



### GLAMORGAN SPRING BAY COUNCIL

# Minutes of Meeting

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

27th February, 2018



#### NOTICE OF ORDINARY MEETING

**Notice** is hereby given that the next ordinary meeting of the Glamorgan Spring Bay Council will be held at the Triabunna Council Offices on Tuesday, 27<sup>th</sup> February, 2018 commencing at 5.00pm.

**Dated** this Thursday 22<sup>nd</sup> February, 2018

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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# Audio/Video Recording of Ordinary Meetings of Council

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

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

## 1. Opening

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

#### 1.1 Present and Apologies

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

#### Apologies:

#### 1.2 In Attendance

David Metcalf (General Manager), Shane Wells (Manager Planning and Special Projects), Tony Pollard (Manager Works), Angela Turvey (Executive Officer) and approximately 20 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.

• Clr Jenny Woods declared a conflict of interest with Item 3.1 under the Planning Authority Section.



## 2. Confirmation of Minutes

#### 2.1 Ordinary Meeting – January 30, 2018

#### Decision: 15/18

Moved Clr Jenny Woods, seconded Clr Britt Steiner, that the Minutes of the Ordinary Meeting held Tuesday 30<sup>th</sup> January 2018 be confirmed as a true and correct record.

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

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

Against:



## 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: 16/18

Moved Clr Jenny Woods, seconded Deputy Mayor Cheryl Arnol, that Council now acts as a Planning Authority. (Time: 5.04pm)

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

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

Against:

**Please note:** Clr Jenny Woods left the meeting room at 5.04pm due to a conflict of interest related to Item 3.1.



#### 3.1 DA17127 – Tree Removal & New Access, 56 Glen Gala Rd, Cranbrook

Planning Assessment Report					
Proposal:	Tree removal and new access				
Applicant:	A G Greenhill				
Location:	56 Glen Gala Road, Cranbrook (CT 198605/1 & 171586/1)				
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)				
Zoning:	Significant Agricultural Zone				
Application Date:	5 June 2017				
Statutory Date:	1 March 2018 (by consent of applicant)				
Discretions:	Five				
Attachments:	Appendix A – Plans				
Author:	Shane Wells, Manager Planning and Special Projects				

#### Decision: 17/18

Moved Clr Debbie Wisby, seconded Clr Richard Parker, 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 tree removal and new access to the Amos Family Cemetery at Cranbrook (DA2017/00127), be APPROVED subject to conditions 1-9.

## The motion was put and carried (4 Votes to 3)

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

**Please note:** Clr Jenny Woods returned to the meeting room at 5.11pm and was informed of the decision.



## 3.2 AM2018/02 – Rezone from Community Purpose Zone to Local Business Zone

Planning Assessment Report				
Proposal:	Rezone from Community Purpose Zone to Local Business Zone.			
Requested by:	N/A			
Location:	Part of 4 Arnol Street, Swansea (CT 113141/1)			
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)			
Application Date:	N/A			
Statutory Date:	N/A			
Attachments:	Supporting Report			
Author:	Shane Wells, Manager Planning and Special Projects			

#### Decision: 18/18

Moved Clr Jenny Woods, seconded Clr Mick Fama, that as provided for by the provisions of section 3 of schedule 6, of the Land Use Planning and Approvals Act 1993 (LUPPA):

- A. Pursuant to section 34(1)(b) planning scheme amendment AM 2018/02 be initiated and certified as being in accordance with sections 30(0) and 32 of LUPAA to rezone Certificate of Title 113141/1, being part of 4 Arnol Street, Swansea, from Community Purpose Zone to Local Business Zone.
- B. Pursuant to section 38 of LUPAA, AM 2018/02 be placed on public exhibition for no less than 28 days.
- C. Pursuant to section 39 of LUPAA, if no representations are received during public exhibition, Council directs the General Manager to advise the Tasmanian Planning Commission in writing that no representations have been received.

The motion was put and carried
(7 Votes to 1)

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

Against: Clr 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: 19/18

Moved Clr Debbie Wisby, seconded Clr Britt Steiner, that Council no longer acts as a Planning Authority. (Time: 5.28pm )

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

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

Against:



## 4. Public Question Time

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

Answers to questions will be given immediately if possible, or taken "on notice" if an 'on the spot' answer is not available.

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

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

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

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

#### 4.1 Mr Murray (Question taken on notice)

• Thank you Mr Mayor. You personally have made much of the outcome of the survey of residents and ratepayers into potential council amalgamations and Council received at its January meeting an eloquent, and in my professional opinion as a statistician a highly appropriate analysis and interpretation of those findings/results. Do you personally Mayor and does Council in general share the view of many ratepayers that this represents a massive vote of no confidence in the administrative competence and effectiveness of the current Council?

#### **Response from the Mayor**

For my better judgement I will take it on notice and respond accordingly.

#### **CIr Jenifer Crawford**

I'm happy to respond for myself. I think that it was 76% of 9% and the questionnaire that some Councillors put out afterwards, I think that I would like to see a further survey done asking that question and actually having more information that's actually accurate for those people that actually voted for amalgamations. It was 9% of the 76%. Yeah that would be my preference to actually see where those problems actually are and if they actually just feel more attuned to North or whether they are actually disgruntled for some other reason.

 I have a second question if I may? With reference to Agenda Item 7.1 – does Council agree that this might reasonably be considered by the population as administrative incompetence if a more thorough and complete analysis of the fiscal consequences for any of the possible scenarios here were not considered in more detail and more importantly if there was not a thorough, complete, transparent and publicly accessible risk analysis of this involving all of the stakeholders, including of course current ratepayers who will of course be left with the baby if this does go pear shaped?

#### **Response from the Mayor**

We will certainly take that on notice and respond in writing.



#### 4.2 Mr Geoff Baker

Are Tassal still currently drawing treated water from the Prosser scheme? I've asked Tassal and haven't got any answer from Tassal. Council I believe would have very close ties with TasWater and they should be able to tell me.

So if they are not pulling out treated water they are using their desal barge with shore power? You are saying they are using their desal plant so why the hell are we even thinking about water if they can continue to do that?

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

Mr Mayor I am not aware that they are pulling out any treated water at this stage. The water scheme is a multi-use thing. Solis won't go without water, neither will the farmers and neither will TasWater in the future. It allows growth.

#### 4.3 Mrs Penny Davidson

I would like to commend Mr Murray for his comments and I don't have a question now because my question was almost aligned to his. Thank you.

#### 4.4 Mrs Dianne Anderson

I think this is about the sixth time I've asked. Is there any progress on the tip shop at Swansea please?

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

Mr Mayor the report has been received, we are working on that and that will be considered in next year's budget, the allocation of funds. The report was in this year's budget and we now have to sit down and work out what it is going to cost and put it up to Council next year.

#### 4.5 Ms Julie Connaughton

*Mr* Mayor this is a question for Councillor Debbie Wisby. Why did you say in the local pub that my sister's property in Inkerman Street was sold for a value of unpaid rates and before it went on the open market and that you were going to bring it up in the next Council meeting?

*Mr* Mayor can we then put this on record and I can put something in writing and have you consider this because it is quite serious.

#### Clr Debbie Wisby (Taken on Notice)

At the local pub? I'm sorry I've got no idea what you are talking about. Maybe you can write me a letter or something. It's not to be debated. If you would like to let me answer that would be great....Mayor Kent I'm not going to answer because the lady in the corner is being really inappropriate.



## 5. Information Reports

#### 5.1 General Manager, David Metcalf

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

#### 5.2 Manager Works, Mr Tony Pollard

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

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

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

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

Community Development ·Administration Services ·

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

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

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

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



## 6. Minutes of Section 24 Committees

#### COMMENTS:

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

Please note: There are no Section 24 Committee Minutes for the February agenda.

David Metcalf General Manager



## 7. Officers' Reports Requiring a Decision

## 7.1 Approval of borrowing budget amendments, pipeline approvals and construction

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

#### **Recommendation**

- (1) That Council by absolute majority authorises the General Manager to proceed with Stage 1 of the Prosser Plains Raw Water Scheme (construction of pipeline from Prosser River to Okehampton Bay) using funding previously authorised by Council (ref: decision 13/17) including the increase in borrowings to \$5 million.
- (2) That Council authorises the General Manager to enter into a formal agreement with Tassal for the delivery of raw water to Okehampton Bay on a full cost recovery basis as detailed in the attached summary of costs on the pipelines.

#### Decision: 20/18

Moved Clr Jenny Woods, seconded Clr Mick Fama, that:

1. Council authorises the General Manager to proceed with Stage 1 of the Prosser Plains Raw Water Scheme (construction of pipeline from Prosser River to Okehampton Bay) using funding previously authorised by Council (ref: decision 13/17) including the increase in borrowings to \$5 million.

2. Council authorises the General Manager to enter into a formal agreement with Tassal for the delivery of raw water to Okehampton Bay on a full cost recovery basis as detailed in the attached summary of costs on the pipelines.

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

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

Against: Clr Jenifer Crawford, Clr Debbie Wisby.



#### 7.2 Petition Received Under Section 57 of the Local Government Act

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

#### Recommendation

That Council receives the petition and notes the intention of the petition, and given Council has already resolved the issue of further investigating voluntary amalgamations in the negative, that no further action be taken on the petition and the authors be notified of the outcome.

#### Attachment: Petition

#### Decision: 21/18

Moved Clr Jenny Woods, seconded Clr Richard Parker, that Council receives the petition and notes the intention of the petition, and given Council has already resolved the issue of further investigating voluntary amalgamations in the negative, that no further action be taken on the petition and the authors be notified of the outcome.

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

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

Against:

#### **Attachment Item 7.2: Petition**



#### 7.3 Swansea Primary School Association

#### Responsible Officer – Manager Community Development & Administration

#### Recommendation

That Council approves a grant of \$1,000 to the Swansea Primary School Association towards the cost of purchasing four (4) new swings for the school playground.

#### Decision: 22/18

Moved Clr Britt Steiner, seconded Clr Jenny Woods, that Council approves a grant of \$1,000 to the Swansea Primary School Association towards the cost of purchasing four (4) new swings for the school playground.

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

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

Against:



#### 7.4 Cities Power Partnerships (CPP) – National Climate Change Program

#### **Responsible Officer – Manager Natural Resources**

#### **Recommendations**

Council endorses the selection of the five proposed Climate Change Action Pledges.

#### Decision: 23/18

Moved Clr Jenny Woods, seconded Clr Britt Steiner, that Council endorses the selection of the five proposed Climate Change Action Pledges.

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

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

Against:



## 8. Motion Tracking Document

Last updated 21/02/2018

Meeting Date	ltem No.	Decision Number	Title	Action Officer	Progress	Completed
21 <sup>st</sup> January 2014	8.1	4/14	Motion from AGM	Council	Motion re GM reappointment carried 6 votes to 3. Clr Crawford requested that Mayor Kent put this item on a Council workshop agenda after the 2015-16 budget is complete. Council needs to develop procedures. Discussions on this and a way forward agreed at February 23, 2016 Council Workshop. A policy to be developed.	In Progress
25 <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
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. Council Workshop held on 17 <sup>th</sup> January 2017 prior to report for January 2017 OMC. Update as per Decision 46/15 above.	In Progress
28 <sup>th</sup> June	8.8	99/16	Review of Seafest 2016	MCD & Sustainabili ty Officer	Event to be handed over to the community through an EOI process. Currently in discussions with interested community groups.	In Progress

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



Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
27 <sup>th</sup> September	8.5	130/16	Communities and Coastal Hazards Local Area Report – Triabunna and Orford	MNRM	Final report endorsed. Further workshops and community discussions to take place in relation to key future actions/steps. Workshop held in December 2016. Manager NRM formulating action plan/next steps for 2017. Meeting with Climate Change Office end of June 2017.	In Progress
27 <sup>th</sup> September	8.6	131/16	Review of the draft Prosser River Catchment Management Plan	MNRM	Approval by Council to conduct review. Update on workshop dates in Manager NRM report for April 2017. Latest workshop held in June 2017.	In Progress
27 <sup>th</sup> September	10.1	134/16	Notice of Motion: Boatel Development at the Triabunna Marina and Wharf Precinct	Clr Jenny Woods	General Manager has contacted Crown Land Services who are in the process of confirming the status of the boatel development with the developers.	In Progress
24 <sup>th</sup> January	8.1	13/17	Tea Tree Rivulet Dam Approval and Construction (including approval of borrowing/budget amendments)	GM	Council approval for GM to progress the project.	In Progress
24 <sup>th</sup> January	8.7	18/17	State Growth Road Trade	MW	Manager Works and GM to progress discussions.	In Progress
28 <sup>th</sup> March	8.1	54/17	Council Amalgamations – Proposal for Community Consultation	GM	Community survey complete and report to OMC December 2017. Minister Gutwein has requested Council's advice by December 2017. Decision by Council not to proceed with Local Government Board Review.	Complete

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



Meeting Date	ltem No.	Decision Number	Title	Action Officer	Progress	Completed
27 <sup>th</sup> June	8.5	88/17	Section 137 – Notice of Intention to Sell Land	GM	Service of notice to be progressed by admin staff.	In Progress
12 <sup>th</sup> December	7.3	163/17	Voluntary Council Amalgamations – Community Consultation	GM	Matter deferred to January 2018. Decision to not participate in Local Government Board Review.	Complete
9 <sup>th</sup> January (Special Meeting)	2.0	2/18	Voluntary Council Amalgamations – Community Consultation	GM	Matter deferred to January 30, 2018 OMC. Decision to not participate in Local Government Board Review.	Complete
30 <sup>th</sup> January	7.1	14/18	Voluntary Council Amalgamations – Community Consultation	GM	Decision to not participate in Local Government Board Review.	Complete

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

#### **Recommendation:**

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



## 9. Questions Without Notice

### 10. Close

The Mayor declared the meeting closed at 6.20pm.

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

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

Date:

Mayor, CIr 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.