

# Kingborough



## COUNCIL MEETING MINUTES

20 January 2025

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

# Kingborough Councillors 2022 - 2026



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



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



**Councillor Aldo Antolli**



**Councillor David Bain**



**Councillor Gideon Cordover**



**Councillor Kaspar Deane**



**Councillor Flora Fox**



**Councillor Amanda Midgley**



**Councillor Mark Richardson**



**Councillor Christian Street**

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MINUTES of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 20 January 2025 at 5.30pm

**1 AUDIO RECORDING**

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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**

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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**

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**Councillors:**

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

**Staff:**

- |  |                      |
|--|----------------------|
| Chief Executive Officer                                | Mr Dave Stewart      |
| Director Governance, Recreation & Property Services    | Mr Daniel Smee       |
| Director Engineering Services                          | Mr David Reeve       |
| Director Environment, Development & Community Services | Ms Deleeze Chetcuti  |
| Manager Development Services                           | Ms Tasha Tyler-Moore |
| Senior Strategic Planner                               | Mr Adriaan Stander   |
| Media & Communications Advisor                         | Ms Sam Adams         |
| Communications Officer                                 | Mr Stuart Heather    |
| Executive Assistant                                    | Mrs Amanda Morton    |

**C1/1-2025**

**4 APOLOGIES**

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Councillor D Bain

**C2/1-2025**

**5 CONFIRMATION OF MINUTES**

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

That the Minutes of the open session of the Council Meeting No. 23 held on 16 December 2024 be confirmed as a true record.

**CARRIED**

**6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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Date	Topic	Detail
6 January	CEO's Priorities	The CEO presented organisational insights and priorities for the coming year.

**C3/1-2025**

**7 DECLARATIONS OF INTEREST**

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Cr Fox declared an interest in the report headed "Cash-in-Lieu of Parking for John Street Medical Centre".

**8 TRANSFER OF AGENDA ITEMS**

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There were no agenda items transferred.

**C4/1-2025**

**9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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

**Mr Charles Biggins** asked the following questions without notice:

*If councils are body corporate entities, as section 19 of the Local Government Act says they are, then who are the membership of this body corporate entity?*

**Chief Executive Officer responds:**

That's a question that I'll take on notice.

**Mr Biggins:**

Does the payment of a rates notice qualify a landholder as a financial member of the Kingborough Council body corporate?

**Chief Executive Officer:**

Likewise, I'll take the question on notice.

**Mr Biggins:**

Are Councillors fulfilling the role of body corporate directors elected by the paid up membership of this municipality?

**Chief Executive Officer:**

I'll take the question on notice.

**Mr Biggins:**

Are only financial members of this body corporate entitled to move motions at the body corporate AGM and petition Council by obtaining signatures of other financial members of the body corporate?

**Chief Executive Officer responds:**

I'll take the question on notice.

**Mr Biggins:**

Did Council use a floating charge across the fees, rates and charges as security for the \$10 million in no interest for the first five years loans obtained from the State Government?

**Chief Executive Officer:**

I'll take the question on notice.

**Mr Biggins:**

If Council did use the rates base of its body corporate membership to secure loans then it would be perfectly legal for Council to raise those rates in order to meet its interest repayments, instead of selling Council assets. Yes or no?

**Chief Executive Officer:**

I'll take the question on notice.

**Mr Biggins:**

Is Council still anticipating that the body corporate membership fees, their rates notices, will again increase by another 10% this financial year?

**Chief Executive Officer:**

Council has not come up with a position to take to the public on the rates for the next financial year.

**Mr Biggins:**

Did Council consider when negotiating the transfer of valuable sports precinct land to the State Government for the two high performance centres that this would be an opportunity to ask for the \$10 million debt to be wiped from the books? If not, why not?

**Chief Executive Officer:**

I'll also take that question on notice.

**Mr Biggins:**

Using the rates base to secure State Government loans that the Council was unable to pay back during the five year interest free period, and can now only serve us by perpetually raising the very rates base it used to secure the loans in the first place, such a feedback loop is usually associated with a Ponzi scheme. How is this any different?

**Chief Executive Officer:**

I'll take that question on notice. But is the question how is councils rating different to a Ponzi scheme?

**Mr Biggins:**

Using a rates based to secure State Government loans that the Council wasn't able to pay back during the five year interest free period and can now only service by perpetually raising the rates base, is used to secure the loans in the first place. That's assuming that I'm correct in my assertions in those questions you haven't answered up to date. Such a feedback loop is usually associated with a Ponzi scheme

**Chief Executive Officer:**

Thank you for that clarity. I'll also take that question on notice.

**Mr Biggins:**

I've previously raised questions in this Chamber regarding the creation of an environmental regulatory grid on private property. I've also asked questions regarding Council's own exposure to liability associated with protecting those environmental and biodiversity assets. Is it true that Council nominated a third of the municipality for Landscape Conservation Zoning in 2019?

**Manager Development Services:**

No, that's not correct.

**Mr Biggins:**

Then what proportion of the municipality was nominated for conservation zoning in 2019?

**Manager Development Services:**

Conservation zoning would suggest that it's for conserving land, not to be used otherwise, so that would involve some of our environmental management zones. We would need to see the data on that what would qualify for that.

**Mr Biggins:**

Is it true that Council's priority vegetation overlay covers some 90% of the private land outside of the urban town boundaries?

**Manager Development Services:**

We would need to look at the data to get a answer on that. I'll take it on notice.

**Mr Biggins:**

Is it true that Council last year amended the Kingborough Interim Planning Scheme to incorporate the latest version of its own Biodiversity Offset Policy, a policy that includes financial offsets between 40,000 and 80,000 per hectare for the loss of priority vegetation?

**Manager Development Services:**

It came through this chamber and the Council has voted on that and the planning scheme was updated. That's correct.

**Mr Biggins:**

Is it true that Council drafted its own Trees on Private Land By-law, which includes on the spot fines for several thousand dollars for land owners who are caught removing trees on their own private property without a Council permit?

**Manager Development Services:**

I think the question is asking about whether there was any financial penalties for vegetation removal last year and there were financial penalties for illegal works that also included vegetation removal.

**Mr Biggins:**

Did Council draft a Trees on Private Land By-law?

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

There is a drafted by-law. It's not enacted at the moment and it requires Council endorsement before it will become active.

**Mr Biggins:**

Did the draft include on the spot fines of several thousand dollars for land owners who are caught removing trees on their own property without a council permit?

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

I'm unaware of the exact detail. I'll take that on notice.

**Mr Biggins:**

Is it true that it's still Council's intention to bring a version of the Trees on Private Land By-law into effect in 2025?

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

The draft by-law has been presented to elected members in a workshop. There will be more work required in terms of its review and it will be up to the elected members as to whether that draft by-law is endorsed in Chambers.

**Mr Biggins:**

Is it true that Council accepts no liability for the risks associated with maintaining a biodiversity rich environment on private land?

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

I'm not sure I understand the question. I'll need to take some time to answer that and I'll take it on notice.

**Mr Biggins:**

Is it true that Council's own bush fire management strategy limits the scope of Council's mitigation actions to Council's own reserves that make up only 3% of the municipality?



**Chief Executive Officer:**

I'll take the question on notice.

**Mr Biggins:**

Is it true that in 2025, of all the municipalities across Australia, Kingborough has the largest population at extreme risk of harm from a bush fire event?

**Chief Executive Officer:**

I'll take the question on notice.

**Mr Biggins:**

Is it true that, in spite of Council having the authority to cause the creation of fire breaks on private and public land under the Local Government Act, this Council has no strategic fire breaks surrounding the urban areas of Kingborough that emergency services could use for back burning operations in the event that those urban areas are threatened by a bush fire?

**Chief Executive Officer:**

I'll take that question on notice.

**Mr Biggins:**

Was Council successful in the TFS pilot grants program for fire breaks? I noted that Cartwright reserve was being upgraded to a registered fire break. Was that through the TFS's pilot grants program?

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

I believe that is the case, but I'll take the question on notice.

**C5/1-2025****10 QUESTIONS ON NOTICE FROM THE PUBLIC**

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**10.1 LPS Exhibition Process**

At the Council meeting on 16 December 2024, **Mr Caleb Elcock** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*You may or may not be aware that my brother and I, so that's Caleb and Nathaniel, submitted around 818 individual representations as we see it. Will that include commentary and assessment on each land title as they have come in as?*

**Officer's Response:**

All properties mentioned/raised in representations will be considered and included in the 35F report that will go to Council before proceeding to the Tasmanian Planning Commission.

*Tasha Tyler-Moore, Manager Development Services*

## 10.2 Public Display of Christmas Decorations by Kingborough Council

Mr Paul Mitchell submitted the following question on notice:

1. *Why did Kingborough Council not display any Christmas decorations in public spaces in 2024?*
2. *Who was responsible for the decision not to display Christmas decorations in public spaces in 2024, and when was this decision made?*
3. *What are Council's plans regarding the public display of Christmas decorations in 2025?*
4. *What other causes or events has the Council publicly displayed decorations for in the past two years (2023-2024)? (Please provide details of the occasions, types of decorations displayed, locations and cost)*
5. *What causes or events does the Council plan to publicly display decorations for in 2025? (Please provide details of planned occasions, types of decorations, proposed locations and cost)*

### Officer's Response:

1. Currently Council does not own any Christmas decorations.
2. There was no formal decision to not display decorations in 2024.
3. Council currently does not have any plans regarding the display of Christmas decorations for 2025, however Council will investigate options for 2025 and future years having regard to available resources and organisational priorities.
4. There have been no other causes or events that Council have displayed decorations for in 2023 or 2024. There are instances where coloured lighting has been displayed at the Civic Centre and/or the Community Hub for causes or events, for example yellow lighting for Road Safety Week. Council has a *Civic Centre Flagpole Policy* which contains an endorsed flag flying schedule. The policy sets out the process for flying flags on the Council's fourth flagpole which is installed at Council's Civic Centre in Kingston. Community groups and members may apply to have a flag flown at the Civic Centre, in addition to the Australian Flag, the Tasmanian Flag and the Aboriginal Flag.
5. There are no formal plans for displaying decorations in 2025.

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

## 10.3 Planning Department Staffing Levels

Mr Jarryd Knightley submitted the following question on notice:

1. *Can council please provide the level of staffing within the Planning Department over the last 5 years?*
2. *Can council please provide the total of hours worked each year by council planning staff for each of the previous 5 years?*
3. *Who is paying for the transition to the new State Planning scheme, this is inclusive of ALL hours worked by council staff over the last 10 years and all supporting reports by third parties etc?*
4. *Does council track all costs/hours associated with the transition to the new State planning scheme?*

**Officer's Response:**

Due to time constraints and the complexity of the responses required to some of these questions, a response will be provided in the Council agenda of 3 February 2025.

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

**11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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There were no questions without notice from Councillors.

**12 QUESTIONS ON NOTICE FROM COUNCILLORS**

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There were no questions on notice from Councillors.

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**OPEN SESSION ADJOURNS**

## PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.47pm

### 13 OFFICERS REPORTS TO PLANNING AUTHORITY

#### C6/1-2025

#### 13.1 PROPOSED AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 TO REZONE LAND AT 26 CRESCENT DRIVE (CT146336/1, CT146336/2 AND CT146336/3) AND 21 GEMALLA ROAD (CT187452/1), MARGATE

Moved: Cr Clare Glade-Wright

Seconded: Cr Amanda Midgley

*Cr Street left the room at 6.08pm*

*Cr Street returned at 6.09pm*

That Council resolves that:

- (a) Pursuant to section 34(1)(a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council initiates Amendment PSA-2024-1 to the Kingborough Interim Planning Scheme 2015 as per Attachment 1.
- (b) Pursuant to section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council certifies that Amendment PSA-2024-1 to the Kingborough Interim Planning Scheme 2015 meets the requirements of section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorises the Chief Executive Officer to sign the Instrument of Certification provided in Attachment 2.
- (c) Pursuant to section 35(4) of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council will forward a copy of the draft amendment and the Instrument of Certification to the Tasmanian Planning Commissions within 7 days of certification.
- (e) Pursuant to section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, Council will place Amendment PSA-2024-1 to the Kingborough Interim Planning Scheme 2015 on public exhibition for a period of at least 28 days following certification.

**CARRIED**

#### C7/1-2025

#### 13.2 DA-2024-239 - DEVELOPMENT APPLICATION FOR SEVEN (7) WAREHOUSES, TWO (2) SHOWROOMS AND ASSOCIATED WORKS AT 'KINGSTON TOWN', 37-59 MARANOA ROAD, KINGSTON AND ADJOINING COUNCIL ROAD RESERVE

Moved: Cr Clare Glade-Wright

Seconded: Cr Gideon Cordover

That the seven (7) warehouses, two (2) showrooms and associated works at 'Kingston Town', 37-59 Maranoa Road, Kingston and adjoining Council Road Reserve be approved subject to the following conditions:

1. Prior to the commencement of works, amended plans to the satisfaction and approval of the Manager Development Services must be submitted to and approved. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with Council Plan Reference No. P3 submitted on 27 September 2024 but modified to show:

- (a) Variation to the finish/colours/materials of the lower-level eastern elevation (facing Maranoa Road) to provide articulation and interest to break up the large expanse of blank walls (to replace plans A10.0, A11.0, A15.0, A16.0, A19.0);
- (b) Location of bicycle parking for customers and employees in accordance with Table E6.2 of the KIPS 2015 as follows:
  - a. Customers; minimum of 2 spaces – Class 3 (lockable hoops).
  - b. Employees; minimum of 2 spaces – Class 1/2 (Enclosed lockers or locked compound);
- (c) Location of 4 motorcycle parking spaces;
- (d) Location of rubbish storage and collection;
- (e) Removal of parking calculation tables on plan A2.0;
- (f) Removal of notation of 'bulky goods sales' for warehouse 1 on plan A3.0;
- (g) Notation that the building surfaces facing the Community Purpose and General Residential Zone have a light reflectance value not greater than 40%; and
- (h) Landscaping as per Condition 3 of this Permit.

Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA-2024-239 and the endorsed plans.

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 works, the covenant contained in SP182287 must be amended via a petition to amend a sealed plan under Section 103 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* to enable development of the land for development other than multiple dwellings by deleting reference to lot 2 and replacing with lot 1.
- 3. Prior to the commencement of works, 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) outline of the proposed buildings and hard stand areas;
  - (b) proposed planting by quantity, genus, species, common name, expected mature height and plant size.
  - (c) Landscaping must be proposed within the landscape areas indicated on the plans, including around the parking areas. Particular focus should be on proposed landscaping to the east of the building (addressing Maranoa Road) to reduce the scale and bulk of the building (therefore using vegetation of various size including larger vegetation to a mature height of at least 6m;
  - (d) existing trees to be retained and proposed measures to be carried out for their preparation and protection during construction;
  - (e) earth shaping proposals, including retaining wall(s);
  - (f) fencing, paths and paving (indicating materials and surface finish); and

(g) proposed maintenance program.

The use of drought resistant and Tasmanian native species is encouraged.

Once endorsed the plans will form part of the permit. It is recommended that the consideration be given to Council's Landscape Guidelines (Preparing a Landscape Plan), which is available on Council's website.

4. Prior to commencement of on-site works associated with the private infrastructure to service the approved development, 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. 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 Plans must include, but are not limited to:

- A. Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas as per the submitted Car Park Plan C-100 P4 by Flussig Engineers including:
  - i. Longitudinal and Cross sections of the driveway/access road.
  - ii. Contours, finish levels and gradients of the driveway/access road.
  - iii. A minimum of 45 carparking spaces (including one accessible space).
  - iv. A minimum of 4 motorcycle parking spaces.
  - v. Wheel stops for open parking bays (as appropriate).
  - vi. Lighting for parking and vehicle circulation roadways and pedestrian paths.
  - vii. Surface treatment and stormwater drainage.
- B. Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
  - i. Stormwater connection to service the development.
  - ii. A water sensitive urban design system to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 as per the submitted Stormwater Management Plan by Flussig Engineers, April 2024.
  - iii. Overland flowpaths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow as per the submitted Flood Hazard Report by Flussig Engineers, July 2024.
- C. A Tree Plan consistent with the Natural Values Assessment (NVA) (Enviro-dynamics, V4, December 2024):
  - i. identifying all individual native trees and their associated tree protection zones relative to buildings and works;
  - ii. specifying trees for removal and retention;

- iii. demonstrating the extent of impacts on trees for retention are no greater than shown in the endorsed plans and Natural Values Assessment (NVA) (Enviro-dynamics, V4, December 2024); and
- iv. identifying the location of tree protection fencing consistent with Conditions 15 and 16.

Once endorsed the plans will form part of the permit.

5. Prior to works commencing (including demolition and excavation), a Construction Management Plan (CMP) must be submitted to and endorsed by the Manager Development Services. The plan must include (but not limited to):
- (a) Hours for construction activity in accordance with any other condition of this Permit;
  - (b) Measures to control noise and dust;
  - (c) A Soil and Water Management Plan;
  - (d) Storage locations for the stockpiling of fill on site including demonstration that the stockpiling of fill will not encroach into the Tree Root Protection Zones of trees identified for retention;
  - (e) The location for the disposal of any excess fill off site and demonstration this site is either a certified landfill facility for Level 1 fill or a site that has been approved for the disposal or use of Level 1 fill under a development use permit issued by Council;
  - (f) The specifications and location of tree protection measures in accordance with Condition 16;
  - (g) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises.
  - (h) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
  - (i) Measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the Construction Management Plan;
  - (j) Contact details of key construction site staff;
  - (k) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves.

A site inspection of the implemented plan by the Council's Development Inspector and Council's Environmental Planner must be satisfactorily undertaken with the principal contractor prior to the commencement of any on-site works and issue of start of works.

Once endorsed, the Plan will form part of the permit and must be implemented and maintained throughout construction of the development to the satisfaction of the Manager Development Services.

6. Unless by way of separate approval, the use of the tenancies are limited to the following uses classes (as defined by the Kingborough Interim Scheme 2015):
- (a) Warehouses 1-7 – 'storage' use class
  - (b) Showrooms 1 and 2 – 'bulky goods sales' use class

Note: the mezzanine area in Warehouse 7 cannot be converted to office space (or other use other than 'storage') without further approval.

7. The uses must only operate between 7.00am – 7.00pm 7 days a week (including public holidays).
8. The area set aside for parking of vehicles and so delineated on the approved engineering design drawings must be made available for such use and must not be used for any other purpose.
9. Commercial vehicle movements (including loading and unloading and garbage removal) to or from the site must be within the hours of 6.00 am to 10.00 pm Monday to Saturday.
10. External lighting must comply with all of the following:
  - (a) Be turned off between 11.00pm and 6.00am, except for security lighting.
  - (b) Security lighting must be baffled to ensure that it does not cause emission of light outside the property.
11. Noise emissions measured at the boundary of a residential zone must not exceed the following:
  - (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
  - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;
  - (c) 65dB(A) (LAm<sub>ax</sub>) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, second edition, July 2008, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.

12. The loading and unloading of goods from vehicles must only be carried out on the land (within the designated loading bays) and not on any part of any road reserve or public open space. Loading and unloading must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Manager Development Services.
13. Approved native tree/vegetation removal and modification:
  - (i) Is limited to:
    - (a) seven (7) trees (Trees 3-7 and 12-13) and as shown in Council Plan Reference P3 (submitted on 27 September 2024) and Natural Values Assessment (Enviro-dynamics, V4, December 2024); and
    - (b) no more than 50m<sup>2</sup> of *Gahnia radula* within the footprint of Showroom 1, and as shown in Figure 9 of the Natural Values Assessment (Enviro-dynamics, V4, December 2024).
  - (ii) Must not occur prior to building approval, securing the conservation offset and 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 approved as part of this planning permit.

14. Prior to the removal of any native vegetation and the commencement of on-site works, the loss of 50m<sup>2</sup> of potential *Chaostola* skipper habitat and removal of four (4) trees of very high conservation value must be offset by a financial contribution totalling \$2,484.75. This



contribution must be paid to Council's Environmental Fund and used solely for the protection and management of Chaostola skipper and hollow dwelling habitat in the vicinity of Kingston or an area that supports equivalent biodiversity values within the municipality.

For Advice: In the event that a subdivision permit is issued for DAS-2024-9 and this permit includes an offset payment, payment of the offset for the subdivision is to be deducted from the offset required under this condition.

15. All remaining native trees identified for retention in Council Plan Reference P3 (submitted on 27 September 2024) and Natural Values Assessment (Enviro-dynamics, V4, December 2024) must be appropriately protected during and after construction. This includes but is not limited to implementation of the following measures:

A. Prior to Construction:

Prior to the commencement of any on-site works (including but not limited to vegetation removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings):

- a) Installing tree protection fencing in accordance with Condition 16.
- b) Providing evidence of satisfactory installation of this fencing to the Manager Development Services prior to the commencement of any on-site works.

B. During Construction:

Maintaining tree 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 zone 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.

16. Tree protection fencing required under Condition 15 must:

- (a) Be located on the edge of the tree protection zone, unless the outer edge of works as shown on the endorsed plan are closer, in which case this tree/vegetation protection fencing may be reduced to the minimum amount necessary to allow the works to be completed.
- (b) Exclude the following from the tree protection zones:
  - (a) Machine excavation including trenching.
  - (b) Machinery movement.
  - (c) Excavation of silt fencing.
  - (d) Cultivation.

- (e) Storage.
  - (f) Preparation of chemicals, including preparation of cement products.
  - (g) Parking of vehicles and plant.
  - (h) Refuelling.
  - (i) Dumping waste.
  - (j) Placement of fill.
  - (k) Lighting of fires.
  - (l) Soil level changes.
  - (m) Temporary or permanent installation of utilities and signs.
  - (n) Physical damage to the trees.
- (c) Be constructed in accordance with the following requirements:
- (a) Utilise barrier mesh and star pickets fencing unless otherwise approved in writing.
  - (b) Form a visual and physical barrier.
  - (c) Be a minimum height of 1.5 metres above ground level.
  - (d) Include signage clearly marked "Tree Protection Zone - No Entry" on all sides.
17. 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. A copy of the application form is available on Council's website.
18. The construction works must be undertaken in accordance with the approved engineering design drawings to the satisfaction and approval of the Director Engineering Services.
19. To the satisfaction of the Manager Development Services, the approved signs must:
- (a) Not contain any flashing or moving light; and
  - (b) Be constructed and maintained.
20. Exterior building surfaces of walls facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent. Plans submitted for building approval must include a full schedule of colours and materials that demonstrate compliance with this condition.
21. Landscaping must be provided prior to the occupation of the new buildings 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 and any landscaping must be maintained to the satisfaction of the Manager Development Services, including that any dead, diseased or damaged plants are to be replaced.
22. Prior to the commencement of the use, adequate provision must be made for the storage and collection of garbage and other solid wastes within the curtilage of the site. This area must be

properly graded, drained, and screened from public view to the satisfaction of the Manager Development Services.

23. Prior to the occupation of any tenancy the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:
  - The parking areas (including signage and access);
  - Drainage works undertaken and completed;
  - The required landscaping; and
  - Waste storage area completed.
24. Graffiti on the site which is visible to the public must be removed promptly to the satisfaction of the Manager Development Services.
25. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

#### 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. An application for Notifiable Plumbing Work must be lodged with Council before commencing any work.
- C. 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.

- D. A drainage design plan at a scale of 1:200, designed by a qualified Hydraulic Designer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Plumbing Permit.
- E. Prior to commencement of any works or the connection of any utility services within a Council road reservation, a 'Road Works Permit' is required to be approved and issued. An application can be made on Council's website as per the link, [Road Works and Occupation Permits](#) |.

**CARRIED**



## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	DA-2024-239	<b>Council notice date</b>	10/07/2024
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2024/00807-KIN	<b>Date of response</b>	23/07/2024
<b>TasWater Contact</b>	Phil Papps	<b>Phone No.</b>	0474 931 272
<b>Response issued to</b>			
<b>Council name</b>	KINGBOROUGH COUNCIL		
<b>Contact details</b>	kc@kingborough.tas.gov.au		
<b>Development details</b>			
<b>Address</b>	37-59 MARANOA RD, KINGSTON	<b>Property ID (PID)</b>	9278320
<b>Description of development</b>	Warehouses x7, Showrooms x2 & Car Parking x48 including 1 accessible car space		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
MK Design	Architectural Plans / A1.0 – A15.0	J	16/05/2024
Flussig	Sewer Servicing / H200 & Water Servicing H-300	P3	20/05/2024
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>The proposed development must be serviced by a suitably sized water supply with a metered connection and sewerage system and connection to TasWater’s satisfaction and be in accordance with any other conditions in this permit. <b>Advice:</b> <i>TasWater will not supply or read individual tenancy meters unless the development is to be strata subdivided. Also refer water submetering advice below.</i></li> <li>Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer’s cost.</li> <li>Prior to commencing construction of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>DEVELOPER CHARGES</b></p> <ol style="list-style-type: none"> <li>Prior to TasWater issuing a Certificate(s) for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a developer charge totalling \$5,622.40 to TasWater for water infrastructure for 3.2 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.</li> <li>Prior to TasWater issuing a Certificate(s) for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a developer charge totalling \$9,312.10 to TasWater for sewerage infrastructure for 5.3 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.</li> </ol>			



**DEVELOPMENT ASSESSMENT FEES**

- 6. The applicant or landowner as the case may be, must pay a development assessment fee of \$403.51 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater.

**Advice**

**General**

For information on TasWater development standards, please visit <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

**Developer Charges**

For information on Developer Charges please visit the following webpage - <https://www.taswater.com.au/building-and-development/developer-charges>

**Water Submetering**

As of July 1 2022, TasWater’s Sub-Metering Policy no longer permits TasWater sub-meters to be installed for new strata subdivision developments. Please ensure plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) reflect this. For clarity, TasWater does not object to private sub-metering arrangements. Further information is available on our website ([www.taswater.com.au](http://www.taswater.com.au)) within our Sub-Metering Policy and Water Metering Guidelines.

**Service Locations**

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

**Declaration**

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

**TasWater Contact Details**

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

## OPEN SESSION RESUMES

Open session resumed at 6.26pm

*Cr Antolli left the room at 6.26pm*

### 14 PETITIONS STILL BEING ACTIONED

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There are no petitions still being actioned.

### 15 PETITIONS RECEIVED IN LAST PERIOD

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No Petitions had been received.

### 16 OFFICERS REPORTS TO COUNCIL

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#### C8/1-2025

#### 16.1 CASH-IN-LIEU OF PARKING FOR JOHN STREET MEDICAL CENTRE

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

That Kingborough Council provide the Ochre Medical Centre, John Street, a 25% discount on the levied cash-in-lieu of parking fee, acknowledging the community value of medical services and the telehealth services provided decreasing the on-site services being provided to patients.

*Cr Antolli returned at 6.28pm*

In Favour: Crs Paula Wriedt, Clare Glade-Wright, Aldo Antolli, Kaspar Deane, Flora Fox, Amanda Midgley, Mark Richardson and Christian Street

Against: Cr Gideon Cordover

**CARRIED 8/1**

*Meeting adjourned at 6.56pm*

*Meeting resumed at 7.16pm*

#### C9/1-2025

#### 16.2 KINGBOROUGH COMMUNITY SAFETY COMMITTEE REVIEW

Moved: Cr Clare Glade-Wright  
Seconded: Cr Gideon Cordover

That:

- (a) Council notes the minutes of the Kingborough Community Safety Committee held 9 December 2024.
- (b) The Kingborough Community Safety Committee be disbanded in 2025 and the community representatives be advised accordingly.
- (c) The below suggestions provided by the Committee be considered and progressed where possible:

- (i) The Kingborough Community Forum be reviewed to incorporate community safety related requests and also receive input from areas such as Kingston and Margate (not currently represented in the forum) and/or neighbourhood watch groups.
- (ii) A safety concern feedback option for the community be added to Council's website.
- (iii) Council continues to proactively collaborate with Tasmania Police and support associated community campaigns and schedule regular meetings with the local Tasmania Police Division to address community safety matters.

**CARRIED**

## **C10/1-2025**

### **16.3 APPENDICES**

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

That the appendices attached to the Agenda be noted.

**CARRIED**

## **17 NOTICES OF MOTION**

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### **C11/1-2025**

#### **17.1 INFRASTRUCTURE PROJECTS**

Moved: Cr Kaspar Deane  
Seconded: Cr Gideon Cordover

That Council:

1. Conduct a review of its handling of recent infrastructure projects, including:
  - Kingston bus interchange
  - Summerleas Road underpass
2. Provide a report to Council summarising the review's key findings.

In Favour: Crs Paula Wriedt, Clare Glade-Wright, Gideon Cordover, Kaspar Deane, Flora Fox, Amanda Midgley and Christian Street

Against: Crs Aldo Antolli and Mark Richardson

**CARRIED 7/2**

### **C12/1-2025**

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

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

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

**Confirmation of Minutes**

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

**Applications for Leave of Absence**

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

**Tender Assessment - AB2407- Civic Centre HVAC System Upgrade**

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

**Closure of part of the LGA Subdivision Road ('intersecting Channel Highway & Pin Oak Place') comprised in folio of the Register Volume 160038 folio 100**

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

**CARRIED**

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

Open Session of Council adjourned at 8pm

**OPEN SESSION ADJOURNS**



**OPEN SESSION RESUMES**

Open Session of Council resumed at 8.25pm

**C13/1-2025**

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

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Approved
Tender Assessment - AB2407- Civic Centre HVAC System Upgrade	Tender awarded to Allen Built for \$584,744.47 excl GST
Closure of part of the LGA Subdivision Road ('intersecting Channel Highway & Pin Oak Place') comprised in folio of the Register Volume 160038 folio 100	Approved

**CARRIED**

**CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 8.26pm

.....  
 (Confirmed)

.....  
 (Date)