



GLAMORGAN SPRING BAY
COUNCIL

Minutes of Meeting

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

22 October, 2019

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, 22 October 2019 commencing at 5.00pm.



Dated this Thursday 17 October, 2019

**Chris Schroeder
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 –***
 - (a) the general manager certifies, in writing –***
 - (i) that such advice was obtained; and***
 - (ii) that the general manager took the advice into account in providing general advice to the council or council committee; and***
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.***



**Chris Schroeder
GENERAL MANAGER**

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VERSION OF THE MINUTES, PLEASE CONTACT THE COUNCIL OFFICES
ON (03) 6256 4777.**

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 5.02pm.

1.1 Acknowledgement of Country

The Glamorgan Spring Bay Council acknowledges the Traditional Owners of our region and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

1.2 Present and Apologies

Present: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons, Cllr Keith Breheny.

Apologies:

1.3 In Attendance

Mr Chris Schroeder (General Manager), Ms Angela Turvey (Executive Officer), Ms Robyn Bevilacqua (Graduate Planner)

1.4 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.

Please note:

Please note:

- **Clr Michael Symons declared an interest in Item 7.4.**
- **Clr Keith Breheny declared an interest in Item 7.8.**

2. Confirmation of Minutes

2.1 Ordinary Meeting of Council – September 24, 2019

Decision: 192/19

Moved Cllr Michael Symons, seconded Cllr Keith Pyke, that the Minutes of the Ordinary Meeting of Council held Tuesday 24 September 2019 be confirmed as a true and correct record.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

2.2 Workshop Held – September 24, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1pm to 4.30pm on Tuesday 24 September at the Triabunna Council Offices (please see attached workshop agenda).

Present: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Apologies: Cllr Cheryl Arnol, Cllr Keith Breheny

In Attendance: Mr Chris Schroeder (General Manager) and please see attached workshop agenda for other attendees throughout the day.

2.3 Workshop Held – October 1, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 10am to 2.45pm Tuesday 1 October 2019 at the Triabunna Council Offices (please see attached agenda for items covered).

Present: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Annie Browning, Cllr Keith Pyke.

Apologies: Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Rob Churchill, Cllr Michael Symons.

In Attendance: Mr Chris Schroeder (General Manager) and please see attached workshop agenda for other attendees throughout the day.

2.4 Community Strategic Planning Workshop – October 5, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 2pm to 5pm, Saturday 5 October 2019 at the Beachfront Bicheno.

Present: Mayor Debbie Wisby, Cllr Annie Browning, Cllr Michael Symons

Apologies: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Rob Churchill, Cllr Keith Breheny, Cllr Keith Pyke.

In Attendance: Mr Chris Schroeder (General Manager).

2.5 Community Strategic Planning Workshop – October 6, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 9.30am to 12.30pm, Sunday 6 October 2019 at the Swansea Town Hall.

Present: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Annie Browning, Cllr Rob Churchill.

Apologies: Cllr Keith Breheny, Cllr Keith Pyke, Cllr Mike Symons.

In Attendance: Mr Chris Schroeder (General Manager).

2.6 Community Strategic Planning Workshop – October 6, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 2pm to 5pm, Sunday 6 October 2019 at the Eastcoaster Resort, Triabunna.

Present: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Annie Browning, Cllr Rob Churchill.

Apologies: Cllr Mike Symons, Cllr Keith Pyke, Cllr Keith Breheny.

In Attendance: Mr Chris Schroeder (General Manager).

2.7 Workshop Held – October 8, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 9.30am to 5pm Tuesday 8 October 2019 at the Swansea Town Hall.

Present: Mayor Debbie Wisby, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke.

Apologies: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Mike Symons.

In Attendance: Mr Chris Schroeder.

Please note: In attendance at the Swansea Community Connect were Mayor Debbie Wisby, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke.

2.8 Community Strategic Planning Workshop – October 13, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 9.30am to 12.30pm Sunday 13 October 2019 at the Iluka Tavern, Coles Bay.

Present: Mayor Debbie Wisby, Cllr Annie Browning, Cllr Rob Churchill.

Apologies: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Keith Pyke, Cllr Mike Symons.

In Attendance: Mr Chris Schroeder.

Decision 193/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Annie Browning, that Council notes this information.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

3. PLANNING AUTHORITY SECTION

Please note: There are no planning reports for October 2019.

3.1 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 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. If required, at least 15 minutes of the meeting will be made available for questions from members of the public.

PLEASE NOTE: All members of the public wishing to ask a question during Public Question Time are asked to utilise the **wireless microphone provided** to ensure quality of sound both in the Council meeting room and for audio recording and live streaming purposes.

4.1 Mrs Marjorie Howard (Question on Notice)

I observed that at the Ordinary General Council meeting on 24th September 2019, that Mayor Wisby declared an interest in item 7.14: Prosser Plains Raw Water Scheme (PPRWS), explaining very clearly what her conflict was.

However, Deputy Mayor Woods and Councillor Arnol, both of whom also declared an interest in item 7.14: Prosser Plains Raw Water Scheme (PPRWS) did not clearly explain what their perceived, pecuniary or conflict was.

- i. *My first question is: - What are Councillor Arnol, and Deputy Mayor Woods interests that prevents them from not being able to vote on this matter?*

Response from Councillor Cheryl Arnol

In the interests of transparency, I declared potential or perceived conflict in Agenda item 7.14 Prosser Plains Raw Water Scheme at the 24 September 2019 Ordinary Council Meeting as I and a close associate are office bearers in a sporting club that is situated on Twamley Farm. Given my known support for the dam for surety of water for future years for the wider community, I believed that any opposition I might voice against the recommendation to stop the dam would now be perceived as attempting to gain a potential benefit for the farm. The decision to leave the chamber on any actual, potential or perceived conflict rests with the elected member. I chose to leave the room.

Response from Deputy Mayor Jenny Woods

Pecuniary interest. My daughter works for one of the users of the water.

I note that both Councillor Woods and Councillor Arnol (then Deputy Mayor), have both, in the past, (Ordinary general meetings of: 27/02/2018 and 22/08/2017) voted on this matter.

- ii. *My Second question is: - How long has Deputy Mayor Woods, and Councillor Arnol have had this perceived, pecuniary or conflict of interest in this matter: - The Prosser Plains Raw Water Scheme (PPRWS)?*

Response from Councillor Cheryl Arnol

My perceived or potential conflict of interest did not exist at the 2017 and 2018 meetings.

Response from Deputy Mayor Jenny Woods

My pecuniary Interest with regards to the PPRWS is due to the fact that my daughter is now employed by one of the proponents of the scheme but was not at the time of the previous decisions referenced here.

4.2 Ms Jen Hackett (Questions on Notice)

- i. *I would like to know the rate revenue that Council received from the Freycinet Peninsula for the 2018/19 financial year. From the Coles Bay turn off to The Fisheries including the National Park. All properties. Also the budgeted rate revenue for the same area for the 2019/20 financial year please. I would also like to know that too.*

Response from General Manager

Freycinet Peninsula Rates Revenue

- *General Rate revenue 2018/19: \$954,031.00*
- *Budgeted general rate revenue 2019/20: \$1,065,138.39*

**Please note the above figure is general rate only, this is not inclusive of individual property service charges such as waste management service charges, caravan charges etc.*

- ii. *What was the cost to empty the skip bins at the Coles Bay Village information booth last financial year?*

Response from Manager Works, Mr Tony Pollard

There were two skip bins placed in Coles Bay last financial year.

One at the Tasman Hwy information bay for part of the year. This was removed a couple of months ago. The other at the township entrance information bay for the entire year. This is being removed following the placement of two street bins on stands adjacent the shelter.

Total cost for hiring and emptying the two bins last financial year was approximately \$8,000.

4.3 Mr Colin Stevenson

- i. *I would like to ask Councillor Arnol if she, and her close associate were members and/ or office bearers of the Spring Bay Target Club from 2016 to the present day.*

Response from Councillor Arnol

I do not need to answer this question in this particular forum. I will provide this information at a later date. I will take this question on notice. I would like to know what the relevance of that question is.

- ii. *Perhaps my second question will answer that. If Councillor Arnol did have a close association with the Spring Bay Clay Target Club for that period since 2016 I am having difficulty understanding why Councillor Arnol made the decision not to leave the Chamber on any actual, potential or perceived conflict at the meetings on 27 August 2017 and the 27th February 2018 when the matter of the dam was voted on and I was going to ask you if you could clarify that for me.*

Response from Councillor Arnol

My answer to that is actually in my response to Mrs Howard in that I stated: given my known support for the dam for surety of water for future years for the wider community I believed any opposition I might voice against the recommendation to stop the dam would now be perceived as attempting to gain a potential benefit for the farm. So when I voted in 2017 and 2018 I was voting for the dam to proceed on the basis that the dam was for surety of water for the community.

4.4 Ms Sue Nettlefold

- i. *I sent some correspondence asking a few questions per Marine Protection Tasmania around about 25/26 September. I just wondered when I could reasonably expect answers on those questions please. I know you're very busy you guys at the moment so I wasn't going to ring you earlier but I just wondered where we stood with that.*

Response from the Mayor

I recall seeing that correspondence and I recall Mr Schroeder sending back a draft of that correspondence but I assume you haven't quite got to send out the letter.

Response from General Manager

No, so you should expect that very shortly, sorry. I will get it back to you certainly by the end of the week. (Please note: Letter response was emailed to Ms Nettlefold on the 28th October, 2019)

5. Information Reports

5.1 General Manager, Chris Schroeder

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 Acting Manager Development & Compliance, Mr. Adrian O’Leary

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

5.4 Manager Community Development, 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

Resolved:

That the Management Reports be received and noted.

6. Section 24 Committees

COMMENTS:

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

6.1 Triabunna Recreation Ground Advisory Committee – 17 July 2019 (Draft)

Chris Schroeder
General Manager

Decision: 194/19

Moved Cllr Annie Browning, seconded Cllr Cheryl Arnol, that Council receives and notes the information provided and as there was a lack of quorum they cannot be considered as minutes of the Triabunna Recreation Ground Advisory Committee dated 17 July 2019.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

7. Officers' Reports Requiring a Decision

7.1 Draft Policy – Use of the Common Seal of Council

Responsible Officer – Manager Development and Compliance, Shane Wells

Recommendation

That Council adopt the Policy attached to this report and titled “Use of the Common Seal of Council”.

Attachments:

Draft Policy – Use of the Common Seal of Council

Decision: 195/19

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill, that Council adopt the Policy attached to this report and titled “Use of the Common Seal of Council”.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

7.2 Delegation to General Manager

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That Council approve the delegations, powers and functions set out in the attached instrument of delegation, marked as Attachment A.

Attachment:

Instrument of Delegation

Late Addendum to this item as provided 22nd October 2019

Background

Errors and omissions were identified in the document while looking for a particular delegation. The recommendation has been amended accordingly and a second recommendation made.

Amended Recommendation

- 1) That Council approve the delegations, powers and functions set out in the attached instrument of delegation, marked as Attachment A, subject to the following corrections in terminology: (the highlight is the correct terminology)
 - p. 60 second general provision down: replace wording with *refuse an application for use or development within any Use Class that fails to meet the applicable **Acceptable Solutions** or **Performance Criteria**.*
 - p. 62 top of page, section 57: replace wording with *grant permits with or without conditions for applications assessed under the **Acceptable Solutions** under applicable planning schemes or under the Performance Criteria with the applicable scheme.*

New Recommendation

- 2) That Council considers at a future time, the inclusion of the following Acts, which have been identified by council's legal consultant as pertinent and relevant.
 - *Archives Act 1983*
 - *Boundary Fences Act 1908*
 - *Building Regulations 2016*
 - *Land Use Planning and Approvals Regulations 2004*
 - *Local Government (General) Regulations 2015*
 - *Right to Information Act 2009*
 - *Workers Compensation and Rehabilitation Act 1988*

Decision: 196/19

Moved Cllr Rob Churchill, seconded Cllr Annie Browning, that Council approve the delegations, powers and functions set out in the attached instrument of delegation, marked as Attachment A, subject to the following corrections in terminology: (the highlight is the correct terminology)

- p. 60 second general provision down: replace wording with *refuse an application for use or development within any Use Class that fails to meet the applicable Acceptable Solutions or Performance Criteria*.
- p. 62 top of page, section 57: replace wording with *grant permits with or without conditions for applications assessed under the Acceptable Solutions under applicable planning schemes or under the Performance Criteria with the applicable scheme*.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

Decision: 197/19

Moved Deputy Mayor Woods, seconded Cllr Symons, that Council considers at a future time, the inclusion of the following Acts, which have been identified by council's legal consultant as pertinent and relevant.

Archives Act 1983
Boundary Fences Act 1908
Building Regulations 2016
Land Use Planning and Approvals Regulations 2004
Local Government (General) Regulations 2015
Right to Information Act 2009
Workers Compensation and Rehabilitation Act 1988

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

7.3 Freycinet Golf Club – Letter of Support

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That Council directs the General Manager to provide the Freycinet Golf Club with a letter of support from Glamorgan Spring Bay Council for the Club's government grant application.

Attachment:

Draft Letter of Support for Freycinet Golf Club

Decision: 198/19

Moved Cllr Annie Browning, seconded Cllr Keith Breheny, that Council directs the General Manager to provide the Freycinet Golf Club with a letter of support from Glamorgan Spring Bay Council for the Club's government grant application.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

7.4 Bicheno Food & Wine Festival – Request for Council Funding/Support

Responsible Officer – General Manager, Chris Schroeder

Recommendation

For Council's consideration and decision.

Attachments:

- Letter from Bicheno Festival Committee – request for funding support (10 October, 2019)
- *Snapshot Bicheno Food and Wine Festival*

Please note: Cllr Michael Symons left the Council meeting room at 5.40pm.

Decision: 199/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Pyke, to discuss.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke.

Against: Nil

Decision: 200/19

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill, that Council contribute traffic control, signage, bollards, witches hats, wheelie bins, supply of bin liners, transport including supply of a driver for removal of rubbish off site and staff time for delivery and waste management and also provides a cash contribution of \$2,000 towards the Bicheno Food & Wine Festival.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke.

Against: Nil

Please note: Cllr Michael Symons returned to the Council meeting room at 6pm.

7.5 Consent to Lodge a DA: Cricket Practice Nets, Swansea Recreation Ground

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That Council decides whether or not to provide consent to lodge DA 2019 / 228.

Attachments:

- Covering letter to application
- Development Application 2019 /228

Decision: 201/19

Moved Cllr Keith Breheny, seconded Cllr Cheryl Arnol, that Council request the General Manager to undertake further discussion with users of the recreation reserve regarding alternate locations of the net prior to providing consent for the Swansea Cricket Club to lodge DA 2019 / 228.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

7.6 Application for Kerbside Vending Position

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That the Council make a decision as to whether this is a suitable position for a kerbside vendor.

Attachments:

Letter from applicant.
Proposed position for kerbside vendor.

Please note: Mayor Wisby declared an interest as she has a personal relationship with the applicant that could be considered a conflict of interest. The Mayor Left the room at 6.17pm and handed the Chair over to the Deputy Mayor.

Decision: 203/19

Moved Cllr Keith Breheny, seconded Cllr Keith Pyke, that Council accept the location and position as indicated on the supporting documentation as a suitable position for a kerbside vendor.

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

For: Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke.

Against: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Michael Symons.

Please note: Mayor Wisby returned to the Council meeting room at 6.25pm.

7.7 Removal of Policy 2.4 – Vegetation Management Coles Bay

Responsible Officer – Manager Natural Resources / Manager Works

Recommendation

1. That Council confirm Policy 2.4 Vegetation Management Coles Bay has been superseded by both Policy 2.3 Tree Management Council Managed Land and the Native Flora and Fauna Management Plan – Coles Bay Reserves.
2. That Council revokes Policy 2.4 Vegetation Management Coles Bay

Please note: Cllr Keith Breheny declared an interest in Item 7.7 and left the Council meeting room at 6.27pm.

Attachment:

Please see <https://gsbc.tas.gov.au/council/council-policies/> for copies of these policies.

Decision: 204/19

Moved Cllr Cheryl Arnol, seconded Deputy Mayor Jenny Woods;

1. That Council confirm Policy 2.4 Vegetation Management Coles Bay has been superseded by both Policy 2.3 Tree Management Council Managed Land and the Native Flora and Fauna Management Plan – Coles Bay Reserves.
2. That Council revokes Policy 2.4 Vegetation Management Coles Bay

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

Please note: Cllr Keith Breheny returned to the Council meeting room at 6.29pm.

7.8 Christmas Closure Period

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That Council approves the proposed Christmas closure period whereby the Council Office closes Friday 20th December 2019 at 4.30pm and re-opens Thursday 2nd January 2020 at 9.00am.

Please note: Cllr Keith Breheny left the Council Meeting room at 6.29pm due to a conflict of interest.

Decision: 205/19

Moved Cllr Annie Browning, seconded Cllr Keith Pyke, that Council approves the proposed Christmas closure period whereby the Council Office closes Friday 20th December 2019 at 4.30pm and re-opens Thursday 2nd January 2020 at 9.00am.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

Please note: Cllr Keith Breheny returned to the Council Meeting Room at 6.30pm.

7.9 Bicheno War Memorial Hall Committee

Responsible Officer – Manager Community Development

Recommendations

That Council approves a grant of \$1,000 to the Bicheno War Memorial Hall Committee to purchase a laser projector.

Attachment:

Quotation from AV Australia

Decision: 206/19

Moved Cllr Michael Symons, seconded Cllr Rob Churchill, that Council approves a grant of \$1,000 to the Bicheno War Memorial Hall Committee to purchase a laser projector.

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

10. Motion Tracking Document

Last updated 17/10/2019

| Meeting Date | Item No. | Decision Number | Title | Action Officer | Progress | Completed |
|--------------------------------|-----------------|------------------------|--|-----------------------|---|------------------|
| 25 th November 2014 | 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 |
| 24 th January 2017 | 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. Council will no longer proceed with Stage 2 of the project – Special Meeting 16/10/19 | Complete |
| 27 th February 2018 | 7.1 | 20/18 | Approval of borrowing budget amendments, pipeline approvals and construction. | GM | GM authorised to proceed with Stage 1 Prosser Plains Raw Water Scheme (PPRWS) and Council to enter into an agreement with Tassal for delivery of raw water to Okehampton Bay on full cost recovery basis. | In Progress |
| 24 th April 2018 | 7.3 | 50/18 | Kerbside Vendors Policy | MDC | Council to workshop new policy based on community consultation in August 2019. New policy approved 24/9/19 and amended 16/10/19. | Complete |
| 24 th April 2018 | 7.4 | 51/18 | By-Law Review/Renewal | MDC | Council has commenced review of the draft By-Law (Workshop June 11 2019) and will bring back to a workshop after further review by the Mayor. Approved 16/10/19. | Complete |

Action Officer codes: MW = Manager Works, MDC = Manager Development & Compliance, MCD = Manager Community Development, MBMI = Manager Buildings and Marine Infrastructure, MNRM = Manager NRM

| Meeting Date | Item No. | Decision Number | Title | Action Officer | Progress | Completed |
|--------------------------------|-----------------|------------------------|---|-----------------------|--|------------------|
| 23 rd October 2018 | 6.1 | 114/18 | NRM Committee Minutes | MNRM | Motion for a review of public toilet facilities where there is an absence on sites such as Saltworks Reserve. To be presented at Council Workshop 27/8/19. | In Progress |
| 27 th November 2018 | 7.9 | 140/18 | Dolphin Sands Ratepayers' Association Grant Submission | MCD | Deferred to a workshop. Workshop conducted 8/10/19 | Complete |
| 26 th February 2019 | 7.6 | 39/19 | Staff Resourcing Land Use Planning: Benchmark Report | MDC | Issue to be workshopped by Council. | In Progress |
| 26 th February 2019 | 8.1 | 41/19 | Notice of Motion: Increase Time for Agenda to Councillors from 4 days to 7 days (Clr Churchill) | GM | Item deferred to a workshop in light of report on staff resourcing in Planning. | In Progress |
| 26 th March 2019 | 7.3 | 66/19 | Renaming of Esplanades | MDC | Council to consult with affected residents | In Progress |
| 26 th March 2019 | 7.5 | 68/19 | Fast Charging for Electric Vehicles in GSB | MNRM | In principle agreement to fast charging station in Swansea and calls for EOI for a partner to install a fast charger at a Council site. | In Progress |
| 30 th April 2019 | 6.1 | 82/19 | Policy for Users of Hall Facilities | GM | Council to formulate and implement a Policy of Acceptable Practices and Requirements for users of Council Hall facilities. | In Progress |
| 25 th June 2019 | 7.4 | 118/19 | Dolphin Sands Ratepayers Association – Small Grant Submission | MCD | Grant not approved. Motion moved that DSRA are invited to meet with Council to discuss concept of walking/cycling bridge over the Meredith River Mouth. Schedule for October 8 in Swansea. | Complete |

Action Officer codes: MW = Manager Works, MDC = Manager Development & Compliance, 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 th August 2019 | 7.2 | 140/19 | Seaweed Odours Swansea – An Issues Paper | GM | Council to appoint “suitably qualified technician” to prepare a scoping report. Brief to be provided to Council at a workshop. | In Progress |
| 27 th August 2019 | 7.5 | 144/19 | Holkham Court, Orford – Stormwater Assessment | GM | Works are implemented as outlined in the report. Letter to Minister for Infrastructure Re: Priority works for Tasman Hwy. | In Progress |
| 24 th September 2019 | 7.1 | 159/19 | Policy 1.1 – Mobile Food vans, Pop-Up Stalls & Kerbside Vending | GM | Policy adopted with new fee structure | Complete |
| 24 th September 2019 | 7.2 | 160/19 | Policy 3.11 – Customer Service Charter | GM | Policy adopted with amendments | Complete |
| 24 th September 2019 | 7.3 | 161/19 | Policy 4.3 – Recognition of Continuous Years of Service | GM | Policy adopted with amendments | Complete |
| 24 th September 2019 | 7.4 | 162/19 | Policy 4.6 – Use of Council Logo | GM | Policy adopted with amendments | Complete |
| 24 th September 2019 | 7.5 | 163/19 | Policy 4.7 – Council Owned Vehicles | GM | Policy adopted with amendments | Complete |
| 24 th September 2019 | 7.6 | 164/19 | Policy 4.9 – Volunteer Policy | GM | Policy adopted with amendments | Complete |
| 24 th September 2019 | 7.7 | 165/19 | Glamorgan Spring Bay Council – Environmental Health By-Law | GM | Deferred to Special Meeting 16/10/19. By-Law was endorsed by Council. | Complete |
| 24 th September 2019 | 7.8 | 166/19 | Code of Conduct Panel Determination Report | GM | Received and noted by Council and a commitment to undertake regular and ongoing Planning Authority Training. | Complete |

Action Officer codes: MW = Manager Works, MDC = Manager Development & Compliance, MCD = Manager Community Development, MBMI = Manager Buildings and Marine Infrastructure, MNRM = Manager NRM

| Meeting Date | Item No. | Decision Number | Title | Action Officer | Progress | Completed |
|---------------------------------|-----------------|------------------------|--|-----------------------|--|------------------|
| 24 th September 2019 | 7.9 | 167/19 | Speed Limit Reviews (Cambria Drive and Tasman Hwy, Buckland) | MW | Council approval for submissions to be made to State Growth. | In Progress |
| 24 th September 2019 | 7.10 | 168/19 | ERDO Small Grant Application | MCD | Grant of \$500 approved. | Complete |
| 24 th September 2019 | 7.11 | 169/19 | Orford Primary School | MCD | Grant of \$200 approved | Complete |
| 24 th September 2019 | 7.12 | 170/19 | Swansea Community Christmas | MCD | Grant of \$500 approved | Complete |
| 24 th September 2019 | 7.13 | 171/19 | Swansea Primary School | MCD | Grant of \$500 approved | Complete |
| 24 th September 2019 | 7.14 | N/A | PPRWS | GM | Matter not dealt with due to the lack of a quorum. Dealt with at a Special Meeting 16/10/19. | Complete |
| 24 th September 2019 | 8.1 | 172-174/19 | Prosser River Mouth Master Plan Advisory Group | GM | ToR amended and Mr Chris Dillon appointed as an 'invited participant' of the group. | Complete |

Action Officer codes: MW = Manager Works, MDC = Manager Development & Compliance, 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.

11. Questions Without Notice

9.1 Councillor Cheryl Arrol

I've got three questions, two are seeking clarification on responses in the Public Question Time section of our agenda.

- i. *I refer to the response on page 56 regarding the amount paid for Acting General Managers. Does the amount of \$82,467 include any travelling and accommodation costs that were paid by the Council? If not what was the total of those payments and I accept that question will probably have to be taken on notice?*

Response from Mayor Wisby

It won't need to be taken on notice, that is complete. It is complete of travel, accommodation, fuel, super, everything.

- ii. *My second question, I refer to the response to Mr Brian Moore on page 57 of this agenda. Is it accurate that work has commenced on the subdivision in the absence of a determination from the Planning Tribunal? If so on what basis was the permit issued? Is it accurate that an arrangement for the stormwater has been entered into with the Golf Course? If so is there a formal agreement with the Golf Club or the Developer in relation to future maintenance of that stormwater infrastructure?*

Response from Manager Development & Compliance

Through the Mayor, there is an agreement in place between the owner of 54 Holkham Crt and the Orford Golf Club to construct a stormwater main from the corner of Holkham Crt through to the top dam on the Orford Golf Course. So there is an agreement in place between the two parties. An easement has been registered on the title for the stormwater main to be constructed. The main and the excavation works that are going on at the moment are authorized under the Planning Scheme. They are a minor utility classification so a no permit required status. So that was confirmed by Council staff back to the owner of 54 Holkham Crt and the developer and works are underway without a permit under the Planning Scheme as there is no permit required with the express consent and authorisation of the golf course. I understand that the intent will be that that main will provide the stormwater outlet for most of the land on 54 Holkham Crt. The appeal itself is still ongoing.

- iii. *My next question seeks clarification on your response in the Questions without Notice in relation to your response to my question, which I thank you for, regarding accommodating Acting General Managers. You stated that you made Councillors aware of the arrangement. That is certainly accurate but you did not formally tell Council of the arrangement until four weeks had elapsed. That's evidenced by your e-mail to Council on the 23rd June and the invoice that covered a 6 week period from the week ending the 26th May. My question to you is if you are keen to have open and transparent governance as stated in your email, why didn't you formally advise Council from week 1?*

Response from Mayor Wisby (Taken on Notice)

Please see below the email sent to all Councillors and Ian Pearce, Acting General Manager, on the 23.06.19. In addition to the need for accommodation, Ian Pearce and Harry Galea were both using their own private vehicle during their tenure, both had their partner with them and both were sourcing accommodation within easy walking distance to the Council Chamber to allow them and their partner to use their one vehicle. Council did not have any spare vehicles for them to use at the time of their tenure.



It is my memory that there was no secret of the short term arrangement made for accommodation for two of the three Acting General Managers' at my visitor accommodation in Triabunna as I verbally informed Council early on each occasion. Office based Council staff were well aware of the accommodation arrangements. Ian Pearce's partner, Ann, invited members of the community to the cottage for morning tea to say thank you and most of those who attended were well aware that I owned the property.

It is concerning that if a Councillor had any issue with the arrangement that they did not come forward with that concern particularly at the time of receiving the email on the 23rd June 2019. As detailed below, please see the only responses received from three Councillors namely Keith Breheny, Rob Churchill and Keith Pyke of which all were positive. All Councillors, including Councillor Arnol had every opportunity to raise a concern and for it to be addressed however no concerned Councillor chose to raise their concerns with me or Council until several months later and at a Council Meeting.

Copy of invoice sent to Ian Pearce (Acting General Manager) and Council (Elected Members) on 23.06.19.

GLEN & DEBBIE WISBY
PO BOX 169, ORFORD, 7190
M: 0439 579 652 (DEBBIE)
MERLES COTTAGE & RED'S BUNGALOW
39 FRANKLIN STREET TRIABUNNA
INVOICE NO. 19/02
DATE 23.06.19

INVOICE

To: Glamorgan Spring Bay Council

From: Glen & Debbie Wisby

For: Accommodation at Merles Cottage & Red's Bungalow
39 Franklin Street, Triabunna
For Ian Pearce, Acting General Manager

Period: Week ending:
26th May 2019,
2nd June 2019,
16th June 2019,
23rd June 2019,
30th June 2019,
7th July 2019.

Normal visitor accommodation price per night \$140.00 (direct booking). Price for longer stays 15% reduction. \$140 per night x 7 nights = \$980 p/w less 15% = \$833 per week or at \$140 per night x 5 nights = \$700 per week.

Agreed price per week \$300.00.

\$300.00 x 6 weeks = \$1800.00 (Nil GST)

Bank Account: National Australia Bank

Account Name: Glenford Wisby and Debbie Wisby

BSB: 087 007

Account Number: 82 708 8792

Payment Terms: 7 days

Copy of email sent to Ian Pearce (Acting General Manager) and Council (Elected Members) on 23.06.19.

Mayor Debbie Wisby
Sun 23/06/2019 11:27 AM

- Ian Pearce;
- Council

Dear Ian

Please find attached the invoice for accommodation relating to your stay at my BnB in Triabunna. As you will recall, you requested a place to stay during your time at GSBC. I advised that Daniel Smee had stayed at Orford in a BnB at a special rate of \$600.00 per week (considered very reasonable), paid by Council, and at that time we were uncertain as to the time frame Council would require an Acting General Manager. You asked if there were anywhere cheaper than \$600 per week and I advised I had my BnB and was prepared to reduce the price significantly to save Council money. The price of \$300 per week was agreed. Normal visitor accommodation price per night \$140.00 (direct booking). Price for longer stays 15% reduction. \$140 per night x 7 nights = \$980 p/w less 15% = \$833 per week or at \$140 per night x 5 nights = \$700 per week.

Harry Galea has agreed to be Council's Acting General Manager when you leave. Harry was the Acting GM for George Town Council and previously worked for Launceston City Council as their engineer. He is now semi-retired. Harry also asked about accommodation and again I openly and transparently advised Harry about my BnB and at the same rate of \$300.00 per week with linen being collected weekly for laundering. At this point I think Harry will stay at my BnB for the duration of his appointment. As you may be aware, finding appropriate accommodation at a reasonable rate in the area is difficult. Initially when Daniel required accommodation I was hesitant to mention my BnB, even at a significantly reduced price, as I would rather not be in this situation however I feel it was unfair for ratepayers to pay more than required for an extended period.

Council, I have provided the background to the above, the amount charged and the normal rate for my BnB for your information and for transparency purposes. I will also be noting this transaction at Council Office in the appropriate form.

Kind regards
Debbie

Debbie Wisby
Mayor
Glamorgan Spring Bay Council

Copy of response from Cllr Keith Breheny re email sent to Ian Pearce (Acting General Manager) and Council (Elected Members) on 23.06.19.

Cllr Keith Breheny

Tue 25/06/2019 8:52 AM

- Cllr Keith Pyke;
- Cllr Rob Churchill;
- Mayor Debbie Wisby;
- Ian Pearce;
- Council

Thanks Debbie.

KB

Keith Breheny
Glamorgan Spring Bay Councillor

Copy of response from Cllr Keith Pyke re email sent to Ian Pearce (Acting General Manager) and Council (Elected Members) on 23.06.19

Cllr Keith Pyke

Mon 24/06/2019 10:28 PM

- Cllr Rob Churchill;
- Mayor Debbie Wisby;
- Ian Pearce;
- Council

Thank you very much for enlightening Council on this business transaction Debbie, I fully support and also I am very grateful to you and your husband for your generous offer of the reduced accommodation costs to the Community that you provided to Ian Pearce during his stay and will offer Mr Galea on his acting term also as our GM.

Copy of response from Cllr Rob Churchill re email sent to Ian Pearce (Acting General Manager) and Council (Elected Members) on 23.06.19.

Cllr Rob Churchill

Sun 23/06/2019 11:38 AM

- Mayor Debbie Wisby;
- Ian Pearce;
- Council

Hi Debbie,

Thanks for your generosity to council and your transparency in this matter.

Rob

12. Close

The Mayor declared the meeting closed at 6.35pm

CONFIRMED as a true and correct record.

Date:

Mayor Debbie Wisby

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

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|---|
| <p>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.</p> |
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