

Kingborough

PUBLIC MINUTES

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

MINUTES

26 February 2018



Back (L – R): Cr Paul Chatterton, Cr Mike Percy, 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, 15 Channel Highway, Kingston on Monday, 26 February 2018 at 5.30pm.

	From	To	Time Occupied
Open Council	5.30pm	5.49pm	19 minutes
Planning Authority	5.49pm	7.08pm	1 hour, 19 minutes
Open Council	7.08pm	8.08pm	1 hour
Closed Council	8.08pm	8.24pm	16 minutes
Open Council	8.24pm	8.25pm	1 minute
TOTAL TIME OCCUPIED			2 hours, 55 minutes

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Mayor paid respect to the traditional and original owners of this land the muwinina people, paid respect to those that have passed before us and acknowledged today's Tasmanian Aboriginal community who are the custodians of this land.

ATTENDEES

Councillors:

Mayor Councillor S Wass	✓
Deputy Mayor Councillor P Wriedt	✓
Councillor S Bastone	✓
Councillor Dr G Bury	✓
Councillor P Chatterton	✓
Councillor F Fox	✓
Councillor D Grace	✓
Councillor M Percey	✓
Councillor D Winter	✓
	(arrived at 5.32pm)

Staff:

TITLE	NAME
General Manager	Mr Gary Arnold
Deputy General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Executive Manager Organisational Development	Ms Pene Hughes
Manager Environmental Services	Mr Jon Doole
Manager Governance & Property Services	Mr Daniel Smee
Manager Development Services	Ms Tasha Tyler-Moore
Coordinator Statutory Planning	Mrs Melissa Stevenson
Media & Communications Officer	Ms Sarah Wilcox
Executive Assistant	Mrs Amanda Morton

C111/4-18

APOLOGIES

Cr Richard Atkinson

CONFIRMATION OF MINUTES OF COUNCIL MEETING NO. 3 HELD ON 13 FEBRUARY 2018

MOVED Cr Fox
 SECONDED Cr Wriedt

That the Minutes of Council Meeting No. 3 held on 13 February 2018 be confirmed.

FOR

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

Carried Unanimously

Cr Winter joined the meeting at 5.32pm

WORKSHOPS HELD SINCE COUNCIL MEETING ON 13 FEBRUARY 2018

DATE	PURPOSE
19/2/2018	Meet the Candidates

DECLARATIONS OF INTEREST

Cr Fox declared an interest in the item "DA-2017-466 - Development Application for Extension to Existing Visitor Accommodation to Provide 42 New Guest Bedrooms, Guest Dining Area and Bar and Manager's Accommodation at 77 Howden Road, Howden for M Linardi".

Cr Wriedt declared an interest in the item "DA-2017-466 - Development Application for Extension to Existing Visitor Accommodation to Provide 42 New Guest Bedrooms, Guest Dining Area and Bar and Manager's Accommodation at 77 Howden Road, Howden for M Linardi".

Cr Grace declared an interest in the item "DA-2017-466 - Development Application for Extension to Existing Visitor Accommodation to Provide 42 New Guest Bedrooms, Guest Dining Area and Bar and Manager's Accommodation at 77 Howden Road, Howden for M Linardi".

Cr Wass declared an interest in the item "DA-2017-466 - Development Application for Extension to Existing Visitor Accommodation to Provide 42 New Guest Bedrooms, Guest Dining Area and Bar and Manager's Accommodation at 77 Howden Road, Howden for M Linardi".

Cr Percey declared an interest in the item "Twin Ovals Pavilion Tenancy".

TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

QUESTIONS ON NOTICE FROM THE PUBLIC

C115/4-18

(Commences at ± 4 minutes of audio recording)

1 Register of Staff Interests

At the Council meeting on 13 February 2018, **Mr Mervin Reed** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

“In the agenda for the Council meeting of 13 February the General Manager addressed my question regarding a staff register of interests by referencing Australian Accounting Standard (my question is repeated in full, below).

Section 55 of the Local Government Act mandates that the General Manager keep such a register, and advise council of every notified interest. I now ask:

- a) *Has the General Manager compiled a register in compliance with this statutory obligation, and if so, when?*
- b) *Has the General Manager advised council of registrable interests on a continuing basis?*
- c) *Why the General Manager has failed to provide a relevant and proper answer to my original question by failing to reference the over-arching statutory requirement for such a register?*
- d) *I repeat my original question and seek appropriate answers to it in writing at the next council meeting.*

My question is:

Register of interests for staff:

Can the General Manager report to the next council meeting as to the existence of the register of interests for the staff of the council.

In his response in writing to the council and the ratepayers, can he advise how many staff members have registered an interest?

Has this register been presented to the Chairman of the Audit Committee for ratification, so that ratepayers can be assured that no staff member has any conflict of interest?”

Officer’s Response:

The following response is provided:

- a) Council has had a register in place since 2010.
- b) Yes.

- c) The original question made no reference to Section 55 and was incorrectly assumed to refer to related party disclosures.
- d) In accordance with Section 55(3) of the *Local Government Act* the register is exempt from the provisions of the *Right to Information Act 2009*. However, all staff declaring an interest under Section 49 of the *Local Government Act 1993* have had that interest registered in accordance with Section 55. The Local Government Division, as a part of its 2017-18 compliance strategy, undertook an audit into the management of conflicts of interests and pecuniary interests across all 29 Councils in August 2017. This included an audit into compliance with Section 55(2)(b) of the *Local Government Act*. Kingborough Council provided evidence of full compliance with these requirements.

Gary Arnold - General Manager

C116/4-18

(Commences at ± 4 minutes of audio recording)

2 Waste Management and Rubbish Removal on Bruny Island

At the Council meeting on 13 February 2018, **Mr Mervin Reed** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

"In the agenda for the Council meeting of 13 February a response was received from the Director of Engineering Services, in relation to the lack of services including waste management and rubbish removal from Bruny Island. This question was directed to the General Manager.

Does this mean that the General Manager has no knowledge of any issue on Bruny Island?

The answer provided to this question was unique, in that it stated that there were in essence no complaints registered with the Council's Customer Service system.

I refer the General Manager to consistent adverse press and social media comments in the Mercury in 2016 and 2017 and again on December 31st, and the opinion piece on the 4th of January 2018. The council has a media officer, who I am sure would have copied all of these stories, and brought them to the General Manager's attention. If not why not?

Thus he cannot say that he as the responsible authority did not know, and that things were all OK, and that the services being provided by the Council were meeting the needs of ratepayers and the general public.

So the question is asked again.

Apart from a Liveability study which is simply a deferral of action, what other measures are to be taken for the upcoming Easter influx of people onto Bruny Island by the General Manager, to alleviate the impact of visitors to the island on the waste management and need for public toilets? A detailed response would be needed in order to be believed.

Also when will the nice new shiny grader owned by the Council put in an appearance on Bruny Island to grade roads?

The Kingborough Ratepayers Association and the residents of Bruny Island will be watching with interest for his detailed and considered reply from the General Manager."

Officer's Response:

The Media and Communications Officer summarises all stories relating to Kingborough Council each morning and emails the summary to all Councillors and Managers. The articles mentioned were summarised as part of this procedure.

Two Bruny Island residents were quoted within the articles as being dissatisfied with the impacts of tourism on the Island. Another letter to the Mercury (included in the summary) quotes a third long-term Bruny Island resident who has an opposing view. The Liveability Study will collate views from the majority of residents to make sure the needs of all residents are being appropriately investigated and prioritised.

Over the Easter period, Council's contractor that provides the waste collection service, toilet and BBQ cleaning service, will be providing a daily service. This higher intensity regime has been in place since 1 November 2017 and will conclude on 30 April 2018. The number of public toilets on the Island, plus those provided by local businesses, is quite sufficient to meet the needs of the expected increased visitor numbers.

Council owns a John Deere 670G Grader, purchased on 31 May 2016, which is based at the Kingston Depot and assists with maintaining the 178 kms of Council owned gravel roads in that area serviced by that Depot. Council also owns a Mitsubishi MG460 Grader purchased on 18 August 2009 which is based on Bruny Island and assists with maintaining the 84 kms of Council owned gravel roads in that area. Both graders are used to carry out maintenance and capital works on the entire council owned road network.

In the previous 12 months the "newest" grader, the John Deere 670G, was transported to Bruny Island and carried out capital works which included gravel resheeting Lighthouse Road and assisted in placing some dust suppressant as a trial on Harvey Road in Alonnah.

Council staff will continue to utilise all equipment, either new or older, to carry out all maintenance tasks and capital works in the most efficient and productive manner possible on the entire road network of the Kingborough Council Municipality.

Gary Arnold - General Manager

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

C117/4-18

(Commences at ± 4 minutes of audio recording)

1 North Roslyn Avenue Traffic Issues

Ms Tricia Ramsay asked the following questions without notice:

- (a) Time is running out for the promised 'summer-school time' road counts on North Roslyn Avenue to be actions. Can you provide definite dates for this activity?
- (b) When is the area wide traffic survey of Kingston and Blackmans Bay planned?
- (c) Will that survey include vehicle movements on an around Jindabyne Road and Hutchins Street?

Mayor responds:

As our Engineer is not here we will take your questions on notice and respond.

Mr Mervin Reed asked the following questions on notice:

2 Budget and Rates Policy

The Kingborough Ratepayers Association was gratified to hear the Mayor commit to a rate cap of less than 3% over the next 4 years during his interview with ABC radio. This was the Mayor's commitment specifically asked by Ryk Goddard. My question that follows on from this issues is the budget of the Council and the clear lack of a profit and loss account to tell the rate payers what operating expense outcomes exist for the Council each month.

Would you please now provide at the next Council meeting a clear profit and loss account without any capital revenue component nor any grants that have been provided for capital works. The present summary is to some degree unintelligible.

Mayor responds:

Mr Breen will take the question on notice. For the record, I didn't indicate that to Mr Goddard. I did not indicate any percentage to Mr Goddard as to what I would support.

3 Road Repairs

For the past few weeks there have been around 30 gravel truck movements per hour along Lesley Road and Cades Drive. Whilst appearing to be loaded at less than capacity with roadworks spoil, these trucks have nevertheless created road surface subsidence and a series of very large and deep potholes, all of which now constitute a significant road hazard.

- (a) What is being done to cure these hazards and when?
- (b) Who is to pay for these road repairs?
- (c) Where is the spoil being dumped?
- (d) What environmental controls have been put in place re: the dumping and the dump site?
- (e) Are these controls subject to Council monitoring?
- (f) Which office in Council is responsible for setting these controls (if any) and monitoring compliance?

Why is there no reporting mechanism of potholes generally for ratepayers on the website? Can you please have the Council officers provide a specific "dob in a pothole" website link with an appropriate box for information be inserted and sent to the Council. The Ratepayers Association would like to see a more pro-active minor road maintenance program that presently exists.

Mayor responds:

We will take those questions on notice.

QUESTIONS ON NOTICE FROM COUNCILLORS

C120/4-18

(Commences at ± 11 minutes of audio recording)

1 Blackmans Bay Skate Park

At the Council meeting on 13 February 2018, **Cr Bastone** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

“As far as I am aware we got a State Government grant to do the landscaping and for a children’s playground to be put in. I’m just wondering when that is actually going out to tender and when it will be done? With the skate park itself, it’s been finished for some time and nothing has happened about the playground or the landscaping of the area.”

Officer’s Response:

The design has been completed and relevant Council approvals have been received. Equipment required has been ordered and at this stage we are expecting to start construction in March.

David Reeve - Executive Manager Engineering Services

C121/4-18

(Commences at ± 11 minutes of audio recording)

2 Kingborough Performing Arts Centre

At the Council meeting on 13 February 2018, **Cr Bury** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

“Councillors will be familiar with the fact that, as part of a negotiated agreement, Council put a substantial amount of money into the performing arts centre to enable it to be enlarged. How many times in the past twelve months has the performing arts centre been used by either the public or by Council?”

Officer’s Response:

KPAC has not been used by Council in the past 12 months, it has been used by the following community groups:

Date	Community Group/Activity
21 October, 4 November 2017	Kingston Dance Academy – dancing concert
9 November 2017	Baha’i - presentation
25, 26 November 2017	Hobart Irish Dancing – dancing concert
23, 24 January 2018	Blackmans Bay Childcare – parent information sessions

The above groups were charged a fee to cover electricity, security and cleaning.

Carol Swords – Coordinator Community Services

3 1967 Bushfire Commemoration Tree Planting

At the Council meeting on 13 February 2018, **Cr Grace** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

“At the commemoration of the 1967 Bushfires, which is now one year old, the committee agreed that we would plant trees for a memorial declaration for Beach Road down to the commemoration park at the beach. These trees were planted last year before the event and we were told that these trees would bloom in February last year, right in time for the commemoration. We are in February again and they still haven’t bloomed and they don’t look like they will bloom. Have we been sold dummies? There’s the picture and this is what we were expecting as rate payers. \$30,000 worth of trees and all they are is a stick with branches on them. Would the General Manager please check to see if these trees are ever going to flower?”

Officer’s Response:

The trees are relatively young and require time to get established before they will flower. Unfortunately, it is difficult to predict with any certainty exactly the time a tree may bloom but the trees are considered to be healthy. Council Officers will continue to monitor and nurture the trees as required.

David Reeve - Executive Manager Engineering Services

4 Skate Parks

At the Council meeting on 13 February 2018, **Cr Grace** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

“I understand that the workshop relating to the Snug Park by staff stated that there were quite a lot of problems and activities around skate parks and that was one of the reasons they didn’t support the skate park for Snug. Could I ask that this be addressed again because there are no problems with skate parks and crime.”

Officer’s Response:

Skate parks are good facilities when located in the right area and designed appropriately, however, when these elements are not in place they become less used and can attract crime. There are many examples of this occurring throughout Australia and overseas.

Some of the factors that need to be considered in siting skate parks to mitigate undesirable behaviour are:

- Integrate skate parks into the urban fabric and locate them close to other appropriate and complementary uses such as community centres, active retail or recreation.
- Engage skate park users early in the design process to maximize the success and ownership of the facility.
- Ensure that the skate park is located in a prominent location in relation to adjacent uses with active pedestrian routes along the edges of the park.
- Provide opportunities to sit and watch along the edges of the skate park (on the street or just slightly outside of the skate park) and within the skate park. Provide weather

protection (ie. shelter from the rain) without obstructing sightlines or creating areas of concealment.

- Ensure vegetation and topography do not provide concealment of illegitimate activity.
- Locate the skate park in close proximity to frequent public transit routes and key pedestrian and bicycle networks.
- Avoid the use of heavy walls for sound proofing that restrict sightlines.
- Consider employing local urban (graffiti) artists to paint murals on concrete elements to minimize opportunities for “tagging” and undesirable graffiti.

Other Crime Prevention Through Environmental Design principles to consider overall include;

- Design to maximize opportunities for natural surveillance
- Design, detail and manage to the build environment to maximise legibility and provide access control where appropriate.
- Design and maintain the physical appearance of urban environments to reduce criminal or unwelcome behaviour.
- Clearly define boundaries between public and private spaces and promote shared responsibility for their security.

Council has four skate parks and arguably the most popular is Blackmans Bay. Despite best meeting the principles outlined above this skate park has also been subject to several anti-social behaviour complaints which has resulted in Council interventions over time. They include

- The use of a sprinkler system to prevent night use
- Removal of shrubs around the perimeter to enable clear sight lines and remove the use of the bushes as toilets.
- Removal of vegetation that would provide cover to illegal drug dealing.

David Reeve - Executive Manager Engineering Services

C124/4-18

(Commences at ± 11 minutes of audio recording)

5 Toilets at Roberts Point

At the Council meeting on 13 February 2018, **Cr Grace** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

“We raised this with State Government four years ago at election time, myself and Mr Holloway when he was our council rep for the Bruny Island Advisory Group, the state of the toilets at Roberts Point are putrid. They are a total disgrace to the government. Yes, they are sending somebody over to clean them but the stink in there is unbelievable and I would ask, again, that we should be really concentrating with the State Government to replacing those toilets and I guess the other question is, do we know what has happened to the land that was supposed to be donated by Mr Grunseth. There might be a chance if they can take control of that land that was promised in the sub-division, new toilets could be built?”

Officers' Response:

The condition of the toilets has been forwarded to the Department of State Growth for comment and action.

David Reeve - Executive Manager Engineering Services

The original subdivision of this large property south of Lennon Road was approved in 2008. Provision was made in the subdivision for road widening immediately to the south of the Roberts Point ferry marshalling area. The lot that was created for this purpose is about 12m wide and 125m long and was designed to enable the construction of additional parking lanes. This lot has never been transferred to the Crown and remains in the same ownership as that of the adjoining private property. The need for the additional lanes was reduced with the introduction of the second ferry in 2015 and it is understood that the Department of State Growth does not intend to acquire this particular lot in the near future.

Tony Ferrier – Deputy General Manager

C125/4-18

(Commences at ± 11 minutes of audio recording)

6 Rates Notices

Cr Winter has submitted the following question on notice:

- What percentage of Kingborough Council rates notices are provided electronically?
- What is the financial benefit to Council, per rates notice, of rates notices being provided electronically, rather than by post?
- What targets are in place for moving more ratepayers to receiving these notices electronically?
- How will targets be achieved?

Officer's Response:

Kingborough have been emailing rates notices directly since 2016, prior to that they were sent electronically via BPay View.

Kingborough email rates notices by two methods, either directly from our mailing house or sent via third party platforms (e.g. Banks BPay View). Currently 2,029 of 17,065, 11.9%, rates notices are emailed. There is considerable saving to Council for emailing notices, with emailed notices costing over 70% less than mailing them.

We have been actively promoting this for a few years and every rates notice contains a large bold notice saying *“Receive your rate notices electronically, simply request via email, quoting your Property ID to: kc@kingborough.tas.gov.au”*. This option is also offered when the rates department interact with customers.

Tim Jones – Manager Finance

7 Kingston Beach Pontoon

At the Council meeting on 13 February 2018, **Cr Wriedt** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

"I had a rate payer who used it several times over the last few weeks and was concerned about the design of the steps. I can only take this on what she said as I have to admit I haven't swum out to it as I'm not fond of cold water, but she was concerned that they are round in nature and there is no anti-slip material on them and that it would be very, very easy, in fact she had a mis-start of going up and nearly hitting her chin and breaking some teeth falling down. I'm just wondering if there is an option of any anti-slip material, is that a common design in pontoon's and is there anything that can be done about it? Her view was that it was an accident waiting to happen."

Officer's Response:

The ladder used is a standard marine ladder commonly used in situations such as these, nevertheless Council Officers will investigate options for any anti slip material that may be appropriate for a ladder of this type.

David Reeve - Executive Manager Engineering Services

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Bastone asked the following questions without notice:

1 Missing Signage on Adventure Bay Road

At the weekend I was on Bruny Island and on Adventure Bay Road the signage appears to be missing between Bligh River and going down to where Rob Pennicott's new headquarters are. This is a 40kph area and there are no 40kph signs anywhere along that stretch of road in either direction. Could we please have some signs put up?

Mayor responds:

The General Manager will follow that one up.

2 AFL Game

In relation to the AFL game that was at the Twin Ovals on 24 February, who was responsible for the actually organisation on the day and organising the parking because I have to say it was excellent, so I'm hoping it was Council staff.

Manager Governance & Property Services responds:

The parking was organised by Council staff, namely myself, however, that wasn't planned. We had actually contracted Spectran to do the parking but they turned up late hence I had to step in.

Cr Chatterton asked the following question without notice:

3 Locating Roads Shown in DA's

In last Wednesday's Mercury there were applications for planning approvals put in by Kingborough Council. One of the applications referred to 25 Java Head Link, Kingston. When one went onto the Council website to have a look at this particular development it showed it on the corner of Apolline Drive. But those streets don't exist on Google Maps, it's there on the website on the planning application with a dotted line of where they are. I just wondered, if we had a situation where, and I assume that these roads may well be over in the new development on the other side of the bridge to nowhere, and where does a person, who wants to go and have a look at it, as regards a rate payer, when the roads don't exist and, obviously what we have done is spot on, but the roads don't exist, they are not in Google Maps, how does someone go to that site, find out where it is and where do we stand legally.

Manager Community Development responds:

We have no control of what goes into Google. We rely on the List. Members of the public can go to the List. If you type in the address, which I did test, it will show you the location of that road, however, the actual specific street allotments aren't yet shown on there because it still has to be released from the State Government. The List is the website that is connected to the Planning Scheme and is held by the State Government.

Cr Chatterton:

Most people would go, with due respect, into Google Maps and put an address in and there is nothing there. They wouldn't know where to go.

Mayor:

I don't disagree with you but the List is the State Government website that does create those and does put those on as Ms Tyler-Moore suggests.

Cr Chatterton:

Is there some way then, Mayor, that when a situation like this arises, we can have something on the application when people go onto our website and look at a particular application, that it can refer them to somewhere to verify where that site is, would be most helpful?

Mayor:

I think that is a good suggestion and we will see if Ms Tyler-Moore is able to do that.

Manager Community Development refers:

Yes, we can accommodate advice on the website that says to refer to the List as the Titles are kept on there and the roads.

4 Performing Arts Centre

Cr Bury asked the following question without notice:

I am pleased to see the Performing Arts Centre is being used on several occasions. I notice that at least five out of the seven were when the students would be on holiday but there was basically no use after February right through to the end of October and into November. Is that significant? Does that indicate that it is difficult for the public or Council to book the Performing Arts Centre during that time of the year or is this just a coincidence?

General Manager responds:

It does indicate that it has been problematic to book the Performing Arts Centre when school is in session.

Cr Bury:

I think there was an MOU or terms of reference when the Performing Arts Centre was started and the relationship with Council. Would the General Manager be kind enough to provide us with a copy of that?

General Manager responds:

Yes, I will circulate a copy to all Councillors.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

At the time the Agenda was compiled there were no Notices of Motion received.

PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

PETITIONS RECEIVED IN LAST PERIOD

At the time the Agenda was compiled, no petitions had been received.

OPEN SESSION OF COUNCIL ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority Meeting commenced at 5.49pm

OFFICERS REPORTS TO PLANNING AUTHORITY

C131/4-18

(Commences at ± 19 minutes of audio recording)

DELEGATED AUTHORITY FOR THE PERIOD 31 JANUARY 2017 TO 13 FEBRUARY 2018

MOVED Cr Chatterton
SECONDED Cr Grace

That the report be noted.

FOR

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

Carried Unanimously

Cr Fox left the meeting at 5.51pm

C132/4-18

(Commences at ± 23 minutes of audio recording)

DA-2017-466 - DEVELOPMENT APPLICATION FOR EXTENSION TO EXISTING VISITOR ACCOMMODATION TO PROVIDE 42 NEW GUEST BEDROOMS, GUEST DINING AREA AND BAR AND MANAGER'S ACCOMMODATION AT 77 HOWDEN ROAD, HOWDEN FOR M LINARDI

MOVED Cr Chatterton
SECONDED Cr Bury

That the matter be discussed.

FOR

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

Carried Unanimously

MOVED Cr Bury
SECONDED Cr Bastone

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for an extension to existing visitor accommodation to provide 42 new guest bedrooms, guest dining area and bar and manager's accommodation at 77 Howden Road, Howden for M Linardi be refused for the following reasons:

1. The application fails to comply with Clause 14.3.2(P1)(c) of the Kingborough Interim Planning Scheme 2015 in that the visitor accommodation proposal does not demonstrate that it is of an intensity that respects the character of use of the area.
2. The application fails to comply with Clause 14.4.3(P3)(a), (b) and (c) of the Kingborough Interim Planning Scheme 2015 in that the size of the proposed buildings will have an unreasonable impact on natural values and the landscape, and are not consistent with the domestic scale of dwellings on the site or in close visual proximity.
3. The proposal is not in accordance with Zone Purpose Statement 14.1.1.2 of the Environmental Living zone as it fails to be reflective and responsive to the natural and landscape values of the land.
4. The proposal is not in accordance with Zone Purpose Statement 14.1.1.5 of the Environmental Living zone as it fails to provide for a limited community and tourism use that does not impact on natural values or residential amenity.

FOR

Cr Bastone	Cr Bury	Cr Wass		
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AGAINST

Cr Chatterton	Cr Grace	Cr Percey	Cr Winter	Cr Wriedt
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Lost

An alternative motion was then put:

MOVED Cr Winter
SECONDED Cr Wriedt

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for an extension to existing visitor accommodation to provide 42 new guest bedrooms, guest dining area and bar and manager's accommodation at 77 Howden Road, Howden for M Linardi 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-2017-466 and Council Plan Reference No's. P2 submitted on 6 December 2017 and P3 submitted on 9 January 2018. 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 exterior building surfaces (including roofing) for all buildings must be coloured using colours with a light reflectance value not greater than 40 percent.
3. The rotunda restaurant, bar and entertainment room must only service guests accommodated in the hotel, must not be open to the general public, and must not be used as a function or conference centre.
4. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) Transport of materials, goods or commodities to or from the land;
 - (b) Appearance of any building, works or materials;
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - (d) Presence of vermin.
5. Landscaping plans must be prepared by a qualified landscape architect or suitably qualified person knowledgeable in the field and submitted for approval by Council's Manager Development Services prior to the issue of a Building Permit.

The landscape plan must be at a suitable scale, and indicate the following:

- (a) outline of the proposed buildings;
 - (b) proposed planting by quantity, genus, species, common name, expected mature height and plant size, ensuring any native plants are local to the area and no plants are weeds listed under the Weed Management Act 1999 and/or identified as non-declared priority weeds in the Kingborough Weed Management Strategy;
 - (c) existing trees to be retained and proposed measures to be carried out for their preparation and protection during construction;
 - (d) earth shaping proposals, including retaining wall(s);
 - (e) fencing, paths and paving (indicating materials and surface finish);
 - (f) proposed maintenance program; and
 - (g) the relationship of the plantings to the proposed height of the buildings.
6. Landscaping must be provided in accordance with the approved landscaping plan prior to the occupation of the new buildings and maintained at all times to the satisfaction of the Council's Manager Development Services.
 7. External sound amplifying equipment is not permitted to be installed and/or used in any outdoor areas.
 8. Within six (6) months of occupancy of the proposed development the developer must submit an acoustic report from a suitably qualified acoustic engineer demonstrating that the development complies with the noise emission limits as specified within Clause 14.3.1(A2) of the Kingborough Interim Planning Scheme 2015.
 9. Building plans submitted for the development must demonstrate that the entrance wall for the development will:

- (a) not compromise the health and long-term viability of Tree 8 as identified in the Natural Values Assessment (North Barker Ecosystems, 22 September 2017); and
- (b) be installed in a manner consistent with the Arborist assessment (Element Tree Services, 1 December 2017).

This includes limiting the encroachment of any works into the tree root protection zone to a tolerable level and ensuring construction of the entrance wall utilises a post and beam footing. Demonstrating compliance with this condition will require the endorsement of the building plans by a suitably qualified arborist (Cert IV Arboriculture and qualified in QTR Assessment).

- 10. Plans submitted with the application for a Plumbing Permit must demonstrate that the wastewater system, including the absorption trenches, are located outside the Vegetation Protection Zone of all native vegetation identified for retention, including all Eucalyptus ovata forest and woodland, all native vegetation within the Part 5 riparian zone, all individual native trees identified for retention in the Natural Values Assessment (North Barker Ecosystem Services, 22 September 2017) and all native vegetation in the adjacent Conservation Area on Crown land.
- 11. Engineering design drawings must be submitted to Council for approval. Plans must be to satisfaction of the Executive Manager - Engineering Services and the Manager Development Services and comply with the following:
 - (a) A minimum of 71 parking spaces must be provided in accordance with the submitted plans;
 - (b) The car parking and vehicle manoeuvring must be of a sealed construction, comply with Australian Standard AS2890.1:2004 (Off street car parking);
 - (c) The existing vehicle access to Howden Road must be modified (reduced in width) in accordance the recommendations of the submitted Traffic Impact Assessment and current AUSTROADS design guidelines;
 - (d) Street lighting must be designed and installed at the vehicle access driveway with Howden Road in accordance with TasNetworks and relevant Australian Standards;
 - (e) Parking and vehicle circulation roadways and pedestrian paths must be provided with bollard lighting;
 - (f) Landscaping of not less than 5% of the parking and vehicle circulation areas must be provided. A specific landscaping plan for this area must be submitted for approval with the engineering plans;
 - (g) Secure bicycle parking facilities must be provided in accordance with Table E6.2 of the Kingborough Interim Planning Scheme 2015;
 - (h) Water sensitive urban design principles must be incorporated to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the Kingborough Interim Planning Scheme 2015. Supporting documentation with associated MUSIC modelling and details of how the onsite stormwater treatment devices are to be serviced to maintain effectiveness must be submitted with the engineering plan;
 - (i) The engineering plan must include but not be limited to detailed internal vehicular and pedestrian access, car parking, manoeuvring areas, and drainage services;

- (j) The engineering plans and specifications must be prepared and certified by an accredited professional Civil Engineer to the approval of the Executive Manager - Engineering Services;
 - (k) The engineering plans and specifications must be developed in consultation with a suitably qualified arborist (Cert IV Arboriculture and qualified in QTR Assessment) and demonstrate that:
 - (i) the design of the vehicle access provides sufficient room for root development of Tree 16 as identified;
 - (ii) there will be no further encroachment into or impact on native vegetation identified for retention, including all Eucalyptus ovata forest and woodland, all native vegetation within the Part 5 riparian zone, all individual native trees identified for retention in the Natural Values Assessment (North Barker Ecosystem Services, 22 September 2017) and all native vegetation in the adjacent Conservation Area on Crown land;
 - (iii) the plans are consistent with the Arborist assessment (Element Tree Services, 1 December 2017); and
 - (l) Approval of the engineering plans is required prior to the issue of a Building Permit.
12. 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 Manager Development Services.
13. The applicant must not commence civil construction works within a road reservation until the following requirements are met:
- (a) A 'Permit to carry out works within a Council road reservation' has been issued by Council and the associated application fee paid;
 - (b) A traffic and pedestrian management plan has been lodged with Council in accordance with Department of State Growth 'Traffic Control at Work Sites' code of practice.
14. Prior to the commencement of onsite works a Construction Environmental Management Plan (CEMP) must be submitted to Council for approval. The plan must be to the satisfaction of the Manager Development Services and provide details of the following:
- (a) Hours for construction activity in accordance with any other condition of this Permit;
 - (b) Soil and water management measures in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines and Tasmanian Standard Drawings (TSD-SW28), the Wetlands and Waterways Works Manual (DPIWE, 2003) and the Tasmanian Coastal Works Manual (DPIPWE, Page and Thorp, 2010);
 - (c) The extent of cut and fill;
 - (d) Storage locations for the stockpiling of fill on site;
 - (e) Demonstration that the stockpiling of fill will not encroach into the Vegetation Protection Zones of native vegetation identified for retention, including all Eucalyptus ovata forest and woodland, all native vegetation within the Part 5 riparian zone, all individual native trees identified for retention in the Natural Values Assessment (North Barker Ecosystem Services, 22 September 2017) and all native vegetation in the adjacent Conservation Area on Crown land;

- (f) The location for the disposal of any excess fill off site and demonstration this site is either a certified landfill facility for Level 1 fill or a site that has been approved for the disposal or use of Level 1 fill under a development use permit issued by Council;
- (g) The location of vegetation protection measures in accordance with condition 16;
- (h) Best practice weed and disease hygiene measures identified in the Natural Values Assessment (North Barker Ecosystems, 22 September 2017), including the location and design of a vehicle washdown station for construction vehicles entering and leaving the site;
- (i) Protocols to ensure liquids (including small volumes in buckets or containers) are not left exposed;
- (j) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
- (k) The location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves;
- (l) Contact details of key construction site staff; and
- (m) A plan showing the above details.

A site inspection of the implemented plan by the Council's Development Inspector and Council's Environmental Planner must be satisfactorily undertaken with the principal contractor prior to the commencement of any work on site.

Once endorsed, the Plan will form part of the permit and must be implemented maintained throughout construction of the development to the satisfaction of the Manager Development Services.

15. No more than six (6) individual native trees identified in the Natural Values Assessment (North Barker Ecosystem Services, 22 September 2017) as Trees 11, 12, 13, 14, 15 and 34 are approved for removal to accommodate the proposed development.

These trees must not be removed prior to payment of the offset required by condition 17, the issue of a Building Permit and issue of start of works for the development.

16. All remaining native vegetation, including all Eucalyptus ovata forest and woodland, all native vegetation within the Part 5 riparian zone, all individual native trees identified for retention in the Natural Values Assessment (North Barker Ecosystem Services, 22 September 2017) and all native vegetation in the adjacent Conservation Area on Crown land, must be retained and appropriately protected during and after construction to ensure that no damage is inflicted that may impact upon the health of this vegetation or cause it to die. This includes establishing and maintaining a Vegetation Protection Zone between any works and adjacent native vegetation prior to commencement of construction in accordance with AS 4970-2009 and the Arborist Assessment (Element Tree Services, 1 December 2017) to exclude:

- (a) storing of materials;
- (b) vehicular traffic;
- (c) changes to natural ground level including excavation works;
- (d) placement of fill; and
- (e) dumping of contaminants.

Evidence of satisfactory installation of this fencing is to be provided to Council prior to the commencement of any onsite works.

In addition, the following tree protection measures must be adhered to following construction for all areas within the Tree Root Protection Zone but outside the footprint of the approved works:

- (i) the existing soil level must not be altered around the Vegetation Protection Zone of all vegetation identified for retention (including the disposal of fill, placement of materials or the scalping of the soil); and
 - (ii) the Vegetation Protection Zone must be free from the storage of fill, contaminants or other materials; and
 - (iii) machinery and vehicles are not permitted to access the Vegetation Protection Zone.
17. To offset the loss of five (5) trees of high conservation value (all of which are Eucalyptus ovata trees) an offset of \$500/tree must be paid into Council's Environmental Fund, to be used to manage and conserve the habitat of the swift parrot in Kingborough.

These trees must not be removed prior to the issue of a Building Permit and payment of the \$2500 offset.

18. Consistent with the requirements of the Part 5 Agreement to protect all of the native vegetation in the Riparian Zone in perpetuity, fencing or other permanent physical demarcation of the boundary between the bushfire hazard management area and the Part 5 Riparian Zone must be implemented prior to issue of an Occupancy Permit and implementation of the Bushfire Hazard Management Plan. This fencing or physical barrier demarcation must be to the satisfaction of the Manager Development Services and:
- (a) clearly delineate the boundary between the bushfire hazard management area as shown in the Bushfire Report and Hazard Management Plan (North Barker Ecosystem Services, 22 December 2017) and the Riparian Zone as shown in the Part 5 Agreement;
 - (b) ensure the Riparian Zone fencing or delineation is sufficient to prevent vehicle or machinery encroachment into the Part 5 Riparian Zone and precludes the encroachment of any hazard management into the Riparian Zone;
 - (c) ensure the fencing or delineation does not present a collision risk to the Forty-Spotted Pardalote or Swift Parrot; and
 - (d) include signage clearly stating the extent and purpose of the Riparian Zone.

In addition, a fencing bond, equivalent to the costs of establishing the fencing or physical boundary, to the satisfaction of Council's Manager Development Services must be bonded to Council prior to the commencement of onsite works.

The bond will be repaid upon completion of the fencing or physical barrier to the satisfaction of the Manager Development Services.

19. Consistent with the requirements of the Part 5 Agreement to eliminate or control exotic species in the Riparian Zone, prior to the commencement of on-site works, a Weed Management Plan developed by a suitably qualified consultant and to the satisfaction Council's Manager Development Services must be submitted. This Plan must include:
- (a) timeframes and methods of primary and follow up treatment for all declared and environmental weeds with the Riparian Zone;

- (b) a fully costed implementation, monitoring and reporting plan for a minimum of five (5) years (including actions and timeframes).

Primary treatment of all weeds is required in accordance with this Plan and to the satisfaction of the Manager Development Services prior to the issue of an Occupancy Permit.

In addition, a weed management bond equivalent to the costs of implementing, monitoring and reporting on outstanding actions in the Weed Management Plan is to be bonded to Council prior to the commencement of onsite works.

Reporting to Council on the progress with respect to the Weed Management Plan outcomes for the site must be no less than once a year for a minimum of five (5) years.

The bond will be repaid to the payer in stages on an annual basis upon completion of the plan to the satisfaction of Council's Manager Development Services and receipt of the annual report, in accordance with the cost schedule identified in the Agreement.

- 20. To minimise the potential impacts of the development on the forty-spotted pardalote, consistent with the recommendations of the Forty-Spotted Pardalote Assessment (Nick Mooney, 20/12/2017), the following measures must be implemented:

- (a) containment of any domestic cats within a cat run or indoors;
- (b) regular monitoring of bird strike following completion of the visitor accommodation for a period of five (5) years, including documentation of the individual window being struck;
- (c) annual reporting of the monitoring and incidence of bird strike to Council;
- (d) if bird strike of either the forty-spotted pardalote or swift parrot is greater than zero (0) in any 12 month period, bird screens must be installed on the individual windows creating the strike risk; and
- (e) installation of five (5) nest boxes specifically designed for the forty-spotted pardalote habitat within the Riparian Zone within 12 months of start of works and outside the breeding season for the Forty-Spotted Pardalote (August – December inclusive).

In addition, a \$5000 bond for implementation of the above measures is to be bonded to Council prior to commencement of onsite works. This bond will be refunded upon satisfactory monitoring and reporting on bird strike for a period of five (5) years.

- 21. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this 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. The developer should obtain a Plumbing Permit for the development prior to commencing construction.
- C. The developer must submit all documentation specified in Schedule 2 (Part 3) of the Director's Determination – Director's Specified List for an onsite wastewater management

system prior to Council issuing a Plumbing Permit. The onsite wastewater management system design must comply with the Building Act 2016.

- D. Given the coastal location and the potential for Aboriginal heritage on the subject land, it is recommended that an Aboriginal Heritage Desktop Review be undertaken prior to the commencement of onsite works in order to ascertain whether a more detailed assessment is required under the Aboriginal Relics Act 1975.
- E. No signage is approved as part of this Permit. Any proposed signage would be subject to separate approval of Council.
- F. No new pedestrian or vehicular access points from the subject land to the adjoining Crown land are approved as part of this permit.

FOR

Cr Chatterton	Cr Grace	Cr Percey	Cr Winter	Cr Wriedt
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AGAINST

Cr Bastone	Cr Bury	Cr Wass		
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Carried

Cr Fox returned to the meeting at 6.51pm

C133/4-18

(Commences at ± 1 hour, 21 minutes of audio recording)

DA-2017-587 - DEVELOPMENT APPLICATION FOR STORAGE SHED AND ASSOCIATED FACILITIES FOR SURF LIFE SAVING AT 25A OSBORNE ESPLANADE AND 9 ALBERT STREET, KINGSTON BEACH FOR KINGSTON BEACH SURF LIFE SAVING CLUB

MOVED Cr Chatterton
SECONDED Cr Grace

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for storage shed and associated facilities for surf life saving at 25A Osborne Esplanade and 9 Albert Street, Kingston Beach for Kingston Beach Surf Life Saving Club 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-2017-587 and Council Plan Reference No. P1 submitted on 12 December 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. Hours of operation must only be within the range of 8am to 8pm Monday to Friday, 9am to 6pm Saturdays, and 10am to 5pm Sundays and Public Holidays. No outdoor training is to occur on site after 6.00pm on any day.

3. Vehicle movements to and from the site via Albert Street must only occur within the following hours unless in emergency situations:
 - Monday – Friday: 7.00am to 5.00pm; and
 - Saturday: 9.00am to 12 noon.
4. The cleaning of motorised craft and outboard motors at the facility is prohibited.
5. No storage of goods or equipment external to the shed is approved as part of this application.
6. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
7. The use and development must be managed so that the amenity of the area is not detrimentally affected through the;
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials;
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) Presence of vermin.
8. Prior to the commencement of on-site works, an assessment by a suitably qualified arborist (Certificate IV in Arboriculture) must be provided in relation to the single high conservation value tree located in proximity to the new stormwater infrastructure. This assessment must be to the satisfaction of the Manager of Development Services and provide advice on tree protection measures to be implemented prior, during and after construction phase to ensure all works are undertaken in a manner that ensures the long-term viability of the tree is not compromised.

All tree protection measures recommended by the arborist must be implemented and evidence of satisfactory installation of these measures is to be provided to Council prior to the commencement of any on-site works.
9. A Soil and Stormwater Management Plan is to be prepared by a suitable qualified engineer, in accordance with the Hobart Regional Soil and Water Management Code of Practice and approved by the Executive Manager – Engineering Services, clearly identifying works required at each phase of construction. The engineer is to provide a minimum of four regular and two random inspection reports over a 3 month construction period identifying contractor's compliance and any necessary modifications to contractor's practices to comply with the Management Plan. The Soil and Stormwater Management Plan is to be presented to Council, for approval by the Manager – Development Services, before any works be presented to Council, for approval by the Manager – Development Services, before any works commence on site. Any non compliance of the Management Plan by the contractor will elicit more regular compliance inspection by the engineer. Serious departure from the industry best practice and the Management Plan will result in a stop work notice being issued by Council.
10. The design and construction works must be generally in accordance with the approved proposal plan and to the satisfaction and approval of the Executive Manager - Engineering Services and as follows:
 - (a) Complies with Tasmanian Standard construction drawings.

- (b) The vehicle manoeuvring must be of a sealed construction or engineering design permeable paving and comply with Australian Standard AS2890.1:2004 (Off street car parking).
 - (c) 'No permanent carparking signs' must be installed on the site at the entrance.
 - (d) Water sensitive urban design principles must be incorporated to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the Kingborough Interim Planning Scheme 2015. Supporting documentation with associated hydraulic calculations and MUSIC modelling must be submitted;
 - (e) Stormwater discharge from tank overflows must be must be disposed of by gravity to public stormwater infrastructure.
 - (f) The engineering plans shall include but not be limited to adequately detailed internal vehicular and pedestrian access, carparking, manoeuvring areas, and drainage services.
 - (g) The engineering plans and specifications must be prepared and certified by an accredited professional Civil Engineer to the approval of the Executive Manager - Engineering Services.
 - (h) Approval of the plans and specifications is required prior to the issue of a Building Permit.
11. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this 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. A "start works" notice must be lodged with Council fourteen (14) days prior to the commencement of any on-site works and works must not commence until this notice has been approved by Council.

FOR

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

Carried Unanimously

DA-2017-612 - DEVELOPMENT APPLICATION FOR SHED, CARPORT AND DEMOLITION OF EXISTING OUTBUILDING AT 26A NUBEENA CRESCENT, TAROONA FOR P & J SHEDS

MOVED Cr Grace
 SECONDED Cr Fox

That the Planning Authority resolves that the report of the Deputy General Manager be received and that the development application for carport, shed and retaining wall at 26A Nubeena Crescent, Taroona for Mr M J Corkill and Ms S Twiname 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. DA2017-612 and Council Plan Reference No. P2 submitted on 23/01/2018. 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 approved shed must not be used for habitation.
3. 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 Executive Manager – Engineering Services.
4. 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.
5. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this 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.

FOR

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

Carried Unanimously

**DA-2017-563 - DEVELOPMENT APPLICATION FOR TWO UNITS AT
33 BLOWHOLE ROAD, BLACKMANS BAY FOR MR J NICKERSON**

MOVED Cr Grace
SECONDED Cr Percey

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for two units at 33 Blowhole Road, Blackmans Bay 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-2017-563 and Council Plan Reference No. P2 submitted on 20 December 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. Before the development hereby permitted starts, an amended set of elevation plans for Unit 2 showing the roof lowered by 0.697m on the north-eastern side must be submitted for approval by Council's Manager – Development Services prior to the issue of a Building Permit.
3. Prior to the issue of a building permit for the development, a landscaping plan must be prepared by a suitably qualified person to the satisfaction of the Council. When approved, the plan will be endorsed and will then form part of this permit. The plan must show:
 - a) The areas set aside for landscaping;
 - b) A schedule of all proposed trees, shrubs/small trees and ground cover. The proposed vegetation must include a variety of species with varying heights to soften the appearance of hardstand and built form.
 - c) The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
 - d) Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
 - e) Appropriate irrigation systems, if applicable; and
 - f) The provision of at least two canopy trees with a mature height of at least 8 metres.

The landscaping shown on the endorsed plan must be carried out, completed to the satisfaction of the Responsible Authority prior to the occupation of the new dwelling.

4. Fencing within 4.5 m of a frontage must have a height above natural ground level of not more than 1.2 m if the fence is solid or 1.8 m provided the fence has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights). Alternative fencing design may require the separate planning approval.
5. The design and construction works must be generally in accordance with the approved proposal plan and to the satisfaction and approval of the Executive Manager - Engineering Services and as follows:
 - (a) Complies with Tasmanian Standard construction 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) Visitor carparking signs must be installed for the visitor carparking spaces.
 - (d) Stormwater discharge from all new impervious areas must be must be disposed of by gravity to public stormwater infrastructure.
 - (e) The engineering plans shall include but not be limited to adequately detailed internal vehicular and pedestrian access, carparking, manoeuvring areas, and drainage services.
 - (f) The engineering plans and specifications must be prepared and certified by an accredited professional Civil Engineer to the approval of the Executive Manager - Engineering Services.
 - (g) Approval of the plans and specifications is required prior to the issue of a Building Permit.
6. 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.
 7. All waste material generated by the development or from other sources must be contained in appropriate building waste containers for periodic removal to a licensed disposal site. The receptacle must be of a size to adequately contain the amount of waste generated and must be appropriately located on the subject site and must not impede residential traffic or parking at any time.
 8. A drainage design plan in accordance with the Director of Building Control Specified List, Schedule 2, at a scale of 1:200, designed by a qualified hydraulic designer, 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. The developer should obtain a Plumbing Permit for the development prior to commencing construction.
- C. A drainage design plan in accordance with the Director of Building Control Specified List, Schedule 2, at a scale of 1:200, designed by a qualified hydraulic designer, 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.

FOR

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

Carried Unanimously

PSA-2018-1 - PLANNING SCHEME AMENDMENT APPLICATION FOR PARTIAL REZONING FROM GENERAL BUSINESS TO INNER RESIDENTIAL AND REMOVAL OF THE BIODIVERSITY OVERLAY FROM THE REZONED AREA AFFECTING THE LAND AT 37-59 MARANOA ROAD, KINGSTON ON BEHALF OF ALL URBAN PLANNING PTY LTD AT 'KINGSTON TOWN', 37-59 MARANOA ROAD, KINGSTON FOR ALL URBAN PLANNING PTY LTD

MOVED Cr Wriedt
 SECONDED Cr Fox

That the Planning Authority Committee resolves that the report of the Manager Development Services be received and that:

1. In accordance with section 34(1)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council initiates draft amendment PSA-2018-1.
2. In accordance with section 35(1)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council certifies draft amendment PSA-2018-1 as meeting the requirements of section 32 of the Act.
3. In accordance with section 35(4) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council forwards a copy of the sealed Instrument of Certification and the draft amendment to the Tasmanian Planning Commission.
4. In accordance with section 56S of the *Water and Sewer Industry Act 2008*, Council refers draft amendment PSA-2018-1 to TasWater.
5. In accordance with section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council publicly exhibits the draft amendment PSA-2018-1 for a period of 28 days.

FOR

Cr Bastone	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 7.08pm

OFFICERS REPORTS TO COUNCIL

C137/4-18

(Commences at ± 1 hour, 38 minutes of audio recording)

PROPOSED PUBLIC TOILET REDEVELOPMENT AT 25A OSBORNE ESPLANADE, KINGSTON BEACH

MOVED Cr Chatterton
SECONDED Cr Fox

That Council:

- (a) endorse the proposed site and public toilet designs for 25A Osborne Esplanade, Kingston Beach;
- (b) endorse the lodgement of a development application for the proposed development as soon as practicable; and
- (c) consider this project as part of the 2018/19 Capital Works Program.

FOR

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

Carried Unanimously

Cr Percey left the meeting at 7.20pm

C138/4-18

(Commences at ± 1 hour, 52 minutes of audio recording)

TWIN OVALS PAVILION TENANCY

MOVED Cr Fox
SECONDED Cr Bury

That the General Manager be authorised to negotiate respective licence agreements with the Tigers Football Club and the Kingborough District Cricket Club to reflect their usage of the Twin Ovals Pavilion, with the following terms and conditions to apply:

- a) A term of no more than five years;
- b) A minimum rental of \$1,200 per annum including CPI;
- c) Tenant clubs to be responsible for all outgoings associated with their use of the premises, including power, internet, cleaning and trade waste charges; and
- d) Tenant clubs to be responsible for the maintenance and replacement of items of equipment used by them to support their operations.

FOR

Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Wass				

AGAINST

Cr Winter	Cr Wriedt			
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Carried

Cr Grace left the meeting at 7.43pm

Cr Percey returned at 7.43pm

C139/4-18

(Commences at ± 2 hours, 13 minutes of audio recording)

SALE OF COUNCIL LAND POLICY

MOVED Cr Wriedt
 SECONDED Cr Bastone

That the attached *Policy 3.20 Sale of Council Owned Land* be approved.

FOR

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

Carried Unanimously

LOCAL GOVERNMENT ASSOCIATION TASMANIA GENERAL MEETING 2 MARCH 2018

MOVED Cr Chatterton
SECONDED Cr Fox

That the matter be discussed.

FOR

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

Carried Unanimously

Cr Grace returned to the meeting at 7.45pm

MOVED Cr Percey
SECONDED Cr Fox

That Council advise the Mayor regarding voting at the upcoming LGAT General Meeting as follows:

Item 2.1 – “That LGAT write to the Minister for Planning to initiate a review of the State Planning Provisions for the Residential Standards (SPP).”

Voting - **Yes.**

Item 2.2 – “That the Local Government sector through the Local Government Association Tasmania (LGAT) seek a State Government review of the current application of National Competition Principles as they relate to free camping in regional towns in Tasmania”.

Voting - **Yes.**

Item 2.3 – “That members formally support the changes to the *Traffic Act 1925* and the *Local Government (Highways) Act 1982* proposed by the Department of State Growth”.

Voting - **Yes.**

Item 2.4 – “That the Meeting agree to a presentation by the CEO and Co-Chairs of Reconciliation Tasmania at the General Meeting being held in May”.

Voting - **Yes.**

Item 2.5 – “That Members note the issues around State and Local Government road maintenance activities and support LGAT pursuing a review of Section 11 of the *Roads and Jetties Act 1935* with the aim of improving the road maintenance issues”.

Voting - **Yes.**

FOR

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

Carried Unanimously

INFORMATION REPORTS

MOVED Cr Chatterton
 SECONDED Cr Percey

That the following information reports be noted:

1. Mayor's Communications.
2. Financial Report for the period 1 July 2017 to 31 January 2018.
3. Kingborough Waste Services Bi-Monthly Report.
4. Infrastructure Works Report.
5. Council Energy and Greenhouse Update.

FOR

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

Carried Unanimously

CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Percey
 SECONDED Cr Grace

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	<i>Local Government (Meeting Procedures) Regulations 2015</i> Reference
Applications for Leave of Absence	15(2)(h)
Kingston Beach Surf Life Saving Club Lease	15(2)(c)

FOR

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

Carried Unanimously

CLOSED SESSION

MOVED Cr Percey
SECONDED Cr Bastone

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

FOR

Cr Bastone	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 8.08pm

OPEN SESSION OF COUNCIL ADJOURNS

OPEN SESSION OF COUNCIL RESUMES

Open Session of Council resumed at 8.24pm

C146/4-18

MOVED Cr Fox
SECONDED Cr Bury

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
Kingston Beach Surf Life Saving Club Lease	General Manager authorised to negotiate a lease agreement

FOR

Cr Bastone	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 8.25pm

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(Confirmed)

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(Date)