

Kingborough



COUNCIL MEETING MINUTES

15 May 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

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Public Copy

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 15 May 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:

Acting Mayor Councillor C Glade-Wright	✓
Councillor A Antolli	✓
Councillor D Bain	✓
Councillor G Cordover	✓
Councillor K Deane	✓
Councillor A Midgley	✓
Councillor M Richardson	✓
Councillor C Street	✓

Staff:

General Manager	Mr Gary Arnold
Chief Financial Officer	Mr John Breen
Director Engineering Services	Mr David Reeve
Acting Director Governance, Recreation & Property Services	Mr Scott Basham
Director Environment, Development & Community Services	Dr Samantha Fox
Acting Manager Finance	Ms Laura Eaton
Manager Environmental Services	Ms Liz Quinn
Strategic Planner	Mr Adriaan Stander
Coordinator Environmental Planning	Ms Nikki denExter
Communications and Engagement Support Officer	Ms Bianca Kleine
Executive Assistant	Mrs Amanda Morton

C146/9-2023

4 APOLOGIES

Mayor Councillor P Wriedt
Councillor F Fox

C147/9-2023

5 CONFIRMATION OF MINUTES

Moved: Cr Christian Street
 Seconded: Cr David Bain

That the Minutes of the open session of the Council Meeting No.8 held on 1 May 2023 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail
8 May	Local Government Review	Discussion on the Review report and feedback sought in order to formulate a submission to the Minister for Local Government

C148/9-2023

7 DECLARATIONS OF INTEREST

Cr Cordover declared an interest in the report headed "Gormley Park Facilities".

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.

C149/9-2023

10 QUESTIONS ON NOTICE FROM THE PUBLIC

10.1 Bushfire Risk and Evacuation Plan

Professor Michael Rowan submitted the following question on notice:

1. While I readily acknowledge the common knowledge that 'It is always dangerous to be on a road during a bushfire' and 'segments of any evacuation route are likely to be high risk depending on the proximity of a fire', isn't the Kingborough Road Bushfire Assessment Report saying rather more than this in **classifying every possible evacuation route from Kingborough as being of 'extreme risk'** for at least two km of the road's length?
2. Is Council aware that the Report of the Australian Building Codes Board which recommended that performance standards for personal bushfire shelters be included in the

National Construction Code, states that 11,092 houses were destroyed by bushfires in Australia between 1939 and 2009, while in comparison, in the 1967 bushfires in southern Tasmania, in just six hours 1,293 houses were lost, or one eighth of the total for Australia for the 70 years from 1939 – 2009?

3. Does Council agree that since Kingborough was especially impacted by this fire the data shows that Kingborough is the municipality in Australia most vulnerable to widespread loss of homes and lives in a bushfire?
4. Given that a catastrophic fire would most likely approach Kingborough from the north and north west cutting all evacuation routes to Hobart and beyond before the fire reached Kingston, and considering the answer provided to my Question without Notice on the matter at the meeting of 1 May which in part stated 'The Tasmanian Fire Service advises that people identify an alternative place to stay prior to an emergency as part of their survival plan. The preference is to plan ahead and to go to family or friends and not to evacuation centres or nearby safer places', will Council advise the population of Kingborough to evacuate to Hobart prior to days of extreme or catastrophic fire weather regardless of whether a fire is threatening the municipality or not?
5. How many people would be involved in this evacuation, and given the Council's recent workshop on climate change would have given updated information on the likelihood of extreme or catastrophic fire weather in coming years, on how many days each summer does Council envisage advising the population to evacuate the municipality in coming years?

Officer's Response:

1. The purpose of the Kingborough Roadside Bushfire Risk Assessment Project was not to examine the bushfire risk of evacuation routes in the municipality. The risk assessment was undertaken in order to obtain information that could be used to guide and prioritise Council's roadside vegetation management program. The aim of conducting the risk assessment was to identify and prioritise locations within the Council owned and managed road network where vegetation management work may be required in order to reduce bushfire risk on Council land.

In order to gain a more complete picture, State Growth owned roads were also included in the assessment. The majority of the main evacuation routes in the Kingborough Municipality are in fact State Growth owned roads (ie the Channel Highway). Results of the roads risk assessment will be passed on to other stakeholders including the Department of State Growth, however management of non-Council owned roads is beyond the scope of this project.

The fact that most of Kingborough's main evacuation routes have some segments that can be classified as extreme risk is indeed a contributing factor to the overall high bushfire risk of the Kingborough Municipality.

2. Council has noted the information provided above.
3. Council is aware that the municipality is at great risk from bushfire. Information about bushfire risk is provided to Council from the Tasmania Fire Service (TFS) as the primary hazard management authority. TFS provides advice through the Bushfire Risk Management Plans developed by the Fire Management Area Committees. These plans are developed in line with the Bushfire Risk Management Guidelines 2020. The risk assessment considers bushfire impacts to the assets and values in the area; and uses a risk matrix to calculate a risk rating. Council has been informed through this risk assessment process that many of its communities are at risk from bushfire. To base risk on just an assessment of houses lost through previous fires does not give an accurate representation of risk.
4. The Tasmanian Emergency Management Arrangements plan outlines the roles, authorities and responsibilities for emergency management. This states that responsibility and

arrangements for evacuations are the responsibility of the Police with advice from the response management authority (in the case of bushfire, TFS). Council's role would be to repeat the messaging that is issued by the Police.

AFAC (The National Council for Fire and Emergency Services) produces a seasonal bushfire outlook prior to each bushfire season. This information, combined with advice from TFS on detailed fire danger ratings, fire weather forecasts and fuel moisture indicators are monitored by Council in order to maintain an awareness of local conditions. TFS has Fire Behaviour Analysts who monitor bushfire conditions and issue warnings when fire risk is elevated.

5. The decision to evacuate (including performing a risk assessment and issuing warnings) during a bushfire lies with the Response Management Authority under the Tasmanian Emergency Management Planning Arrangements, with local Councils providing support as requested.

Under the new Australian Fire Danger Rating System people are advised to take action to avoid being in bushfire risk areas if the forecast is for an Extreme or Catastrophic fire danger rating.

The Australian [fire danger rating system](#) warns of the potential impact of a bushfire on any given day based on forecast weather conditions, and is widely publicised by the Tasmania Fire Service.

No one knows with any certainty how many people will choose to stay and defend their property, how many are planning to self-evacuate prior to the commencement of a bushfire or how many will wait until they are told to evacuate. For these reasons it is not possible to know how many people will be involved in an evacuation event.

Climate change research indicates a continued steady increase in fire danger throughout the next century as well as a longer and more intense fire seasons.

Exact numbers of extreme or catastrophic fire weather days are hard to predict but fire danger projections developed by the UTAS Landscapes and Policy Hub (2015) under a high emissions scenario indicate a steady increase in fire danger, especially in spring; a lengthening of the fire season; and more days at the highest range of fire danger at some locations.

Meg Lorang, Bushfire Management Officer

C150/9-2023

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Cordover asked the following questions without notice:

11.1 Significant Tree Register

What measures do we now have in place to ensure that the processing of significant tree nominations is adequately resourced and completed in a timely manner?

Strategic Planner responds:

It's one of those areas within Council that is truly under-resourced. The last update that we undertook, it involved a lot of work consulting with land owners and going through the whole planning scheme amendment process. We've updated the list but it's not something we can do on a monthly basis but possibly something that we can do on an annual basis. It will come down to how many nominations we receive and when we call for nominations. At this point in time we do not have any new nominations, however, we are working as a group to look at was that when we receive nominations, that we can process it, even if we just list it on our planning scheme to say that we have

received a nomination so that staff and members of the public can have a look at it. The formal process of listing it is obviously a little more involved, it takes up to 12 months. There will always be that period from when the nomination is received to get it into the planning scheme will take some work.

Cr Cordover:

What steps do we think can be taken to improve that consultation process with land owners to ensure that significant trees are listed appropriately and that land owners are aware of the gravitas of having a tree that is possibly significant on their property. Do you have any ideas around that education piece?

Strategic Planner:

It's something that we have discussed with the Commission to have a set of information packs that we want to send out to property owners who have a listed tree on their property. As part of Council's operational functions, we also want to provide that information to landowners. In saying that, I would encourage landowners, if they don't know to please contact us and we can provide some advice, even if it's just to come out to the property. We often get enquiries from people who say they are worried about a tree, the risk involved or branches that may fall down. We provide that service that we do go out and provide those initial discussions and guide people in the right direction.

Cr Cordover:

What actions can be taken to improve monitoring and enforcement of conditions that protect significant trees in planning permits? If I understand our register correctly, if someone nominates a tree, during the process that it takes for that nomination to be processed, somebody who owns the tree or is nearby the tree can make an application to have that tree removed, which in that case makes those significant trees more vulnerable. If it takes up to 12 months and I say that's a significant tree and a developer has 12 months in which to destroy that tree, there's a perverse incentive there to want destroy trees after they have been nominated. I'm concerned that there will be more demolition and lopping of significant trees whilst that process takes place. When our Significant Tree Register comes up for review in September 2025, will Council officers be recommending the inclusion of a provision for some type of injunction or interim intervention order whilst that process takes place, so that if a tree is nominated during those 12 months the tree cannot be touched and if we need to process that tree faster, then we need to process that tree faster. Are we going to protect those trees during that process with some kind of intertim injunction.

Coordinator Environmental Planning:

This gap that you have identified is a real gap and there may be other provisions under the planning scheme which may require a permit for that tree removal but it wouldn't be assessed as a significant tree under the planning scheme. Equally there are a number of exemptions and this is where the proposed Tree By-Law is the instrument that has been discussed by Council previously and is currently going through it's process to fill that gap, so it would have the provisions and be the mechanism to enable consideration of trees when they are in that inbetween stage. I'm not aware of any other mechanism that we could do that by. We couldn't do it by the policy, we can't do it under the scheme.

Cr Cordover:

I'm interested to know why we can't do it in the policy? Why can't we strengthen the policy to add that idea of a stop.

Coordinator Environmental Planning:

I believe it is in the policy in terms of the intention, but I don't believe the policy itself can introduce permit requirements and approval processes.

11.2 Short Stay Accommodation Resolution

The anticipated date for completion of this resolution on page 149 of the agenda just says 2023 but it doesn't say which month. May I please have some more specificity about when that report might be completed?

General Manager responds:

I've received advice from the Local Government Association that at the next General Meeting next month there will be a motion put forward from the Association to address that very issue on a sector wide basis. As soon as I get further information on that I will distribute it to all Councillors.

Cr Bain asked the following question without notice:

11.3 Derwent Ferry

In the General Manager's diary in the agenda on 28 March he participated in an online meeting regarding the Derwent Ferry. Is there any information that the General Manager can share from that?

General Manager responds:

I'm part of a working group comprising the four metropolitan Council GM's and the Executive Officer to the Greater Hobart Strategic Alliance, working on a proof of concept for the Derwent Ferry expansion. Councillors might recall that as a result of a joint submission to the Labor Party in the lead up to the recent Federal election last year, \$20 billion was committed to further expand the very successful Derwent Ferry. The State Government have also committed in effect a matching \$19 million in conjunction with the Department of State Growth, we are working on a proof of concept to expand the service.

Cr Midgley asked the following questions without notice:

11.4 New Amenity Block, Longley

I've had a request from a community member whether there can be power points suitable for e-bikes, noting that it is a popular e-bike route in that area?

General Manager responds:

We will take your question on notice.

11.5 Bike Racks at the Hub

At the last KBAC meeting there was a comment about the bike racks were removed at the Kingborough Hub. I understand that they were quite high and you had to lift up your bike. Are they going to be replaced at the Hub?

Director Environment, Development & Community Services responds:

My understanding is that we have got some quotes for reinstalling the bike racks in a better location so that there is better accessibility and visibility. We are finalising that now and we should have those back in place as soon as we can.

11.6 Speed Limit on Woodbridge Hill

Noting the resolutions attached to the agenda and the completion on this is June 2022, I think the community has been quite patient in waiting for this one. How come this process takes so long?

Director Engineering Services responds:

Yes, it is frustrating but we are in the lap of the officers looking at it from the Department of State Growth who have made some preliminary findings, however, they were not quite clear in terms of lowering the speed limit and what that speed limit might be lowered to. That's what we are still waiting for and I'm happy to chase it up with them again and move it along a little faster.

Cr Deane asked the following questions without notice:

11.7 General Manager's Activities

On 29 March the General Manager met with Mr Michael Crosby, head of Public Affairs at AirBnB. Is there anything to report on that and do those types of meetings every get minuted and shared to Councillors or the wider public?

General Manager responds:

They don't get minuted as such, but both the Mayor and I are very keen to ensure that any meeting of that type is in fact placed on the Council agenda so that it's on the public record. That particular meeting was in fact just a meet and greet but it is fair to say that they have a certain view of the importance of AirBnB's. As I noted earlier in the meeting tonight, the Local Government Association is seeking to get a whole of sector position on short stay accommodation and as soon as I get further information on that motion I will distribute it to all Councillors.

Cr Deane:

On 31 March, the Acting General Manager met with Simon Tamlin from SEalink to discuss options for queuing at Bruny Island Ferry. Was there any positive outcomes from that discussion?

Director Engineering Services:

What Mr Tamlin was trying to do was looking at what options we have in terms of any property that we might have in the area. He did notice the Kettering tennis courts and wanted to see if that was a possibility to use that, to which we said no. We did look at some other potential options and from his perspective, he had been tasked by DSG to try and find what options could be available to alleviate some of the queuing by allowing people to find a large enough site for them to park their car and move it out of the way of backing up the Channel Highway. We didn't come up with any solutions at the meeting but we were happy to be having the discussion.

11.8 Metro Tasmania

Metro Tas have been cancelling services for months that have impacted people all over Hobart and Kingborough is not immune to that. Have we in the past lobbied Metro Tas or has there been any communication from us as a Council given that it's not only impacting residents trying to get about their daily life but businesses too that are getting impacted?

General Manager responds:

I have a regular meeting with the CEO of Metro Tas and the most recent one was a few weeks ago. I raised that issue and I was advised that they were going through a major recruitment phase. They acknowledged that they have a shortage of drivers for a whole host of reasons. Some have been

well publicised in the media but they were hopeful that over the next few months the situation would see significant improvement as new recruits come on board.

Cr Deane:

Would it be a correct assumption that these cancellations will be for a few more months at least?

General Manager:

I gained the distinct impression that they were acutely aware of the problem, were working on it, but there was no short term fix.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from councillors.

Public Copy

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning authority commenced at 5.50pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C151/9-2023

13.1 PSA-2022-3 - AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 TO UPDATE THE INCORPORATED DOCUMENTS

Moved: Cr Amanda Midgley
Seconded: Cr Gideon Cordover

That Council:

- a) Notes the representations received during the exhibition period together with the officer's responses.
- b) Revolves to make no further changes to the Initiated Planning Scheme Amendment to update the incorporated documents in the *Kingborough Interim Planning Scheme 2015* (PSA-2022-3).
- c) Pursuant to section 39(2)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council forward a copy of this report to the Tasmanian Planning Commission.

Moved Cr Antolli
Seconded Cr Richardson

That the matter be discussed.

In Favour: Crs Clare Glade-Wright, Aldo Antolli, David Bain, Kaspar Deane, Amanda Midgley Mark Richardson and Christian Street

Against: Cr Gideon Cordover

CARRIED 7/1

Moved Cr Street
Seconded Cr Cordover

That the motion be put.

CARRIED

The motion was then put.

In Favour: Crs Clare Glade-Wright, David Bain, Gideon Cordover, Kaspar Deane, Amanda Midgley and Christian Street

Against: Crs Aldo Antolli and Mark Richardson

CARRIED 6/2

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 6.20pm

14 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

15 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

16 OFFICERS REPORTS TO COUNCIL

C152/9-2023**16.1 AUDIT PANEL CHAIR**

Moved: Cr David Bain
Seconded: Cr Amanda Midgley

That Paul McTaggart be given a further four-year term as Chair of the Audit Panel.

CARRIED

C153/9-2023**16.2 KINGBOROUGH COMMUNITY SAFETY COMMITTEE MINUTES - 17 APRIL 2023**

Moved: Cr David Bain
Seconded: Cr Gideon Cordover

That Council

- (a) Notes the minutes of the Kingborough Community Safety Committee; and
- (b) Submits a notice of motion at the next LGAT General Meeting requesting advocacy on behalf of councils to have road line marking responsibilities legislated and additional funding provided by the State Government.

CARRIED

C154/9-2023**16.3 GORMLEY PARK FACILITIES**

Moved: Cr Christian Street
Seconded: Cr Kaspar Deane

That Council approves the request from the Kingborough Little Athletics Centre to reallocate \$100,000 in capital funds from its 2022/23 budget towards the development of a master plan for Gormley Park, including the preparation of architectural plans for new clubrooms at an alternate location, with the balance of funds to be used for infrastructure development at the site.

CARRIED

C155/9-2023**16.4 FEES AND CHARGES 2023/24**

Moved: Cr Amanda Midgley

Seconded: Cr David Bain

That Council adopts the attached Fees and Charges Schedule for the 2023/24 financial year.

In Favour: Crs Clare Glade-Wright, David Bain, Gideon Cordover, Kaspar Deane, Amanda Midgley, Mark Richardson and Christian Street

Against: Cr Aldo Antolli

CARRIED 7/1**C156/9-2023****16.5 FINANCIAL RESERVES POLICY 6.15**

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

That Council approve the Financial Reserve Policy 6.15.

Cr Antolli left the room at 6.55pm

Cr Antolli returned at 6.57pm

CARRIED**C157/9-2023****16.6 SPORTS GROUND USER POLICY**

Moved: Cr Kaspar Deane

Seconded: Cr Amanda Midgley

That Council agree to adopt the updated the Sports Ground User Policy 4.6 as attached to this report, and review the policy in May 2024.

CARRIED**16.7 DONATIONS POLICY 3.3**

Report withdrawn.

C158/9-2023**16.8 FINANCIAL REPORT - APRIL 2023**

Moved: Cr David Bain

Seconded: Cr Gideon Cordover

That Council endorses the attached Financial Report as at 30 April 2023.

CARRIED

C159/9-2023**17 NOTICES OF MOTION**

17.1 Lighting at Basketball Half Court, Kingston Park

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

That the installation of timed night lighting for the half-court basketball court at Kingston Park playground will be considered as part of budget considerations for 2024-25.

In Favour: Crs Clare Glade-Wright, David Bain, Gideon Cordover and Amanda Midgley

Against: Crs Aldo Antolli, Kaspar Deane, Mark Richardson and Christian Street

LOST**C160/9-2023****18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

Moved: Cr Amanda Midgley

Seconded: Cr David Bain

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 ceased.

Open Session of Council adjourned at 7.30pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 7.31pm

C161/9-2023

Moved: Cr Amanda Midgley
 Seconded: Cr David Bain

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	Nil

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 7.32pm

.....
 (Confirmed)

.....
 (Date)