

Kingborough

PUBLIC MINUTES

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

MINUTES

14 May 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, 14 May 2018 at 5.30pm.

	From	To	Time Occupied
Open Council	5.30pm	6.00pm	30 minutes
Planning Authority	6.00pm	6.28pm	28 minutes
Open Council	6.28pm	8.00pm	1 hour, 32 minutes
Closed Council	8.00pm	8.55pm	55 minutes
Open Council	8.55pm	8.56pm	1 minute
TOTAL TIME OCCUPIED			3 hours, 59 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 D Grace	✓
Councillor M Percey	✓
Councillor D Winter	✓

Staff:

TITLE	NAME
General Manager	Mr Gary Arnold
Deputy General Manager	Mr Tony Ferrier
Executive Manager Organisational Development	Ms Pene Hughes
Executive Manager Engineering Services	Mr David Reeve
Manager Finance	Mr Tim Jones
Manager Environmental Services	Mr Jon Doole
Manager Governance & Property Services	Mr Daniel Smee
Manager Community Services	Ms Angela Jenni
Manager Development Services	Ms Tasha Tyler-Moore
Environmental Planner	Ms Nikki denExter
Media & Communications Officer	Ms Sarah Wilcox
Executive Assistant	Mrs Amanda Morton

C270/10-18

(Commences at ±2 minutes of audio recording)

APOLOGIES

Cr Atkinson
Cr Fox

C271/10-18

(Commences at ±2 minutes of audio recording)

CONFIRMATION OF MINUTES OF COUNCIL MEETING NO. 8 (OPEN SESSION) HELD ON 23 APRIL 2018

MOVED Cr Percey
SECONDED Cr Bastone

That the Minutes of Council Meeting No. 8 (open session) held on 23 April 2018 be confirmed.

FOR

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

Carried Unanimously

C272/10-18

(Commences at ±3 minutes of audio recording)

CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING NO. 9 HELD ON 30 APRIL 2018

MOVED Cr Chatterton
SECONDED Cr Bury

That the Minutes of Special Council Meeting No. 9 held on 30 April 2018 be confirmed.

FOR

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

Carried Unanimously

WORKSHOPS HELD SINCE COUNCIL MEETING ON 23 APRIL 2018

DATE	PURPOSE
30 April	Baretta Solar Farm and Gas Monitoring
7 May	Dog Management Policy

C273/10-18

(Commences at ±4 minutes of audio recording)

DECLARATIONS OF INTEREST

Cr Bastone declared an interest in an item in the report headed "*Delegated Authority for the period 11 April 2018 to 1 May 2018*".

The General Manager declared an interest in an item in closed session headed "*General Manager's Reappointment*".

TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

QUESTIONS ON NOTICE FROM THE PUBLIC

C274/10-18

(Commences at ±3 minutes of audio recording)

1 North Roslyn Avenue

At the Council meeting on 23 April 2018, **Ms Tricia Ramsay** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Can Council please erect parking signs on both sides and intermittently over the length of North Roslyn Avenue as a matter of urgency?

Officer's Response:

Parking on roads is governed by the Tasmanian Road Rules which for areas like North Roslyn Avenue requires at least three metres of the road to be kept clear when parking. Notwithstanding this it is contingent on the individual to decide whether they believe it is safe to park their car even if it meets this requirement. Signage is generally only used to designate an off road car park or where the intention is to restrict or time limit parking for an on road facility.

David Reeve - Executive Manager Engineering Services

C275/10-18

(Commences at ±4 minutes of audio recording)

2 Conflict of Interest

Mr Mervin Reed has submitted the following question on notice:

It has come to the attention of the Kingborough Ratepayers Association Inc, that the Deputy General Manager of the Kingborough Council, Mr Tony Ferrier, has delegations in respect of the Environmental Management and Pollution Control Act 1994 and Land Use Planning and Approvals Act 1993.

It has also come to our attention that Mr Ferrier is a Board member and Deputy Chairman of the Environment Protection Authority.

We request that Council make the appropriate enquiries and formally advise the ratepayers and future ratepayers of its views, as to any potential or actual conflict, or breach of standards.

Would you please advise what are the actual administrative and financial arrangements re any EPA payments to Mr Ferrier, and any consequent changes (if any) to his Council remuneration?

Officer's Response:

This question was asked at the Council meeting held on 9 April 2018, answered and recorded in the minutes.

Gary Arnold - General Manager

C276/10-18

(Commences at ±4 minutes of audio recording)

3 Budget

Mr Mervin Reed has submitted the following question on notice:

We now ask formally, requesting an answer in writing to all ratepayers, as to when you will convene a meeting of the ratepayers, (prior to the budget being formally considered and voted on by the Council) to provide a briefing of the budget disaster facing the council, and tell us how you're going to keep the rise in rates at 3% or CPI.

Officer's Response:

This question was asked at the Council meeting held on 9 April 2018, answered and recorded in the minutes.

Gary Arnold - General Manager

C277/10-18

(Commences at ±4 minutes of audio recording)

4 Roslyn Avenue / Jindabyne Traffic

Mr Mervin Reed has submitted the following question on notice:

Following the Council's 2001 Transport Strategy Review and the 2002 Ombudsman's report of 17 January 2002 (indicating lack of procedural fairness in the Council's administering of this matter at the time), there have been no efforts made by Council to open this issue for public consultation. As Council will be aware, the issue has not gone away, with questions still being put to Council as recently as this year.

1. In light of the history and documentation held by Council, is the current Mayor satisfied, and (separately) is the current General Manager satisfied, that natural justice / procedural fairness has been accorded residents affected and potentially affected by Council's determinations, particularly noting the past promise of consultation made by Council as referenced in the Ombudsman's report of 17 January 2002?
2. Are the Mayor and/or the General Manager prepared to now provide for that public consultation?

3. Is the Mayor and/or the General Manager prepared to now provide a full copy of the legal advice received by Council concerning this matter (noting that legal professional privilege has been waived by the disclosure of key paragraphs in that advice via then General Manager Mr McClean's report dated 22 March 2002) and if not, why not?

Officer's Response:

This question was asked at the Council meeting held on 9 April 2018, answered and recorded in the minutes.

Gary Arnold - General Manager

C278/10-18

(Commences at ±4 minutes of audio recording)

5 Rates

Mr Ray Westwood submitted the following question on notice:

- (a) Could Council confirm that there was a 5.90% increase in General Rates receipts for the 2016/7 financial year?
- (b) What part of the above increase was attributed to Supplementary Valuations of new buildings and sub-divisional approvals in the 2016/7 financial year?
- (c) Does Council acknowledge that due to the Valuer-General's Adjustment Factors effective in 2017/8 and the corresponding 6% decrease in the General Rate across the Municipality, all Residential property (excluding General, Gordon, Flowerpot and Middleton), all Commercial, all Industrial, all Community Services and all Other property has incurred a **8.05%** increase in General Rates commitment in the current financial year?
- (d) Does Council acknowledge that the effect of Supplementary Valuations and Adjustment Factors is an unbudgeted financial advantage to Council in its budget process?

Officer's Response:

- a) General receipts increased by 5.9% in 2016/17.
- b) Overall rates increased 4% so the additional revenue in excess of 4% was due to Supplementary Valuations.
- c) The majority of properties are in the General Locality on your table, so the average Adjustment Factor for Kingborough was just under 10%. In setting the rate, in a year with Property Adjustment factors, the first step is to calculate a rate without the application of the adjustment factors. Then a rate is set, using the adjusted Capital Values, such that the revenue generated is the same. This rate is then increased by the Annual Increase, in this case 4%. The percentage increase for each property will depend on the adjustment factor applicable. Those properties with a zero adjustment factor received a rate reduction. Those with a 10% increase, which was the majority of properties, had a less than 4% increase. While those whose properties had a 15% adjustment factor, had an increase of more than 4%.

- d) Council does include an allowance for additional rate revenue from Supplementary Valuations in its budget each year. The application of Adjustment Factors does not generate additional revenue for Council.

John Breen - Chief Financial Officer

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Mr Mervin Reed asked the following question without notice:

C279/10-18

(Commences at ±5 minutes of audio recording)

1 Record of Minutes

“Are you content with part answers, deflections, evasions forming part of the formal Council record as this is now the case? If not, what will you do about requiring a reasonable answer to this question from your employee, the General Manager?”

Mayor responds:

Those questions will be taken on notice.

Mr Wayne Burgess asked the following question without notice:

C280/10-18

(Commences at ±7 minutes of audio recording)

2 Insurance Cover

“Are Council infrastructure assets ie roads, bridges, street scapes, footpaths and especially things that are buried in the ground, particularly the storm water system, are they covered by insurance and, probably regardless of that answer, does it mean that the events of last Thursday night and the consequences thereof are going to impact on the draft budget which is currently out for comment by the public?”

General Manager responds:

In relation to your question about insurance cover, we have already had the insurance assessors out to the Civic Centre, for example, which was flood damaged on the storm event that occurred in the early hours of Friday morning. Our insurance assessors are advising us that the coverage we have, with a small excess in the scheme of things, some \$5,000, covers the damage to the Civic Centre, the Sports Centre, Manor Gardens etc. In relation to the other part of the question about infrastructure assets, our stormwater system, our roads etc, my colleague, Mr Jones, may want to add to the answer.

Manager Finance responds:

Our specific assets are insured, however, things like roads are not insured. The costs of any repairs of those are recorded and there may be some State Government assistance to fund those costs. It's early days at this stage and the government haven't announced anything but the previous flood event we did get a substantial amount of money reimbursed from the State Government for our costs. So everything is being recorded in preparation for a potential claim.

Mr John McDonald asked the following question on notice:

C281/10-18

(Commences at ±10 minutes of audio recording)

3 Sealing of Cades Drive

“A few months ago, Cades Drive had the surface fairly extensively damaged by a large number of gravel trucks traipsing to and fro from the road works at Summerleas intersection. There was a temporary seal put over to patch the places where the surface had broken up, just a simply two part seal. Is that in fact a temporary seal and are you aware of any plans to do anything further?”

Executive Manager Engineering Services responds:

There are some other actions that are going on in that particular area so as part of that we are looking to cover any damage that was done to the infrastructure. Any of the repairs that are being done are temporary repairs and the intention will be to go back and do some more permanent repairs to those areas.

QUESTIONS ON NOTICE FROM COUNCILLORS

C282/10-18

(Commences at ±11 minutes of audio recording)

1 Huon Aquaculture at Tinderbox Jetty

At the Council meeting on 23 April 2018, **Cr Atkinson** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

1. What contact has Council received recently from Tinderbox residents about Huon Aquaculture's operations at 'Aquatlas Farm', 32 Morwong Street, Tinderbox (otherwise known as the 'Powder Jetty') and what responses have been given?
2. What conditions exist on permits for 32 Morwong Street and the adjacent Environmental Living zoned land at 28 Morwong Street regarding on-shore noise and light affecting amenity of surrounding Environmental Living properties?
3. What conditions exist on 28 Morwong Street regarding storage of salmon farming equipment and parking of vehicles?
4. What licences or similar exist for Huon Aquaculture to operate on the crown land between 32 and 28 Morwong Street and to prevent public access to that land and to the end of the road through their gate across Morwong Street marked 'Warning. No Unauthorised Access. Trespassers will be reported to police'?
5. Are the pipes lying alongside the north side of Morwong Street located on 28 Morwong Street or on the road reserve and if on the reserve do Huon Aquaculture have permission to have them there?
6. What authority should residents contact to express their concerns about unacceptable levels of noise from boat traffic coming and going to the jetty and about visual and environmental damage from salmon pens being moored in the water adjacent to the jetty?

Officer's Response:

Responses to the above questions are as follows:

1. Council was recently contacted by a Tinderbox resident about the aquaculture operation at the jetty and it is understood that they were going to raise their concerns with Huon Aquaculture directly before putting anything in writing to Council.
2. There are no recent permits applying to this property at 32 Morwong Street (which includes foreshore land and an area below high water mark owned by the Hobart Ports Corporation and leased to Huon Aquaculture). The last planning permit was issued in 1988 and building approvals date from the same period. The situation is much the same for the adjoining property at 28 Morwong Street (owned by Huon Aquaculture), with the last planning permit issued in 1996 (for a carport) and previously in 1992. There are no existing conditions on permits that relate to noise or light. Existing use rights may apply due to the longstanding occupation and use of this jetty and foreshore.
3. There are no such conditions within any permits that apply to 28 Morwong Street.
4. There is no information on Council's files about any Crown licence over the Crown land. An enquiry would need to be made to the relevant State Government agency in this regard.
5. The pipes appear to be located within the road reserve and there is no record on Council's files that any permission has been granted for this to occur.
6. Noise complaints are dealt with as environmental nuisances under the *Environmental Management and Pollution Control Act 1994* and are normally referred to the Environmental Services department within Council. The visual and environmental damage from salmon pens being moored near or alongside the jetty is a more difficult jurisdictional issue. The activity itself could be regarded as being part of the industry's authorised occupation and use of the jetty. MAST may have a role if there are any navigational issues and the EPA would need to be notified of any environmental damage within the marine environment.

Tony Ferrier – Deputy General Manager

C283/10-18

(Commences at ±11 minutes of audio recording)

2 Margate Shopping Centre

At the Council meeting on 23 April 2018, **Cr Grace** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

When will the DA run out of time and when will an extension be required?

Officer's Response:

DA2010-597 was issued at the direction of the Tribunal on 5 July 2012. Before the two year expiry of the permit, the proposal was 'substantially commenced' through the demolition works occurring. Therefore the permit is valid. Planning Permits do not have expiry dates for completion. Therefore, there is no need for the applicant to apply for an extension of time.

Tasha Tyler-Moore - Manager Development Services

C284/10-18

(Commences at ±11 minutes of audio recording)

3 Bruny Island Ferry Contract

Cr Winter submitted the following question on notice:

I understand the contract for the existing Bruny Island Ferry operation expires very soon. Is Council in receipt of any updates from the State Government in relation to a new contract?

Officer's Response:

Council is only aware that the State Government has received the tenders and that they are still being considered. It is understood that an announcement may be made by the end of June 2018.

Tony Ferrier - Deputy General Manager

C285/10-18

(Commences at ±11 minutes of audio recording)

4 Kingborough Council Underlying Surplus

Cr Winter submitted the following question on notice:

When did Council last record an underlying surplus result?

Officer's Response:

The concept of an underlying surplus was introduced by the Auditor General for the financial year 2013/14, with comparatives back to 2011.

Council has not recorded an underlying surplus in the period from 2011.

John Breen – Chief Financial Officer

C286/10-18

(Commences at ±11 minutes of audio recording)

5 Depreciation Funding

Cr Winter submitted the following question on notice:

When did Kingborough Council last fully fund its depreciation?

Officer's Response:

Without Council recording an underlying surplus, it is not fully funding its depreciation.

On this basis, Council has not funded its depreciation from 2011.

John Breen - Chief Financial Officer

C287/10-18

(Commences at ±11 minutes of audio recording)

6 Hobart City Deal

Cr Winter submitted the following question on notice:

Kingborough is participating in discussions and negotiations for a proposed Hobart City Deal. A major part of this work is to examine options to facilitate an Antarctic Precinct in Hobart.

- Is the Australian Antarctic Division being considered as part of that Antarctic precinct during these discussions?
- What is Council's position on this?
- What assurances, if any, does Council have that the Australian Antarctic Division will not be moving out of Kingborough?

Officer's Response:

The Hobart City Deal Heads of Agreement signed by the Prime Minister and Premier on 16 January 2018 included an objective to "examine options to facilitate an Antarctic Precinct at Macquarie Point". The Senior Officials Group, of which Council's General Manager is a member, is currently scoping objectives and developing terms of reference and work plans to investigate all options listed in the Heads of Agreement.

Council at its meeting on 9 February resolved to note the Heads of Agreement for the Hobart City Deal.

Council has no assurances at this stage.

Gary Arnold - General Manager

C288/10-18

(Commences at ±11 minutes of audio recording)

7 Payroll and Payslip Distribution

Cr Winter submitted the following question on notice:

Has there been an issue with Council's payroll and/or payslip distribution systems? If so, what was the nature of this issue and what were the impacts on Council and its employees? What steps have been taken to ensure these issues are resolved?

Officer's Response:

A fault in the software which produces electronic pay advices for email delivery resulted in a limited number of Council staff being sent an incorrect payslip on 6 February this year. Actual pays were processed correctly.

The pay advice processing error was isolated to the abovementioned pay. Pay advice delivery was stopped and staff were advised immediately by email. Affected staff were subsequently provided further explanation and advice by letter.

Whilst the cause of the issue was found and resolved by the software vendor, the decision was taken to discontinue use of the function and instead await deployment of the new self-service portal for retrieval of employee pay advices.

Fred Moulton – Executive Manager Information Services

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Grace asked the following question without notice:

C289/10-18

(Commences at ±12 minutes of audio recording)

1 Margate Shopping Centre

“Regarding the Margate Shopping Centre, has Council got any intentions of readdressing the policy as it states there is no need for an extension once a development application. Should that policy be readdressed and should there not be a time limit on so that we don’t get into any more predicaments like we are with Margate?”

Manager Development Services responds:

It’s not a matter of policy, it’s under LUPA. It’s legislation outside of our control unless we were to take action to the State Government to make a change to the policy. It’s my understanding through research that expired permits don’t get put on planning permits in Tasmania at all, unless it was only for a temporary permit where you might allow a use to occur for a short time. So it stands as it is that it has commenced and is still valid.

Cr Bury asked the following question without notice:

C290/10-18

(Commences at ±13 minutes of audio recording)

2 Villa Howden

“At a Council meeting at the end of February, a development application for Villa Howden was discussed and a recommendation from Council staff that it be refused which was overturned by Council. Would the General Manager be able to give us any approximate idea of the cost to Council and of course the rate payers of the appeal process?”

General Manager responds:

At this stage this will be a professional best guess but if the decision of the Tribunal was to support the Council decision, that would be at the lower end of the cost spectrum, my guess would be around \$10,000. If the decision was against the Council decision it would be upwards of \$50,000 I suspect.

Cr Bastone asked the following question without notice:

C291/10-18

(Commences at ±14 minutes of audio recording)

3 Tracks and Trails in Kettering

“In regards to the Council website on the tracks and trails, the Kettering track, which has been in existence for some years, is shown as two very short walks, not the trail around to Trial Bay and the printed version has been out of print for some time. When will we have reprints of the tracks and trails in Kettering and when will the website be updated to show the true track?”

Manager Governance and Property Services responds:

We have been waiting for Council to finalise its Dog Management Policy before doing a reprint of the tracks and trails brochure and obviously that is on the agenda for tonight. Once that is finalised the arrangements with respect to dogs on tracks and trails can also be finalised and we will then look to do an update of the brochure. With respect to the information provided on the website that, of course, can be updated almost immediately.

Cr Winter asked the following question without notice:

C292/10-18

(Commences at ±15 minutes of audio recording)

4 Payroll and Payslip Distribution

“As a supplementary to my question on Payroll and Payslip Distribution, can you please detail the exact number referred to in terms of the number of staff that received the incorrect payslips?”

General Manager responds:

I was one of 85.

Cr Bury asked the following question without notice:

C293/10-18

(Commences at ±16 minutes of audio recording)

5 Hobart/Cockle Creek Walking Track

“Cr Bastone’s question reminded me that I wanted to ask a question – there was a proposal for a Hobart/Cockle Creek walking track that was on the agenda and started, I think Mr Ferrier did some work on it and perhaps Mr Ferrier might have been involved as well. Could we have an update as to what is the status of that? “

Manager Governance and Property Services responds:

The Hobart to Dover trail exists as a concept and all three Councils involved, being Hobart City, Kingborough and Huon Valley continue to work towards that aim. Certainly in the Kingborough area, we have a number of sections of track that need to be completed in order to complete our link and I’m aware that the other two Councils also have sections that need to be completed to make that project come to reality. It does exist as a concept and it’s still one that has been endorsed by all three Councils and being pursued as funding permits.

Cr Winter asked the following question without notice:

C294/10-18

(Commences at ±17 minutes of audio recording)

6 Hobart City Deal

“As a supplementary to my question about the Hobart City Deal, it mentions that Council has no assurances at this stage in relation to maintained AAD in Kingborough. What plans does Kingborough Council have to advocate and seek and gain assurances that AAD will not leave this municipality?”

Mayor responds:

From my perspective, every opportunity. From the General Manager's perspective, he is part of the General Manager's working team and already he and other General Managers have asked whether or not it is the intention for the Federal Government to build a purpose building on Macq Point and then to dispose of their lease here and I understand that it is not their intention to build a purpose building at Macq Point. But there is no guarantee other than we will fight all the way.

Cr Winter:

My question specifically is how are we going to gain that guarantee and how, particularly yourself and the General Manager, what your strategy is to gain a guarantee that that facility will not be leaving Kingborough. Do you have a plan or a strategy to ensure that AAD does not leave Kingborough?

Mayor:

We are dealing with the State and Federal Government and it is their plan, as I indicated, every opportunity that arises will be dealt with at that time. At this point in time there is no plan.

General Manager:

One of the reasons that Council has a seat at the table is to ensure that the best interests of Kingborough are not eroded during the Hobart City Deal process.

Cr Winter:

Is it possible to seek written assurance from the Federal Minister.

Mayor:

It's possible. It's something that certainly has had discussions. At the last meeting which was the first meeting I made it clear to the Minister's advisor that my belief was that there may be a shop front at Salamanca but my intentions and certainly from Council's intentions is that the AAD will continue to operate day in and day out at its present location. I think we have to wait for openings and certainly will be chasing that confirmation.

Cr Winter asked the following question without notice:

C295/10-18

(Commences at ±20 minutes of audio recording)

7 Recent Floods

"Can you give an overview of Council's response to the inundation that the municipality has experienced in the last few days and also plans generally over the next couple of weeks?"

General Manager responds:

Council officers commenced responding to the storm event before midnight on Thursday last. Between 1am Friday morning and 6.30am Friday morning, Council after hours response team responded to 30 calls. They were joined during the early hours of the morning by other Council staff responding to the growing emergency and during

Friday in temporary accommodation, the Customer Service team recorded well in excess of 100 service requests. We don't know the true number quite frankly because we had staff all over the place responding to members of the community in their time of need. The works crew and other Council staff worked over the weekend addressing many unsafe road situations, public spaces where trees had been washed away and parts of roads that had fallen trees with power lines through them needed to be closed until TasNetworks could respond to that growing emergency. The recovery efforts from here on in, apart from the challenges we have in the Civic Centre with the flooding, but in the wider community, particular Kingston, the hardest hit area and Blackmans Bay, will probably take weeks if not months for us to address. We have set up a dedicated response recovery officer to deal with particularly those members of the community that have been impacted to a point where they are suffering hardship that is not able to be addressed by their insurance company and we have already fielded a number of enquiries in that regard today. We will be taking whatever appropriate action we can to assist members of our community but we are mindful that, at the moment, the focus is on ensuring that safety precautions remain the priority and we will try to work through the hundreds of service requests that we are getting. I contacted the major insurance provider today, personally. They are receiving somewhere between 600 and 700 calls a day. Insurance assessors are currently, even for the urgent enquiries, taking between 24 and 48 hours to get to residential properties particularly. Part of the challenge that Council has had has been to access contractors to assist us with the cleanup of the Civic Centre and the Sports Centre which both suffered flooding damage. You can't get industrial dryers at the moment because Hobart CBD was severely impacted as we all know and all of the available carpet dryers are urgently working around the clock. Suffice to say, despite the temporary accommodation arrangements of the Council staff, the Civic Centre reopened for business today, we were only shut last Friday to the public. It will take the best part of a month before the Civic Centre can be returned to normal even though we had the insurance assessors out last Friday, we continue to work with them to plan out a stage return, but our priority is on customer service.

Cr Bastone asked the following questions without notice:

C296/10-18

(Commences at ±25 minutes of audio recording)

8 Jetty at Trial Bay

"Do we have any idea when the jetty at Trial Bay will be repaired?"

Executive Manager Engineering Services responds:

We have made it safe at this stage and it's on the list to go back and obviously do some restoration works. At the moment we are concentrating on making sure that we can keep roads open, make sure they are safe, make sure that we can look at cleaning any blocked drains for any future rain events so it's all about prioritisation at this stage.

C297/10-18

(Commences at ±25 minutes of audio recording)

9 Acknowledgement of staff

"Is something being done to recognise the work of the Council employees who have worked extraordinary long hours and well beyond the normal call of duty?"

General Manager responds:

A number of staff worked, as you would expect, long hours. I have already indicated, in answering Councillor Winter's question that some of them worked over the weekend. I've personally endeavoured to thank every member of staff and on behalf of the organisation and the community. We have received a number of positive responses from members of our community most thankful and appreciative, particularly of the works crew and the efforts that they have made long into the night and early hours of the morning trying to do as much as they can in the shortest possible time.

Cr Grace asked the following question without notice:

C298/10-18

(Commences at ±27 minutes of audio recording)

10 Flood Press Release

"In the press release that has been put out, Cr Wass says "council has delegated a member of the staff to advise those who are struggling". Who is the member of staff and how will they get through them on the 62118200 number which is now overloaded because I've had reports that people have been trying for two or three days and can't get through nor could they get our afterhours service. "

General Manager responds:

The officer that is dedicated to that particular task is Council's community officer in the Governance area. The reality is that she is one of a number of officers that will be fielding those calls and those enquiries. Even on Friday, with the flood damage to the Civic Centre and being closed to the public, we had our full customer service team on the phones all day Friday. I'm surprised to hear that people have been unable to get through on the telephone and we have placed the greatest emphasis and priority on our customer service and we are available both the telephone and the email and the afterhours number and we continue with our recovery efforts.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

There were no Notices of Motion received.

PETITIONS RECEIVED

There were no petitions had been received.

PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

OPEN SESSION OF COUNCIL ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority Meeting commenced at 6.00pm

OFFICERS REPORTS TO PLANNING AUTHORITY

Cr Bastone left the room at 6.00pm

C299/10-18

(Commences at ±30 minutes of audio recording)

DELEGATED AUTHORITY FOR THE PERIOD 11 APRIL 2018 TO 1 MAY 2018

MOVED Cr Chatterton
SECONDED Cr Grace

That the report be noted.

FOR

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

Carried Unanimously

Cr Bastone returned at 6.02pm

C300/10-18

(Commences at ±32 minutes of audio recording)

DA-2018-62 - DEVELOPMENT APPLICATION FOR DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF NEW DWELLING AT 215 CONINGHAM ROAD, CONINGHAM FOR RONALD YOUNG & CO BUILDERS PTY LTD

MOVED Cr Chatterton
SECONDED Cr Percey

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for demolition of an existing dwelling and construction of new dwelling at 215 Coningham Road, Coningham for Ronald Young & Co Builders Pty Ltd 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. 2018-62 and Council

Plan Reference No. P2 submitted on 29/03/2018. 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. 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.
3. No further felling, lopping, ring barking or otherwise injuring or destroying of native vegetation is to take place outside the building and works area, other than the Acacia tree as shown on the plans, P2 submitted to Council 29/03/2018 without the prior written permission of Council.
4. The stormwater runoff from all concrete, paved, or otherwise sealed areas must be contained within the property or discharged to a Council approved discharge point. All works in relation to the discharge of stormwater must be completed to the satisfaction and approval of the Executive Manager – Engineering Services.
5. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Executive Manager – Engineering Services.
6. The vehicular access must be constructed in accordance with the Tasmanian Standard Drawings (TSD-RO3, TSD-RO4, TSD-E01 and TSD-RF01) and be sealed to match the existing road surface from the edge of the carriageway to the lot boundary. A permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation.

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 proposed development requires onsite disposal of wastewater. Prior to Council issuing a Plumbing Permit, the developer must submit all documents specified in Schedule 2 of the Director’s Specified List for an onsite wastewater management system.
- C Demolition work must be conducted in accordance with the Demolition Work Code of Practice 2016 published by Safe Work Australia.

FOR

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

Carried Unanimously

DA-2017-412 - DEVELOPMENT APPLICATION FOR ALTERATIONS AND EXTENSION TO EXISTING DWELLING AT 609 CHANNEL HIGHWAY, BONNET HILL FOR MR P J NOBLE

MOVED Cr Grace
SECONDED Cr Wriedt

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for alterations and extension to existing dwelling at 609 Channel Highway, Bonnet Hill for Mr P J Noble 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-2017-412 and Council Plan Reference No. P2 submitted on 29/03/2018. 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. A drainage design plan must be submitted with the application for a Plumbing Permit, 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.
3. The stormwater runoff from all concrete, paved or otherwise sealed areas must be contained within the property or discharged to a Council approved discharge point. All works in relation to the discharge of stormwater must be completed to the satisfaction and approval of the Executive Manager – Engineering Services.
4. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Executive Manager – Engineering Services.
5. No felling, lopping, ring-barking or otherwise injuring or destroying of native vegetation or individual trees is approved as part of this Planning 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 proposed development requires an upgrade of the existing on-site wastewater system. Prior to Council issuing a Plumbing Permit, the developer must submit all documents specified in Schedule 2 of the Director’s Specified List for an on-site wastewater management system.

FOR

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

Carried Unanimously

DA-2017-537 - DEVELOPMENT APPLICATION FOR DWELLING AND VISITOR ACCOMMODATION AT 82 WISBYS ROAD, NORTH BRUNY FOR IRENEINC PLANNING

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 dwelling and 2 visitor accommodation pods (re-advertised - amended plans) at 82 Wisbys Road, with access over Davis Road (CT 144107/2) and the Crown road reservation, North Bruny Island for Ireneinc Planning be approved subject to the following conditions:

1. Except as otherwise required by this Permit, including relocation of the accommodation pods as specified in Condition 2, use and development of the land must be substantially in accordance with Development Application No. 2017-537 and Council Plan Reference No. P7 submitted on 27 March 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. Prior to commencement of any on-site works and/or issue of a Building Permit, amended plans must be submitted to the satisfaction and approval of the Manager Development Services. These plans must be generally in accordance with Council Plan Reference No. P7 submitted on 27 March 2018 and modified to show the location of the accommodation pods moved to the north to achieve a minimum 30m setback from the southern boundary. When approved, the plans will be endorsed by Council and will then form part of this Permit.
3. 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.
4. Guests are to park within designated parking areas within site boundaries and are not to block the spaces or access of other accommodated guests within the subject property.
5. The development and use hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:
 - (a) Transport of materials, good or commodities to or from the land;
 - (b) Appearance of any building, works or materials;
 - (c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
 - (d) Presence of vermin.
6. Engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional

Civil Engineer approved by the Executive Manager - Engineering Services, in consultation with a suitably qualified arborist in accordance with the following:

- (a) Davis Road/Crown Road Reserve: The applicant must design and construct/upgrade the existing Davis Road carriageway wholly contained within CT 144107/2 and the Crown road reserve access from the eastern end of CT 144107/2 to the proposed access to the site as follows:
 - (i) provide an all-weather gravel surface in compliance with the National Construction Code (Volume 2) to modified 4C access road standards to the satisfaction and approval of Council's Development Engineer;
 - (ii) provide a minimum access road carriageway width of 4.0m with 20m x 6m wide passing bays at locations not more than 100m apart; and
 - (iii) minimise impacts on and the removal of native trees.
- (b) Internal Site Access Road: The applicant must design and construct the internal site access road generally as indicated on the submitted plans as follows:
 - (i) provide an all-weather gravel surface in compliance with the National Construction Code (Volume 2) to modified 4C access road standards; to the satisfaction and approval of Council's Development Engineer; and
 - (ii) minimise impacts on and the removal of native trees.

Approval of the plans and specifications is required prior to the issue of a Building Permit.

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.

The road works must be completed prior to the issue an Occupancy Permit for the buildings.

7. The applicant must obtain a license for access over the Crown road reserve from the Department of State Growth. This licence must be obtained prior to the issue of Building Permit and a copy provided to Council.
8. The applicant must obtain a legal right of access over the Davis Road carriageway (CT 144107/2) from Council. This licence must be obtained prior to the issue of Building Permit.
9. A Tree Removal and Retention Plan must be submitted to and endorsed by Council identifying the individual trees requiring removal and those to be retained prior to the issue of a building permit, the removal of any vegetation, approval of the engineering drawings and approval of start of works. This plan must be developed in collaboration with a suitably qualified arborist and:
 - (a) identify the location, diameter at chest height and species of all trees with a DBH >25cm or height >10m within and directly adjacent to the proposed development and all associated infrastructure, including the access, dwelling, visitor accommodation, wastewater, services and bushfire hazard management area;
 - (b) clearly identify which trees are to be removed and which are to be retained;

- (c) demonstrate that the proposed development and associated infrastructure are located to avoid the removal of trees where practicable;
 - (d) identify reasonable mitigation and/or protection measures to be implemented to minimise the impacts of the development on the health of the trees being retained and avoid their loss within the scope of the approved development;
 - (e) be in accordance with Australian Standard 4970-2009 for the protection of trees on development sites; and
 - (f) be to the satisfaction of the Manager Development Services.
10. Only those individual trees identified for removal in the endorsed Tree Removal and Retention Plan and up to 9468m² of Eucalyptus amygdalina forest on mudstone as shown in the Environmental Management Plan (Council Plan Reference P7 received on 27 March 2018) are approved for removal to accommodate the proposed development

This vegetation must not be removed prior to the issue of a Building Permit and issue of start of works.

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

11. All remaining native vegetation, including individual trees identified for retention in the endorsed Tree Removal and Retention Plan must be retained and appropriately protected during and after construction to ensure that no damage is inflicted that may impact upon the health of the trees or cause them to die. This includes but is not limited to establishing and maintaining a Tree Root Protection zone between any works and adjacent native vegetation prior to commencement of construction in accordance with AS 4970-2009 to exclude:
- (a) changes to natural ground level;
 - (b) the storage of fill or dumping of contaminates; and
 - (c) vehicles and machinery.

Evidence of satisfactory installation of this fencing, including signage indicating the purpose of the fencing, is to be provided to Council prior to the commencement of any on-site 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:

- (d) the existing soil level must not be altered around the Tree Root Protection Zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil);
- (e) the Tree Root Protection Zone must be free from the storage of fill, contaminates or other materials; and
- (f) machinery and vehicles are not permitted to access the Tree Root Protection Zone.

12. To ensure the ongoing retention, management and protection of the remaining native vegetation on the site, offset the loss of 9468m² of moderate priority biodiversity values at a ratio of 3:1 and offset the loss of individual high conservation value trees, the following offset package must be secured and implemented prior to start of works and the removal of native vegetation in accordance with the endorsed Tree Removal and Retention Plan:

(a) Establishment of the in-situ offset as secure conservation land via a Part 5 Agreement under the Land Use Planning and Approvals Act 1993 with and to the satisfaction of Kingborough Council to retain and protect the vegetation and habitat values outside the bushfire hazard management area. This Part 5 Agreement must:

- (i) verify the extent of the conservation zone, which is to encompass all native vegetation outside the bushfire hazard management area and access;
- (ii) provide for the protection for all native vegetation and habitat values within the conservation zone;
- (iii) provide for the closure and rehabilitation of the Wisby's Road access using native species local to the area and consistent with the species list specified on the Environmental Management Plan;
- (iv) provide for the natural regeneration of any areas cleared without authorisation and located within the conservation zone;
- (v) identify management prescriptions to ensure that all native vegetation and habitat values within the conservation zone are managed for their long term survival including but not limited to restricting use and development within regeneration areas, preventing vegetation removal and disturbance, stimulating natural recruitment and weed management. These management prescriptions are to be drafted by a suitably qualified environmental consultant and include timeframes and details for each action for a minimum of five years; and,
- (vi) be drafted using Council's template Part 5 Agreement.

All costs associated with drafting and registering this Part 5 Agreement on the title are to be borne by the applicant. Ongoing management of the site must be in accordance with the Part 5 Agreement.

- (b) Offset any shortfall in the in-situ offset for the loss of potential threatened species habitat via a financial contribution to Council's Environmental Fund at a rate of \$12000/hectare and a ratio of 3:1;
- (c) Offset the loss of individual high conservation values trees approved for removal in the endorsed Tree Plan via a financial contribution to Council's Environmental Fund at a rate of \$500/tree.

Payment of the financial offsets must be made prior to the removal of the vegetation and start of works.

Please note, planning permits containing a requirement for a Part 5 Agreement are not valid until such time as the Agreement is executed, as specified in the Land Use Planning and Approvals Act 1993. Therefore the above Agreement must be signed and sealed, and proof of lodgement of the Agreement with the Land Titles Office for registration on the property title provided to Council, prior to a Building Permit being

issued and commencement of onsite works. The template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.

13. Due to the presence of declared weeds, 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 needs to:
 - (a) include a site plan showing the location, extent and density of Paterson's curse infestations on the property and the location and extent of gorse and other weeds on the access and within the property;
 - (b) identify the timeframes and methods of primary and follow up treatment for all infestations of Paterson's Curse in accordance with the Statutory Weed Management Plan and current best practice;
 - (c) require primary control of all infestations of Paterson's curse on site prior to start of works;
 - (d) require follow-up treatment of Paterson's curse to be undertaken on an as needs basis until such time as all infestations of the weed are eradicated
 - (e) identify timeframes and methods of primary and follow up treatment for any other declared and environmental weeds on site, including the access;
 - (f) requires primary treatment of any other weeds within the footprint of approved works prior to the start of works;
 - (g) identify weed hygiene measures to ensure the risk of the spread of weeds to, from or within the site during clearing and construction is minimized, including ensuring:
 - (i) declared weed plant material or soil containing their seed is not be removed from the site, unless undertaken in accordance with Statutory Weed Management Plan;
 - (ii) weed plant material and topsoil containing their seed must not be stored or moved into areas containing weed-free native vegetation;
 - (iii) appropriate hygiene measures are undertaken prior to any machinery 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; and
 - (iv) any imported fill materials are 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.
 - (h) a fully costed implementation, monitoring and reporting plan for a minimum of five years (including actions and timeframes).
14. All measures identified in the Environmental Management Plan (EMP) (Council Plan Reference P7, received on 27 March 2018) must be implemented to the satisfaction of the Manager Development Services. This includes but is not limited to:
 - (a) submitting an audit of plantings undertaken to date to Council prior to start of works;

- (b) implementing dust and run-off mitigation strategies;
- (c) implementing tree protection measures as specified in this permit;
- (d) removing any species not consistent with the species list specified on the EMP, including native species not local to the area, and replacing these with consistent species prior to the issue an Occupancy Permit for the buildings; and
- (e) closing and rehabilitating the Wisbys Road access to the satisfaction of the Manager Development Services in accordance with the management prescriptions in the Part 5 Agreement prior to the issue an Occupancy Permit for the buildings.

Ongoing management of the site must be in accordance with the Environmental Management Plan, the Part 5 Agreement and Weed Management Plan.

In addition, prior to start of works, a bond must be paid to Council for the cost of implementation of the Environmental Management Plan, the Part 5 Agreement and Weed Management Plan for a period of five years of, excluding any initial actions already undertaken.

Reporting to Council on the progress with respect to actions required by the plan is to be undertaken by a suitably qualified consultant and not less than once annually for a minimum period of 5 years. The bond will be repaid to the payer in stages on an annual basis once each annual report is received and satisfactory implementation demonstrated.

15. Plans submitted for the Plumbing Permit must demonstrate onsite wastewater management system:
 - (a) is generally in accordance with the design dated July 2017 submitted with this application; and
 - (b) is located within the Bushfire Hazard Management Area and outside the tree root protection zone of high conservation value trees.
16. Building plans submitted for the development must demonstrate:
 - (a) the dwelling does not require vegetation removal greater than required to comply with BAL 19;
 - (b) the extent of clearing for bushfire is contained within the property boundaries and does not increase the extent of clearing beyond that approved under this permit;
 - (c) the dwelling is located to enable retention of the large Eucalyptus obliqua (identified as tree 42 in Council Plan Reference P7 and received by Council on 27 March 2018), unless it can be demonstrated by a suitably qualified arborist that this tree is a safety hazard based on a QTR Assessment and requires removal irrespective of the location of the dwelling.
17. 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.
18. The approved uses on the site may not commence until the following requirements have been completed to the satisfaction of the Manager of Development Services:
 - (a) Carparking and access completed in accordance with the plans and Condition 6;

- (b) Crown licence for access obtained, as per Condition 7;
- (c) Legal right of access obtained, as per Condition 8;
- (d) Implementation of the Environmental Management Plan as per Condition 14;
- (e) Onsite wastewater installed in accordance with the Plumbing Permit and Condition 15; and
- (f) Submission of building plans demonstrating alteration to BAL requirements, as per Condition 16.

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 must obtain a Plumbing Permit for the development prior to commencing construction.
- C. With consideration to the number of habitable rooms in the dwellings and the capacity of the onsite wastewater management system, the maximum number of occupants must not exceed 8 persons on site at any time.
- D. Food must not be provided, sold or served to guests staying in the accommodation units without prior consent from Council’s Environmental Health Officer.
- E. Any further extension to the proposed visitor accommodation or the inclusion of an associated commercial use on the site will require a separate application for development to be made to Council to the satisfaction of the Manager – Development Services.
- F. Signs advertising the accommodation must not be displayed without the separate approval of Council, other than the erection of a small 0.5 x 0.5m sign being affixed to the front fence or within the subject property boundaries. Application for additional signage must be made to the Manager – Development Services.

FOR

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

Carried Unanimously

DA-2018-52 - DEVELOPMENT APPLICATION FOR CARPORT (RETROSPECTIVE) AT 48 WINDSOR STREET, KINGSTON BEACH FOR MR G CANNING

MOVED Cr Winter
SECONDED Cr Grace

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for carport (retrospective) at 48 Windsor Street, Kingston Beach for Mr G Canning 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. 2018-52 and Council Plan Reference No. P2 submitted on 27/3/2018. 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.

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 Plumber is to provide the following documentation to Council after the plumbing work is completed:
 - (a) A Plumbing Start of Works Notice;
 - (b) A Form 80;
 - (c) A Form 71B; and
 - (d) An 'As Constructed' drainage plan at a scale of 1:200 in accordance with the Director's Specified List Schedule 3.

FOR

Cr Bastone	Cr Grace	Cr Percey	Cr Wass
Cr Winter	Cr Wriedt		

Cr Bury abstained from the vote

AGAINST

Cr Bury	Cr Chatterton		
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Carried

DA-2018-54 - DEVELOPMENT APPLICATION FOR DWELLING AT 29 BLYTH PARADE, GREAT BAY FOR MAVERIC BUILDERS PTY LTD

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 dwelling and vegetation removal at 29 Blyth Parade, Great Bay for Maveric Builders Pty Ltd 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-2018-54 and Council Plan Reference No. P1 submitted on 1 February 2018 and P2 amended plans submitted 19 March 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. 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.
3. To offset the loss of two (2) trees of very high conservation value (comprising two Eucalyptus pulchella trees with a DBH >70cm identified as T5 and T9 in the Natural Values Report by Enviro-dynamics, amended version 14th March 2018 submitted to Council on 19/03/2018) an offset of \$500/tree must be paid into Council's Environmental Fund, to be used to manage and conserve the habitat hollow dependent species in the vicinity of Kingston.

These trees must not be removed prior to the issue of a Building Permit and payment of the \$1000 offset.

4. Only those trees identified for removal in Table 3 and Figure 4 of the endorsed Natural Values Report by Enviro-dynamics, amended version 14th March 2018 submitted to Council on 19/03/2018 may be removed or modified for the purpose of the Bushfire Hazard Management Zone, the building area and the AWTS.

This vegetation must not be removed prior to the issue of a Building Permit and issue of start of works.

FOR ADVICE: No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council or in accordance with a further permit or otherwise as provided for in the Kingborough Interim Planning Scheme 2015 or otherwise in accordance with law.

5. A Council fee of 2% of the estimated value of the construction works (including GST, provisional items and contingencies) for the development or a minimum of \$640 must be paid at the time of submission of the design plans for approval.

Return inspections for non-compliance and/or additional audit inspections requested by the supervising engineer will incur additional hourly rate charges based on the rates adopted by Council and prevailing at the time of payment.

These additional fees shall be paid prior to issue of a Certificate of Practical Completion, or deducted from any guarantee held for the works.

6. All remaining native vegetation, including individual trees identified for retention in Table 3 and Figure 4 of the Natural Values Report by Enviro-dynamics amended version 14th March 2018 submitted on 19/03/2018, must be retained and appropriately protected during and after construction to ensure that no damage is inflicted that may impact upon the health of the trees or cause them to die. This includes establishing and maintaining a Tree Root Protection zone between any works and adjacent native vegetation prior to commencement of construction in accordance with AS 4970-2009 to exclude:
 - (a) Storing of building materials;
 - (b) Vehicular traffic;
 - (c) Placement of fill; and
 - (d) Excavation works.

Evidence of satisfactory installation of this fencing is to be provided to Council prior to the commencement of any on-site 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:

- (e) the existing soil level must not be altered around the Tree Root Protection Zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil); and
 - (f) the Tree Root Protection Zone must be free from the storage of fill, contaminants or other materials; and
 - (g) machinery and vehicles are not permitted to access the Tree Root Protection Zone.
7. The weed, Spanish heath, declared under the Weed Management Act 1999 is present on the site.

Prior to commencement of works, primary treatment must be undertaken of all weeds within the area to be traversed and disturbed during construction. This treatment must be undertaken in a targeted way to avoid residual impact on native species, and in accordance with the recommendation of the submitted Natural Values Assessment by Enviro-dynamics amended version 14th March 2018 and current guidelines as to the appropriate methodology (see Department of Primary Industries, Parks, Water and Environment website).

During construction, to ensure these weeds are not spread from the site:

- (a) Declared weed plant material or soil containing their seed must not be removed from the site, unless undertaken in accordance with that weed's Statutory Weed Management Plan where such a plan exists;

- (b) Weed plant material and topsoil containing their seed must not be stored or moved into areas containing weed-free native vegetation;
- (c) Appropriate hygiene measures must be undertaken prior to any machinery 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; and
- (d) 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.

Prior to occupation, primary treatment of all other weeds on the site must be undertaken, with ongoing management to limit and eradicate where feasible.

- 8. The stormwater runoff from all concrete, paved, or otherwise sealed areas must be contained within the property or discharged to a Council approved discharge point. All works in relation to the discharge of stormwater must be completed to the satisfaction and approval of the Executive Manager – Engineering Services.
- 9. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Executive Manager – Engineering Services.
- 10. The vehicular access must be constructed in accordance with the Tasmanian Standard Drawings (TSD-RO3, TSD-RO4, TSD-E01 and TSD-RF01) and be sealed to match the existing road surface from the edge of the carriageway to the lot boundary. A permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation.

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.

FOR

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

Carried Unanimously

C305/10-18

(Commences at ±53 minutes of audio recording)

DA-2018-90 - DEVELOPMENT APPLICATION FOR DECK EXTENSION AT 23 WAKEFORD AVENUE, KINGSTON FOR MR J PARKER

MOVED Cr Grace
SECONDED Cr Wriedt

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for deck extension at 23 Wakeford Avenue, Kingston for Mr J Parker 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. DA2018-90 and Council Plan Reference No. P2 submitted on 5 March 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 deck shall not be utilized until a fixed privacy screen to the extent shown on Council Plan Reference P2 is established. Such screen shall have a height of at least 1.7m above the finished floor level, with a uniform transparency of no more than 25%.
3. The deck shall not be used unless the privacy screen as specified in Condition 2 is maintained.

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 Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt

Carried Unanimously

C306/10-18

(Commences at ±54 minutes of audio recording)

DA-2018-100 - DEVELOPMENT APPLICATION FOR CARPORT AT 7 NICHOLAS DRIVE, KINGSTON BEACH FOR MR M L PICONE

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 carport at 7 Nicholas Drive, Kingston Beach for Mr M L Picone 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.2018-100 and Council Plan Reference No. P2 submitted on 29/03/2018. 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.

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 Plumber is to provide the following documentation to Council after the plumbing work is completed:
 - (a) A Plumbing Start of Works Notice;
 - (b) A Form 80;
 - (c) A Form 71B; and
 - (d) An 'As Constructed' drainage plan at a scale of 1:200 in accordance with the Director's Specified List Schedule 3.

FOR

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

Carried Unanimously

C307/10-18

(Commences at ±55 minutes of audio recording)

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

MOVED Cr Bury
 SECONDED Cr Wriedt

That in accordance with Council Policy 1.1A – 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 five (5) 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 continues to support the draft amendment PSA-2018-1 and requests consideration be given by the Tasmanian Planning Commission to resolving the biodiversity issue.

FOR

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

Carried Unanimously

PLANNING AUTHORITY SESSION ENDS

OPEN SESSION OF COUNCIL RESUMES

Open session of Council resumed at 6.28pm

OFFICERS REPORTS TO COUNCIL

C308/10-18

(Commences at ±58 minutes of audio recording)

POLICY 1.1A 'LAND USE PLANNING AND APPROVALS ACT 1993 - DELEGATED AUTHORITY POLICY'

MOVED Cr Winter
SECONDED Cr Bury

That Council resolves to amend Policy 1.1A *Land Use Planning and Approvals Act 1993* Delegated Authority Policy as follows:

a) section 4.1 to read:

Pursuant to Section 6 of the *Land Use Planning and Approvals Act 1993*, Council delegates the following powers and functions to the General Manager (or an officer acting in that capacity):

Section	Details
57	Grant permits with or without conditions for applications assessed under the Alternative Solution within the Kingborough Planning Scheme 2000 or under the Performance Criteria within the Kingborough Interim Planning Scheme 2015 (as applicable) where two or fewer opposing representations have been received.

b) section 4.2 to read:

Pursuant to Section 6 of the *Land Use Planning and Approvals Act 1993*, Council delegates the following powers and functions to the Deputy General Manager (or an officer acting in that capacity) and to the Manager Development Services (or an officer acting in that capacity):

Section	Details
57	Grant permits with or without conditions for applications assessed under the Alternative Solution within the Kingborough Planning Scheme 2000 or under the Performance Criteria within the Kingborough Interim Planning Scheme 2015 (as applicable) where two or fewer opposing representations have been received.

FOR

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

AGAINST

Cr Grace			
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Carried

C309/10-18*(Commences at ±1 hour, 14 minutes of audio recording)***DOG MANAGEMENT POLICY REVIEW**

MOVED Cr Grace
 SECONDED Cr Wriedt

That Council endorse the release of the attached Draft Dog Management Policy for public comment for a period of six weeks in accordance with the provisions of the *Dog Control Act 2000*.

FOR

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

Carried Unanimously

C310/10-18*(Commences at ±1 hour, 15 minutes of audio recording)***WASTE MANAGEMENT STRATEGY IMPLEMENTATION**

MOVED Cr Chatterton
 SECONDED Cr Bury

That Kingborough Waste Services take on expanded waste management role to be incorporated within an updated Service Level Agreement.

FOR

Cr Bastone	Cr Bury	Cr Chatterton	Cr Percey
Cr Wass			

AGAINST

Cr Grace	Cr Winter	Cr Wriedt	
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Carried

C311/10-18*(Commences at ±1 hour, 47 minutes of audio recording)***WASTE WISE EVENTS POLICY AND GUIDELINES**

MOVED Cr Wriedt
 SECONDED Cr Bury

That Council approve the *Waste Wise Events Policy 4.14* and associated Guidelines, as included in the attachment to this report.

FOR

Cr Bastone	Cr Bury	Cr Percey	Cr Wass
Cr Wriedt			

AGAINST

Cr Chatterton	Cr Grace	Cr Winter	
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Carried

C312/10-18*(Commences at ±1 hour, 52 minutes of audio recording)***LEASING AND LICENCING POLICY**

MOVED Cr Bury
 SECONDED Cr Chatterton

That the attached Policy 3.21 Leasing and Licencing be approved.

FOR

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

Carried Unanimously

**LOCAL GOVERNMENT ASSOCIATION TASMANIA GENERAL MEETING
18 MAY 2018**

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 Chatterton
 SECONDED Cr Bastone

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

Item 2.1

“That the Meeting

1. Note the current status of the TasWater debate; and
2. Agree that LGAT’s advocacy effort on TasWater gradually reduce to a focus on ensuring sector feedback on key issues, especially legislative changes, as well as any support required to the Chief Owner Rep that cannot be provided by TasWater.”

Voting - **No**

Item 2.2

That the Meeting agree to deferring a GMC by-election to fill the vacancy left by Steve Martin until after the October Local Government elections and allow the proxy, Mayor Jan Bonde to continue to serve on GMC until that time.

Voting - **Yes**

Item 2.3

That Members agree to a feasibility study into the establishment of a Local Government statewide waste management organisation.

Voting - **Yes**

FOR

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

Carried Unanimously

INFORMATION REPORTS

MOVED Cr Percey
SECONDED Cr Winter

That the following information reports be noted:

1. General Manager's diary for the period 4 April 2018 to 4 May 2018.
2. Current and Previous Minute Resolutions.
3. Community Services Quarterly Report.
4. Environmental Services Quarterly Activities Update.
5. Councillor Attendance at Meetings from 1 July 2017 - 30 March 2018.
6. Councillor Allowances and Expense Table.
7. Donations Table.
8. Minutes Kingborough Access Advisory Committee.
9. Minutes Bruny Island Advisory Committee.
10. Minutes Kingborough Bicycle Advisory Committee.

FOR

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

Carried Unanimously

C315/10-18

CLOSED SESSION

MOVED Cr Grace
SECONDED Cr Percey

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* Council move into closed session to consider the following items:

Heading	Reference
Confirmation of Minutes of Closed Session Meeting No. 8	34(6)
Applications for Leave of Absence	15(2)(h)
Barretta Solar Park	15(2)(c)
Conservation Covenant – Rate Rebate	15(2)(c)
Over Expenditure for Dru Point / Beach Road Works	15(2)(c)
General Manager’s Reappointment	15(2)(a)
Delegated Authority	15(2)(c)
Current and Previous Minute Resolutions	15(2)(c)

FOR

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

Carried Unanimously and by Absolute Majority

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 8pm

OPEN SESSION OF COUNCIL ADJOURNS

OPEN SESSION OF COUNCIL RESUMES

Open Session of Council resumed at 8.55pm

C326/10-18

MOVED Cr Percey
 SECONDED Cr Chatterton

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

Heading	Decision
Confirmation of Minutes of Closed Session Meeting No. 8	Confirmed
Applications for Leave of Absence	Approved
Barretta Solar Park	Signing of Exclusivity Agreement approved
Conservation Covenant – Rate Rebate	Approval in accordance with Council Policy 3.9
Over Expenditure for Dru Point / Beach Road Works	Approval of transfer of funds to cover over expenditure
Delegated Authority	Noted
Current and Previous Minute Resolutions	Noted
General Manager's Reappointment	Reappointment Noted

FOR

Cr Bastone	Cr Bury	Cr Chatterton	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 8.56pm

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 (Confirmed)

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 (Date)