

Kingborough



COUNCIL MEETING MINUTES

1 July 2024

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 2022 - 2026



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Clare Glade-Wright



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson



Councillor Christian Street

Table of Contents

Item		Page No.
	1 Audio Recording	1
	2 Acknowledgement of Traditional Custodians	1
	3 Attendees	1
	4 Apologies	1
C178/12-2024	5 Confirmation of Minutes	2
	6 Workshops held since Last Council Meeting	2
C179/12-2024	7 Declarations of Interest	2
	8 Transfer of Agenda Items	2
	9 Questions without Notice from the Public	2
	10 Questions on Notice from the Public	2
	11 Questions without Notice from Councillors	2
	12 Questions on Notice from Councillors	2
	13 Officers Reports to Planning Authority	3
C180/12-2024	13.1 DA 2024-20 - Development Application for Dwelling, Ancillary Dwelling and Two (2) shipping containers at 39 Hollyhock Drive, Kingston.	3
	14 Petitions still being Actioned	7
	15 Petitions Received in Last Period	7
	16 Officers Reports to Council	7
C181/12-2024	16.1 Copping Refuse Disposal Site Joint Authority - Proposed Rule Changes	7
C182/12-2024	16.2 Draft Margate Masterplan	7
C183/12-2024	16.3 Draft Kingborough Health and Wellbeing Strategy 2024 - 2029	7
C184/12-2024	16.4 Appendices	8
	17 Notices of Motion	8
C185/12-2024	18 Confirmation of Items to be Dealt with In Closed Session	8

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 1 July 2024 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 P Wriedt	✓
Deputy Mayor Councillor C Glade-Wright	✓
Councillor A Antolli	✓
Councillor D Bain	✓
Councillor G Cordover	✓
Councillor K Deane	✓
Councillor F Fox	✓
Councillor A Midgley	✓
Councillor M Richardson	✓
Councillor C Street	✓

Staff:

Chief Executive Officer	Mr Dave Stewart
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Engineering Services	Mr David Reeve
Director Environment, Development & Community Services	Ms Deleeze Chetcuti
Manager Development Services	Ms Tasha Tyler-Moore
Statutory Planner	Ms Sadhana KC
Media & Communications Advisor	Ms Sam Adams
Executive Assistant	Mrs Amanda Morton

4 APOLOGIES

There were no apologies.

C1/12-2024

5 CONFIRMATION OF MINUTES

Moved: Cr Flora Fox
Seconded: Cr David Bain

That the Minutes of the open session of the Council Meeting No. 11 held on 17 June 2024 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

No workshops had been held

C2/12-2024

7 DECLARATIONS OF INTEREST

Cr Cordover declared an interest in the report headed 'Copping Refuse Disposal Site Joint Authority – Proposed Rule Changes'.

8 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

There were no questions without notice.

10 QUESTIONS ON NOTICE FROM THE PUBLIC

There were no questions on notice from the public.

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

There were no questions without notice.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from Councillors.

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.34pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C3/12-2024

13.1 DA 2024-20 - DEVELOPMENT APPLICATION FOR DWELLING, ANCILLARY DWELLING AND TWO (2) SHIPPING CONTAINERS AT 39 HOLLYHOCK DRIVE, KINGSTON

Moved: Cr Clare Glade-Wright

Seconded: Cr Amanda Midgley

Moved Cr Antolli

Seconded Cr Midgley

That the matter be discussed.

CARRIED

Cr Richardson left the room at 6.42pm

Cr Richardson returned at 6.44pm

That the Planning Authority resolves that the development application for the dwelling, ancillary dwelling and two (2) shipping containers at 39 Hollyhock Drive, Kingston be approved subject to the following conditions:

1. Before the approved development commences, amended plans to the satisfaction and approval of the Manager Development Services must be submitted to and approved. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans P1 and P2 submitted on 14 May 2024 and 11 June 2024 and must demonstrate:
 - (a) installation of privacy treatment to all upper-level windows on the northern elevation (including: 'W13', 'W14', 'W17' and 'W18', as shown on the advertised plans) with inclusion of:
 - (i) permanently fixed external screens for the full width of the windows, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%; or
 - (ii) achieve a sill height of not less than 1.7m above the floor level; or
 - (iii) have fixed obscure glazing extending to a height of not less than 1.7m above the floor level.
 - (b) landscape plan in accordance with permit condition 5;

Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with the endorsed plans (and/or reports).

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. This approval is only for a single residential dwelling, with a single ancillary dwelling, as defined by the *Kingborough Interim Planning Scheme 2015*.

Advice: No approvals have been granted for boarding house, multiple tenancy, multiple unit development, accommodation facility and/or other commercial use/operations from the lot and the proposed buildings.

Any alterations to the main dwelling creating a separate self-contained multi-unit dwelling within the building or change of use from single dwelling to other uses will not be permitted without further approvals from Council.

3. The use of the proposed shipping containers must be for storage associated with approved single residential dwelling purposes only.

The shipping containers must not be used for separate self-contained residential purposes and for any commercial or industrial activity at any time without the written consent of Council.

4. The dwelling must not exceed a maximum height of 7.51m above the natural ground level in accordance with approved plans.

Advice: Any variations to the proposed two-storey dwelling height or its setback from the lot boundaries resulting the dwelling to contain outside of the allowed building envelope will be subject to further approvals from Council.

5. Before the approved development commences, 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) planting between the dwelling and frontage and along the driveway
- 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); and
- g) proposed maintenance program.

Once endorsed the plans will form part of the permit.

Landscaping must be provided prior to occupation of the new dwelling to the satisfaction of the Council's Manager Development Services.

Advice: It is recommended that the consideration be given to Council's *Landscape Guideline (Preparing a Landscape Plan)*, which is available on Council's website.

6. The ancillary dwelling must:
 - a) not exceed a floor area greater than 60m²;
 - b) share all access and parking, sewer and water, gas, electricity and telecommunications connections and meters with the main dwelling;
 - c) not be used for visitor accommodation without prior consent of Council;

- d) be contained on the same title as the main dwelling and must not be located on its own lot created under the *Strata Titles Act 1998*.
7. Bushfire hazard management measures for the use and development, including construction to BAL-LOW, vegetation removal or modification to establish the hazard management area, water supply and access, must be in accordance with Council Plan Ref P1 and the Part 5 Agreement (Dealing No. E132828).
- Advice: Documentation submitted for building approval must demonstrate compliance with these measures.
8. 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 Weed and Disease Planning and Hygiene Guidelines 2015 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.
9. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.
10. 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 Director Engineering Services.

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. An application for Notifiable Plumbing Work must be lodged with Council before commencing any work.
- 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. All Aboriginal Heritage is protected under the Aboriginal Heritage Act 1975. A property search indicated that there may be a risk of impacting registered Aboriginal Relics at the subject site. The owner is advised to seek further advice from Aboriginal Heritage Tasmania. If at any time during works Aboriginal heritage is suspected, the process outlined in the Unanticipated Discovery Plan provided by Aboriginal Heritage Tasmania should be immediately implemented.

- F. The property is also subject to restrictive covenants registered in the title as 'Instrument Creating Restrictive Covenants' under dealing number 'E100035'.

These covenants are created from the agreement between the Vendor and the property owners. Whilst Kingborough Council is not a party to this covenant and therefore these covenants are not enforced by Council; it is owners' responsibility to ensure compliance with all relevant covenants applicable to the subject property.

- G. It is recommended that non-reflective screening or finishes (ie painting or cladding) be applied using muted tones to soften the external appearance of the shipping containers, where visible from outside the site.

CARRIED

Public Copy

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 7.07pm

Meeting adjourned at 7.08pm

Meeting resumed at 7.20pm

14 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

15 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

16 OFFICERS REPORTS TO COUNCIL

C4/12-2024

16.1 COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY - PROPOSED RULE CHANGES

Moved: Cr Gideon Cordover

Seconded: Cr David Bain

That Kingborough Council

- (a) Endorses the proposed amendments to the Rules of the Copping Refuse Disposal Site Authority as agreed by the Authority at its meeting on 23 May 2024, and
- (a) Approves advertising the proposed amendments to the Rules in accordance with the requirements of the *Local Government Act 1993 (Tas)*.

CARRIED

C5/12-2024

16.2 DRAFT MARGATE MASTERPLAN

Moved: Cr Aldo Antolli

Seconded: Cr Gideon Cordover

That Council approve the release of the attached Draft Margate Masterplan 2024-2044 for community feedback.

CARRIED

C6/12-2024

16.3 DRAFT KINGBOROUGH HEALTH AND WELLBEING STRATEGY 2024 - 2029

Moved: Cr Amanda Midgley

Seconded: Cr Clare Glade-Wright

That Council approve the release of the attached Draft Kingborough Health and Wellbeing Strategy 2024 – 2029 for public comment.

CARRIED

C7/12-2024**16.4 APPENDICES**

Moved: Cr Christian Street
Seconded: Cr Amanda Midgley

That the Appendices attached to the Agenda be received and noted.

CARRIED

17 NOTICES OF MOTION

There were no Notices of Motion.

C8/12-2024**18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

Moved: Cr Flora Fox
Seconded: Cr David Bain

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

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 7.48pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 7.51pm

C9/12-2024

Moved: Cr Flora Fox
Seconded: Cr Amanda Midgley

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Approved

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 7.52pm

.....
(Confirmed)

.....
(Date)