

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

22 July 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, 22 July 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 D Grace	✓
Councillor A Midgley	✓
Councillor C Street	✓
Councillor S Wass	✓
Councillor P Wriedt	✓

Staff:

General Manager	Mr Gary Arnold
Deputy General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Executive Manager Engineering Services	Mr David Reeve
Executive Manager Organisational Development	Ms Pene Hughes
Acting Executive Manager Governance & Community Services	Mr Scott Basham
Manager Development Services	Ms Tasha Tyler-Moore
Manager Environmental Services	Mr Jon Doole
NRM Coordinator	Ms Liz Quinn
Building and Plumbing Coordinator	Mr Andy D’Crus
Communications & Engagement Advisor	Ms Sarah Wilcox
Executive Assistant	Mrs Amanda Morton

C477/15-19

(Commences at ± 2 minutes of audio recording)

APOLOGIES

Cr Richard Atkinson

C478/15-19

(Commences at ± 2 minutes of audio recording)

PERSONAL EXPLANATION

Cr Midgley provided a personal explanation in terms of Section 24(1) of the *Local Government (Meeting Procedures) Regulations 2015*.

C479/15-19

(Commences at ± 3 minutes of audio recording)

CONFIRMATION OF MINUTES

MOVED Cr Fox
SECONDED Cr Midgley

That the Minutes of the open session of Council Meeting No. 14 held on 8 July 2019 be confirmed as a true record.

FOR

Cr Bastone	Cr Fox	Cr Grace	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt	

Carried Unanimously

WORKSHOPS HELD SINCE LAST COUNCIL MEETING

15 July - Green Waste

DECLARATIONS OF INTEREST

There were no declarations of interest.

TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Ms Tricia Ramsay asked the following question without notice:

C480/15-19

(Commences at ± 4 minutes of audio recording)

1 Water Quality Issues at Illawarra Road

It has been understood that the low flow diversion trial at the Illawarra Road stormwater outfall was proposed for installation in September this year. However, Mr Reeve is now referring to the work being scheduled for November. Could the time frame for installation be confirmed whether it's either September or November?

Executive Manager Engineering Services responds:

As I have mentioned we are envisaging that the design will be completed in September. It still needs to go through the various TasWater approvals as well. As soon as they come into fruition then we will be in a position to undertake the installation which is more likely to be closer to November. We will obviously be aiming to try, as much as possible, to bring those time frames down but they are as realistic as I can make them at the moment.

Ms Rosalie Maynard asked the following questions without notice:

C481/15-19

(Commences at ± 5 minutes of audio recording)

2 Stormwater Engineer

Mr Reeve has advised that a Stormwater Engineering position will be advertised in the next week or two. Is this the same position advertised on the 30th March or is it another standalone position?

Executive Manager Engineering Services responds:

This is a different position. It is not for a Stormwater Engineer, it is actually a Stormwater Officer. The previous position advertised was for a replacement for an existing position when that staff member left to take up another position. This is a new funded position which will primarily be put in place for stormwater investigations and, primarily in the first instance, will be for the Blackmans Bay and Kingston Beach catchments.

Ms Maynard:

Why is this pivotal position, in terms of Council's aim of tackling stormwater problems, still not even advertised, let alone filled, and what does that signal to ratepayers as far as the priority Council puts on this area?

Mayor responds:

The position is newly funded in this year's budget and this year's budget starts from the 1st July. I don't think that sitting here on the 22nd July that we could be reasonably criticised for not having yet advertised the position. We are only 22 days into the financial year.

3 Low Flow Diversion

How long after the installation will the working group know how effective that is from an engineer point of view? Will that be weeks or months?

Executive Manager Engineering Services responds:

Certainly from my perspective the main consideration is to make sure that it works in harmony with the sewer infrastructure. We believe that will be weeks, certainly from my discussions I have had with TasWater.

Ms Maynard:

That means that we won't get any other possible diversions until at least December / January.

Mayor:

That's correct.

Ms Maynard:

If it's assessed from a microbiology point of view, you would expect maybe that would take even the full 2019/20 sampling period to get an accurate longer term assessment. Would you think that is correct?

Executive Manager Engineering Services:

That's a difficult question to answer. I know there is a number of different types of works happening, so it's not just about the low flow diversion, there is some other sampling that we are looking at as well to try and ascertain whether there are some other causes in the area.

Ms Maynard:

The Mayor is often quoted as saying that he is hoping to have our beaches opening for swimming this summer, in other words by December. Are you still confident that this is even a remote possibility, especially south of Blackmans Bay?

Mayor:

I'm looking at the results from our most recent testing regime at Blackmans Bay Beach. Our water quality testing over the course of the last month or so has been extremely good, particularly on Blackmans Bay Beach. As Mr Reeve alluded to, our response to this is not solely around the diversion. Council has undertaken a range of actions over the past nine months that included all the work by the joint investigative team. I could go through the list but you know them all.

Mr Peter De Hoog asked the following question without notice:

C483/15-19

(Commences at ± 13 minutes of audio recording)

4 Rates

When Council recently sent out the notice of rates and charges for the new financial year, an information brochure was included informing us as ratepayers, under a message from the Mayor, that the Council approved a 3.95% rate rise. When I compare the difference between my last year's rates with this financial year's rates, it has in fact gone up by 10.5%.

Mayor responds:

You referenced in your question that Council announced it increased its rates by 3.95%. That is what Council did. Eight Councillors sat here on that night and increased its rates by 3.95%. What you are referring to and what I've referred to in my correspondence to you on Friday is that the Valuer General issued adjustment factors on all Kingborough properties for next financial year. Being a Kingston Beach resident your adjustment factors highlighted a large discrepancy between property price rises across the Kingborough municipality. Kingston Beach and Taroona being two of the particular suburbs that had a very high capital increase. The Council rating system that is used by 28 out of 29 Councils is progressive in its nature. It means that the higher your capital value, the higher the rates that you are levied on your property. Being a Kingston Beach resident myself, I know that my rates increased by 11.3%, despite the fact that I sat here and voted for a 3.95% increase. But I also know that in my particular case, my property value increased astronomically against the previous year, more than we could ever have imagined, and that means that under the progressive rating system that is, again, used by 28 out of 29 Council's as far as I am aware, excluding Brighton, our rates are based on our capital value. That's why residents at Kingston Beach in particular, are issued with a rate rise which is much higher than 3.95% and conversely residents on Bruny Island, for example, in some cases have received a rates notice that is less than the year before. I know it's quite a complex answer but it is a complex rating system that we use and the idea behind it is that we use the capital value to understand people's propensity to pay. That's the facts around the system.

QUESTIONS ON NOTICE FROM THE PUBLIC

C484/15-19

(Commences at ± 17 minutes of audio recording)

1 Integrity Commission Letter 12/6/2019 - Biodiversity Offset Policy

Mr John McDonald submitted the following question on notice:

I request Council publish its legal advice concerning the Biodiversity Offset Policy (and fund) cited by the Integrity Commission.

Officer's Response:

Council correspondence to the Integrity Commission dated 16 May 2019 referenced verbal legal advice to Council. In the same letter Council also advised that notwithstanding this, Council has commenced the preparation of a housekeeping amendment to Kingborough Interim Planning Scheme 2015.

Gary Arnold - General Manager

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Grace asked the following question without notice:

C485/15-19

(Commences at ± 18 minutes of audio recording)

1 58 Tabors Road

Works are planned in the new future and the residents have been advised. Myself and other Councillors know that this particular issue has been going on for three or four years and it was supposed to be resolved last financial year. Could you please explain when is the near future going to be?

Executive Manager Engineering Services responds:

Sometime in the next two or three weeks.

Cr Bastone asked the following question without notice:

C486/15-19

(Commences at ± 19 minutes of audio recording)

2 Staff

Would it be possible for Councillors to be notified of staff resignations and the transfer of any responsibilities within the staff? There are often positions advertised in the paper and we have no idea if it is the same position advertised multiple times or if there could be problems within departments that are causing a rapid changeover of staff and it can also be very difficult to follow up on problems from three or four months ago when you go in to see someone to be told that they are no longer working there.

General Manager responds:

Yes.

Cr Wass asked the following question without notice:

C487/15-19

(Commences at ± 20 minutes of audio recording)

3 SKM Recycling

Can I please ask for an update on SKM Recycling, if there are going to be any effects on Tasmania, what are those effects now and into the future and should local councils, particularly in Southern Tasmania, be looking at various options now so that if it does apply here then we've got a start without starting at the very beginning?

Executive Manager Engineering Services responds:

It is a little bit unclear what the situation is at the moment. Certainly it's an issue that the Local Government Association of Tasmania has chased up previously with SKM Recycling, particularly with some of the issues that they mentioned with their mainland company. The advice back that we got at that stage was to say that those issues were tied up with a different part of the company, not necessarily with recycling. Having said that, there is still a great deal of uncertainty about whether or not that is the case and it's

very difficult to get those answers out of SKM and it's something that I have been discussing with my counterparts in other Councils who could be affected with any closure at that site. Bearing in mind they are the only site in Southern Tasmania that will take recycling so it will end up being a fairly significant issue, at least in the short term, for Councils if they were to close and there was no other option for people to collect their recycling. It is an issue that we are currently trying to get some clarity on and it is certainly something that we would be providing some information back to Council once we receive that clarity.

QUESTIONS ON NOTICE FROM COUNCILLORS

C488/15-19

(Commences at ± 22 minutes of audio recording)

At the Council meeting on 8 July 2019, **Cr Grace** asked the following questions without notice to the General Manager, with a response that the questions would be taken on notice:

1 58 Tabors Road

An onsite meeting occurred with two Council staff and they said that they would get back to the ratepayer in a week or two and it's now nearly a month and he has had no contact from Council staff at all. How long do they have to wait?

Officer's Response:

Works are planned in the near future for this area, and the ratepayer has recently been contacted again and informed likewise.

David Reeve - Executive Manager Engineering Services

C489/15-19

(Commences at ± 22 minutes of audio recording)

2 Nierinna Road Speed Limit

A complaint was issued to the compliance department some weeks ago from a resident asking that Council consider reducing the speed limit on the gravel road from Tabors Road to the end of Nierinna Road. The person has not been contacted by staff.

Officer's Response:

Council Officers will investigate the issue raised regards a reduction of speed limit on Tabors Road to the end of Nierinna Road, however, it is unclear as to the person who may have made the complaint. At the time of writing this response this information was not available, however if it does become available the person will be contacted to discuss further.

David Reeve - Executive Manager Engineering Services

C490/15-19

(Commences at ± 22 minutes of audio recording)

Cr Bastone submitted the following questions on notice:

3 Aquifer, Adventure Bay

Is the council aware that TasWater visited Bruny island last week and found nitrogen levels in the aquifer in adventure bay abnormally high. High nitrogen levels are a by-product of human waste and the sewage at the adventure bay bowls club has now been checked and given the all clear. Have the Council's toilets at the hall been inspected and what was the result? There is a very large number of tourists using these toilets, bus after bus pulls in there every day.

Officer's Response:

Council has undertaken a monitoring program to evaluate groundwater quality and quantity at Adventure Bay for the past 5 years as part of its coastal hazards program. Monitoring of a bore adjacent to the wastewater system that services the hall is part of the program. Some nutrients have been observed in this bore historically with the entire dataset provided to Taswater previously.

Council's Senior Plumbing inspector met with a TasWater staff member onsite to discuss any concerns they may have.

A review of the cleaning program showed that cleaning products with relatively high ammonia levels were being used by a contractor. It has been requested that these be changed to more septic tank friendly options.

Further monitoring is to be undertaken of groundwater quality by Kingborough and TasWater staff.

Jon Doole - Manager Environmental Services

C491/15-19

(Commences at ± 22 minutes of audio recording)

4 Alonnah Oval

The steps at the oval at Alonnah are still covered with orange warning tape. As those steps were deemed unsafe prior to the Easter wood chopping carnival when can we expect the work on repairing the steps to be completed.

Officer's Response:

Council Officers are currently finalising quotes for the replacement of the steps and it is envisaged that a new set of steps will be in place within the next 6 weeks. There is currently suitable access to the ground and shed without the steps.

David Reeve - Executive Manager Engineering Services

C492/15-19

(Commences at ± 22 minutes of audio recording)

Cr Westwood submitted the following questions on notice:

5 Stormwater Diversion

When does Council expect the Blackmans Bay low flow stormwater diversion into TasWater's new treatment plant to commence?

Officer's Response:

Council have put out a brief for the design of low flow stormwater diversions into nearby sewer lines and are currently assessing the submissions. We are seeking for the design to be completed and approved by September and construction complete for the main line at Illawarra by November 2019. If this diversion operates efficiently and to TasWater requirements it is envisaged that the other main stormwater outlets on Blackmans Bay and Kingston Beach will have similar diversions put in place shortly after.

David Reeve - Executive Manager Engineering Services

C493/15-19

(Commences at ± 22 minutes of audio recording)

6 Stormwater Engineer

When does Council expect the new stormwater engineer, agreed to as part of Council's 2019-20 Budget and funded from the stormwater levy, to commence her/his role?

Officer's Response:

This position will be advertised in the next week or two.

David Reeve - Executive Manager Engineering Services

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.53pm

OFFICERS REPORTS TO PLANNING AUTHORITY

C494/15-19

(Commences at ± 23 minutes of audio recording)

DELEGATED AUTHORITY FOR THE PERIOD 26 JUNE 2019 TO 9 JULY 2019

MOVED Cr Fox
SECONDED Cr Bastone

That the report be noted.

FOR

Cr Bastone	Cr Fox	Cr Grace	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt	

Carried Unanimously

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 5.55pm

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

C495/15-19

(Commences at ± 25 minutes of audio recording)

1 Disability Access

MOVED Cr Wriedt
SECONDED Cr Fox

That:

- 1 Staff provide a report in relation to the possibility of developing a resource that would provide a framework for Council considering best practice in relation to universal access, rather than just meeting the DDA standards.
- 2 The report be returned to Council by the end of September, 2019.

FOR

Cr Bastone	Cr Fox	Cr Grace	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt	

Carried Unanimously

C496/15-19

(Commences at ± 32 minutes of audio recording)

2 Establishment of a Kingborough Art Prize

MOVED Cr Wriedt
SECONDED Cr Midgley

That staff prepare a report in relation to the establishment of a Kingborough Youth Art prize that would be open to all young people aged up to 25 years who live, work or study in Kingborough.

Such a report should include details of how the prize would be resourced and implemented.

Cr Grace left the room at 6.10pm

Cr Grace returned at 6.12pm

FOR

Cr Bastone	Cr Fox	Cr Grace	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt	

Carried Unanimously

PETITIONS STILL BEING ACTIONED

A report in response to the petition headed "Organic Waste Kerbside Collection and Composting Site" will be provided to Council in August 2019.

PETITIONS RECEIVED IN THE LAST PERIOD

C497/15-19

(Commences at ± 43 minutes of audio recording)

Kerbside Waste Collection, Hopfields Road

MOVED Cr Grace
SECONDED Cr Fox

That the petition containing 14 signatures be received and referred to the appropriate Department for a report to Council.

FOR

Cr Bastone	Cr Fox	Cr Grace	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt	

Carried Unanimously

OFFICERS REPORTS TO COUNCIL

C498/15-19

(Commences at ± 44 minutes of audio recording)

KINGSTON PARK PLAYGROUND FUNDING

MOVED Cr Westwood
SECONDED Cr Midgley

That Council:

- (a) borrow \$2.1 million under the currently approved accelerated local government capital program to construct the first stage of the proposed Kingston Park playground; and
- (b) request an additional \$2.9 million from the same accelerated local government capital program so that it may also be borrowed in order to complete the construction of the whole of the proposed Kingston Park playground.

FOR

Cr Bastone	Cr Fox	Cr Midgley	Cr Westwood	Cr Winter
Cr Wriedt				

AGAINST

Cr Grace	Cr Street	Cr Wass		
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Carried

Cr Winter left the meeting at 6.46pm
Cr Westwood assumed the chair at 6.47pm

C499/15-19

(Commences at ± 1 hour, 16 minutes of audio recording)

CAROLS BY CANDLELIGHT DECEMBER 2019

MOVED Cr Midgley
SECONDED Cr Fox

That subject to the issuing of an event permit to conduct a Carols by Candlelight event at Dru Point Reserve in December 2019 Council provide in-kind support as outlined within this report.

FOR

Cr Bastone	Cr Fox	Cr Grace	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Wriedt		

Carried Unanimously

C500/15-19

(Commences at ± 1 hour, 21 minutes of audio recording)

BRUNY ISLAND WASTE CHARGES

MOVED Cr Fox
SECONDED Cr Bastone

That Council note the report and resolve to undertake a review of the charges applied at the Barretta waste transfer station and the Bruny Island waste transfer station for the 2020/21 financial year.

FOR

Cr Bastone	Cr Fox	Cr Grace	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Wriedt		

Carried Unanimously

COUNCIL BUILDING SURVEYING SERVICES

MOVED Cr Street
 SECONDED Cr Fox

That Council resolve to initiate Option 1 as outlined in the report and immediately resign its engagement to act as Building Surveyor from building work associated with a building permit.

FOR

Cr Fox	Cr Grace	Cr Midgley	Cr Street	Cr Wass
Cr Westwood	Cr Wriedt			

AGAINST

Cr Bastone				
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Carried

INFORMATION REPORTS

MOVED Cr Midgley
 SECONDED Cr Wass

That the following information reports be noted:

- 1 Local Government Association of Tasmania 2019 Annual Conference report by Cr Fox.
- 2 Environmental Services Quarterly Activities Update.

Cr Street left the room at 7.19pm
Cr Street returned at 7.21pm
Cr Grace left the meeting at 7.33pm

FOR

Cr Bastone	Cr Fox	Cr Midgley	Cr Street	Cr Wass
Cr Westwood	Cr Wriedt			

Carried Unanimously

CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Street
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 Project	15(2)(b)

FOR

Cr Bastone	Cr Fox	Cr Midgley	Cr Street	Cr Wass
Cr Westwood	Cr Wriedt			

Carried Unanimously and by Absolute Majority

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

Open Session of Council adjourned at 7.42pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 7.58pm

C508/15-19

MOVED Cr Midgley
SECONDED Cr Fox

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	Nil
Barretta Solar Project	Advertise intention to enter into Licence Agreement with Enernet Australia

FOR

Cr Bastone	Cr Fox	Cr Midgley	Cr Street	Cr Wass
Cr Westwood	Cr Wriedt			

Carried Unanimously

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 7.59pm

.....
(Confirmed)

.....
(Date)