



Kingborough

# MINUTES

**Council Meeting No. 4**

**Monday, 26th April 2010**

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# CONTENTS

		<u>Agenda Page No.</u>		<u>Minute Page No.</u>
	Apologies	1		127
C87/4-10	Confirmation Of Minutes	1		127
	Business Arising From The Minutes	2		128
C88/4-10	Declarations Of Interest – Local Government Act 1993	2		128
C89/4-10	Declarations Of Interest – Code Of Conduct	2		128
	Public Question Time	3		129
	Questions On Notice From The Public	3		129
	Questions Without Notice From The Public	3		129
C90/4-10 to C93/4-10	Questions On Notice From Councillors	4		130
C94/4-10 to C95/4-10	Questions Without Notice From Councillors	5		132
	Motions Of Which Notice Has Been Given	6		133
C96/4-10	John Street Medical Centre – Request To Purchase Council Owned Land	6		133
C97/4-10	Petitions Received In Last Period And Still Being Actioned	9		134
	Petitions Received In Last Period	9		134
C98/4-10	Kingston Beach Master Plan	9		134
	Reports	10		135
C99/4-10	Abel Tasman Art Prize Committee Membership	10		135
C100/4-10	Barretta Waste Management Facility - Engineering Progress Report	13		135
C101/4-10	Esplanade Road Landslip, Middleton - Coffey Report	19		135
C102/4-10	LGAT Annual General Meeting And General Meeting	24		135

# CONTENTS

		<b><u>Agenda Page No.</u></b>	<b><u>Minute Page No.</u></b>
C103/4-10	Channel Heritage Museum	36	136
C104/4-10	Kingston Beach Infrastructure Master Plan	42	136
C105/4-10	Local Government Board – Principles For Voluntary Mergers Report	56	137
	Communication Items	65	138
C106/4-10	General Manager’s Report March / April 2010	65	138
C107/4-10	Mayor’s Communications	69	138
	Minutes And Reports Of Committees	70	139
C108/4-10	Infrastructure And Recreational Services Committee Meeting No. 4	70	139
C109/4-10	IRS66/4-10 Trees - Balmoral Road, Kingston		139
C110/4-10	Planning Authority Committee Meeting No. 4	71	145
C111/4-10	Environment And Development Committee Meeting No. 2	72	146
C112/4-10	Matters of General Interest	73	148
C113/4-10	Confirmation Of Items To Be Dealt With In Closed Session	74	149
C114/4-10	Closed Session	74	149

MINUTES 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	7:30p.m.	10.08p.m	2 hours 38 minutes
Closed Council	10.08p.m.	10.17p.m.	9 minutes
Open Council	10.17p.m.	10.18p.m.	1 minute
<b>TOTAL TIME OCCUPIED</b>			<b>2 hours 48 minutes</b>

**PRESENT:**

Mayor  
Deputy Mayor

Councillor Dr G Bury  
Councillor S Wass  
Councillor F A Buchan  
Councillor J Bush (from 8.42p.m.)  
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:**

General Manager	Mr P West
Deputy General Manager	Mr A J Ferrier
Director Corporate Governance	Mr R D Palethorpe
Manager Engineering Services	Mr B Deeks
Executive Assistant	Mrs B Matthews

**APOLOGIES**

There were no apologies

C87/4-10

**CONFIRMATION OF MINUTES**

Council Meeting No. 3 held on 22nd March 2010

Moved Cr Fox /Seconded Cr Sommerville

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

Carried Unanimously

**BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the minutes

C88/4-10

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

Cr Lindsay declared an interest in “Motions of which Notice has been Given” John Street Medical Centre – Request to Purchase Council Owned Land” (Minute C96/4-10)

C89/4-10

**DECLARATIONS OF INTEREST – CODE OF CONDUCT**

Cr Higgins declared an interest in Channel Heritage Museum (Minute C103/4-10)

Crs Bury and Fox declared an interest in “Motions of which Notice has been Given” John Street Medical Centre – Request to Purchase Council Owned Land” (Minute C96/4-10)

**PUBLIC QUESTION TIME**

**QUESTIONS ON NOTICE FROM THE PUBLIC**

There were no Questions on Notice submitted by the public.

**QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

There were no Questions without Notice from the public.

**QUESTIONS ON NOTICE FROM COUNCILLORS**

C90/4-10

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.

C91/4-10

The following Question without Notice was submitted by Cr McGinniss at the meeting held on 22nd 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.

C92/4-10

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 C64/3-10). The response is as follows:

*Cr Grace referred to the sign at Coningham regarding illegal vegetation removal and advised that this sign had now been in place for some 12 months. There has been mass destruction of vegetation and trees on the Esplanade at Snug, therefore, will Council and Parks and Wildlife consider relocating the Coningham sign to this location or alternatively installing a new one in line with the Council policy?*

**Response:**

An investigation into illegal vegetation removal on Crown land at Esplanade, Snug has been ongoing by Council NRM staff.

In relation to specific issues raised in Cr. Grace's question:

- The sign currently in place in Coningham is site specific in accordance with Council's policy number 5.7 – *Unauthorised Vegetation Damage Signage*.
- In accordance with Council's adopted policy the sign should remain in place until "vegetation regenerates to an acceptable standard".
- NRM staff are liaising with staff from the Crown Lands Department so that a category B sign can be installed at Esplanade, Snug. (A category B sign is a medium size sign - approximately 1200mm x 900mm on posts to 3 metres high)
- An order has been placed for the construction of a number of category B signs.

It is anticipated that a sign will be in place at Esplanade, Snug within one month.

C93/4-10

The following Question without Notice regarding the Nayri Niara Festival (Good Spirit Festival) was submitted by Cr Wass at the meeting held on 22nd March 2010 which the General Manager took on notice (refer Minute C65/3-10). The response is as follows:

*Were Council Funds used in accordance with the financial request?*

**Response:**

Several attempts have been made by Council Officers seeking a response to enquiries relating to expenditure of Council funds. To date no information has been provided by the festival organisers. This matter will continue to be followed up.



**QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

C94/4-10

Cr Wass referred to the Letter to the Editor in the Mercury, Monday 26th April 2009 regarding weed spraying near Whitewater Creek, Kingston and asked whether Council could place warning signs when future weed spraying is being undertaken?

**Response:**

The General Manager advised that Council is currently undertaking an investigation into the matter raised in the Letter to the Editor. It would appear that Council's contractors have not been on site since 23rd February 2010, at which time they had signs on site and experienced no issues. It is Council's normal practice to have signs in place. Investigations are continuing in relation to this matter.

C95/4-10

Cr Grace referred to the response to his Question without Notice (Minute C63/3-10) regarding missing bins, which states that if the bins were extra heavy and full of materials such as dirt or concrete it could be possible that the bins would be dropped into the compactor. He asked whether it was possible for the trucks to be fitted with a sensor that would detect heavy weights in bins?

**Response:**

The General Manager took the question on notice.

C96/4-10

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

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

Having previously declared an interest Cr Lindsay left the meeting at 7.38p.m.

Moved Cr Fox /Seconded Cr Wass

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.

Carried Unanimously

Cr Lindsay returned to the meeting at 7.48p.m.

C97/4-10

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

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 Minute C101/4-10)

C98/4-10

**PETITIONS RECEIVED IN LAST PERIOD**

**KINGSTON BEACH MASTER PLAN**

Moved Cr Grace /Seconded Cr Fox

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

Carried Unanimously

**REPORTS**

C99/4-10

**ABEL TASMAN ART PRIZE COMMITTEE MEMBERSHIP**

Moved Cr Fox /Seconded Cr Higgins

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)

Carried Unanimously

C100/4-10

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

Moved Cr Buchan /Seconded Cr Grace

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

Carried Unanimously

C101/4-10

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

Moved Cr Grace /Seconded Cr Wass

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

Carried Unanimously

C102/4-10

**LGAT ANNUAL GENERAL MEETING AND GENERAL MEETING**

Moved Cr Chatterton /Seconded Cr Higgins

That the matter be discussed.

Carried Unanimously

Cr Bush joined the meeting at 8.42p.m.

Cr Grace left the meeting at 8.49p.m. and returned at 8.51p.m.

Moved Cr Chatterton /Seconded Cr Bush

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

Carried Unanimously

C103/4-10

**CHANNEL HERITAGE MUSEUM**

Moved Cr Grace /Seconded Cr Fox

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

- (a) the request for financial assistance of \$155,862 (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) Council advise the Channel Heritage Museum that if funding is approved it will be a once-only allocation for this development proposal and no further requests for financial assistance will be considered.

Carried Unanimously

C104/4-10

**KINGSTON BEACH INFRASTRUCTURE MASTER PLAN**

Moved Cr Chatterton /Seconded Cr Fox

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.

Carried Unanimously

C105/4-10

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

Moved Cr Fox

/Seconded Cr Wass

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:

- (e) 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*
    - (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; 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.

Carried Unanimously

**COMMUNICATION ITEMS**

C106/4-10

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

Moved Cr McGinniss            /Seconded Cr Higgins

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

Carried Unanimously

C107/4-10

**MAYOR'S COMMUNICATIONS**

Mayor Bury reported on the following:

- Appreciation to Cr McGinniss for representing him at the Kingston High School ANZAC commemoration service
- Appreciation to all those Councillors who attended ANZAC Day Ceremonies on behalf of Council
- Twin Ovals – Onsite meeting and tour of the site with the turf contractor
- Reception – National under 14 Basketball Competition

**MINUTES AND REPORTS OF COMMITTEES**

C108/4-10

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

Moved Cr Buchan /Seconded Cr Grace

That the Minutes of Meeting No. 4 of the Infrastructure and Recreational Services held on Thursday, 8th April 2010 be confirmed and the recommendations contained therein (Minute Nos. IRS52/4-10 to IRS74/4-10 and IRS76/4-10) be adopted with the exception of Minute No. IRS66/4-10.

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

Carried Unanimously

C109/4-10

**IRS66/4-10 TREES – BALMORAL ROAD, KINGSTON**

Moved Cr Buchan /Seconded Cr Grace

That the minute be confirmed as correct

Carried Unanimously



Moved Cr Buchan /Seconded Cr Grace

That the report of the Manager Works be received and that:

- (a) the two white gums opposite 55 to 57 Balmoral Road be removed; and
- (b) suitable replacement trees be planted immediately following removal of trees.

Amendment

Moved Cr Fox /Seconded Cr Sommerville

That the eastern tree be retained and made safe by pruning

**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		√

Lost

The original motion was then put.

**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	√	

Carried

EFFECTIVE DECISIONS OF INFRASTRUCTURE AND RECREATIONAL SERVICES COMMITTEE MEETING NO. 4 HELD ON THURSDAY, 8TH APRIL 2010

**QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

IRS52/4-10

**Removal of Overhanging Limbs Peverata Road**

A request was lodged by school bus operators for the removal of overhanging limbs along Peverata Road. What is the status of the removal of those overhanging limbs?

**Response:**

The Manager Works advised he would take the question on notice.

IRS53/4-10

**School Crossing Road Repairs**

With the current school holiday period, why hasn't the opportunity been taken to undertake repairs to road failures and potholes at school crossings?

**Response:**

The Manager Works advised he would take the question on notice.

IRS54/4-10

Cr Grace asked the following question.

When will Council be in a position to undertake the removal of dead tree limbs that are overhanging the beach at Coningham?

**Response:**

The Manager Works advised he would take the question on notice.

IRS55/4-10

Cr Fox asked the following question.

As the Kingston Beach Women's Club is a Council owned building, can a sign be placed on the building advising that the building is Council property?

**Response:**

The Manager Works advised that arrangements would be made to have the appropriate signage installed.

IRS56/4-10

**QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

Mr D Goff of Lower Snug asked the following question.

I refer to my letter to Council and subsequent response from the Mayor concerning the traffic management options for Coningham and ask if the legal aspects of the Council's decision and the acquisition figures within the report were quoted to avoid the necessity of Council taking legal action?

The General Manager advised he would take the question on notice.

IRS57/4-10

**KINGBOROUGH BICYCLE USERS GROUP COMMITTEE**

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

IRS58/4-10

**MINUTES OF THE KINGBOROUGH TRACKS AND TRAILS ADVISORY GROUP**

That the report of the Manager Community and Recreational Services be received and that the contents therein be noted.

IRS59/4-10

**MINUTES OF KINGBOROUGH ACCESS ADVISORY COMMITTEE**

That the report of the Manager Community and Recreational Services be received and that

- (a) the contents be noted; and
- (b) it be noted that Council staff suitably trained on matters related to the *Disability Discrimination Act 1992* will attend future Kingborough Access Advisory Committee meetings on an as required basis.

IRS60/4-10

**KINGBOROUGH ROAD SAFETY COMMITTEE**

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

IRS61/4-10

**SOLID WASTE STRATEGY COMMITTEE**

That the report of the Manager Works be received and that the contents therein be noted and a workshop be held for Councillors on the annual hard and green waste collection prior to finalisation of the 2010/11 budget.

IRS62/4-10

**NORTH BRUNY COMMUNITY CENTRE MANAGEMENT COMMITTEE**

That the report of the Manager Community and Recreational Services be received and that the nomination from Sarah Owen for membership of the North Bruny Community Centre Management Committee be approved.

IRS63/4-10

**WORKS MONTHLY REPORT**

That the report of the Manager Works be received and that the information contained therein be noted.

IRS64/4-10

**INFRASTRUCTURE & RECREATIONAL SERVICES MONTHLY REPORT**

That the report of the General Manager be received and noted.

IRS65/4-10

**STORMWATER ASSET REPLACEMENT - 4 ILLAWONG CRESCENT,  
TAROONA**

That the report of the Manager Engineering Services be received and that:

- (a) the current financial year capital works projects C0481 - 102 to 106 Flinders Esplanade stormwater extension and C0484 - Orana Place stormwater extension be closed;
- (b) an amount of \$18,000 be re-allocated to the drainage works at 4 Illawong Crescent; and
- (c) the balance of \$30,000 be transferred to C0499 Unallocated Stormwater Construction.

IRS66/4-10

**TREES - BALMORAL ROAD, KINGSTON BEACH**

Minute No. C109/4-10 refers.

IRS67/4-10

**BROWNS RIVER DIRT BIKE JUMPS**

That the matter be deferred until the May 2010 meeting of the Infrastructure & Recreational Services Committee.

IRS68/4-10

**KINGSTON BEACH AND BLACKMANS BAY HALLS**

That the report of the General Manager be received and noted.

IRS69/4-10

**FUTURE OF KINGSTON BEACH OVAL**

That the report of the General Manager be received and:

- (a) Council advertise for expressions of interest from relevant sporting clubs to utilise the Kingston Beach oval for the summer and winter seasons with usage commencing for winter sport in 2011.
- (b) That Council ascertain if there is interest from the junior sporting clubs within Kingborough to use the Kingston Beach oval clubrooms as a centre for junior sport.
- (c) If a need is established, Council officers undertake investigations into opportunities for Federal and/or State Government assistance to develop Kingston Beach oval clubrooms as an administrative and clubroom base for junior sport organisations.
- (d) That the General Manager be authorised to undertake negotiations with the Kingborough Cricket Club and the Kingborough Tigers Football Club as to the potential relocation of the two clubs to the twin oval complex.

IRS70/4-10

**ANTI-SOCIAL BEHAVIOUR IN PARKS & RESERVES**

That the report of the General Manager be received and Council note that there are offences under the *Police Offences Act, 1935* for the Police to address the incidents of anti-social behaviour within Council managed parks and reserves.

IRS71/4-10

**MAINTENANCE OF TWIN OVAL COMPLEX**

That the report of the General Manager be received and noted and that Council:

- (a) determines that the turf maintenance responsibilities at the twin ovals complex will be undertaken by its workforce.
- (b) note that two additional full time employees and an apprentice/trainee will be recruited to the turf maintenance team to ensure that sufficient resources are available to meet the new additional maintenance requirements.
- (c) authorises the purchase of the additional plant and equipment outlined within this report at an estimated cost of \$222,000. The funding of the equipment is to be provided from the Plant Replacement Reserve account.

IRS72/4-10

**TAROONA FORESHORE WALKING TRACK**

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

Council progressively undertake the upgrading of the Taroom foreshore walking track from Melinga Place through to Kelvedon Oval as land access becomes available.

IRS73/4-10

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

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.

Matter	Local Government (Meeting Procedures) Regulations 2005 Reference
Proposal to acquire land	15 (2) (e)

IRS74/4-10

**CLOSED SESSION**

No effective decision

IRS76/4-10

**CLOSURE**

No effective decision

Cr Buchan left the meeting at 10.05p.m.

C110/4-10

**PLANNING AUTHORITY COMMITTEE MEETING NO. 4**

Moved Cr Bush /Seconded Cr Fox

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

Carried Unanimously

**EFFECTIVE DECISIONS OF PLANNING AUTHORITY COMMITTEE MEETING NO. 4 HELD ON MONDAY, 12TH APRIL 2010**

PA23/4-10

**APOLOGIES**

Cr D Grace

PA24/4-10

**DELEGATED AUTHORITY FOR THE PERIOD 27<sup>TH</sup> FEBRUARY 2010 TO 29<sup>TH</sup> MARCH 2010**

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority Committee resolves that the report of the Manager - Planning on Delegated Authority for the period 27<sup>th</sup> February 2010 to 29<sup>th</sup> March 2010 to be received and that the information contained therein be noted.

PA25/4-10

**AMENDMENT TO SEALED PLAN PROPOSED PETITION TO AMEND SEALED PLANS SP23227 & SP139463 30 NOLAN CRESCENT, KINGSTON FOR PAGE SEAGER ON BEHALF OF B J & A N KEYGAN**

That the matter be deferred pending a further report from Council staff.

Cr Buchan returned to the meeting at 10.07p.m.

C111/4-10

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

Moved Cr Fox

/Seconded Cr Bush

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

Carried Unanimously

**EFFECTIVE DECISIONS OF ENVIRONMENT AND DEVELOPMENT COMMITTEE MEETING NO. 2 HELD ON MONDAY, 19TH APRIL 2010**

ED8/2-10

**PRESENTATIONS AT MEETING****Derwent Estuary Program**

Christine Coughanowr - Program Director - Derwent Estuary Program provided an update for program partners. This included information on:

- The latest State of the Derwent Report.
- Recent management actions.
- Emerging threats and opportunities.

**COP15 - UN Climate Change Conference, December 2009**

Abyilene McGuire, Senior Environmental Health Officer presented an overview of the 2-week conference, personal experience and outcomes and what actually happened in Copenhagen.

ED9/2-10

**DOG EXERCISE AREA – SNUG BEACH**

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

- a) advise the Snug Community Group that it does not support the declaration of the Snug Beach as a dog exercise area;
- b) install one dog-waste bin and bag dispenser unit at an appropriate location on the Snug River Walk;
- c) investigate other local opportunities for off-leash dog walking areas in the Snug area.

ED10/2-10

**ENVIRONMENTAL SERVICES ACTIVITIES REPORT**

That the report of the Manager Environmental Services be received and that the information be noted.

ED11/2-10

**NATIONAL SEA CHANGE TASKFORCE 2010 CONFERENCE**

That the report of the Manager Environmental Services be received and that the information be noted.

ED12/2-10

**AMENDMENTS TO NOISE REGULATIONS**

That the report of the Manager Environmental Services be received and that the information contained therein be noted.

ED13/2-10

**BIODIVERSITY OFFSET POLICY**

That the report of the Manager Environmental Services be received and that Council:

- a) adopts the Biodiversity Policy with immediate effect;
- b) reviews this Policy on the basis of the outcomes of the Regional Biodiversity Guidelines Project, in conjunction with the outcomes of the Regional Planning Project and the review of Kingborough's Planning Scheme, when available.



C112/4-10

**MATTERS OF GENERAL INTEREST**

Mayor Bury reminded Councillors to register for the 2010 Local Government Conference to be held on 12-14 May 2010 if they were interested in attending.

Councillor Chatterton referred to the Letter to the Editor of the Mercury regarding the state of the area surrounding the Southern Water Pump Station at the bottom end of the Kingston Wetlands, adjacent to Whitewater Creek.

Councillor Chatterton made reference to the Mercury article which referred to Olympic gold medallist Shane Gould's comment at the Healthy Parks Healthy People Congress in Melbourne regarding the "boring" rectangular design of Australia's public swimming pools. A copy of the article will be made available to Councillors.

C113/4-10

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

Moved Cr McGinniss /Seconded Cr Nolan

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)
Matters relating to actual or possible litigation taken by or involving the council	Regulation 15(2)(h)

Carried Unanimously

C114/4-10

**CLOSED SESSION**

Moved Cr Bush /Seconded Cr Wass

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

Carried Unanimously

The Open Session of Council adjourned at 10.08p.m.

C120/4-10

The Open Session of Council resumed at 10.17p.m.

Moved Cr Sommerville /Seconded Cr Grace

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

Subject	Decisions/Documents
Taroona Foreshore Walking Track	The General Manager was authorised to negotiate formal public access to facilitate the upgrading of the track in accordance with the report considered in Open Session (Minute IRS72/4-10 refers)
Esplanade Road, Middleton	Council resolved to obtain independent legal advice with regards to liability issues in relation to the slip failure and the drainage issues, prior to the commencement of any rectification or stabilisation works.

Carried Unanimously

**CLOSURE** There being no further business, the Chairperson declared the meeting closed at 10.18p.m.

.....  
(Confirmed)

.....  
(Date)