

The Mayor will open the meeting with the council prayer and make the following declaration:

“I acknowledge the Tasmanian Aboriginal Community as the traditional custodians of the land on which we meet today, and pay respect to elders, past and present”.

The Mayor also to advise the Meeting and members of the public that Council Meetings, not including Closed Meeting, are livestreamed, audio-visually recorded and published to Council’s website. The meeting is not protected by privilege.

There is a link to the agenda papers on council’s website.

COUNCIL MEETING
MONDAY 21 MARCH 2022

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BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE

COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL’S WEBSITE

1. APOLOGIES

Ald Mulder (Leave of Absence)

2. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council's adopted Code of Conduct, the Mayor requests Aldermen to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

3. OMNIBUS ITEMS**3.1 CONFIRMATION OF MINUTES****RECOMMENDATION:**

That the Minutes of the Council Meeting held on 28 February 2022 and the Special Council (Planning Authority) Meeting held on 7 March 2022, as circulated, be taken as read and confirmed.

3.2 MAYOR'S COMMUNICATION

3.3 COUNCIL WORKSHOPS

In addition to the Aldermen's Meeting Briefing (workshop) conducted on Friday immediately preceding the Council Meeting the following workshops were conducted by Council since its last ordinary Council Meeting:

PURPOSE	DATE
First Review of Draft Fee Schedule	
Clarence Plains Master Plan	
Tree Vandalism Blessington Street	
Confidential Seven Mile Beach Area Plan Expression of Interest	7 March
Sustainability Strategy/Cultural and Creative Strategy	
Alma's Activities Centre Future Use	
Confidential Update Bellerive Pier	
Access Issues Sandford	15 March

RECOMMENDATION:

That Council notes the workshops conducted.

3.4. TABLING OF PETITIONS

(Note: Petitions received by Aldermen are to be forwarded to the General Manager within seven days after receiving the petition).

Petitions are not to be tabled if they do not comply with Section 57(2) of the Local Government Act, or are defamatory, or the proposed actions are unlawful.

The General Manager will table the following petition which complies with the Act requirements:

- Received from 17 signatories requesting council to construct a footpath in Hookey Place, Rokeby.

3.5 REPORTS FROM OUTSIDE BODIES

This agenda item is listed to facilitate the receipt of both informal and formal reporting from various outside bodies upon which Council has a representative involvement.

3.6 REPORTS FROM SINGLE AND JOINT AUTHORITIES

Provision is made for reports from Single and Joint Authorities if required.

Council is a participant in the following Single and Joint Authorities. These Authorities are required to provide quarterly reports to participating Councils, and these will be listed under this segment as and when received.

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald James Walker
(Ald Luke Edmunds, Deputy Representative)

Quarterly Reports

None pending.

Representative Reporting

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

3.7 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

3.8 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 28 February and 7 and 14 March 2022 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 28 February and 7 and 14 March 2022 be noted.

4. PUBLIC QUESTION TIME

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request an Alderman or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

4.1 PUBLIC QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a member of the public may give written notice to the General Manager of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

Questions on notice and their answers will be included in the minutes.

Jaime Bridle of Sandford has given notice of the following questions:

FUTURE CONSULTATION

1. Does the Council agree with the sentiment expressed by one Alderman on 28 February, that if 77% of respondents to a consultation oppose a matter, the results can be interpreted as 525 opposed, and the rest of the population of Clarence in favour?
2. Thinking about the current Skylands consultation, given that the motion carried on 28 February was silent on the results of a significant consultation, how does Council believe this motion will impact on public opinion regarding the Council's claimed commitment to listen to the voice of the community when making decisions?

4.2 ANSWERS TO QUESTIONS ON NOTICE

The Mayor may address Questions on Notice submitted by members of the public.

4.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

4.4 QUESTIONS WITHOUT NOTICE

The Chairperson may invite members of the public present to ask questions without notice.

Questions are to relate to the activities of the Council. Questions without notice will be dependent on available time at the meeting.

Council Policy provides that the Chairperson may refuse to allow a question on notice to be listed or refuse to respond to a question put at a meeting without notice that relates to any item listed on the agenda for the Council meeting (note: this ground for refusal is in order to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Council Meeting Agenda).

When dealing with Questions without Notice that require research and a more detailed response the Chairman may require that the question be put on notice and in writing. Wherever possible, answers will be provided at the next ordinary Council Meeting.

5. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

6	PLANNING AUTHORITY MATTERS
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In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

6.1 DEVELOPMENT APPLICATION PDPLANPMTD-2021/024650 – 6 SALTWATER RISE, SEVEN MILE BEACH - DWELLING AND OUTBUILDING**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling and Outbuilding at 6 Saltwater Rise, Seven Mile Beach.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Living and subject to the Bushfire Prone Areas Code, Safeguarding of Airport Assets Code, Parking and Sustainable Transport Code and the Single Hill Specific Area Plan under the Tasmanian Planning Scheme - Clarence (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Council is required to exercise a discretion within the statutory 42-day period which was extended with the consent of the applicant until 23 March 2022.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and two representations were received raising the following issues:

- size of the outbuilding; and
- the amenity of the area.

RECOMMENDATION:

A. That the Development Application for Dwelling and Outbuilding at 6 Saltwater Rise, Seven Mile Beach (Cl Ref PDPLANPMTD-2021/024650) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN M7 – DOMESTIC USE.
3. ENG S1 – INFRASTRUCTURE REPAIR.
4. Driveways must be drained through formed rollover gutters or swales and stormwater directed to a public drain or suitably located soakage trenches or detention area to minimise erosion. A detailed design, prepared by a suitably qualified person, must be submitted to and approved by Council's Group Manager Engineering Services prior to the commencement of any works.

ADVICE

- a. An application for a Plumbing Permit to install an on-site wastewater disposal system must be submitted and approved as part of the Building Application.
 - b. The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building application.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

ASSOCIATED REPORT**1. BACKGROUND**

The lot is a newly created lot that was created as part of SD-2012/1, a 68-lot subdivision.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Rural Living under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
 - Section 7.5 – Compliance with Applicable Standards
 - Section 8.10 – Determining Applications;
 - Section 11 – Rural Living Zone;
 - Section C2.0 – Parking and Sustainable Transport Code
 - Section C13.0 – Bushfire Prone Areas Code;
 - Section C16.0 – Safeguarding of Airports Code; and
 - Section CLA-S3.0 – Single Hill Specific Area Plan.

- 2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The subject property is a recently staged part of the above subdivision and is within the Single Hill Specific Area Plan. It is a 10750m² irregular shaped lot with increasing slope from north to south and is above the existing retirement village development at Orchid Way.

3.2. The Proposal

Application is made to construct a single dwelling and outbuilding. The proposed dwelling would be located within the building envelope on the title, would be three-bedroom and incorporate a double carport, and deck area. The dwelling would be setback 29.5m from the Toronto Drive frontage, 54m from the Saltwater Rise frontage, 24.4m from the eastern side boundary and 28m from the western side boundary.

It would be accessed via a variable width driveway, surfaced using a mix of exposed aggregate concrete and crushed gravel.

The dwelling would have a floor area of 353m², would be 5.4m in height above natural ground level at its highest point and would be clad using a combination of bare stone, rendered double brick and sheet metal for roofing. The proposed building colours would be Colorbond Monument and similar dark greys in muted tones.

The outbuilding would be 235m² in area and sited 10.7m behind the proposed dwelling. It would be 10.3m from the western side boundary and 38m from the eastern side boundary. It would be clad using vertical metal sheeting in muted mid grey to complement the proposed dwelling.

The outbuilding is to be used for housing a private vehicle collection, household storage and an area to serve as a games/recreation area.

4. PLANNING ASSESSMENT

4.1. Compliance with Applicable Standards [Section 5.6]

“5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.”

4.2. Determining Applications [Section 6.10]

“6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(2) of the Act, take into consideration:

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with section 57(5) of the Act, but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised.”*

References to these principles are contained in the discussion below.

4.3. General Provisions

The Scheme contains a range of General Provisions relating to specific circumstances not controlled through the application of Zone, Code or Specific Area Plan provisions.

There are no General Provisions relevant to the assessment of this proposal.

4.4. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the Rural Living Zone and Parking and Sustainable Transport Code, Bushfire Prone Areas Code, Safeguarding of Airport Assets Code and the Single Hill Specific Area Plan with the exception of the following.

Rural Living Zone

- **Clause 11.4.1 A1** – the proposed site coverage would be 588m², exceeding the Acceptable Solution of 400m².

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause 11.4.1 as follows.

Clause	Performance Criteria	Assessment
	<p><i>“P1</i></p> <p><i>The site coverage must be consistent with that existing on established properties in the area, having regard to:</i></p>	As follows:
	<i>(a) the topography of the site;</i>	The subject lot has a slope of 5.9° falling to the north-west. There are no topographical constraints to require specific positioning, however the buildings are placed within the constraints of the building area that is imposed on the Certificate of Title.
	<i>(b) the capacity of the site to absorb runoff;</i>	Rainwater tanks are proposed for both the dwelling and the outbuilding, any excess water would be directed to one of three overflow soakage trenches. There would be a minimum area of 1500m ² of undeveloped land below the three trenches. Council’s Development Engineer has advised the proposed arrangement is adequate for the absorption and retention of stormwater within the property.
	<i>(c) the size and shape of the site;</i>	The property is a large 1ha irregular shaped lot with a north facing orientation. The location of the proposed buildings would be within the building envelope. This allows ample area on the property for landscaping and open space between the frontages and the proposed buildings.

	<i>(d) the existing buildings and any constraints imposed by existing development.</i>	There are no existing buildings on the site.
	<i>(e) the need to remove vegetation; and</i>	There are no trees present. There are no threatened or conservation flora species identified on the property.
	<i>(f) the character of development existing on established properties in the area."</i>	<p>Within the surrounding area there are several examples of developments exceeding an overall site coverage of 400m². This includes the recently approved development at 4 Marram Court where the site coverage will be 645m². Other examples include 111 Cahill Place that has a site coverage of 586m², 188 Seven Mile Beach Road with a site coverage of 772m², and 351 Axiom Way with 597m².</p> <p>The area is characterised by large dwellings combined with generous outbuildings of similar proportions to that proposed.</p>

Single Hill Specific Area Plan

- **Clause CLA-S3.7.1 A3** in relation to vegetation protection and visual impacts. The acceptable solution prescribes driveway widths to be not more than 3.5m wide. The proposed driveway will be 4m wide.

The proposed driveway can be supported pursuant to the Performance Criteria P3 of Clause CLA-S3.7.1 for the following reasons.

Clause	Performance Criteria	Assessment
CLA-S3.7.1 P3	<i>"Short sections of driveways more than 3.5m wide may be approved if it is demonstrated they are required for traffic safety."</i>	<p>The driveway would be 4m wide for the entirety of its length (46m) except for a required passing bay at the entrance of the site.</p> <p>The subject site is located within a bushfire prone area. Current bushfire regulations require a driveway to have a minimum width of 4m to enable emergency service vehicles to access the site in the event of an emergency.</p>

		The increased width is therefore required to ensure traffic safety in emergency circumstances and the design could not be modified to be less wide without making the development non-compliant with bushfire regulations.
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- **Clause CLA-S3.7.2 A4** in relation to built form. The acceptable solution prescribes that glazing must be less than 50% of the wall area on each elevation. The proposed dwelling would have 52% glazing along the northern elevation.

The proposed windows can be supported pursuant to the Performance Criteria P4 of Clause CLA-S3.7.2 for the following reasons.

Clause	Performance Criteria	Assessment
CLA-S3.7.2 P4	<i>“A larger proportion of glazing on north facing walls may be approved subject to the provisions relation to Bird Strike at CLA-S3.7.3.</i>	The clause CLA-S3.7.3 is assessed below:
CLA - S3.7.3 Bird Strike	<p><i>Buildings are designed to minimise bird strike, having regard to:</i></p> <p><i>(a) the topography of the site and surrounding area;</i></p> <p><i>(b) existing and proposed vegetation or screening;</i></p> <p><i>(c) siting of building;</i></p>	<p>The subject property is sited well below the Single Hill ridge line, there is a gentle fall to the north-west across the site. The dwelling is consistent with the height and form of other buildings in the immediate area.</p> <p>There is no existing or proposed screening vegetation on the site.</p> <p>The buildings on the site would be located within a prescribed building area as defined on the Certificate of Title. There is no other position within this building area that would result in significantly less impact with respect to bird strike.</p>

	(d) <i>window design;</i>	The dwelling is proposed to have 1m deep eaves along the northern façade which will provide some shadowing of the window surface, reducing potential strike risk.
	(e) <i>advice and any associated recommendations from a suitably qualified person which must be submitted with the application; and</i>	A Collision Risk Report was provided by a suitably qualified person from ECOtas which concluded that the proposed dwelling presented a negligible/low risk for window collisions and the design did not require modification.
	(f) <i>any advice from any relevant State or Commonwealth department.”</i>	The proposed dwelling was referred to the Conservation Assessment and Wildlife Management Section of Natural Resources and Environment Tasmania (previously DPIPW) who did not raise concern with respect to the proposal.

- **Clause CLA-S3.7.2 A7** in relation to built form. The acceptable solution prescribes that the driveway should be sealed in its entirety, the proposed driveway would be sealed for the first 10m and then constructed of crushed gravel.

The proposed driveway can be supported pursuant to the Performance Criteria P7 of Clause CLA-S3.7.2 for the following reasons.

Clause	Performance Criteria	Assessment
CLA-S3.7.2 P7	<p><i>“Other pavement materials or construction methods may be approved if it is demonstrated that:</i></p> <p>(a) <i>Site conditions, such as slope, soils, or the presence of vegetation to be retained make it unreasonable to comply with the acceptable solution; and</i></p>	<p>The grade of the site is a moderate slope of 1:9 and the driveway is proposed to utilise the existing crossover towards the north western end of the proposed road frontage, and then continue to the house along the south western side boundary.</p>

	<p>(b) <i>The combination of design, materials and colours and landscaping will effectively minimise visual impact.</i>”</p>	<p>This will minimise the length of the driveway and minimise the amount of land disturbance within the lot.</p> <p>The use of gravel as the surface will be able to better blend visually with the surrounding area. The access design also includes a 10m seated area at the boundary, to retain gravel within the property and prevent carry on to the roadway. The site is relatively low lying within the Single Hill area. A large portion of the driveway would be sited behind the dwelling, obscuring that portion from view.</p> <p>The proposed gravel driveway will be in keeping with the nearby properties located at 78, 84 and 102 Seven Mile Beach Road.</p>
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- **Clause CLA-S3.7.3 A2** in relation to bird strike. Windows should be angled to reflect the ground or built fabric rather than the sky or habitat. The proposed dwelling windows will not be angled to reflect either the ground or built fabric.

The proposed windows can be supported pursuant to the Performance Criteria P4 of Clause F3.7.3 for the following reasons.

Clause	Performance Criteria	Assessment
CLA-S3.7.3 P2	<p><i>“Buildings are designed to minimise bird strike, having regard to:</i></p> <p>(a) <i>the topography of the site and surrounding area;</i></p> <p>(b) <i>existing and proposed vegetation or screening;</i></p> <p>(c) <i>siting of building;</i></p> <p>(d) <i>window design;</i></p>	As assessed above per clause CLA-S3.7.2 P4.

	<p>(e) <i>advice and any associated recommendations from a suitably qualified person which must be submitted with the application; and</i></p> <p>(f) <i>any advice from any relevant State or Commonwealth department.”</i></p>	
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5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and two representations were received. The following issues were raised by the representors.

5.1. Size of the Proposed Shed

The representors raised concern in relation to the size of the outbuilding being excessively large for the area, and outside the limits imposed on the Single Hill development under the Specific Area Plan.

- **Comment**

The proposal meets the performance criteria of Clause 11.4.1 in relation to site coverage, for the reasons outlined above.

Under the Tasmanian Planning Scheme – Clarence, the Single Hill Specific Area Plan there are no additional restrictions on coverage. Nevertheless, as discussed above there are other buildings of comparable size and mass. The proposed height of the shed is 4.5m, while the acceptable solution related to building heights provide for 6m from natural ground level. The layout of the buildings on the property would reduce overall visual impact by the outbuilding being sited behind the dwelling.

5.2. Amenity of the Area

The representor raised concern regarding the amenity of the area. They state that “...such a large structure will further impact the area following the construction of the monstrosity at 4 Saltwater Rise...”

- **Comment**

As discussed above, the proposal was assessed against the Rural Living zone criteria as well as the Single Hill Specific Area Plan, relating to overall site coverage and building design, the proposal meets these performance criteria.

The visual impacts of the proposed outbuilding would be reduced by the use of mid tone natural colours (grey proposed), to blend with the landscape. Furthermore, the outbuilding would be sited on an area of cut, to a maximum depth of 2m, reducing the perceived height of the building. Additionally, a 43m² portion of the outbuilding would be open on three sides. Having regard to this, the area is rural residential in nature and typified by large lots with large dwellings and outbuildings. There are several examples of similar large outbuildings nearby. The proposed height of the shed is 4.5m, while the acceptable solution related to building heights provide for 6m from natural ground level. Therefore, the proposed outbuilding will be in keeping with surrounding properties and will not adversely affect the amenity of the area.

The outbuilding at 4 Saltwater Rise is not the subject of this assessment. Notwithstanding this, the application for that outbuilding was advertised in accordance with the Act, with no representations received during the notification period, and subsequently approved subject to conditions. The existing outbuilding at 4 Saltwater Rise has a wall height of 4m and maximum height of 5.3m. The proposed outbuilding at 6 Saltwater Rise would have a wall height of 3m and maximum height of 4.7m. Both of which comply with the acceptable solution related to building heights, which prescribes a maximum building height of 6m.

6. EXTERNAL REFERRALS

No external referrals were required or undertaken as part of this application.

7. STATE POLICIES AND ACT OBJECTIVES

7.1. The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.

7.2. The proposal is consistent with the objectives of Schedule 1 of LUPAA.

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2021-2031 or any other relevant Council policy.

9. CONCLUSION

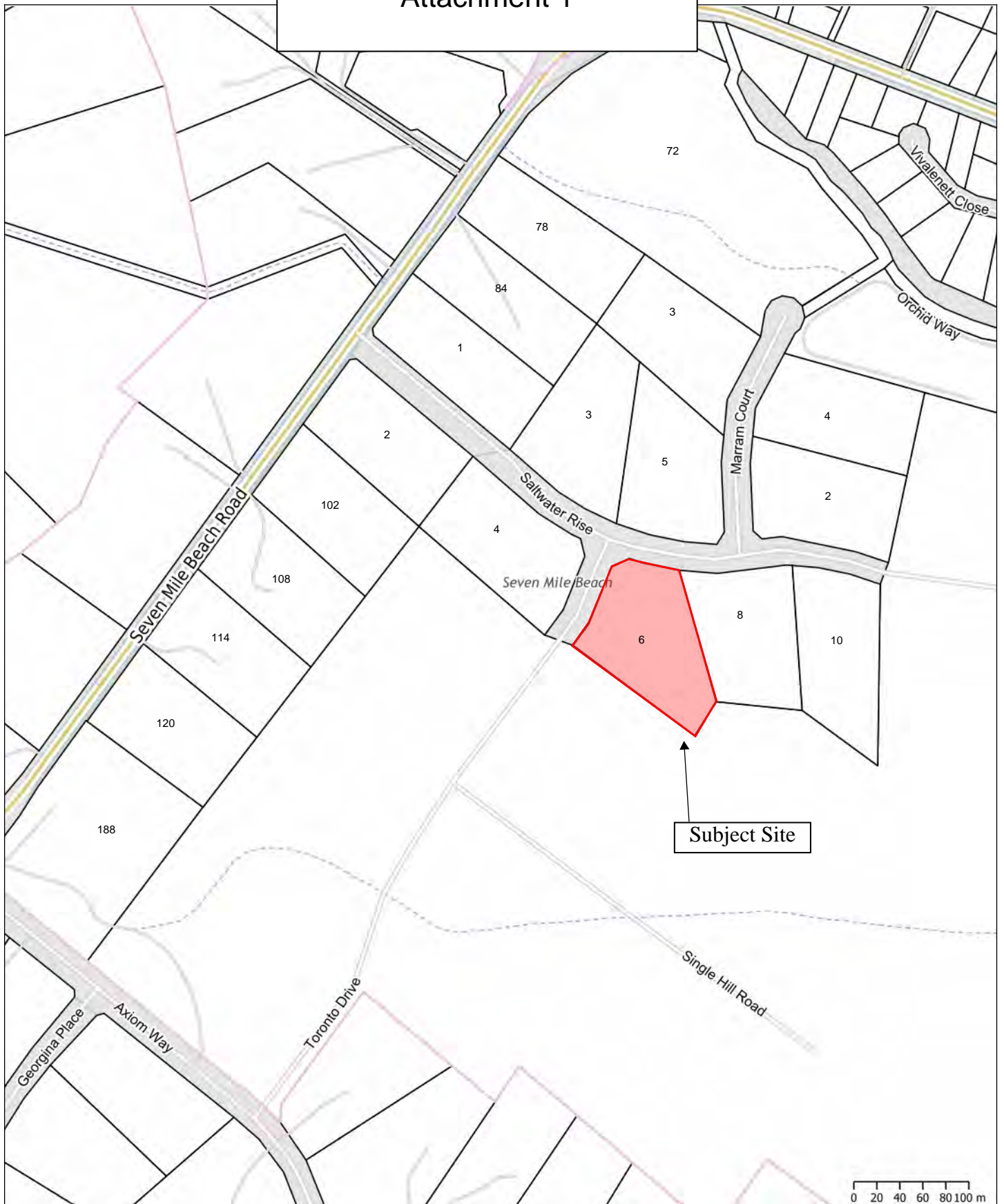
The proposal is recommended for conditional approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (7)
3. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

Attachment 1



This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

10/03/2022

1:4514



PINNACLE

Attachment 2



6 Saltwater Rise, Seven Mile Beach 7170

Owner(s) or Clients	Michael Tew & Jayne King	Title Reference	181390/48
Building Classification	1a / 10a	Zoning	Rural Living
Designer	Jason Nickerson CC6073Y	Land Size	10630m ²
Total Floor Area	260.75m ²	Design Wind Speed	N3
Alpine Area	N/A	Soil Classification	M
Other Hazards	Single Hill Specific Area Plan Bushfire Prone Areas	Climate Zone	7
<small>(e.g., High wind, earthquake, flooding, landslip, dispersive soils, sand dunes, mine subsidence, landfill, snow & ice, or other relevant factors)</small>		Corrosion Environment	Severe
		Bushfire Attack Level (BAL)	TBA

ID	Sheet Name	Issue
A.01	Location Plan	DA-02
A.02	Site Plan	DA-02
A.03	Floor Plan	DA-02
A.04	Elevations	DA-02
A.05	Elevations	DA-02
A.06	Floor Plan & Elevations - Garage	DA-02
A.07	Roof Plan	DA-02
A.08	Electrical Plan	DA-02









Note

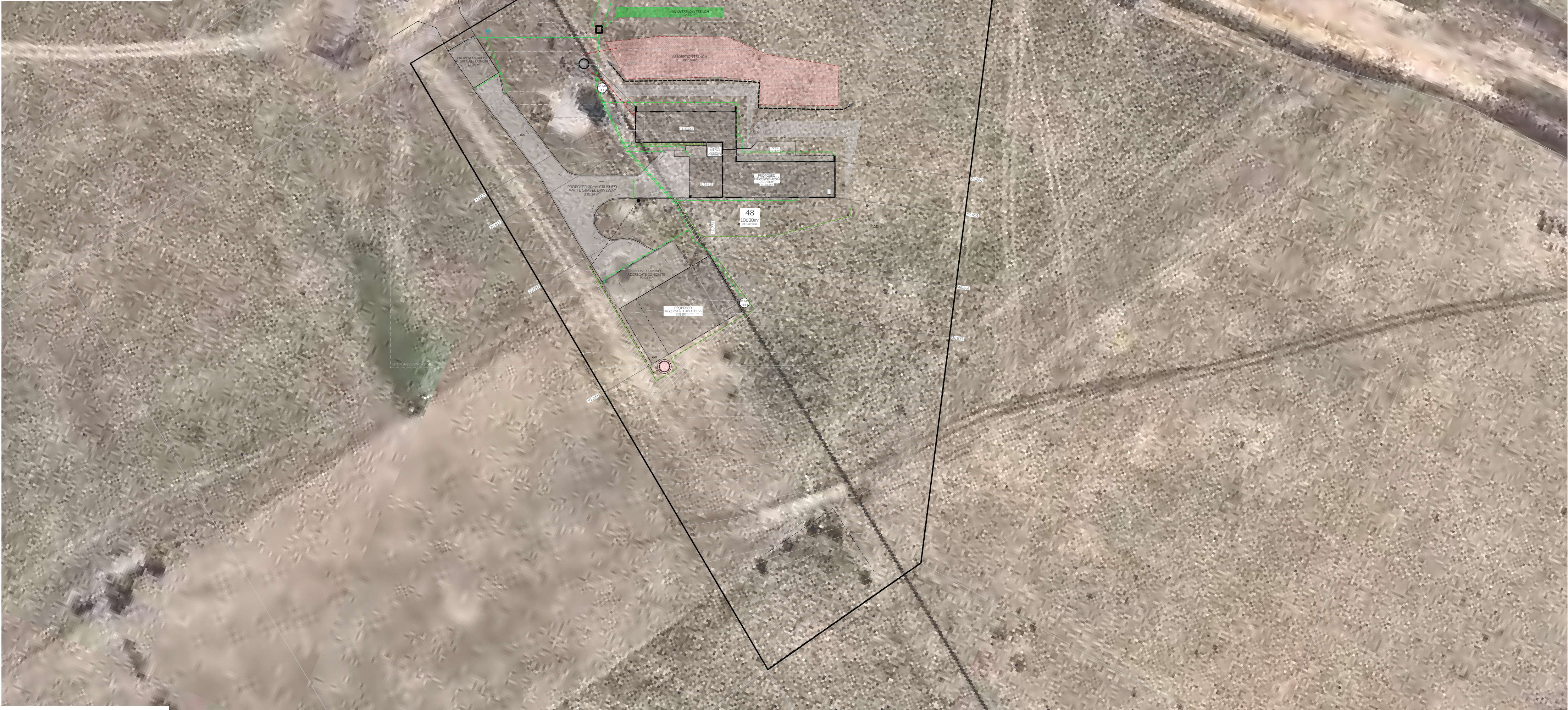
All driveway pits and grate drains to be Class B.

Stormwater pits are indicative. Location may vary depending on site conditions.

Ground to fall away from building in all directions
in compliance with AS2870 & N.C.C 3.1.3.3

Legend

-  - Electrical Connection
-  - Power Connection
-  - Sewer Connection
-  - Stormwater Connection
-  - Telstra Connection
-  - Telstra Pit
-  - Water Meter
-  - Water Stop Valve



Site Areas

Site Area	10630 m ²
Building Footprint	606.38 m ²
Total Site Coverage	5.70%

PINNACLE

PINNACLE DRAFTING & DESIGN
7/3 Abernant Way, Cambridge 7170
03 6248 4218
admin@pinnacledrafting.com.au
www.pinnacledrafting.com.au

Location Plan

Revision: DA-02
Approved by:

Scale:
1:500 @ A2
Pg. No:
A.01

Proposal: New Dwelling & Outbuilding
Client: Michael Tew & Jayne King
Address: 6 Saltwater Rise, Seven Mile Beach 7170

NOT FOR CONSTRUCTION

Date:	12/11/21	Issue	Date	Description	 <p>These drawings are the property of Pinacle Drafting & Design Pty Ltd. reproduction in whole or part is strictly forbidden without written consent. © 2021. These drawings are to be used in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any CLC and/or permit documentation. DO NOT SCALE FROM DRAWINGS. Contractor are to verify dimensions on site before commencing any construction works or requesting any producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF THE PINACLE DRAFTING & DESIGN PTY LTD.</p> 
Drawn by:	SIJH	DA-01	05/01/22	RFI Response	
Job No:	098-2021	DA-02	05/01/22	Client Changes - Garage	
Engineer:					
Building Surveyor:					

Note

All driveway pits and grate drains to be **Class B**.

Stormwater pits are indicative. Location may vary depending on site conditions.

Ground to fall away from building in all directions in compliance with AS2870 & N.C.C 3.1.3.3

Legend

- Electrical Connection
- Power Connection
- Sewer Connection
- Stormwater Connection
- Telstra Connection
- Telstra Pit
- Water Meter
- Water Stop Valve
- **Class A** 450mm² Stormwater Pit
- **Class B** 450mm² Stormwater Pit
- 100mm wide Grate Drain

5.5m WIDE EXPOSED AGGREGATE CONCRETE SECTION FROM CROSSOVER 47.06sqm PROVIDING 10m FROM PROPERTY BOUNDARY IN ACCORDANCE WITH TSD-R03

STORMWATER SYSTEM - THREE-WAY FLOW SPLITTER BOX WITH 3x20m x 1.8m x 0.6m ABSORPTION TRENCHES - REFER TO DSC REPORT

WATSEWATER SYSTEM - AWTS UNIT SUBSURFACE IRRIGATION AREA 320m² e.g. 64m X 5m. SURFACE DIVERSION DRAIN BETWEEN THE FILL AND THE IRRIGATION AREA MIN 7.5m DOWNSLOPE BOUNDARY SETBACK MIN 6m SETBACK FROM FOOTINGS MIN 1.5m HORIZONTAL BOUNDARY SETBACK MIN 100m WATERWAY SETBACK REFER TO DSC REPORT

5,000LTR 'MINIORB' RAINWATER STORAGE TANK WITH A 2,500LTR RESERVE IN ACCORDANCE WITH PART F3.7.4 - A1 OF THE SINGLE HILL SPECIFIC AREA PLAN

DRIVEWAY TO BE 3500 WIDE EXCLUDING THE ACCESS / TURNING AREA IMMEDIATELY ADJACENT TO THE GARAGE / CARPORT IN ACCORDANCE WITH PART F3.7.1 - A3 OF THE SINGLE HILL SPECIFIC AREA PLAN

NOTE:

ALL WINDOWS AND EXTERNAL GLAZED ELEMENTS TO UTILISE CLEAR OR GREY GLASS, BEST SUITED TO BE NON-REFLECTIVE ACCORDING TO THE GLAZING SUPPLIER.

SURVEY NOTES:

"THIS PLAN AND ASSOCIATED DIGITAL MODEL IS PREPARED FOR PINNACLE DRAFTING FROM A COMBINATION OF FIELD SURVEY AND EXISTING RECORDS FOR THE PURPOSE OF DESIGNING NEW CONSTRUCTIONS ON THE LAND AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.

THE TITLE BOUNDARIES AS SHOWN ON THIS PLAN WERE NOT MARKED AT THE TIME OF THE SURVEY AND HAVE BEEN DETERMINED BY PLAN DIMENSIONS ONLY AND NOT BY FIELD SURVEY. NO MEASUREMENTS OR OFFSETS ARE TO BE DERIVED BETWEEN THE FEATURES ON THIS PLAN AND THE BOUNDARY LAYER. THE RELATIONSHIP BETWEEN THE FEATURES IN THIS MODEL AND THE BOUNDARY LAYERS CANNOT BE USED FOR ANY SET OUT PURPOSES OR TO CONFIRM THE POSITION OF THE TITLE BOUNDARIES ON SITE.

SERVICES SHOWN HAVE BEEN LOCATED WHERE VISIBLE BY FIELD SURVEY. SERVICES DENOTED AS BEING 'PER DBYD ONLY' ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY. PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE, THE RELEVANT AUTHORITY SHOULD BE CONTACTED FOR POSSIBLE LOCATION OF FURTHER UNDERGROUND SERVICES AND DETAILED LOCATIONS OF ALL SERVICES.

IF SUBSEQUENT DESIGN IS INTENDED FOR CONSTRUCTION SETOUT, FUTURE SURVEYING SETOUT COSTS ARE INCREASED IF THE DIGITAL DATA PROVIDED IS ROTATED, SCALED OR MOVED.

THIS NOTE FORMS AN INTEGRAL PART OF THE PLAN/DATA. ANY REPRODUCTION OF THIS PLAN/MODEL WITHOUT THIS NOTE ATTACHED WILL RENDER THE INFORMATION SHOWN INVALID.

Site Areas

Site Area 10630 m²
Building Footprint 606.38 m²
Total Site Coverage 5.70%

Site Plan

Revision: DA-02
Approved by:

Scale: 1:200 @ A2
Pg. No: A.02

Proposal: New Dwelling & Outbuilding
Client: Michael Tew & Jayne King
Address: 6 Saltwater Rise, Seven Mile Beach 7170

Date: 12/11/21
Drawn by: SJH
Job No: 098-2021
Engineer:
Building Surveyor:

Issue Date
DA-01 05/01/22
DA-02 05/01/22

Description
RFI Response
Client Changes - Garage



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Construction of sanitary compartments

3.8.3.3 of current NCC

- The door to a sanitary compartment must -
- open outwards; or
 - slide; or
 - be readily removable from the outside of the compartment.

Note: Safe Movement & Egress

Openable windows greater than 4m above ground level are to be fitted with a device to limit opening or a suitable screen so a 125mm sphere cannot pass through. Except for Bedrooms, where the requirement is for heights above 2m.

Note: Paved Areas

All paths and patios to fall away from dwelling.

Note: Stair Construction

All stairs to be constructed in accordance with N.C.C Part 3.9.1:
Riser: Min 115mm - Max 190mm
Going: Min 240mm - Max 355mm
Slope (2R+G): Max 550 - Min 700

- A
P

Access Panel
- SA

Smoke Alarm
- AJ

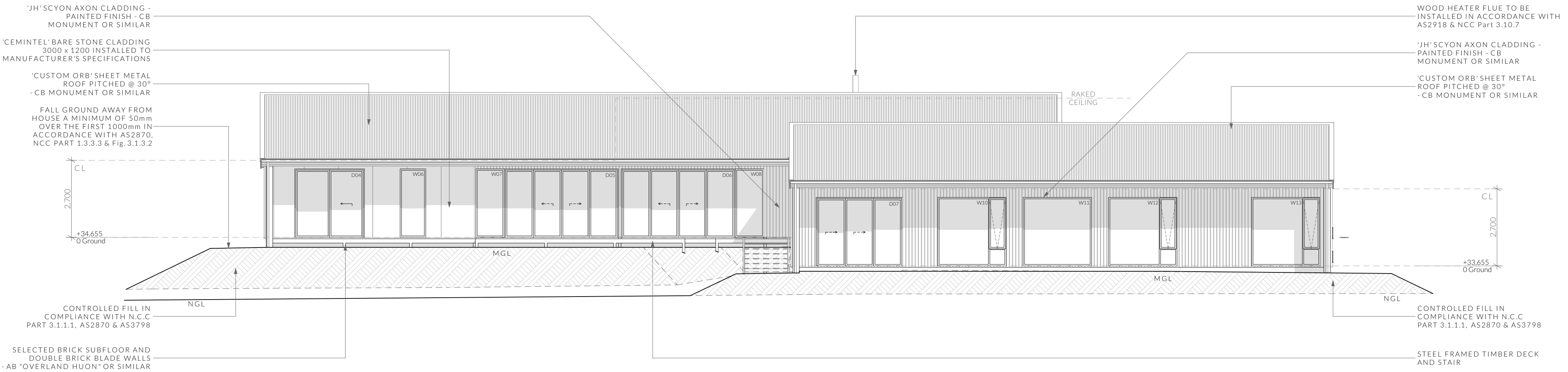
Articulation Joint



Floor Areas

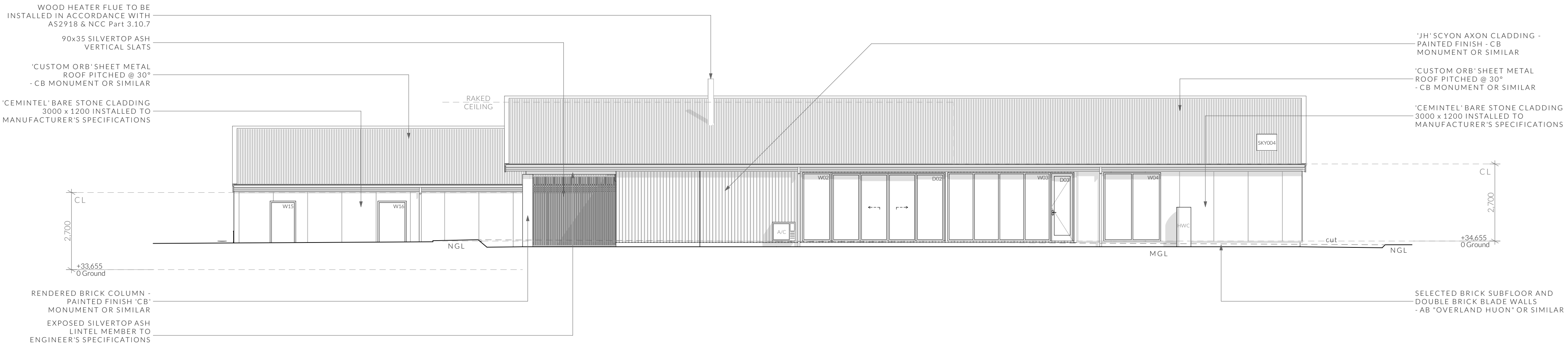
Total Floor Area	260.75m²
Carport	47.32m²
Porch & Landing	18.56m²
Deck	42.76m²

PINNACLE	PINNACLE DRAFTING & DESIGN 7/3 Abernant Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au	Floor Plan	Revision: DA-02 Approved by:	Scale: 1:100 @ A2 Pg. No: A.03	Proposal: New Dwelling & Outbuilding Client: Michael Tew & Jayne King Address: 6 Saltwater Rise, Seven Mile Beach 7170	Date: 12/11/21 Drawn by: SJH Job No: 098-2021 Engineer: Building Surveyor:	Issue Date DA-01 05/01/22 DA-02 05/01/22	Description RFI Response Client Changes - Garage		These drawings are the property of Pinnacle Drafting & Design Pty Ltd, reproduction in whole or part is strictly forbidden without written consent. © 2021. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any CLC and/or permit documentation. DO NOT SCALE FROM DRAWINGS. All Contractors are to verify dimensions on site before commencing any orders, works or requesting producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF THE PINNACLE DRAFTING & DESIGN PTY LTD.	



North Elevation

1:100



South Elevation

1:100

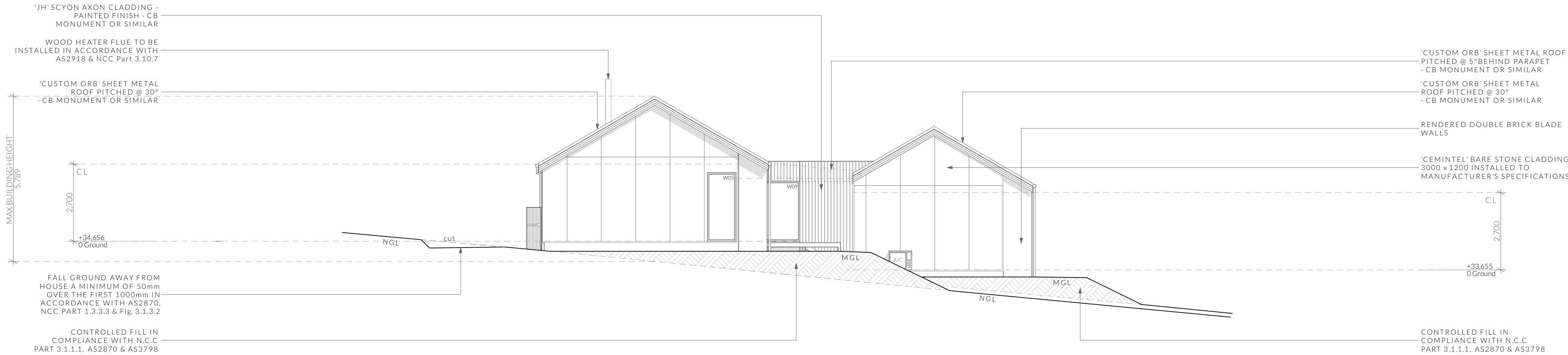
NOTE
Clearances between cladding and ground shall comply with 3.5.4.7 of the current N.C.C and shall be a minimum clearance of:
- 100mm in low rainfall intensity areas or sandy, well-drained areas; or
- 50mm above impervious areas that slope away from the building; or
- 150mm in any other case.

As per N.C.C part 3.9.2,
Openable windows greater than 4m above ground level are to be fitted with a device to limit the opening or a suitable screen so a 125mm sphere cannot pass through, and withstand a force of 250N.
Except for bedrooms, where the requirement is for heights above 2m.

NOTE:
ALL WINDOWS AND EXTERNAL GLAZED ELEMENTS TO UTILISE CLEAR OR GREY GLASS, BEST SUITED TO BE NON-REFLECTIVE ACCORDING TO THE GLAZING SUPPLIER.

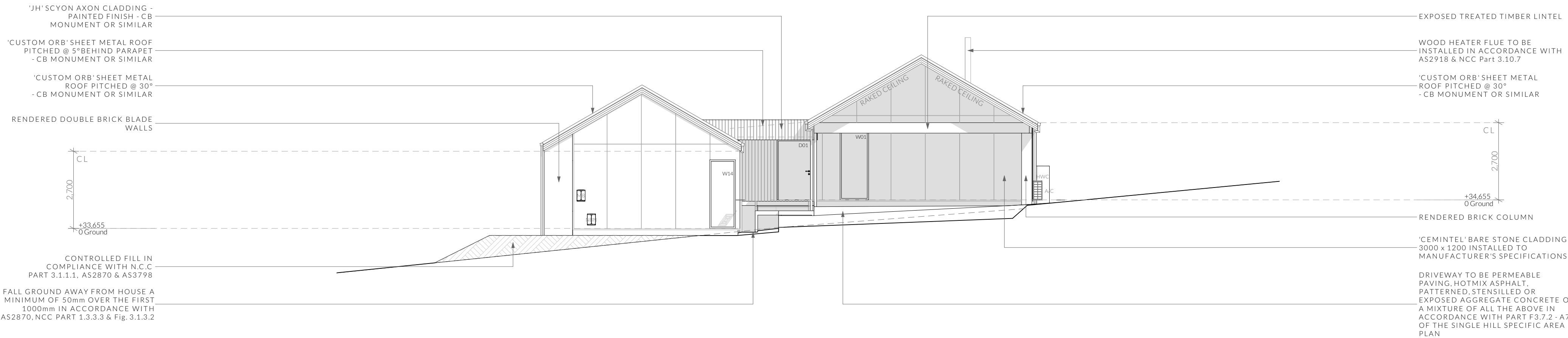
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PINNACLE	PINNACLE DRAFTING & DESIGN 7/3 Abernart Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au	Elevations Revision: DA-02 Approved by:	Scale: 1:100 @ A2 Pg. No: A.04	Proposal: New Dwelling & Outbuilding Client: Michael Tew & Jayne King Address: 6 Saltwater Rise, Seven Mile Beach 7170	Date: 12/11/21 Drawn by: SJH Job No: 098-2021 Engineer: Building Surveyor:	Issue Date DA-01 05/01/22 DA-02 05/01/22	Description RFI Response Client Changes - Garage		These drawings are the property of Pinnacle Drafting & Design Pty Ltd, reproduction in whole or part is strictly forbidden without written consent. © 2021. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any CLC and/or permit documentation. DO NOT SCALE FROM DRAWINGS. All Contractors are to verify dimensions on site before commencing any orders, works or requesting producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF THE PINNACLE DRAFTING & DESIGN PTY LTD.	



East Elevation

1:100



West Elevation

1:100

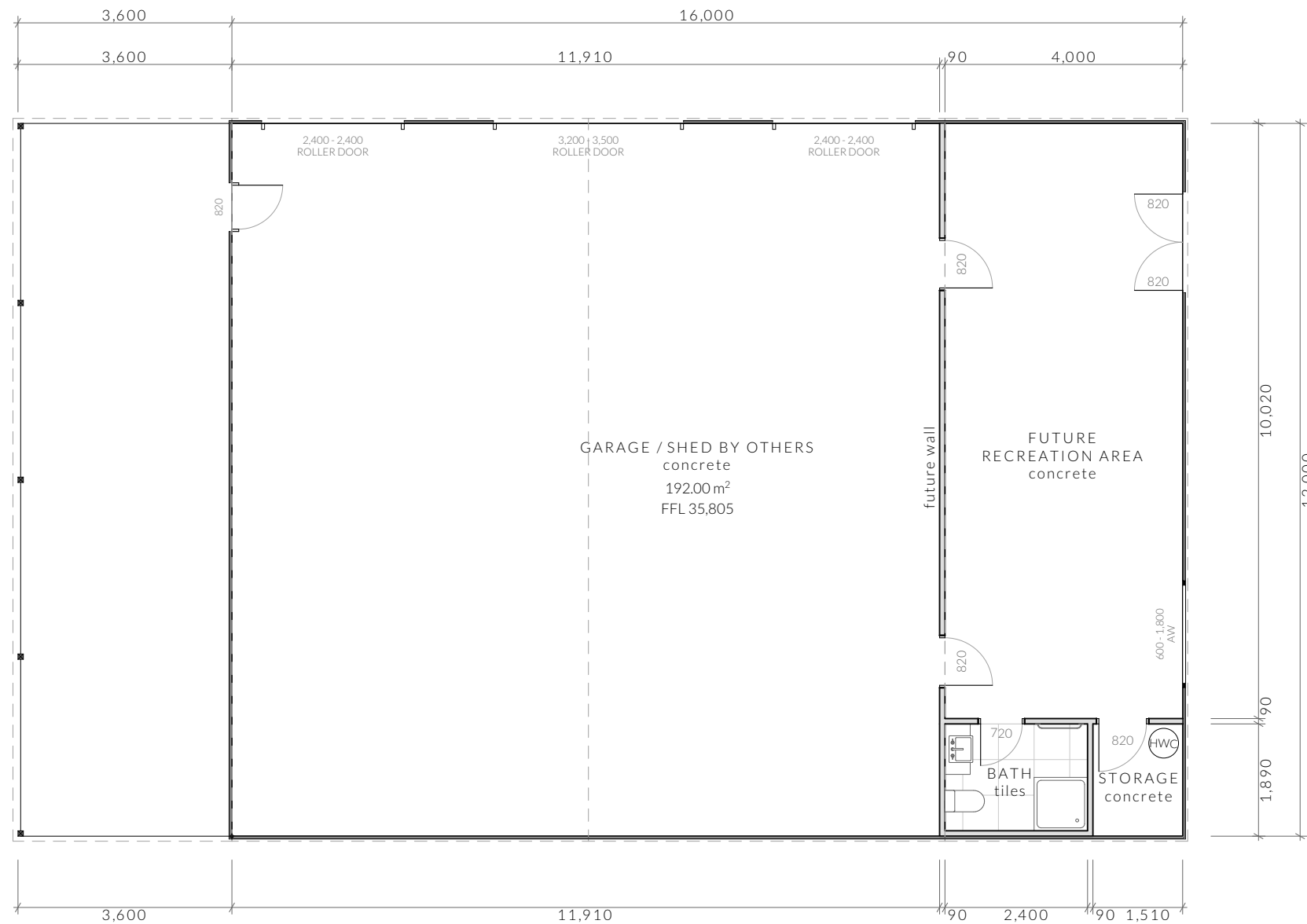
NOTE
Clearances between cladding and ground shall comply with 3.5.4.7 of the current N.C.C and shall be a minimum clearance of:
- 100mm in low rainfall intensity areas or sandy, well-drained areas; or
- 50mm above impervious areas that slope away from the building; or
- 150mm in any other case.

As per N.C.C part 3.9.2,
Openable windows greater than 4m above ground level are to be fitted with a device to limit the opening or a suitable screen so a 125mm sphere cannot pass through, and withstand a force of 250N.
Except for bedrooms, where the requirement is for heights above 2m.

NOTE:
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NOT FOR CONSTRUCTION

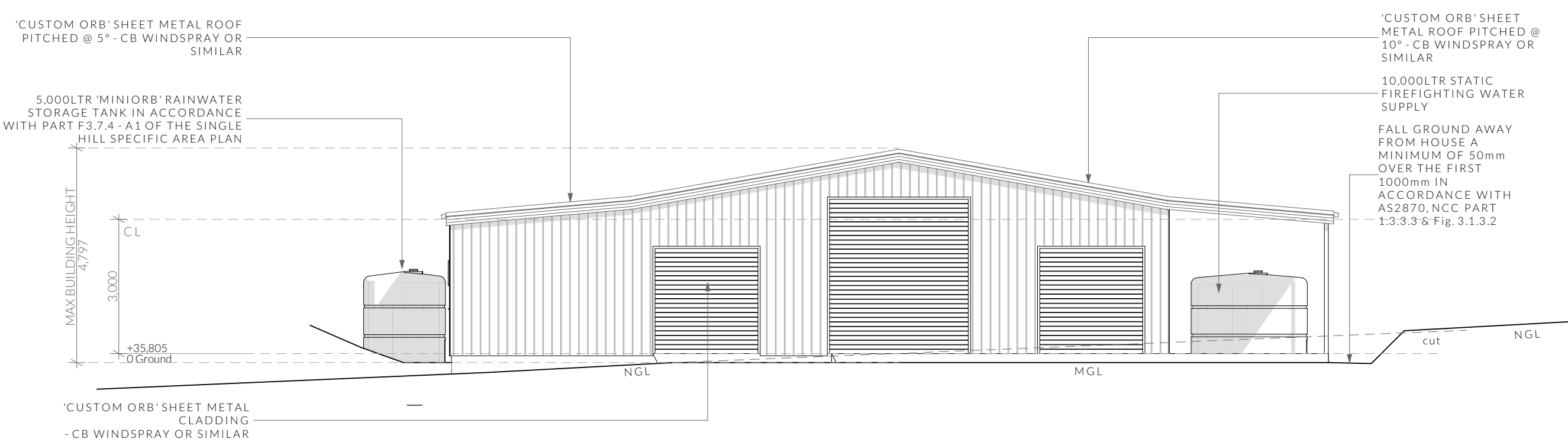
PINNACLE	PINNACLE DRAFTING & DESIGN 7/3 Abernart Way, Cambridge 7170 03 6248 4218 admin@pinnacledrafting.com.au www.pinnacledrafting.com.au	Elevations Revision: DA-02 Approved by:	Scale: 1:100 @ A2 Pg. No: A.05	Proposal: New Dwelling & Outbuilding Client: Michael Tew & Jayne King Address: 6 Saltwater Rise, Seven Mile Beach 7170	Date: 12/11/21 Drawn by: SJH Job No: 098-2021 Engineer: Building Surveyor:	Issue Date DA-01 05/01/22 DA-02 05/01/22	Description RFI Response Client Changes - Garage		These drawings are the property of Pinnacle Drafting & Design Pty Ltd, reproduction in whole or part is strictly forbidden without written consent. © 2021. These drawings are to be read in conjunction with all drawings and documentation by Engineers, Surveyors and any other consultants referred to within this drawing set as well as any CLC and/or permit documentation. DO NOT SCALE FROM DRAWINGS. All Contractors are to verify dimensions on site before commencing any orders, works or requesting producing shop drawings. ANY AND ALL DISCREPANCIES DISCOVERED BY OUTSIDE PARTIES ARE TO BE BROUGHT TO THE ATTENTION OF THE PINNACLE DRAFTING & DESIGN PTY LTD.	



Floor Plan - Garage

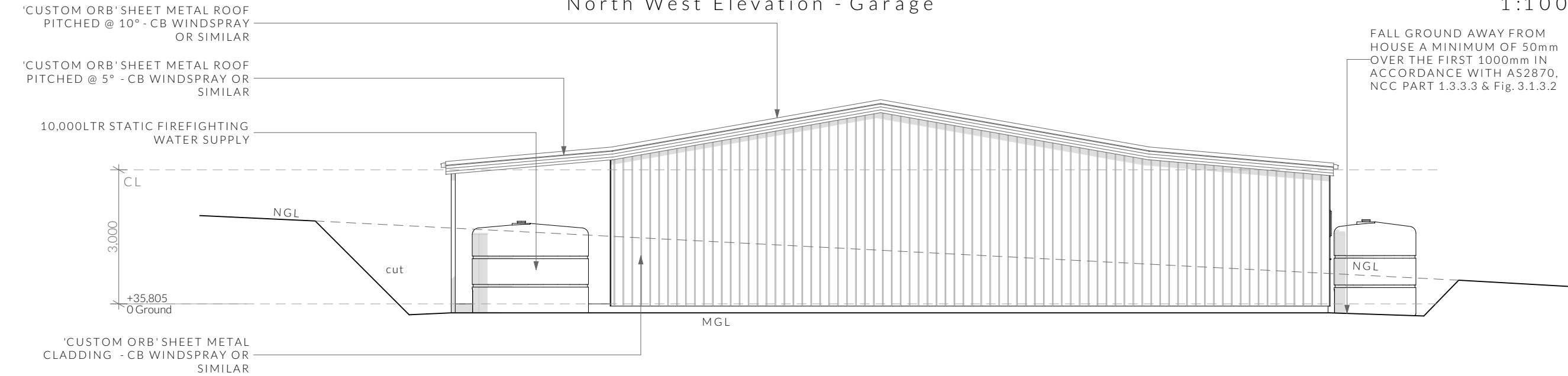
1:100

NOTE:
ALL WINDOWS AND EXTERNAL GLAZED ELEMENTS TO UTILISE CLEAR OR GREY GLASS, BEST SUITED TO BE NON-REFLECTIVE ACCORDING TO THE GLAZING SUPPLIER.



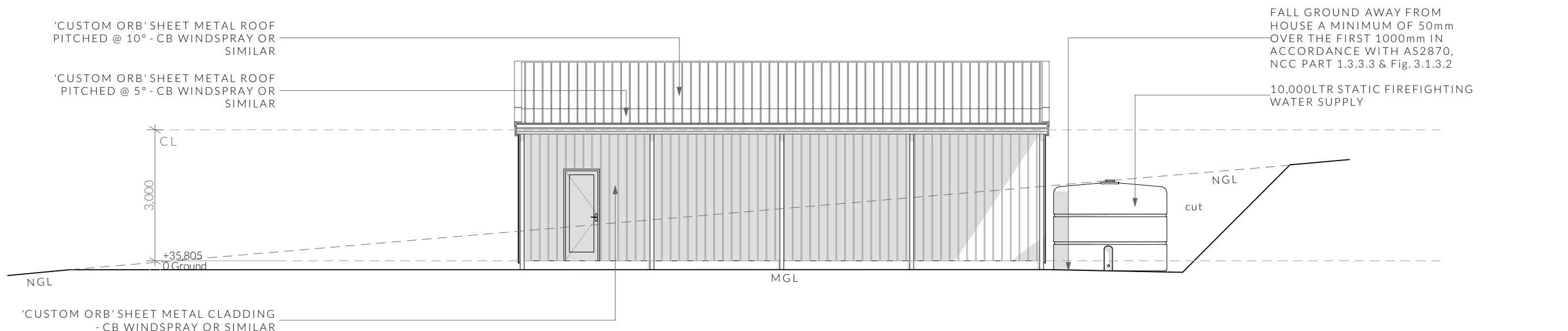
North West Elevation - Garage

1:100



South East Elevation - Garage

1:100



South West Elevation

1:100



North East Elevation

1:100

NOT FOR CONSTRUCTION

Attachment 3



Photo 1: The subject site (vacant) looking south-east from the corner of Saltwater Rise and Toronto Drive.



Photo 2: The subject site looking east from Toronto Drive.

7. REPORTS OF OFFICERS

7.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil.

7.2 ASSET MANAGEMENT

Nil Items.

7.3 FINANCIAL MANAGEMENT

Nil Items.

7.4 GOVERNANCE**7.4.1 SOUTH EAST REGION JOBS HUB – ESTABLISHMENT OF ASSOCIATION AND DRAFT INCORPORATED ASSOCIATION RULES****EXECUTIVE SUMMARY****PURPOSE**

To gain Council endorsement of the establishment of the South East Region Jobs Hub Association and adopt the draft Rules and draft Strategic Plan and authorise the General Manager to execute as necessary.

RELATION TO EXISTING POLICY/PLANS

The draft Rules and Strategic Plan are consistent with existing council policies and plans, particularly council's strategic goal areas of a people friendly city and a prosperous and creative city.

LEGISLATIVE REQUIREMENTS

The Association Incorporation Act 1964 is relevant.

CONSULTATION

Consultation and input has been sought from all South East Region Development Association (SERDA) councils during the development of the draft rules and strategic plan.

FINANCIAL IMPLICATIONS

There are no financial implications arising from the establishment of the association, the draft Rules, or the Strategic Plan. There may be future financial support requests depending on the activities of the association which will be a matter for council at that point in time.

RECOMMENDATION

That Council resolves to:

- (a) endorse the establishment of the South East Region Jobs Hub Association;
- (b) adopt the draft Rules (as amended) and draft Strategic Plan; and
- (c) authorise the General Manager to execute as necessary.

SOUTH EAST REGION JOBS HUB – ESTABLISHMENT OF ASSOCIATION AND DRAFT INCORPORATED ASSOCIATION RULES /contd...

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** The South East Region Development Association (SERDA) is made up of Sorell, Tasman, Clarence and Glamorgan Spring Bay Councils and operates in Tasmania's South-East. A key focus of SERDA is to connect local people with local businesses for local jobs; and provide free business advice for local small businesses.
- 1.2.** In the fourth quarter of financial year 2020-21 funding was secured from the Department of Premier and Cabinet (DPAC) for the South East Employment Hub until end of financial year 2021-22 – both for the South-East Regional Development Association (SERDA) and Colony47 operations respectively.
- 1.3.** The terms of the funding required SERDA to:
- Develop a governance structure and framework for the South East Region Jobs Hub, that aligns to Recommendation 22 of the PESRAC final report;
 - Develop a strategic plan that includes the ongoing operation and sustainability of the South East Region Jobs Hub; and
 - Develop a set of objectives, activities and outputs for the South East Region Jobs Hub, that aligns to Recommendation 23 of the PESRAC final report.
- 1.4.** Jobs Tasmania was subsequently established in the Department of State Growth to deliver the Government's network of Jobs Hubs in regional areas. Each Hub will be governed by a Jobs Hub Board to oversee delivery and coordination of activity in their respective region that support the objective to increase employment, workforce participation or re-engagement with formal education and training.

- 1.5. Jobs Tasmania will be funding the Jobs Hubs for an initial 3-year term with the option of an additional 3-year term.
- 1.6. SERDA engaged KPMG to assist working through the DPAC funding requirements during the first and second quarters of financial year 2021-22.
- 1.7. The SERDA group of councils have since settled on the creation of an independent entity – South East Region Jobs Hub Inc (“Jobs Hub”). The draft Rules of the association and draft Strategic Plan are attached (Attachment 1 and 2 respectively).
- 1.8. Each SERDA member council will be formally considering the endorsement of both documents during March to enable the establishment of the Board, Association and engagement of SERDA and Colony47 staff to commence operations Q1 22/23.

2. REPORT IN DETAIL

- 2.1. A copy of the draft Rules of Incorporated Association for South East Region Jobs Hub Inc is attached as Appendix 1 to this report and a draft Strategic Plan is attached as Appendix 2.
- 2.2. The structure and purpose of the draft Rules are to frame the Association’s operations.
- 2.3. The rules have been drafted by legal advisors Abetz Curtis, who have also provided strategic and legal advice on the governance framework for the association.

2.4. Objects and Purpose of Association (as outlined in the rules)

The objects and purposes of the Association consist of the basic objects of the Association and the following objects and purposes:

- (a) the purchase, taking on lease or in exchange, hire or other acquisition of any real or personal property necessary or convenient for any of the objects or purposes of the Association;
- (b) the employment of any staff or engagement of any service providers or contractors necessary or convenient for any objects or purposes of the Association;
- (c) the purchase, sale or supply of, or other dealing in, goods;
- (d) the construction, maintenance or alteration of any building or works necessary or convenient for any of the objects or purposes of the Association;
- (e) the acceptance of a gift or grant for any of the objects or purposes of the Association;
- (f) the taking of any step the Board, or the members of the Association at a general meeting, determine expedient for the purpose of procuring contributions to the funds of the Association including entering into any deeds or agreements for such funding;
- (g) the printing or publication of any newspaper, periodical, book, leaflet or other document the Board, or the members of the Association at a general meeting, determine desirable for the promotion of any of the objects or purposes of the Association;
- (h) the borrowing and raising of money in any manner and on terms –
 - i. the Board thinks fit; and
 - ii. approved or directed by resolution passed at a general meeting;

- (i) subject to the provisions of the Trustee Act 1898, the investment, in any manner the Board determines, of any money of the Association not immediately required for any of the objects or purposes of the Association;
- (j) the making of a gift, subscription or donation to any of the funds, authorities or institutions to which section 78A of the Income Tax Assessment Act 1936 of the Commonwealth relates;
- (k) the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes or conveniences calculated to benefit employees or past employees of the Association and their dependants, and the granting of pensions, allowances or other benefits to employees or past employees of the Association and their dependants, and the making of payments towards insurance in relation to any of those purposes;
- (l) the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Association;
- (m) the purchase, or acquisition, and the undertaking of all or part of the property, assets, liabilities or engagements of any association with which the Association is amalgamated in accordance with the provisions of the Act and the rules of the Association;
- (n) the doing of any lawful thing incidental or conducive to the attainment of the objects or purposes of the Association.

2.5. The Association shall consist of the Founding Members (the councils) and such other members who are accepted by resolution of members for membership of the Association and on payment of the annual subscription as fixed at the Annual General Meeting.

2.6. Following the issue of the draft Rules, a number of potential minor amendments have been identified that will refine and assist the operation of the Jobs Hub and that do not affect the fundamental structure and purpose of the Association. Accordingly, the recommendation to Council to adopt and execute the draft Rules (as amended) reflects the intent for minor amendments to be approved by the respective Council delegates acting on behalf of SERDA. These include:

- Sub-rule 4.12 – can be deleted as already covered by sub-rule 4.7.
- Rule 8 – Banking and Finance – confirmation that electronic banking is provided for.
- Sub-rule 22.2(c) – confirmation that sufficient power to delegate is provided for.
- Sub-Rule 23.2 – increasing board member term from a maximum of 12 months to 24 months and having turn over staggered to avoid all in - all out scenario.
- Sub-Rule 26.1 – reducing Board meetings to a minimum of quarterly rather than monthly.
- Sub-Rule 29.1 – nominating a minimal annual subscription fee so the process if a member is to be removed, can be properly enacted.
- Ensuring the Rules provide for the use of electronic means for Board, Sub-committee and General Meetings including circulating resolutions.

3. STRATEGIC PLAN/POLICY IMPLICATIONS

The creation of the Association is consistent with council's Strategic Plan objectives:

“1.7 Supporting our community to build capacity and resilience.

3.5 Building and facilitating productive networks and relationships based on common interests with business groups, regional bodies, other councils, and other levels of government.”

4. EXTERNAL IMPACTS

Nil.

5. RISK AND LEGAL IMPLICATIONS

- 5.1.** SERDA separately engaged legal advisors Abetz Curtis to provide strategic and legal advice on a range of organisation governance and delivery options including consideration of a company, joint authority, expanded SERDA incorporated association or new incorporated association.
- 5.2.** The latter was the preferred model with Abetz Curtis providing draft Rules for consideration by the SERDA member councils.
- 5.3.** The existing SERDA association will remain and continue to advocate and facilitate other regional matters on behalf of the member councils.
- 5.4.** The principal risks with the Jobs Hub are likely to be:
- Identifying and securing the requisite Jobs Hub Board members (effectively volunteer roles) able to deliver the Regional Jobs Hub Objectives, Roles and Responsibilities in addition to the Objects and Purposes of the Association;
 - Securing Jobs Tas funding for both the initial and subsequent 3-year terms;
 - Transitioning Sorell Council and Colony47 employees into the Jobs Hub; and;
 - Establishing organisation structure, appointments, reporting, accountabilities, delegations, policies and procedures, plant and equipment and external service providers – Finance, Payroll, HR, ICT.

6. FINANCIAL IMPLICATIONS

None at this stage. Should any future financial implication arise, these will be discussed with council.

7. ANY OTHER UNIQUE ISSUES

Nil.

8. CONCLUSION

The creation of the Association aligns with council strategic initiatives, supports ongoing investment in connecting employers and employees in the south east region, and ensures the long-term future of the successful South East Employment Hub in a new form.

Attachments: 1. Rules of Incorporated Association – South East Region Jobs Hub Inc (21)
2. SERDA Strategic Plan – 3 February 2022 DRAFT (16)

Ian Nelson
GENERAL MANAGER



Rules of Incorporated Association

South East Region Jobs Hub Inc

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South East Region Jobs Hub Incorporated

The name of the Association is as follows:

South East Region Jobs Hub Incorporated

Rules

1. Interpretation

In these rules, unless the context otherwise requires –

accounting records has the same meaning as in the Act;

Act means the Associations Incorporation Act 1964;

annual general meeting means an annual general meeting of the Association held under rule 12;

Association means the association referred to in these rules;

association has the same meaning as in the Act;

auditor means the person appointed as the auditor of the Association under rule 9;

authorised deposit-taking institution means a body corporate that is an authorised deposit-taking institution for the purposes of the Banking Act 1959 of the Commonwealth;

basic objects of the Association means the co-ordination of workforce engagement and development activities in the Local Area, including but not limited to:

- (a) Engage with employers and commission public and community services to remove barriers to work and improve employability for individuals;
- (b) Assist in coordinating job services within the Local Area;
- (c) Undertake job matching, coaching and referral services;
- (d) Collaborate with business enterprise centres and industry chambers to support small business capabilities;

- (e) Support employer engagement with local schools;
- (f) Engage with trade training centres, TasTAFE and other education and training providers within the Local Area to optimise services and use of local facilities;
- (g) Engage with the community and collective impact networks to provide networks for jobseekers through links into the local industry;

Board means the Board of management referred to in rule 22;

Chairperson means the person elected to the position from time to time pursuant to clause 25;

Finance Officer means the employee or Member nominated by the board to hold the position and perform the duties of the role as set out in these Rules;

financial year has the same meaning as in the Act;

Founding Members means the SERDA Members;

general meeting means –

- (a) an annual general meeting; or
- (b) a special general meeting;

Office means 11 Fitzroy Street, Sorell Tasmania 7172;

Local Area means the local government areas that form the SERDA operating area;

Member has the meaning given to it under rule 4.1;

ordinary business of an annual general meeting means the business specified in rule 13.5;

ordinary Board member means a member of the Board other than the Chairperson;

public officer means the person who is, under section 14 of the Act, the public officer of the Association;

SERDA means the incorporated association known as the South East Region Development Association Incorporated;

SERDA members means the members or nominated representatives of SERDA from time to time accepted as members or nominated representatives (as the case may be) of SERDA in accordance with its constitution;

special Board meeting means a meeting of the Board that is convened under rule 26.2 by the Chairperson or any 4 of the members of the Board;

special general meeting means a special general meeting of the Association convened under rule 13;

special resolution has the same meaning as in the Act.

2. Association's Office

The office of the Association is to be at the Office or at any other place which the Board determines by resolution.

3. Objects and purpose of Association

The objects and purposes of the Association consist of the basic objects of the Association and the following objects and purposes:

- (a) the purchase, taking on lease or in exchange, hire or other acquisition of any real or personal property necessary or convenient for any of the objects or purposes of the Association;
- (b) the employment of any staff or engagement of any service providers or contractors necessary or convenient for any objects or purposes of the Association;
- (c) the purchase, sale or supply of, or other dealing in, goods;
- (d) the construction, maintenance or alteration of any building or works necessary or convenient for any of the objects or purposes of the Association;
- (e) the acceptance of a gift or grant for any of the objects or purposes of the Association;
- (f) the taking of any step the Board, or the members of the Association at a general meeting, determine expedient for the purpose of procuring contributions to the funds of the Association including entering into any deeds or agreements for such funding;
- (g) the printing or publication of any newspaper, periodical, book, leaflet or other document the Board, or the members of the Association at a general meeting, determine desirable for the promotion of any of the objects or purposes of the Association;
- (h) the borrowing and raising of money in any manner and on terms –
 - i. the Board thinks fit; and
 - ii. approved or directed by resolution passed at a general meeting;
- (i) subject to the provisions of the Trustee Act 1898, the investment, in any manner the Board determines, of any money of the Association not immediately required for any of the objects or purposes of the Association;
- (j) the making of a gift, subscription or donation to any of the funds, authorities or institutions to which section 78A of the Income Tax Assessment Act 1936 of the Commonwealth relates;
- (k) the establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes or conveniences calculated to benefit employees or past employees of the Association and their dependants, and the granting of pensions, allowances or other benefits to employees or past

employees of the Association and their dependants, and the making of payments towards insurance in relation to any of those purposes;

- (l) the establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Association;
- (m) the purchase, or acquisition, and the undertaking of all or part of the property, assets, liabilities or engagements of any association with which the Association is amalgamated in accordance with the provisions of the Act and the rules of the Association;
- (n) the doing of any lawful thing incidental or conducive to the attainment of the objects or purposes of the Association.

4. Membership of Association

- 4.1 The Association shall consist of the Founding Members and such other members who are accepted by resolution of members for membership of the Association and on payment of the annual subscription as fixed at the annual General Meeting (**member**).
- 4.2 A person who is not a member of the Association at the time of the incorporation of the Association is not to be admitted as a member of the Association unless –
 - (a) the person is nominated for membership in accordance with subrule 4.3; and
 - (b) the person is approved for membership by resolution of the members of the Association.
- 4.3 A nomination of a person for membership is to be –
 - (a) made in writing and signed by 2 members of the Association; and
 - (b) accompanied by the written consent of the person nominated; and
 - (c) lodged with the public officer.
- 4.4 The consent referred to in subrule 4.3(b) may be endorsed on the nomination.
- 4.5 As soon as practicable after the receipt of a nomination, the public officer is to refer the nomination to the members.
- 4.6 If a nomination is approved by the members, the public officer is to –
 - (a) notify the nominee, in writing, that the nominee has been approved for membership of the Association; and
 - (b) on receipt of the amount payable by the nominee as the first annual subscription, enter the nominee's name in the register of members.
- 4.7 A member of the Association may resign by serving on the public officer a written notice of resignation.
- 4.8 On receipt of a notice from a member of the Association under subrule 4.7, the public officer is to remove the name of the member from the register of members.
- 4.9 A person –

- (a) becomes a member of the Association when his or her name is entered in the register of members; and
 - (b) ceases to be a member of the Association when his or her name is removed from the register of members under subrule 4.8 or rule 29.4.
- 4.10 The public officer is to maintain, or establish and maintain, a register of members containing –
 - (a) the name of each member of the Association and the date on which he or she became a member; and
 - (b) the member's postal or residential address or address of business or employment; and
 - (c) an email address, if any, that the member has nominated as the email address to which notices from the Association may be sent; and
 - (d) the name of each person who has ceased to be a member of the Association and the date on which the person ceased to be a member of the Association.
- 4.11 All members shall keep the public officer informed of their correct address for the service of notices.
- 4.12 A member may resign by giving written notice to the public officer.
- 4.13 A member shall continue to be a member until he shall cease to be a member under any of the applicable rules.
- 4.14 The liability of each member is limited to the annual subscription fee charged by the Association for the relevant year.

4.15 Matters reserved for the Members

Decisions in respect of the following matters are reserved solely for the Members, and are not to be acted upon by any person including but not limited to Board or employees of the Association, without the approval of the Members:

- (a) disposal of property;
- (b) leasing;
- (c) financial arrangements including loans.

5. Winding Up of Association

If, upon the winding up or dissolution of the Association after the satisfaction of all its debts and liabilities, there remains any property, this property must not be paid to or distributed among the members. Instead, this property must be given or transferred to some other organisation or organisations having:

- (a) objects similar to the objects of the Association; and

- (b) a constitution which prohibits the distribution of its income and property among its members to an extent at least as great as is imposed on the Association under these rules.

6. Income and property of Association

- 6.1 The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.
- 6.2 No portion of the income or property of the Association is to be paid or transferred to any member of the Association except as genuine compensation for services rendered or expenses incurred on behalf of the Association.

7. Accounts of receipts and expenditure

- 7.1 True accounts are to be kept of the following:
 - (a) each receipt or payment of money by the Association and the matter in respect of which the money was received or paid;
 - (b) each asset or liability of the Association.
- 7.2 The accounts are to be open to inspection by the members of the Association at any reasonable time, and in any reasonable manner, determined by the Board.
- 7.3 The Finance Officer is to keep all accounting books, and general records and records of receipts and payments, connected with the business of the Association in the form and manner the Board determines.
- 7.4 The accounts, books and records are to be kept at the Association's office or at any other place the Board determines.

8. Banking and finance

- 8.1 On behalf of the Association, the Finance Officer is to –
 - (a) receive any money paid to the Association; and
 - (b) immediately after receiving the money, issue an official receipt in respect of the money; and
 - (c) cause the money to be paid into the account opened under subrule 8.2 as soon as practicable after it is received.
- 8.2 The Board is to open with an authorised deposit-taking institution an account in the name of the Association.
- 8.3 The Board may –
 - (a) receive from an authorised deposit-taking institution a cheque drawn by the Association on any of the Association's accounts with the authorised deposit-taking institution; and

- (b) release or indemnify the authorised deposit-taking institution from or against any claim, or action or other proceeding, arising directly or indirectly out of the drawing of that cheque.
- 8.4 Except with the authority of the Board, a payment of an amount exceeding \$20 is not to be made from the funds of the Association other than –
 - (a) by cheque drawn on the Association's account; or
 - (b) by the electronic transfer of funds from the Association's account to another account at an authorised deposit-taking institution.
- 8.5 The Board may provide the Finance Officer with an amount of money to meet urgent expenditure, subject to any conditions the Board may impose in relation to the expenditure.
- 8.6 A cheque is not to be drawn on the Association's account, and an amount is not to be electronically transferred from the Association's account to another account at an authorised deposit-taking institution, except for the purpose of making a payment that has been authorised by the Board.
- 8.7 A cheque, draft, bill of exchange, promissory note or other negotiable instrument is to be –
 - (a) signed by the Finance Officer of the Association or, in the Finance Officer's absence, by any other member, or members, of the Board the Board nominates for that purpose; and
 - (b) countersigned by the public officer.
- 8.8 An electronic transfer of an amount from the Association's account to another account at an authorised deposit-taking institution –
 - (a) may only be authorised by the Finance Officer or, in the Finance Officer's absence, by any other member, or members, of the Board the Board nominates for that purpose; and
 - (b) may only be authorised by a person referred to in paragraph (a) if the authorisation has been approved by the public officer.

9. Auditor

- 9.1 At each annual general meeting, the members of the Association present at the meeting are to appoint a qualified auditor as the auditor of the Association.
- 9.2 If an auditor is not appointed at an annual general meeting under subrule 9.1, the Board is to appoint a person as the auditor of the Association as soon as practicable after that annual general meeting.
- 9.3 The auditor is to hold office until the next annual general meeting and is eligible for re-appointment.
- 9.4 The first auditor –
 - (a) may be appointed by the Board before the first annual general meeting; and

- (b) if so appointed, holds office until the end of the first annual general meeting unless earlier removed by a resolution of the members of the Association at a general meeting.
- 9.5 If the first auditor is appointed by the Board under subrule 9.4(a) and subsequently removed at a general meeting under subrule 9.4(b), the members of the Association, at that general meeting, may appoint an auditor to hold office until the end of the first annual general meeting.
- 9.6 Except as provided in subrule 9.4(b), the auditor may only be removed from office by special resolution.
- 9.7 If a casual vacancy occurs in the office of auditor, the Board is to appoint a qualified auditor to fill the vacancy until the end of the next annual general meeting.

10. Audit of accounts

- 10.1 The auditor is to audit the financial affairs of the Association at the end of each financial year of the Association.
- 10.2 The auditor, after auditing the financial affairs of the Association for a particular financial year of the Association, is to –
 - (a) certify as to the correctness of the accounts of the Association; and
 - (b) at the next annual general meeting, provide a written report to the members of the Association who are present at that meeting.
- 10.3 In the report and in certifying to the accounts, the auditor is to –
 - (a) specify the information, if any, that he or she has required under subrule 10.5(b) and obtained; and
 - (b) state whether, in his or her opinion, the accounts exhibit a true and correct view of the financial position of the Association according to the information at his or her disposal; and
 - (c) state whether the rules relating to the administration of the funds of the Association have been observed.
- 10.4 The public officer is to deliver to the auditor a list of all the accounting records, books and accounts of the Association.
- 10.5 The auditor may –
 - (a) have access to the accounting records, books and accounts of the Association; and
 - (b) require from any employee of, or person who has acted on behalf of, the Association any information the auditor considers necessary for the performance of his or her duties; and
 - (c) employ any person to assist in auditing the financial affairs of the Association; and

- (d) examine any member of the Board, or any employee of, or person who has acted on behalf of, the Association, in relation to the accounting records, books and accounts of the Association.

11. Exemptions under the Act

- 11.1 For any financial year that the Association is exempt from the requirement to be audited by virtue of section 23(1B) or (1C) of the Act –
 - (a) an auditor is not required to be appointed for that financial year under rule 10 unless the Association elects to have the financial affairs of the Association for that financial year audited in accordance with the Act and these rules; and
 - (b) if an auditor is not appointed for a financial year by virtue of paragraph (a)
 - i. rules 9 and 10 do not apply in respect of the Association for that financial year; and
 - ii. rule 12.5(b), to the extent that it relates to an auditor, does not apply in respect of the annual general meeting held by the Association in respect of that financial year; and
 - iii. rule 12.5(d) does not apply in respect of the annual general meeting held by the Association in respect of that financial year.
- 11.2 For any financial year that the Association is exempt from the requirement to provide an annual return by virtue of section 23(1B) of the Act, the Board must provide, as part of the ordinary business of the annual general meeting for that financial year, a copy of the annual financial report given under the Australian Charities and Not-for-profits Commission Act 2012 of the Commonwealth in respect of that financial year.

12. Annual General Meeting

- 12.1 The Association is to hold an annual general meeting of the members each year.
- 12.2 An annual general meeting is to be held on any day (being not later than 3 months after the end of the financial year of the Association) the Board determines.
- 12.3 An annual general meeting is to be in addition to any other general meeting that may be held in the same year.
- 12.4 The notice convening an annual general meeting is to specify the purpose of the meeting.
- 12.5 The ordinary business of an annual general meeting is to be as follows:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) to receive from the Board, auditor, employees and other persons acting on behalf of the Association reports on the transactions of the Association during the last preceding financial year of the Association;

- (c) to elect the ordinary Board members;
 - (d) to appoint the auditor and determine his or her remuneration.
- 12.6 An annual general meeting may transact business of which notice is given in accordance with rule 15.
- 12.7 Minutes of proceedings of an annual general meeting are to be kept, in the minute book of the Association, by the public officer or, in the absence from the meeting of the public officer, by a member of the Association who is nominated by the chairperson of the meeting.

13. Special General Meetings

- 13.1 The Board may convene a special general meeting of the Association at any time.
- 13.2 The Board, on the requisition in writing of at least half of the members of the Association, is to convene a special general meeting of the Association.
- 13.3 A requisition for a special general meeting –
 - (a) is to state the objects of the meeting; and
 - (b) is to be signed by each of the requisitionists; and
 - (c) is to be deposited at the office of the Association; and
 - (d) may consist of several documents, each signed by one or more of the requisitionists.
- 13.4 If the Board does not cause a special general meeting to be held within 21 days after the day on which a requisition is deposited at the office of the Association, any one or more of the requisitionists may convene the meeting within 3 months after the day on which the requisition is deposited at the office of the Association.
- 13.5 A special general meeting convened by requisitionists is to be convened in the same manner, as nearly as practicable, as the manner in which a special general meeting would be convened by the Board.
- 13.6 All reasonable expenses incurred by requisitionists in convening a special general meeting are to be refunded by the Association.

14. Notices of general meetings

- 14.1 At least 14 days before the day on which a general meeting of the Association is to be held, the public officer is to publish a notice specifying –
 - (a) the place, day and time at which the meeting is to be held; and
 - (b) the nature of the business that is to be transacted at the meeting.
- 14.2 A notice is published for the purposes of subrule 14.1 if the notice –
 - (a) is contained in an advertisement appearing in at least one daily newspaper circulating in Tasmania; or

- (b) appears on a website, or at an electronic address, of the Association; or
- (c) is sent to each member of the Association at –
 - i. the member's postal or residential address or address of business or employment; or
 - ii. an email address that the member has nominated as the email address to which notices from the Association may be sent; or
- (d) is given by another means, determined by the public officer, that is reasonably likely to ensure that the members of the Association will be notified of the notice.

15. Businesses and quorum at general meetings

- 15.1 All business transacted at a general meeting, other than the ordinary business of an annual general meeting, is special business.
- 15.2 Business is not to be transacted at a general meeting unless a quorum of members of the Association entitled to vote is present at the time when the meeting considers that business.
- 15.3 A quorum for the transaction of the business of a general meeting is seventy-five percent (75%) of members of the Association entitled to vote.
- 15.4 If a quorum is not present within one hour after the time appointed for the commencement of a general meeting, the meeting –
 - (a) if convened on the requisition of members of the Association, is dissolved; or
 - (b) if convened by the Board, is to be adjourned to the same day in the next week at the same time and –
 - i. at the same place; or
 - ii. at any other place specified by the chairperson –
 - A. at the time of the adjournment; or
 - B. by notice in a manner determined by the chairperson.
- 15.5 If at an adjourned general meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting is dissolved.

16. Chairperson at general meetings

At each general meeting of the Association, the chairperson is to be –

- (a) the Chairperson; or
- (b) in the absence of the Chairperson, a member of the Association elected to preside as chairperson by the members of the Association present and entitled to vote at the general meeting.

17. Adjournment of general meetings

- 17.1 The chairperson of a general meeting at which a quorum is present may adjourn the meeting with the consent of the members of the Association who are present and entitled to vote at the meeting, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 17.2 If a meeting is adjourned for 14 days or more, notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.
- 17.3 If a meeting is adjourned for less than 14 days, it is not necessary to give any notice of the adjournment or of the business to be transacted at the adjourned meeting.

18. Determination of questions arising at general meetings

- 18.1 A question arising at a general meeting of the Association is to be determined on a show of hands.
- 18.2 A declaration by the chairperson that a resolution has, on a show of hands, been lost or carried, or been carried unanimously or carried by a particular majority, together with an entry to that effect in the minute book of the Association, is evidence of that fact unless a poll is demanded on or before that declaration.

19. Votes

- 19.1 On any question arising at a general meeting of the Association, a member of the Association (including the chairperson if they are a member) has one vote only.
- 19.2 All votes are to be given personally.
- 19.3 Despite subrule 19.1, in the case of an equality of votes, if the Chairperson is a member then the Chairperson has a second or casting vote.

20. Taking of poll

If at a general meeting a poll on any question is demanded –

- (a) the poll is to be taken at that meeting in the manner that the chairperson determines; and
- (b) the result of the poll is taken to be the resolution of the meeting on that question.

21. When poll to be taken

- 21.1 A poll that is demanded on the election of a chairperson, or on a question of adjournment, is to be taken immediately.
- 21.2 A poll that is demanded on any other question is to be taken at any time before the close of the meeting as the chairperson determines.

22. Affairs of Association to be managed by a Board

- 22.1 The affairs of the Association are to be managed by a Board of management constituted as provided in rule 23.
- 22.2 The Board, subject rule 4.15–
 - (a) is to control and manage the business and affairs of the Association; and
 - (b) may exercise all the powers and perform all the functions of the Association, other than those powers and functions that are required by these rules to be exercised and performed by members of the Association at a general meeting; and
 - (c) has power to do anything that appears to the Board to be essential for the proper management of the business and affairs of the Association including determining the remuneration of employees or contractors of the Association.

23. Constitution of the Board

- 23.1 Subject to an appointment of a Board member for a casual vacancy pursuant to sub-rule 23.3, the Board is to consist of:
 - (a) The Chairperson; and
 - (b) minimum of four (4) ordinary members of the Board and a maximum of eight (8), to be made up of:
 - (c) A representative of SERDA as nominated by the SERDA Members; and
 - (d) such other independent persons (who are not SERDA Members) elected at the annual general meeting or appointed in accordance with rule 24.
- 23.2 An ordinary Board member is to hold office until the end of the next annual general meeting after that at which he or she is elected and is eligible for re-election.
- 23.3 If a casual vacancy occurs in the office of an ordinary Board member, the Board may appoint a member of the Association to fill the vacancy until the end of the next annual general meeting after the appointment.
- 23.4 If an office of an ordinary Board member is not filled at an annual general meeting, there is taken to be a casual vacancy in the office.

24. Election of members of Board

- 24.1 Board members of the Association are not required to be members of the Association.
- 24.2 A nomination of a candidate for election as a Board member, is to be –
- (a) made in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the nomination); and
 - (b) delivered to the public officer at least 10 days before the day on which the annual general meeting is to be held.
- 24.3 If insufficient nominations are received to fill all vacancies –
- (a) the candidates nominated are taken to be elected; and
 - (b) further nominations are to be received at the annual general meeting.
- 24.4 If the number of nominations to the Board received is equal to the number of vacancies on the Board to be filled, the persons nominated are taken to be elected.
- 24.5 If the number of nominations to the Board received exceeds the number of vacancies on the Board to be filled, a ballot is to be held.
- 24.6 If the number of further nominations received at the annual general meeting exceeds the number of remaining vacancies on the Board to be filled, a ballot is to be held in relation to those further nominations.
- 24.7 The ballot for the election of ordinary Board members is to be conducted at the annual general meeting in the manner determined by the members.
- 24.8 For the avoidance of doubt, the representative of SERDA is not eligible for election to the position of Chairperson of the Board.
- 24.9 The Board members are not to be paid any remuneration for their role on the Board, but shall be entitled to reimbursement by the Association for their costs reasonably incurred in performing their duties as Board members.

25. Vacation of office

For the purpose of these rules, the office of a Board member, becomes casually vacant if the Board member –

- (a) dies; or
- (b) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration or estate for their benefit; or
- (c) becomes a represented person within the meaning of the Guardianship and Administration Act 1995; or
- (d) resigns office in writing addressed to the Board; or

- (e) ceases to be ordinarily resident in Tasmania; or
- (f) is absent from 3 consecutive meetings of the Board without the permission of the other members of the Board.

26. Meetings of the Board

- 26.1 The Board is to meet at least once in each month at any place and time the Board determines.
- 26.2 A meeting of the Board, other than a meeting referred to in subrule 26.1, may be convened by the Chairperson or any four (4) of the members of the Board.
- 26.3 Written notice of any special Board meeting is to be served on members of the Board and is to specify the general nature of the business to be transacted.
- 26.4 A special Board meeting may only transact business of which notice is given in accordance with subrule 26.3.
- 26.5 A quorum for the transaction of the business of a meeting of the Board is seventy-five percent (75%) of members of the Board.
- 26.6 Business is not to be transacted at a meeting of the Board unless a quorum is present.
- 26.7 If a quorum is not present within half an hour after the time appointed for the commencement of –
 - (a) a meeting of the Board (other than a special Board meeting), the meeting is to be adjourned to the same day in the next week at the same time and at the same place; or
 - (b) a special Board meeting, the meeting is dissolved.
- 26.8 At each meeting of the Board, the chairperson is to be –
 - (a) the Chairperson; or
 - (b) in the absence of the Chairperson, a member of the Board elected to preside as chairperson by the members of the Board present at the meeting.
- 26.9 Any question arising at a meeting of the Board is to be determined –
 - (a) on a show of hands; or
 - (b) if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- 26.10 On any question arising at a meeting of the Board, a member of the Board (including the chairperson) has one vote only.
- 26.11 Despite subrule 26.10, in the case of an equality of votes, the chairperson has a second or casting vote.
- 26.12 Written notice of each Board meeting is to be served on each member of the Board by –
 - (a) giving it to the member during business hours no less than three (3) business days before the day on which the meeting is to be held; or

- (b) leaving it, during business hours no less than three (3) business days before the day on which the meeting is to be held, at the member's postal or residential address or place or address of business or employment last known to the server of the notice; or
- (c) sending it by post, to the person's postal or residential address or address of business or employment last known to the server of the notice, in sufficient time for it to be delivered to that address in the ordinary course of post no less than three (3) business days before the day on which the meeting is to be held; or
- (d) emailing it to the email address, of the member, that the member has nominated as the email address to which notices from the Association may be sent no less than three (3) business days before the day on which the meeting is to be held.

27. Disclosure of interests

- 27.1 If a member of the Board or a member of a subcommittee of the Board has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the Board or subcommittee of the Board at a meeting, the member is to, as soon as practicable after the relevant facts come to the member's knowledge, disclose the nature of the interest to the Board.
- 27.2 If at a meeting of the Board or a subcommittee of the Board, a member of the Board or subcommittee votes in respect of any matter in which the member has a direct or indirect pecuniary interest, that vote is not to be counted.

28. Subcommittees of the Board

- 28.1 The Board may –
 - (a) appoint a subcommittee from the Board; and
 - (b) prescribe the powers and functions of that subcommittee.
- 28.2 The Board may co-opt any person as a member of a subcommittee without voting rights, whether or not the person is a member of the Association.
- 28.3 A quorum for the transaction of the business of a meeting of the subcommittee is 3 appointed members entitled to vote.
- 28.4 The public officer is to convene meetings of a subcommittee.
- 28.5 Any question arising at a meeting of a subcommittee is to be determined –
 - (a) on a show of hands; or
 - (b) if demanded by a member, by a poll taken at that meeting in the manner the chairperson determines.
- 28.6 On any question arising at a meeting of a subcommittee, a member of the subcommittee (including the chairperson) has one vote only.

- 28.7 Written notice of each subcommittee meeting is to be served on each member of the subcommittee by –
- (a) giving it to the member during business hours before the day on which the meeting is to be held; or
 - (b) leaving it, during business hours before the day on which the meeting is to be held, at the member's postal or residential address or place or address of business or employment last known to the server of the notice; or
 - (c) sending it by post, to the person's postal or residential address or address of business or employment last known to the server of the notice, in sufficient time for it to be delivered to that address in the ordinary course of post before the day on which the meeting is to be held; or
 - (d) emailing it to the email address, of the member, that the member has nominated as the email address to which notices from the Association may be sent.

29. Annual subscription

- 29.1 The annual subscription, for a financial year of the Association, that is payable by members of the Association is the following amount:
- \$0.00
- 29.2 The members of the Association may alter by special resolution the annual subscription for a financial year of the Association.
- 29.3 The annual subscription, for a financial year of the Association, that is payable by members of the Association is due and payable on the first day of the financial year.
- 29.4 If –
- (a) a member of the Association has not paid his or her annual subscription for a financial year of the Association within 3 months after the first day of the financial year; and
 - (b) there has been sent to the member, after the first day of the financial year, a notice in writing, signed by the public officer, stating that the member's name may be removed from the register of members if the member has not, within 14 days after receiving the notice, paid all annual subscriptions due and payable by the member; and
 - (c) the member has not, within 14 days after receiving the notice, paid all annual subscriptions due and payable by the member –
- the public officer may remove the name of the member from the register of members maintained under rule 4.10.
- 29.5 If a member of the Association has not paid his or her annual subscription for a financial year of the Association within 3 months after the first day of the financial year, or within 14 days after receiving a notice under subrule 29.4, whichever is the later day, he or she is not entitled to attend, or vote at, the next annual general meeting of the Association.

30. Service of notices and requisitions

Except as otherwise provided by these rules, a document may be served under these rules on a person by –

- (a) giving it to the person; or
- (b) leaving it at, or sending it by post to, the person's postal or residential address or place or address of business or employment last known to the server of the document; or
- (c) emailing it to the person's email address.

31. Expulsion of members

- 31.1 The Board may expel a member from the Association if, in the opinion of the Board, the member is guilty of conduct detrimental to the interests of the Association.
- 31.2 The expulsion of a member under subrule 31.1 does not take effect until whichever of the following occurs later:
 - (a) the fourteenth day after the day on which a notice is served on the member under subrule 31.3;
 - (b) if the member exercises his or her right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.
- 31.3 If the Board expels a member from the Association, the public officer, without undue delay, is to cause to be served on the member a notice in writing –
 - (a) stating that the Board has expelled the member; and
 - (b) specifying the grounds for the expulsion; and
 - (c) informing the member of the right to appeal against the expulsion under rule 32.

32. Appeal against expulsion

- 32.1 A member may appeal against an expulsion under rule 31 by serving on the public officer, within 14 days after the service of a notice under rule 31.3, a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.
- 32.2 On receipt of a requisition, the public officer is to immediately notify the Board of the receipt.
- 32.3 The Board is to cause a special general meeting to be held within 21 days after the day on which the requisition is received.
- 32.4 At a special general meeting convened for the purpose of hearing an appeal under this rule –
 - (a) no business other than the question of the expulsion is to be transacted; and

- (b) the Board may place before the meeting details of the grounds of the expulsion and the Board's reasons for the expulsion; and
 - (c) the expelled member must be given an opportunity to be heard; and
 - (d) the members of the Association who are present are to vote by secret ballot on the question of whether the expulsion should be lifted or confirmed.
- 32.5 If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion –
 - (a) the expulsion is lifted; and
 - (b) the expelled member is entitled to continue as a member of the Association.
- 32.6 If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion –
 - (a) the expulsion takes effect; and
 - (b) the expelled member ceases to be a member of the Association.

33. Disputes

- 33.1 A dispute between a member of the Association, in his or her capacity as a member, and the Association is to be determined by arbitration in accordance with the provisions of the Commercial Arbitration Act 2011.
- 33.2 This rule does not affect the operation of rule 32.
- 33.3 Each party to a dispute is responsible for their own costs, and to share equally any costs of any arbitrator as appointed under this rule 33.

34. Seal of association

- 34.1 The seal of the Association is to be in the form of a rubber stamp inscribed with the name of the Association encircling the word "Seal".
- 34.2 The seal is not to be affixed to any instrument except by the authority of the Board.
- 34.3 The affixing of the seal is to be attested by the signatures of –
 - (a) two members of the Board; or
 - (b) one member of the Board and –
 - i. the public officer; or
 - ii. any other person the Board may appoint for that purpose.
- 34.4 If a sealed instrument has been attested under subrule 34.3, it is presumed, unless the contrary is shown, that the seal was affixed to that instrument by the authority of the Board.
- 34.5 The seal is to remain in the custody of the public officer of the Association.

South East Region Development Association (SERDA)

DRAFT

Jobs Hub Strategic Plan

31 January 2022



Introduction to strategic plan 2022-2025

Background

In 2021 the Tasmanian Government announced a range of initiatives and funding to help Tasmanians into jobs through the Delivering Local Jobs for Local People agenda.

This included a commitment to expand and consolidate the Network of Jobs Hubs supported by a central point of contact in Government through the creation of Jobs Tasmania within the Department of State Growth.

These actions are in response to key recommendations from the Premiers Economic and Social Recovery Advisory Council (PESRAC) (recommendations 21-25).

Each Hub will be governed by a Jobs Hub Board to oversight delivery and coordination of activity in their respective regions that support the objective to increase employment, workforce participation or re-engagement with formal education and training.

Each Hub will also need to develop strategic plan to focus and guide the activities of the Jobs Hub.

Purpose

SERDA has secured funding from the Department of Premier and Cabinet (DPAC) to fund the SERDA Jobs Hub for a further 12 months. The terms of the funding require SERDA, amongst other things are to:

1. Develop a governance structure and framework for the South East Region Jobs Hub, that aligns to Recommendation 22 of the PESRAC Final Report;
2. Develop a strategic plan that includes the ongoing operation and sustainability of the South East Region Jobs Hub;
3. Develop a set of objectives, activities and outputs for the South East Region Jobs Hub, that aligns to Recommendation 23 of the PESRAC Final Report.

This document has been prepared in response to requirements 2 and 3 above. It sets out the vision and focus areas for the Jobs Hub with detailed action plan and key performance measures. This will need to be endorsed by the Board and so should be treated as a draft until that milestone is reached.

Our vision, purpose and values

The SERDA Jobs Hub will be known for.....

Innovation



Building connections



Using local training and employment options



Strengthening the community



Getting things done



Targeted outcomes



Trust and integrity







Proven performance



SWOT analysis

The SERDA Jobs Hub has assessed its operating environment and developed a summary SWOT analysis. This has informed many of the actions.


 <h2>Strengths</h2>	<ul style="list-style-type: none"> • Highly experienced key staff • Connection to Jobs Tasmania • Regional connection through councils and businesses • Highly regarded by employers and community • Ability to support businesses and the region in economic growth through business advice and workforce development • “Go to” organisation for State and Federal government for industry and community intel • Local board provides vehicle for people with passion for the local community to drive outcomes for business and residents of the south east • Rapid response to natural disasters and emergencies
 <h2>Weaknesses</h2>	<ul style="list-style-type: none"> • Lack of CRM, systems and structure • Fragmentation (i.e. 3rd party jobs hub) • No built for purpose infrastructure (physical buildings and IT) • Inability to say no – trying to meet unconstrained demand
 <h2>Opportunities</h2>	<ul style="list-style-type: none"> • Regional connection through councils and businesses • Expansion of Cambridge and Airport commercial hubs • Expansion of East Coast tourism • Continued forecast economic growth in the Southeast • Greater participation with other successful hubs
 <h2>Threats</h2>	<ul style="list-style-type: none"> • Funding • Low unemployment (constrained labour supply) • Lack of affordable housing solutions in job areas

Our focus areas


The SERDA Jobs Hub has identified seven key result areas (KRAs) that are the focus of the action plans.




Action plans

KRA # 1:  Industry engagement		Goal #1 To engage with industry in order to maximise employment opportunities through targeting industry needs		
Strategy	Actions	Responsibility	Timeframe	KPIs
Communicate with key employers to identify needs.	1. Meet with employers in person, by phone or online.	WEDO	Monthly	Meetings held per month Number of jobs/training courses scheduled per employer
Communicate with industry bodies to coordinate programs.	1. Meet with industry associations in person, by phone or online.	WEDO	Monthly	Meetings held per month Number of jobs/training courses scheduled per employer
Tailor training programs to identified needs.	1. Compile TNA based on employer and industry body feedback 2. Select appropriate units from appropriate training packages and available RTOs 3. Coordinate and organise program	WEDO Training Coordinator	As needed	Number of courses Number of attendees per course Cost per course Completion rate %
Build confidence to increase capacity for employment.	1. Use public speaking engagements to communicate growth activity to build confidence in industry in the south east	SERDA Chair	As needed	Number of speaking engagements per month


Action plans

KRA # 2:  Job Seeker support	Goal #2 To support job seekers in order to link to local employment and training opportunities			
Strategy	Actions	Responsibility	Timeframe	KPIs
Grow accommodation options for job seekers	1. Identify existing accommodation resources 2. Link accommodation owners with job seekers and business owners 3. Lobby State Government around land supply and housing pipeline to address housing crisis	WEDO Business Advisor	As needed / ongoing	Accommodation options identified per region Job seekers accommodated Number of submissions to state government per month
Grow public transport options	1. Communicate transport needs by region with local transport providers 2. Work with transport providers to increase service delivery based on appetite	WEDO	As needed/ ongoing	Number of transport provider meetings per reporting period Number of additional services provided
Mentor job seekers	1. Continually develop mentoring techniques to offset institutional unemployment cycle driven by JAs. 2. Ensure programs go to job seeker hotspots, instead of forcing them to come to us.	Hub Manager Careers Coaches	Ongoing	Number of new mentoring techniques developed Number of outreach visits per reporting period
Partner with other specialised service providers.	1. Identify current service providers and their programs 2. Identify linkages to our current service 3. Commence referrals	WEDO Hub Manager Career Coaches Training Coordinator	Ongoing	Number of providers ID'd Number of linkages per provider Number of referrals per provider


Action plans

KRA # 3:  Education and training		Goal #3 To facilitate education and training in order to build employment confidence, opportunities and careers in the South East		
Strategy	Actions	Responsibility	Timeframe	KPIs
Expand options for training venues	<ol style="list-style-type: none"> Develop list of suitable current venues Lobby Mayors to create a pipeline of future training venues 	<p>WEDO</p> <p>Training Coordinator</p>	Ongoing	<p>Suitable venues list by region</p> <p>Venue Pipeline by region</p>
Continue supply of local industry trainers	<ol style="list-style-type: none"> Identify suitable industry candidates Sponsor TAE training 	<p>WEDO</p> <p>Training Coordinator</p>	Ongoing	<p>Number of candidates per industry</p> <p>Number of TAE courses run</p> <p>% TAE completion</p>
Continue collaboration with industry appropriate RTOs to deliver training in region	<ol style="list-style-type: none"> Identify growth industries Meet with RTOs Deliver programs 	<p>WEDO</p> <p>Training Coordinator</p>	Ongoing	<p>Quarterly list of growth industries</p> <p>Number of meetings with RTOs</p> <p>Number of programs delivered</p>


Action plans

KRA # 3:  Education and training		Goal #3 To facilitate education and training in order to build employment confidence, opportunities and careers in the South East		
Strategy	Actions	Responsibility	Timeframe	KPIs
Link school based apprenticeships and traineeships with employers as a viable pathway to a local career	<ol style="list-style-type: none"> 1. Discuss ASbA program with employers 2. Link schools to local employers for ASbA opportunities 	Business Advisor WEDO Hub Manager Training Coordinator Career coaches	Ongoing	Number of ASbA's identified Number of ASbA's commenced
Utilise training units to tailor industry-specific skill sets from multiple training packages.	<ol style="list-style-type: none"> 1. Identify industry requirements 2. Meet with RTOs to program skill sets 3. Deliver programs 	WEDO Training Coordinator	Ongoing	Number of Tailored Training Packages designed Number of tailored training packages delivered


Action plans

KRA # 4: 		Goal #4		
Priority target groups		To mentor priority target groups in order to maximise employment results		
Strategy	Actions	Responsibility	Timeframe	KPIs
Mentor long-term unemployed into work	<ol style="list-style-type: none"> 1. Identify long-term unemployed in community 2. Understand barriers and work through them 3. Identify available training and/or employment opportunities in region 4. Coordinate work experience 	WEDO Hub Manager Job coaches Training Coordinator	Ongoing	Number of new participants registered as long-term unemployed per month Number of participants gaining employment per month Average hours worked per successful participant
Develop opportunities for young jobseekers under 25 years old	<ol style="list-style-type: none"> 1. Create workshops 2. Create mentoring programs 3. Arrange industry visits 4. Work with apprentice and trainee providers/GTOs to create local pathways into employment 	WEDO Hub Manager Job coaches Training Coordinator	Ongoing	Number of workshops Number of mentoring programs Number of industry visits
Connect recently out of work community members with local job opportunities	<ol style="list-style-type: none"> 1. Establish communication networks to capture recently out of work individuals not on unemployment registers 2. Understand barriers (if any) and work through them 3. Identify available training and/or employment opportunities in region 4. Coordinate work experience 	WEDO Hub Manager Job coaches Training Coordinator	Ongoing	Number of referrals from partners Number of recently out of work community members trained Number of recently out of work community members employed


Action plans

KRA # 4:  Priority target groups	Goal #4 To mentor priority target groups in order to maximise employment results			
Strategy	Actions	Responsibility	Timeframe	KPIs
Increase capacity for underemployed to work	<ol style="list-style-type: none"> 1. Work with businesses to identify opportunities for upskilling existing staff 2. Work with underemployed to support upskilling through training and development as required 	WEDO Business Advisor	Ongoing	Number of businesses worked with Number of underemployed assisted
Retrain and mentor parents and mature aged (45+) return to work or changing careers	<ol style="list-style-type: none"> 1. Identify parents and mature aged (45+) in community 2. Understand barriers and work through them 3. Identify available training and/or employment opportunities in region 4. Coordinate work experience 	WEDO Hub Manager Job coaches Training Coordinator	Ongoing	Number of parents assisted Number of Mature aged (45+) assisted


Action plans

KRA # 5:  Government engagement		Goal #5 To continuously engage with State and Federal Government in order to maximise outcomes		
Strategy	Actions	Responsibility	Timeframe	KPIs
Advocate for the provision of land for development of housing and employment	<ol style="list-style-type: none"> 1. Lobby Tasmanian Minister for Planning 2. Lobby Federal Minister for Planning 3. Lobby local state and federal members 	SERDA Chair / Board	Ongoing	Number of submissions Number of meetings held
Advocate for provision of other community services (GP, childcare)	<ol style="list-style-type: none"> 1. Lobby Tasmanian Minister for Health 2. Lobby Tasmanian Minister for Children and Youth 3. Lobby local state and federal members 	SERDA Chair / Board	Ongoing	Number of submissions Number of meetings held
Lobby Federal department (DESE) for access to unemployment demographic records and data	<ol style="list-style-type: none"> 1. Lobby state contract manager of DESE 2. Lobby federal contract manager of DESE 3. Lobby federal Minister Dept. Education Skills Employment 	WEDO SERDA Chair / Board	Ongoing	Number of submissions Number of meetings held


Action plans

KRA # 5:  Government engagement		Goal #5 To continuously engage with State and Federal Government in order to maximise outcomes		
Strategy	Actions	Responsibility	Timeframe	KPIs
Negotiate with state and federal government for occasional flexibility with training and employment funding	<ol style="list-style-type: none"> 1. Identify / formulate document outlining required flexibility 2. Engage state and federal stakeholders 3. Present document and negotiate 	SERDA Chair / Board WEDO	Ongoing	Amount of funding secured
Maintain direct lines of communication into Jobs Tasmania				
Maintain regular communication with successful Jobs Hubs	<ol style="list-style-type: none"> 1. Establish network 2. Conduct regular meetings 	Board WEDO Hub Manager	Ongoing	Number of meetings held


Action plans

KRA # 6:  Business enterprise connection	Goal #6 To ensure ongoing collaboration in order to support business capabilities			
Strategy	Actions	Responsibility	Timeframe	KPIs
Engage with TCCI, SBA, TBTA, OTCC, Business Eastern Shore, BODEC.	1. Attend regular meetings 2. Maintain memberships	Business Advisor WEDO	Ongoing	Meetings attended
Cross pollinate with Hub to achieve multiplier effect across all functions (Business advice, employment and workforce development)	1. Encourage and attend regular meetings with other stakeholders 2. Brief staff on Enterprise Centre capabilities 3. Encourage ongoing 360 degree culture	Business Advisor WEDO Hub Manager Career Coaches Training Coordinator	Ongoing	Number of cross-referrals Meetings held
Encourage relocation of businesses into the Southeast	1. Compile Economic Profile report for south east 2. Leverage findings of EMRS survey	Business Advisor WEDO Chair/Board	Ongoing	Number of businesses relocated
Connection with developers of professional premises for start-up opportunities	1. Meet with developers 2. Liaise with council planning departments	Business Advisor WEDO	Ongoing	Number of meetings with developers Number of meetings with council planners
Targeting new starters and intenders, appropriate for the region.	1. Conduct Business Basic workshops	Business Advisor	Ongoing	Number of workshops held
Assist appropriate business owners to access grants and initiatives	1. Maintain working knowledge of grants and initiatives landscape 2. Render assistance as required	Business Advisor	Ongoing	Number of businesses assisted

Action plans

KRA # 7:  Community engagement awareness Goal #7 To continue strong community focus and communication in order to remain connected to jobseekers, businesses and opportunities.				
Strategy	Actions	Responsibility	Timeframe	KPIs
Continued focus on speaking with business and community groups.	1. Identify business and community groups 2. Meet with business and community groups 3. Communicate our services 4. Seek out intel on jobseekers, businesses and opportunities	All	Ongoing	Number of meetings Jobseekers identified Businesses identified Opportunities identified
Regular articles in local press (Sorell Times/Eastern Shore Sun/Tasman Gazette/East Coast View/Great Oyster Bay Newsletter/SeaSpeak)	1. Create content calendar for all business units 2. Create content for calendar 3. Obtain images 4. Submit to editors	All	Ongoing	Number of articles submitted
Ensure effective branding and communication through online presence.	1. Engage branding SME 2. Develop brand assets and website 3. Establish analytics 4. Create online content as necessary	All	Ongoing	Website traffic sources Average website session duration Conversion rates

Action plans

KRA # 7:  Community engagement awareness Goal #7 To continue strong community focus and communication in order to remain connected to jobseekers, businesses and opportunities.				
Strategy	Actions	Responsibility	Timeframe	KPIs
Collaborate with neighbourhood houses and other community groups.	1. Setup meetings with operators/managers 2. Communicate our service offerings to educate 3. Gain understanding of existing services to identify strategic gaps 4. Formulate collaboration programs to address gaps, with operators	WEDO Hub Manager Neighbourhood House / Community operators / Group	Ongoing	Number of meetings Number of collaboration programs
Maximise flow-on benefits from growth of community assets for training and employment.	1. Encourage training providers to use regional community assets as training venues 2. Work with councils to create business models around community assets to provide employment	WEDO Training Coordinator Business Advisor	Ongoing	Number of training courses scheduled per community asset Number of jobs created per community asset

7.4.2 SIGNIFICANT TREE VANDALISM - BLESSINGTON STREET, SOUTH ARM**EXECUTIVE SUMMARY****PURPOSE**

To consider a response to significant tree vandalism at Blessington Street, South Arm.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 and Trees on Council Owned or Managed Land Policy 2021 are relevant.

LEGISLATIVE REQUIREMENTS

Public Places By-law No.1 of 2018 is applicable.

CONSULTATION

This vandalism has been discussed on community social media pages. The community will be informed of council's decision via council's usual media and social media channels.

FINANCIAL IMPLICATIONS

Estimated funds of \$17,000 from council's vandalism and natural environment recurrent budget is required to undertake the proposed revegetation and associated works to rectify the vandalism.

RECOMMENDATION:

That Council authorises the General Manager to:

- A. Coordinate the replanting of the poisoned trees, as outlined in the associated report.
- B. Install signs at each location of the vandalism explaining why the signs are in place and offering a reward for information leading to a successful conviction.
- C. Offer a confidential reward of \$10,000 for information leading to a successful conviction of the perpetrator(s) of the vandalism.
- D. Require the signs to remain in place until all newly planted trees are at least 2 to 3 metres tall and permanently re-established in the area.

SIGNIFICANT TREE VANDALISM - BLESSINGTON STREET, SOUTH ARM
/contd...

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** Council was recently informed of vandalism to several trees along the coastal reserve adjacent to Blessington Street. There are two distinct locations of damage to the trees. A mature stand of drooping She Oaks located on the foreshore edge of the coastal reserve between the coastal path and high-water mark have been poisoned. A second group of She Oaks have been hedged and branches heavily pruned. Both locations have been vandalised by unknown person/s. An assessment has confirmed 20 trees are affected by the poisoning with a further three impacted by trimming and lopping. The wilful vandalism is estimated to have occurred in September 2021 and again at the start of 2022.
- 1.2.** This area of the South Arm coastline has poor coverage of vegetation and is susceptible to erosion. Coastal vegetation is vitally important in stabilising sand dunes and protecting vulnerable land from coastal erosion.
- 1.3.** Council officers inspected the area on 1 February 2022 in response to a report of vandalism by a member of the public. The vegetation in the area is very sparse. There was evidence of previous trimming of She Oaks in the coastal reserve with disposed cut limbs on the Estuary edge of the reserve. The recent loss of more trees to vandalism exposes the area further and leaves it vulnerable to weed invasion, prevailing winds, erosion and trampling as the area will become more open and accessible to pedestrians. The trees also provide important habitat for native fauna, which may be diminished or lost by the vandalism.
- 1.4.** In 2021, Council approved the Trees on Council Owned or Managed Land Policy. The policy encourages tree planting and includes the following provisions in relation to vandalism:

Where an act of vandalism is identified, council will:

- investigate the vandalism to identify those responsible, and issue fines (infringement notice);
- install tree vandalism signage at the site of the vandalised tree;
- replant trees to restore the streetscape or landscape to the condition it was in prior to the vandalism; and
- replant trees in accordance with the Urban Forest Strategy and Precinct Planting Plans.

2. REPORT IN DETAIL

- 2.1.** The area requiring revegetation because of the tree vandalism is approximately 1000m². It is recommended 30 trees be planted, 20 to replace the vandalised trees and 10 to provide infill to reinstate the lost canopy. Photos of the affected areas and specific trees are shown in **Attachment 1**.
- 2.2.** The area is council owned land.
- 2.3.** The poisoned trees will require crown reduction and some removal to make the site safe. It is proposed, where possible, the trunks of larger trees be retained (with scaffold limbs removed to make them safe) to provide habitat.
- 2.4.** The proposed replacement tree species (Silver Banksia and Drooping She Oak), as shown in **Attachment 2**, are in keeping with the existing vegetation and provide some diversity of species in the area.
- 2.5.** It is also proposed to install signs in the areas of vandalization adjacent to the footpath. The signage will include council's logo and a message in two key parts:
- (a) Advice to the community indicating that tree vandalism has occurred in this area; and
 - (b) That a confidential reward is offered for information leading to the conviction of any person(s) involved in the vandalism.

2.6. It is intended the signage will remain in place until the replanted trees have achieved a height of approximately 2 to 3 metres tall.

2.7. The approximate cost estimate for the revegetation and signage is:

• Tree maintenance work	\$ 3,000
• Tree planting with stakes and cages	\$ 6,000
• Signage	\$ 2,000
Total	<u>\$11,000</u>

2.8. The Tasmanian Police are investigating the vandalism.

2.9. It will be necessary to undertake an aboriginal heritage assessment to ensure chosen signage locations do not disturb any artifacts in the area (should they be found to be present).

2.10. From a planning perspective, there is no requirement for a planning permit. The Signs Code contained within the planning scheme provides that a “community information sign” is exempt. There are no qualifications or requirements in terms of size.

3. CONSULTATION

3.1. Community Consultation Undertaken

The incidence of vandalism was reported on community Facebook pages. Council also posted on its Facebook page letting the community know we are undertaking an investigation and that we will provide an update on what action Council decides to take.

Council has received many feedback comments expressing disappointment on the treatment of these mature trees.

3.2. State/Local Government Protocol

When similar vandalism occurred at Alexandra Esplanade in Bellerive, discussions were held with Tasmania Parks and Wildlife Service representative, and other Councils who indicated support for signs being installed as this was consistent with their approach.

Council has referred the vandalism to Tasmania Police, who are investigating.

3.3. Other

Nil.

3.4. Further Community Consultation

The community will be informed of the proposed response and revegetation works prior to physical works being undertaken, in accordance with council's Community Engagement Policy 2020.

- **Consultation Plan**

As specified below.

- **Consultation Aim**

Inform the community of the local area revegetation and signage as a result of the vandalism of the trees.

- **Communication Engagement Tools**

In accordance with Clause 8 of the Community Engagement Policy 2020, the consultation will use council's website and social media platforms.

- **Consultation Timing**

The media update will be released prior to the revegetation and signage works commencing.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2021-2031 under the objective *A people friendly city, Liveability*:

"1.11 Continuing to develop and maintain a quality open space network".

Also, under the objective of *A well-planned liveable city, land use and urban planning*:

"2.15 Ensuring neighbourhoods have pleasant streetscapes and access to recreational spaces and appropriate neighbourhood facilities".

5. EXTERNAL IMPACTS

By revegetating and signing the area council is showing the community vandalism is not acceptable.

6. RISK AND LEGAL IMPLICATIONS

The Public Places By-law No.1 of 2018 is relevant to this matter. The bylaw provides for infringement notices to be issued in certain circumstances, including vandalism of council property.

7. FINANCIAL IMPLICATIONS

7.1. Council's 2021-2022 recurrent budget for vandalism is \$103,000, with expenditure at the end of February 2021 being \$93,904.

7.2. Should additional funds be required, these costs can be funded from the Natural Environment recurrent program. The revegetation plan is likely to be undertaken towards spring this year, which will place those costs within the next financial year.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The vandalism of significant trees in our city is unacceptable. Council has adopted a Tree Policy in 2021 which includes response measures related to vandalism such as this. This report provides a comprehensive revegetation and signage plan along with a proposed reward for information to indicate to the community tree vandalism is not acceptable and that council will respond robustly to such acts.

Attachments: 1. Site Photos (2)
2. Proposed Replanting Trees (1)

Ian Nelson
GENERAL MANAGER

The Sites



The two locations of vandalism within the coastal reserve adjacent to Blessington Street (Source: Google Earth)



The two areas to be revegetated (approx. 1,000m²)



ATTACHMENT 2



Photos of the area in 2022 (after the vandalism) L-R drilled tree, dead trees, lopped tree and hedged tree



Group of trees areas in 2022 (after the wilful vandalism).

Replanting Works

Tree species (30 trees in total)



Banksia marginata (Silver Banksia) x10



Allocasuarina verticillata (Drooping She Oak) x20

7.4.3 REVIEW OF ELECTED MEMBERS WORKPLACE ENVIRONMENT**EXECUTIVE SUMMARY****PURPOSE**

To enable Council to note the executive summary provided as part of the more detailed report arising from the Elected Members Workplace Environment review.

RELATION TO EXISTING POLICY/PLANS

Nil.

LEGISLATIVE REQUIREMENTS

The Work Health and Safety Act 2012 and the Local Government Act 1993 are relevant.

CONSULTATION

Elected Members and executive staff participated in the review. No other consultation has occurred.

FINANCIAL IMPLICATIONS

The report was finalised within the allocated budget. There are no other costs to note.

RECOMMENDATION:

That Council notes the recommendations of the Executive Summary (refer Attachment 1 of the Associated Report) of the confidential and legally privileged Elected Members Workplace Environment Review report.

ASSOCIATED REPORT**1. BACKGROUND**

1.1. At its meeting on 30 August 2021, Council approved the following Notice of Motion:

- “1. That the General Manager, on behalf of council and as a matter of priority, commission an independent person suitably qualified and experienced in work health and safety, anti-discrimination, and associated workplace standards, to undertake a review of elected members’ workplace environment. The review should anonymously canvas elected representatives and senior staff and deliver a report (confidential where appropriate) which appraises existing compliance with legislation and openly advises council on any actions needed to promote a safe and respectful workplace for all participants.*”

2. *That the cost of the review not exceed \$20,000 and be accommodated from within the existing Governance budget.*
3. *The Mayor responds to the Director of Local Government's letter of 4 August 2021 advising him of the above action".*

- 1.2. Edge Legal were appointed to undertake the review. Approximately two-thirds of aldermen and executive staff participated in the review.
- 1.3. Edge Legal provided a report to the Mayor marked "confidential and subject to legal privilege" dated 20 December 2021.
- 1.4. The report was provided to aldermen and executive staff on a confidential basis and discussed at a workshop on 31 January 2022.

2. REPORT IN DETAIL

- 2.1. The workplace review was undertaken to investigate and understand the range of issues influencing and affecting elected members and executive staff.
- 2.2. The review was undertaken in accordance with a scope of work that required, amongst other things:
 - Interviews with relevant persons to be undertaken;
 - A confidential report detailing circumstances that are, or were likely to amount to, a breach of work health and safety requirements or other workplace laws; and a statement summarising the current workplace culture within those relevant workplaces including its impact upon participants;
 - Provide a best practice "Statement of Expectations" that could be adopted to establish a contemporary standard for all interactions between councillors, council staff and members of the public.
- 2.3. The review took the form of a risk assessment with a forward-looking approach. It was not conducted as an "backward looking" investigation of allegations or alleged transgressions.

2.4. Notwithstanding that the report is marked “confidential and subject to legal privilege”, the Executive Summary was identified as being able to be publicly disclosed should council wish to do so. The Executive Summary is attached (**Attachment 1**).

2.5. The report included:

- A draft “Statement of Expectations”;
- A draft “Councillor Resolving Disputes Policy”.

Each of these draft documents has been provided in accordance with the terms of reference for the review and may form the basis of further discussion aimed at addressing the issues identified in the report.

3. CONSULTATION

3.1. Community Consultation Undertaken

Nil.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

Nil.

3.4. Further Community Consultation

Elected members may decide to develop policies and associated tools to address identified workplace issues.

No community consultation on this matter is anticipated.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Nil.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

6.1. The report has identified that while elected members are not “workers” within the meaning of the *Work Health and Safety Act 2012*, they are “other persons at the workplace” and hence must take reasonable care for his or her own health and safety; take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and comply, so far as they are reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person conducting the business or undertaking to comply with this Act.

6.2. The *Local Government Act 1993* requires councils to have an approved Code of Conduct in place. Notwithstanding the terms of the Code of Conduct, work health and safety requirements must also be adhered to. Currently, work health and safety requirements are not clearly set out and understood, presenting a risk to elected members and other participants. The draft Statement of Expectations and draft “Councillor Resolving Disputes Policy”, should they be adopted (with or without amendment), will assist to meet the Work Health and Safety Act requirements.

7. FINANCIAL IMPLICATIONS

Nil.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The Elected Members Workplace Environment Review was undertaken to investigate and understand issues affecting elected members and executive staff within their various workplaces. The review has identified some areas for improvement and includes recommendations to address those areas. The attached executive summary provides an overview of the review and the findings are summarised.

Attachments: 1. Review of Elected Members Workplace Environment – Executive Summary (4)

Ian Nelson
GENERAL MANAGER

Review of Elected Members Workplace Environment – Executive Summary

- a) Edge Legal was engaged by Council to review elected member workplace, health and safety. This specifically included to report on identified issues related to interactions between elected members and other elected members, senior staff and members of the public. This was with the aim of developing a Statement of Expectations and associated processes to support elected members in the performance of their functions.
- b) Participation was voluntary and on a confidential basis. All the Aldermen and Senior Managers were afforded the opportunity to participate in the Review. Two thirds of the Aldermen participated and similar numbers with the Council's Senior Managers.
- c) All of the participants were cooperative. All of the Aldermen presented as very passionate about their community and were committed to acting in the best interests of their community. The Senior Managers conducted themselves professionally, separated from the political issues and were focused on the importance of good governance.
- d) The current culture within the workplace of elected members can be summarised as a lack of mutual trust and respect between Aldermen. There is a high degree of interpersonal conflict between the Aldermen as a group and particular Aldermen who have a well-known, entrenched dislike and disregard for each other. There is a particular antipathy between 2 of the Aldermen who reportedly antagonise one another, which impacts negatively on the group dynamic.
- e) The Aldermen in the main understand appropriate workplace behaviour. However, there is a perception by some Alderman that ordinary standards of workplace behaviour don't apply to interactions between Aldermen because of the unique political environment in which they operate. Those Aldermen perceive Council to be a political environment, and what might be ordinarily viewed as unacceptable behaviour in a non-Council workplace is then rationalised as a 'contest of ideas' and 'robust', 'spirited debate'.
- f) Further, there is a broad consensus as to this current unsatisfactory culture but disagreement as to the cause. This is because the entrenched conflict means Aldermen perceive the conduct of those they are in conflict with in the worst possible light. That is, attributing the least favourable explanation for behaviour that impacts on them or another Alderman with whom they are on good terms and judging their own behaviour by their good intent.
- g) The relationships between the Mayor, Deputy Mayor and the General Manager are based on trust, respect and acknowledgement of the need for collaborative engagement. The senior managers interviewed described the Aldermanic behaviour towards employees as disrespectful and inappropriate at times. Some managers said they were uncomfortable as to how particular Aldermen treated the General Manager.

- h) The biggest concern expressed by senior managers was how the Aldermen engage with each other. Workshops were described as often being adversarial in nature with Aldermen talking over top of each other, not listening and using phones, laughing at each other, making side comments, and poor quality discussion that is destructive and unprofessional. It would appear that the Council Workshop Guidelines, which were developed in response to these behaviours and are a best practice document, have not been taken on board and treated seriously.
- i) Some senior managers were also concerned as to what would 'leave the room' to be used for political purposes and at times a misrepresentation of the facts. Some also said they were embarrassed by some of the interpersonal conflict that played out on social media because it reflected poorly on the reputation of Council.
- j) In terms of governance, some senior managers said the current environment creates difficulty in implementing a strategic plan and there have been attempts to undo or reverse significant decisions previously made and well underway.
- k) There were no real issues raised by Aldermen as to their interactions with members of the public. That is not to say that they don't have them, but they are either not particularly problematic, or this review was not seen as the best forum to raise them.
- l) We are satisfied that there is a real risk of breaches of work health and safety requirements without further intervention. The Work Health and Safety Act imposes a range of duties and obligations at a workplace. A workplace is a broad concept that reasonably would cover Council offices, chambers, and any other place where Aldermen are carrying out work. It is likely to extend to or being capable of extending to Aldermanic duties carried out not just on Council premises but also 'offsite' activities, particularly activities such as social media.
- m) Workplace bullying is repeated and unreasonable behaviour that creates a risk to health and safety (which includes mental and physical health). Bullying is well recognised as a safety issue by the Safe Work Regulators throughout Australia. The Aldermen therefore have individual and collective responsibility for the risks resulting from the unsatisfactory culture.
- n) The low trust levels and lack of respect, unless repaired to some degree, will lead to a continuation of the above cycle and continue to create issues for senior staff. There is therefore a real risk of bullying and breaches of the Work Health and Safety Act and Clarence City Council Code of Conduct without some form of response action.
- o) There is no power by which either the Mayor may suspend, dismiss or formally sanction an Alderman for bullying. Such sanctions are only available through the Code of Conduct processes (the Panel which determines these is also limited in its powers) or complaints to WorkSafe Tasmania as to an unsafe workplace.
- p) In addition to the risk of an unsafe work environment and bullying, the current Aldermanic culture of low levels of trust and respect between Aldermen impacts on good governance.

- q) Good governance supports councils to make decisions and to act in the best interests of the community. The Good Governance Guide contains 8 components of good governance all of which are said to be equally important to good governance in practice. Two of those are particularly impacted by the assessment of the issues in this Report: Understanding your role in local government (second component) and fostering respectful relationships (third component).
- r) The concern is with Alderman who tend to view their role as holding others to account rather than seeing themselves as part of an executive which has the responsibility for the governance of the municipality. In these circumstances, there is a real concern that the primacy given to the functions as an individual councillor (to represent the community and act in its best interests) under s28(1) of the Local Government Act 1993 (TAS) (LG Act) is at the expense of discharging the collective functions under s28(2). This is essentially setting and monitoring high-level strategy and policy, planning and development in the best interests of the community, the performance of the General Manager, resource allocation, and monitoring service delivery (but not the operational activities of the Council administration).
- s) At times, this may require Aldermen to exercise careful judgment to fulfil their role as part of Council, to work on overall council strategy and policy and, as an individual elected member, to represent the interests of the community that elected them. In practice, this may raise a need at times to ‘strike a balance’ between representing community interests and the strategic, long term interests of the municipality from a governance perspective. Both are functions under the LGAct.
- t) There was also said to be ‘alliances’ rather than ‘factions’, which often leads to evenly split votes that are not coincidental. These alliances are based less on policy positions and more on personalities. Put simply, there are voting patterns that are motivated by who puts a motion rather than considering it’s individual merits. This creates a governance issue.
- u) We have provided a draft Statement of Expectations document and Aldermanic Resolving Disputes Policy for Aldermen to consider. We have also recommended particular training for Aldermen in Respectful Behaviours, Resolving Conflict and Engaging in Robust and Respectful Debate, Communication Protocols and Efficient and Effective Decision Making.
- v) This is in response to the current issues and current lack of adequate legislation to address these issues. This is therefore no ‘silver bullet’ and without legislative reform, its potential success is limited to the extent to which the Aldermen are prepared to demonstrate at least a modicum of goodwill towards one another and recalibrate their sense of balancing good governance with representing their perceived interests of the community.

- w) A helpful guide to achieve this is to adopt the analogy that Council is like a Board of Directors tasked with strategic planning and overall responsibility for good governance. The General Manager and Council staff are to implement the Board's strategic plan and members of the community are like shareholders. The Board is to act in the overall interests of the shareholders for the long-term viability of the organisation. Sometimes this means individual shareholder interests will not be served and the 'right' decisions may be unpopular or even vehemently disagreed with by some shareholders and individual Board members. This analogy is, generally speaking, consistent with section 28(2) of the LG Act and the Good Governance Guide for Local Government in Tasmania.

7.4.4 RENEWAL OF LEASE – HOBART MODEL AERO CLUB INC. – “KELLYFIELD” 142 COLEBROOK ROAD, RICHMOND**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider a proposed new lease with the Hobart Model Aero Club Inc. for the existing club site on public land at 142 Colebrook Road, Richmond (known as “Kellyfield”), including an objection received in respect to that proposed lease.

RELATION TO EXISTING POLICY/PLANS

- Council’s Leased Facilities Pricing and Term of Lease Policy applies.
- The Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

Section 178 of the Local Government Act details the process Council must follow in determining to lease public land.

Further, the Local Government Act requires Council to consider any objection lodged. A decision to lease public land requires an absolute majority of Council.

CONSULTATION

Pursuant to section 178 of the Local Government Act, 1993, council has advertised its intention to lease public land.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

RECOMMENDATION:

That Council:

- A. Notes the one objection received to the notice of intention to enter into a new lease for the public land at 142 Colebrook Road, Richmond (“Kellyfield”) for the existing club site to the Hobart Model Aero Club Inc.
- B. Resolves to lease public land as depicted in Attachment 1 of the Associated Report to the Hobart Model Aero Club Inc, in accordance with Council’s usual lease terms, including terms related to sub-lease as set out in the Associated Report.
- C. Authorise the General Manager to advise the one party who lodged an objection to the proposed lease of Council’s decision and their rights to appeal Council’s decision in accordance with Section 178A of the *Local Government Act 1993*.

- D. Subject to any right of appeal being resolved, authorises the General Manager to undertake the necessary actions to negotiate and finalise lease arrangements in accordance with this report and the requirements of the *Local Government Act 1993*.

NB: A decision to lease public land requires an absolute majority of Council.

ASSOCIATED REPORT

1. BACKGROUND

- 1.1. Since 2002, Council has leased the land at 142 Colebrook Road, Richmond, known as “Kellyfield”, to the Hobart Model Aero Club Inc. to use as a model aero club site and associated purposes.
- 1.2. The lease is due to expire on 31 March 2022 and the Club has requested a new lease.

2. REPORT IN DETAIL

- 2.1. At its meeting of 22 November 2021, Council resolved to give notice of intention under section 178 of the *Local Government Act, 1993* to enter into a new lease of the public land to the Hobart Model Aero Club Inc.
- 2.2. Section 178 of the Act sets out process requirements for Council where it intends to lease public land. In summary, the Act requires Council to give notice of intent, invite objections, consider objections received and determine whether to proceed or not. Any decision to lease public land is appealable to the Resource and Planning stream of the Tasmanian Civil and Administrative Tribunal (“TASCAT”).
- 2.3. Within the timeframe for lodging an objection, Council received correspondence from a resident. In summary, the correspondence stated that:
- open space for youth development programs are disappearing, resulting in youth becoming disenchanted with outdoor sporting activities;
 - Tasmanian youth development recreation and competitive participation require adequate public space for activities;

- the previous owner, Mr Walter Kelly, intended for “Kellyfield” to be shared for outdoor sporting activities;
- the resident would like to discuss shared use of “Kellyfield”.

2.4. As the correspondence did not specifically state it was an objection to the proposed lease or provide details on the grounds for objection, council contacted the resident for clarification. The resident provided further information which, in summary, stated:

- “Kellyfield” was owned by Mr Walter Kelly, who agreed to transfer the title for youth development use;
- while not their preferred option, the resident objects to the proposed lease to the Hobart Model Aero Club Inc.;
- the resident’s original intentions were for 50% of “Kellyfield” be used for youth development use.

2.5. To provide background on the public land, the Hobart Model Aero Club has been occupying the land known as “Kellyfield” at 142 Colebrook Road, Richmond for flying model aircraft since 1979.

2.6. “Kellyfield” was purchased in the 1960’s by the Richmond Hack and Trotting Club from Mr Kelly. In 1964 the Richmond Council entered into negotiations to purchase the site from the Richmond Hack and Trotting Club.

2.7. During this period Tasmania Racing and Gaming Commission carried out a rationalisation of the number of racecourses in existence and intervened in the proposed sale, which subsequently lapsed.

2.8. The land was then acquired by the Crown through an Act of Parliament and the Crown licensed the land to the Hobart Model Aero Club.

2.9. It has been a long-term view of Richmond residents that “Kellyfield” be held in trust by the former Richmond Council to ensure that it remain available to the local community.

2.10. The Crown agreed to transfer “Kellyfield” to council in 2000 subject to council continuing to lease the area to the Hobart Model Aero Club. Council negotiated a lease with the Hobart Model Aero Club and the transfer of the land from the Crown was completed in 2001. Since that date, the Club has continued to lease the land from council.

2.11. There is no information to indicate that Mr Kelly ever intended for “Kellyfield” to be set aside for youth development. Notwithstanding, the proposed new lease to the Hobart Model Aero Club Inc. does not exclude council from negotiating with the Club in the future to sub-lease or enter into other arrangements for shared use of the land.

3. CONSULTATION

3.1. Community Consultation Undertaken

The statutory consultation process in accordance with Section 178 of the Local Government Act was undertaken.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil

3.4. Further Community Consultation

Advice will be provided to the objector in accordance with the Local Government Act requirements. No other consultation is required.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. Council’s Leased Facilities Pricing and Term of Lease Policy applies.

4.2. The Strategic Plan 2021-2031 provides under “A well-planned liveable city”:

“2.11 In line with our Sport and Recreation Strategy, work with local clubs, state and regional organisations and other levels of government to meet the sport and recreation needs of our community.”

5. EXTERNAL IMPACTS

There are no external impacts identified.

6. RISK AND LEGAL IMPLICATIONS

6.1. Section 178 of the *Local Government Act* sets out the process requirements for Council where it intends to lease public land.

6.2. In summary, the Act requires Council give notice of intent, invite objections, consider any objections received and then determine whether to proceed or not. Council must consider any objections it may receive.

6.3. Any such decision by Council is appealable to the Resource and Planning stream of the Tasmanian Civil and Administrative Tribunal (“TASCAT”).

7. FINANCIAL IMPLICATIONS

Recommendation has no direct implications on Council’s Estimates.

8. ANY OTHER UNIQUE ISSUES

The issuing of a lease provides the lessee with a right to “quiet enjoyment” of the land. In that context, it is not possible for council to provide itself with a right to require the Hobart Model Aero Club Inc. to enter into a sub-lease with another party.

Notwithstanding, clauses related to sub-lease will be drafted to include requirements that the Club give genuine consideration to any request for sub-lease in circumstances where the activities of the Club can be reasonably and adequately managed under a joint-use arrangement. These circumstances will need to include considerations and regulations related to management of the airspace as well as on-ground activities.

9. CONCLUSION

The Hobart Model Aero Club Inc. has leased the land known as “Kellyfield” since 1979. The land was transferred to council in 2002 and the Club has continued to lease the land since that time. It is appropriate to enter into a new lease of 10 years with the Club noting that shared use of the land can be negotiated in the future if another, appropriate use of the land is identified.

Attachments: 1. Aerial photograph (1)

Ian Nelson
GENERAL MANAGER



8. MOTIONS ON NOTICE**8.1 NOTICE OF MOTION - ALD BLOMELEY
SUPPORT FOR UKRAINE**

In accordance with Notice given, Ald Blomeley intends to move the following motion:

“That this Council:

1. Condemns the devastating attack and invasion of Ukraine by Russia.
2. Stands with the Tasmanian and Australian Governments in affirming our respect for Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.
3. Acknowledges the strong history of Tasmania welcoming and providing support for national efforts in providing humanitarian support and commits to working with the Tasmanian government to respond to developing events.
4. Invites the General Manager to provide Aldermen with advice on specific actions that Council can take to support those adversely affected by the invasion of Ukraine.”

EXPLANATORY NOTES

On 24 February 2022, Russia began a full-scale invasion of Ukraine.

This invasion is the largest conventional military attack in Europe since World War II and has led to many innocent deaths and the displacement of over 1,000,000 Ukrainians as they flee the unfolding carnage.

Tasmania has a proud history of welcoming and providing support to refugees and supporting national efforts in providing humanitarian responses to those affected by previous conflicts.

Since the invasion and as we have watched the unfolding terror on the nightly news, scores of Clarence residents have been in contact pleading that Council be proactive in offering support to Ukraine and her people.

Examples of the type of action that Council may consider could include collaboration with the Australian and Tasmanian governments to assist with refugee resettlement in our city and providing financial assistance to a registered Ukraine-focussed charity. Symbolic measures might also be considered.

The General Manager is ideally positioned to liaise with the other two levels of Government and to advise Aldermen on the most appropriate form of support.

B Blomeley
ALDERMAN

GENERAL MANAGER'S COMMENTS
A matter for council.

**8.2 NOTICE OF MOTION - ALD WALKER
FLOOD RELIEF SUPPORT FOR QLD AND NSW**

In accordance with Notice given, Ald Walker intends to move the following motion:

“That this Council:

1. Authorises the General Manager to liaise with the Local Government Association of Tasmania to, as appropriate, provide staff support to councils in Queensland and New South Wales as they move into the recovery phase following the recent flood disaster in both states.
2. Report back to Council on any requests received.”

EXPLANATORY NOTES

Large areas of Queensland and New South Wales has seen unprecedented flooding in recent weeks. While the flood emergency is not yet over and much of the damage remains to be assessed, it is clear that councils in each State will be significantly affected.

Experience from the 2019 NSW Bushfire relief demonstrated that whilst significant funds were raised to help rebuild communities, there were delays converting that money into tangible on the ground support.

As part of the recovery effort, councils in other jurisdictions may be able to assist through provision of staff trained in emergency recovery, asset management and other areas.

This initiative would potentially also provide an opportunity for Clarence City Council staff to upskill in disaster relief management.

Rather than each council contact affected councils directly, a coordinated approach should be taken. Liaison via the Local Government Association of Tasmania with their counterparts in Queensland and New South Wales could provide an appropriate opportunity to provide necessary recovery support in a coordinated way.

Authorising the General Manager to liaise with LGAT, to provide staff resources and other support, is a practical and effective way to help out. Council should meet any costs associated with this support, while also acknowledging that it could impact delivery of our own work program as a consequence.

J Walker
ALDERMAN

GENERAL MANAGER'S COMMENTS
A matter for council.

**8.3 NOTICE OF MOTION - ALD WARREN
ACKNOWLEDGEMENT OF COUNTRY**

In accordance with Notice given, Ald Warren intends to move the following motion:

- “A That Council move the Acknowledgement of Country to be the first item on the agenda of Council meetings.
- B That Council replace the Council prayer with a minute of quiet reflection, immediately following the Acknowledgement of Country.”

EXPLANATORY NOTES

In 2019, the current Council agreed to proceed with a Reconciliation Action Plan to better reflect the contribution of the traditional custodians of this land.

As work on this Reconciliation Action Plan proceeds, we have recognised that a very simple change we can make to demonstrate our respect is to ensure that Acknowledgement of Country is the first item on the agenda in every Council Meeting, acknowledging the fact that Aboriginal people have been on this land for over 60,000 years and are one of the oldest continuing cultures in the world.

By doing so we recognise the Aboriginal history and culture of our municipality, which is one that we should celebrate and be proud of.

By replacing the Council prayer with a minute of quiet reflection, we broaden our acknowledgement to include all faiths and cultures in the city of Clarence.

This is the current practice in the Tasmanian Parliament and should be taken as an opportunity by aldermen to truly reflect on the role that they play in making decisions on behalf of our constituents.

B Warren
ALDERMAN

GENERAL MANAGER'S COMMENTS

If supported, it will be necessary to amend council's meeting procedures. The meeting procedures are due for review in April, so any proposed change can be included at that time.

A matter for council.

9. ALDERMEN'S QUESTION TIME

An Alderman may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

9.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Ald Chong has given notice of the following question:

ELECTION SIGNAGE

With elections coming up this year, can the General Manager provide an update on the current regulations for signage under the state-wide planning scheme.

9.2 ANSWERS TO QUESTIONS ON NOTICE**9.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING**

Ald Blomeley

1. I refer to the question I asked at the last council meeting regarding council's intention to enter into an exclusive ten year lease with the Hobart Model Aero Club for the 40ha of public land outside Richmond known as Kellyfield and ask the following. Can the Acting General Manager confirm that the resident that submitted an objection to the lease has in fact been written to by the council as outlined in the response in our agenda papers and if so, in what form was this correspondence and when was it sent to the resident?

ANSWER

Council contacted the resident by email on 24 December 2021 and 27 January 2022. Since the last council meeting, the resident has responded to council and the resident's objection is the subject of a report to this council meeting.

2. I refer to an advertisement in Saturday's Mercury calling for expressions of interest from sporting organisations to use Clarence infrastructure over winter and ask if the 40ha of Kellyfield is part of council's public sporting infrastructure and therefore part of this expression of interest process and if not why not?

ANSWER

The answer to this question, provided at the council meeting, was not complete and accurate. The advertisement was a sports ground notice for clubs to apply for usage of our sport fields over the winter season. Kellyfield is not a sports field and is therefore not included with the expression of interest process.

Ald Edmunds

1. Could we have an update on Blossom Crescent Park on how that is progressing in terms of being delivered?

ANSWER

The contract has been awarded to the tenderer which was adopted by council last year. We are trying to obtain the final piece of information from the tenderer to form the contract and we have advised him of the construction date that it is intended to commence. When I receive all that information, I will be in a position to advise Aldermen through the briefing report.

2. Regarding media tonight about the government looking to fund an AFL stadium near the Cenotaph. Have we been consulted as the owners of Bellerive Oval about their plans?

ANSWER

(Mayor) I have received a heads up which is embargoed, all I can say at this point in time is the future of Blundstone Arena as put forward to us as being part of Stadiums Tasmania is still intended to go ahead. There will be more detail than that and that is all the information I have at this stage.

Ald Ewington

1. How many infringement notices have we issued for dogs off lead or using the beach areas outside the restricted times in summer because I quite often see lots of people not following the rules at times and certainly on the tracks and trails so I would be interested in finding that out because we have got to be addressing that issue as part of our Tracks and Trails meeting coming up on Thursday so it would be very interesting to have that information before we sit down to go through that process?

ANSWER

In respect to non-urban tracks, we only patrol on complaint. On the urban multi-user paths, we do patrol the Howrah to Bellerive section regularly. Our resourcing is stretched just doing this.

For the last calendar year (2021) we issued the following infringement notices:

- 116 for "Dogs at Large" (not under effective control)
- 10 for dogs being in a restricted area (for beaches)

In regard to cautions, we issue between 10 to 20 a fortnight.

We do receive complaints from the public that they want more patrols particularly of the urban multi-user tracks. We received 464 complaints for dogs being at large (not under effective control) and 125 complaints for dog attacks for 2021.

2. How many hours are rangers available to go out and look at certain areas and the hours spent patrolling some of the tracks and restricted areas and certainly some of the beaches and whether we use things like drones or anything like that to assist in that process?

ANSWER

During the summer months the Beaches are very regularly patrolled - Bellerive and Howrah are patrolled at least 3 times a day especially between 10am to 6pm. As we have to go as far as Opossum Bay beach it does stretch our resources. During the non-summer period we do patrol the western end of Bellerive beach and Little Howrah beach, the other beaches less frequently. We are investigating the use of drones to assist and improve the efficiency in the patrols.

There are 6 rangers who mainly work on dog matters, they also do fire hazards, declared weeds, parking and by laws enforcement. Rough estimate is a collective 180 hours a week to undertake patrols and investigation of dog complaints. We received 14 complaints about dogs being on beaches or in restricted areas last year.

Ald James

1. Can you advise when work will start on the berm at the South Arm oval?

ANSWER

It will be in March but I do not have an exact date so I will inform Aldermen to confirm the start date.

(Further information) We are awaiting start date advice from the contractor awarded to undertake the South Arm Oval berm work. At this stage it may be April 2022. Recently SAPRA also expressed preference for the work to not occur during the school holidays (as berm construction works will involve closing the skatepark during this period) and avoid market days. The site will be fenced off at times on market days.

2. I am wondering whether or not in the motion that was passed tonight seeking to extend the urban growth boundary at 52 Richardsons Road that part B of the officer's recommendation states that the Minister be provided with copies of all relevant documents and reports in response to his request for information. Would that include results of the survey, the government agencies' comments as well as the response from those other councils who did not support the extension of the urban growth boundary? I would just like to have confirmation that all those documents all that information will be forwarded as part of council's decision this evening particularly in regard to B and C.

ANSWER

Yes, all of the documents that have been presented to the council will be provided to the Minister.

Ald Kennedy

Could I have an update on the works being carried out at Marsh Street please?

ANSWER

Those works are by a private developer, it is not a council project.

Question contd.

So there is no council work being undertaken at Marsh Street at the moment?

ANSWER

There is a tender that has closed at the moment for work on Spitfarm Road but I believe that is further south than the immediate Marsh Street precinct, but I will check that and include the answer in the next council meeting agenda.

(Further information) Council is not undertaking work in Marsh Street. This is being undertaken by a private developer. The Tender mentioned above is for stormwater work north of Driftwood Drive, Opossum Bay. This area is some 140m north of Marsh Street.

Ald Mulder

1. My question relates to the maintenance of public open space. I know that verge mowing is a perennial problem but through Glebe Hill in particular the developer at the time provided significant public open space well above what is normally provided but as an open plan development with lots of public open space I am just getting every year, every week and every month complaints about the maintenance schedule. Is it possible that we could perhaps review the maintenance schedule for those areas that are used for a lot of pedestrian traffic and frequented by children to ensure that those areas get priority treatment over road verges?

ANSWER

We certainly can review and if an increased level of service is required it will probably be a matter for the council budget as well so I will bring that to the next budget discussion.

(Further information) Information on public open space levels of service for Glebe Hill and the Clarence Plains region will be provided to Aldermen in the coming 2022/2023 budget review sessions.

2. I heard your comments about Blundstone Arena and that they are to be part of Stadiums Tasmania. The last I heard was that Cricket Australia hadn't responded or been in discussion about being part of Stadiums Australia. Are they engaged with Stadiums Tasmania or not?

ANSWER

(Mayor) I do know that we have been advised that Bellerive Oval is scheduled to become part of Stadiums Tasmania and that we will be consulted once the decision making gets further down the track. I have been assured that is going to continue to be the case notwithstanding the announcement about a new AFL stadium, so all I can say at this stage is that I expect that Bellerive Oval is going to transfer but I don't know to what extent there have been negotiations with Cricket Tasmania.

Question contd

My question specifically related to the engagement with Cricket Australia I have been getting a lot of feedback to say they are not interested.

ANSWER

(Mayor) I am not sure where negotiations with the cricket fraternity has been or landed.

Ald Peers

Can people still park behind the black wire fence down in Kangaroo Bay and if they can is it still for free?

ANSWER

I believe so I have not heard that it is no longer available for free parking.

Question contd

May I suggest we actually put the word "free" we've got "parking" but it is right next to a four hour sign, so it makes it look like if you park in there it is for four hours. I would like to see some of that movement away from Kangaroo Bay particularly the playground and all that because I think if they knew it was free people would park there and it would probably mainly be used for ferry transport.

ANSWER

The parking signage at this location has been reviewed. There are a number of parking signs on Kangaroo Bay Drive directing people to the gravel parking area, accessed off Pembroke Place.

The 4P area applies only to Kangaroo Bay Drive between Pembroke Place and Alma Street. The gravel parking area is not accessed from within the 4P parking area and therefore no additional signage is considered necessary.

Ald von Bertouch

Following Ald James' question relating to 52 Richardons Road will the Minister be provided with the spreadsheet as to the verbatim comments both for and against the proposed changes?

ANSWER

Yes, that will be the intention. I think it was discussed in the report and one of the reasons for doing so would be to reveal the work that was done by the council but also to avoid the need for the Minister to feel that he might need to do further consultation and therefore delay the project further.

Ald Walker

1. My question relates to committee structures. I know this has been an interesting term and COVID-19 budgeting, the preparation, the adaptations have taken a fair bit of our headspace through this but there was talk of a review and a look at some changes. When might this occur especially in relation to the fact that we are not here for much longer?

ANSWER

Council staff have not been able to progress this review in addition to other work. It is intended to list this matter for discussion during the budget process with a view to funding a consultant to undertake the work on our behalf.

2. My question relates to the out of session meeting of the Tracks and Trails Advisory Committee. It is my understanding that this is in relation to the classification of RAP's and dogs. I am trying to ascertain that when a plan is put in place the default position is that dogs are off lead and that this might be flipping that to the opposite?

ANSWER

(Ald Ewington) I do not expect that we will be making a decision, we have been asked by council to consider that as part of the conflict between dogs, horses and protection of native wildlife. We have never as a committee delved that deeply into that issue in terms of the legalities of how the RAP's are done and what our obligations are in relation to biodiversity and protecting the natural environment. We have a lot of work to do in this space, we made the change to the constitution at the last meeting at the last minute and the Tracks and Trails Advisory Committee had a position on where they thought it should go but there are some other policies of council that are in conflict and it is going to require a lot more involvement by all of us which I am sure will have to come back to council and the better understanding we have and I have a lot more reading to do and it will certainly come back before a decision is made but it is tricky situation, there is a conflict of policy and we have to find a compromise for everyone.

Question contd

Could you provide comfort that noting the Tracks and Trails is an advisory committee any change of stature would come before us as elected representatives?

ANSWER

(Mayor) I can give you the assurance that any policy change will be a matter for council.

Ald Warren

1. Can you please clarify the status of the Niche report on the structure plan for Droughty Point is that a public document - is it available to the public?

ANSWER

The work on that project was suspended with council's approval until work on the Skylands project was done, ostensibly to see how the works may merge or not so the Niche study has not been completed and not received by council so at this point there is no public document.

2. We have had some discussion over the last few weeks on the impact of COVID-19 on the workforce. I am hearing various reports from people having mild through to quite severe occurrences of the virus even when fully vaccinated. I just wondered if you could give us an idea of how council is travelling at the moment from a workforce point of view. Are we down a significant number of staff or are we returning to normal numbers?

ANSWER

Staff impacts have been fairly consistent over the past 2 years. However, over the past few weeks we are seeing an increase in cases, which is mirrored across the state. Since January 2022, we have 59 cases advised, 19 positive cases and 40 close contacts. With changes to mask requirements, we anticipate a further escalation in operational impacts. On average each instance has resulted in absence of a minimum of 7 days, in some circumstances we have had staff off for 14 days or more as a result of other members of their household contracting COVID. Majority of cases have been within our children's services program and our operations group.

9.4 QUESTIONS WITHOUT NOTICE

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will be recorded in the following Agenda.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.

10. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

10.1 APPLICATIONS FOR LEAVE OF ABSENCE

10.2 TENDER T1430-21 – LINDISFARNE OVAL NO 1 IRRIGATION AND DRAINAGE DESIGN AND CONSTRUCT

These reports have been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulation 2015 as the detail covered in the report relates to:

- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence.

Note: The decision to move into Closed Meeting requires an absolute majority of Council.

The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.

PROCEDURAL MOTION

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.