



COUNCIL MEETING MINUTES

Monday, 22nd June 2015



*Back (L – R): Cr David Grace, Cr Dean Winter, Cr Nic Street, Cr Richard Atkinson, Cr Mike Percy
Front (L – R): Cr Flora Fox, Deputy Mayor Cr Paula Wriedt, Mayor Cr Steve Wass, Cr Bemadette Black, Cr Dr Graham Bury*

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MINUTES of an Ordinary Meeting of Council to be held at the Kingborough Civic Centre, Kingston on Monday, 22nd June 2015 at 5.30pm.

	From	To	Time Occupied
Open Council	5.30pm	6.59pm	1 hour, 59 minutes
Closed Council	7.00pm	7.13pm	13 minutes
Open Council	7.14pm	7.15pm	1 minute
TOTAL TIME OCCUPIED			2 hours, 13 minutes

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

ATTENDEES

Councillors:

		PRESENT	ABSENT
Mayor	Councillor S Wass	✓	
Deputy Mayor	Councillor P Wriedt	✓	
	Councillor R Atkinson	✓	
	Councillor B Black	✓	
	Councillor Dr G Bury	✓	
	Councillor F Fox	✓	
	Councillor D Grace	✓	
	Councillor M Percey	✓	
	Councillor N Street	✓	
	Councillor D Winter	✓	

Staff:

TITLE	NAME
Acting General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Manager Finance	Mr Tim Jones
Executive Manager Engineering Services	Mr David Reeve
Manager Communication & Recreational Services	Mr Daniel Smee
Communications and Media Officer	Mr Rowan Dix
Executive Officer	Mr Ian Holloway
Executive Assistant	Mrs Amanda Morton

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES

C195/9-15

Council Meeting No. 6 Held On Monday, 25 May 2015

MOVED Cr Fox
 SECONDED Cr Wriedt

That the Minutes of Council Meeting No. 6 held on 25 May 2015 be confirmed.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C196/9-15

Special Council Meeting No. 7 held on Monday, 1 June 2015

MOVED Cr Grace
 SECONDED Cr Winter

That the Minutes of Special Council Meeting No. 7 held on 1 June 2015 be confirmed.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C197/9-15

Special Council Meeting No. 8 held on Tuesday, 9 June 2015

MOVED Cr Street
 SECONDED Cr Black

That the Minutes of Special Council Meeting No. 8 held on 9 June 2015 be confirmed.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

DECLARATIONS OF INTEREST

There were no declarations of interest.

QUESTIONS ON NOTICE FROM THE PUBLIC

At the time the Agenda was compiled, there were no Questions on Notice from the public.

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

There were no questions without notice from the public.

QUESTIONS ON NOTICE FROM COUNCILLORS

C198/9-15

Council's Long Term Financial Plan

Cr Winter has submitted the following question on notice :

Section 4.3, '*Materials and contracts, Other Expenses*' of Council's Long Term Financial Plan mentions a 'productivity drive throughout Council'.

What productivity improvements have been made since the document was reviewed in November 2013?

Response:

Responsible Officer: Tim Jones - Manager Finance

Productivity improvements have been obtained through various initiatives including the appointment of a specialist Contracts and Procurement Coordinator to assist in achieving efficiencies in this area. Identification of productivity improvements is an ongoing process however some of the improvements to date include:

- Implementation of energy efficiency initiatives to reduce the amount paid for electricity supplies.
- Combining multiple works projects into single contracts which has resulted in reduction in tendering cost to Council, reduction in Council contract administration costs and improved contracting pricing.
- Letting term contracts for longer durations, again resulting in reduction in tendering costs to Council and reduction in contract pricing.

- Reduction in final contract costs by better negotiation of contract scopes, terms and conditions.
- Use of aggregated purchasing arrangements (eg State Government, National Procurement Network and Southern Tasmania Councils Authority) to obtain lower pricing for goods and services.
- Inclusion of Improvement Plans as part of Asset Management Plans to ensure that capital and operational expenditure decisions provide value for money to Council.
- IT infrastructure rationalisation reducing power and maintenance costs and simplifying administration
- Increased service life of PC infrastructure
- Significant reduction in printing and copying costs by utilising new technologies
- Stationery purchased through the STCA group contract with Office Max.

C199/9-15

Trees On Private Properties

Cr Winter has submitted the following question on notice:

In instances where a tree on private property poses a legitimate safety concern to its neighbours, what power does Council have to force the property owner to remove it?

Response:

Responsible Officer: Ian Holloway - Executive Officer

There are several complex legal issues associated with the issue of trees posing a danger to a neighbouring property and given the complexity of the matter a report will be presented to the July Council meeting in response to Councillor Winter's question on notice.

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

C200/9-15

Powell & Talone Roads

The following Notice of Motion was submitted by **Cr Street**

MOVED Cr Street
SECONDED Cr Grace

That Kingborough Council officers present a report to Council as soon as practical on the cost and feasibility of installing drainage, curb and guttering, pedestrian footpaths and new road surfacing commensurate with the rest of urban Blackmans Bay in Powell, Talone and Blowhole Roads. Resident feedback, along with an increased level of in fill development has brought this issue back to prominence.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

Background

In order to properly assess this project I believe that the project should be broken down in to the following areas:

1. Powell, Talone and Blowhole Road should all be separated out so that the cost of each road section is identifiable.
2. The cost of the ground works (drainage and curb and guttering), footpaths and the new road surface should also be separated.

This will mean that from the report it should be identifiable the individual costs of each element so that they can all be considered independent of one another. In the past the total project has been presented as a lump sum total and it has appeared to be cost prohibitive.

Officer's Comments

Responsible Officer: David Reeve, Executive Manager Engineering Services

A report was considered by Council on this matter, in April 2012, following the receipt of a petition. The report provided some indicative costs on constructing sections of Powell Road, Talone Road and Blowhole Road. The Council resolution was:

That the report of the Executive Manager Engineering Services be received and noted and the petitioners be advised that the further urbanisation of Blowhole Road, Talone Road and Powell Road is not seen as a priority at this time.

Currently, none of the three roads listed are in Council's 5 year capital works plan for upgrades. It is prudent that a further report is provided to Council covering the points raised in the Notice of Motion and this is intended to be provided for the July Council meeting.

PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned

PETITIONS RECEIVED IN LAST PERIOD

On the day of compiling the Agenda no Petitions had been received.

REPORTS

C201/9-15

RATING RESOLUTIONS

MOVED Cr Fox
SECONDED Cr Bury

That Council rescinds the following resolutions made at the Special Council Meeting held on 9 June 2015:

- (1) Minute No. C183/8-15 – RATES RESOLUTION – PART 1(A)

That in accordance with the provisions of the Local Government Act 1993 (as amended) Council makes a General Rate component for land within the municipal area for the period 1 July 2015 to 30 June 2016 of 0.002747 cents in the dollar of capital value, in respect of all rateable land within the municipal area.

- (2) Minute No. C184/8-15 – RATES RESOLUTION – PART 1 (B)

Pursuant to Section 107 of the Local Government Act 1993 (as amended), the Council by absolute majority hereby varies the General Rate component (as previously made) for land within the municipal area which is used or predominantly used for industrial purposes to 0.005647 cents in the dollar of capital value of such rateable land.

- (3) Minute No. C185/8-15 – RATES RESOLUTION – PART 1 (C)

Pursuant to Section 107 of the Local Government Act 1993 (as amended), the Council by absolute majority hereby varies the General Rate component (as previously made) for land within the municipal area which is used or predominantly used for commercial purposes to 0.004970 cents in the dollar of capital value of such rateable land.

(4) Minute No. C191/8-15 – RATES RESOLUTION – PART 6

Pursuant to Section 93A of the Local Government Act 1993 (as amended) and the provisions of the Fire Service Act 1979 (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2015 to 30 June 2016:

- (a) *a Permanent Brigade District Fire Rate of 0.00057803 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within the Permanent Brigade Rating District.*
- (b) *a Volunteer Brigade District Fire Rate of 0.00017055 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within Volunteer Brigade Rating District.*
- (c) *a General Land Fire Rate of 0.00013359 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within the municipal area, which is not within the Permanent Brigade Rating District, or the Volunteer Brigade Rating District.*

FOR

Cr Atkinson	Cr Black	Cr Bury	Cr Fox	Cr Wass
Cr Wriedt				

AGAINST

Cr Grace	Cr Percey	Cr Street	Cr Winter	
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Carried

C202/9-15

RATING RESOLUTION – PART 1(A)

MOVED Cr Fox
 SECONDED Cr Black

That in accordance with the provisions of the *Local Government Act 1993* (as amended) Council makes a General Rate component for land within the municipal area for the period 1 July 2015 to 30 June 2016 of 0.2747 cents in the dollar of capital value, in respect of all rateable land within the municipal area.

FOR

Cr Atkinson	Cr Black	Cr Bury	Cr Fox	Cr Wass
Cr Wriedt				

AGAINST

Cr Grace	Cr Percey	Cr Street	Cr Winter	
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Carried

C203/9-15

RATES RESOLUTION – PART 1 (B)

MOVED Cr Fox
 SECONDED Cr Atkinson

Pursuant to Section 107 of the *Local Government Act 1993* (as amended), the Council by absolute majority hereby varies the General Rate component (as previously made) for land within the municipal area which is used or predominantly used for industrial purposes to 0.5647 cents in the dollar of capital value of such rateable land.

FOR

Cr Atkinson	Cr Black	Cr Bury	Cr Fox	Cr Wass
Cr Wriedt				

AGAINST

Cr Grace	Cr Percey	Cr Street	Cr Winter	
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Carried

C204/9-15

RATES RESOLUTION - PART 1 (C)

MOVED Cr Black
 SECONDED Cr Fox

Pursuant to Section 107 of the *Local Government Act 1993* (as amended), the Council by absolute majority hereby varies the General Rate component (as previously made) for land within the municipal area which is used or predominantly used for commercial purposes to 0.4970 cents in the dollar of capital value of such rateable land.

FOR

Cr Atkinson	Cr Black	Cr Bury	Cr Fox	Cr Percey
Cr Wass	Cr Wriedt			

AGAINST

Cr Grace	Cr Street	Cr Winter		
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Carried

C205/9-15

RATES RESOLUTION – PART 6

MOVED Cr Street
 SECONDED Cr Winter

Pursuant to Section 93A of the *Local Government Act 1993* (as amended) and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2015 to 30 June 2016:

- a) a Permanent Brigade District Fire Rate of 0.057803 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within the Permanent Brigade Rating District.
- b) a Volunteer Brigade District Fire Rate of 0.017055 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within Volunteer Brigade Rating District.
- c) a General Land Fire Rate of 0.013359 cents in the dollar of capital value, subject to a minimum amount of \$38 in respect of all rateable land within the municipal area, which is not within the Permanent Brigade Rating District, or the Volunteer Brigade Rating District.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C206/9-15

KINGBOROUGH COUNCIL STRATEGIC PLAN 2015-2025

MOVED Cr Wriedt
 SECONDED Cr Bury

That Council adopt the Kingborough Council Strategic Plan 2015-2025 and the associated Strategic Delivery Plan 2015-20, both of which are attached to this report.

Amendment:

MOVED Cr Atkinson
 SECONDED Cr Fox

That Council :

- (a) adopt the Kingborough Council Strategic Plan 2015-2025 as attached; and

- (b) the associated Strategic Delivery Plan 2015-20 be presented to the July Council meeting subject to a workshop being held.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

The amended motion was then put.

FOR

Cr Atkinson	Cr Black	Cr Bury	Cr Fox	Cr Percey
Cr Wass	Cr Wriedt			

AGAINST

Cr Grace	Cr Street	Cr Winter		
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Carried

C207/9-15

ANNUAL PLAN 2015/16

MOVED Cr Wriedt
 SECONDED Cr Fox

That the matter be deferred to the July Council meeting and subject to a Council workshop.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C208/9-15

PUBLIC EXHIBITION OF INTERIM PLANNING SCHEME

MOVED Cr Atkinson
 SECONDED Cr Street

That Council:

1. publicly exhibit the Kingborough Interim Planning Scheme 2015 in accordance with section 30H of the *Land Use Planning and Approvals Act 1993*: and
2. that this public exhibition involve:
 - a notice published in a daily newspaper
 - articles published in a local newspaper and the Kingborough News
 - a leaflet or equivalent information included with Council's rates notices
 - a copy of the draft planning scheme and other explanatory information provided on Council's website and at the Civic Centre
 - at least two public information sessions at Kingston and in the lower Channel area
 - online publicity, including through Council's social media accounts
 - planning staff meeting with individuals or groups who require specific advice

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C209/9-15

LGAT - GENERAL MANAGEMENT COMMITTEE (SOUTHERN ELECTORAL DISTRICT)

MOVED Cr Wriedt
 SECONDED Cr Black

That in relation to the vacancy for the General Management Committee – Southern Electoral District, Council vote in the following manner:

1. Anthony Edward Bisdee.
2. Deirdre Flint.
3. James Graham.

FOR

Cr Black	Cr Grace	Cr Percey	Cr Wass	Cr Winter
Cr Wriedt				

AGAINST

Cr Atkinson	Cr Bury	Cr Fox	Cr Street	
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Carried

C210/9-15

BUSHFIRE HAZARD MANAGEMENT POLICY

MOVED Cr Grace
 SECONDED Cr Black

That Council adopt *Policy 4. – Bushfire Hazard Management Policy* with immediate effect.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C211/9-15

COUNCILLORS GIFTS AND BENEFITS POLICY

MOVED Cr Black
 SECONDED Cr Wriedt

That consideration of a draft *Councillors Gifts and Benefits Policy* be deferred until the July 2015 meeting.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C212/9-15

POLICY 3.14 - RATES AND CHARGES POLICY

MOVED Cr Street
 SECONDED Cr Fox

That the updated Rates and Charges Policy be approved and implemented.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

COMMUNICATIONS

C213/9-15

GENERAL MANAGER'S REPORT MAY/JUNE 2015

MOVED Cr Grace
 SECONDED Cr Wriedt

That the report of the General Manager be noted.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C214/9-15

MAYORS COMMUNICATIONS

MOVED Cr Fox
 SECONDED Cr Black

That the Mayor's Communications be received and noted.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

MINUTES AND REPORTS OF COMMITTEES

C215/9-15

COMMUNITY ARTS & ENVIRONMENT COMMITTEE MEETING NO. 3

MOVED Cr Wriedt
 SECONDED Cr Grace

That the following Minutes of Meeting No. 3 of the Community Arts & Environment Committee held on Monday, 1 June 2015 be confirmed and the recommendations contained therein be adopted.

CAE21/3-15 Apologies

CAE22/3-15 Job Seeker Agencies In Kingborough

CAE23/3-15 Community Grants 2015/16 Round One

CAE24/3-15 Kingborough Australia Day Awards Policy

CAE25/3-15 Community Market at Sandfly Hall

CAE26/3-15 –
 CAE27/3-15 Positive Ageing Plan Review

CAE28/3-15 Kingston Beach Arts Centre

CAE29/3-15 Bi-Monthly Report Community & Recreational Services - April to May 2015

CAE30/3-15 Environmental Services Activity Report

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C216/9-15

PLANNING AUTHORITY COMMITTEE – SEALED PLAN AMENDMENT HEARING MEETING NO. 6

MOVED Cr Bury
 SECONDED Cr Fox

That the Minutes of the Planning Authority Committee – Sealed Plan Amendment Hearing Meeting No. 6 held on Tuesday, 9 June 2015 be received and confirmed.

PA27/6-15 SPA-2014-9 - Amendment to Sealed Plan No. 23227 for N M Creeseon behalf of Davalon Developments Pty Ltd affecting properties at Nolan Crescent, Adelong Drive and Foley Road, Kingston

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C217/9-15

PLANNING AUTHORITY & DEVELOPMENT COMMITTEE MEETING NO. 7

MOVED Cr Bury
 SECONDED Cr Fox

That the Minutes of Meeting No. 7 of the Planning Authority & Development Committee held on Tuesday, 9 June 2015 be received and confirmed.

- PA28/7-15 Questions on Notice From the Public
- PA29/7-15 Questions on Notice From Councillors
- PA30/7-15 Delegated Authority for the Period - 1 May 2015 to 29 May 2015
- PA31/7-15 DA-2015-136 - Development Application for Two visitor accommodation cabins at 1 Lumeah Road, Adventure Bay for Mr R J Graham
- PA32/7-15 DA-2015-99 - Development Application for 6 units at 25-29 Powell Road, Blackmans Bay (CT 158732/2) for Valhal Pty Ltd
- PA33/7-15 DA-2015-106 - Development Application for Dwelling and shed requiring relaxation of side and rear boundary setbacks at 19 Selby Road, Kettering for Systembuilt Homes
- PA34/7-15 DA-2015-129 - Development Application for Garage requiring relaxation of front and side boundary setbacks at 7 Stiffys Creek Road, Dennes Point for Isle Drafting Pty Ltd

PA35/7-15 DA-2015-46 - Development Application for Two units requiring relaxation of front and side boundary setbacks at 18 Nolan Crescent, Kingston for Mr P Geale

PA36/7-15 Matters of General Interest

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C218/9-15

INFRASTRUCTURE AND RECREATIONAL SERVICES COMMITTEE MEETING NO. 5

MOVED Cr Black
SECONDED Cr Atkinson

That the Minutes of Meeting No. 5 of the Infrastructure and Recreational Services Committee held on Thursday, 11 June 2015 be received and confirmed.

- IRS29/5-15 Declarations Of Interest
- IRS30/5-15 Activity Report - Kingborough Sports Centre
- IRS31/5-15 Kingston Beach Infrastructure Master Plan
- IRS32/5-15 Kingborough Access Advisory Committee
- IRS33/5-15 Works Monthly Report – May / June 2015
- IRS34/5-15 Capital Works Program – Monthly Report

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C219/9-15

MATTERS OF GENERAL INTEREST

Cr Winter noted that two members of the local Kingston Police are moving on. That is Inspector Matt Osborne who is going to the Australian Crime Commission and Sgt Kerry Turfrey after 46 years of service is retiring next month.

Cr Wriedt wanted to know whether we would write to Sgt Turfrey as he has been a long standing member. They Mayor confirmed that Council would.

C220/9-15

CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Bury
 SECONDED Cr Percey

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2005* the following items are to be dealt with in Closed Session.

Matter	<i>Local Government (Meeting Procedures) Regulations 2005</i> Reference
Applications for Leave of Absence	15(2)(i)
AB1507 Kingston Beach Stage 4 Tender Assessment	15(2)(c)

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

C221/9-15

CLOSED SESSION

MOVED Cr Street
 SECONDED Cr Grace

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2005* that Council move into Closed Session.

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

In accordance with the *Kingborough Council Meetings Audio Recording Guidelines Policy*, recording of the open session of the meeting ceased.

The Open Session of Council adjourned at 6.59pm

The Open Session of Council resumed at 7.14pm

C227/9-15

MOVED Cr Wriedt
SECONDED Cr Fox

The Closed Session of Council having met and dealt with its business resolves to report that it has determined the following:

Subject	Decisions/Documents
Applications for Leave of Absence	Noted
AB1507 Kingston Beach Stage 4 Tender Assessment	Tender to be accepted and approval given for contingencies and oncosts

FOR

Cr Atkinson	Cr Black	Cr Fox	Cr Street	Cr Winter
Cr Dr Bury	Cr Grace	Cr Percey	Cr Wass	Cr Wriedt

Carried Unanimously

CLOSURE There being no further business, the Chairperson declared the meeting closed at 7.15pm

.....
(Confirmed)

.....
(Date)