



GLAMORGAN SPRING BAY
COUNCIL

Minutes of Meeting

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

27 August, 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, 27 August 2019 commencing at 2.00pm.



Dated this Thursday 22 August, 2019

**Chris Schroeder
GENERAL MANAGER**

"I certify that with respect to all advice, information and recommendations provided to Council with this agenda:

- 1. The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation, and***
- 2. Where any advice is given directly to the Council by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice the advice from any appropriately qualified or experienced person. "***

Note : Section 65 of The Local Government Act 1993 states –

- (1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.***
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –***
 - (a) the general manager certifies, in writing –***
 - (i) that such advice was obtained; and***
 - (ii) that the general manager took the advice into account in providing general advice to the council or council committee; and***
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.***



**Chris Schroeder
GENERAL MANAGER**

Table of Contents

AUDIO/VIDEO RECORDING OF ORDINARY MEETINGS OF COUNCIL	5
1. OPENING	5
1.1 ACKNOWLEDGEMENT OF COUNTRY	5
1.2 PRESENT AND APOLOGIES	5
1.3 IN ATTENDANCE	5
1.4 DECLARATION OF INTEREST OR CONFLICT	5
2. CONFIRMATION OF MINUTES.....	6
2.1 ORDINARY MEETING OF COUNCIL – JULY 23, 2019.....	6
2.2 WORKSHOP HELD – JULY 23, 2019.....	6
2.3 WORKSHOP HELD – AUGUST 6, 2019.....	6
2.4 WORKSHOP HELD – AUGUST 13, 2019.....	7
3. PLANNING AUTHORITY SECTION.....	8
4. PUBLIC QUESTION TIME	9
5. INFORMATION REPORTS.....	16
5.1 GENERAL MANAGER, CHRIS SCHROEDER	16
5.2 MANAGER WORKS, MR TONY POLLARD.....	16
5.3 MANAGER DEVELOPMENT & COMPLIANCE, MR. SHANE WELLS	16
5.4 MANAGER COMMUNITY DEVELOPMENT, MRS LONA TURVEY	16
5.5 MANAGER BUILDINGS & MARINE INFRASTRUCTURE, MR ADRIAN O’LEARY	16
5.6 MANAGER NATURAL RESOURCE MANAGEMENT, MS MELANIE KELLY.....	16
6. SECTION 24 COMMITTEES.....	17
7. OFFICERS’ REPORTS REQUIRING A DECISION.....	18
7.1 MARIA ISLAND RE-DISCOVERED PROJECT – STEERING COMMITTEE	18
7.2 SEAWEED ODOURS AT SWANSEA – AN ISSUES PAPER	19
7.3 POLICY – PLANNING AND BUILDING FEES	21
7.4 PETITION – PROPOSED TIP/RECYCLE SHOP, SWANSEA	22
7.5 HOLKHAM COURT, ORFORD - STORMWATER ASSESSMENT.....	23
7.6 STREET NAMING – SPRING BEACH RISE, SPRING BEACH	24
7.7 WASTE MANAGEMENT – EXPIRED FLARE DISPOSAL.....	25
7.8 COUNCIL REPRESENTATION ON WASTE STRATEGY SOUTH AND THE REGIONAL CLIMATE CHANGE INITIATIVE.....	26
7.9 BUCKLAND CRICKET CLUB	27
7.10 SPRING BAY COMMUNITY BOAT SHED – WORK BOATS REFURBISHMENT	28

7.11 FREYCINET CHALLENGE	29
7.12 FREYCINET PENINSULA MASTER PLAN – JUNE 2019	30
 8. MOTION TRACKING DOCUMENT	31
9. QUESTIONS WITHOUT NOTICE	34
10. CLOSE.....	34

<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>

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

Chris Schroeder (General Manager), Angela Turvey (Executive Officer), and approximately 12 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.

2. Confirmation of Minutes

2.1 Ordinary Meeting of Council – July 23, 2019

Decision: 134/19

Moved Cllr Annie Browning, seconded Cllr Keith Pyke, that the Minutes of the Ordinary Meeting of Council held Tuesday 23 July 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 – July 23, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 9.15am to 1.30pm on Tuesday 23 July at the Triabunna Council Offices (please see attached workshop agenda).

Present: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Cheryl Arnol (for approx. 1hr only from 10am), Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons.

Apologies:

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

2.3 Workshop Held – August 6, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 9.45am to 3.45pm Tuesday 6 August 2019 at the Triabunna Council Offices (please see attached agenda for items covered).

Present: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Keith Breheny, Cllr Annie Browning (via phone), Cllr Keith Pyke.

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

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

2.4 Workshop Held – August 13, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 9.45am to 3.00pm Tuesday 13 August 2019 at the Bicheno Memorial Hall (please see attached agenda for items covered). A Community Connect Session commenced at 4pm-5pm.

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

Apologies: Cllr Cheryl Arnol, Cllr Rob Churchill.

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

Please note: In attendance at the Bicheno Community Connect were Mayor Debbie Wisby, Cllr Keith Breheny, Cllr Annie Browning, Cllr Keith Pyke and Cllr Michael Symons.

Resolved

That Council notes this information.

3. PLANNING AUTHORITY SECTION

Please note:

There are no planning reports for the August 2019 Council Meeting Agenda.

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 Mrs Winny Enniss (Question on Notice)

As a ratepayer, I would like to know what the cost to Council was to extinguish the services of the former General Manager and the subsequent expense of paying for and accommodating all the acting General Managers since January 2019?

What budgeted works were sacrificed last financial year to accommodate this unbudgeted expense?

Response from the General Manager, Chris Schroeder

Council is seeking advice with respect to your question relating to payments made to the former General Manager and expect to have that advice to provide a response at the Ordinary Meeting of Council on the 24th of September 2019.

As your second question involves obtaining and explaining a range of information, an answer cannot be provided at this time however it is anticipated that a response will be provided at the Ordinary Meeting of Council on the 24th of September 2019.

Response from the Mayor (Taken on Notice)

(a) Payments made to the former General Manager;

The Council is precluded from providing the information sought on the basis of the Deed of Release entered into by the Council and the former general manager dated 23rd of May 2019.

(b) Costs of engaging acting General Manager(s) since January 2019;

As Mayor, on behalf of Council, I appointed three Acting General Managers over a 22 week period until the new General Manager commenced employment. Each Acting General Manager was chosen for their individual skills and expertise to assist with various significant matters.

During the time as Acting General Manager of Glamorgan Spring Bay Council:

- *Mr Daniel Smee completed a review of Council's Delegation Register, a document that was well out of date. Mr Smee presented the new draft Delegation Register to Council at a workshop and it was subsequently endorsed by Council.*
- *Mr Ian Pearce was integral to providing Council with clear, understandable and factual information relating to the 2019/2020 budget estimates.*
- *Mr Harry Galea was integral to providing Council with clear, understandable and factual information relating to the Prosser Plains Raw Water Supply (PPRWS). Mr Galea continues to be engaged by Council as an Engineering Consultant in relation to the PPRWS project.*
- *The three Acting General Managers were able to obtain the information required as detailed below in decision 17/19 and 18/19 and provided clear, concise and factual information to Council. As a result of their work, no additional consultant/firm was engaged by Council.*

Glamorgan Spring Bay Council Special Meeting on the 18th of February 2019:

Decision: 17/19

Moved Cllr Rob Churchill, seconded Cllr Keith Breheny, that Council determines to engage an independent and suitably qualified consultants/firm within twenty one days to review the information available and prepare a report for Council that details relevant probity and potential risk implications related to the proposed extension to the Triabunna Wharf/Marina, Prosser Plains Raw Water Project (including Hobbs Lagoon and the Expression of Interest) and Marina Views, Triabunna.

The General Manager is directed to give the consultants/firm full and unfettered access to all information, documentation and records of any kind held by Council in respect to these proposals/projects.

The selection committee for the consultant will comprise Mayor Wisby, Deputy Mayor Woods and Councillor Churchill.

The motion was put and carried

(5 Votes to 3)

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

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

Decision: 18 /19

Moved Cllr Keith Breheny, seconded Cllr Annie Browning, that Council determines to engage an independent and suitably qualified consultants/firm within twenty one days to review the information available and prepare a report for Council that details relevant probity and potential risk implications related to the Solis Development.

The General Manager is directed to give the consultants/firm full and unfettered access to all information, documentation and records of any kind held by Council in respect to this development.

The selection committee for the consultant will comprise the Mayor Wisby, Deputy Mayor Woods and Councillor Breheny.

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

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

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

The total cost to engage the Acting General Managers over a 22 week period was \$82,467.57. This equates to an average total cost per week of \$3748.52, being similar to the weekly cost of the previous General Manager's package.

(c) What budgeted works were sacrificed in the last financial year to accommodate any of the above expenses.

Following on from the above motions (17/19 and 18/19), in early 2019 any Council expenditure that was not essential to Council operating was not permitted.

In the June 2019 Ordinary Council Minutes relating to the Budget for 2019/2020, Acting General Manager Mr Ian Pearce, stated:-

- The development of this document has been undertaken in consultation with Council. The document has been reviewed by Council's audit panel.*
- It is my view that the Budget Estimates provided to you are financially responsible and will provide adequate resources to deliver Council's objectives for the year. It also provides the framework for longer term goals in providing cash backed reserves to meet future liability requirements.*
- The increase for this year also builds on Council's need to increase its cash reserves and to meet its future liabilities.*

It had been previously noted by the Auditor General that the Glamorgan Spring Bay Council had the lowest cash backed reserves for any Council in Tasmania and the level is considered less than adequate.

4.2 Dolphin Sands Ratepayers Association – Ms Robyn Moore, Secretary/Treasurer (Question on Notice)



August 16, 2019

Dear General Manager & Councillors

The DSRA would like to apply for a Healthy Tasmania Fund Small Grant from the Department of Health and Human Services for 'seed funding' to cover the cost of various reports that are needed to apply for planning approval for the Meredith River pedestrian/cycling bridge. This project is listed in Council's 2016 Swansea Structure Plan (9.7.1).

For grant applications for building projects, we are required to provide a letter of support from Council. I'm writing to request that Council approves a 'letter of support' for seed funding so that we can apply for planning approval. Please note that there are very few funding bodies who support 'seed funding'; most bodies want projects to be 'shovel ready'. Hence, we don't want to miss this opportunity.

The deadline for the Healthy Tasmania Fund Small Grants is 5pm on August 30. If Council approves a 'letter of support', could this please be emailed to us at dsra.7190@gmail.com by COB August 29.

With thanks



Robyn Moore
Secretary/Treasurer
Dolphin Sands Ratepayers Association
www.dsra.org.au

Response from the General Manager, Chris Schroeder

Council has previously considered a Council small grant request from the Dolphin Sands Ratepayers Association to undertake various reports for planning approval for the proposed Meredith River pedestrian/cycling bridge. It was previously resolved as follows:

Decision: 118/19

Moved Cllr Rob Churchill, seconded Cllr Keith Pyke that DSRA and interested community members could meet with Council in the near future to workshop a concept of a walking/cycling bridge over the Meredith River mouth.

***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

Council would like to schedule this meeting with the DSRA for its 8th of October workshop in Swansea. Until Council has met with the DSRA for a briefing and discussion on the project, I believe a 'letter of support' cannot be provided at this time.

4.3 Mr Brian Moore

- Why was the report on Holkham Ct stormwater assessment, completed by Anna Wilson withheld or withdrawn from discussion by councillors until after council meeting on 28th May 2019 at which a 25 lot subdivision 54 Holkham Crt was approved?*

Response from the Mayor

I can answer that Mr Moore. The reason that matter was withdrawn was that matter hadn't been workshopped. It was a complex matter that required workshopping and we had Mr Galea at a subsequent time, workshop that matter with Council and the report is on this agenda.

- Proposed sub division SA 2016/0012, 66 Alma Rd Orford – It appears the developer is wanting to change the original plan substantially due to drainage issues. Will he be required to lodge a new D/A as a result of this?*

Response from the Mayor

I will need to take that question on notice Mr Moore as I don't know the answer to that but we'll come back to you.

Response from Manager Development & Compliance (Taken on Notice)

Council staff are in discussions with the developer however at this stage no amended plans have been formally submitted to the Planning Authority for consideration and as such I cannot answer the question at this moment.

4.4 Mr Wayne Murray

- *I would like to thank you Mayor for following up on one of the questions raised at the May meeting of Council regarding the Prosser Dam level. The response was very useful thank you.*
- *The other question I asked which relates to the issue which you have just mentioned appears to have slipped through the net somewhat, so I just wanted to raise it again. At the time I was asking whether you understood the intention to be to leave the raw water pipeline lying on the beach in that area or whether it was going to be realigned back more in keeping with the current path there. I feared at the time that it might be left lying on the beach and then effectively covered up, which as you will see from the photographs appears to be exactly what has happened. I would be extremely loathed to suggest that any more money was spent on this project to perhaps complete a more favourable alignment of the pipeline but I do have a proposal that I think might ameliorate some of the less desirable aspects of this, that I would like to put to Council so my question is what would be the best way to bring that proposal to Council?*

Response from the Mayor

Mr Murray I will speak to you after the meeting and organise a time for you to come and come and have a chat to Council about that at a workshop.

Response from Manager Development & Compliance (Taken on Notice)

The original plan was to bury the pipeline under the pathway and reinstate the driveway. During excavation significantly more contaminated soil in that area was found than what was anticipated. For OH&S and environmental reasons the pipeline has been adjusted to run outside, rather than through, the contaminated area. This requires the current artificial shoreline being pushed further out. Professional advice was received from an accredited person with experience in managing contaminated sites and all relevant Government departments were informed of this management response.

**Please note: Mr Murray will attend a Council workshop on the 24 September, 2019.*

- *I have a second question if I may, I noticed that some of the grant deeds, the details of them are published along with Council minutes but I have searched high and low to find the details of the grant deed for the drought relief funding grant and I can't seem to find it in relation to any of the minutes of Council meetings. Is this a public document and if so what is the best way to obtain it?*

Response from the Mayor

I would think it could be a public document I don't think grant deeds are confidential in anyway but I will check that from a legal perspective and if you would like a copy of that, I'm sure we can provide you with a copy.

**Please note: Council has sought permission from the Department of Industry, Innovation and Science to provide the Commonwealth Grant Agreement to Mr Murray.*

4.5 Ms Jenifer Crawford

Thank you Mayor Wisby. Firstly I would like to commend you and the new Councillors on making a difficult but necessary decision in passing a conservative but fair budget that will hopefully see the Council financially back on track.

At the June 2019 Council meeting you spoke about the financial position that Council now finds itself in, explaining although the 2018/19 cash equivalent figures looks good at first glance, it includes 2.5 million of borrowings. That is, It is borrowed money relating to the Prosser Plains raw water pipeline, you went on to say, I quote "We have had to increase our cash reserves, well quite frankly we haven't got any cash reserves." And that was the end of your quote. Over many, many years when I was a Councillor, I and at least one other Councillor persistently both in Council budget workshops and in Council meetings raised concerns about Council's financial sustainability. As a member of the past Council I would have to collectively claim, some responsibility for the previous Council's poor financial decisions.

However, in my defence I would say as an individual Councillor I spent an inordinate amount of time trying to convince other Councillors not to support the budget as presented. My question is to both Councillor Arnol and Deputy Mayor Jenny Woods, both long term elected members of this Council. Over many years both of you supported the budgets as presented even after significant concerns had been raised.

My questions are:

- Why have neither of you bothered to publicly acknowledge your not insignificant contribution to Council's financial difficulties Council finds itself in now?*

And my second question.....

- Is do you intend to resign or apologise to ratepayers re: your part in the financial difficulties Council finds itself in at the present time? Thank you.*

***Response from the Mayor**

Do you wish to answer that question?

***Response from Deputy Mayor**

No I don't want to give it anymore oxygen, thank you.

***Response from Cllr Cheryl Arnol**

No

***Please note:**

The chairperson has the right to refuse to accept a question from a member of the public and if he or she does so, must give the reasons. Questions are put to Council, and not to individual councillors, and normally the Chair responds on behalf of Council. Sometimes the Chair may defer to another person to respond to a question (often the GM, but sometimes another councillor in certain circumstances ie if that councillor were the chair of a council committee and the question was about that committee's business). As it is open to the Chair to refuse a question, in this instance the question could justifiably be refused on the basis that it was not about Council and its activities, but about individual councillors and directed to them. The individual councillors did not wish to respond. There is no obligation on the councillors to do so. If they do not, the Chair can either respond for Council (or refuse to answer and give the reasons).

5. Information Reports

5.1 General Manager, Chris Schroeder

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

5.2 Manager Works, Mr Tony Pollard

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

5.3 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 Triabunna Community Hall Committee Minutes – 29 July 2019 (Draft)

Chris Schroeder
General Manager

Decision: 135/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that Council receives and notes the minutes of the TCH minutes of the 29 July 2019 as 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

Decision: 136/19

Moved Cllr Keith Breheny, seconded Cllr Keith Pyke, that Council approves the expenditure by the TCH from the TCH account of a maximum of \$5,000 towards the kitchen upgrade that will be funded predominantly through the community drought relief fund.

**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 Maria Island Re-Discovered Project – Steering Committee

Responsible Officer – General Manager, Chris Schroeder

Author – Mr Harry Galea (former Acting General Manager)

Recommendation

That the Council appoint to represent the Glamorgan Spring Bay Council on the Maria Island Re-Discovered Project Steering Committee for 2019/20.

Decision: 137/19

Moved Cllr Keith Pyke, seconded Cllr Cheryl Arnol that the matter be discussed.

**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: 138/19

Moved Cllr Keith Breheny, seconded Cllr Michael Symons, that the Council appoint Cllr Rob Churchill to represent the Glamorgan Spring Bay Council on the Maria Island Re-Discovered Project Steering Committee for 2019/20.

**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: Council thanked the Executive Officer, Angela Turvey for her time as Council's previous representative on the Maria Island Re-Discovered Steering Committee from August 2017 to present.

7.2 Seaweed Odours at Swansea – An Issues Paper

Responsible Officer –General Manager, Chris Schroeder

Author: Mr Harry Galea (former Acting General Manager)

Recommendations

That the Council, in respect to the Grant Deed of \$50,000 provided by the State Government's Department of Premier and Cabinet for the investigation into Seaweed odours at Swansea, resolves:

1. To confirm the action by the General Manager to seek the government's approval to change the deliverables time frames to 31 March for completion of the report (Item 6 Deed) and 30 May for submission of the final report (Item 7 Deed).
2. To engage a suitably experienced technician to determine the scale of the odour/seaweed problem and research all possible solutions to solving the core issue. The scope of the investigations to include that for each solution option, the degree it resolves the core problem is determined and the degree it resolves our value adds to resolving other service issues is quantified.
3. That the brief report is workshopped with staff and Councillors to narrow to a preferred solution.
4. That a detailed feasibility study on the preferred solution is investigated.

Attachment: Grant Deed: 2018 Election Commitment- *Funding to undertake a study regarding the odours that emanate from the seaweed on the foreshore of Swansea.*

Decision: 139/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Breheny that the matter be discussed.

**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: 140/19

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill, that the Council, in respect to the grant deed of \$50,000 provided by the State Government's Department of Premier and Cabinet for the investigation into Seaweed odours at Swansea, resolves:

- 1.To confirm the action by the previous Acting General Manager to seek the government's approval to change the deliverables time frames to 31 March 2020 for completion of the report (Item 6 Deed) and 30 May 2020 for submission of the final report (Item 7 Deed).
- 2.That the General Manager is authorised to engage a suitably experienced technician to determine the scale of the odour/seaweed problem and research all possible solutions to solving the core issue. The scope of the investigations to include that for each solution option, the degree it resolves the core problem is determined and the degree it resolves our value adds to resolving other service issues is quantified to the maximum value of \$5,000.
- 3.That the brief report is workshopped with staff and Councillors to narrow to a preferred solution.
- 4.That a detailed broader feasibility study on the preferred solution is investigated.

**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 Policy – Planning and Building Fees

Responsible Officer – General Manager, Chris Schroeder

Author: Mr Harry Galea (former Acting General Manager)

Recommendation

That the Council, in respect to Policy 1.8 – Planning and Building Fees – version 2 dated 16/07/2019, resolves to adopt the Policy as attached.

Decision: 141/19

Moved Cllr Michael Symons, seconded Cllr Rob Churchill, that the Council, in respect to Policy 1.8 – Planning and Building Fees – version 2 dated 27/8/2019, resolves to adopt the Policy as attached.

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

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

Against: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol.

Attachments:

Draft Policy – Planning and Building Fees

7.4 Petition – Proposed Tip/Recycle Shop, Swansea

Responsible Officer – General Manager, Chris Schroeder

Recommendation

This petition is tabled for Council's consideration.

Decision: 142/19

Moved Cllr Cheryl Arnol, seconded Cllr Keith Breheny, that the matter be discussed.

**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: 143/19

Moved Cllr Cheryl Arnol, seconded Cllr Rob Churchill, that Council receives and notes the petition and the concerns raised therein

**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 Holkham Court, Orford - Stormwater Assessment

Responsible Officer – Manager Development and Compliance

Recommendations

That

- A. Council accepts and notes the draft Holkham Court Stormwater Assessment.
- B. Council has regard to the draft Holkham Court Stormwater Assessment annually during the budget cycle and seeks to allocate funds from to 2020-2021 budget onwards.
- C. Council directs the General Manager to write to the Minister for Infrastructure in order to have the identified priority upgrade and/or duplication of Tasman Highway culvert designed, costed and constructed as soon as practicable.
- D. Council adopts an infrastructure contribution charge of \$3,500.00 per new lot or multiple dwelling created within the catchment.

Decision: 144/19

Moved Cllr Keith Breheny, seconded Cllr Annie Browning, that

- A Council accept and notes the draft Holkham Court Stormwater Assessment from Anna Wilson at Brighton Council marked as for review 2/10/2018 (or as amended) (the Report) and as presented in this Agenda.
- B Council has regards to allocating funding from its Annual Budget from 2020/2021 to 2022/2023 inclusive and places approved funding to a reserve titled Holkham Court Orford Stormwater Development Works (the Reserve).
- C Council adopts an infrastructure contribution charge of \$3,500 per new lot created or multiple dwelling permit issued within the Holkham Court Orford Stormwater Catchment area and places these contributions to the Reserve.
- D Works are implemented in accordance with the table shown on page 19, 20 and 21 of the Report subject to sufficient funds being held in the Reserve.
- E Council directs the General Manager to write to the Minister for Infrastructure to advise the identified priority works for the Tasman Highway as listed in the Report and requests the works are designed, costed and constructed as soon as possible.

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

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

Against: Cllr Cheryl Arnol.

7.6 Street Naming – Spring Beach Rise, Spring Beach

Responsible Officer – Manager Development and Compliance

Recommendation

That Council approves the naming of the road reserve as Spring Beach Rise and seeks the endorsement of the Nomenclature Board and all other relevant authorities be advised of Council's decision and Council's records updated.

Decision: 145/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Breheny, that Council approves the naming of the road reserve as Spring Beach Rise and seeks the endorsement of 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 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

7.7 Waste Management – Expired Flare Disposal

Responsible Officer – Manager Works

Recommendations

1. Council declines the offer to establish an expired flare disposal collection point at waste transfer stations within our municipal area.
2. The Marine Infrastructure Section 24 Committee and the local Volunteer Marine Rescue Group be advised accordingly.

Decision: 146/19

Moved Cllr Cheryl Arnol, seconded Cllr Keith Pyke, that:

1. Council declines the establishment of an expired flare disposal collection point at waste transfer stations within our municipal area.
2. The Marine Infrastructure Section 24 Committee and the local Volunteer Marine Rescue Group be advised accordingly.

**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

7.8 Council Representation on Waste Strategy South and the Regional Climate Change Initiative

Responsible Officer – Manager Natural Resources

Recommendation

For Council's consideration.

Decision: 147a/19

Moved Cllr Keith Breheny, seconded Cllr Keith Pyke, that the matter be discussed.

**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: 147b/19

Moved Cllr Cheryl Arnol, seconded Cllr Keith Pyke, that Council appoints Cllr Annie Browning to the WSS group and authorises the General Manager to appoint appropriate staff members to WSS and the RCCI .

**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

7.9 Buckland Cricket Club

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$750 to the Buckland Cricket Club towards the cost of erecting a new steel rail fence around one side of the cricket ground.

Decision: 148/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that Council approves a grant of **\$1000** to the Buckland Cricket Club towards the cost of erecting a new steel rail fence around one side of the cricket ground.

**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

7.10 Spring Bay Community Boat Shed – Work Boats Refurbishment

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$1,000 to the Spring Bay Community Boat Shed to cover the cost of purchasing Norglass coating system for both boats and other sundry items required such as brushes, cleaning products and safety equipment.

Decision: 149/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Rob Churchill, that Council approves a grant of \$1,000 to the Spring Bay Community Boat Shed to cover the cost of purchasing Norglass coating system for both boats and other sundry items required such as brushes, cleaning products and safety equipment.

**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

7.11 Freycinet Challenge

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$2,000 to The Freycinet Challenge towards staging the event at Coles Bay on 5th and 6th October, 2019, with funding to be allocated out of the events budget.

Decision: 150/19

Moved Cllr Michael Symons, seconded Cllr Keith Pyke, that Council approves a grant of \$2,000 to The Freycinet Challenge towards staging the event at Coles Bay on 5th and 6th October, 2019, with funding to be allocated out of the events budget.

**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

7.12 Freycinet Peninsula Master Plan – June 2019

Responsible Officer – General Manager

Recommendation

For Council's consideration.

Decision: 151/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Pyke, that the matter be discussed.

**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: 152/19

Moved Cllr Rob Churchill, seconded Cllr Keith Breheny, that Council receives the Freycinet Master Plan June 2019 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

8. Motion Tracking Document

Last updated 21/08/2019

Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
25 th November 2014	8.2	150/14	Solis	GM	The General Manager to affirm commitment to the project with all interested parties and progress negotiations with potential developers as relevant.	In Progress
24 th January 2017	8.1	13/17	Tea Tree Rivulet Dam Approval and Construction (including approval of borrowing/budget amendments)	GM	Council approval for GM to progress the project.	In Progress
27 th February 2018	7.1	20/18	Approval of borrowing budget amendments, pipeline approvals and construction.	GM	GM authorised to proceed with Stage 1 Prosser Plains Raw Water Scheme (PPRWS) and Council to enter into an agreement with Tassal for delivery of raw water to Okehampton Bay on full cost recovery basis.	In Progress
24 th April 2018	7.3	50/18	Kerbside Vendors Policy	MDC	Council to workshop new policy based on community consultation in August 2019.	In Progress
24 th April 2018	7.4	51/18	By-Law Review/Renewal	MDC	Council has commenced review of the draft By-Law (Workshop June 11 2019) and will bring back to a workshop after further review by the Mayor.	In Progress
25 th September 2018	9.2	105/18	City of Hobart: Compulsory Voting LG Elections	GM	Compulsory voting at LG level to be discussed at Council Workshop 23 July, 2019 in order to respond to HCC letter 13/9/18.	Complete

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

Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
23 rd October 2018	6.1	114/18	NRM Committee Minutes	MNRM	Motion for a review of public toilet facilities where there is an absence on sites such as Saltworks Reserve. To be presented at Council Workshop 27/8/19.	In Progress
27 th November 2018	7.9	140/18	Dolphin Sands Ratepayers' Association Grant Submission	MCD	Deferred to a workshop	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 on Council Agenda August 2019.	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	7.3	66/19	Renaming of Esplanades	MDC	Council to consult with affected residents	In Progress
26 th March 2019	7.5	68/19	Fast Charging for Electric Vehicles in GSB	MNRM	In principle agreement to fast charging station in Swansea and calls for EOI for a partner to install a fast charger at a Council site.	In Progress

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
30 th April 2019	6.1	82/19	Policy for Users of Hall Facilities	GM	Council to formulate and implement a Policy of Acceptable Practices and Requirements for users of Council Hall facilities.	In Progress
30 th April 2019	6.2	85/19	EPIRB and Expired Flare Collection Points	MW/MBMI	Report to Council on August 2019 agenda for decision.	In Progress
25 th June 2019	7.4	118/19	Dolphin Sands Ratepayers Association – Small Grant Submission	MCD	Grant not approved. Motion moved that DSRA are invited to meet with Council to discuss concept of walking/cycling bridge over the Meredith River Mouth. Schedule for October 8 in Swansea.	In Progress
23 rd July 2019	7.1	127-128/19	Code of Conduct Panel Determination	GM	Integrity Commission training 27/8/19	Complete
23 rd July 2019	7.2	129-130/19	Code of Conduct Panel Determination	GM	Integrity Commission training 27/8/19	Complete
23 rd July 2019	7.3	131/19	Rural Alive and Well Inc. Accredited Mental Health First Aid Course	MCD	Grant approved and disbursed	Complete
23 rd July 2019	7.4	132/19	Spring Bay Maritime & Discovery Centre Inc. – Spring Bay Community Shed	MCD	Grant approved and disbursed	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

Councillor Cheryl Arnol

I have a question to you Mayor. I received a letter from unnamed concerned ratepayers regarding a potential breach of Section 339 of the Act by the Mayor, in that you used information in relation to Council activities at your disposal to rent your private Airbnb to Acting General Managers. The concerned ratepayer's letter has suggested that there are other accommodation businesses that would have appreciated the opportunity to provide several weeks of consistent income at this time of the year.

Mayor did you breach Section 339 of the Act by using information available to you by using accommodation for Acting General Managers, thereby gaining advantage for yourself and a family member in providing your Airbnb for several weeks at a significantly reduced rate without offering the opportunity to quote for the service to other accommodation providers?

Response from Mayor Wisby (Taken on Notice)

I have a good knowledge of the Local Government Act and keep this in mind when making any decisions in relation to Council matters. In my opinion my decision was not contrary to S339.

At the conclusion of the Ordinary Council Meeting on the 27th of August 2019, Deputy Mayor Woods advised me that she had sought advice from the Director of Local Government to obtain his view on the allegation.

I am disappointed that Deputy Mayor Woods and Councillor Arnol did not advise me of the existence of an anonymous letter making accusations about me prior to the 27th of August 2019.

Over the past two months all Councillors were made aware of the accommodation arrangements and were provided copies of invoices related to the matter. This gave every Councillor an opportunity to raise any concerns they had however the only feedback received was positive, particularly in relation to the low rate charged of \$300 per week for a fully furnished home inclusive of cleaning/laundry.

10. Close

The Mayor declared the meeting closed at 3.48pm

CONFIRMED as a true and correct record.

Date:

Mayor Debbie Wisby

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

**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.**