

Kingborough

PUBLIC MINUTES

These Minutes are provided for the assistance and information of members of the public, and are a draft until confirmed as a true record at the next Ordinary Meeting of Council.

COUNCIL MINUTES

27 May 2019



Cr Richard Atkinson, Cr Amanda Midgley, Cr Paula Wriedt, Deputy Mayor Jo Westwood, Mayor Dean Winter, Cr David Grace, Cr Flora Fox, Cr Sue Bastone, Cr Christian Street
Absent: Cr Steve Wass

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MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 27 May 2019 at 5.30pm.

AUDIO RECORDING

The Chairperson declared the meeting open at 5.30pm, welcomed all in attendance and read:

“All persons in attendance are advised that it is Council policy to record Council Meetings. The audio recording of this meeting will be made available to the public on Council’s website. In accordance with Council Policy, I now ask staff to confirm that the audio recording has commenced.”

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Welcome to Country was presented by Ms Sarah Wilcox.

ATTENDEES

Councillors:

Mayor Councillor D Winter	✓
Deputy Mayor Councillor J Westwood	✓
Councillor S Bastone	✓
Councillor F Fox	✓
Councillor C Street	✓
Councillor P Wriedt	✓

Staff:

Deputy General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Executive Manager Organisational Development	Ms Pene Hughes
Executive Manager Governance & Community Services	Mr Daniel Smee
Manager Development Services	Ms Tasha Tyler-Moore
Manager Environmental Services	Mr Jon Doole
NRM Coordinator	Ms Liz Quinn
Communications & Engagement Advisor	Ms Sarah Wilcox
Executive Assistant	Mrs Amanda Morton

C354/10-19

(Commences at ± 2 minutes of audio recording)

APOLOGIES

Cr Richard Atkinson
Cr David Grace
Cr Amanda Midgley
Cr Steve Wass

C355/10-19

(Commences at ± 2 minutes of audio recording)

CONFIRMATION OF MINUTES OF 13 MAY 2019

MOVED Cr Fox
SECONDED Cr Westwood

That the Minutes of the open session of Council Meeting No. 9 held on 13 May 2019 be confirmed as a true record.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

WORKSHOPS HELD SINCE LAST COUNCIL MEETING

20 May - 2019/20 Budget

C356/10-19

(Commences at ± 3 minutes of audio recording)

DECLARATIONS OF INTEREST

Cr Westwood declared an interest in the item headed "2018/19 Community Grants – Round Two".

TRANSFER OF AGENDA ITEMS

No agenda items were transferred.

QUESTIONS ON NOTICE FROM THE PUBLIC

C357/10-19

(Commences at ± 3 minutes of audio recording)

Cost of Legal Action

At the Council meeting on 13 May 2019, **Mr Mervin Reid** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Can you prepare and publish in the Minutes of this meeting the total cost to the ratepayers of the failed legal action in both the Supreme Court and the High Court in relation to the rating of the independent living units?

Officer's Response:

The cost of Legal Fees for defending the Supreme Court action, and the High Court appeal, was \$41,610.

Tim Jones - Manager Finance

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

There were no questions without notice from the public.

QUESTIONS ON NOTICE FROM COUNCILLORS

C358/10-19

(Commences at ± 4 minutes of audio recording)

1 Hand Rail at Stairs, Kettering Point

At the Council meeting on 13 May 2019, **Cr Bastone** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

There is a set of stairs from the trail leading down to the water. It's in two stages. Only one stage has a handrail. Is it possible to have a handrail on the whole lot of steps because they get wet and slippery?

Officer's Response:

This matter will be investigated and if justified actioned, however, any funding for this would not be available until next financial year.

David Reeve - Executive Manager Engineering Services

C359/10-19

(Commences at ± 4 minutes of audio recording)

2 Landscaping, Tinderbox Road

At the Council meeting on 13 May 2019, **Cr Bastone** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Who is responsible for the landscaping of Tinderbox Road between Blue Bush Crescent and Hampton Court? If it is the Council, when is it going to commence because it was rumoured to be finished by April?

Officer's Response:

The current nature strip area on Tinderbox Road below Caladium Place was formed as part of a recent subdivision in the area. Due to the planting not being as durable as envisaged, council does plan to undertake some further planting works. These plantings, to be successful, require enough moisture in the ground and as such they are planned towards the end of winter.

David Reeve - Executive Manager Engineering Services

3 Bruny Island Airstrip

At the Council meeting on 13 May 2019, **Cr Grace** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

I was told that Council would not need to put any funds into the airstrip. I'm amazed that now we've found that we have spent \$26,000 of the ratepayers money and this is after the lease had been signed. Yet we had a report on the 2nd July saying that there will be no ongoing costs or legal liabilities to Council. Why were we told that there was no money being spent on the strip?

Officer's Response:

The report dated 2 July 2018 (as considered at the Council meeting held on 9 July 2018) stated that "Council should seek to transfer the ongoing responsibility to operate and maintain this airstrip". It also stated that "if Council retains ownership and leases the airstrip, then legal provisions will need to be in place within the lease agreement that ensures all safety requirements are being adequately addressed and that the ongoing liability to Council and the broader community is effectively dealt with". The report also indicated that annual maintenance costs for Council will be in the order of \$31,000.

Council upgraded the Bruny Island Airstrip during 1-8 November 2018. The total cost of the works was \$24,401.46. This was reported at the last Council meeting. At that time Council was responsible for the maintenance of the airstrip and this work needed to be done to make the airstrip safe to use.

The lease agreement was not signed until 17 April 2019. Council has not spent any money on this airstrip after the lease had been signed.

Tony Ferrier - Deputy General Manager

4 Bus Stop, Beach Road, Snug

At the Council meeting on 13 May 2019, **Cr Grace** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

The bus won't stop there as the old people can't get out of bus because the buses don't go down low enough. Two ladies have fallen out of the buses, as I've mentioned before at a Council meeting and nothing has been done. We did some resurfacing of road works down at Snug just last week. A lot of material was carted away to the tip and could have been used. Could you please address this as a matter of urgency?

Officer's Response:

There is currently a small landing at the bus stop and it is intended to extend this with concrete early in the new financial year to better facilitate people alighting from the bus.

David Reeve - Executive Manager Engineering Services

Cr Westwood submitted the following questions on notice:

5 Brightwater Road and Stormwater Upgrade

How did council determine that stage one of the works to Brightwater Road would stop 300 metres up Brightwater Road? In which future financial year does council intend to undertake stage two of the upgrade works to Brightwater Road

Officer's Response:

The chosen end point was to allow the new works to suit seamlessly and safely the remaining existing road (to be addressed in stage 2) and also to reflect the available budget. Stage 2 of Brightwater Road is for consideration in the 2020/21 financial year.

David Reeve - Executive Manager Engineering Services

6 Sealed Road Line Markings

How does Council determine which council owned roads have line markings, and which don't? Does Council assess the need to repaint line markings on Council's sealed road network on an ongoing basis or is this part of an annual program? What is the timeframe for repainting road line markings on council owned roads following road maintenance and resurfacing work?

Officer's Response:

Centreline markings are generally only provided on heavier trafficked distributor roads such as Redwood Road, Summerleas Road, Roslyn Avenue. Some of the CBD roads and distributor roads have additional markings to define turn lanes and cycle lanes.

The majority of local roads do not have line marking except at intersections or where safety may be compromised because of road geometry, for example to improve delineation at a tight curve or crest. T junctions on local and access roads are generally not marked with hold lines where it is obvious which road is the major road in accordance with Australian Standards.

Council is responsible for reinstating line marking following new works including resurfacing work. The line marking is typically completed within 4 weeks following the resurfacing dependent on availability of the line marking contractors while also allowing some of the volatiles to dissipate from the asphalt/bitumen.

The Department of the State Growth is responsible for the replacement of worn line markings. However they have a limited allocation that is shared around the state. Councils put forward a list to State Growth and they determine locations on a priority basis.

Renai Clark – Roads & Stormwater Engineer

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

There were no questions without notice from Councillors.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

1 Biodiversity Offset Policy

Motion lapsed for want of a Mover.

C364/10-19

(Commences at ± 5 minutes of audio recording)

2 Information and Communications Technology Review

MOVED Cr Winter
SECONDED Cr Fox

Council will undertake an external review of its use of Information and Communications Technology (ICT). The review will include gaining a comprehensive understanding of Council's ICT operating environment.

It will examine risks associated with the current operating environment, areas for improvement and opportunities to improve service delivery, lower risk or reduce Council's overall service delivery costs across its operations.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

C365/10-19

(Commences at ± 14 minutes of audio recording)

3 Compliance Audit

MOVED Cr Street
SECONDED Cr Westwood

Council request that the Audit Panel consider undertaking, as part of the 2019-20 internal audit program, a review of Council's bylaw and statutory enforcement functions to ensure that its compliance and enforcement operations are in line with best practice.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

4 Planning Services Review

MOVED Cr Street
SECONDED Cr Bastone

Subject to funding being made available in the 2019-20 budget, Council will engage an external professional to conduct a review of the delivery of planning and development services at Kingborough Council. The review will consider:

- Customer service levels;
- Fee structures;
- Procedures and standards to provide advice to customers at pre-lodgement and during the process; and
- Planning and Building compliance and enforcement.

FOR

Cr Bastone	Cr Street	Cr Westwood	Cr Winter
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AGAINST

Cr Fox	Cr Wriedt		
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Carried

PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

PETITIONS RECEIVED IN LAST PERIOD

Safer Routes to School, Tarroona

MOVED Cr Fox
SECONDED Cr Westwood

That the petition containing 186 signatures be received and referred to the appropriate Department for a report to Council.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 6.11pm

OFFICERS REPORTS TO PLANNING AUTHORITY

C368/10-19

(Commences at ± 38 minutes of audio recording)

DELEGATED AUTHORITY FOR THE PERIOD 1 MAY 2019 TO 14 MAY 2019

MOVED Cr Wriedt
SECONDED Cr Fox

That the report be noted.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 6.14pm

OFFICERS REPORTS TO COUNCIL

PETITION TO AMEND SEALED PLAN NO. 171047 AFFECTING LAND AT 361 REDWOOD ROAD, KINGSTON FOR PDA SURVEYORS ON BEHALF OF ON HORIZONS PTY LTD

Report withdrawn.

C369/10-19

(Commences at ± 42 minutes of audio recording)

FEES AND CHARGES 2019/20

MOVED Cr Bastone
SECONDED Cr Fox

That the matter be discussed.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

Meeting adjourned at 7.06pm
Meeting resumed at 7.14pm

MOVED Cr Wriedt
SECONDED Cr Westwood

- (a) That Council adopts the attached Fees and Charges Schedule for the 2019/20 financial year with the following changes:
- 1 Amend item 154 to apply to commercial operators only.
 - 2 Refund of cat complaint where warranted (new item 327a) and to include the words "Bruny Island only" (16).
 - 3 Change definitions under "Community Hub Fees" in relation to commercial users so that it is consistent with the definitions on page 36 (Category C).

4 Caravan charges (items 181 & 182) are combined.

- (b) Note the fact that there is a large difference between the waste fees on Bruny Island and mainland Kingborough and that a report is to be provided to Council.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

C370/10-19

(Commences at ± 1 hour, 50 minutes of audio recording)

DELEGATED AUTHORITY POLICY

MOVED Cr Wriedt
SECONDED Cr Fox

That:

- a) In accordance with Section 22 of the *Local Government Act 1993*, Council approves the delegations contained in the 'Delegated Authority Policy 1.1' to the General Manager (or a person acting in that position) and that the policy be converted to an 'Instrument of Delegations'; and
- b) Authorisation is provided to the Mayor to sign the 'Instrument of Delegations' on behalf of Council under the Common Seal.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

C371/10-19

(Commences at ± 1 hour, 57 minutes of audio recording)

ARTS AND CULTURE STRATEGY

MOVED Cr Bastone
SECONDED Cr Wriedt

That the Kingborough Arts and Culture Strategy 2019 – 2023 be adopted.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

2018/19 COMMUNITY GRANTS – ROUND TWO

MOVED Cr Fox
SECONDED Cr Street

That:

- a) The Community Grants Policy be amended to allow more than one project per community group per year to be funded, if the total grant funding for that group does not exceed \$3,000.
- b) Council approve the allocation for funding as outlined in the attached table.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

LOCAL GOVERNMENT ASSOCIATION OF TASMANIA – PRESIDENT AND GENERAL MANAGEMENT COMMITTEE ELECTIONS

MOVED Cr Westwood
SECONDED Cr Fox

That the Mayor be advised to vote as follows:

- Christina Holmdahl for President LGAT
- Kristie Johnston for LGAT GMC Member (More than 20,000)
- Ben Shaw for LGAT GMC Member (Less than 20,000)

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

MOVED Cr Wriedt
SECONDED Cr Bastone

That the ballot papers be destroyed.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

KINGBOROUGH BICYCLE ADVISORY COMMITTEE

MOVED Cr Wriedt
SECONDED Cr Westwood

- a) That Council notes the excellent efforts of Cr Atkinson in being both an active member of KBAC and successfully chairing the committee over a number of years and reluctantly accepts his resignation;
- b) That Council resolve to endorse Cr Fox as the new representative and chair of KBAC.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

MOVED Cr Wriedt
SECONDED Cr Westwood

That the ballot papers be destroyed.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

GRAFFITI REDUCTION

MOVED Cr Westwood
SECONDED Cr Fox

That the report in relation to graffiti reduction be received and noted.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

FUTURE DELIVERY OF KINGBOROUGH’S TOURISM MARKETING PROGRAM

MOVED Cr Fox
SECONDED Cr Wriedt

That Council endorse the approach outlined in this report describing the continued delivery of Kingborough’s tourism marketing program.

FOR

Cr Fox	Cr Wriedt		
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AGAINST

Cr Bastone	Cr Street	Cr Westwood	Cr Winter
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Lost

INFORMATION REPORTS

MOVED Cr Wriedt
SECONDED Cr Bastone

That the following information reports be noted:

- 1 Mayor’s Communications.
- 2 Financial Report for the period 1 July 2018 to 30 April 2019.
- 3 Minutes of the Kingborough Access Advisory Committee.

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Westwood
SECONDED Cr Fox

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* Council, by absolute majority, move into closed session to consider the following items:

Item	Regulation
Confirmation of Minutes	34(6)
Applications for Leave of Absence	15(2)(h)
Barretta Solar Park	15(2)(b)

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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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 8.28pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 8.45pm

C384/10-19

MOVED Cr Wriedt
SECONDED Cr Westwood

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Approved
Barretta Solar Park	Motion lost

FOR

Cr Bastone	Cr Fox	Cr Street	Cr Westwood	Cr Winter	Cr Wriedt
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Carried Unanimously

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 8.46pm

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(Confirmed)

.....
(Date)