

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

9 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

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MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 9 December 2019 at 5.30pm.

AUDIO RECORDING

The Mayor declared the meeting open at 5.30pm, 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

The Mayor paid his respect and Council's respect to the traditional and original owners of this land, the muwinina people. The Mayor acknowledged the contemporary Tasmania aboriginal community who have survived invasion and disposition and continue to maintain and fight for their identity, their culture and indigenous rights.

ATTENDEES

Councillors:

Mayor Councillor D Winter	✓
Deputy Mayor Councillor J Westwood	✓
Councillor G Cordover	✓
Councillor F Fox	✓
Councillor D Grace	✓
Councillor A Midgley	✓ <i>(joined the meeting at 5.32pm)</i>
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 Information Services	Mr Fred Mout
Executive Manager Governance & Community Services	Mr Daniel Sme
Manager Environmental Services	Mr Jon Doole
Manager Development Services	Ms Tasha Tyler-Moore
Project Manager	Mr Steve Loxley
Communications & Engagement Advisor	Ms Sarah Wilcox
Executive Assistant	Mrs Amanda Morton

C770/24-19

(Commences at ± 2 minutes of audio recording)

1 APOLOGIES

Cr Sue Bastone

2 CONFIRMATION OF MINUTES

MOVED Cr Fox
SECONDED Cr Westwood

That the Minutes of the open session of Council Meeting No. 23 held on 25 November 2019 be confirmed as a true record.

FOR

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

Carried Unanimously

3 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

2 December - Planning Review

4 DECLARATIONS OF INTEREST

Cr Grace declared an interest in the reports headed “DA-2019-546 - Development Application for Two Wall Signs Attached to Existing Fences at 82 Wisbys Road, North Bruny for Free Spirit Pods” and “North Roslyn Avenue”.

Mr Gary Arnold declared an interest in the report in closed session headed “General Manager’s Performance Review”.

5 TRANSFER OF AGENDA ITEMS

MOVED Cr Fox
SECONDED Cr Grace

That the report headed “North Roslyn Avenue” be moved to the first item in the Officer’s Reports.

FOR

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

Carried Unanimously

6 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Mr John McDonald as proxy for **Mr John Maynard** asked the following questions without notice:

C774/24-19

(Commences at ± 8 minutes of audio recording)

6.1 Compliance with Statutory Timeframes, Planning

- (a) *Can Council explain the apparent discrepancy between the officer's responses to the questions on notice on 25 November and 9 December?*
- (b) *As the assessment times for DA-2018-601, DA-2019-39 and DA-2018-61 appear to have exceeded statutory limits, are the permits valid?*
- (c) *In these cases, is any development based on these permits illegal?*
- (d) *In these same cases, has Section 59 of LUPAA been fully complied with?*

Mayor responds:

We will take those questions on notice.

Mr Wayne Burgess asked the following question without notice:

C775/24-19

(Commences at ± 10 minutes of audio recording)

6.2 Planning Provisions

Has Council been keeping a detailed record of the amount of hours in the work involved in the initial phase of the so-called State Planning Provisions preparation and all of the work that went into that and tonight we have the second major component of the State wide planning scheme, our Local Provision Schedules. I'm interested to know if Council has kept specific records to suggest how much money and time it has cost this Council in order to get at least to this stage, bearing in mind that we have still got a way to go?

Deputy General Manager responds:

The short answer is no, we don't. There has, over the years, been anecdotal comments from Local Government as to how much a new planning scheme costs a Council but we haven't made any estimates in relation to the work that we have been doing ourselves in recent years.

7 QUESTIONS ON NOTICE FROM THE PUBLIC

C776/24-19

(Commences at ± 12 minutes of audio recording)

7.1 Suncoast Walking Track

At the Council meeting on 25 November 2019, **Mr John Maynard** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Sections of the track above the southern end of the beach and around the Flowerpot Reserve are in a very poor condition with the geo-fabric underlay exposed in many places and decomposing to add to unnecessary environmental pollution. To my knowledge there has been no track service maintenance in this area over the five years that we have lived in the area. What plans and timelines does Council have to address the poor and deteriorating state of this walking track in these sections above the southern end of Blackmans Bay beach?

Officer's Response:

Council officers have inspected the track and will make any necessary repairs shortly.

David Reeve - Executive Manager Engineering Services

C777/24-19

(Commences at ± 12 minutes of audio recording)

7.2 North Roslyn Avenue Petition Report

At the Council meeting on 25 November 2019, **Ms Tricia Ramsay** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

In response to questions from the last Council meeting that sought clarification on how the 2017 and 2018 sets of speed data could be classified as similar, given they are clearly not, the council officer identified an issue with the 85th percentile stating that there was a minor difference between the two. GHD's draft report made no mention of this factor. Could the officer clarify what the 85th percentile speeds were on Roslyn Avenue in 2018?

Officer's Response:

The traffic counts undertaken on Roslyn Avenue in 2017 and 2018 were undertaken at different points in the network. However, the 2018 count was most reflective of the study area for GHD's consideration as it included the surrounding network. Although the site locations for the traffic counters varied on the Roslyn Avenue leg between 2017 and 2018 both clearly showed a similar pattern with the 85th percentile speed exceeding the legal limit of 50km/hr. In 2018 this was 51.5km/hr and in 2017, 55.1km/hr.

David Reeve - Executive Manager Engineering Services

Mr Ray Westwood submitted the following questions on notice:

C778/24-19

(Commences at ± 12 minutes of audio recording)

7.3 Kingston Park Implementation Report - October 2019

The report states:

"3.5 Public Parking

Temporary public parking is currently provided within Kingston Park. This amount of free all-day public parking will not be provided within the eventual development. Council is not obliged to provide expensive public land for people to park their cars all day at no cost. It is a very inefficient use of land, particularly when the lost opportunities for

alternative uses are considered. As the whole community is subsidising a benefit being gained by a few individuals, a user-pays system is ultimately the only fair option.”

Is Council contemplating the introduction of parking meters at Kingston Park and in the general Kingston CBD? In accordance with the park and ride principles for traffic management adopted by the Greater Hobart Councils, is the Kingston Park decision an acceptable public policy?

Officer’s Response:

No decision has been made on the introduction of paid parking within Kingston Park. As determined by Council (11 November 2019), it is proposed to “further develop the proposal to institute paid parking within the new (temporary) Kingston park parking area and provide a more detailed report on how this will be implemented and communicated publicly”. The types of issues that would need to be considered are described in paragraphs 4.66 to 4.70 of the Agenda report.

The Greater Hobart councils have not specifically adopted “park and ride principles for traffic management”, however the Hobart City Deal Implementation Plan makes it clear that the provision of suitable park and ride facilities is an essential component of the Kingston Congestion Package. All of the advice to date that Council has received (including from the Department of State Growth) is that such park and ride facilities (where free all day parking is provided) should not be located within the Kingston central area.

Tony Ferrier - Deputy General Manager

C779/24-19

(Commences at ± 12 minutes of audio recording)

7.4 Land Disposal

The Land Release Strategy produced by NAVIRE provides the necessary blueprint for Council to follow in staging the sale of land within Kingston Park. It strikes an appropriate balance between low risk/low return options, compared to high risk/high return options. It is based on a ‘post pre-sales’ approach, where land is only sold after both a planning permit for the proposed development and pre-sale commitments are obtained. This should enable the land to be sold for a higher amount (increasing revenue to Council), without imposing unacceptable risks.

Is the pre-sale commitment policy to be adopted by Traders in Purple to be in accordance with normal pre-sale finance requirements in multi-unit development. If so, will the rate of uptake of pre-sale commitments throughout the project determine the timing of annual principal and interest due to the State Government on outstanding finance?

Officer’s Response:

This pre-sale commitment policy is in accordance with Council’s adopted Land Release Strategy for Kingston Park and as prepared and recommended by Council’s Principal Property Consultant. Council has been fortunate to obtain access to borrowings through the Accelerated Local Government Capital Expenditure Program (ALGCEP) which provides an interest free period of five years. On maturity Council will repay the ALGCEP debt from the proceeds of land sales.

Tony Ferrier - Deputy General Manager

Ms Tricia Ramsay submitted the following question on notice:

C780/24-19

(Commences at ± 12 minutes of audio recording)

7.5 Employees Code of Conduct

It is noted that the 'Employees Code of Conduct' – an administrative policy – quotes an ancillary document, the 'Disciplinary Policy and Procedure (Employees)'. Is this latter document another administrative policy, and if it is, could it be uploaded to Council's webpage for the benefit of transparency?

Officer's Response:

The Employee Disciplinary Administrative Policy and Procedure is an internal administrative policy and is approved by the General Manager. The policy is based on a template provided by the Local Government Association of Tasmania. The administrative policy covers employees of the Council and does not cover or apply to Councillors. A copy of the policy has been uploaded on Council's webpage.

Pene Hughes - Executive Manager Organisational Development

C781/24-19

(Commences at ± 12 minutes of audio recording)

7.6 Planning and Development

Notwithstanding the advice provided in response to questions by John Maynard in Agenda 25/11/2019, and with reference to the 5 development applications below, please advise the following:

- 1. The date that each application was made valid.*
- 2. The date listed as being the date on which a decision was made on each application.*
- 3. The actual date that the planning permit documents were posted or emailed to the applicant.*
- 4. The Council's opinion on the number of assessment days taken to process each application, minus the number of days where the clock was suspended due to additional information requests.*

Reference Number	Address	Development
<i>DA-2018- for Peter Monachetti</i>	<i>2-6 Beach Road Kingston Beach</i>	<i>Restaurant</i>
<i>DA-2018-164</i>	<i>18 Waterworth Drive, Margate</i>	<i>Addition to Warehouse</i>
<i>DA-2019-39</i>	<i>42 Channel Highway, Kingston</i>	<i>Car Park</i>
<i>DA-2018-61</i>	<i>Lot 2 Roberts Road, Kaoota</i>	<i>Dwelling</i>
<i>DAS-2018-19</i>	<i>12 Bonnie Vale Drive, Howden</i>	<i>Subdivision</i>

Officer's Response:

DA Number	Date Application Valid	Decision Date	Date Documents posted	Number of Assessment Days	Comments
DA-2018-601	20/11/2018	15/3/2019	18/3/2019	60	The recommendation of the officer was not supported in its entirety due to detrimental impacts of streetscape, heritage values and the unnecessary and onerous requirements on the applicant. The officer was on leave therefore not available to resolve the concerns. Therefore the Manager contacted the applicant and worked together with the applicant to achieve a better outcome. The applicant was well aware that the 42 day period had passed but was happy to work together to get a better outcome for all parties. The application was approved.
DA-2018-164	9/4/2018	20/6/2018	20/6/2018	41	Decision made within 42 days. The application was approved.
DA-2019-39	19/2/2019	15/5/2019	15/5/2019	75	Decision was made outside of 42 days but applicant was aware of delays and discussions had been had with applicant around concerns to do with the application and the need for appropriate conditions to ensure that the development met the requirements of the planning scheme. The original officer's report did not adequately deal with these issues. The application was approved.
DA-2018-61	4/4/2018	20/3/2019	22/3/2019	50	It is not clear why this application was overdue (* refer note below). It is not clear if the applicant was made aware of the delays or any reason for it. The application was approved.
DAS-2018-19	17/9/2019	16/1/2019	22/1/2019	80	The applicant provided a written agreement to an extension of time to make a decision until 16 January 2019 and therefore the decision was made in time. The application was approved.

* The officer handling each of the five Development Applications subject to this question is no longer employed by Kingborough Council

Tasha Tyler-Moore - Manager Development Services

8 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Cordover asked the following questions without notice:

C782/24-19

(Commences at ± 13 minutes of audio recording)

8.1 Water Restrictions

Constituents are wondering why they have to pay for their water and undergo restrictions when tourists face no such consequence. Has Council investigated implementing a tourist tax on short term accommodation operators to ameliorate some of this community cost?

General Manager responds:

Not to my knowledge.

C783/24-19

(Commences at ± 15 minutes of audio recording)

8.2 Single Use Plastics

To date, what investigation and consultation has the Council conducted towards implementing a phase out of single use plastics in Kingborough? What initiatives should we be organising now to help minimise the impact on our local business community of the transition to phase out all single use plastic as soon as possible?

Mayor responds:

We will take that on notice.

Cr Grace as the following questions without notice:

C784/24-19

(Commences at ± 16 minutes of audio recording)

8.3 Burnt Shop at Electrona

The neighbours are concerned about this as when the wind gets up its blowing onto their properties and how much asbestos is in that property one does not know. Is there anything that Council can do to speed up the demolition of that shop?

Manager Development Services responds:

We can get our building department staff to have a look at the site and if necessary we can do an emergency order to have the building demolished.

C785/24-19

(Commences at ± 16 minutes of audio recording)

8.4 Shelter Over the BBQ Area at Kettering

Will there be a report to Council to transfer funds from the public open space to allow this project to go forward before the summer months?

Mayor responds:

The report that you are referring to, I think the General Manager is calling it a mini-budget, which will be looking into review how we are going financially for this current financial year. The gentleman you've spoken to today is the same gentleman that I've spoken to and what I've said is that in order for us to undertake that project we would need to make a decision either in that mini-budget or a future budget deliberation. That's a project that looks good to me on paper but we need to figure out where it actually sits. The 13th January will be the first opportunity for us to review our budget. That's a potential time you could do it or annually I think we usually hear from Mr Reeve when he does a review of how his capital budget is going alternatively during our workshop for next year's budget, we could include it in that. It's a matter of finding the money to do the project.

Cr Grace:

Would this need a DA? If so, can the DA be processed once Council deals with
(trails off).

Mayor:

That's a good point and I'm happy to progress that on behalf of the resident that you mentioned.

Cr Westwood asked the following question without notice:

C786/24-19

(Commences at ± 18 minutes of audio recording)

8.5 Community Hub

How do members of our community book the Community Hub? How is the Community Hub being advertised as a venue that's available for booking? What is Council doing to maximise bookings of this venue?

Executive Manager Governance & Community Services responds:

In relation to the bookings, that is done through our Community Hub Co-ordinator. We are working on a marketing plan that is going to improve the way in which the potential hirers can find out about the venue and including consideration of online bookings. Maximising the bookings will be linked to the marketing plan that we are developing in assistance with our Media and Communications Advisor.

Cr Westwood:

When do you think that marketing plan will be implemented?

Executive Manager Governance & Community Services:

We are working on that right now and we hope to be implementing that very soon in the New Year.

Cr Wass asked the following question without notice:

C787/24-19

(Commences at ± 20 minutes of audio recording)

8.6 Hobart Huskies

As at 21 November there was an amount of \$3,370 outstanding. I would like to know whether that amount is still outstanding and, if it is, what arrangements are in place for the repayment of that amount?

Executive Manager Governance & Community Services:

I haven't had an update from our Finance Department as to the status of that but I certainly can check.

9 QUESTIONS ON NOTICE FROM COUNCILLORS

C788/24-19

(Commences at ± 21 minutes of audio recording)

9.1 Community Hub

At the Council meeting on 25 November 2019, **Cr Wass** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

I thank Mr Smee for his response to my question on page 4 but maybe I wasn't clear enough. I wanted the month by month figures and that is the amount earned and not necessarily the amount of payment received. Could I please have those figures?

Officer's Response:

The monthly breakdown of income for the Community Hub is as follows:

May	\$4,000
June	\$536
July	\$714
August	\$1,227
September	\$959
October	\$2,096

Daniel Smee - Executive Manager Governance & Community Services

C789/24-19

(Commences at ± 21 minutes of audio recording)

9.2 Environmental Offset Fund

At the Council meeting on 25 November 2019, **Cr Cordover** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Our Biodiversity Offset policy says that financial offsets are calculated at a rate of up to \$500 per tree of very high conservation value up to \$250 for high conservation value

trees. Why were these rates set to only \$500 and have we considered adopting the City of Melbourne tree valuation tool or the itree valuation tool or the carbon accounting model tool which significantly increased the value of each of these high conservation value trees?

In terms of the time scale that we are talking about with planting trees from environmental offset value, has consideration been put into the fact that some of these very high conservation value trees that are being destroyed are well over 100 years old sometimes maybe 200 years old and does the time scale for this Environmental Offset Policy taken into account that we are denying many future generations trees because they are being destroyed.

Officer's Response:

Biodiversity offsets are used by Council to compensate for the loss of trees of high conservation value when options to avoid these impacts have been exhausted and it is still considered desirable for other economic or social reasons for the trees to be removed. The Biodiversity Offset Policy is not used as a means of justifying biodiversity loss, rather as a means to generate a positive gain from an inevitable loss. Indirect offsets (financial contributions) are acceptable where the losses are small and it can be demonstrated that there will be a more significant and strategic conservation outcome by pooling the funds, as has been done through the Kingborough Environmental Fund.

The offset rates were reviewed in 2016 as part of a general review of the Biodiversity Offset Policy. No changes were proposed for the per tree offset rate of up to \$500/tree of high conservation value. The rate was historically set on an estimate of the cost of replacing the tree, based on the theory of a 5:1 ratio. That is, where five seedlings are planted and maintained, it is likely that at least one of these will make it to maturity.

The City of Melbourne tree valuation model is based on placing a financial value on the many benefits of a tree, some of which are irreplaceable in our lifetime. Council's current approach is much more simplistic in the way that a single rate is applied to most high conservation trees despite differences in species, size, location, age, health and so on. So whilst a single rate does not reflect a valid economic value of the tree, or factor in the time it would take for the offset plantings to mature and fulfil the same function as the trees removed, it does provide a reasonable, practical and consistent approach for the community. It simply reflects the cost of replacing and maintaining a similar tree to maturity.

There may be merit in reviewing these rates and investigating alternative tree valuation tools, particularly where the trees are performing multiple functions, including carbon sequestration, contribution to vegetation corridors and visual landscapes and amenity such as shade and wind protection. However this review would need to factor in the different contributions of trees in different landscapes.

In summary, tree valuation tools are incredibly useful as they identify and place a financial value on the many social, economic and environmental values that trees generate. This allows trees to be considered on a more even footing with other assets in cost benefit analyses. The application of these methods to determine the offset rate for each high conservation tree removed on private land would however add to the financial impact of the scheme on the community.

Jon Doole – Manager Environmental Services

9.3 Water Supply Stickers

At the Council meeting on 25 November 2019, **Cr Cordover** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

A firefighter explained how helpful it was for residents to display a Tasmanian fire service water supply sign on their water tank. These signs are big white signs with a 'W' on them with a red background and they identify for firefighters the water points so that when firefighters arrive on a property they can quickly connect to a water source and appropriate coupling. Since 90% of homes in Kingborough are at bushfire risk, is it possible to send these water supply signs out to residents for free with their rates notices?

Officer's Response:

The Tasmania Fire Service (TFS) has an approved standard sign which is intended to be used to indicate the location of a static water supply on private property for firefighting purposes as shown.

Static water supplies are supplies that are independent from the mains water supply system such as swimming pools, tanks and dams. Static water supplies may be vital sources of water for firefighters, especially in areas where reticulated or 'town water' systems are not available.

The 'W' sign is also used to identify which tank on a property is specifically set aside for firefighting use as opposed to tanks which are used for drinking water. It is necessary to make this distinction because when firefighting hoses are connected to drinking water tanks there is a high chance the tank will become contaminated with firefighting foam residue which will render that water unsafe for drinking.



An example of how the water tank sign should be placed

Recent changes to the building in bushfire prone areas legislation require that firefighting water supplies are identified in new buildings with the 'W' sign. There is no requirement for existing houses to retrofit this 'W' sign.

The standard 'W' signs are not intended to be used as a general sign on the front of properties to indicate the presence of a static water supply to passing brigades.

Programs to identify properties with static water supply do exist in other states (for example the NSW Rural Fire Service has Static Water Supply program that supplies free *Static Water Supply* signs for display on property boundaries so that they can be seen from the road by fire crews in an emergency). Whilst the placement of such signs on front fences does assist brigades in triaging properties during bushfire emergencies, the TFS does not currently have a program to identify and mark existing houses with water supply signs installed on property frontages.

Apart from the issue of funding such a program it is not as simple as allowing interested property owners to erect the signs. The signs should only be used where the location of the water supply meets the *TFS Guidelines for Firefighting Water Supplies*. The

guidelines are necessary to ensure that water supplies are adequate, accessible and reliable. (For example, the guidelines stipulate a minimum amount of water that must be available (10000L) and take into account requirements for fire truck clearances, turning bay widths and maximum hose length distance).

To avoid the installation of 'W' signs in locations which may not be suitable, the distribution of 'W' signs would need as a minimum to be accompanied by a fact sheet that outlines the minimum requirements of TFS.

The cost associated with purchasing the 'W' signs is currently \$33 per sign (if supplied by Tas Fire Equipment). The Bushfire Program is currently not funded to offer this service. In addition the specific criteria required by The Tasmania Fire Service Guidelines to correctly apply the signs means the Fire Service are best placed to administer any such program.

Jon Doole – Manager Environmental Services

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.51pm

10 OFFICERS REPORTS TO PLANNING AUTHORITY

C791/24-19

(Commences at ± 21 minutes of audio recording)

10.1 DELEGATED AUTHORITY FOR THE PERIOD 13 NOVEMBER 2019 TO 26 NOVEMBER 2019

MOVED Cr Street
SECONDED Cr Fox

That the report be noted.

FOR

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

Carried Unanimously

C792/24-19

(Commences at ± 22 minutes of audio recording)

10.2 DA-2019-546 - DEVELOPMENT APPLICATION FOR TWO WALL SIGNS ATTACHED TO EXISTING FENCES AT 82 WISBYS ROAD, NORTH BRUNY FOR FREE SPIRIT PODS

MOVED Cr Grace
SECONDED Cr Street

That the Planning Authority resolves that the retrospective development application for two wall signs attached to existing fences at 82 Wisbys Road, North Bruny for Free Spirit Pods 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-2019-546 and Council Plan Reference No. P2 submitted on 10 October 2019. 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 exterior lighting along the front boundary fence (West Street) must be baffled to reduce light emissions from the boundary, to the satisfaction of the Manager Development Services and must be turned off between 9.00pm and 6.00am.

The exterior lighting along the rear boundary (Coastal Reserve) must be removed within three (3) months of the date of this Permit.

3. The two small wall signs along the fence boundary must be removed within three (3) months of the date of this Permit.
4. No felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is approved as part of this planning permit.

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. This Permit does not approve any pedestrian access from the Coastal Reserve to the subject site.

Direct pedestrian access from the development site to the Coastal Reserve must not occur without the written consent of the Manager Development Services. This consent will only be provided where all relevant permit requirements of Council and the Crown have been obtained and complied with.

- C. To assist visitors locating the subject site by the street address, you may wish to consider contacting Council's Rates Department to change the street address in order to avoid GPS systems directing visitors to the rear boundary of the site.

FOR

Cr Grace	Cr Street	Cr Wriedt	Cr Westwood	Cr Wass
Cr Winter				

AGAINST

Cr Cordover	Cr Fox	Cr Midgley		
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Carried

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 6.12pm

11 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

C793/24-19

(Commences at ± 43 minutes of audio recording)

11.1 Halls Track Road

MOVED Cr Grace
SECONDED Cr Wriedt

That a report be prepared into options and costs (both capital and ongoing) of reopening sections of Halls Track Road to all vehicles.

FOR

Cr Cordover	Cr Grace	Cr Midgley	Cr Street	Cr Westwood
Cr Winter	Cr Wriedt			

AGAINST

Cr Fox	Cr Wass			
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Carried

12 PETITIONS STILL BEING ACTIONED

A report in response to the petition headed 'Save the Bruny Island Boat Club' can be found at page 39 of this Agenda.

13 PETITIONS RECEIVED IN THE LAST PERIOD

C794/24-19

(Commences at ± 49 minutes of audio recording)

13.1 NEW HYDRA-THERAPY SWIMMING POOL SIMILAR TO BEACH ROAD ORCHARD POOL IN MARGATE

MOVED Cr Fox
SECONDED Cr Street

That the petition containing 540 signatures be received and referred to the appropriate Department for a report to Council.

FOR

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

Carried Unanimously

14 OFFICERS REPORTS TO COUNCIL

C795/24-19

(Commences at ± 50 minutes of audio recording)

14.3 NORTH ROSLYN AVENUE

MOVED Cr Fox
SECONDED Cr Cordover

That Council:

- a) liaise with the Department of State Growth to arrange for modifications to the existing directional signage at the Roslyn Avenue/Algona Road roundabout to encourage motorists south of Algona Road to travel to central Kingston via Algona Road;
- b) install repeater speed limit signage and investigate provision of road pavement markings to reinforce the speed limit;
- c) liaise with Department of State Growth to consider a reduction in the overall cycle time of the Beach Road/Roslyn Avenue traffic lights to reduce queues on Roslyn Avenue;
- d) undertake annual counts at Site 1 and Site 2 for a two year period to monitor the effectiveness of the implemented treatments;
- e) undertake any necessary footpath repairs within its current maintenance budget; and
- f) advise the petitioners of all measures which will be undertaken.

Amendment:

MOVED Cr Wriedt
SECONDED Cr Grace

By adding a new point (f) to the recommendation:

- (f) Recommend to the Department of State Growth that the speed limit on Roslyn Avenue between Beach Road and Jindabyne Road be reduced to 40km/h.

FOR

Cr Cordover	Cr Grace	Cr Midgley	Cr Westwood	Cr Wriedt
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AGAINST

Cr Fox	Cr Street	Cr Wass	Cr Winter	
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Carried

The substantive motion was then put.

FOR

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

AGAINST

Cr Wass				
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Carried

C796/24-19

(Commences at ± 1 hour, 27 minutes of audio recording)

14.1 KINGBOROUGH DRAFT LOCAL PROVISIONS SCHEDULE (TASMANIAN PLANNING SCHEME)

MOVED Cr Fox
SECONDED Cr Midgley

That Council:

- (a) resolve that it is satisfied that the Kingborough draft Local Provisions Schedule (Attachments A and B) meets the Local Provisions Schedule criteria prescribed in section 34 of the *Land Use Planning and Approvals Act 1993*;
- (b) endorse the Kingborough draft Local Provisions Schedule (Attachments A and B) and the Kingborough draft Local Provisions Schedule Supporting Report (Attachment E) for submission to the Tasmanian Planning Commission under section 35(1) of the *Land Use Planning and Approvals Act 1993*;
- (c) delegate, under section 6 of the *Land Use Planning and Approvals Act 1993*, the following powers and function to the General Manager and Manager Development Services:
 - i. Modify the Kingborough draft Local Provisions Schedule if a notice is received from the Tasmanian Planning Commission under section 35(5)(b) of the *Land Use Planning and Approvals Act 1993*, or agree to such modifications being undertaken by the Tasmanian Planning Commission under section 35(5)(c), and advise Council of any such modification;
 - ii. Exhibit the Kingborough draft Local Provisions Schedule in accordance with sections 35C and 35D of the *Land Use Planning and Approvals Act 1993*; and
 - iii. Represent Council at hearings held in response to representations made in relation to the Kingborough draft Local Provisions Schedule under section 35H the *Land Use Planning and Approvals Act 1993*.
- (d) endorse the intended public communication and consultation arrangements relating to the exhibition of the Kingborough draft Local Provisions Schedule, as detailed in section 7 of this report.

FOR

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

Carried Unanimously

14.2 BRUNY ISLAND BOAT CLUB PETITION

MOVED Cr Grace
 SECONDED Cr Midgley

That:

- a) The organisers of the petition titled the “Save Bruny Island Boat Club” be advised that Council will provide in-kind assistance through project management and technical advice in relation to the recommendations contained within the report on the erosion of the Alonnah Foreshore prepared by Burbury Consulting but will not undertake or fund the required remediation works; and
- b) A lease agreement be prepared to formalise the tenure of the clubrooms that provides clarity with respect to the future responsibilities of the Boat Club and Council.

FOR

Cr Cordover	Cr Grace	Cr Midgley	Cr Street	Cr Westwood
Cr Winter	Cr Wriedt			

AGAINST

Cr Fox	Cr Wass			
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Carried

*Meeting adjourned at 7.35pm
 Meeting resumed at 7.47pm*

14.4 O'BRIENS ROAD MAINTENANCE

MOVED Cr Grace
 SECONDED Cr Wriedt

That Council resolves to take over maintenance of O'Briens Road from chainage 492 metres to chainage 1010 metres (as measured from Snug Falls Road) and that the takeover be gazetted and the municipal map be updated accordingly.

FOR

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

Carried Unanimously

C799/24-19

(Commences at ± 2 hours, 7 minutes of audio recording)

14.5 KINGBOROUGH WASTE SERVICES – DIRECTOR APPOINTMENT AND REMUNERATION

MOVED Cr Wriedt
SECONDED Cr Midgley

That Council:

- (a) endorses the intention to seek applications for the position of the Independent Non-Executive Director/Chairperson on the Board of Kingborough Waste Services Pty Ltd; and
- (b) approves that the annual remuneration for the Chairperson be \$10,000 and be \$8,000 for the other Independent Non-Executive Director.

FOR

Cr Fox	Cr Midgley	Cr Street	Cr Wass	Cr Wriedt
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AGAINST

Cr Cordover	Cr Grace	Cr Westwood	Cr Winter	
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Carried

C800/24-19

(Commences at ± 2 hours, 17 minutes of audio recording)

14.6 INDEPENDENT AUDIT PANEL MEMBER

MOVED Cr Street
SECONDED Cr Fox

That Colette Millar be appointed to the Audit Panel as an independent member for a period of four years.

FOR

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

AGAINST

Cr Wass				
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Carried

C801/24-19*(Commences at ± 2 hours, 22 minutes of audio recording)***14.7 PROPOSED NEW ROAD NAMES**

MOVED Cr Fox
 SECONDED Cr Westwood

That Council resolves that the proposed road name “Quince Place” for subdivision DAS-2018-25 at 137 Beach Road Margate be approved and submitted to the Nomenclature Board.

FOR

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

Carried Unanimously

C802/24-19*(Commences at ± 2 hours, 25 minutes of audio recording)***15 INFORMATION REPORTS**

15.1 MAYOR’S COMMUNICATIONS

MOVED Cr Fox
 SECONDED Cr Midgley

That the Mayor’s Communications be noted.

FOR

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

Carried Unanimously

C803/24-19**16 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)
Planning Review	15(2)(a)
Tender Assessment - AB1908 Kingston Park Playground Construction – Kingston	15(2)(d)
Access to Public Open Space at Riverdale Road	15(2)(f)
Blowhole Reserve Risk Mitigations	15(2)(i)
General Manager's Performance Review	15(2)(a)

FOR

Cr Cordover	Cr Fox	Cr Grace	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Winter	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 ceased.

Open Session of Council adjourned at 8.16pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 10.02pm

C813/24-19

MOVED Cr Fox
 SECONDED Cr Wriedt

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
Planning Review	General Manager authorised to publically release recommendations contained in the review
Tender Assessment - AB1908 Kingston Park Playground Construction – Kingston	Tender awarded to Specialised Landscaping Services for \$3,797,967.47 excl GST
Access to Public Open Space at Riverdale Road	General Manager authorised to negotiate access
Blowhole Reserve Risk Mitigations	Installation of fencing approved
General Manager's Performance Review	Approved

FOR

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

Carried Unanimously

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 10.03pm

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 (Confirmed)

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 (Date)