

Kingborough



COUNCIL MEETING MINUTES

19 June 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
C188/12-2023	4 Apologies	1
C189/12-2023	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
C190/12-2023	10 Questions on Notice from the Public	2
	10.1 Bushfire Mitigation	2
	10.2 Kings Quarter Apartment Block	4
	10.3 Bus Stop Upgrade Program	5
C191/12-2023	11 Questions without Notice from Councillors	5
	11.1 Meeting with the Kalis Group	5
	11.2 Meeting with Minister Julie Collins	6
	11.3 Footpath Lights, Margate	6
	11.4 Maintenance at the Alonnah Hall	7
	11.5 General Manager's Meeting with Ten Lives	7
	12 Questions on Notice from Councillors	7
	13 Petitions still being Actioned	7
	14 Petitions Received in Last Period	7
	15 Officers Reports to Council	8
C192/12-2023	15.1 Donations Policy 3.3	8
C193/12-2023	15.2 Revised Footpath Provision and Maintenance Policy	8
C194/12-2023	15.3 Statement on Housing	8
C195/12-2023	15.4 Financial Report - May 2023	9
C196/12-2023	15.5 Appendices	9
	16 Notices of Motion	9
C197/12-2023	17 Confirmation of Items to be Dealt with In Closed Session	9

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 19 June 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	✓

Staff:

General Manager	Mr Gary Arnold
Chief Financial Officer	Mr John Breen
Director Engineering Services	Mr David Reeve
Director Environment, Development & Community Services	Dr Samantha Fox
Senior Finance Officer	Ms Laura Eaton
Media & Communications Advisor	Ms Sam Adams
Executive Assistant	Mrs Amanda Morton

C1/12-2023

4 APOLOGIES

Councillor C Street

C2/12-2023

5 CONFIRMATION OF MINUTES

Moved: Cr Flora Fox
Seconded: Cr David Bain

That the Minutes of the open session of the Council Meeting No. 10 held on 5 June 2023, and the Special Council Meeting No. 11 held on 13 June 2023, be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

No workshops had been held.

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.

C3/12-2023

10 QUESTIONS ON NOTICE FROM THE PUBLIC

10.1 Bushfire Mitigation

At the Council meeting on 5 June 2023, **Mr Charles Biggins** asked the following questions without notice to the General Manager, with a response that the question would be taken on notice:

- Kingborough Council receives an annual TFS report regarding the bush fire risk for the municipality. For some reason these reports are not released to the public but a report was released by the State Fire Board after the 2013/2014 Dunalley and Collinsvale fires and it showed that the entire municipality was an extreme fire risk. For the record, what efforts have been made by Council to gain permission from TFS to release to the public the information contained in those annual reports?*
- On the total on a total fire Ban Day, a landowner can build a bonfire in their front yard and there is little the fire service can do about it. Only the Council has the authority to issue a fire abatement notice to reduce or remove a fire hazard before it is lit. Kingborough collectively has been building a bonfire since 1967 and emergency services can only work with what they are given on the day. Why has it been allowed to get this bad? Why hasn't the Council*

exercised its authority to abate this hazard to a level that emergency services can effectively work with?

3. *Your recent roadside vegetation report commissioned from a grant of \$15,000 to Melbourne University which highlighted 35 kilometres of extreme fire risk. I'm assuming that normal budgetary requirements is not going to abate that 35 kilometres? Is Council going to address that 35 kilometres over a period of many years, or is a special grant application to address that, 35 kilometres that was identified in the report that you commissioned?*
4. *In 2020 the State Government presented the Bushfire Mitigation Bill to parliament. This Bill would have effectively removed from Council most of the responsibilities I've highlighted this evening and placed it in the hands of a panel chaired by the Fire Commission. The Local Government Association was particularly critical of the 2020 Bill, which led in part to its withdrawal from Parliament. For the record, was Kingborough Council also critical of the State Government Bushfire Mitigation Bill?*
5. *What affect has Kingborough Council's protection code overlays, its biodiversity offset policy set to exceed \$81,000 per hectare, the restrictive rezoning of 20,000 hectares of private land as land conservation and the proposed introduction of trees on private by-law has had and will have on the build up of heavy vegetation fuel loads across the municipality. For the record, what will Council's defence be at an inquiry when land owners who believe that planning decisions that prioritise environment above people has contributed to their losses?*

Officer's Response:

1. The Bushfire Risk Management Plans for each fire management area are publicly available and can be found on the State Fire Management Council (SFMC) website at
[Southern | State Fire Management Council \(sfmc.tas.gov.au\)](https://www.sfmccouncil.gov.au/)
[Hobart | State Fire Management Council \(sfmc.tas.gov.au\)](https://www.sfmccouncil.gov.au/)
2. Tasmania Fire Service have powers pursuant to the Fire Services Act 1979, where in the opinion of an authorised officer any hedge, vegetation, rubbish, or similar matter in or on any land or premises is in such a condition, or, if permitted to remain in or on the land or premises, would become in such a condition as to constitute a fire danger, the authorised officer may, by notice, require the occupier of the land to:
 - trim, cut back, or remove the hedge; or
 - burn off, or removal of, the vegetation, rubbish, or matter.

Council undertakes activities associated to fire risk abatement on private (non-Council) land pursuant to the Local Government Act 1993 (the Act) and Councils endorsed Fire Risk Abatement Policy (the Policy). Council undertakes a proactive and reactive process which includes, but is not limited to, written notification of fire risk, inspections, and public notification response. Where Council is satisfied that a private fire risk exists, the General Manager (or their delegate) has the power to serve an abatement notice. The abatement notice is to state:

- the nature of the fire risk; and
- any reasonably necessary action to be taken to abate the fire risk; and
- the period within which such action is to be taken; and
- the person or persons responsible for ensuring that such action is taken; and
- that the Council may abate the fire risk if there is immediate danger, a responsible person can't be found, or the abatement notice has not been complied with.

Council does exercise its authority to abate private fire risk in accordance with the Act and Policy. Furthermore, on review of Council business records, there are no outstanding fire risk abatement notices.

3. Following the receipt of the report, Council has engaged a consultant to conduct a review of the Roadside Bushfire Risk Analysis. The consultants are identifying area to make recommendations on the prioritisation of vegetation works and providing an estimate as to the costs. When these recommendations have been received funding options will be considered including those through Councils own budget process and also grant funding.
4. Council were advised about the Draft Bushfire Measures Mitigation Bill in a report to Council at its meeting on 12 October 2020. The purpose of the report was to advise Councillors that submissions into the draft Bill were invited and closed on 23 October 2020. Council resolved to provide LGAT with a copy of its report to inform the LGAT sectoral response to the Bill. LGAT were advised that officers did not support the draft Bill. A copy of the LGAT submission can be found at [LGAT submission Bushfire bill](#).
5. The current planning scheme overlays, the Biodiversity Offset Policy, change of a zone (including zoning changes as part of the incoming Tasmanian Planning Scheme) or proposed by-law relating to trees do not increase the risk of bushfire due to the large scale of the risk across the Kingborough and the Greater Hobart landscape. Bushfire is a natural hazard that has always existed and choosing to live in a bushland setting comes with bushfire risk. Living in a bushland setting also comes with obligations to maintain and minimise impacts on natural values in accordance with the relevant legislative requirements. The current planning scheme includes a number of exemptions for vegetation removal for bushfire hazard management, including bushfire risk mitigation measures that are required by the Tasmania Fire Service (TFS) as part of the TFS hazard reduction program or fire hazard management in accordance with a bushfire hazard management plan approved as part of a use or development. Where a development application is required, the planning scheme provides for bushfire hazard management in accordance with the Building Regulations and AS-3959-2018, while also ensuring that impacts on natural values are minimised and acceptable. Once a development permit is issued, the onus is on landowners to maintain their properties in accordance with the bushfire hazard management plan as approved. The new Tasmanian Planning Scheme, when in effect, will provide for similar outcomes which balance bushfire requirements with minimising impacts on natural values.

*Belinda Loxley, Emergency Management Coordinator
Nikki denExter, Coordinator Environmental Planning*

10.2 Kings Quarter Apartment Block

Ash Towns submitted the following question on notice:

What is the current status and expected timeline of the pending Kings Quarter apartment block construction at the end of Pardalote Parade?

1. *How many storeys high will it be?*
2. *How many car parks are allocated as part of the build?*
3. *What traffic solutions has Council considered for all the apartments and residents without parking?*
4. *Is a shadow diagram available of the proposed construction for public access?*

Officer's Response:

The proposal for 50 apartments approved through DA2021-548 will be six storeys high. There is a total of 10 visitor parking spaces and 78 parking spaces for the residents. The application was supported by an independent traffic report that made the recommendation that the number of parking spaces provided, and their layout, were suitable for the proposed development. In addition to parking spaces there is a large secured bicycle storage area for residents and additional accessible bicycle parking provided for visitors. Justification provided for the shortfall (with respect to the Planning Scheme requirement) of parking included the proximity to the Kingston commercial area and availability of bus services. There are shadow diagrams available for the public to view at the Civic Centre.

Tasha Tyler-Moore, Manager Development Services

10.3 Bus Stop Upgrade Program

Ashleigh Towns submitted the following question on notice:

Did the Kingborough Council lodge an application for the State Government's recent Bus stop upgrade program? If not, why not?

Officer's Response:

The Department of State Growth have already had the discussions with Kingborough Council on bus stop upgrades and are well advanced in delivering approximately \$1.8M worth of improvements across the municipality. The recent bus stop upgrade program is more orientated towards other councils who were not afforded the opportunity that the Kingborough area was.

David Reeve, Director Engineering Services

C4/12-2023

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Antolli asked the following question without notice:

11.1 Meeting with the Kalis Group

The General Manager met with a representative of the Kalis Group to discuss the Margate development. Given it is widespread interest in the Channel I was wondering if you or the General Manager could share anything to the community about that meeting or how the project is going?

General Manager responds:

The most recent catchup was with Corey Bygraves who would be known to Councillors from a recent presentation. The discussion was about the progress about the Margate development and he noted that the first stage, the shops fronting the Channel Highway, are under construction. Some tenancies have been locked in. Some are still being negotiated. In terms of the supermarket, which I know is a question that the locals always ask, the Kalis Group is still negotiating with a prospective tenant. The other point of discussion in that regard was the ability to get the high voltage transmission to the supermarket site which is at the rear of the shops that are currently being built. I've hand balled that one to my colleague, Mr Reeve, because one potential alignment would see it come through a short section of the Council road reserve, not the asphalt but the actual footpath part of the road reserve.

Cr Deane asked the following question without notice:

11.2 Meeting with Minister Julie Collins

In the General Manager's Activities on page 64 of the Agenda, he met with Minister Julie Collins regarding various matters. Given that Ms Collins is the Federal Housing Minister if any of those various matters involved discussions around housing in Kingborough?

General Manager responds:

That particular discussion covered a range of issues. It included a discussion on the update of our reconstruction of the Channel Highway through Kingston, Transform Kingston and Kingston Park. We also discussed other issues that included, from memory, Mayor?

Mayor:

As well as those items we did discuss the Hobart Women's Shelter land which she was delighted to hear about from a housing perspective. We also had quite a lengthy discussion about the frustration that I see as a municipality that sits within a non-marginal seat and our lack of ability to attract federal funding. We had a discussion about some upcoming grant rounds that the Federal Government has announced and she encouraged us to put forward projects that might meet the guidelines. The sort of projects that we discussed and that I highlighted as being the two ones of significant need for Kingborough are, which I believe, probably beyond the scope of Council alone are of course the upgrade of the Kingborough Sports Centre and the recognition for that to be regarded as a regional project and not just a project within Kingborough, given that we are the catchment area for people who are using that centre and coming from as far away as the Eastern shore. I note, for example, there was \$20 million provided to Devonport for a upgrade of their sports facilities for a city that is significantly smaller than our municipality. She has got that message loud and clear and I indicated that that was something that we would continue to put forward on behalf of the community and develop a strategy for lobbying significantly harder for that in future years because when we had the last quote for that it was a \$26 million project and that was the scaled back one. I also foreshadowed that we have a business case coming for some car parking within the main area that have all workshopped before and that once we had that we would certainly look at any grant opportunities that the Federal government might have available to assist us with that, provided that the business case stacks up. And we did have quite a significant discussion about the extension of ferries to Kingborough. That was something that the Minister was quite keen on. There had been \$20 million that had been provided by the Federal Government as an election promise in the lead up to the last election that was provided to the Greater Hobart Mayors. We have had a study done to look at the viability of that, the results of which I'm not at liberty to share at this point, but it certainly did examine the feasibility of Kingborough as part of that, although probably not in the initial phase because of the significant costs associated with it, but it's certainly something that is on their radar as a Federal Government. We also had a discussion about crossings at Margate and a few other issues, so it was everything that was top of mind throughout the electorate to keep her up to date.

Cr Richardson asked the following question without notice:

11.3 Footpath Lights, Margate

My question is about the battery operated solar powered lights. I know we have some issues sourcing parts but I happened to be down there early this morning and noticed that of the 8 lights in total, only one is functional. Is there any update at all?

Director Engineering Services responds:

It's been quite delayed unfortunately because of supply issues. I did receive an email today to say that they have now received the batteries so they are intending to do the works tomorrow or Wednesday.

Cr Midgley asked the following question without notice:

11.4 Maintenance at the Alonnah Hall

A couple of months ago I raised the maintenance of the hall and cleaning and I've heard from the Bruny Island Community Association that it hasn't happened it. Can someone please clarify what it was?

Mayor responds:

It does sit in Mr Smee's area and he is not with us this evening so we might have to take it on notice. Mr Reeve, are you keen to have a go?

Director Engineering Services:

I know this was raised before and it was sent to our building maintenance area, so I know that they have scheduled it. I will check to see where that is but I expect it probably would have been completed by now.

Cr Cordover asked the following question without notice:

11.5 General Manager's Meeting with Ten Lives

Is there any information that can be conveyed publically about this meeting? I am particularly interested in Margate.

General Manager responds:

It was primarily a discussion about the preparation of their master plan. I got the impression that whilst they were currently in Margate, that side of the business was not necessarily their main focus and part of their master planning was to address the financial sustainability of the organisation moving forward and they were discussing with a range of stakeholders how that might be achieved. When they have drafted something and when we are in receipt of it, I will certainly make it available to Councillors.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice.

13 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

14 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

15 OFFICERS REPORTS TO COUNCIL

C5/12-2023**15.1 DONATIONS POLICY 3.3**

Moved: Cr Amanda Midgley
Seconded: Cr Gideon Cordover

That Council approve the updated Donations Policy 3.3.

CARRIED

C6/12-2023**15.2 REVISED FOOTPATH PROVISION AND MAINTENANCE POLICY**

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

That Council endorse the attached revised Footpath Provision and Maintenance Policy.

CARRIED

C7/12-2023**15.3 STATEMENT ON HOUSING**

Moved: Cr Kaspar Deane
Seconded: Cr Clare Glade-Wright

That Council adopts and promotes the attached Statement of Housing to demonstrate its commitment to facilitating access to safe, accessible and affordable housing in Kingborough.

Amendment:

Moved Cr Gideon Cordover
Seconded Cr Flora Fox

To add a 6th dot point as follows: "Encourage improvements to Kingborough's long-term rental market and discourage the use of entire dwellings as short-stay accommodation in localities where the residential rental vacancy rate is less than 2%" with actions relating to this dot point to be determined by the General Manager in consultation with the internal working group and added to the Action Plan

Cr Antolli left the room at 6.29pm
Cr Antolli returned at 6.31pm

Moved Cr Amanda Midgley
Seconded Cr Clare Glade-Wright

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

In Favour: Crs Paula Wriedt, Clare Glade-Wright, David Bain, Gideon Cordover, Kaspar Deane, Flora Fox and Amanda Midgley

Against: Crs Aldo Antolli and Mark Richardson

CARRIED 7/2

The amendment was then put.

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

Against: Crs Paula Wriedt, Clare Glade-Wright, Aldo Antolli, David Bain, Kaspar Deane and Mark Richardson

LOST 3/6

The substantive motion was then put.

CARRIED

C8/12-2023

15.4 FINANCIAL REPORT - MAY 2023

Moved: Cr Aldo Antolli

Seconded: Cr Amanda Midgley

That Council endorses the attached Financial Report as at 31 May 2023.

CARRIED

C9/12-2023

15.5 APPENDICES

Moved: Cr Clare Glade-Wright

Seconded: Cr Kaspar Deane

That the Appendices attached to the Agenda be received and noted.

CARRIED

16 NOTICES OF MOTION

There were no Notices of Motion.

C10/12-2023

17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

Moved: Cr Aldo Antolli

Seconded: Cr Amanda Midgley

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 UNANIMOUSLY AND BY ABSOLUTE MAJORITY

In accordance with the Kingborough Council *Meetings Audio Recording Guidelines Policy*, recording of the open session of the meeting ceased.

Open Session of Council adjourned at 7.26pm

Public Copy

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 7.30pm

C11/12-2023

Moved: Cr David Bain
 Seconded: Cr Aldo Antolli

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 7.31pm

.....
 (Confirmed)

.....
 (Date)