Ordinary Council Meeting - 26 March 2024 Attachments

2.3 MINUTES OF GLAMORGAN SPRING BAY AUDIT PANEL - 27 FEBRUARY 2024	3
2.3.1 Audit Panel Minutes 2024-02-27 (3)	3
3.3 RESPONSES TO PREVIOUS QUESTIONS ON NOTICE TAKEN ON NOTICE - 27 FEBRUARY 2024	6
3.3.1 Planning Appeal Costs Since July 1 2020	6
5.1 FINANCIAL REPORT FOR FEBRUARY 2024	7
5.1.1 Group Financial Statements 2024-02	7
7.2 DIRECTOR PLANNING AND DEVELOPMENT - ALEX WOODWARD	12
7.2.1 Attachment 1 DA with Representations received Jan March 2024	12
7.2.2 Attachment 2 Planning Appeals Jan March	15
8.1 CODE OF CONDUCT PANEL DETERMINATION	16
8.1.1 Code of Conduct Panel Determination - Ms Kathleen Ford against Councillor Cheryl Arnol	16
8.2 DEALING WITH UNREASONABLE CUSTOMER CONDUCT POLICY	24
8.2.1 DRAFT - Dealing with unreasonable customer conduct - March 2024	24
8.3 SWANSEA COURTHOUSE MANAGEMENT COMMITEE - 2023 ANNUAL REPORT	34
8.3.1 SCMC 2023 Annual Report	34
8.3.2 Terms of Reference Swansea Courthouse Management Committee R Crj H Qxqvk 2 O Bf 48	i
FE W 5 A	39
8.4 COMMUNITY SMALL GRANT APPLICATION - SPRING BAY MARITIME AND DISCOVERY CENTRE	
INC	43
8.4.1 Community Small Grant Application - Spring Bay Maritime and Discovery Centre Inc	43
8.4.2 Community Small Grant Project Outline - Spring Bay Maritime and Discovery Centre Inc	44
8.5 REQUEST FOR EVENT SUPPORT - BICHENO BEAMS 2024	47
8.5.1 Request for Event Support Application - Bicheno Beams	47
8.6 REQUEST FOR EVENT SUPPORT - VAN DIEMAN'S BAND	.52

8.6.1 Glamorgan Spring Bay Community Grant Support Material - Participant Information	52
8.6.2 Community Small Grant Additional Information - Van Diemen's Band	54
8.6.3 Glamorgan Spring Bay Community Grant Support Material - Participant Information	56



MINUTES OF MEETING

Committee: Glamorgan Spring Bay Council Audit Panel

Chairperson:Heather SalisburyExecutive Officer:Greg Ingham

Meeting Date: Tue 27 Feb 2024 9.00am

Location: Council Office Triabunna and online via Microsoft Teams

Invitees:

Heather Salisbury	Independent Panel member (Chair)	Present
Ric de Santi	Independent Panel member	Present
Clr Rob Churchill	GSBC Councillor Panel member	Present
DM Clr Mike Symons	GSBC Councillor Panel member	Online
Greg Ingham	GSBC General Manager	Present
Elysse Blain	GSBC Director Corporate & Community (Minutes)	Present

1. Preliminaries

a) Conflict of interest declaration.

Person	Association	Risk/Conflict						
Ric de Sa	anti	Nil						
1.	Launceston City Council Audit Panel - Chair	Nil						
2.	2. Sorell Council Audit Panel - Member							
3.	Glenorchy City Council Audit Panel - Member	Nil						
4.	Tasmanian Community Fund – Southern Board Member	Nil						
5.	 Port Arthur Historic Site Management Authority – Director and Chair Audit, Risk and Governance Committee 							
6.	Brighton Council Audit Panel Chair	Nil						
7.	South Australian Auditor General office audit committee member	Nil						
8.	UTAS casual academic	Nil						
9.	Audit Committee of Australian accounting standards board + Australian auditing and assurance standards board	Nil						
10.	10. President CPA Australia (Tasmania Branch)							
Heather	Salisbury	Nil						
1.	Glenorchy City Council Audit Panel							
2.	Kingborough City council consultant	Nil						

2. Confirmation of previous minutes 28th November 2023.

a) True and correct. Need to ensure council is advised that minutes submitted for noting are unconfirmed.

3. Actions arising from previous Minutes

a) Included in below. All transferred to this agenda.

4. Financial Reports 31 Jan 2024

a) Received and noted

5. External Audit Financial Statements 2022-23



- a) Received and noted the Tasmanian Audit Office Memorandum of Understanding Report, received 20 December 2023.
- b) A pleasing Audit result reflecting well on Council. Noting there are no prior period findings outstanding, and the singular new low risk finding, is a continuous improvement opportunity. The opportunity to include a new process to be included by EOFY 2024.
- c) There was some concern discussed about the lateness of the delivery of Tas Audit closure reporting.
- d) To initiate an evaluation process to assess the effectiveness of the audit process, to share with the Panel. Action Ric.

6. Increase in Audit Fee

a) Noted the increased fee as advised by Tasmanian Audit Office by \$4k.

7. Review of Strategic Plan & Long Term Financial Management Plan

- a) Initiated the Strategic Plan review. Is on the Council agenda today for adoption. Send to Panel after endorsed by Council **Action** Elysse
- b) Financial Management Strategy and Long Term Financial Management Plan updates will follow the reviewed Strategic Plan. These will be raised with Council at upcoming workshops prior to budget determination. To include the updated LTFMP at the next Panel meeting.

8. Audit Panel Charter

a) Panel considered comments received following a revised charter being put to Council in January. Suggested amendments in response to the comments were discussed and resolved. . Action Heather to provide updated draft Charter to Panel members.

9. Annual Work Plan

a) The current work plan will be rolled over to 2024 pending further refinement of a new work plan template..

10. Risk and Opportunity Framework

a) Draft governance register underway. Plan to discuss with Council at a forthcoming workshop.

11. General Manager's update - emerging risks

- a) Discussed staff resources vacancies, recruiting difficult particularly professional roles.
- b) Discussed health activities.
- c) Discussed funding MOU from State Liberal visit recently.
- d) Discussed State Grant Commission discussion papers on proposed changes to the formula providing for per capita base for calculation of grant entitlement. Proposal would result in a potential increase in grants to GSB of some \$200k to \$600k p.a
- e) Discussed concerns around the two new Bass Strait ships that will increase tourism by 40%. Concerns about capacity of Council funded infrastructure such as roads, toilets, reserves etc to cope.
- f) Discussed very real issues of Tasman Highway condition and coping with more and more volume of vehicles, safety of drivers due to narrow and unpassable road lengths, poor driver skills of visitors and impact on native animals.
- g) Debtors Elysse provided an update in relation to s137 matters currently in progress
- h) Require support for sovereign citizen issue. Excessive productivity waste. Significant psychological risk for staff exposure. Require LGAT and State support

12. Local Government Reform

a) Discussed current forum with GM's.

13. Items referred to Audit Panel (if any)

Page 2



• Nil

14. Other business

• Nil

15. Next Meeting:

• Tue 4 June 2024 9.30am send out proposed calendar with this invite.

16. Close

• Closed 11.20am

Action Summary

Meeting	Item	Action Item	Who	Status
Nov 22	10.3	Discuss further action re shortfall of State Grants Commission funding	Greg	Close
Feb 23	7	Progress to WLF phase 2 support	Elysse	Close
Aug 23	11	Debtor policy amend to guideline.	Brendan	Close
Feb 24	7	LTFMP workshop following Strategic Plan review	Elysse	ongoing
Feb 24	5	Auditor assessment questionnaire	Ric	ongoing
Feb 24	8	Audit Panel Charter further update	Heather	ongoing
Feb 24	9	Update draft workplan with Chair	Elysse	ongoing
Feb 24	10	Present Councillor risk assessment to Councillor workshop	Elysse/Greg	Ongoing

26 Mar 2024		
Heather Salisbury	Dated	

Planning Appeal Costs Since July 1 2020

Planning App	oeal Costs Since July 1 2020					
				Professional fees		
				(consultants reports		
•	Property Address	Application Details	Legal Fees	& attending hearings)	Outcome	Date Resolved
DA2019/00345		Dwelling - Refused by Council and appealed by applicant.	\$ 12,173.00	\$ -	Appeal resolved by consent decision. Permit issued.	5/11/2020
SA2019/00017	Tasman Hwy, Orford (SOLIS)	47 Lot Subdivision - Approved by Council and appealed by representor.	\$ 24,486.00	\$ -	Appeal successful and application refused by TASCAT. Costs not awarded.	2/05/2022
SA2022/00024	907 Dolphin Sands Road, Dolphin Sands	4 Lot Subdivision - Refused by Council and appealed by applicant.	\$ 350.00	\$ -	Appeal withdrawn by applicant	16/09/2022
SA2021/0003	14635 Tasman Highway, Swansea	Subdivision - 4 lots + balance - Refused by Council and appealed by applicant.	\$ 4,230.00	\$ -	Appeal withdrawn by applicant	14/02/2023
DA2022/00122	RA1 Swanwick Drive, Swanwick	Creation of a Wetland Park - Refused by Council and appealed by applicant.	\$ 12,270.00	\$ -	Appeal resolved by mediation. Permit issued.	10/05/2023
DA2021/00231		Dwelling - Refused by Council and appealed by applicant.	\$ 13,293.00	\$ 33,348.00	Appeal resolved by consent decision. Permit issued.	27/07/2023
SA2022/00034	945 Dolphin Sands Road, Dolphin Sands	4 Lot Subdivision - Refused by Council and appealed by applicant.	\$ 8,813.00	\$ -	Appeal successful. Council ordered to advertise and determine application. Permit subsequently issued.	8/09/2023
DA2019/00064	1819 & 1593 Coles Bay Road, Coles Bay	Visitor Accommodation Units - Approved by Council and appealed by representor. This ultimately was referred to the Supreme Court.	\$ 35,072.00	\$ -	Appeal withdrawn by applicant	8/01/2024
SA2022/00031	•	3 Lot Subdivision - Refused by Council and appealed by applicant.	\$ 8,813.00	\$ -	Ongoing. Currently in TASCAT	Ongoing
DA2023/00055	1100 Coles Bay Road, Coles Bay	8 x visitor accommodation cabins, cafe, cellar door and dwelling - Refused by Council and appealed by applicant.	\$ 34,980.00	\$ 35,619.00	Ongoing - Currently in TASCAT	Ongoing
DA2023/00161	60A Burgess Street, Bicheno	Bicheno Ambulance Station - Approved by Council & appealed by representor	\$ 3,762.00	\$ -	Ongoing - Currently in TASCAT	Ongoing
		SUB TOTALS:	\$ 158,242.00	\$ 68,967.00		
		TOTAL:	\$ 227,209.00			

Profit and Loss

Glamorgan Spring Bay Council For the 8 months ended 29 February 2024

Account	YTD Actual	YTD Budget	Budget Var	Var %	2023/24 Budget	Notes
Trading Income						
Rate Revenue	13,046,882	12,954,680	92,202	1%	12,954,680	
Statutory Charges	476,873	448,664	28,209	6%	691,962	
User Charges	779,297	741,251	38,046	5%	980,956	
Grants	672,361	878,221	(205,860)	-23%	2,430,702	1
Interest & Investment Revenue	496,414	283,300	213,114	75%	611,200	2
Contributions	682,156	123,336	558,820	453%	185,004	3
Other Revenue	1,127,389	1,162,794	(35,405)	-3%	1,825,339	
Total Trading Income	17,281,373	16,592,246	689,127	4%	19,679,843	
Gross Profit	17,281,373	16,592,246	689,127	4%	19,679,843	
Capital Grants						
Grants Commonwealth Capital - Other	551,149	1,050,721	(499,572)	-48%	1,050,721	4
Grants Commonwealth Capital - Roads to Recovery	31,510	0	31,510	0%	31,510	
Grants State Capital - Other	49.366	486.866	(437,500)	-90%	486,866	5
Total Capital Grants	632,025	1,537,587	(905,562)	-59%	1,569,097	·
Other Income						
Net Gain (Loss) on Disposal of Assets	126,203	0	126.203	0%	0	
Total Other Income	126,203	0	126,203	0%	0	
Operating Expenses						
Employee Costs	3.260.094	3,861,788	(601,694)	-16%	5.703.604	6
Materials & Services	5.139.736	5.568.692	(428,956)	-8%	8.038.110	
Depreciation	2,338,292	2,290,273	48,019	2%	3,430,537	
Interest	78,804	113,523	(34,719)	-31%	189,543	
Other Expenses	128,954	160,856	(31,902)	-20%	219,284	
Total Operating Expenses	10,945,881	11,995,132	(1,049,251)	-9%	17,581,078	
Net Profit	6,335,492	4,597,114	1,738,378	38%	2,098,765	
Total Comprehensive Result (incl Capital Income)	7,093,721	6,134,701	959,020	16%	3,667,862	
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NOTES OF BUDGET VARIANCES > \$50k and >10%.

Group Financial Statements 2024-02

^{1.} Accreditation funding \$27k expected in 2022-23, received in July. Black Summer grant funds of \$307k not yet received.

^{2.} Higher than expected interest income due to increasing interest rates.

^{2.} Inglied train specied interest mount and of interest real states in the state of interest real states.

3. Contributions: higher than budget Public Open space \$425k and Subdivision \$151k, lower than budget Stormwater \$18k

4. Local Roads & Community Infrastructure Grant round 4 funding yet to receive.

5. Finds not received from Emergency Management funds for stormwater damage of \$187k and Tas Community Fund for Coles Bay Annex \$250k
6. Staff vacancies creating shortfall in staff capacity/availability.

Statement of Financial Position

Glamorgan Spring Bay Council As at 29 February 2024

Account	29 Feb 2024	30 Jun 2023
Access		
Assets Current Assets		
Cash & Cash Equivalents	10,547,393	7,378,375
Trade & Other Receivables	3,775,974	1,197,729
Other Assets	23,375	29,750
Total Current Assets	14,346,742	8,605,854
Non-current Assets	14,540,742	0,000,004
Investment in Water Corporation	32,180,959	32,180,959
Property, Infrastructure, Plant & Equipmer	167,653,351	169,937,559
Total Non-current Assets	199,834,310	202,118,518
Total Assets	214,181,052	210,724,372
Total Assets	214,101,032	210,724,572
Liabilities		
Current Liabilities		
Trade & Other Payables	1,095,914	468,081
Trust Funds & Deposits	406,419	406,067
Provisions	795,335	795,335
Contract Liabilities	0	788,036
Interest bearing Loans & Borrowings	1,925,481	2,077,666
Total Current Liabilities	4,223,149	4,535,184
Non-current Liabilities		
Provisions	103,327	103,327
Interest Bearing Loans & Borrowings	5,509,214	5,509,214
Total Non-current Liabilities	5,612,541	5,612,541
Total Liabilities	9,835,690	10,147,725
Net Assets	204,345,362	200,576,647
Net Assets	204,343,302	200,570,047
Equity		
Current Year Earnings	3,768,715	5,254,545
Retained Earnings	95,159,410	89,904,865
Equity - Asset Revaluation Reserve	104,218,014	104,218,014
Equity - Restricted Reserves	1,199,222	1,199,222
Total Equity	204,345,362	200,576,647

Group Financial Statements 2024-02

Statement of Cash Flows

Glamorgan Spring Bay Council For the 8 months ended 29 February 2024

Account	YTD Actual	2022/23 Actual
Operating Activities		
Receipts from customers	13,481,616	16,403,161
Payments to suppliers and employees	(8,393,575)	(14,562,130)
Receipts from operating grants	111,002	2,264,209
Cash receipts from other operating activities	661,890	726,177
Net Cash Flows from Operating Activities	5,860,933	4,831,417
Investing Activities		
Proceeds from sale of property, plant and equipment	101,824	536,896
Payment for property, plant and equipment	(3,438,857)	(3,135,595)
Receipts from capital grants	810,976	1,125,695
Other cash items from investing activities	(14,025)	(879,141)
Net Cash Flows from Investing Activities	(2,540,082)	(2,352,145)
Financing Activities		
Trust funds & deposits	(14,648)	(9,909)
Proceeds from/ repayment of long term loans	(113,018)	(219,084)
Other cash items from financing activities	(24,167)	860,375
Net Cash Flows from Financing Activities	(151,832)	631,381
Net Cash Flows	3,169,018	3,110,653
	•	, ,
Cash and Cash Equivalents		
Cash and cash equivalents at beginning of period	7,299,006	4,188,352
Cash and cash equivalents at end of period	10,468,024	7,299,006
Net change in cash for period	3,169,018	3,110,653

Group Financial Statements 2024-02

Capital Works Detail

Glamorgan Spring Bay Council
For the period 1 July 2023 to 29 February 2024

	Cost YTD	% cost spent	Status	Carry Fwd Last Year	Renewal Works	New Works	Adj Budget 2023/24	Original Budget 2023/24	Council Funded	External Funded	External Funding Source	Details
Roads, Footpaths, Kerbs												
Road accessibility (Black Summer)	-	0%	In progress	60,000			60,000	60,000		60,000	Black summer bushfire recovery	
Wielangta Road Corner Stabilisation	520,740	101%	Completed	100,000	207,730	207,730	515,460	100,000	128,865	386,595	Emergency management fund	
Swansea Main Street Paving	95,398	48%	In progress	200,000			200,000	200,000	76,500	123,500		1
Sand River Road Buckland	48,606		Completed	40,000			40,000	40,000	-	40,000	Defence Contribution	
Resheet Program	62,318	62%	In progress		100,000		100,000	150,000	100,000			
Reseal Program	641,788		completed		628,300		628,300	628,300	596,790		Roads to Recovery	
Pavement renewal Program	365,000	100%	Completed		365,000		365,000	365,000	133,644	231,356	, ,	
Rheban Road Reinstatement	322,064	80%	completed		151,000	250,000	401,000	401,000		401,000	Community Development Grant Cwth	1
Footpath and disability compliance renewal	9,021	6%	In progress		150,000		150,000	150,000	150,000			
Kerb & Channel Renewal	43,579	44%	In progress		100,000		100,000	100,000	100,000			
Storm Damage Projects 2022	89,949		In progress		125,000	125,000	250,000	250,000	62,500	187,500	Emergency management fund	
Design 2023-24	17,800	59%	In progress		30,000		30,000	30,000	30,000			
Contingency	-		Not started		-		-	40,000	-			
Total Roads, Footpaths, Kerbs	2,216,262	78%	-	400,000	1,857,030	582,730	2,839,760	2,514,300	1,378,299	1,461,461		
Bridges, Culverts												
Bridge - 17 Acre Creek Bridge Wielangta Rd	-	0%	Not Started				-	400,000			Bridge renewal program	Subject to grant approval
Bridge - 24 Ferndale Rd	-	0%	Not Started				-	150,000			Bridge renewal program	Subject to grant approval
Bridge - 47 Griffiths Rivulet Wielangta Rd	-	0%	Not Started				-	51,000			Bridge renewal program	Subject to grant approval
Rosedale Rd 30% deck renewal	-	0%	Not started		100,000		100,000	90,000	100,000		Bridge renewal program	Subject to grant approval
Total Bridges, Culverts	-	0%	-	-	100,000	-	100,000	691,000	100,000	-		
Parks, Reserves, Walking Tracks, Cemeteries												
Bicheno Triangle	6,053	1%	In progress	500,000			500,000	500,000		500,000	Community Development Grant Cwth	1
Bicheno Gulch	31,936	2%	In progress	1,300,000			1,300,000	1,300,000		1,300,000	Community Development Grant Cwth	1
Coles Bay Foreshore	547,284	91%	In progress	600,000			600,000	600,000		600,000	Community Development Grant Cwth	1
Playground Renewals	2,547	13%	Inprogress		20,000		20,000	115,507	20,000			
Walking/Cycling strategy	-	0%	Not started			20,000	20,000	20,000		20,000	Department of Health	
Walking bridge Bicheno (timber)	25,856	105%	Completed	24,571			24,571		24,571			
POS Bicheno Skate Park	37,632	0%	Completed					-				Council approved Jul 2023
WTS Land Acquisition	800	0%	Not started			325,000	325,000	-	325,000			funded from POS contribution.
Total Parks, Reserves, Walking Tracks,	652,107	23%	-	2,424,571	20,000	345,000	2,789,571	2,535,507	369,571	2,420,000		
Stormwater & Drainage												
Pit and Pipe infill works	1,127	2%	In progress	60,000			60,000	60,000	60,000			
49 Rheban Rd design to West Shelley Bch	-	0%	In progress	35,000			35,000	35,000	35,000			
Holkham Court	-	0%	In progress	40,000			40,000	40,000	40,000			
Pit and Pipe Renewal Program	42,023	47%	In progress		90,000		90,000	150,000	90,000			
Total Stormwater & Drainage	43,150	19%	-	135,000	90,000	-	225,000	325,237	225,000	-		
Building												
Heli-pad Swansea Emergency Services	3,755	4%	In progress	107,000			107,000	107,000		107.000	Black summer bushfire recovery	
Triabunna Depot kitchen bathroom	-	0%	In progress	15,000			15,000	15,000		15,000	Black summer bushfire recovery	
Coles Bay Hall Annexe			. 3	-,			-,	-,		-,-,-	Community Infrastructure Round 3 &	
•	6,868	1%	In progress		300,000	300,000	600,000	430,000	170,000	430 000	Tasmania Community Fund	
Spring Beach Toilet Refurbishment	37,439		In progress	39,635	550,000	550,000	39,635		170,000	39,635	,	
Public Amenities	-	0%	Not started	55,055	100,000		100,000	100,000	100,000	55,055		
Triabunna Depot	5,102	8%	Not started		65,000		65,000	65,000	65,000			
Total Building	53,164	6%	-	161,635	465,000	300,000	926,635	717,000	335,000	591,635		

Capital Works Projects 2024-02 Page 1/2

Capital Works Detail

Glamorgan Spring Bay Council
For the period 1 July 2023 to 29 February 2024

	Cost YTD	% cost spent	Status	Carry Fwd Last Year	Renewal Works	New Works	Adj Budget 2023/24	Original Budget 2023/24	Council Funded	External Funded	External Funding Source	Details
Marine Infrastructure												
Saltworks Toilet	-	0%	In progress	100,000			100,000	100,000		100,000	Community Infrastructure Round 3	
Saltworks Boat Ramp Upgrade	-	0%	In progress	99,123			99,123	99,123		99,123	State Grant MAST	
Triabunna Marina Car Park Upgrade	-	0%	Not started		25,000		25,000	25,000	25,000			
Total Marine Infrastructure	-	0%	-	199,123	25,000	-	224,123	224,123	25,000	199,123		
Sewerage												
Swanwick Waste Water Driveway Seal	1,725	17%	Completed			10,000	10,000	-	10,000			
Total Sewerage	1,725	17%	-	-	-	10,000	10,000	-	10,000	-		
Plant Equipment & Other												
IT Computer Equipment	19,758	198%	Completed		10,000		10,000	10,000	10,000			
Municipal Property Valuations	14,025	0%	In progress									
Replace Kitchen Forcet Equipment	2,163	22%	In progress		10,000		10,000	10,000	10,000			
Replace F90LR BT-50 crew cab Swansea crew	44,878	100%	Completed		45,000		45,000	45,000	45,000			
Replace MUX I62BW Planner	35,802	80%	Completed		45,000		45,000	45,000	45,000			
Replace H96LS BT50 dual cab Swansea Lead	43,592	97%	Not started		45,000		45,000	45,000	45,000			Changed H92ME to H96LS
Replace Backhoe Bicheno 4x4 JCB DH9566	155,357	97%	Completed		160,000		160,000	160,000	160,000			
Replacement Kubota Rear Discharge Mower	26,750	99%	Completed		27,000		27,000	-	27,000			
Replace John Deere Zero Turn Mower	16,273	100%	Completed				16,273	-	-			Funded by sale of trailer &
Sale of trailer & mower without rollcage	- 16,273				-		- 16,273	-	-			mower without rollcage \$18k
Total Plant & Equipment	342,324	100%	-	-	342,000	-	342,000	315,000	342,000	-		
Total Capital Works	3,308,732	45%		3,320,329	2,899,030	1,237,730	7,457,089	7,322,167	2,784,870	4,672,219		

Capital Works Projects 2024-02 Page 2/2

Application Number	Applicant name	Address	Application details	Representations received (N/A for Permitted)	Summary of representation.	Officers consideration of representation	Approval date
DA2023/00254	Eclo Designs	15 Georgia Ct, Coles Bay	New dwelling to be used for visitor accommodation	1	1 Site plan identifies an area as being 'approximate area of neighbours fill to be rectified'. This area is not fill but rather the existing bank and removal of soil form this area may undermine the structural integrity of the concrete driveway. 2 The retaining wall appears to be located on the property boundary, and it is noted that earth work and drainage needs to be located on their side of the boundary.	1 The area referred to is within the applicants property with a retaining wall between it and the adjoining lot. As the wall is over 1m high building approval is required as per CBOS requirements. 2 Works for the retaining wall required to be undertaken on the applicants property.	23/01/24
SA2024/00004	PDA Surveyors	194 Rheban Rd, Orford	6 lot subdivision	1	1 The rural land is not appropriate for a 6 lot subdivision and will affect our privacy and noise. 2 The subdivision will affect the appearance of the rural land and surroundings. 3 Traffic generated will affect our property in regards to noise, and possible animals on our property. 4 Concerned extra visiting traffic will park on Rheban Rd nature strip.	The property is zoned Rural Living in which subdivision is permissible and the lots meet the minimum lot size of 1Ha. As above. Access to the subdivision will be via Rheban Road. Considering the size of the lots it is unlikely visitors would park on Rheban Rd.	12/03/24

DA2024/00035	Gavin Henderson	18 Pyke Ct, Swansea	Additions and modifications to dwelling	1	1 Proposal will impact on sunlight to north facing windows to habitable rooms. 2 Shadow diagrams have not been included so the impact cannot be accurately determined.	The building addition on the southern side of 18 Pyke is located 2.03m from the side boundary and does not include a window facing the side boundary. The addition meets the acceptable solutions and as such is deemed to meet the objectives of the clause.	08/03/24
DA2024/00030	IDW Architecture	2308 Coles Bay Rd, Coles Bay	2 x visitor accommodation buildings	1	1 Application has not included assessment of water supply, stormwater management, sewerage management, electricity supply and traffic impact assessment of internal driveway	1 Water, stormwater, sewerage management are all matters that are assessed a the building and plumbing approval stages. The internal driveway is existing and new gravel driveway proposed for new buildings.	12/03/24
DA2023/00134	Ireneinc	1, 1A, 1B Franklin St, Swansea	Mixed use development comprising 17 residential apartments, restaurant and 3 commercial tenancies	2	REP 1 1 Building height at 12.2m is above the height limit of 9m. The building could have been made to be lower and proposed height will block view form other properties of the bay, hazards, etc. 2 There is a shortage of parking and visitors will have to park in public spaces. 3 Visual heritage of Swansea is being slowly eroded by developments not in keeping with streetscape. 4 The front apartments appear to be cantilevered over Crown land. REP 2	1 The building is assessed as being compatible with eh streetscape of the immediate area and meets the performance criteria. 2 The Traffic Impact Assessment assessed the parking demand and concluded that sufficient parking exists in the surrounding streets. Permit conditioned to pay contribution for parking. 3 There are no heritage buildings located close to the proposal and Swansea is not a heritage precinct. 4 The building is not proposed to be built over Crown land.	12/03/24

		1 The Ampol petrol station on	1 Noted.	
		the corner of Franklin St		
		operates 24 hrs and fuel sales		
		and vehicle movements may		
		occur at any time of the day or		
		night. The applicant may wish		
		to take this into consideration		
		when designing the		
		apartments.		

As of 18 March 2024

			1	1	
Planning			Council		
Appeals	Address	Proposal	Decision	Appellant	Progress
DA2023/000	1100 Coles Bay Road,	8 x visitor accommodation,			Awaiting
55	Dolphin Sands	café/cellar door and dwelling	Refused	Applicant	decision
					Awaiting
DA2023/161	60A Burgess St, Bicheno	Ambulance Station	Approved	Respondent	Consent Order

Resolved between Jan 2024 - March 2024

Resolved			Council		Appeal	Date
Appeals	Address	Proposal	Decision	Appellant	Outcome	Resolved
					Consent	
					Order	
					Issued &	
	1433 Dolphin Sands Rd,				Permit	
SA2022/31	Dolphin Sands	3 lot subdivision	Refused	Applicant	Issued.	18/03/2024

Section 28ZK (7) of the *Local Government Act 1993* requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council. Failure to do so may result in a fine of up to 50 penalty units.

Local Government Act 1993

CODE OF CONDUCT PANEL DETERMINATION REPORT GLAMORGAN SPRING BAY CODE OF CONDUCT

Complaint brought by Ms Kathleen Ford against Councillor Cheryl Arnol

Code of Conduct Panel

- Rob Winter (Chairperson),
- Liz Gillam (Local Government Member)
- Frank Neasey (Legal Member)

Date of Determination: 13 March 2024 Content Manager Reference: C31347

Summary of the complaint

A code of conduct complaint was submitted by Ms Kathleen Ford (the Complainant) to the General Manager of the Glamorgan Spring Bay Council (GSBC) on 13 October 2023.

In the complaint it was alleged that Councillor Arnol (the Respondent) had breached the following parts of the GSBC's Model Code of Conduct (the Code) effective from 26 February 2019, in relation to a number of her actions at the GSBC meeting held on 18 April 2023, particularly her participation in and voting on a specific planning matter listed on the agenda of that meeting:

Part I Decision Making, and

Part 2- Conflict of interests which are not pecuniary.

Following receipt of the complaint, the Chairperson conducted an initial assessment of the complaint in accordance with the requirements of section 28ZA (1) of the *Local Government Act 1993* (the Act) and determined that the whole of the complaint should be investigated and determined by a Code of Conduct Panel (the Panel).

Having undertaken that initial assessment, the Chairperson determined that these allegations should be further investigated as they substantially related to a contravention of the Code as, if the allegations in relation to Part I and Part 2 of the Code were proven, they were capable of constituting a breach in relation to the Code.

A copy of the complaint was provided to the other members of the Panel appointed to investigate the complaint. The Complainant, the Respondent and the General Manager were notified of the outcome of the initial assessment by letter dated 17 November 2023.

Investigation

In accordance with section 28ZE of the Act, the Code of Conduct Panel (the Panel) investigated the complaint.

The Panel received a detailed written response from the Respondent under cover of a Statutory Declaration dated 27 November 2023.

On 12 December 2023, the Respondent's Statutory Declaration and written response were forwarded to the Complainant, seeking her response by 12 January 2024.

After being granted a short extension of time, the Complainant provided her response to the Respondent's Statutory Declaration on 22 January 2024, in a Statutory Declaration with attachments dated 19 January 2024.

In this correspondence the Complainant indicated that she was content for the Panel to determine the matter without the need for a hearing.

Subsequent to a Panel teleconference on 29 January 2024, the Respondent was provided with a copy of the Complainant's Statutory Declaration and attachments of 19 January 2024, and given seven days to provide any response, and to also indicate her attitude to the Panel determining the complaint without the need for a hearing.

On 30 January 2024, the Respondent indicating in writing that she did not wish to further comment on the Complainant's Statutory Declaration and attachments dated 19 January 2024, and that she was also content for the Panel to determine the complaint without the need for a hearing.

Pursuant to section 28ZG(2)(a) and (b) the Panel determined that the complaint could be investigated and determined without a hearing, as it was considered that neither the Complainant nor the Respondent would be disadvantaged if a hearing was not held and it was appropriate in the circumstances not to hold a hearing. Further, the Panel determined a hearing was unnecessary in the circumstances because the investigation could be adequately conducted by means of both written submissions and examination of documentary evidence.

As indicated previously in this determination, both the Complainant and the Respondent indicated that they were content for the Panel to determine the complaint without the need for a hearing.

Further it is plain from all of the material received from the Respondent that she denies being in breach of any clause of Part 1 or Part 2 of the Code and in fact calls for a dismissal of the complaint.

Material considered by the Panel

The following documents have been presented to the Panel to consider as evidence in this matter:

- 1. All material received with the Complainant's complaint.
- 2. Statutory Declaration from the Respondent dated 27 November 2023 including detailed written response to the complaint.
- 3. Statutory Declaration from the Complainant dated 19 January 2024 with attachments.
- 4. Letter Respondent to Panel dated 30 January 2024, responding to Complainant's Statutory Declaration of 19 January 2024.
- 5. GSBC Meeting Agenda and Minutes for council meeting 18 April 2023.
- 6. YouTube VDO of the GSBC meeting of 18 April 2023.
- 7. Letter Respondent to Chair of Panel dated 8 March 2024 in response to invitation to make submissions in respect of possible sanction.

Determination

Pursuant to section 28ZI (I) (a) of the Act, the Panel determines that Councillor Amol has breached the Code, and therefore the Panel upholds the complaint.

Reasons for determination

The factual basis for Ms Ford's complaint is not substantially in dispute, and the Panel finds the following facts:

Local Government Code of Conduct Panel

Page 2 of 8

- As at 18 April 2023, the Respondent was the Mayor of the GSBC.
- As at 18 April 2023, the Respondent was a financial member of the Friends of the Buckland Church (FOBC). The Respondent has disputed that she was an active member of the FOBC, but the Panel finds that as of 18 April 2023 the Respondent was an active member of FOBC. On her own evidence she was a regular attendee at FOBC meetings between September 2019 and November 2023. Further support for this finding is the Respondent's own evidence that she provided an "apology" when she was unable to attend a meeting.
- The Respondent remained in the Chair for the full GSBC Meeting on 18 April 2023.
- At the GSBC meeting on 18 April 2023, under Agenda item 1.6 Declaration of Interest or Conflict, the Respondent and two other Councillors, Cr Edwards and Cr Woods, made the following declaration with regard to Agenda item 4.2:
 - "I note that I have an interest in Agenda item 4.2, but it is my belief that any perceived conflict of interest is not of such materiality that it will affect my decision making when acting as a planning authority".
- Agenda item 4.2, detailed under the Planning Authority section of the meeting agenda, related to DA 2023/44 entitled "Change of use of Buckland Church- Sally Peak Road Buckland".
- The GSBC'S YouTube Channel recording of the meeting confirms that when this item on the agenda came on for debate the Respondent remained in the room, continued to chair the meeting, and voted in favour of the motion.
- On 27 April 2023, the Complainant emailed the Respondent seeking clarification of her declaration of interest of 18 April 2023 after the Complainant watched the YouTube recording of the meeting of that date.
- The Respondent replied to the Complainant's email of 27 April 2023 on 3 May 2023.
- On 15 May 2023 by email, the Complainant posed further questions to the Respondent regarding her declaration of interest, and other matters, arising out of the meeting of 18 April 2023.
- Later on the 15 May by email, the Respondent responded to the Complainant, and provided her with a copy of her "Declaration of Interest" which related to item 4.2 on the agenda for the meeting of 18 April 2023, and which stated under the heading "Details of Interest":
 - "I am a financial member of the Applicant the Friends of Buckland Church Incorporated. I declared a potential perceived conflict of interest in accordance with clause 6 (b) of the GSBC Model Code of Conduct and determined that any potential perceived conflict of interest was not of such materiality to affect my decision when acting as a planning authority".

Having considered the complaint, the material accompanying it, the other materials referred to in this determination and in accordance with the facts as found, the Panel has determined that the complaint is substantiated for the following reasons.

Part 2 of the GSBC Model Code of Conduct adopted on 26 February 2019 provides:

Part 2 – Conflict of Interests that are not Pecuniary:

- When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
- 2. A councillor must act openly and honestly in the public interest.

Local Government Code of Conduct Panel

Page 3 of 8

- A councillor must uphold the principles of transparency and honesty and declare actual, potential, or perceived conflicts of interests at any meeting of the council and at any workshop, or any meeting of a body to which the Councillor is appointed or nominated by the Council.
- 4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
- A councillor must avoid, and remove him or herself from, positions of conflict of interest as far as reasonably possible.
- A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must —
 - a) Declare the conflict of interest and the nature of the interest before discussion of the matter begins: and
 - b) Act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the councillor to remove him or herself physically from any council discussion and remain out of the room until the matter is decided by the Council.
- 7. This Part does not apply in relation to a pecuniary interest.

In both her oral declaration at the meeting of 18 April 2023 and her written Declaration of Interest as provided to the Complainant, in which the Respondent referred to her oral declaration, the Respondent spoke of a 'potential (or possible-'any') perceived conflict of interest'. In the Panel's view the Respondent had at the very least a potential or perceived conflict of interest in respect of the matter before the Council (item 4.2); in fact, the Panel is satisfied, for reasons which will be elaborated upon, that she had an actual conflict of interest (which was a non-pecuniary one).

Accordingly, the Panel is satisfied that the Respondent was clearly in breach of Clause 6(a), as although the Respondent purported to make a declaration of conflict of interest in respect of item 4.2 in the GSBC meeting of 18 April 2023 before it was debated, she did not, as required by clause 6(a), disclose the nature of the interest.

The use of the word "and" in clause 6(a) is clearly conjunctive, requiring the Respondent to declare both the conflict of interest "and" the nature of the interest.

The Respondent purported to meet the requirements of clause 6(a) in her Declaration of Interest document which she provided to the Complainant on 15 May 2023, in which she did make reference to her membership of the FOBC. However, any such declaration of the nature of the relevant interest was made subsequent to the discussion of and voting upon the relevant matter and was thus post facto.

The Panel does not follow the Respondent's rationale, in her response dated 27 November 2023, for not disclosing the nature of her interest before item 4.2 was debated and voted on at the meeting on 18 April 2023:

"I have always been of the understanding that, as the Council does not have parliamentary privilege in the Chamber in open meetings, elected members are only required to state that they have a conflict and then declare the nature in the register of declarations that is subject to the provisions of right to information disclosure."

This explanation clearly does not accord with clause 6 (a) of Part 2 of the Code and is indicative of a failure to understand its requirements.

The Panel notes the Respondent's contention in her letter to the Chair of 8 March 2024 that in fact she did disclose 'the nature of the interest' as required (at the meeting). The Respondent referred to the definition of 'nature' in the Webster dictionary, being 'basic quality, type or sort'. The Respondent said that by stating that she had a 'potential perceived conflict' she did in fact declare the nature of the relevant interest.

Local Government Code of Conduct Panel

Page 4 of 8

The Panel rejects this contention and finds that in the Respondent's statement at the meeting of 18 April 2023 that she had a 'potential perceived conflict of interest' in respect of item 4.2 on the Agenda she said nothing at all about the basic quality, type or sort of the relevant interest, but merely drew attention to a possible conflict of interest existing.

Further, the Panel notes the following extract from Page 67 of the *Good Governance Guide for Local Government in Tasmania*, published on the Department of Premier and Cabinet website, in relation specifically to non-pecuniary interests:

"Non-pecuniary conflicts of interest may arise if;

You are a member (not an office-bearer) of a club, organisation, or association likely to be impacted by the council decision."

Page 64 of the Good Governance Guide for Local Government in Tasmania, is also relevant and states:

"You may from time to time find you have a private interest (social, familial or financial) that may improperly influence (or be perceived to improperly influence) decisions that need to be made as an elected member. It is your responsibility to ensure that you do not put yourself in the situation where personal interests impact, or are perceived to impact, on your decision-making."

Before dealing with the remaining clauses of Part 2 of the Code and Part I, the Panel refers to the High Court decision of *Isbester v Knox City Council* [2015] HCA 20 (footnotes omitted) which it considers is of relevance to this complaint. While that case dealt with the issue of apprehension of bias, the principles discussed are equally applicable to questions involving apprehended or "perceived" conflicts of interest.

From para 23 the High Court stated:

- may be said generally to depend upon the nature of the decision and its statutory context, what is involved in making the decision and the identity of the decision-maker. The principle is an aspect of wider principles of natural justice, which have been regarded as having a flexible quality, differing according to the circumstances in which a power is exercised²². The hypothetical fair-minded observer assessing possible bias is to be taken to be aware of the nature of the decision and the context in which it was made²³ as well as to have knowledge of the circumstances leading to the decision²⁴.
- The two cases referred to in the Courts below, *Jia Legeng* and *McGovern*, furnish examples of how the above-mentioned factors assume relevance to the question of what a fair-minded observer may reasonably expect as to the level, or standard, of impartiality which should be brought to decision-making by certain non-judicial decision-makers. Whether those factors assume particular relevance to a case such as the present, where the essential question concerns incompatibility of roles, or a conflict of interest, is another question."

And again, later in their Honours' judgement they stated:

"49 The majority reasons in *Ebner* should not be understood to exclude cases of the kind here in question from the application of the principle by the test there stated. The test directs attention, as a first step in cases where apprehended bias is alleged, to the critical question of the decision-maker's interest. The difference in the application of the test is that in cases like the present one that concern incompatibility of roles, once the interest is identified as one which points to a conflict of interest, the connection between that interest and the possibility of deviation from proper decision-making is obvious.

Local Government Code of Conduct Panel

Page 5 of 8

Conclusion and order

A fair-minded observer might reasonably apprehend that Ms Hughes might not have brought an impartial mind to the decision under s 84P(e). This conclusion implies nothing about how Ms Hughes in fact approached the matter. It does not imply that she acted otherwise than diligently, and in accordance with her duties, as the primary judge found⁴², or that she was not in fact impartial. Natural justice required, however, that she not participate in the decision and because that occurred, the decision must be quashed.

While Mr Justice Gageler did not join in the joint judgement, he did say:

"Ms Hughes might have developed, as Ms Isbester's prosecutor, a frame of mind incompatible with the dispassionate evaluation of whether administrative action should be taken against Ms Isbester's interests in light of Ms Isbester's conviction. Ms Hughes' frame of mind might have affected the views she expressed as a member of the Panel, and the expression of those views might have influenced not only the recommendation made by the Panel, which included Mr Kourambas, but also the acceptance of that recommendation by Mr Kourambas in his capacity as delegate of the Council. Those are all possibilities which fairly arise from the established facts. There is nothing fanciful or extravagant about them. A hypothetical fair-minded observer with knowledge of all of the circumstances would be quite reasonable to apprehend them."

From the decision it can be discerned that where there is an incompatibility of roles greater consideration must be given to procedural fairness and natural justice and there is greater potential for an apprehended or perceived conflict of interest, if not an actual conflict of interest, to arise.

The Panel considers this is a matter concerning the incompatibility of roles, the Respondent's relevant roles being on the one hand her active membership of FOBC, whereby it must be taken that she was interested in the relevant motion being approved, and her role as a member of the planning authority, in fact, the chair of it.

The Complainant's allegation of a conflict of interest (in fact an actual conflict of interest), draws attention to the Respondent's interest in seeing the motion approved. Once that interest is identified as one which (at the very least) points to an apprehension or perception of a conflict of interest, the connection is drawn between that interest and the possibility of a deviation from proper decision making. This becomes obvious. It matters not if the Respondent carried out her duties perfectly diligently, it is a question (at the very least) of apprehension or perception.

Although, it may be that the Complainant handled the debate regarding the matter, and the voting on it properly and fairly, the fundamental question was whether she should have been taking part in that process at all, by reason, at the very least, of an apprehended or perceived conflict of interest. As previously indicated, the Panel is satisfied that, owing to the irreconcilability of her competing roles in the matter, the Respondent had an actual conflict of interest, as the Complainant asserts.

Given her active membership of the FOBC as at 18 April 2023, and her inevitable interest in seeing the relevant motion passed, the Panel finds that the Respondent should have removed herself from the room when item 4.2 came on for debate.

Accordingly the Panel further finds the Respondent breached clause 6(b) of Part 2 of the Code, which involves an objective test, and required the Respondent to act in good faith, and exercise reasonable judgement to determine whether a reasonable person would consider that the relevant conflict of interest required the Respondent to remove herself from the debate regarding the DA for FOBC and remain out of the room until the matter was decided.

While she may have acted in good faith, the Panel finds that the Respondent failed to exercise the required reasonable judgment because had she done so, she would have determined that a reasonable

Local Government Code of Conduct Panel

Page 6 of 8

person would have considered that her actual conflict of interest required her to remove herself from the debate and remain out of the room.

As to the remaining clauses of Part 2 of the Code, in light of these findings, the Panel finds:

- The Respondent breached Part 2 clause I (at the very least) when a reasonable person, with knowledge of the Respondent's membership of FOBC, and her public duty when dealing with planning matters involving the FOBC, would see the Respondent as being unduly influenced by her personal or private interest, in particular her interest in the relevant motion being passed. It was the Respondent's duty to not be seen in this light. In any event in the Panel's view the Respondent would inevitably, even if unconsciously, have been unduly influenced in that matter.
- The Respondent has breached Part 2 clauses 2 and 3 as she was neither open in the public interest, nor transparent in her declaration of interest at the meeting of 18 April 2023. The Respondent did not disclose the nature of her interest until she made her declaration as provided to the Complainant on 15 May 2023 in response to the latter's request, and that declaration was made to the General Manager. The Panel does not find the Respondent acted dishonestly.
- Although the Panel does not find the Respondent acted in bad faith when she remained in the
 meeting when item 4.2 came on for debate, the Panel finds the Respondent breached Part 2,
 clause 4 as on the facts found, and for the reasons discussed, she did not exercise reasonable
 judgment to determine whether she had an actual potential or perceived conflict of interest.
- Based on its findings regarding Part 2 clause 6(b) above, the Panel finds that the Respondent was also in breach of Part 2 clause 5.

Part I – Decision-making:

- A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a planning authority.
- 2. A councillor must make decisions free from personal bias or pre-judgement.
- 3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her or for which he or she should have reasonably been aware.
- 4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

In accordance with the Panel's findings of fact, and the finding that the Respondent should not only have declared the nature of her conflict of interest in respect of item 4.2, but also removed herself from that part of the meeting, the Panel further finds that the Respondent's presence during debate on the relevant motion and her voting for it inevitably (if unconsciously) brought a prejudiced, biased mind and one that lacked impartiality to the matters before her. To the extent she took into account her own personal interest in the motion, the Panel finds the Respondent took into account irrelevant matters.

Accordingly, the Panel finds that the Respondent was in breach of each clause of Part I of the Code.

Sanctions

Where a code of conduct complaint or part of it is upheld, the Panel may impose one or more of the sanctions referred to in section 28ZI (2) of the Act. These include cautioning or reprimanding the councillor, requiring the councillor to apologise to the complainant or other person affected by their behaviour, requiring the councillor to attend a counselling or training course; or suspending the councillor from office for a period of up to three months.

Local Government Code of Conduct Panel

Page 7 of 8

In her complaint, the Complainant did not seek the imposition of a sanction if the complaint, or any part of it was substantiated. She merely asserted "A finding that the Respondent breached the Code, to be published to all parties to the FOBC DA, including the representors, and rate payers generally" would be a sufficient 'sanction'.

It is the Panel's view that it is appropriate to impose a sanction as provided for by the Act. As indicated the Complainant does not seek an apology. There is little point ordering Councillor Arnol to undergo counselling or a training course. No doubt her involvement in the process of the complaint will have made her more acutely aware of the need to consider conflicts of interest more carefully. The Panel does not consider a suspension is at all warranted.

With her long experience in Local Government, and particularly as a Mayor, the Panel considers that a reprimand is an appropriate and sufficient sanction to impose on Councillor Amol. It was considered that a mere caution was insufficient in the circumstances.

Explanatory note

The Respondent indicated in her response of 27 November 2023, that she considered the complaint to be frivolous and vexatious. This matter was considered by the Chair of the Panel in his initial assessment. For the sake of clarity, the Panel did not consider the complaint to be frivolous or vexatious.

Timing of the Determination

In accordance with section 28ZD (1)(a) of the Act, a Code of Conduct Panel is to make every endeavour to investigate and determine a code of conduct complaint within 90 days of the chairperson's determination that the (whole) complaint is to be investigated.

The Panel has been unable to determine the complaint within that 90 days period, owing to the intervention of the Christmas/New Year holidays, the Panel Members leave commitments, and the recent illness of the Chair, preventing preparation of the final determination report within 90 days.

Right to review

A person aggrieved by the determination of the Code of Conduct Panel, on the ground that the Panel failed to comply with the rules of natural justice, is entitled under section 28ZP of the Act to apply to the Magistrates Court (Administrative Appeals Division) for a review of that determination. In accordance with section 17 of the Magistrates Court (Administrative Appeals Division) Act 2001, an appeal must be lodged within 28 days of the date of notification of the determination.

Rob Winter

Chairperson

Frank Neasey **Legal Member**

Liz Gillam **Member**

Gulam

DATE: 13 March 2024

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Local Government Code of Conduct Panel

Page 8 of 8



Glamorgan Spring Bay Council

Dealing with unreasonable customer conduct

Version [1.0]

Adopted: Minute No.:

Document Control

Dealing with unreasonable customer conduct			
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Contents

1	Intro	duction	4
	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
2	Policy	/	5
	2.1	Introduction	5
	2.2	Overarching principles	5
	2.3	Types of unreasonable customer conduct	5
	2.3.1	Unreasonable behaviour	5
	2.3.2	Unreasonable demands	5
	2.3.3	Unreasonable persistence	5
	2.3.4	Unreasonable arguments	7
	2.3.5	Unreasonable lack of cooperation	7
	2.4	Managing unreasonable customer conduct	7
	2.4.1	Initial response to unreasonable customer conduct	3
	2.4.2	Changing or restricting a customer's access to services	3
	2.5	Right of appeal	Э
	2.6	Review periods of cases where this policy has been applied	Э
	2.7	Documentation and reporting	9
3	Imple	ementation 1	า

1 Introduction

1.1 Purpose

The purpose of this policy is to provide guidance to staff on how to deal with unreasonable conduct by persons, either in face to face or virtual interactions.

1.2 Scope

This policy applies to all persons who interact with Council staff and Councillors.

To avoid any doubt, this policy does not apply to Council employees who engage in unreasonable customer conduct in the course of their employment with Council. Those matters would be dealt with as a separate disciplinary action.

1.3 Definitions

Customer

means any person who has dealings with Council.

Unreasonable Customer Conduct

means any behaviour (physical or via electronic methods) by a person which, because of its nature or frequency, adversely impacts the health or safety of Council's staff, Councillors, other service users and customers, or the customer himself/herself, or the ability of Council to equitably utilise its resources to provide services to the community.

Unreasonable customer conduct includes the following, as defined in of this policy:

- unreasonable demands
- unreasonable persistence
- unreasonable arguments
- unreasonable lack of cooperation, and
- unreasonable behaviour.

1.4 Related Policies and Legislation

This policy relates to and depends on other Council policies, as well as legislation, including:

- Glamorgan Spring Bay Council Customer Service Charter
- Managing unreasonable conduct by a complainant A manual for frontline staff, supervisors and senior managers (Australasian Parliamentary Ombudsman, 2021)
- Local Government Act 1993
- Work Health and Safety Act 2012
- Personal Information Protection Act 2004
- Right to Information Act 2009

1.5 Policy Review and Update Cycle

This policy is to be reviewed every four years, or as required.

2 Policy

2.1 Introduction

Glamorgan Spring Bay Council is committed to our community and to giving customers exceptional service in accordance with Council's Customer Service Charter. However, at times Council's obligation to provide services or outcomes may be inconsistent with customers' requests or expectations. This may result in unpleasant dealings or interactions.

This policy sets out the actions that Council will take in response to unreasonable customer conduct.

This policy should be considered in conjunction with Council's Customer Service Charter.

Council will use 'Managing unreasonable conduct by a complainant – A manual for frontline staff, supervisors and senior managers' by the Australasian Parliamentary Ombudsman (2021) to guide staff to identify and manage unreasonable conduct.

2.2 Overarching principles

Council will give fair consideration to customer requests and dealings, whilst ensuring that:

- investigating and resolving the customer's request does not excessively or unreasonably use Council's resources,
- Council's response to complaints is proportionate to the circumstances, having regard to the
 resources of Council that are available to serve the community and to principles of equity and
 fairness, and
- the health and safety of staff is protected and compliance with workplace health and safety and duty of care obligations are met.

In exchange, Council requires that customers:

- treat our staff with mutual respect
- respect the privacy and rights of other community members
- give us accurate and complete information to work with
- work with us to solve problems, and
- give us constructive feedback on how we can continue to improve our service

2.3 Types of unreasonable customer conduct

The following are examples of different types of unreasonable customer conduct which will not be tolerated by Council.

2.3.1 Unreasonable behaviour

Unreasonable behaviour is conduct that is unreasonable in all circumstances, regardless of the situation, because it places the health, safety, and security of staff at risk.

Page 5 of 10

Examples of unreasonable behaviour include:

- displaying confronting behaviour such as, swearing, rudeness, aggression, threats, discriminatory comments, or harassment,
- sending or posting rude, confronting, or threatening correspondence,
- · making threats of self-harm,
- making threats of harm to others,
- displaying manipulative behaviour (e.g. overly ingratiating, tears or veiled threats), or
- deliberately misrepresenting facts or circumstances related to their complaint (including misquoting Council officers) in the public arena or in dealings with Council staff.

Unreasonable behaviour will not be tolerated by Council in any form.

2.3.2 Unreasonable demands

Unreasonable demands are any demands (expressed or implied) that are made by a customer, that have a disproportionate and unreasonable impact on Council's staff, services, time or resources (having regard to all the relevant circumstances).

Some examples of unreasonable demands include:

- issuing instructions and making demands about a process or outcome,
- · insisting on talking to a senior manager personally when it is not appropriate or warranted,
- emotional blackmail and manipulation with the intention to intimidate, harass, shame, seduce or portray themselves as being victimised, when this is not the case,
- insisting on outcomes that are not possible or appropriate in the circumstances (e.g. for someone
 to be disciplined or prosecuted, an apology and/or compensation when there is no reasonable
 basis for expecting this), or
- demanding services that are of a nature or scale that Council cannot (or has no legal obligation to) provide when this has been explained previously.

2.3.3 Unreasonable persistence

Unreasonable persistence is continued, incessant and unrelenting conduct by a customer that has a disproportionate and unreasonable impact on Council's staff, services, time, or resources (having regard to all the relevant circumstances).

Some examples of unreasonably persistent behaviour include:

- unwillingness or inability to accept reasonable and logical explanations, including final decisions that have been comprehensively considered and dealt with,
- persistently demanding a review of decisions without arguing or presenting a case for one,
- pursuing and exhausting all available review options when it is not warranted, and refusing to
 accept that further action cannot or will not be taken on service requests or complaints,
- re-framing a service request or complaint in an effort to get it taken up again,
- overwhelming Council with phone calls, visits, letters, and emails (including copying staff into email correspondence) after previously being asked not to do so, or

Page 6 of 10

contacting different people within Council or externally in order to achieve a different outcome
or a more sympathetic response to their complaint (internal and external forum shopping).

2.3.4 Unreasonable arguments

Unreasonable arguments include any arguments that are not based on reason or logic, that are incomprehensible, false, or inflammatory, trivial or deletrious, and that disproportionately and unreasonably impact Council's staff, services, time, or resources (having regard to all the relevant circumstances).

Arguments are unreasonable when they:

- fail to follow a logical sequence,
- are not supported by any evidence or are based on conspiracy theories,
- · lead a customer to reject all other valid and contrary arguments,
- are trivial when compared to the amount of time, resources, and attention that the customer demands, or
- are vexatious, false, inflammatory, or defamatory.

2.3.5 Unreasonable lack of cooperation

Unreasonable lack of cooperation is an unwillingness by a customer to cooperate with our organisation, staff, or complaints system and processes which results in a disproportionate and unreasonable use of Council's services, time, or resources (having regard to all the relevant circumstances).

Some examples of unreasonable lack of cooperation include:

- sending a stream of comprehensive or disorganised information without clearly defining any issues of complaint or explaining how it relates to the core issues being complained about,
- providing little or no detail with a complaint or presenting information in 'dribs and drabs' or not in the required format,
- refusing to follow or accept instructions, suggestions, or advice without a clear or justifiable reason for doing so,
- arguing frequently or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations, or
- displaying unhelpful behaviour such as withholding information, acting dishonestly or misquoting others.

2.4 Managing unreasonable customer conduct

Where the unreasonable customer contact is of a serious nature (such as threatening or abusive behaviour towards Council staff), Council will take whatever action available to it which is appropriate in the circumstances.

This may involve:

- calling the police,
- directing the customer to immediately leave a Council property, or
- reporting the behaviour to any other relevant authorities.

Page 7 of 10

Council will otherwise manage unreasonable customer contact by restricting or adapting the ways in which services are delivered to the customer, in accordance with the procedures set out below.

2.4.1 Initial response to unreasonable customer conduct

Where a Council officer is interacting with a customer and believes the customer is exhibiting unreasonable customer conduct, the Council officer is empowered to advise the customer of this and withdraw themselves from the interaction. The physical and mental wellbeing, and safety of staff is paramount, and unreasonable customer conduct will not be tolerated.

Immediately after such an incident, the Council officer is to report the incident to their supervisor.

Following an interaction that is deemed as unacceptable behaviour by this policy, a Director or the General Manager will initially provide the customer with a written warning about their conduct.

The written warning will:

- explain the date, time, and general nature of the conduct,
- identify which category of unreasonable customer conduct that it falls under,
- direct the customer to immediately stop engaging in the unreasonable customer conduct, and
- explain what will happen if the customer does not stop engaging in the unreasonable customer conduct, as directed.

The warning may also state that any further investigations into the matter will be undertaken at the customer's cost or include any other information that the Director or General Manager considers relevant.

2.4.2 Changing or restricting a customer's access to services

Where unreasonable conduct remains ongoing despite warnings, or where the conduct may pose a risk to the health and safety of staff or other parties, Council will change or restrict a customer's access to Council's services.

This will generally occur after a customer has failed to comply with a written warning, but is not required to if, for example, the unreasonable conduct is serious enough to warrant taking immediate action.

Examples of how access to services may be changed or restricted include:

- who the customer has contact with (e.g. limiting a customer to a sole contact person/staff member in Council),
- what the customer can raise with us (e.g. restricting the subject matter of communications that we will consider and respond to),
- when the customer can have contact with Council (e.g. limiting a customer's contact with staff to a particular time, day, or length of time, or curbing the frequency of their contact with us),
- where the customer can make contact (e.g. limiting the locations where we will conduct face-toface interviews to secure facilities or areas of the office), or
- how the customer can make contact (e.g. limiting or modifying the forms of contact that the customer can have with us). This can include modifying or limiting face-to-face interviews,

Page 8 of 10

telephone, and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating our services altogether.

The authority to change or restrict a customer's access to our services will rest with the relevant Director, or the General Manager. The General Manager or Director must advise the customer in writing of the restrictions that have been imposed and of their right to appeal the decision.

Discretion will need to be used to adapt the particular restriction to suit a customer's personal circumstances, level of competency, literacy skills, and severity of the type of unreasonable customer conduct.

2.5 Right of appeal

Customers are entitled to appeal the decision to change or restrict their access to services.

An appeal must be in writing and addressed to the General Manager. A review of the decision will be undertaken, taking into consideration all aspects of the issue and Council dealings with the customer. The General Manager may undertake the review or delegate responsibility to an appropriate person.

The customer will be advised in writing of the review and provided with an explanation of the outcome.

If a customer continues to be dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the Ombudsman.

2.6 Review periods of cases where this policy has been applied

In each case where a decision has been made to change or restrict access to services, the case will be reviewed after the service changes or restriction was initially imposed or continued.

The time period for the review will be at the discretion of the relevant Director or the General Manager but must not be more than 12 months. Restrictions may be extended indefinitely, provided the case is reviewed periodically and at least once every 12 months.

The customer will be advised in writing of the review and provided with an explanation of the outcome.

2.7 Documentation and reporting

Council will maintain a register which documents each time this policy is applied. Each entry into the relevant database must outline the nature of the restrictions imposed, their duration and any other relevant information.

The register is to be maintained by the Manager responsible for Council's customer service function. Council staff members are required to notify the manager of any incident required to be recorded on the register and provide all relevant information.

Page 9 of 10

3 Implementation

 $Implementation \ of \ this \ Policy \ rests \ with \ the \ General \ Manager.$

Swansea Courthouse Management Committee Inc.'s 2023 Annual Report to Glamorgan Spring Bay Council

Background

The Glamorgan Spring Bay Council resolved at their meeting on the 25th January 2022 to endorse the Swansea Courthouse Management Committee Inc. to manage the Courthouse building for a further four years until 31 December 2025.

This 2023 annual report describes the achievements, current financial position, and alignment to the business plan.

Achievements

The Swansea Courthouse Management Committee (SCMC) met on six occasions in 2023 including an AGM held on 4th November 2023. Six executive members stood for re-election and were duly elected. Committee members also had meetings with John Hardy, CEO RSL Tasmania, and Joanne Hodge, Project Manager VeteransHub. Three meetings were held with Maja Rose, Website & Visual Identity Designer, since her engagement to prepare a website with the domain name: theswanseacourthouse.com.au The last of these meetings was a presentation by Maja Rose of the draft website held in the Courthouse on 30th December 2023.

Council's 2022/23 budget included an allocation of \$75,000 for major works to the building including the provision of an accessible toilet, a new entrance doorway, replacement of the existing toilets, new hand basins, hand dryers, and associated works including replacing the floor and skirting in the office located in the north western corner of the 1860 building. This work was undertaken by Council under the direction of Peter Porch, Director Works & Infrastructure, in the absence of Adrian O'Leary. Committee members undertook a works inspection with Peter Porch in May prior to their completion in June 2023.

In 2023 the voluntary labour contribution of Executive committee members totalled 173 hours @ \$30 per hour worth an estimated \$5,190. The voluntary labour included: working bees at the Courthouse (23 hours); attendance at 6 meetings and administration (150 hours).

Current Financial Position

In 2023 the SCMC Inc.'s total income was \$2,411 that included \$475 from courthouse bookings and \$1,936 from gifts and donations. The total liabilities and equity as at 31st December 2023 was \$6,502.41. The 2023 **Profit and Loss Statement, Balance Sheet** and **List of Courthouse Bookings** are appended.

Outstanding Issue

Jason Watson, Property & Special Projects Officer attended the 19th October 2023 committee meeting. Jason advised the meeting that the original crown lease for the building was for Council Chambers and that Council is not permitted to sublease the building for any other purpose. Jason advised that Council want the lease to be altered to allow for general use and to remove the restrictive sub clause to enable a rental return to Council. RSL Tasmania are seeking a long term lease with Council to enable use of part of the building and for renovation works to proceed (including the provision of Wi-Fi available to all Courthouse users) that are required for the creation of a Veterans Hub to service the East Coast veterans and their families.

Alignment to Business Plan

The existing Swansea Courthouse is building a reputation as a venue for meetings, drum corp and folk musician practices and concerts. The three day Makers Market held in November was an outstanding success that attracted over 1,000 visitors. The Courthouse was hired on 27 occasions in 2023. Future income is limited by the non-availability of Wi-Fi, the internal and the external appearance of the building complex and the need to upgrade the kitchenette to provide a servery for in house catering. Additional long term income to Council maybe forthcoming with amendment of the Crown lease to permit general use of the building such as that proposed by RSL Tasmania.

The web site will promote the township of Swansea and the availability of the Swansea Courthouse for hire to a wider population. It will make bookings easier as well as provide for the booking of tickets for East Coast Community Arts Initiative events.

Prepared by R. Bartlett SCMC Secretary 23.2.2024

APPENDICES

	Swansea Courthouse Manageme	nt Committee Inc	
47/04/04	Balance Shee	•	
17/01/24	As of December 31, 20		
		Dec 31, '23	
	ASSETS Current Assets Current/Savings		
	Working Account	6,502.41	
	Total Current/Savings	6,502.41	
	Total Current Assets	6,502.41	
	TOTAL ASSETS	6,502.41	
*	LIABILITIES & EQUITY Equity		
	Opening Bal Equity	983.80 4,092.57	
	Retained Earnings Net Income	1,426.04	
	Total Equity	6,502.41	
	TOTAL LIABILITIES & EQUI.	6,502.41	
		**	

	Swansea Courthouse Management (Committee Inc	
17/01/24	Profit and Loss January through December 2023		
		Jan - Dec '	
	Ordinary Income/Expense Income		
	Courthouse Hire	475.00	
	Gifts and Donations	1,936.00	
	Total Income	2,411.00	
	Expense		
	Annual Return for Incorporat	71.2	
	Cleaning Equipment	8.3	
	Expensed Equipment	10.2	
	Supplies	53.3	
	Website Design	825.0	
	Total Expense	968.1	
	Net Ordinary Income	1,442.83	
	Other Income/Expense Other Income		
	Interest Income	0.5	
	Other Income	30.0	
	Total Other Income	30.5	
	Net Other Income	30.5	
	Net Income	1,473.3	

Page 1

SWANSEA COURTHOUSE BOOKINGS 2023

19/1/23	Drummers	3pm to 4pm	YES
27/1/23	Drummers	3.30pm to 5pm	YES
3/2/23	Red Cross	10am to 12pm	Cancelled
10/2/23	Stufit	6pm to 9pm	YES
17/2/23	Red Cross	10am to 12pm	Cancelled
3/3/23	Red Cross	10am to 12pm	Cancelled
3/3/23	Stufit	6pm to 9pm	YES
10/3/23	Stufit	6pm to 9pm	YES
17/3/23	Red Cross	10am to 12pm	Cancelled
14/4/23	Drummers	3pm to 4pm	YES
21/4/23	Drummers	3pm to 4pm	YES
28/4/23	Red Cross	10am to 12pm	Cancelled
26/5/23	Red Cross	10am to 12pm	Cancelled
23/6/23	Red Cross	10am to 12pm	Cancelled
7/7/23	Red Cross	10am to 12pm	Cancelled
21/7/23	Red Cross	10am to 12pm	Cancelled
31/7/23	Morris' Store	10am to 2pm	YES
2/9/23	Shaw Family	11am to 2pm	YES
8/9/23	Stufit	6pm to 9pm	YES
16/9/23	Reconciliation Tas	2pm to 4pm	YES
23/9/232	ECA AGM	11am to 5pm	YES
1/10/23	Eccai	2pm to 5pm	YES
13/10/23	Jobs Tasmania	11am to2pm	YES
13/10/23	Eccai	7pm to-10pm	YES
23/10/23	Bendigo Bank	5pm to 8pm	YES
26/10/23	Drummers	3pm to 4pm	YES
2/11/23	Drummers	3pm to 4pm	YES
9/11/23	Drummers	3pm to 4pm	YES
10/11/23	Stufit	4m to 9pm	YES
16/11/23	Drummers	3pm to 4pm	YES
17/11/23	Makers Market	11am to 5pm	YES
17/11/23	Stufit	6pm to 9pm	YES
18/11/23	Makers Market	11am to 5pm	YES
19/11/23	Makers Market	11am to 5pm	YES
8/12/23	Stufit	6pm to 9pm	YES
15/12/23	Stufit	6pm to 9pm	YES

The cancelled bookings earlier in the year were necessitated by the work done on the accessible and other toilets

APPENDIX "C"

Swansea Courthouse Management Committee Terms of Reference

Background

Glamorgan Spring Bay Council resolved at their meeting of 26^{th} September 2017 that:

- 1. The current Swansea Courthouse Management Committee (SCMC) form a new Management Committee with ten members selected for their skills and representative of local and wider community and business interests no later than 30th November 2017;
- 2. Terms of Reference for the committee should be established and submitted to Council within three months of the formation of the committee;
- 3. That Council retain the Swansea Courthouse and Council Office in public ownership until 30 December 2021 to allow the new committee time to prove their business plan; and
- 4. That SCMC presents an Annual Report to Council that includes their current financial position, future intentions and alignment to their business plan to the year 2021.

Mission

The mission of the SCMC is to manage the Swansea Courthouse and Council Chambers as a valuable and valued community asset.

Vision

The vision of the SCMC is that the Swansea Courthouse and Council Chambers will:

- be retained as a community asset through its use;
- will be maintained and preserved for future generations by restoring its heritage values;
- will support local business and employment through integration of events and activities with local service providers.

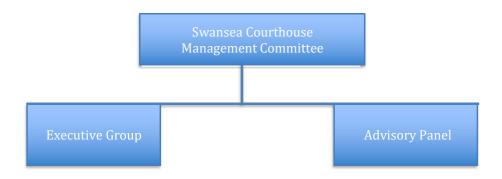
Functions of the SCMC

The functions of the SCMC are to work in partnership with Council to obtain funds for building works and take responsibility for the day to day management of the Courthouse and management of building works. The SCMC will restore community optimism for the on-going use of an upgraded building for community activities and events. The SCMC will regularly review and amend their business plan

Page 209 of 294

and present an annual report to Council that includes their current financial position, future intentions and alignment of outcomes to their business plan.

Structure of the SCMC



The Swansea Courthouse Management Committee (SCMC) is comprised of sixteen persons nominated and elected at the 27-11-17 public meeting due to their skills and interest in the project. The SCMC is made up of an Executive Group and Advisory Panel. The purpose of this structure is to ensure an effective and efficient use of committee members voluntary time and resources. There may also be working groups of volunteers formed to undertake specific tasks.

Role of the SCMC

The role of the SCMC is as follows.

- take on the responsibility for: the regular review of the business plan; hiring out of the Courthouse facilities; supervising the preparation of a Heritage Conservation Plan; applying for building permits; applying for funding assistance; overseeing conservation and improvement works; and providing an Annual Report to Council on the SCMC activities.
- ensure community commitment to support the on-going use of an upgraded building for community activities and events.
- work in partnership with Council to obtain funds for the Heritage Conservation Plan and for building works.
- apply for incorporation and to that end vote on and accept a constitution.

Role of individual SCMC members

The role of individual SCMC members includes:

• appreciating the significance of the project for some or all stakeholders and representing their interests

Page 210 of 294

- be genuinely interested in the initiative and the outcomes being pursued in the project
- be an advocate for the project's outcomes
- have a broad understanding of project management issues and the approach being adopted
- be committed to, and actively involved in pursuing the project's outcomes

In practice, this means they:

- ensure the requirements of all stakeholders are met by the project's outcomes
- liase with relevant associated organisations and stakeholders
- help balance conflicting priorities and resources
- provide guidance to the Executive Group
- consider ideas and issues raised
- review the progress of the project
- check adherence of project activities to standards of best practice

SCMC Membership

The membership of the SCMC includes members (listed in alphabetical order) with expertise and knowledge in:

- 1. Architectural Design
- 2. Business Enterprise
- 3. Chair/Convenor
- 4. Community Services
- 5. Community Arts
- 6. Finance and Funding Bids
- 7. Heritage and Local History
- 8. Local Government Advisor
- 9. Publicity and Communications
- 10. Restoration Project Management
- 11. Tourism Opportunities
- 12. Secretary
- 13. Treasurer
- 14. Wine Grower

Page 211 of 294

The Executive Group will include the Chair, Secretary, Treasurer, and two other members, and will invite members of the Advisory Panel to attend meetings when their specialist knowledge is required.

All SCMC Meetings are however open to any committee member to attend.

Chair

The Chair shall convene the SCMC meetings. If the designated Chair is unavailable then an Acting Chair will be responsible for convening and conducting that meeting.

Agenda Items, Minutes & Meeting Papers

The SCMC agenda will be prepared by the Secretary and issued a week before the meeting date. Any business papers shall also be circulated with the agenda. Any additional matter can be raised as a part of General Business.

Minutes of each meeting will be circulated to all committee members within a week of the date of the meeting held.

Frequency of Meetings

The SCMC shall meet monthly at a time suitable for all members to attend.

Proxies to Meetings

Members shall not nominate a proxy to attend a meeting if the member is unable to attend.

Quorum Requirements

A minimum of four SCMC members is required for the meeting to be recognised as an authorised meeting for the recommendations or resolutions to be valid.

Replacing SCMC members

The SCMC is to be advised in writing by the member resigning from the committee.

Any such resignation is to be formally accepted by the SCMC.

Any nomination for SCMC replacements is to be discussed by the committee before a potential replacement person is invited by the Chair to serve on the SCMC.

Term of SCMC membership

All members elected at the Public Meeting held in the Swansea Courthouse on 12th November 2017 are expected to serve for one year. Following this one year period all members shall stand down and may stand for re-election at the Annual General Meeting to be held in September 2018.

Adoption of the Terms of Reference

These Terms of Reference were adopted by the SCMC at the committee meeting of 27th November 2017.

Page 212 of 294



- 9 Melbourne Street (PO Box 6) Triabunna TAS 7190
- ⊕ 03 6256 4777
- ₼ 03 6256 4774
- admin@freycinet.tas.gov.au
- www.gsbc.tas.gov.au

COMM	UNITY SMA	LL GRAN	TS APPLICA	ATION FORM
Name of applicant	Spr	ring Bay Studio	and Spring Bay r	naritime Museum
Postal address	Name and Address of the Owner o	Box 200	, ,	522 mar 2011 ft 2012
Contact person		e Nettlefold		
Role if group applyi	ng Pre	esident		
Contact number	042	29326780		
Email address		enettlefold@big	pond.com	
Is your organisation incorporated body?	an	Yes	No	
Project title and brie	ef description (If i	nsufficient space	e, please attach addi	tional sheet)
	tcomes of the pr	oject (for exam	nple, benefits of the	peroject to the community, support arina and the Museum.
Funding sought from	n Council			\$1350
Funding to be contr	ibuted by you or	your organis	ation	\$ Nil
Funding to be contr (Provide details below of	ibuted from othe	er organisatio	ns ns *)	\$Nil
Total Project Expens	ses			\$\$1350
Signed	STA			
Name (Please print)	Sue Nettlefol	ld		
Date	29/1/2024			
*Details of other contributors:	-			

2

The Mayor, Councillors, General Manager,

I enclose a document outlining a small project for your consideration within the Small Grants Programme



This is the area (above) that requires re gravelling and where new wine barrels would be placed to match the banner below.



RE Small Marina Project

The project would require funding for 3 new wine barrels and plantings to complete the line of barrels in front of the Banner Project already on the side of the Studio Building.

It would require the removal of the spiny grasses in front of the existing barrels to stop visitors in caravans using them as a toilet space and dumping ground for other small rubbish. These grasses are also very spiky and stab you when passing.

The narrow band along the Side of the Studio space to be re-gravelled to create a neat and beautified space to ease the accessibility in viewing the Banner Project. It would also complete the look of the whole project.

We were also hoping that council might assist in the laying of the gravel and the removal of the spiny grass as it lifts the aesthetics for businesses on the Marina.

It would further enhance the feeling of care and progress within the Marina precinct.

Cost

The retail cost of the wine barrels is \$150 each. (3) \$450 Soil and plants \$300 The gravel retail is approximately \$30 per tonne. (20) \$600

Total cost materials with council doing the earthworks i.e. applying gravel and soil for wine barrels

It is worth noting that we have just received figures that indicate our best visitor numbers ever in January this year and the exhibition exceeded all expectations.

Thank you for your consideration of this project.

Sue Nettlefold President



17 The Esplanade, Triabunna, 7190, Tas. sbmdc.org.au



9 Melbourne Street (PO Box 6) Triabunna TAS 7190

- ⊕ 03 6256 4777
- **⋒** 03 6256 4774
- admin@freycinet.tas.gov.au

Last Updated June 2021

www.gsbc.tas.gov.au

COMM	UNITY SMA	ALL GRAN	IS A	PPLICATIO	N FORM
Name of applicant	Sr	Spring Bay Studio and Spring Bay maritime Museum			
Postal address	PC	PO Box 200			
Contact person	Sı	Sue Nettlefold			
Role if group applyi	ng Pr	President			
Contact number	04	0429326780			
Email address	su	enettlefold@big	pond.co	om	
Is your organisation incorporated body?		✓ Yes	i	No	
Project title and bri	of description (If	insufficient space	e, please	attach additional she	eet)
Outline intended outfrom any other groups of ppdgrading the look of the building the	r organisations.				o the community, support
Funding sought from	n Council				\$1350
Funding to be conti	ibuted by you o	or your organis	ation		\$ Nil
Funding to be contr (Provide details below o	ibuted from oth confirmed or antici	er organisatio	ns ns *)		\$ Nil
Total Project Expen	ses			And the second	\$\$1350
Signed	SH	lu			
Name (Please print)	Sue Nettlefo	old			The second secon
Date	29/1/2024		4.00.000		
*Details of other contributors:	-	7			

Agenda - Ordinary Council Meeting - 26 March 2024 Attachments

7/3/24

Allo Eliza

Please Sind attached completed Event Support Grant Application Set Richero Beaus 2024.

Many thanks for your support.

If you have any questions please don't hesitate to contact me.

glad anderson @ yahoo, com. all

Event Support Grant Application

Please make sure you answer all Sections of this form.

APPLICANTS DETAILS			
Contact Person Name:	Glend	a ANDERSON	
Position in organisation:		inteer Committ	ee Member
Postal Address:		Box 85 BICH	
Phone:		Mobile: 0459	
Email:	alad a	underson @ yah	/
ORGANISATION DETAILS			Company of the Compan
Name of group or organisa running the event:	Bichen (Community De	ruelopment Assoc.
Address:	c/-) Community De P. O. Box 85 B	ICHENO 7215 Tre.
Website:			
ABN:		/bichenobeams 8515 goos g	289
Incorporation number:			
Legal Status (Please tick w	hich one applies to you	ur group):	
Not-for-profit or incor	porated association.		
Registered business he	osting a fundraising eve	ent where proceeds are donated	to charity.
	osting a profited event.		Maria de la companya
EVENT DETAILS			
Event name:		D-110	
Event description:		o BEAMS e world olass	laser lightshow.
Event date(s):)a//a	124 da salala	Time(s):	Gaser Hight Show.
Set up date(s):	26/6/24	Close down date(s):	23/7/20
Event held previously:	Yes No	Total no. of people expected to attend at any one time:	Approx in 2023
Entry costs:	Free entry:	Voluntary donation:	Admission fees: \$
Page 2			jan - P

EVENT VENUE				A STATE OF STATE
Venue Name:	Lions	Park		
Venue Address:	Lions Pa	erk, B	ICHENO /	Burgess St
Has permission been obtained from the	Yes No No			1 GSRC
venue:	Owner / Manager / Co	ommittee of Manag	ement Council	7. G-50 C.
Permission to use venue:	Yes No			
Will the event be held on Council or private land?	Council Land	Private Land		
Event description: (Please provide dot points partners, any further detai	including what you are go	ping to do, the need fo	or the event and why it is	of value, any event
The state of the s	Beams is	a free	family fr	iendly
	held in the		/ / / /	4
enhance i	winter vis	sitation	e to su	pport
local k	oustnesses	s includ	ling, acco	mmodako
providers	3. <u>New</u> ,	by town	3 benefit	taswell
- A high	value pro	duction	- laser lig	htshow
Populati	on sows	<u>dwing</u>	He perioc	of the eve
from	approx 95	o perman	ant reside	As 6 12,00
INSURANCE				
Do you hold insurance f	or this event?		Yes	☐ No
Please outline the insur	ance type and value inv	olved: (Attach Certif	cate of Currency with yo	ur application) 🖊
R	ublic Liabi	lity Insu	rance	
	\$ 20,0	000,000		
NO ACCUPATION OF THE WAY OF THE PERSON OF TH				
TEMPORARY ROAD CLO	SURES (if applicable)			
Will the event require re (Attach Traffic Manageme	oad closure?	Yes L	No	•
Which road(s) will be cl	osed for the event?	N/,	4	
Time of road closures:		n	I/A	
Dage 13				
Page 3				

Community Participation	Environment	Sport & Recreation
Community Education	Tourism & Events	Heritage & History
Health & Safety	Multi-Cultural	Arts & Culture
What will Glamorgan Spring Bay r	esidents gain from this event?	Highlights the East Coas
All resident	s and busin	
entire (3 SBC crea	benefit from
the huge	influx of p	eople attending
this event	This is	the quietest person
of the year	/winter) so	we hold this
event to	senhance H	o amount of visitor
What will Glamorgan Spring Bay	businesses gain from this eve	nt? epopulation
The last	es light sho	ser is held every
night from	6pm from	29/6/24 6
20/7/24 sop	eople use re	stavants, cafes,
Shopse,	accommodat	on 2 Shows alteret
Briefly explain how you plan to a	cknowledge Council's contribu	ution / assistance to the event. So page
Opportunity	for Council	b constay 2n)
be shown as	s a suppor	for como
through red	ia, facebo	ok,
instagram,	printedma	teral, banners as spons
REQUEST FOR FUNDING		
	nt you are applying for from Co	ouncil (per year). \$ 2,000
Please confirm the dollar amou		The state of the s
		from Council, and the purpose to which the tion
Please outline the amount of fu funds will be applied: Please pro		tion
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Other:			
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VAN DIEMEN'S BAND

PARTICIPANT INFORMATION - SONGS OF THE SEA

SONGS OF THE SEA

Set sail through dark oceans and wild adventures with Van Diemen's Fiddles, special guests Luke Plumb (mandolin) and Dave McNamara (accordion), and renowned raconteur and singer Mikelangelo (of Black Sea Gentlemen fame).

Invoking the bittersweet folk ballads and rousing shanties of seafarers, **Songs of the Sea** traverses sirens & mermaids, shipwrecked sailors and wily fishermen telling their stories of love, yearning and the deep and abiding secrets of the sea.



ARTIST BIOGRAPHIES

VAN DIEMEN'S FIDDLES

Van Diemen's Fiddles (VDF) is a multi-genre Tassie trio combining the exceptional talents of Van Diemen's Band artistic director Julia Fredersdorff on baroque violin, Klezmer and folk fiddler Rachel Meyers, Classical/ folk/ experimental violinist Emily Sheppard, and 2023 Freedman Fellow, violist Katie Yap.

Equally at home performing in concert halls or pubs, VDF tour across Tasmania creating community projects and accessible, inter-disciplinary cultural events across a variety of audience demographics.

Their 2022-23 project "Whispering Walls" received outstanding audience acclaim for platforming Tasmanian-led stories and compositions in the context of colonisation. Their debut album will be released in 2024.



RACHEL MEYERS

Musician, composer and musicologist Rachel Meyers' career spans world, folk, experimental, and early music spheres, and has developed within the fields of performance, academia, community cultural development and music education.

As a multi-instrumentalist, Rachel has recorded several albums and toured nationally with outfits including Van Diemen's Fiddles and The Tinderbox Collective; and internationally with chamber-folk duo Meyers & McNamara. Rachel has a MMus in musicology, and is currently undertaking a PhD in ecological experimental music and sound art. Rachel has taught instrumental music for over fifteen years.

She is deeply passionate about working with stories of place, identity, and personal connection, and using art as a tool for real, tangible community change.

LUKE PLUMB

Branching away from his classical piano and violin training in 1997, Luke Plumb began teaching himself the mandolin and swiftly became one of Australia's most sought after session musicians. His albums Isfahan and Senan's Haggart were comprised of bold music from right across Europe and demonstrated his keen awareness of both tradition and the possibilities for experimentation within it.

DAVE MCNAMARA

Dave McNamara is a musician and educator from Hobart. He has performed as a soloist and in a wide range of ensembles and performance situations on piano, accordion, trumpet, percussion, guitar and vocals. Dave has performed at many of the major folk and arts festivals around the country, including Maldon, Cygnet, Illawarra, Newstead, and National Folk Festivals, as well as collaborating on projects for major Tasmanian festivals 10 Days on the Island and The Unconformity (formerly known as Queenstown Arts and Heritage Festival).

MIKELANGELO

Canberra-born artist Michael Simic has built a substantial recording and touring career over 20 years under his moniker of Mikelangelo. He has released 11 independent albums and performed sold out shows at music venues, theatres, and major arts and music festivals through Australia, New Zealand, UK, Europe, Canada and the US.

His work has been widely acclaimed, with consistent four and five star reviews in The Age, Sydney Morning Herald, Time Out (UK), The Scotsman (UK), La Presse (Canada) and many more.

He has won Best Artist at the Brighton Festival (UK), and Best Group with Mikelangelo and the Black Sea Gentlemen at Edinburgh Festival (UK), and the Green Room Awards (AUS). He has been three times nominated for Best Male Artist at The



Age/Music Victoria awards, and nominated for a Helpmann Award for Best Music for the Kate Mulvany play *Masquerade*.

MARIA VOICES

Based in Orford, Maria Voices is a community singing group which welcomes all members to join in weekly singing.



With around 35 members, the group has an active performance life in the region, performing at Christmas in the Park, at the May Shaw Health Centre in Swansea, Festival of Voices, and at important community gatherings such as Suicide Memorial Services and ANZAC memorial events.

VAN DIEMEN'S BAND

Songs of the Sea Collaboration with Maria Voices

Overview

In March 2024 Van Diemen's Band (VDB) is touring <u>Songs of the Sea</u> around lutruwita/Tasmania. Featuring indy-folk legend Mikelangelo, *Songs of the Sea* is a 70-minute musical performance of original works and traditional sea shanties.

For the performance at Spring Bay Mill, Triabunna, VDB has invited local singing group, Maria Voices, to join the artists onstage to perform as part of the grand finale and encore.

This collaboration will involve briefing sessions and rehearsal/preparation sessions ahead of an in-person rehearsal and the live performance at Spring Bay Mill.

About Van Diemen's Band

One of Tasmania's leading performing arts companies, Van Diemen's Band (VDB) has its roots in baroque music but works across genres and disciplines. Our active touring, community engagement and education schedule creates extraordinary musical experiences for our audiences, enriching the lives of our extended community whilst promoting lutruwita/Tasmanian music-making globally through critically-acclaimed studio recordings and digital concert streaming.

Established in 2017, VDB has grown to become a vital and vibrant part of Tasmania's cultural fabric, presenting over 40 performances around lutruwita/Tasmania annually. Collaborations with leading international artists and the best local companies, provides a pipeline for talent and connecting with local communities through immersive, empathetic relationships.

VDB is building a regular presence on the East Coast, having regularly performed and recorded in Triabunna for many years, undertaking a creative development there in 2021 and recording our music video, Song of the Birds, at Spring Bay Mill (with the assistance of Arts Tasmania and Screen Tasmania). We plan to present at least two performances in the municipality per year, at Spring Bay Mill and Swansea.

About Songs of the Sea

Oceans are vast, deep and mysterious. Their waters contain more than simply salt and marine life. For all of humanity's existence they've sustained our bodies, swallowed them whole and carried people vast distances to foreign lands. Oceans connect us and keep us apart. Floating on the swell of an ocean's turbulent seas are grand, lyrical narratives that are forever evolving – stories, myth and song.

Steering the audience through Songs of the Sea is Mikelangelo (Michael Simic of the folk quintet, Mikelangelo and The Black Sea Gentlemen) – a raconteur, salt-crusted storyteller and bittersweet bard. In his deep baritone, Mikelangelo explores the heart's stormy reaches; indulges in absurd overboard shanties; and catches secrets freed from the sea's breaking tides. Shipwrecked sailors, bewitching mermaids and wily fishermen are all characters in Mikelangelo's songbook.

Joining Mikelangelo are Van Diemen's Fiddles; and the internationally renowned folk artists Luke Plumb and Dave McNamara on mandolin and accordion. Together they draw on maritime folk music styles, experimental and classical composition to evoke in song the salty smack of open water.

Maria Voices Collaboration

A Community Grant is being sought to support the costs of rehearsing and preparing with the Choir, ensuring that the collaboration maximises their benefits of participation.

The timeline for the collaboration is:

February

- Online information/briefing session for Mproviaria Voices
- Provision of digital rehearsal pack (sheet music, backing/singalong track, lyric sheet with chord chart) for choir members to prepare individually and collectively

March

- Confirmation of performance logistics (access, attire, stage placement etc)
- In-person rehearsal & Performance; Post-show function
- Distribution of post-performance survey to audiences and participants

VDB will provide a dedicated staff member for the collaboration to manage access, communications and logistics.

Community Benefits

- Maria Voices members will participate in a high-quality, community-friendly performance with one of Tasmania's leading performance ensembles
- Enhancing the cohesion and capacity of Maria Voices via the artistic collaboration
- Statewide media will be sought by VDB to profile the collaboration
- VDB touring supports the local economy via economic impact (accommodation, catering, venue hire and staffing) as well as showcasing the region as a touring destination with a viable audience base for other ensembles
- Creation of long-term connections with the Glamorgan Spring Bay creative community
- A genuine and authentic way to connect with the audiences we perform for (and with).

Budget - Maria Voices Collaboration Component only

INCOME

Glamorgan Spring Bay Council	\$1,000
VDB Contribution	\$1,491
TOTAL	\$2,491

EXPENDITURE

Artist Fees \$ 500 (rehearsal material studio recording & preparation)
Collaboration materials \$ 150 (preparing, sharing and hosting of digital materials)

Staffing / Resourcing \$ 366 (8 hours @ \$41.20/hour + 11% super)

Hospitality/catering \$ 700 (35 people @ \$20/head)

Marketing & Promotions \$ 200 (to promote the local collaboration)

Photography \$ 400 (local photographer to capture performance)

Admin \$ 175 (insurance, comms, contingency)

TOTAL \$2,491

RESULT \$0

NB - this budget does not include the costs of touring, presenting and marketing the *Songs of the Sea* performance, which is supported separately through Arts Tasmania and RANT/Regional Arts Fund. Council support is being sought towards the Maria Voices collaboration costs only.



9 Melbourne Street (PO Box 6) Triabunna TAS 7190

@ 03 6256 4777

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www.gsbc.tas.gov.au

COMMUNITY SMALL GRANTS PROGRAM APPLICATION PACKAGE

A funding scheme initiated by the Glamorgan Spring Bay Council to assist community development in the municipality.

GUIDELINES FOR APPLICANTS

The Glamorgan Spring Bay Council's Community Small Grants Program provides small grants to individuals and community organisations and groups to assist them to undertake programs and activities within the Glamorgan Spring Bay municipal area.

Council receives requests for more funding than is available and consequently funds under the programs are limited. The majority of grants will be restricted to no more than \$1,000, however, in certain circumstances, Council may consider increasing the allocation.

There is no specific funding period. Applications for funding assistance shall be considered throughout the year until such time as the available funds have been exhausted.

ELIGIBILITY

- ❖ Applications must be from not-for-profit organisations as defined as follows:
 - o Its main operating purpose is other than to provide goods and services for profit.
 - Other than in the case of winding up, no member/owner has the right to surpluses of the entity.
 - That entity does not have the right to transfer ownership to members/owners.
- Any resident of the Glamorgan Spring Bay municipal area who has been selected on merit to participate or compete in any event or project of state, national or international significance may seek funding assistance.
- Projects should aim to:
 - o Address relevant community issues of significance.
 - o Be initiated within the community and actively involve local people.
 - o Improve access and encourage wider use of facilities.

COUNCIL PROCESS REQUIREMENTS

- Application:
 - o Complete the Community Small Grants Application form.
 - o Provide a plan or sketch of the proposed project (if applicable).
 - o Provide a copy of the project budget and evidence of basis of costs.
- Successful applicants after project completion:
 - o Complete the Community Small Grants Acquittal form.
 - Provide a brief written report of the success or otherwise of the project prior to the conclusion of the financial year, together with a photo (if applicable).
 - o Provide most recent financial statement or evidence of expenditure.

For further information, please contact the Community & Communications Officer

Phone: (03) 6256 4777

 ${\bf Email:}\ \underline{community@freycinet.tas.gov.au}\\$

PO Box 6, Triabunna 7190

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- 9 Melbourne Street (PO Box 6) Triabunna TAS 7190
- @ 03 6256 4777
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- $\underline{\mbox{\$}}$ admin@freycinet.tas.gov.au
- www.gsbc.tas.gov.au

COMM	UNITY SM	1ALL GRANTS APPLICATION	FORM	
Name of applicant		Van Diemen's Band		
Postal address		17 Clegg Rd Fern Tree TAS 7054		
Contact person		Jennifer Kerr		
Role if group applyir	ng	Executive Director		
Contact number		0408 077 617		
Email address		jennifer@vandiemensband.com.au		
Is your organisation incorporated body?	an	Yes No		
Project title and brief description (If insufficient space, please attach additional sheet)				
In March 2024, Van Die	men's Band will	perform "Songs of the Sea" at Spring Bay Mill in Tri	abunna. Featuring indy-	
folk legend Mikelangelo	, the performand	e sees a 5-piece ensemble performing original tune	s and sea shanties.	
Mikelangelo and VDB h	ave invited Orfor	rd-based Maria Voices to collaborate on the "grand t	finale" and encore,	
with a 35-voice choir br	inging the show	to a rousing close while also showcasing the bread	th of creative talent	
		ity choir. Funding is being sought towards the costs		
•		nusic etc) for the choir to rehearse and prepare ahe		
		ne choir is supported to be at their best for this expective through this unique performance experience.	rience, exchanging skills	
Outline intended out	comes of the	e project (for example, benefits of the project to the	he community, support	
from any other groups or organisations. Maria Voices members will participate in a high-quality, community-friendly performance with one of Tasmania's				
		ocal audiences experiencing a one-off and joyously		
		showcasing the creative community in the municipal		
		tions between the local creative community and VDI	•	
	-	uthentic. More broadly, VDB touring supports the loc	•	
		tination with a vibrant cultural ecology and viable au		
members will receive a	free ticket as we	ell as discounted tickets for family and friends.		
Funding sought from	n Council		\$ 1000	
Funding to be contri	ibuted by you	u or your organisation	\$ 1491	
Funding to be contri (Provide details below of			\$ -	
Total Project Expens	ses		\$ 2491	
Signed	Ad	Kan a sa s		
Name (Please print)	Jennifer	Kerr		
Date	7/2/24			
*Details of other contributors:	Please	see attached document for Additional I	nformation	



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- @ 03 6256 4777
- ₾ 03 6256 4774
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- www.gsbc.tas.gov.au

COMMUNITY SMALL GRANT ACQUITTAL FORM			
	illed out by successf	ful recipient of Grant Fund	ds)
Name of successful			
applicant			
Postal address			
Contact person			
Role if group applying			
Contact number			
Email address			
Is your organisation an incorporated body?	Yes	No	
Project title and brief des	scription of how the pr	oject achieved the outcome	s intended.
INCOME			
Funds received from Cou	uncil		\$
Funding from your organ	nisation		\$
Funding from other orga			\$
TOTAL funding received			\$
EXPENDITURE List expenditure receipts			
			\$
			\$
			\$
			\$
			\$
			\$
TOTAL expenditure			\$
Signed by recipient			
Date signed			