



# COUNCIL MEETING AGENDA

NOTICE is hereby given that an Ordinary meeting of the Kingborough Council  
will be held in the Kingborough Civic Centre, 15 Channel Highway, Kingston on  
Monday, 17 July 2023 at 5.30pm

# 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**

# QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports contained in Council Meeting Agenda No. 14 to be held on Monday, 17 July 2023 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Gary Arnold  
GENERAL MANAGER

Tuesday, 11 July 2023

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## **GUIDELINES FOR PUBLIC QUESTIONS**

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

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

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

#### **Questions on Notice**

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

#### **Questions Without Notice**

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

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

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

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

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

AGENDA of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 17 July 2023 at 5.30pm

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**1 AUDIO RECORDING**

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

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**2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

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**3 ATTENDEES**

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**Councillors:**

Mayor Councillor P Wriedt  
Deputy Mayor Councillor C Glade-Wright  
Councillor A Antolli  
Councillor D Bain  
Councillor F Fox  
Councillor A Midgley  
Councillor M Richardson  
Councillor C Street

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**4 APOLOGIES**

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Councillor G Cordover  
Councillor K Deane

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**5 CONFIRMATION OF MINUTES**

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**RECOMMENDATION**

That the Minutes of the open session of the Council Meeting No. 13 held on 3 July 2023 be confirmed as a true record.

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**6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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Date	Topic	Detail
10 July	Local Government Review	Presentation and discussion on the Local Government Board Stage 2 Options Paper.

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**7 DECLARATIONS OF INTEREST**

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

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**8 TRANSFER OF AGENDA ITEMS**

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

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**9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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**10 QUESTIONS ON NOTICE FROM THE PUBLIC**

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At the time the Agenda was compiled there were no questions on notice from the Public.

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**11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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**12 QUESTIONS ON NOTICE FROM COUNCILLORS**

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At the time the Agenda was compiled there were no questions on notice from Councillors.

**OPEN SESSION ADJOURNS**

## PLANNING AUTHORITY IN SESSION

### 13 OFFICERS REPORTS TO PLANNING AUTHORITY

- 13.1 DAS 2023-3 :SUBDIVISION OF TWO EXISTING LOTS INTO TWO RESIDENTIAL LOTS AND ONE PUBLIC OPEN SPACE LOT AND ASSOCIATED INFRASTRUCTURE WORKS AT 1179 CHANNEL HIGHWAY, 'SIRIUS PARK RESERVE', SIRIUS DRIVE (CT 36996/107) AND CHANNEL HIGHWAY ROAD RESERVE, HUNTINGFIELD.**

**File Number:** DAS 2023-3  
**Author:** Timothy Donovan, Team Leader Statutory Planning  
**Authoriser:** Tasha Tyler-Moore, Manager Development Services

<b>Applicant:</b>	Pinnacle Drafting and Design
<b>Owner:</b>	Huntingfield Developments Pty Ltd; Kingborough Council
<b>Subject Site:</b>	1179 Channel Highway, 'Sirius Park Reserve', Sirius Drive (CT 36996/107) and Channel Highway road reserve, Huntingfield
<b>Proposal:</b>	Subdivision
<b>Planning Scheme:</b>	Kingborough Interim Planning Scheme 2015
<b>Zoning:</b>	General Residential; Open Space
<b>Codes:</b>	E5.0 Road and Railway Assets Code E7.0 Stormwater Management E9.0 Attenuation Code E13.0 Historic Heritage Code
<b>Use Class/Category:</b>	Subdivision
<b>Discretions:</b>	General Residential Zone CI.10.5.1 - Non-dwelling development - A1 CI.10.6.1 – Lot Design - A2 CI.10.6.3 – Ways and Public Open Space - A1 E9.0 Attenuation Code CI.E9.7.2 - Development for sensitive use in proximity to use with potential to cause environmental harm - A1 E13.0 Historic Heritage Code CI.E13.7.1 Demolition - A1 CI.E13.7.2 - Buildings and Works other than Demolition – A1, A2, A3. CI.E13.7.3 – Subdivision - A1
<b>Public Notification:</b>	Public advertising was undertaken between 10 June 2023 and 23 June 2023 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i>



<b>Representations:</b>	4 (3 against and 1 in support).
<b>Recommendation:</b>	Approval with conditions.

## 1. PROPOSAL

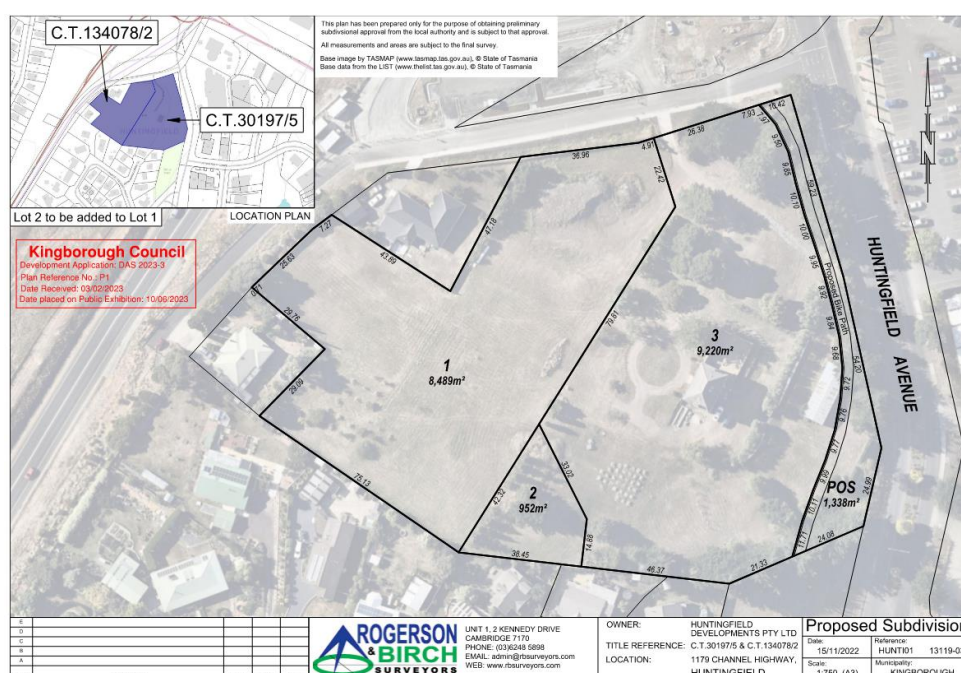
### 1.1 Description of Proposal

The application is for the subdivision of 1179 Channel Highway, Huntingfield by way of a boundary amendment between the two titles that comprise the site, being Lot 2 CT134078/2 and Lot 5 CT30197/5. The boundary amendment involves an area of 952m<sup>2</sup> (lot 2) being taken from Lot 5 and added to Lot 1. This is being done to facilitate a multiple dwelling application (DA 2023-36) on the proposed Lot 1. The multiple dwelling application is currently being assessed by Council. Note is made that while the proposed Plan of Subdivision indicates three proposed lots (1, 2 and 3), in addition to a Public Open Space Lot, Lot 2 will not be a separate lot and is to be consolidated with Lot 1.

Existing title reference	Existing land area	Proposed lot reference	Proposed total land area
Lot 2	8489m <sup>2</sup>	Lot 1	9455 m <sup>2</sup>
Lot 5	1.151ha	Lot 3	9228 m <sup>2</sup>

The proposal also includes a Public Open Space lot of 1,337 m<sup>2</sup> to be subdivided from the eastern area of Lot 5 along Huntingfield Avenue for the purpose of providing a future public bicycle path connection along Huntingfield Avenue to the Channel Highway Park and Ride facility. The location of the Public Open Space lot and future pathway will require the partial demolition of the existing outbuilding (the piggery).

The subdivision application also includes service infrastructure through the proposed lots to the Council land, 'Sirius Park Reserve', described as Lot 107 Sirius Drive, Huntingfield on CT36996/107.



**Figure 1 - Proposed Plan of Subdivision**

## 1.2 Description of Site

The subject site is described as No. 1179 Channel Highway and is comprised of two titles being Lot 2 CT134078/2 and Lot 5 CT30197/5. Lot 2 is vacant with two frontages to the Channel Highway to the north and west of the lot. It has an area of 8,503m<sup>2</sup>. While the site has frontage to the Channel Highway the access is obtained from a service road that runs past the northern boundary and the Huntingfield Park and Ride facility.

Lot 5 contains the historic "Huntingfield House", an outbuilding and associated landscaping and gardens. It has access to the Channel Highway service road and also has a frontage to Huntingfield Avenue. It has an area of 1.151ha.

The historic Huntingfield House is of State Heritage significance (Tasmanian Heritage Register THR ID Number 3624 - "Huntingfield") and dates from the early 1800's. It is a 3 storey stone Old Colonial Georgian House.

The development site also includes the Council land, 'Sirius Park Reserve', described as Lot 107 Sirius Drive, Huntingfield on CT36996/107.



**Figure 2 - Aerial photo of subject site**





**Figure 3 - Huntingfield House**



**Figure 4 - Huntingfield House**

### **1.3 Background**

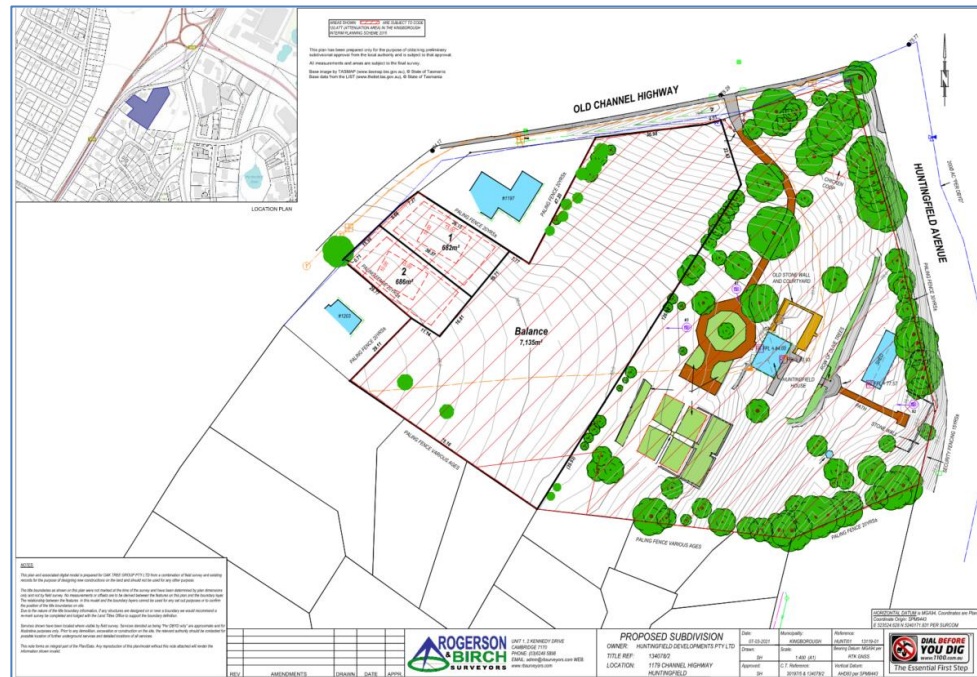
The original farm and land holding dates from the early 1800's. In relation to the current subdivision application the history of the site shows that, apart from some minor boundary amendments, the current title containing Huntingfield House was separated from the other lands that formed the original farm and land grants in 1822. In 1933 the House was subdivided from the balance of the farm and farm outbuildings. Based on the subdivision history the current title was formed in 1961.

The historic Huntingfield House is of State Heritage significance (Tasmanian Heritage Register THR ID Number 3624 - "Huntingfield"). It is a 3 storey stone Old Colonial Georgian House. The archaeological research has identified that any heritage fabric,

or likelihood of heritage fabric is solely within the State listed title that contains the heritage homestead.

DAS 2021-33

A subdivision application was lodged on 15/10/2021 for subdivision of two lots from Lot 2. There was no change to the title for Lot 5 containing Huntingfield House. A Further Information Requests was sent by Council in June 2022. This has not been responded to by the applicant and the application has not yet been determined.



**Figure 5 - Proposed plan of subdivision DAS 2021-33**

## 2. ASSESSMENT

## 2.1 State Policies and Act Objectives

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

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

## 2.2 Strategic Planning.

The relevant strategies associated with the Scheme are as follows:

### *Zone Purpose Statements of the General Residential Zone*

The relevant zone purpose statements of the Inner Residential Zone are to:

- |          |   |
|----------|---|
| 10.1.1.1 | To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided. |
| 10.1.1.2 | To provide for compatible non-residential uses that primarily serve the local community.  |

- 10.1.1.3 To provide for the efficient utilisation of services.
- 10.1.1.4 To implement the Regional Settlement Strategy and the Greater Hobart Residential Strategy.
- 10.1.1.5 To encourage residential development that respects the neighbourhood character, natural landscape and provides a high standard of residential amenity.
- 10.1.1.6 To encourage urban consolidation and greater housing choice through a range of housing types and residential densities.

*Clause 11.1.2 – Local Area Objectives and Desired Future Character Statements*

The Scheme details separate Local Area Objectives and Desired Future Character Statements for the main towns in the municipal area. The following Local Area Objectives and Desired Future Character Statements are relevant to the assessment of this application.

Local Area Objectives		Implementation Strategy	
(a)	Kingston will be primarily maintained as a residential area, with opportunities taken to protect natural features, improve local infrastructure and services when appropriate.	(a)	New development should ensure that residential amenity is optimised by maintaining the existing character of the area and providing quality infrastructure where appropriate.
Desired Future Character Statements		Implementation Strategy	
(a)	Kingston is to include a mix of housing types that provide for a range of choices and affordability options.	(a)	While traditional suburban areas are to be retained as appropriate, multi-unit housing is to be directed towards those areas that are relatively close to central Kingston or other significant business or commercial precincts.
(b)	The ageing population should be well accommodated within Kingston enabling residents to have easy access to relevant services.	(b)	Aged care facilities and associated housing and infrastructure are to be encouraged within appropriate areas.
(c)	The Kingston area is characterised by vegetated corridors and backdrops and this visual appearance should be protected.	(c)	The subdivision or development of land should be designed in a manner to protect or enhance vegetated corridors and backdrops.

The subdivision application also involves Council Land zoned Open Space being 'Sirius Park Reserve', described as Lot 107 Sirius Drive, Huntingfield on CT36996/107..

*Zone Purpose Statements of the Open Space Zone*

The relevant zone purpose statements of the Open Space Zone are to:

- 19.1.1.1 To provide land for open space purposes including for passive recreation and natural or landscape amenity.



- 19.1.1.2 To encourage open space networks that are linked through the provision of walking and cycle trails.

*Clause 19.1.2 – Local Area Objectives and Desired Future Character Statements*

There are no *Local Area Objectives and Desired Future Character Statements* for this Zone.

The proposal complies with the above-mentioned statements and objectives as the development will provide land for a mix of housing types that provide for a range of choices and affordability options, residents will have easy access to relevant services, and the visual appearance of the site and area is protected.

## 2.3 Statutory Planning

The use is categorised as Subdivision under the Planning Scheme and requires discretionary assessment in the Inner Residential Zone and the Open Space Zone.

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

## 2.4 Use and Development Standards

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

### General Residential Zone

#### Clause 10.5.1 – Non-dwelling development

<b>Acceptable Solution A1</b>
Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 10.4.2 A1 and A3; (b) 10.4.3 A1 (a) and (c); (c) 10.4.7 A1. (d) 10.4.2 A4 [Note – this standard requires assessment of the Application against Cl. 10.4.2 , A4 – Impact on trees: A4 No trees of high conservation value will be impacted.]
<b>Performance Criteria P1</b>
Non-dwelling development must comply with the related performance criteria as if it were a dwelling.
<b>Proposal</b>
There are numerous trees on and adjacent to the subject land. Almost all of these trees are introduced species and form part of the garden. Of these trees, amended plans and an arborist assessment submitted in response to a further information request confirm that the proposal requires the removal of nine (9) trees, including a cypress tree (Tree 46) a group of seven (7) macrocarpa trees (Trees G48), another single macrocarpa tree (Tree 48a). As these trees are introduced, they do not require assessment under clause 10.5.1/10.4.2. While there are additional trees which may require removal for the construction of a future bike path, this path and any associated tree removal is outside the scope of this application.

However, there is one very high conservation value tree (Tree 22) adjacent to the proposed access to Lot 1 and located in the Council road reserve. While this tree is proposed for retention, the construction of the cross over will result in major encroachment into the tree protection zone of this tree. Therefore, the subdivision works impact on a very high conservation value tree and require assessment against the performance criteria.

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

- An arborist assessment submitted with the application confirms that Tree 22 is feasible for retention subject to the cross over and driveway being constructed above grade.
- While there may be canopy conflict over the driveway, this can be managed through pruning by a suitably qualified arborist in accordance with AS4373-2007. As this tree is located on Council land, any pruning will require a permit under the Roads and Parking By-Law No. 4 of 2021.
- As the tree is being retained, no offset is required.

Conditions are recommended for inclusion in any permit issued, approving the proposed tree removal, requiring detailed engineering drawings demonstrate no additional tree removal is required, demonstrate the cross-over to Lot 1 will be constructed above the grade in accordance with arborist advice and include tree protection measures. A condition is also recommended requiring implementation of tree protection measures during construction.

### General Residential Zone

#### Clause 10.6.1 – Lot Design

##### Acceptable Solution A2

The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities:

- clear of the frontage, side and rear boundary setbacks;
- not subject to any codes in this planning scheme;
- clear of title restrictions such as easements and restrictive covenants;
- has an average slope of no more than 1 in 5;
- the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north;
- is 10m x 15m in size.
- no trees of high conservation value will be impacted.

##### Performance Criteria P2

The design of each lot must contain a building area able to satisfy all of the following:

- be reasonably capable of accommodating residential use and development;
- meets any applicable standards in codes in this planning scheme;
- enables future development to achieve maximum solar access, given the slope and aspect of the land;
- minimises the need for earth works, retaining walls, and fill and excavation associated with future development;
- provides for sufficient useable area on the lot for both of the following;

- |   |
|---|
| <ul style="list-style-type: none"> <li>(i) on-site parking and manoeuvring;</li> <li>(ii) adequate private open space.</li> </ul> |
| (f) avoids, minimises, mitigates and offsets impacts on trees of high conservation value.   |

<b>Proposal</b>
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The subdivision complies all parts of A2 except A2(b) as it is subject to Codes.
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The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The proposed lots are reasonably capable of accommodating residential use and development. Lot 1 is proposed to be developed for multiple dwellings and is subject to development application DA 2023-36 currently being assessed by Council. Lot 3 contains the existing historic Huntingfield House and has sufficient area to allow for future residential use and development in compliance with the relevant Zone and Heritage provisions at the time.
- The subdivision complies with the Acceptable Solutions and Performance Criteria for the relevant codes in the planning scheme, including the Road and Railway Access Code, Parking and Access Code, Stormwater Management Code, Attenuation Code, and the Historic Heritage Code.
- The large areas of the two proposed lots enables future development to achieve maximum solar access, given the slope and aspect of the land.
- The subdivision takes into account the topography of the site and minimises the need for earth works, retaining walls, and fill and excavation associated with future development.
- The proposed lots are of sufficient size and configuration to provide for sufficient useable area on the lots for on-site parking and manoeuvring, and adequate private open space.
- The subdivision has no impact on any trees of high conservation value.

### General Residential Zone

#### Clause 10.6.3 – Ways and Public Open Space

<b>Acceptable Solution A1</b>
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No Acceptable Solution.
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<b>Performance Criteria P1</b>
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The arrangement of ways and public open space within a subdivision must satisfy all of the following:
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- |  |
|--|
| <ul style="list-style-type: none"> <li>(a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;</li> <li>(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;</li> <li>(c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;</li> <li>(d) convenient access to local shops, community facilities, public open space and public transport routes is provided;</li> <li>(e) New ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;</li> </ul> |
|--|

- (f) provides for a legible movement network;
- (g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;
- (h) Public Open Space must be provided as land or cash in lieu, in accordance with the Kingborough Public Open Space Contribution Policy, Policy 6.3, May 2019.
- (i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:
  - (i) the width of the way;
  - (ii) the length of the way;
  - (iii) landscaping within the way;
  - (iv) lighting;
  - (v) provision of opportunities for 'loitering';
  - (vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).

### **Proposal**

There is No Acceptable Solution and the application requires assessment against the performance criteria.

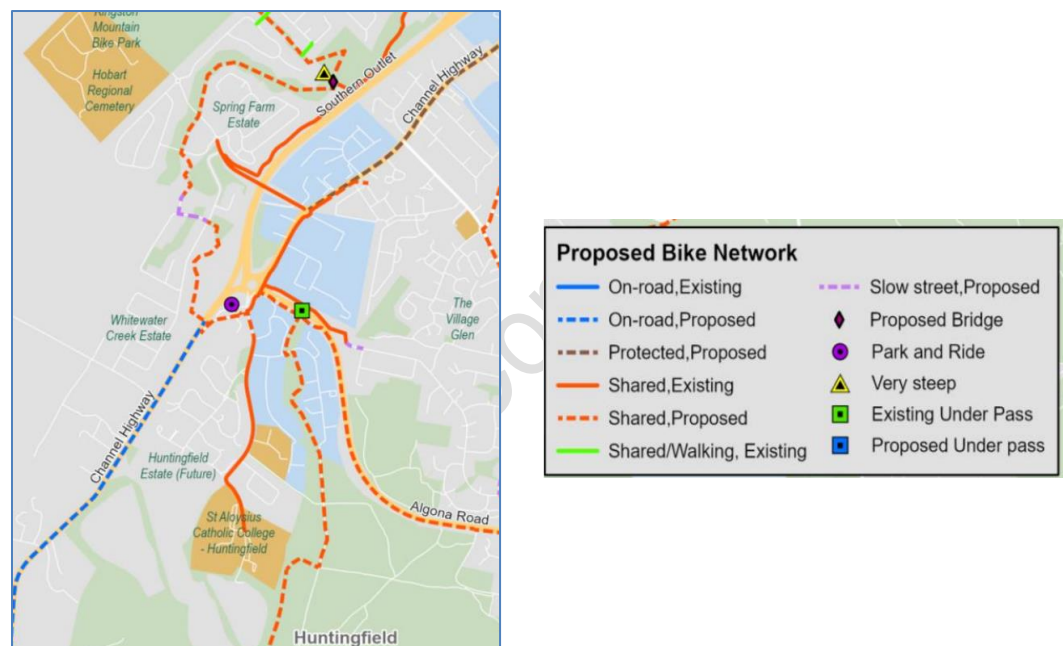
A Public Open Space lot of 1337m<sup>2</sup> is proposed to be provided for a future bicycle and footpath along the east boundary of the site adjacent to Huntingfield Avenue providing connection along Huntingfield Avenue to the Channel Highway Park and Ride facility. The area of the POS land represents 6.7% of the subdivision land area.

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

- The Public Open Space lot is designed and located to provide a future strategic connection for Councils public open space network and specifically a north-south connection from Huntingfield Avenue to the Channel Highway and the Park and Ride Facility that includes a bicycle facility. The applicant has consulted with relevant Council engineering and parks officers on the size and location of the proposed POS land.
- There are no existing adjoining ways adjacent to the development site except for the roadways and associated footpaths. However, Council has been actively working with the larger developments in the area, including Whitewater, Spring Farm and Hunting field estates, to develop a strategic connected system of public open space, pathways and connections in the area. The proposed public open space land will contribute to the overall open space system and also provide a safe connection from the existing Huntingfield estate off Huntingfield Avenue to the Park and Ride facility and the Channel Highway and the road system into Kingston beyond.
- The location and design of a bikeway/footpath on the open space land will be able to be designed so that adequate passive surveillance is provided from development on neighbouring land and public roads as appropriate.
- The bikeway/footpath will contribute to the provision of a legible movement network.
- The proposal is consistent with Councils Draft Kingborough Cycling Strategy 2021-2030. The areas adjacent to the subdivision site are identified in the Strategy in S.4. Action Plan and Implementation. Table 3 – Infrastructure Actions

as providing opportunities to address strategic objectives to create a safe cycling network, eliminate hazards for people cycling and the installation of amenities to support cycling. These Infrastructure Actions include:

- Action 18 - Algona Road - Investigate and advocate for a shared path on the southern side of Algona Road between Roslyn Avenue and Huntingfield.
- Action 20 - Huntingfield Park & Ride Connections - Construct shared path and safe crossings from existing shared paths to the Huntingfield Park & Ride.
- Action 23 - Huntingfield to Kingston CBD – Channel Hwy - Advocate and seek funding for protected cycling infrastructure along Channel Highway, between Huntingfield and Kingston.



**Figure 6 – Extract from Proposed Bike Network Kingston Map (Fig 13) Draft Kingborough Cycling Strategy 2021-2030)**

- The proposed POS is consistent with the Kingborough Public Open Space Contribution Policy, Policy 6.3, May 2019:
  - The Policy states in s.5.1 that Council will require a public open space contribution by way of either:
    - a maximum of 5% of the area of the land allocated as POS and transferred to Council ownership; or
    - a cash-in-lieu contribution that is calculated in accordance with s117(2) of the Local Government (Building and Miscellaneous Provisions Act 1993.
  - The proposed subdivision provides an opportunity to obtain land that meets the objectives of the Policy and the open space guidelines.
  - There is a demonstrable community benefit in the land being dedicated. The land dedication will assist on linking current and future pathways that



has a two-fold benefit of improving accessibility and providing an enhanced network for recreation walking and cycling.

- The land provides and improves connectivity for pedestrians and cyclists to existing and prospective open space areas and public destinations.
- The land is suitable for the intended public open space purpose.
- The land is not subject to unmanageable hazards and it can be sustainably managed.
- The location and configuration of the POS land has been considered with regard to the design of a future pedestrian way including minimising opportunities for entrapment or other criminal behaviour.

In conclusion the dedication of the land will contribute to public open space that enables high quality recreation outcomes that meet the needs of Kingsborough's growing population.

## **E9.0 ATTENUATION CODE**

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

<b>Acceptable Solution A1</b>
No acceptable solution
<b>Performance Criteria P1</b>
<p>Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following:</p> <p>(a) the nature of the use with potential to cause environmental harm; including:</p> <ul style="list-style-type: none"> <li>(i) operational characteristics;</li> <li>(ii) scale and intensity;</li> <li>(iii) degree of hazard or pollution that may emitted from the activity;</li> </ul> <p>(b) the degree of encroachment by the sensitive use into the Attenuation Area or the attenuation distance;</p> <p>(c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions</p>
<b>Proposal</b>
<p>There is no acceptable solution, and the application requires assessment against the performance criteria. The Attenuation Code describes the overlay as:</p> <p style="padding-left: 40px;">“Industrial Activity – Buffer Distance:100m – Noise odours, dust.”</p> <p>The application is supported by an Environmental Noise and Odour Assessment (Tarkarri Engineering dated 28 March 2022). The Planning Submission (Ireneinc and Smith Street Studio, dated Jan 2023) advises that the area within proximity of the site includes the bulky goods and development of the Mitre 10 Hardware store as well as a warehouse style building on the corner of Huntingfield Avenue and Patriarch Drive, containing Trimview Windows and Scene Change with the site designed with customer parking between these buildings and Huntingfield Avenue closest to the development site. Further from the site at 21 Patriarch Drive there is a metal fabrication business (Saunders &amp; Ward) and this activity is listed in Table E9.1 Attenuation Distances in the Code as one with potential to cause environmental impacts.</p>

The Environmental Noise and Odour Assessment confirms that there will be no impacts which would affect the development site and future residential development. The Assessment found that the metal fabrication activity was not audible during testing and monitoring and with traffic controlling the noise environment assessment of measured levels an assessment of the measured levels against the noise standards criteria was not relevant. The measurement and analysis of the logged environmental noise levels indicated that environmental nuisance or harm was not likely at 1179 Channel Highway from metal fabrication in the Light Industrial Zone. In relation to odours the Assessment found that odours from the metal fabrication were not detectable at the development site and the metal fabrication site and the use complied with the Environmental Policy (Schedule 3[2 0u] requirements. The conclusion of the Assessment was that environmental nuisance or harm from odorous emissions was unlikely to occur at 1179 Channel Highway from metal fabrication in the Light Industrial Zone.

Councils Environmental Health Officer advises that the proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The application is supported by the Environmental Noise and Odour Assessment. The conclusions of the Assessment are supported.
- There is no further encroachment into the Attenuation Area or the attenuation distance in relation to the proposed Huntingfield House site due to the subdivision. There is no further development of this lot indicated. In relation to proposed Lot 1 it is vacant and its proposed sized and configuration is similar to the existing title area (Lot 2 CT134078/2).
- No additional measures are required for the subdivision as there is no environmental nuisance or harm occurring as a result of the Attenuation Code overlay and the relevant activities on the nearby Light Industrial area.

### E13.0 HISTORIC HERITAGE CODE

#### Clause E13.7.1 Demolition

##### Acceptable Solution A1

No Acceptable Solution

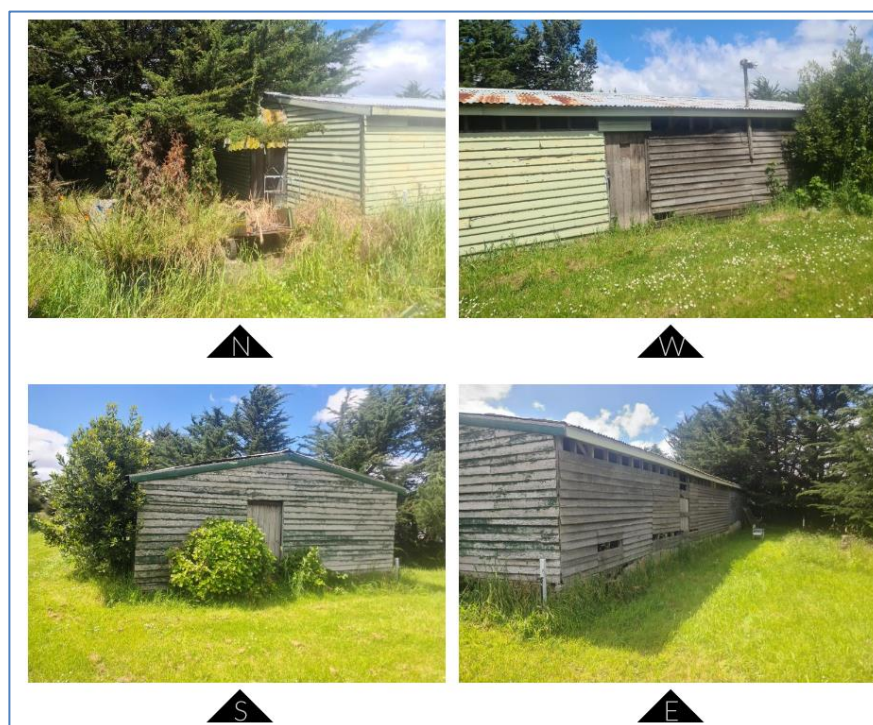
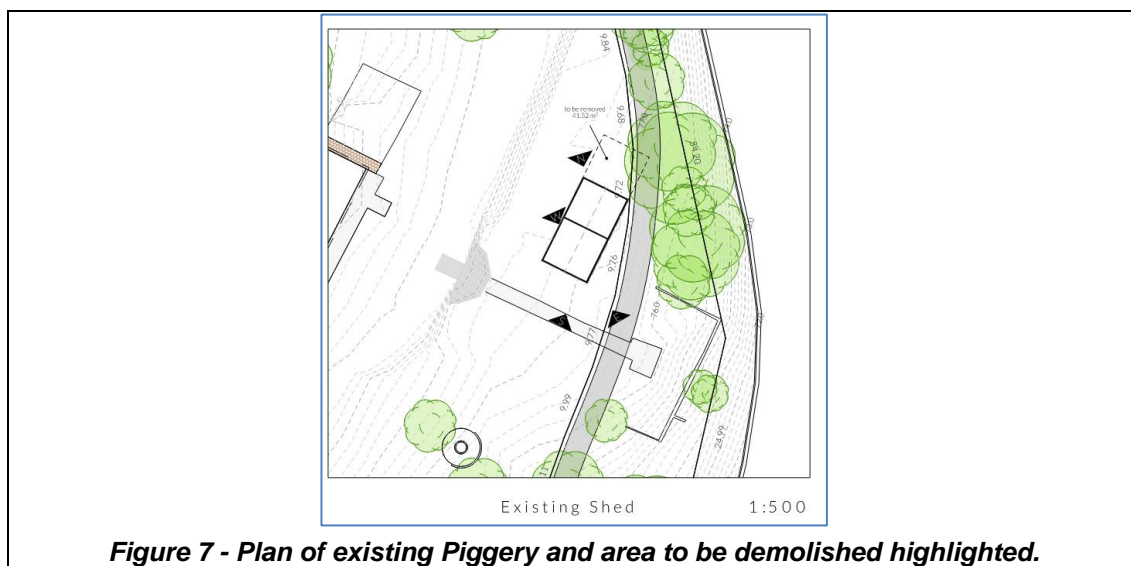
##### Performance Criteria P1

Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;

- there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;
- there are no prudent and feasible alternatives;
- important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;
- significant fabric is documented before demolition.

##### Proposal

No Acceptable Solution and requires assessment against the performance criteria. There is no demolition of any of the heritage fabric of the Heritage Place. A portion of the northern end of the piggery building will be demolished however this 1970's extension does not have heritage significance.



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

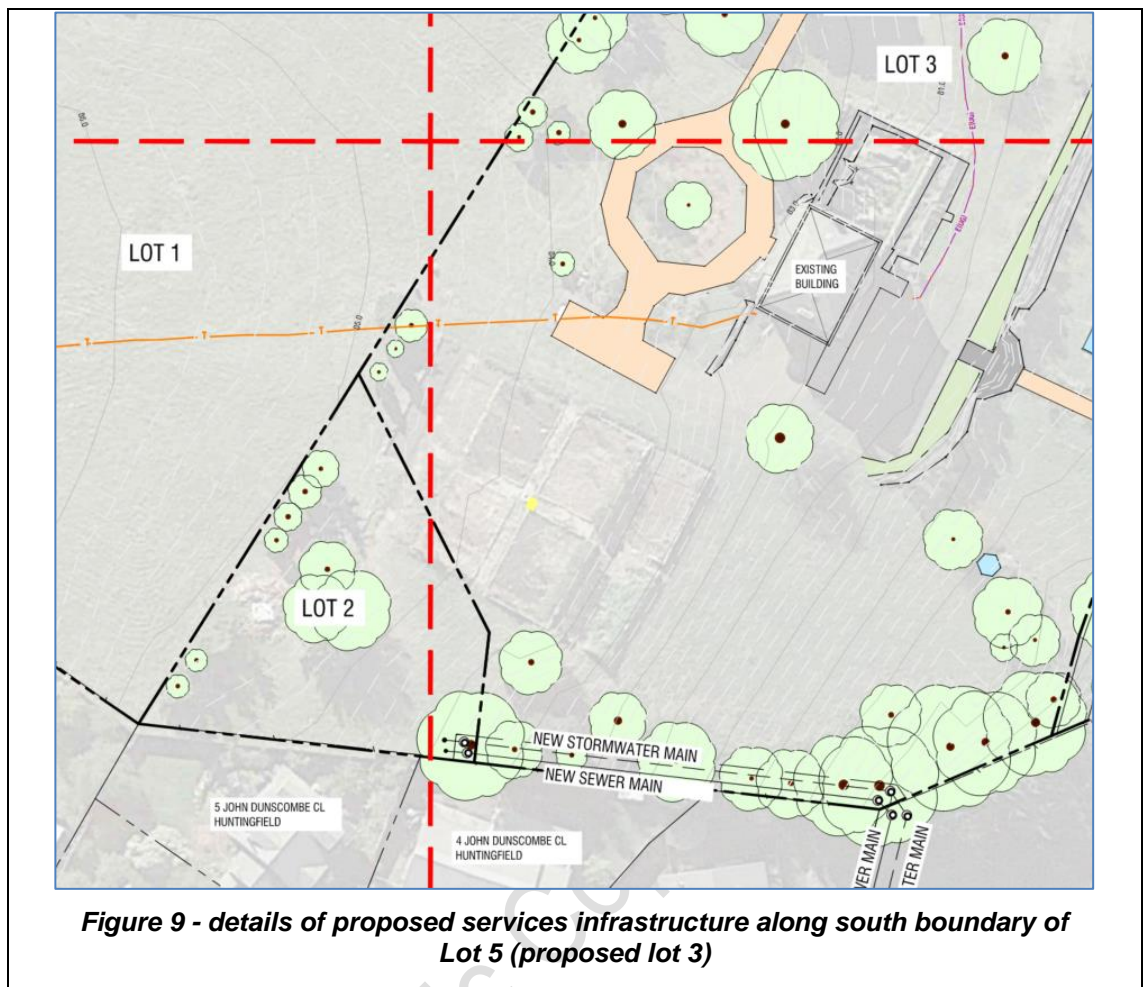
- The application is supported by a Heritage Impact Assessment (Graeme Corney, dated 27 Dec 2022) and a Conservation Management Plan (Graeme Corney, dated 11 Nov 2021).
- The demolition does not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place as only the 1970s addition to the building is to be demolished.

- The proposed demolition is occurring to facilitate the Public Open Space land dedication. There are social reasons of greater value to the community than the retention of the 1070's addition.
- The location of the Public Open Space land for a bicycle path has been considered with regard to the topography and site circumstances and is considered to be the optimal location. In this regard in order to provide the land for a bikeway there are no prudent and feasible alternatives.
- The important structural or façade elements of the building are being retained.
- The application was referred to Heritage Tasmania and on 29 June 2023, Heritage Tasmania issued Council with a Notice of Heritage Decision under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*, the Heritage Council. This Notice advised that Heritage Tasmania consents to the discretionary permit being granted in accordance with the documentation submitted with the Development Application.

### E13.0 HISTORIC HERITAGE CODE

#### E13.7.2 Buildings and Works other than Demolition

<b>Acceptable Solution A1</b>
No Acceptable Solution
<b>Performance Criteria P1</b>
<p>Development must not result in any of the following:</p> <p>(a) loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;</p> <p>(b) substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place</p>
<b>Proposal</b>
<p>The application proposes Infrastructure (sewer and stormwater) through existing lot 5 that contains the historic Huntingfield House. The infrastructure is located adjacent to the south boundary of the lot and is approx. 48m from Huntingfield House.</p> <p>There is also selective clearing of trees along this boundary in relation to the construction of the infrastructure.</p>



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

- The location of the proposed underground service infrastructure is such that it will not impact on the historic cultural heritage significance to the place.
- The proposed boundary adjustment and the public open space dedication will have no heritage impact as the existing boundaries have been altered some 10 or more times since the original 800 acre lot was created.
- There are no elements of historic cultural heritage significance of the place being impacted or removed and there is no impact through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place. The removal of the existing trees along the boundary will improve amenity on the adjoining lots as they currently block northern sun and overshadow these lots. None of that planting contributes to the significance of the place.
- The application was referred to Heritage Tasmania who have issued Council a Heritage Decision under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*. The Notice advises that the Heritage Tasmania consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application DAS 2023-3.

**E13.0 HISTORIC HERITAGE CODE****E13.7.2 Buildings and Works other than Demolition****Acceptable Solution A2**

No Acceptable Solution

**Performance Criteria P2**

Development must be designed to be subservient and complementary to the place through characteristics including:

- (a) scale and bulk, materials, built form and fenestration;
- (b) setback from frontage;
- (c) siting with respect to buildings, structures and listed elements;
- (d) using less dominant materials and colours.

**Proposal**

The subdivision involves works on the current site containing the historic Huntingfield House including infrastructure (sewer and stormwater) and access works.

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

- there are no new buildings associated with the subdivision and no works near Huntingfield House that will impact on its historic heritage values.
- There is no change to the front setback of Huntingfield House and its setting in the site.
- The siting of the underground infrastructure works along the south boundary is located approx.. 48 m from Huntingfield House and will therefore be subservient and complementary to the place.
- The application was referred to Heritage Tasmania who have issued Council a Heritage Decision under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*. The Notice advises that the Heritage Tasmania consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application DAS 2023-3.

**E13.0 HISTORIC HERITAGE CODE****E13.7.2 Buildings and Works other than Demolition****Acceptable Solution A3**

No Acceptable Solution

**Performance Criteria P3**

Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such.

**Proposal**

The subdivision involves works on the current site containing the historic Huntingfield House including infrastructure (sewer and stormwater) and access works.

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



- There are no new buildings associated with the subdivision and no works near Huntingfield House that will impact on its historic heritage values and therefore there is no impact on the dominant heritage characteristics of the place.
- The application was referred to Heritage Tasmania who have issued Council a Heritage Decision under section 39(6)(a) of the Historic Cultural Heritage Act 1995. The Notice advises that the Heritage Tasmania consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application DAS 2023-3.

### E13.0 HISTORIC HERITAGE CODE

#### Cl. E13.7.3 – Subdivision

##### Acceptable Solution A1

No Acceptable Solution

##### Performance Criteria P3

A proposed plan of subdivision must show that historic cultural heritage significance is adequately protected by complying with all of the following:

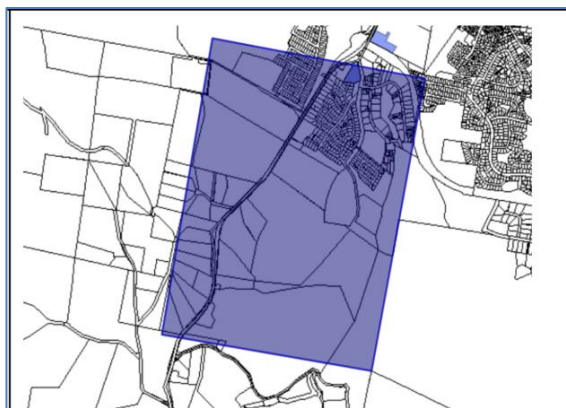
- (a) ensuring that sufficient curtilage and contributory heritage items (such as outbuildings or significant plantings) are retained as part of any title containing heritage values;
- (b) ensuring a sympathetic pattern of subdivision;
- (c) providing a lot size, pattern and configuration with building areas or other development controls that will prevent unsympathetic development on lots adjoining any titles containing heritage values, if required.

##### Proposal

The application involves the subdivision of 1179 Channel Highway, Huntingfield by way of a boundary amendment between the two titles that comprise the site. The boundary amendment involves an area of 952m<sup>2</sup> (Lot 2) being taken from Lot 5 and added to Lot 1. There is also a dedication of Public Open Space. In realtiop

The application is supported by a Heritage Impact Assessment (Graeme Corney 27 Dec 2022) and a Statement of Archaeological Potential (Praxis Environment Sept 2022). These reports advise that:

- In relation to the current subdivision application the history of the site shows that, apart from some minor boundary amendments, the current title containing Huntingfield House was separated from the other lands that formed the original farm and land grants in 1822. Based on the subdivision history the current title was formed in 1961.



**Figure 10 - Location of original land grant 1822.**

- The farm buildings and the dwelling have historically been considered separately based on the needs of the land with the prime example being the piggery building

and the dwelling being on separate titles for a period of time from the 1930s - 1970s. The Huntingfield House title was increased in size once again to become consistent with current day in the late 1980's.

- The proposed subdivision passes through the c.1970 end of the former piggery (the c.1970 section has no heritage values) and over parts of the sub-surface archaeological deposits of the former stable/barn. It is noted that the site is not listed for its archaeological values -which allows for an interpretation that (a) is still met. It is also noted that the intentions are to construct the footpath/bike path in a way which those archaeological deposits are protected. It is also noted that the Kingborough Council as the new owner of the subdivided strip will have full control over the protection of those archaeological deposits.
- The proposed pattern of subdivision, i.e. to create a narrow strip along the edge of the current boundary, is a sympathetic pattern of subdivision.
- The proposed subdivision is too narrow to allow any development other than the proposed bike/pedestrian path.

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

- The subdivision of the land as proposed for the public open space dedication and the boundary realignment will have no heritage impact.
- The subdivision layout is such that it is similar to the existing lot layout and there is no intensification of smaller residential lots. In this regard it a sympathetic pattern.
- The proposed two lots and the public open space lot are of a configuration that will contain building areas that can provide sympathetic development that respects heritage values.
- The application was referred to Heritage Tasmania who have issued Council a Heritage Decision under section 39(6)(a) of the Historic Cultural Heritage Act 1995. The Notice advises that the Heritage Tasmania consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application DAS 2023-3.

## 2.5 Public Consultation and Representations

### 2.5.1 Issue – Impacts on historic Huntingfield House

Huntingfield House is around 200 years old and was one of the first farms in Kingston. The site and the grounds of the house should be preserved as they give this rather unique house historical context. The planned excavation and landscaping in the grounds, and the removal of 24 mature trees will result in a loss of heritage value. All the old trees around the perimeter of the house site should be retained to separate the farmhouse from the urban surroundings.

#### Comment

The application has been assessed under the Historic heritage Code in the body of the report.

The application was also referred to Heritage Tasmania who have issued Council a Heritage Decision under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*. The Notice advises that the Heritage Tasmania consents to



the discretionary permit being granted in accordance with the documentation submitted with Development Application DAS 2023-3.

#### 2.5.2 Issue - Inadequate Infrastructure

Kingston is over developed at present with little infrastructure to meet the needs of its citizens including education and schools, and lack of medical services and public transport. An additional 30 families with the to the new Huntingfield developments and all other developments in Kingston in the last few years will increase issues.

The Objectives in the Zone are not meet as there are inadequate services and employment within in walking distance.

##### Comment

The land is zoned General Residential and Council is required to assess the application in accordance with the requirements in the Planning Scheme. The issue of infrastructure and services is noted however these matters are not requirements that can be assessed for the subdivision. They are relevant matters for local and state government to address at a strategic level and in the preparation of Planning Schemes and other similar strategic documents and in the designation of land uses.

#### 2.5.3 Issue – Impact from construction on adjacent property

With reference to the proposed stormwater and sewer pipe and manholes to be located on the boundary of 3 & 4 John Dunscombe Close, it is requested that a pre-construction dilapidation survey of the two houses be included in the planning conditions.

The submitters note that from experience digging on their properties that it's likely that rock and floaters will be encountered around 600mm below ground level. Hence some rock breaking is likely required to excavate the trench to the 1.1m pipe invert level shown on the pipe long sections. The concern is vibration causing damage to existing structures, including adjacent homes.

The submitter requests the inclusion of a condition for a dilapidation survey of 3 & 4 John Dunscombe Close properties to pick up any pre-existing damage prior to the proposed trenching and pipe laying being undertaken.

##### Comment

Council does not usually impose conditions in relation to adjacent properties if there is no development on them. The concern of the submitters is understood, however there is no condition that Council could impose that is considered to be "reasonable and relevant" based on the submitted design plans and the site circumstances. The contractors on the site undertaking work would be responsible to ensure construction is undertaken in accordance with the approved plans and in a safe manner in accordance with construction practices.

#### 2.5.4 Issue – Traffic

The traffic impact study cannot be relied upon as it was conducted in the school holidays, and it didn't take into account that the 3pm school traffic is the afternoon and also the daily peak. There are considerable delays for traffic leaving Huntingfield at the end of every school day.

Comment.

The Traffic Impact Assessment addresses the requirements for the Road and Railway Assets Code. Note is made that State Growth have supported the development and have reviewed the TIA in light of the manual traffic counts being done on a public holiday and advised that:

- there appears to be sufficient room on Huntingfield Avenue for a vehicle to pass a vehicle propped to turn right into the access road as the lane is approximately 5.5 metres. As such, the department is not concerned with the impacts of increased right turning vehicles into the access road on the operation of the Channel Highway / Algona Road / Huntingfield Roundabout.
- State Growth is currently undertaking the planning and design of the upgrade of the Channel Highway/Algona Road/Huntingfield Avenue Roundabout to a graded interchange. This is likely to alleviate issues related to queueing on Huntingfield Avenue and would likely offset any impacts from the development on the intersection of Huntingfield Avenue and the access road.
- State Growth notes that a new roundabout is currently being constructed to connect Huntingfield Avenue to the Channel Highway to the south of the proposed development. This will also likely improve the ability for vehicles to enter and exit the access by removing some through traffic past the access.

#### 2.5.5 Issue - Adjacent Park and Ride

The land is adjacent to the Park and Ride and it has significant strategic value. When the Skipper Lane and John Street car parks are developed there will inevitably be an increase in demand for the park and ride parks. This land is well situated to become an extension of the current park and ride.

Comment

The Council is required as the Planning Authority to assess applications in accordance with the Planning Scheme provisions. While a site may have a range of options for development the application is required to be assessed against the General Residential Zone and relevant Code standards. Council is unable to comment or be involved in other hypothetical options for the private land.

Submission in Support

There was 1 submission in support of the subdivision from the Bicycle Network who commend Council for the inclusion of the proposed public open space. The submission comments that the open space land could be used to build a sealed path that connects the footpath from Sirius Drive through to the Huntingfield Park and Ride. The current and proposed residents of Huntingfield currently have to cross over Huntingfield Avenue to get to a path and then have to cross over again a minute later to access the Park and Ride without dedicated pedestrian crossings at either point. Council should be making it as easy as possible to get to the Park and Ride, not putting up hurdles for people wanting to walk, ride or scoot to get there.

## 2.6 Other Matters

### Heritage Tasmania

The application was referred to Heritage Tasmania as the development included a place on the Tasmanian Heritage Register being THR ID Number 3624 - "Huntingfield". The application was referred to Heritage Tasmania pursuant to s.36-"Permit application to be sent to and considered by the Tasmanian Heritage Council" of the *Historic Heritage Act 1995*.

Heritage Tasmania issued a Notice of Interest and a Request for Additional Information to Council dated 22/03/2023 under s.36(3)(b) and s. 36(4) of the *Historic Heritage Act 1995*. Following the provision of additional information by the applicant Heritage Tasmania advised Council on the 1 June 2023 that their THC's additional information request has been satisfied and that the application could now proceed to be advertised under the *Land Use Planning and Approvals Act 1993*.

On the 29 June 2023 Heritage Tasmania issued Council with a Notice of Heritage Decision under section 39(6)(a) of the *Historic Cultural Heritage Act 1995*. This Notice advised that Heritage Tasmania consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application DAS 2023-3. They have provided advice to the applicant and this will be included with the permit.

### Advice

The applicant should note that all of the areas affected by the subdivision will remain entered in the Tasmanian Heritage Register as part of the original entry for the site, and that heritage works to the new lots shall require heritage approval pursuant to Part 6 of the *Historic Cultural Heritage Act 1995*. The applicant/owner may request a review and amendment to the place's entry in the THR once the new property title/s are sealed.

### State Growth

The application was referred to State Growth who have advised Council that are supportive of the development. In summary State Growth comment that:

- The park and ride facility is currently operating at 50 per cent capacity. It is expected that park and ride usage will increase in the future when the Southern Outlet transit lane is under construction and if future parking strategies by Council reduce the amount of free all-day public parking in the area and Kingston.
- The park and ride facility has a capacity of 181 vehicles and has on average six buses arriving per hour during morning and afternoon peak periods. Note buses have an alternative dedicated exit from the facility.
- State Growth notes that there appears to be sufficient room on Huntingfield Avenue for a vehicle to pass a vehicle propped to turn right into the access road as the lane is approximately 5.5 metres. As such, the department is not concerned with the impacts of increased right turning vehicles into the access road on the operation of the Channel Highway/Algona Road/Huntingfield Roundabout.
- State Growth is currently undertaking the planning and design the upgrade of the Channel Highway/Algona Road/Huntingfield Avenue Roundabout to a graded interchange. This is likely to alleviate issues related to queueing on Huntingfield

Avenue and would likely offset any impacts from the development on the intersection of Huntingfield Avenue and the access road.

- State Growth notes that a new roundabout is currently being constructed to connect Huntingfield Avenue to the Channel Highway to the south of the proposed development. This will also likely improve the ability for vehicles to enter and exit the access by removing some through traffic past the access.
- The site is well serviced by the existing public transport network via the Huntingfield Park and Ride facility, which is adjacent to the development.

#### TasWater

The application was referred to TasWater. A Submission to Public Authority with TasWater conditions (TWDA 2023/00201-KIN dated 6/06/2023) has been provided to Council and is attached to the Permit Conditions.

#### TasNetworks

The application was referred to TasNetworks who have advised that based on the information provided, the development is not likely to adversely affect TasNetworks' operations. The standard arrangements will apply for connection to the electricity network. It is advised that the developer makes contact with the TasNetworks Early Engagement Team and advice on this this is included in the Permit.

#### Best Practice Hygiene Measures

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

#### Existing Trees

The Conservation Management Plan for the site identifies plantings of heritage significance which should be retained and conserved. These plantings include:

- (a) the Evergreen Oak
- (b) the Cherry Plum
- (c) the Peppercorn
- (d) the Bunya

The trees identified in the Conservation Management Plan are not proposed for removal. Note is made that Heritage Tasmania has provided advice to the applicant that all of the areas affected by the subdivision will remain entered in the Tasmanian Heritage Register as part of the original entry for the site, and that heritage works to the new lots shall require heritage approval pursuant to Part 6 of the Historic Cultural Heritage Act 1995. As the trees are not proposed to be removed the subdivision is considered to be consistent with the Conservation Management Plan.

### **3. CONCLUSION**

The application has been assessed against the development standards for the General Residential and Public Open Space Zones and relevant Codes in the Kingborough Interim Planning Scheme. The application also involves a Place of State Heritage significance (Tasmanian Heritage Register THR ID Number 3624 - "Huntingfield") and has been referred

to Heritage Tasmania under the *Historic Heritage Act 1995*. The subdivision application complies with the Acceptable Solutions and Performance Criteria in the Planning Schema and Heritage Tasmania have provided a Notice of Heritage Decision consenting to the subdivision. The application is recommended for approval with conditions.

#### 4. RECOMMENDATION

That the subdivision of two existing lots into two residential lots and one public open space lot and associated infrastructure works at 1179 Channel Highway, 'Sirius Park Reserve', Sirius Drive (CT 36996/107) and Channel Highway road reserve, Huntingfield 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. DAS 2023-3 and Council Plan Reference No. P1 submitted on 3/02/2023, Council Plan Reference No. P3 submitted on 5/06/2023, and Council Plan Reference No. P4 submitted on 8/06/2023.

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 commencement of on-site works, engineering design drawings for the public stormwater and sewer infrastructure 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 Manager Development Services and comply with:

- Tasmanian Standard Drawings and Australian Standards
- Australian Rainfall and Runoff Guidelines

The Plans must include, but are not limited to:

- (a) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
  - (i) Longitudinal section details
  - (ii) The reticulated stormwater system sized to accommodate at least the estimated 5% AEP flow based on a future fully-developed catchment.
- (b) A Tree Plan which:
  - (i) identifies the location, diameter at chest height and species of all trees with a DBH >25cm within and directly adjacent to the subdivision works, including access and footpath construction, services and utilities;
  - (ii) specifies which trees are to be removed and which can be retained during subdivision works, consistent with Council Plan Reference P4, received on 8 June 2023;
  - (iii) confirms that the works within the tree protection zone of Tree 22 are limited to the cross-over and footpath and demonstrates the cross-over and footpath will be constructed above the present grade with no/minimal excavation and compaction using a 3 dimensional cellular confinement system filled with gap graded aggregate and sealed with asphalt. Alternatively confirm a "no fines" concrete as the finished surface;

- (iv) identifies mitigation and protection measures to be implemented to minimise the impacts of the development on the health of trees to be retained and avoid their loss within the scope of the approved development, including the location and specifications for tree protection fencing required under Condition X and consistent with Section 6.2 Tree Protection in the Arboricultural Impact Assessment and Tree Protection Specification (Philip Jackson, May 2023);
- (v) is in accordance with Australian Standard 4970-2009 for the protection of trees on development sites; and
- (vi) is to the satisfaction of the Manager Development Services.

Once endorsed the plans will form part of the permit.

3. A Council fee of 2% of the estimated value of the civil engineering construction works (including GST, provisional items and contingencies) for the development or the current minimum fee, whichever is the greater, must be paid at the time of submission of the engineering design plans for approval. The actual amounts payable shall be based on the rates adopted by Council and prevailing at the time of payment.
4. Prior to the commencement of on-site works, including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, an 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department.

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

A copy of the application form is available on Council's website.

5. No more than nine (9) trees numbered Tree 46, Trees G48 and Tree 48a, and as shown in Council Plan Reference P4 (8 June 2023) and the Arboricultural Impact Assessment and Tree Protection Specification (Philip Jackson, May 2023), are approved for removal for the purposes of this development.

These trees must be removed in accordance with Section 6.2 Tree Removal in the Arboricultural Impact Assessment and Tree Protection Specification (Philip Jackson, May 2023).

These trees must not be removed prior to endorsement of engineering drawings required under Condition 2.

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.

6. Prior to the commencement of on-site works (excluding tree removal approved under Condition 5 but including demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), all individual trees identified for retention in Council Plan Reference No. P4 received on 8 June 2023, must be appropriately protected during and after construction. This includes, but is not limited to implementation of the following tree and vegetation protection measures in accordance with Section 6.0 and Appendix 1 of the Arboricultural Impact Assessment and Tree Protection Specification (Philip Jackson, May 2023):
  - (a) Appointing a Project Arborist;



- (b) Installing and maintaining tree protection fencing around the recommended tree protection zones consistent with the Tree Protection Plan in Appendix 1 and in accordance with the advice of the Project Arborist; and
- (c) Excluding the following activities from within the fenced tree protection areas during construction:
  - (i) excavations and trenching (with exception of approved works);
  - (ii) ripping or cultivation of soil;
  - (iii) mechanical removal of vegetation;
  - (iv) soil disturbance or movement of natural rock;
  - (v) soil level changes including the placement of fill material
  - (vi) movement and storage of plant, equipment & vehicles;
  - (vii) erection of site sheds;
  - (viii) affixing of signage or hoardings to trees;
  - (ix) storage of building materials, waste and waste receptacles;
  - (x) disposal of waste materials and chemicals including paint, solvents, cement slurry, fuel, oil and other toxic liquids;
  - (xi) other physical damage to the trunk or root system; and
  - (xii) any other activity likely to cause damage to the tree.

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

In addition, the following vegetation protection measures must be adhered to following construction for all individual trees identified for retention, but outside the footprint of the approved works:

- (i) the existing soil level must not be altered (including the disposal of fill, placement of materials or the scalping of the soil);
  - (ii) the areas must be free from the storage of fill, contaminants or other materials;
  - (iii) machinery and vehicles are not permitted access; and
  - (iv) development and associated works are not permitted unless otherwise approved by Council in writing.
7. 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.

8. At practical completion and the satisfactory completion of all mandatory audit inspections for each approved stage of the subdivision works the supervising engineer must:
  - (a) Request a joint on-site practical completion inspection with the Council's authorised representative;
  - (b) Submit 'As Constructed' drawings in accordance with Council's Survey Brief, certified as correct by a registered land surveyor in accordance with Council's Survey requirements for subdivisions, developments and capital works projects;
  - (c) Provide CCTV inspection and report (by Council approved contractor) of any new public stormwater infrastructure to be taken over by Council.
9. The applicant must lodge a maintenance bond and bank guarantee of 10% of the total contract sum including GST to cover the satisfactory rectification of all defects and defective works during the statutory 52 weeks maintenance period prior to the issue of Certificate of Practical Completion for each approved stage of the subdivision.
10. All works associated with each approved stage of the subdivision must be completed to the satisfaction of the Executive Manager – Engineering Services prior to the sealing of the Final Plan of Survey by Council for the respective stage. Quality assured contractors may lodge a notice of intent to Council requesting assessment and approval that security be accepted to cover the completion of any outstanding works to enable the sealing of the Final Plan of Survey. The assessment must be in accordance with Council's policy at the time, is subject to an onsite inspection and report by Council's officers.
11. A covenant must be included on the title to Lot 1 to the effect that the lot is designated for multiple dwellings only.
12. All Public Open Space areas are to be shown as lots on the Final Plan and endorsed as "Public Open Space" or, in the case of paths, horse riding trails and the like, are to be endorsed as "Footway", "Horse-way" or other suitably described "Way". In accordance with Section 83(1)(a) of the Local Government (Building and Miscellaneous Provisions) Act 1993, these areas are to be sold to Council for a nominal consideration. The Final Plan submitted for sealing by the Council is to be accompanied by a signed transfer in respect of these areas and, where applicable, a partial discharge of mortgage, together with the payment of applicable Land Titles Office lodgement fees and payment of Stamp Duty.
13. Proposed Lot 2 is to be consolidated with proposed Lot 1 in the Final Plan of Survey.
14. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

#### ADVICE

- A. A Final Plan of Survey must be submitted to Council for sealing, together with a Schedule of Easements, a copy of the survey notes, and a copy of the balance plan (where applicable). Payment of Council's fee for sealing the Final Plan of Survey and Schedule of Easements must be made upon submission of plans.
- B. 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.

- 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. Council advises that Heritage Tasmania have issued Council with a Notice of Heritage Decision under section 39(6)(a) of the Historic Cultural Heritage Act 1995. This Notice advised that Heritage Tasmania consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application DAS 2023-3.

Heritage Tasmania have provided the following advice:

The applicant should note that all of the areas affected by the subdivision will remain entered in the Tasmanian Heritage Register as part of the original entry for the site, and that heritage works to the new lots shall require heritage approval pursuant to Part 6 of the Historic Cultural Heritage Act 1995. The applicant/owner may request a review and amendment to the place's entry in the THR once the new property title/s are sealed.

- E. The Developer should not allocate any property address numbers for the proposed lots.

New property addresses have been allocated as follows:

Lot No.	Allocated Property Address
1	1185 Channel Highway, Huntingfield
3	1179 Channel Highway, Huntingfield

- F. TasNetworks advise that the standard arrangements will apply for connection to the electricity network. For further information, please refer to TasNetworks website:

[New electricity connections - TasNetworks.](#)

It is advised that the developer makes contact with the TasNetworks Early Engagement Team via email: [Early.Engagement@tasnetworks.com.au](mailto:Early.Engagement@tasnetworks.com.au) or call 1300 137 008, to discuss new electricity connections for each of the proposed lots.

## ATTACHMENTS

1. Subdivision Plans
2. Assessment Checklist
3. TasWater Submission to Planning Authority

## PROPOSED SUBDIVISION

## 1179 CHANNEL HIGHWAY, HUNTINGFIELD

## FOR HUNTINGFIELD DEVELOPMENTS

DRAWING No.	DRAWING TITLE
H21042-G01	LOCALITY PLAN & DRAWING INDEX
H21042-G02	OVERALL SITE PLAN
H21042-C01	DRIVEWAY & DRAINAGE PLAN - SHEET 1 OF 4
H21042-C02	DRIVEWAY & DRAINAGE PLAN - SHEET 2 OF 4
H21042-C03	DRIVEWAY & DRAINAGE PLAN - SHEET 3 OF 4
H21042-C04	DRIVEWAY & DRAINAGE PLAN - SHEET 4 OF 4
H21042-S01	SEWER & WATER SUPPLY PLAN - SHEET 1 OF 3
H21042-S02	SEWER & WATER SUPPLY PLAN - SHEET 2 OF 3
H21042-S03	SEWER & WATER SUPPLY PLAN - SHEET 3 OF 3
H21042-L01	SEWER LONGITUDINAL SECTIONS
H21042-L02	STORMWATER LONGITUDINAL SECTIONS
H21042-H01	HYDRANT COVERAGE PLAN
H21042-V01	TREE REMOVAL PLAN

## STANDARD ROADWORKS DRAWINGS

## THE FOLLOWING STANDARD DRGS APPLY TO THIS PROJECT

TSD-G01-v3	TRENCH REINSTATEMENT
TSD-R09-v3	URBAN ROADS DRIVEWAYS
TSD-R11-v3	URBAN ROADS FOOTPATHS
TSD-R14-v3	CONCRETE KERBS AND CHANNELS DIMENSION
TSD-R16-v3	CONCRETE KERBS AND CHANNELS VEHICULAR CROSSINGS
TSD-SW25-v3	STORMWATER PROPERTY CONNECTIONS TO MAINS
TSD-SW28-v3	GUIDELINES FOR SEDIMENT CONTROL
TSD-SW29-v3	KERB CONNECTION



LOCALITY PLAN

## Kingborough Council

Development Application: DAS-2023-3

Plan Reference No.: P4

Date Received: 08/06/2023

Date placed on Public Exhibition: 10/06/2023

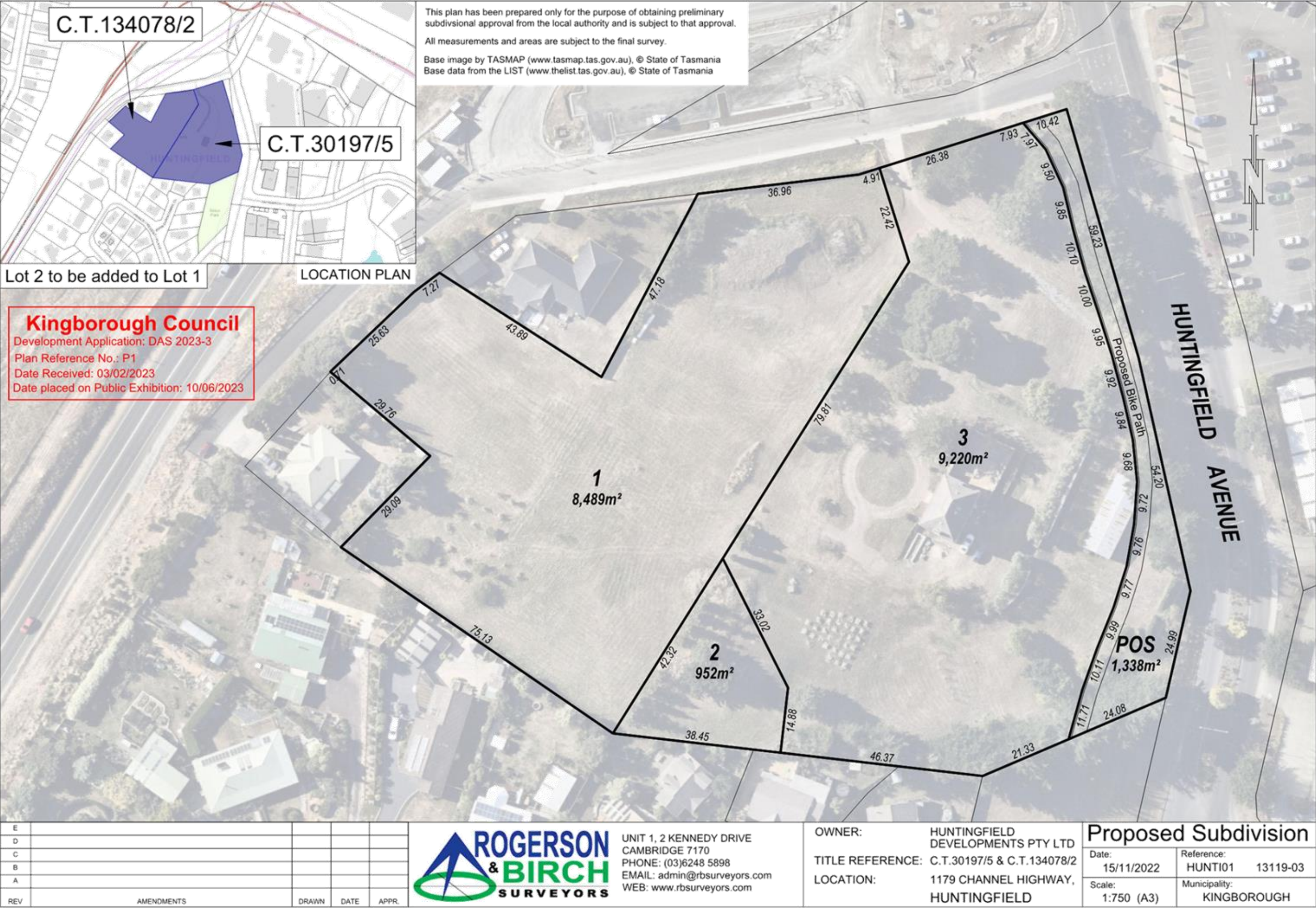
## NOTES

## GENERAL

- G1 ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH CLARENCE COUNCIL REQUIREMENTS AND CURRENT LGAT STANDARD DRAWINGS DATED 03/12/2020.
- G2 THE CONTRACTOR SHALL LIAISE WITH ALL RELEVANT AUTHORITIES TO LOCATE ALL EXISTING SERVICES WITHIN THE CONTRACT AREA PRIOR TO THE COMMENCEMENT OF WORK. EXISTING SERVICE LOCATIONS SHOWN ON THIS DRAWING ARE ASSUMED FROM SURFACE FEATURES AND INFORMATION SUPPLIED BY THE RELEVANT AUTHORITIES. NO GUARANTEE IS GIVEN THAT THE INFORMATION IS CORRECT OR COMPLETE.
- G3 THE CONTRACTOR IS RESPONSIBLE FOR UNDERTAKING ALL MEASURES NECESSARY TO PROTECT AND MAINTAIN EXISTING SERVICES AT ALL TIMES.
- G4 SOIL AND WATER MANAGEMENT IS TO COMPLY WITH BEST PRACTICE TO PREVENT ANY TRANSFER OF SOIL MATERIAL OUTSIDE OF THE AREA SPECIFICALLY AND NECESSARILY DISTURBED FOR CONSTRUCTION OF THE SUBDIVISION.
- G5 SOIL MATERIAL IS NOT TO BE TRACKED ONTO EXISTING ROADS AND FOOTPATHS.
- G6 ALL OPENINGS TO EXISTING STORMWATER LINES ARE TO REMAIN SEALED UNTIL IT IS NECESSARY TO CONNECT NEW WORK. OPENINGS WHICH HAVE TO BE LEFT OPEN ARE TO BE PROTECTED FROM INFILTRATION IN ACCORDANCE WITH "GUIDELINES FOR SEDIMENT CONTROL - TSD-SW28-v3".
- G7 NO SEDIMENT IS TO BE ALLOWED TO WASH ONTO ADJACENT PROPERTY - PREVENTION METHODS AS REQUIRED BY THE SUPERINTENDENT ON SITE.
- G8 EXISTING TREES AND VEGETATION OUTSIDE OF THE ROAD RESERVES SHALL NOT BE DISTURBED, UNLESS NOTED OTHERWISE ON THE PLAN, WITHOUT THE APPROVAL OF THE SUPERINTENDENT.
- G9 THE CONTRACTOR SHALL ESTABLISH ALL LEVELS FROM THE REFERENCE MARKS SHOWN ON THIS DRAWING OR AS PROVIDED BY THE PROJECT SURVEYOR.
- G10 ALL SERVICES WITHIN THE ROAD RESERVATION ARE TO BE LOCATED IN ACCORDANCE WITH STANDARD DRAWING TSD-G02.v3.
- G11 EASEMENTS ARE TO BE PROVIDED OVER ALL LINES WITHIN LOTS. PIPES RUNNING PARALLEL TO PROPERTY BOUNDARY WILL TYPICALLY BE 2.0m WIDE OVER SINGLE PIPES AND 3.0m WIDE OVER DUAL PIPES, UNLESS SHOWN OTHERWISE ON THE PLANS. FOR VARIABLE WIDTH EASEMENTS MAINTAIN MIN. 1.0m CLEARANCE FROM PIPE CENTRELINE TO EASEMENT BOUNDARY. THE CONTRACTOR IS TO ENSURE ALL PIPELINES, DRAINAGE PITS AND MANHOLES ARE CONTAINED WHOLLY WITHIN THE EASEMENT.
- ROADS AND STORMWATER DRAINAGE**
- R1 ALL CONSTRUCTION SHALL TRANSITION SMOOTHLY TO EXISTING WORKS.
- R2 STORMWATER LINES WITHIN PROPERTIES ARE OFFSET 1.0m FROM THE BOUNDARY LINE TO THE PIPE CENTRELINE, UNLESS NOTED OTHERWISE.
- R3 PROVIDE DN150 STORMWATER LOT CONNECTIONS FOR EACH LOT TO STORMWATER MAINS AS INDICATED ON THE PLAN. CONNECTIONS TO BE INSTALLED IN ACCORDANCE WITH TSD-SW25-v3.
- R4 PROVIDE REINFORCED CONCRETE DRIVEWAYS TO ALL LOTS AS INDICATED ON THE PLANS IN ACCORDANCE WITH TSD-R09-v3.
- R5 PIPE INSTALLATION IS TO BE IN ACCORDANCE WITH TSD-G01.v3.
- R6 STORMWATER DRAINAGE STRUCTURES ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING STANDARD DRAWINGS, AS APPLICABLE:  
MANHOLE (MH) TSD-SW02-v3, TSD-SW03-v3  
SIDE ENTRY PIT (SEP) TSD-SW12-v3 (TYPE 5)
- R7 ALL MANHOLES IN TRAFFICABLE LOCATIONS ARE TO BE PROVIDED WITH A HEAVY DUTY GATIC TYPE LID & RING IN ACCORDANCE WITH TSD-SW02-v3
- R8 ALL TRENCHES IN TRAFFICABLE AREAS TO BE BACKFILLED WITH FCR TO FINISHED PAVEMENT LEVEL IN ACCORDANCE WITH TSD-G01.v3.

No.	Revision	Date	COPYRIGHT:	Henry design consulting	DESIGNED	DRAWN	CLIENT	DRAWING TITLE	DRG NO.	REV
A	PRELIMINARY ISSUE	JAN 2022	This document is and shall remain the property of Henry Design & Consulting.	ABN 91115988724 ACN 115998724	PAH	PAH	HUNTINGFIELD DEVELOPMENTS	HUNTINGFIELD DEVELOPMENT 1179 CHANNEL HIGHWAY, HUNTINGFIELD	H21042-G01	C
B	GENERAL REVISION	MARCH 2022	The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission.	Unit 1/2 Kennedy Drive Cambridge 7170 TAS Ph (03) 6246 5195	CHECKED	APPROVED	PROJECT 1179 CHANNEL HIGHWAY, HUNTINGFIELD	LOCALITY PLAN & DRAWING INDEX	SHEET OF	A1
C	GENERAL REVISION	JUNE 2023	Unauthorised use of this document is prohibited.		SCALE: NTS		DATE: SEPT 2021			
							CAD FILE NO: HUNTINGFIELD06			

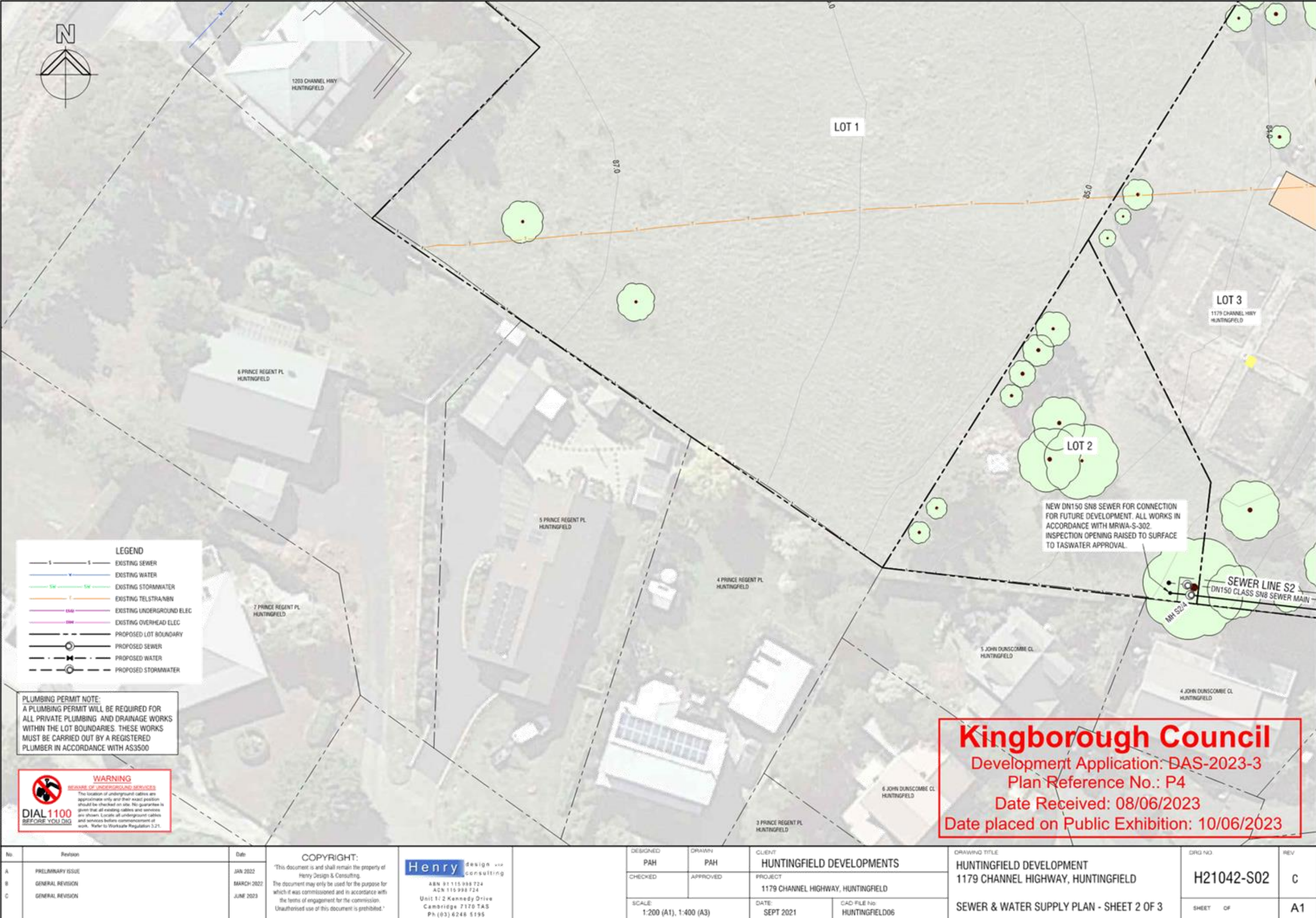




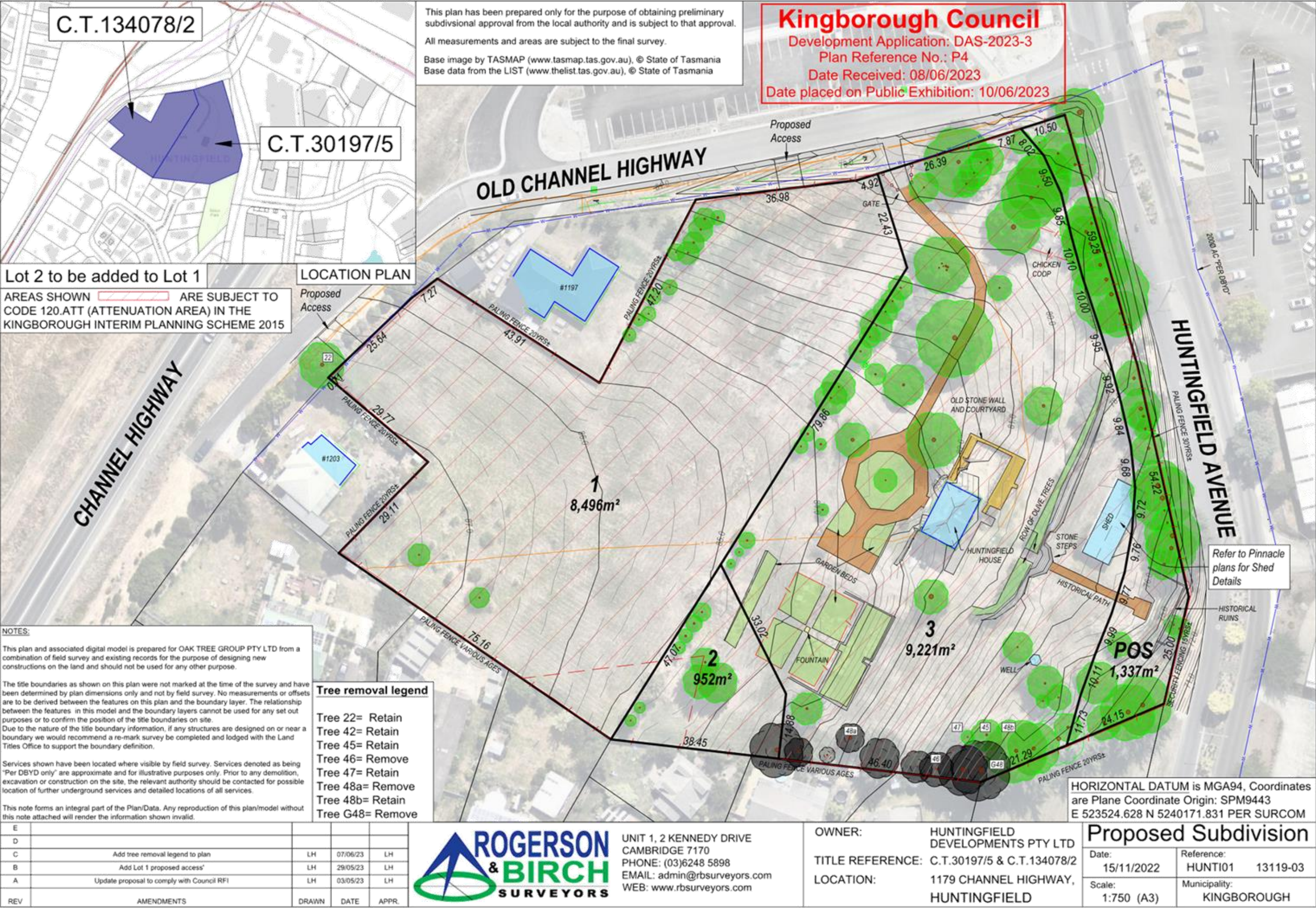




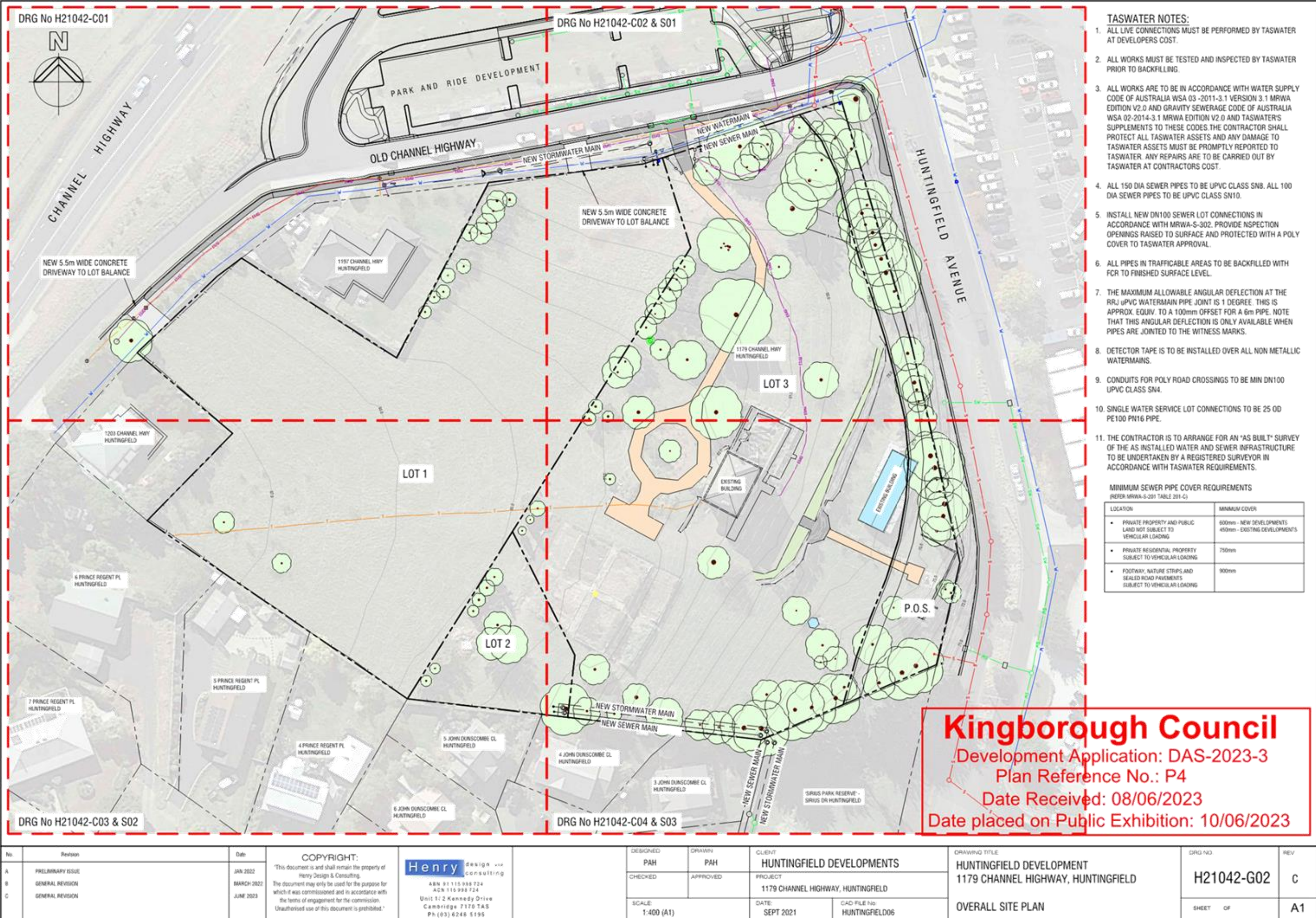




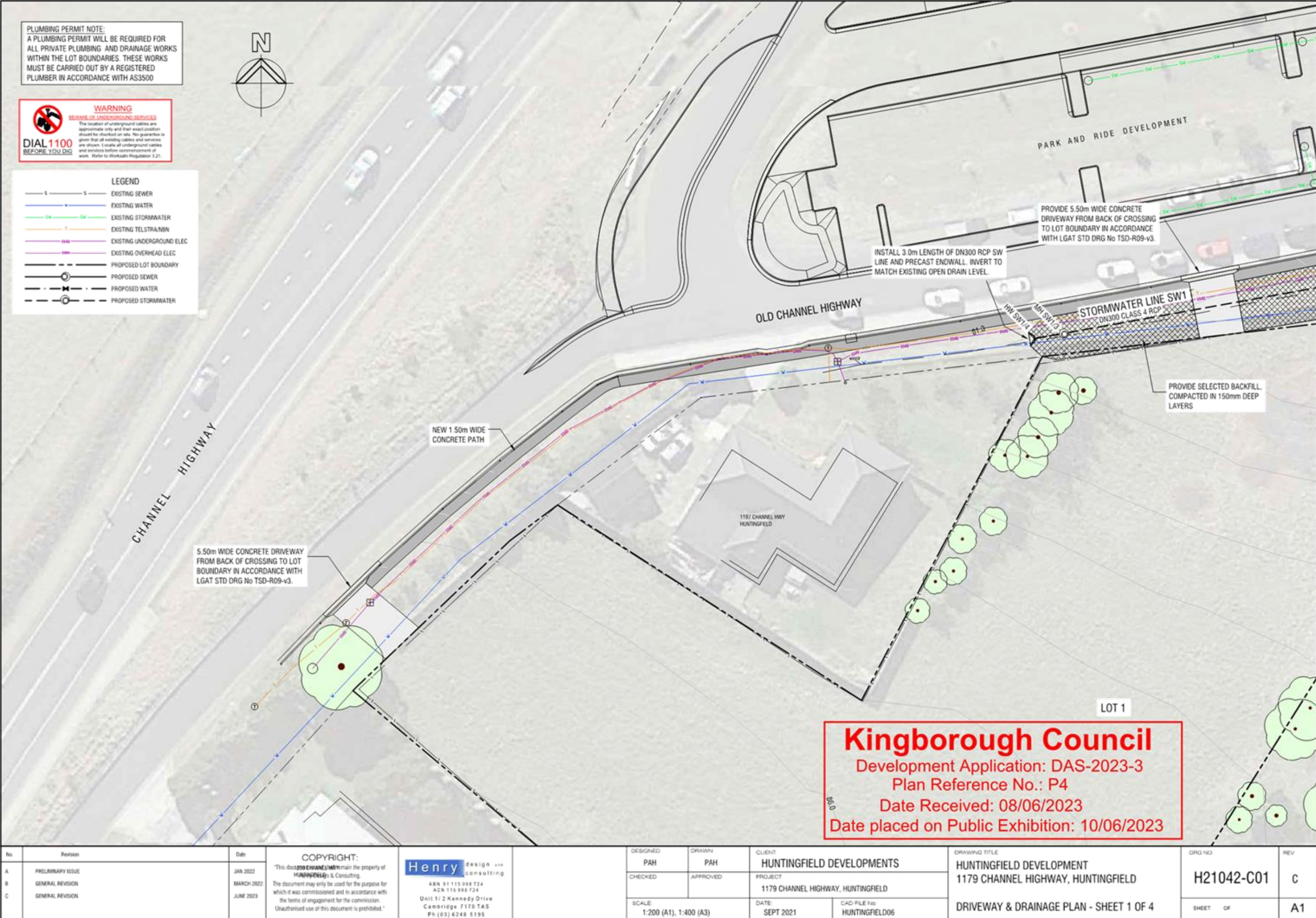




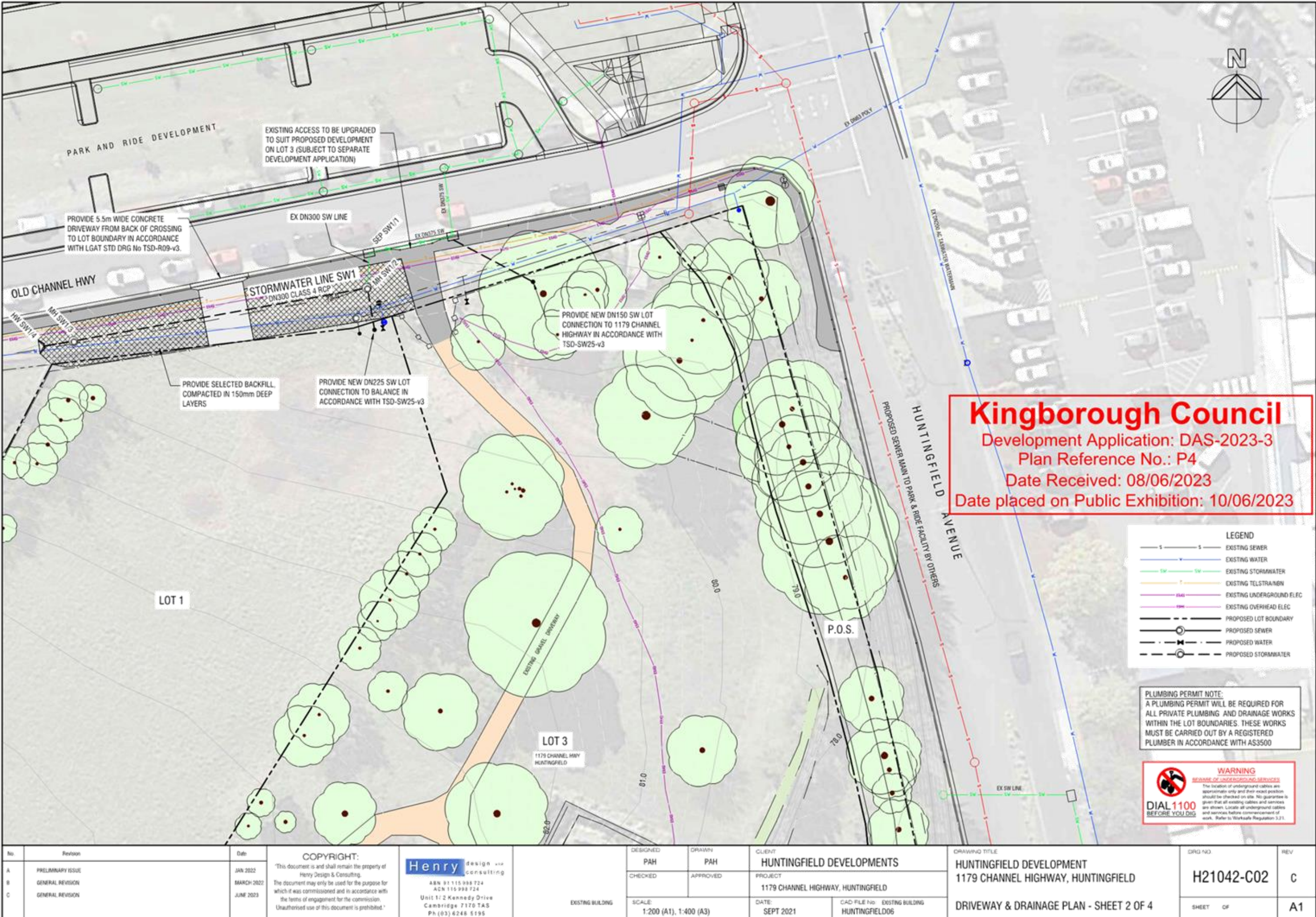




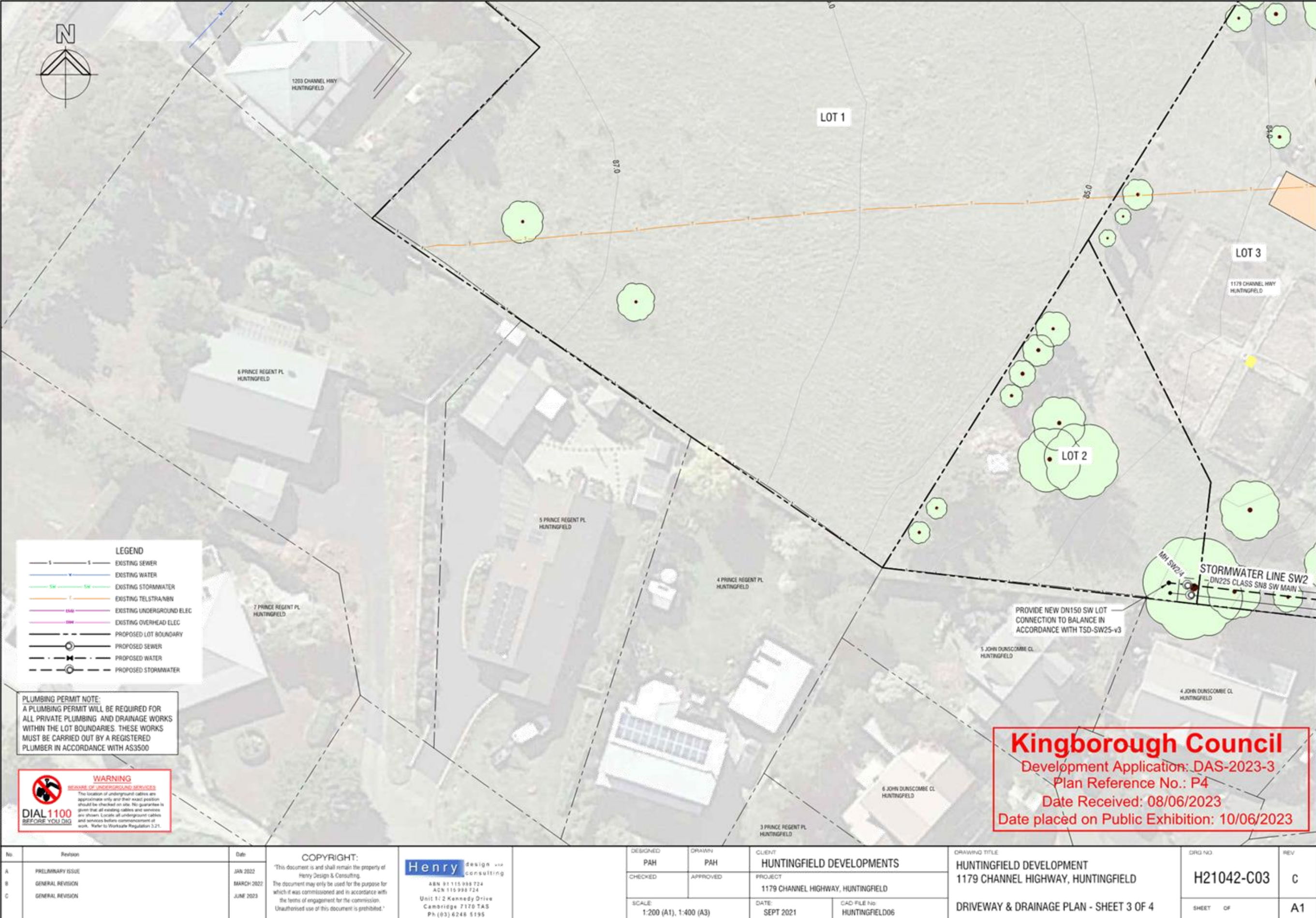




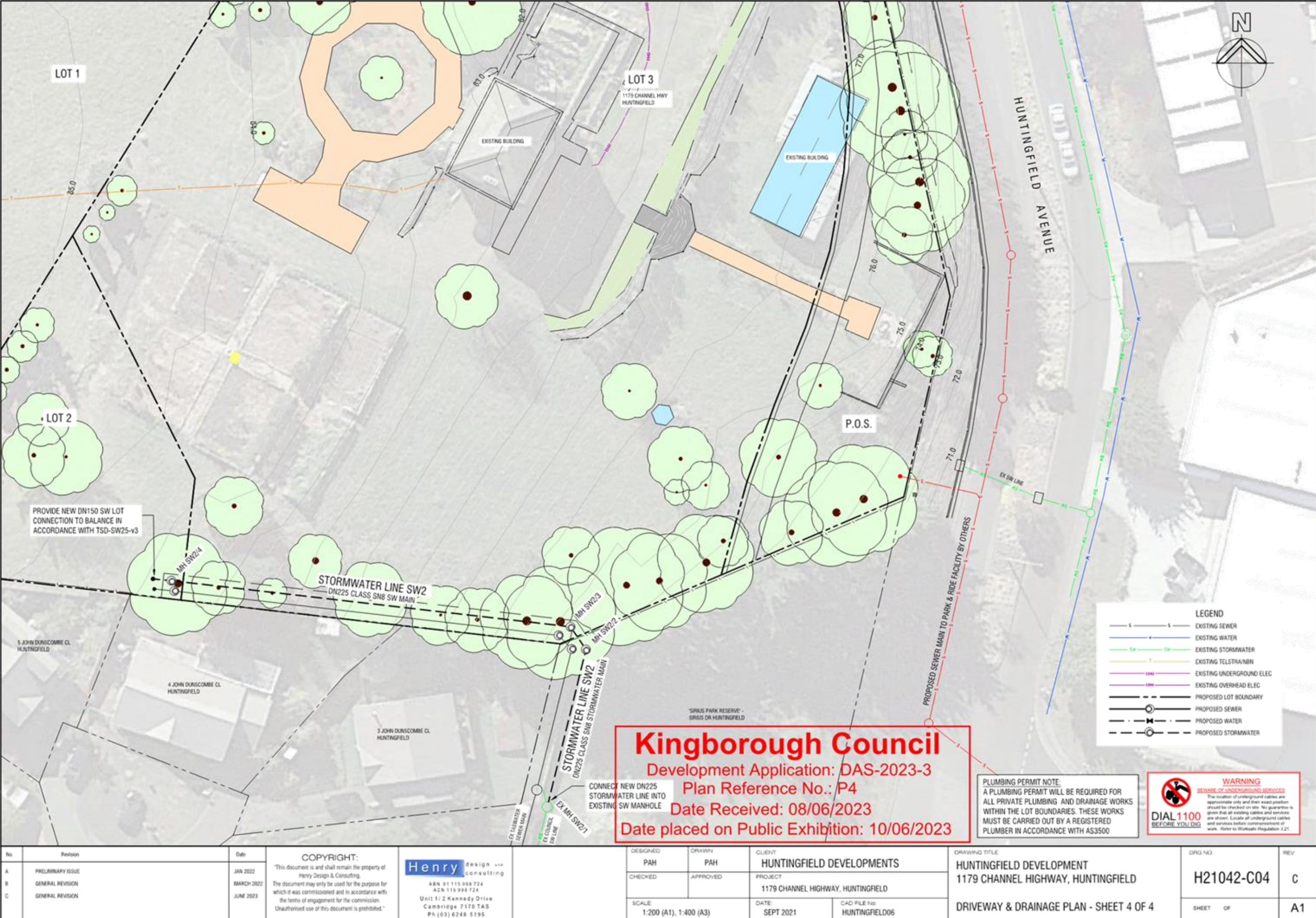




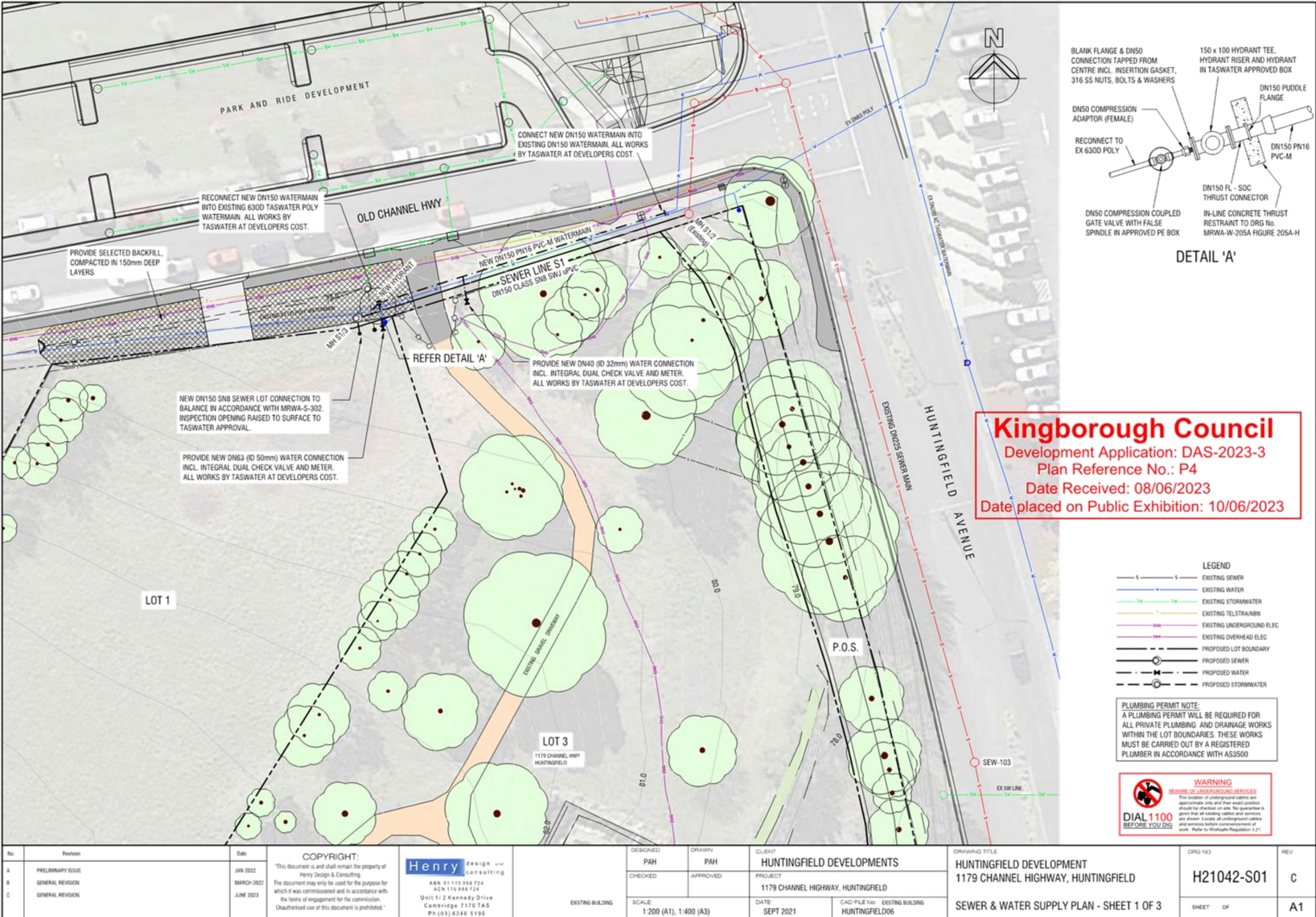




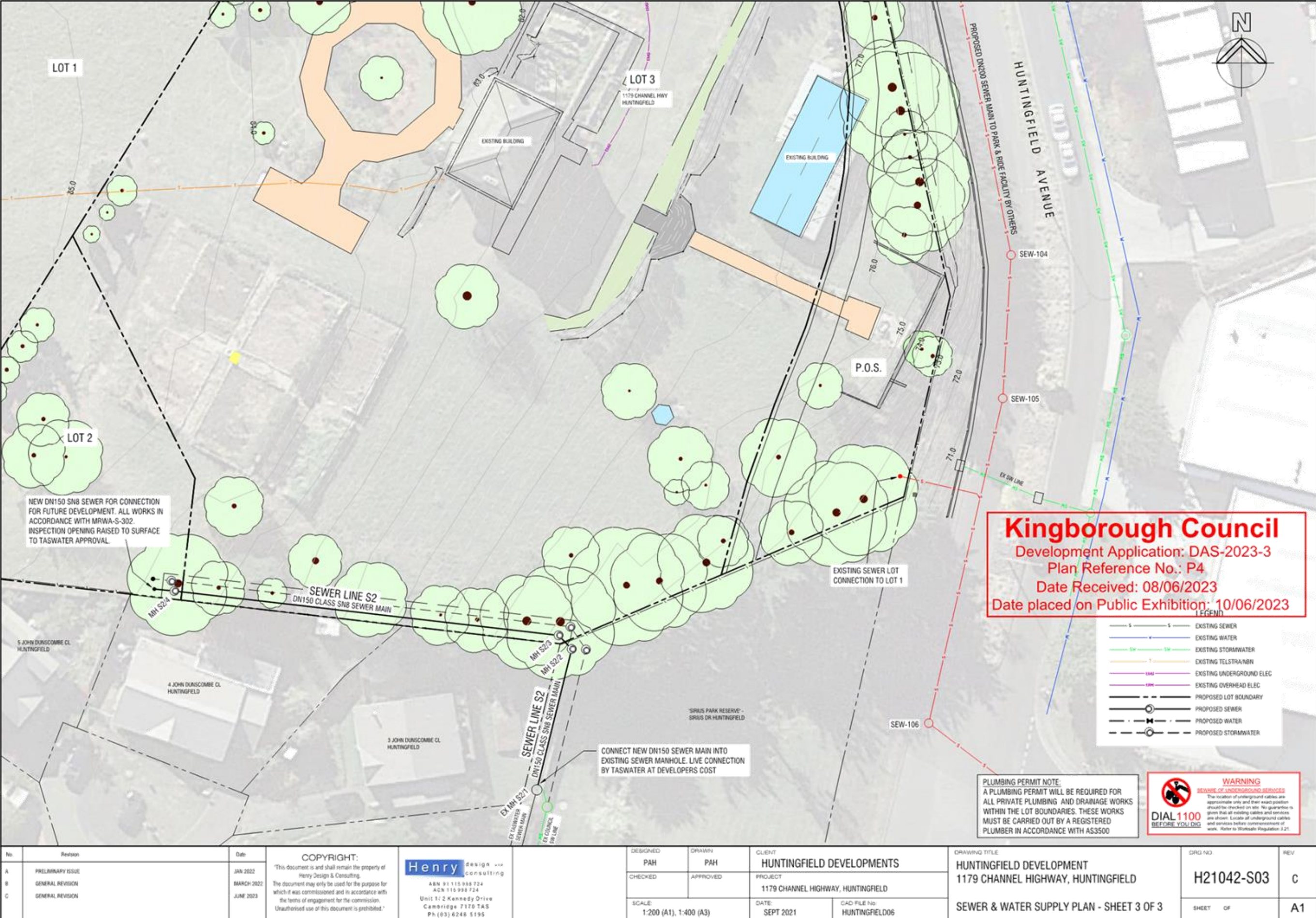




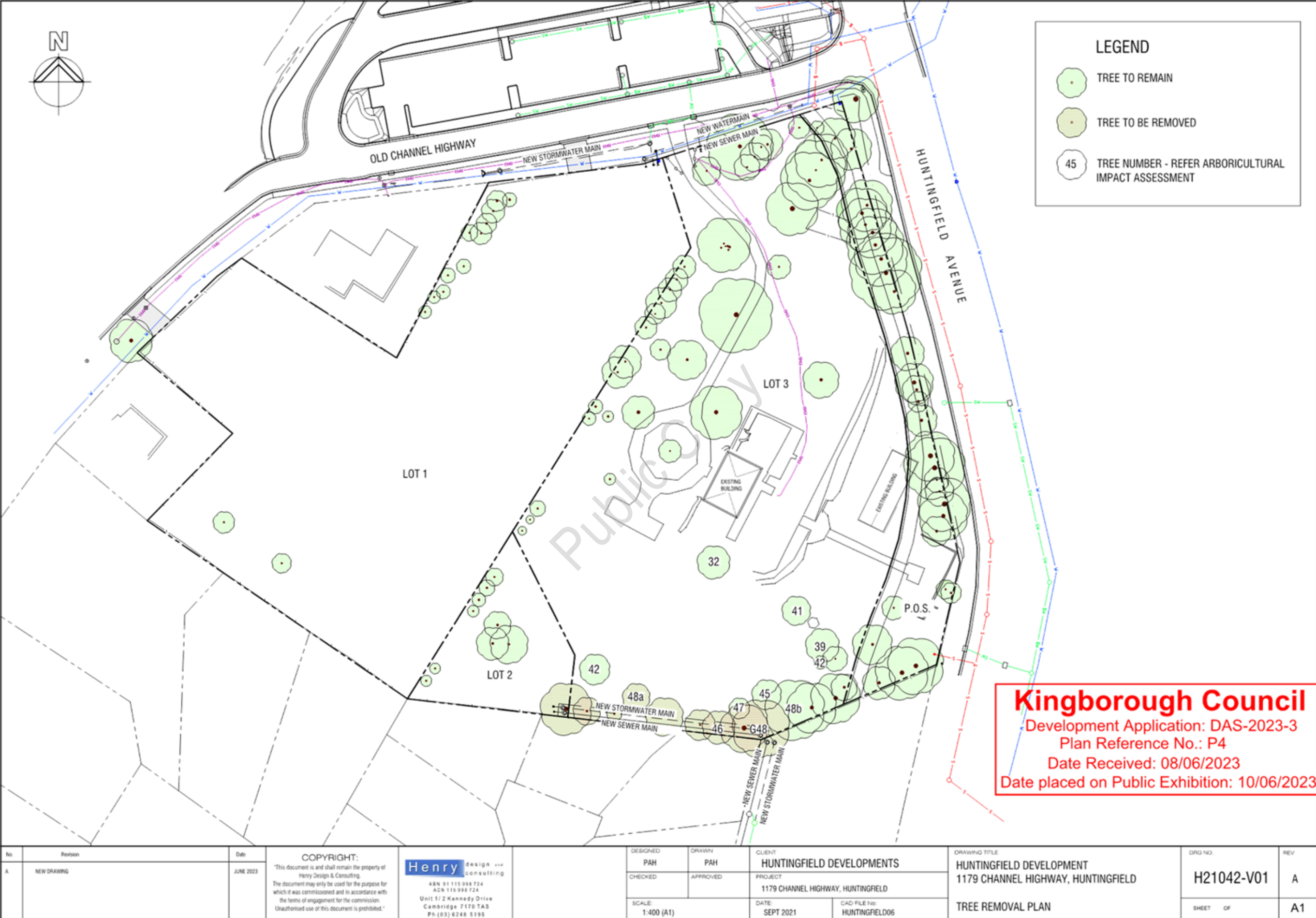












## Assessment Checklist for Development Applications for Subdivision within the General Residential Zone

### General Residential Zone Provisions (subdivision)

Checklist is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)

Clause	Compliance/Comments
<b>10.5 Development Standards for Non-dwelling Buildings and Works</b>	
<b>10.6 Development Standards for Subdivision</b>	
<b>Cl. 10.5.1 - Non-dwelling development</b> <b>A1</b> - Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 10.4.2 A1 and A3; (b) 10.4.3 A1 (a) and (c); (c) 10.4.7 A1. (d) 10.4.2 A4 [Note – this standard requires assessment of the Application against Cl. 10.4.2 , A4 – Impact on trees: A4 No trees of high conservation value will be impacted.]	<b>A1 – Not Complying</b> There is one very high conservation value tree (Tree 22) adjacent to the proposed access to Lot 1 and located in the Council road reserve. While this tree is proposed for retention, the construction of the cross over will result in major encroachment into the tree protection zone of this tree. Therefore, the subdivision works impact on a very high conservation value tree and require assessment against the performance criteria.
<b>Clause 10.6.1 – Lot Design</b> <b>A1</b> - The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.  <b>A2</b> - The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities: (a) clear of the frontage, side and rear boundary setbacks; (b) not subject to any codes in this planning scheme; (c) clear of title restrictions such as easements and restrictive covenants; (d) has an average slope of no more than 1 in 5; (e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north; (f) is 10m x 15m in size.	<b>A1 – Complies</b> Proposed Lot 1 has an area of 9,455m <sup>2</sup> and although above the maximum lot size of 1000m <sup>2</sup> complies with Table 10.1 as it is designated for multiple dwellings. A Condition is included on the permit to ensure it is used for multiple dwellings. Proposed lot 3 has an area of 9,228 m <sup>2</sup> and is a balance lot and complies with Table 10.1. The proposed Public Open Space lot has an area of 1,337m <sup>2</sup> and complies with A1. There is no subdivision of the council land “Sirius Park”.  <b>A2 – Not Complying</b> The subdivision complies all parts of A2 except A2 (b) as it is subject to Codes. These are assessed in the Checklist and where discretionary in the body of the report. A2 (g) – The proposal complies with the acceptable solution as all lots are capable of containing a building area which does not impact on high conservation value trees.

Clause	Compliance/Comments
<p>(g) no trees of high conservation value will be impacted.</p> <p><b>A3</b> - The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p> <p><b>A4</b> – No lot is an internal lot.</p> <p><b>A5</b> - Subdivision is for no more than 3 lots.</p>	<p><b>A3</b> – Complies – Proposed Lot 1 has frontages of 32.91m and 41.9m respectively. Lot 3 (Huntingfield House) will have a frontage of 32.26m.</p> <p><b>A4</b> – Complies – there are no internal lots.</p> <p><b>A5</b> – Complies – There is one additional lot being the Open Space Lot.</p>
<p><b>Clause 10.6.2 - Roads</b></p> <p><b>A1</b> - The subdivision includes no new road.</p>	<p><b>A1</b> – Complies – There are no new roads.</p>
<p><b>Clause 10.6.3 – Ways and Public Open Space</b></p> <p><b>A1</b> – No Acceptable Solution.</p>	<p><b>A1</b> – <b>Not Complying</b> No Acceptable Solution and requires assessment against the performance criteria.</p>
<p><b>Clause 10.6.4 - Services</b></p> <p><b>A1</b> - Each lot must be connected to a reticulated potable water supply.</p> <p><b>A2</b> - Each lot must be connected to a reticulated sewerage system.</p> <p><b>A3</b> - Each lot must be connected to a stormwater system able to service the building area by gravity.</p> <p><b>A4</b> - The subdivision includes no new road.</p>	<p><b>A1</b> – Complies</p> <p><b>A2</b> – Complies</p> <p><b>A3</b> – Complies</p> <p><b>A4</b> – Complies</p>

### Open Space Zone Provisions (subdivision)

Checklist is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)

Clause	Compliance/Comments
<p><b>19.5 Development Standards for Subdivision</b></p> <p>Note is made that the only development in the Open Space Zone is the provision of infrastructure (stormwater), associated with the proposed multiple dwellings, to connect to the Council's existing stormwater service in Sirius Park. While the use of multiple dwellings is Prohibited within the Open Space Zone, cl 9.7-Access and Provision of Infrastructure Across Land in Another Zone, allows Council the discretion to approve the provision of the stormwater infrastructure.</p> <p><i>9.7-Access and Provision of Infrastructure Across Land in Another Zone</i></p> <p><i>9.7.1 If an application for use or development includes access or provision of infrastructure across land that is in a different zone to that in which the main part of the use or development is located, and the access or infrastructure is prohibited by the provisions of the different zone, the planning authority may at its discretion approve an application for access or provision of infrastructure over the land in the other zone, having regard to:</i></p> <p>(a) <i>whether there is no practical and reasonable alternative for providing the access or infrastructure to the site;</i></p> <p>(b) <i>the purpose and provisions of the zone and any applicable code for the land over which the access or provision of infrastructure is to occur; and</i></p> <p>(c) <i>the potential for land use conflict with the use or development permissible under the planning scheme for any adjoining properties and for the land over which the access or provision of infrastructure is to occur.</i></p>	
<p><b>19.4.5 Environmental Values</b></p> <p><b>A1</b> - No environmental values will be adversely impacted.</p>	<p><b>A1</b> – Complies</p> <p>The proposed works do not adversely impact environmental values.</p>

Clause	Compliance/Comments
	There are no trees of on trees of high conservation value impacted.
<b>19.5.1 Subdivision</b> <b>A1</b> - Subdivision is for the purpose of providing lots for public open space, a riparian or littoral reserve or utilities. <b>A2</b> - The frontage for each lot must be no less than 15 m. <b>A3</b> - No Acceptable Solution. <b>A4</b> – Services capable of adequately serving the intended purpose must be connected to each lot. <b>A5</b> - No trees of high conservation value will be impacted.	<b>A1</b> – NA – There is no subdivision of lots occurring on the land zoned Open Space. <b>A2</b> – NA - There is no subdivision of lots occurring on the land zoned Open Space. <b>A3</b> – NA - There is not change to the arrangement of ways and public open space for the land zoned Open Space. <b>A4</b> – NA – There is no subdivision of lots occurring on the land zoned Open Space. <b>A5</b> – Complies - No trees of high conservation value will be impacted.

## Code Provisions

Clause	Compliance/Comments
<b>E5.0 Road and Railway Assets Code</b>	
<b>Clause E5.5.1 – Existing road accesses and junctions</b> <b>A1</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. <b>A2</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater. <b>A3</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.	<b>A1</b> – NA <b>A2</b> – NA <b>A3</b> – Complies – there is no change to the existing vehicle movements per day. The application is supported by the Traffic Impact Assessment (Hubble Traffic, Feb 2023).
<b>E5.5.2 Exiting level crossings</b> <b>A1</b> – Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.	<b>A1</b> – NA
<b>Clause E5.6.1 - Development adjacent to roads and railways</b> <b>A1.1</b> – Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2	<b>A1.1</b> – NA



Clause	Compliance/Comments
road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots.	
<b>A1.2 – Buildings, may be:</b> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: (i) the existing building; or (ii) an immediately adjacent building.	<b>A1.2 – NA</b>
<b>Clause E5.6.2 - Road access and junctions</b> <b>A1 – No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</b>	<b>A1 – Complies</b>
<b>A2 – No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</b>	<b>A2 – Complies</b>
<b>Clause E5.6.3 – New level crossings</b> <b>A1 – No acceptable solution (requires assessment against performance criteria)</b>	<b>A1 – NA</b>
<b>Clause E5.6.4 - Sight distance at accesses, junctions and level crossings</b> <b>A1 – Sight distances at:</b> (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.	<b>A1 – Complies</b> The application is supported by the Traffic Impact Assessment (Hubble Traffic , Feb 2023).
<b>E6.0 Parking and Access Code</b>	
<b>Clause E6.6.1 - Number of car parking spaces</b> <b>A1 - The number of on-site car parking spaces must be:</b> (a) no less than the number specified in Table E6.1; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;	<b>A1 – NA</b>
<b>Clause E6.7.1 - Number of vehicular accesses</b> <b>A1 – The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.</b>	<b>A1 – Complies - There is no change to the existing access points.</b>
<b>Clause E6.7.2 - Design of vehicular accesses</b> <b>A1 – Design of vehicle access points must comply with all of the following:</b>	<b>A1 – Complies</b>

Clause	Compliance/Comments
<p>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</p>	
<p><b>Clause E6.7.3 - Vehicular passing areas along an access</b></p> <p><b>A1</b> – Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p>(i) it serves more than 5 car parking spaces;</p> <p>(ii) is more than 30 m long;</p> <p>(iii) it meets a road serving more than 6000 vehicles per day</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) it meets a road serving more than 6000 vehicles per day;</p> <p>(d) have the first passing area constructed at the kerb;</p> <p>(e) be at intervals of no more than 30 m along the access.</p>	<p><b>A1</b> – Complies</p>
<p><b>Clause E6.7.4 - On-site turning</b></p> <p><b>A1</b> – On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <p>(a) it serves no more than two dwelling units;</p>	<p><b>A1</b> – Complies as the access to both lots serves no more than two dwelling units.</p>
<p><b>Clause E6.7.14 - Access to a road</b></p> <p><b>A1</b> – Access to a road must be in accordance with the requirements of the road authority.</p>	<p><b>A1</b> – Complies</p>
<p><b>E7.0 Stormwater Management Code</b></p>	
<p><b>Clause E7.7.1 - Stormwater drainage and disposal</b></p> <p><b>A1</b> – Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>	<p><b>A1</b> – Complies</p>
<p><b>A2</b> – A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p>	<p><b>A2</b> – Complies</p>

Clause	Compliance/Comments
(a) the size of new impervious area is more than 600 m <sup>2</sup> ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	
<b>A3</b> – A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	<b>A3</b> – Complies
<b>A4</b> – A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	<b>A4</b> – NA
<b>E9.0 Attenuation Code</b>	
<b>Clause E9.6.1 – Use with potential to cause environmental harm</b> <b>A1</b> - Use with potential to cause environmental harm has a separation distance no less than the minimum attenuation distance listed in Tables E9.1 or E9.2.	<b>A1</b> – NA
<b>Clause E9.7.1 – Development for use with potential to cause environmental harm</b> <b>A1</b> - Development for use with potential to cause environmental harm has a separation distance no less than the minimum attenuation distance listed in Tables E9.1 or E9.2.	<b>A1</b> – NA
<b>Clause E9.7.2 - Development for sensitive use in proximity to use with potential to cause environmental harm</b> <b>A1</b> – No acceptable solution (requires assessment against performance criteria)	<b>A1</b> – <b>Not Complying</b> No Acceptable Solution and requires assessment against the performance criteria.
<b>E13.0 Historic Heritage Code</b>	
<b>E13.7 - Development standards for heritage places</b>	
<b>Clause E13.7.1 Demolition</b> <b>A1</b> - No acceptable solution	<b>A1</b> <b>Not Complying</b> No Acceptable Solution and requires assessment against the performance criteria. There is no demolition of any of the heritage fabric of the Heritage Place. A portion of the northern end of the piggery building will be demolished however this 1970's extension does not have heritage significance.
<b>Clause E13.7.2 - Buildings and Works other than Demolition</b> <b>A1</b> - No acceptable solution <b>A2</b> - No acceptable solution <b>A3</b> - No acceptable solution	<b>A1</b> – <b>Not Complying</b> No Acceptable Solution and requires assessment against the performance criteria. <b>A2</b> – <b>Not Complying</b> No Acceptable Solution and requires assessment

Clause	Compliance/Comments
<b>A4</b> - No acceptable solution <b>A5</b> - New front fences and gates must accord with original design, based on photographic, archaeological or other historical evidence.	against the performance criteria. <b>A3 – Not Complying</b> No Acceptable Solution and requires assessment against the performance criteria. <b>A4 – NA</b> There are no extensions to the existing buildings. <b>A5 – Complies –</b> The new fencing is post and rail with hedging adjacent. The Heritage Assessment (Graeme Corney 27 Dec 2022) lodged with the application states that this is a perfect solution (and sympathetic in design) for this heritage site, and it has hints of historic rural solution reflecting the history of the site.
<b>Clause E13.7.3 – Subdivision</b> <b>A1</b> - No acceptable solution	<b>A1 – Not Complying</b> No Acceptable Solution and requires assessment against the performance criteria.
<b>E13.8 - Development standards for heritage precincts</b>	
<b>Clause E13.8.3 – Subdivision</b> <b>A1</b> - No acceptable solution (requires assessment against performance criteria)	<b>A1 – NA</b>
<b>A2</b> - No acceptable solution (requires assessment against performance criteria)	<b>A2 – NA</b>
<b>E13.9 - Development standards for cultural landscape precincts</b>	
<b>Clause E13.9.3 – Subdivision</b> <b>A1</b> - No acceptable solution (requires assessment against performance criteria)	<b>A1 – NA</b>
<b>A2</b> - No acceptable solution (requires assessment against performance criteria)	<b>A2 – NA</b>
<b>E13.10 - Development standards for places of archaeological potential</b>	
<b>Clause E13.10.2 – Subdivision</b> <b>A1</b> - Subdivision provides for building restriction envelopes on titles over land defined as the Place of Archaeological Potential in Table E13.4.	<b>A1 – NA</b>

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



## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	DAS-2023-3		<b>Council notice date</b>	15/02/2023
<b>TasWater details</b>				
<b>TasWater Reference No.</b>	TWDA 2023/00201-KIN		<b>Date of response</b>	02/06/2023
<b>TasWater Contact</b>	Phil Papps	<b>Phone No.</b>	0474 931 272	
<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>	1179 CHANNEL HWY, HUNTINGFIELD		<b>Property ID (PID)</b>	7365125
<b>Description of development</b>	Subdivision/Boundary Adjustment and Stormwater Infrastructure Works within Sirius Park Reserve			
<b>Schedule of drawings/documents</b>				
<b>Prepared by</b>	<b>Drawing/document No.</b>		<b>Revision No.</b>	<b>Date of Issue</b>
Rogerson & Birch Surveyors	Plan of Subdivision / HUNTI01 13119-03		B	29/05/2023
Henry Design	Servicing - Overall Site Plan / h21042-G02		D	May 2023
<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>				
<p>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.</p> <p><b>Advice:</b> <i>The developer may wish to consider any proposed future development on Lot 1 when sizing water and sewer servicing requirements for the proposed subdivision.</i></p> <p>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 to existing TasWater mains must be carried out by TasWater at the developer's cost.</p> <p>3. Prior to commencing construction of the subdivision/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.</p>				
<b>ASSET CREATION &amp; INFRASTRUCTURE WORKS</b>				
<p>4. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.</p> <p>5. Prior to applying for a Permit to Construct new TasWater infrastructure the developer must obtain from TasWater Engineering Design Approval for that infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.</p> <p>6. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.</p> <p>7. In addition to any other conditions in this permit, all works must be constructed under the</p>				



supervision of a suitably qualified person in accordance with TasWater's requirements.

8. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, are to be completed and are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
9. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
10. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
  - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved.
  - b. A request for a joint on-site inspection with TasWater's authorised representative must be made.
  - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee.
  - d. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.

Upon TasWater issuing a Certificate of Practical Completion, the newly constructed infrastructure is deemed to have transferred to TasWater.

11. After the Certificate of Practical Completion has been issued, a 12-month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12-month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". TasWater will release any security held for the defect's liability period.
12. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

#### **FINAL PLANS, EASEMENTS & ENDORSEMENTS**

14. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.

*Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.*

15. Pipeline easements to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions and requirements.





16. Prior to the issue of a Consent to Register a Legal Document from TasWater, the applicant must submit a copy of the completed Transfer for the provision of a Pipeline and Services Easement to cover existing/proposed TasWater infrastructure as required by condition 15. All costs and expenses related to the transfer of easement(s)/lots to TasWater are to be paid by the developer.

#### DEVELOPMENT ASSESSMENT FEES

17. The applicant or landowner as the case may be, must pay a development assessment fee of \$226.71 and a Consent to Register a Legal Document fee of \$239.90 to TasWater, as approved by the Economic Regulator and the fees 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>

##### 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. The location of this infrastructure as shown on the GIS is indicative only.

- (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) 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

### 14 PETITIONS STILL BEING ACTIONED

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There are no petitions still being actioned.

### 15 PETITIONS RECEIVED IN LAST PERIOD

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

### 16 OFFICERS REPORTS TO COUNCIL

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#### 16.1 DRAFT TASMANIAN HOUSING STRATEGY

**File Number:** 17.226

**Author:** Adriaan Stander, Strategic Planner

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

#### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.3 A resilient community with the capacity to flourish.

#### 1. PURPOSE

- 1.1 The Tasmanian Government has developed Tasmania's first draft 20-year Housing Strategy. The draft Strategy aims to build on the investment made by the Tasmanian Government in the supply of social and affordable housing and homelessness initiatives.
- 1.2 The purpose of this report is to seek Council's input on a response to the draft Strategy that is currently being exhibited for public comment.

#### 2. BACKGROUND

- 2.1 Tasmania's housing market has become one of the fastest growing in the country. The State is experiencing soaring housing costs, historically low rental vacancy rates, and growing housing supply pressures. Access to safe and secure housing has become a critical issue for many Tasmanians.
- 2.2 The Tasmanian Housing Strategy will replace the existing Tasmanian Affordable Housing Strategy which has been in place for the past 10 years and is currently in the final year of its second action plan.
- 2.3 It is intended that the Tasmanian Housing Strategy will have a broader scope than the existing Affordable Housing Strategy to provide the mechanism, along with the new Homes Tasmania statutory body, to be agile in responding to the complexity and challenges of the housing system.

- 2.4 The draft Strategy addresses all types of housing in the housing system from rough sleeping and crisis housing through to first home buyers and market ownership. It describes some of the social and economic issues housing is framed within, including faster than expected population growth, an ageing population, changing market conditions, a rise in homelessness, childhood and youth development, family and domestic violence, and workforce and productivity challenges. The draft Strategy also acknowledges the important role safe and affordable housing plays in improving the health and wellbeing of Tasmanians and reducing psychological stress.
- 2.5 Once finalised, the Strategy is intended to be accompanied by “a series of flexible and responsive action plans”. The draft Strategy indicates that there will be ambitious targets with a “robust reporting and governance process” to accompany the implementation of the strategy. Detail of these has yet to be released.

### 3. DISCUSSION

- 3.1 The release of the draft Strategy is timely, as the Council at its ordinary meeting of 19 June 2023 adopted a *Statement on Housing* to demonstrate its commitment to facilitating safe, affordable and accessible housing in Kingborough. Actions to implement the Housing Statement include:
- *Advocate for increased Tasmanian and Australian Government investment in social and affordable housing, and supported accommodation in Kingborough to meet the needs of our growing population,*
  - *Work with developers and housing providers to facilitate development of affordable, social and accessible housing in Kingborough,*
  - *Consider opportunities to increase housing in Kingborough, when developing or disposing of Council land,*
  - *Encourage increased housing density in areas close to services, jobs, and facilities, through appropriate zoning, and*
  - *Advocate for improved planning controls to facilitate affordable and social housing and supported accommodation.*
- 3.2 The draft Housing Strategy will complement the Kingborough Statement on Housing; however, it does not go far enough in providing clear direction to ensure that the outcomes sought by the Strategy will be achieved.
- 3.3. An implementation plan (even if pitched at a high level) and developed together with the Strategy would ensure that the objectives/outcomes of the Strategy are achievable and measurable over time. It would also assist in developing future iterations of the Strategy where necessary.
- 3.4 The draft Strategy acknowledges that collaboration between State Government, Local Government and private industry is essential to deliver suitable housing options for the State, however the Strategy could have a stronger emphasis on State Government's role in providing a strong foundation in improving housing outcomes, through:
- *Investment, policy, legislation, and regulation changes to deliver greater housing diversity and increased supply to meet the demands of an increasing population over the long-term,*
  - *Increasing availability of accurate and up-to-date housing and housing-outcome related data, projections, research, and analysis,*

- Monitoring targets and responding to shortfalls in supply through direct investment, project planning or planning intervention,
  - Assisting Local Government to establish and refine long-term housing targets to meet housing needs,
  - Establishing policies that align land use, transport, and infrastructure planning across the State to deliver improved services to communities to meet current and future needs; and
  - Building capacity, capability, and collaboration across all sectors.
- 3.5 The draft Strategy emphasises the importance of delivering affordable housing, primarily by Homes Tasmania. It states that the demand for social and affordable housing will continue to grow unless the private sector is encouraged to invest in and deliver quality housing supply, including affordable dwellings. However, it is unclear how this will be achieved. It may be appropriate for the Strategy to have a specific focus on exploring a voluntary incentive model, where new affordable housing is encouraged through the private sector. Examples are:
- The Housing Plan for South Australia mandates that 15% of new dwellings in all significant development projects be affordable, including at least 5% for high-needs groups.
  - The City of Sydney has mandated an affordable housing component in specified zones. In these areas, developers either include affordable housing within developments or pay an affordable housing levy.
  - The ACT Government's Affordable Housing Action Plan requires that at least 20% of all new estates include affordable housing, implemented programs to support affordable house and land packages, and introduced a land rent scheme to reduce upfront costs for purchasers.
- 3.6 Options could also be explored to provide a bonus system that effectively relaxes specified development controls, typically density or parking controls, in exchange for constructing dedicated affordable housing. Similarly, there are jurisdictions in Australia and abroad that attract affordable housing by providing special treatment in the planning process through the reduction, exemption, or refund of application fees, infrastructure charges or rates. Unfortunately, the powers to levy infrastructure charges are currently isolated from the planning process in Tasmania, and as such monetary incentives are limited.
- 3.7 One of the aspects that has not been fully covered in the draft Strategy, is the implication of short-stay accommodation on the rental market. This needs to be acknowledged in the Strategy and a broad strategic approach provided to reduce the loss of long-term rental properties.

#### **4. ENVIRONMENT**

- 4.1 There are no environmental implications associated with this report and recommendation.

#### **5. COMMUNICATION AND CONSULTATION**

- 5.1 Subject to Council approval, a submission will be made to Homes Tasmania outlining the comments on the draft Strategy.

**6. RISK**

6.1 There are no risks associated with this report and the recommendation.

**7. CONCLUSION**

7.1 The Draft Housing Strategy is welcomed and provides an important opportunity to commit to a partnership approach to develop effective responses to housing need in Tasmania. This aligns with the outcomes sought by Council's Statement on Housing.

7.2 Even though the draft Strategy is supported in principle, it provides little information as to how the Strategy will be implemented.

7.3 The Strategy could have a stronger focus on the State Government's role in housing provision and could explore voluntary models where new affordable housing is encouraged in the private sector.

**8. RECOMMENDATION**

That Council:

- (a) Support in principle the draft 20-year Housing Strategy; and
- (b) Delegate the General Manager to provide a response to Homes Tasmania in relation to the draft Housing Strategy and include commentary, including but not limited to, the matters discussed in Section 3 of this report.

**ATTACHMENTS**

Nil

## 16.2 WOODBRIDGE OVAL MASTERPLAN

**File Number:** 20.128

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

**Authoriser:** Gary Arnold, General Manager

### Strategic Plan Reference

Key Priority Area: 2 Deliver quality infrastructure and services.

Strategic Outcome: 2.2 Infrastructure development and service delivery are underpinned by strategic planning to cater for the needs of a growing population.

### 1. PURPOSE

- 1.1 The purpose of this report is to recommend endorsement of the Woodbridge Oval Masterplan.

### 2. BACKGROUND

- 2.1 At its meeting of 15 November 2021, Council noted the results of community engagement associated with the development of a Draft Master Plan for the Woodbridge Oval.
- 2.2 The engagement demonstrated a strong level of community support for the plan and a desire to see the safety elements implemented as a matter of priority.
- 2.3 Whilst the plan was accepted by all stakeholders as the blueprint for the development of the oval and its surrounds, it has never been formally endorsed by Council.

### 3. STATUTORY REQUIREMENTS

- 3.1 Implementation of the plan will be subject to statutory approvals as required under the Kingborough Planning Scheme and building regulations.

### 4. DISCUSSION

- 4.1 The plan has the support of the local community and is not overly ambitious in terms of the cost of implementation.
- 4.2 Council has allocated an amount of \$200,000 in its capital budget for 2023/24 to redevelop the carpark at the oval, including a new driveway crossover, fencing and wheel stops to enhance the safety of the site.
- 4.3 The redevelopment of the carpark represents a major component of the plan and has been the highest priority for users of the oval.
- 4.4 Formal endorsement of the plan prior to commencement of these works is desirable and will assist the tenant clubs in their future endeavours to seek external funding for the implementation of other elements of the plan.

### 5. FINANCE

- 5.1 The Woodbridge Cricket Club has received funding to realign the centre wicket (as proposed in the plan), whilst Council has received a grant of \$3,235 from Cricket Australia to replace the synthetic pitch cover.



## **6. ENVIRONMENT**

- 6.1 The plan includes the retention and protection of existing trees.

## **7. COMMUNICATION AND CONSULTATION**

- 7.1 Development of the plan was undertaken in consultation with users of the oval and the draft plan released through an engagement activity as detailed in the report to Council on 15 November 2021.

## **8. RISK**

- 8.1 The plan has strong support from stakeholders and no risks to Council are identified in providing formal endorsement.

## **9. CONCLUSION**

- 9.1 The Woodbridge Oval Masterplan has strong support from stakeholders and the local community and formal endorsement by Council is recommended.

## **10. RECOMMENDATION**

That Council endorse the Woodbridge Oval Masterplan as attached to this report.

## **ATTACHMENTS**

1. **Woodbridge Oval Masterplan**

Public Copy







**16.3 RATES AND CHARGES POLICY 3.14****File Number:** 12.191**Author:** Tim Jones, Manager Finance**Authoriser:** John Breen, Chief Financial Officer**Strategic Plan Reference**

Key Priority Area: 2 Deliver quality infrastructure and services.

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

**1. PURPOSE**

1.1 The purpose of this report is to review the Rates and Charges Policy.

**2. BACKGROUND**

2.1 Council's Rates and Charges Policy was approved in June 2021, and it is now due for review.

**3. STATUTORY REQUIREMENTS**3.1 Section 86B of the *Local Government Act 1993*, states that each Council must prepare and adopt a Rates and Charges Policy at least every four years.**4. DISCUSSION**

4.1 Some minor changes to the Policy are recommended as follows:

4.1.1 In 5.16 arrears are payable immediately. If rates are outstanding from the previous year, they do not change from overdue at year end to not being overdue until the first instalment date.

4.1.2 In 5.23 addition to reflect a caveat may be registered against a property where there is an outstanding rate debt.

4.1.3 Addition of 5.27 to formalise the current process whereby any sale of land for rate recovery purposes will be approved by Council prior to the owner being notified, and

4.1.4 In 6.7 the addition of the word "organic" to reflect the Green Waste (Food Organic Garden Organic FOGO) service.

**5. FINANCE**

5.1 The changes to the Policy will not affect Council's finances.

**6. ENVIRONMENT**

6.1 There are no environmental issues associated with this matter.

**7. COMMUNICATION AND CONSULTATION**

7.1 The updated Policy will be placed on Council's website.

**8. RISK**

8.1 The Policy aims to provide ratepayers with information about the way in which Council determines and collects rates from the community. Having a clear Policy reduces the risk of ratepayers misunderstanding the application of rates to their property.

**9. CONCLUSION**

9.1 The updated Policy recommends some minor amendments as outlined in this report.

**10. RECOMMENDATION**

That the updated Rates and Charges Policy 3.14 be approved.

**ATTACHMENTS**

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

Public Copy

## EXISTING POLICY WITH TRACK CHANGES



Policy No: **3.14**  
 Approved by Council: **June 2024 July 2023**  
 Next Review Date: **June 2023 July 2025**  
 Responsible Officer: **Manager Finance**

Minute No: **C285/10-2021TBA**  
 ECM File No: **12.191**  
 Version: **21.0**

Rates and Charges Policy	
<b>POLICY STATEMENT</b>	<p>1.1 In Tasmania, Council rates are a form of property tax levied by Local Government as the primary source of funding for the many mandatory and discretionary services that are provided. Rates are administered in line with the <i>Local Government Act 1993</i> which allows some flexibility for each Council to make decisions that suit its local community.</p> <p>1.2 As rates are a method of taxation, the total amount of rates paid may not directly relate to the services used by each ratepayer.</p> <p>1.3 Property values (set by the Valuer-General) play an important role in determining how much each individual ratepayer contributes to the cost of delivering Council services and activities. The <i>Local Government Act 1993</i> expects that the higher the value of the property the higher the rates to be paid.</p> <p>1.4 All land within a Council area, except for land specifically exempt (eg. Crown Land, Council occupied land and other prescribed land) is rateable. Council also raises revenue through fees and charges, which are set, giving consideration to the cost of the service provided and any equity issues.</p>
<b>DEFINITIONS</b>	<p>2.1 Part 9, Section 86, of the <i>Local Government Act 1993</i> comprises the definition of key terms applicable to the rating processes of Local Government.</p>
<b>OBJECTIVE</b>	<p>3.1 The objectives of this policy are to outline Council's approach to determining and collecting rates from its community.</p> <p>3.2 This policy will meet the requirements of Section 86B of the <i>Local Government Act 1993</i>, which states each Council must prepare and adopt a Rates and Charges Policy.</p>
<b>SCOPE</b>	<p>4.1 This policy covers:</p> <ul style="list-style-type: none"> <li>• The relationship between Council's strategic plans, its budget and rates structure</li> <li>• Council's revenue raising powers</li> <li>• Method used to value land</li> <li>• Adoption of valuations</li> <li>• Differential general rates</li> <li>• Minimum rate</li> <li>• Concessions</li> <li>• Payment of rates</li> <li>• Late payment of rates</li> <li>• Recovery of rates</li> <li>• Sale of land for non-payment of rates</li> <li>• Remission and postponement of rates</li> <li>• Rebate of rates</li> <li>• Disclaimer</li> </ul>
<b>PROCEDURE (POLICY DETAIL)</b>	<p><b>Strategic Focus</b></p> <p>5.1 Council is faced with balancing its service levels, the needs and expectations of the community and setting appropriate tax levels to adequately resource and fulfil its roles and responsibilities. In determining rates for the financial year Council gives primary consideration to:</p>





Policy No: 3.14  
 Approved by Council: June-2021July 2023  
 Next Review Date: June-2023July 2025  
 Responsible Officer: **Manager Finance**

Minute No: C285/10-2021TBA  
 ECM File No: **12.191**  
 Version: 2.1.0

- Council's Strategic Plan,
- Council's Long Term Financial Management Plan,
- the *Local Government Act 1993*,
- current economic climate, and
- likely impacts on the community

The resources required to successfully achieve this outcome are documented in the annual plan.

#### **Rates in Kingborough**

- 5.2 Kingborough Council considers the combined use of service charges and variable charges (rate in the capital value dollar) per rateable property provides the fairest and most equitable method of charging rates to our Community.
- 5.3 Council considers the imposition of a minimum general rate is the most fair and equitable means of ensuring that all ratepayers contribute equally to the administration of Council's services and the development and maintenance of the Community's infrastructure.
- 5.4 Council adopts the Capital Value (CV) as determined by the Valuer-General as the valuation method to be used in determining rates.
- 5.5 Council levies a Stormwater Removal Service Rate on all properties to fund current and future Stormwater Infrastructure requirements.
- 5.6 Annual service charges also apply for the collection and disposal of garbage, organic waste and recycling on a per waste bin basis.
- 5.7 Council collects three fire rate levies on behalf of the State Fire Commission based on the cents in the CV dollar, with a minimum fire levy charge.
- 5.8 There are a number of properties which are public, educational, religious or charitable in use or ownership and which are in part or in full exempt from the general rate.
- 5.9 Council considers that the CV method of valuing land provides a fair method of distributing the rate burden across all ratepayers on the following basis:
- Rates constitute a system of taxation and the equity principle of taxation requires that ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth;
  - Property value is a generally accepted indicator of wealth, and capital value, which closely approximates the market value of a property, provides the best indicator of overall property value.
- 5.10 Council adopts the "CV" as assessed by the Valuer-General as the valuation method to be used in determining rates. If a ratepayer is dissatisfied with the valuation made, the ratepayer may object to the Valuer-General in writing.
- 5.11 Council has no role in the assessment of objections. The lodgement of an objection does not alter the due date for the payment of rates. Rates must be paid in accordance with the Rate Notice until otherwise notified by Council.

#### **Objections to rates notice**

- 5.12 Council will consider any objections to rate notices in accordance with Section 123 of the *Local Government Act 1993*.

#### **Rate Concessions**

- 5.13 The State Government, in providing equity across Tasmania, funds a range of concessions in relation to Council rates. The concessions are administered by



Policy No: 3.14  
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 ECM File No: **12.191**  
 Version: 21.0

various State Government agencies that determine eligibility and pay the concession directly to Council on behalf of the ratepayer. Concessions are available only on a ratepayer's principal place of residence.

5.14 Ratepayers seeking a rate concession are not to withhold payment of rates pending assessment of an application by the State Government. Rates must be paid in accordance with the Rate Notice

5.15 A refund will be paid to an eligible person if Council is advised a concession applies and rates instalments have already been paid.

#### **Payment of Rates**

5.16 Council rates are payable by four equal instalments in August, October, January and April. The total outstanding balance of rates may be paid in full at any time. Any arrears outstanding are payable with the first instalment immediately.

5.17 Any ratepayer who may, or is likely to, experience difficulty with meeting the standard quarterly payment should contact the Rates Department to discuss alternative payment arrangements. Such enquiries are treated confidentially by Council.

#### **Late Payment of Rates**

5.18 Council has determined that penalties for late payments will be imposed in accordance with the provisions of the *Local Government Act 1993* and relevant Council procedures.

5.19 A penalty of 5% of the unpaid rate may be imposed on instalments not paid by the due date.

5.20 Daily interest at a rate set by Council's annual Rate Resolution will be applied in respect of the unpaid rate or instalment for the period during which it remains unpaid.

#### **Recovery of Rates**

5.21 In accordance with sound financial management principles, Council's Rates Department will apply prudent debt management practices to Rate Debtors. This includes an ongoing review of rates in arrears and following a systematic debt recovery approach.

5.22 Rates, which remain in arrears for a period exceeding 30 days from the due date of an instalment, will be subject to recovery action.

5.23 Council will seek to recover a rate debt through legal Court proceedings if an amount remains overdue in excess of 90 days. Council may also register a caveat on a property where there is an outstanding rate debt.

5.24 Prior to taking legal action Council will provide a notice in writing of its intention to recover the outstanding debt through the Courts and provide 14 days for payment prior to lodging the outstanding debt with its solicitors.

5.25 Prior to taking legal action Council will take all reasonable steps to establish a payment arrangement or negotiate settlement of the outstanding debt.

#### **Sale of Land for Non-payment of Rates**

5.26 The *Local Government Act 1993* provides that a Council may sell any property where the rates have been in arrears for a period of three years or more. Council is required to;

a) notify the owner of the land of its intention to sell the land,

b) provide the owner with details of the outstanding amounts; and

c) Advise the owner of its intention to sell the land if payment of the outstanding amount is not received within 90 days. Except in extraordinary circumstances,



Policy No: 3.14  
 Approved by Council: June 2021/July 2023  
 Next Review Date: June 2023/July 2025  
 Responsible Officer: Manager Finance

Minute No: C285/10-2021/TBA  
 ECM File No: 12.191  
 Version: 21.0

	<p>Council will enforce the sale of land for arrears of rates.</p> <p>e) <u>5.27 All sale of land for rate recovery purposes will be approved by Council prior to the owner being notified.</u></p> <p><b>Remission and Postponement of Rates</b></p> <p><u>5.275.28</u> Application for remission of rates and charges or postponement of rates will be considered under the discretionary provisions of Section 129 of the <i>Local Government Act 1993</i>.</p> <p><b>Rebate of Rates</b></p> <p><u>5.285.29</u> Council has determined that rebates of rates will be only granted when the applicant satisfies the requirements for mandatory rebates under applicable Sections of the <i>Local Government Act 1993</i>.</p> <p><u>5.295.30</u> Rebates for Conservation Covenants are addressed within Council Policy 3.9 "Rate Rebate for Conservation Covenant Policy".</p> <p><b>Disclaimer</b></p> <p><u>5.305.31</u> A rate cannot be challenged on the basis of non-compliance with this policy and must be paid in accordance with the required payment provisions.</p> <p><u>5.315.32</u> Where a ratepayer believes that Council has failed to properly apply this policy, it should raise the matter with Council. In the first instance contact should be made with the Rates Department.</p>
<b>GUIDELINES</b>	<p>6.1 Rates constitute taxation for the purposes of Council, rather than a fee for service.</p> <p>6.2 The value of rateable land is an indicator of the capacity of ratepayers to pay rates.</p> <p>6.3 There is a commitment to the broad principle of fairness and equity in the distribution of rates across all ratepayers.</p> <p>6.4 Capital Value (The valuation of the property) is used as the basis for valuing land within the Council area, as determined by the Valuer-General each year.</p> <p>6.5 A general rate, a differential rate applying to non-vacant residential, a service charge, and a minimum rate will be applied as a means of raising taxation revenue within the community.</p> <p>6.6 Eligible Pensioner ratepayers who hold a Pensioner Concession Card, DVA Gold Card or Government Health Care Card are entitled to a remission of rates, subject to a range of criteria. This remission does not apply to holders of the Commonwealth Seniors Health Cards.</p> <p>6.7 Annual garbage, <u>organic</u> and recycling collection charges will be charged at a set amount based on the size bin.</p> <p>6.8 The three fire rate levies that Council collects on behalf of the State Fire Commission are based on the cents in the CV dollar.</p> <p>6.9 Council will apply rebates in accordance with the <i>Local Government Act 1993</i>. Council will adhere to the Act in granting full or part exemption for general rates for properties which may include public, educational, religious or charitable in use and ownership.</p> <p>6.10 Council will continue to accept the payment of rates in full or by four instalments. Council will consider other payment arrangements with ratepayers when requested.</p> <p>6.11 Council will impose late payment penalties strictly in accordance with the <i>Local Government Act 1993</i>.</p> <p>6.12 Council may enforce the sale of land for non-payment of rates in accordance with the <i>Local Government Act 1993</i>.</p> <p>6.13 Council advises that a rate cannot be challenged on the basis of non-compliance</p>



Policy No: **3.14**  
 Approved by Council: **June 2021/July 2023**  
 Next Review Date: **June 2023/July 2025**  
 Responsible Officer: **Manager Finance**

Minute No: **C285/10-2021/TBA**  
 ECM File No: **12.191**  
 Version: **21.0**

	with this policy and rates must be paid in accordance with the required payment provisions.
<b>COMMUNICATION</b>	7.1 All Councillors and employees may be briefed on this policy as part of the induction program and on an on-going basis.
<b>LEGISLATION</b>	<p>8.1 The rating and valuation methods available to local government are covered under various pieces of legislation. In particular Part 9 of the <i>Local Government Act 1993</i> and the <i>Valuation of Land Act 2001</i> are the most relevant.</p> <p>8.2 The following Sections within the <i>Local Government Act 1993</i> related to the Rates and Charges Policy are detailed below:</p> <p><b>86A. General principles in relation to making or varying rates</b></p> <p>(1) A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –</p> <p>(a) rates constitute taxation for the purposes of local government, rather than a fee for a service; and</p> <p>(b) the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.</p> <p>(2) Despite subsection (1), the exercise of a council's powers to make or vary rates cannot be challenged on the grounds that the principles referred to in that subsection have not been taken into account by the council.</p>
<b>RELATED DOCUMENTS</b>	<p>9.1 Kingborough Council Strategic Plan 2020 – 2025</p> <p>9.2 Long Term Financial Management Plan</p>
<b>AUDIENCE</b>	10.1 The Rating and Charges Policy applies to Councillors in setting rates for the community.

## UPDATED POLICY FOR APPROVAL



## Rates and Charges Policy

<b>Policy No:</b>	3.14
<b>Approved by Council:</b>	July 2023
<b>New Review Date:</b>	July 2025
<b>Minute No:</b>	TBA
<b>ECM File No:</b>	12.191
<b>Version:</b>	2.0
<b>Responsible Officer:</b>	Manager Finance
<b>Strategic Plan Reference:</b>	2.4 The organisation has a corporate culture that delivers quality customer service, encourages innovation and has high standards of accountability



**1. POLICY STATEMENTS**

- 1.1 In Tasmania, Council rates are a form of property tax levied by Local Government as the primary source of funding for the many mandatory and discretionary services that are provided. Rates are administered in line with the *Local Government Act 1993* which allows some flexibility for each Council to make decisions that suit its local community.
- 1.2 As rates are a method of taxation, the total amount of rates paid may not directly relate to the services used by each ratepayer.
- 1.3 Property values (set by the Valuer-General) play an important role in determining how much each individual ratepayer contributes to the cost of delivering Council services and activities. The *Local Government Act 1993* expects that the higher the value of the property the higher the rates to be paid.
- 1.4 All land within a Council area, except for land specifically exempt (eg. Crown Land, Council occupied land and other prescribed land) is rateable. Council also raises revenue through fees and charges, which are set, giving consideration to the cost of the service provided and any equity issues.

**2. DEFINITIONS**

- 2.1 Part 9, Section 86, of the *Local Government Act 1993* comprises the definition of key terms applicable to the rating processes of Local Government.

**3. OBJECTIVE**

- 3.1 The objectives of this policy are to outline Council's approach to determining and collecting rates from its community.
- 3.2 This policy will meet the requirements of Section 86B of the *Local Government Act 1993*, which states each Council must prepare and adopt a Rates and Charges Policy.

**4. SCOPE**

- 4.1 This policy covers:
  - 4.1.1 The relationship between Council's strategic plans, its budget and rates structure
  - 4.1.2 Council's revenue raising powers
  - 4.1.3 Method used to value land
  - 4.1.4 Adoption of valuations
  - 4.1.5 Differential general rates
  - 4.1.6 Minimum rate
  - 4.1.7 Concessions
  - 4.1.8 Payment of rates
  - 4.1.9 Late payment of rates
  - 4.1.10 Recovery of rates
  - 4.1.11 Sale of land for non-payment of rates
  - 4.1.12 Remission and postponement of rates
  - 4.1.13 Rebate of rates
  - 4.1.14 Disclaimer

**5. PROCEDURE (POLICY DETAIL)**

- 5.1 Council is faced with balancing its service levels, the needs and expectations of the community and setting appropriate tax levels to adequately resource and fulfil its roles and responsibilities. In determining rates for the financial year Council gives primary consideration to:

- 5.1.1 Council's Strategic Plan,
- 5.1.2 Council's Long Term Financial Management Plan,
- 5.1.3 the Local Government Act 1993,
- 5.1.4 current economic climate, and
- 5.1.5 likely impacts on the community

The resources required to successfully achieve this outcome are documented in the annual plan.

**Rates in Kingborough**

- 5.2 Kingborough Council considers the combined use of service charges and variable charges (rate in the capital value dollar) per rateable property provides the fairest and most equitable method of charging rates to our Community.
- 5.3 Council considers the imposition of a minimum general rate is the most fair and equitable means of ensuring that all ratepayers contribute equally to the administration of Council's services and the development and maintenance of the Community's infrastructure.
- 5.4 Council adopts the Capital Value (CV) as determined by the Valuer-General as the valuation method to be used in determining rates.
- 5.5 Council levies a Stormwater Removal Service Rate on all properties to fund current and future Stormwater Infrastructure requirements.
- 5.6 Annual service charges also apply for the collection and disposal of garbage, organic waste and recycling on a per waste bin basis.
- 5.7 Council collects three fire rate levies on behalf of the State Fire Commission based on the cents in the CV dollar, with a minimum fire levy charge.
- 5.8 There are a number of properties which are public, educational, religious or charitable in use or ownership and which are in part or in full exempt from the general rate.
- 5.9 Council considers that the CV method of valuing land provides a fair method of distributing the rate burden across all ratepayers on the following basis:
- 5.9.1 Rates constitute a system of taxation and the equity principle of taxation requires that ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth;
  - 5.9.2 Property value is a generally accepted indicator of wealth, and capital value, which closely approximates the market value of a property, provides the best indicator of overall property value.
- 5.10 Council adopts the "CV" as assessed by the Valuer-General as the valuation method to be used in determining rates. If a ratepayer is dissatisfied with the valuation made, the ratepayer may object to the Valuer-General in writing.
- 5.11 Council has no role in the assessment of objections. The lodgement of an objection does not alter the due date for the payment of rates. Rates must be paid in accordance with the Rate Notice until otherwise notified by Council.

**Objections to rates notice**

- 5.12 Council will consider any objections to rate notices in accordance with Section 123 of the Local Government Act 1993.

**Rate Concessions**

- 5.13 The State Government, in providing equity across Tasmania, funds a range of concessions in relation to Council rates. The concessions are administered by various State Government agencies that determine eligibility and pay the concession directly to Council on behalf of the ratepayer. Concessions are available only on a ratepayer's principal place of residence.
- 5.14 Ratepayers seeking a rate concession are not to withhold payment of rates pending assessment of an application by the State Government. Rates must be paid in accordance with the Rate Notice.
- 5.15 A refund will be paid to an eligible person if Council is advised a concession applies and rates instalments have already been paid.

**Payment of Rates**

- 5.16 Council rates are payable by four equal instalments in August, October, January and April. The total outstanding balance of rates may be paid in full at any time. Any arrears outstanding are payable immediately.
- 5.17 Any ratepayer who may, or is likely to, experience difficulty with meeting the standard quarterly payment should contact the Rates Department to discuss alternative payment arrangements. Such enquiries are treated confidentially by Council.

**Late Payment of Rates**

- 5.18 Council has determined that penalties for late payments will be imposed in accordance with the provisions of the Local Government Act 1993 and relevant Council procedures.
- 5.19 A penalty of 5% of the unpaid rate may be imposed on instalments not paid by the due date.
- 5.20 Daily interest at a rate set by Council's annual Rate Resolution will be applied in respect of the unpaid rate or instalment for the period during which it remains unpaid.

**Recovery of Rates**

- 5.21 In accordance with sound financial management principles, Council's Rates Department will apply prudent debt management practices to Rate Debtors. This includes an ongoing review of rates in arrears and following a systematic debt recovery approach.
- 5.22 Rates, which remain in arrears for a period exceeding 30 days from the due date of an instalment, will be subject to recovery action.
- 5.23 Council will seek to recover a rate debt through legal Court proceedings if an amount remains overdue in excess of 90 days. Council may also register a caveat on a property where there is an outstanding rate debt.
- 5.24 Prior to taking legal action Council will provide a notice in writing of its intention to recover the outstanding debt through the Courts and provide 14 days for payment prior to lodging the outstanding debt with its solicitors.
- 5.25 Prior to taking legal action Council will take all reasonable steps to establish a payment arrangement or negotiate settlement of the outstanding debt.

**Sale of Land for Non-payment of Rates**

- 5.26 The Local Government Act 1993 provides that a Council may sell any property where the rates have been in arrears for a period of three years or more. Council is required to;
- 5.26.1 notify the owner of the land of its intention to sell the land,

- 5.26.2 provide the owner with details of the outstanding amounts; and
- 5.26.3 Advise the owner of its intention to sell the land if payment of the outstanding amount is not received within 90 days. Except in extraordinary circumstances, Council will enforce the sale of land for arrears of rates.
- 5.27 All sale of land for rate recovery purposes will be approved by Council prior to the owner being notified.

#### **Remission and Postponement of Rates**

- 5.28 Application for remission of rates and charges or postponement of rates will be considered under the discretionary provisions of Section 129 of the Local Government Act 1993.

#### **Rebate of Rates**

- 5.29 Council has determined that rebates of rates will be only granted when the applicant satisfies the requirements for mandatory rebates under applicable Sections of the Local Government Act 1993.
- 5.30 Rebates for Conservation Covenants are addressed within Council Policy 3.9 "Rate Rebate for Conservation Covenant Policy".

#### **Disclaimer**

- 5.31 A rate cannot be challenged on the basis of non-compliance with this policy and must be paid in accordance with the required payment provisions.
- 5.32 Where a ratepayer believes that Council has failed to properly apply this policy, it should raise the matter with Council. In the first instance contact should be made with the Rates Department.

### **6. GUIDELINES**

- 6.1 Rates constitute taxation for the purposes of Council, rather than a fee for service.
- 6.2 The value of rateable land is an indicator of the capacity of ratepayers to pay rates.
- 6.3 There is a commitment to the broad principle of fairness and equity in the distribution of rates across all ratepayers.
- 6.4 Capital Value (The valuation of the property) is used as the basis for valuing land within the Council area, as determined by the Valuer-General each year.
- 6.5 A general rate, a differential rate applying to non-vacant residential, a service charge, and a minimum rate will be applied as a means of raising taxation revenue within the community.
- 6.6 Eligible Pensioner ratepayers who hold a Pensioner Concession Card, DVA Gold Card or Government Health Care Card are entitled to a remission of rates, subject to a range of criteria. This remission does not apply to holders of the Commonwealth Seniors Health Cards.
- 6.7 Annual garbage, organic and recycling collection charges will be charged at a set amount based on the size bin.
- 6.8 The three fire rate levies that Council collects on behalf of the State Fire Commission are based on the cents in the CV dollar.
- 6.9 Council will apply rebates in accordance with the *Local Government Act 1993*. Council will adhere to the Act in granting full or part exemption for general rates for properties which may include public, educational, religious or charitable in use and ownership.
- 6.10 Council will continue to accept the payment of rates in full or by four instalments. Council will consider other payment arrangements with ratepayers when requested.



- 6.11 Council will impose late payment penalties strictly in accordance with the *Local Government Act 1993*.
- 6.12 Council may enforce the sale of land for non-payment of rates in accordance with the *Local Government Act 1993*.
- 6.13 Council advises that a rate cannot be challenged on the basis of non-compliance with this policy and rates must be paid in accordance with the required payment provisions.

## 7. COMMUNICATION

- 7.1 All Councillors and employees may be briefed on this policy as part of the induction program and on an on-going basis.

## 8. LEGISLATION

- 8.1 The rating and valuation methods available to local government are covered under various pieces of legislation. In particular Part 9 of the *Local Government Act 1993* and the *Valuation of Land Act 2001* are the most relevant.
- 8.2 The following Sections within the *Local Government Act 1993* related to the Rates and Charges Policy are detailed below:

### **86A. General principles in relation to making or varying rates**

- 1) *A council, in adopting policies and making decisions concerning the making or varying of rates, must take into account the principles that –*
  - a) *rates constitute taxation for the purposes of local government, rather than a fee for a service; and*
  - b) *the value of rateable land is an indicator of the capacity of the ratepayer in respect of that land to pay rates.*
- 2) *Despite subsection (1), the exercise of a council's powers to make or vary rates cannot be challenged on the grounds that the principles referred to in that subsection have not been taken into account by the council.*

## 9. RELATED DOCUMENTS

- 9.1 Kingborough Council Strategic Plan 2020 – 2025
- 9.2 Long Term Financial Management Plan

## 10. AUDIENCE

- 10.1 The Rating and Charges Policy applies to Councillors in setting rates for the community.

## 16.4 PROMOTION OF THE DIVERSITY AND INCLUSION STATEMENT

**File Number:** 5.539

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

**Authoriser:** Gary Arnold, General Manager

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.2 An inclusive community that has a strong sense of pride and local identity.

## 1. PURPOSE

- 1.1 The purpose of this report is to recommend that the Diversity and Inclusion Statement adopted by Council on 5 June 2023, is displayed in the Civic Centre and commended to other Council's through placing on the agenda for a future Local Government Association of Tasmania general meeting.

## 2. BACKGROUND

- 2.1 On 5 June 2023, Council endorsed the Diversity and Inclusion Statement prepared by the Disability Inclusion and Access Advisory Committee (Attachment 1).
- 2.2 The Disability Inclusion and Access Advisory Committee met on 14 June 2023, and discussed several matters including the statement, the Kingston Beach streetscape upgrade, accessible beach matting, and pedestrian countdown timers in the Kingston CBD (Attachment 2).
- 2.3 At that meeting, the Disability Inclusion and Access Advisory Committee agreed to request that Council place the Diversity and Inclusion Statement on the agenda of a future Local Government Association of Tasmania (LGAT) general meeting, requesting that all Council's adopt a similar statement.
- 2.4 In addition, the Disability Inclusion and Access Advisory Committee requested that Council consider including the Statement in a prominent position at the entrance to the Civic Centre.

## 3. STATUTORY REQUIREMENTS

- 3.1 There are no statutory requirements related to this report.

## 4. DISCUSSION

- 4.1 Kingborough Council is committed to creating a safe, welcoming, and inclusive community, as evidenced by endorsement of the Diversity and Inclusion Statement.
- 4.2 Placing the Statement in a prominent position within the Civic Centre would assist in promoting the Statement and inclusion.
- 4.3 Placing the Statement on the LGAT agenda to encourage other Council's to develop and adopt similar statements would be beneficial in creating more inclusive, safe, and welcoming communities across the State.

**5. FINANCE**

- 5.1 There are no financial implications. Placement of the Statement in the Civic Centre can be achieved using existing resources.

**6. COMMUNICATION AND CONSULTATION**

- 6.1 The Diversity and Inclusion Statement has been promoted on Council's website and is used to promote Council's approach to diversity and inclusivity in Council's recruitment and induction process.

**7. RISK**

- 7.1 There are no risks associated with this report.

**8. CONCLUSION**

- 8.1 In accordance with Council's commitment to encouraging inclusivity and diversity, it is recommended that Council promote its Diversity and Inclusion Statement to other Council's and display it prominently within the Civic Centre, as requested by the Disability Inclusion and Access Advisory Committee.

**9. RECOMMENDATION**

That Council resolve to:

- (a) Request that the Diversity and Inclusion Statement is included on the agenda of a future Local Government Association of Tasmania general meeting, recommending that all Council's adopt a similar statement; and
- (b) Agree to place a copy of the Statement in a prominent position at the entrance to the Civic Centre.

**ATTACHMENTS**

1. Diversity and Inclusion Statement
2. Disability Inclusion and Access Advisory Committee minutes 14 June 2023



## DIVERSITY AND INCLUSION STATEMENT

Kingborough Council strives to be the model of an inclusive culture where diversity of thought and background is valued.

We acknowledge, value and respect people of all cultures, sexualities, beliefs, abilities, genders and ages, and support their rights of equal access, equity and participation.

We believe diversity of thought and background, together with an inclusive work environment are critical to support every person and team to excel. We want to enable innovation for continuous improvement of service delivery.

We strive for an environment where people feel they belong, are valued as an individual, and are respected with a shared sense of fairness.

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# MINUTES

## **KINGBOROUGH DISABILITY INCLUSION & ACCESS ADVISORY COMMITTEE**

**Meeting No. 2023-3**

**Wednesday 14 June 2023**

Minutes of a Meeting of the Kingborough Disability Inclusion & Access Advisory Committee held at the Kingborough Civic Centre, Kingston, on Wednesday 14 June 2023 2.00pm.

### PRESENT

		PRESENT	APOLOGY
Chairperson	Cr Paula Wriedt	✓	
Deputy Chairperson	Cr Flora Fox	✓	
	David Vickery	✓	
	Kevin Brown	✓	
	Di Carter	✓	
	Fran Thompson	✓	
	Wendy Nielsen	✓	
	Heather Anderson	✓	
	David McQuillan	✓	
	Don Hempton	✓	
	Bob Schnierer	✓	
	Anne Rathjen	✓	
Staff	Julie Alderfox (Community Development Officer)	✓	
	Renai Clark (Senior Roads Engineer)	✓	
	Khum Sharma (Civil Engineer)	✓	

### ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chairperson acknowledged and paid respect to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of the land on which the Committee met and acknowledged elders past and present.

### DECLARATIONS OF INTEREST

Nil

### CONFIRMATION OF MINUTES

Cr Flora Fox (Deputy Chair of the Disability Inclusion and Access Advisory Committee) chaired the meeting due to a delay experienced by Cr. Paula Wriedt (Chair).

MOVED: Don Hempton

SECONDED: Fran Thompson

That the Minutes of the Committee meeting held on 24 April 2023 as circulated, be confirmed.  
CARRIED



**BUSINESS ARISING****1. Kingston Beach Streetscape Upgrade**

Renai Clark (Senior Roads Engineer) and Khum Sharma (Civil Engineer) provided an overview of works planned for Beach Road and Osborne Esplanade, Kingston Beach.

Information on the research and consultation methods undertaken to fully understand road usage and problem areas was provided.

Details of road treatments and traffic slowing measures was provided, along with the inclusion of safer crossing points. It was explained that the aim of the upgrade is to change driver habits, ensure slower speeds, and raise driver awareness of other road users such as cyclists and pedestrians.

Other traffic slowing measures such as permanent and mobile speed cameras were discussed. It was noted that these measures are not the function of Council but are a Department of State Growth responsibility and that overall traffic volumes are too low to warrant a presence on Beach Road.

Discussion took place in relation to poor visibility at the junction of Recreation Avenue and Beach Road and the danger this poses to pedestrians. Council has requested that foliage be reduced to improve conditions but does not have the authority to remove the foliage.

*Cr. Wriedt entered the meeting at 2.35pm.*

A question was raised regarding the potential for larger traffic volumes given the growing population of the area. It was noted that there are no firm projections for increase due to most of the traffic being local to Kingston Beach and/or through traffic to Blackmans Bay; both of these areas are not experiencing increased development.

Cr Paula Wriedt noted that a meeting is scheduled between herself and newly appointed Inspector Colin Riley at Kingston Police Station where speeding issues will be discussed.

*Renai Clark and Khum Sharma left the meeting at 2.40pm*

**2. Diversity and Inclusion Statement**

The Diversity and Inclusion Statement prepared by the Disability Inclusion and Access Advisory Subcommittee and supported unanimously by the full Committee was endorsed at the 5 June 2023 meeting of Council.

To further encourage the use of the statement it was requested that Cr. Wriedt take the statement to other southern mayors to suggest adopting the same or a similar statement. Cr. Wriedt agreed to the proposal.

Further to this, it was suggested that it be recommended that the Local Government Association of Tasmania (LGAT) adopt the statement to demonstrate public support for diversity and inclusion.

The following motions were put forward:

- 1) That consideration be given to placing the Diversity and Inclusion Statement adopted by Council at the 5 June 2023 meeting on the LGAT agenda for a future general meeting, requesting that all Council's adopt a similar statement.

MOVED: Anne Rathjen  
SECONDED: Don Hempton

CARRIED

- 2) That Council consider including the statement in a prominent position at the entrance to the Civic Centre.

MOVED: Fran Thompson  
SECONDED: Bob Schnierer

CARRIED

### **3. Beach Matting**

The 2023/2024 budget request for beach matting was approved along with a donation to the Kingston Beach Surf Life Saving Club. The donation will cover costs associated with the management of the matting over the summer season. Promotion of the new amenity will follow.

### **4. Countdown Pedestrian Timers**

The Committee was provided with concept designs for pedestrian crossing surface treatments and pedestrian crossing lights. Safety concerns were discussed, particularly the potential for children to be distracted by surface artwork. It was noted that the surface designs had been used in various locations without incident.

The Committee agreed that countdown timers would be preferable to the seagull design if the two could not be used side by side.

Julie to forward DIAAC preference to Transform Kingston staff.

## **OTHER BUSINESS**

### **Minister's Consultancy Group**

DIAAC members Anne Rathjen and Heather Anderson have both been appointed to the Minister's Disability Consultancy Group. Congratulations were extended.

## **NEXT MEETING**

The next meeting of the Access Advisory Committee is scheduled to take place on Wednesday 9 August 2023 2pm at the Council Chambers.

**CLOSURE:** There being no further business, the Chairperson declared the meeting closed at 3.15pm.

## 16.5 LEASE OF LAND - KINGSTON NEIGHBOURHOOD HOUSE

**File Number:** 5.131

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

**Authoriser:** Gary Arnold, General Manager

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.3 A resilient community with the capacity to flourish.

## 1. PURPOSE

- 1.1 The purpose of this report is to consider a request for a lease of Council land in the Maranoa Heights Reserve by the Kingston Neighbourhood House (KNH).

## 2. BACKGROUND

- 2.1 The KNH has for some years been considering opportunities to expand their service provision to the community by utilising part of the Maranoa Heights Reserve.
- 2.2 A formal proposal has now been submitted to Council (see attached) for a lease over a portion of land adjoining their property as show in the image below:





### 3. STATUTORY REQUIREMENTS

- 3.1 This matter is being considered in Open Session of Council in accordance with Section 15(3)(c) of the *Local Government (Meeting Procedures) Regulation 2015* as the subject land is classified as a public land under Section 177A of the *Local Government Act 1993*.

### 4. DISCUSSION

- 4.1 The proposal from the KNH is to utilise the leased area for the purpose of establishing a community garden.
- 4.2 The proposed area to be leased adjoins the KNH property at 24 Hawthorn Drive and effectively provides them with land that they don't have of their own in which to develop a community garden.
- 4.3 The Maranoa Heights Reserve comprises an area of 3.149 hectares, with the identified leased area being approximately 650sqm.
- 4.4 The proposed leased area does not impede public access and does not impact upon existing walking tracks or any other infrastructure in the reserve.
- 4.5 The benefits of establishing a community garden on the site are considered to outweigh the loss of public access to an area that is not currently used for any formal recreational purposes.
- 4.6 On this basis, approval of a lease of not more than five years is recommended.

### 5. FINANCE

- 5.1 The market rental for the subject land based on a pro-rata calculation from the government assessed annual value is approximately \$260 per annum.
- 5.2 The KNH has requested that the lease be granted at a peppercorn rental, which is consistent with that charged by Council to other community gardens in Kingborough.
- 5.3 Council has the ability under Section 6.1(h) of its Leasing and Licencing Policy to approve a lease fee lower than the market rental where it can be demonstrated that there is a clear community benefit to do so.
- 5.4 The establishment of a community garden to support disadvantaged members of the community is considered to be an appropriate application of this clause.
- 5.5 The KNH would be responsible for all outgoings associated with use of the area, including insurance, security, fencing and maintenance.

### 6. ENVIRONMENT

- 6.1 The proposal has been referred to Council's Biodiversity Officer, who has advised that an arborist report would be required to demonstrate that the proposed use of the area would not negatively impact on the endemic eucalypts growing on the site. This will be included as a condition in the lease.

### 7. COMMUNICATION AND CONSULTATION

- 7.1 The provisions of Section 178 of the Local Government Act with respect to public advertising do not apply for leases of land not exceeding five years.

- 7.2 The proposed leased area adjoins the KNH property and is otherwise surrounded by the Maranoa Heights Reserve.

## **8. RISK**

- 8.1 No risks to Council are identified in relation to this matter. The KNH will be taking on management responsibility for the leased area and therefore the risks associated with public use of the site.
- 8.2 Increased community use of the area will enhance passive surveillance of the nearby playground and improve public safety within the reserve.

## **9. CONCLUSION**

- 9.1 The proposal from the KNH to lease a small portion of land in the Maranoa Heights Reserve that adjoins their property for the purpose of establishing a community garden is considered to have negligible impact on the amenity of the reserve and worthy of support by Council.

## **10. RECOMMENDATION**

That the General Manager be authorised to negotiate a lease of 650sqm of land in the Maranoa Heights Reserve to the Kingston Neighbourhood House subject to the following conditions:

- (i) A lease period of no more than five years;
- (ii) A peppercorn rental to apply;
- (iii) The Kingston Neighbourhood House to be responsible for all outgoings associated with use of the area, including but not limited to: fencing, security, insurance and maintenance; and
- (iv) An arboricultural report being obtained to demonstrate that the proposed use of the area will not negatively impact on the endemic eucalypts growing on the site.

## **ATTACHMENTS**

1. **Kingston Neighbourhood House Lease Proposal**



Kingston Neighbourhood House  
24 Hawthorn Drive  
KINGSTON TAS 7050

P 03 6229 4066  
E [manager@kingstonnh.org.au](mailto:manager@kingstonnh.org.au)  
W [kingstonnh.org.au](http://kingstonnh.org.au)

Kingborough Council  
Att<sup>n</sup>:- Daniel Smee  
Civic Centre,  
15 Channel Highway,  
Kingston Tasmania 7050

4<sup>th</sup> May 2023

Dear Daniel,

I am writing to formally request a lease for the land adjoining Kingston Neighbourhood House (KNH), located at 24 Hawthorn Drive, Kingston Tasmania 7050.

I am making the request in line with Policy No. 3.21 (August 2021) Leasing and Licensing Policy and referencing the Kingborough Council's Open Space Strategy 2019.

#### OBJECTIVE

The immediate objective, if the lease is granted, is to establish a community garden.

The initial establishment would encompass fencing the area, creating garden beds and installing irrigation systems. Further details would be provided as consultation is undertaken and subject matter experts consulted.

#### AIMS

The Community Garden Project would be an extension of existing projects and workshops we have received grant funding for, namely the Healthy Tasmanian Step Forward Grants for Cooking & Eating Your Own Garden.

#### ENVIRONMENT

The cost-of-living pressures faced by many in our community may be alleviated, to some degree, by providing a pathway from training courses and workshops to establishing and looking after your own garden bed and growing



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Neighbourhood Houses Tasmania







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24 Hawthorn Drive  
KINGSTON TAS 7050

P 03 6229 4066  
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W [kingstonnh.org.au](http://kingstonnh.org.au)

vegetables for household use. We envisage KNH will have some beds to provide fresh produce to community members who are unable to commit the time or have other challenges to accessing fresh goods.

We would establish a plating timetable reflective of seasonal vegetables to enable year round use of the beds and production during winter months.

KNH has been the beneficiary of donated goods from a variety of community organisations however this has reduced recently as economic pressures impact on the cost-of-service provision. The establishment of the community garden would help to offset some of those losses and create sharing and ownership that will further support community connections.

We have received verbal confirmation from Healthy Tasmania indicating that we will be eligible to apply for additional funding in the new financial year to continue our Cooking and Eating Your Own Garden Workshops.

#### LOCATION

The land is part of the Maranoa Heights Reserve and located approximately at -42.992817 (latitude) and 147.304982 (longitude). Please see attached map (1) for area overview.

#### SUPPORT

We have spoken to Chris Keen from Kingston Community Garden and have received in-principal support to establish a garden and, kindly, Chris has offered to work with us to help establish the project.

A recent post to the private Face Book group, Kingborough Community Sharing Group, has had conversations about starting a Community Garden in the same location.

#### INSURANCE

We have received written confirmation that our current commercial insurance package through Tasmanian Insurance Brokers covers the proposed leased area for the purpose of creating a community garden.



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Neighbourhood Houses Tasmania





Kingston Neighbourhood House  
24 Hawthorn Drive  
KINGSTON TAS 7050

P 03 6229 4066  
E [manager@kingstonnh.org.au](mailto:manager@kingstonnh.org.au)  
W [kingstonnh.org.au](http://kingstonnh.org.au)

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#### CHARITABLE STATUS

Kingston Neighbourhood House is a charitable organisation registered with the Australian Charities and Not-For-Profit Commission. KNH holds donatable gift recipient (DGR) status endorsed by the Australian Tax Office (ATO) and is a registered public benevolent institution (PBI).

#### RENT

In keeping with Kingborough Council's leasing traditions to community organisations, we respectfully request consideration of providing the land under a peppercorn lease rental arrangement.

Thank you for taking the time to read our proposal and we look forward to your response.

Yours sincerely

David Morse

Manager

Kingston Neighbourhood House

On behalf of Kingston Neighbourhood House Association Inc.



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Neighbourhood Houses Tasmania

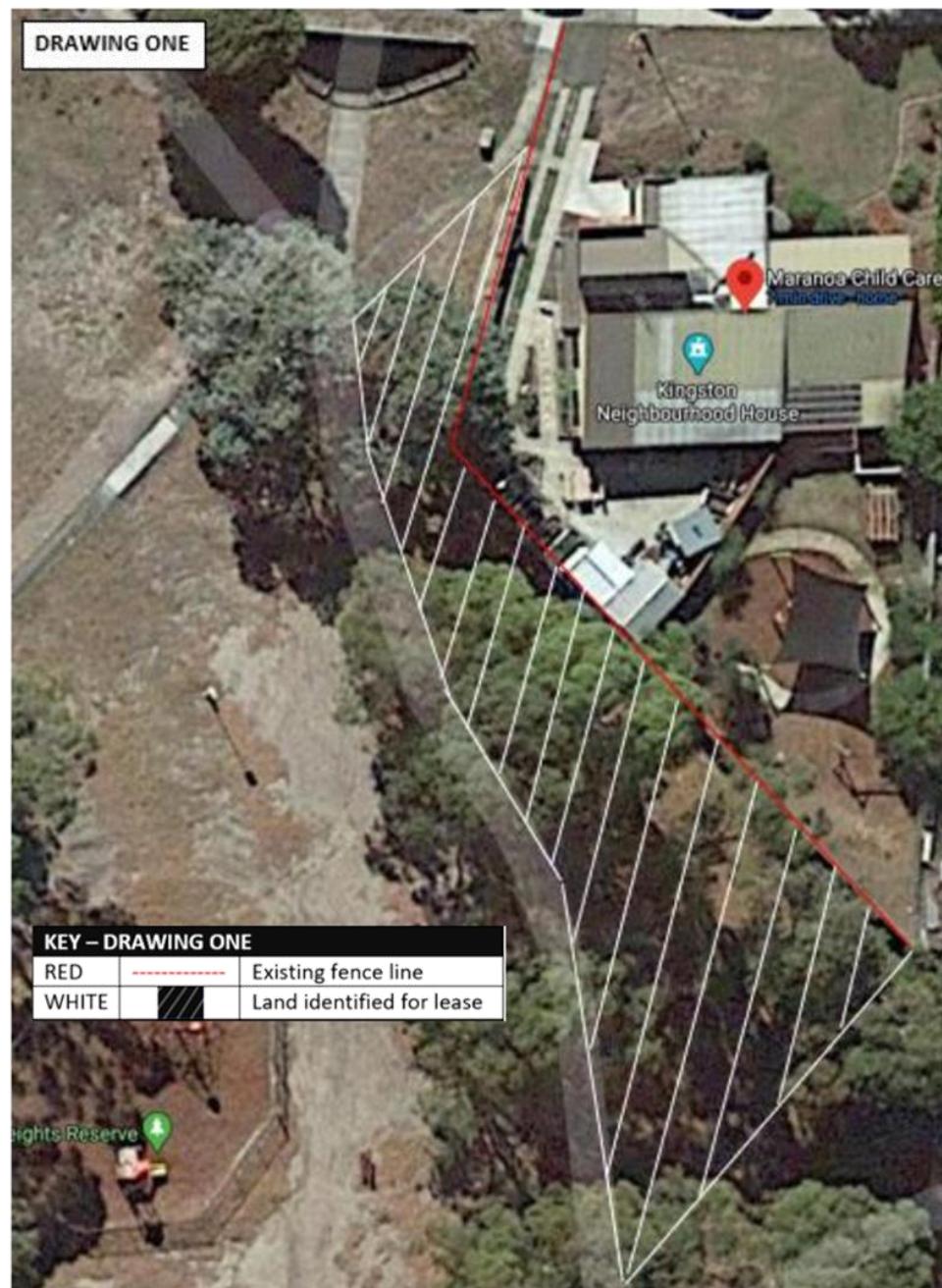




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W [kingstonnh.org.au](http://kingstonnh.org.au)

(1) MAP OF LAND PROPOSED FOR LEASE



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## 16.6 THE FUTURE OF LOCAL GOVERNMENT REVIEW

**File Number:** 12.193

**Author:** Gary Arnold, General Manager

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.  
Strategic Outcome: 1.1 A Council that engages with and enables its community.

### 1. PURPOSE

- 1.1 The purpose of this report is to enable Council to consider providing a submission to the Future of Local Government Review.

### 2. BACKGROUND

- 2.1 The Local Government Board (the Board) is undertaking the future of local government review.

### 3. STATUTORY REQUIREMENTS

- 3.1 The Board, established to undertake the review, has been appointed by the Minister for Local Government under section 210 of the *Local Government Act 1993*.

### 4. DISCUSSION

- 4.1 The Board commenced the Future of Local Government Review in January 2022.
- 4.2 The Future of Local Government Review Stage 1 Interim report was released in July 2022. The Interim Report clearly captured and articulated the challenges that currently exist within the structures and systems of local government within Tasmania.
- 4.3 The Interim Report identified four challenges and opportunities facing the local government sector:
- 4.3.1. Councils are often required to fund and deliver a broad range of services when they may not be the best level of government to deliver them.
  - 4.3.2. Pressure is often placed on councils to be “provider of last resort” to meet service needs not provided by the private sector or other levels of government.
  - 4.3.3. A range of undeniable structural sustainability challenges which will require bold and innovative solutions.
  - 4.3.4. The high value placed on “local representation” would benefit from greater community confidence and trust in local government through more consistent levels of capability and professionalism of elected representatives, improved community engagement, transparency, and accountability.
- 4.4 The Future of Local Government Review Stage 2 Options Paper was released in December 2022.
- 4.5 On 6 February 2023 the Local Government Board held councillor, staff, and community sessions at the Kingborough Community Hub to discuss the review.

- 4.6 The councillor session was attended by the Mayor, Cr Paula Wriedt, Deputy Mayor, Cr Clare Glade-Wright, Cr Antolli, Cr Bain, Cr Cordover and Cr Fox. They were joined at the session by councillors from Huon Valley and Clarence.
- 4.7 Staff from Kingborough were joined at the staff session by colleagues from Clarence, Huon Valley, and Southern Midlands councils.
- 4.8 Approximately 40 people registered to attend the community information session.
- 4.9 Council considered a report on the Stage 2 Options Paper at the Council meeting held on 20 February 2023 and resolved to put a submission to the Local Government Board on the Stage 2 Options Paper supporting the hybrid model (Minute C50/3-2023 refers).
- 4.10 In March 2023 the Board released the Stage 2 Interim Report.
- 4.11 In this report the Board stated that “structural reform is essential to build local government capability and capacity for the future”.
- 4.12 The report also advised that “the Board’s considered view on the current structure of the Tasmanian system of local government remains that:
  - 4.12.1. The status quo is not an optimal or sustainable model for the sector, given growing demands, complexity, and sustainability challenges.
  - 4.12.2. Some form of consolidation is necessary to deliver greater economies of scale and scope, at least for some services; and
  - 4.12.3. The scale and extent of the consolidation needed to deliver significantly better services will, unfortunately, not occur on a purely voluntary basis within the current framework. Reform must be designed collaboratively but once settled; implementation must be mandated by the State Government”.
- 4.13 The Board has collaborated with the University of Tasmania to develop contemporary Tasmanian community catchment maps.
- 4.14 On 29 May 2023 the Board released detailed information packs for each of the nine Community Catchments they identified in their Stage 2 Interim Report.
- 4.15 The Board wanted the maps to “act as a catalyst for conversations about how we potentially reorganise our local government boundaries at a larger scale to deliver stronger capability, while simultaneously supporting and enhancing community cohesion, voice, and identity”.
- 4.16 The Board are seeking feedback by 2 August 2023.
- 4.17 Councillors and staff have attended additional engagement sessions held over the past few months.
- 4.18 Kingborough Council has been identified in scenarios in both the Western Shore and Southern Shore information packs.
- 4.19 For each of the scenarios the Board want Councils and communities to consider four fundamental questions:
  - 4.19.1 What are the strengths?
  - 4.19.2 What are the weaknesses or challenges?

- 4.19.3 Are there any adjustments that could be made to maximise the strengths and minimise the weaknesses?
- 4.19.4 Are there any other entirely different scenarios the Board should consider, which would still deliver against the Board's criteria and structural reform principles?

## WESTERN SHORE

- 4.20 The Brighton, Derwent Valley, Glenorchy, Hobart and Kingborough Councils are identified in the Western Shore community catchment area.
- 4.21 **Western Shore Scenario 1** - Establishing one council reflecting geography, commuting connections to Hobart, and communities of interest, incorporating the current Hobart and Glenorchy Councils, extending south to include Taroona.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>This scenario would increase the population and rate base of the capital city Council.</li> <li>The population would increase to approximately 109,000 residents and the rates revenue in 2021 dollars would be an estimated \$116.6m.</li> </ul>	<ul style="list-style-type: none"> <li>This scenario would correspondingly reduce Kingborough's population by approximately 3,400 and reduce annual revenue by approximately \$2.9m per annum.</li> </ul>

- 4.22 **Western Shore Scenario 2** - Establishing one council similar to Scenario 1 by merging Hobart and Glenorchy but extending further south to incorporate Taroona, Kingston and Blackmans Bay.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>This scenario increases the population of the capital city Council to approximately 132,000 residents and the rates revenue in 2021 dollars would be an estimated \$133.2m.</li> </ul>	<ul style="list-style-type: none"> <li>This scenario provides a large geographical area with a dispersed population and small urban rate base.</li> </ul>

- 4.23 **Western Shore Scenario 3** – Establishing a single council similar to Scenario 2, but also extending north and north eastwards to incorporate the town of New Norfolk and the current Brighton LGA.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>This scenario significantly increases the size of the capital city Council to approximately 160,000 residents or 63% of greater Hobart and 28% of Tasmania's population.</li> <li>The total rates revenue in 2021 dollars would be an estimated \$147.2m.</li> </ul>	<ul style="list-style-type: none"> <li>Under this scenario servicing of Bruny Island from Huonville may prove to be problematic.</li> <li>This scenario provides a large geographical area with a dispersed population and small urban rate base.</li> </ul>



## SOUTHERN SHORE

4.24 The Hobart, Kingborough and Huon Valley Councils are identified in the Southern Shore community catchment area.

4.25 **Southern Shore Scenario 1** – Establishes two council areas, the first consists of the existing Huon Valley Council area and the second comprises the existing Kingborough Council area minus Taroona (to be moved to Hobart).

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>Under this scenario there is no change to the existing Huon Valley Council area.</li> <li>This scenario largely maintains the existing area of Kingborough Council.</li> <li>This scenario increases the population and rate base of the capital city council with the addition of Taroona (and Glenorchy).</li> <li>Existing Council administrative service centres and depots are maintained under this scenario.</li> <li>This scenario appears easy to implement.</li> </ul>	<ul style="list-style-type: none"> <li>Retention of the existing Huon Valley Council area appears to contradict the Board statement that “the existing status quo is not an option”.</li> <li>This scenario erodes Kingborough’s population base by approximately 3,400 residents and reduces annual revenue by approximately \$2.9m.</li> <li>This scenario reduces capacity for a regional focus to service delivery.</li> <li>This scenario does not appear to offer opportunity for improved service delivery.</li> </ul>

4.26 **Southern Shore Scenario 2** – Combines the existing Kingborough and Huon Valley Council areas to create one new council area.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>This scenario maximises the opportunities increased scale provides by having one council south of Hobart.</li> <li>This scenario increases the population base to approximately 59,000 residents and rates revenue in 2021 dollars would be an estimated \$45.1m.</li> <li>It appears to be a logically defined geographical area.</li> <li>This scenario would maximise opportunities for a regional approach to service delivery.</li> <li>Existing Council administrative service centres and depots are maintained under this scenario.</li> <li>This scenario appears to be easy to implement.</li> </ul>	<ul style="list-style-type: none"> <li>Could lead to a loss of rural representation in the new council.</li> <li>May be viewed as a Kingborough takeover of Huon Valley Council.</li> <li>Creates some service challenges to cover an area from Taroona to Cockle Creek.</li> </ul>

4.27 **Southern Shore Scenario 3** – Combines the majority of the existing Kingborough Council area with the existing Huon Valley Council but excludes Taroona, Kingston, and Blackmans Bay.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>This scenario increases the size and scale of the capital city council.</li> <li>Creates a new council to the south of Blackmans Bay with a strong rural focus.</li> </ul>	<ul style="list-style-type: none"> <li>Creates a council with a large geographical area with a dispersed population and small urban rate base.</li> <li>Servicing of Bruny Island from Huonville may prove challenging.</li> </ul>

### ALTERNATIVE SCENARIO – ESTABLISHMENT OF A BRUNY ISLAND BOARD

- 4.28 The Board have advised that during their Stage 2 community workshops on King and Flinders Island they heard suggestions from participants that supporting models of governance are needed for the islands.
- 4.29 The Board were made aware of several alternative governance models which are a feature of islands in other mainland jurisdictions, which could better support the councils in supporting their communities and providing efficient services and infrastructure.
- 4.30 During workshop discussion on the Future of Local Government Review Kingborough councillors have indicated a desire to ask the Board to further investigate alternative governance arrangements for Bruny Island.
- 4.31 In particular, the existing Lord Howe Island Board, established under the provisions of the Lord Howe Island Act 1953 is viewed as the preferred model upon which to investigate establishment of a Bruny Island Board.
- 4.32 The Lord Howe Island Board is a statutory authority responsible to the NSW Minister for the Environment and comprises four Islanders elected by the local community and three members appointed by the Minister.
- 4.33 It is charged with the care, control and management of the Island and the affairs and trade of the Island. It is also responsible for the care, improvement, and welfare of the Island residents.
- 4.34 The staff of the Lord Howe Island Board are employed by the NSW Government
- 4.35 Funding for a Bruny Island Board could, for example, occur in part via a State Government introduced tourist levy and the model should also be investigated with a view to applicability to King and Flinders Islands.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>This scenario could involve election of Islanders by the community.</li> <li>A State Government introduced tourist levy could provide a source of funding.</li> </ul>	<ul style="list-style-type: none"> <li>This scenario would reduce annual revenue to Kingborough Council by approximately \$1.8m per annum.</li> </ul>

### SUMMARY

- 4.36 Council has previously considered structural reform on many occasions and has always demonstrated an openness to reform and a desire to collaborate with our neighbours to achieve improved outcomes.

- 4.37 At the 24 August 2015 Council meeting, Council resolved to approve the terms of reference for a feasibility study into voluntary amalgamations (Minute C285/11-15 refers).
- 4.38 As a result of that decision, Council joined with Hobart, Clarence, and Glenorchy councils to commission SGS to undertake the study.
- 4.39 At the Council meeting held on 24 April 2017 Council resolved to seek urgent intervention from the Minister for Local Government to allow the then Huon Valley Council Commissioner to hold discussions with Kingborough Council on all available options for local government reform, including amalgamation (Minute C182/8-17 refers).
- 4.40 Those discussions were never held.
- 4.41 Six years since that Council decision the Board have reached the conclusion that some form of scaling up is critical for the local government sector in Tasmania.
- 4.42 The findings of the Board as outlined in the Stage 2 Options Paper clearly suggest that boundary consolidation and the hybrid model that introduces mandated resource sharing are the most likely pathway to deliver what Tasmanian communities increasingly need from local government.
- 4.43 There are undeniable structural sustainability challenges facing local government in Tasmania and there are many reasons for this.
- 4.44 Council's need core capabilities to service existing functions but also need the flexibility to develop new capabilities to service new or evolving functions.
- 4.45 Increasingly communities are seeking greater support and service delivery from councils while financial pressures continue to grow.
- 4.46 It has long been recognised local government is the tier of government closest to the community. As a result, the sector has become a target for cost shifting from other levels of government which contributes to this sustainability challenge.
- 4.47 It is acknowledged that a "one size fits all" approach is not appropriate in any structural reform. Different areas of the state have different needs and priorities.
- 4.48 The opportunities and challenges local government face are many and varied as are individual circumstances.
- 4.49 However, the optimum model should be capable of addressing a plethora of challenges including the following:
- climate change
  - digital transformation and cyber security
  - community engagement and social media
  - reducing reliance on Federal Assistance Grant funding
  - reducing reliance on the TasWater dividend
  - housing and homelessness
  - population growth and infrastructure provision
  - equality and inclusion

- 4.50 The Board have identified the challenge will be to develop a model where consolidation and partnerships enhance the long-term capability of councils and the sustainability of services while strengthening local representation, governance, and democracy.
- 4.51 At a recent workshop Kingborough councillors have again discussed and considered the Future of Local Government Review.
- 4.52 The Southern Shore Scenario 2 that combines the existing Kingborough and Huon Valley Council areas to create one new council area south of Hobart appears to be the most suitable to investigate further.
- 4.53 This scenario addresses the Board's structural reform principles and would maximise opportunities for a regional approach to service delivery.
- 4.54 In addition, Kingborough Council has for many years had informal resource sharing arrangements in place with Huon Valley Council.
- 4.55 It is also suggested that further investigation of this scenario should involve consideration of the potential addition of Tarooma to our capital city council, and the Bruny Island Board alternative scenario.

## **5. FINANCE**

- 5.1 The estimated loss of annual revenue (raw data) is provided for selected scenarios addressed in this report.
- 5.2 The compressed timeframe for councils to digest/discuss/consider community catchment scenarios identified in the Stage 2 Information Packs did not allow time for detailed financial analysis and modelling to occur.
- 5.3 All Tasmanian councils have just completed the annual budget process and are now finalising end of financial year accounts thus limiting resources to undertake additional financial analysis and modelling on scenarios.
- 5.4 Once the Board's final recommendations are known financial analysis and modelling can be undertaken.

## **6. ENVIRONMENT**

- 6.1 There are no environmental considerations associated with this report.

## **7. COMMUNICATION AND CONSULTATION**

- 7.1 The future of local government review has already involved an extensive community consultation process, and as outlined on the website, and in this report, this is planned to continue.

## **8. RISK**

- 8.1 Any position taken by Council that supports reform is likely to risk criticism from other Councils that do not support reform.

## **9. CONCLUSION**

- 9.1 The Future of Local Government Review provides a unique opportunity to reshape the Tasmanian local government sector to deliver a more capable and sustainable system of local government.



- 9.2 It is disappointing to note that recent media regarding the Future of Local Government Review has focussed on existing municipal boundaries and appears to ignore resource sharing opportunities that enhance the long term capacity of Councils and the sustainability of services for the communities we serve.
- 9.3 Council's submission should express a desire to collaborate with Huon Valley Council to further investigate Southern Shore Scenario 2 that combines the existing Kingborough and Huon Valley Council areas to create one new council south of Hobart.
- 9.4 Finally, investigation of this scenario should involve consideration of the potential addition of Taroona to our capital city council, and the Bruny Island Board alternative scenario.

## 10. RECOMMENDATION

That Council resolve to provide a submission to the Local Government Board that:

- (a) Reiterates Council's continued openness to reform that seeks to deliver a more capable and sustainable system of local government; and
- (b) Expresses Council's openness to collaborate with Huon Valley Council to further investigate Southern Shore Scenario 2.

## ATTACHMENTS

Nil

**16.7 APPENDICES****RECOMMENDATION**

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

**17 NOTICES OF MOTION**

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

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

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**RECOMMENDATION**

That in accordance with the *Local Government (Meeting Procedures) Regulations 2015* Council, by absolute majority, move into closed session to consider the following items:

**Confirmation of Minutes**

Regulation 34(6) *In confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.*

**Applications for Leave of Absence**

Regulation 15(2)(h) *applications by councillors for a leave of absence*

**Disposal of Land - Wells Parade, Blackmans Bay**

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

**Disposal of Land - Spring Farm Lane, Kingston**

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

**Sundry Debtor Write Off**

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

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

Open Session of Council adjourned at

**OPEN SESSION ADJOURNS**

## OPEN SESSION RESUMES

### RECOMMENDATION

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

Item	Decision
Confirmation of Minutes	
Applications for Leave of Absence	
Disposal of Land - Wells Parade, Blackmans Bay	
Disposal of Land - Spring Farm Lane, Kingston	
Sundry Debtor Write Off	

### CLOSURE

# APPENDIX

- A General Manager's Activities 12 June 2023 to 7 July 2023
- B Current and Ongoing Minute Resolutions (Open Session)
- C Infrastructure Works Report: April - June 2023
- D Complaints Register 1 April 2023 to 30 June 2023
- E Councillors Attendance at Meetings and Workshops 1 April 2023 to 30 June 2023
- F Quarterly Summary Action Report to June 2023



**A GENERAL MANAGER'S ACTIVITIES 12 JUNE 2023 TO 7 JULY 2023**

<b>Date</b>	<b>Description</b>
13 June	Participated in Metropolitan Council GM's weekly meeting
	Attending Special Council Meeting
14 June	Attended Southern Waste Solutions Organics Workshop
16 June	Attended meeting with Dr Samantha Fox and Mr Alex Gard to discuss development matters
19 June	Attended Council meeting
20 June	Participated in Metropolitan Council GM's weekly meeting
26 June	Attended TasWater General Meeting
	Attended Councillor Workshop
27 June	Participated in Metropolitan Council GM's weekly meeting
29 June	Derwent Estuary Program meeting
30 June	Attended the LGAT General Meeting and AGM
3 July	Attended Council meeting
4 July	Participated in Metropolitan Council GM's weekly meeting
5 July	Attended the Kingston Revitalisation Steering Committee meeting
6 July	Attended the Kingston Park PCG Meeting
	Attended the SETN Board meeting

**B CURRENT AND ONGOING MINUTE RESOLUTIONS (OPEN SESSION)**

<b>CURRENT</b>	
	<b>NIL</b>
<b>STILL BEING ACTIONED</b>	
<b>Resolution Title</b>	<b>Expansion of Smoke-Free Areas</b>
<b>Meeting Date</b>	5 June 2023
<b>Minute No.</b>	C172/10-2023
<b>Status</b>	In progress
<b>Responsible Officer</b>	Manager Environmental Services
<b>Officers Comments</b>	Planning commenced for consultation
<b>Anticipated Date of Completion</b>	December 2023
<b>Resolution Title</b>	<b>Junior Toilet Facilities</b>
<b>Meeting Date</b>	1 May 2023
<b>Minute No.</b>	C135/8-2023
<b>Status</b>	Complete
<b>Responsible Officer</b>	Director Governance, Recreation & Property Services
<b>Officers Comments</b>	Public Toilet Strategy updated
<b>Anticipated Date of Completion</b>	Complete
<b>Resolution Title</b>	<b>Mount Royal Reserve</b>
<b>Meeting Date</b>	3 April 2023
<b>Minute No.</b>	C104/6-2023
<b>Status</b>	Complete
<b>Responsible Officer</b>	Acting Director Governance, Recreation & Property Services
<b>Officers Comments</b>	Workshop date scheduled
<b>Anticipated Date of Completion</b>	Complete
<b>Resolution Title</b>	<b>Land Donation – Hobart Women’s Shelter</b>
<b>Meeting Date</b>	6 February 2023
<b>Minute No.</b>	C28/2-2023
<b>Status</b>	Complete
<b>Responsible Officer</b>	Director Governance, Recreation & Property Services
<b>Officers Comments</b>	Women’s Shelter advised of Council’s decision
<b>Anticipated Date of Completion</b>	August 2023
<b>Resolution Title</b>	<b>Continuous Improvement Policy</b>
<b>Meeting Date</b>	19 December 2022
<b>Minute No.</b>	C494/24-2022
<b>Status</b>	In progress
<b>Responsible Officer</b>	Chief Financial Officer
<b>Officers Comments</b>	Policy to be prepared
<b>Anticipated Date of Completion</b>	June 2023
<b>Resolution Title</b>	<b>Multicultural Strategy</b>
<b>Meeting Date</b>	19 December 2022
<b>Minute No.</b>	C498/24-2022
<b>Status</b>	In progress
<b>Responsible Officer</b>	Director Environment, Development & Community Services
<b>Officers Comments</b>	Advisory Group first met on 5 July 2023. Consultation and strategy development to be undertaken.
<b>Anticipated Date of Completion</b>	July 2024

<b>Resolution Title</b>	<b>Tinderbox Beach Erosion Management – Community Consultation Report</b>
<b>Meeting Date</b>	5 December 2022
<b>Minute No.</b>	C475/23-2022
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Manager Environmental Services
<b>Officers Comments</b>	Development of a local plan for Tinderbox Reserve not included in 23/24 budget
<b>Anticipated Date of Completion</b>	June 2023
<b>Resolution Title</b>	<b>Communication of Local Provisions Schedule (LPS), Specifically the Landscape Conservation Zone (LCZ)</b>
<b>Meeting Date</b>	5 December 2022
<b>Minute No.</b>	C478/23-2022
<b>Status</b>	Complete
<b>Responsible Officer</b>	Manager Development Services
<b>Officers Comments</b>	Information being prepared for rates notices
<b>Anticipated Date of Completion</b>	July 2023
<b>Resolution Title</b>	<b>Entire Home Short Stay Accommodation</b>
<b>Meeting Date</b>	5 September 2022
<b>Minute No.</b>	C367/17-2022
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Manager Development Services
<b>Officers Comments</b>	Report to Council being prepared
<b>Anticipated Date of Completion</b>	August 2023
<b>Resolution Title</b>	<b>Speed Limit on Woodbridge Hill Road</b>
<b>Meeting Date</b>	6 June 2022
<b>Minute No.</b>	C256/10-2022
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Director Engineering Services
<b>Officers Comments</b>	Still waiting on the Transport Commission to provide a resolution.
<b>Anticipated Date of Completion</b>	August 2023
<b>Resolution Title</b>	<b>Glyphosate</b>
<b>Meeting Date</b>	7 February 2022
<b>Minute No.</b>	C54/2-2022
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Director Environment, Development & Community Services
<b>Officers Comments</b>	International research assessing the carcinogenic nature of glyphosate was released earlier this year. A report will come to Council addressing the outcomes of the research and its application to Council's use of herbicide this year.
<b>Anticipated Date of Completion</b>	December 2023
<b>Resolution Title</b>	<b>Kingborough Bicycle Advisory Committee</b>
<b>Meeting Date</b>	3 May 2021
<b>Minute No.</b>	C211/8-2021
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Manager Development Services
<b>Officers Comments</b>	Awaiting direction from the Planning Commission as to when the Scheme may progress
<b>Anticipated Date of Completion</b>	May 2023

<b>Resolution Title</b>	<b>Petition: Development of Walking Track in Spring Farm and Whitewater Park Estates to Connect to Huntingfield</b>
<b>Meeting Date</b>	1 March 2021
<b>Minute No.</b>	C94/4-2021
<b>Status</b>	Commenced
<b>Responsible Officer</b>	Senior Project Manager
<b>Officers Comments</b>	To be undertaken as a capital project in 2022/23
<b>Anticipated Date of Completion</b>	September 2023
<b>Resolution Title</b>	<b>Hobart City Deal and Implementing the Kingston Place Strategy</b>
<b>Meeting Date</b>	13 July 2020
<b>Minute No.</b>	C397/13-2020
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Director Governance, Recreation & Property Services
<b>Officers Comments</b>	Main street work underway
<b>Anticipated Date of Completion</b>	November 2023
<b>Resolution Title</b>	<b>Funding for Public Infrastructure Required to Support Large Sub-divisions</b>
<b>Meeting Date</b>	22 July 2020
<b>Minute No.</b>	C429/14-2020
<b>Status</b>	In progress
<b>Responsible Officer</b>	Director Environment, Development, Community
<b>Officers Comments</b>	LGAT has released a discussion paper (April 22) which is being reviewed by officers to provide feedback.
<b>Anticipated Date of Completion</b>	Unknown



**C INFRASTRUCTURE WORKS REPORT: APRIL - JUNE 2023****File Number: 25.9****Author: Anthony Verdouw, Executive Officer Engineering Services****Authoriser: David Reeve, Director Engineering Services****Contracted Capital Projects****1. Harvey Street Sealing:**

JRV Civil Construction have completed the reconstruction and sealing of Harvey Street, Alonnah.

**2. Adventure Bay Road Footpath and Safety Upgrades:**

Works to widen the roadway and provide an off-road pedestrian path along Adventure Bay Road have recently been completed by JRV Civil Construction.



3. Snug Tiers Road Reconstruction:

Pavement reconstruction, sealing and footpath upgrades along Snug Tiers Road, to the junction with Snug Falls Road, have recently been finalised. This work was completed by Duggans Pty Ltd.



4. Gemalla Road Reconstruction – Stage 2:

The Stage 2 reconstruction of Gemalla Road, extending east from Bundalla Road through to the Margate Wharf, has recently commenced. These works will be completed by Duggans Pty Ltd.



*Current road condition*



*Current road condition*



5. Whitewater Creek/Spring Farm and Twin Ovals Connector Paths:

Tenders are currently open for these two sections of pathway. Subject to pricing being received and contractor availability, these works will likely commence in the next quarter.



6. Wells Parade Footpath:

Footpath construction and upgrading works along Wells Parade, in the vicinity of the Skate Park, has recently been awarded to Crossroads Civil Contracting. Works are scheduled to commence late July.

7. Olivia Court Link Path:

The footpath connection between Olivia Court and the recently upgraded Whitewater Shared Path is nearing completion. This work has been undertaken by Stabilised Pavements Australia.





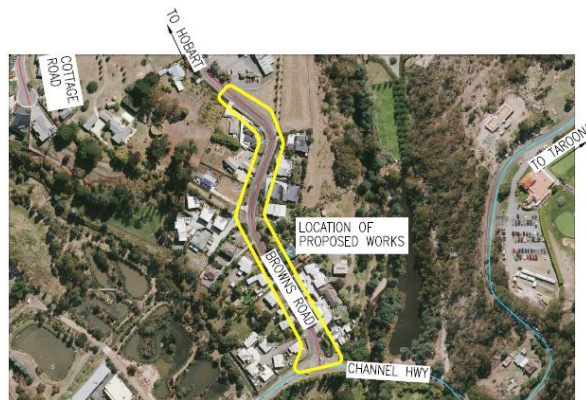
## 8. Blowhole Road Reconstruction:

Final concept designs are currently being prepared, to confirm service conflicts and required relocations in advance of the tendering and construction phases.



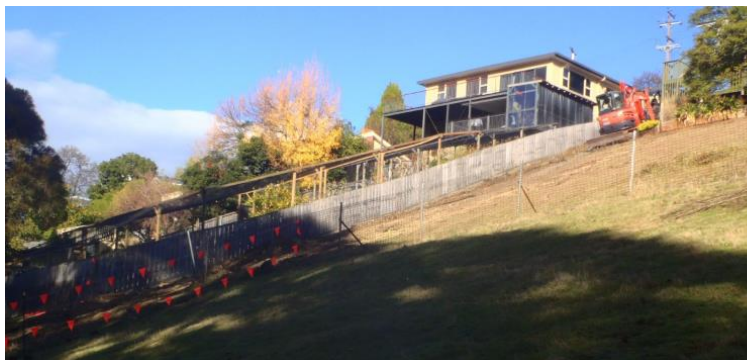
## 9. Browns Road Reconstruction:

These works have been tendered and awarded to Duggans Pty Ltd. Planning is underway, with construction activities scheduled for October and November, following completion of the Channel Highway upgrades through Kingston CBD.



## 10. Oakleigh Avenue Stormwater Upgrade:

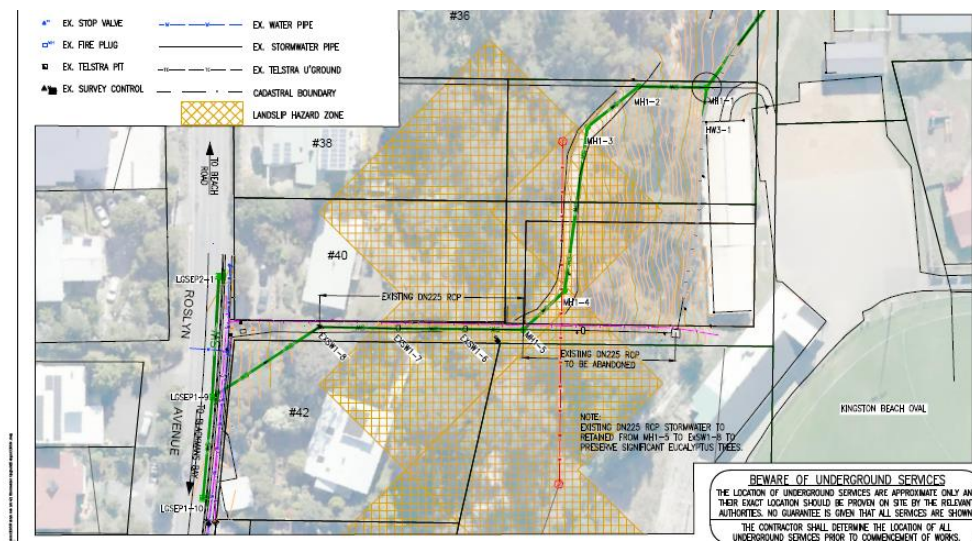
Works are nearing completion on the stormwater network upgrades along Oakleigh Avenue. These works are aimed at reducing overland surface flows and flooding to downstream properties. Design modifications have been required during the course of construction, to counteract rock excavation requirements.





## 11. Roslyn Avenue Stormwater Upgrades:

Works to improve capture and discharge of flows from Roslyn Avenue through to the Kingston Beach Oval are currently in the design finalisation stage, prior to submission of a development application to enable the works to proceed to construction.



## 12. Illawong / Hinsby Stormwater Upgrade:

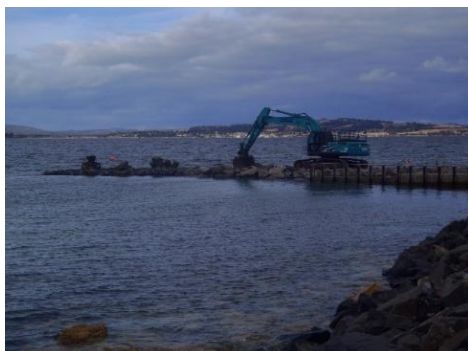
Designs are being finalised to upgrade the stormwater network to manage and contain flows along Illawong Crescent and down to Hinsby Road. These works will be located both within the road reserve, and through private property.





13. Kingston Beach Breakwater Rehabilitation:

Tas Marine Construction have recently been completed the Kingston Beach Breakwater rehabilitation.



14. Gormley Drive Oval Upgrades:

Oval upgrades were recently completed by Total Turf Pty Ltd, consisting of general ground reshaping, followed by installation of sub-surface drainage and irrigation.





15. The new Kettering, Christopher Johnston and Longley Reserve public toilets have recently been completed.

#### Kettering Oval Public Toilets



#### Christopher Johnston Public Toilets



#### Longley Reserve Public Toilets



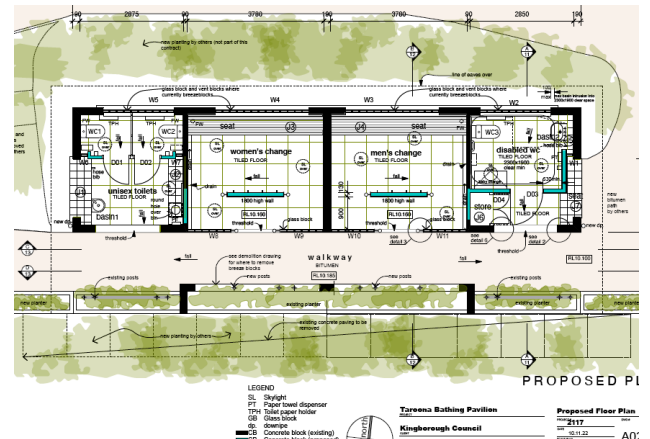


## 16. Taroona Foreshore Toilet:

Works to refurbish the Taroona Beach Foreshore toilets has recently been awarded to Channel Construction, with work envisaged to occur over August and September.



Existing facility

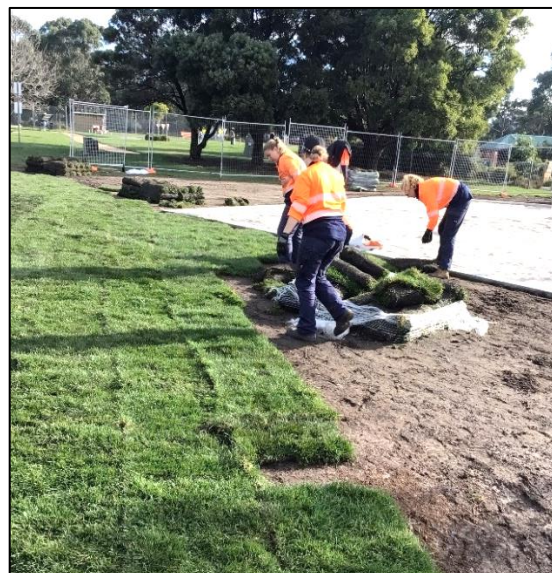


### Works Department – Works Recently Completed (Mainland Kingborough)

#### 17. Dru Point (Capital Works) – new play equipment installed and turf laid, playground is now open to the public:







18. Alum Cliffs – track maintenance:



19. Coningham Beach – new picnic table installed on the slab of the former toilet block:





20. Boronia Reserve – new track gate installed:



21. Tinderbox Reserve – path constructed on behalf of the Natural Areas and Biodiversity staff:



22. Beach Road, Snug – replaced vandalised Myrtle trees:





23. Kettering – landscaping undertaken around the new toilet facilities:



24. Longley Reserve – landscaping undertaken around the new toilet facilities:



25. Allens Rivulet – new bridge constructed after the last bridge was washed away:





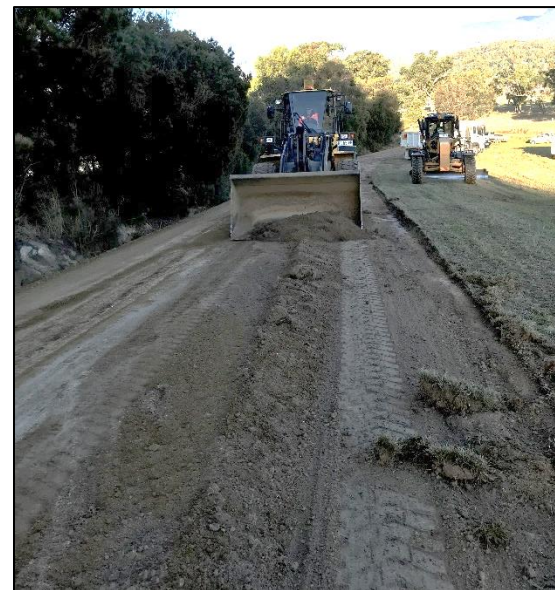
26. Snug Hall – external painting and repairs completed:



27. Alonnah Post Office and Museum – external painting and repairs completed:



28. Gutter cleaning was undertaken on all Council buildings on the mainland, Bruny Island and at KWS.
29. Glensyn Units – various maintenance issues undertaken.
30. Vandalism – ongoing repairs to Council toilets, buildings and graffiti removal.
31. Jamieson Road (Capital Works) – road widening completed:

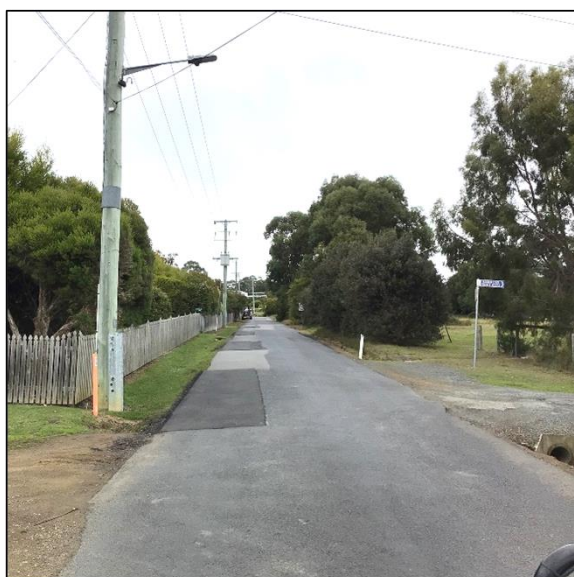




32. Snug Tiers Road (Capital Works) – stormwater upgrade, replaced undersized culverts to improve drainage:



33. Old Station Road – milled and filled roadway:



34. Taroona Crescent – pavement repairs undertaken:

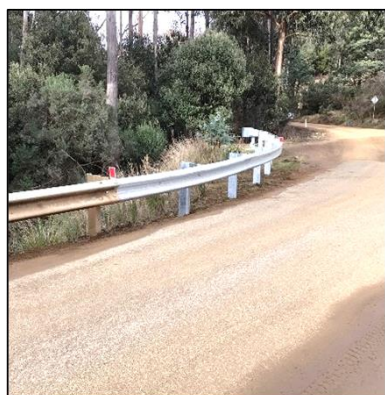




35. Nierinna Road – drain and shoulder maintenance:



36. Summerleas Road (Capital Works) – new guard rail installed at the bridge:





37. 201 – 207 Coningham Road – drainage modifications undertaken:



38. Sandfly Oval – access repairs, installed new culvert and lifted road surface:



39. Rollins Road – drainage maintenance.
40. Channel Highway, Woodbridge – drain maintenance.
41. Potters Road – drain maintenance.
42. Van Morey Road (Capital Works) – resheeting.



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

43. Adventure Bay – carpark repairs:



44. Pybus Hill Quarry – drainage / settling pond maintenance:



45. Cloudy Bay Road (Capital Works) – reseal preparation completed ready for resealing in 2024.
46. Cloudy Bay Road – maintenance grading.
47. Matthew Flinders Drive – maintenance grading.
48. Lighthouse Road – maintenance grading.

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

49. Woodbridge – drain cleaning.
50. Flowerpot – maintenance grading.

51. Stanfields Road – culvert upgrades.
52. Lower Longley Hall – mezzanine floor replacement and temporary roof repairs.
53. Dennes Point Hall / Café – floor resealing.
54. Kingston Beach – tree removal outside the Kingston Beach toilets.
55. Kingston Beach – garden bed construction along the esplanade.
56. Blackmans Bay Beach – planting along the esplanade area.

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

57. Bruny Depot Yard (Capital Works) – stormwater works.
58. Adventure Bay Road – grading gravel shoulders.
59. Missionary Road – maintenance grading.
60. Killora Road – maintenance grading.
61. Victoria Avenue – maintenance grading.

Public Copy

**D COMPLAINTS REGISTER 1 APRIL 2023 TO 30 JUNE 2023****File Number:** 32.16**Author:** Fred Moul, Chief Information Officer**Authoriser:** Gary Arnold, General Manager

In accordance with *Policy No. 1.20 Complaints Management Policy*, the following summarises the complaints lodged with Council during the period 1 April 2023 to 30 June 2023. This information excludes complaints managed outside of this policy.

Complaints are analysed to identify trends and potential issues, for the purpose of improving administration and delivery of services relating to the complaints.

<b>Number of complaints received (including missed waste collections)</b>	
Total	247

<b>Service Type</b>	
Asset Management	1
Communications	1
Compliance	3
Finance	1
Projects	1
Turf Maintenance	1
Waste Services	230
Works Department	9

<b>Issue Type - Category of complaint on lodgement</b>	
Cost of services and fees	1
Council contractor action / behaviour / service	2
Damage to private property	2
Delay in responding to a customer	1
Delay in taking an action	4
Development processes	1
Lack of action taken	2
Lack of consultation / communication	1
Missed bin collections (approx. 289,000 collections/quarter)	229
Other	2
Quality of action taken	3
Quality of decision made	1
Quality of service provided	4
Reputational risk	1



<b>Investigation Type - How the complaint was dealt with</b>	
Tier 1 - resolved at first point of contact	234
Tier 2 - required further investigation	13
Tier 3 - internal review of the complaint decision requested	-
Tier 4 - external review of the complaint decision requested	-

<b>Outcome of the complaint and/or internal review</b>	
Acknowledgement and/or apology provided	6
Complaint / investigation not yet finalised	1
Complaint not substantiated	1
Contractor	1
Explanation of a decision or action or intention	12
Missed bin collections - resolved	229
Repair / rework / replacement / refund	2
Suggestion / feedback, not a complaint	1

<b>Service Improvements - How can the issue be avoided in the future</b>	
Internal review and discussion of communication response processes	1
Internal review and discussion of system-generated correspondence identified, including	1
officer training in relation to general overview of this process	
Internal review and discussion of promotional material used by Council	1

**E COUNCILLORS ATTENDANCE AT MEETINGS AND WORKSHOPS 1 APRIL 2023 TO 30 JUNE 2023**

	Council		AGM		Audit Panel		Workshops		Leave of Absence Approved during the period
	Number Held	Number Attended	Number Held	Number Attended	Number Held	Number Attended	Number Held	Number Attended	
Mayor Cr Paula Wriedt	16	14	1	1	2	0	15	13	13/11/2022 - 27/11/2022; 4/4/2023 - 6/4/2023; 19/4/2023 - 20/4/2023; 5/5/2023 - 16/5/2023
Deputy Mayor Cr Clare Glade-Wright *	16	15	1	1	2	2	15	14	
Cr Aldo Antolli	16	15	1	1	2		15	14	25/12/2022 - 17/1/2023; 9/4/2023 - 23/4/2023
Cr David Bain *	16	15	1	1	2	2	15	15	
Cr Gideon Cordover	16	15	1	1	2		15	15	
Cr Kaspar Deane	16	16	1		2		15	15	
Cr Flora Fox	16	12	1	1	2		15	11	7/2/2023 - 28/2/2023; 4/4/2023 - 29/5/2023
Cr Amanda Midgley	16	15	1		2		15	14	5/3/2023 - 12/3/2023; 6/4/2023 - 17/4/2023; 8/5/2023 - 10/5/2023
Cr Mark Richardson	16	15	1		2		15	15	
Cr Christian Street	16	12	1		2		15	10	16/11/2022 - 9/12/2022

\* Audit Panel Member

Council Minute C390/14-12 determined that Councillor Attendance and Approved Leave of Absences be reported.

## F QUARTERLY SUMMARY ACTION REPORT TO JUNE 2023

Key to Status Symbols			
—	●	✓	➔
None	On Target	Ahead of Schedule	Ongoing

Description	Result			YTD			Comment
	Target %	Actual %	Status	Target %	Actual %	Status	
<b>Environment, Development &amp; Community</b>							
<b>Kingston Park 2020 - 2025</b>							
1.5.3 Subdivide and sell the designated land parcels in accordance with the Kingston Park project delivery agreement and in partnership with the developer, Traders in Purple	100	100	●	100	100	●	
<b>Community Services</b>							
<b>Community Resilience 2020 - 2025</b>							
1.3.1 Continue to build strong working relationships within State and Local Government to ensure a robust emergency management capability exists in Kingborough	100	100	●	100	100	●	Regular forums and exercises with other governments to improve emergency response and preparedness.
<b>Compliance 2020 - 2025</b>							
3.3.2 Implement the Kingborough Dog Management Policy 2018 and provide education and enforcement of restrictions in areas with environmental values	100	100	●	100	100	●	
<b>Development Services</b>							
<b>Development Services 2020 - 2025</b>							
2.1.7 Provide high quality, accurate and timely advice in relation to building and planning requirements	100	95	➔	100	95	➔	
2.2.9 Develop a precinct plan for the Kingston CBD which supports and strategic land use and economic growth.	100	25	➔	100	25	➔	Work has paused as all resources are being put into the LPS and upcoming introduction of the Tasmanian Planning Scheme,
<b>Environmental Services</b>							
<b>Environmental Services 2020 - 2025</b>							
1.3.2 Continue to develop and implement Council's	100	100	●	100	100	●	Plan update completed



Description	Result			YTD			Comment
	Target %	Actual %	Status	Target %	Actual %	Status	
Public Health Emergency Management Sub-Plan to guide the management of risks to the community.							
1.3.6 Act as Council's key COVID response and information provider as well as providing support to immunization initiatives of the Government	100	75	➡	100	75	➡	No action required this quarter
1.4.1 Implement the Kingborough Climate Change Action Plan 2019-2024 to reinforce Council's commitment to understanding climate change, the risk it poses and response strategies	100	75	➡	100	75	➡	Updated Council Emissions and Energy Report completed. Climate Governance Group commenced.
1.4.2 Progress the development of an alternative energy precinct at the Barretta Waste Disposal Site	100	75	➡	100	75	➡	
1.5.5 Review and implement the Recreational Water Quality Management Strategy to improve the water quality of Council's beaches used for recreational activities	100	75	➡	100	75	➡	Summer beach monitoring complete.
2.1.6 Undertake statutory compliance duties and functions with regards to food safety, public health and environmental management	100	75	➡	100	75	➡	Inspections on target. New food standard being implemented.
3.1.3 Deliver biodiversity offset projects under the Kingborough Environmental Fund Implementation Plan 2019-2023	100	75	➡	100	75	➡	Stewardship activities on conservation covenants ongoing. New covenant sites identified.
3.1.4 Continue to protect, manage and monitor the network of bushland, riparian and coast reserves under Council's care	100	75	➡	100	75	➡	reserve management activities ongoing
3.1.5 Continue to implement solutions to improve water quality and quantity impacts from stormwater in urban waterways	100	75	➡	100	75	➡	Priority works identified in Whitewater Creek maintenance plan commenced.
3.2.1 Develop a natural areas interpretation plan that provides a framework of activities for community education	100	100	●	100	100	●	Complete
3.2.2 Provide a variety of opportunities for the community to actively participate in the conservation and management of our natural areas, flora and fauna	100	75	➡	100	75	➡	Ongoing activities for the community to experience nature including Dose of Nature and Seniors walks and planting activities in reserves with community groups.

	Result			YTD			
Description	Target %	Actual %	Status	Target %	Actual %	Status	Comment
though on ground activities, contribution to							
3.2.3 Foster positive working relationships with landcare groups across the municipality, coordinating the network of volunteers to achieve good environmental outcomes	100	75	➡	100	75	➡	Landcare groups supported with tools and restoration materials, working bee support and guidance.
3.2.4 Foster community interest and involvement in the management of invasive weeds through actions contained in the Weed Management Strategy 2017-2027	100	75	➡	100	75	➡	Attended Middleton Fair to provide weed control advice. Designed and distributed new information pamphlet on weedy Erica's.
3.2.5 Implement the North West Bay River Catchment Management Plan in partnership with the community and key land managers in the catchment	100	75	➡	100	75	➡	Stakeholder meetings completed ahead of annual catchment planning day.
3.3.3 Support and lead environmental projects through the provision of technical advice and the provision of plants from Council's native nursery	100	75	➡	100	75	➡	Environmental advice provided to capital works and major project teams. Site preparation in reserves underway for winter revegetation season.
3.3.4 Manage the natural area reserve through the development and implementation of both new and existing reserve management plans	100	75	➡	100	75	➡	Alum Cliffs Reserve management plan - progress delayed due to competing priorities.
3.3.5 Continue to provide leadership in responsible cat management including through introduction of new Cat Prohibited Areas and the pilot Bruny Island community ranger project.	100	75	➡	100	75	➡	Ongoing engagement with Bruny Island community about responsible cat management and the Cat By-law requirements. Continued support for landowners affected by roaming cats.
3.3.6 Deliver a range of events, information and opportunities to encourage exploration of local reserves and increased knowledge in land management	100	75	➡	100	75	➡	Guided walks in Council reserves
3.4.4 Progress implementation of the Barretta Environmental Management Plan	100	75	➡	100	75	➡	Monitoring and management activities on track
3.4.5 Implement the Kingborough Weed Management Strategy 2017-2027	100	75	➡	100	75	➡	Stage 1 Spanish Heath Containment Project implemented. Ongoing survey and control zone A weeds including serrated tussock. Weed Action Fund projects on target.
3.5.1 Develop and implement	100	75	➡	100	75	➡	No progress on strategy.

Description	Result			YTD			Comment
	Target %	Actual %	Status	Target %	Actual %	Status	
a natural areas and biodiversity strategy to underpin the management of Council's natural area reserves network and approach to threatened species recovery and wildlife mgt							
3.5.2 Implement recommendations from the Coastal Hazards Prioritisation Project and Bushfire Risk Reduction Strategy for Council land	100	75	→	100	75	→	Coastal Hazards Policy drafted. Bushfire Road Risk Assessment report complete. Field verification of priority sites commenced. All fire breaks and trails maintained. Fuel reduction Burn sites prepared.
3.5.3 Contribute to projects that improve the health of local waterways and coastal areas through the Derwent Estuary Program	100	75	→	100	75	→	Restoration Browns River saltmarsh and estuary ongoing. Penguin colony survey and maintenance ongoing in Derwent.
3.5.4 Collaborate with key stakeholders to contribute to the recovery of threatened species and threatened vegetation communities using innovative methods and the latest research	100	75	→	100	75	→	Threatened species habitat protected through implementation of actions and conditions to retain habitat during Council works and development applications. Native grassland restoration at Pierson Point Reserve.
3.5.5 Develop and implement a biodiversity monitoring program for natural area reserves to improve knowledge of the values present and facilitate adaptive management programs	100	75	→	100	75	→	Wildlife monitoring ongoing
3.5.6 Continue to implement the Bushfire Risk Reduction Strategy including reducing the risk from bushfire on Council land through the management of fire breaks, fuel trails and fire reduction burns	100	75	→	100	75	→	Fuel Reduction Burns not completed due to lack of crews to conduct burns
<b>General Manager/CEO</b>							
<b>Executive Management 2020 - 2025</b>							
1.1.1 Ensure effective communication on council activities including through social, print and broadcast media	100	100	●	100	100	●	Regular communication of Council activities through traditional, digital and social media. Quarterly meeting of the Kingborough Community Forum in June 2023. Media snapshots circulated regularly to Councillors.
1.1.5 Support the operations of the Kingborough Community Consultative Committee as a means of	100	100	●	100	100	●	



	Result			YTD			
Description	Target %	Actual %	Status	Target %	Actual %	Status	Comment
receiving feedback on Council's policies, strategies and projects							
2.1.2 Continue to lobby the State Government to improve public transport services within Kingborough	100	100	●	100	100	●	
2.2.7 Work collaboratively with other stakeholders as part of the Hobart City Deal and Greater Hobart Act, ensuring both regional cohesion and strong representation of Kingborough's needs	100	100	●	100	100	●	
2.2.8 Advocate for an appropriate level of hard and soft infrastructure provision by Federal and State Government in recognition of the fast pace of growth for Kingborough	100	100	●	100	100	●	
2.4.3 Develop an operational plan which clearly articulates the values, key results areas, performance measures and deliverables for the organisation and that this plan is clearly conveyed to all employees	100	100	●	100	100	●	
2.4.4 Implement the Kingborough Council Leadership Framework for managers and supervisors as a key driver of continuous improvement and accountability	100	100	●	100	100	●	
<b>Engineering Services</b>							
<b>Building Maintenance 2020 - 2025</b>							
2.3.5 Implement schedule of inspections of community facilities	100	100	●	100	100	●	
<b>Engineering Services 2020 - 2025</b>							
1.4.3 Develop and Implement a Stormwater System Management Plan to address the management of the flood risk and within Council's urban drainage catchments	100	100	●	100	100	●	
1.5.5 Review and implement the Recreational Water Quality Management Strategy to improve the water quality of Council's beaches used for recreational activities	100	100	●	100	100	●	
2.2.2 Develop and implement	100	100	●	100	100	●	

	Result			YTD			
Description	Target %	Actual %	Status	Target %	Actual %	Status	Comment
a CBD Masterplan and associated Central Kingston Parking Strategy							
2.2.4 Deliver the annual infrastructure Capital Works program	100	100	●	100	100	●	
3.3.1 Implement the Kingborough Waste Management Strategy 2018 to deliver cost effective and efficient waste and recycling services to residents, improve recycling rates, reduce emissions and energy	100	100	●	100	100	●	
<b>Works Department 2020 - 2025</b>							
<b>Executive Services</b>							
<b>Finance</b>							
<b>Financial Services 2020 - 2025</b>							
2.4.5 Review the Long Term Financial Plan to ensure the strategic actions identified in the Plan are delivered and implement strategies to improve the financial performance of the organisation	100	100	●	100	100	●	
<b>Governance and Community Services</b>	100	100	●	100	100	●	
<b>Community Services 2020 - 2025</b>	100	100	●	100	100	●	
1.2.1 Continue to partner, support, facilitate and deliver a variety of events (subject to public health/COVID 19 advice) to support and celebrate our business, visitor and residential communities	100	100	●	100	100	●	Provided support for, and delivery of, a variety of events, including Kingborough's Got Talent on 29 April 2023
1.2.2 Continue to progress initiatives under the Arts and Culture Strategy	100	100	●	100	100	●	Various activities have occurred at the KIN creative space, including mandala drawing, ceramics, soap making, nature craft, sewing, creative writing and crochet. Mumara patrula (Wood for the Fire) Cultural Tour has been solidly booked. Expressions of interest were sought for the Multicultural Advisory Group to develop a Multicultural Strategy.
1.2.3 Maximise the usage of the Kingborough Community Hub as a focal point for community activities	100	100	●	100	100	●	Increasing utilisation of the Hub for community events and activities. Hub facilities have been advertised to increase useage.

	Result			YTD			
Description	Target %	Actual %	Status	Target %	Actual %	Status	Comment
1.2.5 Develop and implement programs to support population cohorts who may be vulnerable or have specific and different needs, including through implementation of the Kingborough Youth Strategy and t	100	100	●	100	100	●	Continuing activities to engage with young and older people, including Tuesday Talks, seniors cafe, death cafe, school holiday programs, youth employability, barista training and Kingborough's Got Talent.
1.3.3 Operate the Kingborough Volunteer Program to assist older residents to continue to live in the community with dignity	100	100	●	100	100	●	Kingborough Volunteer Program continues to support our older residents.
1.3.4 Enhance organisational support for volunteering opportunities and recognise and celebrate volunteers in the community	100	100	●	100	100	●	Volunteer activities supported. Volunteer activities highlighted during National Volunteer Week.
1.3.5 Provide support to community groups through a transparent and targeted provision of grants for community based projects	100	100	●	100	100	●	Funding for community events delivered. Quick response grants being accessed regularly.
1.4.4 Develop and implement a strategy for reducing Council's carbon footprint	100	100	●	100	100	●	Implementation of the Climate Change Plan continues.
1.4.5 Continue to support community education on waste minimization	100	100	●	100	100	●	Various education activities undertaken, with a particular focus on recycling
<b>Governance 2020 - 2025</b>							
<b>Property Management 2020 - 2025</b>							
1.2.4 In partnership with local community groups, develop heritage trails and interpretative signage for areas of historical and cultural significance	100	100	●	100	100	●	
1.5.2 Implement the Kingborough Open Space Strategy 2019 which provides direction on the planning, provision, development and management of public open space and recreational facilities in Kingborough	100	100	●	100	100	●	
2.3.2 Implement the Kingborough Public Toilet Strategy and ensure effective provision, upgrading and maintenance of Council owned public toilets throughout the Municipal Area	100	100	●	100	100	●	
<b>Organisational Development</b>							
<b>Organisational Development 2020 - 2025</b>							



Description	Result			YTD			Comment
	Target %	Actual %	Status	Target %	Actual %	Status	
2.5.2 Develop and implement the annual Workforce Plan which sets the priorities for workforce strategies, learning and development programs and resourcing capacity	100	100	●	100	100	●	Workforce plan being implemented, and due for refresh in January 2024.
2.5.3 Undertake the biennial employee engagement survey and link the results into the Workforce Plan	0	50	✓	0	50	✓	Biennial staff engagement survey conducted by Pathways Australia in March 2023, with results received in May. Currently working with managers to create action plans within their teams, to follow up on priorities identified within the survey. This is an ongoing project. The next survey is not due until 2025, but I would be interested to conduct a pulse survey in the last quarter of 2023, to gauge staff response following action items being implemented.
2.5.4 Review the Council's Work Health and Safety Management Plan and System and deliver the identified WHS strategies to meet Council's obligations under the Work Health and Safety Act 2012 (Tas)	100	75	➡	100	75	➡	WH&S Management Plan was audited in April by WLF Audit Panel. We are now working to implement the recommendations received, including increasing documentation and evidence around training completed by staff, and improved access to the Online WHS system.
2.5.5 Implement and deliver an annual employee health and well-being program with a key focus delivering the community action plan for mental health	100	75	➡	100	75	➡	Ongoing actions to implement a meaningful health and wellbeing program for staff, including increased access to EAP service (Newport & Wildman). The new service agreement signed for this year incorporates staff and their immediate family members being able to access EAP services. Events held or planned such as: RUOK Day Speak Up Stay Chatty Onsite visits from EAP to increase awareness EAP Leadership sessions Lunchbox Learning sessions - ergonomic stretches at the workstation  Focus for rest of 2023 is around new legislation regarding psychosocial safety in the workplace.