

Kingborough

PUBLIC MINUTES

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

COUNCIL MEETING MINUTES

13 January 2020



Kingborough Councillors 2018 - 2022



Mayor
Councillor Dean Winter



Deputy Mayor
Councillor Jo Westwood



Councillor Sue Bastone



Councillor Gideon Cordover



Councillor Flora Fox



Councillor David Grace



Councillor Amanda Midgley



Councillor Christian Street



Councillor Steve Wass



Councillor Paula Wriedt

TABLE OF CONTENTS

Item		Page No.
Open Session		
	1 Audio Recording	1
	2 Acknowledgement of Traditional Custodians	1
	3 Attendees	1
	4 Apologies	2
C1/1-20	5 Confirmation of Minutes	2
	6 Workshops Held Since Last Council Meeting	2
	7 Declarations of Interest	2
	8 Transfer of Agenda Items	2
	9 Questions Without Notice from the Public	2
C2/1-20	9.1 Repair of Erosion on Blackman Bay Beach	2
	10 Questions on Notice from the Public	3
C3/1-20	10.1 Compliance with Statutory Timeframes in Planning	3
C4/1-20	10.2 Drinking Fountain, Blackmans Bay Beach	3
C5/1-20	10.3 Skate Park	4
	11 Questions Without Notice from Councillors	4
C6/1-20	11.1 Planning Recommendations	4
C7/1-20	11.2 Middleton Toilets	5
C8/1-20	11.3 Coningham Toilets	5
C9/1-20	11.4 Fence at Blackmans Bay	5
C10/1-20	11.5 Record of Change of Use	6
C11/1-20	11.6 Record of Road Clearing	6
C12/1-20	11.7 Maintenance of Verges	6
C13/1-20	11.8 Short Term Accommodation	7
C14/1-20	11.9 Kerbside Green Waste Collection	7
C15/1-20	11.10 Single Use Plastics	8
C16/1-20	11.11 Electric Vehicles	8
C17/1-20	11.12 Huntingfield Masterplan	8
C18/1-20	11.13 Donating to the Bushfire Appeal	8
C19/1-20	11.14 Foreshore Protection and Sea Level Rise	9

TABLE OF CONTENTS *(cont.)*

Item			Page No.
	12	Questions on Notice from Councillors	9
C20/1-20	12.1	Hobart Huskies	9
C21/1-20	12.2	Single Use Plastics	9
	13	Officers Reports to Planning Authority	11
C22/1-20	13.1	Delegated Authority for the Period 27 November 2019 to 2 January 2020	11
C23/1-20	13.2	DA-2019-381 - Development Application for Demolition of Existing Dwelling and the Construction of a New Dwelling at 32 Balmoral Road, Kingston Beach for Mr A Reed	11
C24/1-20	13.3	PSA-2019-3 – Draft Amendment to Kingborough Interim Planning Scheme 2015 – Amendment of the Former Kingston High School Site Specific Area Plan at ‘Kingston Park’, 42 Channel Highway, Kingston for Kingborough Council	15
C25/1-20	13.4	Consent to Lodgement of Application for a Non-Habitable Building Outside the Building Envelope at 6 Derwent Avenue Margate	16
	14	Motions of Which Notice has been Given	17
C26/1-20	14.1	Free Green Waste Weekends	17
C27/1-20	14.2	Joining the Cities Power Partnership	17
	15	Petitions Still Being Actioned	17
	16	Petitions Received in the Last Period	17
	17	Officers Reports to Council	18
C28/1-20	17.1	Kingston Park Playground	18
C29/1-20	17.2	Climate Change Resourcing	18
C30/1-20	17.3	Paid Parking Within Central Kingston	20
C31/1-20	17.4	Spring Farm Public Open Space	20
C32/1-20	14.5	Customer Service Charter	21
C33/1-20	17.6	Revised Footpath Trading (On-Street Dining and Vending) Policy	22
C34/1-20	17.7	Audit Panel Chairperson	22
C35/1-20	18	Information Reports	22
C36/1-20	19	Confirmation of Items to be Dealt With in Closed Session	23

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 13 January 2020 at 5.30pm.

1 AUDIO RECORDING

The Mayor declared the meeting open at 5.30pm, welcomed all in attendance and advised that Council meetings are recorded and made publicly available on its website. In accordance with Council's policy the Chairperson requested confirmation that the audio recording had commenced.

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The Mayor paid his respect and Council's respect to the traditional and original custodians of this land, the muwinina people. The Mayor acknowledged the contemporary Tasmania aboriginal community who have survived invasion and disposition and continue to maintain and fight for their identity, their culture and indigenous rights.

I would also like to acknowledge the bushfire crisis that has engulfed the nation since our last Council meeting. Kingborough is no stranger to bushfire and loss of life and property through the 1967 bushfire. Particularly we felt that loss and empathise with our fellow Australians, particularly in New South Wales and Victoria. On the weekend, the Kingston Fire Brigade was our community group of the year and a lot of those volunteer firefighters had just come back from New South Wales where they have been doing us proud in Kingborough representing us and the State as well as they helped to relieve exhausted fire fighters.

3 ATTENDEES

Councillors:

Mayor Councillor D Winter	✓
Deputy Mayor Councillor J Westwood	✓
Councillor S Bastone	✓
Councillor G Cordover	✓
Councillor F Fox	✓
Councillor D Grace	✓
Councillor A Midgley	✓
Councillor C Street	✓
Councillor S Wass	✓
Councillor P Wriedt	✓

Staff:

General Manager	Mr Gary Arnold
Executive Manager Information Services	Mr Fred Moulton
Executive Manager Governance & Community Services	Mr Daniel Smee
Manager Environmental Services	Mr Jon Doole
Acting Executive Manager Engineering Services	Mr Darren Johnson
Executive Officer Engineering Services	Mr Anthony Verdouw
Executive Assistant	Mrs Amanda Morton
Consultant Planner	Mr Shane Wells

4 APOLOGIES

There were no apologies.

C1/1-20

(Commences at ± 5 minutes of audio recording)

5 CONFIRMATION OF MINUTES

MOVED Cr Wriedt
SECONDED Cr Fox

That the Minutes of the open session of Council Meeting No. 24 held on 9 December 2019 be confirmed as a true record.

Carried Unanimously

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

No workshops were held since the last Council meeting.

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Mr Wayne Burgess asked the following question without notice:

C2/1-20

(Commences at ± 5 minutes of audio recording)

9.1 Repair of Erosion on Blackman Bay Beach

The extreme rainfall event of May 2018 caused significant erosion to an overflow stormwater outlet across Blackmans Bay, running down beside the Blackmans Bay hall, discharges under the road through a concrete channel and then out via an earthen channel which was area that was extremely badly eroded. Since that time, there has been orange plastic mesh safety fencing put up as a temporary measure to prevent people from encroaching on that stormwater outfall. If a more permanent and final solution is not forthcoming, I would contend that for safety reasons a more significant barrier fence should be provided to prevent people from getting too close to the edge and falling in.

Acting Executive Manager Engineering Services responds:

There is now an approved design that has been through the Aboriginal Cultural Heritage and we have put that out for pricing and I believe that we had three prices returned by the end of last week. We will look to assess those prices and we will put that out to contract as soon as possible. There will be some action on that site in the very near future.

10 QUESTIONS ON NOTICE FROM THE PUBLIC

C3/1-20*(Commences at ± 6 minutes of audio recording)***10.1 Compliance with Statutory Timeframes in Planning**

At the Council meeting on 9 December 2019, **Mr John Maynard** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

- (a) Can Council explain the apparent discrepancy between the officer's responses to the questions on notice on 25 November and 9 December?*
- (b) As the assessment times for DA-2018-601, DA-2019-39 and DA-2018-61 appear to have exceeded statutory limits, are the permits valid?*
- (c) In these cases, is any development based on these permits illegal?*
- (d) In these same cases, has Section 59 of LUPAA been fully complied with?*

Officer's Response:

- (a) There is no discrepancy as DA-2018-164 was approved within 42 days. DA-2018-601, DA-2019-39 and DA-2018-61 were approved in accordance with S59 (7) which enables such a decision to be made outside the timeframes contained in S57 & S58.*
- (b) The permits are valid.*
- (c) The permits are valid.*
- (d) The permits were approved in accordance with S59 (7) and this approach has recently been confirmed in the Resource Management & Planning Appeal Tribunal decision, Laning v Kingborough Council (2019) TASRMPAT 24, handed down on 26 November 2019.*

Tasha Tyler-Moore - Manager Development Services

Mr Mark Thorpe submitted the following questions on notice:

C4/1-20*(Commences at ± 6 minutes of audio recording)***10.2 Drinking Fountain, Blackmans Bay Beach**

Could there be a drinking fountain installed at Blackmans Bay Beach as there are not any along the beach at all? Many people exercise along the beach and, in particular, near the BBQ Area. Kingston Beach has at least 4 in the space of about 50 meters.

Officer's Response:

There is an existing drinking water fountain inside the Blackmans Bay Community Hall playground. There are no immediate plans for another drinking fountain at Blackmans Bay Beach but this can be considered in future budgets.

David Reeve - Executive Manager, Engineering Services

C5/1-20

(Commences at ± 7 minutes of audio recording)

10.3 Skate Park

Has there been or can there be consideration of another skate park being developed on the spacious underutilised area over the foot bridge behind the toilet block at the Christopher Johnson Memorial Park at Browns River, Kingston Beach. This would disperse the youth to two separate spaces instead of having the large number of youth congregating at the skate park in Blackmans Bay. This would assist to ease growing concerns for local residents regarding crime and noise in all hours of the day and night.

Officer's Response:

There are currently 4 skate parks in Kingborough (Alonnah, Kettering, Blackmans Bay and Taroonah). Planning for future skate park infrastructure will be undertaken in accordance with Kingborough Council's: Strategic Plan 2020 -2025; Sport and Recreation Facilities Strategy 2013; Open Space Strategy 2019; Kingborough Youth Strategy 2019 – 2024; and the Play Space and Playground Strategy 2020 – 2025. There are currently no plans under these strategies for additional skate park infrastructure in Kingborough. However, Council will continue to monitor community requests for this and similar infrastructure.

Council manages Christopher Johnson Memorial Park under a Crown Lease from the Parks and Wildlife Service. Council's Urban Design Officer is currently considering alternative youth-focused recreational facilities which may be appropriate at Christopher Johnson Memorial Park. There are flooding and natural asset management constraints relating to the site (Christopher Johnson Memorial Park) which will also be taken into consideration when planning for recreational facilities at this location.

The Kingston Park Playground development will include informal (outdoor) half-court basketball and handball facilities, and spaces designed specifically to encourage social interaction and passive recreation for Kingborough's youth. These facilities will be constructed during 2020.

Daniel Smee – Executive Manager Governance & Community Services

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Grace asked the following questions without notice:

C6/1-20

(Commences at ± 7 minutes of audio recording)

11.1 Planning Recommendations

As you are aware, we dealt with a recommendation that was put before Council at the last Council meeting regarding 19 recommendations by the consultant. I was a bit disturbed to find that on 12 December we got an e-mail from the Manager Development Services relating

to this report. She says “we look forward to implementing the recommendations over time having the resources to do so”. So is this another \$18,000 of ratepayers money?

General Manager responds:

The Manager Development Services was merely advising that she does look forward to implementing the recommendations subject to a number of factors which will be reported regularly to Council.

C7/1-20

(Commences at ± 9 minutes of audio recording)

11.2 Middleton Toilets

I raised the issue about the Middleton toilets some months back and so did the Deputy Mayor and I suggested to our engineering Manager to contact a person at Middleton who would give him some information as to where the blockage was within that toilet system. Nothing was done and tenders were called to put in a new treatment plant in as I heard today at a cost of \$40,000. We got the note from the engineer saying that they couldn't install a new system owing to a wet Spring. Farmers have told me that it's been the driest Spring we've had in 15 years. It says here that they found a blockage. Now that they have identified the problem, is it necessary to spend the \$40,000 on the replacement on a new system? Can we get a further report on it before any more work is done.

Mayor responds:

Why don't I take it on notice so that you can get the full response in writing in the next Agenda.

C8/1-20

(Commences at ± 11 minutes of audio recording)

11.3 Coningham Toilets

How many more years do we have to wait to see the Coningham toilets installed?

Mayor responds:

We will take your question on notice.

C9/1-20

(Commences at ± 12 minutes of audio recording)

11.4 Fence at Blackmans Bay

Will that fence be reviewed before it's installed and another report come back to Council?

General Manager responds:

The Council have approved the installation of the fencing at the Blackmans Bay Blowhole Reserve.

Cr Grace:

We weren't aware that 20 people have voiced concerns about the fencing. Are we going to readdress it?

Mayor:

There is a resolution of Council to construct the fence and we publicly announced that the following day. If you're asking us to not implement a resolution of Council you would need to move a rescission motion for us not to do what Council has agreed to do.

Cr Grace:

Yes, I can do that but how far has it gone?

General Manager:

Council has been in the process of completing a design for the fence. We will shortly be seeking quotations from contractors to construct the fence in accordance with the Council recommendation that was adopted by Council.

Cr Bastone asked the following questions without notice:

C10/1-20

(Commences at ± 13 minutes of audio recording)

11.5 Record of Change of Use

Starting from 1 January, can a record be kept of all applications for change of use to visitor accommodation? With the way the people are starting to worry about Airbnb and the fact that it goes through without us having anything to do with it, can we keep a record of it?

General Manager responds:

Yes, we can. They are currently recorded through the Council Planning Register but I'm sure we would easily be able to extract them.

C11/1-20

(Commences at ± 14 minutes of audio recording)

11.6 Record of Road Clearing

What responsibilities does the Council have in relation to clearing areas that are reserved for roads in the future? Is a record kept of when this maintenance is done and in the case of fire in these areas spreading, what is the Council's responsibility?

Acting Executive Manager Engineering Services responds:

I'll take that on notice.

C12/1-20

(Commences at ± 15 minutes of audio recording)

11.7 Maintenance of Verges

What responsibility does the Council have in relation to maintaining the verges in villages on the Channel Highway where there is a footpath and are records kept of when this maintenance occurs?

Acting Executive Manager Engineering Services responds:

Yes, there are records kept and generally it is Council's responsibility to maintain the footpath but not the road verge, if it's a State Growth road.

Cr Bastone:

So you only do the footpath and the fact that the grass is incredibly long is nothing do with you?

Acting Executive Manager Engineering Services responds:

Typically yes. If it's a State Growth road reserve it would be up to State Growth to maintain that road verge but often the footpath is handed to Council, but it can depend on the area. If you want me to give you details on a specific area, I'm happy to take that on notice.

Cr Bastone:

Yes, for Woodbridge.

Cr Cordover asked the following question without notice:

C13/1-20

(Commences at ± 16 minutes of audio recording)

11.8 Short Term Accommodation

There are 13 change of use to visitor accommodation items in this agenda under delegated authority and it's similar each meeting so it's looking like it will be maybe 300 homes lost this year to being taken off the market for renters and buyers because of short term accommodation. Is this rate sustainable and in the opinion of staff, what is the commentary that we have about the suggestion of the Lord Mayor of Hobart today to place a moratorium on a change of use to visitor accommodation in certain suburbs. Is that something that is feasible for Kingborough?

General Manager responds:

The first part of your question, the applications for change of use for visitor accommodation as you rightly point out always included in the Council agenda so that they are on the public record. I don't have the numbers with me tonight but in some cases they can be as simple as an additional part of an existing building being used for visitor accommodation, whether that be one or two rooms, so I'm not sure that is picking up the statistical information that you require. In terms of the comments attributed to the Lord Mayor and the Speaker in the media at the weekend, I think that's a question best answered by the Councillors rather than staff.

Cr Westwood asked the following question without notice:

C14/1-20

(Commences at ± 17 minutes of audio recording)

11.9 Kerbside Green Waste Collection

We gave eligible ratepayers until 16 December to opt out or opt in if they are eligible to this service. Are staff able to advise on the percentage who opted out?

Acting Executive Manager Engineering Services responds:

There is approximately 80% in and 20% out. This gives a total of 7 085 properties currently to receive the service when it commences.

Cr Midgley asked the following questions without notice:

C15/1-20

(Commences at ± 18 minutes of audio recording)

11.10 Single Use Plastics

I understand that Hobart has made substantial process through the implementation of a By-law for single use plastics and part of this By-law they have considered the cost benefit analysis amongst other matters. Are staff liaising with Hobart about this By-law?

Manager Environmental Services responds:

Only at officer level. We had heard of the By-law that they had produced and the regulatory impact statements that they have done. I understand that it has been a two year process but we at officer level have been liaising with them about progress.

C16/1-20

(Commences at ± 19 minutes of audio recording)

11.11 Electric Vehicles

Have we considered adding more electric vehicles to our Council fleet and have there ever been a report that specifically looks at electric vehicles and charging stations in Kingborough?

Manager Environmental Services responds:

Yes, we were part of the climate change office program Smarter Fleets which produced a plan for us transitioning electric vehicles into our fleet for the next 5 years. Subsequent to that we commissioned a further report relating to the most applicable electric vehicles for our fleet and on where charge technology might be applicable. It was commissioned specifically so that it could be fed into the capital works considerations for this financial year. We do have a report giving recommendations on the type of vehicles we could consider and the charge station. But it will be subject to capital works considerations.

C17/1-20

(Commences at ± 20 minutes of audio recording)

11.12 Huntingfield Masterplan

Do we have any updates regarding the Huntingfield Masterplan?

General Manager responds:

No, we have received no further updates from the State Government.

Cr Grace asked the following question without notice:

C18/1-20

(Commences at ± 20 minutes of audio recording)

11.13 Donating to the Bushfire Appeal

Is Council going to consider donating towards the appeal?

Mayor responds:

I'm mindful that we are moving into our peak bushfire season and my view would be that we are still very much on edge for bushfire season ourselves and we should be ensuring

that we have all resources available both financial and people power to make sure that we are in a good position to deal with it at this stage but that wouldn't preclude officers putting something forward to Council at a later date.

Cr Fox asked the following question without notice:

C19/1-20

(Commences at ± 21 minutes of audio recording)

11.14 Foreshore Protection and Sea Level Rise

Is there inter-governmental strategy for the management of community works on foreshore land whether owned by the Crown, Parks or local government control?

Manager Environmental Services responds:

The short answer is no, but certainly significant progress is being made. There is a regional project being run through the STCA on regional coastal policy and consultation with all the stakeholders and consideration of all those issues including tenure and works on private lands. A final report on that will be in the next two months.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

C20/1-20

(Commences at ± 22 minutes of audio recording)

12.1 Hobart Huskies

At the Council meeting on 9 December 2019, **Cr Wass** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

As at 21 November there was an amount of \$3,370 outstanding. I would like to know whether that amount is still outstanding and, if it is, what arrangements are in place for the repayment of that amount?

Officer's Response:

The amount of \$3,300 is outstanding. The debit is being addressed within Council's normal debt recovery process.

John Breen - Chief Financial Officer

Cr Cordover submitted the following question on notice:

C21/1-20

(Commences at ± 22 minutes of audio recording)

12.2 Single Use Plastics

To date, what investigation and consultation has the Council conducted towards implementing a phase out of single use plastics in Kingborough? What initiatives should we be organising now to help minimise the impact on our local business community of the transition to phase out all single use plastic as soon as possible?

Officer's Response:

Council has adopted a Waste Wise Events Policy which prohibits the sale and/or distribution of single-use plastic products and single use sachets, polystyrene, plastic bags, plastic

straws, bottles and/or balloons at public events and functions held on Council owned or managed property. In conjunction with the policy, Council has produced a Waste Wise Events guidelines brochure to support event holders' responsibly managing waste.

The State Government's Draft Waste Management Action plan has an action/ target to work at the national level, and with local government and businesses in Tasmania to phase out problematic and unnecessary plastics such as single use plastics by 2030. It is likely that, if this is adopted, they will partner with local government to assist in implementing this across the State, including measures to help businesses transition.

David Reeve - Executive Manager Engineering Services

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.52pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C22/1-20

(Commences at ± 23 minutes of audio recording)

13.1 DELEGATED AUTHORITY FOR THE PERIOD 27 NOVEMBER 2019 TO 2 JANUARY 2020

MOVED Cr Wass
SECONDED Cr Grace

That the report be noted.

Carried Unanimously

C23/1-20

(Commences at ± 27 minutes of audio recording)

13.2 DA-2019-381 - DEVELOPMENT APPLICATION FOR DEMOLITION OF EXISTING DWELLING AND THE CONSTRUCTION OF A NEW DWELLING AT 32 BALMORAL ROAD, KINGSTON BEACH FOR MR A REED

MOVED Cr Grace
SECONDED Cr Fox

That the Planning Authority resolves that the development application for demolition of existing dwelling and the construction of a new dwelling at 32 Balmoral Road, Kingston Beach for Mr A Reed 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-2019-381 and Council Plan Reference No. P3 submitted on 10 December 2019 and P4 submitted on 18 December 2019. 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. Landscaping plans must be prepared by a qualified landscape architect or suitably qualified person knowledgeable in the field and submitted for approval by Council's Manager – Development Services prior to the issue of a Building Permit.

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

- (a) planting in the area between the rear deck and the north-eastern side boundary. The species selected are to reach a height of 1.8m within two years of planting, and be maintained for the life of the development.
- (b) outline of the proposed buildings;

- (c) proposed planting by quantity, genus, species, common name, expected mature height and plant size; and
 - (d) the relationship of the plantings to the proposed height of the buildings.
- 3 The landscaping shown on the endorsed landscape plan must be completed to the satisfaction of the Council prior to the occupation of the new dwelling.
 - 4 Plans submitted for building approval for the development must demonstrate that the dwelling will be constructed with a finished floor level of 3.45m AHD.
 - 5 Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Executive Manager – Engineering Services.
 - 6 Works must be undertaken generally in accordance with the 'Wetlands and Waterways Works Manual' (DPIWE, 2003).
 - 7 The stormwater runoff from all new impervious areas must be disposed of by gravity to Council's reticulated stormwater system to the satisfaction and approval of the Executive Manager – Engineering Services.
 - 8 The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

ADVICE

- A. In accordance with section 53(5) of the Land Use Planning and Approvals Act 1993 this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. An application for Notifiable Plumbing Work must be lodged with Council before commencing any work.
- C. A drainage design plan 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.

Amendment:

MOVED Cr Street
SECONDED Cr Wriedt

To add the words “and be maintained for the life of the development” to condition 2(a), remove 2(d) and the second sentence in 3.

FOR: Cr's Grace, Midgley, Street, Westwood, Winter, Wriedt
AGAINST: Cr's Bastone, Cordover, Fox, Wass

Motion Carried

The Substantive Motion was then put.

Carried Unanimously



Submission to Planning Authority Notice

Council Planning Permit No.	DA-2019-381		Council notice date	23/07/2019
TasWater details				
TasWater Reference No.	TWDA 2019/01049-KIN		Date of response	0/12/2019
TasWater Contact	Anthony Cengia	Phone No.	(03) 6237 8243	
Response issued to				
Council name	KINGBOROUGH COUNCIL			
Contact details	kc@kingborough.tas.gov.au			
Development details				
Address	32 BALMORAL RD, KINGSTON BEACH		Property ID (PID)	2839272
Description of development	Demolition of existing weatherboard residence and new dwelling			
Schedule of drawings/documents				
Prepared by	Drawing/document No.	Revision No.	Date of Issue	
McCarthy Reed Architects	18.20 Sheets A201 to A203, A302 to M1	A	18/11/2019	
McCarthy Reed Architects	18.20 Sheet A301		18/11/2019	
Conditions				
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>56W CONSENT</p> <p>1. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the <i>Water and Sewerage Industry Act 2008</i> for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.</p> <p>The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) must show footings of proposed buildings located over or within 2.0m from TasWater pipes and must be designed by a suitably qualified person to adequately protect the integrity of TasWater's infrastructure, and to TasWater's satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater's pipes. The plans must include but not be limited to the following information:</p> <ul style="list-style-type: none"> a. A cross sectional view through the footings which clearly shows; <ul style="list-style-type: none"> i. Existing pipe depth and proposed finished surface levels over the pipe; ii. The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and; b. A note on the plan indicating how the pipe location and depth were ascertained. c. The steps located within the easement land must be demountable and include details outlining how they can be removed. 				

**DEVELOPMENT ASSESSMENT FEES**

2. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.

The payment is required by the due date as noted on the statement when issued by TasWater.

Advice**General**

For information on TasWater development standards, please visit

<https://www.taswater.com.au/Development/Technical-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

Declaration

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

Authorised by

A handwritten signature in black ink, appearing to read "J. Taylor".

Jason Taylor

Development Assessment Manager

TasWater Contact Details

Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		

C24/1-20*(Commences at ±1 hour, 3 minutes of audio recording)***13.3 PSA-2019-3 – DRAFT AMENDMENT TO KINGBOROUGH INTERIM PLANNING SCHEME 2015 – AMENDMENT OF THE FORMER KINGSTON HIGH SCHOOL SITE SPECIFIC AREA PLAN AT ‘KINGSTON PARK’, 42 CHANNEL HIGHWAY, KINGSTON FOR KINGBOROUGH COUNCIL**

MOVED Cr Street
SECONDED Cr Westwood

That Council resolves that:

- (a) Council note the submissions against the proposal;
- (b) Council note the recommendations submitted by representations;
- (c) The Tasmanian Planning Commission be advised that modifications to draft amendment PSA-2019-3 is recommended as outlined in the report; and
- (d) Pursuant to section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council forward a copy of this report to the Tasmanian Planning Commission which satisfies the requirements of section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*.

Amendment:

MOVED Cr Cordover
SECONDED Cr Midgley

That Council resolves that:

- (a) Council note the submissions against the proposal;
- (b) Council note the recommendations submitted by representations;
- (c) The Tasmanian Planning Commission be advised that modifications to draft amendment PSA-2019-3 is recommended as outlined in the report, excluding No. 1, 2, 4, 5, 7, 8, 9, 17, 18 from Table 1 S.39 in the report summary; and
- (d) Pursuant to section 39(2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council forward a copy of this report to the Tasmanian Planning Commission which satisfies the requirements of section 39 of the former provisions of the *Land Use Planning and Approvals Act 1993*.

FOR: Cr's Bastone, Cordover, Grace, Fox, Midgley
AGAINST: Cr's Street, Wass, Westwood, Winter, Wriedt

Motion Lost

The Substantive Motion was put.

FOR: Cr's Street, Wass, Westwood, Winter, Wriedt
AGAINST: Cr's Bastone, Cordover, Grace, Fox, Midgley

Motion Lost

Meeting adjourned at 7.35pm

Meeting resumed at 7.47pm

MOVED Cr Street
SECONDED Cr Westwood

That the matter be allowed to be discussed again.

FOR: Cr's Grace, Street, Wass, Westwood, Winter, Wriedt
AGAINST: Cr's Bastone, Cordover, Fox, Midgley

Motion Carried

The Substantive Motion was then put.

FOR: Cr's Grace, Street, Wass, Westwood, Winter, Wriedt
AGAINST: Cr's Bastone, Cordover, Fox, Midgley

Motion Carried

C25/1-20

(Commences at ± 2 hours, 27 minutes of audio recording)

**13.4 CONSENT TO LODGEMENT OF APPLICATION FOR A NON-HABITABLE
BUILDING OUTSIDE THE BUILDING ENVELOPE AT 6 DERWENT AVENUE
MARGATE**

MOVED Cr Wriedt
SECONDED Cr Midgley

That Council:

- (a) determine to grant consent under the covenant on Sealed Plan No.143030 to allow a development application, under the provisions of the *Land Use Planning and Approvals Act 1993* and the Kingborough Interim Planning Scheme 2015, to be considered for a non-habitable building to be constructed outside the building envelope on Lot 8; generally in accordance with the plan shown in Attachment 2; and
- (b) note that this consent does not imply approval for the development which will be subject to an assessment of the application under the above Act and planning scheme.

Carried Unanimously

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 8.10pm

14 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

C26/1-20

(Commences at ± 2 hours, 30 minutes of audio recording)

14.1 Free Green Waste Weekends

MOVED Cr Cordover
SECONDED Cr Midgley

That Council officers will prepare a report outlining options and costs for additional free green waste days or a green waste voucher system.

Carried Unanimously

C27/1-20

(Commences at ± 2 hours, 37 minutes of audio recording)

14.2 Joining the Cities Power Partnership

MOVED Cr Cordover
SECONDED Cr Midgley

That Council supports and authorises the Mayor to sign up to the Cities Power Partnership (CPP).

FOR: Cr's Cordover, Grace, Midgley
AGAINST: Cr's Bastone, Fox, Street, Wass, Westwood, Wriedt, Winter

Motion Lost

15 PETITIONS STILL BEING ACTIONED

The petition headed 'New Hydra-Therapy Swimming Pool Similar to Beach Road Orchard Pool in Margate' will be brought to a future Council meeting.

16 PETITIONS RECEIVED IN THE LAST PERIOD

At the time the Agenda was compiled no Petitions had been received.

17 OFFICERS REPORTS TO COUNCIL

C28/1-20*(Commences at ± 2 hours, 59 minutes of audio recording)***17.1 KINGSTON PARK PLAYGROUND**

MOVED Cr Wriedt
SECONDED Cr Fox

That Council:

- (a) note the motion carried at the Council's Annual General Meeting for 2018/19;
- (b) note, in regard to motion (i), that Council does already and will continue to publicly release 'business case' related information for potential new facilities and services to the extent that is currently necessary;
- (c) note, in regard to motion (ii), that Council will indicate in future annual budgets whether a project is to be primarily or partly funded by an external loan;
- (d) note, in regard to motion (iii), that Council is currently revising the Corporate Communications Policy and Strategy and that relevant engagement practices and values will be incorporated within the new overarching policy to apply to all communications and engagement;
- (e) note, in regard to motion (iv), that Council disagrees with the proposal on the basis that it would be, in almost every case, either unnecessary or unachievable; and
- (f) the mover of the motion be notified of this decision.

Cr Midgley left the meeting at 8.50pm

Cr Midgley returned at 8.51pm

Carried Unanimously

C29/1-20*(Commences at ± 3 hours, 11 minutes of audio recording)***17.2 CLIMATE CHANGE RESOURCING**

MOVED Cr Fox
SECONDED Cr Grace

That Council:

- (a) notes the motion carried at the Council's Annual General Meeting for 2018 / 2019;
- (b) with regards the motion, will commit to the consideration of funding and resourcing of actions identified in the Kingborough Council Climate Change Plan as part of the budget estimates process for the 2020 / 2021 financial year;
- (c) notifies the mover of the motion of the decision

Amendment:

MOVED Cr Cordover
SECONDED Cr Midgley

That Council:

- a) notes the motion carried at the Council's Annual General Meeting for 2018 / 2019;
- b) with regards the motion, will commit to the funding and resourcing of actions identified in the Kingborough Council Climate Change Plan and resourcing of a Climate / Coastal Erosion Officer as part of the budget estimates process for the 2020 / 2021 financial year
- c) notifies the mover of the motion of the decision

Cr Wriedt left the room at 9.11pm
Cr Wriedt returned at 9.12pm

FOR: Cr's Cordover, Midgley
AGAINST: Cr's Bastone, Fox, Grace, Street, Wass, Westwood, Winter, Wriedt

Motion Lost

Further Amendment:

MOVED Cr Cordover
SECONDED Cr Midgley

That Council:

- a) notes the motion carried at the Council's Annual General Meeting for 2018 / 2019;
- b) with regards the motion, will commit to the consideration of funding and resourcing of actions identified in the Kingborough Council Climate Change Plan and resourcing of a Climate / Coastal Erosion Officer as part of the budget estimates process for the 2020/21 financial year.
- c) notifies the mover of the motion of the decision

FOR: Cr's Cordover, Grace, Fox, Midgley
AGAINST: Cr's Bastone, Street, Wass, Westwood, Winter, Wriedt

Motion Lost

MOVED Cr Street
SECONDED Cr Westwood

That the motion be put.

Carried Unanimously

The motion was then put.

Carried Unanimously

*Meeting adjourned at 9.29pm
Meeting resumed at 9.35pm*

C30/1-20

(Commences at ± 3 hours, 48 minutes of audio recording)

17.3 PAID PARKING WITHIN CENTRAL KINGSTON

MOVED Cr Westwood
SECONDED Cr Wriedt

That Council:

- (a) endorse the proposal to introduce a paid parking regime at the new temporary parking area within Kingston Park, from when formal park and ride facilities are opened;
- (b) approve that a payment of \$5 will be required for any parking within this facility for stays longer than three hours; and
- (c) will provide public information on the reasons why this decision has been taken and outline the options for people who wish to park all day in the vicinity of the central Kingston area.

FOR: Cr's Fox, Midgley, Street, Westwood, Winter, Wriedt
AGAINST: Cr's Bastone, Cordover, Grace, Wass

Motion Carried

C31/1-20

(Commences at ± 4 hours, 21 minutes of audio recording)

17.4 SPRING FARM PUBLIC OPEN SPACE

MOVED Cr Fox
SECONDED Cr Midgley

That Council:

- a) Reject the offer from the JAC Group to construct a walking track along the Whitewater Creek riparian reserve in lieu of making public open space cash contributions associated with the Spring Farm subdivision;
- b) Require the direct payment of public open space funds for the subdivision in accordance with Council's Public Open Space Contributions Policy; and
- c) Commit, in principle, the expenditure of these funds to the development of a track within the riparian reserve of the Spring Farm Development, for which the design and construction would be overseen by Council, subject to any required statutory approvals and sourcing of any additional funds required to complete the project.

*Cr Street left the room at 10.10pm
Cr Street returned at 10.10pm*

FOR: Cr's Cordover, Fox, Midgley
AGAINST: Cr's Bastone, Grace, Street, Wass, Westwood, Winter, Wriedt

Motion Lost

MOVED Cr Westwood
SECONDED Cr Grace

Accept the offer from the JAC Group and work together with them to construct a walking track along the Whitewater Creek riparian reserve in lieu of making public open space cash contributions associated with the Spring Farm subdivision, to a standard acceptable to Council.

FOR: Cr's Bastone, Grace, Midgley, Street, Wass, Westwood, Winter, Wriedt
AGAINST: Cr's Cordover, Fox

Motion Carried

Cr Grace left the meeting at 10.34pm

C32/1-20

(Commences at ± 4 hours, 47 minutes of audio recording)

14.5 CUSTOMER SERVICE CHARTER

MOVED Cr Wass
SECONDED Midgley

That Council:

- (a) adopts the attached Customer Service Charter policy with immediate effect; and
- (b) determines that no charge will apply for the provision of a copy of the Customer Service Charter.

Cr Grace returned at 10.37pm

MOVED Cr Westwood
SECONDED Cr Wriedt

Include a new clause (c) as follows:

- (c) provides a further report on options for reporting on Council's performance against the service delivery timeframes.

FOR: Cr's Bastone, Fox, Grace, Midgley, Street, Wass, Westwood, Winter, Wriedt
AGAINST: Cr's Cordover

Motion Carried

The motion was then put.

Carried Unanimously

C33/1-20*(Commences at ± 5 hours, 2 minutes of audio recording)***17.6 REVISED FOOTPATH TRADING (ON-STREET DINING AND VENDING) POLICY**

MOVED Cr Wass
SECONDED Cr Fox

That Council resolve that the attached Footpath Trading Policy replace the previous On-Street Dining and Vending Policy.

Cr Grace left the meeting at 10.49pm

MOVED Cr Wriedt
SECONDED Cr Westwood

That the matter be deferred pending the Access Advisory Committee reviewing the policy.

FOR: Cr's Cordover, Fox, Midgley, Street, Wass, Westwood, Winter, Wriedt
AGAINST: Cr's Bastone

Motion Carried

C34/1-20*(Commences at ± 5 hours, 7 minutes of audio recording)***17.7 AUDIT PANEL CHAIRPERSON**

MOVED Cr Street
SECONDED Cr Midgley

That Paul McTaggart be appointed to the Audit Panel as Chairperson for a period of four years.

Carried Unanimously

C35/1-20*(Commences at ± 5 hours, 8 minutes of audio recording)***18 INFORMATION REPORTS**

MOVED Cr Wass
SECONDED Cr Midgley

That the following information reports be noted:

18.1 General Manager's Diary.

18.2 Current and Ongoing Minute Resolutions.

18.3 Kingborough Waste Services Bi-Monthly Report.

18.4 Audit Panel Minutes.

18.5 Minutes Kingborough Access Advisory Committee.

Carried Unanimously

*Cr Street left the room at 10.57pm
Cr Street returned at 10.59pm*

C36/1-20

19 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Midgley
SECONDED Cr Fox

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:

Confirmation of Minutes

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

Applications for Leave of Absence

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

Kaoota Tramway Track

Regulation 15 (2)(f) *proposals for the council to acquire land or an interest in land or for the disposal of land.*

Current and Ongoing Minute Resolutions

Regulation 15(c) *commercial information of a confidential nature that, if disclosed, is likely to –*
(i) prejudice the commercial position of the person who supplied it; or
(ii) confer a commercial advantage on a competitor of the council; or
(iii) reveal a trade secret;

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 11.07pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 11.13pm

C42/1-20

MOVED Cr Wriedt
SECONDED Cr Street

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil
Kaoota Tramway Track, Allens Rivulet	Acquisition Approved
Current and Previous Minute Resolutions	Noted

Carried Unanimously

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 11.14pm

.....
(Confirmed)

.....
(Date)