

# Kingborough



## COUNCIL MEETING MINUTES

21 November 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 2022 - 2026



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



**Deputy Mayor**  
**Councillor Clare Glade-Wright**



**Councillor Aldo Antolli**



**Councillor David Bain**



**Councillor Gideon Cordover**



**Councillor Kaspar Deane**



**Councillor Flora Fox**



**Councillor Amanda Midgley**



**Councillor Mark Richardson**



**Councillor Christian Street**

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**MINUTES of an Ordinary Meeting of Council**  
**Kingborough Civic Centre, 15 Channel Highway, Kingston**  
**Monday, 21 November 2022 at 5.30pm**

## **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.

## **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.

## **3 ATTENDEES**

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### **Councillors:**

Acting Mayor Councillor C Glade-Wright	✓
Councillor A Antolli	✓
Councillor D Bain	✓
Councillor G Cordover	✓
Councillor K Deane	✓
Councillor F Fox	✓
Councillor A Midgley	✓
Councillor M Richardson	✓

### **Staff:**

Acting General Manager	Mr Daniel Smee
Chief Financial Officer	Mr John Breen
Director Engineering Services	Mr David Reeve
Manager Development Services	Ms Tasha Tyler-Moore
Media & Communications Advisor	Ms Sam Adams
Communications & Engagement Support Officer	Ms Bianca Kleine
Business Support Officer	Ms Stephanie Velini

**C441/22-2022**

## **4 APOLOGIES**

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Mayor Councillor P Wriedt  
 Councillor C Street

**C442/22-2022****5 CONFIRMATION OF MINUTES**

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Moved: Cr Flora Fox  
Seconded: Cr Amanda Midgley

That the Minutes of the open session of the Council Meeting No.21 held on 7 November 2022 be confirmed as a true record.

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

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14 November - Draft Local Provisions Schedule

**C443/22-2022****7 DECLARATIONS OF INTEREST**

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**Cr Glade-Wright** declared an interest in the report headed "Consideration of amended plans for Planning Application DA2021-548".

**Mr David Reeve** declared an interest in the report headed "Southern Tasmanian Regional Waste Authority – Appointment of Forum Representative".

**8 TRANSFER OF AGENDA ITEMS**

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There were no agenda items transferred.

**C444/22-2022****9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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**Mr Michael Rowan** asked the following questions without notice:

**9.1 Responsible person conducting a business or undertaking (PCBU)**

*Noting that the Council itself is the employer of the staff of the Kingborough Municipal Administration, but under the Tasmanian Work Health and Safety Act 2012, an elected member of the local authority does not in that capacity conduct a business or undertaking. Who carries the responsibility under that Act that arises from being a person who conducts a business or undertaking?*

**Acting Mayor responds:**

We'll take that question on notice.

## 9.2 Annual Governance Reviews

*Noting the answer to my question on what is regarding the Council conducting an annual governance review, and it's not been undertaken as it's not a requirement under the Local Government Act 1993, but also considering the finding of the future of local government review that there is "significant room for improvement in the overall standard of local governance in Tasmania", does Council accept that such reviews are a standard element of good governance practice and will the Council consider conducting such a review annually?*

### **Acting General Manager responds:**

I can't speak on behalf of the whole of Council but, certainly from my perspective, yes, I do accept the premise of your question and Council will consider whether there is a need or requirement to conduct the review as you've suggested but that would be a matter that Council would need to consider.

**Mr Charles Biggins** asked the following questions without notice:

## 9.3 Bushfire Readiness

*Regarding Kingborough's Bushfire Readiness, can you please detail Council's own Bushfire Mitigation Program – budget, hectares of fire breaks maintained, the kilometres of fire trails maintained, the kilometres of rural roadside vegetation cleared to an emergency evacuation standard?*

### **Acting General Manager responds:**

There is some detail there that we would need to take on notice. However, I can advise that Council employs a Bushfire Management Officer and we also have a Community Resilience Officer, who works in that space. So, it's certainly something that we do take very seriously but happy to take the questions on notice to provide the details and statistics that you've asked for.

### **Mr Biggins:**

I'm sure that Council is aware of the Royal Commission into National Natural Disasters 2020 and the items that relate to local council, in particular the role that local councils can provide in maintaining, or upgrading, access roads in rural fire-prone areas to an emergency evacuation standard – see City of Hobart's work on Ridgeway Road to facilitate an evacuation path for Fern Tree. Is Council aware of the findings of the Royal Commission and are they acting on it?

### **Acting General Manager:**

Yes, we are aware and it certainly forms part of our bushfire mitigation planning and processes.

### **Mr Biggins:**

Do you feel that Kingborough is well resourced to deal with the fuel mitigation and other items that I've just mentioned?

### **Acting General Manager:**

Bearing in mind that responsibility for bushfire mitigation is one that is not just a role for Council, it's also a role for Tas Fire and it's a role for private landowners, it's a really broad question to try and answer – are we sufficiently resourced?

### **Mr Biggins:**

To deal with Council's own responsibilities – their roadsides, their council land, particularly the clearing; to the Ridgeway Road example again, to an evacuation standard. It's obvious to

everyone, and it's well documented, that we're a high fire prone area. Evacuation is going to be a critical part of that moving forward. It would seem that this is an area that Council could work on. That's probably more of a statement than a question. My other questions relate to Council's Biodiversity Policy.

**Acting Mayor:**

We're unable to take questions regarding something that's on the agenda. If you would like to submit that one to the General Manager or the Acting General Manager, you'd be more than welcome to.

**Mr Biggins:**

I will put those in writing and they can be questions on notice for next time.

**C445/22-2022**

**10 QUESTIONS ON NOTICE FROM THE PUBLIC**

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**10.1 Culture and Performance Review of the Kingborough Municipal Administration**

**Mr Michael Rowan** submitted the following question on notice:

*In view of*

- *Sec. 28 (2) (b) (iii) of the Tasmanian Local Government Act 1993, which states that 'The Councillors of a council collectively' have as one of their functions 'to determine and monitor the application of policies plans and programs for'... 'the fair and equitable treatment of employees of the council'*
  - *Recent media reports of toxicity and bullying in other councils in Tasmania, which particularly in the case of the West Tamar Council was reported as coming as a surprise to the mayor, and*
  - *Data in the Kingborough Annual Report (page 20) which shows a headcount of 93 staff with four or less years of service in an equivalent full time staffing complement of 180, and only two females among 13 managers, which suggests a very high rate of staff turnover (assuming there has been no rapid increase in the staffing level of the Administration) and raises concern as to the gender inclusivity of the Administration,*
1. *What regular reporting does the elected Council receive which demonstrates that the Kingborough administration is not a toxic workplace, and in particular that all staff are treated fairly and equitably?*
  2. *For example, does the Council receive (say) monthly reports on the numbers (with a gender breakdown) of*
    - a. *Lost time injuries, and a classification of the kind if injuries (eg slips, trips and falls; vehicular; other equipment; mental health), as might over time seem most informative*
    - b. *Applications for workers' compensation, whether accepted by WorkSafe Tasmania, or denied*
    - c. *Any disputes or complaints lodged by employee representatives including unions or staff associations*
    - d. *Breaches of the Council's Workplace Behaviour Administrative Policy*

- e. *Number and level of staff accessing the employee assistance scheme*
  - f. *Staff separations, both resignations and terminations, including whether any payments have been made to separating staff and their authorisation*
  - g. *Any use of non-disclosure agreements with separating staff*
  - h. *Issues raised in confidential exit interviews conducted by the independent 3<sup>rd</sup> party contracted to provide this service, if such exists*
  - i. *Advertised positions which failed to attract a competitive field of candidates, including female and gender diverse candidates*
  - j. *Promotions of staff within the Kingborough administration, or appointment to a higher-level position in another organisation*
  - k. *Prizes, awards, or other recognitional of staff of the administration.*
3. *Assuming this data is provided, is it aggregated on a year-to-date basis, and compared to previous years?*
  4. *Where any pattern of concern appears, is the data benchmarked against other Tasmanian or other councils or similar organisations?*
  5. *Where this comparison substantiates that there is a reason for concern is the relevant area of the administration subject to early external review?*
  6. *Is there an established cycle of regular external review of all areas of the Administration's operation? If so, where is this reported in the Council Annual Report for 2021/22?*
  7. *Does the (elected) Council conduct an annual governance review of its performance as a board? If so, where is this reported in the Council Annual Report for 2021/22?*

**Officer's Response:**

1. A report is provided every six months to the Council which includes information on the organisation's Work Health & Safety (WHS) statistics; employee indicators including employee numbers, recruitment, and unplanned leave; training; and industrial relations matters. The report is listed in the Appendix of the Council Agenda and is available to the public. Council's Audit Panel also receives reports on staff leave accruals.
2.
  - a. A Council report on workers compensation performance is provided on a six-monthly basis. This includes the number of claims over the last 5 years; the types of injuries; and WHS indicators including Total Recordable Injury Frequency Rates, Lost Time Injuries and Medical Treatment Injuries. These statistics are also reported monthly to Council's Executive Committee.
  - b. The number of workers compensation claims are included in the above report. Council's insurer provides a confidential monthly report on the status of all workers compensation claims.
  - c. These matters are not reported to Council as they are operational matters which are the responsibility of the General Manager and are dealt with in accordance with the provisions of the *Fair Work Act 2009 (Commonwealth)*, and Council's industrial obligations under the Enterprise Agreement.
  - d. These matters are not reported to Council as they are operational matters which are the responsibility of the General Manager. Council has appropriate policies for dealing with such matters including the Discipline Administrative Policy and Procedures and the Issue Resolution Policy and Procedures.

- e. Council's EAP service provider, Newport and Wildman, provides confidential reports to the Executive on the numbers of staff accessing the EAP and the general reasons for seeking assistance. For privacy reasons, no details are provided on individual matters.
  - f. Recruitment and terminations are reported to Council in the 6 monthly report, referred to in the response to question 1.
  - g. These matters are not reported to Council as they are operational matters and are the responsibility of the General Manager. However, typically Council does not use non-disclosure agreements with separating staff, unless it is requested by the employee's representative.
  - h. Exit interviews are undertaken by Council's HR team and the results are reported to the General Manager and the relevant Director.
  - i. These operational matters are not reported to Council, other than a summary of employee indicators. However, an update on recruitment for individual positions is provided to management and Council's employee/union representatives through the Joint Consultative Committee (JCC) which meets monthly. The Minutes of the JCC are distributed to all employees.
  - j. These operational matters are not reported to Council unless the role is a senior management position.
  - k. Any significant prizes, awards or recognition of employees would be advised to Council by the General Manager.
3. Data on key employee indicators is provided in Council's Annual Report; the Council's Estimates of Budget and Expenditure; and in the Local Government Board's comparative Dashboards on council performance, refer to the response to Question 4 below. Council also receives a report on workers compensation for the last 5 years in the regular HR information reports. Employee data is aggregated and compared to previous years in the annual Workforce Plan which is approved by the General Manager and the Executive.
  4. The Local Government Board has published the **Tasmanian Council's Data Dashboards** to support the community to engage with the Future of Local Government Review. The Dashboards provide information on some of the key activities and operations of Tasmanian councils using publicly available data sets. Dashboard 1 includes comparative workforce data for all Tasmanian Councils from the last five financial years including total FTE's, employee costs, median age, and turnover. The report can be found at <https://www.futurelocal.tas.gov.au/council-data/> In terms of workers compensation, Council participates in a Tasmanian local government benchmarking project which reports on Total Recordable Injury Frequency Rates. This report is provided to the Executive team monthly.
  5. External reviews may be directed by Council or Council's Audit Panel, depending on the area of concern. For example, the Audit Panel has engaged WLF Accounting and Advisory to undertake a WHS Licencing and Certification review. This review will examine the processes and controls to ensure all Council employees and contractors have the required qualifications and certifications to undertake duties in accordance with the requirements of the *Work Health and Safety Act 2012 (Tas)*.
  6. Council's operational and financial performance is audited by the Tasmanian Audit Office in accordance with the legislative requirements.
  7. No, the *Local Government Act 1993* contains no requirement for Council to conduct an annual governance review.

*Pene Hughes, Executive Manager Organisational Development*

## 10.2 Grant Funding

Mr Joe Ellis submitted the following question on notice:

*Council has recently received a \$262k grant for an upgrade to the existing facilities at the Kingston Mountain Bike Park track including a wallride designed for skateboards, scooters and bikes. Public consultation for the Dru Point master plan was conducted in September 2017. The need for something for older kids and teenagers was identified then, and there is still nothing even planned for the youth age group in Margate, despite many requests and frequent mentions in consultation processes.*

*Why wasn't a grant application submitted to provide similar facilities at Dru Point?*

*Why was Kingston considered the higher priority?*

*How does Council ensure decision-making processes are equitable and inclusive?*

### Officer's Response:

A grant application was not required for Dru Point as \$495k has been allocated in the current Capital Works program for upgrade to the Dru Point play space.

A contract for the replacement of the removed "Teenrager" youth play equipment at Dru Point has been awarded, works are expected to commence early in the new year. Additional equipment upgrades are also being planned for this current financial year.

Kingston Mountain Bike Park is heavily utilised, requiring ongoing maintenance with regular requests from the public for upgrades for its long-term viability and useability. Funding was secured under the State Governments 'Improving the Playing Field' grant to upgrade the dirt pump track to a larger, asphalt one which will require less ongoing maintenance.

All capital works projects go through a Budgetary Review Panel and are prioritised on merit across the entire municipal area. These nominations are then workshopped with Councillors for review before a report goes to a Council meeting in open session for decision.

*Su Sprott, Recreation Officer*

## 10.3 Landscape Conservation Zoning

At the Council meeting on 7 November 2022, **Ms Mel O'Keefe** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

- 1. I appreciate that the Local Provisions Schedule is a draft only, nonetheless, could you please advise the approximate number of properties proposed for LCZ and the total number of hectares and if this information is not to hand, could this please be taken on notice?*
- 2. In the questions on notice, Ms Jo Landon posed some questions at 10.2 of the meeting pack, part of one of the questions appears to have been overlooked and that is she requested the topics covered in the workshops. Could this please be taken on notice and the information supplied?*
- 3. Recognising that vegetation reduction is in conflict with LCZ, has any modelling been undertaken to assess the change in bushfire risk that will result from the proposed wide scale rezoning to LCZ?*
- 4. The report that I made reference to wherein a number of areas within Kingborough have been assessed as having an extreme fire risk, would Council give consideration to having their GIS officer overlay the properties proposed for LCZ over the top of the extreme risk areas?*

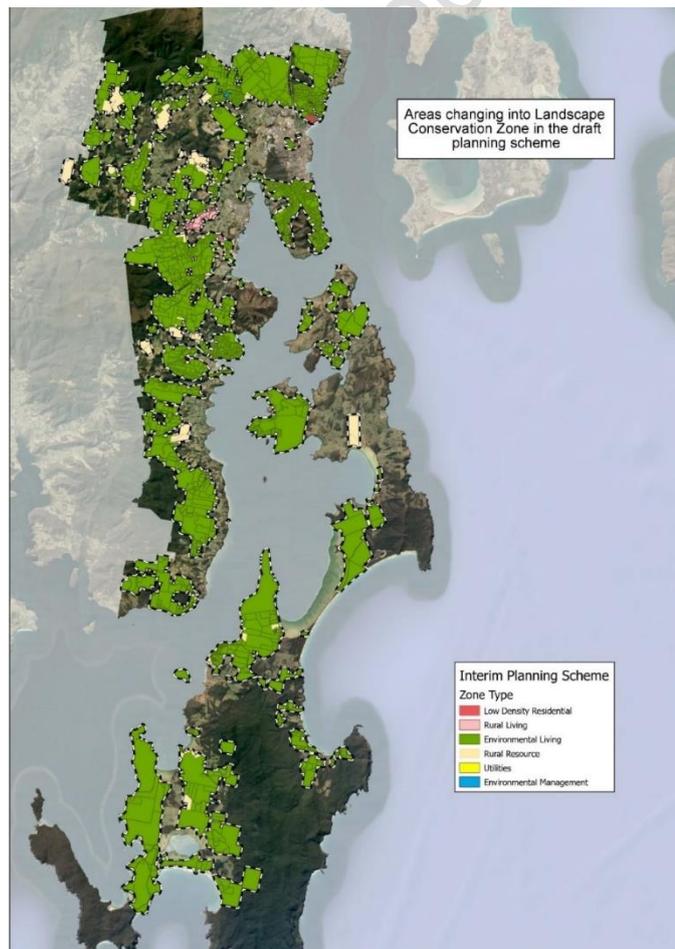
**Officer's Response:**

1. The Draft Local Provisions Schedule (LPS) that was submitted to the Tasmanian Planning Commission in 2019 proposed 1,952 (or 10%) of the Council's 18, 947 rateable properties to be zoned Landscape Conservation Zone (LCZ). The hectare quantity is approximately 20,946ha. This compares to 31, 233.89 hectares of private land zoned Environmental Management under the 2000 Scheme and 21, 937.77 hectares zoned Environmental Living under the Kingborough Interim Scheme, 2015.

There is diversity of the zone types that they are being transitioned to the LCZ, however the predominant zone is from Environmental Living. Below is a breakdown of those numbers, plus a map that demonstrates the existing zoning for the properties that are proposed to be zoned LCZ.

- 1705 (or 87%) are currently zoned Environmental Living
- 22 (1%) are currently zoned Rural Living
- 127 (or 7%) are currently zoned Rural Resource
- 96 (or 5%) are currently zoned Low Density Residential
- 2 (or 0.1%) are currently zoned Environmental Management.

Conversely, 168 properties currently zoned Environmental Living are proposed to be zoned Rural Living and 68 properties are proposed to be zoned Rural.



2. The topics were the new Tasmanian Planning Scheme and the Draft Local Provisions Schedule.

3. Available information tells us that the vast majority of the municipality (90%+) meets the definition of bushfire prone (as defined in Planning Directive No.5.1):

bushfire-prone area	means: (a) land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or (b) where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.
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The Bushfire Prone Areas layer of the Planning Scheme reflects this. It does not identify the **level** of that risk. (High/med/low).

It should be noted that Bushfire Risk Modelling in Tasmania is conducted by the Tasmania Fire Service as the lead agency for bushfire mitigation and response in Tasmania. Specialist computers are required to conduct the modelling – which is generally re-run each year. Tas Fire provides Councils with the risk modelling results via the Fire Management Area Committees (FMACs) of which Kingborough is a member. Bushfire Risk Assessment Modelling has been done for the entire state: (available from TFS). This modelling is based on a model developed by the Parks and Wildlife Service to try and help them prioritise bushfire mitigation works. Council cannot provide the above modelling to the public. Tas Fire Service has specialist fire behaviour analysts located within their BUSHFIRE RISK UNIT who undertake regular modelling of the relative risk of bushfire based on specific scenarios (ie. how would a fire behave on land that had been fuel reduced, versus not fuel reduced?). This fire behaviour modelling is done using programs called *Prometheus* and *Phoenix*.

A change in zoning is unlikely to change the risk much due to the large scale of the risk across the Municipality and the Greater Hobart landscape. Regardless of the zoning that will be applied to parcels, people will continue to be able to remove vegetation in accordance with a Bushfire Hazard Management Plan written by a TFS Bushfire Practitioner and available exemptions in the planning scheme – as is currently the case.

4. As mentioned above, the risk modelling cannot be provided to the public as it the property of Tas Fire/Park and Wildlife. The overlay bushfire risk modelling results for Kingborough with the proposed LCZ layer is unlikely to determine anything meaningful as it would impact vegetation cover on a large scale and it would be difficult to quantify the impact on bushfire risk (which at the moment is high right across the Municipality and the Greater Hobart region).

The risk mapping used for the report quoted in the QWN was provided by TFS to Fire Management Area Committees. It is understood that the layer is a combination of different modelling results. The plans are based overlay bushfire risk modelling results for Kingborough with the proposed LCZ layer and determine anything meaningful. This is for a couple of reasons – firstly – the modelling is the property of Tas Fire/Parks and Wildlife and we cannot provide it to the public. (Council I think has the GIS layer but it is for internal use only and would be out of date by now). Secondly – without knowing how the LCZ layer (and any associated restrictions) would impact vegetation cover on a large scale – it would be difficult to quantify the impact on bushfire risk (which at the moment is high right across the Municipality and the Greater Hobart region).

The risk mapping used for the report quoted in the QWN was provided by TFS to Fire Management Area Committees. The plans are based on the impact of a fire igniting in a specific location and impacting Human Settlement Areas in the fire path of the ignition location and not on where the Overall Bushfire Risk is.

*Adriaan Stander, Strategic Planner*

C446/22-2022

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**11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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

**11.1 Bushfire Readiness**

*My question relates to Item 10.3. In a response to a question on notice, our Strategic Planner mentions that risk modelling cannot be provided to the public as it is the property of Tas Fire and the Parks and Wildlife and it goes on to say the plans are based on the impact of a fire igniting in a specific location and impacting human settlements in the path of the ignition location. So my question is about the fact that Tas Fire and Parks and Wildlife own risk mapping – why does that mean that Kingborough Council, and more importantly the residents, aren't allowed to know about it or aren't allowed to view it and are we advocating to get that risk mapping, risk modelling, from TFS and publicise it more widely?*

**Acting Mayor responds:**

I thought it was already online. Is that correct?

**Manager Development Services responds:**

The bushfire mapping is not directly in my department, it is so far as the Planning Scheme goes. The Planning Scheme does include bushfire mapping which is slightly different to the mapping that was referred to in the question, so it's a little unrelated in that sense. It's also available under the Building Act. The documentation – it's the decision of the TFS whether they make that available or not. It's not for us to provide it if we haven't been given that permission. The comments about the risks – there's two elements as I understand it: there's the general risk, which is the mapping that we use in the Planning Scheme and so forth and then there's other mapping which they say is higher but that's because there's a settlement and people there. Put people in an area that a bushfire's going to come through, it comes from a higher setting but it doesn't mean necessarily that it's any more flammable than the other parts of the bush. So, in so far as how the questions were asked for the question without notice at the last Council meeting, it was slightly related but didn't quite connect and that's what the officer's tried to express. So, TFS holds the information and they would need to be approached about releasing that.

**Cr Cordover:**

Do we ever, as a Council, see the need to advocate to the TFS and Parks to attain that mapping and that modelling in order to share it to the public or do we as a Council deem that that information is not relevant for the public to look at?

**Manager Development Services:**

I'm sorry, I cannot answer that because bushfire is not part of my department.

**Acting General Manager:**

My understanding is that our Emergency Management Coordinator works very closely with Tas Fire and they are certainly happy to share that mapping at an officer level. I don't think there's an issue in terms of it being hidden away and also, my understanding is that Tas Fire and Council, through it's Emergency Management response, do use that mapping with our work with local communities. I don't think it's the case that there are secret maps being maintained and certainly, there is a preparedness to use that work in our community resilience for bushfire.

**Cr Cordover:**

I guess it's also worth noting that I think there's many different scenarios – some scenarios may not be pertinent to share with the public so I do understand and recognise that.

## 11.2 Climate Action

*Are there any updates regarding Council's role supporting the Kingborough Resilience Working Group to promote a safe, sustainable and resilient community through practical planning for risk mitigation preparedness and recovery as mentioned on page 24 of the Annual Report? It said in the Annual Report that this is ongoing as opposed to on target.*

### **Acting General Manager responds:**

The reference to 'ongoing' indicates that the work that is being undertaken is continuing over a course of time. So, I'm not in a position to provide a specific detail on the actions that have been taken over the past 12 months and, given our Director of Environmental Services is not here, I can't defer to her so, it's probably best we take that question on notice and provide a more detailed response. But the reference to ongoing means that the work is continuing over time and doesn't have a definitive end point to it.

## 11.3 Community Resilience

*I'm aware that there are multiple groups who have been recently discussing community resilience, particularly in the face of a changing climate and those groups have held events on this matter. Is Council concerned about a fragmented approach to community resilience? Ipso facto lots of different groups doing lots of different things or does Council consider this in fact the best way forward, that lots of little groups are doing lots of different little things about community resilience?*

### **Acting General Manager responds:**

Given that action in relation to climate change needs to occur very much at a grassroots community level, my personal view is that we're really happy and grateful that community groups are taking that action and we do have an overall coordinated approach through our Community Resilience Program so, I don't see it as fragmented. I consider it to be local action for local solutions and we are fortunate that we have the resources to be able to assist, support and coordinate that through our Community Resilience Officer.

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

## 11.4 Gender Imbalance in Senior Leadership Positions

*I just want to follow up on a few questions put on notice by members of the public. The first one, to follow up on Mr Rowan's question, I note that he's raised the misbalance in female representation amongst senior leadership positions here at Council, that there isn't necessarily anything named up in terms of the response that was given. Is it possible to find out what the organisation is doing to foster women into leadership positions and hopefully address this misbalance moving forward?*

### **Acting General Manager responds:**

I'm not quite sure I understood the question. Is it about the gender imbalance on our management team?

**Cr Deane:**

Yes.

### **Acting General Manager:**

That's certainly been an issue that we have been conscious of and I know the General Manager has been very keen to address that issue but it does take time and of course, we need to recruit on

the merit principle but I can assure you that achieving gender balance is very much a desire of our whole management team and certainly has been one of the General Manager and is given due consideration in relation to our recruitment processes.

**Cr Deane:**

So it's not possible to name up any specific strategies, I suppose, that we have as an organisation to foster women into leadership positions where it's mentoring programs and that kind of thing?

**Acting General Manager:**

We have certainly encouraged internally, some of our female managers to undertake leadership courses. That's very much been supported and promoted by this organisation but in terms of more public and visible strategies, no – it is a case that, whilst we our desiring to have the gender balance on our team, our recruitment is very much entrenched within the merit principle.

### 11.5 Future Dru Point Upgrade

*To follow up on Mr Ellis' question regarding the future Dru Point upgrade, I would just like to ask two questions. What input has the Margate community had in the design and development of this upgrade and what communication has already taken place with the community or, is on the cards to inform them of that project now it's going ahead?*

**Acting General Manager responds:**

The original Dru Point Masterplan was formed in 2018 and there was a community consultation process that was undertaken at that time and more recently, I think it was about six months ago, Council published the proposed plan of works that were to go in which are hopefully scheduled for later in January of 2023. So, that plan was published with an invitation for the public to provide comment on and I know that some members of the public did take the opportunity to contact our Urban Design Officer to provide input.

**Cr Deane:**

So is it standard procedure that there will now be some kind of communication to inform the community of those upgrades?

**Acting General Manager:**

Once we get a firm date in mind for the works to commence, yes, our communications team would be providing detail in relation to a) what's going on and b) the time frame and c) the potential impact it's going to have, because bearing in mind that we don't want to close the whole of Dru Point down over the summer period. The works are going to need to take place while the remainder of the reserve remains open. Yes, that communication would be standard.

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

### 11.6 Audit Panel Report

*The first question relates to something in the Audit Panel Report. On page 270, there's a note on there that the Audit Panel did a deep dive into climate change, community resilience and the Kingston Park project. I'm wondering if these deep dives will be provided to the new Council, please?*

**Chief Financial Officer responds:**

The information is available in the Audit Panel Agenda, which I believe Councillors have access to if they choose to, but certainly can provide the deep dive information separately if any Councillor would like it.

**11.7 Woodbridge Hill Road / Redwood Road Speed Reduction Submission**

*The second question is regarding Woodbridge Hill Road and Redwood Road speed reductions submission. Could we please have an update on that one, please?*

**Director Engineering Services responds:**

We're just finalising the submission now. Hopefully, we'll get it off to the Transport Commission next week.

**11.8 Cycling South Committee Proxy Procedure**

*At the last meeting, there was an item regarding Council Committees and there was one for Cycling South and normally there's a proxy for Cycling South – there's an elected person, which I was but normally there's a proxy to be voted as well, which was only picked up later in the meeting by the Cycling South EO. I'm wondering, do we need to do a formal procedure to have a proxy or, could perhaps the Vice Chair of the cycling committee be appointed, if they so wish to?*

**Acting General Manager responds:**

I think if it's to be a formal appointment by Council, there would need to be a Council Resolution to that effect. If this is something that was overlooked, I would suggest that it would need to be brought back to Council by means of a report for formal resolution.

**Cr Midgley:**

And we can do that?

**Acting General Manager:**

We can do that, certainly.

**Cr Fox:**

The constitution of Cycling South states that any Councillor can attend the Cycling South meetings. The person who's been nominated to attend on Council's behalf is usually only one and they can then ask somebody from Council on an informal basis to come. I don't think that has ever been formalised in the history of Cycling South.

**Acting Mayor:**

It's probably something that we can check up on and if it needs to come back, we'll bring it back.

**11.9 Kingston Bypass Duplication Plans and Study**

*The next question is about the Kingston Bypass Duplication Plans and Study which went out for community consultation. There was a lot of interest in regards to links, underpass, overpass to Spring Farm. Do we have an update in regards to that consultation and the future for this, the future design, if they're changing it or, any other updates at all, please?*

**Director Engineering Services responds:**

There are no further updates since the last time this question was actually asked but I'm happy to chase that back up with the consultants there. The last I spoke to them, they were taking the results of that consultation and looking at doing their further detailed design. Obviously they've got a conceptual design, particularly for the bypass and for the Algona roundabout duplication but I'm not sure how far down the track they're actually at but I'm happy to take that on board there and find out and I can provide that back to the Councillors.

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

**11.10 Gravel Footpaths and Walkways in Margate**

*My question relates to the gravel footpaths and walkways around Margate, particularly the pathway between Margate and Snug. There's been vegetation overgrowth in some places, reducing the width of the track by around 30 percent. The vegetation is slashed or whippersnipped or mowed but it's still there and there's an ever shortening gravel track. Is there any plan to remove that vegetation and reinstate the full width of the track?*

**Director Engineering Services responds:**

Do you have any specific locations? Generally, what actually happens with those ones, I would encourage both the public or Councillors just to raise those as a Service Request and then that can be inspected and dealt with. But it's obviously a very long section so, if you had some specifics but it's fine if you don't. I'm quite happy just to send something up to the Depot and ask them to do a general inspection. Bearing in mind, they do have a dedicated maintenance budget for that particular path.

**Cr Richardson:**

Very specifically, there's a section in front of Merediths that's getting quite small.

**Director Engineering Services:**

I'm happy to put a Service Request in.

**Cr Richardson:**

The new road along Gemalla Road features a gravel footpath. Given what we've just spoken about, are there any plans to a) put maintenance practices in place so that that path also doesn't become overgrown with vegetation and b) are gravel footpaths going to become a feature of road developments or is that just in certain areas?

**Director Engineering Services:**

Just in certain areas. Councillors may be aware that there's potential for a fairly large development just abutting where that footpath is there. We would imagine as part of that development there would possibly be an upgrade to that footpath to take that into account. So, at the moment it's got more of a rural characteristic which is where you typically would have gravel footpaths but if it became more urbanised, then you would be looking at potential concrete footpaths. In terms of the other part of your question in terms of maintaining any footpaths wherever they happen to be, we do have a maintenance program budget to actually allow for that. As I mentioned in the answer to the previous question, if there are any issues that are raised, that's what our Customer Service request area is for.

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

### **11.11 Landscape Conservation Zoning**

*The first question is regarding 12.1 in today's agenda and the officer's response to Councillor Glade-Wright about communicating, or explaining, changes to the LCZ. Could Council, as a potential cost-effective way of letting people know that they may be downzoned to the LCZ, make that note in their rate statement and then invite the individual to go to the Council's landing page on the website and begin a process of self-discovery and education?*

#### **Manager Development Services responds:**

The concept of putting this on the rates notice is known as piggybacking on another letter, which is possible. We have considered that and discussed it. It will depend on the timing of that and if that's going to line up. Obviously, the rate notices are sent out quarterly as requested if they haven't paid it up front. So, there is a possibility. It will depend on the timing of that. There still will be costs associated with the production of the letters and not all rates notices are sent by mail. That's not to say that they can't be sent electronically but it would require further work to split those people in and out. So, it is a possibility, but I think probably better looked at when we get closer to it.

### **11.12 Development Application Checklist**

*Does Council currently provide to residents upon request, a document that outlines in almost checklist style format how to achieve DA approval and the Council fee associated for works they wish to accomplish on their property? For example, a document to guide them on approval to build a new home or maybe an extension to their home, or maybe one for adding a shed or external garage to their property?*

#### **Manager Development Services responds:**

There is a checklist. It's provided on the application form, which is available on our website. There's a series of information sheets as well on our website, if you would like to look at that. It's probably worth saying some people say, "Why couldn't you just have a single checklist if you want to build a shed?" There's so much variation from property to property to do with zones and overlay codes and covenants, easements, neighbours, fall of the land – it's very difficult to encapsulate all that in a user-friendly type format. It has made it difficult but we do have some overall guidance and certainly, we take a huge number of enquiries from the public which we've reported on in the Development Services Quarterly Report on occasions about how many we're getting because it's easier to explain to them and it's also easier to tailor the answer to them. But certainly, there is information about the process, how it works and that's all posted on our website.

#### **Cr Antolli:**

Following up from that, is there either a staff-driven committee or a Council-drive committee where we can speak into demystifying, simplifying the communications on that?

#### **Manager Development Services:**

There's no formed committee. We always welcome any comments from the public or staff or our communications team, and from Councillors as well, as to where they think things might be confusing or there might be a gap in that information and we're happy to address that. That can be directed to myself or the General Manager.

#### **Cr Antolli:**

Because I have been approached – and maybe you could help comment on the ambivalence on this – by multiple people going through the DA process and they begged and wished they had a

checklist that they were given at the time of their enquiry to guide them. How is it possible for these things to be on the form and them not to be aware of it?

### **Manager Development Services:**

It is on the form. Unfortunately, people don't read all the forms, we know that, in lots of disciplines. There is information on there about what should be provided and then there's a bit about whether it's commercial. It's very difficult to provide everything on there about what you're going to need for your site and your property and your proposal. If you did, the checklist would be so long and it would have so many disclaimers about 'if relevant' and it's unuseful to people. Certainly for the larger applications we have pre-application meetings. For the smaller applications, we have the likes of a pre-application meeting as well to assist them and we would expect that there's service providers so, if they've employed a planner or a designer, that they are helping them. Unfortunately, it is disappointing that some in the industry don't give them that guidance or awareness of what they should or shouldn't have and that's really not fair on our residents and we do our best to try and assist them with what they need to provide.

## **C447/22-2022**

### **12 QUESTIONS ON NOTICE FROM COUNCILLORS**

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#### **12.1 Landscape Conservation Zoning**

At the Council meeting on 17 October 2022, **Cr Glade-Wright** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

*Do we feel like we are adequately resourced to send every property a letter explaining the zone changes that are proposed?*

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

The potential cost of letters to all residents depends on what detail would be provided. Two scenarios are provided below.

- If it was a generic letter, meaning the content would be the same and not personalised, a letter to each property (owner and two letters where the owner is not the occupier meaning two letters are sent) would be approximately \$8,000.00 for preparation and work (with up to 25 000 letters it would need to be outsourced – just the printing, folding, addressing) plus \$25,000 for the postage.

The total cost, excluding resources to prepare the correspondence would be \$33 000.

- If it is a letter for that property outlining changes specific to the property it would be extremely resource heavy as the data of every existing zone, every proposed zone would need to be provided for each individual property (there are almost 19 000 properties). Naturally, it would also require cross checking for accuracy as the risk to Council if the information were incorrect due to clerical error can cause significant problems. It is difficult to estimate how many hours that would take, but it would have a significant impact on those involved who would have to be offline from other work for an extended period.

The costs above would be in addition to the costs outlined in the first scenario.

The further resourcing implication would be the increased demand in enquiries arising from the correspondence that was sent out, which we are not resourced to deal with. We have had the opportunity to speak with Huon Valley about their experience with this approach in terms of the impact on resourcing and they have less than half the number of properties at Kingborough Council.

*Tasha Tyler-Moore, Manager Development Services*

## 12.2 Tourism Marketing Strategy

At the Council meeting on 7 November 2022, **Cr Cordover** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

*In the Annual Report it mentions that Destination Southern Tasmania, the Huon Valley Council and the tourism industry will work together to develop a tourism marketing strategy for the region south of Hobart and that this project is “ongoing”. Is there any update on an expected timeframe for that piece of work and when it is completed, how will we determine if it has been a success or value for money?*

### Officer’s Response:

Destination Southern Tasmania (DST) is the peak tourism body for Southern Tasmania, established 10 years ago to provide leadership on tourism in the southern region. DST promotes visitor experiences and services to domestic and international visitors, the tourism trade, and media. DST focusses on growing visitation, increasing yield and driving regional dispersal. DST members are nearly 200 local tourism businesses, with partners including 11 councils, Tourism Tasmania, the Tourism Industry Council of Tasmania, and the Department of State Growth.

Through the partnership with DST, visitor experiences and services in Kingborough are promoted on the Hobart & Beyond website and social media presence. In 2021/22, Hobart & Beyond had more than 500, 000 page views, and the combined Social Media reach was 1.94 million people.

In the past, the Kingborough and Huon Valley regions used Southern Trove branding to promote the region to visitors. Tourism Tasmania now oversees branding and marketing, promoting the Southern Edge Drive Journey (within Discover Tasmania website) under the *Come Down for Air* brand platform.

One of the approaches used by DST to determine priorities for investment in tourism is the development of Destination Action Plans (DAP). A DAP was developed for Bruny Island in 2016, with several projects identified in the DAP implemented using funding by Council and the Tasmanian Government, including for local visitor infrastructure, footpaths, signage and the Bruny Island tourism website. The *Southern Tasmania Destination Management Plan 2022-2025* has recently been developed by DST in consultation with Councils, to identify strategic priorities to improve visitation across the Southern region.

Given our partnership with DST, and work being undertaken by DST and Tourism Tasmania to promote the region, it is not considered efficient or necessary to develop a separate tourism marketing strategy for the region south of Hobart. Instead, officers from Kingborough Council, Huon Valley Council and Destination Southern Tasmania will continue to work together to provide input into the Hobart & Beyond and Southern Edge Drive Journey promotions. The success of these initiatives is measured through website and social media engagement, uptake of printed materials and maps, and visitor numbers. As the visitor economy recovers post COVID-19, Kingborough Council will continue to engage with DST and Huon Valley Council to understand how visitor numbers are rebounding and how we might improve promotion of the region.

*Dr Samantha Fox, Director Environment, Development & Community Services*

## 12.3 Alternative Energy Precinct

At the Council meeting on 7 November 2022, **Cr Midgley** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

*Item 1.4.2 of the actions in the Annual Report reads ‘progress the development of an alternative energy precinct at the Baretta Waste Disposal Site’. Is there any further information regarding that?*

**Officer's Response:**

*The most recent advice from the company confirmed they are still pursuing the project at Baretta and that they are expecting to lodge a development application with Council by the end of the year and commence construction in 2023.*

*Liz Quinn, Manager Environmental Services*

**12.4 Pedestrian Safety and Footpaths**

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

1. *What are the plans for improving pedestrian safety in Middleton and Gordon?*
2. *Has the Council considered plans for a shared path or designated pedestrian footpath from the Gordon Foreshore Reserve Campground to the Middleton Boat Ramp?*
3. *Has the Council considered a pedestrian footpath or shared path circuit along Esplanade Road from Oates Road in the north to Beach Road in the south and to include a section along the Channel Highway?*

**Officer's Response:**

1. Council is unaware of particular pedestrian safety issues in either of these areas but are happy to pursue further if more information is forthcoming on the areas of concern.
2. Council has previously considered the merits of this project, but it is considered that the expected use versus the cost would make this project a low priority.
3. This is not included in our cycling strategy or priority footpath construction list.

*David Reeve, Director Engineering Services*

**12.5 Walking Tracks**

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

*Does the Council have plans for developing or improving walking tracks south of Kettering?*

**Officer's Response:**

There are no tracks listed south of Kettering in Council's Tracks & Trail Strategic Action Plan. However, we are always happy to consider adding future trail linkages to the document where it can be demonstrated that they are feasible and of community benefit.

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

**12.6 Lighting Policy**

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

*Has Kingborough Council considered developing a lighting policy, perhaps similar to Glenorchy City Council's Street Lighting Policy, to set target lighting standards and minimise the potential for lighting nuisance?*

**Officer's Response:**

A lighting policy is currently being developed and will come to Council for approval in the new calendar year.

*David Reeve, Director Engineering Services*

**12.7 Salmon Farm Antibiotic Use in Waters Off Kingborough's Coast**

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

*The ABC reported on the 14<sup>th</sup> November, 2022 that documents from the EPA revealed two multinational salmon farming companies have used more than 1 tonne of antibiotics to treat diseased fish in waterways off Bruny Island.*

*One Monash University study reported on by Norman Swan, Alex McDonald and Alison Xiao for the ABC found 39% of salmon samples from supermarkets were found to harbour resistance to a range of antibiotics<sup>1</sup>.*

*Antibiotic resistance is a concern for numerous health bodies like the World Health Organisation who say, "antibiotic resistance is one of the biggest threats to global health, food security, and development today"<sup>2</sup>.*

*Professor Stuart McLean, retired Professor of Pharmacology & Toxicology from UTAS told the ABC Drive program, "the issues are of concern... "The introduction of such large quantities of antibiotics into the environment... potentially it's disturbing the microbiome, the bacteria, which inhabit the fish and other organisms as well in the environment... it seems to be very unwise."<sup>3</sup>*

*The Guardian reported that the EPA documents, "revealed wild fish had scavenged antibiotic-laced pellets below the salmon cages", including one sample of three flathead caught off Coningham beach with antibiotics in the flesh of the fish above the reportable threshold. The Guardian also noted the "monitoring reports were not made public until months after the disease outbreak"<sup>4</sup>.*

1. *Is Council aware of any potential impacts this revelation might have for agriculture, aquaculture, recreational fisheries, or agritourism interests on Bruny Island or other parts of Kingborough?*
2. *Does Council have any comment about how this type of corporate behaviour reflects on Kingborough's tourism landscape, particularly Bruny Island, which relies on our natural environment to attract visitors?*
3. *Will risks to our international reputation caused by environmental degradation be taken into consideration for our tourism marketing strategy?*

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<sup>1</sup>Norman Swan, Alex McDonald and Alison Xiao, ABC, *Antibiotic resistance detected in the food chain could have implications for human health, new study finds*, 4 May 2022, <https://www.abc.net.au/news/2022-05-04/antibiotic-resistance-study-agriculture-food-chain/101037200>, accessed 14 November 2022.

<sup>2</sup>World Health Organisation, *Antibiotic Resistance*, 31 July 2020, <https://www.who.int/news-room/fact-sheets/detail/antibiotic-resistance>, accessed 14 November 2022

<sup>3</sup>ABC Drive with Lucy Breden, 14 November 2022, 1hr 13min 40s <https://www.abc.net.au/hobart/programs/drive/drive/14101050>, accessed 14 November 2022

<sup>4</sup> Bob Burton, The Guardian, *Tasmanian salmon farms used more than a tonne of antibiotics in 2022 disease outbreaks*, 14 November 2022,

<https://www.theguardian.com/australia-news/2022/nov/14/tasmanian-salmon-farms-used-more-than-a-tonne-of-antibiotics-in-2022-disease-outbreaks>, accessed 14 November 2022

4. *Will Council conduct its own inquiry into antibiotic levels detected in fish caught recreationally off Kingborough's beaches?*
5. *Will Council be contacting the EPA and the state government to express concerns about this on behalf of Kingborough residents who may be affected?*

**Officer's Response:**

1. Council is not aware of any specific impacts that the use of antibiotics by the aquaculture industry may have on agriculture, recreational fisheries or agritourism in Kingborough. Antibiotics have been used by the aquaculture industry as prescribed by vets and regulated by the Tasmanian Government for over a decade. Negative impacts on industry related to this practice have not been widely reported.
2. It is understood the companies concerned reported these matters to the EPA. The EPA is responsible for the environmental regulation of marine and land-based salmon farms in Tasmania. The EPA has made no public statement indicating environmental degradation has occurred.
3. Bruny Island is an iconic destination for interstate and international visitors to Southern Tasmania. Council has worked for many years with the Tasmanian Government, Destination Southern Tasmania, and tourism businesses on Bruny Island to support increased visitation. Council is not aware of impacts of this issue on tourism on Bruny Island. Council will continue to support the visitor economy on Bruny Island through collaborations with various tourism organisations and businesses.
4. Council has no plan to conduct an inquiry into antibiotic levels detected in fish caught recreationally off Kingborough's beaches. Whilst this issue may be concerning for the community, Council has no jurisdiction over marine waters or recreation fishing.
5. The EPA has made no public statement expressing concern and, on that basis, it would appear premature to make contact.

*Liz Quinn, Manager Environmental Services*

**OPEN SESSION ADJOURNS**

## PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 6.07pm

### 13 OFFICERS REPORTS TO PLANNING AUTHORITY

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#### C448/22-2022

#### 13.1 PSA-2022-3 - AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 TO UPDATE THE INCORPORATED DOCUMENTS

Moved: Cr Amanda Midgley

Seconded: Cr Gideon Cordover

That Council resolves that the report of the Manager Development Services be received and that:

- (a) Pursuant to section 34(1)(b) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council resolve to initiate Amendment PSA-2022-3 to the *Kingborough Interim Planning Scheme 2015*;
- (b) Pursuant to section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council certify that Amendment PSA-2022-3 to the *Kingborough Interim Planning Scheme 2015* meets the requirements of section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager to sign the Instrument of Certification; and
- (c) Pursuant to section 37 of the former provisions of the *Land Use Planning and Approvals Act 1993*, request the Commission to dispense of the exhibition requirements under section 38 completely or a shorter exhibition period.

In Favour: Crs Clare Glade-Wright, David Bain, Gideon Cordover, Kaspar Deane, Flora Fox and Amanda Midgley

Against: Crs Aldo Antolli and Mark Richardson

**CARRIED 6/2**

#### C449/22-2022

#### 13.2 DA-2022-43 - DEVELOPMENT APPLICATION FOR FOUR MULTIPLE DWELLINGS (1 EXISTING) AT 54 VAN MOREY ROAD, MARGATE.

Moved: Cr Kaspar Deane

Seconded: Cr Aldo Antolli

That the Planning Authority resolves that the development application for four multiple dwellings (1 existing) at 52 and 54 Van Morey Road, Margate for Another Perspective 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 2022-43 and Council Plan Reference No. P6 submitted on 20 September 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 permit coming in-to effect and the commencement of any works on site, the landowner must enter into Part 5 Agreements under the *Land Use Planning and Approvals Act 1993* with and to the satisfaction of Kingborough Council to maintain the stormwater and sewerage pump stations. These Part 5 Agreements must include:
  - a) that the owners utilizing the system is responsible for the installation, maintenance and monitoring/reporting of the pump stations and associated overflow absorption trench/es and the associated costs (no costs are born by Kingborough Council)
  - b) that the stormwater pump station and sewerage pump station including overflow absorption trench/es are maintained in good working order (and serviced in accordance with suppliers specifications) by the owner/s;
  - c) that an ongoing maintenance document be prepared by a suitably qualified person for the infrastructure;
  - d) that any future strata subdivision requires the pump stations to be located within common property of the strata subdivision;
  - e) that any overflow absorption trench/es are located within a private services easement and/or common property in favour of all strata title owner/s;
  - f) that a servicing/maintenance report be provided within a reasonable timeframe to Council upon request;
  - g) be signed and sealed prior to commencement of works; and
  - h) be submitted to the Land Titles Office with the plan of survey and registered on the title.

All costs associated with drafting and registering the Part 5 Agreements on the titles are to be borne by the developer. All terms of these Agreements must be complied with once executed.

Please note, planning permits containing a requirement for a Part 5 Agreement are not valid until such time as the Agreement is executed, as specified in the *Land Use Planning and Approvals Act 1993*. Therefore, the above Agreement must be executed prior to commencement of works and registered on the title. The template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.

3. 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 comply with:
  - Tasmanian Standard Drawings
  - Austroads Standards and Australian Standards
  - Australian Rainfall and Runoff Guidelines

The Plans must include, but are not limited to:

- (i) Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas including:
  - a) Longitudinal and cross sections of the driveway/access road
  - b) Contours, finish levels and gradients of the driveway/access road
  - c) Provision of vehicle access (crossover) with notation to be constructed in standard grey concrete with a broomed non-slip finish
  - d) Provision of passing bays
  - e) Pavement construction and stormwater drainage
  - f) Wheel stops and line marking for open parking bays (as appropriate); and
  - g) Lighting for parking and vehicle circulation roadways and pedestrian paths
- (ii) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
  - Layout details including required on-site absorption trenches for the pump station overflows
  - A reticulated stormwater system sized to accommodate at least the estimated 5% AEP (Annual Exceedance Probability) flow. All hydraulic calculations and designs are required. Any on-site stormwater detention must be detailed including how the on-site detention will be serviced to prevent blockages while maintaining its capacity
  - A new 150mm diameter PVC stormwater lot connection point discharging into the existing stormwater roadside entry pit
- (iii) Engineering certification from a consultant engineer that the proposed stormwater pump station for the proposed development is designed in accordance with Australian Standard AS3500 National Plumbing and Drainage Code. Supporting documentation with associated hydraulic calculations must be submitted

Once endorsed the plans will form part of the permit.

4. Prior to the commencement of on-site works (including any demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), all remaining native vegetation, including the *Eucalyptus obliqua* (Stringybark) located on adjacent Council owned land zoned open Space (CT: 153645/1) must be retained and appropriately protected during construction 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:
  - (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.
5. No felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is approved as part of this planning permit.
6. Documentation submitted for building approval must demonstrate that the development will be constructed to BAL-12.5 for Unit 2 and 3 and BAL-19 to for Unit 4 and will contain the hazard management area within the lot boundary, consistent with the requirements of the Bushfire Hazard Report (GES, May 2021).

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

7. The vehicular access must be widened such that to provide one (1) meter separation from the existing stormwater roadside entry pit and must be constructed in accordance with the Tasmanian Standard Drawings (TSD-R09 and TSD-E01) in standard grey concrete with a broomed non-slip finish from the kerb crossing layback to the lot boundary.

A Permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation. For more information, please visit Kingborough Council's website at <https://www.kingborough.tas.gov.au/forms-2/roads-street-trading-forms/road-works/>

8. Prior to the occupation of any of the new dwellings the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:
- (i) The parking areas (including signage, access, any lighting and landscaping);
  - (ii) The garden and landscape areas for the four units;
  - (iii) Privacy treatment for Unit 1 including screens and opaque film for driveway facing windows;
  - (iv) Drainage works undertaken and completed; and
  - (v) Letterboxes installed.

9. At least one (1) visitor parking space must be provided for the proposed development. The visitor parking space must be appropriately signposted 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 space is included within the common property on the strata plan.

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

The landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose

11. The construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Director Engineering Services and include the following:

- (a) the car parking and vehicle manoeuvring areas must be of a sealed construction with associated stormwater drainage and comply with Australian Standard AS2890.1:2004 (Off street car parking)
- (b) 'No Parking'/'Keep Clear' signage must be installed for the passing bays and turning bay
- (c) visitor car parking sign must be installed for the one (1) visitor car parking space
- (d) signage noting residential car parking for each unit must be installed for their respective on-site car parking spaces
- (e) wheel stops (as appropriate) 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 lighting
- (g) the landscaping for the driveway and parking areas must be such that it will not impact/restrict on-site vehicle movements and turning
- (h) on-site stormwater detention must be installed
- (i) stormwater discharge from all new impervious areas must be disposed of into Council's stormwater infrastructure

- (j) absorption trench/es for the pump station overflow/s must be provided as required; and
  - (k) a new 150mm diameter PVC stormwater lot connection point discharging into the existing stormwater roadside entry pit must be provided by the developer to Council requirements. A Permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation.
12. 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.
13. 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.
14. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.
15. 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. During construction, all use and works, including stockpiling and storing of materials, vehicular access and parking and works, must be contained within the subject land unless a permit is issued by Council under the Parks, Recreation and Natural Areas By-law 4 of 2021.
- C. The Developer should not allocate any property address numbers for the proposed units.

New property addresses have been allocated as follows:

Unit No.	Allocated Property Address
1	1/54 Van Morey Road, Margate (existing dwelling)
2	2/54 Van Morey Road, Margate
3	3/54 Van Morey Road, Margate
4	4/54 Van Morey Road, Margate

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

- D. 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.

- E. 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.

In Favour: Crs Clare Glade-Wright, Aldo Antolli, David Bain, Kaspar Deane, Flora Fox, Amanda Midgley and Mark Richardson

Against: Cr Gideon Cordover

**CARRIED 7/1**

Public Copy



### Submission to Planning Authority Notice

Council Planning Permit No.	DA-2022-43	Council notice date	23/02/2022
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2022/00246-KIN	Date of response	02/03/2022
TasWater Contact	Jake Walley	Phone No.	0467 625 805
<b>Response issued to</b>			
Council name	KINGBOROUGH COUNCIL		
Contact details	kc@kingborough.tas.gov.au		
<b>Development details</b>			
Address	54 VAN MOREY RD, MARGATE	Property ID (PID)	5795244
Description of development	Multiple Dwellings x4 (1 ex, 3 new)		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Another Perspective	Ground Floor Drainage Plan 01a/07	--	10/01/2022
<b>Conditions</b>			
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:			
<b>CONNECTIONS, METERING &amp; BACKFLOW</b>			
1. A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.			
<b>Advice:</b> The new water connection will need to come off the existing DN100mm water main on the opposite side of Van Morey Road, and the water meter assembly must be high hazard due to the use of a private sewerage pump.			
2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.			
3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.			
<b>56W CONSENT</b>			
4. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the <i>Water and Sewerage Industry Act 2008</i> for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.			
<b>DEVELOPMENT ASSESSMENT FEES</b>			
5. The applicant or landowner as the case may be, must pay a development assessment fee of \$363.57 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.			



The payment is required within 30 days of the issue of an invoice by TasWater.

**Advice**

**General**

For information on TasWater development standards, please visit <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>

**56W Consent**

The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) will need to show footings of proposed buildings located over or within 2.0m from TasWater pipes and will need to be designed by a suitably qualified person to adequately protect the integrity of TasWater’s infrastructure, and to TasWater’s satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater’s pipes. These plans will need to also include a cross sectional view through the footings which clearly shows;

- (a) Existing pipe depth and proposed finished surface levels over the pipe;
- (b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;
- (c) A note on the plan indicating how the pipe location and depth were ascertained.
- (d) The location of the property service connection and sewer inspection opening (IO).

**Declaration**

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

**Authorised by**



**Jason Taylor**  
Development Assessment Manager

**TasWater Contact Details**

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

## OPEN SESSION RESUMES

Open Session resumed at 6.40pm

### 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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No Petitions had been received.

### 16 OFFICERS REPORTS TO COUNCIL

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#### 16.1 POLICY 3.3 DONATIONS

Report withdrawn.

#### C450/22-2022

#### 16.2 WASTE WISE EVENTS POLICY

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

That Council endorse the revised *Waste Wise Events Policy 4.14* as attached to this report.

**CARRIED**

#### C451/22-2022

#### 16.3 KINGBOROUGH POSITIVE AGEING POLICY

Moved: Cr Aldo Antolli

Seconded: Cr Amanda Midgley

That Council endorse the revised *Kingborough Positive Ageing Policy* as attached to this report.

**CARRIED**

**C452/22-2022**

**16.4 SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY - APPOINTMENT OF FORUM REPRESENTATIVE**

Moved: Cr Flora Fox  
 Seconded: Cr David Bain

That Council endorses:

- (a) Mr David Reeve as Council’s representative on the Southern Tasmanian Regional Waste Authority; and
- (b) Cr Gideon Cordover as Council’s substitute representative on the Southern Tasmanian Regional Waste Authority.

**CARRIED**

*Meeting adjourned at 7.23pm.  
 Meeting resumed at 7.41pm.*

**C453/22-2022**

**16.5 APPOINTMENT OF MEMBERS TO COUNCIL SPECIAL COMMITTEES**

Moved: Cr Flora Fox  
 Seconded: Cr Gideon Cordover

That approval be given for the appointment of members of Special Committees of Council to manage Kingborough’s Community Halls in accordance with the provisions of Section 24 of the *Local Government Act 1993*, effective from 1<sup>st</sup> December 2022 for a term of two years, as follows:

<p><b>Adventure Bay Hall Management Committee</b></p> <ol style="list-style-type: none"> <li>1. Julius Schwing</li> <li>2. Bernd Farasin</li> <li>3. Margaret Graham</li> </ol>	<p><b>Bruny Island Community Centre Management Committee</b></p> <ol style="list-style-type: none"> <li>1. Trevor Adams</li> <li>2. Mathew Fagan</li> <li>3. Caroline Rannersberger</li> </ol>
<p><b>Kettering Hall Management Committee:</b></p> <ol style="list-style-type: none"> <li>1. Shane Proctor</li> <li>2. Annick Ansselin</li> <li>3. Tony Owen</li> <li>4. David Davey</li> </ol>	<p><b>Woodbridge Hall Management Committee:</b></p> <ol style="list-style-type: none"> <li>1. Craig Meredith</li> <li>2. Jo Dixon</li> <li>3. Suzanne Edwards</li> <li>4. Graham Rae</li> <li>5. Penny Egan</li> </ol>
<p><b>Lunawanna Hall Management Committee:</b></p> <ol style="list-style-type: none"> <li>1. David Conley</li> <li>2. Kerry Marvell</li> <li>3. Rodney Hopwood</li> <li>4. Karen Maddern</li> <li>5. Victoria Bull</li> <li>6. William Hughes</li> </ol>	<p><b>North Bruny Community Centre Management Committee:</b></p> <ol style="list-style-type: none"> <li>1. Kristine Jones</li> <li>2. John Braakhus</li> <li>3. Kate Morton</li> <li>4. Geoff Bain</li> <li>5. Suzanne Gorring</li> <li>6. Garth Pope</li> <li>7. Walter Truesdale</li> </ol>

	8. Mick Way 9. Jan Richards
<b>Snug Hall Management Committee:</b> 1. Marcus Thalmann 2. Margaret Thalmann 3. Michael Christie 4. Laura Blake 5. Isaac Forster	<b>Lower Longley Hall Management Committee:</b> 1. Janet Symons 2. John Cox 3. Stephen Ward 4. Guy Greener 5. Sue Larson 6. Colleen Burdon 7. Susan Cooper 8. Andrew Pinner
<b>Taroona Community Hall Management Committee:</b> 1. Maureen Robinson 2. Lynn Romeo 3. Long Nguyen 4. Joanne Nash 5. Pamela Rowell 6. Gillian Paxton 7. Alex Terhell	

**CARRIED**

**C454/22-2022**

**16.6 FINANCIAL REPORT - OCTOBER 2022**

Moved: Cr David Bain  
 Seconded: Cr Gideon Cordover

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

**CARRIED**

**17 NOTICES OF MOTION**

There were no Notices of Motion.

C455/22-2022

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

Moved: Cr Flora Fox  
Seconded: Cr Amanda Midgley

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*

**Consideration of Amended Plans for Planning Application DA2021-548**

Regulation 15(2)(g), and (2)(i) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential, and relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council.*

**Acquisition of Land for Road Widening - Browns Road, Kingston**

Regulation 15(2)(f) *proposals for the council to acquire land or an interest in the land or for the disposal of land.*

**Kingborough Bowls Club - Loan**

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

**Taroona Bowls and Community Club - Loan**

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

**Tender Assessment - AB2218 Garnett Street**

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.*

**Tender Assessment - AB2219 Gemalla Road Stage 2 Reconstruction**

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.*

**Rates Delegated Authority**

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 7.55pm

**OPEN SESSION ADJOURNS**

**OPEN SESSION RESUMES**

Open Session of Council resumed at 9.35pm

**C456/22-2022**

Moved: Cr Flora Fox  
 Seconded: Cr Amanda Midgley

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

<b>Item</b>	<b>Decision</b>
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil
Consideration of Amended Plans for Planning Application DA2021-548	Consent order approved
Acquisition of Land for Road Widening - Browns Road, Kingston	Approved
Kingborough Bowls Club - Loan	Continuation of current arrangement approved
Taroona Bowls and Community Club - Loan	Continuation of current arrangement approved
Tender Assessment - AB2218 Garnett Street	Tender awarded to Statewide Earthworks Pty Ltd for \$480,967.00 excl GST
Tender Assessment - AB2219 Gemalla Road Stage 2 Reconstruction	Tender awarded to Duggans Pty Ltd for \$1,100,268.30 excl GST
Rates Delegated Authority	Noted

**CARRIED**

**CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 9.36pm

.....  
 (Confirmed)

.....  
 (Date)