



**GLAMORGAN
SPRING BAY
COUNCIL**

ORDINARY COUNCIL MEETING MINUTES

TUESDAY 26 SEPTEMBER 2023

2:00 PM

Council Chambers, Triabunna

NOTICE OF MEETING

Notice is hereby given that the next Ordinary Council Meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday 26 September 2023, commencing at 2:00 pm.

QUALIFIED PERSON CERTIFICATION

I hereby certify that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this Agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

Dated this Thursday 21 September 2023



Greg Ingham
GENERAL MANAGER

IMPORTANT INFORMATION

- As determined by Glamorgan Spring Bay Council in April 2017, all Ordinary and Special Meetings of Council are to be audio/visually recorded and streamed live.
- A recording of the meeting will be available via the link on the Glamorgan Spring Bay Council website following the meeting.

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

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1 OPENING OF MEETING

The Mayor welcomed Councillors, staff and members of the public and declared the meeting open at 2:03 pm.

1.1 Acknowledgement of Country

Glamorgan Spring Bay Council acknowledge and pays respect to the Tasmanian Aboriginal people as the traditional and original owners, and continuing custodians of this land on which we gather and acknowledge their Elders - past and present.

1.2 Present

Present:

Mayor Cheryl Arnol
Deputy Mayor Michael Symons
Clr Rob Churchill
Clr Neil Edwards
Clr Carole McQueeney
Clr Jenny Woods
Clr Robert Young

1.3 Apologies and Leave of Absence

Apologies

Nil.

Leave of Absence

Nil.

1.4 In Attendance

General Manager, Mr Greg Ingham
Executive Officer, Mrs Jazmine Kerr
Community and Communications Officer, Ms Eliza Hazelwood
Director Planning and Development, Mr Alex Woodward
Director Corporate and Community, Mrs Elysse Blain
Planning Consultant, Mick Purves
Planner, Ms Laura Small

There was one (1) attendee present within the chamber's gallery.

The Mayor was pleased to welcome Richard Parker to the Chamber gallery for the Ordinary Council Meeting and advised that he would be inducted on Tuesday 10th October 2023.

Council thanks Greg Luck for sitting as a Councillor for almost a year and acknowledges Mrs. Annie Browning and Mr. Kenneth Gregson for demonstrating their commitment to our communities and agreeing to be part of the recount for the vacancy.

1.5 Late Reports

(Motion to receive required)

Nil.

1.6 Declaration of Interest or Conflict

The Mayor requests Elected Members to indicate whether they have:

- 1. any interest (personally or via a close associate) as defined in s.49 of the Local Government Act 1993; or*
- 2. any conflict as described in Council's Code of Conduct for Councillors,*

in any item included in the Agenda.

Nil.

2 CONFIRMATION OF MINUTES

2.1 Ordinary Meeting of Council - 22 August 2023

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 22 August 2023 at 2:00pm be confirmed as a true and correct record.

DECISION 195/23

Moved Clr Neil Edwards, seconded Clr Jenny Woods:

That the Minutes of the Ordinary Meeting of Council held on 22 August 2023 at 2:00pm be confirmed as a true and correct record.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

2.2 Special Meeting of Council - 5 September 2023

RECOMMENDATION

That the Minutes of the Special Meeting of Council held on 5 September 2023 at 2:00pm be confirmed as a true and correct record.

DECISION 196/23

Moved Clr Carole McQueeney, seconded Clr Rob Churchill:

That the Minutes of the Special Meeting of Council held on 5 September 2023 at 2:00pm be confirmed as a true and correct record.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

2.3 Minutes of Glamorgan Spring Bay Audit Panel

Author: Director Corporate and Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Audit Panel Minutes 2023-08-23 [**2.3.1** - 3 pages]

PURPOSE

To recommend that Council receives and notes the attached Minutes from the Glamorgan Spring Bay Council Audit Panel.

BACKGROUND/OVERVIEW

The Glamorgan Spring Bay Council Audit Panel (the Panel) plays a vital role in assisting Elected Members of the Glamorgan Spring Bay Council in fulfilling responsibilities relating to the review of the Council's performance and effectiveness as well as safeguarding its long-term financial position.

The Panel met on 28 August 2023 at the Triabunna Council Office. The Panel has made a number of recommendations and a summary of the key actions are provided at the end of the Minutes. The majority of these require action by Council staff or the Chair of the Panel.

STRATEGIC PLAN REFERENCE

Guiding Principles

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundations

1. Our Governance and Finance

What we plan to do

- Set realistic budgets and monitor income and expenditure closely.

STATUTORY IMPLICATIONS

- Local Government Act 1993
- Glamorgan Spring Bay Audit Charter
- Australian Accounting Standards Board (AASB)
- International Financial Reporting Standards (IFRS)

BUDGET IMPLICATIONS

Nil.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				Nil.
No material risk associated with adopting the recommendation.				
Do not adopt the recommendation				Nil.
There is no material risk from not adopting this recommendation				

OFFICER'S COMMENTS

The audit function is recognised as a critical component in the accountability and governance framework of any local government entity, and, under the Act, all Tasmanian councils are required to establish and maintain an audit panel. Not doing so would be a breach of the Act and significantly reduce oversight of Councils finances.

The Audit Panel has been pleased to note the ongoing improvement in Councils organisational financial controls towards the resulting positive financial audit results.

OFFICER'S RECOMMENDATION

That Council receives and notes the attached Minutes of the Glamorgan Spring Bay Council Audit Panel Meetings held on the 23 August 2023.

DECISION 197/23

Moved Clr Robert Young, seconded Clr Rob Churchill:

That Council receives and notes the attached Minutes of the Glamorgan Spring Bay Council Audit Panel Meetings held on the 23 August 2023.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

2.4 Date and Purpose of Workshop(s) Held

TUESDAY 12 SEPTEMBER 2023

In accordance with the requirement of Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council Workshop was held from 1:30pm to 4:45pm on 12 September 2023 at the Council Offices, Triabunna.

Present:

Mayor Cheryl Arnol
Deputy Mayor Michael Symons (via remote video conference)
Clr Rob Churchill
Clr Neil Edwards
Clr Carole McQueeney
Clr Jenny Woods
Clr Robert Young

** Note Mayor Arnol declared a conflict in agenda item DA2023/00055 - 1100 Coles Bay Road and left the room during discussion.*

Apologies:

Nil.

In Attendance:

Mr Greg Ingham, General Manager
Mr Alex Woodward, Director Planning and Development
Mr Peter Porch, Director Works and Infrastructure
Mrs Elysse Blain, Director Corporate and Community
Ms Laura Small, Planner
Mr James Bonner, Senior Planner
Mr Mick Purves, Senior Planning Consultant (via remote video conference)

Guests

- Tristan Forward
- Alexander Hill
- Rocky Caccavo
- Sam Caccavo
- Mel Fazackerley
- Howard Colvin

Agenda

- DA2023/00055 – 1100 Coles Bay Rd, Coles Bay
- Presentation – 38 Vicary Street, Triabunna
- Draft Amendment AM2023-01 – Glamorgan Spring Bay Local Provisions Schedule – Rezone 155 Rheban Road, Orford & 90-lot subdivision – Representations
- Draft Amendment AM2023-02 S.40K Report on representations
- NRM Strategy
- Review of Customer Service Charter
- Review of Delegation Register

RECOMMENDATION

That Council notes the information.

DECISION 198/23

Moved Clr Jenny Woods, seconded Clr Neil Edwards:

That Council notes the information.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

3 PUBLIC QUESTION TIME

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

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

In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, Questions on Notice must be provided at least 7 days prior to the Ordinary Meeting of Council at which a member of the public would like a question answered.

3.1 Questions on Notice

Nil.

3.2 Questions Without Notice

Glamorgan Spring Bay Council will allow questions to be provided by written notice by 12 noon the day before the Ordinary Council Meeting by either emailing general.manager@freycinet.tas.gov.au or alternatively left in the post box outside the Council Chambers located at 9 Melbourne Street, Triabunna.

3.3 Responses to Previous Questions Without Notice Taken on Notice - 22 August 2023

Dr Elizabeth Grey

Q1. In the event of approval of DA 2023/00055 1100 Coles Bay Road commercial development that would situate merely 15m from Moulting Lagoon, how will Glamorgan Spring Bay Council protect their Ramsar Wetlands (Moulting Lagoon and Apsley Marshes) from encroachment and development in the future?

Response from General Manager, Greg Ingham

The development application DA2023/00055 was refused by the Planning Authority at the Council meeting of 22 August 2023.

Lance Howard

Q1. In relation to the application at 1100 Coles Bay Road, assessed the following question. Council has been made aware of such the likleyhood of serious environmental harm and blatant issues with the application but fails to request further information or seek an environmental impact assessment. How has council determined that there will be no impact on RAMSAR site and its ecological values as stated by the planning team in assessment?

Q2. Further to this now Council is now fully aware of the possible impact to ecological values of lands within 20 meters of the development being Moulting Lagoon. Is Council comfortable that under the Environment Protection and Biodiversity Conservation Act 1999 and Australian's Obligations Under the International RAMSAR Treaty that council has no obligations to prevent impact and that no liability will fall onto the Council for possible breaches of the above legislation?

Response from General Manager, Greg Ingham

The development application DA2023/00055 was refused by the Planning Authority at the Council meeting of 22 August 2023.

Ross Hugo

Q1. Would Council be prepared to create a GSB-Particular Purpose Zones and GSB-Specific Area Plans Specific Purpose area for the moulting lagoon area. This is to prevent large scale development so close to one of the most ecological sensitive areas in the Council area? There appears to be good plans to protect the tourist industry and commercial development but very little to protect cultural usage and environmental values of such sensitive areas.

Response from General Manager, Greg Ingham

The entire catchment that feeds into Moulting Lagoon would need to be protected under specific controls to provide the protections suggested within the question.

There are a range of statutory mechanisms that sit outside the planning scheme that protect various aspects of Moulting Lagoon, including threatened species (flora and fauna), water quality, environmental management and pollution, and water management under state and federal legislation. Cultural usage cannot be managed under the land use planning system.

This issue was submitted to the Government in the Section 35G Notice on issues with the State Planning Provisions as a result of the Local Provisions Schedule process. Council is not aware of any response on this issue.

Given the wide range of existing controls over relevant issues, a Particular Purpose Zone or Specific Area Plan is not considered to be an appropriate mechanism to protect this area.

Q2. We also seek answers Council involvement in the removal (without following development application processes) of Culturally sensitive structures adjacent to 1100 Coles Bay road, Coles Bay and with no consultation with the owners. Given we believe these activities and structures are covered under the Moulting Lagoon Conservation Plan 2003.

Response from General Manager, Greg Ingham

The Department of Natural Resources and Environment Tasmania submitted a Building Application to Council to demolish the buildings located primarily on the Crown land. Council had no involvement in the removal of the structures.

Rod Wilson

Q1. The absolute protection and well being of the Moulting Lagoon Ramsar site that joins this site on its western boundary if of extreme concern to me, if the develop application for this site is approved by council, my question is, Can Glamorgan Spring Bay Council Guarantee without exeption, that Moulting Lagoon will not be contaminated or have its biodiversity affected or impacted in any way due to the approval of this Development application.

Q2. Given that specific aspects of this Development application, particularly the demolition of the shacks and much of the earthworks, have already been completed prior to approval on the bases of utilizing a previous DA for a vineyard that does not exist, my question is, should we be trusting this developer to comply with any future directives.

Response from General Manager, Greg Ingham

The development application DA2023/00055 was refused by the Planning Authority at the Council meeting of 22 August 2023.

4 PLANNING AUTHORITY SECTION

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2015, the Chairperson hereby declares that the Council is now acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 4 of the Agenda.

RECOMMENDATION

That Council now acts as a Planning Authority at [time].

DECISION 199/23

Moved Clr Robert Young, seconded Clr Rob Churchill:

That Council now acts as a Planning Authority at 2:10pm

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

4.1 Draft Amendment AM2023-01 – Glamorgan Spring Bay Local Provisions Schedule – Rezone 155 Rheban Road, Orford & 90-lot subdivision –Representations

Author: Senior Planning Consultant (Town Planning Solutions Pty Ltd)

Responsible Officer: Director Planning and Development

ATTACHMENT/S

1. Plan of subdivision
2. Draft Planning Permit AM2023-01
3. Representations
4. 40K Report - Draft Amendment AM2023-01

PURPOSE

The purpose of this report is for the Planning Authority to consider the 27 representations that were received to the exhibition of AM2023-01 to the Tasmanian Planning Scheme – Glamorgan Spring Bay (Scheme) to rezone land at 155 Rheban Road from Future Urban to General Residential and approve a subdivision of the land for residential purposes, as shown in Attachment 1 to this report.

BACKGROUND/OVERVIEW

The Planning Authority will recall that AM2023-01 was initiated and certified at its meeting on 28 March 2023. The Planning Authority supported the proposed subdivision and determined to approve it subject to 46 conditions.

The following attachments were provided for this report:

1. the plan of subdivision that supports the application
2. draft Planning Permit AM2023-01
3. Copies of Representations
4. 40K Report draft Amendment AM2023-01.

STRATEGIC PLAN REFERENCE

Guiding Principles

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundations

1. Our Governance and Finance

What we plan to do

- Advocate and lobby effectively on behalf of the community.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993

- Division 3B – Amendments to LPS's
- 40G. Notice of exhibition
- 40H. Exhibition
- 40J. Representations
- 40K. Report to Commission about draft amendments
- 40Z. Exhibition in respect of permit application
- 41. Representations
- 42. Report in relation to draft amendment of LPS to contain representations

AM2023-01 and the associated draft planning permit were exhibited for the statutory period of 28 days in accordance with the requirements of sections 40 G, H and Z of the Act, from 2012 April to 12 May 2023.

Sections 40K and 42 of the Act require that the Planning Authority submits a report on the representations that were received addressing the following:

- a. A copy of each representation received during the exhibition period;
- b. A copy of each representation that was received *after* the exhibition period, that the Planning Authority decides to include;
- c. A statement on the merit of the representation regarding:
 - i. whether the draft amendment should be modified as a result of the representation; and
 - ii. the effect on the draft amendment and the Scheme, as a result of the recommendation;
- d. A statement on compliance with the LPS criteria (defined at section 34 of the Act);
- e. Any recommendations about the draft amendment the planning authority thinks fit.
- f. A statement on each representation against the subdivision regarding:
 - iii. The merits of the representation against the subdivision; and
 - iv. whether the decision on the subdivision should be modified as a result of the representation; and
- g. The recommendations about the subdivision the planning authority thinks fit.

The detailed analysis and responses to these requirements were provided in the 40K Report on Representations provided as Attachment 4 to this report.

BUDGET IMPLICATIONS

Ongoing maintenance of the Scheme was addressed as part of Council's operational budget.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				None required.
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Seek an extension of time from the Commission
The statutory deadline will expire.				
The 40K Report is not provided to the Commission	Possible	Moderate	Moderate	The Commission may take over the Planning Authority functions under the Act.

OFFICER'S COMMENTS

The majority of representations oppose the proposal, in part or completely. Copies of the representations were provided as an attachment to this report, along with the 40K Report that provided a detailed assessment of the issues raised within the representations.

A summary of the issues that were raised in the representations follows.

LUPA, RLUS & Structure Plan, Previous amendment and associated issues

- Whilst on part of the previous site, the application is similar to the recent proposal refused by the Commission and disregards the relevant Commission findings (i.e., number and size of lots).
- The proposal is inconsistent with the objectives of the Act (i.e., sustainable development, orderly release of land, health and wellbeing, encourage public involvement).
- Inconsistent with STRLUS (i.e., growth scenario, Orford strategy).
- Opposing assertions that the Structure Plan and STRLUS are out of date.

Access to other services

- The lack of facilities for medical care and healthy communities and impacts on rural based health services, difficulties recruiting health practitioners and existing limitations on doctor services in the area;
- The general lack of availability of services at Orford;

Demographics

- The proposal and SGS report have not demonstrated demand and have not had regard to recent lot creation (Solis, Holkham, Bayport).
- Proposal likely to result in more holiday homes rather than permanent residents.

Amenity/Character/Suitability

- The proposed lots are too small and will result in over-development, changing the existing low-density character of the area to suburban residential and detracting from the character of Orford generally.
- Oppose development in existing POS areas.

Infrastructure

- Inadequate infrastructure (i.e., public open space, traffic management [during construction and ongoing], parking, pedestrian paths) leading to increased costs to ratepayers and the community.
- Inadequate infrastructure (i.e., water supply, sewer, NBN) which struggles at peak/dry/flood times.

Roads

- Roads should be wider and redesigned to provide improved safety and to satisfy performance criteria.
- More consideration of holiday period impacts.

Stormwater flooding

- Failure to comply with Coastal Erosion Hazard Code and Tasmanian Stormwater Policy
- No Stormwater Management Report to demonstrate that proposed stormwater services will be adequate and not adversely impact neighbours or East Shelly Beach.
- Flooding impacts are not properly considered – uses old data and proposal not consistent with limitations identified in the Aldanmark and Flussing reports.
- Proposal will not comply with conditions or meet predevelopment flows for 1%AEP event.

Sewerage

- The existing sewerage treatment plant has odour issues – greater impact on existing residents.
- Questioning whether the treatment plant can cope with additional loads and not overflow and contaminate East Shelly Beach in high rainfall events.
- Contesting compliance with the Attenuation Code – reports did not consider future population estimates and upgrades to the treatment plant.

Flooding, Coastal & Erosion

- Failure to comply with Coastal Erosion Hazard Code and Tasmanian Coastal Works Manual, and likely failure to comply with conditions.
- Contesting capacity of existing stormwater systems to cope, the site is prone to flooding which will increase with climate change.
- Proposal relies on mitigation rather than design solutions to address natural hazards.

Vegetation

- The lack of a flora or fauna report to consider vegetation removal (notably the existing Eucalyptus Ovata on site);
- Lots too small to promote replacement tree planting.

Other Issues

- Lots should be larger.
- More public open space required.
- Limiting the use of caravans on the lots;
- Limiting development on lots adjoining properties to East Shelley Beach Road to single-story development.
- Contesting the loss of local landscape and environmental values that were unique to the area.
- Contesting the lack of substantial independent analysis.
- The lack of medical facilities in the area and provision for affordable housing,

AM2023-01 followed an extended process where the strategic future development of the subject land for urban residential purposes was supported by the Council. The previous rezoning and subdivision application was refused by the Commission in July 2019 for a range of reasons including:

- Failure to comply with the low growth strategy and consolidation growth scenario defined for Orford in the Southern Tasmanian Regional Land Use Strategy (RLUS);
- The Commission was not satisfied there was not a 15-year supply of land available in Orford, as defined Triabunna/Orford Structure Plan (Structure Plan) and as a result, the proposal did *not* represent orderly development and created a potential oversupply if infrastructure issues were resolved elsewhere in the Structure Plan area;
- While the application was not inconsistent with the relevant state policies, it was not consistent with the Schedule 1 Objectives under the Act; and
- As a result, the amendment was refused as it was not consistent with the RLUS and did not represent an orderly release of land.

Since that decision, the following occurred:

- Additional demographic data was provided in the *Orford Residential Capacity and Demand Analysis* by SGS Economics and Planning (SGS Report), which included a detailed assessment of demand based on approval and growth rates up to 2021 and expert assessment of the potentially available lots through further subdivision in the existing zoned lands;
- Council endorsed the Addendum to the Triabunna/Orford Structure Plan, which reflected the SGS Report findings and identified that a High Growth Strategy to meet the demonstrated demand at Orford;
- The RLUS was revised by the Minister for Planning to address the dated nature of demand projections across the southern region by inclusion of SRD1.1A, to enable consideration of up to date demographic data;
- The Local Provisions Schedule confirmed the Future Urban zoning of the lands; and
- The 2021 Census data became available, confirming the assessment and projections within the SGS Report.

As in 2019, many locals oppose the rezoning and subdivision of this land under AM2023-01.

As a result of the analysis in the SGS Report, insertion of SRD1.1A to the RLUS, revisions to the Structure Plan and 2021 Census data, many of the reasons that generated the 2019 refusal by the Commission are no longer relevant.

This issue also arose during the exhibition and assessment of the Local Provisions Schedule that supports the Scheme. Multiple representations objected to application of the Future Urban zone under that process, which the Council did not support and ultimately saw the Commission zone the land Future Urban under the Local Provisions Schedule, as noted in the following extract of the decision:

94. The Commission considers that the planning authority is being prudent to effectively reserve the site for future consideration for residential development. Application of the Future Urban Zone will achieve this and ensure that there are no actions taken that will constrain the potential for the future use of the land. Should the planning authority seek to rezone the land for residential purpose in future, issues associated with the development of the land such as mentioned by the planning authority in its section 35F report can be considered in any assessment of the rezoning application.

95. The Commission considers that the primary objective in applying the Future Urban Zone should be to identify potential land for future urban use, noting the application of the zone should not compromise existing residential uses and overall demand within the planning area.

96. The location of the land in Orford indicates that it is prudent planning to establish a zone such as the Future Urban Zone, to prevent uses and development occurring on the land which would preclude a future consideration of the most appropriate use for the land, residential use clearly being a possibility.

(Source: P15, Tasmanian Planning Commission, Decision, Local Provisions Schedule, Glamorgan Spring Bay 4 February 2022)

While many of the concerns raised by the representors were determined to have merit, two changes were identified following assessment of the representations as follows:

- Revise AM2023-01 to establish an overlay for the attenuation buffer for the Orford Sewage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
- Revise condition 3 of Draft Planning Permit AM2023-01 as follows:
The POS shown on the Lot Layout Plan must be set aside for drainage on the Final Plan, when submitted.

A discussion of the issues and detailed response to the representations was provided as in the Section 40K Report provided as Attachment 4 to this report. A recommendation was provided to reflect this assessment.

Note: This item was presented to Council at the August Ordinary meeting and the motion was lost. The item was then deferred. If Council wishes to put forward an alternate motion it should do so in accordance with the requirements of the Act.

16. Recommendation

That:

Pursuant to Sections 40k and 42 of the *Land Use Planning and Approvals Act 1993* the Planning Authority:

1. Endorse Attachment 4: *40K Report - Draft Amendment AM2023-01 v1.1* as its report on AM2023-01 in accordance with Sections 40K(2) and 42 of the Act; and
2. Recommend to the Tasmanian Planning Commission that AM2023-01 be modified establish an overlay for the attenuation buffer for the Orford Sewage Treatment Plant based on the attenuation reports provided as part of the application and terminated at the southern boundary of Rheban Road; and
3. Recommend to the Tasmanian Planning Commission that condition 3 of Draft Planning Permit AM2023-01 be amended as follows:
The POS shown on the Lot Layout Plan must be set aside for drainage on the Final Plan, when submitted.

DECISION 200/23

Moved Clr Carole McQueeney, seconded Clr Rob Churchill:

That Council, having received and considered 27 representations, has determined that they raise matters that are considered valid concerns, and that substantially impact its consideration of AM2023-01 and SD2023-01.

Pursuant to Sections 40K and 42 of the *Land Use Planning and Approvals Act 1993* (Act) the Planning Authority:

1. Endorses *Table 1: Table of decisions AM2023-01* (below) as its report on AM2023-01 in accordance with Sections 40K(2) and 42 of the Act;
2. Recommends to the Tasmanian Planning Commission that it seeks further stormwater information about the downstream impacts to the built and natural environments, encompassing impacts during both flood and non-flood periods, in the context of the area's accepted periodic flooding and close proximity to the coastal reserve,;
3. Recommends to the Tasmanian Planning Commission that it seeks further information from Taswater on their planned infrastructure delivery program to ensure both adequate water supply capacity and increased sewerage treatment capacity at Orford's wastewater plant (with discrepancies existing between the proposal and Taswater's published data) and water supply capacity;
4. Recommends to the Tasmanian Planning Commission that it satisfy itself of the currency, integrity and accuracy of the SGS Report regarding growth and demand, given the Report's reliance on 2016 data, and its absence of recent approvals and development across the Orford/Triabunna area.

Table 1: Table of decisions AM2023-01 and SD2023-01

	1	2	3	4	5	6	7	8
Item	Merits require changes (re 2-5)	Impact of changes on AM2023-01	Impact of changes on Scheme	Compliance with LPS Criteria	Any other recommendations for AM 2023-01	Merits require changes (re 6-7)	Impact of changes on Subdivision	Any other recommendations for subdivision
Decision	<i>Yes</i>	<i>Withdraw support</i>	<i>Withdraw support</i>	<i>Does not comply</i>	<i>See Item 2.</i>	<i>Yes</i>	<i>Refuse</i>	<i>Withdraw support</i>

THE MOTION WAS PUT AND CARRIED 4/3

For: Clr Rob Churchill, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Mayor Cheryl Arnol, Deputy Mayor Michael Symons and Clr Neil Edwards

4.2 Draft Amendment AM2023-02 – Tasmanian Planning Scheme - Glamorgan Spring Bay– Revisions to GSB-S3 Louisville Road Specific Area Plan

Author: Senior Planning Consultant (Town Planning Solutions Pty Ltd)

Responsible Officer: Director Planning and Development

ATTACHMENT/S

1. Representation
2. Extract - *GSB-S3 Louisville Road Specific Area Plan*
3. Extract - *Glamorgan Spring Bay Planning Scheme 1994 - Schedule 7.2 Development Plan No.2 North and South of Louisville Road*

PURPOSE

The purpose of this report is for the Planning Authority to consider the one representation received to the exhibition of AM2023-02 to the Tasmanian Planning Scheme – Glamorgan Spring Bay (Scheme) to to revise provisions within the GSB-S3 Louisville Road Specific Area Plan (SAP) as follows:

GSB-S3.7.5 Energy and water efficiency

- rename the standard GSB-S3.7.5 Solar Access; and
- delete *minimise energy and water* use from the objective and replace with *solar access*; and
- delete A2/P2 and A3/P3;

GSB-S3.8.3 Services Energy and water efficiency

- delete the existing provisions A3/P3 and replace with new provisions; and
- delete A4/P4.

BACKGROUND/OVERVIEW

The Planning Authority will recall that AM2023-02 was initiated and certified at its meeting on 27 June 2023. The Planning Authority supported the proposed amendment with a vote of six supporting and two opposing AM2023-02.

A copy of the representation, from Mr Andrew Wyminga, was provided as attachment 1 to this report.

STRATEGIC PLAN REFERENCE

Guiding Principles

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundations

1. Our Governance and Finance

What we plan to do

- Advocate and lobby effectively on behalf of the community.

STATUTORY IMPLICATIONS

Land Use Planning and Approvals Act 1993 – Division 3B – Amendments to LPS’s

- 40G. Notice of exhibition
- 40H. Exhibition
- 40J. Representations
- 40K. Report to Commission about draft amendments

AM2023-02 and the associated documents were exhibited for the statutory period of 28 days in accordance with the requirements of sections 40 G and H of the Act, from 6 July to 3 August 2023.

Sections 40K of the Act require that the Planning Authority submits a report on the representations that were received addressing the following:

- a. A copy of each representation received during the exhibition period;
- b. A copy of each representation that was received *after* the exhibition period, that the Planning Authority decides to include;
- c. A statement on the merit of the representation regarding:
 - i. whether the draft amendment should be modified as a result of the representation; and
 - ii. the effect on the draft amendment and the Scheme, as a result of the recommendation;
- d. A statement on compliance with the LPS criteria (defined at section 34 of the Act);
- e. Any recommendations about the draft amendment the planning authority thinks fit.

The discussion under the Officers Comment examines the relevant matters. A recommendation was provided that addresses the statutory requirements.

BUDGET IMPLICATIONS

Ongoing maintenance of the Scheme was addressed as part of Council’s operational budget.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation			Low	None required.
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Seek an extension of time from the Commission
The statutory deadline will expire.				
The 40K response is not provided to the Commission	Possible	Moderate	Moderate	The Commission may take over the Planning Authority functions under the Act.

OFFICER'S COMMENTS

The Planning Authority is required to provide decisions to the Commission on the matters under sections 40K of the Act and summarised at items a through e in the Statutory Implications section of this report.

One representation was received to AM2023-02 during the statutory exhibition period. No representations were received to AM2023-02 following the close of the exhibition period.

The representation, from Mr Andrew Wyminga:

- Identifies a technical issue with the first of the two adverts for AM2023-02;
- Contests the intent of the developers to provide a golf course and the reasons for the amendment; and
- Provides a selective history of the project to date.

The initial advert for the exhibition mistakenly included a statement about office closure over the Christmas break. The second advert did not contain that statement. The exhibition period was calculated at 28 days, as required by the Act. The exhibition was completed in accordance with the requirements of the Act and associated regulations. The error in the initial advert was not taken to invalidate the exhibition process. No changes are required as a result of this issue.

Parts of the representation appear to focus on previous messages about the timing and delivery of the overall Solis project that were provided outside the relevant planning scheme of the day. As such, they are not relevant to the intent or assessment of AM2023-02.

Noting the extent of Mr Wyminga's concerns, the key planning issue within the representation appears to be the alleged claim that the SAP intended that the Solis Project

would be delivered as a whole project, as stated on page 5 of the representation (reproduced for convenience):

The reasons why AM 2023/02 will not assist in “the delivery of the SAP as intended when the SAP was first introduced” are clear:

The SAP intended a whole of project approach to development of the Specific Area Plan and the golf course was always expected to be ready to receive, store and reuse the storm water that the subdivision would shed. To do away entirely as suggested with:

A4: Stormwater drainage from development must; (a) be reused on the golf course and returned to natural watercourses entering the Prosser River or Spring Bay; or (b) exit the land subject to the Specific Area Plan at an equivalent concentration, condition, volume and velocity as would have occurred in the absence of any development, assuming a continuous cover of natural vegetation as would have occurred prior to the clearing of land for agricultural use.

...

If the Louisville Road Specific Area Plan in the GSBC LPS is to deliver its intended outcome as originally envisaged AM2023/02 cannot be supported.

The SAP complies with the required structure under the Tasmanian Planning Scheme and was transitioned under the relevant provisions of the Act from the former *Glamorgan Spring Bay Interim Planning Scheme 2015*.

The SAP establishes controls that address the plan purposes, application, local area objectives, definitions, use table, use standards, development standards for buildings, works and subdivision, the precinct plan and a concept layout for the Hub component. The SAP does *not* contain a provision that requires delivery of the overall project as a single, comprehensive proposal.

Much of Mr Wyminga’s representation talks about the intent of the controls to deliver the overall project as a single project. The provisions of the SAP were originally established as a Development Plan under Schedule 7 of the *Glamorgan Spring Bay Planning Scheme 1994*.

Review of the provisions within the *Glamorgan Spring Bay Planning Scheme 1994* identified that *Schedule 7.2 Development Plan No.2 North and South of Louisville Road* established the equivalent controls under that planning Scheme. Some precincts prevented further subdivision within them (Golf Course, Hub, Eco-Cabins) while the generic standards that applied across the Development Plan enabled subdivision within precincts. The author of this report did not identify any standards under Schedule 7.2 that required delivery of the overall project as a single proposal.

Copies of the SAP and Schedule 7.2 were provided as Attachments 2 and 3 to this report.

Mr Wyminga successfully appealed a previous approval of a subdivision for 47 lots on part of the land in the SAP. As noted at paragraphs 30 to 32 of the decision on that appeal (TASCAT J41-2022) and section 2 of the JMG Supporting Report, the current provisions of the SAP have other issues that affect implementation, summarised as follows:

30 the golf course has not yet been developed;

- 31 stormwater cannot be delivered to both the golf course and a natural
watercourse draining to the Prosser River at pre-development levels;
32 drainage of parts of the site would enter Prosser Bay, but could not enter the
Prosser River or Spring Bay; and
57 a planning scheme amendment would be required to address these issues.

AM2023-02 provides that planning scheme amendment.

Mr Wyminga contends that planning approval exists for the overall proposal including the 609 fully serviced Residential Lots, a world class golf course, the Hub with Golf Clubhouse, the Entry Way with Accommodation and Retail, Golf Accommodation, an Arts Precinct, a Maritime Museum, Accommodation on the Common, an Aquatic Club, A Jetty, Hub open space and also a further 60 Golf Accommodation Units outside the Hub.

A review of Council's records identify that the following planning permits were issued for the site:

- DA 2006 015 – Golf Course
- DA 2006 48 – Water Supply Pipeline Diversion and 2.7ML Reservoir
- DA 2006 118 – Class A 90kl/day WWTP
- DA2006 229 – Signage
- SA 2007 01 – Subdivision of 6 precincts
- SA 2007 02 – Stage 1 & 2 subdivision of 88 Lots
- DA 2007 237 – Jetty
- SA2017 017 – 47 lot subdivision – (later refused by TASCAT).

The full extent of approvals suggested by Wyminga in the representation is not supported. Mr Wyminga may be referring to the opportunity that the SAP provides for the extent of approvals in his representation.

The following summarises this assessment against the requirements of the Act:

- a. A copy of the representation received during the exhibition period was provided as Attachment 1 to this report;
- b. No representations were received *after* the exhibition period that require consideration;
- c. The representation is considered to have merit in terms of the representors views, but did not raise any planning matters that alter the previous assessment and:
 - iii. AM2023-02 should not be modified as a result of the representation; and
 - iv. The representation has no effect on the draft amendment and the Scheme, as a result of the recommendation;
- d. AM2023-02 remains compliant with the LPS criteria;
- e. No other recommendations are made regarding AM2023-02.

OFFICER'S RECOMMENDATION

That:

Pursuant to Section 40k of the *Land Use Planning and Approvals Act 1993* the Planning Authority advises the Tasmanian Planning Commission:

1. A copy of the representation received during the exhibition period was provided as Attachment 1 to this report;
2. No representations were received after the exhibition period that require consideration;
3. The representation is considered to have merit in terms of the representors views, but did not raise any matters that alter the previous assessment and:
 - i. AM2023-02 does not require modification as a result of the representation; and
 - ii. The representation has no effect on the draft amendment and the Scheme, as a result of the recommendation;
4. AM2023-02 remains compliant with the LPS criteria;
5. No other recommendations are made regarding AM2023-02.

Attachment 1 – Representation

Bicheno 3rd of August 2023

The General Manager
Glamorgan Spring Bay Council
By email planning@freycinet.tas.gov.au

RE: Draft Planning Scheme Amendment AM 2023-02 Louisville Road Specific Area Plan.

Dear Sir,

I refer to Council's Public Notice in the Mercury dated 06/07/2023 inviting representations on this Draft Amendment.

I am of course aware of that quaint habit in certain circles to celebrate Christmas in July, but was vastly taken aback that Council apparently planned to close its office to celebrate Easter in July this year and had graciously extended the period of public exhibition of AM2023/02 to 28 days to reflect this closure.

Or Council, perhaps over-exuberantly carried away with the potential Miracle of a Resurrection of the late Solis, had decided on belated - but surely premature - celebrations basing them on Easter (it being the Feast of Resurrection).

A second Public Notice dated 13/07/2023 in the Mercury made it clear that no special favours had been bestowed and that said 28 days was the normal statutory period for exhibition of a Draft Amendment.

Further uncertainty was caused by the advertising of conflicting closing times for representations to be received in both Public Notices.

The well-known Solis Curse, that has adversely and expensively afflicted GSBC for close to two decades, appears to have struck once again.

A condensed history may assist to show why AM 2023-02, if approved as requested by the Applicant, makes it in fact far **less** likely to ever achieve the Applicant's stated aim of AM 2023-02:

"to enable the delivery of the SAP as intended when the SAP was first introduced".

The proposed amendments, when duly considered, will clearly further **hinder** the delivery of the Louisville SAP as first introduced. As first introduced the purpose of the Louisville Road SAP is set out in clause GSB-S3.1, and includes amongst other things:

GSB-S3.1.1 To provide for a sustainable, high-quality tourism, recreational and residential estate that is developed in accordance with the relevant Local Area Objectives for each precinct.

GSB-S3.1.3 To create a major visitor attraction that will encourage visitors to stay longer in the area.

GSB-S3.1.7 To minimise the environmental footprint of development through energy efficiency, water sensitive urban design and reuse of waste and construction materials.

GSB-S3.1.9 To encourage best practice sustainable design for the built environment.

It is therefore important that Council considers the proposed amendment carefully. This is particularly so in the case of a Specific Area Plan, the purpose of which is to provide for special

and particular development objectives outside of ordinary zoning standards which would otherwise apply.

When Council, acting as Planning Authority on the 27th June 2023, decided to initiate AM2023/02 by a 6-2 majority, it had before it a Council Consultant Planner's report that identified that the request to amend was legal and *could* be supported. It did not even attempt to identify whether, if supported, it would meet the stated aim of AM2023/02.

A single recommendation "to support" was given, rather than allowing members of the PA to carefully consider whether the stated aim of AM2023/02 would be met and then vote accordingly.

Careful examination of the draft amendment makes it clear that AM2023/02 will not deliver said stated aim of AM2023/02:

"to enable the delivery of the SAP as intended when the SAP was first introduced".

The Council's Planning Report by contract consultant Town Planning Solutions makes it clear what that original SAP was meant to deliver in:

4.2 Reasons for AM2023-02

"The JMG Report identified the reasons for the amendment at section 2, which essentially follows the difficulties complying with the subject provisions that were tested in Wyminga v GSB. That assessment is accepted. In part, AM2023-02 results from a change to the approach for development of the Solis site. The original proposal is understood to have been for a complete, integrated residential community, golf course estate and eco-retreat that was to be developed as whole project without staging. While the concept is understood to remain consistent with the original, recent applications identify that a staged approach will be taken towards development of the site. This is a departure from the original concept".

The conditions in the SAP for delivery of the original proposal are clearly based on that original concept and sensibly require that storm water from development be reused on the golf course. It will become clear in the following "history of Solis" section that the developers have had no commitment at all to delivering a golf course other than perhaps in the first six months, nearly two decades ago, when some earthworks were performed.

Solis' History:

Many GSBC ratepayers and golfers worldwide will well remember the excitement when the Greg Norman designed Solis worldclass golf course precinct with all its well spruiked attendant tourist attractions and services and including a 609 Lot residential subdivision was first announced and then successfully introduced into our Planning Scheme around 2004. There are no credible reports of actual dancing in the streets but there was a definite new spring in the step of Orford and Triabunna locals.

Large signs proclaiming "Something Special is Happening Here" prominently featuring Greg's Shark logo seemed to confirm this. Large plaques mounted around a prominent viewing platform showed artist's impressions of the vision splendid.

Earthworks on this Greg Norman golf course started soon after.

That activity was short lived however and then quickly stopped altogether.

An article in the AFR in 2008 with the header "No Solace for Solis Development" identified the apparent end of the vision splendid.

Solis was to be sold:

"We've seen too many of those [golf course] developments struggle along in ways that the buyers aren't pleased," Mr Torossi said.

The property (Solis) is marketed by James Kaufman of Jones Lang LaSalle and Rob Joyes of Colliers International through an expressions of interest campaign that closes in May.

Around 2013 after another five years of no activity onsite, Council began making noises about "resurrecting" the "stalled" project and decided to become both financially and timewise involved in the project. The Shark had now withdrawn from the project and Council had engaged a local firm to redesign the course. Council also engaged a local consultant to produce a feasibility study and business plan.

This expensive study reportedly identified substantial losses (million dollar plus?) in early years and quickly found its way into a dark bottom drawer where it must still collect dust today.

On the 13th of August 2014, some six weeks before the 2014 Council elections (and badly needing some good news stories), Glamorgan Spring Bay Council, via a media release from the then Mayor Bertrand Cadart, proudly announced plans to seek \$3 million in grants each from the State and Federal Governments and had already budgeted "Treasury approved" Council borrowings of a further \$3 million. This would allow Council to build the golf course, the clubhouse, the road network and water and sewerage infrastructure which "upon completion" GSB Council would own. This was necessary, it was explained, as the developers "did not want to carry the unexpected costs of public roads, water and sewerage infrastructure" (and presumably the cost of constructing an unprofitable golf course). The developers would then start an 88 Lot subdivision that could be profitably marketed on its proximity to the golf course and the availability of full services; Public Roads, Water and (pls note) Sewerage!

Eight weeks later plans for a Golf Clubhouse had been dumped and it was to be replaced by a recycled shipping container from where green fees would be collected.

This appears to have been the situation when the Solis Golf Precinct Scheduled Development Plan 2(DP) provisions in the 1994 GSBC Planning Scheme were transitioned into the 2015 GSBC interim PS as the current Louisville Road SAP. The original Development Plan had the Developer construct and own the sewerage infrastructure. Sewerage, after treatment, would be used on the golf course. Now Council would provide Sewerage to the Residential Lots.

Around 2016/17 Council became further financially tied to Solis when it decided to get involved in a water pipeline to supply fresh water to Tassal operations in Okehampton Bay. Tassal had originally proposed to supply water for this need itself, but Council, with one eye clearly on the needs for fresh water for the thirstily waiting Solis golf course (now officially a Council project) entered into a MOU which would commit it to further very substantial borrowings for the construction of a pipeline and pumping station. The pipeline would bisect the Solis golf course and up to 300ML/Year could be supplied, subject of course to availability (very doubtful when most needed during dry periods).

In December 2017 the GSBC General Manager published this update;

"As you are probably aware, the project previously called Solis is fully approved by Council, ready to go and is nearing an announcement of a new image and rebranding with the developer and Council working hard to plan and coordinate a construction timetable and detail. The first stage of this development will include up to 88 subdivided lots of land out of approximately 606(sic) lots.

This first stage will also include all necessary infrastructure for the site, including a public walkway along the coast line, an 18-hole world class golf course and clubhouse". (Vale Shipping Container? Vale Sewerage system? Vale public roads? What does "all necessary infrastructure" mean?). "This will all depend on the supply of fresh water (400-500ML in the growing season and then 300ML ongoing), depending on rainfall. The preliminary timetable is for construction to commence late 2018, with the golf course commencing in March or April 2019, to ensure the course receives any winter rain".

Around 2018, Council, always keen to try and assist to get Solis started, somewhat controversially committed the total grant of half a million dollars received from the Roads to Recovery Program to upgrade and widen a large section of the Louisville Road (an upgrade originally scheduled be paid for by the Developer).

A Development Application dated the 18th of July 2019 (GSBC SA 2019/17) was made by Andy Hamilton o.b.o. SOLIS (Tasmania) Pty Ltd despite that entity then no longer being registered. This application included a Concept Services Report by JMG dated 16/07/2019 that showed that the application did not intend to meet the conditions in the Louisville SAP with regards to reuse of storm water on the golf course.

A letter dated 14 February 2020 from JMG to GSB Council noted among other concerns that:

- *Some potential development areas are below the level of the golf course and the Acceptable Solution can only be met via the implementation of pumped stormwater technology, which can impose a significant economic burden on development.*

Part of the requested SA 2019/17 was located below the level of the golf course and the Concept Services Plan proposed to dispose of both that "significant economic burden" and of storm water via Council's storm water infrastructure (that might have to be upgraded).

This SA 2019/17 was finally advertised by Public Notice on the 4th of September 2020 more than a year after it had been received (and still no news or any sign of construction activity on the golf course, which, on promised timelines, should now have been constructed, attracting visitors and ready to receive and benefit from the captured storm water coming off the proposed subdivision detailed in SA 2019/17).

The one representation received queried what exactly Council's involvement was, as Solis was then a designated Council Major Project, the golf course would be "simultaneously" developed with the residential development and the golf course land (100 ha) was to be donated to the Council.

SA 2019/17 was approved by GSBC acting as Planning Authority at its Meeting of 22 June 2021 nearly two years after it was lodged.

The Council Planning Report did not include the Concept Services Report which was never marked by Council as being part of the application and which, if it had been included, would have confirmed non-compliance with the conditions of the SAP (exactly as identified as an expensive problem in February 2020 by JMC to Council).

Preference was given to saving costs rather than complying with SAP conditions.

The *Wyminga vs Glamorgan Spring Bay and Spring Bay (Tasmania) Pty Ltd* Appeal to RMPAT, now quoted to have been the trigger for the request to AM2023/02, was duly lodged and belatedly JMC sought permission under provisions of the RMPAT act to amend the Application, designed a compliant storm water system including a capture and detainment basin and pumping station and adduced new drawings.

Only problem being that all this newly proposed infrastructure was not on land owned by the applicant but located in the Bernacchi Drive Road Reserve. Clearly a less than optimal solution that created new potential problems.

Council in the meantime had not altered its advertised Major Project involvement in Solis.

From September 2020 (when the representation raising that matter was received by Council) that Project remained alive and advertised, right through June 2021 when Council approved the non-compliant Application, through July 2021 when the Appeal was lodged and only in the last week of August 2021, without any notice or apparent deliberation in open Council, did the whole advertised Solis Major Project involvement by Council including the specified “simultaneously constructed golf course” suddenly vanish into thin air.

Had this been done before Council issued a permit for SA 2019/17 no Appeal would have been lodged but now, the appellant having already incurred considerable costs, the matter of the missing Concept Services Report and the non-compliance of the application and permit as granted had surfaced. The appellant was ultimately successful in his appeal! Council’s permit was refused by the Tribunal in March 2022 and a decision on the application by the appellant for costs is yet to be determined in August 2023.

So much for the utterly opaque Solis history.

The reasons why AM 2023/02 will not assist in “the delivery of the SAP as intended when the SAP was first introduced” are clear:

The SAP intended a whole of project approach to development of the Specific Area Plan and the golf course was always expected to be ready to receive, store and reuse the storm water that the subdivision would shed. To do away entirely as suggested with:

A4: Stormwater drainage from development must; (a) be reused on the golf course and returned to natural watercourses entering the Prosser River or Spring Bay; or (b) exit the land subject to the Specific Area Plan at an equivalent concentration, condition, volume and velocity as would have occurred in the absence of any development, assuming a continuous cover of natural vegetation as would have occurred prior to the clearing of land for agricultural use.

simply because it does not suit the current development plan, rather than try and improve its sloppy drafting whilst keeping its clear intent, is akin to throwing out the baby with the bathwater and will lessen even further the already seemingly remote chance that the golf course (and by natural extension the touristic golf inspired HUB including the clubhouse also) will ever be build. Golf courses on the dry East Coast of Tassie need all the water they can possibly gather and every drop is sacred, much like every sperm is sacred in the fabulous Monty Python sketch: <https://www.youtube.com/watch?v=bzVHjq3AqIQ>

The proposed deletion of: *Each lot must be connected to a stormwater system able to service the building area by gravity* and its suggested replacement by: *Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system* would similarly result in the loss of massive amounts of available water that the SAP clearly decrees and - meant to decree - must be reused on the golf course.

If the Louisville Road Specific Area Plan in the GSBC LPS is to deliver its intended outcome as originally envisaged AM2023/02 cannot be supported.

AM 2023/02, as requested and initiated by Council, is clearly meant to NOT deliver the integrated Specific Area outcome that already has planning approval for 609 fully serviced Residential Lots, a world class golf course, the Hub with Golf Clubhouse, the Entry Way with Accommodation and Retail, Golf Accommodation, an Arts Precinct, a Maritime Museum, Accommodation on the Common, an Aquatic Club, A Jetty, Hub open space and also a further 60 Golf Accommodation Units outside the Hub.

Instead, AM 2013/02 appears designed solely to attempt to resurrect SA2019/17 which sought approval to subdivide just 47 Rural Residential like Lots to be developed in three stages relying on septic tanks with only 17 Lots to be delivered in Stage 1.

The recent history of approved and/or mooted Tasmanian East Coast golf course developments is telling with the Musselroe Bay Course development, the St Helens Piano Coves Course, The Bicheno 18hole Golf Course (another “stalled” GSBC SAP that will not ever deliver) and the Ben Lomond Craggy Peaks Course all floundering for years or decades or already fully collapsed.

Orford and our GSBC may wish to continue to believe in miracles but evidence does not support such faith.

The Draft AM2023/02 must be rejected if the clear intent of the SAP is ever to be delivered.

Yours sincerely,

Andrew Wyminga

DECISION 201/23

Moved Clr Jenny Woods, seconded Deputy Mayor Michael Symons:

That:

Pursuant to Section 40k of the *Land Use Planning and Approvals Act 1993* the Planning Authority advises the Tasmanian Planning Commission:

1. A copy of the representation received during the exhibition period was provided as Attachment 1 to this report;
2. No representations were received after the exhibition period that require consideration;
3. The representation is considered to have merit in terms of the representors views, but did not raise any matters that alter the previous assessment and:
 - i. AM2023-02 does not require modification as a result of the representation; and
 - ii. The representation has no effect on the draft amendment and the Scheme, as a result of the recommendation;
4. AM2023-02 remains compliant with the LPS criteria;
5. No other recommendations are made regarding AM2023-02.

THE MOTION WAS PUT AND CARRIED 4/3

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Neil Edwards and Clr Jenny Woods

Against: Clr Rob Churchill, Clr Carole McQueeney and Clr Robert Young

Under Regulation 25 of Local Government (Meeting Procedures) Regulations 2015, the Chairperson hereby declares that the Council is no longer acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 4 of the Agenda.

RECOMMENDATION

That Council no longer acts as a Planning Authority at [time].

Planner, Laura Small and Planning Consultant, Mick Purves left the meeting at 2:41pm.

DECISION 202/23

Moved Clr Robert Young, seconded Clr Jenny Woods:

That Council no longer acts as a Planning Authority at 2:41pm

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

5 FINANCIAL REPORTS

5.1 Financial Report for August 2023

Author: Director Corporate & Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Group Financial Statements 2023-08 [5.1.1 - 5 pages]

BACKGROUND/OVERVIEW

The financial reports for the period ended August 2023 as attached to this report are presented for the information of Council.

STATUTORY IMPLICATIONS

- Australian Accounting Standards Board (AASB)
- International Financial Reporting Standards (IFRS)

BUDGET IMPLICATIONS

There are no budget implications recognised in the receipt and noting of these reports by Council.

RISK CONSIDERATIONS

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation				
There are no material risks from adopting this recommendation.				
Do not adopt the recommendation				
By not receiving and reviewing the major financial reports on a regular basis, such as the Profit & Loss, Statement of Cash Flows, Capital Works and Balance Sheet, Council risks not meeting its financial management obligations.	Likely	Likely	High	By not adopting the recommendation Council is not endorsing the financial reports for the period ending 31 August 2023. Council needs to endorse.

OFFICER'S RECOMMENDATION

That Council receives and notes the Financial Reports as attached to this report for the period ended August 2023.

DECISION 203/23

Moved Deputy Mayor Michael Symons, seconded Clr Rob Churchill:

That Council receives and notes the Financial Reports as attached to this report for the period ended August 2023.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

6 SECTION 24 COMMITTEES

6.1 Bicheno Memorial Hall Committee Minutes - 18 July 2023

BICHENO MEMORIAL HALL COMMITTEE



Tuesday 18th July 2023

5:30 – 7:00 pm

Attendance: Anna King (Chair), Kathleen Davis (Secretary), Nic Wardlaw, Michael Symons (GSBC),

Apologies: Leon Yates, Mick Ciavarella,

The meeting opened at 5:30 pm

Item	Discussion and outcome	Moved/Seconded	Action
Previous Minutes	Previous minutes passed and carried.	Anna/Nick	
Report from the Chair - Anna	The hall bookings are steady, and the chair has been speaking with the local council regarding the AV upgrade.		
Treasurers Report - Anna	2022-23 Profit and loss statement. The balance now is \$13000 but this is not the annual profit. It will be necessary to fundraise for the AV upgrade and the future membership scheme.		

	The use of Xero has been very helpful for sending invoices.		
General Business	<p>1. Hall assessment and cleaning, we need to check the hall's cleanliness after large events. It is proposed a roster of events be made and each committee member be allocated a cleaning check. Once the roster is allocated there it is the person responsible to check the hall, or if unavailable finding a replacement committee member who can do it for them.</p> <p>Once checked if there are any problems take photos and immediately report issues to Anna with photos.</p> <p>Discussion about the use of a skip bin to promote rubbish removal etc.</p> <p>11. as above</p> <p>111. Funding for members scheme and AV upgrade.</p> <p>A letter has been sent to the Bicheno Community Health Group requesting \$6000 funding for the membership scheme during 2023-4. The membership scheme is due in September. Proposed that if the membership scheme is not funded then we revisit our hall hire schedule.</p> <ul style="list-style-type: none"> Grant applications are to be pursued for hall expenses particularly the upgrade of the AV gear which will cost approximately \$8000. Some areas would be the Great Oyster Bay Community Grants 		<p>Kathleen to draw up a roster and of events and allocate persons then email with check document and committee member contact list.</p> <p>Kathleen and Anna to develop a check document that can be used by committee members and hall users.</p> <p>Mike S to follow up possible costs.</p> <p>Kathleen to circulate letter to Hall Committee members.</p> <p>Anna to liaise with the Bicheno Community Health Group.</p> <p>Anna and Kathleen to get together to apply for local grants.</p>

	<ul style="list-style-type: none">• Bendigo Bank Grant• Glamorgan Spring Bay Council Community Grants• Also approaching local organisations such as the Bicheno Food and Wine Festival, Lions club may be helpful. <p>iv. Lions Park Master Plan. Anna has requested that in future any Lions Park planning to include the hall.</p>		
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The meeting closed at 6:15 pm

Next Meeting: 12th of September Agenda will include fees and the membership scheme plus increasing committee members.

RECOMMENDATION

That the Minutes of the Bicheno Hall Committee meeting held on 18 July 2023 be received and noted.

DECISION 204/23

Moved Deputy Mayor Michael Symons, seconded Cllr Carole McQueeney:

That the Minutes of the Bicheno Hall Committee meeting held on 18 July 2023 be received and noted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

6.2 Marine Infrastructure Committee Minutes - 4 September 2023



MARINE INFRASTRUCTURE COMMITTEE MINUTES

Date: Monday 4 September 2023
Time: 1:30pm
Location: Council Chambers, 9 Melbourne St, Triabunna

1. PRESENT AND APOLOGIES

Present:

Clr J Woods
C Barney
J Burke
P Aulich
G Kennedy

Apologies:

Clr N Edwards
P Warner
D Goodfellow
J Hall

In Attendance:

P Porch, Director Works and Infrastructure
J Kerr (Minutes Secretary)
R McConnon (Minutes Secretary)

Absent:

S Thompson
Senior Constable, A King

1. CONFIRMATION OF MINUTES TUESDAY 6 JUNE 2023

MOVED: John Burke

SECONDED: Col Barney

That the minutes of the previous meeting be confirmed as a true and correct record.

CARRIED UNANIMOUSLY 5/0

Some discussion was held in relation to the previous Minutes:

- Clr J Woods stated that the fees and charges had been determined by Council at an Ordinary Council Meeting in June and had risen by 3.5%.
- P Porch reported that funds had been set aside for the western part of the Marina carpark and work was expected to start this financial year.
- C Barney asked about the excavators in the Marina channel. P Porch explained that they were dredging the channel and that MAST was covering the cost of the work.

2. REVIEW OF TERMS OF REFERENCE

The Committee were provided with an updated Terms of Reference at the commencement of meeting, and some discussion was held:

- J Burke queried the appointment of a new committee following an election. Clr J Woods clarified that this section is part of the S.24 Guidelines which is due for review. The consensus of the Committee was that members should remain as members on the Committee until they advise otherwise.
- Clr J Woods also informed the Committee that she will consult with the General Manager on the Terms of Reference and then share the updated version with the Committee for feedback.

3. GENERAL DISCUSSION FOR FUTURE MEETINGS TO BE HELD

Clr J Woods welcomed G Kennedy and P Aulich as new Committee Members present at today's meeting, and the Committee then went into general discussion:

- G Kennedy queried whether there is a long-term strategy for the Marina. P Porch advised that there is a Coastal Infrastructure Asset Management Plan for Marine Infrastructure, but he was not aware of a specific strategy.
- P Aulich asked whether there is there a list of Marine Infrastructure that the Committee could see. P Porch advised that the Coastal Infrastructure Asset Management Plan is available on the website and that he would provide the Committee with a list of Marine Infrastructure Assets.

ACTION: Minutes secretary to circulate the Marine Infrastructure Asset list and Coastal Infrastructure Asset Management Plan to Committee Members.

- P Porch gave a brief overview of the status of some boat ramps in the municipality and mentioned that there is a proposal to extend the jetty and the wharf at Coles Bay.
- C Barney advised that the landing at the Gordon Street boat ramp has been repaired.
- Clr J Woods asked about the soil currently on the west side of the Marina and if it could be improved in the future to make it more appealing, and if Council could explore possible uses for the area in the future, such as a grassed picnic area.
- Clr J Woods also inquired if the Harbor Master position had been filled. P Porch advised that Mr Ian Rimon will assume this role. The Committee then expressed their

thanks and appreciation to Mr Gary Laredo for his service as the former Harbor Master over the years and wished him all the best for the future.

- P Porch advised that 58 people are on the waiting list. J Burke added that the Spring Bay Boat Club's Marina is also full.

4. OTHER BUSINESS

Nil.

5. NEXT MEETING:

The next scheduled meeting will be held on **Tuesday 21 November 2023 at 1:30pm** in the Triabunna Council Chambers.

MEETING CLOSED: 1:57pm

RECOMMENDATION

That the Minutes of the Marine Infrastructure Committee meeting held on 4 September 2023 be received and noted.

DECISION 205/23

Moved Clr Robert Young, seconded Clr Jenny Woods:

That the Minutes of the Marine Infrastructure Committee meeting held on 4 September 2023 be received and noted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

GLAMORGAN SPRING BAY COUNCIL

Section 24 Advisory Committee Meeting
Triabunna Recreation Ground

MINUTES

MEETING HELD – *Thursday 7th September 2023 - Recreation Room*

MEETING OPENED: 5.40pm

PRESENT: Mandy Raspin, Councillor Jenny Woods, Nerissa Alomes, Geoff Gadd, Jan Sweet

APOLOGIES:

ABSENT: Councillor Neil Edwards, Steve Davies

CONFIRMATION OF LAST MINUTES: (25th May, 2023)

Moved: Mandy Raspin
Carried

Seconded: Councillor Jenny Woods

CORRESPONDENCE IN:

- Email from TDS re: use of ground 29th Aug & 17th Nov for schools for AFL & Cricket Gala Days
- Email re: Providing better facilities for community sporting clubs
- Spring Bay Suicide Prevention Network – The Triabunna Nutbush Challenge on 14th October 2023 requesting use of facility
- Bendigo Bank re: changes to banking

CORRESPONDENCE OUT:

- Confirmation email to TDS re: Gala Days
- Emails to Peter Porch re: repairs to sliding door, damage to door and interior of time keepers box, broken glass in sliding door & damage to visitors' changerooms & replacement lock on chain.

MATTERS ARISING FROM PREVIOUS MINUTES

- Councillors Neil Edwards & Jenny Woods met with Peter Porch - Director of Works & Infrastructure - GSBC to discuss repairs and general maintenance to facility. Netball court surfaces have been cleaned. Security camera installation is being organised for recreation ground.
- Purchase of new chairs – Jan Sweet to contact RSL re: supplier details of their chairs
- Councillor Neil Edwards to apply for grant with Tas Community Fund for solar panels at Recreation Ground – carried over from meeting of 25th May (Neil absent)
- Steve Davies to organise with Bendigo Bank for internet banking – carried over from meeting of 25th May (Steve absent)

TREASURERS REPORT - as at 25th May 2023 – Treasurer absent

Working Financial

Opening Balance	\$ 10,266.77
Income	\$ 1,500.00
Expenditure	\$ 801.72
Closing Balance	\$ 10,965.05

Moved: N/A Seconded: N/A Carried

NEW BUSINESS

- Jan Sweet to order extra cleaning supplies from Hunters Products.
- Jan Sweet has created cleaning checklist to be given to all clubs.
- Councillor Jenny Woods to liaise with Council re: emptying of rubbish bins at oval.
- S24 to engage a cleaner for cleaning of rooms during sporting seasons (clubs to pay) and for private functions.
- Jan Sweet to obtain prices for purchase of replacement bain marie and deep fryers.
- Mandy Raspin to purchase replacement microwave.
- Request from Nerissa Alomes for an electrician to check coffee machine in canteen. Constantly blowing fuses.
- Geoff Gadd has kindly offered his BBQ to Suicide Prevention Network for their Triabunna Nutbush Challenge on 14th October. Jan to advise Cheryl Wylie of offer.
- S24 members to develop plan/suggestions for enhancement of main entrance to recreation ground and present to October meeting.

NEXT MEETING: 12th October, 2023 at 5.30pm

There being no further business, the meeting was declared closed at 6.55 pm

RECOMMENDATION

That the Minutes of the Triabunna Recreation Ground Committee meeting held on 7 September 2023 be received and noted.

DECISION 206/23

Moved Clr Jenny Woods, seconded Clr Carole McQueeney:

That the Minutes of the Triabunna Recreation Ground Committee meeting held on 7 September 2023 be received and noted.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

7 INFORMATION REPORTS

7.1 Director Works and Infrastructure - Peter Porch

Asset Management; Roads, Bridges and Footpaths; Stormwater; Waste Management; Public Amenities; Parks, Reserves and Walking Tracks; Buildings, Marine, Cemeteries

ATTACHMENTS

Nil

PURPOSE

This report provides information on the ongoing tasks of the Department in relation to Asset Management; Roads, Bridges and Footpaths; Stormwater; Waste Management; Public Amenities; Parks, Reserves and Walking Tracks; Buildings, Marine facilities and Cemeteries.

OFFICER'S COMMENTS

ASSET MANAGEMENT

Asset Management practice is the strategic driver for the activities of the Department and is partnered by works that operate to maintain essential services to the community.

Work continues for the update of the strategic asset management plan incorporating adopted budget and updated asset data. Auditor General's office audit of asset take-up and capitalisation practices undertaken.

CONSULTANT SERVICES

Consultant services are required to deliver specialised services to Council for a range of generally short-term requirements. Current consultant activities comprise:

- Project Delivery – civil engineering supervision
- Development Engineering conditions and advice
- Environmental/Heritage reports
- Building design and supporting reports

OPERATIONAL WORKS

ROADS, BRIDGES, FOOTPATHS, KERBS

- 4 Unsealed roads inspected for defects
- Wielangta Rd maintenance grade- underway.
- Orford/Triabunna small unsealed streets maintenance grade- completed.
- Alma Rd maintenance grade- completed.
- Ad hoc maintenance grade in areas needing- Rheban Rd & Earlham Rd- completed.
- Maintenance grade of small un-named council road off Wielangta Rd- completed
- Cold mixing of potholes across the municipality- Ongoing

Milling/box outs and reseal of pavement failures:

- Buckland Rd box outs X 4- Asphaltting completed.
- Seaford/Banwell Rd pavement failures- 10 box outs completed, reseal when weather warms up.
- Sally Peak Rd failures- box outs completed, re-seal to be completed in the Capital program at a later date in 2023.
- Nugent Rd- 13 box outs- completed awaiting hot mixing.
- Freycinet Drive- 4 box outs- completed and resealed.
- Mount Pleasant Rd, Swansea. Bridge deck replacement- assessed and modified to bridge removal and minor floodway installation.
- AusSpan bridge inspections- completed and report submitted to GSBC
- Numerous subdivision inspections, driveways and crossovers across the whole municipality - Ongoing

STORMWATER, DRAINAGE

- Stormwater enquiries have considerably tapered off following the lower rainfall this year.
- Open drain and culvert/cross over maintenance- ongoing across municipality
- Paradise Crt, Orford, upgrade culvert crossing to mitigate flooding- completed.
- Crossings Rd, Swansea open drain cleanouts- completed.
- Installation of V drain on Esplanade, Coles Bay opposite access road to Muirs Beach- V Drain arrived, scheduling execution.
- Roundabout kerb replacement, Wallace St, Bicheno- completed.
- Kerb/cross over (2) replacement in Charles St, Triabunna- completed.
- Kerb repair/replacement Walpole St, Orford- completed.

WASTE MANAGEMENT

- Discussed Bioenergy initiative with RecFit – greenwaste conversion to energy. No obvious opportunities for the model.
- Business plan in development for potential compactor waste bin for Orford
- Enquiries into Paper and Cardboard export ban proposal Rules
- Ewaste alternative provider enquires – possibility to increase revenue by \$28k
- Orford Transfer station site survey progressed
- Coles Bay green waste mulching completed
- Enquiries into software solutions that are required to facilitate new reporting requirements for all transfer stations have commenced. Council is required to report on volumes/mass of waste by class coming into and going out from all transfer stations for calculation of waste levies, by the end of this financial year. Once a solution is chosen, it is likely ipads will be required for our operators to record all movements through a system that can generate the required reports for State Government levy administration.

PARKS, PLAYGROUNDS, RESERVES, WALKING TRACKS, CEMETERIES

- 12 playground inspections completed
- Bicheno walking tracks from Murray St to Champ St, southern sides of road - DSG approved TMP.
- Re-planting of Triabunna vertical gardens- completed.
- Triabunna RSL rose garden around Cenotaph- completed.
- Blockage issues at Swansea Rec ground public toilets - planned for Sept 2023 to be rectified.
- Esplanade, Swansea- weeding and mulching of garden beds.
- Orford walking track maintenance- completed at Spring Beach and Raspin Beach.
- Tree trimming on Bicheno walking tracks- completed.
- Fire Break Maintenance Rita and Doris Reserve Coles Bay scheduled
- New cricket pitch slab constructed on Swansea oval- completed.
- Triabunna Netball Courts repairs – courts cleaned and weeds sprayed. Crack repair date to confirm.

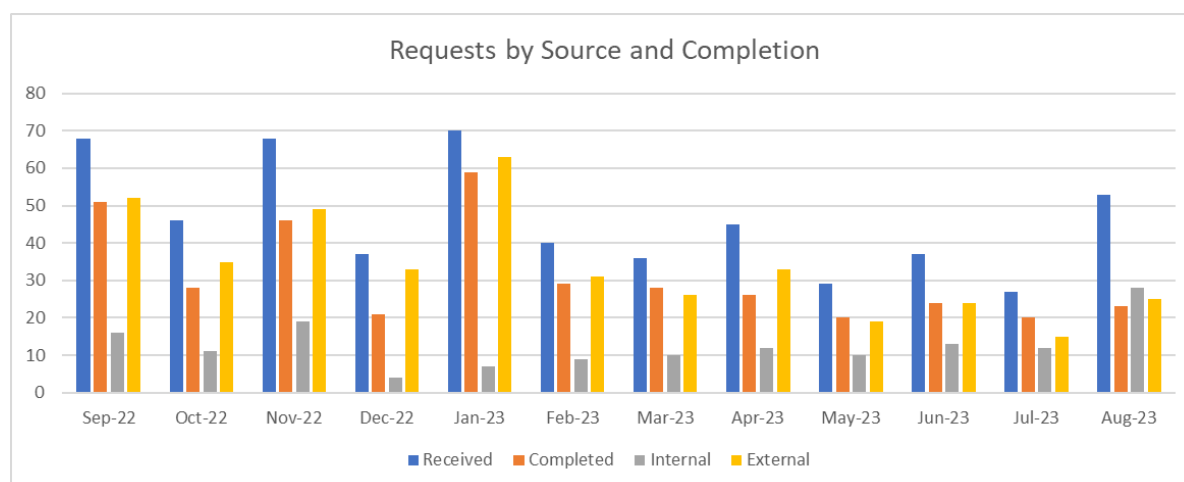
EMERGENCY MANAGEMENT

After hours rostering carried out as scheduled.

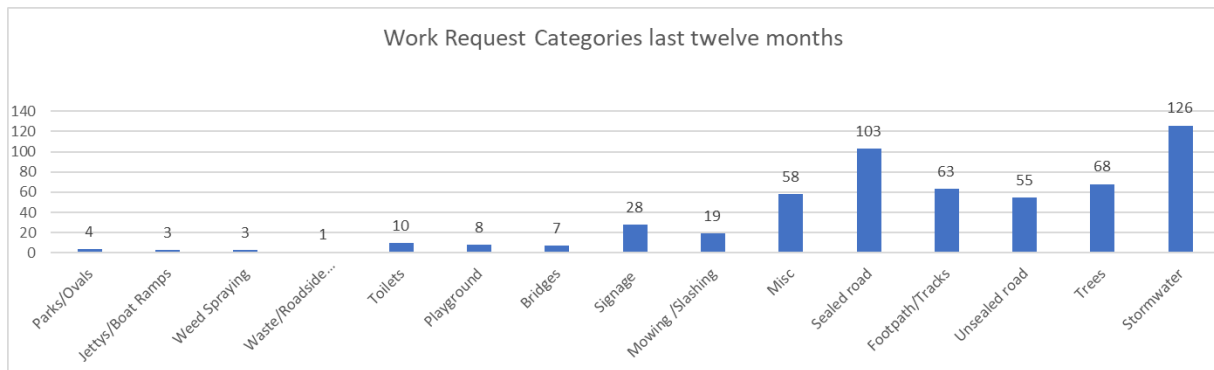
- Southern Regional Emergency Management Committee engagement
- Training in Australasian Inter-Service Incident Management Systems completed
- Bicheno Risk, Ready Roles public engagement session participation
- Review of organisational Business Continuity Plan commenced

CUSTOMER REQUESTS

The chart below summarises the requests received year to date by the total numbers received; the number completed; those generated by the public and those generated by officers.



The requests are sorted into categories to provide an overview of the areas showing the most interest or greatest need for attention as per the bar chart below:



As anticipated with the dryer weather, stormwater requests are declining after the high levels experienced in the last two years. Issues are still being raised however and matters investigated.

CAPITAL WORKS

- Resealing and rehabilitation of roads tender closed
- Stormwater Pit and Pipe Program works progressing
- Footpath renewal program being developed for tender
- Kerb Renewals program being developed – a couple of locations to action before the seal program commences.
- End of East Shelly Rd, stormwater extension to foreshore at Luther Pt to mitigate property flooding- awaiting cultural permit.
- Wielangta Rd corner rehabilitation contract works complete. Guard Rail installation to occur soon for finalisation of the project. Final survey of material volumes installed at schedule rates are double the schedule allocations. This increases the claim totals significantly and will require a larger claim for reimbursement from the State Government through the Tasmanian Relief and Recovery grant Arrangements for Natural Disaster.
- Old Coach Rd land slide- Cultural Heritage approved, ordering of materials underway – scheduling start date for site works
- Replacement of 8 pram ramps to LGAT standards, Cnr of Vicary St and Charles St, Triabunna- 90% completed.
- Stormwater extension at Skate Park site (under skate park) integrated with skate park construction

Grant funded

Traction starting to be gained with closure of tenders ahead of contract awards for numerous works:

- Rheban Rd Tender awarded to AWC commencing 25th September on site
- Coles Bay Annex Tenders closed
- Bicheno Gulch Tenders Closed
- Coles Bay walking trail site works progressing
- Swansea Main St works practically complete. Fences and seating to be installed for final completion.
- Spring Beach public toilet refurbishment- underway- facility to be closed on 3rd Sept for 4 weeks to complete upgrade.

- Triabunna Marina Shelter – Works commenced.
- Bicheno Skate Park is progressing well with works expected to be complete prior to Christmas.

PLANT AND VEHICLES

- New replacement Backhoe received.
- Mower from last year’s program received.

GENERAL

- Staffing resource constraints continue to hamper progress on numerous fronts.
- Surveys, requests for legislative review feedback, grant maintenance and reporting, customer enquiry response, investigations, CDC statistical information provision, audit office information and query response continues.

RESERVE BOOKINGS AND ROAD CLOSURES

Road closures for the events noted will be carried out under section 19.1(a) of the *Local Government Highways Act 1982* requiring consultation with the Commissioner of Police:

- Remembrance Day Triabunna – permit application to State Growth submitted and approval received.

RECOMMENDATION

That Council notes the information.

DECISION 207/23

Moved Deputy Mayor Michael Symons, seconded Clr Jenny Woods:

That Council notes the information.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

7.2 Director Planning and Development - Alex Woodward

Animal Control and Compliance; Building and Plumbing; Environmental Health; Medical Centres; Planning and Property

ATTACHMENT/S

1. Attachment 1 DA with Representations August September [7.2.1 - 3 pages]
2. Attachment 2 Planning Appeals [7.2.2 - 2 pages]

PURPOSE

The purpose of this report is to provide an update on the activities on the Planning and Development Directorate and to specifically report on the development approvals issued under delegation.

BACKGROUND/OVERVIEW

Animal Control and Compliance:

Council's compliance team have dealt with a number of animal related issues over the past two months. These include dogs at large, registration renewals and a serious dog attack on a person. The attack resulted in a person requiring surgery and the dog being declared a dangerous dog under the *Dog Control Act 2000*. This is the only declared dangerous dog in the municipality since 2014.

Since July 1 there have been 9 formal caution notices and 7 infringement notices issued for various offences under the *Dog Control Act 2000*. Staff are continuing to monitor and patrol public areas, specifically beaches where dogs are restricted or prohibited.

Council's updated Draft Dog Management Policy is currently awaiting approval from Parks and Wildlife before it can be presented to Council to be put out for community consultation. It is hoped that this will be presented to the October meeting.

As the fire season is approaching the compliance team have been proactive in sending out correspondence to properties that may become a fire hazard moving forward. This is a friendly reminder to reduce the fuel loads before a fire abatement notice is required. Once the Tasmanian Fire Service declare the fire season, staff will begin to issue Abatement Notices on properties that are a fire hazard.

Building and Plumbing:

The Building and Plumbing team have been continuing to receive a steady number of applications. Since July 1 there have been 42 applications approved with a total value of \$16,885,932.00. For comparison, this time last financial year 43 approvals were issued with a total value of \$15,006,623.00.

There are a number of building non-compliance matters that are currently being managed. The Permit Authority has issued several Building Notices and Orders over the past two months and are currently working with the owners to rectify these matters.

Environmental Health:

Council's Environmental Health team have been working through the renewal of annual health licences and food registrations. In addition, staff continue to provide advice on the new mandatory food safety supervisor (FSS) training for food businesses. This will commence in December this year.

Other matters currently being dealt with by staff include nuisance investigations, failing onsite waste water systems and assessment of environmental health related development applications.

Medical Centres:

Both medical centres are in the process of changing management from Glamorgan Spring Bay Council to CoHealth as per Council's recent resolution. This should take effect on Monday 16 October 2023.

Bicheno

Staff are currently organising the Bone Bus to go to Bicheno to allow patients to have a bone mineral density scan. Clinical staff are arranging referrals now for patients to attend. Karadi Aboriginal Corporation is beginning to work out of a room at BGP to offer help, support and guidance to people who identify as Aboriginal.

Triabunna

Staff are working on arranging a diabetic educator or dietitian to come to East Coast Health once a month to offer services to our community.

The Practice Manager is currently in the process of getting ready for accreditation. Self-assessment has been reviewed and feedback has been given. Main assessment is booked for the end of November. Clinical staff are focusing on team care arrangements and health assessments for patients to be able to access allied health services within the community.

Podiatry services at East Coast Health have increased due to a high demand, and a third doctor is currently in the process of obtaining the appropriate paperwork, to hopefully begin working out of the medical centre by the end of the year.

Planning:

Councils Planning section continue to see a steady flow of Development Applications submitted, however this has declined somewhat likely due to economic pressures at present. Year to date 46 Development Applications with a total value of \$25,362,307.00. For comparison, this time last year there was 67 Development Applications with a total value of \$15,096,077.00. The key reason for the difference in total value of works is that Council has received a number of large development proposals including the Maria Island infrastructure upgrade project (\$5m) and number of large private developments.

Presently, Council have provided delegation to the General Manager to approve an application, with or without conditions, where no more than two representations are lodged against the application. A report on these approvals is provided in Attachment 1.

A report on current planning appeals and recently resolved appeals is also provided in Attachment 2.

Property:

Officers have now finalised a number of rental agreements with tenants of Council's property. These new agreements provide a clear outline of obligations and provide secure tenure for our tenants.

Staff have also commenced investigations into disposal of certain parcels of land that hold little strategic value to Council and are not utilised by the public. A report will be presented to Council in the coming months to provide an overview of this and recommend commencing community consultation on the concept.

STATUTORY IMPLICATIONS

Given this report is for information only, there are no statutory implications.

BUDGET IMPLICATIONS

Given this report is for information only, there are no budgetary implications.

RISK CONSIDERATION/S

No risk associated with receiving an information report.

OFFICER'S RECOMMENDATION

That Council receive and note the report on the activities on the Planning and Development Directorate.

DECISION 208/23

Moved Deputy Mayor Michael Symons, seconded Clr Jenny Woods:

That Council receive and note the report on the activities on the Planning and Development Directorate.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

8 OFFICERS' REPORT REQUIRING A DECISION

8.1 Review of Delegation Register

Author: Executive Officer (Jazmine Kerr)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. Delegations Register Glamorgan Spring Bay Council 2023 FINAL [8.1.1 - 98 pages]

PURPOSE

The purpose of this report is to submit the revised Glamorgan Spring Bay Council Delegation Register to Council for review, consideration, and adoption.

BACKGROUND/OVERVIEW

Section 22 of the *Local Government Act 1993* provides for a Council to delegate its powers and functions under any Act to the General Manager, apart from some express exceptions that are outlined in the section. It also provides that the Council may authorise the General Manager to further sub-delegate those powers and functions to other officers as necessary.

The review of Council's Delegation Register (to the General Manager) and the Instrument of Delegation from the General Manager is an ongoing process, necessitating amendments in response to legislative changes and operational requirements. Council last reviewed its Delegations Register in April 2022.

The changes to the Delegations Register are indicated below:

- Font size/type updated.
- Of these amendments, the most significant amendment was the repeal of the *Weed Management Act*, with relevant provisions now enacted under the *Biosecurity Act 2019* and *Biosecurity Regulations 2022*.
- There has also been a raft of reforms made to the Major Projects provisions under Part 4, Division 2A of the *Land Use Planning and Approvals Act 1993*.
- The General Manager's delegated financial limit under Section 76 (Writing off bad debts) of the *Local Government Act 1993* was set at \$150 prior to the document format update last year. It appears that the limit was inadvertently amended and should be reinstated to \$500. This value is a practical amount for the management of the Council's bad debt controls and is common across other Councils.

The revised Delegation Register was presented to Council at a Workshop held on 12 September 2023.

STRATEGIC PLAN REFERENCE

Guiding Principles

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundations

1. Our Governance and Finance

What we plan to do

- Develop and foster a strong, supportive and respectful organisational culture.

STATUTORY IMPLICATIONS

- Local Government Act 1993, in particular S.22 and S.64
- Various Acts as outlined within the Delegation Register

BUDGET IMPLICATIONS

There are no budgetary implications associated with this recommendation.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation Some delegations can have significant consequences if not utilised correctly.	Unlikely	Moderate	Moderate	Sub-delegation only provided to trained staff with procedures outlined on how to use delegations.
Do not adopt the recommendation Council would be unable to fulfill its statutory obligations.	Possible	Moderate	Moderate	Review and submit at a future Council meeting.

OFFICER'S COMMENTS

The proposed changes in the Delegations Register are required to ensure the register is current and up to date in accordance with the latest legislation. It is recommended for adoption.

OFFICER'S RECOMMENDATION

That Council endorses the revised Delegations Register as attached to this report item.

DECISION 209/23

Moved Cllr Robert Young, seconded Cllr Rob Churchill:

That Council endorses the revised Delegations Register as attached to this report item.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

8.2 Review of Use of Council's Common Seal Policy

Author: Executive Officer (Jazmine Kerr)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

1. Use of Council's Common Seal Policy review 2023 [8.2.1 - 5 pages]

PURPOSE

To recommend that Council adopts the updated Use of Council's Common Seal Policy as attached to this agenda item.

BACKGROUND/OVERVIEW

In order to promote and continue to improve the good governance within Glamorgan Spring Bay Council, the Use of Council's Common Seal Policy has been reviewed and updated.

The current version of the Policy was adopted in April 2020 and has undergone some general changes in this review, which are listed below.

General Changes:

- Definition of 'Common Seal' added to the Policy.
- Updated review cycle
- The frequency of reporting on the use of Council's seal has been revised from monthly to quarterly. This is because the information is already included in the quarterly Information Briefing Documents that are circulated to Council and published on Council's website.

If adopted by Council at the September 2023 Council Meeting, the Policy will be made available on Council's website and staff and Councillor Intranet.

STRATEGIC PLAN REFERENCE

Guiding Principles

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundations

1. Our Governance and Finance

What we plan to do

- Develop and foster a strong, supportive and respectful organisational culture.

STATUTORY IMPLICATIONS

Sections 19(1), 19(3) and 19(5) of the *Local Government Act 1993*.

BUDGET IMPLICATIONS

Nil.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				
No material risk associated with adopting the recommendation.				
Do not adopt the recommendation				
Policy review date overdue.	Possible	Moderate	Moderate	Review and amend Policy for presentation at a future Council Meeting.

OFFICER'S COMMENTS

The Policy has been reviewed in accordance with Council's Corporate Calendar and is recommended for adoption.

OFFICER'S RECOMMENDATION

That Council adopts the Use of Council's Common Seal Policy as attached to this report item, effective 26 September 2023.

DECISION 210/23

Moved Clr Rob Churchill, seconded Deputy Mayor Michael Symons:

That Council adopts the Use of Council's Common Seal Policy as attached to this report item, effective 26 September 2023.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

8.3 Review of Rate Relief for Community Groups Policy

Author: Director Corporate & Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Rate Relief for Community Groups Review 2023 [8.3.1 - 5 pages]

PURPOSE

To recommend that Council adopts the updated Rate Relief for Community Groups Policy as attached to this agenda item.

BACKGROUND/OVERVIEW

In order to promote and continue to improve the good governance within Glamorgan Spring Bay Council, the Rate Relief for Community Groups Policy has been reviewed. The purpose of the Policy is to recognise the contributions community groups and organisations make to the community and to assist them by providing rate relief.

The current version of the Policy was adopted in June 2021 and is essentially still appropriate. There were some minor additions that are recommended from this review to assist with transparency and consistency with other Council Policies.

- Add a new section showing that this policy is delegated to the General Manager.
- Add a new section showing it is the responsibility of the General Manager to approve any remission under this policy.

If adopted by Council, the Policy will be made available on Council's website, the staff intranet and Councillor intranet.

STRATEGIC PLAN REFERENCE

Guiding Principles

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundations

1. Our Governance and Finance

What we plan to do

- Advocate and lobby effectively on behalf of the community.

STATUTORY IMPLICATIONS

Section 87 *Local Government Act 1993*

Section 129 *Local Government Act 1993*

BUDGET IMPLICATIONS

There are no budgetary implications associated with this recommendation.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				Nil.
No material risk associated with adopting the recommendation.				
Do not adopt the recommendation				Review and amend Policy for presentation at a future Council Meeting.
Policy may not be transparent.	Low	Low	Low	

OFFICER'S COMMENTS

The proposed changes in the Rate Relief for Community Groups Policy are required to ensure the Policy is current and up to date. It is recommended for adoption.

OFFICER'S RECOMMENDATION

That Council adopts the Rate Relief for Community Groups Policy as attached to this report item effective 26 September 2023.

Clr Robert Young left the chamber at 3:14pm.

Clr Robert Young returned to the chamber at 3:16pm.

DECISION 211/23

Moved Deputy Mayor Michael Symons, seconded Clr Rob Churchill:

That Council adopts the Rate Relief for Community Groups Policy as attached to this report item effective 26 September 2023.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

8.4 Review of Customer Service Charter Policy

Author: Director Corporate & Community (Elysse Blain)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Customer Service Charter V5 Final Draft copy [8.4.1 - 7 pages]

PURPOSE

To recommend that Council reviews the Customer Service Charter Policy as attached to this agenda item.

BACKGROUND/OVERVIEW

In order to promote and continue to improve the good governance within Glamorgan Spring Bay Council, the Customer Service Charter Policy has been updated.

The purpose of this Charter is to outline the service commitment from Council to customers and the process that will entail for enquiries, requests and complaints.

The Charter applies to all customers of Council. The amended sections from the previous document include the following:

1.2 Scope

This document previously only referred to what was required by Section 339F of the Local Government Act 1993, which is now updated to include all enquiries, requests and complaints made by customers in relation to Council's operations.

1.3 Definitions

Updated to include having dealings with or using the services of Council. Also now includes explanation of:

- An Enquiry is an act of asking Council for information.
- A Request is an application to have Council take action to provide or improve a Council service.
- A Complaint is an expression of dissatisfaction with an action, decision or service provided by Council.

2.3 Enquiries & Requests

Amended response time from 5 to 10 working days to allow for adequate assessment.

2.4 Complaint Handling Process

Provides a clearer outline of the process:

- To ensure a complaint can be assessed, recorded, assigned and investigated it should be made in writing via email, letter or online and include your name, contact details, the nature of the complaint and the outcome sought. If you are unable to submit a

complaint in writing we may assist by completing the online Complaint Form with you on your behalf at our discretion.

- The appropriate Officer will be assigned to work through the issue to resolution, and if required the complaint shall be escalated as appropriate.
- All complaints received will be acknowledged within 5 working days.

Recording & Reporting

Updated to outline that a Complaint Register is to be used by our Officers to record, assign and track complaints to closure. The Complaint Register allows for annual reporting to Council on the number and category of complaints received in accordance with the Local Government Act 1993.

4. Attachments

Includes Enquiry/Request/Complaint Flowchart

The draft Customer Services Charter was presented to Council at a Workshop held on 12 September 2023. If adopted by Council, the Charter will be made available on Council's website and staff and Councillor intranet.

STRATEGIC PLAN REFERENCE

Guiding Principles

7. Communicate and explain Council's decisions and reasons in an open and timely manner.

Key Foundations

1. Our Governance and Finance

What we plan to do

- Develop and foster a strong, supportive and respectful organisational culture.

STATUTORY IMPLICATIONS

Local Government Act 1993

- 339F. Customer service charter

BUDGET IMPLICATIONS

There are no budgetary implications associated with this recommendation.

RISK CONSIDERATION/S

Risk	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt recommendation				nil
nil				
Do not adopt recommendation				nil
nil				

OFFICER'S COMMENTS

This document is to assist in setting an expectation of mutual respect for both customers and representatives of Council when dealing with items of council business. It distinguishes the nature of queries that is the course of business being enquiries and requests and those that are considered outside of

OFFICER'S RECOMMENDATION

That Council adopts the Customer Service Charter Policy as attached to this report item effective 26 September 2023.

DECISION 212/23

Moved Cllr Neil Edwards, seconded Deputy Mayor Michael Symons:

That Council adopts the Customer Service Charter Policy as attached to this report item effective 26 September 2023.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

8.5 Nomination of Councillor to Cranbrook Hall Section 24 Special Committee

Author: Executive Officer (Jazmine Kerr)

Responsible Officer: General Manager (Greg Ingham)

ATTACHMENT/S

Nil

PURPOSE

To recommend that Council nominates a new Council representative on the Cranbrook Hall Section 24 Special Committees of Council, following the resignation of Clr Greg Luck.

BACKGROUND/OVERVIEW

Following the Council elections in October 2022, Council appointed Clr Greg Luck to the Cranbrook Hall Section 24 Special Committees of Council.

On the 12 September 2023, Clr Greg Luck resigned as an elected member of Glamorgan Spring Bay Council, therefore the Councillor representative position is now vacant for this Committee.

About Section 24 Committees of Council:

The Local Government Act 1993 (the Act) provides Councils with the power to establish Section 24 Special Committees of Council to assist Council to carry out its duties. Council establishes Section 24 Committees to assist with the management of facilities and to carry out other functions on behalf of the Council.

The role of the Councillor/s on a Section 24 Committee is to act on behalf of Council and in the best interests of the residents and ratepayers of Glamorgan Spring Bay. Councillors communicate between the elected members of Council and the Committee. Councillors need to be cognisant of the Local Government Act to ensure that all legislative requirements are met.

STRATEGIC PLAN REFERENCE

Guiding Principles

2. Reinforce and draw on the strengths of our communities at both a local and regional level.

Key Foundations

2. Our Community's Health and Wellbeing

What we plan to do

- Create an informed and involved community by developing relevant and accessible communication channels.

STATUTORY IMPLICATIONS

Nil.

BUDGET IMPLICATIONS

There are no budget implications to Council apart from any out-of-pocket travel expenses to be reimbursed to Councillors if required.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				Nil.
No material risk associated with adopting the recommendation.				
Do not adopt the recommendation	Possible	Moderate	Moderate	Review and present to Council at a future Council Meeting.
Council may not have representation on the above-mentioned committees, boards, or associations.				

OFFICER'S COMMENTS

To ensure there is adequate representation by Council on the above-mentioned committee it is recommended that Council appoints a Council representative as soon as possible.

OFFICER'S RECOMMENDATION

That Council appoint Clr [Insert Name] to the Cranbrook Hall Committee, effective 26 September 2023.

DECISION 213/23

Moved Cllr Jenny Woods, seconded Cllr Robert Young:

That Council defers decision 8.4 for nomination to the Cranbrook Hall Committee until its meeting of 24 October 2023.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

8.6 Draft Natural Resource & Climate Resilience Strategy

Author: Director Planning & Development (Alex Woodward)

Responsible Officer: Director Planning and Development (Alex Woodward)

ATTACHMENT/S

1. GSB NRM Strategy V 7 [8.6.1 - 96 pages]
2. GSB NRM & CR Strategy SUMMARY v 7 [8.6.2 - 10 pages]
3. GSB NRM & CR Objectives goal and actions EXTRACT v 7 [8.6.3 - 22 pages]

PURPOSE

To present the Draft Natural Resource Climate Resilience Strategy for Council's adoption.

BACKGROUND/OVERVIEW

The East Coast Catchments Committee (ECCC) which is funded by Council has recently developed a Draft Natural Resource Climate Resilience Strategy after targeted consultation with key stakeholders. This strategy provides an overview of the Natural Resources of the Glamorgan Spring Bay municipality, the pressures on those resources and priority actions for their management. Natural Resource Management (NRM) is about caring for our land, waterways and the plants and animals that inhabit them. The strategy provides a framework for cross-tenure collaboration and cooperative action over the next five years. It outlines common goals, actions and targets to provide strategic direction for Glamorgan Spring Bay Council and other stakeholders to work collaboratively to manage natural resources across our area.

The region's natural resources are described and grouped into five themes in this strategy. These themes are cultural landscapes, water, land, biodiversity, and people. For each theme an overview of the natural assets is provided, key threats are outlined, and goals and actions proposed over the next 5 years. Progress will be evaluated against measures for success.

Key objectives of this strategy are to:

- improve our understanding of cultural landscapes and care for country;
- improve or maintain the condition of freshwater, estuarine and coastal ecosystems;
- improve land condition and management outcomes to facilitate long-term sustainability and to maintain and improve biodiversity.

The documents produced are the formal strategy (Attachment 1) and the summary version (Attachment 2) and an extract (Attachment 3) which is the Exec summary and the tables with objectives, goals, actions and measures of success for the people who want a quick look at the actions.

The strategy is considered to be a "living" document that will be progressively develop as it is put it into action. The strategy and summary document will be used as a communication and engagement tool to talk to community and stakeholders to seek feedback around actions, priorities and outcomes and to identify roles and responsibilities with key stakeholders. Over

the next 12 months comments and feedback will be consolidated for incorporation at the annual review. Each year the document will be evaluated against measures of success – it will be reviewed and improved

This approach uses the principles of action planning and agile project management, allowing the document to be able to adapt as new information about climate change and resource condition becomes available, to reflect community priorities and to ensure that the actions in the strategy are achieving the desired outcomes.

STRATEGIC PLAN REFERENCE

Guiding Principles

4. Take an East Coast perspective but also acknowledge the differing needs and priorities of each town or area.

6. Draw on the knowledge and expertise of local people and communities in shaping and delivering our initiatives and plans - listening to and taking account of ideas and feedback from residents, businesses and ratepayers.

Key Foundations

5. Our Environment

What we plan to do

- Review and update existing Council strategies and plans.
- Involve, engage and equip groups and individuals in Natural Resource Management.
- Invest in external expertise and capacity to complement GSBC resources.

STATUTORY IMPLICATIONS

Whilst there is no statutory requirement to develop this strategy, it is an excellent framework for Council to achieve beneficial outcomes and assist us with meeting some statutory and strategic goals.

BUDGET IMPLICATIONS

The strategy identifies a number of potential projects and works that could be undertaken. It is anticipated that the existing budget will be able to adequately cover these.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
<p>Adopt the recommendation</p> <p>As the strategy has not been broadly consulted with the community, some residents/stakeholders may be disappointed that they did not have input.</p>	Possible	Negligible	Low	As mentioned the Strategy is a 'living' document and consultation/feedback will be considered ongoing. This will be communicated when it is released.
<p>Do not adopt the recommendation</p> <p>By not adopting the strategy, the Committee and Council staff do not have clear direction on goals and focus points. This would result in confusion and lost opportunities.</p>				

OFFICER'S COMMENTS

Council in partnership with the Landscape Recovery Foundation and with guidance from the East Coast Catchments Steering Committee has played a key leadership role in the development of the strategy and through this partnership it is envisaged that council will continue to play a role in overseeing its implementation. However, the document is a framework for managing natural resources across GSB through collaboration and cooperation with other agencies and stakeholders. A detailed action plan will sit behind the plan detailing the roles, responsibilities, and resourcing (or key actions to secure resourcing) for each action.

It is recommended that Council adopt this strategy and review in 12 months.

OFFICER'S RECOMMENDATION

That Council adopt the Draft Natural Resource Climate Resilience Strategy and associated documentation.

DECISION 214/23

Moved Cllr Rob Churchill, seconded Mayor Cheryl Arnol:

That Council adopt the Draft Natural Resource Climate Resilience Strategy and associated documentation.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Cllr Rob Churchill, Cllr Neil Edwards, Cllr Carole McQueeney, Cllr Jenny Woods and Cllr Robert Young

Against: Nil

8.7 Our Park Orford community Response to survey

Author: Director Planning & Development (Alex Woodward)
Responsible Officer: Director Works and Infrastructure (Peter Porch)
Director Planning and Development (Alex Woodward)

ATTACHMENT/S

1. Our Park Amenities - Context [8.7.1 - 1 page]
2. Our Park Amenities - Floor Plan [8.7.2 - 1 page]
3. Survey Data [8.7.3 - 9 pages]
4. Survey Comments [8.7.4 - 3 pages]

PURPOSE

The purpose of this report is to provide information to council on a survey developed to determine the level of support for the development of a sound shell in Our Park Orford.

BACKGROUND/OVERVIEW

A report was provided in the July 2023 Council Agenda on a proposal by the Spring Bay Rotary Club to establish a sound shell facility in Our Park Orford. Council resolved to note the information provided in the report and to seek a further report on community feedback on the proposal.

STRATEGIC PLAN REFERENCE

Guiding Principles

2. Reinforce and draw on the strengths of our communities at both a local and regional level.
6. Draw on the knowledge and expertise of local people and communities in shaping and delivering our initiatives and plans - listening to and taking account of ideas and feedback from residents, businesses and ratepayers.

Key Foundations

2. Our Community's Health and Wellbeing
4. Infrastructure and Services

What we plan to do

- Encourage and support the arts, cultural activities, programs and events.
- Maintain public amenities and recreational facilities.
- Review and update existing Council strategies and plans.

STATUTORY IMPLICATIONS

Local Government Act 1993

S20. Functions and Powers

(1) In addition to any functions of a council in this or any other Act, a council has the following functions:

- (a) to provide for the health, safety and welfare of the community;
- (b) to represent and promote the interests of the community;
- (c) to provide for the peace, order and good government of the municipal area.

(2) In performing its functions, a council is to consult, involve and be accountable to the community.

BUDGET IMPLICATIONS

No present budget impact. Potential future impact relating to project costs, maintenance and renewal of new infrastructure.

RISK CONSIDERATION/S

The findings of the consultation open a wider discussion for the community and council. Proceeding with a single option when there are others to consider presents a risk that council may not act in the best interests of the community and perform its functions under legislation as fully as it might.

OFFICER'S COMMENTS

When considering the development potential for a park the classification of parks is considered. There are numerous classification systems and one is a simple division into neighbourhood parks, community parks and regional parks.

In terms of the provision of open space services to an area, Our Park would classify as a community Park. It draws visitors from more than the direct neighbourhood but not widely enough to perform a regional function. Because of this localised interest, the survey was conducted primarily within the Orford and Triabunna areas which the park services.

The survey was advertised through the Orford School newsletter to reach young families, within the park where QR codes would lead the interested directly to the survey, on the supermarket notice board, Elly's, the Roadhouse, Bowls Club, through facebook and the website, emailed to registered Orford Triabunna residents.

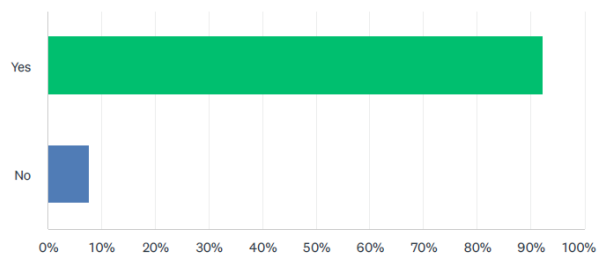
The collection system enables a breakdown of the source of the responses. This assists us to use the most effective methods for future surveys. Total responses received was 104. For the localised area this is a very good result indicating a high community interest in developments within the park.

Collector Type	Number of responses
GSBC Website	7
Facebook	81
School Newsletter	1
Our Park QR codes	5
Community Connect Email contacts	9
Posters (email feedback separate to survey 1)	
Total Responses:	103

The key questions in the survey indicating sentiment toward the proposal are as follows:

Q5 Do you think a sound shell in Our Park would provide more opportunities for community events?

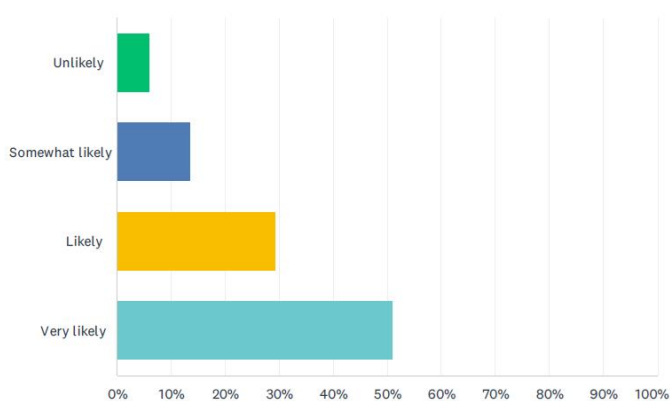
Answered: 103 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	92.23%	95
No	7.77%	8
TOTAL		103

Q6 How likely are you to attend events or performances at the soundshell if it is built?

Answered: 102 Skipped: 1



ANSWER CHOICES	RESPONSES	
Unlikely	5.88%	6
Somewhat likely	13.73%	14
Likely	29.41%	30
Very likely	50.98%	52
TOTAL		102

The statistics are overwhelmingly in agreement that such a facility would increase opportunities for community events and that the events would be supported.

Many respondents provided comments at question 7 and these are included in the attachments for review of the range of positive and negative views of the community.

The consultation uncovered a dormant proposal developed by members of the community a few years ago for a general community centre in the park. Attached is an initial concept plan developed for discussion. This concept lends itself to inclusion of a sound shell component. The proponents of this concept are welcoming of concept modifications that will boost use of the proposed centre and increase visitation and community resilience.

The plan also promotes a reconsideration of the layout of the internal road and car park to better use the whole area of the park and gain some space lost to the road and internal car park.

Attached to the park is a block owned by Tas Fire. Verbally, interest has been raised by a Tas Fire officer in relinquishing the building to council. No correspondence has been received to support the approach to date. Should council be able to determine a firm position from Tas Fire the land may be added to Our Park's usable open space, increasing use options.

There may be Heritage values in Our Park which inform any proposed future building activity. Any proposed works will require Aboriginal Heritage Tasmania assessment.

OFFICER'S RECOMMENDATION

That Council refers the proposals associated with this report to a future workshop to consider how the Park may be developed to promote the interests of the community.

DECISION 215/23

Moved Clr Carole McQueeney, seconded Clr Robert Young:

That Council refers the proposals associated with this report to a future workshop to consider how the Park may be developed to promote the interests of the community.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

8.8 Request for Event Support - Landcare Tasmania Inc (Tasmanian Community Landcare Conference)

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Event Grant Request [8.8.1 - 1 page]
2. GSBC Grant Landcare supporting document [8.8.2 - 1 page]

PURPOSE

To request for Council to provide Event support for \$2,000 as a cash contribution to the Land Care Tasmania Inc for the Tasmanian Community Landcare Conference at the Spring Bay Mill on October 13th -15th 2023.

BACKGROUND/OVERVIEW

Council periodically provides a level of financial and in-kind assistance to community events that aim to involve, engage and provide benefit to community groups within the Glamorgan Spring Bay municipality. Events supported by Glamorgan Spring Bay Council celebrate and engage local communities and promote tourism to our region. Councils ongoing support to organisations and groups assists in the delivery of events in the Glamorgan Spring Bay municipal area that have creative, community and economic outcomes.

About the event & organiser

Landcare Tasmania Inc (Reg# 02978C) was developed in 1994 designed to help local communities care for Tasmanian land and coasts, farms and towns, waterways and wildlife. Landcare Tasmania is the peak body that works to represent, support, strengthen and grow Tasmania's community Landcare.

The Tasmanian Community Landcare Conference will be held at the Spring Bay Mill in Triabunna on October 13th – 15th. This conference is about bringing together people who care about the environment and their communities. This event helps by sharing knowledge, offering hands-on workshops, discussions, and opportunities to meet others who share these interests. By doing this, the conference aims to make our local environment healthier. This will be a ticketed event.

Benefits/impact on the Glamorgan Spring Bay Community

The Tasmanian Community Landcare Conference 2023 will unite and engage the community of Landcarers from across Tasmania and provide land care groups/individuals the opportunity to access an educational conference locally. It is expected that 300 people will be attendance at the conference.

Cost of tickets

Member Whole Weekend Ticket	\$350
Member Saturday Conference	\$175
Member Awards Dinner Saturday Night	\$160
Member Field Trip Sunday	\$90
Professional Whole Weekend Ticket	\$500
Professional Saturday Conference	\$265
Professional Awards Dinner Saturday Night	\$200
Professional Field Trip Sunday	\$130
Networking Breakfast Sunday	\$25

Request for support from Council:

Landcare Tasmania Inc has applied to Council for \$5,000 of financial support for the Landcare Tasmania Conference 2023 event, which is scheduled to run on October 13th – 15th 2023 as a contribution towards the event.

Previous Council Support:

Council have not supported this event before.

STRATEGIC PLAN REFERENCE

Guiding Principles

1. Balance economic and tourism growth whilst preserving our lifestyle, celebrating our rich history and protecting the region's unique and precious characteristics.

Key Foundations

2. Our Community's Health and Wellbeing
5. Our Environment

What we plan to do

- Support and facilitate social and community events that promote community health and wellbeing.
- Involve, engage and equip groups and individuals in Natural Resource Management.

STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

a. in-kind assistance; and

b. fully or partially reduced fees, rates or charges; and

- c. remission of rates or charges under Part 9.*
- (2) The details of any grant made or benefit provided are to be included in the annual report of the council.*

BUDGET IMPLICATIONS

Council has an allocation of \$27,000 for events and programs in the 2023/24 budget for events that Council conducts with any excess being available for other events such as this one. As at 1 August 2023 there is \$25,000 from this budget.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation	Unlikely	Minor	Moderate	If other events seek funding in the future, Council's approach is first in best dressed.
Council should ensure that the funding decision is fair and not favouring one event over others.				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council may need to communicate about the reasons for the decision. Explain the Council's constraints, priorities and considerations.
Not funding the event might lead to disappointment within the local community and a missed opportunity for community engagement.				

OFFICER'S COMMENTS

This event has the potential to give a significant boost to our local economy, benefiting businesses and the community as a whole. Additionally, it offers our local Landcare groups a valuable opportunity to enhance their knowledge and expertise, contributing to the sustainable development of our region.

The funding request from Landcare Tasmania exceeds our typical allocation for events.

In line with our commitment to fairness and equity, the Council aims to maintain a consistent level of funding and support across all events, avoiding any preferential treatment that could favor one event over another. Council will request that the event acknowledge this support through displaying the Council logo at the event and include Council as a sponsor on the Landcare Event webpage.

The amount recommended is consistent with financial support provided to other events in the municipality, allowing for a small amount to be shared across many events occurring throughout the year.

OFFICER'S RECOMMENDATION

That Council approves the application for event support of \$2,000 from Landcare Tasmania Inc for the 2023 Landcare Tasmania Conference.

DECISION 216/23

Moved Clr Robert Young, seconded Clr Jenny Woods:

That Council approves the application for event support of \$2,000 from Landcare Tasmania Inc for the 2023 Landcare Tasmania Conference.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

8.9 Community Small Grant Application - Triabunna Tivoli Theatre

Author: Community & Communications Officer (Eliza Hazelwood)

Responsible Officer: Director Corporate and Community (Elysse Blain)

ATTACHMENT/S

1. Community Small Grant Application - Triabunna Tivoli Theatre [8.9.1 - 2 pages]

PURPOSE

Recommendation for Council to approve a Community Small Grant application for \$1,000 for to **Triabunna Tivoli Theatre** for a contribution towards “monthly cinema nights” at the Triabunna Hall.

BACKGROUND/OVERVIEW

Small Grant funding is available to assist the undertaking of programs and activities within the Glamorgan Spring Bay municipal area. The assessment criteria is outlined in the Community Small Grants Fund policy, including:

- Grants are restricted to \$1,000, with exceptions up to \$1,500 at Councils discretion.
- Grants are available to not for profit individuals, community organisations and groups.
- Grants are intended to assist projects that
 - (1) address relevant community issues of significance
 - (2) are initiated within the community and actively involve local people and
 - (3) improve access and encourage wider use of facilities.

This application from Triabunna Tivoli Theatre, is for a contribution towards holding "a monthly cinema nights" at the Triabunna Hall.

This event will offer regular entertainment which is accessible for all residents. Regular cultural and social events like these can contribute to improved mental health and overall well-being by providing an outlet for relaxation and enjoyment. Cinema nights typically rely on volunteers for ticket sales, concessions, and event coordination providing an opportunity for community members to get involved.

The request for funds is to help start the Theatre program. There will be some initial setup and fixed costs such as film hire and Triabunna hall hire, as well as variable expenses depending on the volume of patrons, such as cleaning and refreshments.

Tivoli plans to charge entry tickets for patrons, at a rate yet to be determined but aimed to encourage the community to attend. It is anticipated that the ticket fees will contribute to the costs of the running of the program.

Estimated costs for event activities:

Item	Setup Costs	Each screening (1 each month)	3 Screenings (1 per month)
Association Incorporation	\$178		
Printing and advertising	\$100		
Food and Drinks to start	\$100		
Film Hire for first 3 screenings		\$250	\$750
Cleaning after screening		\$95	\$285
Hall Hire		\$25	\$75
Door Prizes		\$50	\$150
Total			\$1,638

The Triabunna Popup Books store will also be making a donation towards the program.

STRATEGIC PLAN REFERENCE

Guiding Principles

2. Reinforce and draw on the strengths of our communities at both a local and regional level.

Key Foundations

2. Our Community's Health and Wellbeing

What we plan to do

- Support and facilitate social and community events that promote community health and wellbeing.

STATUTORY IMPLICATIONS

Section 77 of the Local Government Act 1993 outlines the statutory requirements in relation to grants.

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under subsection (1) may include –

a. in-kind assistance; and

b. fully or partially reduced fees, rates or charges; and

c. remission of rates or charges under Part 9.

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

BUDGET IMPLICATIONS

Applications for funding are considered throughout the financial year until such time as the available funds are exhausted. There is a \$15,000 Community Small Grants Program provision in the 2023/24 budget. As at 31 August 2023 there is \$10,677 of the budget available to support this application.

RISK CONSIDERATION/S

Risk	Likelihood	Consequence	Rating	Risk Mitigation Treatment
Adopt the recommendation				Nil
Nil				
Do not adopt the recommendation	Possible	Moderate	Moderate	Council provide alternate funding options to the Triabunna Tivoli Theatre.
The program may run out of funding and be unable to continue providing the activity.				

OFFICER'S COMMENTS

This application satisfies the necessary criteria of the relevant policy.

Integrity Assessment:

The 'Triabunna Trivoli Theater' are not a registered incorporated association but are currently undertaking the process of becoming one.

Criteria Assessment:

Funding value is within the acceptable allowance	Yes
Applicant is a not-for-profit community organisations and groups or individual	Yes
Grant is to assist projects that: address relevant community issues of significance – are initiated within the community and actively involve local people (3) improve access and encourage wider use of facilities	Yes

Monthly cinema nights will provide an entertainment opportunity for the Triabunna community that will boost social interaction, reducing social isolation and strengthening community bonds, which is especially important in our community.

The program organisers will need to ensure appropriate insurances are in place for public gatherings like this.

OFFICER'S RECOMMENDATION

That Council approve the application for Community Small Grant funding of \$1,000 to **Triabunna Tivoli Theatre** for a contribution towards the monthly cinema nights at the Triabunna Hall.

DECISION 217/23

Moved Clr Jenny Woods, seconded Clr Neil Edwards:

That Council approve the application for Community Small Grant funding of \$1,000 to **Triabunna Tivoli Theatre** for a contribution towards the monthly cinema nights at the Triabunna Hall.

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

9 NOTICES OF MOTION

Nil.

10 PETITIONS

Nil.

11 COUNCILLORS

11.1 Questions on Notice by Councillors

Nil.

11.2 Comments/statements

Clr Neil Edwards:

I was in Coles Bay last Friday, I'm not one for giving tributes to people, I think that people are paid to do their job and do it, but with the fires up there Nick Johnson done a great job. Having been in the bushfire industry for 25 years, I know what it is like. I think they done a 10/10 job with the fire. The only issues that occurred were communication, which is nobody's fault, it's just what happens with fires when you are under the pump.

I particularly want to thank the Council staff, Alex Woodward, Eliza Hazelwood, Darren Smith and Jason Watson as they done a fantastic job in manning the evacuation centre, as did the General Manager and the Mayor in going up to Coles Bay and doing what you did.

I think Council received some very unfair criticism on social media from people who had half an idea of what was going on and have no idea of the protocol of what should happen during an emergency. Council are directed by the SES and cannot make arbitrary decisions.

I think that the inappropriate messaging from the media is what created the problem and everyone on the ground done a fantastic job and particularly the staff that I mentioned.

For the General Manager to get criticism about getting his photograph taken in front of the evacuation centre is absolutely ridiculous, and he is just doing his job.

No body died, no loss of any significance, how can that not be a roaring success.

Communication is always an issue, and I know that Nick Johnson is looking into it to see how we can get better lines of communication, but I think that it should be from the SES to the people, not from Council, as it is the SES that direct emergencies.

The other thing that come up was a request for Council to finish the footpath along Swanwick Drive on top of the hill, it really needs looking at if possible.

The people that I see in Coles Bay are an absolute delight, and it's a joy to go up and talk to them.

Mayor Cheryl Arnol:

I agree totally with you in the way the staff handled that very difficult situation.

As the Mayor I was very fortunate to receive phone calls from numerous people, Federal Politicians, State Politicians, fellow Councils as far away as Kingbrough ringing to find out if there was anything that they could do to help us. From our own sector we have a lot of support and that is wonderful.

This morning I had a lovely phone call from the Minister of Police and Emergency Services expressing his concern around some of the messaging that came out, particularly through the media. He and I have agreed that there are some lessons to be learned around the communication in an emergency like that. As Clr Edwards rightfully pointed out it was an unexpected emergency and everyone was doing the very best job they could. It is just unfortunate that the media put messages out that may not have been totally accurate at the time. We have had enormous support at all levels of government in relation to any assistance that we may need in that area.

Clr Carole McQueeney:

A few comments and congratulations as there seems to be a real focus on events for mental health. The cocktail party that just occurred with Rotarays and the community's involvement on the weekend. There is an upcoming Nutbush event happening in at the Triabunna Recreational Ground on the 15 October, so the more people the better and you'll learn how to line dance and listen to some music.

I'd also like to note and congratulate Sea Forest, for those that may be listening and don't know Sea Forest have become one of 15 industries in the world to be in the running to win an Earth Shot Prize which is just fabulous. The outcome will be announced in November, which is a significant monetary prize to further your efforts.

The Maritime Museum has invited the Governor to view the museum before the Tasmanian Seafarers Memorial on 15 October 2023. It is nice to have that level of interest in the work that the volunteers and workers do.

12 CONFIDENTIAL ITEMS (CLOSED SESSION)

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Mayor is to declare the meeting closed to the public in order to discuss the following matter/s:

- Item 1: Minutes of Closed Session – Ordinary Council Meeting held on 22 August 2023**
As per the provisions of Regulation 15 (2) (a) and (d) of the *Local Government (Meeting Procedures) Regulations 2015*.
- Item 2: Bicheno Gulch Tender Outcome**
As per the provisions of Regulation 15 (2) (d) of the *Local Government (Meeting Procedures) Regulations 2015*.
- Item 3: Reseal and Pavement Rehabilitation Tender**
As per the provisions of Regulation 15 (2) (d) of the *Local Government (Meeting Procedures) Regulations 2015*.
- Item 4: Coles Bay Annex Tender Report**
As per the provisions of Regulation 15 (2) (d) of the *Local Government (Meeting Procedures) Regulations 2015*.

RECOMMENDATION

That Council moves into Closed Session at [time].

DECISION 218/23

Moved Clr Jenny Woods, seconded Deputy Mayor Michael Symons,

That Council moves into Closed Session at 4:38pm

THE MOTION WAS PUT AND CARRIED UNANIMOUSLY 7/0

For: Mayor Cheryl Arnol, Deputy Mayor Michael Symons, Clr Rob Churchill, Clr Neil Edwards, Clr Carole McQueeney, Clr Jenny Woods and Clr Robert Young

Against: Nil

Deputy Mayor Symons declared a conflict of interest in Item 4 of the Confidential Agenda (Coles Bay Annex Tender Report)

The Mayor confirmed that the recording had been terminated.

Note: Deputy Mayor Symons left the meeting at item 4 Coles Bay Annex Tender Report (4:06pm) and did not return to the meeting.

13 CLOSE

The Mayor declared the meeting closed at 4:10pm

CONFIRMED as a true and correct record.

Date:

Mayor Cheryl Arnol