



COUNCIL MEETING MINUTES

26 October 2020

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

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

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MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 26 October 2020 at 5.30pm

1 AUDIO RECORDING

The Chairperson declared the meeting open, 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 received confirmation that the audio recording had commenced.

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

The Chairperson acknowledged the traditional custodians of this land, paid respects to elders past and present, and acknowledged today's Tasmanian Aboriginal community.

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
Deputy General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Executive Manager Engineering Services	Mr David Reeve
Executive Manager Governance & Community Services	Mr Daniel Smee
Manager Development Services	Ms Tasha Tyler-Moore
Urban Designer	Mr Paul Donnelly
Property Officer	Mr Sean Kerr
Customer Services Coordinator	Ms Kelly Nichols

4 APOLOGIES

Nil

C602/20-2020

(commences at ± 2 minutes of Part A of audio recording)

5 CONFIRMATION OF MINUTES

Moved: Cr Flora Fox
Seconded: Cr Sue Bastone

That the Minutes of the open session of the Council Meeting No.19 held on 12 October 2020 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

19 October - Planning

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

There were no questions without notice from the public.

10 QUESTIONS ON NOTICE FROM THE PUBLIC

C603/20-2020

(commences at ± 6 minutes of Part A of audio recording)

10.1 Mediation Mechanism for Dispute Resolution

Kingborough Ratepayer's Association submitted the following question on notice:

At KRAI's Members' Meeting 22/9/2020 it was resolved:

"That KRAI members request Kingborough Council adopt a procedure for dispute resolution wherein mediation of parties is sought as the primary mechanism to resolve issues, as opposed to immediately implementing legal proceedings."

Can you advise when this resolution will be adopted?

Officer's Response:

Council adopts a primary approach of resolving matters at the lowest level via mediation (or similar) where the outcome of the mediation is appropriate and lawful. This is reflected in clauses 5.4(viii) **Informal Action** and 6.1 **Discretionary Power**, of Council's endorsed Enforcement Policy.

Scott Basham, Manager Compliance & Community Development

C604/20-2020**10.2 Audit Panel Chair's Report to Council**

Kingborough Ratepayer's Association submitted the following question on notice:

It is noted the TAO had raised no matters from FY2020 audit activity relating to the quality and effectiveness of the internal control system, but "all prior year matters are being appropriately progressed towards close-out by Management."

In the interests of transparency, could all prior year matters be listed, along with an explanation of when the individual matters were first identified for management's attention, and why it has taken so long for these matters to be resolved?

Officer's Response:

The two matters raised by the Tasmanian Audit Office in the FY2019 report relate to system-based controls and both were rated as low risk. The first issue is to do with the review of the audit log for unauthorised changes to payroll leave data. and the second related to a formal review of super user activity in the finance system.

Both matters were referred to the system provider, but due to other priorities, no system fix was possible in the short term. To mitigate the risk, Council has implemented manual processes to manage the issues raised. A manual review of payroll leave accruals is undertaken each year for the two staff that are involved in the processing of pays. To check super user activities, the report which details all activities is filtered based on risk attributes and a random audit is completed on activities that could be deemed higher risk.

When the TAO conducts their external audit in November, they will be asked to review the manual process to determine whether they believe they are adequate to mitigate the risk.

John Breen, Chief Financial Officer

C605/20-2020**10.3 Dog Complaints**

Ms Qin Liu submitted the following question on notice:

In an email to me dated 24 September 2020, Scott Basham said that from March 2007 to September 2020 Kingborough Council records showed 443 complaints under section 47 of the Dog Control Act 2000. In an email dated 15 October 2020, Scott Basham wrote that there were 5 cases of complaints received by the Kingborough Council relating to dogs that created a noise (under section 46(3)(b) of the Dog Control Act 2000) that were found to have substance. The email also said that approximately 45% of complaints under section 46 of the Dog Control Act 2000 for financial years 2018/19 and 2019/20 had substance.

- 1. Can you confirm that there were only 11 complaints under section 46 of the Dog Control Act 2000 made to the Kingborough Council during the financial years 2018/19 and 2019/20?*
- 2. In the years 2007-2017/18 there were an average of 39 complaints per year, but in 2018/19 and 2019/20 there was an average of 5.5 complaints per year – is this decline due to a practice of Council staff asking complainants to change formal complaints to informal complaints?*
- 3. During financial years 2018/19 and 2019/20, how many complaints under the Dog Control Act 2000 were either:*

- a. *Withdrawn by the complainant? or*
- b. *Changed to an informal complaint?*

Officer's Response:

There has not been sufficient time to undertake the research necessary to prepare a response to this question for inclusion in the Council Agenda. The question will therefore be answered directly and a copy provided to Councillors.

Scott Basham, Manager Compliance & Community Development

C606/20-2020

10.4 Sale of Land

Ms Sarah Anderson submitted the following question on notice:

The Kingborough Council has recently asked for public comment about the sale of community owned land to fund playground upgrades. With the potentially sizeable amount of money from this sale would the Kingborough Council also consider the funding of current important projects such as the implementation of the Climate Change Plan and the appointment of a Climate Change/ Coastal Erosion Officer?

Officer's Response:

The proposed sale of surplus land has been predicated on the need to upgrade public infrastructure in parks and reserves. This has been the consistent message to the community throughout the process. It is recommended that any additional funds generated through the proceeds of sale be placed in the Open Space reserve and used for capital upgrades of public assets. It is conceivable that this could include projects identified within the Climate Change Action Plan where such projects relate to public infrastructure. A decision of Council would be required in order for proceeds of the sale to be diverted into operational expenditure in the form of staff appointments.

Daniel Smee, Executive Manager Governance & Community Services

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

C607/20-2020

(commences at ± 6 minutes of Part A of audio recording)

11.1 Social and Economic Impact Study of Gambling in Tasmania

Cr Cordover asked the following question without notice:

My question without notice is about pokies engagement via SEIS which stands for the fifth Social and Economic Impact Study of gambling in Tasmania. Every three years the state government funds independent researchers to review the social and economic impact of Gambling in Tasmania. The 2020 research has been done by the South Australian Centre for Economic Studies, ENGINE Group, Centre of Policy Studies, Victoria Uni and the Economist, Saul Eslake. Individuals and local groups do not need to be an expert to contribute a submission to this research. Any thoughts, experiences or perspectives that anyone has about gambling and pokies and how they affect Tasmania will be helpful to the researchers and the researchers need these submissions by the 2nd of November 2020. So, my question is, in lieu of running our own community engagement on pokies reform as per my motion on the 13th of July, does Kingborough Council plan to advertise on its social media pages the fact that submissions to the fifth Social and Economic Impact Study of Gambling in Tasmania can be sent by email to saces@adelaide.edu.au?

General Manager responds:

Councillor Cordover, until your question, I wasn't aware of the opportunity. In terms of posting on Council's website, if the opportunity is there for members of the community to make a submission on that matter, then it may be appropriate but I'll have to take that question on notice.

C608/20-2020

11.2 Staff Leave Balances

Cr Bastone asked the following question without notice:

During COVID, many Council staff have not taken their annual leave and leave is granted so workers may be revitalised and working without a break for a long length of time could result in less than optimal performances. Could we have a list of all staff who have more than four weeks accumulated leave and the number of weeks accumulated by each person, please?

General Manager responds:

Yes, we can provide that to all Councillors.

C609/20-2020

11.3 Transform Kingston Project

Cr Midgley asked the following question without notice:

I have quite a lot of questions from the Appendix items. The first one relates to your meetings, Mayor, on the 22nd of September with Hank Petrusma, the Transform Kingston project. I understand if perhaps you can't go into detail about that at this stage but it would be interesting to know.

Mayor responds:

Sure. We don't yet have a manager for the Transform Kingston project although we're soon to have one. What I've been trying to do is meet with landowners and people in the community and try and spruik the Transform Kingston project. Mr Petrusma is the owner of some strategically important parcels of land in Kingston so the discussion was predominantly about how the development in Kingston will proceed in future and the funding we've got available to do that.

C610/20-2020

11.4 Coningham Shared Path

Cr Midgley asked the following question without notice:

5th of October – meeting with Coningham residents regarding updates about the progress of the shared path. I'm wondering if there is any further insight for Councillors on that?

Mayor responds:

Followed from an email that we received from the Coningham and Lower Snug Community Association, and all Councillors will have received that letter and been aware of the issues that they're raising, that they are primarily concerned at the moment with the extension of the shared path between Margate and Snug, further south to Coningham, and that's a project that I think could be appealing as an election commitment at a state or federal election and one that we could proceed

with but what we have maintained is that our priority is the extension north of the Margate to Snug Shared Path, north to Kingston and that's primarily what our conversations with the state government in particular have been about. Obviously, that benefits residents at Lower Snug and Coningham as well. So, we discussed it as being an important project and one that we would like to work with a community association with so that we can try and secure some funding for the project.

C611/20-2020

11.5 Bruny Volunteer Program

Cr Midgley asked the following question without notice:

The next question is in regards to the Community Development section. I note the Volunteer Program. It's so great to see and wonderful the work that's being done in this area. It made reference to the growth of the Volunteer Program in Bruny. It's fantastic that we are doing this. Do we have the capacity and funds to do this? Is this an extra program? I'm wondering at all, just some background information on that to ensure our staff aren't being stretched.

Executive Manager Governance & Community Services responds:

We certainly do have the capacity to take it on. It's purely a coordination role that we play. Obviously, the volunteers are the ones that do the bulk of the work and the feedback thus far is that there are sufficient volunteers able to take on this additional element of the program which is very much welcomed.

C612/20-2020

11.6 Blackmans Bay Community Garden

Cr Midgley asked the following question without notice:

The next one is in regards to 3.19 Urban Design – Mr Donnelly met with Blackmans Bay Community Association members in regards to a community garden. I'm interested to know what potential sites were discussed for this possible project or idea?

Urban Designer responds:

I met with members of the Blackmans Bay Community Association at their request to discuss sites for a possible community garden. It was a very high level meeting. Detailed information in terms of specific sites was canvassed at a very high level. The most relevant site at this point in time is the Suncoast Drive Reserve. However, I qualify that comment by stating that the discussions are very preliminary, very high level and the Blackmans Bay Community Association is yet to define the scope of their intended project, yet to confirm their interest in terms of possible stakeholders and yet to provide or present a model to Council. So, we're yet to confirm how much area the Community Association might need for a community garden and that's really dependent on the number of interested stakeholders they have for that project.

C613/20-2020

11.7 Management of the Community Hub

Cr Midgley asked the following question without notice:

I note in the Community Development Report that the Community Development staff are managing The Hub. I understand they are already a busy team with many projects and I'm wondering about the ongoing capacity for staff to do this for a long term?

Executive Manager Governance & Community Services responds:

Prior to our previous Hub Coordinator leaving, we did have staff within Community Services that had activation of The Hub as part of their position description and the proposal to take on the management of The Hub actually came from the Community Services team themselves. They put a very compelling case to the General Manager that they had both the capacity, the interest and the skill set to be able to do that and thus far, they've done a tremendous amount of work in terms of getting The Hub back operational following both the COVID shutdown and the concreting works shutdown.

C614/20-2020**11.8 Waste Education**

Cr Midgley asked the following question without notice:

Question from the KWS Report, page 185. It noted that KWS is considering doing presentations to primary schools on waste avoidance, reuse and recycling. If perhaps there was a speculation or a bit of an idea of what they will be doing, I'm wondering will KWS be doing this or Community Services staff be doing this? Would it be possible to utilise some of the \$400k dividend that was transferred to Council as stated in the report to perhaps assist with payment of a one day a week Waste Education Officer?

Deputy General Manager responds:

At this stage, the details haven't been worked out as to how that will be done. It's certainly in the work program for the current financial year. The Manager of KWS is thinking that it would probably be best done by a consultant in a similar way to the composting workshops, somebody who's a particular expert in that field but it wouldn't be an ongoing role. It would be just a program of talking to the schools on that specific matter and we'd be contracting somebody else out to do that. That's the thought at this stage so it hasn't been firmed up yet.

C615/20-2020**11.9 Street Tree Plan**

Cr Midgley asked the following question without notice:

Just a general question, do we have Street Tree Planting Guidelines or a process re what trees are to be planted or trees to be removed?

Urban Designer responds:

To the best of my knowledge, Council does not have a Street Tree Masterplan or Street Tree Strategy in place at the moment. Street Tree Planning would be considered a core business for the Urban Design Unit, so I would be happy to be involved in any future work coordinating masterplan for street tree planning in Kingborough. That might include further analysis of our street tree canopy cover and our tree canopy cover more generally in relation to the urban settlement areas, particularly those that are contiguous, for example Kingston and Blackmans Bay. However, the short answer to your question is no, there is no Street Tree Masterplan in place currently.

C616/20-2020

11.10 Kerbside Waste and Recycling Bin Audit

Cr Fox asked the following question without notice:

I just have one question. The information section at the back, page 185, the KWS Report, it states there that a kerbside waste and recycling bin audit will be taken and a summary report be put on our website but I was wondering whether it would be possible for a report to come to Councillors?

Deputy General Manager responds:

At this stage, the results are in. They're being summarised at the moment for the waste audit. It's quite possible it could come to Councillors' report but it could just as easily be circulated to Councillors and go on our website. The idea was that it would be provided to the general public for their look. We weren't necessarily thinking that it would warrant a particular Council Report. There's no decisions to be made as such. It's just an information report as to what was found in the bins. That would certainly be broadly circulated across the community but there's no problems in it coming as a report to Council if that's what's required or wished to be.

Cr Fox:

It's just that I'm vitally interested in that subject and I would like to have the opportunity for discussion around the table.

Deputy General Manager responds:

That's fine. We can do that.

Meeting adjourned at 5.54pm

Meeting resumed at 6.08pm

12 QUESTIONS ON NOTICE FROM COUNCILLORS

C617/20-2020

(commences at ± 2 minutes of Part B of audio recording)

12.1 Aboriginal Flag for Citizenship Ceremonies

At the Council meeting on 12 October 2020, **Cr Midgley** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Did we purchase an Aboriginal Flag for Citizenship Ceremonies?

Officer's Response:

An Aboriginal Flag has been acquired and will be on display at all citizenship ceremonies.

Daniel Smee, Executive Manager Governance & Community Services

C618/20-2020

12.2 Council's Intention to Sell Alonnah Property (PID 5061726)

Cr Cordover submitted the following question on notice:

In the [Kingborough Open Space Strategy March 2019](#), on page 23, Item 69 reads, "Investigate future uses for the property south of the Hotel Bruny in Alonnah." The priority status is listed as 'high'. The item's strategic direction is listed as '8', which is explained in the Executive Summary as, "8. Looking after existing parks, sport and recreation facilities."

Despite this direction in the Open Space Strategy, on 14th September 2020, the Council passed motion C525/17-2020 16.1 PROPERTIES FOR POTENTIAL DISPOSAL, "That Council advertise its intent to sell the following properties in accordance with the provisions of Section 177 and 178 of the Local Government Act 1993 and the procedures outlined in Council's Sale of Land Policy." The property at Main Road, Alonnah (PID 5061726), south of the Hotel Bruny in Alonnah is listed among the properties intended for sale.

- What future uses for the property south of the Hotel Bruny did Council investigate before advertising its intention to sell?
- How thoroughly were these potential future uses investigated?
- Did Council inform the community about the results of the investigation into future uses of that land before advertising its intention to sell the property?

Officer's Response:

During the process of preparing the Kingborough Open Space Strategy, the potential future uses of the land at Alonnah south of the Bruny Hotel were assessed by both an external consultant and Council staff. No future uses were readily identified and the recommendation for further investigation into future uses (including sale of the land) was rated as a high priority given the length of time the property had remained unused since its acquisition in the 1970's. All properties identified for potential sale were subject to a thorough assessment of their strategic potential with the process including internal referrals to relevant staff, discussion by Council's management team and a Councillor Workshop. From these investigations, the conclusion was reached that the best option for the future use of the land is for it to be privately developed in accordance with its residential zoning and the advertising process associated with the intent to sell is the mechanism by which the community has been informed of this conclusion.

Daniel Smee, Executive Manager Governance & Community Services

C619/20-2020

12.3 Hard Waste Collection Service

Cr Westwood submitted the following question on notice:

What is the estimated cost to ratepayers of an annual hard waste collection service? Why is a hard waste collection service currently not offered in Kingborough?

Officer's Response:

Council ceased the provision of a hard waste collection service to residents approximately 11 years ago citing the following main reasons:

- Environmental impact of potentially recyclable materials or re-usable materials ending up in landfill.
- Cost of the service
- Inappropriate items being put out for collection
- The service favouring those residents who chose to dispose rather than re-use/recycle

- Risk management associated with large amounts of materials being left on nature strips/footpaths.

Although some of the above are manageable with tight controls they are still applicable today.

The estimated cost in the last year of service (2009) was \$117K. It is difficult to ascertain a current year cost for such a service, but it is likely this figure would be now above \$200K.

Although several councils throughout Australia do offer hard waste collection services of some description the cost of the service and how the provision of such a service meets with the individual council's waste management direction is key to whether such a service is provided.

Council's current Waste Management Strategy provides several recommended actions to be pursued to best achieve the goals set, a hard waste collection service is not one of those actions.

David Reeve, Executive Manager Engineering Services

C620/20-2020

12.4 Construction of Pathway Through Spring Farm

Cr Westwood submitted the following question on notice:

What is the status of construction of a pathway along the strip of public open space that passes through Spring Farm, that the developers undertook to construct in lieu of a contribution to public open space?

Officer's Response:

A draft design of the pathway was provided to Council in September and advice provided in response to indicate that a development application for the works is required.

Daniel Smeed, Executive Manager Governance & Community Services

C621/20-2020

12.5 Compliance Activities

Cr Westwood submitted the following question on notice:

- 1 *What is the average annual cost to Council of undertaking Compliance activities?*
- 2 *In how many instances were individual compliance grievances appealed to Council's General Manager in 2019-20 and 2018-19?*

Officer's Response:

- 1 As identified within the endorsed 2020-2021 Annual Budget the projected total expenses of the Compliance Unit is \$735,445. This is offset with a projected total income of \$456,000 resulting in a projected deficit of \$279,445.2

Scott Basham, Manager Compliance & Community Development

C622/20-2020

12.6 Cost of Communications and Engagement Activities

Cr Westwood submitted the following question on notice:

What is the average annual cost to Council of undertaking Communications and Engagement activities?

Officer's Response:

The main cost is around \$100k in employee costs. There is a further \$42k in the Governance budget for consultation and advertising related costs.

John Breen, Chief Financial Officer

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 6.08pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C623/20-2020

(commences at ± 3 minutes of Part B of audio recording)

13.1 DA-2020-437 - DEVELOPMENT APPLICATION FOR TWO MULTIPLE DWELLINGS AT 41 ELDRIDGE DRIVE, KINGSTON

Moved: Cr David Grace
Seconded: Cr Christian Street

That the Planning Authority resolves that the development application for two multiple dwellings at 41 Eldridge Drive, Kingston for SJM Property Developments 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-2020-437 and Council Plan Reference No. P2 submitted on 11 September 2020. 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 the issue of a Building 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) Indicate and note proposed parking for each unit. Each unit must have at least two (2) on-site private residential parking spaces.
 - (b) At least One (1) visitor's parking space must be clearly noted/indicated on the plans and must be on common space/area.
 - (c) Include, but not be limited to, adequately detailed internal vehicular and pedestrian access, carparking, manoeuvring areas, water reticulation and drainage services.
 - (d) All retaining walls must be contained within the property boundaries including the footings and sub soil drainage. Where greater than 1m in height, the retaining walls must be designed and certified by a Registered Professional Engineer.

The engineering plans and specifications must be prepared and certified by a professional Civil Engineer and approved by the Executive Manager - Engineering Services. The engineer must supervise the construction works.

3. 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.
4. The construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Executive Manager - Engineering Services and include the following:

- (a) Visitor carparking sign must be installed for One (1) visitor carparking space.
- (b) Signage noting residential parking for each unit must be installed for their respective carparking spaces.
- (c) Parking and vehicle circulation roadways and pedestrian paths must be provided with bollard lighting.
- (d) The access/driveway, car parking and vehicle manoeuvring areas must be of a sealed construction (e.g. concrete) with associated drainage and comply with Australian Standard AS2890.1:2004 (Off-street car parking), and
- (e) Stormwater from all new impervious areas must be discharged to Council's stormwater infrastructure.

A Permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation including the storage of construction material and machinery.

5. Prior to the occupation of any of the new dwellings the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:
 - i. The parking areas (including signage and access);
 - ii. The garden and landscape areas;
 - iii. Drainage works undertaken and completed;
 - iv. Letterboxes installed
 - v. The privacy screening to the north-western bedroom and lounge windows are to be installed. This screening is to be maintained for the life of the development to the satisfaction of Council.
6. 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.
7. During construction, 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 from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.

8. During construction, all waste material generated by the development or from other sources must be contained in appropriate building waste containers for periodic removal to a licensed disposal site. The receptacle must be of a size to adequately contain the amount of waste generated and must be appropriately located on the subject site and must not impede residential traffic or parking at any time.
9. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

ADVICE

- A. In accordance with section 53(5) of the Land Use Planning and Approvals Act 1993 this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval in this permit is under the Land Use Planning and Approvals Act 1993 and does not provide any approvals under other Acts including, but not limited to Building Act 2016, Urban Drainage Act 2013, Food Act 2003 or Council by-laws.

If your development involves demolition, new buildings or alterations to buildings (including plumbing works or onsite wastewater treatment) it is likely that you will be required to get approvals under the Building Act 2016. Change of use, including visitor accommodation, may also require approval under the Building Act 2016. Advice should be sought from Council's Building Department or an independent building surveyor to establish any requirements.

- C. The Developer should not allocate any property address numbers for the proposed units.

New property addresses have been allocated as follows:

Unit No.	Allocated Property Address
1	1/41 Eldridge Drive, Kingston
2	2/41 Eldridge Drive, Kingston

These numbers must then be referenced on design and As-Constructed drawings as well as any Strata Plans lodged for sealing.

- D. 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.
- E. An application for Notifiable Plumbing Work must be lodged with Council before commencing any work.
- F. 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 the Manager Development Services.
- G. Any future application for strata title in respect of the property must ensure that at least one (1) visitor parking space is included within the common property on the strata plan.



Submission to Planning Authority Notice

Council Planning Permit No.	DA-2020-437		Council notice date	25/08/2020
TasWater details				
TasWater Reference No.	TWDA 2020/01297-KIN		Date of response	31/08/2020
TasWater Contact	Anthony Cengia	Phone No.	0474 933 293	
Response issued to				
Council name	KINGBOROUGH COUNCIL			
Contact details	kc@kingborough.tas.gov.au			
Development details				
Address	41 ELDRIDGE DR, KINGSTON		Property ID (PID)	9827291
Description of development	Multiple Dwellings x 2			
Schedule of drawings/documents				
Prepared by	Drawing/document No.		Revision No.	Date of Issue
Greg Tilley	2620 Sheets 01 to 10			17/08/2020
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>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections and sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 4. The applicant or landowner, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater. 				
Advice				
<p>Water Connection</p> <p>It should be noted that the existing property water connection is ID25mm in size. An up-size of the connection for 2 units will not be required, but the metering arrangement will need to be modified as part of this proposal.</p> <p>General</p> <p>For information on TasWater development standards, please visit</p>				



<http://www.taswater.com.au/Development/Development-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

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

In Favour: Crs Dean Winter, Jo Westwood, Sue Bastone, David Grace, Amanda Midgley,
Christian Street, Steve Wass and Paula Wriedt

Against: Crs Flora Fox and Gideon Cordover

CARRIED 8/2

Public Copy

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 6.16pm

14 NOTICES OF MOTION

C624/20-2020

(commences at ± 11 minutes of Part B of audio recording)

14.1 New Complaints Handling Framework

Moved: Cr Paula Wriedt
Seconded: Cr Christian Street

That Council:

- (a) Develops a new complaints handling system framework based on the 2015 document produced by the Victorian Ombudsman entitled "Councils and complaints: A Good Practice Guide".
- (b) In line with Council's Community Engagement Framework, makes a draft document available for residents and key stakeholders to provide feedback for improvement to the framework;
- (c) Provide staff training on the new complaints handling framework so that all staff can deal with complaints in line with the new framework; and
- (d) That the work be completed for implementation in the new financial year starting 1 July 2021.

CARRIED

15 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

16 PETITIONS RECEIVED IN LAST PERIOD

C625/20-2020

(commences at ± 20 minutes of Part B of audio recording)

16.1 Opposition to the Sale/Development of 31 Gemalla Road, Margate

Moved: Cr Gideon Cordover
Seconded: Cr Flora Fox

That the petition containing 51 signatures be received and referred to the appropriate Department for a report to Council.

In Favour: Crs Gideon Cordover, Amanda Midgley and Flora Fox

Against: Crs Dean Winter, Jo Westwood, Sue Bastone, David Grace, Christian Street, Steve Wass and Paula Wriedt

LOST 3/7

Foreshadowed Motion

Moved: Cr Christian Street
Seconded: Cr David Grace

That:

- a) the petition containing 51 signatures be received and matters raised considered as part of item 17.1 *Properties for Disposal* within this Agenda; and
- b) the petition containing 172 signatures be received and matters raised considered as part of item 17.1 *Properties for Disposal* within this Agenda.

In Favour: Crs Dean Winter, Jo Westwood, Sue Bastone, Christian Street, David Grace, Steve Wass and Paula Wriedt

Against: Crs Gideon Cordover, Amanda Midgley and Flora Fox

CARRIED 7/3

17 OFFICERS REPORTS TO COUNCIL

C626/20-2020

(commences at ± 23 minutes of Part B of audio recording)

17.1 PROPERTIES FOR DISPOSAL

Moved: Cr Gideon Cordover
Seconded: Cr Flora Fox

That item 17.1 be deferred.

In Favour: Crs Gideon Cordover, Flora Fox, Paula Wriedt and Amanda Midgley

Against: Crs Dean Winter, Jo Westwood, Sue Bastone, David Grace, Christian Street and Steve Wass

LOST 4/6

Moved: Cr David Grace
Seconded: Cr Paula Wriedt

That:

- a) Council resolves to sell the following properties by listing with an agent on the open market in accordance with the provisions of Section 177 and 178 of the *Local Government Act 1993*, with the proceeds from the sale to be transferred to the Open Space Fund and allocated for investment in accordance with the Kingborough Play Space and Playground Strategy 2020-2025 and Kingborough Play Space and Playground Audit 2020 as follows:
 - 1. **110 Channel Highway, Tarooma** (following relocation of the stormwater main) with the proceeds from the sale allocated for investment in **Louisa Hinsby Park, Tarooma**;
 - 2. **Lot 2, Mt Pleasant Road, Kingston** with the proceeds from the sale allocated for investment in **Willowbend Park, Kingston**;
 - 3. **281 Roslyn Avenue, Blackmans Bay** with the proceeds from the sale allocated for investment in **Alamo Close Park, Blackmans Bay**; and
 - 4. **41 Hiern Road, Blackmans Bay** (following the creation of an easement on the title to provide a public right of way through to the Opal Drive Reserve) with the proceeds from the sale allocated for investment in **Donohoe Gardens, Blackmans Bay**;

- b) The balance of any remaining funds to be held in the Open Space Fund for investment in accordance with relevant strategic plans.

Cr Grace left the room at 6.55pm

Cr Grace returned at 6.56pm

Amendment:

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

That point 4 above be removed.

In Favour: Crs Gideon Cordover and Flora Fox

Against: Crs David Grace, Sue Bastone, Christian Street, Amanda Midgley, Steve Wass, Dean Winter, Paula Wriedt and Jo Westwood

LOST 2/8

Amendment:

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

That point 3 above be removed.

In Favour: Crs Gideon Cordover, Amanda Midgley and Flora Fox

Against: Crs David Grace, Sue Bastone, Christian Street, Steve Wass, Dean Winter, Paula Wriedt and Jo Westwood

LOST 3/7

Amendment:

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

That point 2 above be removed.

In Favour: Crs Gideon Cordover and Flora Fox

Against: Crs David Grace, Sue Bastone, Christian Street, Amanda Midgley, Steve Wass, Dean Winter, Paula Wriedt and Jo Westwood

LOST 2/8

Amendment:

Moved: Cr Gideon Cordover

Seconded: Nil

That Item 1 above be removed.

Motion lapsed for want of a Seconder.

Amendment:

Moved: Cr Sue Bastone
Seconded: Cr Steve Wass

That:

An additional point be added to the motion as follows:

- c) Council revisit the sale of the land at Alonnah if there has been no substantial progress from the community in developing it as a public space within 12 months.

In Favour: Crs Dean Winter, Sue Bastone, Amanda Midgley, Christian Street, David Grace, Steve Wass and Paula Wriedt

Against: Crs Gideon Cordover, Jo Westwood and Flora Fox

CARRIED 7/3

Cr Street left the room at 8.11pm

Cr Street returned at 8.13pm

Substantive Motion

Moved: Cr David Grace
Seconded: Cr Paula Wriedt

That:

- a) Council resolves to sell the following properties by listing with an agent on the open market in accordance with the provisions of Section 177 and 178 of the *Local Government Act 1993*, with the proceeds from the sale to be transferred to the Open Space Fund and allocated for investment in accordance with the Kingborough Play Space and Playground Strategy 2020-2025 and Kingborough Play Space and Playground Audit 2020 as follows:
1. **110 Channel Highway, Taroona** (following relocation of the stormwater main) with the proceeds from the sale allocated for investment in **Louisa Hinsby Park, Taroona**;
 2. **Lot 2, Mt Pleasant Road, Kingston** with the proceeds from the sale allocated for investment in **Willowbend Park, Kingston**;
 3. **281 Roslyn Avenue, Blackmans Bay** with the proceeds from the sale allocated for investment in **Alamo Close Park, Blackmans Bay**; and
 4. **41 Hiern Road, Blackmans Bay** (following the creation of an easement on the title to provide a public right of way through to the Opal Drive Reserve) with the proceeds from the sale allocated for investment in **Donohoe Gardens, Blackmans Bay**;
- b) The balance of any remaining funds to be held in the Open Space Fund for investment in accordance with relevant strategic plans.
- c) Council revisit the sale of the land at Alonnah if there has been no substantial progress from the community in developing it as a public space within 12 months.

In Favour: Crs Dean Winter, Jo Westwood, Sue Bastone, Christian Street, David Grace, Steve Wass and Paula Wriedt

Against: Crs Gideon Cordover, Amanda Midgley and Flora Fox

CARRIED 7/3

Cr Grace left the meeting at 8:25pm

Meeting adjourned at 8.25pm

Meeting resumed at 8.35pm

C627/20-2020

(commences at ± 10 seconds of Part C of audio recording)

17.2 MEMORIALS POLICY

Moved: Cr Amanda Midgley

Seconded: Cr Gideon Cordover

That the Memorials Policy 4.17 (as attached to this report) be endorsed and adopted for a period of four years.

Cr Street left the room at 8.39pm

Cr Street returned at 8.40pm

CARRIED

C628/20-2020

(commences at ± 12 minutes of Part C of audio recording)

17.3 TRANSFORM KINGSTON PROJECT

Moved: Cr Christian Street

Seconded: Cr Gideon Cordover

That Council endorse the work program, within Attachment 1, for the 'Transform Kingston' project, this being the first stage of the implementation of the Kingston Place Strategy.

Cr Midgley left the room at 8.55pm

Cr Midgley returned at 8.55pm

CARRIED

C629/20-2020

(commences at ± 28 minutes of Part C of audio recording)

17.4 KINGSTON PARK STORMWATER MANAGEMENT

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

That Council:

- (a) endorse the proposed stormwater treatment solution that will treat all of the stormwater emanating from the Kingston Park development within the existing Kingston Wetlands as described within this report;
- (b) delegate to the General Manager further negotiations with Traders in Purple in regard to the necessary cost sharing arrangement to implement the proposed stormwater treatment solution; and
- (c) delegate to the General Manager any further negotiations with TasWater in regard to the acquisition of land associated with the wastewater overflow pond alongside their existing pump station.

CARRIED

C630/20-2020

(commences at ± 50 minutes of Part C of audio recording)

17.5 SALES OFFICE LEASE WITHIN THE COMMUNITY HUB

Moved: Cr Flora Fox
Seconded: Cr Sue Bastone

That Council agree to a one-year extension to the existing lease to Traders in Purple Ltd over the commercial tenancy space within the Kingborough Community Hub, subject to a new market rental (as determined by an independent valuer) being obtained so that it shall apply in the third year of the lease.

CARRIED

C631/20-2020

(commences at ± 57 minutes of Part C of audio recording)

17.6 FINANCIAL REPORT - SEPTEMBER 2020

Moved: Cr Jo Westwood
Seconded: Cr Flora Fox

That Council endorses the attached Financial Report at 31 September 2020

CARRIED

C632/20-2020

(commences at ± 1 hour, 5 minutes of Part C of audio recording)

17.7 MCKENZIES ROAD PUBLIC OPEN SPACE CONNECTION

Moved: Cr Jo Westwood
Seconded: Cr Steve Wass

That Council approves an allocation of \$5,000 from the Public Open Space Fund to undertake drainage works on a newly acquired section of trail in Leslie Vale.

CARRIED

C633/20-2020

(commences at ± 1 hour, 6 minutes of Part C of audio recording)

17.8 KINGBOROUGH RATEPAYERS ASSOCIATION SUBMISSION

Moved: Cr Paula Wriedt
Seconded: Cr Jo Westwood

That Council resolve to:

- (a) note the officer's responses to the Kingborough Ratepayers Association's submission;
- (b) hold a workshop to discuss the issues raised by the KRAI in their submission; and
- (c) thank the Association for their submission.

CARRIED

C634/20-2020

(commences at ± 1 hour, 12 minutes of Part C of audio recording)

17.9 PETITION - UNISEX BATHROOMS

Moved: Cr Flora Fox
Seconded: Cr Paula Wriedt

That the organisers of the petition titled “Unisex bathrooms for Schools and Public Facilities” be advised that Council has made substantial progress towards the provision of unisex bathroom facilities and will continue to do so as part of the implementation of the Kingborough Public Toilet Strategy.

CARRIED

C635/20-2020

18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

Moved: Cr Flora Fox
Seconded: Cr Steve Wass

That in accordance with 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*

AB2005 Slashing and Spraying

Regulation 15 (2)(d) *contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.*

Rates Delegated Authority

Regulation 15 (2)(a) *personnel matters, including complaints against an employee of the council and industrial relations matters.*

CARRIED 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 9.51pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open session of Council resumed at 9.56pm

C641/20-2020

Moved: Cr Flora Fox
Seconded: Cr Paula Wriedt

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
AB2005 Slashing and Spraying	Approved
Rates Delegated Authority	Noted

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 9.57pm

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(Confirmed)

.....

(Date)