



# COUNCIL MEETING MINUTES

5 September 2022

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

# Kingborough Councillors 2018 - 2022



**Mayor**  
**Councillor 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**

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MINUTES of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 5 September 2022 at 5.30pm

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## 1 AUDIO RECORDING

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

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## 2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

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## 3 ATTENDEES

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### Councillors:

Mayor Councillor P Wriedt	✓
Deputy Mayor Councillor J Westwood	✓
Councillor G Cordover	✓
Councillor F Fox	✓
Councillor C Glade-Wright	✓
Councillor A Midgley	✓
Councillor C Street	✓
Councillor S Wass	✓

### Staff:

General Manager	Mr Gary Arnold
Director Engineering Services	Mr David Reeve
Director Governance, Recreation & Property Services	Mr Daniel Smee
Acting Director Environment, Development & Community Services	Mrs Heather Salisbury
Manager Finance	Mr Tim Jones
Manager Development Services	Ms Tasha Tyler-Moore
Media & Communications Advisor	Ms Sam Adams
Executive Assistant	Mrs Amanda Morton

C355/17-2022

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## 4 APOLOGIES

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Councillor S Bastone  
Councillor D Grace

**C356/17-2022****5 CONFIRMATION OF MINUTES**

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Moved: Cr Flora Fox

Seconded: Cr Clare Glade-Wright

That the Minutes of the open session of the Council Meeting No.16 held on 15 August 2022 be confirmed as a true record.

**CARRIED****6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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22 August - DDA Compliance for Bus Stops

**7 DECLARATIONS OF INTEREST**

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There were no declarations of interest.

**8 TRANSFER OF AGENDA ITEMS**

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There were no agenda items transferred.

**C357/17-2022****9 NOTICE OF PERFORMANCE IMPROVEMENT DIRECTION**

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Moved: Cr Flora Fox

Seconded: Cr Amanda Midgley

That Council resolve that the letters from the Minister for Local Government and the Director of Local Government be received.

**CARRIED****10 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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There were no questions.

**C358/17-2022****11 QUESTIONS ON NOTICE FROM THE PUBLIC**

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**11.1 Public Open Space Funds**

**AJ Kingston** submitted the following question on notice:

1. *Would Council please provide a record of the contributions to, and the expenditure of, the Public Open Space account?*

2. *What is the origin of each contribution to the Public Open Space fund? Please specify the amount received, as well as the location of the subdivision, land sale or other activity that each contribution relates to?*
3. *Which projects have received funding from the Public Open Space account? Please specify the location of the projects and the amount of funding received?*
4. *Which projects have been allocated funding from the Public Open Space account but are awaiting expenditure? Please specify the location and the amount allocated?*

### Officer's Response:

It is no longer Council Policy to record Public Open Space Contributions and Allocations by location. The movement in the Public Open Space Account for 2021/22 is:

#### CONTRIBUTIONS RECEIVED

Date	Details	
15/07/21	Contribution: 2 Bowral Court, Kingston	3,313.00
16/08/21	Contribution: 23 Willowbend Road, Kingston	9,700.00
1/09/21	Return funding for Silverwater Park funding not spent	220,000.00
7/09/21	Contribution: 104 Apolline Drive, Kingston	3,500.00
7/09/21	Contribution: Grand Mews, Kingston & Eldridge Drive, Kingston	80,000.00
7/09/21	Contribution: 106 Apolline Drive, Kingston (73 Spring Farm Road, Kingston)	7,600.00
7/09/21	Contribution: Rodway Court, Kingston & Homestead Place, Kingston	116,000.00
8/09/21	Contribution: 21 Thistle Down, Huntingfield	5,000.00
10/09/21	Contributions: 60 Tabors Road, Margate	3,000.00
22/09/21	Contribution: 86 Burwood Drive Blackmans Bay (Lomandra Drive, Blackmans Bay)	21,800.00
26/11/21	Contribution: 29 & 31 Snug Tiers Rd, Snug	1,863.00
30/11/21	Contribution: 37-59 Maranoa Road & 99 Channel Highway, Kingston	2,725.00
12/01/22	Contribution: 16 Dillons Rd & 3800 Bruny Is Main Rd	44,000.00
3/02/22	Contribution: 19 Blowhole Road, Blackmans Bay	4,250.00
1/03/22	Proceeds Sale 281 Roslyn Ave	382,190.55
13/05/22	Contribution: 299 Pelterata Road, Sandfly	3,900.00
30/06/22	Proceeds Sale Harvey Road Footway, Alonnah	5,000.00
30/06/22	Contribution: 44 Roslyn Avenue, Kingston	8,250.00

#### FUNDS ALLOCATED

Date	Details	
1/09/21	Funding for Willowbend Park Upgrade	(137,500.00)
1/09/21	Funding for Louisa Hinsby Park	(125,000.00)
1/09/21	Funding for NW Bay River Trail Stage 1	(188,000.00)
1/09/21	Funding for Dru Point Playground 50%	(247,500.00)
1/03/22	Funding for Alamo Close	(220,000.00)

**Closing Balance 30/06/2022**

**996,796.32**

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

Spring Farm or Whitewater Park

195,009.00

**Public Open Space Uncommitted Balance**

**801,787.32**

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

Donohoe Gardens (Funded by sale of 41 Hiern Road) 275,000.00

**Funds to come to Public Open Space**

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

*Tim Jones, Manager Finance*

**11.2 Various Infrastructure Queries, Margate**

**Mr Joe Ellis** submitted the following question on notice:

1. *Construction has recently begun on the large retail development in Margate town centre. Is Council working with the developer, Department of State Growth and neighbouring businesses/landowners to optimise future traffic flow and road safety for all road users?*
2. *Has the developer's proposal for a possible park and ride been discussed, and will Council be encouraging/facilitating the provision of bicycle parking and storage for commuters as well as shoppers?*
3. *Is it possible for the Kingborough Bike Network to include a route from one side of the Channel Highway to the other please? There are multiple destinations on both sides and safety concerns have been raised many times by the community. Any recommendations by Council would assist when advocating for the state government to address this issue.*
4. *Shared paths, underpasses, bicycle parking facilities and bus shelters are being installed in Kingston to encourage active and public transport use and reduce car use. Would Council please advise of the total funds allocated to connecting and improving public and active transport infrastructure in Margate in this financial year (including from the \$20M City Deal funding)? Which Margate projects or facilities will be funded?*

**Officer's Response:**

1. A Traffic Impact Assessment was undertaken as part of the original development for the site that took into account traffic flows and road safety and the approval of the development was based on minimising the effects on the surrounding area.
2. The development is required to provide carparking and facilities for cyclists in accordance with the use requirements of the area. It is not envisaged that the carparking for the development will also be used for park and ride.
3. Council is currently working with the Department of State Growth (DSG) to look at the feasibility of an extension of the popular Snug to Margate shared path. Although this future link will provide better accessibility it is recognised that it is difficult to provide multiple crossing points across the Channel Highway to facilitate access to various attractions. Council will continue to advocate with Department of State Growth for future appropriate crossing points.
4. The two active transport related projects associated with Margate this financial year are the completion of the study for the continuation of the Snug to Margate shared path to Huntingfield and work on DDA compliant bus stops. The shared path linkage remains a high priority on Council's bike strategy and Council will be strongly advocating for funding in future years to pursue this. The DDA compliant bus stops are a current DSG project and designs are being considered for upgrades in particular on Channel Highway through Margate.

*David Reeve, Director Engineering Services*



C359/17-2022

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**12 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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

**12.1 Meeting with Vice Chancellor, UTAS**

*In company with the Mayor, the General Manager met with Vice Chancellor Professor Rufus Black and I'm interested to know more about the discussion with the Vice Chancellor and how it might impact Kingborough residents?*

**General Manager responds:**

The meeting was very much a catch up but also gave the Vice Chancellor the opportunity to provide both the Mayor and myself with some facts about the student enrolments, the types of courses that were being undertaken and of course some information regarding the proposed UTAS relocation from Sandy Bay into Hobart. We were given the opportunity to ask questions in that regard and the Vice Chancellor was keen to make the point that regardless of where the campus was located, many of the students, many of whom live in Kingborough, would require public transport to access the campus.

**12.2 Margate Master Plan**

*There as been a lot of discussion around the difficulty in crossing the Channel Highway as well as the development of Margate in general, issues around concern for safety. Basically there is a general feeling that Margate needs some attention, so my question is about master planning in Margate, what are the options on the table for a Margate Master Plan and making Margate a cleaner, greener more walkable, friendly, growing business district?*

**Manager Development Services responds:**

It's a valid question about Margate and a development plan. It's something we would typically do through strategic planning in the Planning Department. It is on our list of things to get done, the limitation we have is resourcing. We don't have the staff to do it or the time to do it, we are focussing on getting the planning scheme done at the moment and we also want to do the Kingston structure plan, so if there was an availability of resource, we would certainly invest in doing that. We would work with Engineering Services as well in respect to some of the public assets that are involved as well as the State Government agencies such as Metro.

**Director Engineering Services:**

We do have an allocation on the tail end of our five year capital works plan for master planning for Margate. The reasons being that it's on the capital works is that we envisage there will probably be some capital works that would actually come out of that process. In terms of a pedestrian crossing, that has come up a number of times in Margate and it is particularly difficult to cross that section of the Channel Highway, particularly in the peak periods. We had an option to put at least one additional crossing in which was near the post office which was unsuccessful at the time. I have asked for that to be reviewed again in terms of having a discussion with the Department of State Growth in particular, bearing in mind that it is a State Growth road, about whether we can actually look at getting a better pedestrian facility in that area.

**Cr Cordover:**

In relation to time frame and funding, I note that on the tail end of the five year capital works program is that master planning piece, is it a question for Council to be able to move that forward and get it done sooner than five years? Is funding available outside of Council, for example, what we managed to achieve with the Hobart City Deal for Kingston, are there pools of funding that might be available for Margate if we move forward the capital works funding?

**Director Engineering Services:**

I don't know that there would be pools outside of our normal capital works, but there is certainly nothing precluding Council looking at their five year plan and where projects are orientated when they go to re-look at next year's projects. We can certainly take those comments on board as to whether or not Council has the appetite to bring that project closer.

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

**12.3 Builders Rubbish**

*What can we do to ensure that builders contain their rubbish so it doesn't end up in local waterways? This is a matter in Spring Farm, Whitewater Creek and most recently Home Avenue for a nearby creek. Can we strengthen a by-law or what else could we do?*

**Manager Development Services responds:**

We do have planning permit conditions that relate to it loosely. It would probably be dealt with better under a by-law but I'm not involved in the writing of by-laws but certainly there are examples of Councils that have by-laws specifically about that where they might have requirements about waste collection and waste removal, but more particularly about proper fenced and roofed fenced capture for their waste to try and avoid it doing that. The benefit of having a by-law is that it is much easier to implement, fine or warn with offenders than it is to try and chase it through the planning stream.

**Cr Midgley:**

Can there be another option soon considering there is a lot of development and we have recently had a lot of styrofoam going into waterways.

**Director Governance, Recreation and Property Services:**

We do indeed have provisions within our by-laws requiring builders to contain any rubbish on site and that comes with penalties. It is probably more a matter of enforcement rather than the mechanism to do it, but as with a lot of things, enforcement and proving where the rubbish has come from is the difficulty.

**12.4 Future Traffic Implications, Bay View Shopping Centre**

*With the development most likely to be built in Blackmans Bay near Bay View, is Council aware of the possible future traffic implications this will have on the private road access to Bay View shopping centre and what plans are in place to mitigate the increase in traffic and possible implications this might cause?*

**General Manager responds:**

The DA for the parcel of land that currently has a Knight Frank expression of interest board on it, was approved by Council in about 2008 and I suspect that, without looking at the file, the traffic assessment at that time will probably be substantially different to any traffic assessment that would be undertaken should a similar application be lodged in 2022. I'm not sure that I can answer your question except to say that the current owners of the land have an existing DA that has met the planning requirements of substantial commencement, there is a concrete slab near the day care centre that has ticked off that check list.

**Cr Midgley:**

Because it is a private road, are there then more complications in regards to what Council can do to perhaps putting yellow lines down there so people don't park on the road or could we make changes to the road to make it safer because it is already becoming a congestion and unsafe?

**Director Engineering Services:**

Yes, we certainly had discussions with the property owners who had an interest over that section of the road. We currently do have a maintenance agreement with the tenants but we have also had discussions in the past in terms of parking as a lot of people do park along the side of the road, so that's something that we could pursue if there is more intense development happening in that area and in fact it would be something that we would want to pursue. There is some avenue to have those discussions with the various land owners.

**12.5 Margate to Huntingfield Feasibility Study**

*I note that it is sitting on the Minister's desk and I'm wondering if we have any knowledge when it might be released for community consultation?*

**Mayor responds:**

We don't at this stage but I do have a meeting with Minister Ferguson in about a fortnight and that is certainly on the top of our agenda to ask what the hold up is.

**Cr Westwood** asked the following questions without notice:

**12.6 Removal of Vegetation**

*I've had some complaints about the removal of vegetation in Blackmans Bay at Mary Knoll. Could we have an update on whether staff have investigated these complaints?*

**Manager Development Services responds:**

The matter has been investigated. I don't have at hand what the outcome of that was and I'm due to have a meeting with the team on Wednesday and I can provide advice after that but yes, it is being investigated.

**12.7 Enterprise Agreement Negotiations**

*Is there any update on the EBA negotiations that the General Manager has undertaken recently with staff?*

**General Manager responds:**

The voting closed at 5pm today. Just before the Council meeting commenced I was advised that of the eligible staff, 93% voted, 120 voted yes, 44 voted no and 12 abstained. So the staff have voted to accept the EA and we will undertake in the next day or two to get the appropriate paperwork off to Fair Work to complete the matter.

**Cr Glade-Wright** asked the following question without notice:

**12.8 Greater Hobart Homelessness Alliance Forum**

*Is there any information that came out of that forum that relates to how Council can be involved positively towards that issue?*

**General Manager responds:**

There were a number of matters discussed at that homelessness alliance forum. I think the best thing to come out of it from my point of view was the networking opportunities. We had both the Federal

Minister for Housing and the State Minister for Housing give short presentations. Sitting on my table was the CEO of Hobart City Missions. We are catching up in the next week or so to discuss potential for Council to work with Hobart City Missions. My colleague, Mr Smee, has a meeting this week with Jan Chandler, the CEO of the Hobart Women's Shelter and we are looking at all possible avenues we can to address this blight on society whereby members of our community that are not quite so well off find themselves homeless, often through no fault of their own.

**Cr Glade-Wright:**

Will anything that comes out of those meetings be reported back to Council? Will we find out about what is proposed?

**General Manager:**

Yes indeed. My best guess is that in any circumstances, it is highly probable that the ultimate decision would need to be made in this chamber by the elected representatives so yes, we will certainly report back, should a decision be required and we will advise Councillors in the mean time of any progress.

**Mayor:**

If I could add to that, I think I've mentioned previously that when the Greater Hobart Mayor's had a presentation from the Hobart Women's Shelter, one of the things that they made very clear is that they have funding to construct emergency accommodation because they are turning about 1 in 3 women who are requiring help, particularly fleeing domestic violence situations, quite often with children, but they have a lack of land that is suitable and that prompted me to come back and ask if we could identify some land. They do have some criteria for the land that they require – it has to be within a reasonable proximity to the main Kingston CBD so that public transport, schools and services are accessible for somebody who may not have their own transport, but I do believe that we have identified a couple of parcels of land that could work very well and we have also identified some State Government land that could also be useful and I also identified a privately owned facility as well that might be suitable which wouldn't involve them having to construct much. There are some opportunities and the feedback that I received I did communicate with the CEO of the women's shelter and she did say that she was really pleased the way that we had proactively gone about searching for land and that she had also received a very good response from Glenorchy City Council as well.

## **13 QUESTIONS ON NOTICE FROM COUNCILLORS**

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There were no questions.

**OPEN SESSION ADJOURNS**

## PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.57pm

### 14 OFFICERS REPORTS TO PLANNING AUTHORITY

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#### C360/17-2022

#### 14.1 DAS-2022-18 - DEVELOPMENT APPLICATION FOR SUBDIVISION (BOUNDARY ADJUSTMENT- NO ADDITIONAL LOTS CREATED) AT 149 BEACH ROAD AND 54 & 56 ESPLANADE, MARGATE

Moved: Cr Christian Street

Seconded: Cr Amanda Midgley

That the Planning Authority resolves that the development application DAS 2022-18 for subdivision at 149 Beach Road and 54 and 56 Esplanade, Margate for PDA Surveyors be refused for the following reasons:

- 1) The Application for a Subdivision (Boundary Adjustment- no additional lots created) under Clause 9.3, Adjustment of a Boundary, of the *Kingborough Interim Planning Scheme 2015* does not comply with the requirements of Clause 9.3 as the boundary adjustment is not a minor change to the relative size, shape and orientation of the existing lots. The proposed boundary amendments involve a major and significant departure from the existing configuration of the lots.
- 2) The application does not comply with Clause 12.5.1 Development Standards for Subdivision, Acceptable Solution A1, of the Low Density Residential Zone in the *Kingborough Interim Planning Scheme 2015*. Clause 12.5.1 Development Standards for Subdivision does not provide any Performance Criteria and the Acceptable Solution states that the size of each lot must be in accordance with Table 12.1 except if for public open space, a riparian or littoral reserve or utilities.

The application does not provide lots that comply in size as specified in Table 12.1, which requires a minimum size of 2,500m<sup>2</sup>, and the proposed lots are not for public open space, a riparian or littoral reserve or utilities.

Pursuant to Clause 8.9.1 of the *Kingborough Interim Planning Scheme 2015*, the proposal is prohibited because it is unable to comply with the Acceptable Solution specified and there is no Performance Criteria available.

- 3) The application does not comply with the Acceptable Solution or Performance Criteria of Clause E16.0 'Coastal Erosion Hazard Zone', specifically Clause E16.8.1 (A2) and P2(g) as the subdivision is prohibited by the relevant zone standards.

In Favour: Crs Paula Wriedt, Jo Westwood, Gideon Cordover, Flora Fox, Clare Glade-Wright, Amanda Midgley and Christian Street

Against: Cr Steve Wass

**CARRIED 7/1**

**C361/17-2022****14.2 DA-2021-354 - DEVELOPMENT APPLICATION FOR 9 MULTIPLE DWELLINGS (1 EXISTING, 2 PREVIOUSLY APPROVED) AT 16 GRONINGEN ROAD, KINGSTON**

Moved: Cr Flora Fox

Seconded: Cr Clare Glade-Wright

That the Planning Authority resolves that the development application for 9 multiple dwellings (1 existing, 2 previously approved) at 16 Groningen Road, Kingston and Lot 3 CT 212480/3 for Jodal Property Pty Ltd be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA-2021-354 and Council Plan Reference No. P4 submitted on 23 February 2022 and Council Plan Reference No. P5 submitted on 05 July 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. Prior to the commencement of on-site works (including any tree removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings) CT 86103/4 and CT 132129/4 must be adhered in accordance with the requirements of the Council.
3. Prior to the occupation of the dwellings 4-9:
  - (a) A 2.4m high treated pine or similar acoustic barrier must be provided and located along the eastern boundary of the subject land in compliance with the requirements of the Department of State Growth Noise Guidelines.
  - (b) All windows of the units are to be double glazed.
  - (c) Written certification from a suitably qualified acoustic consultant must be provided to Council, prior to the occupation of the dwellings, confirming that the completed and continuous acoustic barrier has been constructed in accordance with the requirements of the Department of State Growth, and the windows are double glazed.

The acoustic barrier must be retained and maintained in good working order to achieve the required noise level reductions. The windows are required to be maintained with double glazing.

The developer must enter into a Part 5 Agreement pursuant to section 71 of the Land Use and Planning Approvals Act 1993 to ensure that future owners of dwellings, including any Body Corporate of a future strata development, are aware of their ongoing obligations regarding maintenance and retention of the acoustic barrier and window glazing. The wording of this Part 5 Agreement must be to the satisfaction of the Manager Development Services. The applicant must arrange for the drafting of the agreement and is to cover all costs associated with the preparation and registration of the agreement with the Recorder of Titles.

4. At least two (2) visitor parking spaces must be provided for the proposed development. These visitor parking spaces must be appropriately sign posted prior to occupation of any dwelling and kept available for visitor parking at all times. Any future application for strata title in respect of the property must ensure that the visitor parking spaces are included within the common property on the strata plan.
5. Before the approved development of Units 4-9 commences, landscaping plans must be submitted for approval by Council's Manager Development Services.

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

- (a) Planting within the open space and common areas for Units 4-9 (additional landscaping on other parts of the site are welcomed).
- (b) outline of the proposed buildings;
- (c) proposed planting by quantity, genus, species, common name, expected mature height and plant size;
- (d) existing trees to be retained and proposed measures to be carried out for their preparation and protection during construction;
- (e) earth shaping proposals, including retaining wall(s); and
- (f) fencing, paths and paving (indicating materials and surface finish).

Once endorsed the plans will form part of the permit.

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

6. All works within the waterway must be designed and constructed so as to:
  - (a) Minimise impacts on existing natural values, including riparian vegetation and in-stream habitat and bank condition;
  - (b) Retain existing flow capacity;
  - (c) Retain existing waterway bed levels;
  - (d) Include mitigation measures at entry and exit of culverts and pipes to minimise scouring and erosion;
  - (e) Be consistent with the 'Wetlands and Waterways Works Manual' (DNRE, 2003)
7. Prior to commencement of on-site works, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer. Plans must be to satisfaction of the Director Engineering Services and Manager Development Services and comply with:
  - Tasmanian Standard Drawings
  - Austroads Standards and Australian Standards
  - Australian Rainfall and Runoff Guidelines

The Plans must include, but are not limited to:

- (a) Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas including:
  - (i) Longitudinal and cross sections of the driveway/access road
  - (ii) Contours, finish levels and gradients of the driveway/access road
  - (iii) Provision of vehicle access (crossovers) with notation to be constructed in standard grey concrete with a broomed non-slip finish
  - (iv) Provision of passing bays
  - (v) Pavement construction
  - (vi) Signage for visitor spaces or residential/commercial spaces if allocated

- (vii) No parking/keep clear signage for turning bay areas
- (viii) Wheel stops for open parking bays (as appropriate)
- (ix) Lighting for parking and vehicle circulation roadways and pedestrian paths
- (x) Surface treatment and stormwater drainage
- (b) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
  - (i) Layout details and new 225mm dia. stormwater connection and manhole to the Council stormwater main in Beach Road.
  - (ii) A water sensitive urban design system to achieve the acceptable stormwater quality targets required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling.
  - (iii) A reticulated stormwater system sized to accommodate at least the estimated 5% AEP (Annual Exceedance Probability) flow.
  - (iv) Overland flow paths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow.

Once endorsed the plans will form part of the permit.

8. Prior to the commencement of on-site works (including any tree removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), all remaining native vegetation, including individual trees identified for retention in Council Plan Reference No. P4 submitted on 23/02/2022 and Plan Reference No P5 submitted on 05/07/2022 must be retained and appropriately protected during construction through the installation of temporary fencing between any on-site works and adjacent native vegetation in accordance with AS 4970-2009 to exclude:
  - (a) machine excavation including trenching;
  - (b) excavation for silt fencing;
  - (c) cultivation;
  - (d) storage;
  - (e) preparation of chemicals, including preparation of cement products;
  - (f) parking of vehicles and plant;
  - (g) refuelling;
  - (h) dumping of waste;
  - (i) wash down and cleaning of equipment;
  - (j) placement of fill;
  - (k) lighting of fires;
  - (l) soil level changes;
  - (m) temporary or permanent installation of utilities and signs; and
  - (n) physical damage to the tree(s).



Evidence of satisfactory installation of this fencing must be 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:

- (i) the existing soil level must not be altered around the Tree Protection Zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil);
- (ii) the Tree Protection Zone must be free from the storage of fill, contaminants or other materials;
- (iii) machinery and vehicles are not permitted to access the Tree Protection Zone; and
- (iv) development and associated works are not permitted unless otherwise approved by Council in writing.

9. The following vegetation removal and modification is approved for the purposes of the development:

- (i) no more than one (1) *Eucalyptus leucoxylon* (Yellow Gum) tree numbered 3 as shown in Council Plan Reference P4 submitted on 23/02/2022 and Table 1 of the Arboricultural Impact Assessment & Tree Protection Specification (Philip Jackson, February 2022).

subject to the following restrictions:

- A. This vegetation must not be removed prior to issue of a 'Start of Works Notice' (Start Work Notice form is available on the Council Website).
- B. 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.

10. Prior to the commencement of site works a soil and water management plan must be submitted to Council for approval. The plan must be in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines and Tasmanian Standard Drawings (TSD-SW28). A site inspection of the implemented plan by the Council's Development Inspector must be satisfactorily undertaken with the principal contractor prior to the commencement of any work on site.

11. Documentation submitted for building approval must demonstrate the requirement for double glazing for all the windows, and that the development will be constructed to BAL-29, and will contain the hazard management area within the lot boundary, consistent with the requirements of the Bushfire Report and Hazard Management Plan (North Barker Ecosystem Services, 8th September 2021).

All bushfire mitigation measures identified in the building approval documentation must be satisfactorily implemented.

12. Prior to the occupation of Units 4, 5, 6, 7, 8, and 9 the permanently fixed screen(s) on the decks as shown on the endorsed plans must be installed to the satisfaction of the Manager Development Services. The screens must have a minimum height of at least 1.7 m above the finished floor level of the deck with a uniform transparency of no more than 25% and must be maintained for the life of the development.

13. Prior to the occupation of any of the new dwellings the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:

- (a) The parking areas (including signage and access);

- (b) The garden and landscape areas;
  - (c) Drainage works undertaken and completed;
  - (d) The privacy screens on the decks; and
  - (e) Letterboxes installed.
14. All waste material generated by the development or from other sources must be contained in appropriate building waste containers for periodic removal to a licensed disposal site. The receptacle must be of a size to adequately contain the amount of waste generated and must be appropriately located on the subject site and must not impede residential traffic or parking at any time.
15. The applicant must make provision for a private waste service agreement to enable the development to be serviced with waste and recycling collection. This agreement is to ensure these services are provided on site adjacent to the proposed bin collection area as indicated on the submitted plans. Council waste services will not be provided to service the development.
16. Prior to the issue of a Building Permit a Waste Management Plan must be prepared by a suitably qualified person and submitted to Council for approval. Once endorsed, the plan will form part of the Planning Permit. The waste management plan must include; but not be limited to:
- (a) Details of the subject site;
  - (b) Details of maximum vehicle size (one that is able to enter and exit the site in a forward direction, turning within the site);
  - (c) Swept paths of the vehicle demonstrating ability to achieve the above;
  - (d) Times and frequency of collection;
  - (e) Detail of how the different waste types will be collected to ensure proper waste management (ie green waste, recycling and general waste); and
  - (f) Method for collection and collection points for the bins.
17. 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.
18. The roads and footpaths surrounding the building site must be kept clear of construction materials and debris during the construction period.
19. The buildings on the endorsed plans must not exceed the heights in metres above the natural ground level existing prior to the construction of that building directly below that point.
20. The construction works must be undertaken in accordance with the approved engineering design drawings to the satisfaction and approval of the Director Engineering Services and include the following:
- (a) The vehicular access/driveway, car parking areas and vehicle manoeuvring areas must be of a sealed construction (concrete) with associated drainage provision and comply with Australian Standard AS2890.1:2004 (Off-street car parking);

- (b) 'No Parking'/'Keep Clear' signage must be installed for the turning bays;
- (c) Visitor car parking sign must be installed for the on-site visitor car parking spaces;
- (d) Signage noting residential car parking for each unit must be installed for their respective on-site car parking spaces;
- (e) Wheel stops (as required) and line markings for open car parking spaces must be provided in accordance with Australian Standard AS2890.1:2004 (Off-street car parking);
- (f) Parking and vehicle circulation roadways and pedestrian paths must be provided with bollard or similar lighting;
- (g) On-site stormwater quality systems must be installed; and
- (h) Stormwater discharge from all new impervious areas must be disposed of by gravity to Council's stormwater infrastructure.

The works must be supervised by a professional Civil Engineer in accordance with Council's inspections schedule.

21. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

### ADVICE

- A. In accordance with section 53(5) of the Land Use Planning and Approvals Act 1993 this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The Developer should not allocate any property address numbers for the proposed units.

New property addresses have been allocated as follows:

Unit No.	Allocated Property Address
4	4/16 Groningen Road, Kingston
5	5/16 Groningen Road, Kingston
6	6/16 Groningen Road, Kingston
7	7/16 Groningen Road, Kingston
8	8/16 Groningen Road, Kingston
9	9/16 Groningen Road, Kingston

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

- C. 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.

- D. The developer should obtain a Plumbing Permit for the development prior to commencing construction.

A drainage design plan at a scale of 1:200, designed by a qualified Hydraulic Designer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Plumbing Permit.

**CARRIED**

Public Copy



## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	DA-2021-354	<b>Council notice date</b>	06/07/2021
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2021/01130-KIN	<b>Date of response</b>	27/07/2022
<b>TasWater Contact</b>	Jake Walley	<b>Phone No.</b>	0467 625 805
<b>Response issued to</b>			
<b>Council name</b>	KINGBOROUGH COUNCIL		
<b>Contact details</b>	kc@kingborough.tas.gov.au		
<b>Development details</b>			
<b>Address</b>	16 GRONINGEN ROAD, KINGSTON	<b>Property ID (PID)</b>	2107872
<b>Description of development</b>	Multiple Dwellings x 9 (1 existing, 2 previously approved under DA-2020-61)		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
AD Design + Consulting	21033 Sheet D-1-02-01	A	29/10/2021
AD Design + Consulting	21033 Sheet D-1-10-01	A	29/10/2021
AD Design + Consulting	21033 Sheet D-1-02-02	A	29/10/2021
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connection and sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>2. The plans submitted with the application for a Certificate for Certifiable Work (Building and/or Plumbing) must show the water connection to be high hazard, due to the use of a private sewer pump.</li> <li>3. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> <li>4. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>DEVELOPMENT ASSESSMENT FEES</b></p> <ol style="list-style-type: none"> <li>5. The applicant or landowner as the case may be, must pay a development assessment fee of \$376.68 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.</li> </ol> <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p>			



#### Advice

As of July 1 2022, TasWater's Sub-Metering Policy no longer permits TasWater sub-meters to be installed for new developments. Please ensure plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) reflect this. For clarity, TasWater does not object to private sub-metering arrangements. Further information is available on our website ([www.taswater.com.au](http://www.taswater.com.au)) within our Sub-Metering Policy and Water Metering Guidelines.

#### General

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

#### Service Locations

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

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.

Further information can be obtained from TasWater

- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit [www.taswater.com.au/Development/Service-location](http://www.taswater.com.au/Development/Service-location) for a list of companies

- (c) TasWater will locate residential water stop taps free of charge

- (d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

#### Declaration

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

#### TasWater Contact Details

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

## OPEN SESSION RESUMES

Open session resumed at 6.22pm

### 15 PETITIONS STILL BEING ACTIONED

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There are no petitions still being actioned.

### 16 PETITIONS RECEIVED IN LAST PERIOD

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No Petitions had been received.

### 17 OFFICERS REPORTS TO COUNCIL

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#### C362/17-2022

##### 17.1 KINGBOROUGH COMMUNITY AWARDS - 2023 SELECTION COMMITTEE

Moved: Cr Jo Westwood

Seconded: Cr Flora Fox

That Council appoints Cr's Wass, Glade-Wright and Midgley to assist the Deputy Mayor in the assessment of candidates for the 2023 Kingborough Community Awards, with the selection to occur in October.

**CARRIED**

#### C363/17-2022

##### 17.3 SMOKE-FREE AREA DECLARATION - KINGSTON PARK (PUBLIC OPEN SPACE STAGE 1 & 2)

Moved: Cr Jo Westwood

Seconded: Cr Amanda Midgley

That Council approve the smoke-free area declaration for Stage 1 and 2 of the Kingston Park public open space in accordance with Attachment A and the process outlined in this report.

**CARRIED**

#### C364/17-2022

##### 17.4 TRANSFER OF FREEHOLD TITLE FROM CROWN TO COUNCIL FOR SNUG OVAL AND MEMORIAL HALL AND ACQUISITION OF A FORESHORE LEASE OR LICENCE

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

It is recommended that Council approve:-

1. The acquisition from the Crown of the fee simple of the properties known as 64 Beach Road Snug (PID 2927766) and 64 Beach Road Snug (PID 2927774) that encompass the Snug Oval and Memorial Hall for a nominal consideration.

2. Council entering into a lease or licence for the foreshore lands under the standard terms offered by the Crown for a peppercorn rental.

In Favour: Crs Paula Wriedt, Jo Westwood, Gideon Cordover, Flora Fox, Amanda Midgley, Christian Street and Steve Wass

Against: Cr Clare Glade-Wright

**CARRIED 7/1**

## **C365/17-2022**

### **17.5 COPPING REFUSE SITE JOINT DISPOSAL AUTHORITY - PROPOSED RULE CHANGES**

Moved: Cr Christian Street

Seconded: Cr Amanda Midgley

That Council

- (a) Endorses the proposed amendment to the rules of Copping Refuse Disposal Site Joint Authority as agreed by the Authority at its meeting on 11 August 2022, and
- (b) Approves advertising the proposed amendment to the rules in accordance with the requirements of the *Local Government Act 1993 (Tas)*.

**CARRIED**

*Meeting adjourned at 7.04pm*  
*Meeting resumed at 7.13pm*

## **PERSONAL EXPLANATION AT MEETING**

Pursuant to Regulation 24 of the *Local Government (Meeting Procedures) Regulations 2015*, Cr Street provided a personal explanation.

## **18 NOTICES OF MOTION**

*The Mayor vacated the Chair and the Deputy Mayor assumed the Chair at 7.16pm*

## **C366/17-2022**

### **18.1 REDUCTION OF SPEED LIMIT ON REDWOOD ROAD**

Moved: Cr Paula Wriedt

Seconded: Cr Flora Fox

That Council ask the Transport Commission to reduce the speed limit on Redwood Road, between the Channel Highway and the roundabout at the intersection of Village Drive and Maranoa Roads from 60km per hour to 50km per hour.

In Favour: Crs Paula Wriedt, Jo Westwood, Gideon Cordover, Flora Fox, Clare Glade-Wright, Amanda Midgley and Christian Street

Against: Cr Steve Wass

**CARRIED 7/1**



*The Mayor resumed the Chair at 7.27pm*

**C367/17-2022**

**18.2 ENTIRE HOME SHORT STAY ACCOMMODATION**

Moved: Cr Gideon Cordover  
Seconded: Cr Flora Fox

That a report will be prepared for the Council assessing the impact of whole-dwelling short-stay visitor accommodation in Kingborough and considering options for ameliorating the housing and rental affordability crisis in the municipality.

Moved: Cr Christian Street  
Seconded: Cr Amanda Midgley

That Cr Wriedt be allowed a further 3 minutes to complete her contribution.

**CARRIED**

The motion was then put.

In Favour: Crs Paula Wriedt, Gideon Cordover, Flora Fox, Clare Glade-Wright and Amanda Midgley

Against: Crs Jo Westwood, Christian Street and Steve Wass

**CARRIED 5/3**

**C368/17-2022**

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

Moved: Cr Amanda Midgley  
Seconded: Cr Flora Fox

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 Assessment - TS3166 Gormley Park Oval Upgrade**

Regulation 15 (2)(b), and (2)(d) *information that, if disclosed, is likely to confer a commercial advantage on a person with whom the Council is conducting, or proposes to conduct business, and contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.*

## Delegated Authority Rates

Regulation 15 (2)(g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential.*

**CARRIED**

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

Open Session of Council adjourned at 8.06pm

**OPEN SESSION ADJOURNS**

## OPEN SESSION RESUMES

Open Session of Council resumed at 8.15pm

### C369/17-2022

Moved: Cr Jo Westwood

Seconded: Cr Flora Fox

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil
Tender Assessment - TS3166 Gormley Park Oval Upgrade	Tender awarded to Carteman Pty Ltd for \$426,840.20 excl GST
Delegated Authority Rates	Noted

**CARRIED**

### CLOSURE

There being no further business, the Chairperson declared the meeting closed at 8.16pm

.....  
(Confirmed)

.....  
(Date)