



GLAMORGAN SPRING BAY
COUNCIL

Meeting Minutes

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

30 April, 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, 30 April 2019 commencing at 2.00pm.



Dated this Wednesday 24th April, 2019

Daniel Smee
ACTING 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.***



Daniel Smee
ACTING 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 2.02pm.

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

Apologies:

1.3 In Attendance

Daniel Smee (Acting General Manager), Ian Pearce (next Acting General Manager), Angela Turvey (Executive Officer), and approximately 15 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.

Please note:

- Cllr Keith Breheny declared an interest in Item 7.4.
- Cllr Keith Pyke and Cllr Cheryl Arnol declared interests in Item 7.6.

2. Confirmation of Minutes

2.1 Ordinary Meeting of Council – March 26, 2019

Decision: 76/19

Moved Cllr Breheny, seconded Cllr Pyke, that the Minutes of the Ordinary Meeting held Tuesday 26 March 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 Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

2.2 Workshop Held – March 25, 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 12pm on Monday 25 March 2019 at the Triabunna Council Offices for a briefing of Council on the Prosser Plains Raw Water Scheme (PPRWS).

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

Apologies: Cllr Michael Symons.

In Attendance: Mr Daniel Smee (Acting General Manager), Mr Shane Wells (Manager Development and Compliance), Mr David Burt (Project Manager PPRWS)

2.3 Workshop Held – March 26, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 2.30pm to 4.30pm on Tuesday 26 March 2019 at the Triabunna Council Offices to review Council's draft delegation instrument.

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

Apologies: Cllr Michael Symons.

In Attendance: Mr Daniel Smee (Acting General Manager).

2.4 Workshop and Community Connect Held – April 9, 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 4pm on Tuesday 9 April 2019 at the Coles Bay Community Hall. Please see attached Workshop Agenda for items covered. The Community Connect Session commenced at 4pm*.

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

Apologies: Cllr Rob Churchill,

*Please note: Deputy Mayor Jenny Woods and Cllr Cheryl Arnol needed to depart at 4.20pm.

In Attendance: Mr Daniel Smee (Acting General Manager).

2.5 Workshop Held – April 16, 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 4pm on Tuesday 16 April 2019 at the Triabunna Council Offices. Please see attached Workshop Agenda for items covered.

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 Michael Symons (due to work commitments on this day).

In Attendance: Mr Daniel Smee (Acting General Manager).

Decision: 77/19

Moved Cllr Jenny Woods, seconded Cllr Rob Churchill, 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

Attachment: Workshop Agenda – 9 April, 2019



Workshop Notice/ Agenda 09/04/2019

Notice is hereby given that a Council Workshop will be held at the **Coles Bay Community Hall (Annex) 09/04/2019** commencing at **1.00 pm to 4.00 pm**

	<u>Time Allocated</u>
Items for general discussion and update	
1. Update from Acting General Manager, Daniel Smee	30 minutes
2. GSBC Strategic Plan	15 minutes
3. Re-use Shop/Community Shed – Swansea	10 minutes
4. Fence at Prosser River Opening/Radar Beach area	10 minutes
5. Triabunna Recreation Ground Section 24 Committee	10 minutes
6. Mobile phone coverage improvements	10 minutes
7. Drought funding	10 minutes
8. Solis, Marina Views, PPRWS, Integrity Commission Report	15 minutes
9. Delegation Register	10 minutes
10. Confidential matters	30 minutes
11. Other matters	10 minutes

At the completion of the Workshop, a Community Connect Session will be held at the Coles Bay Community Hall Annex 4pm – 5pm.

Councillor Debbie Wisby
Mayor Glamorgan Spring Bay Council

Attachment: Workshop Agenda – 16 April, 2019



Workshop Notice/ Agenda

16/04/2019

Notice is hereby given that a Council Workshop will be held at Triabunna Council Chamber on the **16/04/2019** commencing at **3.00pm to 5.30pm**.

Description

1. Federal Funding – Drought Communities Program
Discuss projects for the \$1m approved funding
2. Strategic Plan
Update from Daniel Smee
3. Terms of Reference – Prosser River area Working Group
Discuss ToR and way forward
4. Other 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: 78/19

Moved Cllr Cheryl Arnol, seconded Cllr Keith Breheny, that Council now acts as a Planning Authority. (Time: 2.07pm)

**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 DA2019/52 – Toilet, Freycinet National Park

Planning Assessment Report

Proposal:	Toilet
Applicant:	Parks and Wildlife Service
Location:	Freycinet National Park
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Environment Management Zone
Application Date:	1 March 2019
Statutory Date:	2 May 2019
Use Class:	Passive Recreation
Use:	Passive Recreation
Use status in zone:	No Permit Required
Performance Criteria:	Assessment required for 1 standard
Representations:	One
Attachments:	Appendix A – Application documentation Appendix B – Representation (separate cover)
Author:	Shane Wells, Manager Development and Compliance

Decision: 79/19

Moved Cllr Keith Breheny, seconded Deputy Mayor Jenny Woods, 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 a toilet within the Freycinet National Park (DA2019/52), be APPROVED subject conditions 1-4

**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: 80/19

Moved Cllr Keith Pyke, seconded Cllr Michael Symons, that Council no longer acts as a Planning Authority. (Time: 2.09pm)

**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 Paul Carswell (Taken on Notice at OMC January 2019)

- 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.

Response from Manager Development and Compliance (Question Taken On Notice)

In response to the question on notice, the following details are provided:

- *CASA representatives have reviewed their file and advised:*

"The content of the file indicates that there was an airstrip at Swansea located on a Mr Shaw's land [Redbanks] which was delicensed in 1939. On 23 February 1950 a request was put to Federal Parliament for a new aerodrome to be established at Swansea. On 15 July 1960 Gilbert Duthie MHR for Wilmot made representation to the Minister for Civil Aviation seeking the reestablishment of an aerodrome for Swansea. This was followed by a letter from the Swansea Tourist and Progress Association dated 2 September 1960 calling for the same. The then Minister for Civil Aviation, wrote back stating that the original aerodrome site (Mr Shaw's land) was not appropriate for use and that another site should be sought. The Government would not provide financial assistance unless the site chosen was capable of catering for DC-3 or larger aircraft.

The first mention of 'Cambria' as being a suitable site for an aerodrome for Swansea was on 28 March 1969 (scanned and attached). The land owner Mr Burbury permitted Council to construct an Authorised Landing Area on his land. In September 1979 Council wrote to the Minister for Transport seeking assistance to seal the aerodrome to permit all weather operations which was not financially supported by the Federal Government. The last entry on the file was in 1982 when new power line supply to Dolphin Sands ran close to the aerodrome. The HEC offered to paint the poles and mark the lines to make them clearer for pilots to see.

At no point was it licenced or under the control of any of CASA's predecessors. It is a private aerodrome."

- *CASA does not regulate the private aerodrome.*
- *The operators of Par Avion via a phone call with Council staff advised that from the early 1970s onwards that they have used Cambria for flight training purposes. The extent of such use was subject to demand.*

- It is reasonable to assume that demand would have varied over time. Conclusive records of the number of flights for agricultural, emergency or training purposes is not available. It is a private aerodrome.*
- Both above events pre-date any planning scheme for the municipal area. Accordingly there is no record of any such planning permit. Upon the first introduction of planning regulation or any later new planning scheme, a lawfully established use can continue on as is.*
- Based on the above, it is considered that the use of the existing aerodrome for agricultural, emergency or training purposes is a lawfully established use. That use(s) may continue without any formal permit or any formal limit. If a new land use is proposed for the private aerodrome the Land Use Planning and Approvals Act 1993 will apply and which may require a permit depending on the nature of the proposal and the provisions of the planning scheme in effect at that time.*
- Should any person hold a contrary view they may lodge formal planning compliance notice to Council.*

4.2 Ms Anne Held (Question Taken on Notice)

- So my first question is, the question of when the 'Loo with a View' in Swansea will be finished has been asked regularly since June last year, so it would be greatly appreciated I'm sure if a definitive date of completion could be provided to the ever patient Swansea community please?*

Response from Acting General Manager

Mayor I couldn't give a definitive date. I will take that question on notice, thank you.

Response from Manager Buildings and Marine Infrastructure

The 'Loo with a View' at Swansea was programmed to commence construction in June 2018. TasWater had approved the development at the Planning stage but when Council applied for the Certificate of Certifiable Work from TasWater for the purposes of the Building and Plumbing permit, they informed us they had made a mistake and didn't want the disabled toilet building to be so close to the sewer main. Council had to then go back to the engineers and architect and redesign the disabled building in another location.

By the time the design amendments were completed and building and plumbing permits were in place, Christmas was approaching. After Christmas, we installed the main turpentine piles and foundations for both buildings but considering the large flow of tourists passing through the Swansea area work was stopped for safety reasons. Works will commence again in May with a projected completion time in September 2019.

4.3 Mr Geoff Baker

- i. *Mayor I was hoping you would be able to give us an update on where we are currently with the Solis development? As comprehensive as you can make it.*

Response from Mayor

We are still looking at where we are at with the Solis and what Council's involvement may be on that matter. So we are still reviewing the files. Where the confusion comes in to a point, there is Council's own website and I don't have the words on me as I didn't know you were going to ask that question and I didn't need to know. So on the website last time I looked it said that Council owns the golf course or the golf course part of the land has been transferred to Council or words along those lines and we need to determine if that is an error on our website or not. So we are still looking into that matter and any commitments we have with Solis.

- ii. *Can I just ask one other thing regarding Solis. So the Council will have the Golf Course, perhaps, the real estate, the development for the lots. Are any of those lots being sold off the plan at this stage?*

Response from Mayor

I have no idea in respect to that. That is not Council business what the developers could potentially be doing, you know, in their own time. Hopefully we will be in a position, we are definitely not trying to hide anything it is just that we need to know as a Council what obligations we have. There hasn't been a decision made by Council to accept that land or to build a golf course so basically there is a lot. There is information on the website that we need to clarify. We are looking at files and we will be pulling together a report for Council as to where we are at and if we have any commitments.

- iii. *Solis uptake of the 200ML of water that must be integral to the water scheme as it is now?*

Response from Mayor

So I'll finish on this point, in that my understanding and correct me if I am wrong, is that Solis have made a commitment to Council and there is an agreement that they will contribute to the water whether used or not. So my understanding is that is the situation. So we are still working on the other matter of Council's commitments to Solis and hopefully we'll have further information and an updated web page. Thank you.

4.4 Ms Kerri Handley (Question Taken on Notice)

Thank you Mayor Wisby, just a broad question regarding recycling if the appropriate Council person could answer this question. Is paper still acceptable as recycling now a lot of recycling changes have happened regarding China and so on and so forth because I'm informed by the local school at Orford that they are not to recycle paper yet as one of the residents here I am recycling paper as are many other households. So point of clarification please.

Response from Mayor

Well last I heard we were. I haven't received any advice to the contrary in respect to that but I think we will need to take that on notice and come back to you to clarify. Thank you.



Response from Manager Works

In relation to recycling paper, nothing has changed. The Orford Primary School have been informed that paper and cardboard are still acceptable in the kerbside recycling collection bins. Our current waste management contract with JJ Richards includes the kerbside collection of paper as one of the permissible co-mingled products.

Council's existing contract expires in September 2022 and given the current market trends for recyclables, there may be changes to what is profitable to be collected in the terms and conditions of future contracts.

5. Information Reports

5.1 Acting General Manager, Daniel Smee

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 Development & Compliance, Mr. Shane Wells

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

Decision: 81/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Pyke, that the Management Reports be 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

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 Community Hall Committee Minutes – 18th February, 2019 (Draft)

6.2 Marine Infrastructure Committee Minutes – 25th February, 2019 (Draft)

Daniel Smee
Acting General Manager

Decision: 82/19

Item 6.1

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Pyke that Council agrees to formulate and implement a Policy of Acceptable Practices and Requirements for users of Council Hall facilities.

**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: 83/19

Item 6.1

Moved Councillor Annie Browning, seconded Cllr Keith Breheny that Council receives and notes the Triabunna Community Hall Committee meeting minutes from the 18th February 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

Decision: 84/19

Item 6.2 (5i)

Moved Councillor Keith Breheny, seconded Cllr Keith Pyke that in addition to the motion regarding temporary bollards on the 24 September 2018, the bollards are required to be collapsible and permanent. Within the chevrons adjacent to the ferry terminal, road marking signage stating 'Loading' and 'Unloading' be installed in accordance with the design drawing.

**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: 85/19

Item 6.2 (5v)

Moved Councillor Annie Browning, seconded Cllr Michael Symons that Council work together with MAST to investigate a collection point at each of the four Waste Management Centres for the collection of EPIRBs and expired flares.

**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: 86/19

Item 6.2

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Breheny that Council receives and notes the Marine Infrastructure Committee meeting minutes from 25th February 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 Delegated Authority

Responsible Officer – Acting General Manager

Recommendations

That:

- a) In accordance with Section 22 of the *Local Government Act 1993*, Council approves the delegations contained in the attached table to the General Manager (or a person acting in that position) and that the policy be converted to an 'Instrument of Delegations'; and
- b) Council authorises the Mayor to sign the 'Instrument of Delegation' on behalf of Council under the Common Seal.
- c) Council authorises the General Manager to sub-delegate certain functions and powers that have been delegated to the General Manager by Council.

Decision: 87/19

Moved Cllr Cheryl Arnol, seconded Cllr Annie Browning, that:

- a. In accordance with Section 22 of the *Local Government Act 1993*, Council approves the delegations contained in the attached table to the General Manager (or a person acting in that position) and that the policy be converted to an 'Instrument of Delegations'; and
- b. Council authorises the Mayor to sign the 'Instrument of Delegation' on behalf of Council under the Common Seal.
- c. Council authorises the General Manager to sub-delegate certain functions and powers that have been delegated to the General Manager by 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

Attachment: Delegations Table

7.2 Minutes of Audit Panel Meeting – March 2019

Responsible Officer – Acting General Manager

Recommendations

That the Minutes of the Audit Panel Meeting held on 27 March 2019 be received and noted.

Decision: 88/19

Moved Cllr Cheryl Arnol, seconded Cllr Keith Breheny, that the Minutes of the Audit Panel Meeting held on 27 March 2019 be received and noted taking particular note of the summary of key recommendations from the meeting on page 91.

**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: Minutes of Audit Panel Meeting, 27 March 2019

7.3 Australian Coastal Councils Association

Responsible Officer – Acting General Manager

Recommendations

That Council endorses the nomination of Cllr for the Australian Coastal Councils Association Committee of Management.

Please note: Cllr Annie Browning left the room at 2.32pm and returned at 2.33pm due to a conflict of interest with Item 7.3.

Decision: 89/19

Moved Cllr Keith Breheny, seconded Cllr Cheryl Arnol, that Council endorses the nomination of Cllr Browning for the Australian Coastal Councils Association Committee of Management.

**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 Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Against: Nil

7.4 Swansea Courthouse Maintenance

Responsible Officer – Acting General Manager

Recommendations

That the Swansea Courthouse Management Committee be advised that Council is unable to provide funds for the sanding and sealing of one of the front rooms in the building this financial year and the request be included for consideration in the budget preparation process for 2019/20.

Please note: Cllr Keith Breheny left the room due to a conflict of interest at 2.33pm.

Decision: 90/19

Moved Cllr Annie Browning, seconded Cllr Michael Symons, that the Swansea Courthouse Management Committee be advised that Council is unable to provide funds for the sanding and sealing of one of the front rooms in the building this financial year and the request be included for consideration in the budget preparation process for 2019/20.

**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 room at 2.35pm.

7.5 Freycinet Association Incorporated

Responsible Officer – Manager Community Development

Recommendation

That the grant application from the Freycinet Association Incorporated (FAI) for a grant of \$1,000 towards the cost of producing the local community newsletter be refused.

Decision: 91/19

Moved Cllr Annie Browning, seconded Cllr Keith Breheny, that the grant application from the Freycinet Association Incorporated (FAI) for a grant of \$1,000 towards the cost of producing the local community newsletter be refused.

**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: FAI Small Grant Submission

7.6 Spring Bay RSL Sub-Branch Inc.

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$500 to the Spring Bay RSL Sub-Branch Inc. towards the cost of the ANZAC Day activities.

Please note: Cllr Cheryl Arnol and Cllr Keith Pyke left the room due to a conflict of interest at 2.43pm.

Decision: 92/19

Moved Cllr Jenny Woods, seconded Cllr Rob Churchill, that Council approves a grant of \$500 to the Spring Bay RSL Sub-Branch Inc. towards the cost of the ANZAC Day activities.

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

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

Against: Nil

Please note: Cllr Cheryl Arnol and Cllr Keith Pyke returned to the room at 2.43pm.

8. Notices of Motion

8.1 Fire at Dolphin Sands

Clr Cheryl Arnol

Motion

Moved: Clr Cheryl Arnol; Seconded Deputy Mayor Woods:

1. That Council undertake risk assessments as required in the Dolphin Sands Road area and engages with the Dolphin Sands Ratepayers Association in relation to clearing fire verges.
2. That in consideration of recent statements by former Chief Fire Officers that Tasmania no longer has a fire season *per se*, Council engages with the Tasmanian Fire Service and communities across the municipal area to establish strategies to manage fire threats.
- 3.

Decision: 93/19

Moved Clr Cheryl Arnol, seconded Deputy Mayor Jenny Woods,

1. That Council undertake risk assessments as required in the Dolphin Sands Road area and engages with the Dolphin Sands community in relation to clearing fire verges.
2. That in consideration of recent statements by former Chief Fire Officers that Tasmania no longer has a fire season *per se*, Council engages with the Tasmanian Fire Service and communities across the municipal area to establish strategies to manage fire threats.

**The motion was put and lost
(4 Votes to 4)**

For: Deputy Mayor Jenny Woods, Clr Cheryl Arnol, Clr Keith Pyke, Clr Michael Symons.

Against: Mayor Debbie Wisby, Clr Keith Breheny, Clr Rob Churchill and Clr Annie Browning.

9. Motion Tracking Document

Last updated 23/04/2019

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
23 rd February 2016	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.	In Progress
27 th September 2016	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 2016	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. Last workshop held in June 2017.	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.	In Progress

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 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	Community consultation to commence. Submissions due 1 August, 2018.	In Progress
24 th April 2018	7.4	51/18	By-Law Review/Renewal	MDC	Regulatory impact statement to be prepared for Council.	In Progress
26 th June 2018	7.2	64/18	GSBC Community Strategic Plan	GM	Council to commence review. Initial planning workshop to be scheduled.	In Progress
25 th September 2018	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 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.	In Progress

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 November 2018	7.9	140/18	Dolphin Sands Ratepayers' Association Grant Submission	MCD	Deferred to a workshop	In Progress
11 th December 2018	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
22 nd January 2019	7.2	11/19	Road Naming - Swanwick	MDC	Name decided by Council as Kunzea Circuit. Nomenclature board to be advised.	In Progress
18 th February 2019	2.1	17/19	Independent Reports on Triabunna Wharf/Marina, PPRWS and Marina Views, Triabunna	GM	Reports to be commissioned (within 21 days of motion)	In Progress
18 th February 2019	2.2	18/19	Independent Report on Solis Development	GM	Report to be commissioned (within 21 days of motion)	In Progress
18 th February 2019	2.5	21/19	Strategic Plan	Mayor/GM	Scope of work and EOI to be prepared and provided to Council no later than April OMC.	In Progress
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	7.1	64/19	LGAT – 2019 Management Committee Election	GM	Motion to nominate Clr Arnol to run as President and committee member for LGAT Management Committee was lost.	Complete
26 th March 2019	7.2	65/19	Disposal of Land Occupied by TasWater	MDC	Transfer order received and acknowledged.	Complete
26 th March 2019	7.3	66/19	Renaming of Esplanades	MDC	Council to consult with affected residents	In Progress
26 th March 2019	7.4	67/19	Tasmanian Place Naming Guidelines	MDC	Guidelines received by Council	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
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
26 th March 2019	7.6	69/19	East Coast Community Arts Initiative	MCD	Grant approved and disbursed	Complete
26 th March 2019	7.7	70/19	Friends of Bicheno Penguins	MCD	Grant approved and disbursed	Complete
26 th March 2019	7.8	71/19	GSBC on Behalf of Bicheno, Swansea, Triabunna and Orford Schools	MCD	Grant approved and disbursed for Plastic Pollution Solutions Program.	Complete

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

Decision: 94/19

Moved Cllr Annie Browning, seconded Cllr Michael Symons that Council receives and notes the information contained within the Motion Tracking Document.

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

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

Against: Nil

10. Questions Without Notice

- **Clr Cheryl Arnol** asked that Council publicly thank Mr Daniel Smee for his time as Acting General Manager and that a letter of thanks is sent to Kingborough Council.
- **Clr Keith Pyke**
 - *Since the 9th of April we've had many workshops and closed sessions of Council that have been confidential items but I am tired now of going around this town and getting questioned on content of those confidential meetings. This is confidential information and we all took an oath as councillors. Could somebody tell me why, if you want to own up, why you are doing it? I am getting very angry and frustrated with the breach of privacy and confidentiality.*

Please note: Clr Keith Pyke left the room at 3.07pm.

11. Confidential Item (Closed Session)

The Mayor to declare the meeting closed to the public in order to approve the minutes from the Special Meeting of Council held in "Closed Session" on April 17, 2019 at 5.30pm.

Under regulation 34 of the Local Government (Meeting Procedures) Regulations 2015 Statutory Rules 2015, No.38 regulation 34 (6) at the next closed meeting, the minutes of a closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.

Please note: A late agenda item regarding a personnel matter will also be considered for inclusion and must be accepted by absolute majority in the closed session of Council.

Under regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 Statutory Rules 2015, No.38 the matter will be dealt with according to regulation 15 (2) (a) personnel matters.

Decision: 95/19

Moved Deputy Mayor Jenny Woods, seconded Clr Keith Breheny, that Council moves into a closed session (3.08pm).

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

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

Against: Nil

Please note: The Council meeting was adjourned at 3.08pm and reconvened at 3.22pm. Clr Keith Pyke returned to the room and was present when the meeting reconvened.

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

12. Close

The Mayor declared the meeting closed at 4.03pm.

CONFIRMED as a true and correct record.

Date:

Mayor Debbie Wisby

<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>
