



GLAMORGAN SPRING BAY
COUNCIL

Minutes of Meeting

For the Ordinary
Meeting of
Council held at
the Triabunna
Council Offices

12th December, 2017

NOTICE OF ORDINARY MEETING

Notice is hereby given that the next ordinary meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday, 12th December, 2017 commencing at 5.00pm.



Dated this Thursday 7th December, 2017

David Metcalf
GENERAL MANAGER

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

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

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

- (1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.***
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council or council committee.***



David Metcalf
GENERAL MANAGER

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<p>ALL IMAGES AND ATTACHMENTS HAVE BEEN REMOVED, IF YOU REQUIRE A FULL VERSION OF THE MINUTES, PLEASE CONTACT THE COUNCIL OFFICES ON (03) 6256 4777.</p>

Audio/Video Recording of Ordinary Meetings of Council

As determined by Glamorgan Spring Bay Council in April 2017 all Ordinary and Special Meetings of Council are to be audio/visually recorded and streamed live. A link is available on the Glamorgan Spring Bay Council website to the YouTube platform, where the public can view the meeting live and watch recordings of previous Council meetings.

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

1. Opening

The Mayor welcomed Councillors, staff and members of the public and declared the meeting open at 5.00pm.

1.1 Present and Apologies

Present: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Apologies:

1.2 In Attendance

Tony Pollard (Manager Works), Winny Enniss (Manager Regulatory Services), Shane Wells (Manager Planning and Special Projects arrived at 5.10pm), Angela Turvey (Executive Officer) and approximately 4 members of the public.

1.3 Declaration of Pecuniary Interests

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2005, the Mayor requests Elected Members to indicate whether they or a close associate have, or likely to have, a pecuniary interest in any item included in the Agenda.

***Please note: Winny Enniss left the meeting at 5.10pm when Shane Wells arrived.**

2. Confirmation of Minutes and Workshops

2.1 Ordinary Meeting – October 24th, 2017

Decision: 153/17

Moved Cllr Britt Steiner, seconded Cllr Jenny Woods, that the Minutes of the Ordinary Meeting held Tuesday 24th October 2017 be confirmed as a true and correct record.

**The motion was put and carried unanimously
(8 Votes to 0)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against:

2.2 Ordinary Meeting – November 28th, 2017

Decision: 154/17

Moved Cllr Jenny Woods, seconded Cllr Mick Fama, that the Minutes of the Ordinary Meeting held Tuesday 28th November 2017 be confirmed as a true and correct record.

**The motion was put and carried unanimously
(8 Votes to 0)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against:

2.3 Workshop Held – November 28th, 2017

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a workshop was held at 3pm on Tuesday 28th November in Triabunna. This workshop was held to review a draft policy – Council Meetings Audio/Visual Recording and Live Streaming.

Present: Acting Mayor Cheryl Arnol, Cllr Britt Steiner, Cllr Mick Fama, David Metcalf (General Manager) and Angela Turvey (Executive Officer).

Resolved

That Council notes this information.

3. PLANNING AUTHORITY SECTION

Under Regulation 25 of *Local Government (Meeting Procedures) Regulations 2005* the Chairperson hereby declares that the Council is now acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993* for Section 3 of the Agenda.

Decision: 155/17

Moved Cllr Jenifer Crawford, seconded Cllr Jenny Woods, that Council now acts as a Planning Authority. (Time: 5.02pm)

**The motion was put and carried unanimously
(8 Votes to 0)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against:

3.1 DA17277 – Two Visitor Accommodation Units, 28 Jetty Road, Coles Bay

Planning Assessment Report

Proposal:	Two Visitor Accommodation Units
Applicant:	TMK Design Solutions
Location:	28 Jetty Road, Coles Bay
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Low Density Residential Zone
Application Date:	16 November 2017
Statutory Date:	27 December 2017
Discretions:	Two
Attachments:	Appendix A – Plans
Author:	Shane Wells, Manager Planning and Special Projects

Decision: 156/17

Moved Cllr Jenny Woods, seconded Deputy Mayor Cheryl Arnol, that pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, that the application for two visitor accommodation buildings at 28 Jetty Road, Coles Bay (DA2017/277), be APPROVED subject to conditions 1-16.

**The motion was put and carried
(6 Votes to 2)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods,.

Against: Cllr Jenifer Crawford, Cllr Debbie Wisby

3.2 SA1408 & SA1502 – Minor Amendment, 11610 Tasman Hwy Swansea and 18589 Tasman Hwy Bicheno

Planning Assessment Report

Proposal:	Minor Amendment – part removal of condition
Applicant:	Andy Hamilton & Associates
Location:	11610 Tasman Highway, Swansea (SA 2015/02) 18589 Tasman Highway, Bicheno (SA 2014/08)
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Rural Resource Zone
Application Date:	29 November 2017 (of minor amendment request)
Statutory Date:	Nil
Discretions:	Nil
Attachments:	Nil
Author:	Shane Wells, Manager Planning and Special Projects

Decision: 157/17

Moved Deputy Mayor Cheryl Arnol, seconded Cllr Britt Steiner, that pursuant to section 56 of the Land Use Planning and Approvals Act 1993:

- a. Permit SA 2014/08 be amended to delete part (b) of condition 8.
- b. Permit SA 2015/02 be amended to delete part (b) of condition 8.

**The motion was put and carried
(5 Votes to 3)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Mick Fama, Cllr Britt Steiner, Cllr Jenny Woods.

Against: Cllr Jenifer Crawford, Cllr Debbie Wisby, Cllr Richard Parker.

3.3 DA17245 – Mediation Proposal, Multiple Dwellings at 1 Aqua Sands Drive, Swansea

Proposal:	Dwelling
Applicant:	GH Design & Drafting
Location:	1 Aqua Sands Drive, Swansea
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015
Zoning:	General Residential Zone
Attachments:	3D perspectives

Decision: 158/17

Moved Cllr Jenny Woods, seconded Cllr Britt Steiner, that pursuant to Section 17 of the Resource Management and Planning Appeal Tribunal Act 1993 Council agrees to a consent memorandum being endorsed by Council staff that has the effect of approving DA 2017/245 subject to conditions 1-15 as per the original recommendation.

**The motion was put and carried
(5 Votes to 3)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods.

Against: Cllr Jenifer Crawford, Cllr Debbie Wisby, Cllr Mick Fama.

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2005, the Chairperson hereby declares that the Council is no longer now acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 3 of the Agenda.

Decision: 159/17

Moved Deputy Mayor Cheryl Arnol, seconded Cllr Jenny Woods, that Council no longer acts as a Planning Authority. (Time: 5.45pm)

**The motion was put and carried unanimously
(8 Votes to 0)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against:

4. Public Question Time

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

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

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

Asking a question is easy and members of the public are encouraged to ask any question they have (limit of two (2) questions per person per meeting).

Prior to the commencement of an Ordinary Meeting of Council, the Mayor approaches the public gallery and requests that those who would like to ask a question during public question time indicate at that point they would like to do so and give the Mayor their name.

A short instruction sheet outlining the Glamorgan Spring Bay Council procedure for asking a question during Public Question Time will be provided at the Ordinary Meeting of Council to assist members of the public on how to do this. Public question time can be a maximum of 15 minutes only.

4.1 Mrs Sue O’Rourke

I’m just wondering about the mowing of the nature strips in Triabunna. Will the contractors be around before Christmas as some of the grass is getting very, very long?

Response from Manager Works

Through the Chair, the mowing program is running as per normal for this time of year as the grass is growing so much. It is a 7 week cycle for the southern section. They start in Triabunna, then go to Barton Avenue, Orford, East/West Shelley, Spring Beach and Buckland, then come back to Triabunna. At the moment the whole round has been finished. I’ve just sent them back to do the main street of Triabunna and the main street of Orford. And last week they had finished the northern side of the Tasman Highway in Triabunna. Tomorrow they start on the southern side. They should have that knocked over by Christmas and then they will move on to Orford straight after Christmas.

5. Information Reports

5.1 General Manager, David Metcalf

Council Governance · Corporate Services · Medical Services · Economic Development · Safety & Risk Management
· Visitor Centres

5.2 Manager Works, Mr Tony Pollard

Roads, Footpaths, Kerbs- Waste Transfer Stations- Garbage, Recycling Services- Town Maintenance - Parks,
Reserves, Walking Tracks, Cemetery - Stormwater Drainage - Bridges, Culverts - Emergency Management, SES

5.3 Manager Regulatory Services, Mrs. Winny Enniss

Animal Control - Engineering & Technical Services - Environmental Health - Statutory Building - Statutory Planning

5.4 Manager Community Development & Administration, Mrs Lona Turvey

Community Development · Administration Services ·

5.5 Manager Buildings & Marine Infrastructure, Mr Adrian O'Leary

Boat Ramps & Jetties · Triabunna Marina · Council Buildings · Planning, Building & Technical Compliance when required ·

5.6 Manager Natural Resource Management, Ms Melanie Kelly

Natural Resource Management: Sustainability: Catchments To Coast: Policy and Partnerships

Resolved:

That the Management Reports be received and noted.

6. Minutes of Section 24 Committees

COMMENTS:

Minutes of any Section 24 Committee Meetings, which have been submitted will be discussed at this time.

6.1 Triabunna Recreation Ground Advisory Committee Minutes (November 2017)

Resolved:

That the minutes of the Section 24 Committee Meeting as presented be received and noted.

David Metcalf
General Manager

7. Officers' Reports Requiring a Decision

7.1 2018 Ordinary Meeting Dates

Responsible Officer – General Manager

Recommendation

That Council approves the 2018 Ordinary Meeting of Council dates and venues as detailed in the attachment.

Decision: 160/17

Moved Deputy Mayor Cheryl Arnol, seconded Cllr Jenny Woods, that Council approves the 2018 Ordinary Meeting of Council dates and venues as detailed in the attachment.

**The motion was put and carried
(6 Votes to 2)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Mick Fama, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against: Cllr Jenifer Crawford, Cllr Richard Parker.

7.2 Policy – Council Meetings – Audio/Visual Recording and Live Streaming

Responsible Officer – General Manager

Recommendation

That Policy 6.2 - Council Meetings – Audio/Visual Recording and Live Streaming, as presented to Council on the 12th of December 2017 be endorsed by Council.

Decision: 161/17

Moved Deputy Mayor Cheryl Arnol, seconded Cllr Britt Steiner, that Policy 6.2 - Council Meetings – Audio/Visual Recording and Live Streaming, as presented to Council on the 12th of December 2017 be endorsed by Council.

**The motion was put and carried unanimously
(8 Votes to 0)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against: Nil

7.3 Voluntary Council Amalgamations – Community Consultation

Responsible Officer – General Manager

Recommendations

1. That Council resolves to receive and note the results of the community consultation regarding voluntary council amalgamations (South East Councils Feasibility Study 2016).
2. That Council resolves to continue with the voluntary amalgamation process.
3. That Council resolves to request, pursuant to Section 214(2)(b) of the Local Government Act 1993, the Minister for Planning and Local Government to require the Local Government Board to undertake a review that includes a due diligence assessment of the amalgamation options 1 – 4 (inclusive).
4. That Council resolves to request the Minister for Planning and Local Government that the Council be consulted on the matters that the Local Government Board review will take into account in accordance with Section 214A of the Local Government Act 1993.
5. That Council resolves to request the Local Government Board to investigate boundary adjustments with other Councils including Southern Midlands (to make a uniform Municipality) and the Break O'Day Council, given some Bicheno residents have expressed a desire to have a boundary adjustment from Cherry Tree Hill to the Denison River and be joined with the Break O'Day Municipality. *

**Please note the option of a boundary adjustment with Break O'Day Council was not measured as an option in the community survey and is based on qualitative discussions and feedback from residents only.*

Decision: 162/17

Moved Cllr Jenny Woods, seconded Cllr Britt Steiner, that Council resolves to receive and note the results of the community consultation regarding voluntary council amalgamations (South East Councils Feasibility Study 2016).

**The motion was put and carried unanimously
(8 Votes to 0)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against:



Motion:

Moved Cllr Debbie Wisby, seconded Cllr Jenny Woods, that Council resolves to continue with the voluntary amalgamation process.

The motion was not put

Procedural Motion: 163/17

Moved Cllr Debbie Wisby, seconded Cllr Mick Fama, that Council defers the matter until next Council meeting.

**The motion was put and carried unanimously
(8 Votes to 0)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against:

Attachment:

Voluntary Council Amalgamations – Community Survey Questionnaire

7.4 Old Swansea Courthouse and Council Offices

Responsible Officer – General Manager

Recommendation

That Council receives and notes the Swansea Courthouse Management Committee Terms of Reference and list of Swansea Courthouse Management Committee Members as presented.

Decision: 164/17

Moved Deputy Mayor Cheryl Arnol, seconded Cllr Jenny Woods, that Council receives and notes the Swansea Courthouse Management Committee Terms of Reference and list of Swansea Courthouse Management Committee Members as presented.

**The motion was put and carried unanimously
(8 Votes to 0)**

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Jenifer Crawford, Cllr Mick Fama, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods, Cllr Debbie Wisby.

Against:

Attachments:

- Swansea Courthouse Management Committee Terms of Reference;
- List of Swansea Courthouse Management Committee Members.

8. Motion Tracking Document

Last updated 6/12/2017

Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
21 st January 2014	8.1	4/14	Motion from AGM	Council	Motion re GM reappointment carried 6 votes to 3. Cllr Crawford requested that Mayor Kent put this item on a Council workshop agenda after the 2015-16 budget is complete. Council needs to develop procedures. Discussions on this and a way forward agreed at February 23, 2016 Council Workshop. A policy to be developed.	In Progress
25 th November	8.2	150/14	Solis	GM	The General Manager to affirm commitment to the project with all interested parties and progress negotiations with potential developers as relevant.	In Progress
23 rd February	9.3	30/16	Sale of Council Properties	GM	Process to commence according to Section 177/178 with amendment to advertising as per motion. Council Workshop held on 17 th January 2017 prior to report for January 2017 OMC. Update as per Decision 46/15 above.	In Progress
28 th June	8.8	99/16	Review of Seafest 2016	MCD & Sustainability Officer	Event to be handed over to the community through an EOI process. Currently in discussions with interested community groups.	In Progress
23 rd August	8.1	112/16	Old Swansea Council Chambers & Courthouse	GM	Notice of Motion and Business Plan on September 2017 OMC Agenda. Council to retain until 2021 and SCMC to provide ToR for committee and business plan for facilities.	In Progress

Action Officer codes: MW = Manager Works, MRS = Manager Regulatory Services, MCD = Manager Community Development, MBMI = Manager Buildings and Marine Infrastructure, MNRM = Manager NRM

Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
27 th September	8.5	130/16	Communities and Coastal Hazards Local Area Report – Triabunna and Orford	MNRM	Final report endorsed. Further workshops and community discussions to take place in relation to key future actions/steps. Workshop held in December 2016. Manager NRM formulating action plan/next steps for 2017. Meeting with Climate Change Office end of June 2017.	In Progress
27 th September	8.6	131/16	Review of the draft Prosser River Catchment Management Plan	MNRM	Approval by Council to conduct review. Update on workshop dates in Manager NRM report for April 2017. Latest workshop held in June 2017.	In Progress
27 th September	10.1	134/16	Notice of Motion: Boatel Development at the Triabunna Marina and Wharf Precinct	Clr Jenny Woods	General Manager has contacted Crown Land Services who are in the process of confirming the status of the boatel development with the developers.	In Progress
24 th January	8.1	13/17	Tea Tree Rivulet Dam Approval and Construction (including approval of borrowing/budget amendments)	GM	Council approval for GM to progress the project.	In Progress
24 th January	8.7	18/17	State Growth Road Trade	MW	Manager Works and GM to progress discussions.	In Progress
28 th March	8.1	54/17	Council Amalgamations – Proposal for Community Consultation	GM	Community survey complete and report to OMC December 2017. Minister Gutwein has requested Council's advice by December 2017.	In Progress

Action Officer codes: MW = Manager Works, MRS = Manager Regulatory Services, MCD = Manager Community Development, MBMI = Manager Buildings and Marine Infrastructure, MNRM = Manager NRM



Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
28 th March	8.3	56/17	Petition to Amend a Sealed Plan – RA311 Harveys Farm Road, Bicheno	GM	Approved, process has commenced.	In Progress
27 th June	8.5	88/17	Section 137 – Notice of Intention to Sell Land	GM	Service of notice to be progressed by admin staff.	In Progress
24 th October	7.2	132/17	Live Streaming of Council Meetings	GM	Live Streaming endorsed to proceed in November 2017 and policy to be developed within 60 days of motion. Policy presented to Council December 2017.	In Progress
28 th November	7.1	147/17	Christmas Closure Period 2017	GM	Council office to close 5pm 15 th December 2017 and re-open 8.30am 2 nd January 2018	Complete
28 th November	7.2	149/17	Spring Bay Destination Action Plan 2016-2019	GM	Received by Council	Complete
28 th November	7.3	150/17	Freycinet Association Inc.	GM	Grant of \$1,000 approved for Children's Christmas Party	Complete

Action Officer codes: MW = Manager Works, MRS = Manager Regulatory Services, MCD = Manager Community Development, MBMI = Manager Buildings and Marine Infrastructure, MNRM = Manager NRM

Resolved:

That Council receives and notes the information contained within the Motion Tracking Document.

9. Questions Without Notice

10. Close

The Mayor declared the meeting closed at 6.45pm.

The live streaming and recording of meetings will now be switched off. Mayor to check that the streaming has been terminated.

CONFIRMED as a true and correct record.

Date:

Mayor, Cllr Michael Kent AM

ALL IMAGES AND ATTACHMENTS HAVE BEEN REMOVED, IF YOU REQUIRE A FULL VERSION OF THE MINUTES, PLEASE CONTACT THE COUNCIL OFFICES ON (03) 6256 4777.