



GLAMORGAN SPRING BAY
COUNCIL

Minutes of Meeting

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

28 May, 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, 28 May 2019 commencing at 2.00pm.



Dated this Thursday 23 May, 2019

Ian Pearce
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.***



Ian Pearce
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 2.01pm.

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

Ian Pearce (Acting General Manager), Shane Wells (Manager Development and Compliance), Angela Turvey (Executive Officer), and approximately 17 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 Michael Symons declared an interest in Item 3.3.
- Cllr Keith Breheny declared an interest in Item 7.1.

2. Confirmation of Minutes

2.1 Ordinary Meeting of Council – April 30, 2019

Decision: 96/19

Moved Cllr Cheryl Arnol, seconded Cllr Annie Browning, that the Minutes of the Ordinary Meeting held Tuesday 30 April 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 – April 30, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 11.30am to 1.30pm on Tuesday 30 April at the Triabunna Council Offices for a presentation from the “Super Destination Action Plan” representatives in Glamorgan Spring Bay and a tutorial in financial reporting from the Chair of the GSBC Audit Panel, Mr Mike Derbyshire.

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: Nil.

In Attendance: Mr Daniel Smee (Acting General Manager), Mr Ian Pearce (Acting General Manager), Ms Angela Turvey (Executive Officer).

2.3 Workshop Held – May 14, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 12.15pm Tuesday 14 May 2019 at the Swansea Town Hall (please see attached agenda for items covered). A Community Connect Session commenced at 4pm.

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

Apologies: Cllr Keith Pyke, Cllr Michael Symons.

In Attendance: Mr Ian Pearce (Acting General Manager), Mr Shane Wells (Manager Development and Compliance).

Recommendation

That Council notes this information.



Workshop Notice/
Agenda
Tuesday
14th May 2019

Notice is hereby given that a Council Workshop will be held at the Swansea Town Hall on the **Tuesday 14th May 2019** commencing at **12.15pm – 3.30pm**.

Description:

1. 12.15 pm (10 mins)
 - a. **East Coast Heritage Museum** proposal.
2. 12.25 pm (15 mins)
 - a. Discuss **EOIs for the Prosser River Mouth Master Plan Advisory Group** and decide on the 4 representatives to be appointed by Council.
3. 12.40 pm (15 mins)
 - a. **Update from Ian Pearce**, Acting General Manager on Council business.
4. 1pm to 3.30pm (2.5 hours)
 - a. **PWS** to update Council on the following:
 - i. Freycinet Master Plan (Clrs to bring their copy of the Draft Freycinet Master Plan).
 - ii. Proposed Triabunna Marina expansion (map to be provided at workshop).
 - iii. The Bicheno Gulch/Esplanade Project (map to be provided at the workshop).
 - iv. Maria Island Re-discovered Project.

Councillor Debbie Wisby
Mayor Glamorgan Spring Bay Council

3. PLANNING AUTHORITY SECTION

Under Regulation 25 of *Local Government (Meeting Procedures) Regulations 2015* 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: 97/19

Moved Cllr Keith Pyke, seconded Cllr Keith Breheny, that Council now acts as a Planning Authority. (Time: 2.10 pm)

**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 DA2019/82 – Single Dwelling, 91 Esplanade, Coles Bay

Proposal:	Residential (single dwelling)
Applicant:	Honed Architecture and Design
Location:	91 Esplanade, Coles Bay (CT146590/1)
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Low Density Residential Zone
Application Date:	11 April 2019
Statutory Date:	30 May 2019 (by consent of applicant)
Use class:	Residential
Use:	Single Dwelling & outbuilding
Use status in zone:	No Permit Required
Performance Criteria:	Assessment required for two Standards
Representations:	Two
Attachments:	Appendix A – Application documentation Appendix B – Representations (under separate cover)
Author:	Theresa Williams, Consultant Planner

Decision: 98/19

Moved Deputy Mayor 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 a new residence (DA2019/82) at 91 Esplanade, Coles Bay (CT146590/1) be APPROVED subject to the following conditions 1-14.

**The motion was put with a result of
4 Votes to 4**

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

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

Please note: In the context of a Planning Authority, this is considered a “non-decision” on this matter.



3.2 SA2019/07 – Holkham Court, Orford

Planning Assessment Report

Proposal:	Subdivision
Applicant:	Woolcott Surveys
Location:	54 Holkham Court, Orford
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Low Density Residential Zone
Application Date:	13 March 2019
Statutory Date:	31 May 2019 (by consent of applicant)
Use Class:	Residential
Use status in zone:	Discretionary
Performance Criteria:	Assessment required for nine Standards
Representations:	4
Attachments:	Proposal Plans Representations, ECOTas Report, Stormwater and Water Supply Assessment & Supporting Submission provided under separate cover
Author:	Shane Wells, Manager Development and Compliance

Decision: 99/19

Moved Cllr Keith Breheny, seconded Cllr Michael Symons, 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 subdivision at 54 Holkham Court, Orford (SA2019/07), be APPROVED subject to the conditions 1-34 with the following amendments

At condition 2a, a condition be inserted as condition 2b to read:

"Retention of lots 18, 19, 21 and 22 as one lot with a building envelope located clear of native vegetation. This building envelope must be a restriction on any future title."

At condition 4 deleting c, d and e.

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

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

Against: Mayor Debbie Wisby, Cllr Cheryl Arnol, Cllr Jenny Woods.

3.3 DA2019/72 – Extension, 20 Redbill Drive, Bicheno

Planning Assessment Report

Proposal:	Residential (extension to single dwelling)
Applicant:	Wilkin Design & Drafting Pty Ltd
Location:	20 Redbill Drive, Bicheno (CT116723/10)
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	General Residential Zone
Application Date:	21 March 2019
Statutory Date:	31 May 2019 (by consent of applicant)
Use class:	Residential
Use:	Extension to single dwelling
Use status in zone:	No Permit Required
Performance Criteria:	Assessment required for two Standards
Representations:	Two
Attachments:	Appendix A – Application documentation Appendix B – Representations
Author:	Theresa Williams, Consultant Planner

Please note: Cllr Michael Symons left the room at 2.40pm due to a conflict of interest.

Decision: 100/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Pyke, 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 new extension (DA2019-0072) at 20 Redbill Drive, Bicheno (CT116723/10) be APPROVED subject to the conditions 1-10.

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

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

Against: Nil

Please note: Cllr Michael Symons returned to the meeting room at 2.44pm.

3.4 DA2019/32 – Extension, 21 Esplanade East, Coles Bay

Planning Assessment Report

Proposal:	Residential (extension to single dwelling)
Applicant:	LXN Architecture and Consulting
Location:	21 Esplanade East, Coles Bay (CT61085/8)
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Low Density Residential Zone
Application Date:	15 February 2019
Statutory Date:	31 May 2019 (by consent of applicant)
Use class:	Residential
Use:	Extension to single dwelling
Use status in zone:	No Permit Required
Performance Criteria:	Assessment required for one Standard
Representations:	Two
Attachments:	Appendix A – Application documentation Appendix B – Representations (under separate cover)
Author:	Theresa Williams, Consultant Planner

Decision: 101 /19

Moved Cllr Annie Browning, 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 an extension (DA2019-0032) at 21 Esplanade East, Coles Bay (CT61085/8) be APPROVED subject to conditions 1-8.

**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

3.5 AM2019/01 – Rezone - Sunrise Drive, Foster St and Fraser St, Bicheno

Planning Assessment Report

Proposal:	Rezone from Particular Purpose Zone 1 Urban Growth Zone and from Local Business Zone to General Residential Zone
Requested by:	N/A
Location:	Multiple titles fronting Sunrise Drive, Foster Street and Fraser Street, Bicheno
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Application Date:	N/A
Statutory Date:	N/A
Attachments:	Supporting Report
Author:	Shane Wells, Manager Development & Compliance

Decision: 102/19

Moved Cllr Cheryl Arnol, seconded Cllr Keith Breheny, that as provided for by the provisions of section 3 of schedule 6, of the Land Use Planning and Approvals Act 1993 (LUPPA):

A. Pursuant to section 34(1)(b) planning scheme amendment AM 2019/01 be initiated and certified as being in accordance with sections 30(0) and 32 of LUPAA to:

Part A

Rezone the following from Particular Purpose Zone 1 – Urban Growth Zone to General Residential Zone:

- 8 Sunrise Drive, Bicheno (CT 162790/83)
- 10 Sunrise Drive, Bicheno (CT 162790/82)
- Part of 9 Burgess Street, Bicheno (CT 169429, 502), and
- Adjoining road reservation.

Part B

Rezone the following from Local Business Zone to General Residential Zone.

- Lot 200, Fraser Street (CT 174883/200) located generally opposite 13 to 21 Fraser Street, Bicheno
- 2 Foster Street, Bicheno (CT 174883/6)
- 4 Foster Street, Bicheno (CT 174883/5), and
- Adjoining road reservations.

- A. Pursuant to section 38 AM 2019/01 be placed on public exhibition for 28 days.
- B. Pursuant to section 39 if no representations are received during public exhibition, Council directs the General Manager to advise the Tasmanian Planning Commission in writing that no representations have been received.

<p style="text-align: right;">The motion was put and carried unanimously (8 Votes to 0)</p>
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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 2015*, 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: 103/19

Moved Cllr Cheryl Arnol, seconded Deputy Mayor Jenny Woods, that Council no longer acts as a Planning Authority. (Time: 2.55pm)

**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 Ms Keri Handley (Question Taken on Notice, April 2019)

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.



4.2 Mr Wayne Murray

- i. *Thank you Mayor. My first question relates to the raw water pipeline. As it currently stands, there seem to be two sections of pipeline that present a significant eyesore. The floating section in the Prosser River being the first one. Am I correct in my assumption that once that's connected up it will be weighted and sank and no longer present that? The second one is where the pipeline as laid at the moment crosses the beach in the northern extent of the bird sanctuary area. I assumed again that was going to be moved and buried under the pathway there but looking at it two days ago it looks like the excavation is such that the intended line is in fact over and through that beach section (Radar Beach). At the moment it looks like it is intended to be over the beach in that area from both its angle and its height. Can the Council confirm that one way or the other or look into it?*

Response from Mayor

The first one we can say that is going to be sunk. The second part, we'll look into that. We'll come back to you.

- ii. *My second question relates to the state of the Prosser catchment dam. I and a number of other people believe that the level of supply in the Prosser dam looks to be lower at the moment than it was last year when TasWater introduced water restrictions. The situation is perhaps more serious this year because as I understand it as water have managed to make the connection between the upper Prosser and the lower Prosser dams more functional this year so it looks to and many other people as if we are actually in a worse water situation than we were last year when restrictions were imposed. Has Council had any communication with TasWater about the possibility of restrictions?*

Response from Mayor

I've had communication with TasWater recently but not about water restrictions. They haven't alerted or announced anything in respect to that but I can check and report back as to any concerns they may have about water levels or potential restrictions that may come into place. We can report back on that.

Response from TasWater – Juliet Mercer, GM Corporate and Community Relations

As of late May, the level of the Lower Prosser was 1.3 metres below full supply level. This is the same reading we had for the dam level in April 2018, when water restrictions were last applied. Last year however, TasWater was not able to access our raw water reserves in the Upper Prosser due to safety concerns on the operation of the dams' valve. Following works on the valve, this year we have been able to access these reserves and commencing on 31 May, we completed a controlled release of water from the Upper Prosser Dam for two weeks, which saw the Lower Prosser Dam raise to 0.3m below full supply level.

Whilst the immediate need for water restrictions has been removed, good winter rains are needed to stimulate flow in the Prosser River to refill the supplies released from Upper Prosser Dam, should they be required next summer.

Please let me know if you require anything further.

4.3 Ms Sue Nettlefold

- i. *I just wondered if perhaps we could have an update on the Solis situation and the reason I'm raising that is because this morning I had a conversation with a Tassal representative who told me they are actually only going to be accessing 6% of the water supply that is coming through the pipeline and they have a very large desalination vessel coming from Europe very soon and that apparently is going to go around the State and doing all their desalination on top of...when the desal plant at Okehampton Bay can't do everything they come around and do the top up and dealing with all the waters around the coast. Therefore they are going to be less reliant on the water from the pipeline and I just wondered are you are aware of that and also it's putting a greater burden therefore on the Solis development and I just wondered how that worked together? Like what are we dealing with as it's obviously a worry for the local community, it always has been this big investment by the Council and how does that fit in?*

Response from Mayor

Thanks Sue, my understanding is Solis has committed to putting forward a certain amount of money through an MOU towards the cost of...There was a certain amount of money that Solis agreed to pay towards the line or the water use going forward and then there is the Tassal contribution. My understanding is that even if Tassal don't use the water it will still be paid for by Tassal through the legal documentation that we have in place. It doesn't put burden onto Solis. That is certainly not my understanding dependent on how much water Tassal use. I think potentially if this larger vessel is coming down that is just a Tassal business decision. I have heard about the vessel outside of Council but I think that is just a Tassal business decision.

- ii. *Can I just make one comment just with regards to these subdivisions, these large subdivisions and also the pressure on parameters with housing, I don't think we should lose sight of what people come here for and we don't want to shoot the bird that laid the golden egg in a way if you are thinking about tourism and those sorts of things too. People come up here for the experience and if we cover the place in large subdivisions it is something to consider down the track because the more we allow, the more there will be. I understand Council's position in terms of rates but I think we have to consider that because subdivisions in Sydney for instance that have been happening out in the Western suburbs are literally roof to roof. And everyone comes here for the eco experience. It's a big factor in tourism and I think it is something we should keep in the back of our minds, that's all I would say on that.*

4.4 Mr John Hancock (Questions Take on Notice)

- i. *Thank you Mayor, Councillors. I'm addressing the Holkham Crt subdivision with my questions and Kathryn will follow. There is an application that was received by us as immediate neighbours concerning the subdivision. The very small number of working days between Easter and ANZAC Day for us to compose, receive professional advice and submit our objections by the closing date of the 5th. We managed it, it was very rushed. It now seems the proponent has had almost 3 weeks between that date and now to refresh his application despite us not having been approached in relation to the amendments made to the application you have approved today. In the new proposal they state that water will not enter the properties, which of course is absurd as water will not stop at the fence line in the event of a flooding of the ponds that they propose to construct. In the original proposal they said that water would be allowed to flow from the well adjacent to our property on the northern end of the development across the golf course to the dam.*



That for some reason has been removed as obviously it is contrary to the urban drainage act which obviously does not permit water to flow onto adjoining properties, whether it be a golf course, public road or private land, it doesn't matter. These systems will fail there is no doubt about that, they are designed, they are not mechanical they are dug in the ground and pipes go into them so the water will flow and will not stop at the fence line as I've stated. They then produced some figures that suggested 3-500ml per hour soakage rate. Whatever that means I don't understand that but they have introduced this and justify it by saying tests have been done to prove this. They also talk about discovering a rock base at 3-400mm, once again there is no evidence to prove where they get this information from. This wasn't in the original proposal, it is in the amended proposal. I note there is a condition to the approval attached from Council staff – Mr Wells and his crew requiring full geo testing if that is the correct term, soil testing in other words, which to this time hasn't been done. If it has been done, it hasn't been proven. Where is the evidence to prove the rock base at 300-400mm and the soil testing and soakage rates as there is nothing in either of the proposals or documentation to support these assertions? Which is all related to geo testing.

Response from Mayor

Clearly I will be taking that on notice and sending it to you.

- ii. *How will the suggestion of ensuring rain water tanks and storm water drainage of the residential lots are policed or be policed in the future by presumably Council?*

Response from Mayor

Again we will take that on notice and send you that answer.

4.5 Ms Kathryn Hancock (Questions Taken on Notice)

- i. *I notice that other sub-divisions have been approved in the area such as Strawberry Hills and Rheban Road. I do ask if Council wants to be legally burdened with another sub-division with known and documented storm water issues and flooding issues. We have all heard today about the building envelope we have now just approved for 1000sqm lots, which takes away from the attractiveness of being in this area in the first place but on top of that you are spending ratepayer money fixing up what property developers are not doing and saying that we have got the "ducks guts". But when I look at the YouTube of the 30th April, I note that apparently that particular Rheban Road storm water infrastructure was supposed to be the "ducks guts", gold stamp and it has failed. Now you have a report that is absolutely stating that there from Brighton Council all the flooding and you have just allowed it to go through. How do you sleep at night time knowing that somebody's property is going to be affected? How do you do this? Why are you voting if you are all sitting there saying the window of envelope is getting bigger, then why aren't you using your rights and your privilege to say I'm sorry but that 1000 should be extended to 1500 or should be extended to 2000. Instead of complaining about it be proactive and do something about it.*

Response from Mayor

Just on that matter, we can sit here and we can reject everything that is put in front of us and it will go to appeal and we don't get to make the final decision in most cases, people have the right to go to appeal. So we can vote against something and it still gets up. It is a difficult job what we do here. We have to look at many things and it's complex but at the end of the day we have to make a decision that is our job. There are only certain things we can take into account in respect to planning and it's possibly not what you think it is in terms of what we can take into account. They have to be legitimate planning reason for refusing an application so it's not that simple and as I say the decision we make here can be appealed, whether we approve something or reject something. They can both be appealed.

- ii. *May I ask has anybody had the information on the storm water, Geo Tech, soil testing report? Has it been done? Has it been deemed as clay because if we dig a hole in that corner it will take 50 minutes to drain away with a bucket of water so our understanding is that it is clay soil. I would like to be proven wrong in the interests of all the other residents who are neighbouring onto that sub-division. Has there been some sort of soil test that can tell us because when I spoke to Pitt & Sherry, I was told that there wasn't a soil test done and I asked the question if it is clay will that particular, and this is on the original proposal, we never got the opportunity to look at the second one. I was told no it will not work. So.....*

Response from Mayor

*Ok I will **take that on notice** too and provide you with that answer. My understanding is, we were told in the workshop today that 'yes' it was done so I'll confirm that for you. Thank you.*

Response from Manager Development and Compliance

I trust that these matters will be explored through the current planning appeal against the permit and I will respond to the questions at the conclusion of the appeal.

5. Information Reports

5.1 Acting General Manager, Ian Pearce

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

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 Minutes – 8th May, 2019 (Draft)

6.2 Triabunna Community Hall Committee Minutes – 29th April, 2019 (Draft)

6.3 Triabunna Recreation Ground Advisory Committee Minutes – 27th February, 2019 (Draft)

Ian Pearce
Acting General Manager

Resolved:

That Council receives and notes the minutes of any Section 24 Committees presented.

7. Officers' Reports Requiring a Decision

7.1 Policy 3.3 Conservation Covenant Rebate

Responsible Officer – Acting General Manager, Ian Pearce

Recommendation

That Council endorses the revised Conservation Covenant Rebate Policy (Version 2.0) as presented.

Attachment: Policy 3.3 Conservation Covenant Rebate, May 2019

Please note: Cllr Keith Breheny left the meeting room at 3.32pm due to a declared conflict of interest.

Decision: 104/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Annie Browning, that Council endorses the revised Conservation Covenant Rebate Policy (Version 2.0) as presented.

**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 meeting room at 3.33pm.

7.2 Prosser River Mouth Master Plan Advisory Group

Responsible Officer – Acting General Manager, Ian Pearce

Recommendations

1. That Council establishes a Working Group to be known as the Prosser River Mouth Master Plan - Advisory Group.
2. That Council approves the attached Terms of Reference.
3. That membership of the Prosser River Mouth Master Plan – Advisory Group shall be
 - Glamorgan Spring Bay Council (elected representatives and relevant staff) Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Keith Breheny, Mel Kelly (Manager NRM), Adrian O’Leary (Manager Buildings and Marine Infrastructure)
 - DPIPWE land management agencies (Parks and Wildlife Service and Crown Land Services)
 - Marine and Safety Tasmania (MAST)
 - Bird Life Tasmania (BLT)
 - Tarfish
 - Jane Wing
 - Mr John Ryan
 - Mr Greg Crump
 - Ms Rosemary Wood
4. That the Prosser River Mouth Master Plan - Advisory Group will remain in place until such time as it has fulfilled the objectives contained in the Terms of Reference. It is expected that the proposed Master Plan with associated options will be presented to Council within four months of the Group being formed; at which time the Working Group will be disbanded.

Attachment

Terms of Reference: Prosser River Mouth Master Plan Advisory Group

Decision: 105 /19

Moved Cllr Annie Browning, seconded Cllr Rob Churchill,

1. That Council establishes a working group to be known as the Prosser River Mouth Master Plan – Section 24 Committee.
2. That Council approves the attached Terms of Reference with amendments that provide for a Chair or facilitator.
3. That membership of the Prosser River Mouth Master Plan – Advisory Group shall be
 - Glamorgan Spring Bay Council (elected representatives and relevant staff) Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Keith Breheny, Mel Kelly (Manager NRM), Adrian O’Leary (Manager Buildings and Marine Infrastructure)
 - DPIPWE land management agencies (Parks and Wildlife Service and Crown Land Services)
 - Marine and Safety Tasmania (MAST)
 - Bird Life Tasmania (BLT)
 - Tarfish
 - Jane Wing
 - Mr John Ryan
 - Mr Greg Crump
 - Ms Rosemary Wood
4. That the Prosser River Mouth Master Plan – Section 24 Committee will remain in place until such time as it has fulfilled the objectives contained in the Terms of Reference. It is expected that the proposed Master Plan with associated options will be presented to Council within four months of the Group being formed; at which time the Working Group will be disbanded.

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

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

Against: Nil

7.3 Dog Fees

Responsible Officer – Manager Development and Compliance

Recommendation

That pursuant to section 80 of the Dog Control Act 2000, the dog fees and charges for the 2019/2020 financial year outlined in this report be adopted.

Decision: 106 /19

Moved Cllr Keith Breheny, seconded Cllr Michael Symons, that pursuant to section 80 of the Dog Control Act 2000, the dog fees and charges for the 2019/2020 financial year outlined in this report be adopted.

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

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

Against: Nil

7.4 Changes to Food Premise Regulation and Fees

Responsible Officers – Manager Development and Compliance and Consultant Environmental Health Officer

Recommendation

That Council adopts the fee structure detailed in Table 2b of this report for the 2019-2020 financial year.

Decision: 107 /19

Moved Cllr Annie Browning, seconded Cllr Rob Churchill, that Council adopts the fee structure detailed in Table 2b of this report for the 2019-2020 financial year.

**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. Motion Tracking Document

Last updated 21/05/2019

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.	Complete
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.	Complete
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.	Complete
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.	Complete
26 th February 2019	7.6	39/19	Staff Resourcing Land Use Planning: Benchmark Report	MDC	Issue to be workshopped by Council.	In Progress
26 th February 2019	8.1	41/19	Notice of Motion: Increase Time for Agenda to Councillors from 4 days to 7 days (Clr Churchill)	GM	Item deferred to a workshop in light of report on staff resourcing in Planning.	In Progress
26 th March 2019	7.3	66/19	Renaming of Esplanades	MDC	Council to consult with affected residents	In Progress

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
30 th April	6.1	82/19	Policy for Users of Hall Facilities	GM	Council to formulate and implement a Policy of Acceptable Practices and Requirements for users of Council Hall facilities.	In Progress
30 th April	6.2	85/19	EPIRB and Expired Flare Collection Points	MW/MBMI	Work with MAST to investigate possibility of a collection point at each of the four Council WMC.	In Progress
30 th April 2019	7.1	87/19	Delegated Authority (to GM)	Acting GM	Delegation Instrument signed by Mayor and placed on Council's website	Complete
30 th April 2019	7.2	88/19	Minutes of Audit Panel Meeting – March 2019	Acting GM	Minutes endorsed by Council	Complete
30 th April 2019	7.3	89/19	Australian Coastal Councils Association (ACCA)	Acting GM	ACCA advised that Cllr Annie Browning is Council's representative on the committee.	Complete
30 th April 2019	7.4	90/19	Swansea Courthouse Maintenance	Acting GM	Request included for 2019/20 budget deliberations.	Complete
30 th April 2019	7.5	91/19	Freycinet Association Inc	MCD	Grant refused for production of newsletter.	Complete
30 th April 2019	7.6	92/19	Spring Bay RSL Sub-Branch Inc.	MCD	Grant approved and disbursed.	Complete
30 th April 2019	8.1	93/19	Notice of Motion: Fire at Dolphin Sands	GM/Cllr Arnol	Motion lost.	Complete

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

Resolved:

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

9. Questions Without Notice

Deputy Mayor Jenny Woods

Does anyone know what is happening with the bridge on 'Salmon's Straight' in Triabunna? There are lots of stories going around but those signs have been there for almost 12 months and it is quite annoying to see that it has completely stopped to the point that the portaloo has been removed. Nothing is going on.

Please note: Council is awaiting a response from State Growth on the status of this bridge.

10. Confidential Items (Closed Session)

The Mayor to declare the meeting closed to the public in order to:

- Item 1: Minutes from the "Closed Session" of the Ordinary Meeting of Council held on April 30, 2019.

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.

- Item 2: Local Government Association of Tasmania (LGAT) – 2019 election ballot papers.

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) (g) information of a personal or confidential nature or information provided to the council on the condition it is kept confidential.

- Item 3: Retirement of General Manager

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.

Decision: 108 /19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that Council moves into a closed session (Time 3.45pm).

**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

Please note: Meeting was adjourned for a short break at 3.45pm and reconvened at 4pm.

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

11. Close

The Mayor declared the meeting closed at 4.34pm.

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>
