

# Kingborough



## COUNCIL MEETING MINUTES

18 January 2021

*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, 18 January 2021 at 5.30pm**

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**1      AUDIO RECORDING**

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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.

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**2      ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

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**3      ATTENDEES**

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**Councillors:**

Mayor Councillor D Winter	✓
Councillor S Bastone	✓
Councillor G Cordover	✓
Councillor D Grace	x
Councillor A Midgley	✓
Councillor C Street	✓
Councillor S Wass	✓
Councillor P Wriedt	✓

**Staff:**

General Manager	Mr Gary Arnold
Chief Financial Officer	Mr John Breen
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director, Environment, Development & Community	Dr Katrena Stephenson
Manager Development Services	Ms Tasha Tyler-Moore
Senior Environmental Health Officer	Ms Abyilene McGuire
Customer Services Coordinator	Ms Kelly Nichols
Executive Assistant	Mrs Amanda Morton

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**4      APOLOGIES**

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Cr J Westwood (LOA)  
Cr F Fox (LOA)  
Cr D Grace (Apology)

## 5 CONFIRMATION OF MINUTES

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C1/1-2021

(commences at ± 3 minutes of audio recording)

Moved: Cr Paula Wriedt  
Seconded: Cr Sue Bastone

That the Minutes of the open session of the Council Meeting No. 23 held on 14 December 2020 be confirmed as a true record.

**CARRIED**

## 6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

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No workshops had been held since the last Council meeting.

## 7 DECLARATIONS OF INTEREST

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There were no declarations of interest.

## 8 TRANSFER OF AGENDA ITEMS

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There were no agenda items transferred.

## 9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

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There were no questions without notice from the public.

## 10 QUESTIONS ON NOTICE FROM THE PUBLIC

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There were no Questions on Notice from the Public.

## 11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

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C2/1-2021

(commences at ± 4 minutes of audio recording)

### 11.1 Adventure Bay Beach

**Cr Wass** asked the following question without notice:

*Could I have a brief update on the Adventure Bay Beach and surrounding areas following the report of the burst bean bag, whether or not Parks and Wildlife were able to clean up the entire beach and the surrounding areas, whether Council has had to be involved and also including whether anyone has owned up to this incident or has been traced?*

**Mayor responds:**

We will take your question on notice.

**C3/1-2021****11.2 26 January**

**Cr Cordover** asked the following question without notice:

*Has Council reached out to local first nations organisations to offer our Council's allyship and support in the lead up to the 26<sup>th</sup> January?*

**Mayor responds:**

It was actually on your prompting that Council reached out to our local Aboriginal organisation, SETAC, to discuss one potential idea from yourself around Australia Day and different things that Council can do. You will be aware that Council used to hold its Kingborough Awards on Australia Day and no longer does. We hold it on a separate day so that we can still have Aboriginal elders there to welcome us and enjoy and be more inclusive. I will be meeting with SETAC in the first week in February, so it will be after 26 January, to have a discussion but it is also noteworthy that Council would usually have an involved in A Day on the Beach but this year there is no Day on the Beach. Obviously we have our Citizenship Ceremony on 26 January but that is the only significant event that will be held on that day in Kingborough.

**C4/1-2021****11.3 Margate Hills Community Group**

**Cr Cordover** asked the following question without notice:

*The Margate Hills Community Group has repeatedly expressed the desire for additional road safety signage to be erected on Van Morey Road, Margate. Is there any update on how these plans are progressing, what additional road safety signage is proposed and required and when will the additional road safety signage be installed?*

**Mayor responds:**

Just before Christmas I met with Mr Reeve about this issue and the correspondence that we have had from the community association, and I have since had a few conversations with them. Some of the treatments that we can make on that road include some minor cut backs to vegetation to increase sight distances on some of the more dangerous corners. A grant application has been submitted for Rural Road Safety improvements on that particular site and that was an application for site benching, passing bays, shoulder widening, additional signage and that work under that particular grant round would need to be done this financial year. We are seeking that funding to make those safety upgrades and they will be broadly in line with the Margate Hills Community Associations desires that they have been expressing to all councillors.

**C5/1-2021****11.4 Delegated Authority List in Agenda**

**Cr Cordover** asked the following question without notice:

*On page 327 of tonight's agenda, retrospective approval for DA-2020-374 where it says the "change of use from residential to visitor accommodation retrospective". Please can I learn about what the context of this is? Was somebody running visitor accommodation without requisite approvals? If so, for how long? What is the penalty for doing that? How often does this type of thing happen in Kingborough and how do we stop it?*

**Manager Development Services responds:**

Yes, visitor accommodation was operating without approval and it was brought to our attention that that was the case. The State Government brought in a requirement that AirBnB had to put their planning permit number in so that it was a lot easier for people to operate without doing that. The State Government provides us with that data now, although it is a mass of data, it is

now well collated and has a lot of errors in it which we have fed back to the State Government to enable Councils to do the enforcement for that. We do, on occasion, look at it but we just don't have the resources to proactively look at it. Certainly if there are any complaints we do and follow it up. There was no infringement notice so no large penalty issued to them but they were required to pay double fees as it was a retrospective application and now they are in compliance with the requirements.

**Cr Cordover:**

Is this something that happens rarely, would you say, or often or somewhere in between?

**Manager Development Services:**

Somewhere in between. There are properties that we know that are operating and we do our best to keep ahead of them and if we can get that cleansed data, that's going to make it better for us to do it but it does take resourcing to do it. Some people genuinely don't realise that they need a permit to do it although there has been a lot of advertising through the State Government that they do need it. And it's important because, not just for planning, but under building regulations there are certain requirements they need and the safety of the public is our priority.

**Cr Cordover:**

My next question is about shipping containers. DA-2019-64 in Tinderbox and DA-2020-545 at Apollo Bay both include the change of use from outbuilding to dwelling including the additions of shipping containers. For what purpose are these shipping containers being used in this instance and what, if any, are the special considerations that Council and developers need to take into account when assessing containers as dwellings, for example, colour, finishings, ventilation, cladding, insulation?

**Manager Development Services:**

The shipping containers in these two instances are both used for outbuildings so therefore you can't use them for habitation. We write a condition on there that says that. If you did want to convert a shipping container for habitation purposes you also need to get building approval. It has to be converted appropriately and one of those matters came before the Chambers and it was considered. So it depends on the zone and the overlay controls whether we consider things such as a biodiversity codes, the vegetation removal, the scenic codes pick up colours, site levelling, all those sorts of elements, but it depends on the zones and the overlays. But these particular ones, they did have the scenic landscape codes, we did look at the colour, vegetation had been removed but we addressed that in the planning permit. The questions you had about ventilation and so forth and insulation, that all relates to if it was an habitable building, but it's just an outbuilding. And we don't need to know the specific purpose of an outbuilding but typically people will say it's for car storage, shed, things like that.

**C6/1-2021****11.5 Efficiency Dividend**

**Cr Cordover** asked the following question without notice:

Do you agree with the reasoning provided in the governments budget that the removal of efficiency dividends will support the ongoing delivery of services and support the local economy to recover from Covid?

**Mayor responds:**

I might take your question on notice because I haven't read the report that you are referring to.

**Cr Cordover:**

Do you intend, in the light of this State Government decision to remove efficiency dividends, to continue with an efficiency dividend for Kingborough in the next financial year?

**Mayor:**

Cr Cordover, as you know I don't make decisions about efficiency dividends. We all do collectively, all ten of us. I wouldn't make any decision about an efficiency dividend because it would be up to this chamber and in fact we have already made a decision on efficiency dividends and we have had a report back saying that the work is essentially completed and was provided to us in December and it outlined \$380,000 worth of efficiency dividends. As I've mentioned in the debate, I think it's debatable whether or not some of them were efficiency dividends but the intent was there was our staff to ensure that the underlying loss for this financial year was minimised as much as possible.

**Cr Cordover:**

Could you please elucidate whether or not you plan to follow the State Government's lead and abolish the efficiency dividend for Kingborough Council or at least advocate for that in light of the State Government's budget decisions?

**Mayor:**

As I've just told you, I don't make decisions about efficiency dividends and you are aware of that. We all do and in fact collectively we made a decision about an efficiency dividend that we put in place, a report has come back to us that has completed the efficiency dividend work and so any decision I would make around an efficiency dividend for this year or for any subsequent years would be collectively in open session with my fellow councillors and we will be doing that as part of our budget workshop in March and then making a final decision in May in our budget meeting. But I wouldn't expect to see any change to the efficiency dividend policy that we have in place for this financial year.

**Cr Cordover:**

Will your deliberations be informed by the State Government's budget removing efficiency dividends?

**Mayor:**

I don't have any deliberations, Cr Cordover, because I am part of this Council that makes decisions. I don't have any executive powers whatsoever under the Act. I am a mere councillor when it comes to making decision so I don't know how I can possibly answer your question any better than that.

**C7/1-2021**

**11.6 Dog Attacks**

**Cr Bastone** asked the following question without notice:

*There have been two dog attacks in Middleton and in Kettering and I'm wondering whether the dogs that have bitten the people have been destroyed because they were both taken to the Council pound?*

**Director Governance, Recreation & Property Services responds:**

The dog attack at Middleton was handled by Tas Police. We acted under their instruction and I'm not aware if the dog has been destroyed or not. I would imagine the police would need to seek a Court Order for its destruction and I would need to take on notice as to the status of that. As to the one in Kettering, again I would need to take that on notice.

**C8/1-2021**

**11.7 Purchase of Extension of Mt Louis Road**

**Cr Bastone** asked the following question without notice:

*Has the purchase of the private road which is the extension of Mt Louis Road, been finalised by Council? If not, when will it be finalised?*

**Director Governance, Recreation & Property Services responds:**

No, it hasn't been finalised. It would require to go through the process with the Land Titles Office and that can take some months before it is actually formalised on the Title. Our property officer has been on leave, he is returning tomorrow and I would be able to get an update from him as to the status of it, but it hasn't been finalised as yet.

**C9/1-2021**

**11.8 Responsibility of Clearing of Land**

**Cr Bastone** asked the following question without notice:

*Who is responsible for clearing the areas of land that are either the result of a road re-alignment or a road reserve that it is not going to be progressed to a road in regards to clearing because of bushfire danger and things like this?*

**General Manager responds:**

Do you have a specific example?

**Cr Bastone:**

Yes I do.

**General Manager:**

Perhaps you can provide the detail and I will take the question on notice.

**C10/1-2021**

**11.9 City Deal Update**

**Cr Midgley** asked the following question without notice:

*What is the status of the park and rides, the bus shelter audits and the possibility of the date for the frequent bus services?*

**General Manager responds:**

The status of the park and rides is that we have received a development application for Firthside and the Department of State Growth are finalising details for the lodgement of a development application for the roundabout at Algona Road and Channel Highway park and ride at Huntingfield. In terms of the bus audit, I don't have the detail on that so I'll take that on notice. In terms of the bus trial, the improved frequencies etc, the intention is that that will be able to take place once the two park and rides have been constructed and we are working on the detail of that. We were hopeful that they may be able to commence before construction is completed.

**Cr Midgley:**

Representatives from State Growth met with Council in regards to the park and ride and also there was community consultation in regards to the park and ride. Is there any way that Councillors can be made aware of what the community concerns were or what their input was in regards to the park and ride?

**Manager Development Services:**

Both the park and rides have been lodged. The General Manager may not have been notified about the second one. They both have a request for further information at the moment. Off the top of my head I don't recall if there was a section in their report about what the outcome of the community consultation were. I don't think there is anything in there but we can certainly ask the question separately from the further information request because it is not relevant for our assessment.

**C11/1-2021****11.10 Huntingfield Update**

**Cr Midgley** asked the following question without notice:

*Is there an update on the Huntingfield development?*

**Mayor responds:**

I learnt a bit today from the Kingborough Chronicle. The State Government has done some communication around the lodgement of Stage 1. Ms Tyler-Moore may be able to provide more information.

**Manager Development Services:**

The application was lodged just before Christmas for the sub-division. It's stage 1 of 5 stages and we are currently undertaking our internal assessment of that which also includes referral to a number of external stakeholders as well as internal stakeholders. Once we have that information together it may mean that we need to request further information or detail and then it's up to them how long they take to respond to that. Once the requirements are satisfied, it will proceed to public notice and all the information will be available for that application.

**Cr Midgley:**

Do we know what stage the social and affordable housing will be?

**Director, Environment, Development & Community:**

I will be able to provide further information after this week. I have a meeting with Minister Jaensch's office and also with the community engagement officer for Housing Tasmania on Huntingfield. I will circulate something after those meetings.

**C12/1-2021****11.11 Documents in Appendix of Agenda**

**Cr Midgley** asked the following question without notice:

*Is the Hub café open yet?*

**Manager Development Services responds:**

The planning permit was issued that they were to have a café there and its in the location where the Traders In Purple office is. As part of the approval, that office, which was to be occupied for two years, there was a requirement that they have a coffee window or a coffee area. It is my understanding that that is not operating. I haven't had any indication about when that is going to occur but we can follow it up.

**Cr Midgley:**

As regards the Annual Report at page 181, it's in regards to the performance measures and the status at 1.4.1 it states 50% and the reasoning says that "it is unable to fully implement due to resourcing restraints". How can we aim to have 100% in that, what sort of resourcing restraints were there?

**Mayor:**

We will take that on notice.

**Cr Midgley:**

At 1.4.4 in regards to the development and implement strategy to reduce Council's carbon footprint, I understand that the draft strategy has been prepared but not endorsed by Council. Again, I'm hoping this will still be on the cards for this area. How can we again look forward to 100% in that regard?

**Mayor:**

We will take that on notice.

**Cr Midgley:**

At 2.2.3 on page 189, review and update the Kingborough Sport and Recreation Strategy. How is this progressing?

**Director Governance, Recreation & Property Services responds:**

As indicated, we have given ourselves a two year period in which to update the strategy. Our Recreation Officer has commenced work on that and certainly the Covid shut down period did enable some time to devote to that, but there is a body of work that needs to be done in relation to consultation with user groups and the broader community as well as updating all of the various statistics that go to putting that strategy together, so that work will be continuing over the next twelve months.

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**12 QUESTIONS ON NOTICE FROM COUNCILLORS**

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**C13/1-2021***(commences at ± 28 minutes of audio recording)***12.1 State Budget**

At the Council meeting on 14 December 2020, **Cr Cordover** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

*The General Manager attended the TCCI State Budget breakfast. How does the State Budget intersect with Council's finances and what's the relevance of the State Budget breakfast to Council?*

**Officer's Response:**

The State Budget intersects with Council's finances in numerous ways including the following:

- In the State Budget Metro Tasmania have been tasked to trial zero emissions buses in Tasmania – electric or hydrogen – with a trial centred on the Hobart/Kingston service. Budget Paper No 2, Volume 1, page 301 advises \$500,000 for bus services as part of the Hobart City Deal. This has implications for Council's road, pedestrian and cycling network and infrastructure expenditure.
- Budget Paper No 2, Volume 1, page 9, outlines that agency estimates for employee benefits include indexation in accordance with wage agreements existing at the time of the finalisation of budget estimates. Following the expiry of agreements, indexation for the Public Service Sector is provided at two per cent. Council is currently involved in Enterprise Agreement negotiations.
- Budget Paper No 2, Volume 1, page 15, provides a summary of the recommendations arising from the Premier's Economic and Social Recovery Advisory Council's (PESRAC) Interim Report. Recommendation 25 states that "local government should prioritise the resourcing of development applications and planning approvals to ensure that legislative

timeframes are met, if not bettered.” This recommendation has financial and resourcing implications for Council given our record number of development applications received last year.

- Budget Paper No 2, Volume 1, page 9, provides advice of the removal of all remaining efficiency dividend requirements, from 2020-21 onwards, to support the ongoing delivery of Government services by the Tasmanian public sector. This is an acknowledgement of the requirement for an appropriately resourced public service sector a part of the state economic recovery. Similar considerations regarding Council’s efficiency dividend will need to be made by Council when setting its next budget.
- Budget Paper No 2, Volume 1, page 229, advises that \$300,000 has been allocated to finalise the Local Government Legislation Review commenced in 2018-19.

Other expenditure in Kingborough identified in the budget includes:

- \$7m for the Sandfly/Huon Highway intersection upgrade (includes Australian Govt funding)
- \$7.5m for Bruny Island landside infrastructure. The works will upgrade the capacity of the ferry terminals.
- Funding for new Child & Family Learning Centre at Kingston to be delivered and operational by 2023.
- Funding for new and upgraded police housing at Alonnah and Woodbridge
- \$3m for the Taroona High School project to provide contemporary learning areas, support spaces and music/drama facilities.
- Huntingfield land release project 470 lots

The General Manager (GM) attended the State Budget Breakfast to hear the Treasurer discuss the budget, answer questions and outline the thinking behind its preparation.

Attendance by the GM at the breakfast was at no cost to Council.

*Gary Arnold, General Manager*

## C14/1-2021

### 12.2 Southern Cross Care

At the Council meeting on 14 December 2020, **Cr Wriedt** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

*On page 143 of the Agenda, the General Manager met with Southern Cross Care regarding the future of Mary’s Grange. Could the General Manager provide some advice on that meeting when he returns?*

#### **Officer’s Response:**

The meeting was held to discuss the decision by Southern Cross Care (SCC) to close the Mary’s Grange Aged Care Home at Taroona. SCC made the decision as the ageing building has come to the end of its fit for purpose life.

The closure involves a phased relocation of existing residents and staff to move to their choice of SCC facility. SCC advised the building will be decommissioned and redeveloped. Plans for the site have not been confirmed but the site will remain with SCC and will not be sold.

*Gary Arnold, General Manager*

**C15/1-2021**

**12.3 Kingston Park Playground**

**Cr Jo Westwood** submitted the following question on notice:

*Can Council please provide an update on the Kingston Park playground? Including:*

- *what is the anticipated completion date of the playground and when can the community expect to access its facilities?*
- *will the toilets at the Community Hub be open to the public while using the playground, including of a weekend? Will there be time restrictions in place?*

**Officer's Response:**

The playground is scheduled for completion and opening to the community in early March 2021. Toilet facilities at the Hub will be open without time restrictions in place, although this arrangement will be subject to ongoing monitoring of vandalism levels.

*Daniel Smee, Director Governance, Recreation & Property*

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**OPEN SESSION ADJOURNS**

## PLANNING AUTHORITY IN SESSION

Planning authority commenced at 5.57pm

### 13 OFFICERS REPORTS TO PLANNING AUTHORITY

C16/1-2021

(commences at ± 29 minutes of audio recording)

#### 13.1 PILOT ROCK LOBSTER HATCHERY INCLUDING THE CONSTRUCTION OF NEW COMMERCIAL BUILDING, DEMOLITION OF EXISTING BUILDINGS AND REMOVAL OF VEGETATION

Moved: Cr Christian Street

Seconded: Cr Steve Wass

That the Planning Authority resolves that the development application for pilot rock lobster hatchery including the construction of new commercial building, demolition of existing buildings and removal of vegetation for Ireneinc Planning 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-2020-209 and Council Plan Reference No. P1 submitted on 11 August 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. Eleven (11) native trees as identified in the arborist assessment (Element Tree Services, 1 July 2020) and Council Plan Reference No. P1 received on 11 August 2020 are approved for removal to accommodate the proposed development.

No native vegetation is to be removed prior to the issue of a Building Permit for the development.

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

3. To offset the loss of three (3) trees of high conservation value (comprising Eucalyptus viminalis trees with a DBH >25cm) and six (6) trees of very high conservation value (comprising E. viminalis, E. ovata and E. pulchella with a dbh >70cm), an offset of \$3750 must be paid into Council's Environmental Fund, to be used to manage and conserve habitat for the swift parrot and forty-spotted pardalote in the vicinity of Tarroona.

This offset must be paid prior to the issue of a Building Permit and removal of the trees.

4. Plans submitted for building approval for the development must demonstrate that the development will utilise low reflectivity glazing on the large windows on the east elevation as shown in Council Plan Reference P1 received on 11 August 2020.
5. Engineering design drawings must be submitted to Council for approval. Plans must be to satisfaction of the Executive Manager - Engineering Services and Manager Development Services and comply with the following:
  - (a) be in accordance with the Tasmanian Standard construction drawings;
  - (b) include, but not be limited to, adequately detailed internal vehicular and pedestrian access, carparking, manoeuvring areas, water reticulation and drainage services as follows.

- long and cross sections of the driveway/access road
  - cut and fill batters and any stabilisation work required
  - contours, finish levels and gradients of the driveway/access road
  - drainage and lighting provisions
  - pavement construction; and
  - the provision of passing bays;
- (c) incorporate water sensitive urban design principles to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the Kingborough Interim Planning Scheme 2015. Supporting documentation with associated hydraulic calculations and MUSIC modelling must be submitted;
- (d) provide long section details for the proposed stormwater drainage system;
- (e) ensure retaining walls (if any) greater than 1m in height are designed and certified by a Registered Professional Engineer;
- (f) include a tree plan to the satisfaction of the Manager Development Services which:
- (i) identifies the location, diameter at chest height and species of trees with a diameter >25cm at 1.5m from natural ground level within 15m of any works;
  - (ii) clearly identifies which trees are to be removed and which are to be retained, consistent with the arborist assessment (Element Tree Services, 1 July 2020) and Council Plan Reference No. P1 received on 11 August 2020;
  - (iii) demonstrates that the proposed development and associated infrastructure are designed and located to retain trees identified for retention;
  - (iv) details mitigation and protection measures to be implemented to minimise the impacts of the development on the health of the trees being retained and avoid their loss within the scope of the approved development; and
  - (v) is endorsed by a suitably qualified arborist as being in accordance with Australian Standard 4970-2009 for the protection of trees on development sites.

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

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

Once endorsed, these plans will form part of the permit.

6. Prior to the commencement of any on-site works, landscaping plans must be submitted for approval by Council's Manager Development Services.

The landscape plan must be prepared by a suitably qualified person and be at a suitable scale, and indicate the following:

- (a) landscaping along the western side boundary adjacent to Council's existing recreation facilities;
- (b) outline of the proposed buildings;
- (c) proposed planting by quantity, genus, species, common name, expected mature height and plant size;
- (d) existing trees to be retained and proposed measures to be carried out for their preparation and protection during construction;
- (e) earth shaping proposals, including retaining wall(s);

- (f) fencing, paths and paving (indicating materials and surface finish)

Unless otherwise agreed in writing by the Manager Development Services, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose.

The landscaping shown on the endorsed landscaping plan must be completed prior to the occupation of the building.

7. Prior to the commencement of any on-site works, including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, a "start works" notice must be lodged with Council.

This notice must be lodged a minimum of 14 days prior to commencement of on-site works and works must not commence until this notice has been approved by the Manager Development Services.

8. Prior to the commencement of any on-site works (including any tree removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), all remaining native vegetation, including individual trees identified for retention in Council Plan Reference No. P1 received on 11 August 2020, must be retained and appropriately protected during construction through the installation of temporary fencing between any on-site works and adjacent native vegetation in accordance with AS 4970-2009 to exclude:

- (a) machine excavation including trenching;
- (b) excavation for silt fencing;
- (c) cultivation;
- (d) storage;
- (e) preparation of chemicals, including preparation of cement products;
- (f) parking of vehicles and plant;
- (g) refuelling;
- (h) dumping of waste;
- (i) wash down and cleaning of equipment;
- (j) placement of fill;
- (k) lighting of fires;
- (l) soil level changes;
- (m) temporary or permanent installation of utilities and signs; and
- (n) physical damage to the tree(s).

Evidence of satisfactory installation of this fencing must be provided to the Manager Development Services prior to the commencement of any on-site works.

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

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

- (iv) development and associated works are not permitted unless otherwise approved by Council in writing.
9. The construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Executive Manager - Engineering Services and Manager Development Services and include the following:
- 'No Parking'/'Keep Clear' signage must be installed for the turning bay;
  - the vehicular access/driveway, car parking areas and vehicle manoeuvring areas must be of a sealed construction with associated drainage provision and comply with Australian Standard AS2890.1:2004 (Off-street car parking);
  - parking spaces, vehicular circulation roadways and pedestrian walkways must be marked, and wheel stops must be installed for parking spaces;
  - parking and vehicle circulation roadways and pedestrian paths must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting;
  - stormwater discharge from all new impervious areas must be disposed of by gravity to Council's stormwater infrastructure or council approved discharge point. All components of the stormwater water drainage system including proposed stormwater treatment unit must be installed; and
  - establishment and maintenance of tree protection measures in accordance with the endorsed tree plan and Condition 2.
10. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Executive Manager – Engineering Services.
11. 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
12. Noise emissions measured at the boundary of a residential zone must not exceed the following:
- 55dB(A) (LAeq) between the hours of 7.00am to 7.00pm;
  - 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00pm to 7.00am;
  - 65dB(A) (LAmax) at any time.
- Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.
- Noise levels are to be averaged over a 15 minute time interval.
13. Mechanical plant, roof top infrastructure, and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar must be screened from view of the street and other public spaces.
14. 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.

15. The conditions as determined by the Board of the Environment Protection Authority (EPA), and set out in Schedule 2 of the attached Appendix A, form part of this permit.
16. The conditions as determined by TasWater, and set out in the attached Appendix B, 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 obtain a Plumbing Permit for the development prior to commencing construction.
- 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.

**CARRIED**



## Submission to Planning Authority Notice

Council Planning Permit No.	DA-2020-209	Council notice date	28/04/2020
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2020/00543-KIN	Date of response	15/09/2020
TasWater Contact	Daria Rech Greg Cooper (Trade Waste)	Phone No.	0474 916 179 0459 069 276
<b>Response issued to</b>			
Council name	KINGBOROUGH COUNCIL		
Contact details	kc@kingborough.tas.gov.au		
<b>Development details</b>			
Address	31 NUBEENA CRES, TAROONA	Property ID (PID)	3584531
Description of development	Construction of new commercial building, demolition of some existing buildings and removal of vegetation		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Gandy and Roberts	Siteworks Plan / 18.0271 / C020	A	02/03/2020
Gandy and Roberts	Concept Sewer & Stormwater Plan/18.0271/C040	D	14/08/2020
Preston Lane	Site Plan / 18078 / A01-00	7a	30/03/2020
<b>Conditions</b>			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:			
<b>CONNECTIONS, METERING &amp; BACKFLOW</b>			
<ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connections and sewerage system and connections to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>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.</li> <li>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.</li> </ol> <p><i>Advice:</i> In accordance with TasWater's Boundary Backflow Containment Selection Requirements, the hazard rating for site is considered 'HIGH'.</p>			
<b>TRADE WASTE</b>			
<ol style="list-style-type: none"> <li>4. Prior to the commencement of operation the developer/property owner must obtain Consent to discharge Trade Waste from TasWater.</li> <li>5. The developer must install appropriately sized and suitable pre-treatment devices prior to gaining Consent to discharge.</li> <li>6. The developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent, and as per Drawing C040 Rev D dated (14/08/2020).</li> </ol>			



#### DEVELOPMENT ASSESSMENT FEES

7. The applicant or landowner as the case may be, must pay a development assessment fee of \$351.28 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

##### General

For information on TasWater development standards, please visit

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

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

##### Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

##### Trade Waste

Prior to any Building and/or Plumbing work being undertaken, the applicant will need to make an application to TasWater for a Certificate for Certifiable Work (Building and/or Plumbing). The Certificate for Certifiable Work (Building and/or Plumbing) must accompany all documentation submitted to Council. Documentation must include a floor and site plan with:

- Location of all pre-treatment devices
- Schematic drawings and specification (including the size and type) of any proposed pre-treatment device and drainage design; and
- Location of an accessible sampling point in accordance with the TasWater Trade Waste Flow Meter and Sampling Specifications for sampling discharge.

At the time of submitting the Certificate for Certifiable Work (Building and/or Plumbing) a Trade Waste Application together with the General Supplement form is also required.

If the nature of the business changes or the business is sold, TasWater is required to be informed in order to review the pre-treatment assessment.

The application forms are available at <http://www.taswater.com.au/Customers/Liquid-Trade-Waste/Commercial>.

#### Declaration

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

#### Authorised by

Jason Taylor

Development Assessment Manager

#### TasWater Contact Details

Phone	13 6992	Email	<a href="mailto:development@taswater.com.au">development@taswater.com.au</a>
Mail	GPO Box 1393 Hobart TAS 7001	Web	<a href="http://www.taswater.com.au">www.taswater.com.au</a>



Tasmanian Heritage Council  
GPO Box 618 Hobart Tasmania 7000  
Tel: 1300 850 332  
[enquiries@heritage.tas.gov.au](mailto:enquiries@heritage.tas.gov.au)  
[www.heritage.tas.gov.au](http://www.heritage.tas.gov.au)

PLANNING REF: DA2020-209  
THC WORKS REF: 6248  
REGISTERED PLACE NO: 10887  
APPLICANT: Orna-tas Pty Ltd  
DATE: 10 December 2020

## NOTICE OF HERITAGE DECISION

(*Historic Cultural Heritage Act 1995*)

The Place: Taroona Animal Quarantine Station,  
31 Nubeena Crescent, Taroona.  
Proposed Works: Demolition of existing structures and tree removal for construction  
of new building (lobster hatchery), and associated car park and land-  
scaping works.

Under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*, the Heritage Council  
gives notice that it consents to the discretionary permit being granted in accordance  
with the documentation submitted with Development Application DA-2020-209,  
referred to the Tasmanian Heritage Council on 03/12/2020.

Please ensure the details of this notice are included in any permit issued and forward a  
copy of the permit or decision of refusal to the Heritage Council for our records.

Should you require clarification of any matters contained in this notice, please contact  
Russell Dobie on 0458 326828.

A handwritten signature in purple ink, appearing to read 'Ian Boersma'.

Ian Boersma  
**Works Manager – Heritage Tasmania**  
*Under delegation of the Tasmanian Heritage Council*

## OPEN SESSION RESUMES

Open session resumed at 6.17pm

### 14 NOTICES OF MOTION

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

### 15 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

### 16 PETITIONS RECEIVED IN LAST PERIOD

**C17/1-2021**

*(commences at ± 48 minutes of audio recording)*

**16.1 REPAIR OR REPLACE COLLAPSED ROAD SURFACE IN VILLAGE DRIVE, KINGSTON**

Moved: Cr Gideon Cordover  
Seconded: Cr Amanda Midgley

That the petition containing 150 signatures be received and referred to the appropriate Department for a report to Council.

**CARRIED**

### 17 OFFICERS REPORTS TO COUNCIL

**C18/1-2021**

*(commences at ± 49 minutes of audio recording)*

**17.1 SMOKE-FREE AREA DECLARATION - KINGSTON PARK PLAYGROUND**

Moved: Cr Amanda Midgley  
Seconded: Cr Paula Wriedt

That Council approve the smoke-free area declaration for the Kingston Park playground (Stage 1 of public open space) in accordance with Attachment A and the process outlined in this report.

**CARRIED**

**C19/1-2021**

*(commences at ± 52 minutes of audio recording)*

**17.2 KINGSTON PARK PUBLIC OPEN SPACE - STAGE TWO**

Moved: Cr Gideon Cordover  
Seconded: Cr Amanda Midgley

That Council endorse the use of the funds made available from the Commonwealth Government's Phase 2 'COVID-19 Local Roads and Community Infrastructure Program' for the upgrade of the Kingston Park's Stage 2 public open space area as described within this report.

**CARRIED**

**C20/1-2021**

(commences at ± 1 hour, 8 minutes of audio recording)

**17.3 FEE EXEMPTIONS AND REDUCTIONS POLICY**

Moved: Cr Christian Street  
Seconded: Cr Amanda Midgley

That Council endorse the update of Policy 1.17 *Fee Exemptions and Reductions*, as attached to this report.

**CARRIED**

**C21/1-2021**

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

**17.4 FINANCIAL REPORT - DECEMBER 2020**

Moved: Cr Gideon Cordover  
Seconded: Cr Paula Wriedt

That Council endorses the attached Financial Report at 31 December 2020

**CARRIED**

**C22/1-2021**

**18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

Moved: Cr Amanda Midgley  
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*

**CARRIED AND BY ABSOLUTE MAJORITY**

In accordance with the Kingborough Council *Meetings Audio Recording Guidelines Policy*, recording of the open session of the meeting will now cease.

Open Session of Council adjourned at 6.54pm

**OPEN SESSION ADJOURNS**

## OPEN SESSION RESUMES

Open Session of Council resumed at

**C23/1-2021**

Moved: Cr Paula Wriedt  
Seconded: Cr Sue Bastone

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

**CARRIED**

## CLOSURE

There being no further business, the Chairperson declared the meeting closed at 6.58pm

.....  
(Confirmed)

.....  
(Date)