



## ORDINARY COUNCIL MEETING - 26 OCTOBER 2021

### ATTACHMENTS

<b>Agenda Report</b>	<b>Page No</b>
5.1 Attachment 1 - Profit & Loss for the period ending 30 September 2021	1
Attachment 2 - Balance Sheet as at 30 September 2021	2
Attachment 3 - Statement of Cash Flows for the period ending 30 September 2021	3
Attachment 4 - Capital Works as at 30 September 2021	4
8.1 Attachment 1 - Minutes of Meeting - 15 June 2021	7
Attachment 2 - Minutes of Meeting - 22 September 2021	9
Attachment 3 - Glamorgan Spring Bay Council Audit Panel Report	12
8.4 Attachment 1 - Draft Personal and Private Information Policy	15
8.5 Attachment 1 - GSBC - Project Communication Strategy	23
Attachment 2 - Communication Plan - Bicheno Triangle - Sep 21	26
Attachment 3 - Communication Plan - Swansea Main St - October 2021	32
8.7 Attachment 1 - Supporting letter	38
Attachment 2 - Submitted application from Swansea Community & Men's Shed	39
Attachment 3 - Quotation from The Cable Dr	40
8.8 Attachment 1 - Request to defer Commencement of LPS 1 October 2021	41
Attachment 2 - Submission Applicant 14 September 2021	43



# Profit and Loss

Glamorgan Spring Bay Council

For the 3 months ended 30 September 2021

Account	YTD Actual	YTD Budget	Budget Var	Var %	2021/22 Budget	Notes
<b>Trading Income</b>						
Rate Revenue	9,813,808	9,810,163	3,645	0%	9,867,631	
Statutory Charges	235,435	181,002	54,433	30%	724,013	1
User Charges	288,230	164,043	124,187	76%	656,156	2
Grants	430,215	326,598	103,617	32%	1,465,416	3
Interest & Investment Revenue	107,070	5,606	101,464	1810%	229,641	4
Contributions	32,982	34,999	(2,017)	-6%	140,000	
Other Revenue	611,279	715,350	(104,071)	-15%	2,275,056	5
User Charges - Marina Fees Permanent - Eco Berth	87	0	87	0%	0	
<b>Total Trading Income</b>	<b>11,519,107</b>	<b>11,237,761</b>	<b>281,346</b>	<b>3%</b>	<b>15,357,913</b>	
<b>Gross Profit</b>	<b>11,519,107</b>	<b>11,237,761</b>	<b>281,346</b>	<b>3%</b>	<b>15,357,913</b>	
<b>Capital Grants</b>						
Grants Commonwealth Capital - Other	371,428	1,000,000	(628,572)	-63%	5,462,080	
Grants Commonwealth Capital - Roads to Recovery	262,978	0	262,978	0%	506,087	
Grants State Capital - Other	49,123	450,000	(400,877)	-89%	775,000	
<b>Total Capital Grants</b>	<b>683,529</b>	<b>1,450,000</b>	<b>(766,471)</b>	<b>-53%</b>	<b>6,743,167</b>	6
<b>Other Income</b>						
Net Gain (Loss) on Disposal of Assets	9,471	0	9,471	0%	0	
Other Income - PPRWS Reimbursement of Principal Loan	0	0	0	0%	102,609	
<b>Total Other Income</b>	<b>9,471</b>	<b>0</b>	<b>9,471</b>	<b>0%</b>	<b>102,609</b>	
<b>Operating Expenses</b>						
Employee Costs	1,083,348	1,243,956	(160,608)	-13%	4,975,840	7
Materials & Services	2,145,452	2,305,679	(160,227)	-7%	7,952,266	8
Depreciation	691,173	691,173	0	0%	2,764,692	
Interest	(19,491)	56,775	(76,266)	-134%	227,106	9
Other Expenses	49,271	56,373	(7,102)	-13%	225,505	
<b>Total Operating Expenses</b>	<b>3,949,753</b>	<b>4,353,956</b>	<b>(404,203)</b>	<b>-9%</b>	<b>16,145,409</b>	
<b>Net Profit</b>	<b>7,569,354</b>	<b>6,883,805</b>	<b>685,549</b>	<b>10%</b>	<b>(787,496)</b>	
<b>Total Comprehensive Result (incl Capital Income)</b>	<b>8,262,354</b>	<b>8,333,805</b>	<b>(71,451)</b>	<b>-1%</b>	<b>6,058,280</b>	
<b>Capital Works Program (Current Year WIP)</b>						
Work in Progress Capital Works - Plant Internal	9,035	0	9,035	0%	0	
Work In Progress Payroll - Salaries and Wages	26,163	0	26,163	0%	0	
Work in Progress Capital Works - On Costs	12,427	0	12,427	0%	0	
Work in Progress Capital Works - Contractor Costs	215,047	0	215,047	0%	0	
Work in Progress Capital Works - Materials	208,496	0	208,496	0%	0	
Work in Progress Capital Works - Consultancy	14,900	0	14,900	0%	0	
<b>Total Capital Works Program (Current Year WIP)</b>	<b>486,068</b>	<b>0</b>	<b>486,068</b>	<b>0%</b>	<b>0</b>	

## Notes:

- 1 - Statutory Charges are up 30% (\$54k) on budget YTD due to a higher than forecast level of development applications and s.132 and s.337 certificate requests (re property sales)
- 2 - User Charges are up 76% (\$124k) on budget YTD mainly due to the timing of Marina fees, with a high level paid annually upfront or quarterly.
- 3 - Grants are up 32% (\$104k) on budget YTD due to Unspent Grant Funds carried forward from 2021 FY.
- 4 - Interest & Investment Revenue is up by 1810% (\$101k) on budget YTD primarily due to TasWater interim dividend payment.
- 5 - Other Revenue is down by 15% (\$104k) on budget YTD primarily due to lower than forecast medical centre income.
- 6 - Total Capital Grants are down 53% (\$766k) on budget YTD due the timing of grant payments in line with project milestones.
- 7 - Employee Costs are down 13% (\$161k) on budget YTD mainly due to staff vacancies.
- 8 - Materials and Services are down \$160k (7%) budget YTD due primarily to the seasonality of work.
- 9 - Interest expenses are down by \$76k due to timing issues with the reversal of interest accrued into last financial year.

# Statement of Financial Position

Glamorgan Spring Bay Council

As at 30 September 2021

	30 SEP 2021	30 JUN 2021
<b>Assets</b>		
<b>Current Assets</b>		
Cash & Cash Equivalents	5,542,546	3,018,850
Trade & Other Receivables	5,418,782	926,374
Other Assets	123,150	273,191
<b>Total Current Assets</b>	<b>11,084,477</b>	<b>4,218,415</b>
<b>Non-current Assets</b>		
Trade & Other Receivables	3,243	3,243
Investment in Water Corporation	30,419,394	30,419,394
Property, Infrastructure, Plant & Equipment	144,394,988	144,779,771
<b>Total Non-current Assets</b>	<b>174,817,625</b>	<b>175,202,408</b>
<b>Total Assets</b>	<b>185,902,102</b>	<b>179,420,823</b>
<b>Liabilities</b>		
<b>Current Liabilities</b>		
Trade & Other Payables	736,143	1,189,660
Trust Funds & Deposits	260,359	361,562
Provisions	664,932	664,932
Contract Liabilities	-	949,850
Interest bearing Loans & Borrowings	371,690	458,263
<b>Total Current Liabilities</b>	<b>2,033,125</b>	<b>3,624,268</b>
<b>Non-current Liabilities</b>		
Provisions	69,486	69,486
Interest Bearing Loans & Borrowings	7,838,574	7,844,169
<b>Total Non-current Liabilities</b>	<b>7,908,059</b>	<b>7,913,655</b>
<b>Total Liabilities</b>	<b>9,941,184</b>	<b>11,537,922</b>
<b>Net Assets</b>	<b>175,960,918</b>	<b>167,882,901</b>
<b>Equity</b>		
Current Year Earnings	8,078,017	1,683,188
Retained Earnings	82,716,290	81,033,102
Equity - Asset Revaluation Reserve	84,672,844	84,672,844
Equity - Restricted Reserves	493,767	493,767
<b>Total Equity</b>	<b>175,960,918</b>	<b>167,882,901</b>

# Statement of Cash Flows

## Glamorgan Spring Bay Council For the 3 months ended 30 September 2021

	SEP 2021	YTD	20/21
<b>Operating Activities</b>			
Receipts from customers	1,146,129	6,204,846	11,963,619
Payments to suppliers and employees	(1,136,709)	(3,518,089)	(13,745,304)
Receipts from operating grants	-	430,215	1,343,056
Dividends received	103,500	103,500	207,000
Interest received	1,682	3,570	20,989
Cash receipts from other operating activities	180,984	222,686	1,149,744
<b>Net Cash Flows from Operating Activities</b>	<b>295,585</b>	<b>3,446,728</b>	<b>939,104</b>
<b>Investing Activities</b>			
Proceeds from sale of property, plant and equipment	-	10,340	2,185,951
Payment for property, plant and equipment	(111,115)	(701,082)	(9,727,934)
Receipts from capital grants	-	933,529	3,826,281
Other cash items from investing activities	-	129,641	(212,892)
<b>Net Cash Flows from Investing Activities</b>	<b>(111,115)</b>	<b>372,429</b>	<b>(3,928,594)</b>
<b>Financing Activities</b>			
Trust funds & deposits	(65,039)	(101,202)	(172,910)
Net Proceeds/(Repayment) of Loans	(16,903)	(92,169)	1,066,733
Other cash items from financing activities	-	(1,102,090)	3,422,376
<b>Net Cash Flows from Financing Activities</b>	<b>(81,942)</b>	<b>(1,295,461)</b>	<b>4,316,199</b>
<b>Net Cash Flows</b>	<b>102,528</b>	<b>2,523,695</b>	<b>1,326,709</b>
<b>Cash and Cash Equivalents</b>			
Cash and cash equivalents at beginning of period	5,372,973	2,951,806	1,625,097
Cash and cash equivalents at end of period	5,475,501	5,475,501	2,951,806
<b>Net change in cash for period</b>	<b>102,528</b>	<b>2,523,695</b>	<b>1,326,709</b>

# Capital Works Detail

Glamorgan Spring Bay Council  
as at 30 September 2021

New Capital	Actual YTD	2021/22 Budget	Government Funding	Council Funding	Project Progress	Details	Government Funding
<b>Roads, Footpaths, Kerbs</b>							
Freycinet Drive - Kerb at Kayak Rental to stop flooding	9,878	30,000	30,000		complete	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
Strip Rd Little Swanport - concrete overlay to hardstand floodway		30,000	30,000		design progressing	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
R2R - Nugent Rd Seal - Carry forward from 2019/20 + EMF	3,043	50,000	40,775	9,225			
Bicheno walkway	5,599	403,000	403,000		Contract awarded	Carried Forward from 2020/21	Drought Relief
DRG Swanwick Rd Footpath	16,935				complete stage 1		
CDG Dolphin Sands Road shared pathway	12,685				retention paid		
Triabunna Road Realignment re Cenotaph/RSL corner		115,000	115,000		design progressing	Carried Forward from 2020/21	Drought Relief
Swansea Main Street Paving	14,301	1,000,000	1,000,000		Design progressing		Fed Grant Funding
<b>Total Roads, Footpaths, Kerbs</b>	<b>62,441</b>	<b>1,628,000</b>	<b>1,618,775</b>	<b>9,225</b>			
<b>Parks, Reserves, Walking Tracks, Cemeteries</b>							
Swansea Boat Trailer Parking	166,262	450,000	500,000		complete	Carried Forward from 2020/21	DPIPWE Funds
Bicheno Triangle	7,437	580,000	600,000		design continuing		Fed Grant Fund
Bicheno Gulch	13,999	1,490,000	1,500,000		design continuing		Fed Grant Fund
Coles Bay Foreshore	13,999	950,000	1,000,000		design continuing		Fed Grant Fund
Coles Bay Basketball Hoop	2,455	3,000	3,000		Complete		Community Infrastructure Fund - Round 2
Jetty Rd Bicheno - Beach Access, timber walkway installation	2,382	10,500	10,500		complete	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
Buckland Walk - rehabilitation		60,000	-	60,000		Carried Forward from 2020/21	
<b>Total Parks, Reserves, Walking Tracks, Cemeteries</b>	<b>206,533</b>	<b>3,543,500</b>	<b>3,613,500</b>	<b>60,000</b>			
<b>Stormwater &amp; Drainage</b>							
Holkham Crt Flood Mitigation	14,900				report progressing		
Freycinet Drive CB Rock Line drain and culvert	594				work progressing		
Triabunna Yacht club main install	18,577				complete		
Holkham Court		265,000		265,000			
<b>Total Stormwater &amp; Drainage</b>	<b>34,071</b>	<b>265,000</b>	<b>-</b>	<b>265,000</b>			
<b>Plant &amp; Equipment</b>							
Crane Gantry Swansea - safe water tank removal		20,000		20,000	procurement commenced		
<b>Total Plant &amp; Equipment</b>	<b>0</b>	<b>20,000</b>	<b>-</b>	<b>20,000</b>			
<b>Total New Capital</b>	<b>303,045</b>	<b>5,456,500</b>	<b>5,232,275</b>	<b>354,225</b>			

Renewal of Assets		2021/22 Budget	Government Funding	Council Funding		Details	Government Funding
<b>Roads, Footpaths, Kerbs</b>							
RTR - RSPG Rheban Rd Resheeting / realignment for bridge		100,000	50,000	50,000		Carried Forward from 2020/21	RTR
Resheet - Old Coach Rd 3km		50,000		50,000			
Resheet - Sally Peak Rd 1km	3,941	17,000		17,000	complete		
Resheet - Sand River Rd 1km	13,038	17,000		17,000	complete		
Resheet - Seaford Rd 2km		34,000		34,000			
Resheet - Strip Rd 2km		34,000		34,000			
Resheet - Bresnehan Rd 0.5km		8,500		8,500			
Resheet - Medora St Pontypool 1km		17,000		17,000			
Resheet Nugent Rd	17,216	16,000		16,000	complete		
Reseal		443,300		443,300	tender closed		
Community Infrastructure Fund - Round 3 to be allocate		221,174	221,174				Community Infrastructure Fund - Round 3
Redesign and relocation of the Triabunna School crossing		31,000	31,000		Design commenced		Community Infrastructure Fund - Round 3
Design		29,200		29,200			
Contingency		40,000		40,000			
<b>Total Roads, Footpaths, Kerbs</b>	<b>34195</b>	<b>1,058,174</b>	<b>302,174</b>	<b>756,000</b>			
<b>Parks, Reserves, Walking Tracks, Cemeteries</b>							
Bichenno BMX track refurbishment		20,000	20,000		consultation commenced	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
<b>Total Parks, Reserves, Walking Tracks, Cemeteries</b>	<b>0</b>	<b>20,000</b>	<b>20,000</b>	<b>-</b>			
<b>Stormwater, Drainage</b>							
Alma Rd and Fieldwick Lane - Rockline drain and culvert improvements	150	125,000	125,000		site works commenced	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
Stormwater management planning, investigation & design	23,417	100,000		100,000	continued	Carried Forward from 2020/21	
West Shelley Beach Orford Main Upgrade	11,621				materials procured		
Stormwater and drainage to be allocated		77,000		77,000			
<b>Total Stormwater, Drainage</b>	<b>35188</b>	<b>302,000</b>	<b>125,000</b>	<b>177,000</b>			
<b>Buildings &amp; Facilities</b>							
RSL Cenotaph - new memorial c/fw project		10,000		10,000	waiting on streetworks	Carried Forward from 2020/21	
Triabunna Medical Centre - Car Park reseal and line mark	24752	45,000	45,000		complete	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
Bichenno Medical Centre - Car Park reseal and line mark	25596	55,000	55,000		complete	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
Triabunna Marina - improve public facilities and shelters	40016	40,863	40,863		complete	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
Coles Bay Tennis Courts - Basketball hoop installation		3,000	3,000		complete	Carried Forward from 2020/21	Community Infrastructure Fund - Round 2
Buckland Community Hall - ramp access		45,000	45,000		Commenced	Carried Forward from 2020/21	Community Infrastructure Fund
Buckland Community Hall - stairs		55,000	55,000		Commenced	Carried Forward from 2020/21	Drought Relief
Bichenno Medical Centre - Refurb Treatment Room		25,000	25,000		in progress	Carried Forward from 2020/21	Community Infrastructure Fund
Swansea SES CCTV	1163				complete		Community Infrastructure Fund - Round 2
Swansea Courthouse Drainage Works		10,000	25,000		complete	Carried Forward from 2020/21	Community Infrastructure Fund
Online Access Centre/Swansea Courthouse - refurbish toilet and install disabled/unisex toilet		60,000	60,000		progressing		Community Infrastructure Fund - Round 3
Coles Bay Community Hall - Replacement of Annexe, Medical Room, Kitchen and Library		180,000	180,000		design progressing		Community Infrastructure Fund - Round 3
Swansea Community Hall - Toilet Refurbishment	22744				Complete	Carried Forward from 2020/21	Community Infrastructure Fund
Spring Beach Toilet Refurbishment		65,000	65,000		programmed		Community Infrastructure Fund - Round 3
<b>Total Buildings &amp; Facilities</b>	<b>114271</b>	<b>593,863</b>	<b>598,863</b>	<b>10,000</b>			

Marine Infrastructure		2021/22 Budget	Government Funding	Council Funding		Details	Government Funding
Pylon Replacement - Marina		100,000		100,000		in design	
Saltworks Toilet & Car park		245,000	245,000			progressing scope	Community Infrastructure Fund - Round 3
Saltworks Boat Ramp Upgrade		100,000	100,000			progressing scope	State Grant
<b>Total Marine Infrastructure</b>	<b>0</b>	<b>445,000</b>	<b>345,000</b>	<b>100,000</b>		Carried Forward from 2020/21	
<b>Bridges, Culverts</b>							
Orford Bridge Replacement	310					plants purchased	Contract Complete. Rehabilitation to finalise project
Holkham Crt Culvert		50,000	56,087			design progressing	Carried Forward from 2020/21
RTR - EMF Rheban Rd Griffith River Bridge	150	280,000	300,000			tender closed	Carried Forward from 2020/21
<b>Total Bridges, Culverts</b>	<b>460</b>	<b>330,000</b>	<b>356,087</b>	<b>-</b>			RTR 25% EMF75%
<b>Plant &amp; Equipment</b>							
IT Computer Equipment		30,000		30,000			
Medical Equipment		20,000		20,000			
Replace Ute x 2 (2007/2008)		57,000		57,000		procurement commenced	
Replace Mayor Vehicle (2016)		37,000		37,000		complete	
Replace Tipper Truck (2014)		80,000		80,000		procurement commenced	
Replace Medium Truck (2014)		80,000		80,000		procurement commenced	
Replace Toro Groundmaster (2014)		40,000		40,000		procurement commenced	
Replace Tanderm Trailer		6,000		6,000		procurement commenced	
<b>Total Plant &amp; Equipment</b>	<b>0</b>	<b>350,000</b>	<b>-</b>	<b>350,000</b>			
<b>Total Renewal Capital</b>	<b>184114</b>	<b>3,099,037</b>	<b>1,747,124</b>	<b>1,393,000</b>			
<b>Total Capital Works</b>	<b>487159</b>	<b>8,555,537</b>	<b>6,979,399</b>	<b>1,747,225</b>			

Note: carried forward amounts for existing projects from previous financial year will be updated in future reports



## MINUTES OF MEETING

**Committee:** Glamorgan Spring Bay Council Audit Panel  
**Chairperson:** Mike Derbyshire  
**Executive Officer:** Greg Ingham  
**Meeting Date:** Tuesday 15<sup>th</sup> June 2021 1500hrs  
**Location:** Microsoft Teams and Glamorgan Council office

### 1. Attendees:

Mike Derbyshire	Director Bentleys Tasmania Audit Pty Ltd
Heather Salisbury	Deputy GM of Hobart City Council
Stephen Morrison	Tas Audit Office
Greg Ingham	GSBC General Manager
Marissa Walters	GSBC Consultant Accountant
Elysse Blain	GSBC Director Corporate & Community
Yasir Qayyum	GSBC Accountant
Clr Rob Churchill	GSBC Councillor
Clr Cheryl Arnol	GSBC Councillor

### 2. Preliminaries

- 1) **Apologies** – Nil
- 2) **Conflict of interest declaration** - Marissa is working with Break o’Day council and Flinders council.
- 3) **Confirmation of previous minutes** – Accepted

### 3. Actions arising from last meeting

- 1) The timing of Audit Panel meetings are to be aligned with the corporate calendar to ensure limited conflict of availability.
- 2) Wise Lord Ferguson engaged to assist with risk assessment. Action Greg to coordinate timing for review late this calendar year.
- 3) Outstanding items from last year – recommended that all items assigned to Jenny be reviewed by Elysse and Yasir. Action Mike to follow-up and assist with handover.

### 4. Performance Improvement Direction & Legislative Compliance – update

Greg advised that Long Term Financial Management Plan, Asset Management Plans, Asset Management Strategies required for PID compliance have been supplied.  
 Financial Management Strategy to be submitted shortly, requires Council endorsement.  
Action Greg: To obtain Council endorsement of FMS and to send a letter to confirm status and achievement of the PID requirements.

### 5. Update - Organisational Chart

Council have filled the last two critical roles. The current Org chart is available on the Council website (action complete).

### 6. Rating System Review – update

- 1) Rate Modelling. Detailed modelling has occurred to assess the impact of AAR and AAV models on the municipality with recommendation before the next Council meeting 22 June. Action Elysse to supply resolution to Audit Chair once finalized.

- 2) Media. Possible there may be some community response following any rate change announcements. Propose there is a single source of communication for media purposes and to distribute a communication to all staff as reminder of who is permitted to comment on any Council issues: Action Greg to appoint liaison and arrange communication to staff.

#### **7. Financial Update and Reports – May 2021**

- 1) At future meetings Mike requested to see the financial statements for previous month YTD with notes for major variations. Action Yasir.
- 2) Next year, Mike requested to see some information in the P&L on PPRWS. Action Yasir.

#### **8. 2022 Budget and Annual Plan**

The proposed 2021-22 Annual Budget is before the next Council meeting 22 June. Action Elysse to supply resolution to Audit Chair once finalized.

#### **9. Council Policies/Strategies Review – Update – Corporate Calendar**

- 1) The proposed Rates & Charges policy is before the next Council meeting 22 June. Action Elysse to supply resolution to Audit Chair once finalized.
- 2) Mike requested an update on what policies are due for renewal at 6 month intervals. Action Elysse

#### **10. General Manager's Update – General, Legal and Risk Matters**

- 1) Employee Agreement vote on hourly rate increase underway with result due 16 Jun.
- 2) Current planning and EOI process underway for medical centres.

#### **11. Audit Panel Work Plan 2022**

- 1) Discussed when next meeting to occur, proposed after EOFY review on 14<sup>th</sup> Sept 2021.
- 2) Mike requested to have Annual Plan available for next meeting. Action Elysse

#### **12. Items Referred to Audit Panel (if any) Nil**

#### **13. Other business**

- 1) Marissa has been the principal support behind the LTFMP, Budget and Financial Strategy, and shall assist in the transition to the new financial team, Elysse and Yasir. Marissa will be responsible for EOFY this year.
- 2) Stephen advised TAO is currently tendering for the contract for GSBC audit due 30 June. Estimate is for audit to be completed by 27 Sept 2021. Action Mike to obtain audit strategy and pass to GSBC to assist with the audit preparation.
- 3) Noted outstanding Berth fees of \$80k from Maria Encounter (ferry). Steps underway to recover. Action Greg

#### **14. Next Meeting 14 Sept 2021**

#### **15. Meeting Close 16.30 hrs**

#### **Actions Summary:**

Mike:	3.3, 13.2	Greg	3.2, 4, 6.2, 13.3
Elysse	6.1, 8, 9.1, 9.2, 11.2, 13	Yasir	7.1, 7.2



22/09/2021

## MINUTES OF MEETING

**Committee:** Glamorgan Spring Bay Council Audit Panel  
**Chairperson:** Mike Derbyshire  
**Executive Officer:** Greg Ingham  
**Meeting Date:** Wednesday 22<sup>nd</sup> Sept 2021 1500hrs  
**Location:** Council office Triabunna

### Invitees:

Mike Derbyshire	Director Bentleys Tasmania Audit Pty Ltd	Present
Heather Salisbury	Independent panel member	Present
Greg Ingham	GSBC General Manager	Present
Marissa Walters	GSBC Consultant Accountant	Present
Elysse Blain	GSBC Director Corporate & Community	Present
Yasir Qayyum	GSBC Accountant	Present
Clr Rob Churchill	GSBC Councillor	Present
Clr Cheryl Arnol	GSBC Councillor	Absent

### 1. Preliminaries

- a) **Apologies** – Cheryl Arnol
- b) **Conflict of interest declaration**
  - i. Heather is working with West Tamar Council.
- c) **Confirmation of previous minutes 15 June 2021**
  - i. Adjustment required for Heathers role incorrectly labelled as Deputy GM of Hobart City Council, should be independent panel member.
  - ii. Correction to spelling for councillor.
  - iii. Adopted.

### 2. Actions arising from previous minutes

	Item	Who	Status
a	Arrange risk assessment with Wise Lord Ferguson	Greg	Underway
b	Outstanding items from last year TAO audit follow up and assist with handover.	Mike	Underway
c	Obtain council endorsement of Financial Management Strategy per PID.	Greg	Done
d	Rates methodology modelling adopted at June council meeting.	Elysse	Done
e	Liaison appointed for community response.	Greg	Done
f	Prior month results to be sent to Audit Chair prior to each panel meeting.	Yasir	Done
g	Request for PPRWS information to be included on P&L for 2021-22 accounts	Yasir	Underway
h	2021-22 budget resolution adopted at June council meeting	Elysse	Done
i	Rates and charges policy resolution accepted June council meeting	Elysse	Done
j	Update of policies due for renewal – ref corporate calendar	Elysse	Done
k	Annual Plan to be available at next panel meeting	Elysse	Done
l	Obtain audit strategy to assist current TAO preparation. Not supplied by KPMG	Mike	Closed
m	Very aged debtors.	Greg	Underway

### 3. Performance Improvement Direction & Legislative Compliance – update

- a) All PID documents complete and accepted by council resolution.
- b) All PID requirements supplied to the Local Government Director with obligations current and up to date.
- c) 2021-22 annual plan specifically addressing topical issues.

#### **4. Financial Assistance Grant Allocations**

- a) Recent Grant Allocation Report to all Councils raises questions on how allocations are determined. Formula complex and unclear. Seek a better understanding on how the FAG formula works and determine a way to work out our comparative position to the other councils
- b) Have contacted commission seeking a workshop. To confirm dates, aim for October. Panel member to attend. Action Elysse.

#### **5. Rating System Review – item closed**

#### **6. Financial Update YTD at August 2021**

- a) Balance sheet looks strong, liabilities are steadily coming down. No short term intention to increase borrowings, only to renew existing.
- b) No issues noted.

#### **7. 2022 Budget and Annual Plan**

- a) 2022 Budget and Annual Plan both adopted by Council in July.
- b) This Committee notes they are satisfied that 2021-22 Annual plan aligns with the Strategic Plan, Financial Plan and Strategic Asset Management Plans.
- c) Annual Report (reporting on the previous year annual plan outcomes) is underway and due for completion in Oct/Nov 2021.
- d) There are specific items in the 2020-21 and 2021-22 annual plans that addresses specific items noted by the Local Government Director.

#### **8. Financial Statements 30 June 2021**

- a) Balance sheet looks healthy including revaluation of Taswater shares. The asset revaluation process has identified assets that were not accounted for in the past. These are being recognizing as they are discovered. Also many assets require reclassification between classes as many have been classified incorrectly in the past.
- b) Cash is low due to good management of operational costs with consumption matching rate generation.
- c) P&L looks good. Loss lower than expected and in line with long term plan to recovery.
- d) This Committee notes the draft Financial Statement 2021 as lodged to TAO fairly represents the affairs of council subject to completion of the audit.

#### **9. Council Policies/Strategies Review – Update – Corporate Calendar**

- a) This Committee notes good progress on the policy and strategy review. There is a plan to get everything done in the short term.
- b) Noted that an internal policy audit is underway to address amongst other things the inconsistency of the presentation and details within policies over the years. Action Elysse to advise this Committee once the process is complete.

#### **10. General Manager's Update – General, Legal and Risk Matters**

- a) General Manager following up debtors long outstanding.
- b) Advises of works MAST are conducting in waterway outside of Councils lease with the Crown.
- c) Noted no other significant risks or legal issues.

#### **11. Audit Panel Annual Report to Council**

- a) There is a 3 page report that the Chair will circulate in the coming week. Any comments welcome back to the chair. Action Mike.

**12. Items Referred to Audit Panel (if any) Nil**

- a) Audit panel minutes once ratified to go to the Oct Council meeting. Include June minutes. Action Elysse to arrange paper for Council.

**13. Other business**

- a) Request to exchange the Chair
- The existing Chair of this Committee seeks to change role from Chair to independent panel member due to other workload demands. This proposal does not breach the Committee terms of reference.
  - The current independent committee member is prepared to step into the Chair position. This proposal does not breach the Committee terms of reference.
  - Seeks Council to ratify. Action Elysse to arrange paper for council.
- b) Propose a timely review of the functions of the audit panel and a way to develop support of the panel. What is currently in place has space for improvement. Action Elysse to arrange.

**14. Next Meeting 30 Nov 2021**

**15. Meeting Close 17.00 hrs**

Actions Summary:

Mike:	2b, 11	Greg	2a, 2m
Elysse	4b, 9, 12, 13a&b	Yasir	2g

## Glamorgan Spring Bay Council Audit Panel Report (for the period ending 30 June 2021)

### Introduction

The Local Government (Audit Panel) Order 2014 requires all Councils to establish an Audit Panel. The Panel was thereby established in January 2015 with the objective to assist Council and the General Manager in providing an independent process in its financial and risk management practices to ensure accountability to the community in the governance, management and allocation of resources.

### Membership

Audit panel members during the 2020-2021 year:

Mike Derbyshire	Independent Chair	
Kane Ingham	Independent Member	(resigned December 2020)
Heather Salisbury	Independent Member	(appointed December 2020)
Clr Cheryl Arnol		
Clr Rob Churchill		

### Meetings

The Audit Panel met formally on four occasions during the reporting period:

15 September 2020  
17 November 2020  
2 March 2021  
15 June 2021

Meetings were conducted at Council Chambers in Triabunna.

Attendance by Members of the Audit Panel Meetings during the reporting period:

Attendee	Position	Sep 2020	Nov 2020	Mar 2021	Jun 2021
Mike Derbyshire	Independent Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Kane Ingham	Independent Member	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a
Heather Salisbury	Independent Member	n/a	n/a	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Clr Cheryl Arnol	Councillor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Clr Rob Churchill	Councillor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

☒ Attended

☒ Absent

Executive Management, senior managers and staff of the Council attended meetings as required.

Administrative support was provided to the Panel by Council staff.

## **Audit Panel Charter**

The Charter used by the Audit Panel to guide its activities was originally adopted by Council in November 2014. The Audit Panel review the Charter periodically, as and when appropriate, and make recommendations to Council for any resultant changes for the effective operation of the Audit Panel. The Audit Panel annual report to Council is based upon the Panel's compliance with its responsibilities in its Charter. The Audit Panel does this by:

- Ensuring the Annual Financial Statements of the Council accurately represent the state of affairs of the Council.
- Confirming the Strategic Plan; Annual Plan; Long-Term Financial Management and Strategic Plans; Long-Term Strategic Asset Management Plan; Asset Management Strategic Plan; and Asset Management Policy are integrated and the processes and assumptions under which those plans were prepared are documented.
- Reviewing accounting procedures, internal controls, anti-fraud, anticorruption and risk management systems, controls and policies that are in place which safeguards the Council's long-term financial position.
- Reviewing compliance with all provisions of the Local Government Act 1993 and any other relevant legislation.
- Reviewing the effectiveness of previous recommendations made by the Panel.

**The Audit Panel has undertaken the following activities as part of its work plan:**

### **Annual Financial Statements**

- Met with Tasmanian Audit Office representatives and reviewed the Audit Strategy;
- Reviewed draft financial statements prior to the audit and provided comment on content; and
- Received and considered recommendations of the Auditor General.

### **Strategic Plan, Annual Plan, Long Term Strategic Asset Management Plans**

- Reviewed and considered plans & policies and enquired about processes for development; and
- Received regular reports from Executive Management to understand operations of Council.

### **Accounting, Internal Controls, Anti-Fraud, Anti-Corruption and Risk Management Policies, Systems and Controls**

- Reviewed the draft budget and gained an understanding of the process of development;
- Reviewed regular financial management reports and made enquiries;
- Consideration of external audit and recommendations on internal controls;
- Discussed and made recommendations regarding corporate risk;
- Reviewed the Annual Report draft and commented; and
- Considered potential Internal Audit activities.

### **Compliance with the provision of the Act and any other relevant legislation**

- Received information in respect of legislative compliance;
- Received updates from management in respect of External Reviews and Reforms; and
- Provided guidance to management in implementation of legislative compliance.

### **Other matters**

- Reviewed progress in respect of LGAT Performance Improvement Directives
- Received follow up reports and made enquiries.

### **Reporting to Council**

A copy of the minutes of Audit Panel meetings is provided to the Council, for consideration at Council meetings, to advise Council of the matters discussed, including any recommendations to Council. The Audit Panel Annual Report to Council outlines the activities of the Panel annually.

### **Referrals**

No matters were formally referred to and considered by the Audit Panel during the 2020-2021 year.

### **Conclusion**

In undertaking the abovementioned activities, the Audit Panel has followed the work plan, having regard to its objectives, role and function within the Charter, and aims to provide an independent view of Council activities in the specified areas, thereby adding value to management and Council.





Glamorgan Spring Bay Council

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# **DRAFT Personal & Private Information Policy**

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Version 2.0

Adopted:  
**Minute No.:**

## Document Control

<b>Policy Name</b>	
<b>First issued/approved</b>	30/08/2018
<b>Source of approval/authority</b>	Council Decision 100/18
<b>Last reviewed</b>	September 2018
<b>Next review date</b>	September 2023
<b>Version number</b>	Version 2
<b>Responsible Officer</b>	General Manager
<b>Department responsible for policy development</b>	Governance
<b>Related policies</b>	<ul style="list-style-type: none"> <li>• GSBC Customer Service Charter Policy</li> <li>• GSBC Code of Conduct</li> <li>• GSBC Employee Code of Conduct</li> </ul>
<b>Publication of policy</b>	Website

## Contents

<b>1</b>	<b>Introduction .....</b>	<b>4</b>
1.1	Purpose.....	4
1.2	Scope .....	4
1.3	Definitions .....	4
1.4	Related Policies and Legislation .....	4
1.5	Policy Review and Update Cycle.....	4
<b>2</b>	<b>Procedures.....</b>	<b>4</b>
2.1	Collection of Personal Information .....	4
2.2	Unique Identifiers.....	5
2.3	Anonymity .....	5
2.4	Sensitive Information .....	6
2.5	Complaints.....	6
<b>3</b>	<b>Use and Disclosure of Personal Information .....</b>	<b>6</b>
<b>4</b>	<b>Disclosure of Personal Information outside Tasmania .....</b>	<b>7</b>
<b>5</b>	<b>Data Quality .....</b>	<b>7</b>
<b>6</b>	<b>Data Security .....</b>	<b>7</b>
<b>7</b>	<b>Openness, accessing and correcting Personal Information .....</b>	<b>7</b>
<b>8</b>	<b>Implementation.....</b>	<b>8</b>

# 1 Introduction

## 1.1 Purpose

To ensure that information gathered by Council is protected; and that on the collection of the information, it is kept private.

Council is committed to upholding the right to privacy of all individuals who have interactions with the Council. Council will take the necessary steps to ensure personal information that customers share with Council remains confidential.

## 1.2 Scope

This Policy applies to all Councillors, Council employees, contractors, workplace participants and volunteers of Council and covers any personal information that is collected, retained, stored and used by Council where it is necessary for one or more of the Council's functions or activities.

## 1.3 Definitions

**'Personal Information'** means any information or opinion in any recorded format about an individual whose identity is apparent or is reasonably ascertainable from the information or opinion.

**'Sensitive Information'** means personal information or an opinion relating to personal information about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, beliefs, membership of a professional or trade association, membership of a trade union, preferences or practices, criminal record and health information about an individual.

For the avoidance of doubt both Personal Information and Sensitive Information both constitute confidential information in respect of all other Council policies and procedures.

## 1.4 Related Policies and Legislation

- Archives Act 1983
- Personal Information Protection Act 2004 (Tas)
- Right to Information Act 2009 (Tas)
- GSBC Customer Service Charter Policy
- GSBC Code of Conduct
- GSBC Employee Code of Conduct

## 1.5 Policy Review and Update Cycle

This policy is to be reviewed in September 2023 and thereafter, every two years.

# 2 Procedures

## 2.1 Collection of Personal Information

- 2.1.1 Council will only collect Personal Information that is necessary for it to perform its functions.
- 2.1.2 Council will collect Personal Information about individuals directly from them wherever it is reasonable and practicable to do so.

2.1.3 There may be circumstances where Council is required or obligated by law to collect Personal Information.

2.1.4 Personal Information obtained by Council may include a person's:

- (a) name;
- (b) address;
- (c) telephone number(s);
- (d) date of birth;
- (e) occupation;
- (f) email address;
- (g) tax file number or Centrelink reference number (or other similar identification required for State or Australian Government processes);
- (h) bank details; or
- (i) vehicle registration details.

2.1.5 There are various purposes for the obtaining of Personal Information, which may include:

- (a) to provide services, as requested by the individual;
- (b) to follow up on complaints or issues;
- (c) to confirm attendance at meetings, functions etc.;
- (d) where an individual has been included on a mailing or distribution list;
- (e) to facilitate the collection of fees and charges;
- (f) to facilitate payments; or
- (g) to undertake law enforcement activities.

2.1.6 After collecting Personal Information, Council will take all reasonable steps to ensure an individual is made aware of:

- (a) Council's identity and how to contact it;
- (b) the individual's rights in regards to accessing the Personal Information collected;
- (c) the purpose for collecting the Personal Information;
- (d) the intended recipients of the Personal Information;
- (e) legislation that requires the Personal Information to be collected; and
- (f) the consequences, if any, of not providing all or part of that Personal Information.

## 2.2 Unique Identifiers

2.2.1 Council will not assign unique identifiers to individuals unless the assignment of the identifier is necessary to perform any Council functions.

2.2.2 Council will not adopt a unique identifier for an individual, if the same unique identifier has been assigned to that individual by another Personal Information custodian, unless:

- (a) that adoption is necessary for Council to carry out any of its functions efficiently; or
- (b) it has obtained the consent of the individual to the use of that same unique identifier.

## 2.3 Anonymity

Council will, where it is lawful and practicable, give individuals the option of remaining anonymous when entering into transactions with Council.

## 2.4 Sensitive Information

- 2.4.1 Sensitive Information will only be obtained where an individual provides consent or it is permitted under the *Personal Information Protection Act 2004 (Tas)*.
- 2.4.2 Sensitive Information will be treated with the upmost security and confidentiality, and only used for the purpose for which it was collected.

## 2.5 Complaints

- 2.5.1 Complaints relating to privacy or the provision of Personal Information should be made directly to the General Manager.
- 2.5.2 In accordance with the provision of the *Personal Information Protection Act 2004 (Tas)* all complaints must be lodged in writing to Council. Council will endeavour to respond to a complaint within twenty (20) business days (i.e. four weeks).
- 2.5.3 If a Councillor has submitted a written complaint on a person's behalf, Council will also endeavour to respond to the Councillor within twenty (20) business days (i.e. four weeks).
- 2.5.4 Where it is not possible to meet this deadline, e.g. where a complaint is a complex, the General Manager or delegated Council Officer will endeavour to keep the complainant informed of any progress.
- 2.5.5 The General Manager will inform the complainant of the findings on completion of an investigation.
- 2.5.6 If the complainant is not happy with the outcome of the complaint, or the process by which the complaint was handled by Council, the complainant may contact the Ombudsman's Office.

## 3 Use and Disclosure of Personal Information

- 3.1 Council will only use or disclose Personal Information about an individual for the purpose for which it was collected, or if it is to be used or disclosed for any other purpose this will be in accordance with the exception described in the Personal Information Protection Principles found in the *Personal Information Protection Act 2004 (Tas)*.
- 3.2 Council will take all necessary measures to prevent unauthorised access to or disclosure of Personal Information.
- 3.3 Council will only disclose Personal Information to a third party or external organisation, with the express consent of the individual concerned, pursuant to a right to information request made under the *Right to Information Act 2009 (Tas)* or when it is required to by law.
- 3.4 Any external contractors engaged by Council must agree to be bound by the provisions of the *Personal Information Protection Act 2004 (Tas)* the Personal Information Protection Principles and this Policy.
- 3.5 Information provided to these contractors is limited to the information required by them to provide services to individuals on behalf of Council.

- 3.6 Council will disclose Personal Information to other agencies in the course of investigating and defending of legal claims against Council. This includes Council's solicitors, consultants, insurers and investigators.
- 3.7 Where authorised or required by law, and provided it is consistent with this Policy and the *Personal Information Protection Act 2004* (Tas), Council may disclose Personal Information to:
- (a) debt collection agencies;
  - (b) Commonwealth of Tasmanian government agencies; and
  - (c) law enforcement agencies including the Courts, Tasmanian Police or the Federal Police.

## 4 Disclosure of Personal Information outside Tasmania

Council will transfer Personal Information to a region outside Tasmania only if authorised by law or with the consent of the individual.

## 5 Data Quality

Council will take all reasonable steps to ensure that the Personal Information it collects, uses, holds or discloses is accurate, complete, up-to-date and relevant to its functions and activities.

## 6 Data Security

- 6.1 Council will take all reasonable steps to ensure that Personal Information is stored safely and securely.
- 6.2 Council will take all reasonable steps to ensure that Personal Information held by it is protected from misuse, loss, and unauthorised modification and disclosure regardless of the format in which the Personal Information is held.
- 6.3 Personal Information may be stored by Council electronically or in hardcopy.
- 6.4 Any Personal Information provided to Council, which is no longer necessary for Council's purposes, will be disposed of using secure destruction. However, under the *Archives Act 1983*, some information is required to be kept for specified periods or permanently. Other legislation may also dictate periods of time Personal Information must be retained.
- 6.5 Personal Information that is required to be stored for a period of time will be stored either on Council premises or at the State Archives Office.
- 6.6 Council may combine or link Personal Information held about an individual.
- 6.7 Council officers will only be provided with access to Personal Information that is necessary for them to carry out their functions within Council.

## 7 Openness, accessing and correcting Personal Information

- 7.1 An individual has the right to make a written request to access to the Personal Information Council holds about them.
- 7.2 Requests to access or correct Personal Information held by Council should be addressed to:

The General Manager  
Glamorgan Spring Bay Council  
PO Box 6  
TRIABUNNA TAS 7190

7.3 On request Council will take reasonable steps to advise a person in general terms of:

- (a) the sort of Personal Information held by Council about them;
- (b) the purposes for which Council holds the Personal Information about them; and
- (c) how Council collects, holds, uses and discloses that Personal Information.

7.4 If, upon accessing their Personal Information the individual believes the Personal Information is incorrect, inaccurate, out of date or misleading, the individual can request the information be corrected or amended. Amendments to Personal Information are established under the *Personal Information Protection Act 2004* (Tas). A request to amend information, in accordance with the *Personal Information Protection Act 2004* (Tas), must be in writing and addressed to the General Manager (mailing details as listed above).

7.5 The request to amend the Personal Information must specify a postal or email address to which the notice is to be sent; give particulars of the Personal Information the person believes is incomplete, incorrect, out of date or misleading; and specify the amendments that the person wants made to that information.

7.6 A person not satisfied with the handling or outcome of their request to access or correct Personal Information, can lodge a complaint with the Ombudsman.

## 8 Implementation

Implementation of this Policy rests with the General Manager.





## Project Communication Strategy

### 1. Why we need to communicate

- To inform and engage with the community
- Convey objectives and benefits of the project
- Address how challenges will be managed delivering the project
- Provide opportunity for comment and feedback on the project
- Provide communication protocol

### 2. Project Communication – stepped process

1. Collect base project information from key stakeholders
2. Develop project scope and prepare concept drawings
3. Present concept design and scope to key stakeholders and seek comment and feedback
4. Refine concept design drawings
5. Present concept design drawings to community forum/public meeting and provide questionnaire for comment/feedback
6. Post concept drawings on Council's Website: <https://gsbc.tas.gov.au> / Community & Projects, with questionnaire for comment and feedback.
7. Collate community comments and feedback, review and apply in the development of the detail design
8. Post detail design drawings on Council's Website with information on project delivery (next steps)
9. Post project updates on Council's Website throughout the duration of the project until construction is completed.

The best outcome in providing public infrastructure is achieved by adopting an iterative project delivery process:

- A concept design with or without options is initiated inviting comment/feedback from stakeholders that helps progress the preliminary design with further comment and feedback for the detail design and documentation for construction.
- Ongoing communication to stakeholders is provided throughout the development of the design and construction delivery of the project.

### 3. Who are we informing?

<b>Audience / Stakeholder</b>	<b>Reason</b>	<b>Channel</b>
Elected Members	To be informed. Advocate and share council's works programs.	Email
Works & Infrastructure Department	To ensure Works & Infrastructure Department are adequately informed and have input to the project and aware of infrastructure impacts on their future maintenance program.	Email / Meeting if required
Council Customer Service	To be informed and to know where to direct enquiries / complaints.	Email
All Council staff	For information.	Internal newsletter
Ratepayers / Residents / Community Associations	To be informed on objective, scope and likely impacts and benefits the project will provide. To facilitate opportunity for comment and feedback on the project.	Flyers and/or posters around the town and information on Council's Website.
Traders / Tourism operators	To know how their business may be affected, or how their customers may be impacted. To facilitate opportunity for comment and feedback on the project	Flyers and/or letters as for Ratepayers
TasWater & Department of State Growth	Permits and approvals for works impacting TasWater assets including renewals and work within the state road reserve	Email / Meeting if required
TasNetworks, Telstra & NBN	Permits and approvals for works impacting TasNetworks, Telstra & NBN assets including upgrades and renewals	Email / Meeting if required
Media	To consider publishing stories about major news/projects/programs or events.	Media releases
Other / Project Specific		

#### 4. Risk Assessment

Potential Risk	Level of Risk	Risk Mitigation
The community have not been asked to have input into the design and do not like it.	Medium	Convey that the design has been prepared on the basis of professional advice, with a view to minimize long term maintenance costs
Business operators have not been asked for input how proposed infrastructure upgrades/changes might impact them and take their outrage to the media.	Low	Encourage businesses to direct any concerns to Council's Project Manager. One-on-one meetings with business operators prior to finalising detail design
Impact on property owners	Medium	One-on-one discussions with property owners to work out the details and minimize the impact.
Other Risks / Project Specific (add further risks identified for each project)		

#### 5. Key Messages

Brief outline of project providing objective(s), scope, impacts and benefits along with communication protocol and communication during construction.

#### 6. Communication Schedule

Develop communication schedule with timeline for each stakeholder group.

#### 7. Evaluation

Monitor comments and queries to assess how effective the communications has been provided on the project. Key messages should be constantly reviewed and updated during all delivery phases of the project.

# Communication Plan

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**PROJECT:**            **Bicheno Triangle Redevelopment**  
**DATE:**                **September 2021**  
**PREPARED BY:**    **Graeme Edwards**  
**RESPONSIBLE:**    **Graeme Edwards – Glamorgan Spring Bay Council**

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## 1. Project Outline

The Bicheno Triangle Project Master Plan was developed to reflect the needs, wants and aspirations of the local community to provide a usable public open space that incorporates the following:

- Operates as an economic driver for the town centre by attracting people using the Tasman Highway to stop in the centre of town to use the town's businesses.
- To create safer pedestrian circulation between key commercial areas within the town centre and the triangle park.
- Upgrade the visual amenity of the precinct.
- Provides more usable and flexible open space for the community (access for all ages).
- Reflects the history and purpose of the town
- Creates a unique destination and sense of place

## 2. .Communication Purpose

- Council wishes to inform and engage the community ensuring we are achieving goals that will benefit both residents and business operators and encourage visitors to explore all that Bicheno can provide.
- Communicate changes to traffic and pedestrian movements while work is undertaken
- Address impact to adjacent property owners and business as required during works

## 3. Risk assessment

Potential Risk	Level of Risk	Risk Mitigation
The community have not been adequately consulted to have input into the design and do not like it.	Medium	Community forum/public meeting to present development options with structured questionnaire for comments and feedback. Post proposed development options on Council Website and invite comments and feedback via questionnaire. Assess feedback and apply to development of detail design. Communicate project status throughout design and construction delivery of the project.
Business operators don't like the preferred option developed from the community feedback and take their outrage to the media.	Low	The proposal is beneficial to operators by encouraging visitors to stay longer in Bicheno. Encourage businesses to direct any concerns to Council's Project Manager. One-on-one meetings with business operators prior to finalising detail design

#### 4. Who are we informing?

<b>Audience / Stakeholder</b>	<b>Reason</b>	<b>Channel</b>
Elected Members	To be informed. Advocate and share council's works programs.	Email
Engineering & Works Department	To ensure Engineering & Works Department are adequately informed and have input to the project and aware of infrastructure impacts on their future maintenance program.	Email / Meeting if required
Council Customer Service	To be informed and to know where to direct enquiries / complaints.	Email
All Council staff	For information.	Internal newsletter
Ratepayers / Residents / Community Associations	To be informed on objective, scope and likely impacts and benefits the project will provide. To facilitate opportunity for comment and feedback on the project	Flyers and/or posters around the town and information on the Council's website.
Traders / Tourism operators	To know how their business may be affected, or how their customers may be impacted. To facilitate opportunity for comment and feedback on the project.	Flyers and letters
TasNetworks, Telstra and NBN	Permits and approvals for works impacting TasNetworks, Telstra & NBN assets including upgrades and renewals	Email / Meeting if required
TasWater and Department of State Growth	Permits and approvals for works impacting TasWater assets including renewals and the state road reserve	Email / Meeting if required
Media	To consider publishing stories about major news/projects/programs or events.	Media releases

## 6. Key Messages

- A concept design for the Bicheno Triangle has been developed, resulting in new public amenities, picnic and barbeque areas, local information panels and new footpaths and landscaping.
- Some changes in levels at kerb crossings will occur improving pedestrian access.
- During construction, traffic controls will be in place and minimal delays are expected. Pedestrian access across the Triangle will be restricted. Please follow the signage for your safety, and for the safety of the construction workers.
- We apologise for any inconvenience and thank you for your patience while we carry out this work.

### 6.1. *Protocols*

- All enquiries should be logged through Customer Service and directed to Council's Project Manager.
- Any media enquiries are to be sent to the Council's media and communications office.

## 7. Communication Schedule

Who (audience)	What (key message / activity)	When	How	Responsible	Evaluation
Residents / Community Associations and Business operators	A concept design for Main St Swansea has been developed, which will see new footpath surfaces, a point of entry and exit into the centre of Swansea created and public facilities including seating and tables and landscaping as well as information about Swansea's history provided to enhance the amenity of Swansea Main Street and encourage longer stays.	ASAP	Flyers, Posters and Website.	Project Manager	
All	Detailed description of project, timeline and plans.	?	Council Website		
Elected members	Details of concept design and communications plan summary.	ASAP	Email		Any questions/feedback.
Media	What the design entails and where people can see it.	?	Media release		
Shops / Traders and tourism operators	All may be affected as work progresses but communication between the work crews and project manager will be ongoing to minimise this.	?	Project manager will speak directly with business as work progresses		



## **8. Evaluation**

Monitor the queries received to identify if the communication has been effective and include on the Communications Plan. Key messages and frequency of messaging should be constantly reviewed and updated as required.

# Communication Plan

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PROJECT:	<b>Swansea Main Street Redevelopment</b>
DATE:	October 2021
PREPARED BY:	Graeme Edwards
RESPONSIBLE:	Graeme Edwards – Glamorgan Spring Bay Council

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## 1. Project Outline

The objective of the project is to build Swansea's reputation as The HUB of the East Coast and to increase visitor length of stay. Unpack once in Swansea to enjoy all the wonders of the East Coast. The Swansea Destination Action Plan identifies the priority objectives and actions that, when implemented, will ensure sustainable economic growth through tourism. Swansea sees its current and future success as a tourist destination in its centralised location that make east coast experiences easily available while staying in Swansea. Streetscape improvements to entice travellers to *linger longer* in Swansea exploring the town and its history will have a positive impact for the Swansea community.

## 2. Communication Purpose

- Council wishes to inform and engage with the community ensuring we are achieving goals that will benefit both residents and commercial operators and encourage visitors to explore all that Swansea can provide.
- Communicate changes to traffic and pedestrian movements while work is undertaken

- Address impact to some property owners and business as required during works

### 3. Risk assessment

Potential Risk	Level of Risk	Risk Mitigation
The community have not been asked to have input into the design and do not like it.	Medium	Convey that the design has been prepared on the basis of professional advice, with a view to minimise long term maintenance costs
Business operators have not been asked to input how the changes might impact them and take their outrage to the media.	Low	The proposal is beneficial to operators by encouraging visitors to stay longer in Swansea. Encourage businesses to direct any concerns to Council's Project Manager. One-on-one meetings with business operators prior to finalising detail design
Impact on some property owners with modification to their access driveways.	Medium	One-on-one discussions with property owners to work out the details of their access that will be suitable for their needs.

#### 4. Who are we informing?

<b>Audience / Stakeholder</b>	<b>Reason</b>	<b>Channel</b>
Elected Members	To be informed. Advocate and share council's works programs.	Email
Engineering & Works Department	To ensure Engineering & Works Department are adequately informed and have input to the project and aware of infrastructure impacts on their future maintenance program.	Email / Meeting if required
Council Customer Service	To be informed and to know where to direct enquiries / complaints.	Email
All Council staff	For information.	Internal newsletter
Ratepayers / Residents / Community Associations	To be informed on objective, scope and likely impacts and benefits the project will provide. To facilitate opportunity for comment and feedback on the project	Flyers and/or posters around the town and information on the Council's website.
Traders / Tourism operators	To know how their business may be affected, or how their customers may be impacted. To facilitate opportunity for comment and feedback on the project.	Flyers and letters
TasNetworks, Telstra and NBN	Permits and approvals for works impacting TasNetworks, Telstra & NBN assets including upgrades and renewals	Email / Meeting if required
TasWater and Department of State Growth	Permits and approvals for works impacting TasWater assets including renewals and the state road reserve	Email / Meeting if required

Media	To consider publishing stories about major news/projects/programs or events.	Media releases
Heritage Museum	To collaborate on interpretive signage and/or panels	Meeting
School	To discuss potential opportunities for collaboration with history and art components. To inform impacts to travel during works	Meeting

## 6. Key Messages

- A concept design for Swansea Main Street Upgrade has been developed, resulting in new areas for sitting, pavement art, street trees and trellises, local information panels and new kerb & channel and footpath surfacing.
- Some changes in levels will occur for kerbs improving pedestrian access.
- Pedestrian crossing points will be upgraded with improved landscaping.
- Improve the sense of arrival and departure within the central part of Swansea.
- During construction, traffic controls will be in place and short delays are expected. Please follow the signage for your safety, and for the safety of the road crews.
- We apologise for any inconvenience and thank you for your patience while we carry out this work.

### 6.1. *Protocols*

- All enquiries should be logged through Customer Service and directed to Council's Project Manager.
- Any media enquiries are to be sent to the Council's media and communications office.

## 7. Communication Schedule

Who (audience)	What (key message / activity)	When	How	Responsible	Evaluation
Residents / Community Associations and Business operators	A concept design for Main St Swansea has been developed, which will see new footpath surfaces, a point of entry and exit into the centre of Swansea created and public facilities including seating and tables and landscaping as well as information about Swansea's history provided to enhance the amenity of Swansea Main Street and encourage longer stays.	ASAP	Flyers, Posters and Website.	Project Manager	
All	Detailed description of project, timeline and plans.	?	Council Website		
Elected members	Details of concept design and communications plan summary.	ASAP	Email		Any questions/feedback.
Media	What the design entails and where people can see it.	?	Media release		
Shops / Traders and tourism operators	All may be affected as work progresses but communication between the work crews and project manager will be ongoing to minimise this.	?	Project manager will speak directly with business as work progresses		

## **8. Evaluation**

Monitor the queries received to identify if the communication has been effective and include on the Communications Plan. Key messages and frequency of messaging should be constantly reviewed and updated as required.

RECEIVED  
17 SEP 2021

BY: .....

Swansea Community & Men's Shed  
2 Arnol Street  
Swansea  
Tasmania 7190

15/9/21

The Community & Communications Officer  
PO Box 6,  
Triabunna  
Tasmania 7190

Attn. Eliza Hazelwood

Dear Eliza,

Re The Swansea Community & Men's Shed Inc. Grant Application.

I attach our application form for a Community Small Grant. Also attached is the invoice for \$1000.00 received from The Cable Dr for the supply and commissioning of a security camera system for the premises at 4 Arnol Street, Swansea.

In addition to the outcomes stated on the application form, we believe that the installation of cameras will provide many benefits to the community. In regard to COVID, if there ever was an incident, the cameras would identify anybody who visited the premises who may not have checked in as is required. We also believe it would identify any anti-social behaviour that could result in harm to the community using the facilities, for instance, tampering with workshop equipment that could result in harm to the next operator.

The requirement for security for the valuable tools and equipment that are there for community use, and the considerable volume of merchandise in the re-use shop, is obvious.

We look forward to your favourable consideration of our application.

Yours sincerely



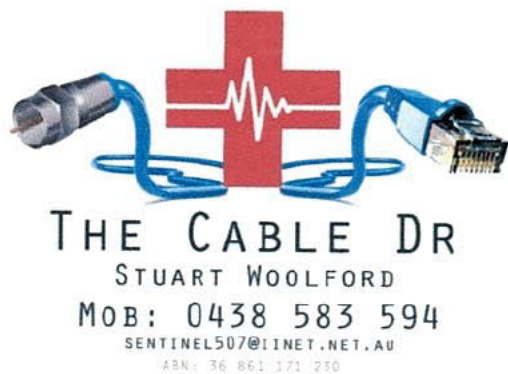
Colin Stevenson  
President  
Swansea Community & Men's Shed Inc.





9 Melbourne Street (PO Box 6)  
Triabunna TAS 7190  
☎ 03 6256 4777  
☎ 03 6256 4774  
✉ [admin@freycinet.tas.gov.au](mailto:admin@freycinet.tas.gov.au)  
🌐 [www.gsbc.tas.gov.au](http://www.gsbc.tas.gov.au)

COMMUNITY SMALL GRANTS APPLICATION FORM	
Name of applicant	Swansea Community & Men's Shed Inc.
Postal address	4 Arnol Street, Swansea, Tas. 7190
Contact person	Colin Stevenson
Role if group applying	President
Contact number	[REDACTED]
Email address	[REDACTED]
Is your organisation an incorporated body?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Project title and brief description (If insufficient space, please attach additional sheet)	
Security System	
Supply and installation of security cameras in workshop, Re-use Shop and external.	
The grant would be to cover the cost of cameras, modem and cable, and commissioning of the system.	
The Community & Men's Shed's contribution would be the supply of the computer, all labour required for the installation including the lifting and relaying of the roof sheeting, making all necessary building penetrations and the running of the cabling.	
Outline intended outcomes of the project (for example, benefits of the project to the community, support from any other groups or organisations.	
The Community & Men's Shed Inc. is a non for profit organisation focused on improving men's and women's health and well being, providing a forum for community groups and elderly and vulnerable members of our community to have a safe place to interact, as well as mentoring our primary school pupils.	
There is now a considerable amount of valuable tools and equipment in the workshop that are required for the successful pursuance of our endeavours. The Community Reuse Shop is operating very successfully and is well supported providing a great benefit to our community at the same time reducing the quantity of reuseable items going to landfill.	
The installation of a security system is considered to be essential for the safe operation of the Community Hub.	
Funding sought from Council	\$ 1,000.00
Funding to be contributed by you or your organisation	\$ in kind
Funding to be contributed from other organisations (Provide details below of confirmed or anticipated contributions *)	\$
Total Project Expenses	\$ 1,000.00
Signed	
Name (Please print)	COLIN STEVENSON
Date	15 <sup>th</sup> September 2021
*Details of other contributors:	



## INVOICE

### Customer Details

Date: 13/09/2021  
 Name: Colin Stevenson  
 Business: Swansea Community & Men's Shed  
 Address: 4 Arnol Street  
 Swansea  
 Phone:  
 Email:

Invoice No.: 20210913-003

### Description:

For supply and installation:

Swann Pro HD CCTV system  
 2x Vandal Dome Cameras and 4x Bullet Cameras  
 200m Cat5 Data Cable  
 Final Setup and Commissioning

Total (GST Free): \$1,000.00

1 October 2021

Mr Mick Purves  
Senior Planning Consultant  
Glamorgan Spring Bay Council

By email: [mick.purves@freycinet.tas.gov.au](mailto:mick.purves@freycinet.tas.gov.au)

Dear Mick

**SCHEME AMENDMENT - TEMPUS TASMAN HIGHWAY, SWANSEA**

Thank you for your time on the phone on Tuesday 28 September 2021. As you are aware, the Tasmanian Planning Commission (**Commission**) has scheduled a hearing pursuant to s.40 of the *Land Use Planning and Approvals Act 1993 (LUPA Act)* in connection with my client's application to the Glamorgan Spring Bay Council (**Council**) to amend the *Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)*. The draft amendment seeks to rezone a portion of land at 12371 Tasman Highway, Swansea from Significant Agriculture to Particular Purpose Zone – Tempus Village and create within the Interim Scheme the controls that will apply to all land within that zone. Council, of course, initiated that amendment in February this year following an extensive pre-lodgement consultation process.

My client has committed significant resources to the project so far, as is often the case in applications for scheme amendments, and likewise, I am sure that Council has expended considerable resources in their assessment of the application.

On 7 September 2021, we received correspondence from the Commission which requested a submission to be made about the effect of the savings and transitional provisions in Schedule 6 of the LUPA Act. The issue to be addressed was whether the draft amendment would be extinguished if not determined at the time that the Local Planning Schedule (**LPS**) for Glamorgan Spring Bay comes into effect.

On 14 September 2021, I provided a submission that confirms our position that the present amendment attracts the benefit of those savings and transitional provisions under cl.4 because the draft amendment is for the purpose of altering the designation of the zoning applied to the land. Following receipt of this correspondence, the Commission has confirmed that the hearing will proceed as scheduled on 18 and 19 October 2021.

As I note in our submission, my client is concerned that there may be some ambiguity regarding the protection afforded by the savings and transitional provisions. That ambiguity exposes my client, and indeed the Council, to a risk of a future legal challenge in the event that the Commission approves the amendment.

My client is keen to avoid the risk of a legal challenge, with its attendant legal costs and the uncertainty that it would cause in relation to the status of the land and the ability for development to proceed. Equally, my client would prefer to avoid the need to submit a fresh application for rezoning and recommence a process of public exhibition. The community has been heard in response to the application and we do not wish to impose a further obligation upon interested parties to submit fresh representations.

To this end, my client has written to the Minister, Mr Jaensch, to seek his support for specifying a date for the commencement of the LPS that allows sufficient time for the present draft amendment to be heard and determined by the Commission.

I understand that, as matters stand, the intention would be for the LPS to come into effect in December. While the present hearing timeline likely provides sufficient time for the amendment to be determined before a December commencement date, it may be that further hearing dates are listed that cause some delay. Furthermore, it would be unfortunate if the LPS commenced a matter of days before the present draft amendment was determined.

To provide certainty as to the strategic future of the land and operation of the Tempus Village zoning, we seek the support of the Council to encourage the Minister and the Commission to defer setting a date for the commencement of the LPS or alternatively to ensure that any date that is set allows sufficient time for the determination of the present application. If the Council is able to provide support for that position, I would be grateful if you could write to the Commission and the Minister to that effect.

I look forward to hearing from you.

Yours faithfully  


Naomi Billett  
Principal | Billett Legal  
Email: [naomi@billettlegal.com.au](mailto:naomi@billettlegal.com.au)

14 September 2021

Attention: Karen Fyfe

Ms Ann Cunningham  
Delegate (Chair)  
Tasmanian Planning Commission

By email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

Dear Ms Cunningham

**GLAMORGAN SPRING BAY INTERIM PLANNING SCHEME 2015, DRAFT AMENDMENT AM 2021-01 & PERMIT DA 2020-80, TEMPUS VILLAGE 12371 TASMAN HIGHWAY, SWANSEA**

I refer to your correspondence dated 7 September 2021. The Delegates have directed that a response is provided to the following:

*“...the effect of the Savings and Transitional Provisions Schedule 6 - Land Use Planning and Approvals Amendment Act 2015 and in particular clauses 5 and 7 on the draft amendment for insertion of the Tempus Village PPZ.”*

For the purpose of providing this response, I will assume that the reference to the *Land Use Planning and Approvals Amendment Act 2015 (Amendment Act)* is a reference to Schedule 6 of the *Land Use Planning and Approvals Act 1993 (LUPA Act)* as currently in force and containing within Schedule 6 the savings and transitional provisions introduced as part of the Amendment Act.

Unsurprisingly, the starting point is the provisions of the legislation referred to.

**1 SAVINGS AND TRANSITIONAL PROVISIONS**

Cl.7 of Schedule 6 provides that a request for an amendment to the relevant scheme lapses on the day on which the LPS comes into effect in relation to the municipal area unless cls.4 or 5 of the Schedule apply.

S.35M of the LUPA Act provides that an LPS comes into effect on the day that it is notified in the Gazette or at a later date that may be specified in the notice.<sup>1</sup>

Cls.4 and 5 apply to certain types of draft amendments that have been initiated under s.34 of the former provisions of the LUPA Act before the LPS comes into effect but which have not been approved under s.42 before that event.

Cl.4 applies to a draft amendment that is for the purpose of altering the designation of a zone to an area of land.

Cl.5 applies to a draft amendment that is for the purpose of altering the requirements of a particular purpose zone or specific area plan that was designated in the planning instrument to an area of land, and to a draft amendment that is for the purpose of establishing a specific area plan.

<sup>1</sup> Notice is to be placed in the Gazette as soon as practicable after approving the LPS. A LPS is approved by the Commission with the consent of the Minister; s.35L(1). S.35L(3) provides for approval to be given within 90 days after receiving a report from the planning authority under s.35F, being a report following exhibition of the draft LPS.

There is a similar provision with respect to draft amendments such as the present that requires the Commission to determine the application within 90 days of receipt of the relevant report from the planning authority and for the Scheme to come into effect when notified.

## **2 APPLICATION TO THE PRESENT AMENDMENT**

The present draft amendment seeks to alter the designation of the zoning that applies to the subject site. It proposes to rezone the land from “Significant Agriculture” to “Particular Purpose Zone 8 – Tempus Village.” The amendment further seeks to establish the requirements for assessment of use and development within that zone.

On the face of it, cl.4 would apply to the draft amendment due to the purpose of the amendment being to alter the designation of the zones to the particular area of land.

It is however noted that the draft amendment has the additional characteristic of establishing the requirements of the zone. This does not affect the application of cl.4 as one of the purposes of the amendment remains to alter the designation of the zoning.

## **3 ANY AMBIGUITY IN THE SCOPE OF CL.4**

I have made further enquiries regarding the interpretation of cl.4 in an attempt to resolve any ambiguity in the statute as to whether it only applies when the draft amendment alters the designation of the zone as compared to cases, such as the present, where the draft amendment alters the designation of the zone as well as establishing the requirements and standards of that zone (i.e. where it may have a dual purpose). The savings and transitional provisions are silent in this regard and it is necessary to construe the legislation to give effect to the intent of the legislature.

In accordance with orthodox principles of statutory interpretation, regard may be had to extrinsic materials to assist in resolving ambiguity in interpretation. Relevant extrinsic materials include the Second Reading Speech. The Second Reading Speech relevantly records that:

*“Transitional provisions also allow certain amendments to planning schemes where the assessment has not been completed when a Local Provisions Schedule comes into force, to continue as an amendment to the Local Provisions Schedule. This includes amendments to change the designation of a zone (from one zone to another), amendments to an existing particular purpose zone, specific area plan or site specific qualification, and amendments to introduce a new specific area plan. These transitional provisions aim to provide that for complex amendment proposals that may take a significant amount of time to be assessed and a final decision made, including amendments that may have an associated application for a permit, the applicant is not required to initiate what may be a costly and lengthy process from the beginning only because the new scheme has come in.”*

In our submission, the savings and transitional provisions intend to allow complex amendment proposals to be determined in recognition of the time and costs involved in preparing the amendment. The savings and transitional provisions strike a balance between protecting the investment in amendment proposals and maintaining the Tasmanian Planning Scheme structure.

The draft amendment is aptly described as complex, having its origins in 2019 and supported by numerous comprehensive reports. The assessment, both by the applicant and the planning authority, required to determine and ultimately substantiate the designation of the zoning is clearly extensive. In our submission, cl.4 applies to the draft amendment because it is an amendment for the purpose of altering the designation of the zoning and the application of cl.4 is not frustrated by the fact that the draft amendment also establishes the provisions of the zone.

Furthermore, s.5 of the LUPA Act and the objectives in Schedule 1 are of relevance to the question of construction. Providing for fair and orderly development, encouraging public participation in the planning process, sharing responsibility (the amendment here being the result of an application to the Council), and facilitating economic development are all promoted where cl.4 is given a full effect as to

apply where one of the purposes advanced by the amendment is within the ambit of its protective provisions.

#### **4 PRACTICAL CONSIDERATIONS**

It is somewhat troubling that the present draft amendment is opened to debate on the application of the savings and transitional provisions. The amendment was referred to the Tasmanian Planning Commission by correspondence dated 16 June 2021. The Commission is required under s.40 of the LUPA Act (Former provisions) to consider the amendment as soon as practicable and must hold a hearing for this purpose. Where approval is given, s.42 requires that this occur within 3-months or such time as may be extended by the Minister.

The timeline for this matter is such that the hearing will not take place until some 4-months following the commencement of the Commission process. Directions enabling the matter to proceed to a hearing were not issued until some 2-months after the process had commenced. No reasonable opportunity for compliance with the statutory timeframe has been afforded.

It is the failure to comply with the statutory timetable that exposes my client to the risk that the amendment may lapse or at the very least, to the risk that arguments to that effect may hamper the implementation of the amendment and action in reliance upon both it and the permit that has been sought.

Those risks should be managed moving forward.

My client is not blind to the practical realities and time pressures upon the Commission that have led to delay and that would now appear to make compliance with a 3-month timetable for hearing and determination impossible. However, we submit that it would be unconscionable to create a risk that the present amendment may lapse as a consequence of the introduction of the LPS for the Glamorgan Spring Bay municipality as a consequence of that delay. Such delay was wholly beyond the control of the applicant and yet it would be the applicant, and indeed the Council, that were prejudiced by adopting a course that allowed the LPS to come into effect before determination of the present draft amendment.

To the extent that it needs to be articulated, the prejudice takes the form of the significant time and costs thrown away in the preparation and assessment of the amendment. The applicant should not be required to re-commence what has undoubtedly been *“a costly and lengthy process from the beginning only because the new scheme has come in.”*

In this regard, I note that the process was commenced in 2019 ahead of lodgement of the final application in May 2020. A request for further information was issued and answered resulting in Council accepting the application in December 2020. The timeframe for assessment by the planning authority was extended by the Commission and ultimately expired in any event a little over 2 weeks before the required reports were sent to the Commission.

Given these timeframes, it would not have been appropriate for the applicant to await the outcome of the LPS process before advancing their application for the amendment. The substantial investment by the application is evident from both the timing of these actions as well as the substantial body of material that has been provided to assist in the assessment of the amendment. The applicant has at all times sought to work productively with the Council to ensure that adequate information was provided to enable assessment of the application and that interested members of the community could be adequately informed of the scope and intent of the proposed zone and its intended operation.

#### **5 SPECIFYING TIMEFRAMES FOR COMMENCEMENT**

As submitted, steps should be taken to ensure that the LPS does not come into effect before the present application has been determined.



It is noted that a hearing of the LPS for Glamorgan Spring Bay is listed for tomorrow, 15 September 2021. That hearing is the result of modifications to the draft amendment. It may be that the Commission's consideration of the draft amendment is finalised following that hearing. We submit that, while the Commission may finalise its consideration of the LPS, the LPS should not come into effect until such later date that enables the hearing and determination of the present draft amendment.

There is of course power to specify, in the gazettal of the LPS, that it does not come into effect until a later date; LUPA Act, s.35M. That is the course that should be adopted. Careful attention will need to be given to the management of timelines to ensure that neither the LPS nor the present draft amendment is unreasonably delayed.

Given that this matter has been listed for hearing in October and directions have been made that require the parties to supply material relied upon ahead of the hearing, the present hearing process can be managed to ensure procedural fairness to the parties and enable the prompt determination of the application.

## **6 CONCLUSION**

While it is our view that the application is protected under cl.4 of Schedule 6 of the LUPA Act, it is my client's preference to avoid a situation where they are exposed to the risk of argument arising as to the validity of the Commission's determination.

Accordingly, we seek to ensure that the present draft amendment is promptly assessed and that directions are given for the LPS to not come into effect until after that assessment has concluded.

I am happy to expand upon any aspect of the above and note that I have not sought to speculate on what timeframes should be adopted for the commencement of the LPS. The Council may be better placed to advise on this issue in the first instance.

Yours faithfully  


Naomi Billett  
Principal | Billett Legal  
Email: [naomi@billettlegal.com.au](mailto:naomi@billettlegal.com.au)

cc: Mr Mick Purves, obo Glamorgan Spring Bay Council, by email: [mick.purves@freycinet.tas.gov.au](mailto:mick.purves@freycinet.tas.gov.au)