

Kingborough



COUNCIL MEETING MINUTES

6 May 2024

These Minutes are provided for the assistance and information of members of the public, and are a draft until confirmed as a true record at the next Ordinary Meeting of Council.

Kingborough Councillors 2022 - 2026



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Clare Glade-Wright



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson



Councillor Christian Street

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MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 6 May 2024 at 5.30pm

1 AUDIO RECORDING

The Chairperson declared the meeting open, welcomed all in attendance and advised that Council meetings are recorded and made publicly available on its website. In accordance with Council’s policy the Chairperson received confirmation that the audio recording had commenced.

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The Chairperson acknowledged the traditional custodians of this land, paid respects to elders past and present, and acknowledged today’s Tasmanian Aboriginal community.

3 ATTENDEES

Councillors:

- | | |
|--|---|
| Mayor Councillor P Wriedt | ✓ |
| Deputy Mayor Councillor C Glade-Wright | ✓ |
| Councillor A Antolli | ✓ |
| Councillor D Bain | ✓ |
| Councillor G Cordover | ✓ |
| Councillor K Deane | ✓ |
| Councillor F Fox | ✓ |
| Councillor A Midgley | ✓ |
| Councillor M Richardson | ✓ |
| Councillor C Street | ✓ |

Staff:

- | | |
|--|----------------------|
| Chief Executive Officer | Mr Dave Stewart |
| Director People & Finance | Mr David Spinks |
| Director Governance, Recreation & Property Services | Mr Daniel Smee |
| Director Engineering Services | Mr David Reeve |
| Director Environment, Development & Community Services | Ms Deleeze Chetcuti |
| Manager Development Services | Ms Tasha Tyler-Moore |
| Team Leader Statutory Planning | Mr Timothy Donovan |
| Media & Communications Advisor | Ms Sam Adams |
| Executive Assistant | Mrs Amanda Morton |

4 APOLOGIES

There were no apologies.

C107/8-2024

5 CONFIRMATION OF MINUTES

Moved: Cr Flora Fox
 Seconded: Cr Clare Glade-Wright

That the Minutes of the open session of the Council Meeting No. 7 held on 15 April 2024 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail
22 April	Budget/Fees & Charges	Further discussions on the draft budget and proposed fees and charges for 2024/25
29 April	Margate Masterplan	Consultants from Realm Studios provided Council with an update on the development of a Margate Main Road Master Plan. The draft of the plan is to be finalised shortly ready for community consultation.

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

C108/8-2024

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Mr David Grace asked the following questions without notice:

9.1 Policy

I'm ashamed and saddened that we didn't recognize some of our long serving staff over 30 years service to this Council and we have not acknowledged their passing. One I mentioned is Janice Higgins from Bruny Island and the other one is Tony Lynch, our plumbing inspector. I hope that Council may look at a policy?

Mayor responds:

No, we don't have a policy in relation to that. I rely on being provided that information because obviously I've not been here as long as others. Certainly if information is passed on to me about particular members of staff or former councillors that have sadly passed away, then I'm always keen to of course acknowledge their contributions. But certainly I'll have a chat to our CEO about ensuring that we are made aware of that information and we can pass on our condolences to their families.

9.2 Kingston Park

How much money has this Council had back from the old high school development, from Traders In Purple? In cash?

Director People & Finance responds:

In relation to the stage that's been completed to date, we've received through a combination of the land sale plus our share of the revenue share arrangements, just a fraction over \$3,000,000.

9.3 Gutter Clean Out

This Council aims to be very, very efficient with how we treat our environment. Meaning our waterways etc. In the capital works program we allocate a certain amount of money each year to clean out what we call side entry pits or gully pits on our curb and gutter in each street. In my street where I live, I sent a photo two years ago, and they're still not cleaned out. When we get heavy rain, all that debris ends up down on our beach. So my question is, who polices that work? Because it should be supervised or looked at on a regular basis.

Director Engineering Services responds:

The allocation you're talking about is not through our capital works, it's through our operational expenditure. It's a certain amount we put aside for cleaning pits and cleaning waterways etc. We have a set of service levels that actually governs when we do clean those pits. What would normally happen, which is probably what actually happened in this case, is you've actually put a request in, it's gone to our customer service area and then that would go up to our depot, who would then assess as to whether or not meets the service level standard or not. If it does, then they would be cleaning the pit out. And if it doesn't, then they probably wouldn't and they probably may go back and monitor it afterwards, and that's the process. If you feel like it still needs to be looked at, you certainly can put in another customer service request.

9.4 Affordable Housing

This liberal government are out every day saying we're here to build affordable housing and we're here to do this and we're here to do that. But nothing ever seems to happen because for two years or more, because this particular land at Snug came before this Council 20-30 years ago. Council had half of it zoned residential, so that it could be built, but the top half was zoned residential, or something, but you're not allowed to build a house on it, it has to be rezoned, and you said that every opportunity you would get, you would raise it with any members of the government to come and talk to you. Nothing seems to be happening and people are crying out for homes down there at Snug. I'm anxious to know and the question will be, is this government fair Dinkum or are they just going to lead us on until the public say enough's enough again or are we going to get some action?

Mayor responds:

Obviously I can't speak on behalf of the State Government, but certainly I am aware of the issue that you've raised previously and as you would know from your time on Council we still have not translated to the State wide planning scheme at Kingborough. We've been waiting over four years now for our assessment to go through for that. And also there have been some issues with trying to get the urban growth boundary extended as well. There have been some delays and I would hope now with the appointment of a new planning and new housing minister, both of those portfolios are now held by the same person, Minister Ellis, I would hope that there would be some greater focus on how they can actually speed things up.

Mr Charlie Biggins asked the following questions on notice:

9.5 Environmental Matters

In 2022, Council staff nominated 21,000 hectares, or 30% of Kingborough for landscape conservation zoning, and they also revised the Council's Biodiversity Offset Policy to include potential habitat and drafted the Trees on Private Land By-law. The most ambitious LCZ targets in the State, the most expensive biodiversity offset values with the broadest definitions in the State and the most restrictive environmental permit system, with the heaviest penalties in the State. Viewed separately, they have raised many concerns. Viewed collectively, they raise even more. Are the landholders, the body corporate membership, expected to believe that these three environmental benchmarks are not related, that they weren't developed by Council's own staff to form an environmental regulatory grid, a grid that will make the day-to-day vegetation management of bushland areas a bureaucratic nightmare?

Manager Development Services responds:

There are a few elements here and not all within my area. Certainly no, the three are not tied together for some ulterior motive. The LCZ matters need to follow the requirements of the State Government. The draft has been put together and sent to the Tasmanian Planning Commission 2019, as has been mentioned in the Chamber many times, we have done a revision of that and provided that revision to the TPC and we still await response from them about appropriate zoning. They are not directly related to the biodiversity offset and the penalties that are referred to. The penalties are set by the State Government in LUPA, if they're the penalties you are referring to. So that's the same across the State .and we look forward to getting the response from the TPC and then being able to go to public exhibition about the zoning within the municipality.

Mr Biggins:

The UN, the United Nations, through their environmental program and their sustainable development goals have been negotiating international biodiversity conservation targets since 2011. These were formally ratified by the Australian government at a Biodiversity conference in 2022. Notably, one of the targets agreed upon was the restoration and conservation of 30% of the world's freehold land by the year 2030. At the numerous closed door workshops held by council over the past 10 years have Council's own in-house experts or guest subject matter experts, explained to the elected Councillors, the directors of the body corporate, that Kingborough was aligning itself with these UN sustainability targets and this municipality's private landholders would be the guinea pigs in what is essentially a 21,000 hectare private property land conservation reserve?

Manager Development Services:

At no time ever through the Land Use Planning and the Land Use Planning and Approvals Act, have we aligned or made any references to UN targets.

Mr Biggins:

As a direct result of Australia's ratification of the UN Global Biodiversity Framework in 2022, the federal government passed the Nature Repair Market Bill in December 2023. This act of Parliament is the head of authority for a national biodiversity credit trading scheme, similar to the existing Australian Carbon Credit Unit scheme, and both will be administered by the Clean Energy Regulator to approve and certify biodiversity protection projects aimed at meeting the 30% targets of the UN Global biodiversity framework by the year 2030. Private companies have already been operating in this space. Each credit is based on the costs associated with restoration and conservation of one hectare of freehold land. Yet more private companies operate as auditors of biodiversity projects, similar to the Australian Carbon Credit Unit Scheme. These private companies will seek a commercial license from the government's clean energy regulator when they become available. Was Council's inclusion of per hectare rates and potential habitat in the Biodiversity Offset Policy and the use of the term 'preferred landscape values' when referring to LCZ nominated land, just more examples of Council aligning their environmental regulatory grid with the prerequisites for a nature

repair market and will the biodiversity credits created under the authority of this federal act be recognised as on site or off site biodiversity offsets under the Kingborough's interim planning scheme and the proposed Trees on Private Land By-law?

Manager Development Services:

There is absolutely no link whatsoever of the planning scheme, the Land Use Planning and Approvals Act, to any credit trading scheme or carbon credits. There's no link, we've never heard anything from the State Government intending to do it and certainly Kingborough has not taken any action to link those together.

Mr Biggins:

I'll repeat the last part of the question then. Will the biodiversity credits created under the authority of this federal Act be recognized as on site or off site biodiversity offsets under Kingborough's interim planning scheme and the proposed Trees on Private Land By-law?

Manager Development Services:

As I said, there is no link at all about credit trading scheme or carbon credits through the planning scheme, through planning permits or conditions on planning permits. So no, there's no direct link to it and it can't be connected. Unless there is some federal change at some point, there's no connection now, and it's certainly not a driver for decision making for land use planning.

Mr Biggins:

Using Council's current offset rate ratio value of five to one for high priority biodiversity values at \$68,250 per hectare as being representative of the average biodiversity value across the entire 21,000 hectares of freehold land nominated for LCZ within Kingborough, sitting between the 81,900 hectare rate and the 40,950 rate, giving a back of the envelope biodiversity estimation for the 21,000 hectares of LCZ nomination to be in the order of \$1.4 billion. Australia's total nature repair market has been estimated by Price Waterhouse and Coopers to be worth \$137 billion which would put that estimate for Kingborough at 1% of the national total. What is Council's estimation from the monetary value of the biodiversity contained within Kingborough's nomination for LCZ? The 21,000 hectares that could be converted to a tradable biodiversity credits?

Manager Development Services:

The notion that the LCZ is put there so that people can use carbon credits or credit trading schemes just doesn't make sense. The intent is to look at land use planning and balance the different parts of the scheme or the different values of the scheme and the municipality with vegetated areas. It's not intended that they would all be removed or that they would be locked up. And as I have already answered in two of your other questions, there is no link between them and certainly there is no aspiration to have this as a business where we're creating billions of dollars from our land holders. There's just not a correlation.

Mr Biggins:

Where there is money, there's commercial opportunity for private sector brokers, project developers, market advisors, credit traders, legal and IT services, biodiversity consultants and auditors. Given Kingborough's apparent expertise in assessing biodiversity values, has Council or individual Council staff ever been approached by any of these interested parties regarding services Council could provide the biodiversity carbon trading industry, and information on suitable freehold land in this municipality that could be harvested for biodiversity credits under the nature repair market framework?

Manager Development Services:

Obviously. I can only speak from one area, but I'm not aware of any inquiries that we've had related to that.

Mr Biggins:

In my submission to the Tasmanian Planning Commission hearing in September last year regarding the inclusion of Kingborough's revised Biodiversity Offset Policy into the Interim Planning scheme I drew the Commissioner's attention to the potential conflicts between the federal government and Council regarding who would hold the rights to harvest retrospective biodiversity credits from land already placed into a conservation covenant as a result of a Council Part 5 agreement. This was outside the scope of the TPC to adjudicate on at the hearing, but they did include this and other unanswered questions regarding Council's scope of powers and head of authority in their final report to Council in February this year. Has Council had sufficient time now to digest the full implications of the unanswered questions regarding potential conflicts between the federal government and local council, and whether such a conflict would prejudice private land already in part 5 conservation covenant from being eligible as a nature repair market participant.

Manager Development Services:

Without reading the detail from the TPC again, it's not spring to mind that particular section, but obviously they said that it wasn't relevant to their consideration and for the reasons that I've really stated, I don't think it's a relevant consideration for Council to turn their mind to it either at this point in time and there's no direction and no legally binding connection between the two.

Mr Biggins:

They both rely upon conservation covenants being placed across land. So let's just assume you can't put two conservation covenants across the same piece of land, so that's where the area of conflict arises. Are people that are signing on to a part 5 agreement being made aware that they may be signing away the ability to harvest biodiversity credits in the future?

Manager Development Services:

I better understand your question now. Essentially you are asking can they double dip? I don't have the answer to that. We would most likely need to get legal advice about that. We would unlikely go down getting legal advice and spending money on that until we actually need to until it presents itself, because I suspect there is probably quite a legal answer around that. If a part 5 agreement is registered on a title, the land is bound by that and they need to meet those obligations. Whether that can count as an offset under carbon credits is beyond my knowledge and not something we've ever had to deal with and our primary interest would be that that conservation covered under a Part 5 Agreement should be applied is upheld, adhered to, kept in place, whether there's other theoretical offsets, if you like, because that's what it is – it's not locking up separately, is unknown and we would need to cross that bridge when we came to it. But I don't see it as something worth investing in at this time until we have to deal with it.

Mr Biggins:

The nature repair market could bring significant economic and environmental gains to this municipality and may help to sway public opinion towards some of the measures introduced by the Council. However, Council needs to be very clear about the role that they intend to play in the biodiversity and carbon trading industry. The need for significant fuel breaks through and around the landscape conservation zones that will likely be harvested for biodiversity credits would put additional burden on council to ensure the health and safety of the broader community. What additional resources did Council allocate to the 21,000 hectares of LCZ land that this Council nominated in 2022, that this Council increased the biodiversity offset charges on in 2023, and this Council intends to lock up in environmental regulatory grid with the Trees on Private Land By-law in 2024?

Manager Development Services:

Whilst speaking about allocations of funds through the budget, is not really my area and I'm happy to be corrected, is that there hasn't been extra money provided. The LCZ hasn't come in and renaming a zone doesn't cause a bush fire. So the fact that the trees are there, that the environment

is there, the topography is there is unchanged and the controls that go around that will differ from what they are in certain areas. By calling it the Landscape Conservation Zone does not automatically make it catch on fire. Council's responsibilities and duties about protecting communities from bush fire is unchanged because the environment is still the same and people still have to get bush fire approvals around their houses if they are in a bush fire prone area, that doesn't change either because that is governed under the Building Act, not the Land Use Planning and Approvals Act. It is only dealt with and in certain sections under the Land Use Planning and Approvals Act and the rules for BALs, bushfire attack levels, won't change because of those zonings, so it's not really different. Council will still need to consider what bush fire management they do in and around their communities or their public areas. And the same will go for the State Government.

Mr Biggins:

Through these three environmental regulatory benchmarks, Council is enshrining the existing bushfire risk and making it ever more difficult to mitigate that bush fire risk and Council has a responsibility to establish and maintain suitable fire breaks through the municipality on private and public land. Council has that authority. Council has the responsibility to clear roadways. I've already raised questions about this before. Shall I ask what is happening on the roadside vegetation clearance? What is what is happening in that space? I raised questions about it in November 2022, I raised questions about it again in the middle of last year, and the answer from the General Manager was that we're still looking into it. So what's happening about it now?

Mayor:

We've got a new CEO who's probably not across this right now. I do recall the questions that you did ask, it was in relation to the study that had been undertaken. We will have to take that question on notice to provide an update.

C109/8-2024

10 QUESTIONS ON NOTICE FROM THE PUBLIC

10.1 DA-2023-174 - Recycled Water Treatment Plant

At the Council meeting on 15 April 2024, **Ms Valeska Winter** asked the following question without notice to the Chief Executive Officer, with a response that the questions would be taken on notice:

1. *When TasWater acquired the land of 112 Tinderbox Rd in 2016, they agreed through the same DPEMP document to ensure ongoing recreational access, as it currently occurred. Would you please advise specifically what recreational use is and isn't permitted on this land and whereabouts on this land it can occur?*
2. *Why does the sealed plan of 112 Tinderbox Road not reflect the exact route of the Suncoast Headlands Walking Trail that was represented to the community in the DPEMP for the Blackmans Bay Sewage Treatment Plant? That was on page 36. It was a public access map that TasWater produced, and it clearly highlights the reroute of the walking trail was confirmed that it was going to go directly through the location of this new development.*
3. *These questions are coming from the plan that was in the latest recycled water treatment plant development application, that doesn't seem to reflect where the walking track actually is, compared to what was proposed to the community back at that time when the land was going to be disposed. As part of the TasWater development in 2016, the development application included the demolition of the old residence at the site and a promise to fully rehabilitate the land to reinstate the existing natural and ecological values of the site. Since the demolition, it looks like the area is still fenced off and hasn't been rehabilitated. Could you please advise when the full rehabilitation of this site will occur by TasWater and what that full rehabilitation will involve?*

4. *Specifically, in relation to the Suncoast Headlands Walking Trail, where it runs through the land at 112 Tinderbox Road. Could you please advise where council are proposing the track will be rerouted to, given the current location of the track, where we feel it was established with residents input to find the safest path for the trail that didn't run under the White Gum Trees, and also protected residents privacy?*
5. *What consultation will occur with the community and local residents about the proposed relocation of the trail and the proposed installation of signage and bollards and when might that consultation occur?*

Officer's Response:

1. Ongoing recreational access is limited to walking/running on the section of the Suncoast Headlands Track that runs through the land that is now owned by TasWater. The location of this track is defined by a public Right of Way recorded as an easement on the title.
2. It is unclear why the location of the easement does not reflect that depicted in maps provided by TasWater as part of the DPEMP. Council has contacted TasWater to seek clarification of this matter.
3. Condition 5 of the permit issued under DA-2016-423 for the Sewage Treatment Plant Upgrade required a Landscaping Plan to be submitted for endorsement. The submitted Landscaping Plan was endorsed on 23 July 2019. The condition required the following timing for the revegetation: "All plants must be installed, and all disturbed areas revegetated, prior to commissioning of the upgraded plant."

Any non-compliance with a previously issued permit would require further investigation under Compliance processes.

The demolition of the dwelling was approved under DA-2021-242 and no permit conditions were included requiring any revegetation.

4. It is evident that the future alignment of the track requires further discussion and Council plans to engage with TasWater and residents in relation to this matter.
5. It is intended to engage with stakeholders over the next month.

Daniel Smee, Director Governance, Recreation & Property Services

Mary McNeill, Senior Planner

10.2 DA-2023-174 - Recycled Water Treatment Plant

At the Council meeting on 15 April 2024, **Ms Natalie Kingston** asked the following question without notice to the Chief Executive Officer, with a response that the questions would be taken on notice:

1. *My questions are in relation to DA-2023-174, the recycled water treatment plant. My first question in relation to the use of the area and the existing sewage treatment plant traffic. On page 20 of the ordinary council meeting number 6 on the 3rd April, I quote "the proposed variation can be supported, pursuant to this performance criteria of the zone following these reasons", and one of the dot points "the use of land in the open space zone is for access to the site only. The access is already used to access the existing sewage treatment plant". The is actually incorrect. I live in close proximity to this area as do others that I have spoken with, there is no traffic that uses the road. It is a road that was used by the residence that used to be in existence, that was knocked down, and no one has used that road, no one has lived in that house since. My question is, were you aware in the decision-making process that this was incorrect information?*

2. *My next question is, there is recommendation of page 35 of the Environmental Assessment Report that was dated February 2024 – one of the attachments in the lot of documents that we all received – from the document, a place called CAS suggested that the proponent confirm where there any trees to be removed, may affect or impact the masked owl and if they were present, and that CAS should be contacted for further advice if there was potential for tree removal to impact the masked owl or any other threatened species and a recommendation for a report. I've read all the documentation back and whilst it addressed a lot of other stuff, it did not address the recommendation from CAS or give us any information about where're that was taken into consideration when making a decision about approving that application.*

Officer's Response:

1. The question from Ms Kingston incorporates wording contained in the performance criteria under Clause 19.3.5 which relates to Discretionary Use in the Open Space Zone. The use in the Open Space Zone only relates to vehicle access from Tinderbox Road to the development site, "Treatment Plant Road", over which TasWater has a right-of-carriageway. It is not related to the internal access on the TasWater land in the Environmental Living Zone (previously the access to a now demolished residence referred to in the question). The information related to the use of the access in the Open Space Zone and addressed in the planning report on page 20 of the Agenda, 3 April 2024 was therefore correct.
2. The EPA assessment considered the matter raised by the Conservation Assessment Section of NRE Tas (CAS) related to the masked owl (or any other threatened species) on pages 35 and 36 of the Environmental Assessment Report (EAR). On Page 36 of the EAR, the following evaluation is provided:

"While the advice from CAS suggesting that any trees which may contain hollows suitable for masked owls nesting (or any other threatened species) be checked prior to removal is supported, it is understood that a single blue gum to be removed only has a diameter at breast height (DBH) of 45 cm, which is considered unlikely to provide suitable hollows for masked owls and also swift parrots, nor is it likely to have a significant impact as removal of foraging/roosting habitat. Nevertheless, the Proponent should consider this advice prior to removal of any trees. Should any hollows that may be suitable for masked owls or swift parrots be identified in any of the trees to be removed, CAS should be contacted for further advice."

The EPA did not impose a condition related to the Masked Owl in the Flora and Fauna Conditions. Other trees are conditioned to be protected under Condition FF1 imposed by the EPA, as per the Tree Protection Plan.

Any clearance and conversion or disturbance associated with the proposal is exempt from assessment under the Biodiversity Code under the Kingborough Interim Planning Scheme 2015 as it is associated with a Level 2 Activity under the *Environmental Management and Pollution Control Act 1994* (EMPCA).

It is noted that the location and alignment of buildings and works were designed in consultation with a suitably qualified ecologist and arborist to minimise clearing of native vegetation. Council have imposed a condition related to protection of all remaining individual trees (Condition 9 on the permit – pages 36-38 of the Agenda, 3 April 2024).

Mary McNeill, Senior Planner

10.3 Wildlife on Council Roads

Ms Jill Winter submitted the following question on notice:

How does Kingborough Council aim to educate people to adjust their driver behaviour on more rural roads and therefore how to avoid killing wildlife while driving?

Since the argument against erecting warning signs is that a particular road/area is not a "hotspot" and the definition of "hotspot" is vague and ad hoc (as we learned at the last Council meeting), could the Council agree to discuss with experts and come up with a more substantive definition?

Research apparently shows that sign fatigue does happen, so could Council consider using movable warning signs rather than a limited number of concreted in signs that will after a period of time become less noticed by drivers? This would allow for areas to be targeted more widely across the municipality and arguably be more cost and driver effective in the long run.

Please clarify whether the Sandfly to Margate road is Council responsibility. If so, then why are there wildlife warning signs at Golden Grove which is the one road in the area with speed bumps, and not on the Sandfly to Margate road which is almost a wildlife cemetery? I counted 36 freshly dead animals along that road on one recent trip.

Lastly, if I offered to pay for wildlife warning signs on Tinderbox Road East, would Council agree and erect them? Tinderbox Road West has warning signs but Tinderbox East doesn't. We have just as much bush this end and arguably faster drivers as it's not a gravel road.

Officer's Response:

Council uses several methods to promote awareness about sharing the road with wildlife. This includes road signage, movable message boards on roads, promoting the Tasmanian Roadkill Reporter App and education campaigns that include social media, radio interviews, Council's website and activities at local events, fairs and forums. The most recent education campaign included social media prior to the easter period where a combination of increased traffic and dry weather was likely to increase the risk of roadkill. Social media campaigns have also included those used for targeted species such as the swift parrot, which was aimed specifically at road users in the area of breeding birds in an effort to mitigate bird strikes. Council supports the work of groups such as Wildlife and Communities Together and Bonorong Wildlife Sanctuary and promotes their education material aimed at drivers.

Council will review the Wildlife Black Spot Request Information Sheet to clarify the meaning of black spot.

Council uses variable message boards to warn drivers to slow down for wildlife as a response to roadkill data that indicates an issue in a particular location. To date the use of movable signage has had a particular focus on devils, as being killed on a road is the second biggest threat to the species survival in the wild. This signage strategy is used primarily to reduce the impact of vehicle collisions on threatened species where the conservation impact to a species is high.

Sandfly Road is a Council managed road.

There are wildlife warning signs in various locations throughout the municipality. These have been installed over time in response to community requests and in locations where wildlife are known to cross frequently. Many of these signs were installed prior to the scientific research that clearly indicates that the traditional yellow wildlife warning signs are largely ineffective at reducing vehicle-wildlife collisions in Australia.

Given that it is now widely accepted that the traditional wildlife warning signs used by road managers are largely ineffective this strategy will be utilised less by Council. Council understands the tragic impact that vehicle-wildlife collisions have on animals, road users, their vehicles, and those in the community who care for the injured animals. However, effective strategies are scarce, and this is not without considerable research effort, trials and investment nationally and internationally. Council is committed to keeping abreast of the latest science and strategies, working collaboratively with wildlife advocates to raise awareness and only investing in risk reduction measures which have a solid evidence base that they are effective.

Liz Quinn, Manager Environmental Services

10.4 Graffiti

Mr Mark Moncur submitted the following question on notice:

Having recently returned from a trip to western Sydney I was pleased to notice a lack of graffiti, especially in comparison to the amount of graffiti currently on display in Kingborough. Does Kingborough have a policy to remove graffiti from public and private property? What are councils in Western Sydney (Blacktown City Council) doing to control graffiti and could Kingborough learn from councils that seem to have controlled the graffiti issue?

Officer's Response:

Council aims to remove graffiti on its own infrastructure in a timely manner and in particular if it is offensive. Other service authorities have a similar approach to removing graffiti on their infrastructure. Council does encourage private property owners to remove graffiti on their property and can advise on options to try and prevent future events. In addition to this Council has regular meetings with Tasmania Police as regards graffiti in terms of highlighting hot spot areas and keeping abreast of their progress in apprehending those responsible for graffiti. Council is in the process of reviewing other council's approach with graffiti prevention and can widen this to look at other successful mainland councils.

David Reeve, Director Engineering Services

10.5 Budget

Ms Jill Winter submitted the following question on notice:

The list of capital expenditure on roads, reserves, toilets and so on, is that a definitive list of items you intend to undertake in 2024/25 or is it a list from which you can choose over the year as the cash flow allows? If it's the decided upon items, what do you propose to delay, leave out or not do and why did you choose as you have?

At the last meeting it was mentioned that Councillors had been walked through various options to minimise the overspend. Please could you briefly and simply run through them for us. This will help clarify our understanding of why the 12% rise in rates consensus was reached.

There was mention of Council having had losses 10 years out of the past 12. Is that factually correct? Is it normal/acceptable for Councils to run at a loss depending on the size of the deficit? Obviously you can tell I haven't taken much notice up to now or I'd have known this but when we talk about "loss"...how big and how obvious was it that the situation would be either ongoing or become unsustainable? When did it become apparent that drastic action, in the form of a large rate rise, would be needed?

Does Council do forward projections further than one year ahead? If so, at what point in the future, do your projections suggest that the budget will be in much better shape? For how many years will ratepayers be subject to rises of above 10%?

Is the 20% increase in employee costs associated with one General Manager leaving and a new CEO being appointed? If so, can we assume that this expense is largely a one off?

Please will you undertake to inform ratepayers more widely, your financial hardship provisions as there may be more people this year that will need to take advantage of this?

Officer's Response:

The released draft capital program is a definitive list of projects planned to be undertaken in 2024/25. Every project has a contingency associated with it but if there is unforeseen over or under expenditure this will be reviewed as a part of midyear budget review and adjustments to the program

made as required. The draft capital budget has been workshopped with Council and represents an appropriate mix of projects for 2024/25, consideration will be given to any adjustments that may come via the community consultation on the proposed budget, but it is expected the substantive program as is will be the one put forward for final adoption by Council in June.

Council have considered the 2024/25 budget and ten year financial plan at a series of workshops. Given the financial challenges council is addressing, including the need to move away from recording annual underlying operating losses, a significant rate increase has been proposed in the draft budget. Some of the scenarios considered included different rate increases to address the challenges over shorter, or longer timeframes. It is correct that council has regularly been recording underlying operating losses and this is not a sustainable practice. Council does indeed do projections for more than one year and for many years now has been adopting a ten year financial plan. These plans have signalled for some time the need to transition out of underlying operating losses. Other factors giving rise to the proposed rate increase include interest costs on borrowings and additional ongoing costs from council's investment into community infrastructure over recent years. Council has not yet finalised its consideration of the update to the ten year financial plan, however, it is not considered that the proposed increase of 12% will fully address the challenges at hand.

The draft budget as contained on council's community consultation webpage shows total employee costs of \$20.169M against \$18.068M in the current year forecast. This is an increase of 11.6%. This increase arises from the approved salary and wage increases for 2024/25 from council's enterprise agreement, and some new positions proposed to improve council's service to a growing community. Council has policies and procedures to assist ratepayers experiencing difficulty with rate payments.

David Reeve, Director Engineering Services
David Spinks, Director People & Finance

10.6 Biodiversity Offset Policy

Ms Jo Landon submitted the following question on notice:

On what date was the incorporation of the Biodiversity Offset Policy into Kingborough's planning scheme first assessed for compliance with the requirements of the Land Use Planning and Approvals Act?

Please could Council provide the report?

Officer's Response:

The incorporation of the Biodiversity Offset Policy in the planning scheme has been assessed for compliance against the *Land Use Planning and Approvals Act 1993 (LUPAA)* on 3 occasions:

- a) The Kingborough Interim Planning Scheme 2015 was the first planning scheme to formally reference the Biodiversity Offset Policy document, when it came into effect on 1 July 2015. That process included an assessment of the planning scheme and the incorporated documents against Section 20 and Section 30E of LUPAA (i.e. '*what can a planning scheme provide for*' and '*contents of interim planning schemes*').
- b) On 23 February 2021, the scheme was amended to update reference to all incorporated documents in the Kingborough Interim Planning Scheme 2015 and that also included the correct referencing to the Kingborough Biodiversity Offset Policy. That process included an assessment against Section 32 of LUPAA (i.e. '*requirements for preparation of amendments*').
- c) On 28 March 2024, the scheme was amended again to update reference to the most recent version of the Biodiversity Offset Policy and included an assessment against Section 32 of LUPAA. The Commission also considered Section 20 and 30E of LUPAA in their deliberations.

All reports and supporting information in relation to the above are available on the Tasmanian Planning Commission's Website and/or the [Austlii website](#) (the latter provides information on all past decisions made by the Tasmanian Planning Commission).

Adriaan Stander, Senior Strategic Planner

10.7 Public Open Space Policy

Ms Jo Landon submitted the following question on notice:

- 1 *On what date was the incorporation of the Public Open Space Contribution Policy into Kingborough's planning scheme first assessed for compliance with the requirements of the Land Use Planning and Approvals Act?*
- 2 *Please could Council provide the report?*
- 3 *Which subdivision applications or funding decisions were considered using the revised Public Open Space Contribution Policy (2021) prior to the planning scheme amendment effective date of 28 March 2024?*
- 4 *Please could Council list the subdivisions that were required to provide public open space?*
- 5 *Please could Council list the subdivisions that were required to provide cash instead?*
- 6 *What decisions have been made about how the money will be spent?*

Officer's Response:

- 1 The incorporation of the Public Open Space Contribution Policy in the planning scheme has been assessed for compliance against the *Land Use Planning and Approval Act 1993 (LUPAA)* on three occasions:
 - a) The Kingborough Interim Planning Scheme 2015 was the first planning scheme to formally reference the Public Open Space Contribution Policy document, when it came into effect on 1 July 2015. That process included an assessment of the planning scheme and the incorporated documents against Section 30E of LUPAA (i.e. '*contents of interim planning schemes*').
 - b) On 23 February 2021, the scheme was amended to update reference to all incorporated documents in the Kingborough Interim Planning Scheme 2015 and that also included the correct referencing to the Kingborough Public Open Space Contribution Policy. That process included an assessment against Section 32 of LUPAA (i.e. '*requirements for preparation of amendments*').
 - c) On 28 March 2024, the scheme was amended again to update reference to the most recent version of the Public Open Space Contribution Policy and that also included an assessment against Section 32 of LUPAA.
- 2 All reports and supporting information in relation to the above are available on the Tasmanian Planning Commission's Website and/or the [Austlii website](#) (the latter provides information for all past decisions made by the Tasmanian Planning Commission).
- 3, 4 & 5 Details of specific applications can be accessed by submitting a request to Council on our website via the 'contact us' page. The ability to require Public Open Space Contributions as part of the Development Assessment Process is allowed through the *Local Government Building and Miscellaneous Provisions Act 1993* and the Kingborough Interim Planning Scheme that references the [Kingborough Public Open Space Contribution Policy](#). The Policy allows Council to take a strategic approach to the provision for public open space in the municipality by having regard to the need of public open space in a particular area

and how it aligns with the broader public open strategies contained in the [Kingborough Open Space Strategy](#). This is common practice in other jurisdictions and allows for the facilitation of public open space in a well-planned manner. The total value of contributions collected through the application of the policy is included in Council's Annual Report.

- 6 Decisions in relation to the expenditure of Public Open Space funds are made by Council (not as the Planning Authority) either through a report with a specific recommendation or through the budget approval process in which capital projects are allocated funding from this source. In recent years, Council has resolved to fund the upgrade of playgrounds, reserves and walking tracks utilising public open space funds.

Adriaan Stander, Senior Strategic Planner

C110/8-2024

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Cordover asked the following questions without notice:

11.1 Illegal Tree Cutting

The felling of more than 20 mature eucalypts, which were cut down on the corner of Adventure Bay Road in Bruny Island some weeks ago, a matter that has been reported to Council. There are occasions when contractors may cut down trees without permits, presumably at the behest of the owner of the property. And when that happens, Council takes enforcement action against the owner of the property and not against the contractor. As former Councillor Bush quite rightly reminded me, the following was an issue that he raised on his time during Council, about which my question relates, which is when a tree is illegally felled in Kingborough, why isn't the contractor who cuts down the tree charged or fined as well as the property owner? Because the developer sometimes is happy to pay the fine, it's a cost of doing business, but if a contractor is at risk of getting a big hefty fine, then when the owner of a property says go and cut down that tree, they'll probably say, where's your permit, do you have authority to do that if they're at risk of having a heavy fine. Why isn't that the case in Kingborough at the moment?

Manager Development Services responds:

We have the ability and we do take enforcement against contractors and land owners on a number of occasions and that may also be digger drivers that might do works or builders that might do work, not limited to trees, but just make it clear yes, if you undertake the act, you cause the offence against the scheme, you can be liable and you can be penalised for that as well as the owner.

Cr Cordover:

There's 100% as much liability to the contractor or the builder who who undertakes the work as the land owner. So both parties are equally culpable?

Manager Development Services:

We need to look at each matter on its own. The penalty fines are different if it's an individual or if it's a company. It's significantly higher if it's a company and we deal with each matter on its own merits.

11.2 Kingston Park Development

Following on from what Mr Grace was asking about. We heard that we've received approximately \$3,000,000 from Traders In Purple and then the second part of the question which we didn't actually get to was how much have we spent on Kingston Park. So my question is firstly is the information

public? When all is said and done, what is the total expected revenue from Kingston Park and what is the total expected expenditure on Kingston Park and is the difference being funded by grants or is it being funded by ratepayers?

Mayor responds:

I'm not sure whether Mr Spinks will have that information here, but it is publicly available because in the reports that come to Council, in our monthly financial reports, there is always a page that relates to the income and expenditure for the Kingston Park project, but I'm not sure Mr Spinks whether you would like to add anything to that?

Director People & Finance:

No, I think that's best we take that on notice.

Cr Deane asked the following questions without notice:

11.3 IMAS Development

I've had several residents contact me about the increased traffic because it started last Monday. I was down there myself, just for half an hour and just having a look around and noticed there was obviously quite an increase when it comes to trucks and utes using that small stretch of Kelvedon Avenue. Do we have any traffic calming measures or temporary measures that we might be able to or are putting in place while construction happens at the IMAS upgrade?

Director Engineering Services responds:

I'm not aware of there being increased traffic that would warrant putting any traffic management measures in place. From the construction of the facility there will obviously be times when there will be a need for heavier amounts of traffic and times when there won't, so it's probably one which would require some discussion with the contractors and the developer to have a look at. I'm certainly happy to pass that on to the relevant officers to have a look at a little bit further.

Cr Deane:

Is it within our scope to be able to put in things like temporary speed limit reductions or temporary signage just to say it's about 150 to 250 metre stretch of a very narrow road with big lorries going up and down it and obviously a whole bunch of vulnerable users using the area. So is it possible for us to do something like that just in terms of this construction phase? Obviously we've had this come before us as a DA and it wasn't seen fit that we need to do anything long term, but just while this construction is going on, is that something that we can actually do?

Director Engineering Services:

There's certainly things we can actually do if it's warranted. For example, if you're getting a lot of traffic using the road and you wanted to put some signage up for pedestrians so they're aware of it or you wanted to change the speed limit because you had quite a large amount of traffic moving through there, you could do all those types of things. I think it would be best just to assess it first before we went down that track. So I'm happy to pass it on to one of the officers to have a look at it a bit further.

Cr Deane:

Clearly there is increased traffic, there's a whole bunch of utes and it's a very narrow stretch and when I was there today, they're having to stop and let others come through because it's just not wide enough for big trucks. So they're feeling nervous and they're feeling uncomfortable so even it's signage to say construction ahead or 4 pedestrians, as I was there today as well, visitors that come to the community garden that aren't familiar with the area and what's going on, may have no idea down the road and why there's increased traffic. So it's good to hear that it's possible, but could I just somehow put on the radar that whether it's an assessment from us is 'x' amount of traffic equals a

sign, that we actually do something about talking to those residents on the street and say you're feeling comfortable, that should itself be some kind of measurement for us to take some action. So can I have that noted for the officer that does follow this up?

Director Engineering Services:

Certainly we would look into all the different factors associated with it, which includes, the interaction with the residents in the area. They're obviously used to having a far quieter street. As part of the construction they would have some signage up which is closer to the actual development site itself because it would be one of the requirements. However, it may be that there needs to be a little bit more forewarning potentially, and that itself is a relatively inexpensive and easy thing to do. That can all be assessed.

Cr Antolli asked the following questions without notice:

11.4 Vacant land at Dennison Street/Maranoa Road

My question is around an unusual triangular piece of land that is located at the intersection of Denison Street and Maranoa Road here in Kingston. It's right above the slope of Kingston Christian Reformed Church. It's basically unoccupied land that a lot of families use to park when picking up their children from either side of Calvin and a number of people have been asked by Council staff on site when they turn up at 3:15pm to move on to say that this is now Council property and that in two weeks time, or thereabouts, fines will begin to be issued towards anyone who parks there. Apparently a sign was placed on the piece of land to say that Council is taking control of this land under some sort of an act of Parliament or an act of the Local Government Act. Some people have looked into the history of the land, and it's apparently privately owned. Could anyone demystify this unusual situation that seems to have hit a bit of a crescendo over the weekend?

Director Governance, Recreation & Property Services responds:

I do recall this issue has come up before and my recollection is that the ownership of the land is very unclear. I think it was supposed to have been transferred to Council, but never did. But who actually owns it now would require some sort of legal determination. It was the number of years ago that this came up so as to its current status, I couldn't say.

Mayor:

It sounds like we might need to take that on notice and find out what compliance action is being taken, what the signage is, what the current situation is, because there's limited opportunities to pick up and drop down in that area at school time.

Cr Antolli:

Thank you, that would be appreciated because the concern is, is Council overstressing its authority to take charge of the land and I've been told by one lady who had a council officer tap on her window and asked her to move on. So this Council officer allegedly walked up to the site around school pick up time to enforce and inform that its council land in a couple of weeks time we will issue fines for whoever parks here and it's caused a bit of concern and alarm at the, I suppose perceived heavy handed approach.

Cr Midgley asked the following questions without notice:

11.5 Recycled Water Treatment Plant

Regarding Miss Valeska Winter's question regarding DA 202-3174. In about December last year, I was asked by a resident if their access to this walkway would be changed because of the

development and I'm quite correct that I did ask that at a Council meeting and the response to would that be changed or would they be limited in their access was no. But I'm just a bit confused by some of the questions that have been asked and the Council's response in regards to that. Is the access to walking their dogs limited, what is going on and when it says in the response five, what consultation will occur with the community, the response says it is intended to engage with stakeholders over the next month, so I can just get a bit of a summary of that and what the future looks?

Director Governance, Recreation & Property Services responds:

Things have changed since the response was given on the agenda. There has been a meeting on site with TasWater and the developers and residents and there has been a mutually agreeable outcome reached. So in essence, TasWater now own the land and the right of public access across that land is by means of an easement that allows for public thoroughfare across the land, so TasWater are within their rights to confine public access to that easement. That hasn't occurred to date. But the actual easement that's been registered on title is in the wrong location and TasWater have acknowledged that and have indicated a willingness to change that easement and put it into a location that everyone is in agreeance with. At the onsite meeting that we had last week, there was agreement around a rough alignment for the track that will be pegged out and once everyone's had a look at that and are happy, TasWater will then get that formally surveyed, the existing easement on title will be lifted with Council's consent and a new easement will be created. At the time of preparation of the agenda, they were the responses, but things have moved a little bit since then.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from Councillors.

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 6.18pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C111/8-2024

13.1 DA2024-25 - ADDITION AND ALTERATION TO EXISTING BUILDING, NEW SIGNAGE, PARKING UPGRADE, LANDSCAPING AND ASSOCIATED WORKS

Moved: Cr Clare Glade-Wright

Seconded: Cr Amanda Midgley

That the addition and alteration to existing building, new signage, parking upgrade, landscaping and associated works at 124 Channel Highway, Taroona be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. 2024-25 and Council Plan Reference No. P2 submitted on 16/03/2024 and Council Plan Reference No. P3 submitted on 08/04/2024.

This Permit relates to the use of land or buildings irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council.

2. Prior to the deck being used, a timber privacy screen, with a uniform transparency of no more than 25%, must be constructed along the south side of the deck with a minimum height of 2.1m above the deck level.

The timber screen must be constructed of the same materials as the balustrade and timber screening on the balance of the deck, or a material of a similar finish and colour to the satisfaction of the Manager Development Services.

3. The use of the deck, while the site and building is used for Community Meeting and Entertainment (Church), is to be managed so that the amenity of the area is not detrimentally impacted through the emission of noise or artificial lights to the satisfaction of the Manager Development Services. The deck is only to be used for access to the building and not for any use associated with the building unless approved by Council in writing.
4. All external lighting, including security and car park lighting, must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Manager Development Services.
5. The carparking and vehicle manoeuvring area must be of a sealed construction and comply with Australian Standard AS2890.1:2004 (Off street car parking) and the following:
 - carparking spaces are to have minimum dimensions of 5.5m long x 2.6m wide;
 - access ways and driveways are to be designed to enable vehicles to enter the designated parking space in a single turning movement and leave in no more than two turning movements.
6. To reduce the spread of weeds or pathogens, all machinery must take appropriate hygiene measures prior to entering and leaving the site as per the Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment.

Any imported fill materials must be from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.

7. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.
8. The approved sign must not contain any flashing or moving light, and must not be illuminated by external or internal light, to the satisfaction of the Manager Development Services.
9. The stormwater runoff from all new impervious areas must be disposed of by gravity to Council's reticulated stormwater system to the satisfaction and approval of the Director Engineering Services.

ADVICE

- A. In accordance with section 53(5) of the Land Use Planning and Approvals Act 1993 this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval in this permit is under the Land Use Planning and Approvals Act 1993 and does not provide any approvals under other Acts including, but not limited to Building Act 2016, Urban Drainage Act 2013, Food Act 2003 or Council by-laws.

If your development involves demolition, new buildings or alterations to buildings (including plumbing works or onsite wastewater treatment) it is likely that you will be required to get approvals under the Building Act 2016. Change of use, including visitor accommodation, may also require approval under the Building Act 2016. Advice should be sought from Council's Building Department or an independent building surveyor to establish any requirements.

- C. The proposed development has been assessed as low risk plumbing work. The Plumber is to provide the following documentation to Council after the plumbing work is completed:
 - (a) A Form 80;
 - (b) A Form 71B; and
 - (c) An 'As Constructed' drainage plan at a scale of 1:200 in accordance with the Director's Specified List Schedule 3.

CARRIED

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 6.31pm

14 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

15 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

16 OFFICERS REPORTS TO COUNCIL

C112/8-2024

16.1 KINGSTON BEACH LOCAL AREA TRAFFIC MANAGEMENT

Moved: Cr Clare Glade-Wright

Seconded: Cr Flora Fox

That Council

- (a) Note the results from the consultation.
- (b) Endorse the installation of various traffic management and pedestrian improvements along Beach Road.

Cr Street left the meeting at 6.54pm

CARRIED

C113/8-2024

16.2 KINGSTON PARKING STRATEGY UPDATE

Moved: Cr Amanda Midgley

Seconded: Cr Kaspar Deane

That Council:

- (a) Endorse the Central Kingston Parking Strategy 2023 as attached to this report.
- (b) Reaffirm in principle support for action item 14 for the introduction of paid parking as a demand management tool to address the high demand for long stay parking in the Kingston CBD.

Cr Richardson left the room at 7.21pm

Cr Richardson returned at 7.23pm

In Favour: Crs Paula Wriedt, Clare Glade-Wright, Aldo Antolli, David Bain, Kaspar Deane, Flora Fox, Amanda Midgley and Mark Richardson

Against: Cr Gideon Cordover

CARRIED 8/1

Meeting adjourned at 7.47pm

Meeting resumed at 7.57pm

C114/8-2024

16.3 AUDIT PANEL CHARTER

Moved: Cr Flora Fox

Seconded: Cr Clare Glade-Wright

That Council approves the updated Audit Panel Charter as attached to this report.

CARRIED

The Mayor vacated the chair at the Deputy Mayor assumed the chair at 7.58pm

C115/8-2024

16.4 APPOINTMENT TO AUDIT PANEL

Moved: Cr Flora Fox

Seconded: Cr Aldo Antolli

That Council resolve to appoint Cr Wriedt to the Audit Panel.

CARRIED

Moved Cr Midgley

Seconded Cr Fox

That the ballot papers be destroyed.

CARRIED

The Mayor assumed the chair at 8.01pm

C116/8-2024

16.5 KINGBOROUGH AQUATIC FACILITY STEERING COMMITTEE

Moved: Cr Amanda Midgley

Seconded: Cr Aldo Antolli

That Council:

- a) Endorses the establishment of a Project Steering Committee to progress the development of an aquatic facility in Kingborough, with Terms of Reference as attached to this report;
- b) Advertises for expressions of interest from appropriately qualified/experienced community members and stakeholders for membership of the Committee; and
- c) Appoints Cr Deane as Chairperson and Cr Bain as Deputy Chair of the Committee.

CARRIED

Moved Cr Glade-Wright

Seconded Cr Antolli

That the ballot papers be destroyed.

CARRIED

C117/8-2024**16.6 KINGBOROUGH BICYCLE ADVISORY COMMITTEE DEPUTY CHAIRPERSON**

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

That Cr Bain be appointed as a Council representative and deputy chairperson of KBAC and the Committee members be advised accordingly.

CARRIED

C118/8-2024**16.7 APPENDICES**

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

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

CARRIED

17 NOTICES OF MOTION

There were no Notices of Motion received.

C119/8-2024**18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

Moved: Cr Flora Fox
Seconded: Cr Clare Glade-Wright

That in accordance with the *Local Government (Meeting Procedures) Regulations 2015* Council, by absolute majority, move into closed session to consider the following items:

Confirmation of Minutes

Regulation 34(6) *In confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.*

Applications for Leave of Absence

Regulation 15(2)(h) *applications by councillors for a leave of absence*

Rates Delegated Authority March 2024

Regulation 15(2)(a) *personnel matters, including complaints against an employee of the council and industrial relations matters.*

CARRIED

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

Open Session of Council adjourned at 8.36pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 8.38pm

C120/8-2024

Moved: Cr Flora Fox
Seconded: Cr David Bain

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil
Rates Delegated Authority March 2024	Noted

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 8.39pm

.....
(Confirmed)

.....
(Date)