



Kingborough

# AGENDA

**Council Meeting No. 4**

**Monday, 26th April 2010**

NOTICE is hereby given that a meeting of Council  
will be held in the Kingborough Civic Centre,  
Kingston on Monday, 26th April 2010 at 7.30p.m.

Paul West  
**GENERAL MANAGER**

kingborough.tas.gov.au



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## QUALIFIED PERSONS

IN ACCORDANCE WITH SECTION 65 OF THE LOCAL GOVERNMENT ACT 1993, I CONFIRM THAT THE REPORTS CONTAINED IN COUNCIL MEETING AGENDA NO. 4 HELD ON MONDAY, 26TH APRIL 2010 CONTAIN ADVICE, INFORMATION AND RECOMMENDATIONS GIVEN BY A PERSON WHO HAS THE QUALIFICATIONS OR EXPERIENCE NECESSARY TO GIVE SUCH ADVICE, INFORMATION OR RECOMMENDATIONS.

Paul West  
GENERAL MANAGER

21st April 2010

AGENDA of an Ordinary Meeting of Council held at the Kingborough Civic Centre, Kingston on Monday, 26th April 2010 at 7.30p.m.

	FROM	To	Time Occupied
Open Council	7:30 pm		
Closed Council			
Open Council			
<b>TOTAL TIME OCCUPIED</b>			

**PRESENT:**

		PRESENT	APOLOGY
Mayor	Councillor Dr G Bury		
Deputy Mayor	Councillor S Wass		
	Councillor F A Buchan		
	Councillor J Bush		
	Councillor P Chatterton		
	Councillor F J Fox		
	Councillor D Grace		
	Councillor M Higgins		
	Councillor P Lindsay		
	Councillor R McGinniss		
	Councillor S Nolan		
	Councillor D Sommerville		

**IN ATTENDANCE:**

**APOLOGIES**

**CONFIRMATION OF MINUTES**

Council Meeting No. 3 held on 22nd March 2010

Moved Cr /Seconded Cr

That the Minutes of Council Meeting No. 3 held on 22nd March 2010 be confirmed.

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

**BUSINESS ARISING FROM THE MINUTES**

<b>Councillor</b>	<b>Minute refers</b>	<b>Comments</b>

**DECLARATIONS OF INTEREST – LOCAL GOVERNMENT ACT 1993**

**DECLARATIONS OF INTEREST – CODE OF CONDUCT**

**PUBLIC QUESTION TIME**

**QUESTIONS ON NOTICE FROM THE PUBLIC**

At the time the Agenda was compiled there were no Questions on Notice submitted by the public.

**QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

### **QUESTIONS ON NOTICE FROM COUNCILLORS**

The following Question without Notice was submitted by Cr Grace at the meeting held on 22nd March 2010 which the General Manager took on notice (refer Minute C63/3-10). The response is as follows:

*Cr Grace asked if Council kept a record of missing / damaged bins. He has had reports of a number of bins that have gone missing. As some of the bins were missing shortly after collection, could it be possible that they were accidentally dropped into the truck along with the garbage?*

**Response:**

The damaged and missing bins are recorded within Council's property management system (Pathway) and are recorded against the respective property.

As the bins are hydraulically clamped for emptying into the truck, it is unlikely that the bins would be dropped into the compactor truck. However, it may occur if the bins are extra heavy and full of materials such as dirt or concrete.

For the period 1 July to 31 December 2009, a total of 125 bins (comprising both waste and recycling bins) were replaced and 168 bins repaired. The current contracts for kerbside waste and recycling collection requires the contractor to meet the cost of supply and delivery of lost or stolen bins.

The following Question without Notice was submitted by Cr McGinniss at the meeting held on 22<sup>nd</sup> March 2010 which the General Manager took on notice (refer Minute C66/3-10). The response is as follows:

*Cr McGinniss asked who is responsible for picking up and removal of rubbish and garbage bins that are deliberately knocked over and spilt all over the footpaths and roads?*

**Response:**

The removal of rubbish from the footpath or road as a result of waste or recycling bins being deliberately knocked over is the responsibility of Council. If notified, Council employees attend to the reports and they may place the rubbish back into the wheelie bin if the contractor has not emptied the bins in that area or alternatively, the rubbish is bagged and taken to an appropriate disposal point.

If a bin is accidentally knocked over by the contractor whilst undertaking emptying, then the contractor is required to collect the spilt waste and place into the compaction unit.



**QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**JOHN STREET MEDICAL CENTRE – REQUEST TO PURCHASE COUNCIL OWNED LAND**

The following Notice of Motion was submitted by Cr Fox:

**MOTION**

Moved Cr Fox /Seconded Cr

That Council in view of new information provided to it by the owners of the John Street Medical Centre, as outlined at the recent workshop, determines to overturn its previous decision and:

- (a) agree in principle to the sale of a small strip of land (approximately 30 square metres), behind the existing building at the John Street Medical Centre to facilitate the extension by two rooms of the existing surgery, and
- (b) requests that a report be provided to the Council Meeting on 24 May 2010 which details how and on what terms the sale can proceed.

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

**And advised:**

At the recent workshop, Drs Martin Ward and Clare Smith and the landlord Mrs Deborah Ward put their proposal to purchase a small strip of land behind their medical centre in John Street.

As a result of their answers to questions from Councillors, it became apparent that all other options had been carefully considered and rejected for practical or financial reasons.

Councillors were shown that the small strip of land required is currently a landscaped area behind the curb of the carpark and the boundary adjustment would have very little impact on the future overall use of Council's land.

It was clearly explained that the purchase of the small Council owned strip of land would be the best practical solution to their need for rear services access, natural lighting in the new rooms, as well as minimum impact on the existing use of the property.

In addition the applicants have requested exemptions relating to car parking and non-conforming building use, from the *Kingborough Planning Scheme 2000* (see below). These matters are issues that would need to be dealt with through the subsequent planning application and building processes if agreement is reached whereby Council is prepared to overturn its previous decision and approve the sale of land as requested.

*Supplementary Proposal to Kingborough Council relating to John Street Medical Centre*

*Drs Martin Ward and Clare Smith and the landlord Mrs Deborah Ward request the Councillors to consider our application to purchase a small strip of land behind the existing building (approximately 30 sq metres), as outlined in the recent workshop, to facilitate the extension by two rooms of the existing surgery.*

*In addition we would like to request exemptions from Kingborough Planning Scheme 2000 in 2 areas.*

- 1. As this extension would represent less than 25% of the current building, we seek an exemption under the existing use option of a non-conforming building use (exemption 3.9.2) from having to conform to the later planning requirements.*
- 2. We seek a dispensation from providing additional parking on the basis of the current provision of substantial parking immediately adjacent in a Council car park, particularly given the precedent established for Kingborough Medical Centre. Acceptable solutions under the Carparking and Bicycle Schedule (6.4.4)*

*During the building process, we would seek approval to access the Kingborough Council carpark to allow builders' vehicles and equipment to reach the rear of the building. At all times we would envisage minimum disruption to normal business of all parties.*

*The resulting smaller garden bed would be maintained as much as possible in its current form.*

*Officers Comments:*

This matter was previously formally considered by Council in Closed Session at its meeting on 23 November 2009. The Council in response to the request determined:

*That the report of the Deputy General Manager be noted and that Council resolve that it will not sell any part of the land at 3 John Street, Kingston (PID 5744666) to the owners of John Street Medical Centre to facilitate an expansion of those facilities.*

In the report the following advice was provided:

*The submitted proposal for surgery expansion at the John Street Medical Centre provides details on why the Medical Centre needs to expand at this location and presents three options on how this might be achieved – each involving the sale of part of Council's property. In this regard, it is also worth noting that any decision to dispose of Council property should take into account all potential purchasers and obtaining the best price for the land.*

The first and second options are not relevant to the matter now before Council. The option that the John Street Medical Centre wishes to proceed with is the third. In the report provided to Council on 23 November 2009 the following was noted in regard to the 3<sup>rd</sup> option:

*The third option proposes the acquisition of a thin strip of land at the Medical Centre's rear north-western boundary – of say, about 1.5 metres wide and 20 metres long (30m<sup>2</sup>). It would result in the loss of the existing garden bed and would not result in the loss of any car parking spaces. The proponents regard this as the least attractive option because it does not give them any additional parking. It evidently does provide for a limited building extension.*

*It is suggested that the third option is the only one that Council could seriously consider. The argument for this sale is that it would potentially increase the longer term viability of the Medical Centre (and the provision of health services within Kingborough). The argument against this sale is that a significant public garden bed area is lost and Council would, under normal circumstances, not countenance the sale of any part of this valuable property.*

As was outlined to Council in the previous report the car park is critically located to take advantage of the need for the development of a central area of public open space and as a pedestrian link between Channel Court and the redeveloped high school site. In the meantime it is providing a much needed public car parking area.

It was on this basis that it was determined that it would therefore not be appropriate or in the community's best interest to sell or alienate any significant part of the Council car park property.

As Council has previously made a decision in relation to this matter any change of view will need to comply with the provisions of the *Local Government (Meeting Procedures) Regulations 2005* as follows:

*18. Motion to overturn decision*

*(1) A council or council committee must not overturn a decision passed at a previous meeting held since the last ordinary election, except –*

- (a) by a resolution of an absolute majority, in the case of a council; or*
- (b) by a resolution of a simple majority, in the case of a council committee*

*(2) Any advice given to a council in respect of a proposed motion to overturn a resolution is to include advice as to whether or not –*

- (a) the original resolution directed that certain action be taken;*  
*and*
- (b) that action has been wholly or substantially carried out.*

In relation to Section 18(2) of the *Local Government (Meeting Procedures) Regulations 2005* it is advised that the decision of Council was communicated to the owner of the John Street Medical Centre insofar as the Council had determined not to not sell any part of the land at 3 John Street, Kingston (PID 5744666).

**PETITIONS RECEIVED IN LAST PERIOD AND STILL BEING ACTIONED**

A petition containing 505 signatures A petition containing 505 signatures petitioning Council to take immediate steps to repair the damage caused by a land slip and sea erosion on Esplanade Road, Middleton. (Received 10.02.2010)

(Refer Council report on page 19)

**PETITIONS RECEIVED IN LAST PERIOD****KINGSTON BEACH MASTER PLAN**

A petition containing 26 signatures petitioning Council:

- (1) to keep traffic flow as it is with no one way or road closures;
- (2) that no public toilets be placed on foreshore; and
- (3) that there be no angle parking facing residential properties.

Moved Cr

/Seconded Cr

That the Petition be received and referred to the appropriate Department for a report to Council.

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

## **REPORTS**

**REPORT TO:** COUNCIL

**SUBJECT:** **ABEL TASMAN ART PRIZE COMMITTEE MEMBERSHIP**

**OFFICER:** BETTY MATTHEWS **FILE REF:** 5.212

### **1. PURPOSE**

- 1.1 To assist Council in considering appointment of representatives to the Abel Tasman Art Prize Committee.

### **2. BACKGROUND**

- 2.1 Council considered a report at the January 2010 meeting to transfer the functions of the Abel Tasman Art Prize (ATAP) Committee from an external community committee to one which operates under Section 24 of the *Local Government Act 1993* and approve the Committee's Terms of Reference (Minute C6/1-10 refers).

- 2.2 Under the Terms of Reference the Committee membership will comprise:

- Chairperson – Chairman of the Community Development & Arts Committee (the proxy will be the Deputy Chairperson of the CDA Committee)
- One Dutch Australian Society Tasmania representative
- A past Abel Tasman Art Prize Winner (preferably immediate past)
- One Arts Tasmania Representative
- One local artist

with tenure of appointment to be reviewed every four years, with the exception of the Council representative and the Abel Tasman Art Prize winner who shall be reviewed every two years.

### **3. STATUTORY REQUIREMENTS**

- 3.1 The Committee is appointed in accordance with Section 24 of the *Local Government Act 1993* and therefore Council is required to approve the appointment of members.

### **4. DISCUSSION**

- 4.1 As a result of Council's approval for the formation of the Abel Tasman Art Prize Committee in accordance with Section 24 of the *Local Government Act 1993*, the General Manager was authorised to invite nominations from community members, and the local artist community, to become members of the Committee, and to request the Dutch Australian Society Tasmania and Arts Tasmania to nominate a representative as a Committee member.

4.2 The following nominations were received:

***Dutch Australian Society Tasmania Representative:***

**Ali Stam** - Member of the Abel Tasman Art Prize Committee for several years. Experience with winners from Grootegast. Fluent in the Dutch language.

***Past Abel Tasman Art Prize Winner:***

**Sandi Doherty** (nee Rapson) BFA Hon - 2002 ATAP winner. Member of the Abel Tasman Art Prize Committee for several years. Strong background in Community Cultural Development and has received notable recognition for a number of initiatives that she developed and implemented in her early career (Australia Day Award for Best Community Cultural Development Project in Huon 2005, Tasmanian Young Achievers Awards for Contributions to the Arts; finalist 2005, semi-finalist 2004, 2006).

***Arts Tasmania Representative:***

**Robyn Miller** – Visual Arts and Crafts Program Officer, Arts Tasmania. Bachelor of Fine Arts from the University of Tasmania.

***Local Artist:***

**John Redeker** - Ex-teacher, very involved in photographic art, founding member of West Winds (WW) Photographic Group, took part in a number of exhibitions, won WW Online Centre's prize for best seascape/landscape photo 2009, active wildlife, heritage and nature photographer and mentor to beginners in WW photographic group. Has had photography and writing published in a number of magazines. Abiding interest in watching and encouraging development of students' skills in their chosen academic pursuits.

***Community Representative:***

**Warwick Lee** - Member of the Abel Tasman Art Prize Committee for several years. Manager of Kingston Library 1989 – 2009. Secretary of Kingborough Community Enterprise Centre. Honorary Member of D'Entrecasteaux Rotary Club.

## **5. FINANCE**

5.1 There are no financial implications relating to the appointment of representatives to the Abel Tasman Art Prize Committee.

## **6. RISK**

6.1 There are no identified risks associated with this report.

## **7. CONCLUSION**

7.1 Council has received one nomination for each category of membership of the Abel Tasman Art Prize Committee as detailed in the Terms of Reference.

7.2 Each nominee has the necessary skills and knowledge suited for appointment to the Committee.

**8. RECOMMENDATION**

Moved Cr

/Seconded Cr

That the report of the General Manager be received and that the following be appointed to the Abel Tasman Art Prize Committee as per their nominated category:

Ali Stam – Dutch Australian Society Tasmania (4 year term)  
 Sandi Doherty – Past Abel Tasman Art Prize Winner (2 year term)  
 Robyn Miller – Arts Tasmania (4 year term)  
 John Redeker – Local Artist (4 year term)  
 Warwick Lee – Community Representative (4 year term)

BETTY MATTHEWS  
EXECUTIVE ASSISTANT

ENDORSED:

PAUL WEST  
GENERAL MANAGER

Date: 9th April 2010

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		



REPORT TO: COUNCIL

SUBJECT: **BARRETTA WASTE MANAGEMENT FACILITY -  
ENGINEERING PROGRESS REPORT**

OFFICER: BRAD DEEKS

FILE REF: 24.17

## **1. PURPOSE**

- 1.1 To provide Council with a report on the progress of the engineering design and construction of the new waste management facility at Barretta, and to identify the operational considerations during the construction process and post commissioning of the facility.

## **2. BACKGROUND**

- 2.1 In late 2007 Council constructed a temporary transfer station as a result of the impending closure of the landfill facility to putrescible waste. The facility was comprised of a precast concrete panel sawtooth arrangement that was configured to facilitate the drop off of waste into standard 35m<sup>3</sup> skip bins.
- 2.2 In March 2008 Council endorsed the existing land fill site at Barretta as the most suitable location for the construction of a permanent waste management facility (Council minute C53/6-08 refers).
- 2.3 The approval of Barretta as the preferred site was subject to the outcomes of a public consultation process and compliance with strict environmental and planning conditions.
- 2.4 A development application was approved for the new facility with a range of construction and operational controls to ensure compliance with relevant legislation and also to address community concerns raised through the consultation process.

## **3. STATUTORY REQUIREMENTS**

- 3.1 The original Barretta Landfill was first licensed under the *Environment Protection Act (1973)* and later under the *Environmental Management and Pollution Control Act (1994)*.

## **4. DISCUSSION**

- 4.1 The detailed engineering design commenced in April 2008 which included a full review of the configuration proposed under the original design brief issued in 2007. The cost of works at that time was estimated to be \$4.2M for the construction of the main compaction and transfer shed and minor road upgrade works.
- 4.2 The review considered (but was not limited to) the results of detailed topographical and geological survey, the location of existing infrastructure that could be incorporated into the new facility, operational requirements, planning and environmental controls and the latest equipment available on the market to ensure value for money and long term reduction in operational costs.

- 4.3 Part of the original design brief was to incorporate the existing temporary transfer station structure into the main facility. The review identified the existing sawtooth facility was not suitable for inclusion primarily due to the geometry of the reconfigured floor and compactor arrangement and the additional loadings imposed by the new facility exceeding the design rating of the temporary structure.
- 4.4 The review also identified the following:
- The majority of the existing formed roads could be upgraded and re-utilised reducing construction costs;
  - Reorientation of the stationary compaction unit would allow increased ease of maintenance, simpler construction of the civil works, reduced shed size and reduced manoeuvring area for the transfer station vehicles reducing capital costs;
  - Configuration of the walking floor
  - The location of a sandstone shelf was well positioned for the location of the weighbridge facility. The positioning of the weighbridge on natural ground is highly desirable as there is a reduced risk of settlement and therefore certification and compliance issues;
  - A service corridor was identified to ensure reduced construction costs and ease of long term maintenance.
  - Implementation of systems to divert stormwater from leachate systems to reduce volumes of leachate to be captured and re-irrigated;
  - A change from 35m<sup>3</sup> bins to larger 63m<sup>3</sup> transfer trailers would result in reduced haulage costs;
  - A requirement for increased fire protection;
  - System redundancy in the event of floor or compactor failure. (The solution for the floor was to ensure the access ramp was load rated to cater for a loader to enter the floor so that it could act as a push pit. A bypass chute was designed into the compactor loading hopper that would fold down allowing waste to be pushed past the compactor, down a bypass chute into a 35m<sup>3</sup> bin. These bins are used commonly on the site for other activities and therefore always immediately available);
  - Management of traffic flows to separate domestic self haul movements from the kerb side vehicles and mass haul vehicles without incurring the cost of major earth works and new road infrastructure. (The solution was in the orientation of the facility in respect to existing road formations, the configuration of the disposal area and a main roundabout at the entrance to split flows);
  - Requirement for an upgraded power supply;
  - Opportunities for stormwater reuse from water capture off the roof areas of the structures.
- 4.5 A project delivery plan was then formulated to outline the various components of the project and delivery timeframes;

- 4.6 As design and construction has progressed, the program for the facility has undergone a number of changes. The main change has been the bringing forward of the construction of the new sawtooth facility. This was originally programmed to be constructed after the main facility. However, as a result of the existing temporary transfer facility being unsuitable for retention in the final design, the new sawtooth had to be constructed prior to the main facility to allow for a clear construction site.
- 4.7 The revised project delivery process for this project includes (but is not limited to) the following:
- Initial design brief;
  - Preliminary concept design for community consultation;
  - Revised preliminary concept for planning approval;
  - Detailed topographic and geotechnical survey;
  - Revised design brief;
  - Project delivery plan;
  - Commencement of detailed design of site layout and civils;
  - Preparation and issue of tender documentation for the mechanical components and transfer trailers (let under TS1854 and AB0917), minutes IRM116/9-09 and IRS20/1-10 refer;
  - Detail design of the new sawtooth waste recovery area;
  - Preparation and issue of tender documentation for the new sawtooth facility (let under AB0918), minute IRS32/2-10 refers;
  - Finalisation of detailed civil design of the main structure including the mechanical fit out, shed, services and supporting road infrastructure;
  - Preparation and issue of tender documentation for the main civil contract including a design and construct component for the shed;
  - Project management of the construction and supervision of the commissioning process;
  - Development of long term operational and maintenance plans.
- 4.8 The location of the Sawtooth facility has been modified to cater for operational advantages during construction and later operation. The sawtooth will function as the temporary transfer station during construction of the main facility, and then later as the recycling recovery area. .
- 4.9 The position of the sawtooth facility is also critical in terms of the final operational layout in that users will be required to be weighed prior to and after dumping at the main facility (and charged accordingly). Having the recycling station situated as proposed, there is a strong incentive to minimise the load by removal of recyclables prior to passing over the weight bridge.
- 4.10 A new power supply has been coordinated with Aurora to provide sufficient capacity to cater for the existing power supply demands and the requirements of the new mechanical equipment. Part of the work will include the undergrounding of the service to eliminate overhead hazards for operational staff.

- 4.11 To assist in the issue of the final design and accreditation of the main civil contract, Council has engaged the services of an engineer who has a strong background and experience in these types of facilities. The engineer will also be able to certify the design as part of the process, thereby reducing the time normally required to seek external certification.
- 4.12 Staff have held recent discussions with the current recovery operator for the site (CPT) to gauge the type and configuration of facilities for recovery activities. The discussions have yielded some meaningful outcomes for consideration in the final configuration of the operational areas of the site.
- 4.13 A haulage contract will be advertised toward the final commissioning phase of the project. The haulage contract will be presented so that prospective tenderers will have the choice of submitting a price for haulage only, or the option of submitting a price for haulage plus the takeover of the asset purchase of the transport trailers (commissioned under AB0917). The latter option is highly desirable for Council as there is no initial capital outlay and all long term maintenance and compliance issues are held by the haulage contractor.
- 4.14 Council recently engaged acoustic consultant Pearu Terts to revisit noise testing for routine site activities. This testing incorporated noise impact monitoring with a green waste chipper operating under normal circumstances.
- 4.15 Mr Terts provided extensive noise monitoring data from a number of sites both within the operational area and close to residential properties to the east, west and north. He was also able to provide a historical summary of noise monitoring he has undertaken on behalf of Council since 2004.
- 4.16 Staff also met with Mr Terts onsite to discuss potential noise issues from temporary site operational impacts (including green waste storage and processing) as well as the longer term waste transfer site operations.
- 4.17 To summarise the findings from Mr Terts' acoustic evaluation and onsite guidance:
- For properties to the east of the Channel Highway traffic noise is the dominant source of noise that could impact on residential amenity.
  - Attention should be given to reducing impact noise from ongoing activities such as the dropping of bins and movement of unladen trucks over speed humps etc.
  - The potential impact of the shredder operations will vary at times according to weather conditions. For example for houses on Frosts Road (where background noise levels are low) chipper noise could be noticeable with an easterly wind. If the shredder is used within suitable times and durations this should not constitute a nuisance however.
  - The potential noise impact from shredder operation adjacent to the current temporary green waste storage location could impact on 2 houses to the north of the site. The proposed installation of an earth mound and vegetation screening should reduce this impact to acceptable levels.
  - Further noise modelling would be beneficial to establish the optimum location for green waste activities at the new transfer station in the future.
  - Advice was given on the occupational health and safety implications of the shredder being used and workers being relatively nearby.

- 4.18 Visual screening of as many activities as possible at the transfer station from residential properties could significantly reduce noise impacts and the community perceptions of noise impacts from the site in future

## **5. FINANCE**

- 5.1 As a member of the Copping Joint Authority, Council has committed to the disposal of its refuse at this landfill. It was part of the agreement when Council joined Copping that the disposal of refuse at Copping would commence as soon as the new transfer station was completed.
- 5.2 The current budget allocation for Barretta is \$1,841,101 with \$767,759 spent to date.
- 5.3 The estimated total budget required to complete the works is \$3.5M which is a reduction of \$700,000 from the original concept design in 2007. An additional budget allocation of \$825,000 has been included in the 2010/2011 capital works program for continuation of works.
- 5.4 This leaves an approximate allocation of \$840,000 for the 2011/2012 capital works budget.
- 5.5 The budget allocation for the total project is assigned as follows (but is subject to variation):
- Mechanical equipment (Tender TS1854) - \$428,065 + on costs of \$21,400
  - Additional mechanical works (pit liner, floor extension and loading hopper) under TS1854 - \$60,000
  - Transfer trailers (Tender AB0917) - \$286,600 + on costs of \$14,300
  - Sawtooth facility (Tender AB0918) - \$564,554 + contingencies of \$112,910 and on costs of \$28,230
  - Services (power, sewer, stormwater, water) - \$125,000
  - Main civil contract (concrete structure and shed) - \$920,000
  - Road works, weigh bridge and concrete storage pads - \$640,000
  - Landscaping and stormwater management - \$150,000
  - Contingencies for additional works (e.g. noise attenuation) - \$150,000
- 5.6 The expenditure plan for the works is as follows:

<b>Item</b>	<b>Value</b>	<b>Financial Year</b>	<b>Annual Budget</b>	<b>Balance</b>
Mechanical equipment	\$509,465	2009/2010	\$1,841,101	\$1,331,636
Transfer trailers	\$300,900	2009/2010	\$1,841,101	\$1,030,736
Sawtooth facility	\$705,694	2009/2010	\$1,841,101	\$325,042
Services	\$125,000	2009/2010	\$1,841,101	\$200,042
Main civil contract	\$920,000	2010/2011*	\$1,025,042	\$105,042
Road works *	\$640,000	2011/2012	\$945,042	\$305,042
Landscaping and stormwater	\$150,000	2011/2012	\$945,042	\$155,042
Contingencies	\$155,000	2011/2012	\$945,042	\$0

\* The road works component may need to be considered in 2010/2011 financial year which would then require Council to carry forward the deficit funding requirement.

**6. RISK**

- 6.1 The current disposal site at McRobies Gully landfill has a limited lifespan. Council has also entered into an agreement with the Copping Waste Authority to be delivering waste to that facility in the short term. It is therefore suggested that Council progress the completion of the facility as a priority project.

**7. CONCLUSION**

- 7.1 The project is now well underway with major civil works commenced and the mechanical components being manufactured. The final design work is being prepared for the main facility which will be issued for tender in the coming months.
- 7.2 The original timeframe for construction (or to commence operations) has been exceeded, however the site layout and construction programming has undergone significant changes to accommodate site conditions and to take advantage of advances in equipment.

**8. RECOMMENDATION**

Moved Cr /Seconded Cr

That the report of the Manager Engineering Services be received and noted.

BRAD DEEKS  
MANAGER ENGINEERING SERVICES

ENDORSED:  
PAUL WEST  
GENERAL MANAGER

Date: 19 April 2010

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

REPORT TO: COUNCIL

SUBJECT: **ESPLANADE ROAD LANDSLIP, MIDDLETON - COFFEY REPORT**

OFFICER: BRAD DEEKS

FILE REF: 23.827; TS2011

## **1. PURPOSE**

- 1.1 This report has been prepared to provide Council with the outcomes of the recent geotechnical investigation undertaken by Coffey Mining and to assist in further considering the issues involving the temporary closure of Esplanade Road, Middleton.
- 1.2 A further report detailing the final remedial options and estimated costs will be provided under separate cover as the report was not available before the agenda close date. It is possible that this report will be considered in Closed Session for legal reasons.

## **2. BACKGROUND**

- 2.1 In 2005 Council engaged Coffey Mining to undertake a report on the slope stability at this location as a result of a minor slip on the Esplanade Road. A small rock retaining structure was built at the time.
- 2.2 Council became aware of the first of the most recent slips on Esplanade Road in August 2009. This slip resulted in debris on the road that needed to be removed. The road was not closed at this stage as the road had not been damaged and the extent of the slip was largely contained within private property. Warning signage and safety barricading were installed.
- 2.3 A second and more serious slip occurred shortly afterward that resulted in more debris being deposited on the road. During a site inspection it was noted that the road shoulder on the seaward side had begun to subside and fresh cracking was evident in the asphalt. An inspection of the property above revealed a two stage slip that was potentially at risk of further failure. The decision was made at this point to close the road to minimise the risk to the public from any further failures.
- 2.4 Shortly after the detour and road closed signage was installed, it became evident that the signs and barriers were being removed by motorists to allow passage past the landslip. The signage and barriers were continually replaced by Council only to have them removed again shortly afterward.
- 2.5 In addition to the closure, Council advertised in the Mercury a request for quotation to undertake remedial works on the slip. Two quotations were received. One was from a landscape contractor offering to install a small block retaining wall. This was not a suitable solution given that it did not address the issue of the slip. The second quotation offered the construction of a retaining wall supported by bored piers to stabilise the slip. This quotation was for approximately \$130,000, but was essentially open ended as the submission did not include any geotechnical reporting, and thus the extent of the solution could have varied significantly in extent and therefore cost. Neither option was pursued on this basis.

- 2.6 At this point Council installed large concrete blocks at the lower end of the Esplanade to more effectively block the road. These were reportedly moved by motorists with 4WD's to again allow passage. Reports have also come through of motorists using private accesses for manoeuvring which resulted in damage to private property. Had the barriers remained in place and motorists adhered to the warning signage, the difficulties in being caught at a dead end would have been negated.
- 2.7 A meeting with the representatives of the South Channel Ratepayers Association was held in December 2009 to discuss the closure and slip. It was agreed at that meeting that the community would provide feedback on how to route traffic during the closure until such time as a final decision could be made in respect to the road. Minimal response was received.
- 2.8 A letter was received shortly after the site meeting from the property owner where the landslip had occurred, putting Council on notice that they hold Council liable for any further damage to the property and that there is the expectation that full remediation will occur.
- 2.9 In order to gain a full appreciation of what contributed to and catalysed the slip, in January 2010, quotations were sought from appropriate geotechnical specialists to undertake a detailed site investigation of the landslip area above Esplanade Road in Middleton based on a project scope prepared by Council staff.
- 2.10 The purpose of the field survey and investigations were to provide a report that determined:
- The site conditions present;
  - The underlying geology and existing slip conditions;
  - The risks presented by the slip area;
  - The events that may have initialised the slips;
  - Remedial alternatives to protect Esplanade Road and reduce the risk of further slip actions.
- 2.11 Coffey Mining submitted the most detailed scope of works and competitive quotation and was subsequently awarded the brief. It is worth noting that Coffey had previously undertaken an investigation at this site for Council in November 2005 and offered as part of their quotation to review the original findings.
- 2.12 Coffey Mining commenced site investigations in February 2010 to locate and note key features of the landslip.

### **3. STATUTORY REQUIREMENTS**

- 3.1 No development approval is required to repair the road.
- 3.2 Legal advice may be required to be obtained regarding Council's liability.



#### **4. DISCUSSION**

- 4.1 In mid February 2010, the preliminary site investigations were undertaken by Coffey Mining to identify existing features and surface indications of activity and a number of test pits were excavated, and boreholes drilled within the affected property and on Esplanade Road. These were to determine the properties of the in-situ soils and any underlying conditions.
- 4.2 On the 19<sup>th</sup> March 2010, Coffey Mining provided a draft report to Council for review which resulted in additional information being requested in respect to the design solutions which are contained within the report provided under separate cover.
- 4.3 The results of the investigations are as follows:
- The study area forms part of a pre-historic major slip zone which has stabilised over time. A number of complex slips have occurred in recent times that form the basis of the current issue.
  - Since the report in 2005, there has been significant additional movement on the main scarp which has resulted in the slips that have affected Esplanade Road. The displacement of material from these slips, and their active nature resulted in the closure of Esplanade Road for safety reasons.
  - A number of shallow slip surfaces and at least two possible deeper slip surfaces exist, though no evidence indicates that these extend beyond Esplanade Road to the downward slope. The site was described as a 'complex zone of interrelated slips of relatively recent date'.
  - Works undertaken on the Channel Highway (possibly in the 1970's) by DIER re-directed stormwater drainage to an existing gully which fed a small dam. With the nature of the soils present in the area, these flows have eroded the gully and have now developed into sub surface flow paths, often resulting in sand 'bubblers' appearing on the surface throughout the affected property.
  - The construction of Esplanade Road involved a cut into the existing batter of which the extent is unable to be determined. The removal of material at the toe of one of the slips has potentially contributed to the action (Council records indicate that Esplanade Road formed part of the original Channel Highway and was constructed by the State Government. The road appears to have been transferred to Council in 1965).
  - The condition of the dam on the affected property appears good with no signs of leakage.
- 4.4 In general Coffey Mining determined that there are two main driving factors causing the current movement of the area. First is the lack of material supporting the toe of the slip area allowing free movement of the slips. Second is the presence of water within the slips that is lubricating the surfaces and adding mass to the materials. It is these two factors that need to be specifically considered in designing an engineering solution.

- 4.5 The report discussed a number of alternatives to address the driving factors and a Geotechnical Risk Register accompanied these. The alternatives discussed were:
- Limited engineering or do nothing approach;
  - The use of gabion walls or similar retention systems;
  - Regrading the slope;
  - Use of piles for stabilisation and retention of soils;
  - Use of reinforced earth;
  - Combinations of above alternatives;
  - Drainage solutions.
- 4.6 From the report it was concluded that, due to the short term nature and high risk scenario produced by a “do nothing” approach, an engineering solution should be considered to produce a long term alternative to protect Esplanade Road.
- 4.7 From the drainage solutions it was further noted that an alternative to address the water from the culvert under the Channel Highway should be further examined. Although there is no direct evidence that this water is affecting the slip it appears that this is likely, given that the nearby farm dam appears to be in good condition.
- 4.8 Subsequently Council engaged Coffey Mining to undertake preliminary engineering design and cost estimation of the two most appropriate alternatives (in their considered view) based on cost and risk consideration and provide an additional report outlining these solutions to enable Council to make a decision on the most appropriate course of action.
- 4.9 This report will not be received until 22<sup>nd</sup> April 2010 and as a result the outcomes will be forwarded under separate cover. Depending upon content and associated comments and recommendations, that report may be considered by Council in Closed Session for legal reasons.

## **5. FINANCE**

- 5.1 There is no current budget allocation for the Middleton Landslip. The costs of the investigations have been costed to C0144 Middleton Land Stability Rehabilitation project.
- 5.2 A budget allocation of \$375,000 for the land slip rehabilitation works has been listed in the 2010/2011 capital works program for consideration by Council.

## **6. RISK**

- 6.1 The risk assessment undertaken by Coffey Mining indicates that an engineering solution is required to satisfactorily address the risk and to ensure that Esplanade Road remains serviceable.

- 6.2 A letter has been received from the owners of the property on which the land slips have occurred, advising that they hold Council liable for damage to the property and that they expect full remediation will occur. This issue will be referred to our insurers for advice.

**7. CONCLUSION**

- 7.1 An engineering solution is required to ensure risk is adequately managed and that Esplanade Road remains serviceable.
- 7.2 The report on the final engineering solutions will be provided under separate cover for consideration in closed session toward a final design and construction outcome.

**8. RECOMMENDATION**

Moved Cr /Seconded Cr

That the report of the Manager Engineering Services be received and noted.

BRAD DEEKS  
MANAGER ENGINEERING SERVICES

ENDORSED:  
 PAUL WEST  
GENERAL MANAGER

Date:

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

REPORT TO: COUNCIL

SUBJECT: **LGAT ANNUAL GENERAL MEETING AND GENERAL MEETING**

OFFICER: PAUL WEST FILE REF:

## **1. PURPOSE**

- 1.1 This report has been prepared to allow Council to consider matters which are listed for consideration on the Local Government Association of Tasmania (LGAT) Annual General Meeting and General Meeting.

## **2. BACKGROUND**

- 2.1 The AGM of LGAT will be held on 12 May 2010 at Wrest Point Casino. Immediately following the AGM a General Meeting will be conducted. The Association's Annual Conference is to be held at the same venue on 13 and 14 May.

## **3. STATUTORY REQUIREMENTS**

- 3.1 The rules of the Association provide the direction for items which are to be considered at the AGM and/or a General Meeting.

## **4. DISCUSSION**

- 4.1 The agenda items at the AGM include the following:
1. Presidents Report
  2. Minutes of 97<sup>th</sup> Annual General Meeting
  3. Financial Statements to 30 June 2009
  4. President and Vice President Honorariums  
*Rules provide that at the AGM an annual allowance to the President and Vice President will be determined. The report recommends that the allowances for the period 1 July 2010 to 30 June 2011 be adjusted in accordance with the movement in the Wages Price Index. The President currently receives an honorarium of \$37,712 and the Vice President \$9,428.*
  5. Changes to the Rules of the Association  
*It is recommended that the rules of the Association be amended to allow for the conduct of future AGM's in July of each year – applicable from July 2011. A consequential amendment relating to the timing for calling of motions and nominations for office bearers may also be required. This change is proposed due to a conflict with other current national events in the May/June timeframe.*
  6. Subscriptions Levels and Methodology  
*Subscriptions have previously been based on the total Assessed Annual Value of the Council area. It is proposed to alter the basis of calculation of subscriptions from this method to one of Total Assessed Revenue as calculated by the State Grants Commission. It is recommended that the Rules of the Association be amended to reflect that subscriptions to be paid annually to the Association by councils be based on Total Assessed Revenue for each council as determined by the State Grants Commission, that the categories assigned to reflect the differentials between councils be adopted and that these categories be adjusted in line with the Council Cost Index on an annual basis.*

Based on the current methodology and the proposed change the impact on Kingborough is:

	2009/10	2010/11 \$AAV Method	2010/11 Revenue Method
Base Subscription	\$39,076	\$43,728	42,797
Careers Project	4,200	6,874	6,727
Total Subscription	\$43,276	\$50,602	\$49,524

Note: As a result of the revaluation Council moved up one category under the provisions of the current rules of the Association.

(A copy of the LGAT agenda report relating to this item is attached)

7. Subscriptions 1 July 2010 to 30 June 2011
  8. Budget for the Twelve Months 1 July 2010 – 30 June 2011  
*There are very view major shifts in the budget for the upcoming year. At the last General Meeting member councils endorsed the extension by the Association of the careers and workforce development activity and agreed to additional funding on top of standard subscriptions of \$292,500 over two years. Provision has been made for standard salary increases of Association staff within the budget with most line items remaining constant for the coming year.*
  9. Reports from Board Representatives
  10. Closure
- 4.2 The agenda items listed for discussion at the General Meeting include the following:
1. Minutes of Meeting
  2. Confirmation of Agenda and Order of Business
  3. Business Arising Report
  4. Follow Up of Motions
  5. Council Round Up
  6. Key Performance Indicators
  7. Electronic Development Assessment (eDA) Project
  8. ALGA Strategic Planning
  9. Historical Heritage Bill
  10. Tasmanian Infrastructure Strategy & Brighton Transport Hub and Bypass Projects
  11. Asset Management/Financial Planning
  12. Climate Change
  13. Electricity Contestability
  14. Valuation/Rating Review
  15. Household Hazardous Waste Update
  16. Local Government Board – Voluntary Mergers
  17. Flu Clinic Model Review

Motions for Which Notice Has Been Given

#### 18. Governance

##### 18.1 Compulsory Voting for Local Government Elections

*That the meeting support compulsory voting in Local Government elections and that LGAT request the State Government to implement the necessary legislative changes in time for compulsory voting to apply to the 2011 Local Government elections.*

- 18.2 **Election Campaign Expenditure**  
*That LGAT support the proposition that candidate spending on council election campaigns be tax deductible up to the limits of expenditure prescribed by the electoral laws and that LGAT's support be notified to ALGA, the Federal Government as well as to the Labor, Liberal, National and Green parties.*
- 18.3 **Billboard Electoral Advertising**  
*That an amendment to the Electoral Act 2004 be sought with the effect of overriding Planning Schemes to bring uniformity across Tasmania in terms of the timing of permitted billboard electoral advertising by or on behalf of candidates.*
- 18.4 **Electoral Advertising**  
*That the Association lobby and encourages the Federal and Tasmanian State Governments to amend their respective electoral acts in relation to:*
- (a) *physical electoral advertising on land and buildings to mirror, or be substantially the same as, the restrictions applying to candidates for Local Government elections, imposed by the Local Government Act 1993 and the Local Government (General) Regulations 2005 in relation to the size and quantity of temporary electoral signs within each municipal area, and*
  - (b) *the period of time that electoral signage can be displayed in the lead up to all elections, federal, state and local.*
- 18.5 **Codes of Conduct**  
*That the Local Government Association of Tasmania in conjunction with the Local Government Division be instructed to develop a common policy for "Code of Conduct" for all Councils.*
- 18.6 **Submission of Council Motions**  
*That LGAT adopt as policy the resolution of the Break O'Day Council that Councillors be limited to submitting two (2) Notices of Motion for inclusion in the agenda of any one (1) Council meeting, and move to have this policy incorporated as an amendment to the Local Government (Meeting Procedures) Regulations 2005.*
- 18.7 **Local Government Act 1993 – Review of Section 55**  
*That LGAT request that the Minister for Local Government review s55 of the Local Government Act 1993, with respect to exempting the register of interest for employees and the general manager from the provisions of the Freedom of Information Act 1991.*

## 19. Public Policy – General

- 19.1 **Local Government Representation Sentencing Advisory Council**  
*That the LGAT request the State Government to provide a seat for a Local Government Association of Tasmania representative on the new Sentencing Advisory Council.*

## 20. Administration

- 20.1 **General Manager Employment Contracts**  
*That LGAT develop in consultation with LGMA a standard template for General Manager Employment Contracts for use by Councils.*
- 20.2 **Communication with Water Corporations**  
*To bring accountability to the water authorities that Owners' Representatives and the Chief Executive Officers of each of the Regional Corporations meet monthly with councils (members of Regional Corporations).*

## 21. Finance

### 21.1 Mining Royalties

*That the LGAT support the concept of 255 of mining royalties being directed to the Local Government area from which the minerals are generated.*

### 21.2 Land Tax

*That the LGAT seek a guarantee from the State Government that any future review of the Land Tax system will not result in an expanded property based taxation system that would further erode Local Government's revenue raising capacity.*

## 22. Infrastructure and Services

### 8.1 Bus Stop Shelters

*That the Association support the development of a protocol (plus any associated guidelines) that will provide for an improved understanding of the respective responsibilities that relate to the erection of roadside bus stop shelter facilities.*

*This protocol to be developed in conjunction with the Department of Infrastructure, Energy and Resources and Metro Tasmania, plus any other relevant stakeholder organisations.*

## 23. Planning and Development

### 23.1 Canal Estates

*That LGAT be requested to formulate a position on the development of canal estates.*

### 23.2 Planning System Regulation

*That due to the potential and actual impacts of forestry activities in listed town water supplies and water catchment areas, on both water quantity and water quality, LGAT requests that the next State Government agrees to make such changes as are necessary to the Planning System and/or Forest Practices System, to bring forestry activity back under the umbrella of the Resource Management and Planning System and the Land Use Planning and Approvals Act, to give Local Government greater discretion in the serious planning issues that are arising.*

### 23.3 Heritage Legislation

*That LGAT*

1. *Canvas member Councils directly on this matter so as to arrive at a whole of industry stance on the Heritage Legislation changes*
2. *Lobby the three political parties to give in principle commitment to fund any new Heritage Legislation to ensure there is no cost shifting to Local Government.*

### 23.4 Historic Heritage Bill 2010

*That the LGAT lobby the State Government in relation to the Historic Heritage Bill 2010 to ensure that:*

1. *Local Councils are adequately resourced to shoulder the significant additional responsibilities in regard to cultural heritage management that the Bill will move to them from the State,*
2. *All places currently registered on the Tasmanian Heritage Register or on local planning scheme heritage schedules, that are of local significance, are mandatorily transferred to the new 'locals list', and*

3. *Ensure that local Council decisions pertaining to places of local significance are informed by appropriate advice and that any departure from such advice is justifiable and testable.*

### 23.5 Bushfire Prone Areas

*That LGAT request that the State Government:*

- (a) *Undertakes a program to map bushfire-prone areas across Tasmania*  
 (b) *Develop guidelines to protect existing dwellings from the risk that a change of use of surrounding land subsequently creates an unacceptable fire risk.*

## 24. Environment

### 24.1 Weed and Fire Management Practices

*That the Forestry Consultative Committee of the LGAT be reconvened to investigate and make detailed recommendations on Weed Management and Fire Management practices in relation to plantation development and being cognisant of municipal weed management strategy plans.*

### 24.2 Weed Management Officer

*That a second Weed Management Officer for the region be financed by the State Government.*

### 24.3 Integrated Approach to Environmental Management

*That LGAT lobby the State Government to review the current approach to environmental management and sustainable use of resources in Tasmania, with a view to developing an integrated approach with reference to overall natural systems.*

*That water management plans take into account other water uses (such as plantations); and that there should be coordination of usage (including plantations) within a catchment.*

## 25. Public Health & Nuisance

### 25.1 Weed and Fire Management Practices

*That LGAT request the State Government to introduce no smoking legislation for alfresco dining areas including consideration of entire designated city streets.*

## 26. Animal Control – no motions received

## 27. Community & Social Development

### 27.1 Skills Shortages

*That the LGAT vigorously pursue State and Federal Governments in relation to the significant skills shortages being faced by the Local Government sector in Tasmania, with a view to securing increased funding assistance for traineeships to assist the sector; and*

*That the LGAT continue to actively explore ways in which councils can encourage Tasmanian students to undertake studies in the fields identified as crucial to maintaining a well resourced and sustainable sector.*



- 4.3 Full copies of the agendas and supporting documentation (including background comments from the Council providing the motions, LGAT and the relevant Tasmanian Government Agency can be found on the LGAT website at [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au) by following the 'meetings and events' tab.

## **5. FINANCE**

- 5.1 The amount proposed for the 2010/11 for subscriptions to LGAT by Kingborough is one of the following dependant upon the calculation method approved:

	<b>2009/10</b>	<b>2010/11 \$AAV Method</b>	<b>2010/11 Revenue Method</b>
<i>Base Subscription</i>	\$39,076	\$43,728	42,797
<i>% Increase</i>		11.90%	9.52%
<i>Careers Project</i>	4,200	6,874	6,727
<i>% Increase</i>		63.66%	60.16%
<i>Total Subscription</i>	\$43,276	\$50,602	\$49,524
<i>% Increase</i>		16.92%	14.43%

Note: *Due to the recent revaluation and under the current rules of the Association Kingborough moved up one category. The category which Kingborough previously belonged to has had a decrement of \$931 (based on the \$AAV method calculation). Under this method Kingborough would now pay the maximum subscription in line with the other 4 larger councils.*

- 5.2 Glenorchy City Council has given notice to LGAT of its withdrawal. If this position is maintained by that Council they will cease membership on 30 June 2010. Hobart City Council has also given notice of its intention to withdraw from LGAT effective from 30 June 2011. If both these Council were to withdraw this would reduce the level of subscriptions by approximately \$100,000 irrespective of the method of calculation. The withdrawal of one or both of these councils would raise the legitimate question of the long term relevance, viability and sustainability of the LGAT.

## **6. RISK**

- 6.1 The purpose of this report is to provide Council with an outline of items which are to be considered at the AGM and General Meeting of LGAT. It is also an opportunity for Council to provide direction to the Mayor (as Council's voting delegate) on any matters which are to be considered.
- 6.2 All Tasmanian Councils are currently members of the Association. LGAT is the peak body for local government in Tasmania. It formulates industry policy and provides an interface between the State and Federal Governments. It provides an oversight of legislative change and government policy. It is recognised by the State Government as the co-ordinating body in dealing with local government in Tasmania and accordingly is the facilitator of the Premiers Local Government Council. With the prospect of councils withdrawing their support for the Association may leave the sector vulnerable in the longer term.

## **7. CONCLUSION**

- 7.1 This report is presented for Council consideration.

**8. RECOMMENDATION**

Moved Cr

/Seconded Cr

That the report of the General Manager be received and that contents therein be noted.

PAUL WEST  
GENERAL MANAGER

Date: 19 April 2010

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

## 6 SUBSCRIPTION LEVELS AND METHODOLOGY \*

The methodology associated with setting member subscriptions has been problematic for some time. Similar to the difficulties faced by councils subject to revaluations and the resultant increased charges for rates for particular ratepayers, the Association's reliance upon the total adjusted assessed annual value of all land in a municipal area throws up particular anomalies and movements of councils that have been subject to revaluation. In the past this impacted detrimentally upon Glamorgan Spring Bay Council, for example, and the most recent revaluation process has seen the valuations for Huon Valley Council increase by in excess of 100%. It could be argued that within a full valuation cycle (i.e. 6 years) that all councils would be on a similar footing but it is the significant bursts in between that create the problems.

The use of total assessed AAV's has been on an assumption that it appropriately reflects the capability of councils on a relative basis to raise rating revenue. The reality is that in any given year, or even valuation cycle, councils would not be able to increase rates by the same factor as the increase in the aggregate AAV amount.

To overcome this shortcoming in the past, the Rules of the Association were amended to broaden the Adjusted AAV categories to reduce the significant shifts of councils through the subscription categories. With property values continuing to spiral this measure has not been successful and as indicated above, does not adequately reflect capacity of councils to pay subscriptions.

At the most recent General Meeting this matter was again raised and the impacts of the most recent revaluation outlined. It was agreed by the Meeting that the Rules again be amended at the upcoming Annual General meeting to base subscriptions on revenue. It was deemed that this was a far better indicator of capacity to pay than aggregated property values. A survey of other State Associations revealed that while subscription processes differed quite widely across the country, a common derivative was revenue.

The benefit of shifting to revenue as a basis for subscriptions is that it is likely to be less volatile in terms of relative positions of councils. Once categories are determined they can be adjusted by a value commensurate with the Council Cost Index in an attempt to keep pace with the upward movements of rating practices of councils. There is no doubt that there will continue to be some movement of councils between the subscription categories but it is considered that this will be far less significant than the extremes experienced from the revaluation processes.

In determining the most effective measure of revenue advice was sought from the State Grants Commission. The task is complicated by the shift of water and sewerage services away from councils with certain assumptions being required by the Grants Commission in relation to rate revenue adjustments. It was advised by the Grants Commission that the Total Assessed Revenue of councils (Appendix 6, 2009/10 Annual Report) represented the best comparative measure of revenue. This data has been used in developing subscription levels for the upcoming year and is proposed as the basis for future subscription levels in terms of the Rules of the Association.

In seeking to achieve some degree of equity between present levels of subscriptions within the present AAV categories and the proposed Total Assessed Revenue methodology, there has been some minor shifts of councils both upwards and downwards. The most significant shift is Huon Valley Council, however, it should be noted that under either methodology, Huon Valley Council would be elevated to a higher contribution category. This is effectively a product of both the revenue generated by the council and the growth being experienced by the council.

The other significant feature of the new model is that instead of Flinders Council being the only council in the lower category, four other councils have joined this category.



Under the current arrangements there are 6 categories of subscriptions

Adjusted assessed annual value category	Average percent payable by the category towards the Association's annual subscription determined by the budget adopted at the Annual General Meeting
\$	Average %
0 – up to 15 million	1.80
15 million up to 35 million	2.60
35 million up to 60 million	3.30
60 million up to 100 million	3.90
100 million up to 180 million	4.50
180 million and over	5.10

Under the new arrangements, 6 categories are again proposed, although rather than having static levels, the category limits would be adjusted annually by the Council Cost Index. This adjustment would seek to ensure that councils remained largely within the base categories to which they have been assigned under the revised arrangements although it is acknowledged where councils are close to present thresholds, there is the possibility for movement upward to a new category.

Total assessed Revenue Category	Average percent payable by the category towards the Association's annual subscription determined by the budget adopted at the Annual General Meeting
\$	Average %
0 – up to 4.5 million	1.85
4.5 million up to 7 million	2.70
7 million up to 10 million	3.60
10 million up to 20 million	4.10
20 million up to 30 million	4.60
30 million and over	5.10

#### Decision Sought

That the Rules of the Association be amended to reflect that subscriptions to be paid annually to the Association by councils be based on Total Assessed Revenue for each council as determined by the State Grants Commission, that the categories assigned to reflect the differentials between councils be adopted and that these categories be adjusted in line with the Council Cost Index on an annual basis.

For reference, a copy of the subscriptions based on both the Assessed Annual Values and on the Assessed Revenue Categories are included at **Attachment to Item 6**.



**7 SUBSCRIPTIONS 1 JULY 2010 TO 30 JUNE 2011 \***

Subscriptions received from councils last year totalled \$930,375. The Association acknowledges that it has been a difficult fiscal year for councils in light of the impacts of water and sewerage reforms and has sought to keep subscriptions in check for the upcoming year. It is proposed that subscriptions be held at current levels but that it be noted that the levels of contributions from individual councils have been adjusted in accordance with the shift from adjusted assessed annual value to total assessed revenue of councils.

The revised subscription levels for councils is at **Attachment to Item 7** and are submitted to the Annual General Meeting for adoption.

**Decision Sought**

**That subscriptions be maintained at the current level to meet the operating costs of the Association.**

**8 BUDGET FOR THE TWELVE MONTHS 1 JULY 2010 TO 30 JUNE 2011 \***

There are very few major shifts in the budget for the upcoming year. At the last General Meeting member councils endorsed the extension by the Association of the careers and workforce development activity and agreed to additional funding on top of standard subscriptions of \$292,500 over two years. Provision has been made for standard salary increases of Association staff within the budget with most line items remaining constant for the coming year.

**Decision Sought**

**That the Meeting adopt the Budget as presented.**

### Subscription Table Based on Assessed Annual Value

Grp	Council	2009/10 payments		2010/2011 estimates		
		% of subs	Paid	% of	Subs	Careers Project
1	Flinders Island	1.60	14886	1.50	13956	2194
2	King Island	2.50	23259	2.20	20468	3218
2	Tasman	2.50	23259	2.20	20468	3218
3	Central Highlands	2.50	23259	2.85	26516	4168 *
3	Kentish	2.50	23259	2.85	26516	4168 *
2	West Coast	2.50	23259	2.20	20468	3218
3	Southern Midlands	2.50	23259	2.85	26516	4168 *
3	George Town	3.00	27911	2.85	26516	4168
4	Break O'Day	3.00	27911	3.50	32563	5119 ***
3	Sorell	3.00	27911	2.85	26516	4168
3	Dorset	3.00	27911	2.85	26516	4168
3	Glamorgan Spring Bay	3.00	27911	2.85	26516	4168
5	Huon Valley	3.00	27911	4.10	38145	5996 ***
4	Latrobe	3.00	27911	3.50	32563	5119 *
3	Derwent Valley	3.00	27911	2.85	26516	4168
4	Northern Midlands	3.60	33494	3.50	32563	5119
4	Brighton	3.60	33494	3.50	32563	5119
4	Circular Head	3.60	33494	3.50	32563	5119
4	Waratah Wynyard	3.60	33494	3.50	32563	5119
5	Meander Valley	4.20	39076	4.10	38145	5996
5	West Tamar	4.20	39076	4.10	38145	5996
5	Burnie	4.20	39076	4.10	38145	5996
5	Central Coast	4.20	39076	4.10	38145	5996
5	Devonport	4.20	39076	4.10	38145	5996
5	Kingborough	4.20	39076	4.70	43728	6874 *
6	Clarence	4.95	46054	4.70	43728	6874
6	Glenorchy	4.95	46054	4.70	43728	6874
6	Hobart	4.95	46054	4.70	43728	6874
6	Launceston	4.95	46054	4.70	43728	6874
<b>Total Subscriptions</b>		<b>100.0</b>	<b>930375</b>	<b>100.00</b>	<b>930375</b>	<b>146250</b>

Councils that have been revalued and moved up one category		*
Not revalued but due to valuation adjustment factors, have moved up one category		**
Revalued and moved up two categories		***

Grp	Council	2009/2010 Payments		2010/2011 estimates		
		% of	Subs	% of	Subs	Careers Project
1	Flinders Island	1.60	14886	1.85	17212	2706
1	King Island	2.50	23259	1.85	17212	2706
1	Tasman	2.50	23259	1.85	17212	2706
1	Central Highlands	2.50	23259	1.85	17212	2706
1	Southern Midlands	2.50	23259	1.85	17212	2706
2	Break O'Day	3.00	27911	2.71	25213	3963
2	West Coast	2.50	23259	2.71	25213	3963
2	Kentish	2.50	23259	2.71	25213	3963
2	Dorset	3.00	27911	2.71	25213	3963
2	Glamorgan Spring Bay	3.00	27911	2.71	25213	3963
2	Derwent Valley	3.00	27911	2.71	25213	3963
2	Northern Midlands	3.60	33494	2.71	25213	3963
3	George Town	3.00	27911	3.61	33587	5279
3	Sorell	3.00	27911	3.61	33587	5279
3	Latrobe	3.00	27911	3.61	33587	5279
3	Brighton	3.60	33494	3.61	33587	5279
3	Circular Head	3.60	33494	3.61	33587	5279
3	Waratah Wynyard	3.60	33494	3.61	33587	5279
3	Meander Valley	4.20	39076	3.61	33587	5279
4	Central Coast	4.20	39076	4.10	38145	5996
4	Huon Valley	3.00	27911	4.10	38145	5996
4	West Tamar	4.20	39076	4.10	38145	5996
5	Burnie	4.20	39076	4.60	42797	6727
5	Devonport	4.20	39076	4.60	42797	6727
5	Kingborough	4.20	39076	4.60	42797	6727
6	Clarence	4.95	46054	5.10	47449	7458
6	Glenorchy	4.95	46054	5.10	47449	7458
6	Hobart	4.95	46054	5.10	47449	7458
6	Launceston	4.95	46054	5.10	47449	7458
<b>Total Subscriptions</b>		<b>100.0</b>	<b>930375</b>	<b>99.99</b>	<b>930375</b>	<b>146245</b>

REPORT TO: COUNCIL

SUBJECT: **CHANNEL HERITAGE MUSEUM**

OFFICER: TONY FERRIER FILE REF: 5.135, 5774769

## **1. PURPOSE**

- 1.1 The Channel Heritage Museum has sought financial assistance from Council in relation to the development of their new museum premises at Margate. This report is to brief Council on the request so that it may be considered as part of future budget deliberations.

## **2. BACKGROUND**

- 2.1 The Channel Heritage Museum (Channel Historical & Folk Museum Assoc. Inc.) is proposing to relocate from their existing Lower Snug location to 1755 Channel Highway, Margate. The land at Margate was Crown land that was transferred to Council in July 2008 on the understanding that it was to be the site for the relocated museum. The title to the land is a reversionary title that stipulates it will return to the Crown if the land is not to be used for a public purpose. It is intended that Council grant a long term lease at a peppercorn rental to the museum.
- 2.2 The Channel Heritage Museum has been successful in obtaining a grant from the State Government (via Arts Tasmania) to facilitate the proposed new development. This grant is to evidently be supplemented by funds obtained through the sale of their existing property which the museum owns freehold.
- 2.3 This museum proposal was previously considered by Council in February 2008 and in-principle support was given (Minute EF17/2-08 refers) and all planning approval fees were subsequently waived (equivalent to \$1,100). A planning permit for the development was granted in October 2008 (Minute P107/10-08 refers).
- 2.4 The planning permit included conditions that requires the museum to carry out various works that, while they are directly associated with the proposed development, are essentially external to the property. These conditions relate to the extension of services to the property (water and sewerage), providing for stormwater disposal, the upgrade of the Parish Lane junction at the Channel Highway, and the provision of kerb, gutter and footpaths along both the Channel Highway and Parish Lane.
- 2.5 The Channel Heritage Museum has costed their whole development proposal and has determined that they do not have sufficient funds to carry out these "external works". A copy of their most recent correspondence is attached (letter received 15<sup>th</sup> April 2010). This letter outlines their request for funding assistance and identifies the likely need to amend the planning permit.

## **3. STATUTORY REQUIREMENTS**

- 3.1 The museum development must comply with the conditions within the existing planning permit and any potential changes to this permit must be considered in accordance with the *Land Use Planning and Approvals Act 1993*.



#### **4. DISCUSSION**

- 4.1 The original request from the museum for financial assistance identified that this might be up to \$300,000. In order to confirm this amount, Council officers requested that the museum commission consultant engineers to fully investigate and cost the external infrastructure requirements. A total estimate of costs was subsequently provided that amounted to \$276,722 (including GST). These costs primarily related to the required roadworks and the other two significant cost items related to sewer and stormwater works.
- 4.2 A meeting was held on the 8<sup>th</sup> April 2010 with the consultant engineers and Council. The costed works were reviewed and they were able to be significantly reduced through the redesign of the required works or their deferral to a later time. The recent letter from the Channel Heritage Museum provides a summary of these discussions.
- 4.3 The proposed external works can be briefly described as follows:
- The upgrade of the Parish Lane and Channel Highway junction to DIER's satisfaction and Parish Lane up to the entrance to the development site.
  - Constructing the road formation, footpath, kerb and gutter along the Channel Highway fronting the development site and including a roadside bus bay (that was previously located within the development site).
  - Constructing the road formation, kerb and gutter, vehicle crossovers and pedestrian footpath alongside the Channel Highway north of Parish Lane.
  - Constructing all the stormwater works outside of the development site.
- 4.4 Savings were able to be achieved through the following adjustments:
- The gravity sewer connection is not necessary and the museum is able to fund the much cheaper construction of a pump to connect to the nearby Parish Lane sewer main.
  - Deletion of the proposed separate public toilet block from the proposed development at this stage. It was proposed that these toilets would be handed over to Council for ongoing maintenance, but no confirmation could be provided for such an arrangement. The museum will still have its own interior public/staff toilets.
  - The width of the internal sealed driveway is to be reduced a little but still will be sufficient for vehicles to pass one another.
  - The internal car park will have a compacted gravel surface in the first instance and will be bitumen sealed at a later date. The deferral of this work will be accommodated through a minor amendment to the planning permit and a Part 5 Agreement will ensure the area is sealed within an appropriate time.

- 4.5 Where the museum was able to make savings on internal works (as described above), then these savings were able to be attributed to the external civil works (mainly road works). This is indicated in the columns in the Channel Heritage Museum's latest letter.
- 4.6 There will be various works carried out that will have broader public benefits. The construction of public footpaths alongside the Channel Highway will connect on to the recently constructed footpath opposite the Van Morey Road junction. These new footpaths will benefit other residents from the Incana Road area walking up to the Margate Primary School and the shops. The kerb and gutters alongside the highway will assist motorists and the control of stormwater more generally.
- 4.7 It is now the Channel Heritage Museum's proposition that Council either carries out this work, or the equivalent funds (\$144,578 including GST) be granted to the museum so that it can do the work as part of their current development.
- 4.8 If Council is prepared to do this work then it is possible that some of the work (eg footpaths) could be done over a period of time in accordance with other capital works priorities. The relevant factor to consider however is that this work is required to be completed in accordance with the planning permit and this requires that all civil works must be completed prior to a Certificate of Occupancy being granted. As with the internal car park, any deferral of external work (such as the footpaths) is likely to require a minor amendment of the permit.

## **5. FINANCE**

- 5.1 The requested financial assistance amounts to \$144,578. If Council agrees to this request for assistance then this amount will need to be budgeted for in the 2010/11 budget. This amount could be spread over two years if the footpath construction was deferred and the planning permit amended. It is then estimated that the total amount could be reduced by about \$20,000.
- 5.2 At this stage, Council only has costings prepared by the consultants employed by the Channel Heritage Museum. If Council is prepared to do the work, there is no guarantee that the Council costs would be the same. This introduces an element of uncertainty into the potential exact cost to Council.
- 5.3 Another factor to consider is the quality of the Channel Heritage Museum's own financial estimates for the cost of the overall project. For example, the future revenue from the sale of their existing property at Snug is not known. The main reason for requesting financial assistance from Council is evidently because the original application for funding assistance from the State Government did not include such components as external stormwater, public footpaths, constructing the edges of the Channel Highway and upgrading the Parish Lane junction. These were costs that the museum had not anticipated and so Council's assistance is currently being sought.

## **6. RISK**

- 6.1 There is a risk that, if Council does not provide the requested financial assistance, then the Channel Heritage Museum will not be able to carry out the necessary external civil works and fulfil the requirements of their planning permit.

- 6.2 There is no certainty that the Channel Heritage Museum will not come back to the Council in the future a request further funding assistance. Costs may be greater than expected or the revenue from the sale of their existing property may be less than expected. It is recommended that, if Council does agree with the current request, then it should be made clear that Council cannot provide further development funding assistance.

## **7. CONCLUSION**

- 7.1 The Channel Heritage Museum has requested financial assistance from Council in order to construct a new museum at Margate. This financial assistance is to be directed to the construction of the external civil works associated with the project. The Museum's original project budget (on which the State Government grant was based) had not accommodated these external works.
- 7.2 This request is now submitted for Council's consideration as part of the 2010/11 capital works budget.

## **8. RECOMMENDATION**

Moved Cr /Seconded Cr

That the report of the Deputy General Manager be received and that:

- (a) the request for financial assistance of \$131,435 (excl. GST) associated with the construction of the Channel Heritage Museum at Margate be considered as part of the 2010/11 budget deliberations; and
- (b) if Council does agree with the current request for financial assistance, then this will be a once-only allocation for this development proposal.

TONY FERRIER  
DEPUTY GENERAL MANAGER

Date: 16th April 2010

## **VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

**Copy of letter from Channel Heritage Museum (received 15<sup>th</sup> April 2010):**

Kingborough Council  
Civic Centre  
15 Channel Highway  
Kingston 7025

Attn: T. Ferrier.

Dear Tony,

**Channel Heritage Museum**

Many thanks for arranging the meeting at the Council Offices on 8/04/10. By getting all of the interested parties around a table, it allowed for the various points to be fully discussed and, in many cases, satisfactory conclusions to be reached. Attached you will find a copy of the minutes, taken by Kees Wierenga, which you may find useful. It would be appreciated if you could also pass these on to Brendon & Lindsay as I don't have their email addresses.

At a meeting of the Museum Building Committee yesterday, 13/04/10, it was resolved to formally request for variation of the planning approval from Council as follows:-

To place on the Council's schedule of works.

1. The provision of kerb, gutter, vehicle crossovers & footpath on the Channel Highway north side of Parish Lane.
2. The provision of kerb, gutter, footpath & bus bays on the Channel Highway south of Parish Lane.
3. The upgrading of Parish Lane, including its intersection with the Channel Highway. (Note: Some minor work could be deemed necessary relating to the museum/Parish Lane access in the interim)
4. The provision of all stormwater works outside of the property boundary.

Breaking these down from PDA's revised Site Works & Services estimated costing, 29/03/10, of which I believe you have a copy, and apportioning where necessary produces the following:-

<u>Item</u>	<u>Council</u>	<u>Museum</u>
<b>1.0 Roadworks</b>		
1.2b	\$10000	-
1.3	\$ 9000	\$17016
1.4	\$ 5000	\$10050
1.5	\$ 6500	\$12850
1.6	\$21630	-

Note that this item should not have 'and car park' in the description as this is included in item 1.7.

<u>Item</u>	<u>Council</u>	<u>Museum</u>
<b>1.0 Roadworks (cont)</b>		
1.8	\$19500	\$ 2100
1.9	\$ 8840	-
1.10	<u>\$ 2100</u>	-
Sub Total	<b>\$82,570</b>	<b>\$42016</b>
<b>3.0 Stormwater Works</b>		
3.1c	\$22000	-
3.2	\$12600	-
3.3a	\$ 9000	-
3.6	\$ 2025	\$ 225
3.7	\$ 2700	\$ 300
3.8	<u>\$ 540</u>	<u>\$ 60</u>
Sub Total	<b>\$48,865</b>	<b>\$ 585</b>
<b>Total</b>	<b>\$131,435 ex GST</b>	<b>\$42,601</b>

As discussed in the meeting much of this work could be done over a period of time by Council however, should Council not wish to provide the necessary variations to the planning permit to allow this process, the museum requests a grant of \$144,578 to cover the cost of these works. This is the total plus GST.

We would also request a variation in the permit conditions so that the part of the car park from chain 50 is allowed to have a temporary finish, pending experience of usage and sourcing of additional funds.

As you are aware much discussion has taken place over the provision of Public Toilets on the site. It has been decided that, at this stage, we will not be proceeding with this concept.

We look forward to early preparation of the appropriate lease documentation along with Councils approval to commence the initial site preparation works associated with the project.

Should you require any further information please do not hesitate to contact me and once again many thanks for your assistance.

Regards,

Mike Jackson.  
President.

REPORT TO: COUNCIL

SUBJECT: **KINGSTON BEACH INFRASTRUCTURE MASTER PLAN**

OFFICER: TONY FERRIER FILE REF: 22.176, 22.209

## **1. PURPOSE**

- 1.1 A draft infrastructure master plan for Kingston Beach has been on public exhibition and Council must now consider the comments and submissions that have been provided.

## **2. BACKGROUND**

- 2.1 Council reviewed the draft master plan at its meeting in January 2010 and resolved that it be released for public comment (Minute GF5/1-10 refers). The draft master plan provides an outline of the many infrastructure improvements proposed for Kingston Beach. It has been designed to stimulate local comment on the respective merits of these improvements and to provide some further direction on priorities and design criteria.
- 2.2 The public exhibition period was from 19<sup>th</sup> February to the 12<sup>th</sup> April 2010. Notices and articles were placed in the media and posters were set up in a number of Kingston Beach shops to encourage people to comment. A public briefing session was conducted on 24<sup>th</sup> March. About 30 local residents and business people were interviewed and Council has received 18 written submissions. Attached to this report is a summary document that describes the comments made.
- 2.3 A meeting of the Kingston Beach Community Liaison Group was held on 7<sup>th</sup> April 2010 to review the comments received. A copy of the Minutes from their meeting is attached.

## **3. STATUTORY REQUIREMENTS**

- 3.1 There are no relevant statutory requirements to consider.

## **4. DISCUSSION**

- 4.1 The draft Kingston Beach Infrastructure Master Plan is essentially a visual description of all the likely improvements that can be made within Kingston Beach. The main plan is supplemented with verbal and pictorial descriptions of what Council is currently considering. The detailed design of the individual projects has not yet been done and the master plan is being used as an overall framework to assist in prioritising this future work.
- 4.2 To date, a start has been made on a number of on-ground improvements (eg in the vicinity of the Beach Road and Osborne Esplanade junction). Council is keen to continue this work and the master plan provides a summary of the possible future improvement options for Council. The recent public consultation exercise was conducted so that the local community is aware of these options and has the opportunity to comment before Council embarks on a more detailed design and implementation program.
- 4.3 In some cases it may be necessary for Council to conduct further public consultation once detailed designs for particular projects are completed. This may also need to be targeted to those residents that are most directly affected.

- 4.4 The recent public consultation provided a great deal of useful information (see attached summary). There was general support for Council's program of improving the standard and quality of public infrastructure within Kingston Beach. There is a common view that Council should "get on with it", though this was tempered with various suggested changes to the draft master plan that was placed on public display. The most common issues that were raised are described below.
- 4.5 The proposal to site a small public toilet on the Balmoral Road playground reserve received many objections. These were primarily from Balmoral Road residents and the concerns primarily related to the bad behaviour and vandalism that might result. Other concerns mainly related to its visual impact so close to the road and the view that a toilet is not needed here. The other proposed changes to Balmoral Road (to reduce traffic speed) were well supported. The proposal to construct a new public toilet at the playground reserve is not a high priority within the master plan. The need to provide toilets is most important in the main beach area. It is therefore proposed to delete the public toilet from the Balmoral Road location – at least until a suitable site can be found to the satisfaction of local residents.
- 4.6 Most of the residents of Rollins Avenue objected to the proposal to make this a one-way street. The existing low speed environment is a result of the existing parking arrangements. If this short street was made one-way and car parking restricted to one side only, it would be easier for through traffic. Sight distance problems at the junctions can be resolved by other means. On the basis of this local resident advice, it is therefore proposed that Council not change Rollins Avenue to a one-way street.
- 4.7 The intended change to make Osborne Esplanade a one-way street from Beach Road to Victoria Street drew a mixed response. Most people appeared to view this as a positive change, however an alternative view was expressed by a petition (26 signatories, most of whom are residents of Osborne Esplanade) and a few other individual submissions. Concerns were raised in particular about how other neighbouring streets might be adversely affected.
- 4.8 There was also a mixed response in regard to the future parking arrangements along Osborne Esplanade. It was acknowledged by many people that the public reserve area should be widened and that this would be the main benefit from an improved car park design and a narrower road formation. Quite a few people commented that the way the Blackmans Bay foreshore, road and parking had been dealt with could serve as a model for Kingston Beach – recognising the differences in regard to levels of use, commercial activity and beach environment.
- 4.9 It is apparent that Council will need to fully investigate the more detailed design of this Esplanade area (with respect to car parking and the merits of one-way versus two-way) and to take into account the impact on businesses and residents, increased traffic levels on neighbouring streets (eg Victoria and Windsor streets), the need to slow traffic through traffic calming measures, maintaining car parking spaces and generally providing more public recreational space. Following these more detailed investigations, Council will be able to determine the best design option.
- 4.10 This type of approach was also suggested by the Kingston Beach Community Liaison Group (see attached Minutes). Their suggestion was that the more detailed design should accommodate a staggered parking arrangement (a mix of angle and parallel car parking), traffic calming along a one-way carriageway and a wider foreshore reserve with a landscaped winding path.

- 4.11 The proposed public toilets on the foreshore reserve and the future use of 25 Osborne Esplanade generated considerable comment. The most commonly expressed view was that Council's Esplanade property should be redeveloped to accommodate a new public toilet block (including change rooms), together with some additional car parking and storage space for such groups as surf lifesaving, beach volleyball and beach soccer. A new facility on this land could also include a shared community or club room. There was little support for the proposed public toilets on the foreshore reserve, although some indicated that one may be warranted towards the southern end. Accordingly, it is proposed that Council's design effort should focus on the redevelopment of 25 Osborne Esplanade and the three smaller foreshore toilet blocks will not be pursued.
- 4.12 The abovementioned matters appeared to be those that generated most comment. Most other proposed improvement works within Kingston Beach received support or only limited concerns were raised. It is anticipated that, in some cases, some relatively minor adjustments will be made to the master plan as a result of the public comment received.
- 4.13 The next step is to revise the master plan according to the abovementioned comments and to have this master plan eventually approved by Council as a record of intended works at Kingston Beach. Prior to this final master plan being developed, it is intended that more investigations be conducted into the traffic flow, parking and foreshore reserve design along Osborne Esplanade. The master plan needs to provide more detail in regard to these intentions. This requires the consideration of more detailed design options and to be informed by the recently expressed public comments.

## **5. FINANCE**

- 5.1 Council will need to consider the future staging, funding and implementation of the various improvement works associated with this draft Kingston Beach Infrastructure Master Plan. This current report only considers the results of the recent public consultation but expectations have been raised as a result and a further report will need to be considered in the near future on the staged implementation of the plan and its associated financial implications. In the first instance and, as mentioned above, some further detailed designs will be completed and a final master plan is to then be approved by Council.
- 5.2 The on-ground implementation of the master plan will need to be progressed during the 2010/11 year and appropriate funds set aside for this purpose. The first priority will be the placement of underground power along Osborne Esplanade and this will be the main work scheduled for the 2010/11 year, together with the detailed design of the road, parking and reserve in this area. Other work and funding priorities for 2010/11 might relate to the improvements along Balmoral Road and Browns River.

## **6. RISK**

- 6.1 As a result of the recent public consultation, there is risk that community expectations have been raised and that Council may not be able to deliver the on-ground works to the satisfaction of the local residents – either in terms of time or where the actual works are contrary to the particular views of individuals.



## **7. CONCLUSION**

- 7.1 Council has prepared a draft Kingston Beach Infrastructure Master Plan and this has been publicly exhibited and public comment has been provided. A great deal of relevant information has been provided and Council is now in a position to move to the next stage in finalising the master plan.
- 7.2 Most of the suggested projects within the master plan can be confirmed as a result of the public consultation, while some particular items will need to be deleted or altered. Before a final master plan can be approved it will be necessary to carry out some more detailed investigations into the traffic, parking and foreshore reserve options along Osborne Esplanade. These investigations and subsequent designs will also include the public facilities that should be placed on Council's 25 Osborne Esplanade property. The final designs will be informed by the many public comments that have been recently received.

## **8. RECOMMENDATION**

Moved Cr

/Seconded Cr

That Council receive the report of the Deputy General Manager on the draft Kingston Beach Infrastructure Master Plan and that Council:

- (a) notes the results of the recent public consultation that was carried out in relation to the draft Kingston Beach Infrastructure Master Plan;
- (b) notes the Minutes of the meeting held on 7<sup>th</sup> April 2010 of the Kingston Beach Community Liaison Group;
- (c) notes that, as a result of the recent public consultation, more detailed designs will be developed of the Osborne Esplanade precinct that describe the future traffic flow and car parking arrangements and the specific proposals for the future development of the foreshore reserve and on 25 Osborne Esplanade; and
- (d) that, following the completion of these more detailed designs, a final Kingston Beach Infrastructure Master Plan will be considered by Council for approval.

TONY FERRIER  
DEPUTY GENERAL MANAGER

Date: 16 April 2010

## **VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

## **KINGSTON BEACH INFRASTRUCTURE MASTER PLAN PUBLIC COMMENTS**

The following comments were submitted following public exhibition of this draft master plan from 1<sup>st</sup> March to 12<sup>th</sup> April 2010.

### 1. Osborne Esplanade

- Strong support generally given to the proposed underground power. Council should consider erection of heritage style light poles.
- The one-way proposal was generally supported by many people. The recent works will need to be modified and the existing carriageway narrowed. The length of one-way road would increase the area available for public open space.
- The alternative view was expressed through a petition (26 signatories – most of which are residents on Osborne Esplanade) that objected to the one-way option. It stated that “traffic flow should remain as it is with no one way or road closures”.
- One other submission considered the one-way proposal as being confusing and that other traffic management options should be considered – such as making some junctions closed to entry and being one-way out only (eg the Beach Road and the Brown’s River part of Balmoral Road junctions with Osborne Esplanade). Another submission felt the one-way proposal would increase traffic on Windsor Street where children ride their bikes and walk dogs etc.
- The master plan needs to identify the traffic calming measures along Osborne Esplanade (and other streets) that will discourage hooning. Making the Esplanade one-way will not discourage this behaviour unless there are speed humps or a narrowing and bending of the road. A number of people suggested that the redevelopment of the foreshore at Blackmans Bay is a good model to follow and that the road should be treated similarly.
- A few residents would not like speed humps in front of their houses due to increased traffic noise.
- Car speeds need to be slowed down at the Browns River end. They frequently speed around this corner.
- Traffic calming can only do so much and an increased Police presence is necessary to combat hooning.
- The aim should be to reduce traffic on Osborne Esplanade. Consider making it one-way the other way with advance signage alerting drivers. Consider making it one-way for the whole distance between Beach Road and Balmoral Road.

### 2. Car parking along Osborne Esplanade

- Differing views were provided on the merits of providing car parking on the beach side of the road versus the other side in front of houses. Some commented on the need for parking on the beach side of the road (to view the beach and sea), while others recognised the benefits of keeping areas of foreshore reserve car free (to widen the foreshore reserve area). An overall detailed design is needed to best site the various options of parallel and angle parking.
- The abovementioned petition stated that there should be “no angle parking facing residential properties”.

- Blackmans Bay was frequently quoted as a good example for how car parking (and slowing traffic and foreshore treatment) could be dealt with.
- A suggestion was made that the existing Kingston market (held in the library car park) could be relocated to the parking area along the Osborne Esplanade, with stalls set up on the adjoining grassed areas. An alternative suggestion has been made that this market could be held on the car park adjoining the Kingston Beach community hall.
- There is not enough carparking in the vicinity of the shopping area. Residents are overly restricted when the big events are being held. Car parking designs need to reduce situations where cars back out into the traffic.

### 3. 25 Osborne Esplanade (Council's existing public toilets)

- A number of submissions referred to the need to redevelop this site so that it would accommodate a rebuilding of the existing toilets at this location, together with changing facilities and a car park. The public facilities need to be large enough to cope with summer demands. The building would be sited so that best allows for the additional car parking.
- The submissions that supported the rebuilding of the toilet block on this property far outweighed those that supported the smaller toilet blocks being located on the foreshore reserve. The Blackmans Bay example was described as an eyesore by one submission and it was felt that the foreshore locations would severely impact on the visual appeal of the beach. A modern replacement facility is favoured, with showers and change room.
- This land should not be sold and should be further developed for public use. This was a commonly expressed view.
- It was identified that storage facilities are needed on this block for the surf lifesaving, beach volleyball and beach soccer activities. These groups need storage close by in order to operate and are evidently prepared to cooperate in providing this facility. A shared community room or combined clubroom could also be provided as part of such a small facility.

### 4. Foreshore reserve and sea wall treatment

- Consideration should be given to replacing the existing gum trees along the foreshore with Norfolk Island Pines. Another submission supported the proposed species and strongly suggested planting mature trees. Another submission objected to the removal of any of the existing trees unless they were hazardous and replacement trees should be of the same species – because of their visual appeal and shade and so they match in with existing trees.
- Support given to the proposed boardwalk cantilevered over the existing retaining wall. It would be an attractive feature and could be designed to be used in conjunction with future public events. The idea of obtaining sponsorships would be difficult to administer. Such a boardwalk area should have seating. The area under the boardwalk needs managing (eg Marram grass could be burnt).
- Annuals in planter boxes will be expensive to maintain and would not suit the area.
- Provide opportunities for public art.
- Provide power outlets at various locations along the foreshore to assist future public events (install as part of the underground power proposal). A power outlet near the Browns River end of the beach

would assist beach volleyball activities, while others near the Beach Road end would greatly help the Australia Day event. At the same time, a data communications cable should also be installed to facilitate PAs, web-cams etc. One submission expressed a concern about the power outlet proposal due to the potential for unacceptable noise levels.

- Seating along the foreshore should be comfortable. Lighting should be in low bollards, not high poles.
- The existing sloping gravel area is not user friendly. It gets muddy when wet and the sloping surface is slippery and difficult for the elderly. Compacted gravel is not suitable for sloped paths and the surface needs to be sealed. The pathway needs to be widened and repaved, due to the uneven and unsafe surface.
- Some more bins could be located near the access ramps and areas of heavy usage.
- A few residents that live on Osborne Esplanade said they would not like to see any significant built obstructions along the foreshore. This included the toilets and playground in particular.
- The abovementioned petition stated that there should be “no public toilets to be placed on the foreshore as three public toilets exist in the immediate beach area – Browns River dog beach toilet, Osborne Esp. toilet and community hall toilet”.
- The inclusion of steps along the sea wall was endorsed. Multiple ramps are also supported with disabled car parking nearby. Retain the vehicular access at the end of Beach Road, though this needs a gate.
- The car parking design should facilitate the widening of the public reserve. This may involve parallel parking rather than angled parking. This would then enable space for a winding path through grassed areas. The alternative would be a footpath along the kerb with wider grassed spaces.
- Consider what has been done to improve other similar foreshore reserves – eg Sandy Bay, Burnie, Penguin, Ulverstone, Swansea, Somerset.

#### 5. Children’s playground on foreshore

- The proposed playground is generally supported – and needs additional equipment (eg additional swing and other play equipment that does not impede views).
- Consider a community generated fund, matched by Council, for playground equipment. This would encourage community involvement and ownership. The playground was much used by visiting children.

#### 6. Public toilets on foreshore

- A few submissions preferred the redevelopment of the toilet block at 25 Osborne Esplanade rather than the construction of three smaller toilet blocks along the foreshore. Concern was expressed about their visual impact.
- It was suggested that a public toilet may be warranted near the playground on the Esplanade, but others have the potential to significantly interrupt views of the beach. It was felt that there would be sufficient toilets if this one additional small toilet near the playground was provided, together with upgrading other existing toilet blocks.
- Shower and change room facilities are needed in the vicinity of the beach.

## 7. Beach management

- Beach users would appreciate showers and foot baths. Beach users need facilities to wash their feet and other gear. Existing taps are not suitable as water runs across the path used by walkers.
- Consider the construction of a public jetty out from the beach. This may be more viable than the proposed location near the boat ramp.
- Some concerns were raised about dog walkers parking on the Osborne Esplanade and releasing their dogs on the main part of the beach, rather than crossing over the Browns River bridge.
- Suggestion was made for street or reserve lighting to be added to so that some lights are lighting up the beach itself – a unique feature and good for community events and family activities. It could also be used for evening beach volleyball games.
- Permanent volleyball posts should be erected on the beach. It is proposed that permanent poles be erected for two courts at the Brown River end of the beach. Having the posts installed would increase participation in this sport and recreational use.
- Beach activities (eg volleyball, surf lifesaving) require storage nearby. The best site for this is at 25 Osborne Esplanade, but another suggestion was for bench seats with lockable storage underneath.

## 8. Browns River area

- Parking along this part of Balmoral Road could be constructed at right angles alongside a boardwalk.
- Cycling should be prohibited on the bridge. One submission suggested converting the bridge to enable vehicular traffic. This could be a one-way traffic system that connects Kingston Beach with Tyndall Road.
- The proposed walkway alongside the river is a good idea. This could be extended (via a boardwalk) around to the rear of the Red Cross units and then link back to the playground reserve. It would provide safe pedestrian access from the beach to the playground park that is separate from any road.
- The proposed riverside walk should involve the retention of the large tree opposite Windsor Street.
- The existing foot bridge should be retained. It is attractive and functional and appears to be structurally sound.

## 9. Christopher Johnson Reserve

- The scope of the plan should extend through to this reserve, the dog beach and Tyndall Road as the use of these areas is critical to other activities in the main Kingston Beach area.
- The existing toilet block needs upgrading and could include showers and change rooms.
- The gravel car park should be sealed – to reduce dust, noise and hooning on the gravel.
- The condition of Tyndall Road needs to be improved. It should be sealed if possible. This would encourage bicycle use and reduce the need to ride up the Bonnet Hill section (with its dangerous curves). Many cyclists would prefer to travel directly from Tarooma to Kingston Beach.

#### 10. Victoria Street

- Concern has been raised with respect to the parking limitations proposed near the Osborne Esplanade junction. This will result in considerable inconvenience to a local resident due to limited opportunities for car parking on their own property.
- The parking arrangements and traffic calming measures near the corner with Osborne Esplanade will need to be carefully considered. The proposed bus lay-by may cause problems.

#### 11. Windsor Street

- The proposed trees in the centre of the road would be better located along the sides of the road. They could be more easily maintained and be less likely to clash with driveways.
- The existing wide road lends itself to streetscape improvements. Planting more trees in this street was often supported.

#### 12. Rollins Avenue

- The strong view of most Rollins Ave residents is that it should remain two-way. The existing low speed environment is facilitated by the existing parking arrangements. This discourages through traffic and residents cooperate with day-to-day parking needs. A one-way option will increase speed (by providing for a clear thoroughfare) and a speed hump to slow cars down is noisy. The one-way option was not felt to be a solution that would provide more roadside parking and the kerb can not be brought closer to houses (if a parking lay-by is contemplated).
- Most existing traffic travels in the Windsor to Balmoral direction, if a one-way option is to be considered. A traffic mirror at the Balmoral Road intersection could resolve the sight distance problem.
- The sight distance problems at the two junctions would be reduced if traffic speeds in Balmoral and Windsor were reduced. Residents are not aware of any past traffic accidents at these junctions.
- A detailed plan was supplied that indicated the problems in making Rollins Ave a one-way street, particularly if parking was brought closer to some houses. The existing houses are very close to their front boundaries.
- It was suggested that the installation of some "no parking" signs at both ends of Rollins Ave would assist in ensuring vehicles could safely enter or exit without being on the wrong side of the road.
- The footpaths at the Windsor Road end are in a poor condition. There is no disability access ramps (or for prams and strollers) at the junction and these need to be installed. This is a common problem in Kingston Beach.

#### 13. Balmoral Road

- Concerns have been raised in regard to the temporary road treatment near Browns River, where the corner has been converted into a "T" junction. The changes force cars/trucks to stray on to the wrong side of the road when turning left and then south. The existing road line markings are evidently also confusing some drivers. It was felt that these design issues would need to be addressed before making the current arrangement permanent.

- Generally speaking, residents felt the “T” intersection arrangement is good, but this road junction needs to be finished off with the road marking issue addressed, the traffic island filled in and some gravel areas sealed.
- There are sight distance problems at the Beach Road intersection and it needs some pavement treatment (traffic islands/blisters) to address this.
- Encourage a new bus route along Balmoral Road.
- The hooning problem along this road needs to be urgently addressed and the proposed changes on Balmoral Road (to reduce traffic speed) were often endorsed with the general comment being the “sooner the better”. Children frequently cross this wide road to the playground and cars travel too fast.
- Some concerns were expressed about the precise location of the proposed footpath on the northern side of the road in front of houses between the playground reserve and Browns River. There is currently no footpath at this location and little room to site a new one.

#### 14. Balmoral Road Reserve

- A few commented that the proposed adult exercise area would be better located at Christopher Johnson Reserve. Another submission suggested a fitness circuit extending around the foreshore more generally – an exercise trail alongside the Esplanade and Balmoral Roads.
- Many objections were received to the proposed toilet block. Some residents felt that no toilet facilities were needed here, while others felt it was poorly sited and could be located further away from the road (and residential properties). The objections were mainly in regard to it being an attractor to bad behaviour and vandalism – as well as it being potentially unsightly. It could also attract campers and campervans. It was felt that the public toilets on Osborne Esplanade were sufficient for the area and that most visitors to the playground only stayed a short time and would rarely need a toilet. This issue generated many strongly held views on the subject – particularly from residents on the eastern side of Balmoral Road.
- A few submissions did specifically say that the suggested toilet block is a good idea at this reserve.
- More picnic tables were suggested with shade.

#### 15. Beach Road

- The overhead power lines present an ugly entrance to Kingston Beach along Beach Road and should be eventually replaced by underground power.
- Remove some roadside parking between Windsor Street and Osborne Esplanade to increase footpath width.
- Improve bus pick-up and drop-off area with better shelters.
- A bike lane needs to be provided along Beach Road.
- Beach Road was regarded by some residents as being too narrow to accommodate major changes. It already had a narrow footpath and could not afford to lose much existing roadside parking. Good access (car, bike, walking) to the Kingston CBD needs to be provided.
- The western end of Beach Road (near the golf club) suffers from litter problems and the vegetation is poorly maintained within the road reserve – the area is an eyesore that needs cleaning up. The very narrow footpath is also in a neglected condition.
- Need to generally slow down traffic on Beach Road.

#### 16. Recreation Street

- Consider making this road a two-way thoroughfare and ensure the footpath is located on the residential side of the street (not the oval side).
- Remove bus stop at end of Recreation Street – recent placement of this bus stop is blocking vision for cars trying to turn right from Recreation Street.

#### 17. Community Hall area

- The public toilets behind the hall need to be upgraded or ideally removed entirely. The toilets within the hall also need upgrading.
- See previous suggestion about the potential for the car park beside the hall to be used for local markets.

#### 18. Kingston Beach Oval area

- The walkways from Kingston Beach Oval should be connected to Ewing Avenue and up to Roslyn Avenue and then Auburn Road.

#### 19. Mount Royal Road area

- Extend the bike lane up Mt Royal Road, beyond Jerrim Place to Roslyn Ave.

#### 20. General Issues

- There should be a uniform treatment of road street scaping throughout Kingston Beach – a consistent approach in regard to materials, road sealing, trees etc.
- Car parking in Kingston Beach during major events is sometimes a problem. Clearer parking arrangements could be facilitated if “yellow lines” were used to better indicate where parking can occur.
- The standard of footpaths in Kingston Beach is generally poor. In some places, hedges are obstructing access and need to be cut back.
- A general comment was that the standard of the public infrastructure within Kingston Beach has deteriorated over time and that the Council needs to progress the proposed improvements as soon as possible. Plans like this master plan have been discussed many times over recent years and the on-ground work needs to be done to make the area more pedestrian friendly. Regular maintenance also needs to be factored in. In particular, many people strongly identified with the beach and wanted Council to “make us proud of our beautiful beach area”.





- If there are to be picnic facilities (eg BBQ) at the Balmoral Road playground reserve, then ideally there should also be a public toilet close by. The solution to local resident concerns may be to place the toilet in a more distant and less obvious position.
- The streetscape design of Windsor Street (whether trees are placed in the centre or on the side of the road) may be dictated by the high crown in the centre of the road formation. The determining factor should be how it assists in achieving the main objectives of slowing traffic and improving visual appeal.
- The need for the bus parking in Victoria Street was discussed. Bus companies evidently favour this location as they need a designated parking place for buses and this cannot be provided along Osborne Esplanade (particularly with angle parking and visual impact). The alternative is that buses drop off only on the Esplanade, go away and come back when needed.
- There is a need for a dog bag dispenser in the Balmoral Road reserve area. Many people walk their dogs all over Kingston Beach and other dispensers are too far away.
- The suggestion to hold regular markets in Kingston Beach is worth investigating. The use of the Council car park beside the community hall is favoured. The foreshore location (as suggested) was not felt to be suitable as the available area is too narrow and can be quite windy and cold.
- The construction of foreshore public toilets will only be feasible if they can be done tastefully and fit into the beach landscape.
- The car parking along the Esplanade should be staggered with a winding road. This might reduce the amount of current car parking spaces, and so Lot 25 should also be utilised for car parking. The driveways will impede any car parking design on the residential side of the Esplanade. The one-way option should facilitate the inclusion of more car parking while still enabling a wider foreshore reserve. The foreshore footpath can then be widened and have landscaped curves for a more pleasant walk. Parking can be a mixture of angle parking and parallel car parking. A more detailed design needs to be done to get the right mix of the abovementioned elements.
- Traffic needs to be slowed along Beach Road. The road reserve is wide enough to design in traffic calming, reduce the pavement width and include landscaped elements within the footpath area.
- The existing ugly concrete blocks in the Esplanade need to be replaced as soon as possible with permanent barriers (or equivalent). A solution needs to be developed that doesn't jeopardise the long term options.
- Suggested stages for proposed improvements could be as follows: first install the underground power and then what would be "no regrets" paving of footpaths along beach or Browns River. On-ground work should be done as soon as possible following the recent public consultation. The next stage is to progress the detailed designs and necessary approvals: such as for the traffic calming and parking along Balmoral Road and the one-way design of the Esplanade. Providing improvements along the Esplanade is the highest priority from a local community perspective.

**NEXT MEETING**

To be arranged so that the next meeting will be in about 2 months time.

**CLOSURE**

There being no further business the Chairman declared the meeting closed at 8.30pm.

REPORT TO: COUNCIL

SUBJECT: **LOCAL GOVERNMENT BOARD – PRINCIPLES FOR VOLUNTARY MERGERS REPORT**

OFFICER: TONY FERRIER FILE REF: 12.4

## **1. PURPOSE**

- 1.1 The purpose of this report is to present for Council's consideration the completed report from the Local Government Board titled *Principles for Voluntary Mergers*.

## **2. BACKGROUND**

- 2.1 Council has previously considered a Consultation Paper produced by the Local Government Board titled *Guiding Principles for Voluntary Mergers for Tasmanian Councils* at its meeting held on 20 December 2009 (Minute C366/16-09 refers).
- 2.2 At this meeting Council endorsed the proposed submission to the Board and a copy of the forwarded letter is attached.
- 2.3 Council's submission identified the problems in relying on voluntary mergers as the basis for a process to reform local government in Tasmania. Some of the main issues raised by Council included:
- The preparation of an adequate merger feasibility analysis or business case is likely to be beyond the resources of most Councils. It should not be up to individual Councils to develop merger proposals that, by their very nature, need to also consider the impacts on surrounding Councils or even the regional or State-wide implications.
  - Council mergers should not be regarded as being the best way to improve efficiencies in the local government sector and are unlikely on their own to result in a sustainable arrangement. Further investigations are necessary to understand the optimum balance between a municipal area's population, rate income and land area. Any definition of "sustainability" must include such issues as social cohesion and community spirit, as well as the availability of long term financial resources.
  - Mergers cannot be conducted in isolation and the local government sector needs a more comprehensive review that considers all of the structural options and models – including resource sharing and regional alliances. It is also particularly important for new governance models to meet the need for effective local representation.
  - Voluntary mergers are unlikely to occur without there being an overall framework in place to guide future local government reform. Enforced structural reform is not supported and a combined State and Local Government approach is required. Voluntary mergers will then only be one option that could be taken up as part of this reform.

- 2.4 The Board has subsequently reviewed the various submissions and has recently distributed a copy of the Board's report on the principles for voluntary mergers. A copy of this report has been circulated to Councillors under separate cover. Comments are to be provided to the Minister for Local Government by the 30<sup>th</sup> April 2010.
- 2.5 It should be noted that General Manager Paul West is also a member of the Tasmanian Local Government Board.

### **3. STATUTORY REQUIREMENTS**

- 3.1 Sections 16 and 18 of the *Local Government Act 1993* provide for the adjustment of municipal area boundaries and the establishment of Councils. Part 12A of the Act establishes the powers of the Local Government Board.

### **4. DISCUSSION**

- 4.1 Following the feedback from councils and the public on voluntary mergers, the Board found that the key themes were:
- The need for a clear impetus for action and a more positive attitude towards change
  - Local government is experiencing "reform fatigue"
  - Outcomes from recent reforms are still emerging and no further work on reform should be undertaken in the short term
  - Councils have an important role in providing local representation and advocacy
  - Councils have limited capacity to fund the examination of reform options, and there is a need for State Government to support the process
- 4.2 The Board identified 9 stages in a voluntary merger process and has further detailed 16 key procedural steps to guide any future merger approach.
- 4.3 Five guiding principles for voluntary mergers have been identified and these have been recommended to the Minister for approval. The recommended guiding principles as follows:

Principle 1: Collaborative assessment of options – Councils should consider all the available reform options.

Principle 2: Commitment – Voluntary merger proposals should follow the 16 step process set out in this report. All parties should commit to the outcomes of this process.

Principle 3: Resourcing – participants must provide adequate resources to ensure their capacity to see the process through.

Principle 4: Consultation and communication – Information on the process, the proposals, the reasons for decisions and post-reform implementation must be communicated from the outset. Consultation with ratepayers, community and all other interested parties including all councils must occur once the council had made its initial decision to investigate options for reform.

Principle 5: Benefits and impacts of voluntary mergers – A merger should only proceed where it will lead to long-term financial sustainability, enabling a merged council to provide services that meet community expectations and statutory requirements; and, benefits for the community which may include improved governance, community capacity building, improved service delivery and improved management practices, including asset management and long-term financial planning and human resource management.

- 4.4 The Board summarised the limitations involved in a voluntary merger approach to reform. It considered other alternative measures, the experience of past local government reform in Tasmania and the recent actions that have been taken in other States.
- 4.5 The Board advocates a more holistic approach to reform. A cooperative approach between State and local government is required that is based upon a shared vision and which aims to establish a more sustainable framework. While there may be reluctance to embark on further reform within local government, the Board's view is that preparatory research should commence now. A significant body of analysis is required, recognising that any future reform is likely to be a lengthy process.
- 4.6 This initial research would focus on reviewing the roles and functions of local government, including the capacity of the current structure to deliver the agreed roles and responsibilities. It would also review the available reform options to ensure a sustainable local government sector is maintained into the long-term future. To start this process the Board is recommending that a memorandum of understanding be entered into by the State and local government.
- 4.7 Accordingly, the final recommendations of the Board are:

*That the State Government enter into a memorandum of understanding (MOU) with local government during 2010 that:*

- *Recognises that local government reform is needed.*
- *Acknowledges that voluntary mergers are unlikely to achieve long-lasting strategic reform of the local government sector.*
- *Establish agreement on:*
  - *reform principles and timelines*
  - *areas to be examined, including*
    - (ii) *the roles and responsibilities of local government*
    - (iii) *the capacity of the current structure to deliver the agreed roles and responsibilities*
    - (iv) *the available reform options to ensure a sustainable local government sector for the long term future*
    - (v) *the extent of state government support to be provided*

- 4.8 The findings of the Board are broadly consistent with the views that were previously expressed by Kingborough Council. As such, it is proposed that Council provide general support to the Board's recommendations.

## **5. FINANCE**

- 5.1 There are no financial implications for Council at this stage.

## **6. RISK**

- 6.1 There are no risk implications for Council at this stage.

## **7. CONCLUSION**

- 7.1 The Minister for Local Government has released for comment the report of the Local Government Board titled *Principles for Voluntary Mergers*. The Board is recommending that there be five guiding principles for voluntary mergers and has provided further details on the steps that should be taken when considering such mergers.
- 7.2 The main recommendation of the Board is that the State Government enters into a memorandum of understanding with local government that provides a framework for a future reform of the local government sector.
- 7.3 The recommendations within the Board's report are broadly consistent with Kingborough Council's earlier submission in relation to this matter. Council's suggestion that "the local government sector needs a more comprehensive review that considers all of the structural options and models" is incorporated within the Board's recommendations. Accordingly, it is appropriate for Council to endorse the Board's recommended approach.
- 7.4 It is recognised that this is a starting point only. Further clarification will be required as to how this reform process will be progressed, both in terms of governance/process arrangements and the criteria against which the future sustainability of Councils will be assessed. Some provision for this subsequent process should be incorporated within the memorandum of understanding.

## **8. RECOMMENDATION**

Moved Cr

/Seconded Cr

That Council receive the report of the Deputy General Manager on the Local Government Board's report into voluntary mergers of Council and that Council advise the Minister for Local Government that:

- (a) Kingborough Council broadly endorses the recommendations made by the Local Government Board in its report titled *Principles for Voluntary Mergers*, these being:

*That the State Government enter into a memorandum of understanding (MOU) with local government during 2010 that:*

- *Recognises that local government reform is needed.*
- *Acknowledges that voluntary mergers are unlikely to achieve long-lasting strategic reform of the local government sector.*
- *Establish agreement on:*
  - *reform principles and timelines*
  - *areas to be examined, including*
    - (vi) *the roles and responsibilities of local government*
    - (vii) *the capacity of the current structure to deliver the agreed roles and responsibilities*

- (viii) *the available reform options to ensure a sustainable local government sector for the long term future*
  - (ix) *the extent of state government support to be provided; and*
- (b) the memorandum of understanding should contain additional clauses that identify the need to confirm future process arrangements and sustainability criteria that are both agreed with by State and local government.

TONY FERRIER  
DEPUTY GENERAL MANAGER

Date: 8 April 2010

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		



22 December 2009

Our Ref: 12.4

The Chairperson  
Local Government Board  
GPO Box 123  
HOBART TAS 7001

Dear Sir

## **GUIDING PRINCIPLES FOR VOLUNTARY MERGERS OF TASMANIAN COUNCILS**

Kingborough Council has reviewed the Local Government Board's Consultation Paper and is pleased to provide this submission in response.

The proposed staged merger process described within the Consultation Paper for Councils to follow appears quite reasonable. The following views deal with the six issues in the Consultation Paper and, in particular, the final two that deal with the "long term future of local government".

### Issue 1: Developing merger proposals

It is likely that one Council will initiate a voluntary merger proposal and then consult with the neighbouring Councils. It may be that this Council has the most to gain. If that is so, then other Councils may have less to gain and this will in turn be a potential problem. In considering such merger proposals, it is important for the individual Councils to have a very good understanding of their own sustainability. This need is commented on later but is, in itself, fraught with difficulties.

Developing a merger proposal is potentially a massive exercise and is likely to be beyond the resources of the smaller and medium sized Councils. It would require a feasibility analysis that addresses many complex issues and it is expected that external assistance will be necessary. Further comments below elaborate on this issue.

### Issue 2: Strategic analysis, including construction of a business case

As stated above, the preparation of a "business case" to support a merger is an extremely complex undertaking. It would need to fully investigate the feasibility of such a merger from a financial, social and governance perspective.

It is also important to note that any merger between two or more Councils will have many other external impacts on other surrounding Councils. Mergers should not be occurring without their being a more holistic view taken of the optimum structure for the local government sector within Tasmania. It is also inappropriate to only consider the merger option when other efficiency measures may be more appropriate.

### Issue 3: Community consultation

Extensive community consultation is essential throughout the merger process. It is anticipated that this consultation would mainly occur during the preparation of the merger proposal (or business case supporting the merger) and during any review by the Local Government Board.

Any merger proposal will be of major interest and there will be strongly held views. The public consultation must therefore be conducted in a manner that enables everyone to obtain a good understanding of the relevant issues, for interested people to have an opportunity to express their views and for a true appreciation to be obtained of the actual views of the affected community (not just those who are most outspoken).

#### Issue 4: Managing change

Any merger of Councils will bring major changes to the affected organisations and the communities within each municipal area. The Council's business case must be able to explain how this is to be managed. A particular focus for change management will need to be made during the stages associated with the establishment of any new merged organisation, during the transitional or interim period before permanent governance arrangements are in place and then immediately after the establishment of the new Council.

#### Issue 5: Limitations of voluntary mergers

It is unlikely that a sustainable scenario will be achieved in the longer term solely through voluntary merger processes. In fact, while the merger of Councils or the take-up of shared service opportunities might certainly reduce costs, they should not be regarded as a solution to the major financial problems confronting almost all Tasmanian Councils. If the voluntary merger process is to be utilised to the maximum extent, then Councils (and State Government) need to be much better informed about the various options and opportunities. That is, the local government sector within Tasmania needs a more comprehensive review that considers the various structural options or models.

This review would describe the options that can enhance Council sustainability (with or without a merger) and how Council services are best delivered (in that some could be done regionally, some through alliances and some through existing local means). Some attempt should be made to conduct a general cost/benefit analysis and take into account such opportunities as:

- Conducting further investigations into what might be the optimum balance between a municipal area's population, rate income and land area (including travelling times and costs). A Council also needs to be large enough to provide for core staffing needs. This detailed work needs to be done.
- An increased level of regional coordination involving a potential operational role in programs that have been traditionally implemented by individual Councils. This is the current trend and an assessment is needed as to whether it is appropriate for particular services.
- A proactive program of increasing the level of resource sharing between Councils that is actively facilitated and encouraged. Through resource sharing, particular groupings or alliances of Councils should be able to deliver the desired efficiencies that might otherwise be delivered through mergers or amalgamations.
- The Tasmanian community appears to be fairly open to the idea that there might be fewer Councils or that alternative models of Council cooperation should be pursued. Therefore, assuming that some form of merger of Councils or various cooperative arrangements are likely, then an overall State-wide framework needs to be developed. This should consider the

optimum model and the merits and otherwise of merging adjoining rural and urban based Councils.

- If larger Councils are likely, then a suitable model for improved local community representation (such as through advisory committees) should be developed. Effective local representation is essential in order that local communities can have a say on the issues that most directly affect them. Governance models must be retained or established for this to occur.

These investigations would not be prescriptive and it is intended that they should only be done in a manner that ensures that all of the various opportunities are made available to Councils that might choose to consider a voluntary merger. It should not be up to individual Councils to develop merger proposals that, by their very nature, need to also consider the impacts on surrounding Councils or even the regional or State-wide implications.

The guidelines that might apply to the amalgamation of smaller Councils are likely to be quite different to those that might apply to larger Councils. Smaller Councils may be more motivated to merge with a larger nearby Council than vice versa. There needs to be clear benefits for both organisations to make it worthwhile. Under such circumstances, voluntary mergers are likely to be quite ad hoc and relatively rare. The fact that they have not occurred in the past is not surprising. They would only occur if the abovementioned framework has been determined and the benefits are made clearly apparent.

#### Issue 6 Sustainability of local government

Defining a “sustainable Council” is particularly difficult. It appears that this can only be achieved through general statements of principle rather than trying to set precise benchmarks. Any sustainability measure must incorporate more than financial considerations, and must take into account effective governance and other practical considerations. It is suggested that the following criteria or factors are relevant when considering the “sustainability” issue:

- The need for social cohesion and community spirit should be paramount. The establishment of very large Councils dilutes the potential for the municipal area to have a strong local identity and for residents to relate to the issues that are faced by the Council. There needs to be a responsive and flexible system in place that meets the needs of local communities. This in turn recognises the strength and resilience of local communities and that this is the real essence of local government.
- The local government sector within Tasmania must be structured so that it is inherently financially sustainable. It is not desirable for there to be a mix of “wealthy” Councils and others that perpetually make a significant loss. One Council should not be effectively subsidising another. The system should develop where each Council is effectively the master of its own destiny and has revenue sources that are sufficient to meet its own community’s needs. Accordingly it is not desirable for the rate revenue from one municipality to be subsidising or paying the debts of another. The merger of two Council’s should not result in or be motivated by the use of the financial reserves of one Council to bail out another.
- Identifying the true financial position of the subject Councils is often difficult. Current indicators are sometimes misleading and there are less tangible factors that also need to be taken into account. No Council is adequately meeting all of its local needs and there will always be resource constraints that prevent expectations from being fully met.

- That said, it is apparent that the current local government structure does not have the resources to provide all of the infrastructure and services required to support local communities. Individual Councils must have done their homework to truly appreciate their future viability and to identify their deficiencies and opportunities. Individual Councils need to be proactive in this regard and be ready to respond to any future structural changes that State Government might propose.

The optimum conditions for the most sustainable Councils need to be explored in more depth. Bigger is not necessarily better in relation to Council size, but then smaller Councils may never be viable. In the future, some existing functions within local government may need to be passed on to regional or State agencies and others passed down to Councils for more effective local implementation. Therefore the merger or amalgamation of Councils should not be regarded as being the best way to improve efficiencies within the local government sector. Mergers do not necessarily achieve increased economies of scale or greater efficiencies. There are other options that are likely to be much more effective and less costly – such as the regional delivery of services, shared service arrangements between two or more Councils, outsourcing or combined purchasing arrangements.

### Conclusion

The longer term future of local government is at stake. It is recognised that the services that Councils might provide in 20 or 30 years time may be very different to what they provide today. A whole new paradigm may need to develop to better describe the future role of local government in Tasmania.

The issue of voluntary mergers is just one means to a desirable outcome and, in this context, Kingborough Council supports in principle the voluntary merger approach. Kingborough Council is not supportive of enforced structural reform. Such a voluntary approach should form the basis for how the first steps are taken to consider the establishment of more sustainable local government areas. However this would be greatly facilitated if Councils were better informed about the various options and opportunities and that this investigatory work had been done at a State-wide level. Councils cannot make decisions on their future unless relevant information is available.

It is also worth noting that Kingborough Council does not have a position on the merits or otherwise of a voluntary merger with an adjoining Council. It is too early for such a position to be adopted on behalf of the Kingborough community. Nevertheless, Kingborough Council would be willing to carry out some early exploratory discussions (particularly in regard to shared services) and these would be greatly assisted if the abovementioned review had already been carried out.

Yours sincerely

TONY FERRIER  
DEPUTY GENERAL MANAGER

## **COMMUNICATION ITEMS**

**REPORT TO:** COUNCIL

**SUBJECT:** **GENERAL MANAGER'S REPORT MARCH / APRIL 2010**

**OFFICER:** PAUL WEST

**FILE REF:** 25.7

This report provides a summary of the activities undertaken by the General Manager 17 March – 20 April 2010. It also provides information on matters that may be of interest to Councillors.

### **1. COUNCIL MANAGEMENT**

- 1.1 Various meetings and discussions undertaken with staff both individually and collectively in work teams.
- 1.2 Various discussions with Councillors.
- 1.3 Regular Corporate Management Team and Manex meetings.
- 1.4 Met with the General Manager, Hobart City Council to discuss opportunities that may have been an option for provision of maintenance at the new twin ovals. The maintenance of the twin ovals was the subject of a report to the Infrastructure and Recreational Services Committee on 8<sup>th</sup> April 2010.
- 1.5 Met with the CEO of Cerebral Palsy Tasmania to discuss operational matters at the Barretta Waste Transfer Station.
- 1.6 Attended the following Council related meetings:
  - Council Meeting – 22 March 2010
  - Infrastructure & Recreational Services Committee – 8 April 2010
  - Budget Workshop #2 – 13 April 2010
  - Public Meeting – Coningham Access – Snug Community Hall – 15 April 2010
  - Budget Workshop #3 – 20 April 2010
- 1.7 Attended the official opening of the Dru Point Bicycle track. This project was funded under the Federal Government's Economic Stimulus Package. The works at Alums Cliffs, Kaoota Tramway Track and the Sports Centre Car Park which were also funded through the same funding source were also formerly acknowledged.
- 1.8 Since the last Council meeting there have been 2 Workshops convened. Both Workshops were related to the development of the 2010/11 budget:

#### **13 April 2010**

- Weed Management presentation
- Draft Operational Budget
- Capital Works
- Funding Options

20 April 2010

- Tasmanian Audit Office – presentation
- Capital Works
- Draft Operational Budget

## 2. KINGBOROUGH SPORTS CENTRE PRECINCT

- 2.1 Arranged an on-site meeting at the Twin Ovals for Councillors to gain an appreciation of the extent of the project and the future ongoing maintenance requirements of the Sports Precinct area generally.
- 2.2 Continues to pursue the development of the facilities associated with the Twin Ovals. It is expected that tenders will be invited by public advertisement on 1<sup>st</sup> May 2010 – seeking an assurance from the State Government that the commitment made prior to the State election for provision of funding assistance is to be kept.

## 3. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 3.1 Various discussions with residents and community group representatives.
- 3.2 Met with representatives of the Kingborough Bowls Club (Noel Cashion, Mike McHugo and Don Hazell) to be briefed on their proposal for the development of an indoor bowls facility at the Club's Margate facility. The Club have prepared a business plan which is supported by their strategic plan which identifies that an indoor facility would be a significant asset for the bowls community not only in Kingborough but also for Southern Tasmania. Indications are that the total cost of the development will be in the order of \$850,000. The Club will be funding \$300,000 of the cost through borrowings and will be seeking contributions from federal, state and local governments for the balance. The Club hopes to have the facility built in time for use in the winter 2011. A request to provide a presentation and formal request for funding assistance to the Council will be forthcoming.
- 3.3 Met with a resident who is seeking to expand junior baseball in Kingborough.
- 3.4 At the request of Phillip Baker from the Hobart Football Club met to discuss opportunities which may exist from the 2011 football season onwards for the HFC to play some of their fixtures at the twin ovals. Mr Baker was requested to provide details to Council in writing which can then be taken into account when the issue of future use arrangements of the ovals are considered.
- 3.5 Met with the President of the Kingborough Tigers Football Club (Malcolm Conway) to discuss their proposed relocation to the twin ovals complex and the future use of the Kingston Beach oval for junior sport.
- 3.6 Also met with representatives of Cricket Tasmania (David Johnson, Chris Garrett and Vin Barron) and the Kingborough Cricket Club (Wayne Steele) to discuss matters of interest including the Twin Oval development and the proposed future use of the Kingston Beach Oval.
- 3.7 Met with local Coningham resident Mr Goff to discuss his concerns with the proposal for the improvement of access road to Coningham.

- 3.8 Attended the Coningham access road information session at the Snug Community Centre. Approximately 60 local residents were in attendance. A report will now be prepared as a result of the meeting and comments and feedback received to allow Council to finalise its position in relation to this matter.

#### 4. NATIONAL, REGIONAL AND STATE-BASED LOCAL GOVERNMENT

- 4.1 As a member of the Local Government Managers Australia (LGMA) National Executive participated in a Board and Executive Meeting via teleconference.
- 4.2 Attended a LGAT General Managers Meeting at which there was discussion and presentations on a number of issues currently affecting Councils including:
- Water and Sewerage – policies of the parties in the lead up to the State election.
  - Long term asset management – opportunities for partnering with the private sector including the concept of early contractor involvement.
  - Tasmanian Planning Commission – matters surrounding the current regional planning initiatives.
  - Health Link – the concept of a local government health plan in conjunction with the Municipal Association of Victoria.
  - Valuation and Rating Review
  - Civic Mutual Plus – public liability
  - Tasmanian Early Years Foundation
  - Director Local Government
  - Auditor General's office
  - Fair Work Act and Modern Awards
- 4.3 The Deputy General Manager attended the quarterly meeting of the Derwent Estuary Program. A progress report on current projects was provided, including emerging threats and opportunities. The most critical current issue is that the operational budget is insufficient to maintain core activities. There is a funding gap of about \$50K this year and potentially \$150K next year. A small working group was formed to urgently investigate potential solutions – ranging from new industry sponsors, increased Council contributions and reduced program activity.
- 4.4 Attended a Southern Water meeting in which the asset valuations, equity determination process and forward projections of dividends were outlined. It was indicated that providing there are no impediments placed on Southern Water which will limit their revenue raising capacity councils should be able to expect dividends in line with projections calculated during the due diligence process. It was also indicated that at present most councils were not being appropriately charged for their water usage and that Southern Water will be addressing this as a matter of priority.
- 4.5 Attended the LGMA Southern Tasmanian Branch meeting. A presentation was provided by the CEO of Deloitte Australia on the topic of inspiring women in the workplace.

**5. OTHER**

- 5.1 Numerous discussions with various parties relating to staffing matters.
- 5.2 Various other discussions and meeting relating to day-to-day operational matters and issues.

**RECOMMENDATION**

Moved Cr /Seconded Cr

That the report of the General Manager be received and that the information provided be noted.

PAUL WEST  
**GENERAL MANAGER**

20 April 2010

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		



**MAYOR'S COMMUNICATIONS**

Mayor Bury will report verbally on meetings attended.

## **MINUTES AND REPORTS OF COMMITTEES**

### **INFRASTRUCTURE AND RECREATIONAL SERVICES COMMITTEE MEETING NO. 4**

Moved Cr

/Seconded Cr

That the Minutes of Meeting No. 4 of the Infrastructure and Recreational Services held on Thursday, be confirmed and the recommendations contained therein (Minute Nos. IRS52/4-10 to IRS74/4-10 and IRS76/4-10) be adopted.

- IRS52/4-10 Questions Without Notice from Councillors to IRS55/4-10
- IRS56/4-10 Questions Without Notice from the Public
- IRS57/4-10 Kingborough Bicycle users Group Committee
- IRS58/4-10 Minutes of the Kingborough Tracks and Trails Advisory Group
- IRS59/4-10 Minutes of Kingborough Access Advisory Committee
- IRS60/4-10 Kingborough Road Safety Committee
- IRS61/4-10 Solid Waste Strategy Committee
- IRS62/4-10 North Bruny Community Centre Management Committee
- IRS63/4-10 Works Monthly Report
- IRS64/4-10 Infrastructure & Recreational Services Monthly Report
- IRS65/4-10 Stormwater Asset Replacement – 4 Illawong Crescent, Tarooma
- IRS66/4-10 Trees – Balmoral Road, Kingston Beach
- IRS67/4-10 Browns River Dirt Bike Jumps
- IRS68/4-10 Kingston Beach and Blackmans Bay Halls
- IRS69/4-10 Future of Kingston Beach Oval
- IRS70/4-10 Anti-Social Behaviour in Parks and Reserves
- IRS71/4-10 Maintenance of Twin Oval Complex
- IRS72/4-10 Tarooma Foreshore Walking Track
- IRS73/4-10 Confirmation of Items to be dealt with in Closed Session
- IRS74/4-10 Move into Closed Session
- IRS/76/4-10 Closure

### **VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

### **CLOSED SESSION**

Minute No. IRS75/4-10 is to be considered in 'Closed Session'.

***N.B.*** Minutes of Infrastructure and Recreational Services Committee Meeting No. 4 were forwarded under separate cover.

**PLANNING AUTHORITY COMMITTEE MEETING NO. 4**

Moved Cr /Seconded Cr

That the Minutes of Meeting No. 4 of the Planning Authority Committee held on Monday, 12th April 2010 be received and confirmed

- PA23/4-10 Apologies  
 PA24/4-10 Delegated Authority for the period 27th February 2010 to 29th March 2010  
 PA25/4-10 Amendment to Sealed Plan Proposed Petition to Amend Sealed Plans SP23227 & SP1394632 30 Nolan Crescent, Kingston for Page Seager on behalf of B J & A N Keygan

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

**ENVIRONMENT AND DEVELOPMENT COMMITTEE MEETING NO. 2**

Moved Cr /Seconded Cr

That the Minutes of Meeting No. 2 of the Environment and Development Committee held on Monday, 19th April 2010 be confirmed and the recommendations contained therein (Minute Nos. ED8/2-10 ED13/2-10) be adopted.

ED8/2-10 Presentations at Meeting  
 ED9/2-10 Dog Exercise Area Snug Beach  
 ED10/2-10 Environmental Services Activities Report  
 ED11/2-10 National Sea Change Taskforce 2010 Conference  
 ED12/2-10 Amendments to Noise Regulations  
 ED13/2-10 Biodiversity Offset Policy

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

***N.B.*** Minutes of the Environment and Development Committee Meeting No. 2 were forwarded under separate cover.

**MATTERS OF GENERAL INTEREST**

**CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

Moved Cr /Seconded Cr

That in accordance with Regulation 15 of the Local Government (meeting Procedures) Regulations 2005 the following items are to be dealt with in Closed Session.

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2005 Reference</b>
Proposal to acquire land	Regulation 15(2)(e)

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

**CLOSED SESSION**

Moved Cr /Seconded Cr

That in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2005 that Council move into Closed Session.

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

The Open Session of Council adjourned at

The Open Session of Council resumed at

Moved Cr /Seconded Cr

The Closed Session of Council having met and dealt with its business resolves to report that it has determined the following:

**VOTING**

	For	Against		For	Against
Cr Buchan			Cr Higgins		
Cr Dr Bury			Cr Lindsay		
Cr Bush			Cr McGinniss		
Cr Chatterton			Cr Nolan		
Cr Fox			Cr Sommerville		
Cr Grace			Cr Wass		

**CLOSURE** There being no further business, the Chairperson declared the meeting closed at

.....  
(Confirmed)

.....  
(Date)

# **INFORMATION SECTION**





## **GUIDELINES FOR PUBLIC QUESTION TIME**

At each meeting of Council or a Council Committee there will be an opportunity for question to be asked by any member of the public. A question may either be in writing, or may be verbally asked at the meeting. You are reminded that the forum is designed to accommodate questions only. Neither the questions nor answers will be debated.

A period of 15 minutes, if required, will be set aside and the Chairperson will endeavour to deal with as many questions as possible at each meeting. If a response to a question cannot be provided at the meeting a written response will be provided as soon as practicable. If time constraints do not permit all questions to be put, the Council will reply to any question that is put in writing.

A Question must not relate to any matter that is listed on the agenda for the meeting.

### **Questions in Writing**

A member of the public may give written notice to the General Manager 7 days before a meeting of a question to be put to the meeting. The question will appear in the agenda of the meeting, and a written response will be read at the meeting and will subsequently be recorded in the minutes. There is no standard form for such questions, but they should be clearly headed Question(s) on Notice.

### **Questions asked at the Meeting**

At the commencement of Question Time the Chairperson will ask members of the public present, if there are any questions, and if so what are those questions. This procedure is to permit the Chairperson to determine an appropriate time limit for Question Time and perhaps limit the opportunity for multiple questions, and to determine whether each question is appropriate. There is to be no discussion, preamble or embellishment of any question at this time.

The Chairperson will then determine which of those questions will be accepted and will provide the reason for any refusal; will determine the order of the questions, and may set a time limit for Question Time. The Chairperson may require a question to be put on notice and in writing.

A member of the public present may only ask one question at a time. The Chairperson may give preference to questions from other members of the public before permitting second or further questions from a member of the public. The Chairperson may rule that a multi-part question is in fact two or more questions, and deal with them accordingly.

The Chairperson may rule a question inappropriate, and thus inadmissible if in his or her opinion it has already been asked, is unclear, irrelevant, offensive or relates to any matter which would normally be considered in Closed Session.

Lengthy preambles or introductions are discouraged, and the Chairperson may require that a member of the public immediately put the question.