

# 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 Annual General Meeting of Council.

# MINUTES ANNUAL GENERAL MEETING

7 December 2019



# Kingborough Councillors 2018 - 2022



**Mayor**  
**Councillor Dean Winter**



**Deputy Mayor**  
**Councillor Jo Westwood**



**Councillor Sue Bastone**



**Councillor Gideon Cordover**



**Councillor Flora Fox**



**Councillor David Grace**



**Councillor Amanda Midgley**



**Councillor Christian Street**



**Councillor Steve Wass**



**Councillor Paula Wriedt**

# TABLE OF CONTENTS

Item	Page No.
Apologies	1
Confirmation of Minutes	2
Welcome by the Chairperson	2
Presentations	2
2018/2019 Annual Report	2
Questions and Motions from the Floor	2
Biodiversity Offset Funds	2
Kingston Park Playground	3
Staff Turnover	4
Remuneration of Executive Managers	6
Motion of No Confidence	7
Special Area Plans	7
Climate Change	8

MINUTES of the Annual General Meeting of the Kingborough Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Saturday, 7 December 2019 at 11am.

## **AUDIO RECORDING**

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The Chairperson declared the meeting open at 11am, welcomed all in attendance and advised that Council meetings are recorded and made publically available on its website. In accordance with Council's policy the Chairperson requested confirmation that the audio recording had commenced.

## **ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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The Acknowledgment of Traditional Custodians was presented by Ms Sarah Wilcox.

## **ATTENDEES**

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### **Councillors:**

Mayor Councillor D Winter	✓
Deputy Mayor Councillor J Westwood	x
Councillor G Cordover	✓
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
Executive Manager Engineering Services	Mr David Reeve
Executive Manager Organisational Development	Ms Pene Hughes
Executive Manager Governance & Community Services	Mr Daniel Smee
Senior Environmental Health Officer	Mrs Aby McGuire
Urban Design Officer	Mr Paul Donnelly
Communications & Engagement Advisor	Ms Sarah Wilcox
Executive Assistant	Mrs Amanda Morton

## **APOLOGIES**

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Deputy Mayor Cr Jo Westwood  
Cr Sue Bastone

## CONFIRMATION OF MINUTES

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MOVED            Cr Fox  
SECONDED       Cr Street

That the Minutes of the Annual General Meeting held on 8 December 2018 and marked as Attachment A to this Agenda, be confirmed as a true record.

FOR

Cr Cordover	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

## WELCOME BY THE CHAIRPERSON

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The Mayor, Cr Dean Winter, provided an introduction and summary of the year in review.

## PRESENTATIONS

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- 1 Recreational Water Quality for Kingborough
- 2 Draft Play Space and Playground Strategy

## 2018/2019 ANNUAL REPORT

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Submissions were invited from the public and closed on 1 December 2019. A table of the submissions is marked Attachment B to the Agenda.

## QUESTIONS AND MOTIONS FROM THE FLOOR

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- 1 **Mrs Rosalie Maynard**, Blackmans Bay, asked the following question:

### **Biodiversity Offset Funds**

In an answer to Ms Claire Corrigan's question on notice in the Agenda on using biodiversity offset funds for climate change projects, Liz Quinn has responded "Due to the time lag in achieving a net gain for the biodiversity impacted when using financial offsets rather than direct actions, they (*financial offsets*) are only an option where the losses are small and it can be demonstrated that there will be a more significant and strategic conservation outcome".

It seems that Council often accommodates developers' requests for the removal of trees, even trees of high biodiversity value and of high significance, with seemingly little account of whether financial offsets offer a more significant and strategic conservation outcome.

Even at Kingston Park, where Council would have a reasonable influence on the partner/developer to avoid the loss of environmental values, the developer asked, and Council duly agreed, to the removal of 19 trees of high and very high conservation value.

How the \$5,250 offset payment is going to benefit species like the swift parrot, which is close to extinction, is not specified.

While Council's aim of using the Environmental Fund offset money for larger-scale plantings in conjunction with the Tasmanian Land Conservancy and private landowners is admirable, when will Council start emphasising the importance to developers, and giving proper value to urban trees of significance, which the experts tell us play a vital role in local ecosystems, including transition shelter and foraging for a number of seriously threatened species?

**General Manager responds:**

When Council planning staff engage with applicants for development applications, there are always discussions around the retention of existing native vegetation in the urban context. That's the starting point for those conversations. The Biodiversity Offset Fund that Council introduced many years ago comes into play where, for whatever reason, it becomes apparent that retention of the existing high conservation value trees is either unachievable, for a whole host of reasons, or in the case of Kingston Park, the applicant has requested that the opportunity to remove those trees in accordance with that fund is available. Ultimately, the majority of the decisions of that nature end up in the chamber, they are on the public record and I think the point that I would make is that the starting point always for Council planning officers is retention. The Biodiversity Offset Fund comes into play when retention generally can't be achieved.

**2 Ms Tricia Ramsay, Kingston Beach, moved the following motion:**

**Kingston Park Playground**

MOVED            Tricia Ramsay  
SECONDED       John McDonald

- i) Future community consultation processes associated with potential new facilities or services be supported by a business case that documents full financial disclosures and impacts.
- ii) Information contained in future Draft Budget community consultation include dedicated line items in the financial statements detailing all projects to be funded by loans.
- iii) The Community Communications Strategy and the Community Engagement Framework be revised to incorporate values that ensure accountability, honesty and openness when communicating with the public, as well as best practice principles that ensure all consultation is underpinned with ethically motivated content.
- iv) Council strictly adheres to provisions in its Long Term Financial Plan, unless it can demonstrate wide-spread community support of at least 55% of municipal ratepayers for a particular project.

**Amendment:**

MOVED James Fox  
SECONDER John Maynard

To remove items (iii) and (iv) of the motion.

*Cr Midgley left the room at 11.59pm*  
*Cr Midgley returned at 12.01pm*

For: 11  
Against: 13

Motion lost

The substantive motion was then put.

For: 18  
Against: 6

Motion Carried

**3 Mr John Maynard, Blackmans Bay asked the following question**

**Staff Turnover**

My question in the Agenda on Staff Turnover I don't believe was answered satisfactorily. Whilst accepting that Council numbers referred to in the Agenda of 26 August have a different basis to those quoted in the LGAT document that's mentioned in the question, Ms Hughes in response has not accepted the opportunity to provide equivalent figures to disprove the indication that Council does indeed have a staff turnover problem. I would have thought that staff turnover at Kingborough would be regularly benchmarked against other Councils and Ms Hughes has chosen not to inform ratepayers on this aspect. Further the issue of a toxic culture reported by ex-employees of Council has also been ignored. Could I respectfully ask can the figures presented on 26 August be re-worked to enable a like for like comparison or other benchmark data be provided over the past four years to better inform ratepayers on how staff turnover at Kingborough compares to other Councils?

**General Manager responds:**

The main reason that the answer was written in the way it is, is that, at the end of the day the comparison is meaningless. Let me try to explain. Over the last couple of years this Council has, for example, through a transmission of business effectively lost 20 staff through the re-deployment of the Family Day Care to the Blackmans Bay Day Care facility and the Manor Gardens facility was also a transmission of business. Those two alone represented a loss of 20 staff in terms of raw numbers. In Ms Hughes' answer she also made the point that this includes, in terms of numbers, numerous part time employees. For example, at the Kingston Sports Precinct Centre alone almost every position, bar a handful, are part time, casual or temporary. The point being that, at the end of the day, comparing raw numbers with the LGAT figures which are extrapolated from State wide data from 29 Councils who, despite

operating under the same legislation, all have different modus operandis, is meaningless and I suspect that in terms of your reference to a toxic culture, the best answer I can give is that about 7 or 8 weeks ago, one of our long serving customer service officers resigned. She had obtained employment closer to home. She lives in Huonville. We advertised that position and received over 100 applications for that one position. People want to work at the Kingborough Council because it is a great place to work.

**Mr Maynard:**

A toxic culture are not my words. They are reported from ex-employees.

The second part of my question is, can Council confirm what, if any, training programs are in place for staff in relating to workplace cultural change?

**General Manager:**

At any given point in time, in answer to your question, a number. Over a period of a rolling 12 month cycle, this organisation undertakes numerous training programs. Most of them are significantly aimed at addressing cultural issues within an organisation that is in effect a microcosm of society. Our current focus is on mental health and wellbeing for obvious reasons.

**Mr Maynard:**

Has a KPI been set for management in relation to staff turnover and, if so, how is it being measured and monitored?

**General Manager:**

No.

**Mr Maynard:**

Can I assume therefore, after I have respectfully asked for some figures to dispel the idea that there might be a staff turnover problem at Kingborough will not be provided?

**General Manager:**

It just so happens that we have the Chief Executive Officer of the Local Government Association of Tasmania in the audience today. I would be happy to confer with her but again I repeat my previous answer that a comparison of figures, as best we can, will be meaningless.

**Mr Maynard:**

Would you therefore be happy for LGAT to compare the like for like figures from Kingborough against the results that they have achieved from looking at other Councils in Tasmania?

**General Manager:**

I can't speak on behalf of LGAT.

**4 Mr Michael Casey, Kingston asked the following question**

**Remuneration of Executive Managers**

I would like to draw your attention to my question on page 20 of the Agenda and I thank you for your response. However, I think you were drawing a very long bow when comparing the General Manager's position to that of secretary of the Department of Premier & Cabinet. From your response that Council is satisfied with the General Manager's performance measured by his reappointment, could you give the ratepayers two examples of the General Manager exceeding the criteria outlined in his performance reviews.

**Mayor responds:**

To the first part of your question, in your submission you made the comparison between an elected member, being the Premier, and the General Manager. The equivalent in Local Government to the Premier is the Mayor as the head of the elected members. If you want to make a comparison to the Premier in Local Government you should compare it with myself. If you want to make a comparison between the General Manager and the public service, the head of the public service is the Secretary of the Department of Premier & Cabinet. This is not an opinion, this is a fact. When you are looking to compare the General Manager's salary for example there are two ways you can do it. You can compare it against other General Managers and as outlined in my answer, it was only recently the Mercury showed all 29 General Managers and our General Manager is paid around the same as equivalent Councils, I think exactly the same as Glenorchy, almost the same as Clarence and exactly the same as Launceston from memory, and that's how we do the comparison. In terms of the General Manager's performance, as I said in the answer, no member of staff I think ever should have their performance management outlined publically and I note that the Ratepayers Association has a very deep concern obviously with Council staff and I'm sure they wouldn't want us to start publically giving the answers to how any member of staff has performed. As I tried to say in the outline, Councillors have put this General Manager on for another five years. There couldn't be any bigger display of support for the General Manager than a new contract of five years. The answer to how the General Manager is performing, my answer to that is that where this Council does well, ultimately the Councillors are responsible but we put our faith in our General Manager and we've had a good year in a number of ways and we've also got a lot to work on. That was outlined in my Mayor's message, we've got both some achievements and some challenges and along with our General Manager we thank him for our achievements and we also work with him on our challenges.

**Mr Casey:**

Thank you Mayor and it's very reassuring to hear, but for us ratepayers, just two examples would be very helpful just to where the General Manager is exceptional in his job.

**Mayor:**

One of the things I think this General Manager does and I get the great opportunity to meet with Mayors from across the State and only yesterday I was at the LGAT conference, I think the governance of this Council has been exceptional over a period of time. To be honest, it staggers me when I hear questions about transparency and governance in this Council. If you compare us to other Councils across Tasmania that have had, the Glenorchy board of enquiry, the issues going on in Devonport at the moment, Huon Valley that have struggled to get the governance right and in fact another example is during the period in which Glamorgan Spring Bay had a problem this year and LGAT and the Director of Local Government rang one Council to ask them for support to assist them with their governance and they rang Kingborough Council and asked for our Executive Manager of Governance to go to Glamorgan Spring Bay to give them a hand. And we are acknowledged in our sector

as being a leader in governance. I think that's something that we can be proud of. The way the General Manager has worked with elected members has been exceptional as well and the relationships that we've got across the ten elected members is probably the best in the State in that we don't have the issues that you see at other councils publically playing out. You see a team that are working together to try and get the best out of this municipality. Those are two things that I can think of.

**5 Mr Julian Punch**, Leslie Vale moved the following motion:

**Motion of No Confidence**

MOVED            Julian Punch  
SECONDED       Brian Doran

With reference to the Kingborough Ratepayers Association Incorporated, Cathy Holland's report on the culture which indicates a toxicity in staffing culture of Kingborough Council and the oncoming fire season that ratepayers face without an adequate compliance strategy for fire abatement, I move a motion of no confidence in the General Manager.

For:            6  
Against:       18

Motion Lost

*Cr Grace left the room at 12.15pm*  
*Cr Grace returned at 12.15pm*

*Cr Wass left the meeting at 12.20pm*

**6 Mr Darryl Pyrke**, Blackmans Bay asked the following question:

**Special Area Plans**

The Annual Report outlines the development of a number of special area plans which will be presented to the Council at Monday's meeting for forwarding to the Tasmanian Planning Commission. Given the volume of the documentation and the importance with respect to the future planning in this municipality, will Council be holding information sessions with both Councillors and affected communities prior to it coming back from the TPC and being open to comment and submissions from the public prior to final endorsement.

**Mayor responds:**

The Deputy General Manager will give you a run through on the statutory part. There are some things that I would like to do as part of our consultation and they may or may not include some public forums and I spoke to representatives of the Blackmans Bay, I forget the name, who made that suggestion. I think it's a good suggestion and when we discuss this on Monday night the main thing I want to discuss as a Councillor is our consultation because it is important that we get it right.

**Deputy General Manager:**

The report that is going to Council on Monday night is a step in the statutory process whereby the Council has to endorse a local provisions schedule which is a component of the new planning scheme. The bulk of the planning scheme is set by the State Planning Provisions but the local provisions schedule is that component which includes all of the local issues such as the zoning maps. That's going to Council so that the Council can agree that it can then proceed to the commission and the reason that the full copy of it is in the agenda is because it is something that Council needs to sign off on. It's not part of the statutory public exhibition process at this stage but the public has an advanced look at it. The next step in the process would be if Council agrees that the work so far done is satisfactory, it would go to the Planning Commission. The Planning Commission then check that it's in accordance with the legislation before it is then publically advertised. We imagine that might take a few months before that happens but when we get notification from the commission then Council will publically advertise the draft Local Provisions Schedule for about two months and during that period its quite normal for us, during these public exhibitions, to conduct public meetings or have displays. We have been through a few of these through the last 15 years and we have had many public meetings each time we have had to go through these processes. Staff are quite happy to go out there and go into local areas and explain the situation and any changes that might be made. The review of a planning scheme is an extremely complex process and its really incumbent upon us to explain that process, explain what it means to individuals in terms of their own properties and what impacts the changes might have. That said, we have tried to be as much a status quo type of approach where we have tried to retain existing development standards and controls that currently exist in the existing scheme. But when you move from one scheme to another there is inevitable changes that will be made. Once that public exhibition process has been completed all the submissions that people make then come to Council, Council reviews all those submissions and then it goes back to the commission, the commission conducts public hearings and everybody who has made a submission has got another chance to push their review in relation to the proposals and then the final decision is made by the Commission and not by the Council.

**7 Sarah Anderson, Allens Rivulet moved the following motion:**

**Climate Change**

MOVED Sarah Anderson  
SECONDED Claire Corrigan

There is a commitment of reasonable and adequate funding and resourcing of the climate change plan as a matter of priority for Council in their next budget.

For: 17  
Against: 1

Motion Carried

**CLOSURE**

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There being no further business, the Chairperson declared the meeting closed at 1.06pm

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(Confirmed)

.....  
(Date)