

Kingborough

PUBLIC MINUTES

These Minutes are provided for the assistance and information of members of the public.

MINUTES

26 March 2018



Back (L – R): Cr Paul Chatterton, Cr Mike Percy, Cr Sue Bastone, Cr Dean Winter, Cr Richard Atkinson
Front (L – R): Cr Dr Graham Bury, Cr Flora Fox, Mayor Cr Steve Wass, Deputy Mayor Cr Paula Wriedt, Cr David Grace

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MINUTES of an Ordinary Meeting of Council held at the Kingborough Civic Centre, 15 Channel Highway, Kingston on Monday, 26 March 2018 at 5.30pm.

	From	To	Time Occupied
Open Council	5.30pm	5.49pm	19 minutes
Planning Authority	5.49pm	6.15pm	26 minutes
Open Council	6.15pm	7.22pm	1 hour, 7 minutes
Closed Council	7.22pm	7.38pm	16 minutes
Open Council	7.38pm	7.39pm	1 minute
TOTAL TIME OCCUPIED			2 hours, 9 minutes

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chairman acknowledged and paid respect to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of the land on which we met, and acknowledged elders past and present.

ATTENDEES

Councillors:

Mayor Councillor S Wass	✓
Deputy Mayor Councillor P Wriedt	✓
Councillor R Atkinson	✓
Councillor S Bastone	✓
Councillor Dr G Bury	✓
Councillor P Chatterton	✓
Councillor F Fox	✓
Councillor D Grace	✓
Councillor M Percey	✓
Councillor D Winter	✓

Staff:

TITLE	NAME
General Manager	Mr Gary Arnold
Deputy General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Executive Manager Organisational Development	Ms Pene Hughes
Manager Development Services	Ms Tasha Tyler-Moore
Senior Project Manager	Mr Craig Reid
Executive Assistant	Mrs Amanda Morton

APOLOGIES

There were no apologies.

CONFIRMATION OF MINUTES OF COUNCIL MEETING NO. 5 HELD ON 13 MARCH 2018

MOVED Cr Percey
 SECONDED Cr Bastone

That the Minutes of Council Meeting No. 5 held on 13 March 2018 be confirmed.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

WORKSHOPS HELD SINCE COUNCIL MEETING ON 13 MARCH 2018

DATE	PURPOSE
19 March	Metro and Bus Services

DECLARATIONS OF INTEREST

There were no declarations of interest.

TRANSFER OF AGENDA ITEMS

No Agenda items were transferred.

QUESTIONS ON NOTICE FROM THE PUBLIC

North Roslyn Avenue Traffic Safety

At the Council meeting on 13 March 2018, **Ms Tricia Ramsay** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

1. Council was planning to duplicate last year's winter traffic counting on North Roslyn Avenue is counterproductive. In August last year we requested that vehicle counting occur this summer to reflect the additional seasonal traffic associated with tourism, recreation and construction as well as heightened social activities. It was a rational legitimate ratepayer request. Why was it not acted upon?

2. Why hasn't the work been done that Council promised would be completed in mid-February this year?
3. Why hasn't anything tangible been done to alleviate the excessive traffic speeds in last winter's traffic counting? Then, it was described by your officer as very concerning with almost consistently hourly maximums between 80 and 90kms/h. And other instances where vehicle speeds exceed 100km/h, the highest being 107?
4. The planned area traffic survey will be compromised if it omits data from Jindabyne Road and Kingston Heights. In the absence of a Kingston traffic plan, will Council ensure that data from these two relevant areas be included in the forthcoming traffic survey?

Officer's Response:

1. Traffic counts are not generally accurate during summer time as this takes in the majority of the Christmas school holiday period. Council committed to the undertaking of a larger local area traffic survey to try to understand the origin and destination of the large majority of traffic which travels along the northern section of Roslyn Avenue. The survey needs to reflect typical daily traffic movements, not seasonal peaks.
2. Works to replace missing guideposts and install signage is being programmed.
3. Work is being programmed for improved speed limit delineation.
4. The North Roslyn Avenue area traffic survey is proposed to capture Auburn Road, the Kunama Drive area, Jindabyne Road and the Kingston Heights area.

Renai Clark – Roads & Stormwater Engineer

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

C177/6-18

(Commences at ± 2 minutes of audio recording)

1 North Roslyn Avenue Traffic Safety

Ms Tricia Ramsay asked the following question without notice:

"Council is asked to provide petitioners with guaranteed assurances that a significant real reduction in excessive traffic volumes and speeds will occur on our road before next summer?"

Mayor responds:

Thank you and we will take your question on notice.

C178/6-18

(Commences at ± 5 minutes of audio recording)

2 Delegations

Mr Mervin Reid asked the following question without notice:

"At the last meeting the General Manager, on your behalf Mayor, indicated that information on delegations as requested by Mr McDonald was publically available. However, the information on the website does not include the monetary amount of the

financial delegations for the General Manager and other senior staff. Would you please provide that information in writing to be included in the minutes of this meeting.”

General Manager responds:

The most recent report that went to Council on delegations was in October 2017. It had a full list of all delegations provided under all of the Acts that Council is able to provide those delegations and in terms of the financial component I will take that part on notice.

Mr Reid:

They are in where?

General Manager responds:

Recorded in the Minutes of the October 2017 meeting which is on Council’s website.

C179/6-18

(Commences at ± 7 minutes of audio recording)

3 State of Council Roads on Bruny Island

Mr Mervin Reid asked the following question without notice:

“Recently I had the pleasure of a weekend on Bruny Island and drove right around both North and South Bruny Island and I was quite concerned that the state of the roads, particularly the lack of apparent grading and in some cases, re-sheeting of the Council maintained roads. Specifically, the road from Lunawanna to the State controlled road at the boundary of the light house on South Bruny was not very good with substantial potholes for a lot of the road and on some parts of the road it was apparent that grading had not been done for some time. There is a sign saying that this road is maintained by Council. The roads on North Bruny were not much different particularly the road leading to Dennes Point. It appears that the grader that was disclosed to be resident on Bruny Island has not been all that active and therefore my question is:

- 1. When can the Bruny Island residents expect that the grading of the roads will be brought up to standard given the traffic on them?*
- 2. How long will it be before they can see some action, especially given that Council has a grader stationed on the island?”*

General Manager responds:

We have previously answered this question, at least in part, in relation to the use of both graders that Council has under its ownership but we will take that question on notice and provide a written response.

QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from Councillors.

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

C180/6-18

(Commences at ± 9 minutes of audio recording)

1 Building Permits over Crown Land

Cr Grace asked the following question without notice:

“We have roads in our municipality that Council don’t maintain. My first question is, why do we issue a DA and a building permit for people which we have no control over that road to their boundaries? When we are asked a question we are told it is Crown road reservation. How do these people get a permit to build when we have no authority over the Crown land?”

General Manager responds:

One example that readily springs to mind is the private road that everyone, myself included as a resident of Kingborough, uses to access the Blackmans Bay Shopping Centre. It’s a private road. Historically when the permit was issued for the subdivision and subsequent developments, the ownership of the road remained in private and there is a sign that the Council have erected there that it is a private road. The other part of your question that relates to access is one where the proponent of any DA application is required, if they don’t have legal access with their own title, to make an application that records that they make the application with the consent of the land owner which, in that occasion, would be the Crown.

Cr Grace:

I understand that but in this case they weren’t asked to do that.

General Manager responds:

I would need to know the specific details, Cr Grace, to be able to answer the question.

Cr Grace:

I can furnish you with more details when we meet tomorrow.

C181/6-18

(Commences at ± 12 minutes of audio recording)

2 Findings of the Tasmanian Audit Office

Cr Bury asked the following question without notice:

“Could the General Manager please confirm or deny the understanding of the findings of the Tasmanian Audit Office regarding Kingborough Council, that :

- 1. We have the lowest rates per rateable property.*
- 2. We have the lowest rates per capita.*
- 3. We have the lowest operating costs per rateable property.*
- 4. We have the lowest number of full time equivalents per head of population.*
- 5. We have the second lowest staff costs per FTE – this is amongst the five largest Councils.*
- 6. In the last Census figures which data is available, Kingborough Council is second only to Hobart out of 29 Councils in the list of socio-economic advantage.”*

General Manager responds:

Your question and statement is accurate. The Auditor General is on the public record as saying that in the grouping of the five largest Councils, the Council that we represent, Kingborough Council, does in fact have all of the above as you have outlined.

C182/6-18

(Commences at ± 12 minutes of audio recording)

Cr Winter asked the following question without notice:

“Following on from that question, I think Cr Bury may have mentioned that Council had a revenue problem according to the Auditor General. Where has the Auditor General set out of the officers belief that Council has a revenue problem? In what report?”

General Manager responds:

I don't have that information with me tonight but I will take the question on notice and will provide the answer in writing.

C183/6-18

(Commences at ± 14 minutes of audio recording)

3 Aussie Waste Management

Cr Winter asked the following question without notice :

“At the last Council meeting we were advised that Aussie Waste had only one operational truck and would be sourcing two additional trucks, under a best case scenario, by the 15th March. Have these trucks arrived and, if so, when did they arrive and has Council inspected these vehicles and does Council believe that they are of a standard to complete the contract?”

General Manager responds:

I spoke with my colleague, David Reeve, about this very matter this morning. The trucks have arrived in the State. Aussie Waste have been able to access an additional two trucks. I'm not aware whether a Council officer has inspected them per se but Aussie Waste continues to work with Council officers to continue to provide the service that they are contractually required to do. That has been assisted on and off by another contractor, namely Veolia, in recent times.

Cr Winter:

Can you confirm that those two additional vehicles are now in use to perform the contract?

General Manager:

I asked the very question myself of my colleague this morning and the answer was that Aussie Waste had advised him that they had two trucks operational last week and he was seeking to confirm that that was the case today because the situation has fluctuated.

Cr Winter:

I understand that four trucks were damaged in the arson attack recently. Is Council aware whether Aussie Waste is procuring an additional two trucks so that they will have the same amount as they had before the fire?

General Manager:

My understanding, again, from my conversation this morning with Mr Reeve was that Aussie Waste continue to do everything within their capability to get their fleet back to where it was before the arson attack.

Cr Winter:

In terms of the contract and the completion of the contract, is Council confident that Aussie Waste is going to be able to deliver and complete the contract under its current terms and conditions?

General Manager:

Council officers continue to work with Aussie Waste to ensure the contract requirements are met.

Cr Grace:

Just following that, I believe that under the present Tasmanian law, trucks have to be passed by the Transport Authority before they can be, particularly mainland trucks brought back to the State, they have to go over a pit before they can be put on the roads here. I'm assured that Aussie Waste would be doing all of that correctly. I don't think they would be putting trucks on the road unregistered.

General Manager:

Cr Grace is correct and of the two trucks that were part of the question that Cr Winter asked, one was sourced from interstate and one was sourced from Tasmania, so one was already on the island.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

There were no Notices of Motion received.

PETITIONS RECEIVED

No petitions had been received.

PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

OPEN SESSION OF COUNCIL ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority Meeting commenced at 5.49

OFFICERS REPORTS TO PLANNING AUTHORITY

C184/6-18

(Commences at ± 19 minutes of audio recording)

DELEGATED AUTHORITY FOR THE PERIOD 28 FEBRUARY 2018 TO 13 MARCH 2018

MOVED Cr Chatterton
SECONDED Cr Percey

That the report be noted.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

C185/6-18

(Commences at ± 21 minutes of audio recording)

DA-2017-512 - DEVELOPMENT APPLICATION FOR NEW CAR PARKING, DEMOLITION OF GARAGE, AND NEW FRONT FENCING AT 71 BEACH ROAD, KINGSTON BEACH FOR MRS K RETTIG

MOVED Cr Grace
SECONDED Cr Bury

That the matter be discussed.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

MOVED Cr Atkinson
SECONDED Cr Bury

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for new car parking, demolition of garage at 71 Beach Road, Kingston Beach for Mrs K Rettig be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA-2017-512 and Council Plan Reference No. P3 submitted on 11 December 2017. This Permit relates to the use of land or buildings irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council.
2. The proposed front fence is not approved.
3. Prior to any works commencing, a photographic extant record is to be provided to Council to provide a record of the early 20th century garage building prior to any demolition work being undertaken.

This extant record must comprise photographic prints of high resolution that clearly illustrate the form, detail and materials of the building to be demolished and these prints referenced to a plan or photograph that clearly shows the location/orientation for each image. One print copy and one digital version are to be provided to Council.

ADVICE

- A. In accordance with section 53(5) of the Land Use Planning and Approvals Act 1993 this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Fox	Cr Grace
Cr Percy	Cr Wass	Cr Winter	Cr Wriedt	

AGAINST

Cr Chatterton				
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Carried

DA-2018-2 - DEVELOPMENT APPLICATION FOR ANCILLARY DWELLING AT 7A GILLIES STREET, SNUG FOR MR M C HARDIE AND MRS T L HARDIE

MOVED Cr Chatterton
 SECONDED Cr Grace

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for ancillary dwelling at 7A Gillies Street, Snug for Mr M C Hardie and Mrs T L Hardie be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA-2018-2 and Council Plan Reference No. P2 submitted on 9 February 2018. This Permit relates to the use of land or buildings irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council.
2. The ancillary dwelling must share service connections and meters with the existing dwelling.
3. To reduce the spread of weeds or pathogens, all machinery must take appropriate hygiene measures prior to entering and leaving the site as per the Tasmanian Washdown Guidelines for Weed and Disease Control produced by the Department of Primary Industries, Parks, Water and Environment.

Any imported fill materials must be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.

ADVICE

- A. In accordance with section 53(5) of the Land Use Planning and Approvals Act 1993 this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The developer should obtain a Plumbing Permit for the development prior to commencing construction.
- C. A drainage design plan in accordance with the Director of Building Control Specified List, Schedule 2, at a scale of 1:200, designed by a qualified hydraulic designer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Plumbing Permit.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

OPEN SESSION OF COUNCIL RESUMES

Open session of Council resumed at 6.15pm

OFFICERS REPORTS TO COUNCIL

C187/6-18

(Commences at ± 44 minutes of audio recording)

SNUG TO MARGATE SHARED PATH BUDGET REQUIREMENTS

MOVED Cr Atkinson
SECONDED Cr Grace

That Council resolve to:

- (a) note the progress with the Margate to Snug Shared path.
- (b) utilise \$150K from the deferral of part of the Algona Road Stormwater project from the 2017/18 capital works program to cover any shortfall in the funding required for Stage 1 of the project.
- (c) consider the stage 2 of the project as part of the capital works program for 2018/19.

Amendment:

MOVED Cr Chatterton
SECONDED Cr Percey

That the following is included in the resolution as item (c) and that the current item (c) becomes (d):

- (c) That the stormwater account is reimbursed with \$150K in the 2018/19 financial year.

FOR

Cr Bury	Cr Chatterton	Cr Percey	Cr Wass	
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AGAINST

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Winter
Cr Wriedt				

Lost

The motion was then put:

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

C188/6-18

(Commences at ± 1 hour, 4 minutes of audio recording)

COUNCIL BORROWINGS

MOVED Cr Chatterton
SECONDED Cr Wriedt

That the General Manager be authorised to sign a deed of charge with TASCORP to enable the borrowing of \$7.2 million as approved under the accelerated local government capital program.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt	

AGAINST

Cr Grace				
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Carried

C189/6-18

(Commences at ± 1 hour, 12 minutes of audio recording)

NOMINATIONS FOR KINGBOROUGH ACCESS ADVISORY COMMITTEE

MOVED Cr Wriedt
SECONDED Cr Fox

That Kris Apps, Kevin Brown, Mirjam Holthuis, Julie Taylor and David Vickery be appointed as members of the Kingborough Access Advisory Committee.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

BRUNY ISLAND ADVISORY COMMITTEE

MOVED Cr Percey
 SECONDED Cr Atkinson

That:

- a) The request from the Bruny Island Advisory Committee for a traffic engineering report to consider the need for speed limit and vehicle restrictions on Barnes Bay Road, Killora Road, Bull Bay Road, Dennes Point Road and Lighthouse Road be referred to the Department of State Growth for consideration.
- b) The resolution of the Bruny Island Advisory Committee in relation to support for maintaining the existing speed limits on the Neck be noted.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

2018 ANZAC DAY SERVICES

MOVED Cr Bastone
 SECONDED Cr Winter

That the matter be discussed.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

MOVED Cr Fox
 SECONDED Cr Wriedt

That Council appoint the following representatives to attend the 2018 ANZAC Day services within Kingborough:

Dawn Service – Alonnah	Community Representative
Dawn Service – Taroon	Councillor Bury
Dawn Service – Woodbridge	Councillor Bastone

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

INFORMATION REPORTS

MOVED Cr Chatterton
 SECONDED Cr Fox

That the following information reports be noted:

1. Mayor's Communications.
2. Financial Report for the Period 1 July 2017 to 28 February 2018.
3. Minutes of the Kingborough Road Safety Committee Meeting dated 24 January 2018.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Atkinson
 SECONDED Cr Winter

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* the following items are to be dealt with in Closed Session.

Heading	Reference
Applications for Leave of Absence	15(2)(h)
Tender Assessment - TS2366 Morris Avenue Reconstruction, Tarooma	15(2)(d)
Tender Assessment - TS2707 Oxleys Road Pave and Seal, Kettering	15(2)(d)

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

CLOSED SESSION

MOVED Cr Fox
SECONDED Cr Chatterton

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* that Council move into Closed Session.

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

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

Open Session of Council adjourned at 7.22pm

OPEN SESSION OF COUNCIL ADJOURNS

OPEN SESSION OF COUNCIL RESUMES

Open Session of Council resumed at 7.38pm

C199/6-18

MOVED Cr Atkinson
 SECONDED Cr Bastone

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

Heading	Decision
Applications for Leave of Absence	Nil
Tender Assessment - TS2366 Morris Avenue Reconstruction, Taroom	Tender awarded for MS Civil for \$290,742 ex GST
Tender Assessment - TS2707 Oxleys Road Pave and Seal, Kettering	Tender awarded for Bullock Civil Contracting for \$499,925 ex GST

FOR

Cr Atkinson	Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox
Cr Grace	Cr Percy	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 7.39pm

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 (Confirmed)

.....
 (Date)