

5. Financial Reports

5.1 Financial Reports for the period ending 31 May 2020

Responsible Officer – Acting General Manager

ATTACHMENT/S

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

BACKGROUND/OVERVIEW

The financial reports for the period ended 31 May 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 Document which will be circulated bi-monthly initially for the first six months effective this month, then quarterly thereafter and will be publicly available on the website.

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

STATUTORY IMPLICATIONS

Various legislation.

BUDGET IMPLICATIONS

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

RISK CONSIDERATIONS

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 31 May 2020.

Profit and Loss

Glamorgan Spring Bay Council
For the 11 months ended 31 May 2020

Account	YTD Actual	YTD Budget	Budget Var	Var %	2019/20 Budget	Notes
Trading Income						
Rate Revenue	8,387,523	8,497,440	(109,917)	-1%	8,502,440	
Statutory Charges	548,293	497,813	50,480	10%	534,500	1
User Charges	768,921	781,082	(12,161)	-2%	805,050	
Grants	1,357,871	638,430	719,441	113%	1,282,653	2
Interest & Investment Revenue	247,400	96,900	150,500	155%	674,400	3
Contributions	105,386	37,000	68,386	185%	37,000	4
Other Revenue	1,561,293	1,223,434	337,859	28%	1,729,083	5
Net Gain (Loss) on Disposal of Assets	82,980	0	82,980	0%	50,000	6
Total Trading Income	13,059,666	11,772,099	1,287,567	11%	13,615,126	
Gross Profit	13,059,666	11,772,099	1,287,567	11%	13,615,126	
Capital Grants						
Grants Commonwealth Capital - Other	1,422,727	1,900,000	(477,273)	-25%	1,900,000	
Grants Commonwealth Capital - Roads to Recovery	601,631	401,000	200,631	50%	401,000	
Grants State Capital - Other	350,000	0	350,000	0%	0	
Total Capital Grants	2,374,358	2,301,000	73,358	3%	2,301,000	
Other Income						
Other Income - PPRWS Reimbursement of Principal Loan	0	0	0	0%	61,394	
Total Other Income	0	0	0	0%	61,394	
Operating Expenses						
Employee Costs	4,202,916	4,741,555	(538,639)	-11%	5,174,067	7
Materials & Services	6,024,536	5,014,814	1,009,722	20%	5,491,080	8
Depreciation	2,141,777	2,141,777	0	0%	2,336,478	
Interest	190,497	209,946	(19,449)	-9%	229,035	
Other Expenses	143,022	182,163	(39,141)	-21%	219,000	
Internal Plant used on Capital Jobs	(130,670)	(123,750)	(6,920)	6%	(135,000)	
Employee Oncosts	(48,818)	19,452	(68,270)	-351%	0	
Total Operating Expenses	12,523,260	12,185,957	337,303	3%	13,314,660	
Net Profit	536,406	(413,858)	950,264	-230%	300,466	
Net Profit Including Capital Grants	2,910,765	1,887,142	1,023,623	54%	2,662,860	
Capital Works Program (Current Year WIP)						
Work in Progress Capital Works - Plant Internal	130,670	0	130,670	0%	0	
Work in Progress Payroll - Salaries and Wages	183,402	0	183,402	0%	0	
Work in Progress Capital Works - On Costs	89,568	0	89,568	0%	0	
Work in Progress Capital Works - Contractor Costs	4,276,924	0	4,276,924	0%	0	
Work in Progress Capital Works - Other Costs	135,952	0	135,952	0%	0	
Work in Progress Capital Works - Materials	772,953	0	772,953	0%	0	
Work in Progress Capital Works - Consultancy	236,538	0	236,538	0%	0	
Work in Progress Capital Works - Plant Hire External	90,660	0	90,660	0%	0	
Total Capital Works Program (Current Year WIP)	5,916,668	0	5,916,668	0%	0	

Notes

- Statutory Charges are up \$50k or 10% on budget due to increased Development Applications, however charges associated with Building and Plumbing Applications are down for the YTD.
- Operational Grant income is up \$719k on budget YTD due to receiving 50% or \$680k of the 20/21 FAG grant in advance in May rather than June, as budgeted.
- Interest & Investment Revenue will be down \$400k on budget at the end of the year due to the TasWater dividend.
- Contributions are up \$68k on budget YTD due to subdivisions and public open space contributions.
- Other revenue is up \$337k or 28% on budget YTD, this is primarily due to higher than expected revenue from medical income, commission earned and rental income.
- Net Gain (Loss) on Disposal of Assets primarily relates to the sale of the old Council Chambers in Triabunna.
- Employee Costs are down \$539k or 11% on budget due to staff vacancies throughout the year.
- Materials & Services are up \$1.01m or 20% on budget YTD. This is primarily in relation to increased contractor costs, legal fees and materials across a number of departments.

Other Comments

Overall operating income is up 11% on budget for the YTD, however is not likely to meet budget projections due to the impacts of COVID-19.
Total operating expenses are 3% over budget for the YTD.

Statement of Financial Position

Glamorgan Spring Bay Council
As at 31 May 2020

	31 MAY 2020	30 JUN 2019
Assets		
Current Assets		
Cash & Cash Equivalents	2,857,281	3,805,456
Trade & Other Receivables	729,361	546,426
Inventories	26,817	26,817
Other Assets	114,449	101,840
Total Current Assets	3,727,908	4,480,539
Non-current Assets		
Trade & Other Receivables	15,257	15,257
Investment in Water Corporation	36,627,343	36,627,343
Property, Infrastructure, Plant & Equipment		
Fixed Assets	115,246,165	115,869,490
Work in Progress	4,910,735	4,910,735
Total Property, Infrastructure, Plant & Equipment	120,156,900	120,780,225
Total Non-current Assets	156,799,500	157,422,825
Total Assets	160,527,408	161,903,363
Liabilities		
Current Liabilities		
Trade & Other Payables	614,245	1,575,556
Trust Funds & Deposits	410,504	169,435
Provisions	750,592	750,592
Interest bearing Loans & Borrowings	101,511	1,402,911
Total Current Liabilities	1,876,852	3,898,493
Non-current Liabilities		
Provisions	114,059	114,059
Interest Bearing Loans & Borrowings	7,156,854	5,635,699
Total Non-current Liabilities	7,270,912	5,749,758
Total Liabilities	9,147,765	9,648,251
Net Assets	151,379,643	152,255,112
Equity		
Current Year Earnings	(875,469)	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
Total Equity	151,379,643	152,255,112

Statement of Cash Flows

Glamorgan Spring Bay Council
For the 11 months ended 31 May 2020

JUL 2019-MAY 2020

2019

Operating Activities

Receipts from customers	11,878,095	11,723,289
Payments to suppliers and employees	(11,075,080)	(10,923,663)
Receipts from operating grants	1,303,871	1,380,641
Cash receipts from other operating activities	755,283	688,360
Net Cash Flows from Operating Activities	2,862,169	2,868,626

Investing Activities

Proceeds from sale of property, plant and equipment	760,881	56,498
Payment for property, plant and equipment	(7,208,314)	(6,732,583)
Receipts from capital grants	2,436,631	2,737,745
Other cash items from investing activities	-	5,632
Net Cash Flows from Investing Activities	(4,010,802)	(3,932,708)

Financing Activities

Trust funds & deposits	(19,297)	121,491
Net Proceeds/(Repayment) of Loans	219,755	3,266,680
Net Cash Flows from Financing Activities	200,458	3,388,171

Net Cash Flows	(948,175)	2,324,090
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Cash and Cash Equivalents

Cash and cash equivalents at beginning of period	3,677,197	1,353,107
Cash and cash equivalents at end of period	2,729,022	3,677,197
Net change in cash for period	(948,175)	2,324,090



Attachment 4 – Agenda Item 5.1

as at 31 May 2020						
2019 - 2020 CAPITAL NEW // BICHENO - BUCKLAND - COLES BAY - ORFORD - SWANSEA - TRIABUNNA						
Department	Description	Budget Est - adopted	Govt Funding (drought relief & infrastructure)	Invoices rec'd to date	On-Site Progress*	Comments
Roads, Footpaths, Kerbs						
Buckland - Nugent Road R2R	Prep and bitumen seal 6000m		330,000	77,647	50%	Fully Funded by RTR - \$330,000 (additional funding of \$200,543)
Dolphin Sands		-	600,000	261,766	40%	\$1.0 million project fully grant funded to be split over 2 years.
Saltworks - Saltworks Road	Bitumen Sealing 700m	45,000	-	215	Complete	Project completed 2018-19
	SUB TOTAL	45,000	930,000	339,629		
PG, Walking Tracks, Cemeteries						
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	176,820	70%	New DPIIWE Grant
Buckland Walk	Construct River Walk	32,000	-	29,452	50%	\$10k prior year state funding, \$22k Council funds. Project under review.
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	252,405	80%	Part of \$1.0m grant (\$10k contribution Tennis Club)
Buckland Dog Exercise Yard	Develop	-	20,000	15,315	80%	Part of \$1.0m grant - fully funded
Orford Dog Exercise Yard	Develop	-	20,000	14,269	80%	Part of \$1.0m grant - fully funded
Swansea Dog Exercise Yard	Develop	-	20,000	12,654	80%	Part of \$1.0m grant - fully funded
Swanwick Dog Exercise Yard	Develop	-	20,000	20,645	90%	Part of \$1.0m grant - fully funded
Triabunna Dog Exercise Yard	Develop	-	20,000	15,514	80%	Part of \$1.0m grant - fully funded
	SUB TOTAL	32,000	817,000	599,331		
Council Buildings						
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	-	-		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
	SUB TOTAL	255,000	31,500	207,203		
Plant & Equipment						
Excavator 305E		48,000	-	92,000	Complete	Cost relocated to replacement
IT Equipment		-	-	8,635	In Progress	4 new laptops, 1 depot PC
	SUB TOTAL	48,000	-	100,635		
Municipal						
Event	Allocation for Education	-	30,000	8,626	Complete	Peter Andrews visit fully funded
	SUB TOTAL	-	30,000	8,626		
	CAPITAL TOTAL - NEW	380,000	1,808,500	1,255,424		



as at 31 May 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
Sealed Road Pavements						
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	R2R 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	
	SUB TOTAL	235,000	225,601	246,197		
Sealed Roads						
Various locations						
Buckland	Jetpatcher costs	25,000	-	27,643	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	
	SUB TOTAL	200,000	-	218,395		
Unsealed Road Pavements						
Gravel Roads - General	Resheeting - general	225,000	-	245,091	Complete	
Orford - Alice Street	Tasman Highway to Russell Street	49,000	-	46,103	Complete	Council contribution
	SUB TOTAL	274,000	-	291,193		
Stormwater & Drainage						
Orford - Rheban Road	West Shelly properties - drainage works	12,000	-	-	0%	To be review by Stormwater Engineer
		12,000	-	-		
Bridges and Culverts						
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	R2R Replace timber deck to concrete	-	55,000	53,854	Complete	Fully Funded by RTR
Orford Bridge Replacement	Replace deck and realignment	-	-	20,144	Commenced	Fully grant funded (Federal 20/21)
	SUB TOTAL	60,000	55,000	83,721		
Parks & Reserves						
Coles Bay Reserve	Playground Rejuvenation Hall Surrounds	-	40,000	38,570	90%	Part of \$1.0m grant - fully funded
Swanwick Reserve	Playground Rejuvenation	-	20,000	20,477	90%	Part of \$1.0m grant - fully funded
Bicheno Lions Park	Playground / Amenities Rejuvenation / Fence	-	40,000	37,092	Complete	Part of \$1.0m grant - fully funded
Bicheno Foreshore Track	Replace old timber walkway bridge (northern end)	25,000	-	13,116	40%	Gravel and signage done, bridge replacement to be considered for carried forward to 20/21 project.

Buckland Reserve	Playground / Amenities Rejuvenation	-	5,000	1,565	80%	Part of \$1.0m grant - fully funded
Triabunna Seafarers Memorial	Replace flagpole masts	10,000	-	1,054	Complete	Repaired 1 flagpole
Swansea Rec Ground	Refurbish Scorers Box - awning over servery	-	25,000	15,215	80%	Part of \$1.0m grant - fully funded
	SUB TOTAL	35,000	130,000	127,088		
Council Buildings						
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	162,558	90%	Part of \$1.0m grant - fully funded
Triabunna Depot	Dog pound upgrade - incl power and security	12,600	-	1,364	20%	
Swansea Depot	Dog Pound Upgrade	7,000	-	-	0%	
Bicheno Depot	Dog Pound Upgrade	7,000	-	-	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%	
	SUB TOTAL	91,600	381,500	358,479		
Plant & Equipment						
Bicheno Depot - Trailer	Heavy duty box trailer with brakes	3,800	-	2,216	Complete	Purchased
	SUB TOTAL	3,800	-	2,216		
	CAPITAL TOTAL - RENEWAL	911,400	792,101	1,327,290		
Water Scheme						
Prosser Plains Raw Water Scheme		3,000,000	-	3,329,094	Complete	BBR Grant/Loan - Final retention amount still to be incurred
	SUB TOTAL	3,000,000	-	3,329,094		
	CAPITAL TOTAL - NEW & RENEWAL	\$ 4,291,400	\$ 2,600,601	\$ 5,911,808		
		86%	\$\$ Expended			
Adopted Budget 2019-2020 / 'Total Capital Works' \$5,711,900 (New Grant \$400,000 now included)						
* Status of onground works - project final invoicing may still be outstanding						
2019-2020 R2R allocation \$601,630 (additional Drouaht Extension funding of \$200,543 included)						

6. Section 24 Committees

6.1 Draft Statement of Expectations Committee Unconfirmed Meeting Minutes – 15 June 2020



DRAFT Statement of Expectations (SoE) Special Committee of Council Minutes of Meeting # 5

15 June 2020

Location: Via video-call

Present: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Acting General Manager Ms Marissa Walters, Ms Lynn Mason (Adviser), Mr Greg Preece (Adviser)

Observers: Cllr Cheryl Amol, Cllr Keith Breheny, Cllr Grant Robinson

Apologies: Councillor Rob Churchill

1.0 Previous Minutes

RESOLUTION

Resolved that the minutes of the previous meeting (meeting # 4) held 22 May 2020 be confirmed as a true record.

2.0 Business arising from the Minutes

The three Resolutions from meeting #4 held 22 May 2020 were endorsed by Council at its Ordinary Council Meeting on 26 May 2020. The resolutions were as follows:

1. *That the Committee recommend that Council requests the Mayor to approach the Director of Local Government, Mr Craig Limkin, regarding his letter dated 13 May 2020, and ask the Director to consider engaging the Division's own independent adviser, at its cost, to create its report.*
2. *That this Committee recommends to Council that the Mayor invites the Director of Local Government to address Council on his expectations for the process for implementation for the SoE up until September 2020.*
3. *That*
 - *The Committee undertake the task of supporting and monitoring the implementation of the SoE;*
 - *Council continue to engage independent advisers to assist with this process, as necessary;*
 - *The SoE Committee provide regular reports to Council on progress; and*

- *The SoE Committee provide a report on the effectiveness of the SoE to Council at its September meeting, recommending that the report be endorsed and forwarded to the Director.*

3.0 General Business

3.a Survey Outcomes

Ms Mason provided an overview of the survey conducted with Elected Members and the Acting General Manager. The collation of the survey information was outlined in the Outcomes from Elected Member Survey document completed by Ms Mason and is to remain confidential.

MOTION

Moved Deputy Mayor Woods, Seconded Mr Preece

That the document titled *Outcomes from Elected Member Survey* is to remain confidential to the Elected Members, General Manager, Ms Mason and Mr Preece.

CARRIED UNANIMOUSLY

3.b External advice/assistance

MOTION

Moved Mayor Wisby, Seconded Mr Preece

That the Committee recommends to Council that the Acting General Manager:

1. Investigate the provision of training providers for:
 - (a) Body language
 - (b) Personality definition
2. Invite Mayor Kristie Johnson to speak with Council and the Acting General Manager regarding the Glenorchy City Council Statement of Expectations.

CARRIED UNANIMOUSLY

RESOLUTION

It was resolved, that given the outcomes of the Elected Member Survey, the Director of Local Government be specifically requested to address Council on those outcomes from the Survey with particular application to the *Local Government Act 1993*.

3.c Protocols for implementation of the SoE

MOTION

Moved Deputy Mayor Woods, seconded Ms Walters

That the Committee requests Mr Preece, with the assistance of Cllr Robinson, to bring back to the next meeting of the Committee a draft flow chart that maps out for Councillors and the General Manager how concerns about behaviour which may breach the Statement of Expectations can be raised and dealt with.

CARRIED UNANIMOUSLY

4.0 Other Business

RESOLVED

The Acting General Manager is to investigate when the next Local Government Association of Tasmania survey is to take place and provide the Committee with the results of the last survey undertaken by LGAT, with a view to considering whether such a survey can provide useful data for GSBC's improved processes.

The Deputy Mayor thanked Ms Mason and Mr Preece for what they have done for GSBC and the benefits derived from their assistance and expertise.

Councillor Breheny asked if the Acting General Manager has received any feedback from GSBC staff on the SoE document. The Acting General Manager suggested some work could be undertaken with staff once the implementation process is complete and it may be beneficial for Ms Mason and Mr Preece to attend a workshop with staff members regarding what the SoE broadly means to Council.

RESOLVED

That the Acting General Manager organise a workshop with staff to provide an explanation of the Statement of Expectation process, the achievements to date and to allow questions to be asked. Mr Preece and Ms Mason are to attend the workshop and provide assistance if necessary. Council's managers, supervisors, team leaders and any other interested staff are to be invited to attend.

RESOLVED

That Ms Mason and Mr Preece will provide a brief statement from this meeting for Council's website.

5.0 NEXT MEETING

Next meeting – mid July 20

Meeting closed at 3.20pm.

RECOMMENDATION

That the Draft Unconfirmed Minutes of the Statement of Expectations Committee meeting held on the 15 June 2020 be received at noted.

7. Officers' Reports Requiring a Decision

7.1 The Funding and Prioritising of Projects in the Coming Year and the Need for Long Term Financial and Asset Planning to inform Decision Making

Responsible Officer – Acting General Manager, Mr Greg Preece (Consultant)

ATTACHMENT/S

Nil

BACKGROUND / OVERVIEW

Council has commenced developing several key statutory documents to ensure compliance with legislation and best practice. These documents consist of an Asset Management Plan (AMP) which will feed into a new Long Term Financial Plan (LTFP), Stormwater Management Plans for each town in the municipality and an updated Risk Management Plan (RMP).

The AMP will include every asset the Council owns and will contain information about each asset such as a condition assessment, value, useful life, when it was constructed and asset life. Once completed this will inform Council about the true cost of its assets, what depreciation funding is required, operational costs and replacement costs.

The AMP will also feed into and inform the LTFP of funding requirements for asset replacement, operations, asset upgrades and new assets if planned. The LTFP captures information for a ten-year period, although some councils have pushed these out to twenty years. This plan is a key document as it informs the Budget estimates in terms of what assets require expenditure as well as potential impact on General Rate charges.

The *Urban Drainage Act 2013* stipulated that by 30th June 2019 every council was required to develop Stormwater Management Plans (SMP) for every catchment in every town that has a speed limit. This meant that every catchment must be modelled, and pipework designed to meet the required standards and going forward if growth were to occur. The State Government has advised that at some point in the future it would like to see pollutants removed and stormwater treatment prior to the stormwater being discharged into the environment. Therefore, SMPs need to also consider these possible future requirements.

SMPs will result in additional expenditure to upgrade the pipe networks, install pollutant traps and additional operational expenditure to service these pollutant traps and other stormwater infrastructure.

Council's previous RMP was outdated and did not include all the classes of assets owned by Council. The Risk Management Action Plan (RMAP) implementation, compliance and reporting was not strictly adhered to which placed Council in an extremely vulnerable position if claims were lodge against Council. Ensuring compliance with the RMAP comes at a cost to implement and manage.

DISCUSSION

There are three major classes of assets these being:

- Asset Renewals.
- Asset Upgrades
- New Asset.

Asset Renewal

Asset renewal means an existing asset is replaced with a like asset, an example being when the asphalt wearing course on a road is worn out and is replaced by a new asphalt service.

All assets have different lives and in the case of an asphalt wearing course this is somewhere between 30 to 40 years.

This means that Council must provide the funds to replace this wearing course every 30 to 40 years as failure to do so will see the condition of the road deteriorate, pavement failure will occur, the road will become unsafe and cost to repair and replace the asphalt service will increase.

It is therefore paramount that Council give priority to funding asset renewal projects over any other classes of assets. These projects will be identified by the AMP and informed by the LTFP.

Asset Upgrade

An asset upgrade is when an asset is being renewed and additional work is undertaken to increase the level of service of that asset. An example being a single lane timber bridge needs to be replaced and Council decides to replace the bridge with a concrete bridge at the same time widening it to two lanes for safety reasons. Hence there is a component of the cost which related to the asset renewal with the balance being asset upgrade. Asset upgrades are generally associated with increased usage, safety and compliance with new standards e.g. walking and cycleways were previously required to be 1.2 metres wide whereas now the standard is 1.8 metres wide.

These projects will be identified by the AMP and informed by the LTFP. Funding of these assets is generally applied after asset renewal.

New Asset

As the name implies this is when a new asset is created and might be constructed by Council or gifted to Council by another organisation or level of government or government organisation. A simple example is the construction of a new concrete footpath where there was no footpath previously.

While it is nice to build new assets, funding of these assets needs to be allocated after asset renewal and asset upgrades have been allocated.

These projects will sometimes be identified in the LTFP.

STATUTORY IMPLICATIONS

- *Local Government Act 1993*
- *Urban Drainage Act 2013*

BUDGET IMPLICATIONS

Developing an AMP, LTFP and SMP will take at least twelve months to have the first iteration and will thereafter remain as a work in progress to continually maintain and renew these plans. Importantly until Council has these plans it is not in a position to fully understand its financial position, what changes to services are needed and what timeframes are needed to implement the works required.

As can be seen from the above comments there will be increased operational costs in some areas to ensure compliance, to manage risk and to build new stormwater assets. It should also be understood that whenever a new asset is created or an asset is upgraded there is in general, a ten percent increase in operational expenditure needed e.g. if a new toilet block costs \$200,000 to build the operational budget will need to find an additional \$20,000 each and every year thereafter. This is to cover such things as insurance, operational expenses, depreciation, and maintenance.

The COVID-19 pandemic had further added to Council's financial difficulties in the coming financial year and will also have ongoing impacts for following years as well.

Given there are several unknowns regarding Council's future financial commitments, Council should for the next financial year at least only fund what is absolutely needed for asset renewal and any asset upgrade or new asset for community safety needs only.

RISK CONSIDERATIONS

As outlined in the report.

OFFICER'S RECOMMENDATION

That Council for the next financial year at least, in general only fund:

- Asset renewal projects;
- Asset upgrades and new assets that address community safety needs; and
- That this position be reviewed in 12 months' time.

7.2 2020-2021 Rates Resolution (Re-submitted)

Responsible Officer – Acting General Manager

ATTACHMENT/S

Revised 2020-2021 Rates Resolution

BACKGROUND / OVERVIEW

The rates resolution together with the fees and charges for the 2020-2021 financial year were presented to the Ordinary Meeting of Council held on the 26 May 2020 for Council's consideration and endorsement. Council resolved:

DECISION NO: 181/20

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).*

THE MOTION WAS PUT AND CARRIED BY ABSOLUTE MAJORITY 8/0

In accordance with section 90 of the *Local Government Act 1993*, A council may, not earlier than 1 June and not later than 31 August in any year, in respect of each financial year, make one general rate for that year on all rateable land in its municipal area.

Therefore in order to comply with the requirements of the Act, the 2020-2021 Rates Resolution is re-submitted to Council for consideration and endorsement.

In re-submitting the 2020-2021 Rates Resolution to Council the only change to that previously adopted by Council at its Ordinary Meeting held on the 26 May 2020 is an increase to the Medical Charge bringing the charge to \$90.00.

Should Council decide to adopt the revised 2020-2021 Rates Resolution as attached to this report it will be necessary for Council to overturn its previous Decision No.: 181/20.

In accordance with regulation 18. of the *Local Government (Meeting Procedures) Regulations 2015*:

r.18 Motion to overturn decision

A decision may be overturned, wholly or partly by a motion directly rescinding or otherwise overturning the decision or part of the decision or by a motion that conflicts with, or is contrary to, the decision or part of the decision. Any report given by the general manager to a council in respect of a proposed motion to overturn a decision of the council, or that will result in the overturning of a decision of the council, wholly or partly, is to include:

- a statement that the proposed motion, if resolved in the affirmative, would overturn that previous decision or part of that previous decision; and*
- the details of that previous decision, or the part of the previous decision, that would be overturned; and*
- advice as to whether or not that previous decision, or that part of that previous decision, directed that certain action be taken; and*
- if that previous decision, or that part of that previous decision, directed that certain action be taken, advice as to whether or not that action has been wholly or substantially carried out.*

In responding to the above requirements, should Council resolve in the affirmative to adopt the revised 2020-2021 Rates Resolution this decision would overturn point 2 of Council's previous Decision No.: 181/20.

The details of the previous Decision of Council has been provided in this report.

The 2020-2021 Rates Resolution as adopted by Council at the Ordinary Meeting of Council held on the 26 May 2020 has been advertised. A copy of the adopted Rates Resolution was also placed on Council's website, however this has since been removed.

It will be necessary, subject to Council decision, to re advertise the revised 2020-2021 Rates Resolution as attached to this report.

Absolute majority of Council required.

STATUTORY IMPLICATIONS

- *Various sections of the Local Government Act 1993*
- *Local Government (General) Regulations 2015*

BUDGET IMPLICATIONS

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.

The \$10 increase in the Medical Levy is proposed to cover the estimated costs of running the Medical Centres and Doctor incentive payments for 2020/2021.

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) Overturns part 2. of Decision 181/20 (26 May 2020) in accordance with the requirements of regulation 18 of the *Local Government (Meeting Procedures) Regulations 2015* as outlined within this report; and
- (2) Adopts the revised 2020-2021 Rates Resolution (as presented in the attachments to this Agenda as item 7.2).

Absolute majority of Council required

7.3 Budget 2020/2021

Responsible Officer – Acting General Manager

ATTACHMENT/S

Budget 2020/2021.

BACKGROUND / OVERVIEW

During 2019/20, councils across Tasmania and throughout Australia have faced an unprecedented crisis caused by the COVID-19 pandemic.

Glamorgan Spring Bay Council (Council) is no exception.

In response, Council implemented a range of measures to support the community, including a commitment to freeze the General Rate for 2020/21 and the creation of a Financial Hardship Policy.

These measures and the loss of significant revenue streams, including the loss of TasWater dividends will severely impact Council's revenue and cash flow for the 2019/2020 and 2020/2021 financial years.

Council has been fortunate in the past 18 months to secure close to \$10 million of Federal and State grant funding for capital works across the municipality. Some of the work has already been completed in the 2019/2020 financial year with the bulk of the funds available for significant capital works programs over the next two years.

Council's Statement of Cash Flow shows that Council has sufficient cash on hand to meet its obligations during 2020/2021 financial year and cover Council's short-term liabilities forecast at 30 June 2021.

Operating Budget

Council's estimated underlying financial result for 2020/2021 (excluding capital grants) is a net deficit of \$2.41 million. This net deficit figure includes depreciation of \$2.36 million. While depreciation is a non-cash item, funding of depreciation is a legislated requirement and it as it enables Council to fund the replacement of existing assets. The funding of depreciation is derived from rates income. The 2020/21 Capital Works budget includes little in the way of Council-funded projects.

Looking forward it is likely to take Council several years to reach a financially sustainable position where depreciation is fully-funded. This will involve some hard decisions in the next 12 months in particular, as Council focuses on the delivery of core services to Ratepayers and Residents and the implementation of the 10-year Strategic Plan.

The 2020/21 Budget includes \$2 million in loan funds from the State Government support package. This will be available to Council as an interest-free loan over three years. These loan funds will only be drawn down if required for cash flow purposes.

The budget also includes funds for key recommendations arising from the Statement of Expectations and review conducted by Greg Preece and Lynn Mason. The allocated budget funds will be used to update Council processes and ensure Council meets its statutory obligations such as development of a Long-Term Asset Management Plan, Long-Term Financial Plan, Risk Management and Workplace Health & Safety.

Funds have been allocated for road asset condition assessments across the municipality. Over \$400,000 in funding for roads and footpath maintenance, previously highlighted in the Capital Works budget, is now incorporated in the operating budget due to the maintenance nature of this expenditure.

Capital Works Budget

The total capital works budget for 2020/21 is \$7.14 million.

This includes \$500,000 to address stormwater infrastructure issues and engagement of a stormwater engineer to develop Stormwater Management Plans for the municipality.

A summary of the program is shown below:

New Capital	\$
Roads, Footpaths, Kerbs	1,695,000
Parks, Reserves, Walking Tracks, Cemeteries	2,010,000
Council Buildings	55,000
Plant & Equipment	96,000
Total New Capital	3,856,000
Renewal of Assets	
Roads, Footpaths, Kerbs	1,260,218
Parks, Reserves, Walking Tracks, Cemeteries	20,000
Stormwater, Drainage	500,000
Council Buildings	25,000
Bridges, Culverts	1,216,886
Plant & Equipment	259,230
Total Renewal Capital	3,281,334
Total Capital Works	7,137,334

Further carried forward projects from 2019-2020, for example the relocation of the Memorial to the RSL, will be brought back to Council for consideration after final project costs are known.

Rates and Charges

Council has approved a freeze of the General Rate for the 2020/2021 financial year.

An increase of \$10 in the Medical Levy to \$90, is proposed to cover the costs of providing medical services to the community.

Annual Plan

Council will develop its Annual Plan in the coming months that will further outline the projects and priorities for the 2020/21 financial year.

Council has already announced its plan to divest itself of the three Visitor Information Centres by 31 October 2020 with a subsequent annual saving of approximately \$360,000.

Communications

Council will inform and explain to Ratepayers and Residents the details of Council's endorsed 2020/2021 Budget. This will be achieved via:-

- A flyer being distributed with the first rates notice of the year; as well as posted on Council's website;
- A media release; and
- Information in local newspapers/newsletters.

STATUTORY IMPLICATIONS

Local Government Act 1993 S.82 Estimates

BUDGET IMPLICATIONS

As outlined in the attached budget estimates:

- 2020/2021 Operation Budget
- 2020/2021 Capital Works Budget
- 2020/2021 Loan Borrowings

RISK CONSIDERATIONS

Council will need to continue to make hard decision to enable the Organisation to reach a financially sustainable position in coming years. To work toward financial sustainability will require close monitoring and prioritising of all activities and expenditure over the coming financial year.

The funds allocated in the budget this year for the development of a Long-Term Financial Plan and Long-Term Asset Management Plan will enable informed decision-making during this period.

OFFICER'S RECOMMENDATION

That by absolute majority, Council endorse the 2020/2021 Budget Estimates as attached to Agenda item 7.3 of the Ordinary Meeting of Council 23 June 2020.

Profit and Loss

Glamorgan Spring Bay Council
2020/21 Budget

Attachment – Agenda Item 7.3

Account	YTD 31 March 2020	YTD Budget 31 March 2020	YTD Budget Var	Var %	2019/20 Half Year Budget Review	30/06/2020 Forecast	2020/21 Budget	2019/20 Original Budget	2018/19 Actual
Trading Income									
Rate Revenue	8,381,871	8,497,440	(115,569)	-1%	8,476,975	8,381,070	8,663,463	8,502,440	7,838,007
Statutory Charges	429,205	420,547	8,658	2%	552,811	523,117	448,549	534,500	544,865
User Charges	730,786	685,808	44,978	7%	942,337	796,492	618,300	805,050	822,596
Grants	471,718	478,930	(7,212)	-2%	1,255,194	1,357,699	1,465,667	1,282,653	1,378,141
Interest & Investment Revenue	244,455	89,100	155,355	174%	459,171	244,453	17,850	674,400	467,241
Contributions	45,016	29,600	15,416	52%	47,000	106,000	30,000	37,000	41,263
Other Revenue	1,283,138	1,040,146	242,992	23%	1,672,622	1,549,992	1,507,278	1,729,083	1,856,777
Net Gain (Loss) on Disposal of Assets	83,184	0	83,184	0%	76,632	84,084	-	50,000	99,913
Total Trading Income	11,669,374	11,241,571	427,803	4%	13,482,742	13,042,907	12,751,107	13,615,126	13,048,803
Gross Profit	11,669,374	11,241,571	427,803	4%	13,482,742	13,042,907	12,751,107	13,615,126	13,048,803
Capital Grants									
Grants Commonwealth Capital - Other	1,090,963	1,900,000	(809,037)	-43%	2,280,000	2,030,000	4,242,500	1,900,000	1,512,500
Grants Commonwealth Capital - Roads to Recovery	280,601	300,750	(20,149)	-7%	601,631	601,631	1,003,468	401,000	628,753
Grants State Capital - Other	350,000	0	350,000	0%	400,000	400,000	600,000	0	537,720
Total Capital Grants	1,721,564	2,200,750	(479,186)	-22%	3,281,631	3,031,631	5,845,968	2,301,000	2,678,973
Other Income									
Other Income - PPRWS Reimbursement of Principal Loan	0	0	0	0%	61,394	-	99,690	61,394	0
Total Other Income	0	0	0	0%	61,394	-	99,690	61,394	0
Operating Expenses									
Employee Costs	3,538,625	3,859,995	(321,370)	-8%	5,008,527	4,796,483	5,487,953	5,174,067	4,329,474
Materials & Services	4,664,964	4,311,621	353,343	8%	6,172,421	6,593,633	6,916,441	5,491,080	5,713,929
Depreciation	11,343	1,752,363	(1,741,020)	-99%	2,266,167	2,245,116	2,357,337	2,336,478	2,243,373
Interest	98,362	171,774	(73,412)	-43%	229,035	229,035	238,131	229,035	150,912
Other Expenses	122,269	146,797	(24,528)	-17%	218,131	214,817	227,429	219,000	219,227
Internal Plant used on Capital Jobs	0	(101,250)	101,250	-100%	(100,000)	(123,000)	(125,000)	(135,000)	0
Employee Oncosts	(46,447)	53,688	(100,135)	-187%	(90,000)	(234,496)	63,299	0	0
Total Operating Expenses	8,389,116	10,194,988	(1,805,872)	-18%	13,704,282	13,721,589	15,165,590	13,314,660	12,656,915
Net Profit	3,280,257	1,046,583	2,233,674	213%	(221,540)	(678,682)	(2,414,484)	300,466	391,888
Total Comprehensive Result (incl Capital Income)	5,001,821	3,247,333	1,754,488	54%	3,121,485	2,352,949	3,531,174	2,662,860	3,070,861

Statement of Financial Position

Glamorgan Spring Bay Council
2020/21 Budget

Account	Half Year Actual	Forecast 30 June 2020	Budget 30 June 2021	Budget 30 June 2020	30 Jun 2019
Assets					
Current Assets					
Cash & Cash Equivalents	3,180,699	1,657,421	1,401,680	1,542,900	3,805,456
Trade & Other Receivables	2,837,578	750,000	1,400,000	500,000	546,426
Inventories	26,817	27,000	27,000	27,425	26,817
Other Assets	42,435	81,600	10,000	10,000	101,840
Total Current Assets	6,087,529	2,516,021	2,838,680	2,080,325	4,480,539
Non-current Assets					
Trade & Other Receivables	15,257	9,435	0	20,729	15,257
Investment in Water Corporation	36,627,343	36,627,343	36,627,343	31,951,739	36,627,343
Property, Infrastructure, Plant & Equipment					
Fixed Assets	115,835,694	124,713,248	129,493,245	115,637,310	115,869,490
Work in Progress	4,910,735	1,000,000	1,000,000	1,000,000	4,910,735
Total Property, Infrastructure, Plant & Equipment	120,746,429	125,713,248	130,493,245	116,637,310	120,780,225
Total Non-current Assets	157,389,029	162,350,027	167,120,589	148,609,778	157,422,825
Total Assets	163,476,558	164,866,047	169,959,269	150,690,103	161,903,363
Liabilities					
Current Liabilities					
Trade & Other Payables	1,073,504	500,000	500,000	850,000	1,575,556
Trust Funds & Deposits	156,242	632,000	400,000	152,425	169,435
Provisions	750,592	500,000	450,000	680,000	750,592
Interest bearing Loans & Borrowings	1,233,902	433,268	1,124,930	406,914	1,402,911
Total Current Liabilities	3,214,240	2,065,268	2,474,930	2,089,339	3,898,493
Non-current Liabilities					
Provisions	114,059	120,000	150,000	120,000	114,059
Interest Bearing Loans & Borrowings	5,595,915	6,802,432	7,344,169	6,228,786	5,635,699
Total Non-current Liabilities	5,709,974	6,922,432	7,494,169	6,348,786	5,749,758
Total Liabilities	8,924,213	8,987,700	9,969,099	8,438,125	9,648,251
Net Assets	154,552,344	155,878,347	159,990,170	142,251,978	152,255,112
Equity					
Retained Earnings	79,119,837	80,445,840	84,557,663	76,589,118	76,822,605
Equity - Reserves	75,432,507	75,432,507	75,432,507	65,662,860	75,432,507
Total Equity	154,552,344	155,878,347	159,990,170	142,251,978	152,255,112

Statement of Financial Position

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Statement of Cash Flows

Glamorgan Spring Bay Council

2020/21 Budget

Account	Half Year Actual	Forecast 30/06/2020	Budget 2021	Budget 2020	2018/19 Actual
Operating Activities					
Receipts from customers	7,795,588	11,796,347	10,178,896	12,224,973	11,716,062
Payments to suppliers and employees	(6,088,336)	(12,164,275)	(13,525,389)	(11,649,880)	(10,916,436)
Receipts from operating grants	315,023	1,106,370	1,428,162	1,282,653	1,380,641
Cash receipts from other operating activities	541,028	814,527	720,000	300,000	688,360
Net Cash Flows from Operating Activities	2,563,303	1,552,968	(1,198,331)	2,157,746	2,868,626
Investing Activities					
Proceeds from sale of property, plant and equipment	24,991	756,641	0	600,000	56,498
Payment for property, plant and equipment	(4,677,028)	(7,464,031)	(6,786,300)	(5,711,900)	(6,732,583)
Receipts from capital grants	1,685,963	2,951,631	5,905,968	2,301,000	2,737,745
Other cash items from investing activities	0	0		0	5,632
Net Cash Flows from Investing Activities	(2,966,074)	(3,755,759)	(880,332)	(2,810,900)	(3,932,708)
Financing Activities					
Trust funds & deposits	(13,193)	(19,297)	0	0	121,491
Proceeds from/ (repayment) of long term loans	(208,793)	202,311	1,822,922	(397,090)	3,266,680
Net Cash Flows from Financing Activities	(221,986)	183,014	1,822,922	(397,090)	3,388,171
Net Cash Flows	(624,757)	(2,019,777)	(255,741)	(1,050,244)	2,324,090
Cash and Cash Equivalents					
Cash and cash equivalents at beginning of period	3,677,197	3,677,197	1,657,421	2,593,144	1,353,107
Cash and cash equivalents at end of period	3,052,440	1,657,421	1,401,680	1,542,900	3,677,197
Net change in cash for period	(624,757)	(2,019,777)	(255,741)	(1,050,244)	2,324,090

Budget Capital Works Summary

Glamorgan Spring Bay Council
For the year ended 30 June 2021

	2020/21 Budget
New Capital	\$
Roads, Footpaths, Kerbs	1,695,000
Parks, Reserves, Walking Tracks, Cemeteries	2,010,000
Council Buildings	55,000
Plant & Equipment	96,000
Total New Capital	3,856,000
 Renewal of Assets	
Roads, Footpaths, Kerbs	1,260,218
Parks, Reserves, Walking Tracks, Cemeteries	20,000
Stormwater, Drainage	500,000
Council buildings	25,000
Bridges, Culverts	1,216,886
Plant & Equipment	259,230
Total Renewal Capital	3,281,334
 Total Capital Works	7,137,334

Budget Capital Works Detail

Glamorgan Spring Bay Council

2019/20 Revised Budget

New Capital

	2020/21 Budget	Government Funding
Roads, Footpaths, Kerbs		
Swanwick Rd, Swanwick - Swanwick Dr to Hazards View Dr - Concrete Footpath approx. 400m. Southern side.	95,000	Drought Relief Grant
Wellington St, Swansea - Noyes St to Vistoria St - Concrete Footpath approx. 220m. Southern side.	60,000	Drought Relief Grant
Noyes St, Swansea - Franklin St to Wellington St - Concrete Footpath approx. 200m. Eastern side	65,000	Drought Relief Grant
Elizabeth St, Orford - Charles St to Gore St - Concrete Footpath approx. 220m Northern Side	54,000	Drought Relief Grant
Charles St, Triabunna - Rec Ground entrance - Concrete Footpath approx 400m. Western Side	103,000	Drought Relief Grant
Vicary St, Triabunna - Esplanade intersection - Realignment and paving RSL cenotaph	50,000	Drought Relief Grant
Tasman Highway, Cranbrook - Church Entrance to Glen Gala Rd - Concrete kerb & channel and concrete footpath	65,000	Drought Relief Grant
Tasman Highway, Bicheno - Harvey's Farm Rd to Douglas St - Concrete footpath approx. 1200m. Eastern side.	403,000	Drought Relief Grant
Dolphin Sands Share Pathway	400,000	Fed Grant Fund (\$1.0m commenced 19/20)
Swansea Main Street Upgrade	400,000	Fed Grant Funding in 21/22
Total Roads, Footpaths, Kerbs	1,695,000	
Parks, Reserves, Walking Tracks, Cemeteries		
Swansea Boat Trailer Parking	500,000	DPIPWE Funds
Bicheno Triangle	600,000	Fed Grant Fund
Coles Bay Foreshore	800,000	Fed Grant Fund
Buckland Recreation Ground - Installation of cricket practice nets, pitch with synthetic surface	25,000	Drought Relief Grant
Triabunna Recreation Ground - Installation of cricket practice nets, pitch with synthetic surface	25,000	Drought Relief Grant
Buckland Walk	60,000	Pending Council decision
Total Parks, Reserves, Walking Tracks, Cemeteries	2,010,000	

Council Buildings

Buckland Community Hall - replacement of steps to the entrance	55,000	Drought Relief Grant
Total Council Buildings	55,000	

Plant & Equipment

Small plant	31,000
IT Computer Equipment	30,000
Animal Control Trailers x 3	35,000
Total Plant & Equipment	96,000

Total New Capital	3,856,000
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Renewal of Assets

\$ Government Funding

Roads, Footpaths, Kerbs

R2R- to be allocated and approved by Council	359,131	Roads to Recovery
RTR - RSPG Rheban Rd Resheeting / realignment for bridge	250,000	RTR 50% Safety & Productivity Grant 50% (to be confirmed)
Community Infrastructure Grant - projects to be determined and approved by Council	401,087	New grant Dept Infrastructure
Resheeting	250,000	
Total Roads, Footpaths, Kerbs	1,260,218	

Parks, Reserves, Walking Tracks, Cemeteries

Bicheno Walk - Bridge replacement - carried forward from 2019/20	20,000
Total Parks, Reserves, Walking Tracks, Cemeteries	20,000

Stormwater, Drainage

Address stormwater infrastructure issues - projects to be determined and approved by Council	500,000
Total Stormwater, Drainage	500,000

Council Buildings

Triabunna Depot - Dog Pound Upgrades - carried forward from 2019/20	11,000
Swansea Depot - Dog Pound Upgrades - carried forward from 2019/20	7,000
Bicheno Depot - Dog Pound Upgrades - carried forward from 2019/20	7,000
Total Council Buildings	25,000

Bridges, Culverts

Orford Bridge Replacement	981,886	\$1.02m project started May 2019. Fully Federal Grant funded
RTR - BRP Rheban Rd Bridge	235,000	RTR 50% BRP 50% (to be confirmed)
Total Bridges, Culverts	1,216,886	

Plant & Equipment

Backhoe - replace 1	150,000
Plant replacement - replace 3 utes/works vehicles	109,230
Total Plant & Equipment	259,230

Total Renewal Capital	3,281,334
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Total Capital Works	7,137,334
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Budget Loan Summary

Glamorgan Spring Bay Council
For the year ended 30 June 2021

Purpose	Opening Balance 1/07/2020	Principal Repayment	Interest Repayment	Closing Balance 30/06/2021	Maturity Date
Orford Bowls Club	9,435	6,192	497	3,243	29/09/2021
Triabunna Marina	149,106	57,434	6,773	91,672	22/08/2022
Triabunna Marina	379,251	21,063	19,413	358,188	12/04/2023
Triabunna Marina	153,429	8,112	7,798	145,317	20/06/2023
Triabunna Marina	1,272,819	61,582	41,373	1,211,237	24/05/2026
Plant	114,481	64,964	4,516	49,517	28/02/2022
Plant	42,534	21,109	490	21,425	30/06/2022
Vehicles	46,736	19,890	1,818	26,846	30/11/2021
Vehicles	24,661	11,655	969	13,006	31/10/2021
Vehicles	107,063	41,363	3,384	65,700	31/05/2022
General	397,579	20,213	19,590	377,366	20/05/2024
Prosser Plains Raw Water Scheme	2,938,606	63,337	91,779	2,875,269	29/04/2049
Prosser Plains Raw Water Scheme	1,600,000	36,354	39,774	1,563,646	1/07/2050
New Loan - Interest Free*	2,000,000	333,333	0	1,666,667	1/7/2023
Balance at 30 June 2020	9,235,700	433,268	238,174	8,469,099	

*State Government Interest Free Support Loan, interest to be reimbursed from Treasury

7.4 Budget Reallocation – Capital IT Expenditure

Responsible Officer – Acting General Manager

ATTACHMENT/S

Nil.

BACKGROUND / OVERVIEW

Up until recently and for a number of years Sorell Council have provided IT support services to Glamorgan Spring Bay Council (Council). Sorell Council's IT staff had raised with the previous General Manager a need to replace the current servers due to their age and quotes had been provided. In March of this year Sorell requested that the support agreement for IT services with Council be terminated at which point the issue of the servers had not been resolved.

An external IT service provided was engaged to review the current status of Council's servers, security and IT setup. It was highlighted in their report the exposure of Council from an IT security point of view and vulnerability to operations with server reliability being very low. IT was recommended that Council immediately arrange to replace the servers and install a new firewall and router.

Councillors were made aware of this situation in May 2020 and agreed in principle for the work to be undertaken immediately and for the budget variation to come to this Ordinary Meeting on 23 June.

When setting the budget for 2019/2020 no budget allocation was made for IT equipment.

In addition to the servers, firewall and router, a new PC was purchased in July 2019 for the depot and 4 new laptops have been purchased in May for new staff, being the Work Manager, Exec Manager Development, General Manager and Planner (currently being used by the Emergency & Risk Project Officer). This will also free up 4 PC's to replace other older PC's and enable these key staff members the flexibility to work remotely. The recent COVID situation has highlighted the need for the flexibility and mobility of staff to work remotely and this needs to be factored into Council's Business Continuity Plan going forward.

Council has an aging fleet of PCs and monitors which will need to be factored into future budget allocations.

STATUTORY IMPLICATIONS

Local Government Act 1993

BUDGET IMPLICATIONS

The cost to replace the server is \$25,475
The cost to replace the firewall and router is \$8,580
The cost of 4 new laptops \$7,160
Depot PC replacement of \$1,475, purchased in July 2019

The full allocation of \$45,000 for the carried forward project (from 2018/19) for sealing of Saltworks Road was not required to complete the project. An amount of \$44,785 can be reallocated with the formal endorsement of Council.

This will leave \$2,095 available to address other IT issues before 30 June 2020 if required.

RISK CONSIDERATIONS

Not completing the replacements of the servers and installation of appropriate firewall and router immediately would put Council's operations and IT security at considerable risk.

OFFICER'S RECOMMENDATION

That Council reallocate \$44,785 from the sealing of Saltworks Road carried forward project to Capital IT projects as outlined in this Agenda item 7.4, of the Ordinary Council meeting held 23 June 2020.

7.5 Draft Private Works Policy

Responsible Officer – Acting General Manager

ATTACHMENT/S

Draft Private Works Policy.

BACKGROUND / OVERVIEW

Council does not currently have a Private Works Policy in place.

At a Special Confidential Meeting of Council on the 4 March 2019, Council considered the Integrity Commission's WELD Investigator's report (WELD report) and the recommendations contained therein.

The Private Works Policy has been developed as a result of the recommendation from the WELD report.

The draft Private Works Policy (the Policy) as attached to this report provides a framework for performing private works that is applicable to everyone, transparent, objective and consistent.

The Policy applies to all private works undertaken by Council on behalf of any applicant. Works may include the supply of labour, materials, plant and services.

A briefing was provided to Elected Members at a workshop held on 9 June 2020.

STATUTORY IMPLICATIONS

- *Local Government Act 1993*
- *Trade Practices Act 1974*

BUDGET IMPLICATIONS

No budget implications are identified in adopting the Policy.

RISK CONSIDERATIONS

By not having a Private Works Policy in place, Council could be exposed to risks which can be damaging to the Council through financial loss, bad publicity and loss in public confidence.

OFFICER'S RECOMMENDATION

That Council adopts the draft Private Works Policy as attached to this report effective 23 June 2020.

7.6 Draft Risk Management Strategy Policy & Draft Risk Management Policy

Responsible Officer – Acting General Manager

ATTACHMENT/S

1. Draft Risk Management Strategy
2. Draft Risk Management Policy

BACKGROUND / OVERVIEW

Glamorgan Spring Bay Council (Council) does not currently have an endorsed Risk Management Strategy or Risk Management Policy in place.

Risk Management Strategy

The Draft Risk Management Strategy (Strategy) provides a framework for assessing and responding to the current and potential risk to Council. It provides the objective, principles, operating framework and broad process to ensure a consistent and flexible approach to the management of risks on the Council resources, now and in the future. This Strategy is to safeguard the assets and resources of the Glamorgan Spring Bay Municipality.

The vision of the Strategy is to have a mature risk management framework which is embedded in the organisation's culture, enabling risk management principles and practices to be seamless in all planning, decision making and operations.

Risk Management Policy

The objective of the Risk Management Policy (Policy), as attached to this report, is to ensure effective risk management practices and procedures are fully integrated into the organisation's culture, enabling Council to minimise threats and maximize opportunities in the achievement of Council's strategic objectives.

A briefing was provided to Elected Members at a workshop held on 9 June 2020 on the Strategy and Policy.

STATUTORY IMPLICATIONS

- *Local Government Act 1993*
- *AS ISO 31000:2018 Risk Management – Guidelines*
- *Work Health and Safety Act 2012*
- *Work Health and Safety Regulations 2012*
- *Glamorgan Spring Bay Council Risk Register*
- *Other relevant legislation*

BUDGET IMPLICATIONS

No budget implications are identified in adopting the Risk Management Strategy and the Risk Management Policy as attached to this report.

RISK CONSIDERATIONS

The consequences of not having a risk management framework in place are outlined in detail within the Policy and the Strategy.

OFFICER'S RECOMMENDATION

That Council adopts the Glamorgan Spring Bay Council Risk Management Strategy and the Glamorgan Spring Bay Council Risk Management Policy as attached to this report effective 23 June 2020.

7.7 Local Government Association Tasmania Special General Meeting - Appointment of Proxy (Retrospectively)

Responsible Officer – Acting General Manager

ATTACHMENT/S

Local Government Association Proxy Voting Form – Special General Meeting – Friday 26 June 2020

BACKGROUND / OVERVIEW

In accordance with s.329 of the *Local Government Act, 1993* the Local Government Association of Tasmania (the Association) may make rules relating to, amongst other things, the management of the Association. As the *Act* does not set out how meetings are to be held and given the Association is not incorporated as a corporation's law company, the Association Rules provide how meetings are to be conducted.

The Association Rules do not permit the Annual General Meeting (AGM) to be held online with online voting. Unlike meetings of the Association General Management Committee, the Association Rules do not allow meetings to be held by telephone or other technology apart from Rule 22(c) which provides the ability of meetings of the Association General Management Committee to be held by telephone or other technology.

Therefore, the Association Rules will need to be amended to allow for meetings, including the AGM of the Association to be held by telephone or other technology.

Accordingly, the following item is listed for decision at the Association Special General Meeting to be held on the 26 June 2020:

Change to the LGAT Rules for Online AGM

Decision Sought

That Members note the advice related to the conduct of LGAT's AGM remotely.

That Members note that the July AGM may have to be held remotely.

That Members attend the Special General Meeting by proxy, appointing either Councillor Geoff Lyons or Mayor Albert Van Zetten to vote on their behalf.

That Members agreed to the proposed rule change.

In accordance with the Association Rules, the General Management Committee can call a Special Meeting to consider amending the Rules due to an emergency. Accordingly to the Association, it could be argued that the emergency is the inability of the AGM to be held and the consequences that flow from that.

Provided Members agree to do so, the Members can attend the Special Meeting by proxy (each appointing the same person as their proxy) and via their proxy, vote in favour of amending the Rules. It is proposed that the Association President, Mayor Holmdahl convene the special meeting at West Tamar Council, with only the West Tamar Delegate and the Launceston Delegate to allow for a mover and seconder and voting by proxy.

The Association has requested that the Proxy Voting Form for the Special General Meeting to be held on the 26 June 2020 be returned no later than Friday 19 June 2020.

Due to the timeframe between the date of the June 2020 Ordinary Meeting of Council and the return date for the Proxy Voting Form, an email was circulated to Councillors seeking their support in-principle:

1. For the appointment of Cllr Geoff Lyons, West Tamar Council as Glamorgan Spring Bay Council's Proxy for the purpose of voting on behalf of Council at the LGAT Special General Meeting to be held on 26 June 2020; and
2. Directing Cllr Lyons to vote for the proposed rule change to allow for Meetings to be conducted remotely on behalf of Glamorgan Spring Bay Council.

As the majority of Councillors responded supporting the appointment of Cllr Lyons as Council's Proxy and the voting direction outlined above, the Proxy Voting Form has since been returned to Local Government Association of Tasmania indicating Council's preferences.

STATUTORY IMPLICATIONS

- *Local Government Act 1993*
- *Local Government Association of Tasmania Rules*

BUDGET IMPLICATIONS

No budgetary implications are recognised in appointing a Proxy to vote on behalf of Council at the Local Government Association of Tasmania Special General Meeting to be held on the 26 June 2020.

RISK CONSIDERATIONS

Whilst no significant risks to Council are identified, it is considered good governance that Council expresses its preferences by appointing a Proxy to vote on its behalf at the Local Government Association of Tasmania Special General Meeting to be held on the 26 June 2020.

OFFICER'S RECOMMENDATION

That Council retrospectively endorses:

- (a) The appointment of Cllr Geoff Lyons, West Tamar Council as Glamorgan Spring Bay Council's Proxy to vote on its behalf at the Local Government Association of Tasmania Special General Meeting to be held on the 26 June 2020; and
- (b) The direction to Cllr Lyons as Proxy, to vote for the proposed rule change to allow for Meetings to be conducted remotely at the Local Government Association of Tasmania Special General Meeting to be held on 26 June 2020.



Proxy Voting Form

Special General

Friday 26 June 2020

I/We Mayor Debbie Wisby
Of Glamorgan Spring Bay Council
being a Member Council of the Local Government Association, hereby appoint -



Clr Geoff Lyons, West Tamar Council



Mayor Albert Van Zetten, City of Launceston

As our proxy to vote on our behalf at the Special General Meeting of the Local Government Association on 26 June 2020.

I direct my/our proxy to vote on my/our behalf in respect of Item 2.1 -



For the Proposed Rule Change to allow for Meetings to be conducted remotely.



Against the Proposed Rule Change to allow for Meetings to be conducted remotely.

Signed Debbie Wisby

This 12th day of June 2020

Proxy Forms are to be lodged at the Local Government Association Tasmania office by no later than **5.00pm Friday 19 June 2020.**

Email: admin@lgat.tas.gov.au

7.8 Renewal of Bicheno Library Lease with Department of Education Tasmania

Responsible Officer – Senior Finance Officer

ATTACHMENT/S

Nil.

BACKGROUND/OVERVIEW

Glamorgan Spring Bay Council (Council) owns a property at 78 Burgess Street in Bicheno. The building has been managed by Libraries Tasmania through the Department of Education Tasmania (the Department) since 1997 and utilised as the local Bicheno library.

Recently Council was notified by a representative from the Department that the 3 year lease will expire on June 30, 2020 and in accordance with the terms of the lease, Libraries Tasmania has indicated they would like to continue leasing the premises from 1 July 2020 to 30 June 2023.

Financial Analysis

From a search of Council records, Staff could only find a Lease referring to a payment to Council from the year 2010. From what the Department has advised Council Staff, the Department were not invoiced until 2017. An amount of \$56,160 was subsequently paid to Council to cover the period 2010-2016 and an agreement was made for Council to refurbish the Library premises.

It also appears that the offer of back pay from the Department for the period 2010-2016 was to be used by Council to upgrade the facility and a list of renovations was prepared for Council. The refurbishment was expected to cost around \$50,000.

Maintenance costs for the facility have been minimal and the Library appears to be a non-problematic.

Rent received from the Library is currently \$10,000 per year (plus GST) or \$192.00 per week

The cleaner's rate is currently \$70 per week (paid by Council). In accordance with section 6 of the lease the Lessor is to pay the costs of all regular cleaning of the premises and maintain the grounds, entrance and paths around the premises.

STATUTORY IMPLICATIONS

Local Government Act 1993

BUDGET IMPLICATIONS

The operational costs to Council have been considered and the recommended lease amount will cover these costs, including depreciation. Therefore there are no out of pocket expense to Council in entering in a further three year term with the Department of Education for the lease of the Bicheno Library facility.

OFFICER'S COMMENTS

Having a Public Library available to the Community in Bicheno is a valuable community asset. Due to the renovation undertaken in 2017 it appears that maintenance costs are currently minimal and this is expected to continue over the next lease term. Unless the Department has breached the Lease, Council is obliged to accept their request to agree to an additional period of a 2 x 3 year option unless Council determines to enter into a new leasing arrangement.

OFFICER'S RECOMMENDATION

That Council offer the Department of Education Tasmania a three year Lease for the Bicheno Library located at 78 Burgess Street, Bicheno, in accordance with the terms of the existing Lease for an annual lease amount of \$11,000 per annum plus GST, to be reviewed and increased annually in line with Consumer Price Index (Hobart).

7.9 Public Question Time Procedures

Responsible Officer – Acting General Manager

ATTACHMENT

Revised procedure “Public Question Time How do I ask a question”.

BACKGROUND

In accordance with regulation 31(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the chairperson of an ordinary council meeting must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.

In recent months due to restrictions associated with the COVID-19 pandemic, Council has held its meetings remotely via video conferencing. As members of the public were unable to attend the Ordinary Meetings of Council they were encouraged to submit their questions on notice or questions without notice in writing to the Mayor or General Manager prior to the meeting. This has led to some confusion as to the limit on the number of questions being submitted by individuals.

Due to the preceding comments and the recent softening of the restrictions on public gatherings which could see Council meetings once again open to the public, it was opportune that Council’s existing Public Question Time Procedures “How do I ask a question” be reviewed.

The intent of the review of the procedures was to provide a more consistent approach and provide clarity to the public in respect to asking a question/s of Council in Public Question Time during Ordinary Meetings of Council. The procedures relate to both questions submitted on notice and questions without notice.

Upon adoption by Council a copy of the revised procedures will be made available to the public at the meetings and on Council’s website.

STATUTORY IMPLICATIONS

- *Local Government (Meeting Procedures) Regulations 2015 r.31 and r.37*

BUDGETARY IMPLICATIONS

No budgetary implications are recognised.

RISK CONSIDERATIONS

By not having procedures in place in respect to Public Question Time at an Ordinary Meeting of Council, Council risks not having a consistent and fair approach in place in respect to both questions on notice and questions from the public gallery.

OFFICER’S RECOMMENDATION

That Council adopts the revised “Public Question Time – How do I ask a question?” procedures as attached to this report effective 23 June 2020.



Public Question Time

How do I ask a question?

Local government is the only level of government where the public gallery can ask questions in the Chamber. This privilege does bring with it a required level of common courtesy and mutual respect between the public, your elected members and the institution of Municipal Council.

1. Glamorgan Spring Bay Council allows a minimum of 15 minutes in total for Public Question Time during Ordinary Meetings of Council.
2. Prior to the commencement of a Council Meeting, the Chairperson will approach the public gallery and request the names of those who wish to ask a question during Public Question Time.
3. Council encourages wherever possible, that questions are submitted in writing to the Mayor on the day or to the General Manager 7 days in advance of the meeting date. If the question is submitted 7 days prior, it is considered to be taken 'on notice' and a response will be provided in the meeting agenda.
4. Public statements will not be allowed during Public Question Time. The Council requests that Public Question Time is used for questions only.
5. A question may be taken on notice and answered at the next Ordinary Meeting of Council.
6. A question by any member of the public and any answer to a question is not to be debated.
7. The Chair of the meeting can refuse a question but must explain why a question is being refused. Inappropriate questions that are offensive in nature, relate to personnel, confidential or legal matters involving Council or are not Council business will not be accepted.
8. There is a limit of two (2) questions per person either in writing or in person.

Please note: The rules for asking a question during Public Question Time are governed by regulation 31 of the Local Government (Meeting Procedures) 2015 and the Chair of the meeting.

7.10 Progress on Visitor Information Centre Transition

Responsible Officer – Acting General Manager

BACKGROUND / OVERVIEW

At the Ordinary Council Meeting held 26 May 2020 in closed session, Council decided to transition out of operating the Visitor Information Centres (VICs) at Triabunna, Swansea and Bicheno by 31 October 2020. A further decision related to this matter was for the Acting General Manager to report back to the Ordinary Council Meeting on 23 June 2020 on progress to date.

On the morning of 27 May 2020, a lengthy discussion was held between the VIC Manager and Council's Human Resources (HR) advisor before VIC staff were advised of the decision. It was important that Council could communicate with any impacted staff members as quickly as possible before they heard information from other sources. Key stakeholders were contacted and advised of the decision and the commitment to work together on a way forward. Representatives of the Australian Services Union (ASU) were advised that afternoon and a press release issued to Elected Members, the media and local community groups. All other staff members were sent communication of the decision.

Ian Colvin of First Foot Communications was engaged as a Public Relations Consultant. First Foot Communications are preapproved as a Local Government Association of Tasmania procurement supplier.

All the VIC staff were individually phoned by Council's HR Consultant on 27 May 2020. The HR Consultant and Acting General Manager met with all VIC staff member individually (often with an ASU or other representative present) on the Tuesday and Wednesday of the following week.

A meeting was organised and held between Tasmanian Parks & Wildlife Service and Encounter Maria Island in Hobart on Thursday 4 June 2020. This was a constructive and open discussion around the immediate need of supporting the ferry service recommencing services on 15 June 2020 and the long term plans for the Triabunna Marina Precinct and Maria Island Visitor Experience.

In conjunction with the ferry service recommencing and Maria Island being open to the public, Triabunna VIC has opened on 15 June 2020 with COVID work-safe plans in place.

A further meeting with key stakeholders was held on Thursday 11 June 2020 at Swansea Town Hall including representatives from Break O'Day Council, Tourism Tasmania, State Growth and East Coast Tourism Tasmania. The Acting General Manager and Mayor attending on behalf of Council. Again, this was a constructive and open meeting. State Growth have agreed to undertake a gap analysis of the services and information provided by each of the three VICs.

Council will be preparing Swansea and Bicheno VICs to open in the coming weeks. Each site will have COVID work-safe plans and safety measures in place prior to opening. The operating hours are likely to be limited and targeted towards weekend domestic travelers. These details will be announced when available.

A media release was issued on Friday 12 June 2020 providing an update.

Whilst Council have committed to transitioning from operating the VICs by 31 October 2020, it is hoped that opening the VICs in the meantime will provide some level of confidence to the local operators and an opportunity for State Growth to assess and complete the gap analysis whilst they are in operation.

More meetings will be held with stakeholders as we work together on a future plan.

STATUTORY IMPLICATIONS

Workplace Health & Safety

BUDGET IMPLICATIONS

Council have continued to redeploy and engage all the VIC staff during the COVID-19 shutdowns. Therefore, reopening the VIC until 31 October 2020 does not present any significant budget implications and hopefully provides an opportunity to take bookings and make retail sales.

RISK CONSIDERATIONS

COVID safe work-plans require appropriate safety/hygiene measures to be put in place prior to the re-opening of VICs for the safety of staff and visitors.

OFFICER'S RECOMMENDATION

That Agenda Item 7.10 on the Progress on Visitor Information Centre Transition report is received and noted.

7.11 Bicheno Boat Ramp Jetties Extensions

Responsible Officer – Manager of Buildings and Marine Infrastructure

ATTACHMENT/S

Aerial Map showing proposed extension to Bicheno Boat Ramp Jetties.

BACKGROUND/OVERVIEW

A Recreational Boating Fund application to Marine and Safety Tasmania (MAST) had been submitted by the public for an extension to each of the two jetties at the Bicheno Boat ramp. (Aerial map attached).

The application for funding has been approved by MAST to upgrade these jetties and construct the extensions.

The existing jetties and boat ramp are owned and maintained by the Glamorgan Spring Bay Council (Council).

The primary purpose for the extensions is to increase boat-holding capacity while trailers are parked and retrieved and to ease congestion at the ramp. The left hand landing stage (the subject of the main extension) was built in 2004. Therefore, an upgrade and extension is timely to keep the landing in a sound, working condition.

MAST have asked if the Council is happy for these works to proceed and will Council lodge and cover the costs of the planning application to enable these works to go ahead. This planning application would be discretionary.

If approval on both counts is given, MAST will progress to completion of construction detailed drawings.

BUDGET IMPLICATIONS

MAST will fully fund the construction;
Construction at this stage is estimated at \$110,000
Cost of the Planning application will be \$825.00.

Council funds the ongoing maintenance of all jetties.
The amount varies depending on the damage and general wear and tear.

STATUTORY IMPLICATIONS

Nil.

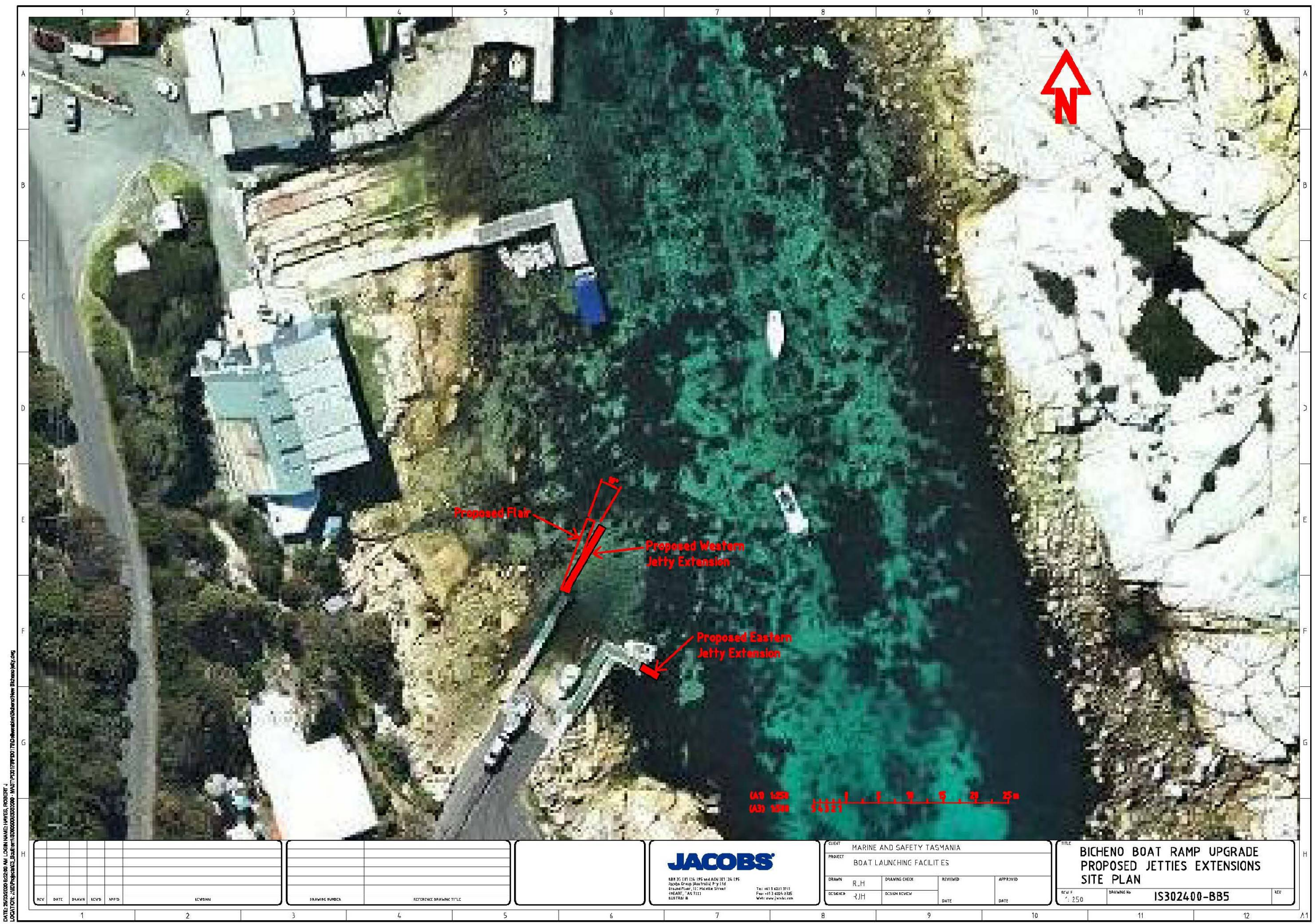
OFFICER'S RECOMMENDATION

That Council:

- (a) Approve in principal the request by Marine and Safety Tasmania for these works to proceed; and
- (b) Agrees to lodge and cover the costs for the Planning application to extend the jetties.

OR

- (c) Does not approve the request by Marine and Safety Tasmania for the proposed extension to the Bicheno Boat Ramp Jetties at this point in time; and
- (d) Does not approve lodgement of the development application.



7.12 Swansea Community Hub

Responsible Officer – Acting General Manager

BACKGROUND / OVERVIEW

Construction of the Swansea Community Hub project is nearing completion and the establishment of an organising group or body needs to be established.

Councillors Breheny, Churchill, Browning and the Mayor have been working with the Manager Buildings & Marine Infrastructure and local community members to enable the project to reach this stage. A significant amount of volunteer hours has been critical to getting the project to where it is today.

To enable the project to progress to the next stage community engagement is required.

It is likely that a Section 24 Committee of Council may be required for 6-12 months to enable a separate body to be established. This is best determined through community engagement and reporting back to Council in August 2020 with recommendations on the best way forward.

Through previous meetings with the Councillors listed above, the Acting General Manager and Buildings & Marine Infrastructure Manager, the following spreadsheet details some relevant information and work to still be undertaken.



SWANSEA COMMUNITY HUB	PCYC	Community Room	Community Shed	Community Re-use Shop	Community Re-use Shed	Principals
History	Improvements to the old SES building owned by GSBC funded by the Federal Government Community Development Grant Programme.					The facility is to become self sufficient - Income generated covers all costs
Proposed membership on the Swansea Community Hub S24 Committee of Council (6-12 months initially)	1	1	1+1	1	1	Gender equity in membership
Future Constitution & Rules of Association	Include					*Check how Men's Shed rules apply for grant purposes and requirements re Constitution
Income	Membership Donations Fund-raising Grants	Use	Sales Membership Donations Fund-raising Grants	Sales Donations Fund-raising Grants	Sales Donations Fund-raising Grants	Income generated - Sales, Use, Membership, Donations, Fund-raising & Grants
Policies, Procedures & Risk Analysis	Required					Work with Council Officers
Insurances - Building, Contents, Public Liability, Others?	Required					Work with Council Officers
Future lease agreement with Glamorgan Spring Bay Council	Required					*Check & report how much Council contributes to other Community/Men's Sheds in the municipal area, endorse expenditure & make consistent
Suggested signage	PCYC	COMMUNITY ROOM	COMMUNITY SHED	COMMUNITY RE-USE SHOP	COMMUNITY RE-USE SHED	Plaque for official opening

STATUTORY IMPLICATIONS

Local Government Act 1993

BUDGET IMPLICATIONS

None in considering this item.

RISK CONSIDERATIONS

By not investigating community interest in establishing a Community Hub in Swansea, Council could be exposed to bad publicity and loss in public confidence.

OFFICER'S RECOMMENDATION

That Council:

1. Investigates community interest in establishing a Community Hub in Swansea, to include the PCYC, a Community Room, the Community Shed, a Re-use Shed and a Re-use Shop; and
2. Authorises Mayor Wisby, Cllrs Browning, Breheny and Churchill to undertake the preliminary tasks of consultation with interested persons in the community; and
3. That Mayor Wisby, Cllrs Browning, Breheny and Churchill report back through the General Manager to the August 2020 Ordinary Council Meeting, to enable Council to determine how to proceed with the project and its ongoing management.

7.13 Bicheno Skateboard Park (Crown Land, Tasman Hwy, Bicheno)

Responsible Officer – Acting General Manager, Graduate Planner

BACKGROUND / OVERVIEW

The Bicheno Community Development Association (BCDA) has lodged a development application for a skateboard park in Bicheno. A previous application was submitted in mid-2019 and determined to be 'No Permit Required' (NPR).

Upon re-visiting the proposal, it became evident the application had been incorrectly determined and does require a permit. It will also need to be advertised. While the use class is NPR, the development requires assessment. It will be discretionary under clause D19.4.3 (landscaping), the Road and Railway Assets Code and the Historic Heritage Code. There may be further discretions upon closer scrutiny.

The application requires consent to lodge from Council, from Crown Land Services, and from the Department of State Growth. Consent to lodge from any of these parties does not mean the application is approved. When consent has been provided from all the parties, the application will become valid and move into the planning approvals process.

The proposal

The proposed site is on the northern side of Bicheno, shown in Figure 1 below.

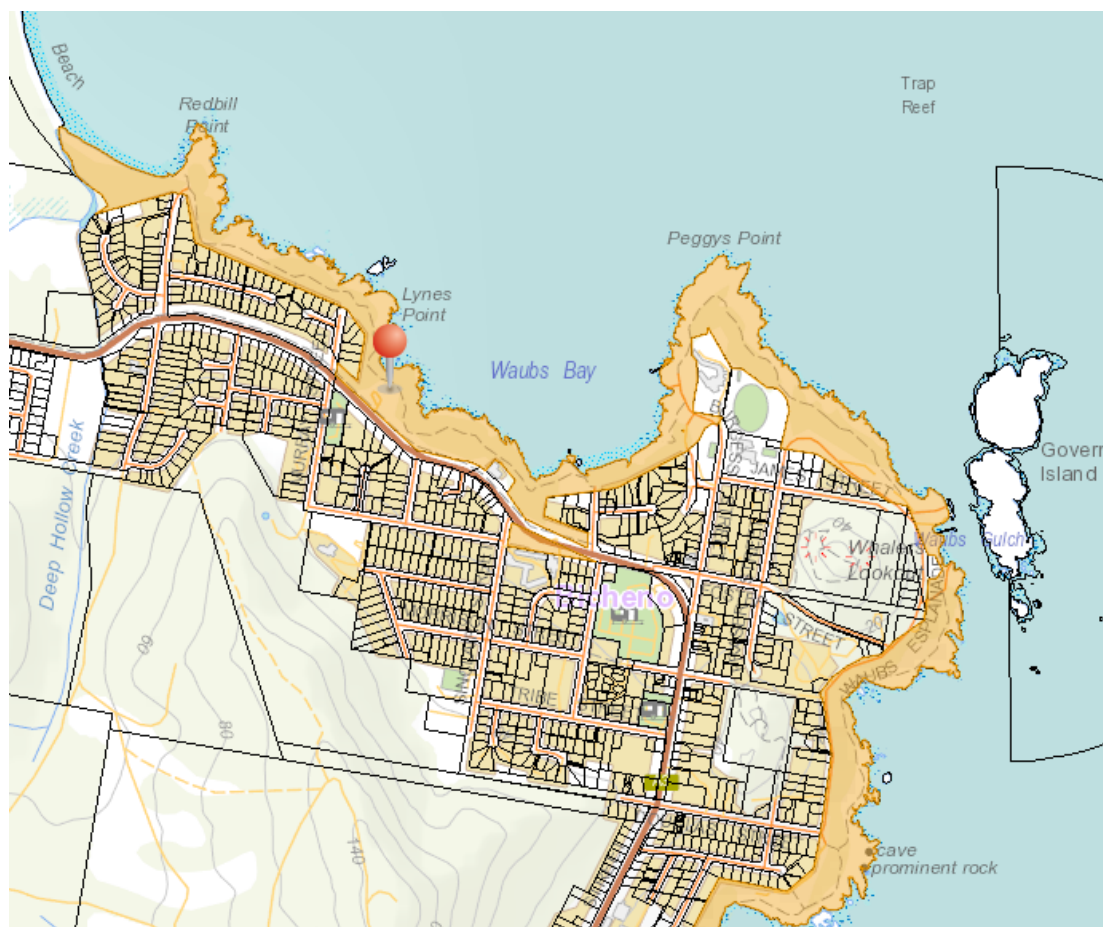


Figure 2: the proposed location of the skateboard park on the northern side of Bicheno (LISTmap).

The proposal is to upgrade the access from the Tasman Highway, construct seven car parks including one accessible park, a new accessible toilet, a swing set / play space, new barbecue seating and path, an adventure bike track, signage and seating and a concrete skate park approximately 18 x 32m in size (576m²) set back around 10m from the property boundary with the road reserve, as shown in Figure 2 below.

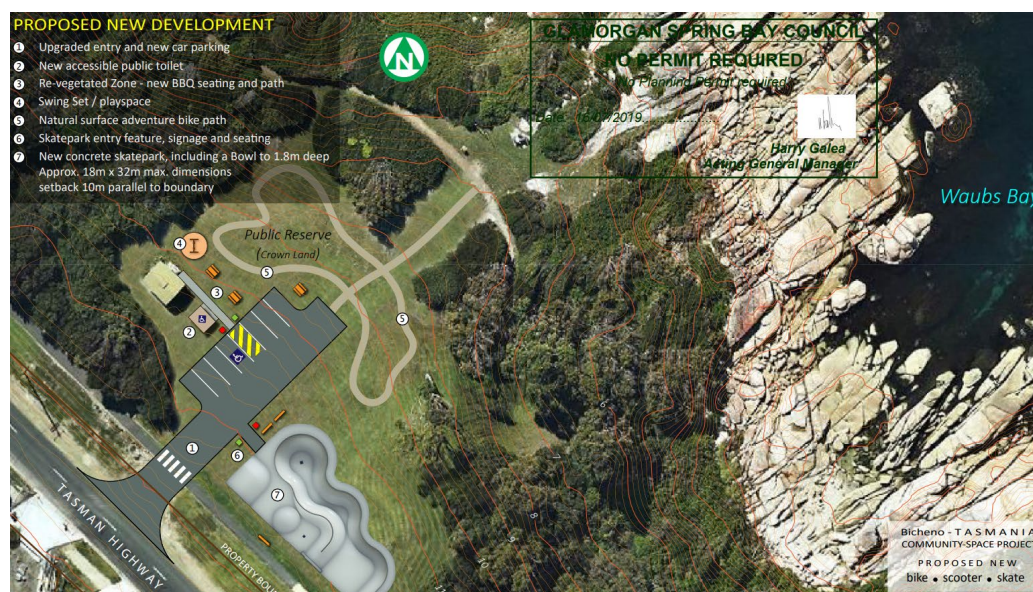


Figure 3: the Concept Plan provided with the application

BUDGET IMPLICATIONS

The estimated construction cost of the skate park is \$283,000 with the picnic and parking area, an additional \$100,000.

The bulk of the money is expected to come from the Tasmanian Community Fund, which opens in July. The applicants have prepared a grant application but require development and works approvals before submitting.

The Bicheno community has raised \$50,000. There are offers of in-kind support from Wallaroo Contracting, Cement Company, Long Point Surf, Bicheno Garden Club (landscaping), a donation of \$5,000, and the Bendigo Bank has offered \$15,000 if approved.

The BCDA is not asking Council for money, but do note that it would assist to have the park come under Council's banner as a recreation park. That would mean Council would incur public liability insurance, maintenance and ongoing depreciation costs which is estimated to be in the range of \$20,000 to \$40,000 per annum (taking into consideration the construction of a new accessible public toilet, as shown on the figure 3. above, which would require regular ongoing cleaning and maintenance).

RISK CONSIDERATIONS

There are significant financial risks which require Council's consideration in relation to its commitment to fund new assets without having a full appreciation of Council's current and future financial obligations in respect to the maintenance and replacement of existing assets to an appropriate standard in accordance with legislative requirements.

Until Council has a full understanding of the state of its existing assets, it would be financially prudent to defer any decision on this matter until that time, as highlighted in Agenda item 7.1 of this Agenda 23 June 2020 or the Ordinary Meeting of 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 'Open Space'. The use class is 'passive recreation', which is a No Permit Required use in the zone. The development will be 'discretionary' and will need to be advertised.

OFFICER'S RECOMMENDATION

That Council:

- (a) Consents to the lodgement of the application for a Skateboard Park in Bicheno; or
- (b) Lays the project on the table for reconsideration pending the completion of the Glamorgan Spring Bay Council Long Term Financial Plan and the Long Term Asset Management Plan.

8. Notices of Motion

Nil.

9. Petitions

Nil.

10. Questions without Notice

Responses to Questions taken on notice at the Ordinary Meeting of Council held on the 26 May 2020

Deputy Mayor Jenny Woods asked:

- a. *Did the Mayor write to Dr Naidoo thanking him for his 30 years' service?*

Response from the Acting General Manager, Mrs Melissa Walters

Yes. The Mayor wrote to Dr Naidoo on 30 April 2020 extending Council's appreciation for his 30 years' service to the Triabunna community.

- b. *How much has it cost residents and ratepayers for the cancellation fees relating to the locums not being needed anymore?*

Response from the Acting General Manager, Mrs Melissa Walters

Due to the commercial in-confidence nature of this question, a response will be provided under separate cover to Deputy Mayor Jenny Woods with a copy of that response provided to all Councillors.

- c. *Has the abovementioned doctor indicated that he will join East Coast now that he hasn't taken the mentioned leave?*

Response from the Acting General Manager, Mrs Melissa Walters

Due to the confidential nature of any discussion between Council and Dr Naidoo, a response will be provided under separate cover to Deputy Mayor Jenny Woods with a copy of that response provided to all Councillors.

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 26 May 2020**
As per the provisions of regulation 34 of the *Local Government (Meeting Procedures) Regulations 2015*.
- Item 2: Bridge Replacement over Orford Rivulet, Rheban Road – Tender No: T002-2020**
As per the provisions of regulation 15(2)(d) of the *Local Government (Meeting Procedures) Regulations 2015*.
- Item 3: Request to overturn Council Decision 199/20 from closed session of the Ordinary Council Meeting held on 26 May 2020**
As per the provisions of regulation 15(2)(a) and regulation 18 of the *Local Government (Meeting Procedures) Regulations 2015*.

Recommendation

That Council moves into closed session (Time:)
--

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