



GLAMORGAN SPRING BAY
COUNCIL

Minutes of Meeting

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

24 September, 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, 24 September 2019 commencing at 5.00pm.



Dated this Thursday 19 September, 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.....	7
2.1 ORDINARY MEETING OF COUNCIL – AUGUST 27, 2019.....	7
2.2 WORKSHOP HELD – AUGUST 27, 2019.....	7
2.3 WORKSHOP HELD – SEPTEMBER 3, 2019	7
2.4 WORKSHOP HELD – SEPTEMBER 10, 2019	8
2.5 WORKSHOP HELD – SEPTEMBER 9, 2019	8
3. PLANNING AUTHORITY SECTION.....	9
3.1 DA 2019/64 – ADDITIONS AND ALTERATIONS VISITOR ACCOMMODATION, 1819 AND 1593 COLES BAY ROAD, COLES BAY.....	10
4. PUBLIC QUESTION TIME	13
5. INFORMATION REPORTS.....	21
5.1 GENERAL MANAGER, CHRIS SCHROEDER	21
5.2 MANAGER WORKS, MR TONY POLLARD.....	21
5.3 MANAGER DEVELOPMENT & COMPLIANCE, MR. SHANE WELLS	21
5.4 MANAGER COMMUNITY DEVELOPMENT, MRS LONA TURVEY	21
5.5 MANAGER BUILDINGS & MARINE INFRASTRUCTURE, MR ADRIAN O’LEARY	21
5.6 MANAGER NATURAL RESOURCE MANAGEMENT, MS MELANIE KELLY.....	21
6. SECTION 24 COMMITTEES.....	22
7. OFFICERS’ REPORTS REQUIRING A DECISION.....	23
7.1 POLICY 1.1 - MOBILE FOOD VANS, POP-UP STALLS & KERBSIDE VENDING	23
7.2 POLICY 3.11 – CUSTOMER SERVICE CHARTER	24
7.3 POLICY 4.3 – RECOGNITION OF CONTINUOUS YEARS OF SERVICE	25
7.4 POLICY 4.6 – USE OF COUNCIL LOGO	26
7.5 POLICY 4.7 – COUNCIL OWNED VEHICLES	27
7.6 POLICY 4.9 – VOLUNTEER POLICY	28
7.7 GLAMORGAN SPRING BAY COUNCIL - ENVIRONMENTAL HEALTH BY-LAW.....	29



7.8	CODE OF CONDUCT PANEL DETERMINATION REPORT	30
7.9	SPEED LIMIT REVIEWS	31
7.10	EASTCOAST REGIONAL DEVELOPMENT ORGANISATION INC.	32
7.11	ORFORD PRIMARY SCHOOL	33
7.12	SWANSEA COMMUNITY CHRISTMAS	34
7.13	SWANSEA PRIMARY SCHOOL.....	35
7.14	PROSSER PLAINS RAW WATER SCHEME (PPRWS).....	36
8.	NOTICES OF MOTION	37
8.1	PROSSER RIVER MOUTH MASTER PLAN ADVISORY GROUP	37
9.	MISCELLANEOUS CORRESPONDENCE.....	39
9.1	LETTER: CAT MANAGEMENT AMENDMENT BILL 2019	39
10.	MOTION TRACKING DOCUMENT	40
11.	QUESTIONS WITHOUT NOTICE.....	43
12.	CLOSE.....	49

**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.**

Audio/Video Recording of Ordinary Meetings of Council

As determined by Glamorgan Spring Bay Council in April 2017 all Ordinary and Special Meetings of Council are to be audio/visually recorded and streamed live. A link is available on the Glamorgan Spring Bay Council website to the YouTube platform, where the public can view the meeting live and watch recordings of previous Council meetings.

In accordance with the Local Government Act 1993 and Regulation 33, these video/audio files will be retained by Council for at least 6 months and made available for viewing live, as well as online within 5 days of the scheduled meeting. The written minutes of a meeting, once confirmed, prevail over the video/audio recording of the meeting.

1. Opening

The Mayor welcomed Councillors, staff and members of the public and declared the meeting open at 5.01pm.

1.1 Acknowledgement of Country

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

1.2 Present and Apologies

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

Apologies: Cllr Keith Breheny

1.3 In Attendance

Mr Chris Schroeder (General Manager), Ms Angela Turvey (Executive Officer), Ms Andrea Marshall (Administration Co-ordinator), Ms Robyn Bevilacqua (Graduate Planner) and Mr Shane Wells (Manager Development and Compliance) and approximately 20 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:

- Mayor Debbie Wisby declared an interest in Item 7.14 – Prosser Plains Raw Water Scheme as the Mayor's son has a traineeship at Tassal.
- Cllr Cheryl Arnol declared an interest in Item 7.14 – Prosser Plains Raw Water Scheme.
- Deputy Mayor Jenny Woods declared an interest in Item 7.14 -- Prosser Plains Raw Water Scheme.
- Cllr Annie Browning declared an interest in Item 7.13 – Swansea Primary School.

Please note: There was no quorum for Item 7.14 due to declared interests in this item.

2. Confirmation of Minutes

2.1 Ordinary Meeting of Council – August 27, 2019

Decision: 153/19

Moved Cllr Annie Browning, seconded Cllr Keith Pyke, that the Minutes of the Ordinary Meeting of Council held Tuesday 27 August 2019 be confirmed as a true and correct record.

**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

2.2 Workshop Held – August 27, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 9.30am to 1.30pm on Tuesday 27 August at the Triabunna Council Offices (please see attached workshop agenda).

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

Apologies: Cllr Cheryl Arnol

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

2.3 Workshop Held – September 3, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 10am to 3.30pm Tuesday 3 September 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 Rob Churchill, Cllr Keith Pyke.

Apologies: Cllr Cheryl Arnol, Cllr Michael Symons.

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

2.4 Workshop Held – September 10, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 10am to 4pm Tuesday 10 September 2019 at the Coles Bay Hall (please see attached agenda for items covered). A Community Connect Session commenced at 3pm-4pm.

Present: Mayor Debbie Wisby (via phone), Deputy Mayor Jenny Woods, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill (arrived at 1.15pm), Cllr Keith Pyke.

Apologies: Cllr Cheryl Arnol, Cllr Mike Symons.

In Attendance: Mr Chris Schroeder (General Manager) and Mr Shane Wells (Manager Development & Compliance).

Please note: In attendance at the Coles Bay Community Connect were Mayor Debbie Wisby (via phone), Deputy Mayor Jenny Woods, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill and Cllr Keith Pyke.

2.5 Workshop Held – September 9, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 9.30am to 2.30pm Monday 9 September 2019 at the Triabunna Council Offices. This was an initial workshop with Councillors and the General Manager on the new 10 year strategic plan for Glamorgan Spring Bay Council 2020-2030.

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

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

In Attendance: Mr Graham Flower (Hexagon) Mr Chris Schroeder (General Manager).

Decision: 154/19

Moved Cllr Keith Pyke, seconded Deputy Mayor Jenny Woods, that Council notes this information.

**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

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: 155/19

Moved Cllr Rob Churchill, seconded Cllr Michael Symons, that Council now acts as a Planning Authority. (Time: 5.07pm)

**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

3.1 DA 2019/64 – Additions and Alterations Visitor Accommodation, 1819 and 1593 Coles Bay Road, Coles Bay

Planning Assessment Report

Proposal:	Additions and alterations to Visitor Accommodation use including development of 28 villas, extension and refurbishment of existing reception centre, 4 additional staff accommodation buildings, privacy screening for some existing villas, waste and storage facilities and access and parking associated with the additional development
Applicant:	Coles Bay Holdings Pty Ltd by their agent Ireneinc Planning and Urban Design
Location:	1819 and 1593 Coles Bay Road, Coles Bay
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015 (Interim Scheme)
Zoning:	Rural Resource Zone
Application Date:	25 July 2019
Statutory Date:	extension of time until 27 September 2019
Use Class:	Visitor Accommodation
Use status in zone:	Discretionary
Discretions:	Sixteen (16)
Representations:	Seventeen (17)
Attachments:	Proposed Plans Ireneinc Planning Submission, ECOTas Ecological Assessment Report, Traffic Impact Assessment prepared by Midson Traffic Pty Ltd, Representations provided under separate cover
Author:	Nell Nettlefold, Consultant Planner

Decision: 156/19

Moved Cllr Rob Churchill, seconded Cllr Annie Browning,

That:

A. 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 *Additions and alterations to Visitor Accommodation use including development of 28 villas, extension and refurbishment of existing reception centre, 4 additional staff accommodation buildings, privacy screening for some existing villas, waste and storage facilities and access and parking associated with the additional development at 1819 and 1593 Coles Bay Road, Coles Bay* (DA 2019/64), be APPROVED subject to conditions 1-28 in this report.

**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

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: 157/19

Moved Cllr Michael Symons, seconded Cllr Keith Pyke, that Council no longer acts as a Planning Authority. (Time: 5.33pm)

**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

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 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 Scheme (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.

4.3 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).

4.6 Ms Anne Held

On the planning application, the Development application that you were discussing, there were 17 submission, sorry 17 representations but they weren't attached to the agenda is that normal or could they be so public can see the representations going forward on all Development applications?

Response from Manager Development and Compliance (Mr Shane Wells)

I can answer through the Mayor. The Policy of this Council has always been to not circulate representations with the public Agenda, they are provided to the Councillors under separate cover, beyond that it is really a matter for the Councillors as to what they desire, any change to that Policy and if they are otherwise prepared to have redacted copies provided to other parties beforehand. The custom has been redacted copies of representations are provided to the applicant if they request, could be provided to anyone else that requested them and redacted.

Ms Anne Held

So is that legislative or is that Council Policy?

Mr Shane Wells

Council policy

Ms Anne Held

So there is no legislation saying either way?

Mr Shane Wells

Different Councils have different approaches

The Mayor

I just want to note, it's been referred to as Policy but I'm not aware of a Policy

Mr Shane Wells

Small 'p' policy.

The Mayor

Small 'p' Policy, that means internal, not like a Policy of Council, so Ms Held we can have a look at that. Thank you.

4.7 Ms Caroline Wright

My husband and I were wondering what's the latest update with the pipeline and wondering how council is going to deal with it, what's happening there?

Response from the Mayor

So you would have seen this evening possibly if you have got an Agenda there Item 7.14 , there was an item on the Agenda this evening and the recommendation there was that Council resolve, that it will not proceed with Stage 2, which includes the Twarmley Dam and all the construction, including any other additional dams in the Prosser Plain Raw Water and that in accordance resolution one that no further work, including any investigative work be undertaken by Council with respect to Stage 2.

So as said initially my son works at Tassal on a traineeship so is inappropriate for myself, Deputy Mayor Woods has declared an interest and Councillor Arnol has declared an interest so there is a lack of quorum to deal with that matter this evening, with Councillor Breheny being away so that part of it can't be moved forward at this point.

So it's been reported that a letter has been forwarded to Tassal requesting assistance in relation to the \$6,000,000 short fall and the request was that a response is provided within 14 days. The letter is regarded as confidential because it involves negotiations but that part I can tell you. I think Friday coming is the 14 days, am I right (Chris Schroeder – yes) and at this point I haven't heard back but we still have a week to go.

So we are proceeding through, the works haven't stopped as a result. Council received notification from TasWater that the Construction Management Plan they are satisfied with it so we were able to go on site and start doing the work on a pump station on Monday, yesterday of this week

So the Construction Management Plan was a complex document because they were doing work over the Orford water supply and they needed to protect that water supply so that document took a while but we've now got that so things are proceeding there. There is probably little more that I can say other than we are working with Tassal, TasWater, State Government to try to find a way forward here and I'm confident we could find a way forward but it's just in the timing at the moment but the good news is that we can finally start constructing the pump station. Thank you.

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 NRM Committee Minutes – 14 August 2019 (Draft)

Chris Schroeder
General Manager

Decision: 158/19

Moved Cllr Annie Browning, seconded Cllr Cheryl Arnol, that Council receives and notes the draft minutes of the NRM Committee dated 14 August 2019.

**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

7. Officers' Reports Requiring a Decision

7.1 Policy 1.1 - Mobile Food Vans, Pop-Up Stalls & Kerbside Vending

Responsible Officer – Manager Development and Compliance, Shane Wells

Recommendations

That:

- (a) Council adopts Policy 1.1 Mobile Food Vans, Pop-Up Stalls & Kerbside Vending, version 4, dated 24th September 2019.
- (b) Council amends the fees and charges for 2019-2020 to adopt the fee schedule listed below:
 - One year licence fee is \$1000
 - Three months licence fee is \$350
 - One month licence fee is \$200
 - Up to one week licence fee is \$75.

Attachment:

Draft Policy 1.1 – Mobile Food Vans, Pop-Up Stalls and Kerbside Vending

Decision: 159/19

Moved Cllr Keith Pyke, seconded Cllr Rob Churchill,

That:

Council adopts Policy 1.1 Mobile Food Vans, Pop-Up Stalls & Kerbside Vending, version 4, dated 24th September 2019.

Council amends the fees and charges for 2019-2020 to adopt the fee schedule listed below:

- One year licence fee is \$1000
- Three months licence fee is \$350
- One month licence fee is \$200
- Up to one week licence fee is \$75.

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

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

Against: Cllr Cheryl Arnol.

7.2 Policy 3.11 – Customer Service Charter

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That the Council adopts Policy 3.11 – Customer Service Charter, version 4 dated 24/09/2019 (as attached).

Attachments:

Draft Policy 3.11 – Customer Service Charter

Decision: 160/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Keith Pyke, that the Council adopts Policy 3.11 – Customer Service Charter, version four (4) dated 24/09/2019 (as attached).

**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

7.3 Policy 4.3 – Recognition of Continuous Years of Service

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That the Council adopts Policy 4.3 – Recognition of Continuous Years of Service – Councillors and Staff, version 4 dated 24/09/2019 (as attached).

Attachments:

Draft Policy 4.3 – Recognition of Continuous Years of Service

Decision: 161 /19

Moved Cllr Annie Browning, seconded Cllr Rob Churchill, that the Council adopts Policy 4.3 – Recognition of Continuous Years of Service – Councillors and Staff, version four (4) dated 24/09/2019 (as attached).

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

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

Against: Cllr Cheryl Arnol.

7.4 Policy 4.6 – Use of Council Logo

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That the Council adopts Policy 4.6 – Use of Council Logo, version 3 dated 24/09/2019 (as attached).

Attachments:

Draft Policy 4.6 – Use of Council Logo

Decision: 162/19

Moved Cllr Michael Symons, seconded Cllr Cheryl Arnol, that the Council adopts Policy 4.6 – Use of Council Logo, version three (3) dated 24/09/2019 (as attached).

**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

7.5 Policy 4.7 – Council Owned Vehicles

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That the Council adopts Policy 4.7 – Council Owned Vehicles, version 3 dated 24/09/2019 (as attached).

Attachments:

Draft Policy 4.7 – Council Owned Vehicles

Decision: 163/19

Moved Cllr Annie Browning, seconded Cllr Keith Pyke, that the Council adopts Policy 4.7 – Council Owned Vehicles, version three (3) dated 24/09/2019 (as attached).

**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

7.6 Policy 4.9 – Volunteer Policy

Responsible Officer – General Manager, Chris Schroeder

Recommendation

That the Council adopts Policy 4.9 – Volunteer Policy, version 2 dated 24/09/2019 (as attached).

Attachments:

Draft Policy 4.9 – Volunteer Policy

Decision: 164/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Rob Churchill, that the Council adopts Policy 4.9 – Volunteer Policy, version two (2) dated 24/09/2019 (as attached).

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

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

Against: Cllr Cheryl Arnol.

7.7 Glamorgan Spring Bay Council - Environmental Health By-Law

Responsible Officer – Manager Development and Compliance, Shane Wells

Recommendation

That Council resolves to make a by-law in accordance with the attachment to this report.

Attachment:

DRAFT Glamorgan Spring Bay Council Environmental Health By-Law

Decision: 165/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that item 7.7 GSBC Environmental By-Law is deferred to a future Council Meeting.

**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

7.8 Code of Conduct Panel Determination Report

Responsible Officer – General Manager, Chris Schroeder

Recommendation

1. That Council receives and notes the Determination Report made 4 September 2019 in relation to the complaint by Ms Anne Held against Cllr Cheryl Arnol.
2. That Council notes the Code of Conduct Panel determines that Cllr Arnol breached Part 1 (1) and Part 1 (4) of the Code of Conduct, and dismissed the remainder of the complaint.

Attachment: Determination Report, 4 September 2019.

Decision: 166/19

Moved Cllr Annie Browning, seconded Cllr Rob Churchill, that

1. That Council receives and notes the Determination Report made 4 September 2019 in relation to the complaint by Ms Anne Held against Cllr Cheryl Arnol.
2. That Council notes the Code of Conduct Panel determines that Cllr Arnol breached Part 1 (1) and Part 1 (4) of the Code of Conduct, and dismissed the remainder of the complaint.
3. That Council commits to undertake regular and ongoing Planning Authority Training.

**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

7.9 Speed Limit Reviews

Responsible Officer – Manager Works, Tony Pollard

Recommendations

1. Council submits an application to Department of State Growth requesting the existing 80 km/hr speed limit along Cambria Drive be assessed with a view of reducing the speed limit to 60 km/hr in the interests of public safety.
2. Council submits an application to Department of State Growth requesting the existing 80 km/hr speed limit along the Tasman Highway through Buckland be assessed with a view of reducing the speed limit to 70 km/hr in the interests of public safety.

Decision: 167/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that

1. Council submits an application to Department of State Growth requesting the existing 80 km/hr speed limit along Cambria Drive be assessed with a view of reducing the speed limit to 60 km/hr in the interests of public safety.

2. Council submits an application to Department of State Growth requesting the existing 80 km/hr speed limit along the Tasman Highway through Buckland be assessed with a view of reducing the speed limit to 70 km/hr in the interests of public safety.

**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

7.10 Eastcoast Regional Development Organisation Inc.

Responsible Officer – Manager Community Development, Lona Turvey

Recommendation

That Council considers a grant Eastcoast Regional Development Organisation Inc. to purchase two (2) exterior, waterproof and lockable notice boards with shatter resistant polycarbonate front.

Decision: 168/19

Moved Cllr Keith Pyke, seconded Cllr Annie Browning, that Council approves a grant of \$500 to Eastcoast Regional Development Organisation Inc. to purchase one (1) exterior, waterproof and lockable notice board with shatter resistant polycarbonate front, subject to all required Council approvals being obtained.

**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

7.11 Orford Primary School

Responsible Officer – Manager Community Development, Lona Turvey

Recommendation

That Council considers a grant to the Orford Primary School to purchase two corflute signs to promote the “Back to Orford Primary” celebration day.

Decision: 169/19

Moved Cllr Cheryl Arnol, seconded Cllr Michael Symons, that Council approves a grant of \$200 to the Orford Primary School to purchase two corflute signs to promote the “Back to Orford Primary” celebration day.

**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

7.12 Swansea Community Christmas

Responsible Officer – Manager Community Development, Lona Turvey

Recommendation

That Council approves a grant to the Swansea Community Christmas Committee towards the staging of the 2019 Christmas Parade and festivities in Swansea.

Decision: 170/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that Council approves a grant of \$500 to the Swansea Community Christmas Committee towards the staging of the 2019 Christmas Parade and festivities in Swansea.

**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

7.13 Swansea Primary School

Responsible Officer – Manager Community Development, Lona Turvey

Recommendation

That Council considers a grant to the Swansea Primary School towards the cost of purchasing a water fountain for the school.

Please note: Cllr Annie Browning left the meeting at 6.50pm due to a declared conflict of interest.

Decision: 171/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Rob Churchill, that Council approves a grant of \$500 to the Swansea Primary School towards the cost of purchasing a water fountain for the school.

**The motion was put and lost
(3 Votes to 3)**

For: Deputy Mayor Jenny Woods, Cllr Cheryl Arnol, Cllr Rob Churchill.

Against: Mayor Debbie Wisby, Cllr Keith Pyke, Cllr Michael Symons.

Please note: Cllr Annie Browning returned to the meeting at 6.54pm.

7.14 Prosser Plains Raw Water Scheme (PPRWS)

Please note: This item was not dealt with at the September Ordinary Meeting of Council due to the lack of a quorum. This was due to declared conflicts of interest.

Responsible Officer – General Manager, Chris Schroeder

Recommendation

- (1) That Council resolves that it will not proceed with the Stage 2 PPRWS works, which includes the Twamley Dam and/or the construction or inclusion of any other additional dams into the PPRWS.
- (2) That, in accordance with resolution (1) above, that no further work, including any investigative work, be undertaken by Council with respect to the Stage 2 PPRWS works.

Attachments:

1. *Prosser Plains Raw Water Scheme DRAFT Business Plan*
2. MOU between Tassal and Council
3. Tassal letter of commitment 19 January 2017
4. Tassal letter of commitment 22 February 2018

8. Notices of Motion

8.1 Prosser River Mouth Master Plan Advisory Group

Author – Deputy Mayor Jenny Woods

Motion

That Council amends the Terms of Reference for the Prosser River Mouth Master Plan as follows:

1. Term

The Advisory Group will remain in place until such time as it has provided Council with a draft master plan. It is expected that the proposed master plan, with associated options will be presented to Council with in four (4) months from the time of the first meeting.

2. Meetings

A meeting quorum will be half the number of total members of the group.

Meeting agendas and minutes will be provided by a nominated Council officer, this includes

- Preparing agendas and supporting papers
- Preparing meeting notes and information

Meetings will be held as required and determined by the committee.

3. References

That the Prosser River Entrance Stabilisation Project Planning Report be added to the references.

Decision: 172/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Michael Symons, that Council amends the Terms of Reference for the Prosser River Mouth Master Plan as outlined in the Terms of Reference document presented in the Council Meeting.

**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

Decision: 173/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Michael Symons, that Council discusses the matter of Mr Chris Dillon being added as a either a member or invited participant of the group.

**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

Decision:174 /19

Moved Deputy Mayor Jenny Woods, seconded Cllr Michael Symons, that Councils appoints Mr Chris Dillon as an invited participant of the group.

**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

9. Miscellaneous Correspondence

9.1 Letter: Cat Management Amendment Bill 2019

10. Motion Tracking Document

Last updated 18/09/2019

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

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.	Complete
26 th February 2019	7.6	39/19	Staff Resourcing Land Use Planning: Benchmark Report	MDC	Issue to be workshopped by Council.	In Progress
26 th February 2019	8.1	41/19	Notice of Motion: Increase Time for Agenda to Councillors from 4 days to 7 days (Clr Churchill)	GM	Item deferred to a workshop in light of report on staff resourcing in Planning.	In Progress
26 th March 2019	7.3	66/19	Renaming of Esplanades	MDC	Council to consult with affected residents	In Progress
26 th March 2019	7.5	68/19	Fast Charging for Electric Vehicles in GSB	MNRM	In principle agreement to fast charging station in Swansea and calls for EOI for a partner to install a fast charger at a Council site.	In Progress
30 th April 2019	6.1	82/19	Policy for Users of Hall Facilities	GM	Council to formulate and implement a Policy of Acceptable Practices and Requirements for users of Council Hall facilities.	In Progress
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.	Complete
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

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

Meeting Date	Item No.	Decision Number	Title	Action Officer	Progress	Completed
27 th August 2019	7.1	138/19	Maria Island Re-Discovered Project – Steering Committee	GM	Clr Rob Churchill appointed as Council’s representative on the Steering Committee	Complete
27 th August 2019	7.2	140/19	Seaweed Odours Swansea – An Issues Paper	GM	Council to appoint “suitably qualified technician” to prepare a scoping report. Brief to be provided to Council at a workshop.	In Progress
27 th August 2019	7.3	141/19	Policy – Planning and Building Fees	GM	Endorsed by Council and provided on Council’s website.	Complete
27 th August 2019	7.4	143/19	Petition – Proposed Tip/Recycle Shop Swansea	GM	Petition and concerns received and noted by Council.	Complete
27 th August 2019	7.5	144/19	Holkham Court, Orford – Stormwater Assessment	GM	Works are implemented as outlined in the report. Letter to Minister for Infrastructure Re: Priority works for Tasman Hwy.	In Progress
27 th August 2019	7.6	145/19	Street Naming – Spring Beach Rise	MDC	Approved by Council and sent to the Nomenclature Board.	Complete
27 th August 2019	7.7	146/19	Waste Management – Expired Flare Disposal	MW	Collection points will not be established at Council’s waste transfer stations.	Complete
27 th August 2019	7.8	147/19	Council Representation on Waste Strategy South and the Regional Climate Change Initiative	MNRM	Clr Browning appointed to WSS. Manager Works a staff rep on WSS. Manager NRM rep for RCCI.	Complete
27 th August 2019	7.9	148/19	Buckland Cricket Club	MCD	Grant of \$1000 approved and disbursed.	Complete
27 th August 2019	7.10	149/19	Spring Bay Community Boat Shed – Work Boats Refurbishment	MCD	Grant of \$1000 approved and disbursed.	Complete
27 th August 2019	7.11	150/19	Freycinet Challenge	MCD	Grant of \$2,000 approved and disbursed.	Complete
27 th August 2019	7.12	152/19	Freycinet Peninsula Master Plan – June 2019	GM	Plan received by Council.	Complete

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

Resolved:

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

11. Questions Without Notice

11.1 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 already lodged the said anonymous letter with 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.

11.2 Councillor Cheryl Arnol

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

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

Response from Mayor Wisby

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



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

Response from Manager Development & Compliance

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

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

Response from Mayor Wisby (Taken on Notice)

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

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

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



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

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

INVOICE

To: Glamorgan Spring Bay Council

From: Glen & Debbie Wisby

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

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

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

Agreed price per week \$300.00.

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

Bank Account: National Australia Bank

Account Name: Glenford Wisby and Debbie Wisby

BSB: 087 007

Account Number: 82 708 8792

Payment Terms: 7 days

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

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

- Ian Pearce;
- Council

Dear Ian

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

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

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

Kind regards
Debbie

Debbie Wisby
Mayor
Glamorgan Spring Bay Council

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

Cllr Keith Breheny

Tue 25/06/2019 8:52 AM

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

Thanks Debbie.

KB

Keith Breheny
Glamorgan Spring Bay Councillor

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

Cllr Keith Pyke

Mon 24/06/2019 10:28 PM

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

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

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

Cllr Rob Churchill

Sun 23/06/2019 11:38 AM

- Mayor Debbie Wisby;
- Ian Pearce;
- Council

Hi Debbie,

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

Rob

11.3 Deputy Mayor Jenny Wood

To you Mayor, have the answers for Mr John Hancock and Mrs Kathryn Hancock which were asked about the Holkham Crt sub-division in June this year, have they been answered? Or have I missed them?

Response from Manager Development and Compliance - 25 June 2019

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.

11.4 Councillor Keith Pyke

Look mine is more a question out of curiosity I guess following our meeting with the ground staff this afternoon. I guess what I would like to know is with the expression of interest that is out there now for the lawn mowing, will that or won't that affect any of our staff?

Response from Mayor Wisby

No, the intent of that....that was done externally. There was a motion put during the last Council that that wouldn't occur again without the approval of the Council because the previous Council didn't know about it and that was a motion. So there has been an expression of interest put out or some words along those lines. That needs to be workshopped. There still needs to be a determination from Council as to what direction we go with that. But at the end of the day there won't be any loss of employment because the current situation is it is done externally anyway.

12. Close

The Mayor declared the meeting closed at 7.21pm

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.

<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>
