



GLAMORGAN SPRING BAY  
COUNCIL

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# Minutes of Meeting

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

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17 December, 2019

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## 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, 17 December 2019 commencing at 5.00pm.



**Dated** this Thursday 12 December, 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**

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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 to welcome Councillors, staff and members of the public and declare 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 Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Michael Symons, Cllr Cheryl Arnol

**Apologies:** nil

#### 1.3 In Attendance

Mr Chris Schroeder (General Manager), Ms Rachael Garrett (Executive Officer) Ms Robyn Bevilaqua (Graduate Planner)

#### 1.4 Declaration of Interest or Conflict

*The Mayor requests Elected Members to indicate whether they have:*

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

in any item included in the Agenda.

## 2. Confirmation of Minutes

### 2.1 Ordinary Meeting of Council – November 26, 2019

**Decision:** 232/19

Moved Deputy Mayor Jenny Woods, seconded Cllr Cheryl Arnol, that the Minutes of the Ordinary Meeting of Council held Tuesday 26 November be confirmed as a true and correct record.

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

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

Against: Nil

### 2.2 Workshop Held – November 26, 2019

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1pm to 4.30pm on Tuesday 22 October at the Triabunna Council Offices (please see attached workshop agenda).

**Present:** Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Keith Pyke, Cllr Rob Churchill, Cllr Keith Breheny,

**Apologies:** Cllr Michael Symons, Cllr Cheryl Arnol, Cllr Annie Browning

**In Attendance:** Mr Chris Schroeder (General Manager) and Rachael Garrett (Executive Officer).

### 2.3 Workshop Held – December 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 12 November 2019 at the Triabunna Council Offices (please see attached agenda for items covered).

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

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

**In Attendance:** Mr Chris Schroeder (General Manager) and Rachael Garrett (Executive Officer).

**Resolved**

That Council notes this information.

### 3. Petitions

In relation to the receipt of petitions, the following provisions of the *Local Government Act 1993*, Part 6 – Petitions, Polls and Public Meetings, s57 and s58 should be noted:

#### 57. Petitions

(1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.

(2) A person lodging a petition is to ensure that the petition contains –

- (a) a clear and concise statement identifying the subject matter and the action requested; and
- (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
- (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and

(d) a statement specifying the number of signatories; and

(e) at the end of the petition –

(i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and

(ii) in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

(3) In this section –

electronic petition means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;

paper petition means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;

petition means a paper petition or electronic petition;

signatory means –

(a) in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and

(b) in the case of an electronic petition, a person who has added his or her details to the electronic petition.

#### 58. Tabling petition

(1) A councillor who has been presented with a petition is to –

(a) . . . . .

(b) forward it to the general manager within 7 days after receiving it.

(2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.

(3) A petition is not to be tabled if –

(a) it does not comply with section 57; or

(b) it is defamatory; or

(c) any action it proposes is unlawful.

(4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgment.

### **3.1 Petition Received – Reconsider the Construction and Position of the Swansea “Loo with a View”**

On 13 November 2019 a petition coordinated by Ruth Ryan, address unknown, on behalf of residents of Swansea, together with a covering letter was submitted to Council.

In support of this petition to the Glamorgan Spring Bay Council a total of 59 signatures were collected.

Attachment: Petition received 13 November 2019

### **3.2 Petition Received – Remove the Fences in Relation to the Prosser River Bird Sanctuary**

On 3 December 2019 a petition coordinated by Nick Cracknell, of Orford, Ian G Miley of Tasman Highway and S Crosswell of Triabunna on behalf of residents of Glamorgan Spring Bay, together with a covering letter was submitted to Council.

In support of this petition to the Glamorgan Spring Bay Council a total of 144 signatures were collected.

Attachment: Petition received 3 December 2019



**Decision: 233/19**

Moved Cllr Breheny, seconded Cllr Symons to discuss.

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

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

Against: Nil

**Decision: 234/19**

Moved Cllr Breheny, seconded Cllr Churchill that Council notes the petition.

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

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

Against: Nil

**Decision: 235/19**

Moved Cllr Churchill, seconded Cllr Breheny to discuss.

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

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

Against: Nil

**Decision: 236/19**

Moved Cllr Churchill, seconded Cllr Browning that the petition is received and noted by Council

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

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

Against: Nil

## **4. PLANNING AUTHORITY SECTION**

There are no planning applications for December.

## 5. 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.

### 5.1 Questions on Notice

#### M H Cooke (Questions on Notice)

##### Background

I refer to the October publication of Sea Speak.

Under the caption “State Government Funding – Boat Trailer Parking Coles Bay” it is stated that –

*“Council has nearly completed the new boat trailer parking (14 spaces) and a footpath in Harold Street through a \$400,000 State Government Grant”*

Inspection of Harold Street as at 20 November reveals that no footpath has been constructed and the only evidence of any potential boat trailer parking is a relatively short section of roadway widening and related works adjacent to the playground which does not provide 14 spaces.

##### Questions on Notice to Council

- i. *Please confirm that the details in Sea Speak quoted above in parenthesis represent a misstatement of fact.*

##### Response from General Manager

It would have been slightly more accurate to say ‘in progress’ instead of ‘nearly completed’.

- ii. *How does Council intend to communicate a correction to the misstatement?*

Response from General Manager

Council will not be communicating a correction.

- iii. *Who reviews the content and authorises the issue of Sea Speak?*

Response from General Manager

Myself and the Mayor both review the content contained in each issue of Sea Speak. Articles are written by Council staff. In this instance, the Mayor wrote the article based on information provided by Council staff.

- iv. *In the event that the roadway widening and related works adjacent to the playground are earmarked as boat trailer parking –*  
a. *How many spaces are specified*  
b. *How do these spaces provide any new (that is net additional) spaces when boat trailer parking has previously been undertaken along the same section of road.*

Response from General Manager

The project will provide four boat trailer parks or eight standard car parks. The construction allows for these parks behind the kerbline. This assists in general road safety along Harold Street due to the narrow width of the pavement. The project also incorporates a sealed bitumen footpath between Cosgrove Street and the Community Hall entrance.

- v. *In the event that any further new (that is net additional) spaces are to be constructed, precisely where and when will this take place?*

Response from General Manager

A new boat trailer carpark is approved off Harold Street as part of the grant, on the western side of the Hall and will accommodate approximately 10 angled parks. Vegetation removal permits are currently being sought. The work is programmed to commence in April 2020.

- vi. *In the event that any footpath construction is planned for Harold Street, where and when will this take place?*

Response from General Manager

The new concrete footpath construction between Cosgrove Street and Jetty Road is programmed to commence in February 2020.

- vii. *As part of any planned footpath construction in Harold Street, is any roadway widening, similar to that referred to in ii above intended to be done albeit without increasing the number of boat trailer parking spaces?*

Response from General Manager

No.

- viii. *Does Council plan to spend the entire \$400,000 State Government Grant on the projects in question?*

Response from General Manager

The grant includes: the street parking in Harold Street (complete), the concrete footpath, the off-street parking adjacent to the Hall and directional signage at the boat ramp access area.

- ix. *Please advise the general rate revenue for the 2018/19 financial year for each of the 19 areas or regions as used by Council when issuing annual rates notices. In addition, please also advise the budgeted general rate revenue for each of those regions for the 2019/20 financial year.*

The budgeted amount for the 2019/20 financial year, as at 1 July 2019, for the General Rating option only for all areas (including non-vacant, vacant, commercial, industrial & primary production) was:

**\$6,535,859**

The amount that was raised for the 2018/19 financial year for the General rating option only for all areas (including non-vacant, vacant, commercial, industrial & primary production) financial year was:

**\$5,926,499**

- x. *Please detail the specific formal step by step process for progressing the proposed foreshore boardwalk at Coles Bay (assuming execution of Grant Deed) and whether a Development Application is required. If so, who is responsible to make the application?*

Response from General Manager

The proposed Coles Bay Foreshore Project is programmed to commence in March 2020 and be finalised in June 2021.

March 2020 to March 2021 will involve the design work, consultation and approval processes for the project.

April 2021 to June 2021 will be the construction phase.

**Mr Yon Kikkert (Question on Notice)**

- xi. *Why is it, that given the fact Councillor Churchill made a written representation wish[ing] to strongly object to the proposal by Glamorgan Spring Bay Council to construct and operate a 3,000 mega litre capacity water storage on the Tea Tree Rivulet" (Twamley Dam) on the 15th of August 2018 (page 26 and 27 found here:<https://gsbc.tas.gov.au/wp-content/uploads/2018/10/Appendix-10b-All-Submissions.pdf>), did he potentially sit in judgement of his own cause by not declaring either an actual, potential or perceived conflict of interest, or, declare that he risked a reasonable person apprehending an actual, potential or perceived bias when he voted with the motion at the Special Council Meeting October 16, 2019 that resolved council: 1; "...not proceed with the Stage 2 PPRWS stage works, which includes the Twamley*

dam..." or 2; "that no further work... be undertaken by council with respect to the Stage 2 PPRWS works" ?

### Response from Mayor Debbie Wisby

Councillor Churchill has been informed of the questions from Mr Kikkert.

Elected Members are required 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 a Council Agenda.

The decision to declare an interest is that of the Elected Member.

Councillor Churchill has advised he did not feel he had any conflict in respect to Decision 177/19 as this matter was in relation to the financial interests and commitments of Council.

### Response from Cllr Churchill

I wish to state that two legal opinions have been sought in relation to this question. One was sought through the General Manager to Council's Lawyers and I received my own advice through my own Barrister.

### Mrs Jen Hackett

- i. It seems that the Safe Car Park intended for Harold Street adjacent to the Harold Street Park in Coles Bay has been changed to boat trailer parking. The need for safe car parking adjacent to the Harold St Park for the Park and Hall has long been known and was determined and located in discussion with the Council Works Manager and Infrastructure Manager in March 2019, with community members, prior to Councils knowledge of the boat trailer parking grant. This parking was to be installed along with the Garnet Ave toilet irrigation beds, with the irrigation beds forming a boundary fence between the safe car park and the playground.*

### Response from General Manager

These were some of the ideas informally talked about at the onsite meeting. Issues arose with the irrigation bed location and parking angles following further investigative work. There were no determinations made at the onsite meeting.

- ii. Please advise the Coles Bay Community why this parking was changed from safe car parking for the Park and Hall to boat trailer parking.*

### Response from General Manager

There were initial discussions about creating 90 degree car parking spaces along Harold Street adjacent the reserve at the first site meeting. Following the formal Grant Deed and \$400k funding from DPIPWE the approved purpose for which the Grant was provided, was to construct four parallel boat trailer parks along this area.

- iii. Why was there no community consultation involved in the change of parking type in this specific location? The Coles Bay Community had no idea until the parking was finalised that this car park had been changed to boat trailer parking. It seems inappropriate and ill-considered given the Master Plan allows for a large boat trailer*

*parking lot nearby, considering the proximity to the playground and the need for safe car parking for the Park and Hall.*

#### **Response from General Manager**

The newly created parking is parallel to the kerb and linemarked as per relevant standards. I assume cars can utilise the parks by utilising one space and cars/trailers can also utilise the area taking up two spaces. This methodology is typically how any parallel parking area in Coles Bay operates.

- iv. *Why have Council not installed fencing between the parking and the playground, as was intended by the original placement of the irrigation bed, for child safety? The completed irrigation beds have been located in another position and do not form a boundary fence as originally planned.*

#### **Response from General Manager**

The irrigation beds were placed at the required legislated distance from the property boundary along Harold Street. One of the original ideas was to run the beds parallel along Harold Street but this could not be achieved due to the gradient of the ground.

- v. *Please advise the Coles Bay Community when appropriate fencing will be provided between the playground and the boat trailer parking.*

#### **Response from General Manager**

The existing playground is approx 20m from the fenceline and the raised beds are in between the two areas. The original timber fence did also have walkway gaps at 3 metre intervals between the rails.

- vi. *Where will the required additional safe car parking for the Park and Hall now be located and when will this be provided?*

#### **Response from General Manager**

A parallel parking area has been formalised behind the original kerb line. It does not mean that cars cannot use the area.

#### **Mrs Marjorie Howard (Questions on Notice)**

- xii. *In answer to my question on notice in the agenda of the Ordinary General Council Meeting on the 22 October 2019: - How long has Councillor Arnol had this perceived, pecuniary or conflict of interest in this matter – The Prosser Plains Raw Water Scheme (PPRWS)? Councillor Arnol stated that her perceived or potential conflict of interest did not exist at the 2017 and 2018 meetings. (October 2019)*

*Please outline in your opinion, how voting to support the dam in the 2017 and 2018 meetings could not be perceived as attempting to gain a potential benefit for the farm and therefore a possible conflict?*



- xiii. *From the above statement, is Councillor Arnol saying that she and her close associate were neither members nor office bearers in a sporting club (Spring Bay Target Club) that is situated on Twamley Farm, during 2017 and 2018?*

#### **Response from Mayor Debbie Wisby**

Councillor Arnol has been informed of the questions from Mrs Howard.

Elected Members are required 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 a Council Agenda.

The decision to declare an interest is that of the Elected Member.

Councillor Arnol has provided no further information in relation to answering your question.

#### **Ms Kerri Handley (Question without Notice)**

- i. *What is the connection between the recent felling of trees on the SOLIS site and the progress of the SOLIS project?*

#### **Response from General Manager**

I will take that Question on Notice.

#### **Mr Steve Barrett (Question without Notice)**

- ii. *Seven months ago you agreed to put a request through for a change of speed limit in Cambria Drive and at Buckland. I just wondered if there had been any changes?*

#### **Response from General Manager**

In response to that, I believe the Buckland one was not approved, if I remember correctly, in regards to the other one I will have to come back to you on that one as I can't remember what the outcome was.

#### **Response from Mayor Debbie Wisby**

The Mayor read aloud a section of the Works Report from the OMC Agenda. The answer can be found on Page 63 of the agenda for the 17 December 2019 Ordinary Meeting of Council.

#### **Mr Wayne Murray (Question without Notice)**

- iii. *As an administration that prides itself on openness and transparency I wonder if it's possible for the Council to give any more information regarding the reason why some items become confidential. As we know there are five items on the agenda today. Past experience with, for example, the Drought Funding Deed suggested that often items are treated as confidential without good reason. I wonder is it possible for Council to provide a little more reason regarding some items before they become confidential on the agenda.*

### **Response from Mayor Debbie Wisby**

Thanks Wayne. I did request further information in respect to the items that were placed in the confidential section of the agenda and a better description has been provided now in accordance with the Act. There are only certain items that can be considered confidential.

The Mayor then explained the information contained on page 143 of the Agenda for the 17 December 2020 Ordinary Meeting of Council.

- iv. *I'm wondering whether there has been any resolution of the contamination issue at Radar Beach. I note that the signage is still there today so I am assuming that there hasn't been a resolution of it. On the assumption that there is no resolution of it to date, is it not premature for the Council, indeed potentially rather embarrassing for the Council to publish a plan or proposed plan for this area which, as far as I can see, has no consideration whatsoever of that issue?*

### **Response from General Manager**

That issue is still sitting with the EPA, the agency in regards to it and we are complying with their requirements.

### **Response from Mayor Debbie Wisby**

So, I think the question just goes one bit further, in that I think Mr Murray would be saying the fencing that has been put up, the bunting that has been put up, if there is any further bunting required in the event that the fence was removed more bunting would be put up in accordance with the EPA requirements?

### **Response from General Manager**

We will definitely be complying with their requirements.

*I was actually going a bit further than that, if I may explain. It was that if this is possibly a continuing issue in this area, is it unwise to propose a potential plan for the area at this point.*

I think when you look at a masterplan you factor in all the elements that relate to it and I think there is no issue in looking at the whole area holistically and determining a masterplan for it. I don't see it as a restriction I just see it as an aspect that you would need to consider in your overall plan. So it's just one of the factors you need to take in to account. There are many factors that we need to consider and that would be one of them. It's an issue of concern but you would consider that in the overall plan.

## **6. Information Reports**

### **6.1 General Manager, Chris Schroeder**

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

### **6.2 Manager Works, Mr Tony Pollard**

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

### **6.3 Acting Manager Development & Compliance – Mr. Adrian O’Leary**

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Animal Control - Engineering & Technical Services - Environmental Health - Statutory Building - Statutory Planning

## **6.4 Manager Community Development – Mrs. Lona Turvey**

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Community Development

## **6.5 Manager Buildings & Marine Infrastructure – Mr. Adrian O’Leary**

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Boat Ramps & Jetties · Triabunna Marina · Council Buildings · Planning, Building & Technical Compliance when required ·

## **6.6 Manager Natural Resource Management, Ms Melanie Kelly**

Natural Resource Management: Sustainability: Catchments To Coast

## 7. Section 24 Committees

### COMMENTS:

Minutes of any Section 24 Committee Meetings, which have been submitted will be discussed at this time.

### 7.1 GSBC NRM Committee Minutes dated 13 November 2019

**General Manager**  
**Chris Schroeder**

#### **Decision 237/19:**

Moved Cllr Browning, seconded Cllr Arnol, that Council receives and notes the minutes of the draft minutes of the GSBC NRM Committee Meeting dated Wednesday 13 November 2019

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

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

Against: Nil

### 7.2 Prosser River Advisory Group Minutes dated 29 November 2019

**Cllr Debbie Wisby**  
**Mayor**

#### **Decision 238/19:**

Moved Deputy Mayor Jenny Woods, seconded Cllr Browning, that Council receives and notes the draft minutes of the Prosser River Advisory Group dated 29 November 2019.

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

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

Against: Nil

## 8. Officers' Reports Requiring a Decision

### 8.1 2020 Ordinary Meeting Dates and Times

Responsible Officer – General Manager, Chris Schroeder

#### Comments

The Ordinary Meeting dates and times for 2019 are provided here for Council's approval.

All meetings will be held in Triabunna at the Council offices in 2020.

Council has proposed that all meetings are held on the fourth Tuesday of each month, with the first meeting for the year being Tuesday 28 January, the AGM being held on Tuesday 15 December and the final Council meeting for the year being held on Tuesday 22 December.

#### Statutory Implications

Council meetings can commence earlier than 5pm on any given day if approved as a decision of Council. It is proposed that Council meetings commence at 2pm instead of 5pm in 2020.

#### Budget Implications

Nil.

#### **Decision 239/19**

Moved Deputy Mayor Jenny Woods seconded Cllr Pyke to discuss.

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

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

Against:

**Decision 240/19**

Moved Deputy Mayor Woods seconded Cllr Pyke that Council approves the 2020 Ordinary Meeting of Council dates as the 4<sup>th</sup> Tuesday of each month commencing at 2pm and Special Meetings can be held any time from 2pm. The AGM will be held on 15 December 2020.

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

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

Against:

## 8.2 Draft Policy – Rates and Charges

Responsible Officer – General Manager, Chris Schroeder

### Background

The purpose of this policy is to ensure Council complies with the requirements of Section 86b(1) of the *Local Government Act 1993*.

This policy includes:

- the relationship between the rates model, the budget and Council's strategic plan;
- pensioner concessions;
- payment of rates;
- late payment of rates;
- recovery of rates;
- sale of land for non-payment of rates;
- waste management service charge; and
- failure to comply

This policy has been updated to include specific details about Supplementary Adjustments to ensure processes can be followed without delay in the future.

### Statutory Implications

Section 86b(1) of the *Local Government Act 1993* requires all Councils to prepare and adopt a Rates and Charges Policy

### Budget Implications

Nil

#### **Decision: 241/19**

Moved Cllr Breheny seconded Cllr Churchill that Council adopt the Policy attached to this report dated 17 December 2019 and titled, "Rates and Charges Policy version 3"

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

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

Against:



### 8.3 Rates Revaluations

**Responsible Officer – General Manager, Chris Schroeder**

#### **Background**

In accordance with s.20 of the Valuation of Land Act 2001 the Valuer-General provided updated valuations for the municipal area to Council in June 2019.

For rating purposes, the main effect of the new valuations was an increase to AAV for primary production land.

At the time, due to file incompatibility with Property Wise, Council did not apply its 2019/2020 rates resolution to the fresh valuations and instead made the necessary calculations based on the former values, effectively issuing rates notices based on incorrect values.

This resulted in Council not complying with s89A(2) of the Local Government Act 1993 which, in summary, required Council to apply its 2019/2020 rates resolution to the updated valuations provided by the Valuer-General.

The attached rates comparison graph details the number of ratepayers effected and the costs to be recovered if Council so choose.

#### **Decision: 242/19**

Moved Cllr Symons seconded Cllr Breheny to discuss.

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

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

Against: Nil

#### **Decision: 243/19**

Moved Cllr Arnol seconded Cllr Symons that Council defers Agenda Item 8.3 to the January 2020 meeting or to a Special Meeting of Council earlier in the month if the matter is deemed too urgent to wait until the 28<sup>th</sup> of January 2020.

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

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

Against: Nil

## 8.4 Re-engagement of Internal Audit Panel

### Responsible Officer – General Manager

#### **Background**

GSBC has used the services of an internal Audit Panel to assist Corporate Services & the General Manager with an independent review of, and suggestions for, improving the design & operation of:

- Councils financial environment,
- processes for identifying & monitoring risk
- & governance processes

The Internal Audit panel has been an important element in assisting Council to identify areas of concern and monitor these on an ongoing basis. The 2 members that Council has used for the past 12 months are Mike Derbyshire of Bentleys Tasmanian Audit Pty Ltd & Kane Ingham. They are currently up for a review by Council as to whether both parties (Council and auditors) are happy to continue with the arrangement.

#### **Budget Implications**

The cost to Council last year was \$8085.00 & this amount has been included in the 19/20FY budget

#### **Decision: 244/19**

Moved Cllr Arnol seconded Cllr Churchill that Council continue with the current arrangement with Mr Mike Derbyshire & Mr Kane Ingham as independent members and sign a Deed of Agreement for the next 12 months.

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

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

Against:

## 8.5 Building Better Regions – Grant Funding Options

**Responsible Officer – General Manager, Chris Schroeder**

### **Background**

Round four of the Building Better Regions Fund (BBRF) opened on the 14th of November 2019, and aims to create jobs, drive economic growth, and build stronger regional communities, by supporting projects which involve the construction, upgrade or extension of infrastructure in drought-affected areas.

Grants of \$20,000 to \$10 Million can be applied for, on a dollar for dollar basis (noting that “in-kind” support, although appreciated, doesn’t qualify). The closing date for submissions is at 5pm on Thursday 19 December.

### **BBRF Eligibility Criteria**

To qualify, projects must:

- be taking place in a drought-affected location in Australia, as outlined under 2.1.2 of the grant opportunity guidelines
- be seeking a grant of at least \$20,000, and up to a maximum of \$10 Million
- be aimed at the construction, upgrade or extension of infrastructure that provides economic and social benefits to regional and remote areas
- comprise one of the following activities:
  - the construction of new infrastructure
  - the upgrade to existing infrastructure
  - the extension of existing infrastructure
  - the replacement of infrastructure where there is a significant increase in benefit
- be considered an investment ready project (refer to Section 2.1.1 of the grant opportunity guidelines)
- not have started construction
- be completed by 31 December 2022

### **Proposed Projects**

#### **1. Strategic Development of the Triabunna Wharf**

The Triabunna Wharf plays an important role in supporting tourism, commercial fishing and recreation, with usage increasing markedly in recent years.

At present the two biggest issues are the navigability of the Channel for larger commercial vessels in all weather, and vehicle parking. The proposed outputs below would help to address this:

- **Planning** – Refine the Spring Bay Port Plan (utilising the previous planning work for the proposed stages 2 and 3) to cater for the mix of tourism, fishing and recreational boating.
- **Dredging & Reclamation** – Reclaim land in the shallow bay adjacent to the Spring Bay Boat Club, utilising the ‘spoil’ from dredging of the current navigation hazard impeding the navigation channel.

- **Parking** – Level out and reformat the current Ferry vehicle parking to better utilise the space for vehicle parking, whilst maintaining access for the Commercial Fishing Fleet to decant their catch.
- **Signage** – Improve the signage around Triabunna and the wharf area to better identify short and long term parking and where to find overflow parking, to ensure the unimpeded access to the businesses in Triabunna and to improve the visitor experience.

To initiate these actions, it is proposed to apply for \$250,000 from the BBRF, with that amount matched by \$200,000 from Parks and Wildlife Service and \$50,000 from Glamorgan Spring Bay Council.

## **2. Business Case & Development Application for Kellevie – Orford Mountain Bike Trail**

Sorell and Glamorgan Spring Bay Councils, being two of the four SERDA (South East Region Development Association) member Councils, and a local area cycling industry group, are proposing to develop a mountain bike riding trail extending from Kellevie through to Orford.

The proposal includes upgrades and associated service infrastructure at Kellevie and additional trails in the Wielangta area, with trail head and facilities at Orford. Known as the 'Big Tree Trail', it will include multiple trail options comprising adventure, XC, flow and gravity.

Glamorgan Spring Bay and Sorell Councils would each have:

- licence agreement (insurance) over trail corridor of public and private land;
- act as conduit between local area cycling industry group maintenance crews and land owners / managers;
- management / maintenance of supporting infrastructure.

With an anticipated capital cost of \$1.5M, a Business Case and Development Application (DA) need to be progressed to confirm costs (CapEx & OpEx) and to quantify the likely benefits. This information can then be used to support a future funding submission.

Key Project outcomes are coordination of employment and training opportunities with Trade Training Centres, providing construction and maintenance programs to International MTB Association standards, and need for additional accommodation and supporting tourist infrastructure (private sector opportunities).

It's proposed that Sorell Council and Glamorgan Spring Bay Council both contribute \$12,500 each towards the Business Case and DA, and also apply for a matched \$25,000 from the Building Better Regions funding.

## **3. Glamorgan Spring Bay Council Economic Development Plan & Prospectus**

The objective of an Economic Development Plan is to drive future economic growth throughout the municipality. This Plan (including a Prospectus) will help guide Council to develop the appropriate economic and social drivers, resulting in growth that benefits the community.

The Economic Development Plan will closely align to Council's Strategic Plan, and help position the municipality as an attractive destination for those seeking to invest, live and visit.

It's proposed that the Economic Development Plan will address the following key areas:

- New venture development and attraction
- Residential attraction (considering medical support)
- Government and industry partnerships
- Existing business and industry support
- Visitor attraction

The cost of undertaking the required research and the development of the Economic Development Plan & Prospectus is \$40,000, of which it's proposed Council put forward \$20,000, with \$20,000 being applied for from the Building Better Regions Fund.

**Budget Implications**

1. \$50,000
2. \$12,500
3. \$20,000

**Decision: 245/19**

Moved Cllr Breheny seconded Cllr Churchill

That Council support applying for \$250,000 from the Building Better Regions Fund to strategically develop the Triabunna Wharf, with Parks and Wildlife Services and Glamorgan Spring Bay Council matching those funds, with \$200,000 and \$50,000 respectively.

That Council support applying for \$25,000 from the Building Better Regions Fund to develop a Business Case & Development Application for a Mountain Bike Trail from Kelleve to Orford, with Sorell Council and Glamorgan Spring Bay Council matching those funds equally, both contributing \$12,500 each.

That Council support applying for \$20,000 from the Building Better Regions Fund to commission an Economic Development Plan & Prospectus for Glamorgan Spring Bay Council, with Council matching that with a \$20,000 contribution.

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

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

Against: Nil

## 8.6 Training Wall Lease – Prosser River Mouth Advisory Group

Responsible Officer – General Manager, Chris Schroeder

### **Background**

As a consequence of the works carried out to open the Prosser River Mouth, a new lease area is required that covers the sandbags.

The Prosser River Mouth Advisory Group would like Council to consider the following proposal in relation to a new training wall lease along the Prosser River Mouth.

- a) A new training walls lease as shown on the attached map marked B “Map of Subject Area Prosser River Training Wall – Orford” as highlighted in red
- b) A new Conservation Area as shown on the attached map marked B “Map of Subject Area Prosser River Training Wall – Orford” as highlighted in green
- c) The “Draft Prosser River Training Wall Lease” DPIPWE Ref: 020626 between the Government and Council as attached marked C with appropriate amendments to align with attached plan marked A and B including revision of Item 13 (clause 15) Special terms and conditions point 3 letter dated 9 May 2017, signed by Ashley Rushton, Regional Manager Southern Region, Parks and Wildlife Service and David Metcalf, General Manager Glamorgan Spring Bay Council, as attached marked D, and consider the appropriateness of 6. Lessee’s Covenants, 6.1 Covenants (I) that states *to remove any Contamination from the Premises, land or waters adjacent to the Premises and make good any Contamination of the Premises, land or waters adjacent to the Premises (if any).*

### **Decision: 246/19**

Moved Deputy Mayor Jenny Woods, seconded Cllr Breheny that Council move to discuss.

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

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

Against:

**Decision: 247/19**

Moved Deputy Mayor Jenny Woods seconded Cllr Breheny that Council defers Agenda Item 8.6 to the January 2020 meeting or to a Special Meeting of Council earlier in the month if the matter is deemed too urgent to wait until the 28<sup>th</sup> of January 2020.

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

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

Against:



## 8.7 The Prosser River Mouth (Spit) Fencing and Signage Proposal

Please note late addition:

A recommendation has been received from the Prosser River Mouth Advisory Group, and the item is tabled below.

The General Manager sought to determine if a quorum was present when these S24 motions were voted on. As the Terms of Reference don't state a specific number of members, and it appears that there's no comment made in regards to replacing members if they resign, it would seem the total number of members was 12 at the time these motions were voted on. The Terms of Reference state a quorum is half the number of members (not the more regular half plus one), so it appears a quorum was in effect.

### **Background**

The Prosser River Mouth Master Plan Advisory Group Section 24 Committee recommends that the Glamorgan Spring Bay Council exhibit the attached proposal in the Glamorgan Spring Bay municipality in order to allow for public consultation of the proposed plan.

The Section 24 Committee recommends that:

- The existing fencing highlighted in blue is retained
- The fencing highlighted in red is removed
- The fencing highlighted in yellow is only erected during bird breeding season
- That permanent signs are erected as shown as red lollypops
- That temporary signs are erected as shown as yellow lollypops
- That this Section 24 Committee review and provide feedback for permanent and temporary signage to ensure it is clear, understandable and effective including contact phone numbers
- Viewing hides to be erected in the location shown as hide area on the map

It is recommended that this proposal is put up for public consultation by 10 January 2020 for a four week period closing on 7 February 2020 and that the proposal is brought back to Council for decision at the February Ordinary Meeting of Council.

### **Decision: 248/19**

Moved Cllr Churchill seconded Cllr Browning that Council endorses placing the Prosser River Mouth Master Plan Advisory Group Section 24 Committees proposed plan in relation to the Orford Spit, lagoon and nearby recreational beach area out for public consultation by 10 January 2020 until 7 February 2020. Following consultation Council will consider feedback and make a decision at an Ordinary Meeting of Council.

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

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

Against: Cllr Cheryl Arnol

## 8.8 Bicheno Destination Action Plan Walks

### Responsible Officer – Manager Works

#### **Background**

Bicheno Destination Action Plan Group (DAP) and the Bicheno Community Development Association (BCDA) is seeking Council approval to commence the establishment of Walks 4 and 5 which have been identified utilising existing tracks, roads and footpaths around Bicheno, as highlighted in attachment.

Walks 1 and 2 were completed last financial year through a successful grant application submitted by East Coast Tourism to 'SmartyGrants'.

Extract from BCDA correspondence;

The attached map illustrates the two new walks the BCDA wish to mark. Walk 4 appears in RED and Walk 5 appears in YELLOW. The former runs along the Highway to Jetty Road and the Surf Club and then along the Foreshore Footway to Redbill Beach, returning via Gordon Street and the Highway, to the Triangle. BCDA will also mark two extensions of this walk: one along the cycle/footpath to Diamond Waters Rise and the other along Redbill Beach.

Walk 5 follows the Highway south from the Triangle to Douglas Street and then to the Blowhole and along the Foreshore Footway to the Boat ramp. It then returns to the Triangle via Foster Street.

The relevant sections of roadway are: Gordon Street, from Redbill Beach to the Highway; Douglas Street, from the Highway to the Esplanade and Foster Street, from the Esplanade to Fraser Street. Each of these is currently used heavily by our visitors and we are currently urging the Council to give them a high priority on Council's future list of paving work in Bicheno.

We are preparing final costings for these walks for posts and signage icons. We expect the cost of these will be covered by a grant from the Community Bank which we have been given. Thank you again for your assistance with the work of our Destination Action Plan Group.

DAP and BCDA groups will be undertaking, through the grant allocation, the signage purchase and installation and request if Council could assist by purchasing the required materials and charge back the BCDA for acquitting the grant requirements.

It should be noted that all signage will be placed on public land.

Commencement of the work is dependent on relevant approvals and confirmation of location.

#### **Budget Implications**

Nil

#### **Recommendation**

Council approves in principal the proposed Bicheno Destination Action Plan Group and Bicheno Community Development Association plan for 'Walk 4 and 5' within the Bicheno township.

**Decision: 249/19**

Moved Cllr Breheny seconded Cllr Churchill that Council approves in principle, subject to any approvals required, the proposed Bicheno Destination Action Plan Group and Bicheno Community Development Association plan for 'Walk 4 and 5' within the Bicheno township.

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

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

Against:

## **8.9 Consent to Lodge a DA: Cricket Practice Nets, Swansea Recreation Ground**

**Responsible Officer – Manager Building and Marine**

### **Background**

On 2 October 2019, a memo was put to Council regarding a proposal from the Swansea Cricket Club to lodge an application to erect new practice nets at the Swansea Recreation Ground.

Council requested that the Cricket Club consult more widely on the issue, particularly with the Football Club and to ascertain if there might be a better location for the cricket nets.

That consultation has occurred, and it is understood that all have agreed the original location is the preferred location.

### ***Purpose***

This report is provided so Council can decide to provide permission to lodge, or not. The application has not been assessed in terms of the planning scheme. Council agreeing to lodge the application does not imply approval of the proposal. If Council provides permission to lodge, the application will then be assessed against the planning scheme.

Council can provide permission to lodge via requesting the General Manager to sign the relevant section on page 5 of the form.

Council had also offered to contribute \$1,000 towards the project.

### ***The Proposal***

The request is for basic training nets to be installed at the recreation ground. See the plan attached to the application.

This is an area that would mean balls could be hit out onto the ground (for safety) and is close to the power outlet for the bowling machine

The structure would be 3m wide, 10m long and 3m high.

The Swansea Cricket Club will cover the cost of the project and asks that Council provide owner consent to lodge the application.

Additional Information was received 17/12/19

**Decision: 250/19**

Moved Cllr Browning seconded Cllr Breheny, that Council move to discuss.

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

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

Against: Nil

**Decision: 251/19**

Moved Cllr Breheny seconded Cllr Arnol, that Council provides owner consent to lodge the Development Application and encourage the Cricket Club to consider and make an application for a Community Small Grant to assist with the project costs.

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

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

Against: Nil

**Please Note: Deputy Mayor Woods and Councilor Arnol left the room at 7.04pm**

## **8.10 Additional Funding for the Prosser Plains Raw Water Scheme**

**Responsible Officer – General Manager, Chris Schroeder**

### **Background**

Investigation into the feasibility of the Prosser Plains Raw Water Scheme (PPRWS) began in 2016, with the pipeline and pumping station construction work going to tender in September 2018.

Tassal and Council agreed to establish the Prosser Plains Raw Water Scheme pursuant to a Water Supply Agreement in February, 2019. Batchelors were also appointed as constructors in February 2019 and physical works commenced in March 2019.

During June / July 2019 it was identified that the pumping station stairwell would require modification, and the associated additional costs were established.

Options to bridge the funding gap were explored over subsequent months, bringing us to the current situation where an additional loan of \$600,000 from Tasmanian Public Finance Corporation (TASCORP) is being sought.

### **Legal Advice – Summary**

- Council would be in breach of the Agreement if it simply refuses to complete the works required of it under the Agreement due to the additional cost.
- If the works, once completed, cannot be commissioned due to water shortages, any dispute about why this has occurred can be dealt with at a later date.
- Until the works are commissioned Council is not entitled to any payment under the Agreement.

### **Financial Overview – Summary**

Glamorgan Spring Bay Council (GSBC) are to incur all the costs to construction and commission the Scheme (project costs). There is a forecast loan balance which is the total of the project costs less the \$2.3M of grant contribution. This loan balance attracts interest and is repaid over 30 years. Currently the annual loan repayment is calculated at \$258,869 per annum. GSBC are responsible for the annual operations of the Scheme. These operating costs are currently estimated at \$145,900 per annum. These costs need further scrutiny to be accepted as reasonable estimates.

Based on the above, GSBC need to receive \$404,769 per annum (\$258,869 + \$145,900) in order to recover the loan balance and the annual operating costs. However, the current Agreement provides a maximum guarantee amount of \$352,000.

The Agreement envisages additional users and should this not occur then it is likely GSBC will incur an annual shortfall of the difference between the maximum guarantee amount (\$352,000) and the loan repayment and the annual operating costs (\$404,769).

### **Budget Implications**

Additional loan repayments relating to the \$600,000.

### **Recommendation**

1. Council resolves to secure a loan for the amount of \$600,000 from TASCORP to be used to pay the costs of completing Stage 1 of the Prosser Plains Raw Water Scheme (eg. completion of the Pumping Station), which in turn will allow Council to meet its obligations under the Water Supply Agreement dated 8 February 2019.
2. The General Manager is directed and hereby authorised to take all reasonable and necessary steps to secure the loan referred in recommendation 1 set out above, including without limitation making application to TASCORP for the loan, and executing all relevant documents for and on behalf of Council (including applying the common seal of Council if required).

### **Decision: 252/19**

Moved Cllr Breheny seconded Cllr Pyke,

1. Council resolves to secure a loan for the amount of \$600,000 from TASCORP to be used to pay the costs of completing Stage 1 of the Prosser Plains Raw Water Scheme (eg. completion of the Pumping Station), which in turn will allow Council to meet its obligations under the Water Supply Agreement dated 8 February 2019.
2. The General Manager is directed and hereby authorised to take all reasonable and necessary steps to secure the loan referred in recommendation 1 set out above, including without limitation making application to TASCORP for the loan, and executing all relevant documents for and on behalf of Council (including applying the common seal of Council if required).
3. That Council endorses the General Manager to draw down an additional maximum amount of \$50,000 from Council cash, on receipt of a report to Council in the event that the remaining funds with the \$600,000 additional loan is insufficient to complete the project.

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

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

Against: Nil

**Please note: Deputy Mayor Woods and Councillor Cheryl Arnol returned to the room at 7.25pm**



**Please note:**

**Deputy Mayor Jenny Woods declared an interest in item 8.10 and 8.11**

**Clr Cheryl Arnol declared an interest in item 8.10**

## **8.11 Transfer of Council Land for Catholic Care Affordable Housing**

### **Background / Overview**

CatholicCare Affordable Housing considers it a basic human right to have safe, stable, secure and affordable accommodation. A fundamental driver for CatholicCare Affordable Housing is to help facilitate affordable housing for those in the Tasmanian community.

In September 2019, Centacare Evolve Housing (CEH), a subsidiary of CatholicCare, received written confirmation from the Department of Communities that CEH were successful in its tender submission to deliver 21 dwellings within the Glamorgan Spring Bay Council municipality.

CEH have presented to Council on three occasions, and were able to address all queries in regards to the use and viability of this development. This plan will yield a greater sale price for Council overall, and will result in Council rates being paid on the properties for a minimum of 30 years.

It's proposed that 21 units are developed on lots 30, 31 & 94 Spencer Street Triabunna, to be completed by the end of December 2020. This development utilises an undeveloped parcel of land to the rear of pre-existing dwellings in Morley Place, Tapner Court, Davidson Place and Spencer Street, offering access off Tapner Court and Davidson Place.

If Council agrees to proceed, the proposed timeline of process for sale of Council land (in line with s178 of the Local Government Act 1993) will be:

- 02/01/20 – Advertising process to begin (as per s178 4(a)(b))
- 08/01/20 – Community Meeting
- 28/01/20 – Council to consider any objections at the Ordinary Meeting of Council. If no objections, Council can sell land. If there are objections, Council must decide whether or not to take action on objections and advise the objector of this decision in writing within 7 days. Objector then has 14 days to appeal decision.
- 18/02/20 – Right to Appeal time lapses.
- Further dates determined by Appeal Tribunal, if any appeals are lodged.

### **Statutory Implications**

As per s178

### **Budget Implications**

Supply of 4 serviced blocks to Council.

**Decision: 253/19**

Moved Clr Arnol seconded Clr Symons that Council moves to discuss.

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

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

Against: Nil

**Mayor Wisby suggested the following recommendation:**

In accordance with s178 of the Local Government Act 1993 that Council intends to transfer land as per the proposed Centacare Evolve Housing 21 unit development on Lots 30, 31 and 94 Spencer Street, Triabunna.

Centacare Evolve Housing are to provide Council with four serviced residential blocks on Council land

Centacare Evolve Housing will be obliged to pay Council's rates on the unit development

A Community Meeting will be held in January 2020 to answer questions and obtain feedback from community members.

**Please Note: Deputy Mayor Jenny Woods declared an interest and left the room at 7.36pm**

**Decision: 254/19**

Moved Cllr Arnol, seconded Cllr Symons that:

In accordance with s178 of the Local Government Act 1993 that Council intends to transfer land as per the proposed Centacare Evolve Housing 21 unit development on Lots 30, 31 and 94 Spencer Street, Triabunna.

Centacare Evolve Housing are to provide Council with four serviced residential blocks on Council land

Centacare Evolve Housing will be obliged to pay Council's rates on the unit development

A Community Meeting will be held in January 2020 to answer questions and obtain feedback from community members.

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

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

Against: Nil

**Please note: Deputy Mayor Woods returned to the meeting at 7.42pm**

## 9. Motion Tracking Document

*Last updated 17/12/2019*

<b>Meeting Date</b>	<b>Item No.</b>	<b>Decision Number</b>	<b>Title</b>	<b>Action Officer</b>	<b>Progress</b>	<b>Completed</b>
27 <sup>th</sup> 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
23rd 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
26th February 2019	7.6	39/19	Staff Resourcing Land Use Planning: Benchmark Report	MDC	Issue to be workshopped by Council.	In Progress
26th 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
26th March 2019	7.3	66/19	Renaming of Esplanades	MDC	Council to consult with affected residents	In Progress
26th 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
30th 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

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<b>Meeting Date</b>	<b>Item No.</b>	<b>Decision Number</b>	<b>Title</b>	<b>Action Officer</b>	<b>Progress</b>	<b>Completed</b>
27 <sup>th</sup> 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 <sup>th</sup> 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
16 October 2019	2.1	159/19	Policy 1:1 Mobile Food Vans, Pop-Up Stalls and Kerbside Vending	GM	Policy Adopted. Fee Schedule Updated	Complete
16 October 2019	2.1	175/19	Policy 1:1 Mobile Food Vans, Pop-Up Stalls and Kerbside Vending	GM	Amendments to wording of Policy	Complete
16 October 2019	2.2	176/19	Australia Day Awards	GM	Categories finalised. Closing date for nominations 25 November 2019. Honour Board redesigned. Certificates of Recognition for all nominees	In Progress
16 October 2019	2.3	177/19	Prosser Plains Raw Water Scheme	GM	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.	Complete
16 October 2019	2.4	178/19	Prosser River Bird Sanctuary	GM	Council install a temporary fence in the same location as installed in November 2018 whilst awaiting the PRAG report, public consultation and final Council decision on the area	Complete
16 October 2019	2.5	179/19	By-Law	GM	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	In Progress



					matters of environment health - Environmental Health By-Law (By-Law No. 1 of 2018).	
16 October 2019	2.6	180/19	Dog Management Policy	GM	<p>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 <i>Dog Control Act 2000</i>.</p> <p>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.</p> <p>3. That Council commits to conducting a further review of the new Dog Management Policy within 12 months of the <i>Dog Management Act 2000</i> amendments being finalised.</p>	In Progress
16 October 2019	2.7	181/19	Deed Coles Bay Trailer Parking	GM	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.	In Progress
16 October 2019	2.9	185/19	Dog Exercise Yards	GM	<p>The dog park proposed for the Bicheno foreshore area near the oval is not approved.</p> <p>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.</p>	In Progress

16 October 2019	2.9	186/19 187/19 188/19 189/19 190/19	Dog Exercise Yards	GM	The Swanwick, Swansea, Triabunna, Orford, Buckland dog exercise areas be approved as advertised in The Examiner and The Mercury in September 2019 and it is formally declared as a dog exercise area.	In Progress
16 October 2019	1.1	53/19	Mowing Tender	GM	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.	Complete
22 <sup>nd</sup> October 2019	7.2	197/19	Instrument of Delegation to General Manager	GM	Further Acts to be considered by Council for inclusion in Instrument of Delegation at a future date.	In Progress
22 <sup>nd</sup> October 2019	7.5	201/19	Consent to lodge a DA: Cricket Practice Nets, Swansea Recreation Ground	GM	Further discussion with recreation reserve users to determine alternative location for nets requested	In Progress
26 November 2019	7.1	217/19	Policy – Use of Electronic Devices	GM	Policy Adopted	Complete
26 November 2019	7.2	221/19	Consideration of Place Names: Cul-de-sac off Kunzea Court, Swanwick	GM	Sweet Wattle Court to be submitted to Nomenclature Board	In progress
26 November 2019	7.7	224/19	Coles Bay Triathlon	GCD	Further information to be provided to Council for consideration	In Progress

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<b>Meeting Date</b>	<b>Item No.</b>	<b>Decision Number</b>	<b>Title</b>	<b>Action Officer</b>	<b>Progress</b>	<b>Completed</b>
24 <sup>th</sup> September 2019	7.9	167/19	Speed Limit Reviews (Cambria Drive and Tasman Hwy, Buckland)	MW	Council approval for submissions to be made to State Growth.	In Progress

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**Recommendation:**

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

## 10. Questions Without Notice

Deputy Mayor Jenny Woods – Congratulations to everyone involved in the End of Year Assembly at Bicheno Primary School. Merry Christmas to everyone and thank you to the members of the public who attend the Council Meetings regularly.

Mayor Wisby advised that Cr Browning and herself attended a morning tea with the Historical Society in Swansea this morning. Thank you very much for the book “Some of my Bush Friends in Tasmania” they gifted the Council. The General Manager will send them a thank you letter.

Mayor Wisby advised that she also attended the End of Year Assembly’s at Orford Primary School and Swansea Primary School and presented the retiring Principals with flowers.

## 11. Confidential Items (Closed Session)

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

- Item 1: Orford Bowls Club – Payment of Invoice

*Under regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 Statutory Rules 2015, No.38 the meeting will be closed to the public according to regulation 15 (2) (g)(i) commercial information...prejudice the commercial position.*

- Item 2: Australia Day Awards

*Under regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 Statutory Rules 2015, No.38 the meeting will be closed to the public according to regulation 15 (2) (g) information of a personal and confidential nature.*

- Item 3: Wineglass Bay Cruises Assignment of Crown Lease at Coles Bay Jetty

*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) (f) proposals for the Council to acquire land or an interest in land or for the disposal of land and (i) litigation.*

- Item 4: Development of Statement of Expectations

*Under regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 Statutory Rules 2015, No.38 the meeting will be closed to the public according to regulation 15 (2) (a) personnel matters and (d) contracts*

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



**Decision: 255/19**

Moved Deputy Mayor Jenny Woods seconded Cllr Arnol that Council moves in to a closed session (7.45pm)

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

For: Mayor Debbie Wisby, Deputy Mayor Jenny Woods, Cllr Keith Breheny, Cllr Annie Browning, Cllr Rob Churchill, Cllr Keith Pyke, Cllr Cheryl Arnol, 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: 256/19**

Moved Deputy Mayor Woods, seconded Cllr Arnol that Council moves back into open session.

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

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

**Decision: 257/19**

Moved Cllr Browning, seconded Cllr Pyke that the information discussed within the closed session of Council remains confidential

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

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

Against: Nil

## 12. Close

The Mayor to declare the meeting closed at (9.35pm).

**CONFIRMED** as a true and correct record.

Date:

**Mayor Debbie Wisby**

<p><b>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.</b></p>
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