



# 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, 2 June 2025 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. 9 to be held on Monday, 2 June 2025 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Dave Stewart  
CHIEF EXECUTIVE OFFICER  
being the General Manager as appointed by the  
Kingborough Council pursuant to section 61 of the  
*Local Government Act 1993* (TAS)

Tuesday, 27 May 2025

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## **GUIDELINES FOR PUBLIC QUESTIONS**

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

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

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

#### **Questions on Notice**

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

#### **Questions Without Notice**

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

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

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

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

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

AGENDA of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 2 June 2025 at 5.30pm.

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**1 AUDIO RECORDING**

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

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**2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

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**3 ATTENDEES**

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**Councillors:**

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

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**4 APOLOGIES**

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Councillor F Fox

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**5 CONFIRMATION OF MINUTES**

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**RECOMMENDATION**

That the Minutes of the open session of the Council Meeting No. 8 held on 19 May 2025 be confirmed as a true record.

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**6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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Date	Topic	Detail
26 May	Capital Program	Discussion of draft operating and capital budgets for 2025/26.

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## 7 DECLARATIONS OF INTEREST

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

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## 8 TRANSFER OF AGENDA ITEMS

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

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## 9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

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## 10 QUESTIONS ON NOTICE FROM THE PUBLIC

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At the time the Agenda was compiled there were no Questions on Notice from the Public.

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## 11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

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## 12 QUESTIONS ON NOTICE FROM COUNCILLORS

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*Council has determined that questions on notice or questions taken on notice from a previous meeting should not contain lengthy preambles or embellishments and should consist of a question only. To this end, Council reserves the right to edit questions for brevity so as to table the question only, with some context if need be, for clarity.*

### 12.1 HUNTINGFIELD DEVELOPMENT

At the Council meeting held on 19 May 2025, **Cr Deane** and **Cr Bain** asked the following questions without notice to the Chief Executive Officer, with a response that the questions would be taken on notice:

From Cr Deane:

*I've heard that Stage 2, which is the next stage, the tender was put out by the government for all the infrastructure to be built. But I understand the tender was withdrawn. Can I just ask if staff could perhaps follow up as to the status of stage 2?*

From Cr Baine:

*Do we know if one of the conditions of the first release is the road between Huntingfield and the new roundabout at Channel Highway has to be open as part of the first release or is that down the track?*

**Officer's Response:**

Planning staff have been working closely with Homes Tasmania to finalise the relevant Council processes for the next stage of the Huntingfield development which will allow for the release of individual lots for houses.

Council staff are not aware of details of any associated tendering process.

The construction of the road is included in the approved plans for the development, however there is not a specific condition requiring completion of the road prior to other components of the development. It is Council's understanding that the road from the Highway into the estate will be completed before construction of the housing.

*Deleeze Chetcuti, Director Environment, Development & Community Services*

OPEN SESSION ADJOURNS

## PLANNING AUTHORITY IN SESSION

### 13 OFFICERS REPORTS TO PLANNING AUTHORITY

#### 13.1 DA-2025-100 - DEVELOPMENT APPLICATION FOR EXTENSION TO DWELLING AND ANCILLARY DWELLING AT 34 BAYNTON STREET, KINGSTON

**File Number:** DA-2025-100  
**Author:** Sonali Raj, Planner  
**Authoriser:** Tasha Tyler-Moore, Manager Development Services

<b>Applicant:</b>	Mr A Peterson
<b>Owner:</b>	Mrs C J Yeo and Mr J Yeo
<b>Subject Site:</b>	34 Baynton Street, Kingston (CT 7182/57)
<b>Proposal:</b>	Extension to dwelling, and ancillary dwelling
<b>Planning Scheme:</b>	Kingborough Interim Planning Scheme 2015 <i>Assessment is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)</i>
<b>Zoning:</b>	General Residential
<b>Codes:</b>	E6.0 Parking and Access E7.0 Stormwater Management E14.0 Scenic Landscapes
<b>Use Class/Category:</b>	Residential (single dwelling)
<b>Discretions:</b>	E14.7.2 A1 E14.7.2 A2
<b>Public Notification:</b>	Public advertising was undertaken between 26 April 2025 and 9 May 2025 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
<b>Representations:</b>	Three (3) - objections
<b>Recommendation:</b>	Approval with conditions

### 1. PROPOSAL

#### 1.1 Description of Proposal

The application is seeking approval for an extension to the existing dwelling and an ancillary dwelling at 34 Baynton Street, Kingston. The proposal includes the following:

##### Demolition works

The proposal includes internal and external demolition works. The internal demolition works include demolishing the internal walls for some of the rooms. The external demolition works include replacing the existing roof of the current single storey dwelling, demolishing the staircase to the deck at the rear portion of the dwelling, windows W05, W06, W07, W08, the external larger deck and the existing outbuilding (garage) on site.

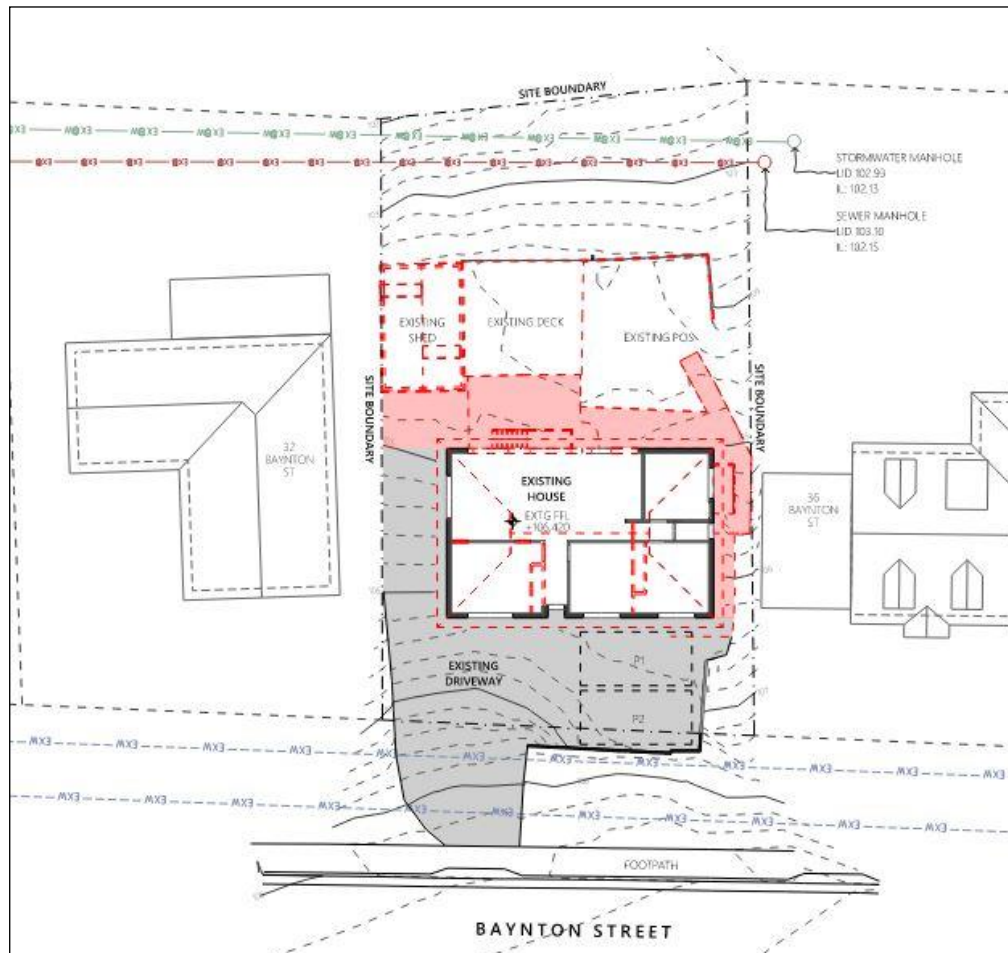


### Ground floor – main dwelling

The proposed extension to the dwelling extends north towards the backyard. It retains the number of bedrooms on this floor creating larger living, dining areas and bathrooms. The extension includes a balcony of area 12.65m<sup>2</sup> facing north which will be setback 4.13m from the rear boundary of the site.

Eastern elevation - A staircase and landing are proposed facing the eastern side boundary. The first riser of the staircase will be setback 3.44m whilst the landing will be setback 6.19m from the side boundary. Two new windows and a glazed door to the habitable living and dining areas are proposed which will be setback 6.19m. Windows W04 and W05 will be replaced by a window of the same size in the same location.

Western elevation - W08 will be replaced by a smaller frosted window 0.6m x 0.9m for the toilet facing the western side boundary. There are no other habitable room windows on the ground floor level proposed facing 32 Baynton Street, Kingston.



**Figure 1: Existing site plan showing proposed demolition works in red.**

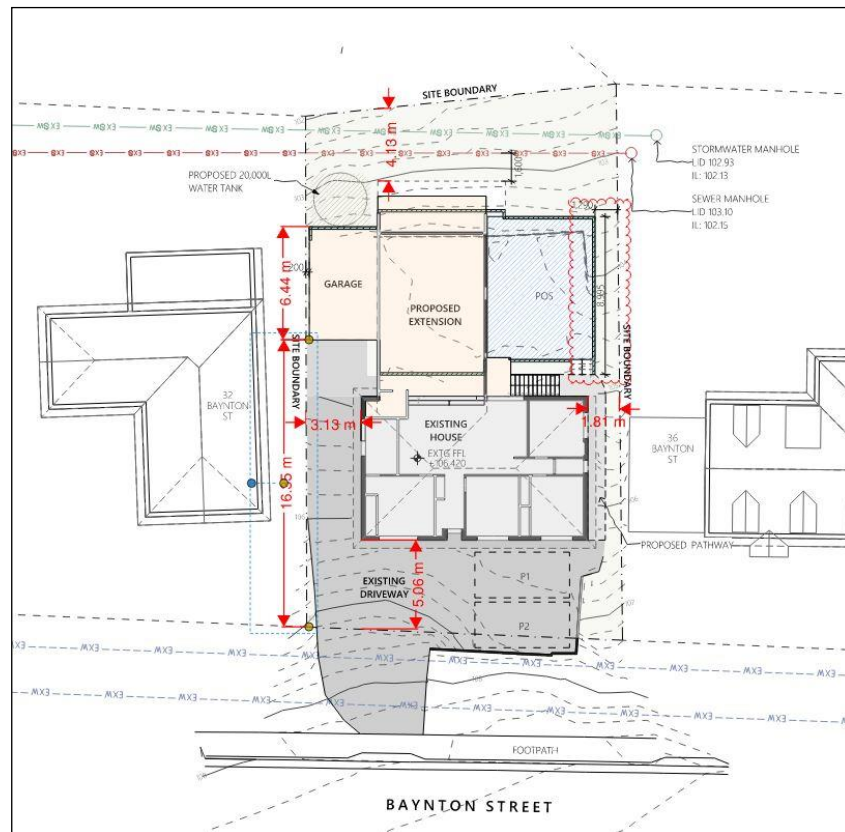


Figure 2: Proposed site plan

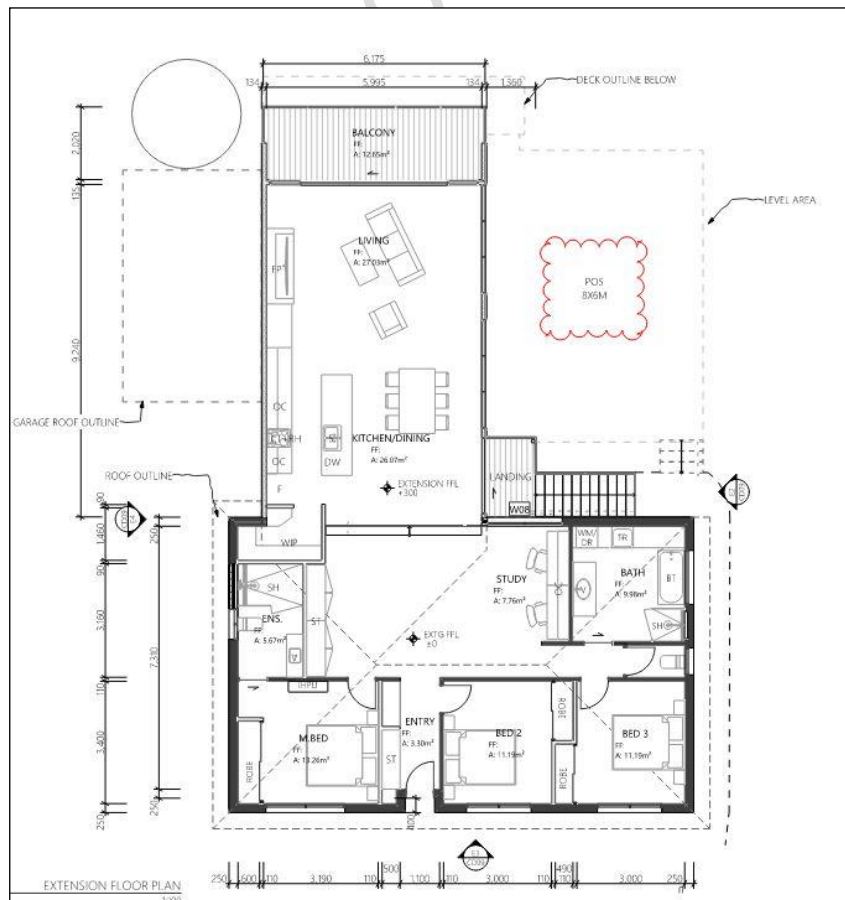
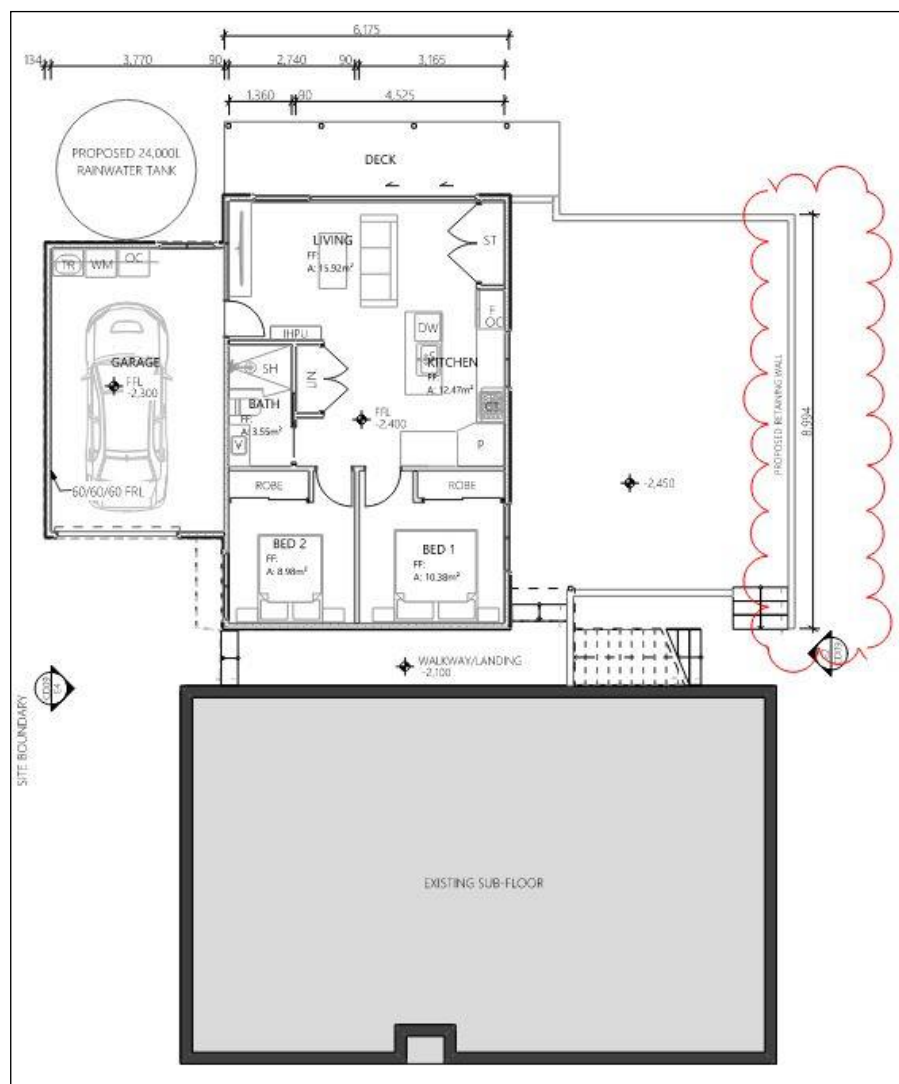


Figure 3: Ground floor plan showing the proposed extension, staircase, landing and deck.



**Figure 4: Lower ground floor - floor plan showing existing subfloor, proposed ancillary dwelling, garage and POS.**

#### Lower ground floor – ancillary dwelling

An ancillary dwelling is proposed in the lower ground floor beneath the main dwelling extension on the floor above.

Under the Scheme, ancillary dwelling *means an additional dwelling:*

- (a) *with a floor area not greater than 60m²;*
- (b) *that is appurtenant to a single dwelling; and*
- (c) *that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.*

The proposal complies with the ancillary dwelling requirements as it will have a total floor area of 57.9m², is appurtenant to the main dwelling on the upper floor level and shares access, parking, private open space and other service connections with the main dwelling.

Two windows are proposed facing the private open space which will be setback 7.48m from the eastern side boundary. The ancillary dwelling has a balcony extending to the north setback 4.13m from the rear boundary. It will be setback a minimum of 1.6m from the sewer and stormwater lines close to the rear boundary of the site.

Western elevation – one window is proposed facing the western side boundary. However, the finished floor level for this habitable room is less than 1m above natural ground level.

Eastern elevation – two windows are proposed to the habitable spaces of the ancillary dwelling facing the eastern side boundary. However, the finished floor level for these habitable rooms is less than 1m above natural ground level.

A walkway/landing is proposed in between the ancillary dwelling and the existing subfloor level to provide access externally from the private open space to the garage and driveway. Another walkway is proposed from the car parking bays to the front of the lot to the private open space to the rear of the dwelling.

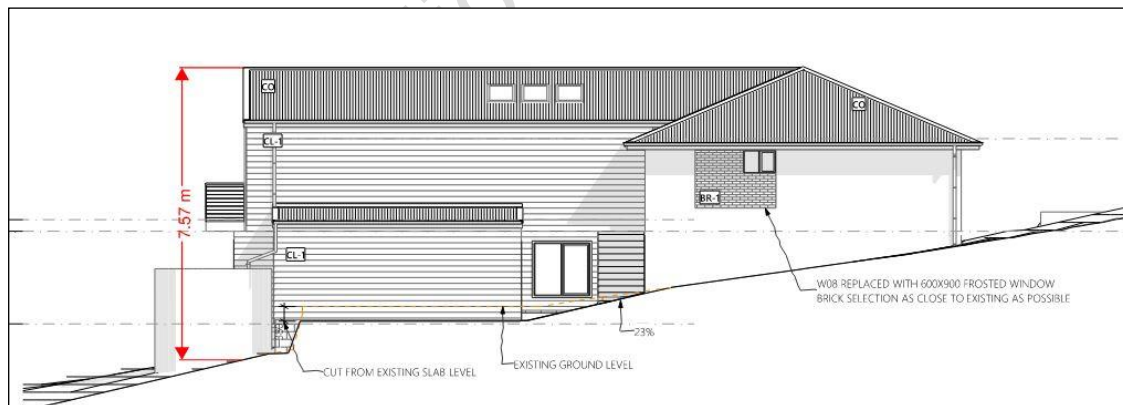
#### Garage and car parking bays

The garage is currently shown in the plans as being connected to the ancillary dwelling by a door. It is recommended that a condition be included in any permit issued requiring the door to be removed as it will increase the total floor area for the ancillary beyond 60m<sup>2</sup>. Two car parking bays are proposed to the front of the dwelling whilst one car parking space is provided in the garage.

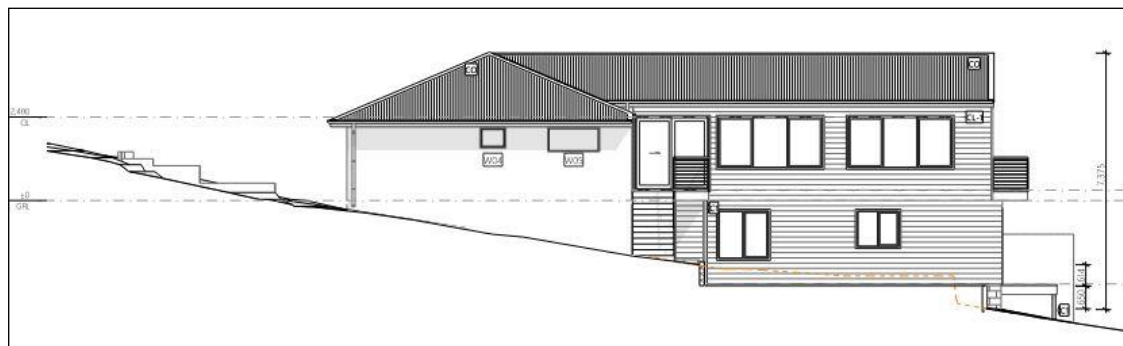
#### Private open space and retaining wall

The development proposes a private open space (POS) area easily accessible from the ancillary dwelling on the lower ground floor and accessible via the staircase from the living area on the ground floor. A retaining wall is proposed all around the POS.

The retaining wall will be setback 1.29m from the eastern side boundary having a total length of 8.995m. It will be setback 0.4m from the western side boundary having a total length of 0.76m. The wall runs around the garage, deck on the lower ground floor and the POS. A water tank is proposed behind the new garage.



**Figure 5: Western elevation facing 32 Baynton Street, Kingston.**



**Figure 6: Eastern elevation facing 36 Baynton Street, Kingston.**



## 1.2 Description of Site

The subject site is legally described as CT 7182/57 with a total area of 567m<sup>2</sup>. The site has a rectangular shape with frontage to Baynton Street. The site slopes down from Baynton Street to the rear boundary having a 5m difference.

The site includes an existing access, driveway, outbuilding (garage), car parking spaces to the front, single storey dwelling and associated gardens. The existing outbuilding (garage) on site is slightly detached from the existing dwelling located adjoining the western side boundary.

The site has no vegetation of high conservation value, however there are small shrubs along the frontage and the northwest boundary bordering 32 Baynton Street.

The site itself is bordered by general residential zones to the north, west, and east. There is an existing paling fence along the side boundaries.



**Figure 7: Aerial image of the subject site and its surrounding context showing contours.**

The site is zoned General Residential under the *Kingborough Interim Planning Scheme 2015* (the Scheme). The Parking and Access, Stormwater Management and Scenic Landscapes Codes apply to the subject site. There is a drainage easement running parallel to the rear boundary of the site measuring 2m wide.



**Figure 7: Views of the existing deck on site (left) and view looking towards 36 Baynton Street (right).**





**Figure 8: View of deck from the existing driveway on site and view looking towards 32 Baynton Street from the subject site.**

### 1.3 Background

The property was previously subject to the following building applications:

- BA 009938 – Dwelling
- BA 010952 – Garage

There are no other planning applications on Council records.

#### On-site meeting with representor

During the public notice period, some neighbours reached out to discuss the proposal in further detail. Following which, an on-site meeting was undertaken to discuss potential concerns with respect to the relevant discretions triggered by the proposal and other planning scheme requirements. Similarly, other phone conversations with representors were had to discuss the same.

#### Amended Plans

The application received three (3) representations (objections) against the proposed development. After the completion of the advertising period, a summary of the concerns raised in the representations and the relevant discretions triggered by the development was provided on 12 May 2025 to the Applicant. Following this, the applicant provided amended plans to demonstrate compliance with Clause 10.4.2 A3 Setbacks and building envelopes for all dwellings thereby complying with all Zone standards and leaving the two discretions triggered by the Scenic Landscapes Code remaining.

Amended plans (P3) which reduced the length of the retaining wall from 9.09m to 8.995m along the eastern side boundary as required under Clause 10.4.2 A3 (b)(ii) were provided on 14 May 2025. The amended P3 plans were not advertised as they were received after the completion of the advertising period.

The applicant provided further amended plans (P4) on 21 May 2025 to contain the garage within the building envelope by increasing the setback of the garage from 0.2m to 0.4m from the western side boundary. This thereby reduces the width of the opening for the garage from 3.86m to 3.66m. There is now conformity with the building envelope Clause 10.4.2 A3, as only the gutter of the garage protrudes out of the building envelope by 0.10m. As these plans were also received after the completion of the advertising period, they were not advertised.

The reduction in the length of the retaining wall and the reduction in the width of the garage have resulted in the proposal entirely complying with the Acceptable Solution A3 for Clause 10.4.2 thereby not requiring an assessment against the associated Performance Criteria.

## 2. ASSESSMENT

### 2.1 State Policies and Act Objectives

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

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

### 2.2 Strategic Planning

The relevant strategies associated with the Scheme are as follows:

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

The relevant zone purpose statements of the General Residential zone are to:

- 10.1.1.1. To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.
- 10.1.1.2. To encourage residential development that respects the neighbourhood character, natural landscape and provides a high standard of residential amenity.
- 10.1.1.3. To encourage urban consolidation and greater housing choice through a range of housing types and residential densities.

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

The proposal complies with the local area objectives and the desired future character statements for Kingston as it provides for a different housing type that includes a main

dwelling and an ancillary dwelling to provide for multi-generational living. The proposal optimises on its location being close to central Kingston with well-established infrastructure and services. Similarly, the proposal will not impact on any vegetation but will provide landscaping to meet the requirements under the Scenic Landscapes Code.

### 2.3 Statutory Planning

The use is categorised as Residential (Single Dwelling) 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.

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:

#### E14.0 Scenic Landscapes Code

##### Clause E14.7.2 - Appearance of buildings and works within scenic landscape areas

Acceptable Solution
<p><b>A1</b> - Buildings must comply with one of the following:</p> <ul style="list-style-type: none"> <li>(a) not be visible from public spaces;</li> <li>(b) be an addition or alteration to an existing building that: <ul style="list-style-type: none"> <li>(i) increases the gross floor area by no more than 25%;</li> <li>(ii) does not increase the building height;</li> <li>(iii) provides external finishes the same or similar to existing.</li> </ul> </li> </ul>
Performance Criteria
<p><b>P1</b> - Buildings visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary:</p> <ul style="list-style-type: none"> <li>(a) have external finishes that are non-reflective and coloured to blend with the landscape;</li> <li>(b) be designed to: <ul style="list-style-type: none"> <li>(i) incorporate low roof lines that follow the natural form of the land;</li> <li>(ii) minimise visual impact in height and bulk;</li> <li>(iii) minimise cut and fill;</li> </ul> </li> <li>(c) be located below skylines;</li> <li>(d) be located to take advantage of any existing native vegetation or exotic vegetation for visual screening purposes.</li> </ul>
Proposal
<ul style="list-style-type: none"> <li>(a) The proposed extension to the dwelling will be visible from Baynton Street and Lucas Street.</li> <li>(b) The addition and alterations to the dwelling: <ul style="list-style-type: none"> <li>(i) increases the gross floor area by 50% (existing footprint – 130m<sup>2</sup> and Proposed footprint – 260.3m<sup>2</sup>)</li> <li>(ii) the proposal does not increase beyond the existing roof height of the main dwelling as it follows the roof line extending to the rear portion. However, the maximum height is greater given the site slopes down from the road to the rear boundary.</li> <li>(iii) the proposed external finishes for the walls and roof are different from the existing finishes. The proposed wall finishes for the extension to the dwelling is</li> </ul> </li> </ul>

white weatherboard FC cladding (Surfmist) whilst the existing dwelling is veneer brick walls (orange). The existing roof tiles will be replaced by a Colorbond roof in Shale Grey finish.

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

- The proposed extension to the dwelling follows the roof line of the existing dwelling. Therefore, the maximum height of the dwelling when viewed from Baynton Street remains the same.
- The existing tiled roof for the dwelling on site is proposed to be replaced by a new Colorbond roof. The proposed extension to the dwelling will have the same hipped roof continuing. Therefore, the new roof will be visible from Baynton Street as well as other streets located on lower slopes such as Lucas Street and Ferguson Street. The new roof will be Colorbond roof sheet in Shale Grey Matt finish which will have a light reflectance value of 49%. Although this finish is much lighter in colour, there are many examples of other buildings along Baynton Street that have similar white or cream finishes for the walls such as those across the street – such as 13, 17, 19 and 23 Baynton Street. Given the general residential nature of the zone, there are a variety of finishes and colours for the existing development.



**Figure 9: View of the subject site from the neighbouring lot - 32 Baynton Street - looking at the location of proposed extension**



**Figure 10: View of location for the proposed extension from the lower slope of the neighbouring lot**





**Figure 11: View of the streetscape on Baynton Street showing other double storey dwellings on the southern side of the street**



**Figure 12: View looking at 17, 15 and 13 Baynton Street showing precedence of other buildings having colours with an LRV greater than 40%**

- The natural form of the land slopes downwards from Baynton Street to the rear boundary. Therefore, the dwelling appears as a single storey when viewed from Baynton Street and is double storey to the rear facing the backyard.
- The proposed development will have some visual impacts due to its height and bulk when viewed from the adjoining properties and those lots located on a lower topography. However, given the general residential nature of the area, there are precedents of much higher density along Baynton Street such as the multiple dwelling units at 30 and 40 Baynton Street. There is other double storey dwellings located within the scenic landscape overlay area such as the dwellings on the southern side of Baynton Street.
- The cut and fill are designed to be minimised by making use of the existing topography of land to create a second storey at the rear and maintaining the existing building height.
- There are no skylines or ridgelines surrounding the subject site.
- There is no existing native vegetation or exotic vegetation on site to utilise for visual screening purposes.



**E14.0 Scenic Landscapes Code****Clause E14.7.2 - Appearance of buildings and works within scenic landscape areas**

<b>Acceptable Solution</b>
<b>A2</b> – Works must not be visible from public spaces.
<b>Performance Criteria</b>
<p><b>P2</b> - Works visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary;</p> <p>(a) driveways and access tracks are as close as practical to running parallel with contours and are surfaced with dark materials;</p> <p>(b) cut and fill is minimised;</p> <p>(c) surfaces of retaining walls and batters are finished with a natural appearance;</p> <p>(d) fences are post &amp; wire or other designed of a similarly transparent appearance.</p>
<b>Proposal</b>
<p>The proposed works for the pathway along the eastern façade of the dwelling will be visible from Baynton Street. No other works are proposed that will be visible from the road.</p> <p>The cut and fill works proposed for retaining walls around the POS will be located to the rear of the main dwelling on site which will not be visible from the street.</p>

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

- The only works visible from Baynton Street will be the 1m pathway along the eastern wall of the dwelling. The works although visible from the public road are minor in nature and will not detrimentally impact the scenic landscape value. The pedestrian path will be conditioned to be darker in colour as no colour specification has been provided by the applicant.
- No works are proposed to the existing driveway and access for the site.
- Minimal cut and fill works will be required for the proposed 1m pathway along the eastern wall of the dwelling. This pathway connects to the rear private open space and ancillary dwelling.
- No retaining walls or batters are proposed to the front of the existing dwelling.
- No fences are proposed as part of the development.

**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 26 April 2025 to 9 May 2025). Three (3) representations were received during the public exhibition period. The following issues were raised by the representors:

**2.5.1 Issue - Visual impacts**

The representors raised concerns regarding the likely visual impacts due to height, bulk and proportion of the proposed development thereby restricting views to Kingston Beach, Boronia Hill Park, and Mount Wellington. The concerns stated the existing scale and nature of development in Kingston along Baynton Street and the immediate vicinity being low, open and having minimal built coverage on site.

**Response** – The proposed retaining walls for the private open space and the garage initially triggered the building envelope clause which addresses visual impacts due to scale, bulk, and proportion.

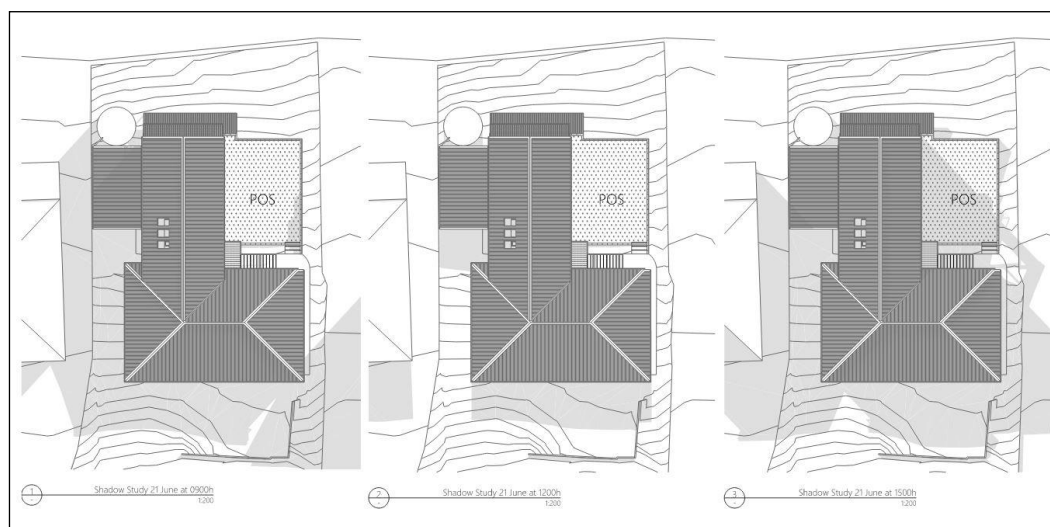
Upon receipt of the amended P4 plans, the length of the retaining wall was reduced from 9.09m to 8.995m and the side setback for the garage was increased from 0.2m to 0.4m. These changes resulted in the development complying with Clause 10.4.2 A3 and therefore no longer needing an assessment against the Performance Criteria. However, some of the above concerns have also been addressed under the assessment of the Performance Criteria for Clause 14.7.2 A1 – Scenic landscapes under P1 (b) (ii) which addresses design.

## 2.5.2 Issue – Overshadowing

The representors raised concerns of potential overshadowing caused by the proposed extension of the dwelling protruding beyond the existing building line of the dwellings for 32 and 36 Baynton Street. They raised concerns regarding overshadowing of their main habitable spaces such as the sunroom, living, dining areas and private open space at different times of the day.

**Response** – Overshadowing impacts are generally assessed under Clause 10.4.2 setbacks and building envelope A3 under the Scheme. The original proposal triggered an assessment against the Performance Criteria P3 for this standard due to the length of the proposed retaining wall being over 9m and the roof of the garage protruding 0.265m outside the building envelope for the site. However, the Applicant provided amended P4 plans reducing the length of the retaining wall to 8.995m for the POS and increasing the side setback of the garage to 0.4m from the western side boundary. Therefore, only the gutter of the garage protrudes by 0.1m outside the building envelope which complies with the Clause. Therefore, the proposal demonstrates compliance with Acceptable Solution A3.

Overshadowing diagrams and views were submitted by the Applicant to address the building envelope clause prior to the advertising period. These overshadowing diagrams do not take into account some overshadowing that may be caused due to the existing side boundary fencing which would currently impact the adjoining properties.



**Figure 13: Overshadowing diagrams for the proposed development on 21 June showing the extent of overshadowing between 9.00am to 3.00pm.**

An assessment for overshadowing has been done below to provide greater clarity to the concerns raised by the representors. Upon assessing the diagrams provided for

21 June, 32 Baynton Street will be overshadowed during the morning hours of the day between 9.00am to 12.00pm. The overshadowing impacts caused by the proposal would be less than 3 hours on the winter solstice. The garage located near the western side boundary steps down from the proposed extension allowing more light after 11am further reducing overshadowing impacts. Similarly, 36 Baynton Street will only be partly overshadowed as the upper level extension will be setback more than 7.48m from the eastern side boundary having a large private open space in between. As there is adequate setback distance between the proposed development and the dwelling on the adjoining lot at 36 Baynton Street, there will be very minimal overshadowing of 36 Baynton Street. The lots to the north namely 9 and 11 Lucas Street will not be overshadowed due to the proposed development being located to the south.

Whilst the proposed development is located within the building envelope for the site and thereby meets the Acceptable Solution, there is no expectation that there must therefore be no overshadowing impacts but rather that any overshadowing that may occur is considered to be reasonable and acceptable.

#### 2.5.3 Issue – Privacy

The representors raised concerns regarding overlooking of habitable spaces of dwellings and their private open spaces due to the proposed extension of the existing dwelling.

Response – Although some habitable rooms of the main dwelling, balcony, deck and landing proposed have finished floor levels greater than 1m above natural ground level, they are all adequately setback from the side and rear boundaries to comply with the Acceptable Solutions A1 and A2 for Clause 10.4.6 under the Scheme.

#### 2.5.4 Issue – Noise

The representors raised noise concerns for the use of the existing outbuilding on site for workshop purposes. Although, they confirmed that the garage was used for workshop purposes only during the morning hours, it still causes concerns and impacts the tranquillity.

Response - With regard to the current garage on site, it was approved as an outbuilding for residential purposes only where no approval was given for a business to run from the outbuilding. The proposed new garage is also being approved as an outbuilding pertaining to the residential use on site and not for any commercial business or workshop purposes. It is recommended that the standard outbuildings condition relating to use of the outbuilding be included in any permit issued.

If there are any ongoing concerns regarding the use or associated noise generated by the use of the existing outbuilding on site, the representors may submit these concerns in writing for further investigation by Council's Environmental Services and Compliance Departments.

### 2.6 Other Matters

#### Easement

The site is subject to a drainage easement in the Certificate of Title CT 7182/57. The drainage easement runs parallel to the rear boundary of the site measuring 2m in width. Council's stormwater line runs within this easement.

The proposed development will have a setback of 1.60m from the drainage easement and therefore the proposal will not have any impacts on the easement or the stormwater pipe.

### 3. CONCLUSION

The proposal originally triggered Clauses 10.4.2 A3, E14.7.2 A1 and E14.7.2 A2. After completion of the advertising period and receiving the notification of representations, the Applicant amended the proposal to comply with the Acceptable Solution A3 for Clause 10.4.2. The proposal demonstrates compliance by reducing the length of the retaining wall closer to the eastern boundary to be less than 9m and by increasing the side setback from the proposed garage to 0.4m. These design changes contained the proposal within the building envelope for the site thereby demonstrating compliance with Clause 10.4.2 A3.

The concerns raised in the representations largely relate to the Clause that was previously a discretion (Clause 10.4.2 A3/P3). However, the representations have still been addressed in detail.

The proposal for an extension to dwelling and ancillary dwelling at 34 Baynton Street, Kingston complies with the development standards for the General Residential Zone and the applicable codes under the *Kingborough Interim Planning Scheme 2015*.

It is therefore recommended for approval subject to conditions outlined in the following recommendations.

### 4. RECOMMENDATION

That the Planning Authority resolves that the development application for extension to dwelling, and ancillary dwelling at 34 Baynton Street, Kingston for Mr A Peterson be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA-2025-100 and Council Plan Reference No. P4 submitted on 21 May 2025.

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 ancillary dwelling must:
  - (a) not exceed a floor area greater than 60m<sup>2</sup>;
  - (b) share all access and parking, sewer and water, gas, electricity and telecommunications connections and meters with the main dwelling;
  - (c) not be used for visitor accommodation without prior consent of Council;
  - (d) be contained on the same title as the main dwelling and must not be located on its own lot created under the *Strata Titles Act 1998*.

The proposed internal door from the garage to the ancillary dwelling must be removed to ensure that the total area of the ancillary dwelling is no more than 60m<sup>2</sup>.

The above requirements must be demonstrated on the Building Plans to the satisfaction of the Manager Development Services where applicable.

3. The use of the proposed garage must be restricted to that of storage and other incidental activities associated with the normal enjoyment of a dwelling. The garage may not be used for habitation.
4. The proposed pathway along the eastern side boundary must match the existing driveway and car parking area colour or be coloured using darker colours.

5. 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 materials must be from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.
6. The stormwater runoff from all new impervious areas must be disposed of by gravity to Council's reticulated stormwater system to the satisfaction and approval of the Director Engineering Services.
7. 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.

### ATTACHMENTS

1. **Assessment Checklist**
2. **Certificate of Title**
3. **Plans**



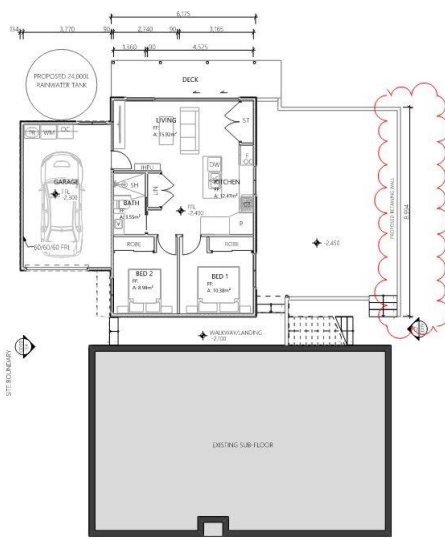
Assessment Checklist for Development Applications for Single Dwellings within the General Residential Zone

Application No: DA-2025-100	Description: Extension to dwelling, and ancillary dwelling
Applicant: Mr A Peterson	Owner: Mrs C J Yeo and Mr J Yeo
Location: 34 Baynton Street, Kingston	

Use Status

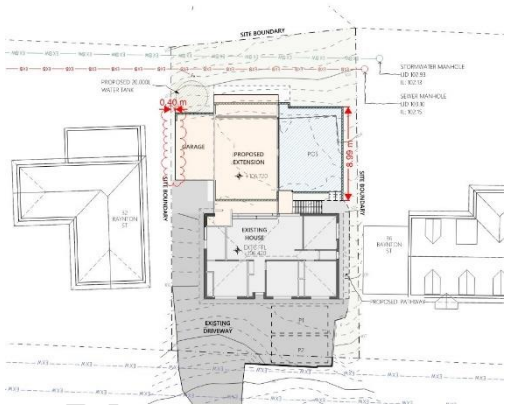
Use Class	Residential (single dwelling)
Use Status	NPR

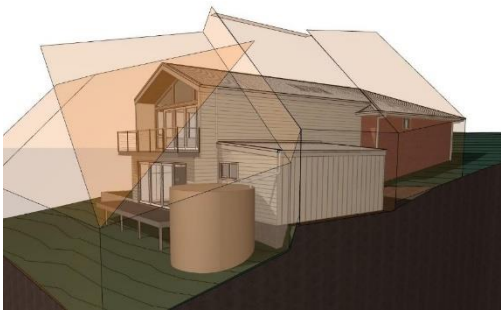
Ancillary dwelling

Definition	Compliance
<p>Ancillary dwelling means an additional dwelling:</p> <ul style="list-style-type: none"><li>(a) with a floor area not greater than 60m<sup>2</sup>;</li><li>(b) that is appurtenant to a single dwelling; and</li><li>(c) that shares with that single dwelling access and parking, and water, sewerage, gas, electricity and telecommunications connections and meters.</li></ul>	<p>Complies with definition as follows:</p> <ul style="list-style-type: none"><li>(a) The proposed ancillary dwelling has a floor area of 57.9m<sup>2</sup>. However, it has a door connecting to the proposed garage on site which may increase the total area of the ancillary dwelling beyond 60m<sup>2</sup>. Therefore, it is recommended that a condition be included in any planning permit issued requiring the internal door to be removed to prevent access from the garage to comply with the definition.</li></ul>  <p>The diagram shows a floor plan of the proposed ancillary dwelling. It includes a living area, kitchen, bathroom, and two bedrooms. A door connects the living area to a garage. The plan also shows the existing sub-floor and the proposed deck. Dimensions are provided for various areas, including the living area (3.70m x 3.10m), kitchen (2.10m x 2.10m), and bedrooms (3.10m x 3.10m and 3.10m x 3.10m). The total floor area is 57.9m<sup>2</sup>.</p> <ul style="list-style-type: none"><li>(b) It is appurtenant to the main dwelling on the site.</li><li>(c) It shares parking, access, water, sewer and the connection with the main dwelling.</li></ul>




## General Residential Zone Provisions (single dwelling)

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

Clause	Compliance/Comments
<p><b>Clause 10.4.2 - Setbacks and building envelopes for all dwellings</b></p> <p><b>A1</b> - 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> <ul style="list-style-type: none"> <li>(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;</li> <li>(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;</li> <li>(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;</li> <li>(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</li> <li>(e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</li> </ul> <p><b>A2</b> - A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5.5m, or alternatively 1m behind the building line;</li> <li>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul> <p><b>A3</b> - 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> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</li> </ul>	<p><b>A1(a)</b> – Complies.</p> <p>The proposed development will have a setback of 5.06m from the primary frontage on Baynton Street. The proposed extension to the dwelling is to the side and rear of the existing dwelling on site.</p>  <p><b>Figure: Site plan</b></p> <p><b>A1(b)</b> – N/A  <b>A1(c)</b> – N/A  <b>A1(d)</b> – N/A  <b>A1(e)</b> – N/A</p> <p><b>A2(a)</b> – Complies.</p> <p>The proposed garage will be setback 16.35m from the primary frontage located behind the existing dwelling on site.</p> <p><b>A2(b)</b> – N/A  <b>A2(c)</b> – N/A</p> <p><b>A3(a)</b> – Complies.</p> <p>Based on the amended P4 plans submitted on 21 May 2025, the dwelling will be contained within the building envelope as only the gutter of the garage will protrude less than 0.1m (less than 0.9m). The maximum height of the dwelling including the extension is 7.6m above natural ground level.</p>

Clause	Compliance/Comments
<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 within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p> <p><b>A4</b> - No trees of high conservation value will be impacted.</p>	 <p><b>Figure: building envelope</b></p> <p><b>A3(b)</b> – Complies.</p> <p>The proposed dwelling has the following setbacks:</p> <p>(i) garage of dwelling to western side boundary – 0.4m</p> <p>(ii) retaining wall for POS to eastern side boundary – 1.29m</p> <p>(iii) extension to rear boundary – 4.98m</p> <p>The proposed garage within 1.5m from the side boundary has a total length of 6.44m. The retaining wall for the proposed private open space has a setback of 1.29m from the eastern side boundary but has a total length of 8.995m.</p> <p>The existing dwelling to the front has a setback of 3.13m to the western side boundary and 1.81m from the eastern side boundary.</p> <p><b>A4</b> – Complies.</p> <p>No trees of high conservation value will be impacted by the proposed development.</p>
<p><b>Clause 10.4.3 - Site coverage and private open space for all dwellings</b></p> <p><b>A1</b> - Dwellings must have:</p> <p>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</p> <p>(b) n/a, only applicable to multiple dwelling.</p> <p><b>A2</b> - A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <p>(i) 24m<sup>2</sup>; or</p> <p>(ii) n/a, only applicable to multiple dwelling.</p> <p>(b) has a minimum horizontal dimension of not less than:</p> <p>(i) 4m; or</p> <p>(ii) n/a, only applicable to multiple dwelling.</p>	<p><b>A1(a)</b> – Complies.</p> <p>The existing site coverage was 22.78%. The proposed site coverage is 35.01%.</p> <p>Ground floor area – 177.7m<sup>2</sup></p> <p>Lower ground floor area – 24.7m<sup>2</sup></p> <p>Total site area – 578m<sup>2</sup></p> <p><b>A1(b)</b> – n/a, only applicable to multiple dwelling.</p> <p><b>A2(a)</b> – Complies.</p> <p>The proposed private open space for the main dwelling is located in one location to the northwest portion of the site having a total area of 48m<sup>2</sup>.</p>

Clause	Compliance/Comments
<p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north;</p> <p>(d) has a gradient not steeper than 1 in 10; and</p> <p>(e) is not used for vehicle access or parking.</p>	<div data-bbox="890 264 1401 519" data-label="Image"> </div> <p data-bbox="1027 533 1270 562"><b>Figure: View of POS</b></p> <p><b>A2(b)</b> – Complies. The proposed private open space measures 8m x 6m.</p> <p><b>A2(c)</b> – Complies. The proposed private open space is located to the rear of the main dwelling on site.</p> <p><b>A2(d)</b> – Complies. The proposed private open space has a gradient not steeper than 1 in 10. The retaining wall helps provide an even finished surface level.</p> <p><b>A2(e)</b> – Complies. The private open space is not proposed to be used for any vehicle access or parking purposes.</p>
<p><b>Clause 10.4.5 - Width of openings for garages and carports for all dwellings</b></p> <p><b>A1</b> - A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p><b>A1</b> – N/A</p> <p>The proposed garage on the lower ground floor will be setback 16.35m from the primary frontage.</p>
<p><b>Clause 10.4.6 - Privacy for all dwellings</b></p> <p><b>A1</b> - A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p>	<p><b>A1(a)</b> – Complies.</p> <p><b>Ground floor – main dwelling</b></p> <ul style="list-style-type: none"> <li>The proposed balcony for the main dwelling has an FFL more than 1m above NGL. It will be setback 4.11m to the western side boundary and 7.48m to the eastern side boundary.</li> <li>The landing for the main dwelling has an FFL more than 1m above NGL. This will be setback 6.3m from the eastern side boundary. The 6<sup>th</sup> riser of the staircase has an FFL of 1m which will be setback 4.69m from the side boundary.</li> </ul> <p><b>Lower ground floor - Ancillary dwelling</b></p> <ul style="list-style-type: none"> <li>The deck for the ancillary dwelling has an FFL of 1.03m above NGL. This deck will be setback 6.39m from the eastern side boundary.</li> </ul> <p><b>A1(b)</b> – Complies.</p>

Clause	Compliance/Comments
<p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <ul style="list-style-type: none"> <li>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</li> <li>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</li> </ul> <p><b>A2</b> - A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to have a setback of not less than 3m from a side boundary;</li> <li>(ii) is to have a setback of not less than 4m from a rear boundary;</li> <li>(iii) n/a, only applicable to multiple dwelling.</li> <li>(iv) n/a, only applicable to multiple dwelling.</li> </ul> <p>(b) the window or glazed door:</p> <ul style="list-style-type: none"> <li>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door to a habitable room of another dwelling;</li> <li>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</li> <li>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</li> </ul>	<p>The proposed development has a minimum setback of 4.13m from the rear boundary of the site.</p> <p><b>A1(c)</b> – N/A – no other dwelling on the same site.</p> <p><b>A2(a)</b> – Complies with (a)</p> <p><b>Ground floor – main dwelling</b></p> <p>The proposed extension to the main dwelling has an FFL &gt;1m above NGL.</p> <p><b>Eastern elevation</b></p> <p>One glazed door and two windows are proposed on the eastern elevation, and they have a minimum setback of 7.48m from the eastern side boundary.</p>  <p><b>Western elevation</b></p> <p>No new windows or doors are proposed facing the western side boundary. The existing W08 will be replaced by a new smaller window in the same location, and it is a window to the ensuite so is not a habitable room window in any case.</p>  <p><b>Rear elevation</b></p> <p>The sliding doors proposed to the living area of the main dwelling will be setback 7.06m from the rear boundary.</p>  <p><b>Lower floor - Ancillary dwelling</b></p> <p>The windows for the proposed ancillary dwelling have an FFL less than 1m above NGL.</p> <p><b>A2(b)</b> – N/A</p>

Clause	Compliance/Comments
<b>Clause 10.4.7 - Frontage fences for all dwellings</b> <b>A1</b> - No Acceptable solution (when not exempt)	<b>A1</b> – N/A No frontage fences are proposed as part of the development.

## Code Provisions

Clause	Compliance/Comments
<b>E6.0 Parking and Access Code</b>	
<b>Clause E6.6.1 - Number of car parking spaces</b> <b>A1</b> - The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;	<b>A1</b> – Complies. Required two (2) car parking spaces shown on updated site plan.
<b>Clause E6.7.1 - Number of vehicular accesses</b> <b>A1</b> – The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	<b>A1</b> – Complies. There is one (1) existing access point provided for each road frontage.
<b>Clause E6.7.6 - Surface treatment of parking areas</b> <b>A1</b> – Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	<b>A1</b> – Complies. Existing concrete surface with SW system.
<b>Clause E6.7.14 - Access to a road</b> <b>A1</b> – Access to a road must be in accordance with the requirements of the road authority.	<b>A1</b> – Complies. The access is in accordance with Council's requirements.
<b>E7.0 Stormwater Management Code</b>	
<b>Clause E7.7.1 - Stormwater drainage and disposal</b> <b>A1</b> – Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	<b>A1</b> – Complies. SW plans provided.
<b>A2</b> – A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:	<b>A2</b> – N/A

Clause	Compliance/Comments
(a) the size of new impervious area is more than 600 m <sup>2</sup> ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	
<b>E14.0 Scenic Landscapes Code</b>	
<b>Clause E14.7.1 Removal of bushland within scenic landscape areas</b> <b>A1</b> - Removal or disturbance of bushland must comply with both of the following: (a) be on land no less than 50 m (in elevation) from a skyline; (b) be no more than 500 m <sup>2</sup> in extent.	<b>A1 – Complies.</b> The proposal does not involve any removal or disturbance of bushland, and the subject site is not located close to 50m in elevation from a skyline.
<b>Clause E14.7.2 - Appearance of buildings and works within scenic landscape areas</b> <b>A1</b> - Buildings must comply with one of the following: (a) not be visible from public spaces; (b) be an addition or alteration to an existing building that; (i) increases the gross floor area by no more than 25%; (ii) does not increase the building height; (iii) provides external finishes the same or similar to existing.	<b>A1 – Does not comply.</b> (a) The proposed extension to the dwelling will be visible from Baynton Street and Lucas Street. (b) The addition and alterations to the dwelling (i) increases the gross floor area by 50% (existing footprint – 130m <sup>2</sup> and proposed footprint – 260.3m <sup>2</sup> ) (ii) the proposal does not increase beyond the existing roof height of the main dwelling as it follows the roof line extending to the rear portion. However, the maximum height is greater given the site slopes down from the road to the rear boundary. (iii) the proposed external finishes for the walls and roof are different from the existing finishes. The proposed wall finishes for the extension to the dwelling is white weatherboard FC cladding (Surfmist) whilst the existing dwelling is veneer brick walls (orange). The existing roof tiles will be replaced by a Colorbond roof in Shale Grey finish. As the proposal does not comply with the Acceptable Solution, it must be assessed against the Performance Criteria for the Clause.
<b>A2 – Works must not be visible from public spaces.</b>	<b>A2 – Does not comply.</b> The proposed works for the pathway along the eastern façade of the dwelling will be visible from Baynton Street. Works for the proposed retaining walls around the POS and proposed extension are located directly to the rear of the existing dwelling on site. These works will not be visible from Baynton Street or other public roads on a lower slope.

Clause	Compliance/Comments
	As the proposal does not comply with the Acceptable Solution, it must be assessed against the Performance Criteria for the Clause.

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

Public Copy



**RESULT OF SEARCH**

RECORDER OF TITLES

*Issued Pursuant to the Land Titles Act 1980***SEARCH OF TORRENS TITLE**

VOLUME 7182	FOLIO 57
EDITION 8	DATE OF ISSUE 17-Aug-2024

SEARCH DATE : 24-Mar-2025

SEARCH TIME : 08.28 AM

DESCRIPTION OF LAND

Town of KINGSTON

Lot 57 on Sealed Plan 7182

Derivation : Part of Lot 17413 Gtd. to William Hamilton Wise,  
Pat of Lot 36015 Gtd. to William Clark Hodgeman & Anor. and  
Part of 28A-3R-7Ps. Gtd. to Edward Innes & Anor;  
Prior CT 3496/21

SCHEDULE 1

N205954 TRANSFER to COLLEEN JANE YEO and JONGUK YEO as  
tenants in common in equal shares Registered  
17-Aug-2024 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
SP 7182 EASEMENTS in Schedule of Easements  
E387458 MORTGAGE to Residential Mortgage Group Pty Ltd  
Registered 17-Aug-2024 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



## FOLIO PLAN

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



13 AUG 1975

Owner: Sunnyside Development Co. Pty. Ltd.

Title Reference: C.T. 3414/4 & 3414/5

Grantee: Part of Lot 17413 (24.2.14)  
William Hamilton Wise  
Part of Lot 36015 (0.2.23) W.C. Hodgman & Anr  
28.3.77 to Edward Innes & Anr

PLAN OF SURVEY  
by Surveyor M. G. Darcey  
of land situated in the  
TOWN OF KINGSTON

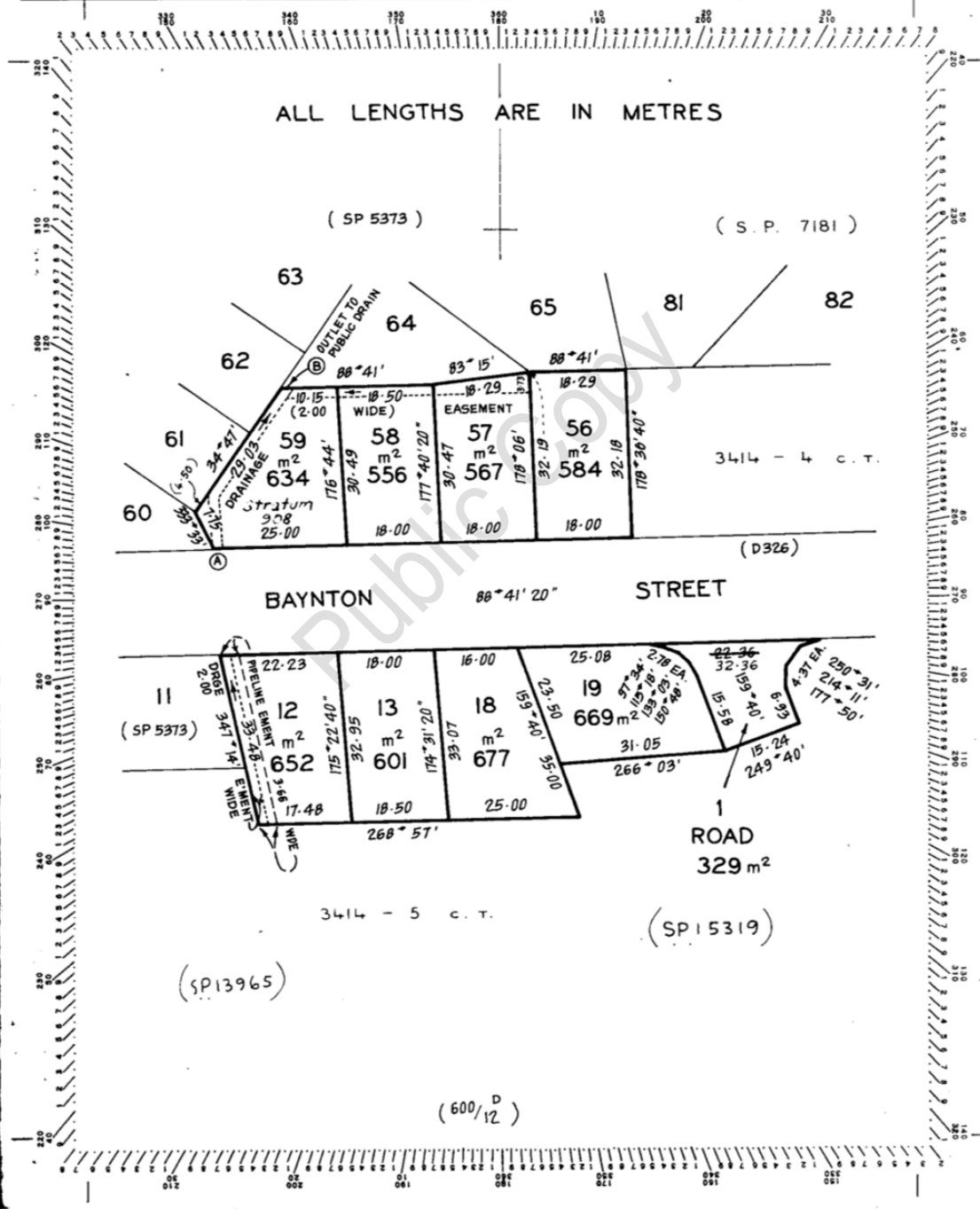
Registered Number:  
**S.P. 7182**

Effective from: 15-10-75

Scale 1:750

P/I

Recorder of titles



## SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



11

## SCHEDULE OF EASEMENTS

PLAN NO.

S.P. 7182

S.P. 7182

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

EASEMENTSRights of Drainage

Each lot on the plan is together with such rights of drainage over the drainage easements shewn on the plan as may be necessary to drain the stormwater and other surplus water from such lot.

Each lot on the plan is subject to such rights of drainage over the drainage easements (if any) shewn on the plan as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan.

The direction of the flow of water through the drainage easements shewn on the plan is indicated by arrows.

Lot 59 is SUBJECT TO a right of drainage over the drainage easement passing through that lot and marked AB for the Corporation.

Lot 12 is SUBJECT TO a right of drainage over the drainage easement passing through that lot for the balance.

Lot 12 is SUBJECT TO the right for the Corporation to lay down pipes of a diameter of not more than 200 mm in over along and through the pipeline easement 3.66 metres wide shown passing through the

~~the~~ Lot hereon such pipes to be for the purpose of carrying water :

~~the~~ together with ~~the~~ right for the Corporation of inspecting, cleansing repairing, maintaining and removing such pipes and for such purposes of entering on and perambulating over the said pipeline easement and of doing any necessary work for the purposes aforesaid causing as little damage as possible and making reasonable compensation for all damage done or caused thereby provided always that all pipes laid in pursuance of the said right shall be laid to a depth of not less than .8 metres below the natural surfact of the ~~oil~~.

INTERPRETATION

Corporation means "the Warden, Councillors and Electors of the Municipality of Kingborough."

~~the~~ Balance means "the balance of the land contained in Certificate

~~of~~ of Title Volume 3414 folio 5 ~~and Volume 3414 folio 4~~ remaining vested ( Sunnyside Development Co. Pty. Ltd. )

~~in~~ in the Vendor/at the date of acceptance hereof excluding the lots in the plan".

# SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

7182

THE COMMON SEAL of SUNNYSIDE DEVELOPMENT  
CO. PTY. LTD. (the registered proprietor  
of the land contained in Certificate of  
Title Volume 3414 folio 5 and Certificate  
of Title Volume 3414 folio 4) was hereunto  
affixed in the presence of

Director

Secretary

SIGNED by LAWRIE GEORGE MURDOCH and  
KENNETH MURDOCH DRAKE as Mortgagees  
under Mortgage No. A416069 in the  
presence of:-

*Lawrie George Murdoch*  
*Kenneth Murdoch Drake*  
*Hobart.*

For and on behalf of THE COMMONWEALTH  
TRADING BANK OF AUSTRALIA by its duly  
constituted Attorney LYNN GRAHAM FERGUSON  
under Power of Attorney No. 16375  
who hereby certifies that he has received  
no notice of revocation of the said  
power) as Mortgagee under Mortgage No.  
A450534 in the presence of:-

COMMONWEALTH TRADING BANK OF AUSTRALIA  
by its Attorney

Assistant Manager Hobart

CERTIFIED correct for the purposes of The Real Property Act 1862,  
as amended.

PIGGOTT, WOOD & BAKER,

Per: *Piggott, Wood & Baker*



## SCHEDULE OF EASEMENTS

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



7182

Public Copy

This is the schedule of easements attached to the plan of 9 lots

comprising part of the land in

LT 344/4 & 344/5  
(Insert Title Reference)Sealed by MUNICIPALITY OF KINGBOROUGH on 28TH JULY, 1975  
Council Clerk/Town Clerk



EXISTING HOUSE PROPOSED EXTENSION

ID	NAME	REV
	COVER PAGE	01
DA01	NOTES & SITE LOCATION PLAN	01
DA02	EXISTING SITE PLAN	01
DA03	SITE PLAN	C
DA04	DRAINAGE PLAN	01
DA05	EXISTING FLOOR PLAN	01
DA06	PROPOSED GROUND FLOOR PLAN	C
DA07	PROPOSED LOWER FLOOR PLAN	C
DA08	ROOF PLAN	01
DA09	EXISTING ELEVATION	01
DA10	EXISTING ELEVATION	01
DA11	PROPOSED ELEVATION	01
DA12	PROPOSED ELEVATION	01
DA13	BUILDING ENVELOPE	01
DA14	3D VIEWS	01
DA15	SHADING	01
DA16	SHADING 3D	01
DA17	3D STREET VIEW	01



1 LOCATION PLAN  
1:1000

AREA SCHEDULE:

EXISTING HOUSE FOOTPRINT: APPROX. 105.8m²  
EXISTING SHED: APPROX. 23.4m²  
EXISTING DECK: APPROX. 32.1m²

GENERAL NOTES

- GENERAL  
© REPRODUCTION OF THIS DRAWING IS PROHIBITED WITHOUT THE CONSENT OF ORAMATIS STUDIO
- DO NOT SCALE FROM THIS DRAWING
- THE CONTRACTOR SHALL CONFIRM ON SITE EXISTING CONDITIONS LEVELS AND DIMENSIONS PRIOR TO COMMENCEMENT OF WORKS
- ALL DISCREPANCIES TO BE REPORTED TO THE ARCHITECT FOR INSTRUCTION
- ALL LEVELS INDICATED PERTAIN TO FINISHED LEVELS AND NOT STRUCTURAL LEVELS UNLESS OTHERWISE INDICATED
- MATERIALS AND WORK PRACTICES SHALL COMPLY WITH THE NATIONAL CONSTRUCTION CODE (NCC) AND OTHER RELEVANT CODES REFERRED TO IN THE NCC
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTS, SPECIFICATIONS AND DRAWINGS
- PROPRIETARY ITEMS, SYSTEMS AND ASSEMBLIES ARE TO BE ASSEMBLED, INSTALLED OR FIXED IN CONFORMANCE WITH THE CURRENT WRITTEN RECOMMENDATIONS AND INSTRUCTIONS OF THE MANUFACTURER OR SUPPLIER
- WORKPLACE HEALTH AND SAFETY  
ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE PROJECT SAFE DESIGN REPORT
- ALL CONTRACTORS MUST CARRY OUT WORKS IN ACCORDANCE WITH CURRENT HEALTH AND SAFETY LEGISLATION AND BEST PRACTICE INCLUDING PREPARATION OF A CONSTRUCTION SAFETY MANAGEMENT PLAN
- LAND TITLE REFERENCE  
VOLUME (PLAN): 7182/57
- DESIGN WIND SPEED  
WIND LOADING TO AS 4055: N\*
- SOIL CLASSIFICATION  
SOIL CLASSIFICATION TO AS 2870: N#
- CLIMATE ZONE FOR THERMAL DESIGN  
CLIMATE ZONE TO BCA FIGURE 1.1.4: 7
- BUSHFIRE PRONE AREA BAL RATING  
BUSHFIRE ATTACK LEVEL (BAL) TO AS 3959: BAL-XX
- CORROSION ENVIRONMENT  
CORROSION ENVIRONMENT TO AS/NZS 2312: N/A
- KNOWN SITE HAZARDS: n/a
- SCHEDULE OF AREAS  
GROUND FLOOR SITE COVERAGE: 175.7m²  
PERVIOUS SURFACES: 129.2m²  
SITE AREA : 549m²  
SITE COVERAGE: 32.1%



ORAMATIS STUDIO

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: admin@oramatis.com.au  
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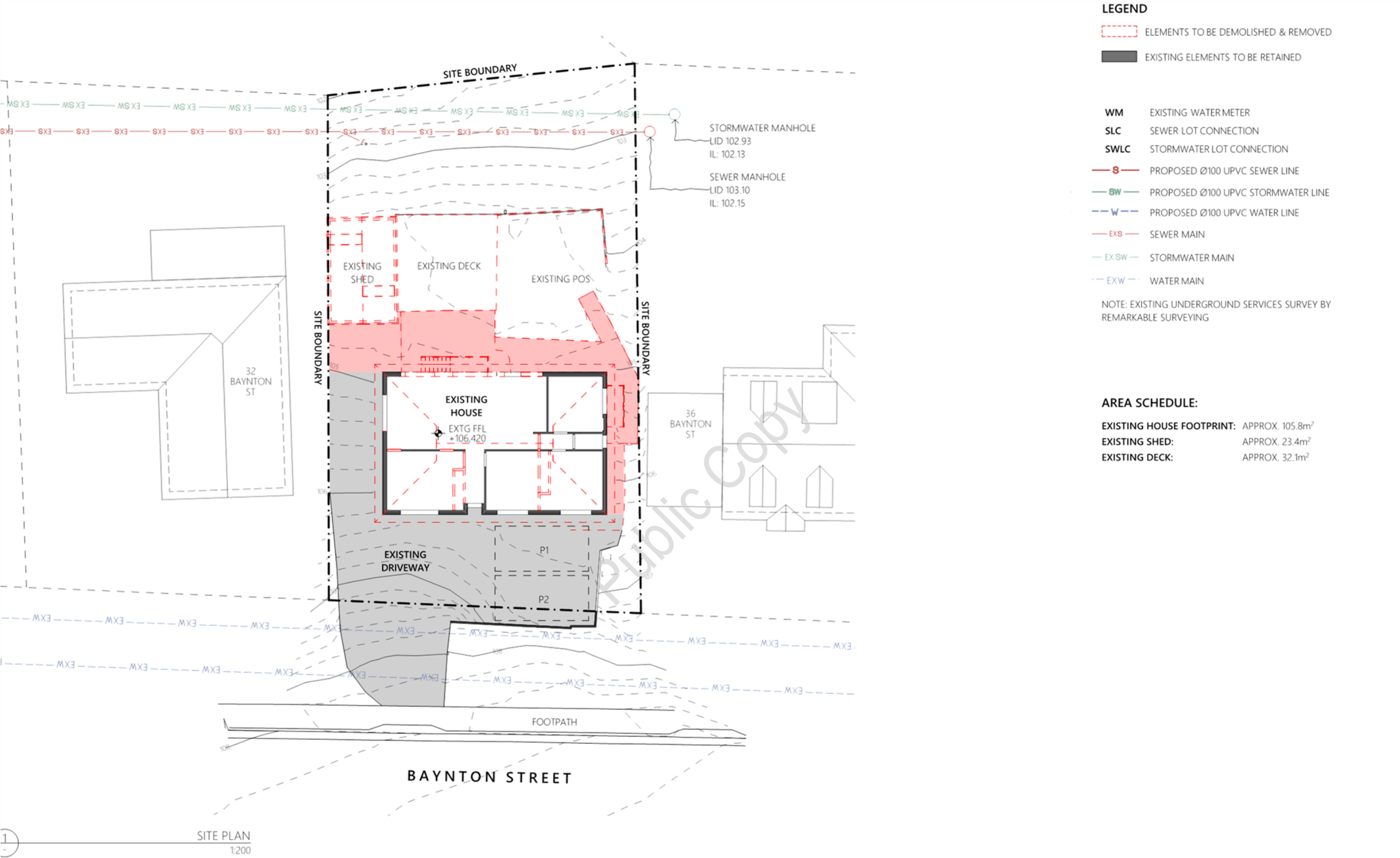
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REV ID	DESCRIPTION	DATE
01		21/05/2025

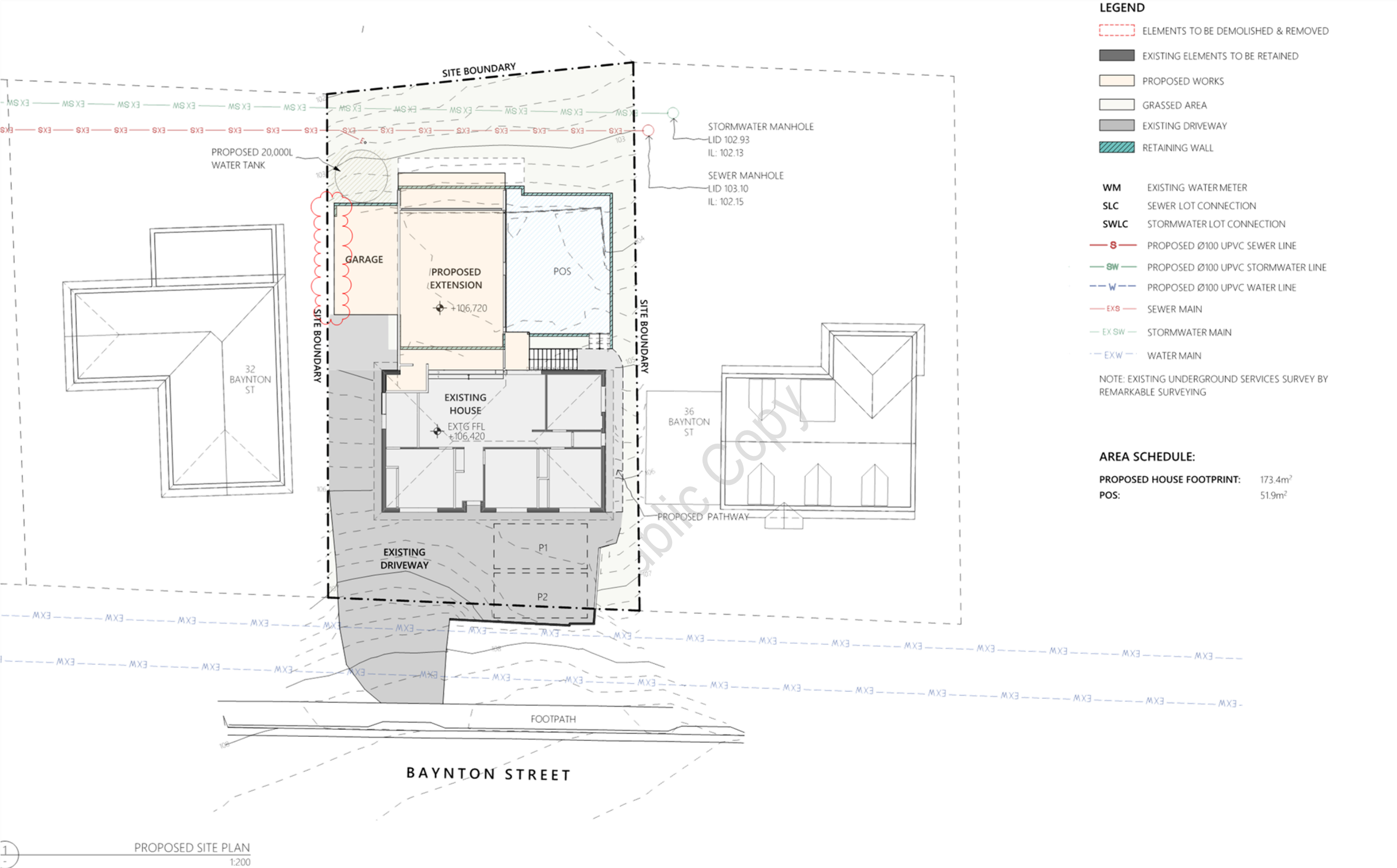
PROJECT	REVISION	DATE	SCALE
PROPOSED EXTENSION 34 BAYNTON STREET, KINGSTON TAS 7050	01	21/05/2025	AS SHOWN @ A3
CLIENT	PROJECT ID	CHECKED BY	DRAWN BY
COLLEEN	2504	A. HILL	A. PETERSON

PAGE	NORTH
DA01	
DRAWING	
NOTES & SITE LOCATION PLAN	



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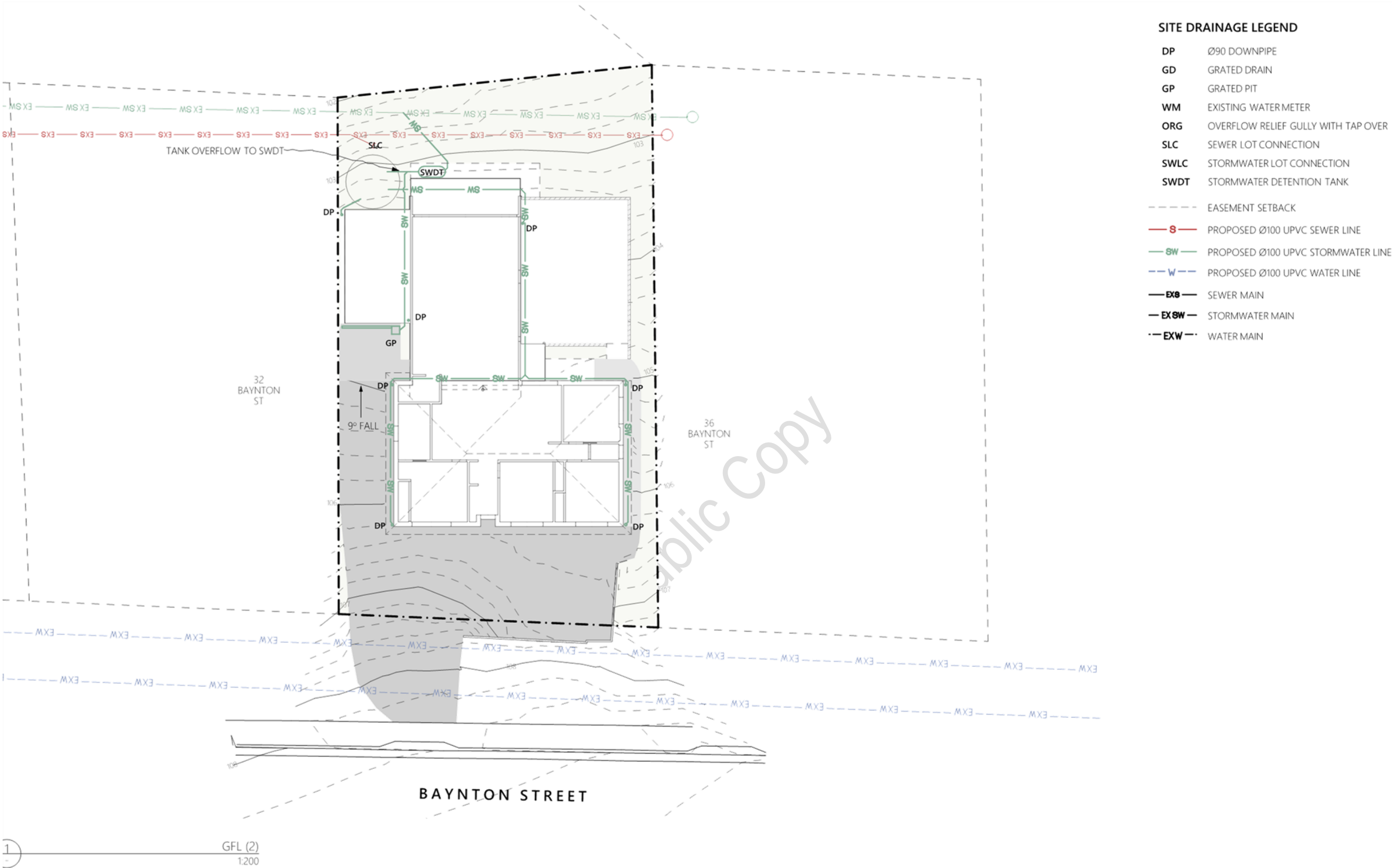
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REV ID	DESCRIPTION	DATE
C	GARAGE WALL SETBACK +200	21/05/2025

PROJECT	REVISION	DATE	SCALE
PROPOSED EXTENSION 34 BAYNTON STREET, KINGSTON TAS 7050	C	21/05/2025	AS SHOWN @ A3
CLIENT	PROJECT ID	CHECKED BY	DRAWN BY
COLLEEN	2504	A. HILL	A. PETERSON

PAGE	NORTH
DA03	
DRAWING	
SITE PLAN	





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PROJECT	REVISION	DATE	SCALE
PROPOSED EXTENSION 34 BAYNTON STREET, KINGSTON TAS 7050	01	21/05/2025	AS SHOWN @ A3
CLIENT	PROJECT ID	CHECKED BY	DRAWN BY
COLLEEN	2504	A. HILL	A. PETERSON

PAGE	NORTH
DA04	
DRAWING	
DRAINAGE PLAN	

LEGEND

- ELEMENTS TO BE DEMOLISHED & REMOVED
- EXISTING ELEMENTS TO BE RETAINED

NOTE

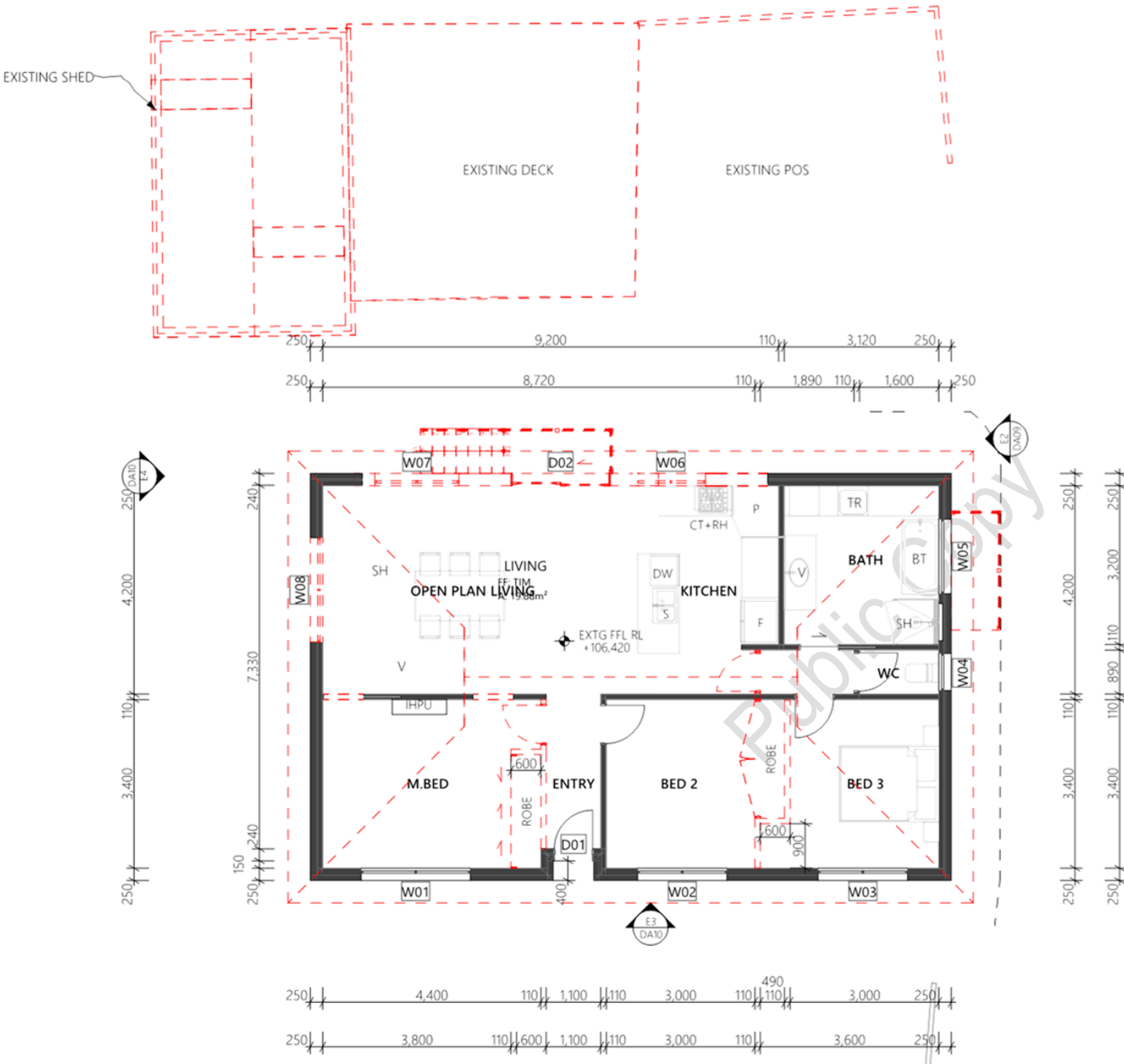
1. ALL DIMENSIONS ARE TO THE WALL FRAME
2. ALL EXISTING DIMENSIONS ARE NOMINAL.  
BUILDER TO CONFIRM ON SITE.

FLOOR PLAN LEGEND

- B BASIN
- BR BROOM CLOSET
- BT BATH TUB
- CT COOKTOP
- DW DISHWASHER
- DR DRYER
- F FRIDGE
- OC OVERHEAD CABINETS
- P PANTRY
- RH RANGEHOOD
- S SINK
- SH SHOWER CABIN
- ST STORAGE
- TR LAUNDRY TROUGH
- V VANITY
- WM WASHING MACHINE
- FP ELECTRIC FIREPLACE

AREA SCHEDULE:

- EXISTING HOUSE FOOTPRINT: APPROX. 105.8m<sup>2</sup>
- EXISTING SHED: APPROX. 23.4m<sup>2</sup>
- EXISTING DECK: APPROX. 32.1m<sup>2</sup>



1

-

EXISTING FLOOR PLAN

1:100

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DESCRIPTION

DATE

01

21/05/2025

PROJECT

PROPOSED EXTENSION

34 BAYNTON STREET, KINGSTON TAS 7050

CLIENT

COLLEEN

REVISION

01

DATE

21/05/2025

PROJECT ID

2504

SCALE

AS SHOWN @ A3

CHECKED BY

A. HILL

DRAWN BY

A. PETERSON

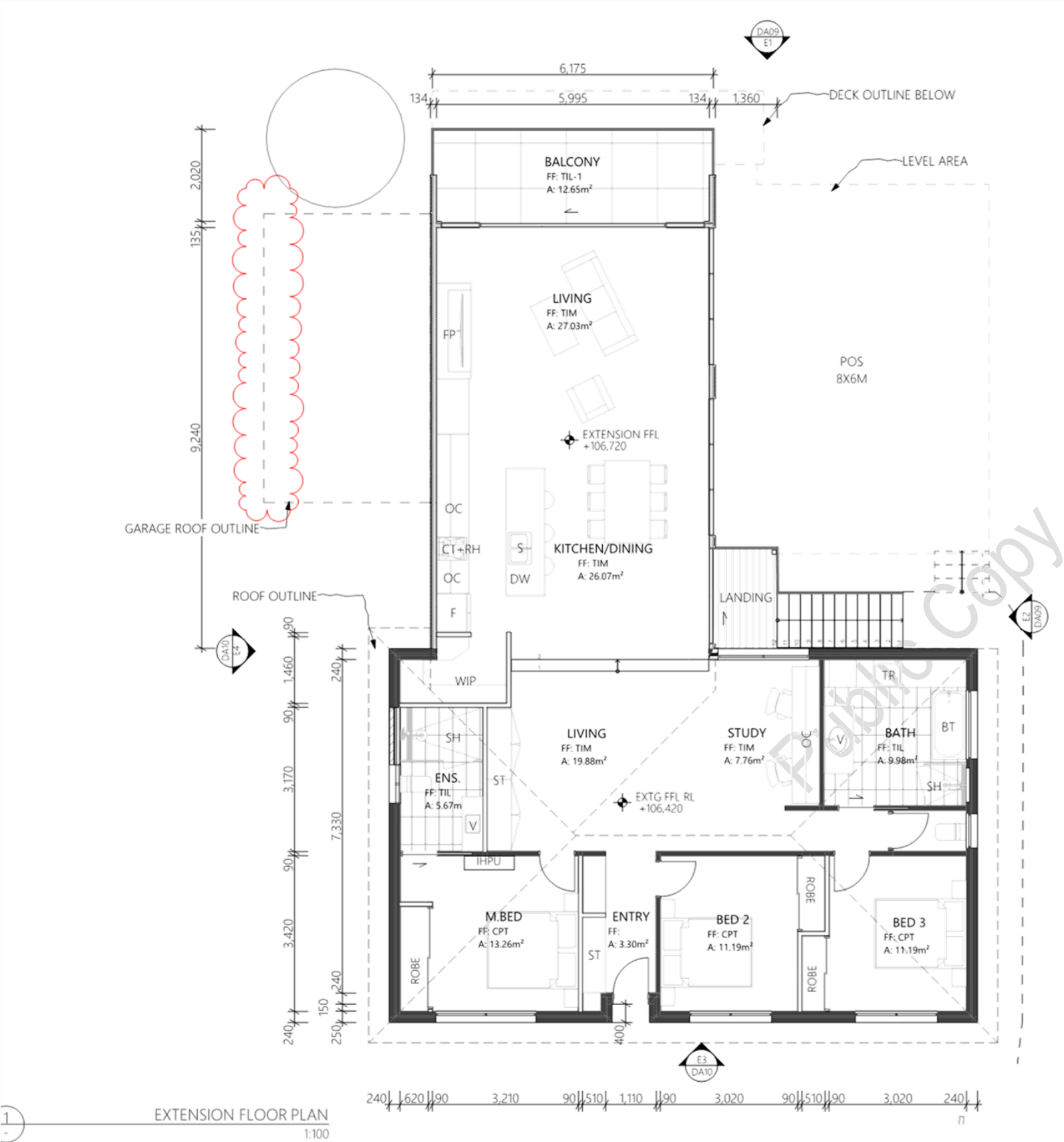
PAGE

DA05

DRAWING

EXISTING FLOOR PLAN

NORTH




**NOTE**  
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2. ALL EXISTING DIMENSIONS ARE NOMINAL.  
BUILDER TO CONFIRM ON SITE.

**FLOOR PLAN LEGEND**

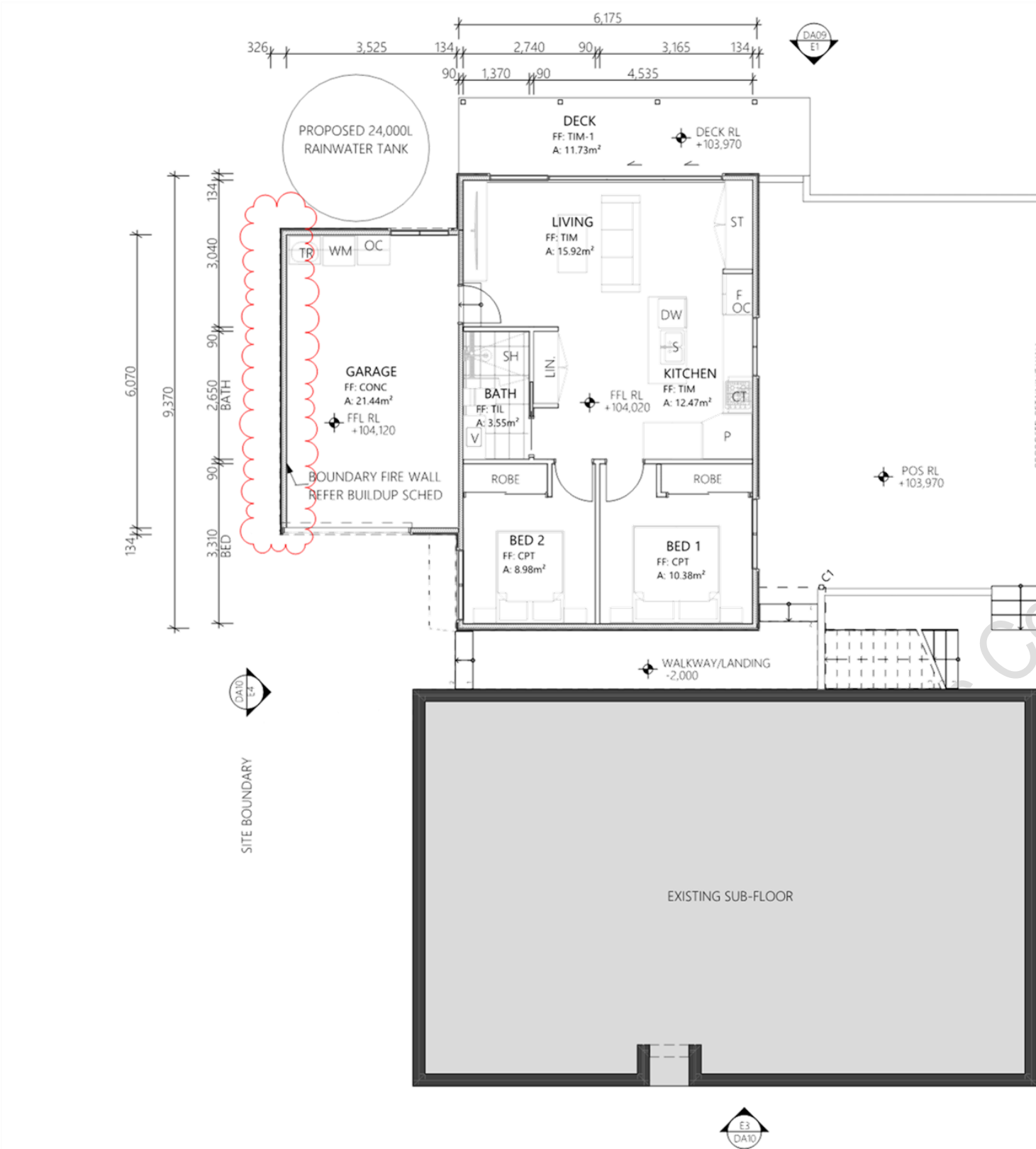
- B BASIN
- BR BROOM CLOSET
- BT BATH TUB
- CT COOKTOP
- DW DISHWASHER
- DR DRYER
- F FRIDGE
- OC OVERHEAD CABINETS
- P PANTRY
- RH RANGEHOOD
- S SINK
- SH SHOWER CABIN
- ST STORAGE
- TR LAUNDRY TROUGH
- V VANITY
- WM WASHING MACHINE
- FP ELECTRIC FIREPLACE

EXISTING ELEMENTS TO BE RETAINED

AREA SCHEDULE	
EXTENSION FLOOR AREA:	71.1m <sup>2</sup>
EXISTING FLOOR AREA:	106.6m <sup>2</sup>

<div></div> <div>ORAMATIS STUDIO</div> <div>14 Elizabeth Street, Hobart TAS 7000 (03) 6286 8440 admin@oramatis.com.au Oramatis Studio PTY LTD</div>	GENERAL NOTES		REV ID		DESCRIPTION		DATE		PROJECT		REVISION		DATE		SCALE		PAGE		NORTH	
	<p>CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCEMENT OF ANY WORK. CONTRACTORS SHALL CLARIFY ANY DISCREPANCIES BEFORE COMMENCEMENT OF ANY WORK. DRAWINGS MUST NOT BE SCALED.</p> <p>CONTRACTORS SHALL SUBMIT SAMPLES AND SHOP DRAWINGS BEFORE COMMENCING WORK. ALL WORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AND ALL RELEVANT AUSTRALIAN STANDARDS. THESE DESIGNS, PLANS, SPECIFICATIONS AND THE COPYRIGHT HEREIN ARE THE PROPERTY OF ORAMATIS STUDIO AND MUST NOT BE USED, REPRODUCED OR COPIED WHOLLY OR IN PART WITHOUT THE WRITTEN</p>		C		GARAGE WALL SETBACK +200		21/05/2025		PROPOSED EXTENSION		C		21/05/2025		AS SHOWN @ A3		DA06			
									34 BAYNTON STREET, KINGSTON TAS 7050											
											CLIENT		PROJECT ID		CHECKED BY		DRAWN BY		DRAWING	
											COLLEEN		2504		A. HILL		A. PETERSON		PROPOSED GROUND FLOOR PLAN	





**NOTE**

1. ALL DIMENSIONS ARE TO THE WALL FRAME

2. ALL EXISTING DIMENSIONS ARE NOMINAL. BUILDER TO CONFIRM ON SITE.

**FLOOR PLAN LEGEND**

- B** BASIN
- BR** BROOM CLOSET
- BT** BATH TUB
- CT** COOKTOP
- DW** DISHWASHER
- DR** DRYER
- F** FRIDGE
- OC** OVERHEAD CABINETS
- P** PANTRY
- RH** RANGEHOOD
- S** SINK
- SH** SHOWER CABIN
- ST** STORAGE
- TR** LAUNDRY TROUGH
- V** VANITY
- WM** WASHING MACHINE
- FP** ELECTRIC FIREPLACE

EXISTING ELEMENTS TO BE RETAINED

**AREA SCHEDULE**

UNIT FLOOR AREA:	57.9m <sup>2</sup>
GARAGE:	24.7m <sup>2</sup>
PRIVATE OUTDOOR SPACE:	52.1m <sup>2</sup>

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C	GARAGE WALL SETBACK +200	21/05/2025

**PROJECT**

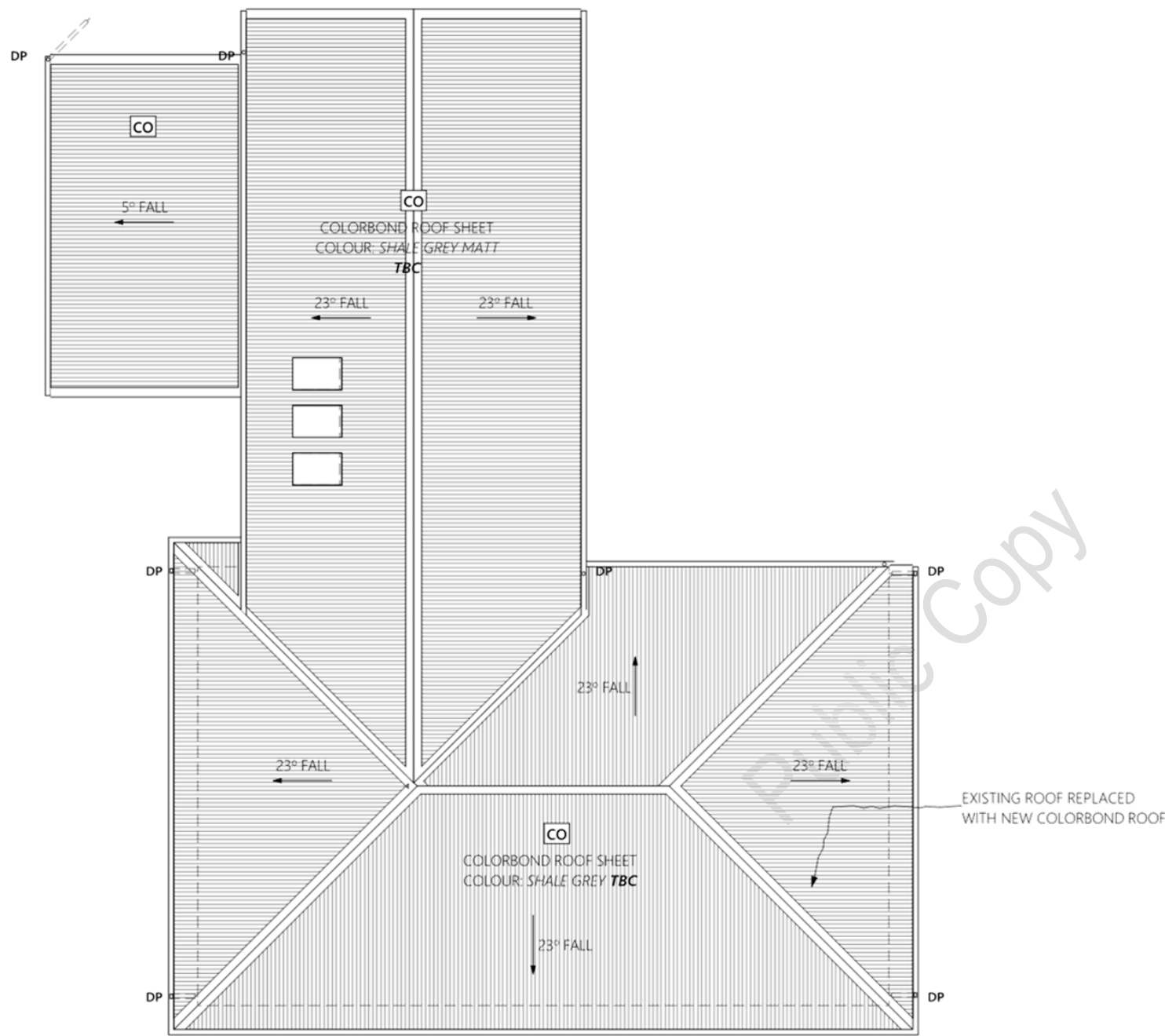
PROPOSED EXTENSION  
34 BAYNTON STREET, KINGSTON TAS 7050

**CLIENT**

COLLEEN

REVISION	DATE	SCALE
C	21/05/2025	AS SHOWN @ A3
PROJECT ID	CHECKED BY	DRAWN BY
2504	A. HILL	A. PETERSON

PAGE	NORTH
DA07	N
DRAWING	
PROPOSED LOWER FLOOR PLAN	



NOTE

- 1. ALL DIMENSIONS ARE TO THE WALL FRAME
- 2. ALL EXISTING DIMENSIONS ARE NOMINAL. BUILDER TO CONFIRM ON SITE.

FLOOR PLAN LEGEND

- B BASIN
- BR BROOM CLOSET
- BT BATH TUB
- CT COOKTOP
- DW DISHWASHER
- DR DRYER
- F FRIDGE
- OC OVERHEAD CABINETS
- P PANTRY
- RH RANGEHOOD
- S SINK
- SH SHOWER CABIN
- ST STORAGE
- TR LAUNDRY TROUGH
- V VANITY
- WM WASHING MACHINE
- FP ELECTRIC FIREPLACE

AREA SCHEDULE

EXISTING ROOF AREA:	132.5m <sup>2</sup>
NEW ROOF AREA:	209.7m <sup>2</sup>

1  
-  
ROOF  
1:100



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PROJECT	REVISION	DATE	SCALE
PROPOSED EXTENSION 34 BAYNTON STREET, KINGSTON TAS 7050	01	21/05/2025	AS SHOWN @ A3
CLIENT	PROJECT ID	CHECKED BY	DRAWN BY
COLLEEN	2504	A. HILL	A. PETERSON

PAGE	NORTH
DA08	
DRAWING	
ROOF PLAN	





**NOTE:**  
ALL PROPRIETARY MATERIALS TO BE INSTALLED IN  
STRICT ACCORDANCE WITH MANUFACTURER'S  
INSTRUCTIONS

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21/05/2025

PROJECT

REVISION

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PROPOSED EXTENSION

01

21/05/2025

AS SHOWN @ A3

34 BAYNTON STREET, KINGSTON TAS 7050

CLIENT

PROJECT ID

CHECKED BY

DRAWN BY

COLLEEN

2504

A. HILL

A. PETERSON

PAGE

DRAWING

EXISTING ELEVATION

DA09



**NOTE:**  
ALL PROPRIETARY MATERIALS TO BE INSTALLED IN  
STRICT ACCORDANCE WITH MANUFACTURER'S  
INSTRUCTIONS

---

Page 42

MATERIAL & FINISHES TBC

ROOF

- CO CUSTOM ORB ROOF SHEET  
COLOUR: SHALE GREY MATT FINISH TBC
- G1 COLORBOND QUAD GUTTER TYP.  
COLOUR: TO MATCH ROOF
- D1 DOWNPIPES  
COLOUR: TO MATCH WALL

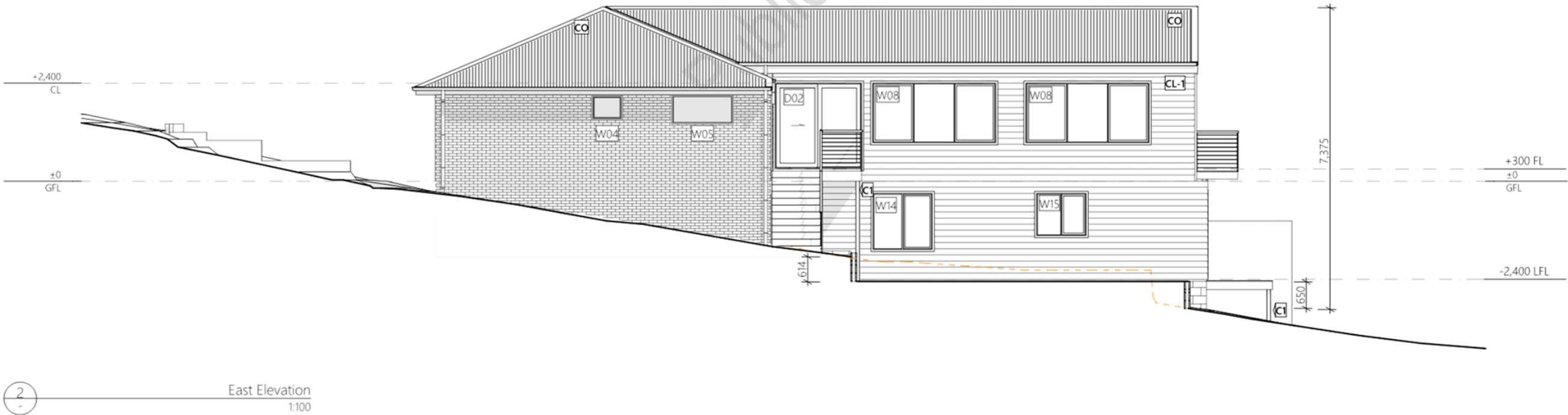
WALL

- BR-1 BRICK VENEER WALL  
COLOUR: TO MATCH ORIGINAL BRICK
- CL-1 HARDIE PRIMELINE WEATHERBOARD FC PANEL  
COLOUR: SURFMIST TBC
- CL-2 JAMES HARDIE PANEL  
COLOUR: SURFMIST TBC
- CL-3 FIRECRUNCH K-WALL FRL RATED PANEL  
COLOUR: SURFMIST TBC

COLUMN

- C1 SHS COLUMN  
FINISH: POWDERCOAT

NOTE:  
ALL PROPRIETARY MATERIALS TO BE INSTALLED IN  
STRICT ACCORDANCE WITH MANUFACTURER'S  
INSTRUCTIONS  
— EXISTING GROUND LEVEL  
— NEW GROUND LEVEL



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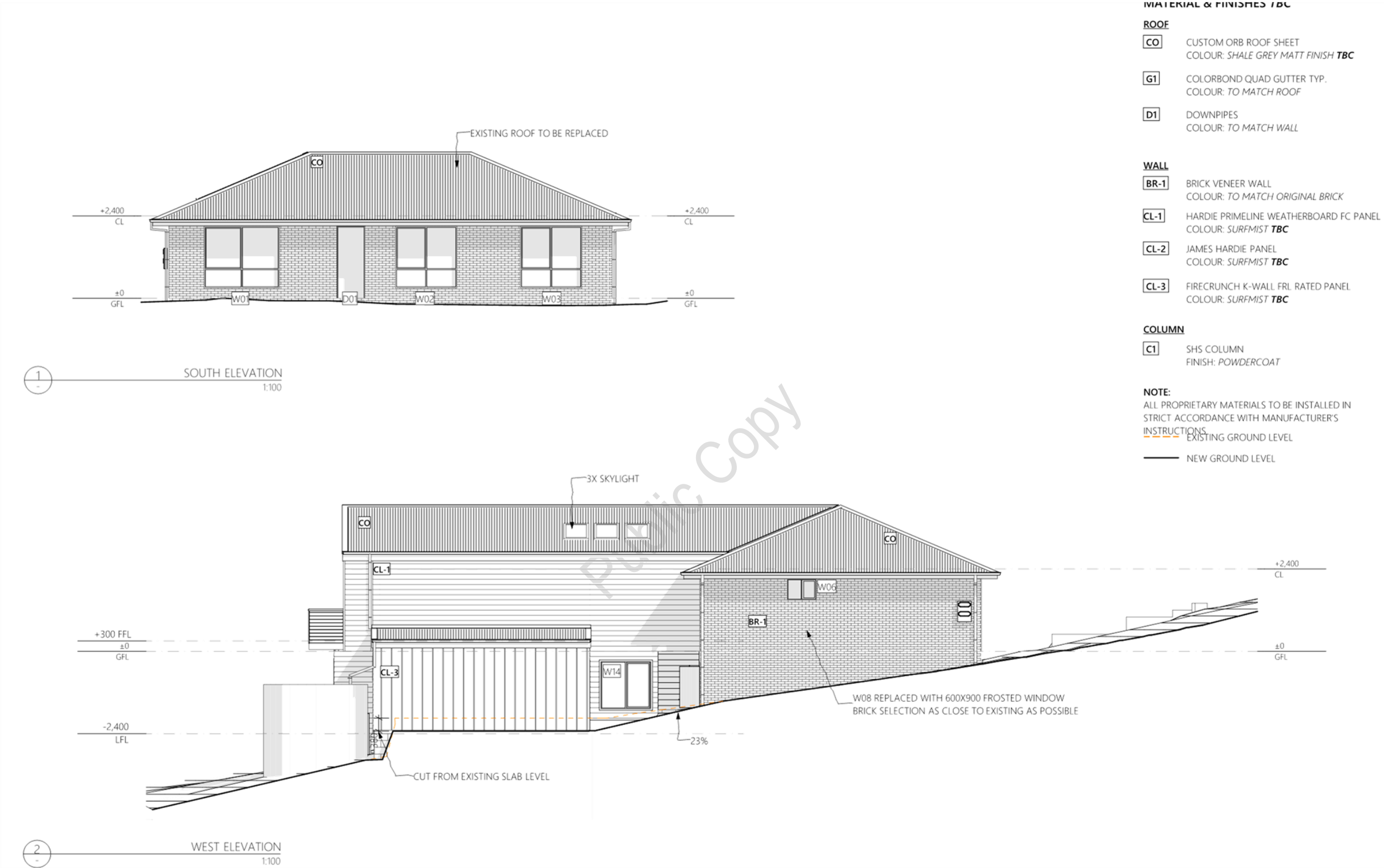
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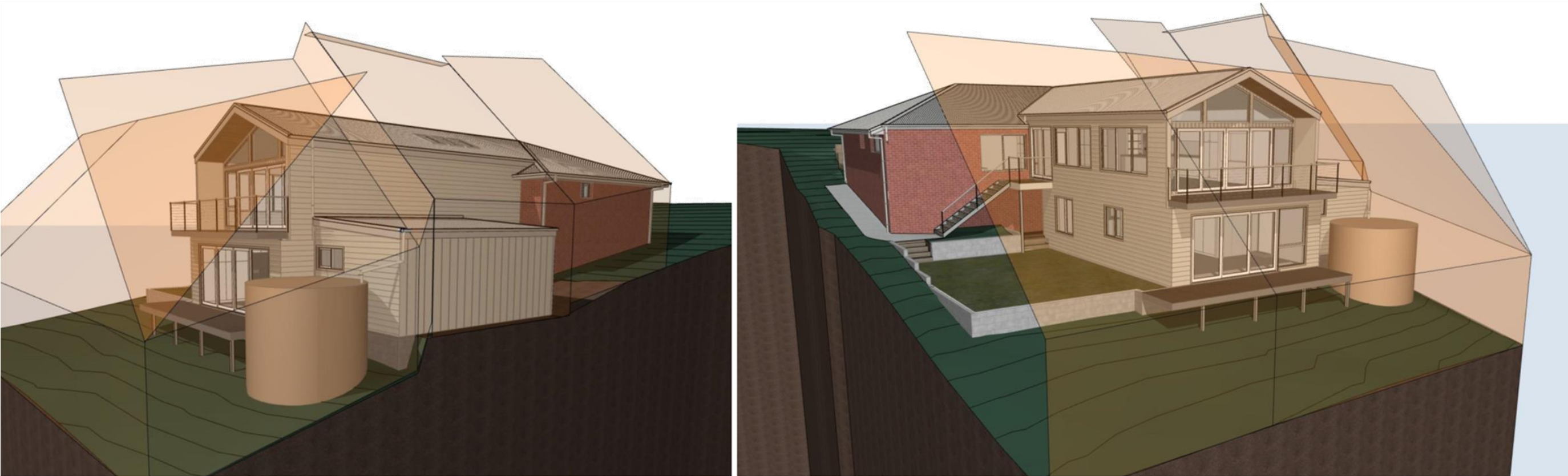
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3 North Elevation (Building Envelope)  
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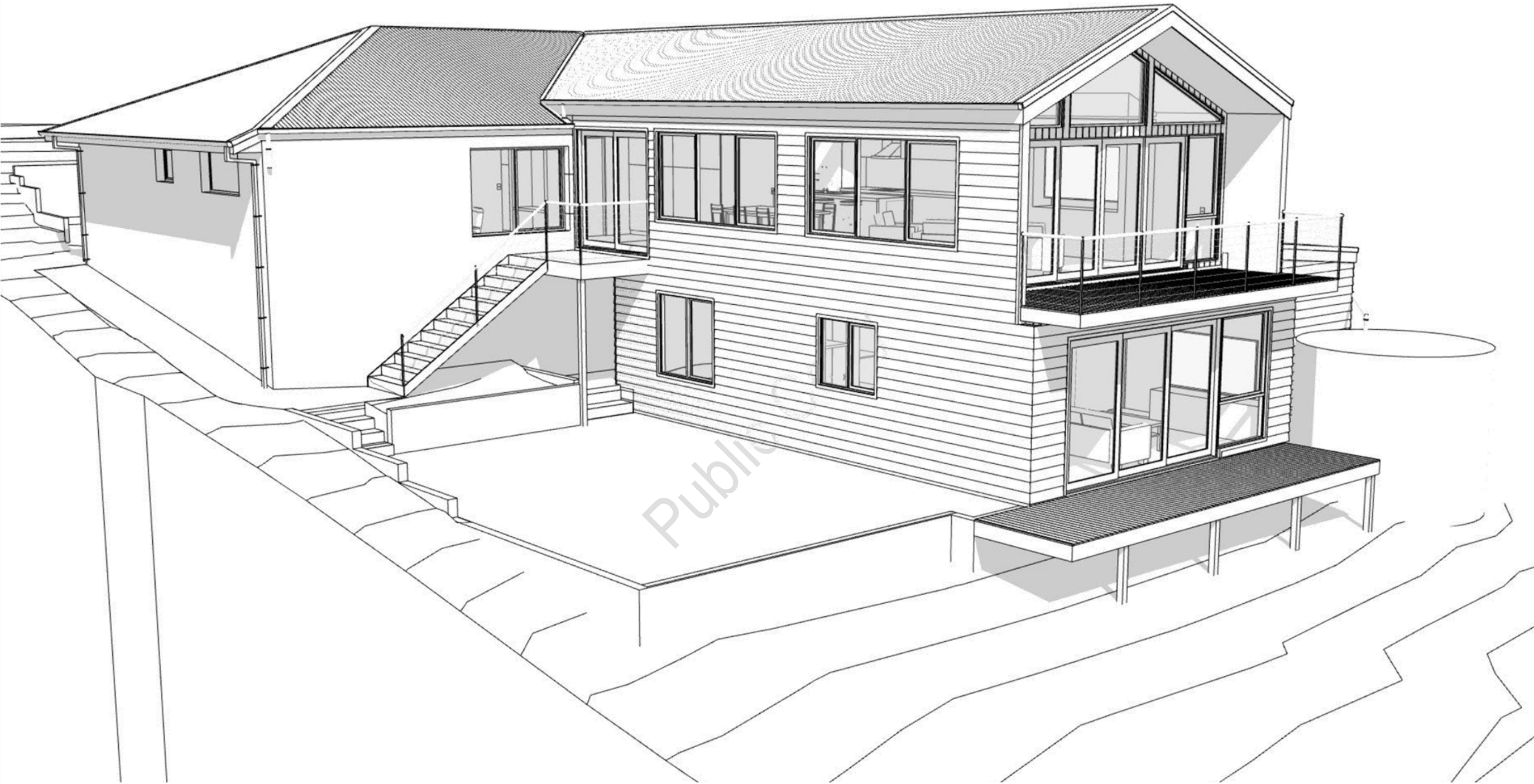
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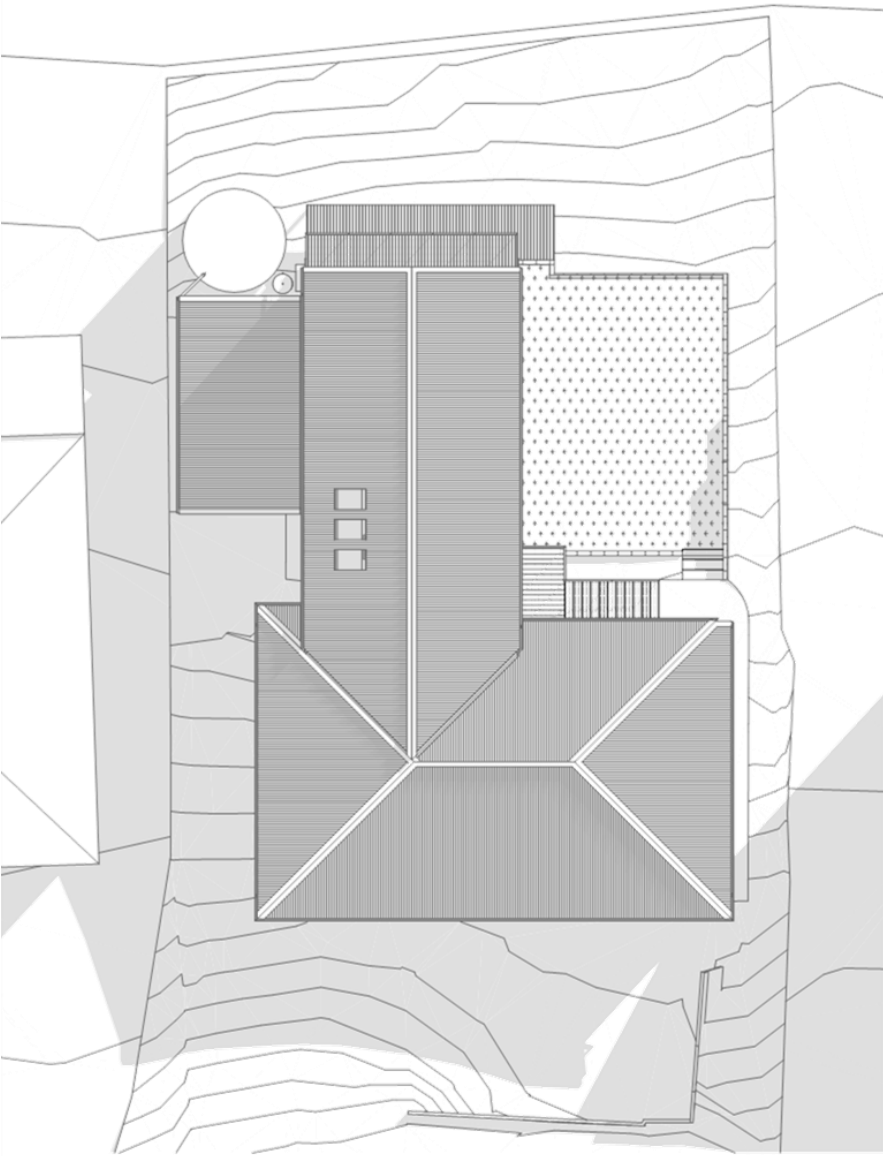
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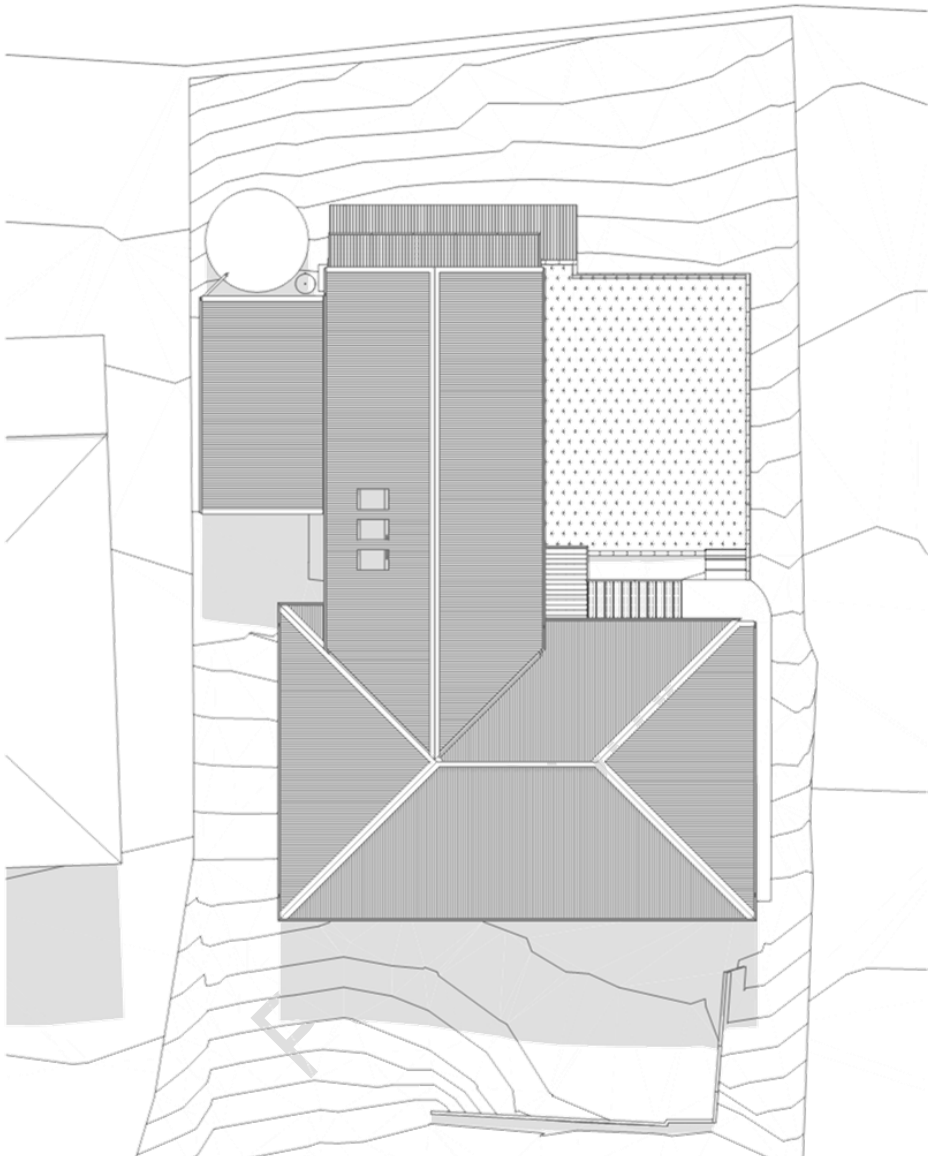
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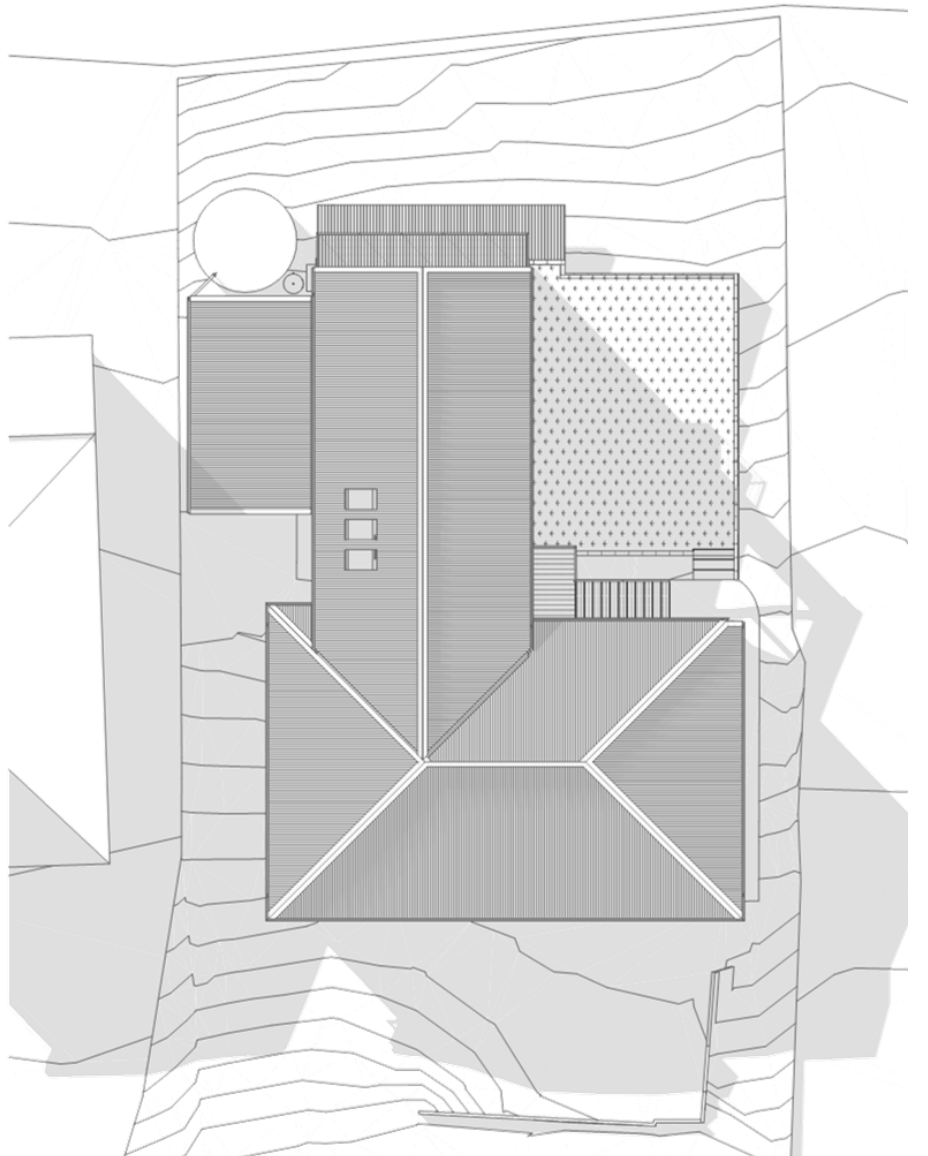




1 Shadow Study 21 June at 0900h  
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2 Shadow Study 21 June at 1200h  
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3 Shadow Study 21 June at 1500h  
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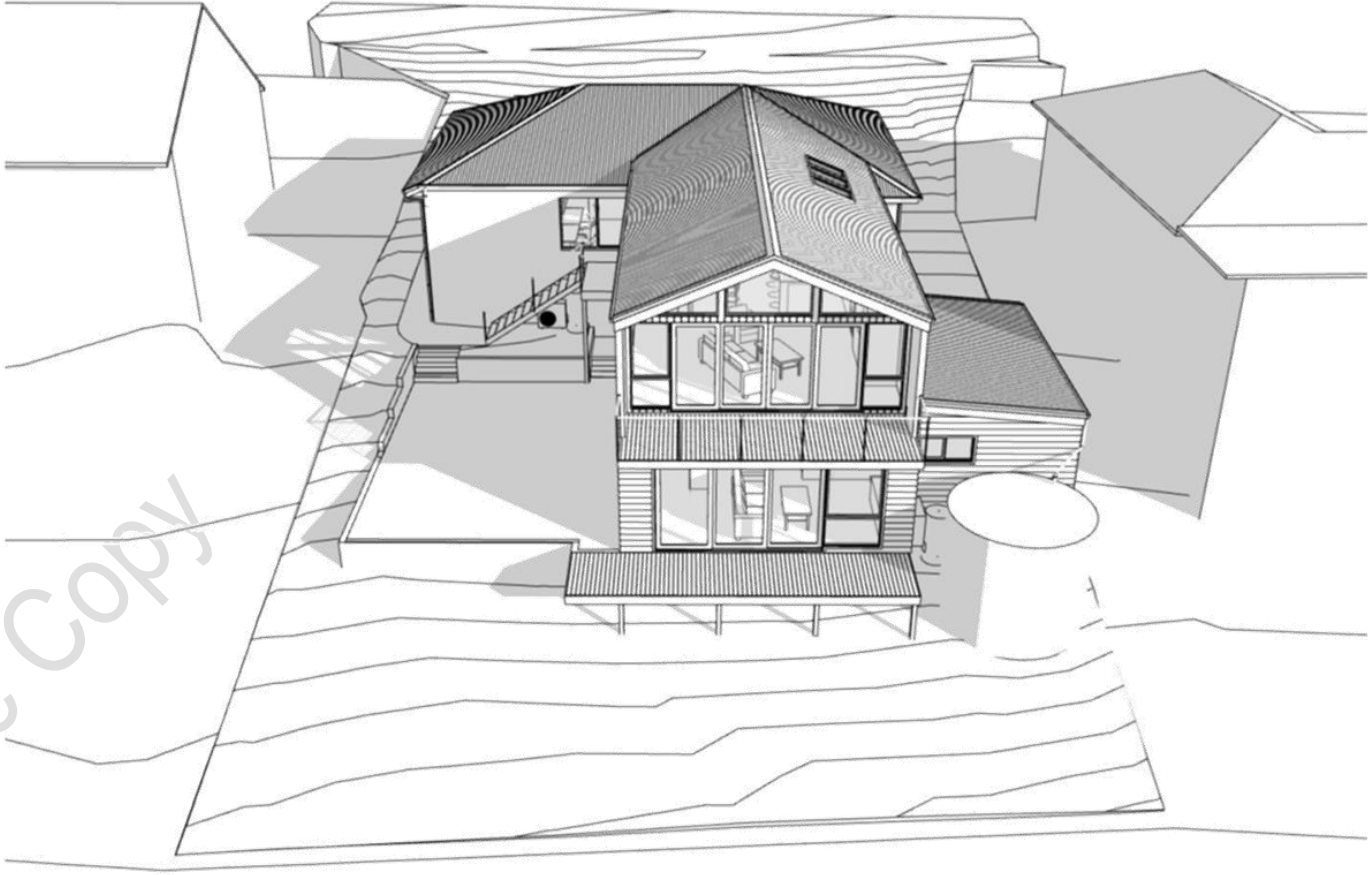
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1 Shadow Study 21st June at 0900H  
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2 Shadow Study 21st June at 1500H  
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3D STREET VIEW

## OPEN SESSION RESUMES

### 14 PETITIONS STILL BEING ACTIONED

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There are no petitions still being actioned.

### 15 PETITIONS RECEIVED IN LAST PERIOD

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

### 16 OFFICERS REPORTS TO COUNCIL

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#### 16.1 NOMINATION OF LICENSED PERSON

**File Number:** 44.86

**Author:** Scott Basham, Manager Legal & Property

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

#### Strategic Plan Reference

Key Priority Area: 2 Deliver quality infrastructure and services.

Strategic Outcome: 2.1 Service provision meets the current and future requirements of residents and visitors.

#### 1. PURPOSE

- 1.1 The purpose of this report is for Council, in its capacity as a licensed entity pursuant to the *Occupational Licensing Act 2005*, to nominate Ms Mary Magee, Council's Building Investigation and Compliance Officer, to perform the functions or powers of the permit authority within the municipal area in accordance with s.24(2)(b)(i) of the *Building Act 2016* (the Act).

#### 2. BACKGROUND

- 2.1 Council is a licensed entity under the *Occupational Licensing Act 2005* (Entity number LGA18).
- 2.2 In accordance with the Act, Council is the permit authority for the municipal area and has statutory functions in respect of building work, plumbing work or demolition work.
- 2.3 Furthermore, pursuant to s.24 of the Act, Council must ensure (subject to other matters) that a function or power of the permit authority is only performed or exercised by a licensed person nominated by Council.

#### 3. STATUTORY REQUIREMENTS

- 3.1 S.25 of the Act sets out functions of permit authorities. These functions are varied but as summarised include:
- Acceptance and consideration of applications and documents submitted.

- That permits are issued / refused in accordance with the Act.
- That work performed under a permit is performed appropriately.
- To educate the public concerning building and plumbing requirements, including their duties as owners of properties applicable to the Act.
- Make itself aware of building work, plumbing work or demolition work being performed in the municipal area including the use and occupation of buildings.
- Enforce orders etc. and if applicable, ensure that proceedings are instituted.

3.2 S.24 of the Act sets out who is a permit authority. S.24(2)(b)(i) states “*a function or power of the permit authority for the municipal area is only performed or exercised in respect of the municipal area by the licensed person, within the meaning of the Occupational Licensing Act 2005, nominated by the council*”

#### **4. DISCUSSION**

- 4.1 On or around August 2024 the Act was amended and excluding the relevant transitional and savings provisions, and subject to any other authority, a function or power of the permit authority may only be performed by a person nominated by Council.
- 4.2 On review of the *Occupational Licensing (Building Services Work) Determination*, it is confirmed that Ms Magee meets the minimum requirements for a new application under the category ‘*Permit Authority (Individual)*’.
- 4.3 Ms Magee has applied to be a licenced person within the meaning of the *Occupational Licensing Act 2005*, and it is likely if the recommendation is supported, she will be contemporaneously issued a building services licence and deemed a licenced person in accordance with the *Occupational Licensing Act 2005*.
- 4.4 It is relevant to note that the nomination is specific to a person and not a position within Council.

#### **5. FINANCE**

- 5.1 There are no financial implications to the nomination.

#### **6. ENVIRONMENT**

- 6.1 There are no environmental considerations associated to the nomination.

#### **7. COMMUNICATION AND CONSULTATION**

- 7.1 If the report is ratified, Consumer, Building and Occupational Services will be advised of the nomination.

#### **8. RISK**

- 8.1 There is no risk associated with the nomination.

#### **9. CONCLUSION**

- 9.1 On or around August 2024 the Act was amended and a function or power of the permit authority may only be performed by a person nominated by Council.
- 9.2 Ms Magee, Council’s Building Investigation and Compliance Officer is recommended for nomination.

**10. RECOMMENDATION**

That upon being issued a building services licence and deemed a licenced person in accordance with the *Occupational Licensing Act 2005*, Council nominates Ms Mary Magee, pursuant to s.24(2)(b)(i) of the Act, to perform the functions or powers of the permit authority within the municipal area.

**ATTACHMENTS**

Nil

Public Copy



## 16.2 KINGBOROUGH SPORTS CENTRE FEES

**File Number:** 22.124

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

**Authoriser:** Dave Stewart, Chief Executive Officer

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.  
Strategic Outcome: 1.5 An active and healthy community, with vibrant, clean local areas that provide social, recreational and economic opportunities.

### 1. PURPOSE

- 1.1 The purpose of this report is to clarify fees for use of the squash courts at the Kingborough Sports Centre.

### 2. BACKGROUND

- 2.1 At its meeting of 19 May 2025, Council adopted fees and charges for the 2025/26 Financial Year, with clarification sought on two fees pertaining to the use of squash courts at the Kingborough Sports Centre.

### 3. STATUTORY REQUIREMENTS

- 3.1 Fees and charges are set by Council in accordance with Sections 205 and 206 of the *Local Government Act 1993*.

### 4. DISCUSSION

- 4.1 The clarity sought in relation to squash court fees related to
- a) Whether the hourly charge applies per court or per person; and
  - b) The justification for the increase in the concession rate.
- 4.2 In relation to the first question, the KSC Manager has clarified that the charge is the rate applied per court per hour (not per person).
- 4.3 In relation to point b), there was a desire to align the concession rate with the member rate resulting in a 38% fee increase.
- 4.4 On reflection, it is considered that this is difficult to justify, and it is recommended that the concession fee remain at \$18.00 per hour.

### 5. FINANCE

- 5.1 Fees and charges form part of Council's operational budget.

### 6. ENVIRONMENT

- 6.1 There are no environmental matters associated with this issue.

### 7. COMMUNICATION AND CONSULTATION

- 7.1 Fees and charges are made available to the public via Council's website.

**8. RISK**

8.1 No risks are identified in relation to this matter.

**9. CONCLUSION**

9.1 Council's KSC Manager has provided clarity on squash court fees set for 2025/26.

**10. RECOMMENDATION**

That Council's Fees and Charges for 2025/26 be amended to reflect the following:

- (a) Hourly squash court hire applies per court not per person; and
- (b) The concession fee remain at \$18.00 per hour.

**ATTACHMENTS**

Nil

Public Copy

## 16.3 APPENDICES

### RECOMMENDATION

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

## 17 NOTICES OF MOTION

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

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

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### RECOMMENDATION

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

#### Confirmation of Minutes

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

#### Applications for Leave of Absence

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

#### Tender Assessment - AB2508 Illawong Hinsby Stormwater Upgrade

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

#### Tender Assessment - AB2511 Channel Highway Footpaths and Shared Path Construction - Snug

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

#### Tender Assessment - AB2510 Ewing Avenue Stormwater Upgrade

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

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	
Tender Assessment - AB2508 Illawong Hinsby Stormwater Upgrade	
Tender Assessment - AB2511 Channel Highway Footpaths and Shared Path Construction - Snug	
Tender Assessment - AB2510 Ewing Avenue Stormwater Upgrade	

### CLOSURE

Public Copy

## APPENDICES

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- A Mayor's Activities 1 May 2025 to 28 May 2025
- B Development Services Quarterly Report
- C Quarterly Summary Action Report to March 2025

Public Copy

**A MAYOR'S ACTIVITIES 1 MAY 2025 TO 28 MAY 2025**

DATE	LOCATION	ITEM
5 May	Civic Centre	Chaired Kingborough Emergency Management Committee meeting
	Civic Centre	Chaired Council Meeting
6 May	Kingston	Presentation to Kingston University of the Third Age
9 May	Sydney	Attended Australian Local Government Association Board Meeting
12 May	Civic Centre	Chaired Council Workshop on Draft Operating Budget
14 May	Launceston	Attended LGAT GMC Dinner
15 May	Launceston	Attended LGAT General Management Committee meeting
16 May	Margate	Attended Council's Road Safety Event at Dru Point, Margate
17 May	Kingston	Attended State Gymnastics Championships and presented medals.
18 May	Kingston	Attended media event for AFL HPC Budget announcement
19 May	Civic Centre	Chaired Council meeting
21 May	Online	Participated in training: How to handle media in a disaster or emergency.
	Tinderbox	Visited Mrs F Bender, accompanied by the CEO, to discuss planning matters
22 May	Hobart	Attended event to celebrate 10 <sup>th</sup> anniversary of Tassie Mum's
23 May	Online	Attended Australian Local Government Womens Association (Tas) meeting
	Civic Centre	Met with Jeff Ross (Kingborough Knights) and Dan Wylie (Kingborough Tigers) to discuss AFL HPC
	Kingston	Attended Kingborough Council celebration of volunteers event – also in attendance – the Deputy Mayor, Cr Midgley and the CEO.
25 May	Margate	Opened Tasmanian Karate Championships and presented medals
26 May	Hobart	Monday Mayor on ABC Radio
	Civic Centre	Met with Chris Palmer and Alan Gluyas, Kettering Community Association, along with the CEO.
	Civic Centre	Chaired Workshop on Capital Works Program
28 May	Online	Attended online webinar by LGAT on procurement



## B DEVELOPMENT SERVICES QUARTLERLY REPORT

**File Number:**

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

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

### 1. INTRODUCTION

Development Services has Planning Authority delegations under the *Land Use Planning and Approvals Act 1993* and is the Permit Authority for plumbing and building applications under the *Building Act 2016*. These responsibilities include related enforcement functions.

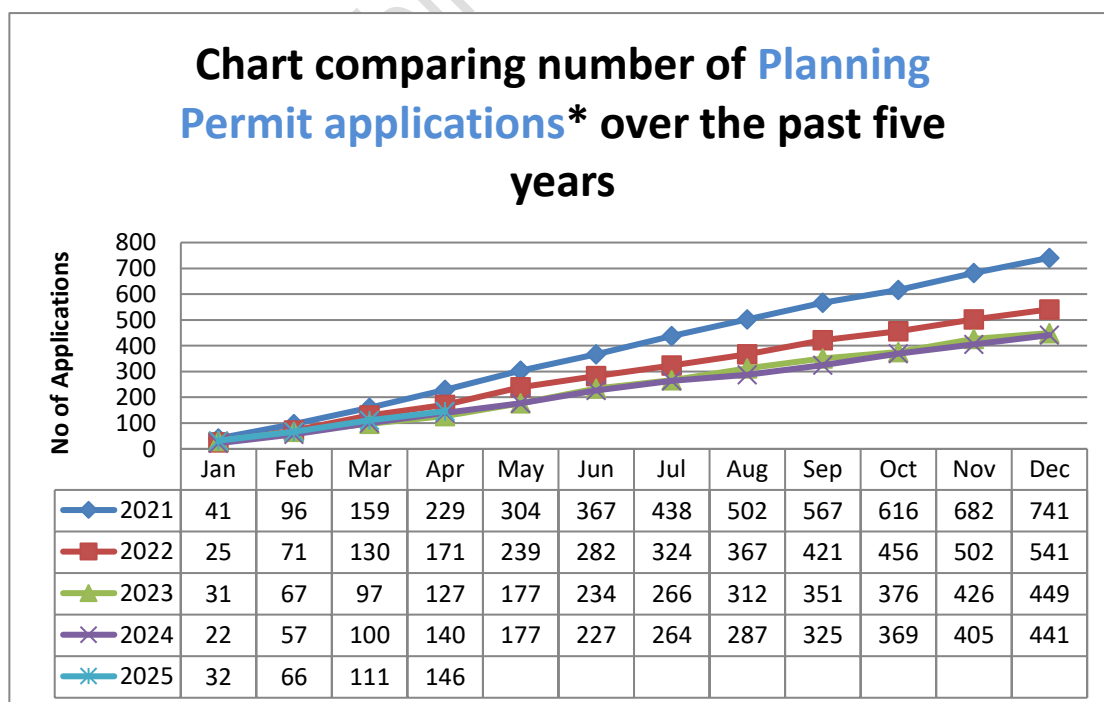
This report provides an update on Development Services' building and planning permit activity including lodgement numbers; Tasmanian Civil and Administrative Tribunal (TASCAT) and Tasmanian Planning Commission (TPC) matters; and strategic planning matters.

### 2. PLANNING

#### 2.1 Planning application lodgement numbers (calendar year)

The chart below details the total number of planning applications lodged until the end of April 2025 compared with the number of applications lodged at the same time over the past five years.

The data included is for development applications only. Applications for subdivisions, sealed plan amendments, strata applications, adhesion order applications, planning scheme amendments, minor amendments, extensions to the life of a permit or pre-application meetings are not included.



The chart shows a slight increase in the number of applications lodged compared to the two years before. The development industry has seen a slow in growth which may be attributed to the remaining high house prices, the high cost of living and interest rates that are relatively higher than previous years.

## 2.2 Progress of Kingborough's Local Provisions Schedule – moving to the 'Tasmanian Planning Scheme' and public consultation.

Council's adopted draft of the Kingborough Local Planning Provisions (LPS) of the Tasmanian Planning Scheme was sent to the Tasmanian Planning Commission (TPC) on 13 December 2019 (additional information was sent on 18 December 2019). A second iteration of the plans (with corrected data) was adopted at the Council Meeting on 11 February 2020 and forwarded to the TPC for their consideration.

On 18 September 2024, the TPC directed Council to undertake the required public exhibition between 9 October and 9 December, which is a 60 day period.

### What happens next?

#### Council meeting

All representations received are being reviewed and will be summarised in a report to Council within the next three months. The report will include Council's consideration of the representations and provide recommendations for any changes to the exhibited draft LPS. As part of the report, Councillors will be provided a copy of all representations. Any recommendation for alterations to the draft must be considered within the limitations of the provisions of the Tasmanian Planning Scheme and LPS Guidelines.

#### Public hearings hosted before implementation

Following the delivery of the afore mentioned report, it will be forwarded to the TPC, with a copy of all representations received. The Commission will then send invitations to all individuals who made written submissions to attend the hearings.

The hearings are managed by the Commission, and it is anticipated that they will take place in the second half of this year, although the dates and venues are yet to be confirmed by the TPC. The TPC are required to consider the written representations, public hearing submissions and the submissions or responses made by Council at the hearings before making a final decision on the final version of the Tasmanian Planning Scheme that will apply in Kingborough.

## 2.2 State Government's development of the Tasmanian Planning Policies (TPP's)

The Tasmanian Government is developing a suite of Planning Policies that are integral to the overall Planning Reform project. Consultation on the drafted policies commenced in October 2021 with a scoping process, followed by consultation on a first draft of the policies commencing in September 2022. In total, 73 submissions, including from Kingborough, were received.

In February 2023, Councils were invited to the State Planning Office to discuss the consultation, the outcomes so far and the development of those policies. The meeting highlighted a number of key issues raised from the consultation, including implementation and proposed general application statement for the policies – it also proposed removal of the implementation strategies for each policy.

The policies were released for general public consultation from 28 March to 26 June 2023 as part of the independent review process undertaken by the Tasmanian Planning Commission. During October 2023, the Tasmanian Planning Commission hosted hearings for submitters. The hearings were split into topics and Kingborough was represented for each of those. Further information is available at [www.planningreform.tas.gov.au](http://www.planningreform.tas.gov.au).

The Tasmanian Planning Commission finalised its review of the TPPs during 2024 following the conclusion of the hearings. This included consideration of the submissions and information gathered at the hearings. The Commission made its recommendations to the

Minister for Planning, including any modifications that may be necessary. The Minister is still considering the recommendations before determining whether to make the TPPs, including any modifications. The making of the TPPs triggers reviews of the regional land use strategies and State Planning Provisions for consistency.

There has been no recent update on the timing or actions of the policies to be finalised.

### **2.3 State Government's current review of the State Planning Provisions (SPP's)**

The SPPs are the State-wide set of planning rules in the Tasmanian Planning Scheme (TPS). The SPPs are used for the assessment of applications for planning permits. The SPPs contain the planning rules for the 23 zones and 16 codes in the TPS, along with the administrative, general, and exemption provisions.

It is a legislative requirement that the State Planning Provisions are reviewed every five years (the review date landing before many Council's were on the new Scheme).

The State Government has commenced the work on the five-year review. Between May and August 2022, public scoping consultation was undertaken with follow-up workshops with Councils and others who made submissions. Kingborough made a submission and attended workshops. There was a total of 163 submissions made. A summary of the key issues raised in the SPP scoping consultation has been released and is available on the Planning in Tasmania website. To deal with the vast number of issues to be considered and the numerous submissions, the State Planning Office (SPO) has broken the work program up by topic and assigned seven 'action groups' to focus on those groups. The Action Groups have commenced, with Kingborough participating in them. Several amendments to the SPPs have been progressed from the review, including:

- Two sets of minor amendments to correct errors and anomalies and clarify various provisions in the SPPs (both approved during 2024);
- Updates to the Landslip Hazard Code and two coastal hazard codes to improve the exemptions (approved in January 2025);
- Amendments to the requirements for agricultural worker accommodation in the rural zones (yet to be finalised); and
- Various amendments related to exemptions, subdivision, employment training and home-based child care (recently consulted on).

The SPO recently published the recommendations from the Improving Residential Standards in Tasmania project, which recommends various amendments to the SPPs to improve the requirements urban residential development. These are informing amendments to the SPPs that are being prepared by the SPO. More information is available on the [Planning in Tasmania website](#).

In related work, updates to the Landslip hazard planning maps are being progressed by Mineral Resources Tasmania (MRT) and the SES recently released the Tasmanian strategic flood maps. These will inform amendments to the Landslip Hazard Code and the Flood Prone Areas Hazard Code in the SPPs.

### **2.4 State Governments Regional Planning Framework and review of the Southern Tasmania Regional Land Use Strategy**

The Land Use Planning and Approvals Act 1993 (LUPA Act) provides for the making and, to a limited extent, the review of the Regional Land Use Strategies (RLUSs). Kingborough is included in the Southern Regional Land Use Strategy (STRLUS). The State government intends to deliver reforms to the regional planning framework in two stages.

A discussion paper on the review on the Regional Planning Framework was released for comment between November 2022 and February 2023. The discussion paper sought feedback on options for the Stage 1 improvements to the regional planning framework, including how it can better provide for the scope and purpose of the RLUSs and processes around their assessment, review and amendment. The improvements were intended to support the current reviews of the RLUSs, with potential legislative and administrative changes.

A copy of the submissions to the discussion paper received are available on the State Planning Office website. Kingborough was involved in workshops to help inform the preparation of the discussion paper.

After considering the submissions received, the Minister for Planning determined to prioritise the reviews of the RLUSs over progressing any legislative change to the regional planning framework.

A key component of this work will include a long-term Settlement Strategy for Southern Tasmania, backed up by demand and supply analysis to guide planned sequenced growth in potential growth areas, and areas for urban renewal and densification over coming years. More information on the project including a State of Play document that provides key data of population trends, economic shifts, environmental changes is available on the [Shaping Tasmania Webpage](#).

The STRLUS review was being coordinated by a Southern Regional Planning Coordinator that was appointed by the Southern Tasmanian Councils Authority. The project was co-funded by the SPO and Councils, including Kingborough. The project was recently handed back to the SPO for finalisation following an agreement between the project Steering Committee and the State Government. Further information on how the project will progress will be provided by the SPO.

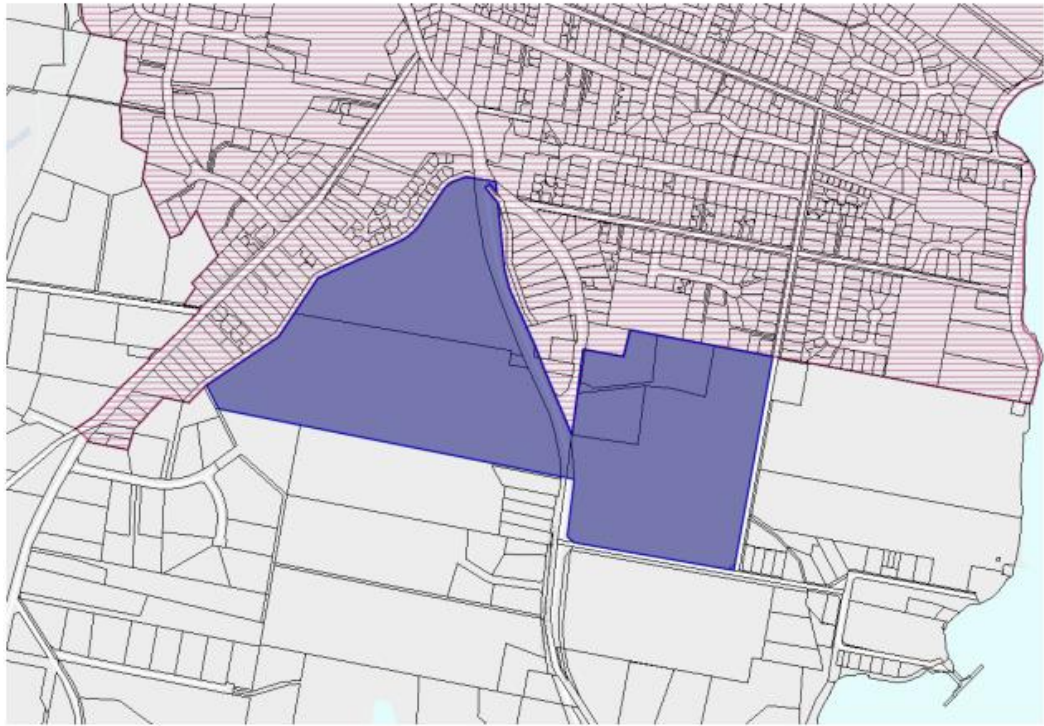
## **2.9 Changes to the Urban Growth Boundary (UGB) ahead of the finalisation of the STRLUS review**

The STRLUS provides an UGB for greater Hobart, which sets the outer limits of urban land use. It includes land zoned for a range of uses, including industrial, commercial, civic, open space, recreational, urban and suburban residential development.

The UGB aims to identify places where residential growth should happen and influence how that growth happens (e.g., where higher density housing should or should not occur). In doing this, the UGB also considers the State and local government's ability to provide adequate infrastructure (e.g. roads, water) and services (e.g. schools, shops, public transport) to support that growth.

Once the STRLUS has identified a place for residential growth, local government or developers can use this information to inform proposals for rezoning land so that residential growth can be delivered on the ground.

The Minister for Planning made changes to the UGB in May 2025 ahead of the STRLUS review to deliver an additional 10,000 houses in the Greater Hobart Area. The changes include an UGB amendment south of Margate consistent with the area that is identified for future growth in the *Kingborough Land Use Strategy 2019*. This change is also in line with the Council's submission indicating support. It provides for an addition 33.1ha of land in the UGB for Kingborough and a much-needed interim arrangement to contribute to the housing choice in the municipality and also aligns with a recent rezoning application Council initiated.



*Figure 1 - Area of Margate where the UGB has been extended*

## 2.10 Remake of the Environmental Management and Pollution Control (Noise) Regulations 2016

As key stakeholders to the *Environmental Management and Pollution Control (Noise) Regulations 2016*, NRE Tas is advising Tasmania Police and Tasmanian Councils that **stage one** of the consultation process on the remaking of these Regulations is now open, in the form of an online information collecting survey.

In accordance with section 11(2) of the *Subordinate Legislation Act 1992*, the *Environmental Management and Pollution Control (Noise) Regulations 2016* expire on the tenth anniversary of the date on which they were made, being August 2026.

The Noise Regulations are made under Section 102 of the *Environmental Management and Pollution Control Act 1994*, Tasmania's key legislation for assessment and regulation of a range of environmentally relevant activities. The objective of the Noise Regulations is to limit the impact of noise in residential neighbourhoods. The Regulations achieve this by applying a broad approach to the management of noise that can be applied in all municipalities. Individual councils have the option of creating bylaws to manage noise issues that may be of particular significance in their area, e.g. more specific provisions to control trail bike noise.

The remaking of the Regulations provides an opportunity to review the current Regulations and update where appropriate. As a key stakeholder, NRE Tas ask that survey is completed by one appropriately knowledgeable person per Council and one person that represents the views of Tasmania Police. NRE Tas will use the information collected through the survey as the basis of identifying and analysing what changes might be required.

The stage 1 survey input is due 12 June 2025.

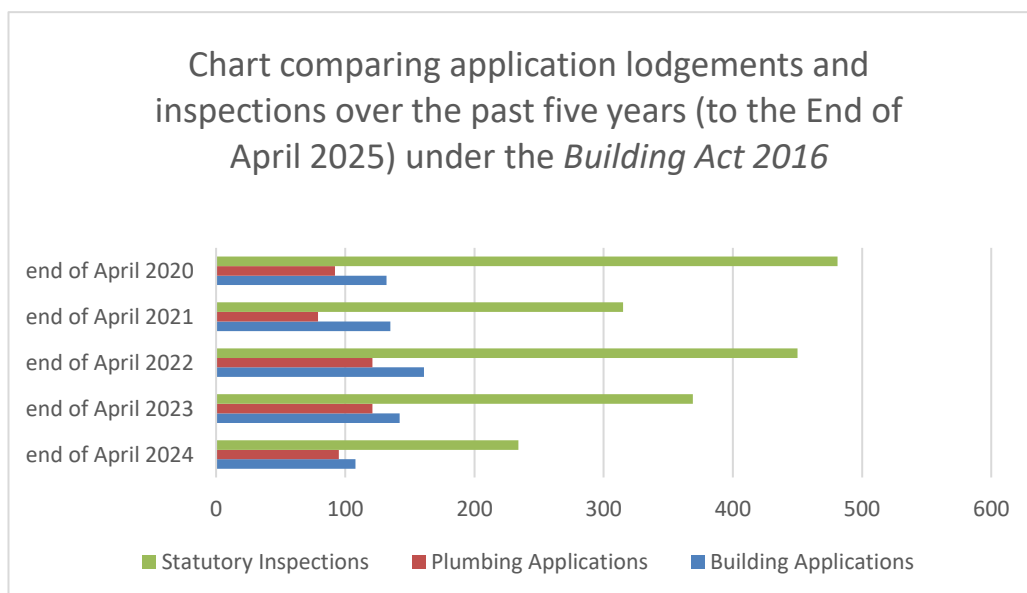


## 2.11 Active/recent Planning Appeals

APPLICATION DETAILS	PROPOSAL	APPEAL TYPE	KEY DATES / LATEST ACTIONS
P/2024/87 DAS-2023-13 'Tinderbox Pty Ltd' 441 Tinderbox Road TINDERBOX	10 lot subdivision	Appeal by representor against Council's decision to issue a Permit.	Consent agreement (reducing the number of lots) was arrived at during mediation. Amended permit issued 28/04/2025.
P/2025/14 DA-2023-445 1 Channel Highway, KINGSTON (Kingston Golf Club)	Construction of an earth mound	Representor appeal against decision to issue a permit.	Following preliminary hearings and preliminary mediation, the appellant withdrew their appeal on 25 March 2025.
P/2025/10 DA-2024-405 9 James Avenue, KINGSTON BEACH	Visitor accommodation	Applicant's appeal against a request for further information.	Tribunal ruled in Council's favour, the applicant is required to submit the required information. Decision issued 28 April 2025.
P/2024/115 DA-2022-430 308 Old Station Road, LOWER SNUG	Vegetation clearance (retrospective approval)	Applicant appeal against Conditions of the permit.	Mediation is continuing following the onsite mediation meeting. There is an in-principle agreement that needs to be formalised.
P/2025-42 DA-2024-438 182 Tinderbox Road, TINDERBOX	Buildings and works	Applicant's appeal against a request for further information.	The applicant submitted the information and at the preliminary hearing on 19 May 2025 agreed that they would withdraw their appeal.
P/2025/32 & P/2025/35 DA-2024-245 'Mary's Grange', 5 Grange Avenue, TAROONA	Multiple dwelling development	Representor appeal against decision to issue a permit.	Mediation not to occur because not all parties agreed to attend. Full hearing scheduled for 14 August 2025.

## 3. Building and Plumbing

### 3.1 Building and Plumbing applications and inspection numbers





The chart above shows total number of application lodgements for the year to date, compared to previous years. The chart demonstrates a slow down of builds that are being completed (and presumably started) in comparison to previous years. It is likely to be the same external influences such as cost of building and high interest rates that are affecting the number of planning permit applications being lodged is affecting how many people are completing builds.

The chart does not demonstrate all the department's work but is a representation of one aspect that shows activity trends in the local building industry. Much of the department's regular work activity is in regard to building and plumbing compliance.

### **3.2 Building Services Providers Licensing Forum**

On 7 April 2025, CBOS hosted the Building Services Providers Licensing Forum, bringing together key stakeholders for a dynamic discussion on the current licensing system for building service providers in Tasmania.

The forum provided a valuable platform to address concerns and brainstorm potential solutions to enhance the efficiency and effectiveness of the licensing process. Topics such as conditional licensing, CPD, and legislative changes were discussed.

Attendees found the forum both informative and beneficial, and we look forward to continuing our engagement with the building industry.

### **3.3 Planning for Bushfire Prone Areas**

The Tasmania Fire Service has partnered with the University of Technology Sydney to deliver a Planning for Bushfire Prone Areas Short Course in Hobart in June 2025. The course will cover the essentials for designing, planning, and building in bushfire prone areas in the Tasmanian context. It is designed for planning and development professionals with relevant industry experience.

Read the [TFS Building for Bushfire Bulletin](#) to find out more.

### **3.4 Work on fire-rated penetrations**

A Builder, as defined under the *Building Act 2016* (the Act), is responsible for ensuring that penetrations through passive fire-rated building elements are adequately sealed. While the installation of passive fire-rated elements, including penetration protection (collars etc), can be undertaken by any trade or competent person, it is the builder who must ensure the fire-rating of a building element is achieved.

Service trades, including plumbers and electricians, intending to install, modify or remove passive fire-rating elements, should discuss these matters with the builder prior to working on a fire-rated element. Any work on a fire-rated element may compromise the integrity of that element.

Example: A plumber is engaged to install a new service through the structural slab of a multi-storey building. The required fire sealing of that penetration is deemed notifiable building work and must only undertaken with the approval of a building surveyor.

For further information, you can contact the Technical Regulation team at CBOS or the Permit Authority of the Local Council where the work is located.

**C QUARTERLY SUMMARY ACTION REPORT TO MARCH 2025**

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

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
<b>1.1</b>	<b>A Council that engages with an enables its community</b>					
1.1.1	Maximise community engagement and communication by using fit-for-purpose technology solutions that are easily accessible to the community.	Digital Experience & Governance	75	25	➔	Council endorsed the Council Chambers AV upgrade. Tender has been released (will be open for 3 weeks). The Digital Experience strategy (transformation) prioritises the community experience, which includes a refresh of our brand identity and new or replacement front-end online services (website, bookings, payments, issue reporting, engagement, etc.) This is currently pending Council budget approval for 25-26 delivery.
1.1.2	Deliver services and events to ensure the needs, issues and aspirations of young people in our community are embedded into program delivery by Council.	Community Services	75	75	●	<ul style="list-style-type: none"> <li>❓ School Holiday Program.</li> <li>❓ Multiple youth art and skills workshops each month.</li> <li>❓ Youth Action Kingborough meeting</li> <li>❓ Get ready for work program completed with Woodbridge High.</li> </ul>
1.1.3	Provide services and programs that meet the needs of older people in our community.	Community Services	75	75	●	Ongoing delivery of initiatives including, Tuesday Talks, Intergenerational Pop-up café, seniors exercise classes.
1.1.4	Undertake stakeholder engagement as part of the development, review and updates of Council strategies and masterplans.	Governance	75	75	●	Council continues to actively engage with our community. Recently, Council undertook proactive engagement around the development of our 25/26 budget. These insights will also be actively used in the development of ongoing work programs.

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
1.1.5	Undertake community consultation in relation to Council's budget.	Finance	75	100	✓	Budget priorities survey undertaken
1.1.6	Maintain an active involvement at regional and state government levels to advocate on behalf of the local community.	Executive Management	75	75	●	Senior council staff are actively involved in a range of regional and state wide collaboration fora. Council has written submissions to various state consultations including the DAP bill and the Local Government Priority Reform Program.
<b>1.2</b>	<b>An inclusive community that has a strong sense of pride and local identity</b>					
1.2.1	Deliver a range of civic, cultural and community events that celebrate local attributes.	Community Services	75	75	●	Multiple events held, including the Really Really Free Market, film screenings at the Hub, the Great Kingborough Bakeoff and a Harmony Week event.
1.2.2	Provide services, events, advocacy and leadership for arts and culture.	Community Services	75	75	●	Establishment of Kingborough Creatives - a series of networking and skills building sessions for local artist. Multiple art workshops held at KIN creative space, ARTBOX installation at Kingston Beach. Installation sculpture on sculpture trail.
1.2.3	Maximise the usage of the Kingborough Community Hub as a focal point for community activities.	Community Services	75	75	●	High utilisation of Hub during the reporting period for Council and community events and for private hirers. Events include Harmony Week, the Great Kingborough Bakeoff, Tamil New Year, multiple film screenings and an Easter childrens event.
1.2.4	Prepare a Local Historic Heritage Code to protect the historic cultural heritage significance of places, precincts and landscapes.	Development Services	75	0		There is a Planning Scheme Code already in place, however it is in need of updating. No budget allocation to do this.
1.2.5	In partnership with local community groups, develop heritage trails and interpretive signage for areas of historical and cultural significance.	Recreation & Property	75	75	●	Interpretive signage installation has accompanied the development of tracks and trails.

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
1.2.6	Implement the <i>Kingborough Multicultural Action Plan</i> .	Community Services	75	75	●	Harmony Week Event, Grant funding received to deliver 'Kingborough Together' which will be delivering a series of cultural learning workshops.
<b>1.3</b>	<b>A resilient community with the capacity to flourish</b>					
1.3.1	Meet obligations under the <i>Emergency Management Act 2006</i> and Tasmanian Emergency Management arrangements.	Emergency Management	75	75	●	Council were engaged and responded in accordance with applicable obligations to the Snug Tiers bushfire.
1.3.2	Support the community to prepare for emergency events.	Emergency Management	75	75	●	Initiatives include 'grab and go bags' in community locations with guidance for preparation of supplies, provided a high level of support for the community information session for Snug Bushfires, continued with Be Ready Bruny Program and implementation of DPAC resource and resilience grants.
1.3.3	Identify the municipality's risks and vulnerabilities to different hazards and then put specific measures in place to help manage and reduce them.	Emergency Management	75	75	●	Commenced review of Emergency Management Plan in accordance with the new template - which encompasses a detailed review of municipal risks and vulnerabilities.
1.3.4	Deliver the Kingborough Volunteer Program to assist older residents to continue to live in the community with dignity.	Community Services	75	75	●	Ongoing
1.3.5	Continue organisational support for volunteering opportunities and recognise and celebrate volunteers in the community.	Community Services	75	75	●	Volunteer celebration planned during reporting period.
1.3.6	Provide support to community groups through a transparent and targeted provision of grants for community-based projects.	Community Services	75	75	●	Three quick response grants approved during the reporting period.

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
<b>1.4</b>	<b>A Council that acknowledges the existence of a climate change and biodiversity emergency and has in place strategies to respond</b>					
1.4.1	Facilitate community engagement on climate change and strengthen community resilience to its impacts.	Environmental Services	75	75	●	Projects progressing to communicate the local impacts of climate change and to develop skills and tools in this type of engagement
1.4.2	Implement the <i>Kingborough Coastal Hazards Policy</i> to guide Council coastal works and asset management actions in the context of climate change.	Environmental Services	75	75	●	Decision tool complete; work progressing to deliver assets at risk from coastal hazards prioritisation tool
1.4.3	Develop and implement a Stormwater Strategy to address the management of the flood risk and within Council's urban drainage catchments.	Engineering Services	75	75	●	Decision making framework for assessing risk of council works in coastal hazard areas complete. Assets at risk of coastal hazard prioritisation project underway. Completed grant application for statewide coastal hazard program.
<b>1.5</b>	<b>An active and healthy community with vibrant, clean, local areas that provide social, recreational and economic opportunities</b>					
1.5.1	Implement the <i>Kingborough Tracks and Trails Action Plan</i> .	Recreation & Property Services	75	75	●	Development of the North West Bay River Track has been progressed in the last quarter.
1.5.2	Continue to review, update and implement the <i>Recreational Water Quality Management Strategy</i> to improve the water quality of Council's beaches used for recreational activities.	Environmental Services and Engineering Services	75	75	●	Summer recreation water quality monitoring complete. Investigation into poor water quality at southern and Blackmans Bay beach ongoing.
1.5.3	Implement priority actions from the <i>Kingborough Sport and Recreation Strategy</i> .	Recreation & Property Services	75	75	●	Implementation of actions is funding dependent and ongoing.
1.5.4	Implement the Kingborough Community Health and Wellbeing Strategy.	Community Services	75	75	●	Many of the initiatives under the Health and Wellbeing Strategy are the continuation of existing Council programming (i.e. a Dose of Nature, implementation of the Tracks and Trails Strategy). Other initiatives include

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
						a 'Fitter Together Program' a weekly guided walking group and free blood pressure checks.
1.5.5	Develop an Active Transport Positive Provisioning Policy to support the development, maintenance and improvement of active transport infrastructure. "Active transport" is transport requiring physical activity, typically walking and riding a bike and can include other personal mobility devices.	Engineering Services	75	100	✓	Plan developed and adopted by Council
<b>2.1</b>	<b>Service provision meets the current and future requirements of residents and visitors</b>					
2.1.1	Ensure that systems are in place to enable the electronic lodgement of applications and online bookings for facilities.	Business Services	75	25	➔	The Digital Experience strategy (transformation) prioritises the community experience, which includes a refresh of our brand identity and new or replacement front-end online services (website, bookings, payments, issue reporting, engagement, etc.) This is currently pending Council budget approval for 25-26 delivery.
2.1.2	Provide a publicly accessible GIS that enables a good understanding of property related opportunities and constraints.	Business Services	75	100	✓	Interactive maps with various use-cases (e.g. waste collection, tracks and trails, planning scheme, land and roads, local links) have been published on the website for community access.
2.1.3	Develop and implement a Continuous Improvement program.	Governance	75	60	➔	Implementation of the program has stalled following the resignation of Council's Business Improvement Officer in March.
<b>2.2</b>	<b>Infrastructure development and service delivery are underpinned by strategic planning to cater for the needs of a growing population</b>					
2.2.1	Complete and implement the <i>Margate Master Plan</i> .	Engineering Services	75	100	✓	All work planned for 24/25 is complete with the Margate Master plan adopted by Council, recommended actions will be considered in future years
2.2.2	Update the <i>Central Kingston Parking Strategy</i> .	Engineering Services	75	100	✓	Strategy completed and adopted by Council recommended actions will be considered in future years



No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
2.2.3	Develop and implement master plans for Council's sportsgrounds.	Recreation & Property Services	75	75	●	Development and implementation of sportsground master plans occurs on an ongoing basis and is subject to funding and resourcing.
2.2.4	Deliver the annual infrastructure Capital Works program.	Engineering Services	75	75	●	Capital works program continuing with just over 75% of projects commenced or committed to.
2.2.5	Review Council's Integrated Transport Strategy.	Engineering Services	75	100	➔	Strategy is complete and has been presented to council and endorsed.
2.2.6	Develop an unsealed roads policy.	Engineering Services	75	60	➔	Initial work towards the development of the policy is being undertaken.
2.2.7	Develop a street lighting policy.	Engineering Services	75	60	➔	Initial work towards the development of the policy is being undertaken.
2.2.8	Develop a rural stormwater policy.	Engineering Services	75	60	➔	Initial work towards the development of the policy is being undertaken.
2.2.9	Review the Long-Term Financial Plan to ensure that Council has the capacity to deliver on the strategies identified to implement its Strategic Plan.	Business Services	75	100	➔	Completion and adoption deferred pending improvements in asset planning to better inform the LTFP.
<b>2.3</b>	<b>Community facilities are safe, accessible and meet contemporary standards</b>					
2.3.1	Through the Disability Inclusion and Access Advisory Committee, improve the accessibility of Council's services, buildings and information to people with a disability.	Community Services, Recreation & Property Services	75	75	●	<ul style="list-style-type: none"> <li>Council is progressively improving access to facilities through the implementation of a range of strategies.</li> <li>Initiatives include advocacy to the Minister Palmer MLC regarding the review of wheelchair accessible taxis and scheduling community communications to raise awareness of invisible disabilities.</li> </ul>
2.3.2	Implement the <i>Kingborough Public Toilet Strategy</i> and ensure effective provision, upgrading and maintenance of Council owned public toilets throughout the Municipal Area.	Recreation & Property Services	75	75	●	Silverwater Park and Trial Bay toilets have been replaced over the past three months.

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
2.3.3	Implement the <i>Kingborough Playground Strategy</i> to provide a comprehensive network of quality, accessible and well-maintained playgrounds throughout Kingborough.	Recreation & Property Services	75	75	●	Implementation of the Playground Strategy has continued with works at Silverwater Park and Mt Royal Park.
2.3.4	Develop a building maintenance schedule and inspection regime to provide proactive maintenance of Council's buildings and community facilities.	Works Department	75	75	●	This is progressively being developed.
2.3.5	Implement the <i>Kingborough Community Halls Strategy</i> to provide accessible and functional halls throughout Kingborough.	Recreation & Property Services	75	75	●	Implementation of the Community Halls Strategy has continued with work undertaken at Snug Hall.
<b>2.4</b>	<b>The organisation has a corporate culture that delivers quality customer service, encourages innovation and has high standards of accountability</b>					
2.4.1	Develop and deliver a Customer Service Strategy for the organisation.	Governance	75	75	●	Council's Customer Service Charter has been reviewed and implementation is ongoing.
2.4.2	Develop baseline data on customer satisfaction and use this to develop KPI targets and identify process improvements.	Governance	75	25	➔	Some work on this has been undertaken but the process has stalled in the absence of a Business Improvement Officer.
2.4.3	Develop and deliver a cultural change program for the implementation of operational accountability.	Governance	75	25	➔	Limited progress has been made on this item and additional resourcing is required for full implementation.
<b>3.1</b>	<b>A Council that values and prioritises its natural environment, whilst encouraging investment and economic growth</b>					
3.1.1	Develop Council's Tree Strategy 2023-2033 and maintain a Register of Significant Trees	Environmental Services	25	25	➔	No progress on strategy this quarter due to higher priority work. Significant tree register maintained.
3.1.2	Finalise and implement the Kingborough Tree By-Law to provide appropriate protection for trees on private land.	Governance, Environmental Services	75	25	➔	Ongoing work to finalise the review and update the draft by-law
3.1.3	Deliver biodiversity offset projects under the <i>Kingborough Environmental Fund Implementation Plan</i> .	Environmental Services	75	75	●	Offset projects to achieve targets progressing as per Implementation Plan.

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
3.1.4	Manage the natural area reserve network through the development and implementation of both new and existing reserve management plans.	Environmental Services	75	75	●	Management of natural areas network ongoing including protection, restoration and monitoring.
3.1.5	Develop and implement existing Creek Maintenance Plans that improve the health and function of urban waterways.	Environmental Services/ Works	75	50	➔	No progress on Creek Maintenance Plan implementation. Urban creek water quality project progressed and ongoing monitoring and protection of creeks on Council land.
<b>3.2</b>	<b>A community that has a well-developed sense of natural and cultural heritage</b>					
3.2.1	Provide opportunities and engage the community in the conservation and restoration of our natural areas, wildlife and plants.	Environmental Services	75	75	●	Community events and education campaigns including a focus on Whitewater Creek, Where Where Wedgie, Dose of Nature and Seniors walks.
3.2.2	Foster positive working relationships with landcare groups across the municipality, coordinating the network of volunteers to achieve good environmental outcomes.	Environmental Services	75	75	●	Support for local groups including provision of technical advice, tools, plants, provision of insurance and grant support.
3.2.3	Implement the North West Bay River Catchment Management Plan in partnership with the community and key land managers in the catchment.	Environmental Services	75	75	●	No action this quarter, however implementation of the plan is on track.
3.2.4	Work with the Tasmanian Aboriginal community to promote community understanding of cultural heritage.	Community Services	75	75	●	Partnership with SETAC to employ Trainee Aboriginal Land Management Officer. Cultural Competency Training completed by Environmental Services, Communications and Community Services teams.
<b>3.3</b>	<b>Council is able to demonstrate strong environmental stewardship and leadership</b>					
3.3.1	Implement the <i>Kingborough Waste Management Strategy 2018</i> to deliver cost effective and efficient waste and recycling services to residents, improve recycling rates, reduce emissions and energy usage and reduce the impacts of illegal dumping and littering.	Engineering Services	75	75	●	Core waste services continue. A trial of soft plastic recycling has recently commenced.

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
3.3.2	Implement the <i>Kingborough Dog Management Policy 2018</i> and provide education and enforcement of restrictions in areas with environmental values.	Compliance	75	75	●	Implementation of the Policy is ongoing.
3.3.3	Develop and implement an Environmental Management System to support continuous improvement of environmental performance and ensure that Council meets its statutory responsibilities under environmental legislation.	Environmental Services	75	50	➔	Development of EMS ongoing. Completion projected Q2 2025-26.
3.3.4	Promote responsible cat ownership and work with the community and stakeholders to implement programs that minimise the impacts of cats (via predation, disease and nuisance).	Environmental Services	75	75	●	Ongoing support for landowners to manage feral and stray cats. Monitoring and trapping completed at multiple sites on council land. Preparation for Huntingfield Housing Development cat prohibition on track.
<b>3.4</b>	<b>Best practice land use planning systems are in place to manage the current and future impacts of development</b>					
3.4.1	Review the <i>Kingborough Land Use Strategy</i> .	Development Services	75	25	➔	Was updated in 2019. Waiting on STRLUS review.
3.4.2	Finalise the Local Provisions Schedule in order to enable the declaration of the new Kingborough Planning Scheme.	Development Services	75	65	➔	Exhibition period ended 9 December 2024. s35F report due to the TPC 23 July 2025 (to go to Council Meeting before that). Then hearings will commence (as determined by the TPC)
3.4.3	Implement the <i>Kingborough Weed Management Strategy 2017-2027</i> .	Environmental Services	75	75	●	Strategic weed control across Council land ongoing. Community education campaign on pampas commenced.
<b>3.5</b>	<b>Management of environmental assets is based on professional advice and strategic planning</b>					
3.5.1	Develop and implement a natural areas and biodiversity strategy to underpin the management of Council's natural area reserves network and	Environmental Services	75	0	➔	No progress on strategy this quarter

No.	Description	Department	YTD Target %	YTD Actual %	Status	Comment
	approach to managing the key threatening processes for biodiversity in Kingborough.					
3.5.2	Implement the <i>Bushfire Risk Reduction Strategy</i> for Council land.	Environmental Services	75	0	—	No progress on strategy this quarter due to higher priority work and team short on staff due to resignation.
3.5.3	Collaborate with key stakeholders to contribute to the recovery of threatened species and threatened vegetation communities.	Environmental Services	75	75	●	Ongoing assessment and monitoring of bushfire risk to community assets from council land, roadside risk reduction works ongoing, preparation for cool burns in Hawthorn and Boronia Hill reserves. Risk reduction works complete in 2 reserves.