



# COUNCIL MEETING AGENDA

NOTICE is hereby given that an Ordinary meeting of the Kingborough Council will be held in the Kingborough Civic Centre, 15 Channel Highway, Kingston on  
Monday, 20 June 2022 at 5.30pm

# Kingborough Councillors 2018 - 2022



**Mayor**  
**Councillor Paula Wriedt**



**Deputy Mayor**  
**Councillor Jo Westwood**



**Councillor Sue Bastone**



**Councillor Gideon Cordover**



**Councillor Flora Fox**



**Councillor Clare Glade-Wright**



**Councillor David Grace**



**Councillor Amanda Midgley**



**Councillor Christian Street**



**Councillor Steve Wass**

# QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports contained in Council Meeting Agenda No. 12 to be held on Monday, 20 June 2022 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Gary Arnold  
GENERAL MANAGER

Tuesday, 14 June 2022

Public Copy

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## **GUIDELINES FOR PUBLIC QUESTIONS**

### **Section 31 of the *Local Government (Meeting Procedures) Regulations 2015***

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Questions from the public may either be submitted to the General Manager in writing or asked verbally at an Ordinary Council meeting. Any question asked must only relate to the activities of Council [Section 31(2)(b)].

This guideline is provided to assist the public with the requirements of Public Question Time as set out in the *Local Government (Meeting Procedures) Regulations 2015* as well as determinations made by Council. You are reminded that the public question forum is designed to accommodate questions only and neither the questions nor answers will be debated.

#### **Questions on Notice**

Written questions on notice must be received at least seven (7) days before an Ordinary Council meeting [Section 31(1)] and must be clearly headed 'Question/s on Notice'. The period of 7 days includes Saturdays, Sundays and statutory holidays but does not include the day on which notice is given or the day of the Ordinary Council meeting [Section 31(8)].

#### **Questions Without Notice**

The Chairperson of an Ordinary Council meeting must ensure that, if required, at least 15 minutes is made available for public questions without notice [Section 31(3)]. A question without notice must not relate to any matter that is listed on the agenda for that meeting.

A question by any member of the public and an answer to that question is not to be debated at the meeting [Section 31(4)]. If a response to a question cannot be provided at the meeting, the question will be taken on notice and will be included in the following Ordinary Council meeting agenda, or as soon as practicable, together with the response to that question.

There is to be no discussion, preamble or embellishment of any question asked without notice, and the Chairperson may require that a member of the public immediately put the question.

The Chairperson can determine whether a question without notice will not be accepted but must provide reasons for refusing to accept the said question [Section 31 (6)]. The Chairperson may require a question without notice to be put on notice and in writing.

The Chairperson may rule a question inappropriate, and thus inadmissible if in his or her opinion it has already been asked, is unclear, irrelevant, offensive or relates to any matter which would normally be considered in Closed Session. The Chairperson may require that a member of the public immediately put the question.

AGENDA of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 20 June 2022 at 5.30pm

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**1 AUDIO RECORDING**

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The Chairperson will declare the meeting open, welcome all in attendance and advise that Council meetings are recorded and made publicly available on its website. In accordance with Council's policy the Chairperson will request confirmation that the audio recording has commenced.

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**2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

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**3 ATTENDEES**

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**Councillors:**

Acting Mayor Councillor J Westwood  
Councillor S Bastone  
Councillor G Cordover  
Councillor F Fox  
Councillor C Glade-Wright  
Councillor D Grace  
Councillor A Midgley  
Councillor C Street  
Councillor S Wass

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**4 APOLOGIES**

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Mayor, Cr Paula Wriedt

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**5 CONFIRMATION OF MINUTES**

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**RECOMMENDATION**

That the Minutes of the open session of the Council Meeting No. 10 held on 6 June 2022, and the Special Council Meeting No. 11 held on 14 June 2022, be confirmed as a true record.

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**6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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There have been no workshops held.

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## 7 DECLARATIONS OF INTEREST

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In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have, a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

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## 8 TRANSFER OF AGENDA ITEMS

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Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

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## 9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

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## 10 QUESTIONS ON NOTICE FROM THE PUBLIC

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### 10.1 SPORTS CLUB HIRE FEES

**Mr Adam Smeeth** submitted the following question on notice:

*Council is soon to start charging sports clubs a hire fee for the use of its facilities. Could Council please advise what additional services will be provided to the clubs in return for this additional fee?*

**Officer's Response:**

The re-introduction of sports ground user fees is intended to recover a small percentage of the annual cost of \$1 million spent by Council on turf maintenance. It is not designed to be a fee for service but will assist in enabling current standards to be maintained by offsetting increasing operational costs associated with the provision of sports grounds.

*Su Sprott – Recreation Officer*

### 10.2 SPORTS GROUND USER FEES

**Mr Kaspar Deane** submitted the following question on notice:

*Following correspondence received by Kettering Cricket Club on May 23 re: 'Implementation of Sports Ground User Fees', members of our committee were appreciative to have had Scott Wade meet with us to discuss the new policy. Following that meeting, our committee has the following questions for Council:*

- 1. On what basis were the average annual hours p.a. calculated? Was this based on the 2021-22 season? If so, was the severe impact of weather and covid-19 taken into account?*
- 2. Given funds within small community clubs like ours are scarce, knowing what expenses are due in advance is hugely beneficial to keeping afloat. In this respect, would KC consider providing each club with a set annual fee during the five-year implementation phase rather than rely on average hourly use which historically has fluctuated significantly based on external factors?*

3. *For clubs like Kettering CC who have junior programs or are considering creating a women's team, will KC consider concessions to help ensure participation rates aren't impacted? For example, providing a free or reduced hourly rate for hire involving juniors?*
4. *KC acknowledges the risk that this policy may lead to some clubs becoming financially unviable. What safeguards or guarantees can KC provide to ensure this doesn't happen?*
5. *Kettering CC, alongside other Kingborough-based clubs, compete against clubs in the Huon Valley LGA who have different ground user charges. Does \$15 p/hr exceed those? And if so, will KC take steps to ensure Kingborough-based clubs are not financially disadvantaged?*
6. *With the support of government grants, Kettering CC has had over \$100,000 invested to improve its facilities e.g. pitch, training nets, clubrooms, oval fence. Given this investment has helped reduce KCs future capital works expenditure, can clubs like ours be reassured that increased revenue from this policy will be tied to improving sports facilities?*
7. *In the Huon and Channel Cricket Association's meeting minutes dated 18 March, the association states there 'has only been 1 consultation via phone call' during the consultation phase. Can KC confirm this and outline what other consultation occurred with HCCA clubs when developing the ground user charge policy?*
8. *KC's own report states 'it would be reasonable to estimate that \$220,000 of new revenue could be generated from sports ground user fees' over the next 10-15 years. Given annual revenue at the end of the five-year implementation phase will be \$100,920, can clubs expect charges to double again (i.e. \$30 p/h) so that figure of \$220,000 is reached?*

**Officer's Response:**

1. Average hours were based on a typical season, with recent anomalies due to the impact of wet weather and COVID-19 taken into account.
2. Consideration was given to a set annual fee in the development of the model. Whilst it is acknowledged that it has some advantages, it does not allow for flexibility in relation to fluctuating usage. On balance, the hourly rate model is considered to be fairer and provides greater transparency in relation to actual usage. It is proposed to invoice clubs quarterly in arrears, to account for any factors that may prevent use of the ground, as was the case with the wet weather interrupting the first part of the 2021-22 Summer season.
3. Irrespective of whether a ground is used by seniors or juniors, the cost to maintain it does not change. Council has set a low hourly rate across the board that takes into account the fact that a proportion of the usage by clubs will be for junior teams. It is noted that Council does not provide a differential senior/junior fee structure for court hire fees at the Kingborough Sports Centre (other than casual use) or for use of community halls.
4. Council's resolution of 16 May 2022 included a provision that reviews of the impact of the re-introduction of fees on Clubs will be undertaken as part of the Seasonal Tenancy Application Procedures.
5. It is noted in the Huon Valley Council Fees and Charges that each club is expected to pay \$1,000 per annum towards their venue. However, the detail of individual arrangements is not known and ultimately has no bearing on the decisions of Kingborough Council.
6. The intent of charging user fees is to offset some of the annual operational costs incurred by Council in maintaining sports grounds. It is not intended that revenue generated will be quarantined for capital expenditure on sporting facilities.
7. Initial consultation on this matter took place at a club level rather than with the Huon Channel Cricket Association. The latter was informed via phone call that the topic was being discussed

with member clubs. All Kingborough based HCCA clubs were contacted via email on 7 March 2022 about the proposed implementation of sports ground user fees, with a follow up phone call made to Club Presidents. Since Council's resolution of 16 May, further consultation with clubs has been undertaken, including in-person meetings with club representatives.

8. The figure of \$220,000 is a projection that includes income derived from all users of Council's sportsgrounds – not just local clubs. External and casual hirers, along with fees from major sporting events (eg the use of the Twin Ovals as a training venue for the ICC Men's T20 World Cup) are factored into this projection, along with increased usage of facilities associated with population growth in the Municipal Area.

*Daniel Smee, Director Governance, Recreation & Property Services*

### 10.3 OSBORNE ESPLANADE UPGRADE

**Mr Roger Tonge** submitted the following question on notice:

*On the 12th May, in response to previous questions asked relating to Osborne Esplanade, I was advised that the \$1.66 million included in the capital expenditure budget for 23/24 and 24/25 was sufficient to complete the Osborne Esplanade upgrade, namely stages 6 and 7.*

*Bearing in mind that the existing pedestrian walkway is in places barely a meter wide. Car parking provisions and the intention to retain the majority of the existing trees will likely limit the extent to which the existing walkway can be widened. Can you please advise in more detail what works are intended to be undertaken that will provide a significantly wider and safer pedestrian walkway, will the walkway be extended over the sea wall as has already occurred at the southern end of the Esplanade?*

#### **Officer's Response:**

Detailed design is yet to be completed but it is expected that some decking will be in place for part of the area to allow appropriate width and protection of tree zones. This has been allowed for in the estimate of works.

*David Reeve, Director Engineering Services*

### 10.4 BROWN'S RIVER BRIDGE

**Mr Roger Tonge** submitted the following question on notice:

*In response to an earlier question, advice was given that the existing bridge is still structurally sound but no longer meets community needs.*

*As a dog walker and current bridge user, usually multiple times per day, the existing bridge caters adequately for pedestrians, joggers, those persons with mobility equipment parents with prams and indeed cyclists when they dismount.*

*Can you please advise what community needs are not being met?*

#### **Officer's Response:**

In particular, the width of the current path is not sufficient to provide appropriate functionality for the volumes of the various users of this popular linkage.

*David Reeve, Director Engineering Services*



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## 11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

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## 12 QUESTIONS ON NOTICE FROM COUNCILLORS

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### 12.1 STEPS ONTO KINGSTON BEACH

At the Council meeting on 6 June 2022, **Cr Wass** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

*At Kingston Beach opposite the shops where the pedestrian crossing is, to the southern end of that, there are some concrete steps going down to the beach and it has been interesting that there is a safety concern and I'd ask whether staff could undertake an audit review for safety issues. On both sides of those stairs, there are no hand railing and there is a large drop and I know elderly are concerned and mums are concerned with toddlers they are not going down steps, it's probably three steps, and just asking whether or not we can do an audit because it may well be a railing is required on both sides of those steps.*

#### Officer's Response:

Council has undertaken a risk assessment and reviewed the national construction code. A barrier is not required in this location, and other accessible access points are also within close proximity.

*Darren Johnson, Manager Works*

### 12.2 FIRE BUNKERS

**Cr Clare Glade-Wright** submitted the following question on notice:

*Given over 90% of Kingborough is considered to be bushfire prone, what process is available to allow a land owner the ability to seek and obtain approval for a bushfire shelter/bunker or similar structure ?*

#### Officer's Response:

A private bushfire shelter (sometimes referred to as a 'bushfire bunker') is a purpose-built structure which is an option of last resort where people can take refuge from the immediate life-threatening effects of a bushfire<sup>1</sup>.

The Tasmanian Fire Service advises the following in relation to private bushfire shelters:

*"a private bushfire shelter should never be relied upon as an alternative to leaving early or as a stand-alone bushfire safety solution. They should only be considered as a component of an integrated approach to bushfire protection and only as a last resort option"*<sup>1</sup>

The statutory approvals processes applicable to the installation of private bushfire shelters on land are primarily dictated in Tasmania through the *Land Use Planning and Approvals Act 1993* (LUPAA) and the *Building Act 2016* (Building Act).

The regulatory approvals framework has been designed to promote innovation of design in private bushfire bunkers but to also ensure safety within established performance standards to guarantee the construction of safe private bushfire bunkers with Tasmania.

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<sup>1</sup> Building For Bushfire, Private Bushfire Shelters, Tasmanian Fire Service, <https://www.kingborough.tas.gov.au/wp-content/uploads/2021/09/TFS-Private-Bushfire-Shelters-Info-Sheet-KC.pdf>

A building permit is always required before installing a private bushfire shelter, without exception. Further, depending on the planning scheme requirements (applicable zone overlays, development standards) a planning permit may be required. If landowners receive a planning permit for a private bushfire shelter for their land, this does not automatically infer that a building permit will be issued for the private bushfire shelter. The installation of a private bushfire shelter needs to meet non-related requirements and standards and if these requirements are not met, then approval cannot be granted.

The key objective of Building Act is to ensure that building, plumbing and demolition work is safe for the intended use. It is a requirement of Building Act that all building work (which includes the installation of a private bushfire shelter) meets the minimum requirements of the National Construction Code (NCC)<sup>2</sup>.

Private bushfire shelters are categorised as high-risk building work under the Building Act and can only be carried out if a Council has issued a building permit.

Under the building permit process, a Building Surveyor is required to certify that the private bushfire shelter is compliant with the relevant provisions of the NCC. An essential part of the Building Surveyors assessment process is to consider expert input from the Tasmanian Fire Department's - Chief Fire Officer (CFO). If the CFO believes that the proposal is not in accordance with the NCC, then the CFO will not support the proposal and the Building Surveyor, in most cases, would not certify the proposed bushfire shelter. The determination of the CFO will consider the site-specific fire risks. A Permit Authority cannot issue a building permit for a private bushfire shelter unless the building has been certified by the relevant Building Surveyor.

This process has similarities to other jurisdictions across Australia and is deemed by relevant Federal and State building authorities to be an appropriate approval process for these high-risk buildings.

#### *Accredited Bushfire Shelters & Illegally Installed Private Bushfire Shelters*

Some bushfire shelters in Victoria have been accredited as meeting the performance requirements by the Victorian Government's Building Regulations Advisory Committee. This has led some members of the Community to believe that no building permit is required for these models of private bushfire shelters. This is not the case. Within Tasmania a building permit is required to be in force for all private bushfire shelters prior to the installation of the building on a property (and the same is the case in the state of Victoria<sup>3</sup>).

The installation of a bushfire shelter without a building permit is classified as illegal building work under the Building Act and Council has an obligation under that legislation to take action..

Installing a bushfire shelter without a permit on the assumption that a retrospective building approval can be secured is not appropriate as the shelter may not be able to comply the relevant planning and building requirements. A non-compliant bushfire shelter must be rendered permanently incapable of being used or completely removed from the land.

More information on bushfire shelters is available on the Tasmanian Fire Department website at:

- <https://www.kingborough.tas.gov.au/wp-content/uploads/2021/09/TFS-Private-Bushfire-Shelters-Info-Sheet-KC.pdf>

*Andy D'Crus, Building and Plumbing Coordinator*

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<sup>2</sup> The National Construction Code is a performance-based code that sets the minimum requirements in relation structure, fire safety, access and egress, accessibility, health and amenity, and sustainability. All new buildings, new building work, and new plumbing and drainage systems must comply with the NCC.

<sup>3</sup> Private Bushfire Shelters, Victorian Building Authority,  
<https://www.vba.vic.gov.au/consumers/bushfire/private-bushfire-shelters>

### 12.3 HEADWORKS CHARGES AND DEVELOPER CONTRIBUTIONS

**Cr Gideon Cordover** submitted the following question on notice:

1. *How do Kingborough/Tasmania's headworks charges compare nationally?*
2. *Do new subdivisions in Kingborough typically 'pay their own way', whereby increased revenues to Council from a new subdivision offset the full amount of increased infrastructure and maintenance costs associated with a new subdivision's capital works including items such as pavements, roads, stormwater, playgrounds?*
3. *What progress is being made on making developers contribute their fair share for infrastructure improvements to help Kingborough adapt to a fast-growing population?*
4. *Is Kingborough Council able to regulate its own developers' fees and charges to fully recover costs incurred from population growth or are their other relevant jurisdictional authorities such as LGAT, State Government or the TPC that need to be engaged to achieve a full cost recovery for new subdivisions in Kingborough?*

**Officer's Response:**

1. Headworks charges (also known as infrastructure charges or development contributions or development levies) are fees that councils and infrastructure authorities collect from developers towards the supply of public infrastructure to meet the future needs of the community. Headwork charges ensure that development (especially urban growth) pays for its demand and impacts on public infrastructure.

Currently Kingborough Council does not charge developers any amount towards the cost of infrastructure. Relative to other states in Australia, Tasmania has a lower level of maturity to support the implementation of headworks charges. There is no single, coherent legislative framework in for applying infrastructure contributions in a consistent and predictable way, or that encourages the more advanced general charging approach with supporting guidance material for implementation. Instead, powers to levy charges for infrastructure are dispersed across a number of Acts and are isolated from the planning process. As a result, Tasmania almost entirely lacks headworks charging schemes.

2. Even though new development may contribute to increased revenues, rates are traditionally linked to the ongoing provision of recurrent services, facilities, and asset maintenance, and do not enable significant surplus for the provision of new capital works or the more substantial renewal of existing assets, impacted by the new subdivision.
3. LGAT is currently investigating headworks charging from other Australian states to see what can be learned and adapted in Tasmania. At its ordinary meeting of 1 November 2021, Kingborough Council endorsed a motion in support of this work. LGAT has commenced discussions with members and a variety of external stakeholders. Workshops with councils are forthcoming.
4. No, the powers to levy charges for infrastructure are currently isolated from the planning process and as such Council is unable to apply development charges. Kingborough Council will be working with LGAT to facilitate an equitable solution.

*Adriaan Stander, Strategic Planner*

## 12.4 TREE VALUATIONS

**Cr Gideon Cordover** submitted the following question on notice:

*In the 06 June 2022 Council agenda, a Question on Notice from Mr Roger Tonge was published regarding a \$60,000 expenditure for tree root protection for a Blue Gum on Osborne Esplanade near the intersection of Beach Road. The Officer's Response in the 6<sup>th</sup> of June agenda paper included the statement, "In considering the retention of the blue gum at this site Council sought a valuation of the tree. The valuation completed by an arborist applying the City of Melbourne Tree Valuation Method, was \$77,695. Therefore, given that the cost of the re-design works were less than the value of the tree it was a sound investment."*

*At 04 April 2022 Council meeting, a Biodiversity Offset Policy (the Policy) passed which included a provision for a financial offset of up to \$340 per high conservation value tree removed and up to \$570 per very high conservation value tree removed.*

*The Biodiversity Offset Policy agenda item made no mention whatsoever of the City of Melbourne Tree Valuation Method. However, in the Discussion section at 4.3 the report mentioned the Melbourne Strategic Assessment in which the levy for the loss of scattered trees is \$18,999 per tree and \$136,688 per hectare for clearing native vegetation (msa.vic.gov.au). Ultimately, Kingborough Council's Biodiversity Offset Policy adopted a much lower pricing framework of up to \$570 per very high conservation value tree and up to \$13,650 per hectare for the loss of high and moderate priority biodiversity. The updated Policy passed on the 4<sup>th</sup> of April included a once-off CPI adjustment and an "offset at a ratio of 1:5, for every one tree removed the offset requires five trees to be planted to lessen the risk that the trees won't survive to maturity".*

- 1. Why is the City of Melbourne Tree Valuation Method an appropriate metric for determining the cost-benefit of footpath upgrades, but an inappropriate metric for determining biodiversity offset prices for the removal of high and very high conservation value trees in the municipality?*
- 2. When describing the value of trees in Kingborough, under what circumstances will Council use the City of Melbourne Tree Valuation Method?*
- 3. How is it consistent for Council to accept an arborists assessment that a Blue Gum on Osborne Esplanade has a value of \$77,695, whilst simultaneously accepting that trees of the same species, height, and age, for the purposes of the Biodiversity Offset Policy are only worth a maximum of \$570?*
- 4. For consistency in reporting across the municipality, will Council henceforth be using the City of Melbourne Tree Valuation Method to determine the monetary value of trees in Kingborough?*

**Officer's Response:**

1. The key difference between the Melbourne Tree Valuation Method and setting rates for biodiversity offsetting is the elements that are considered in the valuation. The objective of biodiversity offsetting is to achieve a net gain in the extent and quality of biodiversity that is protected and managed for conservation. A biodiversity offset metric must therefore solely consider the cost of replacing the biodiversity value. This might be for example the cost of protecting and restoring a patch of threatened forest of the same type that is proposed for removal. However, when considering the loss of a mature tree in a public place, biodiversity is only one of the elements that will be lost. The City of Melbourne tree valuation method calculates the monetary amenity value of a tree in a public place. It can be seen from the formula it uses to attribute an economic value that it is made up of a range of elements:

Amenity Value (V) = Basic Value (\$) x Species (S) x Aesthetics (A) x Locality (L) x Condition (C).

The example provided in the question of the cost-benefit of removing a tree for a footpath in a public space requires the consideration of the full suite of values that tree provides in that setting, for example; shade, shelter, beauty, ecological function etc. In this case the application of the City of Melbourne method allows a comparison of the monetary value of a footpath upgrade versus the retention of a tree.

2. As outlined above, tree valuation methods are useful to estimate the asset value of public trees. By putting a value on trees Council is able to protect them in a quantifiable way. Tree valuation methods are not widely used by Council at this time but have been used to inform decisions about retaining and protecting important public trees. These methods are also useful to calculate a tree protection bond where a development is occurring near a valuable tree, the bond can be held as insurance against harm to the tree during construction.
3. Different tree valuation methods are used to assign a monetary value to different values. The replacement value of a public tree requires the consideration of a range of factors to assign an amenity value. The Biodiversity Offset Policy is only assigning the cost to replace the value in the context of Kingborough. Officers acknowledge it is not perfect due to the time lag involved in growing a tree to a size similar to the tree lost and the risk an offset site will not be found. To manage this risk the policy focuses on the retention and protection of similar values onsite, this is to ensure that in the majority of cases the financial offset is only dealing with the residual environmental impact. Council's Biodiversity Offset Policy must balance what is reasonable and achievable in the current market as well as achieving its key objective.
4. Council will select the appropriate tree valuation method for the situation. This will depend on the location of the tree and the reason the values require assessing.

*Liz Quinn, NAB Coordinator*

**OPEN SESSION ADJOURNS**



## PLANNING AUTHORITY IN SESSION

### 13 OFFICERS REPORTS TO PLANNING AUTHORITY

#### 13.1 DA-2021-708 - DEVELOPMENT APPLICATION FOR 13 FARM SHEDS FOR VEGETABLE PRODUCTION AND MANAGEMENT OF VEGETATION AT 371 NIERINNA ROAD, MARGATE

**Author:** Timothy Donovan, Senior Planning Officer

**Authoriser:** Tasha Tyler-Moore, Manager Development Services

<b>Applicant:</b>	Red Seal Urban & Regional Planning
<b>Owner:</b>	Mr S Wang
<b>Subject Site:</b>	371 Nierinna Road, Margate (CT 6364/8)
<b>Proposal:</b>	Three farm sheds for vegetable production, management of vegetation.
<b>Planning Scheme:</b>	Kingborough Interim Planning Scheme 2015
<b>Zoning:</b>	Rural Living
<b>Codes:</b>	E1.0 Bushfire Prone Areas E5.0 Road and Railway Asset E6.0 Parking and Access E7.0 Stormwater Management E10.0 Biodiversity E14.0 Scenic Landscapes
<b>Use Class/Category:</b>	Resource Development
<b>Discretions:</b>	Rural Living Zone <ul style="list-style-type: none"> <li>• Cl.13.4.3 Design Acceptable Solution A1 (c) (location)</li> <li>• Cl.13.4.3 Design Acceptable Solution A2 (reflectance value)</li> <li>• Cl.13.4.3 Design Acceptable Solution A3 (gross floor area)</li> <li>• Cl.13.4.4 Outbuildings Acceptable Solution A1 (gross floor area)</li> <li>• Cl.13.4.5 Outdoor Storage Areas Acceptable Solution A1</li> </ul> E6.0 Parking and Access Code <ul style="list-style-type: none"> <li>• Clause E6.7.6 Surface treatment of parking areas</li> </ul> E10.0 Biodiversity Code <ul style="list-style-type: none"> <li>• Cl.E10.7.1 Buildings and works Acceptable Solution A1</li> </ul> E14.0 Scenic Landscapes Code <ul style="list-style-type: none"> <li>• Clause E14.7.1 Removal of bushland within scenic landscape areas Acceptable Solution A1</li> <li>• Clause E14.7.2 Appearance of buildings and works within scenic landscape areas Acceptable Solution A1</li> </ul>
<b>Public Notification:</b>	Public advertising was undertaken between 4 May 2022 and 17 May 2022 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i> .
<b>Representations:</b>	6 submissions were received on the following grounds:

	<ul style="list-style-type: none"><li>• The Rural Living Zone purpose requirements are not met</li><li>• Noise from the operations and traffic</li><li>• Traffic is excessive, out of hours, lack of parking</li><li>• Visual Impacts and out of character</li><li>• Loss of environmental values</li></ul>
<b>Recommendation:</b>	Approval with conditions.

## 1. PROPOSAL

### 1.1 Description of Proposal

The proposal is for the establishment of structures for the purpose of mushroom and hydroponic vegetable production with the intention of harvesting climate controlled food year round. A total of 13 containers (18m<sup>2</sup> each and a maximum height of 3.1m) are to be re-purposed and used. They are located centrally on the site and will be 33m setback from Nierinna Road and a minimum of 18m from side and rear boundaries. 10 of the containers will be on the former tennis court (Zone 1) and used for mushroom growing and the remainder within the small nearby berry orchard (Zone 2) and used for hydroponic vegetable production.

The structures will be climate controlled and painted white to reduce heat absorption. It is proposed to construct vertical timber screens 3m high along the north and east facades of the structures in Zone 1 to minimise the visual impact of the white structures. Rainwater from the structures is collected on site for reuse within the mushroom hydroponic system or dispersed to the existing dams.

The operation of the proposed use will involve four employees and 2 vehicles. 3 vehicle parking spaces are located adjacent to the residential car parking off the driveway. There is no signage proposed and there are no farm gate sales.

The hours of operation are stated as being between 8.00am and 6.00pm Mondays to Fridays with no operations on the weekends or public holidays. It is noted that the business of running a farm is not a “nine to five” operation. In relation to commercial vehicle movements, it is intended that two scheduled commercial visits (4 vehicle movements) for the mushroom and vegetable production occur each week on Tuesday and Friday.

The application includes management of vegetation at the western end of the property to protect and enhance the existing blueberry orchard use. The applicant advises that vegetation management including clearing is required to ensure the blueberry orchard is not overshadowed, to minimise the risk to employees from falling branches, and to minimise impacts of potential bushfires on the orchard.



Figure 1 - Photo of existing mushroom containers.



Figure 2- A typical interior of a mushroom growing structure.

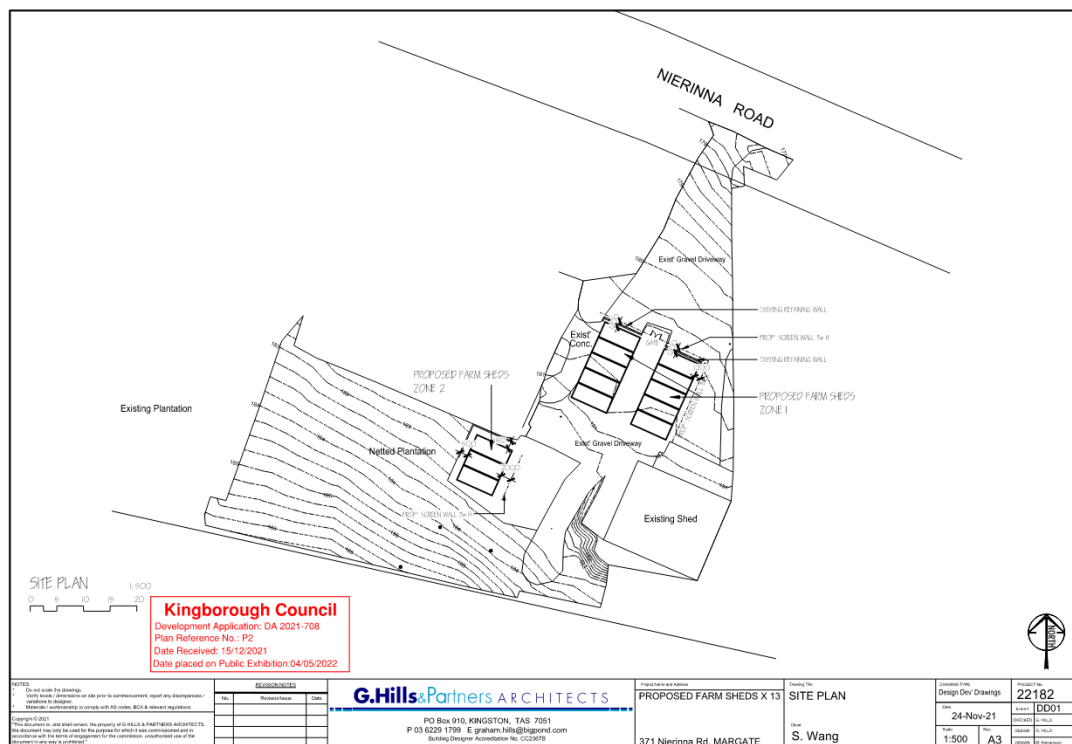


Figure 3 - Site Plan

## 1.2 Description of Site

The site is located at 371 Nierinna Road, Margate and is contained on two titles described as Lot 8 on CT 6364/8 with an area of 3.306ha and Lot 1 on CT 239580/1 with an area of 2161m<sup>2</sup>. There is frontage to Nierinna Road and Tabors Road. There is also a frontage to McGowans Road at the western end of the property. The lots and the surrounding area are zoned Rural Living.

The site is roughly rectangular in shape and approximately 440m in length and a width between 50-90m. The site slopes from the southwest down to the north-east and has a northerly aspect with an average gradient of 11.7%.

The subject site was created through a 1975 subdivision and the existing dwelling was built in 1981. Note is made that the second title Lot 1 (CT 239580/1) at western end of the lot was originally part of the tramway reserve. The site is improved with several outbuildings and structures associated with the propagation of blueberries, which have been grown there since the early 1990s. Large central sections of the site are cleared for the blueberry orchard and there is an area of native vegetation regrowth (*Eucalyptus obliqua* (Stringybark) dry forest (DOB)) at the western end of the property.

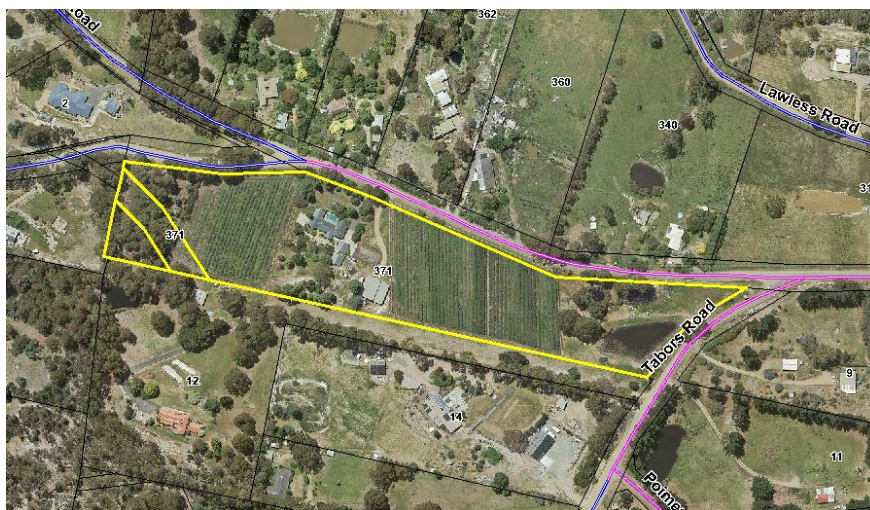


Figure 4 - Aerial photo of 371 Nierinna Rd and surrounding area.

### 1.3 Background

The Council received complaints in early 2021 in relation to activities on the site involving the use of containers to grow mushrooms and vegetation clearing.

The Council has issued an Infringement Notice on the property in July 2021 in relation to the undertaking of a use that is contrary to a state policy or a planning scheme. An Enforcement Notice is still current for the property.

## 2. ASSESSMENT

### 2.1 State Policies and Act Objectives

The proposal is consistent with the outcomes of the State Policies, including those of the Coastal Policy.

The proposal is consistent with the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

### 2.2 Strategic Planning

The relevant strategies associated with the Scheme are as follows:

#### *Zone Purpose Statements of the Rural Living Zone*

The relevant zone purpose statements of the Rural Living Zone are to:

- 13.1.1.1 To provide for residential use or development on large lots in a rural setting where services are limited.

- 13.1.1.2 To provide for compatible use and development that does not adversely impact on residential amenity.
- 13.1.1.3 To provide for agricultural uses that do not adversely impact on residential amenity.
- 13.1.1.4 To facilitate passive recreational uses that enhance pedestrian, cycling and horse trail linkages.
- 13.1.1.5 To avoid land use conflict with adjacent Rural Resource or Significant Agriculture zoned land by providing for adequate buffer areas.
- 13.1.1.6 To provide for use and development that respects the natural landscape.

*Clause 13.1.2 and cl 13.1.3 – Local Area Objectives and Desired Future Character Statements*

The Scheme details separate Local Area Objectives and Desired Future Character Statements for the main towns in the municipal area. There are no Local Area Objectives or Desired Future Character Statements for this zone.

The proposal complies with the above-mentioned statements and objectives as it provides for an agricultural use that do not adversely impact on residential amenity.

## 2.3 Statutory Planning

The use is categorised as Resource Development under the Planning Scheme, which is a use that requires discretionary assessment in the Rural Living Zone.

Resource Development is defined as:

*Use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may include the handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.*

Council's assessment of this proposal should also consider the issues raised in the representations, the outcomes of any relevant State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

## 2.4 Use and Development Standards

### Rural Living Zone Clause 13.4.3 - Design

<b>Acceptable Solution A1</b>
Location of buildings and works complies with any of the following – <ul style="list-style-type: none"> <li>(a) be located within a building area, if provided on the title;</li> <li>(b) be an addition or alteration to an existing building;</li> <li>(c) be located in an area not require the clearing of native vegetation and not on a skyline or ridgeline.</li> </ul>
<b>Performance Criteria P1</b>
The location of buildings and works must satisfy all of the following: <ul style="list-style-type: none"> <li>(a) be located on a skyline or ridgeline only if:</li> </ul>



- (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;
  - (ii) there is no significant impact on the rural landscape;
  - (iii) building height is minimised;
  - (iv) any screening vegetation is maintained.
- (b) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.
- (c) be located in an area requiring the clearing of native vegetation only if:
- (i) there are no sites clear of native vegetation or any such areas are not suitable for development due to access difficulties or excessive slope;
  - (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.

### Proposal

A1(a) – There is no building area provided on the title.

A1(b) – The proposal is not an addition or alteration to an existing building.

A1(c) – Retrospective approval is being sought for the removal of native vegetation, including two (2) trees of high conservation value (*Eucalyptus obliqua* with a dbh >70cm) and 2220m<sup>2</sup> of *Eucalyptus obliqua* dry forest (DOB).

As the buildings and works are not located in a building area and involved some vegetation removal, the proposal must be assessed against the performance criteria.



Figure 5 - TASVEG Live Vegetation mapping for the assessment area at western end of the property.

The Planning Report submitted with the application advises that vegetation management is required at the western end of the site for:

- Provision of a buffer for bushfire purposes;
- Minimisation of adverse effects of trees or branches falling onto mature blueberry plants, netting, or employees; and
- Prevent overshadowing of blueberry orchard.

The Planning Report also comments that the vegetation management is not associated with any building, and it is not on a skyline or ridgeline. A buffer zone of native trees remains from the western boundary for a depth of approx. 30m. The buffer area is considered consistent with the surrounding landscape of cleared paddocks with copses or groves of native vegetation. Due regard needs to be given to the existing and historic use of the blueberry orchard.

A Natural Values Statement (ECOTas, 26 Sept 2021) has been provided in support of the application.

The application seeks to justify the performance criteria principally on the basis of historical vegetation management and bushfire risk, however these grounds for the vegetation removal are not supported, as:

- there are no existing use rights associated with historic vegetation management which has not been continued for some time. Even if existing use rights could be established for vegetation management, removal of two (2) very high conservation value trees goes beyond historic management;
- an agricultural use is not a sensitive use for the purposes of bushfire, there are no bushfire requirements for clearing native vegetation adjacent to agricultural uses and no bushfire management plan or advice has been provided by a suitably qualified person demonstrating the need for such management;
- mitigating bushfire risk to an agricultural enterprise does not necessarily require vegetation clearing, noting there are alternative mitigation measures available to protect the agricultural assets, such as installing an additional fire-fighting water supply and sprinkler system; and
- determining risk on the assumption that any tree may fall, without quantifying or objectively assessing this risk is contrary to accepted practice for determining risk and does not justify the removal of two (2) very high conservation value trees, particularly noting a recent arborist assessment concluded that the trees adjacent to the orchard are in fair condition overall and currently present a low risk to the nearby infrastructure and nearby persons.

Notwithstanding, the proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- the proposed development is not located on a skyline or ridgeline;
- there are no relevant Desired Future Character Statements for the area; and
- the native vegetation immediately adjacent to the existing blueberry orchard directly impacts on the productivity and viability of 5-6 rows of blueberries through competition for nutrients, water and shading. The extent of clearing is accepted as necessary to enable the existing blueberry orchard to function on this part of the site.

Conditions are recommended for inclusion in any permit issued retrospectively approving the vegetation removal and limiting further vegetation removal.

#### **Rural Living Zone Clause 13.4.3 - Design**

<b>Acceptable Solution A2</b>
Exterior building surfaces coloured using colours with a light reflectance value not greater than 40 per cent.

**Performance Criteria P2**

Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.

**Proposal**

The external walls of the repurposed containers are white with a reflectance value greater than 40 per cent.

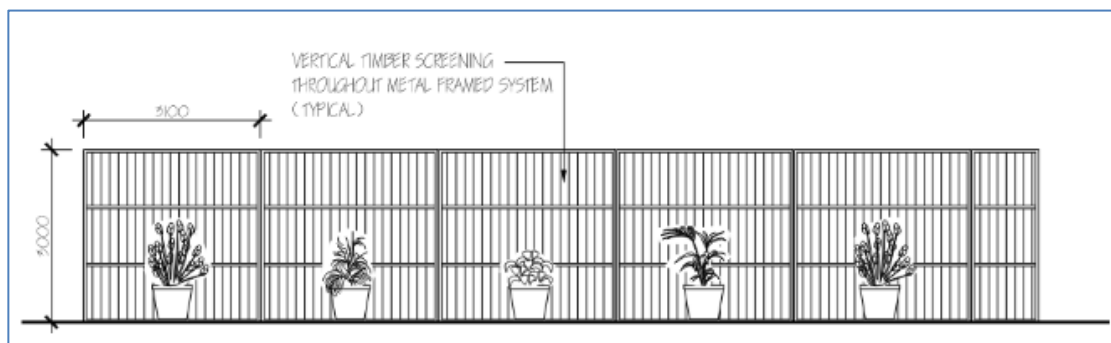


Figure 6 - Proposed vertical timber screening

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The site contains a range of structures and other rural features related to historic use for agricultural activities. There are areas of blueberry orchard with associated infrastructure (netting, support, irrigation etc).
- The purpose of the container structures is for use for food production - in effect as farm sheds. Each container is self contained and has independent climate control (air conditioning unit). The use of dark colours would retain more heat and use more energy.
- The visual impact of the structures that are located on the old tennis court area (Zone 1) is proposed to be addressed by the use of a 3m high timber screen on a metal frame. The application advises that the design of the timber screen is based on the character of orchard sheds within the Huon Valley and D'Entrecasteaux Channel areas. Selective planting is also proposed adjacent to the screen.
- The northern and eastern location of the screen has been chosen with regard to the visual impacts from Nierinna Road and also Tabors Road.
- The structures in Zone 2 are screened from the roads by the existing dwelling, existing sheds and structures and vegetation along the adjoining boundary with No.12 Tabors Road.
- The locations of the structures are not on a skyline or ridge line and are not considered to detract from the contribution the site makes to the landscape, views and vistas.
- It is considered that the exterior building surfaces are located and screened to avoid adverse impacts on the visual amenity of neighbouring land. They will present as a part of the active agriculture and resource development on the site.

**Rural Living Zone Clause 13.4.3 - Design****Acceptable Solution A3**

The combined gross floor area of buildings must be no more than 375 m<sup>2</sup>.

**Performance Criteria P3**

The combined gross floor area of buildings must satisfy all of the following:

- (a) there is no unreasonable adverse impact on the landscape;
- (b) buildings are consistent with the domestic scale of dwellings on the site or in close visual proximity;
- (c) be consistent with any Desired Future Character Statements provided for the area.

**Proposal**

The proposed structures have a total combined area of 234m<sup>2</sup>. The existing buildings have total floor area of 585m<sup>2</sup> comprising:

Dwelling 268m<sup>2</sup>

Barn 304m<sup>2</sup>

Studio 52m<sup>2</sup>

Therefore, a total floor area of 858m<sup>2</sup> is proposed.

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The visual impact of the structures has also been assessed against Clause 13.4.3 - Design Acceptable Solution A2 above. It is considered that there is no unreasonable adverse impact on the landscape. While the proposed buildings are not hidden from view and will form a new element in the landscape, this is not considered to be unreasonable. They will have timber screening and landscaping. The design of the timber screen has regard to orchard structures in the region.
- The application contends that the floor area of the structures at 234m<sup>2</sup> is similar to that of the existing dwelling that was constructed in 1981. In this regard it is consistent with the domestic scale of the dwelling on the site or in close visual proximity.
- There are no Desired Future Character Statements for the Zone. While the Purposes Statements are not able to be assessed, these support the Performance Criteria as they require, inter alia,
  - compatible use and development that does not adversely impact on residential amenity, and
  - provision of agricultural uses that do not adversely impact on residential amenity.

**Rural Living Zone Clause 13.4.4 – Outbuildings****Acceptable Solution A1**

Outbuildings must comply with all of the following:

- (a) Have a combined gross floor area no more than 100m<sup>2</sup>
- (b) Have a wall height no more than 6.5m and a building height not more than 7.5m
- (c) Have setback from frontage no less than that of the existing or proposed dwelling on the site.

<b>Performance Criteria P1</b>
<p>Outbuildings (including garages and carports not incorporated within the dwelling) must be designed and located to satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) be less visually prominent than the existing or proposed dwelling on the site;</li> <li>(b) be consistent with the scale of outbuildings on the site or in close visual proximity</li> <li>(c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.</li> </ul>
<b>Proposal</b>
<p>A1(a) – The proposed structures have a total combined area of 234m<sup>2</sup> and the combined gross floor area of all outbuildings is 590m<sup>2</sup>.</p> <p>The existing outbuildings have floor areas of:</p> <p>Barn                      304m<sup>2</sup></p> <p>Studio                  52m<sup>2</sup></p> <p>A1(b) – Complies – Height</p> <p>A1(c) – Complies - setback from frontage is more than the existing dwelling on the site.</p>

The repurposed containers are not residential “outbuildings” normally associated with a dwelling. They are agricultural buildings and as such are exempt from building approval as farm structures under the Tasmanian Government’s “Director’s Determination – Categories of Building and Demolition Work”. However, they have a similar impact as residential outbuildings and other Class 10a structures and an assessment of them against Clause 13.4.4 is considered warranted.

The proposal is supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The visual impact of the structures has also been assessed against Clause 13.4.3 - Design Acceptable Solutions A2 and A3 above in relation to the impact on amenity and landscape.
- The location of the structures, behind the existing dwelling and adjacent to the shed (barn) and blueberry orchards, assists in the existing dwelling remaining visually dominant.
- While the proposed buildings are not hidden from view and will form a new element in the landscape, this is not considered to be unreasonable. They will have timber screening and landscaping. The design of the timber screen has been done with regard to orchard structures in the region.
- The application contends that the floor area of the structures at 234m<sup>2</sup> is similar to that of the existing dwelling that was constructed in 1981. In this regard it is considered to be consistent with the domestic scale of the dwelling on the site or in close visual proximity.
- There are no Desired Future Character Statements for the Zone. The location and screening treatment of the proposed structures has proper regard to the landscape.



**Rural Living Zone****Clause 13.4.5 – Outdoor Storage Areas****Acceptable Solution A1**

Outdoor storage areas for non-residential uses must comply with all of the following:

- (a) be located behind the building line;
- (b) all goods and materials stored must be screened from public view;
- (c) not encroach upon car parking areas, driveways or landscaped areas.

**Performance Criteria P1**

Outdoor storage areas for non-residential uses must satisfy all of the following:

- (a) be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality;
- (b) not encroach upon car parking areas, driveways or landscaped areas.

**Proposal**

A1(a) – Complies - There is no storage associated with the proposed use in front of the building line.

A1(b) – Not Complying – There is some storage visible from public view.

A1(c) - Complies

The Planning Report submitted with the application submits that A1(b) should be read with some practicality as in a rural landscape goods associated with an agricultural use possible under the Zone could be seen from other properties and public spaces. For example, a tractor or plough stored outdoors could be considered goods associated with rural imagery within a visual landscape. On this basis the goods and materials are not visually prominent. The proposed screens will assist in minimising visual impact through some materials and goods may be visible from a public viewpoint. In general, the proposal does not intend that general goods and materials be stored in an exposed location. In this regard the Planning Report submitted with the application considers that A1(b) is complied with.

The submission by the Planning Report is understood in relation to rural areas generally. However, the Rural Living Zone standards have been included to specifically address the Purpose of the Zone and Acceptable Solution A1(b) requires that all goods and materials stored must be screened from public view without any qualification. Therefore, the Acceptable Solution is not met and the application requires assessment against the Performance Criteria.

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- Any outdoor storage associated with the proposed use is located behind the dwelling building line and adjacent to the proposed structures and existing agricultural activities associated with the blueberry orchard. The proposed timber screen and landscaping will assist in minimising visual impacts from storage. It is considered that storage is be located, treated or screened to avoid unreasonable adverse impact on the visual amenity of the locality.
- There is no encroachment on car parking areas, driveways or landscaped areas.

A condition is included on the Permit to require storage to be located behind the proposed containers in Zone 1 and the timber screen.

**E6.0 Parking and Access Code****Clause E6.7.6 – Surface treatment of parking areas****Acceptable Solution A1**

Parking spaces and vehicle circulation roadways must be in accordance with all of the following;

- (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;
- (b) drained to an approved stormwater system,

unless the road from which access is provided to the property is unsealed.

**Performance Criteria P1**

Parking spaces and vehicle circulation roadways must not unreasonably detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following:

- (a) the suitability of the surface treatment;
- (b) the characteristics of the use or development;
- (c) measures to mitigate mud or dust generation or sediment transport.

**Proposal**

The road from which access is provided to the property is sealed and there is a gravel car park provided.

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The Council Development Engineering Officer has assessed the parking area and circulation roadways and advised that the parking area recently reconstructed in gravel is suitable for the rural area and the proposed development.
- The proposed use is well below the Acceptable Solutions in relation to the Rural Living Zone for commercial vehicles in that 2 commercial vehicles are proposed twice a week (4 trips) and the Development Standard allows for up to 20 trips per day.

**Stormwater Management Code****Clause E7.7.1 – Stormwater drainage and disposal.****Acceptable Solution A1**

Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.

**Performance Criteria P1**

Stormwater from new impervious surfaces must be managed by any of the following:

- (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles
- (b) collected for re-use on the site;
- (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.

**Proposal**

The area is rural and there is no public stormwater infrastructure available.

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- Stormwater is proposed to be collected in existing tanks and reused where possible including recycled to irrigate the mushrooms and hydroponic vegetables. Any overflow will be directed to the blueberry orchard and on site dams.

A condition is recommended for inclusion in any permit issued for on-site disposal.

The Environmental Health Officer has recommended that in relation to wastewater from the hydroponic production of mushrooms/vegetables, a condition of approval be included requiring an application for a plumbing permit for installation of a suitable wastewater treatment system to ensure that wastewater is adequately treated prior to disposal.

## **E10.0 Biodiversity Code**

### **Clause E10.7.1- Buildings and works**

<b>Acceptable Solution</b>
Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.
<b>Performance Criteria</b>
<p>Clearance and conversion or disturbance must satisfy the following:</p> <p>(a) if low priority biodiversity values:</p> <ul style="list-style-type: none"> <li>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;</li> <li>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;</li> </ul> <p>(b) if moderate priority biodiversity values:</p> <ul style="list-style-type: none"> <li>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;</li> <li>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;</li> <li>(iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;</li> <li>(iv) residual adverse impacts on moderate priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2016.</li> </ul> <p>(c) if high priority biodiversity values:</p> <ul style="list-style-type: none"> <li>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;</li> <li>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;</li> <li>(iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation</li> </ul>

<p>strategies and ongoing management measures designed to protect the integrity of these values;</p> <p>(iv) special circumstances exist;</p> <p>(v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2016.</p> <p>(vi) clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.</p>
<b>Proposal</b>
<p>The proposal will impact on moderate biodiversity values, being 2220m<sup>2</sup> of a non-threatened native vegetation community <i>Eucalyptus obliqua</i> dry forest and woodland (DOB) containing two (2) trees of high conservation value.</p> <p>The proposal is unable to meet A1 as there is no such building area on the title.</p>

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- the clearing minimised impacts, having regard to the particular requirements of the existing development (blueberry farm);
- the remaining values are proposed to be retained; and
- residual impacts from the loss of two (2) trees of very high conservation value are able to be offset via a financial contribution in accordance with the Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013 and Council Policy 6.10.
- The proposal justifies the clearing of 2220m<sup>2</sup> of native vegetation on the basis that a buffer is required between the existing agricultural use (blueberry orchard) and remaining native vegetation. The application documentation also clearly states that no intensification or increase in the extent of the blueberry orchard is proposed as part of the application. To ensure the buffer is maintained and the agricultural use is not expanded towards remaining native vegetation, a condition is recommended for inclusion in any permit issued to this effect.

Permit conditions are also recommended in relation to:

- Limiting clearing, maintaining remaining vegetation, requiring payment of a financial contribution and requiring tree protection measures during construction.
- The 2220m<sup>2</sup> cleared area as shown in Council Plan Ref. P1 received on 10 December 2021 must be maintained as a buffer between the remaining native vegetation and the existing agricultural use (blueberry orchard). No intensification or increase in the extent of the blueberry orchard or planting of other crops is approved in this area.

#### **E14.0 Scenic Landscape Code**

##### **Clause E14.7.1 – Removal of bushland within scenic landscape areas**

<b>Acceptable Solution A1</b>
<p>Removal or disturbance of bushland must comply with both of the following:</p> <p>(a) be on land no less than 50 m (in elevation) from a skyline;</p> <p>(b) be no more than 500 m<sup>2</sup> in extent</p>

<b>Performance Criteria P1</b>
Removal or disturbance of bushland must be minimised and must satisfy both of the following: (a) result in only negligible change to the silhouette of skylines; (b) maintain scenic landscape value.
<b>Proposal</b>
A1 (a) – Complies A1(b) – Not complying - The proposal will impact on moderate biodiversity values, being 2220m <sup>2</sup> of a non-threatened native vegetation community <i>Eucalyptus obliqua</i> dry forest and woodland (DOB) containing two (2) trees of high conservation value.

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- the clearing minimises impacts having regard to the particular requirements of the existing development (blueberry farm).
- the remaining values are proposed to be retained.
- There is no impact on the silhouette of skylines.
- The vegetation clearing maintains scenic landscape value for the area in the western end of the property including the 30m buffer. Mature vegetation has been left along the road frontage.

Permit conditions are recommended limiting clearing, maintaining remaining vegetation, requiring payment of a financial contribution and requiring tree protection measures during construction.

#### **E14.0 Scenic Landscape Code**

##### **Clause E14.7.2 – Appearance of buildings and works within scenic landscape areas**

<b>Acceptable Solution A1</b>
Buildings must comply with one of the following: (a) not be visible from public spaces; (b) be an addition or alteration to an existing building that; (i) increases the gross floor area by no more than 25%; (ii) does not increase the building height; (iii) provides external finishes the same or similar to existing
<b>Performance Criteria P1</b>
Buildings visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary: (a) have external finishes that are non-reflective and coloured to blend with the landscape; (b) be designed to: (i) incorporate low roof lines that follow the natural form of the land; (ii) minimise visual impact in height and bulk; (iii) minimise cut and fill; (c) be located below skylines;

(d) be located to take advantage of any existing native vegetation or exotic vegetation for visual screening purposes.
<b>Proposal</b>
A1(a) – Not complying – the mushroom containers and timber screen are visible from public spaces A1(b) - NA

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- In relation to A2(a) the containers are to be screened with a timber screen and landscaping which will blend with the landscape.
- The containers have a low profile being only 3.1m high.
- There is no cut and fill required.
- The containers are not located on a skyline.
- The containers are located among the existing buildings and orchard located centrally on the lot. There is existing vegetation along the frontage of the lot that assists in minimising the view from the road.
- It is considered that the exterior building surfaces are located and screened to avoid adverse impacts on the scenic amenity of the area. They will present as a part of the active agriculture and resource development on the site.

## 2.5 Public Consultation and Representations

There were 6 submissions received objecting to the application on the following grounds.

### 1. *Rural Living Zone requirements.*

Rural Living Zone requirements not met:

- 13.1.1.1 (residential use)
- 13.1.1.2 (compatible uses that do not adverse impact on residential amenity)
- 13.1.1.3 (agricultural use that does not adverse impact on residential amenity)
- 13.1.1.6 (respect for natural landscape)

*Response.*

The Purpose Statements for the Zone are not able to be considered in the assessment of the application. The Planning Scheme requires that applications be assessed against the Development Standards in the Zone and relevant Codes. Only when a Development Standard calls up a Purpose Statement or a Desired Future Character Statement can they be considered.

### 2. *Traffic and Parking*

- Parking on road and other properties and road verge.
- There were between 1-4 trucks a day and all week and not one truck only on Tuesday and Thursdays.

- Truck deliveries and pick up of produce twice a day and prior to 7am and after 8pm.
- Traffic estimates in application are grossly under estimated.
- Damage to the road from trucks

*Response.*

The application has been assessed against the Development Standards for Commercial Vehicles in the Rural Living Zone and also the relevant Development Standards in the Parking and Access Code. The proposal complies to the Acceptable Solutions in the Zone and Code except for Clause E6.7.6, Surface treatment of parking areas, in the Code. This is addressed in the body of the report.

Note is made that, based on complaints made by the public and Council's compliance action on unauthorised development, that there may have been activities occurring that were not in accordance with the requirements of the Planning Scheme and that may have been seen as creating a nuisance to neighbours. The development application has been assessed under the Planning Scheme and suitable conditions imposed. Any further activities not complying to the Permit will be subject to compliance action by Council.

3. *Gross Floor Space*

The gross floor space is excessive – more than twice allowed.

*Response.*

The issue on gross floor space has been addressed in the report.

4. *Noise*

The issue of noise has been raised by a number of submitters as a significant issue. The concerns raised include:

- Truck deliveries and pick up of produce twice a day and prior to 7am and after 8pm.
- Use of the forklift at all hours (including reversing/beeping alarms).
- Number of vehicles attending the site is over 10 a day with associated noise.
- Noise from mushroom buildings/structures/container including ventilation and cooling/heating systems.
- Hours are not 8am – 6pm but 24 hours a day.
- Noise Assessment Report is not accurate or complete.
- Noise emissions at boundaries of site are causing environmental harm.

*Response.*

The issue of noise is assessed in the Other Matters section of the report below.

A Noise Assessment (NVC Noise Vibration Consulting, Ref 1528-1, 2 Nov 2021) has been submitted with the application. The Noise Assessment states that the proposed development complies with the noise standards for daytime use. The

Noise Assessment recommends that screens or barriers be installed to comply with night time standards.

Several representations were received highlighting potential noise issues with the proposed development. Representors noted that some of the climate-controlled containers are already in use, and these are clearly audible at the residences, therefore arguing that noise emissions from the development are likely to continue to cause environmental harm. However, it should be noted that noise emissions from the site will be reduced with the installation of noise attenuation barriers, as specified by the acoustic consultant.

Note is made that, based on complaints made by the public and Council's compliance action on unauthorised development, that there may have been activities occurring that were not in accordance with the requirements of the Planning Scheme and that may have been seen as creating a nuisance to neighbours. The development application has been assessed under the Planning Scheme and suitable conditions imposed. Any further activities not complying to the Permit will be subject to compliance action by Council.

5. *Visual Impacts.*

- Range of size and colour of the various elements of the mushroom "factory" causes visual disharmony.
- While height does not exceed 8.5m the bulk of the sheds and the proposed screens will have unreasonable visual impact.
- The complex is out of character with the neighbourhood.

*Response.*

The issue of visual impacts has been addressed under a number of Development Standards in the Zone and Scenic Landscape Codes in the body of the report.

6. *Loss of environmental values*

- Clearing of remnant bush.
- Concern with effluent runoff from mushrooms and possibility of it running onto neighbouring properties and dams in heavy rain.
- Introduction of non-native fungi into the area.
- Accumulation of smell/odours from poor environmental operations.
- Rubbish is a continual problem particularly in strong winds.
- On site effluent disposal is not adequate and overflows will end up in stormwater, dams and Nierinna Creek.

*Response.*

The issues have been assessed in the body of the report concerning environmental values and stormwater. There are no standards in the Planning Scheme dealing with introduction of non-native species connected to agricultural and resource development activities, or specifically with smell and odours.

A condition is recommended for inclusion on any permit issued in relation to rubbish.



In relation to wastewater from the hydroponic production of mushrooms/vegetables a condition of approval is recommended to be included in any permit issued requiring an application for a plumbing permit for installation of a suitable wastewater treatment system to ensure that wastewater is adequately treated prior to disposal.

7. *Sale of Mushrooms*

There is the sale (Farm Gate) of mushrooms to the public occurring on the site

*Response.*

The application does not include the sale of mushrooms or vegetables on the site to the public.

A condition has been included on the permit in relation to no retail selling from the property.

8. *Shipping Containers*

The claim that the application is repurposing shipping containers is not true – Mushrooms are being housed in buildings.

*Response.*

For the purposes of the application the repurposed shipping containers have been assessed as building structures. They will be required to obtain any other relevant approvals if applicable. In relation to the Building regulations shipping containers are classified as Exempt as farm structures under the Tasmanian Governments “Director’s Determination – Categories of Building and Demolition Work”.

There were a number of grounds of objection that are not relevant to the assessment of the application under the provisions of the Planning Scheme including:

- Frequent change in ownership and in the nature of operations.
- Damage to adjacent properties from trucks.
- Use of mushroom growing and sales commenced before the Development Application.
- Use and noise will reduce house prices.

2.6 Other Matters

Noise Assessment

A Noise Assessment (NVC Noise Vibration Consulting, Ref 1528-1, 2 Nov 2021) has been submitted with the application. The Noise Assessment states that the proposed development complies with the noise standards in the Planning Scheme for daytime use. The Noise Assessment recommends that screens or barriers be installed to comply with night time standards.

Council’s Environmental Health Officer has reviewed the Noise Assessment Report and provided advice and recommendations.

The proposed development includes construction and operation of 13 new climate-controlled containers for the production of mushrooms and other vegetables. The climate-controlled containers each have an air-conditioning unit attached which will operate on a thermostat (cycling on/off) on a continual basis. The noise assessment included measurement of noise from one air-conditioning unit and then modelled

predicted noise levels from the proposal based on 10 air-conditioning units running concurrently. This approach was considered conservative, as it is unlikely that 10 units would ever be running together at the same time.

The noise assessment concluded that provided the air-conditioning units are screened with an acoustic barrier (constructed as specified by the acoustic consultant), then noise emissions from the development are predicted to comply with the tightest relevant criteria in the acceptable solutions in Clause 13.3.1 A2 within the *Kingborough Interim Planning Scheme 2015*. That is, noise emissions would not exceed 40dB(A) (LAeq) when measured at the boundary of the site.

In order to ensure that noise emissions from the site do not exceed the specified levels, conditions of approval should be included in any permit issued requiring that:

- (a) prior to commencement of the approved development/use, noise attenuation screens around all air-conditioning units, must be constructed as specified by the acoustic consultant; and
- (b) prior to the commencement of the approved development/use, certification from the acoustic consultant that all acoustic barriers have been constructed in accordance with their specifications must be submitted to Council; and
- (c) noise emissions from the site must be less than 40dB(A) (LAeq) when measured at the boundary of the site, and no more than 65dB(A) (L<sub>Amax</sub>) at any time; and
- (d) the applicant must submit to Council a report from a suitably qualified acoustic consultant within six months of commencement of the proposed development/use, demonstrating that the development complies with the specified noise levels; and
- (e) if noise levels cannot be verified to be within the specified levels, then the development/use must cease until noise emissions are reduced to below the specified levels; and
- (f) reversing 'beeper' alarms must not be used for any heavy equipment or machinery used in association with the development.

#### Best Practice Hygiene Measures

In accordance with clause 8.11.3, a condition is recommended for inclusion on the Permit requiring implementation of best practice hygiene measures.

### **3. CONCLUSION**

The application has been considered against the development standards in the Rural Living Zone and relevant Codes in the Planning Scheme. The application complies to the Acceptable Solutions and Performance Criteria and is recommended for approval with conditions.

### **4. RECOMMENDATION**

That the Planning Authority resolves that the development application for 13 farm sheds for vegetable production and management of vegetation at 371 Nierinna Road, Margate for Red Seal Urban & Regional 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-2021-708 and Council Plan Reference No. P1 submitted on 10 December 2021 and P2 submitted on 15 December 2021.

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. The following vegetation removal is retrospectively approved for the purposes of the development:

- (a) no more than six (6) trees as shown in the Tree Condition Assessment by Tree Inclined (4 August 2020) and Figure 6 of the statement by ECOtas (26 September 2021 and updated 11 February 2022); and
- (b) no more than 0.222 hectares of Eucalyptus obliqua dry forest as shown in Council Plan Ref. P1 received on 10 December 2021.

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.

3. All remaining native vegetation, including individual trees, must be retained and appropriately protected through the installation of signage and temporary fencing between any on-site works and adjacent native vegetation in accordance with AS 4970-2009 to exclude:

- (i) machine excavation including trenching;
- (ii) excavation for silt fencing;
- (iii) cultivation;
- (iv) storage;
- (v) preparation of chemicals, including preparation of cement products;
- (vi) parking of vehicles and plant;
- (vii) refuelling;
- (viii) dumping of waste;
- (ix) wash down and cleaning of equipment;
- (x) placement of fill;
- (xi) lighting of fires;
- (xii) soil level changes;
- (xiii) temporary or permanent installation of utilities and signs; and
- (xiv) physical damage to the tree(s).

Evidence of satisfactory installation of this fencing must be obtained prior to the commencement of on-site works and made available to Council upon request.

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:

- (a) 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);

- (b) the Tree Protection Zone must be free from the storage of fill, contaminants or other materials;
  - (c) machinery and vehicles are not permitted to access the Tree Protection Zone; and
  - (d) development and associated works are not permitted unless otherwise approved by Council in writing.
4. To offset the loss of two (2) trees of very high conservation value (both *Eucalyptus obliqua* trees with a DBH >70cm) a financial contribution of \$500/tree must be paid into Council's Environmental Fund, to be used to manage and conserve hollow dwelling habitat in the vicinity of Margate.

This offset must be paid within one (1) month of the date of this Permit unless the period is extended in writing by Council.

5. Prior to the construction of the proposed timber screens, a landscaping plan for the landscaping proposed adjacent to the screens must be prepared by a qualified landscape architect or suitably qualified person knowledgeable in the field and submitted for approval by Council's Manager Development Services.

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

- (i) proposed planting by quantity, genus, species, common name, expected mature height and plant size.

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

Once endorsed the Landscaping Plan will form part of the permit.

6. The vertical timber screening and associated landscaping in accordance with the endorsed plan must be constructed with three (3) months of the date of this Permit unless the period is extended in writing by Council.
7. The vehicular access must be constructed and asphalt sealed to minimum 5.5m width at the lot boundary in accordance with the Tasmanian Standard Drawings (TSD-RO3) within three (3) months of the date of this Permit unless the period is extended in writing by Council. A permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation.
8. Two car parking spaces must be provided on-site for employees within three (3) months of the date of this Permit. The two employee parking spaces must be identified on site and marked on the gravel parking area on site with dot markers.
9. Noise barriers must be constructed around all thirteen climate-controlled containers in accordance with the specifications stated in the acoustic assessment by NVC dated 2 November 2021, within three (3) months of the date of this Permit unless the period is extended in writing by Council.
10. Certification from the acoustic consultant that all noise barriers have been constructed in accordance with their specifications must be submitted to Council as soon as practicable after construction of the noise barriers. An as-constructed drawing must be submitted upon completion of construction of the noise barriers, detailing the size and location of the barriers and materials used for construction.
11. Noise emissions from the development must be less than 40dB(A) (LAeq) when measured at the boundary of the site, and no more than 65dB(A) (LAmx) at any time.
12. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.

13. 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.
14. Within six months of commencement of the proposed development/use the applicant must submit to Council a report from a suitably qualified acoustic consultant demonstrating that noise emissions from the site do not exceed 40dB(A) (LAeq) and 65dB(A) (LAmix) when measured at the boundary of the site.  
  
If noise emissions from the site exceed 40dB(A) (LAeq) or 65dB(A) (LAmix), then operation of the site must cease until noise emissions are reduced to below the respective limits.
15. Reversing 'beeper' alarms must not be used on any heavy equipment or machinery used in association with the proposed development/use.
16. The hours of operation of the use and development must be within:
  - (a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;
  - (b) 9.00 am to 12.00 noon Saturdays;
  - (c) nil Sundays and Public Holidays;except for office and administrative tasks.
17. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from the site must be limited to a maximum of 20 vehicle movements per day and be within the hours of:
  - (a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;
  - (b) 9.00 am to 12 noon Saturdays;
  - (c) nil on Sundays and Public Holidays.
18. Goods and supplies used for the resource development use (mushrooms and hydroponic vegetables) must be stored behind the Containers in Zone 1 and the timber screen.
19. The 2220m<sup>2</sup> cleared area as shown in Council Plan Ref. P1 received on 10 December 2021 must be maintained as a buffer between the remaining native vegetation and the existing agricultural use (blueberry orchard). No intensification or increase in the extent of the blueberry orchard or planting of other crops is approved in this area.
20. Retail selling of products must not occur from the subject property without the prior consent of Council.
21. The premises are to be kept in a neat and tidy condition at all times.
22. The quantity of hazardous chemicals used, generated and stored on site must not exceed the manifest quantities as specified in the Work Health and Safety Regulations 2012.
23. No signage is approved as part of this Permit and any further signage is not permitted without the prior written consent of the Council. Application for a Planning Permit must be submitted to Council, together with relevant documentation.

**ADVICE**

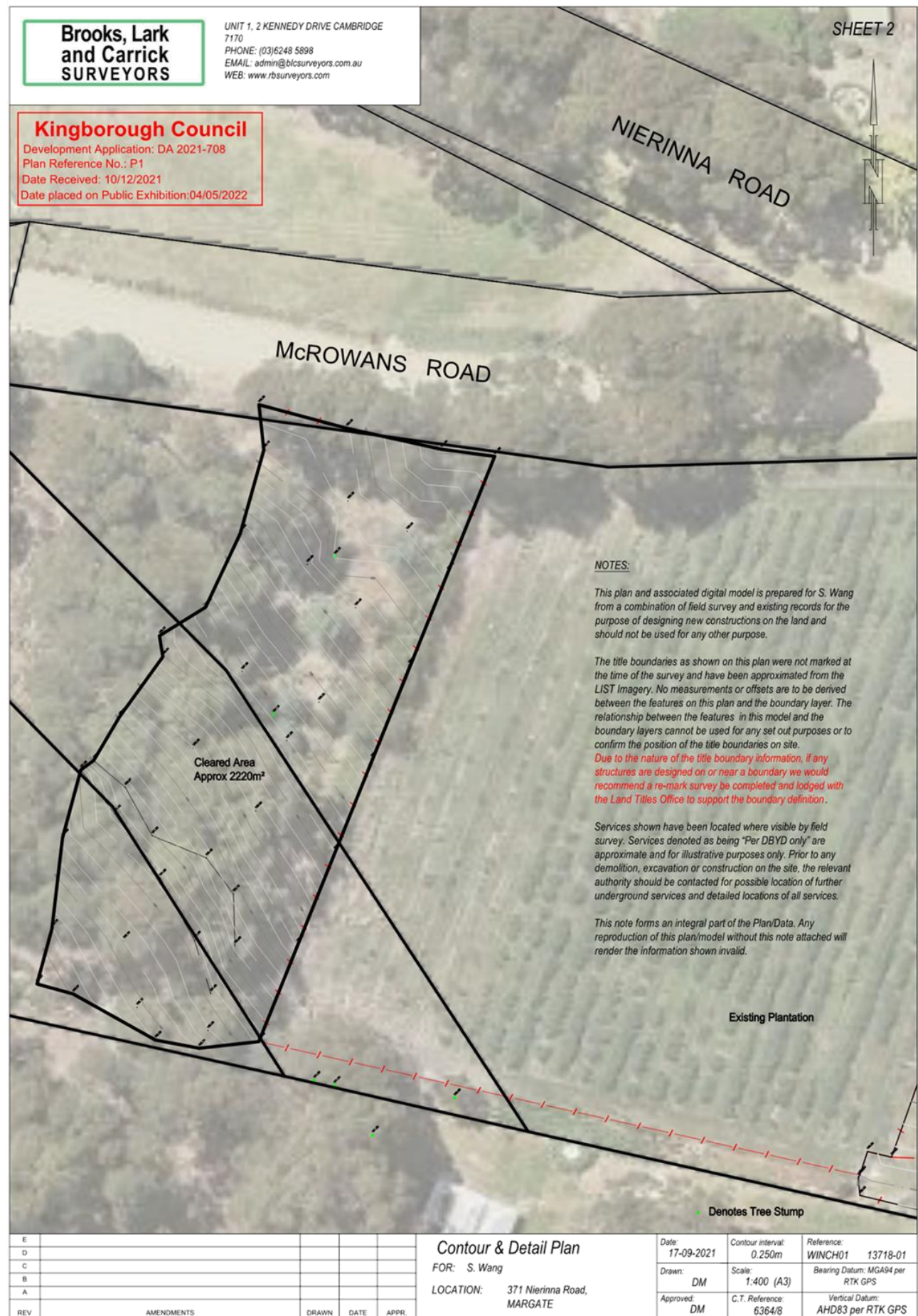
- A. In accordance with section 53(5) of the Land Use Planning and Approvals Act 1993 this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval in 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 proposed development has been assessed as low risk plumbing work. The Plumber is to provide the following documentation to Council after the plumbing work is completed:
  - (a) A Form 80;
  - (b) A Form 71B; and
  - (c) An 'As Constructed' drainage plan at a scale of 1:200 in accordance with the Director's Specified List Schedule 3.
- D. The proposed development includes the disposal of wastewater from mushroom/vegetable growing operations. The developer must obtain from Council a Plumbing Permit for an onsite wastewater management system.

**ATTACHMENTS**

- 1. **Proposal Plans**
- 2. **Assessment Checklist**





**Brooks, Lark  
and Carrick  
SURVEYORS**

UNIT 1, 2 KENNEDY DRIVE CAMBRIDGE  
7170  
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SHEET 1

#### NOTES

This plan and associated digital model is prepared for S. Wang from a combination of field survey and existing records for the purpose of designing new constructions on the land and should not be used for any other purpose.

The title boundaries as shown on this plan were not marked at the time of the survey and have been approximated from the LIST Imagery. No measurements or offsets are to be derived between the features on this plan and the boundary layer. The relationship between the features in this model and the boundary layers cannot be used for any set out purposes or to confirm the position of the title boundaries on site.

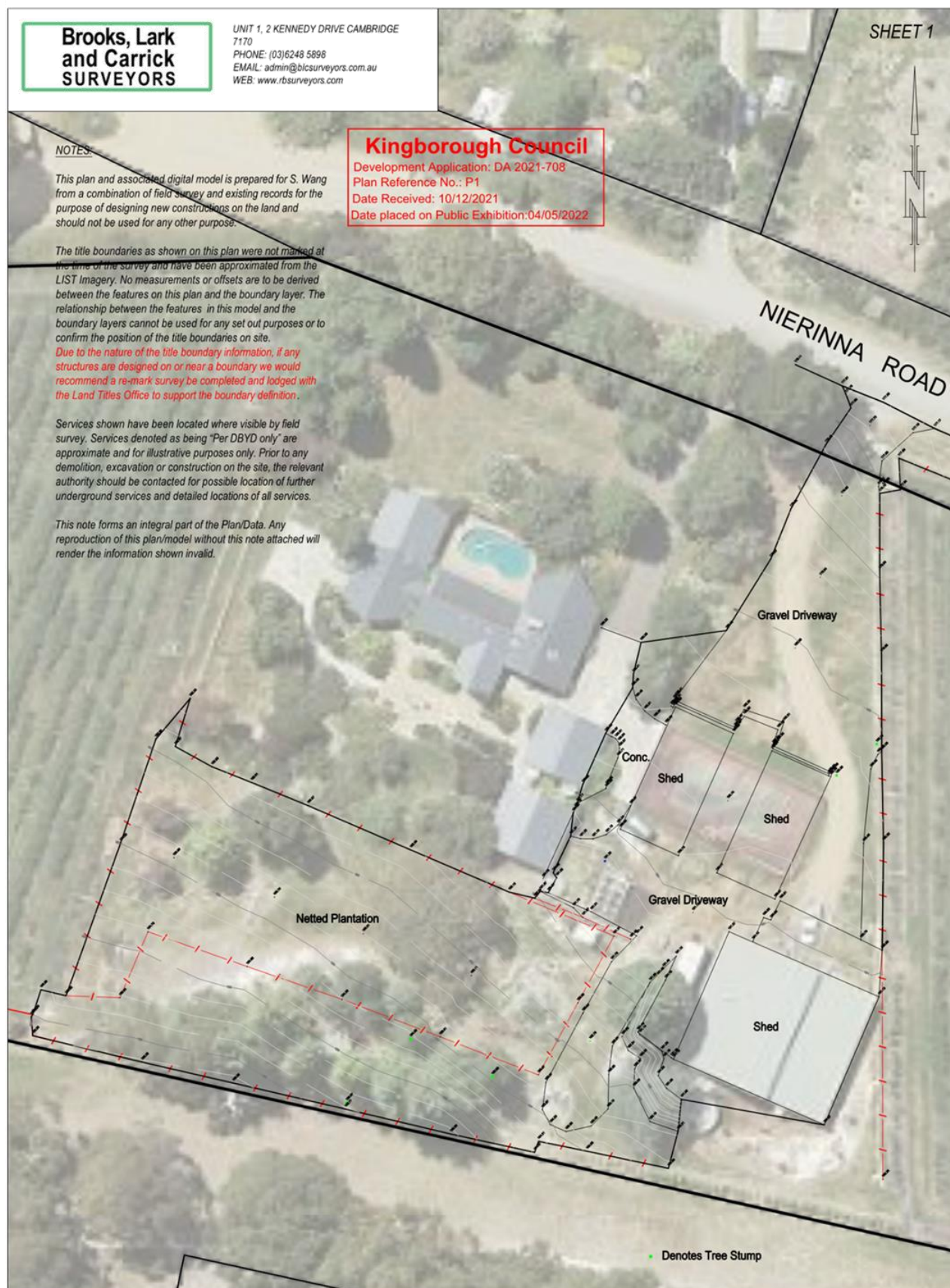
*Due to the nature of the title boundary information, if any structures are designed on or near a boundary we would recommend a re-mark survey be completed and lodged with the Land Titles Office to support the boundary definition.*

Services shown have been located where visible by field survey. Services denoted as being "Per DBYD only" are approximate and for illustrative purposes only. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services.

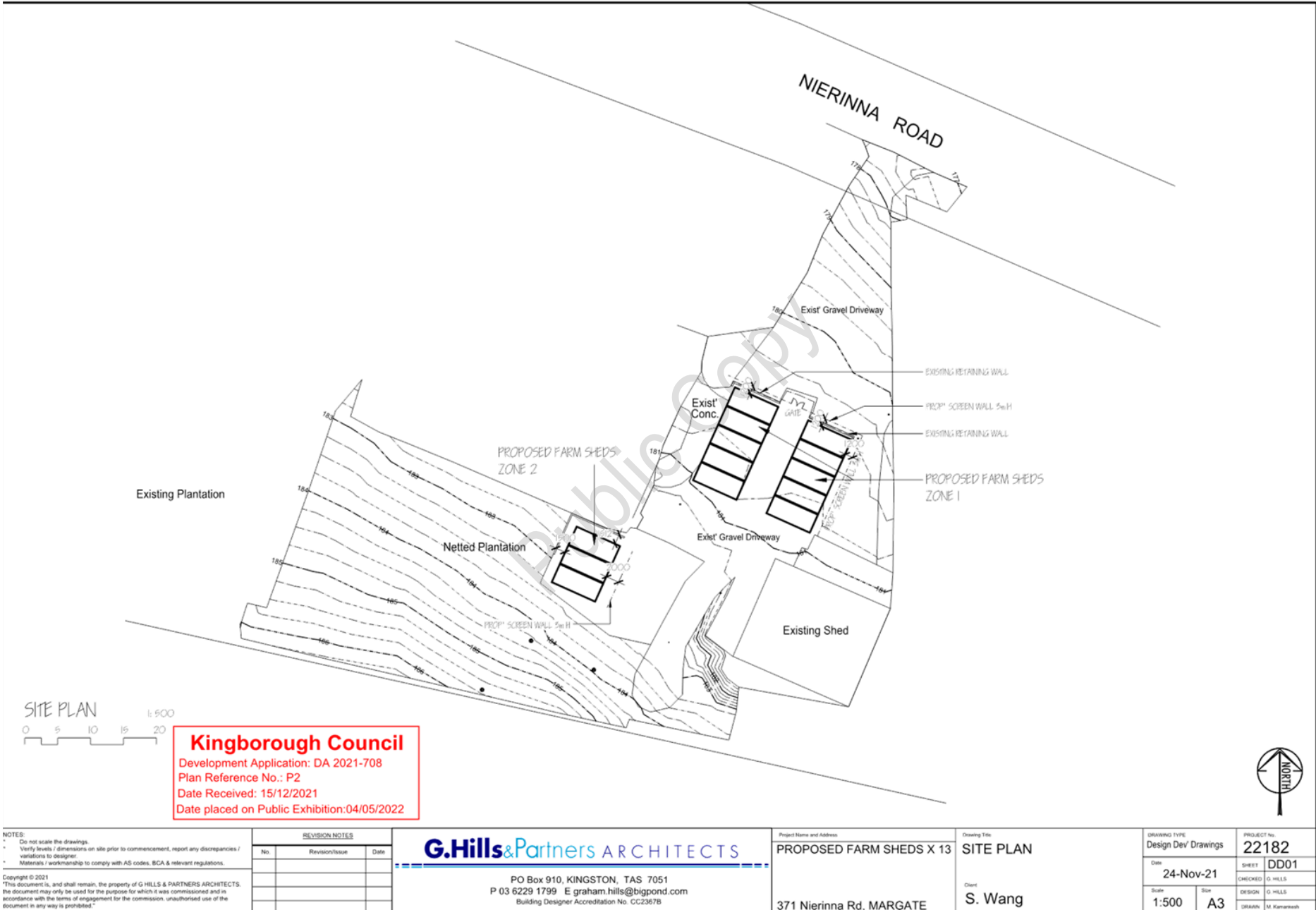
This note forms an integral part of the Plan/Data. Any reproduction of this plan/model without this note attached will render the information shown invalid.

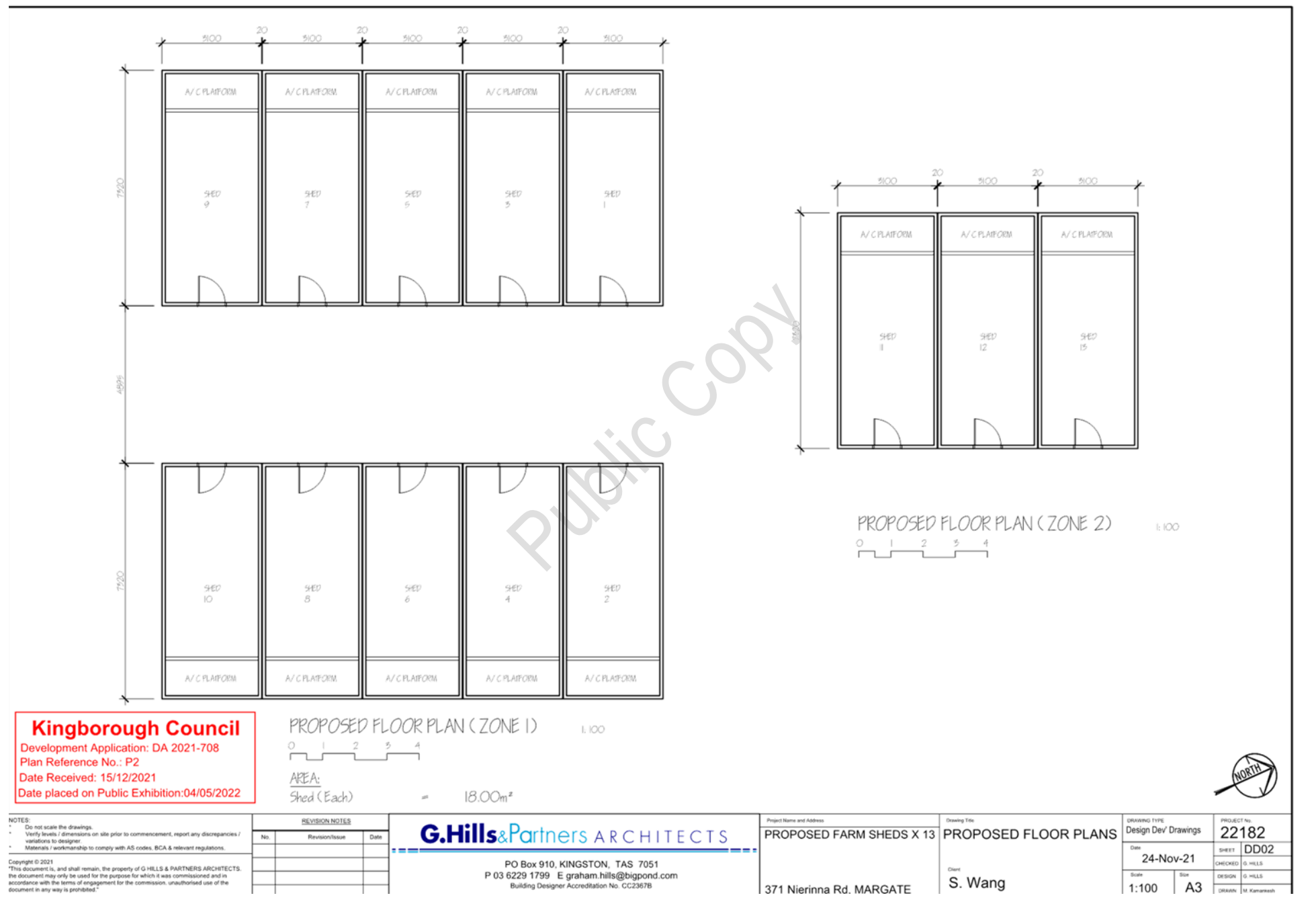
#### Kingborough Council

Development Application: DA 2021-708  
Plan Reference No.: P1  
Date Received: 10/12/2021  
Date placed on Public Exhibition: 04/05/2022



E					<b>Contour &amp; Detail Plan</b> FOR: S. Wang LOCATION: 371 Nierinna Road, MARGATE	Date: 17-09-2021	Contour interval: 0.250m	Reference: WINCH01 13718-01
D						Drawn: DM	Scale: 1:400 (A3)	Bearing Datum: MGA94 per RTK GPS
C						Approved: DM	C.T. Reference: 6364/8	Vertical Datum: AHD83 per RTK GPS
B								
A								
REV	AMENDMENTS		DRAWN	DATE	APPR			







Development Application: DA 2021-708  
Plan Reference No.: P2  
Date Received: 15/12/2021  
Date placed on Public Exhibition: 04/05/2022

REVISION NOTES		
No.	Revision/Issue	Date

PO Box 910, KINGSTON, TAS 7051  
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Building Designer Accreditation No. CC2367B

SHEET	DD03
CHECKED	G. HILLS
DESIGN	G. HILLS
DRAWN	M. Kamanwesh

**ATTACHMENT 1 - ASSESSMENT CHECKLIST****ZONE PROVISIONS**

CLAUSE	COMMENTS
<p>Non-Residential Use (Cl.13.3.1)</p> <ul style="list-style-type: none"> <li>• A1 Hours of operation must be within:               <ul style="list-style-type: none"> <li>(a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;</li> <li>(b) 9.00 am to 12.00 noon Saturdays;</li> <li>(c) nil Sundays and Public Holidays;</li> </ul>               except for office and administrative tasks or visitor accommodation.             </li> <li>• A2 Noise emissions measured at the boundary of the site must not exceed the following:               <ul style="list-style-type: none"> <li>(a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;</li> <li>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;</li> <li>(c) 65dB(A) (LAmax) at any time.</li> </ul> </li> <li>• A3 External lighting must comply with all of the following:               <ul style="list-style-type: none"> <li>(a) be turned off between 6:00 pm and 8:00 am, except for security lighting;</li> <li>(b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land.</li> </ul> </li> <li>• A4 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site must be limited to 20 vehicle movements per day and be within the hours of:               <ul style="list-style-type: none"> <li>(a) 7.00 am to 5.00 pm Mondays to Fridays inclusive;</li> <li>(b) 9.00 am to 12 noon Saturdays;</li> </ul> </li> </ul>	<p>A1 - Complies</p> <p>The Planning Report submitted with the application (Planning Report – Resource Development 371 Nierinna Road, Margate PID:578988, Red Seal Urban and Regional Planning, 2021) comments that while a farming business is not necessarily a 9-5 operation, the Planning Scheme does not differentiate between businesses. The hours of operation of the proposed development will comply with A1.</p> <p>A condition is recommended for inclusion in any permit issued.</p> <p>A2 – Complies</p> <p>A Noise Assessment (NVC Noise Vibration Consulting, Ref 1528-1, 2 Nov 2021) has been submitted with the application. The Noise Assessment demonstrates that the proposed development complies with the noise standards in A1 for day time use. The Noise Assessment recommends that screens or barriers be installed to comply with night time standards.</p> <p>An assessment of the noise is contained in the body of the report.</p> <p>A3 – NA – There is no external lighting proposed.</p> <p>A4 – Complies</p> <p>There are two scheduled commercial visits per week on Tuesday and Fridays. This is well under the Development Standard of 20 vehicle movements per day.</p> <p>A condition is recommended for inclusion in any permit issued.</p>



(c) nil on Sundays and Public Holidays.	
Building height (Cl.13.4.1) <ul style="list-style-type: none"> <li>A1 – Building height no more than 8.5m</li> </ul>	A1 – Complies – The maximum height of the structures is 3.1m.
Setback (Cl. 13.4.2) <ul style="list-style-type: none"> <li>A1 – Setback from frontage no less than 20m</li> <li>A2 – Setback from side and rear boundaries no less than 10m</li> </ul>	A1 – Complies – The front setback from Nierinna Road is 33.4m. A2 – Complies – The side setback to the closest boundary is 18.3m.
Design (Cl. 13.4.3) <ul style="list-style-type: none"> <li>A1 – Location of buildings and works complies with any of the following –               <ul style="list-style-type: none"> <li>(a) Located within a building area, if provided on the title</li> <li>(b) Is an addition or alteration to an existing building</li> <li>(c) Is located on a site that does not require the clearing of native vegetation and is not a skyline or ridgeline</li> </ul> </li> <li>A2 – Exterior building surfaces coloured using colours with a light reflectance value not greater than 40 per cent</li> <li>A3 – Combined gross floor area of buildings no more than 375m<sup>2</sup>.</li> <li>A4 – Fill and excavation complies with all of following:               <ul style="list-style-type: none"> <li>(a) Height of fill and depth of excavation is no more than 1m from natural ground level, except where required for building foundations;</li> <li>(b) Extent is limited to the area required for the construction of buildings and vehicular access</li> </ul> </li> </ul>	A1(a) – <b>Not Complying</b> There is no building area provided on the title. A1(b) – The proposal is not an addition or alteration to an existing building. A1(c) – <b>Not Complying</b> Retrospective approval is being sought for the removal of native vegetation, including two (2) trees of high conservation value ( <i>Eucalyptus obliqua</i> with a dbh >70cm) and 2220m <sup>2</sup> of <i>Eucalyptus obliqua</i> dry forest (DOB). As the buildings and works are not located in a building area and involved some vegetation removal, the proposal must be assessed against the performance criteria 13.4.3 P1. A2 – <b>Not Complying</b> – The external walls of the repurposed containers are white with a reflectance value greater than 40 per cent A3 – <b>Not Complying</b> - Combined gross floor area of buildings more than 375m <sup>2</sup> A4 – Complies - The proposal complies with the acceptable solution as the height of fill and depth of excavation is less than 1m.
Outbuildings (Cl. 13.4.4) <ul style="list-style-type: none"> <li>A1 – Outbuildings must comply with all of the following:               <ul style="list-style-type: none"> <li>(a) Have a combined gross floor area no more than 100m<sup>2</sup></li> </ul> </li> </ul>	A1(a) – <b>Not Complying</b> - combined gross floor area more than 100m <sup>2</sup> A1(b) – Complies – Maximum Height is 3.1m. A1(c) – Complies - setback from frontage is more than the existing dwelling on the site.

<p>(b) Have a wall height no more than 6.5m and a building height not more than 7.5m</p> <p>(c) Have setback from frontage no less than that of the existing or proposed dwelling on the site.</p>	
<p>Outdoor Storage Areas (Cl. 13.4.5)</p> <ul style="list-style-type: none"> <li>A1 - Outdoor storage areas for non-residential uses must comply with all of the following: <ul style="list-style-type: none"> <li>(a) be located behind the building line;</li> <li>(b) all goods and materials stored must be screened from public view;</li> <li>(c) not encroach upon car parking areas, driveways or landscaped areas.</li> </ul> </li> </ul>	<p>A1(a) – Complies - There is no storage associated with the proposed use in front of the building line.</p> <p>A1(b) – <b>Not Complying</b> – There is some storage visible from public view.</p> <p>A1(c) - Complies</p>

**CODE PROVISIONS**

CLAUSE	COMPLIANCE/COMMENTS
<b>E1.0 Bushfire-Prone Areas Code</b>	
<p>Standards for hazardous uses (Cl.E1.5.2.)</p> <ul style="list-style-type: none"> <li>A1 – No acceptable solution</li> <li>A2 – Demonstrate bushfire protection measures</li> <li>A3 - A bushfire hazard management plan.</li> </ul>	<p>A1 – NA</p> <p>The Planning Report submitted with the application states that the Clause E1.5.2 does not apply as a hazardous use applies to fuel stations, chemical depots etc not a residential dwelling or resource development. However, definition of a hazardous use is not dependent upon the use class per se but rather the amount of hazardous chemicals used, handled, generated or stored on a site. There are situations where a resource development use can involve a hazardous use. Accordingly, further information was requested in relation to hazardous uses and the quantity of hazardous chemicals used, generated and stored on site.</p> <p>In response to a Further Information Request, the applicant stated that the amount of hazardous materials does not exceed manifest quantities. While no details on quantities was provided, on the basis of the statement, it is accepted that the proposed development is not a hazardous use provided a condition is included in any permit issued specifying that the quantity of hazardous chemicals used, generated and stored on site must not exceed the manifest quantities as specified in the <i>Work Health and Safety Regulations 2012</i>.</p>



	A2 – NA A3 – NA
<b>E5.0 Road and Railway Assets Code</b>	
<p>The Council's Development Engineering Officer has advised that any relevant Standards in the Code are complied with.</p> <p>There are no new vehicle crossings nor a sensitive use within the proximity of a Category 1 or 2 Trunk Road and the development does not generate an intensification of the accesses beyond that envisaged by the Code.</p>	
<b>E6.0 Parking and Access Code</b>	
<p>Use standards – number of car parking spaces (Cl.E6.6.1)</p> <ul style="list-style-type: none"> <li>A1 - Number of on-site car parking spaces complies with table E6.1.</li> </ul>	<p>A1 – Complies – The use of Resource Development does not require any car parking space allocation. There are no farm gate sales.</p> <p>Two car parking spaces for employees are provided on site.</p>
<p>Number of vehicular accesses (Cl.E6.7.1)</p> <ul style="list-style-type: none"> <li>A1 – Number of vehicle access points complies</li> </ul>	<p>A1 – Complies – there is 1 access existing.</p>
<p>Design of vehicular accesses (Cl.E6.7.2)</p> <ul style="list-style-type: none"> <li>A1 – Accesses must comply with Australian Standard AS2890 and comply with the required sight distance provision</li> </ul>	<p>A1 – Complies</p> <p>A condition is included for upgrading to the require standard.</p>
<p>Vehicular passing areas along an access (Cl.E6.7.3)</p> <p>A1 – Vehicular passing areas complies</p>	<p>A1 – Complies</p>
<p>On-site Turning (Cl.E6.7.4)</p> <p>On site turning must be provided for all non-residential carparking spaces</p>	<p>A1 – Complies - Sufficient area for single unit trucks to turn and load on site.</p>
<p>Layout of parking areas (Cl.E6.7.5)</p> <ul style="list-style-type: none"> <li>A1 – Layout and compliance with Australian Standard</li> </ul>	<p>A1 – Complies</p>
<p>Surface treatment of parking areas (Cl.E6.7.6)</p> <ul style="list-style-type: none"> <li>A1 – Parking spaces and vehicle circulation roadways must be in accordance with all of the following;                             <ul style="list-style-type: none"> <li>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</li> </ul> </li> </ul>	<p>A1 – <b>Not Complying</b> – the road from which access is provided to the property is sealed and there is a gravel car park provided.</p>

(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	
Access to a road (Cl.6.7.14) <ul style="list-style-type: none"> <li>A1 – Access to a road complies with road authority requirements</li> </ul>	A1 – Complies – A condition is included on the Permit for access to be sealed due to Nierinna Road recently being upgraded to a sealed standard and safety requirements.
<b>E7.0 Stormwater Management Code</b>	
Stormwater drainage and disposal (Cl.E7.7.1) <ul style="list-style-type: none"> <li>A1 – Disposal of stormwater to public infrastructure</li> <li>A2 – Sensitive design of stormwater system incorporates water sensitive urban design principles</li> <li>A3 – Design of minor stormwater drainage system</li> <li>A4 – Design of major stormwater drainage system</li> </ul>	A1 – <b>Not Complying</b> – There is no public stormwater infrastructure. A2 – NA A3 – NA A4 – NA
<b>E10.0 Biodiversity Code</b>	
Buildings and works (Cl.E10.7.1) <ul style="list-style-type: none"> <li>A1 – Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.</li> </ul>	A1 – <b>Not Complying</b> - Clearance and disturbance is not within a Building Area. The proposal will impact on moderate biodiversity values, being 2220m <sup>2</sup> of a non-threatened native vegetation community <i>Eucalyptus obliqua</i> dry forest and woodland (DOB) containing two (2) trees of high conservation value.
<b>E14.0 Scenic Landscapes Code</b>	
Removal of bushland within scenic landscape areas (Cl.E14.7.1) <ul style="list-style-type: none"> <li>A1 – Removal or disturbance of bushland must comply with both of the following:            (a) be on land no less than 50 m (in elevation) from a skyline;            (b) be no more than 500 m<sup>2</sup> in extent.</li> </ul>	A1(a) – Complies A1(b) – <b>Not complying</b> The proposal will impact on moderate biodiversity values, being 2220m <sup>2</sup> of a non-threatened native vegetation community <i>Eucalyptus obliqua</i> dry forest and woodland (DOB) containing two (2) trees of high conservation value.
Appearance of buildings and works within scenic landscape areas (Cl.E14.7.2)	A1(a) – <b>Not complying</b>

<ul style="list-style-type: none"> <li>• A1 – Buildings must comply with one of the following:                             <ul style="list-style-type: none"> <li>(a) not be visible from public spaces;</li> <li>(b) be an addition or alteration to an existing building that;                                     <ul style="list-style-type: none"> <li>(i) increases the gross floor area by no more than 25%;</li> <li>(ii) does not increase the building height;</li> <li>(iii) provides external finishes the same or similar to existing.</li> </ul> </li> </ul> </li> <li>• A2 – Works must not be visible from public spaces.</li> </ul>	<p>The Mushroom containers and timber screen are visible from public spaces</p> <p>A1(b) – NA – not an addition or alteration to an existing building.</p> <p>A2 – NA.</p>
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Note: Codes not listed in this Checklist have been assessed as not being relevant to the assessment of this application.

Public Copy

**13.2 DA-2021-462 - ANCILLARY DWELLING - 72 BULLOCK DRIVE, LESLIE VALE**

**File Number:** DA-2021-462  
**Author:** Mary McNeill, Planner  
**Authoriser:** Dr Katrena Stephenson, Director Environment, Development & Community Services

<b>Applicant:</b>	Mrs L P Newbery
<b>Owner:</b>	Mrs L P Newbery
<b>Subject Site:</b>	72 Bullock Drive, Leslie Vale (CT 44412/8)
<b>Proposal:</b>	Ancillary dwelling
<b>Planning Scheme:</b>	Kingborough Interim Planning Scheme 2015 <i>Assessment is based on KIPS2015 and provisions of PD4 (which commenced 22 Feb 2022)</i>
<b>Zoning:</b>	13.0 Rural Living (Area A)
<b>Codes:</b>	E1.0 Bushfire Prone Areas E5.0 Road and Railway Assets E6.0 Parking and Access E7.0 Stormwater Management E9.0 Attenuation E10.0 Biodiversity E14.0 Scenic Landscapes E23.0 On-Site Wastewater Management
<b>Use Class/Category:</b>	Residential (single dwelling)
<b>Discretions:</b>	<u>Rural Living Zone</u> 13.4.2 Setback A1 (setback from frontage) 13.4.3 Design A2 (exterior building surfaces) 13.4.3 Design A3 (gross floor area) <u>Stormwater Management Code</u> E7.7.1 Stormwater Drainage and Disposal A1 (stormwater disposal from new impervious surfaces) <u>Attenuation Code</u> E9.7.2. Development for Sensitive use in proximity to use with potential to cause environmental harm A1 (No Acceptable Solution) <u>Scenic Landscapes Code</u> E14.7.2 Appearance of buildings and works within scenic landscape areas A1 (visibility of buildings from public spaces) E14.7.2 Appearance of buildings and works within scenic landscape areas A2 (visibility of works from public spaces)
<b>Public Notification:</b>	Public advertising was undertaken between 12 March 2022 and 28 March 2022 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
<b>Representations:</b>	Five (5) submissions were received on the following grounds: <ul style="list-style-type: none"> <li>• Covenant on the title – one dwelling</li> <li>• Covenant on the title – setback to boundaries</li> </ul>

	<ul style="list-style-type: none"> <li>• Increase in parking and traffic along Bullock Drive, and related impacts to safety and recreational use of the road (including horse-based activities)</li> <li>• Use as Visitor Accommodation and related impacts</li> <li>• Frontage setback discretion – negative impacts</li> <li>• Amenity of the locality: Concern regarding the density of development, distance of the proposed ancillary from property boundaries, and impact on the semi-rural character were raised as impacting the amenity of the area.</li> <li>• Use of existing outbuilding on the site</li> <li>• On-Site Wastewater Management</li> <li>• Stormwater Management on site</li> <li>• Proximity of water tank to boundary of 76 Bullock Drive</li> <li>• Aesthetic appeal and privacy</li> <li>• Inconsistencies, errors and omissions on submitted plans <ul style="list-style-type: none"> <li>- Additional shed</li> <li>- Extra driveway</li> <li>- Inconsistency in setback measurement on plans</li> <li>- Landscaping Plan inaccuracies</li> <li>- Planting location issues</li> </ul> </li> <li>• Unapproved dams on the subject land</li> <li>• Lack of notification of application</li> </ul>
<b>Recommendation:</b>	Approval with conditions

## 1. PROPOSAL

### 1.1 Description of Proposal

The application seeks approval for an ancillary dwelling at 72 Bullock Drive, Leslie Vale.

The proposed location of the ancillary is setback 14.4m from the frontage, and 12.04m from the south-western side boundary. There would be a distance of 13.8m between the ancillary and the existing primary dwelling. The ancillary would have a floor area of 60m<sup>2</sup>, with a building footprint of 8m by 7.5m and a roof expanse of 9.5m x 10m. Wall heights are proposed to be 2.7m and maximum building height is proposed to be 4.303m.

The proposed ancillary would have two bedrooms, an open plan kitchen/living room, a bathroom and laundry. The building front facade would not be parallel with the frontage but instead would be angled to the road providing direct northern solar access to the living area and Bedroom 2.

The design could be considered a mock “Colonial Georgian” farmhouse style, with simplicity in design, wrap-around verandah and a hipped roof. The extended verandah roof form is of lower pitch than the hip roof. The approach to fenestration is largely contemporary but applies symmetry on three facades.

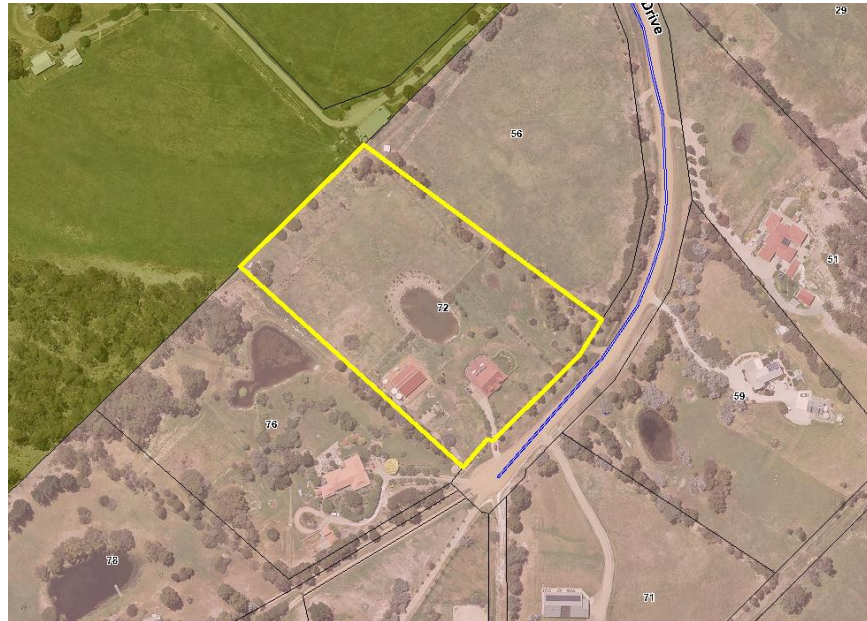
External materials are proposed to match the existing primary dwelling, being “Sandstone Yellow” brickwork, with “Manor Red” ‘Colorbond’ roofing.

A new driveway is proposed from the existing driveway providing a connection to the existing shed. An existing but unauthorised crossover and driveway are proposed for removal.



Landscaping is proposed to provide screening of the ancillary dwelling from the frontage and the southwest side boundary shared with 76 Bullock Drive.

## 1.2 Description of Site



*Figure 1 - Aerial view of subject lot (Source: MapInfo)  
Note: Aerial imagery only accurate as to most recent MapInfo update*

The subject lot is on the north-western side of Bullock Drive, close to the end of the cul-de-sac. The lot is an irregular polygon of nominally rectangular form. The site falls generally to the north-west from approximately 268m to 260m Australian Height Datum.

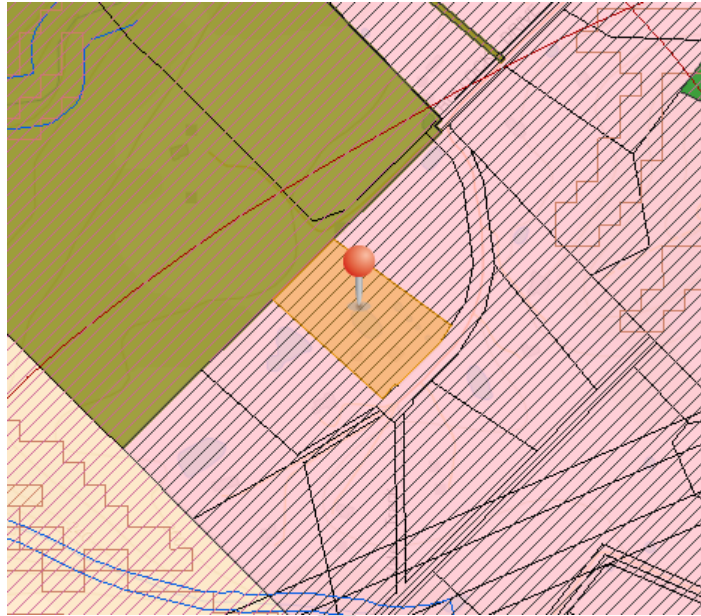
The vegetation is mapped as Agricultural Land (FAG) with a Land capability classification of 5. The Geology of the site is mapped as Upper glaciomarine sequences of pebbly mudstone, pebbly sandstone and limestone (Pu).

There is a Footway to the south of the subject lot on the opposite side of the Bullock Drive cul-de-sac. (CT 44412/100) (see *Figure 2* below).



*Figure 2 - Bullock Drive Footway - highlighted - south of the subject site (Source: LISTmap)*

As shown in *Figure 3* below, the subject lot is zoned Rural Living (Area A) under the Kingborough Interim Planning Scheme 2015 (the Scheme). The Bushfire Prone Areas, Attenuation, Biodiversity, and Scenic Landscapes Code overlays are mapped over the subject land. The Attenuation Areas are related to two Quarries, one with Buffer distance of 1000m due to potential impacts of noise and dust, and the second with a buffer distance of 1000m due to potential impacts of noise, vibration, and dust. The subject lot is non-sewer serviced land and therefore the On-Site Wastewater Code applies. The Parking and Access Code applies to all use and development under the Scheme. The Stormwater Management Code applies.



*Figure 3 - Zoning and Code overlays applied to the subject lot (Source: LISTmap)*

Existing built development on the lot consists of a dwelling and outbuilding (shed) and is located in the southern corner of the site. There are areas of established vegetation along the existing driveway and along the frontage. There are a number of dams on the subject site. See *Figures 4-8* below. All images were taken on a site visit undertaken on 1 September 2021.



*Figure 4 - Existing driveway and dwelling at the subject site*





*Figure 5 - View of existing dwelling from Bullock Drive*



*Figure 6 - Existing vegetation screening along frontage to Bullock Drive*



*Figure 7 - Area to the west of the driveway proposed as the location of the ancillary dwelling*





*Figure 8 - Unauthorised second access and driveway to existing outbuilding*

### 1.3 Background

#### Creation of the lot

The subject lot was created under the subdivision of CT2345/34 and CT3777/4 under Council application number SD1688 in 1990.

#### Council records of approvals

Council records indicate the following Development Services approvals related to the subject lot:

- DA 007791 SHED & HORSE SHELTER (associated BA 015074 Shed)
- DA 098324 RELAXATION OF FRONT SETBACK FOR HOUSE (no associated BA) – Permit not acted upon
- DA-2002-294 DWELLING WITH RELAX OF FRONT & HEIGHT (associated BA/529-2002 RESIDENTIAL DWELLING)

The Planning Report for the dwelling approved under DA-2002-294 made note of the nature of the lot being flat and boggy, being in a marshy area of Leslie Vale. Note was made that the location of the dwelling was considered in keeping with the character and developments in the area and likely to be visually unobtrusive. Landscaping was also considered to provide screening to the dwelling. The existing dwelling was approved under the previous planning scheme, Kingborough Planning Scheme 2000.

- DA-2009-331 DEMOLITION OF SHED & NEW SHED & DECK (associated BA/848-2009 SHED)
- A plumbing permit was issued under BA/848-2009 for the plumbing installations within the outbuilding (shed).
- PA/88-2018 INSTALLATION OF PUMP WELL

A Plumbing Permit was issued under PA/88-2018 for a waste-water system (pump). The owner was notified on 18 March 2020 that the permit was due to expire on 4 May 2020. No further correspondence related to the plumbing permit is on file.

#### Unauthorised development at the subject lot

During the advertising period, Council received a number of representations that drew Council's attention to potentially unauthorised development and use at the subject lot. Further investigation was undertaken, and some unauthorised development was confirmed.

A second access to the lot was determined to be unauthorised. Advice from Council's Development Engineer was that the second access could not satisfy the applicable standards of the Parking and Access Code or the Road and Railway Access Code (Clause E5.6.2 (P1 and P2) Road Accesses and Junctions under the Road and Railway Assets Code and Clause E6.7.1 (P1) Number of Vehicular Accesses under the Parking and Access Code). The advice was that the second access would have to be removed. Any permit would be conditioned for the removal of the unauthorised access.

Discussions with the owner resulted in the inclusion of a new section of driveway to connect off the existing access/driveway to the outbuilding (shed) and the removal of the unauthorised access to the application.

Unauthorised dam works were not included in the application. Due to the more involved process of assessment of dams, following a suggestion from the Planning Officer, the owner agreed that they would seek approval under a separate application for the dams as it was considered that the application could be determined without resolving the unauthorised dams. A condition is recommended to be included on any permit issued that the dam works are not approved under the application and that approval must be sought for the dam works within three (3) months of the issue of the permit.

Whilst the application was modified to include the new section of driveway and the removal of the unauthorised access, it was considered that the application description was adequate for the proposal, and that the application did not require readvertising.

Those who submitted representations were advised by email (dated 1-04-2022) of the delay in the determination of the application in order for Council to investigate the issues raised by representors.

## **2. ASSESSMENT**

### **2.1 State Policies and Act Objectives**

The proposal is consistent with the outcomes of the State Policies.

The proposal is consistent with the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

### **2.2 Strategic Planning**

The relevant strategies associated with the Scheme are as follows:

#### *Zone Purpose Statements of the Rural Living zone*

- 13.1.1.1 *To provide for residential use or development on large lots in a rural setting where services are limited.*
- 13.1.1.2 *To provide for compatible use and development that does not adversely impact on residential amenity.*

- 13.1.1.3 *To provide for agricultural uses that do not adversely impact on residential amenity.*
- 13.1.1.4 *To facilitate passive recreational uses that enhance pedestrian, cycling and horse trail linkages.*
- 13.1.1.5 *To avoid land use conflict with adjacent Rural Resource or Significant Agriculture zoned land by providing for adequate buffer areas.*
- 13.1.1.6 *To provide for use and development that respects the natural landscape.*

#### Clause 13.1.2 – Local Area Objectives

There are no Local Area Objectives for this Zone.

#### Clause 13.1.3 – Desired Future Character Statements

There are no Desired Future Character Statements for this Zone.

## 2.3 Statutory Planning

The use is categorised as Residential (Single Dwelling) under the Scheme which is a No Permit Required use in the Rural Living Zone. Whilst the application is classified as a No Permit Required use, the development relies on Performance Criteria to comply with the Scheme provisions and is therefore discretionary.

Council's assessment of this proposal should also consider the issues raised in the representations, the outcomes of any relevant State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

## 2.4 Use and Development Standards

The proposed Ancillary Dwelling meets the definition under Clause 4.1 of the Scheme as follows:

*means an additional dwelling:*

- (a) *with a floor area not greater than 60m<sup>2</sup>;*
- (b) *that is appurtenant to a single dwelling; and*
- (c) *that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.*

If additional on-site wastewater capacity is required, Council takes the position that this is not antithetical to the definition.

The proposal satisfies the relevant Acceptable Solutions of the Scheme (see checklist in Attachment 1), with the exception of the following:

### Rural Living Zone

#### Clause 13.4.2 Setback

Acceptable Solution
<p>A1</p> <p>Building setback from frontage must be no less than: 20 m.</p>

<b>Performance Criteria</b>
<p>P1</p> <p>Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the prevailing setbacks of existing buildings on nearby lots;</li> <li>(c) the size and shape of the site;</li> <li>(d) the location of existing buildings on the site;</li> <li>(e) the proposed colours and external materials of the building;</li> <li>(f) the visual impact of the building when viewed from an adjoining road;</li> <li>(g) retention of vegetation.</li> </ul>
<b>Proposal</b>
<p>Setback to frontage would be 14.4m and therefore the proposal does not comply with A1.</p>

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The setback from the frontage for the proposed ancillary dwelling was increased from the original proposal during the further information stage. The limitations for the siting of the ancillary dwelling on the site relate to the flat topography and soil type which results in poor drainage of the land.
- The prevailing setbacks to dwellings on nearby lots are in excess of the Acceptable Solution from Bullock Drive. However, the lot designs are not like for like, and setbacks vary with lot characteristics, including a number of internal lots. A number of clustered buildings in one area on a site would be in keeping with numbers 51, 59, 76, 77, 78 and 79 Bullock Drive. The proposed setback to the ancillary dwelling is not considered to constitute a substantive change to the setback of buildings on the subject land due to the setback of the existing dwelling and would not be considered to have any unreasonable impact on the characteristics of the surrounding landscape or the amenity of adjoining lots.
- The size and shape of the site is not considered to determine the proposed location of the ancillary.
- The existing dwelling at the subject lot has a setback of approximately 20m. The proposed ancillary would have a setback of 14.4m and is located in proximity to the existing dwelling, creating appurtenance as required under the definition of an ancillary dwelling.
- The proposed colours and external materials are proposed to match the existing dwelling on the site.
- The proposed ancillary dwelling is a small, relatively low building and the structure is softened by the wrap around verandah. The angled siting of the ancillary to the frontage results in a reduced area directly visible from the road. The visual impact is not considered to constitute any unreasonable impacts to the characteristics of the surrounding landscape or the amenity of adjoining lots.

- The existing plantings (non-Tasmanian natives) are proposed to be retained and provide screening from the road; a condition to retain all existing vegetation is recommended on any permit issued.

### Rural Living Zone

#### Clause 13.4.3 Design

<b>Acceptable Solution</b>
A2 Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.
<b>Performance Criteria</b>
P2 Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.
<b>Proposal</b>
Whilst the selected roofing colour complies with the Acceptable Solution, the proposed external colours include sandstone yellow brick veneer (likely more than 40 LRV) and therefore the proposal would not comply with A2.

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The external building surfaces have been selected to match the existing development on the subject lot, creating a cohesive set of buildings. The proposed sandstone brick colour is considered suitably muted and natural for a rural context. The proposal would therefore not detract from the contribution the site makes to the landscape, views and vistas, based on colour selection.
- The proposed wraparound verandah would not allow direct light to reflect off the brick work. For these reasons it is not anticipated that there would be any adverse impacts on visual amenity of neighbouring land based on colour selection.

### Rural Living Zone

#### Clause 13.4.3 Design

<b>Acceptable Solution</b>
A3 The combined gross floor area of buildings must be no more than: 375 m <sup>2</sup> .
<b>Performance Criteria</b>
P3 The combined gross floor area of buildings must satisfy all of the following: (a) there is no unreasonable adverse impact on the landscape; (b) buildings are consistent with the domestic scale of dwellings on the site or in close visual proximity; (c) be consistent with any Desired Future Character Statements provided for the area;
<b>Proposal</b>
The proposed total gross floor area would be 516m <sup>2</sup> and therefore does not comply with A3.

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The proposed ancillary would be clustered near the existing built development on the site. The proposed location is in an existing cleared area and there would be no impact on native vegetation. The location of the ancillary is on a flat area of the site and would not have distinct visibility in the surrounding landscape. For these reasons it is considered that there would be no unreasonable adverse impact on the landscape.
- The existing dwelling has a gross floor area over two levels of 264m<sup>2</sup>, and the associated outbuilding has a gross floor area of 192m<sup>2</sup>, with an existing total of 456m<sup>2</sup>. The proposed ancillary is a single storey 60m<sup>2</sup> structure and would be consistent with the scale of the existing dwelling (and associated outbuilding) on the site.
- The lot directly to the north-east of the subject lot, 56 Bullock Drive, is vacant land (CT 44412/9 PID7687722). Dwellings in close visual proximity would be considered to be those at numbers 51, 59, 71, 76 and 77 Bullock Drive. The dwellings (and associated outbuildings) on these lots have the following gross floor area:
  - 51 Bullock Drive – 491m<sup>2</sup> (based on building plans BA/68-2017)
  - 59 Bullock Drive – 267.92m<sup>2</sup> (based on DA-2010-596)
  - 71 Bullock Drive – 429.36m<sup>2</sup> (based on DA-2000-117)
  - 76 Bullock Drive – 289m<sup>2</sup> (based on BA 015366 building plans - 235m<sup>2</sup> dwelling only. Estimate of shed on site 54m<sup>2</sup> (based on aerial imagery).
  - 77 Bullock Drive – 354m<sup>2</sup> - (estimate measured off aerial imagery: 216m<sup>2</sup> dwelling, 46m<sup>2</sup> shed, 92m<sup>2</sup> stables)

Whilst the proposed gross floor area would be greater than that of buildings on surrounding properties, the proposed gross floor area is only 25m<sup>2</sup> greater than the gross floor area of buildings at 51 Bullock Drive. It is not considered that the proposal would not be inconsistent with the domestic scale of buildings in close visual proximity. It is also noted that the gross floor area of the existing dwelling is over two levels, so the total proposed footprint on the subject land is less than the gross floor area. It is also noted that the existing gross floor area exceeds the Acceptable Solution and the proposed ancillary dwelling only contributes an additional 60m<sup>2</sup> of floor area.

### Stormwater Management Code

#### Clause E7.7.1 Stormwater Drainage and Disposal

Acceptable Solution
<p>A1</p> <p>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>
Performance Criteria
<p>P1</p> <p>Stormwater from new impervious surfaces must be managed by any of the following:</p> <p>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles</p>

- (b) collected for re-use on the site;
- (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.

#### **Proposal**

No public stormwater infrastructure available and therefore the proposal is unable to comply with A1.

The application was referred to Council's Development Engineer who advised that the proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- A standard condition would be included on any permit issued for on-site disposal of stormwater.

#### **Attenuation Code**

**Clause E9.7.2 Development for Sensitive use in proximity to use with potential to cause environmental harm.**

<b>Acceptable Solution</b>
A1 No Acceptable Solution.
<b>Performance Criteria</b>
<p>P1 Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following:</p> <p>(a) the nature of the use with potential to cause environmental harm; including:</p> <ul style="list-style-type: none"> <li>(i) operational characteristics;</li> <li>(ii) scale and intensity;</li> <li>(iii) degree of hazard or pollution that may emitted from the activity;</li> </ul> <p>(b) the degree of encroachment by the sensitive use into the Attenuation Area or the attenuation distance;</p> <p>(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions</p>
<b>Proposal</b>
The proposal is for a sensitive use on land within an Attenuation Area shown on the planning scheme maps and therefore the Code applies under E9.2. Whilst not introducing a new sensitive use to the land, the proposal is not an addition or alteration to an existing budling and therefore is not exempt under E9.4. There is no acceptable solution for this clause.

The proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- The attenuation mapping relates to two quarries that have the potential to impact land in the attenuation area due to noise, vibration, and dust. There is an existing dwelling on the site and Council is not aware of any issues related to these environmental nuisances.

- The proposed development is located on land towards the fringe of the attenuation area for two quarries (see Figure 8 below).
- It is not considered that any mitigation measures related to design, layout and construction of the development are necessary.

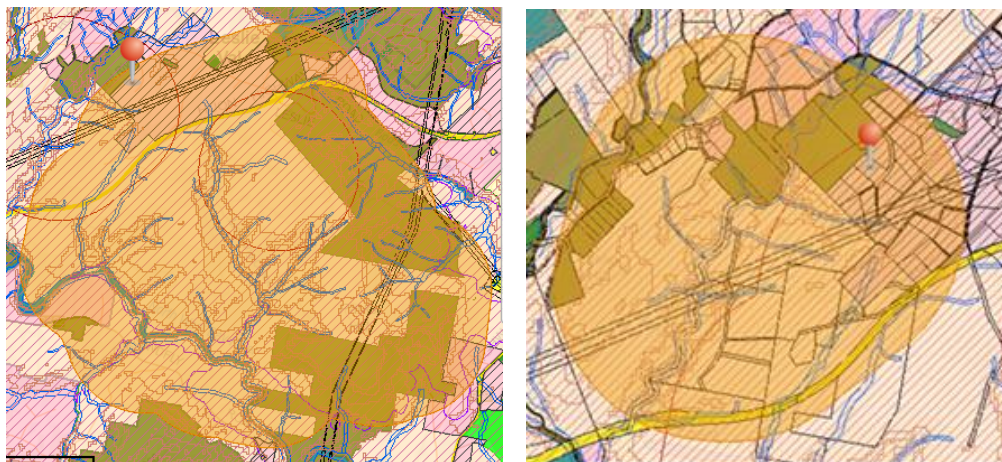


Figure 9 - Attenuation mapped areas for the two quarries (Source: LISTmap)

### Scenic Landscapes Code

#### Clause E14.7.2 Appearance of buildings and works within scenic landscape areas

Acceptable Solution
<p>A1</p> <p>Buildings must comply with one of the following:</p> <p>(a) not be visible from public spaces;</p> <p>(b) be an addition or alteration to an existing building that;</p> <p>(i) increases the gross floor area by no more than 25%;</p> <p>(ii) does not increase the building height;</p> <p>(iii) provides external finishes the same or similar to existing.</p>
Performance Criteria
<p>P1</p> <p>Buildings visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary:</p> <p>(a) have external finishes that are non-reflective and coloured to blend with the landscape;</p> <p>(b) be designed to:</p> <p>(i) incorporate low roof lines that follow the natural form of the land;</p> <p>(ii) minimise visual impact in height and bulk;</p> <p>(iii) minimise cut and fill;</p> <p>(c) be located below skylines;</p> <p>(d) be located to take advantage of any existing native vegetation or exotic vegetation for visual screening purposes.</p>
Proposal
<p>The ancillary dwelling would be visible from public spaces (the road) and therefore does not comply with A1.</p>



The proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- Whilst the selected brick colour is relatively light, it is proposed to match the existing dwelling and is of a natural sandstone tone and is considered suitable to blend with the landscape. The proposed verandah would further soften the external features and provide shadows at varying times of day. The roof is proposed to be a darker colour with low light reflectance value and similarly designed to match the existing dwelling.
- The proposed ancillary dwelling is of relatively low height with maximum height at the roof apex of 4.303m. The proposal would not appear bulky, but is considered to be simple, modest and traditional in design, with openings on each façade. There are no unbroken blank façades.
- Minimal cut and fill is proposed.
- The proposed development is not on a skyline.
- The proposed development makes use of existing screening vegetation (and also proposes additional plantings for screening purposes).

### Scenic Landscapes Code

#### Clause E14.7.2 Appearance of buildings and works within scenic landscape areas

<b>Acceptable Solution</b>
A2 Works must not be visible from public spaces.
<b>Performance Criteria</b>
P2 Works visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary; (a) driveways and access tracks are as close as practical to running parallel with contours and are surfaced with dark materials; (b) cut and fill is minimised; (c) surfaces of retaining walls and batters are finished with a natural appearance; (d) fences are post & wire or other designed of a similarly transparent appearance.
<b>Proposal</b>
Driveway works would be visible from public space (the road) and therefore the proposal does not to comply with A2.

The proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- The proposed driveway would be surfaced with gravel, which is considered of suitably neutral non-reflective appearance.
- This section of the site is relatively flat and therefore the driveway would adequately run parallel with contours.
- No cut or fill is proposed.

- No batters or retaining walls are proposed.
- No fences are proposed.

## 2.5 Other Matters

### Title Restrictions: SP 44412 COVENANTS in Schedule of Easements

Whilst Council must have regard for covenants, Council has no power to enforce covenants on titles, unless the covenant is with Council. Covenants are with the original subdividers and the owners of every other lot shown on the plan (except lot 99). The owner of each lot on the plan (except lot 99) are covenanted to observe the following stipulations:

- (a) *Not to erect on such lot more than one dwelling constructed for a single family.*
- Under the planning scheme, an ancillary dwelling is part of a single dwelling use and is not an additional dwelling in the context of use standards. It is required under the ancillary dwelling definition to remain under the one title, and therefore is constructed for a single owner/family. It is not considered that the proposal is in breach of this covenant.
  - The covenant arguably could be breached if the ancillary were to be rented to a second family, however, this would need to be challenged legally to determine. Further, this would be a private civil matter.
  - It is noted that the State Government have indicated through their ancillary dwelling grant program, that the use of ancillary dwellings as rental properties is not considered to be antithetical with a single dwelling use. It is a requirement of the grant program that ancillary dwellings are rented out for a period of two years.
  - Whilst Council do not consider that the covenant has been breached, an advice clause is considered appropriate on any permit issued stating that the owner is responsible to ensure no covenants on the title are breached, or they may be subject to private legal action.
- (b) *Not to erect on such lot any building whatsoever within 5.00 metres of any boundary*
- No building is proposed within 5m of any boundary.
- (c) *Not to construct any dwelling on such lot with any external walls other than brick or brick veneer or to construct any outbuildings on such lot with external walls or cladding other than brick or brick veneer or colorbond (or similar) iron or aluminium.*
- The external walls of the proposed ancillary would be constructed of brick veneer.
- (d) *That no engine or machinery driven by any power and used for any trade operation shall be erected places or affixed on such lot and no trade or business which may be a public nuisance or private annoyance and no noxious trade or business whatsoever shall be carried on or permitted to be carried on on such lot.*
- No engine or machinery driven by power and used for any trade operation is proposed.

- No trade or business is proposed that may be a public nuisance or private annoyance.
- No noxious trade or business is proposed.

No other title restrictions have any bearing on the assessment.

#### Landscaping

The Landscaping Plan included in the advertised plan set was considered adequate for the proposal to satisfy the Scheme standards. However, following the submission of an additional plan for the extension to the existing driveway, it was noted that this plan then conflicted with the landscaping plan and an amended plan was requested. A condition should be included in any permit issued for landscaping to be undertaken in accordance with the endorsed plan.

#### On-Site Wastewater Management

The application was referred to Council's Environmental Health Officer (EHO). Whilst the On-Site Wastewater Management Code is not triggered, the EHO recommended advice on any permit issued that the existing system may require an upgrade due to increased hydraulic load on the existing system. Accordingly, a Plumbing Permit report from a suitably qualified wastewater designer is required demonstrating the existing is suitably sized, or a Plumbing Permit for an upgraded system would be required in accordance with the *Building Act 2016*.

#### Biodiversity

The subject lot is within the Biodiversity Code mapped area. Whilst no native vegetation would be impacted by the proposal, a condition is recommended to be included on any permit issued that no native vegetation removal is approved as part of the permit.

#### Weeds

While no weeds have been identified on site, given the extent of site works, in accordance with clause 8.11.3, a condition should be included in any permit issued requiring implementation of best practice hygiene measures.

#### Extensions of time to determine the application

An extension of time was requested following the receipt of the representations in order to consider the issues raised and allegations of unauthorised use and development at the subject land. An extension of time was granted until 29 April 2022.

An additional extension of time was requested to continue the process of resolving the issues identified with the unauthorised development and to enable the application to progress to Council for a decision within the statutory time frame. This extension was granted until 17 June 2022.

Due to illness of staff members in the Department, a third extension of time was requested. The extension was granted until 23 June 2022.

## **2.6 Public Consultation and Representations**

The application was advertised in accordance with the requirements of s.57 of the *Land Use Planning and Approvals Act 1993* (from 12 March 2022 to 28 March 2022). Five (5) representations were received during the public exhibition period. The following issues were raised by the representors:

1. *Covenants on the title – one dwelling*

Representors considered that the proposal would be in breach of the following covenant on the title:

*(a) Not to erect on such lot more than one dwelling constructed for a single family.*

This issue was raised by two representors. Concerns were that the addition of the ancillary dwelling would create an additional dwelling on the property in contravention of the covenant. One also suggested that this was inconsistent with the planning scheme and sets a precedent for the area undesirable from neighbours' point of view.

*Response*

It was commonly misunderstood by the representors that an ancillary dwelling is not an additional dwelling in the sense of multiple dwellings but is appurtenant to a single dwelling use.

As stated above, from a planning point of view, the proposal maintains the use class of Residential (single dwelling) and it is considered that it would not be in breach of the covenant.

The covenants on the title are private covenants with the Vendor and other lot owners, and any breach would be a private civil matter. If the representor believes there has been a breach of the covenant, they are able to undertake separate civil action.

2. *Covenant on Title – setback to boundaries*

Representors considered that the proposal would be in breach of the following covenant on the title:

*(b) Not to erect on such lot any building whatsoever within 5.00 metres of any boundary.*

This issue was raised by two representors. (It is understood that at least one misread the covenant as requiring a 50-metre setback).

*Response*

The proposal does not breach this covenant as no building is within 5 metres of any boundary.

3. *Increase in parking and traffic along Bullock Drive, and related impacts to safety and recreational use of the road (including horse-based activities).*

These issues were generally raised by all representors. One representation also raised concerns of the driveway adjacent 76 Bullock Drive being used for parking for the ancillary dwelling.

*Response*

An ancillary dwelling is not required to provide additional onsite parking under the Scheme. In accordance with the definition, it must utilise existing parking. It is unlikely that there would be a significant increase in parking demand or traffic generated by an ancillary dwelling.

Whilst parking issues are not anticipated, parking on the street is not prohibited for residential use. The use of an area for horse-based activities does not preclude cars from parking on a road in an unrestricted parking area.

The Scheme does not prevent parking on a driveway. A section of this driveway in proximity to the boundary with 76 Bullock Drive is proposed for removal to be used for landscaping.

4. *Use as Visitor Accommodation and related impacts.*

This issue was raised by all representors. Main concerns were about current use of the existing dwelling and future use of the ancillary dwelling for short-term accommodation. Evidence was provided that the main dwelling is used for Visitor Accommodation. There were concerns regarding the impact to the residential character of Bullock Drive and the current use of the area for primarily outdoor leisure activities.

*Response*

Whilst the application stated that the proposal was for use as a rental, Council has no role in assessment and control over owner occupation or rental of dwellings (primary or ancillary) unless the proposed use is for short-term Visitor Accommodation. The applicant has not applied for short-term rental use (Visitor Accommodation) in this case.

Whilst Council does not have any record of the primary dwelling being used for Visitor Accommodation, under Planning Directive No. 6 Exemption and Standards for Visitor Accommodation in Planning Schemes (PD6), the current use of the primary dwelling for Visitor Accommodation would meet the exemption for Visitor Accommodation. The owner has advised that the dwelling is used by themselves as their main place of residence and only let for short-term accommodation while the owner is temporarily absent, and visitors are accommodated in not more than 4 bedrooms (Exempt under Clause 3.1(b)(i) and (ii) of PD6. See the applicable clause below:

*3.1 the following use is exempt from requiring a planning permit:*

*Visitor Accommodation in a dwelling (including an ancillary dwelling) if:*

- (i) The dwelling is used by the owner or occupier as their main place of residence, and only let while the owner or occupier is on vacation or temporarily absent; or*
- (ii) The dwelling is used by the owner or occupier as their main place of residence, and visitors are accommodated in not more than 4 bedrooms.*

The proposed ancillary dwelling would have 2 bedrooms. The owner could have any four bedrooms in the primary dwelling and/or ancillary dwelling used for Visitor Accommodation in times of temporary absence without the requirement for a Planning Permit for a change of use.

PD6 does not set a time limit on these periods of absence to make this exemption more definitive. There would be no contradiction with the Scheme if the primary dwelling were to be operated under the PD6 exemption and the ancillary dwelling were to be operated either under the exemption or as a long-term rental.

It is not likely that the use of the ancillary dwelling, should it be used for Visitor Accommodation, would create a major increase in demand for onsite parking, nor

would on-street parking be likely to affect safety on Bullock Drive. It is unlikely to impact current recreational use in the area.

Visitor Accommodation use class is Permitted in the Rural Living Zone. Visitor Accommodation is therefore considered under the Scheme to be an appropriate use in the Zone, and the owner could apply for a change of use should they not meet the exemption under PD6. Use Standards associated with that use would be assessed at that time. Additional parking is also required to be provided on site for the Visitor Accommodation use class.

Appropriate conditions would be included on any permit issued as per the standard ancillary dwelling condition that reflects the definition under the Scheme, and also includes that the ancillary dwelling is not to be used for visitor accommodation without prior consent of Council.

5. *Frontage Setback discretion – negative impacts*

This issue was generally raised by all representors. Main concerns related to impacts to amenity including visual impacts when viewed from the road, noise created by occupants, and impacts to recreational use of the road.

*Response*

The proposal has been considered to satisfy the Performance Criteria P1 under Clause 13.4.2 (see assessment above).

The assessment of the application included the requirement for maintaining the vegetation screening from the street, which will reduce its visibility from the road. The ancillary was not able to be setback further from the frontage due to soil and site constraints. It is also considered that the ancillary is appropriately clustered next to the existing driveway and in proximity to the primary dwelling.

It is not accepted that the occupants of the ancillary dwelling are likely to generate excessive noise. There are no Use Standards related to the proposed use of the building as an ancillary dwelling in the Zone.

Whilst the road and nearby footway may be used extensively for walking and recreational use, it is not accepted that the frontage setback of the ancillary dwelling would impact the recreational enjoyment of the area. All existing vegetation along the frontage is proposed to be retained, and a Landscaping Plan has been provided that provides additional screening of the proposed ancillary dwelling.

A condition on the permit will stipulate the landscaping must be undertaken in accordance with the endorsed plan within three (3) months of completion of the ancillary dwelling. In addition, a condition on the permit should be included that no vegetation removal is approved as part of the permit.

6. *Amenity of the locality: Concern regarding the density of development, distance of the proposed ancillary from property boundaries, and impact on the semi-rural character were raised as impacting the amenity of the area.*

This issue was raised in a general sense by all representors.

*Response*

The amenity of the locality is generally covered by the Scheme standards. The Rural Living Zone has density requirements based on the combined Gross Floor

Area of buildings. Whilst it is agreed that the proposal triggers a discretion under Clause 13.4.3 A3, it is considered that the proposal has adequately demonstrated that it meets the Performance Criteria P3 (as discussed above in the assessment) and would not impact the amenity of the locality.

The proposed ancillary dwelling meets the Acceptable Solution for setback from side and rear boundaries being more than the required 10m under Clause 13.4.2 A2. The setback for the ancillary dwelling from 76 Bullock Drive (the boundary to the south-west) would be 12.04m. Council therefore has no planning grounds to require a greater setback from the side boundary to 76 Bullock Drive under the Scheme.

It is not accepted that the ancillary dwelling is close to other dwellings. Estimates of separation distances to the three closest dwellings based on aerial mapping are 60m to the dwelling at 76 Bullock Drive, 105m to the dwelling at 71 Bullock Drive, and 150m to the dwelling at 59 Bullock Drive.

7. *The use of the existing outbuilding on the site*

There was an allegation made by two representors that the owner was using the existing outbuilding as a dwelling.

*Response*

The allegation raised regarding use of the buildings on site was followed up by the Planning Officer. The owner stated that the outbuilding/shed was not used as a dwelling. The owner was requested to obtain confirmation from a Building Surveyor that the outbuilding/shed was not a dwelling. Council received notification from the Building Surveyor, Michael Westcott of Asset Building Surveying (email 10 May 2022) regarding the outbuilding (shed) at 72 Bullock Drive as follows:

*Please be advised that the structure is a Class 10a shed, with a laundry and bathroom/toilet and is not an ancillary dwelling.*

Whilst this information is adequate, given the concerns raised by the representor(s), it is considered appropriate that advice be included in any permit issued that the outbuilding is not to be used for habitation.

8. *On-Site Wastewater Management*

This issue was raised by three representors. Concerns were raised regarding the suitability of the current system in capacity and design with added input from the ancillary dwelling.

*Response*

The application was referred to Council's Environmental Health Officer. An advice clause has been recommended for inclusion on any permit issued. A report from a suitably qualified wastewater consultant would be required to demonstrate that the existing wastewater system is adequate, or if a system upgrade is required, it would be dealt with under the Plumbing Permit process.

9. *Stormwater Management on the site*

This issue was raised by three representors. Concerns were raised regarding a lack of drainage, and lack of detail on plans relating to the overflow from the proposed tank.

*Response*

The application was assessed by Council's Development Engineer and determined to comply with the Performance Criteria subject to condition.

Relevant conditions and advice should be included in any permit issued.

10. *Proximity of water tank to boundary of 76 Bullock Drive.*

This issue was raised by two representors.

*Response*

The proposed rainwater storage tank would comply with the side boundary setback requirement of 10m.

Note: Rainwater tanks with a capacity of less than 45 kilolitres and on a stand no higher than 1.2m are exempt under the Scheme under the Miscellaneous exemptions Clause 5.6.7 minor structures if at least 1m from any boundary. The proposed rainwater tank would satisfy this exemption.

11. *Aesthetic appeal and privacy*

One representor raised the issue of the proposal "*not in keeping with aesthetic appeal expectation of semi-rural subdivision*" and also raised issues of privacy.

*Response*

There are no privacy provisions in the Zone standards, however, it is anticipated that the setback standards would provide some protection related to privacy. The proposal has satisfactorily addressed the frontage setback through generous landscaping and complies with the Acceptable Solution for side and rear boundary setbacks.

It is considered that the ancillary dwelling has been designed to tie in appropriately with existing development on the site, is of simple traditional design, and would not be antithetical to a semi-rural aesthetic.

12. *Inconsistencies, errors and omissions on submitted plans*

The following issues were raised by two representors.

- (i) *"There is an additional small shed at the rear of the block which is obscured in photographs by a big tree, and which is not shown on any site plans"*

*Response*

An additional small shed on the block that may have been left of the site plan would not impact the assessment in any substantive way.

- (ii) *"There is an extra driveway close to the north western boundary from the front gate to the "existing shed (outbuilding)" which is not shown in the photograph or drawings".*

*Response*

This matter has been investigated and the additional crossover to Bullock Drive is unauthorised and is required to be removed. A condition should be included in any permit issued for the removal of the unauthorised crossover.



- (iii) *"The distance from the northwestern boundary (with number 76 Bullock Drive) is not consistent on the landscaping plan and site plan".*

*Response*

The updated landscaping plan has obscured the setback notation to 76 Bullock Drive. The setback on the site plan is shown as 12.04m, and the proposal has been assessed on the basis of this notation on the site plan.

Notwithstanding, either measurement would meet the Acceptable Solution of no less than 10m, therefore this minor inconsistency would not impact the assessment.

- (iv) *"The landscaping plan suggests that vegetation on the north western boundary is already grown and therefore provide a visibility screen. In fact it has been planted recently with a few smaller shrubs. The larger shrubs and trees in the diagram are next door on 76 Bullock Drive".*

*Response*

A condition on the permit will require landscaping to be carried out in accordance with the endorsed plan.

- (v) *"Some of the native vegetation still to be planted is drawn in the plan where there is a present a driveway. This would make it very difficult to establish native shrubs".*

Some errors in terminology related to plant names were also identified by the representor.

*Response*

An area of the existing driveway is proposed to be removed and planted as per the Landscaping Plan. The amended Landscaping Plan makes this more evident. A condition should be included on any permit issued requiring landscaping to be carried out in accordance with the endorsed plan.

13. *Unapproved dams on the subject land.*

This issue was raised by two representors.

*Response*

This matter was investigated, and any unauthorised dams will require approval under the *Land Use Planning and Approvals Act 1993* or the *Water Management Act 1999*. This will be dealt with under a separate planning application if not demonstrated to be approved under the *Water Management Act 1999*.

A condition will be included in any permit issued that any unauthorised dams on the land are not approved under this application and require approval.

14. *Lack of notification of application*

One representor (whose land does not share a boundary with the subject site) raised the issue that they were not notified regarding the application.

*Response*

Council is only required to notify direct boundary neighbours as part of the public notification process. The application was also advertised in *The Mercury* on 12

March 2022. Notifications related to other applications are unable to be commented on.

### 3. CONCLUSION

The proposal for an ancillary dwelling at 72 Bullock Drive complies with all applicable Zone and Code standards under the Scheme.

It is not considered that there are any issues raised by representors that have not been adequately addressed and would prevent Council from approving the proposed ancillary dwelling.

It is recommended that the proposal be approved by Council subject to conditions.

### 4. RECOMMENDATION

That the Planning Authority resolves that the development application for ancillary dwelling at 72 Bullock Drive, Leslie Vale for Mrs L P Newbery 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-2021-462 and Council Plan Reference No P4 submitted on 9 March 2022, P5 submitted on 16 May 2022 and P6 submitted on 24 May 2022.

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

The requirements of (a) must be demonstrated on the Building Plans to the satisfaction of the Manager Development Services where applicable.

3. No felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is approved as part of this planning permit.
4. 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.

5. The stormwater runoff from all new impervious surfaces must be contained within the property or discharged to a Council approved discharge point. All works in relation to the discharge of stormwater must be completed to the satisfaction and approval of the Director Engineering Services.

6. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.
7. Within three (3) months of the date of this Permit, the unauthorised vehicular access must be removed and the nature strip must be reinstated to match the existing/abutting nature strip. All works must be carried out to the satisfaction of the Director Engineering Services.
8. Within three (3) months of the occupation of the ancillary dwelling, landscaping must be undertaken in accordance with the endorsed plan to the satisfaction of the Manager Development Services.
9. Unauthorised dams on the subject land are not approved under this permit. Within three (3) months of the date of this permit, separate approval for the unauthorised dams must be sought by the owner to avoid compliance action being undertaken by Council.

### 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.
- E. The proposed development will potentially increase the hydraulic load on the existing onsite wastewater management system. Prior to issuing a Plumbing Permit a report from a suitably qualified wastewater designer must be submitted to the satisfaction of Council's Environmental Health Officer demonstrating that the existing onsite wastewater management system is suitably sized to manage wastewater generated from the proposed development in accordance with the Building Act 2016. Alternatively, an application for a Plumbing Permit may be submitted for an upgrade of the existing onsite wastewater management system in accordance with the Building Act 2016.
- F. The use of the existing outbuilding on the site is restricted to that of incidental activities associated with the normal enjoyment of a single dwelling and management of the land. The outbuilding may not be used for habitation.

- G. Covenants affecting the subject land are registered on the title within the Schedule of Easements of Sealed Plan 44412. It is the owner's responsibility to ensure that none of these covenants are breached to avoid separate private legal action.

#### **ATTACHMENTS**

- 1. Application Plans**
- 2. Assessment Checklist**

Public Copy

Development Application: DA-2021-462  
 Plan Reference no.: P4  
 Date Received: 9/03/2022  
 Date placed on Public Exhibition: 12/03/2022

## Planning Application for Proposed Ancillary Dwelling at 72 Bullock Drive, Leslie Vale for L. Newbery

### Drawing List (6 sheets)

Sheet A1	-	Proposed site plan
Sheet A2	-	Concept services plan
Sheet A2a	-	Landscaping plan
Sheet A3	-	Proposed floor plan 1:100
Sheet A4	-	Proposed floor plan 1:50
Sheet A5	-	Elevations

**AMENDED PLANS - 1-3-22**

**R & M Jackson**  
**Drafting Services**  
 ABN: 96 026 686 203

Phone: 03 62 391019  
 Email: jacksondrafting@gmail.com

Accredited Building Practitioner  
 Licence No: CC340Y

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 All plans  
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### NOTES TO PLANS

To be read in conjunction with plans and specifications

- 1- Figured dimensions to be used. Do not scale drawings
- 2- It is considered mandatory that a registered surveyor be engaged to confirm all dimensions. It is incumbent upon the builder to instigate this process. Discrepancies are to be notified to this office immediately.
- 3- All materials and work, including installation methods to be in accordance with the relevant AS code, BCA and Manufacturers recommendations. (Refer (4) below)
- 4- It is incumbent and expected that the builder and/or tradesman will be familiar with, and apply exactly, all of the relevant Manufacturers directions and instructions (including those contained within the BCA) for the various materials and systems used in this project. This office can provide this information on request.
- 5- Although every care is taken, R & M Jackson accepts no responsibility for interpretation, error or omission. It is expected that all building work will be carried out in a professional manner in accordance with the relevant AS codes however where ambiguity or doubt exists on the plans the builder MUST notify this office immediately. It is also expected that the builder will be familiar with and understand all aspects of the construction before commencement.
- 6- These drawings to be read in conjunction with engineers reports and other associated reports and details.
- 7- All plumbing and drainage to AS 3500 and Local Authority requirements
- 8- All electrical work to be in accordance with the relevant AS codes.
- 9- Aerial imagery courtesy of "Google Maps Aus." where supplied.
- 10- Any changes to the drawings (as constructed) after submission to the building surveyor are at the cost of the owner and/or the builder and to be paid for prior to lodgement.

**PROJECT No**  
**21P0706**

Contractor to verify the location of all current underground services shown on the plans including but not limited to electricity, telecom, gas, sewer, stormwater, NBN etc. prior to excavation. (DBYD www.1100.com.au)

ALL DIMENSIONS & LEVELS TO BE CONFIRMED BY BUILDER ON SITE PRIOR TO COMMENCEMENT. DISCREPANCIES TO BE REFERRED TO THIS OFFICE IMMEDIATELY

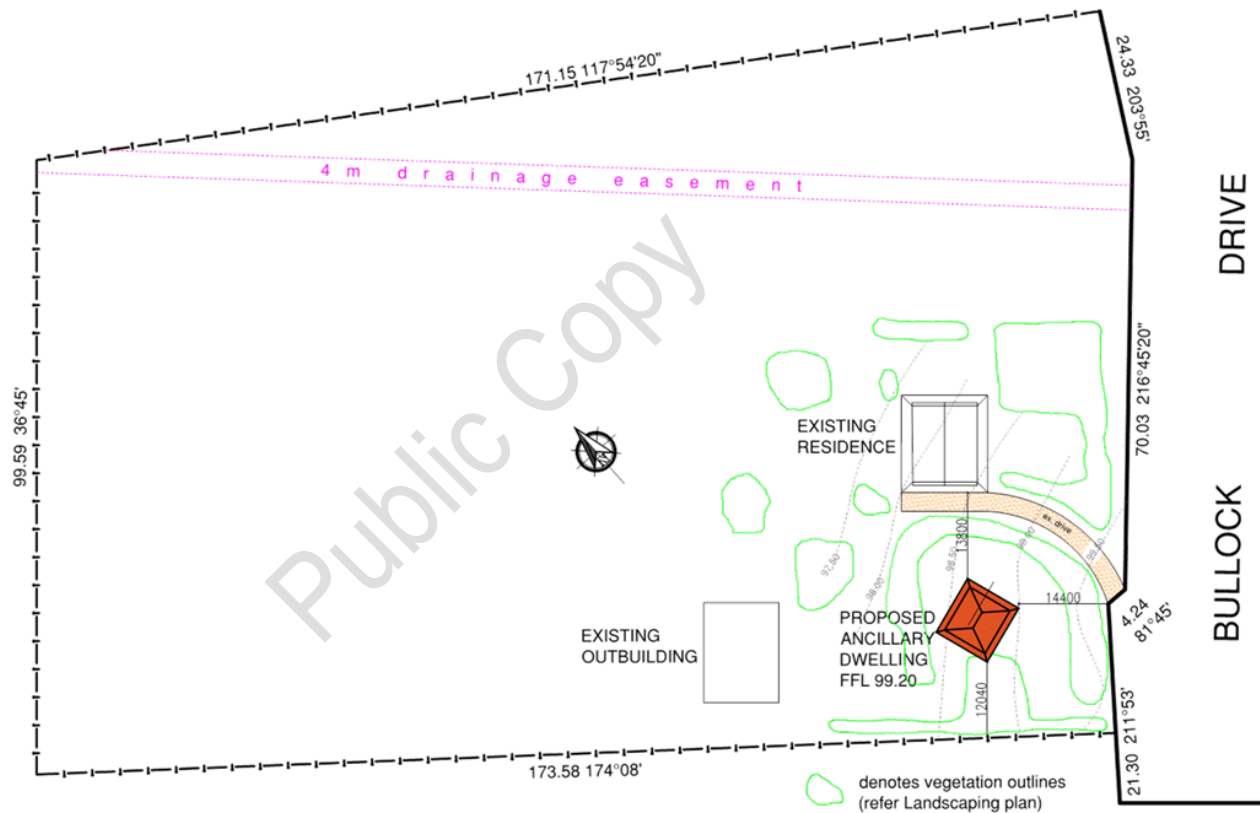
Kingborough Council  
Interim Planning Scheme 2015  
Zone : Rural Living  
Overlays :  
Attenuation Area  
Rural Living Zone - Area A  
Biodiversity Protection Area  
Scenic Landscape Area  
Bushfire Prone Area

NEW FLOOR AREAS  
living - 60m<sup>2</sup>

**BAL**

**OH&S HAZARD**  
Type: public safety  
Solution: provision of safety fencing around construction area

Development Application: DA-2021-462  
Plan Reference no.: P4  
Date Received: 9/03/2022  
Date placed on Public Exhibition: 12/03/2022



**AMENDED PLANS - 1-3-22**

Date	Rev.	Description

Title: Lot 8 SP44412 - 1.894ha  
Wind speed to AS4055 : **N**  
Soil Class to AS 2870 : **-**  
Energy: **refer report**  
BAL:

**Proposed Site plan**

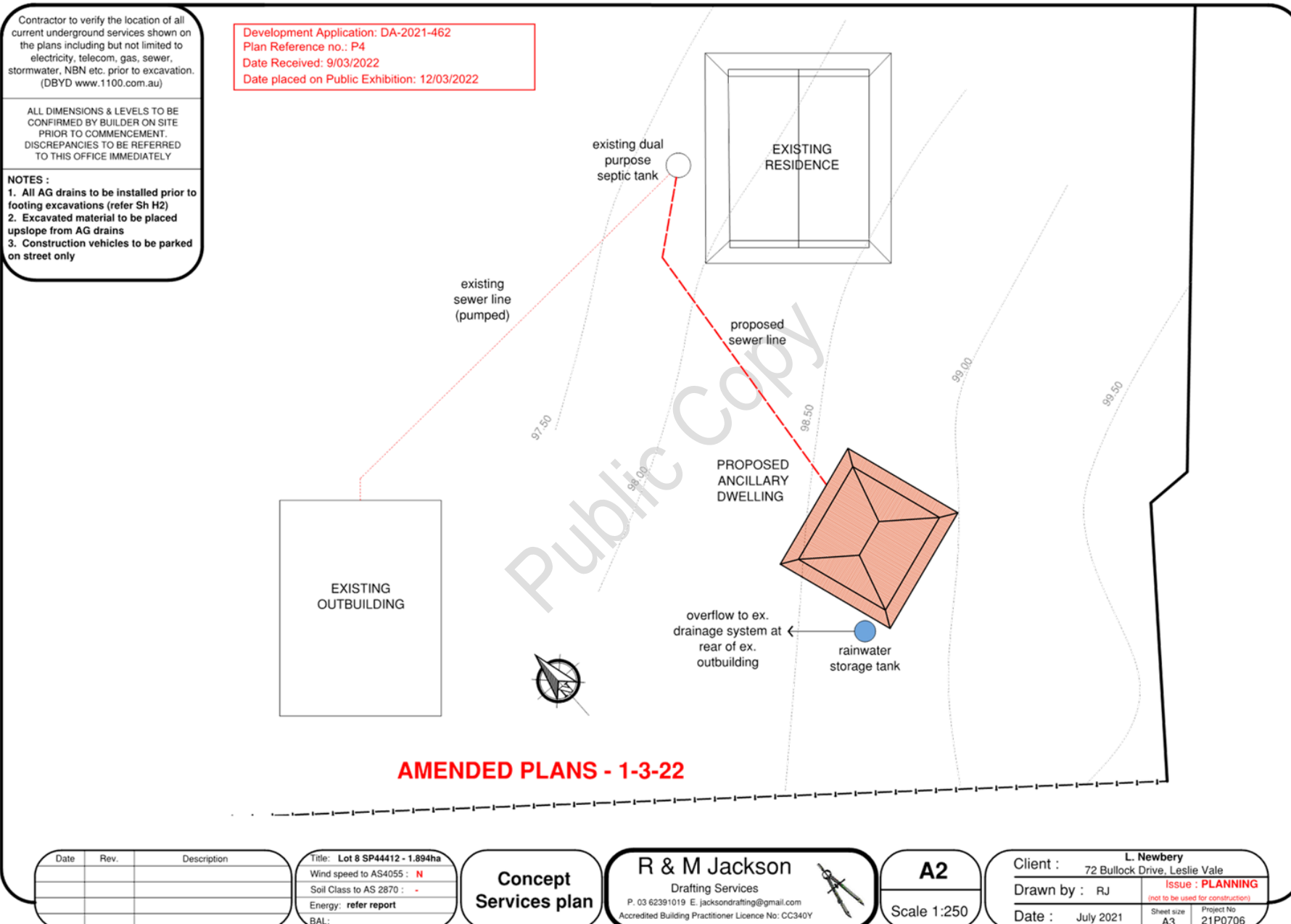
**R & M Jackson**  
Drafting Services  
P. 03 62391019 E. jacksondrafting@gmail.com  
Accredited Building Practitioner Licence No: CC340Y



**A1**

Scale 1:750

Client : **L. Newbery**  
72 Bullock Drive, Leslie Vale  
Drawn by : **RJ**  
Date : July 2021  
Issue : **PLANNING**  
(not to be used for construction)  
Sheet size : **A3**  
Project No : **21P0706**





Contractor to verify the location of all current underground services shown on the plans including but not limited to electricity, telecom, gas, sewer, stormwater, NBN etc. prior to excavation. (DBYD www.1100.com.au)

ALL DIMENSIONS & LEVELS TO BE CONFIRMED BY BUILDER ON SITE PRIOR TO COMMENCEMENT DISCREPANCIES TO BE REFERRED TO THIS OFFICE IMMEDIATELY

**NOTES:-**

1. Kitchen to be provided with rangehood vented externally.
2. All MLV's to be vented externally (can interconnect in roof space) and to be provided with time delay switches.
3. All cupboards adjacent to external walls to be provided with air vents
4. ARTIFICIAL LIGHTING - max. 5 watts/m<sup>2</sup> for living areas max. 4 watts/m<sup>2</sup> for balconies, verandahs max. 3 watts/m<sup>2</sup> for Class 10a buildings (assoc. with Class 1a)
5. All windows are to be positioned centrally within walls UNO
6. Provide 12mm ply blocking between studs at positions of handrails etc in WC's and bathrooms etc.
7. All doors UNO to be 2040x820
8. WC door to either inward swing with removable hinges, outward swing, slide, or inward swing with 1200mm min. between doorway and pan

Development Application: DA-2021-462  
Plan Reference no.: P4  
Date Received: 9/03/2022  
Date placed on Public Exhibition: 12/03/2022

**Door & window Tag Legend**

(sizes examples only - refer to floor plan for actual)

SGW 10-09	Single Glazed Safety Glass Window (1000h x 900w)
SGW 10-09	Single Glazed Window (1000h x 1800w)
DGW 10-18	Double Glazed Window (1000h x 1800w)
SGSD 21-18	Single Glazed Sliding Doors (2100h x 1800w)
DGSD 21-18	Double Glazed Sliding Doors (2100h x 1800w)
SGF 10-09	Single Glazed Fixed Glass (1000h x 900w)
DGSA 10-09	Double Glazed Safety Glass Window (1000h x 900w)

dh denotes double hung / slid. denotes sliding / aw. denotes awning

NOTE: \* bathroom and wc glazing to be obscure unless directed otherwise by owners

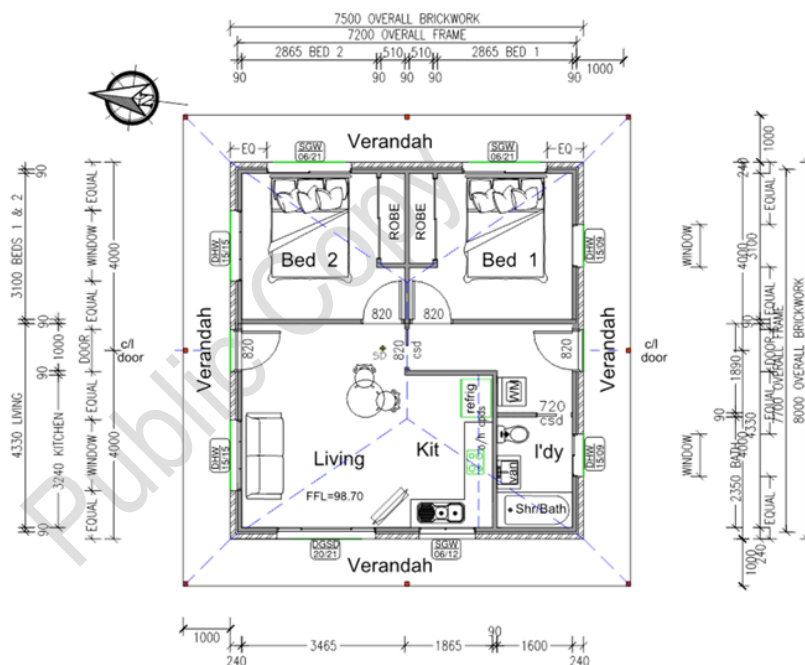
\* Where windows are > 2m (bedrooms) and > 4m (all others) above external surface refer table above

- ⊕ Denotes mech. light & ventilation to AS1668.2
- MLV Denotes wired-in smoke detector to AS 3786
- SD NOTE: All to be interconnected to operate simultaneously

NOTE: ALL WINDOWS TO BE ALUM. FRAMED

REFER ENERGY ASSESSMENT RE: U and SHGC values

WINDOW/DOORS TO BE MANUFACTURED TO - **BAL - N2**



**AMENDED PLANS - 1-3-22**

Date	Rev.	Description

Title: Lot 8 SP44412 - 1.894ha  
Wind speed to AS4055 : **N**  
Soil Class to AS 2870 : **-**  
Energy: **refer report**  
BAL:

**Proposed floor plan**

**R & M Jackson**

Drafting Services

P. 03 62391019 E. jacksondrafting@gmail.com  
Accredited Building Practitioner Licence No: CC340Y

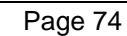
**A3**

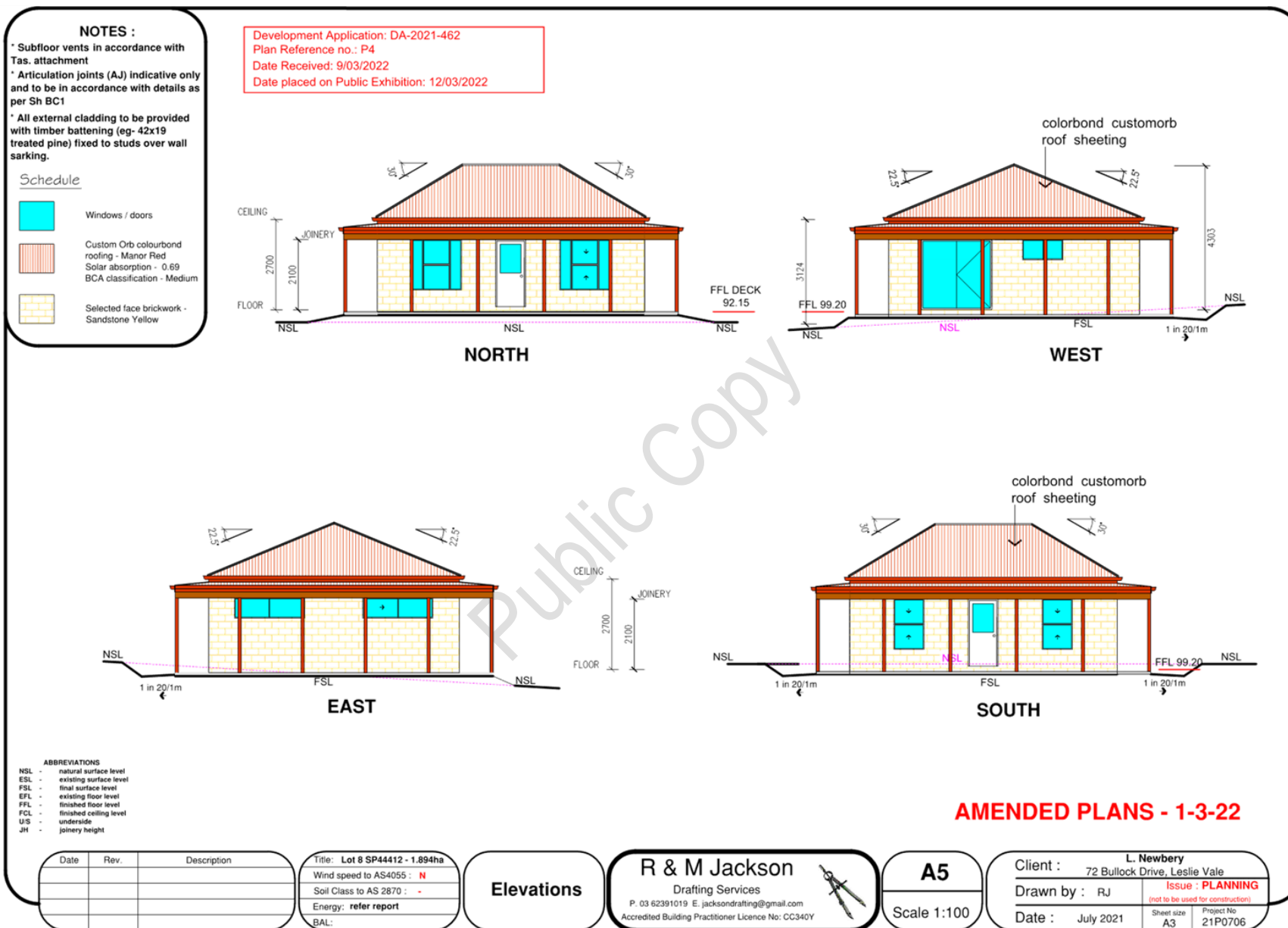
Scale 1:100

Client : **L. Newbery**  
72 Bullock Drive, Leslie Vale

Drawn by : **RJ** Issue : **PLANNING**  
(not to be used for construction)

Date : July 2021 Sheet size A3 Project No 21P0706





Contractor to verify the location of all current underground services shown on the plans including but not limited to electricity, telecom, gas, sewer, stormwater, NBN etc. prior to excavation. (DBYD www.1100.com.au)

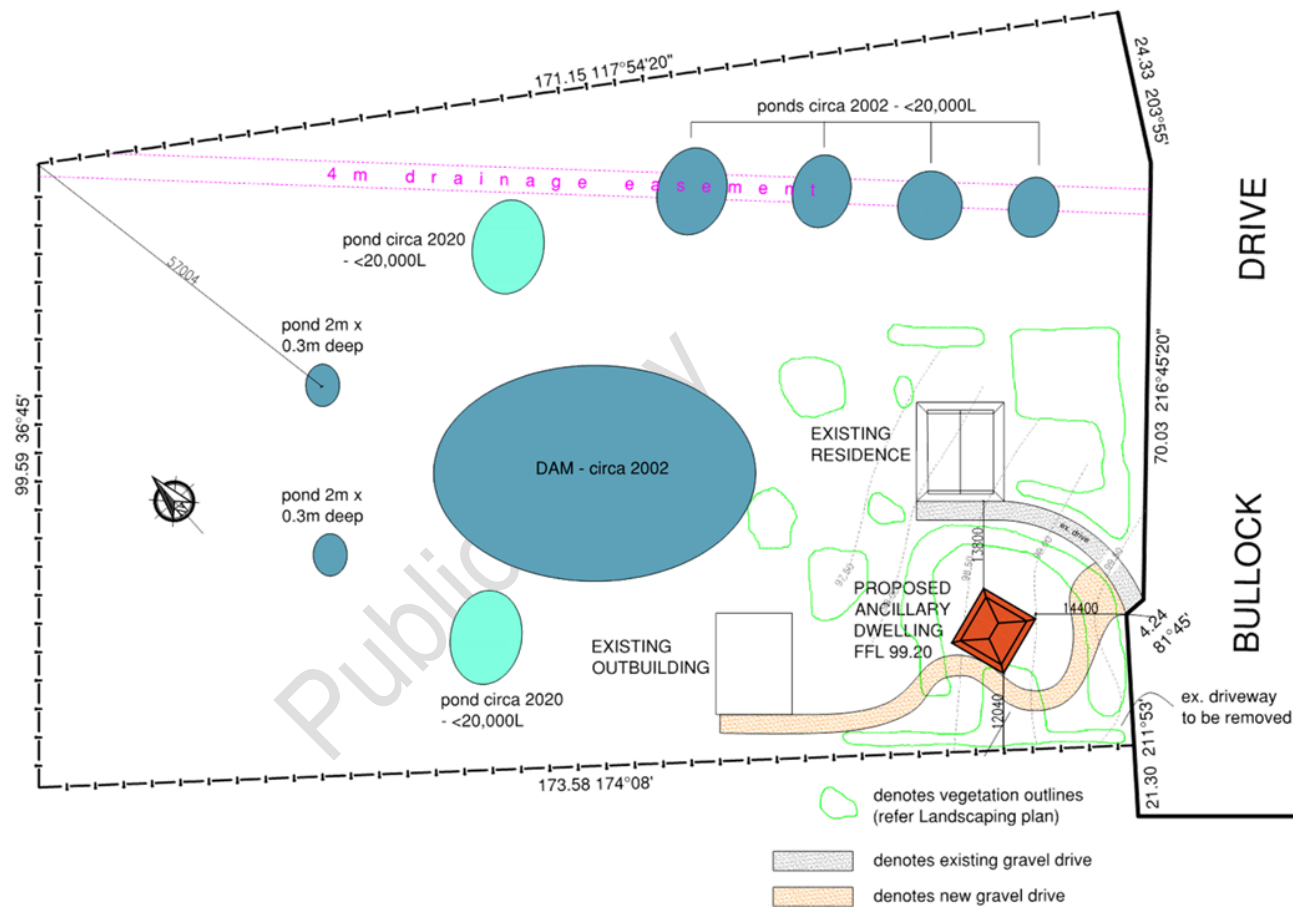
ALL DIMENSIONS & LEVELS TO BE CONFIRMED BY BUILDER ON SITE PRIOR TO COMMENCEMENT. DISCREPANCIES TO BE REFERRED TO THIS OFFICE IMMEDIATELY

Kingborough Council  
Interim Planning Scheme 2015  
Zone : Rural Living  
Overlays :  
Attenuation Area  
Rural Living Zone - Area A  
Biodiversity Protection Area  
Scenic Landscape Area  
Bushfire Prone Area

NEW FLOOR AREAS  
living - 60m<sup>2</sup>

**BAL**

**OH&S HAZARD**  
Type: public safety  
Solution: provision of safety fencing around construction area



**AMENDED PLAN - 28-4-22**

Date	Rev.	Description

Title: Lot 8 SP44412 - 1.894ha
Wind speed to AS4055 : <b>N</b>
Soil Class to AS 2870 : <b>-</b>
Energy: <b>refer report</b>
BAL:

**Proposed Site plan**

**R & M Jackson**  
Drafting Services  
P. 03 62391019 E. jacksondrafting@gmail.com  
Accredited Building Practitioner Licence No: CC340Y



**A1**

Scale 1:750

Client : <b>L. Newbery</b> 72 Bullock Drive, Leslie Vale	Issue : <b>PLANNING</b> (not to be used for construction)
Drawn by : <b>RJ</b>	Sheet size <b>A3</b>
Date : <b>July 2021</b>	Project No <b>21P0706</b>

Contractor to verify the location of all current underground services shown on the plans including but not limited to electricity, telecom, gas, sewer, stormwater, NBN etc. prior to excavation. (DBYD www.1100.com.au)

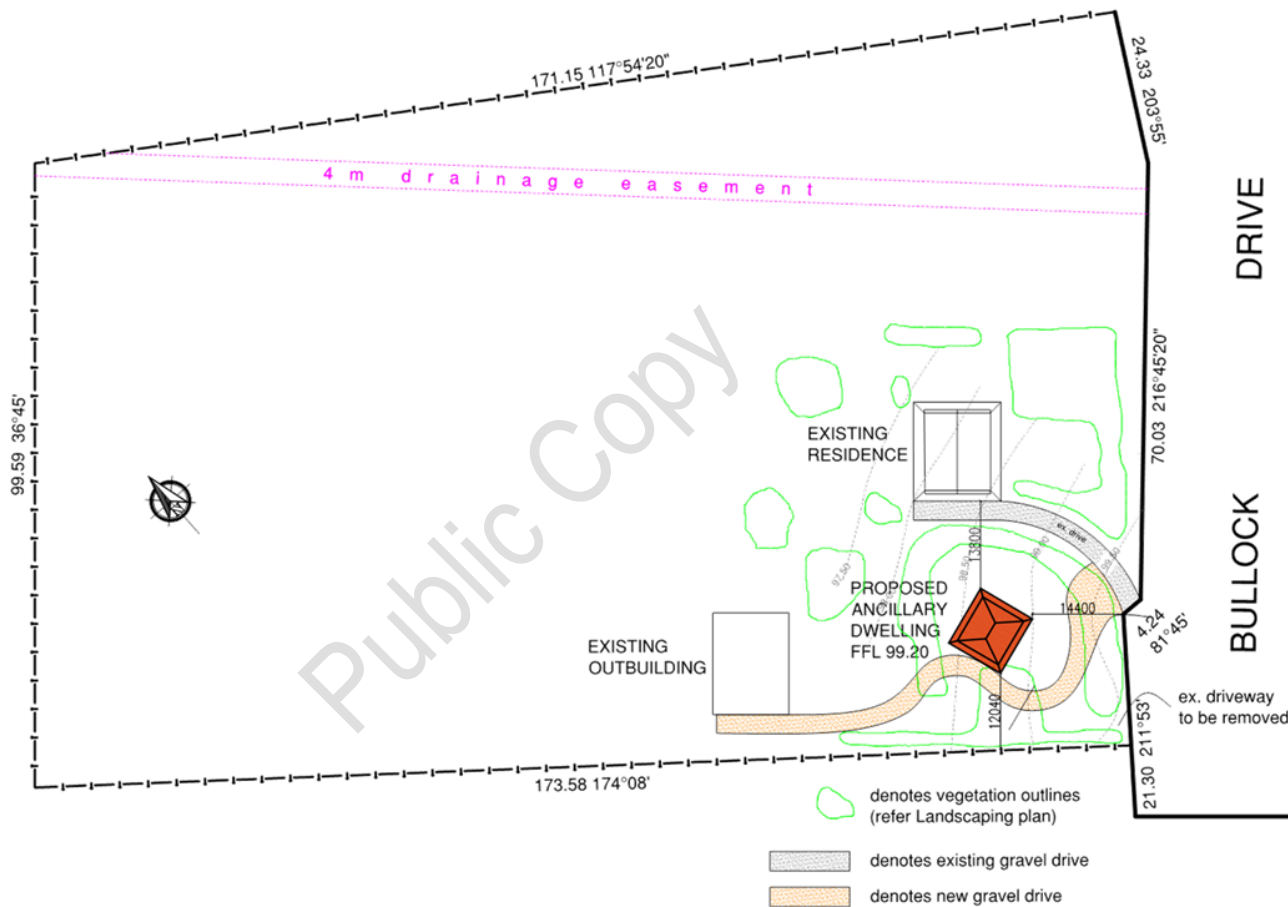
ALL DIMENSIONS & LEVELS TO BE CONFIRMED BY BUILDER ON SITE PRIOR TO COMMENCEMENT. DISCREPANCIES TO BE REFERRED TO THIS OFFICE IMMEDIATELY

Kingborough Council  
Interim Planning Scheme 2015  
Zone : Rural Living  
Overlays :  
Attenuation Area  
Rural Living Zone - Area A  
Biodiversity Protection Area  
Scenic Landscape Area  
Bushfire Prone Area

NEW FLOOR AREAS  
living - 60m<sup>2</sup>

**BAL**

**OH&S HAZARD**  
Type: public safety  
Solution: provision of safety fencing around construction area



Date	Rev.	Description

Title: Lot 8 SP44412 - 1.894ha
Wind speed to AS4055 : <b>N</b>
Soil Class to AS 2870 : <b>-</b>
Energy: <b>refer report</b>
BAL:

**Proposed Site plan**

**R & M Jackson**  
Drafting Services  
P. 03 62391019 E. jacksondrafting@gmail.com  
Accredited Building Practitioner Licence No: CC340Y



**A1a**

Scale 1:750

Client : <b>L. Newbery</b> 72 Bullock Drive, Leslie Vale	Issue: <b>PLANNING</b> (not to be used for construction)
Drawn by : <b>RJ</b>	Sheet size <b>A3</b>
Date : <b>July 2021</b>	Project No <b>21P0706</b>





	<ul style="list-style-type: none"> <li>Mature native vegetation ranging in height from 1.5 to 20 metres that will continue to grow such that all are over 5 metres in 5 years</li> <li>Species range from wattles (eg acacia floribunda), to tea tree (eg erica folia) to swamp gums</li> </ul>
	<ul style="list-style-type: none"> <li>Immature native vegetation currently ranging in height from 0.5 to 1 metres but will grow to over 2 to 10 ms in 5 years</li> <li>Species range from wattles (eg acacia floribunda), to tea tree (eg melaleuca) to gum trees (eg swamp gums)</li> </ul>
	<ul style="list-style-type: none"> <li>Mature non-native vegetation ranging in height from 2 to 4 metres that will continue to grow such that all are over 5 metres in 5 years</li> <li>Species range from evergreen alders to piosporums</li> </ul>
	<ul style="list-style-type: none"> <li>Native vegetation still to be planted to provide windbreak to the AD. Would grow to 2 to 5 ms in 5 years</li> <li>Species would range from wattles (eg acacia floribunda), to tea tree (eg melaleuca)</li> </ul>

AMENDED PLAN - 24-5-22

Date	Rev.	Description

Title: Lot 8 SP44412 - 1.894ha
Wind speed to AS4055 : N
Soil Class to AS 2870 : -
Energy: refer report
BAL:

Landscaping plan

R & M Jackson  
Drafting Services  
P. 03 62391019 E. jacksondrafting@gmail.com  
Accredited Building Practitioner Licence No: CC340Y

A2a  
Scale NTS

Client : L. Newbery 72 Bullock Drive, Leslie Vale	Issue : PLANNING (not to be used for construction)
Drawn by : RJ	Project No 21P0706
Date : July 2021	Sheet size A3

## ATTACHMENT 1 – ASSESSMENT CHECKLIST

## ZONE PROVISIONS

CLAUSE	COMMENTS
Building height (Cl.13.4.1) <ul style="list-style-type: none"> <li>A1 – Building height no more than 8.5m</li> </ul>	A1 – Complies. Maximum height would be 4.303m
Setback (Cl. 13.4.2) <ul style="list-style-type: none"> <li>A1 – Setback from frontage no less than 20m</li> <li>A2 – Setback from side and rear boundaries no less than 10m</li> </ul>	A1 – <b>Does not comply</b> <b>Setback to frontage would be 14.4m</b>  A2 – Complies. Setback to side boundary would be 12.04m
Design (Cl. 13.4.3) <ul style="list-style-type: none"> <li>A1 – Location of buildings and works complies with any of the following –               <ul style="list-style-type: none"> <li>(a) Located within a building area, if provided on the title</li> <li>(b) Is an addition or alteration to an existing building</li> <li>(c) Is located on a site that does not require the clearing of native vegetation and is not a skyline or ridgeline</li> </ul> </li> <li>A2 – Exterior building surfaces coloured using colours with a light reflectance value not greater than 40 per cent</li> <li>A3 – Combined gross floor area of buildings no more than 375m<sup>2</sup>.</li> <li>A4 – Fill and excavation complies with all of following:               <ul style="list-style-type: none"> <li>(a) Height of fill and depth of excavation is no more than 1m from natural ground level, except where required for building foundations;</li> <li>(b) Extent is limited to the area required for the construction of buildings and vehicular access</li> </ul> </li> </ul>	A1 – Complies with (c) Does not comply with (a) Does not comply with (b) Complies with (c) is on a site that does not require clearing of native vegetation and is not on a skyline or ridgeline. The vegetation in the vicinity of the works on the subject and adjoining property (CT 44412/7) are not Tasmanian native species. As the buildings and works do not involve the removal of any native vegetation removal and is not located on a skyline or ridgeline, the proposal complies with A1.  A2 – <b>Does not comply</b> <b>Proposed external colours sandstone yellow brick veneer (Likely more than 40 LRV) and Manor Red roof (LRV9)</b>  A3 – <b>Does not comply</b> Combined gross floor area would be: Existing dwelling: 264m <sup>2</sup> Existing outbuilding: 192m <sup>2</sup> (16 x 12) Existing TOTAL 456m <sup>2</sup> Proposed ancillary: 60m <sup>2</sup> <b>Proposed TOTAL 516m<sup>2</sup></b>



	<p>A4 – Complies.</p> <p>(a) Height of cut less than 1m</p> <p>(b) Extent is limited to construction of the building.</p> <p>The proposal complies with the acceptable solution as the height of fill and depth of excavation is less than 1m.</p>
<p>Outbuildings (Cl. 13.4.4)</p> <ul style="list-style-type: none"> <li>A1 – Outbuildings must comply with all of the following: <ul style="list-style-type: none"> <li>(a) Have a combined gross floor area no more than 100m<sup>2</sup></li> <li>(b) Have a wall height no more than 6.5m and a building height not more than 7.5m</li> <li>(c) Have setback from frontage no less than that of the existing or proposed dwelling on the site.</li> </ul> </li> </ul>	<p>A1 – n/a</p> <p>Proposed building is not an outbuilding.</p>

**CODE PROVISIONS**

CLAUSE	COMPLIANCE/COMMENTS
<b>E1.0 Bushfire-Prone Areas Code</b>	
<p>While the proposed development is located within a Bushfire Prone Area, the Bushfire Prone Areas Code does not apply to the residential use class.</p> <p>The proposal is located more than 100 metres away from bushfire-prone vegetation. Due to the large lot size (1.894 ha), any required bushfire hazard management area should be able to be contained within lot boundary and not impact native vegetation.</p>	
<b>E5.0 Road and Railway Assets Code</b>	
<p>Existing road accesses and junctions (CLE5.5.1)</p> <ul style="list-style-type: none"> <li>To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions</li> </ul>	<p>Complies as there will be no significant increase in traffic generated by this proposal. It is less likely to have significant impact on the traffic of the road and other road users.</p>
<p>Road accesses and junctions (CL E5.6.2)</p> <ul style="list-style-type: none"> <li>No new access or junction to roads in an area subject to speed limits</li> </ul>	<p>Complies as existing vehicular access will be used and existing unauthorised access will be removed.</p>
<b>E6.0 Parking and Access Code</b>	
Use standards – number of car parking	A1 – n/a

spaces (Cl.E6.6.1) • A1 - Number of on-site car parking spaces complies with table	Existing on-site car parking. No new car parking required for ancillary dwelling.
Number of vehicular accesses (Cl.E6.7.1) • A1 – Number of vehicle access points complies	A1 – Complies. Complies as one existing vehicular access is proposed. Existing unauthorised vehicular access is proposed to be removed.
Layout of parking areas (Cl.E6.7.5) • A1 – Layout and compliance with Australian Standard	A1 – Complies. Driveway complies.
Surface treatment of parking areas (Cl.E6.7.6) • A1 – Parking spaces and vehicular circulation surfaces provided	A1 – Complies. The access is from an unsealed road, gravel driveway is acceptable.
<b>E7.0 Stormwater Management Code</b>	
Stormwater drainage and disposal (Cl.E7.7.1) • A1 – Disposal of stormwater to public infrastructure • A2 – Sensitive design of stormwater system incorporates water sensitive urban design principles • A3 – Design of minor stormwater drainage system • A4 – Design of major stormwater drainage system	A1 – <b>Does not comply.</b> <b>No public stormwater infrastructure available.</b> A2 – n/a A3 – n/a A4 – n/a
<b>E9.0 Attenuation Code</b>	
Development for sensitive use in proximity to use with potential to cause environmental harm (Cl.E9.7.2) • A1 – No acceptable solution (requires assessment against performance criteria)	A1 – <b>Does not comply</b> <b>No acceptable solution</b>
<b>E10.0 Biodiversity Code</b>	
While the proposed development is within a Biodiversity Protection Area, no native vegetation subject to the Code will be impacted by the building and works, therefore Code E10.0 is not applicable.	
<b>E14.0 Scenic Landscapes Code</b>	
Appearance of buildings and works	A1 – <b>Does not comply</b>

within scenic landscape areas (Cl.E14.7.2) <ul style="list-style-type: none"> <li>• A1 – Building visibility complies with (a) or (b)</li> <li>• A2 – Works not visible from public spaces</li> </ul>	The ancillary dwelling building would be visible from public space (the road)  A2 – <b>Does not comply</b>  Driveway works would be visible from public space (the road).
<b>E23.0 On-Site Wastewater Management Code</b>	
The Code applies to use and development relying on onsite management of domestic wastewater from residential use under Clause E23.2.1 (a). However, the proposal is exempt from the Code under Clause E23.4.1 as the proposal is for residential development on sites greater than 5,000m <sup>2</sup> and does not meet any of the exceptions from this exemption.	
<b>Other Issues/Comments:</b>  Landscaping?  Covenants?	Landscaping Plan provided.  Covenants on title.

Note: Codes not listed in this Checklist have been assessed as not being relevant to the assessment of this application.

PLANNING AUTHORITY SESSION ADJOURNS

## OPEN SESSION RESUMES

### 14 PETITIONS STILL BEING ACTIONED

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There are no petitions still being actioned.

### 15 PETITIONS RECEIVED IN LAST PERIOD

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

### 16 OFFICERS REPORTS TO COUNCIL

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#### 16.1 FINANCIAL REPORT - MAY 2022

**File Number:** 10.47

**Author:** John Breen, Chief Financial Officer

**Authoriser:** Gary Arnold, General Manager

#### Strategic Plan Reference

Key Priority Area: 2 Deliver quality infrastructure and services.

Strategic Outcome: 2.4 The organisation has a corporate culture that delivers quality customer service, encourages innovation and has high standards of accountability.

#### 1. PURPOSE

- 1.1 The purpose of this report is to provide the May 2022 financial report information to Council for review.

#### 2. BACKGROUND

- 2.1 The attached report has been prepared based on current information with estimates being used where final information is not available.

#### 3. STATUTORY REQUIREMENTS

- 3.1 There are no specific requirements under the *Local Government Act* 1993 regarding financial reporting, however best practice would indicate that a monthly financial report is required to enable adequate governance of financial information.

#### 4. DISCUSSION

- 4.1 The Summary Operating Statement contains several variances to the original budget. The following are the major variances and explanations:
- Statutory Fees and Fines are \$217k under budget due to revenue from planning being \$245k under budget as a result of reduced volume of applications and limited subdivision activity resulting in less post approval income. Recovery of legal fees of \$60k over budget offsets this variance.

- User fees are \$160k over budget primarily due to property revenue of \$67k over budget the majority of which relates to rental income at the Depot for providing space to store Metro buses. The Community Hub venue hire income is \$33k over budget due to hire fees for the vaccination program and the sports centre is \$25k over budget due to kiosk sales and building rental income.
  - Grants Recurrent are \$2.5m over budget primarily due to the early prepayment of \$1.9m in grant revenue for 2022/23. Also grant income of \$310k has been carried forward from 2020/21 under the new accounting standards. This income will be matched with expenditure in 202/22. In addition, the financial assistance grant for 2021/22 will be around \$100k over budget due to changes in allocation between Councils and we have received \$94k in Local Roads and Community Infrastructure operational grant funds and \$50k for a netball feasibility study.
  - Contributions – Cash is \$262k over budget due to the contribution to public open space (POS) of \$207k from the Spring Farm subdivision.
  - Other income is \$587k over budget primarily due to Private Works revenue of \$514k over budget for works undertaken on behalf of the state government on Bruny Island. Council was also in receipt of \$42k in insurance revenue to settle the claim relating to the flood damage at the Civic Centre.
  - Expense Levies are \$436k under budget due to the earlier than expected payment of the fire levies.
  - Materials and Services are \$1,528k over budget primarily due to maintenance activities undertaken by the works area funded by grant funds under the LRCI program (\$110k), the Bruny Island Boat Shed protection grant (\$85K), Transform Kingston (\$200k) and private works (\$400k) which is funded through other income. In addition, waste management costs have substantially increased leading to a \$220k negative variance, plant costs of fuel and maintenance are \$82k over budget and water costs are \$75k over budget.
  - Other expenses are \$126 over budget due primarily to the cost of the recent Council by-election of which \$87k was expensed to 2021/22 and insurance costs of \$52k over budget.
  - Disposal of assets is \$150k over budget due to the trade in values being received for our auctioned vehicles.
  - Dividends from Taswater are \$304k over budget due to the payment of the third quarter dividend. Taswater have advised that the full dividend of \$1.24m plus an additional \$210k dividend will be paid this financial year.
  - Grants Capital is over budget by \$2.9m. This is due to the recent receipt of the next funding allocation of \$2m under the city deal. In addition, grant funds have been received for the Beach Road footpath (\$340k) and the Van Morey Road safety improvements (\$170k).
- 4.2 Council's cash and investments amount to \$23.1m at the end of May, which is up \$14.0 from the May 2021 figure. Borrowing of \$22.3 million offset this amount.

## 5. FINANCE

- 5.1 Council's underlying surplus for May 2022 is \$1.26 million, which is a \$0.80m favourable variance on the budget for 2021/22. The forecast result for 2021/22 of a \$6k underlying surplus, which is a \$600 reduction in the deficit due to the expected payment of a full Taswater dividend and bonus dividend for the year.

**6. ENVIRONMENT**

6.1 There are no environmental issues associated with this matter.

**7. COMMUNICATION AND CONSULTATION**

7.1 The financial results for May 2022 are available for public scrutiny in the Council meeting agenda.

**8. RISK**

8.1 As Council is forecasting an underlying surplus for 2021/22, the financial sustainability risk is reduced. Also given the Long-Term Financial Plan forecasts future underlying surpluses, Council can be confident in its future finances.

**9. CONCLUSION**

9.1 Council is on track to deliver a result that is better than forecast budget underlying deficit.

**10. RECOMMENDATION**

That Council endorses the attached Financial Report as at 31 May 2022.

**ATTACHMENTS****1. Financial Report May 2022**

Public Copy



# Kingborough

## KINGBOROUGH COUNCIL

**SUMMARISED FINANCIAL REPORT  
FOR THE PERIOD  
1ST JULY, 2021  
TO  
31ST MAY, 2022**

**SUBMITTED TO COUNCIL  
20TH JUNE, 2022**

[kingborough.tas.gov.au](http://kingborough.tas.gov.au)





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**KINGBOROUGH COUNCIL - May 2022**

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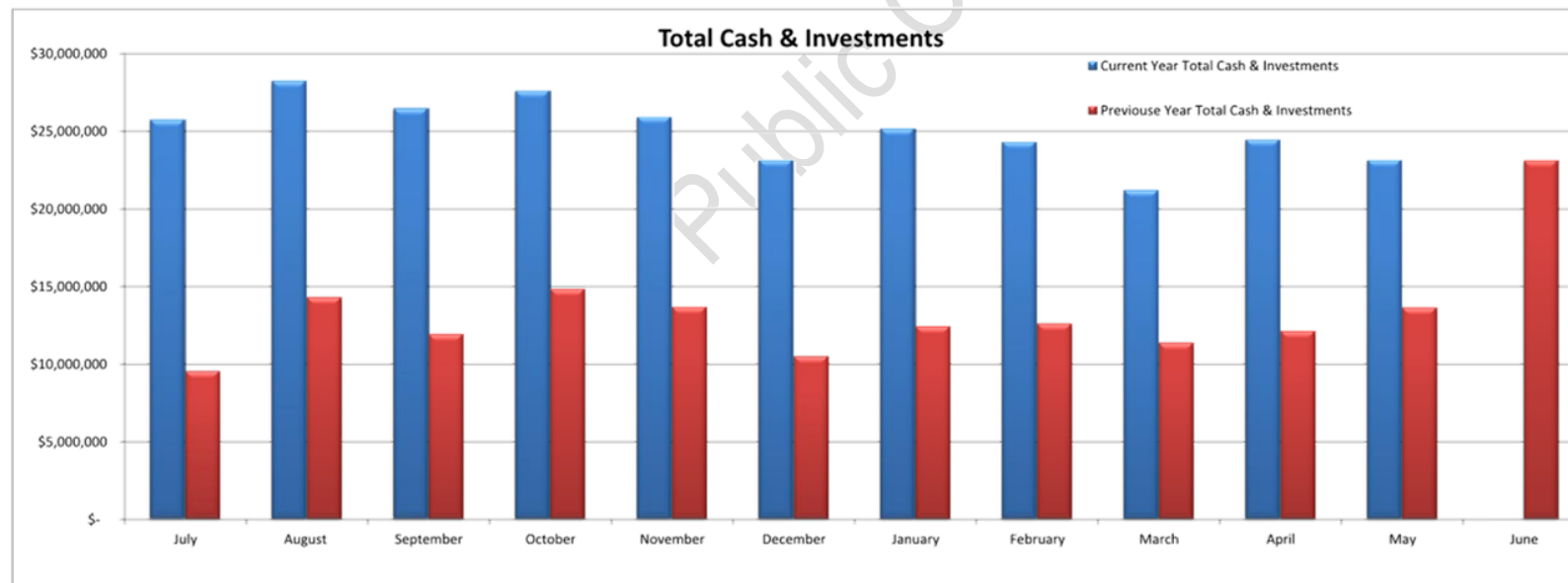
Public Copy

# KINGBOROUGH COUNCIL - May 2022

## CASH BALANCES

Balance Type	July	August	September	October	November	December	January	February	March	April	May	June
Reserves	\$ 3,622,695	\$ 2,853,365	\$ 2,614,265	\$ 2,614,265	\$ 2,636,623	\$ 2,636,623	\$ 2,685,373	\$ 2,690,623	\$ 2,881,315	\$ 2,893,611	\$ 2,912,261	\$ -
Held in Trust	\$ 1,718,472	\$ 1,716,249	\$ 1,717,988	\$ 1,738,988	\$ 1,901,450	\$ 1,896,387	\$ 1,881,137	\$ 1,663,525	\$ 1,701,564	\$ 1,711,603	\$ 1,725,412	
Unexpended Capital Works*	\$ 454,973	\$ 1,281,223	\$ 2,143,186	\$ 2,724,247	\$ 2,905,309	\$ 3,626,371	\$ 4,777,433	\$ 6,436,216	\$ 7,557,718	\$ 8,262,911	\$ 9,357,566	
<b>Current Year Total Committed Cash</b>	<b>\$ 5,796,140</b>	<b>\$ 5,850,837</b>	<b>\$ 6,475,439</b>	<b>\$ 7,077,500</b>	<b>\$ 7,443,381</b>	<b>\$ 8,159,380</b>	<b>\$ 9,343,942</b>	<b>\$ 10,790,363</b>	<b>\$ 12,140,597</b>	<b>\$ 12,868,125</b>	<b>\$ 13,995,239</b>	<b>\$ -</b>
<b>Previous Year Total Committed Cash</b>	<b>\$ 6,119,864</b>	<b>\$ 6,207,371</b>	<b>\$ 6,203,636</b>	<b>\$ 6,455,329</b>	<b>\$ 6,956,359</b>	<b>\$ 7,379,163</b>	<b>\$ 8,179,736</b>	<b>\$ 8,644,283</b>	<b>\$ 8,978,091</b>	<b>\$ 9,681,463</b>	<b>\$ 10,154,617</b>	<b>\$ 10,485,817</b>
Uncommitted Funds	\$ 19,927,050	\$ 22,382,710	\$ 19,979,957	\$ 20,510,439	\$ 18,485,436	\$ 14,973,849	\$ 15,811,616	\$ 13,520,752	\$ 9,056,036	\$ 11,585,745	\$ 9,137,025	\$ -
<b>Current Year Total Cash</b>	<b>\$ 25,723,190</b>	<b>\$ 28,233,547</b>	<b>\$ 26,455,395</b>	<b>\$ 27,587,940</b>	<b>\$ 25,928,817</b>	<b>\$ 23,133,230</b>	<b>\$ 25,155,559</b>	<b>\$ 24,311,116</b>	<b>\$ 21,196,633</b>	<b>\$ 24,453,870</b>	<b>\$ 23,132,264</b>	<b>\$ -</b>
<b>Previous Year Total Cash</b>	<b>\$ 9,551,285</b>	<b>\$ 14,307,424</b>	<b>\$ 11,939,006</b>	<b>\$ 14,835,953</b>	<b>\$ 13,676,499</b>	<b>\$ 10,502,790</b>	<b>\$ 12,430,269</b>	<b>\$ 12,599,016</b>	<b>\$ 11,369,278</b>	<b>\$ 12,133,665</b>	<b>\$ 13,630,478</b>	<b>\$ 23,115,909</b>

\*Unexpended Capital Works excludes Kingston Park expenditure



## KINGBOROUGH COUNCIL - May 2022

## CASH, INVESTMENTS &amp; BORROWINGS

CASH ACCOUNTS	Interest Rate	Maturity Date	July	August	September	October	November	December	January	February	March	April	May	June
BA - Overdraft Account			\$ 2,867,601	\$ 4,661,131	\$ 2,390,325	\$ 3,150,525	\$ 1,938,551	\$ 398,077	\$ 2,953,493	\$ 1,350,046	\$ 708,701	\$ 3,198,999	\$ 1,177,473	
BA - Applications Account			\$ 96,470	\$ 253,479	\$ 46,425	\$ 158,546	\$ 3,490	\$ 11,770	\$ 100,586	\$ 956	\$ 4,350	\$ 92,164	\$ 234,082	
BA - AR Account			\$ 465,852	\$ 1,023,596	\$ 36,925	\$ 295,025	\$ 532	\$ 34,827	\$ 395,794	\$ 4,270	\$ 20,881	\$ 50,067	\$ 605,700	
BA - Business Online Saver			\$ 8,058,542	\$ 8,059,911	\$ 9,744,280	\$ 9,745,679	\$ 9,747,335	\$ 8,448,937	\$ 7,450,515	\$ 8,700,002	\$ 6,201,152	\$ 6,847,386	\$ 6,848,499	
<b>Total Cash</b>			\$ 11,488,466	\$ 13,998,118	\$ 12,217,956	\$ 13,349,776	\$ 11,689,908	\$ 8,893,611	\$ 10,900,389	\$ 10,055,274	\$ 6,935,084	\$ 10,188,615	\$ 8,865,754	\$ -
<b>INVESTMENTS</b>														
Endigo 4	0.22%	11-Jul-22	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,008,055	\$ 5,008,055	\$ 5,008,055	\$ 5,008,055	\$ 5,008,055	
Wystate 3	0.44%	23-Sep-22	\$ 2,021,423	\$ 2,021,423	\$ 2,022,697	\$ 2,022,697	\$ 2,022,697	\$ 2,022,697	\$ 2,022,697	\$ 2,022,697	\$ 2,027,712	\$ 2,027,712	\$ 2,027,712	
Wystate 4	0.92%	31-Oct-22	\$ 3,000,139	\$ 3,000,139	\$ 3,000,139	\$ 3,000,139	\$ 3,000,139	\$ 3,000,139	\$ 3,006,982	\$ 3,006,982	\$ 3,006,982	\$ 3,009,948	\$ 3,009,948	
Wiscorp HT	0.33%	Managed Trust	\$ 2,115,369	\$ 2,115,549	\$ 2,115,723	\$ 2,115,902	\$ 2,116,076	\$ 2,116,256	\$ 2,116,436	\$ 2,116,598	\$ 2,116,778	\$ 2,116,952	\$ 2,117,538	
Wiscorp Cash Indexed	0.38%	Managed Trust	\$ 2,097,792	\$ 2,098,318	\$ 2,098,880	\$ 2,099,425	\$ 2,099,997	\$ 2,100,527	\$ 2,101,001	\$ 2,101,510	\$ 2,102,022	\$ 2,102,588	\$ 2,103,257	
<b>Total Investments</b>			\$ 14,234,724	\$ 14,235,429	\$ 14,237,439	\$ 14,238,164	\$ 14,238,910	\$ 14,239,619	\$ 14,255,170	\$ 14,255,842	\$ 14,261,549	\$ 14,265,254	\$ 14,266,510	\$ -
<b>Current Year Total Cash &amp; Investments</b>			\$ 25,723,190	\$ 28,233,547	\$ 26,455,395	\$ 27,587,940	\$ 25,928,817	\$ 23,133,230	\$ 25,155,559	\$ 24,311,116	\$ 21,196,633	\$ 24,453,870	\$ 23,132,264	\$ -
<b>Previous Year Cash &amp; Investments</b>			\$ 9,551,285	\$ 14,307,424	\$ 11,939,006	\$ 14,835,953	\$ 13,676,499	\$ 10,502,790	\$ 10,253,798	\$ 12,430,269	\$ 12,599,016	\$ 12,133,665	\$ 13,630,478	\$ 23,115,905
<b>Borrowings</b>														
Wiscorp (Grant Funded)	3.43%	22-Jun-23	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	
Wiscorp	3.47%	11-Oct-23	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	
Wiscorp (Grant Funded)	2.13%	27-Jun-24	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	
Wiscorp (Grant Funded)	1.99%	21-Jan-25	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	
Wiscorp	1.32%	16-Jun-23	\$2,900,000	\$2,900,000	\$2,900,000	\$2,900,000	\$2,900,000	\$2,900,000	\$2,900,000	\$2,900,000	\$2,900,000	\$2,900,000	\$2,900,000	
Wiscorp	1.10%	19-Jun-24	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	
<b>Total Borrowings</b>			\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ 22,322,500	\$ -

## KINGBOROUGH COUNCIL - May 2022

### RESERVES

Accounts	July	August	September	October	November	December	January	February	March	April	May	June
Boronia Hill Reserve	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	
Car Parking	\$ 46,248	\$ 46,248	\$ 46,248	\$ 46,248	\$ 46,248	\$ 46,248	\$ 46,248	\$ 46,248	\$ 46,248	\$ 46,248	\$ 46,248	
Hall Equipment Replacement	\$ 70,785	\$ 70,785	\$ 70,785	\$ 70,785	\$ 70,785	\$ 70,785	\$ 70,785	\$ 70,785	\$ 70,785	\$ 70,785	\$ 70,785	
IT Equipment Replacement	\$ 54,931	\$ 54,931	\$ 54,931	\$ 54,931	\$ 54,931	\$ 54,931	\$ 54,931	\$ 54,931	\$ 54,931	\$ 54,931	\$ 54,931	
KSC Equipment Replacement	\$ 135,070	\$ 135,070	\$ 135,070	\$ 135,070	\$ 135,070	\$ 135,070	\$ 135,070	\$ 135,070	\$ 135,070	\$ 135,070	\$ 135,070	
Office Equipment Replacement	\$ 87,024	\$ 87,024	\$ 87,024	\$ 87,024	\$ 87,024	\$ 87,024	\$ 87,024	\$ 87,024	\$ 87,024	\$ 87,024	\$ 87,024	
Plant & Equipment Replacement	\$ 618,887	\$ 618,887	\$ 618,887	\$ 618,887	\$ 618,887	\$ 618,887	\$ 618,887	\$ 618,887	\$ 618,887	\$ 618,887	\$ 618,887	
Public Open Space	\$ 996,018	\$ 1,005,718	\$ 764,618	\$ 764,618	\$ 769,206	\$ 769,206	\$ 813,206	\$ 817,456	\$ 979,646	\$ 979,646	\$ 983,546	
Tree Preservation Reserve	\$ 821,968	\$ 823,968	\$ 825,968	\$ 825,968	\$ 843,738	\$ 843,738	\$ 848,488	\$ 849,488	\$ 877,990	\$ 890,286	\$ 905,036	
Unexpended Grants	\$ 781,030	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Current Year Total Reserve</b>	<b>\$ 3,622,695</b>	<b>\$ 2,853,365</b>	<b>\$ 2,614,265</b>	<b>\$ 2,614,265</b>	<b>\$ 2,636,623</b>	<b>\$ 2,636,623</b>	<b>\$ 2,685,373</b>	<b>\$ 2,690,623</b>	<b>\$ 2,881,315</b>	<b>\$ 2,893,611</b>	<b>\$ 2,912,261</b>	<b>\$ -</b>
<b>Previous Year Total Reserve</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>	<b>\$ 3,250,945</b>

### PUBLIC OPEN SPACE COMMITMENTS

Public Open Space Balance \$ 983,546

#### Less Projects Committed, yet to be taken from POS

Project	Amount
Spring Farm or Whitewater Park	\$ 195,009
	\$ 195,009

Public Open Space Uncommitted Balance \$ 788,537

#### Commitments yet to be taken from Public Open Space, to be funded by land sales

Donohoe Gardens \$ 275,000 Funded by sale of 41 Hiern Road

#### Funds to come to Public Open Space

Sale of 110 Channel Highway Funds already used for Louisa Hinsby Park \$125,000

# KINGBOROUGH COUNCIL - May 2022

## BUDGET NOTES

<b>RECONCILIATION OF ORIGINAL TO FORECAST BUDGET</b>	
<b>BUDGET UNDERLYING RESULT</b>	<b>(593,408)</b>
<b>Forecast Changes:</b>	
User Fees - KSC and Community Hub	150,000
Grants Recurrent - Carried forward from 2020/21.	150,000
Grants Recurrent - New grants in 2021/22.	250,000
Grants Recurrent - Financial Assistance Grants paid in advance	800,000
Grants Recurrent - Increase in Financial Assistance Grants	100,000
Cash Contribution - POS Spring Farm & Others	250,000
Other Income - Insurance funds and private works income	600,000
Dividend - Full dividend from Taswater	830,000
Disposal of Assets - profit on disposal of plant and fleet	150,000
Statutory Fees - Planning	(200,000)
Materials & Services - Expenditure of Grant Funds	(400,000)
Materials & Services - Additional use of Contractors	(200,000)
Materials & Services - Waste Management	(200,000)
Materials & Services - Private works	(400,000)
Materials & Services - Building Maintenance	(100,000)
Materials & Services - Plant Costs	(100,000)
Materials & Services - Water and Sewerage	(100,000)
Other Expenses - Council election costs	(100,000)
Depreciation - Impact of Road Revaluation	(100,000)
Financial Assistance Grants for 2022/23	(780,000)
<b>FORECAST UNDERLYING RESULT</b>	<b>6,592</b>
<b>Adjustments not affecting the Underlying Surplus</b>	
Capital Grants	2,300,000
Financial Assistance Grants for 2022/23	780,000
<b>Net Surplus.</b>	<b>7,086,592</b>

## KINGBOROUGH COUNCIL - May 2022

## Summary Operating Statement All

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	32,178,229	32,210,000	(31,771)	32,210,000	32,210,000	0
Income Levies	1,786,435	1,799,000	(12,565)	1,799,000	1,799,000	0
Statutory Fees & Fines	2,104,920	2,322,330	(217,410)	2,614,700	2,414,700	(200,000)
User Fees	1,351,159	1,191,065	160,094	1,299,550	1,449,550	150,000
Grants Recurrent	4,011,739	1,463,750	2,547,989	2,765,000	4,065,000	1,300,000
Contributions - Cash	452,408	189,860	262,548	207,000	457,000	250,000
Reimbursements	1,211,697	1,200,000	11,697	1,200,000	1,200,000	0
Other Income	1,446,375	859,420	586,955	1,203,600	1,803,600	600,000
Internal Charges Income	201,663	201,630	33	220,000	220,000	0
<b>Total Income</b>	<b>44,744,624</b>	<b>41,437,055</b>	<b>3,307,569</b>	<b>43,518,850</b>	<b>45,618,850</b>	<b>2,100,000</b>
<b>Expenses</b>						
Employee Costs	15,331,004	15,341,111	10,107	15,876,756	15,876,756	0
Expenses Levies	1,785,212	1,349,250	(435,962)	1,799,000	1,799,000	0
Loan Interest	89,152	89,870	718	98,000	98,000	0
Materials and Services	11,219,432	9,691,045	(1,528,387)	10,375,203	11,875,203	(1,500,000)
Other Expenses	4,202,493	4,076,200	(126,293)	4,378,700	4,478,700	(100,000)
Internal Charges Expense	201,663	201,630	(33)	220,000	220,000	0
<b>Total Expenses</b>	<b>32,828,956</b>	<b>30,749,106</b>	<b>(2,079,851)</b>	<b>32,747,658</b>	<b>34,347,658</b>	<b>(1,600,000)</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>11,915,667</b>	<b>10,687,949</b>	<b>1,227,718</b>	<b>10,771,192</b>	<b>11,271,192</b>	<b>500,000</b>
Depreciation	11,013,789	10,938,180	(75,609)	11,932,600	12,032,600	(100,000)
Loss/(Profit) on Disposal of Assets	(149,423)	0	149,423	400,000	250,000	150,000
<b>Net Operating Surplus/(Deficit) before:</b>	<b>1,051,301</b>	<b>(250,231)</b>	<b>1,301,532</b>	<b>(1,561,408)</b>	<b>(1,011,408)</b>	<b>550,000</b>
Interest	64,051	89,870	(25,819)	98,000	98,000	0
Dividends	924,000	620,000	304,000	620,000	1,450,000	830,000
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	100,000	100,000	0
Investment Copping	0	0	0	150,000	150,000	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>2,039,353</b>	<b>459,639</b>	<b>1,579,713</b>	<b>(593,408)</b>	<b>786,592</b>	<b>1,380,000</b>
Grants Capital	5,315,891	2,400,000	2,915,891	3,000,000	5,300,000	2,300,000
Contributions - Non Monetary Assets	0	0	0	1,000,000	1,000,000	0
<b>NET SURPLUS/(DEFICIT)</b>	<b>7,355,244</b>	<b>2,859,639</b>	<b>4,495,604</b>	<b>3,406,592</b>	<b>7,086,592</b>	<b>3,680,000</b>
<b>Underlying Result</b>						
Grant Received in Advance	(780,000)	0	(780,000)	0	780,000	(780,000)
<b>UNDERLYING RESULT</b>	<b>1,259,353</b>	<b>459,639</b>	<b>799,713</b>	<b>(593,408)</b>	<b>6,592</b>	<b>600,000</b>
<b>TOTAL CASH GENERATED</b>	<b>13,053,142</b>	<b>11,397,819</b>	<b>1,655,322</b>	<b>11,339,192</b>	<b>12,819,192</b>	<b>1,480,000</b>

## KINGBOROUGH COUNCIL - May 2022

## Summary Operating Statement Governance

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	26,471,268	26,631,000	(159,732)	26,631,000	26,531,000	(100,000)
Income Levies	1,786,435	1,799,000	(12,565)	1,799,000	1,799,000	0
Statutory Fees & Fines	0	0	0	0	0	0
User Fees	77,917	77,880	37	85,000	85,000	0
Grants Recurrent	3,296,873	1,140,000	2,156,873	2,420,000	3,270,000	850,000
Contributions - Cash	365,726	114,620	251,106	125,000	375,000	250,000
Reimbursements	1,211,697	1,200,000	11,697	1,200,000	1,200,000	0
Other Income	114,342	40,250	74,092	273,000	323,000	50,000
Internal Charges Income	0	0	0	0	0	0
<b>Total Income</b>	<b>33,324,257</b>	<b>31,002,750</b>	<b>2,321,507</b>	<b>32,533,000</b>	<b>33,583,000</b>	<b>1,050,000</b>
<b>Expenses</b>						
Employee Costs	342,407	370,750	28,343	401,650	401,650	0
Expenses Levies	1,785,212	1,349,250	(435,962)	1,799,000	1,799,000	0
Loan Interest	0	0	0	0	0	0
Materials and Services	181,039	146,500	(34,539)	171,000	171,000	0
Other Expenses	2,228,116	2,186,830	(41,286)	2,241,200	2,341,200	(100,000)
Internal Charges Expense	0	0	0	0	0	0
<b>Total Expenses</b>	<b>4,843,425</b>	<b>4,053,330</b>	<b>(790,095)</b>	<b>4,612,850</b>	<b>4,712,850</b>	<b>100,000</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>28,480,832</b>	<b>26,949,420</b>	<b>1,531,412</b>	<b>27,920,150</b>	<b>28,870,150</b>	<b>950,000</b>
Depreciation	206,735	220,000	13,265	240,000	240,000	0
Loss/(Profit) on Disposal of Assets	(149,423)	0	149,423	400,000	550,000	150,000
<b>Net Operating Surplus/(Deficit) before:</b>	<b>28,423,520</b>	<b>26,729,420</b>	<b>1,694,100</b>	<b>27,280,150</b>	<b>28,080,150</b>	<b>1,100,000</b>
Interest	0	0	0	0	0	0
Dividends	924,000	620,000	304,000	620,000	1,450,000	830,000
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	100,000	100,000	0
Investment Copping	0	0	0	150,000	150,000	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>29,347,520</b>	<b>27,349,420</b>	<b>1,998,100</b>	<b>28,150,150</b>	<b>29,780,150</b>	<b>1,930,000</b>
Grants Capital	5,315,891	2,400,000	2,915,891	3,000,000	3,000,000	0
Contributions - Non Monetary Assets	0	0	0	1,000,000	1,000,000	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>34,663,411</b>	<b>29,749,420</b>	<b>4,913,991</b>	<b>32,150,150</b>	<b>33,780,150</b>	<b>1,930,000</b>
<b>TOTAL CASH GENERATED</b>	<b>29,140,785</b>	<b>27,129,420</b>	<b>2,011,365</b>	<b>27,910,150</b>	<b>29,540,150</b>	<b>(1,630,000)</b>



## KINGBOROUGH COUNCIL - May 2022

## Summary Operating Statement Corporate Services

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	0	0	0	0	0	0
Income Levies	0	0	0	0	0	0
Statutory Fees & Fines	275,659	287,100	(11,441)	313,200	313,200	0
User Fees	0	0	0	0	0	0
Grants Recurrent	0	0	0	0	0	0
Contributions - Cash	0	0	0	0	0	0
Reimbursements	0	0	0	0	0	0
Other Income	117,078	117,700	(622)	128,400	128,400	0
Internal Charges Income	137,500	137,500	0	150,000	150,000	0
<b>Total Income</b>	<b>530,237</b>	<b>542,300</b>	<b>(12,063)</b>	<b>591,600</b>	<b>591,600</b>	<b>0</b>
<b>Expenses</b>						
Employee Costs	2,673,736	2,678,990	5,254	2,900,207	2,900,207	0
Expenses Levies	0	0	0	0	0	0
Loan Interest	89,152	89,870	718	98,000	98,000	0
Materials and Services	868,443	751,170	(117,273)	799,000	799,000	0
Other Expenses	1,275,723	1,234,910	(40,813)	1,290,800	1,290,800	0
Internal Charges Expense	0	0	0	0	0	0
<b>Total Expenses</b>	<b>4,907,054</b>	<b>4,754,940</b>	<b>(152,114)</b>	<b>5,088,007</b>	<b>5,088,007</b>	<b>0</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(4,376,817)</b>	<b>(4,212,640)</b>	<b>(164,177)</b>	<b>(4,496,407)</b>	<b>(4,496,407)</b>	<b>0</b>
Depreciation	206,042	70,950	(135,092)	77,400	77,400	0
Loss/(Profit) on Disposal of Assets	0	0	0	0	0	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(4,582,859)</b>	<b>(4,283,590)</b>	<b>(299,269)</b>	<b>(4,573,807)</b>	<b>(4,573,807)</b>	<b>0</b>
Interest	64,051	89,870	(25,819)	98,000	98,000	0
Dividends	0	0	0	0	0	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	0	0	0
Investment Copping	0	0	0	0	0	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>(4,518,808)</b>	<b>(4,193,720)</b>	<b>(325,088)</b>	<b>(4,475,807)</b>	<b>(4,475,807)</b>	<b>0</b>
Grants Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	0	0	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>(4,518,808)</b>	<b>(4,193,720)</b>	<b>(325,088)</b>	<b>(4,475,807)</b>	<b>(4,475,807)</b>	<b>0</b>
<b>TOTAL CASH GENERATED</b>	<b>(4,312,766)</b>	<b>(4,122,770)</b>	<b>(189,996)</b>	<b>(4,398,407)</b>	<b>(4,398,407)</b>	<b>0</b>

## KINGBOROUGH COUNCIL - May 2022

## Summary Operating Statement Governance &amp; Property Services

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	0	0	0	0	0	0
Income Levies	0	0	0	0	0	0
Statutory Fees & Fines	400,071	343,430	56,641	456,000	506,000	50,000
User Fees	1,061,457	962,045	99,412	1,049,650	1,199,650	150,000
Grants Recurrent	316,807	183,370	133,437	200,000	300,000	100,000
Contributions - Cash	0	0	0	0	0	0
Reimbursements	0	0	0	0	0	0
Other Income	70,118	103,950	(33,832)	113,300	113,300	0
Internal Charges Income	0	0	0	0	0	0
<b>Total Income</b>	<b>1,848,454</b>	<b>1,592,795</b>	<b>255,659</b>	<b>1,818,950</b>	<b>2,118,950</b>	<b>300,000</b>
<b>Expenses</b>						
Employee Costs	2,702,687	2,614,823	(87,863)	2,831,089	2,931,089	(100,000)
Expenses Levies	0	0	0	0	0	0
Loan Interest	0	0	0	0	0	0
Materials and Services	1,363,685	1,169,860	(193,825)	1,244,460	1,344,460	(100,000)
Other Expenses	204,684	178,840	(25,844)	194,400	194,400	0
Internal Charges Expense	0	0	0	0	0	0
<b>Total Expenses</b>	<b>4,271,056</b>	<b>3,963,523</b>	<b>(307,532)</b>	<b>4,269,949</b>	<b>4,469,949</b>	<b>(200,000)</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(2,422,602)</b>	<b>(2,370,728)</b>	<b>(51,873)</b>	<b>(2,450,999)</b>	<b>(2,350,999)</b>	<b>100,000</b>
Depreciation	853,984	917,730	63,746	1,001,200	1,001,200	0
Loss/(Profit) on Disposal of Assets	0	0	0	0	0	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(3,276,586)</b>	<b>(3,288,458)</b>	<b>11,872</b>	<b>(3,452,199)</b>	<b>(3,352,199)</b>	<b>100,000</b>
Interest	0	0	0	0	0	0
Dividends	0	0	0	0	0	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	0	0	0
Investment Copping	0	0	0	0	0	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>(3,276,586)</b>	<b>(3,288,458)</b>	<b>11,872</b>	<b>(3,452,199)</b>	<b>(3,352,199)</b>	<b>100,000</b>
Grants Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	0	0	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>(3,276,586)</b>	<b>(3,288,458)</b>	<b>11,872</b>	<b>(3,452,199)</b>	<b>(3,352,199)</b>	<b>100,000</b>
<b>TOTAL CASH GENERATED</b>	<b>(2,422,602)</b>	<b>(2,370,728)</b>	<b>75,618</b>	<b>(2,450,999)</b>	<b>(2,350,999)</b>	<b>100,000</b>

## KINGBOROUGH COUNCIL - July 2021

## Summary Operating Statement Environment, Development &amp; Community Services

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	0	0	0	0	0	0
Income Levies	0	0	0	0	0	0
Statutory Fees & Fines	1,429,190	1,691,800	(262,610)	1,845,500	1,745,500	(100,000)
User Fees	126,871	90,530	36,341	98,700	98,700	0
Grants Recurrent	184,695	140,380	44,315	145,000	245,000	100,000
Contributions - Cash	83,818	73,370	10,448	80,000	80,000	0
Reimbursements	0	0	0	0	0	0
Other Income	50,563	40,920	9,643	44,700	44,700	0
Internal Charges Income	0	0	0	0	0	0
<b>Total Income</b>	<b>1,875,137</b>	<b>2,037,000</b>	<b>(161,863)</b>	<b>2,213,900</b>	<b>2,213,900</b>	<b>0</b>
<b>Expenses</b>						
Employee Costs	4,629,110	4,493,978	(135,133)	4,865,086	4,965,086	(100,000)
Expenses Levies	0	0	0	0	0	0
Loan Interest	0	0	0	0	0	0
Materials and Services	534,689	940,750	406,061	1,021,000	821,000	200,000
Other Expenses	343,300	329,480	(13,821)	357,300	357,300	0
Internal Charges Expense	0	0	0	0	0	0
<b>Total Expenses</b>	<b>5,590,918</b>	<b>5,764,208</b>	<b>173,290</b>	<b>6,243,386</b>	<b>6,143,386</b>	<b>100,000</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(3,715,781)</b>	<b>(3,727,208)</b>	<b>11,427</b>	<b>(4,029,486)</b>	<b>(3,929,486)</b>	<b>100,000</b>
Depreciation	152,237	158,620	6,383	173,000	173,000	0
Loss/(Profit) on Disposal of Assets	0	0	0	0	0	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(3,868,017)</b>	<b>(3,885,828)</b>	<b>17,811</b>	<b>(4,202,486)</b>	<b>(4,102,486)</b>	<b>100,000</b>
Interest	0	0	0	0	0	0
Dividends	0	0	0	0	0	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	0	0	0
Investment Copping	0	0	0	0	0	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>(3,868,017)</b>	<b>(3,885,828)</b>	<b>17,811</b>	<b>(4,202,486)</b>	<b>(4,102,486)</b>	<b>100,000</b>
Grants Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	0	0	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>(3,868,017)</b>	<b>(3,885,828)</b>	<b>17,811</b>	<b>(4,202,486)</b>	<b>(4,102,486)</b>	<b>100,000</b>
<b>TOTAL CASH GENERATED</b>	<b>(3,715,781)</b>	<b>(3,727,208)</b>	<b>11,427</b>	<b>(4,029,486)</b>	<b>(3,929,486)</b>	<b>100,000</b>

## KINGBOROUGH COUNCIL - May 2022

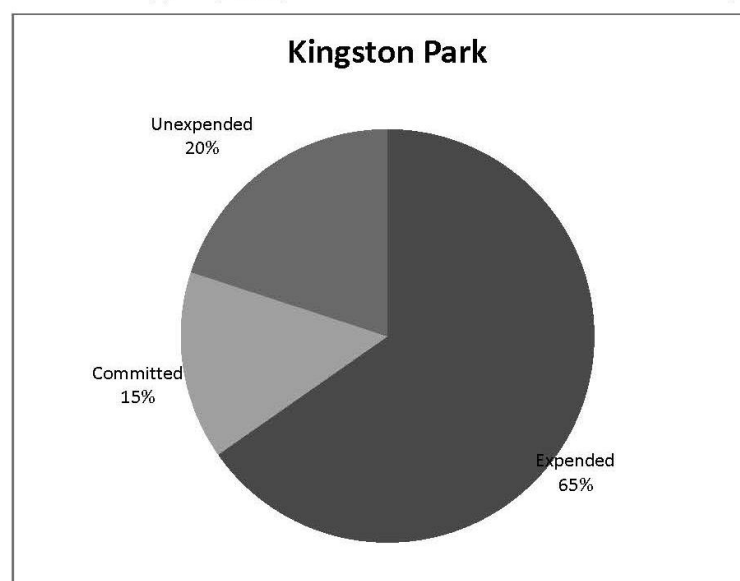
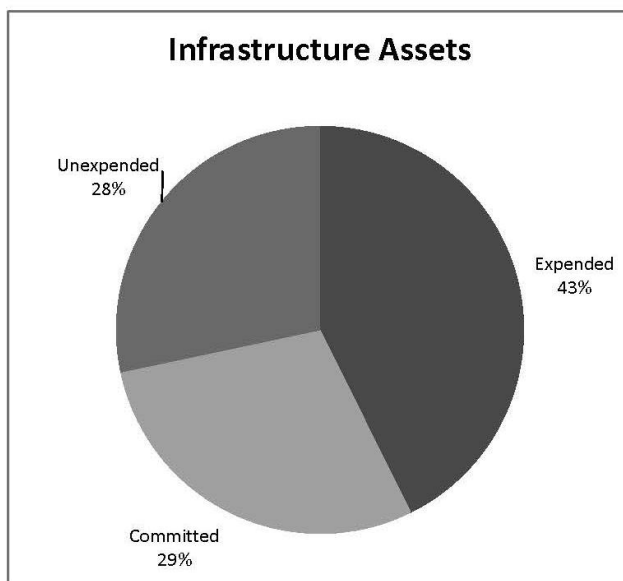
## Summary Operating Statement Infrastructure Services

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	5,706,961	5,579,000	127,961	5,579,000	5,679,000	100,000
Income Levies	0	0	0	0	0	0
Statutory Fees & Fines	0	0	0	0	0	0
User Fees	84,914	60,610	24,304	66,200	66,200	0
Grants Recurrent	213,363	0	213,363	0	200,000	200,000
Contributions - Cash	2,864	1,870	994	2,000	2,000	0
Reimbursements	0	0	0	0	0	0
Other Income	1,094,274	556,600	537,674	644,200	1,194,200	550,000
Internal Charges Income	64,163	64,130	33	70,000	70,000	0
<b>Total Income</b>	<b>7,166,539</b>	<b>6,262,210</b>	<b>904,329</b>	<b>6,361,400</b>	<b>7,211,400</b>	<b>850,000</b>
<b>Expenses</b>						
Employee Costs	4,983,064	5,182,570	199,506	4,878,723	4,678,723	200,000
Expenses Levies	0	0	0	0	0	0
Loan Interest	0	0	0	0	0	0
Materials and Services	8,271,576	6,682,765	(1,588,811)	7,279,743	8,879,743	(1,600,000)
Other Expenses	150,670	146,140	(4,530)	155,000	155,000	0
Internal Charges Expense	201,663	201,630	(33)	220,000	220,000	0
<b>Total Expenses</b>	<b>13,606,974</b>	<b>12,213,105</b>	<b>(1,393,869)</b>	<b>12,533,466</b>	<b>13,933,466</b>	<b>(1,400,000)</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(6,440,435)</b>	<b>(5,950,895)</b>	<b>(489,540)</b>	<b>(6,172,066)</b>	<b>(6,722,066)</b>	<b>(550,000)</b>
Depreciation	9,594,791	9,570,880	(23,911)	10,441,000	10,441,000	0
Loss/(Profit) on Disposal of Assets	0	0	0	0	0	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(16,035,226)</b>	<b>(15,521,775)</b>	<b>(513,451)</b>	<b>(16,613,066)</b>	<b>(17,163,066)</b>	<b>(550,000)</b>
Interest	0	0	0	0	0	0
Dividends	0	0	0	0	0	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	0	0	0
Investment Copping	0	0	0	0	0	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>(16,035,226)</b>	<b>(15,521,775)</b>	<b>(513,451)</b>	<b>(16,613,066)</b>	<b>(17,163,066)</b>	<b>(550,000)</b>
Grants Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	0	0	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>(16,035,226)</b>	<b>(15,521,775)</b>	<b>(513,451)</b>	<b>(16,613,066)</b>	<b>(17,163,066)</b>	<b>(550,000)</b>
<b>TOTAL CASH GENERATED</b>	<b>(25,630,017)</b>	<b>(25,092,655)</b>	<b>(537,362)</b>	<b>(6,172,066)</b>	<b>(6,722,066)</b>	<b>(550,000)</b>

**KINGBOROUGH COUNCIL  
CAPITAL EXPENDITURE TO 31/05/2022**

**EXPENDITURE BY ASSET TYPE**

	Budget					Actual			Remaining
	Carry Forward	2020/21	Grants Received	IMG Adjustments	Total	Actual	Commitments	Total	
Roads	2,843,946	7,243,683	540,000	404,000	11,031,629	5,015,672	2,863,021	7,878,693	3,152,936
Stormwater	1,071,256	1,720,710	-	255,800	3,047,766	1,661,752	907,454	2,569,206	478,560
Property	661,905	3,085,500	1,149,071	580,298	5,476,774	1,249,967	1,763,067	3,013,034	2,463,740
Other	547,571	-	-	(998,248)	(450,677)	228,410	5,717	234,127	(684,804)
Sub total	5,124,678	12,049,893	1,689,071	241,850	19,105,492	8,155,802	5,539,258	13,695,060	5,410,432
Kingston Park	5,396,437	-	-	700,000	6,096,437	3,981,660	897,090	4,878,750	1,217,687
Bruny Island Tourism	1,256,220	-	-	-	1,256,220	865,714	38,942	904,656	351,564
City Deal Funding	1,495,618	-	-	(950,000)	545,618	10,901	8,850	19,751	525,868
Local Roads and Community Infrastructure to Operational Expenditure	(296,606)		203,197	8,150	(85,259)	82,478	-	82,478	(167,737)
Grand Total	12,976,347	12,049,893	1,892,268	0	26,918,508	13,096,554	6,484,141	19,580,694	7,337,814
				(0)	(97,000)				(97)



KINGBOROUGH COUNCIL  
CAPITAL EXPENDITURE TO 31/05/2022

Closed	Capital Project No.	Description	Department	Renewal, Upgrade, or New	Budget						Actual			Remaining
					Carry Forward	2021/22	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments	Total	
KINGSTON PARK														
1	KP	Overall Project budget	Kingston Park	New	2,000,000		(1,730,000)			270,000	-	-	-	270,000
2	TRUE C00688	KP Boulevard Construction	Kingston Park	New	-	-		-		-	-	-	-	-
3	FALSE C00689	KP Pardalote Parade Design & Construction	Kingston Park	New	46,122	-		-		46,122	-	-	-	46,122
4	TRUE C00690	KP Community Hub Design	Kingston Park	New	52,343	-		-		52,343	-	-	-	52,343
5	FALSE C00691	KP Open Space Design (Playstreet)	Kingston Park	New	41,311	-		-		41,311	5,920	46,420	52,340	(11,029)
6	TRUE C01606	KP Parking Strategy	Kingston Park	New	(2,000)	-		-		(2,000)	-	-	-	(2,000)
7	FALSE C03179	KP Temporary Car Park	Kingston Park	New	108,556	-		-		108,556	-	-	-	108,556
8	TRUE C01618	Boulevard Construction Stage 1A	Kingston Park	New	318,096	-		-		318,096	322,489	98,650	421,139	(103,043)
9	FALSE C01627	KP Site - Land Release Strategy	Kingston Park	New	(51,227)	-		-		(51,227)	37,179	-	37,179	(88,406)
10	FALSE C01628	KP Site - General Expenditure	Kingston Park	New	32,863	-		-		32,863	117,497	250	117,747	(84,884)
11	TRUE C03068	Kingston Park Operational Expenditure	Kingston Park	New	6,489	-		-		6,489	-	-	-	6,489
12	FALSE C03069	KP Community Hub Construction	Kingston Park	New	63,324	-		-		63,324	5,065	146,090	151,156	(87,832)
13	TRUE C03175	KP Community Hub Plant & Equipment	Kingston Park	New	(1,824)	-		-		(1,824)	-	-	-	(1,824)
14	FALSE C03173	KP Public Open Space - Playground	Kingston Park	New	331,286	-		-		331,286	375,093	336,108	711,201	(379,915)
15	FALSE C03277	KP Public Open Space - Stage 2	Kingston Park	New	2,522,815	-		-		2,522,815	2,191,126	239,568	2,430,694	92,121
16	KP1	KP Public Open Space - Stage 2 LRC12	Kingston Park	New	-	-		-		-	-	-	-	-
17	KP2	KP Public Open Space - Stage 3 LRC13	Kingston Park	New	-	-		-		-	-	-	-	-
18	TRUE C03504	KP Playground Security Cameras	Kingston Park	New	-	-		-		-	9,470	-	9,470	(9,470)
19	FALSE C03293	Pardalote Parade Northern Section (TIP)	Kingston Park	New	340,200	-		-		340,200	403,452	-	403,452	(63,252)
20	FALSE C03278	KP Perimeter shared footpath	Kingston Park	New	-	-		-		-	-	-	-	-
21	FALSE C03174	KP Public Open Space - Hub link to Playground	Kingston Park	New	(446)	-		-		(446)	4,134	-	4,134	(4,580)
22	FALSE C03279	KP Boulevard Construction Stage 1B	Kingston Park	New	(5,354)	-	1,730,000			1,724,646	117,673	-	117,673	1,606,973
23	FALSE C03532	John St Roundabout Upgrade	Kingston Park	New	-	-			1 700,000	700,000	-	-	-	700,000
24	FALSE C03306	KP Road F design and construct	Kingston Park	New	(362,183)	-		-		(362,183)	360,317	30,003	390,320	(752,503)
25	FALSE C03280	KP Stormwater wetlands	Kingston Park	New	(43,934)	-		-		(43,934)	32,245	-	32,245	(76,179)
26					-	-		-		-	-	-	-	-
27					5,396,437	-	-	-	700,000	6,096,437	3,981,660	897,090	4,878,750	1,217,687
28					1 \$700,000 Funding from City Deal funding below									
29	BRUNY ISLAND TOURISM GRANT													
30														
31	BI	Bruny Island Tourism Grant	Bruny Tourism	New	150,000			-		150,000	-	-	-	150,000
32	FALSE C03282	Alonnah footpath - BI Tourism Grant	Bruny Tourism	New	388,923			-		388,923	498,687	35,528	534,214	(145,291)
33	FALSE C03283	Dennes Point public toilets - BI Tourism Grant	Bruny Tourism	Upgrade	94,012			-		94,012	144,064	3,415	147,479	(53,467)
34	FALSE C03284	Adventure Bay Road road safety measures - BI Tour	Bruny Tourism	New	113,623			-		113,623	23,052	-	23,052	90,571
35	FALSE C03285	Waste disposal sites - BI Tourism Grant	Bruny Tourism	New	43,676			-		43,676	3,269	-	3,269	40,407
36	FALSE C03286	Visitor information - BI Tourism Grant	Bruny Tourism	New	105,830			-		105,830	122,363	-	122,363	(16,533)
37	TRUE C03287	Mavista Falls Track and picnic area - BI Tourism Gra	Bruny Tourism	New	290,520			-		290,520	-	-	-	290,520
38	FALSE C03288	Nebraska Road road safety measures - BI Tourism G	Bruny Tourism	New	69,636			-		69,636	74,280	-	74,280	(4,644)
39														
40					1,256,220	-	-	-	-	1,256,220	865,714	38,942	904,656	351,564
41														

KINGBOROUGH COUNCIL  
CAPITAL EXPENDITURE TO 31/05/2022

Closed	Capital Project No.	Description	Department	Renewal, Upgrade, or New	Budget						Actual			Remaining
					Carry Forward	2021/22	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments	Total	
42	CITY DEAL FUNDING													
43														
		City Deal Funding - \$5.9m to come												
44	G10034	(Funding \$7,900,000 to come \$5.9m - paid 2020/21 \$2.0m, 2021/22 \$2m, 2022/23 \$3.9)			954,322			-	(3,158,703)	(2,204,381)	-	-	-	(2,204,381)
45	Place	Place Strategy development	Expenditure in C03107 Channel Hwy 2019/20		-			-		-	-	-	-	-
46	FALSE	C03530 Kingston Bus Interchange			800,000			-		800,000	-	8,850	8,850	791,150
47		CD2 Other initiatives to be determined			-			-		-	-	-	-	-
48		CD3 Whitewater Creek Track - construct			-		Project in Property C03425 below	250,000		-	-	-	-	-
49	FALSE	C03524 Channel Highway Vic 15-45 - Design			-			-	50,000	50,000	10,901	-	10,901	39,099
50	FALSE	C03525 Channel Highway Vic 15-45 - Construct			-			-	600,000	600,000	-	-	-	600,000
51	FALSE	C03526 Fantail Parade Walkway - design			-			-	50,000	50,000	-	-	-	50,000
52		CD7 Bus interchange - design			-			-	250,000	250,000	-	-	-	250,000
53	FALSE	C03523 Property purchase - 40 Channel Hwy			-			-	1,000,000	1,000,000	-	-	-	1,000,000
54	G80001	Transform Kingston Program	in Operational expenditure		(253,715)			-	253,715	(0)	in Operational expenditure			
55		John St Roundabout Upgrade			-			-	700,000	-	in Kingston Park above C03532			
56	G80002	Kingborough Bicycle Plan	in Operational expenditure		(4,989)			-	4,989	(0)	in Operational expenditure			
57					-			-		-	-	-	-	-
58					1,495,618	-	-	-	(950,000)	545,618	10,901	8,850	19,751	525,868
59														
60	LOCAL ROADS & COMMUNITY INFRASTRUCTURE Phase 1													
61														
62	G10036	Total grant \$598,102, \$80,420 funds still to come			(283,617)		203,197	-		(80,420)	-	-	-	(80,420)
63	OpExp	Kingborough Community Facility maintenance (Act 5030)			(125,272)			-		(125,272)	-	-	-	(125,272)
64	TRUE	C03409 Jenkins St, pedestrian refuge			62,722			2,845		65,567	59,741	-	59,741	5,826
65	TRUE	C03410 Morris Ave pedestrian crossing and refuge			(1,045)			-		(1,045)	-	-	-	(1,045)
66	TRUE	C03412 Tower Court reconstruction			51,699			695		52,394	14,586	-	14,586	37,808
67	TRUE	C03413 Woodbridge Hall, replace roof and front porch			(1,093)			-	8,150	7,057	8,150	-	8,150	(1,093)
68														
69					(296,606)	-	203,197	3,540	8,150	(81,719)	82,478	-	82,478	(164,197)
70														
71	LOCAL ROADS & COMMUNITY INFRASTRUCTURE Phase 2													
72														
73	G10044	Grant for \$1,404,450			-			-	-	-	-	-	-	-
74	LRIC2	Expenditure in C03277 in Kingston Park above			-			-	-	-	-	-	-	-
75														
76														
77														
78	TRUE	C03222 Wash down facility for twin ovals workshop	Property	New	43,276	-		3,411	24,724	71,411	71,630	-	71,630	(219)
79	FALSE	C03265 Cat holding facility Bruny Island fit out	Property	Renewal	6,466	-		-	-	6,466	62	-	62	6,404
80	FALSE	C02373 Kettering Hall Disability Access	Property	Upgrade	7,000	-		-	(7,000)	-	-	-	-	-
81	TRUE	C03335 Public Recycling & Waste Enclosures	Property	New	-	-		342	-	342	7,183	-	7,183	(6,841)
82	TRUE	C03429 Dru Point slide renewal	Property	Renewal	34,230	-		1,849	-	36,079	38,834	-	38,834	(2,755)
83	FALSE	C03324 Civic Centre - Office Accommodation Design	Property	Upgrade	7,699	110,000		-	-	117,699	41,731	20,386	62,117	55,582
84	FALSE	C03325 Kettering Community Hall Public Toilets Upgrade	Property	Upgrade	45,000	160,000		-	7,000	212,000	20,341	204,275	224,615	(12,615)
85	TRUE	C03326 Kingston Beach Oval Changerooms Upgrade	Property	Upgrade	98,999	-	360,000	-	-	458,999	1,840	-	1,840	457,159
86	TRUE	C03329 Light Wood Park 2 Female Changerooms	Property	Upgrade	200,000	-		10,011	-	210,011	210,223	-	210,223	(212)
87	TRUE	C03331 Light Wood Park 3 training lights	Property	Renewal	25,268	-		518	-	25,786	10,871	-	10,871	14,915
88	TRUE	C03332 Light Wood Park 3 Fencing	Property	New	10,000	-		701	-	10,701	14,723	-	14,723	(4,022)
89	FALSE	C03314 Silverwater Park Upgrade	Property	Upgrade	-	-		-	-	-	17,820	-	17,820	(17,820)
90	TRUE	C03330 Light Wood Park 2 cricket nets	Property	Upgrade	-	-	34,639	1,516	-	36,155	33,349	-	33,349	2,806
91	FALSE	C03340 Christopher Johnson Park Toilet Upgrade	Property	Upgrade	10,000	200,000		-	-	210,000	17,007	196,304	213,311	(3,311)
92	FALSE	C03341 Woodbridge Hall Toilet Upgrade	Property	Renewal	110,000	-		-	65,000	175,000	3,513	118,182	121,695	53,305
93	FALSE	C03420 Suncoast track protection works investigation	Property	New	6,107	20,000		-	-	26,107	1,328	-	1,328	24,779
94	FALSE	C03421 Conningham to Snug Shared path feasibility	Property	New	29,860	-		-	-	29,860	25,158	5,000	30,158	(298)
95	TRUE	C03422 Park Furniture upgrade	Property	Renewal	-	-		17	-	17	360	-	360	(343)



KINGBOROUGH COUNCIL  
CAPITAL EXPENDITURE TO 31/05/2022

Closed		Capital Project No.	Description	Department	Renewal, Upgrade, or New	Budget						Actual			Remaining
						Carry Forward	2021/22	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments	Total	
96	FALSE	C03430	Demolition of old Conningham Beach Toilet Block	Property	Renewal	28,000	-		-	-	28,000	30,986	-	30,986	(2,986)
97	TRUE	C03432	Kingston Beach Oval Lighting major repair	Property	Renewal	-	-	42,500	2,375	-	44,875	49,875	-	49,875	(5,000)
98	FALSE	C03454	Adventure Bay Hall Electrical Upgrade	Property	Upgrade	-	11,000	10,000	-	(10,000)	11,000	5,115	-	5,115	5,885
99	TRUE	C03455	Alamo Close Play Space and Parkland Works	Property	New	-	220,000		-	-	220,000	-	-	-	220,000
100	FALSE	C03456	Boronia Beach Track Refurbishment	Property	Renewal	-	116,000		-	-	116,000	12,804	20,000	32,804	83,196
101	FALSE	C03457	Kingston Hub Auditorium Mechanical Curtian	Property	New	-	40,000		-	26,000	66,000	1,455	-	1,455	64,545
102	FALSE	C03458	Works Depot Toilet & Washroom Facilities	Property	Renewal	-	10,000		-	-	10,000	4,983	-	4,983	5,018
103	TRUE	C03459	Donohoe Gardens Playground Upgrade	Property	Upgrade	-	275,000		-	-	275,000	-	-	-	275,000
104	FALSE	C03460	Dru Point Playground Upgrade	Property	Upgrade	-	495,000		-	-	495,000	-	-	-	495,000
105	FALSE	C03461	Kelvedon Oval Fencing	Property	New	-	27,500		-	-	27,500	-	-	-	27,500
106	FALSE	C03462	Kingston to Margate Shared Path Feasibility Study	Property	New	-	40,000		-	-	40,000	40,589	-	40,589	(589)
107	FALSE	C03463	KSC Solar PhotoVoltaic and Battery System	Property	New	-	232,000		-	-	232,000	109,973	124,947	234,920	(2,920)
108	FALSE	C03464	Leslie Vale Oval Clubroom Demolition	Property	New	-	20,000		-	-	20,000	14,816	-	14,816	5,184
109	FALSE	C03465	Longley Hall Upgrade	Property	Upgrade	-	20,000		-	-	20,000	-	-	-	20,000
110	FALSE	C03466	Louise Hinsby Park Playground Upgrade	Property	Upgrade	-	125,000		-	-	125,000	33,042	33,890	66,932	58,068
111	FALSE	C03467	Margate Clubrooms Plumbing	Property	Renewal	-	60,000		-	(52,000)	8,000	2,644	-	2,644	5,357
112	FALSE	C03468	Margate Hall Disability Toilet	Property	Upgrade	-	110,000		-	-	110,000	-	-	-	110,000
113	FALSE	C03469	Margate Hall Access Ramp	Property	New	-	16,000		-	-	16,000	-	-	-	16,000
114	FALSE	C03470	North West Bay River Multi-Use Trail - Stage 1	Property	New	-	188,000		-	-	188,000	14,531	165,208	179,739	8,261
115	FALSE	C03471	Reserves furniture up cycling project	Property	Upgrade	-	45,000		-	-	45,000	16,037	21,052	37,089	7,911
116	FALSE	C03472	Taroona Hall Upgrade	Property	Upgrade	-	110,000		-	-	110,000	8,548	-	8,548	101,452
117	FALSE	C03473	Taroona Foreshore Toilet Upgrade - Design Only	Property	Upgrade	-	25,000		-	-	25,000	3,000	-	3,000	22,000
118	TRUE	C03474	Twin Ovals Carpet Replacement	Property	Renewal	-	67,500		1,620	(24,724)	44,396	34,020	-	34,020	10,376
119	FALSE	C03475	Willowbend Park Playground Upgrade	Property	Upgrade	-	137,500		-	-	137,500	-	-	-	137,500
120	FALSE	C03476	Public Place Recycling - Blackmans Bay Beach	Property	Upgrade	-	45,000		-	-	45,000	35,630	-	35,630	9,370
121	FALSE	C03425	Whitewater Creek Track Rehabilitation - Stage 1	Property	Renewal	-	150,000	455,400	-	250,000	855,400	29,146	796,019	825,166	30,234
122	FALSE	C03477	Margate Oval Fence Extension	Property	New	-	10,000		-	-	10,000	-	-	-	10,000
123	TRUE	C03506	Middleton Hall Upgrade	Property	Renewal	-	-	20,000	1,862	17,248	39,110	39,110	-	39,110	-
124	FALSE	C03514	Sandfly Hall Roof Renewal	Property	Renewal	-	-		-	52,000	52,000	39,328	-	39,328	12,672
125	FALSE	C03515	Kettering Hall - Floor Renewal	Property	Renewal	-	-		-	45,000	45,000	-	36,000	36,000	9,000
126	FALSE	C03516	Kettering Hall - Lower Level Roof Renewal	Property	Renewal	-	-		-	45,000	45,000	30,972	-	30,972	14,028
127	FALSE	C03520	Snug Oval Changerooms	Property	Upgrade	-	-	150,000	-	-	150,000	139,736	11,764	151,500	(1,500)
128	FALSE	C03521	Leslie Oval Ground Upgrade	Property	Upgrade	-	-	50,000	-	-	50,000	14,993	-	14,993	35,007
129	FALSE	C03522	Kingston Beach Breakwater improvements	Property	Upgrade	-	-		-	125,000	125,000	-	-	-	125,000
130	FALSE	C03531	Kingston Mountain Bike Park Shelter	Property	New	-	-	26,532	-	1,000	27,532	6,610	10,040	16,650	10,882
131	FALSE	C03536	Air conditioning Civic Centre	Property	New	-	-		-	16,050	16,050	16,053	-	16,053	(3)
132						-	-		-	-	-	-	-	-	-
133											-	-	-	-	-
134						661,905	3,085,500	1,149,071	24,222	580,298	5,500,996	1,249,967	1,763,067	3,013,034	2,487,962
135															
136	FALSE	C03130	Multi-function devices - CC, Depot, KSC etc	IT	New	66,720	-		-	-	66,720	-	-	-	66,720
137	FALSE	C00613	Purchase IT Equipment	IT	New	-	-		-	-	-	77,420	2,134	79,554	(79,554)
138	FALSE	C00672	Digital Local Government Program	IT	New	60,406	-		-	-	60,406	-	-	-	60,406
139	FALSE	C01602	Financial Systems Replacement	IT	Renewal	163,962	-		-	-	163,962	-	-	-	163,962
140	FALSE	C03070	Desktop PC Replacement	IT	Renewal	-	-		-	-	-	-	1,273	1,273	(1,273)
141	FALSE	C03403	Replace two way system in vehicles	IT	Renewal	130,000	-		-	-	130,000	-	-	-	130,000
142	FALSE	C03404	Core Server replacement	IT	Renewal	68,000	-		-	-	68,000	96,448	-	96,448	(28,448)
143	FALSE	C03405	Wireless networking	IT	Renewal	26,763	-		-	-	26,763	14,905	2,310	17,215	9,548
144											-	-	-	-	-
145						515,851	-	-	-	-	515,851	188,773	5,717	194,490	321,361
146															
147	TRUE	C90003	Design/survey for future works	Design		-	100,000		-	(79,200)	20,800	-	-	-	20,800
148	FALSE	C03517	Nierinna Road Walking Track Bridge 28604 Repl	Design						3,500	3,500	3,500	-	3,500	-
149	FALSE	C03518	Nierinna Road Walking Track Bridge 28605 Repl	Design						3,500	3,500	3,500	-	3,500	-
150	FALSE	C03519	Bridge 28599 Summerleas Road Safety Barrier U	Design						2,900	2,900	2,900	-	2,900	-
151	FALSE	C03527	Blowhole Road (vic5-59) Reconstruction	Design						10,000	10,000	103	-	103	9,897

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					Carry Forward	2021/22	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments	Total	
152	FALSE	C03528	Wells Parade (vic37-59) Footpath	Design					10,000	10,000	103	-	103	9,897
153	FALSE	C03529	Longley Reserve Public Toilet Block Replacement	Design	Renewal				2,300	2,300	2,295	-	2,295	5
154	FALSE	C03533	Mountain Bike Pump Track Upgrade	Design		262,683			1,000	263,683	-	-	-	263,683
155	FALSE	C03423	Osborne Esplanade (vic1-43) Rehabilitation	Design					10,000	10,000	6,300	-	6,300	3,700
156	FALSE	C03535	Channel Hwy (vic3345-3451) Woodbridge Footp	Design					5,000	5,000	-	-	-	5,000
157	FALSE	C03537	Recreation Street Carpark Rehabilitation	Design					5,000	5,000	138	-	138	4,862
158	FALSE	C03538	Kingston Beach Kindergarten Carpark Rehabilitation	Design					5,000	5,000	138	-	138	4,862
159		C03539	Channel Hwy (vic3004-3018) Kettering Footpath	Design					5,000	5,000	277	-	277	4,723
160		C03541	Browns River Pedestrian Bridge Replacement	Design					5,000	5,000	-	-	-	5,000
161		C03542	Allens Rivulet Road (vic305) Bridge Replacement	Design					10,000	10,000	-	-	-	10,000
162				Design					-	-	-	-	-	-
163					-	362,683	-	-	(1,000)	361,683	19,256	-	19,256	342,427
164														
165	FALSE	C03453	Taroona Park 12 new seats	Reserves	New	31,720	-	-	-	31,720	34,209	-	34,209	(2,489)
166											-	-	-	-
167					31,720	-	-	-	-	31,720	34,209	-	34,209	(2,489)
168														
169	TRUE	C03107	Channel Highway John St to Hutchins St	Roads	Upgrade	-	-	-	-	-	-	-	-	-
170	TRUE	C03205	Leslie Road widening	Roads	Renewal	-	-	688	-	688	14,939	-	14,939	(14,251)
171	FALSE	C03276	Upgrade Street Lighting to LED	Roads	Upgrade	342,889	-	-	-	342,889	38,052	-	38,052	304,837
172	FALSE	C03342	Pelverata Road (vic 609) Reconstruction - Design	Roads	Upgrade	-	-	-	-	-	1,802	-	1,802	(1,802)
173	FALSE	C03096	Adventure Bay Road (vic 334) Realignment	Roads	Upgrade	132,617	-	-	-	132,617	91,876	3,885	95,761	36,856
174	TRUE	C03193	Barnes Bay Jetty Replacement	Roads	50% R / 50% N	-	-	24	-	24	504	-	504	(480)
175	FALSE	C01183	Beach Road (vic 2-14) Footpath	Roads	Renewal	51,284	-	-	-	51,284	28,680	-	28,680	22,604
176	TRUE	C03344	Browns-Proctors Road Sealing of Approaches to Bro	Roads	New	2,823	-	-	-	2,823	-	-	-	2,823
177	FALSE	C03311	Browns Road (vic 1-51) Rehabilitation - Stage 1 De	Roads	New	84,740	710,000	-	-	794,740	67,273	602,727	670,000	124,740
178	FALSE	C03312	Groombridges Road (vic Oxleys Rd-99) Sealing	Roads	Renewal	981,145	-	-	-	981,145	895,883	-	895,883	85,262
179	TRUE	C03315	Kingston Beach Sailing Club Carpark Upgrade	Roads	new	241,583	-	8,807	-	250,390	184,945	-	184,945	65,445
180	FALSE	C03313	Margate Oval Carpark Upgrade	Roads	New	65,096	-	30,000	-	95,096	140,064	-	140,064	15,032
181	TRUE	C03349	Nubeena Crescent Pedestrian Refuge	Roads	New	60,953	-	2,950	-	63,903	61,956	-	61,956	1,947
182	FALSE	C03316	Osborne Esplanade (vic 25a) Pedestrian Crossing	Roads	Renewal	260,635	-	-	-	260,635	260,177	60	260,237	398
183	TRUE	C03416	Kaoota Tramway Track Parking	Roads	New	14,354	-	-	-	14,354	-	-	-	14,354
184	TRUE	C03418	Missionary Road coastal works	Property	New	297,209	-	10,610	-	307,819	222,808	-	222,808	85,011
185	TRUE	C03427	Beach Road Footpath - Church St to Roslyn Ave	Roads	New	62,280	-	340,000	20,221	422,501	424,644	-	424,644	(2,143)
186	FALSE	C03489	Adventure Bay Road Upgrade vicinity No. 290	Roads	Upgrade	-	535,000	-	135,000	670,000	12,871	-	12,871	657,129
187	FALSE	C03490	Allens Rivulet Road Sealing of Approaches to Platyp	Roads	New	-	30,000	-	-	30,000	-	-	-	30,000
188	FALSE	C03491	Burwood Drive Gravel Footpath	Roads	Upgrade	-	180,000	-	-	180,000	120,000	8,156	128,156	51,844
189	FALSE	C03492	Cades Drive Rehabilitation	Roads	Upgrade	-	165,000	-	-	165,000	8,736	-	8,736	156,264
190	FALSE	C03493	Endeavour Place Junction Sealing	Roads	New	-	62,000	-	-	62,000	32	-	32	61,968
191	FALSE	C03494	Harvey Street Sealing	Roads	New	-	280,000	-	-	280,000	23,903	-	23,903	256,097
192	FALSE	C03495	Lockleys Road Junction Resealing	Roads	Renewal	-	62,000	-	-	62,000	-	-	-	62,000
193	FALSE	C03417	Snug River Pedestrian Bridge Replacement	Roads	Renewal	-	227,000	-	-	227,000	190,753	-	190,753	36,247
194	FALSE	C03199	Snug Tiers Road Reconstruction vic 42-120	Roads	Renewal	-	1,100,000	-	-	1,100,000	49,914	1,008,562	1,058,476	41,524
195	FALSE	C03496	Taroona Crescent Footpath Replacement No. 1 to 5	Roads	Renewal	-	160,000	-	-	160,000	161,301	-	161,301	(1,301)
196	FALSE	C03497	Village Drive Entrance Reconstruction	Roads	Renewal	-	100,000	-	35,000	135,000	131,223	-	131,223	3,777
197	FALSE	C03498	Wells Parade Reconstruction between Carinya Stree	Roads	Renewal	-	370,000	-	145,000	515,000	24,367	494,826	519,192	(4,192)
198	FALSE	C03499	Wyburton Place and Clare Street Reconstruction	Roads	Renewal	-	35,000	-	-	35,000	4,451	-	4,451	30,549
199	FALSE	C03431	Gemalla Road Reconstruction	Roads	Renewal	-	1,230,000	-	-	1,230,000	423,868	702,502	1,126,370	103,630
200	TRUE	C03501	Van Morey Road Safety Improvements	Roads	New	-	-	170,000	8,712	178,712	182,961	-	182,961	(4,249)
201	FALSE	C03508	Pelverata Road Slope Failure Repair	Roads	New	-	-	-	30,000	30,000	-	-	-	30,000
202				Roads					-	-	-	-	-	-
203	TRUE	C90006	Access ramps	Roads	New	-	20,000	-	-	20,000	-	-	-	20,000
204														
205	TRUE	C90002	2020/21 Resheeting Program	Roads	Renewal	-	615,000	-	(615,000)	-	-	-	-	-
206	TRUE	C03398	Old Bernies Road - Resheet	Roads	Renewal	70,028	-	155	-	70,183	3,260	-	3,260	66,923
207	TRUE	C03399	Snug Falls Road - - Resheet	Roads	Renewal	-	-	88	-	88	1,841	-	1,841	(1,753)

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					Carry Forward	2021/22	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments	Total	
208	TRUE	C03400	Dulcia Road - Resheet	Roads	Renewal	22,696	-	-	-	22,696	-	-	-	22,696
209	FALSE	C03484	Lawless Road - resheet	Roads	Renewal	-	-	-	107,000	107,000	98,350	-	98,350	8,650
210	FALSE	C03485	Moodys Road - resheet	Roads	Renewal	-	-	-	74,000	74,000	82,017	-	82,017	(8,017)
211	FALSE	C03486	Thompsons Road - resheet	Roads	Renewal	-	-	-	76,000	76,000	84,923	4	84,927	(8,927)
212	FALSE	C03487	Cox Road - resheet	Roads	Renewal	-	-	-	125,000	125,000	127,191	-	127,191	(2,191)
213	FALSE	C03488	Whittons Road - resheet	Roads	Renewal	-	-	-	233,000	233,000	192,340	3,200	195,540	37,460
214				Roads	Renewal	-	-	-	-	-	-	-	-	-
215						-	-	-	-	-	-	-	-	-
216	TRUE	C90001	2020/21 Resealing Program	Roads	Renewal	-	1,000,000	-	(1,000,000)	-	-	-	-	-
217	TRUE	C03392	Sandfly Road - Huon Hwy to Allens Rivulet Rd	Roads	Renewal	-	-	41	-	41	852	-	852	(811)
218	FALSE	C03478	Channel Hwy - Orana Place to HN 227 - reseal	Roads	Renewal	-	-	-	32,000	32,000	33,096	-	33,096	(1,096)
219	TRUE	C03434	Kunama Drive - Jindabyne Rd to Dorset Drive	Roads	Renewal	16,206	-	3,176	33,508	52,890	66,693	-	66,693	(13,803)
220	FALSE	C03433	Nolan Cres - Freesia Crt to Willow Bend Rd	Roads	Renewal	15,217	-	-	99,783	115,000	20,430	-	20,430	94,570
221	FALSE	C03479	Willowbend Rd - Summerleas Rd to Olivia Crt - n	Roads	Renewal	-	-	-	200,000	200,000	99,321	-	99,321	100,679
222	FALSE	C03480	Foley Road - reseal	Roads	Renewal	-	-	-	51,000	51,000	-	-	-	51,000
223	FALSE	C03435	Hutchins St - Auburn Rd to Dorset Drive	Roads	Renewal	5,000	-	-	85,000	90,000	85,973	-	85,973	4,027
224	FALSE	C03481	Wells Parade - Roslyn Ave to Derwent Ave - rese	Roads	Renewal	-	-	-	96,000	96,000	61,122	-	61,122	34,878
225	FALSE	C03482	Wells Parade - Persall Ave to Nyuna Rd - reseal	Roads	Renewal	-	-	-	122,000	122,000	76,684	-	76,684	45,316
226	FALSE	C03509	Welbor Road junction sealing - reseal	Roads	Renewal	-	-	-	10,000	10,000	9,606	-	9,606	394
227	TRUE	C03436	Dayspring Drive - Van Morey to No. 19	Roads	Renewal	(388)	-	2,333	42,388	44,333	49,001	-	49,001	(4,668)
228	FALSE	C03502	Parkdale Drive - Leslie Rd to HN 49 - reseal	Roads	Renewal	-	-	-	58,000	58,000	20,579	-	20,579	37,421
229	FALSE	C03437	Culbara Rd	Roads	Renewal	(4,921)	-	-	37,921	33,000	17,692	-	17,692	15,308
230	FALSE	C03438	Slattery's Rd Junction	Roads	Renewal	9,000	-	-	14,000	23,000	12,981	100	13,081	9,919
231	FALSE	C03483	Manuka Road - reseal	Roads	Renewal	-	-	-	64,000	64,000	46,460	-	46,460	17,540
232	FALSE	C03439	Dulcia Road	Roads	Renewal	33,000	-	-	13,000	46,000	29,855	-	29,855	16,145
233	FALSE	C03510	Honeys Road junction sealing - reseal	Roads	Renewal	-	-	-	2,400	2,400	5,323	-	5,323	(2,923)
234	FALSE	C03511	Rainbirds Road junction sealing - reseal	Roads	Renewal	-	-	-	2,600	2,600	-	-	-	2,600
235	FALSE	C03512	Risby Road junction sealing - reseal	Roads	Renewal	-	-	-	3,400	3,400	2,845	-	2,845	555
236		C03540	Huntingfield Ave (vic1179 Channel Hwy) Reseal	Roads	Renewal	-	-	-	40,000	40,000	-	39,000	39,000	1,000
237				Roads	Renewal	-	-	-	-	-	-	-	-	-
238	FALSE	C03395	Prep works 2021/22	Roads	Renewal	80,500	-	-	(40,000)	40,500	-	-	-	40,500
239	TRUE	C90015	Various heavy patching and junction sealing - re:	Roads	Renewal	-	-	-	33,000	33,000	-	-	-	33,000
240														
241						2,843,946	6,881,000	540,000	57,805	405,000	10,727,751	4,996,417	2,863,021	7,859,438
242														
243	FALSE	C03161	Community Road Safety Grant - Driving Simulator	Other	Renewal	-	-	-	-	-	5,428	-	5,428	(5,428)
244														
245						-	-	-	-	-	5,428	-	5,428	(5,428)
246														
247	TRUE	C03026	Algona Road Stage 1 SW Upgrade	Stormwater	50% R / 50% U	-	-	7	-	7	145	-	145	(138)
248	TRUE	C03163	Stormwater Regional Flood Gauge Network	Stormwater	New	30,896	-	-	-	30,896	21,847	-	21,847	9,049
249	FALSE	C03241	Burwood Drive stormwater upgrade	Stormwater	50% N / 50% R	38,786	-	-	-	38,786	604	-	604	38,182
250	TRUE	C03242	Leslie Road Stormwater Upgrade	Stormwater	New	79,801	-	-	-	79,801	2,753	-	2,753	77,048
251	TRUE	C03250	Algona Road Stage 2 SW Upgrade-design only	Stormwater	50% N / 50% R	12,842	-	-	-	12,842	-	-	-	12,842
252	FALSE	C03251	Hillside Drive Stormwater Upgrade	Stormwater	50% N / 50% R	15,562	235,000	-	-	250,562	113,007	109,040	222,047	28,515
253	TRUE	C03354	Pit replacement & upgrade 2020/21	Stormwater	50% N / 50% R	-	-	55	-	55	1,178	-	1,178	(1,123)
254	FALSE	C03513	Pit replacement & upgrade 2021/22	Stormwater	50% N / 50% R	-	50,000	-	-	50,000	21,674	241	21,915	28,085
255	FALSE	C03355	Algona Road Stage 2 Stormwater Upgrade - Reline	Stormwater	Renewal	378,411	-	-	-	378,411	266,486	34,664	301,150	77,261
256	FALSE	C03357	Boronia-Sherburd-CBD Stormwater Survey	Stormwater	New	54,416	-	-	5,800	60,216	46,549	-	46,549	13,667
257	TRUE	C03361	Flinders Esp Stormwater EXTENSION	Stormwater	New	21,903	-	806	-	22,709	16,923	-	16,923	5,786
258	FALSE	C03362	Flowerpot Outlet Improvements	Stormwater	New	-	26,000	-	-	26,000	316	454	771	25,229
259	TRUE	C03363	Harpers Road Stormwater Upgrade - ROAD ONLY	Stormwater	New	146,362	-	6,769	-	153,131	142,145	-	142,145	10,986
260	FALSE	C03364	Leslie Road (viz 48) Stormwater Upgrade	Stormwater	50% R / 50% U	61,029	-	-	-	61,029	62,892	4,650	67,542	(6,513)
261	TRUE	C03365	Margate Rivulet Hydraulic Assessment	Stormwater	New	37,017	-	873	-	37,890	18,324	-	18,324	19,566
262	FALSE	C03367	Pear Ridge, Margate Stormwater Upgrade	Stormwater	New	21,947	-	-	-	21,947	9,950	-	9,950	11,997
263	FALSE	C03374	Timbertop Drive Stormwater Upgrade	Stormwater	New	47,871	-	-	-	47,871	40,064	-	40,064	7,807

**KINGBOROUGH COUNCIL**  
**CAPITAL EXPENDITURE TO 31/05/2022**

	Closed	Capital Project No.	Description	Department	Renewal, Upgrade, or New	Budget						Actual			Remaining
						Carry Forward	2021/22	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments	Total	
264	TRUE	C03419	Bishop Davies to Kingston Green Stormwater link	Stormwater	New	115,677	-		5,822	-	121,499	122,263	-	122,263	(764)
265	FALSE	C03451	Andersons Rd Culvert Upgrade (intersect with Huon	Stormwater	New	-	-		-	-	-	6,153	-	6,153	(6,153)
266	TRUE	C03452	Andersons Rd (vic 127) Culvert Upgrade	Stormwater	New	-	-		45	-	45	954	-	954	(909)
267	TRUE	C03442	Flinders Esplanade - vic 35_35A - Construct Only	Stormwater	New	1,000	51,000		983	-	52,983	20,634	-	20,634	32,349
268	FALSE	C03443	Bundalla Catchment Investigation	Stormwater	New	1,000	38,000		-	-	39,000	17,609	-	17,609	21,391
269	FALSE	C03450	Denison Street Wetlands Upgrade	Stormwater	Upgrade	736	30,000		-	-	30,736	2,000	-	2,000	28,736
270	FALSE	C03093	Garnett St Sig 1 SW Upgrade	Stormwater	Upgrade	-	374,000		-	206,000	580,000	590,260	11,765	602,025	(22,025)
271	FALSE	C03449	Kingston Depot Wash Down Bay	Stormwater	New	1,000	40,000		-	-	41,000	15,141	559	15,700	25,300
272	FALSE	C03448	Kingston Wetlands Upgrade	Stormwater	Upgrade	1,000	200,000		-	(201,000)	-	-	-	-	-
273	FALSE	C03424	Meath Avenue, Tarroona SW Upgrade	Stormwater	Upgrade	-	468,000		-	330,000	798,000	56,117	746,081	802,198	(4,198)
274	TRUE	C03444	Roslyn-Pearsall-Wells Catchment Investigation	Stormwater	New	1,000	37,040		-	(38,000)	40	-	-	-	40
275	TRUE	C03445	Van Morey-Frosts Road	Stormwater	New	1,000	15,000		-	(16,000)	-	-	-	-	-
276	TRUE	C03446	Victoria Avenue Erosion Risk Assessment	Stormwater	New	1,000	35,000		-	(36,000)	-	149	-	149	(149)
277	FALSE	C03447	Woodlands-View-Hazell Catchment Invest Incl Surv	Stormwater	New	1,000	76,670		-	-	77,670	14,910	-	14,910	62,760
278	FALSE	C03500	Allens Rivulet Road Footway Improvements	Stormwater	Upgrade	-	45,000		-	5,000	50,000	50,703	-	50,703	(703)
279				Stormwater		-	-		-	-	-	-	-	-	-
280															
281						1,071,256	1,720,710	-	15,360	255,800	3,063,126	1,661,752	907,454	2,569,206	493,920
282		B00000	Capital Balancing Account	Other						(998,248)	(998,248)	-	-	-	(998,248)
283		OC	On costs on capital project						(101,024)		(101,024)				(101,024)
<b>TOTAL CAPITAL EXPENDITURE</b>						<b>12,976,347</b>	<b>12,049,893</b>	<b>1,892,268</b>	<b>(96)</b>	<b>0</b>	<b>26,918,411</b>	<b>13,096,554</b>	<b>6,484,141</b>	<b>19,580,694</b>	<b>7,337,718</b>
Transferred to Operational expenditure						383,976	(262,683)								

	Budget	Actual Incl Commit- ments
Renewal	9,050,639	7,557,685
Upgrade	5,618,703	2,862,230
New	4,432,516	3,275,141
	19,101,858	13,695,056
Kingston Park New	6,096,437	4,878,750
Bruny Island Tourism grant New	1,256,220	904,656
City Deal funding	545,618	19,753
Local Roads and Community Infrastructure	(81,719)	82,478
	26,918,414	19,580,694

NOTE: Classification is an estimate at the start of a project and may change on completion of job.

**KINGSTON PARK  
CAPITAL EXPENDITURE TO 31/05/2022**

	Budget & Carried Forward Expenditure		Actual	Commit- ments	Total	Variance
Overall Project budget (yet to be allocated)	270,000					270,000
C00688 KP Boulevard Construction	0		0	0	0	0
C00689 KP Pardalote Parade Design & Construction	46,122		0	0	0	46,122
C00690 KP Community Hub Design	52,343		0	0	0	52,343
C00691 KP Open Space Design (Playstreet)	41,311		5,920	46,420	52,340	(11,029)
C01606 KP Parking Strategy	(2,000)		0	0	0	(2,000)
C03179 KP Temporary Car Park	108,556		0	0	0	108,556
C01618 Boulevard Construction Stage 1A	318,096		322,489	98,650	421,139	(103,043)
C01627 KP Site - Land Release Strategy	(51,227)		37,179	0	37,179	(88,406)
C01628 KP Site - General Expenditure	39,352		117,497	250	117,747	(78,395)
C03069 KP Community Hub Construction	63,324		5,065	146,090	151,156	(87,832)
C03175 KP Community Hub Plant & Equipment	(1,824)		0	0	0	(1,824)
C03173 KP Public Open Space - Playground	331,286		375,093	336,108	711,201	(379,915)
C03277 KP Public Open Space - Stage 2	2,522,815		2,191,126	239,568	2,430,694	92,121
C03504 KP Playground Security Cameras	0		9,470	0	9,470	(9,470)
C03293 Pardalote Parade Northern Section (TIP)	340,200		403,452	0	403,452	(63,252)
C03278 KP Perimeter shared footpath	0		0	0	0	0
C03174 KP Public Open Space - Hub link to Playground	(446)		4,134	0	4,134	(4,580)
C03279 KP Boulevard Construction Stage 1B	1,724,646		117,673	0	117,673	1,606,973
C03532 John St Roundabout Upgrade	700,000		0	0	0	700,000
C03306 KP Road F design and construct	(362,183)		360,317	30,003	390,320	(752,503)
C03280 KP Stormwater wetlands	(43,934)		32,245	0	32,245	(76,179)
<b>Total</b>	<b>6,096,437</b>		<b>3,981,660</b>	<b>897,090</b>	<b>4,878,750</b>	<b>1,217,687</b>

**16.2 POLICY 3.19 - CASH-IN-LIEU OF PARKING POLICY**

**File Number:** 12.225

**Author:** Adriaan Stander, Strategic Planner

**Authoriser:** Tasha Tyler-Moore, Manager Development Services

**Strategic Plan Reference**

Key Priority Area: 3 Sustaining the natural environment whilst facilitating development for our future.

Strategic Outcome: 3.4 Best practice land use planning systems are in place to manage the current and future impacts of development.

**1. PURPOSE**

- 1.1 The purpose of this report is to present the updated *Cash-in-Lieu of Parking Policy 3.19* for Council approval and implementation.

**2. BACKGROUND**

- 2.1 The Policy was first adopted by Council on 22 January 2018; it was reviewed and updated in February 2020 (with no changes). It has reached its next review date, which is the purpose of this report.
- 2.2 Off-street car parking has an important role in meeting community needs. The public requires safe and convenient car parking to access local businesses, sporting and recreational facilities and government services. When developers cannot provide adequate car parking on site, or where a more suitable site is preferred, then a cash-in-lieu of parking contribution can be applied as an alternative means to satisfy public demand.
- 2.3 A cash-in-lieu of parking policy is required to confirm Council's requirements in this regard. The proposed policy provides a framework for how the cash-in-lieu contributions are calculated and how the money is to be spent. It is also the first step in preparing parking plans that describe future parking facilities that could be funded from cash-in-lieu of parking contributions.

**3. STATUTORY REQUIREMENTS / PLANNING SCHEME OPERATION**

- 3.1 The parking requirements under the Kingborough Interim Planning Scheme 2015 are defined within Clause 6.0 'Parking and Access Code'. This requires that there are sufficient on-site parking spaces to meet the future demand created by the development being assessed. This is defined by a set number of parking spaces for different uses – unless a parking plan has been prepared for the local area or the alternative performance criteria can all be met.
- 3.2 Both the current and future planning schemes accommodate the capacity to provide cash-in-lieu of parking contributions.

**4. DISCUSSION / PROPOSED CHANGES TO THE POLICY**

- 4.1 The proposed changes to the policy are minor and do not change the intent or delivery of the policy. Each of the changes are discussed below.

#### Policy statement

- 4.1.1 The policy statement has been revised to make it clear that the Policy operates in conjunction with the Planning Scheme parking requirements.

#### Definitions

- 4.1.2 The definitions now include reference to the *Land Use Planning and Approvals Act*.

#### Objectives

- 4.1.3 The objectives have been revised to include reference to parking requirements aligned with long-term strategies for specific precincts.

#### Scope

- 4.1.4 The scope has been updated to include consideration of any long-term Parking Plans, Precinct Plans or other strategic planning or project plans.

#### Procedure

- 4.1.5 The section that describes how the *Parking and Access Code* of the *Kingborough Interim Planning Scheme* operates has been removed. This is not required in the Policy. It is a duplication of what is in the Planning Scheme and will change because of the incoming Tasmanian Planning Scheme when it comes in force for Kingborough.

#### Guidelines

- 4.1.6 This section has been revised to include reference to long-term Parking Plans, Precinct Plans or other strategic planning or project plans.

### 5. FINANCE

- 5.1 The contribution of cash-in-lieu for parking is not a general revenue collection exercise, but rather is a means by which the Council accommodates the parking demand created in the locality due to a parking shortfall associated with development and consistent with long term strategies for the area.

### 6. ENVIRONMENT

- 6.1 There are no related environmental issues to consider.

### 7. COMMUNICATION AND CONSULTATION

- 7.1 If approved for implementation by Council, the amended policy would be provided to customers, displayed on Council's website and communicated to developers.

### 8. RISK

- 8.1 There are no expected risks in updating this policy.

### 9. CONCLUSION

- 9.1 Little of the policy has been altered as it remains applicable and relevant. However, some changes have been introduced to align the policy with any long-term Parking Plans, Precinct Plans or other strategic planning or project plans. Similarly, the wording has been updated to indicate that contributions can be used for parking facilities in line with the above.
- 9.2 It is considered that the proposed updated *Cash-in-Lieu of Parking Policy 3.19* will result in better strategic outcomes for the municipality and broader benefit of the community.

## 10. RECOMMENDATION

That the amended *Cash-in-Lieu of Parking Policy 3.19* be approved and implemented.

## ATTACHMENTS

1. Existing Policy with Track Changes
2. Updated Policy for Approval

Public Copy



## EXISTING POLICY WITH TRACK CHANGES



## Cash-in-lieu Parking Policy

Policy No:	3.19
Approved by Council:	<a href="#">June 2020</a>
New Review Date:	<a href="#">June 2025</a>
Minute No:	TBA
ECM File No:	12.225
Version:	<a href="#">3.0</a>
Responsible Officer:	Manager Development Services
Strategic Plan Reference:	3.4 Best practice land use planning systems are in place to manage the current and future impacts

Deleted: February 2020

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# Kingborough

## Cash in Lieu of Parking Policy 3.19

### 1. POLICY STATEMENTS

1.1 This policy provides for the Council's powers and obligations under the Planning Scheme in respect of the requirements for cash-in-lieu contributions when on-site car parking is not provided in a proposed development.

### 2. DEFINITIONS

2.1 "Construction cost" means the earthworks, structures, access, drainage, pavement, kerbing, marking out, signage and landscaping works.

2.2 "Planning scheme" or the "scheme" means the Kingborough Interim Planning Scheme 2015 – or subsequent replacement.

2.3 "The Act" means the Land Use Planning and Approvals Act 1993 – or subsequent replacement.

### 3. OBJECTIVE

3.1 The objectives of this policy are that:

- the parking facilities in Kingborough are consolidated specifically where long term strategies for specific precincts encourage public and active transport, or where consolidation of parking facilities will result in improved urban outcomes;
- there is a complementary policy to support the cash-in-lieu of parking provisions within the planning scheme;
- there will be an appropriate number of car parking spaces made available;
- the efficient use of parking spaces is promoted through the consolidation of car parking facilities;
- the method of calculating the value of cash-in-lieu contributions is clear, reasonable and fair; and
- a set of guidelines is provided for the use of funds held in trust for the provision or improvement of car parking and/or transport infrastructure for public transport, walking or cycling in Kingborough.

### 4. SCOPE

4.1 The scope to guide the implementation of this Policy are:

- the Policy will be applied in a manner that is consistent with and supports the assessment of development applications in accordance with the planning scheme that applies to the Kingborough municipality;
- accordingly, the Policy does not replace a developer's obligation to provide on-site parking, as required under the planning scheme;
- the Policy adopts 30m<sup>2</sup> as the requirement for a parking space on a development site (which includes the proportionate areas for access and manoeuvring) and this will form the basis for the calculation of land value;
- public parking spaces constructed with the revenue from cash-in-lieu contributions do provide an added public benefit and, to acknowledge this, the total cash contribution (land and construction costs) will be reduced by a factor of 25%;
- any car parking spaces provided as a result of cash-in-lieu contributions shall remain available to the public and administered by Council.

**Deleted:** Council recognises that there will be benefits in taking the equivalent cash from prospective developers rather than requiring the on-site provision of parking spaces to support the needs of the proposed new use or development.¶

**Deleted:** <#>Procedures need to be in place that describes when the cash-in-lieu of parking is required, how it is to be calculated and how the accumulated funds are to be spent by Council.¶  
The commercial centres and more heavily built up areas of the municipality will benefit from the provision of concentrated public parking and reducing the need for on-site parking. Cash-in-lieu of parking contributions will enable funds to be used for these purposes.¶

**Deleted:** the duplication of parking facilities in Kingborough is reduced and that developers are able to maximise the use of their land;¶

**Deleted:** <#>the amount of parking provided is sufficient to meet the future needs of the use and/or development of the subject land;¶

**Deleted:** <#>there will be an equitable charging of cash-in-lieu contributions for on-site car parking spaces;¶

**Deleted:** <#>the contribution of cash-in-lieu for parking is not a general revenue collection exercise, but rather is a means by which the Council accommodates the parking demand created in the locality due to a parking shortfall associated with development;¶

**Deleted:** , be

**Deleted:** and be subject to such a fee structure

**Deleted:** as the Council may devise;

## Kingborough

### Cash in Lieu of Parking Policy 3.19

- this policy may be supported by complementary Parking Plans, precinct Plans or other strategic planning or project plans for specific areas and which would describe in greater detail how revenue from cash-in-lieu contributions would be spent.

#### 5. PROCEDURE (POLICY DETAIL)

##### 5.1 General

5.1.1 Council will require changes of use or development proposals to provide the car parking required for that development as prescribed in the planning scheme, unless a cash-in-lieu of car parking contribution is approved under this Policy.

5.1.2 This Policy applies to every application for use or development under the Land Use Planning and Approvals Act 1993 that relies upon or has implications for providing and managing public off street car parking within the Kingborough municipal area in accordance with the planning scheme.

##### 5.2 Determining the number of parking spaces required

5.2.1 The planning scheme includes the criteria by which the number of parking spaces that need to be provided is determined.

5.2.3 If the developer is unable to meet the on-site parking requirements of the planning scheme or it is inappropriate to do so, then it may be a permit condition to pay a cash-in-lieu of car parking contribution.

5.2.4 In reducing the amount of required on-site parking to be provided, Council will take a cash-in-lieu contribution instead. The amount is to be determined based on the cost of the land, plus the cost of constructing the parking area or facility.

5.2.5 Council is not obliged to accept a cash-in-lieu contribution if it is practicable and desirable to provide the required number of car parking spaces on the land.

5.2.6 The Policy is to be implemented under delegation as and where appropriate for all applications for use or development where required car parking is not met on site.

##### 5.3 Calculating the value of a cash-in-lieu of parking contribution

5.3.1 The amount of cash-in-lieu is to be determined based on the cost of the land, plus the construction costs for any necessary car parking.

5.3.2 The construction costs per square metre will be established by determining the average capital costs associated with the provision of car parking spaces in Council constructed car parks. This is assumed to be 30m<sup>2</sup> per parking space and includes the proportionate area required for access and manoeuvring.

5.3.3 The amount of a cash-in-lieu of car parking contribution is:

- the cost to construct the equivalent car parking area; and
- where it is necessary to purchase land (or where Council land is to be used) an additional amount is required to be paid that is calculated as follows – 30m<sup>2</sup> X land value/m<sup>2</sup> X number of car parking spaces.

5.3.4 The land value/m<sup>2</sup> is to be determined from a valuation by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developer's expense at the date of approval of the planning permit or at the discretion of the General Manager derived from any recent land valuation for nearby land plus a 10% contingency.

**Deleted:** <#>all cash-in-lieu contributions revenue is to be hypothecated for the provision or improvement of car parking and or infrastructure for public transport, walking or cycling in Kingborough; and¶

**Deleted:** <#>that would be prepared

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**Moved down [1]:** In waiving the need to provide on-site parking, Council will require a cash-in-lieu contribution instead. The amount of the cash-in-lieu contribution is to be determined based on the cost of the land, plus the cost of constructing the parking area or facility. ¶

5.1.4 Council is not obliged to accept a cash-in-lieu contribution if it is practicable and desirable to provide the required number of car parking spaces on the land.¶

5.1.5 The Policy is to be implemented under delegation as and where appropriate for all applications for use or development where required car parking is not met on site.

**Deleted:** with E6.0 Parking and Access Code of the Kingborough Interim Planning Scheme 2015 or the subsequent planning scheme that includes the Parking and Sustainable Transport Code (in accordance with the State Planning Provisions).

**Deleted:** ¶

5.1.3

**Deleted:** This is defined under the Acceptable Solution by a set number of parking spaces for each of the potential land uses or is determined by way of an assessment against the Performance Criteria under the same clause.¶

5.2.2 The Performance Criteria requires that the reasonable needs of the use must be met, having regard to clause E6.6.1(P1) in the Kingborough Interim Planning Scheme 2015 or in regard to clause C2.5(P1) in the State Planning Provisions, for when the new Kingborough planning scheme comes into force.

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## Kingborough

### Cash in Lieu of Parking Policy 3.19

- 5.3.5 The total of the construction cost and the land value is then reduced by a public benefit factor of 25%. This acknowledges the likelihood of public parking being shared across different sites and at different times, plus improvements to public parking and transport infrastructure should be partly funded by the broader community.
- 5.3.6 The means of payment shall be as follows:
- Payment is to be made prior to the issue of a Building Permit or, where no Building Permit is required, prior to the commencement of use.
  - The General Manager may accept terms for the staged payment on a quarterly basis over a maximum period of two years from the issue of a Building Permit or, where no Building Permit is required, from the commencement of use. This is subject to the terms being stipulated in a Deed between the developer, the land owner and the Council, or a Part 5 Agreement, pursuant to section 71 of the Land Use Planning and Approvals Act 1993 registered on the relevant land title prior to the issue of a Building Permit or, where no Building Permit is required, prior to the commencement of use. The cash-in-lieu of car parking contribution payment is to be a debt due to the Council recoverable in a court of competent jurisdiction.
- 5.4 Utilising cash-in-lieu contributions
- 5.4.1 All monies received through the application of this Policy are to be applied to a cash-in-lieu of car parking contribution fund. This will include details that describe any commitments that relate to the future expenditure of the funds that are being held in trust by Council.
- 5.4.2 The following guidelines apply to the expenditure of cash-in-lieu funds:
- expenditure must be in accordance with any Council adopted [Parking plan, Precinct Plan or other strategic planning or project plan](#) that applies to a particular locality.
  - in the absence of such an adopted [Parking Plan, Precinct Plans or other strategic planning or project plan](#), then any contribution received by Council may be spent in any manner [approved by Council through a formal Council resolution](#).
- 5.4.3 Funds are to be used for the following:
- acquisition of land for parking in the municipal area;
  - [design and](#) construction of public parking, both on-street and off-street;
  - [increased parking or](#) improvement to existing public parking facilities and on-street parking;
  - servicing of loans obtained to provide public parking; or
  - construction or upgrade of public transport, walking or cycling infrastructure [consistent with a Council endorsed Parking Plan, Precinct Plans or other strategic planning or project plan](#).
- 5.4.4 Council is not required to consult with the developer on any matter related to the expenditure of any contribution.
6. GUIDELINES
- 6.1 The Cash-in-Lieu of Parking Policy will be implemented in the first instance by Council planning staff when assessing development applications. Staff will assess the respective merits of whether on-site parking is appropriate or whether better public outcomes are achieved from cash-in-lieu contributions. This assessment will be informed by the provisions within the planning scheme, as well as any [Council endorsed Parking Plan, Precinct Plans or other strategic planning or project plan](#).

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Deleted: which would result in a reduced demand for parking in that area...

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## Kingborough

### Cash in Lieu of Parking Policy 3.19

#### 7. COMMUNICATION

- 7.1 All Councillors and employees will be briefed on this policy as part of individual induction programs and on an on-going basis.

#### 8. LEGISLATION

- 8.1 The following statutory documents should be considered in conjunction with this policy:
- 8.2 *Kingborough Interim Planning Scheme 2015* – or subsequent replacement

#### 9. RELATED DOCUMENTS

- 9.1 [Nil](#)

#### 10. AUDIENCE

- 10.1 The Cash-in-Lieu of Parking Policy primarily applies to the Council planning authority in the exercise of its duties in assessing development applications that require parking provisions within the planning scheme to be met. Prospective developers need to be aware of this Policy and it is publicly accessible via Council's website.

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## UPDATED POLICY FOR APPROVAL



# Cash-in-lieu Parking Policy

<b>Policy No:</b>	3.19
<b>Approved by Council:</b>	June 2020
<b>New Review Date:</b>	June 2025
<b>Minute No:</b>	TBA
<b>ECM File No:</b>	12.225
<b>Version:</b>	3.0
<b>Responsible Officer:</b>	Manager Development Services
<b>Strategic Plan Reference:</b>	3.4 Best practice land use planning systems are in place to manage the current and future impacts



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## Cash in Lieu of Parking Policy 3.19

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### 1. POLICY STATEMENTS

- 1.1 This policy provides for the Council's powers and obligations under the Planning Scheme in respect of the requirements for cash-in-lieu contributions when on-site car parking is not provided in a proposed development.

### 2. DEFINITIONS

- 2.1 "Construction cost" means the earthworks, structures, access, drainage, pavement, kerbing, marking out, signage and landscaping works.
- 2.2 "Planning scheme" or the "scheme" means the Kingborough Interim Planning Scheme 2015 – or subsequent replacement.
- 2.3 "The Act" means the Land Use Planning and Approvals Act 1993 – or subsequent replacement.

### 3. OBJECTIVE

- 3.1 The objectives of this policy are that:

- the parking facilities in Kingborough are consolidated specifically where long term strategies for specific precincts encourage public and active transport, or where consolidation of parking facilities will result in improved urban outcomes;
- there is a complementary policy to support the cash-in-lieu of parking provisions within the planning scheme;
- there will be an appropriate number of car parking spaces made available;
- the efficient use of parking spaces is promoted through the consolidation of car parking facilities;
- the method of calculating the value of cash-in-lieu contributions is clear, reasonable and fair; and
- a set of guidelines is provided for the use of funds held in trust for the provision or improvement of car parking and/or transport infrastructure for public transport, walking or cycling in Kingborough.

### 4. SCOPE

- 4.1 The scope to guide the implementation of this Policy are:

- the Policy will be applied in a manner that is consistent with and supports the assessment of development applications in accordance with the planning scheme that applies to the Kingborough municipality;
- accordingly, the Policy does not replace a developer's obligation to provide on-site parking, as required under the planning scheme;
- the Policy adopts 30m<sup>2</sup> as the requirement for a parking space on a development site (which includes the proportionate areas for access and manoeuvring) and this will form the basis for the calculation of land value;
- public parking spaces constructed with the revenue from cash-in-lieu contributions do provide an added public benefit and, to acknowledge this, the total cash contribution (land and construction costs) will be reduced by a factor of 25%;
- any car parking spaces provided as a result of cash-in-lieu contributions shall remain available to the public and administered by Council.





## Cash in Lieu of Parking Policy 3.19

- this policy may be supported by complementary Parking Plans , precinct Plans or other strategic planning or project plans for specific areas and which would describe in greater detail how revenue from cash-in-lieu contributions would be spent.

### 5. PROCEDURE (POLICY DETAIL)

#### 5.1 General

- 5.1.1 Council will require changes of use or development proposals to provide the car parking required for that development as prescribed in the planning scheme, unless a cash-in-lieu of car parking contribution is approved under this Policy.
- 5.1.2 This Policy applies to every application for use or development under the Land Use Planning and Approvals Act 1993 that relies upon or has implications for providing and managing public off street car parking within the Kingborough municipal area in accordance with the planning scheme.

#### 5.2 Determining the number of parking spaces required

- 5.2.1 The planning scheme includes the criteria by which the number of parking spaces that need to be provided is determined.
- 5.2.3 If the developer is unable to meet the on-site parking requirements of the planning scheme or it is inappropriate to do so, then it may be a permit condition to pay a cash-in-lieu of car parking contribution.
- 5.2.4 In reducing the amount of required on-site parking to be provided, Council will take a cash-in-lieu contribution instead. The amount is to be determined based on the cost of the land, plus the cost of constructing the parking area or facility.
- 5.2.5 Council is not obliged to accept a cash-in-lieu contribution if it is practicable and desirable to provide the required number of car parking spaces on the land.
- 5.2.6 The Policy is to be implemented under delegation as and where appropriate for all applications for use or development where required car parking is not met on site.

#### 5.3 Calculating the value of a cash-in-lieu of parking contribution

- 5.3.1 The amount of cash-in-lieu is to be determined based on the cost of the land, plus the construction costs for any necessary car parking.
- 5.3.2 The construction costs per square metre will be established by determining the average capital costs associated with the provision of car parking spaces in Council constructed car parks. This is assumed to be 30m<sup>2</sup> per parking space and includes the proportionate area required for access and manoeuvring.
- 5.3.3 The amount of a cash-in-lieu of car parking contribution is:
  - the cost to construct the equivalent car parking area; and
  - where it is necessary to purchase land (or where Council land is to be used) an additional amount is required to be paid that is calculated as follows – 30m<sup>2</sup> X land value/m<sup>2</sup> X number of car parking spaces.
- 5.3.4 The land value/m<sup>2</sup> is to be determined from a valuation by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developer's expense at the date of approval of the planning permit or at the discretion of the General Manager derived from any recent land valuation for nearby land plus a 10% contingency.



### Cash in Lieu of Parking Policy 3.19

5.3.5 The total of the construction cost and the land value is then reduced by a public benefit factor of 25%. This acknowledges the likelihood of public parking being shared across different sites and at different times, plus improvements to public parking and transport infrastructure should be partly funded by the broader community.

5.3.6 The means of payment shall be as follows:

- Payment is to be made prior to the issue of a Building Permit or, where no Building Permit is required, prior to the commencement of use.
- The General Manager may accept terms for the staged payment on a quarterly basis over a maximum period of two years from the issue of a Building Permit or, where no Building Permit is required, from the commencement of use. This is subject to the terms being stipulated in a Deed between the developer, the land owner and the Council, or a Part 5 Agreement, pursuant to section 71 of the Land Use Planning and Approvals Act 1993 registered on the relevant land title prior to the issue of a Building Permit or, where no Building Permit is required, prior to the commencement of use. The cash-in-lieu of car parking contribution payment is to be a debt due to the Council recoverable in a court of competent jurisdiction.

5.4 Utilising cash-in-lieu contributions

5.4.1 All monies received through the application of this Policy are to be applied to a cash-in-lieu of car parking contribution fund. This will include details that describe any commitments that relate to the future expenditure of the funds that are being held in trust by Council.

5.4.2 The following guidelines apply to the expenditure of cash-in-lieu funds:

- expenditure must be in accordance with any Council adopted Parking plan, Precinct Plan or other strategic planning or project plan that applies to a particular locality.
- in the absence of such an adopted Parking Plan, Precinct Plans or other strategic planning or project plan, then any contribution received by Council may be spent in any manner approved by Council through a formal Council resolution.

5.4.3 Funds are to be used for the following:

- acquisition of land for parking in the municipal area;
- design and construction of public parking, both on-street and off-street;
- increased parking or improvement to existing public parking facilities and on-street parking;
- servicing of loans obtained to provide public parking; or
- construction or upgrade of public transport, walking or cycling infrastructure consistent with a Council endorsed Parking Plan, Precinct Plans or other strategic planning or project plan.

5.4.4 Council is not required to consult with the developer on any matter related to the expenditure of any contribution.

## 6. GUIDELINES

6.1 The Cash-in-Lieu of Parking Policy will be implemented in the first instance by Council planning staff when assessing development applications. Staff will assess the respective merits of whether on-site parking is appropriate or whether better public outcomes are achieved from cash-in-lieu contributions. This assessment will be informed by the provisions within the planning scheme, as well as any Council endorsed Parking Plan, Precinct Plans or other strategic planning or project plan.



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### Cash in Lieu of Parking Policy 3.19

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**7. COMMUNICATION**

- 7.1 All Councillors and employees will be briefed on this policy as part of individual induction programs and on an on-going basis.

**8. LEGISLATION**

- 8.1 The following statutory documents should be considered in conjunction with this policy:
- 8.2 *Kingborough Interim Planning Scheme 2015* – or subsequent replacement

**9. RELATED DOCUMENTS**

- 9.1 Nil.

**10. AUDIENCE**

- 10.1 The Cash-in-Lieu of Parking Policy primarily applies to the Council planning authority in the exercise of its duties in assessing development applications that require parking provisions within the planning scheme to be met. Prospective developers need to be aware of this Policy and it is publicly accessible via Council's website.

Public Copy

## 16.3 DEVELOPMENT SERVICES QUARTERLY REPORT

**File Number:** 37.8

**Author:** Tasha Tyler-Moore, Manager Development Services

**Authoriser:** Dr Katrena Stephenson, Director Environment, Development & Community Services

### Strategic Plan Reference

**Key Priority Area:** 3 Sustaining the natural environment whilst facilitating development for our future.

**Strategic Outcome:** 3.4 Best practice land use planning systems are in place to manage the current and future impacts of development.

## 1. INTRODUCTION

Development Services has Planning Authority delegations under the *Land Use Planning and Approvals Act 1993* and is the Permit Authority for plumbing and building applications under the *Building Act 2016*. These responsibilities include related enforcement functions. Kingborough Council is one of Tasmania's fastest growing municipalities and both planning and building approvals have grown significantly each year for the last 5 years.

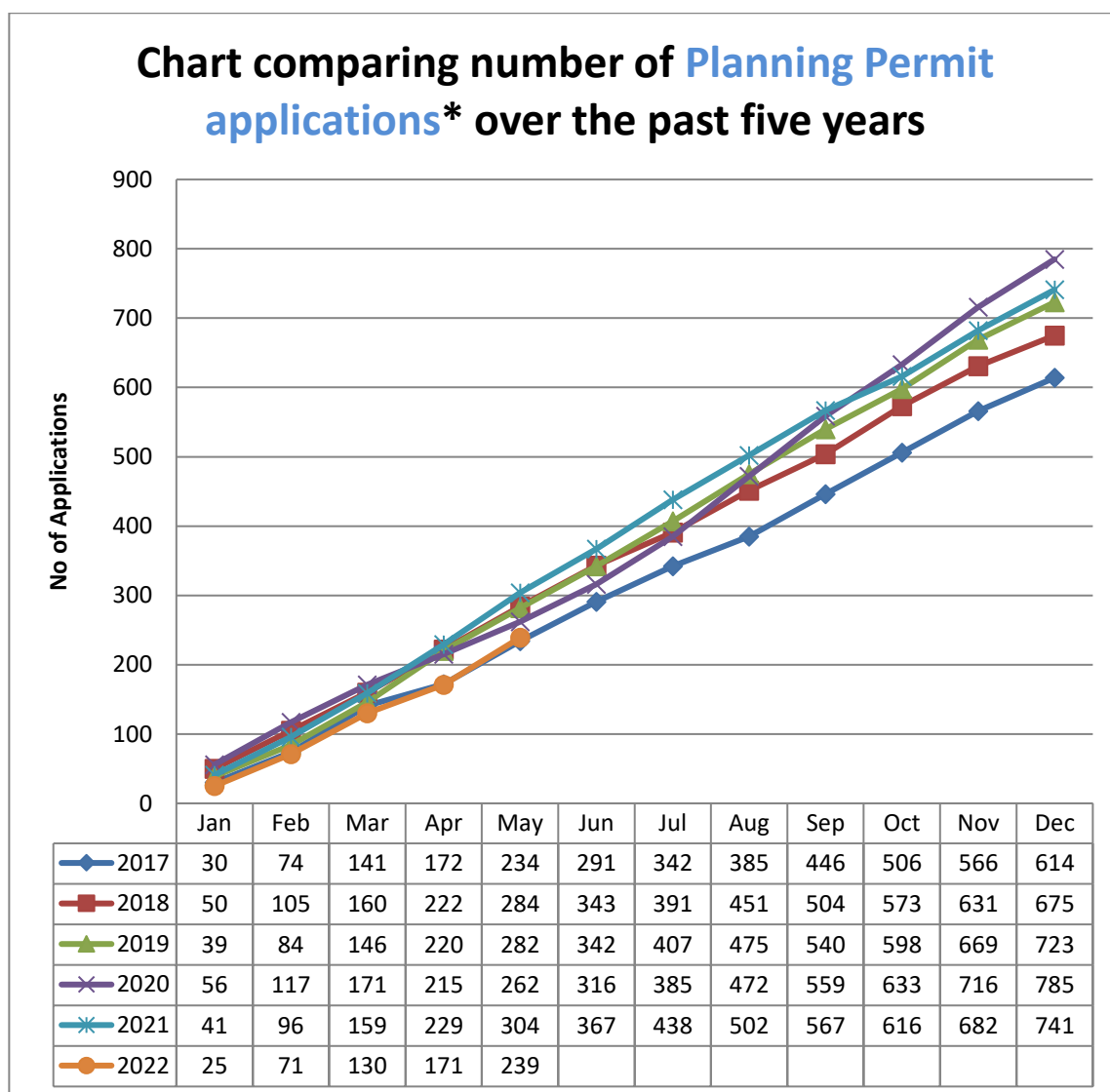
This report provides an update on Development Services' building and planning permit activity including lodgement numbers; Tasmanian Civil and Administrative Tribunal (TASCAT) matters; and strategic planning matters.

## 2. PLANNING

### 2.1 Planning application lodgement numbers

The chart below details the number of planning applications lodged this year to date (until end of May 2022) and shows a comparison of the number of applications lodged over the past five years.

The data included is for development applications only; applications for subdivisions, sealed plan amendments, strata applications, adhesion order applications, planning scheme amendments, minor amendments, extensions to the life of a permit or pre-application meetings are not included.



As has been previously reported, we are seeing fewer applications lodged this year than the past five years. January was particularly quiet; however, we have seen a gradual increase each month after that, with the month of May seeing higher than average number of applications lodged compared to the past 5 years (but still less than last year).

External factors that may influence how much development is likely to occur within the municipality includes the ongoing issues with shortages of materials, difficulty in securing trades people and now the increased interest rates that will affect people's ability to borrow or extend mortgages to enable new builds, extensions or other development.

## 2.2 Progress of Local Provisions Schedule – moving to the 'Tasmanian Planning Scheme' and public consultation.

Council's adopted draft of the Local Planning Provisions (LPS) was sent to the Tasmanian Planning Commission (TPC) on 13 December 2019 (additional information was sent on 18 December 2019). A second iteration of the plans (corrected data) was adopted at the Council Meeting on 11 February 2020 and forwarded to the TPC for their consideration.

The TPC notified Council on 2 March 2020 that the information provided is suitable for an assessment of legislative compliance to be conducted. On 27 April 2020 and 21 May 2020, the TPC requested additional information related to the GIS files for mapping.

On 30 October 2020, Council attended the post lodgement conference with the TPC and on 20 November 2020 the TPC provided a summary of the parts that they are seeking further justification for or clarification of some of the information that were discussed during the post-lodgement conference. Council's written responses to the queries raised was provided to the TPC on 1 April 2021.

Council was invited by the TPC to attend a second post lodgement meeting on 18 May 2022, with a follow-up meeting on 3 June 2022. Council officers now need to undertake further work on those SAP's and the supporting reports. The TPC has proposed a separate post lodgement meeting on the zoning application. We anticipate this to occur before the end of June and that there will be similar requirements for additional work to be undertaken for resubmission. The TPC will not provide direction for Council to exhibit the draft LPS until their requirements have been satisfied.

Regardless, an extensive communications strategy has already been developed in anticipation of the LPS exhibition. The Land Use Planning and Approvals Act 1993 has a set of minimum exhibition requirements for the LPS, however it is intended to go beyond the minimum requirements for information reach. The communication strategy focusses on making information easily available to assist people to understand the new provisions and will include face-to-face question and answer opportunities at several locations across the municipality.

Councillors will be provided with an update on the LPS and overview of the consultation strategy once all of the post-lodgement meetings with the TPC have been held.

At the time of writing this report 13 of the 29 Councils have transitioned over to the Tasmanian Planning Scheme (a full list is available on the State Government Website).

## **2.3 Tasmanian Planning Reform**

### **State Planning Provisions (SPPs) Review – scoping issues**

As required by the Land Use Planning and Approvals Act 1993, the SPPs which came in to effect in March 2017 are required to be reviewed at five years.

The SPPs are the state-wide set of consistent planning rules in the Tasmanian Planning Scheme, which are used for the assessment of applications for planning permits. The SPPs contain the planning rules for the 23 zones and 16 codes in the Tasmanian Planning Scheme, along with the administrative, general, and exemption provisions.

The review process includes a two-month consultation period, between 25 May 2022 and 29 July 2022. The consultation is open to the general public as well as authorities. The State Planning Office website describes the review process as:

*The SPPs review will occur in two stages. The Government has commenced the first stage with the release of this scoping paper for public comment. The feedback you provide will assist in identifying the key themes or parts of the SPPs that require detailed review. The review will be conducted through separate projects and will conclude in amendments to the SPPs.*

*Some matters raised during the consultation period may be addressed in the short-term through amendments to the SPPs, while others may require the finalisation of the TPPs before progressing. As the SPPs also need to be reviewed following the making of the TPPs, please note, the five yearly review will not be completed until the after the TPPs are finalised.*

The State Planning Office website also includes the scoping paper, guiding documents and a link to a presentation about the process from the Director of the State Planning Office.

A submission will be prepared on behalf of Council within the consultation period.

## **2.4 Scoping for Tasmanian Planning Policies**

As reported in the previous quarterly report, the State Government released the scoping papers for the proposed Tasmanian Planning Policies (TPP) in September 2021. The intent of the policies is to inform land use planning and provisions of the Planning Scheme. It is intended that the TPP's will also guide the review of the outdated Land Use Strategies across the State. The scoping paper clearly states that the TPP's will not be used directly in the assessment of the individual developments.

There are seven themes that the TPP's intend to cover, they include:

- Environmental Protection
- Hazards and Risks
- Economic Development
- Liveable Settlements
- Heritage Protection
- Infrastructure to support the economy and create liveable communities
- Public engagement in planning processes

Submissions closed in October 2021 and based on the information on the State Government website there were 108 submissions, including from Kingborough Council. The website indicates that the next stage in the process would be 'in collaboration with Local Government and peak industry bodies, State Agencies prepare the draft of the Tasmanian Planning Policies', however there are no timeframes indicated.

To view the scoping paper, submissions or explanation of the process, people should visit the State Government website [www.planningreform.tas.gov.au/policies](http://www.planningreform.tas.gov.au/policies).

To date, there has not been any further indication of timing for this process.

## **2.5 Consultation for the new Aboriginal Cultural Heritage**

The State Government is currently reviewing the existing Aboriginal Heritage Act 1975 and proposing to introduce new legislation to take its place. The review included a public consultation period (ending 24 April 2022). The consultation paper included several elements including establishing explicit purposes and objectives; better definitions; ownership; the representation of aboriginal people and interests; who makes decision on Aboriginal culture; alignment with the State's planning and development system; modern management mechanisms; and compliance and enforcement.

A submission was provided on behalf of Council. The key messages were that the review was welcomed and that from a planning and building perspective it would assist in protecting or identifying potential impacts on relics or sites prior to development commencing. One mechanism that may be introduced is a requirement for investigation (or report preparation) of areas that have been identified as having a higher likeliness of having relics or heritage sites present, including mapping for easier identification.



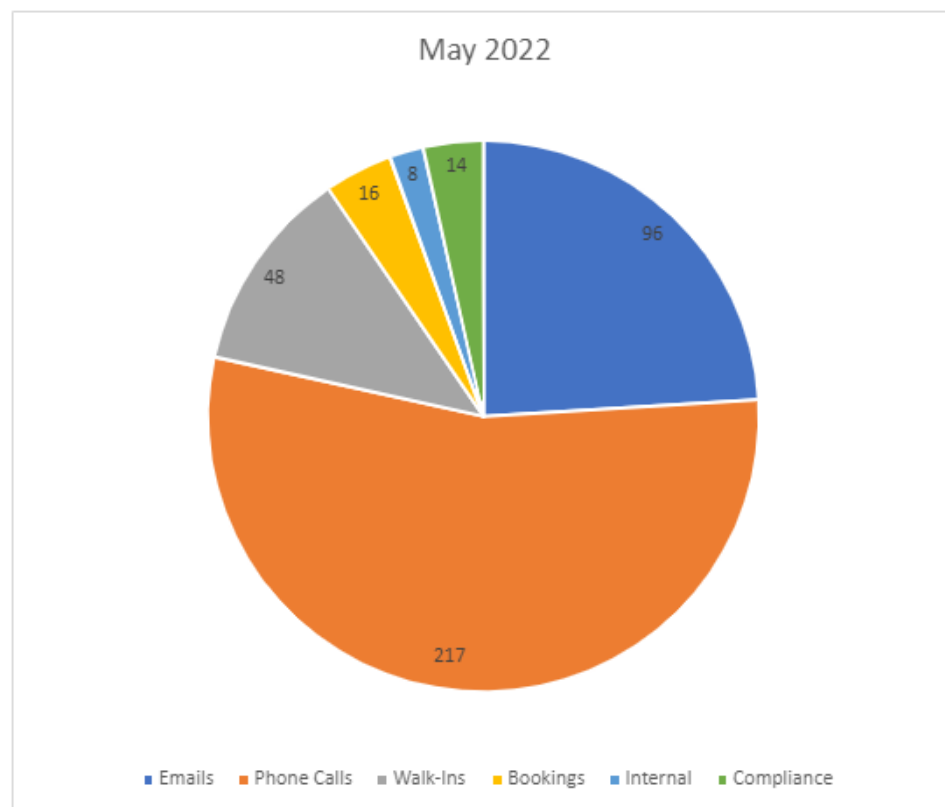
Examples of those sites of likeliness are areas near waterways or already recorded sites. The submission included encouragement of further discussion with the development industry and those experienced in this sort of legislation in other jurisdictions to further explore these ideas, to minimise development barriers while still providing protection.

## 2.6 Customer enquiries

The chart below is provided as a sample of information about the types and numbers of general enquiries to the Planning team.

As can be seen from the chart below, in the month of May 2022 Planning received 399 enquiries (average of 17 enquiries per day) from people that did not have a current application. As can be seen in the key, the enquiries included emails, phone calls, enquiries at the counter without booking, meetings with bookings, internal enquiries (from other Council departments) and those specifically related to compliance matters.

The chart has not captured the enquiries regarding strategic planning queries; the new planning controls/incoming scheme; or planning scheme amendments as they are captured elsewhere.



## 2.7 Planning Appeal Update

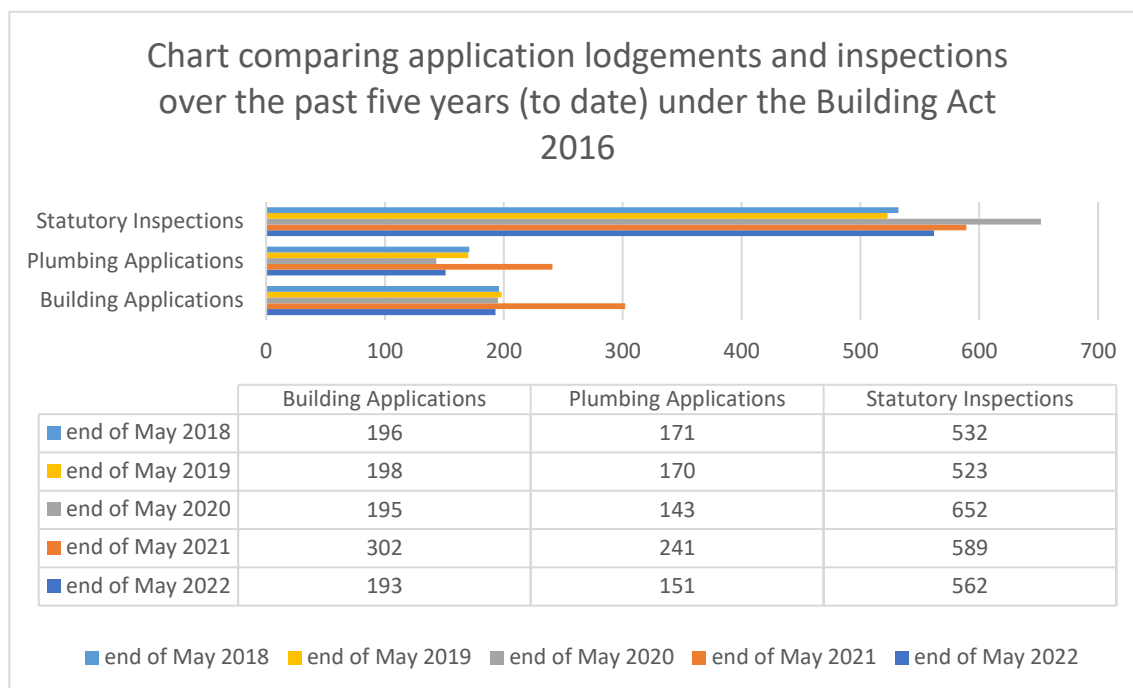
Below are current Planning matters that are before TASCAT.

Council Ref. Appeal No.	Proposal Subject Site	Appeal type	Current status/comments/outcome
DAS-2018-2 139/21P	Subdivision 3446 Channel Highway, Woodbridge	Appeal by applicant against permit conditions	Full hearing occurred on 25 March 2022, with a decision handed down on 4 April 2022. The decision varied the permit by adjusting conditions.

<b>Council Ref. Appeal No.</b>	<b>Proposal Subject Site</b>	<b>Appeal type</b>	<b>Current status/comments/outcome</b>
<b>DAS-2019-38</b> 143/219P	<b>Subdivision</b> 137 Channel Highway, Tarooma	Appeal by applicant	Consent agreed between parties and submission provided in writing, decision was issued on 17 May 2022. The decision varied the permit by adjusting conditions.
<b>DAS-2021-1</b> 163/21S	<b>Subdivision and commercial development</b> 202 Channel Highway & 11 Spring Farm Lane, Kingston	Appeal by representor against decision to issue a permit	Currently in mediation discussions with the appellant. It is most likely that this will be resolved by consent.
<b>DA-2019-578</b> 01/22P	<b>Extension to Nursery</b> 29 Parkdale Drive, Leslie Vale	Appeal by Applicant against conditions	Consent agreed between parties. Planning Permit issued with amended conditions.
<b>DA-2021-693</b> 05/22P	<b>Dwelling</b> 398 Old Bernies Road, Margate	Appeal by applicant regarding the Request for Further Information	Full hearing occurred and decision handed down by the Tribunal. Some of the requests were struck out. The planning permit application continues.
<b>DA-2021-736</b> 27/22P	<b>Multiple dwellings</b> 1B James Avenue, Kingston Beach	Appeal for 'out of time'	Consent agreed between parties, permit to be issued when direction received by the Tribunal.
<b>DA-2021-494</b> 21/22P	<b>Retrospective application for buildings and works and new development</b> 122 Browns Road, Kingston	Appeal against Permit Conditions.	Consent agreed between parties, direction to issue permit provided by Tribunal on 7 June 2022.
<b>DAS-2021-7</b> 29/22P	<b>Two lot subdivision</b> 48 McKenzies Road, Leslie Vale	Appeal for 'out of time'	Consent agreed between parties, permit to be issued when direction received by the Tribunal.
<b>DA-2021-548</b> P2022/86	<b>Development of 50 apartments and reduction of parking</b> Lot 2, Goshawk Way, Kingston (Kingston Park)	Appeal against Council's refusal to issue a permit.	Mediation date: 16 June 2022 If mediation is not successful, full hearing dates have been set for three days starting on 18 September 2022.

### 3. BUILDING AND PLUMBING

#### 3.1 Building and Plumbing Application and inspection numbers



The chart above shows the numbers until the end of May for each year. The chart does not demonstrate all the department's work but demonstrates activity trends in the local building industry. Much of the department's regular work activity is related to building and plumbing compliance.

#### 3.2 Automatic Mutual Recognition (AMR) Scheme

AMR is a new scheme that allows people licensed to work in one Australian state or territory to use their occupational licence to work in other Australian states or territories. AMR will make it easier for licensees to work across borders or travel to work in other states and territories. Tasmania is getting ready to include trades and categories of building services providers in the scheme. Updates will be published on the CBOS website.

#### 3.3 Have your say on Home Warranty Insurance

In December 2021, the Tasmanian Government announced the future reintroduction of Home Warranty Insurance for Tasmania. Home Warranty Insurance covers incomplete or defective building work in the event that a builder has died, disappeared or become insolvent.

The Department of Justice, in consultation with the Department of Treasury and Finance, have developed the Home Warranty Insurance Consultation Paper. The purpose of the Consultation Paper is to seek the views of the Tasmanian community on parameters and models of a future Home Warranty Insurance scheme. Community members are encouraged to have a say on this matter at: [www.justice.tas.gov.au/community-consultation/consultations/home-warranty-insurance](http://www.justice.tas.gov.au/community-consultation/consultations/home-warranty-insurance).

### 4. RECOMMENDATION

That the Development Services Quarterly report be noted.

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**17 NOTICES OF MOTION**

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No Notices of Motion have been received.

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

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**RECOMMENDATION**

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*

**Tender - Milling, Filling and Placement of Asphalt, and Bitumen Spray Seals**

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

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

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**OPEN SESSION ADJOURNS**

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## OPEN SESSION RESUMES

### RECOMMENDATION

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	
Applications for Leave of Absence	
Tender - Milling, Filling and Placement of Asphalt, and Bitumen Spray Seals	

### CLOSURE

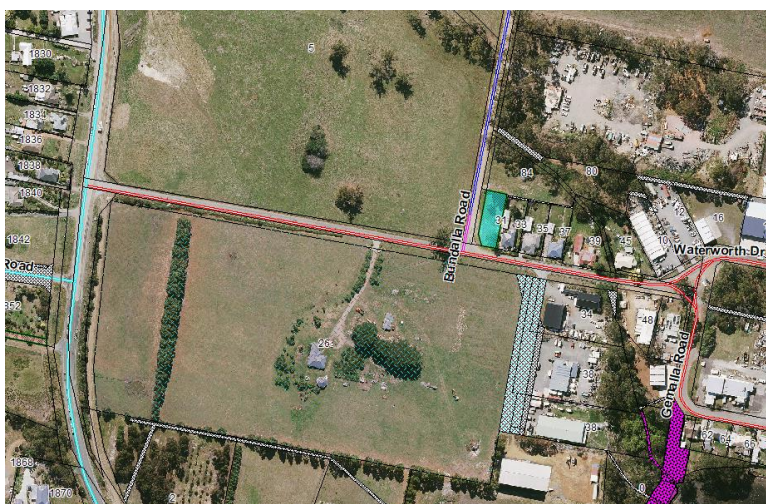
# APPENDIX

- A      Infrastructure Works Report: March 2022 - May 2022

Public Copy

**A INFRASTRUCTURE WORKS REPORT: MARCH 2022 - MAY 2022****File Number: 25.9****Author: Anthony Verdouw, Executive Officer Engineering Services****Authoriser: David Reeve, Director Engineering Services****Contracted Capital Projects****1. Gemalla Road – reconstruction and sealing:**

With the recent relocation of TasNetwork and NBN infrastructure from the route, the road construction activities on this project are now progressing. These service relocations have been delayed and have unfortunately resulted in construction timeline delays, however, these have been managed with an understanding contractor.





3. Hillside Drive Stormwater upgrades:

These works are underway by Bullock Civil Contracting. Existing stormwater systems in the area have proven deficient and are being augmented through provision of additional and larger diameter pipe systems to reduce the incidence of system surcharge and nuisance damage from overland flows.



4. Adventure Bay Road (vic. 290):

A contract for additional pavement reconstruction works along Adventure Bay Road has been awarded to StateWide Earthworks. Timing will remain subject to weather and material supply chains, but a likely construction commencement period of mid-July 2022 is currently envisaged.



5. Meath Avenue stormwater:

Meath Avenue stormwater upgrades at Taroona have recently been awarded to BlackCap Construction. The project will deliver stormwater system improvements, and provision of a footpath link from the Channel Highway through to Flinders Esplanade.



6. Browns Road reconstruction – stage 1:

Construction activities are scheduled to commence in early July, with VMS message boards recently installed to raise local awareness in advance. A letter drop has also been despatched to the directly adjacent property owners. With limited alternative routes servicing this area, the impacts arising from the works activities for road users will be unavoidable.



7. Whitewater Creek Shared Path Extension – Southern Outlet to Summerleas Road:

Work has recently commenced on the construction of the new shared path along Whitewater Creek, with the current project renewing and upgrading the section linking the Southern Outlet underpass through to Summerleas Road.





#### 8. Conningham Beach Toilet (Old) Demolition:

The old toilet at Conningham beach has recently been demolished from the southern end of the foreshore, having been replaced with the new and improved amenities located at the car park. The concrete slab has been left in place to reduce ground disturbance, due to the known presence of heritage artefacts in the area.

#### Works Department – Works Recently Completed (Mainland Kingborough)

#### 9. Wells Parade, Blackmans Bay and Willowbend Road and Nolan Crescent, Kingston (Capital Works) – asphalt overlays completed by contractors (Downer):



(Wells Parade)



(Wells Parade)



(Willowbend Road)



(Willowbend Road)





(Nolan Crescent)



(Nolan Crescent)

10. Spring Farm – rebuilding rain gardens that are full of silt and not functioning property:

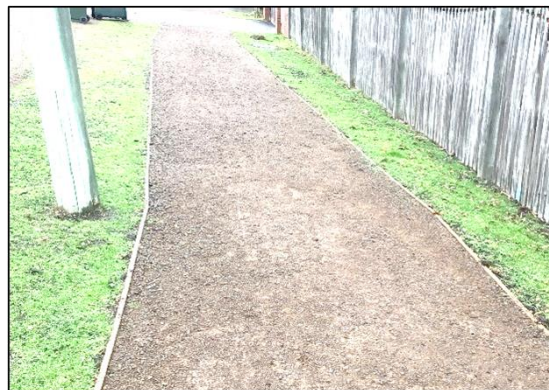


11. Carinya Street, Blackmans Bay – footpath repairs:





12. Burwood Drive, Blackmans Bay (Capital Works) – new footpath constructed:



13. Parkdale Drive (Capital Works) – two-coat seal completed:

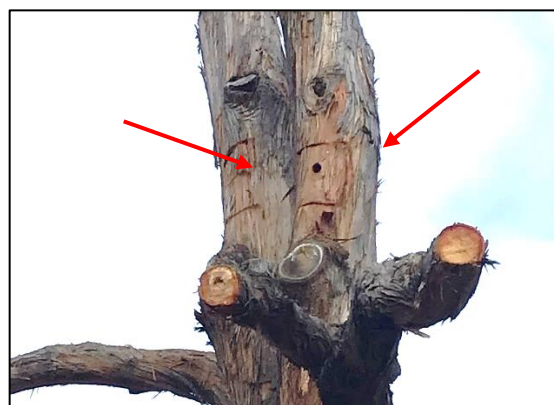


14. Risby Road, Rainbirds, Honeys and Slatterys Roads (Capital Works) – junction sealing completed.
15. Whittons and Cox Roads (Capital Works) – resheeting completed.
16. Longley and Margate areas – maintenance grading.
17. Krauses Road, Lower Longley – emergency tree works undertaken:





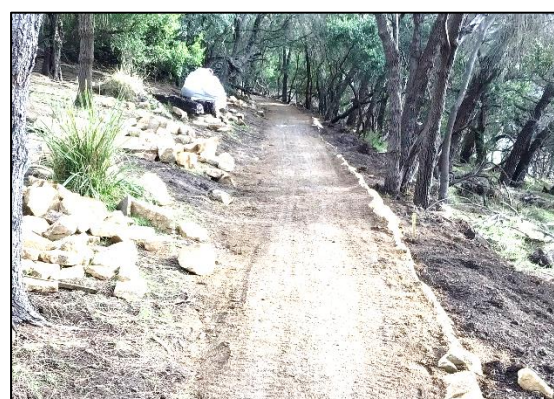
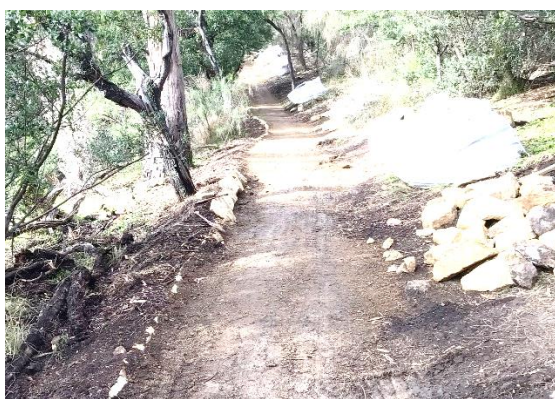
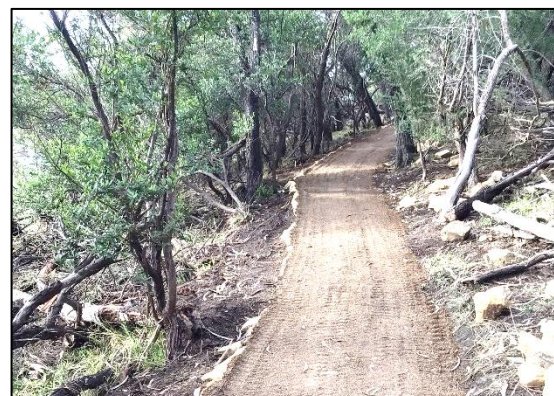
18. Settlers Park Cemetery – significant tree left as a stag, with assistance from Council's Natural Areas and Biodiversity Department (NAB), arranged for hollows to be carved for habitat purposes:



19. Adventure Bay – missing bump-stop and hand grips replaced on exercise equipment. Also tillered the soft-fall up:



20. Boronia Beach (Capital Works) – track upgrade:

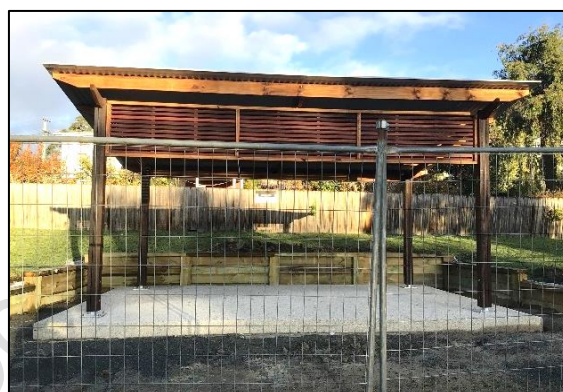




21. Kingston Beach – wheelchair box installed:



22. Hinsby Park, Taroona – construction of new BBQ shelter:



23. Bruny Island Cat Facility – entrance upgrade undertaken:

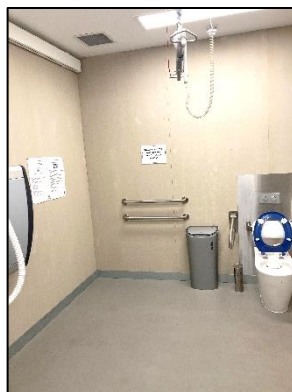


24. Sandfly Hall (Capital Works) – refurbishment works completed:





25. Community Hub MLAK Facility – compliance works completed:



26. Community Hub – curtains automation installed on drapes:



**Works Department – Works Recently Completed (Bruny Island)**

27. 4114 Main Road, Alonnah (PWA) – moved and reshaped driveway crossover:



28. North Bruny Island – resheeting, drains and culvert upgrades completed.



29. Lunawanna Community Hall – building repairs and painting (before and after photos below):



### Works Department – Works Underway / Planned (Mainland Kingborough)

30. Leslie Road – drain cleaning in all areas of the Municipality as required. Drainage is assessed and prioritised in accordance with Council's Service Level agreement:



31. Pit Lid replacement (Capital Works) – yearly replacement of pit lids. New fibreglass lids being used (see pics of old and new lids below).

Replacement works currently being undertaken – Montego Court, Edison Court, Woodlands Drive, View Street, Hazell Street, Wells Parade and Derwent Avenue.





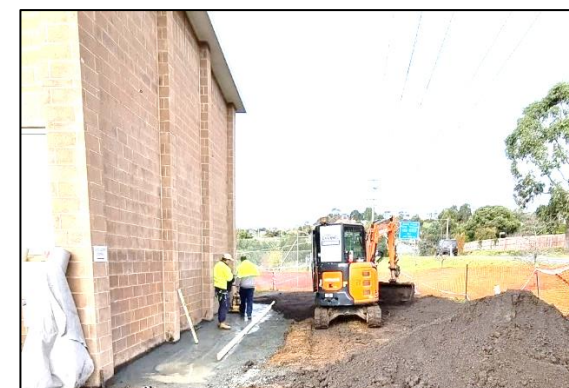
32. Allens Rivulet – upcoming bridge replacement works:



33. Kettering Hall (Capital Works) – installation of replacement septic system underway before new toilet facility construction:



34. Kettering Hall – drainage maintenance works:





35. Building works underway at the following buildings:

- Kettering Hall – structural repair and floor renewal.
- Kettering Hall – partial roof renewal.
- Community Hub – auditorium floor re-seal.
- Community Hub – roof leak remediation.
- Taroon Hall – window restoration.
- Middleton Hall – fire-fighting water storage facility.

**Works Department – Works Underway / Planned (Bruny Island)**

36. Intersection of Main Road and Cemetery Road, Lunawanna (PWA) – drainage reshaping:



37. Lighthouse Road and Cloudy Bay Road – maintenance grading.