



## **DSRA General Meeting, Saturday 31 March 2018**

### **Swansea Courthouse**

Apologies: Chris McEwen, Scott Ragg, Neil Wiseman, Cheryl Arnol, Maureen & Colin Stevenson, Jim Hawson, Cassie Melrose, Diane Bricknell, James & Diane Flannigan, Shaun Flannigan, Nikki Betts

Meeting opened at 2pm

Attendance: see appendix. Please note: some members handed their DSRA membership cards to another member with the expectation that this would allow the person holding the cards to act as their proxy. This is incorrect. If any member wishes to have another member act as their proxy, the proxy giver is required to fill out a proxy form (available at [www.dsra.org.au](http://www.dsra.org.au)). As the proxies were not valid, the proxy givers have not been listed on the attendance register as present by proxy.

1. Minutes of 27 January 2018 General Meeting

Motion: That the minutes are taken as read.

Moved: Jennie Churchill

Seconded: Brett Harrison

Carried

2. Matters arising from the previous meeting (none)

3. President's Report

Cherry Andrews stated that the committee has met 3 times; minutes are on the website. There was a smooth handover from the previous committee. A high priority for the new committee was establishing effective communication between members and the committee. To this end, a letter was mailed to all members explaining our preferred communication methods and asking members to send us their email addresses. Thanks to Council for assistance with the mail out. The letter was timed so that information about the website could be included.

We have made steady progress on items from the last general meeting (in January).

Details of these projects form the bulk of the agenda for this meeting. We wish to thank Brett Harrison and Leigh Sealy for their assistance with the constitutional review. Leigh Sealy has also completed work on the legal rights attached to beach access ways.

Neighbourhood Watch – Grant Andrews appointed as the new representative. We have joined Landcare. As a member we have access to Landcare's public liability and personal injury insurance cover for venue hire, fire trailer hire, use of gardening tools and working bees.

In the last 2 weeks, we responded to Councils' call to have your say on 2018-2019 budget. We called for ideas, organised them into an online survey and have collated the results. Submission to Council is due by Friday 13<sup>th</sup> April. We timed the process so that the results could be presented to members at this meeting before going to Council.

Our bank balance has had an unexpected boost with the reimbursement of \$807 of registration fees for the fire trailer. Fire trailers are exempt from fees after the initial registration period if under 500kg. The reimbursement was in response to our request on this matter.

#### 4. Litter bins: request to Council

Robyn Moore explained that the committee had written to Council about the provision of litter bins at beach access ways, Yellow Sand Banks and Bagot Point. Tony Pollard's response was to state that the 'responsibility of foreshore area maintenance, toilet facilities and litter collection lies solely with Parks'. We wrote again requesting clarification but have not received a response.

Parks were then contacted. Steve Heggis explained that Parks has a 'leave no trace' policy which encourages people to take their rubbish with them. He stated that Parks does not have the resources to provide rubbish removal at its visitor sites. In further correspondence, Steve explained that Parks manages just the foreshore – crown land reserve to the high tide mark. Our intention is to contact Council again, requesting bins on areas outside Parks jurisdiction, using the survey results to support our request.

Jenifer Crawford explained that Council has a customer charter (which is on the Council website under policies). Under this charter, Council has 15 Days to respond to any correspondence. She suggested cc-ing elected members into correspondence. Gary Stoward explained that although Parks only manages up to the high tide mark, Crown Land Services manages the next 30 metres.

Members stated that litter bins have been asked for many times in the past (over many years) but so far, these requests have got nowhere. It was suggested that proposed bins are on the roadside. There is also a precedent of a new bin at the Swan River Rd launching facility due to persistent requests by local resident Mal Innes (see point 10 for further information).

The committee will write to Council, taking on board the suggestions of the meeting.

#### 5. Bushfire management plan review

David Cooper explained that work to date has involved researching the history of the current plan and how the plan was arrived at. We have been collating that information until we meet with Lesley King from TasFire next week. Lesley's advice about the viewpoint from TFS will trigger the next step.

Mike Tierney reported a rumour that, in the past, when fires were set to promote growth for stock fodder, there was a record of 16 minutes for the fire to travel from the western end of the peninsula to Bagot Point.

A reminder that Lesley King is available to meet with community members next week about preparing your property for bushfire and for owners of guest accommodation to find out how to keep their guests safe and ensure their guests' behaviour doesn't endanger residents.

Cherry reminded members that there's a fire tab on the website for information about keeping your property safe.

Elizabeth Stroud stated that resident behaviour was also a concern, not just people staying at Air BnBs.

Peter Boekel asked if Bagot Point could be considered as an emergency assembly area. It fits the purpose if it's not possible to leave due to an out of control fire to the west.

#### 6. Report on review of Constitution

Brett Harrison explained that after it was resolved to have a review of the constitution, a working party was set up with terms of reference. There were 3 members – Leigh Sealy, Robyn Moore and Brett. Their initial considerations focused on establishing the current version of the DSRA constitution. On enquiry with corporate affairs, it became apparent that no amendments that had been noted in the 'current' constitution had been lodged with corporate affairs. The Act requires that any alteration be filed within one month by the Public Officer. The only possibly valid change that had been made related to changing the financial year. The decision was made that, in all likelihood, the original constitution remains the valid constitution. Copies of both constitutions are available on the website. The original and 'current' constitutions differ in several areas, such as the number of office bearers. Current committee positions don't align with the office bearers in the original constitution.

The working party has produced a new draft set of rules (available on the website) which incorporates the Model Rules as set out in regulations of 2017. It is important to note that the Model Rules have always existed in conjunction with the DSRA constitution. People may say that the constitution was only 2 ½ pages long and now it's 22-23 pages long. The reality is that the constitution has always consisted of the short form plus the Model Rules. The aim of the working party was to produce an enduring, comprehensive document.

Brett acknowledged that the constitution is not compelling bedtime reading but he stressed that it is important for members to read it and raise questions which we will attempt to answer as best we can. We would like to know members' views as to how we

might go forward with the consultation process so that all members can ask questions. We need to progress to the point that there is general support for the changes.

To change the constitution, a specific motion must be put at one meeting of the Association. The specific motion might say something like 'that the DSRA replaces the existing constitution with the draft set of rules as shown on the website'. Following this, another general meeting must be called to vote on the changes. There needs to be a majority of not less than  $\frac{3}{4}$  of those voting at the meeting to accept the new rules.

Brett encouraged everyone to go onto the website, look at the proposed changes and comments on forum and add your thoughts.

Gary Stoward clarified the financial year of the Association and expressed concern that the draft rules didn't seem to allow an audit to be undertaken. Brett explained that the Association is not required to have an audit because its income is less than \$250 000. However, the draft set of rules still allows the Association to request an audit if it is considered necessary.

Alan Swan raised the concern that the objects and purposes do not address the flora and fauna or skyline. Brett explained that the objects and purposes were taken from the existing constitution and suggested raising the issue on the forum.

Cherry noted that she is available to visit people to assist them using the website if needed.

#### 7. Management of Bagot Point

Cherry Andrews stated that Parks have put in new signs. Posts have also been put in place accompanied by a sign that says no camping beyond this point and no fires. This sign contradicts the main sign. One of the poles has already been removed. It was reported anecdotally, that an RV was parked behind the poles when they were put in, so a pole had to be removed in order for the RV to get out.

Cherry explained that the committee wrote to Parks about the litter bins, also asking that the signage be fixed. However, the posts are not in response to a request from us.

The committee considers the Bagot Point management plan a long and complex process as it involves considering issues such as the rocks, boat launching, birdlife, camping, a barge and a footbridge. As such, it is going to take quite some time and effort to move forward. One idea being considered is hiring a conflict resolution facilitator to work with the community and stake holders to try and work through the topics and help us come to an agreed plan. This idea has been successful in other areas in Tassie. We will put an example of this process on the webpage (go to the projects tab and then click on 'Bagot Point management'); this example was previously shared on facebook.

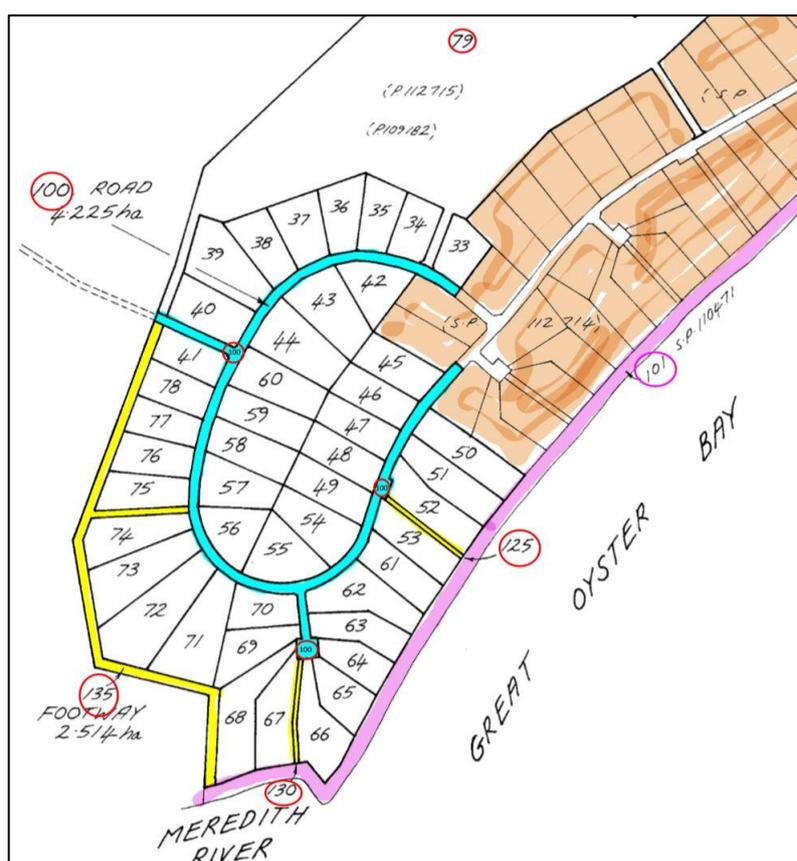
Jennie Churchill inquired about the sheets from the AGM where members signed their names if they wanted to be involved in various working groups. It was explained that a Bagot Point working group hadn't been formed yet.

Emma Schumann asked whether dog management will be included in the plan for Bagot Point. This was noted, and Cherry explained that the Council has an extensive dog management policy on its website.

Tricia Jay asked if compliance officers at Council could help. Cherry stated that the committee wrote to the Council early on asking them for documentation. However, we haven't yet sighted any information that they hold. Jeni Crawford stated that we could make a request under a 'right to information' which costs \$38. Council would then be obliged to go through their records. We could also do this with Parks.

#### 8. Beach accesses: legal rights

Leigh Sealy stated that since speaking at the general meeting in January, he had discovered one or two new things about access ways. It's important to note that the situation in Dolphin Sands is completely different to Cambria. The footways in Cambria are public accesses, whereas in Dolphin Sands they are private rights of way which attach to every lot in Dolphin Sands.



Cambria: referring to a coloured map (see above), Leigh noted that blue indicates roads and yellow indicates footways. It is not known why footways were included in the subdivision, perhaps as public open space. Ownership of the footways is vested in Council. These are shown on the LISTmap as 'casement land', a term used by Tasmap to denote land that is part of either roadway or footway or other public way. Any member of the public is entitled to walk across the footways. Council probably don't have any legal responsibility for the footways other than to ensure they don't fall into disrepair so

that they give rise to any nuisance or present a danger such as bushfire. Leigh recommends that the topic be taken up by the Association with Council.

Leigh noted that all the residential lots in Cambria have restrictive covenants attached to them regarding particular vegetation. These covenants also apply to footways, so Council may not be allowed to remove some vegetation from the footways. Lots on the beach side are subject to an additional covenant to within 20m of the purple strip on the coloured map. This covenant forbids owners to construct vehicle access to the beach.

Dolphin Sands: rights of way exist about every 5-7 lots on the beach side, as part of the original subdivision. When the developer of the subdivision went into receivership, ownership of the land was transferred to ASIC and sold to Council possibly in 2010. However, this sale does not affect Dolphin Sands residents' rights of way. Every lot in Dolphin Sands has rights of way over all 26 'service tenements'. In theory, this right extends to being able to drive a vehicle over them. However, planning permission to do this is unlikely to be granted.

Leigh noted that two rights of way have been turned into fire trails. This doesn't interfere with anyone's use. However, chains have been erected which the Council may not be entitled to do. On the other hand, this isn't necessarily a bad idea – if the chains weren't there, members of public might start using the access ways.

Because the 'service tenements' are private rights of way, Council has no responsibility for their upkeep (except maybe the two fire trails). Property owners in Dolphin Sands are entitled to make the rights of way passable. Planning permission is needed to make them passable by vehicle. However, landowners are entitled to carry out landscaping, ie can trim but can't remove trees to make a right of way passable by foot. Council can allow the public to have access provided this access doesn't interfere with other owners' rights of way.

The Association will approach Council to reach an understanding about what residents can and can't do to make rights of way passable by foot.

It was noted that the walkway behind no. 72 Cambria Drive is not passable as it is covered by pine trees. Locals have been told that the blue road on the map is access to get out through the farm in the event of a firing coming up Cambria Drive. Locals have also been told that the road to the farm area was put in to allow more subdivision in the future. The tan areas on the map have a different SP number suggesting this area was subdivided at a different time. There are more access ways to the beach in the tan area.

#### 9. Webpage and communications

Robyn Moore explained that each mail out to the community costs about \$500 and that this form of communication isn't sustainable. She outlined the committee's communication channels – our website ([www.dsra.org.au](http://www.dsra.org.au)), email ([dsra.7190@gmail.com](mailto:dsra.7190@gmail.com)) and our facebook page. For those who don't have an internet connection, printed copies of some material is also available in a DSRA folder at the Swansea Library.

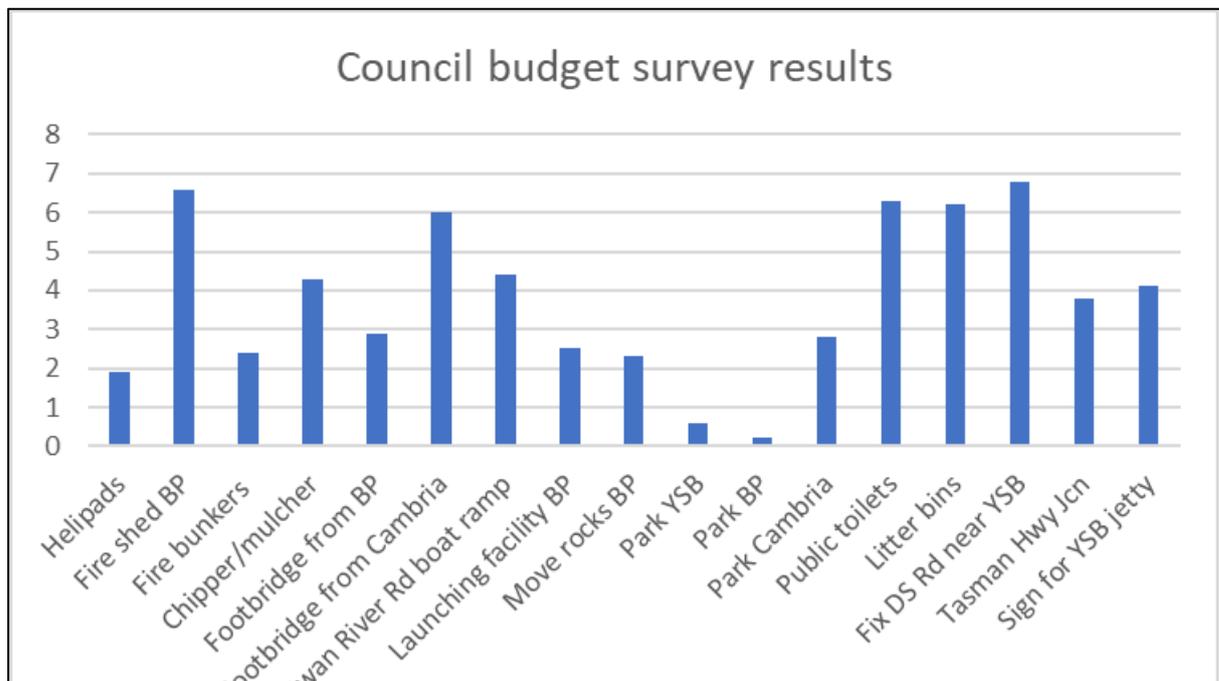
Anne Held stated that the website doesn't come up in google searches. Cherry will refer the problem to our webmaster, Jack Andrews. Elizabeth Stroud stated that it was an extremely good initiative of new committee.

#### 10. Any other business

- Survey results

Robyn Moore gave an overview of the recent survey asking members to rate their support or opposition to various ideas for services or infrastructure to benefit the community. 58 responses were received. At least 7 of these were from couples, which gives a total of 65. The range of possible responses was from -10 (opposed) to +10 (in favour). When results were totalled and averaged, there were no negative scores; overall scores ranged from 0 to 7, suggesting ambivalence to some ideas and support for others. A graph of the results was shown (see below). The committee will prepare a submission to Council and meet to decide on the next steps. We are hopeful that, through this process, Council will be aware of the DSRA as a voice for the community.

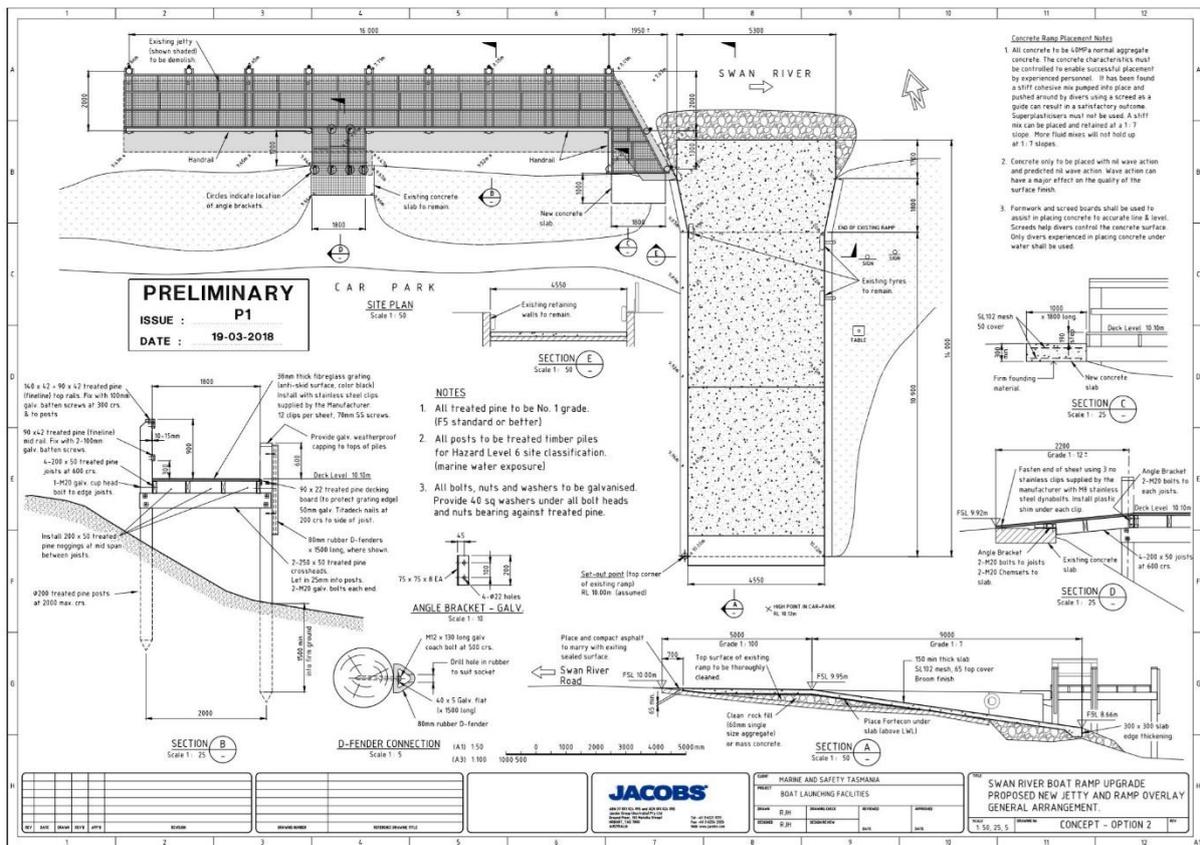
The survey aimed to gather in-principle support or opposition for projects. If/when any particular projects progress to the next stage and details of the projects are available, there will an opportunity for community consultation and discussion about details of the projects.



- Swan River Rd boat launching ramp upgrade

Mal Innes has been instrumental in pushing forward this project for some time. Mal explained that it came about because as an active water person who'd been a part-time resident for 12 years, he found the situation very unsafe. The existing jetty had been there for nearly 40 years and was deteriorating. Mal was worried about the potential for serious injury sooner or later. He approached Council and MAST. After 3 site inspections, they agreed the existing jetty wasn't safe. Jim

Crawford from MAST suggested demolishing it. Mal said he would apply for a grant to repair it, but Jim said that MAST had enough funds for the project. Mal would have preferred a 'new for old' floating pontoon system. However, MAST was only able to fund on the basis of 'old for new', ie to replace what is already there. Two sets of plans have been drawn by engineers. The first option was smaller than the original jetty, and Mal requested that the replacement be at least the original length. The second option is the one that has been submitted to Council (see below). This option is longer than the original jetty. The old pylons are also going to be pulled out and Council will beautify the area. Council is now submitting the proposal to the General Manager so that if it goes over budget (\$68 000) Council can make up the difference. Mal will keep enquiring about the proposal's progress every 2 weeks and will keep the Association informed. So far the project has been going on for at least 12 months.



Mal Innes has also been persistently asking Tony Pollard from Council to supply a rubbish bin, because rubbish was consistently left behind. He told Council he couldn't pick up rubbish anymore and argued that rubbish trucks come and empty rubbish from the 2-3 houses there every week. He requested a bin there that wouldn't float away. There is now a bin at this location.

Many thanks to Mal for all his work.

- Social gathering at Bagot Point tomorrow with Cassie Melrose and family from 4.30pm

- Gifts of appreciation were given to our webmaster Jack Andrews (accepted by Jenny and Grant Andrews on Jack's behalf), Leigh Sealy for his work on beach access ways and the constitution and Brett Harrison for his work on the constitution. These gifts were artworks produced by a previous president, Sue Bull.
- Members were reminded to keep an eye of the website for minutes and any future announcements.

Meeting closed at: 3.17pm

## Appendix: Attendance General Meeting March 31, 2018

Danny Allford	Joanne Petersen
Sallee Allford	Emma Schumann
Cherry Andrews	Leigh Sealy
Grant Andrews	Liz Sealy
Jenny Andrews	Jan Simmons
Matthew Bayley	Rodger Simmons
Janet Beswick	Barry Smith
Peter Boekel	Cheryl Smtih
Carrie Brink	Dianne Smith
Erica Cabalzar	Greg Smith
Lili Calitz	Neville Stewart
Jennie Churchill	Gary Stoward
Rob Churchill	Elizabeth Stroud
David Cooper	Alan Swan
Jeni Crawford	Kaye Swan
Stevie Davenport	Mike Tierney
Brett Harrison	Lorna Turner
Liz Harrison	
Anne Held	
Ian Helmond	
Malcolm Innes	
Valerie Innes	
Leni Jarvis	
Ian Jay	
Trish Jay	
Geoff Jones	
Maree Keenan	
Yon Kikkert	
Dan Monsen	
Robyn Moore	