

Kingborough

PUBLIC MINUTES

These Minutes are provided for the assistance and information of members of the public.

MINUTES

22 May 2017



*Back (L – R): Cr Paul Chatterton, Cr Mike Percey, Cr Sue Bastone, Cr Dean Winter, Cr Richard Atkinson
Front (L – R): Cr Dr Graham Bury, Cr Flora Fox, Mayor Cr Steve Wass, Deputy Mayor Cr Paula Wriedt, Cr David Grace*

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MINUTES of an Ordinary Meeting of Council held at the Kingborough Civic Centre, Kingston on Monday, 22 May 2017 at 5.30pm.

	From	To	Time Occupied
Open Council	5.30pm	5.55pm	25 minutes
Planning Authority	5.55pm	6.10pm	15 minutes
Open Council	6.10pm	7.28pm	1 hour, 18 minutes
Closed Council	7.28pm	7.30pm	2 minutes
Open Council	7.30pm	7.31pm	1 minute
TOTAL TIME OCCUPIED			2 hours, 1 minute

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chairman acknowledged and paid respect to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of the land on which we met, and acknowledged elders past and present.

ATTENDEES

Councillors:

		PRESENT
Mayor	Councillor S Wass	✓
Deputy Mayor	Councillor P Wriedt	✓
	Councillor Dr G Bury	✓
	Councillor P Chatterton	✓
	Councillor F Fox	✓
	Councillor D Grace	✓
	Councillor M Percey	✓
	Councillor D Winter	✓

Staff:

TITLE	NAME
General Manager	Mr Gary Arnold
Deputy General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Executive Manager Engineering Services	Mr David Reeve
Manager Governance & Property Services	Mr Daniel Smee
Manager Community Development	Mrs Tasha Tyler-Moore
Manager Community Services	Ms Angela Jenni
Executive Assistant	Mrs Amanda Morton
Administration Officer	Mrs Jenny Tilbury

C217/10-17

APOLOGIES

Cr Richard Atkinson (Leave of Absence)
 Cr Sue Bastone (Leave of Absence)

CONFIRMATION OF MINUTES OF COUNCIL MEETING NO. 9 HELD ON 8 MAY 2017

MOVED Cr Percey
 SECONDED Cr Fox

That the Minutes of Council Meeting No. 9 held on 8 May 2017 be confirmed.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

WORKSHOPS HELD SINCE COUNCIL MEETING ON 8 MAY 2017

DATE	PURPOSE
15 May 2017	Kingborough Waste Services & Waste Management Strategy

DECLARATIONS OF INTEREST

There were no declarations of interest.

QUESTIONS ON NOTICE FROM THE PUBLIC

Bio-Massing

At the Council meeting on 8 May 2017, **Mr Mark McBride** asked the following question without notice to the General Manager, with a response that the question would be taken on notice :

“This Council unanimously endorsed the Treasury and Investments Policy report. That is that fossil fuel be regarded as an unethical investment. As I understand it, that was a unanimous agreement. Am I able also to assume that the Huon’s intention to bio-mass southern reserves, would the bio-massing of our southern forests also be regarded as unethical investment on behalf of this Council?”

Officer’s Response:

The Treasury Management Policy adopted by Council at its meeting on 27 March 2017 did not address the issue of ethical investment. Council’s decision to adopt the policy was not unanimous, with seven Councillors voting for and two Councillors voting against.

The question relating to reserves in the Huon Valley municipal area is best answered by the Huon Valley Council.

Gary Arnold - General Manager

C220/10-17

Fire Boxes

At the Council meeting on 8 May 2017, **Mr Mark McBride** asked the following question without notice to the General Manager, with a response that the question would be taken on notice :

"In terms of smoking fire boxes throughout the suburbs, it is the fire boxes that cause a lot of people distress. If we were to put a small pipe into the back of our fire boxes, could we then not burn the air from outside the dwelling? The reason I wish to burn the air through a small pipe coming into the back of a burner, if you were to do that, you would achieve three things. I believe you would achieve a greater efficiency and you would not burn all the oxygen in your dwelling. The new houses are air tight. The old scale of fire box just burns every skerrick of oxygen in our dwellings and I believe that it would give a better night's sleep if the oxygen was burnt from outside."

Officer's Response:

Any wood heater model manufactured, imported for sale or sold in Tasmania is required to hold a certificate of compliance with the Australian Standard (AS) 4013. In August 2015 revised AS 4013:2014 and AS 4012:2014 relating to emission limits were released. Under the revised Standard for wood heater emissions a limit of 2.5 grams per kilogram came into effect on 8 August 2015, and a limit of 1.5 grams per kilogram will apply from 8 August 2019. This phase-in allows manufacturers time to rework heater designs and investigate all options that will further assist in reducing emissions.

Gary Arnold - General Manager

C221/10-17

Minted Coin

At the Council meeting on 8 May 2017, **Mr Mark McBride** asked the following question without notice to the General Manager, with a response that the question would be taken on notice :

"I have watched the performance of this Council over the last year or two and in my opinion it is the greenest Council in Australia and that is what gives me pride. Perhaps it's time we recognised our global hero of the Greens, Bob Brown. My suggestion to the Council is could this Council not mint a coin in honour of Bob Brown for what he stands for and for what he has achieved on this island. Could we mint a coin to him, make it a quality one of gold or silver? Could you crunch the numbers and gain some support from international sales?"

Officer's Response:

Council currently has no policy in place to address matters of this type and significant research would be required.

Gary Arnold - General Manager

Public Toilets at Alonnah, Bruny Island

Ms Meg Hansson has submitted the following question on notice :

I would ask WHY... given the failure of the Public toilets at Adventure Bay.... causing spillage of effluent, blocking of toilets and running out of water ... the current decision to put toilets on the Crown foreshore would be persisted with. These issues were all brought to the attention of the engineers and Mayor and councillors who having seen the site must be aware what I say is true. The immediate area would be swamped in effluent affecting the dunes and Boat Shed very adversely.

I would draw your attention that the ORIGINAL upgrade of toilets at the Council Chambers would have no such problems given the availability of water and distance from the sea.

I would ask Council would they please review and question the wisdom of this decision and reverse it.

Officer's Response:

The Alonnah System has been designed as a closed-loop pump-out system, with effluent simply stored within the holding tank and then pumped out and transported from site; along similar lines to the AV grey water dump point. The following is relevant to the system:

- There will be no on-site effluent disposal associated with the tank.
- There will be no provision for the contents of the holding tank to overflow.
- The effluent storage capacity is 10,000 litres. The toilet block will be fed by a water storage tank of only 4000 litre capacity.
- The effluent tank will be fitted with a level sensor and alarm system to provide adequate advance notification of rising levels.
- A sensor and pump-out notification alert will trigger when the effluent volume within the tank reaches a pre-set level, say 6,000 litres, thus greatly reducing any risk of the storage tank capacity being reached or exceeded even in the event of a catastrophic system failure.
- Should the effluent storage actually fill and reach capacity, ie due to a failure of the cisterns to properly shut off thus allowing the contents of the freshwater tank to drain out, the storage well will simply seal itself off when full (ie not release contaminated sewage effluent) whilst the harmless freshwater then spills either from the bowl or via an alternative overflow outlet.
- It is expected the system will be pumped out approximately every two months.

It is also worthwhile pointing out that the public toilets at Adventure Bay differ in a number of ways to the proposed toilet at Alonnah insomuch as they have significantly less capacity, are not a closed system, have no monitoring/alarm system and are located in an area where the water table directly affects their performance.

David Reeve - Executive Manager, Engineering Services

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Mr Mark McBride asked the following questions without notice :

1. *“In relation to our meetings here a couple of weeks ago, we decided that we were unable to produce compost that we could sell because of contaminant. I wish we could do a better job than that and I make this request in light of a container deposit scheme and bottle deposit scheme. If we were to get that off the ground we wouldn't be able to accept aluminium with cigarette butts in it and we wouldn't be able to accept bottles with bits of metal in it or dirt or rubbish. If we could get a container deposit scheme going, the products coming in would have to be clean. In my experience this will give the work crew forklift experience on a very simple site. A forklift driver can gain competencies on such a site. My question is, can't we produce compost without contaminant in it? Can't we stop it going in our gates? Peter Cundall said on Saturday, compost is not rocket science. What can we do about it?”*

Executive Manager Engineering Services responds:

The issue with the contamination of the compost is obviously the stuff that comes through the gate or even if we (*inaudible*) future collection coming through the collection service having contamination of weeds within that compost. The only way to actually deal with that is to hot mulch the compost which is obviously an additional expense associated with that side of things. Certainly it will be an avenue that we will look at in more detail once we start to look at the potential for our green waste through Kingborough, so that is part of something that will be discussed as part of the waste management strategy. We will take that on board.

2. *“On the Summerleas Road upgrade and extensions, has there been much interaction or correspondence with the Huon Valley Council? Is the Huon Valley Council putting anything into the project? Has there been any communications?”*

Mayor responds:

Mr Reeve, you may be the best person suited for a response. I know that I have had discussions with the Commissioner but not since the roadworks have started. Do you have anything you would like to add?

Executive Manager Engineering Services responds:

This project is a State Government project, the Department of State Growth. I know they have widely consulted with a number of different stake holders. I cannot speak on behalf of the Huon Council but no doubt they would have actually spoken to them because they would be affected by those particular works as well, at least the people coming from that area. That's as far as I know in terms of the communications with the Huon.

Mr McBride continues:

Thank you. I would just like to add a couple of thoughts. I regard one third of the value of this product as a gift to the people of the Huon Valley Council. Nothing less than a third of the value of this product, \$5 million is Australia's gift to the Huon Valley Council and the people of Esperance. They are going to gain the most from it. If the Huon Valley does stand to gain the biggest proportion of it perhaps they could throw in some trees or some ground covers or some of the decorative stuff in the landscaping end of

it. Maybe the Huon Valley can provide some trees or landscaping to enhance the project in appreciation.

Mrs Susan Allford asked the following question without notice:

"I live just opposite Sherburd Park and I would like to know what is happening with the Optus Tower?"

Manager Governance & Property Services responds:

We are currently in the process of assessing the submissions that we received following the public advertising period. A report will be brought to Council in due course and which Council will make a determination as to whether to continue with the proposed lease to Optus or not.

Mr Wayne Burgess asked the following question without notice:

"Very recently the Tasmanian Planning Commission, in fact a letter dated the 28th April this year, has written to the six Councils comprising the so called Northern Region of Tasmania, with a response to them in relation to the interim planning schemes which, in that area, were implemented in 2013 and the letter to the Councils are asking them for their final, and bearing in mind it's now 2017, their final comments on the representations that they made ie the recommendations and comments which came out of the Planning Commission in response to their representations on those schemes. They made particular point of commenting that the Planning Commissions powers have been quite seriously curtailed in terms of what they can do by way of responding to representations, because of amendments to the LUPA Act, two lots, in January 2015 and December 2015. Kingborough's Interim Planning Scheme came into effect in 2015, two years behind the Northern Region. My question is, has Council, in any recent times, received any response from the Planning Commission in terms of responding to the representations which were made by the Council itself and by a whole series of representors from the community in relation to that Interim Planning Scheme, and secondly, could I ask, is Council keep some sort of record of how much manpower, or person-power, has been put into actually dealing with the Interim Planning Scheme? My reason for that question is that if the same sort of schedule that is applied for the Northern Region ie 2013 and now it's 2017, it would appear as though responses to the representations made by Kingborough may not arrive until 2019 by which time the State Government would be expecting to have implemented in any case the State wide planning scheme. So it seems to me there may well have been a lot of time and therefore cost invested by our municipality in responding to the Interim Planning Scheme."

Deputy General Manager responds:

All the Councils in the State have spent considerable time responding to matters which have emanated from the hearings into the Interim Planning Scheme. Kingborough Council has the same, in fact there is a report in today's meeting relates to some of the final matters we hope that have emanated from those hearings, in relation to a couple of Planning Scheme Amendments whereby the Commission, the Council and the land holders are all in agreement. It has been a long and drawn out process in relation to the processes involved in amending the Interim Planning Scheme following those hearings. Council hasn't kept a record of how much time has been involved in relation to officer time. The future work in relation to responding to Interim Planning Scheme matters, I would say for this Council, is coming to an end. All of our attention is now focused on the preparation of the local provision schedule as part of the Tasmanian Planning Scheme.

QUESTIONS ON NOTICE FROM COUNCILLORS

C224/10-17

(Commences at ± 14 minutes on audio recording)

Blackmans Bay Blowhole Management

Cr Winter has submitted the following question on notice :

“Which level of Government is currently managing the public reserve at the Blackmans Bay Blowhole?”

Officer’s Response:

The reserve adjacent to the Blackmans Bay Blowhole has historically been maintained by Council on the assumption that the area was included in the foreshore lease from the Crown. It has subsequently been ascertained that Council has no lease or licence in place over this reserve. The tenure of the land in question has recently been reviewed by the Office of the Surveyor General and it has been determined that the land above high water mark does not in fact belong to the Crown but remains in private ownership, (likely belonging to a private estate). In effect, this means that there is no level of government currently managing the land. Crown Land Services has indicated that it will not be seeking to take on the ownership of the reserve and Council has resolved not to pursue a lease until after the current Coronial enquiry has been completed.

Daniel Smee - Manager Governance & Property Services

C225/10-17

(Commences at ± 3 minutes on audio recording)

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Grace asked the following question without notice:

1. *“As I haven’t been at Council for a while, and if this has been dealt with, I apologise, but has the Alonnah toilets been undertaken as yet, the new toilet block down near the boat club?”*

Executive Manager Engineering Services responds:

It’s very, very close at the moment so we are just waiting on the finalisation of the building and plumbing approval. We are expecting that to happen in the next couple of weeks or so that we will be looking at getting some construction done on that site.

Cr Grace:

Sorry, it doesn’t have to be advertised again?

Mayor responds:

No, it doesn’t have to be advertised. The building and plumbing needs to be completed and then work will commence.

2. *“You will be aware that back in 2012, this Council employed Pitt & Sherry to do a study on the shared pathway between Margate and Snug. Also Council are aware that the Government put \$300,000 or \$400,000 into that project at their last election. We are now almost due for another election four years down the track, and this report that was given to Council was dated 12 July 2012. We are going five years down the track and there doesn’t seem to be any progress on the horizons for that pathway. Could we get an update on when and has the land been acquired that says in the report back in 2012?”*

Executive Manager Engineering Services responds:

It’s fair to say that this project has been a fairly complex project to deal with. We have actually completed detailed design on the project. However, it will still need to come up for a development application process. At the moment, we have been waiting on Crown Land Services and the Department of State Growth to provide the consent to actually put that development application in. So this has been going on for a little while. We have further meetings with them to try and move that process along.

Cr Grace:

When will all this be furnished because, if you look at the survey five years ago, there it almost 700 people on a survey and the population in Margate now has exploded since then and Snug, so we are getting pretty anxious for the people for that safe haven.

Executive Manager Engineering Services responds:

It’s certainly a project that we have actually got in this financial year that we have already flagged that was going to be a carry forward into next financial year. At the moment, we are reliant on external approvals to actually put the DA in and then the DA obviously has to go through its own process as well. In the best of circumstances we wouldn’t expect any of that construction to probably happen until later into next financial year, so we are probably talking about the spring months, either September or October, somewhere around there, by the time you end up tendering the works.

Cr Bury asked the following question without notice:

“Would it be possible to have a brief update on the alleged illegal land clearing that has occurred on a cherry farm that has recently changed hands at Woodbridge?”

Manager Development Services responds:

The site has been visited and we are aware that vegetation removal has occurred on site and we are currently undertaking investigations, including identifying what the breaches are and following the best approach to be taken with respect to any relevant enforcement action required to deal with those planning breaches.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

C226/10-17

(Commences at ± 19 minutes on audio recording)

Planning Matters

The following Notice of Motion was submitted by **Cr Dr Bury** :

MOVED Cr Dr Bury
SECONDED Cr Chatterton

Could a report please be provided by staff on the following;

1. An update on a proposed Compliance/Enforcement Policy for Planning matters
2. The current capacity of staff in the Planning department to handle the number of complaints about alleged breaches of the Planning regulations and whether an additional position to handle such matters is recommended.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

PETITIONS RECEIVED IN LAST PERIOD

C227/10-17

(Commences at ± 23 minutes on audio recording)

Jetskis at Coningham Beach

MOVED Cr Fox
SECONDED Cr Wriedt

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

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

OPEN SESSION OF COUNCIL ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority Meeting commenced at 5.55pm

OFFICERS REPORTS TO PLANNING AUTHORITY

C228/10-17

(Commences at ± 24 minutes on audio recording)

DELEGATED AUTHORITY FOR THE PERIOD 26 APRIL 2017 TO 9 MAY 2017

MOVED Cr Chatterton
SECONDED Cr Percey

That the report be noted.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

C229/10-17

(Commences at ± 27 minutes on audio recording)

DA-2016-98 - DEVELOPMENT APPLICATION FOR MIXED USE DEVELOPMENT AT 2 WINDSOR STREET, KINGSTON BEACH FOR TIM PENNY ARCHITECTURE

MOVED Cr Fox
SECONDED Cr Percey

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for mixed use development at 2 Windsor Street, Kingston Beach for Tim Penny Architecture 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. DA-2016-98 and Council Plan Reference No. P2 submitted on 7 June 2016 and No. P3 submitted on 28 March 2017. 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. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

3. In accordance with Clause 20.3.1 of the Kingborough Interim Planning Scheme 2015, hours of operation of any commercial activities on the site must be undertaken within the following hours, except for office and administrative tasks:
 - (a) 7.00 am to 9.00 pm Mondays to Saturdays inclusive;
 - (b) 9.00 am to 5.00 pm Sundays and Public Holidays.
4. In accordance with the requirements of Clause 20.3.2 of the Scheme, noise emissions generated by any commercial use of the site must not exceed the following when measured at the boundary of a residential zone:
 - (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
 - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;
 - (c) 65dB(A) (LAm_{ax}) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.

5. In order to comply with the requirements of Clause 20.3.3 under the Scheme, external lighting on the site must comply with the following:
 - (a) be turned off between 10:00 pm and 6:00 am, except for security lighting;
 - (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.
6. In accordance with the requirements of Clause 20.3.4 of the Scheme, commercial vehicle movements (including loading and unloading and garbage removal) to or from the site must be within the hours of:
 - (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;
 - (b) 9.00 am to 5.00 pm Saturdays;
 - (c) 10.00 am to 12 noon Sundays and public holidays.
7. In accordance with the requirements of Clause 20.4.4 of the Scheme, the potential 'concealed alcove' created by the external door at the rear of commercial tenancy 1 must be remedied to minimise potential entrapment spaces.

Therefore, plans submitted for the Building Application must show an amended design which reduces the risk of entrapment to the satisfaction of the Manager – Development Services. This may be achieved by a number of measures, such as extending the building alongside the garage so that the external door is flush with the garage, eliminating the door altogether, or by installing a mirror in the opposite wall to enable visibility around the garage corner.

8. In accordance with the requirements of Clause 20.4.4 of the Scheme, external lighting must be provided to illuminate car parking areas and pathways, and any public access at the ground floor level the car park must be well-lit. This lighting must be shown on plans submitted for a Building Application to the satisfaction of the Manager – Development Services.

9. In accordance with the requirements of Clause 20.4.3 under the Scheme, detailed plans must be submitted as part of any application for a Building Permit demonstrating treatment of the proposed 4.3m high, 8m long blank wall adjacent to Windsor Street, with either architectural detail or public art so as to contribute positively to the streetscape, to the satisfaction of the Manager – Development Services.
10. In accordance with Clause 20.4.5 under the Scheme, landscaping must be installed in the vacant area behind the wooden fence proposed at the northwestern end of the site frontage to Windsor Street, unless otherwise approved by Council. This landscaping must be visible from the street and use a range of plant height and forms to create diversity, interest and amenity. It must be shown on site plans submitted for the Building Application, to the satisfaction of Councils Manager – Development Services, and installed prior to occupancy.
11. The design and construction works must be generally in accordance with the submitted proposal plan and civil drawings P3 to the satisfaction and approval of the Executive Manager - Engineering Services and as follows:
 - (a) Finished floor levels must be 300mm above the flood level (RL 3.42 Australian Height Datum) as indicated on the submitted drawings.
 - (b) The carparking and vehicle manoeuvring must be of a sealed construction and comply with Australian Standard AS2890.1:2004 (Off street car parking).
 - (c) Parking and vehicle circulation roadways and pedestrian paths must be provided with bollard or other form of lighting.
 - (d) Stormwater discharge from all new impervious areas must be disposed of by gravity to public stormwater infrastructure at the developer's cost.
 - (e) An on-site stormwater quality system must be designed and installed to service the development in accordance with the requirements of Code E7.0 Stormwater Management Code of the Kingborough Interim Planning Scheme 2015.
 - (f) The footpath along the site frontages must be reconstructed to an approved exposed aggregate finish at the developer's cost.
 - (g) All civil engineering works (vehicle access, carparking and drainage works) associated with this development must be completed to the satisfaction of the Executive Manager – Engineering Services prior to the issuing of a Certificate of Occupation by the Building Surveyor.
 - (h) The engineering plans and specifications must be prepared and certified by a professional Civil Engineer approved by the Executive Manager - Engineering Services. The engineer must supervise the construction works.
 - (i) Approval of the plans and specifications is required prior to the issue of a Building Permit.
12. The applicant shall not commence civil construction works within a road reservation until the following requirements are met:
 - A 'Permit to carry out works within a Council road reservation' has been issued by Council.
 - Traffic management and pedestrian plan implemented on site in accordance with an approved 'Traffic Control Plan' in conjunction with the above Permit.

13. Prior to the commencement of site works a soil and water management plan must be submitted to Council for approval. The plan must be in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines and Tasmanian Standard Drawings (TSD-SW28). A site inspection of the implemented plan by the Council’s Development Inspector must be satisfactorily undertaken with the principal contractor prior to the commencement of any work on site.
14. A drainage design plan at a scale of 1:200, designed by a qualified hydraulic engineer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Plumbing Permit.

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. This Permit does not constitute building approval. The developer should obtain a Building Permit for the development prior to commencing construction.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously



Submission to Planning Authority Notice

Council Planning Permit No.	DA-2016-98	Council notice date	9/03/2016
TasWater details			
TasWater Reference No.	TWDA 2016/00302-KIN	Date of response	22 March 2016
TasWater Contact	Greg Clausen	Phone No.	(03) 6237 8242
Response issued to			
Council name	KINGBOROUGH COUNCIL		
Contact details	kc@kingborough.tas.gov.au		
Development details			
Address	2 WINDSOR ST, KINGSTON BEACH	Property ID (PID)	5770020
Description of development	Mixed-use Residential/Commercial Development		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each unit of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 3. The applicant or landowner as the case may be, must pay a development assessment fee to TasWater for this proposal of: \$197.00 and the fees will be indexed as approved by the Economic Regulator from the date of the Submission to Planning Authority Notice for the development assessment fee. 			
Advice			
<p>For information on TasWater development standards, please visit http://www.taswater.com.au/Development/Development-Standards</p> <p>For information regarding assessment fees and other miscellaneous fees, please visit http://www.taswater.com.au/Development/Fees---Charges</p> <p>For application forms please visit http://www.taswater.com.au/Development/Forms</p> <p>The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.</p>			

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by

Jason Taylor
Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
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DA-2016-488 - DEVELOPMENT APPLICATION FOR DWELLING, THREE VISITOR ACCOMMODATION UNITS AND GARAGE/STORAGE SHED AT 18-24 CARISON COURT, HOWDEN FOR MR N LEGGE

MOVED Cr Fox
SECONDED Cr Percey

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for dwelling, three visitor accommodation units and garage/storage shed at 18-24 Carison Court, Howden for Mr N Legge 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. P2 submitted on 6 March 2017 and Council Plan Reference No. P3 submitted on 14 March 2017. 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. Exterior building surfaces of the carport/storage shed and dwelling must be coloured using colours with a light reflectance value not greater than 40 percent. These colours must be shown on plans submitted for the purpose of a Building Application.
3. The visitor accommodation units must not be used for long stay residential purposes. Maximum period of stay in these units must be limited to 3 months, unless otherwise approved in writing by Council.
4. Management of planted vegetation is approved for the purpose of bushfire hazard management for the dwelling as per the submitted Bushfire Hazard Management Plan (Enviro-Dynamics, Plan No. P1 submitted 24 November 2016).

No other felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without further written approval of Council.

Minor extension of existing raised mounds for the purpose of wastewater treatment, up to a maximum of 1msq, is approved within the Waterway Protection Area. These works must be undertaken such that no native vegetation is disturbed or destroyed, and the bank of the waterway is not disturbed.

All trees and native vegetation to be retained must be appropriately protected during construction by establishing and maintaining a visible Tree Protection Zone (calculated as 12 x trunk diameter at 1.4m above ground) in accordance with AS 4970-2009 to exclude:

- (a) Storing of building materials;
 - (b) Vehicular traffic;
 - (c) Placement of fill; and
 - (d) Excavation works.
5. To reduce the spread of weeds or pathogens and maintain the weed free status of the property, all machinery must take appropriate hygiene measures prior to entering and leaving

the site as per the Tasmanian Washdown Guidelines for Weed and Disease Control produced by the Department of Primary Industries, Parks, Water and Environment.

Any imported fill materials must be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.

6. Prior to undertaking any works related to the wastewater system, the developer must obtain from Council a Plumbing Permit for in accordance with the site and soil evaluation and system design by John Parkinson dated 17 February 2017. This application must be to the satisfaction of Council's Environmental Health Officer and should accompany any application for a Building Permit for the development.
7. Food must not be sold or served to guests without prior consent from Council's Environmental Health Officer.
8. The construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Executive Manager - Engineering Services and include the following:
 - The existing and new vehicle circulation roadways must be overlaid with a minimum of 40mm depth layer of 2% cement treated gravel. A 'broken brown' colour gravel is acceptable and this work must be completed prior to the commencement of use as approved.
9. Erosion/siltation infiltration control measures must be applied during construction works in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines, Tasmanian Standard Drawings (TSD-SW28) and to the satisfaction of the Executive Manager – 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. This Permit does not constitute building approval. The developer should obtain a Building Permit for the development prior to commencing construction.
- C. The dwelling should be constructed to comply with Requirements for Building in Bushfire-Prone Areas under the Building Act 2000 and BAL – 12.5 as per AS3959-2009.

An Emergency Evacuation Plan for the property should be in place during operation of the visitor accommodation units.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

PSA-2016-4 - DRAFT AMENDMENT TO KINGBOROUGH INTERIM PLANNING SCHEME 2015 - FOR THE PARTIAL REZONING FROM ENVIRONMENTAL LIVING TO LOW DENSITY RESIDENTIAL (AREA C) AND AMENDMENT TO CLAUSE 14.5.1(P1) OF THE ORDINANCE TO INCLUDE A SITE SPECIFIC MINIMUM LOT SIZE FOR 367 BRIGHTWATER ROAD, HOWDEN AT 367 BRIGHTWATER ROAD, HOWDEN

AND

DAS-2016-34 – DEVELOPMENT APPLICATION FOR SUBDIVISION OF SIX LOTS AT 367 BRIGHTWATER ROAD, HOWDEN FOR MRS C LINDUS OBO EMMA RILEY & ASSOCIATES

MOVED Cr Grace
SECONDED Cr Chatterton

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority Committee resolves that the report of the Manager Development Services be received and that:

- A. Council advise the Tasmanian Planning Commission that thirty (30) representations were received in accordance with section 39(2) of the *Land Use Planning and Approvals Act 1993*; and
- B. A copy of Table 1 in this report is forwarded to the Tasmanian Planning Commission, being the Council's assessment of the merit of each representation in accordance with section 39(2)(b); and
- C. The Tasmanian Planning Commission be advised that Council recommends no modification to draft amendment PSA-2016-4 is required; and
- D. Council recommends that the following modifications to the Planning Permit for DAS-2016-34 are required:
 1. The addition of a new condition 28 which reads as follows:
 28. Prior to the sealing of the Final Plan of Survey, the developer must enter in to either a covenant on the title or Part 5 Agreement under the *Land Use Planning and Approvals Act 1993* for all new lots to the effect any landscaping of the site will incorporate native species (preferably Tasmanian endemic species) and exclude non-declared priority weeds listed in the Kingborough Weed Management Strategy. All costs associated with drafting and registering the covenant or Part 5 Agreement on the titles is to be borne by the applicant.
 2. The addition of a new condition 29 which reads as follows:
 29. A landscaping plan that provides screening along the Bonnie Vale Drive road boundary of the subdivision must be prepared by a suitably qualified landscape designer or landscape architect. Plant species selection must be suitable for an urban residential precinct and be provided to the satisfaction and approval of Council's Manager Development Services. This plan must be submitted to

Council at the time of lodgement of the subdivision engineering plans for approval. The planting sites must be prepared and planting undertaken in accordance with the approved plan prior to Council sealing the Final Plan of Survey.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

C232/10-17

(Commences at ± 38 minutes on audio recording)

PSA-2016-5 – PLANNING SCHEME AMENDMENT APPLICATION FOR AN AMENDMENT TO CLAUSES 14.5.1(P1) AND 26.5.1(P1) OF THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 BY INCLUDING A SITE SPECIFIC MINIMUM LOT SIZE AT 3 SAWDUST ROAD, ADVENTURE BAY, LOT 200 BONNIE VALE DRIVE, HOWDEN - (162233/200), 50 RADA ROAD, KETTERING AND 16 DILLONS ROAD, ALONNAH - (CT 244430/1) FOR KINGBOROUGH COUNCIL

MOVED Cr Fox
SECONDED Cr Wriedt

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority resolves that the report of the Manager Development Services be received and that:

- A. Council advise the Tasmanian Planning Commission that three (3) representations were received in accordance with section 39(2) of the *Land Use Planning and Approvals Act 1993*; and
- B. A copy of Table 1 in this report is forwarded to the Tasmanian Planning Commission, being the Council's assessment of the merit of each representation in accordance with section 39(2)(b); and
- C. The Tasmanian Planning Commission be advised that no modification to draft amendment PSA-2016-5 is required and advises the Tasmanian Planning Commission accordingly.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

OPEN SESSION OF COUNCIL RESUMES

Open session of Council resumed at 6.10pm

OFFICERS REPORTS TO COUNCIL

C233/10-17

(Commences at ± 40 minutes on audio recording)

STREET LIGHT REPLACEMENT

MOVED Cr Chatterton

SECONDED Cr Wriedt

That Council:

- (a) Agree to fund the replacement of its residential street lights with LEDs by seeking a loan;
- (b) Investigate eligibility of the project for interest free loan funding under the State Government's Capital Works Loan Scheme; and
- (c) Continue to work with LGAT and other Councils in the southern region to undertake this project on a regional basis.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

C234/10-17

(Commences at ± 55 minutes on audio recording)

FEES AND CHARGES 2017/18

MOVED Cr Percey

SECONDED Cr Chatterton

That Council adopts the attached Fees and Charges Schedule for the 2017/18 financial year.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Percey
Cr Wass	Cr Winter	Cr Wriedt	

AGAINST

Cr Grace			
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Carried

POLICY 1.15 – CORPORATE CREDIT CARD

MOVED Cr Percey
 SECONDED Cr Fox

That Council approves the Corporate Credit Card Policy 1.15, as attached to this report.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

POLICY 4.9 – ARTS COLLECTION

MOVED Cr Wriedt
 SECONDED Cr Bury

That the Arts Collection Policy, as attached to this report, be endorsed.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

IMPLEMENTATION OF AN ANNUAL AWARD FOR EXCELLENCE FOR THE OWNERS OF HERITAGE PROPERTIES

MOVED Cr Fox
 SECONDED Cr Grace

That Council:

- (a) endorse the creation of an annual Heritage Awards program;
- (b) endorse that \$1000 be set aside annually out of the Annual budget to fund prizes awarded to the proposed two categories of Heritage Conservation Award and Heritage Development Award; and
- (c) the annual winners be selected by an internal staff committee chaired by the General Manager with recommendations to be endorsed by Council.

MOVED Cr Chatterton
 SECONDED Cr Grace

That the matter be deferred pending a workshop.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percy	Cr Wass	Cr Wriedt	

AGAINST

Cr Winter				
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Carried

APPOINTMENT OF MEMBERS TO COUNCIL SPECIAL COMMITTEES

MOVED Cr Percey
 SECONDED Cr Grace

That approval be given for the appointment of Kirilee Beveridge to the Lower Longley Hall Management Committee.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

INFORMATION REPORTS

MOVED Cr Grace
 SECONDED Cr Bury

That the following information reports be noted:

1. Mayor's Communications.
2. Financial Report Summarised for the period 1 July 2016 to 30 April 2017.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

C240/10-17

CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Wriedt
SECONDED Cr Winter

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* the following items are to be dealt with in Closed Session.

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
Applications for Leave of Absence	15(2)(h)

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

C241/10-17

CLOSED SESSION

MOVED Cr Fox
SECONDED Cr Grace

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* that Council move into Closed Session.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

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

Open Session of Council adjourned at 7.28pm

OPEN SESSION OF COUNCIL ADJOURNS

OPEN SESSION OF COUNCIL RESUMES

Open Session of Council resumed at 7.30pm

C245/10-17

MOVED Cr Winter
SECONDED Cr Wriedt

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

Subject	Decisions/Documents
Applications for Leave of Absence	Approved

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 7.31pm

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(Confirmed)

.....
(Date)