



GLAMORGAN SPRING BAY
COUNCIL

Minutes of Meeting

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

22 January, 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, 22nd January 2019 commencing at 5.00pm.

Dated this Thursday 17th January, 2019

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 –***
 - (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.***

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 5.01pm.

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 Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Apologies:

1.3 In Attendance

David Metcalf (General Manager), Angela Turvey (Executive Officer) and approximately 23 members of the public.

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.

Declaration of Interest:

Cllr Cheryl Arnol declared an interest in Item 7.5 on Ordinary Meeting Agenda, 22nd January 2019 due to being the Secretary/Treasurer of the Spring Bay Clay Target Club.

2. Confirmation of Minutes

2.1 Ordinary Meeting of Council – December 11, 2018

Decision: 1/19

Moved Cllr Rob Churchill, seconded Cllr Keith Breheny, that the Minutes of the Ordinary Meeting held Tuesday 11th December 2018 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 Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against:

2.2 Annual General Meeting – December 11, 2018

Decision: 2/19

Moved Cllr Cheryl Arnol, seconded Cllr Annie Browning, that the Minutes of the Annual General Meeting held Tuesday 11th December 2018 at 7pm 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 Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

2.3 Workshop Held – January 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 2pm to 5.30pm on Tuesday 8 January 2019 in Triabunna. Please see the attached Workshop Agenda for the range of items that were to be discussed.

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

Apologies: Cllr Michael Symons

Resolved

That Council notes this information.

Attachment: Workshop Agenda – 8th January, 2019



Workshop Notice/ Agenda 08/01/2019

Notice is hereby given that a Council Workshop will be held at the **Triabunna Council Offices 08/01/2019** commencing at **2pm to 5.30pm**

The majority of items will be deferred to a following workshop or an update will be provided. Items 25, 27, 29, 30, 31 and 32 will be discussed more fully at this workshop.

Item	Description
1	Section 24 Committees (as endorsed 27.11.18 Ordinary Council Meeting)
2	East Coast Regional Tourism Representative (as endorsed 27.11.18 Ordinary Council Meeting) & request to meet with Council
3	Council's Audit Panel and membership
4	Council representative on representative groups
5	Agenda's – revision, timing, content & level of reporting
6	Media releases and in general – to be provided to Councillors
7	Grants – Council input
8	Council's Rating System
9	Financial/Accounting Training
10	Council Projects/ Major Projects
11	Millingtons Beach – Revegetated area/Pines
12	Freycinet Master Plan
13	Buckland Skip Bins
14	Destination Action Plan's
15	Millington Beach Old Toilets
16	Council Logo changes
17	Alcohol Policy
18	Tassal Invitation to visit Okehampton/ Shore Site
19	Council Land/ Parking Strategy/ Parking in Lieu funds
20	RSL Spring Bay
21	Drought Relief
22	Pop Up Book Stall
23	Coles Bay Smell Nuisance
24	Electrical Vehicles – NR Manager request for workshop
25	Bicheno Paramedic
26	Proposed DA - Extension to Triabunna Wharf/Marina

- 27 Prosser Plains Raw Water Project – Update/Report
- 28 Marina Views – Triabunna – Update/Report
- 29 New Fence at Prosser River Opening/Radar Beach & Proposed Plans
- 30 Council's Delegation register
- 31 Council Work Plan/ Corporate Calendar
- 32 Federal/State Funding Wish-List
- 33 Dolphin Sands Ratepayer Assoc
- 34 Other Items
- 35 Confidential Items

Councillor Debbie Wisby
Mayor Glamorgan Spring Bay Council

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: 3/19

Moved Cllr Cheryl Arnol, seconded Cllr Michael Symons, that Council now acts as a Planning Authority. (Time: 5.06pm)

**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

3.1 DA18253 – Residential Extension and Change of Use, 3 Harold Street, Coles Bay

Planning Assessment Report

Proposal:	Residential (Extension and change of use)
Applicant:	Adams Building Design
Location:	3 Harold Street, Coles Bay (CT62974/2)
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Low Density Residential Zone
Application Date:	24 October 2018
Statutory Date:	25 January 2019 (by consent of applicant)
Discretions:	One
Attachments:	Appendix A – Application documentation Appendix B – Representation
Author:	Theresa Williams, Consultant Planner

Decision: 4/19

Moved Cllr Jenny Woods, seconded Cllr Cheryl Arnol, 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 Residential extension (ancillary dwelling) and change of use (DA2018/0253) at 3 Harold Street, Coles Bay, CT62974/02 be APPROVED subject to the conditions 1-14.

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

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

Against: Cllr Rob Churchill.

3.2 Mediation – Refusal of planning application for two visitor accommodation units at 29 Oyster Bay Court, Swanwick

A. BACKGROUND

At its November 2018 meeting, Council refused the application for multiple dwellings for the following reasons:

REASONS FOR REFUSAL

- Under planning Directive no 6, an acceptable solution is a gross floor area of 200m². This development requires a gross floor area in excess of 369m²
- Re: Development standards E.24.7.1 A1, both proposed units are over the maximum 5m building height (5.2 and 6.5m)
- Unit 2 is outside the building envelope and so fails to comply with clause 12.4.1 and 12.4.2A 3(a) (iii)
- The building setback from the Crown Land boundary must be no less than 15m. This development has a 10m setback to the upperdeck and an 8.8m setback to the lower deck.
- And further fails to meet performance criteria 8.12.2d retaining the primary residential function of an area.

The applicant has appealed the refusal.

The applicant has prepared amended drawings. The other parties to the appeal have resolved the appeal through a consent agreement that would result in an approval of these amended drawings.

Decision: 5 /19

Moved Cllr Cheryl Arnol, seconded Cllr Rob Churchill, that pursuant to Section 17 of the Resource Management and Planning Appeal Tribunal Act 1993 Council agrees to a consent memorandum being endorsed by Council staff that has the effect of approving DA 2018/233 subject to the amended drawings for a single visitor accommodation unit only as shown in plans attached to this report and subject to conditions that are generally consistent with conditions 1-22.

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

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

Against: Cllr Annie Browning

3.3 Zoning of part of Harveys Farm Road, Bicheno

A. Purpose

The report discusses a potential zoning anomaly along Harveys Farm Road, Bicheno and potential need to rezone the land.

B. Report

Six lots with the addresses 11, 17, 17A, 19 & 23 Harveys Farm Road are currently within the Light Industrial Zone of the Glamorgan Spring Bay Interim Planning Scheme 2015. Residential use is established on 11, 17A and 19 Harveys Farm Road and aquaculture uses are established on 17 and 23 Harveys Farm Road.

The Light Industrial Zone borders a future urban zone to the north, Rural Living Zone to the south and west and Open Space Zone / Environmental Management Zone to the foreshore, as shown in Figure 1. This Light Industrial Zone is within 750m of a larger area of Light Industrial Zone that includes the waste transfer station.

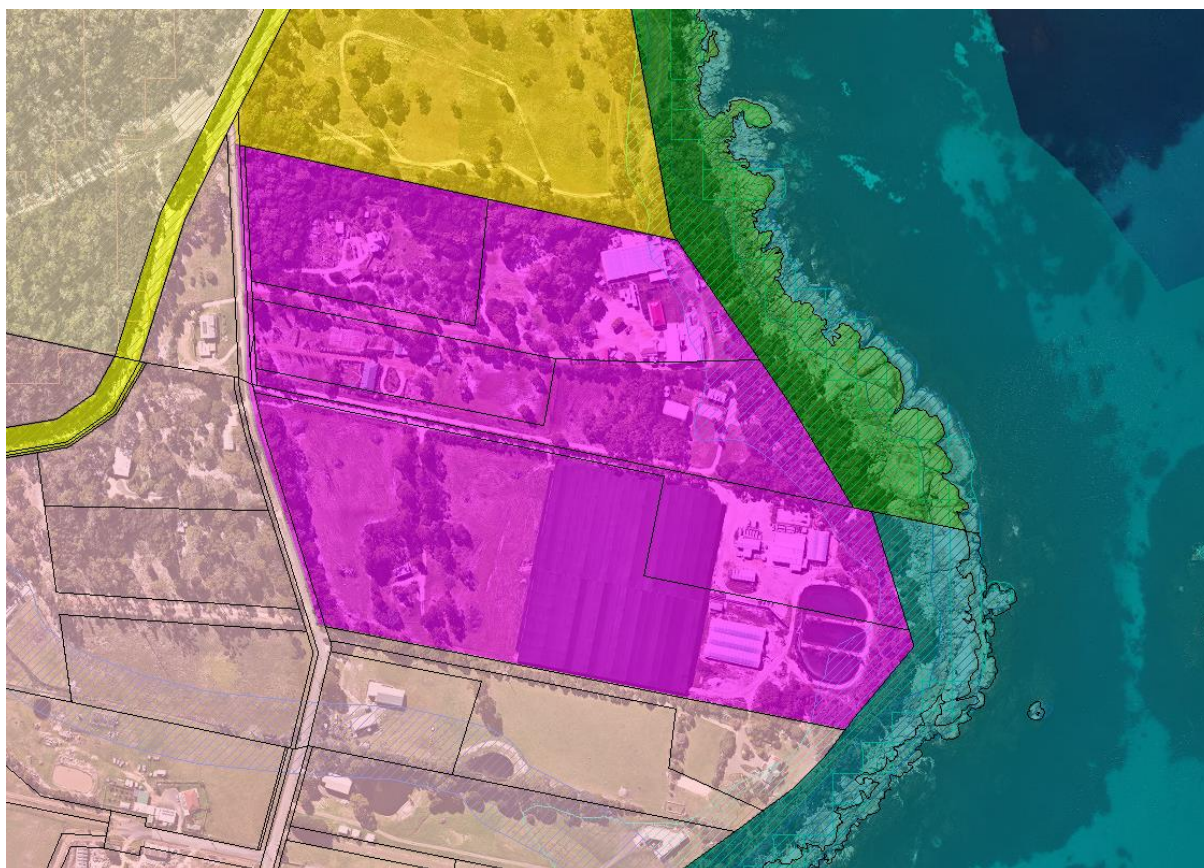


Figure 1. Current Zoning. Light Industrial is Purple.

Under the Glamorgan Spring Bay Planning Scheme 1994 all these properties were within the Rural Residential Zone, as shown in Figure 2.

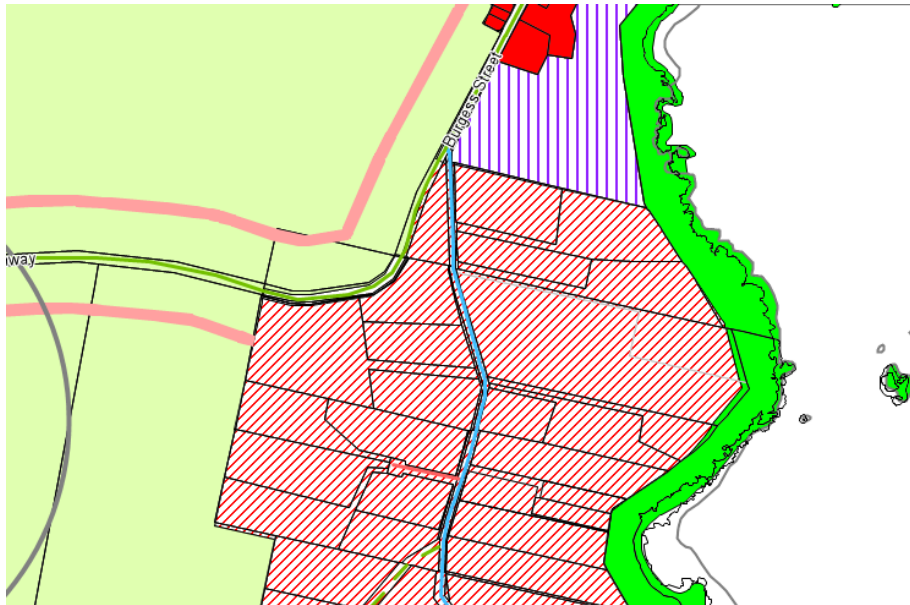


Figure 2. Former Zoning. Rural Residential is red hatching.

Clearly, a significant change in zoning occurred in the approval of the current interim planning scheme. Within the Light Industrial Zone, Single Dwelling uses and Resource Development (ie Aquaculture) are both prohibited uses. All uses therefore occurring in the Light Industrial Zone are currently prohibited. Under the 1994 planning scheme, Single Dwelling use was permitted and Aquaculture prohibited.

Documentation in support of or to clarify the strategic change in zoning had not been found.

The prohibition of all existing uses occurring on the land is not considered a fair or reasonable. A zoning change is considered necessary and potential take the form of:

- A change to Rural Living Zone, which provides No Permit Required status to Single Dwelling use and Discretionary Status to Aquaculture.
- A change to Rural Resource Zone which provides a permitted status to Aquaculture and a discretionary status to Single Dwelling.
- A Specific Area Plan to cater for the existing range of use similar to the Spring Bay Industrial Specific Area Plan or Particular Purpose Zone.

There is potential land use conflict between the existing uses. There are mixed views on the effect on residential amenity from Aquaculture operations occurring on 23 Harveys Farm Road. Some nearby residence have no concern from noise or odours whilst others have concerns with noise, traffic, odour and water quality. Over recent months Council's EHO has worked with the operators to refine their water sampling and monitoring regime and the result of which has identified no issues.

A Rural Living Zone would prioritise residential use over aquaculture use. Use Standard address issues such as operational hours, traffic and lighting for non-residential uses. A Rural Living Zone would also create subdivision potential for most of the existing lots, and potentially increase the likelihood of land use conflict. However, a Rural Living Zone is consistent with the broader land use pattern and reflects the former scheme.

A Rural Resource Zone would prioritise aquaculture over residential as the Use Standards focus on how residential use can impact adjoining rural activities such as aquaculture. Subdivision would not be possible.

Specific provisions could provide for both existing uses with a set of standards that address the main considerations for owners.

C. Conclusion

The current zoning of the area is not fair or orderly and requires a review in consultation with the land owners.

D. Recommendation.

That Council receives the report ahead of a further report in due course to consider a planning scheme amendment prepared by Council officers in consultation with affected owners and the Tasmanian Planning Commission.

Decision: 6A/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Michael Symons, that Council receives the report ahead of a further report in due course to consider a planning scheme amendment prepared by Council officers in consultation with affected owners and the Tasmanian Planning Commission.

**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

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: 6B /19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that Council no longer acts as a Planning Authority. (Time: 5.38pm)

**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

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. 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 Mr Murray

- i) *I would like to begin if I may by congratulating Council on the excellent job that has been done on Wielangta Rd, at least as far as Sandspit. My assumption is that Council's responsibility ends shortly after Sandspit and it is possible then Sorell that has responsibility for the road after that. Would the Council be happy to take whatever steps are possible to exert a little pressure on Sorell to stand-up to the mark on this front?*

Response from General Manager

Through you Mayor, we have been trying that for two years. So that is quite substantial pressure.

Response from Mayor

I have mentioned it to Ministers, suggesting that they ask Sorell also so we are applying some pressure and I think they are applying equal pressure not to do it. And at the end of the day it is their choice. We will keep trying Mr Murray.

- ii) *My second question if I may. Also congratulations to Council uncharacteristically of me I guess on what I believe has been an excellent job with fencing the bird reserve on the Prosser River. I think that has been done very sensitively and a number of other people feel the same way about it I believe. I do understand however that there was criminal damage occasioned to that fence around about Christmas time and my question is whether this damage has been reported to the police and whether they have been asked to investigate?*



Response from Mayor

The matter has been reported to the Police, Police have been made aware of it and requested to keep an eye on it particularly over the Christmas period, so that's up to the Police how far they take that matter but it has been reported.

4.2 Mrs Penny Davidson

Thank you, I'd like to segue into a fencing thing. I've noticed a proliferation of paling fences throughout Orford and Triabunna particularly and in a lot of new areas. These very unattractive tall paling fences on the roadsides, which really doesn't beautify the place at all. They look like prisons. I'm wondering if they have to have planning permission to put those up and it's necessary? And can Council recommend more attractive alternatives to people so they can actually do something different? Thank you.

Spaced paling would probably looked better. There is just a lot of it going up everywhere

Response from Mayor

Thank you Penny. I too have noticed some very tall paling fences going up along the front of properties recently not just in Triabunna and there are requirements because it was just recently that I looked at putting a fence up in the front of my property here at Triabunna and there are certainly requirements under the Planning Scheme on heights. I think it like only 1.5 metres of solid and then you need to go to something that is open at the top. So there are certain rules and I'm not sure if those have changed in recent times but not to my knowledge. I'm not sure that we have got but we probably could have some attractive fencing options couldn't we? Whether people take notice of them or not I'm not sure.

Response from General Manager

Through you Mayor, you can actually build a fence to 2 metres. The 1.5 metres comes into play when you're coming out onto the road and need vision. I think it might even be 3 metres you can build a fence to as long as you don't impair the vision getting out of driveways and things like that. And it is really personal choice isn't it whether it is timber, treated pine, picket or.....

4.3 Mrs Shirley Castle

Can you provide me with an update on my previous question RE: the Buckland Church and cemetery?

Response from Mayor

Sure Shirley. So since that question was asked I have been and had some meetings with people in Buckland and some conversations with local people who have interest in the Buckland Church. A gentleman from Swansea also. Council at its workshop today had a discussion on the matter. Cllr Arnol and Cllr Pyke are going to work with community to see....We're calling it a 'special project' and we are allocating Councillors to these 'special projects' to utilize their skills and experience to come up with some solutions and bring them back to Council so you can work with Cllr Pyke and Cllr Arnol. They'll work with community and come back to Council some ideas and some thoughts and some costings and so forth and we can move forward from there.

4.4 Mr Paul Carswell (Taken on Notice)

- i) *Hello everyone, I recently sent out an e-mail to all Councillors, Deputy Mayor, Mayor regarding a couple of these questions I have tonight. Unfortunately it didn't make the agenda. I'm aware now what I have to do to get the questions that I have on the agenda. I'm hoping that the Council got to read my letter or my e-mail. Did the Council get to have a read of my letter? Dated on the 11th January.*

My question is, is the Council aware that the aircraft landing area on the Cambria property is governed by the Glamorgan Spring Bay Council and part of that responsibility is having the authority to set limitations to the usage of the airstrip and this is the reference from CASA – Civil Aviation Authority.

I invite the Council to explore that question in detail

Response from Mayor

Oh well clearly, that's your question to me now? Well clearly Paul I can't answer that. I'm not an expert in that field. Never have proclaimed to be. That question is going to have to be answered by those people with the suitable skills. We can't answer those questions here. It would be inappropriate to do so.

I'll forward it to the General Manager and then he'll provide an answer that particular letter. When I saw that I thought it had gone to the General Manager, clearly not but that's where I need to send it because it is outside of my knowledge level and we can come back to you pretty quick on an answer on that one. And we all want to know the answer to that Paul. The answers will be placed in the minutes for this meeting on public record I mean. Sorry I can't answer anymore at this very moment.

- ii) *I'm seeking clarification regarding the current acceptable use of the Cambria Airstrip, and the existing use rights of this ALA within the current Glamorgan Spring Bay Interim Planning Scheme. I further understand that under the current planning scheme approval for the use of the ALA is only in connection with agricultural pursuits and emergency services. And I invite the Council to explore that question also. And I'm happy to give you those questions to make it easy.*

Response from General Manager (On Notice)

In response to Mr Carswell's question, I have requested that the curator of Council's East Coast Heritage Museum thoroughly investigate all records in relation to the Cambria airstrip and provide a report to Council on any decisions related to its establishment and history. At this time the report from Council's curator is still being prepared in detail. The archive research is continuing and we anticipate that a report will be presented on the agenda for the Ordinary Meeting of Council on the 26th March 2019. The old Glamorgan records do indicate that the airstrip was in existence in 1987.

In addition to this work I have requested the Manager of Development and Compliance prepare a report that clarifies the Land Use Planning regulations as related to privately owned rural and regional airstrips and any other authorities and regulations that govern their use. This will also be provided for the Ordinary Meeting of Council on the 26th March 2019, citing the relevant authorities.



4.5 Mr Brett Harrison

Can I Mayor please comment on your comment regarding the answer being published in the minutes. The issues that Paul has raised about the use of the airstrip on Cambria property has been raised by a number of residents in the area because we have noticed an increased use of the airstrip either for charter flights by Par Avion or for pilot training because Par Avion have a contract with China Airways. This airstrip or Aircraft Landing Area (ALA) as it is known by CASA adjoins a residential area. It is less than 100 metres from houses. We had the experience on Sunday afternoon of three 'touch and gos', one of which was aborted and a very low fly over the residential area. A number of us have for a number of months been attempting to get clarification from Council through the Office of the General Manager as to what controls are there in place, what restrictions are there in relation to the use of the Aircraft Landing Area and I'm concerned that the answers that have been received to date haven't been adequate. I would ask Council that rather than including an answer in the minutes of this meeting perhaps to bring the matter back to the next Council meeting so that it can be properly considered. Because I think there is quite a bit of work to be done to establish what are the Council responsibilities in relation to the ALA and likewise what effects are there under the Interim Planning Scheme as to what use the Aircraft Landing Area can be used for. It has been suggested that the Cambria airstrip is similar to the airstrip on Maria Island and Bruny Island which are both used for pilot training. Those airstrips are actually public property. Kingborough Council owns the Bruny Island airstrip and the State Government owns the airstrip on Maria Island. The airstrip on Cambria is private property and apparently can be used by anybody according to what Mr Metcalf has responded in the past, with the use of the land manager. Who the land manager is I don't know. That has never been spelt out but a number of us would like a proper and thorough investigation of the use airstrip. What it can be used for and what control Council has over that use.

I appreciate the TPC may well deal with issues with the SAP but we are talking about the circumstances that we confront today.

In the answer that is published could there be some supporting authority quoted in terms of what research has actually been undertaken rather than just an answer?

Response from Mayor

Sure quickly you can, yes. Well you can Brett because you're number 5!

Sure, sure. What I'll do Mr Harrison is I'll look at the answer that is given and I'll make sure I understand the answer and make sure I'm satisfied myself with the answer, you know and then hopefully you will be also because you know if I can understand and I can accept it then hopefully the information we provide to you is adequate. So that's what I'll do OK? That's all I can do we can get the information, we can look at it, make sure it is understandable and thorough enough and if it is not then we can ask for more information. That's all I can do.

Clr Breheny can you think of anything else we could possible do other than get the information and actually have a really good look at it?

Yep, we're onto it, we'll come back to you.

*Yes I would think so, I can't see any reason why not, yep.
Thank you.*

Response from Clr Keith Breheny

Yeah this is a vexing issue. It's an issue that is going to be brought up with the Tasmanian Planning Commission for sure.



4.6 Mr Robert Wilcox

I live in Orford in Walpole Street. My questions all relate to the river mouth at the Prosser and the final work that appears to have been finished by Gradco. The Southern bank of that river mouth or extension out into the bay. I wonder has Council signed off on that yet? Has that been finally approved?

Why I'm asking is I'm wondering how many of you guys, Councillors have gone out to have a look at that particular. Well the term is to call it a construction. It is pretty lax. It is the most amateurish effort of an embankment or a wall, a training wall that you would ever see. It really needs to be looked at and why wasn't it done properly in stone. Why did it ever get passed with sandbags that don't do the job, they undermine. It is the most pathetic effort or retaining walls. You've only got to travel around other states of Australia, and I've been right around Australia, to look at retaining walls. They are made out of stone or cement. They are made permanent. This is a terrible effort to put down. And there is no practical way of developing that for future tourism purposes. I would truly like to see the Esplanade at Orford continued around the river mouth right around to the end of that beach area and out onto it with a driveway where people can drive out park there and explore the area and bring some sort of beauty to the river mouth and people just can't get there. It's a pretty sad effort.

It's not only my viewpoint, everyone I speak to in the Orford area and I ask them have you seen the wall, have you gone out and had a look at it and those that have seen it, and very few of them, have the same opinion as me. It is an absolute embarrassment that we should desecrate a beautiful river mouth like that and looking at the original plannings that were on the Council website the .pdf from 2015 to what we have today, totally different. If Council has to sign off after the MAST sign-off they want to be questioning why. How could they accept it the way it is?

Response from General Manager

Through you Mayor, we don't approve it, it is actually a MAST job. We don't get the assignment of the asset, if you can call it an asset until it is all finished and signed off by MAST. And then there is a maintenance period as well before we get it.

Response from Mayor

Thank you Mr Wilcox there is not much I can really say to it unfortunately. MAST do do the final sign-off on that when the works are complete. When they do that I'm not sure that's been done yet but as Mr Metcalf said after a maintenance period it is handed to Council. That is where it is at the moment. I understand your concerns and your viewpoint though.

Thanks Mr Wilcox.

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

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 NRM Committee Meeting Minutes – 14th November, 2018 (Draft)
- 6.2 Triabunna Community Hall Meeting Minutes – 26th November, 2018
- 6.3 Response to Spring Bay Eldercare Unit Energy Audit Request
- 6.4 Request for costs related to Council's recreation grounds

David Metcalf
General Manager

Decision: 7/19

Moved Cllr Cheryl Arnol, seconded Deputy Mayor Jenny Woods, that that Council receives and notes all minutes of the S24 Committees presented.

**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

6.3 Response to Spring Bay Eldercare Unit Energy Audit Request

Motion: Eldercare Units, Triabunna

Decision: 118/18

Moved Cllr Debbie Wisby, seconded Cllr Richard Parker, that Council's Sustainability Officer undertakes a review of the Eldercare Units for innovative means of saving energy and costs such as installation of heat pumps, solar panels, insulation etc. and provides Council with a report detailing findings and costs and provides a presentation at a workshop before the end of November 2018. The Eldercare Committee is to be invited to the workshop.

Response from Council's Sustainability Officer and Manager Buildings

A comprehensive energy audit of the Eldercare units is unlikely to result in outcomes that benefit the residents or Council.

Council's Manager Buildings and Sustainability Officer assessed the Eldercare Units in 2013 to take advantage of energy efficiency grants available at the time. The only viable option was the installation of heat pump hot water units, which offer up to 90% savings compared to standard electric hot water units. This grant was successfully applied for and energy efficient hot water units were installed in 2014.

The roof size is not optimal for solar panels. The rooves are also tiled which adds to the unsuitability of the roof for solar panels. It can be done but would incur significant additional cost. The energy and financial savings if solar panels were installed is also likely to be of low value. Most of the power is consumed at night and without spending tens of thousands of dollars on storage batteries and finding somewhere to put them the benefit would be minimal. The units already have ceiling insulation and as they are brick units on a concrete slab, wall and floor insulation are not possible.

When a change of tenancy occurs each unit is refurbished including upgrades to energy efficient lighting.

The heating units currently installed were thoroughly researched by local electrician and Eldercare Committee member Tony Brown, who chose the most economical heater suitable for installation in the position of the previous ones. These heaters are wired in to take advantage of the lowest tariff.

The only other potential energy efficient building refurbishment possible is to replace the window glass with double glazing or a cheaper method of window glaze refurbishment. Retrofitting with double glazing is very expensive and the improved heat retention potential may be significantly reduced by the quality and materials of the window frame. Budget aluminium windows often have a degree of flex in the frame which does not provide a strong enough seal to make double glazing a viable and worthwhile solution.

Decision: 8/19

Moved Cllr Cheryl Arnol, seconded Cllr Annie Browning, that Council receives and notes this report.

**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

6.4 Request for costs related to Council's recreation grounds

At the December 2018 Ordinary Meeting of Council, Councillor Rob Churchill requested the costs associated with Council's recreation grounds. These are presented below for Council's information.

Expenditure on Recreation grounds in the Council area					
		YTD 15-1-19	30/06/2018	30/06/2017	30/06/2016
Triabunna		\$13,389.92	\$17,163.03	\$19,208.27	\$16,145.41
Swansea		\$16,412.80	\$20,754.46	\$17,693.73	\$16,243.95
Orford		\$1,374.58	\$2,880.83	\$3,644.71	\$1,244.99
Bicheno		\$2,141.22	\$2,961.80	\$2,899.98	\$1,831.02
Buckland		\$156.99	\$0.00	\$49.31	\$70.43
Coles Bay		\$0.00	\$818.18	\$0.00	\$925.77
Swanwick		\$0.00	\$590.53	\$68.86	\$115.35
TOTAL		\$33,475.51	\$45,168.83	\$43,564.86	\$36,576.92

Decision: 9/19

Moved Cllr Cheryl Arnol, seconded Cllr Rob Churchill, that the report is received and noted.

**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 Appointment of an Acting General Manager

Responsible Officer – General Manager

Recommendation

1. That Council appoints Mr. Shane Wells – Development and Compliance Manager to the position of Acting General Manager under section 61B (4) of the Local Government Act for a maximum of four years in the absence of the General Manager or expiring on the permanent appointment of a different General Manager or when a new Council is sworn in, due October 2022.
2. That Council appoints Mr. Tony Pollard – Works Manager to the position of Acting General Manager should Mr. Wells be unavailable for any period when the General Manager is absent.

Decision: 10/19

Moved Cllr Cheryl Arnol, seconded Cllr Rob Churchill, that any future appointment of an acting General Manager shall be undertaken in accordance with S61B (2) of the Local Government Act 1993.

**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 Road Naming - Swanwick

Responsible Officer – Manager Development and Compliance

Recommendation

1. That Council approves the naming of the road reserve as Alexander Way.
2. That the Nomenclature Board and all other relevant authorities be advised of Council's decision and Council's records updated.

Decision: 11/19

Moved Cllr Rob Churchill, seconded Cllr Annie Browning,

1. That Council approves the naming of the road reserve as Kunzea Circuit.
2. That the Nomenclature Board and all other relevant authorities be advised of Council's decision and Council's records updated.

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

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

Against: Cllr Michael Symons

7.3 NRM Committee Revised Terms of Reference (Draft)

Responsible Officer – Manager Natural Resources

Recommendation

That Council endorses the NRM Committee's revised Terms of Reference.

Decision: 12/19

Moved Cllr Cheryl Arnol, seconded Cllr Keith Breheny, that Council endorses the NRM Committee's revised Terms of Reference.

**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

Attachment: NRM Section 24 Committee Terms of Reference, December 2018 (Draft)

7.4 Orford Community Group

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$330 to the Orford Community Group for the purchase of equipment for making bees wax wraps.

Decision: 13/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Breheny, that Council approves a grant of \$330 to the Orford Community Group for the purchase of equipment for making bees wax wraps.

**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

7.5 Spring Bay Clay Target Club

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$1,000 to the Spring Bay Clay Target Club towards the cost of re-laying the competition tracks for handicap events.

Please note: Cllr Cheryl Arnol left the room at 6.28pm due to an interest in Item 7.5.

Decision: 14/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Michael Symons, that Council approves a grant of \$1,000 to the Spring Bay Clay Target Club towards the cost of re-laying the competition tracks for handicap events.

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

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

Against: Nil

Please note: Cllr Cheryl Arnol returned at 6.30pm.

7.6 The Spring Bay Studio & Gallery

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$1,000 to The Spring Bay Studio & Gallery towards the purchase of a semi-professional Enjay RP18D Etching Press for printmaking.

Decision: 15/19

Moved Cllr Rob Churchill, seconded Cllr Michael Symons, that Council approves a grant of \$1,000 to The Spring Bay Studio & Gallery towards the purchase of a semi-professional Enjay RP18D Etching Press for printmaking.

**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

8. Miscellaneous Correspondence

8.1 Code of Conduct and Amendments Fact Sheet – December 2018

9. Motion Tracking Document

Last updated 16/01/2019

Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
25 th 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 rd 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 th January 2017 prior to report for January 2017 OMC. Update as per Decision 46/15 above.	In Progress
27 th 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 th 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
24 th 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

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 th 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
27 th February	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	7.3	50/18	Kerbside Vendors Policy	MPSP	Community consultation to commence. Submissions due 1 August, 2018.	In Progress
24 th April	7.4	51/18	By-Law Review/Renewal	MRS	Regulatory impact statement to be prepared for Council.	In Progress
26 th June	7.2	64/18	GSBC Community Strategic Plan	GM	Council to commence review prior to elections. Initial planning workshop to be scheduled.	In Progress
25 th September	9.2	105/18	City of Hobart: Compulsory Voting LG Elections	GM	Workshop to be scheduled with new Council to consider compulsory voting at LG level and respond to HCC letter 13/9/18	In Progress
23 rd October	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.	In Progress
23 rd October	8	118/18	Eldercare Units Triabunna	MNRM/ MBMI	Energy audit of Eldercare Units to be presented at a workshop before the end of November 2018. Report provided on the January 2019 Agenda.	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 th November	7.9	140/18	Dolphin Sands Ratepayers' Association Grant Submission	MCD	Deferred to a workshop	In Progress
11 th December	7.1	150/18	Lions Club of Spring Bay	MCD	Grant approved and disbursed.	Complete
11 th December	7.2	151/18	2019 Ordinary Meeting Dates & Times	GM	Dates approved and advertised according to LGA	Complete
11 th December	7.3	152/18	STCA Committee Representatives – Waste Strategy South and Regional Climate Change Initiative	GM	Need to advise Hobart City Council of reps. Item deferred to a Council Workshop.	In Progress
11 th December	8.1	153/18	Sale of Council Properties	GM	GM to remove Arnol Street Swansea from sale.	Complete

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.

10. Questions Without Notice

11. Confidential Item (In Closed Session)

The Mayor to declare the meeting closed to the public in order to discuss the General Manager's performance review for 2017/18.

Under regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 Statutory Rules 2015, No.38 the meeting will be closed to the public according to regulation 15 (2) (a) *personnel matters*.

- Item 1: General Manager's Performance Review 2017/18

Please note: Meeting adjourned at 6.45pm.

Please note: Meeting reconvened 6.57pm.

Decision: 16/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Breheny, that Council now moves into a closed session.

**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

12. Close

The Mayor declared the meeting closed at 7:30 pm.

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 Debbie Wisby

**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.**