

Kingborough



COUNCIL MEETING MINUTES

20 April 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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Public Copy

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Wednesday, 20 April 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	✓

Staff:

Acting General Manager	Dr Katrena Stephenson
Chief Financial Officer	Mr John Breen
Director Governance, Recreation & Property Services	Mr Daniel Smee
Senior Manager Capital Works	Mr Craig Reid
Coordinator Statutory Planning	Mrs Melissa Stevenson
Executive Assistant	Mrs Amanda Morton

Consultant Planner: Mr Shane Wells

C170/7-2022

4 APOLOGIES

Councillor D Grace
Councillor S Wass

C171/7-2022**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.6 held on 4 April 2022 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

There have been no workshops held since the last Council meeting.

C172/7-2022**7 DECLARATIONS OF INTEREST**

Cr Glade-Wright declared an interest in the report headed "DA 2021-548 - Development Application for Apartment Building (50 Multiple Dwellings) - Stage 3 at "Kingston Park" 7 Goshawk Way, Kingston"

Cr Street declared an interest a report in closed session headed "Panel for the Provision of Legal Services".

Cr Wriedt declared an interest in the report headed "Pedestrian Crossing at Beach Road".

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

There were no questions on notice from the public.

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

C173/7-2022**11.1 Ice Sport Facilities**

Cr Cordover asked the following question without notice:

Tasmania's only ice skating rink and facility for ice sports in Glenorchy has been sold and it has been the subject of some media attention recently due to its closure resulting in the total loss of ice

sports facilities in the State. We are the only State not to have a dedicated ice sport facility. Will our Council consider the inclusion of a dedicated ice sports facility within the Kingborough Sports Precinct as part of the future directions planning?

Mayor responds:

This matter was raised with me recently just at a very high level by a member of the State Government who enquired as to whether we had any land availability around the sports precinct and that's something that we are looking at at the moment. They do require quite a substantial footprint of around 4,000m² to be able to house a competition size rink. Looking at the available land is that we probably can't accommodate it in that area but we have only had a preliminary look at this stage but we have undertaken to have a further look report back to the members of the government who raised this with us.

C174/7-2022

11.2 Traffic Lights, Channel Highway

Cr Street asked the following question without notice:

I've had an enquiry from a member of the public in relation to the traffic lights and pedestrian crossing that are adjacent to Banjo's Bakery. He raised concerns that cars seem to be speeding through the flashing orange lights and was particularly concerned that he had almost been hit. Anecdotally I know that that is an area of difficulty for others as well. His specific query was whether or not there was an opportunity to provide CCTV cameras in that area to try and identify road users that are going through that area at speed. I know that we have had funding for some cameras in the past but I don't know about their locations.

Mayor responds:

I'll ask Mr Smee to address that but I know that there have been concerns raised previously about those lights from the Access Committee about the amount of time that they are allowed to actually complete the crossing, and when we made representations to the Department of State Growth from the Access Committee, they extended the crossing time by 1 second. And that was in response to somebody who is in a powered chair who was struggling to get across in the allocated time.

Director Governance, Recreation and Property Services:

We have three CCTV cameras in that area that would be capable of picking up traffic offences of that nature.

Mayor:

They go straight to Tasmania Police.

C175/7-2022

11.3 Dog Poo Bag Dispensers on Bruny Island

Cr Bastone asked the following question without notice:

Could we please re-visit having dog poo bag dispensers at four sites on Bruny Island at Adventure Bay, Alonnah, Barnes Bay and Dennes Point? The Bruny Island Community Association will undertake to keep them filled with bags, that was one of the reasons we were told before that we couldn't have bags there because there was nobody to refill the dispenser.

Mayor responds:

We might have to take that question on notice as we don't have Mr Reeve with us here this evening.

C176/7-2022**11.4 Traffic Counters on Lighthouse Road, Bruny Island**

Cr Bastone asked the following question without notice:

Could traffic counters please be put on Lighthouse Road on Bruny Island in the short section of gravel road that leads to the area that Parks maintain? There has been an estimation that there were 15,000 cars between mid-December and the beginning of February and I think we probably take an accurate count rather than go on what the residents are saying.

Mayor responds:

We will take your question on notice.

C177/7-2022**11.5 Hall Committees**

Cr Bastone asked the following question without notice:

Could the hall committees be inducted so that they can do physical work on the halls? There was a proposal discussed some time ago with you, Mr Smee, and nothing seems to have eventuated and there is a lot of work needing to be done on the Alonnah Hall including gutters, cleaning and the leaking roof, which they are quite happy to do but they don't have the authority to work on the hall.

Director Governance, Recreation and Property Services responds:

Volunteers undertaking work on our halls creates some significant risk management issues for us and we have previously had advice from our insurer that it is not possible to have volunteers work on our halls or indeed our other buildings, like they may have done in the past. Certainly we appreciate the enthusiasm of our volunteers to undertake such work but the constraints of modern risk management makes it impossible.

C178/7-2022**11.6 Fire Arms Licence**

Cr Westwood asked the following question without notice:

Has there been any update on the granting of a fire arms licence adjacent to the Margate Primary School?

Mayor responds:

I actually met with the Principal of Margate Primary School in relation to this for a discussion about perhaps how members of the school community could express their concerns that they have about guns being sold adjacent to their school community. I did write to the Minister for Police & Emergency Services and the Commissioner for Police the week before last and I received a response that was not satisfactory and I have since received a response from the Commissioner of Police and I'm about to write back again because the point of my letter was to ask that there be a review of the legislation so that Councils can represent the views of communities when licences for selling firearms are being considered in different locations because at the moment we can have a say when it comes to liquor licencing and gaming but we don't get a say in relation to the sale of fire arms. Unfortunately in his response, the Commissioner of Police did not address that part of the letter so I have drafted a letter to ask for some specific time frames around when a review would take place in consultation with the local government sector. This is obviously not an issue that is just affecting Kingborough, it would affect other parts of the State as well. Hopefully, once I receive a response to that we can have some further clarity what the situation might be going forward. I will say that there has been some suggestion that Council approved the situation that we now find ourselves in. That is not correct. There was no change of use required because it was general retail and hire and under general retail and hire the sale of firearms along with a whole lot of other

retail items is permitted. At no time has Council given approval for that dealership to be there because there was no mechanism that would enable us to provide a response. It has been quite frustrating because I think the perception in some parts of the community is that we gave the approval. That was not the case.

C179/7-2022

11.7 Kingston Bypass and Algona Road Project

Cr Midgley asked the following question without notice:

Can the project team provide a workshop to Councillors so that we can see what they are up to with that before it goes to a second stage of engagement?

Mayor responds:

Certainly, we can put that on the agenda.

C180/7-2022

11.8 Playground Upgrades

Cr Midgley asked the following question without notice:

What playground upgrades will occur before the end of this financial year?

Director Governance, Recreation and Property Services responds:

We have a number of playgrounds that are currently being actioned in terms of design work. They include the playground at Willowbend, Alamo Close, Silverwater Park and Dru Point. I can't give a timeframe as to when work will start on that. It's very much dependent on availability of contractors who are very busy and most of them are very committed in terms of their workload at the moment. But certainly the intent would be to get at least two of those projects commenced before the end of this financial year with the remainder of the design work to be done.

Cr Midgley:

Thank you. How are we prioritising this list?

Director Governance, Recreation and Property Services:

The list has already been prioritised by Council in terms of some of them fall out of the land sales project and it was agreed that we would do them in relation to the order in which they were sold. Two of them relate to land sales projects, one is a capital project and the other is public open space. In terms of priority, they are all at the top of the list and they are all being progressed as a priority but the implementation and works, as I said before, will need to be determined by contractor availability.

Cr Midgley:

Noting that some community members do follow the budget and projects, what communication will we have in regards to say the Dru Point playground where the masterplan has been sitting there for a few years. Will we do any comms to the community in regards to the timelines for this?

Director Governance, Recreation and Property Services:

Once timelines are known, we would certainly be communicating them to the community.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

C181/7-2022

12.1 Woodbridge Hall

At the Council meeting on 4 April 2022, **Cr Bastone** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

The Woodbridge Hall is approved to have 85 seated patrons but it only has 65 chairs and an application to the Council to supply an additional 20 chairs was met with 'you need to apply for a community grant'. Seeing that the hall is a Council asset, I'm wondering why the community needs to go through the rigmarole of applying for a grant to get the 20 chairs for what is a Council asset?

Officer's Response:

Council provides a limited number of chairs at each hall. Historically, Hall Management Committees have purchased additional chairs either through their own operational funds (derived from hall hire revenue) or via grant funding (most commonly Council's Community Grant Program). Whilst Council spends approximately \$200,000 per annum on hall maintenance, there is not a specific budget allocation for the purchase of chairs. In the absence of such an allocation, the Community Grant option provides an avenue of support for the acquisition of such items – noting that this is a competitive process with assessment against set criteria.

Daniel Smee, Director Governance, Recreation & Property Services

C182/7-2022

12.2 Kingston Bypass and Algona Road Roundabout Upgrade

At the Council meeting on 4 April 2022, **Cr Midgley** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Consultation occurred in December and I'm wondering if we have any updates?

Officer's Response:

Council has not had any further meetings with State Government (or their consultants) on the Kingston Bypass and Algona Road Roundabout upgrade.

Community consultation closed in December and can be viewed via the interactive map on the Department of State Growth website.

Council anticipates being reengaged once design options have been prepared.

David Reeve, Director Engineering Services

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning authority commenced at 5.47pm

Cr Glade-Wright left the room at 5.47pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C183/7-2022

13.1 DA 2021-548 - DEVELOPMENT APPLICATION FOR APARTMENT BUILDING (50 MULTIPLE DWELLINGS) - STAGE 3 AT "KINGSTON PARK" 7 GOSHAWK WAY, KINGSTON

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

That the Planning Authority resolves that the use and development for Apartment Building (50 Multiple Dwellings) at 7 Goshawk Way, Kingston for AllUrbanPlanning be refused for the following reasons:

- a) Building height does not satisfy F3.7.2.1 P2 as the design does not respond to the topography or the proximity to significant public spaces adjoining the building in a manner that is consistent with the Desired Future Character Statements as:
- the apparent height, siting, bulk and appearance of the development does not optimise the benefits of public open space to the proposal and will appear as a prominent, disconnected and domineering structure from the Hub, Park and other significant public spaces that reduces the amenity of public spaces;
 - the apparent height, together with the bulk and form, as viewed from key public spaces in the townscape is likely to be excessive based on the level of detail submitted and fails to adopt good design principles required by F3.1.1 (f);
 - the height, bulk and form is unarticulated and lacks visual interest as required by F3.1.1 (h);
 - building height exacerbates the absence of ground level interaction and activity as required by F3.1.1 (a), (d) and (e).
- b) The proposal is inconsistent with the Desired Future Character Statements (a), (b) and (d) at F3.4 and the purpose statements at F3.1 as it:
- fails to provide for mixed use at ground level;
 - does not facilitate community interaction;
 - will unreasonably overlook public areas;
 - has an absence of detail on the sustainability of the development;
- such that it is inappropriate to exercise the discretion provided at F3.5.2 – Use Table.
- c) The provision of on-site car parking spaces does not comply with E6.6.1 A1 and does not satisfy E6.6.1 P1 having regard to the number of spaces provided, the available of on-street

and public car parking adjoining the site and the availability and likely use of other modes of transport.

- d) The provision of tandem car parking spaces does not comply with E6.7.5 A1 and does not satisfy E6.7.5 P1 as such arrangements are not provided for by AS/NZS 2890.1:2004 and do not achieve ease of access, egress and manoeuvring of vehicles to and from these spaces or through the car parking level.
- e) The proposal does not satisfy 15.4.3 P1 as there is insufficient glazing in the ground level façade to Pardalote Parade and to adjoining public spaces to provide the minimum level of passive surveillance.
- f) The proposal does not satisfy 15.4.5 P1 as there is insufficient landscaping detail to demonstrate that indicative plantings will be successful and will provide a range of plant height and form and that the detail cannot be reasonably conditioned based on the detail provided and the potential for any such condition to require changes to the siting of development.
- g) The proposal does not comply with 15.4.8 A1 and does not satisfy 15.4.8 P1 in that sunlight to habitable rooms (other than a bedroom) is not optimised in the context of an unconstrained site.
- h) The proposal does not comply with E7.7.1 A2 or satisfy E7.7.1 P2 as there is no provision for water sensitive urban design.

Moved: Cr Amanda Midgley
Seconded: Cr Flora Fox

That Cr Cordover be allowed a further 3 minutes to complete his contribution.

In Favour: Crs Paula Wriedt, Gideon Cordover, Flora Fox and Amanda Midgley

Against: Crs Jo Westwood, Sue Bastone and Christian Street

CARRIED

Moved: Cr Amanda Midgley
Seconded: Cr Gideon Cordover

That Cr Street be allowed a further 3 minutes to complete his contribution.

CARRIED

The substantive motion was then put.

In Favour: Crs Paula Wriedt, Gideon Cordover, Flora Fox and Amanda Midgley

Against: Crs Jo Westwood, Sue Bastone and Christian Street

CARRIED 4/3

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 6.39pm

Cr Glade-Wright returned at 6.39pm

14 PETITIONS STILL BEING ACTIONED

A report on the petition headed “Upgrade to Car Park – Taroona Bowls and Community Club” will be provided at a future Council meeting.

15 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

16 OFFICERS REPORTS TO COUNCIL

C184/7-2022

16.1 REQUESTS FOR AMENDMENTS TO THE URBAN GROWTH BOUNDARY OF THE SOUTHERN TASMANIAN REGIONAL LAND USE STRATEGY

Moved: Cr Gideon Cordover

Seconded: Cr Christian Street

That Council provides the General Manager with delegation to comment on requests from other Southern Tasmanian Councils to amend the UGB of the STRLUS and that the standard response be as follows:

That Council does not object to the processing of the application to amend the Urban Growth Boundary, however reserves the opportunity to comment on the proposal at a later stage, after a full assessment of the application has been completed against the provisions of the RLU11 guideline, and the Minister of Planning has indicated that there is sufficient information to proceed.

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

That this matter be deferred.

In Favour: Crs Gideon Cordover and Amanda Midgley

Against: Crs Paula Wriedt, Jo Westwood, Sue Bastone, Flora Fox, Clare Glade-Wright and Christian Street

LOST

In Favour: Crs Paula Wriedt, Jo Westwood, Sue Bastone, Gideon Cordover, Flora Fox and Christian Street

Against: Crs Clare Glade-Wright and Amanda Midgley

CARRIED 6/2

C185/7-2022**16.2 PEDESTRIAN CROSSING AT BEACH ROAD, KINGSTON BEACH**

Moved: Cr Amanda Midgley
Seconded: Cr Gideon Cordover

That Council:

- a) Postpones a decision to modify the existing pedestrian crossing facility at Beach Road until the LATM investigation is completed;
- b) Prioritises the key intersections and pedestrian crossing point on Beach Road for implementation of Stage 1 works in the 2022/23 capital works program.

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

Against: Cr Jo Westwood

CARRIED 7/1

Meeting adjourned at 7.28pm

Meeting resumed at 7.36pm

C186/7-2022**16.3 LOVE LIVING LOCALLY 2023**

Moved: Cr Amanda Midgley
Seconded: Cr Clare Glade-Wright

That:

- (a) The \$10,000 Love Living Locally budget is allocated to a pilot an 'Event Support' initiative where event organisers can apply for up to \$5000 to deliver a major Kingborough event.
- (b) That \$6000 of the 2022/23 Community Grants budget is allocated to an 'Event Support' initiative where organisers of established events can apply for up to \$1500 to assist in resurrecting and reenergising their events in the wake of the coronavirus pandemic.
- (c) That this pilot is reviewed in twelve months' times prior to 2023/24 budget discussions.

In Favour: Crs Paula Wriedt, Jo Westwood, Gideon Cordover, Clare Glade-Wright, Amanda Midgley and Christian Street

Against: Crs Sue Bastone and Flora Fox

CARRIED 6/2

C187/7-2022**16.4 FINANCIAL REPORT - MARCH 2022**

Moved: Cr Jo Westwood
Seconded: Cr Amanda Midgley

That Council endorses the attached Financial Report at 31 March 2022.

CARRIED

17 NOTICES OF MOTION

There were no Notices of Motion.

C188/7-2022

18 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*

Panel for the Provision of Legal Services

Regulation 15(2)(d) *contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.*

Tender Assessment - AB2204 Whitewater Creek Shared Path Rehabilitation

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.*

Tender Assessment - AB2201 Adventure Bay Road Reconstruction (vic 290)

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.*

Land Sale - Hutchins Street

Regulation 15(2)(f) *proposals for the council to acquire land or an interest in the land or for the disposal of land.*

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 8.10pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 8.47pm

C189/7-2022

Moved: Cr Clare Glade-Wright
 Seconded: Cr Flora 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	Approved
Panel for the Provision of Legal Services	Panel Approved
Tender Assessment - AB2204 Whitewater Creek Shared Path Rehabilitation	Tender awarded to Stabilised Pavements Australia for \$751,019.44 excl GST
Tender Assessment - AB2201 Adventure Bay Road Reconstruction (vic 290)	Tender awarded to State-wide Earthworks Pty Ltd for \$619,265.00 excl GST
Land Sale - Hutchins Street	Approved

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 8.48pm.

.....
 (Confirmed)

.....
 (Date)