

Kingborough



PUBLIC MINUTES

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

COUNCIL MINUTES

12 November 2018

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MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 12 November 2018 at 5.30pm.

AUDIO RECORDING

The Chairperson declared the meeting open at 5.30pm, welcomed all in attendance and read:

“All persons in attendance are advised that it is Council policy to record Council Meetings. The audio recording of this meeting will be made available to the public on Council’s website. In accordance with Council Policy, I now ask staff to confirm that the audio recording has commenced.”

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Deputy Chairperson of the Tasmanian Aboriginal Heritage Council, Sarah Wilcox, 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 D Winter	✓
Deputy Mayor Councillor J Westwood	✓
Councillor R Atkinson	✓
Councillor S Bastone	✓
Councillor F Fox	✓
Councillor D Grace	✓
Councillor A Midgley	✓
Councillor C Street	✓
Councillor S Wass	✓
Councillor P Wriedt	✓

Staff:

General Manager	Mr Gary Arnold
Deputy General Manager	Mr Tony Ferrier
Executive Manager Engineering Services	Mr David Reeve
Executive Manager Governance & Community Services	Mr Daniel Smee
Manager Finance	Mr Tim Jones
Manager Environmental Services	Mr Jon Doole
Manager Development Services	Ms Tasha Tyler-Moore
Coordinator Statutory Planning	Mrs Melissa Stevenson
Media & Communications Officer	Ms Sarah Wilcox
Executive Assistant	Mrs Amanda Morton

APOLOGIES

There were no apologies.

C751/24-18

(Commences at ± 2 minutes of audio recording)

CONFIRMATION OF MINUTES OF 22 OCTOBER 2018

MOVED Cr Fox
SECONDED Cr Wriedt

That the Minutes of the open session of Council Meeting No. 23 held on 22 October 2018 be confirmed as a true record.

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

WORKSHOPS HELD SINCE LAST COUNCIL MEETING

There have been no workshops held since the last Council meeting.

DECLARATIONS OF INTEREST

C752/24-18

(Commences at ± 3 minutes of audio recording)

Cr Bastone and Wriedt declared an interest in the item "DA-2018-108 - Development Application for Camping and Caravan Park (Retrospective) at 1751 Great Bay Road, Great Bay for Mr J L Lampkin and Mrs S M Lampkin".

C753/24-18

(Commences at ± 3 minutes of audio recording)

Cr Westwood declared an interest in the Petition "Fencing the New Playground at Blackmans Bay".

TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

QUESTIONS ON NOTICE FROM THE PUBLIC

C754/24-18

(Commences at ± 3 minutes of audio recording)

1 Water Sampling at Blackmans Bay Beach

Ms Rosalie Maynard submitted the following question on notice:

I understand that Council is to undertake extra water sampling at Blackmans Bay beach in a further attempt to find sources of bacterial contamination outlined in DEP's Recreational Water Quality Program Annual Report 2017/18:

Could Council outline the extent and regularity of this, and whether it will include sampling from the area near the boatshed at the far southern end of the beach, where many smaller, older stormwater outlets discharge badly discoloured water onto the rocks, giving rise to large algal blooms, suggestive of nutrient rich and possibly polluted outfalls?

Officer's Response:

A working group has been established within Council to develop an Integrated Management Strategy for recreational water quality (RWQ) at Blackmans Bay Beach and Kingston Beach (the Beaches).

Our initial thoughts were to install an end of line treatment for the Illawarra Road stormwater pipe as a means to capture the contaminants entering the stormwater network.

The activities conducted within stormwater catchments that generate and discharge contaminants that impact on RWQ are complex and can be difficult to control. Although an end of stormwater line treatment can assist with the prevention of contaminants entering the marine environment, in reality, it is suspected that this may only be one part of the solution.

A working group has been established within Council to develop an Integrated Management Strategy (IMS) as a medium to long term response to this issue. The IMS has the following aims for RWQ at the Beaches:

- develop and conduct a targeted sampling regime of stormwater outfalls at Blackmans Bay and Kingston beaches with the aim of identifying contaminants in the stormwater stream and to identify the source of contaminants impacting on RWQ;
- communicate with the community regarding activities that can impact on RWQ;
- establish a compliance program for development within the stormwater catchments; and
- conduct targeted seasonal monitoring of stormwater and marine catchments to facilitate expedient identification of contaminant sources impacting on RWQ.

Council has recently erected the required signage on Blackmans Bay Beach advising visitors to the beach of the RWQ downgrading. Notwithstanding this, previous comments regarding community consultation are noted and Council will be seeking to improve its processes in relation to this in future.

The IMS aims to establish a permanent solution to improve the RWQ at the Beaches. Council will embed a Community Communication Plan within the IMS in order that the community is adequately informed of the IMS progress.

In the short term, Council is carrying out a targeted sampling regime of stormwater outfalls onto the Beaches, specifically aimed at the following:

- identification of the stormwater catchment containing the contaminants that discharge onto Blackmans Bay Beach; and
- determining the appropriateness of potential stormwater outfall pre-treatment.

The data collected from this targeted sampling will assist Council with current investigations in isolating the catchment that is the source of the contaminants.

In the long term, it is intended that the IMS will enable Council to undertake an ongoing systematic approach to monitoring, and proactive management of related assets. In turn it will also serve to protect the natural environment and areas frequented by the public, such as the two mentioned beaches.

It is worth noting that Council will need to work with other major stakeholders, such as TasWater, on an ongoing basis to resolve this matter. It is a complex multifaceted challenge that requires a measured and systematic approach to identify the source of the contaminants and to implement a sustainable long term solution.

John Devries - Environmental Health Officer

C755/24-18

(Commences at ± 4 minutes of audio recording)

2 Bruny Island Liveability Survey

Ms Maria Pforr submitted the following question on notice:

1. Was a recognised Specialist Sociologist engaged in preparing the questions?
2. Was an independent auditor used to process the figures?
3. Was a nationally recognised analyst engaged to consider resident's comments?
4. Who has ownership of this survey?
5. Why is unaudited survey quoted as basis for several proposed recommendations?

Officer's Response:

- (1) The survey questions were prepared by Mathew Fagan – who was the consultant commissioned by Council on the recommendations of a selection committee from the Bruny Island Advisory Committee. Mr Fagan is not a "Specialist Sociologist" – his qualifications consist of a Bachelor of Laws and a Bachelor of Arts (Communication), plus he holds a Practitioner's Certificate in Mediation from the Institute of Arbitrators and Mediators Australia. He was selected to conduct this public Survey as he had significant relevant experience in this area.
- (2) The Survey results were compiled by Mr Fagan and are an accurate reflection of the 700 completed survey forms that were submitted. The Survey itself was very thorough. Council staff monitored its progress and are very confident that the Survey results are accurately portrayed in the final report. However an additional independent audit has not been conducted to check all of the figures.
- (3) Most of the submitted forms included written comments, in addition to the scores which were allocated to each question. These written comments were included verbatim in an Appendix to the final report. There has been no further analysis of these comments.

- (4) Council has ownership of this Survey and holds all of the original data sheets and spreadsheets containing the content of the public questionnaires.
- (5) The recommendations in the final report were prepared by Mr Fagan, based on his conclusions and his best interpretation of the Survey results. It is acknowledged that others may draw different conclusions, but the actual figures included in the Survey results are not in question.

Tony Ferrier - Deputy General Manager

C756/24-18

(Commences at ± 4 minutes of audio recording)

3 Kingston Beach Masterplan

Mr Roger Tonge submitted the following question on notice:

At the Council meeting held on 22nd October 2018, Councillor Mike Percey asked for an update on the status of the Kingston Beach Master Plan. As funding from external sources may be needed before substantial works can be undertaken and as a prerequisite, a plan of proposed works would be required, can you please instruct the responsible officers to prepare and present to Council for adoption, a Master Plan for the Kingston Beach precinct complete in its entirety and in a timeframe not exceeding six months so as to enable funding to be considered in the 2018 /2019 budget.

Officer's Response:

In 2010, Council considered an infrastructure management plan for the Kingston Beach area and although not formally adopted by Council it has remained a blueprint for infrastructure works in the area (approximately \$2M over the last 10 years). In 2017 an update to the plan was discussed with Council and although there was broad agreement to the revised plan, a desire was expressed to consider further removal of carparking on the foreshore of Osborne Esplanade and traffic flow through the area. Further work has largely been completed and was awaiting any additional outcomes from a one way vehicle trial in Kingston Beach prior to discussing with Council. With this now resolved the infrastructure management plan for Kingston Beach will be put forward for Council consideration in the near future.

David Reeve - Executive Manager Engineering Services

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Mr Mervin Reed asked the following question without notice:

C757/24-18

(Commences at ± 4 minutes of audio recording)

1 Community Participation at Council Budget Workshops

I ask that you and the Council consider a change in policy so that the ratepayers can have the opportunity at a workshop to see what the budget consists of and have a say as to what they would like to see included or indeed removed. To this end, can consideration be given to making places available for ratepayers?

Mayor:

Could you please clarify the question? What would you like made available to ratepayers?

Mr Reed:

A place at the table for the workshop to discuss the budget.

Mayor:

I might have to defer this to the General Manager, I'm not sure that we are actually able to do that under the Act.

Mr Reed:

A public discussion about the budget.

Mayor:

At this stage, I'm obviously very new to the role. I do have a particular view about our Long Term Financial Plan and budget, however, I am only one of ten votes here. I've already commenced discussions with many of my colleagues about how we are going to do business here over the next four years but I hope to do it with the support of all of my colleagues. I would also hope to engage very strongly with the Ratepayers Association and other interested parties from across the municipality. We will be engaging as best we can over the course of the next few budgets.

C758/24-18

(Commences at ± 6 minutes of audio recording)

2 Councillors Voting for Rate Rises

Over the past three financial years ratepayers of Kingborough have been subjected to large rises in the rates. Ratepayers now wish to know which Councillors voted for these rate rises. We would ask that in response to this question you inform the ratepayers which Councillors past and present voted for those rate rises and which Councillors did not. Would you please detail the voting records for those Councillors for the financial years 2015/16, 2016/17 and 2017/18 in answer to our question.

Mayor:

One of the great things that the previous Council did was ensure that Minutes and Agendas of all Council meetings of the last four years are available on the public website. The previous practice was to delete them after twelve months. If you are looking for Councillors voting records over that period of time you need to just simply access them via the website where they are freely available.

C759/24-18

(Commences at ± 8 minutes of audio recording)

Ms Tricia Ramsay asked the following question without notice:

3 North Roslyn Avenue Petition

By way of explanation to new Councillors, at the last Council meeting three weeks ago, I asked the General Manager a question that needs to be repeated tonight. Given the traffic counts on and around North Roslyn Avenue is once again occurred during the school holiday period where we experienced low traffic volumes, can you advise how much longer the traffic counting will be conducted? To which Mr Reeve responded, in summary, saying another two weeks to offset the school holiday period. In witnesses Mr Reeve's response last month, did you understand, like I did, that the traffic counting would occur on North Roslyn Avenue for another two weeks?

Mayor:

I would have to go back and listen to the recording of those Minutes but I am happy to follow up with you and make sure that if we have committed to doing something that we will follow that through and do that.

Ms Ramsay:

Thank you because it hasn't happened which means either Council has been misled, or the officer has totally misinterpreted my questions for the past year.

Mayor:

That may be the case that it's been misunderstood but I'm happy to follow this up and contact you directly.

C760/24-18

(Commences at ± 10 minutes of audio recording)

Ms Rosalie Maynard asked the following question without notice:

4 Water Quality, Blackmans Bay Beach

From a response that I have received to my letter to the General Manager and other staff relating to the issue of recreational water quality at Blackmans Bay Beach, I understand that Council is undertaking a targeted sampling regime of stormwater outfalls at Blackmans Bay Beach. As part of the newly developed integrated management strategy aimed at identifying contaminants in the stormwater system and their source. This is in addition to the normal Derwent Estuary Program monitoring system which runs December to February. What are the early sampling results from these various sites showing in terms of enterococci levels?

Manager Environmental Services responds:

We did one sampling last Thursday and the results for the beaches were excellent, less than 10 for all of the sites. The stormwater showed some degree of contamination but that is really not unusual, so there was nothing untoward in the samples. We will be out tomorrow and Thursday and for subsequent weeks up to twelve weeks.

Ms Maynard:

The next phase of a significant sub-division above Tinderbox Road and behind Caladium Place is underway, what are the plans for the existing stormwater system to cope with the increased volume from this development and is Council looking at options to divert this away from existing outfalls on Blackmans Bay Beach to avoid additional further potential contamination issues as well as avoid further sand erosion that happens at the beach outfalls?

General Manager responds:

The development at the rear of Caladium Place is required to be undertaken in accordance with the permit conditions on the development approval, one of which requires a stormwater plan to be designed and approved by Council's engineering department so that those matters are taken into account.

Manager Environmental Services:

For new developments, normally there would be a series of plumbing inspections and, as you know, there are two sources of water, there is the sewer and the stormwater. What the group will look at is if there are sources of obvious contamination in the catchment then they will look at trying to trace that into various arms of the catchment to see if there is any sewer contamination through there. But that is exceedingly difficult if you are going house by house. But that is the two approaches – making sure the new connections are right but also trying to trace the old ones.

QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from Councillors.

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Grace asked the following question without notice:

C761/24-18

(Commences at ± 16 minutes of audio recording)

1 Stormwater

Further to the question raised by the public, surely, over the years with the amount of money that has been spent tracking sewerage, dye testing etc, Council should have a record, for instance, when we get heavy rain we know for a fact that the sewer lines in that area all through Blackmans Bay are not capable of carrying the flow in a flood situation. What action are we taking about that?

General Manager responds:

TasWater contractors are currently in the process of a \$45 million plus upgrade of the Blackmans Bay treatment plant and associated lines and that also involves the decommissioning of the Margate/Electrona treatment plants. That work is still in progress and expected to be completed early in 2019.

Cr Grace:

I understand but the fact is that the manhole situation in Blackmans Bay, the sewer is not coping when we get heavy rains. What are they doing about that because this contamination we are getting will continue?

General Manager:

I can't speak on behalf of TasWater but I can say that from speaking with my colleagues, the most recent storm event in May meant that the Council's existing stormwater drainage did not cope. It's not able to cope with anything of that magnitude and I suspect that TasWater would have similar problems with their network on those occasions.

Cr Bastone asked the following questions without notice:

C762/24-18

(Commences at ± 19 minutes of audio recording)

2 Australian Antarctic Division

With the City Deal, what assurance did we receive from the Federal Government if the AAD is to be moved or not to be moved?

Mayor responds:

Written within the communique that came from that meeting was an assurance by both the Federal and State Governments that whilst there was no decision made to move the Australian Antarctic Division from Kingborough, if that was the case then the economic footprint of the Australian Antarctic Division would be replaced with the equivalent level of government activity. That was explained to us verbally, that being an equivalent level of jobs. We know there is about between 300 and 350 jobs at the AAD at the moment and our expectation from the discussions would be that if, in the event that they do decide to go that way, they would be replacing them with jobs. My personal concern with that is I don't know what sort of jobs that could be. 350 within the Tasmanian public service outside of the health system is a lot. My recollection working at Treasury is that is almost Treasuring moving to Kingston. Our position is unchanged in that we do not, and this is a previous resolution of Council, is that we do not support the AAD leaving Kingston and our hope is that through the Tasmanian Liberal Senate team, which have been very supportive and all three sides of politics including the Labor Party and the Greens, that we will be able to work our way through this and keep the AAD presence here in Kingborough.

C763/24-18

(Commences at ± 20 minutes of audio recording)

3 Villa Howden Appeal

In the appeal against the development of Villa Howden, which we approved as a Council, have we been party to the appeal?

Manager Development Services responds:

Yes, we are a party to the appeal. We are party to any appeal regarding a planning matter.

Cr Bastone:

Even though we actually approved it and we now appeal against what we approved?

Manager Development Services:

Yes, Council must always appear at the RMPAT hearings.

Cr Bastone:

Will we know the cost of this or do we know the cost yet?

Manager Development Services responds:

We do have the costs that we have paid already to the consultants and to the lawyer. I don't have it on hand, I can provide them on notice, and whether there are any further costs or not is not determined yet. We haven't had the final decision.

4 Tree Felling, Birch’s Bay

There has been a large amount of tree felling and the wood being sold on the corner of Jetty Road and the Channel Highway at Birch’s Bay. A large amount of scrap wood has been left in big piles which I would think with the fire season coming up is quite dangerous. Whose responsibility this is to clean it up?

General Manager responds:

We will take that on notice and have our compliance officers investigate.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

No Notices of Motion were received.

PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

PETITIONS RECEIVED IN LAST PERIOD

Fencing the New Playground at Blackmans Bay

MOVED Cr Atkinson
SECONDED Cr Westwood

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

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Session commences at 5.53pm

OFFICERS REPORTS TO PLANNING AUTHORITY

C766/24-18

(Commences at ± 24 minutes of audio recording)

DELEGATED AUTHORITY FOR THE PERIOD 10 OCTOBER 2018 TO 30 OCTOBER 2018

MOVED Cr Bastone
SECONDED Cr Wriedt

That the report be noted.

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

C767/24-18

(Commences at ± 27 minutes of audio recording)

DA-2018-108 - DEVELOPMENT APPLICATION FOR CAMPING AND CARAVAN PARK (RETROSPECTIVE) AT 1751 GREAT BAY ROAD, GREAT BAY FOR MR J L LAMPKIN AND MRS S M LAMPKIN

MOVED Cr Grace
SECONDED Cr Midgley

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for camping and caravan park (retrospective) at 1751 Great Bay Road, Great 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-2018-108 and Council Plan Reference No. P2 submitted on 24 September 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. Elevation plans of the BBQ shelter must be submitted. The plans must identify the location of natural ground level and the maximum height of each structure above natural ground level.

The plans, when satisfactory, must be approved by Council's Manager Development Services. Plans must be submitted and approved within 2 months of the date of this permit. When approved, the plans will form part of this permit.

3. Site Management Plan must be submitted to and endorsed by the Manager Development Services. The management plan must describe the operation of the caravan and campervan park and provide details of the following:
 - (a) Measures to control noise and dust, water and sediment runoff;
 - (b) Procedures for maintenance and emptying of the dump point holding tanks, including the frequency in which the tank would be emptied;
 - (c) Measures to manage pets;
 - (d) Measures to define property boundaries for guests;
 - (e) Park 'quiet hours';
 - (f) Rubbish removal; and
 - (g) Provision of water, electricity and grey water services to the sites.

The Site Management Plan must be submitted within 2 months of the date of this permit.

4. A landscape 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 landscaping along the frontage of the property with Bruny Island Main Road, extending a minimum length necessary to provide a visual screen of a minimum 2m in height in locations where existing native vegetation does not provide screening. Landscaping must be of sufficient density to provide screening of the caravan and campervan sites to the satisfaction of the Manager Development Services.

No weeds listed under the Weed Management Act 1999 or identified as non-declared priority weeds in the Kingborough Weed Management Strategy are to be planted on the property. Plantings in the vicinity of the property access onto Bruny Island Main Road must be positioned in locations that do not obstruct sight distance for vehicles existing the site.

The landscaping must be installed in accordance with the endorsed landscaping plan; and maintained as part of the visitor accommodation use to the satisfaction of the Manager of Development Services. It must not be removed, destroyed or lopped without the written consent of the Council.

The plan must be submitted within 2 months of the date of this permit.

5. A maximum of five (5) self-contained caravans are permitted on site at any time. Note: 'caravan' is defined as any vehicle used or adapted for human habitation.
6. Camping is not approved under this permit. Only self-contained caravans are permitted to stay at the site. All liquid wastes from caravans at the site must be collected within fully sealed onboard storage receptacles for disposal at an approved dump point only. Liquid wastes are not permitted to be disposed via buckets, nor directly to ground. Note: 'caravan' is defined as any vehicle used or adapted for human habitation.

7. The proposed caravan park is approved for short term stay only. At no time is any person, other than the owner, to reside in the caravan park for any period exceeding three months within any 12 month period.
8. The use and development must be managed so that the amenity of the area is not detrimentally impacted through any of the following:
 - a. Transport of materials, goods or commodities to or from the land;
 - b. Appearance of any works or materials;
 - c. Emission of noise, artificial light, vibration, smells, fumes, smoke, vapour, steam, soot, ash, dust, waste water or waste products (rubbish).
9. Signs advertising the caravan site 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.
10. Signs must not be displayed without separate approval of Council. Prior to erection, details of all proposed signs, including proposed location, dimensions, content, colours, materials and clearly drawn scale diagrams must be submitted to the Manager – Development Services for assessment.
11. The use of portable generators on the site is prohibited.
12. The dumping point must only be used within its capacity and must not be used by the public or as a fee-payable dumping point.
13. Prior to Council issuing a Plumbing Permit, the developer must submit all documents specified in Schedule 2 of the Director's Specified List for the on-site wastewater management systems.

Note: The dump point holding tank must be of a suitable volume to allow for at least 72hrs emergency storage volume above the high-water-level alarm sensor.
14. No external lighting is approved as part of this development application. Prior to the placement of any external lighting on site, advice should be sought from Council as to whether approval is required.
15. Within two months of this permit, engineering design drawings must be submitted to Council for approval. Plans must be to satisfaction of the Executive Manager - Engineering Services and comply with the following:
 - (a) be in accordance with the Tasmanian Standard construction drawings;
 - (b) include, but not be limited to, adequately detailed internal vehicular access, car parking, manoeuvring areas and drainage services;
 - (c) the driveway/access road design must detail the following:
 - long and cross sections of the driveway/access road;
 - contours, finish levels and gradients of the driveway/access road;
 - drainage and pavement construction.

- (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.

The engineering plans must be prepared and certified by a professional Civil Engineer approved by the Executive Manager - Engineering Services. The engineer must supervise the construction works. Approval of the plans is required prior to the commencement of construction on-site.

- 16. A permit must be granted by the Department of State Growth for any access works required within the Bruny Island Main Road reservation.
- 17. Prior to the commencement of site works a soil and water management plan must be submitted to Council for approval. The plan must be in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines and Tasmanian Standard Drawings (TSD-SW28). A site inspection of the implemented plan by the Council’s Development Inspector must be satisfactorily undertaken with the principal contractor prior to the commencement of any work on site.
- 18. No felling, lopping, ringbarking 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 Whilst the proposal is not a vulnerable use and therefore does not require a bushfire management plan to be provided for planning approval, due to the nature of the use and the isolation of the subject property, it is recommended that an emergency evacuation plan is prepared for the site and details of evacuation procedures made available to all accommodated guests.

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	

AGAINST

Cr Wriedt				
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Carried

DA-2017-565 - DEVELOPMENT APPLICATION FOR DWELLING AND OUTBUILDING (CARPORT) AT 7 POWELL STREET, DENNES POINT AND 35 BRUNY ISLAND MAIN ROAD, NORTH BRUNY FOR MAXA DESIGN

MOVED Cr Wass
SECONDED Cr Grace

That the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for dwelling and outbuilding (carport) at 7 Powell Street, Dennes Point and 35 Bruny Island Main Road, North Bruny for Maxa Design 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-2017-565 and Council Plan Reference No. P6 submitted on 19 September 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. Due to the subject land being located in a foraging area for the critically endangered swift parrot, building plans submitted for the development must minimise the risk of bird collision by incorporating design elements and strategies in accordance with the document "Minimising the swift parrot collision threat – Guidelines and recommendations for parrot-safe building design".

Buildings will be deemed to have been so designed and constructed to the satisfaction of the Kingborough Council if the glazed surfaces of the building meet any one of the following:

- (i) the glazed surface of the window does not have a total surface area of greater than 2m² and does not result in a sight line through the building from one window to another, such as corner windows;
 - (ii) the glazed surface of a window is treated to include visual markers or muted reflections, the purpose of which is to give them the appearance of an impenetrable surface. Such surfaces may include any one of the following types of treatments: the use of low-reflectivity glass (0-10%); films; coatings; fritted glass; or screens; or
 - (iii) the glazed surface of a window is installed at a minimum of 20 degrees from vertical, angled in at its base to reflect the ground.
3. The high conservation value tree identified for retention in Council Plan Reference No. P6 submitted on 19/09/2018, 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 tree or cause it to die. This includes establishing and maintaining a Tree Root Protection zone between the edge of the access works and the tree 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:

- the existing soil level must not be altered around the Tree Root Protection Zone of the trees, except for the purpose of establishing the access (including the disposal of fill, placement of materials or the scalping of the soil); and
 - the Tree Root Protection Zone must be free from the storage of fill, contaminants or other materials; and
 - machinery and vehicles are not permitted to access the Tree Root Protection Zone.
4. Excavation for the construction of the driveway must be restricted to the removal of the surface vegetation and avoid disturbing the roots of the high conservation value tree shown in Council Plan Reference P6 submitted to Council 19/09/2018.
5. To reduce the spread of weeds or pathogens, all machinery must take appropriate hygiene measures prior to entering and leaving the site as per the Tasmanian Washdown Guidelines for Weed and Disease Control produced by the Department of Primary Industries, Parks, Water and Environment.
- Any imported fill materials must be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.
6. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Executive Manager – Engineering Services.
7. 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.
8. Prior to occupation of the dwelling, the vehicular access must be constructed in accordance with the Tasmanian Standard Drawings (TSD-RO3, TSD-RO4).

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 at a scale of 1:200, designed by a qualified hydraulic engineer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Building Permit.

- D. 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.

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

DA-2018-406 - DEVELOPMENT APPLICATION FOR TWO MULTIPLE DWELLINGS (ONE EXISTING) AT 118 ROSLYN AVENUE, BLACKMANS BAY FOR SMEEKES DRAFTING PTY LTD

Report withdrawn from Agenda.

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open Sessions resumes at 6.23pm

OFFICERS REPORTS TO COUNCIL

C769/24-18

(Commences at ± 53 minutes of audio recording)

APPOINTMENT OF REPRESENTATIVES TO EXTERNAL BODIES

MOVED Cr Midgley
SECONDED Cr Fox

That Council resolve to appoint its representatives as follows:

Committee Name	Type of Organisation	Appointee
Local Government Association of Tasmania	Statewide	Mayor Deputy Mayor (Proxy)
Southern Tasmanian Councils Authority	Regional	Mayor Deputy Mayor (Proxy)
TasWater	Statewide	Mayor Deputy Mayor (Proxy)
Copping Refuse Site Joint Disposal Authority	Regional	Mayor Cr Atkinson (Proxy)

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

CLIMATE RESILIENT COUNCILS TASMANIA

MOVED Cr Atkinson
 SECONDED Cr Fox

That Council acknowledges the Kingborough Climate Change Governance report received as an output of the Tasmanian Government's Climate Resilient Councils Project and commits to considering the climate change governance shortfalls highlighted as part of the development and adoption of the Kingborough Climate Change Strategy 2019 – 2050.

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Midgley	Cr Street
Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt	

AGAINST

Cr Grace				
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Carried

BRUNY ISLAND ADVISORY COMMITTEE MINUTES

MOVED Cr Grace
 SECONDED Cr Atkinson

That the minutes of the Bruny Island Advisory Committee be noted.

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

POLICY 5.4 STORMWATER DRAIN BLOCKAGE POLICY

MOVED Cr Atkinson
 SECONDED Cr Fox

That Council:

- (a) Withdraw the *Stormwater House Connection Drain Blockage Policy- Policy 5.4*; and
- (b) Adopt the *Stormwater Drain Blockage Policy – Policy 5.4* as attached to this report.

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

INFORMATION REPORTS

MOVED Cr Bastone
 SECONDED Cr Grace

That the following information reports be noted:

- 1 Mayor's Communications.
- 2 Recreational Water Quality, Kingston and Blackmans Bay Beaches.
- 3 Annual Report 2017/18.
- 4 Councillor Attendance at Meetings.
- 5 Councillor Allowances and Expenses.
- 6 Donations.

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Atkinson
 SECONDED Cr Wass

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

Item	Regulation
Confirmation of Minutes	34(6)
Applications for Leave of Absence	15(2)(h)
Kingston Park – Update on Proposed Private Development	15(2)(c)
Rate Rebate – Conservation Covenant	15(2)(c)
Delegated Authority	15(2)(c)

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	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 6.58pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumes at 7.25pm

C782/24-18

MOVED Cr Fox
SECONDED Cr Westwood

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Approved
Kingston Park – Update on Proposed Private Development	Noted
Rate Rebate – Conservation Covenant	Approved
Delegated Authority	Noted

FOR

Cr Atkinson	Cr Bastone	Cr Fox	Cr Grace	Cr Midgley
Cr Street	Cr Wass	Cr Westwood	Cr Winter	Cr Wriedt

Carried Unanimously

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 7.26pm

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(Confirmed)

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(Date)