



GLAMORGAN SPRING BAY
COUNCIL

Special Meeting Minutes

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

16 October, 2019

THAT NOTICE OF SPECIAL MEETING

Notice is hereby given that the Mayor has called a Special Meeting of the Glamorgan Spring Bay Council in closed session to be held at the Triabunna Council Offices on Wednesday the 16th October 2019 at 5.30pm.



Dated this Friday 11 October, 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 the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council or council committee.**



Chris Schroeder
GENERAL MANAGER

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Audio/Video Recording of Ordinary and Special 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 5.32pm.

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

Mr Chris Schroeder (General Manager), Ms Angela Turvey (Executive Officer), and approximately 10 members of the public.

1.4 Declaration of Interest or Conflict

The Mayor requests Elected Members to indicate whether they have:

- 1. any interest (personally or via a close associate) as defined in s.49 of the Local Government Act 1993; or*
- 2. any conflict as described in Council's Code of Conduct for Councillors,*

in any item included in the Agenda.

Please note:

- Cllr Cheryl Arnol declared a perceived conflict of interest in Agenda Item 2.3**
- Deputy Mayor Jenny Woods declared a pecuniary interest in Agenda Item 2.3**

2. Officers' Reports Requiring a Decision

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

Responsible Officer – General Manager

Background

At the Ordinary Council Meeting held 24 September 2019 Council revised and endorsed Policy 1.1- Mobile Food Vans, Pop-Up Stalls & Kerbside Vending (see decision below) with Minutes to be endorsed at the Ordinary Council Meeting 22 October 2019.

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.

A request has been received to modify the endorsed Policy to protect events organised by local Clubs, Associations and Community Groups within the municipal area.

Examples of events whereby authority would need to be gained from the organiser by interested businesses/groups to participate/attend an event include rostered sporting events at recreation grounds, the Australia Day event at Our Park in Orford and the Bicheno Food and Wine Festival.

Recommendation

That Council include the following wording in Policy 1.1- Mobile Food Vans, Pop-Up Stalls & Kerbside Vending:

For events organised by local Clubs, Associations and Community Groups within the municipal area such as rostered sporting events at recreation grounds, the Australia Day event at Our Park in Orford and the Bicheno Food and Wine Festival, written permission from the organising group is to be obtained to allow any mobile food van, pop-up stall or kerbside vending business to participate at the event.

Decision: 175/19


Moved Cllr Rob Churchill, seconded Cllr Keith Pyke, that Council include the following wording in Policy 1.1- Mobile Food Vans, Pop-Up Stalls & Kerbside Vending:

For events organised by local Clubs, Associations and Community Groups within the municipal area such as rostered sporting events at recreation grounds, the Australia Day event at Our Park in Orford and the Bicheno Food and Wine Festival, written permission from the organising group is to be obtained to allow any mobile food van, pop-up stall or kerbside vending business to participate at the event.

**The motion was put and carried unanimously
(8 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

 GLAMORGAN SPRING BAY COUNCIL	POLICY – MOBILE FOOD VANS, POP-UP STALLS & KERBSIDE VENDING	Policy 1.1	
		Version 4	Date 24/9/2019
Minutes Dated 24/09/2019	Approved By: Council Decision No. 159/19	Review Date As required but no later than 2023	

1. OBJECTIVES

The Policy provides that:

- GSBC will support existing and future ‘bricks and mortar’ businesses.
- GSBC recognises that mobile food vendors play an important role in the visitor economy as well as the local services economy.
- In reconciling these imperatives, GSBC will not permit a mobile food vendor within 100m of an existing take away or café food business situated on private tenure within town boundary and 1km outside of town boundary.
- GSBC encourages mobile food vendors to operate across identified sites in order to cater for demand. In doing so it is recognises that this policy must operate without a significant administrative burden.
- GSBC recognises that some mobile food vans have long-term occupancy and certain commercial rights to maintain but will limit any future long-term occupancy.

2. SCOPE

This Policy applies to mobile food vans, pop-up stalls and kerbside vending operating on public land.

- Mobile Food Vans that form part of a community event are exempt from this Policy.
- Mobile food vans on private land represent a use of the land and are regulated through the planning system.

3. PROCEDURE

A Mobile Food Van may apply for a licence to operate for:

- One year for a licence fee of \$1000 or otherwise prescribed in Council’s fee schedule.
- Three months for a licence fee of \$350 or otherwise prescribed in Council’s fee schedule.
- One month for a licence fee of \$200 or otherwise prescribed in Council’s fee schedule.
- Up to one week \$75 or otherwise prescribed in Council’s fee schedule.

A pop-up stall or kerbside vendor, inclusive of the sale of fresh fruit, vegetables and fish, may apply for a licence to operate for the same period of time as listed above for a mobile food van. The licence fee is to be determined at the discretion of the General Manager having regard to the nature and scale of the activity and any equivalence to the mobile food van. Any such stall or vendor for a charitable purposes shall be fee exempt.

A Mobile Food Van could be approved to operate in any one of the following locations at any one time:

- Triabunna Gatehouse
- Triabunna Boat Ramp
- Triabunna Recreation Ground
- Triabunna Memorial Park,
- Orford Our Park
- Spring Beach, Spring Beach Car Park
- Orford Recreation Ground
- Saltworks Boat Ramp (*subject to approval by the Crown)
- Swansea corner of Jetty Road and Franklin Street
- Swansea Recreation Ground
- Swansea Gordon Street Boat Ramp
- Swansea Saltwater River Playground
- Swansea Schouten Beach turning head / Waterloo Point Walk
- Dolphin Sands Beach Accesses
- Spiky Bridge Car Park (*subject to approval by the Crown)
- Bicheno, near Recreation Ground off Waubs Esplanade
- Bicheno Triangle Car Park (from 6pm to 10pm only)
- Bicheno entry point to Whalers Lookout Walk
- Bicheno Car Park opposite United Petroleum
- Bicheno Gordon Street cul-de-sac turning head
- Swanwick Recreation Area
- Coles Bay Jetty
- Coles Bay Boat Ramp
- Coles Bay Memorial Hall
- Coles Bay Information Booth

****Other locations may be considered by application to Council.**

Mobile Food Vans operation away from a through road will be permitted to place one sandwich board sign on the relevant junction during operating hours in predefined locations and with suitable anchoring.

Mobile Food Vans must be removed from the site and the close of business for each day and parked overnight on private property.

Insurance and other approvals

All licensees must hold a current certificate for \$5,000,000.00 public indemnity insurance and provide a copy of such insurance to Council on issuing of permit.

All licensees for a mobile food van must have such van approved and licenced under the *Food Act 2003* by Glamorgan Spring Bay Council or the Council in which the van is parked.

4. DELEGATION

General Manager

5. RESPONSIBILITY

General Manager

6. REPORTING

A register of licences issued is to be maintained at the Council offices.

7. STATUTORY REQUIREMENTS

- 1. Local Government Act 1993*
- 2. Public Health Act 2003*
- 3. Food Act 2003*

8. ATTACHMENTS

Nil

2.2 Australia Day Awards

Responsible Officer – General Manager

Background

The Glamorgan Spring Bay Australia Day Awards recognises the achievements of individuals that make a real and positive difference in the community, and help to inspire others.

Our community is full of inspiring people of all ages and from all walks of life who every day make our region the best it can be.

Elected Members have expressed interest in expanding the Australia Day Awards to recognise the achievements of residents with awards to be presented in the categories of:-

- Citizen of the Year
- Senior Citizen of the Year
- Young Citizen of the Year
- Community Volunteer of the Year
- Emergency Services Volunteer of the Year

Nomination eligibility requirements:-

- recognised as a citizen of Glamorgan Spring Bay
- nominees of all ages will be considered for the Citizen of the Year award
- nominees aged under 30 years will also be considered for the Young Citizen of the Year award
- nominees aged 65 years and over will also be considered for the Senior Citizen of the Year
- ages are as at 26 January of the awards year
- two or more individuals may be nominated jointly for an individual award

Recommendation

That Australia Day Awards are presented in the categories of:

Citizen of the Year

Senior Citizen of the Year

Young Citizen of the Year

Community Volunteer of the Year

Emergency Services Volunteer of the Year

Closing date for nominations will be the 25 November 2019

Decision: 176/19

Moved Cllr Keith Pyke, seconded Cllr Keith Breheny, that the Australia Day Awards are presented in the categories of:

Citizen of the Year
Senior Citizen of the Year
Young Citizen of the Year
Community Volunteer of the Year
Emergency Services Volunteer of the Year

Closing date for nominations will be the 25 November 2019.

That Mr Martin Crawford be requested to MC at the 2020 Australia Day Awards Ceremony.

That the honour board is redesigned to accommodate the new categories.

That all nominees receive a certificate of recognition.

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

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

Against: Nil

2.3 Prosser Plains Raw Water Scheme (PPRWS)

Responsible Officer – General Manager

Background

This matter was included as agenda item 7.14 in the Ordinary Council Meeting agenda on 24 September 2019 however due to the lack of quorum this matter could not be considered.

At the January 2017 Ordinary Meeting, Council considered the (General Manager's) Officers' Report with respect to the **Tea Tree Rivulet Dam Approval and Construction (including approval of borrowing/budget amendments)**.

This Report included the *Prosser Plains Raw Water Scheme DRAFT Business Plan* that described the PPRWS as a business to be owned by Council (and operated on the farming property named "Twamley Farm") entailing the design, construction, maintenance and storage (by way of a dam) and delivery of up to 3,000mgl of fresh raw water per annum.

At the January 2017 Ordinary Meeting, Council then resolved the following:

Decision: 13/17

- (1) That Council by absolute majority authorises the General Manager to draw down in total \$4.5million of the approved treasury borrowings for the purpose of designing, engineering and construction of the dam on Tea Tree Rivulet as specified in the "Prosser Plains Raw Water Scheme". These borrowings will be in lots of \$1million as required to save interest costs.
- (2) That Council notes that if the dam does not proceed for any reason that the loan funds be repaid ASAP and all costs incurred by the Council be recovered from Tassal Operations as detailed in their letter and the MOU.
- (3) That Council authorities by absolute majority that the General Manager sign the MOU on behalf of Council.
- (4) That Council by absolute majority adjusts the 2016/2017 budget accordingly if adjustments are required and includes estimated project costs in its 2017/2018 budget.

The MOU subsequently entered between Council and Tassal (referred to in the above Decision 13/17) described the water scheme as consisting of;

- a. A 3,000ML water storage dam located on Tee (sic) Tree Creek on the property owned by the Turvey family;
- b. A pumping station on the Prosser River which extracts fresh water (released from the Tea Tree Creek dam) or alternate extraction site and routes depending on cost;
- c. A pipeline which carries water to the proposed Golf Club storage dam, and to Louisville Point foreshore – from which point Tassal plans to build an undersea pipeline to convey the water direct to the Okehampton Bay fin-fish lease.

The MOU described Council's responsibilities as including;

- a. To scope, get approval for, design, construct and commission, the water supply scheme;
- b. Developing a commercial agreement with Tassal for the provision of water from the scheme on a user pays basis in the long term and a cost recovery basis in the short term.

The MOU stated that the signing of the MOU was not a formal undertaking and that it implied that the signatories will strive to reach the objectives stated in the MOU to the best of their ability. Tassal also provided 2 letters of commitment (one dated 19 January 2017 and one dated 22 February 2018) which stated that, subject to the execution of binding commercial agreements between Tassal and Council and agreement as to expenditure, Tassal would reimburse Council's costs if the PPRWS did not proceed.

At the February 2018 Ordinary Meeting, Council considered the (General Manager's) Officers' Report with respect to the **Approval of borrowing budget amendments, pipeline approvals and construction.**

This Report provided an update that included;

- that since the January 2017 resolution a new water source (being an existing source) had been identified and incorporated into the original concept. As the water source was existing the PPRWS could then proceed with the completion of the pipeline supply of water to Solis, Tassal, TasWater and to the minor usage farmers.
- that the (then) current form of the PPRWS proposal was slightly different to the first proposal in that:
 - Council will own and operate all related infrastructure.
 - The pipelines, incorporating the project from the Prosser River to Okehampton Bay, will become one project and be owned and operated by Council.
 - The pipelines are the first stage of the project and will provide Solis with the water required in October 2019 and Tassal with fresh bathing water for their fish. Tassal will underwrite the project as they have done previously with more customers to come online to share the burden.
 - The dam will be stage 2 of the project and once commissioned will give access to over 6,000ML of water between the two systems.
 - The dam site was presently waiting approval from the federal government (no timelines could be placed on this) and will be considered when approval is given, and the business case completed to include updated costs and variations.
 - A request that, of the State Treasury approved borrowing of up to \$6million in the 2017/2018 year, that \$5million of these be drawn down in stages for the engineering design and construction of the pipeline from the Prosser River to Okehampton Bay.

At the February 2018 Ordinary Meeting, Council resolved the following:

Decision: 20/18

- (1) That Council authorise the General Manager to proceed with Stage 1 of the Prosser Plains Raw Water Scheme (construction of pipelines from Prosser River to Okehampton Bay) using funding previously authorised by Council (ref: decision 13/17) including the increase in borrowings to \$5million.
- (2) That Council authorises the General Manager to enter into a formal agreement with Tassal for the delivery of raw water to Okehampton Bay on a full cost recovery basis as detailed in the attached summary of costs on the pipelines.

Council then, in February 2019, entered into the Water Supply Agreement Prosser Plains Raw Water Scheme (**WSA**) with Tassal.

Under the WSA Council was obliged to commission Stage 1 of the PPRWS on or before 1 September 2019.

The WSA does not contain any obligation for Council to proceed with Stage 2 (being the dam construction or any dam construction).

Current Status

The Stage 1 (Prosser River to Okehampton Bay pipelines) PPRWS works (as required by the WSA) have not yet been completed and commissioning of the Stage 1 works is anticipated to occur by 31 January 2020.

Council had the capacity to borrow \$4M from State Treasury and a federal grant of \$2.3million for the PPRWS was approved. These funds have been allocated for the Stage 1 works.

Council has received a recent forecast that indicates that the Stage 1 works may cost an additional \$600,000 to finish. Council have reached the State Treasury safe borrowing limits during the construction of the Stage 1 works and have no further Council funds (cash reserves) left for the completion of the Stage 1 works.

Council has commenced negotiations with Tassal to resolve the lack of funds for the completion of the Stage 1 works and has requested that Tassal pay the additional \$600,000 required to complete the Stage 1 works.

Therefore it would not be financially responsible for Council to undertake the Stage 2 (Twamley dam works). As Council has not entered into any agreement that obliges it to undertake the Stage 2 works, it is recommended that Council resolve to not proceed with any aspect of the Stage 2 works.

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

Please note: Cllr Cheryl Arnol and Deputy Mayor Jenny Woods left the Council meeting room at 5.46pm due to declared interests in this item.

Decision: 177/19

Moved Cllr Keith Breheny, seconded Cllr Annie Browning, that:

1. 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. 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.

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

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

Against: Cllr Michael Symons

Please note: Cllr Cheryl Arnol and Deputy Mayor Jenny Woods returned to the Council meeting room at 6.02pm.

2.4 Prosser River Bird Sanctuary

Responsible Officer – General Manager

Background

A Section 24 (S24) Committee of Council, the Prosser River Mouth Master Plan Advisory Group, was formed (Decision 105/19 as documented in the May 2019 Minutes of Council Ordinary Meeting) and held its first meeting on the 20 September 2019.

On the 2nd October 2019 advice was received from Dr Eric Woehler, convenor BirdLife Tasmania and S24 Committee Member advising Fairy Terns had started to return to the Prosser River and requested the previously installed fencing (November 2018) be re-installed as per the previous location.

Recommendation

That Council considers the installation of a temporary fence and its exact location at the Prosser River Mouth Bird Sanctuary area whilst awaiting the Section 24 Committee of Council Prosser River Mouth Master Plan Advisory Group report, public consultation and final Council decision on the area.

Decision: 178/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Michael Symons, that Council installs a temporary fence in the same location as installed in November 2018 at the Prosser River Mouth Bird Sanctuary area whilst awaiting the Section 24 Committee of Council Prosser River Mouth Master Plan Advisory Group report, public consultation and final Council decision on the area.

**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

2.5 By-Law

Responsible Officer – General Manager

Background

For your information I have set out below an overview of the process for creating the new by-law:

1. Council passed a resolution by absolute majority of its intention to make the by-law (see s.156.(1) of the Local Government Act 1993).
2. Council prepared a regulatory impact statement for the proposed by-law and submitted this statement to the Director of Local Government.
3. The Director of Local Government was content with the regulatory impact statement, Council was issued with a certificate to that effect.
4. Council received the certificate from the Director of Local Government, the General Manager gave public notice of the proposed by-law.
5. The public notification period was run for at least 21 days and the notices contained prescribed information (see r.36 of the Local Government (General) Regulations 2015).
6. During the public notification period members of the public could lodge a submission with Council in response to the proposed by-law.
7. There were no public submissions received.
8. If Council alters the proposed by-law and the amendments substantially change the purpose, or the effect on the public, of the proposed by-law then the public notification process must be repeated.

*Councils alterations were checked by its Lawyers and were deemed to be minor alterations.

9. Council now needs to resolve to make the by-law and
 - a. a legal practitioner must then certify that the by-law is in accordance with the law; and
 - b. the General Manager must certify that the by-law is in accordance with the Local Government Act 1993.
10. Following these certifications the new by-law must be published in the Government Gazette and a sealed copy must be sent to the Director of Local Government.
11. The new by-law will take effect on the date it is published in the Government Gazette unless the by-law specifies that it will come into operation on a later date.

Attachments:

1. Approval of Regulatory Impact Statements
2. Regulatory Impact Statements
3. Glamorgan Spring Bay Council Environmental Health By-Law (By-Law No. 1/2018)

Recommendation

That Council resolves to make a By-Law of the Glamorgan Spring Bay Council made under Section 145 of the Local Government Act 1993 (Tas) for the purpose of regulating and controlling matters of environment health - Environmental Health By-Law (By-Law No. 1 of 2018).

Decision: 179/19

Moved Cllr Annie Browning, seconded Cllr Michael Symons, that Council resolves to make a By-Law of the Glamorgan Spring Bay Council made under Section 145 of the Local Government Act 1993 (Tas) for the purpose of regulating and controlling matters of environment health - Environmental Health By-Law (By-Law No. 1 of 2018).

**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

2.6 Dog Management Policy

Responsible Officer – General Manager

Background

The Glamorgan Spring Bay Council approved the Dog Management Policy 2014/2019 Part A & B at its Ordinary Council Meeting 21st October 2014 (Decision No. 134/14).

The Dog Management Policy was discussed at a Workshop by Council on the 8th October 2019. The current Dog Management Policy expires on the 21 October 2019 and therefore it is imperative that Council act quickly to ensure appropriate dog management rules are in place.

Dog Control Act 2000 Section 7. Dog management policy

- (1) A council is to develop and implement a policy relating to dog management in its municipal area.
- (2) A dog management policy is to include the following:
 - (a) a code relating to responsible ownership of dogs;
 - (b) the provision of declared areas;
 - (c) a fee structure;
 - (d) any other relevant matter.
- (3) A council is to –
 - (a) invite public submissions relating to a proposed dog management policy; and
 - (b) consult with any appropriate body or organisation; and
 - (c) consider any submissions and results of any consultation before finalising the policy.
- (4) A council is to review its dog management policy at least once every 5 years.
- (5) In reviewing its dog management policy, a council is to take the actions referred to in subsection (3) .

Dog Control Act 2000 Section 24. Public notice of intention to declare areas

Before a council resolves to make a declaration under this Division in relation to an area, it is to –

- (a) notify, by public notice, the details of –
 - (i) the area; and
 - (ii) any condition relating to the use of that area; and
 - (iii) in the case of a restricted area or prohibited area, the reasons for the declaration; and
- (b) invite submissions to be lodged within 15 working days after the notice is published; and
- (c) consider any submissions lodged.

Dog Control Act 2000 Section 25. Date and period of declaration

A council, by public notice, is to notify –

- (a) the date on which a declaration under this Division takes effect, being a date at least 20 working days after a notice under section 24 is published; and

(b) the period during which the declaration remains in force.

Attachment:

1. Glamorgan Spring Bay Council Dog Management Policy 2014-2019 Part A & B

Recommendation

1. That Council directs the General Manager to immediately commence the process for re-endorsement of the existing Dog Management Policy 2014-2019 with amendments as deemed necessary in accordance with the requirements of the *Dog Control Act 2000*.
2. That advertising occurs in The Mercury, the Examiner, the Great Oyster Bay News, the Bicheno Forward, the Echoes Around the Bay, Council's website and community notice boards.
3. That Council commits to conducting a further review of the new Dog Management Policy within 12 months of the *Dog Management Act 2000* amendments being finalised.

Decision: 180/19

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill,

1. That Council directs the General Manager to immediately commence the process for re-endorsement of the existing Dog Management Policy 2014-2019 with amendments as deemed necessary in accordance with the requirements of the *Dog Control Act 2000*.
2. That advertising occurs in The Mercury, The Examiner, the Great Oyster Bay Community News, the Bicheno Forward, the Echoes Around the Bay, Council's website and community notice boards.
3. That Council commits to conducting a further review of the new Dog Management Policy within 12 months of the *Dog Management Act 2000* amendments being finalised.

**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

2.7 Deed Coles Bay Trailer Parking

Responsible Officer – General Manager

Background

The Tasmanian Government has approved a grant to assist the Glamorgan Spring Bay Council to undertake a new boat trailer parking development in Coles Bay including:

- (a) construction of formalised boat trailer parking and associated safe pedestrian egress (footpath) in Harold Street, Coles Bay; and
- (b) improved parking and traffic management (including the boat ramp access) in Garnett Avenue, Coles Bay through directional and management signage.

Stage 1 \$91,500 (ex GST) Completed December 2019
Four parallel boat trailer parks in Harold Street adjacent to the recreation reserve.

Stage 2 \$139,500 (ex GST) Completed April 2020
Concrete footpath along Harold Street (from Cosgrove Street to Jetty Road) and signage.

Stage 3 \$161,500 (ex GST) Completed April 2020
Construction of car parking allowing ten boat trailer parks adjacent the Coles Bay Community Hall (as per the Freycinet Peninsula Master Plan page 108). *Site layout will allow for an additional seven trailer parks on the southern side to be constructed at a future date.

Total estimated cost is \$392,500. Glamorgan Spring Bay Council are not required to contribute funds toward this project.

The total number of boat trailer parks created in Harold Street Coles Bay through the \$400,000 funding totals fourteen.

Recommendation

That Council endorses the \$400,000 grant from State Government for Coles Bay Boat Trailer Parking, includes the grant in its 2019/2020 Budget and directs the General Manager to execute the Deed on behalf of the Glamorgan Spring Bay Council.

Decision: 181/19

Moved Cllr Rob Churchill, seconded Cllr Michael Symons, that Council endorses the \$400,000 grant from State Government for Coles Bay Boat Trailer Parking, includes the grant in its 2019/2020 Budget and directs the General Manager to execute the Deed on behalf of the Glamorgan Spring Bay Council.

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

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

Against: Nil

2.8 Swansea Destination Action Plan (DAP) Sign

Responsible Officer – General Manager

Background

The Swansea DAP are currently developing a tourism information sign for Swansea. Originally the DAP were going to have an architect design a totally new structure that would incorporate a visual signboard and locate it at the front of the Visitor Information Centre in Noyes Street.

The Group then approached Council to place a sign on the new Loo with a View structure (closest to the street).

During previous discussions the DAP Group requested a Council budget allocation of \$25,000 in the 2019/2020 Budget. Council did not allocate any funds for this project.

The sign requested by the DAP Group would be 2.4m x 1.2m and placed on the new Loo with a View structure (closest to the street).

This matter is tabled for Councils consideration of the placement of the proposed sign on the Loo with a View only.

Recommendation

For Councils consideration and decision.

Decision: 182/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that Council discuss.

**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: 183/19

Moved Cllr Rob Churchill, seconded Cllr Annie Browning, that Council does not approve the placing of a tourism sign on the 'Loo with a View' structures.

**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

2.9 Dog Exercise Yards

Responsible Officer – General Manager

Background

Through the Federal Government Funding *Drought Communities Programme* the Glamorgan Spring Bay Council received funding to construct dog exercise areas at Bicheno, Coles Bay, Swansea, Triabunna, Orford and Buckland.

Council placed an advertisement in the Examiner and The Mercury for the intention to declare dog exercise areas with submissions closing on 18 September 2019. A summary of representations has been provided in this Agenda for Councils consideration.

It is an expectation of the Federal Government that all works associated with the funding will be completed by 31 December 2019.

Attachments:

1. Dog Exercise Areas – Summary of Representations
2. Copy of the Representations emailed to Councillors separately

Recommendation

For Councils consideration and decision.

Decision: 184/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Michael Symons, that Council discuss.

**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: Cllr Keith Breheny left the Council meeting room at 6.45pm due to having provided qualified advice for this report.

Decision: 185/19

Moved Cllr Michael Symons, seconded Cllr Rob Churchill, that:

The dog park proposed for the Bicheno foreshore area near the oval is not approved.

The funding for that project be re-negotiated with the relevant Federal Department and requested to be used for the purchase and installation of playground equipment for the Bicheno Lions Park and for improvements to the exterior of the Bicheno Memorial Hall.

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

For: Mayor Debbie Wisby, Cllr Cheryl Arnol, Cllr Annie Browning, Cllr Rob Churchill, Cllr Michael Symons.

Against: Deputy Mayor Jenny Woods, Cllr Keith Pyke.

Decision: 186/19

Moved Cllr Rob Churchill, seconded Cllr Michael Symons, that:

The Swanwick dog exercise area be approved as advertised in The Examiner and The Mercury in September 2019 and it is formally declared as a dog exercise area.

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

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

Against: Cllr Arnol, Deputy Mayor Jenny Woods.

Decision: 187/19

Moved Cllr Annie Browning, seconded Cllr Rob Churchill, that:

The Swansea dog exercise area be approved as advertised in The Examiner and The Mercury in September 2019 and it is formally declared as a dog exercise area.

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

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

Against: Cllr Cheryl Arnol, Deputy Mayor Jenny Woods.

Decision: 188/19

Moved Cllr Keith Pyke seconded Cllr Annie Browning, that:

The Triabunna dog exercise area be approved as advertised in The Examiner and The Mercury in September 2019 and it is formally declared as a dog exercise area.

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

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

Against: Cllr Cheryl Arnol, Deputy Mayor Jenny Woods.

Decision: 189/19

Moved Cllr Annie Browning seconded Cllr Keith Pyke, that:

The Orford dog exercise area be approved as advertised in The Examiner and The Mercury in September 2019 and it is formally declared as a dog exercise area.

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

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

Against: Cllr Cheryl Arnol, Deputy Mayor Jenny Woods.

Decision: 190/19

Moved Cllr Rob Churchill, seconded Cllr Keith Pyke, that:

The Buckland dog exercise area be approved as advertised in The Examiner and The Mercury in September 2019 and it is formally declared as a dog exercise area.

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

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

Against: Cllr Cheryl Arnol, Deputy Mayor Jenny Woods.

Please note: Cllr Breheny returned to the Council meeting room at 7.04pm.

3. Confidential Item (Closed Session)

The Mayor to declare the meeting closed under regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 Statutory Rules 2015, No.38 the meeting will be closed to the public according to regulation 15 (2) (d) *contracts and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.*

Please note: The Council meeting was adjourned at 7.05pm for a short break and the meeting reconvened at 7.10pm.

Decision: 191/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that Council moves into a closed session (7.10pm).

**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

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

Decision from the Closed Session of Council – 16th October 2019

Decision: 53/19 (from Closed Session of Council)

Moved Cllr Cheryl Arnol, seconded Cllr Keith Breheny, that the decision of Council on the Confidential Meeting Agenda, Item 1 is shown on the public agenda as follows:

Council has appointed a contractor to undertake the grass maintenance services as per Tender 2019 – T002 for a period of three years in the areas described as Triabunna, Orford, Shelly/Spring Beach, Barton Avenue, Louisville and Buckland. This decision was based on significant financial savings for ratepayers and the details will be reported in the Glamorgan Spring Bay Council Annual 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

4. Close

The Mayor declared the Special Meeting of Council closed at 7.23pm.

CONFIRMED as a true and correct record.

Date:

Mayor Debbie Wisby