



GLAMORGAN SPRING BAY
COUNCIL

Minutes of Meeting

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

25 February 2020



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, 25 February 2020 commencing at 2.00pm.

Dated this Thursday 20 February, 2020

**Chris Schroeder
GENERAL MANAGER**

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

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

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

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

**Chris Schroeder
GENERAL MANAGER**



Table of Contents

AUDIO/VIDEO RECORDING OF ORDINARY MEETINGS OF COUNCIL	5
1. OPENING	5
1.1 ACKNOWLEDGEMENT OF COUNTRY.....	5
1.2 PRESENT AND APOLOGIES	5
2. CONFIRMATION OF MINUTES.....	6
2.1 ORDINARY MEETING OF COUNCIL – JANUARY 28, 2020	6
2.2 ANNUAL GENERAL MEETING – DECEMBER 10, 2019.....	6
2.3 DATE AND PURPOSE OF WORKSHOP/S HELD	7
3. PLANNING AUTHORITY SECTION.....	9
3.1 DEVELOPMENT APPLICATION 2019/264.....	10
3.2 SUBDIVISION APPLICATION SA 2019/024 – ITEM WITHDRAWN BY APPLICANT.....	11
3.3 PLANNING SCHEME AMENDMENT AM 2019/03 – SECTION 35 REPORT	12
4. PUBLIC QUESTION TIME	14
4.1 QUESTIONS WITHOUT NOTICE	14
4.2 QUESTIONS ON NOTICE.....	17
4.3 RESPONSE TO QUESTIONS TAKEN ON NOTICE FROM ORDINARY COUNCIL MEETING 28 JANUARY 2020.....	26
5. INFORMATION REPORTS.....	28
5.1 GENERAL MANAGER, CHRIS SCHROEDER.....	28
5.2 MANAGER WORKS, MR TONY POLLARD	28
5.3 ACTING MANAGER DEVELOPMENT & COMPLIANCE – MR. ADRIAN O’LEARY	28
5.4 MANAGER COMMUNITY DEVELOPMENT – MRS. LONA TURVEY	28
5.5 MANAGER BUILDINGS & MARINE INFRASTRUCTURE – MR. ADRIAN O’LEARY	28
5.6 MANAGER NATURAL RESOURCE MANAGEMENT, MS MELANIE KELLY.....	28
6. SECTION 24 COMMITTEES.....	30
6.1 STATEMENT OF EXPECTATIONS COMMITTEE - TERMS OF REFERENCE	30
6.2 STATEMENT OF EXPECTATIONS COMMITTEE - ADVISERS’ REPORTS	31
6.3 STATEMENT OF EXPECTATIONS COMMITTEE MEETING MINUTES – 20 JANUARY 2020.....	32
6.4 TRIABUNNA RECREATION GROUND SECTION 24 COMMITTEE MINUTES – 2 OCTOBER 2019	33
7. OFFICERS’ REPORTS REQUIRING A DECISION.....	34
7.1 PROSSER PLAINS RAW WATER SCHEME	34
7.2 DRAFT 2019 – 2020 ANNUAL PLAN – ITEM WITHDRAWN.....	36
7.3 SALE OF PUBLIC LAND, 2A DAVIDSON PLACE, TRIABUNNA	37



7.4	AUSTRALIAN CITIZENSHIP CEREMONIES CODE – REQUIREMENT FOR COUNCILS TO ADOPT A DRESS CODE.....	38
7.5	BICHENO RSL SUB-BRANCH	39
7.6	FREYCINET VOLUNTEER MARINE RESCUE (VMR) ASSOCIATION	40
7.7	DROUGHT COMMUNITIES PROGRAMME – EXTENSION FUNDING	41
7.8	CONSIDERATION OF CUL-DE-SAC NAME: OFF SEBASTIAN RISE, SWANSEA.....	43
8.	NOTICES OF MOTION	44
9.	MOTION TRACKING DOCUMENT	45
10.	QUESTIONS WITHOUT NOTICE.....	53
11.	CONFIDENTIAL ITEMS (CLOSED SESSION).....	55
12.	CLOSE.....	55



**ALL IMAGES AND ATTACHMENTS HAVE BEEN REMOVED, IF YOU REQUIRE A FULL
VERSION OF THE MINUTES, PLEASE CONTACT THE COUNCIL OFFICES
ON (03) 6256 4777.**

Audio/Video Recording of Ordinary Meetings of Council

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

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

1. Opening

The Mayor welcomed Councillors, staff and members of the public and declared the meeting open at 2:02pm.

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, Clr Annie Browning, Clr Michael Symons, Clr Keith Breheny, Clr Rob Churchill

Apologies: Deputy Mayor Jenny Woods, Clr Cheryl Arrol

Resignation of Councillor Keith Pyke

The Mayor announced that Keith Pyke has resigned as a Councillor from the 20 February 2020. On behalf of Council, the Mayor thanked Keith for his commitment and work over the past year and wished him well.

The Mayor also advised that there would be a media release later this afternoon in respect to Councillor Pyke's resignation. The General Manager has advised the Tasmanian Electoral Commission and the filling of the vacancy is within their hands.

Withdrawal of Item 3.2

The Mayor noted that Item 3.2 has been withdrawn from the Agenda by the applicant and therefore there will be no discussion on this item.



2. Confirmation of Minutes

2.1 Ordinary Meeting of Council – January 28, 2020

Decision 37/20:

Moved Cllr Annie Browning, seconded Cllr Michael Symons that the Minutes of the Ordinary Meeting of Council held Tuesday 28 January 2020 at 2.00pm be confirmed as a true and correct record, subject to:

- Page 13 – Amend voting to read (6 votes to 0)
- Page 15 – Decision 14/20 - Insert of P3(a) after D10.4.3

**The motion was put and carried by absolute majority
(5 votes to 0)**

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

Against: Nil

2.2 Annual General Meeting – December 10, 2019

Decision 38/20

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill that the Minutes of the Annual General Meeting held Tuesday 10 December 2019 at 5.00pm be confirmed as a true and correct record.

**The motion was put and carried by absolute majority
(5 votes to 0)**

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

Against: Nil



2.3 Date and Purpose of Workshop/s Held

Tuesday 11 February 2020

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 1.30pm to 3.30pm on Tuesday 11 February 2020 at the Cranbrook Hall.

Present:

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

Apologies:

Deputy Mayor Jenny Woods, Cllr Cheryl Arnol

In Attendance:

Mr Chris Schroeder (General Manager), Mr Tony Pollard (Works Manager), Ms Josie Higgins (Executive Officer) Ms Nell Nettlefold (Contract Planner), representatives Tasmania Fire Service

Agenda

- Section 35 Report (Bushfire Prone Areas Overlay)
- Local Provisions Schedule (overview)
- Dolphin Sands Emergency Management Plan Review
- Drought Communities Programme – Extension Funding
- Waste Management – Kerbside Collection, Recycling
- Sheays Creek Bridge, Orford
- Future workshop items – Draft Annual Plan 2019-2020, Strategic Plan Document Review

Tuesday 18 February 2020

In accordance with the requirements of regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015*, it is reported that a Council workshop was held from 10.00am to 12.00pm on Tuesday 18 February 2020 at the Council Chambers.

Present:

Mayor Debbie Wisby, Cllr Rob Churchill, Cllr Keith Breheny, Cllr Annie Browning,

Apologies:

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

In Attendance:

Mr Mick Purves (Contract Planner), Ms Nell Nettlefold (Contract Planner)

Agenda

- Local Provisions Schedule (overview)

Recommendation

That Council notes the information.



Decision 39/20

Moved Cllr Michael Symons, seconded Cllr Annie Browning that Council notes the information.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



3. PLANNING AUTHORITY SECTION

Under Regulation 25 of *Local Government (Meeting Procedures) Regulations 2015* the Chairperson hereby declares that the Council is now acting as a Planning Authority under the provisions of the *Land Use Planning and Approvals Act 1993* for Section 3 of the Agenda.

Decision 40/20

Moved Cllr Annie Browning, seconded Cllr Rob Churchill that Council now acts as a Planning Authority.
(Time: 2:09pm)

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



3.1 Development Application 2019/264

Location:	14 French St, Orford (CT 168707/1)
Proposal:	Multiple dwellings (second dwelling)
Applicant:	David Lemm
Planning Document:	Glamorgan Spring Bay Interim Planning Scheme 2015
Zone:	General Residential
Codes:	6.0 Parking and Access, 7.0 Stormwater Management, 11.0 Waterway and Coastal Protection 16.0 Coastal Erosion Hazard,
Application Date:	4 October 2019
Statutory Date:	29 February 2020 (by consent of applicant)
Performance Criteria:	Discretion is required for two standards
Representations:	One
Attachments:	Attachment A – Exhibited Documents Attachment B – Representation (original provided under separate cover)
Author:	Robyn Bevilacqua, Graduate Planner

Decision 41/20

Moved Cllr Annie Browning, seconded Cllr Rob Churchill that pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the Glamorgan Spring Bay Interim Planning Scheme 2015, application DA 2019 / 264, to construct a second dwelling and a new driveway at 14 French Street, Orford (CT 168707/1) be approved with the following conditions 1 through 15 and advice a through f.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



3.2 Subdivision Application SA 2019/024 – Item Withdrawn by Applicant



3.3 Planning Scheme Amendment AM 2019/03 – Section 35 Report

Proposal:	To amend the Glamorgan Spring Bay Interim Planning Scheme 2015 by inserting the Bushfire-prone Areas Overlay
Requested by:	N/A – Council initiated amendment
Location:	Glamorgan Spring Bay Municipality
Attachments:	Attachment A – Draft Amendment AM 2019/03 Attachment B – Supporting Report prepared by the Tasmania Fire Service (Nov 2019) Attachment C – Information Sheet- FAQs prepared by the Tasmania Fire Service
Report prepared by:	Nell Nettlefold, Planning Consultant

Decision 42/20

Moved Clr Rob Churchill, seconded Clr Keith Breheny that the Planning Authority resolves:

- A. Pursuant to 34(1)(b) of the former provisions of the *Land Use Planning and Approvals Act 1993* to initiate draft amendment AM 2019/03 to the Glamorgan Spring Bay Interim Planning Scheme 2015 to insert the Bushfire-prone Areas Overlay.
- B. Pursuant to section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993* that draft amendment AM 2019/03 is certified as meeting the requirements of section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993*.
- C. Pursuant to section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993* that draft amendment AM 2019/03 be placed on public exhibition for 28 days.
- D. Pursuant to section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*, that if no representations are received, or representations received are in favour of draft amendment AM 2019/03, the General Manager is to advise the Tasmanian Planning Commission accordingly.

**The motion was put and carried unanimously
(5 votes to 0)**

For: Mayor Debbie Wisby, Clr Michael Symons, Clr Rob Churchill,
Clr Keith Breheny, Clr Annie Browning

Against: Nil



Under Regulation 25 of *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson hereby declares that the Council is no longer now acting as a Planning Authority under the provisions of the Land Use Planning and Approvals Act 1993 for Section 3 of the Agenda.

Decision 43/20

Moved Cllr Annie Browning, seconded Cllr Michael Symons that Council no longer acts as a Planning Authority. (Time: 2:20pm)

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil

In Attendance

Please note:

The Mayor advised that she had overlooked who was in attendance under Item 1.3 of the Agenda and recognised Mr Chris Schroeder (General Manager), Ms Josie Higgins (Executive Officer), Ms Robin Bevilaqua (Graduate Planner), Mr Mick Purves (Contract Planner) as being present at the meeting.



4. Public Question Time

Public question time gives any member of the public the opportunity to freely ask a question on any Council related matter.

Answers to questions will be given immediately if possible, or taken “on notice” if an ‘on the spot’ answer is not available.

In accordance with the Local Government Act questions on notice must be provided at least 7 days prior to the Ordinary Meeting of Council at which a member of the public would like a question answered.

Asking a question is easy and members of the public are encouraged to ask any question they have (limit of two (2) questions per person per meeting).

Prior to the commencement of an Ordinary Meeting of Council, the Mayor approaches the public gallery and requests that those who would like to ask a question during public question time indicate at that point they would like to do so and give the Mayor their name.

A short instruction sheet outlining the Glamorgan Spring Bay Council procedure for asking a question during Public Question Time will be provided at the Ordinary Meeting of Council to assist members of the public on how to do this. If required, at least 15 minutes of the meeting will be made available for questions from members of the public.

PLEASE NOTE: All members of the public wishing to ask a question during Public Question Time are asked to utilise the **wireless microphone provided** to ensure quality of sound both in the Council meeting room and for audio recording and live streaming purposes.

4.1 Questions without notice

Mr Graham Hodgson

- i. *Mr Hodgson advised that his question concerned the Customer Charter of Council and asked was he right in assuming that if he sent a letter that someone would acknowledge the letter and advise that it was being dealt with?*

Response from Mayor Debbie Wisby

The Mayor responded yes.

- ii. *Mr Hodgson referred to a letter he had written to the General Manager on the 10 September 2019 and a further letter he had sent on the 11 February 2020 by registered post and advised that he not received an acknowledgement of either letter. Mr Hodgson advised that the Post Office had informed him that the letter sent by registered post was still awaiting collection after two weeks and he had been assured that the Council had been alerted to the its presence. Mr Hodgson asked what sort of professional system allows this to happen.*

The Mayor referred the question to the General Manager.



Response from the General Manager

The General Manager advised Mr Hodgson that Council does have a Policy requiring the acknowledgement of the receipt of a letter in five days with a further response to be supplied within twenty working days.

The General Manager stated that he was not personally aware of either of the communications sent by Mr Hodgson but had no doubt to believe that Council had received them in some way. The General Manager advised that Council has been short of staff and that there are quite a few issues in Council that are being worked through.

The General Manager advised that a system has recently been put in place to ensure correspondence is acknowledged and the process is transparent.

The General Manager extended his apologies to Mr Hodgson and offered to take Mr Hodgson's contact details and speak to him personally to remedy the situation.

Mr Hodgson advised that his contact details were in his letter.

Mr Aaron De La Torre, ASU

- i. *Mr De La Torre referred to Section 6 of the Agenda where Mr Preece had provided a report on the Section 24 Committee, the Statements of Expectations Committee. Mr De La Torre advised that he understood that Mr Preece had held a number of meetings with ASU members and other staff, however there was no mention of any of the issues that those staff had raised in the meetings with Mr Preece in the report. Mr De La Torre asked when Mr Preece intends to report on the issues that the ASU members and others have raised.*

The Mayor took the question on notice.

- ii. *Mr De La Torre stated that the ASU had raised a formal complaint under section 339E of the Act relating to the Mayor's rental of her B&B to successive Acting General Managers. Mr De La Torre asked if the Mayor could explain why Council was first notified of these arrangements five weeks after the tenancy began.*

Response from Mayor Debbie Wisby

The Mayor responded that as Mr De La Torre would be aware, she had already provided that information and she had no intention of providing it again.

Ms Samantha Batchelor, ASU

- i. *Ms Batchelor advised that she was interested why a contracts and tender process as governed in the Council's policy, was not followed to ensure that the best price was sought for the air B&B. Ms Batchelor stated that no quotations seem to be evidenced and asked why it was deemed appropriate for that policy to be ignored.*

Response from Mayor Debbie Wisby

The Mayor responded that as she had already advised, that information has been provided and if there is any concern that she has in respect to non-adherence of that she would provide a response.

- ii. *Ms Batchelor enquired as to the process for ensuring that questions taken on notice are responded to in the agenda and on record. Ms Batchelor stated that there has been quite a number of instances where questions are asked, taken on notice but not responded to.*



Response from Mayor Debbie Wisby

The Mayor advised that she had received advice that Ms Batchelor's second question was inadvertently missed from the agenda however the question and response would be recorded in the minutes.

The Mayor suggested to Ms Batchelor that if she had examples of questions taken on notice but not responded to, that these please be provided.



4.2 Questions on notice

Mr Nick Johnston, Freycinet Association Inc.

Freycinet Association Inc. (FAI) has obtained details of a Crown Lease relating to the Coastal Reserve (more commonly known as the Coles Bay Foreshore) located between the boat launching ramps and the start of Muirs Beach.

*The details of the lease are –
Agreement ID 96262
Property ID 1710282
Tenure - Lease*

This area is more particularly described in the GSBC Foreshore Management Plan 2014/19.

An extract from the Plan under section 1.2 is -

Coastal Reserve

PID: 1710282 Extent (ha): 12.9

Land tenure: Coles Bay Conservation Area, Nature Conservation Act, Parks and Wildlife Service

Management responsibilities: No current lease or license – previously held by Council. (highlighting added)

Natural features: Coastal vegetation including dry sclerophyll forest, non-eucalypt forest and non-forest communities, creek, rocky and sandy shores and bays, parkland with remnant native trees.

Infrastructure & uses: Public roads, private property access roads & cross-overs, parking areas, informal walking tracks, BBQ & picnic tables, public toilets, boat ramps & jetties, electricity supply poles & cables.

FAI has been endeavouring for some time to obtain clarity as to the precise legal status (lease) between GSBC and the Crown (DPIPWE) and the management responsibilities for this Coastal Reserve.

The matter was raised with Mayor Wisby on 13 October 2019. On 28 October she provided an interim response and on 16 November she provided an update “I am still waiting for details from Parks and Council’s General Manager”. Nothing further has been received.

Based on the above background, it is apparent that there is a conflict between what is stated in the Plan and the information provided to FAI concerning details of the Crown Lease and FAI is desirous of ascertaining the legal factual position.

- i. Is the status of the lease as stated in section 1.2 of the Management Plan and highlighted in red above, factually correct That is, Agreement ID 96262 is no longer in operation ?*

Response from the General Manager

At the time the Native Flora and Fauna Management Plan 2014-2019 was adopted Council was re-negotiating a lease on this reserve. The new Council lease with Crown was signed on the 15th December 2015.



- ii. *If the answer to Question 1. is in the affirmative, does GSBC currently have any management, maintenance or other responsibilities for the Coastal Reserve ? If so, please advise particulars and provide any relevant documentation.*

Response from the General Manager

The lease requires that Council manages and maintains the reserve however the lease agreement is commercial in confidence and is therefore not publicly available. The Native Flora and Fauna Management Plan for the Coles Bay Reserves is currently under review. A draft will be made available for public consultation later in 2020.

- iii. *If the answer to Question 1. is in the negative, and Agreement ID 96262 is still in operation, can Council please provide a copy of that document ?*

Refer above response.

- iv. *If Council has no current legal obligations for the management, maintenance or other responsibilities relating to the Coastal Reserve, is Council operating on the basis that all such matters have reverted to the Crown (via DPIPWE)?*

Refer above response.

Mr Nick Johnston, Freycinet Association Inc.

Mayor Wisby has been reported as publicly stating on 13 February 2020 that the desk top audit of waste water/septic systems in the Coles Bay and Swanwick areas has been completed.

- i. *Will Council please supply to Freycinet Association Inc. a full copy of the report on the scope and results of the desk top audit of waste water / septic systems in the Coles Bay / Swanwick and The Fisheries areas? Please state when this will be supplied to the Freycinet Association Inc.*

Response from the General Manager

Council staff have addressed all the components of the scope of the audit as requested. The audit has been beneficial as Council now have a comprehensive database of the type of wastewater systems installed in individual properties in Coles Bay. All property owners with an aerated wastewater treatment system (AWTS) are complying with the requirement to undertake quarterly maintenance. The data base will allow Council staff to confirm that every AWTS has been serviced, and measures are now in place to report on this quarterly. A system had been developed to import the service reports into the data base and a standard letter has been developed to post to the property owner should the service report indicate an issue. Due to the success of this database Council have now imported all AWTS records in the GSB municipality into this system.

Council's EHO continues to promptly act on all complaints received regarding failing wastewater systems. After many property owners were required to upgrade failing wastewater systems by Council's EHO in 2018/2019, the EHO has only received two complaints about alleged failing wastewater systems over 2019/2020 summer period, 1 in Coles Bay and one in Swanwick. The property owners of both these systems (1 septic and 1 AWTS) had already began remediation work prior to Council making contact. Council's EHO received a further 3 phone calls from property owners advising that the waste water system installed on their property was showing signs of failure and that they were in the process of organising a replacement system.

Please be advised that a report as such has not been written, as the scope was a desk top audit only and the above information covers the findings.



Ms Georgia Alexander Freycinet Association Inc.

In response to a question on notice for the November 2019 meeting of Council concerning boat trailer parking off Harold Street, Coles Bay, the General Manager stated “ A new boat trailer carpark is approved off Harold Street as part of the (State Government) 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”.

The Information Table to the Boat Trailer Parking Grant Deed includes the following approved purposes for which the grant is provided –

Item (c) Construction of a car park adjacent to the Community Hall providing 10 angled boat trailer parking spaces, and providing a site layout that allows future expansion of an additional 7 spaces to the south, as outlined in the Boat Parking Strategy Concept Plan on page 108 of the Freycinet Peninsula Master Plan.

Item (d) Improved parking and traffic management (including the boat ramp access) in Garnett Avenue, Coles Bay through directional and management signage.

- i. Will Council please supply to Freycinet Association Inc. the detailed plans for the 10 angled boat trailer parking spaces, including the site layout for future expansion of an additional 7 spaces?*

General Manager’s Response

A copy of the site layout plans will be provided to the Freycinet Association Inc.

- ii. Has the vegetation removal permit being sought by Council been received?*

General Manager’s Response

The permit application for the ‘Taking’ of Threatened Flora and Fauna has been submitted to DPIPW and it is expected to be approved within a couple of weeks.

- iii. When will work on construction of the 10 angled boat trailer parking spaces commence?*

General Manager’s Response

Works are expected to commence in May with a completion date of 30 June 2020.

- iv. When does the Council intend to install the directional and management signage specified in Item (d) of the Information Table to the Boat Trailer Parking Grant Deed?*

General Manager’s Response

Installation is expected to be complete by 30 June 2020.

Ms Georgia Alexander Freycinet Association Inc.

The FAI request an update on the Swanwick Park dog exercise area, funded by drought relief monies. The FAI have written previously for an update on this on December 5th 2019, with no response from Council, so we are now resorting to a question on notice. Last year the community were asked to provide feedback on the location of the dog exercise area. I personally spent hours of my volunteer time consulting with our community and came up with the attached plan, which the FAI submitted within the prescribed time period, requesting a



different location to avoid the dog exercise area being located adjacent to future housing. The FAI are aware that Council received emails supporting this plan.

FAI submitted its plan on September 25th 2019 and received acknowledgement of its submission on September 30th 2019. To date the FAI have had no further correspondence from Council is related to this matter.

Looking at the works in progress in the Park, Council has completely ignored the FAI submission, and the community support for the submission, and located the exercise area contrary to the wishes of the community. It is disappointing that input was asked for from the community, and yet again we have been ignored, and precious volunteer time was wasted.

- i. Why was the community preferred location disregarded, after asking for community input, and why was this decision not communicated to the FAI following its submission?*

General Manager's response

The location of the exercise areas is in accordance with Council decision.

- ii. Who made the decision to locate the dog exercise area in the location it is being set up (Council suggested area), and under what authority did they make this decision?*

General Manager's response

The location of the dog exercise area is in accordance with Council decision.

- iii. Why was our follow up question submitted December 5th 2019 not answered in the prescribed time, as set out in the Council's Customer Service Charter?*

General Manager's response

It is unfortunate that a response was not provided in a timely manner. Council is currently reviewing its response timeframe in accordance with Council's Customer Service Charter and establishing processes and procedures to ensure that in future, responses are provided in a timely manner.

- iv. We are informed that there will be a vegetation verge between the dog exercise area and the future housing. Please provide the planting plan for this vegetation verge and state when this vegetation verge will be planted out.*

General Manager's response

No planting plan has been developed as yet.

- v. How is this vegetation verge going to be watered and by whom? Swanwick has no town water supply and everyone who needs water in Swanwick is presently trucking it in from Bicheno, with no change to this situation anticipated in the near future. Without water, how does Council envisage the vegetation verge being established and surviving?*

General Manager's response

The water supplied by Council to the water tank at the recreation ground could be utilised for this purpose.

- vi. Please provide the mowing plan for the Swanwick Park. The attached photo of the Westpac Rescue helicopter shows the state that the grass in the Park often gets in to. In order for community members to safely enter the Park with their dogs it will need to be regularly mowed. The risk of tiger snakes in that area is high. The grass also needs to be mowed so that the Westpac rescue helicopter does not have to land in grass like this again.*



General Manager's Response

The Swanwick reserve is programmed to be cut on a two week mowing cycle, dependent on growing conditions. However, there was a period of annual leave when the mowing was not undertaken. The future programme should now be back on track.

vii. *When will the gate be installed on the edge of the Swanwick Park playground? The gap in the fence was shown to Mayor Wisby, Deputy Mayor Woods, Councillor Arnol and Former Councillor Crawford in August 2018. The requirement for a gate was included in a report submitted to former General Manager David Metcalf prepared by Deputy Mayor Woods and Councillor Arnol. The community is still waiting for the gate to be installed to stop children running out of the Park onto the road.*

General Manager's Response

The relevant Manager has been made aware of the issue and will facilitate the installation of a gate.

viii. *The Council budget for 2019/20 shows \$20K of improvements for the Swanwick playground, from drought relief monies, of which \$1,860 is reported as having been spent up to the end of December 2019. Please particularise how the \$1860 was spent, and itemise the balance of the budgeted improvements, including the timing thereof.*

General Manager's Response

Council has applied for an extension on the expenditure date and is awaiting an official response. If the request for an extension is approved (until the end of April), Council will look at options for play/exercise equipment as well as seating and shelters.

ix. *When will the bike rack be installed at the Swanwick bus stop, promised more than a year ago by Council, prior to the announcement of drought relief monies?*

General Manager's Response

The bike rack has been constructed awaiting the installation of the slab of concrete by a contractor.

Ms Mandy Raspin

i. *As a customer of Bendigo Bank who owns or is a signatory to 6 accounts, I am interested to know why the Council offices have reduced the hours of the bank agency to 2 days per week?*

General Manager's Response

This decision was made in order to reduce a high level of cost to Council and to reduce pressure on Council staff time, thus allowing a greater focus on core Council activities.

Mr Michael Cooke

Below is my email sent to Council on 11 December 2019

I have read the Council document "Public Question Time – How do I ask a Question?" At the foot of that document reference is made to the Local Government Act 1993 Meeting Procedures (Section 4, Regulation 31)



Can you please clarify whether that reference should in fact read "Local Government (Meeting Procedures) Regulations 2015 (Division 4, Regulation 31). These regulations appear to have superseded those referred to in the Council document.

Regulation 31 (1) does not impose any restriction on the number of questions which may be asked. Accordingly, I again request that you provide documentation in support of the " Rule " alleged to have been established by Council, the date of its effect and how this " Rule " does not contravene the Regulations.

Regulation 31 (3) states that "if required, **AT LEAST** 15 minutes (of an ordinary Council meeting) is to be made available for questions by members of the public "

Point 1. of the Council document on public question time (referred to above) states that "Council allows 15 minutes in total for Public Question time ... "

On what basis does Council purport to limit this time to 15 minutes in contravention of the Regulations?

In the absence of a response, the following Questions on Notice are now submitted for inclusion in the Agenda for the February Council Meeting.

- i. Why has a reply not been issued within the time prescribed in the GSBC Customer Service Charter or at all?

General Manager's response

It is unfortunate that a response was not provided in a timely manner. Council is currently reviewing its response timeframe in accordance with Council's Customer Service Charter and establishing processes and procedures to ensure that in future, responses are provided in a timely manner.

- ii. What action, if any, has been taken in respect of the matters raised to address the apparent non compliance of Council with the Regulations?

Please refer above response.

- iii. When do you intend to reply to my email dated 11 December 2019?

General Manager's response

In response to your email dated 11 December 2019 I can advise that Council's Public Question Time Procedures should reflect the Local Government (Meeting Procedures) Regulations 2015 not the Local Government Act as has been pointed out. The procedures have since been amended to reflect the correct legislation.

As a minimum the Local Government (Meeting Procedures) Regulations 2015 require that a Council allows at least fifteen (15) minutes allocated to Public Question Time. In accordance with regulation 31 of the Local Government (Meeting Procedures) Regulations 2015, a council is to determine any other procedures to be followed in respect of public question time at an ordinary council meeting.

Mr Michael Cooke

Council has a Customer Service Charter which, inter alia, specifies policy for dealing with " when a customer writes or emails".

- i. What processes are in place to capture incoming correspondence and track it such that Council can comply with its stated charter for customer service?



General Manager's Response

Council has a number of processes in place to capture both digital and printed correspondence. As mentioned above, a number of processes and procedures are being established by Council's Management Team to ensure that Council meets the requirements of its Customer Service Charter.

ii. *Is Council complying with its obligations pursuant to the Customer Service Charter?*

Please refer above response.

Mr Michael Cooke

Below is an extract from Seaspeak – October 2019 edition

“ Community Drought Relief funding – Coles Bay

A further \$1 million was secured as part of the federal government's Drought Relief programme. Some of the projects for Coles Bay are:

- Two garden beds for subsurface irrigation in the park area, a tank and two new pumps for even dispersal over the new garden beds.*
- Refurbishment of the Coles Bay Community Hall including a new disabled toilet and refurbishment of the existing toilet, painting, new blinds, floor sanding and sealing, chairs and stackers.*
- A bike rack near the bus shelter.”*

i. *What is the amount of actual expenditure to date on each of the above projects?*

General Manager's response

The financial breakdown for each component has not been made publicly available by Council.

ii. *What other projects are planned or have been undertaken using this Community Drought Relief Funding, including the timing thereof?*

General Manager's response

The components for the project are in accordance with the list released by the Councillors in 2019.

iii. *Has Council actually received from the Federal Government all of the committed Drought Relief Funding and where have the funds been deposited? If not, what amount has actually been received and what is the process for receiving the balance?*

General Manager's response

Council is currently in negotiation with the Federal Government in respect to available funding.

Mr Michael Cooke

I asked the following question on notice for the November 2019 meeting of Council –

“Please advise the actual 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 General Manager's response provided a figure for total rates for each year. No information was provided by region or area as requested, and no explanation was given as to whether that information was or was not available from Council records.

i. Does Council in fact record rates by regions / areas into 19 categories?

General Manager's Response

I can confirm that Council does record rates by regions/areas into 19 categories.

ii. If the answer to 1. above is affirmative, why was the requested information not provided ?

General Manager's Response

Unfortunately this information was not available at the time the December Council Agenda was finalised and circulated. Council staff have since provided the general rate on each of the 19 areas and the information is provided below.

iii. If the requested information is available from Council records, will you please provide it?

General Manager's Response

General Rates Raised 2018/19

Apslawn: \$4380.00
Bicheno: \$894,367.52
Buckland: \$44,543.45
Coles Bay: \$634,129.94
Cranbrook: \$16,790.00
Dolphin Sands: \$276,064.14
Douglas River: \$17,461.00
Friendly Beaches: \$1,838.00
Lake Leake: \$730.00
Levendale: \$2,920.00
Little Swanport: \$80,785.99
Nugent: \$1,200.00
Orford: \$887,708.75
Pontypool: \$41,616.51
Rheban: \$31,009.00
Rocky Hills: \$11,132.00
Spring Beach: \$195,318.90
Swansea: \$691,567.15
Triabunna: \$405,508.47

Commercial, Industrial, Primary Production & Sport and Recreation: \$1,687,428.74

Budgeted General Rate 2019/20

Apslawn: \$4950.00
Bicheno: \$1,000,101.00
Buckland: \$53,400.00
Coles Bay: \$710,954.00
Cranbrook: \$18,975.00
Dolphin Sands: \$307,900.00
Douglas River: \$19,266.00
Friendly Beaches: \$2,028.00
Lake Leake: \$825.00
Levendale: \$3,300.00
Little Swanport: \$89,678.00
Nugent: \$1,390.00



Orford: \$990,671.00

Pontypool: \$46,943.00

Rheban: \$34,334.00

Rocky Hills: \$12,462.00

Spring Beach: \$218,937.00

Swansea: \$772,215.00

Triabunna: \$464,925.00

Commercial, Industrial, Primary Production & Sport and Recreation: \$1,782,605.23



4.3 Response to Questions taken on Notice from Ordinary Council meeting 28 January 2020

Mrs Kath Anderton

Mrs Anderton advised that her questions related to traffic and parking within Vicary Street, Triabunna and asked:

- i. *Would it be possible for the Council, in the peak period, to undertake an audit and think about some form of limited parking within the IGA and the Colonial restaurant and also the Spring Bay Hotel areas where there are sometimes campers parked there for two or three days.*

General Manager's response

Council staff will undertake an inspection of general parking in the township area over the Easter period.

- ii. *Could Council give consideration to the installation of a disability parking area within Vicary Street? .*

General Manager's response

Arrangements will be made to introduce a disability park in Vicary Street close to the corner of Charles Street, ie. In front of the IGA building.

Mrs Anderton also felt that some people may not understand the no parking symbol.

Mr Andrew Menzies

- i. *Mr Menzies advised that Jane Howlett the Member for Prossor had declined to comment on the PRAG Committee proposed management plan for the Orford Sands Spit and nearby beaches citing conflict of interest. Mr Menzies stated that he understood that two other members of the PRAG Committee may also have had a similar conflict of interest but voted on the item. Could Council please investigate this possible conflict of interest and take appropriate action.*

General Manager's response

This matter raised is currently being considered by the appropriate Council officer/s. A further response will be provided to Mr Menzies in due course, a copy of which will appear in the next available ordinary Council meeting agenda.

Mr Aaron De La Torre

- i. *Mr De La Torre referred to the establishment of a Section 24 Special Committee by Council tasked with agreeing on a Statement of Expectations, following direction from the Local Government Director. Mr De La Torre asked the Mayor how employees could have faith in the outcomes of the Committee.*

Response from Mayor Debbie Wisby

Council has voted to draft a Statement of Expectations, and has established the committee to undertake this task. This was not a direction from the Director of Local Government, it was a recommended course of action. The committee has been deliberately chosen to include the General Manager, representative elected members, and two independent advisers with very broad experience in local government. Many people from across the organisation will have the opportunity to provide information to the Advisers and to the Committee generally before the Statement is drafted.



Ms Samantha Batchelor

- i. *Ms Batchelor's question related to the conduct or concern of Council interacting with employees in their day to day business.*

Response by the General Manager

In the normal course of daily or weekly business at the council there are times when elected members and council staff interact. Council has no instances of complaints against either staff members or Councillors during this period.



5. Information Reports

5.1 General Manager, Chris Schroeder

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

5.2 Manager Works, Mr Tony Pollard

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

5.3 Acting Manager Development & Compliance – Mr. Adrian O’Leary

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

5.4 Manager Community Development – Mrs. Lona Turvey

Community Development

5.5 Manager Buildings & Marine Infrastructure – Mr. Adrian O’Leary

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

5.6 Manager Natural Resource Management, Ms Melanie Kelly

Programs and Projects

Continue to support integrated catchment management through the Catchments to Coast (C2C) program and the implementation of catchment management plans.

Recommendation

That the Management Reports be received and noted.

Further feedback relating to the Management Reports, taken on notice by the General Manager

Councillors asked for further information or raised questions about parts of the Reports. The General Manager took some questions on notice, to be answered directly to Councillors by the relevant managers as soon as practicable.



Decision 44/20

Moved Cllr Annie Browning, seconded Cllr Keith Breheny that the Management Reports be received and noted.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



6. Section 24 Committees

6.1 Statement of Expectations Committee - Terms of Reference

Decision 45/20

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill that the Statement of Expectations Committee – Terms of Reference are received and noted.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



6.2 Statement of Expectations Committee - Advisers' Reports

GLAMORGAN SPRING BAY COUNCIL – STATEMENT OF EXPECTATIONS PROJECT – MR GREG PREECE

GLAMORGAN SPRING BAY COUNCIL – STATEMENT OF EXPECTATIONS PROJECT – MS LYNN MASON

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill that:

1. The Statement of Expectations – Adviser's Reports are received and noted, and
2. The Council requests the General Manager to provide a report detailing how the recommendations will be addressed, funded and prioritised with this report being presented to Council at its 24 March 2020 Ordinary Council Meeting.

An **amendment** was:

Moved Cllr Michael Symons that:

1. The Statement of Expectations – Adviser's Reports are received and noted, and
2. The Council requests the General Manager to provide a report detailing how the recommendations will be addressed, funded and prioritised with this report being presented to Council at its April 2020 Ordinary Council Meeting.

Amendment lapsed due to no seconder

Decision 46/20

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill that:

1. The Statement of Expectations – Adviser's Reports are received and noted, and
2. The Council requests the General Manager to provide a report detailing how the recommendations will be addressed, funded and prioritised with this report being presented to Council at its 24 March 2020 Ordinary Council Meeting.

**The motion was put and carried
(4 votes to 1)**

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

Against: Cllr Michael Symons



6.3 Statement of Expectations Committee Meeting Minutes – 20 January 2020

Decision 47/20

Moved Cllr Keith Breheny, seconded Cllr Annie Browning that the minutes of the Statement of Expectations Sub-Committee meeting held on the 20 January 2020 are received and noted.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



6.4 Triabunna Recreation Ground Section 24 Committee Minutes – 2 October 2019

Recommendation

That the Section 24 Committee minutes and associated reports/documents be received and noted.

Decision 48/20

Moved Cllr Rob Churchill, seconded Cllr Keith Breheny that:

1. The Triabunna Recreation S24 Committee meeting minutes be received and noted.
2. The committee be advised that under Council's kerbside Vendor Policy there is no need to obtain approval from the S24 committee.
3. Council are provided with a copy of the landscape plans and the council recommendation referred to in the minutes at dot point 3 under New Business.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



7. Officers' Reports Requiring a Decision

7.1 Prosser Plains Raw Water Scheme

Responsible Officer – General Manager

Recommendation

1. Referencing Council Decision: 252/19, Council agrees to expend up to an additional \$161,000 to complete Stage 1 of the Prosser Plains Raw Water Scheme (e.g. completion of the pumping station and commissioning of the pipeline), which in turn will allow Council to meet its obligations under the Water Supply Agreement dated 8 February 2019.
2. The General Manager is authorised to take all reasonable and necessary steps to secure the loan of the additional monies referred in recommendation 1 set out above, including gaining approval from the Treasurer, 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 49/20

Moved Cllr Rob Churchill, seconded Cllr Annie Browning:

1. Referencing Council Decision: 252/19, Council agrees to expend up to an additional \$161,000 to complete Stage 1 of the Prosser Plains Raw Water Scheme (e.g. completion of the pumping station and commissioning of the pipeline), which in turn will allow Council to meet its obligations under the Water Supply Agreement dated 8 February 2019.
2. The General Manager is authorised to take all reasonable and necessary steps to secure the loan of the additional monies referred in recommendation 1 set out above, including gaining approval from the Treasurer, 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).

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



Declaration of Interest or Conflict

Please note:

The Mayor advised that she had overlooked calling for Declarations of Interest or Conflict under Item 1.3 of the Agenda and requested Elected Members to indicate whether they have:

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

in any item included in the Agenda.

No Declarations of Interest or Conflict were received.



7.2 Draft 2019 – 2020 Annual Plan – Item Withdrawn

Responsible Officer – General Manager



7.3 Sale of Public Land, 2A Davidson Place, Triabunna Responsible Officer – General Manager

Recommendation

Council notes the attached 24 objections received in regards to the CatholicCare / Centacare Evolve Housing proposal, and resolves to either:

- a) Proceed with the land transfer of public land located at 2a Davidson Place, and Lots 30 and 31 off Spencer Street, Triabunna to CatholicCare / Centacare Evolve Housing to allow for the construction of 21 affordable units.

OR

- b) Undertake to find an alternative site for the construction of 21 affordable units to be built on public land within Triabunna.

Moved Cllr Keith Breheny, seconded Cllr Annie Browning that the proposed Sale of the Public Land 2A Davidson Place, Triabunna is deferred to the 24 March 2020 Ordinary Council Meeting or a Special Meeting of Council to allow for further advice to be provided to Council.

Decision 50/20

An **amendment** was:

Moved Cllr Rob Churchill, seconded Cllr Michael Symons that the proposed Sale of the Public Land 2A Davidson Place, Triabunna is deferred to the 24 March 2020 Ordinary Council Meeting or a Special Meeting of Council to allow for further advice to be provided to Council as a matter of urgency and that immediate discussions with CentaCare be commenced in relation to alternate sites.

**The amendment was put and carried unanimously
(5 votes to 0)**

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

Against: Nil

Decision 51/20

Substantive Motion

Moved Cllr Rob Churchill, seconded Cllr Michael Symons that the proposed Sale of the Public Land 2A Davidson Place, Triabunna is deferred to the 24 March 2020 Ordinary Council Meeting or a Special Meeting of Council to allow for further advice to be provided to Council as a matter of urgency and that immediate discussions with CentaCare be commenced in relation to alternate sites.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



7.4 Australian Citizenship Ceremonies Code – Requirement for Councils to Adopt a Dress Code

Responsible Officer – Manager Community Development

Recommendation

That the attached Australian Citizenship Ceremony Dress Code be adopted and that a copy be sent to the Department of Home Affairs.

Decision 52/20

Moved Cllr Michael Symons, seconded Cllr Rob Churchill that the attached Australian Citizenship Ceremony Dress Code be adopted as a Policy and that a copy be sent to the Department of Home Affairs.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



7.5 Bicheno RSL Sub-Branch

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$1,000 to the Bicheno RSL Sub-Branch towards the cost of a corten screen for the Bicheno cenotaph.

Decision 53/20

Moved Cllr Michael Symons, seconded Cllr Rob Churchill that Council approves a grant of \$1,000 to the Bicheno RSL Sub-Branch towards the cost of a corten screen for the Bicheno cenotaph.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



7.6 Freycinet Volunteer Marine Rescue (VMR) Association

Responsible Officer – Manager Community Development

Recommendation

That Council approves a grant of \$1,000 to the Freycinet Volunteer Marine Rescue (VMR) Association towards the cost of purchasing a 16" Macbook Pro laptop computer with 1 TB storage for the development and delivery of essential training resources.

Decision 54/20

Moved Cllr Annie Browning, seconded Cllr Keith Breheny that Council approves a grant of \$1,000 to the Freycinet Volunteer Marine Rescue (VMR) Association towards the cost of purchasing a 16" Macbook Pro laptop computer with 1 TB storage for the development and delivery of essential training resources.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil



7.7 Drought Communities Programme – Extension Funding Responsible Officer – Manager Works

Recommendation

Council approves the following projects to the value of \$1,000,000 as per the “Drought Communities Programme – Extension Round 2 Funding” allocation.

Decision 55/20

Moved Cllr Keith Breheny, seconded Cllr Annie Browning that:

1. Council is provided with a report providing separate cost estimates of the projects a) to k) listed in attachment A, and
2. Maps showing the location and alignment of the projects are included with the report, and
3. The report be provided to Council for consideration at a Special Meeting of Council or at the 24 March 2020 Ordinary Council Meeting, at the latest.

Appendix A.

Drought Communities Programme – Extension Funding Projects

- a) Concrete footpath approximately 400m long to the southern side of Swanwick Road from Swanwick Drive to Hazards View Drive, Swanwick, and
- b) Concrete footpath approximately 220 metres long to the Southern side of Wellington Street from Noyes Street to Victoria Street, Swansea, and
- c) Concrete footpath approximately 200 metres long to the eastern side of Noyes Street from Franklin Street to Wellington Street, Swansea, and
- d) Concrete footpath approximately 220 metres long to the Northern side of Elizabeth Street from Charles Street to Gore Street, Orford, and
- e) Concrete footpath approximately 400 metres long to the western side of Charles street from Vicary Street to the Recreation Ground Entrance, Triabunna, and
- f) Improvements (realignment and paving) to the intersection of the Esplanade and Vicary Street at the proposed new location of the RSL Cenotaph opposite The Gatehouse, Triabunna, and
- g) Installation of practice nets, pitch with synthetic surface at the Cricket Ground in Buckland, and
- h) Concrete kerb and channel and concrete footpath to the eastern side of the Tasman Highway from the Gala Kirk Church car park to Gala Road, Cranbrook, and
- i) Concrete footpath approximately 1,200 metres long on the eastern side of the Tasman Highway from Harveys Farm road to Douglas Street, Bicheno, and
- j) Installation of cricket practice nets, pitch and synthetic surface at the Triabunna Recreation Ground, Triabunna, and
- k) Replacement of steps to the front entrance of the Buckland Community Hall and associated landscaping.

**The motion was put and carried unanimously
(5 votes to 0)**



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

Against: Nil



7.8 Consideration of cul-de-sac name: off Sebastian Rise, Swansea **Responsible Officer – Manager, Development and Compliance**

Recommendation

That Council considers the name 'Lola Place' for the cul-de-sac off Sebastian Rise in Swansea and arrives at a decision to submit a name to the Nomenclature Board by 26 February 2020.

Decision 56/20

Moved Cllr Keith Breheny, seconded Cllr Rob Churchill that Council approves the name 'Amos Place' for the cul-de-sac off Sebastian Rise in Swansea for submission to the Nomenclature Board by 26 February 2020.

**The motion was put and carried
(4 votes to 1)**

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

Against: Cllr Michael Symons



8. Notices of Motion

Nil received.



9. Motion Tracking Document

Last updated 21/01/2020

Meeting Date	Item No.	Decision Number	Title	Action Officer	Decision	Status
27 th February 2018	7.1	20/18	Approval of borrowing budget amendments, pipeline approvals and construction.	GM	GM authorised to proceed with Stage 1 Prosser Plains Raw Water Scheme (PPRWS) and Council to enter into an agreement with Tassal for delivery of raw water to Okehampton Bay on full cost recovery basis.	Report this agenda. Project update this agenda.
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.	Completed.
26th March 2019	7.3	66/19	Renaming of Esplanades	MDC	Council to consult with affected residents	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
27 th August 2019	7.2	140/19	Seaweed Odours Swansea – An Issues Paper	GM	Council to appoint “suitably qualified technician” to prepare a scoping report. Brief to be provided to Council at a workshop.	In Progress
27 th August 2019	7.5	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	2.2	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	2.5	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 matters of environment health - Environmental Health By-Law (By-Law No. 1 of 2018).	In Progress



Meeting Date	Item No.	Decision Number	Title	Action Officer	Decision	Status
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>	<p>Complete.</p> <p>Complete.</p> <p>In progress.</p>
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>	<p>In Progress</p> <p>Report this agenda</p>
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
22 nd 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 nd 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



Meeting Date	Item No.	Decision Number	Title	Action Officer	Decision	Status
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	Completed.
17 December 2019	8.5	245/19	Building Better Regions – Grand Funding Options	GM	<p>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.</p> <p>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 Kellevie to Orford with Sorrell Council and Glamorgan Spring Bay Council matching those funds equally, both contributing \$12,500 each.</p> <p>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.</p>	Applications submitted.
17 December 2019	8.6	246/19	Training Wall Lease – Prosser River Mouth Advisory Group	GM	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 th of January 2020.	To be discussed at the next Council workshop.
17 December 2019	8.7	248/19	The Prosser River Mouth (Spit) Fencing & Signage Proposal		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	In progress.



Meeting Date	Item No.	Decision Number	Title	Action Officer	Decision	Status
					feedback and make a decision at an Ordinary Meeting of Council.	
17 December 2019	8.9	251/19	Consent to Lodge a DA: Cricket Practice Nets, Swansea Recreation Ground	MBMI	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.	In progress.
17 December 2019	8.10	252/19	Additional Funding for the Prosser Plains Raw Water Scheme	GM	<p>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.</p> <p>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).</p> <p>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.</p>	See Report this agenda.
17 December 2019	8.11	254/19	Transfer of Council Land for Catholic Care Affordable Housing	GM	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	Advertised.



Meeting Date	Item No.	Decision Number	Title	Action Officer	Decision	Status
					<p>development on Lots 30, 31 and 94 Spencer Street, Triabunna.</p> <p>Centacare Evolve Housing are to provide Council with four serviced residential blocks on Council land</p> <p>Centacare Evolve Housing will be obliged to pay Council's rates on the unit development</p> <p>A Community Meeting will be held in January 2020 to answer questions and obtain feedback from community members.</p>	<p>Community meeting held.</p> <p>Consultation in progress.</p>
14 January 2020	2.1	1/20	Correction of Assessed Annual Valuation of Rates	GM	<p>Council agrees to waive the levying of rates related to the Assessed Annual Valuation of rates as received from the Valuer General's Office in June 2019 for 2019/2020 financial year. The basis of this decision is due to the negative impact on the administration of Council by delaying this matter any further.</p>	In progress.
28 January 2020	7.1	19/20	Bendigo Bank Opening Hours	GM	<p>That the Bendigo Bank agency located at the Glamorgan Spring Bay office in Triabunna will reduce operating days from five days per week to two days per week to be determined by the General Manager in consultation with the Swansea Bicheno Bank Manager to be effective 3 February 2020.</p> <p>The General Manager is to provide a report to Council within 14 days on the Bendigo Bank agency and its future at the Glamorgan Spring Bay office at Triabunna.</p> <p>This matter is to be placed on the ordinary Council meeting agenda on the 25 February 2020.</p>	<p>Pending response from Bendigo Bank.</p> <p>The General Manager has made contact with the Bendigo Bank a number of times however no further advice has been received at the time of</p>



Meeting Date	Item No.	Decision Number	Title	Action Officer	Decision	Status
						the distribution of this agenda.
28 January 2020	7.3	21/20	Position of the Loo with a View – Swansea	GM	That Council defer to community consultation and for further investigation in conjunction with the boat trailer parking funding at Jetty Road Swansea.	Requires further consideration. To be workshopped.
28 January 2020	7.4	22/20	Re-endorsement of the Dog Management Policy and associated Declared Areas including Dog Exercise Yards	MNRM	That: 1. Council re-endorses the Glamorgan Spring Bay Dog Management Policy and Declared Areas 2014-19 for the next 6 years with a further review to commence as soon as possible in line with Section 7 subsection (3) of the Dog Control Act 2000. 2. In accordance with Section 25 of the Dog Control Act 2000 Council will, by public notice, notify the community of: a) the date on which the Declared areas in the re-endorsed dog policy and the new declared dog exercise areas take effect, and b) the period during which the declaration remains in force.	Completed. Completed. In progress.
28 January 2020	7.5	23/20	Bicheno Community Development Association Inc.	MCD	That Council approves a grant of \$500 to the Bicheno Community Development Association Inc., towards the cost of purchasing three (3) hoop bike racks to be installed outside the Bicheno Newsagency.	Applicant has been advised. Payment in progress.
28 January 2020	7.6	24/20	Coles Bay Half Triathlon	MCD	That Council approves a grant of \$1500 under the Community Small Grants Programme to the Coles Bay Half Triathlon Committee, towards the cost of staging the event, plus the provision of 2 x double portable toilets.	Applicant has been advised. Payment in progress.



Meeting Date	Item No.	Decision Number	Title	Action Officer	Decision	Status
28 January 2020	7.7	25/20	Freycinet Association Inc.	MCD	That Council approves a grant of \$1,000 to the Freycinet Association Inc., towards the cost of purchasing an Automated External Defibrillator (AED) to be installed at the Coles Bay Convenience-General Store and Post Office which is situated at 3 Garnet Avenue.	Applicant has been advised. Payment in progress.
28 January 2020	7.8	26/20	Spring Bay Suicide Prevention Network	MCD	That Council approves a grant of \$2,000 to the Spring Bay Suicide Prevention Network, towards the cost of purchasing forty-five (45) Live Life Medical Alarms which will enable the service to be expanded into Swansea, Bicheno and Coles Bay.	Applicant has been advised. Payment in progress.
28 January 2020	7.10	28/20	Air-conditioning for Bicheno Paramedic Room	MBMI	That Council fund the installation of the air conditioning unit in the Bicheno Paramedic room to the value of \$1900.	Unit has been ordered.
28 January 2020	7.11	29/20	Roads to Recovery Allocation for 2019-2020	MW	That Council approves the bitumen sealing of 6km of Nugent Road from the Tasman Hwy - \$330,000 and the replacement of the Old Coach Road bridge deck \$55,000 as part of Roads to Recovery funding allocation expenditure for 2019-2020 financial year.	Completed.
28 January 2020	8.1	30/20	Notice of Motion – Triabunna District School – School Crossing	MW	1. That Council employs a suitably qualified person to assess both the Melbourne Street and Vicary Street Triabunna school crossings to determine their compliance with the current Australian Standards for School Crossings. 2. That, in the event, that either or both crossings are assessed as deficient Council take steps to immediately rectify the deficiency to ensure the safety of students at Triabunna District School.	Under early investigation.
28 January 2020	8.2	31/20	Notice of Motion – Council Meeting Minutes	GM	That the draft Council Meeting Minutes are provided to Council within ten (10) calendar days of the Council Meeting.	In progress



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

Further feedback relating to the Motion Tracking Document, taken on notice by the General Manager

Councillors asked for further information or raised questions about parts of the Motion Tracking Document. The General Manager took some questions on notice, to be answered directly to Councillors by the relevant managers as soon as practicable.

Recommendation

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

Decision 57/20

Moved Cllr Anne Browning, seconded Cllr Keith Breheny That Council receives and notes the information contained within the Motion Tracking Document.

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil

10. Questions Without Notice

1. Cllr Annie Browning referred to item 3.1 in today's agenda and advised that the locality should read "Orford" not "Swansea".

This administrative error to be rectified in the minutes of the meeting.

2. Mayor Debbie Wisby referred to the Dog Management Policy endorsed by Council and advised that it is not on the Council website, the old Policy is on the website and requires updating.

The endorsed version of the Dog Management Policy will be placed on Council's website.

3. Mayor Debbie Wisby referred to the late item which was presented by the Works Manager at the Workshop held on the 11 February 2020 as to whether "Sheays Bridge" would be retained by Council and requested an update in respect to the decision made.

The General Manager advised that the decision was not to retain the old bridge.

4. Mayor Debbie Wisby referred to the Dolphin Sands Emergency Plan which was discussed at the workshop held on the 11 February 2020 where there were concerns raised in respect to its adherence to the Emergency Management Plan and asked for an update.

The General Manager took the question on notice.

5. Mayor Debbie Wisby requested an update in respect to figures and the usage of the house currently being leased by University of Tasmania in Swansea.

The General Manager took the question on notice.

6. Mayor Debbie Wisby stated that Council's website still states that Council has been donated golf course land at Solis and asked that the website be cleaned up.

The General Manager took the question on notice.

7. Cllr Keith Breheny asked when the Strategic Plan will be brought to Council for consideration.

The General Manager advised that he expected that it would be brought to the next meeting.

8. Cllr Keith Breheny asked if Councillors were aware of an email received from Bendigo Bank Financial Services at 11.45am today. Cllr Breheny asked the General Manager what the implications to Council would be.

The General Manager advised that pending advice in writing, the Bendigo Bank has given preliminary advice indicating that they wish to exit the Bendigo Bank agency here in the Council Chambers. It will stay in operation until at least the end of March. The Bank will issue a statement, then go to the end of the month and provide an additional month from there. The agency will most likely be held from 30 to 60 days before the exit.

9. Cllr Michael Symons requested clarification that within two months is the longest time the Bendigo Bank agency will run for but it may only run for a month.

The General Manager advised that this was correct.



10. Cllr Michael Symons asked if the General Manager would provide Council a report on the implications of that as far as Council business goes as obviously Council banks with the Bendigo Bank and there would be issues along those lines.

The General Manager advised that a response could be provided on what alternative arrangements will be put in place and took the question on notice.

11. Cllr Rob Churchill also raised that matter of the donation of the golf course to Council which appears on Council's website and asked that it be removed as soon as possible as it was raising questions from within the community that are difficult for Councillors to answer.

The General Manager took the question on notice.



11. Confidential Items (Closed Session)

In accordance with the requirements of regulation 15(2)(a) of the *Local Government (Meeting Procedures) Regulations 2015*, the Mayor to declare the meeting closed to the public in order to discuss the following matter:

Item 1: Personnel Matter

The live streaming and recording of meeting were switched off.

Please note:

The Mayor adjourned the meeting at 4:17pm for a short refreshment break with the meeting to resume at 4:27pm.

The meeting resumed at 4:30pm.

Decision 58/20

Moved Cllr Annie Browning, seconded Cllr Rob Churchill that Council moves into closed session (Time: 4:30pm)

**The motion was put and carried unanimously
(5 votes to 0)**

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

Against: Nil

In accordance with **Decision 63/20 (Closed Session)**, Council resolved that the following information is made public:

The following Councillors were appointed to the General Manager's Performance Review Committee:

- a. Mayor Debbie Wisby
- b. Deputy Mayor Jenny Woods
- c. Cllr Rob Churchill; and
- d. Cllr Keith Breheny

12. Close

The Mayor declared the meeting closed at (Time 4:43pm).

CONFIRMED as a true and correct record.

Date: **Mayor Debbie Wisby**