

Kingborough



COUNCIL MEETING MINUTES

16 January 2023

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 2022 - 2026



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Clare Glade-Wright



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson



Councillor Christian Street

Table of Contents

Item		Page No.	
Open Session			
	1	Audio Recording	1
	2	Acknowledgement of Traditional Custodians	1
	3	Attendees	1
	4	Apologies	1
		Personal Explanation	1
C1/1-2023	5	Confirmation of Minutes	2
	6	Workshops held since Last Council Meeting	2
	7	Declarations of Interest	2
	8	Transfer of Agenda Items	2
	9	Questions without Notice from the Public	2
C2/1-2023	10	Questions on Notice from the Public	2
	10.1	Enforcement Policy	2
	10.2	Davies Road Upgrade	5
C3/1-2023	11	Questions without Notice from Councillors	5
	11.1	Davies Road Upgrade	5
	11.2	Council Representative to the Bruny Island Community Association (BICA)	6
	11.3	Harvey Road Sealing	6
	11.4	Maintenance of Main Road between Alonnah and Lunawanna	6
	11.5	Dog Poo Bags	6
	11.6	Acoustics at the Hub	7
	11.7	General Manager's Diary	7
	11.8	Greater Hobart Mayor and General Manager's Meetings	8
	11.9	Ambulance Station in the Channel	8
	11.10	Davies Road Design Process	9
	11.11	Overgrown Grass Management	10
C4/1-2023	12	Questions on Notice from Councillors	10
	12.1	Works on Sproules Road	10
	12.2	Road Line Markings	10
	12.3	Auburn Road	11
	13	Petitions still being Actioned	11

Table of Contents (cont.)

Item		Page No.	
	14	Petitions Received in Last Period	11
C5/1-2023	14.1	Revise and Recall the Draft Local Provisions Schedule	11
	15	Officers Reports to Council	12
C6/1-2023	15.1	Consent to Lodgement of Application for a Habitable Building Outside the Building Area at 21 Graham Street, Electrona	12
C7/1-2023	15.2	Code of Conduct for Councillors	12
C8/1-2023	15.3	Civic Centre Flag Policy	12
C9/1-2023	15.4	Kingborough Community Safety Committee Minutes - 12 December 2022	13
C10/1-2023	15.5	Kingborough Bicycle Advisory Committee Community Representation Nominations	13
C11/1-2023	15.6	Audit Panel Charter	13
C12/1-2023	15.7	Financial Report - December 2022	14
	16	Notices of Motion	14
C13/1-2023	17	Confirmation of Items to be Dealt with In Closed Session	14

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 16 January 2023 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 C Glade-Wright	✓
Councillor A Antolli	✓
Councillor D Bain	✓
Councillor G Cordover	✓
Councillor K Deane	✓
Councillor F Fox	✓
Councillor A Midgley	✓
Councillor M Richardson	✓
Councillor C Street	✓

Staff:

General Manager	Mr Gary Arnold
Chief Financial Officer	Mr John Breen
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Engineering Services	Mr David Reeve
Director Environment, Development & Community Services	Dr Samantha Fox
Executive Assistant	Mrs Amanda Morton
Communications & Engagement Support Officer	Ms Bianca Kleine

4 APOLOGIES

There were no apologies.

PERSONAL EXPLANATION

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

C1/1-2023**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.24 held on 19 December 2022 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

On 9 January 2023:

- Sportsground User Fees - Presentation and discussion regarding various options
- Crisis Accommodation - Presentation/discussion regarding current data and potential sites for accommodation

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.

C2/1-2023**10 QUESTIONS ON NOTICE FROM THE PUBLIC**

10.1 Enforcement Policy

Professor Michael Rowan submitted the following question on notice:

1. *Does the Mayor recall that, at the 'meet the candidates event' at the Taroona Bowls Club on 5 October 2022, I recounted a story of a woman who had been ordered by Kingborough Council to cease occupying a shed she was living in on the grounds that it was not compliant with the Building Act 2016 and she did not have an occupancy permit for the building, and that in consequence of being evicted from her shed the woman had no option but to live in her car?*
2. *Does the Mayor further recall her comment made while I was speaking, I believe to Deputy Mayor Glare-Wright, that 'We would never do that'?*
3. *If Kingborough Council, to quote the Mayor, would 'never do' something which, in fact, Council is required to do under the Building Act 2016, does this show that Council has discretion in the enforcement of the Act?*

4. *Is the exercise of any such discretion governed by the Council's Enforcement Policy, which has as one objective among others 'To ensure that enforcement action is proportionate to the alleged offence in each case'?*
5. *Further, is it intended that application of the Council's Enforcement Policy will ensure that Council's actions in enforcing an act which it has the responsibility to administer are consistent with the promotion of the first mentioned function of the Council in the Local Government Act (1993), Sec (21.a), namely 'the promotion of the health, safety and welfare of the community' and that its enforcement actions do not produce perverse outcomes?*
6. *Is it correct that the Enforcement Policy allows for 'No Action' or 'Informal Action' to achieve 'an appropriate outcome for breaches of legislation', and only 'formal action' would lead to an eviction as described above, or prosecution for failing to comply with an act which Council administers?*
7. *Noting that section 5.3 of the Enforcement Policy states that "Council will ensure that Authorised Officers are competent to use procedures that support the policy", can the General Manager confirm that all staff currently or recently employed whose actions might give effect to the Enforcement Policy have received appropriate training to ensure that they 'use procedures that support the policy'?*
8. *Given that the exercise of discretion in respect of how to deal with breaches of a law which an authority administers can readily give rise to corrupt behaviour by officers of the administering authority, either by officers declining to prosecute or otherwise enforce the law in response to receiving some favour from a party in breach of the law, or, alternatively, by over-zealously pursuing enforcement of the law including to prosecution in consequence of some personal animus towards the person or persons the subject of their enforcement action, has Council ensured that all staff who's actions might influence the application of the Enforcement Policy have received appropriate training in separating their personal advantages, hurts and interests from their professional duties?*
9. *In particular, has the General Manager ensured that Council complies with the Integrity Commission Act 2009, which requires (Sec 32) public officers to be given education and training relating to ethical conduct, stating*
 - (1) *The principal officer of a public authority is to ensure that public officers of the public authority are given appropriate education and training relating to ethical conduct.*
 - (2) *In particular, the education and training must relate to –*
 - (a) *the operation of this Act and any Act that relates to the conduct of the public officer; and*
 - (b) *the application of ethical principles and obligations to public officers; and*
 - (c) *the content of any code of conduct that applies to the public authority; and*
 - (d) *the rights and obligations of public officers in relation to contraventions of any code of conduct that applies to public officers.*
10. *Noting that the Integrity Commission Act 2009 is not listed in the Council's Risk Management Policy among the acts which the policy needs to respond to, and that the Council's risk register does not appear to recognise unethical or corrupt behaviour by Council staff as a risk requiring management, can the General Manager confirm that over the last period in which an aggrieved party might seek to have the Integrity Commission hear a complaint about the actions of the Council (say the last three years), all staff of Kingborough Council who have been involved in actions or deliberations that have led to consideration of actions that Council should take to enforce all of the Acts that Council administers, have received the education and training that demonstrably meets the requirements of the Integrity Commission Act 2009, as above?*

11. *Noting that there appears to be no mention of the required ethical education and training in either the current Annual Plan or Annual Report, has the Council received reports of such education and training?*
12. *If Council has not been receiving such reports how has Council assured itself that there are no unethical practices in the administration of the Council's Enforcement Policy?*

Officer's Response:**Response to questions 1, 2, 3 & 4:**

The Mayor has indicated that she does recall a story along these lines. The Mayor has indicated that she believes what she commented to Cr Glade-Wright at the time was "We've not heard anything about that", or words to that effect. Council's compliance records don't show this as a compliance action taken by Kingborough Council.

Where enforcement action may require a person to change their current accommodation by seeking alternative housing arrangements, Council works with Tasmania Police and Housing Connect which is a collaboration between Anglicare, CatholicCare, Colony 47, Hobart City Mission, and the Salvation Army. Council also proactively provides information to people at risk of homelessness (or suffering homelessness) regarding urgent access to housing support, seeking housing assistance, and crisis and transitional accommodations services.

Council's Enforcement policy defines the standards and expectations set by Council, for the exercise of duties, functions and responsibilities involved in carrying out any enforcement in the Kingborough Municipal Area. The policy is not discrete to the *Building Act 2016* (the Act) and is a high-level policy which provides direction for Council's enforcement activities.

Pursuant s.237 of the Act, Council's Permit Authority is to issue a Building Notice to a person for the use of a building that contravenes the Act (i.e. illegal occupancy). The use and occupancy of a building as a dwelling without authorisation to do so is a contravention of the Act. If a Building Notice for the illegal occupancy is not revoked, in accordance with under s.246 of the Act, Council's Permit Authority is to issue a Building Order to the person issued with the Building Notice. The issuing of Building Notices and Building Orders is a statutory process.

Response to Question 5:

As an example, it is a requirement of the Act that buildings intended to be used as dwellings are constructed in compliance with the National Construction Code and the relevant Australian Standards. This is to ensure that these buildings are safe for their intended use. Council's Permit Authority and Council have responsibilities under the Act to ensure that buildings are used in accordance with the Act. The appropriate administration of the Act by Council's Permit Authority and Council is consistent with s.20(1)(a) of the *Local Government Act 1993*.

Response to Question 6:

In accordance with Council's endorsed Enforcement Policy 4.16 (the Policy) an Authorised Officer may use options such as no action, informal action, and formal action to achieve an appropriate outcome for breaches of legislation. Examples of each action and their use are provided in the policy.

Response to Question 7:

All Authorised Officers are competent to use procedures that support the policy.

Response to Questions 8, 9, 10 & 11:

Public Officers are competent to use procedures which support the policy, including receiving training around managing Conflicts of Interest, Disclosure of Relevant Personal Interests, and attending Integrity Commission Code training modules.

Due to the sporadic nature of the Integrity Commission Code modules (taking place bi-annually in March & August) there may be times when new staff are yet to complete those modules, however, this is mitigated by ensuring Public Officers complete training modules on Ethical Decisions at Work and Integrity in Public Service as part of their induction program, and all staff are required to adhere to Kingborough Council's Code of Conduct.

Response to Question 12

The Council is committed to developing and maintaining an organisational culture which is supported by appropriate controls, procedures, and strategies, which prevent unethical behaviour. Council adopts contemporary practices concerning enforcement decisions which mitigates unethical behaviour and results in fairness, equality, consistency, and professionalism. These practices include, but are not limited to:

- fostering strong leadership by councillors and management;
- policy and procedure development (employee code of conduct etc.);
- utilisation of investigation and decision-making tools (offence risk matrix & seriousness etc);
- not making decisions in isolation (establishment of compliance groups, peer review culture);
- where possible, separation of the investigator and decision maker (provides objectivity, minimising bias and maintains investigation integrity);
- independent compliance committee; and
- legal counsel review.

It is relevant to note that the November 2019 WLF Accounting and Advisory compliance report referred to Council's compliance business model as sector leading.

*Scott Basham, Compliance Coordinator
Angie Everingham, Manager People & Safety*

10.2 Davies Road Upgrade

Mr Richard Mount submitted the following question on notice:

Does the plan for the imminent Davies Road upgrade include provision for pedestrian and cycling needs (e.g. a pavement) besides the improvements to the road and stormwater?

Officer's Response:

Design has not commenced on this project yet although it is predominantly a stormwater project, some consideration will be given to improving the road for all users including cyclists.

David Reeve, Director Engineering Services

C3/1-2023

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Midgley asked the following questions without notice:

11.1 Davies Road Upgrade

As the community is very passionate about this project and would really like to see a pedestrian cycleway included, what communication will we provide back to CALSCA regarding consideration given to improving the road?

Director Engineering Services responds:

As I mentioned in the response to this question, we are yet to commence the design. The original bid that was put forward for this design was to do with some stormwater issues. Bearing in mind the comments from CALSCA, how they would also like to see improvements for pedestrians and cyclists in that area, I'm quite happy to have that discussion with them once we have actually moved the design more into a solid concept design.

11.2 Council Representative to the Bruny Island Community Association (BICA)

BICA is seeking official endorsement from Council as a recognised organisation with the appointment of a council representative. They were hoping that this would happen following the disbanding of the Bruny Island Advisory Group.

General Manager responds:

My suggestion is that BICA would be best advised to put a written request to Council. It may well be that they need to check their Terms of Reference or indeed their Charter to make sure that that can be accommodated first.

11.3 Harvey Road Sealing

Evidentially there is no road sealing on Harvey Road and I'm wondering when that is occurring?

Director Engineering Services responds:

It is imminent.

11.4 Maintenance of main road between Alonnah and Lunawanna.

Evidentially there are potholes developing, spring water on the road, guideposts that need replacing and wondering when these will be attended to?

Director Engineering Services responds:

That's not a Council responsibility, it's a Department of State Growth responsibility, but I'm happy to forward on those comments to State Growth.

11.5 Dog Poo Bags

BICA advises they are awaiting installation of distribution points and they have volunteers ready to go. Can they please have an update?

Director Engineering Services responds:

As you would be aware, KWS will be taking on the contracts both on the main land and Bruny Island. At the moment we are waiting on the two new builds on the trucks which have been delayed and delayed and delayed, which is common across Australia at the moment. However, without that in place, we are relying on the existing contractor and they don't have the facility to deal with dog bags.

Cr Cordover asked the following questions on notice:

11.6 Acoustics at the Hub

Is there an update about what the options are regarding sound proofing the opening wall at the hub in the main room? Many constituents have mentioned to me that when there is lecture or a forum or a movie night etc if there are skateboarders, roller bladers using the concrete area behind that wall, then the noise can be very disruptive. Are there any further updates about what options there are in terms of improving acoustics in the Hub?

Mayor responds:

Before I get someone to answer that, the message we are trying to get out is that roller blading and skateboarding are actually not permitted in that area, even though it is a lovely surface for it, for the reasons that you have indicated. When we have hired out rooms or other events taking place, it's very distracting, so we are certainly trying to get the message out to community that that is not the place to do those activities.

Director Engineering Services:

That building has been designed for a particular purpose and it's got a lot of hard space in there which makes it challenging from an acoustic perspective. I'm not sure whether there has been an acoustic review that has been undertaken independently. That may be a possibility to see whether or not there are any other options albeit small retro fits that can be considered to improve the situation.

11.7 General Manager's Diary

Is there any update update that we can have about the Derwent Estuary Program, what their main body of work looks like in the year to come, as it relates to Kingborough?

Mayor responds:

Yes and we will be having a workshop in a few weeks time and that will give you a full overview.

Cr Cordover:

Thank you.

In relation to the discussion with Minister Street regarding the sports precinct, are there any updates from that that would be edifying to the community to know?

General Manager responds:

A number of councillors were in attendance last Friday when Minister Street paid a formal visit to this Council. It was touched on during that particular discussion but I'm happy to repeat it so that it's on the public record that the Mayor took the opportunity to push the point that the sports centre itself has reached capacity in many areas and is in need of an upgrade, particular in relation to netball for example. The Minister took that on board and we will continue those discussions.

Cr Cordover:

In relation to the meeting on 1 December with a representative from the Bruny Island Cheese Company to discuss tourism signage. Is there any update from that meeting that you would care to share with the public and what are we doing with respect to tourism signage on Bruny?

Mayor:

That meeting was specifically in relation to signage about public toilets and how we direct visitors to the island to the nearest public toilets. There have been discussions with the Department of State Growth about having a sign as people come off the ferry so that they are aware that they have a certain distances to first available public toilets. I don't believe that signage has been installed as yet?

General Manager:

You are correct. It hasn't been installed as yet but those discussions are continuing with DSG. In addition, Council officers have undertaken an audit of the Council signage on Bruny Island in relation to public toilets. It's fair to say that we have an historical legacy of a mish mash of signs that don't necessarily conform to current Australian standards and we have given an undertaking to address that. The other thing I would say is that we have updated our website so that there is a direct link to the Australian Public Toilet Map for clarity for first time visitors and tourists alike.

Cr Fox asked the following question without notice:

11.8 Greater Hobart Mayor and General Manager's Meetings

At meetings of Mayors and General Managers of Greater Hobart Councils, could there please be a report to Council of topics discussed, issues raised by the Mayor, decisions for consideration by Council prior or after meetings and opportunities for Council to raise topics for discussion?

Mayor responds:

Certainly that can be considered. The purpose of those meetings are to deal with the business of the Greater Hobart City Deal, so we are constrained by discussing issues directly related to that rather than broadening the scope of the work that that group does. I will take it on notice.

Cr Antolli asked the following question without notice:

11.9 Ambulance Station in the Channel

Last week yourself and some of the Councillors met with Minister Nic Street and the issue of an ambulance station in the Channel was raised. Are you able to share any update with the community about what was discussed, any time frames given, any commitments given about moving that along and, if not, what can we do to respectfully lobby the government to move it along?

Mayor responds:

There weren't any commitments given. Certainly Minister Street was interested to hear some of the concerns expressed by people who live in the Channel region about delays in ambulances attending their call outs and the significant distances that the ambulances are needing to travel, quite often from Hobart. It came to be discussed because I had been approached by a person in Snug who believes they have a suitable property for such an ambulance station to be located, so I've passed along those details to the Minister and asked that he take that on board. I think they are very aware of the fact that we are trying to advocate for this on behalf of our residents and likewise we also discussed again the concept of an emergency services hub in Kingborough that would comprise of SES, fire emergency and ambulance and I know that is something certainly the government seemed quite keen on in the event that the AAD site becomes vacant. Just today I had a meeting with our police Inspector here and he was expressing to me the need for that as well because they are literally bursting at the seams at the police station. In the event in future that

our population continues to grow and they get additional officers at the station, they've got nowhere to put them.

Cr Antolli:

Do you feel that the government is probably leaning towards an AAD hub versus investing in a Channel ambulance station?

Mayor:

They haven't indicated either way but we have made it clear that both things are needed. I think probably the urgency is around the Channel ambulance station and then the longer term plan for a one stop shop as has been done in Sorell and elsewhere in the State that seems to be working very well. But if we don't start planning for it now we are going to be in trouble in 10 years time when there is capacity issues.

Cr Deane asked the following question without notice:

11.10 Davies Road Design Process

Is there any scope or process by which our advisory groups get an opportunity to have an input into that design process that Mr Reeve talked about earlier?

Director Engineering Services responds:

It really does depend on the project. For example, if we were doing something such as the access ramp that we did down at Kingston Beach or some of the larger projects that we have done at Kingston Park, those ones would go to the access committee or if they are to do with things that are cycling related where we would like input from that advisory group, it would go there as well. But you wouldn't necessarily take every single project back to any of those particular committees unless it was relevant. Having said that, as Cr Midgley asked, if it was something that had an interest to the cycling committee, which this one does, it would probably be mentioned without that advisory committee. Because the community has a vested interest, you would deal through the community group as well and you would also deal with your individual property owners who might be affected by the direct works as well. They do get covered, albeit in a slightly different way.

Cr Deane:

So it would be the project manager who would make that call to say that this is probably one of interest, not the other way around, in terms of knowing what is coming up in the capital works projects?

Director Engineering Services:

We have to actually make determinations on any particular project as to what areas need to be considered. Some are very straight forward and just involve some communication with the affected residents. Others the wider community have a vested interest in in which case we would deal with that. For example, I know that the community has an interest in all the walk ability and cycle ways through there which is one of the prompts for us to do a feasibility study for the continuation of the Snug to Market path. They are also a very active community there which is great and so it's a community you would want to involved, if for nothing else, just to understand where they are coming from and for them to understand what can be achieved and what can't be achieved.

Cr Bain asked the following question without notice:

11.11 Overgrown Grass Management

There has been a lot of discussion in the community about grass being quite overgrown throughout the municipality throughout the last few weeks. I believe the reason given is the higher than normal rain fall along with some fine weather. I think we have experienced that for a couple of years in a row now and I'm wondering is there anything that we can put in place moving forward to potentially try and keep on top of the situation pre and post Christmas?

Director Engineering Services responds:

We try and build into our budget a little bit of fat to allow us to do individual cuts in additional areas when we need to. It is very difficult to tell what each year will bring. We do allow for some money in our budget to do individual areas, not a complete cut, but certainly allow for some areas to be done if they are causing issues. I would encourage if people have issues in particular areas if they could nominate where they are we can look at those on a case by case basis.

C4/1-2023

12 QUESTIONS ON NOTICE FROM COUNCILLORS

12.1 Works on Sproules Road

At the Council meeting held on 19 December 2022, **Cr Richardson** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

I've had a couple of emails during the week concerning the condition of the road and the residents are saying that a normal maintenance schedule would be okay, but for the last couple of years, there has been a succession of Council trucks going up the road attending to something on a property further up the road which has caused additional damage. Further to that, today I have been informed that there has been a grader there today which is wonderful, but is there an opportunity to look at a tar and chip solution for Sproules Road in Snug?

Officer's Response:

Sproules Road carries low volumes of traffic and is currently not listed for any upgrade works in Council's 5-year Capital Works Program. Sealing of unsealed roads is an expensive option and not justified unless a combination of factors are in place, including large traffic volumes, elevated maintenance costs, and significant safety concerns. Sproules Road would not currently meet these criteria and performs well as an unsealed road.

David Reeve, Director Engineering Services

12.2 Road Line Markings

At the Council meeting held on 19 December 2022, **Cr Cordover** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Since the last Council meeting I have been contacted by a constituent raising the issue of the following roads in Blackmans Bay that also have faded line markings, potentially causing a safety concern – Roslyn, Burwood, Illawarra, Opal, Diamond Drive, Suncoast Drive and Wells Parade. Last time we heard about the responsibility falling to the State Government and essentially we submit roads that need doing to the State Government and then the answer came back that there is always a paucity of resources and funds available for the number of roads that we need marked up. Have we ever lobbied the State Government to more adequately fund line

marking on the imperative of road safety and perhaps advocating for the inclusion of better road safety line markings as an inclusion towards zero strategy and action plan which has a focus on road safety efforts over the next decade?

Officer's Response:

Council officers will advise the Department of State Growth (DSG) of the safety concerns raised due to faded line markings and seek an early remarking. The response from DSG will determine whether Council advocacy may be required.

David Reeve, Director Engineering Services

12.3 Auburn Road

At the Council meeting held on 19 December 2022 , **Cr Midgley** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

I'm not sure if other Councillors received a letter regarding Auburn Road but I've been written by a local resident regarding a potentially fatal situation, and they are referring to Auburn Road in Kingston where cars park on both sides of the street. Three quarters park from Hutchins Street side, cars are parking on the left side of the road, near the crest of the road as well as before the crest and after the crest. The resident believes that it is a traffic hazard as motorists can't see safely ahead around the crest and they feel that it is very dangerous and could lead to crash and injuries. It has resulted in motorists driving on the wrong side of the road to avoid parked cars and oncoming traffic. They noted that school buses and Metro buses use this road which is another concern. There is no room to pass and it is very tight and horrendous. Embarking and disembarking passengers are fraught with unacceptable risks when traffic is so congested. Could Council investigate how to best solve this potentially dangerous situation?

Officer's Response:

Council officers are currently investigating no parking in a section of Auburn Road near Tanina Street, the rest of the street occasionally has some cars parked but the sight distance is adequate for vehicles to slow and pass when safe. Auburn Road is listed for reconstruction in the 5 year Capital Works Plan (24/25) and other improvements will be considered as part of this project.

David Reeve, Director Engineering Services

13 PETITIONS STILL BEING ACTIONED

There are no petitions still being actions.

14 PETITIONS RECEIVED IN LAST PERIOD

C5/1-2023

14.1 REVISE AND RECALL THE DRAFT LOCAL PROVISIONS SCHEDULE

Moved: Cr Flora Fox
Seconded: Cr Christian Street

That the petition containing 339 signatures be received and referred to the appropriate Department for a report to Council.

CARRIED

15 OFFICERS REPORTS TO COUNCIL

C6/1-2023**15.1 CONSENT TO LODGEMENT OF APPLICATION FOR A HABITABLE BUILDING OUTSIDE THE BUILDING AREA AT 21 GRAHAM STREET, ELECTRONA**

Moved: Cr Gideon Cordover
Seconded: Cr Clare Glade-Wright

That Council:

- (a) determine to grant consent under the covenant on Sealed Plan No.173543 to allow a development application, under the provisions of the *Land Use Planning and Approvals Act 1993* and the Kingborough Interim Planning Scheme 2015, to be considered for a habitable building to be constructed outside the building area on Lot 3; generally in accordance with the plans shown in Attachment 4; and
- (b) note that this consent does not imply approval for the development which will be subject to an assessment of the application under the above Act and planning scheme.

Cr Street left the room at 5.58pm
Cr Street returned at 5.59pm

CARRIED

C7/1-2023**15.2 CODE OF CONDUCT FOR COUNCILLORS**

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

That Council

- (a) Note the review of the *Code of Conduct for Councillors*; and
- (b) Adopt the reviewed *Code of Conduct for Councillors*.

CARRIED

C8/1-2023**15.3 CIVIC CENTRE FLAG POLICY**

Moved: Cr Clare Glade-Wright
Seconded: Cr Christian Street

That Council:

- (a) Approve the Civic Centre Flag Policy as attached to this report;
- (b) Note that expressions of interest will be sought to fly a community flag on the fourth flagpole at the Civic Centre;
- (c) Note that, following consideration of expressions of interest received, a populated Annual Community Flag Schedule will be brought back to Council for consideration.

CARRIED

C9/1-2023**15.4 KINGBOROUGH COMMUNITY SAFETY COMMITTEE MINUTES - 12 DECEMBER 2022**

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

That Council

- (a) Notes the minutes of the Kingborough Community Safety Committee; and
- (b) Writes a letter to the Minister for Infrastructure and Transport seeking agreement to consider upgrading the Huon Highway/Leslie Road intersection to contemporary safety and other standards, noting the Huon Highway Corridor Study and increased traffic volumes and heavy vehicle traffic through the intersection.

CARRIED

C10/1-2023**15.5 KINGBOROUGH BICYCLE ADVISORY COMMITTEE COMMUNITY REPRESENTATION NOMINATIONS**

Moved: Cr Amanda Midgley
Seconded: Cr Kaspar Deane

That:

- (a) The following nominees be appointed as members of the Kingborough Bicycle Advisory Committee:
 - Mark Donnellon
 - Joyce du Mortier
 - Emlyn Jones
 - Kelvin Lewis
 - David McQuillen
 - Rob Sheers
 - Peter Tuft
 - Angela Wilson
- (b) The unsuccessful nominees be notified of the outcome and thanked for their interest.

CARRIED

C11/1-2023**15.6 AUDIT PANEL CHARTER**

Moved: Cr Clare Glade-Wright
Seconded: Cr David Bain

That Council approves the new Audit Panel Charter as attached.

CARRIED

C12/1-2023**15.7 FINANCIAL REPORT - DECEMBER 2022**

Moved: Cr Clare Glade-Wright
Seconded: Cr Christian Street

That Council endorses the attached Financial Report as at 31 December 2022.

CARRIED

16 NOTICES OF MOTION

There were no Notices of Motion.

C13/1-2023**17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

Moved: Cr David Bain
Seconded: Cr Gideon Cordover

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*

CARRIED

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 6.23pm.

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 6.24pm

C14/1-2023

Moved: Cr Flora Fox
 Seconded: Cr Gideon Cordover

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

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 6.25pm

.....
 (Confirmed)

.....
 (Date)