

Kingborough



COUNCIL MEETING MINUTES

21 March 2022

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.

Kingborough Councillors 2018 - 2022



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Jo Westwood



Councillor Sue Bastone



Councillor Gideon Cordover



Councillor Flora Fox



Councillor Clare Glade-Wright



Councillor David Grace



Councillor Amanda Midgley



Councillor Christian Street



Councillor Steve Wass

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MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 21 March 2022 at 5.30pm

1 AUDIO RECORDING

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

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The Chairperson acknowledged the traditional custodians of this land, paid respects to elders past and present, and acknowledged today's Tasmanian Aboriginal community.

3 ATTENDEES

Councillors:

Mayor Councillor P Wriedt	✓
Deputy Mayor Councillor J Westwood	✓
Councillor S Bastone	✓
Councillor G Cordover	✓
Councillor F Fox	✓
Councillor C Glade-Wright	✓
Councillor A Midgley	✓
Councillor C Street	✓
Councillor S Wass	✓

Staff:

General Manager	Mr Gary Arnold
Chief Financial Officer	Mr John Breen
Director Engineering Services	Mr David Reeve
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Environment, Development & Community Services	Dr Katrena Stephenson
Manager Development Services	Ms Tasha Tyler-Moore
Program Manager Transform Kingston	Mr Dan Kaimatsoglu
Media & Communications Advisor	Ms Sam Adams

C124/5-2022

4 APOLOGIES

Councillor D Grace

C125/5-2022**5 CONFIRMATION OF MINUTES**

Moved: Cr Flora Fox
Seconded: Cr Clare Glade-Wright

That the Minutes of the open session of the Council Meeting No.4 held on 7 March 2022 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

15 March - Tree By-law

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

There were no questions without notice from the public.

10 QUESTIONS ON NOTICE FROM THE PUBLIC

C126/5-2022**10.1 Spring Farm Walking Track**

Mr David Bain submitted the following question on notice:

In January 2020, against Council Officers' advice, Council accepted the Spring Farm Estate developer's offer to construct a walking track through Spring Farm, in lieu of making their public open space (POS) contribution.

Following the developer withdrawing from this agreement on 6th September 2021, \$207,000 in public open space funds was received from the developer and the Council sought grant funding to cover the remaining balance required to complete the track.

As the Council has been unsuccessful in obtaining this grant funding, can the Council advise:

1. Has the developer made any further POS payments or are they expected to? If so, will these contributions be allocated toward completing the track as per the original agreement?
2. Will the remaining funding required for the track be discussed as part of the 2022/23 budget allocation process?

Officer's Response:

1. The developer has not made any further POS payments and is only required to do so if additional subdivisions are undertaken within the Spring Farm Estate. Any further contributions will be placed in Council's POS account and would require a decision of Council to allocate them to the walking track project.
2. A capital bid for the balance of funds required has been submitted for consideration as part of Council's 2022/23 budget process.

Daniel Smee, Director Governance, Recreation & Property Services

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

C127/5-2022**11.1 Council Election Signage**

Cr Glade-Wright asked the following question without notice:

Does Council have the same role in the current State elections and the Federal elections as we do with the Council elections in terms of signage, compliance etc?

Mayor responds:

Yes.

C128/5-2022**11.2 Footpath at Woodbridge**

Cr Bastone asked the following question without notice:

In the last State elections, I think \$100,000 was committed by the State Government for a footpath from the Woodbridge Hall to the post office. This was to link up with the current footpath that goes from the post office to the Woodbridge School. What is the status of the footpath at the moment?

Director Engineering Services responds:

We are in the process of doing the survey and design and then there will be some further consultation with the community once we have a conceptual design.

C129/5-2022**11.3 E-Scooter Trials**

Cr Cordover asked the following question without notice:

How will our Council be undertaking assessment of the success or otherwise of the trials with the view of potentially implementing similar trials in Kingborough?

Director Engineering Services responds:

I know that they are currently running some forums based on the trials that are happening in Hobart so I believe we will get some information from that. There will be a couple of Council officers attending those forums where they will be going through some of the stats so far. As to whether there will be an extension of that out to some of the other satellite areas around Hobart, I'm not sure, but we will know more once we have been to the forum.

C130/5-2022**11.4 Release of Titles at Spring Farm Estate**

Cr Westwood asked the following question without notice:

Has Council approved the final plan for Spring Farm Estate Section 11 and made a recommendation to the Recorder of Titles to issue those titles?

Manager Development Services responds:

The documentation hasn't been lodged with the Titles Office yet because not all matters have been resolved. Council is working with the developer to finalise those. There has been correspondence as late as today about works that they still haven't completed and they are requesting to bond some of those works, so we need to consider that request and consider other final documents that are due to come to us such as the Part 5 Agreement.

Cr Westwood:

Has Council received any complaints from the developer through the stages of trying to finalise the process of getting the title issued?

Manager Development Services:

No, we have not received any complaints regarding Stage 11.

Cr Westwood:

When are the titles expected to be issued for Stage 11?

Manager Development Services:

That partly is up to the developer because they need to provide additional information to Council to be resolved and deal with the bond matter. However, talking to them it seems like they are keen to get it done soon. Their contractors are busy, so that is delaying them, but we would estimate that it will likely be in the next two to three weeks that they will get that all done and then it will go to the Titles Office, and then it is up to them as to how long it takes.

Cr Westwood:

And how long does it normally take in the Titles Office?

Manager Development Services:

It does vary a fair bit from a couple of weeks to quite a number of weeks. I presume it has to do with how busy they are at the Titles Office and how complicated the titles and other appendices are.

Cr Westwood:

I've had representations from numerous residents who have bought blocks of land at Spring Farm Estate that the significant delays in the issue of the title impacting on the cost of the build that they will need to meet. For example, someone who bought a lot in January 2021 and who is still waiting for that title to be released is facing significant, up to hundreds of thousands of dollars in building costs, because of the increase of supply. Is there a complication with the Part 5 Agreement that is holding up the process in negotiations between Council and the developer?

Manager Development Services:

This is an ongoing issue with developers who sell land before they have titles. Sometimes they will go out to market to sell them and the purchasers believe that the title is imminent. There is a big risk in that and a risk on the purchasers. As an example, there may be changes to the plans in the process, it might turn out that they have to put an additional easement on the properties affecting the land, so they might have to change the boundaries, so it's actually with quite a bit of risk that you buy before the titles are released. We have no control over how properties are sold but we do heed warning to purchasers about that. It's then up to the developer as well as to how long they take to do the works. It's not a matter of being held up as if it's a clerical hold up. They actually

need to deliver the works and all those assets that get handed over to Council, all the drains and the roads and the footpaths etc. The matter about the increased building costs, obviously Council has no influence over that and it is unfortunate but there is nothing that can be done by Council. It is not being unduly held up. It's just simply part of the process. The Part 5 Agreement has gone back and forth between Council and the developer, however, a lot of that information has been given to the developer along the way. It's to do with the fence. There were discussions about the fence that they wanted to get the existing boundary fence, but that doesn't line up with the new boundaries and they are required under these areas to have certain setbacks for their bushfire requirements under the Building Act. The way that they had it would mean that there would have been weird little pieces of land on the other side of the fence that they would then need to be required to maintain as part of their bushfire requirements and they wouldn't have access to it. And then they would be entering the land that we are trying to protect them from falling off the cliff, so the Part 5 Agreement had to do with that but it's mostly resolved and I believe last week some final conversations were had, so we are waiting for that to come back in. So we don't think there are going to be any further issues with that Part 5 Agreement.

Cr Westwood:

Has the developer given any reason to indicate that it is struggling to meeting the requests of Council in order to complete it's requirements so that the titles can be issued?

Manager Development Services:

It's not a matter of them struggling to meet the requirements and the requirements are nothing more than is required to meet the subdivision to meet the handover of those assets and the other requirements associated with the development. No, they have indicated that. It's probably a matter of being busy delivering a very big sub-division. It's not surprising that it has taken time, they haven't noted anything of significance. But as I mentioned earlier, they do have a delay to finalise some of those final parts as the contractors are busy.

Cr Westwood:

So to the best of your ability the Council is working with the developer to get those titles issued as quickly as possible. Would that be accurate?

Manager Development Services:

Absolutely. We are working with the developer to finalise those matters and get it all completed. It's particularly important at this final stage. This is the last stage of Spring Farm and as we know, there are a lot of assets that will be transferred to Council and we certain don't want to be encumbered with sub-standard work or work that then has to be picked up by Council at the cost of the ratepayers.

C131/5-2022

11.5 Channel Highway Corridor Study

Cr Midgley asked the following question without notice:

I'm just following up on a letter that we sent to State Growth regarding the Channel Highway corridor study asking them for the actions that were to be completed. One in particular, lowering the speed limit on the Channel Highway from 90kms to 80kms in front of Howden Road. Have staff received any feedback on updates on the actions of this?

Mayor responds:

I did receive a response and I thought that I had circulated it to Councillors, and I apologise if I haven't. I will take it on notice.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

C132/5-2022

12.1 Speed Limit Signage

At the Council meeting on 7 March 2022, **Cr Bastone** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

New speed limit signs have been put up in Woodbridge and the speed limit is now 30kms/h. Considering the amount of time we have tried very hard to get Snug down to 50kms/h, I'm wondering why Woodbridge has been prioritised and if there is anything we can do to once again encourage State Growth to look at the speed limit throughout Snug.

Officer's Response:

The temporary signage was unauthorised and has since been removed by the Department of State Growth.

Daniel Smee, Director Governance, Recreation & Property Services

C133/5-2022

12.2 Missing Sign

At the Council meeting on 7 March 2022, **Cr Bastone** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

When you are coming north from Woodbridge approaching Kettering, there used to be a sign saying 'Welcome to Kettering'. That sign has now been missing for at least three weeks. Is there a reason for this and is it going to be replaced?

Officer's Response:

It is understood that the sign was taken out in a car crash. Council will investigate its replacement.

Daniel Smee, Director Governance, Recreation & Property Services

13 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

14 PETITIONS RECEIVED IN LAST PERIOD

C134/5-2022

14.1 Upgrade the Car Park - Taroona Bowls and Community Club

Moved: Cr Flora Fox
Seconded: Cr Jo Westwood

That the petition containing **101** signatures be received and referred to the appropriate Department for a report to Council.

CARRIED

15 OFFICERS REPORTS TO COUNCIL

C135/5-2022**15.1 STR-2021-15 - APPLICATION TO STRATA TITLE 50 HAYES ROAD, ADVENTURE BAY, BRUNY ISLAND**

Moved: Cr Flora Fox
Seconded: Cr Gideon Cordover

That Council refuse to issue a certificate of approval in relation to the application under Section 31(2A) of the *Strata Titles Act of 1998*.

In Favour: Crs Paula Wriedt, Sue Bastone, Gideon Cordover, Flora Fox, Clare Glade-Wright, Amanda Midgley, Christian Street and Steve Wass

Against: Cr Jo Westwood

CARRIED 8/1

C136/5-2022**15.2 KINGSTON MAIN STREET DESIGN OPTIONS**

Moved: Cr Amanda Midgley
Seconded: Cr Flora Fox

That this matter be deferred.

In Favour: Crs Sue Bastone, Gideon Cordover, Flora Fox, Clare Glade-Wright, Amanda Midgley and Steve Wass

Against: Crs Paula Wriedt, Jo Westwood and Christian Street

CARRIED 6/3

The Mayor vacated the chair at 5.53pm
The Deputy Mayor assumed the chair at 5.53pm

C137/5-2022**15.3 BEACH MATTING AT KINGSTON BEACH**

Moved: Cr Paula Wriedt
Seconded: Cr Amanda Midgley

That Council agree to consider the inclusion of beach matting within the budget process and if determined to move forward in principle, to engage with the community about the placement, suitable timing and storage options.

In Favour: Crs Paula Wriedt, Sue Bastone, Gideon Cordover, Flora Fox, Clare Glade-Wright, Amanda Midgley, Christian Street and Steve Wass

Against: Cr Jo Westwood

CARRIED 8/1

The Mayor resumed the chair at 6.10pm

C138/5-2022**15.4 POLICY 1.15 - CORPORATE CREDIT CARD**

Moved: Cr Flora Fox
Seconded: Cr Gideon Cordover

That Council approves the Policy 1.15 Corporate Credit Card Policy, as attached to this report

CARRIED

C139/5-2022**15.5 POLICY 3.18 RELATED PARTY DISCLOSURE POLICY**

Moved: Cr Christian Street
Seconded: Cr Amanda Midgley

That Council approves the updated Policy 3.18 Related Party Disclosure Policy, as attached to this report.

CARRIED

C140/5-2022**15.6 NOMINATION TO THE KINGBOROUGH DISABILITY INCLUSION AND ACCESS ADVISORY COMMITTEE**

Moved: Cr Flora Fox
Seconded: Cr Steve Wass

That Baptistcare representative Bob Schnierer be appointed to the Disability Inclusion and Access Advisory committee.

CARRIED

C141/5-2022**15.7 KINGBOROUGH COMMUNITY SAFETY COMMITTEE - MINUTES 21 FEBRUARY 2022**

Moved: Cr Sue Bastone
Seconded: Cr Jo Westwood

That Council

- (a) Notes the minutes of the Kingborough Community Safety Committee; and
- (b) Notes a recent letter from DSG to KCSC advising that at this stage DSG do not plan to reduce the speed limit on Huon Highway past the Sandfly Road intersection.

CARRIED

C142/5-2022**15.8 FINANCIAL REPORT - FEBRUARY 2022**

Moved: Cr Jo Westwood
Seconded: Cr Amanda Midgley

That Council endorses the attached Financial Report at 28 February 2022.

CARRIED

16 NOTICES OF MOTION

C143/5-2022**16.1 Roundabout Lanes**

Moved: Cr Clare Glade-Wright
Seconded: Cr Flora Fox

That Council request the Department of State Growth to address community safety concerns associated with the Channel Highway roundabout opposite KFC through the creation of a second formal left turning lane.

CARRIED

C144/5-2022

17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

Moved: Cr Jo Westwood
Seconded: Cr Clare Glade-Wright

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

Confirmation of Minutes

Regulation 34(6) *In confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.*

Applications for Leave of Absence

Regulation 15(2)(h) *applications by councillors for a leave of absence*

Tender Assessment - TS2952 Browns Road Reconstruction Stage 1

Regulation 15 (2)(b), and (2)(d) *information that, if disclosed, is likely to confer a commercial advantage on a person with whom the Council is conducting, or proposes to conduct business, and contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.*

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 6.51pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 7.25pm

C145/5-2022

Moved: Cr Flora Fox
 Seconded: Cr Jo 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
Tender Assessment - TS2952 Browns Road Reconstruction Stage 1	Tender awarded to Batchelor Construction Group for \$547,726.67 excl GST

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 7.26pm

.....
 (Confirmed)

.....
 (Date)