



GLAMORGAN SPRING BAY  
COUNCIL

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# Minutes of Meeting

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For the Ordinary  
Meeting of  
Council held at  
the Swansea  
Town Hall

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27<sup>th</sup> September, 2016

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## NOTICE OF ORDINARY MEETING

**Notice** is hereby given that the next ordinary meeting of the Glamorgan Spring Bay Council will be held at the Swansea Town Hall on Tuesday, 27<sup>th</sup> September, 2016 commencing at 5.00pm.

**Dated** this Thursday 22<sup>nd</sup> September, 2016



**David Metcalf  
GENERAL MANAGER**

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

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

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

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



**David Metcalf  
GENERAL MANAGER**

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<p align="center"><b>ALL IMAGES AND ATTACHMENTS HAVE BEEN REMOVED, IF YOU REQUIRE A FULL VERSION OF THE MINUTES, PLEASE CONTACT THE COUNCIL OFFICES ON (03) 6256 4777.</b></p>
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## Audio Recording of Ordinary Meetings of Council

As determined by Glamorgan Spring Bay Council, all Ordinary and Special Meetings of Council will be electronically audio recorded from April 2014 onwards.

In accordance with the Local Government Act 1993 and Regulation 33, these audio files will be retained by Council for at least 6 months and made available for listening on written request by any person. The written minutes of a meeting, once confirmed, prevail over the audio recording of the meeting.

### 1. Opening

The Mayor welcomed Councillors, staff and members of the public and declared the meeting open at 5.01pm.

#### 1.1 Present and Apologies

**Present:** Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Cllr Bertrand Cadart, Cllr Jenifer Crawford, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods.

**Apologies:** Cllr Debbie Wisby.

#### 1.2 In Attendance

David Metcalf (General Manager), Shane Wells (Senior Planner), Tony Pollard (Manager Works) Angela Turvey (Executive Officer) and approximately 25 members of the public.

#### 1.3 Declaration of Pecuniary Interests

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

## 2. Confirmation of Minutes and Workshops

### 2.1 Ordinary Meeting – August 23<sup>rd</sup>, 2016

**Decision: 118/16**

Moved Clr Jenny Woods, seconded Clr Britt Steiner, that the Minutes of the Ordinary Meeting held Tuesday 23<sup>rd</sup> August, 2016 be confirmed as a true and correct record.

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

For: Mayor Michael Kent, Deputy Mayor Cheryl Arnol, Clr Bertrand Cadart, Clr Jenifer Crawford, Clr Richard Parker, Clr Britt Steiner, Clr Jenny Woods.

Against: Nil

### 2.2 Workshop Held – August 23<sup>rd</sup>, 2016

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2005*, it is reported that a workshop was held at 3pm on Tuesday 23<sup>rd</sup> August in Triabunna. This workshop was to receive a briefing from architect Ross Brewin on the Swansea “Loo with a View” concepts and discuss Policy 3.6 Reallocation of Budgetary Items.

### 2.3 Workshop Held – September 13<sup>th</sup>, 2016

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2005*, it is reported that a workshop was held at 3pm on Tuesday 13<sup>th</sup> September in Triabunna. This workshop was to receive an update from TasWater on the Swansea water supply and from Tassal on the proposed fish farm at Okehampton Bay.

**Resolved**

That Council notes this information.

### 3. PLANNING AUTHORITY SECTION

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

**Decision: 119/16**

Moved Deputy Mayor Cheryl Arnol, seconded Cllr Richard Parker, that Council now acts as a Planning Authority. (Time: 5.03pm)

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

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

Against: Nil

### 3.1 DA16069 – RA13110 Tasman Hwy, Swansea

#### Planning Assessment Report

<b>Proposal:</b>	<b>Single dwelling, ancillary dwelling and outbuilding</b>
<b>Applicant:</b>	<b>R &amp; L Coenen</b>
<b>Location:</b>	<b>RA 13110 Tasman Highway, Swansea</b>
<b>Planning Document:</b>	<b>Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)</b>
<b>Zoning:</b>	<b>Rural Resource Zone</b>
<b>Application Date:</b>	<b>10 May 2016</b>
<b>Statutory Date:</b>	<b>30 September 2016 (by consent of applicant)</b>
<b>Attachments:</b>	<b>Appendix A – Plans</b>
<b>Author:</b>	<b>Shane Wells, Manager Planning and Special Projects</b>

#### Decision: 120/16

Moved Cllr Jenny Woods, seconded Cllr Britt Steiner, pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, that the application for dwelling, together with a separate annexe building, and outbuilding at RA 13110 Tasman Highway, Swansea. (DA2016/00069), be APPROVED subject to the conditions outlined in this report.

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

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

Against: Nil.



### 3.2 DA16101 – 11 Florence St, Coles Bay

#### Planning Assessment Report

<b>Proposal:</b>	<b>Dwelling &amp; outbuilding with demolition of existing dwelling</b>
<b>Applicant:</b>	<b>Cumulus Studio</b>
<b>Location:</b>	<b>11 Florence Street, Coles Bay</b>
<b>Planning Document:</b>	<b>Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)</b>
<b>Zoning:</b>	<b>Low Density Residential Zone</b>
<b>Application Date:</b>	<b>28 June 2016</b>
<b>Statutory Date:</b>	<b>30 September 2016 (by consent of applicant)</b>
<b>Attachments:</b>	<b>Appendix A – Plans</b>
<b>Author:</b>	<b>Shane Wells, Manager Planning and Special Projects</b>

#### Decision: 121/16

Moved Deputy Mayor Cheryl Arnol, seconded Cllr Jenny Woods, Pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, that the application for dwelling & outbuilding with demolition of existing dwelling at 11 Florence Street, Coles Bay (DA2016/00101), be APPROVED subject to the conditions 1-24.

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

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

Against: Nil

### 3.3 DA16108 – 73 Burgess Street, Bicheno

#### Planning Assessment Report

<b>Proposal:</b>	<b>Business and Professional Services, General Retail and Hire and Signage</b>
<b>Applicant:</b>	<b>J Binns</b>
<b>Location:</b>	<b>73 Burgess Street, Bicheno</b>
<b>Planning Document:</b>	<b>Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)</b>
<b>Zoning:</b>	<b>Local Business Zone</b>
<b>Application Date:</b>	<b>6 July 2016</b>
<b>Statutory Date:</b>	<b>30 September 2016 (by consent of applicant)</b>
<b>Attachments:</b>	<b>Appendix A – Plans</b>
<b>Author:</b>	<b>Shane Wells, Manager Planning and Special Projects</b>

#### Decision: 122/16

Moved Cllr Jenny Woods, seconded Cllr Bertrand Cadart, that pursuant to Section 57 of the Land Use Planning & Approvals Act 1993 and the Glamorgan Spring Bay Interim Planning Scheme 2015, that the application for commercial building at 73 Burgess Street, Bicheno *with* use as part Business and Professional Services *and part General Retail and Hire* satisfies at 73 Burgess Street, Bicheno (DA2016/00108), be APPROVED subject to the conditions in this report.

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

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

Against: Nil.



### **3.4 AM2016/01 & DA2016/00108 – Section 43A, 488 & 496 Freestone Point Road, Triabunna and adjoining foreshore waters**

<b>Planning Assessment Report</b>	
<b>Proposal:</b>	<b>Section 43A Request for Planning Scheme Amendment and Planning Permit to rezone land from Open Space Zone and Environmental Management Zone to Light Industrial Zone and develop shore based marine farming.</b>
<b>Requested by:</b>	<b>Spring Bay Seafoods</b>
<b>Location:</b>	<b>488 &amp; 496 Freestone Point Road, Triabunna and adjoining crown foreshore and waters</b>
<b>Planning Document:</b>	<b>Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)</b>
<b>Zoning:</b>	<b>Light Industrial Zone</b>
<b>Application Date:</b>	<b>16 February 2016</b>
<b>Statutory Date:</b>	<b>Not applicable</b>
<b>Attachments:</b>	<b>Instrument of Certification, Plans, Council's Technical Officer Comments</b>
<b>Author:</b>	<b>Shane Wells, Manager Planning and Special Projects</b>



**Decision: 123/16**

Moved Cllr Jenny Woods, seconded Cllr Britt Steiner,

- A. That in accordance with Section 34(1)(b) of the Land Use Planning & Approvals Act 1993, as provided for by the provisions of section 3 of schedule 6, Council initiates the draft amendment, to be known as draft amendment AM 2016/1 to rezone land at 488 & 496 Freestone Point Road, Triabunna and adjoining crown foreshore and waters from the Open Space Zone and Environmental Management Zone to the Light Industrial Zone in accordance with Attachment A.
- B. That in accordance with Section 35(1) of the Land Use Planning and Approvals Act 1993, as provided for by the provisions of section 3 of schedule 6, Council considers that draft amendment AM 2016/1 satisfies the provisions of Section 32 of the Land Use Planning and Approvals Act 1993.
- C. That in accordance with Section 35(2) of the Land Use Planning and Approvals Act 1993, as provided for by the provisions of section 3 of schedule 6, Council directs that draft amendment AM 2016/1 be certified by instrument in writing affixed with the common seal of the Council;
- D. That in accordance with Section 35(4) of the Land Use Planning and Approvals Act 1993, as provided for by the provisions of section 3 of schedule 6, Council directs that a certified copy of draft amendment AM 2016/1 be given to the Tasmanian Planning Commission within 7 days.
- E. That in accordance with Section 38 of the Land Use Planning and Approvals Act 1993, as provided for by the provisions of section 3 of schedule 6, Council directs that draft amendment AM 2016/1 be placed on public exhibition for no less than 28 days.
- F. That under Section 43C(1) of the Land Use Planning and Approvals Act 1993, as provided for by the provisions of section 3 of schedule 6, a draft permit is issued for shore based marine farming including the construction of a wharf, feed shed, workshop and pen assembly area, office and amenities building, car parking, vehicular access, dredging and signage at 488 & 496 Freestone Point Road, Triabunna and adjoining crown foreshore and waters (DA 2016 / 00018) subject the conditions outlined in this report.

**The motion was put and carried  
(6 Votes to 1)**

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

Against: Cllr Jenifer Crawford.



### 3.5 AM2016/02 – Planning Scheme Amendment to Introduce Spring Bay Industrial Special Area Plan

#### Planning Assessment Report

<b>Proposal:</b>	<b>Planning Scheme Amendment to introduce Spring Bay Industrial Special Area Plan.</b>
<b>Requested by:</b>	<b>Council</b>
<b>Location:</b>	<b>11 &amp; 49 Slipway Road, Triabunna; 488 &amp; 496 Freestone Point Road, Triabunna; part of 336 Okehampton Road, Triabunna (CT 54095/1) and adjoining crown foreshore and waters within the Light Industrial Zone</b>
<b>Planning Document:</b>	<b>Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)</b>
<b>Zoning:</b>	<b>Light Industrial Zone</b>
<b>Application Date:</b>	<b>Not applicable</b>
<b>Statutory Date:</b>	<b>Not applicable</b>
<b>Attachments:</b>	<b>Instrument of Certification</b>
<b>Author:</b>	<b>Shane Wells, Manager Planning and Special Projects</b>



**Decision: 124/16**

Moved Cllr Jenny Woods, seconded Deputy Mayor Cheryl Arnol,

- A. That in accordance with Section 34(1)(b) of the Land Use Planning & Approvals Act 1993, subject to the provisions of section 3 of schedule 6, Council initiates the draft amendment, to be known as draft amendment AM2016/2 to introduce the Spring Bay Light Industrial Specific Area Plan in accordance with Attachment A.
- B. That in accordance with Section 35(1) of the Land Use Planning and Approvals Act 1993, subject to the provisions of section 3 of schedule 6, Council considers that draft amendment AM2016/2 satisfies the provisions of Section 32 of the Land Use Planning and Approvals Act 1993.
- C. That in accordance with Section 35(2) of the Land Use Planning and Approvals Act 1993, subject to the provisions of section 3 of schedule 6, Council directs that draft amendment AM2016/2 be certified by instrument in writing affixed with the common seal of the Council.
- D. That in accordance with Section 35(4) of the Land Use Planning and Approvals Act 1993, subject to the provisions of section 3 of schedule 6, Council directs that a certified copy of draft amendment AM2016/2 be given to the Tasmanian Planning Commission within 7 days.
- E. That in accordance with Section 38 of the Land Use Planning and Approvals Act 1993, subject to the provisions of section 3 of schedule 6, Council directs that draft amendment AM2016/2 be placed on public exhibition for no less than 28 days.

**The motion was put and carried  
(6 Votes to 1)**

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

Against: Cllr Jenifer Crawford.

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

**Decision: 125/16**

Moved Cllr Jenny Woods, seconded Cllr Bertrand Cadart, that Council no longer acts as a Planning Authority. (Time: 5.57pm)

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

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

Against: Nil

## 4. Public Question Time

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

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

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

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

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

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

### Questions on Notice

#### 4.1 Ms Heather Monk

From: Monk, Heather

Sent: Sunday, 11 September 2016 11:40 AM

To: Eileen Harwood

Subject: Two questions, from a ratepayer, for the Glamorgan Spring Bay Council Meeting - Tuesday 27th September 2016

To The Glamorgan Spring Bay Council,

1. The Swansea Beach Chalets and private land ownership dominate the North Eastern Jubilee Beach coastline, at Gull Rock, leaving no 'legal' public pedestrian access to the beach in front of The Swansea Beach Chalets from the road at the [1-42 Shaw St](#), residential strip of road.

Where is the 'public thoroughfare' access that gives equal access to this beach for everyone?

I have tried to access this end of the beach but can only get there from behind the Primary School and over the rocks OR from the rocks around the southern end of Nine Mile Beach.

Where is the 'public thoroughfare' access for Swansea locals who wish to use the North Eastern end of Jubilee Beach and for Shaw St residents who live in the [1-42 Shaw St](#) strip?

#### General Manager's Response

*The public thoroughfare is accessed via the end of Shaw Street.*

2. How can 'public pedestrian access', (including accessible for all abilities- the elderly, parents with children, wheelchairs) be created to serve the residents and visitors of Swansea who wish to access the Gull Rock area of Jubilee Beach from [1-42 Shaw St](#)?

#### General Manager's Response

*Formalised access is on Council's current planning for the area but can only be via Shaw Street. All the other land is private titles.*

Heather Monk

Swansea Ratepayer - Shaw St



#### 4.2 Mr Geoff Baker

- i. *My question is in regard to the Tassal wharf proposal. Can Council clarify the precise nature of the wharf development application in relation to the need for dredging and whether it actually forms part of the application (identified in supporting document 16.2)? If dredging is required, how does Council propose to address the requirements under the EPBC in relation to any interaction between plumes and listed species?*

#### Response from Senior Planner

*Through the Mayor. Through the public exhibition of the planning scheme amendments all those documents will be available for inspection. A number of supporting reports have been provided in the request to Council to initiate the re-zoning and there are a number of management measures and recommendations that have been identified and put forward in their dredge management plan. When I say advised there has been extensive consultation between the proponents, Council and the Environmental Protection Agency as to the adequacies of those measures and you will be able to view those in detail and form your own view as to the merits.*

- ii. *Through the Mayor, what your saying is you don't know at this point in time if dredging is required or not?*

#### Response from Senior Planner

- iii. *No dredging is required and will be part of the application as exhibited. I believe to ensure there is sufficient depth for the vessels.*

#### 4.3 Mr Colin Campbell

- i. *Mr Mayor we had visitors from the mainland and I drove them south around some of the streets in Swansea and I was concerned about the quality of some of the buildings, often freighter containers and things like that. We all come under strict planning regulations so how come poor quality housing is allowed to continue?*

#### Response from General Manager

*Through you Mayor we have actually issued letters to those people and we are taking them through a process and that process is long and arduous. They do require approvals for those buildings and often those buildings need screening and that is what we are trying to enforce but they are being looked at. The process is not easy though.*

#### 4.4 Dr Geoff Davidson

- i. *Has Council completed a risk management plan for the proposed dam to be built on the Turvey property and associated pipeline (Tea Tree Rivulet, Buckland)? How is water security and the ongoing risk profile if Council is to become a co-operator of the scheme being addressed? Further to that, what is the impact on Council's financial position should it secure the \$6 million loan from Treasury?*
- ii. *Are you aware of the ongoing environmental damage that is being caused by the persistent and recurring deposition of large volumes of silt washing down from the unfinished Solis project whenever there is a significant rain event? If you are aware of this, what means are being taken to complete the project and repair the damaged areas? If you answer is no, I would invite you to accompany me to have a look at the damage and the silt issues in Spring Bay.*

### **Response from General Manager**

- i. *Through you Mayor we have done a draft risk assessment of the dam. I assume you are talking about the supply to residents. It will certainly top up the supply to the residents and we have been talking to TasWater on that very issue of actually supplying TasWater to supplement the town water supply so there are no restrictions.*

*The capital outlay you are correct, it is a fairly substantial capital outlay and that will be secured by contracts with users and the ratepayers will suffer no detriment at all. So the money in will be equal to the money out. That will all become apparent when the actual plan goes up to Council. You will see the business plan and how the money is transferred between the various entities that will use the water. The ratepayer will not be out of pocket one cent.*

- ii. *With regard to Solis I am aware of the problems at Solis. The developer has made a commitment to fix any issues. He is going to put some straw bales where the biggest erosion is at the best I reckon that development will start within six months so it will be fixed by then and which involves fixing up those dams and providing the proper drainage. Obviously the developer doesn't want to spend a lot of money because if the development goes ahead it is wasted but if it doesn't go ahead it will be restored back to its natural environment and the dams will be filled so there will be natural run-off then.*

### **4.5 Mrs Penny Davidson**

- i. *Mr Mayor, Should the Okehampton Bay industrial fish farm proposal become a reality, do the Council intend to charge Tassal rates? And I ask my question given the recent High Court ruling over the West Coast Council's ability to charge rates over commercial marine leases.*

### **Response from General Manager**

*Yes Mayor we certainly would be and we would be using that decision to generate the rates on that particular property.*

### **4.6 Mr Grant Gaffney**

- i. *Through you Mr Mayor, I would like to ask the General Manager, is the public able to view the risk management plan regarding the dam?*

### **Response from General Manager**

*Through you Mayor, not at this stage no as the Council hasn't been through it yet either. Council has been briefed on it but not provided with a document as it is commercial in-confidence at the moment.*

- i. *Through you Mr Mayor, I will ask all the Councillors please consult with the ratepayers of Glamorgan Spring Bay Council and if you do you will realise that they will not accept the DA and the rezoning application for Tassal until the review of the Okehampton Bay Fish Management Plan has made its decision otherwise you are just thumbing up the decision. The decision for the Okehampton Bay Fish Management Plan hasn't been finalised.*

**4.7 Mr Keith Pyke**

- i. *My two questions thank you are to the General Manager. Mr Metcalf could you tell me why the medical reports format was changed in this report? The last one in Triabunna was fantastic.*

**Response from General Manager**

*As explained Mr Mayor in the last meeting that was a detailed report, it has gone back to what the normal reporting is. You can come anytime and view that. As explained I am not going to put 180 pages in an agenda of detailed reports.*

- ii. *Doing my homework, I've become aware that Rural Primary Health budget some of that is allocated to May Shaw to administer services in the area. Can you please tell me what they charge to administer that and what component of that budget is used on the administration side.*

**Response from General Manager**

*Through you Mayor May Shaw get 100% through the Rural Primary Health Services (RPHS). Council gives 100% to May Shaw as they fully administer and are the contractor who delivers the service. You will need to contact RPHS about the administration question but it is fully audited via RPHS.*

#### 4.8 Mr Andrew Wyminga

**My questions are to the General Manager and are in relation to DA 2016 /108**

I refer to an article in today's Mercury:

*A spokesman for Tassal said "The company did submit a [development application] in February this year to the Glamorgan Spring Bay Council for land-based infrastructure at Spring Bay."*

The introduction of intensive salmon farming to the East Coast has been a controversial proposal and for Council to not seek any public input but approve a non-compliant DA (as we had the misfortune to just witness) without giving the public the opportunity to make representations must contravene Council's obligations.

This newly approved DA is the only reason for the need for the rezoning from Open Space and Environmental Management to Light Industrial.

1. Why was this Development Application - which clearly does not meet the provisions of the current Planning Scheme - not advertised as is usual with non-compliant DA's and why were ratepayers not allowed the opportunity to make representations that Council then at least would have been obliged to take into consideration before making a decision?
2. How do members of the public, who were not given the opportunity to make representations, lodge an appeal against the approval of a controversial DA that was never advertised when only representors have that right?

Andrew Wyminga

3 Esplanade

Bicheno

#### **Response from General Manager**

*Mr Mayor, Mr Wyminga was here when Mr Wells explained the process. It is not an ordinary DA process, it is a rezoning and we are going through the exact process legally and that is the bottom line.*

## 5. Mayors' Reports

### **Councillor Cheryl Arnol, Deputy Mayor Acting Mayor 19<sup>th</sup> August to 2<sup>nd</sup> September, 2016 (inclusive)**

18 <sup>th</sup> August	Buckland	Attended illegal firewood harvesting forum.
19 <sup>th</sup> August	Orford	Represented Council at the 2016 Sustainable Communities Award for Keep Australia Beautiful (Tas). Congratulations to all of our Glamorgan Spring Bay winners. An official list of our local award winners will be published in the October 2016 Ordinary Meeting of Council Agenda.
23 <sup>rd</sup> August	Triabunna	Council Workshop.
	Triabunna	Council Meeting.
27 <sup>th</sup> August	Coles Bay	Parks Centenary Open Day. Clr Woods attended with me.
30 <sup>th</sup> August	Triabunna	Official farewell function for Constable Michael Hinchin from Triabunna Police who has transferred in his employment.

### **Mayor Michael Kent AM**

7 <sup>th</sup> September	Hobart	Attended a meeting with Minister Gutwein to discuss the draft voluntary amalgamations feasibility report along with other South Eastern General Managers and Mayors.
8 <sup>th</sup> September	Triabunna	General Manager briefed myself and the Deputy Mayor on the proposed raw water scheme on the Tea Tree Rivulet at Buckland.
	Orford	Met with Brian Mitchell MP and Rebecca White MP to discuss the Glamorgan Spring Bay municipal area.
		Gave an interview to The Mercury regarding the leaked document on proposed developments in our area.
9 <sup>th</sup> September	Orford	I was interviewed by Ryk Goddard on ABC 936 regarding the leaked document on proposed developments in our area.
13 <sup>th</sup> September	Triabunna	Meeting with the General Manager and KPMG to review the draft voluntary amalgamations feasibility report.
		Attended the Council Workshop.

14 <sup>th</sup> September	Hobart	Attended a meeting with Minister Gutwein and Mayor Peter Coad.
	Triabunna	Attended a meeting with local farmers to discuss the proposed Tea Tree Rivulet raw water scheme.
15 <sup>th</sup> September	Triabunna	Met with Tassal to discuss the Okehampton Bay fish farm.  Interview with ABC TV on the floods in our area.

**Resolved**

That the Mayors' Reports be received and noted.

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## 6. Information Reports

### 6.1 General Manager, David Metcalf

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

### 6.2 Manager Works, Mr Tony Pollard

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

### 6.3 Manager Regulatory Services, Mrs. Winny Enniss

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

### 6.4 Manager Community Development & Administration, Mrs Lona Turvey

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Community Development · Administration Services ·

### 6.5 Manager Buildings & Marine Infrastructure, Mr Adrian O'Leary

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

### 6.6 Manager Natural Resource Management, Ms Melanie Kelly

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

**Resolved:**

That the Management Reports be received and noted.

## 7. Minutes of Section 24 Committees

### COMMENTS:

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

#### 7.1 Triabunna Community Hall Committee Meeting, May 2016.

#### 7.2 Triabunna Community Hall Committee Meeting, July 2016 (Draft).

*Please note: Cllr Woods noted that the minutes from the Triabunna Community Hall Committee Meeting, July 2016 were not a true and correct record and will be re-submitted for Council to receive at a later date.*

#### 7.3 Youth Council Minutes, June 2016.

#### 7.4 Youth Council Minutes, September 2016 (Draft).

David Metcalf  
General Manager

**Resolved:**

That the minutes of the Section 24 Committees be received and noted.



## 8. Officers' Reports Requiring a Decision

### 8.1 LG Common Services Joint Venture

Responsible Officer – General Manager

#### Recommendations

1. That Council by absolute majority rescinds decisions 7/15 - 27/1/2015 and decision 38/15 - 24/3/2015.
2. That Council authorises the General Manager to sign a Deed of Accession and affix the Common Seal to enable Council to formally join the existing councils of the Shared Services Agreement dated 1 April 2015.

#### **Decision: 126/16**

Moved Deputy Mayor Cheryl Arnol, seconded Clr Britt Steiner, that Council by absolute majority rescinds decisions 7/15 - 27/1/2015 and decision 38/15 - 24/3/2015.

**The motion was put and carried  
(6 Votes to 1)**

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

Against: Clr Jenifer Crawford

#### **Decision: 127/16**

Moved Deputy Mayor Cheryl Arnol, seconded Clr Jenny Woods, that Council authorises the General Manager to sign a Deed of Accession and affix the Common Seal to enable Council to formally join the existing councils of the Shared Services Agreement dated 1 April 2015.

**The motion was put and carried  
(6 Votes to 1)**

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

Against: Clr Jenifer Crawford.

#### **Attachments:**

- i. Previous agenda items/reports related to the Common Services Joint Venture
- ii. LG Common Services Joint Venture Update
- iii. Common Services Agreement

## **8.2 Local Government Association of Tasmania (LGAT) 2016 by-election (Southern Electoral District)**

### **Responsible Officer – General Manager**

The Tasmanian Electoral Commission (TEC) has been asked to conduct a by election for one member from the Southern Electoral District having a population of 20,000 or less to fill a casual vacancy.

The TEC have written to the Mayor asking for any nominations to be endorsed through a meeting of Council.

Nominations close 5pm Tuesday the 18<sup>th</sup> of October 2016.

### **Statutory Implications**

Nil

### **Budget Implications**

Nil

### **Recommendation**

For Council's consideration.

**Attachment:** TEC Letter to Mayor Michael Kent

**Please note: No motion was moved for this Agenda item.**

### 8.3 Policy 3.6 Re-Allocation of Budgetary Items for Removal

Responsible Officer – General Manager

#### **Recommendation**

That Policy 3.6 Re-Allocation of Budgetary Items be removed as a Glamorgan Spring Bay Council Policy.

**Attachment:** Policy 3.6 – Re-Allocation of Budgetary Items

#### **Decision: 128/16**

Moved Cllr Jenny Woods, seconded Deputy Mayor Cheryl Arnol, that Policy 3.6 Re-Allocation of Budgetary Items be removed as a Glamorgan Spring Bay Council Policy.

**The motion was put and carried  
(6 Votes to 1)**

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

Against: Cllr Jenifer Crawford.

## 8.4 Policy 2.3 Tree Management (Council Managed Land)

Responsible Officer – Manager Works

### Recommendation

That Policy 2.3 Tree Management (Council Managed Land) as presented to Council on the 27<sup>th</sup> September 2016 be endorsed by Council.

**Attachment:** Policy 2.3 – Tree Management (Council Managed Land).

**Please note:**

**Clr Jenny Woods left the meeting room at 6.49pm and returned at 6.51pm.**

**Clr Britt Steiner left the meeting room at 6.52pm and returned at 6.54pm.**

### **Decision: 129/16**

Moved Deputy Mayor Cheryl ArnoI, seconded Clr Britt Steiner, that Policy 2.3 Tree Management (Council Managed Land) as presented to Council on the 27<sup>th</sup> September 2016 be endorsed by Council.

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

For: Mayor Michael Kent, Deputy Mayor Cheryl ArnoI, Clr Bertrand Cadart, Clr Jenifer Crawford, Clr Richard Parker, Clr Britt Steiner, Clr Jenny Woods.

Against: Nil

## 8.5 Communities and Coastal Hazards Local Area Report – Triabunna and Orford

Responsible Officer – Manager Natural Resources

### Recommendations

Council endorses the final Local Area Report incorporating minor editing changes (sent electronically to all Councillors and General Manager via Hightail on September 1<sup>st</sup>, 2016).

Council work with the Department of Premier and Cabinet to further discussions with key stakeholders around adaptation to identified coastal hazards in Orford and Triabunna.

Further investigation into co-incident flooding (flooding events coinciding with high tide events) and the effect of Sea Level Rise on groundwater and other systems are considered.

A workshop is held to provide Council with an overview of other potential coastal hazards in GSB and to discuss a way forward in managing these hazards in the short, medium and long term in context of other work being undertaken by other councils and the state government.

### **Decision: 130/16**

Moved Deputy Mayor Cheryl Arrol, seconded Cllr Britt Steiner, that

Council endorses the final Local Area Report incorporating minor editing changes (sent electronically to all Councillors and General Manager via Hightail on September 1<sup>st</sup>, 2016).

Council work with the Department of Premier and Cabinet to further discussions with key stakeholders around adaptation to identified coastal hazards in Orford and Triabunna.

Further investigation into co-incident flooding (flooding events coinciding with high tide events) and the effect of Sea Level Rise on groundwater and other systems are considered.

A workshop is held to provide Council with an overview of other potential coastal hazards in GSB and to discuss a way forward in managing these hazards in the short, medium and long term in context of other work being undertaken by other councils and the state government.

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

For: Mayor Michael Kent, Deputy Mayor Cheryl Arrol, Cllr Bertrand Cadart, Cllr Jenifer Crawford, Cllr Richard Parker, Cllr Britt Steiner, Cllr Jenny Woods.

Against: Nil

## 8.6 Review of the draft Prosser River Catchment Management Plan

Responsible Officer – Manager Natural Resources

### Recommendations

Council initiates a review of the draft Prosser River Catchment Management Plan (2002).

#### **Decision: 131/16**

Moved Cllr Britt Steiner, seconded Cllr Jenny Woods, that Council initiates a review of the draft Prosser River Catchment Management Plan (2002).

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

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

Against: Nil

## 8.7 Bicheno Sesquicentennial (150th) Celebration

Responsible Officer – Manager Community Development & Administration

### Recommendation

That Council approves a grant of \$1,000 to the Bicheno Community Development Association, towards the cost of staging a celebration for Bicheno's 150th anniversary.

### **Decision: 132/16**

Moved Cllr Britt Steiner, seconded Cllr Jenny Woods, that Council approves a grant of \$1,000 to the Bicheno Community Development Association, towards the cost of historic displays for Bicheno's 150th anniversary.

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

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

Against: Nil

## 8.8 Earth Ocean Network Inc.

Responsible Officer – Manager Community Development & Administration

### Recommendation

That Council approves a grant of \$1,000 to the Earth Ocean Network Inc. towards the cost of staging the Environmental Expo to be held in Bicheno.

**Please note: Cllr Bertrand Cadart left the meeting room at 7pm.**

### **Decision: 133/16**

Moved Cllr Britt Steiner, seconded Deputy Mayor Cheryl Arnol, that Council approves a grant of \$1,000 to the Earth Ocean Network Inc. towards the cost of staging the Environmental Expo to be held in Bicheno.

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

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

Against: Nil



## **9. Miscellaneous Correspondence**

### **9.1 Update on Voluntary Council Amalgamations - Letter to Minister Gutwein from SERDA**

## 10. Notices of Motion

### 10.1 Boatel Development at the Triabunna Marina and Wharf Precinct

**Author – Councillor Jenny Woods**

A report is sought from the General Manager in accordance with Section 65 of the Local Government Act as to the future of the boatel development at the Triabunna Marina and Wharf Precinct. This information is required to be presented at a future meeting of Council.

Submissions in support of the motion:

- The boatel development has been an ongoing saga for some 11 years or more.
- Many in the community of Triabunna and Orford are questioning the future of the development and the ability of Council to complete the Triabunna Marina and Wharf Precinct until a final decision has been reached on the boatels.
- As it is at the moment, the proposed boatel development section of the Triabunna Marina Wharf Precinct is a distraction from what is an excellent tourist attraction and working wharf.

#### **General Manager Comments:**

The General Manager is aware that the proponents are in current negotiations as to the purchase of the land. He will write to Crown Lands and ask them to provide an update although this may be commercial in confidence.

**Please note: Cllr Bertrand Cadart returned to the meeting room at 7.02pm**

#### **Motion**

##### **Decision: 134/16**

Moved Cllr Jenny Woods, seconded Deputy Mayor Cheryl Arnol, that The Glamorgan Spring Bay Council requests the General Manager to ask that Crown Land Services provide an update as to the future of the boatel development.

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

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

Against: Nil

## 11. Motion Tracking Document

Last updated 22/09/2016

<b>Meeting Date</b>	<b>Item No.</b>	<b>Decision Number</b>	<b>Title</b>	<b>Action Officer</b>	<b>Progress</b>	<b>Completed</b>
21 <sup>st</sup> January 2014	8.1	4/14	Motion from AGM	Council	Motion re GM reappointment carried 6 votes to 3. Cllr Crawford requested that Mayor Kent put this item on a Council workshop agenda after the 2015-16 budget is complete. Council needs to develop procedures. Discussions on this and a way forward agreed at February 23, 2016 Council Workshop. A policy to be developed.	In Progress
24 <sup>th</sup> June 2014	8.2	73/14 Motion lost	Real Time Streaming of Council Meetings via the Web	GM	Council workshop has been held on the implications and requirements of streaming Council meetings live. A report will be provided to Council for the October 2016 Council meeting – awaiting further information from third parties for report.	In Progress
25 <sup>th</sup> November	8.2	150/14	Solis	GM	The General Manager to affirm commitment to the project with all interested parties and progress negotiations with potential developers as relevant.	In Progress

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



<b>Meeting Date</b>	<b>Item No.</b>	<b>Decision Number</b>	<b>Title</b>	<b>Action Officer</b>	<b>Progress</b>	<b>Completed</b>
24 <sup>th</sup> March	9.11	46/15	Council Properties for Sale	GM	EOI to close 24/3/2015. Report provided to Council 27/4/2015. Properties to be offered for sale through local real estate agencies due to all EOI being well under valuation. No recent offers. Waiting on an updated valuation for Inkerman Street. Has been found that the drainage pipes are not within the drainage easement and this was not taken into account with the original valuation.	In Progress
28 <sup>th</sup> April	9.4	55/15	Endorsement of Revised Tree Management Policy	MW	Item was deferred until policy can be discussed in a Council workshop. Policy has been reviewed and on September 2016 Agenda for endorsement.	In Progress
28 <sup>th</sup> April	9.5	56/15	Endorsement of Revised Cemetery Operation Policy	MW	Item was deferred until policy is re-written in its complete form, with clear intent and can be discussed in a Council workshop.	In Progress
27 <sup>th</sup> October	9.1	152/15	Section 137 – Notice of Intention to Sell Land	GM	Process according to Section 137 under way.	In Progress
8 <sup>th</sup> December	9.2	177/15	Signage	MRS	Council to form a working group with business owners and business groups, including the local chambers of commerce to consider alternative signage solutions – report to be provided to Council within 6 months. Proposal on working group endorsed by Council at Feb 16. Working Group has been formed and three meetings have taken place in 2016. Working towards compliance with the provisions of the Statewide signage code.	In Progress

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



<b>Meeting Date</b>	<b>Item No.</b>	<b>Decision Number</b>	<b>Title</b>	<b>Action Officer</b>	<b>Progress</b>	<b>Completed</b>
23 <sup>rd</sup> February	9.3	30/16	Sale of Council Properties	GM	Process to commence according to Section 177/178 with amendment to advertising as per motion.	In Progress
23 <sup>rd</sup> February	9.6	33/16	Signage Working Group	MRS	See Item 9.2 from December 2015 OMC.	In Progress
22 <sup>nd</sup> March	9.2	45/16	Establishment of a Triabunna Recreation Ground Section 24 Special Committee of Council	GM	Council endorsed the establishment of this committee with Clr Steiner as the nominated Councillor representative. First meeting of the committee took place on 19 <sup>th</sup> September, 2016.	Complete
22 <sup>nd</sup> March	9.4	47/16	Honour Board for Australia Day Citizenship Award Recipients	GM	MCD to research Council records and organise the Honour Board to be placed in the Triabunna Council Offices.	In Progress
28 <sup>th</sup> June	8.8	99/16	Review of Seafest 2016	MCD & Sustainability Officer	Event to be handed over to the community through an EOI process.	In Progress
23 <sup>rd</sup> August	8.1	112/16	Old Swansea Council Chambers & Courthouse	GM	ECCAI to manage until Old Swansea Council Chambers & Courthouse 30 June 2017.	In Progress
23 <sup>rd</sup> August	8.2	113/16	Eastcoast Regional Development Organisation (ERDO)	MCD	Grant approved by Council.	Complete
23 <sup>rd</sup> August	8.3	114/16	Ten Days on the Island Festival 2017 – Sites of Love and Neglect	MCD	Grant approved by Council.	Complete
23 <sup>rd</sup> August	8.4	115/16	Policy 3.1 Development Assistance - Parking in Lieu Payments	MRS	Revised policy endorsed by Council.	Complete
23 <sup>rd</sup> August	8.5	116/16	Policy 2.2 Waste Management	MW	Revised policy endorsed by Council.	Complete
23 <sup>rd</sup> August	8.6	117/16	Council's Banking Services	GM	Commenced process to move all Council's banking to Bendigo Bank Limited.	In Progress

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

**Resolved:**

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

## 12. Questions Without Notice

## 13. Confidential Items (Closed Session)

The Mayor declared the meeting closed to the public in order to discuss one confidential item.

- *Under regulation 15 of the Local Government Act 1993, the meeting will be closed to the public according to the following regulations:*
  - Regulation 15 (2) (a) *personnel matters, including complaints against an employee of the council.*
    - Re-Appointment of the General Manager.

**Decision: 135/16**

Moved Cllr Jenny Woods, seconded Cllr Richard Parker, that Council moves into a closed session (7.14pm).

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

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

Against: Nil

## 14. Close

The Mayor declared the meeting closed at 7.45pm.

**CONFIRMED** as a true and correct record.

Date:

**Mayor Michael Kent AM**

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