

Kingborough



COUNCIL MEETING AGENDA

NOTICE is hereby given that an Ordinary meeting of the Kingborough Council will be held in the Kingborough Civic Centre, 15 Channel Highway, Kingston on

Monday, 6 September 2021 at 5.30pm

Kingborough Councillors 2018 - 2022



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Jo Westwood



Councillor Sue Bastone



Councillor Gideon Cordover



Councillor Flora Fox



Councillor Clare Glade-Wright



Councillor David Grace



Councillor Amanda Midgley



Councillor Christian Street



Councillor Steve Wass

QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports contained in Council Meeting Agenda No. 18 to be held on Monday, 6 September 2021 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Gary Arnold
GENERAL MANAGER

Tuesday, 31 August 2021

Public Copy

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GUIDELINES FOR PUBLIC QUESTIONS

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

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

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

Questions on Notice

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

Questions Without Notice

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

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

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

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

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

AGENDA of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 6 September 2021 at 5.30pm

1 AUDIO RECORDING

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

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

3 ATTENDEES

Mayor Councillor P Wriedt
Deputy Mayor Councillor J Westwood
Councillor S Bastone
Councillor G Cordover
Councillor F Fox
Councillor C Glade-Wright
Councillor D Grace
Councillor A Midgley
Councillor C Street
Councillor S Wass

4 APOLOGIES

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the open session of the Council Meeting No. 17 held on 16 August 2021 be confirmed as a true record.

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

23 August - Kingston Park and Transform Kingston
30 August - Metro Plan

7 DECLARATIONS OF INTEREST

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

8 TRANSFER OF AGENDA ITEMS

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

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

10 QUESTIONS ON NOTICE FROM THE PUBLIC

10.1 Blackmans Bay Skyline

At the Council meeting on 16 August 2021, **Ms Rosalie Maynard** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Am I incorrect in thinking Council has proposed a Special Area Plan for the Burwood Drive area?

Officer's Response:

It is correct, there is a 'Burwood Drive Specific Area Plan' proposed as part of the LPS. The SAP was reviewed and supported at the Council meeting in November 2019 before it was forwarded to the Tasmanian Planning Commission for consideration. A copy of the SAP and its controls can be viewed online in the *Kingborough Draft Local Provision Schedule - supporting report* from that meeting at:

https://www.kingborough.tas.gov.au/wp-content/uploads/2019/12/AttachmentE_SupportingReport_draft_KingboroughdraftLPS_DDM_20191120.pdf

Tasha Tyler-Moore, Manager Development Services

10.2 Walking Track, Spring Farm

Mr David Bain submitted the following question on notice:

In January 2020 Councillors went against Council Officers' advice and accepted the Spring Farm Estate developer's offer to construct a walking track through Spring Farm, in lieu of making their public open space contribution.

The result to date is that the developers have been able to hold on to \$353,000 for 20 Months (which would have otherwise been paid to Council) and in return are yet to even commence work on the track. It's also worth noting that in this same period of time, the same developers have successfully managed to find the necessary time and resources to complete several stages of their Spring Farm Estate subdivision.

Can you please advise the following:

- a) *Has the General Manager or the Mayor contacted the developer to convey any frustration and disappointment in the clear lack of focus and priority the developer has toward the commencement and completion of this walking track project?*
- b) *Given the development application for the track was lodged around the 19 April 2021, why is it that some 18 weeks later it is still yet to be advertised. Has any sense of urgency been encouraged with the track plan revisions the Council have requested be made by the developer?*

Officer's Response:

There has been substantial negotiation between Council and the developer. This is a complex trail to design. Council officers have been working with the proponents on the many and varied design considerations including: environmental values, connectivity, flooding issues, line of sight, and user conflict issues. These considerations have required collective efforts from both Council and the developer to get the best outcome – that has been the focus of both parties. Substantial work has been undertaken on the design. A development application has been lodged but Council is awaiting some final information before proceeding to the next steps.

Dr Katrena Stephenson, Director Environment, Development & Community

10.3 Environmental Fund

Ms Kate Lucas submitted the following question on notice:

The Kingborough Environmental Fund created from the collection of Biodiversity offsets had a balance of around \$800,000 in 2019. How much has been spent since then and on what projects? What is the current balance of the fund?

Officer's Response:

Expenditure from the Kingborough Environmental Fund (the Fund) is governed by the project implementation plan. This plan was completed in 2019 to guide the expenditure and governance of the Fund and is available on Council's website. A steering committee of experts and stakeholders in the field of conservation provides leadership, technical assistance, and advice on the expenditure of the accumulated offset funds.

When the Fund was created in September 2018 it was holding approximately \$800,000 in biodiversity offset contributions. Expenditure commenced in the 2017-2018 financial year following the employment of a project officer. As of the end of the 2020-2021 financial year \$345 000 had been expended.

The Fund has now received just over one million dollars to be invested in conservation and land management in Kingborough. The Implementation Plan outlines ten projects to be delivered by the Fund. These include revegetation projects to restore habitat for threatened species such as the Swift parrot and Forty-spotted pardalote and threatened vegetation communities such as Black peppermint forest on sandstone and recovery actions for threatened species such as population research and survey work. The majority of funds will be invested in permanent nature reserves on private land. Four conservation covenants under the Fund have been secured with two further covenants to be completed in coming months. The program is on track to meet all of the target outcomes set out in the implementation plan.

Liz Quinn, NAB Coordinator

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

12 QUESTIONS ON NOTICE FROM COUNCILLORS

12.1 Woodbridge Hall and Budgeted Costs

At the Council meeting on 16 August 2021, **Cr Bastone** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

In relation to my question at the last Council meeting regarding the installation of insulation bats being placed in the ceiling of Woodbridge Hall, it was stated there had been insufficient money to do this as the roofs cost budgeted for \$75,000, had in fact been over cost by \$2,000. How many jobs contracted in the last year have come in right on budget and what is the average overrun?

Officer's Response:

An average overrun measure across the entire Capital Program does not have a lot of meaning as a measure as projects may be under or over budget for many reasons with the focus being more individual project management to scope and desired outcome coupled with overall budget control across the entire program. For example for 2020/21 the average underspend was approximately \$5K for completed projects, however this will vary from year to year based on a number of factors including:

- Whether the allowed for contingencies built into projects came to fruition.
- The detailed development of projects necessitated adjustments to scope.
- Prices received from the market to deliver projects.

Changes to scope of a project are considered on a case by case basis taking into account whether the change in scope is justified, its effect on the project budget, its effect on the overall budget and what alternative arrangements may be available.

David Reeve, Director Engineering Services

12.2 Environmental Study on Beach at Dennes Point

At the Council meeting on 16 August 2021, **Cr Bastone** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Was an environmental study done on the beach at Dennes Point where Missionary Road comes into Dennes Point? There used to be a beach there which was a nesting habitat and the beach has been totally destroyed due to a new rock wall being placed. Has a study been done prior to the wall being rebuilt?

Officer's Response:

The road protection work being undertaken on Missionary Road at Barnes Bay has arisen due to the failure and collapse of the existing rock retaining wall at this location, resulting in the loss of protection to Missionary Road from wave attack.

The works consist of replacement of the rock revetment armouring for a length of approximately 140 metre along a section of Missionary Road, immediately to the south of Barnes Bay. The

previous road levels through the subject site were low and subject to wave overtopping in larger swell conditions. In designing these works, consideration has been given to the future effects of global warming and projected sea level rise. Accordingly the revetment and road pavement levels through this area have been elevated by approximately 500-600mm to ensure that the road is able to provide a safe and usable transport corridor for the community into the future.

While assessment and implementation of environmentally appropriate construction practices are adopted in the design and construction of work to mitigate environmental impacts, more detailed analysis and reports on broader ecosystem impacts have not been undertaken specifically for this location. Such an assessment would not typically be undertaken for repair projects of such discrete nature. Notwithstanding, the longer-term consequences arising from coastal armouring activities on adjacent beach and habitat is understood, if not well known. The placement of any physical barrier to protect infrastructure will conversely prevent natural coastal erosion and beach migration. As sea levels and tides rise, this will ultimately lead to the drowning of the beach and loss of any habitat.

In relation to the current reinstatement works, the following points are considered relevant.

- The location and alignment of the current revetment works follows the existing wall/road alignment.
- The toe of the existing wall was generally located within the high-tide zone, with swell tide levels and wave action being the cause of the impact and failure of the existing rock wall.
- The sloped batter of the revetment treatment, designed to reduce wave reflection issues, in conjunction with the road height increase has resulted in the toe of the revetment extending approximately 3.5 metres further seaward. A more vertically faced gabion structure would have a smaller footprint, but would generally result in a much larger wave reflection and beach scouring impact
- The beach/mudflat area to the front of the revetment wall was and remains subject to inundation at high tide, thus would not typically have provided nesting habitat.
- The works have all been completed from the road side. The general low-tide mudflat/foraging areas in front of the rock toe has not been impacted by construction activities and remains unchanged.
- At *current* low tide levels, this area continues to become exposed, and continues to be an active foraging location. As above, it should be noted that with sea-level rise and an increase in the 'low tide' height, the area of exposure will progressively reduce and potentially disappear.

In general terms there are pros and cons of coastal protection which are a reality that Council has been forced to face in several places in recent times, and will continue to face into the future. The impacts on a natural ecosystem with any engineered structure required for coastal protection often creates that juxtaposition as to which is the more important outcome.

David Reeve, Director Engineering Services

12.3 Howden Interchange

At the Council meeting on 16 August 2021, **Cr Fox** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

I have concerns about the Howden interchange and the road safety concerns that were raised by the residents which actually led to the State Government doing the Channel Highway/Huntingfield to Margate Corridor Study and that corridor study has been completed but I understand that none of the actions highlighted in that study have been undertaken, particularly the reduction in speed

of the Channel Highway between the golf course and Fehres Road which was recommended to go down to 80km/h from 90 and also vegetation removal to improve sight distances and they were the issues that originally triggered the study. I'm very concerned that with the increase of traffic on the Channel Highway and the high speeds on that road often exceeding 100kms/h, it's becoming nearly impossible to get out of Howden Road many times during the day, not just occasionally but most of the day. I think the waiting time was acknowledged as being excessive. What action will result from that study and where the department of main roads is at with that particular study?

Officer's Response:

This matter was referred to the Department of State Growth (DSG) who have provided the following response:

- DSG undertook some vegetation control north of the Howden Road intersection with Channel Highway in 2020 but will investigate as to whether any further work is required to maintain/improve sight distance.
- In respect to the lower speed limit recommended in the Channel Highway Corridor Study, this has not been followed up on and would likely require going back to the community to gauge whether this is favoured. The comments in the original study suggested that most people opposed a localised drop in the speed limit and it is likely a speed limit reduction would only occur once improvements to the Highway had been undertaken and there was evidence then to support a reduction.
- The Tasmanian Government has committed to developing a 10 Year Strategic Action Plan for the Channel Highway (the Action Plan), which will draw on findings from the Study.

David Reeve, Director Engineering Services

12.4 Pedestrian Crossing, Beach Road

At the Council meeting on 16 August 2021, **Cr Glade-Wright** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

There is a lot of chatter about a pedestrian crossing on Beach Road. Has this ever been considered and what was decided?

Officer's Response:

The section of Beach Road in the vicinity of the Kingston Beach Public Carpark is not an appropriate location to install a zebra crossing. The combined traffic and pedestrian volumes in that location do not meet the warrants for such a treatment.

Council is looking at the Kingston Beach precinct in its entirety with the intention to implement a Local Area Traffic Management Scheme to bring traffic speeds down in the area bounded by the 40 km/h speed zone. This will likely be achieved by threshold treatments at the commencement points of the 40 km/h zone and at intersections. It is possible that a threshold treatment could be implemented in the vicinity of the crossing point at the carpark as part of the scheme. A project to implement the scheme is identified for inclusion in Council's 5-year Capital Works program.

Renai Clark, Senior Roads Engineer

12.5 Margate to Kingston Feasibility Study

At the Council meeting on 16 August 2021, **Cr Midgley** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

I note in the last State election the Liberal Government did promise some funding towards this study. Have we heard any more in regards to when this will happen and if there will be money available? I note in the budget that we have also put some money aside for this study as well.

Officer's Response:

Council have received no confirmation that this study will receive any State Government funding.

David Reeve, Director Engineering Services

12.6 KWS Report

At the Council meeting on 16 August 2021, **Cr Midgley** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

I note from the report that it says in general waste that there was more waste received than expected. Could I have a break down of what that 'more waste than expected' could be?

Officer's Response:

Kingborough Waste Services (KWS) forecast 11,400 tonnes of general waste to be processed through the Barretta Waste Transfer Station during the 2020/21 financial year however, the actuals were 12,200 tonnes. The increased tonnage is largely due to construction and demolition materials; a by-product of the buoyant building sector.

David Reeve, Director Engineering Services

12.7 Kettering Recreation Walkway Plan

Cr Clare Glade-Wright submitted the following question on notice:

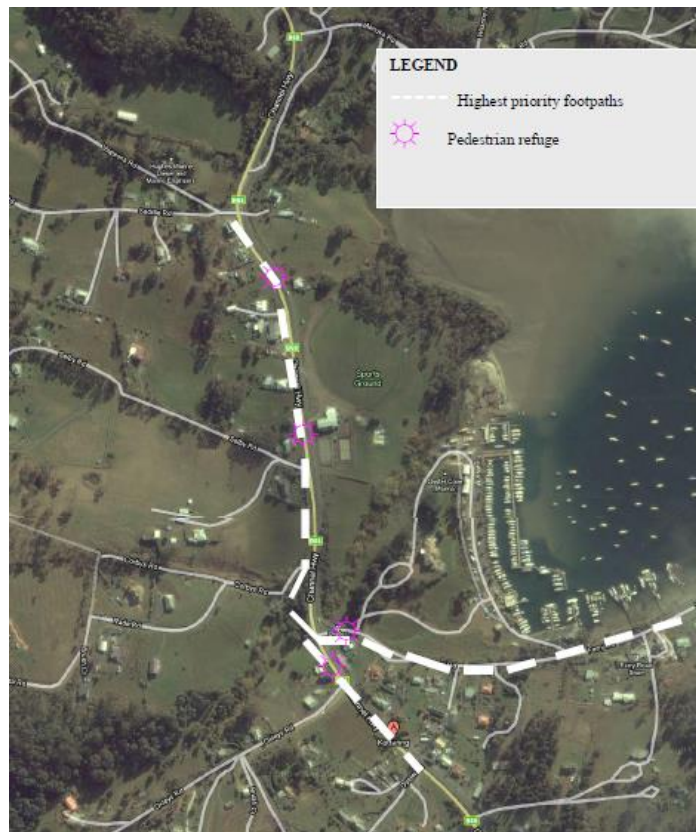
Is there a 2010 Kettering Recreation Walkway Plan. If so, what works are still required for its completion. Is there a timeframe for when this can be completed. What is the estimate of costs associated to complete the project?

Officer's Response:

The Central Kettering Walkway Plan was given in principle support by Council in December 2011. The plan focuses on two priority footpaths:

1. From Saddle Road through the town to Oyster Court; and
2. Along Ferry Road to the Bruny Island Ferry Terminal.

These priority footpaths are shown in the image below that has been taken directly from the 2010 plan:



A footpath along Ferry Road has been provided as part of the upgrade of this road by the State Government, whilst Council has constructed a new footpath from Saddle Road to Ferry Road on the western side of the Channel Highway. The section of footpath from Oxleys Road to Oyster Court has not yet been constructed, in part due to an assessment of cost versus the number of residents it will benefit. A high-level estimate to construct this section of footpath is \$100,000. However, more detailed design work is required before the project can be submitted as a capital bid or for externally funded grants and Council’s Engineering Department propose to do this later this financial year.

Daniel Smee, Director Governance, Recreation & Property Services

12.8 Wicking Gardens, Barretta

Cr Bastone submitted the following question on notice:

How much did the wicking gardens at the Barretta refuse station cost? How much did the decorative fences near the re-use section cost?

Officer’s Response:

The wicking beds and Macrocarpa fence are part of Kingborough Waste Services initiative to improve waste education for the community in support of Council’s Waste Management Strategy. The cost of the wicking beds was \$18,840 and a further \$6,280 for the Macrocarpa fence.

David Reeve, Director Engineering Services

12.9 Piersons Park, Tinderbox

Cr Bastone submitted the following question on notice:

What are the very many black posts set into the ground, 3 meters behind the treated pine barriers at Piersons Park, Tinderbox? How much did they cost and what purpose do they serve?

Officer's Response:

In May 2021 Council's Biodiversity Officer liaised with Council's Supervisor Parks and Reserves and Urban Designer to delineate an area that would receive a reduced frequency of mowing at Piersons Point Reserve. A design was created by our Urban Designer and a style and colour was selected to reduce the visual impact of more bollards in the reserve. The cost of purchasing these posts came to \$518.

There is a nationally listed, critically endangered ecological community found at Piersons Point Reserve which the new bollards aim to help conserve. Lowland Themeda triandra Grassland, which is found on the Tinderbox Peninsula, is considered to be one of Tasmania's most threatened and fragmented ecosystems, and the most depleted vegetation formation in Tasmania. By reducing the frequency of mowing in selected areas we can help this ecological community recover. There are also plans to install interpretive signage about the grasslands in the reserve in the 21/22 financial year.

Nicholas Alexander, Biodiversity Officer

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

13 OFFICERS REPORTS TO PLANNING AUTHORITY

13.1 DA-2021-299 - DEVELOPMENT APPLICATION FOR CHANGE OF USE FROM RESIDENTIAL TO VISITOR ACCOMMODATION AT 19 JETTY ROAD, BIRCHS BAY

File Number: DA-2021-299
Author: Vicky Shilvock, Planning Officer
Authoriser: Tasha Tyler-Moore, Manager Development Services

Applicant:	Mr P Stanton
Owner:	Patrick Stanton Super Pty Ltd
Subject Site:	19 Jetty Road, Birchs Bay (CT 169831/1)
Proposal:	Change of use from residential to visitor accommodation
Planning Scheme:	Kingborough Interim Planning Scheme 2015
Zoning:	Rural Resource
Codes:	E1.0 Bushfire Prone Areas E6.0 Parking and Access E7.0 Stormwater Management E10.0 Biodiversity E11.0 Waterway and Coastal Protection E23.0 Onsite Wastewater Management E25.0 Local Development
Use Class/Category:	Visitor Accommodation
Discretions:	Clause 26.3.2 A1 Visitor Accommodation Clause 26.3.3 A1 Discretionary Use
Public Notification:	Public advertising was undertaken between 31 July 2021 and 13 August 2021 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
Representations:	Three (3) representations were received. The points of concern include: <ul style="list-style-type: none"> • Conflict with adjoining agricultural use • Increase in traffic and wear and tear on private right of way. • Noise • Smoke taint
Recommendation:	Approval subject to conditions

1. PROPOSAL

1.1 Description of Proposal

The proposal is to change the use of the dwelling from residential to visitor accommodation. No works are proposed as part of the application.

1.2 Description of Site

The property at 19 Jetty Road measures 5620 sqm (CT 64058/1) and contains a three bedroom, single-level dwelling, ancillary outbuildings and copses of both Blackwood and mature Radiata pine to the south. The site also contains an ephemeral creek running into the D'Entrecasteaux Channel. The property abuts the Crown coastal reserve, which contains a heritage listing due to sawmill ruins contained in this location. See Images 1 and 2.

To the north, the property abuts a working vineyard with grape vines planted within 2m of the boundary (Hoeyfield 17 Jetty Road). Access to the subject site is via a private Right of Way shared with the adjoining lot at 17 Jetty Road. To the west and northwest are extensive cherry orchards. It is considered that Birchs Bay is an area within the Channel region that has extensive agricultural activity.

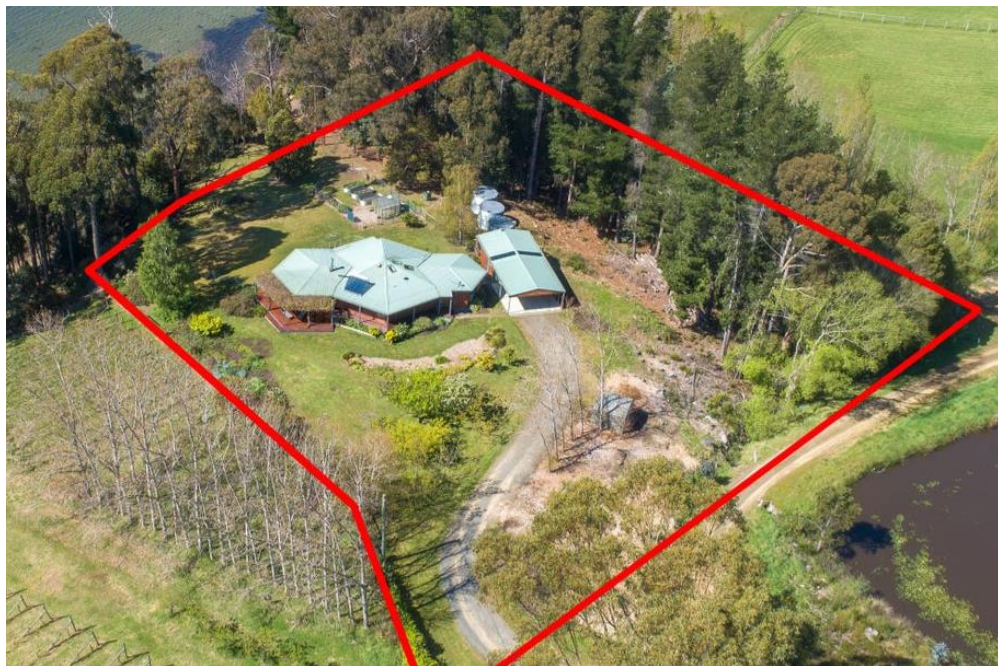


Image1: The subject site

1.3 Background

The existing residential dwelling was constructed in 1993 when the lot size was 3745m². In 2013 Council approved a boundary adjustment (DAS-2013-9) between 3644 Channel Highway and 19 Jetty Road to increase the size of the lot to 5620m² and provide for a greater setback from the dwelling and the private right of way. The land adhered is a strip of land parallel with the driveway access located on 3644 Channel Highway and the dwelling at 19 Jetty Road.

The current access arrangement is via a right of way over 3644 Channel Highway benefitting both 17 and 19 Jetty Road, Birchs Bay.



Image 2: The site and adjoining land

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 Rural Resource zone

The relevant zone purpose statements of the Rural Resource zone are to:

26.1.1.4 To allow for residential and other uses not necessary to support agriculture, aquaculture and other primary industries provided that such uses do not:

- (a) fetter existing or potential rural resource use and development on other land;*
- (b) add to the need to provide services or infrastructure or to upgrade existing infrastructure;*
- (c) contribute to the incremental loss of productive rural resources.*

Clause 26.1.2 – 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. There are no Local Area

Objectives or Desired Future Character Statements relevant to the assessment of this application.

2.3 Statutory Planning

The use is categorised as Visitor Accommodation under the Scheme which is a use that requires discretionary assessment in the Rural Resource Zone. Note: the provisions of Planning Directive No. 6 do not apply to this application as the subject site is zoned Rural Resource, which is excluded by that directive.

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:

**Rural Resource Zone
Clause 26.3.2 Visitor Accommodation (A1)**

Acceptable Solution
<p>Visitor accommodation must comply with all of the following:</p> <ul style="list-style-type: none"> a) is accommodated in existing buildings; b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; c) has a floor area of no more than 160m².
Performance Criteria
<p>Visitor accommodation must satisfy all of the following:</p> <ul style="list-style-type: none"> a) not adversely impact residential amenity and privacy of adjoining properties; b) provide for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; c) be of an intensity that respects the character of use of the area; d) not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of private rights of way; e) be located on the property's poorer quality agricultural land or within the farm homestead buildings precinct; f) not fetter the rural resource use of the property or adjoining land.
Proposal
<p>The proposal complies with a) and b). However, because the floor area exceeds 160m² it does not comply with c).</p>

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

- The proposal is located on a 5620m² lot within the rural resource zone adjoining Crown reserve on one side and it is considered that the change of use will not adversely impact residential amenity and privacy of adjoining properties. The residential dwelling at 17 Jetty Road is located 92m upslope to the north and the dwelling at 3707 Channel Highway is located 67m to the south and separated by copses of radiata pine;

- The existing residential building has been habitable since 1993 and it is not considered that the change of use would significantly increase the intensity of use in any material fashion;
- The dwelling and outdoor entertainment areas are located within 10m of the property boundary and within 12m of vineyards on the adjoining lot. While the visual aesthetic of the vines may be of interest to guests there have been concerns raised that guests to the site may not appreciate the adjoining agricultural activities of the area. Given the nature and use of the adjoining vineyard, and the domestic scale of the proposed visitor accommodation building, it is considered that there would be no adverse impacts on amenity from the existing or any other likely agricultural uses of the adjoining site
- There is adequate parking and manoeuvring space within the lot to accommodate guests and it is unlikely that the private right of way will be blocked by vehicles accessing the site. In addition, if approved there would be a permit condition included to keep accessways free from parking;
- The Birchs Bay area contains a mixture of active agricultural properties, residential, tourism offerings such as Grandveve cheesery and distillery, Mewstone winery, Five Bob art farm and sculpture park and visitor accommodation. It is considered that the visitor accommodation is of an intensity that respects the character of use of the Channel area;
- The site is currently used for residential purposes and the change of use to visitor accommodation will not fetter potential agricultural opportunities of the site.
- It is recommended that if a planning permit is issued that a condition be included to further screen with landscaping the northern boundary adjacent to the proposed visitor accommodation to provide a visual buffer between the two uses.

**Rural Resource Zone
Clause 26.3.3 Discretionary Use (A1)**

Acceptable Solution
No acceptable solution.
Performance Criteria
A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following: (a) the characteristics of the proposed non-agricultural use; (b) the characteristics of the existing or likely agricultural use; (c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use; (d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.
Proposal
Visitor accommodation is a discretionary use under the rural resource zone.

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

- The proposed visitor accommodation has a gross floor area of 170m² on a 5620m² site. Given the scale of the proposed visitor accommodation and the topography of the area it is highly unlikely that the existing or any other potential

agricultural uses on the adjoining sites would be impacted significantly; It is considered that the proposed use is not overly sensitive nor dissimilar from residential use and consistent with other non-agricultural uses in the environs;

- The site is currently used solely for residential purposes and there would be no significant impact by the proposed non-agricultural use to visitor accommodation on the agricultural character of the site or vice versa;
- The proposed visitor accommodation is accessed via a private right of way from Jetty Road and does not traverse through any agricultural uses and avoids the need for guests to impact on any agricultural activities associated with the adjoining vineyard
- It is recommended that if a planning permit is issued that a condition be included to further screen with landscaping the northern boundary adjacent to the proposed visitor accommodation to provide a visual buffer between the two uses being agriculture and visitor accommodation.

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 31 July 2021 to 13 August 2021). Three (3) representations were received during the public exhibition period. The following issues were raised by the representors:

2.5.1 Conflict with adjoining agricultural use

The adjoining land is an active agricultural business (vineyard and orchard) with crops located within 2m of the boundary fence and 10m from the dwelling. The representor is concerned that the proposed change of use will have a detrimental impact upon agricultural production in terms of undertaking activities such as mechanical spraying and picking as these activities are dictated by the prevailing weather and the needs of the crop. Operating machinery at all hours of the day may lead to confrontations with visitors.

Response: It is acknowledged that the vineyard activities are close to the boundary, however the agricultural use is an existing use and there will need to be negotiation between owners to avoid potential conflicts. It is likely that the same issues could arise with the residential use.

It is recommended that if a planning permit is issued then further screening with landscaping on the northern boundary adjacent to the proposed visitor accommodation to provide a visual buffer between the two uses.

2.5.2 Increase in traffic and wear and tear on private right of way.

Concerns that the change of use will increase the traffic and thereby wear and tear on the shared private access road between 17 and 19 Jetty Road.

Response: It is not considered that the change of use will materially alter the traffic volumes. Maintenance of the private right of way is an issue for all parties benefitting from the use.

2.5.3 Noise

The subject site is located within an amphitheatre and noise travels easily from the property to adjoining premises.

Response: It is not considered that the change of use will impact on adjoining residential amenity of the area. Both adjoining residential dwellings are located in

excess of 60m and separated by vegetation and topography and the expected noise is likely to be similar to the existing residential use.

2.5.4 Smoke taint

The representor is concerned that visitors may light fires that could ruin the grape crop through smoke taint (which is when smoke is absorbed and chemically bonds with the grapes and ruins the taste) from fires lit from a wood heater, fire pit or beach party within the surrounding area of the vineyard during the grape development stage (Dec-April), can destroy an entire year's crop.

Response: It is acknowledged that the vineyard activities are close to the boundary, however the agricultural use is an existing use and there will need to be negotiation between owners to avoid potential conflicts, including lighting of fires. It is likely that the same issues could arise with the residential use.

There were also concerns raised on the current and potential impact on adjoining Crown land's natural values which is not relevant to the Scheme.

3. CONCLUSION

The proposal is for a change of use of a dwelling from residential to visitor accommodation on a 5620m² lot, while small in the scale of rural properties it is considered that the dwelling has an adequate separation distance from adjoining neighbours to not fetter adjacent existing or potential agricultural uses. Standard visitor accommodation conditions apply to the proposal and the applicant should consider the nature of the site and proximity to adjoining agricultural uses when actively promoting. Given the existing and proposed change of use within the existing building it is considered that materially the site will remain unchanged.

4. RECOMMENDATION

That the Planning Authority resolves that the development application for change of use from residential to visitor accommodation at 19 Jetty Road, Birchs Bay for Mr P Stanton 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-2021-299 and Council Plan Reference No. P1 submitted on 19 May 2021. This Permit relates to the use of land or buildings irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council.
2. Prior to the commencement of the approved use, landscaping plans must be submitted for approval by Council's Manager Development Services.

The landscape plan must be prepared by a suitably qualified person and be at a suitable scale, and indicate the following:

- (a) vegetation screening to be planted between the building and adjoining vineyards on the northern boundary;
- (b) proposed planting by quantity, genus, species, common name, expected mature height and plant size;
- (c) existing trees to be retained and proposed measures to be carried out for their preparation and protection during construction; and

It is recommended that the consideration be given to Council's Landscape Guidelines (Preparing a Landscape Plan), which is available on Council's website.

3. Landscaping must be provided within three (3) months of the planning permit being issued in accordance with the endorsed landscaping plan and to the satisfaction of the Council's Manager Development Services.

The landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose.
4. The use and development must be managed so that the amenity of the area is not detrimentally impacted upon through any of the following:
 - (a) Appearance of any building, works or materials;
 - (b) Emission of noise, artificial light, vibration, smell, fumes, smoke, wastewater or rubbish;
 - (c) Parked vehicles.
5. The visitor accommodation is for short term stay only. Accommodated guests must not stay any longer than a total of three (3) months on any one occasion.
6. At all times, guests must park within designated parking areas shown on the endorsed plans within the site boundaries, and are not to obstruct other access and parking.

ADVICE

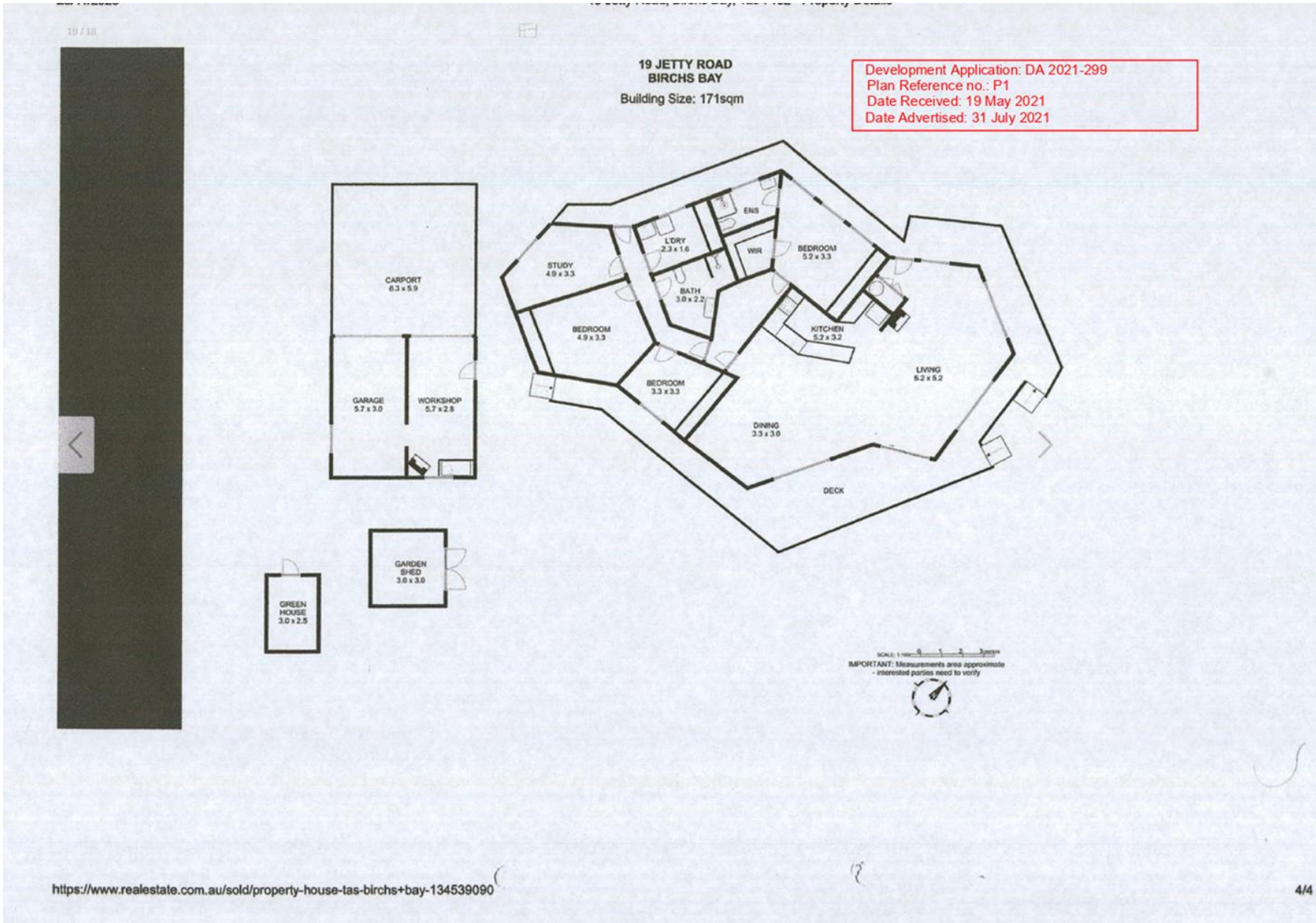
- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval 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. Food must not be sold/served/provided to guests unless prior approval is granted by Council.
- D. This permit does not include approval for any signage to be erected on site. Further approval may be required for the erection of signage on the site.

ATTACHMENTS

1. **Location Plan**
2. **Floor plan**
3. **Assessment Checklist**





Assessment Checklist

ZONE PROVISIONS

Note: The application does not including buildings or works, so the clauses that relate to buildings and works have been excluded from the assessment table.

Acceptable Solution	Compliance/Comments
26.0 Rural Resource	
Visitor Accommodation (26.3.2) A1 (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m2.	a) located in an existing building b) Meets parking requirements c) Floor area approx. 171m ² - does not comply, requires assessment against the Performance Criteria.
Discretionary Use (Cl.26.3.3) A1 No acceptable Solution	Visitor Accommodation is a defined Discretionary Use, therefore must be assessed against the Performance Criteria.

CODE PROVISIONS

Clause/ Acceptable Solution	Compliance/Comments
E1.0 Bushfire-Prone Areas Code	
While the proposed development is located within a Bushfire Prone Area, the Bushfire Prone Areas Code does not apply to the visitor accommodation use class.	
E6.0 Parking and Access Code	
Use standards – number of car parking spaces (Cl.E6.6.1) • A1 - Number of on-site car parking spaces complies with table	A1 – Compliant as sufficient (3) on site carparking is available. 1 carparking on garage and 2 carparks on existing carport
Number of vehicular accesses (Cl.E6.7.1) • A1 – Number of vehicle access points complies	A1 – Compliant single access and no change to existing
Design of vehicular accesses (Cl.E6.7.2) • A1 – Design of vehicle access points complies	A1 – Compliant single access and no change to existing
Vehicular passing areas along an access (Cl.E6.7.3) • A1 – Vehicular passing areas comply	A1 – Not Applicable as no change to existing
Layout of parking areas (Cl.E6.7.5) • A1 – Layout and compliance with Australian Standard	A1 – Not Applicable as no change to existing
Surface treatment of parking areas (Cl.E6.7.6) • A1 – Parking spaces and vehicular circulation surfaces provided	A1 – Not Applicable as no change to existing
Access to a road (Cl.6.7.14) • A1 – Access to a road meets road authority requirements	A1 – Not Applicable as no change to existing

Clause/ Acceptable Solution	Compliance/Comments
E7.0 Stormwater Management Code	
Stormwater drainage and disposal (Cl.E7.7.1) <ul style="list-style-type: none"> • A1 – Disposal of stormwater to public infrastructure • A2 – Sensitive design of stormwater system incorporates water sensitive urban design principles • A3 – Design of minor stormwater drainage system • A4 – Design of major stormwater drainage system 	A1 – Not Applicable as no change to existing stormwater management A2 – A4 Not Applicable as no change to existing
E10.0 Biodiversity Code	
While the proposed development is within a Biodiversity Protection Area, no development or works are proposed, therefore Code E10.0 is not applicable.	
E11.0 Waterway and Coastal Protection Code	
The site is within a Waterway and Coastal Protection Area however no development or works are proposed, therefore Code E11.0 is not applicable.	
E23.0 On-Site Wastewater Management Code	
The existing onsite waste-water treatment is adequate to meet the needs and is not being modified, therefore an assessment against the code is not required.	
E25.0 Local Development Code	
While the Local Development Code applies no development or works are proposed, therefore Code E25.0 is not applicable	

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

13.2 DA-2021-305 - DEVELOPMENT APPLICATION FOR NORTH WEST BAY RIVER MULTI-USER TRAIL - STAGE 1 AT HUON HIGHWAY, SANDFLY TO RIVERDALE ROAD, SANDFLY (INCLUDING CROWN LAND, COUNCIL LAND AND PRIVATE LAND - CT 246545/1, CT 17384/5, CT 20860/2, CT 124923/102, CT 129004/102 AND CT 234772/4)

File Number: DA-2021-305
Author: Vicky Shilvock, Planning Officer
Authoriser: Tasha Tyler-Moore, Manager Development Services

Applicant:	Kingborough Council
Owner:	Kingborough Council and the Crown
Subject Site:	Huon Highway, Sandfly to Riverdale Road, Sandfly (including Crown Land, Council Land and Private Land - CT 246545/1, CT 17384/5, CT 20860/2, CT 124923/102, CT 129004/102 and CT 234772/4)
Proposal:	North West Bay Multi-user trail and associated works - Stage 1
Planning Scheme:	Kingborough Interim Planning Scheme 2015 <i>The assessment includes the provisions of IPD4 that were introduced in February 2021.</i>
Zoning:	Rural Resource and Environmental Management
Codes:	E1.0 Bushfire Prone Areas E3.0 Landslide E6.0 Parking and Access E7.0 Stormwater Management E9.0 Attenuation E10.0 Biodiversity E11.0 Waterway and Coastal Protection E14.0 Scenic Landscapes E15.0 Inundation Prone Areas E23.0 On-Site Wastewater Management
Use Class/Category:	Passive recreation
Discretions:	<p><u>Rural Resource Zone</u></p> <ul style="list-style-type: none"> - Clause 26.4.2 A4 Setback from land zoned Environmental Management - Clause 26.4.3 A1 Design <p><u>Environmental Management Zone</u></p> <ul style="list-style-type: none"> - Clause 29.3.1 A1 Use standards for Reserved Land - Clause 29.4.2 A2 Setback from side and rear boundaries - Clause 29.4.2 A3 Setback from land zoned Environmental Living - Clause 29.4.3 A1 Design - Clause 29.4.3 A2 Design <p><u>Codes</u></p> <ul style="list-style-type: none"> - Clause E3.7.1 A1 Building and works within a low landslide hazard area - Clause E10.7.1 A1 Building and works on moderate and high priority biodiversity

	<ul style="list-style-type: none"> - Clause E11.7.1 A1 Building and works in the Waterway and Coastal Protection Area - Clause E14.7.1 A1 Removal of bushland within Scenic Landscape Areas - Clause E14.7.2 A1 Building and works within Scenic Landscape Areas - Clause E14.7.2 A2 Appearance of Building and works within Scenic Landscape Areas
Public Notification:	Public advertising was undertaken between 30 June 2021 and 13 July 2021 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
Representations:	<p>A total of fifteen (15) representations were received. Issues raised include:</p> <ul style="list-style-type: none"> - Water quality and impacts on the aquatic ecosystem - Impacts on wildlife - Siting of the track relevant to riverbanks - Operational issues
Recommendation:	Approval subject to conditions

1. PROPOSAL

1.1 Description of Proposal

The proposal is for a 2.5km long multi use trail (walking, biking and horse-riding) known as Stage 1 between the Huon Highway at Sandfly to Riverdale Road at Sandfly. Stage 1 forms part of a longer distance multi use trail proposed between Longley and Margate along the North West Bay River.

Stage 1 will be constructed to meet the Australian Walking Track standards (AS2156.1-2001 and AS2156.2 – 2001) and meet the International Mountain Bicycling Association Trail difficulty rating system (IMBA TDRS). The Applicant has advised that full bench construction will be minimal and only required on steeper terrain with a typical track width of 1.2m. It is anticipated that trail width may be wider on level ground to provide for easier passing. There will be some requirement for machinery to be used and it is proposed that the machinery will be moved across the river at a point where current 4WD access is undertaken by landowners in the vicinity of Riverdale Road. Any use of machinery near watercourses will be in accordance with the Waterways and Wetlands Works Manual (DPIWE, 2003).

Track construction will involve the clearance of understory vegetation and minor earthworks for track benching and drainage. The trail will be designed to avoid the removal of trees with a diameter greater than 30cm at 1.5m from natural ground level.

Included in the works is the construction of an aluminium bridge crossing Cooke Rivulet approximately 800m from the Sandfly Reserve. The bridge will be constructed from lightweight aluminium, be capped in timber to minimise reflection and have rubber treads for the protection of horse hooves. The design will also incorporate high buttresses to mitigate any flood events.

Stage 1 is located on a range of land tenures zoned Environmental Management and most of the trail will be constructed on either Council land identified for Public Open Space or on Crown land managed in accordance with the *Crown Lands Act 1976* for which the Kingborough Council is currently securing a licence over for access and maintenance.

One 200m section of the proposed track traverses private freehold land (CT 246545/1) for which Council has a current access and maintenance through a benefitting right of way and is zoned Rural Resource.

Access to the track from the end of Riverdale Road is via a public Right of Way over private land (29 Riverdale Road CT 181280/1) benefitting the Kingborough Council.

There is also public access from Sandfly oval along the existing North West Bay River Track.

The trail is located on both the north and southern side of the river and crosses the North West Bay River at two locations, using natural low water rocky fords including a crossing downstream of Riverdale Road and also downstream of Cooke Rivulet (to the east). During the feasibility study the two sites were identified as they were considered low energy areas with stable riverbeds and low riverbanks and accessible during low river flow. The crossings will not be accessible during times of high flow and may be subject to damage during flood events. Informative signage will be developed to advise users of river crossing risks and flood level markers may be installed if warranted. See Images 1 and 2.

Council is not proposing to provide any additional carparking, however there is adequate carparking at Sandfly oval, and once the Huon highway roadworks are completed there will be public carparking available at the junction of Huon Highway and Sandfly Road. Carparking at Riverdale Road is also available; however Council have installed 'No Parking' signage along the cul de sac requiring users to park along the road verge. It is also considered that given that the proposed track is for a range of users several users will access the track via horseback or bicycles.

All signage associated with the proposal will be wayfinding, informative or interpretive. Interpretive signage which incorporates wayfinding and information is exempt from the provisions of the planning scheme on the proviso that it is undertaken by a public authority

1.2 Description of Site

The North West Bay River is the largest river system in the Kingborough Municipality with a catchment area of over 9600ha and 25km long. There are several tributaries and minor streams that join the river between Longley and Margate including Cooke Rivulet. The river has intact riparian vegetation for most of its length with only small areas of agricultural land adjacent to the river near Longley and Margate. Given the location of the river within a developed part of Tasmania it is considered to "*be in good condition and provides an important example of an intact river system*". (Enviro dynamics 21 September 2020).

The river cuts through a range of terrains including river flats, cleared land, rocky riverbanks and slopes. During the feasibility study six vegetation communities were identified along the river. Stage 1 contains predominantly *Eucalyptus obliqua* dry forest along the river, *Eucalyptus obliqua* wet forest on south facing slopes and wetter areas and *Eucalyptus globulus* dry forest in patches.

The feasibility study also identified that ten threatened fauna species have been recorded within 1000m of the trail corridor; including swift parrot, wedge-tailed eagle, grey goshawk, azure kingfisher, masked owl, Tasmanian devil, eastern quoll, spotted-tailed quoll, eastern barred bandicoot and the Australian grayling. Both goshawk and eagle nests have been recorded and several tree species are identified as the foraging habitat for the swift parrot.

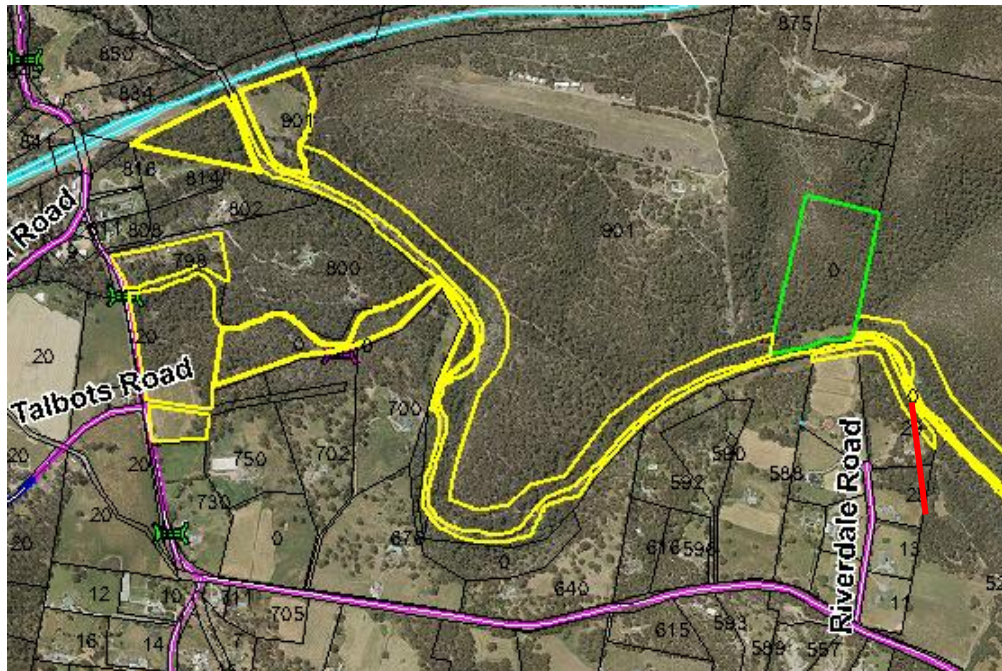


Image 1: Subject site: Yellow: Crown and Council Land, Green: Freehold Lot CT246545/1 and Red Public Right of Way over CT181280/1

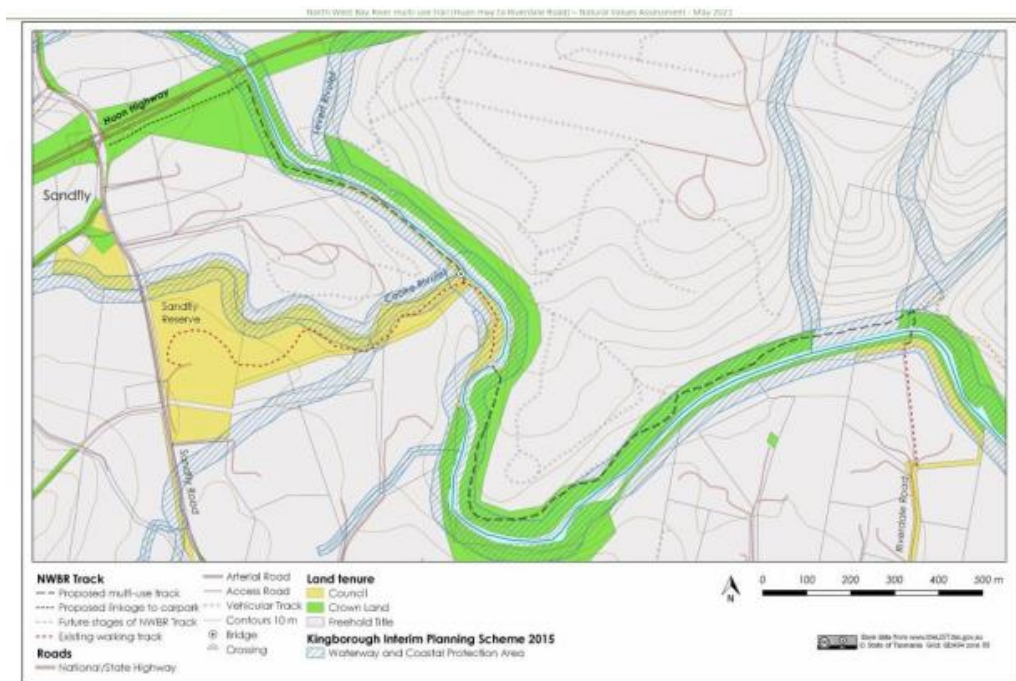


Image 2: Trail route for Stage 1

1.3 Background

The Kingborough municipality has a significant network of recreation trails which provide for a range of recreational opportunities for residents and visitors. With the municipality experiencing rapid growth, there is a strong demand for access to outdoor recreation areas including passive recreation trails.

The development of both new trails and the formalising of existing routes within the municipality will provide linkages between towns and existing trails. The local community have been advocating for several years to establish a range of recreational

opportunities within the municipality which in response the Council developed the *Kingborough Tracks and Trails Strategic Action Plan 2017-2022*.

The trail link proposed has been identified as a priority trail under the *Kingborough Tracks and Trails Strategic Action Plan 2017-2022*. In 2019 Council commissioned a feasibility study for the North West Bay River Multi-use Trail. The assessment looked at the complete trail from Longley to Margate as well as linking existing trails and river access points such as Sandfly Reserve to Riverdale Road and Miandetta Drive to the Channel Highway/Hopfields Road.

The trail located on public land is zoned Environmental Management and one 200m section over private land is zoned Rural Resource. Adjoining freehold land is a mixture of land zoned Rural Living and Environmental Living.

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 proposal is sited on land zoned both Rural Resource and Environmental Management. The zone purpose statements associated with the Scheme are as follows:

Zone	Relevant zone purpose statements
Rural Resource	26.1.1.3 To provide for non-agricultural use or development, such as recreation, conservation, tourism and retailing, where it supports existing agriculture, aquaculture, forestry, mining and other primary industries. 26.1.1.6 To ensure development respects and protects the natural and landscape values on the land
Environmental Management	29.1.1.3 To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.

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 not considered relevant to the assessment of this application given that the use is passive recreation within a narrow band of riverine reserve.

Clause 26.1.2 and 26.1.3 – Local Area Objectives and Desired Future Character Statements for the Rural Resource Zone

Local Area Objectives		Implementation Strategy	
(a)	Land immediately south of Margate which is to the east and west of the Channel Highway is earmarked for future residential development	(a)	The Rural Resource Zone is being utilised here as a holding zone that enables existing uses to continue up until that time that this land can be more intensively developed. This will in turn depend on such factors as sufficient wastewater treatment capacity and justifying an extension of the urban growth boundary for Margate.

Desired Future Character Statements		Implementation Strategy	
(a)	Future development of this land south of Margate that is zoned Rural Resource should not adversely compromise its longer term potential for a more intensive urban use	(a)	The land should continue to be used for rural purposes until circumstances change that enable its more intensive development, which is anticipated to primarily be for residential purposes

Clause 29.1.2 and 29.1.3 – Local Area Objectives and Desired Future Character Statements for the Environmental Management Zone

<p>Local Area Objectives There are no Local Area Objectives for this Zone</p>
<p>Desired Future Character Statements There are no Desired Future Character Statements for this zone.</p>

The proposal complies with the above-mentioned zone purpose statements however the local area objective (where applicable) is not relevant to the proposal. Although it is considered that passive recreational opportunities within areas that are increasingly being developed for more intensive residential use have social benefits to the community.

2.3 Statutory Planning

The use is categorised as passive recreation under the Scheme which is a ‘No Permit Required’ use in both the Rural Resource and Environmental Management Zones.

Passive recreation is defined under the Scheme as use of land for informal leisure and recreation activities principally conducted in the open. Examples include public parks, gardens and playgrounds, and foreshore and riparian reserves.

Whilst the application is classified as a No Permit Required use, it relies on Performance Criteria to comply with both the Rural Resource and Environmental Management zones in the Scheme provisions for the works 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:

**Rural Resource
Clause 26.4.2 Setback (A4)**

<p>Acceptable Solution</p> <p>Buildings and works must be setback from land zoned Environmental Management no less than 100 m.</p>
<p>Performance Criteria</p> <p>Buildings and works must be setback from land zoned Environmental Management to minimise unreasonable impact from development on environmental values, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) the size of the site; (b) the potential for the spread of weeds or soil pathogens; (c) the potential for contamination or sedimentation from water runoff; (d) any alternatives for development.

Proposal

200m of the proposed track (works) will be located within 100m of land zoned Environmental Management. There are no buildings proposed. Therefore, it must be assessed against the performance criteria.

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

- The proposed works include formalising and delineating a walking track which traverses a 200m section of private land zoned Rural Resource. The proposed use is considered passive recreation and ultimately the proposal has the potential to extend along the length of North West Bay River from Sandfly to Margate within a river catchment area of 9600ha;
- The siting of the track has been assessed and is considered the most feasible option to provide minimal impact on the natural values, reduce the amount of benching and clearing of vegetation by siting close to the river bank;
- Given the proposed minimal cut and clearing of the proposed 200m section of track which has a relatively flat terrain it is unlikely to contribute greatly to the spread of weeds or soil pathogens;
- The proposed benching of the track and associated drainage will not contribute to any contamination or sedimentation from water runoff as it is considered that the siting of the track some 10 -20m from the river will provide for natural soakage;
- The siting for the track on the northern side of the river is considered the most feasible for ease of access for all three user groups (horses, cyclists and pedestrians) and minimises gradient which could contribute to sedimentation from erosion and water runoff;

**Rural Resource
Clause 26.4.3 Design (A1)**

Acceptable Solution

The location of buildings and works must comply with any of the following:

- (a) be located within a building area, if provided on the title;
- (b) be an addition or alteration to an existing building;
- (c) be located in an area not require the clearing of native vegetation and not on a skyline or ridgeline.

Performance Criteria

The location of buildings and works must satisfy all of the following:

- (a) be located on a skyline or ridgeline only if:
 - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;
 - (ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;
- (b) be consistent with any Desired Future Character Statements provided for the area;
- (c) be located in an area requiring the clearing of native vegetation only if:
 - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;

(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.
Proposal
The proposed 200m section of track (works) does not occur on a nominated building area; is not an extension of a buildings; and requires some clearing of native vegetation, therefore it must be assessed against the performance criteria.

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

- The proposed works will require some clearing of native vegetation however it is considered the minimum necessary to establish a maximum 1.2m wide track along the 200m section of relatively flat terrain which will be suitable for all three user groups;
- The track will be constructed to avoid threatened native flora and significant habitat trees and where the vegetation on site is naturally clear the proposed track design will incorporate those areas to further reduce any impacts on vegetation;
- The proposed works are not located on a skyline or ridge;
- While works are potentially within the line of site of known wedge-tailed eagles nests, any impacts are able to be mitigated through the timing of the works.

Environmental Management Zone
Clause 29.3.1 Use standards for reserved land (A1)

Acceptable Solution
Use is undertaken in accordance with a reserve management plan.
Performance Criteria
Use must satisfy all of the following: (a) be complementary to the use of the reserved land; (b) be consistent with any applicable objectives for management of reserved land provided by the National Parks and Reserves Management Act 2002; (c) not have an unreasonable impact upon the amenity of the surrounding area through commercial vehicle movements, noise, lighting or other emissions that are unreasonable in their timing, duration or extent.
Proposal
The proposal is located within an area of public reserve under the <i>Crown Lands Act 1976</i> , however there is no reserve management plan in place, therefore it must be assessed against the performance criteria.

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

- Whilst there is no reserve management plan for the site, the Council land identified for Public Open Space or on Crown land managed in accordance with the *Crown Lands Act 1976* for which the Kingborough Council is in the process of securing a licence over for access and maintenance.
- It is considered that the proposal is consistent with the requirements of the Performance Criteria as the uses are complementary to the existing use of the land and the proposal is fully supported by the manager of the land, being DPIPW who provided consent; and

- There are no commercial vehicle movements, noise, lighting or other emissions and therefore no unreasonable impact upon the amenity of the surrounding area.

**Environmental Management Zone
Clause 29.4.2 Setback (A2)**

Acceptable Solution
Building setback from side or rear boundaries must comply with any of the following: (a) as proscribed in an applicable reserve management plan; (b) be no less than 30m
Performance Criteria
Building setback from side and rear boundaries must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape; (b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by: (i) overlooking and loss of privacy; (ii) visual impact, when viewed from adjoining lots, through building bulk and massing.
Proposal
The proposed bridge is not within a reserve management plans and is located within 30m of the side boundary of CT 17384/5, therefore it must be assessed against the performance criteria.

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

- The proposed bridge will be located on a 1.2ha narrow strip of land owned by Kingborough Council known as Lot 5 Sandfly Road (CT 17384/5) and is within 30m of land zoned Environmental Living. The location of the bridge is critical for joining two sections of the track to the east and west on the southern side of the North West Bay River and during the feasibility assessment it was considered that there are no alternative locations which could minimise impacts on native vegetation and maintain a relatively flat gradient to provide for recreational opportunities for all user groups.
- The proposed 8m long bridge will be located on a site that has a thick tree canopy and understory and the design of the bridge which will be constructed from lightweight aluminium be capped in timber to minimise reflection and have rubber pervious treads for the protection of horse hooves. The design will also incorporate high abutments to mitigate any flood events and will not impact on residential amenity on adjoining lots by any overlooking and loss of privacy or visual impact, when viewed from adjoining lots.
- As this part of the proposal is an extension to an existing development (North West Bay River Track) it is considered that the landscape will not be adversely impacted by the proposed bridge as the surrounding landscape already contains built infrastructure in the form of an existing foot bridge and formed walking track and the design and methodology for construction is considered to be sensitive to the landscape values; and
- There are no Desired Future Character Statements for the Environmental Management Zone.

**Environmental Management Zone
Clause 29.4.2 Setback (A3)**

Acceptable Solution
Buildings and works must be setback from land zoned Environmental Living no less than 30 m.
Performance Criteria
Buildings and works must be setback from land zoned Environmental Living to satisfy all of the following: (a) there is no unreasonable impact from the development on the environmental values of the land zoned Environmental Living; (b) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Living is minimised; (c) there is minimal potential for contaminated or sedimented water runoff impacting the land zoned Environmental Living; (d) there are no reasonable and practical alternatives to developing close to land zoned Environmental Living; (e) be no less than 10m or if there is an existing building setback less than this distance, the setback must not be less than the existing building.
Proposal
The proposed bridge is located within 30m of the side boundary of Council land (CT 17384/5) which adjoins land zoned Environmental Management, therefore it must be assessed against the performance criteria.

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

- The proposed bridge will be located on a 1.2ha narrow strip of land owned by Kingborough Council known as Lot 5 Sandfly Road (CT 17384/5) and is within 30m of land zoned Environmental Living.
- The adjoining land (800 Sandfly Road) is zoned Environmental Living is 10ha in area, primarily vegetated in native vegetation and the residential use of the lot is 166m to the west of the proposed bridge. The lot also adjoins existing Council land to the southeast which contains the North West Bay River Track and an existing bridge which runs parallel with Cooke Rivulet.
- The adjoining land is located to the west of the proposal and slightly upslope. To date there have been no records of weeds or pathogens spreading from the Council maintain North West Bay River track to land zoned Environmental Living;
- The Applicant has advised that weed management and disease hygiene protocols are elements of the bridge construction that will be incorporated into any construction contracts issued and longer term Council undertakes regular audits and maintenance of tracks to minimise impacts from the potential of pathogens and weeds to spread;
- During the feasibility assessment for the proposed bridge it was considered that there are no alternative locations which could minimise impacts on native vegetation and maintain a relatively flat gradient to provide for recreational opportunities for all user groups given the limitations of the topography and land tenure boundaries;
- There will be no runoff from the bridge which is pervious other than the normal environmental flow from Cooke Rivulet into the North West Bay River; and

- The proposed bridge will be located a minimum of 166m from the nearest residential building to the west.

**Environmental Management Zone
Clause 29.4.3 Design (A1)**

Acceptable Solution
The location of buildings and works must comply with any of the following: (a) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline; (b) be located within a building area, if provided on the title; (c) be an addition or alteration to an existing building; (d) as prescribed in an applicable reserve management plan
Performance Criteria
Requires that the location of buildings and works must satisfy all of the following: (a) be located in an area requiring the clearing of native vegetation only if: (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope; (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures; (iii) the location of clearing has the least environmental impact.
Proposal
The siting of the proposed bridge does not occur on a nominated building area; is not an extension of a buildings; and, there is no existing reserve management plan, therefore it must be assessed against the performance criteria.

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

- The siting of the proposed bridge over Cooke Rivulet has been designed to minimise vegetation clearing while providing for a site outside of the main flooding area at the confluence of both rivers. The siting will require the removal of six (6) Eucalyptus saplings with a diameter of less than 30cm.
- There is a large log with a 300mm hollow facing the stream downstream in the vicinity of the proposed bridge. It is considered that the log is unstable and likely to move downstream further during the next flooding event. The final bridge location will, where possible avoid this log and minimise impacts on native vegetation, including larger trees >30cm. It is recommended that a condition is included in any permit issued to this effect.
- There are no alternative locations for the siting of the bridge which could avoid impacts on native vegetation; given that the bridge needs to be located within Council land, have a suitable gradient for ingress/egress and be able to link to an existing track and the siting for proposed tracks; and
- It is considered that the location of the proposed bridge will have the least environmental impact, as apart from the abutments pinning the bridge to the ground, the bridge will be suspended over water and be located high enough not to impact on any future flood waters and the impacts on the log where possible can be avoided.

**Environmental Management Zone
Clause 29.4.3 Design (A2)**

Acceptable Solution
Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.
Performance Criteria
Exterior building surfaces must avoid adverse impacts on the visual amenity of neighbouring land and detracting from the contribution the site makes to the landscape, views and vistas.
Proposal
The proposed bridge will be constructed from lightweight aluminium, therefore will require assessment against the performance criteria.

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

- The proposed 8m long bridge will be located on a site that has a thick tree canopy and understory and the design of the bridge which will be constructed from lightweight aluminium, be capped in timber to minimise reflection and have rubber paviours treads for the protection of horse hooves. The design will also incorporate high abutments to mitigate any flood events and will not impact on residential amenity on adjoining lots by any overlooking and loss of privacy or visual impact, when viewed from adjoining lots;
- It is anticipated that the proposed bridge will be visible for less than 20m, due to the terrain at the river confluence, vegetation cover including the canopy and understorey and design of the proposed track. Capping the timber will further minimise reflection and over time the aluminium will dull and weather with superficial corrosion.

**E3.0 Landslide Area Code
Clause E3.7.1 Building and works, other than minor extensions (A1)**

Acceptable Solution
No acceptable solution.
Performance Criteria
Buildings and works must satisfy all of the following: (a) no part of the buildings and works is in a High Landslide Hazard Area; (b) the landslide risk associated with the buildings and works is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.
Proposal
Some section of the track works proposed are within a low landslide code area, therefore must be assessed against the performance criteria.

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

- no part of the proposed development is located within a high landslide hazard area; and
- the risk associated with the works (tracks) is considered an acceptable risk

E10.0 Biodiversity Code
Clause E10.7.1 Buildings and works (A1)

Acceptable Solution
Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.
Performance Criteria
<p>Clearance and conversion or disturbance must satisfy the following:</p> <p>(b) if moderate priority biodiversity values:</p> <p>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;</p> <p>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;</p> <p>(iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;</p> <p>(iv) residual adverse impacts on moderate priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013 and Council Policy 6.10.</p> <p>(c) if high priority biodiversity values:</p> <p>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development;</p> <p>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire-resistant design of habitable buildings;</p> <p>(iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values;</p> <p>(iv) special circumstances exist;</p> <p>(v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013 and Council Policy 6.10.</p> <p>(vi) clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.</p>
Proposal
The development is within the Biodiversity Protection Area and impacts on both moderate and high priority biodiversity values, therefore it must be assessed against the performance criteria.

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

- The proposed trail is located to minimise impacts on native vegetation communities and avoid impacts on moderate and high priority biodiversity values, including high conservation values trees, *Epacris virgata* populations, threatened native vegetation communities and nesting and denning habitat for threatened fauna;

- The extent of proposed clearing is the minimum necessary for trail construction and no clearing is required for bushfire hazard management;
- Remaining values are proposed to be maintained, managed and protected;
- Direct impacts on known threatened fauna habitat is managed by avoiding this habitat, including the retention and protection of all potential nesting trees and denning sites such as large hollow logs. In the event that significant habitat is identified during construction, impacts can be managed by stopping work can managed;
- Indirect impacts on wedge-tailed eagle nests within 1km can be managed through timing of works outside the breeding season, unless it has been established that eagles are not using the nests during that season;
- Weed and pathogen risk can be managed by undertaking weed control prior to trail construction and adherence to weed and pathogen protocols during construction.

Permit conditions are recommended:

- limiting clearing to the track footprint;
- requiring the final track alignment to avoid significant habitat features including the retention and protection of all trees >30cm and denning sites such as large hollow logs;
- requiring bridge construction and trail construction within the potential line of site of the wedge-tailed eagle to occur outside the breeding season of the wedge-tailed eagle unless it can be verified that they are not breeding in the area;
- construction materials;
- retention of coarse woody debris and weed management; and
- requiring appropriate hygiene, soil and water and tree protection measures during construction.

**Waterway and Coastal Protection Code
Clause 11.7.1.1 Building and works (A1)**

Acceptable Solution
Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.
Performance Criteria
Building and works within a Waterway and Coastal Protection Area must satisfy all of the following: <ul style="list-style-type: none"> (a) avoid or mitigate impact on natural values; (b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values; (c) avoid or mitigate impacts on riparian or littoral vegetation; (d) maintain natural streambank and streambed condition, (where it exists); (e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (f) avoid significantly impeding natural flow and drainage; (g) maintain fish passage (where applicable); (h) avoid landfilling of wetlands;

(i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.

Proposal

The proposal is located adjacent to the North West Bay River and within the Waterway and Coastal Protection area, therefore it must be assessed against the performance criteria.

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

- The general trail alignment avoids impacts on significant natural values and minimises impacts on natural values generally. The trail construction will be undertaken by highly experienced trail builders and the exact alignment will be selected to minimise impacts either directly from vegetation removal or indirectly through timing of works or disturbance to habitat;
- All earthworks will utilise best practice methods to minimise disturbance and prevent impacts of erosion, sedimentation and runoff on natural values. Trail design features such as rolling contour alignment, rock armouring and top and side drains will be used to reduce erosion and sedimentation impacts within the WCPA. Sediment traps will be installed where required during construction activities where there is a risk of sedimentation. These traps will be removed once the track has stabilised and erosion risk is low;
- The trail will be located away from the bank of the river where possible to ensure riparian vegetation is maintained. Clearance for the trail will be kept to a minimum with only small trees and understorey vegetation modified where necessary to create the trail. Vegetation removal will be minimal where the trail follows the old vehicle track;
- To maintain natural streambank and streambed condition, river crossings will be located in areas where there are low banks. Edge work will be undertaken to ensure the banks remain stable. River crossings will maintain natural streambed condition by utilising natural streambed rocks. Access to river crossings will be designed to minimise impacts on streambanks, such as erosion. Apart from river crossings, the remaining trail will avoid riverbanks.
- To ensure in-stream natural habitat will not be impacted by the proposal, river crossings will utilise natural riverbed rock surface. No in stream vegetation or habitat will be disturbed. A bridge will be installed over Cooke Rivulet to prevent any impacts. The bridge will be lifted into position using a helicopter. Bridge abutments will be located back for the edge of the banks of the rivulet to prevent erosion;
- The works will not impede natural flow and drainage, with river crossings utilising riverbed rocks only. Cooke Rivulet will be crossed via a new bridge;
- Fish passage will not be impacted by the proposal, with river crossings utilising natural riverbed rock surfaces and the creek crossing via a bridge;
- No landfilling of wetlands is proposed; and
- Any use of machinery near watercourses will be in accordance with the Waterways and Wetlands Works Manual (DPIWE, 2003).

Conditions are recommended for inclusion in any permit issued to ensure the above outcomes are achieved.

Scenic Landscapes Code

Clause E14.7.1 Removal of bushland within Scenic Landscape Areas (A1)

Acceptable Solution
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 ² in extent.
Performance Criteria
Removal or disturbance of bushland must be minimised and must satisfy both of the following: (a) result in only negligible change to the silhouette of skylines; (b) maintain scenic landscape value.
Proposal
The proposal includes the removal of more than 500m ² of bushland.

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

- The proposal is located within a public space however, it will not be easily discerned from public locations given the winding nature of the track and the clearing along the length of the track which will result in negligible change to the silhouette of skylines; and
- Scenic landscape values will be retained by the retention of screening vegetation adjacent to the walking track and proposed bridge.

Scenic Landscapes Code

Clause E14.7.2 Appearance of Buildings and Works within Scenic Landscape Areas (A1)

Acceptable Solution
A1 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.
Performance Criteria
P1 Buildings visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary: (a) have external finishes that are non-reflective and coloured to blend with the landscape; (b) be designed to: (i) incorporate low roof lines that follow the natural form of the land; (ii) minimise visual impact in height and bulk; (iii) minimise cut and fill; (c) be located below skylines; (d) be located to take advantage of any existing native vegetation or exotic vegetation for visual screening purposes.

Proposal
The proposal is visible from several public spaces therefore, it must be assessed against the performance criteria.

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

- The proposal is primarily works for the construction of a track and the only structure (aluminium bridge) will be designed to minimise its impact in the bush through the use of timber cladding and black rubber matting;
- The topography of the site will also contribute to minimising the visual impact of the proposal as it is located on the confluence of the Cooke Rivulet and North West Bay River and site below the skyline; and
- It is recommended that if the application be approved a condition of approval include the requirement to ensure the use low light reflectance value materials for the aluminium bridge.

Scenic Landscapes Code

Clause E14.7.2 Appearance of Buildings and Works within Scenic Landscape Areas (A2)

Acceptable Solution
Works must not be visible from public spaces.
Performance Criteria
Works visible from public spaces must maintain scenic landscape value by satisfying one or more of the following, as necessary; (a) driveways and access tracks are as close as practical to running parallel with contours and are surfaced with dark materials; (b) cut and fill is minimised; (c) surfaces of retaining walls and batters are finished with a natural appearance; (d) fences are post & wire or other designed of a similarly transparent appearance
Proposal
The proposal is located within a public space, therefore it must be assessed against the performance criteria.

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

- The proposal is primarily works for the construction of a track which will be designed to minimise its impact in the bush as it will be meandering in style and where possible sited along the contour which will minimise its visual impact from both an aesthetic when walking and the tree canopy when viewed from a distance; and
- The topography of the site will also contribute to minimising the visual impact of the proposal as it is primarily along the river flats and below the skyline with minimal benching and disturbance to the natural ground level and tree canopy.

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 30 June 2021 to 13 July 2021). Fifteen

(15) representations were received during the public exhibition period. The following issues were raised by the representors:

2.5.1 Water quality and impacts on aquatic ecosystems

Impacts on waterways during construction are able to be managed through implementation of soil and water management and placement/design of track infrastructure to enable fish passage.

Ongoing impacts on water quality from users are not an explicit planning matter as the recreation use is permitted under the zone standards and the Waterway and Coastal Protection Code is limited to development. Notwithstanding, the scale and nature of any pollutants from track users, including horse manure, are considered to be negligible.

Any use of machinery near watercourses will be in accordance with the Waterways and Wetlands Works Manual (DPIWE, 2003).

2.5.2 Impacts on wildlife

The proposed track has been designed and located to avoid impacts on significant habitat features and the timing of works can be managed to ensure no indirect impacts to breeding of wildlife.

All recorded raptor nests are greater than 500m from the proposed track and only a small area is potentially within line of site. Any impacts on raptors can be managed through the timing of works outside of the breeding season.

2.5.3 Siting of the track relative to the riverbanks

The final track alignment will be located to avoid riverbanks, apart from crossing locations. River crossings (fords) will be located in areas where there are low banks and edge work will be undertaken to ensure the banks remain stable.

2.5.4 Operational Issues

Several representations raised concerns regarding the management of user groups, mitigation of bushfire risk, community consultation and budget. These issues are not considered relevant to the application and cannot be addressed through the provisions of the planning scheme.

3. CONCLUSION

The proposal meets the relevant acceptable solutions and performance criteria against the provisions of the Scheme. It is considered that the proposal will significantly contribute to recreational opportunities with the Kingborough municipality for a range of user groups.

4. RECOMMENDATION

That the Planning Authority resolves that the development application for the North West Bay multi-user trail & associated works - Stage 1 at Huon Highway, Sandfly to Riverdale Road, Sandfly (including Crown Land, Council Land and Private Land - CT 246545/1, CT 17384/5, CT 20860/2, CT 124923/102, CT 129004/102 and CT 234772/4) for Kingborough Council 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-2021-305 and Council Plan Reference No. P1 submitted on 23 June 2021 and reports submitted on 1 June 2021 including Kingborough Council submission for planning application North West Bay River Multi-user Trail, Natural Values Report – Enviro Dynamics 10 May 2021 and North West Bay Multi-use Trail Feasibility Study 21 September 2020.

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

2. Prior to the commencement of on-site works (including any excavation), a Construction Management Plan (CMP) must be submitted to and endorsed by the Manager Development Services. No works are permitted to occur until the Plan has been endorsed. The plan must include as a minimum:
 - (a) Hours for construction activity;
 - (b) Measures to control noise, dust, water and sediment laden runoff;
 - (c) Measures relating to removal of hazardous or dangerous material from the site, where applicable;
 - (d) A plan showing the location of parking areas for construction and sub-contractors' vehicles surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises;
 - (e) A plan showing the location and design of a vehicle wash-down bay for machinery used within the site;
 - (f) Measures to ensure that sub-contractors operating on the site are aware of the contents of the Construction Management Plan;
 - (g) Contact details of key construction site staff;
 - (h) A site plan showing access route and the location of any machinery river crossings, on-site amenities, spoil waste storage and the like; and
 - (i) The size and type of machinery required to undertake track benching and appropriate washdown and weed hygiene management measures

Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Manager Development Services.

3. Construction work at the eastern end of the trail and the installation of the bridge across Cookes Rivulet must be avoided during the eagle breeding season (August to February inclusive).

Works on the eastern end of the trail can only occur during this period if the nests are deemed to be inactive in that season by a suitably qualified person.

4. Vegetation removal is limited to trees with a dbh <30cm, understorey trees and shrubs within the trail alignment, except where required for sightlines, weed control or drainage works.

No native vegetation is to be removed prior to issue of a 'Start of Works Notice' for the development.

No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council or in accordance with a further permit or otherwise as provided for in the Kingborough Interim Planning Scheme 2015 or otherwise in accordance with law.

5. All remaining vegetation and riparian areas outside the trail alignment and footprint of works must be retained and appropriately protected during works to ensure they are not damaged or harmed during works, including adhering to the following requirements:
 - (a) the existing soil level must not be altered (including the disposal of fill, placement of materials or the scalping of the soil);

- (b) these areas must be free from the storage of fill, contaminants or other materials; and
 - (c) machinery is not permitted access.
6. The final trail and bridge alignment must be located to avoid impacts on *Epacris virgata* populations and significant habitat features including all trees >30cm and denning sites such as large hollow logs.

Prior to finalisation of the trail alignment, a suitably qualified person must be present during marking of the final trail alignment to:

- (a) undertake a detailed search for *Epacris virgata* in dry forest communities during the flowering season (August to November inclusive);
- (b) ensure no *Epacris virgata* plants or significant habitat features are impacted by the trail alignment; and
- (c) ensure the bridge crossing Cookes Rivulet avoids the large log as shown in page 9 of the planning submission.

Written verification from a suitably qualified person that the final track alignment complies with the above requirements must be provided to Council prior to the commencement of any on-site works.

7. To ensure weeds and pathogens are not spread from, within or introduced to the site during construction, to the satisfaction of the Manager Development Services:
- (a) prior to commencement of on-site works, weeds must be controlled along the trail footprint and margins. Alternatively, in areas where dense infestations occur, physical control can occur as part of construction, where appropriate;
 - (b) the direction of trail construction must take into account the location and density of weed infestations, with areas containing dense weed infestations constructed following works in weed free areas to reduce the opportunity for weed seed to spread along the trail;
 - (c) the use of imported foreign aggregates must be minimised where possible;
 - (d) if surfacing is required, it must be sourced from a weed-free source; and
 - (e) standard weed hygiene procedures must be implemented during track construction and all machinery and tools must take appropriate hygiene measures prior to entering and leaving the site as per DPIPWE's Washdown Guidelines for Weed and Disease Control.
8. In the event that evidence of raptor nesting, swift parrot nesting or marsupial den sites is observed or discovered during trail construction, work must stop immediately, and the Department of Primary Industries, Parks, Water and Environment's (DPIPWE) Threatened Species Section contacted for advice.

Works may only recommence in accordance with the advice of DPIPWE.

9. Coarse woody debris must not be removed from the site.
10. Only local river rock is to be used for river crossings and the rivers crossings must not alter the riverbed profile.
11. Prior to the commencement of any on-site works, including vegetation removal or modification, excavations, placement of fill and/or delivery of construction materials, a "start works" notice must be lodged with Council.

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

12. 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.

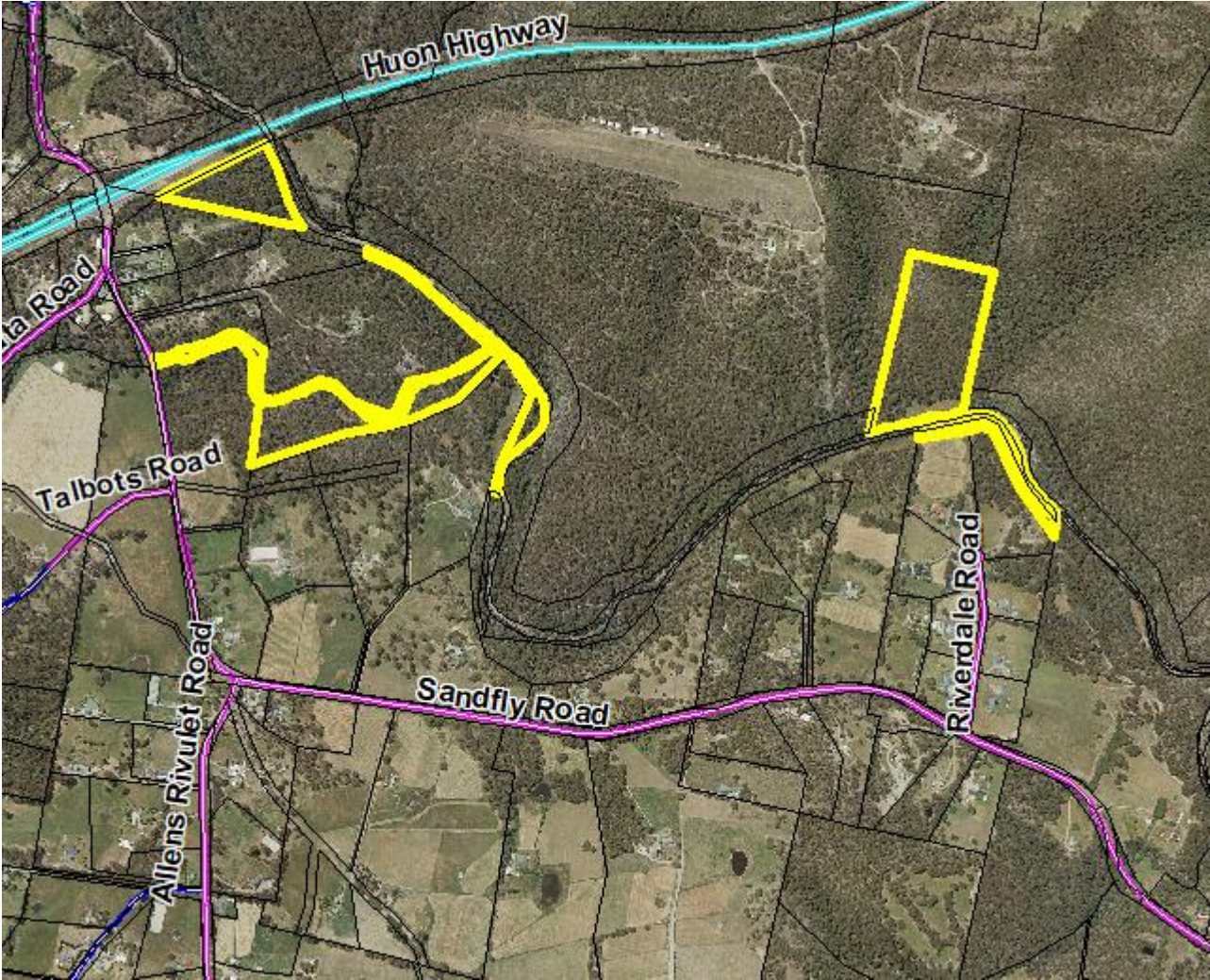
If your development involves demolition, new buildings or alterations to buildings (including plumbing works or onsite wastewater treatment) it is likely that you will be required to get approvals under the *Building Act 2016*. Change of use, including visitor accommodation, may also require approval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

- C. No construction work can commence prior to Council securing a licence over the Crown reserve from the Department of Primary Industries, Parks, Water and Environment (DPIWE) for access and maintenance.

ATTACHMENTS

1. **Locality Plan**
2. **Proposal Plans**
3. **Assessment Checklist**

Locality Plan – DA-2021-305



North West Bay River multi-use trail (Huon Hwy to Riverdale Road) – Natural Values Assessment - May 2021

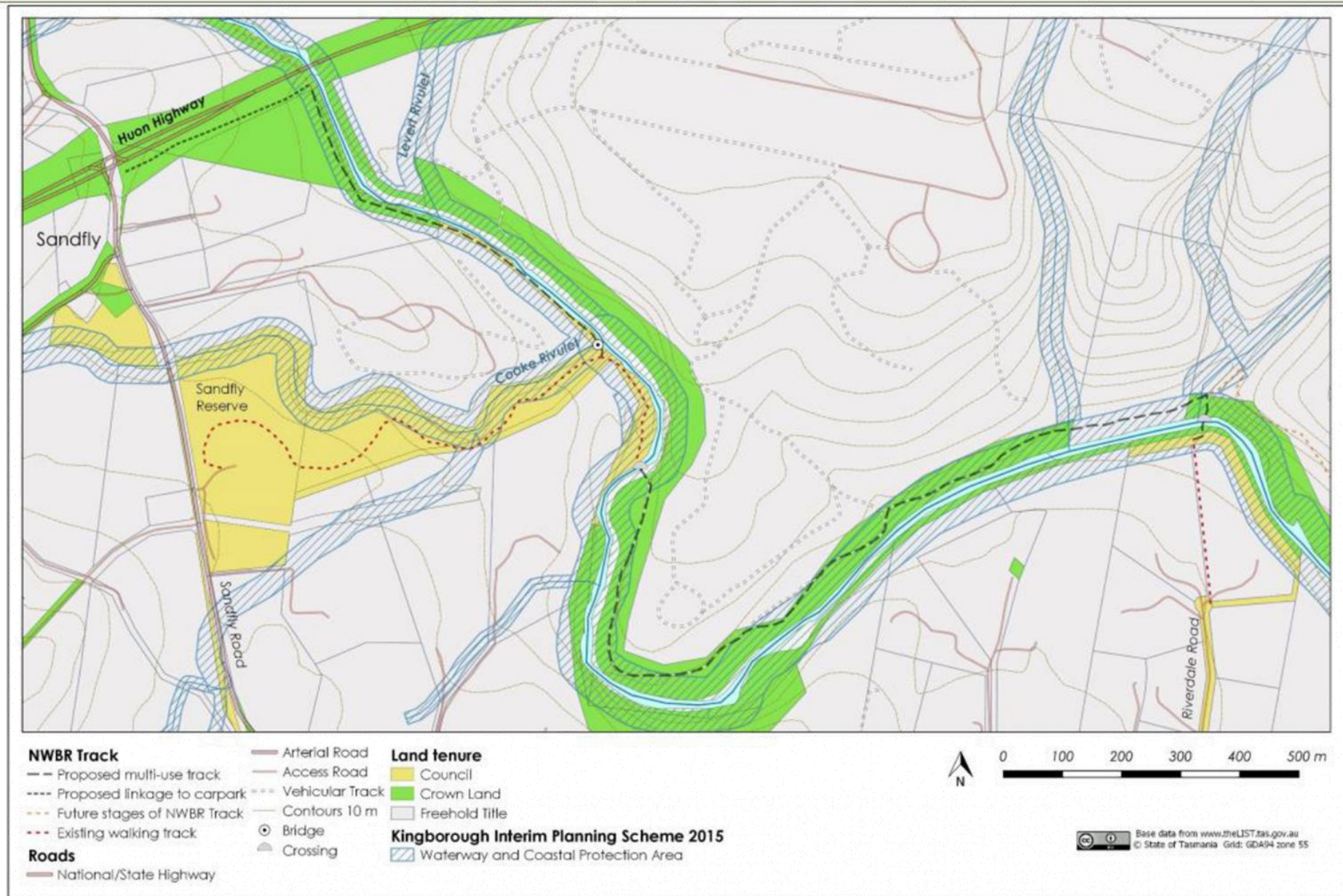



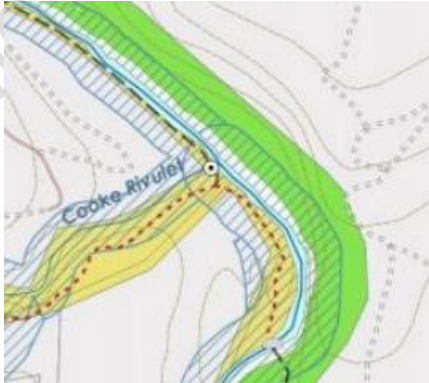
Figure 1 - Land tenure and proposed trail route at Sandfly. KIPS Waterway and Coastal Protection Area shown, other overlays (including Biodiversity Protection Area) not shown for clarity.


Assessment Checklist

Rural Resource Zone

Clause/Acceptable Solution	Compliance/Comments
<p>Building height (Cl.26.4.1) A1 – Building height no more than 8.5m for residential, 10m otherwise</p>	<p>A1 – Not Applicable as no buildings proposed for this section of track. Note Definition of building does not include walking track it is defined as works.</p>
<p>Setback (Cl. 26.4.2) A1 – Setback from frontage no less than 20m A2 – Setback from side and rear boundaries no less than 50m A3 – Building for sensitive use setback (a) 100m separation from plantation forest, Private Timber Reserve or State Forest (b) 200m separation from land zoned Significant Agriculture A4 – Buildings and works setback from land zoned Environmental Management no less than 100m</p>	<p>A1 – Not Applicable as no building proposed A2 – Not Applicable as no building proposed</p>  <p>A3 – Not Applicable as no building proposed A4 – Not Compliant as proposed track (works) are located within 100m of land zoned Environmental Management</p>
<p>Design (Cl. 26.4.3) A1 – Location of buildings and works complies with any of the following – (a) Located within a building area, if provided on the title (b) Is an addition or alteration to an existing building (c) Is located in an area that does not require the clearing of native vegetation and is not on a skyline or ridgeline A2 – Exterior building surfaces coloured using colours with a light reflectance value not greater than 40 per cent A3 – Depth of fill and excavation is no more than 2m from natural ground level, except where required for building foundations</p>	<p>A1 – Not Compliant as works are not in building area; are not a building extension; and works involve some clearing of vegetation A2 – Not Applicable as no building A3 – Compliant as works involve cut/fill less than 2m from ngl</p>

Environmental Management Zone

Clause/Acceptable Solution	Compliance/Comments
<p>Reserve Management Plan (Cl.29.3.1) A1 - Use is undertaken in accordance with a reserve management plan.</p>	<p>Not Compliant the proposal is located within a public reserve and is subject to the <i>Crown Lands Act 1976</i>. There is no reserve management plan for the site <i>Reserve Management plan means a management plan prepared under the National Parks and Reserves Management Act 2002, the Wellington Park Act 1993 or the Living Marine Resources Act 1995, or a plan of management prepared for an area reserved under the Crown Lands Act 1976.</i></p>
<p>Building Height (Cl.29.4.1) A1 - Building height comply with any of the following: a) as proscribed in an applicable reserve management plan; b) (b) be no more than 7.5 m.</p>	<p>A1 Compliant the proposal is for a track and bridge which under LUPAA is considered building and works. The proposed bridge height is less than 7.5m and meets A1(b).</p>
<p>Building setback (Cl. 29.4.2) A1 - Front a) as proscribed in an applicable reserve management plan; b) be no less than 30 m. A2 – building setback from side & rear boundary a) as proscribed in an applicable reserve management plan; b) be no less than 30 m. A3 - Buildings and works must be setback from land zoned Environmental Living no less than 30 m. A4 - Building setback for buildings for sensitive use (including residential use) must comply with all of the following: a) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m; b) (b) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m.</p>	<p>A1 Compliant the proposed bridge located in excess of 30m from front boundary of Lot 5 Sandfly Road (CT17384/5) A2 Not Compliant setback for bridge less than 30m from side and rear boundaries from land zoned Environmental Living. See below.  A3 Not Compliant – bridge less than 30m from land zoned Environmental Living. A4 Compliant Setback in excess 100m from Rural Resource Zone to the north. No significant Agricultural land zoned areas.</p>
<p>Building design (Cl. 29.4.3) A1 - The location of buildings and works must comply with any of the following: (a) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline; (b) be located within a building area, if provided on the title;</p>	<p>A1 Not Compliant as it will impact on a small area of native vegetation and does not meet criteria (a) – (c).</p>

Clause/Acceptable Solution	Compliance/Comments
<p>(c) be an addition or alteration to an existing building;</p> <p>(d) as prescribed in an applicable reserve management plan.</p> <p>A2 - Walls of a building facing a residential zone must be coloured using colours with a light reflectance value not greater than 40%.</p> <p>A3 - Fill and excavation must comply with all of the following:</p> <p>(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;</p> <p>(b) Extent is limited to the area required for the construction of buildings and vehicular access.</p>	<div style="display: flex; justify-content: space-around;">  </div> <p>A2 Not Compliant proposed bridge is aluminium which has LRV >40%</p> <p>Applicant states that it will be aluminium with spotted gum capping and pine decking and rubber matting</p> <p>A3 Compliant fill or excavation is required for bridge abutments <1m from ngl</p>

CODE PROVISIONS

Issue	Compliance/Comments
E1.0 Bushfire-Prone Areas Code	
While the proposed development is located within a Bushfire Prone Area, the Bushfire Prone Areas Code does not apply to the proposed use class.	
E3.0 Landslide Code	
Buildings and works, other than minor extensions (see definition) (Cl.E3.7.1) A1 No acceptable solution (requires assessment against performance criteria)	A1 – Not Compliant as works are proposed within the Landslide Hazard Area (low).
E6.0 Parking and Access Code	
While the Parking and Access Code applies the proposed development there is no requirement or provision for additional parking and therefore the code does not apply.	
E7.0 Stormwater Management Code	
While the Stormwater Management Code applies the proposed development there are no impervious structures and therefore the code does not apply.	
E9.0 Attenuation Code	
While the proposed development is located within an Attenuation Area, due to its proximity from a quarry site, the Attenuation Code does not apply to the proposed use class as it is not considered a sensitive use.	
E10.0 Biodiversity Code	
Buildings and works (Cl.E10.7.1) A1 Clearance and conversion or disturbance within a Building Area	<p>A1 Not Compliant There are a number of native vegetation communities within the proposed trail alignment, including:</p> <ul style="list-style-type: none"> • <i>Eucalyptus obliqua</i> dry forest (DOB); • <i>Eucalyptus obliqua</i> wet forest with broadleaf understorey (WOB); and • <i>Eucalyptus amygdalina</i> forest and woodland on dolerite (DAD).

Issue	Compliance/Comments
	<p>These communities are all non-threatened and well-reserved but may contain individual trees of high conservation value and threatened species habitat. Therefore the vegetation within the alignment of the trail is considered to contain moderate priority biodiversity values.</p> <p>There are also other native vegetation communities in close proximity to the proposed alignment, including:</p> <ul style="list-style-type: none"> • <i>Eucalyptus pulchella</i> forest and woodland (DPU); • <i>Eucalyptus globulus</i> dry forest and woodland (DGL); and • <i>Eucalyptus ovata</i> forest and woodland (DOV). <p>While DGL and DOV are threatened native vegetation communities and a high priority under the Biodiversity Code, the trail alignment has been located to avoid encroachment into these high priority vegetation communities.</p> <p><i>Epacris virgata</i> (pretty heath) is also found in several locations along the trail corridor. While this species was not observed during the site surveys, it is possible it is present and it is therefore recommended that a detailed search is undertaken by a suitably qualified person during narking of the trail route to ensure no plants are impacted. A condition to this effect is recommended for inclusion in any permit issued.</p> <p>The vegetation along and in the vicinity of the trail alignment also provides potential habitat for a number of threatened fauna species, including potential nesting habitat for the grey goshawk, wedge-tailed eagle, swift parrot and masked owl, habitat for the eastern barred bandicoot and potential denning habitat for the eastern quoll and Tasmanian devil.</p>
E11.0 Waterway and Coastal Protection Code	
<p>Buildings and works (Cl.E11.7.1)</p> <p>A1 - Buildings and works within a building area on subdivision plan approved under this Scheme</p> <p>A2 – Coastal refugia area</p> <p>A3 – Potable water supply area</p> <p>A4 – Development does not involve new stormwater point discharge into watercourse, wetland or lake</p>	<p>A1 – Not Compliant The works are not located in a building area on a subdivision plan approved under this Scheme</p> <p>A2 – A4 Not Applicable</p>
E14.0 Scenic Landscapes Code	
<p>Removal of bushland within scenic landscape areas (Cl.E14.7.1)</p> <p>A1 – Removal or disturbance of bushland complies with (a) & (b)</p>	<p>A1 – Not Compliant as proposal will include removal of 2000m2 vegetation <300mm over Stage 1 of the track.</p>
<p>Appearance of buildings and works within scenic landscape areas (Cl.E14.7.2)</p> <p>A1 – Building visibility complies with (a) or (b)</p> <p>A2 – Works not visible from public spaces</p>	<p>A1 – Not Compliant the proposed bridge is within a public space and visible from the track</p> <p>A2 – Not Compliant the proposed track works are within a public space and visible</p>
E15.0 Inundation Prone Areas Code	

Issue	Compliance/Comments
The site is within a Coastal Inundation Hazard Area, however the proposal will not impact this area and is not subject to Riverine inundation, therefore Code E15.0 is not applicable.	

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

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PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION

14 NOTICES OF MOTION

14.1 Significant Tree Register Policy

The following Notice of Motion was submitted by **Cr Wriedt**

RECOMMENDATION

That a review of the Significant Tree Register Policy and Procedures be undertaken by staff and a report provided back to Council within the next eight weeks.

Background

Council's Significant Tree Register was established to acknowledge the significant aesthetic, cultural and/or historical importance of trees within the Municipality. It provides the opportunity to identify and protect the area's exceptional trees. Once a tree is listed on the Register it cannot be removed or damaged without approval from Council.

For a tree to be listed on the Register it must meet the requirements of one or more categories of significance, with the categories having been developed in conjunction with the staff from the Royal Tasmanian Botanical Gardens. They include:

- Tree size and/or age;
- Aesthetic beauty;
- Rarity;
- Unusual physical form;
- Historical significance; and
- Landscape.

The Significant Tree Policy passed by Council in September 2018, expired in September last year and is now due for renewal. Due to COVID related operational issues in 2020, no call was made for additional nominations for the register. It is also my understanding that a number of nominations for listing and de-listing of trees under the Significant Register Policy are currently being finalised before coming to Council.

During the recent community consultation about the Tree By-Laws it was obvious that there is a great deal of interest in having a contemporary and appropriate Significant Tree Policy that is supported by appropriate resources. This will enable a quicker turn around for nominations to the Register. Therefore, it is now appropriate that Council staff review the existing policy and procedures and provide Council with a report for consideration as a matter of urgency.

Officer's Response

A report to this effect can be provided to Council within the timeframe proposed.

Adriaan Stander, Strategic Planner

15 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

16 PETITIONS RECEIVED IN LAST PERIOD

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

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17 OFFICERS REPORTS TO COUNCIL

17.1 FOOD TRUCK POLICY REVISION - SEPTEMBER 2021

File Number: 12.185

Author: Anthony Verdouw, Executive Officer Engineering Services

Authoriser: David Reeve, Director Engineering Services

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 present a revised policy for the issue of permits for mobile food businesses to trade on a municipal road reservation or Council land.

2. BACKGROUND

2.1 Council endorsed a Food Truck Policy for the municipality on 23 September 2019 to cater specifically for mobile food vendors wishing to trade on Council roads or land.

2.2 After nearly two years in operation the Policy is due for revision and renewal.

3. STATUTORY REQUIREMENTS

3.1 The issuing of food truck permits is subject to the provisions of Section 56C of the *Vehicle and Traffic Act 1999* and Sections 20 and 168 of the *Local Government Act 1993*.

3.2 In accordance with the *Kingborough Interim Planning Scheme 2015* use or development in a road reserve or on public land is exempt per clause 5.6.1(a) – ‘if for outdoor dining facilities, signboards, roadside vendors and stalls which have been granted a licence under Council’s relevant By-law.’

3.3 Permits will be issued in accordance with Council’s *Roads and Parking By-Law 2021* and *Parks, Recreation and Natural Areas By-Law 2021*.

3.4 Food truck permits will only be issued to vendors with a current mobile food business registration issued by a Tasmanian Council under the *Food Act 2003*.

4. DISCUSSION

4.1 The food truck policy was introduced in September 2019 and has successfully provided an avenue for food vendors to trade in the municipality.

4.1.1 Since the policy was introduced in 2019 there has been an increase in enquiries from mobile food vendors wishing to trade in Kingborough.

4.1.2 When the policy was first implemented in 2019/2020 eight (8) vendors applied for a permit. In the 2020/2021 financial year nineteen (19) vendors applied for a permit.

- 4.2 The policy and subsequent permits only apply for trading locations on Council road reservations and Council managed land. Vendors who trade at an event or on State land or private land are not covered by this policy.
- 4.3 The policy aims to ensure community amenity, protection of established food businesses, and sound environmental practises whilst also supporting mobile food businesses.
- 4.4 The policy has provided clear trading conditions for vendors and an avenue to address any public concerns and any compliance issues as they arise.
- 4.4.1 The food truck program has operated for two (2) years with minimal formal complaints from local businesses and residents.
- 4.4.2 Since the policy was endorsed in 2019 Council has received ten (10) written enquiries from businesses and community members concerning food truck trading. Five (5) of these enquiries relate directly to food trucks trading on Osborne Esplanade, Kingston Beach, with one (1) of these enquiries regarding noise concerns outside approved food truck trading hours.
- 4.4.3 It should be noted that there has also been correspondence to staff indicating ongoing support of food trucks operating in the municipality.
- 4.4.4 Kingston Beach has been a popular trading location for vendors, and some local businesses have voiced concerns about food trucks trading in the area. To ensure ongoing amenity in the area it is proposed that food truck trading along Osborne Esplanade be restricted to the small section of parallel parking spaces just north of Victoria Street. This provides a 200m buffer from existing businesses. Increased restrictions proposed at this site also include limited trading hours and a limit of one food truck at a time.
- 4.4.5 To minimise impacts on fixed premise businesses a 200m distance requirement from a fixed food business is outlined in the policy, which staff consider is appropriate, noting that City of Hobart and Clarence City Council both impose a 50m distance requirement.
- 4.5 The main amendment recommended for the policy is to specify a list of pre-approved food truck trading locations in urban areas. This will provide clarity for both vendors and patrons around exactly where food trucks are permitted to trade and will make monitoring food truck trading easier.
- 4.5.1 The proposed pre-approved trading locations are listed and mapped in the attached Food Truck Trading Locations document.
- 4.5.2 All pre-approved food truck trading locations will have set trading hours, site use limits and limits to how often a vendor may trade at each location each week.
- 4.6 The policy also permits vendors to request alternative trading locations, which will be approved on a case-by-case basis. It is anticipated that these requests will focus more on decentralised areas that are not serviced by the pre-approved trading locations, for example Bruny Island or Woodbridge.
- 4.6.1 Providing the option for alternative trading locations gives vendors the opportunity to try trading in the less populous areas of the municipality.
- 4.6.2 The policy is worded to enable some flexibility on trading days and trading hours per day for alternative locations.
- 4.6.3 Alternative trading locations will only be approved if all Food Truck Policy conditions can be met at the proposed site and staff will assess the suitability of all proposed locations from a public safety and convenience perspective,

considering the surrounding business and recreation activities, proximity to residential dwellings, site space and topography, and food truck dimensions.

- 4.6.4 Any approved alternative trading locations will be clearly listed on the vendor's Food Truck Permit.
- 4.7 If the food truck program continues to increase in popularity, Council has limited resources to monitor activities during normal business hours and no after hour monitoring capability.
- 4.8 It is proposed that the ongoing food truck program compliance model should be one of self-regulation, community engagement and proactive education and enforcement via the conditioning of permits.
- 4.9 Food truck permit holders are required to comply with all the specified conditions of their permits and evidence of non-compliance will result in the permit being cancelled or suspended, as outlined in the policy.
- 4.10 If approved, the revised *Food Truck Policy* and *Food Truck Trading Locations* will apply to all Food Truck Permit renewals and applications for the 2021/2022 financial year.
 - 4.10.1 Current food truck vendors have been given temporary permit extensions until the new policy is implemented.

5. FINANCE

- 5.1 Three food truck permit fees were incorporated in the 2021/2022 Kingborough Council fees and charges: an annual permit for \$1058, a 6 month permit for \$617, and a 3 month permit for \$352.
- 5.2 The food truck permit fees will contribute to subsequent administration and management costs.
- 5.3 The food truck permit fees were determined in alignment with what other Tasmanian Councils are charging for similar permits for mobile food vendor trading on roads or council land, as outlined in the below chart:

Council	Permit	Time	Fee
Hobart	Food Truck Permit – Registered Vehicle – 20-21	12 month	\$2606
		3 month	\$781
Clarence	Mobile Food Businesses in Public Places	12 month	\$800
		3 month	\$350
Launceston	Food Vendors (Mobile Vans) – 20-21	12 month	\$2175
		6 month	\$1091
Devonport	Mobile Vending Permit – 20-21	12 month	\$500
		3 month	\$250
Burnie	Mobile Food Vendor Permit	12 month	\$1584
		3 month	\$845
Kingborough	Food Truck Permit	12 month	\$1058
		6 month	\$617
		3 month	\$352

6. ENVIRONMENT

- 6.1 The draft food truck policy includes a new condition that all vendors phase out the use of single-use plastics by 1 January 2022.
- 6.1.1 A recent survey of vendors has indicated that most current vendors already utilise certified compostable containers and utensils.
- 6.2 The policy includes a condition for mobile food vendors to provide waste receptacles for waste and recyclables, immediately adjacent to the food truck for patrons.
- 6.3 The policy includes a condition for mobile food vendors to comply with all environmental health laws pertaining to the Mobile Food Business registration and adhere to any relevant government regulations and restrictions, including noise pollution requirements.
- 6.4 Regarding controls for noise pollution and generator use, Council's Environmental Health Officers have recommended that we do not move away from what is already prescribed in the *Environmental Management and Pollution Control (Noise) Regulations 2016*.
- 6.5 There are no maximum decibel levels specified in the regulations for this type of equipment, and a specified maximum decibel level regulation determined by Council in the policy would be difficult to measure, regulate and enforce.
- 6.6 To align with existing legislation, the policy specifies that vendors operating within 100m of a residential dwelling only trade between:
- i) Monday to Friday – 7am to 6pm
 - ii) Saturday – 8am to 6pm
 - iii) Sunday or public holiday – 10am to 6pm.
- 6.7 Since 2019 Council has received one complaint from a resident about a food truck generator, this particular complaint was associated with a food truck operating outside approved trading times. The vendor in question was warned by staff about this breach of permit conditions.
- 6.8 It should be noted that other than the Osborne Esplanade and Blowhole Road trading locations all the other proposed pre-approved trading locations are more than 100m from residential areas, and the proximity to residential dwellings will be a significant consideration when assessing any proposed alternative trading locations.

7. COMMUNICATION AND CONSULTATION

- 7.1 The Food Truck Policy and corresponding trading locations document will be made publicly available on Council's website and communicated to all current vendors.
- 7.2 During the past two years vendors and potential applicants have provided comment on the policy and the public and local business owners have also contacted Council with enquiries and requests regarding the program. All this feedback has been taken into consideration in the preparation of the revised policy.

8. RISK

- 8.1 This policy aims to provide equal access for mobile food vendors and clearly outlines food truck trading areas, to preserve current public amenity, safety and established food business patronage.

- 8.2 A food truck permit cannot be issued without the applicant providing a certificate of currency for public liability insurance of a minimum \$20M.
- 8.3 Upon agreeing to the permit conditions, applicants acknowledge that they assume all responsibility for any and all liabilities that arise as a direct result of their food truck trading in the Kingborough municipality.
- 8.4 If the food truck program continues to increase in popularity, Council does not have current resourcing to monitor activities after hours. If reactive monitoring was to occur, this would require additional resourcing. Permit holders are required to comply with the conditions of their permits and evidence of non-compliance will result in the permit being cancelled or suspended, as outlined in the policy.

9. CONCLUSION

- 9.1 A revised draft of the Kingborough Food Truck Policy has been prepared that includes a set of underlying guidelines, permit conditions and pre-approved food truck trading locations for implementation.

10. RECOMMENDATION

That the attached revised draft Food Truck Policy 4.12 be approved.

ATTACHMENTS

1. Existing Policy with Tracked Changes
2. Updated Policy for Approval
3. Kingborough Food Truck Trading Locations

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EXISTING POLICY WITH TRACK CHANGES



Policy No:	4.12	Minute No:	C651/19-19
Approved by Council:	September 20192021	ECM File No:	40-3512.185
Next Review Date:	September 20231	Version:	12
Responsible Officer:	Executive-Manager/Director Engineering Services		

Food Truck Policy

1 POLICY STATEMENT	1.1 This Policy outlines the process and conditions under which Council will grant and issue food truck permits for mobile food vendors trading within a road <u>reservation</u> or on Council land.
2 DEFINITIONS	2.1 In this policy: <ul style="list-style-type: none"> • “Council” means the Kingborough Council. • “Mobile food vendor” means any commercial operator who, in the course of a business, profession or trade sets up a food truck in or on any road or Council land from which food and/or beverages are handled or sold. • “Food truck” is any mobile structure that is registered as a mobile food and beverage business within Tasmania under the <i>Food Act 2003</i> that seeks to trade within any road or Council land. Food trucks incorporate both registered vehicles such as vans, caravans and trailers; and non-registered vehicles such as coffee carts or hotdog carts. • “Road” includes part of a road, road reservation, footpath, or walkway or nature strip which are wholly or partly maintained by Council or under the control of Council. • “Food truck permit” means a permit issued in accordance with this policy, and Council’s <i>Roads and Parking and Stormwater By-Law 2011-2021</i> and <i>Parks, Recreation and Natural Areas By-Law 2011-2021</i>. • “Council land” means any land owned, or managed by, or under the control of the Council and includes part of that land and a natural area and a park, but does not include a road or local highway under the control and management of the Council. • “Motor vehicle” has the same meaning as defined in the <i>Vehicle and Traffic Act 1999</i>.
3 OBJECTIVE	The objectives of this Policy are to: <ul style="list-style-type: none"> 3.1 Provide a clear permit process and permit conditions for food truck trading on roads or Council land. 3.2 Accommodate food trucks trading on roads or Council land in a reasonable manner which will: <ul style="list-style-type: none"> • complement and not unreasonably compete with existing fixed address food businesses; • provide the community and visitors with additional diversity and choice; • ensure food truck locations are safe and convenient in terms of access, facilities, and attraction, and which do not unreasonably interfere with the purpose and security of other public assets or inconvenience the function or amenity of other users and the environment. 3.3 Acknowledge food trucks can make positive contributions to the attraction and vitality of Kingborough and provide economic, social and cultural benefit to the community.

<p>4 SCOPE</p>	<p>4.1 This Policy applies to all Council roads and Council land within the Kingborough municipal area.</p> <p>4.2 This policy does not apply to State land or private land. Food trucks may <u>only</u> operate on private land under a different permit granted under the <i>Land Use Planning and Approvals Act 1993</i>.</p> <p>4.3 This policy does not apply to mobile food businesses that might be involved in events such as markets and festivals. The event organiser is responsible for managing permits in these instances.</p> <p>4.4 This policy does not apply for mobile food vendors who trade in any one location for less than 15 minutes.</p>
<p>5 PROCEDURE (POLICY DETAIL)</p>	<p>5.1 ELIGIBILITY FOR A FOOD TRUCK PERMIT</p> <p>To be eligible for a food truck permit a prospective mobile food vendor must:</p> <ol style="list-style-type: none"> Have a current ABN or ACN. If the business is to operate from a vehicle or a motor vehicle, the vehicle is to be registered in accordance with the <i>Vehicle and Traffic Act 1999</i> and the vehicle and its operator must comply with all other applicable laws which govern vehicle operation and use. Have a current mobile food business registration certificate, issued by a local authority under the <i>Food Act 2003</i>. Hold a current public liability insurance policy with cover of not less than \$10 <u>\$20</u> million. Indemnify Council against any liability that may arise as a direct result of the mobile food vendors trading within an approved site. <p>5.2 FOOD TRUCK PERMIT APPLICATION</p> <ol style="list-style-type: none"> To apply for a food truck permit, a mobile food vendor must submit a <i>Food Truck Permit Application Form</i>, <u>including accompanying supporting documentation, available from the Council Offices and Website on the Council website.</u> A permit application may be for either a 3-month permit, a 6-month permit or an annual permit. Annual permits are valid from 1 July in the year granted to 30 June in the following year.; an annual food truck permit to trade within approved locations during the period from 1 July in the year granted to 30 June in the following year; or A food truck permit will be valid between the commencement date and the expiry date specified on the permit. There will be no partial refund or compensation of permit fees if the vendor wishes to cease trading prior to permit expiry, or if Council, under any circumstance, suspends the permit. <ul style="list-style-type: none"> • a three month food truck permit to trade within approved locations. <p>If approved, the three month period will commence from the date specified in the application form, which may be no earlier than the date the permit is issued. If no date is specified in the application form the permit will commence from the date the permit is issued.</p> e)d) A fee will apply to food truck permits and the permit will not be issued until the applicable fee is paid in full. Permit fees are outlined in the annual Kingborough Council Fees and Charges or the relevant By-law. A food truck permit will be valid until the permit expiry date or until such time the vendor notifies Council they have ceased trading. There will be no partial refund or compensation of permit fees if the vendor wishes to cease trading prior to

	<p>permit expiry, or if Council, under any circumstance, suspends the permit.</p> <p>e) Permits are not automatically renewed and current permit holders will be required to apply for a new permit when their existing permit expires.</p> <p>f) Permits are not transferable and are only applicable for the business identified on the permit.</p> <p>g) A mobile food vendor seeking to operate from more than one vehicle must apply for a separate permit for each vehicle (a non-motorised van/trailer coupled with a vehicle solely used to tow will be considered as one vehicle).</p> <p>e)h) A food truck permit application must include copies of:</p> <ul style="list-style-type: none"> • a certificate of currency for Public Liability Insurance • a Mobile Food Business registration certificate • Tasmanian Vehicle Registration (if applicable).
<p>6 GUIDELINES</p>	<p>6.1 TRADING LOCATIONS</p> <p>A mobile food vendor must <u>only trade in the pre-approved trading locations listed in the Kingborough Food Truck Trading Locations, or alternative locations as approved by Council and specified in their food truck permit.</u></p> <p>In addition to the above, a food vendor must: Only trade in approved as outlined in their food truck permit.</p> <p>a) Not trade within a food truck “no go zone” as defined and outlined in the Appendix of this policy, “Kingborough Municipality Food Truck No-Go Zones”.</p> <p>b)a) Not trade within 200m of any established food business where the activities of the mobile food vendor may <u>have an effect on negatively impact</u> the operations or patronage of the established business.</p> <p>b) Not trade within 200m of the boundary of a market, festival, fair or similar event that includes food and beverage traders within the event.</p> <p>c) <u>Not trade in a location designated for use as a park and ride between the hours 6am to 6pm.</u></p> <p>d) <u>Adhere to the site food truck limits in the Kingborough Food Truck Trading Locations or otherwise n</u>Not trade in an area if there are already two food trucks trading within 200m.</p> <p>e) Only lawfully stop in a designated parking bay or parking area in accordance with the <i>Road Rules 2019</i>.</p> <p>f) Not obstruct or restrict any roads, entry or exit points to any property, bike lanes, walkways, wheelchair access ramps or access to public services such as, but not limited to, taxis, buses and loading zones.</p> <p>g) Ensure pedestrians can safely access the premises and ensure patronage will not unreasonably disrupt the flow of vehicular or pedestrian traffic.</p> <p>h) In on-road parking spaces eEnsure the food truck serving area does not face the traffic side of the road.</p> <p>h)j) Not leave the vehicle or cart from which they conduct their business unattended at a trading location.</p> <p>6.2 TRADING TIMES</p> <p>a) A mobile food vendor, unless granted specific approval from Council, must adhere to the the following trading hours and trading days outlined for each pre-approved site in the Kingborough Food Truck Trading Locations or as otherwise specified in their permit.time restrictions:</p> <p>a) A mobile food vendor, unless granted written approval from Council,</p>

- ~~b) Trade within any one approved trading location on not more than three days in any one calendar week and not more than one period in any one calendar day.~~
- ~~c) If not using a generator, tmay only trade from an pre-approved trading location for not more than four hours on any one day, and between 7:00 am and 8:00 pm.~~
- ~~b)~~
- ~~c) If operating a generator within 100m of a residential dwelling a mobile food vendor may only trade between the hours of: If using a generator, unless otherwise approved by Council, trade~~
 - ~~i) Monday to Friday – 7am to 6pm~~
 - ~~ii) Saturday – 8am to 6pm~~
 - ~~iii) Sunday or public holiday – 10am to 6pm.~~

6.3 HEALTH AND SAFETY

A mobile food ~~vender~~ vendor must:

- a) Comply with all laws pertaining to Mobile Food Business registration and adhere to all relevant Council By-Laws and noise legislation.
- ~~b)~~ b) Keep their food truck well presented, clean and in roadworthy condition.
- ~~b)c)~~ c) Not receive deliveries while trading.
- ~~e)d)~~ d) Trade wholly from within the food truck and nNot undertake any food or beverage preparation or cooking, service or storage outside the permitted vehicle or cart.
- ~~d)e)~~ e) Not erect any free-standing sign or provide any tables, trestles, marquees, tents, chairs, boxes, crates or similar for patron shelter or use as table or chairs, without prior Council approval.
- ~~e)f)~~ f) Not commandeer, utilise or modify any Council owned furniture or structure.
- ~~f)g)~~ g) Ensure any advertising or signage is fixed securely to the mobile food vehicle and does not protrude onto the road and/or footpath.
- ~~h)~~ h) Ensure that any noise related to trade does not constitute a public nuisance Where possible and u use power sources that generate low or no noise and/or air pollution, and ensure that all noise associated with trade is kept to a minimum. (Council will not provide power sources). (Council will not provide power sources).

~~6.4~~

6.56.4 WASTE AND CLEANING

A mobile food vendor must:

- ~~a) Keep their food truck well presented, clean and in roadworthy condition at all times.~~
- ~~a)~~ a) Phase out the use of single-use plastics by 1 January 2022 and from this date ensure that all containers and utensils provided to customers are certified compostable.
- ~~b)~~ b) Provide separate waste receptacles for waste and recyclables, each with a capacity of not less than 50 litres, immediately adjacent to the food truck for use by patrons, and ensure the site is kept clean of litter and rubbish at all timesalways kept clean of litter and rubbish.
- ~~c)~~ c) Demonstrate best efforts to minimise the use of single-use plastics and Rremove and dispose of all waste responsibly at the conclusion of each trading period.
- ~~d)~~ d) Ensure no wastewater and waste liquids, including cooking oil, are discharged and that all wastewater or liquid wastes are contained within the food truck.
- ~~e)~~ e) Not wash down a food truck or its interior or any other article within a road or on Council land.

	<p>6.66.5 GENERAL</p> <p>A mobile food -vendor is also required to:</p> <ol style="list-style-type: none"> a) Display the Kingborough food truck permit within the mobile food vehicle when trading within a Council location. b) Assume responsibility for any and all liabilities that arise as a direct result of their food truck trading within the Kingborough municipality. c) Follow all instructions issued by a duly authorised officer of the Council. d) Acknowledge that Council reserves the right to: <ol style="list-style-type: none"> i) limit the number of vendors trading in an area, or to stop trade in any approved location at any time if health and safety, <u>public amenity</u>, public access, heritage or environmental obligations require this; ii) immediately suspend or cancel a permit if the mobile food vendor contravenes any condition of the food truck permit or trades in contravention of any regulatory requirement; iii) suspend trade on a road or Council land on those days when the road or Council land is required for any reason under permit granted by Council, or any other authority; iv) alter, add or remove any of the conditions within this permit at any time with as much notice as possible of such change provided to existing permit holders.
<p>7 COMMUNICATION</p>	<p>7.1 This policy will be communicated to all Council staff who will assess and issue food truck permit applications and enforce the permit conditions.</p> <p>7.2 This policy will be published on the Council's website along with the Kingborough Food Truck Permit Application Form.</p>
<p>8 LEGISLATION</p>	<p>8.1 The primary legislation in relation to this policy is the <i>Local Government Act 1993</i>. Other relevant legislation includes:</p> <ul style="list-style-type: none"> • <i>Vehicle and Traffic Act 1999</i> • <i>Food Act 2003</i> • <i>Road Rules 20092019</i> • <i>Land Use Planning and Approvals Act 1993</i> • <i>Environmental Management and Pollution Control (Noise) Regulations 2016</i> • <i>Kingborough Roads <u>and</u>, Parking <u>and</u> Stormwater By-Law 20112021</i> • <i>Kingborough Parks, Recreation and Natural Areas By-Law 20112021</i>
<p>9 RELATED DOCUMENTS</p>	<p>9.1 Related documents include the following:</p> <ul style="list-style-type: none"> • <i>Kingborough Food Truck Trading Locations</i><i>Kingborough Food Truck Permit Application Form</i> • <i>Kingborough Application for Registration of a Food Business</i> • <i>Kingborough Application for Registration of a Food Business</i> • <i>Tasmanian Government Guidelines for Mobile Food Businesses</i>
<p>10 AUDIENCE</p>	<p><u>10.1</u> Public</p> <p>10.1<u>10.2</u> Mobile Food Vendors</p>

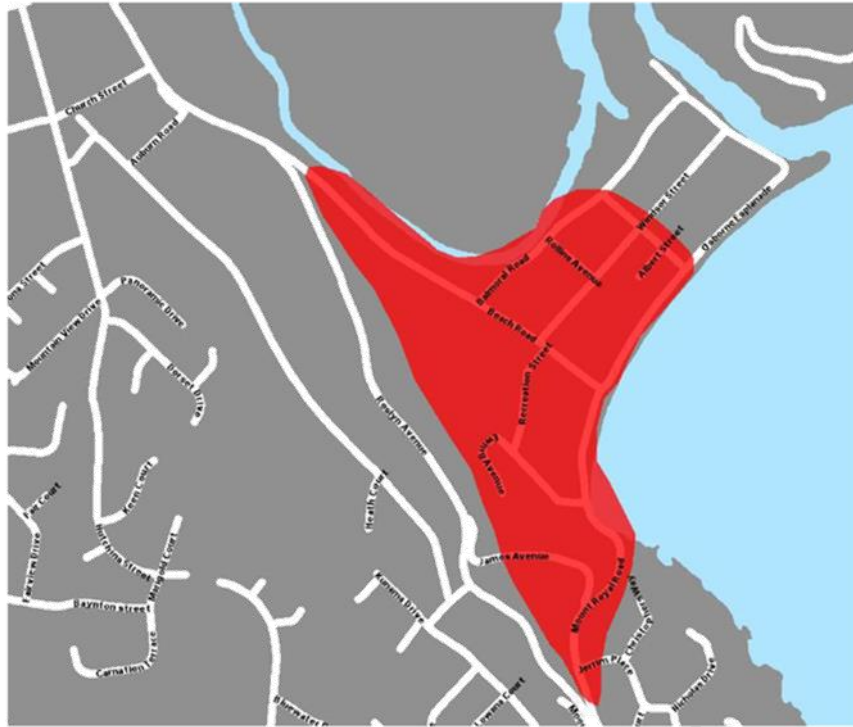
Trading No-Go Zones

No go zones do not apply for organised community events such as markets and festivals.

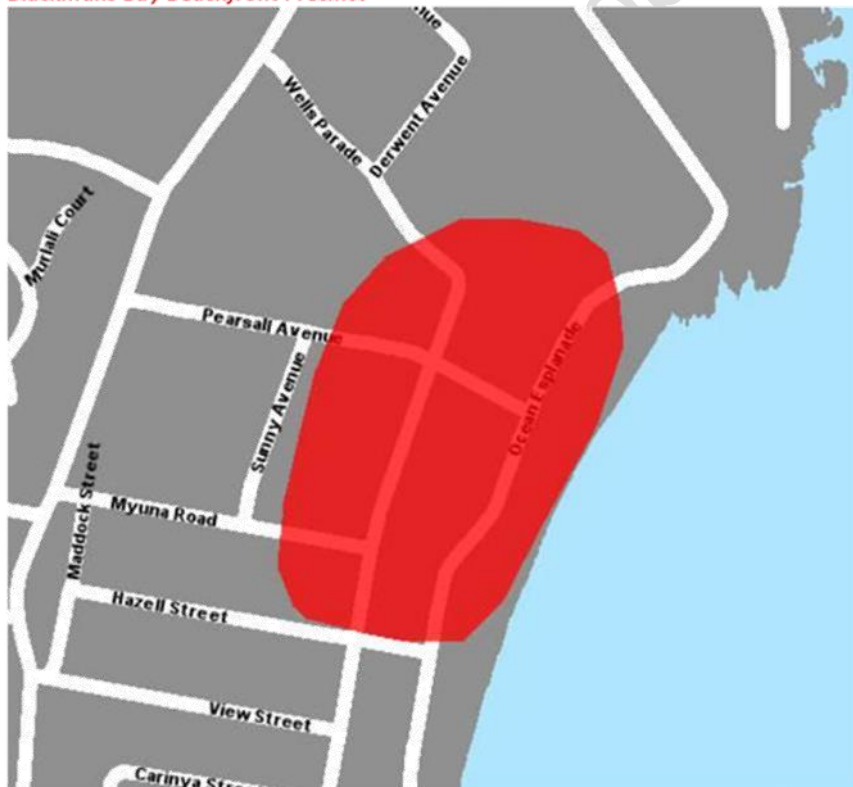


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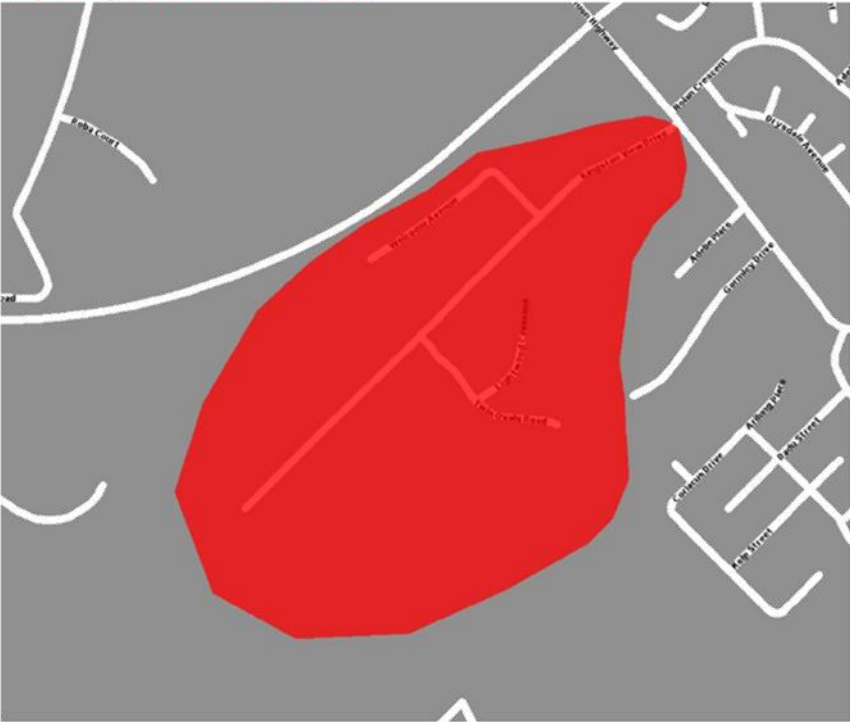
— Kingston Beach Precinct



Blackmans Bay Beachfront Precinct



Kingborough Sports Centre, Kingston



Dru Point, Margate



UPDATED POLICY FOR APPROVAL



Policy No:	4.12	Minute No:	TBA
Approved by Council:	September 2021	ECM File No:	12.185
Next Review Date:	September 2023	Version:	2.0
Responsible Officer:	Director Engineering Services		

Food Truck Policy

POLICY STATEMENT	<p>1.1 This Policy outlines the process and conditions under which Council will grant and issue food truck permits for mobile food vendors trading within a road reservation or on Council land.</p>
DEFINITIONS	<p>2.1 In this policy:</p> <ul style="list-style-type: none"> • “Council” means the Kingborough Council. • “Mobile food vendor” means any commercial operator who, in the course of a business, profession or trade sets up a food truck in or on any road or Council land from which food and/or beverages are handled or sold. • “Food truck” is any mobile structure that is registered as a mobile food and beverage business within Tasmania under the <i>Food Act 2003</i> that seeks to trade within any road or Council land. Food trucks incorporate both registered vehicles such as vans, caravans and trailers; and non-registered vehicles such as coffee carts or hotdog carts. • “Road” includes part of a road, road reservation, footpath, or walkway or nature strip which are wholly or partly maintained by Council or under the control of Council. • “Food truck permit” means a permit issued in accordance with this policy, and Council’s <i>Roads and Parking By-Law 2021</i> and <i>Parks, Recreation and Natural Areas By-Law 2021</i>. • “Council land” means any land owned, or managed by, or under the control of the Council and includes part of that land and a natural area and a park, but does not include a road or local highway under the control and management of the Council. • “Motor vehicle” has the same meaning as defined in the <i>Vehicle and Traffic Act 1999</i>.
OBJECTIVE	<p>The objectives of this Policy are to:</p> <p>3.1 Provide a clear permit process and permit conditions for food truck trading on roads or Council land.</p> <p>3.2 Accommodate food trucks trading on roads or Council land in a reasonable manner which will:</p> <ul style="list-style-type: none"> • complement and not unreasonably compete with existing fixed address food businesses; • provide the community and visitors with additional diversity and choice; • ensure food truck locations are safe and convenient in terms of access, facilities, and attraction, and which do not unreasonably interfere with the purpose and security of other public assets or



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	<p>inconvenience the function or amenity of other users and the environment.</p> <p>3.3 Acknowledge food trucks can make positive contributions to the attraction and vitality of Kingborough and provide economic, social and cultural benefit to the community.</p>
SCOPE	<p>4.1 This Policy applies to all Council roads and Council land within the Kingborough municipal area.</p> <p>4.2 This policy does not apply to State land or private land. Food trucks may only operate on private land under the <i>Land Use Planning and Approvals Act 1993</i>.</p> <p>4.3 This policy does not apply to mobile food businesses that might be involved in events such as markets and festivals. The event organiser is responsible for managing permits in these instances.</p> <p>4.4 This policy does not apply for mobile food vendors who trade in any one location for less than 15 minutes.</p>
PROCEDURE (POLICY DETAIL)	<p>5.1 ELIGIBILITY FOR A FOOD TRUCK PERMIT</p> <p>To be eligible for a food truck permit a prospective mobile food vendor must:</p> <ul style="list-style-type: none"> a) Have a current ABN or ACN. b) If the business is to operate from a vehicle or a motor vehicle, the vehicle is to be registered in accordance with the <i>Vehicle and Traffic Act 1999</i> and the vehicle and its operator must comply with all other applicable laws which govern vehicle operation and use. c) Have a current mobile food business registration certificate, issued by a local authority under the <i>Food Act 2003</i>. d) Hold a current public liability insurance policy with cover of not less than \$20 million. e) Indemnify Council against any liability that may arise as a direct result of the mobile food vendors trading within an approved site. <p>5.2 FOOD TRUCK PERMIT APPLICATION</p> <ul style="list-style-type: none"> a) To apply for a food truck permit, a vendor must submit a <i>Food Truck Permit Application Form</i>, including accompanying supporting documentation, on the Council website. b) A permit application may be for a 3-month permit, a 6-month permit or an annual permit. Annual permits are valid from 1 July in the year granted to 30 June in the following year. c) A food truck permit will be valid between the commencement date and the expiry date specified on the permit. There will be no partial refund or compensation of permit fees if the vendor wishes to cease trading prior to permit expiry, or if Council, under any circumstance, suspends the permit. d) A fee will apply to food truck permits and the permit will not be issued until the applicable fee is paid in full. Permit fees are outlined in the annual Kingborough Council Fees and Charges or the relevant By-law.



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	<ul style="list-style-type: none"> e) Permits are not automatically renewed and current permit holders will be required to apply for a new permit when their existing permit expires. f) Permits are not transferable and are only applicable for the business identified on the permit. g) A mobile food vendor seeking to operate from more than one vehicle must apply for a separate permit for each vehicle (a non-motorised van/trailer coupled with a vehicle solely used to tow will be considered as one vehicle). h) A food truck permit application must include copies of: <ul style="list-style-type: none"> • a certificate of currency for Public Liability Insurance • a Mobile Food Business registration certificate • Tasmanian Vehicle Registration (if applicable).
<p>GUIDELINES</p>	<p>6.1 TRADING LOCATIONS</p> <p>A mobile food vendor must only trade in the pre-approved trading locations listed in the <i>Kingborough Food Truck Trading Locations</i>, or alternative locations as approved by Council and specified in their food truck permit.</p> <p>In addition to the above, a food vendor must:</p> <ul style="list-style-type: none"> a) Not trade within 200m of any established food business where the activities of the mobile food vendor may negatively impact the operations or patronage of the established business. b) Not trade within 200m of the boundary of a market, festival, fair or similar event that includes food and beverage traders within the event. c) Not trade in a location designated for use as a park and ride between the hours 6am to 6pm. d) Adhere to the site food truck limits in the <i>Kingborough Food Truck Trading Locations</i> or otherwise not trade in an area if there are already two food trucks trading within 200m. e) Only lawfully stop in a designated parking bay or parking area in accordance with the <i>Road Rules 2019</i>. f) Not obstruct or restrict any roads, entry or exit points to any property, bike lanes, walkways, wheelchair access ramps or access to public services such as, but not limited to, taxi, bus and loading zones. g) Ensure pedestrians can safely access the premises and ensure patronage will not disrupt the flow of vehicular or pedestrian traffic. h) In on-road parking spaces ensure the food truck serving area does not face the traffic side of the road. i) Not leave the vehicle or cart from which they conduct their business unattended at a trading location. <p>6.2 TRADING TIMES</p> <ul style="list-style-type: none"> a) A mobile food vendor must adhere to the trading hours and trading days outlined for each pre-approved site in the <i>Kingborough Food Truck Trading Locations</i> or as otherwise specified in their permit.



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	<p>b) A mobile food vendor, unless granted written approval from Council, may only trade from a pre-approved trading location for not more than four hours on any one day.</p> <p>c) If operating a generator within 100m of a residential dwelling a mobile food vendor may only trade between the hours of:</p> <ul style="list-style-type: none"> • Monday to Friday – 7am to 6pm • Saturday – 8am to 6pm • Sunday or public holiday – 10am to 6pm. <p>6.3 HEALTH AND SAFETY</p> <p>A mobile food vendor must:</p> <p>a) Comply with all laws pertaining to Mobile Food Business registration and adhere to all relevant Council By-laws.</p> <p>b) Keep their food truck well presented, clean and in roadworthy condition.</p> <p>c) Not receive deliveries while trading.</p> <p>d) Not undertake any food or beverage preparation or cooking outside the permitted vehicle or cart.</p> <p>e) Not erect any free-standing sign or provide any tables, trestles, marquees, tents, chairs, boxes, crates or similar for patron shelter or use as table or chairs, without prior Council approval.</p> <p>f) Not commandeer, utilise or modify any Council owned furniture or structure.</p> <p>g) Ensure any advertising or signage is fixed securely to the mobile food vehicle and does not protrude onto the road and/or footpath.</p> <p>h) Ensure that any noise related to trade does not constitute a public nuisance and use power sources that generate low or no noise and/or air pollution. (Council will not provide power sources).</p> <p>6.4 WASTE</p> <p>A mobile food vendor must:</p> <p>a) Phase out the use of single-use plastics by 1 January 2022 and from this date ensure that all containers and utensils provided to customers are certified compostable.</p> <p>b) Provide separate waste receptacles for waste and recyclables, each with a capacity of not less than 50 litres, immediately adjacent to the food truck for use by patrons, and ensure the site is always kept clean of litter and rubbish.</p> <p>c) Remove and dispose of all waste responsibly at the conclusion of each trading period.</p> <p>d) Ensure no wastewater and waste liquids, including cooking oil, are discharged and that all wastewater or liquid wastes are contained within the food truck.</p> <p>e) Not wash down a food truck or its interior or any other article within a road or on Council land.</p> <p>6.5 GENERAL</p> <p>A mobile food vendor is also required to:</p>
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	<p>a) Display the Kingborough food truck permit within the mobile food vehicle when trading within a Council location.</p> <p>b) Assume responsibility for any and all liabilities that arise as a direct result of their food truck trading within the Kingborough municipality.</p> <p>c) Follow all instructions issued by a duly authorised officer of the Council.</p> <p>d) Acknowledge that Council reserves the right to:</p> <ol style="list-style-type: none"> i. limit the number of vendors trading in an area, or to stop trade in any approved location at any time if health and safety, public amenity, public access, heritage or environmental obligations require this; ii. immediately suspend or cancel a permit if the mobile food vendor contravenes any condition of the food truck permit or trades in contravention of any regulatory requirement; iii. suspend trade on a road or Council land on those days when the road or Council land is required for any reason under permit granted by Council, or any other authority; iv. alter, add or remove any of the conditions within this permit at any time with as much notice as possible of such change provided to existing permit holders.
COMMUNICATION	<p>7.1 This policy will be communicated to all Council staff who will assess and issue food truck permit applications and enforce the permit conditions.</p> <p>7.2 This policy will be published on the Council’s website along with the Kingborough Food Truck Permit Application Form.</p>
LEGISLATION	<p>8.1 The primary legislation in relation to this policy is the <i>Local Government Act 1993</i>. Other relevant legislation includes:</p> <ul style="list-style-type: none"> • <i>Vehicle and Traffic Act 1999</i> • <i>Food Act 2003</i> • <i>Road Rules 2019</i> • <i>Land Use Planning and Approvals Act 1993</i> • <i>Environmental Management and Pollution Control (Noise) Regulations 2016</i> • <i>Kingborough Roads and Parking By-Law 2021</i> • <i>Kingborough Parks, Recreation and Natural Areas By-Law 2021</i>
RELATED DOCUMENTS	<p>9.1 Related documents include the following:</p> <ul style="list-style-type: none"> • <i>Kingborough Food Truck Trading Locations</i> • <i>Kingborough Application for Registration of a Food Business</i> • <i>Tasmanian Government Guidelines for Mobile Food Businesses</i>
AUDIENCE	<p>10.1 Public</p> <p>10.2 Mobile Food Vendors</p>

Food Truck Trading Locations

1 Pre-Approved Trading Locations

The below sites are pre-approved trading locations for vendors with a Kingborough Food Truck Permit. Vendors must adhere to the site trading hours, site limits and trading days as well as all other permit conditions outlined in the *Kingborough Food Truck Policy*.

Alternative trading locations may be considered on application and on a case-by-case basis, refer to **3. Alternative Trading Locations**.

Please note that these sites are NOT reserved for food trucks. They are public spaces and may only be used by food trucks if appropriate parking spaces within the mapped areas are available.

Site	Location	Trading Hours	Site Food Truck Limit	Trading Days <i>per week / per vendor</i>
1	Christopher Johnson Park, Kingston Beach	7:00am-9:00pm	2	3 days
2	Osborne Esplanade, Kingston Beach	9:00am-6:00pm	1	1 day
3	Skipper Lane Carpark, Kingston Park	6:00pm-9:00pm	3	3 days
4	Spring Farm Lane, Kingston	7:00am-9:00pm	2	3 days
5	Coffee Creek, Huntingfield	7:00am-9:00pm	1	3 days
6	Blowhole Road, Blackmans Bay	9:00am-6:00pm	1	3 days
7	Dru Point Boat Ramp Carpark, Margate	7:00am-9:00pm	2	3 days

2 Pre-Approved Trading Location Maps

1. Christopher Johnson Park, Kingston Beach



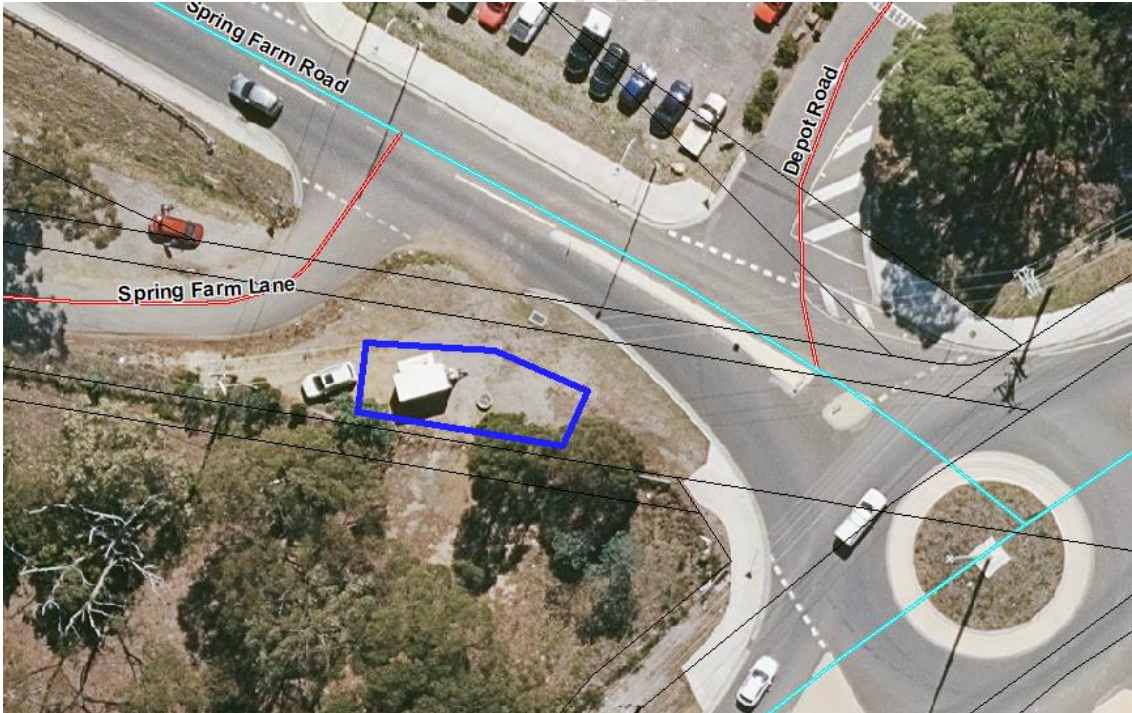
2. Osborne Esplanade, Kingston Beach



3. Skipper Lane Carpark, Kingston Park



4. Spring Farm Lane, Kingston



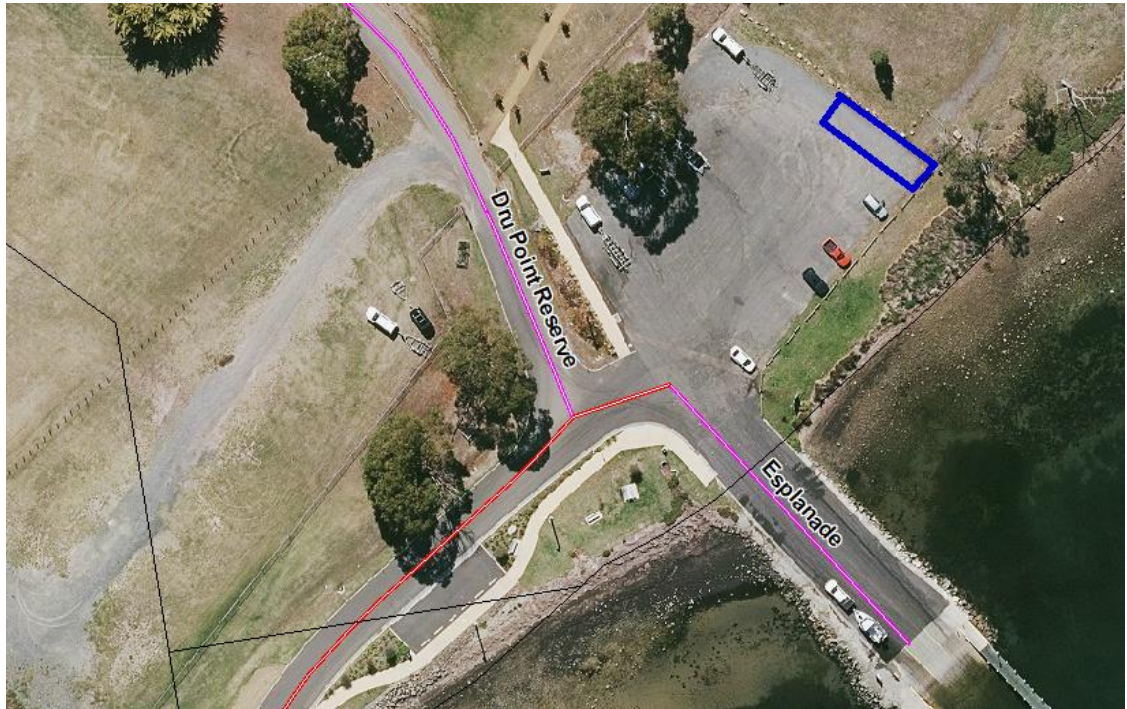
5. Coffee Creek, Huntingfield



6. Blowhole Road, Blackmans Bay



7. Dru Point Boat Ramp Carpark, Margate

**3 Alternative Trading Locations**

Council may permit alternative trading locations on request. Alternative trading locations must meet all applicable Food Truck Policy conditions. Council will assess the suitability of an alternative site from a public safety and convenience perspective; including consideration of the surrounding business and recreation activities, proximity to residential dwellings, site space and topography, and the food truck dimensions.

If you would like to propose alternative trading locations for consideration, please specify clearly on your permit application and provide supporting locality maps, as well as proposed trading times and days.

Any permit granted for a vendor to operate at an alternative location does not guarantee availability or exclusivity to that trading location and Council reserves the right to add an alternative trading location to the pre-approved trading sites list for all vendors.

Below is a list of potential alternative locations:

- Taroom Beach Carpark
- Cartwright Reserve, Taroom
- Tinderbox Carpark
- Snug Beach Carpark
- Silverwater Park, Woodbridge
- Pontoon Road, Alannah
- Adventure Bay Road, Adventure Bay.

17.2 CAT PROHIBITED AREAS - COUNCIL RESERVES

File Number: 8.241
Author: Kaylene Allan, Cat Management Officer
Authoriser: Jon Doole, Manager Environmental Services

Strategic Plan Reference

Key Priority Area: 3 Sustaining the natural environment whilst facilitating development for our future.
Strategic Outcome: 3.3 Council is able to demonstrate strong environmental stewardship and leadership.

1. PURPOSE

- 1.1 To consider feedback from the community consultation and to recommend that Council declares Algona, Coffee Creek and Huntingfield Reserves as Cat Prohibited Areas (CPA) under the provisions of the *Cat Management Act 2009*

2. BACKGROUND

- 2.1 A Councillor workshop (March 29) and Council report (May 3) presented the background and rationale for declaring the Council owned Algona, Coffee Creek and Huntingfield Reserves as CPA. These reserves lie immediately adjacent to the Peter Murrell Reserve (PMR) which is also a CPA under the *Cat Management Act 2009* and is a biodiversity hotspot.
- 2.2 The declaration of CPA for these reserves has been proposed to contribute to the protection of wildlife that is under increasing pressure from urban development and to send an important community message about the need for responsible pet cat ownership.
- 2.3 At the 3 May 2021 Council meeting (minute number C212/8-2021), Council endorsed the commencement of the advertising and community consultation process associated with the intention to declare Algona, Coffee Creek and Huntingfield Reserves CPA in accordance with Section 21 of the *Cat Management Act 2009*.
- 2.4 The intention to declare the CPA was publicly exhibited in accordance with Sections 21 of the *Cat Management Act 2009*. Public exhibition included:
 - Council's website: www.kingborough.tas.gov.au and was available upon request at the Civic Centre;
 - An advertisement placed in the Kingborough Chronicle (27 May);
 - Articles in Kingborough Chronicle (13 May) and two media releases (14 May and 25 May) on the declaration were posted on Council's website;
 - Social media posts - Council's facebook.
- 2.5 Five written submissions were received. All submissions were supportive of the declaration (see Attachment 1).
- 2.6 Kingborough Council's facebook post on the CPA received 103 likes, 32 comments and 17 shares. The reach of Council's facebook is 7177 and engagement is 2211.

3. STATUTORY REQUIREMENTS

- 3.1 The enactment of the *Cat Management Act 2009 (the Act)* and more recently the *Cat Management Amendment Bill 2019* demonstrates a growing impetus for managing the impacts of cats in the environment and has raised the profile of responsible cat ownership.
- 3.2 Under Section 19 of the Act Council may declare an area of land within the authority of Council to be an area where cats are prohibited.
- 3.3 The proposal to declare Algona, Coffee Creek and Huntingfield Reserves as CPA was publicly exhibited in accordance with Sections 21 of the of the Act.
- 3.4 If the declaration proceeds Council will advertise the declaration in a daily newspaper in accordance with Section 19(2) of the Act

4. DISCUSSION

- 4.1 The key points raised during the public consultation can be summarised as follows:
 - given the explosion of urban/suburban development in the Kingston area, I am so grateful for the Peter Murrell Reserve and Council's adjacent reserves and know from experience that cat management is a big issue in these local areas;
 - Council has already been proactive in protecting other wildlife-sensitive areas such as Boronia Beach;
 - value for the local wildlife in the area with concerns about the damage caused by cats;
 - the need to proactively tackle the environmental challenges posed by cats now, before it is too late;
 - in order to protect our reserves and wildlife, this is a good step towards the need to restrict all cats to owner's properties, to require all cats to be registered with Council, desexed and microchipped, and all breeders to be registered;
 - regular camera monitoring shows that cats occur regularly in Peter Murrell Reserve and a prohibition of cats in these adjacent reserves may help to mitigate this problem and increase the area in which cats can be controlled;
 - all the requirements that apply to dog ownership should also apply to cat ownership;
 - with education and time, societal attitudes towards cat ownership will evolve
 - the need to maintain a balanced between respect for current cat owners (for whom their feline pet is important) and acting on our responsibilities for protecting the natural environment;
 - the need to enforce the declaration by trapping cats and that any new subdivisions near the reserves have caveats not allowing cats.
- 4.2 An MOU is in place with The Ten Lives Cat Centre (TLCC) for the receiving of any cats that are trapped in a Council CPA. The average cost of a cat received by TLCC is \$200. This fee is adequately covered by the annual budget allocation for the Kingborough Cat Management Project.
- 4.3 The time taken to monitor, trap and transport cats is covered by the work of the Kingborough Cat Management Officer.

- 4.4 Council Environmental Services and planning staff are working with Communities Tasmania on regulatory options (to complement the CMA) to manage domestic cats associated with the residential subdivision development proposed at Huntingfield.

5. FINANCE

- 5.1 Council has contributed \$45,000 for the 2021 / 2022 financial year for the Kingborough Cat Management Project.

6. ENVIRONMENT

- 6.1 In its Strategic Plan, Council identifies strategic environmental outcomes that commit to undertaking strong environmental stewardship and leadership and best practice planning to manage the impacts of development.
- 6.2 The declaration of CPAs is an important tool in addressing the significant environmental impacts caused by cats.

7. COMMUNICATION AND CONSULTATION

- 7.1 Community education is a key component of achieving compliance with a CPA. This is a central part of the work of Council's Cat Management Officer.
- 7.2 If the declaration proceeds, Council will notify property owners in the vicinity (say 500m) of all three reserves of the reasons for and implications of the declaration.
- 7.3 Parks and Wildlife Service (PWS) undertake the ongoing management of PMR. They have formally given their support for the declaration of these reserves as CPA. Upon declaration, contact will be made with PWS and other community groups active in conservation management in the local area. These include the Friends of PMR, Birdlife Tasmania and local progress associations.

8. RISK

- 8.1 Council follows strict guidelines for the trapping of cats. These guidelines are approved by DPIPWE and TLCC and comply with requirements in the *Cat Management Act 2009* and *Animal Welfare Act 1993*. In addition, the community will be notified prior to any initial trapping to give cat owners the opportunity to secure their cats.
- 8.2 The declaration of new CPAs may raise community expectations that vigorous enforcement will take place and that other areas within the municipality may also be declared a CPA. However, over the past seven years Council has effectively addressed many public enquiries about the need for cat management within the municipality. A positive community response to the strategic and long-term approach to cat management is common and there have been no adverse consequences or complaints relating to community expectations.
- 8.3 It is envisaged that any proactive monitoring and trapping within the new CPAs will be staggered with Councils' other cat management responsibilities to ensure timely and effective outcomes.

9. CONCLUSION

- 9.1 The declaration of Algona, Coffee Creek and Huntingfield Reserves as CPA has been prepared in accordance with Section 19 of the CMA.
- 9.2 The proposed declaration has been through a public consultation process and has received positive feedback. No negative feedback was received by written submission or on facebook.

9.3 It is recommended that Council formally declare Algona, Coffee Creek and Huntingfield Reserves as CPA and that a public notice is published in the Mercury (in accordance with the CMA).

9.4 It is recommended that the declaration commence 10 days after the public notification.

10. RECOMMENDATION

That Council resolves to formally declare Algona, Coffee Creek and Huntingfield Reserves as CPA and that a public notice is published in the Mercury (in accordance with the *Cat Management Act 2009*).

ATTACHMENTS

- 1. Cat Prohibited Areas - Community Feedback Summary**

Public Copy

Declaration of Algona, Coffee Creek and Huntingfield Reserves Cat Prohibited Areas Community Submissions to Kingborough Council June 2021**Five written submissions were received as follows:**

27.05.21

To whom it may concern

I am writing a submission in favour of declaring Coffee Creek, Algona and Huntingfield Reserves at Huntingfield a prohibited area for cats

I live in Howden and regularly see cats prowling through the bush in these areas. I would also ask if the general area of Peter Murrell reserve is also being considered?

I hope that the declaration can be enforced by trapping cats and that any new subdivisions near the reserves have caveats not allowing cats

Thank you for reviewing this matter,

Amber Etheridge

15.06.21

Dear Council,

Congratulations to Councillors and Council for having the vision and foresight to establish Cat Prohibited Areas in the Council Reserves located near the Peter Murrell Reserve!!! This is wonderful news and a good step towards the obvious - the need to restrict all cats to owner's properties, to require all cats to be registered with Council, desexed and microchipped, and all breeders to be registered.

I am urging my colleagues in Howden to write to Council by 22 June supporting this decision and to encourage Council to press forward to make all of the requirements for dog ownership apply to cat ownership as well.

As a former Natural Area Planner for the PWS, I helped to establish the Peter Murrell Reserve, setting its boundaries and assessing its values for reservation. I wrote the statutory management plan for the Peter Murrell Reserve and prepared the Track Management Strategy with the District Ranger, Grant Hall, and established one of the first Friends groups for a reserve in Tasmania. It is such an important and valuable reserve for wildlife, plants (especially orchids) and people. It is one of the only reserves to permit dog walking and horse riding, thanks to the Minister at the time, Peter Hodgman (though I had my reservations about permitting these activities in a reserve). Given the explosion of urban/suburban development in the Kingston area, I am so grateful for this wonderful reserve and enjoy walking with my dogs on the fire trails almost every day.

As President of the Howden Progress Association, I can assure you that cat management is a big issue in Howden and we are proud of our Council being one of the most progressive in Tasmania in

dealing with it, and especially impressed with the good work that Kaylene Allan has done to raise awareness in Kingborough. Please pass on our thanks to her.

Kind regards,
Leslie Frost

16.06.21

Dear Council,

I wish to express my support of any moves on the part of Kingborough Council to establish cat management strategies. The requirement of all domestic cats to be registered with Council and to be restricted to owner's properties, will be positive and critical steps in protecting our reserves and wildlife. We need to proactively tackle the environmental challenges being posed by cats now, before it is too late.

With education and time, societal attitudes towards cat ownership will evolve (Australian society's attitude towards smoking is testament to the fact that we - as a society - can in fact change!!) and in the meantime we need to maintain a balanced respect for current cat owners - for whom their feline pet is important (especially in light of escalating loneliness and associated mental health issues in society) - while keeping our focus on our responsibilities for the welfare, future and integrity of the natural environment.

Regards,
Deborah Chadwick

21.06.21

Dear Councillors,

I am writing to commend the council for considering the above-mentioned matter and to support Leslie Frost's Submission of 15/6/'21. I value greatly the wildlife and natural environment in the Peter Murrell /Howden area, but have great concerns regarding the damage caused by cats and the speed of traffic on Howden Road.

Yours sincerely,
Ian C. Nicolson

22.06.21

Dear Council,

The Friends of Peter Murrell Reserves strongly support the proposition that Coffee Creek, Algona and Huntingfield Reserves at Huntingfield be declared Prohibited Areas for cats. Cats are already prohibited in the Peter Murrell Reserves, although regular camera monitoring shows that cats occur there regularly.

Prohibition of cats in these adjacent reserves may help to mitigate this problem as well as increasing the area in which cats can be controlled.

Council has already been proactive in protecting other wildlife-sensitive areas such as Boronia Beach. This new initiative will contribute to protection of wildlife in some very special reserves that are under increasing pressure from urban development. We look forward to future initiatives under Council's innovative Cat Management Strategy

Regards,
Susan Jones

Public Copy

17.3 WOODBRIDGE RECREATION GROUND MASTER PLAN 2020: ENGAGEMENT ACTIVITY

File Number: 20.128

Author: Paul Donnelly, Urban Designer

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

Strategic Plan Reference

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

Strategic Outcome: 1.1 A Council that engages with and enables its community.

1. PURPOSE

- 1.1 The purpose of this report is to present the DRAFT Woodbridge Recreation Ground Master Plan to the elected Council, with a recommendation that the Master Plan be released for public consultation.

2. BACKGROUND

- 2.1 For the past 12 months the Property and Recreation Unit has been engaging with the Woodbridge Cricket Club and the Woodbridge Soccer Club in relation to the Woodbridge Recreation Ground (the Oval).

Council was contacted by representatives of the Woodbridge Cricket Club in August 2020 with a request that facilities at the Oval be improved to provide increased public safety during organised sporting events. The original enquiry also outlined a number of additional desired outcomes relating to improved infrastructure provision at the Oval, including: a ground realignment; fencing; safer car parking; improved spectator seating; and play & exercise equipment.

The matter was subsequently referred to the Urban Designer for further investigation, noting an engagement activity in relation to the future of Silverwater Park had recently been completed (in early 2020).

- 2.2 The Urban Designer met with representatives of the Woodbridge Cricket Club and the Woodbridge Soccer Club on-site at the Oval in late August 2020 to discuss the matter and to better understand the Clubs' desires for the Oval. This meeting also provided an opportunity to inform the Clubs of other relevant open space projects already underway in Woodbridge, including Silverwater Park and the Village Green (owned and project managed by the Woodbridge Community Association).
- 2.3 A master plan (the Plan) was developed by the Urban Designer based on the outcome of consultation with the Clubs. The Plan was exhibited briefly by the Woodbridge Cricket Club (as information to members) in conjunction with a cricket match held at the Oval in mid-February 2021.
- 2.4 An engagement activity was recently undertaken by Council in relation to a proposal to rename the clubhouse facilities at the Oval in honour of Lily Poulett-Harris. The clubhouse is now known as the 'Lily Poulett-Harris Pavilion' (the Pavilion).
- 2.5 The Oval is owned and maintained by Kingborough Council. It occupies two parcels of land, bound by Woodbridge Hill Road (to the west) and Granquist Road (to the east). The site is bound by residential properties to the north and a semi-rural land holding (including open pasture) to the south. The subject site encompasses the oval, the Lily

Poulett-Harris Pavilion, a car park, cricket nets, specimen trees and the Woodbridge Fire Station.

- 2.6 The Oval is leased to both the Woodbridge Cricket Club (summer season) and Woodbridge Soccer Club (winter season).

The Cricket Club's membership is largely adult-based, whereas the Soccer Club's membership and activities are based around children's matches.

- 2.7 The Woodbridge Cricket Club's total number of active participants currently stands at 53, and is expected to grow to 65 within the next two years. The Club has 2 senior teams playing in the Huon and Channel Cricket Association and anticipates maintaining this number of adult teams in the short to medium term.

The Cricket Club has a Strategic Plan which identifies establishing a junior team as a high priority and it is hoped that a junior team can be established for the coming season – increasing player numbers by about 10-15 players.

- 2.8 The Woodbridge Soccer Club's active participants include 54 players and a further 130 parents and player siblings (total: 184). The Club currently has 7 junior teams (under 6s to under 8s), and is in a period of ongoing expansion. This increase in activity has seen the club membership grow from 1 under 6 team in 2018 and is anticipated to reach 11 teams by 2023.

Since introducing an under 6 team in 2018 the junior soccer club has seen a consistent rise in player numbers of around 15 per year. The club estimates that in 2022 it will have 65 players, and in 2023 the club anticipates having approximately 80 players, with the male/female ratio staying at about 50/50.

- 2.9 The Woodbridge District School utilises the Oval for sports carnivals for both primary and secondary school students. At these times there can be up to 150 students, teachers and parents within the subject site.

- 2.10 Student enrolment at the Woodbridge District School has risen by 26% over the past five years:

- 2017 headcount: **272**

Source: Tas. Dept. of Education, 'Key Data, March 2018

- 2021 headcount: **343**

Source: Tas. Dept. of Education, 'Key Data, March 2021

- 2.11 Site images of the Oval are provided below, for context and to illustrate the current condition of the Oval and surrounds (images taken: February 2021):



Figure 1: Subject site, looking east from the existing (overflow) car park, showing existing driveway crossover to Woodbridge Hill Road (image left) in relation to the Lily Poulett-Harris Pavilion (image right).



Figure 2: Lily Poulett-Harris Pavilion (looking east)



Figure 3: Lily Poulett-Harris Pavilion (north elevation), showing interface with driveway



Figure 4: Spectator facilities, looking east (as seen from under awning of the Lily Poulett-Harris Pavilion)



Figure 5: Looking north-east across the oval from the Lily Poulett-Harris Pavilion



Figure 6: Subject site, as seen from historical entrance to Woodbridge Hill Road (looking south-east)



Figure 7: Subject site, showing existing spectator facilities in close proximity to driveway crossover to Woodbridge Hill Road (image left)

3. STATUTORY REQUIREMENTS

3.1 There are no statutory considerations that relate to this matter.

4. DISCUSSION

- 4.1 A DRAFT Master Plan has been developed, based on discussions with the Woodbridge Cricket Club and Woodbridge Soccer Club and on the outcome of internal design investigations undertaken by Council Officers (including the Urban Designer and Senior Roads Engineer). The Plan illustrates a number of improvements designed to address the three main themes that have emerged as a result of consultation with the Clubs. These are:

- user safety;
- player experience, and;
- spectator experience.

- 4.2 **USER SAFETY:** The Clubs have reported concerns about safety in relation to the current driveway and parking configuration, which places users (particularly spectators, which, increasingly includes large numbers of children and their carers) in close proximity to moving vehicles negotiating the driveway crossover and parking manoeuvres within the existing car park.

The Clubs have implemented temporary control measures (involving the placement of apple crates to identify a pedestrian zone directly adjacent to the Pavilion). As user numbers continue to grow, a permanent solution is required in order to safely separate pedestrians from vehicle movements. It is therefore proposed to decommission the existing driveway crossover and establish a new driveway crossover further west on Woodbridge Hill Road. The Plan illustrates a proposed parking solution that accommodates 50 parking spaces. Existing specimen trees are to be retained and protected wherever possible.

- 4.3 **PLAYER EXPERIENCE:** The Woodbridge Cricket Club has indicated there is a strong desire amongst members to improve the pitch facilities and overall ground presentation. The existing pitch orientation (north-north-east) creates an asymmetrical and less-than-desirable implications for field dimensions, which are reduced in several locations around the oval perimeter, particularly to the west. There is an opportunity to rectify this by rotating the cricket pitch by 23 degrees (east). The proposed pitch rotation will facilitate the establishment of a compliant, symmetrical playing field for cricket, soccer and other matches

In order to improve the overall oval presentation, a new perimeter fence is proposed based on traditional cricket boundary fencing. The proposed pitch realignment will facilitate the establishment of a true to form boundary fence that will also improve playing field functionality by containing ball movements.

The proposed boundary fence will be based on established precedents, such as that seen at the Kettering Oval. It is anticipated the proposed boundary fence will form an entry landmark to the village of Woodbridge (when approaching from the west) and become a characterising feature of the general landscape amenity at the Oval.

- 4.4 **SPECTATOR EXPERIENCE:** Whilst the Clubs have indicated the Pavilion is performing well in terms of providing internal clubhouse facilities, changerooms, and storage, they have indicated there is a need to provide more safe space for spectator circulation, after-match events, and spectator seating directly adjacent to the Pavilion overlooking the Oval.

The area currently occupied by the existing vehicular entryway into the site will be returned to pedestrian and spectator use, providing an increased area of safe circulation space and flexible event space directly to the north of the Pavilion.

The Plan illustrates additional formalised spectator seating (in the form of a low-set spectators' amphitheatre). The spectators' amphitheatre will also provide additional space for after-match events.

As outlined in 2.8 (above), the Woodbridge Soccer Club's membership is heavily based around child participation. The Soccer Club is, therefore, particularly aware of the risk to user safety caused by the current driveway configuration, as large numbers of young players, their siblings, parents and carers gather around the pavilion prior to, during, and after matches - placing users in close proximity to moving vehicles.

In response to this issue, the Club has requested a play space be integrated into the subject site to provide a 'distraction' and safe place for young spectators and their families to gather and socialise. Whilst the background and context for this request is recognised to have merit, the provision of a duplicate play space at the Oval is not considered to be defensible, as a discrete project is already underway to upgrade the existing play space at Silverwater Park.

However, the provision of exercise equipment on the subject site is considered to be an appropriate alternative solution. Exercise equipment can provide flexible 'play' opportunities as well as providing additional opportunities for physical training.

Accordingly, the Plan illustrates exercise equipment located directly south of the Pavilion. This places the equipment close to both player changing facilities and spectator facilities. The proposed location is clearly visible from both the outdoor spectator facilities and from the oval itself. It is also visible, although to a lesser extent, from the proposed parking facility. The proposed location will, therefore, facilitate a high level of passive surveillance from the majority of the subject site.

5. FINANCE

- 5.1 An amount of \$385,000 has been earmarked in the forward estimates under the current budget (2021/22 FY) for 'Woodbridge Oval Upgrades' during the 2023/24 financial year in anticipation of implementing works identified in the DRAFT Master Plan. However, it should be noted this figure does not constitute an actual funding allocation and will be subject to normal budget deliberations as part of regular annual budget processes.

The earmarked funding allocation will be reviewed (and revised, as necessary) once the results of a planned engagement activity are known and once consultation with the Clubs has concluded.

6. ENVIRONMENT

- 6.1 There are no significant environmental considerations that relate to this matter, other than to note there are a number of large specimen trees (both native and exotic) located within the subject site. Any potential impacts to these specimens will be managed through design and planning processes, with a view to minimising these impacts to the greatest extent possible.

7. COMMUNICATION AND CONSULTATION

- 7.1 The recent engagement activity undertaken by Council on behalf of the Woodbridge Cricket Club in conjunction with the Club's proposal to rename the clubhouse facilities confirmed the Oval is considered to be an important component of Woodbridge's identity and a significant arena for social interaction in Woodbridge and the surrounding Lower Channel area.

Further engagement in relation to the DRAFT Master Plan is considered necessary to allow stakeholders and interested local residents to have their say on the options being considered.

- 7.2 Accordingly, an engagement activity will be designed in line with Council's [Communications and Engagement Policy](#) to allow the local community and other interested stakeholders to have their say on the proposed site improvements.

The proposed methodology for the engagement activity will be to 'inform' and 'consult', as defined by the International Association of Public Participation (IAP2) engagement framework. The engagement activity will be led by Council (on behalf of Council and the Clubs). This will involve releasing the DRAFT Master Plan to the public for review with an invitation to provide feedback to Council via an online and hardcopy survey. The survey will be advertised in print media and via Council's social media channels. Hardcopy surveys will be made available at the Kingborough Civic Centre and at other civic locations in Woodbridge. The Clubs will also be given the opportunity to promote the engagement activity directly with their own members and through their own channels.

- 7.3 A further report will be provided to Councillors outlining the results of the engagement activity.

8. RISK

- 8.1 There is a risk that user safety at the Oval will become unacceptable as increased numbers of users are placed in close proximity to vehicular movements directly adjacent to the Pavilion. This risk will rise as user numbers increase, and will continue to do so until an appropriate control measure (such as the proposed driveway and parking configuration) is implemented.
- 8.2 There is a low risk that participation will begin to decline if facilities at the Oval are not developed to an acceptable standard in line with contemporary community expectations.

9. CONCLUSION

- 9.1 A master plan for the Woodbridge Recreation Ground has been developed in consultation with the Woodbridge Club and Woodbridge Soccer Club to provide a framework for coordinated improvements to playing and spectator facilities at the Woodbridge Recreation Ground.
- 9.2 The Clubs' requests are considered to be reasonable and reflective of contemporary community expectations in relation to recreation and organised sports facilities in a semi-rural context, such as Woodbridge. The proposed changes to the site have been designed in response to the local landscape character and feedback previously received from the Woodbridge community in relation to Silverwater Park and the Lily Poulett-Harris Pavilion.
- 9.3 The Plan is currently in DRAFT format and it is considered appropriate to release the Plan to the public for feedback.
- 9.4 An engagement activity will be designed and deployed to allow club stakeholders and the public to review the plan and provide feedback.
- 9.5 Councillors will be given the opportunity to review feedback received through the engagement activity and to endorse the final version of the Plan at a future Council Meeting.

10. RECOMMENDATION

That the content of the DRAFT Woodbridge Recreation Ground Master Plan (2020) be noted, and that:

- (a) The DRAFT Woodbridge Recreation Ground Master Plan (2020) be released for public feedback through an engagement activity, in accordance with Council's Communications and Engagement Policy.
- (b) A further report be provided to Council with a summary of the results of the engagement activity and an option for Councillors to endorse the final version of the Woodbridge Recreation Ground Master Plan.

ATTACHMENTS

1. **DRAFT Woodbridge Recreation Ground Master Plan (2020)**

Public Copy



WOODBRIDGE RECREATION GROUND MASTER PLAN (2020) | DRAFT | 26 Aug. 2021 | SCALE: 1:1000 (A3) | URBAN DESIGN

kingborough.tas.gov.au
 Civic Centre, 15 Channel Hwy, Kingston, Tasmania 7050. Locked Bag 1, Kingston, Tasmania 7050
 T: (03) 6211 8200 F: (03) 6211 8211 E: kc@kingborough.tas.gov.au

17.4 SELECTION PANEL KINGBOROUGH AWARDS

File Number: 5.233

Author: Julie Alderfox, Community Development Officer

Authoriser: Dr Katrena Stephenson, Director Environment, Development & Community

Strategic Plan Reference

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

Strategic Outcome: 1.1 A Council that engages with and enables its community.

1. PURPOSE

1.1 The purpose of this report is to seek nominations from Councillors to form a selection committee to choose Kingborough Award recipients for 2022.

2. BACKGROUND

Council's policy on the Kingborough Awards states:

"Nominations for the public awards are to be considered by a Selection Committee comprising the Deputy Mayor and three nominated Councillors. The Committee shall make a recommendation to Council for resolution."

3. STATUTORY REQUIREMENTS

3.1 Council has no statutory obligations in relation to the establishment of the selection committee.

4. DISCUSSION

4.1 Nominations are sought for three Councillors to participate in the Kingborough Awards Selection Committee.

4.2 The Committee will be required to meet in October to allow for timely reporting to Council.

4.3 Recommendations for Award recipients will then be presented in a report to Council in November.

5. FINANCE

5.1 There are no financial implications associated with this report.

6. ENVIRONMENT

6.1 There are no environmental considerations associated with this report.

7. COMMUNICATION AND CONSULTATION

7.1 The Kingborough Awards are promoted from August through until October. Members of the community are invited to nominate candidates for recognition of their contribution to the civic and/or community life of Kingborough. The closing dates for nominations is Monday 11 October.

8. RISK

8.1 There are no identified risks with this report.

9. CONCLUSION

9.1 Nominations are sought for three Councillors to participate, in conjunction with the Deputy Mayor, on the Kingborough Awards Selection Committee.

10. RECOMMENDATION

That Council appoints the following three Councillors to assist the Deputy Mayor in the assessment of candidates for the 2022 Kingborough Awards, and that these Councillors ensure their availability to meet in late October for this purpose.

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Cr

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ATTACHMENTS

Nil

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17.5 TAROONA NEIGHBOURHOOD GARDEN LEASE

File Number: 5718089

Author: Sean Kerr, Property Officer

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

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 consider the approval of a lease to the Tarooma Neighbourhood Garden.

2. BACKGROUND

2.1 The Tarooma Neighbourhood Garden is located in the Apex Reserve on Chiton Chase in Tarooma.

2.2 Council agreed to the establishment of a community garden on the site in 2007 but tenure was never formalised.

3. STATUTORY REQUIREMENTS

3.1 The disposal of Council land (including leasing) is subject to the provisions of Section 177 and 178 of the Local Government Act 1993.

4. DISCUSSION

4.1 The garden consists of 48 family plots of about 4 square metres each. There are also two long communal beds with a rotational system in place and other community areas around the perimeter fence.

4.2 In accordance with Council's Leasing and Licencing Policy the following items have been considered in determining the recommendation to Council.

- Nature of the Asset – the site was originally vacant land.
- Level of investment – the group has erected two garden sheds and established many garden beds.
- Proposed financial arrangements – it is proposed that the lessee has responsibility for all outgoings associated with their use of the premises, including maintenance and insurance.
- Income generating capacity – the group charges fees from the custodians of each garden bed and occasionally raises funds through sale of goods produced.
- Level of government support – the group receives no operational funding but has been the beneficiary of grants since their inception.
- Level of public access – visitors to the site are welcome and membership is open to all.

- Nature of organisation – the group is entirely not for profit and volunteer based.
- Broader community benefit – the Tarooma Neighbourhood Garden provides a valuable community service, contributing to social connectivity, inclusiveness and healthy activity.
- Consistency with other similar organisations – only the Kingston Community Garden also located in Kingborough, which is proposed to be a “peppercorn” rental.

4.3 The proposed lease area in the image below. A separate lease agreement is proposed for the Tarooma Neighbourhood Garden.



5. FINANCE

- 5.1 The Government valuation for the property indicates an Assessed Annual Value of \$3351.00. In effect, this would be the rental that would be applied if a commercial lease was being considered.
- 5.2 In light of the considerations listed above, it is proposed that a “peppercorn” rental would apply to the Tarooma Neighbourhood Garden.
- 5.3 As the site is part of the larger title (Apex Park), it is not separately rateable and being Council owned land, no rates are applied.

6. ENVIRONMENT

- 6.1 No environmental issues have been identified in relation to this matter.

7. COMMUNICATION AND CONSULTATION

- 7.1 In the preparation of this report, discussions have been held with representatives from the Tarooma Neighbourhood Garden.

8. RISK

- 8.1 It is necessary from a risk management perspective to have a formal agreement in place to delineate the responsibilities of the Council and the Tarooma Neighbourhood Garden with respect to the use of the land and its structures.

9. CONCLUSION

- 9.1 The Tarooma Neighbourhood Garden has sought a lease agreement with Council over premises in Apex Park in Tarooma.
- 9.2 It is proposed that the Tarooma Neighbourhood Garden is offered a five-year lease with a five-year option to renew the agreement.

10. RECOMMENDATION

That the General Manager be authorised to negotiate a lease agreement with the Tarooma Neighbourhood Garden Inc. over the premises described above in Apex Park, Tarooma on the following terms and conditions:

- a) A five-year lease with a further five-year option;
- b) A “peppercorn” rental to apply;
- c) The lessee to be responsible for all costs associated with the use of the facilities, including service charges, maintenance and insurance.

ATTACHMENTS

Nil

Public Copy

17.6 KINGSTON MEN'S SHED LEASE

File Number: 3202222

Author: Sean Kerr, Property Officer

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

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 consider the approval of a lease to the Kingston Men's Shed.

2. BACKGROUND

- 2.1 The Kingston Men's Shed is located in Gormley Drive within the Kingborough Sports Precinct.
- 2.2 In the past, the Men's Shed and Kingston Community Garden were one entity but have since determined to split and share the original area allocated to both.
- 2.3 The group has 45 members ranging in age from 16 to 80 and has recently become incorporated.

3. STATUTORY REQUIREMENTS

- 3.1 The disposal of Council land (including leasing) is subject to the provisions of Section 177 and 178 of the Local Government Act 1993.

4. DISCUSSION

- 4.1 The Kingston Men's Shed was formed in 2009 and was an early member of the Australian Men's Shed Association.
- 4.2 In accordance with Council's Leasing and Licencing Policy the following items have been considered in determining the recommendation to Council.
- Nature of the Asset – there are several buildings on site, some of which were onsite at the time of establishment of the Men's Shed that were left by the previous tenants (Riding for the Disabled).
 - Level of investment – the group has constructed a new workshop on the site at and has upgraded the existing main building.
 - Proposed financial arrangements – it is proposed that the lessee has responsibility for all outgoings associated with their use of the premises, including maintenance and contents insurance. Council will insure the building structures and depreciate the assets.
 - Income generating capacity – the group charges a membership fee of \$90 per annum and raises funds through hire of their small meeting room and sale of goods produced.

- Level of government support – the group receives no operational funding but has been the beneficiary of several government grants since their inception.
- Level of public access – visitors to the site are welcome and membership is open to all.
- Nature of organisation – the group is entirely not for profit and volunteer based.
- Broader community benefit – the Kingston Men’s Shed provides a valuable community service, contributing to social connectivity, inclusiveness and lifelong education. The group has provided a schools’ mentoring program, hosted local aged care residents and restored furniture for aged care homes.
- Consistency with other similar organisations – there are two other Men’s Sheds in Kingborough (Margate and Bruny Island), both of which are charged peppercorn rentals.

4.3 The proposed lease area in the image below. A separate lease agreement is proposed for the Kingston Community Garden.



5. FINANCE

- 5.1 The Government valuation for the land area in question indicates an Assessed Annual Value of \$4,923. In effect, this would be the rental that would be applied if a commercial lease was being considered.
- 5.2 In light of the considerations listed above, it is proposed that a “peppercorn” rental would apply to the Kingston Men’s Shed.
- 5.3 As the site is part of the larger title for the KSC Precinct, it is not separately rateable and being Council owned land, no rates are applied.

6. ENVIRONMENT

- 6.1 No environmental issues have been identified in relation to this matter.

7. COMMUNICATION AND CONSULTATION

7.1 In the preparation of this report, discussions have been held with representatives from both the Kingston Men's Shed and Kingston Community Gardens.

8. RISK

8.1 It is necessary from a risk management perspective to have a formal agreement in place to delineate the responsibilities of the Council and the Kingston Men's Shed with respect to the use of the land and its structures.

9. CONCLUSION

9.1 The Kingston Men's Shed has sought a lease agreement with Council over premises in Gormley Drive.

9.2 The Shed has previously leased the site in conjunction with the Kingston Community Garden but now both groups wish to have separate agreements.

9.3 It is proposed that the Kingston Men's Shed is offered a five-year lease with a five-year option to renew the agreement.

10. RECOMMENDATION

That the General Manager be authorised to negotiate a lease agreement with the Kingston Men's Shed over premises at Gormley Drive, Kingston on the following terms and conditions:

- a) A five-year lease with a further five-year option;
- b) A "peppercorn" rental to apply;
- c) The lessee to be responsible for all costs associated with the use of the facilities, including service charges, maintenance and contents insurance.

ATTACHMENTS

Nil

17.7 KINGSTON COMMUNITY GARDEN LEASE

File Number: 3202222

Author: Sean Kerr, Property Officer

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

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 consider the approval of a lease to the Kingston Community Garden.

2. BACKGROUND

2.1 The Kingston Community Garden is situated on Gormley Drive in the Kingborough Sports Precinct.

2.2 In the past, the Men's Shed and Kingston Community Garden were one entity but have since determined to split and share the original area allocated to both.

2.3 They have 23 members and they have occupied the site for 12 years.

3. STATUTORY REQUIREMENTS

3.1 The disposal of Council land (including leasing) is subject to the provisions of Section 177 and 178 of the *Local Government Act 1993*.

4. DISCUSSION

4.1 The Kingston Community Garden is located on Gormley Drive within the Sports Centre Precinct. Its members occupy the site most days of the week. There are a few small sheds on the site, all the sheds and grounds are maintained at their expense.

4.2 The Kingston Community Garden is a community garden group where locals can use garden beds in a communal, social environment. All members are unpaid volunteers.

4.3 In accordance with Council's Leasing and Licencing Policy the following items have been considered in determining the recommendation to Council.

- Nature of the Asset – there are several small garden sheds on site, all of which were onsite at the time of establishment of the Kingston Community Garden.
- Level of investment – the group has established all of the garden beds that are currently on the site.
- Proposed financial arrangements – it is proposed that the lessee has responsibility for all outgoings associated with their use of the premises, including maintenance and insurance.
- Income generating capacity – the group charges an annual membership fee.
- Level of government support – the group receives no operational funding.

- Level of public access – visitors to the site are welcome and membership is open to all.
 - Nature of organisation – the group is entirely not for profit and volunteer based.
 - Broader community benefit – the Kingston Community Garden contributes to social connectivity, inclusiveness and a healthy lifestyle.
 - Consistency with other similar organisations – there is one other Community Garden located in Kingborough (Taroona) – this group is not currently charged a rental.
- 4.4 The proposed lease area in the image below. A separate lease agreement is proposed for the Kingston Men’s Shed.



5. FINANCE

- 5.1 The Government valuation for the land area in question indicates an Assessed Annual Value of \$6,291. In effect, this would be the rental that would be applied if a commercial lease was being considered.
- 5.2 In light of the considerations listed above, it is proposed that a “peppercorn” rental would apply to the Kingston Community Garden.
- 5.3 As the site is part of the larger title for the KSC Precinct, it is not separately rateable and being Council owned land, no rates are applied.

6. ENVIRONMENT

- 6.1 No environmental issues have been identified in relation to this matter.

7. COMMUNICATION AND CONSULTATION

- 7.1 In the preparation of this report, discussions have been held with representatives from both the Kingston Men’s Shed and Kingston Community Garden.

8. RISK

- 8.1 It is necessary from a risk management perspective to have a formal agreement in place to delineate the responsibilities of the Council and the Kingston Community Garden with respect to the use of the land and its structures.

9. CONCLUSION

- 9.1 The Kingston Community Garden has sought a lease agreement with Council over premises in Gormley Drive.
- 9.2 The group has previously leased the site in conjunction with the Kingston Men's Shed but now both groups wish to have separate agreements.
- 9.3 It is proposed that the Kingston Community Garden is offered a five-year lease with a five-year option to renew the agreement.

10. RECOMMENDATION

That the General Manager be authorised to negotiate a lease agreement with the Kingston Community Garden Inc. over premises at Gormley Drive, Kingston on the following terms and conditions:

- a) A five-year lease with a further five-year option;
- b) A "peppercorn" rental to apply;
- c) The lessee to be responsible for all costs associated with the use of the facilities, including service charges, maintenance and insurance.

ATTACHMENTS

Nil

17.8 RENEWAL OF RATE REBATE FOR CONSERVATION COVENANT POLICY

File Number: 3.9
Author: Tim Jones, Manager Finance
Authoriser: John Breen, Chief Financial Officer

Strategic Plan Reference

Key Priority Area: 3 Sustaining the natural environment whilst facilitating development for our future.
Strategic Outcome: 3.1 A Council that values and prioritises its natural environment, whilst encouraging investment and economic growth.

1. PURPOSE

1.1 The purpose of this report is to present a review of Policy 3.9 Rate Rebate for Conservation Covenant Policy.

2. BACKGROUND

2.1 The 2019 Council reviewed the Rate Rebate for Conservation Covenant Policy with a further review date of 2021. The Policy is now due for renewal or amendment.

2.2 The policy was developed to establish the process by which Council determines the circumstances under which a rate rebate will be provided for conservation covenants.

3. STATUTORY REQUIREMENTS

3.1 Section 129 of the *Local Government Act 1993* enables Council to remit all or part of any rate payable by a person or class of ratepayers.

4. DISCUSSION

4.1 The Policy has been utilised since its adoption in 2010 and has provided equity in the decision making process relating to rebating of rates for property owners that apply conservation covenants to their property.

4.2 No changes have been made.

5. FINANCE

5.1 The maintenance of the current policy will not have an adverse impact on Council's financial position.

6. ENVIRONMENT

6.1 This policy provides a rate rebate for property owners who have covenanted a portion of their property in perpetuity under either the Private Forest Reserves Program or the Protected Areas on Private Land Program

7. COMMUNICATION AND CONSULTATION

7.1 The policy is to be made available to the public on Council's website.

8. RISK

8.1 No risks are identified in relation to this matter.

9. CONCLUSION

9.1 Council Policy 3.9 Rate Rebate for Conservative Covenant Policy has been reviewed and no changes are recommended.

10. RECOMMENDATION

That Council Policy 3.9 Rate Rebate for Conservative Covenant Policy, as attached to this report, be adopted for a further two years.

ATTACHMENTS

- 1. Policy 3.9 Rate Rebate for Conservation Covenant Policy**

Public Copy



Policy No: **3.9**
 Approved by Council: **February 2019**
 Next Review Date: **February 2021**
 Responsible Officer: **Manager Finance**

Minute No: **TBA**
 ECM File No: **12.106**
 Version: **4.0**

Rate Rebate for Conservation Covenant Policy	
POLICY STATEMENT:	1.1 Council recognises that the protection of our natural environment is a strategic objective and aspiration of the Kingborough community, this policy plays a part in achieving that objective.
OBJECTIVE:	2.1 Where land has been assessed as having a high conservation value, in return for the landowners agreeing to a conservation covenant being placed on the title, Council will provide a financial incentive by way of a rate rebate.
SCOPE:	3.1 This Policy applies to rateable land that has been covenanted in perpetuity under either the Private Forest Reserves Program or the Protected Areas on Private Land Program.
PROCEDURE (POLICY DETAIL):	4.1 On application by the ratepayer and subject to Council’s approval, a rebate of the General Rate that would otherwise be payable will be granted subject to the following. 4.2 The rate rebate of \$6 per hectare per annum will be granted in relation to the land area which is subject to the covenant. 4.3 The rate rebate will be of a minimum annual value of \$100 and a maximum annual value of the lesser of either \$600 or three-quarters of the General Rate that would otherwise be payable on the entire property. 4.4 The rate rebate will remain in place for each property for five years provided that the intent of the covenant is fully complied with, and thereafter will be subject to review and renewal at the discretion of Council. 4.5 The rate rebate may be forfeited or suspended if the rates on the property are not fully paid by the due date. The General Manager has the delegated authority to determine the application of this provision. This authority may be sub-delegated by the General Manager to any other officer. 4.6 New and renewed applications will be subject to sufficient funding being allocated and available in the Estimates. 4.7 In considering applications, Council may take into consideration the assessment of conservation values as determined by the covenant, and/or the advice of other appropriately qualified officers. 4.8 A quarterly report will be provided to Council of rebates provided under this Policy.
COMMUNICATION:	5.1 Members of the public 5.2 Councillors 5.3 Council Staff
LEGISLATION:	6.1 Section 129 of the <i>Local Government Act 1993</i>

18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

RECOMMENDATION

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

Confirmation of Minutes

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

Applications for Leave of Absence

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

Regional Contract for Recycling

Regulation 15(2)(b), (2)(c)(i) 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, commercial information of a confidential nature, that if disclosed, is likely to prejudice the commercial position of the person who supplied it, and contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.*

Current Court Matters

Regulation 15(2)(i) *relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council.*

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	
Regional Contract for Recycling	
Current Court Matters	

CLOSURE

Public Copy

APPENDIX

- A Environmental Services Quarterly Activities
- B Kingborough Community Safety Committee - Minutes 2 August 2021
- C Minutes Disability Access & Inclusion Advisory Committee
- D Kingborough Bicycle Advisory Committee - Minutes 13 August 2021
- E Mayoral Diary 26 July 2021 - 27 August 2021
- F General Manager's Diary 26 July 2021 - 27 August 2021
- G Current and Ongoing Minute Resolutions (Open Session)

A ENVIRONMENTAL SERVICES QUARTERLY ACTIVITIES**File Number: 8.218****Author: Jon Doole, Manager Environmental Services****Authoriser: Dr Katrena Stephenson, Director Environment, Development & Community****1 ENVIRONMENTAL HEALTH****1.1 Food safety**

- i) The annual food business renewals process has been underway. This involves approximately 225 permanent food business and 85 mobile food businesses. Environmental Health Officers (EHOs) assess each application in accordance the Tasmanian Food Business Risk Classification System. This system classifies food businesses into risk categories based on food types and food handling activities and is based on the national food safety risk-profiling framework.
- ii) Temporary food business applications have continued to increase with the easing of COVID-19 restrictions.
- iii) A free online food safety training module continues to be provided from Council's website.
- iv) EHOs have had several new and novel food processes for assessment. The need to be across changing requirements such as new allergen labelling continues.
- v) There have been a number of referrals for new/modified food business fit-outs which are all assessed by EHOs for compliance with the National Construction Code (Tas Appendix H102).

1.2 Immunisations

- i) Two rounds of the School Based Immunisation Program have been completed; the third and final round is scheduled for October. Approximately 550 Grade 7 students were administered the Diphtheria, Tetanus and Pertussis (single dose) vaccine and the first dose of the Human Papillomavirus (two-dose course) vaccine. Approximately 90 Grade 10 students were administered the Meningococcal ACWY (single dose) vaccine. After-hours catch-up clinics were coordinated for absentees. This program has increased in both size and complexity with school numbers and COVID related requirements. Taroona High School is now one of the largest high schools in the state and has necessitated the need for additional administrative and clinical staff to ensure the program can be delivered within expected timeframes.
- ii) Baby clinics continue to be coordinated monthly at the Hub. These operate on a booking only system and have had a steady increase in numbers in recent months. Council's clinical team have also been assisting with the practical requirements of Nurse Immuniser training for a number of nurses at these clinics

1.3 Coronavirus (COVID-19)

The Unit continues to manage Council's infection control measures and have involvement with many aspects of the organisation's ongoing COVID-19 response. This has included the following:

- Lockdown and business continuity planning;
- Contact tracing and compliance with formal Direction requirements at relevant sites;
- Ongoing review and maintenance of COVID-19 procedures and preventative measures;
- Managing stock and supplies (e.g. hand sanitisers, disinfectants) for Council worksites, facilities and fleet;
- Advice on infection control and PPE for Evacuation Centres;
- Review and maintenance of cleaning schedules/attachments for each COVID-19 Safety Plan;
- Representation on Council's Incident Management Team;
- Liaison with Council's Medical Officer of Health on likely impacts and specific processes/programs;
- Liaison with Public Health Services (Department of Health) on a range of COVID-19 related issues;
- General public health advice to management and staff on processes/programs; and
- Support for the Department of Health's COVID-19 Vaccination Centre at the Hub.

1.4 Recreational water quality

- i) Council is preparing for the upcoming recreational water quality season with an internal review of the sampling framework and program. Separately, pre-season collaboration is expected to be undertaken with relevant stakeholders ie – Department of Health and the Derwent Estuary Program. This is with consideration to protocols for sampling during/after heavy rainfall, extreme weather conditions and during known pollution events.
- ii) Council's annual report to the Department of Health is currently being compiled for submission by 30 September.

1.5 Water quality

- i) EHOs have been reviewing and sampling private water suppliers in accordance with the provisions of the Tasmanian Drinking Water Quality Guidelines 2015 issued under the *Public Health Act 1997*. These are for higher risk accommodation, education and commercial facilities that utilise water from a non-reticulated source. This has involved both undertaking and/or reviewing sampling and results and detailed assessments of both sources and processes for specific sites.
- ii) Water carriers will soon be due for renewal in accordance with the same Guidelines.
- iii) Pool sampling continues to be undertaken monthly and results reviewed in accordance with the provisions of the Tasmanian Recreational Water Quality Guidelines 2007 issued under the *Public Health Act 1997*.

2 NATURAL RESOURCE MANAGEMENT

2.1 Environmental Engagement Program

i) National Tree Day

Council's annual National Tree Day event was held on the first Sunday in August at Dru Point Bicentennial Park. This year, the event was supported by Birdlife Tasmania who ran guided bird walks for participants. The event is a much-loved occasion on the calendar for many locals, with one family chalking up their seventh National Tree Day with Council. It also attracts newly arrived locals with a recently arrived Persian



National Tree Day at Dru Point, Margate

family enjoying tree day for the first time. Alison Overeem from Leprena UAICC Tasmania gave a welcome to country that spoke to the theme of healing country and healthy community through coming together to plant. This heartfelt and very meaningful welcome touched many people in attendance. In total 120 people helped plant 1500 native Tasmanian plants to form a habitat corridor and backdrop to the open fields of Dru Point. The Lions Club of Tasmania supported the event with a BBQ lunch and the Blackmans Bay Scouts and the Jane Goodall Roots and Shoots program provided volunteer planting guides.

2.2 Natural Areas Activities

i) School Support and activities

In the reporting period the following schools have been engaged with activities in nature in Council's reserves. Planting events were held for St Aloysius College and Kingston Primary School to link these schools with the Browns River Saltmarsh project. A talk was held at the Kingston Stormwater wetlands for Kingston Primary students who were learning about plants and seeds. Planning is underway with Margate Primary School to continue their bush kinder program and with Illawarra to discuss future collaboration.



Planting with Kingston Primary School

2.3 Weed Management

i) Weed Action Fund

Council has successfully secured a targeted large Weed Action Fund grant which will see \$25000 spent on karamu infestations across Kingborough over the next three years. This grant builds upon the \$10000 karamu grant received in the last round and aims to treat plants on all land tenures and eradicate the species from the municipality.

Karamu poses a threat to a range of vegetation types, including undisturbed riparian areas where it forms dense thickets that outcompete all other plants. The species has limited distribution in Tasmania with only a few locations in Kingborough, so eradication is still possible. Karamu is a Zone A weed in all municipalities in Tasmania.

ii) Strategic weed activities

During the reporting period, Weed Officers completed over 460 hours of on-ground weed control across the network of reserves and roadsides. New infestations of African feather grass and heather were identified and controlled, and new infestations of karamu and tree heath have been recorded and management options are now being determined.

Weed Officers have also been enforcing the Weed Management Act for high priority weeds on private land. Thirty-six Weed Notifications and 4 Requirement Notices were issued to private properties containing infestations of pampas grass, Paterson's curse, karamu, African boxthorn, gorse, and ragwort.

Contractors continue to support Kingborough Council in managing roadside infestations of Spanish heath, gorse, holly, and English broom. During the reporting period Huon Road was treated in its entirety for declared weeds.

2.4 Reserve Management

Staff have been working to restore habitat, improve the condition of native vegetation communities and improve water quality across several reserves during the reporting period.

Minimising the impact of illegal activities in natural areas has been a key focus. The dumping of hard and green waste in reserves is an ongoing problem with waste repeatedly being removed from Denison Reserve, Whitewater Creek Reserve, Hawthorn Reserve and Peggy's Beach Reserve. Staff have also been working to educate landowners whose backyards have strayed into Council's reserves or have been using the reserve to burn garden waste or build campfires.

Litter removal is ongoing with the support of the Community Corrections team, particularly in reserves that are downstream or downwind or new subdivision areas where litter from building sites collects.

Unofficial bike jumps and tracks and access points are also frequently being constructed in bushland reserves. Council staff remove the jumps where feasible, block off informal access points and work with reserve neighbours and locals to educate people about the impact of these activities.

2.5 Wildlife Management

i) Little Penguin Program

Council manages four Little Penguin colonies located on Council land and supports several more in the municipality on other land tenures. Conservation activities are guided by the Penguin Advisory Group, made up of land managers and scientists, and facilitated by the Derwent Estuary Program. In the reporting period a large working bee was held in one colony where two landslips had destroyed habitat and nesting boxes. This was made possible through volunteer work by the Friends of the Derwent and Channel Penguins group and the support of the Marine Conservation Branch who provided boat support.



Penguin monitoring volunteers



Nanna Bayer creating a ceramic penguin nest

Council is currently supporting an exciting, innovative project to create ceramic nesting modules for penguins, run by local artist Jane Bamford. The project brings together eight highly skilled ceramic artists, working with the latest scientific knowledge of the habitat needs of Little Penguins to create artificial nests for breeding and moulting. These nests will be functional works of art and first exhibited at the Kingborough Hub where they will be available to purchase to ‘gift into habitat’. They will then be installed in the Derwent colonies. The project is supported by a RANT Arts grant supported by the Australian Regional Arts Fund.

ii) Forty-Spotted Pardalotes in Tinderbox

Council staff have been working with the Blackmans Bay Scouts for many years on small projects to improve habitat for the critically endangered Forty-Spotted Pardalote. In a separate project Council has supported a recently finished PhD study on the species. This study uncovered a ground-breaking method to prevent nestlings being killed by a parasitic fly through the development of ‘insecticide-laced feather dispensers’ and identified the critical importance of the Tinderbox area for these threatened birds. Council recently brought these two parties together resulting in the Scout group building over 100 dispensers to be used in Kingborough. Council also facilitated fourteen nest boxes made by the Scouts to be installed in white gums near the Blackmans Bay Scout Hall. Given the importance of White gum habitat on the Tinderbox peninsula, Council will focus community engagement activities in this area and continue to work on habitat restoration with the Scout group and others.



Tom and his team installing nest boxes for Forty-spotted pardalotes

2.6 Landcare Group Support

i) Group Training

Representatives from ten care groups across the municipality participated in first aid training within the reporting period. This is one part of an extensive training

program that ensures our groups are supported, skills are renewed and both Council and our groups are meeting WHS and legislative requirements. The feedback from the day was extremely positive from those who attended.

ii) Welcoming New Landcare Groups

In the reporting period Council welcomed three new landcare groups to the municipality, Algona Reserve Landcare, Blackmans Bay Community Association Landcare and the Friends of Longley Action Group (FLAG). Algona Reserve Landcare group launched their on-ground works in August with 9 people participating in some weed control and rubbish removal. Councils' bushfire officer attended and provided insight on the bushfire management for the reserve



Kingston Beach Coastcare group completed several planting events at Browns River Saltmarsh

2.7 Revegetation Program

With the planting season commencing in late Autumn, the Natural Areas and Biodiversity unit has been busy coordinating revegetation projects. Over 10,000 plants have been put in the ground so far this year as a result of Council's revegetation program, with over 2000 more to be planted in the coming weeks. These plants have been provided for various Council and Landcare projects, such as National Tree Day and the Browns River Saltmarsh Project. Our Biodiversity Officer also organised the planting of 25 locally significant candlebark trees (*Eucalyptus rubida*) at Tramway Hill Reserve. The seeds for this project were collected from local trees as part of an offset project under the Kingborough Environmental Fund and will help bolster the local population.

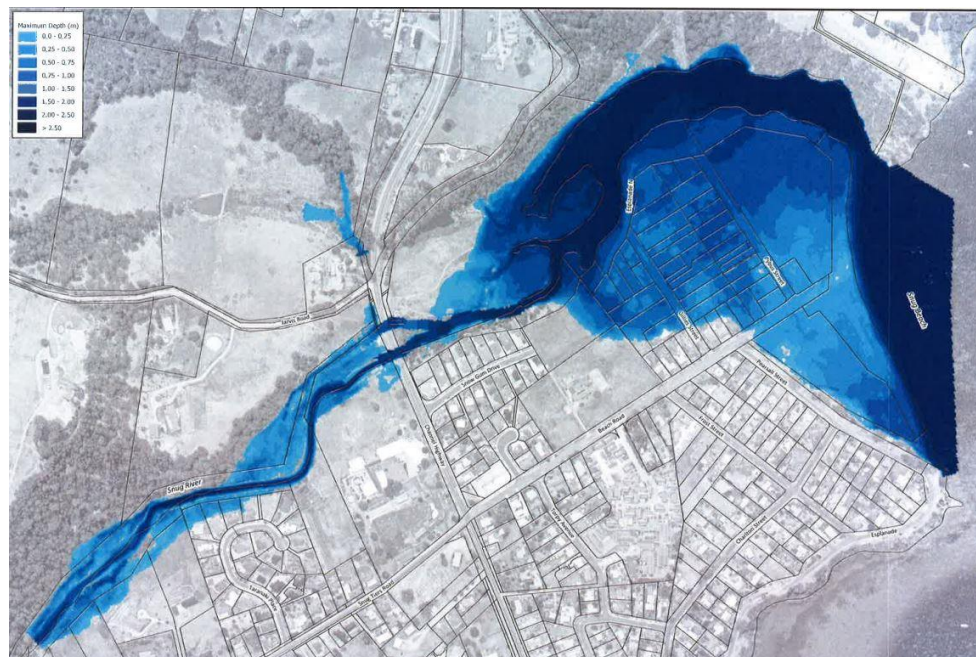
2.8 Coastal and Waterway Management

i) Snug Climate Change Adaptation Planning

An application was submitted to the Natural Disaster Risk Reduction Grant Program (NDRRGP) to access funding to advance a community based Snug Climate Change Adaptation Plan.

Snug has been identified as a suitable case study for a partnership with Griffith University and Whitsunday Regional Council researching the risk of climate change, sea level rise and flood risk for the community. The grant would offer the opportunity for Council to engage with the local community and key stakeholders to empower decision making in investment and land use and offer the community reliable evidenced data on the future of their town and assets valued by the community.

An announcement of successful applicants is anticipated to occur early in September.



2.9 Kingborough Environmental Fund

i) Covenanting Program

The first conservation covenants under the Kingborough Environmental Fund have been secured thanks to a partnership with the Tasmanian Land Conservancy. Three of the covenants are located at Oyster Cove and are now protecting over 50 hectares of native bushland, including the threatened communities *Eucalyptus amygdalina* forest and woodland on sandstone, *Eucalyptus globulus* dry forest and woodland, and *Eucalyptus tenuiramis* forest and woodland on sediments, habitat for the critically endangered swift parrot and endangered forty-spotted pardalote, as well as a small population of threatened pretty heath (*Epacris virgata*). Another covenant at Killora on North Bruny Island has been secured protecting 18 hectares of native bushland that contains *Eucalyptus amygdalina* forest and woodland on sandstone, forty-spotted pardalote habitat, and amazingly, a new species of wattle for Tasmania (*Acacia acinacea*). Two more covenants at Oyster Cove and Lower Snug are set to be secured in the coming weeks.

ii) Threatened Species Conservation

Through the Kingborough Environmental Fund, Council help fund research into the conservation and management of the forty-spotted pardalote. The PhD project by Fernanda Alves focused on filling knowledge gaps that impede conservation planning (species density, genetics, food trees and parasitism). The

results of her research found that habitat restoration needs to be a priority, especially in areas with poor habitat quality and small population sizes, such as Tinderbox. The research also produced an innovative method for mitigating the impacts of a parasitic fly on forty-spotted pardalotes in the form of an insecticide-laced feather dispenser.

The Natural Areas and Biodiversity unit discovered the presence of the threatened masked owl at one of Council’s remote reserves in Snug. Staff engaged Zorro the masked owl detection dog to confirm the presence of masked owls in the reserve and he was able to find three more pellets. Using these findings Council was able to inform the Tasmanian Fire Service and the Department of Primary Industries, Parks, Water and Environment regarding a planned burn for the area and recommended that pre-burn surveys be undertaken in the area to protect potential roosting trees.

As a result of an officer undertaking training in the identification and management of wedge-tailed eagle habitat with the Forest Practices Authority, Council has put into place a more refined planning process regarding development in areas of potential wedge-tailed eagle habitat. This has involved the adoption of a formalised process, as well as the creation of a number of relevant mapping layers identifying recorded nests, preferred habitat, and potential buffer zones.

Council has also recently installed bollards at Piersons Point Reserve in Tinderbox delineating areas that will receive a reduced frequency of mowing. This altered mowing regime will allow for the nationally threatened ‘Lowland Native Grasslands of Tasmania’ community to recover and will help provide enhanced habitat for a range of local threatened species. This project has also included planting within the grassland community to help improve species diversity.

2.10 Regulation of Tree Removal on Private Land

A total of forty-nine applications under the Health and Environmental Services By-law 2011 were processed between 1 January 2021 – 21 May 2021.

Application Outcome	Number of Applications
Approved or exempt	30
Refused	4
Withdrawn	1
Application no Longer Required	1
Further Information Request	5
Multiple Outcome (multiple trees)	6
Application not valid	2

2.11 Bushfire Program

i) Natural Disaster Risk Reduction Grants Program Application

In July 2021 Council made a submission to the State Emergency Service (SES) for grant funding to undertake an assessment of the bushfire risk of Council’s road network.

The SES administers and co-ordinates a range of grant programs related to Emergency Management on behalf of the Commonwealth and/or the Tasmanian

Government. In order to be eligible for funding, projects must have a focus on activities that proactively reduce disaster risk in order to minimise the loss and suffering caused by disasters.

As Council is responsible for managing a significant number of roads it is essential to establish which roads pose the highest risk to life and property in terms of potential fire ignitions and spread of fire in the landscape. Consideration also needs to be given to managing the safety of road users before and after a fire and the needs of the fire services for strategic firefighting.

Understanding the level of bushfire risk of specific roads is important both for Council in order to be able to prioritise its roadside vegetation management program and also for residents of Kingborough who can use the information to inform the development of their personal Bushfire Survival Plans.

To date no road bushfire risk assessment has been conducted in Tasmania.

The idea of conducting a road bushfire risk assessment originally arose from the Victorian Bushfires Royal Commission following the devastating bushfires in Victoria in 2009. The Black Saturday fires killed 173 people, a proportion of who were killed whilst trying to flee the fire in their vehicles.

Following the recommendation of the Bushfires Royal Commission, VicRoads went on to develop a Road Bushfire Risk Assessment Guideline and Risk Mapping Methodology. If Council is successful in obtaining funding under the Natural Disaster Risk Reduction Grants Program, it is hoped it will be possible to adapt the Victorian Methodology to the Kingborough roads network.

Council has been in communication with the University of Melbourne Faculty of Engineering and Information Technology regarding the project. The University has a Research Team with expertise in bushfire risk modelling and has indicated a willingness to work together in collaboration to develop the ArcGIS tool required for the proposed road bushfire risk assessment project.

3 CAT MANAGEMENT PROGRAM

3.1 Kingborough Cat Management Program

i) Stray Cat Management

Council is working with local communities, the Ten Lives Cat Centre and Southern Tasmanian Cat Rescue to manage stray cats. Overall, 46 cats were received by the Ten Lives Cat Centre from Kingborough this financial year.

Council is continuing to monitor and trap feral cats in the Blackman's Bay Beach area and desex domestic cats. In recent months there has again been an



Stray cat trapped at Blackmans Bay

increase in sightings around Blackman's Bay Beach. In response, 12 stray cats have been trapped on private property and taken to the Ten Lives Cat Centre and three domestic cats have been desexed through the new Thylacine lutruwita veterinarian in Mornington.

Earlier this year there were several reported sightings of stray cats in the Allen's Rivulet and Browns Road area. Council engaged the Southern

Tasmanian Cat Rescue to trap and rehome cats in these areas. Seven cats were trapped at Allen’s Rivulet and five cats in Browns Rd Kingston.

Two stray cats were also removed from the depot in April.

ii) Cat Prohibited Areas (CPA)

In May Councillors supported a motion to commence the process to formally declare Algona, Coffee Creek and Huntingfield Reserves as Cat Prohibited Areas in accordance with Section 19 of the *Cat Management Act 2009*. This decision follows on from Council’s success in managing Boronia Beach Reserve and Blackmans Bay Beach as Cat Prohibited Areas over several years.



Algona and Huntingfield Reserves

Within the Kingborough municipality Algona, Coffee Creek and Huntingfield Reserves are part of a network of important wildlife habitat and recreation areas that include Peter Murrell Reserves (PMR). These Council Reserves offer PMR important vegetation buffers, wildlife corridors and creek protection. PMR is home to many conservation-significant species that are particularly vulnerable to cats.

The declaration of these proposed Cat Prohibited was prepared to contribute to the protection of wildlife in these reserves that are under increasing pressure from urban development and to send an important community message about the need for responsible pet cat ownership.

The proposed declaration was advertised, and community feedback was sought through a public consultation process. Five written submissions were received, and all submissions were supportive of the declaration. No negative feedback was received by written submission or on Facebook. A report to Council has been prepared and once the new CPAs are formally declared community education will commence.

iii) Huntingfield Housing Development

Since 2017 Council Environmental Services staff have been liaising with Communities Tasmania about the Huntingfield housing development and the need to protect the fauna values within adjacent reserves (including PMR) from the impacts of additional domestic cats in the area. Discussions to date have been very productive and staff are currently working towards regulatory options, that would complement the *Cat Management Act 2009*. Such options will assist to manage domestic cats associated with the development.

iv) Public Enquiries on Cat Management

Across the municipality 120 cat-related requests were actioned from June 2020 – July 2021.

Cat management enquiries from June 2019 – June 2020	
34%	Nuisances caused by cats
22%	Presence of stray and feral cats

Cat management enquiries from June 2019 – June 2020	
17%	From organisations or individuals wanting information on Council's cat management programs or local and state regulations on keeping cats
11%	Lost and found cats
5%	Large numbers of cats present on individual properties
4%	Registering a cat under the Bruny Island Cat By-law
2%	Cat in prohibited areas
2.5%	Inhumane treatment of cats
1%	Non-registered breeder of cats

v) Customer Service Staff

In conjunction with TassieCat a Q & A guide was prepared to assist Customer Service staff to respond to common enquiries and complaints from the public about cats. Information sessions were also held with all Council Customer Service staff to update them on the recent changes to the *Cat Management Act 2009*. The sessions had positive engagement and feedback from staff.

3.2 Bruny Island Cat Management Program

i) Bruny Island Cat Facility

With the help of local Bruny cats Garfield and Ruby the 'Cat Shack' was officially opened in March this year. The Facility is located behind the Post Office at Alonnah and is run by Kingborough Council, Bruny Farming and Ten Lives Cat Centre (TLCC). It provides a place for the community to bring stray cats or cats that need a new home. It also provides a place where the community can find out about the Bruny Island Cat By-law and other cat management activities on the Island.



Partners at Cat Facility launch on Bruny

Over the past 12 months fourteen stray cats have been taken to the Facility. The majority of these cats were rehomed through the Ten Lives Cat Centre and one domestic cat was returned to its owner.

ii) Domestic Cats – compliance with the Bruny Island Cat By-law

Currently 43 households that live on or regularly visit Bruny are known to own a total of 63 cats. All these households were contacted last financial year to support registration, and most were visited at least once. Of these households 86% have registered their cats with Council and of these 70% are fully compliant with the By-law (60% of known households with cats).

Six households received practical assistance – enclosures, netting and enrichment which also included work by the Men's Shed. Free desexing of six cats was undertaken by the Ten Lives Cat Centre.

Cat containment remains the most challenging issue for many Bruny cat owners. The experiences and stories of seven Bruny cat owners were documented to

promote the benefits of containment. Most cat owners use a combination of methods to prevent their cats from roaming. Of the registered households: 65% provide access to the house and an enclosure/enclosed deck; 14% keep their cats inside 24 hours per day; 11% also use a harness and lead to walk or restrain their cat when outside with them; and 5% also allow their cat, on occasion, to be outside and unrestrained, but under their watch and control.

iii) **Stray cats**

With assistance of one household, last financial year 23 stray cats were trapped on a property located near the Neck. This large number of cats are the result of past feeding of stray cats in the area. Recent camera monitoring has found that multiple trap shy cats are still at large in the area which will require extended periods of trapping. It is likely that other methods will be required to secure them.

Eleven community members borrowed traps from the program and assisted with trapping stray cats on their property. Most were on South Bruny.

Between July 2020 and June 2021 20 residents and visitors reported sightings of stray and feral cats. Most of these sightings were on South Bruny at Simpsons Bay and Alonnah; some at Adventure Bay and Lunawanna and a few were sighted further afield, including at Cloudy Bay and along Lennon Road (North Bruny).

Since March 2021 the Bruny Environment Network has been working with residents of Apollo Bay, Dennes Point, and Barnes Bay to monitor for the presence of stray cats. These are areas where cats have been detected in the past. To date no cats have been identified on camera which is great news.

iv) **Important research**

The University of Tasmania has undertaken recent research to examine the impact of cat-borne diseases on livestock, both in the Midlands and on Bruny Island.

Toxoplasmosis and sarcocystosis are diseases caused by the parasites *Toxoplasma gondii* (*T. gondii*) and *Sarcocystis* spp. that are spread uniquely by cats. Toxoplasmosis and sarcocystosis can be spread to livestock if they feed on pasture, hay or grain, or drink water contaminated with infected cat faeces.

Toxoplasmosis can adversely impact on livestock (sheep, pigs and goats), wildlife and humans, while sarcocystosis adversely impacts on the quality of sheep meat. Across Australia it is estimated that these diseases costs Australia AU\$6 billion per year through their impacts on livestock production and human health.

It is important research as Tasmania is a hotspot for these diseases due to our cool and moist climate, and farms are important transmission sites to both livestock and wildlife. Grazing, predominantly sheep, accounts for about 14% of land use on Bruny.

The research found that the prevalence of both these diseases was much lower on the Bruny properties compared with the Midland properties. For the Midland

properties, the prevalence of *T. gondii* and *Sarcocystis* spp. among the tested sheep and meat samples was 31.7% and 17.7% respectively. While for the Bruny properties the prevalence of *T. gondii* was 4.5% and no cases of *Sarcocystis* spp. were detected. However, abattoir data to detect *Sarcocystis* spp. was only available for one property, Murrayfield on North Bruny, where cat densities are much lower than further south.

While more research is required, it appears that farm management practices are key to managing the spread of these diseases. For example, the research identified the importance of maintaining paddock hygiene through maintaining cover of offal pits; diligently cleaning dead livestock off paddocks; thorough disposal of sheep trimmings; and limiting access of cats to shearing sheds.



Sarcocystis in lamb meat that will be condemned

4 CLIMATE CHANGE

4.1 Energy and Greenhouse Emissions

Ongoing monitoring of energy usage at key council facilities is undertaken routinely. Unfortunately, due to Covid during 2020 it was difficult to identify definitive energy use trends due to significant fluctuations in facilities usage and demand.

However, performance of solar installations was able to be undertaken as per the following table.

Facility	Size of System (kW)	2020			
		Total Generation (kWhr)	Greenhouse Reduction (tCO2e)	\$ Saving (000)	ROI (%)
Civic Centre	50	67,505	10.1	12	90
Twin Ovals	12	16,312	2.5	2.9	73
Kingston Hub	20	29,514	4.4	5.3	20
Barretta	15.6	21,192	3.2	3.8	92
Dennes Point	20	26,690	4.0	4.8	70
Total	117.6	161,213	24.2	28.8	

4.2 Electric vehicle fast charge facilities

Council was involved in two separate applications for funding of electric vehicle fast charge stations in Kingston via the Australian Renewable Energy Agency (ARENA) – Future Fuels Fund (Greater Hobart).

It has transpired that both applications were successful, so planning is underway to identify the most suitable locations for installations.

4.3 Waste reduction / Net Zero Emissions project

Following the workshop and report to Council regarding greenhouse gas emissions and a potential Net Zero Emissions target in September 2020 work has been ongoing on

quantifying the contribution of waste to landfill to council's greenhouse emissions and the potential to strategically reduce this over time.

It is anticipated that further information on this matter will be presented to council later in 2021.

5 BARRETTA ENVIRONMENTAL MANAGEMENT

5.1 Trade Waste Pump Station

Routine monitoring of groundwater, surface water runoff and gas levels continue to be undertaken for the entire Barretta site and environs. There have been no significant exceptional results recently.

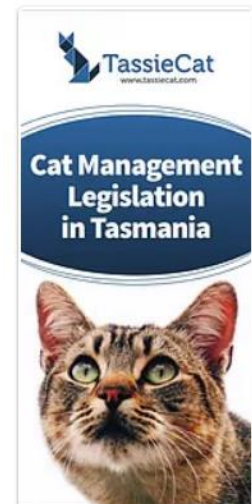
Methane and carbon dioxide levels around the site (in pits etc) appear to be progressively reducing because of the extension of the gas extraction system that was commissioned in 2019.

6 TASSIE CAT/ TASMANIAN CAT MANAGEMENT PROJECT

6.1 TassieCat Promotional Material

TassieCat and the Regional Cat Management Coordinator continue to promote responsible cat ownership in Tasmania including desexing, microchipping and keeping cats safe at home.

TassieCat has produced a suite of new materials which are available to the public both electronically (tassiecat.com) and in hard copy, the materials focus on the recent changes to cat management legislation. Amendments to the *Cat Management Act 2009* were proclaimed in March 2021 and TassieCat and the Regional Coordinator have played a key role in informing the public of these changes. TassieCat continues to use the website and social media to engage with Tasmanian cat owners, now with over 3800 followers on the TassieCat Facebook page, and the website receiving an average of well over 1000 visits per month.



**TassieCat
Marketing material**

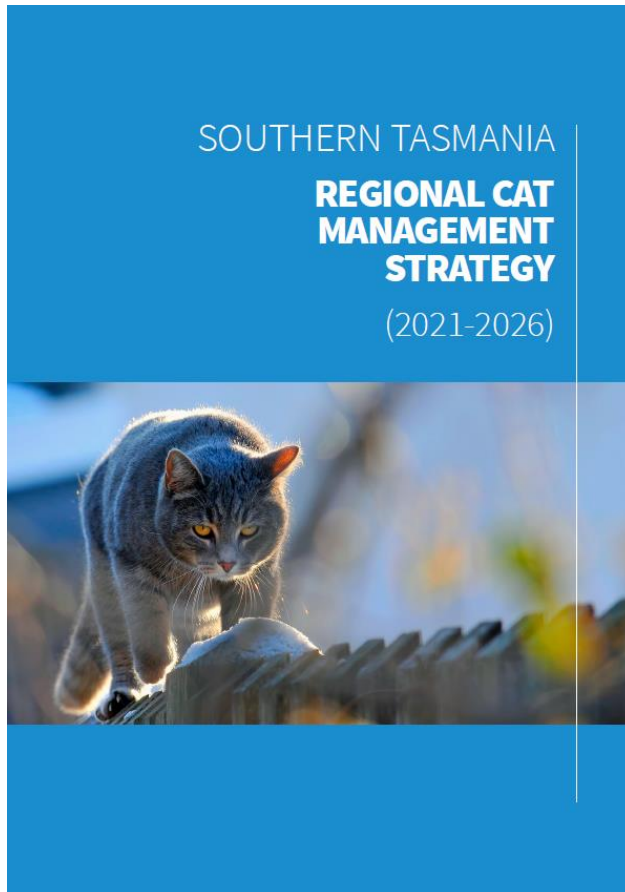
The *That's Cats* videos cover the importance of desexing, microchipping and containment and were aired over 550 times during May and June in 2021 on Channels 7, 9 and Win. Three radio advertisements were developed highlighting the importance of desexing, containment and changes to legislation. These were aired state-wide including on LAFM, 7HO, 7BU and 7SD over 100 times in June 2021.

6.2 The Regional Coordinator presented at the RSPCA Animal Welfare Seminar 2021

Feline Futures, on the TassieCat project and working with councils and the community in relation to cat management and responsible cat ownership. The Coordinator also presented at Landcare sessions on cat management, and attended Agfest with an information stall.

The Regional Coordinator has also worked with Council's Cat Management Officer to run four sessions with Kingborough Council's front counter staff on a newly developed document, a *Guide to Handling Cat-Related Queries from the Public*, which is designed to help Councils answer cat-related queries easily.

The Southern Cat Management Working Group has held nine meetings since its inception with representatives from the majority of the Southern Councils, as well as other key stakeholders such as RSPCA, Ten Lives Cat Centre, veterinarians and the State Government. The Working Group developed the Southern Tasmania Cat Management Strategy which is now nearing final endorsement from Southern Councils and other key stakeholders. The Regional Coordinator has presented at nine Councillor workshops across Southern Tasmania on the Strategy. The Strategy has been developed to provide an aspirational and long-term framework within which partner organisations can voluntarily contribute, collaborate and align cat management efforts within the southern region, towards agreed and shared outcomes.



**Regional Cat Management Strategy
Cover (2021-2026)**

B KINGBOROUGH COMMUNITY SAFETY COMMITTEE - MINUTES 2 AUGUST 2021

MINUTES

Kingborough Community Safety Committee

Meeting No. 2021-4

Monday 2 August 2021

Kingborough

MINUTES of a Meeting of the Kingborough Community Safety Committee held at the Kingborough Civic Centre, Kingston, on Monday 2 August 2021 at 10:30am.

PRESENT

		PRESENT	APOLOGY
Chairperson	Cr Jo Westwood	✓	
Members:	Mr Brian Dale	✓	
	Ms Tanya Flakemore		✓
	Mr Michael Hughes	✓	
	Mr Roger McGinniss	✓	
	Mr Rodney Street	✓	
	Mr Ross Thomas	✓	
Tasmania Police	Insp Mark Burke	✓	
	Sen Sgt Peter Borish	✓	
Kingborough Access Advisory Committee Representative	Ms Julie Alderfox		✓
Kingborough Bicycle Advisory Committee	Ros Woodburn	✓	
Council Officers In Attendance:			
Director Governance, Recreation and Property	Mr Daniel Smee	✓	
Executive Officer	Mr Anthony Verdouw	✓	
Communications Officer	Ms Sam Adams	✓	
Other Attendees:			
Mayor	Cr Paula Wriedt	✓	
Road Safety Advisory Council	Ms Sally Lord	✓	
Road Safety Advisory Council	Ms Carly Zmendak	✓	

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

LEAVE OF ABSENCE

There were no declared leaves of absence.

DECLARATIONS OF INTEREST

There were no declarations of interest.

CONFIRMATION OF MINUTES

MOVED: Roger McGuinness
 SECONDED: Rod Street

That the Minutes of the Committee meeting held on Monday 7 June 2021, as circulated, be confirmed.

CARRIED

GENERAL BUSINESS

1. Review Action Items from Previous Meeting (Jo Westwood)

Cr Westwood addressed the Action Items generated from previous meetings, noting completed items and progress on uncompleted items.

Action Item (1): Staff to further investigate parking issues along the northern end of Auburn Road.

2. Pedestrian Safety Campaign (Carly Zmendak & Sally Lord)

Carly and Sally from the Department of State Growth gave a presentation on a pedestrian safety campaign starting September 2021. It was noted that pedestrians and cyclists represent one in four serious casualties in major towns and cities and that almost 20 per cent of these occur at intersections in speed zones of 60 km/h and under.

The guerrilla style campaign has been organised by the Road Safety Advisory Council and involves footpath stencils and information on traffic signal poles in areas where pedestrians are most vulnerable.

Committee members noted that advanced planning should be considered regarding future communications and promotions around safe eScooter use when new State legislation is passed.

Action Item (2): Sam to liaise with Road Safety Advisory Council around communications opportunities and promotion materials for the upcoming pedestrian safety campaign.

3. Kingston Park Open Space Project (Daniel Smee)

Daniel provided an update on the Kingston Park Open Space Project and provided advice on security cameras and patrols in the area.

Committee members noted garden areas in the playground are being trampled, and further consideration be given for measures to protect plantings as they provide significant amenity to the public open space.

It was noted that dogs will need to be on lead at all times in the new public open space areas.

4. Tasmanian Police Crime and Traffic Statistics (Mark Burke)

Inspector Burke provided an update on Kingborough crime statistics.

The Committee noted a recent media release from the Minister for Infrastructure and Transport regarding road safety in Tasmania. The media release announced that the Tasmanian Government intends to introduce more mobile speed cameras on Tasmanian roads in an effort to drive down the road toll.

The Committee noted regular hooning activities in the Margate area which are being investigated.

Action Item (3): Provide TasPolice with school speed trailer traffic data.

5. KCSC Action Plan review (plan attached) (Jo Westwood)

Cr Westwood discussed a planned review of the Committee Action Plan 2020-2021 and the opportunity for the Committee to consider action items for a new action plan for 2022-2023. The Committee noted an audit of safety signage was worthy of inclusion.

Action Item (4): Staff to review and update status of the KCSC action plan items for 2020-2021.

Action Item (5): Committee members to consider future action items for the Committee.

6. Correspondence

a) (Inward)

- i. Response from DSG regarding Huon Highway - Leslie Road Intersection – 30 June 2021

b) (Outward)

- i. Letter to DSG regarding Huon Highway - Leslie Road intersection – 21 June 2021

OTHER BUSINESS

7. Youth Spaces

The Committee discussed providing a safe space and drop-in centre for youth in the municipality and the possibility of setting up a PCYC. Noted potential funding arrangements and grant funding opportunities and programs such as mentorships.

Action Item (6): Insp Burke to provide contact for PCYC from Tasmania Police and Cr Westwood to make initial inquiries for further information.

8. Pedestrian Access to Gateway Shopping Centre

Noted the lack of pedestrian access to the Gateway Shopping Centre, Kingston.

Action Item (7): Follow up with Transform Kingston Program Manager to look at options to improve pedestrian access and safety in the area.

MATTERS OF GENERAL INTEREST

9. Huon Highway Corridor Study – Kingston to Southport

State Growth are doing a study to look at the performance of the Huon Highway from Kingston to Southport.

A community consultation period is underway until 14 August 2021.

NEXT MEETING

The next meeting of the Committee is to be held at 10:30am, Monday 4 October 2021.

CLOSURE: There being no further business, the Chairperson declared the meeting closed at 12:00pm.

(Appendix A)

Kingborough Community Safety Committee

Upcoming Meeting Dates for 2021

*Note all meetings are held on the first Monday of every second month at 10:30am
in the Council Chambers, Kingston*

4 October
6 December

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Action Items					
Meeting #	Item Number	Description	Responsibility of	Due Date	Complete
2021-2	4	Committee members to consider future agenda items.	Committee Members	7/6/2021	Ongoing
2021-4	1	Staff to further investigate parking issues along the northern end of Auburn Road.	Renai Clark	4/10/21	<input type="checkbox"/>
2021-4	2	Sam to liaise with Road Safety Advisory Council around communications opportunities and promotion materials for the upcoming pedestrian safety campaign.	Sam Adams	1/09/21	<input type="checkbox"/>
2021-4	3	Provide TasPolice with school speed trailer traffic data.	Anthony Verdouw	6/12/21	<input type="checkbox"/>
2021-4	4	Staff to review and update status of the KCSC action plan items for 2020-2021.	Anthony Verdouw	6/12/21	<input type="checkbox"/>
2021-4	5	Committee members to consider future action items for the Committee.	Committee Members	4/10/21	<input type="checkbox"/>
2021-4	6	Insp Burke to provide contact for PCYC from Tasmania Police and Cr Westwood to make initial inquiries for further information.	Insp Burke & Cr Westwood	4/10/21	<input type="checkbox"/>
2021-4	7	Follow up with Transform Kingston Program Manager to look at options to improve pedestrian access and safety in the area.	Anthony Verdouw & Cr Westwood	4/10/21	<input type="checkbox"/>
2021-3	4	Raise the issue of safe pedestrian crossings along Beach Rd, Kingston with staff.	Jo Westwood/David Reeve	4/10/2021	<input type="checkbox"/>
2021-3	1	Staff to follow up with compliance team regarding ongoing parking issues along Rollins Ave and Auburn Rd.	Renai Clark	2/8/2021	<input checked="" type="checkbox"/>
2021-3	2	Email Safe Speeds for Schools trailer traffic data to Committee members.	Anna Joseph	2/8/2021	<input checked="" type="checkbox"/>

2021-3	3	Committee to write to the Department of State Growth to relay concerns and request safety and visibility issues at the Leslie Vale/Huon Hwy intersection be reviewed.	Jo Westwood	2/8/2021	✓
2021-3	5	Staff to investigate parking issues along Browns Road, Kingston.	Renai Clark	2/8/2021	✓
2021-2	1	Distribute Transform Kingston CBD concept plans to Committee.	Anthony Verdouw	7/6/2021	✓
2021-2	2	Staff to interrogate traffic data collected from the speed trailers and provide initial analysis to the Committee.	Anna Joseph	7/6/2021	✓
2021-2	3	Follow up with Craig Hoey – Manager Road Safety Branch regarding attendance at a future Committee meeting.	Cr Westwood	7/6/2021	✓
2021-2	5	Staff to investigate parking along Rollins Avenue, Kingston Beach.	Renai Clark	7/6/2021	✓
2021-1	1	Arrange Chronicle article about the work of the Committee and relationship with Kingston Police.	Cr Westwood	12/4/2021	✓
2021-1	5	Myuna Rd / Roslyn Ave intersection better define/restrict no right turn.	Renai Clark	12/4/2021	✓
2021-1	6	Beach Rd / Windsor St intersection, investigate parking restrictions in immediate area.	Renai Clark	12/4/2021	✓
2021-1	7	Invite TasFire representative to present at a Committee meeting.	Cr Westwood	12/4/2021	✓
2021-1	2	Update Wildlife Information Sheet including contact information for removing roadkill.	Anthony Verdouw	12/4/2021	✓
2021-1	3	Follow up if cleaners have noted any extra cleaning required at the Kingston Beach amenities, which may indicate ongoing misuse of the area.	Anthony Verdouw	12/4/2021	✓
2021-1	4	Provide updated police reports for the Kingston Beach area at the next meeting.	Insp Nikala Parsons	12/4/2021	✓
2020-4	6	Discuss possible opportunities for further advertising police clearance rates	Insp Jason Elmer / Jo Westwood	7/12/2020	✓
2020-6	1	Reinvestigate Edison Ave and Garnett St – visibility issues for cars turning right onto Edison Ave.	Renai Clark	31/1/2021	✓

C MINUTES DISABILITY ACCESS & INCLUSION ADVISORY COMMITTEE

MINUTES

KINGBOROUGH DISABILITY INCLUSION & ACCESS ADVISORY COMMITTEE

**Meeting No. 2021-4
Wednesday 11 August 2021**



Minutes of a Meeting of the Kingborough Disability Inclusion & Access Advisory Committee held at the Kingborough Civic Centre, Kingston, on Wednesday 9 June 2021 2.00pm.

PRESENT

		PRESENT	APOLOGY
Chairperson	Cr Paula Wriedt	✓	
	David Vickery	✓	
	Kevin Brown		✓
	Di Carter		✓
	Fran Thompson	✓	
	Richard Witbreuk	✓	
	Justine Barwick		✓
Staff	Julie Alderfox (Community Development Officer)	✓	
Guest	Chris Keen	✓	

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

DECLARATIONS OF INTEREST

There were no declarations of interest.

CONFIRMATION OF MINUTES

MOVED: David Vickery
 SECONDED: Fran Thompson

That the Minutes of the Committee meeting held on 9 June 2021 as circulated, be confirmed.

CARRIED

BUSINESS ARISING

Kingston Community Garden

Chris Keen from Kingston Community Garden provided a presentation to the committee on plans to develop a high-quality accessible community garden. Recommendations were sought and provided regarding preferred surface finishes, accessible design of infrastructure and potential partnerships/ sponsorship sources to help facilitate the project.

Kingston Park Stage 2

Responses to feedback on the accessible features of Kingston Park Stage 2 were discussed. Clarification is to be sought on the entrance into Stage 2 from the parking bays on Sparrowhawk Street. Committee members expressed concern over the lack of additional accessible parking bays being provided along with the expansion of the public open space. Staff to follow up.

It was recommended that the language used to describe the accessible features of the area should be changed. Instead of 'DDA compliant', more suitable terminology would be 'accessible'. It was noted that technical terminology may be required for engineering/design purposes, therefore dual naming will be suggested for future use in non-technical drawings.

Community Hub

Prior to the opening of the Community Hub in 2019 a list of suggestions for improved accessibility at the Hub was compiled and lodged by the committee. Since that time many of the suggestions have been addressed and some have remained outstanding. An update on the status of the suggestions and changing place issues was provided.

MOTION:

That outstanding accessibility defects within the changing place facility and suggestions for improved accessibility at the Community Hub be resolved by the end of 2021.

MOVED: David Vickery

SECONDED: Ricard Witbreuk

Beach Access

ParaQuad representative Richard Witbreuk presented information with a view to encouraging the inclusion of beach matting at Kingston Beach. The following was put forward:

MOTION:

The Committee recommends that Council prepares designs and costings for access matting at Kingston Beach to enable a capital project to be considered in future budgets or as part of a future grant application.

MOVED: Richard Witbreuk

SECONDED: Fran Thompson

** Please note that an officer's report will come to a future Council meeting*

Educational Brochures

It was agreed that Paraquad's 'Wheelie Good Guide' and Access Ability Australia's information links be promoted to the community, local business and tourism operators to encourage and explore ways of becoming more accessible. Staff to follow up.

Correspondence In

Resignation from Bapcare representative Claire Richardson.

Response from Department State Growth re Accessible Bus Stop Project

Response from Minister Elise Archer re changes to the NCC

Development Applications

Change of Use to Visitor Accommodation Bruny Island

Other Business

Follow up on progress of Access Toolkit and inclusion of disability inclusion as a consideration in capital projects briefing.

Membership drive. Due to the recent departure of long-time members Paul Gilby and Julie Taylor, along with Baptcare representative Claire Richardson, a call for new members is to be undertaken.

A review of Accessible Island: Tasmania's Disability Framework for Action is due in 2021. It was requested that a letter be sent to the Premier to determine the methods being undertaken for the review. Staff to follow up.

NEXT MEETING

The next meeting of the Access Advisory Committee is scheduled to take place on Wednesday 13 October 2021 2pm at the Council Chambers.

CLOSURE:

There being no further business, the Chairperson declared the meeting closed at 3.45pm.

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D KINGBOROUGH BICYCLE ADVISORY COMMITTEE - MINUTES 13 AUGUST 2021

MINUTES

Kingborough Bicycle Advisory Committee

Meeting No. 2021-3

Friday 13 August 2021

Public Copy



MINUTES of a Meeting of the Kingborough Bicycle Advisory Committee held at the Kingborough Civic Centre, Kingston, on Friday 13 August 2021 at 9:00a.m.

PRESENT

		PRESENT	APOLOGY
Chairperson	Cr Amanda Midgley	✓	
Members:	Ms Kate Allingham		✓
	Ms Suzanne Betts	✓	
	Mr Isaac Forster	✓	
	Mr David McQuillen	✓	
	Mr Dylan Robbins	✓	
	Mr Rob Sheers	✓	
	Mr Peter Tuft	✓	
	Ms Angela Wilson	✓	
	Ms Ros Woodburn	✓	
Cycling South	Ms Mary McParland	✓	
Bicycle Network	Ms Alison Hetherington	✓	
Council Officers In Attendance:			
Executive Officer	Mr Anthony Verdouw	✓	
Director Governance, Recreation and Property	Mr Daniel Smee	✓	
Program Manager	Mr Daniel Kaimatsoglu	✓	
Observers:			
	Cr Flora Fox	✓	
	Mr Gordon Keith		✓
	Mr Richard Langman	✓	

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

LEAVE OF ABSENCE

No leave of absence requested.

DECLARATIONS OF INTEREST

There were no declarations of interest.

CONFIRMATION OF MINUTES

MOVED: Isaac Forster
 SECONDED: Dylan Robbins

That the Minutes of the Committee meeting held on Friday 13 June 2021, as circulated be confirmed.

Carried

BUSINESS ARISING FROM PREVIOUS MINUTES1. Review of action items from previous meeting

Cr Midgley briefly discussed the action items from the previous meeting.

2. Representation at Kingborough Community Safety Committee

Ros Woodburn provided an update from the previous KCSC meeting.

Suzanne Betts offered to represent KBAC at the next KCSC meeting to be held 4 October 2021 at 10:30am.

3. Kingborough Cycling Strategy Update

Anthony provided an update on the progress of the Cycling Strategy and next steps.

Staff are currently working on an online map of the proposed network and the draft Strategy will be presented to Council soon, the document will then be made available for community feedback.

4. Cycling South Report

Mary McParland provided an update on Cycling South activities:

- The Derwent Ferry Trial started on Monday. Met with the operators in July to discuss options for transporting bikes on the ferry.
- Greater Hobart Transport Working Group – \$2M City Deal – I have been working with officers at each of the 4 Greater Hobart Councils to compile a network map to use as a reference for the program. The following corridors from the Draft Kingborough Cycling Strategy were incorporated into the draft:
 - Kingston CBD
 - Channel Trail – Huntingfield to Kettering (DSG)
 - Algona Road (DSG)
 - Roslyn Ave
 - Redwood Rd
 - Channel Hwy Huntingfield to Kingston (DSG)
 - Whitewater Creek Trail– Huntingfield/Kingston to Kingston Beach
- The Legislative Council has appointed a select committee to inquire into and report upon ways in which to improve road safety in Tasmania. They are inviting written submissions from interested individuals and organisations. Written submissions can be provided to Mr Tim Mills, Inquiry Secretary, Parliament House, Hobart 7000 rst@parliament.tas.gov.au by 27 August.
 - The RACT is also inviting Tasmanians to provide their thoughts, including dash cam footage. I will be making a submission on behalf of Cycling South with a focus on speed limits and cycling infrastructure that provides separation from motor vehicle traffic.

CORRESPONDENCE

Cr Midgley noted correspondence sent and received.

5. Inward

- a) Roslyn Avenue Safety concern – Cr Clare Glade-Wright – 4 August 2021.

- b) Pedestrian Advocacy – Pedestrian and Public Transport Users Group Inc. – 7 August 2021

In response the Committee discussed the potential to broaden the scope of KBAC to include all active travel considerations. It was noted this would dilute focus of meetings.

Cr Midgley met with the Pedestrian and Public Transport Users Group following the meeting and has invited them to present at the next KBAC meeting so the Committee can hear their thoughts for improving pedestrian advocacy in Kingborough.

GENERAL BUSINESS

6. Kingston Park Public Open Space (Daniel Smee)

Daniel provided an update on the Kingston Park public open space project, with designs finalised and works scheduled to start in coming months.

Works include a dedicated learn to ride track for children, a pump track, resurfacing of Whitewater Creek track, bike parking spaces, and an underpass of Southern Outlet/Huon Hwy.

7. Snug to Coningham Shared Path Feasibility Study (Anthony Verdouw)

Anthony provided an update on the Snug to Coningham shared path feasibility study.

Consultants have identified a preferred route and staff are reviewing cost estimates.

Action Item (1): Cr Midgley to write letter to the Department of State Growth on behalf of KBAC requesting an update on the Huntingfield to Margate shared path and Channel Hwy shoulder improvements between Margate and Kingston.

OTHER BUSINESS

8. The Committee discussed the following matters:

- a. Huntingfield/Algona Roundabout – State Growth project – Cycling South have met with the project manager.
- b. Auburn Road – condition of footpath. Staff noted the road is scheduled for reconstruction in the 5-year capital works plan.
- c. Tinted windows – noted that dark tinted car windows can cause issues for cyclists, pedestrians and other drivers, making it impossible to make eye contact with drivers. Noted that this issue can be submitted as feedback for the Road Safety Tasmania Inquiry.
- d. Cyclist Safety Article – Committee discussed whether a driver awareness safety article could be prepared for the Chronicle.

MATTERS OF GENERAL INTEREST

9. Kingborough Bicycle Users Group (KBUG)

(Peter Tuft)

Peter provided an update on KBUG activities.

50 people have signed up for the blog and 20 came to an inaugural meeting. There will soon be a social media page set up for the group.

NEXT MEETING

The next meeting of the Committee is scheduled to be held on Friday 8 October 2021 at 9:00am.

CLOSURE: There being no further business, the Chairperson declared the meeting closed at 10:25am.

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Kingborough Bicycle Advisory Committee

Meeting Dates for 2021

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

8 October
10 December

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E MAYORAL DIARY 26 JULY 2021 - 27 AUGUST 2021

Date	Place	Meeting/Activity
26 July	Civic Centre	Met with Bonnet Hill Community Association
26 July	Kingston	Met with Mr and Mrs Wood re Namaara Village proposal for 68 Channel Highway, Kingston
26 July	Civic Centre	Attended Council meeting
29 July		Attended Voluntary Assisted Dying Forum with Mike Gaffney
31 July	Kingston	Attended Kingborough Lions United Soccer Club naming rights event at Lightwood Park.
31 July	Sandy Bay	Attended Alex Gadomski Fellowship Ball
1 August	Margate	Participated in National Tree Day at Dru Point
2 August	Civic Centre	Attended the Kingborough Community Road Safety Committee meeting
4 August	Civic Centre	Met with Nic Street MP
5 – 6 August	Hobart	Attended the LGAT Conference
5 August	Hobart	In company with the Deputy Mayor, attended the Australian Local Government Women's Association Event with Anita Dow MP as Guest Speaker.
7 August	Civic Centre	Attended the Kingborough Community Consultative Forum
9 August	Civic Centre	In company with the Deputy Mayor, met with representatives of the Kingborough Ratepayers Association Inc
	Civic Centre	Met with Nic Street MP and Mr Matt Jones re Huntingfield development, along with Cr. Westwood
	Civic Centre	Attended Council workshop
11 August	Hobart	Attended Hobart City Deal and Greater Hobart Committee meeting
	Civic Centre	Telephone meeting with Ms Kate Slater, Principal, Margate Primary School
	Civic Centre	Chaired the Kingborough Disability Inclusion and Access Committee Meeting
	Civic Centre	Attended Special Council meeting
12 August	Kingston Beach	Participated in the Salvo's CEO Sleep-out
16 August	Civic Centre	In company with Cr Midgley, met with Ms Joana Cublios of the Latin American Association of Tasmania
		Attended Council meeting
18 August	Hobart	Attended the Greater Hobart Committee and Advisory Group Meeting

Date	Place	Meeting/Activity
		Met with Glenorchy Mayor, Bec Thomas
20 August	Civic Centre	Met with representatives of KDCC and Cricket Tasmania
23 August	Civic Centre	In company with the Deputy Mayor, met with representatives of the Kingborough Dog Walkers Association
	Kingston	Met with Ms Libby Robinson, Principal of Kingston High School
	Civic Centre	Met with Inspector Mark Burke, Kingston Police
	Civic Centre	Attended Council workshop
25 August		Met with representatives of the Friends of Longley Action Group

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F GENERAL MANAGER'S DIARY 26 JULY 2021 - 27 AUGUST 2021

26 July	Participated in weekly Metro GM's catchup
	Attended Council workshop
27 July	Attended the Greater Hobart General Manager's Meeting
30 July	Attended the Kingston Congestion Working Group Meeting
2 August	Participated in weekly Metro GM's catchup
	Attended Council meeting
3 August	Attended the TasWater Owner's Representative Quarterly Briefing
5 August	Attended the LGAT AGM and General Meeting
9 August	Participated in weekly Metro GM's catchup
	Attended Council workshop
10 August	Attended the TasWater Expert Advisory Group meeting
	Attended the Hobart City Deal Implementation Board meeting
11 August	Attended the LG Professionals Tasmania Board Meeting
	Attended Special Council meeting
12 August	Met with Mr Gennaro Mazzella to discuss development matters
	Attended the Copping Authority general meeting
16 August	Participated in weekly Metro GM's catchup
	Attended Council meeting
17 August	Attended the Greater Hobart Mayor's Forum
18 August	Attended the Greater Hobart Committee and Advisory Group Meeting
20 August	Met with representatives of Service Tasmania
23 August	Participated in weekly Metro GM's catchup
	Attended Council workshop
24 August	Attended the Greater Hobart General Manager's meeting
26 August	Met with representatives of Traders In Purple to discuss development matters

G CURRENT AND ONGOING MINUTE RESOLUTIONS (OPEN SESSION)

CURRENT	
Resolution Title	Writing to the Minister regarding the Health and Environmental Services By-Law
Meeting Date	16 August 2021
Minute No.	C443/17-2021
Status	Complete
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	Resolution superseded by subsequent legal advice.
Anticipated Date of Completion	Complete
Resolution Title	Kingborough Aquatic Facility Feasibility Report
Meeting Date	16 August 2021
Minute No.	C446/17-2021
Status	Complete
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	Correspondence sent to Communities, Sport & Rec. Council decision noted.
Anticipated Date of Completion	Complete
STILL BEING ACTIONED	
Resolution Title	Delegated Authority Policies
Meeting Date	5 July 2021
Minute No.	C357/13-2021
Status	In progress
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	Awaiting legal advice
Anticipated Date of Completion	October 2021
Resolution Title	Public Furniture, Tinderbox
Meeting Date	19 July 2021
Minute No.	C381/14-2021
Status	In progress
Responsible Officer	Works Manager
Officers Comments	Report to be prepared
Anticipated Date of Completion	August 2021
Resolution Title	Food Truck Policy Revision – July 2021
Meeting Date	19 July 2021
Minute No.	C382/14-2021
Status	Ongoing
Responsible Officer	Director Engineering Services
Officers Comments	Further report to be prepared following deferral at the last Council meeting
Anticipated Date of Completion	September 2021

Resolution Title	Climate Change Resourcing
Meeting Date	21 June 2021
Minute No.	C313/12-2021
Status	In progress
Responsible Officer	Chief Financial Officer
Officers Comments	Reviewed in the mid-year financial review.
Anticipated Date of Completion	December 2021
Resolution Title	Play Space at Spring Farm or Whitewater Park Estates
Meeting Date	19 April 2021
Minute No.	C179/7-2021
Status	In progress
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	Planning commenced
Anticipated Date of Completion	July 2022
Resolution Title	Kingborough Bicycle Advisory Committee
Meeting Date	3 May 2021
Minute No.	C211/8-2021
Status	Ongoing
Responsible Officer	Manager Development Services
Officers Comments	To form part of larger submission to Planning Commission
Anticipated Date of Completion	December 2021
Resolution Title	Petition: Development of Walking Track in Spring Farm and Whitewater Park Estates to Connect to Huntingfield
Meeting Date	1 March 2021
Minute No.	C94/4-2021
Status	In progress
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	DA lodged
Anticipated Date of Completion	Unknown
Resolution Title	New Complaints Handling Framework
Meeting Date	26 October 2020
Minute No.	C624/20-2020
Status	In Progress
Responsible Officer	Chief Information Officer
Officers Comments	Complaints Management Policy has been drafted for internal review and council workshop.
Anticipated Date of Completion	October 2021
Resolution Title	Properties for Disposal
Meeting Date	26 October 2020
Minute No.	C626/20-2020
Status	In progress
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	Two properties sold
Anticipated Date of Completion	July 2022

Resolution Title	Hobart City Deal and Implementing the Kingston Place Strategy
Meeting Date	13 July 2020
Minute No.	C397/13-2020
Status	Ongoing
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	A major project which will be ongoing for the next three years and regular reports will be provided to Council
Anticipated Date of Completion	Ongoing
Resolution Title	Funding for Public Infrastructure Required to Support Large Sub-divisions
Meeting Date	22 July 2020
Minute No.	C429/14-2020
Status	In progress
Responsible Officer	Manager Development Services
Officers Comments	LGAT is taking the lead for a collaborative approach across all Councils. They will be surveying the Councils as part of the project development. There has been work with TasWater specifically about the contributions related to them. We will continue to keep Council updated on the progress, however, there has not been any recent updates for this.
Anticipated Date of Completion	September 2021
Resolution Title	Paid Parking Within Central Kingston
Meeting Date	13 January 2020
Minute No.	C30/1-20
Status	In progress
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	This is to be revisited following the completion by the State government of the Huntingfield park and ride.
Anticipated Date of Completion	March 2022
Resolution Title	Bruny Island Boat Club Petition
Meeting Date	9 December 2019
Minute No.	C797/24-19
Status	In progress
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	The Boat Club is investigating the potential for a direct lease with the Crown
Anticipated Date of Completion	Unknown
Resolution Title	Information & Communications Technology Review
Meeting Date	27 May 2019
Minute No.	C364/10-19
Status	In progress
Responsible Officer	Chief Information Officer
Officers Comments	Funding source yet to be determined.
Anticipated Date of Completion	Unknown

Resolution Title	Proposed Transfer of Land Owned by UTAS to Council at Taroona Beach
Meeting Date	25 March 2019
Minute No.	C233/6-19
Status	In progress
Responsible Officer	Director Governance, Recreation & Property Services
Officers Comments	Awaiting sub-division by UTAS
Anticipated Date of Completion	Unknown

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