

Kingborough



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, 15 January 2024 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. 1 to be held on Monday, 15 January 2024 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, 9 January 2024

Public Copy

Table of Contents

Item	Page No.
Open Session	
1 Audio Recording	1
2 Acknowledgement of Traditional Custodians	1
3 Attendees	1
4 Apologies	1
5 Confirmation of Minutes	1
6 Workshops held since Last Council Meeting	1
7 Declarations of Interest	2
8 Transfer of Agenda Items	2
9 Questions without Notice from the Public	2
10 Questions on Notice from the Public	2
10.1 Greater Hobart Bush Fire Index	2
10.2 North West Bay Cemetery	2
10.3 Development Application for Proposed Oyster Processing Use and Development	3
10.4 Development Application at Benbows Road, Oyster Cove	4
10.5 Local Provisions Schedule	5
11 Questions without Notice from Councillors	5
12 Questions on Notice from Councillors	5
12.1 Road Safety, Van Morey Road	5
12.2 Climate Action	6
13 Officers Reports to Planning Authority	7
13.1 Planning Application to Construct a 1.8m Wall (fence) on Some External Boundaries at 13 Christophers Way, Kingston Beach	7
14 Petitions still being Actioned	23
15 Petitions Received in Last Period	23
16 Officers Reports to Council	23
16.1 Policy 4.13 Establishment of Bushfire Hazard Management Areas on Council Land	23
17 Notices of Motion	36
18 Confirmation of Items to be Dealt with in Closed Session	36

Table of Contents

Item	Page No.
------	----------

Appendices

A	Mayor's Activities 16 November 2023 to 9 January 2024	39
B	Kingborough Community Safety Committee Minutes - 11 December 2023	42
C	Kingborough Bicycle Advisory Committee Minutes - 15 December 2023	52

Public Copy

GUIDELINES FOR PUBLIC QUESTIONS

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

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, 15 January 2024 at 5.30pm

1 AUDIO RECORDING

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.

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

3 ATTENDEES

Councillors:

Mayor Councillor P Wriedt
Deputy Mayor Councillor C Glade-Wright
Councillor D Bain
Councillor G Cordover
Councillor K Deane
Councillor F Fox
Councillor A Midgley
Councillor C Street

4 APOLOGIES

Councillor A Antolli
Councillor M Richardson

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the open session of the Council Meeting No. 24 held on 18 December 2023 be confirmed as a true record.

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Nil.

7 DECLARATIONS OF INTEREST

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.

8 TRANSFER OF AGENDA ITEMS

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*.

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

10 QUESTIONS ON NOTICE FROM THE PUBLIC

10.1 GREATER HOBART BUSH FIRE INDEX

At the Council meeting on 18 December 2023, **Mr Charles Biggins** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

1. *Kingborough Council's logo appears on the front page of the Bush Fire Index. What was the scope of involvement from Kingborough Council in the federally funded project?*
2. *The Bush Fire Index identifies 800 Kingborough properties to be at high to extreme risk. Is this assessment consistent with the many other bush fire reports received by Council in the last 10 years?*

Officer's Response:

1. Kingborough Council were approached by GeoNeon when submitting the application for the grant as the municipality was to be included in the project area. A letter of support for the project was provided. Following the successful allocation of grant funds to GeoNeon, Council's previous Bushfire Management Officer sat on the Steering Group for the project. With the launch of the project and the provision of the data sets, Council officers will work through the data that's been provided. A further report will be presented to Council in due course.
2. With the launch of the project and the provision of the data sets, Council officers will work through the data that's been provided. A further report will be presented to Council in due course that will include a comparison to other bushfire risk data.

Belinda Loxley, Emergency Management Coordinator

10.2 NORTH WEST BAY CEMETERY

Ms Rebecca Lyons submitted the following question on notice:

1. *Given that Council announced they are doing Natural Burial publicly at that site, I would have thought it was already deemed a suitable site, but I assume that drainage is the issue? What*

is the process/discussion about it not being suitable? What is the contingency if it is decided it is not suitable, is there another site in that cemetery being considered as a backup?

2. *Will the council be seeking natural burial consultation on the development of natural burial procedures for the council's natural burial offering?*
3. *The cost to NDAN membership is an initial \$300 total, and it would be a shame from a community point of view, to do this work and then not to have Kingborough included in the NDAN directory and promotion of cemeteries providing natural burial who have the tick of approval.. so will council consider building that into the 2024 budget?'*

Officer's Response:

Council officers have been working to identify locations to set aside exclusively for natural burials, as well to increase the area for traditional burials. Storm water run-off and tree protection zones are just two of the factors requiring consideration.

Council officers will ensure practices are compliant with the requirements of a natural burial, which may include obtaining advice from subject matter experts and consideration of any membership.

Scott Basham, Acting Director Governance, Recreation & Property Services

10.3 DEVELOPMENT APPLICATION FOR PROPOSED OYSTER PROCESSING USE AND DEVELOPMENT

Ms Mandy Coats submitted the following question on notice:

I have read through the Zone Translation Table Kingborough Draft Local Provisions Schedule August 2018/9.

My question is, why would you approve a commercial enterprise in a Rural Living Zone, such as at Oyster Cove, and not require it to be set up in either a Light Industrial Zone or a Commercial Zone?

Officer's Response:

The site of the proposed use and development is on land zoned Rural Resource and Environmental Management under the Kingborough Interim Planning Scheme 2015 (the Scheme) and must be assessed against the provisions of this planning scheme. The Zone Translation Table Kingborough Draft Local Provisions Schedule August 2018/9 is not applicable to the assessment of the application.

The use is categorised under the Resource Development and Resource Processing Use Classes as defined in the Scheme. Resource Development is a Permitted use in the Rural Resource Zone and a Discretionary use in the Environmental Management zone. Resource Processing is a Discretionary use in the Rural Resource zone. There is no Resource Processing use proposed within the Environmental Management zone.

The Scheme therefore considers the proposed use and development to be permissible uses within the Oyster Cove area and an application for approval can be made. The application will be assessed against all of the relevant use and development standards of the Scheme in relation to the Rural Resource and Environmental Management zones and any applicable Codes relating to the subject land. Council has the discretion to approve or refuse the application in accordance with the assessment against the planning scheme requirements.

Deleeze Chetcuti, Director Environment, Development & Community Services

10.4 DEVELOPMENT APPLICATION AT BENBOWS ROAD, OYSTER COVE

Mr Nicholas Cree submitted the following question on notice:

1. *What risk management protocol has Kingborough Council considered, in relation to potential damage from the expanded 'works'?*
2. *What precedent is this DA establishing, in this development in a special Environmental/Rural zone?*
3. *What consultation has the council made, with stake-holder groups such as Tasmanian Aboriginal Land Council, Tourism Tasmania and the Channel Historical Society? What has been the response?*
4. *Has council measured the decibels in relation to the existing (unauthorised) works- taking into consideration wind effects?*

Officer's Response:

1. Council is required to assess any application under the provisions of the Kingborough Interim Planning Scheme 2015 and the relevant Use and Development Standards. These do not specifically provide for any particular "risk management protocol", however they address matters relating to environmental and amenity impacts and include assessment which considers the following objectives;
 - the proposed use and development does not unreasonably confine or restrain the agricultural use of agricultural land;
 - to minimise land use conflict and fettering of use of rural land from residential use;
 - to maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management, and;
 - that the location and appearance of buildings and works minimises adverse impact on the rural landscape.
2. The subject land is zoned Rural Resource and Environmental Management under the Kingborough Interim Planning Scheme 2015. The use is categorised under the Resource Development and Resource Processing Use Classes as defined in the Scheme. Resource Development is a Permitted use in the Rural Resource Zone and a Discretionary use in the Environmental Management zone. Resource Processing is a Discretionary use in the Rural Resource zone. There is no Resource Processing use proposed within the Environmental Management zone.

The Scheme therefore considers the proposed use and development to be permissible uses within this area and an application for a Planning Permit can be made. The application will be assessed against all of the relevant use and development standards of the Scheme in relation to the Rural Resource and Environmental Management zones and any applicable Codes relating to the subject land. The Council has the discretion to approve or refuse the application in accordance with the assessment against the planning scheme requirements. Any application is assessed on its merits against the relevant requirements of the planning scheme.
3. Council has advertised the application and undertaken statutory referrals in accordance with the requirements of the *Land Use Planning and Approvals Act 1993*.
4. The Council is currently reviewing the documentation submitted in support of the application and the public representations made during the advertising period and is assessing the application.

Deleeze Chetcuti, Director Environment, Development & Community Services

10.5 LOCAL PROVISIONS SCHEDULE

Ms Jo Landon submitted the following question on notice:

1. *Please could Council describe the purpose of the transitional provisions under Schedule 6, Clause 8 of the Land Use Planning and Approvals Act?*
2. *Which planning provisions from the Kingborough Interim Planning Scheme (2015) have been approved to automatically transition to Kingborough's Local Provisions Schedule (LPS) under the Schedule 6, Clause 8 provisions?*
3. *When the planning authority or the Tasmanian Planning Commission considers a landowner's representation in objection to a provision having been applied to their property, what difference would it make if the provision was subject to the Schedule 6, Clause 8 transitional provisions?*
4. *Does Council plan to seek approval for the provisions of the Biodiversity Offset Policy to be protected as transitional provisions? If so, how are those provisions proposed to be included in the LPS?*
5. *When the planning authority or the Tasmanian Planning Commission considers a landowner's representation in objection to Landscape Conservation Zoning, what difference would it make if the Scenic Protection Area overlay had also been applied to their property?*

Officer's Response:

1. It is understood that the purpose of Clause 8 of Schedule 6 of the *Land Use Planning and Approvals Act 1993* is to ensure that any existing Specific Area Plans, Particular Purpose Zones, and Site Specific Qualifications in an existing interim planning scheme are transitioned to the new planning scheme through the LPS. However the Minister has the power to declare that this provision does not apply to a particular Specific Area Plan, Particular Purpose Zone, and/or Site Specific Qualification.
2. There are no planning provisions from the Interim Scheme that have been approved to automatically transition to the LPS under Schedule 6, Clause 8 as the LPS has not been approved.
3. Every representation would be considered on its merit taking into account the specific circumstances.
4. No, the Biodiversity Offset Policy is not being transitioned through these provisions.
5. Every representation would be considered on its merit taking into account the specific circumstances, however it should be noted that the zones and the codes are dealing with different issues and have different objectives so they are not necessarily directly linked.

Deleeze Chetcuti, Director Environment, Development & Community Services

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

12 QUESTIONS ON NOTICE FROM COUNCILLORS

12.1 ROAD SAFETY, VAN MOREY ROAD

At the Council meeting held on 18 December 2023, **Cr Cordover** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

A constituent has raised with me a possible road safety issues on Van Morey Road, south of Petit Road between poles 51 and 53, there is a corner that is apparently unsafe and I'm led to understand that bus drivers have made a complaint to Council about that corner. Is there any road widening, visibility improvements or other construction or remediation work planned for that corner?

Officer's Response:

This section of road was recently re-sheeted which included adjusting the drain to provide safer access through this area. We will monitor how this performs first and then re-examine options if required.

David Reeve, Director Engineering Services

12.2 CLIMATE ACTION

Cr Cordover submitted the following question on notice:

On what basis is Kingborough Council confident that our resource allocation invested in climate action is sufficient to actually reach the goals and targets we have announced in our business plans and strategy?

What is the Council doing to ensure we are not greenwashing, including monitoring progress towards our climate action goals? How will Council respond if we are not on track to meet our targets?

Officer's Response:

A newly approved role of Climate Change Innovation Officer will be commencing with Council in 2024 within Environmental Services. The key function of this role will be to develop and implement action plans to achieve Council's climate targets. Modern and accepted energy and emissions accounting methodologies will be utilised to inform the plans and a performance monitoring and reporting system will be put in place. Ongoing resourcing for Climate Change at the Council will be incorporated as part of the annual budget process which is regularly reviewed on reported to Council members and the public.

In July 2023, the ACCC issued the *Environmental and Sustainability Claims – Draft guidance for Business*. The draft guidelines will assist Council to ensure that the communication of and publishing Council Climate Policy and associated targets represents good practice.

Deleeze Chetcuti, Director Environment, Development & Community Services

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

13 OFFICERS REPORTS TO PLANNING AUTHORITY

13.1 PLANNING APPLICATION TO CONSTRUCT A 1.8M WALL (FENCE) ON SOME EXTERNAL BOUNDARIES AT 13 CHRISTOPHERS WAY, KINGSTON BEACH

File Number: DA-2023-107

Author: Tasha Tyler-Moore, Manager Development Services

Authoriser: Deleeze Chetcuti, Director Environment, Development & Community Services

Applicant:	Mr P J Munday
Owner:	Bayidu Pty Ltd
Subject Site:	13 Christophers Way, Kingston Beach (CT 156792/11)
Proposal:	Boundary wall and fencing
Planning Scheme:	Kingborough Interim Planning Scheme 2015
Zoning:	General Residential
Codes:	E1.0 Bushfire-Prone Areas Code E3.0 Landslide Code E6.0 Parking and Access Code E7.0 Stormwater Management Code E11.0 Waterway and Coastal Protection Code
Use Class/Category:	Residential – however, there is in fact no dwelling on the site to confirm that it is a residential use class; it is acknowledged that it is likely to be residential purpose given that is a residentially zoned property within an established residential area and has the potential for residential development. The Scheme requires that if a use is not exempt, it must be assigned a use class.
Discretions:	Clause 10.5.1 – Non-dwelling Development (A1 part (a)): Clause 10.4.2 (A1) Clause 10.5.1 – Non-dwelling Development (A1 part (a) continued): Clause 10.4.2 (A3) Clause 10.5.1 – Non-dwelling Development (A1 part (c)): Clause 10.4.7 (A1) Clause 10.5.1 – Non-dwelling Development (A1 part (d)): Clause 10.4.2 (A4)
Public Notification:	Public advertising was undertaken between 8 November 2023 and 21 November 2023 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
Representations:	Eighteen (18)
Recommendation:	Refusal

1.2 Description of Site

The subject site is currently void of any buildings and contains two large Eucalyptus trees. It is a rectangular lot with vehicle access to the court-bowl end of Christophers Way in Kingston Beach. The site falls from south to north. The subject boundary is currently unfenced for the most part and the northern end has some mesh fencing between the site and the walkway.

Adjoining the site to the south-west, west and north-west is the existing concreted walkway that is owned and managed by Council. The walkway provides pedestrian connectivity between Christophers Way and the Crown foreshore area of the southern end of Kingston Beach and the Boronia Beach walking track.

Note: for the assessment against the Planning Scheme, the subject walkway is defined as a 'road'.



Figure 3 - subject site shown by red outline

2. ASSESSMENT

2.1 State Policies and Act Objectives

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 statement of the General Residential zone is:

- 10.1.1.5 To encourage residential development that respects the neighbourhood character, natural landscape and provides a high standard of residential amenity.

Clause 10.1.2 – 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)	The built environment of Kingston Beach should retain the area's existing heritage values.	(a)	Residential development is to respect the existing scale and architectural style of existing buildings.
Desired Future Character Statements		Implementation Strategy	
(a)	Kingston Beach should retain its existing seaside village character.	(a)	New development within Kingston Beach should complement the existing architectural style (essentially Colonial Federation with single or two storey weatherboard clad homes and substantial street setbacks).
(b)	Kingston Beach should remain primarily a residential area with existing streetscape appearance and character retained.	(b)	Commercial use or development within residential areas should be limited to low impact uses.

For reasons that are articulated in the report, it is considered that the proposal is not meeting the purpose statement of the zone or the implementation strategies for Kingston Beach with respect to the style, scale and bulk of the proposed wall.

2.3 Statutory Planning

The use is categorised as Residential* under the Scheme which is a No Permit Required use. Whilst the application is classified as a No Permit Required use, it relies on Performance Criteria to comply with the Scheme provisions, and is therefore discretionary.

* there is in fact no dwelling on the site to confirm that it is a residential use class; it is acknowledged that it is likely to be residential purpose given that is a residentially zoned property within an established residential area and has the potential for residential development. The Scheme requires that if a use is not exempt, it must be assigned a Use Class, as defined by the Scheme.

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 (A1 part (a))

Acceptable Solution
<p>Compliance with:</p> <p>(a) 10.4.2 A1</p> <p>10.4.2 (A1):</p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street;</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or</p> <p>(e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p>
Performance Criteria
<p>A dwelling must:</p> <p>(a) have a setback from a frontage that is compatible with the streetscape, having regard to any topographical constraints; and</p> <p>(b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road.</p>
Proposal
<p>The applicable assessment is against (c) because it is a vacant site, however there are no existing dwellings on adjoining properties on the same street, therefore it is more appropriate to assess against (b), which has a requirement of 3m (noting that (a) is not applicable as it is not the 'primary' frontage (refer to definitions within the scheme)).</p>

Clause (b) of the Performance Criteria is not applicable as it does not relate to a road identified in the table.

Note: The scheme defines 'streetscape' as: *means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setbacks of buildings and structures from the lot boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.*

For the purposes of determining streetscape with respect to a particular site, the above factors are relevant if within 100 m of the site.

The setback for the proposed wall is 0m, where the Acceptable Solution is 3m. With reference to the definition of streetscape above, it is considered that the proposed design and location of the wall is not compatible with the streetscape, as required by the Performance Criteria.

A solid masonry wall with a height of 1.8m is not characteristic of the area, particularly for a boundary that abuts areas of public use (the walkway). The setback of a solid structure so close to a boundary, particularly one with public interface, is not characteristic. It is acknowledged that there is a similar wall on the opposite side of the walkway, but that is best described as a departure from the norm and not characteristic of this area of Kingston Beach and therefore should not be relied upon.

The visual quality of the streetscape of the area is its leafy character, as the area boasts well established gardens with a mix of native and exotic species in varied form suitable for the urban nature of the area. The proposed solid boundary wall adjoining a public, and well used, walkway would remove the sites contribution to that character.

For the reasons above, it is considered that the proposal does not satisfy the Performance Criteria and therefore cannot be supported.

General Residential Zone

Clause 10.5.1 – Non-dwelling Development (A1 part (a) continued)

Acceptable Solution
<p>Compliance with:</p> <p>(b) 10.4.2 A3;</p> <p>10.4.2 (A3):</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</p> <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).
Performance Criteria
<p>The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; and (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;

- (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and
- (c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:
 - (i) an adjoining property; or
 - (ii) another dwelling on the same site.

Proposal

Where a 3m setback is required by the Acceptable Solution a zero setback is proposed. The proposal does not comply with (a) as the frontage setback is not complied with; part (b) is not applicable as the applicable boundary is not a side or rear boundary.

Clause (a) (i-iii) & (c) are not applicable as the orientation of the wall to the site and adjoining allotments means that habitable rooms, private open space or solar panel installation will not be affected; and there are no adjoining vacant lots.

With respect to (a)(iv), it is considered that the proposed wall will have a detrimental visual impact because of the scale and bulk of the wall when viewed from adjoining property, in particular the walkway. As the walkway is relatively narrow, the scale and bulk of the masonry wall will be exacerbated because of people's proximity to it. Representors have raised concerns about the visual dominance creating a feeling that it will enclose the recreational walkway creating a sense of a tunnel, which would be detrimental to its usability and sense of safety. It is considered that it is a valid concern that has been raised.

With respect to (b), the proposal to construct a 1.8m masonry wall on the property boundary for a length of 54m is not consistent with the separation of built form from boundaries. This part of Kingston Beach demonstrates a strong consistency of generous setbacks from boundaries, albeit a few exceptions where it is not consistent. This proposal would be inconsistent with that development pattern.

For the reasons above, the proposal cannot be supported.

General Residential Zone

Clause 10.5.1 – Non-dwelling Development (A1 part (c))

Acceptable Solution

Compliance with:

- (c) 10.4.7 (A1)

10.4.7 (A1): No Acceptable Solution (*note 1- exemption applies for fences in this zone – see Table 5.6 in Exemptions*):

Performance Criteria

- A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:
- (a) provide for security and privacy while allowing for passive surveillance of the road; and
 - (b) be compatible with the height and transparency of fences in the street, having regard to:
 - (i) the topography of the site; and
 - (ii) traffic volumes on the adjoining road.

Proposal

The proposal does not comply with the referenced exemption (due to the height and design of the fence), therefore does not satisfy the Acceptable Solution.

With respect to (a) there is no occupation of the site (as there is no dwelling), therefore there is no privacy required.

It may be argued that the owner feels the vacant site requires security, however that can be achieved by alternative fencing or visual permeable fencing – in fact allowing view into the site from the outside, including the walkway, would arguably provide better security than if it were behind a wall.

The second part of this clause is about balancing the need for security/privacy while allowing passive surveillance. It is not that the desire/need for security and privacy trumps the need for passive surveillance. The proposed design will not provide a reasonable level of passive surveillance, the gaps for the slats at the top do not provide surveillance opportunity. Given the unique nature of the site being one of the few properties to have direct and lengthy views of the laneway, its ability to provide that passive surveillance is imperative for the broader community. Each property has its unique characteristics that development needs to respond to.

With respect to (b) it is considered that the proposed height and transparency of the wall is not compatible with those in the street (applying that interpretation to Christophers Way where the most obvious connection to streetscape exist. The area has a mix of fencing types and front fences are not uncommon, however they tend to be lower and transparent providing good passive surveillance and transparency. The nature of the fencing in the area results in non-dominant structures and instead provides an openness to the character where there is obvious characteristics of urban gardens, generous setbacks, mostly modest built form and a less rigid or formalised distinction between public and private ownership. The proposed wall is contrary to that established character.

Part (b)(ii) requires consideration of traffic volumes with respect to the appropriateness for a fence that does not meet the Acceptable Solution. This proposal does not have the need for a higher fence because of impacts of traffic volumes. Where a higher fence may be justified under this Clause is where they are on a main road where there is a large volume of vehicles that may cause amenity impacts because of traffic noise; this application does not justify a need under that clause.

For these reasons, the proposal is not able to achieve the Performance Criteria and cannot be supported.

General Residential Zone

Clause 10.5.1 – Non-dwelling Development (A1 part (d))

Acceptable Solution
Compliance with: (d) 10.4.2 (A4) 10.4.2 (A4): No trees of high conservation value will be impacted.
Performance Criteria
Buildings and works are designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value.
Proposal
The proposal will impact a very High Conservation Value <i>Eucalyptus globulus</i> (Blue gum - 87cm DBH) that is within 5.7m of the proposed wall. The wall will have 37% encroachment into the tree protection zone of this tree (unacceptable level).

The proposed variation can be supported pursuant to this Performance Criteria of the Zone based on the submitted and reviewed arborist assessment (P Jackson, October 2023) that provides specific construction techniques to minimise impact and recommends tree protection and impact mitigation measures that ensure the very high conservation tree can be retained and survive. Any approval would need to refer to those requirements in a condition issued.

2.5 Public Consultation and Representations

The application was advertised in accordance with the requirements of s.57 of the *Land Use Planning and Approvals Act 1993* (from 8 November 2023 to 21 November 2023). Eighteen (18) representations were received during the public exhibition period. The following issues were raised by the representors:

2.5.1 Safety issues

2.5.1.1 Poor passive surveillance of the walkway (including potential for anti-social behaviour and graffiti).

2.5.1.2 Impairs vision around corners for cyclists using the walkway (noting that the existing path has a number of 'bends' in it. It creates a 'blind corners'. Those with limited hearing rely more on visual cues to stay safe.

2.5.1.3 The additional solid wall will make the path even darker at night/dusk, as it is not lit.

It is agreed that the construction of the solid wall would remove potential passive surveillance from the subject lot toward the laneway. It is acknowledged that above 1.5m the fence provides gaps between the slats, however it is considered that the passive surveillance with that treatment would be so limited that it would be ineffective. It is recognised by Council that large expanses of walls or tunnels that have poor passive surveillance do tend to attract anti-social behaviour.

It is agreed that the construction of the wall on the 'inside' curve of the walkway would cause visual obstruction that currently does not exist.

It is also agreed that the solid wall to that height would affect access of natural light at times of low level light, which would affect the usability of the laneway.

2.5.2 Contrary to the Kingborough Interim Planning Scheme section 3.0.8 that supports the creation of 'strong and healthy local communities'. This is done by outcomes such as 3.0.8(a) Urban areas designed to encourage physical activity and to reduce the use of private vehicles with consideration of CPTED principles 3.0.8(e).

It is acknowledged that the 'Purpose and Objectives' part of the Planning Scheme includes the references provided by representors above. However, in a statutory assessment there is limited opportunity to draw on those parts of the Scheme. The structure of the Scheme is such that the provisions within the clauses that are used for assessment are drawn from those purposes and objectives through the 'Acceptable Solutions' and 'Performance Criteria' of each zone and overlay.

- 2.5.3 It will create a heat bank and entrapment of heat during hot weather making it an unpleasant walking experience.**

The planning scheme does not provide provision to consider the concern that is raised.

- 2.5.4 The solid wall creates a barrier and does not enhance the 'greenery' that is characteristic of the area.**

Impacts of appearance and character are discussed within the assessment.

- 2.5.5 It was not the owner's intent to build on the site.**

This is not an applicable planning consideration and the application before Council is for development of the wall.

- 2.5.6 The existing wall on the opposite side of the walkway should not be replicated, it is a poor outcome.**

Nearby built form forms part of an assessment, however a single example cannot be selected as the 'prevailing' character. It is necessary to consider the broader area and context of a site as there may be examples that are in fact an anomaly in the character and may very well provide an example of poor outcomes. With respect to the impacts raised by representors about laneway safety, the existing wall has a lesser impact as it is not on the 'inside' of the curve and therefore not blocking sightlines when using, or approaching, the walkway.

- 2.5.7 Impact on native trees**

The impacts on the Gum tree that is close to the subject wall has been discussed within the body of the report. As protection of the tree can be conditioned, it is considered that this would not be a ground to refuse the application.

2.6 Other Matters

Restrictive covenants and easements

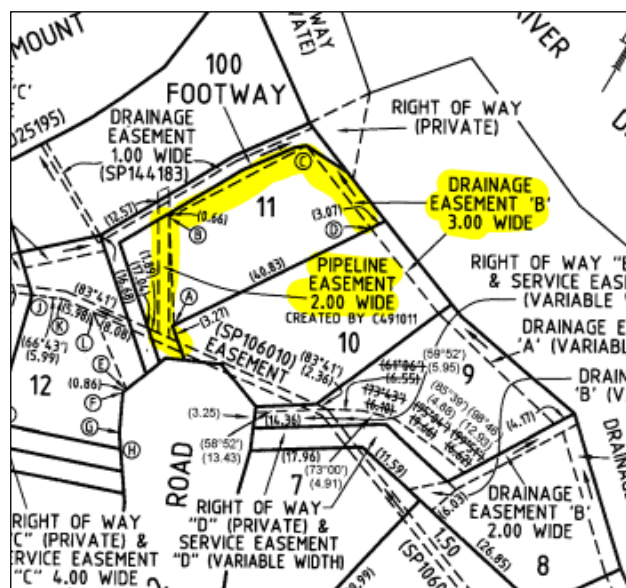


Figure 4 - extract from title of subject site showing easements and building envelope

The title details several easements on the site including:

- 3m wide drainage easement in favour of Council on the northern boundary
- 2m wide pipeline easement in favour of Council (now TasWater) that runs across the southern end of the site (not on the boundary).
- 1.5m wide drainage easement in favour of Council across the driveway section of the site.

In addition to the easements there is also a building envelope on the title (shown as A, B, C and D), which includes the limitation of:

BUILDING ENVELOPE

Lot 11

The owner of Lot 11 on the plan (called the servient land) covenants with the Kingborough Council to the intent that the burden of the covenant may run with and bind each and every part of the servient land and that the benefit thereof may be created in favour of the Kingborough Council to observe the following stipulations:

Not to undertake the construction of any habitable building on such lot other than within the area labelled ABCD on the Plan unless the consent of Kingborough Council has been obtained to vary this restriction.

Build Over Easement Approval

As mentioned above, there are three easements on the site, two of those would require a 'build over easement approval' under the *Urban Drainage Act 2013*, as they are both in favour of Kingborough Council. The application would be subject to assessment as the wall is substantial in its built form (compared to a typical paling fence) and includes large footings that have the potential to impact inground infrastructure. If approval is not granted for the 'build over easement' it would not be able to be constructed, regardless of whether there is Planning approval.

There is also a sewer main that traverses the site across the driveway area. The applicant would require approval from TasWater for the construction over that sewer main; if approved there are TasWater conditions that would be applied to the permit.

3. CONCLUSION

For the reasons outlined in the assessment report, the proposal of a 1.8m wall along the boundary that abuts the public walkway cannot be supported. The proposal is contrary to the Scheme through its design and impacts on design response affecting character and visual appearance.

4. RECOMMENDATION

That the Planning Authority resolves that the development application boundary wall and fencing at 13 Christophers Way, Kingston Beach for Mr P J Munday be refused for the following reasons:

- (a) Non-compliance with the Performance Criteria within Clause 10.5.1 – Non-dwelling Development (A1 part (a)): Clause 10.4.2 (A1), in particular the proposed design, scale and setback (location) is not compatible with the streetscape.
- (b) Non-compliance with the Performance Criteria within Clause 10.5.1 – Non-dwelling Development (A1 part (a) continued): Clause 10.4.2 (A3) in particular the proposed wall will create negative visual impacts caused by the apparent scale and bulk when viewed

from an adjoining property; and, it will not provide separation between built form that is consistent with that existing in the area.

- (c) Non-compliance with the Performance Criteria within Clause 10.5.1 – Non-dwelling Development (A1 part (c)): Clause 10.4.7 (A1) in particular the proposed wall removes passive surveillance of the public, recreation walkway that provides a local link from the urban area to recreational areas.

ATTACHMENTS

- 1. **TasWater referral response**
- 2. **Assessment Checklist**

Public Copy



Submission to Planning Authority Notice

Council Planning Permit No.	DA-2023-107	Council notice date	17/04/2023
TasWater details			
TasWater Reference No.	TWDA 2023/00486-KIN	Date of response	21/04/2023
TasWater Contact	Robert Stapleton	Phone No.	0417279866
Response issued to			
Council name	KINGBOROUGH COUNCIL		
Contact details	kc@kingborough.tas.gov.au		
Development details			
Address	13 CHRISTOPHER WAY, KINGSTON BEACH	Property ID (PID)	2955126
Description of development	Boundary wall and fencing		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Gandy and Roberts Consulting Engineers	"GA Plans" / Proj: 19.0012 – Dwg: E101	A	24/02/2023
Conditions			
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>56W CONSENT</p> <p>1. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the <i>Water and Sewerage Industry Act 2008</i> for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure.</p> <p>DEVELOPMENT ASSESSMENT FEES</p> <p>2. The applicant or landowner as the case may be, must pay a development assessment fee of \$226.71, to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.</p> <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p>			
Advice			
<p>General</p> <p>For information on TasWater development standards, please visit https://www.taswater.com.au/building-and-development/technical-standards</p> <p>For application forms please visit https://www.taswater.com.au/building-and-development/development-application-form</p> <p>Service Locations</p> <p>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</p>			



and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.
Further information can be obtained from TasWater.
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies.
- (c) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

56W Consent

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

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

Declaration

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

TasWater Contact Details

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

Assessment Checklist for Development Applications for Non-Dwelling Development within the General Residential Zone

Clause	Compliance/Comments
<p>Clause 10.5.1 – Non-dwelling Development</p> <p>A1 – Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling:</p> <p>(a) 10.4.2 A1 and A3;</p> <p>(b) 10.4.3 A1 (a) and (c);</p> <p>(c) 10.4.7 A1.</p> <p>(d) 10.4.2 A4</p> <p>10.4.2 (A1): Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <p>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street;</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or</p> <p>(e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</p> <p>10.4.2 (A3): A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or</p>	<p>A1(a) – For 10.4.2 (A1): Does not comply. The applicable assessment is against (c) because it is a vacant site, however there are no existing dwellings on adjoining properties on the same street, therefore it is more appropriate to assess against (b), which has a requirement of 3m (noting that (a) is not applicable as it is not the ‘primary’ frontage (refer to definitions within the scheme).</p> <p>For 10.4.2 (A3): The proposal does not comply with (a) as the frontage setback is not complied with; part (b) is not applicable as the applicable boundary is not a side or rear boundary.</p> <p>A1(b) – Complies with (a) of the referred Clause as site coverage does not exceed 50%; (c) does not exist in the scheme, no need for compliance.</p> <p>A1(c) – Does not comply with the referenced exemption (due to the height and design of the fence), therefore does not satisfy the Acceptable Solution.</p> <p>A1(d) – Does not comply, the proposal will impact a very High Conservation Value <i>Eucalyptus globulus</i> (Blue gum - 87cm DBH) that is within 5.7m of proposed wall. The wall will have 37% encroachment into the tree protection zone of this tree (unacceptable level).</p>

Clause	Compliance/Comments
<p>within 0.2m of the boundary of the adjoining property; or (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p> <p>10.4.3 (A1) (a): Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide);</p> <p>10.4.3 (A1) (c): <i>This does not exist.</i></p> <p>10.4.7 (A1): No Acceptable Solution (<i>note 1- exemption applies for fences in this zone – see Table 5.6 in Exemptions</i>):</p> <p>10.4.2 (A4): No trees of high conservation value will be impacted.</p>	

Code Provisions

Clause	Compliance/Comments
E1.0 Bushfire-Prone Areas Code	While the proposed development is located within a Bushfire Prone Area, the Bushfire Prone Areas Code does not apply to the Residential use class. The site is currently vacant, with future residential use proposed.
E3.0 Landslide Code	While the proposed development is located on land partially within a Landslide Hazard Area, no works are proposed on this part of the site. Therefore, the Landslide Code is not triggered.
E6.0 Parking and Access Code	This application is for the construction of a wall and does not alter the existing access and does not create a demand for parking. Therefore, a full assessment against this code is not required.
E7.0 Stormwater Management Code	The proposal does not include any new impervious surfaces, therefore a full assessment against the code is not required.
E10.0 Biodiversity Code	While the proposed development is located on land partially within a Biodiversity Code area, no works are proposed on this part of the site. Therefore, the Code is not triggered.
E11.0 Waterway and Coastal Protection Code	The site is partially within a Waterway and Coastal Protection Area however the proposal will not impact this area. Therefore, Code E11.0 is not triggered.

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

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

14 PETITIONS STILL BEING ACTIONED

A report on the Snug to Coningham Shared Pathway will be presented to Council in the near future.

15 PETITIONS RECEIVED IN LAST PERIOD

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

16 OFFICERS REPORTS TO COUNCIL

16.1 POLICY 4.13 ESTABLISHMENT OF BUSHFIRE HAZARD MANAGEMENT AREAS ON COUNCIL LAND

File Number: 12.257

Author: Liz Quinn, Manager Environmental Services

Authoriser: Deleeze Chetcuti, Director Environment, Development & Community Services

Strategic Plan Reference

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

Strategic Outcome: 3.5 Management of environmental assets is based on professional advice and strategic planning.

1. PURPOSE

- 1.1 The purpose of this report is to present a review of the Establishment of Bushfire Hazard Management Areas on Council Land Policy (4.13) (the Policy).

2. BACKGROUND

- 2.1 The Policy was developed in 2017 and updated in 2021 following a Councillor workshop.
- 2.2 A Hazard Management Area (HMA) is required to ensure that potential bushfire fuel surrounding a dwelling in a bushfire prone area is minimised.
- 2.3 Hazard Management Areas are defined as 'the area between a habitable building or building area and bushfire prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition in which there are no other hazards present which will significantly contribute to the spread of a bushfire' (Planning Directive No. 5.1 Bushfire-Prone Areas Code 2022).
- 2.4 The incorporation of the Australian Standard for Construction of buildings in bushfire-prone areas (AS 3959:2018) into the National Construction Code and State Planning

Directive No. 5.1 (Bushfire-Prone Areas Code) in 2017, resulted in a statutory obligation for developers to provide and maintain managed areas (bushfire hazard management areas) around new homes in bushfire prone areas.

- 2.5 In a few cases, the dimensions of the required Hazard Management Area mean that some pre-existing lots are too small to contain the necessary bushfire Hazard Management Area wholly within the subject lot. These lots will rely on the establishment of bushfire Hazard Management Area on adjoining properties, including Council owned and managed land.
- 2.6 Where these pre-existing lots adjoin Council land, and in particular bushland, riparian and coastal reserves, there was a need for a formal Council policy on how Bushfire Hazard Management Areas are assessed and managed for the benefit of adjoining private development.

Under the *Fire Services Act 1979*, Council's powers, responsibilities and obligations include to take all reasonable precautions to prevent any fire lit on their property from spreading to adjoining land. Council maintains a significant firebreak network within the natural area reserve network. These breaks are in place to mitigate risk.

3. STATUTORY REQUIREMENTS

- 3.1 The creation of Hazard Management Areas for new buildings in Bushfire Prone Areas is currently regulated across Tasmania under the Tasmanian State Planning Provisions, the *Building Act 2016* and *Building Regulations 2016*.
- 3.2 The Bushfire Prone Areas Code (Planning Directive No 5.1), which applies to interim planning schemes, requires a hazard management area to be established and maintained between the bushfire prone vegetation and the building at a distance equal to, or greater than the separation distance specified for the Bushfire Attack Levels (BAL) in Australian Standard 3959:2018 Construction of buildings in bushfire-prone areas.

4. DISCUSSION

- 4.1 The Policy aims to avoid the use of Council land (specifically bushland and coastal reserves) for private use as a Hazard Management Area. This is to manage the impact of vegetation removal on the ecological, cultural, aesthetic and recreation values of the reserve.
- 4.2 A review of the Policy has been completed to ensure it is still relevant and will achieve the desired objective. The revised version with tracked changes is in Appendix A.
- 4.3 The Policy objectives, scope and procedure remain largely unchanged and fit for purpose. The Policy has been shortened to improve readability.
- 4.4 Minimising the number and extent of hazard management areas for individual benefit also reduces the ongoing cost and liability for Council in maintaining these areas to the required standard.
- 4.5 The Policy was originally developed with technical input from staff, neighbouring Council's and the Tasmanian Fire Service. It was peer reviewed as part of the 2021 review by a Bushfire Management consultant.
- 4.6 The approach that the Policy takes is similar to that taken by other councils and State government agencies which have policy-driven standards that are mandatorily imposed on the developers of new buildings in fire prone areas.

- 4.7 Requests for new HMAs on Council land will only be considered for lots created prior to Planning Directive No 5.1 (generally prior to 2015) unless exceptional circumstances are demonstrated and accepted by Council.
- 4.8 Requests will only be considered for new single residential dwellings adjacent to natural area reserves.
- 4.9 Where the use of Council owned or managed land cannot be avoided, a set of assessment criteria have been developed to determine the maximum extent to which any Hazard Management Area will be permitted on Council owned or managed land.
- 4.10 The criteria require several building design and siting solutions to be addressed to minimise the extent to which any HMA will be necessary on Council land. This includes the habitable building to be constructed to BAL 29 under AS3959:2018.
- 4.11 The criteria are available to the public in the Policy and an associated document titled 'Criteria for assessing requests to establish Hazard Management Areas on Council land'.
- 4.12 If a new HMA is approved under the Policy, a Part 5 Agreement is used to apply the policy requirements to ensure the conditions apply to the title in perpetuity. This includes the roles and responsibilities of Council and the landowner in relation to the HMA.

5. FINANCE

- 5.1 The costs of establishing and maintaining the HMA are borne by the applicant and subsequent landowner. This requirement has been applied since the inception of the Policy in 2017.
- 5.2 To manage liability, the works required to establish the HMA and ongoing compliance monitoring are undertaken by Council.
- 5.3 Since 2021 Council has received six requests to establish a HMA on Council land. None of the requests were approved, however two new dwellings were approved to rely on existing reserve firebreaks. The remaining development proposals all proceeded with changes to design and location of buildings to achieve the required Bushfire Management Plan for the development.

6. ENVIRONMENT

- 6.1 The establishment of HMAs on Council land, and in particular natural area reserves, requires vegetation thinning, tree and shrub removal and annual maintenance to ensure a minimal fuel condition (brush cutting, pruning and woody debris removal).
- 6.2 The vegetation removal negatively impacts the biodiversity and ecological values of the reserve. The policy aims to reduce this negative impact by ensuring the creation of HMAs outside of Council's firebreak network are minimised in number and extent.

7. COMMUNICATION AND CONSULTATION

- 7.1 Public communication about the Policy and the assessment criteria for a request for a new HMA on Council land will continue to be available on Council's website.
- 7.2 The Policy has potential implications for a small group of landowners who plan to build on vacant lots established prior to the Bushfire Prone Areas Code (Planning Directive No 5.1). Where the Policy may apply it will be communicated by planning staff to applicants during the development application process.

- 7.3 Accredited Bushfire Practitioners who commonly work in Kingborough and the Tasmanian Fire Service have previously been notified about the Policy.
- 7.4 Given the administrative nature of this Policy update, community engagement is not deemed to be required.

8. RISK

- 8.1 The removal of native vegetation to create and maintain a HMA negatively impacts the natural values of a reserve. It also has the potential to impact the cultural, aesthetic and recreation values. This Policy manages this risk by minimising the establishment of a HMA for individual dwellings outside of Council's firebreak network.
- 8.2 The Policy sets up criteria to ensure any request for a new HMA on Council land is consistently assessed, the work is managed by Council and the costs are borne by the applicant.
- 8.3 Allowing HMAs to be established on Council land has the potential to expose Council to liability if the HMA is not maintained to the correct standard and a bushfire impacts the subject property. The Policy seeks to minimise this risk by avoiding the use of Council land for HMAs.

9. CONCLUSION

- 9.1 Council has an obligation to manage bushfire risk from its own land, but also a responsibility and commitment to maintain a balance between managing bushfire risk and conserving the natural, cultural and recreation values of the reserve network. Avoiding the establishment of new HMAs, except in exceptional circumstances, to benefit individual developments achieves this objective.
- 9.2 A review and update of the Establishment of Bushfire Hazard Management Areas on Council Land policy has been completed. The Policy objectives, scope and procedure remain largely unchanged as they continue to be relevant to managing the risks to Council identified in the report. The Policy has been shortened to improve readability.

10. RECOMMENDATION

That Council:

- (a) endorse the attached Policy on the Establishment of Bushfire Hazard Management Areas on Council Land.
- (b) review the Policy in two years to ensure it remains relevant and consistent with statutory requirements for best practice building in bushfire prone areas.

ATTACHMENTS

- 1. Existing Policy with Tracked Changes
- 2. Updated Policy for Approval

EXISTING POLICY WITH TRACKED CHANGES



Policy No: 4.13
 Approved by Council: May 2021
 Next Review Date: May 2023
 Responsible Officer: Bushfire Management Officer

Minute No: C238/9-2021
 ECM File No: 12.257
 Version: 2.0

Establishment of Bushfire Hazard Management Areas on Council Land Policy	
POLICY STATEMENT	<p>1.1 The purpose of this policy is to provide a framework for managing requests to incorporate Council owned or managed land into new bushfire Hazard Management Areas (HMAs) for adjacent development.</p> <p><u>1.2 Kingborough Council recognises that HMAs are an important mechanism for mitigating the risk and providing</u> a degree of protection for people <u>in a dwelling and property</u> from the life threatening consequences of <u>radiant heat by providing separation from unmanaged vegetation bushfires.</u></p> <p><u>1.2.1.3 Council also has a</u> is committed <u>ment</u> to maintaining a balance between managing bushfire <u>risk to dwellings threat</u> and protecting the <u>natural</u> values of its bushland reserves from the impact of new HMAs</p>
DEFINITIONS	<p>Accredited Bushfire Hazard Practitioners means a Bushfire Hazard Practitioner accredited under Part IVA of the Fire Services Act 1979.</p> <p>2.2 AS 3959:2018 - Australian Standard for Construction of Buildings in Bushfire Prone Areas.</p> <p>2.3 Bushfire Hazard Management Area (HMA) is defined in the Bushfire Prone Areas Code <u>Tasmania</u> under the <i>Land Use Planning and Approvals Act 1993</i>. <u>Hazard Management Area means It is</u> the area between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.</p> <p><u>HMAs will provide a degree of protection for people from the life-threatening consequences of radiant heat by providing separation from unmanaged vegetation. HMAs whilst designed to enhance the ability of buildings to withstand bushfire attack in no way form a guarantee against the loss of life or property as a result of bushfire.</u></p> <p>The Bushfire-Prone Areas Code <u>(Kingborough Interim Planning Scheme 2015)</u> requires HMAs to be established and maintained between the bushfire prone vegetation and the building at a distance equal to, or greater than the separation distance specified for the Bushfire Attack Levels (BAL) in AS 3959 – 2018. <u>Construction of Buildings in Bushfire Prone Areas.</u></p> <p><u>2.4 Separation distances</u> for HMAs are defined in Table 2.6 AS 3959 – 2018 <u>Construction of Buildings in Bushfire Prone Areas.</u></p> <p><u>2.5-2.4 Bushfire Attack Level (BAL)</u> is a numerical value which relates to heat exposure levels (the severity of radiant heat) that a site may experience during a bushfire. BAL are derived from <u>Australian Standards</u></p>

	<p>AS3959:2018, and are measured in increments of radiant heat expressed in kilowatts per metre squared.</p> <p>—The Australian Standard for Construction of Buildings in Bushfire Prone Areas AS3959:2018 divides bushfire prone areas into six bushfire attack levels (BAL), based on the severity of the building's potential exposure to ember attack, radiant heat, and direct flame contact:</p> <p>—BAL-LOW – very low risk</p> <p>—BAL-12.5 – low risk</p> <p>—BAL-19 – moderate risk</p> <p>—BAL-29 – high risk</p> <p>—BAL-40 – very high risk</p> <p>—BAL-FZ – extreme risk (Flame Zone)</p> <p>—The subdivision of land in bushfire prone areas requires a BAL assessment to ensure that each lot within the subdivision is able to provide a safe and compliant site for building.</p> <p>Once a Bushfire Attack Level has been determined for a site (by a qualified practitioner following the method outlined in Australian Standard for Construction of Buildings in Bushfire Prone Areas AS3959:2018), appropriate building construction and design requirements can be determined.</p> <p>Developments that are closer to bushfire-prone vegetation will be assessed as having a higher Bushfire Attack Level (BAL) and as a result, more rigorous building construction standards will be required.</p> <p><u>2.5 BAL 29</u></p> <p><u>A Bushfire Attack Level specification, as defined in AS3959:2009 Section 2.</u></p> <p><u>1.12.6 Bushfire Prone Area</u> is defined as:</p> <ul style="list-style-type: none"> • land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or • where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 ha. <p><u>1.22.7 Bushfire Hazard Management Plan</u></p> <p>A plan drawn up using AS3959:2018 that describes the architectural and land management requirements for a development to achieve an acceptable level of bushfire risk management. Bushfire Hazard Management Plans are drawn up by practitioners accredited by Tasmania Fire Service in the use of AS3959:2018.</p>
<p>OBJECTIVE</p>	<p>To avoid the use of public land in Council <u>owned or managed land's care and control</u> for private use as a HMA.</p> <p><u>3.2</u> <u>To ensure that new bushfire hazard management areas for the benefit of residential dwellings are only established on Council land where, without such areas, existing vacant lots would be unable to be developed for a dwelling.</u></p> <p><u>8.1</u> <u>3.3</u> <u>Where the creation of new HMAs on Council land cannot be avoided, to minimise the extent to which Council owned land shall be used or relied upon for asset protection purposes to accommodate HMAs.</u></p> <p><u>3.2</u> <u>Provide a clear and transparent process and criteria that enable a consistent approach to for the assessment of requests to establish new</u></p>

	HMA's on Council owned and managed land <u>for residential dwellings for the benefit of adjoining dwellings.</u>
SCOPE	<p>4.1 This policy applies to all requests for HMA's on Council owned or managed land associated with new and existing uses and developments and includes:</p> <p>a) <u>Development and Use a</u> Applications assessed under the Kingborough Planning Scheme 2000, Kingborough Interim Planning Scheme 2015 or any subsequent planning scheme declared under the <i>Land Use Planning and Approvals Act 1993</i> and applicable to the Kingborough Municipal area.</p> <p>b) New building work on land classified as being bushfire prone under the provisions of the <i>Building Act 2016</i> and/or the Director of Building Control determination.</p>
PROCEDURE (POLICY DETAIL)	<p>5.1 Applications for new HMA's will be assessed against a set of criteria contained in the related Council document: <i>'Criteria for <u>processing assessing</u> requests to establish Hazard Management Areas on Council land'</i>.</p> <p>5.2 <u>From time to time Council may vary the criteria that apply to requests to establish Hazard Management Areas on Council land as the need arises (in response to changes in legislation etc.).</u></p>
GUIDELINES	<p><u>6.1 Where possible, all HMA's should be contained within the property being developed, irrespective of the presence of an existing Council maintained HMA within a reserve adjoining the subject property, unless in accordance with an existing Bushfire Management Plan for the reserve.</u></p> <p><u>6.26.1</u> Where HMA requirements cannot be met within the private land being developed, <u>private property owners must use</u> an alternate bushfire protection design as a Deemed-to-Satisfy solution that meets the requirements of the National Construction Code to achieve an acceptable level of bushfire risk management for construction of a building to BAL 29 standard <u>must be developed before Council will consider establishing a HMA on Council owned or managed land.</u></p> <p><u>6.2 The maximum extent of the bushfire hazard management areas on the reserve will be the minimum necessary to provide a buffer appropriate for a habitable building constructed to BAL-29 under AS3959:2009.</u></p> <p>6.3 <u>Council consent will be required to implement a Hazard Management Area on Council owned or managed land.</u> A development <u>application proposing a HMA works</u> on Council owned or managed land <u>will require should not be prepared or submitted without first achieving</u> the consent of <u>Council the General Manager.</u></p> <p>6.4 <u>In assessing the request for a new HMA,</u> Council will consider the need to balance the management of the threat of bushfires to human life and assets with the need to protect the ecological, cultural, and recreational values of its <u>bushland</u> reserves.</p> <p>6.5 Consent <u>of the General Manager</u> to create a HMA on council land will not be provided (other than in exceptional circumstances) for developments other than a new single habitable building on an undeveloped title created prior to 2015.</p> <p>6.6 <u>Before Council will consider requests to clear vegetation on Council owned or managed land for incorporation into a Hazard Management Area for private property, property owners Applicants requesting use of</u></p>

	<p><u>Council land</u> are required to demonstrate that they have <u>minimised the area required for the HMA by:</u></p> <ol style="list-style-type: none"> explored considering alternate design and construction <u>all other options (design and construction solutions, creation of escape routes, etc.).</u> <u>proposing to</u> established and maintained a Hazard Management Area within the lot property that is the subject of the request. used an alternate using a bushfire protection design as a Deemed-to-Satisfy Solution that meets the requirements of the National Construction Code to achieve an acceptable level of bushfire risk management for construction of a building to BAL 29 standard. <p>6.7 Where the creation of a HMA on Council land cannot be avoided (such as where the topography of a site is a limiting factor), each request will be considered on its own merits with regard to:</p> <ol style="list-style-type: none"> the natural and cultural values (including recreational and visual amenity values) of the land, the relevant reserve management plans and/or strategy documents, and resources required to establish and maintain the HMA. <p>Note: increased or unanticipated costs associated with building in a bushfire prone area or the size of a block limiting the area available for creation of a HMA are not considered valid reasons to require creation of HMA on Council land.</p> <p><u>6.8</u> Costs associated with the establishment and maintenance of <u>new</u> Hazard Management Areas on Council land are to be borne by the <u>applicant</u>private property owner.</p> <p>6.8.9 <u>6.9</u> The initial establishment of the bushfire HMA will be implemented <u>by Council following the issue of a building permit, but before a certificate of occupancy.</u></p>
COMMUNICATION	<p>7.1 This policy will be made available to the general public on the Council website and at the Customer Services counter. The policy and the associated criteria for assessing requests for a new HMA are publicly accessible via Council's website.</p> <p>7.2 The following stakeholders have a direct interest in this policy and should be notified of any amendments through direct communications:</p> <ul style="list-style-type: none"> • Council staff • Development applicants • Bushfire Hazard Practitioners, building surveyors, development advisors and Consultants
LEGISLATION	<p>8.1 HMA's are required to ensure that potential bushfire fuel surrounding a development in a bushfire prone area is minimised. The creation of HMA's for new buildings in Bushfire Prone Areas is regulated across Tasmania under the planning scheme in effect and the Building Act 2016 and Building Regulations 2016 (which give effect to the former Building Regulations 2014 until the implementation of the Tasmanian Planning Scheme at which time the requirements of the Building Regulations 2016 take effect).</p> <p>8.28.1 <u>Other relevant legislation: The following legislative requirements should be considered in conjunction with this policy:</u></p>

	<ul style="list-style-type: none"> • Kingborough Interim Planning Scheme 2015 • Tasmanian Planning Scheme – State Planning Provisions • <u>Building Act 2016 and Building Regulations 2016</u> • Land Use Planning and Approvals Act 1993 • Fire Service Act 1979 • <u>Local Government (Building and Miscellaneous Provisions) Act 1993</u> • <u>Parks, Recreation and Natural Areas By-law No. 3 of 2021.</u>
RELATED DOCUMENTS	<p>9.1 <u>Criteria for assessing requests to establish a Bushfire Hazard Management Area on Council land:</u></p> <p>2.6 <u>9.1.1</u> National Construction Code of Australia <u>2022</u>2019</p> <p>2.7 <u>9.1.2</u> AS3959:2018 Australian Standard for Construction of Buildings in Bushfire-Prone Areas.</p> <p>9.1 <u>Bushfire-prone Areas Code, Tasmanian Planning Commission, Department of Justice, Tasmania</u></p> <p>2.8 <u>9.1.3</u> Planning Directive No. 5.1 Bushfire – Prone Areas Code</p> <p>9.2 <u>Guidelines for Development in Bushfire Prone Areas of Tasmania- Tasmania Fire Service. 2005</u></p> <p>9.3 <u>Kingborough Council Parks, Recreation and Natural Areas By Law 2011</u></p> <p>9.4 <u>Kingborough Council Biodiversity Offset Policy</u></p> <p>9.5 <u>9.2</u> Tasmanian Vegetation Fire Management Policy 2017 (State Fire Management Council)</p>
AUDIENCE	<p>10.1 Kingborough Council <u>employees and</u> Councillors</p> <p>10.2 Kingborough Council staff <u>Developers</u></p> <p>10.3 <u>Development applicants</u></p> <p>10.4 Accredited Bushfire Hazard Practitioners, building surveyors, development advisers and <u>planning</u> consultants.</p> <p>10.5 <u>Tasmanian Planning Commission</u></p> <p>10.6 <u>10.5</u> <u>Community</u></p> <p>10.7 <u>10.6</u> <u>Tasmania Fire Service Bushfire Risk Unit</u></p>

UPDATED POLICY FOR APPROVAL



Establishment of Bushfire Hazard Management Areas on Council Land Policy

Public Copy

Policy No:	4.13
Approved by Council:	January 2024
New Review Date:	January 2026
Minute No:	TBA
ECM File No:	12.257
Version:	3.0
Responsible Officer:	Manager Environmental Services
Strategic Plan Reference:	3.5 Management of environmental assets is based on professional advice and strategic planning.

1. POLICY STATEMENTS

- 1.1 The purpose of this policy is to provide a framework for managing requests to incorporate Council owned or managed land into new bushfire Hazard Management Areas (HMAs) for adjacent development.
- 1.2 Council recognises that HMAs provide a degree of protection for people in a dwelling from the life threatening consequences of radiant heat by providing separation from unmanaged vegetation.
- 1.3 Council is committed to maintaining a balance between managing bushfire risk to dwellings and protecting the values of its bushland reserves from the impact of new HMAs

2. DEFINITIONS

- 2.1 **Accredited Bushfire Hazard Practitioners** means a Bushfire Hazard Practitioner accredited under Part IVA of the Fire Services Act 1979.
- 2.2 **AS 3959:2018** means the Australian Standard for Construction of Buildings in Bushfire Prone Areas.
- 2.3 **Bushfire Hazard Management Area (HMA)** is defined in the Bushfire Prone Areas Code under the *Land Use Planning and Approvals Act 1993*. It is the area between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.

The Bushfire-Prone Areas Code (Kingborough Interim Planning Scheme 2015) requires HMAs to be established and maintained between the bushfire prone vegetation and the building at a distance equal to, or greater than the separation distance specified for the Bushfire Attack Levels (BAL) in AS 3959 – 2018..

- 2.4 **Bushfire Attack Level (BAL)** is a numerical value which relates to heat exposure levels (the severity of radiant heat) that a site may experience during a bushfire. BAL are derived from AS3959-2018. Developments that are closer to bushfire-prone vegetation will be assessed as having a higher Bushfire Attack Level (BAL) and as a result, more rigorous building construction standards will be required.
- 2.5 **BAL 29** means a Bushfire Attack Level specification, as defined in AS3959:2009 Section 2.
- 2.6 **Bushfire Prone Area** is defined as:
 - 2.6.1 land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or
 - 2.6.2 where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 ha.
- 2.7 **Bushfire Hazard Management Plan** means a plan drawn up using AS3959:2018 that describes the architectural and land management requirements for a development to achieve an acceptable level of bushfire risk management. Bushfire Hazard Management Plans are drawn up by practitioners accredited by Tasmania Fire Service in the use of AS3959:2018.

3. OBJECTIVE

- 3.1 To avoid the use of Council owned or managed land for private use as a HMA.
- 3.2 To ensure that new bushfire hazard management areas for the benefit of residential dwellings are only established on Council land where, without such areas, existing vacant lots would be unable to be developed for a dwelling.
- 3.3 Where the creation of new HMAs on Council land cannot be avoided, to minimise the extent to which Council owned land shall be relied upon to accommodate HMAs.

- 3.4 Provide a clear process and criteria for the assessment of requests to establish new HMAs on Council owned and managed land for residential dwellings.

4. SCOPE

- 4.1 This policy applies to all requests for HMAs on Council owned or managed land associated with new and existing uses and developments and includes:
- 4.1.1 Applications assessed under the Kingborough Planning Scheme 2000, Kingborough Interim Planning Scheme 2015 or any subsequent planning scheme declared under the *Land Use Planning and Approvals Act 1993* and applicable to the Kingborough Municipal area.
 - 4.1.2 New building work on land classified as being bushfire prone under the provisions of the *Building Act 2016* and/or the Director of Building Control determination.

5. PROCEDURE (POLICY DETAIL)

- 5.1 Applications for new HMAs will be assessed against a set of criteria contained in the related Council document: ***'Criteria for assessing requests to establish Hazard Management Areas on Council land'***.

6. GUIDELINES

- 6.1 Where HMA requirements cannot be met within the private land being developed, an alternate bushfire protection design as a Deemed-to-Satisfy solution that meets the requirements of the National Construction Code to achieve an acceptable level of bushfire risk management for construction of a building to **BAL 29** standard must be developed..
- 6.2 The maximum extent of the bushfire hazard management areas on the reserve will be the minimum necessary to provide a buffer appropriate for a habitable building constructed to BAL-29 under AS3959:2009.
- 6.3 A development application proposing a HMA on Council owned or managed land will require the consent of the General Manager.
- 6.4 In assessing the request for a new HMA, Council will consider the need to balance the management of the threat of bushfires to human life and assets with the need to protect the ecological, cultural, and recreational values of its reserves.
- 6.5 Consent of the General Manager to create a HMA on council land will not be provided (other than in exceptional circumstances) for developments other than a new single habitable building on an undeveloped title created prior to 2015.
- 6.6 Applicants requesting use of Council land are required to demonstrate that they have minimised the area required for the HMA by:
- 6.6.1 considering alternate design and construction options.
 - 6.6.2 proposing to establish and maintain a Hazard Management Area within the property that is the subject of the request.
 - 6.6.3 using a bushfire protection design as a Deemed-to-Satisfy Solution that meets the requirements of the National Construction Code to achieve an acceptable level of bushfire risk management for construction of a building to BAL 29 standard.
- 6.7 Where the creation of a HMA on Council land cannot be avoided , each request will be considered on its own merits with regard to:
- 6.7.1 the natural and cultural values (including recreational and visual amenity values) of the land,
 - 6.7.2 the relevant reserve management plans and/or strategy documents, and
 - 6.7.3 resources required to establish and maintain the HMA.

- 6.8 Costs associated with the establishment and maintenance of new Hazard Management Areas on Council land are to be borne by the applicant.
- 6.9 The initial establishment of the bushfire HMA will be implemented by Council following the issue of a building permit, but before a certificate of occupancy.

7. COMMUNICATION

- 7.1 The policy and the associated criteria for assessing requests for a new HMA are publicly accessible via Council's website.

8. LEGISLATION

- 8.1 The following legislative requirements should be considered in conjunction with this policy:
 - 8.1.1 *Building Act 2016 and Building Regulations 2016.*
 - 8.1.2 *Land Use Planning and Approvals Act 1993.*
 - 8.1.3 *Fire Service Act 1979.*
 - 8.1.4 *Local Government (Building and Miscellaneous Provisions) Act 1993.*
 - 8.1.5 *Parks, Recreation and Natural Areas By-law No. 3 of 2021.*

9. RELATED DOCUMENTS

- 9.1 Criteria for assessing requests to establish a Bushfire Hazard Management Area on Council land:
 - 9.1.1 National Construction Code of Australia 2022.
 - 9.1.2 AS3959:2018 *Australian Standard for Construction of Buildings in Bushfire-Prone Areas.*
 - 9.1.3 Planning Directive No. 5.1 Bushfire – Prone Areas Code.

10. AUDIENCE

- 10.1 Council employees and Councillors.
- 10.2 Developers.
- 10.3 Accredited Bushfire Hazard Practitioners, building surveyors, and planning consultants.

17 NOTICES OF MOTION

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

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*

Public Copy

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	

CLOSURE

Public Copy

APPENDICES

- A Mayor's Activities 16 November 2023 to 9 January 2024
- B Kingborough Community Safety Committee Minutes - 11 December 2023
- C Kingborough Bicycle Advisory Committee Minutes - 15 December 2023

Public Copy

A MAYOR'S ACTIVITIES 16 NOVEMBER 2023 TO 9 JANUARY 2024

DATE	LOCATION	ITEM
17 November	Online	Attended Australian Local Government Association (ALGA) board meeting
	Twin Ovals	Attended Kingborough Tigers Football Club Best and Fairest Dinner
18 November	Kingston	Attended Kingston CBD Street celebrations
20 November	Online	CEO Recruitment Panel – Chaired meeting
	Civic Centre	Chaired Council meeting
21 November	Canberra	Tour of National Situation Room from director of National Emergency Management Authority with ALGA Board
	Canberra	Attended ALGA Board dinner with LGAT President Mick Tucker
22 November	Canberra	Attended ALGA Board Meeting
	Canberra	Attended ALGA AGM
24 November	Kingston	Launched Kingborough Helping Hand Giving Tree at Channel Court Shopping Centre with Deputy Mayor Glade-Wright
	Kingston	Attended Eating with Friends at the Kingston Neighbourhood House with Deputy Mayor Glade-Wright.
27 November	Civic Centre	Chaired Councillor Workshop re Council facilities
28 November	Civic Centre	Chaired Multicultural Advisory Group meeting
29 November	Hobart	Attended meeting with Minister Ferguson and Greater Hobart Mayors in relation to the Keep Hobart Moving strategy and other matters
	Kingston	Attended final meeting of the Kingston Revitalisation Steering Committee
	Kingston	Citizenship Ceremony
	Civic Centre	Meeting with Prof Michael Rowan and Mr Graham Bury re bushfire hazard clearing, along with the General Manager.
30 November	Civic Centre	Interviews for CEO position with the Recruitment Panel
2 December	Civic Centre	Attended Kingborough Community Forum
	Civic Centre	Chaired Kingborough Council's Annual General Meeting
3 December	Kingston Beach	Launch of inclusive beach matting at Kingston Beach and presentation of Life Membership awards to members of the Kingston Beach Surf Life Saving Club.
4 December	Blackmans Bay	Attended volunteer morning tea at Blackmans Bay Primary School and drawing of School Assoc raffle

DATE	LOCATION	ITEM
	Online	Meeting of the CEO Recruitment Panel
	Kingston	Assisted at Kingborough Helping Hands giving tree – with Deputy Mayor Glade-Wright
	Civic Centre	Chaired Council meeting
6 December	Hobart	Meeting with LGAT in relation to Learning and Development Framework for Councillors
	Hobart	Greater Hobart Mayors Forum
	Hobart	Met with Michele Adair, Chair of Homes Tasmania
7 December	Online	Meeting of Governance Group for Learning and Development Framework
8 December	Hobart	Attended GMC meeting of LGAT
	Hobart	Attended Premier's Local Government Council meeting
		Attended Christmas drinks for Premier's Local Government Council meeting
	Kingston Park	Attended Council's inaugural Carols in the Park event
11 December	Hobart	Guest on ABC Radio Monday Mayor forum.
	Kettering	Meeting with Craig Webb of Raptor Refuge
	Civic Centre	Councillor workshop/final interviews for CEO recruitment
13 December	Civic Centre	Chaired Access Committee meeting
14 December	Kingston Beach	Attended Christmas event for the Kingston Neighbourhood House
15 December	Civic Centre	Met with the Blackmans Bay Community Association with the Deputy Mayor
	Blackmans Bay	Attended the Illawarra Jumping Jacks performance at Illawarra Primary School with Deputy Mayor Glade-Wright
	Civic Centre	Met with Minister Nic Street re High Performance Centre and other matters, along with the General Manager.
18 December	Civic Centre	Chaired final Council meeting of the year.
20 December	Margate	Attended Margate Primary School Leavers Assembly
	Kingston Beach	Attended Councillors and Staff Christmas event
21 December	Kingston	Attended Illawarra Primary School assembly
	Kingston	Attended Kingston Primary School assembly
22 December	Kingston	Attended Council staff Xmas BBQ
28 December	Bellerive	Attended Hobart Hurricanes game at Blundstone arena at the invitation of the Chair, David Boon.

DATE	LOCATION	ITEM
4 January	Hobart	Attended the Taste of Summer Festival at the invitation of the Directors – discussion on potential of ferries to the Taste event.
6 January	Kingston	Presented Kingborough Community Awards for 2024.
8-9 January		Sick leave.

Public Copy

B KINGBOROUGH COMMUNITY SAFETY COMMITTEE MINUTES - 11 DECEMBER 2023

File Number: 5.476

Author: Anthony Verdouw, Executive Officer Engineering Services

Authoriser: David Reeve, Director Engineering Services

MINUTES

Kingborough Community Safety Committee

Meeting No. 2023-6

Monday 11 December 2023

Cr Clare Glade-Wright
CHAIRPERSON

Kingborough

MINUTES of a Meeting of the Kingborough Community Safety Committee held at the Kingborough Council Chambers, on Monday 11 December 2023 at 2:00pm.

PRESENT

		PRESENT	APOLOGY
Chairperson	Cr Clare Glade-Wright	✓	
Deputy Chairperson	Cr David Bain	✓	
Members:	Mr Michael Brough	✓	
	Mr Jarrod Coad		X
	Ms Tania Flakemore		X
	Ms Kate Lucas	✓	
	Mr David McLoughlin	✓	
	Mr Keith Pardoe	✓	
	Ms Colleen Ridge	✓	
	Mr Rodney Street	✓	
Tasmania Police	Insp Colin Riley	✓	
Kingborough Access Advisory Committee Representative	Dr Don Hempton		X
Kingborough Bicycle Advisory Committee			
Council Officers In Attendance:			
Executive Officer	Mr Anthony Verdouw		X
Senior Roads Engineer	Ms Renai Clark	✓	
Other Attendees:			

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chairperson acknowledges and pays respect to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of the land on which we meet, and acknowledges elders past and present.

LEAVE OF ABSENCE

DECLARATIONS OF INTEREST

CONFIRMATION OF MINUTES

MOVED: David McLoughlin

SECONDED: Rod Street

That the Minutes of the Committee meeting held Monday 16 October 2023 as circulated, be confirmed.

CARRIED

GENERAL BUSINESS

1. Tasmania Police - Crime and Traffic Statistics

Inspector Riley presented on Kingborough's crime and traffic statistics and recent trends.

Kingston Police Station has established a dedicated CCTV Monitoring Room to allow 24/7 surveillance of the various CCTV's operating within the municipality. Police are seeking volunteers to work in the monitoring room and will advertise shortly in the Kingborough Chronicle. Applicants will require a full police record check.

Kingston Police Station has an operating capacity of 21 full time equivalents (FTE). 11 are currently absent i.e. 3 on maternity, 1 on paternity, 1 incapacitated on workers compensation, 2 non-operational due to injury, 1 on secondary group training and 3 on annual leave. Therefore, the station is operating at 50% capacity. Inspector Riley suggested Council write to the Police Commissioner to request for additional personnel to be assigned. To be considered in new year.

2. Review Action Items from previous meeting

Committee discussed progress on action items generated from the previous Committee meeting.

3. Safety Related Service Requests

No safety related service requests raised.

4. Installation of Public Lighting in Maranoa Reserve – Petition Received

The Committee discussed the petition received regarding provision of public lighting in Maranoa Reserve and agreed to endorse the project for a capital bid for 2024-2025 Financial Year.

Action 1: Staff to scope public lighting project for Maranoa Reserve and submit a capital project bid.

5. Correspondence

- a) Kingborough Neighbourhood House – Installation of lighting in Maranoa Reserve – Received 3 November 2023
- b) Councillor David Bain - Tasmanian Police Community Survey – 14 November 2023
- c) Michael Ferguson MP – Seeking creative road safety ideas in Tasmania Grant Program – 14 November 2023

6. Committee Review 2024

Cr Glade-Wright advised that only 6 community members renominated for the Committee for the 2024-2025 term. The Committee will operate under notice next year that it may be abandoned at end of next year. Cr Glade-Wright asked members for feedback on the Committee's function – Is the Committee effective? Does it provide value to the community?

The following feedback was offered:

- Require a clear, well defined, Terms of Reference.
- Focus on strategic issues.
- A workshop with new members to develop a strategy for the year.
- What are Council's expectations of the Committee?
- A 2-Year Action Plan was developed last year, with a lot of time and effort put in. It was not regularly referred to.
- A feeling by some that Council is not interested in addressing small issues identified by members, eg school speed trailers only being deployed within school zones during school terms.
- Seek opportunities for community outreach at other community events. For example, if an Emergency Management forum was being held, the safety committee could have a 'booth'.

Action 2: Staff to circulate Committee Terms of Reference to all members of 2024 Committee.

7. Snug Pedestrian Refuge

Committee discussed opportunities for pedestrian refuges/safe crossing points in Snug. Staff advised that the Department of State Growth are investigating crossings in Snug and these investigations will include community engagement – likely in the New Year.

NEXT MEETING

The next meeting of the Committee is TBC.

CLOSURE: There being no further business, the Chairperson declared the meeting closed at 3pm.

Meeting Action Items						
Meeting #	Action Number	Description	Responsibility of	Due Date	Action Undertaken	Complete
2023-6	1	Staff to scope public lighting project for Maranoa Reserve and submit a capital project bid.	Andrew Coombe	January 2024		
2023-6	2	Staff to circulate Committee Terms of Reference to all members of 2024 Committee.	Anthony Verdouw	January 2024		
Meeting Items Reviewed/Actioned						
Meeting #	Action Number	Description	Responsibility of	Due Date	Action Undertaken	Complete
2023-5	1	Cr Glade-Wright to liaise further with Council staff regarding TasNetworks approval for the CCTV camera on TasNetworks pole at Blackmans Bay Beach.	Cr Glade-Wright	December 2023	Staff continuing discussions with TasNetworks.	✓
2023-5	2	Inspector Riley to follow up traffic enforcement in the Leslie Vale area and report back to the Committee.	Inspector Riley	December 2023	No heavy vehicles were detected exceeding the 40km/h 10 tonne and over speed limit on Leslie Road. There were only a small number of standard passenger vehicles detected exceeding the 70km/h speed limit.	✓
2023-4	1	Cr Glade-Wright to follow up if concerns around the Huon Highway/Leslie Road intersection can be elevated on behalf of KCSC and potentially a meeting be arranged with the Mayor and State Minister to discuss the issues.	Cr Glade-Wright	16/10/23	Mayor sent follow up letter to the Minister and the minister has replied, per meeting Correspondence	✓

2023-4	2	Staff to follow up with State Growth if there is any stakeholder input regarding the placement of the new traffic cameras.	Anthony Verdouw	16/10/23	State Growth advised the there is a form for recommendations for new speed camera locations.	✓
2023-3	1	Council staff to contact Leslie Vale Quarry requesting information on heavy vehicle volumes accessing the site.	Renai Clark	21/8/23	See below.	✓
2023-3	2	Council staff to install traffic counters on Leslie Road west of the Huon Highway intersection to collect traffic data.	Renai Clark	21/8/23	Traffic counters have been scheduled for installation for the last week in August and first week in September. We will provide traffic data for the October meeting. Going to put both sides of Highway now, instead of contacting quarry, so we can measure passenger vehicles and speeds as well.	✓
2023-3	3	Councillor Glade-Wright to follow up potential Kingborough Chronicle article outlining what information to provide when contacting police.	Cr Glade-Wright	21/8/23	Article published in the Chronicle on 15 August 2023	✓
2023-3	4	Inspector Riley to follow up regarding security cameras in the area and report back.	Insp. Riley	21/8/23	Insp. Riley provided an update on security cameras in the Tasmania Police crime and traffic report.	✓
2022-3	4	Staff to follow up why yellow no parking lines have not been reinstated at Village Drive intersection.	Works Depot	15/8/22	The linemarking has now been completed.	✓
2021-6	2	Investigate northern end of Auburn Rd and assess whether extending yellow no parking lines are warranted. Staff to investigate and assess if extending yellow no parking lines are warranted at the Church Street end of Auburn Road.	Renai Clark	20/02/23	The linemarking has now been completed.	✓
2023-1	1	Staff to write to State Growth to clarify responsibilities for operation and maintenance of lights in the underpass at the Summerleas/Channel Hwy (KFC) Roundabout, noting TasPolice also have concerns with lack of lighting at underpass.	Anthony Verdouw	17/4/23	State Growth have replied indicating they maintain and manage all lighting in pedestrian underpasses on State roads or highways. Their maintenance contractor repairs outages and has been notified to address any issues at the KFC roundabout.	✓

2023-1	2	Staff to add Christopher Johnson Carpark (Tyndall Rd side) of Kingston Beach, Auburn Road and Hutchins Road intersection and Maranoa and Denison Street intersection to new public lighting request register.	Anthony Verdouw	17/4/23	Added and inspected.	✓
2023-1	3	Cr Glade-Wright to follow up with staff regarding wording for a motion to present to the Committee at the next meeting around funding for linemarking and improving the renewal of faded linemarking in the municipality.	Cr Glade-Wright	17/4/23	Motion in regard to Linemarking prepared.	✓
2023-1	4	Staff to clarify why Gormley Drive gate is now open permanently.	Anthony Verdouw	17/4/23	<p>Staff advised that the gate is now kept open for safety reasons. With the move of the Kingston High School to the KSC Precinct and increase in the number of major events at the Sports Centre, it is preferable to have users of the Twin Ovals and Lightwood Park accessing/exiting their grounds via Gormley Drive rather than adding to the traffic/pedestrian conflicts on Kingston View Drive. Given the high number of pedestrians crossing Kingston View Drive from the carpark opposite the Sports Centre, it is desirable to have less traffic travelling through the conflict zone.</p> <p>In addition, we have been advised that emergency services attending an incident at the Twin Ovals require the boom gate to be open as it is the most direct route available.</p>	✓
2023-1	5	Staff will provide an update on the Channel Hwy Motorcycle Safety Audit at the next Committee meeting and/or request someone attend from the audit panel.	Anthony Verdouw	17/4/23	The event was a workshop facilitated by Safe Systems Solutions – they will now prepare a report for DSG with recommendations.	✓

2022-6	1	To eliminate ambiguity with the Action Items table and the Complete column being ticked when there were still outstanding actions it is requested that an additional column titled Action Undertaken be added.	Anthony Verdouw	20/2/23	Column added.	✓
2022-6	2	Staff to investigate locations of existing speed signage on Huon Road between Sandfly Road, Longley and Huon Highway, Lower Longley.	Renai Clark	20/2/23	The roads have been inspected and missing speed signage noted. Google Street View imagery from 2007 has been reviewed. The only signage existing then was END 60 at the bridge on Huon Road near to the Sandfly Road junction. This indicates that the speed limit would have been the Kingborough default of 90. Staff will need to liaise with Department of State Growth to determine what the correct speed limits are and the locations of new signs.	✓
2022-4	2	Staff to follow up if it's possible to place two speed trailers on the Kingston Bypass/Southern Outlet during an upcoming school holiday period.	Renai Clark	12/12/22	The speed trailers were not able to be utilised over the Summer holiday period as they have been in the workshop waiting for repairs. But it is a timely opportunity to remind the committee that the speed trailers were purchased under a grant application titled "Safe Speeds for Schools". The primary purpose of the speed trailers is to encourage motorists to drive slowly within school zones to improve safety for pedestrians. They were not intended to be used as traffic calming devices on higher speed state roads. Further, the operational budget for deploying the trailers only covers the cost for the school sites. DSG is now regularly deploying Speed Camera trailers throughout their road network.	✓

					Given the above factors it is considered by staff that the school speed trailers should not be deployed on the Kingston Bypass/Southern Outlet or other locations during school holiday periods.	
2022-4	3	Staff to review the speed limit review checklist and forward to local community groups for information. A draft Speed Limit Review Guidelines was presented to the Committee. The Committee is to provide feedback.	Anthony Verdouw/Renai Clark	10/10/22	Finalise feedback and distribute to Community Forum	✓

Public Copy

Kingborough Community Safety Committee

Meeting Dates for 2023

*Meetings are where possible held on a Monday every second month at 2pm
in the Council Chambers, Kingston*

20 February

17 April

19 June

21 August

16 October

11 December

Public Copy

C KINGBOROUGH BICYCLE ADVISORY COMMITTEE MINUTES - 15 DECEMBER 2023

File Number: 28.114

Author: Anthony Verdouw, Executive Officer Engineering Services

Authoriser: David Reeve, Director Engineering Services

Minutes

Kingborough Bicycle Advisory Committee

Meeting No. 2023-6

Friday 15 December 2023

The logo for Kingborough, featuring the word "Kingborough" in a serif font, with a green swoosh underline.

MINUTES for a Meeting of the Kingborough Bicycle Advisory Committee held at the Kingborough Civic Centre, Kingston, on Friday 15 December 2023 at 9:00am.

PRESENT

		PRESENT	APOLOGY
Chairperson	Cr Amanda Midgley	✓	
Deputy Chairperson	Cr Clare Glade-Wright		X
Members:	Mark Donnellon	✓	
	Joyce du Mortier		X
	Emlyn Jones		X
	Kelvin Lewis	✓	
	David McQuillen	✓	
	Rob Sheers	✓	
	Peter Tuft		X
	Angela Wilson		X
Cycling South	Mary McParland	✓	
Bicycle Network	Alison Hetherington	✓	
Council Officers In Attendance:			
Executive Officer	Anthony Verdouw	✓	
Recreation Officer	Su Sprott	✓	
Program manager – Transform Kingston	Daniel Kaimatsoglu	✓	
Other Attendees:			
Urban Mobility Planner – State Growth	Dustin Moore		X

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 we meet and acknowledged elders past and present.

LEAVE OF ABSENCE

DECLARATIONS OF INTEREST

There were no declarations of interest.

CONFIRMATION OF MINUTES

MOVED: Mark Donnellon
 SECONDED: Mary McParland

That the Minutes of the Committee meeting held on Friday 20 October 2023, as circulated be confirmed.

GENERAL BUSINESS1. Cycling Strategy – Strategic and Advocacy Actions Review

Review and discussion of Strategic and Advocacy Actions – Appendix 1

Action 3 – Track counters:

- Permanent counter installed on Whitewater Track. The others will be moved around to various tracks regularly.

Action 5 & Action 12 – Road safety audits to eliminate hazards for cycling – maintain existing network.

- KBAC members are invited to report on specific issues and can use Snap Send Solve or raise service requests out of session.
- *Channel Highway, Bonnet Hill trimming of vegetation – DSG responsible for maintenance in this area.*
- *Snug to Margate Shared Path – grass coverage increasing over gravel sections – The path is maintained under contract – Work Depot advised and requested further action.*

Action 7 & 8 – Promote safe cycling and places to ride in Kingborough.

- *Council Comms will do a Whitewater Creek shared path promotion.*
- *Noted that personal stories regarding cycling and active transport can have big impact.*

Action 10 – Wayfinding strategy – signage and mapping

Action 11 – Positive Provisioning Policy

- Preliminary draft document was provided for comment. Staff to confirm formalisation in new year.

2. Cycling Strategy – Infrastructure Actions Review

Review and discussion of Infrastructure Actions – Appendix 1

Action 15 – Channel Hwy Sealed Shoulders (Huntingfield to Margate section – State Growth projects)

- Noted by the Committee as a high priority safety issue for commuter and recreational cyclists.

Action 16 – Mountain bike park improvements

- New public toilet to be installed in coming months with tender awarded.

Action 17 – Channel Trail – Kingston to Margate.

- Engagement on the Margate to Huntingfield Feasibility Study complete. Awaiting final report.
- *Share report with KBAC when it is released.*

Action 19 – Summerleas to Firthside

- Pathway connections funded in the 2023-2024 Budget.

- Noted that project could be deferred for a year pending stormwater considerations. Design for the pathways will still occur.

Action 20 – Huntingfield Park & Ride Connections

- Subdivision application for Huntingfield House property lodged.
- Howden Road connection raised for consideration.
- *Staff have written a letter to PWS re. trail maintenance within PWS land. Specifically key routes through Peter Murrell. Response not yet received.*

Action 21 – Channel Hwy Tarooma design

- Designs are being prepared. Additional grant funding was successful.

Action 22 – Spring Farm to Sports Precinct

- Extension of Whitewater Creek Track through Spring Farm along the creek and top section of Sports Precinct Connector – construction underway.
- **Open Space Grant** successful for \$350k toward Stage 2 of the Sports Precinct Connector which involves a bridge over Whitewater Creek and the track up the hill.
- *Capital bid raised to provide connection from Gormley Drive endpoint to Sports Precinct pathways.*

Action 24 – Roslyn Ave design

- Concept plans for uphill bike lanes and cost estimate presented to the Committee. Project has site constraints and a high-cost estimate.
- Committee have requested that the project remains on the 5-year plan as it is a high-priority high-use cycling link.
- *Meeting to discuss project occurred 17 November 2023. Plan to finalise some design and pursue grant options and potential to break project into 2 stages.*
- *Grant application submitted for Safe Passing Distance Signage to be installed on the uphill section as interim measure.*
- *Noted that potential Kingston Beach ferry terminal would require improved active transport connections in this area.*

Action 26 – Channel Trail – Snug to Lower Snug

- Staff preparing costings for a potential gravel pathway between Old Station Rd and Davies Rd, Lower Snug.

Action 27 – Tarooma Safe Route to School

- Mary noted that some simple fixes in the area could improve access for students.

3. Cycling South Report

Mary provided an update on Cycling South activities.

CORRESPONDENCE

4. Michael Ferguson MP – Seeking creative road safety ideas in Tasmania Grant Program – 14 November 2023

OTHER BUSINESS5. Capital Works Project Bids 2024-2025

Discussed KBAC project priorities survey results.

Project bids for the 2024-25 Financial Year are being considered for:

- Spring Farm to Twin Ovals Path Stage 2
- Gormley Dr to Spring Farm - Path Link
- Snug Bridge – Northern Side Path Link
- North West Bay River Shared Use Trail Stage 2 (Miandetta Road to the Bowls Club)
- Extending Margate Tramway Track through to Baretta Reserve (missing link from east of Hillview Drive)
- Algona Road - Shared Path Feasibility Study
- Channel Hwy (KFC roundabout) to Whitewater Creek Track - Shared Path Link
- Old Station Rd to Davies Rd - Gravel Shared Path
- Channel Highway, Snug - Footpath.

6. Transform Kingston - Main Street Project Review

Daniel Kaimatsoglu led the Committee on a walk through of the Kingston Main Street.

Committee members noted significant improvements for pedestrians and street amenity however raised concerns regarding cyclist safety with cycling infrastructure still on-road (not separated from traffic).

7. Meeting Dates for 2024

Proposed meeting dates for 2024 listed for endorsement.

MATTERS OF GENERAL INTEREST**NEXT MEETING**

The next meeting of the Committee 23 February 2024 9am Council Chambers.

CLOSURE:

There being no further business, the Chairperson declared the meeting closed at 10.57am

Kingborough Bicycle Advisory Committee

Proposed Meeting Dates for 2024

*Note meetings are held bi-monthly on Fridays at 9:00am
in the Council Chambers, Kingston*

23 February

19 April

21 June

23 August

18 October

13 December

Public Copy

Appendix 1 – Cycling Strategy Action Tables:

Strategic and Advocacy Actions

Action	Project	Description	Time frame	Cost	Responsible Authorities	Funding	Progress/Outcomes
1	Ride to School Day and Ride to Work Day	Promote National Ride to School Day and Ride to Work Day through Council communication channels. Assess schools for rideability and barriers to greater cycling uptake.	Ongoing	Low	Council	Op	25 March 2022 Ride to School Day.
2	Commuter Counts	Continue to collect cycling data by participating in the annual Commuter Counts in March each year.	Ongoing	Low	Council	Op	Commuter counts undertaken 1 March 2022.
3	Install usage counters	Install counters to collect usage data on cycling routes and create an active transport data set for the municipality.	Ongoing	Low	Council	Op	
4	Bike Week	Support Bike Week events to encourage participation in cycling, such as the Kingborough Treasure Hunt.	Ongoing	Low	Council	Op	
5	Road safety audits to eliminate hazards for people cycling	Review road crossings on shared paths and around schools to assess whether safety improvements can be made, such as wombat crossings and pedestrian refuges. Where kerb outstands create 'pinch points' identify options for removing the hazard. Review speed limits in activity areas and on cycling routes.	Ongoing	Low	Council	Op	
6	Active travel provisions in new developments	Advocate for the development of standards for active travel infrastructure and facilities. Encourage new developments and subdivisions to align with the	Ongoing	Low	Council, Tasmanian Planning	Op	

Action	Project	Description	Time frame	Cost	Responsible Authorities	Funding	Progress/Outcomes
		recommendations of the <i>Kingborough Footpath Policy</i> and the <i>Kingborough Cycling Strategy</i> endorsed by Council. Where appropriate require a 2.5m wide shared path alongside all collector roads and waterways in new developments. Encourage developers to incorporate bicycle parking in commercial and residential apartment developments.			Commission		
7	Promote safe cycling in Kingborough	Promote road safety campaigns developed by RSAC (Road Safety Advisory Council) and the Kingborough Community Safety Committee. Support and promote cycling education programs run by external agencies to provide bicycle education that increases skills and confidence.	Ongoing	Low	Council	Op	
8	Promote cycling routes and places to ride	Promote cycling-related tourism through provision of maps and online information about routes and destinations, such as Bruny Island.	Ongoing	Low	Council	Op	
9	Advocate for bike racks on buses	Advocate to MetroTas and the State Government to provide bike racks on buses on all local and regional bus routes.	Short	Low	Council, DSG	Op	
10	Wayfinding Strategy – signage and mapping	Develop and implement a Wayfinding Strategy, including improved signage and mapping for active travel throughout Kingborough.	Short	Low	Council	Op	
11	Positive Provisioning Policy	Adopt a Positive Provisioning Policy to incorporate cycling-friendly design in all Council projects.	Short	Low	Council	Op	

Infrastructure Actions

Action	Project	Description	Time frame	Responsible Authorities	Cost	Funding	Progress/Outcomes
12	Maintain existing bike network	Ensure the principal bicycle network is reviewed annually to ensure bicycle infrastructure is safe and surfaces are free of significant bumps, holes, or other impediments. Any issues should be included in road resurfacing or other road maintenance schedules.	Ongoing	Council, DSG	N/A	Op	
13	Bike parking	Install bike parking based on an annual audit and community surveying and at key bus stops.	Ongoing	Council, DSG	Low	Op	
14	Water stations and bike repair stations	Install water fountains and bike repair stations based on an annual audit and community surveying.	Ongoing	Council	Low	Op	
15	Channel Hwy sealed shoulders – Kingston to Kettering	Liaise with Department of State Growth to advocate for road upgrades along the Channel Highway that include 1.5m sealed shoulders.	Ongoing	State Growth, Council	Low	Op	
16	Mountain bike park improvements	Continue to seek opportunities and funding to upgrade the facilities at the Kingston Mountain Bike Park to bring it to contemporary standards.	Ongoing	Council	Low	Ex	
17	Channel Trail – Kingston to Margate	Investigate and advocate for a shared path from Huntingfield to the end of the existing shared path in Margate.	Short	DSG, Council	Low	Cap / Ex	Consultant engaged by DSG undertaking Feasibility Study
18	Algona Road	Investigate and advocate for a shared path on the southern side of Algona Road between Roslyn Avenue and Huntingfield.	Short	DSG, Council	Low	Cap / Ex	
19	Firthside to Summerleas	Construct a mixed on-road and shared path route between	Short	Council, DSG	Medium	Cap /	

Action	Project	Description	Time frame	Responsible Authorities	Cost	Funding	Progress/Outcomes
		Kingston High School and the Firthside Park & Ride.			m	Ex	
20	Huntingfield Park & Ride Connections	Construct shared path and safe crossings from existing shared paths to the Huntingfield Park & Ride.	Short	Council, DSG	Medium	Cap / Ex	
21	Taroona – Channel Hwy	Upgrade on-road cycling facilities along Channel Highway through Taroona.	Short	Council, DSG	Medium	Cap / Ex	
22	Spring Farm to Sports Precinct	Construct a shared path from the existing Whitewater Creek path, north to the sporting precinct.	Short	Council	Medium	Cap / Ex	
23	Huntingfield to Kingston CBD – Channel Hwy	Advocate and seek funding for protected cycling infrastructure along Channel Highway, between Huntingfield and Kingston.	Short	DSG, Council	Medium	Ex	
24	Roslyn Avenue - Kingston Beach to Blackmans Bay	Investigate options for an uphill bicycle lane from Algona Road to Jindabyne Road. Investigate a shared path on the western side of Roslyn Avenue, including safe intersection upgrades.	Short	Council	Low	Cap	
25	Kingston to Kingston Beach	Investigate options and pursue opportunities for a shared path between Kingston and Kingston Beach.	Short	Council, Landowners	Low	Cap / Ex	
26	Channel Trail – Snug to Lower Snug	Construct a shared path between Snug and Lower Snug, starting from the existing shared path in Snug.	Short	Council, DSG	Very High	Cap / Ex	
27	Taroona Safe Route to School	Construct a mixed on-road and shared path route along Flinders Esplanade to Taroona Primary and High Schools, including modal filters and safe crossings.	Medium	Council, Education Dep.	Medium	Cap	
28	Sandfly Road – sealed shoulders	Improve on-road cycling infrastructure along Sandfly Road.	Medium	Council, DSG	High	Cap / Ex	
29	Blackmans Bay Beach Connections	Connect Tinderbox Road and Blowhole Road to Ocean Esplanade with cycling infrastructure.	Medium	Council	Medium	Cap	

Action	Project	Description	Time frame	Responsible Authorities	Cost	Funding	Progress/Outcomes
30	Blackmans Bay Shops Connection	Provide a cut-through path from Roslyn Avenue and the Blackmans Bay Shops.	Medium	Council, Landowners	Low	Cap	
31	Roslyn Avenue – Algona Road to Illawarra	Investigate providing a shared path from Algona Road to Illawarra Primary School.	Medium	Council	Low	Cap	
32	Gormley Drive and Kingston View Drive	Link a shared path from Summerleas Road to the Sporting Precinct via the Twin Ovals.	Medium	Council	High	Cap	
33	Margate to Dru Point	Investigate a shared path link from Margate to Dru Point.	Medium	Council, Landowners	Low	Cap	
34	Margate local pathways	Investigate local access pathways and linkages for upgrades and slow street implementation in Margate.	Medium	Council	Low	Cap	
35	Snug local pathways	Investigate local access pathways and linkages for upgrades and slow street implementation in Snug.	Medium	Council	Low	Cap	
36	Redwood Road to Algona Road	Investigate a shared path from the Maranoa Heights Reserve paths to Algona Road.	Medium	Council, DSG	Low	Cap	
37	Channel Trail – Lower Snug to Kettering	Investigate a shared path between Lower Snug and Kettering.	Medium	DSG, Council	Low	Cap / Ex	
38	Lower Snug to Coningham	Construct a shared path between Lower Snug and Coningham.	Long	Council	High	Ex / Cap	
39	Redwood Road to Kingston CBD	Investigate a shared path from Lorikeet Drive to the Kingston CBD.	Long	Council	Low	Cap	
40	Longley to Neika – sealed shoulders	Improve on-road cycling infrastructure on Huon Road between Longley and Neika.	Long	Council	High	Cap / Ex	
41	Harris Ct to Sherburd Ct path	Construct a path linking Harris Court to Sherburd Court.	Long	Council, Education	Medium	Cap / Ex	

Action	Project	Description	Time frame	Responsible Authorities	Cost	Funding	Progress/Outcomes
				Dep.			
42	Tingira Road to Ash Drive link	Investigate a shared path and/or on-road improvements, linking existing local tracks to Roslyn Avenue.	Long	Council	Low	Cap	
43	Ferry Road	Investigate improving active transport infrastructure along Ferry Road to Bruny Island Ferry Terminal.	Long	DSG, Council	Low	Ex	

Public Copy