

Kingborough



COUNCIL MEETING MINUTES

5 February 2024

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

Kingborough Councillors 2022 - 2026



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Clare Glade-Wright



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson



Councillor Christian Street

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Public Copy

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 5 February 2024 at 5.30pm

1 AUDIO RECORDING

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

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

3 ATTENDEES

Councillors:

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

Staff:

General Manager	Mr Gary Arnold
Director People & Finance	Mr David Spinks
Director Engineering Services	Mr David Reeve
Director Environment, Development & Community Services	Ms Deleeze Chetcuti
Manager Environmental Services	Ms Liz Quinn
Manager Development Services	Ms Tasha Tyler-Moore
Planner	Miss Sadhana K C
Biodiversity Officer	Mr Nic Alexander
Media & Communications Advisor	Ms Sam Adams
Acting Executive Assistant	Ms Korrina Lewis

4 APOLOGIES

There were no apologies.

C14/2-2024

5 CONFIRMATION OF MINUTES

Moved: Cr Clare Glade-Wright
 Seconded: Cr Flora Fox

That the Minutes of the open session of the Council Meeting No.1 held on 15 January 2024 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail
29 January	Kingborough Environmental Fund	Presentation on the detail in the second iteration of the Kingborough Environmental Fund Implementation Plan

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

There were no questions without notice.

10 QUESTIONS ON NOTICE FROM THE PUBLIC

There were no questions on notice from the public.

C15/2-2024

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Cordover asked the following questions without notice:

11.1 Settlement Strategy

Circular Head Council has released a draft Circular Head Settlement Strategy for public comment. According to their Council “the settlement strategy will focus on how the community can grow while retaining the things they love and will identify the best places for further housing, business, commercial and light industrial development. It will also consider land constraints or hazards such as flood inundation, important environmental values, as well as protecting agricultural land.” Does

Kingborough have in place such a plan or a plan to get a plan or a plan to revise an existing population or settlement strategy to help identify and manage strategic environmental, social and infrastructure risks to Council's operations and service levels aligned with population growth projections?

Manager Development Services responds:

Kingborough is part of the Greater Hobart project, which is looking at a lot of that population analysis where the growth areas would be. So we are looking at it at a regional aspect. We do look at it and contribute a lot to various plans such as rent plan and other strategic work that the State Government is doing. We don't have one specifically for Kingborough, although we do have the Land Use Strategy which which does identify particular areas for further growth and so forth, plus the development of the local planning provisions. The LPS picks up a lot of that data and that information and we have that analysis that guides us about where we're suggesting we need to do the rezoning and the like. It doesn't directly necessarily answer things like industrial land areas, but we do have projects underway for looking at structure plans for our regional areas such as Kingston, Snug and also for our industrial areas to make sure that we are meeting what we need to for the future and looking at further growth in the area. So there are a few different working pieces. I haven't seen the plan that's been referred to, to see whether it encompasses the same, but we are certainly looking at a regional level with the State Government.

Cr Cordover:

Where does Margate fit into those plans? Specifically, I'm thinking of a Margate master plan or some kind of overarching project piece around making Margate more livable, but also in line with the population growth that they've experienced.

Manager Development Services:

There is an intent to have a strategic plan for Margate as well as Kingston. We just haven't been able to progress it as fast as we would like to due to resourcing and the planning scheme work that we need to do, and it would certainly include encouragement of particular uses and development and growth in the right areas. With the changes proposed under the LPS, there will be more opportunity for housing, because now it is a serviced area. Historically, it wasn't and that made a big difference and it would encourage growth of services and activity in those areas to meet the needs of the residents. But of course, the State Government has a large role to do with that as well because they own significant parts of the infrastructure, such as the water, sewage and the roads, as well as the schools that are in the area. Certainly we would look to work with them for the strategic plan.

Cr Midgley asked the following question without notice:

11.2 Margate Main Street

I know we had EOI's last year and I'm just wondering how that process is going and when councillors will be updated around any movements in the area?

Mayor responds:

Mr Reeve and I actually attended a meeting in Margate today with a resident and we were asked exactly that. I understand that the public consultation is going to start in about a month, but Mr Reeve, do you want to give some further details?

Director Engineering Services:

Yes, that's correct. So the first piece will be to do some consultation. We've been doing a fair bit of work with Department of State Growth because they are also looking at the area as well. They have a consultant so we've combined those two together and we have regular catch ups with them. There is some of the traffic modelling as well that forms part of that project. We are looking at having a

community meeting as a kick off for that in the next three to four weeks and then at some stage, once we've gathered some of the data together and have got together a draft report, it will come back to Council as well, so that Council will have an opportunity to have a look at that.

Cr Deane asked the following questions without notice:

11.3 Sport & Recreation Strategy

We signalled that we would put that out to public comment following that endorsement. Can we get an update on when that will go out for public comment and how the community might have an opportunity to provide feedback?

General Manager responds:

I wish I did have the answer.

Mayor:

Actually I understand from Miss Adams that it's starting tomorrow.

11.4 Local Government Review

A lot of people are reading news about in the North West about potential mergers and councils potentially open to some kind of merger happening. We last year endorsed a position that we would be open to talking to the Huon Valley Council. It's been maybe seven or eight months and I'm wondering how those negotiations with the Houn Valley Council have since gone in the time that we passed that.

Mayor responds:

I don't know that the word 'negotiations' is probably the right word. We were hoping to have some discussions, but the Huon Valley Council made a decision some time ago that they wanted to actually have a discussion with Derwent Valley Council, which is a very interesting strategic move because they believe that they have more things in common with the Derwent Valley than they do with Kingborough because of, I guess, the more rural nature of the Derwent Valley. I did happen to very briefly yesterday see Mayor Sally Doyle and she did say I'm going to give you a ring. I think the Huon Valley have made their position very clear in relation to not wishing to merge with Kingborough. I'll wait and see what discussion we have when the Mayor contacts me.

Cr Deane:

Just to clarify, Derwent Valley merging with the Huon Valley, that wasn't part of the western shore?

Mayor:

No, it wasn't. That was something that they came up with themselves and I believe that Derwent Valley were happy to talk to them. It's an interesting scenario or not one that anybody else had thought of at any point during the two year review.

Cr Deane:

The other two options that we discussed last year was around Bruny Island and Taroona being potentially taken over by the Hobart City Council. Was there any update on contact or discussions with other Council?

Mayor:

Not at the moment because the review is still out for public comment until 29 February and we are yet to put our submission in and that will be coming to the next Council. I think the issue is that given that the Huon Valley appear to have closed the door on merging with us, one of the things that we will need to consider in our response to the review, the review suggested that Tarooma could go into Hobart, but I would have some serious concerns about losing Tarooma if we are not gaining the Huon Valley because it would erode our ratepayer base significantly. That is the sort of conversation we need to have to form our response to the review.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from Councillors.

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.42pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C16/2-2024

13.1 DEVELOPMENT APPLICATION FOR PARTIAL DEMOLITION AND ALTERATIONS TO DWELLING, SEPARATE DECK WITH SPA AND SAUNA, AND CHANGE OF USE OF DWELLING TO VISITOR ACCOMMODATION AT 322 TINDERBOX ROAD, TINDERBOX

Moved: Cr Clare Glade-Wright

Seconded: Cr Flora Fox

That the Planning Authority resolves that the development application for partial demolition and alterations to dwelling, separate deck with spa and sauna, and change of use of dwelling to visitor accommodation at 322 Tinderbox Road, Tinderbox for Mr A G Smith be approved subject to the following conditions:

1. Before the approved development and/or use commences, amended plans to the satisfaction and approval of the Manager Development Services must be submitted to and approved. When approved, the plans will be endorsed and will then form part of this permit.

The plans must be generally in accordance with the with Council Plan Reference No. P4 submitted on 30 November 2023 and prepared by Field Labs, but modified to correct errors and omissions as follows:

- (a) Include external changes in the notation related to BAL and accordingly provide updated information related to the application of the Directors Determination;
- (b) Correctly notate the deck to the main building to demonstrate demolition of existing decking and proposed new decking;
- (c) Remove the reference to unauthorised building and works related to the existing visitor accommodation unit on the site;
- (d) Show the location of the existing land application area servicing the existing septic tank;
- (e) Either:
 - i) demonstrate that the wastewater from the spa drains to the existing land application area and does not require upgrading; or
 - ii) demonstrate that the wastewater from the spa is disposed of in an appropriate manner and as required under Conditions 6 and 11.

Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with the endorsed plans (and/or reports).

This Permit relates to the use of land or buildings irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council.

2. The use and development must be managed so that the amenity of the area is not detrimentally impacted upon through any of the following:
 - (a) Transport of materials, goods or commodities (including water) to or from the land;

- (b) Appearance of any building, works or materials;
- (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater or waste products (rubbish).

Noise emissions measured at the boundary of the site must not exceed 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm; 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am; 65dB(A) (LAm_{ax}) at any time.

- 3. The visitor accommodation is for short term stay only. Accommodated guests must not stay any longer than a total of three (3) months on any one occasion.
- 4. Guests must park within the designated car parking area for the subject site.
- 5. Exterior building surfaces coloured using colours with a light reflectance value not greater than 40 per cent.
- 6. Plans submitted for building approval must incorporate the construction recommendations in the Landslide Risk Assessment and the Geotechnical Assessment prepared by Envirotech Consultants (June 2022), including but not limited to:
 - (a) ensuring building design and site use is in accordance with the following guidelines presented in: *Guidance's for Hillside Construction adapted from the Journal of the Australian Geomechanics Society - Practice Notes Guidelines for Landslide Risk Management. Australian Geomechanics Vol 42 No 1 March 2007 (AGS 2007c) and CSIRO: A builder's guide to preventing damage to dwellings. Part 2 - sound construction Methods 2003.*
 - (b) fencing off the 4m wide exclusion zone in high risk area, in the terraced area near the crest of the escarpment, as shown on plans (Council ref. P4 and Landslide Risk Assessment Map 5) and consistent with the project arborist advice required under Condition 8 (b). This exclusion zone is to be applied during Site works and for future land use in general, with no access available to visitors or staff and excavators no larger than 2.0 tonnes may walk past but not over the exclusion zone;
 - (c) ensuring appropriate Landslide Emergency Management measures are in place as per the Landslide Risk Assessment;
 - (d) ensuring rock breakers are not be used at the Site;
 - (e) ensuring the designer is a qualified engineer experienced in the design of footing systems for buildings;
 - (f) ensuring footings are designed in accordance with engineering principles (AS2870 Clause 3.1.7), and in accordance with the recommendations listed in the Geotechnical Assessment;
 - (g) installing swale drains upslope of the proposed building site and above batters and earth retaining structures to capture stormwater flow;
 - (h) diverting stormwater away from the western side of the existing dwelling into non perforated piping with outflow below the 55m contour below southern corner of the proposed deck and to be free draining to the crest;
 - (i) disposing of spa water in accordance with best practice guidelines and not over the crest of the slope;
 - (j) ensuring unretained cuts in soil do not exceed 3V:4H and unsupported batters in extremely weathered bedrock do not exceed 2V:1H;

- (k) ensuring fill works are avoided;
- (l) ensuring long term erosion management in accordance with measures outlined in Geotechnical Assessment;
- (m) ensuring earthworks incorporate recommendations including cut off drains, limiting size of excavator if required, proper preparation of building pads, management of rockfalls and maintenance of the foundations s per Geotechnical Assessment;
- (n) following recommendations of the Australian Geomechanics Practice note guidelines for Landslide Risk Management 2007 attached as appendix 1 – Some guidelines for hill side construction;
- (o) ensuring any site cutting is appropriately retained or battered in accordance with engineering design recommendations (max soil batter 1:3 and rock batter 1:1.5); and
- (p) ensuring that all earthworks on site must comply with AS3798-2007.

All recommended measures identified in the approved building plans must be satisfactorily implemented.

7. Prior to the commencement of on-site works, including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, an 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department. This application must be lodged a minimum of 14 days prior to commencement of on-site works and works must not commence until this notice has been approved by the Manager Development Services.
8. Prior to the commencement of on-site works (including any tree removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), all remaining native vegetation including individual trees identified for retention in Council Plan Reference No. P4 received on 30/11/2023 and the endorsed plans under Condition 1, and remaining native vegetation communities, must be appropriately protected during and after construction through implementation of the following tree and vegetation protection measures in accordance with all the recommendations in the Arborist's Assessment (Tree Planet, 24 October 2023):
 - (a) undertaking non-destructive root investigation (NDRI) in the proposed locations of the 17 piers for the sauna decking, to determine the presence of any tree roots from tree #15, supervised by the project arborist;
 - (b) confirming the location and design of the LHA exclusion area fencing with the project arborist to ensure no impacts on adjacent trees;
 - (c) erecting and maintaining temporary barrier fences around the recommended tree protection zone of Tree 15, and between native vegetation and approved works;
 - (d) installing trunk protection for trees #10–13 along the driveway using padding boards accordance with AS 4970–2009 *Protection of trees on development sites* for the duration of construction;
 - (e) installing ground protection for tree #14 consisting of 100 mm deep mulch spread to the permeable TPZ areas of tree #14, in accordance with AS 4454–2012 *Composts, soil conditioners and mulches*; and
 - (f) preservation and protection of any roots found during works;

Evidence of satisfactory implementation of the above tree and vegetation protection measures from the project arborist must be provided to the Manager Development Services prior to the commencement of on-site works.

Unless otherwise approved in writing, temporary tree/vegetation protection measures must be maintained until all works are completed.

The construction works are to be inspected by the project arborist after excavation has taken place and prior to the construction of the footings to:

- (g) ensure compliance with the recommendations in the Arborist's Report (Tree Planet, 24 October 2023); and
- (h) obtain any additional advice regarding management of any exposed roots.

A written record of this inspection demonstrating compliance with the recommendations in the Arborist's Assessment and documenting any advice provided must be submitted to Council following the inspection.

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

- (i) the existing soil level must not be altered (including the disposal of fill, placement of materials or the scalping of the soil);
 - (j) the areas must be free from the storage of fill, contaminants or other materials;
 - (k) machinery and vehicles are not permitted access; and
 - (l) development and associated works are not permitted unless otherwise approved by Council in writing or otherwise in accordance with the law.
9. No more than four (4) *Allocasuarina verticillata* trees numbered 16 - 19 and as shown in Council Plan Reference P4 (30 November 2023), the endorsed plans under Condition 1 and the arborist assessment (Tree Planet, 24 October 2023), are approved for removal for the purposes of this development.

Trees numbered 10–13, and 15 may be pruned in accordance with the Arborist Assessment, and Australian Standard AS 4373–2007 *Pruning of amenity trees*.

This vegetation must not be removed prior to building approval.

No native vegetation removal or modification is approved for bushfire hazard management purposes and no further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council.

10. All recommendations and management actions in the Environmental Management Plan (Envirodynamics, October 2023), must be implemented to the satisfaction of the Manager Development Services, encompassing weed and hygiene management; vegetation and tree protection; fire management; avoiding introduction of invasive species and management of threatened species and their habitat.

Ongoing management of the site must be in accordance with this Plan unless otherwise approved in writing by Council.

11. Where it cannot be demonstrated that the spa wastewater output will be connected to an existing irrigation/wastewater disposal area, and the system does require upgrading, sufficient documentation must be provided prior to building and/or plumbing approval and commencement of any on-site works demonstrating that disposal of the spa wastewater is

designed and located to ensure the retention of individual native trees with a DBH >25cm and the native vegetation community *Eucalyptus globulus* dry forest and woodland (DGL).

12. Declared weeds under the *Weed Management Act 1999* are present on the site, including boneseed, Spanish heath, broom species and sweet pittosporum. Environmental weeds are also present on the site.

Prior to commencement of works, primary treatment must be undertaken of all weeds within the area to be traversed and disturbed during construction. This treatment must be undertaken in a targeted way to avoid residual impact on native species, and in accordance with the recommendations of the submitted Environmental Management Plan (Envirodynamics, October 2023 – Appendix 3) and current guidelines as to the appropriate methodology (see Department of Natural Resources and Environment website).

Evidence of satisfactory primary treatment of weeds must be provided to the Manager Development Services prior to the commencement of on-site works.

During construction, to ensure these weeds are not spread from the site:

- (a) Declared weed plant material or soil containing their seed must not be removed from the site, unless undertaken in accordance with that weed's Statutory Weed Management Plan where such a plan exists;
- (b) Weed plant material and topsoil containing their seed must not be stored or moved into areas containing weed-free native vegetation;
- (c) Appropriate hygiene measures must be undertaken prior to any machinery entering and leaving the site as per the Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment; and
- (d) Any imported fill materials must be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.

Prior to occupation of the visitor accommodation, primary treatment of all other weeds on the site must be undertaken, with ongoing management to limit and eradicate where feasible.

13. To reduce the spread of weeds or pathogens, all machinery must take appropriate hygiene measures prior to entering and leaving the site as per the Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment.

Any imported fill materials must be from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.

14. The stormwater runoff from all new impervious surfaces must be contained within the property or discharged to a Council approved discharge point. All works in relation to the discharge of stormwater must be completed to the satisfaction and approval of the Director Engineering Services.
15. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.

ADVICE

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.

- B. The approval in this permit is under the *Land Use Planning and Approvals Act 1993* and does not provide any approvals under other Acts including, but not limited to *Building Act 2016*, *Urban Drainage Act 2013*, *Food Act 2003* or Council by-laws.

If your development involves demolition, new buildings or alterations to buildings (including plumbing works or onsite wastewater treatment) it is likely that you will be required to get approvals under the *Building Act 2016*. Change of use, including visitor accommodation, may also require approval under the *Building Act 2016*. Advice should be sought from Council's Building Department or an independent building surveyor to establish any requirements.

- C. An application for Notifiable Plumbing Work must be lodged with Council before commencing any work.
- D. A drainage design plan at a scale of 1:200, designed by a qualified Hydraulic Designer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Plumbing Permit.
- E. The proposed development will potentially increase the hydraulic load on the existing onsite wastewater management system. Prior to issuing a Plumbing Permit a report from a suitably qualified wastewater designer must be submitted to the satisfaction of Council's Environmental Health Officer demonstrating that the existing onsite wastewater management system is suitably sized to manage wastewater generated from the proposed development in accordance with the *Building Act 2016*. Alternatively, an application for a Plumbing Permit may be submitted for an upgrade of the existing onsite wastewater management system in accordance with the *Building Act 2016*.
- F. This permit does not include approval for any signage to be erected on site. Further approval may be required for the erection of signage on the site.
- G. Food must not be sold or served to guests without prior consent from Council's Environmental Health Officer.
- H. All agreements within the Part 5 Agreement (Dealing No. E96242) registered on the certificate of title must be adhered to in relation to this development and the ongoing use and management of the land.
- I. Due to the presence of swift parrot habitat on the subject land, it is recommended that design elements and strategies are incorporated in accordance with the document "Minimising the swift parrot collision threat – Guidelines and recommendations for parrot-safe building design".
- J. While the approved change of use is located within an existing building, visitor accommodation buildings may require on-site wastewater system upgrades and associated works. These requirements have the potential to require a planning permit under the Environmental Living Zone and Biodiversity Code (Code E10.0), particularly if native vegetation removal or disturbance is required.

We therefore recommend you seek the following further advice before commencing the approved use on site:

- (a) clarification by a suitably qualified wastewater consultant as to whether the existing on-site wastewater management system requires upgrading or is sufficient to handle any additional hydraulic loading generated by this proposal; and
- (b) if upgrading is required, also seek clarification on the location of the on-site wastewater management system and whether any relevant works, including the land application area, will encroach into native vegetation.

If works associated with upgrade and/or maintenance of the on-site wastewater management system are required, these works are likely to require separate planning approval. This planning

approval will only be granted where it can be demonstrated the works comply with the relevant Zone and Code standards.

- K. While the proposed change of use is located within an existing building, there are external changes proposed to the existing building and there is the potential these changes may trigger bushfire requirements at the building approval stage. Works associated with bushfire hazard management have the potential to trigger discretions under the Environmental Living Zone, Code E3.0 (Landslide Code) and Code E10.0 (Biodiversity Code), particularly if native vegetation removal or disturbance is required.

We therefore recommend you seek the following written advice from an accredited bushfire practitioner prior to proceeding with the change of use:

- (a) clarification on the level of bushfire risk and whether:
 - i) any additional vegetation modification or clearing is recommended for bushfire hazard purposes; and/or
- (b) upgrading of the access or water supply is recommended to bring the development into compliance with current requirements;
- (b) if so, clarification on the extent of any works and associated vegetation modification or clearing and demonstration that it is the minimum necessary; and
- (c) confirmation that any additional vegetation modification or clearing is contained within the lot boundary and does not rely upon management of adjacent land, including the coastal reserve.

If the building works or change of use require the undertaking of works to comply with bushfire recommendations and requirements, including vegetation modification or clearing, access works or works associated with installation of a compliant water supply, further planning approval will be required prior to undertaking these works.

CARRIED

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 5.57pm

14 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

15 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

16 OFFICERS REPORTS TO COUNCIL

C17/2-2024

16.1 CONSENT TO LODGEMENT OF APPLICATION TO ALLOW DEVELOPMENT TO BUILD HABITABLE BUILDING AND OUTBUILDING OUTSIDE THE BUILDING AREA AT 14B BONNIE VALE DRIVE, HOWDEN

Moved: Cr Clare Glade-Wright
Seconded: Cr David Bain

That Council:

- (a) determine to grant consent under the covenant on Sealed Plan No. 179428 to allow a development application, under the provisions of the *Land Use Planning and Approvals Act 1993* and the Kingborough Interim Planning Scheme 2015, to be considered for a habitable building and an outbuilding to be constructed outside the building area on Lot 3, generally in accordance with the plans shown in Attachment 2; and
- (b) note that this consent does not imply approval for the development which will be subject to an assessment of the application under the above Act and planning scheme.

CARRIED

C18/2-2024

16.2 KINGBOROUGH ENVIRONMENTAL FUND IMPLEMENTATION PLAN

Moved: Cr Clare Glade-Wright
Seconded: Cr Amanda Midgley

That Council endorse the Kingborough Environmental Fund Implementation Plan 2023-27.

CARRIED

C19/2-2024

16.3 FOOD TRUCK POLICY REVIEW

Moved: Cr Amanda Midgley
Seconded: Cr David Bain

That the attached revised draft Food Truck Policy be approved.

CARRIED

C20/2-2024**16.4 LATE NOMINATION FOR COMMUNITY REPRESENTATION ON THE KINGBOROUGH COMMUNITY SAFETY COMMITTEE**

Moved: Cr Clare Glade-Wright
Seconded: Cr Christian Street

That Ms Colleen Ridge be appointed as a member of the Kingborough Community Safety Committee.

CARRIED

C21/2-2024**16.5 PETITION: SAFELY CONNECTING SNUG WITH LOWER SNUG AND CONINGHAM WITH A SHARED PATHWAY FOR WALKERS AND CYCLISTS**

Moved: Cr Flora Fox
Seconded: Cr Gideon Cordover

That:

- (a) The petition is noted and Council Officers progress negotiations with all stakeholders, including the Department of State Growth, to investigate and determine a viable active transport pathway option between Snug and Lower Snug, noting both Council and the community-preferred option is the proposed pathway on the Eastern side of the Channel Highway (shown in Figure 1 in the report) and;
- (b) Council officers advise the petitioners of Council's resolution

CARRIED

C22/2-2024**16.6 NOMINATIONS FOR KINGBOROUGH DISABILITY INCLUSION & ACCESS ADVISORY COMMITTEE**

Moved: Cr Flora Fox
Seconded: Cr Gideon Cordover

That the following nominees: Dr Don Hempton, David Vickery, Wendy Wade, Diana Carter, Fran Thompson, David McQuillan, Heather Anderson, Kevin Clayton, Dr Chrstine Matera and Laura Della Pasqua be appointed as members of the Disability Inclusion & Access Advisory Committee

CARRIED

*Meeting adjourned at 7.15pm
Meeting resumed at 7.24pm*

C23/2-2024**16.7 ANNUAL BUDGET MID-YEAR REVIEW**

Moved: Cr David Bain
Seconded: Cr Amanda Midgley

That Council

- (a) Notes the progress on the operational budget for 2023/24;
- (b) Notes the progress made with the delivery of the Capital Program; and

- (c) Endorses the reallocation of approximately \$600k of works associated with part deferral of Pelverata Road (vicinity of house number 560) to cover the expected budget shortfall; and
- (d) Endorses the re-allocation of the Civic Centre HVAC budget (\$580k) as follows:
- HVAC replacement, \$350k
 - Civic centre security improvements, \$60k
 - Changes to customer service area, \$90k
 - Review of longer term accommodation options, \$80k

CARRIED

C24/2-2024

16.8 FINANCIAL REPORT - DECEMBER 2023

Moved: Cr David Bain
Seconded: Cr Gideon Cordover

That Council endorses the attached Financial Report as at 31 December 2023.

CARRIED

C25/2-2024

16.9 APPENDICES

Moved: Cr Amanda Midgley
Seconded: Cr David Bain

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

CARRIED

17 NOTICES OF MOTION

There were no Notices of Motion.

C26/2-2024

18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

Moved: Cr Flora Fox
Seconded: Cr Amanda Midgley

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

Confirmation of Minutes

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

Applications for Leave of Absence

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

CARRIED

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

Open Session of Council adjourned at 8.12pm

Public Copy

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 8.15pm

C27/2-2024

Moved: Cr Amanda Midgley
 Seconded: Cr David Bain

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Approved

CARRIED

CLOSURE

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

.....
 (Confirmed)

.....
 (Date)