

# Kingborough



## COUNCIL MEETING MINUTES

5 August 2024

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

# Kingborough Councillors 2022 - 2026



**Mayor**  
**Councillor Paula Wriedt**



**Deputy Mayor**  
**Councillor Clare Glade-Wright**



**Councillor Aldo Antolli**



**Councillor David Bain**



**Councillor Gideon Cordover**



**Councillor Kaspar Deane**



**Councillor Flora Fox**



**Councillor Amanda Midgley**



**Councillor Mark Richardson**



**Councillor Christian Street**

# Table of Contents

Item	Page No.		
Open Session			
1	Audio Recording	1	
2	Acknowledgement of Traditional Custodians	1	
3	Attendees	1	
4	Apologies	1	
C205/14-2024	5	Confirmation of Minutes	2
	6	Workshops held since Last Council Meeting	2
C206/14-2024	7	Declarations of Interest	2
	8	Transfer of Agenda Items	2
C207/14-2024	9	Questions without Notice from the Public	2
	9.1	Bushfire Shelters	2
	9.2	Chief Executive Officer	3
	9.3	Bus Stop on the Channel Highway	4
	9.4	Doctor's at Snug	5
	9.5	Summerleas Road Underpass	6
C208/14-2024	10	Questions on Notice from the Public	6
	10.1	Bush Fire Bunker	6
C209/14-2024	11	Questions without Notice from Councillors	7
	11.1	STRLUS	7
	11.2	Coastal Policy	8
	11.3	Land Clearing	9
	11.4	Blackmans Bay Beach	10
	11.5	Algona Road/Channel Highway Upgrade Project	10
C210/14-2024	12	Questions on Notice from Councillors	11
	12.1	Paid Parking Enforcement on Private Properties	11
	12.2	Southern Tasmania Regional Land Use Strategy - State of Play Report	11
	13	Officers Reports to Planning Authority	13
C211/14-2024	13.1	DAS-2023-13 - Development Application for Subdivision Creating Ten Lots Plus Balance and three Public Open Space Lots at 'Tinderbox Pty Ltd', 441 Tinderbox Road, Tinderbox	13
	14	Petitions still being Actioned	23
	15	Petitions Received in Last Period	23

# Table of Contents

<b>Item</b>		<b>Page No.</b>
	16 Officers Reports to Council	23
C212/14-2024	16.1 Disposal of Land - Kingborough Sports Precinct	23
C213/14-2024	16.2 Multicultural Action Plan	23
C214/14-2024	16.3 Policy 3.18 Related Party Disclosure Policy	24
C215/14-2024	16.4 Financial Report - June 2024	24
C216/14-2024	16.5 Appendices	24
	17 Notices of Motion	24
C217/14-2024	18 Confirmation of Items to be Dealt with In Closed Session	24

Public Copy

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

**1 AUDIO RECORDING**

---

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

**2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

---

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

**3 ATTENDEES**

---

**Councillors:**

- Mayor Councillor P Wriedt ✓
- Deputy Mayor Councillor C Glade-Wright ✓
- Councillor A Antolli ✓
- Councillor D Bain ✓
- Councillor G Cordover ✓
- Councillor K Deane ✓
- Councillor F Fox ✓
- Councillor A Midgley ✓
- Councillor M Richardson ✓ (joined the meeting at 5.33pm)
- Councillor C Street ✓

**Staff:**

- |  |                      |
|--|----------------------|
| Chief Executive Officer                                | Mr Dave Stewart      |
| Director People & Finance                              | Mr David Spinks      |
| Director Governance, Recreation & Property Services    | Mr Daniel Smees      |
| Director Engineering Services                          | Mr David Reeve       |
| Director Environment, Development & Community Services | Ms Deleeze Chetcuti  |
| Manager Development Services                           | Ms Tasha Tyler-Moore |
| Senior Planner   | Mr Timothy Donovan   |
| Media & Communications Advisor                         | Ms Sam Adams         |
| Executive Assistant                                    | Mrs Amanda Morton    |

**4 APOLOGIES**

---

There were no apologies.

**C205/14-2024**

**5 CONFIRMATION OF MINUTES**

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

That the Minutes of the open session of the Council Meeting No. 13 held on 15 July 2024 be confirmed as a true record.

**CARRIED**

**6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

Date	Topic	Detail
22 July	Kingborough Community Awards	Discussion on the challenges in delivering the Kingborough Community Awards and potential alternative options.

**C206/14-2024**

**7 DECLARATIONS OF INTEREST**

Cr's Cordover and Bain declared an interest in the report headed 'Disposal of Land – Kingborough Sports Precinct'.

Cr Fox declared an interest in the report headed 'DAS-2023-13 - Development Application for Subdivision Creating Ten Lots Plus Balance and three Public Open Space Lots at 'Tinderbox Pty Ltd', 441 Tinderbox Road, Tinderbox'.

**8 TRANSFER OF AGENDA ITEMS**

There were no agenda items transferred.

**C207/14-2024**

**9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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

**Professor Michael Rowan** asked the following question without notice:

**9.1 Bushfire Shelters**

*Is Council aware that the three claims concerning the supposed dangers of personal bush fire shelters made by the Tasmanian Fire Service on their website, at the time of Council's prosecution of Wendy Edwards for installing a private bush fire shelter without Council approval, namely: 1) that there is no conclusive research or evidence that demonstrates that private private bush fire shelters are safe to use; 2) the Victorian Bushfires Royal Commission found quite conflicting evidence where seven people died in private bushfire shelters while others claimed the shelter may*

*have saved their lives; and 3) the Royal Commission concluded that quite extreme caution should be taken with respect to the use of private bush fire shelters. All three of these claims were withdrawn in November of last year, having been shown to be false. Accordingly, does Council now accept that there was no factual basis to the prosecution of Ms Edwards and that the actual findings of the Royal Commission show that the removal of the personal bush fire shelter at our property would constitute a risk to our lives and therefore what does Council propose to do about this situation?*

**Chief Executive Officer responds:**

Council takes professional advice from a variety of sources and at the time we did draw upon advice that was listed on the Tas Fire website. We take information in good faith from various sources. In terms of its validity or lack thereof, I can't comment to the detail of that, I'm not an expert in that area, but we will continue to take advice from various sources that we deem to be reputable at any moment in time. Any adverse outcome that comes from that is purely incidental and accidental in terms of the outcomes that come alongside it. In relation to the prosecution of Ms Edwards, we acknowledge the fact that this has been a really difficult journey and quite an emotional one for your family and we appreciate the challenge alongside that. I would say, though, that the information that was taken from the Tas Fire website was not the sole determinant of that action and we have a duty as an organisation as a regulatory body to uphold our role in terms of maintaining the standards as it applies to planning.

**Professor Rowan:**

Given that there was no factual basis to the supposed dangers of private bush fire shelters, on what basis did the Council complete its risk analysis of the installation of the bush fire bunker and does Council stand by that risk analysis which, as I understand it, was the evidential basis for the Council progressing in accordance with the Council's enforcement policy of determining that this was a breach of the Building Act which warranted prosecution?

**Manager Development Services responds:**

The matter for prosecution was non-compliance with the Building Act. It didn't take into account the matters that were mentioned in the first question. It was to do the Building Act and not to do with the Royal Commission.

**Professor Rowan:**

I understand that, but there is a conceptual confusion here. The Council's Enforcement Policy says that the action to enforce should be proportionate to the offence, and if there's no factual basis to conclude that there was any problem with the installation, there would seem to be no factual basis for thinking that it was a breach of the act which warranted prosecution.

**Manager Development Services:**

The consideration was non-compliance with the Building Act, not the other matters that were mentioned tonight.

**Mr David Grace** asked the following questions without notice:

**9.2 Chief Executive Officer**

*It seemed strange that we've not heard or had any press release on what our new general manager believes he can do for us in Kingborough like previous general managers that taken office within 100 days have set a target of something they would hope to achieve.*

**Mayor responds:**

Is that your question? I was on Council and we employed the previous general manager and I can't recall at that time that general manager doing anything in the media outlining any sort of 100 day plan. Those sorts of things are normally reserved for newly elected premiers, not general managers or CEO's of Council, but suffice to say the committee and Councillors were very pleased with the suggestions that the now incumbent for the position provided to us during the interview process and the work that he has been undertaking since he commenced in the role about 12 weeks ago. Do you want to add anything to that?

**Chief Executive Officer:**

I'm happy to share where some of my priorities lie for this organization. A couple of key factors that I'll be focusing on, one is how we increase our level of customer and community centricity in this organization, making sure that we're the Council that our community want from this organisation, so looking how we can get closer and making sure that organisationally we're achieving the outcomes that our community want. Secondly, I want this to be an organization that is great for people to work and so there's a number of things that come into that. We want to be retaining our good talent, we want to be making sure that this is a place that people want to come and work, we want to be a competitive environment and making sure that we're providing a really great workplace for our employees. Those two things exist together and we're working on that. A big underpinning part of that is the culture that we establish within this organization, and that will be the underpinning focus that goes alongside those two high level objectives that I'm looking for.

**Mr Grace:**

Have you been to Bruny Island yet?

**Chief Executive Officer:**

Yes, I have visited Bruny Island and I have another visit booked in next week as well.

**9.3 Bus Stop on the Channel Highway**

*Can you advise what's the latest regarding the bus stop on the Channel Highway?*

**Mayor responds:**

We have been actively working with the Department of State Growth and Metro Tasmania and the other bus operator to resolve the final issues with that interchange opening. The Department of State Growth had originally ticked off on our plans for that and then subsequently there were some concerns about the design of it. They had got a consultants report which took quite a while to be received by us, which has held up the process. The consultants report was finalised at the end of June and we only received a copy about 10 days ago. The CEO has had a meeting last week with DSG to progress this and we hope that that will be operational in the near future.

**Mr Grace:**

I'm very disappointed in the way that's planned out because when we sat round the table, we were told as councillors that Metro had met with our design staff etc before we actually bought the property to be able to put that bus stop in. And that was just a failure and that's cost the ratepayers tremendous ... *Mayor interjects*

**Mayor:**

Just to just to clarify that, at this stage there hasn't been any additional costs that have been incurred with that project and I would fully defend our staff and the negotiations that they had with the department. I don't accept that there is any ... *Mr Grace interjects*



**Mr Grace:**

Mayor, I expect you to do that, that's quite alright.

**Mayor:**

I feel like we're going back in history here. Please don't talk over the top of me while I'm in the chair and you're here as a member of the public asking a question that is totally inappropriate. I will defend our staff because I get very frustrated when people allege that there is all sorts of things that are going on that aren't our fault, and then they lay it clearly on the blame of our staff, and that is grossly unfair for those people who are then unable to defend themselves. Did you have another?

**Mr Grace:**

You made a statement in the press about the infrastructure costs was \$400,000 or thereabouts. What was the total of the cost of that particular bus stop considering Council, I believe, had to purchase a house, demolish, etc, etc to allow that bus stop to go in?

**Mayor:**

I don't have that figure off the top of my head, I can't recall it, but we will take that on notice and provide that. It has been publicly released prior to this, but I can't recall it at this stage. So I'll take that on notice.

#### **9.4 Doctor's at Snug**

*You would have read in the paper today down at Snug, we're losing our Doctor after 45 years or more, not only our doctor, we're losing the premises. I've made some enquiries regarding their movement to the Margate development. I understand that there's a problem that could take some time to sort out because of something to do with having to put another DA in because there was office space passed and he couldn't get the office space that he thought the demand was for. So now it's putting in a doctor's surgery, which I understand, that they will have to put another application in and provide more parking spaces.*

**Mayor responds:**

I wasn't aware of this Snug practice closing until I read it in the media this morning, like other people, but I believe the CEO might be able to assist us.

**Chief Executive Officer:**

We are aware of the significant challenges that exists for our community in terms of getting access to medical appointments to be able to make sure that they're getting the care that they need. That is not a problem that is isolated just to Kingborough. It exists across the entirety of Tasmania and indeed across the country as well, around the affordability and the viability of general practice surgeries in general. Medical services aren't within the the remit of local government as a service to provide or play our active role in, but we do have a role in terms of making sure that we're delivering the outcomes for our community and that includes making sure that we're providing access to medical services. So whilst I'm not aware of the specifics of the of the case that you're bringing up, I would be very interested in talking to any medical practitioners that we're keen to set up services within Kingborough to understand what it is that they're looking for and any relationships that we can help broker to allow them to establish within this municipal area.

**Mayor:**

And we will take on notice the part of your question in relation to the planning because that's not something that I was aware. Ms Tyler-Moore, are you able to assist?

**Manager Development Services:**

If I've understood the question correctly. If there's an existing, established, permitted use that has a permit in place, there's no need to get a new planning permit unless they're significantly changing how it's operating. So as an example, if it had approval for two practitioners and they want to put in eight practitioners, then they need to make an amendment because they won't have the parking required. If it's going from two to two, then they get to enjoy the existing approvals that are in place.

**Mr Mark Donnellon** asked the following questions without notice:

**9.5 Summerleas Road Underpass**

*May I start off by asking for a general update to the progress of this project?*

**Director Governance, Recreation & Property Services** responds:

The project is on track to be completed within the times that we advertised.

**Mr Donnellon:**

Was a study on the impact to platypus in the Creek completed and did the results have any impact on the construction of the underpass?

**Director Governance, Recreation & Property Services** responds:

Yes, the study was completed. It didn't have any impact on the design of the facility, no.

**C208/14-2024**

**10 QUESTIONS ON NOTICE FROM THE PUBLIC**

---

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

**10.1 Bush Fire Bunker**

**Professor Michael Rowan** submitted the following question on notice:

- 1. What steps did you take to fact check your false claims about the Victorian Bushfires Royal Commission and the performance of personal bushfire shelters in the 2009 fires before defending Council's prosecution of Ms Edwards?*
- 2. What do you propose to do now to 'correct the record' in relation to those to whom you gave false information?*
- 3. What action have you taken in relation to whoever gave you palpably false and misleading advice?*
- 4. Has this source recently changed their advice on personal bushfire shelters and the Victorian Bushfires Royal Commission to provide a full and objective account consistent with recommendation 4 of the Commission's final report?*
- 5. As the leader of our community will you protect Kingborough by ensuring Council is not again put in the position of relying on false and misleading information provided by this evidently unreliable source without thoroughly checking their claims?*

**Officer's Response:**

As the spokesperson for Kingborough Council the Mayor is required to speak publicly and provide comment on numerous issues.

The Mayor relies on best available information at the time of comment. Information used in the public comments by Mayor Wriedt was drawn from information published on the Tasmanian Fire Service (TFS) website. The specific data that was published at that time is no longer available on the TFS website.

As a local government entity and an organisation in service of our communities Council aspires to utilising the best available information and will continue to do so. If at any stage mistaken information is stated it is entirely inadvertent.

*Dave Stewart, Chief Executive Officer*

**C209/14-2024****11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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

**Cr Antolli** asked the following question without notice:

**11.1 STRLUS**

*Many in the community believe the scenic protection area overlay has been applied arbitrarily, not my opinion, but theirs, to justify downstream application of landscape conservation zoning. Could I get a comment from Council officers about how arbitrary it was, and if not the methodology used?*

**Manager Development Services responds:**

The scenic landscape overlay and the landscape conservation zone doesn't have any bearing in the STRLUS. The state of play is to do strategic planning and land uses in the broader area of southern Tasmania. There's three for the State and those two elements are not part of the STRLUS.

**Cr Antolli:**

How can the community know that there's clear justification for its implementation, that is, the scenic protection area overlay application?

**Manager Development Services:**

I suspect the person who's asked, via you, is actually asking about the Tasmanian Planning scheme?

**Cr Antolli:**

Yes.

**Manager Development Services:**

The Tasmanian Planning Scheme has been written by the State Government and the overlay codes and the zones are also written by the State Government. The requirement for Council is to then apply those new provisions to the planning scheme relevant to their municipality. The rules for which they are applied are included in the information that supports the Tasmanian Planning

Scheme and when each council applies them to their areas, they have to do a justification report and there'll be a table as part of the supporting report that explains how it's been applied and what methodology. The scenic landscape overlay in Kingborough, we already had one, it's a similar one, but it's actually quite different, so people need to be careful not to think just because it's got the same name, although the name is actually different, but other ones are slightly different, there can be fundamental changes in what's allowed or how it's applied. So for example in the Kingborough Interim Planning Scheme, which is the scheme we currently work under, they had applied it by a contour level. That's not the same approach. This talks more about corridors and view sight lines and so forth. There's a whole lot of studies that go into that and overall landscapes. It's important with those particular ones that you're not just looking micro at a single property. You're looking at whole area. So as an example, if you look outside where you can see multiple properties on the hills behind Kingston or certainly when you come down from the outlet or other vantage points that it's about looking across a whole landscape and how it works together and how that's applied, rather than just getting caught up on single ones. So yes, there is methodology, it's included in the supporting report and there are rules that have to be abided by that the State Government has applied.

**Cr Antolli:**

So it's fair to say that TPC will adjudicate its fairness in its application and can make changes?

**Manager Development Services:**

Yes, the TPC will make the ultimate decision. Part of the process for the public is that the draft scheme, which includes the new maps where the zones will be applied and the codes will be applied will go to public exhibition. It goes on exhibition for a period of 60 days. We will hold information sessions with people so they can come and ask questions and understand how it might affect their property or what the particular overlays or codes mean and if they feel that they wish to make a submission they can. They can do it in support., yes I like what's been applied to my property in my area, I want to see that stay or they may say the opposite, I don't like that, I think it's more appropriate that it's this or I don't think should be applied to that particular area, and they just need to give some reasons. They're not required to get a consultant to write that. They're not expected to write it as if they're a qualified planner. It's set up for the layperson to be able to make those submissions, and then when it goes to the hearings, the TPC will hold public hearings, you get to speak if you've made a submission. If you haven't made a submission, whether that's for or against, you don't get to speak. There is some opportunity to be joined as a party later, but it complicates things. So even if you are in support, you need to be mindful that somebody else might make a submission that flips what's being applied to your area or to the property next to you or to your precinct or however you wish to consider your area, and then the TPC will obviously make the decision as to whether these zones and overlays were applied correctly. And then from the submissions and any submissions from Council, because we must read all the submissions and make comments and we might say, well, actually, the residents this area are right. We also agree that that should change to this zone or should have this overlay, so we'll put that submission. The TPC considers all that and can direct for changes to occur.

**Cr Midgley** asked the following question without notice

**11.2 Coastal Policy**

*What do we understand the process to be and our understanding of why, the government didn't go through a proper standard amendment process following planning guidelines?*

**Director Environment, Development & Community Services responds:**

I can't comment as to the decision making by the State Government around their engagement process or process to put forward the bill. Do you mind repeating your first question again?

**Cr Midgley:**

What do we understand the process to be?

**Director Environment, Development & Community Services:**

There was limited information provided by the State Government. My understanding of the process is that they will collect the submissions for review and consideration and potentially consider that in the redraft of the bill and then it will be put forward for voting.

**Cr Midgley:**

Did LGAT question the government in regards to why it didn't follow a standard amendment process and go through the Planning Commission guidelines? Did LGAT at all ask that question or lobby the government and advocate for proper process?

**Mayor:**

I can't recall it on this issue but I can check and get back to you.

**Cr Fox:**

For the sake of the community and the fact that we only received the submission late this afternoon, would it be possible for our staff to briefly describe what Council's submission has been, point by point, for the community's edification?

**Director Environment, Development & Community Services responds:**

The Council submission was fairly brief and we met internally with relevant staff from planning and our Environment Department and we determined that our submission should be limited to how it will potentially impact Kingborough and the way that we are assessing development in our coastal areas. In summary, Council's submission was that we value meaningful engagement and that the limited time frame and supporting information provided constrains this process. In consideration of the transition to the new planning scheme and state planning provisions and changing pressures facing coastal development from the impacts of climate change, Council would welcome a broad review of the state coastal policy. Any review should not assume changes to the policy on the basis of the temporary validation bill and should be accompanied by a robust engagement process. We would welcome improved clarification of a meaning of a range of terms, in particular what constitutes actively mobile landforms, as well as a gap analysis against TPS codes relating to coastal areas. Council would like to clarify that the validation bill will only apply retrospectively to works that have a valid LUPA permit during the validation period and not to works that have occurred illegally during this period or future works which have not obtained a LUPA permit in the validation period.

**Cr Deane** asked the following questions without notice:

**11.3 Land Clearing**

*Residents will have noticed at the intersection of Browns Road and Channel Highway that some land is being cleared. I just wanted to know if we could have some information on the record for what that is around and what the development potentially that is happening there?*

**Manager Development Services responds:**

There are previous approvals on that site. We are aware of the vegetation removal and the other works that have occurred and our compliance and investigations officer has gone down and started the investigation on that matter.

#### 11.4 Blackmans Bay Beach

It's been about six weeks now that Blackmans Bay south beach has been closed. There was a media release put out by you Mayor, I believe at the time, but could I have clarification of what that is looking like heading into next summer or even now for recreational swimmers at the Blackmans Beach?

**Director Environment, Development & Community Services responds:**

The no swimming advisory in place at the moment is as it sounds; it's a no swim advisory due to potential public health risk. We, at this stage, foresee that it will remain in place for the next swimming season. We are working internally and in partnership with TasWater to determine what strategy will be to address the issue there and that will be considering our legal obligations, risk and community expectations as well.

**Mayor:**

And I'll just add to that, that our staff have been working incredibly hard to try and determine the the source of the contamination and there has been, it's fair to say, probably a bit of conjecture on social media about the possible causes of the contamination. There have been people suggesting it's been the sea gulls and a whole range of things have been suggested and all the investigations to date cannot find the exact source of it. It is a great source of frustration for our staff because they have put an incredible amount of time into it, but they've also been working very closely with TasWater and the Derwent Estuary Program to try and resolve it so there's a very cooperative approach and hopefully in the future that will bear some fruit and we can actually get to the source of it. But as you can appreciate with the size of the storm water network in Blackmans Bay, that's not necessarily easy to pinpoint exactly where it's coming from.

**Cr Deane:**

So just to clarify, staff of Council is putting together a plan for that specific part, so that there will be hopefully substantial upgrades put forward or proposed to actually improve the water quality?

**Director Environment, Development & Community Services:**

Yes, we are putting together the strategy. The strategy will look at costs and benefits and ongoing risks. Underpinning the strategy is determining the source of the pollution and the issue, so that will be a key priority as part of that strategy that will then inform our decision making from there.

**Cr Bain** asked the following question without notice:

#### 11.5 Algona Road/Channel Highway Upgrade Project

*State Growth's website is advising that the detailed designs have been completed and will be shared with the community in July 2024. Just wondering, has Council received the final designs yet?*

**Director Engineering Services responds:**

No, I haven't heard too much. We've certainly had lots of discussions with State Growth in terms of the design and different aspects but I haven't heard any more, but happy to chase up with them to see whether or not that time frame has moved out slightly.

**Mayor:**

I suspect it has because I know from speaking to our local Member, Julie Collins, she was concerned about, given that there's a significant amount of federal funding in that project, she was concerned about the time lag that was occurring with the Department of State Growth.

**C210/14-2024****12 QUESTIONS ON NOTICE FROM COUNCILLORS**

---

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

**12.1 Paid Parking Enforcement on Private Properties**

At the Council meeting held on 15 July 2024, **Cr Cordover** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*There was a case in Victoria relating to Docklands in 2006 and the State Ombudsman there called for 1100 parking tickets that were issued between 2002 to 2005 to be refunded and the quote from The Age article says "at the heart of the problem is that the Docklands authority contracted Council to handle parking enforcement in 2002 but failed to authorise individual parking officers and prosecutions as required by law". With Kingborough Council's parking contracts that we have where we are enforcing parking time limits with paid fines on private property, have we received legal advice to make sure that we are not at risk of having those fines called into question?*

**Officer's Response:**

Pursuant to s.9 & s.43H of the *Traffic Act 1925*, Council officers are authorised by the state transport commission to issue Traffic Infringement Notices in accordance with Part 12 of the *Road Rules 2019*. The *Road Rules 2019* set out offences and requirements associated to restrictions on stopping and parking, and where those restrictions apply. Council does undertake parking control on roads and road related areas, in accordance with delegated authority and parking contractual agreements. This activity is not unique to Kingborough Council and is undertaken by other Tasmanian local government authorities. Council has received historic legal advice concerning parking contractual agreements.

*Scott Basham, Manager Legal & Property*

**12.2 Southern Tasmania Regional Land Use Strategy - State of Play Report**

**Cr Antolli** submitted the following question on notice:

*I understand that the Scenic Code from our 2015 Interim Planning Scheme is intended to carry forward into the new LPS. However, I would note that its current definition is somewhat broad, encompassing – as I believe -- all land over 100m elevation.*

*This then potentially constrains lots of higher ground which actually may not contain sensitive vegetation or landscapes and misses any risk management of some of our quite sensitive coastal landscapes.*

*I have been told by various sources that there was a project to review scenic value throughout Kingborough in about 2021, which through significant GIS and field work by staff members, creating comprehensive mapping of these values. I understand that they even modelled the views from passing cruise ships.*

- 1) *Will this valuable resource be used to inform and improve our Scenic Overlay in the emerging LPS?*
- 2) *Can this resource be made available to community to improve consultation on the coming LPS?*

- 3) *Who is paying for ETHOS Urban, who have been engaged to develop a State of Play report and updates to the STRLUS*
- 4) *Has ERA Planning and Environment been involved at all?*
- 5) *Where and on what basis were the "landscape area" maps done, noting that residents in the Huon rejected their "landscape approach" via feedback from the Huon Valley LPS.*

**Officer's response to questions:**

1. It was not a Council initiated project and the project was not completed. Some of the baseline data may be useful in future reiterations of the scenic mapping.
2. As above. The pilot mapping project will not inform the Kingborough LPS and therefore will not be beneficial in the consultation process.
3. The update of the STRLUS is a state funded project (it is a responsibility of the Minister of Planning). The 12 Southern Councils made contributions.
4. No.
5. The mapping is based on the scenic overlay of the interim schemes (available on LISTMAP).

*Adriaan Stander, Senior Strategic Planner*

OPEN SESSION ADJOURNS



## PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 6.14pm

### 13 OFFICERS REPORTS TO PLANNING AUTHORITY

#### C211/14-2024

#### 13.1 DAS-2023-13 - DEVELOPMENT APPLICATION FOR SUBDIVISION CREATING TEN LOTS PLUS BALANCE AND THREE PUBLIC OPEN SPACE LOTS AT 'TINDERBOX PTY LTD', 441 TINDERBOX ROAD, TINDERBOX

Moved: Cr Clare Glade-Wright

Seconded: Cr Aldo Antolli

That the Planning Authority resolves that the development application for subdivision creating ten lots plus balance and three public open space lots at 'Tinderbox Pty Ltd', 441 Tinderbox Road, Tinderbox for PDA Surveyors be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DAS-2023-13 and Council Plan Reference No. P5 submitted on 11/06/2024.

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 permit coming into the effect, the landowner must enter into a Part 5 Agreement under the Land Use Planning and Approvals Act 1993 with and to the satisfaction of Council to the effect that the measures contained within the certified subdivision Bushfire Hazard Report and associated Bushfire Hazard Management Plan (BHMP) v3.0 (Enviro-dynamics, November 2023), must be implemented in relation to any future development on Lots 1-9 and the balance lot, unless superseded by an alternative BHMP certified by an accredited person or TFS, and only if this alternative BHMP demonstrates that the hazard management measures meet all of the following:
  - (a) are consistent with the vegetation classifications in the subdivision BHMP;
  - (b) are contained within the lot boundaries;
  - (c) do not encroach into Waterway and Coastal Protection Areas;
  - (d) do not impact upon individual native trees with a diameter >25cm at 1.4m from natural ground level; and
  - (e) do not rely upon management of vegetation communities meeting the descriptions in: Kitchener, A. and Harris, S. (revised January 2016), *'From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation'*, Edition 2. Department of Primary Industries, Water and Environment, excluding those vegetation communities within the categories of modified land or other natural environments.

This Part 5 Agreement must use Council's template Part 5 Agreement and be executed by all parties prior to commencement of works. The Agreement must then be lodged at the Land Titles Office together with the Final Plan of Survey for Stage 1 and registered on the title to Lots 1-9 and the balance lot.

All costs associated with drafting and registering the Part 5 Agreement on the title must be borne by the developer. All terms of this Agreement must be complied with once executed.

*Please note, planning permits containing a requirement for a Part 5 Agreement are not effective until such time as the Agreement is executed, as specified in s53(6) of the Land Use Planning and Approvals Act 1993. Therefore, the above Agreement must be signed and sealed, prior to the Permit coming into effect and commencement of works. Registration of the Agreement on the titles can be done at the time of the registration of the Final Plan of Survey. A template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.*

3. Prior to the permit coming into effect and the commencement of on-site works, the landowner must enter into a Part 5 Agreement under the *Land Use Planning and Approvals Act 1993* with and to the satisfaction of Kingborough Council to retain and protect the vegetation and habitat values on the Stage 3 balance lot as shown in Council Plan Reference P5 submitted on 11 June 2024. This Part 5 Agreement must:
- (a) verify the extent of the conservation zone, which must encompass all native vegetation communities on the Stage 3 balance lot as shown in Council Plan Reference P5 submitted on 11 June 2024;
  - (b) provide for the protection for all native vegetation and habitat values within the conservation zone;
  - (c) identify management prescriptions drafted by a suitably qualified environmental consultant including but not limited to:
    - (i) a detailed weed management plan;
    - (ii) either prohibiting firewood collection or including a detailed firewood management plan which ensures any firewood harvesting is undertaken in a manner which demonstrates any firewood harvesting ensures the ongoing persistence and maintenance of native vegetation communities, threatened species and their habitat and waterways and manages landslide risk;
    - (iii) prohibiting development within the conservation zone;
    - (iv) restricting and managing grazing within the conservation zone, including detailed management prescriptions for how any grazing can occur in a manner which ensures the ongoing persistence and maintenance of native vegetation communities, threatened species and their habitat and waterways;
    - (v) fencing of the conservation zone;
    - (vi) managing and limiting recreational uses;
    - (vii) ensuring vehicular access and track maintenance is limited to existing tracks;
    - (viii) fire management; and
    - (ix) monitoring and reporting, to ensure that environmental values are managed for their long-term survival;
  - (d) include a schedule of works with timeframes and details for each action, with all primary actions, including but not limited to fencing of the conservation zone and primary weed control, to be implemented prior to the sealing of the Final Plan of Survey for Stage 1; and
  - (e) require all development, including buildings, structures, on-site wastewater and bushfire hazard management areas to be located entirely outside the conservation zone.

This Part 5 Agreement must use Council's template Part 5 Agreement and be executed by all parties prior to commencement of works. The Agreement must then be lodged at the Land

Titles Office together with the Final Plan of Survey for Stage 1 and be registered on the title of the Stage 1 balance lot as shown in Council Plan Reference P5 submitted on 11 June 2024.

All costs associated with drafting and registering the Part 5 Agreement on the title must be borne by the developer. All terms of this Agreement must be complied with once executed.

*Please note, planning permits containing a requirement for a Part 5 Agreement are not effective until such time as the Agreement is executed, as specified in s53(6) of the Land Use Planning and Approvals Act 1993. Therefore, the above Agreement must be signed and sealed, prior to the Permit coming into effect and commencement of works. Registration of the Agreement on the titles can be done at the time of the registration of the Final Plan of Survey. A template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.*

4. Prior to the sealing of the Final Plan of Survey for Stage 1, a bond must be paid to Council for the cost of five years of monitoring and implementation of the conservation Part 5 Agreement, excluding any initial actions already undertaken. Reporting to Council on compliance with and implementation of the Agreement must be undertaken by a suitably qualified consultant and not less than once annually for a minimum period of 5 years. The bond will be repaid to the payer in stages on an annual basis once each annual report is received and satisfactory implementation of works demonstrated, in accordance with the cost schedule identified in the Agreement.
5. Prior to commencement of on-site works, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer, in consultation with a suitably qualified arborist. Plans must be to satisfaction of the Director Engineering Services and comply with:
  - Tasmanian Standard Drawings
  - Austroads Standards and Australian Standards
  - Australian Rainfall and Runoff Guidelines
  - The subdivision Bushfire Hazard Report and Management Plan (Enviro-dynamics, v3.0, November 2023)

The Plans must include, but are not limited to:

- (a) Design of the internal road / access network, in accordance with the approved subdivision staging plan including impervious bitumen and two coat seal, intersections, vehicular crossovers to all lots, flood ways, and associated road stormwater drainage system including:
  - (i) Longitudinal and cross section details.
  - (ii) Lots 1-4, the road design must be a minimum 5.0m sealed width and 0.5m gravel shoulders to Lots 1-3 proper, then to Lot 4 north-east corner, a minimum 3.0m sealed width and 0.5m gravel shoulders with the provision of passing bays.
  - (iii) Lots 5-8, the road design must be a minimum 5.0m sealed width and 0.5m gravel shoulders to Lots 6-7 proper.
  - (iv) Balance lot, Rural road property access in accordance with TSD-R03-V3 and minimum 375mm culvert.
  - (v) The road stormwater system sized to accommodate at least the estimated 5% AEP flow based on a future fully-developed catchment.

- (vi) Overland flow paths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow based on a future fully-developed catchment.
  - (vii) A Soil and Water Management Plan based on the document 'Erosion and Sediment Control – Fundamentals for development in Tasmania' by the Derwent Estuary Program, July 2023.
- (b) A Vegetation Protection Plan developed in consultation with a suitably qualified arborist which:
- (i) Identifies the location, diameter at chest height and species of all trees with a diameter >25cm at 1.4m from natural ground level and all native vegetation within 15m of the proposed subdivision works, including access construction and any services and/or utilities.
  - (ii) Identifies which vegetation requires removal for the subdivision works and which is proposed for retention.
  - (iii) Demonstrates all native riparian vegetation within the Waterway and Coastal Protection Area for the Class 4 stream to the north of Lot 4 is feasible and proposed for retention.
  - (iv) Demonstrates all high conservation value trees are feasible and proposed for retention, including all *Eucalyptus viminalis* (white gum) trees with a diameter >25cm, *E. ovata* (black gum) trees with a diameter >40cm, *E. globulus* (blue gum) trees with a diameter >40cm and any native tree with a diameter >70cm at 1.4m from natural ground level.
  - (v) Demonstrates all subdivision works are located and constructed to minimise impacts on other native vegetation and ensure the retention of trees to the extent feasible.
  - (vi) Details reasonable mitigation and/or protection measures to be implemented to minimise the impacts of the development on the health of trees to be retained and avoid their loss within the scope of the approved development.
  - (vii) Is in accordance with Australian Standard 4970-2009 for the protection of trees on development sites.

Once endorsed the plans will form part of the permit. The construction works must be supervised by an accredited professional engineer.

6. Only that vegetation identified for removal in the endorsed engineering drawings required under Condition 5 is approved for removal as part of the subdivision.

This vegetation must not be removed prior to approval of an 'Application for Approval of Planning Start of Works Notice'.

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.

7. All remaining native vegetation identified for retention in the endorsed engineering drawings and accompanying Vegetation Protection Plan required under Condition 5 must be appropriately protected during and after construction. This includes but is not limited to implementation of the following measures:

- A. Prior to the commencement of on-site works:
- (a) Appointing a Project Arborist.

- (b) Conducting a site briefing between the Project Arborist and the project manager and site supervisor or equivalent for the development, including provision of the Tree Protection Plan (TPP).
  - (c) Installing vegetation protection fencing in accordance with the Vegetation Protection Plan required under Condition 5, and Condition 8.
  - (d) Providing certification by the Project Arborist of satisfactory implementation of these vegetation protection measures to the Manager Development Services prior to the commencement of on-site works.
- B. During Construction:
- Maintaining vegetation protection measures required above for the duration of the construction.
- C. Post Construction:
- Adhering to the following tree management measures post construction for all areas within the tree protection zones of trees but outside the footprint of the approved works:
- (a) the existing soil level must not be altered around the tree protection zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil);
  - (b) the tree protection zone must be free from the storage of fill, contaminants or other materials;
  - (c) machinery and vehicles are not permitted to access the tree protection zone; and
  - (d) development and associated works are not permitted unless otherwise approved by Council in writing or otherwise in accordance with the law.
8. Vegetation protection fencing required under Condition 7 must:
- (a) Be located on the edge of the tree protection zones or areas of native vegetation, unless the outer edge of works as shown on the endorsed plan are closer, in which case this vegetation protection fencing may be reduced to the minimum amount necessary to allow the works to be completed.
  - (b) Exclude the following from the vegetation protection zones:
    - (i) Machine excavation including trenching.
    - (ii) Machinery movement.
    - (iii) Excavation of silt fencing.
    - (iv) Cultivation.
    - (v) Storage.
    - (vi) Preparation of chemicals, including preparation of cement products.
    - (vii) Parking of vehicles and plant.
    - (viii) Refuelling.
    - (ix) Dumping waste.
    - (x) Placement of fill.

- (xi) Lighting of fires.
  - (xii) Soil level changes.
  - (xiii) Temporary or permanent installation of utilities and signs.
  - (xiv) Physical damage to the trees.
- (c) Be constructed in accordance with the following requirements:
- (i) Utilise barrier mesh and star pickets fencing unless otherwise approved in writing.
  - (ii) Form a visual and physical barrier.
  - (iii) Be a minimum height of 1.5 metres above ground level.
  - (iv) Include signage clearly marked "Tree Protection Zone - No Entry" on all sides.
9. To reduce the spread of weeds or pathogens during and after construction:
- (a) prior to the commencement of any subdivision works, primary control of all environmental weeds within the footprint of subdivision works must be undertaken in accordance current best practice;
  - (b) all machinery must take appropriate hygiene measures prior to entering and leaving the site as per the Tasmanian Washdown Guidelines for Weed and Disease Control produced by the Department of Primary Industries, Parks, Water and Environment;
  - (c) no soil is authorised to leave the property;
  - (d) stockpiling of soil must be excluded from within the tree protection zones of trees; and
  - (e) any imported fill materials must be from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.
- Written verification from a suitably qualified person demonstrating primary control has been undertaken must be submitted to Council prior to the commencement of on-site works.
10. Prior to the commencement of on-site works, including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, an 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department.
- This application must be lodged a minimum of 14 days prior to commencement of on-site works and works must not commence until this notice has been approved by the Manager Development Services.
11. The construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Director Engineering Services.
- The applicant must not commence civil construction works within a Council road reservation until the following requirements are met:
- (a) A 'Permit to carry out works within a Council road reservation' has been issued by Council and the associated application fee paid.
  - (b) A Traffic Management Plan has been prepared by a qualified person in accordance with the Australian Standard 1742.3 and lodged with Council.
12. A Council fee of 2% of the estimated value of the civil engineering construction works (including GST, provisional items and contingencies) for the development or the current

minimum fee, whichever is the greater, must be paid at the time of submission of the engineering design plans for approval. The actual amounts payable shall be based on the rates adopted by Council and prevailing at the time of payment.

13. Overhead power services must be provided to all lots proper on the endorsed plan of subdivision in accordance with the requirements of TasNetworks.

Overhead power must be extended to the end of the common access for Lots 1-3 and extended adjacent the vehicle access to the north-east corner of Lot 4.

Overhead power must be extended to the end of the common access for Lots 5-8 and to the balance lot across Tinderbox Road in the vicinity of the vehicle access crossover.

The power services design must be submitted to Council for approval prior to engineering plan approval.

14. The Title of land for Lots 1 – 8 must be endorsed to state that onsite wastewater disposal must be via an Aerated Wastewater Treatment System (AWTS), or an alternative treatment system capable of treating effluent to secondary standard prior to discharge to the land application area to the satisfaction of Council.

15. To ensure future development retains and manages moderate and high priority biodiversity values, the Schedule of Easements submitted for sealing with the Final Plan of Survey for Stage 1 must include restrictive covenants for all lots incorporating the following to the following effect:

- (a) Not to undertake or locate any buildings, structures, services and utilities, wastewater and stormwater infrastructure, bushfire hazard management measures and any other works, excluding boundary fencing, unless located entirely outside vegetation communities meeting the descriptions in: Kitchener, A. and Harris, S. (revised January 2016), 'From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation', Edition 2. Department of Primary Industries, Water and Environment, excluding those vegetation communities within the categories of modified land or other natural environments.
- (b) Not to undertake or locate any buildings, structures or access, unless located entirely outside the 500m nest buffer and 1km line-of-sight buffer from known wedge-tailed eagle nests.
- (c) No felling, lopping, ringbarking or otherwise injuring or destroying of native trees with a diameter >25 cm at 1.4m from natural ground level can take place without the prior written consent of Council.
- (d) Not to undertake or locate development any buildings, structures, services and utilities, wastewater and stormwater infrastructure, bushfire hazard management measures and any other works, including boundary fencing, within the tree protection zones of any *Eucalyptus viminalis* (white gum) trees with a diameter >25cm, *E. ovata* (black gum) trees with a diameter >40cm, *E. globulus* (blue gum) trees with a diameter >40cm or any native tree with a diameter >70cm at 1.4m from natural ground level, unless designed, located and constructed to ensure the trees are able to be retained and any impacts are tolerable, including:
  - (i) minimising encroachment into the tree protection zone through the design and location of development;
  - (ii) ensuring there is no cut, fill or placement of materials within the tree protection zones; and
  - (iii) being accompanied by a by an Arboricultural Impact Assessment and Tree Protection Plan assessing the impact of development on the trees, identifying recommended mitigation measures and confirming the trees are able to be retained and any impacts are tolerable.

- (e) Not to otherwise impact, including fell, lop, ringbark or otherwise injure or destroy any *Eucalyptus viminalis* (white gum) trees with a diameter >25cm, *E. ovata* (black gum) trees with a diameter >40cm, *E. globulus* (blue gum) trees with a diameter >40cm and any native tree with a diameter >70cm at 1.4m from natural ground level without:
- (i) the prior written consent of Council;
  - (ii) the written consent of the landowner; and
  - (iii) the loss of these trees being offset to the satisfaction of Council.

Consent will only be provided where an assessment by a suitably qualified arborist (Cert V Arboriculture and qualified in QTR Assessment) demonstrates that the trees are unable to be retained as the health and viability of the trees is such that they represent an unacceptable risk or are unviable for retention, irrespective of the development

- (f) Not to construct buildings and structures which pose an unacceptable risk of bird collision, including:
- (i) Not to install any glazing on buildings and structures unless the glazed surfaces do not result in corner windows or sightlines through buildings from window to window and comply with any of the following:
    - a. the glazed surface does not have a total surface area of greater than 2m<sup>2</sup>; or
    - b. the glazed surface is treated to include visual markers or muted reflections, the purpose of which must give them the appearance of an impenetrable surface. Such surfaces may include any one of the following types of treatments: the use of low-reflectivity glass (0-10%); films; coatings; fritted glass; or screens; or
    - c. the glazed surface is installed at a minimum of 20 degrees from vertical, angled in at its base to reflect the ground; and
    - d. there are no sight lines through the glazing surfaces, such as corner windows.
  - (ii) Not to construct any fencing where it includes chain-link fencing.

For Advice: In the event that the new titles are not issued for DAS-2004-7 prior to sealing of the Final Plan of Survey for Stage 1 of DAS-2023-13, the land subject to DAS-2004-7 will be subject to these covenants, which may have implications for completing this subdivision and future development of the lots. These implications can be avoided through ensuring the titles are issued for DAS-2004-7 prior to sealing of the Final Plan of Survey for Stage 1 of DAS-2023-13.

16. The subdivision must be developed in the following stages:

- Stage 1 – Lots 1, 2, 3 and 4 and Public Open Space Lot 101 and Balance
- Stage 2 – Lots 5, 6, 7 and 8 and Public Open Space Lot 102 and Balance
- Stage 3 - Lots 9 and 10 and Public Open Space Lot 103 and Balance

as shown on the Plan of Subdivision, PDA, Drawing No.43586HC-1M, Rev M dated 11/06/2024, (Council Plan Reference No P5 submitted on 11/06/2024). Any change to the stages will require the separate approval of Council.



In the event that the new titles are not issued for the subdivision Permit DAS-2004-7 prior to sealing of the Final Plan of Survey for Stage 1 of DAS-2023-13, the Public Open Space Lot 100 subject to DAS-2004-7 must be included in Stage 1 of DAS-2023-13.

- 17. All Public Open Space lots are to be shown as lots on the Final Plan of Survey for all stages and endorsed as "Public Open Space". In accordance with Section 83(1)(a) of the Local Government (Building and Miscellaneous Provisions) Act 1993, these areas must be sold to Council for a nominal consideration. The Final Plans submitted for sealing by the Council are to be accompanied by a signed transfer in respect of these areas together with the payment of applicable Land Titles Office lodgement fees and payment of Stamp Duty.

**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. This permit does not provide for any works required to bring the access and water supply for the existing dwellings into compliance with current bushfire requirements as recommended in the Bushfire Hazard Report (Enviro-dynamics, v3.0, November 2023). Please be advised that these works may require further and separate approval.
- C. A Final Plan of Survey must be submitted to Council for sealing, together with a Schedule of Easements, a copy of the survey notes, and a copy of the balance plan (where applicable). Payment of Council’s fee for sealing the Final Plan of Survey and Schedule of Easements must be made upon submission of plans.
- D. The Developer should not allocate any property address numbers for the proposed lots.

New property addresses have been allocated as follows:

Lot No.	Allocated Property Address
1	457A Tinderbox Road, Tinderbox
2	457B Tinderbox Road, Tinderbox
3	457C Tinderbox Road, Tinderbox
4	457D Tinderbox Road, Tinderbox
5	429 Tinderbox Road, Tinderbox
6	427 Tinderbox Road, Tinderbox
7	425 Tinderbox Road, Tinderbox
8	423 Tinderbox Road, Tinderbox
9	356 Tinderbox Road, Tinderbox
10	344 Tinderbox Road, Tinderbox
BALANCE	441 Tinderbox Road, Tinderbox (no change)

**E. TasNetworks Advice**

Based on the information provided, the development is not likely to adversely affect TasNetworks’ operations.

As with any subdivision, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. To understand what these requirements may entail, it is recommended you advise the

proponent to contact TasNetworks on 1300 137 008 or our Early Engagement team at [early.engagement@tasnetworks.com.au](mailto:early.engagement@tasnetworks.com.au) at their earliest convenience.

**CARRIED**

Public Copy

**PLANNING AUTHORITY SESSION ADJOURNS**

## OPEN SESSION RESUMES

Open session resumed at 6.53pm

### 14 PETITIONS STILL BEING ACTIONED

---

There are no petitions still being actioned.

### 15 PETITIONS RECEIVED IN LAST PERIOD

---

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

### 16 OFFICERS REPORTS TO COUNCIL

---

#### C212/14-2024

#### 16.1 DISPOSAL OF LAND - KINGBOROUGH SPORTS PRECINCT

Moved: Cr Kaspar Deane  
Seconded: Cr David Bain

That Council resolve by absolute majority to authorise the Chief Executive Officer to dispose of 5,000m<sup>2</sup> of land in the Kingborough Sports Precinct at 10 Kingston View Drive, Kingston contained within Certificate of Title 164078/2 to the State Government by means of transfer at nil consideration subject to the following:

- a) All necessary statutory approvals associated with the development being obtained, including subdivision of the land to form a discrete title;
- b) A reversionary clause being included as part of the land transfer agreement such that ownership of the land reverts to Council should it no longer be required for use by the Tasmanian JackJumpers as a High Performance Training Centre.

*Cr Richardson left the room at 7.11pm  
Cr Richardson returned at 7.13pm*

**CARRIED**

*Meeting adjourned at 7.23pm  
Meeting resumed at 7.35pm*

#### C213/14-2024

#### 16.2 MULTICULTURAL ACTION PLAN

Moved: Cr Aldo Antolli  
Seconded: Cr Amanda Midgley

That the draft Multicultural Action Plan as attached to this report be endorsed.

*Cr Cordover returned at 7.36pm*

**CARRIED**

**C214/14-2024****16.3 POLICY 3.18 RELATED PARTY DISCLOSURE POLICY**

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

That Council approve the updated Policy 3.18 Related Party Disclosure Policy as attached to this report.

**CARRIED****C215/14-2024****16.4 FINANCIAL REPORT - JUNE 2024**

Moved: Cr David Bain  
Seconded: Cr Amanda Midgley

That Council endorses the attached Financial Report for June 2024.

**CARRIED****C216/14-2024****16.5 APPENDICES**

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

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

**CARRIED****17 NOTICES OF MOTION**

---

There were no Notices of Motion received.

**C217/14-2024****18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

---

Moved: Cr Flora Fox  
Seconded: Cr David Bain

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*

**Spring Farm Lane - Closure**

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

**AB2405 Provision of Cleaning for Public Toilets, Halls and BBQ's**

Regulation 15(2)(d) *contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.*

**Tender Assessment - AB2409 Channel Hwy (vic 157-197) Kingston Footpath Construction**

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

**Rates Delegated Authority April to June 2024**

Regulation 15(2)(g) *personnel matters, including complaints against an employee of the council and industrial relations matters.*

**CARRIED**

Public Copy

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

Open Session of Council adjourned at 8.11pm

**OPEN SESSION ADJOURNS**

**OPEN SESSION RESUMES**

Open Session of Council resumed at 8.32pm

**C218/14-2024**

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

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil
Spring Farm Lane - Closure	Approved
AB2405 Provision of Cleaning for Public Toilets, Halls and BBQ's	Tender awarded to TASKOR Snug Pty Ltd for \$242,033
Tender Assessment - AB2409 Channel Hwy (vic 157-197) Kingston Footpath Construction	Tender awarded to Crossroads Civil Contracting Pty Ltd for \$322,792.20 excl GST
Rates Delegated Authority April to June 2024	Noted

**CARRIED**

**CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 8.33pm

.....

(Confirmed)

.....

(Date)