

# Kingborough



## COUNCIL MEETING AGENDA

NOTICE is hereby given that an Ordinary meeting of the Kingborough Council will be held in the Kingborough Civic Centre, 15 Channel Highway, Kingston on  
Monday, 18 May 2026 at 5.30pm

# Kingborough Councillors 2022 - 2026



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



**Councillor Aldo Antolli**



**Councillor David Bain**



**Councillor Gideon Cordover**



**Councillor Kaspar Deane**



**Councillor Flora Fox**



**Councillor Amanda Midgley**



**Councillor Mark Richardson**



**Councillor Christian Street**

# QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports contained in Council Meeting Agenda No. 9 to be held on Monday, 18 May 2026 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



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

Tuesday, 12 May 2026

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## GUIDELINES FOR PUBLIC QUESTIONS

### Division 4 of the *Local Government (Meeting Procedures) Regulations 2025*

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This guide helps community members understand how to ask questions during Public Question Time at a Council meeting or sending in questions to be placed on the meeting Agenda, based on the [Local Government \(Meeting Procedures\) Regulations 2025](#), as well as any other determinations made by Council.

Please remember, this time is for asking questions only—there will be no discussion or debate about the questions or the answers.

<b>How to Ask a Question:</b>	<p>You can ask a question either:</p> <ul style="list-style-type: none"><li>• <b>In writing</b> (before the meeting) (see questions on notice below), or</li><li>• <b>In person</b> at a regular Council meeting (see questions without notice below).</li></ul> <p>Your question must be about <b>Council activities only</b>.</p>
<b>Purpose of Question Time:</b>	<ul style="list-style-type: none"><li>• This time is for asking questions, <b>not for debating</b> them.</li><li>• Answers will be given, but there won't be any discussion.</li></ul>
<b>Written Questions (Questions on Notice):</b>	<ul style="list-style-type: none"><li>• Must be sent <b>at least 7 days before</b> the meeting.</li><li>• The 7-day period includes weekends and public holidays, but <b>not</b> the day you submit the question or the day of the meeting.</li><li>• Title your submission clearly as <b>“Question/s on Notice.”</b></li></ul>
<b>Verbal Questions (Questions Without Notice):</b>	<ul style="list-style-type: none"><li>• At least <b>15 minutes</b> will be set aside during the meeting for these.</li><li>• A <b>maximum of three (3) questions</b> will be allowed per person, per meeting.</li><li>• You <b>can't ask about topics already on the meeting agenda</b>.</li><li>• If your question can't be answered right away, it will be answered at the next meeting or as soon as possible.</li></ul>
<b>Rules for Asking Questions:</b>	<p>Your question should:</p> <ul style="list-style-type: none"><li>• Be <b>short and clear</b>;</li><li>• <b>Not be a statement</b>;</li><li>• Have <b>little or no introduction</b>.</li></ul> <p>The Chairperson may <b>reject your question</b> if it:</p> <ul style="list-style-type: none"><li>• Is offensive, defamatory, or illegal;</li><li>• Doesn't relate to Council business;</li><li>• Is unclear, repetitive, or about confidential matters.</li></ul>

**AGENDA of an Ordinary Meeting of Council**  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 18 May 2026 at 5.30pm

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**WELCOME**

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The Chairperson will declare the meeting open and welcome all in attendance. The Chairperson will advise all persons attending the meeting that they are to be respectful of, and considerate towards, other persons attending the meeting.

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**AUDIO RECORDING**

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The Chairperson will advise that Council meetings are recorded and made publicly available on its website. In accordance with Council's policy the Chairperson will request confirmation that the audio recording has commenced.

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**1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

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**2 ATTENDEES**

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**Councillors:**

Mayor Councillor P Wriedt  
Councillor A Antolli  
Councillor D Bain  
Councillor G Cordover  
Councillor K Deane  
Councillor F Fox  
Councillor A Midgley  
Councillor M Richardson  
Councillor C Street

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**3 APOLOGIES**

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**4 CONFIRMATION OF MINUTES**

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**RECOMMENDATION**

That the Minutes of the open session of the Council Meeting No 8 held on 4 May 2026 be confirmed as a true record.

**5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

Date	Topic	Detail	Consultant
11 May 2026	Budget	Review, questions and discussion of the draft operating budget for FY26/27	Nil

**6 DECLARATIONS OF INTEREST**

In accordance with Regulation 10 of the *Local Government (Meeting Procedures) Regulations 2025* and Council’s adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have, a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

**7 TRANSFER OF AGENDA ITEMS**

Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2025*.

*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.*

**8 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

**9 QUESTIONS ON NOTICE FROM THE PUBLIC**

**9.1 CROWN ROAD ACCESS**

At the Council meeting on 4 May 2026, **Mr Joel Hodson** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

*I don't think anything was ever publicly provided through Council meetings regarding when you received information and then were going to forward it on post the Irenelnc report? I know the stuff went to Klub but I don't think anything ever was answered here to my question regarding that? To do with that I wonder if there is within the performance criteria of the various zones that are affected, the language can be quite vague and uncertain for residents. It suggests having regard to which to me reads quite subjectively. Can Council give some indication of how you will look at this issue upon a development application being handed in to Council?*

**Officer’s Response:**

Please refer to previous responses on this matter in Council agendas dated 20 October 2025, 3 November 2025 and 2 February 2026. In addition to those responses, further information is provided below, which was also shared with the President of the Kingborough Land Users Body on 17 March 2026. This information is based on advice received from the State Planning Office (SPO), Natural

Resources and Environment Tasmania (NRE), and discussions with other councils managing similar issues. The advice received from NRE was forwarded by Council in January 2026 to the Tasmanian Planning Commission as well as to the State Planning Office for consideration as part of the review of the State Planning Provisions.

Under the Tasmanian Planning Scheme, new dwellings in certain zones (specifically the Rural, Agriculture and Landscape Conservation Zones) must have lawful and permanent access to a public road. This requirement, set out in Sections 20.4.3, 21.4.3 and 22.4.3 of the State Planning Provisions of the Tasmanian Planning Scheme, is intended to ensure that every new dwelling has safe and reliable access.

The simplest way to meet this requirement is for the property to directly front a council-maintained road, which results in automatic compliance. Where this is not possible, access may instead be provided via a right of carriageway (for example, a shared driveway over another property or access across a Crown road reserve).

A key change from the Kingborough Interim Planning Scheme 2015 is the stronger emphasis on permanence. Previously, some developments relied on licences over Crown road reserves, however these arrangements are temporary and do not provide a secure, ongoing right of access. The Tasmanian Planning Scheme now requires access to be permanent, ensuring long-term certainty and functionality.

Council is aware that many potentially affected landowners have concerns about this matter and is keen to better understand how access over Crown roads will be assessed and managed in practice, particularly in relation to ensuring that any such access can meet the requirement for lawful and permanent arrangements under the Tasmanian Planning Scheme. The NRE is responsible for access arrangements over Crown land, and advice from the Department indicates that access over Crown land is generally considered in two ways:

- Licences – These are relatively quick and inexpensive to obtain, but they are temporary and cannot be relied upon to demonstrate permanent access for development approval under the planning scheme.
- Easements (rights of way) – These provide permanent, property-based access, but can be costly and time-consuming.

NRE has advised that applicants are usually referred to Council early to confirm access requirements, so it is clear whether a licence is sufficient (for example where it's not a house that is proposed) or whether a permanent easement is required. Many landowners are not aware of this until well after purchasing land. They have also advised that they will try in all situations to make access available if it is possible.

Whether an easement can be granted over Crown land is assessed by the Crown on a case-by-case basis and is not guaranteed. While NRE will attempt to facilitate access where possible, there are situations where this cannot occur. These include cases where:

- the Crown land tenure does not allow easements (for example, land managed under the *Nature Conservation Act 2002*),
- physical barriers such as rail corridors prevent continuous access, or
- limited corridor widths or competing access demands create constraints.

NRE has also highlighted practical challenges for landowners, including uncertainty around driveway widths due to bushfire requirements, and situations where easements have been purchased to meet planning requirements only for the reserved road to later become a public road.

It is important to note that existing approved development on properties with crown a licensed access that are proposed for these zones will not have the requirement imposed retrospectively.

Council is aware that these issues are not unique and are being experienced by other rural and regional councils across Tasmania, particularly where historical access has relied on Crown Road reserves. Council is required by legislation to assess all development applications against the planning scheme, including the requirement for lawful and permanent access. Where this requirement is not met, Council's discretion is limited. As Council has not yet transitioned to the new Scheme, we have not been able to consider this requirement in practice and are therefore limited in the level of detailed guidance we can currently provide. We can confirm that Council's position will be that, where this issue arises, we will examine all compliant options available to an applicant, with the aim of supporting the most straightforward and least onerous pathway.

In accordance with the applicable guidelines for assessing the draft LPS, it is Council's understanding that specific access requirements under the State Planning Provisions are not a consideration in assessing or determining zoning. However, access constraints may be more appropriately considered through precinct-based zoning decisions. Notwithstanding this, the advice received from NRE, and the concerns raised by landowners have been provided to the Tasmanian Planning Commission by Council to ensure they are understood. Representors will also have the opportunity to raise this matter directly with the Commission at hearings. The above information will also be sent in the Kingborough LPS email newsletter.

For clarity, factors (a)–(h) listed in the performance criteria for access standards in the relevant zone provisions do not relate to whether access is legal, but to its appropriateness for the proposed development and access design requirements. This will need to be assessed on a case-by-case basis. Where relevant and appropriate, supporting advice, standards and guidelines - including those relating to road construction, road widths, and emergency service access requirements - will be considered as part of this assessment.

Council encourages community members to arrange a meeting with a planning officer or to seek independent planning advice for technical planning matters such as this, as these issues are often best explained through discussion where further explanation can be provided at the time if requested.

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

## 9.2 STATUTORY NON-COMPLIANCE - ABATEMENT NOTICES

At the Council meeting on 4 May 2026, **Mr Charlie Biggins** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

1. *According to section 200 [of the Local Government Act 1993], if the GM in this case the CEO is satisfied that a nuisance to the public, health and safety exist then he must under the Act, issue an abatement notice to the land holders responsible. Council's logo appears on the geospatial fire risk mapping of this municipality by the Hobart Company GeoNeon. Mapping that classifies as extreme fire risk the property exposure of many dwellings. What further actions have Council taken to satisfy themselves that extreme property exposure to fire risk exists for individual properties in this municipality?*
2. *Once Council is satisfied that certain dwellings within Kingborough are at extreme risk of fire exposure, then the CEO must abate that nuisance and upon a landholder's receipt of a fire abatement notice, wouldn't all vegetation removal work required to bring the risk of property exposure for dwellings down below extreme be exempt from Council's biodiversity offset payments?*
3. *Likewise, if Council is satisfied that an individual tree presents a nuisance under the definition of nuisance in the Local Government Act, to public health and safety, upon receipt of a qualified arboricultural assessment, then the GM/CEO must issue an abatement notice to the land holder as per section 200 of the Local Government Act. Yes or no?*

**Officer's Response:**

Council utilises state endorsed, science-based bushfire risk mapping to guide its bushfire program and inform its decisions. Council accepts that there is widespread fire risk in the region and actively works to reduce that risk through various mechanisms which includes community education, and collaboration with our lead fire agency, Tasmania Fire Service.

Pursuant to the *Local Government Act 1993 (Tas)* (the Act), where a council is satisfied that a nuisance exists, the General Manager is required to serve an abatement notice directing that the nuisance be abated.

The Act adopts an inclusive definition of "nuisance", which extends beyond its ordinary meaning.

A nuisance includes anything that:

- (a) causes, or is likely to cause, danger or harm to the health, safety or welfare of the public;
- (b) causes, or is likely to cause, a risk to public health;
- (c) gives rise to unreasonable or excessive levels of noise or pollution;
- (d) is, or is likely to be, a fire risk; or
- (e) constitutes an unsightly article or rubbish.

As this definition is not exhaustive, the term "nuisance" also retains its ordinary common law meaning, namely, a "*substantial or unreasonable interference with another person's use and enjoyment of land.*"

In determining whether a nuisance exists under the Act, each matter must be assessed on its individual merits. A range of investigative methods may be employed to form an informed view as to the nature, severity, and extent of the alleged nuisance. This assessment should consider all relevant surrounding circumstances, including the frequency and duration of the conduct, its impacts, and the reasonableness of the activity in question.

It is also necessary to consider whether the alleged nuisance constitutes a public nuisance, affecting the community or a section of it, or a private nuisance, impacting only an individual or a limited number of persons in their use and enjoyment of land.

Accordingly, for a council to be required to issue an abatement notice under the Act, it must be satisfied that a nuisance exists. Depending on the nature of the nuisance, this may require a finding that the conduct results in a substantial or unreasonable interference with the use and enjoyment of land.

Where an abatement notice requires the removal, destruction, or lopping of trees, or the removal of vegetation, the Council's *Biodiversity Offset Policy* does not apply. That policy is limited to applications assessed under:

- any by-law made under the Act regulating the removal of vegetation within the Kingborough municipal area; or
- the *Kingborough Planning Scheme 2000*, the *Kingborough Interim Planning Scheme 2015*, or any subsequent planning scheme made under the *Land Use Planning and Approvals Act 1993* applicable to the municipal area.

In determining whether an individual tree constitutes a nuisance, the Council may have regard to a suitably qualified arboricultural assessment. However, the existence of such an assessment alone will not generally be sufficient to meet the statutory threshold required for the service of an abatement notice. The assessment must be considered in conjunction with all other relevant evidence and circumstances.

*Scott Basham, Manager Legal & Property*

### 9.3 BLACKMANS BAY & BONNET HILL SAP

**Mr Brendan Charles** submitted the following question on notice:

*As part of the Supporting Documentation for the proposed Blackmans Bay and Bonnet Hill Specific Area Plan (SAP), Council has included statements relating to the 'unique' nature of the areas. Without any supporting evidence, both the claim of 'unique scenic amenity' and the comparatively 'low level of development' seem to be very subjective criteria.*

*Could you please provide information on how the 'uniqueness' of scenic amenity has been judged or established, given that there are many other 'elevated heavily vegetated headlands' (as Bonnet Hill has been described) along the coastline within the municipality and indeed the greater Derwent Estuary.*

*Similarly the justification provided states that Bonnet Hill has been proposed for inclusion in a SAP "because it has not been developed to the extent to which other areas with such scenic attributes and environmental qualities have been developed". Could you please detail how many and which other areas have been used to establish this comparison?*

#### **Officer's Response:**

The merit and justification of the SAP are currently subject to an independent review. Should the Planning Authority support the outcome of that review, the findings will be provided to the Tasmanian Planning Commission (TPC) for consideration as part of the formal assessment and decision-making process. For reasons of procedural fairness, it is not considered appropriate to provide additional information on this matter through questions on notice outside the review, formal hearing and assessment process.

*Adriaan Stander, Lead Strategic Planner*

### 9.4 SUPPORTING DATA FOR THE PROPOSED BLACKMANS BAY AND BONNET HILL SAP

**Mr Brendan Charles** submitted the following question on notice:

*As part of the Supporting Documentation for the proposed Blackmans Bay and Bonnet Hill Specific Area Plan (SAP), Council has included factors such as the potential for further sub-division and properties without connections to sewerage as part of the justification to introduce the additional provisions and restrictions of the SAP.*

*To assist myself and other affected land-owners of the area to understand these risks, could you please provide some basic data used as a basis of the assessment and justification of the SAP?*

*The data requested includes:*

1. *The number of properties inside each of the two SAP areas (Blackmans Bay and Bonnet Hill).*
2. *The number of those properties that already have a dwelling on them.*
3. *The number of vacant properties.*
4. *A description and number of properties within of any other categories that make up the balance of developed vs undeveloped properties e.g. reserves or council controlled land.*
5. *A break down of the number of properties by area into those:*
  - a. *Below 1,500m<sup>2</sup>*
  - b. *1,500m<sup>2</sup> – 3,000m<sup>2</sup>*
  - c. *3,000m<sup>2</sup> – 5,000m<sup>2</sup> and*

- d. Above 5,000m<sup>2</sup>
6. The number of development applications for new dwellings received and the number approved in each of the two SAP areas in each of the past 5 years (or at least the 5 years in total).
  7. The number of properties in each of the 2 areas that are unsewered.
  8. The number of properties captured within the definition of 'coastal proximity' within each proposed SAP area.

**Officer's Response:**

The supporting report published with the draft Local Provisions Schedule at the commencement of the exhibition period includes mapping of the SAP areas overlaid on property parcels, together with a detailed explanation of the justification for the proposed SAPs.

The report is available here: [Supporting-LPS-report-2024.pdf](#).

A high-level review indicates that there are approximately 160 parcels of land within the Bonnet Hill SAP area, ranging in size from approximately 1,000m<sup>2</sup> to 1 hectare, with the majority containing existing dwellings. Properties above the highway are not connected to TasWater sewer services, while properties below the highway are connected. There are also approximately 60 properties within the Blackmans Bay SAP area, ranging in size from approximately 500m<sup>2</sup> to 5,500m<sup>2</sup>. Most parcels contain an existing dwelling, and the majority are fully serviced by TasWater.

The SAP is currently subject to an independent review, and interested parties will have the opportunity to raise these matters through the formal hearing process. For reasons of procedural fairness, it is preferred that further technical detail relating to the Local Provisions Schedule not be addressed through Questions on Notice outside that formal assessment and hearing process.

*Adriaan Stander, Lead Strategic Planner*

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**10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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**11 QUESTIONS ON NOTICE FROM COUNCILLORS**

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

**OPEN SESSION ADJOURNS**

**PLANNING AUTHORITY IN SESSION**

**12 OFFICERS REPORTS TO PLANNING AUTHORITY**

**12.1 DA-2025-70 - DEVELOPMENT APPLICATION FOR DWELLING AND TWO (2) VISITOR ACCOMMODATIONS AT 40 PARaweENA ROAD, ALONNAH AND ADJOINING CROWN LAND**

**File Number:** DA-2025-70  
**Author:** Camilo Miranda, Environmental Planner  
**Authoriser:** Sarah Silva, Senior Statutory Planner

<b>Applicant:</b>	Mr T Gordon and Ms J Corbett
<b>Owner:</b>	Ms J Corbett and Mr T Gordon; The Crown.
<b>Subject Site:</b>	40 Paraweena Road, Alonnah (CT 8388/2) and adjoining Crown land.
<b>Proposal:</b>	Dwelling and two (2) visitor accommodations
<b>Planning Scheme:</b>	Kingborough Interim Planning Scheme 2015 <i>Assessment is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)</i>
<b>Zoning:</b>	Environmental Living Rural Resource
<b>Codes:</b>	E1.0 Bushfire Prone Areas E3.0 Landslide Hazard Area E5.0 Road and Railway Asset E6.0 Parking and Access E7.0 Stormwater Management E10.0 Biodiversity E11.0 Waterway and Coastal Protection E14.0 Scenic Landscape Area E23.0 On-Site Wastewater Management
<b>Use Class/Category:</b>	Residential (Single Dwelling) and Visitor Accommodation (Holiday Cabin)
<b>Discretions:</b>	Environmental Living Zone: Cl. 14.4.3 A1 – Design Cl. 14.4.5 A1 – Environmental Values Rural Resource Zone: Cl. 26.3.1 A1 – Sensitive Use Cl. 26.3.2 A1 – Visitor Accommodation Cl. 26.3.3 A1 – Discretionary Use Cl. 26.4.2 A2, A3 – Setbacks Cl.26.4.3 A1 – Design Landslide Code: E3.6.2 A2 – Vulnerable Use E3.7.1 A1 – Building and works, other than Minor Extensions Parking and Access Code:

	<p>E6.7.3 A1 – Vehicular passing areas along an access Stormwater Management Code: E7.7.1 A1 – Stormwater drainage and disposal Biodiversity Code: E10.7.1 A1 – Buildings and works Waterway and Coastal Protection Code: E11.7.1 A1 – Buildings and works Wastewater Management Code: E23.8.1 A1 - Development Standards for Non-Residential Development E23.10.1 A6 – Land Application Areas</p>
<b>Public Notification:</b>	Public advertising was undertaken between 1 April 2026 and 17 April 2026 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
<b>Section 52(1B) Owner consent requirements:</b>	The proposal includes works for vehicle access over land which is in Crown ownership and therefore owner's consent under section 52(1B) of the <i>Land Use Planning and Approvals Act 1993</i> was required and was obtained. That land was included in the application and referred to in the public notice.
<b>Representations:</b>	<p>Six (6) representations were received against the proposal. The submissions raised the following grounds:</p> <ul style="list-style-type: none"> <li>• Proposed development is not accordance with the Rural Resource Zone purpose statement.</li> <li>• The proposal does not comply with visitor accommodation standards in the zone.</li> <li>• Setbacks will result in land use conflict with agricultural use (including forestry activity).</li> <li>• The proposal will result in unreasonable increase of traffic and unsafe road.</li> <li>• Environmental impacts and impacts on wildlife are unacceptable.</li> <li>• The nature of visitor accommodation in Bruny.</li> <li>• Lack of infrastructure (potable water) to sustain the tourism industry in the island.</li> <li>• Visitors' behaviour.</li> </ul>
<b>Recommendation:</b>	Approval subject to conditions

## 1. PROPOSAL

### 1.1 Description of Proposal

The application proposes the demolition of the existing outbuildings and footings, the construction of a new dwelling, two visitor accommodation cabins, and associated works including the upgrade of an access over Crown land, establishment of a bushfire compliant driveway, installation of wastewater system, and establishment of bushfire hazard management areas for the dwelling and cabins as follows.

#### Dwelling

The building is proposed to be single storey with the primary material being brick work. The roof colour is intended to be a mute colour being pale eucalypt or similar with a Light Reflectance Value less than 40 percent. The dwelling is proposed to have a total gross floor

area of approximately 240m<sup>2</sup> and a maximum height above natural ground level of 3m. The site plan provided shows the dwelling is to be setback from the frontage and side boundaries (more than 100m), and 30m from the rear bound.

The dwelling is located in the southern portion of the site, approximately 30m downslope from the ridgeline. The dwelling provides for three bedrooms, one with an ensuite, open plan dining/kitchen, lounge designed in a different floor level, internal garden, bathroom and laundry. The dwelling includes outside gardens to the south and west, and terraces accessible from the dining/kitchen area.

#### Visitor accommodation (holiday cabins)

Two (2) holiday cabins are proposed with identical floor plans. The holiday cabins are two storey tower-like shaped buildings with the primary material being wood, rock tiles, and steel roof coloured using colours with a Light Reflectance Value less than 40 percent. Each holiday cabin is proposed to have a gross floor area of 61m<sup>2</sup> and a maximum height above ground level of 9m. The site plan provided shows the cabins setback from the frontage, rear, and western side more than 100m, and a minimum setback of 31.5m from the eastern property boundary. They are located at more than 100m north from the ridgeline. Each cabin provides for one bedroom, kitchenette, and bathroom on the ground floor, and a roof deck with a skyline sight opening in the roof.

The cabins are proposed to be accessed through a pedestrian bridge from the visitor accommodation carpark. The surface of the bridge is proposed to be painted in windspray which has a Light Reflectance Value of less than 40 percent

The holiday cabins are proposed to be located to the edge of the existing Improved pasture with native tree canopy (FAC) on the site and do not require vegetation removal.

#### Bushfire compliant vehicular access and associated works over Crown Land

The application proposes the upgrade of a portion of the vehicular access over Crown Land contiguous to the Council maintained road (Paraweena Road). The access will be upgraded to comply with bushfire requirements and in accordance with Section 3 Access facilities to off-street parking and queuing areas Australian Standard (AS/NZS) 2890.1:2004 and Local Government Association of Tasmania (LGAT) requirements. Additionally, these works will intersect a minor stream (class 4), therefore the works are also proposed to be consistent with the 'Wetlands and Waterways Works Manual' (DPIPWE, 2003).

These works include the clearing of approximately **0.0065ha** of understorey of native vegetation identified as *Eucalyptus ovata* forest and woodland (DOV) within Crown land, and the removal of one (1) tree identified as a *Eucalyptus ovata* (black gum) with a diameter at standard height (DSH) of 25cm (T34). The proposed tree to be removed is not a high conservation value tree under the *Kingborough Interim Planning Scheme 2015* (the Planning Scheme).

#### Driveway, carparking and associated works within the lot boundaries

The proposal also includes the establishment of a gravel driveway compliant with bushfire requirements within the property boundary. The proposed driveway uses existing tracks within the lot including the power line track. These works require the removal of one (1) tree identified as *Eucalyptus pulchella* (white peppermint) with a DSH of 65cm (T97). The proposed tree to be removed is not a high conservation value tree under the Planning Scheme.

The proposal includes two (2) carparking spaces for the dwelling, and two (2) carparking spaces for each cabin (one carparking space is required under the Planning Scheme).

#### Establishment of bushfire hazard management areas of habitable buildings

A Bushfire Hazard Report was prepared for the proposed dwelling and visitor accommodation cabins. The report (Jim Mulcahy, v1.2, February 2025) recommends dwelling to be constructed at BAL-29, and visitor accommodation cabins to be constructed at BAL-12.5. A Bushfire Hazard Management Area (BHMA) between the building and the bushfire-prone vegetation will be required to be established and maintained to minimal fuel condition as part of the Bushfire Hazard Management Plan recommended in the report to satisfy building requirements.

The establishment of the BHMA for the dwelling and holiday cabins do not require the removal of any tree. However, understorey must be maintained at minimum fuel level in accordance with the bushfire requirements (Australian Standards 3959:2018 and the Director's Determination – Requirements for buildings in bushfire-prone areas (transitional)).

According to the Natural Values Survey Letter (NVL) (Northbarker, November 2025), the establishment of the BHMA for the dwelling requires the clearance or disturbance of native vegetation communities being **0.06ha** of *Eucalyptus pulchella* forest and woodland (DPU) (0.05ha of which is classified as regenerating DPU). The holiday cabins are located in modified land (FAC); however, the establishment of the BHMA of "Cabin A" requires disturbance of approximately **0.037ha** of *Regenerating vegetation* (FRG). No further native vegetation community is being cleared or modified for bushfire requirements.

#### On-site wastewater treatment and stormwater management

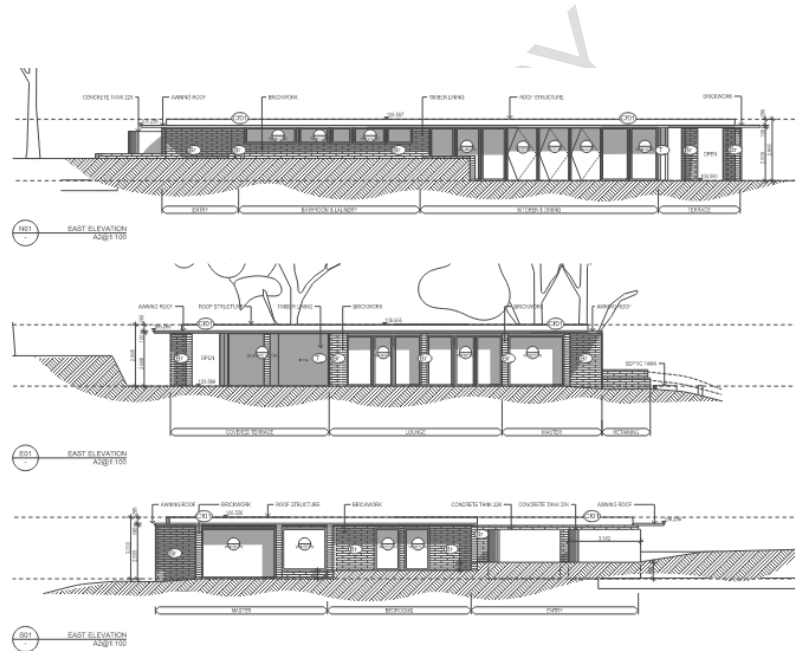
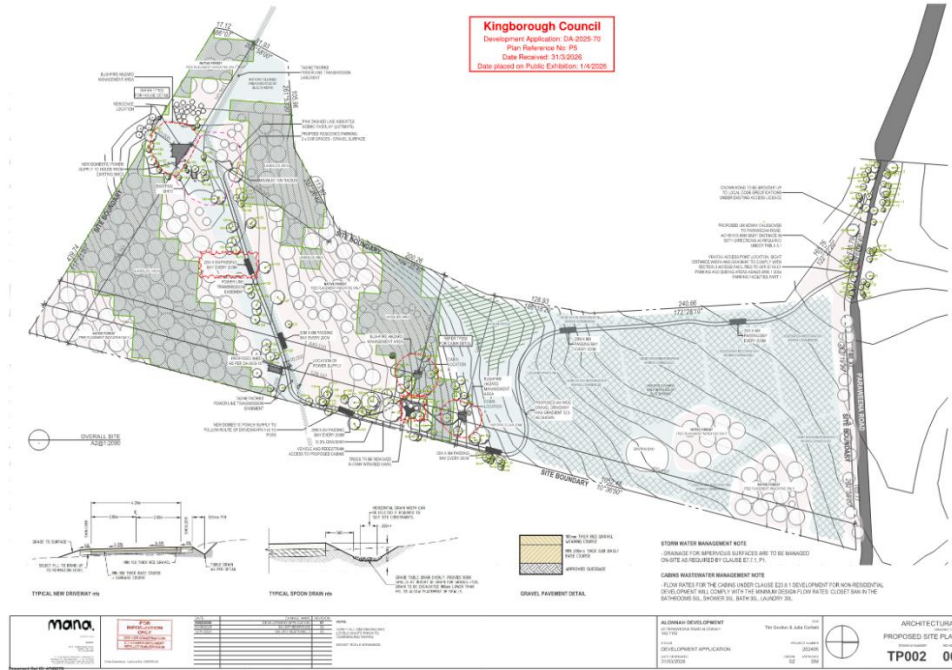
An aerated wastewater treatment system (AWTS) is proposed to manage wastewater of the dwelling. The AWTS requires a subsurface irrigation area of 250m<sup>2</sup> located to the south of the dwelling and will be located within the bushfire hazard management area for the dwelling; there are no further impacts on native vegetation proposed in relation to this part of the proposal.

Wastewater from the cabins will be managed by a dual-purpose septic tank with Eljen trenches each of 60m<sup>2</sup> located to the northwest of the cabins. The installation of the proposed wastewater treatment is designed to avoid impact on any trees; however, it is located outside of the BHMA of both cabins and in an area identified as FRG in the NVL. The stormwater trench for the holiday cabins is also located within the FRG area. These works will impact approximately **0.009ha** of FRG.

Stormwater is to be collected on water tanks and overflow managed within the site.

#### Agreement under Section 5 of the Land Use Planning and Approvals Act 1993 in relation to Private Timber Reserve (PTR)

The applicant has provided written advice on 1 May 2026 in response to representations received that to ensure that the proposal will mitigate any fettering on neighbour PTR, they are open to Council conditioning the requirement of a Part 5 Agreement with Council to be on the title that covenants any measures to mitigate against noise emissions associated with harvesting of timber within the adjoining PTR must be undertaken by the occupant of the proposed dwelling.



**Kingborough**  
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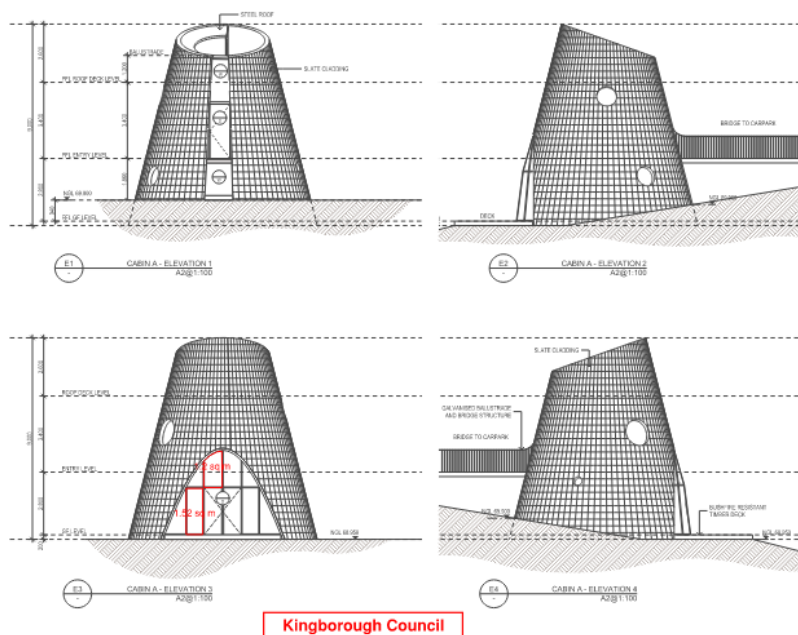


Figure 1 Extract of provided plans showing site plan, and elevation plans.

1.2 Description of Site

The site is described as “Sunny Side”, No 40 Paraweena Road, Alonnah being Lot 2 on CT 8388/2. The lot has an area of 25.55ha with an irregular elongated shape and frontage to Crown land (road casement contiguous to Paraweena Road) to the north.

In addition to the main site the application involves Crown land (road casement contiguous to Paraweena Road) due to proposed access upgrades.

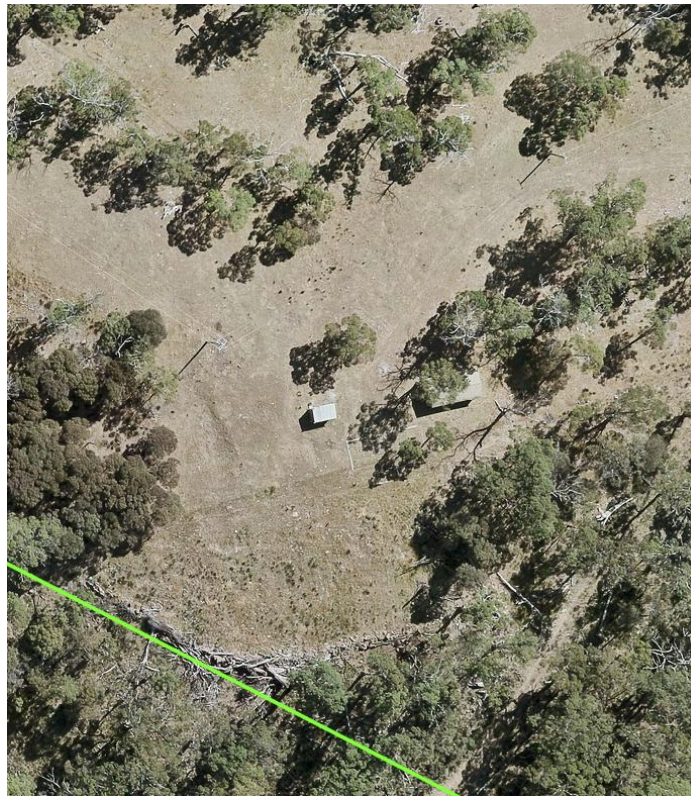
The site is zoned Rural Resource whilst the Crown land is zoned Environmental Living.

The site contains two (2) existing outbuildings, water tank, and footings located at the top of the property (Figure 2), and an olive grove, and a farm shed at the centre portion of the site. Access to the lot is currently provided through Crown land (Crown License) which is a continuation of the Council’s maintained portion of Paraweena Road. Historical aerial imagery shows that the adjacent Crown land has also been used to access the top of the property (Figure 3).

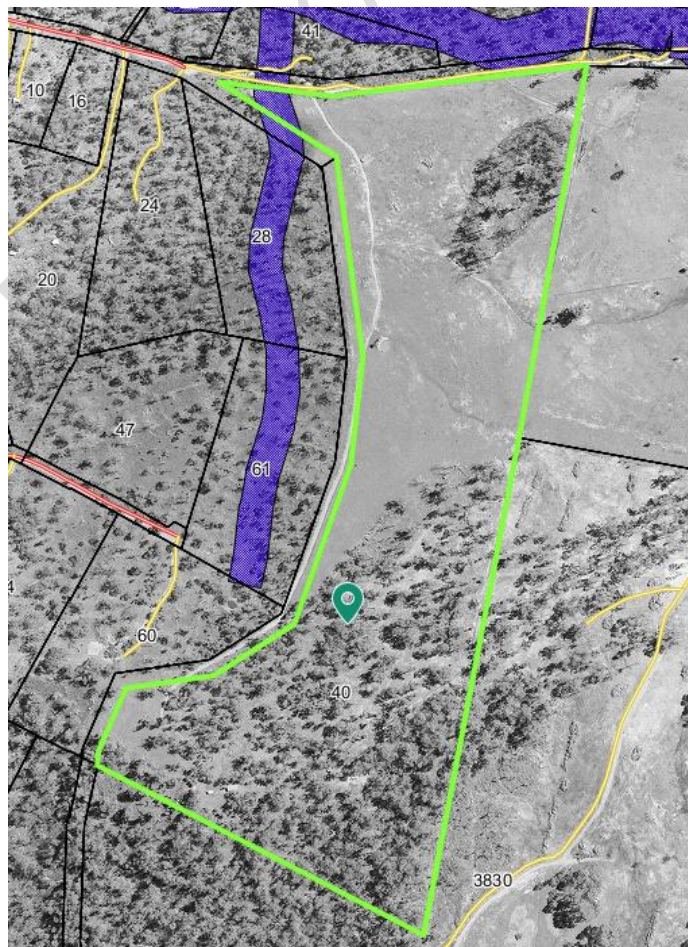
The northern portion of the site has been historically used mostly for grazing and classified as having a Land Capability class of Class 6 which is land marginally suited to grazing due to severe limitations. Aerial imagery shows that portion of the site is currently cleared of vegetation; however, the NVL confirms that this portion is being revegetated and significant planting of *Eucalyptus globulus* (blue gum) has occurred, resulting in the site being better described as a vegetated lot (Figure 4). A watercourse (Class 4) flows through the northern western boundary of the site. There is one small dam on the northern portion of the site.

The site has an altitude range of 19 – 102m above sea level, with a predominantly northerly aspect descending from the ridge in the south of the lot. Slopes range from almost flat in the north to over 15 degrees (1:3.5) to the southeast corner. The property has a small area at the top of the mountain subject to scenic landscape overlay (over 100m above sea level).

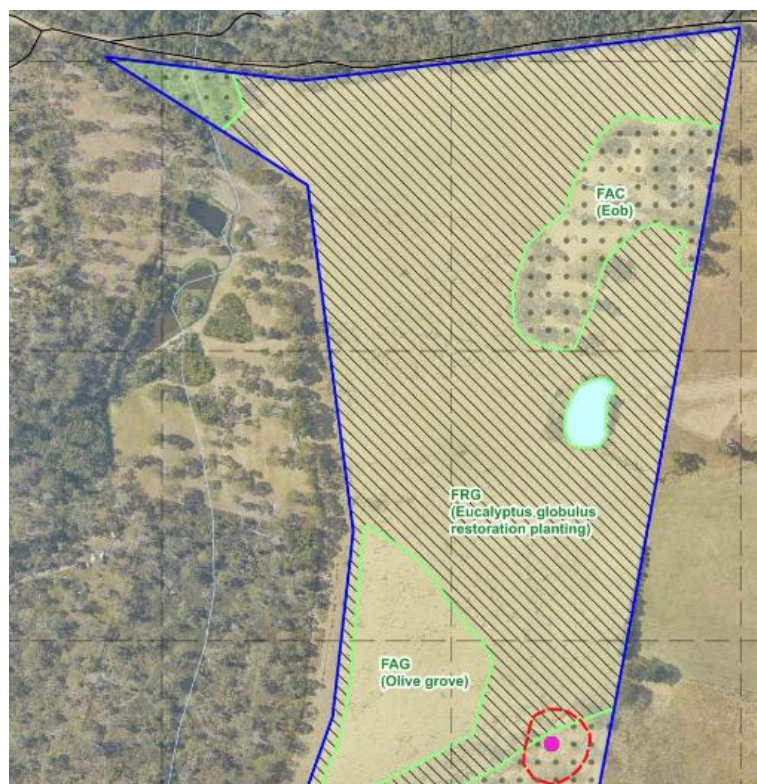
Surrounding lots to the west and north are zoned Environmental Living and have mostly been developed for residential purposes keeping a significant vegetated area. The adjoining properties to the east and northeast are zoned Rural Resource and are mostly cleared. The property to the east and south contains a Private Timber Reserve (PTR).



**Figure 2** Aerial imagery of the site showing existing outbuildings and footing at the top of the property (Source, Spectrum, 2017)



**Figure 3** Historic aerial imagery showing the cleared land, historical vehicle track within adjoining Crown land, and waterway buffer (Source, Spectrum, 1997).



**Figure 4** Extract of Figure 1 on NVL showing vegetation classification of the northern part of the site as regenerating cleared land (FRG). (Source, NVL, Northbarker, November 2025)

### 1.3 Background

#### Previous development application

On 18 February 2025, Council issued a certificate of exemption for the construction of a farm shed on the lot. It was determined at the time, based on the information provided, that the proposed 96m<sup>2</sup> outbuilding complied with all the requirements of the exemption in Clause 5.3.6 – buildings and works in the Rural Resource Zone.

#### Removal of PTR from the subject site

On 12 June 2025, the applicant informed Council that the owner applied in April 2025 for the removal of the Private Timber Reserve on the subject site (Dealing No. C797431). The Private Timber Reserve was removed from the title.

#### Planting in the northern portion of the site

Numerous *Eucalyptus globulus* trees were planted in the northern portion of the property which were previously grazing paddocks as part of the Threatened Woodlands Birds of Bruny Island Project. The NVL has, therefore, identified this portion of the property as regenerating native vegetation (FRG) and qualified as regenerating globulus forest.

The FRG within the northern paddocks of the property resulted in the site having no areas of cleared vegetation.

#### Differences between the Natural Values assessment provided

Two Natural Values Assessments were submitted to support the proposed development application. These were prepared by two different experts (Mulcahy Services prepared the first, and North Barker prepared the second). The main differences between these assessments are:

- *Surveyed accuracy*  
The Natural Values Assessment prepared by Mulcahy Services used a Trimble DA2 DGPS unit which has an accuracy of 1m. The NVL prepared by North Barker surveyed the bushfire hazard management areas and vegetation community boundaries using a sub-meter accuracy DGPS which provides higher precision spatial data. The location of the bushfire hazard management areas and the vegetation community boundaries is considered more accurate in the North Barker assessment due to the type of unit used. The spatial data provided by the North Barker assessment was used for the assessment of this application.
- *Classification of the vegetation community in the northern portion of the site:*  
The NVL prepared by North Barker incorporated new information in relation to the regeneration and plantation of *Eucalyptus globulus* on the northern portion of the site, changing the classification of the vegetation community from Agricultural Land (FAG) to Regenerating cleared land (FRG).
- *Classification of the vegetation community within the bushfire hazard management area of the holiday cabin (Cabin A):*  
With the new classification of the vegetation within the northern portion of the site, it was confirmed that the establishment of the hazard management area for the holiday cabin (Cabin A) will require the removal of approximately 0.037ha of FRG (this was confirmed on phone conversation on 1 May 2026 with North Barker's ecologist).
- *Classification of the vegetation community within the bushfire hazard management area of the dwelling:*  
The first natural values assessment (Jim Mulcahy, February 2025) identified a portion of *Allocasuarina verticillata* forest (NAV) within the bushfire hazard management area of the dwelling. NAV is a high priority biodiversity value due to its bioregional status. North Barker's assessment provided a revised mapping which showed that this native vegetation community will not be impacted by the establishment of the bushfire hazard management area of the dwelling.  
  
Figure 20 of the first natural values assessment suggests that there has been removal of trees nearby or within the prescribed BHMA for the dwelling. North Barker's spatial data demonstrates that the proposal does not rely on removal of NAV within the BHMA and therefore no NAV removal is included as part of this application.
- *Classification of the vegetation community in the southeast corner of the property:*  
While the first natural values assessment classified the vegetation community in the southeastern corner of the property as being *Eucalyptus pulchella* forest (DPU), the Northbarker's assessment classified this vegetation as *Eucalyptus obliqua* forest (DOB). This last difference does not have an impact on the assessment of this development application since there is no impact on this portion of the site.

#### Identification and calculation of the impact on native vegetation on Crown land

On 5 May 2026, Council's Biodiversity officer visited the Crown land and confirmed that:

- The vegetation community is *Eucalyptus ovata* forest and woodland (DOV) either side of the vehicle access in Crown land.
- The existing vehicular access is pretty much 4m wide for the whole section where upgrading is proposed, however it lacks the 0.5m either side for much of the length. It is estimated that about 65m of vehicle access needs additional clearing to achieve the 0.5m cleared road shoulders.

- The required clearing would be approximately 65m<sup>2</sup> (0.0065ha) of DOV understory species, including individuals of *Acacia verticillata*, *Gahnia grandis*, *Gahnia trifida*, *Lepidosperma* sp., *Leptospermum lanigerum*, *Lobelia anceps*, *Lomandra longifolia*, *Melaleuca squarrosa*, *Poa labillardierei*, *Pultenaea juniperina*.

## 2. ASSESSMENT

### 2.1 State Policies and Act Objectives

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

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

### 2.2 Strategic Planning

The relevant strategies associated with the Scheme are as follows:

#### Environmental Living Zone

##### Zone Purpose Statements

The relevant zone purpose statements of the Environmental Living zone are to:

- 14.1.1.1 *To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.*
- 14.1.1.2 *To ensure development is reflective and responsive to the natural or landscape values of the land.*
- 14.1.1.3 *To provide for the management and protection of natural and landscape values, including skylines and ridgelines.*
- 14.1.1.4 *To protect the privacy and seclusion that residents of this zone enjoy.*
- 14.1.1.5 *To provide for limited community, tourism and recreational uses that do not impact on natural values or residential amenity.*
- 14.1.1.6 *To encourage passive recreational opportunities through the inclusion of pedestrian, cycling and horse trail linkages.*
- 14.1.1.6 *To avoid land use conflict with adjacent Rural Resource or Significant Agriculture zoned land by providing for adequate buffer areas.*

##### Clause 14.1.2 – Local Area Objectives

There are no Local Area Objectives for this Zone.

##### Clause 14.1.3 – Desired Future Character Statements

There are no Desired Future Character Statement for this Zone.

#### Rural Resource Zone

##### Zone Purpose Statements

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

- 26.1.1.1 *To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.*
- 26.1.1.2 *To provide for other use or development that does not constrain or conflict with resource development uses.*
- 26.1.1.3 *To provide for non-agricultural use or development, such as recreation, conservation, tourism and retailing, where it supports existing agriculture, aquaculture, forestry, mining and other primary industries.*
- 26.1.1.4 *To allow for residential and other uses not necessary to support agriculture, aquaculture and other primary industries provided that such uses do not:*
- (a) fetter existing or potential rural resource use and development on other land;*
- (b) add to the need to provide services or infrastructure or to upgrade existing infrastructure;*
- (c) contribute to the incremental loss of productive rural resources.*
- 26.1.1.5 *To provide for protection of rural land so future resource development opportunities are no lost.*
- 26.1.1.6 *To ensure development respects and protects the natural and landscape values on the land.*

Clause 26.1.2 – Local Area Objectives

There are no Local Area Objectives for Alonnah in the Zone.

Clause 26.1.3 – Desired Future Character Statements

There is no Desired Future Character Statement for Alonnah in the Zone.

Comment:

The proposal complies with the above-mentioned statements and objectives as demonstrated in the assessment section below since:

- The proposal provides residential and visitor accommodation uses that are respectful of the natural and landscape values and do not constrain or unreasonably conflict with resource development uses;
- The proposal does not fetter existing or potential rural resource use on other land,
- The proposal does not add to the need to provide services or infrastructure or to upgrade existing infrastructure, due to the small scale of the proposed uses. The proposal includes the upgrade of the vehicle access over Crown land, the portion to be upgrade and its maintenance will be done by the applicant and will not burden any government body.
- The proposal does not contribute to the incremental loss of productive rural resources; and
- The development respects and protects the natural and landscape values on the land.

## Statutory Planning

The development uses are categorised as follows:

- A Dwelling is included in the Residential (Single Dwelling) Use Class under the Scheme.

Residential Use is a 'Permitted' use in the Environmental Living Zone only for single dwelling or home-based business. In this case the works in the Crown land are to access a single dwelling in the subject site, therefore, a Permitted Use in the zone.

In the Rural Resource Zone, Residential Use may be a 'Permitted' use only if home-based business or an extension or replacement of an existing dwelling. In this case the proposal is not for any of the above. Residential Use is 'Discretionary' in the zone, only if single dwelling. The proposal is for a single dwelling in the site. The proposed use is, therefore, a Discretionary Use in the zone.

- Holiday cabin is included in the Visitor Accommodation Use Class under the Scheme.

Visitor Accommodation Use is a 'Permitted' use in the Environmental Living Zone.

In the Rural Resource Zone, Visitor Accommodation Use is a 'Discretionary' use only if backpackers' hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, overnight camping area or seasonal workers accommodation. In this case, the applicant has applied for two (2) holiday cabins which are included in the qualifications for the Discretionary Use. The proposed use is, therefore, a Discretionary Use in the zone.

- As per Clause 8.2.2 of the Planning Scheme "A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use". The development application include works to upgrade the access, driveway, the removal of two (2) trees, and clearance or conversion of native vegetation. These works are directly associated with the proposed residential and visitor accommodation uses. In accordance with Clause 8.2.2 they must be categorised into the same use class as the use they are subservient for. Therefore, these works are classified under the same use classes than the proposed dwelling and holiday cabins. The only works proposed in the Environmental Living Zone are the upgrade of the access and associated vegetation removal. As explained above, they are 'Permitted' use in this zone.

In summary, the use is categorised as Residential (Single Dwelling) and Visitor Accommodation (Holiday Cabin) under the Scheme, which are uses that requires a permitted assessment in the Environmental Living Zone and discretionary assessment in the Rural Resource Zone. Irrespective, the application is discretionary due to the reliance on performance criteria to comply with applicable standards.

Council's assessment of this proposal should also consider the issues raised in the representations, the outcomes of any relevant State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

### 2.3 Use and Development Standards

The proposal satisfies the relevant Acceptable Solutions of the Scheme (see checklist in Attachment 1), with the exception of the following:

**Environmental Living Zone**

**Clause 14.4.3 – Design**

<b>Objective</b>
To ensure that the location and appearance of buildings and works minimises adverse impact on natural values and on the landscape.
<b>Acceptable Solution A1</b>
The location of buildings and works must comply with any of the following: (a) be located within a building area, if provided on the title; (b) be an addition or alteration to an existing building; (c) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline.
<b>Performance Criteria P1</b>
The location of buildings and works must satisfy all of the following: (a) be located in an area requiring the clearing of native vegetation only if: (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope; (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures; (iii) the location of clearing has the least environmental impact. (b) be located on a skyline or ridgeline only if: (i) there are no other sites suitable for development due to access difficulties or excessive slope; (ii) there is no significant impact on the rural landscape; (iii) building height is minimised; (iv) any screening vegetation is maintained. (c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.
<b>Proposal</b>
The proposal requires works for the upgrade of the vehicular access on Crown land. These works rely on removal of 0.0065ha of native vegetation classified as <i>Eucalyptus ovata</i> forest (DOV) and a non-high conservation value tree identified as a black gum with a diameter at standard height of 25cm. As there is no title for the Crown land, and the proposal is for works; the proposal is unable to meet the Acceptable Solutions and relies on assessment against the Performance Criteria.

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

- The works are for the upgrading of the existing vehicle access to Australian Standards, LGAT requirements, and to make the access bushfire compliant. The access is unable to be upgraded in an area clear of vegetation.
- The extent of clearing is the minimum necessary to achieve a compliant access.  
  
 There is no other option for the location of the clearing. The proposal requires the removal of understorey, and only an individual tree be removed which is a tree not identified as a high conservation value tree.
- The works are not proposed to be located on a skyline or ridgeline.
- The works will not substantially impact the landscape of the area.

It is recommended that any planning permit includes a condition requiring the protection of the vegetation (including individual trees) that are identified for retention during works

**Environmental Living Zone**  
**Clause 14.4.5 – Environmental Values**

<b>Objective</b>
To ensure development maintains and enhances environmental values.
<b>Acceptable Solution A1</b>
Development must be located within a building area on a plan of subdivision.
<b>Performance Criteria P1</b>
The application is accompanied by an environmental management plan for the whole site, setting out measures to be put in place to protect flora and fauna habitats, riparian areas, any environmental values identified as part of a site analysis, and identify measures to be used to mitigate and offset adverse environmental impacts.
<b>Proposal</b>
The works are not located in a building area on a plan of subdivision. The proposal relies on assessment against the Performance Criteria.

The proposed variation can be supported pursuant to this Performance Criteria of the Zone provided that a condition in any planning permit requires that prior to the commencement of any works, an environmental management plan is prepared for the site to the Satisfaction of the Manager Development Services and implemented This plan must identify how the environmental values on the site are being managed and protected.

**Rural Resource Zone**  
**Clause 26.3.1 – Sensitive Use (including residential use)**

<b>Objective</b>
To ensure sensitive use does not unreasonably convert agricultural land or conflict with or fetter non-sensitive use.
<b>Acceptable Solution A1</b>
A sensitive use is for a home-based business or an extension or replacement of an existing dwelling or existing ancillary dwelling, or for home-based child care in accordance with a licence under the Child Care Act 2001.
<b>Performance Criteria P1</b>
A sensitive use must not unreasonably convert agricultural land or conflict with or fetter non-sensitive use on adjoining land having regard to all of the following: (a) the characteristics of the proposed sensitive use; (b) the characteristics of the existing or likely non-sensitive use on adjoining land; (c) setback to site boundaries and separation distance between the proposed sensitive use and existing or likely non-sensitive use on adjoining land; (d) any characteristics of the site and adjoining land that would buffer the proposed sensitive use from the adverse impacts on residential amenity from existing or likely non-sensitive use.
<b>Proposal</b>
There is no existing dwelling in the site. The proposal involves the construction of a single dwelling, establishment of residential use (which is a sensitive use), and the construction of two holiday cabins (Visitor Accommodation) which is considered a sensitive use applying a similar rationale used in <i>ACEN Robbin Island Pty Ltd v Circular Head Council [2024] TASCAT 48</i> . Therefore, the proposal relies on assessment against the Performance Criteria.

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

- The Performance Criteria requires that a sensitive use must not unreasonably convert agricultural land or conflict with or fetter non-sensitive uses on adjoining land. It is important to note that the Performance Criteria does not state that the proposal have no impact, just that the impact must not be unreasonable.
- It is also important to note that the phrase “to have regard to” has been previously interpreted by the Resource Management and Planning Appeal Tribunal (RMPAT) as directing the planning authority to consider and give due weight in assessing the application to elements that are included in the performance criteria as important elements in reaching a decision, but the planning authority remains unfettered by them. (*R Nicholas v Kingborough Council [2018] TASRMPAT 1 (15)*).
- Regarding conversion of agricultural land, according to the LIST Land Capability mapping, the site is classified with a Land Capability of Class 6 which means that the land is marginally suited for grazing due to severe limitations, reducing their possibility to grazing and low intensity cropping. The northern portion of the lot which was historically used for grazing has been left to revegetate and was planted with Eucalyptus globulus as part of the Threatened Woodlands Birds of Bruny Island Project. Considering the land capability and that there is no large, cleared areas on the site, any foreseeable agricultural use of the site would likely be very limited.
- It is noted there is a relatively small organic olive grove central to the site, and this is proposed to be maintained as part of the proposal. Being an organic grove at a small scale, it is expected that the activities associated with this agricultural use including spray, vehicle movement and noise, are to be at a minimum. Given the olive grove and the sensitive use will be in the same ownership, there is not expected to be any unreasonable conflict between the sensitive uses proposed and the existing agricultural use on the site.
- The dwelling is proposed to be located approximately 350m from the olive grove, and the cabins are proposed to be located approximately 70m from the olive grove. The holiday cabins will be separated from the olive grove by existing vegetation on the site which will act as a natural screen and any minimise amenity impacts from the farming activity on the sensitive use.
- The proposed dwelling and holiday cabins are also of a modest gross floor area.
- Based on the above points, the proposed sensitive uses will not convert or conflict with existing or likely to exist non-sensitive uses agricultural land on the site.
- In terms of conflicting with or fettering non-sensitive uses on adjoining land, the term ‘adjoining’ is not defined within the Planning Scheme. For the purposes of this assessment, it is taken to mean the land that shares a boundary with the subject site. Some consideration has also been given to the land to the west of the adjoining Crown land given the proximity, although technically these properties do not adjoin the subject site. It is concluded that irrespective of whether you include the properties to the west, the proposal is assessed as complying with the Performance Criteria as detailed below.
- Neighbouring properties to the west are all zoned Environmental Living. Non-sensitive uses in the zone are Discretionary and highly restricted, being Resource Development the only likely to occur. Resource Development is defined in the Planning Scheme as:

“use of land for propagating, cultivating or harvesting plants or for keeping and breeding of livestock or fishstock. If the land is so used, the use may include the

handling, packing or storing of produce for dispatch to processors. Examples include agricultural use, aquaculture, bee keeping, controlled environment agriculture, crop production, horse stud, intensive animal husbandry, plantation forestry and turf growing.”

The Environmental Living zone has a qualification for Resource Development which restricts the use in the zone to “Only if agricultural use or crop production on predominantly cleared land”.

The neighbouring lots zoned Environmental Living are predominantly vegetated. The lot to the northwest (CT 39064/5) does contain dams and is partially cleared. This is the only Environmental Living Zone lot likely to be used for a non-sensitive use in accordance with the Planning Scheme. However, based on the topography, distances of the proposed buildings for sensitive uses on the subject site, existing vegetation, and the regenerating blue gum forest; it is considered that the proposal will not fetter any likely non-sensitive use on that property.

- The neighbouring properties to the east and south are both zoned Rural Resource and non-sensitive uses are occurring or are likely to occur on these sites.

Resource Development is a No Permit Required use in this zone only if “agriculture, bee keeping, crop production, forest operations in accordance with a Forest Practices Plan, horse stud or tree farming and plantation forestry in accordance with a Forest Practices Plan”. All other Resource Development uses are Permitted in the use table of the Rural Resource Zone.

Currently the use of these properties appears to be limited to grazing (cattle, horses, sheep) and crop production. These uses are consistent with the Land Capability classification of the properties, which classifies most of the surrounding properties as Class 6 and the southeastern corner of the southeast neighbouring property (CT 114630/3) as Class 5 (See Figure 5).

Land classified as Class 6 is “Land marginally suited to grazing due to severe limitations”, and Class 5 is “Land unsuited to cropping and with slight to moderate limitations to pastoral use”. It is acknowledged that the suitability of the land for agricultural use is determined by various factors (environmental values, water availability, salinity of the soil, topography, etc.); however, this rating gives the planning authority an indication of the agricultural potential of the land. In this case it seems reasonable that any future non-sensitive uses on the properties will likely be grazing, cropping and/or timber harvesting as further discussed below.

A portion of the neighbouring land (CT 114630/3) is declared as a Private Timber Reserve (PTR) under the *Forest Practice Act 1985*. The PTR extends to the south and east boundaries of the site subject to this proposal. A PTR is an area of land set aside for forestry purposes providing long-term security for forest activity and management in accordance with the *Forest Practice Act 1985*. Forestry activities within a PTR may or may not require a Forest Practices Plan in accordance with the *Forest Practices Regulations 2017*.

The likely potential sources of land use conflict between sensitive uses and agricultural uses (including forestry activity) include impacts from spray, smoke, dust, noise, and vehicle movements. These can be mitigated in various ways such as large separation distances, vegetation screening and temporary noise mitigation measures.

Forestry activity has occurred within the PTR in the last ten years including in the northwestern portion of the PTR (Figure 7). The dwelling is proposed to be located 30m from the boundary which is also the boundary of the PTR. The application included supporting information from the owners’ legal representative which states:

“the land falls away quickly to the south-west of the proposed dwelling with, what would appear to be, a 20m change in elevation within the 100m separation from the dwelling (...) it is anticipated that the bulk of operations, even within 100m of the proposed dwelling would be shielded by the topography (...)

[Forestry] Activity is necessarily therefore intermittent, with intervals of many years between clearance/logging events (...) therefore the emissions are likely to be short-lived”

Council’s officer generally agrees with this opinion. The dwelling will be shielded by the topography, and by vegetation retention for most of the forestry activities that may occur within the PTR (spray, dust, noise, and vehicle movement). However, it is evident that the required bushfire hazard management area for the dwelling reduce the ability to retain a vegetation buffer in all the area around the dwelling leaving at least a portion of the dwelling exposed to impacts arising from the forestry activity, especially noise.

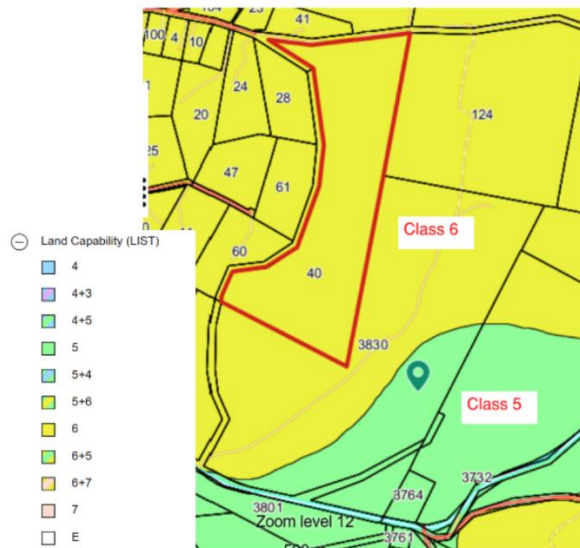
The applicant has proposed to enter in an agreement pursuant to section 71 of the *Land Use Planning and Approvals Act 1993* (Part 5 Agreement) to impose that “the onus is to be upon the occupant of the proposed dwelling to take measures to mitigate against noise emissions associated with harvesting of timber within the PTR. It is anticipated that this could be achieved through the deployment of temporary acoustic baffling, albeit alternate mechanisms would exist”. Council’s officers support this as a mitigation measure that avoid or minimises any land use conflict between the proposed uses and any non-sensitive uses.

However, it is considered that the Part 5 Agreement must specify that any deployment of temporary acoustic baffling must be previously informed by a noise report prepared by a suitably qualified person, unless design mitigation measures can be achieved (sound absorbing materials, glass and/or façade treatment, etc.).

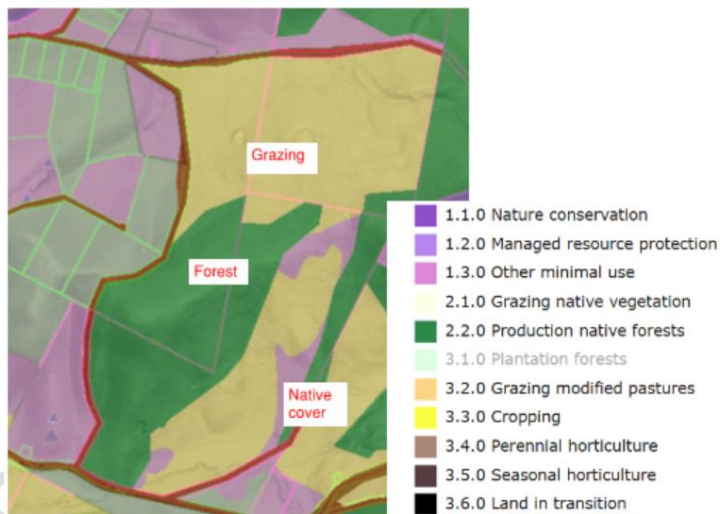
The proposed holiday cabins will also be located close to the PTR (31.5m minimum). However, they are located within a portion of the site which is vegetated. The existing vegetation and distance provide enough opportunity to avoid or minimise any land use conflict with any future forestry activity in adjoining land. The setback of the proposed sensitive uses from the PTR is also discussed in the assessment against Clause 26.4.2 – Setbacks.

The location of the proposed dwelling will not fetter any grazing and/or cropping activities on neighbouring land due to the separation distances from any of these activities currently occurring or likely to occur. The holiday cabins similarly are well separated from the area in which these activities take place or are likely to take place on neighbouring properties. Additionally, the holiday cabins are 31.5m from a portion of the PTR on CT 114630/3 which provide a buffer from cropping and grazing activities. As mentioned above, only forestry activities shall occur within the PTR, other proposed activity will require further permit under the *Forestry Act 1985* or the *Land Use Planning and Approvals Act 1993* (the Act).

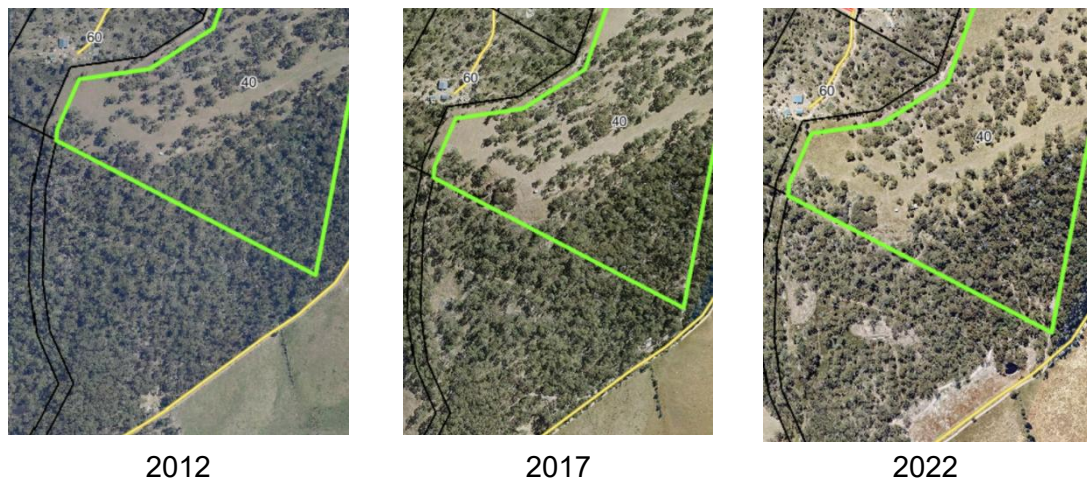
- The proposal is therefore assessed as being compliant with the Performance Criteria, provided that a condition is included in any planning permit requiring that the owner enter in a Part 5 Agreement with Council to ensure that the onus of implementing any noise mitigation measures is upon the owner of the subject site. Any mitigation measure must be previously informed by a noise report that assesses the forestry activity and considers the topography of the land. This report must be prepared by a suitably qualified person. The proposed Part 5 Agreement must be then executed and registered in the title of the subject site.



**Figure 5** Land Capability (LIST) of the site and surrounding properties. The land capability is classified as Class 6 for the site and surrounding area with the exclusion of the south and southeastern part of the neighbouring land which classified as Class 5 (Source, Spectrum 2024).



**Figure 6** Land Use 2021 (the most current version available) of the site and surrounding areas. The agricultural activities identified are grazing and forest (within the existing Private Timber Reserve (PTR) in the adjoining land, and the removed PTR in the site) (Source, The LIST map)



**Figure 7** Historical aerial imagery showing forestry activity within the Private Timber Reserve in adjoining property to the south of the site (Source, Spectrum)

**Rural Resource Zone  
Clause 26.3.2 – Visitor Accommodation**

<b>Objective</b>
To ensure visitor accommodation is of a scale that accords with the rural character and use of the area.
<b>Acceptable Solution A1</b>
Visitor accommodation must comply with all of the following: (a) is accommodated in existing buildings; (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) has a floor area of no more than 160m <sup>2</sup> .
<b>Performance Criteria P1</b>
Visitor accommodation must satisfy all of the following: (a) not adversely impact residential amenity and privacy of adjoining properties; (b) provide for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site; (c) be of an intensity that respects the character of use of the area; (d) not adversely impact the safety and efficiency of the local road network or disadvantage owners and users of private rights of way; (e) be located on the property’s poorer quality agricultural land or within the farm homestead buildings precinct; (f) not fetter the rural resource use of the property or adjoining land.
<b>Proposal</b>
The proposed Visitor Accommodation will be accommodated in new buildings. Therefore, the proposal relies on assessment against the Performance Criteria.

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

- The use is proposed to be located a minimum of 31.5m from the western side boundary, within the existing vegetation. The adjacent property to the southwest (CT 1140630/3) contains a residence setback approximately 330m from the side boundary. While the cabins will have a window in the first floor (approximately 6m above natural ground level), the topography and sight of line protect privacy of the neighbouring property, i.e. the closest building to the boundary is a machinery shed over 80m AHD, and the finished floor level of Cabin A which is the closest to that boundary is around 75m AHD. The PTR also acts as a vegetation screening between both properties. It is considered that there will be no impact on privacy due to overlooking.

While the driveway is located close to the western boundary, the topography and separation distance shield the dwelling in the neighbouring property from any overlooking or impacts from vehicle movement and lights.

The proposed holiday cabins are one-bedroom cabins. Council’s Environmental Health officer has advised that the noise expected from these is similar to that produced by residential uses, therefore, it is considered that there will be no unreasonable amenity impacts due to noise.

- The proposal includes parking for the holiday cabins and provides for appropriate spaces for manoeuvring within the bushfire compliant driveway. These spaces are compliant with the Parking and Access Code of the Planning Scheme.

- The proposed visitor accommodation use is of low intensity with only two cabins. The applicant has provided a draft Visitor Management Plan (VMP) which specifies that the cabins will have a maximum number of visitors per cabin of two (2) people, and an expected booking frequency of once per week. The design of the cabin aims to blend with the natural environment using wood and rock tiles as the main materials and is proposed to be located in an area of modified land with mature trees which screen the building and act as privacy screening. It is considered that the intensity of the use will respect the character of the area.
- The proposal includes upgrading the access over the Crown land up to Australian Standards, LGAT, and bushfire requirements. Currently the road is a dirt access approximately 4m wide which is not bushfire compliant. The upgrade of the road will result in a safer and efficient access.
- The proposal does not rely on a Right of Way.
- Council’s Development Engineer has calculated the traffic movements in accordance with the RTA (Roads and Traffic Authority NSW) – Guide to Traffic Generating Developments (2002) (now adopted by Transport for NSW). Visitor Accommodation Use is typically assessed under the RTA using proxy land uses—most commonly motels/serviced accommodation, because the guide does not always list “visitor accommodation” as a separate category. From the RTA guideline visitor accommodation will result in a maximum of three (3) trips per day per cabin, and the proposed residential use will result in a maximum of eight (8) trips per day; adding to a maximum of 14 trips per day. Council’s Development Engineer advised that the traffic from the development is not expected to create any adverse safety or efficiency concerns on the road network. The traffic movement is negligible, and the upgrade of the access will not result in disadvantage to any user of Paraweena Road.
- The holiday cabins will be located within existing modified vegetation with mature trees which is not land suitable for agricultural use. The proposed Visitor Accommodation use will not reduce the agricultural land available on the site.
- The only agricultural use on the site is the organically managed olive grove as discussed earlier in the report.
- The cabins are well setback and buffered from any non-sensitive use occurring or likely to occur in neighbouring properties, including forestry activity within the PTR.
- It is considered that the proposal complies with the Performance Criteria, provided a condition is included in any planning permit requiring that prior to the commencement of the use on site, a VMP that includes measures to limit, manage and mitigate impacts upon residential amenity and privacy of adjoining properties must be submitted and approved by the Council’s Manager Development Services.

**Rural Resource Zone**  
**Clause 26.3.3 – Discretionary Use**

<b>Objective</b>
To ensure that discretionary non-agricultural uses do not unreasonably confine or restrain the agricultural use of agricultural land.
<b>Acceptable Solution A1</b>
No acceptable solution.
<b>Performance Criteria P1</b>
A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following: (a) the characteristics of the proposed non agricultural use;

<p>(b) the characteristics of the existing or likely agricultural use;</p> <p>(c) setback to site boundaries and separation distance between the proposed non agricultural use and existing or likely agricultural use;</p> <p>(d) any characteristics of the site and adjoining land that would buffer the proposed non agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</p>
<p><b>Proposal</b></p>
<p>The proposed Visitor Accommodation will be accommodated in new buildings. Therefore, the proposal relies on assessment against the Performance Criteria.</p>

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

- The cleared land of the property which was once used for agricultural purposes has been left for regeneration and the owner has planted eucalyptus globulus resulting in a regenerating vegetation as discussed earlier in the report. The only agricultural use occurring in the site is the organic olive grove. The proposal will not result in any conflict with the existing agricultural use occurring on the site.
- The proposed dwelling is of a small footprint, and while close to the PTR, the topography, existing vegetation, and other mitigation measures (temporary acoustic baffling) will avoid and minimise land use conflict with any future forestry activity in the PTR. The dwelling is well setback from any other agricultural use occurring or likely to occur in the adjoining properties.
- The holiday cabins are relatively small in footprint and located within modified land surrounded by mature trees providing screening and privacy to adjoining properties. As mentioned above (see assessment against Clause 26.3.1 P1), the existing vegetation provides enough buffer opportunity to avoid or minimise land use conflict with any future forestry activity in the PTR. Other than the forestry activity, the cabins are well setback from any other agricultural use occurring or likely to occur in adjoining properties.
- As mentioned above (see assessment against Clause 26.3.1 P1) the current agricultural uses on adjoining land are grazing and low intensity cropping which have sufficient separation distances to the proposed buildings and uses. Additional consideration has been given to forestry activity within the PTR in adjoining property. The dwelling and holiday cabins will be shielded of any forestry activity due to the topography, existing vegetation, and provided mitigation measure (i.e. temporary acoustic baffling). The applicant has proposed to enter in a Part 5 Agreement to ensure that the onus of any noise mitigation measure is on the owner of the subject site. Council officers are generally supportive of the proposed Part 5 Agreement, however are of the opinion that a noise report must inform any mitigation measure required under the Part 5 Agreement.
- As mentioned above, the Part 5 Agreement must specify that any deployment of temporary acoustic baffling must be previously informed by a noise report prepared by a suitably qualified person, unless design mitigation measures can be achieved (sound absorbing materials, glass and/or façade treatment, etc.)
- Provided the above, and provided that the condition included in the assessment of the Performance Criteria for Clause 26.3.1 P1 is included in any planning permit issued, it is considered that the proposed uses do not unreasonably confine or restrain the agricultural use of agricultural land.

**Rural Resource Zone**  
**Clause 26.4.2 - Setbacks**

<b>Objective</b>
To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.
<b>Acceptable Solution A2</b>
Building setback from side and rear boundaries must be no less than: 50 m.
<b>Performance Criteria P2</b>
Building setback from side and rear boundaries must maintain the character of the surrounding rural landscape, having regard to all of the following: (a) the topography of the site; (b) the size and shape of the site; (c) the location of existing buildings on the site; (d) the proposed colours and external materials of the building; (e) visual impact on skylines and prominent ridgelines; (f) impact on native vegetation.
<b>Proposal</b>
The proposed dwelling and holiday cabin (Cabin A) are located within 50m from the rear boundary and east side boundary respectively. The proposal is unable to meet the Acceptable Solutions; therefore, the proposal relies on assessment against the Performance Criteria.

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

- The dwelling is in a historically cleared area, outside of the scenic landscape overlay, and below the ridgeline. The land falls to the south rapidly from the dwelling. Cabin A is located in a northwestern aspect that slopes down away from the side boundary.
- The site has an irregular elongated shape and is 25.55ha in size. The proposed dwelling and holiday cabins are relatively small and are located in parts of the lot that minimise vegetation removal and take advantage of the topography.
- The dwelling will be located close to an existing outbuilding on the site, and the holiday cabins will be relatively close to existing farm shed on the site.
- The proposed materials have been selected to blend with the environment being principally wood, rock tiles, and brick. The surfaces will be coloured with light reflectance value of less than 40 percent.
- A visual impact study prepared by Giles Newstead (MANA Architects) for the dwelling was provided. The visual impact concluded that:
 

“(…) the building site is only visible in an 8-degree view cone (of possible 360 degree). Even within this cone the potential to see the building only exists between approx. 750m and 1.2Km away from the building site and the use of binoculars is required to identify the site.

The building will further be partially obscured by larger foreground trees and will be constructed of muted, natural and non reflectant materials.

The top RL of the building will sit well below the visible ridgeline”.
- The proposal includes the removal of 0.06ha of Eucalyptus pulchella forest (DPU) (0.05ha of which is classified as regenerating DPU) for the establishment of the BHMA of the dwelling, approximately 0.0065ha of Eucalyptus ovata (DOV) for the upgrading

of the access over Crown land; and approximately 0.046ha of Revegetating vegetation (FRG) for the establishment of BHMA for the holiday cabin and works related to stormwater and wastewater management. The removal of this vegetation will not result in a substantial impact or change of the rural landscape.

- For all of the above, it is considered that the proposal will maintain the desirable characteristics of the rural landscape.

It is recommended that any planning permit issued includes a condition requiring that the proposed buildings are coloured using colours with a light reflectance value less than 40 percent. Building plans provided for the building process must demonstrate this.

**Rural Resource Zone**  
**Clause 26.4.2 - Setbacks**

<b>Objective</b>
To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.
<b>Acceptable Solution A3</b>
Building setback for buildings for sensitive use must comply with all of the following: (a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m; (b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.
<b>Performance Criteria P3</b>
Building setback for buildings for sensitive use (including residential use) must prevent conflict or fettering of primary industry uses on adjoining land, having regard to all of the following: (a) the topography of the site; (b) the prevailing setbacks of existing buildings on nearby lots; (c) the location of existing buildings on the site; (d) retention of vegetation; (e) the zoning of adjoining and immediately opposite land; (f) the existing use on adjoining and immediately opposite sites; (g) the nature, frequency and intensity of emissions produced by primary industry uses on adjoining and immediately opposite lots; (h) any proposed attenuation measures; (i) any buffer created by natural or other features
<b>Proposal</b>
The proposed buildings are within 100m of a Private Timber Reserve (PTR) on neighbouring lot (ID. 3353.). The dwelling is proposed to be located 30m from the PTR, and the holiday cabins are proposed to be located a minimum of 31.5m from the PTR.  The proposal is unable to meet the Acceptable Solutions and relies on assessment against the Performance Criteria.

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

- The Performance Criteria requires that setbacks for buildings for sensitive use must prevent conflict or fettering of primary industry uses on adjoining land. Since the Acceptable Solutions suggests that 100m is a distance in which there will be no conflict or fettering of primary industry uses, it seems reasonable to conclude that any building less than 100m from a PTR may conflict or fetter primary uses. The objective of this clause suggests that certain impact or fettering is allowed since it includes the word “minimise” land use conflict. It is considered that the Performance Criteria must be read in the light of the objective, and that the setbacks are to “minimise” land use conflict which implies that there is a minimum level of conflict or fettering that is allowable under the scheme.
- As mentioned above, the Acceptable Solution suggests that a setback of 100m between a building and the private timber reserve is deemed to avoid fettering of forestry activity and ignores the particular circumstances of a site and its surroundings.
- Looked at in reverse, operations within the PTR within 100m of the proposed sensitive uses are those that are most relevant to the assessment under the performance criterion since they are likely to be fettered. These are considered principally as the zone of impact. The zone of impact is approximately 0.95ha for the dwelling and 0.025ha for the cabins. Considering the area of impact, it is clear that any forestry activity within the zone of impact will be of low to very low frequency.
- The topography falls rapidly from the location of the dwelling to the PTR on adjoining land, resulting in a natural topographic buffer that minimise the impact of spray, dust, and vehicle movement on the dwelling.
- The proposed setback from the PTR is consistent with setbacks in nearby lots. The following properties within the vicinity have dwellings within 100m of a PTR:



*Existing dwelling at neighbouring land (CT 114630/3) is located at approximately 30m from the PTR on their land.*



*Existing dwelling at 15 Adams Road (CT 218976/1) being approximately 40m from the PTR in neighbouring land.*



*Existing dwelling at 3732 Bruny Island Main Road (CT 64521/1) being approximately 50m from PTR in neighbouring land.*

- As discussed before, there is only a portion of the dwelling that will not have opportunity for retention of vegetation due to bushfire requirements. Otherwise, the surrounded area of the dwelling will be shielded from any forestry activity due to retention of vegetation.
- The nature of emissions from forestry activity within the PTR are expected include impacts from spray, dust, noise, smoke, and vehicle movement. As the PTR encompasses native vegetation and not plantation forest, it is understand that once the harvesting is done, the regeneration of the forest will take a considerable period of time, i.e. Figure 7 above shows an area harvested around 2012 located approximately 120m southwest of the boundary with the site, which is still regenerating (see Figure 8). It is acknowledged that harvesting within a PTR may or may not require approval of a Forest Practice Plan. It may not require approval if harvesting 1ha of timber and is exempt under the Forest Practices Regulations 2017.
- Based on that information, forestry activity within the PTR is expected to be intense when occurring but low in frequency, therefore, the emissions are likely to be short-lived.

As mentioned above, the topography, remaining vegetation, and separation distance will likely minimise impacts from emissions like dust, vehicle movement and spray.

In relation to noise, the applicant has provided the following opinion:

“In the event that the timber [is] harvested within the PTR, it is anticipated that long intervals between logging activity would occur. The infrequency of the activity together with the noise emissions associated with the activity lead us to compare the experience of noise from forestry, particularly that within the zone of impact, to construction related noise.

Typically, people are able to tolerate a higher level of noise for a shorter duration, such as that associated with temporary or intermittent activity like construction or forestry of the scale likely to be associated with the affected area.

Using the [Interim] Construction Noise Guidelines (New South Wales Department of Environment and Climate Change, July 2009) as a guide, noise emissions of 75dB(A)  $L_{Aeq}(15min)$  are considered to represent the point above which there may be strong community reaction to construction noise. This can be contrasted with the Tasmanian Environmental Protection Policy (Noise) 2009 which provides acoustic environment indicator levels for dwellings of 50 and 55dB(A)  $L_{Aeq}(16hrs)$  outdoors. I note that these latter levels adopt a significantly longer time period over which the noise levels are measured and averaged and are the levels at which moderate and significant annoyance may be expected.

On this analysis, noting that the time to harvest timber within the zone of impact is anticipated to be significantly shorter than for construction activity, we remain of the opinion that land use conflict or fettering of the harvesting activity is unlikely to occur.”

The applicant added that a Draft Construction Noise Guideline from 2020 (NSW EPA) which is intended to replace the referred Interim Construction Noise Guideline does not recommend any changes relating to the 75db(a)  $L_{Aeq}(15min)$ .

The Acceptable Solution suggests that a separation distance of 100m from forestry activities is enough to avoid land use conflict with sensitive use. Following that suggestion, spatial analysis shows that the proposed location of the building for sensitive use would have a possible area of land conflict of approximately 0.95ha to the south of the dwelling and 0.25ha to the east of the holiday cabins on the PTR (Figure 8). It is noted that the area of impact is less than 10 percent of the PTR (Figure 9).

- As an attenuation measure, the applicant has proposed to enter in a Part 5 Agreement to impose that “the onus is to be upon the occupant of the proposed dwelling to take measures to mitigate against noise emissions associated with harvesting of timber within the PTR. It is anticipated that this could be achieved through the deployment of temporary acoustic baffling, albeit alternate mechanisms would exist”. As mentioned above, Council’s officers support this as a mitigation measure that avoid or minimises any land use conflict between the proposed uses and any non-sensitive uses.

However, it is also considered that the Part 5 Agreement must specify that any deployment of temporary acoustic baffling must be previously informed by a noise report prepared by a suitably qualified person, unless design mitigation measures can be achieved (sound absorbing materials, glass and/or façade treatment, etc.).

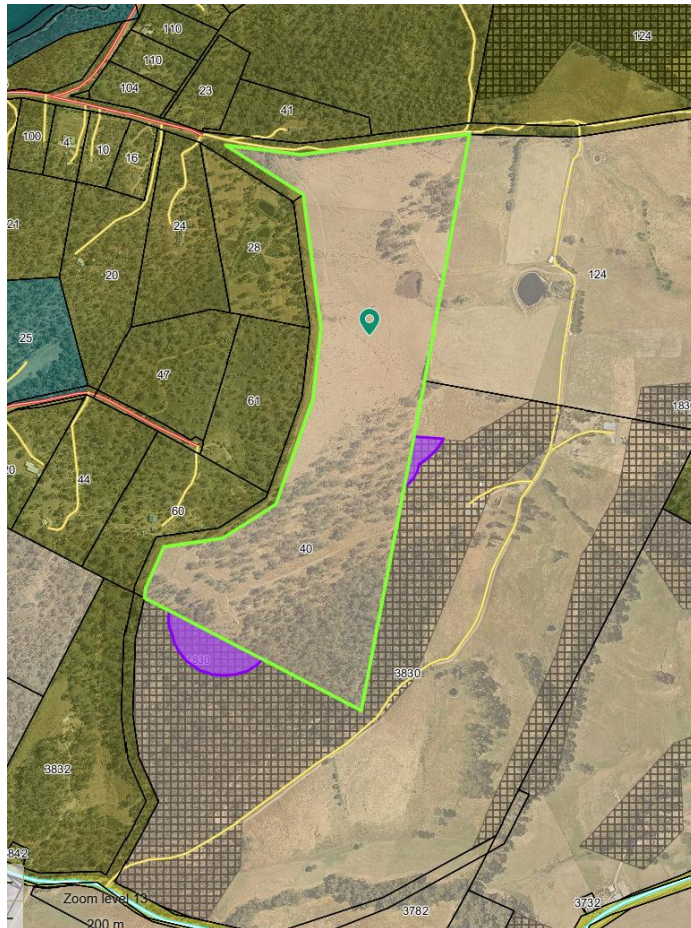
- The proposed dwelling and holiday cabins will be located nearby existing outbuildings. The dwelling will be located close to the historical existing outbuilding at the top of the lot, and the cabins are in the vicinity of the farm shed. Both outbuildings are within 100m of the PTR.
- The topography slopes down with an aspect north-northwest from the PTR to the holiday cabin location. However, the cabins are proposed to be located within a portion of the site which is vegetated and protect the cabins from any environmental nuisance produced by the forestry activity. The existing vegetation and distance

provide enough opportunity to avoid or minimise any land use conflict between the proposed visitor accommodation and any future forestry activity in adjoining land. Additionally, it is considered that visitors are advised at the booking stage of the existence of the PTR in neighbouring land.

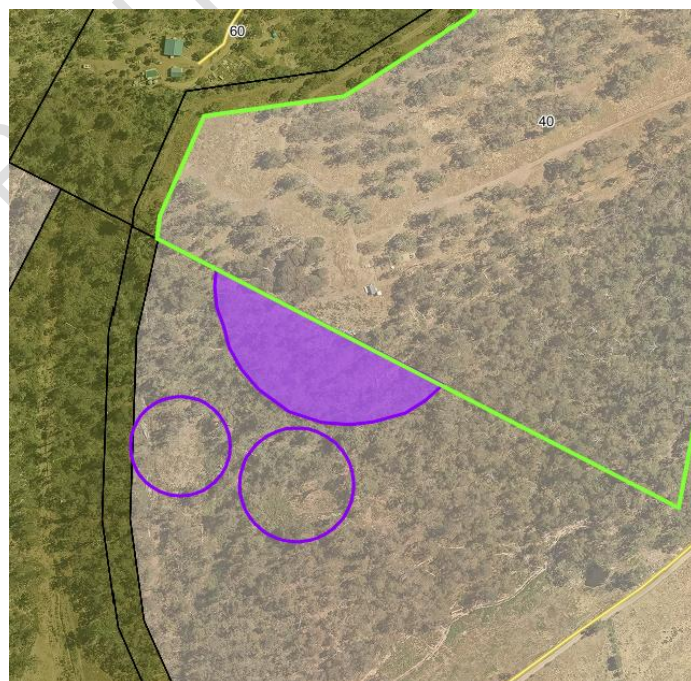
- Given the above and provided that a condition is included in any planning permit requiring that the owner enter in a Part 5 Agreement with Council to ensure that the onus of implement any noise mitigation measures is upon the owner of the subject site. Any mitigation measure must be previously informed by a noise report that assesses the forestry activity and considers the topography of the land. This report must be prepared by a suitably qualified person. The proposed Part 5 Agreement must be then executed and registered in the title of the subject site. Where the noise report recommends design mitigation measures, and these are shown in the building plans and implemented, there will be no necessity of any Part 5 Agreement.



**Figure 8** Aerial imagery of the PTR in neighbouring land showing harvested areas in 2012 and 2017 still regenerating in 2024 (Source, Spectrum, 2024)



**Figure 9** Aerial imagery showing approximately 100m area of impact on the PTR from the proposed buildings for sensitive use



**Figure 10** Aerial imagery showing the relative location of previous harvested areas in relation to the 100m are of impact

**Rural Resource Zone  
Clause 26.4.3 - Design**

<b>Objective</b>
To ensure that the location and appearance of buildings and works minimises adverse impact on the rural landscape.
<b>Acceptable Solution A1</b>
The location of buildings and works must comply with any of the following: (a) be located within a building area, if provided on the title; (b) be an addition or alteration to an existing building; (c) be located in an area not require the clearing of native vegetation and not on a skyline or ridgeline.
<b>Performance Criteria P1</b>
The location of buildings and works must satisfy all of the following: (a) be located on a skyline or ridgeline only if: (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure; (ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces; (b) be consistent with any Desired Future Character Statements provided for the area; (c) be located in an area requiring the clearing of native vegetation only if: (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure; (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.
<b>Proposal</b>
While the proposed buildings are not in a ridgeline or skyline. There is no building area in the title, the proposal is not for addition or alteration of existing buildings, and the proposal involves clearing of native vegetation including two trees: <ul style="list-style-type: none"> <li>• One (1) tree identified as a <i>Eucalyptus ovata</i> (black gum) with a diameter at standard height (DSH) of 25cm (T34), and</li> <li>• One (1) tree identified as <i>Eucalyptus pulchella</i> (white peppermint) with a DSH of 65cm (T97).</li> </ul> <p>Additionally, the removal of approximately 0.0065ha of DOV, 0.06ha of DPU, and approximately 0.046ha FRG, are proposed to upgrade the access and the establishment of the BHMA of the dwelling, respectively.</p> <p>The proposal is unable to meet the Acceptable Solutions and relies on assessment against the Performance Criteria.</p>

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

- The proposed buildings are not located on a skyline or ridgeline.
- There is no Desired Future Character Statement provided for the area.

- The Natural Values Letter prepared by North Barker confirmed that the northern portion of the lot was planted as part of the Threatened Woodlands Birds of Bruny Island Project and identified all this area as Regenerating vegetation (FRG) and provided the qualification that the restoration planting consists of Eucalyptus Globulus. There is, therefore, no site clear of native vegetation.
- The extent of clearing is the minimum necessary for the upgrade of the access, the establishment of the stormwater and wastewater systems, the establishment of the bushfire compliant driveway and of the bushfire hazard management area for the dwelling.
- It is recommended that any planning permit issue includes a condition limiting the clearing of native vegetation in accordance with the site plan (Drawing TP02, Revision 06, prepared by Mana); and the Natural Values Assessment (North Barker, November 2025), and requiring retention of individual trees and implementation of tree protection measures during construction and requiring building plans are consistent with the Bushfire Hazard Report and Bushfire Hazard Management Plan submitted with the development application (version 1.2, Jim Mulcahy, February 2025).

**E3.0 Landslide Code**

**Clause E3.6.2 – Vulnerable Use**

<b>Objective</b>
To ensure that: (a) vulnerable use, other than visitor accommodation, is only located on land in a Landslide Hazard Area in exceptional circumstances; (b) if a vulnerable use is located in a Landslide Hazard Area, landslide hazard management measures reflect the risk arising from the landslide hazard and the characteristics, nature and scale of the use taking into consideration the specific circumstances of users of the site.
<b>Acceptable Solution A2</b>
No acceptable solution.
<b>Performance Criteria P2</b>
Vulnerable use must satisfy all of the following: (a) No part of the vulnerable use is in a High Landslide Hazard Area; (b) Landslide risk to occupants, staff, visitors and emergency personnel associated with the vulnerable use is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk. (c) Landslide risk to occupants, staff and visitors takes into consideration their specific circumstances including their ability to: (i) protect themselves and defend property from landslide; (ii) evacuate in an emergency; (iii) understand and respond to instructions in the event of a landslide; whilst minimising risk to emergency personnel.
<b>Proposal</b>
Visitor Accommodation is a Vulnerable Use under the Code. There is no Acceptable Solutions, therefore, the proposal relies on assessment against the Performance Criteria.

A Landslide risk assessment (GES, December 2025) was submitted with the application. The submitted assessment demonstrate that the proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- No part of the vulnerable use is in High Landslide Hazard Area.
- The assessment confirm that the risk is acceptable.
- The Landslide risk assessment assessed the risk as low and concluded that people will have time to evacuate to the safe place in case of landslide event.

**E3.0 Landslide Code**

**Clause E3.7.1 – Buildings and Works, other than Minor Extensions**

<b>Objective</b>
To ensure that landslide risk associated with buildings and works for buildings and works, other than minor extensions, in Landslide Hazard Areas, is: (a) acceptable risk; or (b) tolerable risk, having regard to the feasibility and effectiveness of measures required to manage the landslide hazard.
<b>Acceptable Solution A2</b>
No acceptable solution.
<b>Performance Criteria P2</b>
Buildings and works must satisfy all of the following: (a) no part of the buildings and works is in a High Landslide Hazard Area; (b) the landslide risk associated with the buildings and works is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.
<b>Proposal</b>
While the buildings and works necessary for the buildings are exempt under Clause E3.4 (c), the proposal includes works for the establishment of the bushfire hazard management area of the holiday cabins. These works are not exempt.

A Landslide risk assessment (GES, December 2025) was submitted with the application. Based on the information provided in the assessment, the band of the landslide hazard area (Low), and the nature of the works, Council’s Development Engineer has advised that the proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- No part of the vulnerable use is in High Landslide Hazard Area.
- The risk is acceptable.

**E6.0 Parking and Access Code**

**Clause E6.7.3 – Vehicular Passing Areas along an Access**

<b>Objective</b>
To ensure that: (a) the design and location of access and parking areas creates a safe environment for users by minimising the potential for conflicts involving vehicles, pedestrians and cyclists; (b) use or development does not adversely impact on the safety or efficiency of the road network as a result of delayed turning movements into a site.

<p><b>Acceptable Solution A1</b></p> <p>Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p style="padding-left: 20px;">(i) it serves more than 5 car parking spaces;</p> <p style="padding-left: 20px;">(ii) is more than 30 m long;</p> <p style="padding-left: 20px;">(iii) it meets a road serving more than 6000 vehicles per day</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) it meets a road serving more than 6000 vehicles per day;</p> <p>(d) have the first passing area constructed at the kerb;</p> <p>(e) be at intervals of no more than 30 m along the access.</p>
<p><b>Performance Criteria P1</b></p> <p>Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:</p> <p>(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;</p> <p>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;</p> <p>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</p> <p>(d) ease of accessibility and recognition for users.</p>
<p><b>Proposal</b></p> <p>The proposed driveway is more than 30m long and does not provide vehicular passing areas at intervals of 30m along the access. The proposal is unable to meet the Acceptable Solution and relies on assessment against the Performance Criteria.</p>

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

- The proposed vehicular passing areas are designed as per bushfire requirements including all-weather construction, load capacity of at least 20t, passing bays of additional 2m additional carriageway width, 20m in length, and provided at a minimum of every 200m.
- With the expected daily volume of 14 vehicle trips per day the likelihood of opposing vehicles is low.
- There are limited pedestrians and cyclists in the vicinity.
- There are no adverse impacts on traffic flow on the road.
- There is minimum residential traffic.
- The vehicular passing areas are in sufficient number, dimension, and siting so that the access is safe, efficient and convenient and there will be no conflict between users and no effect on the traffic flow of the road.

**E7.0 Stormwater Management Code**

**Clause E7.7.1 – Stormwater drainage and disposal**

<p><b>Objective</b></p> <p>To ensure that stormwater quality and quantity is managed appropriately.</p>
<p><b>Acceptable Solution A1</b></p> <p>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>

<b>Performance Criteria P1</b>
Stormwater from new impervious surfaces must be managed by any of the following: (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles (b) collected for re-use on the site; (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.
<b>Proposal</b>
As there is no public stormwater infrastructure in the area, the proposal is unable to meet the Acceptable Solutions and relies on assessment against the Performance Criteria.

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

- In the absence of any public stormwater infrastructure, the stormwater from the new impervious surfaces is proposed to be collected in on-site water tanks for reuse, and the overflow will be managed with soakage trenches.

**E10.0 Biodiversity Code**  
**Clause E10.7.1 – Building and Works**

<b>Objective</b>
To ensure that development for buildings and works that involves clearance and conversion or disturbance within a Biodiversity Protection Area does not result in unnecessary or unacceptable loss of priority biodiversity values.
<b>Acceptable Solution A1</b>
Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.
<b>Performance Criteria P1</b>
Clearance and conversion or disturbance must satisfy the following: (a) <u>if low priority biodiversity values:</u> (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; and (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire resistant design of habitable buildings; and/or (b) <u>if moderate priority biodiversity values:</u> (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; and (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire resistant design of habitable buildings; and (iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values; and (iv) residual adverse impacts on moderate priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern

<p>Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2023; and/or</p> <p>(c) <u>if high priority biodiversity values:</u></p> <p>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; and</p> <p>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire resistant design of habitable buildings; and</p> <p>(iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values; and</p> <p>(iv) special circumstances exist; and</p> <p>(v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2023; and</p> <p>(vi) clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.</p>
<p><b>Proposal</b></p>
<p>There is no Building Area on a plan of subdivision approved under this planning scheme and vegetation clearance is proposed therefore the proposal is unable to meet the Acceptable Solution and relies on assessment against the Performance Criteria.</p>

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

- The proposal requires clearing of 0.0065ha of *Eucalyptus ovata* forest (DOV) which is a threatened native vegetation community under the *Nature Conservation Act 2002* (NCA) and the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBCA). This equates to a high priority biodiversity value under the Code. The proposal also relies on removal of approximately 0.046ha of *Regenerating vegetation* (FRG), and of 0.06ha of *Eucalyptus Pulchella* forest (DPU) which are low priority biodiversity value under the Code.

Additionally, two (2) individual non high conservation value trees are proposed for removal. These trees are one (1) *Eucalyptus ovata* (black gum) with a diameter at standard height (DSH) of 25cm (T34), and one (1) *Eucalyptus pulchella* (white peppermint) with a DSH of 65cm (T97). The removal of these trees trigger assessment against the Code but there are no relevant standards.

The removal of these trees will not result in unnecessary or unacceptable loss of priority biodiversity values.

Low priority biodiversity value

- Figure 1 on the NVL prepared by North Barker (November 2025) shows that the dwelling will be located partially in the only cleared area of native vegetation and individual trees within the property, close to the existing outbuilding in the southern part of the lot. However, the dwelling requires the clearing of 0.06ha of DPU (from which 0.05ha is regenerating) for the establishment of the BHMA.
- The holiday cabins are located in an area of modified land and works for the wastewater and stormwater management systems as well as for the establishment of

the BHMA will result in modification of approximately 0.046ha of FRG. No other native vegetation community within the main site is impacted by this part of the proposal.

- The site is subject to Scenic Landscape Overlay located within the 100m-102m above sea level. The location of the dwelling avoids the Scenic Landscape Overlay and the ridgeline/skyline. The location of the cabins in modified land and the wastewater and stormwater management systems are located to avoid removal of any mature trees.
- The extent of proposed clearing is the minimum necessary to achieve BAL-29 for the dwelling, and BAL-12.5 for the holiday cabins.

High priority biodiversity values

- The upgrading of the access over Crown land will result in the removal of approximately 0.0065ha of DOV. The access must be at bushfire standards and in accordance with Australian Standards and LGAT requirements. The existing access carriageway is approximately 4m wide, clearing of 0.5m each side is required for bushfire. The removal of DOV is unavoidable.
- The removal of 0.0065ha is the minimum necessary to establish a bushfire compliant access. And the impacts of bushfire has been reduced as far as reasonably practicable.
- Remaining values are proposed to be maintained and managed.
- Special circumstances apply since the extent of proposed removal of high priority biodiversity values on the site is insignificant relative to the extent of that community elsewhere in the vicinity.
- Residual adverse impacts on high priority biodiversity values not able to be avoided will be offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2023.
- clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.
- Due to the extent of removal of DOV (only 0.0065ha), it is considered that a financial offset is adequate in this case. Under the Biodiversity Policy, DOV is a Very High Priority value since it is listed as critically endangered under the NCA and EPBCA. The replacement ratio is, therefore 6 to 1. The financial offset for high (including very high) values is \$13,650 per hectare. The clearing of 0.0065ha equates to a financial offset of \$532.35.
- It is recommended that any planning permit issue includes a condition requiring that prior to commencement of any works the calculated offset is paid to Council's Environmental Fund, the management of retained biodiversity values on the site, and weed management during and after construction.

**E11.0 Waterway and Coastal Protection Code**  
**Clause E11.7.1 – Building and Works**

<b>Objective</b>
To ensure that buildings and works in proximity to a waterway, the coast, identified climate change refugia and potable water supply areas will not have an unnecessary or unacceptable impact on natural values.

<b>Acceptable Solution A1</b>
Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.
<b>Performance Criteria P1</b>
<p>Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) avoid or mitigate impact on natural values;</li> <li>(b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;</li> <li>(c) avoid or mitigate impacts on riparian or littoral vegetation;</li> <li>(d) maintain natural streambank and streambed condition, (where it exists);</li> <li>(e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</li> <li>(f) avoid significantly impeding natural flow and drainage;</li> <li>(g) maintain fish passage (where applicable);</li> <li>(h) avoid landfilling of wetlands;</li> <li>(i) works are undertaken generally in accordance with Waterways and Wetlands Works Manual (DPIWE, 2003) and Tasmanian Coastal Works Manual (DPIPWE, December, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.</li> </ul>
<b>Proposal</b>
There is no Building Area on a plan of subdivision approved under this planning scheme and works will occur within a Waterway and Coastal Protection Area.

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

- Works for the proposed access upgrades will occur within the buffer of a Class 4 waterway (minor stream). As mentioned above, these works include the clearing of 0.0065ha of DOV, which is the minimum necessary to construct bushfire compliant access. This impact is to be offset through financial contribution. The impact on natural values is not unnecessary or unacceptable and are unable to be avoided.
- There are no expected erosion, sedimentation and runoff impacts, since the upgrading will be compliant with Australian Standards and LGAT requirements.
- Littoral vegetation will not be impacted by the proposal.
- The class 4 stream is better described as an overflow path, no streambed or streambank is existing.
- In-stream natural habitat will not be impacted by the proposal.
- The development will not impede natural flow and drainage.
- Fish passage will not be impacted by the proposal.
- No landfilling of wetlands is proposed.
- The proposal complies with this criterion providing a condition is included in the permit requiring works are undertaken generally in accordance with the 'Wetlands and Waterways Works Manual' (DPIWE, 2003).

**E23.0 Wastewater Management Code**

**Clause E23.8.1 – Development Standards for Non-Residential Development**

<b>Objective</b>
To ensure sustainable onsite wastewater management for non-residential development.
<b>Acceptable Solution A1</b>
A land application area for non-residential development must comply with the following: (a) if including bedrooms, (such as visitor accommodation), the size of the land application areas must comply with Table E.23.1; (b) if other development, design flow rates must be no less than the rates provided in the following table: Wastewater Flow Design Fixture: Allowance per person per day: Closet Pan: 50L Urinals 25L Washbasin: 10L Shower: 30L Bath: 30L Laundry: 30L
<b>Performance Criteria P1</b>
The land application area is of sufficient size to comply with the requirements of AS/NZ1547..
<b>Proposal</b>
The proposed land application area for the holiday cabins is not complaint with the Acceptable Solutions and, therefore, relies on assessment against the Performance Criteria.

Council’s Environmental Health officer has assessed the proposal and has confirmed that variation can be supported pursuant to this Performance Criteria of the Code since the Wastewater Report (GEO Solutions, January 2025) shows that the wastewater management system is compliant with AS/NZ1547.

**E23.0 Wastewater Management Code**

**Clause E23.10.1 – Land Application Areas**

<b>Objective</b>
To ensure sustainable onsite wastewater management for non-residential development.
<b>Acceptable Solution A6</b>
Vertical separation distance between a limiting layer and a land application area must be no less than 1.5m.
<b>Performance Criteria P1</b>
Vertical separation distance between a limiting layer and a land application area must satisfy all of the following: (a) effluent must be no less than secondary treated effluent standard and applied through a subsurface land application system; (b) vertical separation distance must be no less than 0.5m, (whether 'in ground' or by use of a raised bed).

<b>Proposal</b>
The vertical separation distance is 0.5m. The proposal is unable to meet the Acceptable Solution and, therefore, relies on assessment against the Performance Criteria.

Council’s Environmental Health officer has assessed the proposal and has confirmed that variation can be supported pursuant to this Performance Criteria of the Code since the Wastewater Report (GEO Solutions, January 2025) shows that the wastewater is secondary treatment and will have no less than 0.5m of vertical separation form any limiting layer.

**2.4 Public Consultation and Representations**

The application was advertised in accordance with the requirements of s.57 of the *Land Use Planning and Approvals Act 1993* (from 1 April 2026 to 17 April 2026). Six (6) representations were received during the public exhibition period. The following issues were raised by the representors:

2.4.1 Issue – Proposed development is not in accordance with the Rural Resource Zone.

A number of issues were raised in relation to the Rural Resource Zone and the proposed uses including:

- (a) “I was informed that the no. 40 Paraweena Road property owners have since submitted a DA including construction of 2 “visitor accommodation” units that seem to be in complete contradiction of property’s agricultural zoning and primary purpose. In this respect, it is my belief that the actual purpose of the these “visitor accommodations” is commercial – tourism and as such would be in violation of the current zoning. (...) classifying the structures as “visitor accommodation” (where their actual purpose is for commercial use – tourism) in this instance seems as a euphemism and an opportunistic “loophole” in the current property zoning”
- (b) “Approval of this DA would contribute to the ongoing incremental loss of productive rural resources and sets a precedent for further loss in the area. This is in conflict with the Zone purpose stated in KIPS2015-26.1.1.5 “to provide for protection of rural land so future resource development opportunities are not lost”.
- (c) “It is understandable that the applicants want to build a home base and spend time on the island to enjoy the local environment. But this application seeks to change the nature of the local area for their business purposes by bringing significant numbers of tourists into the area, and conflicts with the intentions of the Rural Resource Zone.”

*Comment*

It is acknowledged that Visitor Accommodation use can be regarded as a commercial/tourist use of the land since it is expected that visitors/tourists of Bruny Island will be the main users of the holiday cabins, and that this is a profit-oriented activity. Notwithstanding, the Planning Scheme has a use classification (Table 8.2 of the Planning Scheme) that differs from this general understanding.

The application has sought approval of uses defined in the Planning Scheme being a Dwelling, and Visitor Accommodation (holiday cabins). The proposed uses comply with the definitions in the Planning Scheme. The Council is required to assess these for compliance under the Use and Development Standards in the Environmental Living Zone, the Rural Resource Zone and all applicable Codes. As per Clause 8.10.2 of the Planning Scheme, in determining an application for a permit that is a discretionary use the planning authority must have regard to the purpose of the applicable zone.

As noted in the site description section of this report, according to the LIST Land Capability, the site and surrounding properties are classified with a Land Capability of Class 5 and 6 which means that the land is generally unsuited for cropping and has limitation to pastoral

use. The Land Capability is insufficient to determine the suitability of the land for agricultural uses, but it is an indication of the type and intensity of the future agricultural uses that can occur in a property. In this case, the possible agricultural use is limited to grazing, low intensity cropping, and potentially forestry activity.

The northern portion of the subject site which historically was used for grazing has been left for revegetation and planted with *Eucalyptus globulus* as part the Threatened Woodlands Birds of Bruny Island Project. The planting of this area has occurred prior to the development application, and it is not part of the proposed development. Due to this, there is no cleared land on the site that could be used for agricultural use other than maybe low intensity grazing, any other agricultural activity would require a planning permit due to the necessity of removal of native vegetation. It is noted that there is potential land within the site that can be locked as PTR, however, currently there is no PTR in the site. Any other foreseeable use on the subject site appears to be limited to low intensity grazing or cropping.

There is an organic olive grove which is the only agricultural use in the site, and this is proposed to be maintained as part of the proposal. Being an organic farm activity, it is expected that the managing activities are to be minimum and not impacted by the proposed uses. Based on the above, the proposed uses will not constrain or conflict with resource development uses existing in the lot, or likely to exist.

It is acknowledged that the proposed buildings will be in proximity of neighbouring land. However, based on the Land Capability, existing uses in the neighbouring land, and the existing Private Timber Reserve, it is considered, as discussed in the assessment section of this report, that the proposed uses will not result in unreasonable land use conflict provided the conditions recommended are implemented.

Therefore, it is considered that the proposed non-agricultural uses will not fetter existing or potential rural resource use and development in neighbouring land or contribute to the incremental loss of productive rural resources, and, therefore, the proposal is compliant with the Zone Purpose Statement of the Rural Resource Zone.

While the feelings of residents are acknowledged in relation to the possible impact on rural resource uses, the application must be assessed against the Use and Development Standards to determine if it complies with the Planning Scheme. Further the Zone does not have any Local Objectives or Desired Further Character Statements for the area.

#### 2.4.2 Issue – The Visitor Accommodation cabins

A number of issues were raised in relation to the Visitor Accommodation use and cabins including:

- (a) “The proposed tourist accommodation part of the application is not in keeping with the established character of our neighbourhood. It risks setting a precedent for further tourism development in this primarily rural environment.”
- (b) “These accommodation units’ intended shape and physical dimensions, namely 9 metre in height (!) and 6m high roof decks, these structures are in complete discord and outside the harmony and sensitive environmental and natural balance with the surrounding area. (...) The daily operation and servicing of the proposed “visitor accommodation” will no doubt bring in significant road traffic and presence of foreigners to the area including in and around my property which my previous experiences of illegal property entries already proved in practice.”
- (c) “The height of the Accommodation, at 8.5-9.00 metres is really not going to fit within the parameters of the currently incoming Landscape Conservation Zone requirements of the Planning Scheme, which applies to neighbouring properties, yet if this property is subject to the Rural Landscape Zone the height really ought to be reduced to something that is less wind resistant. (...) The amount of glazing in the buildings is

reasonably large, and I would like to submit a query as to the potential hazard this amount of glazing on both high and not so high buildings may have on the bird.”

- (d) “This means that tourists wandering the property could get very close to our property in the pursuit of wildlife eg white Bennett’s wallabies and Echidnas which can be spotted on our and the adjacent applicant’s property regularly. (...) The location of the properties in the neighbourhood provides for echoing which means voices, screaming children and traffic noise carries much more than usual which unnecessarily would disturb wildlife and the privacy of residents. The set up and height of the planned tourist cabins with their viewing deck further compromises our privacy and amenity. Standing on the deck viewing wildlife would give tourists a clear view of our property.”
- (e) “We believe the Visitor Accommodations aspect of the DA will adversely impact the residential amenity and privacy of many neighbouring residents, and as such does not meet the Performance Criteria specified in KIPS2015-26.3.2-P1(a).”
- (f) “The use and servicing of the proposed accommodation units will likewise significantly affect the privacy and serenity particularly since they provide direct view of both my property and the home dwelling on the neighbouring property on the opposite side and the resulting noise will be heard affecting both the owners and the wildlife.”

#### *Comment*

Visitor Accommodation use is a Discretionary use in the Zone and must comply with Clause 26.3.2 A1/P1. As the proposal is unable to meet the Acceptable Solution, the proposal was assessed against the relevant Performance Criteria. This assessment has been provided in the relevant section, showing that the proposal meets the Performance Criteria and, therefore, the proposal can be approved.

However, more detailed consideration in relation to privacy is included in this section:

- Height of the cabins: Some of the representations raised concerns about the height of the cabins being non-compliant with the zone since they are proposed to be 9m in height. Clause 26.4.1 A1 provides the standard maximum height for buildings for residential use (8.5m) and non-residential use (10m). As the cabins are to be used for Visitor Accommodation, the proposed cabins comply with the Acceptable Solutions of this Clause. An application must be assessed under the current Planning Scheme, and while strategic considerations may inform the decision, consideration to future zone of the properties is not adequate for this assessment.
- Overlooking: The cabins are well setback from all boundaries except from the eastern boundary. The sitting of the cabins is surrounded by existing mature trees which will screen the buildings. Some representors have concerns of overlooking of their properties from the deck roof proposed on each holiday cabin. Elevation drawings (Mana, TP220, Rev. 03) show that the finished floor level of the Cabin A, which is the closest to the eastern boundary is 68.950m above sea level. The deck is to be 6.2m higher than that. The deck height is, therefore, 75.15m above sea level. The eye level would therefore be around 77m above level. Existing buildings in the eastern properties are at more than 100m from the boundary (existing farm sheds) and more than 300m from the boundary (dwelling). The farm sheds are screened by the PTR, and they sit above 80m above sea level. Cabin B will sit at approximately 74m above sea level resulting in a sightline at approximately 82m above sea level. While the eye level from Cabin B is similar if not the same than the natural ground level of the location of the sheds in the neighbouring property, It sits at more than 60m from the eastern boundary, which result in a separation distance from the shed of approximately 180m. With this information it is considered that there will not be an unreasonable loss of privacy due visitors using the roof deck.

The site adjoins Crown land to the southwest. This title does not form part of this development application, and as such, no visitor accommodation use is approved to occur in that land.

- Impacts of vehicle lights on neighbouring land: Some representors have raised concerns in relation to lights of vehicles in the driveway impacting the residential amenity of adjoining land. It is, however, considered that the topography of the land, revegetating portion of the site will assist in reducing any loss of residential amenity due to vehicle lights. These vehicle movements will also be infrequent.
- Character of the area: The relevant performance standard (Clause 26.3.2 P1 (c)) requires that the proposed Visitor Accommodation is of an intensity that respect the character of the use of the area. Some representations indicate that the design of the cabins will not respect the character of the area. The character of the area has been described in one of the representations as quite residential and respectful of the wildlife. The design of the buildings are very unique and the materials and colours have been chosen to blend with the surrounded landscape. As mentioned above they will sit within woodland and will be screened by the retained mature trees. The intensity of the use is small (only two cabins each one with one bedroom). Additionally, a condition is recommended to be included in any planning permit requiring that a Visitor Management Plan is provided to satisfaction of Manager Development Services, and distributed with all neighbours which include measures to limit manage and mitigate noise, behaviour issues, specify a maximum permitted occupancy, and use of the cabins and associated driveway.

The application has been assessed under the Development Standards in the Rural Resource Zone and applicable Codes in the report and Assessment Checklist.

#### 2.4.3 Issue – Setbacks and land use conflict with agricultural use (including forestry activity).

A number of issues were raised in relation to the setbacks and possible land use conflict including:

- (a) “We believe the applicants have made a significant effort to design a dwelling that has a low impact on the surrounding landscape and neighbouring properties. However, the dwelling is located only 30m from (...) boundary and Private Timber Reserve, which clearly violates the 100m acceptable setback specified in KIPS2015-26.4.2 A3(a).”
- (b) “Cabin Location “A” is 31.5m from (...) boundary, while the acceptable setback according to KIPS2015-26.4.2 A2 is 50m (...) Cabin Location “A” is also well inside the 100m setback from the Private Timber Reserve that exists on our side of the boundary.”
- (c) “The Visitor Accommodations are intended to be high-end “luxury” accommodation cabins in a private and special environment. This makes the development “extra” sensitive to agricultural activities in neighbouring properties, and yet the cabins have been sited very close to this boundary (and notably also very far away from the applicants own proposed dwelling)”.
- (d) “We operate a primary production business, in a rural area, with no one in the vicinity to be disturbed by 24-hour farming operations involving heavy machinery, slashing, shooting, spraying of fertilisers and herbicides, livestock noise, chainsaw operation, burning-off, smoke, drone operations, water pumping, etc. (...) The small boundary setback to the visitor accommodation cabins affords the applicant minimal opportunity to buffer this sensitive use from agricultural activities in our property.”

*Comment*

The proposal requires relaxation of setback from boundaries under Clause 26.4.2 A2 and 26.4.2 A3, since it will be located at 30m from the boundary and a PTR. An assessment of these clauses is provided above in the assessment section.

While the buildings are not compliant with the 50m from the side and rear boundary and 100m from the PTR required under the mentioned clauses, this does not mean the proposal is unable to comply with the standard, just that it must be assessed against the Performance Criteria rather than the Acceptable Solution. The proposed distance is able to provide enough separation to mitigate emissions from agricultural uses (including forestry activity) due to the topography, retained vegetation, and the Part 5 Agreement recommended to be a condition in any planning permit issued.

As mentioned in the assessment above, the likely potential sources of land use conflict between sensitive uses and agricultural uses (including forestry activity) include impacts from spray, smoke, dust, noise, and vehicle movements. These can be mitigated various way such as large separation distances, vegetation screening, noise mitigation measures etc. Some representors have mentioned that the agricultural activity taking place in their land includes "heavy machinery, slashing, shooting, spraying of fertilisers and herbicides, livestock noise, chainsaw operation, burning-off, smoke, drone operations, water pumping, etc".

The location of the buildings for sensitive use in relation to existing areas where agricultural use takes place or may take place in the future in neighbouring properties has been assessed using spatial data (Aerial imagery, Land Capability, Historical Imagery). Based on spatial/aerial imagery, it is considered that the topography, separation distance, and existing vegetation is enough to avoid unreasonable land use conflict.

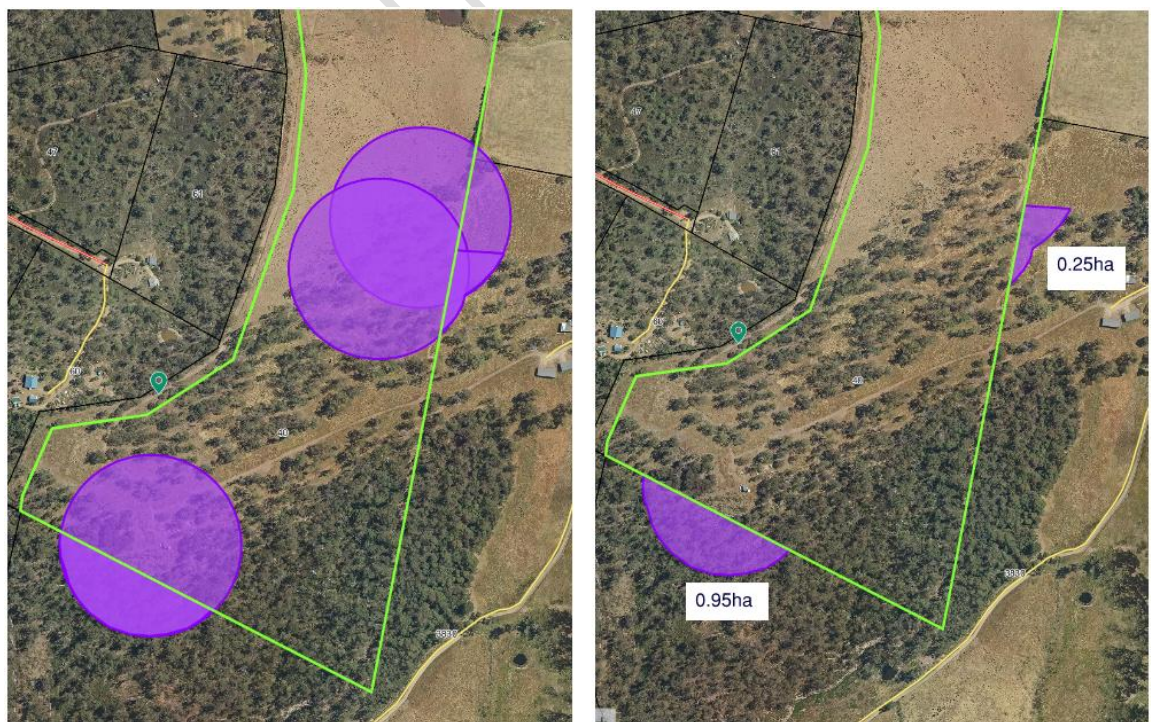
Shooting as a grazing control measurement is considered one of the most ethical from the animal rights point of view. Shooting is, however, regulated by the *Firearms Act 1996*, which establishes in Section 113 that "A person must not discharge a firearm within 250 metres of a dwelling house except" on an approved range or with the consent of the occupier of the dwelling house. Figure 11 shows an approximately range of 250m from the proposed dwelling and holiday cabins. The spatial analysis shows that the 250m radius from the dwelling will sit mostly in the PTR while the 250m radius from the holiday cabin closest to the boundary will include part of the PTR and the northwestern corner of the neighbouring property. The subject site is approximately 200m in length around the area where the cabins are proposed (which is the cleared area), which mean that there is no location within the subject site to the cabins in which a 250m will not encroach in their property. Even if the Acceptable Solution setback was met, the 250m would encroach on the adjoining land. Other locations of the cabins would be restricted due to other requirements of the Planning Scheme. The area of impact from the cabin is considered to not unreasonably constrain the agricultural use.

In relation to the forestry use, it is considered that due to the nature of the PTR (being a native forest) the foreseeable activity will be intense and of low frequency. The setbacks, topography, and vegetation retained is enough to mitigate any impacts related to spray, dust, and vehicle movement.

As mentioned in the assessment of the relevant clause, the Acceptable Solution of Clause 26.4.2 A3 suggests that a setback of 100m between a building and the PTR is deemed to avoid fettering of forestry activity in all circumstances and ignores the circumstances of a site and its surroundings.



**Figure 11** Aerial imagery of the property and neighbouring land showing a 250m radius from the dwelling and the holiday cabin located closest to the neighbouring property



**Figure 12** Area of impact in the PTR

2.4.4 Issue - Unreasonable increase of traffic and unsafety road

A number of issues were raised in relation to the road traffic and safety including:

- (a) “We also have concerns around who would be responsible for maintaining the section of road leading to 75 & 124 Paraweena road, given that if the Visitor Accommodation portion of the DA is approved, the predominant traffic is likely to be the applicant’s guests.”
- (b) “I am a little concerned that the building works at this property, if they proceed, [may impact access to properties in Paraweena]. Just prior to number 40 there is a creek which crosses the road, is low lying and boggy.”
- (c) “Traffic and Safety: The two visitor accommodations will dramatically increase the volume of traffic past my property, negatively impacting both noise and road safety in the area. This is currently a very low use gravel road used only by the small number of local residents.”
- (d) “There is a section of Crown Reserve Road which is to be upgraded. This will open up the existing road significantly, from what is currently a rough track to a much more accessible road (...) who will actually be responsible for the upgrading of the road and to what standard? There is no mention of drainage or any other detail of the road upgrades in the report.. .”

#### *Comment*

As mentioned above (see assessment against Clauses 26.3.2 P1), Council’s Development Engineer advised that the traffic from the development is not expected to create any adverse safety or efficiency concerns on the road network. The traffic movement is negligible, and the upgrade of the road will not result in disadvantage to any user of Paraweena Road.

Additionally, as works are to be undertaken within a Class 4 waterway, it is recommended that any planning permit issue includes a condition requiring that works are in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) is recommended to be included in any planning permit.

In relation to who is responsible to maintain the road, although this is outside of the planning assessment, it is understood that the license holders have the responsibility of maintain private road on Crown land, however, since the upgrade of this part of the road is part of the bushfire Hazard Management Plan (BHMP) for this proposal, it is the responsibility of the owner of the subject site to upgrade and maintain the part of the road that is part of the BHMP.

#### 2.4.5 Issue - Environmental impacts and impacts on wildlife is unacceptable.

A number of issues were raised in relation to the Environmental impacts and impacts in wildlife including:

- (a) “The amount of glazing in the buildings is reasonably large, and I would like to submit a query as to the potential hazard this amount of glazing on both high and not so high buildings may have on the birds. There are threatened species on the hill, most adjoining and nearby property owners would confirm this - it would be prudent to reconsider the size of the buildings and impact on the birdlife as well as other native fauna”.
- (b) “In all of the documents there has been no mention of the Native Orchid species. There are known orchid species growing throughout this area, including species only seen in few locations. One in particular was sited in Jannali Road (I have lost the references to the species, but believe I could still point out the location, last visited around 22 years ago), but I believe this particular patch has been disturbed out of existence by a track put in to a residence. If possible to survey the orchid population

prior to granting the permit, at an appropriate time of year to ensure that none of the proposed roadways and buildings disturb any of the rare species.”

- (c) “The current harmonious co-habitat of the local wildlife in the surrounding mainly owner-occupied properties including their strict use in accordance with their respective zoning has taken many years to establish (...) the resulting noise will be heard affecting both the owners and the wildlife.”

#### *Comment*

The Natural Values Assessment (Mulcahy Services, February 2025) identified one (1) threatened species within the subject site being the *Gallinago hardwickii* (latham's snipe), *Eucalyptus ovata* forest and woodland on the northwestern corner of the property which is suitable for foraging and habitat for the forty spotted pardalote and the swift parrot, and recognises that the property provides suitable foraging habitat for grey goshawk, Tasmanian wedged-tailed eagle, eastern quoll, white-bellied sea eagle, blue-winged parrot, eastern barred bandicoot, and forty spotted pardalote. It is also acknowledged in the Natural Values Assessment (Mulcahy Services, February 2025) that a raptor nest is within 960m from the subject site.

In relation to the raptor nest, the Natural Values Assessment (Mulcahy Services, February 2025) has determined that there is no line-of-sight between the nest and the property due topography, and therefore, no impact is expected in relation to the raptors nest.

In relation to the other species the ecologist provided the following opinion:

“Except for forty-spotted pardalotes, all the threatened fauna species recorded within 1 km are relatively wide-ranging and are likely to use areas of the property for foraging and denning/roosting. However, the small area of potential habitat impacted by this proposed development is unlikely on its own to constitute a significant area of habitat for any of these species due to scale, condition and nearby human disturbance.”

Accordingly, the impact on these species has been assessed. The proposal has been designed to minimise the impact on foraging and habitat of threatened fauna, and any residual impact is to be offset in accordance with the requirements of the Biodiversity Code.

In relation to bird collision risk, it is noted that only the glazed door for the visitor accommodation cabins has a glazed surface more than 2m<sup>2</sup> and is the only glazed surface that can result in risk for bird collision. The plans provide a notation that windows and glazed doors are to be anti-reflective glass. It is recommended that any planning permit issue includes a condition requiring that all windows and glazed areas are designed in accordance with the document “Minimising the swift parrot collision threat – Guidelines and recommendations for parrot-safe building design”, especially regarding glazing to reduce any risk of bird collision.

One of the representors has provided additional information in relation to the orchids found around the subject site. The representor advised that on 18 November 2000 an unusual orchid was identified on the vicinity of Jannali Road. An ecologist was engaged at the time who identified the found orchid as *Lyperanthus*. It seems that since that moment no other of these orchids has been registered. The representor also included a list of orchids found in 20 Paraweena which has been noted by previous and current owners of properties of properties in Paraweena.

The list of orchids found are as below:

- *Calendina mentions*, Lesser calendina near front paddock fence and roadway
- *Calochilus herbaceous* 1. Near road, 2. Near Boundary Cottage, 3. Behind Hen House
- *Microtis arenaria*, Notched Onion Orchid

- Thelymitra aristata, Great Sun Orchid,
- Thelymitra pauciflora
- Thelymitra rubra
- Thelymitra x truncate,

Neither of the two Natural Values Assessments provided with the application noted the presence of these orchids within the subject site. One of the Natural Values Assessment (Mulcahy Services, February 2025) identified a threatened flora species recorded within 1km of the site (wiry miterwort). However, as the flora occurs mostly in near-coastal situations on rock plates, it was deemed as not suitable habitat on the site.

Ecologists from both, Mulcahy Services and North Barker, were consulted after the representation was received. While they acknowledged that the LIST indicates that some of the species mentioned in the representation are identified within 1km of the site, there is not enough information to conclude that the proposal will impact on these. The ecologists also provided verbal advise that no orchid was found during any site survey but acknowledged that orchids can be better surveyed during flowering seasons.

It is acknowledged that orchids may be present in the area, but without any evidence there is no head of power in the Planning Scheme to require any condition in that regard. The applicant has been advised that there may be orchids within the site.

Some representors raised concerns in relation to how the Visitor Accommodation use will impact non-threatened wildlife, particularly wallabies. It is acknowledged that wildlife, threatened and non-threatened must be taken into account when land use will take place, especially from an animal rights approach. Notwithstanding, there are no provisions in the Planning Scheme that regulates impacts on non-threatened species. It is, however, expected that community concerns inform the Visitor Management Plan and the Environmental Management Plan recommended as conditions to any planning permit

#### 2.4.6 Issue – Visitor accommodation in Bruny, infrastructure, and visitor's behaviour.

Several issues were raised in relation to visitor accommodation on Bruny, infrastructure to support the Visitor Accommodation, and the visitor's behaviour, including.

- “The daily operation and servicing of the proposed “visitor accommodation” will no doubt bring in significant road traffic and presence of foreigners to the area including in and around my property which my previous experiences of illegal property entries already proved in practice”.
- “there will likely be implications of any upgrade on access to farming property further along Paraweena Road, in terms of unsolicited visits, trespassers and so forth (...) The dynamics of water usage should also be documented - with accommodation, water usage rates are high. Potable Water is limited on Bruny Island with trucks bringing water to the island constantly over dry months. It is widely recognised that the water usage in permanent residences is much lower than in accommodation. This matter really ought to be addressed in all planning applications for Bruny Island, with an aim towards self-sustaining water systems..”

While not regulated under the Planning Scheme, these are valid concerns that relates to a more strategic approach in relation to Bruny Island. Visitor's behaviour appears to be an issue especially in relation to trespassing in pursue of spotting the unique wildlife of the island. These are matters that can be included in the Visitor Management Plan.

Questions in relation to potable water in the island and its management is another important topic to discuss in a more strategic level. Acknowledgement is given to the attempt to include planning controls in relation to the provision of potable water for the Special Area

Plan for Bruny Island. The proposal includes water tank for recollection and re-use of stormwater which mitigate the requirement of potable water.

## 2.5 Other Matters

### Weed management

In accordance with clause 8.11.3, a condition should be included in any permit issued requiring implementation of best practice hygiene measures.

### Bird collision

The development is located in a site identified in the Natural Values Assessment (Mulcahy Services, February 2025) as likely to be used for foraging of the forty spotted pardalote (*Pardalottus quadragintus*). One of the recognised threats to the survival of this species is collision with man-made structures. Submitted plans noted that anti-reflective glass will be applied to all windows and glazed doors.

To ensure the measures are adopted, a condition is recommended for inclusion in any permit issued requiring plans submitted for building approval include these measures for all recommended elevations.

## 3. CONCLUSION

The application has been assessed against the Development Standards for the Environmental Living Zone, the Rural Resource Zone and relevant Codes in the Kingborough Interim Planning Scheme 2015. The application has demonstrated compliance with the Acceptable Solutions and Performance Criteria and is recommended for approval with conditions.

## 4. RECOMMENDATION

That the Planning Authority resolves that the development application for dwelling and two (2) visitor accommodations at 40 Paraweena Road, Alonnah, and adjoining Crown land for Mr T Gordon and Ms J Corbett be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA-2025-70 and Council Plan Reference No. P4 submitted on 23 March 2026 and No. P5 submitted on 31 March 2026 (from now on referred as 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 permit coming into effect, the landowner must enter into a Part 5 Agreement with and to the satisfaction of Council to the effect that the onus is to be upon the owner of the property to take measures to mitigate against noise emissions associated with harvesting of timber within the adjoining Private Timber Reserve (Dealing Number C797431).

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 and be registered on the title of the 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, and proof of lodgement of the Agreement with the Land Titles Office for registration on the property title provided to Council, prior to the Permit coming into effect and commencement of works. The 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 removal of any native vegetation and the commencement of on-site works, the loss of 0.0065 hectares of *Eucalyptus ovata* forest and woodland (DOV) and Forty Spotted Pardalote (*Pardalotus quadragintus*) habitat, must be offset by a financial contribution totalling \$532.35. This contribution must be paid to Council's Environmental Fund and used solely for the protection and management of *Eucalyptus ovata* forest and woodland (DOV) and Forty Spotted Pardalote (*Pardalotus quadragintus*) habitat in the vicinity of Bruny Island or an area that supports equivalent biodiversity values within the municipality.
4. The following vegetation removal and modification is approved for the purposes of the development:
  - (a) 0.0065ha of understorey vegetation of *Eucalyptus ovata* forest and woodland (DOV) including saplings <25cm in DSH for the upgrade of the vehicle access within adjoining Crown land included in this application.
  - (b) 0.046ha of understorey vegetation of *Regenerating cleared* land (FRG) for the establishment of the bushfire hazard management area of the holiday cabin and installation of the associated wastewater system in accordance with the Bushfire Hazard Report (Mulcahy Services, February 2025), the Natural Values Assessment (North Baker, November 2025), and the Endorsed Plans.
  - (c) 0.06ha of *Eucalyptus Pulchella* forest (DPU) for the establishment of the bushfire hazard management area for the dwelling in accordance with the Bushfire Hazard Report (Mulcahy Services, February 2025), the Natural Values Assessment (North Baker, November 2025), and the Endorsed Plans.
  - (d) Removal of two (2) individual trees in accordance with the Endorsed Plans, being:
    - i. One (1) *Eucalyptus ovata* with a DSH of 25cm within the Crown land, and
    - ii. One (1) *Eucalyptus pulchella* with DSH of 65cm within the main site.

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.

5. All remaining native vegetation identified for retention in Endorsed Plans must be appropriately protected during and after construction in accordance with the recommendations in the Arboriculture Impact Assessment (Tree Management Services, February 2026) and AS 4970-2025. 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 (excluding individual trees), excavations, placement of fill, delivery of building/construction materials and/or temporary buildings):

    - (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, to confirm the site-specific requirements for tree protection fencing, temporary TPZ access, and other specific tree protection measures.

- (c) Trees approved for removal must be removed prior to the establishment of the tree protection measures. The removal of these trees must be in accordance with recommendations in the Arboriculture Impact Assessment (Tree Management Services, February 2026)
  - (d) Installing tree protection fencing in accordance with Section 6.3 and Appendix 1 of the Arboriculture Impact Assessment (Tree Management Services, February 2026) and condition 6.
  - (e) Providing certification by the Project Arborist of satisfactory implementation of these tree protection measures to the Manager Development Services prior to the commencement of any on-site works.
- B. During Construction:
- (a) Maintaining tree protection measures required above for the duration of the construction.
  - (b) Ensuring the Project Arborist oversee any excavation, machine trenching, compacted fill placement and other designated site-specific activities within the TPZ of all retained trees as per recommendation in the Arboriculture Impact Assessment (Tree Management Services, February 2026).
  - (c) Providing written certification by the Project Arborist of satisfactory implementation of these measures to the Manager Development Services upon completion of the site audit/construction.
- C. Post Construction:
- (a) 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:
    - (i) 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);
    - (ii) the tree protection zone must be free from the storage of fill, contaminants or other materials;
    - (iii) machinery and vehicles are not permitted to access the tree protection zone; and
    - (iv) development and associated works are not permitted unless otherwise approved by Council in writing or otherwise in accordance with the law.
6. Tree protection fencing required under condition 5 must:
- (a) Be located on the edge of the tree protection zone, unless the outer edge of works as shown on the Endorsed Plan and on the Arboricultural Impact Assessment (Tree Management Services, February 2026) 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:
    - (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.
7. Prior to the commencement of any on-site works an environmental management plan must be submitted to the satisfaction of the Manager Development Services. This plan must identify how the environmental values on the Crown land will be managed and protected during the upgrade of the vehicular access. At a minimum, measures must include tree protection and vehicle hygiene during construction, protection of native vegetation, threatened species habitat and native fauna habitat outside the area of the works and weed management.
- When endorsed, this Plan will form part of the Permit. Ongoing management of the site must be in accordance with this Plan unless otherwise approved in writing by Council.
8. Prior to the commencement of the approved use, a full Visitor Management Plan (VMP) for the operation of the visitor accommodation must be submitted to and approved by the Manager Development Services. The VMP must include measures to limit, manage and mitigate unreasonable impacts upon the amenity of the surrounding area. It must be generally in accordance with the VMP dated 17 April 2026 submitted to Council but updated to include the following requirements:
- (a) To limit, manage and mitigate noise generated as a result of the visitor accommodation;
  - (b) To limit, manage and mitigate behaviour issues caused as a result of the visitor accommodation, including wildlife disturbance;
  - (c) To inform the best way to find the property;
  - (d) To specify the maximum permitted occupancy of the visitor accommodation;

- (e) To specify the maximum number of vehicles to be parked on the site and detail where the designated parking space is located and how the space is to be accessed. Additionally, at the booking stage, guests should be discouraged from bringing more than one vehicle
- (f) At the booking stage, guests must be advised that agricultural activities may occur in the surrounding properties including forestry activities;
- (g) To specify an appropriate waste management protocol.
- (h) To provide a name and contact phone number of a person (property manager) who will respond to any complaints regarding behaviour of guests to visitors and residents of the surrounding area. If the contact number of the property manager, or another property manager is appointed, or the property is sold the VMP must be updated with new contact details. The property manager should be a resident of Bruny Island, preferably in Alonnah (as per applicant's clarification).

Once approved, the VMP forms part of the permit and must be implemented prior to the commencement of the approved use and maintained for as long as the visitor accommodation use is in operation. A copy of the VMP must be provided to owners and occupiers of properties in the surrounding area (including CT's 114630/3, 238839/1, 8387/1, 154048/3, 154048/2, 154048/1, 39064/4, 39064/5, 39064/6, and 39064/8) at least 14 days prior to the commencement of the visitor accommodation use. In the event that the contact number of the property manager changes, or another property manager is appointed, or the property is sold, the updated VMP (in accordance with (c) above) must be provided to property owners and occupiers of the surrounding area within 10 business days.

9. Prior to commencement of on-site works, engineering design drawings for the proposed vehicular access within the Crown Land 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

Austrroads Standards and Australian Standards

The Plans must include, but are not limited to:

- (i) Longitudinal and cross sections of the driveway/access road
- (ii) Contours, finish levels and gradients of the driveway/access road
- (iii) Surface treatment and stormwater drainage

Once endorsed the plans will form part of the permit.

For Advice: These plans must be provided with the Planning Start of Works Notice required under Condition 10.

10. Prior to the commencement of on-site works, excluding weed management but 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.

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.

For Advice: This Planning Start of Works Notice is not the same as the Form 39 Building Start Works Notice. As such, lodgement of a Form 39 will not satisfy this condition and a separate 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department. A copy of the application form is available on Council's website.

11. All works within the waterway must be designed and constructed to:
  - (a) minimise impacts on existing natural values, including riparian vegetation and in-stream habitat and bank condition;
  - (b) retain existing flow capacity;
  - (c) retain existing waterway bed levels;
  - (d) be consistent with the 'Wetlands and Waterways Works Manual' (DPIPWE, 2003).
12. Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent. Unpainted metal surfaces are not approved. Plans submitted for building approval must indicate the proposed colour and type of the external building materials.
13. Plans submitted for building approval must demonstrate the dwelling, visitor accommodation and associated hazard management areas are in accordance with the Bushfire Hazard Report (Mulcahy Services, February 2025) including:
  - (a) Construction to the specified BALs;
  - (b) Achieving the required separation distances; and
  - (c) Demonstrating the separation distances are no greater than shown in the Bushfire Hazard Report (Mulcahy Services, February 2025).
14. Documentation submitted for plumbing approval must demonstrate the on-site wastewater system, including the absorption trenches, are located outside the tree protection zone of all native trees with a DSH >25cm, including but not limited to those identified for retention in the Endorsed Plans.
15. Due to the subject site being suitable for habitat and foraging of endangered bird species, building plans submitted for approval must be in accordance with the Endorsed Plans and demonstrate the risk of bird collision is minimised by incorporating mitigation measures in accordance with the document "Minimising the swift parrot collision threat – Guidelines and recommendations for parrot-safe building design" to the satisfaction of the Manager Development Services. Windows and glazing doors >2m<sup>2</sup> are considered to constitute a collision risk.

Buildings will be to the satisfaction of the Manager Development Services if the glazed surfaces do not result in corner windows or sightlines through buildings from window to window and meet any of the following:

- (a) the glazed surface with a total surface area greater than 2m<sup>2</sup> are 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%) as indicated in Endorsed Plans; films; coatings; fritted glass; or permanent screens; or
- (b) the glazed surface is installed at a minimum of 20 degrees from vertical, angled in at its base to reflect the ground.

16. The use and development must be managed so that the amenity of the area is not detrimentally impacted upon through any of the following:
  - (a) Transport of materials, goods or commodities to or from the land;
  - (b) Appearance of any building, works or materials;
  - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater or waste products (rubbish).
17. The visitor accommodation is for short term stay only. Accommodated guests must not stay any longer than a total of three (3) months on any one occasion.
18. Guests must park within the designated car parking area for the subject site.
19. To reduce the spread of weeds or pathogens, all machinery must take appropriate hygiene measures prior to entering and leaving the site as per the Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment.

Any imported materials must be from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.
20. The stormwater runoff from all concrete, paved, or otherwise sealed areas must be contained within the property or discharged to a Council approved discharge point. All works in relation to the discharge of stormwater must be completed to the satisfaction and approval of the Director Engineering Services.
21. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.

#### ADVICE

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval in this permit is under the *Land Use Planning and Approvals Act 1993* and does not provide any approvals under other Acts including, but not limited to *Building Act 2016*, *Urban Drainage Act 2013*, *Food Act 2003* or Council by-laws.

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

- C. The developer should obtain a Plumbing Permit for the development prior to commencing construction.
- D. A drainage design plan at a scale of 1:200, designed by a qualified Hydraulic Designer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Plumbing Permit.

- E. The proposed development requires onsite disposal of wastewater. Prior to Council issuing a Plumbing Permit, the developer must submit all documents specified in Schedule 2 of the *Director's Specified List* for an onsite wastewater management system.

The onsite wastewater system servicing the dwelling must be designed and installed in accordance with the report by GES dated February 2025. The onsite wastewater system servicing the cabins must be designed and installed in accordance with the report by GES dated January 2026.

- F. This permit does not include approval for any signage to be erected on site. Further approval may be required for the erection of signage on the site.
- G. Food must not be sold or served to guests without prior consent from Council's Environmental Health Officer.

## ATTACHMENTS

1. Title Documents
2. Assessment Checklist
3. Advertised Plans

PUBLIC COPY



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 8388	FOLIO 2
EDITION 7	DATE OF ISSUE 14-Jul-2023

SEARCH DATE : 26-Feb-2025

SEARCH TIME : 04.51 PM

DESCRIPTION OF LAND

Parish of SOUTH BRUNY, Land District of BUCKINGHAM  
 Lot 2 on Plan 8388  
 Derivation : Part of Lot 14250 Granted to J.J. Dillon  
 Prior CT 3591/19

SCHEDULE 1

N127532 TRANSFER to JULIA MICHELLE CORBETT and TIMOTHY GORDON  
 Registered 14-Jul-2023 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
 C797431 PRIVATE TIMBER RESERVE pursuant to Section 15(1) of  
 the Forest Practices Act 1985 (affecting part of the  
 said land within described as shown by a plan annexed  
 thereon)" Registered 18-Jul-2007 at noon

UNREGISTERED DEALINGS AND NOTATIONS

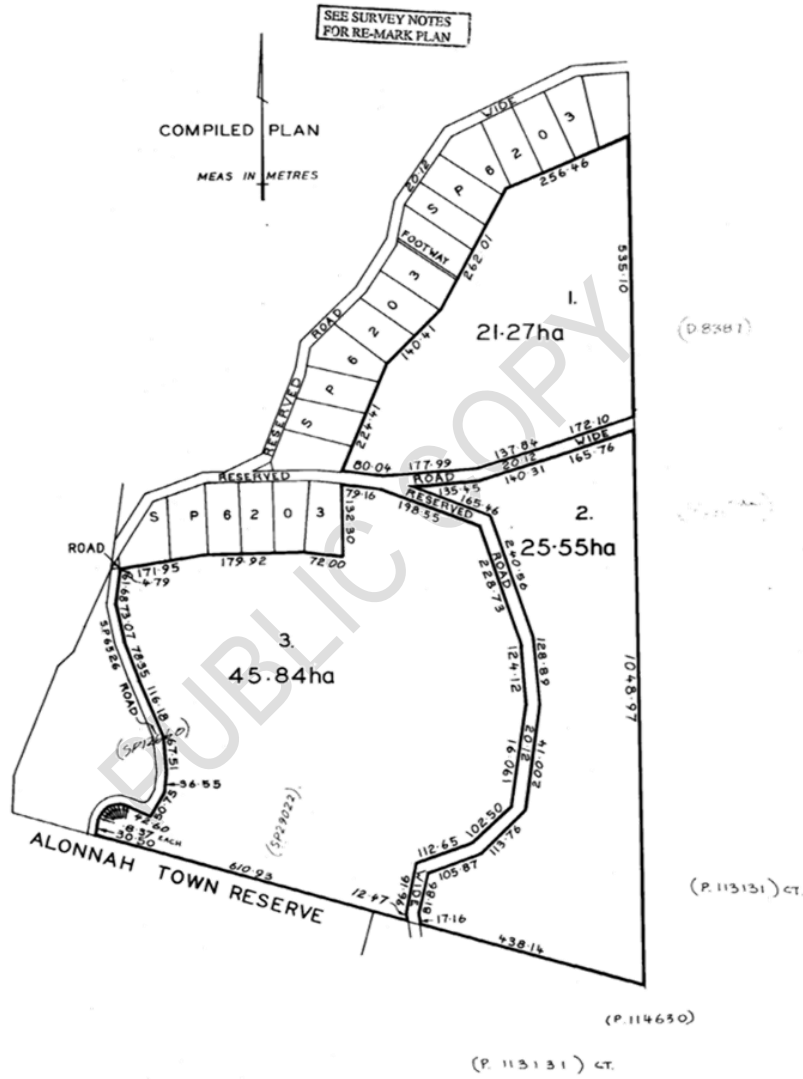
No unregistered dealings or other notations



**FOLIO PLAN**  
RECORDER OF TITLES  
Issued Pursuant to the Land Titles Act 1980



<b>Owner:</b> BRUCE EDRIC PHILP	<b>PLAN OF SURVEY</b> by Surveyor of land situated in the <b>LAND DISTRICT- -OF BUCKINGHAM PARISH OF SOUTH-BRUNY</b>	Registered Number: <b>P8388</b> APPROVED - 4 AUG 1976 M. J. ... Recorder of Titles
<b>Title Reference:</b> 2322-40 ct	SCALE 1:6000	
<b>Grantee:</b> PART OF (320 0 0) LOT 14250 GRANTED TO JOHN JOSEPH DILLON		



DEVELOPMENT APPLICATION NUMBER: DA-2025-70

**Assessment Checklist for Development Applications for Residential Use and/or Development within the Environmental Living Zone**

<b>Application No:</b> DA-2025-70	<b>Description:</b> Dwelling and two (2) visitor accommodations
<b>Applicant:</b> Mr T Gordon and Ms J Corbett	<b>Owner:</b> Ms J Corbett and Mr T Gordon
<b>Location:</b> 40 Paraweena Road, Alonnah, and adjoining Crown land	

**Use Status**

<b>Use Class</b>	Residential and Visitor Accommodation
<b>Use Status</b>	Permitted

**Environmental Living Zone Provisions (residential use and/or development)**

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

Clause	Compliance/Comments
<p><b>Clause 14.4.1 – Building Height</b></p> <p><b>A1</b> – Building height must not be more than: 7.5 m.</p>	<p><b>A1</b> – N/A (only works to upgrade vehicular access are proposed in the zone)</p>
<p><b>Clause 14.4.2 – Setback</b></p> <p><b>A1</b> – Building setback from frontage must be no less than: 30 m.</p> <p><b>A2</b> – Building setback from side and rear boundaries must be no less than: 30 m.</p>	<p><b>A1</b> – N/A (only works to upgrade vehicular access are proposed in the zone)</p> <p><b>A2</b> – N/A (only works to upgrade vehicular access are proposed in the zone)</p>
<p><b>Clause 14.4.3 – Design</b></p> <p><b>A1</b> – The location of buildings and works must comply with any of the following:</p> <p>(a) be located within a building area, if provided on the title;</p>	<p><b>A1 – Does not comply</b></p> <p>The proposed upgrading works involve removal of native vegetation. There is no title, and the proposal does not involve additions or alteration to existing building. The proposal is unable to meet the</p>

DEVELOPMENT APPLICATION NUMBER: DA-2025-70

<p>(b) be an addition or alteration to an existing building;</p> <p>(c) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline.</p>	<p>Acceptable Solutions and requires assessment against the Performance Criteria.</p>
<p><b>A2</b> - Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p><b>A2</b> – N/A (only works to upgrade vehicular access are proposed in the zone)</p>
<p><b>A3</b> - The combined gross floor area of buildings must be no more than:  300 m<sup>2</sup>.</p>	<p><b>A3</b> – N/A (only works to upgrade vehicular access are proposed in the zone)</p>
<p><b>A4</b> – Fill and excavation must comply with all of the following:</p> <p>(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;</p> <p>(b) extent is limited to the area required for the construction of buildings and vehicular access.</p>	<p><b>A4(a)</b> – Complies The upgrade of the vehicular access does not rely in cut/fill of more than 1m in height.</p> <p><b>A4(b)</b> – Complies The extent of cut/fill required is limited to the area required for the construction of the vehicular access.</p>
<p><b>Clause 14.4.4 – Outbuildings</b></p> <p><b>A1</b> – Outbuildings (including garages and carports not incorporated within the dwelling) must comply with all of the following:</p> <p>(a) have a combined floor area no more than 80 m<sup>2</sup>;</p> <p>(b) have a wall height no more than 5.5 m and a building height not more than 6.5 m;</p> <p>(c) have setback from frontage no less than that of the existing or proposed dwelling on the site.</p>	<p><b>A1</b> – N/A (only works to upgrade vehicular access are proposed in the zone)</p>
<p><b>Clause 14.4.5 – Environmental Values</b></p> <p><b>A1</b> – Development must be located within a building area on a plan of subdivision.</p>	<p><b>A1</b> – Does not comply As there is no building area in a plan of subdivision.</p>

**Assessment Checklist for Development Applications for Use and/or Development within the Rural Resource Zone**

<p><b>Application No:</b> DA-2025-70</p>	<p><b>Description:</b> Dwelling and two (2) visitor accommodations</p>
<p><b>Applicant:</b> Mr T Gordon</p>	<p><b>Owner:</b> Ms J Corbett and Mr T Gordon</p>

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Location: 40 Paraweena Road, Alonnah

**Use Status**

Use Class	Residential (single dwelling) and Visitor Accommodation
Use Status	Discretionary

**Rural Resource Zone Provisions (use and/or development)**

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

Clause	Compliance/Comments
<b>26.3 Use Standards</b>	
<p><b>Clause 26.3.1 – Sensitive Use (including residential use)</b></p> <p><b>A1</b> – A sensitive use is for a home based business or an extension or replacement of an existing dwelling or existing ancillary dwelling, or for home-based child care in accordance with a licence under the Child Care Act 2001.</p>	<p><b>A1 – Does not comply</b></p> <p>Residential and Visitor Accommodation are both Sensitive Use. (refer to TASCAT 48 (25 March 2024) ACEN Robbin Island Pty Ltd v Circular Head Council [2024]). Therefore, the proposal relies on the Performance Criteria.</p>
<p><b>Clause 26.3.2 – Visitor Accommodation</b></p> <p><b>A1</b> – Visitor accommodation must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) is accommodated in existing buildings;</li> <li>(b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;</li> <li>(c) has a floor area of no more than 160m<sup>2</sup>.</li> </ul>	<p><b>A1 – Does not comply</b></p> <p>The proposed Visitor Accommodation will be accommodated in new buildings. Therefore, the proposal relies on the Performance Criteria.</p>
<p><b>Clause 26.3.3 – Discretionary Use</b></p> <p><b>A1</b> – No acceptable solution.</p>	<p><b>A1 – Does not comply</b></p> <p>Both uses are discretionary. Therefore, the proposal relies on the Performance Criteria.</p>
<b>26.4 Development Standards for Buildings and Works</b>	
<p><b>Clause 26.4.1 – Building Height</b></p> <p><b>A1</b> – Building height must be no more than:</p> <p>8.5 m if for a residential use.</p> <p>10 m otherwise.</p>	<p><b>A1</b> – Complies.</p> <p>Building height of the residential use is 3m.</p> <p>The proposed visitor accommodation (non-residential use) cabins are 9m.</p>

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<p><b>Clause 26.4.2 – Setback</b></p> <p><b>A1</b> – Building setback from frontage must be no less than:  20 m.</p> <p><b>A2</b> – Building setback from side and rear boundaries must be no less than:  50 m.</p>	<p><b>A1</b> – Complies. Minimum setback for Cabin A (visitor accommodation) which is the closest to the frontage is 495.69m.</p> <p><b>A2 – Does not comply.</b> Cabin A setbacks are: - 148.41m from western side boundary - 31.55m from east side boundary - 528.14m from rear boundary. Cabin B - 122.52m from the west side boundary. - Aprox. 66.15m from the east side boundary. - 449.55m from the rear boundary Dwelling: - 145.86m from the west boundary - 254.75m from the east side boundary - 30m from the rear boundary. The proposal is unable to meet the Acceptable Solutions and relies on assessment against the Performance Criteria.</p>
<p><b>A3</b> – Building setback for buildings for sensitive use must comply with all of the following:</p> <p>(a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m;</p> <p>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.</p>	<p><b>A3 – Does not comply.</b> The proposed buildings are within 100m from a Private Timber Reserve (PTR) on neighbouring lot (ID. 3353.). The dwelling is at 30m from the PTR, and visitor accommodation (Cabin A) at a minimum of 31.5m from the PTR. The proposal is unable to meet the Acceptable Solutions and relies on assessment against the Performance Criteria.</p>
<p><b>A4</b> – Buildings and works must be setback from land zoned Environmental Management no less than:  100 m.</p>	<p><b>A4</b> – Complies. There is no land zoned Environmental Management within 100m from any of the proposed buildings.</p>
<p><b>Clause 26.4.3 – Design</b></p> <p><b>A1</b> – The location of buildings and works must comply with any of the following:</p>	<p><b>A1 – Does not comply</b>  While the proposed buildings are not in a ridgeline or skyline. There is no building area in the title, the proposal is not for addition or alteration of</p>

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<p>(a) be located within a building area, if provided on the title;</p> <p>(b) be an addition or alteration to an existing building;</p> <p>(c) be located in an area not require the clearing of native vegetation and not on a skyline or ridgeline.</p>	<p>existing buildings, and the proposal involves clearing of native vegetation including two trees:</p> <p>one (1) tree identified as a <i>Eucalyptus ovata</i> (black gum) with a diameter at standard height (DSH) of 25cm (T34), and one (1) tree identified as <i>Eucalyptus pulchella</i> (white peppermint) with a DSH of 65cm (T97).</p> <p>Additionally, the removal of approximately 0.015ha of DOV, and 0.06ha of DPU are proposed to upgrade the access and the establishment of the BHMA of the dwelling, respectively.</p> <p>The proposal is unable to meet the Acceptable Solutions and relies on assessment against the Performance Criteria.</p>
<p><b>A2</b> - Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p><b>A2</b> – Complies.</p> <p>The exterior building surfaces for the dwelling are brick, and concrete, and the roof is metal coloured Mangrove. Visitor accommodation cabins walls are slate tile cladding and Colourbond "basalt". The bridge finishes are to be coloured "windspray". All exterior surfaces will have light reflectance value less than 40 percent.</p>
<p><b>A3</b> – The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.</p>	<p><b>A3</b> – Complies</p>
<p><b>Clause 26.4.4 – Plantation Forestry</b></p> <p><b>A1</b> – Plantation forestry, including establishment and harvesting, must comply with a certified Forest Practices Plan.</p>	<p><b>A1</b> – N/A</p>

**Code Provisions**

Clause	Compliance/Comments
<p><b>E1.0 Bushfire-Prone Areas Code</b></p> <p>While the proposed development is located within a Bushfire Prone Area, the Bushfire Prone Areas Code does not apply to Residential and Visitor Accommodation use classes. Notwithstanding, impacts of any bushfire hazard management measures and vegetation</p>	

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<p>removal have been assessed against the relevant provisions of the Scheme.</p> <p>A Bushfire Hazard Report (version 1.2, Jim Mulcahy, February 2025) which includes a Bushfire Hazard Management Plan confirmed that the proposed dwelling shall be constructed at BAL-29 and holiday cabins at BAL-12.5. The Bushfire Hazard Management Areas will be fully contained within the lot.</p> <p>It is recommended that any planning permit issued includes a condition requiring that building plans show that the proposal is substantially in accordance with the Bushfire Hazard Report (version 1.2, Jim Mulcahy, February 2025).</p>	
<p><b>E3.0 Landslide Code</b></p>	
<p><b>Clause E3.6.1 - Hazardous Use</b></p> <p><b>A1</b> – Hazardous use relates to an alteration or intensification of an approved use.</p>	<p><b>A1</b> – N/A</p>
<p><b>A2</b> – No acceptable solution (requires assessment against performance criteria)</p>	<p><b>A2</b> – N/A</p>
<p><b>Clause E3.6.2 - Vulnerable Use</b></p> <p><b>A1</b> – Vulnerable use is for visitor accommodation.</p>	<p><b>A1</b> – Complies</p> <p>The proposed vulnerable use is visitor accommodation.</p>
<p><b>A2</b> – No acceptable solution (requires assessment against performance criteria)</p>	<p><b>A2 – Does not comply.</b></p> <p>As there is no acceptable solution, the proposal must be assessed against the performance criteria.</p>
<p><b>Clause E3.7.1 - Buildings and works, other than minor extensions</b></p> <p>(see definition)</p> <p><b>A1</b> – No acceptable solution (requires assessment against performance criteria)</p>	<p><b>A1 – Does not comply</b></p> <p>The proposal includes:</p> <ul style="list-style-type: none"> <li>- access works</li> <li>- footpath and bridge for the cabins, and</li> <li>- clearing/modification of vegetation,</li> </ul> <p>within the landslide code overlay for. These works are not exempt under E3.4 and must be assessed against the Code. As there is no acceptable solution, the proposal must be assessed against the performance solutions.</p>
<p><b>Clause E3.7.2 - Minor extensions</b></p> <p>(see definition)</p> <p><b>A1</b> – Buildings and works for minor extensions must comply with the following:</p> <p>(a) be in a Medium Landslide Hazard Area.</p>	<p><b>A1</b> – N/A</p>

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<p><b>Clause E3.7.3 - Major works</b> (see definition) <b>A1</b> – No acceptable solution (requires assessment against performance criteria)</p>	<p><b>A1</b> – N/A</p>
<p><b>E5.0 Road and Railway Assets Code</b></p>	
<p><b>Clause E5.5.1 – Existing road accesses and junctions</b> <b>A1</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h , must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p><b>A1</b> – N/A</p>
<p><b>A2</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p><b>A2</b> – N/A</p>
<p><b>A3</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>	<p><b>A3</b> – Complies The proposal is in an area subject to a speed limit of 60km/h or less and the number of vehicle movements does not increase by more than 20% or 40 movements per day. Vehicle movement is 6 for dwelling+ 2*6 for VA = 18-20 movement per day.</p>
<p><b>E5.5.2 Exiting level crossings</b> <b>A1</b> – Where use has access across part of a rail network, the annual average daily traffic (AADT) at an existing level crossing must not be increased by greater than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p><b>A1</b> – N/A</p>
<p><b>Clause E5.6.1 - Development adjacent to roads and railways</b> <b>A1.1</b> – Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h: (a) new buildings; (b) other road or earth works; and</p>	<p><b>A1.1</b> – N/A</p>

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(c) building envelopes on new lots.	
<p><b>A1.2 – Buildings, may be:</b></p> <p>(a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or</p> <p>(b) an extension which extends no closer than:</p> <p style="padding-left: 20px;">(i) the existing building; or</p> <p style="padding-left: 20px;">(ii) an immediately adjacent building.</p>	A1.2 – N/A
<p><b>Clause E5.6.2 - Road access and junctions</b></p> <p><b>A1 –</b> No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>	A1 – N/A
<p><b>A2 –</b> No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>	<p><b>A2 –</b> Complies</p> <p>The speed limit is 60km/h or less and the access arrangement is single</p>
<p><b>Clause E5.6.3 – New level crossings</b></p> <p><b>A1 –</b> No acceptable solution (requires assessment against performance criteria)</p>	A1 – N/A
<p><b>Clause E5.6.4 - Sight distance at accesses, junctions and level crossings</b></p> <p><b>A1 –</b> Sight distances at:</p> <p>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</p> <p>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p>	<p><b>A1 –</b> Complies</p> <p>The design of the <i>proposed</i> access meets the standard.</p>
<b>E6.0 Parking and Access Code</b>	
<p><b>Clause E6.6.1 - Number of car parking spaces</b></p> <p><b>A1 -</b> The number of on-site car parking spaces must be:</p> <p>(a) no less than the number specified in Table E6.1;</p> <p>except if:</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>	<p><b>A1 –</b> Complies</p> <p>Complies as sufficient carparking is proposed as per Table E6.1.</p> <ul style="list-style-type: none"> <li>• two (2) carparking spaces for the main residence is proposed.</li> <li>• One (1) carpark for each visitor accommodation unit are proposed.</li> </ul>
<b>Clause E6.6.2 – Number of Accessible Car</b>	A1 – N/A

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<p><b>Parking Spaces for People with a Disability</b></p> <p><b>A1</b> - Car parking spaces provided for people with a disability must:</p> <ul style="list-style-type: none"> <li>(a) satisfy the relevant provisions of the Building Code of Australia;</li> <li>(b) be incorporated into the overall car park design;</li> <li>(c) be located as close as practicable to the building entrance.</li> </ul>	
<p><b>Clause E6.6.3 – Number of Motorcycle Parking Spaces</b></p> <p><b>A1</b> - The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.</p>	<p><b>A1 – N/A</b></p>
<p><b>Clause E6.6.4 – Number of Bicycle Parking Spaces</b></p> <p><b>A1</b> - The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.</p>	<p><b>A1 – N/A</b></p>
<p><b>Clause E6.7.1 - Number of vehicular accesses</b></p> <p><b>A1</b> – The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.</p>	<p><b>A1 – Complies</b></p> <p>The proposal includes the establishment of one (1) access point from Paraweena Road (the only frontage).</p>
<p><b>Clause E6.7.2 - Design of vehicular accesses</b></p> <p><b>A1</b> – Design of vehicle access points must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</li> <li>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and</li> </ul>	<p><b>A1 – Complies</b></p> <p>The vehicular access point is design in accordance with section 3 – “Access Facilities to Off-street Parking Area and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking.</p> <p>The proposed driveway includes open drain and 4m width. The gradient is 12.9% which is acceptable.</p>

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<p>constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</p>	
<p><b>Clause E6.7.3 - Vehicular passing areas along an access</b>  <b>A1</b> – Vehicular passing areas must:</p> <ul style="list-style-type: none"> <li>(a) be provided if any of the following applies to an access: <ul style="list-style-type: none"> <li>(i) it serves more than 5 car parking spaces;</li> <li>(ii) is more than 30 m long;</li> <li>(iii) it meets a road serving more than 6000 vehicles per day</li> </ul> </li> <li>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</li> <li>(c) it meets a road serving more than 6000 vehicles per day;</li> <li>(d) have the first passing area constructed at the kerb;</li> <li>(e) be at intervals of no more than 30 m along the access.</li> </ul>	<p><b>A1 – Does not comply</b>  The passing bays are not at every 30m intervals.</p>
<p><b>Clause E6.7.4 - On-site turning</b>  <b>A1</b> – On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <ul style="list-style-type: none"> <li>(a) it serves no more than two dwelling units;</li> </ul>	<p><b>A1 – N/A</b>  The clause is not applicable since the proposal does not include more than two dwellings (one dwelling is proposed). However, there is enough space for vehicles to turn around on site.</p>
<p><b>Clause E6.7.5 - Layout of parking areas</b>  <b>A1</b> – The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.</p>	<p><b>A1 – Complies</b></p>
<p><b>Clause E6.7.6 - Surface treatment of parking areas</b>  <b>A1</b> – Parking spaces and vehicle circulation roadways must be in accordance with all of the following:</p> <ul style="list-style-type: none"> <li>(a) paved or treated with a durable all-weather</li> </ul>	<p><b>A1 – Complies</b>  The proposed driveway surface is to be gravel.</p>

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<p>pavement where within 75m of a property boundary or a sealed roadway;</p> <p>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.</p>	
<p><b>Clause E6.7.7 - Lighting of parking areas</b></p> <p><b>A1</b> – Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</p>	<p><b>A1</b> – N/A</p> <p>The clause applies only where a development application requires more than 4 car parking spaces. The proposal only requires 4 car parking spaces.</p>
<p><b>Clause E6.7.8 - Landscaping of parking areas</b></p> <p><b>A1</b> – Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.</p>	<p><b>A1</b> – N/A</p>
<p><b>Clause E6.7.14 - Access to a road</b></p> <p><b>A1</b> – Access to a road must be in accordance with the requirements of the road authority.</p>	<p><b>A1</b> – Complies</p> <p>Vehicle access to comply with Section 3 access facilities to off-street parking and queuing areas AS/NZS 2890.1:2004 parking facilities part 1 (the access will be as TSD R03).</p> <p>Additionally, plans states that crown road will be brought up to local code (LGAT) specifications under access license.</p>
<p><b>E7.0 Stormwater Management Code</b></p>	
<p><b>Clause E7.7.1 - Stormwater drainage and disposal</b></p> <p><b>A1</b> – Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>	<p><b>A1</b> – Does not comply</p> <p>There is no public stormwater infrastructure.</p>
<p><b>A2</b> – A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p> <p>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</p> <p>(b) new car parking is provided for more than 6</p>	<p><b>A2</b> – N/A</p>

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cars; (c) a subdivision is for more than 5 lots.	
<b>A3</b> – A minor stormwater drainage system must be designed to comply with all of the following:  (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;  (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	<b>A3</b> – N/A
<b>A4</b> – A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	<b>A4</b> – N/A
<b>E10.0 Biodiversity Code</b>	
<b>Clause E10.7.1 - Buildings and works</b> <b>A1</b> – Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.	<b>A1 – Does not comply</b>  The proposal will result in the removal of the two (2) individual trees: <b>T34</b> – <i>Eucalyptus ovata</i> (DSH. 0.25m) <b>T97</b> – <i>Eucalyptus pulchella</i> (DSH. 0.65m)  As identified in the Tree Plan within the Arboricultural impact assessment (Phillip Jackson, February 2026).  The bushfire hazard management area includes 0.06ha of <i>Eucalyptus pulchella</i> forest and woodland (DPU) which required to be modified. As there is no building area on a plan of subdivision and the proposal requires the clearance and conversion or disturbance of native vegetation (low priority biodiversity value), the proposal is unable to meet the acceptable solution and relies on assessment against the performance criteria.
<b>E11.0 Waterway and Coastal Protection Code</b>	
<b>Clause E11.7.1 - Buildings and works</b> <b>A1</b> - Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this	<b>A1 – Does not comply</b>  The proposal includes works (upgrade of the road) within a waterway and coastal protection area.

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planning scheme.	As there is no building area on a plan of subdivision approved under this planning scheme. The proposal relies on assessment against the performance criteria.
<b>A2</b> – Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.	<b>A2</b> – N/A
<b>A3</b> – Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.	<b>A3</b> – N/A
<b>A4</b> – Development must involve no new stormwater point discharge into a watercourse, wetland or lake.	<b>A4</b> – N/A
<b>E14.0 Scenic Landscapes Code</b>	
The subject site is affected by this code, however it does not occur on the parts of the site that are proposed for development or works, therefore an assessment against the code is not required.	
<b>E23.0 On-Site Wastewater Management Code</b>	
<b>Clause E23.7.1 - Development standards for residential development</b>	<b>A1 – Does not comply</b>
<b>A1</b> – A new dwelling must be provided with a land application area that complies with Table E23.1.	The proposed land application area for the dwelling does not comply with Table E23.1
<b>A2</b> – An addition or alteration to an existing dwelling, or change of use to a dwelling, must not encroach onto an existing land application area and comply with at least one of the following:  (a) not increase the number of bedrooms or otherwise increase the potential volume of wastewater generated onsite;  (b) not increase the number of bedrooms or otherwise increase the potential volume of wastewater generated onsite to greater than that allowed for in the design of the existing OWMS;  (c) provide a land application area that complies with Table E23.1.	<b>A2</b> – N/A
<b>Clause E.23.8.1 - Development Standards for Non-Residential Development</b>	<b>A1 – Does not comply</b>
<b>A1</b> - A land application area for non-residential development must comply with the following:  (a) if including bedrooms, (such as visitor	The proposed land application area for the holiday cabins do not comply with Table E23.1

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<p>accommodation), the size of the land application areas must comply with Table E.23.1;</p> <p>(b) if other development, design flow rates must be no less than the rates provided in the following table:</p> <p>Wastewater Fixture: Flow Design Allowance per person per day:</p> <p>Closet Pan: 50L          Urinals 25L          Washbasin: 10L          Shower: 30Lc          Bath: 30L          Laundry: 30L</p>	
<p><b>Clause E.23.9.1 - Development Standards for New Lots</b></p> <p><b>A1</b> - A new lot must have an area no less than: 5,000 m<sup>2</sup>.</p>	<p><b>A1</b> – N/A</p>
<p><b>A2</b> - Subdivision is not prohibited by the relevant zone standards.</p>	<p><b>A2</b> – N/A</p>
<p><b>Clause E.23.9.2 - Development Standards for New Boundaries</b></p> <p><b>A1</b> - A new boundary must have a separation distance from an existing land application area that complies with E.23.10.1 A3.</p>	<p><b>A1</b> – N/A</p>
<p><b>Clause E23.10.1 – Land application areas</b></p> <p><b>A1</b> – Horizontal separation distance from a building to a land application area must comply with one of the following:</p> <p>(a) be no less than 6m;</p> <p>(b) be no less than;</p> <p>(i) 2m from an upslope or level building;</p> <p>(ii) if primary treated effluent be no less than 4m plus 1m for every degree of average gradient from a downslope building;</p> <p>(iii) if secondary treated effluent and subsurface application, no less than 2m plus 0.25m for every degree of average gradient from a down slope building.</p>	<p><b>A1</b> – Complies</p> <p>Horizontal separation distance are compliant with the Acceptable Solutions.</p>
<p><b>A2</b> – Horizontal separation distance from downslope surface water to a land application area</p>	<p><b>A2</b> – Complies</p> <p>Horizontal separation distance from</p>

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<p>must comply with any of the following:</p> <ul style="list-style-type: none"> <li>(a) be no less than 100m;</li> <li>(b) if the site is within a high rainfall area or the site soil category is 4, 5 or 6, be no less than the following:             <ul style="list-style-type: none"> <li>(i) if primary treated effluent standard or surface application, 50m plus 7m for every degree of average gradient from downslope surface water;</li> <li>(ii) if secondary treated effluent standard and subsurface application, 50m plus 2m for every degree of average gradient from down slope surface water.</li> </ul> </li> <li>(c) if the site is not within a high rainfall area or the site soil category is not 4, 5 or 6, be no less than the following:             <ul style="list-style-type: none"> <li>(i) if primary treated effluent 15m plus 7m for every degree of average gradient from downslope surface water;</li> <li>(ii) if secondary treated effluent and subsurface application, 15m plus 2m for every degree of average gradient from down slope surface water.</li> </ul> </li> </ul>	<p>downslope surface water is compliant with the Acceptable Solutions.</p>
<p><b>A3</b> – Horizontal separation distance from a property boundary to a land application area must comply with either of the following:</p> <ul style="list-style-type: none"> <li>(a) be no less than 40m from a property boundary;</li> <li>(b) be no less than:             <ul style="list-style-type: none"> <li>(i) 1.5m from an upslope or level property boundary; and</li> <li>(ii) if primary treated effluent 2m for every degree of average gradient from a downslope property boundary; or</li> <li>(iii) if secondary treated effluent and subsurface application, 1.5m plus 1m for every degree of average gradient from a downslope property boundary.</li> </ul> </li> </ul>	<p><b>A3</b> – Complies</p> <p>Horizontal separation distance for the onsite wastewater of the dwelling complies with (b).</p> <p>Horizontal separation distance for the onsite wastewater of the holiday cabins complies with both.</p>
<p><b>A4</b> – Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must be no less than 50m.</p>	<p><b>A4</b> – Complies</p>
<p><b>A5</b> – Vertical separation distance between groundwater and a land application area must be no less than 1.5m.</p>	<p><b>A5</b> – Complies</p>

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<p><b>A6</b> – Vertical separation distance between a limiting layer and a land application area must be no less than 1.5m.</p>	<p><b>A6 – Does not comply</b>                  Visitor accommodation onsite wastewater does not comply since vertical separation is 0.5m</p>
<p><b>A7</b> – The arrangement of a land application area must comply with both of the following:</p> <ul style="list-style-type: none"> <li>(a) not include areas beneath buildings, driveways or other hard stand areas;</li> <li>(b) have a minimum horizontal dimension of 3m.</li> </ul>	<p><b>A7</b> – Complies.</p>

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

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FOR TIM GORDON & JULIA CORBETT

PROJECT  
ALONNAH DEVELOPMENT  
40 PARAWEENA ROAD ALONNAH

ARCHITECTS  
SUBMISSION | DEVELOPMENT APPLICATION | RFIs  
February 2026

PROJECT INFORMATION

Project Architects: Nicky Adams and Dan Mann  
Accredited Designer: Giles Newstead, Licence: 050639335  
Land Title Volume: 8388/2  
Certificate of Title Reference: 2322-40ct  
Design Wind Speed:  
Climate Zone:  
BAL rating: Bushfire Hazard report  
Site Classification:

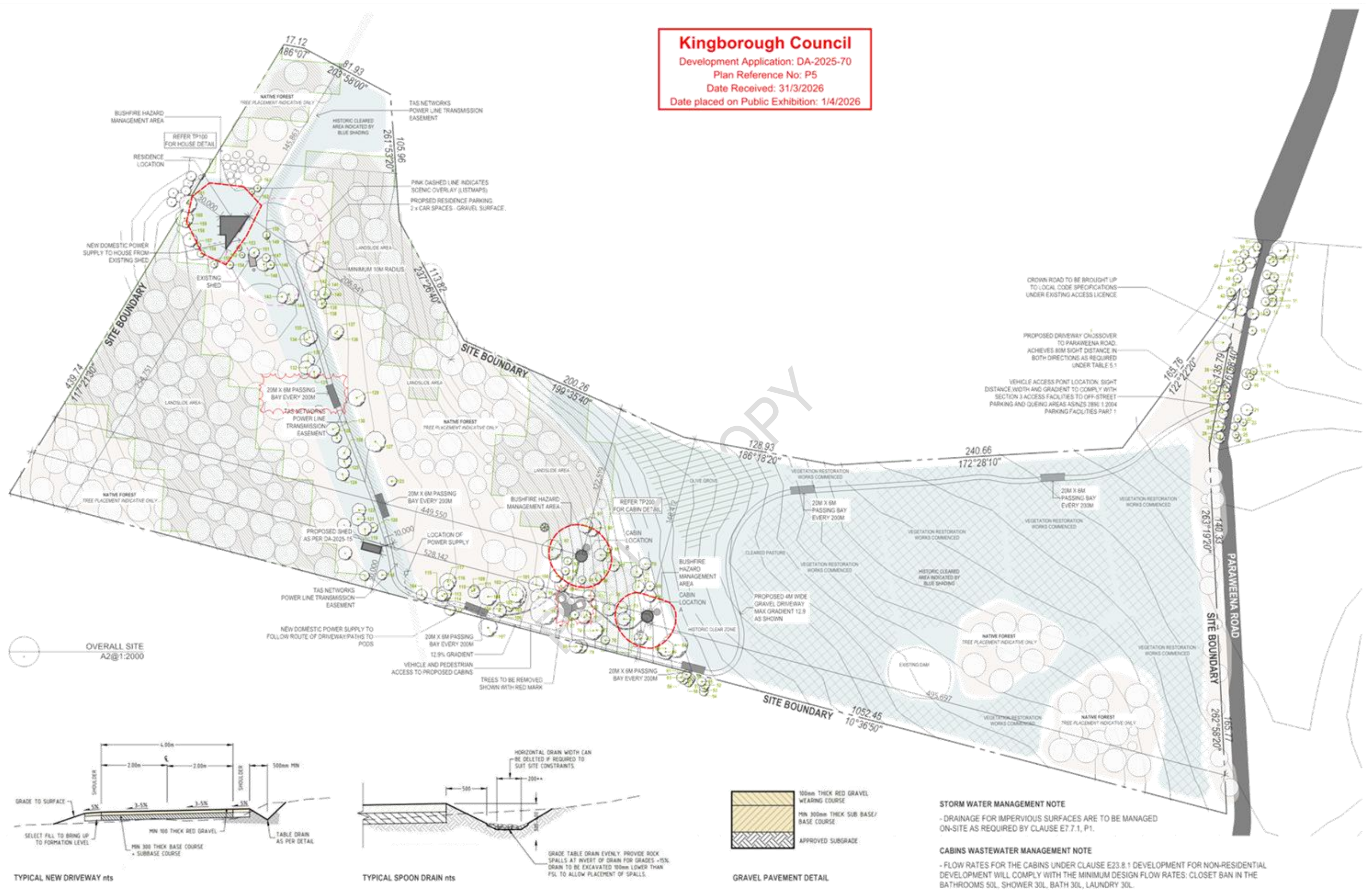
House area: 230m<sup>2</sup>  
Cabin area: 50m<sup>2</sup>  
Site area: 25.55ha

	COVER SHEET
TP001	OVERALL EXISTING SITE PLAN
TP002	OVERALL SITE PLAN
	<b>HOUSE</b>
TP100	HOUSE SITE PLAN
TP110	RESIDENCE FLOOR PLAN
TP111	ROOF PLAN
TP112	SITE EXCAVATION PLAN
TP120	ELEVATIONS
TP130	SECTIONS
	<b>CABINS</b>
TP200	CABINS SITE PLAN
TP201	CABIN SITE SECTIONS
TP210	CABIN FLOOR PLANS
TP220	CABIN ELEVATIONS AND SECTIONS
TP300	VISUAL ANALYSIS COMPLIANCE PLAN

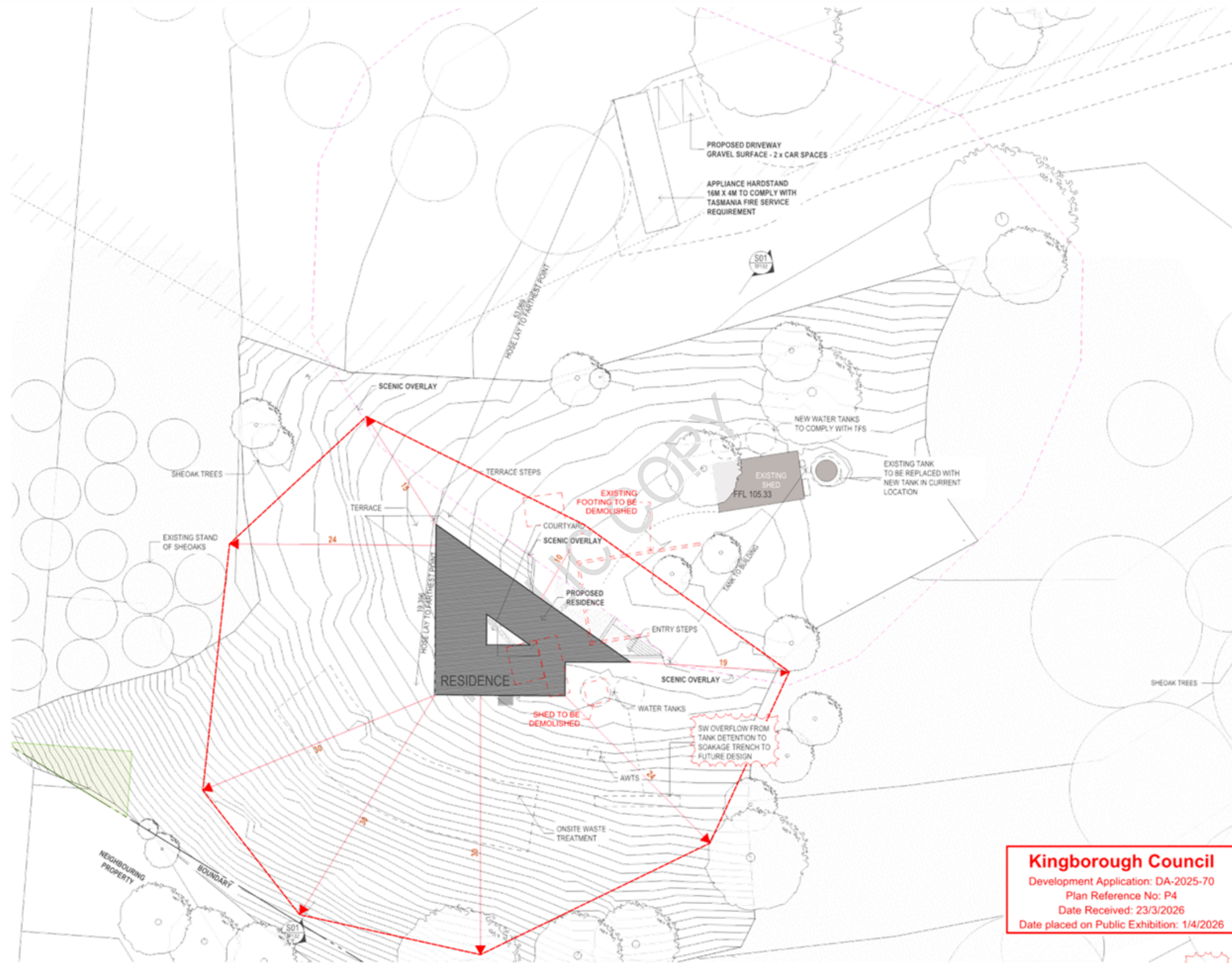
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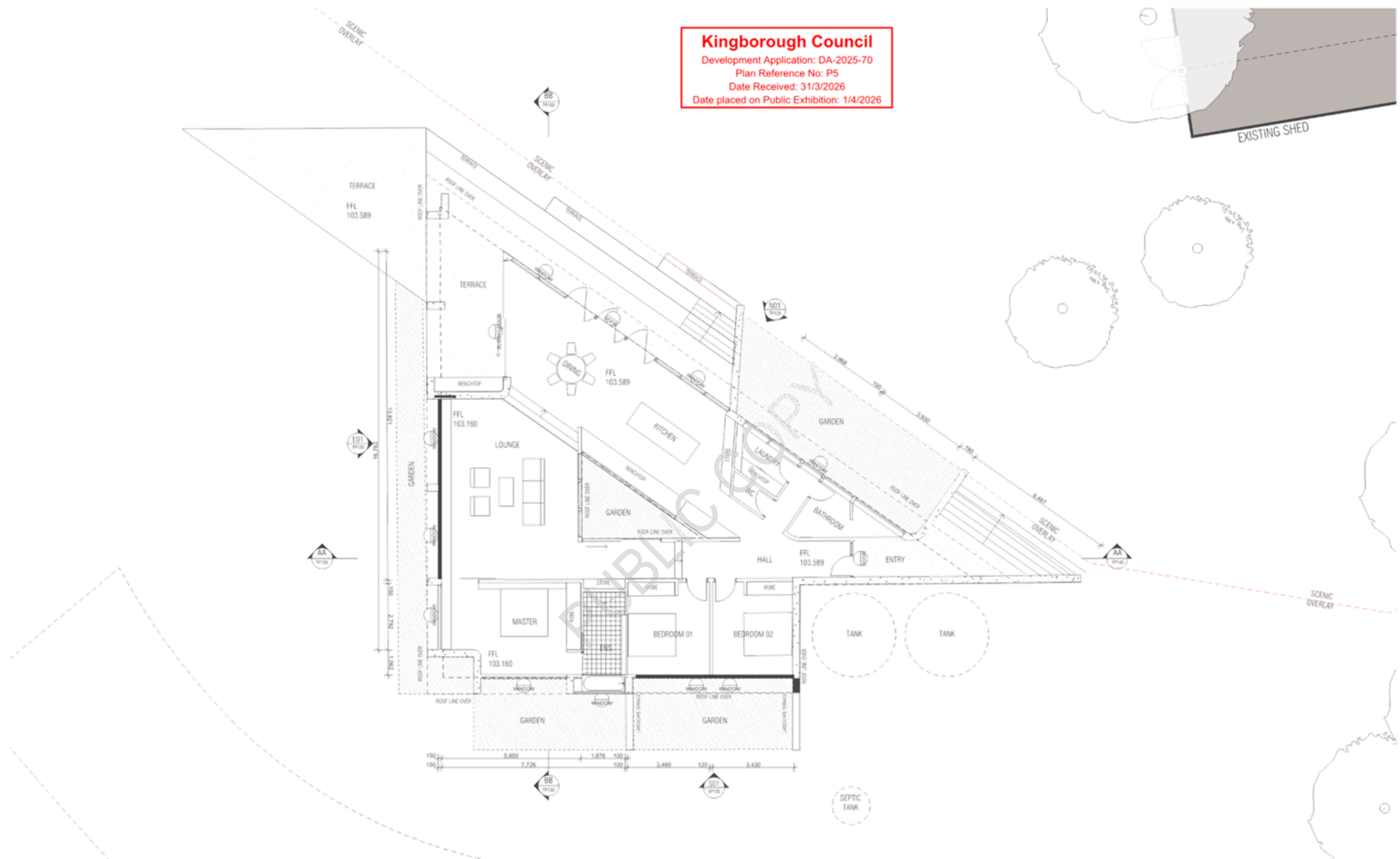
APZ SETBACK AS PER BUSHFIRE REPORT BAL 29

RESIDENCE SITE PLAN  
 A2@1:300

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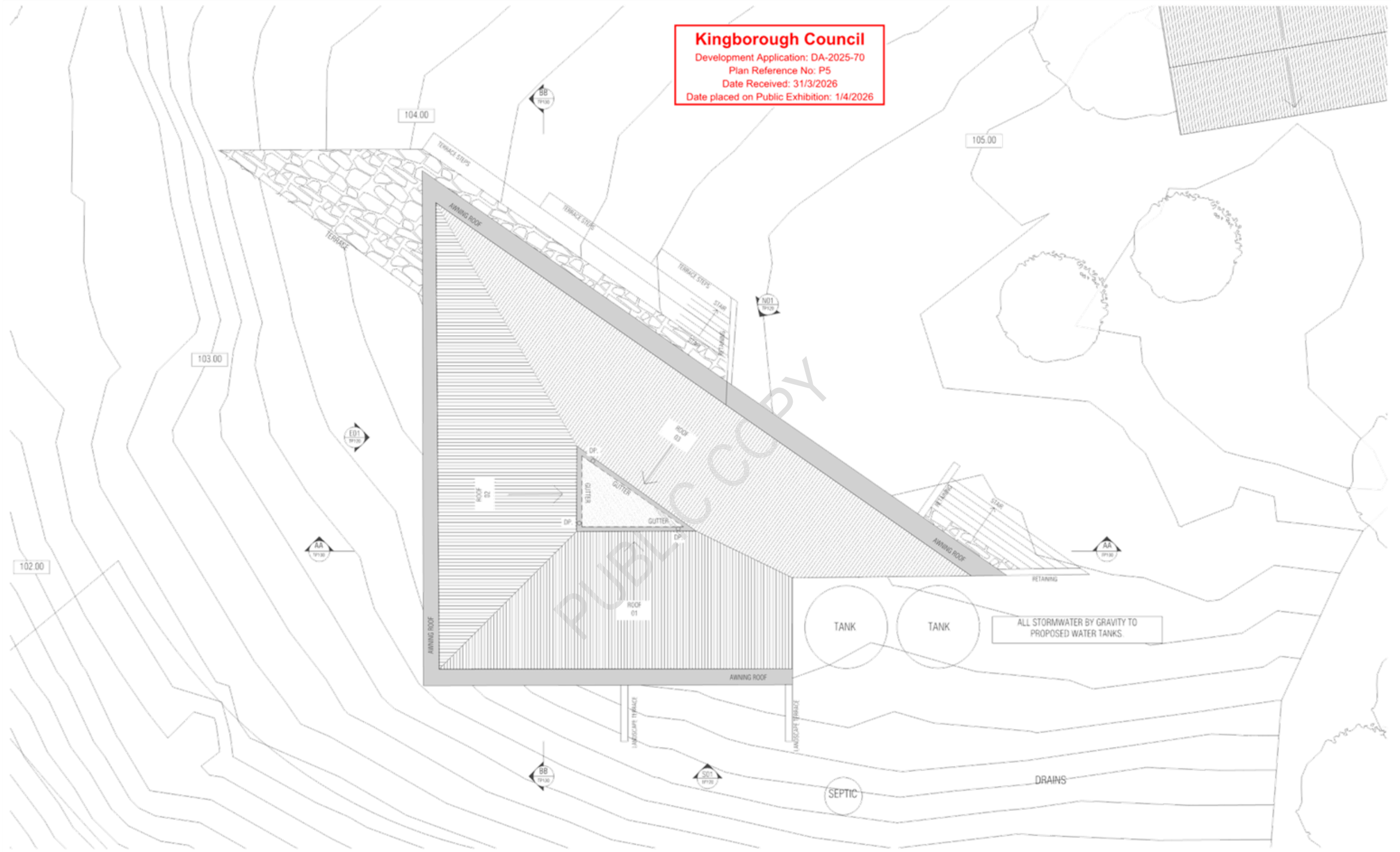
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RESIDENCE FLOOR PLAN  
 A2@1:100

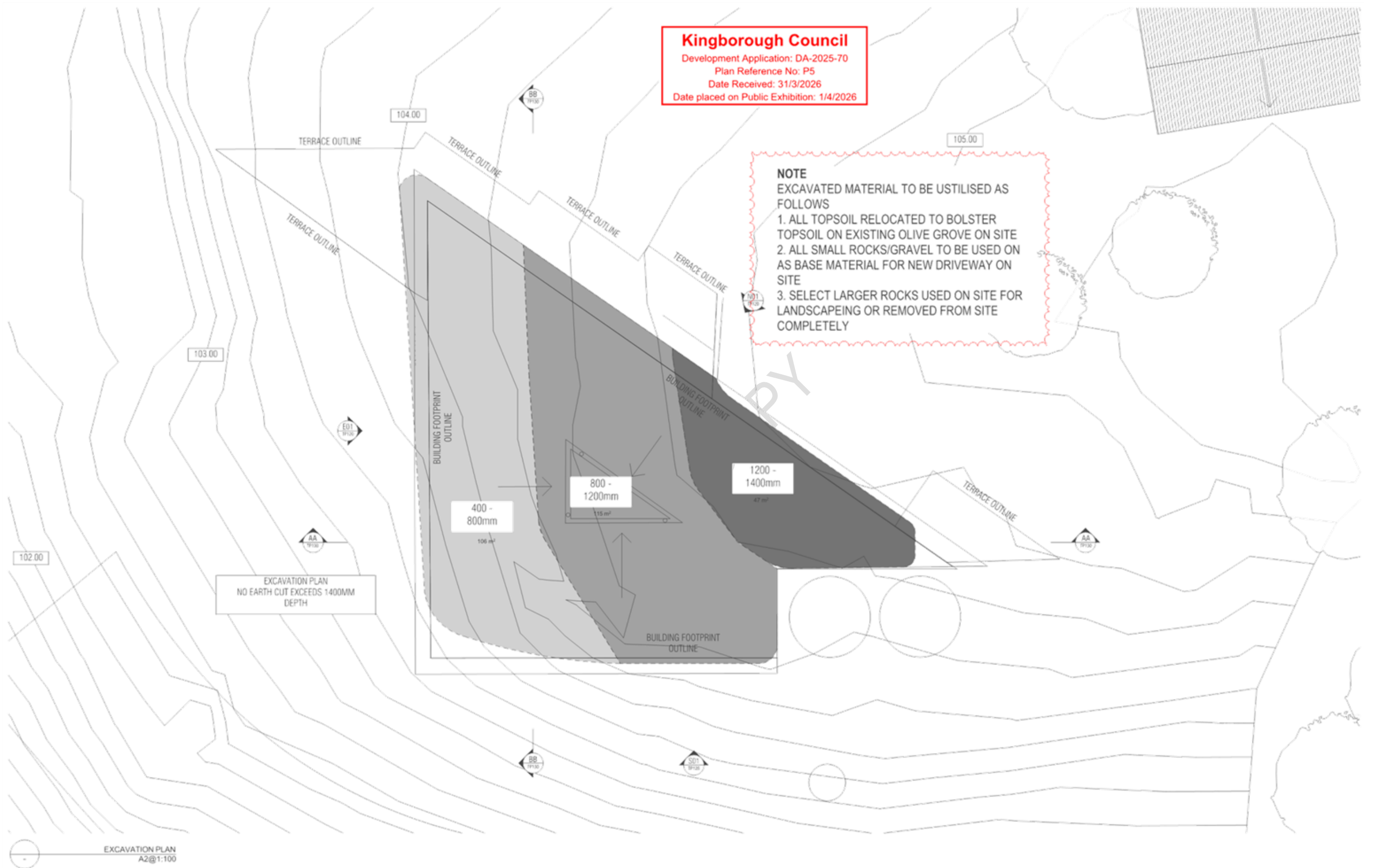
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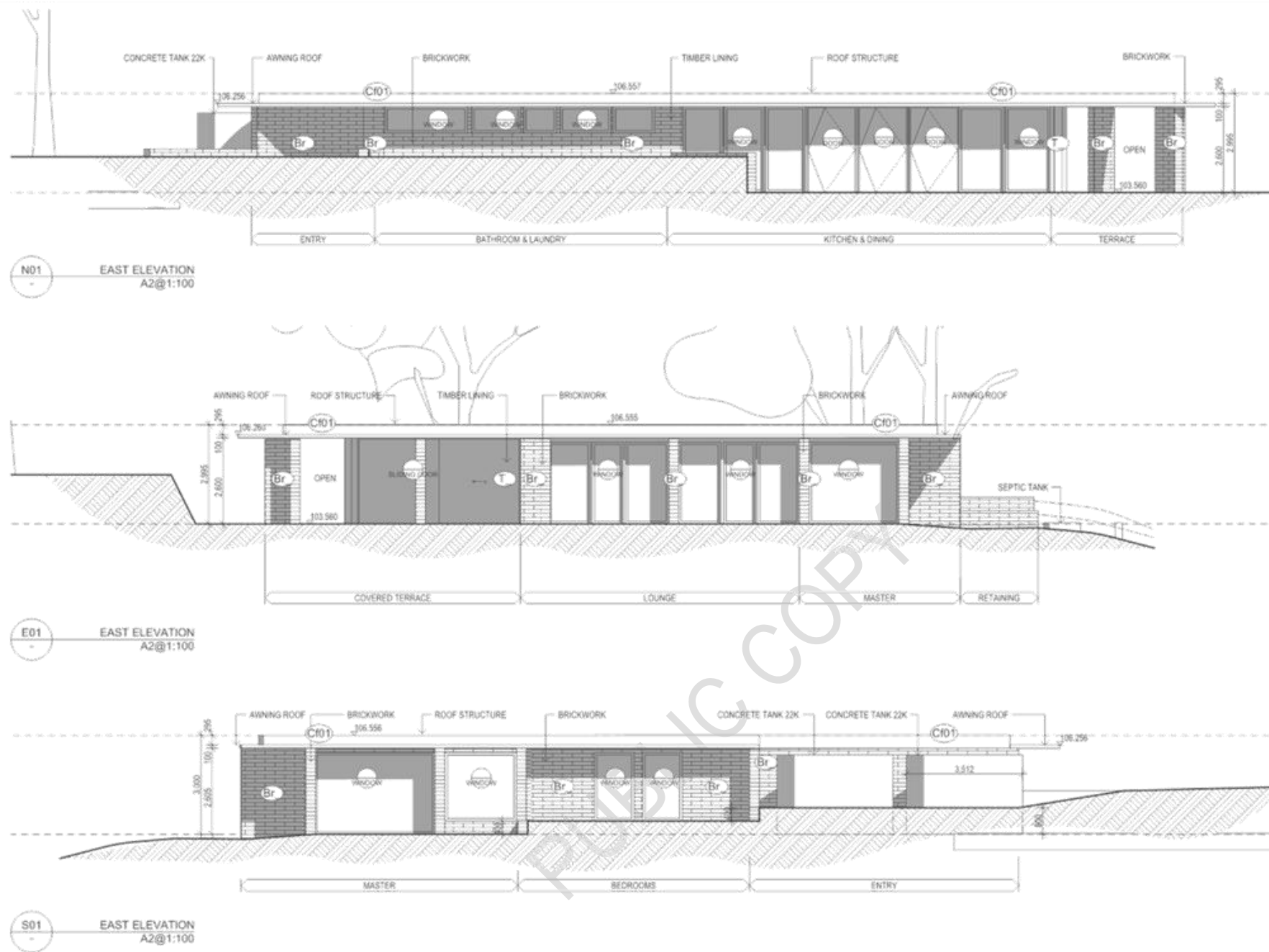
RESIDENCE ROOF PLAN  
 A2@1:100

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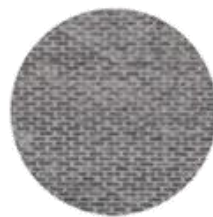
MATERIAL LEGEND



RETAINING ELEMENTS & LANDSCAPE AREAS



TIMBER WINDOW SUITES - T.



BRICK WORK - Br.



METAL ROOF SHEET - M.



ALUMINIUM FRAMED WINDOWS



ANTI REFLECTIVE GLASS TO ALL WINDOWS AND GLAZED DOORS



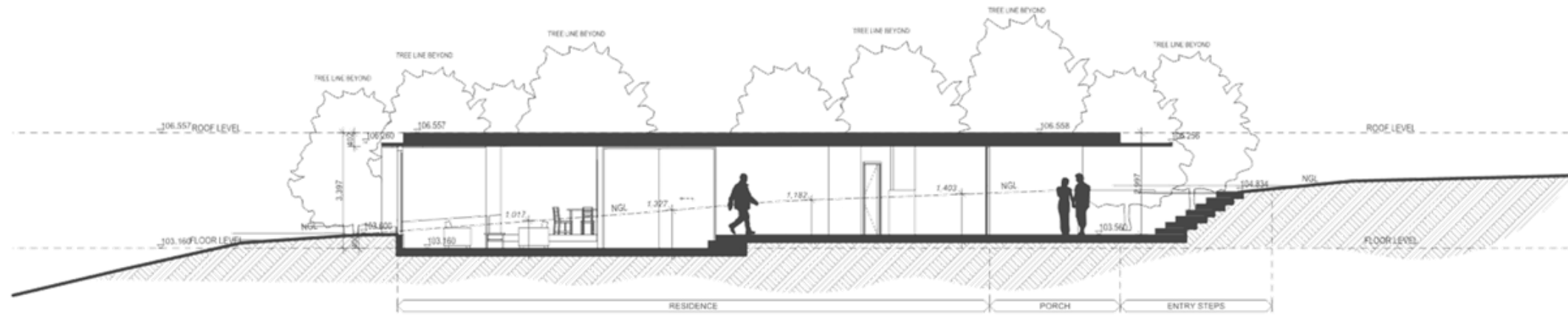
PALETTE COMBINED



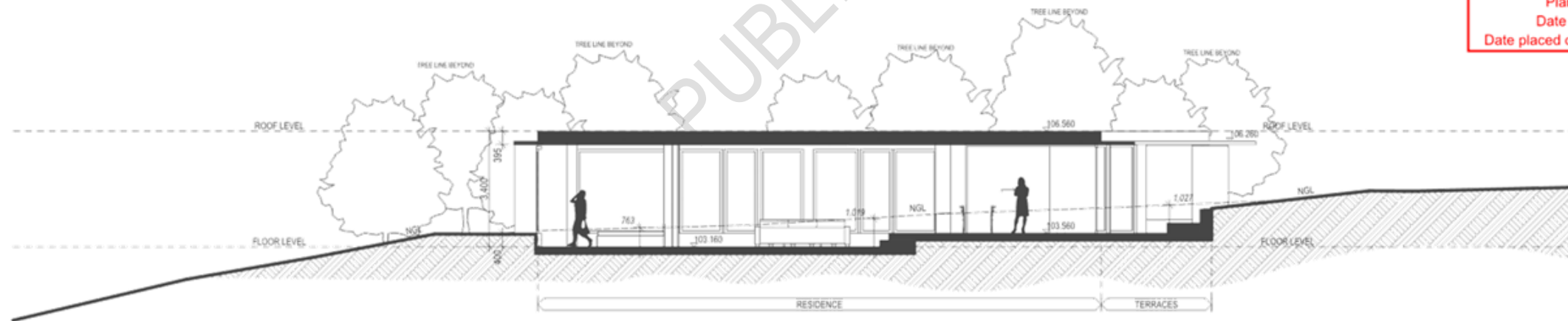
THROUGH COLOURED CONCRETE SHEET - C01

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SECTION AA  
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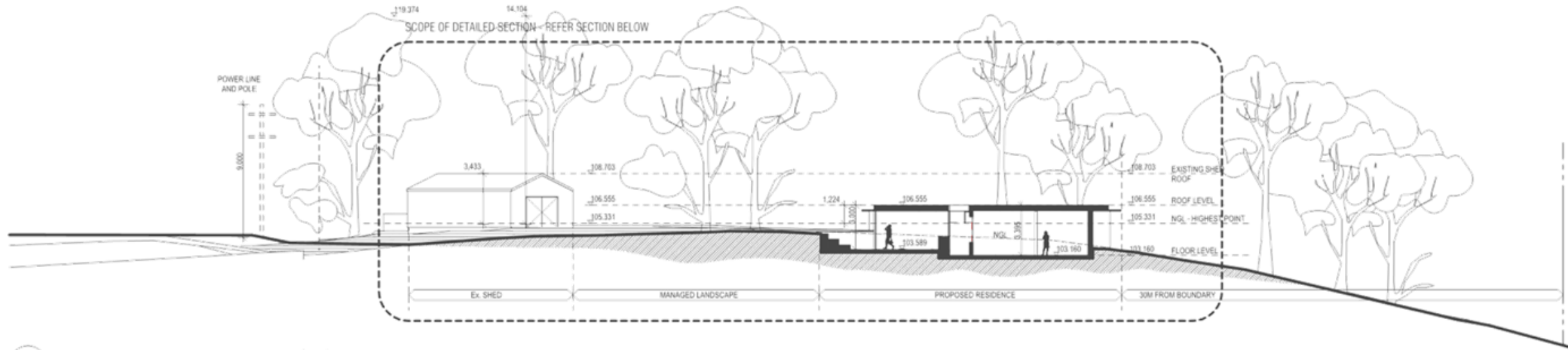
SECTION BB  
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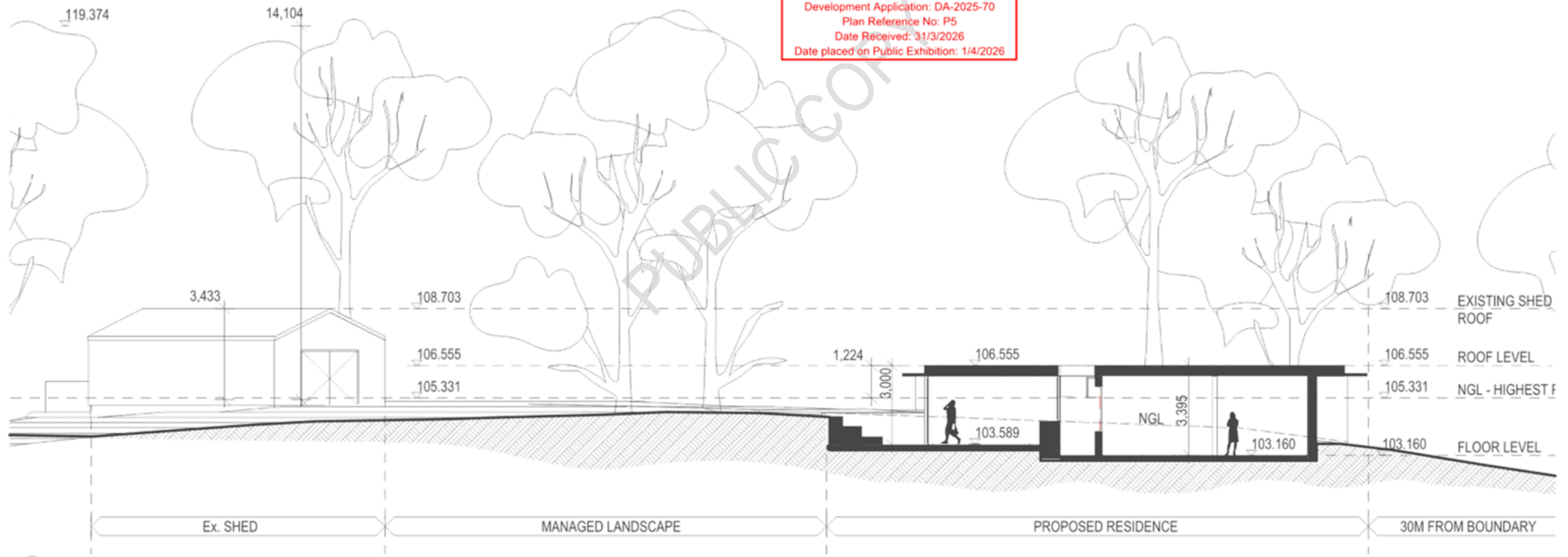
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S01 SITE SECTION A2@1:200

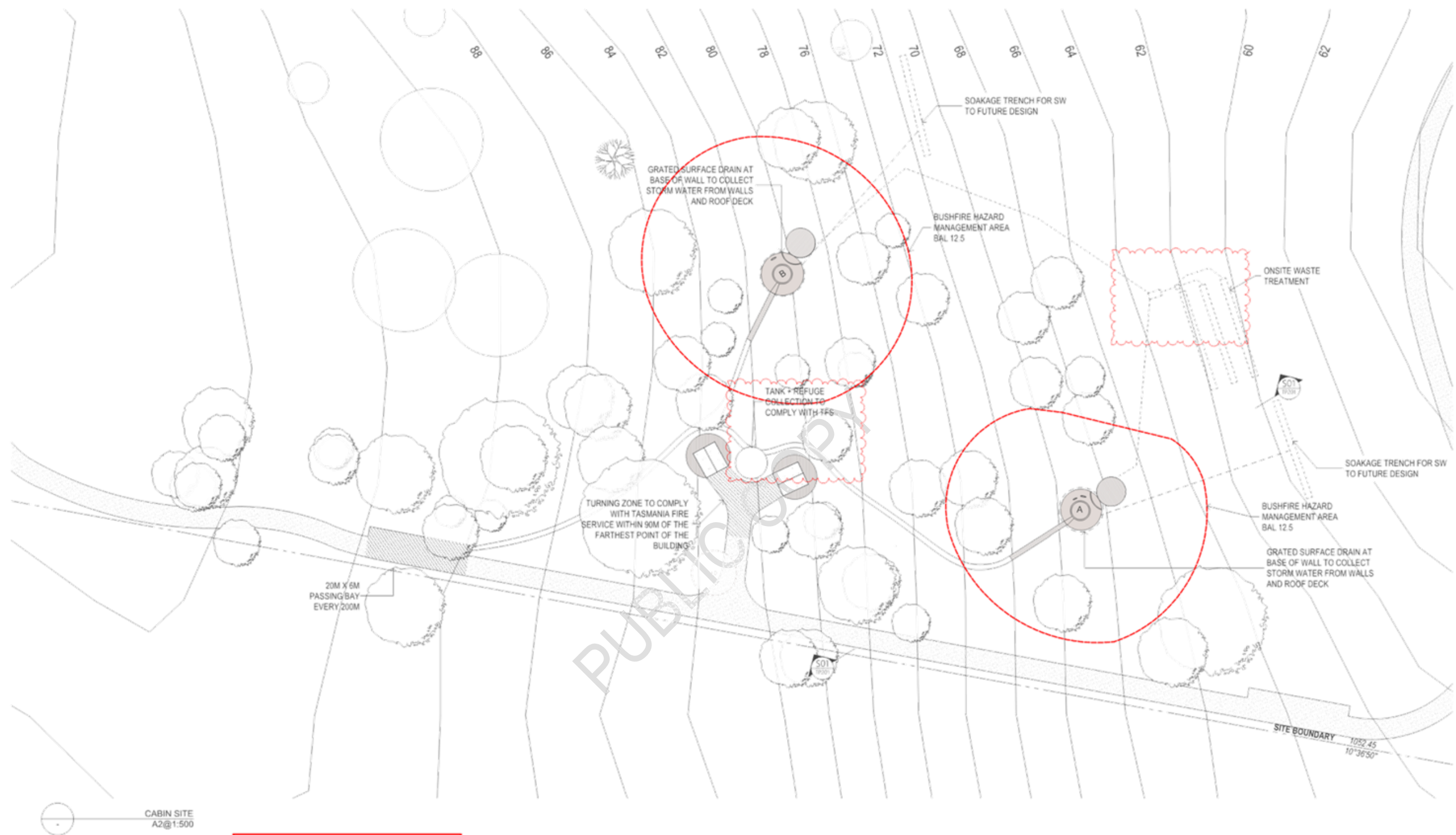
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S01 SITE SECTION A2@1:200

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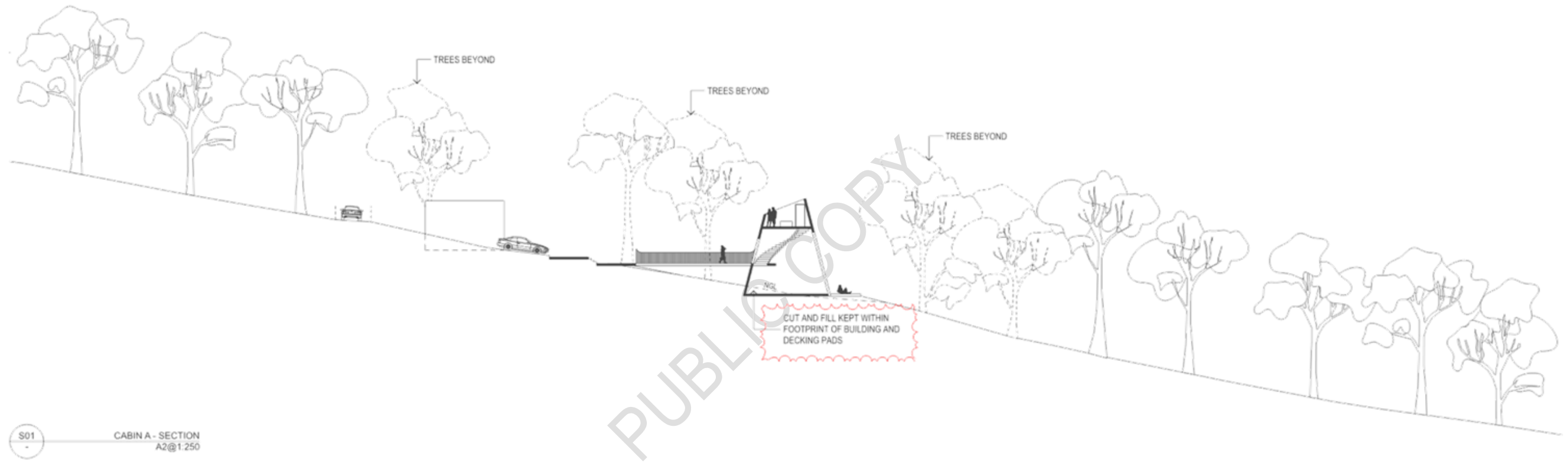


CABIN SITE  
A2@1:500

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	DATE 18/02/2025 03/04/2025 12/11/2025	CHANGE NAME DEVELOPMENT APPLICATION DA 10/1/25 RESPONSE DA 10/1/25 RESPONSE 2	REVISION 01 02 03	NOTE: VERIFY ALL DIMENSIONS AND LEVELS ON SITE PRIOR TO COMMENCING WORKS. DO NOT SCALE DRAWINGS	ALONNAH DEVELOPMENT 40 PARAVAREENA ROAD ALONNAH TAS 7150 STATUS: DEVELOPMENT APPLICATION DATE GENERATED: 31/03/2026	NOM: Tim Gordon & Julia Corbett PROJECT NUMBER: 202405 DRAWN: SZ APPROVED: NA	ARCHITECTURAL DRAWING TITLE: CABIN SITE DRAWING NUMBER: TP200 REVISION: 06
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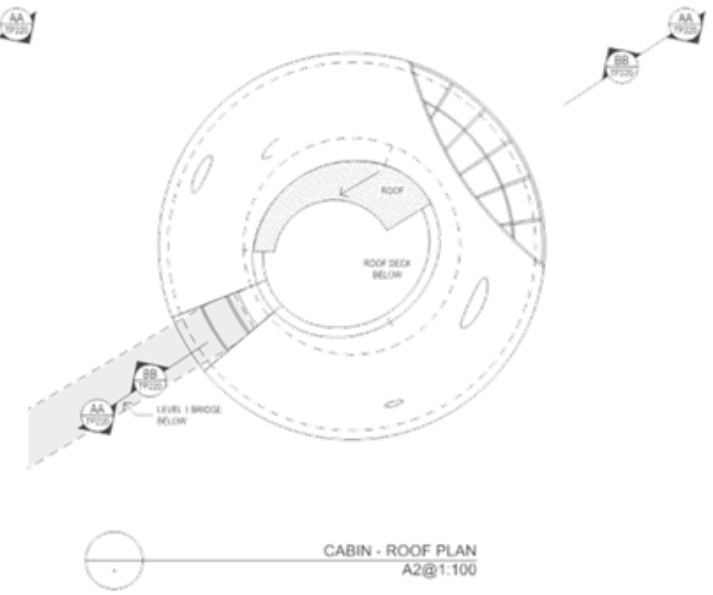
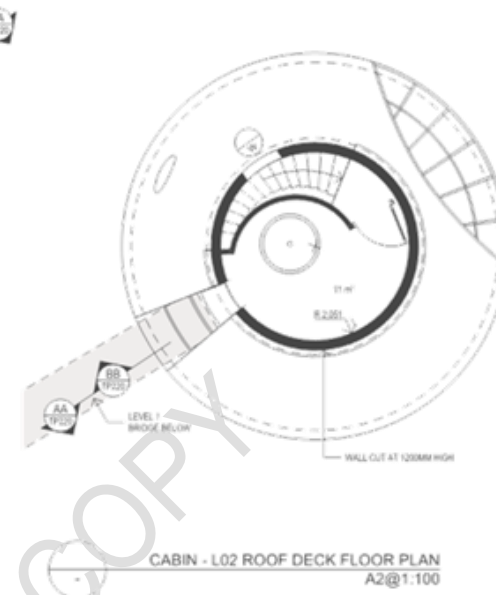
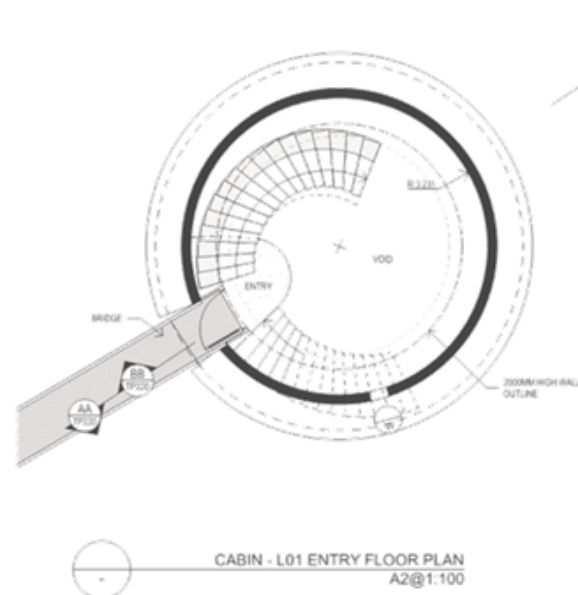
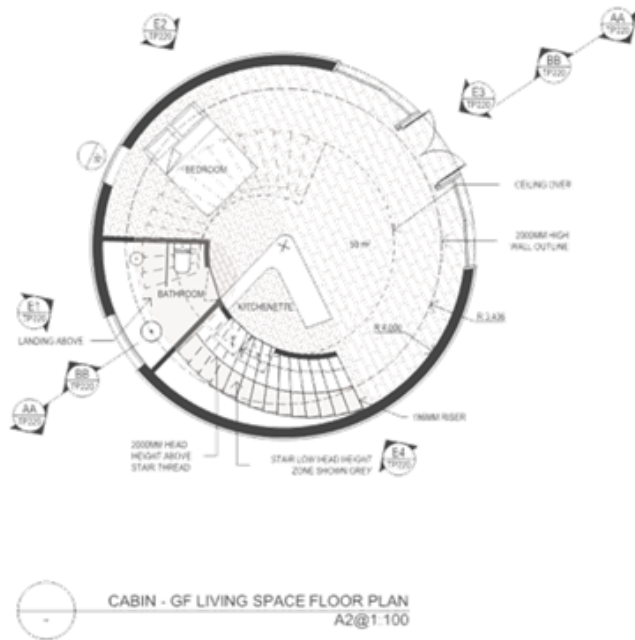
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S01 CABIN A - SECTION  
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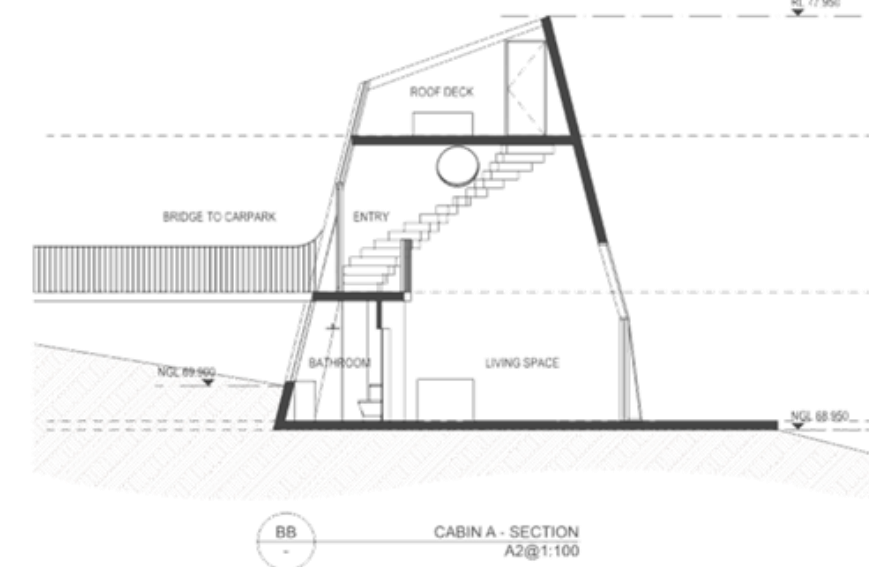
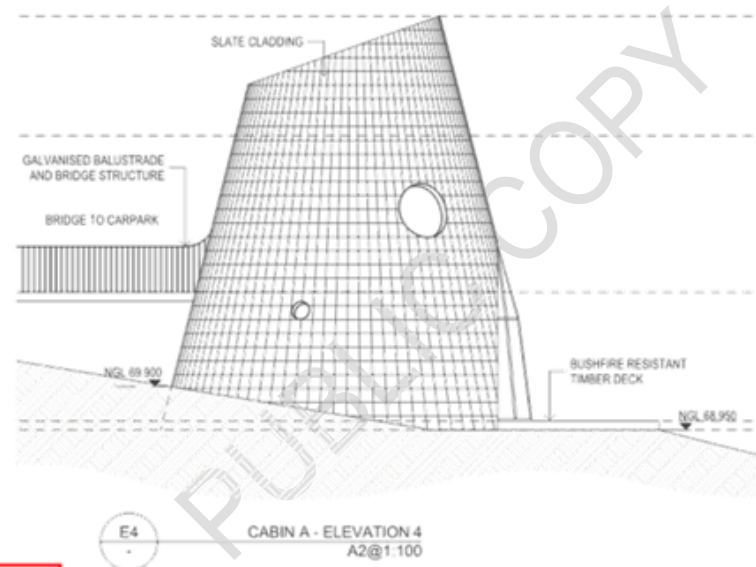
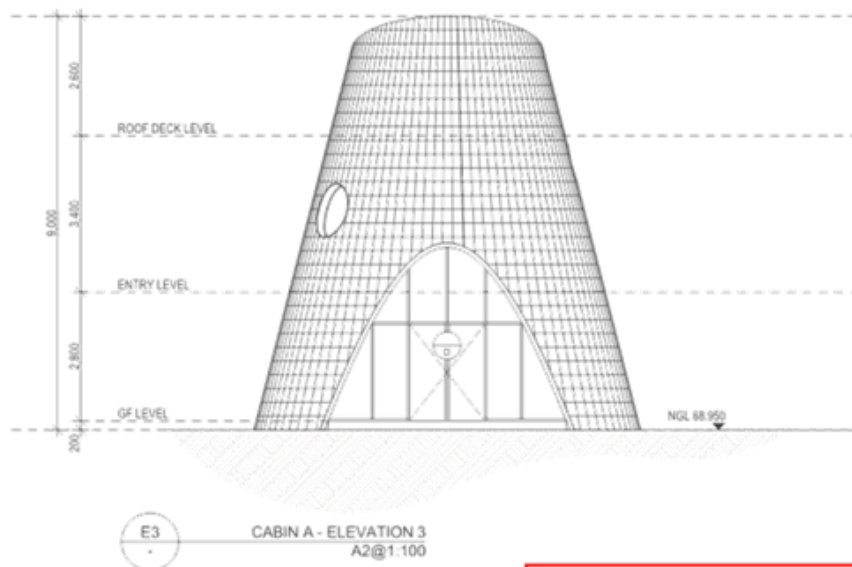
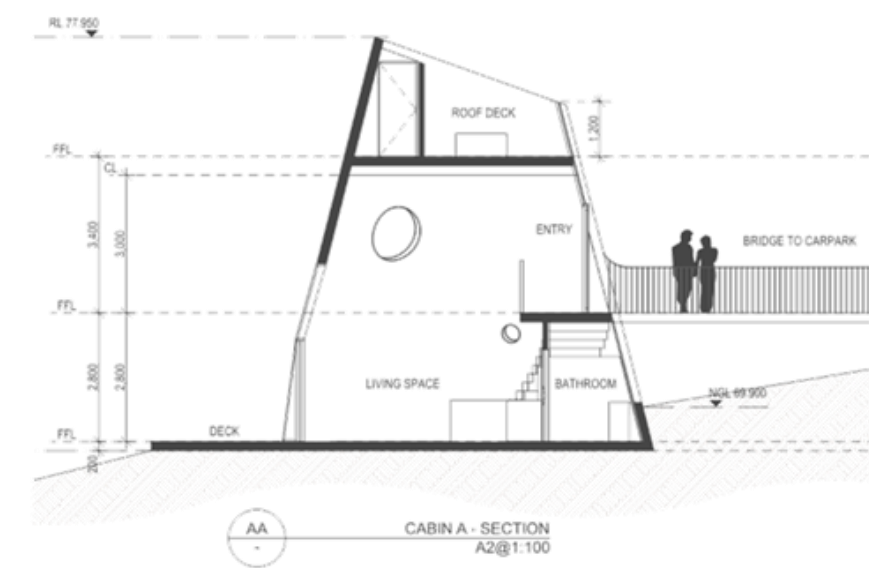
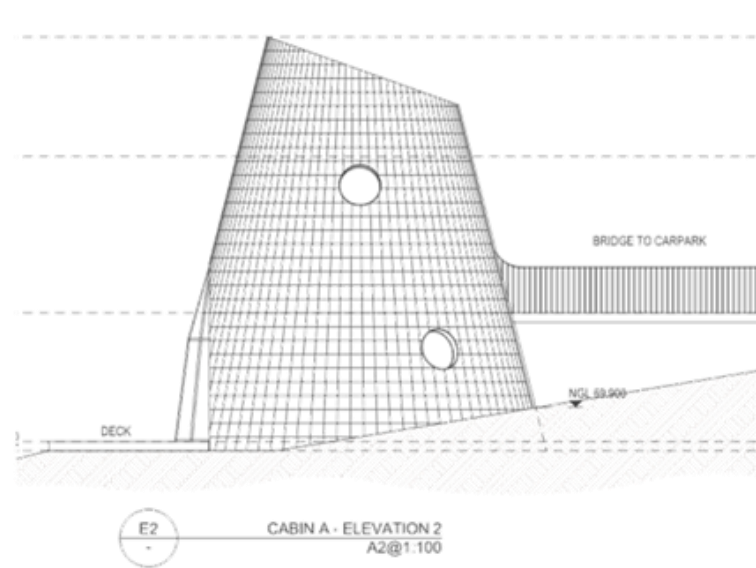
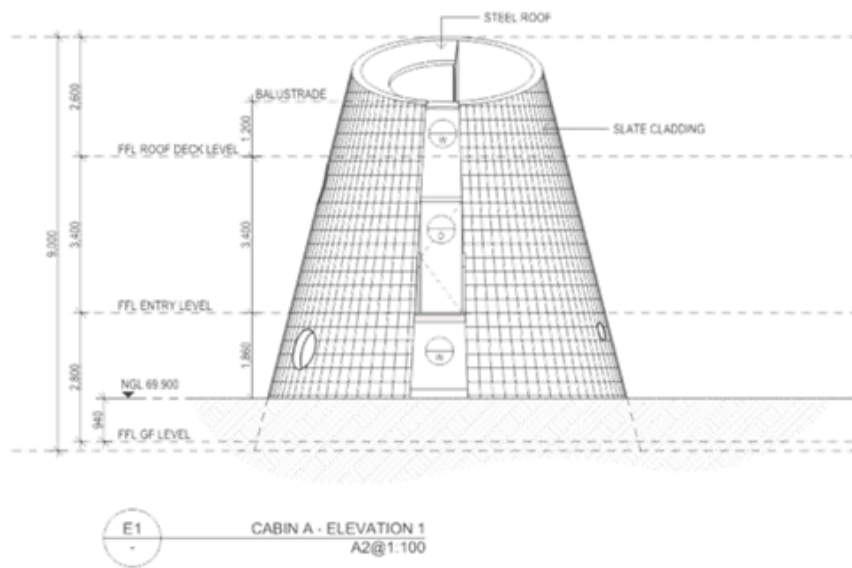
<p>MANA                  ARCHITECTURAL                  40 PARAVENNA ROAD ALONNAH                  TAS 7150</p>	DATE 14/02/2025 03/04/2025 12/11/2025	CHANGE NAME DEVELOPMENT APPLICATION DA INT RESPONSE DA INT RESPONSE 2	REVISION 01 02 03	NOTE: VERIFY ALL DIMENSIONS AND LEVELS ON-SITE PRIOR TO COMMENCING WORKS. DO NOT SCALE DRAWINGS	ALONNAH DEVELOPMENT 40 PARAVENNA ROAD ALONNAH TAS 7150	PER Tim Gordon & Julia Corbett	ARCHITECTURAL DRAWING TITLE CABIN SITE SECTIONS	
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<p>MANA ARCHITECTURE                  1/11/2025                  1/11/2025                  1/11/2025</p> <p>ACCREDITED DESIGNER                  Greg Newstead, Licence No. 020618310</p>	DATE 14/02/2025 03/04/2025 12/11/2025	CHANGE NAME DEVELOPMENT APPLICATION DA1 REF RESPONSE DA1 REF RESPONSE 2	REVISION 01 02 03	NOTE: VERIFY ALL DIMENSIONS AND LEVELS ON-SITE PRIOR TO COMMENCING WORKS. DO NOT SCALE DRAWINGS	ALONNAH DEVELOPMENT 40 PARAVENEER ROAD ALONNAH TAS 7150 STATUS: DEVELOPMENT APPLICATION DATE GENERATED: 12/11/2025	PER: Tim Gordon & Julia Corbett PROJECT NUMBER: 202405 DRAWN: SZ APPROVED: NA	ARCHITECTURAL DRAWING TITLE CABIN FLOOR PLANS DRAWING NUMBER: TP210 REVISION: 03
	Document Set ID: 47492# Version: 1. Version Date: 31/03/2026						



**Kingborough Council**  
 Development Application: DA-2025-70  
 Plan Reference No: P5  
 Date Received: 31/3/2026  
 Date placed on Public Exhibition: 1/4/2026

MATERIAL LEGEND



BUSH FIRE RESISTANT  
TIMBER DECK



INTERNAL PAVING  
PATTERNED MASONRY



WALL CLADDING  
SLATE TILES



CABIN FLASHING COLORBOND  
BASALT.  
ALUMINIUM POWDERCOATED  
WINDOW COLOUR BASALT.

GALVANISED FINISH BRIDGE AND  
BALUSTRADE PAINTED WINDSPRAY.  
BALUSTRADE TO BE 6MM THICK x  
65MM DEEP, SPACING 100MM



WEBFORGE BRIDGE WITH  
GALVANISED STRUCTURE  
BALUSTRADE STRUCTURE  
& FINISH

<p>MANA ARCHITECTURE 11/11/2025 11/11/2025</p> <p>ACCREDITED DESIGNER Glen Newstead, Licence No. 020618310</p>	<table border="1"> <thead> <tr> <th>DATE</th> <th>CHANGE NAME</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td>14/03/2025</td> <td>DEVELOPMENT APPLICATION</td> <td>01</td> </tr> <tr> <td>03/04/2025</td> <td>DA1 REF RESPONSE</td> <td>02</td> </tr> <tr> <td>13/11/2025</td> <td>CA1 REF RESPONSE 1</td> <td>03</td> </tr> </tbody> </table>	DATE	CHANGE NAME	REVISION	14/03/2025	DEVELOPMENT APPLICATION	01	03/04/2025	DA1 REF RESPONSE	02	13/11/2025	CA1 REF RESPONSE 1	03	<p><b>NOTE:</b>                  VERIFY ALL DIMENSIONS AND LEVELS ON-SITE PRIOR TO COMMENCING WORKS.                  DO NOT SCALE DRAWINGS</p>	<p><b>ALONNAH DEVELOPMENT</b>                  40 PARAWEENA ROAD ALONNAH TAS 7150</p> <p>PER: Tim Gordon &amp; Julia Corbett</p> <p>PROJECT NUMBER: 202405                  DRAWN: SZ APPROVED: NA</p>	<p>ARCHITECTURAL DRAWING TITLE                  CABIN ELEVATIONS &amp; SECTIONS                  DRAWING NUMBER: TP220 REVISION: 03</p>
	DATE	CHANGE NAME	REVISION													
14/03/2025	DEVELOPMENT APPLICATION	01														
03/04/2025	DA1 REF RESPONSE	02														
13/11/2025	CA1 REF RESPONSE 1	03														
<p>Document Set ID: 47492#8                  Version: 1. Version Date: 31/03/2026</p>	<p>STATUS: DEVELOPMENT APPLICATION                  DATE GENERATED: 12/11/2025</p>	<p>DATE: 12/11/2025</p>	<p>DATE GENERATED: 12/11/2025</p>	<p>DATE: 12/11/2025</p>												

**12.2 DEVELOPMENT APPLICATION FOR CONSTRUCTION OF JETTY, BOAT SHED AND ASSOCIATED WALKWAY AT 4101 CHANNEL HIGHWAY, FLOWERPOT AND ADJACENT CROWN COASTAL RESERVE**

**File Number:** DA-2025-82  
**Author:** Trevor Bonheim, Consultant Planner  
**Authoriser:** Sarah Silva, Senior Statutory Planner

<b>Applicant:</b>	K Mahendran, Burbury Consulting Pty Ltd
<b>Owner:</b>	Ms M T Westerhausen
<b>Subject Site:</b>	4101 Channel Highway, Flowerpot (CT 20339/1), the adjoining Crown Public Reserve, and the adjacent waters of the D'Entrecasteaux Channel.
<b>Proposal:</b>	Construction of jetty, boat shed and associated walkway
<b>Planning Scheme:</b>	Kingborough Interim Planning Scheme 2015 <i>Assessment is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)</i>
<b>Zoning:</b>	Rural Resource & Environmental Management
<b>Codes:</b>	E1.0 Bushfire Prone Areas E3.0 Landslide E6.0 Parking and Access E7.0 Stormwater Management E10.0 Biodiversity E11.0 Waterway and Coastal Protection E15.0 Inundation Prone Areas E16.0 Coastal Erosion Hazard
<b>Use Class/Category:</b>	Pleasure boat facility
<b>Discretions:</b>	26.3.3 – Discretionary Use (P1) 29.3.1 – Use Standards for Reserved Land (P1) 29.4.2 – Setback (P2) 29.4.3 – Design (P1) 29.4.3 – Design (P3) E10.7.1 – Buildings and Works (A1) E11.7.1 – Buildings and Works (A1) E11.7.2 – Buildings and Works Dependent on a Coastal Location (P1) E11.7.2 – Buildings and Works Dependent on a Coastal Location (P3) E15.7.6 - Development Dependent on a Coastal Location (P1) E15.7.6 - Development Dependent on a Coastal Location (P3)
<b>Public Notification:</b>	Public advertising was undertaken between 11 April 2026 and 24 April 2026 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i> .
<b>Section 52(1B) Owner consent requirements:</b>	The proposal includes the development and use of a jetty and boat shed over part of the waterway of D'Entrecasteaux Channel, which is in Crown ownership, and over part of a Crown Public Reserve, and therefore owner's consent under section 52(1B) of the <i>Land Use Planning and</i>

	<i>Approvals Act 1993</i> was required and was obtained. That land was included in the application and referred to in the public notice.
<b>Representations:</b>	Eight
<b>Recommendation:</b>	Approval subject to conditions.

**1. PROPOSAL**

**1.1 Description of Proposal**

The application seeks a planning permit for the use and development of a jetty with a fixed t-head and boatshed, together with improvements to a 6m section of an existing pathway, within a Public Reserve and the adjoining waters of the D’Entrecasteaux Channel, adjacent to 4101 Channel Highway, Flowerpot.



**Figure 1 – Site plan showing the location of the proposed jetty, t-head and boat shed (Burbury).**

The works on the pathway and the new structures are to be wholly located within the Public Reserve and the adjoining waters. The use of these facilities is intended to occur in conjunction with the approved Visitor Accommodation use at 4101 Channel Highway, Flowerpot (CT20339/1). While there will be a strong nexus with the Visitor Accommodation use, the use is not considered to be directly associated, and subservient part of the Visitor Accommodation use therefore the use must be categorised separately under Clause 8.2 of the Scheme. The use is categorised as a ‘Pleasure boat facility’, which is described as the use of land to provide facilities for boats operated primarily for pleasure or recreation.

The proposed jetty is to be used only in association with the approved visitor accommodation use at 4101 Channel Highway. No public or other commercial use of the jetty is proposed. Guests of the visitor accommodation use will be able to access tours from a boat moored adjacent to the proposed jetty which is to be operated by the accommodation facility’s dedicated boat operator and tour guide. Guests will also be able to use the kayaks stored in the boathouse in adjacent waters for recreation. The proposed jetty may also be used to provide general boating facilities for the personal use of the residents of 4101 Channel Highway, Flowerpot.

The proposed jetty including the t-head will have an overall length of 30m and is to be constructed with timber decking and a combination of driven timber piles and piles with concrete footings on bedrock. The fixed walkway has a length of 26.3m and a width of 1.5m. The t-head will have dimensions of 11.5m x 3.5m and will have pile mounted solar lights at its four corners. A 2.7m x 5m boat shed with a 2.95m high single gable roof is to be located on the landward side of the northern section of the t-head. A 2.5m x 5m lower landing will be located on the landward side of the southern section of the t-head. The jetty and t-head deck will have a finished level of 2.5m AHD, and the lower landing will have a finished level of 1.0m AHD. The highest parts of the structure will be the top of the gable roof of the boat shed and the four piles on the t-head, which will each have a height of 4.96m AHD.

An area of rock armouring which will be up to 1.5m in height is proposed to be installed at the landward end of the jetty where it connects with the land. This is being provided to ensure the landform where the jetty connects with the shore remains stable.

The proposed pathway works comprise the upgrade of a 6m section of an existing pathway adjoining to the jetty including the installation of two sets of stone steps with a handrail and the filling of a 2m section to a depth of approximately 0.2m to align the level of the pathway with the finished level of the deck of the jetty. Approval is not being sought for any further upgrade works on the existing pathway which extends from near the existing residence at 4101 Channel Highway to the location of the proposed jetty.

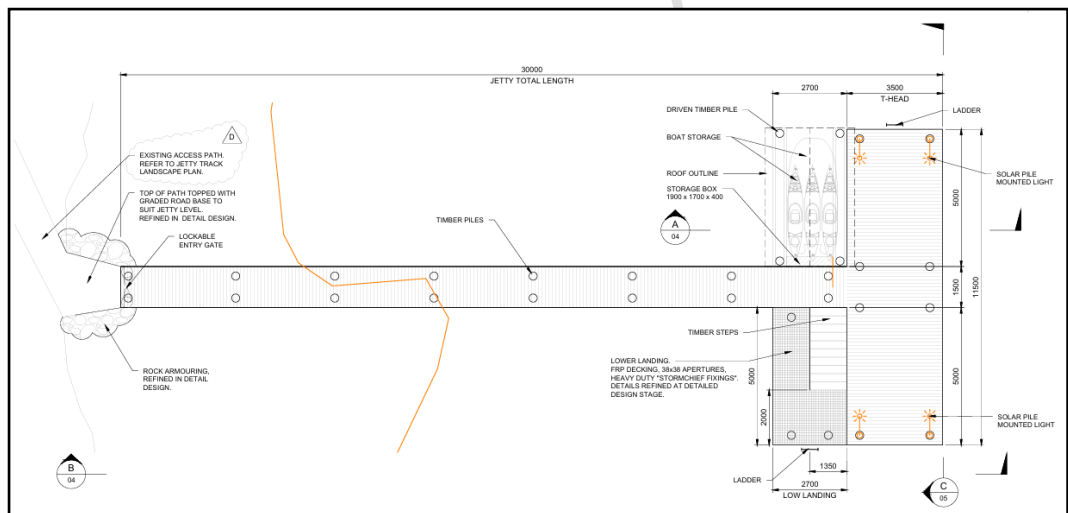


Figure 2 – Plan of the proposed jetty, t-head and boat shed (Burbury).

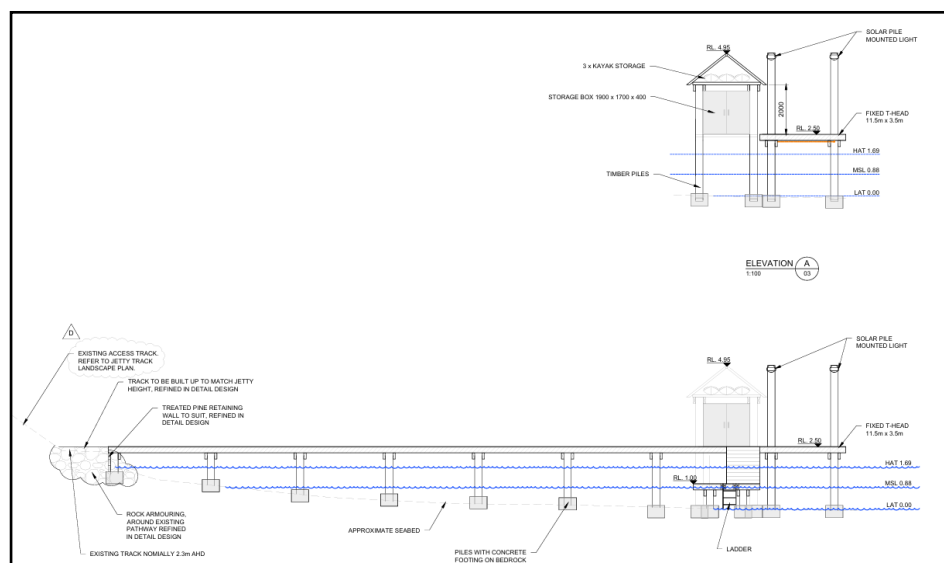


Figure 3 – Elevations of the proposed jetty, t-head and boat shed (Burbury).

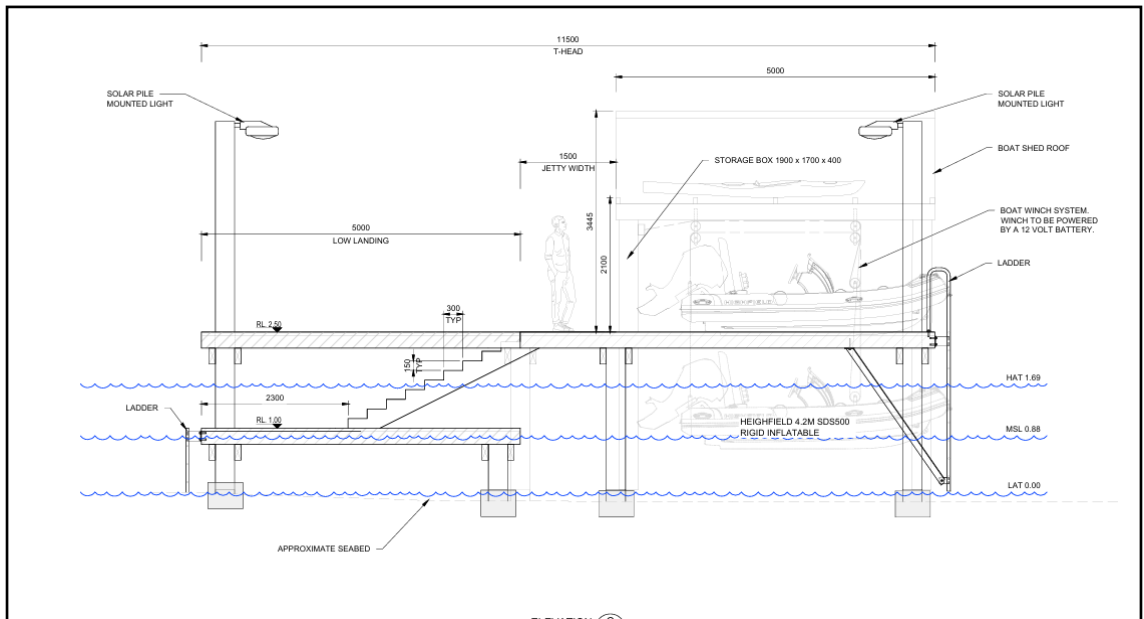


Figure 4 – Elevation of the proposed jetty, t-head and boat shed (Burbury).

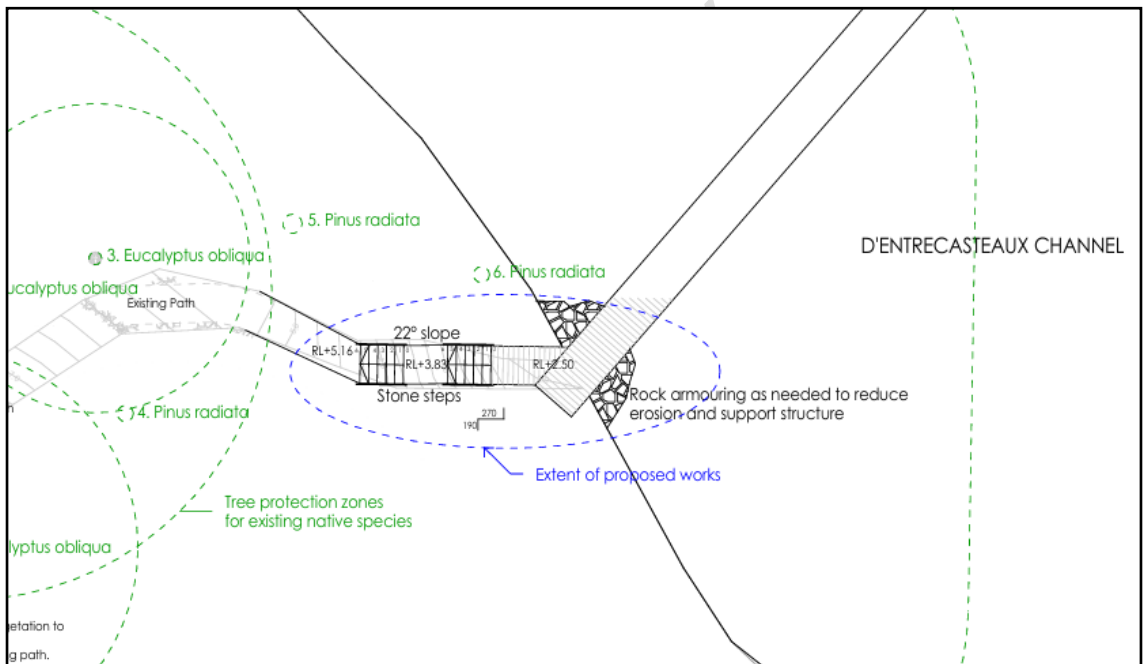


Figure 5 – Plan of proposed pathway upgrade works (Burbury).

**1.2 Description of Site**

The site comprises 4101 Channel Highway, Flowerpot (CT20339/1) which has an area of 2.663ha, a part of the adjoining 15.86ha Public Reserve which extends along the coast from Birchs Bay Creek to Coalbrook Creek, and a part of the adjacent tidal waters of the D’Entrecasteaux Channel.

The land at 4101 Channel Highway is included in the Rural Resource Zone, and the Public Reserve and the adjacent waters of the D’Entrecasteaux Channel are included in the Environmental Management Zone. The Channel Highway, which forms the western boundary of 4101 Channel Highway, is included in the Utilities Zone.



**Figure 6** – The site and surrounding land showing KIPS2015 zoning (Spectrum).

The land at 4101 Channel Highway has a 273m frontage to the Channel Highway to the west and a 340.9m boundary with the Public Reserve to the east. It adjoins rural properties containing dwellings to the north and south.

The site is subject to the KIPS2015 Bushfire Prone Areas, Landslide, Biodiversity, Waterway and Coastal Protection, Coastal Inundation Prone Areas, and Coastal Erosion Hazard overlays. The location of the proposed jetty and pathway upgrade is subject to the Bushfire Prone Areas, Biodiversity, Waterway and Coastal Protection, and Coastal Inundation Prone Areas overlays.



**Figure 7** – The KIPS2015 Bushfire Prone Areas overlay (Spectrum).



**Figure 8 – The KIPS2015 Landslide Hazard overlay (Spectrum).**



**Figure 9 – The KIPS2015 Biodiversity overlay (Spectrum).**



**Figure 10** – The KIPS2015 Waterway and Coastal Protection overlay (Spectrum).



**Figure 11** – The KIPS2015 Coastal Inundation Prone Areas overlay (Spectrum).



**Figure 12** – The KIPS2015 Coastal Erosion Hazard overlay (Spectrum).

The site falls away from the Channel Highway with an area of more gentle slopes in the middle of the 4101 Channel Highway (where the existing and approved buildings are located) and steeper slopes within the Public Reserve adjacent to the coastline. The existing pathway to the location of the proposed jetty follows the easiest grade from the existing and approved development at 4101 Channel Highway to the foreshore.



**Figure 13** – The site showing contours with a 1 metre interval (Spectrum).

At present the part of the site at 4101 Channel Highway is partially developed in accordance with Planning Permit DA-2022-64/A with the construction of the approved visitor accommodation building and adjacent landscaping. The construction of a new dwelling and ancillary dwelling pursuant to this permit has not yet commenced, and the existing two-level four-bedroom dwelling of brick and steel construction built in the mid-1980s remains on the site. Work has been undertaken on the construction for the new driveway arrangement approved by the planning permit.

The area of 4101 Channel Highway through which the existing pathway passes slopes toward the foreshore and contains native vegetation. The part of the site comprising the Public Reserve consists of vegetated sloping land extending to and including the foreshore of the D’Entrecasteaux Channel. The pathway traverses this land and is at its steepest adjacent to the waterline where there are low rocky cliffs.



**Figure 14** – View from the existing pathway showing the location of the landward end of the proposed jetty and the section of the existing pathway to be upgraded (Kingborough Council).



*Figure 15 – View of the location of the proposed jetty (Kingborough Council).*

The shoreline at the landward end of the proposed jetty consists of a sloping hard rock shore with numerous rocks. The adjacent waterway into which the proposed jetty will extend is shallow and rocky with water depth being subject to tidal variations.

### 1.3 Background

Previous and current planning applications for the 4101 Channel Highway site include:

- DA-2021-309 – Demolition of existing buildings and construction of dwelling, ancillary dwelling, visitor accommodation, boatshed, and associated infrastructure. This application was withdrawn in January 2022 before it had been determined.
- DA-2022-64 – Demolition of existing buildings and construction of dwelling, ancillary dwelling, visitor accommodation, associated works, and road works infrastructure. This application was approved at a Council Meeting held on 1 August 2022.
- DA-2022-64/A – Minor amendment to the design of the visitor accommodation approved by DA-2022-64. The minor amendment was approved under delegated authority on 3 March 2023.
- DA-2026-111 – Extension to visitor accommodation. This application was received on 27 March 2026 and is presently under assessment.

The current application was lodged on 11 March 2025 and was subject of requests for further information on 23 April 2025, 11 September 2025 and 30 September 2025. The receipt on 25 March 2026 of the final response to the 30 September 2025 request for further information allowed the application to be advertised.

## 2. ASSESSMENT

### 2.1 State Policies and Act Objectives

The proposal is consistent with the outcomes of the State Policies, including those of the Coastal Policy. The proposed jetty and pathway upgrade is in particular consistent with the following relevant Coastal Policy Outcomes:

- 1.1.10. The design and siting of buildings, engineering works and other infrastructure, including access routes in the coastal zone, will be subject to planning controls to ensure compatibility with natural landscapes.
- 2.1.3. Siting, design, construction and maintenance of buildings, engineering works and other infrastructure, including access routes within the coastal zone will be sensitive to the natural and aesthetic qualities of the coastal environment.
- 2.1.7 All future use and development of public land in the coastal zone will be consistent with this Policy, and subject to planning controls unless otherwise provided by statute.
- 2.8.1 Recreational use of the coastal zone will be encouraged where activities can be conducted in a safe and environmentally responsible manner.

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

### 2.2 Strategic Planning

The relevant strategies associated with the Scheme are as follows:

#### *Zone Purpose Statements of the Rural Resource zone*

The zone purpose statements of the Rural Resource zone are:

- 26.1.1.1 To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.
- 26.1.1.2 To provide for other use or development that does not constrain or conflict with resource development uses.
- 26.1.1.3 To provide for non-agricultural use or development, such as recreation, conservation, tourism and retailing, where it supports existing agriculture, aquaculture, forestry, mining and other primary industries.
- 26.1.1.4 To allow for residential and other uses not necessary to support agriculture, aquaculture and other primary industries provided that such uses do not:
  - (a) fetter existing or potential rural resource use and development on other land;
  - (b) add to the need to provide services or infrastructure or to upgrade existing infrastructure;
  - (c) contribute to the incremental loss of productive rural resources.
- 26.1.1.5 To provide for protection of rural land so future resource development opportunities are not lost.
- 26.1.1.6 To ensure development respects and protects the natural and landscape values on the land.

The proposal complies with the above-mentioned statements as follows:

- 26.1.1.1 – The use and development of the proposed jetty will not inhibit the use or development of the land or resources for agriculture, aquaculture, forestry, mining and other primary industries, including resource processing, noting that opportunities for these uses are limited on the site due to the size of the land and its use for residential and visitor accommodation uses.
- 26.1.1.2 – The proposed jetty in this context falls within the scope of an ‘other use or development’ and it will not constrain or conflict with existing or future resource development uses on the site or surrounding land.
- 26.1.1.3 – The proposed jetty will service the approved visitor accommodation use on the site approved by DA-2022-64/A, which was at the time of its approval determined to satisfy this purpose statement.
- 26.1.1.4 – The proposed jetty will, due to its use, scale and location, not fetter any existing or potential rural resource use and development on the site or surrounding land. It will not create a need to provide additional services or infrastructure or to upgrade any existing infrastructure. Its use and development will not contribute to the incremental loss of productive rural resources.
- 26.1.1.5 – The proposed jetty will not impact on rural land in a manner that impedes or precludes future resource development.
- 26.1.1.6 – The proposed jetty and boat shed will result in the intrusion of new built element into the landscape of this part of the coastline. The land along the coastline of the part of the D’Entrecasteaux Channel extending from Kettering to Gordon is characterised by extensive past clearing of native vegetation and development initially for rural purposes and more recently predominantly for large-lot residential holdings and small-scale primary production uses. The scale of the proposed jetty and the reliance on the existing pathway for access means that it will have minimal impact on natural and landscape values.

#### *Zone Purpose Statements of the Environmental Management zone*

The zone purpose statements of the Environmental Management zone are:

- 29.1.1.1 To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value, or with a significant likelihood of risk from a natural hazard.
- 29.1.1.2 To only allow for complementary use or development where consistent with any strategies for protection and management.
- 29.1.1.3 To facilitate passive recreational opportunities which are consistent with the protection of natural values in bushland and foreshore areas.
- 29.1.1.4 To recognise and protect highly significant natural values on private land.
- 29.1.1.5 To protect natural values in un-developed areas of the coast.

The proposal complies with the above-mentioned statements as follows:

- 29.1.1.1 – While the proposed jetty is located on a part of the foreshore where there has been minimal intrusion of built elements in the past, the location where it is to be built is, based on the specialist reports submitted with the application, not identified as a possessing significant ecological, scientific, cultural or aesthetic value. The site of the proposed jetty is also not identified as being subject to a significant likelihood of risk from a natural hazard.

- 29.1.1.2 – There are no strategies for the protection and management of the Crown Public Reserve where the proposed jetty is to be located.
- 29.1.1.3 – By providing access to moored boats by visitors to the approved visitor accommodation use on the site, the proposed jetty will facilitate passive recreational opportunities in the D’Entrecasteaux Channel.
- 29.1.1.4 – The proposed jetty and associated pathway upgrade are wholly located with the Public Reserve land and the adjoining waters of the D’Entrecasteaux Channel. The reliance on the existing pathway on the site ensures that the natural values on the private land through which it passes are protected.
- 29.1.1.5 – The site of the proposed jetty is not an undeveloped part of the coast. The majority of the coast between Kettering and Gordon is developed for small-scale primary production and residential purposes with numerous residences and outbuildings, some of which are of a significant scale. Many of the residences along this part of the coast are on elevated land and are sited to take advantage of views of the D’Entrecasteaux Channel and so are clearly visible from the Channel.

*Local Area Objectives and Desired Future Character Statements*

The Scheme does not include Local Area Objectives and Desired Future Character Statements for Flowerpot.

**2.3 Statutory Planning**

The use is categorised as Pleasure Boat Facility under the Scheme, which is a use class that requires discretionary assessment in both the Rural Resource Zone and the Environmental Management Zone.

Council’s assessment of this proposal should also consider the issues raised in the representations, the outcomes of any relevant State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

**2.4 Use and Development Standards**

The proposal satisfies the relevant Acceptable Solutions of the Scheme (see checklist in Attachment 1), with the exception of the following:

**Rural Resource Zone  
Clause 26.3.3 – Discretionary Use**

<b>Acceptable Solution</b>
A1 - No acceptable solution.
<b>Performance Criteria</b>
<p><b>P1</b> - A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the proposed non-agricultural use;</li> <li>(b) the characteristics of the existing or likely agricultural use;</li> <li>(c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</li> <li>(d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</li> </ul>
<b>Proposal</b>
The proposed jetty and the upgrade to a section of the existing pathway is categorised into the Pleasure Boat Facility use class. While the jetty and pathway upgrade are not

located in the part of the site included in the Rural Resource Zone, they both depend on land in that zone to operate. All uses which fall in the Pleasure Boat Facility use class are a Discretionary Use in the Rural Resource Zone.

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

- Neither the site nor the adjoining properties to the north and south are currently used for agricultural purposes. As a result of their location with views over the D'Entrecasteaux Channel and their development with substantial and high-value residences, they are unlikely to be used for agricultural purposes in the future.
- Some of the land in the vicinity of the site on the western side of the Channel Highway is used for agricultural purposes, however its separation from the site of the proposed jetty together with the scale of the jetty and the limited nature of its proposed use mean there would be no impact on existing or future agricultural uses on these properties.
- The existing and future use of land on the western side of the Channel Highway for agricultural uses would not, by virtue of the separation and topography, have any impacts on the amenity of users of the proposed jetty.

**Environmental Management Zone**

**Clause 29.3.1 – Use Standards for Reserved Land**

<b>Acceptable Solution</b>
A1 - Use is undertaken in accordance with a reserve management plan.
<b>Performance Criteria</b>
<p><b>P1</b> - Use must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) be complementary to the use of the reserved land;</li> <li>(b) be consistent with any applicable objectives for management of reserved land provided by the National Parks and Reserves Management Act 2002;</li> <li>(c) not have an unreasonable impact upon the amenity of the surrounding area through commercial vehicle movements, noise, lighting or other emissions that are unreasonable in their timing, duration or extent.</li> </ul>
<b>Proposal</b>
The subject land is a Public Reserve under the <i>Crown Lands Act 1976</i> and no reserve management plan exists for this reserve.

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

- The use of the Public Reserve land for a jetty to provide access to vessels moored on a waterway and to launch and retrieve kayaks is complementary to the use of a Public Reserve that is located on the coast.
- The Crown land that forms part of the site is a Public Reserve under the *Crown Lands Act 1976* and is not a class of land for which objectives for management of reserved land are provided in Schedule 1 of the *National Parks and Reserves Management Act 2002*.
- The use of the jetty and boat shed to accommodate a tender and kayaks, the launching, retrieval and use of the tender to access a moored vessel, and the use of the kayaks for recreation will not have an unreasonable impact upon the amenity of the surrounding area. The use of the jetty and boat shed does not involve any

commercial vehicle movements, it generates noise from the motor of the tender only when it is in use, and it includes lighting that is limited to four solar lights fixed to the piles at the four corners of the t-head for safety purposes.

- Schedule 4 of the *Crown Lands Act 1976* provides the following management objectives for a Public Reserve:
  - (a) to conserve natural biological diversity;
  - (b) to conserve geological diversity;
  - (c) to preserve the quality of water and protect catchments;
  - (d) to conserve sites or areas of cultural significance;
  - (e) to encourage education based on the purposes of reservation and the significance of the public reserve;
  - (f) to encourage research, particularly that which furthers the purposes of reservation;
  - (g) to protect the public reserve against, and rehabilitate the public reserve following, adverse impacts such as those of fire, introduced species, diseases and soil erosion on the public reserve's natural and cultural values and on assets within and adjacent to the public reserve;
  - (h) to encourage tourism, recreational use and enjoyment consistent with the conservation of the area's natural and cultural values;
  - (i) to encourage cooperative management programs with Aboriginal people in areas of significance to them in a manner consistent with the purposes of reservation and the other management objectives;
  - (j) to provide for the taking, on an ecologically sustainable basis, of designated game species for commercial or private purposes, or both;
  - (k) to provide for the controlled use of natural resources;
  - (l) to provide for exploration activities and utilisation of mineral resources;
  - (m) to allow for private, commercial or industrial uses.
- The following assessment against the objectives for a Public Reserve is provided:
  - (a) The proposal has been assessed against available marine and terrestrial ecological information. Impacts to biological diversity are expected to be localised and capable of management, subject to appropriate mitigation and construction controls. No vegetation management or removal is proposed in the land-based areas of the reserve. Increased use of the reserve presents a risk of weed introduction. Accordingly, the use should include appropriate weed hygiene and management measures to prevent the spread of weeds within the reserve through a visitor management plan. The proposal in of itself does not propose any conservation measures.
  - (b) The proposal involves limited foreshore modification in an area of existing shoreline instability. Geological impacts are expected to be localised and confined to the immediate footprint of the development. The proposal in of itself does not propose any conservation measures.
  - (c) Potential impacts to water quality are associated primarily with construction activities and can be managed through appropriate environmental controls and construction management measures.

- (d) A search of the Aboriginal Heritage Register for Elandra, 4101 Channel Highway, Flowerpot TAS 7163 (PID 7120179) has not identified any registered Aboriginal heritage sites or an apparent risk of impact to such heritage sites. A search of relevant registers has not identified any recorded areas of Aboriginal significance within the subject land. However, Council acknowledges that the absence of recorded sites does not preclude the possibility of unrecorded cultural values, and care should be taken to avoid unintended impacts should Aboriginal heritage be encountered during works. It is the applicant's responsibility to comply with the requirements of the *Aboriginal Heritage Act 1975*.
  - (e) No education outcomes associated with the purposes of the reservation are proposed as part of the development.
  - (f) No research activities are proposed as part of the development.
  - (g) Potential adverse impacts, including erosion and construction disturbance, have been identified and can be managed through appropriate design, construction practices and environmental management measures and the ongoing use can be managed through visitor management plan.
  - (h) The proposal facilitates recreational use associated with tourism of the coastal and marine environment. This objective can be supported provided such use does not compromise the conservation of natural and cultural values, and conditions are proposed to ensure this.
  - (i) No cooperative management programs with Aboriginal people are proposed as part of this application.
  - (j) Not applicable.
  - (k) The proposal represents a controlled use of marine and foreshore areas. Such use can be accommodated provided impacts are appropriately managed and limited in extent.
  - (l) Not applicable
  - (m) The proposal involves a private/commercial use. Schedule 4 allows for such uses where they are compatible with other management objectives, particularly those relating to conservation and protection of reserve values.
- Conditions are to be included in any approval which restrict the scope of works to the approved footprint, prohibit terrestrial vegetation disturbance, impose strict biosecurity controls, and require both a Construction Environmental Management Plan and a Visitor Management Plan.
  - These conditions ensure the use is complementary to the reserve, consistent with relevant management objectives under Schedule 4 of the *Crown Lands Act 1976* and does not result in unreasonable adverse impacts on the reserve's natural or cultural values. This includes no allowance for heavy machinery or vehicles in the reserve during construction.

**Environmental Management Zone**  
**Clause 29.4.2 – Setback**

<b>Acceptable Solution</b>
<b>A2</b> - Building setback from side and rear boundaries must comply with any of the following: (a) as proscribed in an applicable reserve management plan;

(b) be no less than 30 m.
<b>Performance Criteria</b>
<p><b>P2</b> - Building setback from side and rear boundaries must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape;</p> <p>(b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:</p> <p>(i) overlooking and loss of privacy;</p> <p>(ii) visual impact, when viewed from adjoining lots, through building bulk and massing.</p>
<b>Proposal</b>
There is no applicable reserve management plan, so the required setback is 30m. The proposed jetty traverses the seaward boundary of the Public Reserve land and so has a zero setback to this boundary.

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

- The Scheme does not include any Desired Future Character Statements for Flowerpot so the assessment for P2(a) must have regard to landscape of the area in which proposed jetty and pathway upgrade is to be located.
- The proposed jetty and boatshed will introduce a new built element into the landscape of the coastline, particularly at the water’s edge when viewed from nearby locations on the foreshore. This landscape, while it includes predominantly natural elements is not wholly natural with areas of cleared land and numerous buildings including some substantial dwellings and outbuildings visible from both the foreshore and the D’Entrecasteaux Channel.
- Neither the proposed jetty or the upgrade to the pathway requires the removal of any existing terrestrial vegetation, and so does not diminish the natural elements in the landscape.
- The proposed jetty and associated boatshed are of a modest scale that is commensurate with their proposed use to provide access for guests of the approved visitor accommodation use to access a boat moored in the D’Entrecasteaux Channel for guided recreation purposes, and to use kayaks for recreation. The boatshed has a wall height of 2.0m, an overall height above the jetty deck of 3.445m and an area of 13.5m<sup>2</sup> and so does not impact on amenity due to building bulk or massing. It will not result in adverse impacts on residential amenity when viewed from adjoining properties as a result of its bulk and massing.
- The proposed jetty and boatshed are located at the water’s edge and so will not result in any impacts on the residential amenity of adjoining properties as a result of overlooking as these properties and the dwellings they contain are elevated above the level of the jetty.
- The proposed jetty and boatshed will not result in a loss of privacy for neighbouring properties as the use of the jetty will be restricted to use by guests of the Visitor Accommodation use and their accompanying tour guide and boat operator. The proposed jetty is to be located approximately 160m from the closest dwelling on adjoining land to the north, which is situated 24m above the level of the jetty. The jetty will not be visible from the adjoining property to the south, including the dwelling on that land, as a result of the topography.

**Environmental Management Zone  
Clause 29.4.3 – Design**

<b>Acceptable Solution</b>
<p><b>A1</b> - The location of buildings and works must comply with any of the following:</p> <p>(a) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline;</p> <p>(b) be located within a building area, if provided on the title;</p> <p>(c) be an addition or alteration to an existing building;</p> <p>(d) as prescribed in an applicable reserve management plan.</p>
<b>Performance Criteria</b>
<p><b>P1</b> - The location of buildings and works must satisfy all of the following:</p> <p>(a) be located in an area requiring the clearing of native vegetation only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;</p> <p>(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;</p> <p>(iii) the location of clearing has the least environmental impact;</p> <p>(b) be located on a skyline or ridgeline only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope;</p> <p>(ii) there is no significant impact on the rural landscape;</p> <p>(iii) building height is minimised;</p> <p>(iv) any screening vegetation is maintained.</p> <p>(c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.</p> <p>(d) strategies to minimise and mitigate adverse environmental impacts are identified.</p>
<b>Proposal</b>
<p>The proposed jetty and the works to upgrade a section of the existing pathway do not require the clearing of native vegetation and is not on a skyline or ridgeline but will likely result in disturbance to terrestrial vegetation due to the proximity of the path upgrade to vegetation.</p>

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

- The proposal includes a boatshed overlying the intertidal zone, along with a 30 m long jetty extending into the subtidal zone. The intertidal and subtidal habitats in the vicinity of the proposed jetty were characterised by coarse sediments, sandflats and rocky shoreline/rock platform. No seagrass meadows or other significant aquatic plant communities were identified within the survey area.
- Aquatic vegetation was limited to sparse macroalgae associated with rocky substrates, consistent with a moderately exposed coastal environment.
- Importantly, no stalked ascidians (e.g. Sycozoa spp.) or other vertical biogenic structures were observed. These structures are commonly associated with spotted handfish spawning habitat.
- The survey therefore concluded there was no evidence of sensitive aquatic plant habitat or threatened aquatic vegetation communities within or adjacent to the proposed development footprint.

- Any disturbance to aquatic plants during construction was assessed as localised, short-term and negligible, given the limited extent of vegetation present and the nature of the piled jetty design.
- No removal of terrestrial vegetation is proposed as part of the proposal and the access works are located entirely within the footprint of an existing disturbed rocky area, however, there is some likelihood of some disturbance due to the proximity to vegetation.
- The proposed jetty and pathway upgrade is not located on a skyline or ridgeline.
- The Scheme does not include any Desired Future Character Statements for Flowerpot so the assessment for P2(a) must be of the proposed jetty and pathway upgrade having regard to landscape of the area in which it is to be located.
- The proposed jetty and boatshed will introduce a new built element into the landscape of the coastline, particularly at the water's edge when viewed from nearby locations on the foreshore. This landscape, while it includes predominantly natural elements is not wholly natural with areas of cleared land and numerous buildings including some substantial dwellings and outbuildings visible from both the foreshore and the D'Entrecasteaux Channel.
- Neither the proposed jetty or the upgrade to the pathway requires the removal of any existing terrestrial vegetation, and so does not diminish the natural elements in the landscape.
- Given the limited extent and low ecological value of aquatic vegetation present, and the use of an open piled jetty design, any disturbance to aquatic vegetation during construction is expected to be localised, short-term and negligible.
- It is considered that the proposal is unlikely to result in adverse impacts on terrestrial vegetation.

**Environmental Management Zone**

**Clause 29.4.3 – Design**

<b>Acceptable Solution</b>
<p><b>A3</b> - Fill and excavation must comply with all of the following:</p> <p>(a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations;</p> <p>(b) extent is limited to the area required for the construction of buildings and vehicular access.</p>
<b>Performance Criteria</b>
<p><b>P3</b> - Fill and excavation must satisfy all of the following:</p> <p>(a) there is no adverse impact on natural values;</p> <p>(b) does not detract from the landscape character of the area;</p> <p>(c) does not impact upon the privacy for adjoining properties;</p> <p>(d) does not affect land stability on the lot or adjoining land.</p>
<b>Proposal</b>
<p>The filling and excavation required for the upgrade of the path and to construct the jetty is less than 1m in depth but is not limited to the area required for the construction of buildings and vehicular access. The proposed rock armouring is considered to constitute filling that is 1.5m in height and is not required for the construction of buildings or vehicular access.</p>

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

- The filling required to ensure the finished level of the seaward end of the pathway aligns with the finished level of the deck is limited both in its area (approximately 5m<sup>2</sup>), its depth (approximately 0.2m), and volume of material (approximately 1m<sup>3</sup>). This limited amount of filling will not have any adverse impact on natural values, will not detract from the landscape character of the area, will not impact upon the privacy for adjoining properties, and will not affect land stability on the site or on any adjoining land.
- The fill comprising the rock armouring is for an area of 10m<sup>2</sup> and is 1.5m in height. No terrestrial vegetation is approved for removal, and a Marine Natural Values Assessment has determined no adverse impacts however, it is noted that the assessment predates the introduction of the rock armour, and a condition of approval should require the civil plans to be certified by a marine natural values expert. Additionally, the fill should be clean fill to ensure no introduction of disease or invasive species into the coastal environment.
- The rock armour will not contribute to land instability provided it is designed in accordance with the recommendations of the coastal hazards report and certified by a suitably qualified engineer.
- Although rock armouring constitutes private coastal protection works, the scale and location of the works are tightly constrained by permit conditions, including limits on extent, certification requirements, and ongoing coastal monitoring. These measures ensure compliance with the relevant Performance Criteria.
- The proposed jetty and boatshed will not result in a loss of privacy for neighbouring properties as the use of the jetty will be restricted to use by guests of the visitor accommodation use and their accompanying tour guide and boat operator. The proposed jetty is to be located approximately 160m from the closest dwelling on adjoining land to the north, which is situated 24m above the level of the jetty. The jetty will not be visible from the adjoining property to the south, including the dwelling on that land, as a result of the topography.
- The works required for the connection of the jetty the land (filling and rock armouring) and the upgrade to the pathway are limited in scope and are located approximately 20m the closest neighbouring land, which is 4101 Channel Highway. The rock armouring works are being undertaken to ensure the stability of the land at the landward end of the jetty. These works will not have an impact on the stability of the site or adjoining land.

**Biodiversity Code**

**Clause E10.7.1 – Buildings and works**

<b>Acceptable Solution</b>
<b>A1</b> - Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.
<b>Performance Criteria</b>
<b>P1</b> - Clearance and conversion or disturbance must satisfy the following: (a) if low priority biodiversity values: (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; and

<p>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire resistant design of habitable buildings; and/or</p> <p>(b) if moderate priority biodiversity values:</p> <p>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; and</p> <p>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire resistant design of habitable buildings; and</p> <p>(iii) remaining moderate priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values; and</p> <p>(iv) residual adverse impacts on moderate priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2023; and/or</p> <p>(c) if high priority biodiversity values:</p> <p>(i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; and</p> <p>(ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire resistant design of habitable buildings; and</p> <p>(iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values; and</p> <p>(iv) special circumstances exist; and</p> <p>(v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2023; and</p> <p>(vi) clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.</p>
<p><b>Proposal</b></p> <p>The proposal is unable to meet A1 as there is no building area on the title and the proposal involves the disturbance of low priority biodiversity values and biodiversity values that do not readily fit within a category, being <i>Eucalyptus obliqua</i> wet forest and aquatic native vegetation.</p>

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

- There will be some disturbance of *Eucalyptus obliqua* wet forest as a result of the work. Conditions are recommended to ensure vegetation impacts associated with construction and ongoing use of the path remain negligible. Conditions requiring a Construction Environmental Management Plan (CEMP) are also recommended to be included on a permit, if issued.

- It is considered that the proposal is unlikely to result in adverse impacts on terrestrial vegetation. However, given the location within a Public Reserve, it is appropriate that conditions be imposed to ensure that vegetation impacts associated with construction and ongoing use of the path remain negligible. Conditions requiring an CEMP are also recommended.
- The aquatic vegetation doesn't form part of a defined vegetation community as such it cannot clearly be categorised into low, medium or high. In accordance with Clause 7.5.4 the planning authority may consider the relevant objective in an applicable standard to help determine whether a use or development complies with the performance criterion for that standard. The objective of this standard is

*to ensure that development for buildings and works that involves clearance and conversion or disturbance within a Biodiversity Protection Area does not result in unnecessary or unacceptable loss of priority biodiversity values.*

In addition, the code purpose states:

*The purpose of this provision is to:*

- *minimise loss of identified threatened native vegetation communities and threatened flora species;*
- *conserve identified threatened fauna species by minimising clearance of important habitat and managing environmental impact;*
- *minimise loss of other biodiversity values that are recognised as locally significant by the Planning Authority;*
- In response to this, the following is taken into consideration:
  - The proposal includes a boatshed overlying the intertidal zone, along with a 30m long jetty and a 15m long slipway extending into the subtidal zone.
  - Native flora recorded within the survey area include filamentous epiphytic brown algae, seagrass (*Zostera tasmanica*), *Hormosira banksii* (Neptune's necklace), *Ulva* sp. (sea lettuce), and other filamentous brown algae. No listed flora or fauna species were identified during the Aquanel marine survey undertaken in 2020.
  - Listed species with potential to occur within the broader development area include humpback whale (*Megaptera novaeangliae*), southern right whale (*Eubalaena australis*), spotted handfish (*Brachionichthys hirsutus*), Tasmanian live-bearing seastar (*Parvulastra vivipara*), Gunn's screw shell (*Gazameda gunnii*), and Australian grayling (*Prototroctes maraena*). Other species of conservation significance, such as Australian fur seals (*Arctocephalus pusillus*), dolphins, and little penguins (*Eudyptula minor*), may also occur in the vicinity.
  - No threatened species were detected during the 2020 field survey; however, it is acknowledged that this survey is now dated. Since that time, two spotted handfish sightings have been recorded within the broader area, and multiple southern right whale observations have occurred.
  - The most likely impacts relate to acoustic disturbance and, to a lesser extent, seabed disturbance and reduction in water quality during construction. Collision with the jetty is considered remote due to its location in shallow water. For humpback whales, southern right whales, spotted handfish, live-bearing seastar, Gunn's screw shell and little penguin, risks associated with noise/acoustic disturbance, habitat loss from the jetty structure, benthic habitat

disturbance and sediment plumes were assessed as negligible, with impacts expected to be localised and short term.

- Proposed mitigation measures include limiting drilling or pile-driving activities to short durations, implementing a soft-start procedure with a gradual ramp-up over a minimum of 30 minutes, and ceasing works if cetaceans, pinnipeds, turtles, or penguins are observed within 500 metres of the construction area.
  - The proposal will result in the permanent loss of approximately 8 m<sup>2</sup> of habitat where rock armouring will be constructed, as well as minor localised disturbance in areas where jetty piles interact with the intertidal and subtidal zones.
  - Although the proposal involves disturbance to aquatic native vegetation and minor disturbance to low-priority terrestrial biodiversity values, the extent of impact is limited and managed through permit conditions.
  - Conditions have been recommended requiring an updated marine survey, impose seasonal construction restrictions, and mandate certification by a suitably qualified marine natural values professional. A CEMP further ensures impacts remain localised, temporary and negligible.
- On this basis, the proposal satisfies the Performance Criteria P1 of Clause E10.7.1.

**Waterway and Coastal Protection Code  
Clause E11.7.1 – Buildings and works**

<b>Acceptable Solution</b>
<b>A1</b> - Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.
<b>Performance Criteria</b>
<b>P1</b> - Building and works within a Waterway and Coastal Protection Area must satisfy all of the following: (a) avoid or mitigate impact on natural values; (b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values; (c) avoid or mitigate impacts on riparian or littoral vegetation; (d) maintain natural streambank and streambed condition, (where it exists); (e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (f) avoid significantly impeding natural flow and drainage; (g) maintain fish passage (where applicable); (h) avoid landfilling of wetlands; (i) works are undertaken generally in accordance with Waterways and Wetlands Works Manual (DPIWE, 2003) and Tasmanian Coastal Works Manual (DPIPWE, December, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.
<b>Proposal</b>
The works are not located in a building area on a subdivision plan approved under this Scheme.

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

- Listed species with the potential to occur in the area include humpback whales, southern right whales, spotted handfish, Tasmanian live-bearing seastar, Gunn's screw shell and Australian grayling, as well as Australian fur seals, dolphins and little penguins. While the 2020 field survey did not detect any threatened species, more recent incidental records confirm that southern right whales and spotted handfish occur within the broader vicinity.
- The Marine Natural Values Impact Assessment concluded that potential impacts associated with the proposal primarily acoustic disturbance during construction and minor seabed disturbance, would be localised, short-term and negligible. Conditions are recommended to avoid and mitigate impacts on natural values.
- Construction methods will involve pile-supported structures, reducing the risk of erosion, sedimentation and turbidity. Any temporary sediment plumes generated during pile installation or slipway construction are expected to be minor and short-lived. A condition is recommended requiring the preparation of a CEMP, including sediment control and water-quality protection measures consistent with best-practice guidelines.
- The design of the landing incorporates rock armouring to prevent erosion directly attributable to the proposal. The site comprises a steep, rocky shoreline, and the use of rock armouring is considered consistent with the existing coastal character.
- A constructed access path is proposed between the steep shoreline and the upper levels of the reserve to stabilise access and prevent ongoing erosion associated with use. A condition of approval will require the detailed design of the landing and path to be certified by a suitably qualified coastal processes expert, including provisions to ensure that overland flow from the path is appropriately managed.
- Littoral vegetation refers to plants occurring in the area between high and low tide (the intertidal zone). According to the Aquanel Report (2020), the seabed within the survey area is shallow and gently sloping, with water depths of approximately 1.2 metres (relative to mean sea level) recorded 100 metres from the shoreline.
- A narrow band of sandstone reef occurs adjacent to the shoreline, predominantly within the intertidal zone, with only limited extension into the subtidal zone. The intertidal habitat comprises rocky sandstone substrate with loose stones, patchy areas of thin sand veneer, and native flora including *Hormosira banksii* (Neptune's necklace), *Ulva* sp. (sea lettuce), and filamentous brown algae. No threatened flora or fauna species were identified as utilising this area.
- The proposal will result in disturbance to littoral vegetation where structures are located within the intertidal zone. Impacts are proposed to be mitigated through limiting the footprint of permanent structures, using pile-supported construction to maintain tidal flow and light penetration, and confining disturbance to discrete and localised areas. Construction-related impacts are anticipated to be temporary, with no additional loss of littoral vegetation beyond the structural footprint.
- The jetty and boatshed are designed as open piled structures, allowing for continued tidal movement and not measurably modifying wave action in subtidal areas. Rock armouring is proposed within the intertidal zone to dissipate wave energy and mitigate wave reflection.
- The jetty and boatshed are designed as open piled structures, allowing for continued tidal movement and fish passage, and will not measurably alter subtidal conditions that support the movement of fish and other marine fauna.
- Works will be undertaken generally in accordance with the *Waterways and Wetlands Works Manual* (DPIWE, 2003) and the *Tasmanian Coastal Works Manual* (DPIPWE, 2010). Compliance with these documents will be secured by condition.

- While the proposal does not meet the relevant Acceptable Solutions, compliance with the Performance Criteria is achieved through a combination of design responses and permit conditions. Conditions will impose limits on littoral vegetation disturbance, require piled construction, mandate seasonal restrictions and marine fauna observation protocols, prohibit dredging and reclamation, and require certification of all coastal and landing works by suitably qualified professionals. These measures ensure that impacts on coastal processes, marine natural values and adjacent shoreline stability are localised, short-term and negligible.

**Waterway and Coastal Protection Code**

**Clause E11.7.2 – Buildings and Works Dependent on a Coastal Location**

<b>Acceptable Solution</b>
<b>A1</b> - An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.
<b>Performance Criteria</b>
<b>P1</b> - Buildings and works must satisfy all of the following: (a) need for a coastal location is demonstrated; (b) new facilities are grouped with existing facilities, where reasonably practical; (c) native vegetation is retained, replaced or re-established so that overall impact on native vegetation is negligible; (d) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill; (e) impacts to coastal processes, including sand movement and wave action, are minimised and any potential impacts are mitigated so that there are no significant long-term impacts; (f) waste, including waste from cleaning and repairs of vessels and other maritime equipment and facilities, is managed in accordance with current best practice so that significant impact on natural values is avoided.
<b>Proposal</b>
The proposed jetty and associated pathway upgrade meet the definition of development that is dependent on a coastal location; however, it is not an extension to an existing facility.

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

- The proposed jetty is to be provided to allow direct access by means of a tender to a boat moored in the D’Entrecasteaux Channel adjacent to 4101 Channel Highway and so requires a coastal location.
- The proposed jetty is not grouped with existing facilities. It is being provided to allow guests of the approved visitor accommodation use at 4101 Channel Highway to directly access a boat moored in the D’Entrecasteaux Channel adjacent to the property for guided tours. This outcome cannot be achieved if the jetty is not provided adjacent to 4101 Channel Highway, and so it is not reasonably practical for it to be grouped with the closest similar facilities some 3.2km from the site at Middleton.
- Outside the permanent structural footprint, disturbed areas are expected to naturally re-establish following the completion of construction, consistent with the dynamic and resilient nature of intertidal environments.
- Site specific assessment identifies localised shoreline irregularity and evidence of active foreshore recession, particularly at the proposed jetty abutment.

- While the broader coastline is rock-dominated and generally stable, the jetty abutment area is better characterised as a steep, soft-rock shoreline subject to slow to moderate erosion, driven by wind-generated waves and rising sea level, occurring mainly at high water levels. This erosion process is ongoing and unlikely to reverse.
- Potential impacts relate primarily to:
  - Foreshore erosion at the jetty termination point
  - Localised seabed disturbance and scour during pile installation
  - Wave interaction at the jetty abutment, including reflection and uplift during high-energy events
  - Broader coastal processes will not be measurably altered due to the open piled jetty design and shallow water depths. Any impacts are expected to be localised and manageable.
- Mitigation is provided through a revised engineering design, including:
  - Driven timber piles founded on rock
  - Rock armouring on a shallow slope (approx. 1.5H:1V) to dissipate wave energy
  - A retaining wall to protect the jetty abutment and access path
  - Jetty deck level set at RL +2.5 m AHD, above present-day HAT and suitable for projected sea-level rise
  - The rate of shoreline recession should be monitored to ensure the infrastructure remains located outside any instability zone.
  - Vessel cleaning, maintenance, repair and refuelling activities will not be permitted on the site, and conditions of any approval will explicitly prohibit these activities.
- Having regard to the matters set out above, the proposal satisfies the Performance Criteria for development dependent on a coastal location. While localised impacts to coastal processes and the foreshore are identified, these impacts are limited in extent and are appropriately managed through the design of the development and the application of conditions. The imposed conditions restrict the scope of works, prohibit ancillary activities that could adversely affect natural values.

**Waterway and Coastal Protection Code**

**Clause E11.7.2 – Buildings and Works Dependent on a Coastal Location**

<b>Acceptable Solution</b>
<b>A3</b> - No Acceptable Solution for coastal protection works initiated by the private sector.
<b>Performance Criteria</b>
<b>P3</b> - Coastal protection works initiated by the private sector must satisfy all of the following: <ul style="list-style-type: none"> <li>(a) be designed by a suitably qualified person;</li> <li>(b) minimise adverse impact on coastal processes that may lead to increased risk of inundation, including wave action and behaviour, sediment dynamics, current and tidal flows in the area.</li> </ul>

<b>Proposal</b>
The proposed jetty and pathway upgrade includes the installation of rock armouring at the landward end of the jetty. This is being provided to ensure the land where the jetty connects to the land is stable and so falls with the scope of coastal protection works initiated by the private sector.

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

- The design has been prepared by Burbury Consulting and is accompanied by a Coastal Hazard Report prepared by Burbury Consulting. The detailed design should be conditioned to ensure that the plans are prepared by a suitably qualified person.
- The site comprises a generally stable, rock-dominated coastline; however, the jetty abutment is located on a steep soft-rock shoreline subject to ongoing slow to moderate erosion, particularly during high water levels driven by wind-generated waves and sea-level rise.
- Potential impacts are limited to localised foreshore erosion at the jetty termination, short-term seabed disturbance and scour during pile installation, and wave interaction (reflection and uplift) at the abutment during high-energy events, with no measurable alteration to broader coastal processes due to the open piled design and shallow water depths.
- These risks are mitigated through a revised engineering design incorporating driven timber piles founded on rock, shallow-sloped rock armouring, a retaining wall protecting the abutment and access path, and a jetty deck level set at RL +2.5 m AHD to accommodate present and projected sea levels.
- A coastal hazard assessment by a suitably qualified person confirms the structure tolerates periodic inundation, does not obstruct flows or alter tidal or flood behaviour, and is appropriate given the low-intensity, transient use.
- Construction will utilise pile-supported methods to minimise erosion, sedimentation and turbidity, with any temporary plumes expected to be minor and short-lived. It is recommended that shoreline recession be monitored to ensure the infrastructure remains outside any instability zone, and that conditions of approval require a Construction Environmental Management Plan and certification of the detailed landing and access-path design by a suitably qualified coastal processes expert, including appropriate overland flow management.

**Inundation Prone Areas Code**

**Clause E15.7.6 - Development Dependent on a Coastal Location**

<b>Acceptable Solution</b>
<b>A1</b> - An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.
<b>Performance Criteria</b>
<b>P1</b> - Buildings and works must satisfy all of the following: (a) need for a coastal location is demonstrated; (b) new facilities are grouped with existing facilities, where reasonably practical; (c) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;

(d) waste, including from cleaning and repairs of vessels and other maritime equipment and facilities, solid waste, is managed to ensure waste is safe from inundation events;
(e) risk from inundation is acceptable, taking into account the nature of the development and its users.
<b>Proposal</b>
The proposal meets the definition of development dependent on a coastal location but is for a new facility rather than an extension to an existing facility.

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

- The proposed jetty is to be provided to allow direct access by means of a tender to a boat moored in the D'Entrecasteaux Channel adjacent to 4101 Channel Highway and so requires a coastal location.
- The proposed jetty is not grouped with existing facilities. It is being provided to allow guests of the approved visitor accommodation use at 4101 Channel Highway to directly access a boat moored in the D'Entrecasteaux Channel adjacent to the property for guided tours. This outcome cannot be achieved and so is not reasonably practical if the jetty is not provided adjacent to 4101 Channel Highway and was instead to be grouped with the closest similar facilities 3.2km from the site at Middleton.
- The jetty is designed as a raised, pile-supported structure. The design does not require regrading of land or alteration to natural slopes. Cut and fill are limited to discrete, localised works associated with pile installation and minor interface works and the path (steps).
- Vessel cleaning, maintenance, repair and refuelling activities will not be permitted on the site, and conditions of any approval will explicitly prohibit these activities.
- A coastal hazard assessment prepared by a suitably qualified person concludes that the jetty has been designed to tolerate periodic inundation consistent with its coastal setting and intended function. The assessment identifies that the structure will not obstruct water flow, displace floodwaters, or alter existing tidal or flood behaviour on the site or adjoining land. The report further notes that the nature and intensity of the proposed use are low and transient and are appropriate for an environment subject to tidal fluctuation. On this basis, the report concludes that the level of inundation risk to users and surrounding land is acceptable for the intended life of the development.
- The acceptability of inundation risk is confirmed through a coastal hazard assessment and secured through permit conditions requiring a minimum deck level of +2.5 m AHD.

**Inundation Prone Areas Code**

**Clause E15.7.6 - Development Dependent on a Coastal Location**

<b>Acceptable Solution</b>
<b>A3</b> - No Acceptable Solution for coastal protection works initiated by the private sector (requires assessment against performance criteria).
<b>Performance Criteria</b>
<b>P3</b> - Coastal protection works initiated by the private sector must satisfy all of the following: (a) be designed by a suitably qualified person;

<p>(b) minimise adverse effect to coastal processes, including wave action and behaviour, sediment dynamics, current and tidal flows in the area;</p> <p>(c) cause no adverse effects on other parts of the coast, including increased risk of erosion;</p> <p>(d) minimise the potential for erosion as far as practicable;</p> <p>(e) not unduly reduce existing visual amenity;</p> <p>(f) provide habitat for flora and fauna as appropriate.</p>
<p><b>Proposal</b></p>
<p>The proposed jetty and pathway upgrade includes the installation of rock armouring at the landward end of the proposed jetty which being provided to ensure the land where the jetty connects with the land is stable and so falls with the scope of coastal protection works.</p>

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

- The coastal protection elements associated with the jetty, including rock armouring, piles and retaining structures, have been assessed and designed as part of a coastal hazard assessment prepared by a suitably qualified coastal engineering professional.
- The jetty is an open piled structure that allows the passage of waves, currents and tidal flows beneath the deck, thereby minimising interference with natural coastal processes.
- Shallow water depths and the limited footprint of the piles reduce the potential for changes to wave behaviour and sediment transport.
- Rock armouring is graded and placed on a shallow slope to dissipate wave energy rather than reflect it.
- The coastal hazard assessment identifies that impacts are expected to be localised to the immediate vicinity of the jetty abutment.
- The works will not alter broader sediment pathways or coastal processes and are not expected to increase erosion risk on adjoining or down-drift sections of the coastline.
- Erosion mitigation measures include driven timber piles founded on rock, rock armouring at the jetty landing, and a retaining wall protecting the abutment and access path.
- The jetty deck is set at RL +2.5 m AHD, above present-day Highest Astronomical Tide and suitable for projected sea-level rise, reducing exposure to frequent wave action.
- Construction methods are pile-supported to minimise seabed disturbance, erosion, sedimentation and turbidity during works.
- Shoreline recession will be monitored to ensure the structure remains outside any instability zone.
- The coastal protection works are limited in scale and integrated into an existing steep, rocky and hardened foreshore environment, and no large scale or continuous seawall structures are proposed. The proposal for coastal protection works is not considered to unduly reduce existing visual amenity
- Based on the above assessment, the coastal protection works, while initiated by the private sector, are considered acceptable as their design limits impacts to the immediate vicinity of the jetty abutment and avoids adverse effects on broader coastal

processes. Any residual risk associated with erosion, inundation or shoreline recession is appropriately addressed through the imposition of conditions that constrain the scale of coastal protection works.

## 2.5 Public Consultation and Representations

The application was advertised in accordance with the requirements of s.57 of the *Land Use Planning and Approvals Act 1993* (from 11 April 2026 to 24 April 2026). Eight (8) representations were received during the public exhibition period. The following issues were raised by the representors:

### 2.5.1 *Support for the proposed development*

The proposal makes good use of the natural waterway and in no way detracts from the natural beauty of the area. The waterway should be utilised more. This development is a step in the right direction.

#### Response

The support for the proposal and the views expressed are acknowledged.

### 2.5.2 *There is no need for the proposed jetty and boat shed*

The proposed jetty is not necessary, and insufficient justification has been provided to demonstrate why it is needed. Access to a moored vessel can be easily made by a tinnie kept on the shore which is common practice. Kayaks can easily be carried to and from the shore by using the existing pathway, so the boat shed is not needed. A jetty is significant infrastructure and an unnecessary luxury for the residential use of the property. Other residents of properties along the channel do not have or need an illuminated jetty with a boat shed for guided tours.

#### Response

The proponent has provided a business case which establishes that a jetty providing access to a moored vessel for guided tours is a reasonable addition to a visitor accommodation use located on the coast that intends to service premium clients. It is recognised that there are alternative ways to access a moored boat and to store a tender and kayaks; however, this does not preclude the development of facilities to provide a higher-level experience for visitors.

### 2.5.3 *The proposal is inconsistent with the character of the area*

The proposed development is completely out of sync and inconsistent with the character and environment of the area, which is a quiet residential neighbourhood with acreage properties to achieve separation and minimise impacts from neighbours. Its location would destroy channel views from adjoining properties, and its use would be clearly visible and audible from these properties. It would be grossly unfair to impose this development and impacts on residents who are trying to enjoy a peaceful quiet life.

#### Response

The character and general environment of the area where the jetty is proposed is one of residences and associated outbuildings, some of which are of a substantial scale, set within established gardens and cleared grounds with areas of remaining native vegetation. Many residences along this coast, particularly to the east of the Channel Highway have extensive views over the D'Entrecasteaux Channel. Small scale rural enterprises also contribute to the character of the area. The small scale of the proposed jetty with its use limited to guests of the adjacent visitor accommodation use and existing residential use ensure is not inconsistent with the area's character and environment and that it will have minimal impacts on the amenity of nearby residences and properties. Its scale and location at the foot of a

steep slope ensures that it will be a minor element on views from those nearby properties from which it is visible.

#### **2.5.4 Proposal is more in keeping with commercial development**

The proposed jetty is for visitors and so it is related to running a commercial business on the property. This is inconsistent with the zoning of the property and its use for rural residential purposes. The jetty use to provide premium guided tours is more in keeping with the use of the site for a commercial tourist facility. It is justified as being to support the visitor accommodation use which is a commercial business venture. The approval of the jetty combined with the past approval of visitor accommodation on the site is overdevelopment and tacit rezoning of the site to commercial. The proposal is part of a grand plan to make the property a resort and tourist attraction.

##### Response

The proposed jetty and its use for guided tours for guests of the adjacent visitor accommodation use is not commercial development of a scale that could reasonably be characterised as a commercial tourist facility. It is not proposed to be used by persons other than guests of the visitor accommodation and existing residential use which itself is of a small scale and can accommodate only a limited number of guests. The inclusion of a jetty to complement the visitor accommodation use is not inconsistent with the zoning and is not a tacit rezoning of the site to commercial.

#### **2.5.5 Use of the jetty not limited to guests of the visitor accommodation**

The use by visitors means that it is effectively a public use. Visitors and tourists could come from anywhere and cannot be easily identified so it will be impossible for authorities to monitor its use. The magnitude of the jetty and its cost points to there being much broader and wider use of the jetty and the property generally. It will not be possible to ensure that the jetty is not used by the public.

##### Response

The application indicates that the jetty is to be used by guests of the approved visitor accommodation use at 4101 Channel Highway, Flowerpot, for access to a moored vessel to be used to provide guided tours and for the existing residential use. This is the basis on which the application has been assessed, and conditions have been included in the recommendation to ensure the jetty is used only for these purposes. Use of the jetty contrary to the conditions of the approval would be unlawful and result in compliance action.

#### **2.5.6 Use and disturbance of foreshore for use by a single property owner**

Concern that the jetty is located within Crown land and is for the benefit of a single property owner, and that there will be impacts on the environment and accessibility by other foreshore users. The exclusive use of a coastal reserve by a private commercial enterprise is not appropriate.

##### Response

The use of Crown land on the foreshore for a privately owned jetty is regulated by the Tasmanian Government through the separate process of making application for a Crown licence and is not a matter for the planning assessment.

**2.5.7 Approval of the jetty will create a precedent for further jetties**

Approval of the application will set a precedent for other property owners on the foreshore to apply for permission to also build jetties.

**Response**

The granting of a planning permit does not set a precedent as each application is assessed on its own merits against the relevant provisions of the Scheme having regard to the individual scale and nature of a proposal and its location.

**2.5.8 Description of the scale of the proposal is not accurate**

The proposed development is not a small jetty and associated boat shed and is actually a boathouse that includes a toilet, bathroom, kitchen, dining area, living area, and an extensive sun deck. The dishonesty in the description of what is proposed is consistent with claims that a previous application was for a family holiday home when it is in fact an impact commercial enterprise. There is no detail in the application on the number of boats, number of people, timing, hours of operation, number of workers, frequency and the claim that it will be little used is inconsistent with the scale and cost of the proposal.

**Response**

The application does not include a boathouse that incorporates a toilet, bathroom, kitchen, dining area, living area, and an extensive sun deck. The material submitted with the application indicates that its use will be limited to providing for the use of three kayaks for recreation purposes and guided tours for guests of the adjacent visitor accommodation use, which limits the number of boats, the number of people, timing, hours of operation, the number of workers, and frequency of its use.

**2.5.9 Increased risk of coastal erosion**

There is a risk that the jetty and boatshed will create an increased risk of erosion by changes in wave action and wave energy including by the proposed rock armouring at the landward end of the proposed jetty. The foreshore is at greater risk of erosion than is indicated in the application and the proposed rock armouring at the landward end of the jetty will not be adequate to prevent further erosion. Significant erosion occurs at times of high tides and strong onshore winds. Erosion of the shoreline has occurred in the recent past with evidence of uprooted trees and bank collapse. The site is not a stable marine environment with a stable seabed, low current and low wave energy. There is a risk that area of the bank will fall onto the jetty.

**Response**

The jetty and boatshed are designed as open piled structures, allowing for continued tidal movement and not measurably modifying wave action in subtidal areas. Rock armouring is proposed within the intertidal zone to dissipate wave energy and mitigate wave reflection. A condition requiring ongoing monitoring of the foreshore adjacent to the proposed jetty is included in the recommendation.

**2.5.10 Impact of waste from cleaning and repair of vessel and boat house**

The application does not address the impact of the waste generated by the cleaning and repair of the moored vessel and the waste generated by the boat house that includes a proposed toilet, bathroom and kitchen.

**Response**

The planning application does not seek approval for a moored vessel which must be made separately to Marine and Safety Tasmania. A condition has been included in the

recommendation that prohibits the cleaning, servicing or maintenance of any vessels. The application does not seek approval for a boathouse incorporating a toilet, bathroom and kitchen.

#### **2.5.11 Assertion that no vegetation or trees will be impacted is disputed**

The existing pathway to the shoreline is overgrown and has not been used for many years and making it unsuitable for use to access the proposed jetty will require disturbance of vegetation. The pathway is severely degraded, and the foreshore end is subject to erosion. The landowner has previously provided assurances that vegetation will not be removed, and these have not been adhered to.

##### Response

The application does not seek approval to remove or disturb any vegetation to construct and use the jetty and to upgrade a small section of the existing pathway, and conditions will be attached to any permit granted to ensure this is adhered to. The pathway to the foreshore is able to be easily negotiated and no works on the pathway are proposed apart from an upgrade of the 6m section adjacent to the foreshore that will connect to the jetty.

#### **2.5.12 Concern regarding impacts on littoral vegetation**

The landowner's past actions regarding tree and vegetation removal do not create confidence that further damage will not occur in what is a fragile coastal reserve.

##### Response

Any planning permit issued for the jetty and associated pathway upgrade will not provide for the removal of any trees and vegetation. Not adhering to the conditions of a planning permit can result in compliance action.

#### **2.5.13 Impact of noise during construction**

Noise from construction of the proposal would be very significant and would have an unacceptable impact of residents of nearby properties. Noise impacts would be unbearable, particularly from the pile driving required. This noise impacts would not be temporary or intermittent, and would be continuous, every day for months or possibly for years.

##### Response

Noise that arises during the construction of the jetty and associated pathway upgrade cannot be regulated by a planning permit and is instead managed under the *Environmental Management and Pollution Control (Noise) Regulations 2016*. A condition has been included in the recommendation requiring the preparation and submission of a Construction Environmental Management Plan for approval prior to the commencement of any works.

#### **2.5.14 Impact on amenity of residents of adjacent properties**

The amenity of nearby residents would be significantly affected, and residents would experience anxiety and stress from its very existence, presence and visibility. Views of the natural unspoiled channel is everything for adjacent properties. Residents who have a clear uninterrupted view of the channel would have these views blocked. There would be no way to avoid seeing it.

##### Response

The impact on the amenity of nearby residential properties has been assessed, and it is considered that there will not be unreasonable adverse impact as a result of the presence and use of the jetty. It is not disputed that the jetty will be visible from some adjoining and nearby properties; however, its small scale and location at the foot of a steep slope mean

that it falls well below the threshold of being an unreasonable adverse impact. It is not agreed that it would block an otherwise clear uninterrupted view of the channel from any adjoining or nearby property.

#### **2.5.15 Impacts on the marine environment during construction**

There will be impacts on the marine environment and marine life during construction including during pile driving activities. This infrastructure cannot be allowed in an Environmental Management zone as the impacts are not manageable and acceptable.

##### Response

Construction methods are pile-supported to minimise seabed disturbance, erosion, sedimentation and turbidity during construction works, with any temporary plumes expected to be minor and short-lived. Beyond the permanent structural footprint of the piles, disturbed areas are expected to naturally re-establish following the completion of construction, in a manner that is consistent with the dynamic and resilient nature of intertidal environments. The Marine Natural Values Impact Assessment submitted in support of the application concluded that potential impacts associated with the proposal primarily acoustic disturbance during construction and minor seabed disturbance, would be localised, short term and negligible.

#### **2.5.16 Operational noise impacts**

The noise generated by the operation of the jetty is a major concern. It would include activity by people and workers and by boat movements, that could occur every day and at all hours.

##### Response

The frequency and duration of the use of the jetty will be limited by its use for recreational use of three kayaks and for accessing a moored vessel by guests of the adjacent visitor accommodation use who are partaking in a guided tour. This would not be expected to result in noise impacts for nearby residences, the closest of which is approximately 160m from the location of the proposed jetty.

#### **2.5.17 Degradation of aesthetic values in an undeveloped area**

The foreshore is presently undeveloped and possesses aesthetic values. The visible presence of a 30m jetty with 11.5m end width and a 6m high boat shed is a fundamental departure from the goal of conservation and protection of the aesthetic values of the coast. The proposed private jetty will degrade the aesthetic value and integrity of the undeveloped section of the coastline and fragment the natural landscape, which is inconsistent with the purpose of the Environmental Management zone.

##### Response

While it is correct that there are no built elements along the foreshore between Fleurtys Lane at Flowerpot and the Middleton Boat Ramp, it is not correct to describe the coastline along this part of the D'Entrecasteaux Channel as undeveloped. The coastline includes a section of road immediately adjacent to the coastline (Esplanade Road), numerous residences and outbuildings, some of which are of a substantial scale and have been located to take advantage of views, together with extensive areas where vegetation has been cleared or otherwise modified in the past. Having regard for the already highly modified nature of the coastal land east of the Channel Highway it is not considered that the proposed 30m jetty will degrade the aesthetic value and integrity of the coastline and fragment the natural landscape.

#### **2.5.18 The site is not suitable for a jetty due to shallow water depth**

The shallow slope of the seafloor at the jetty site means that it will be functionally unusable for a tender for much of the tidal range. Use of a motorised vessel to access the jetty when water depth is shallow can cause degradation to the sea floor. The shallow water depth combined with wave action will render the jetty unusable for all but a few hours per day.

Response

The potential for the use of the jetty to be limited for periods of time as a result of tidal variations in water depth is a matter that the operators of the visitor accommodation use will need to be aware of and will need to adapt the timing of the use of the tender to accommodate these limitations.

**2.5.19 The jetty location results in it not being grouped with existing facilities**

The Waterway and Coastal Protection Code and the Inundation Prone Areas Code both require new facilities to be grouped with existing facilities where this is reasonably practical. This is required to prevent coastal fragmentation by ensuring infrastructure is concentrated in established areas. The arguments put forward in the application are fundamentally flawed. It is not accurate to state that the proposal is located in a channel with existing marine facilities. It is not grouped with facilities at Woodbridge, Gordon and Middleton.

Response

Both the Waterway and Coastal Protection Code and the Inundation Prone Areas Code require facilities such as the proposed jetty to be grouped with existing facilities where this is reasonably practical. The purpose of the proposed jetty is to provide direct access via a tender to a moored vessel from the approved visitor accommodation use and existing residential use on the adjacent property at 4101 Channel Highway, Flowerpot. This operational arrangement cannot be achieved by the proposed jetty being located instead with other facilities at Woodbridge, Gordon or Middleton, and so grouping a jetty intended to directly service the visitor accommodation use at 4101 Channel Highway with other existing facilities is not reasonably practical.

**2.5.20 Absence of Management Plan for the Reserve**

As there is no management plan for the reserve there is no strategic framework to regulate the incremental proliferation of private infrastructure along what is an undeveloped coastline. The D'Entrecasteaux Channel is characterised by a distinct lack of isolated private marine facilities such as jetties and boat sheds. Discretionary approval for exclusive private use should not precede a formal management plan.

Response

The Scheme contemplates and provides for circumstances where there is no Reserve Management Plan in place for reserved land in Clause 29.3.1 (Use Standards for Reserved Land) by requiring assessment to be made against Performance Criteria P1. The Scheme does not provide that applications for a discretionary use cannot be assessed and determined on reserved land in the absence of a Reserve Management Plan.

**2.5.21 Risk from coastal erosion hazard has not been addressed**

The site is identified as a steep, soft rock shoreline that is experiencing active shoreline recession which has obvious erosion. The site is not mapped by the Coastal Erosion Hazard overlay; however, an assessment against the Coastal Erosion Hazard Code should occur because of the presence of the erosion hazard. There is significant evidence of land slip and erosion around the shore.

Response

While the broader coastline is rock dominated and generally stable, the jetty abutment area is better characterised as a steep, soft rock shoreline subject to slow to moderate erosion, driven by wind generated waves and rising sea level, occurring mainly at high water levels. This erosion process is ongoing and unlikely to reverse. Mitigation is provided through the design of the proposal including the use of driven timber piles founded on rock, rock armouring on a shallow slope to dissipate wave energy, and a retaining wall to protect the jetty abutment and access path. The rate of shoreline recession is to be monitored to ensure the jetty and rock armouring remains outside any instability zone.

#### **2.5.22 Obstruction of the foreshore**

The proposed private jetty and pathway is a continuous obstruction over the entire foreshore from the property boundary to the D'Entrecasteaux Channel. This is contrary to the requirement of the Coastal Erosion Hazard Code that public foreshore access is not obstructed where the managing public authority requires it to continue to exist. The jetty and pathway effectively a giant fence across the foreshore with passage along the foreshore obstructed.

#### Response

Passage along the section of the foreshore where the jetty is proposed is made difficult at high tide by the presence of the steep drop-off of the land at the high tide level. At other times when water levels are lower and access along the coast is easier the height of the deck of the proposed jetty at 2.5m AHD, being 1.62m above the mean sea level, would be expected to allow access under the jetty. As a result, the presence of the jetty will not cause the movement of people along the foreshore to be obstructed.

#### **2.5.23 The private jetty is not required for access to larger moored vessel**

Access to the proposed mooring location adjacent to the property does not require a jetty and can be achieved instead by launching a tender from the natural shoreline or nearby public facilities. Established public jetties where tenders can be launched are located at Middleton, Woodbridge, and Gordon, which are respectively 3.1km, 6.9km and 7.7km from the site. The existence of these practical alternatives demonstrate that need for the proposed private jetty cannot be justified.

#### Response

The proponent has provided a business case which establishes that a jetty providing direct access to a moored vessel for guided tours is a reasonable facility for a visitor accommodation use located on the coast that services premium clients. It is recognised that tenders could be launched from Middleton, Woodbridge, and Gordon; however, this would not provide for direct access by guests to a vessel moored adjacent to 4101 Channel Highway.

#### **2.5.24 Need for the boat shed to be located with the jetty is not demonstrated**

It has not been demonstrated that a boat shed is needed at the jetty for the storage of a tender. The boat shed does not require a coastal location, and the tender it will house could instead be stored within the adjacent private property and moved to the jetty when it was required. There are alternatives including a marina at Kettering for visitors who want easy access to a boat.

Response

The permanent presence of a tender at the jetty to facilitate access to the moored vessel is part of the overall visitor experience intended. The inclusion of a boat shed to accommodate the tender is not unreasonable given its permanent location at the jetty.

**2.5.25 The proposed jetty and boat shed is unreasonably large**

The jetty is 30m long and 11.5m wide and is as a result enormous and cannot be as it is described in the application as modest in scale and small. The top of the boat shed will be 6m above the water level at the time of lowest astronomical tide. The decked area is 40m<sup>2</sup>. The jetty and boat shed will have a significant visual impact from both the land and the D'Entrecasteaux Channel.

Response

The scale of the proposed jetty and the associated boatshed is considered to be commensurate with its intended use to provide access to a moored vessel by guests of the adjacent visitor accommodation use and the permanent storage of a tender used for that purpose. The jetty and boatshed will be visible from both some locations on adjacent land and from parts of the D'Entrecasteaux Channel, but it is not considered that it will have a significant adverse visual impact.

**2.5.26 Impact of proposed materials and lighting**

The proposed exterior building surfaces, including the proposed Colorbond roof of the boat shed will not avoid adverse impacts on the visual amenity of neighbouring land and vistas. The pile mounted solar lights will create a permanent industrial visual footprint at night. It is unclear why lights are required for the jetty and boatshed and it should only be used during daylight hours.

Response

The jetty is proposed to be constructed in natural timber which is consistent with what would be expected for a jetty. A condition has been recommended that all materials and finishes for the boat shed have a light reflectance value that is not greater than 40%. The inclusion of four solar lights at the seaward end of the jetty are not unreasonable to ensure its safe use outside of daylight hours.

**2.5.27 Restrictions on public access to and public use of the foreshore**

The proposed jetty will not be available for public use and will be for the exclusive use of guests of the visitor accommodation use on the adjacent property. This represents the privatisation of a section of the foreshore fundamentally inconsistent with the status of the site as a Public Reserve.

Response

The proposed jetty will not be available for use by persons other than guests of the approved visitor accommodation and existing residential use at 4101 Channel Highway. Its presence will not prevent access to or use of the Public Reserve or the foreshore of the D'Entrecasteaux Channel by the public.

**2.5.28 Need for more public consultation**

The level of public consultation is inadequate given the significant impact of the jetty on a public reserve and the precedent set by allowing new private jetties along the coast. There should have been wider community consultation. A Council position on how many and where private jetties will be allowed should be developed in consultation with the community.

Response

The application was advertised in accordance with all relevant requirements of the *Land Use Planning and Approvals Act 1993*.

**2.5.29 Failure to inform and consult with the local community**

Neither the developer of the property nor the consultants engaged to prepare the application have brought the project to the community for discussion. While it is recognised that this is not a requirement it is a way to demonstrate respect for the community and its values. The strength of opposition is known from the withdrawal of a previous application before it was refused. The local community understands what is important to maintain and develop the character, cultural, environmental, landscape and coastal values of the community. Consultation did not occur with the local community during the design phase prior to the application being made.

Response

Any decision to consult with the community prior to the lodgement of a planning application including during the design phase is wholly a matter for the proponent. Council cannot mandate this type of consultation and cannot allow the fact that the proponent has not chosen to do so to have any influence on the assessment and determination of the application.

**2.5.30 People who objected to previous application should have been informed**

People who objected to the application that was withdrawn (DA-2021-309) should have been contacted and given the opportunity to comment on this application.

Response

The application was advertised in accordance with all relevant requirements of the *Land Use Planning and Approvals Act 1993*. There is no statutory requirement for persons who made representations to the application that was withdrawn in 2022 to be informed of the lodgement of this application.

**2.5.31 Integrity of supporting specialist reports and the assertions contained**

Concern about the statements made in specialist reports that support application of which this is the third for the proposed development. There are references to the site being in an area of the channel that has existing marine facilities when there are none in the bay where it is proposed. The examples cited are many kilometres away from the site and are public facilities. It is suggested or implied that the ground is stable and unlikely to erode however there is significant evidence of landslip and erosion.

Response

The specialist reports submitted in support of the application have been prepared by suitably qualified professionals with the experience and expertise to make the assertions contained in their reports. When assessing a planning application regard is given to the content and conclusions of specialist reports; however, the content of reports and the conclusions they draw are not accepted without question.

**2.5.32 Impact on sand movements within the channel**

The proposed boat shed and jetty will impact on the build-up, movement and erosion of the shallow sand floor in the bay in which it is to be located.

Response

The coastal hazard assessment prepared by a suitably qualified person concludes that the jetty will not obstruct or alter existing tidal behaviour and so will not cause the build-up,

movement and erosion of the shallow sand floor where it is located. The shallow water depths and the limited footprint of the piles reduce the potential for changes to wave behaviour and sediment transport.

### **2.5.33 Change in the use of the property under previous applications**

The use of the property has changed beyond that which was described in previous applications for the property and is evident of a move away from residential use to commercial tourism. No significant work has been undertaken on the family residence or the caretaker's cottage, and these should not be granted building approval.

#### Response

The use and development approved at 4101 Channel Highway by DA-2022-64 and as amended by DA-2022-64/A has commenced and so the legal rights to complete the development and use the property as approved by this permit is preserved. There is no evidence that the use or development of the property to date is inconsistent with this approval.

### **2.5.34 Impacts on coastline and natural habitat**

Concern that the proposed jetty will impinge on the beautiful and natural coastline and to the natural habitat or native flora and fauna. There are alternatives in the area (such as Kettering) for the benefit of the paying guests at this establishment.

#### Response

The proposed jetty is of a modest scale commensurate with its limited proposed use to provide access for guests of the adjacent approved visitor accommodation use to access a moored vessel in the D'Entrecasteaux Channel and to use three kayaks for recreation. The coast along this section of the D'Entrecasteaux Channel has been modified by past development including the clearing of land for rural purposes and for residential uses. The specialist reports submitted with the application provide confidence that the development and use of the jetty will not have adverse impacts on natural habitat or native flora and fauna.

### **2.5.35 Impacts of inundation and wave impact not adequately addressed**

The risk of inundation of the proposed jetty and its exposure to the impacts of adverse weather conditions and wave action is downplayed. The deck height is not adequate to protect the jetty from strong winds at high tide.

#### Response

The proposed jetty has been designed by suitable qualified engineers with extensive experience in the design and construction of marine infrastructure.

### **2.5.36 Approval of proposal at a reduced scale and with conditions**

If the proposal is to be approved it should be approved at a reduced scale and with specific conditions to ensure its impacts are lessened, including: minimise construction noise by limiting hours of work and minimise duration, removing lighting, reduce length to 5m, prohibiting public use and tourist/visitor use, strict controls on use and impacts with monitoring and reporting to council, proper advice to neighbours in advance of works, no night work, removal of the boatshed, removal of the jetty keeping the boats at the shore, and proper communication and notices to residents.

#### Response

The application has been assessed against all relevant sections of the Scheme, and the recommendation includes conditions that ensure it is used as intended and all potential adverse impacts are mitigated. The assessment did not find a basis for approving the proposal at a reduced scale or with some elements removed. Conditions attached to any

permit issued must be reasonable and relevant and cannot impinge on aspects of construction that are managed by other legislation and regulations.

## 2.6 Other Matters

### 2.6.1 Weed Management

In accordance with Clause 8.11.3, a condition should be included in any permit issued requiring implementation of best practice hygiene measures.

### 2.6.2 Start Works Notice

Given the number of reports and details that need to be confirmed prior to the commencement of construction, a start of works notice is recommended.

## 2.7 External Referrals

### 2.7.1 Marine and Safety Tasmania

The application was referred to Marine and Safety Tasmania (MAST), and correspondence was received on 4 May 2026 advising that MAST has no objection to the proposed jetty construction at 4101 Channel Highway, Flowerpot, and that the proposed development does not affect existing moorings or safe navigation of vessels.

## 3. CONCLUSION

The proposal involves development which is categorised as discretionary under the planning scheme which relies on the performance criteria to comply with applicable standards.

The proposal is assessed as satisfying the performance criteria and complies with those standards.

The proposal is assessed as complying with all other relevant use and development standards in the Rural Resource Zone and the Environmental Management Zone, as well as the applicable standards of the Biodiversity Code, Waterway and Coastal Protection Code, and the Inundation Prone Areas Code.

The application was publicly advertised for the statutory period, and eight (8) representations were received during this period. The matters raised in the representations have been addressed in this report. It is concluded that the proposal is consistent with the planning scheme's zone purpose statements, and relevant code purpose statements and is satisfactory.

## 4. RECOMMENDATION

That the Planning Authority resolves that the development application for construction of jetty, boat shed and associated walkway at 4101 Channel Highway, Flowerpot and adjacent Crown coastal reserve for K Mahendran be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA-2025-82 and Council Plan Reference No. P4 submitted on 25 March 2026, endorsed as forming part of this approval.

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

2. The jetty and boat shed approved by this permit must only be used in conjunction with the approved visitor accommodation use and existing residents at 4101 Channel Highway, Flowerpot (CT20339/1) and then only for the purposes of:

- (a) Providing for the use of a tender stored in the boat shed for the conveyance of guests of the visitor accommodation use to and from a vessel moored in the adjacent waterway, and for activities associated with that purpose;
  - (b) Providing the use of kayaks stored in the boat shed by guests of the visitor accommodation use, and for activities associated with that purpose; and
  - (c) by the residents of 4101 Channel Highway, Flowerpot (CT20339/1) for personal maritime activities and/or recreation.
3. Materials and finishes used for the boat shed must have a light reflectance value that is not greater than 40%.
  4. This permit does not approve any works on the existing pathway located at 4101 Channel Highway (CT20339/1) and the adjoining Crown Public Reserve other than the works indicated on the approved plans.
  5. Impacts on vegetation approved by this permit must not exceed disturbance to subtidal and intertidal habitat assemblages within the footprint of the development consistent with the approved plans.

No felling, lopping, ringbarking or otherwise injuring or destroying of terrestrial native vegetation or individual trees is to take place without the prior written approval of the Manager Development Services, or in accordance with a further planning permit or otherwise as provided for in the Planning Scheme or relevant legislation.

6. The coastal protection works approved by this permit are limited to those described in the approved plans and no further expansion of coastal protection works beyond the extent of these works is approved.
7. This permit does not approve any dredging or reclamation works.
8. This permit does not approve the cleaning, servicing or maintenance of any vessels at or on the jetty or at or in the boatshed.
9. Prior to the commencement of works and not more than one (1) year before the commencement of works, a current marine survey must be completed. Evidence of the survey and a copy of the survey results must be submitted for the approval of the Manager Development Services.

Advice: Where the marine survey identifies any adverse environmental impacts based on updated survey information that were not known when this permit was granted, additional approvals may be required prior to the commencement of these works.

10. Prior to the commencement of works, engineering drawings for the jetty, landing, access path upgrade and associated coastal works must be submitted for the approval of the Manager Development Services. These drawings must be:
  - (a) Certified by a suitably qualified coastal engineer, and provide confirmation that adverse impacts on coastal processes are appropriately mitigated, including all impacts related to inundation risk, wave action and behaviour, sediment dynamics, and current and tidal flows; and
  - (b) Certified by a suitably qualified person in the field of marine natural values; and provide confirmation that impacts on marine coastal values are negligible.

When approved, these drawings shall form part of this permit and must be adhered to throughout construction of the development to the satisfaction of the Manager Development Services.

11. The wharf deck height, excluding the lower landing, must have a finished floor level of +2.5m AHD.
12. All construction works must be undertaken between January and March (inclusive) to mitigate impacts on the southern right whales and other sensitive aquatic species.

Alternatively, construction may occur outside of January to March (inclusive) subject to all of the following:

- (a) A suitably qualified person in marine natural values undertakes an activity assessment immediately prior to the commencement of construction works to determine whether activity is evident and identify any mitigation measures that need to be applied to reduce impacts;
  - (b) This assessment confirms that any disturbance to all species is tolerable; and
  - (c) The assessment is provided to the Manager Development Services and approval is provided in writing that the commencement of construction may occur, subject to implementation of any mitigation measures identified in the activity assessment.
13. Prior to the commencement of any on-site works a Construction Environmental Management Plan (CEMP) must be submitted to Council for approval. The plan must be to the satisfaction of the Manager Development Services, incorporate the recommendations in the Marine Natural Values Assessment, and updated marine survey, and Coastal Hazard Assessment and demonstrate compliance with the following:
    - (a) Site Access and Storage
      - a. All construction materials, plant, equipment and machinery must be transported to and from the site exclusively by barge.
      - b. No vehicles, trailers or mobile plant are permitted to enter or traverse the Reserve by land at any time.
      - c. No materials, machinery, tools or equipment are to be stored, stockpiled or staged on land within the Reserve, whether temporarily or permanently.
      - d. Lay-down areas, stockpiles or hardstand areas within the Reserve are expressly prohibited.
      - e. No refuelling, servicing or parking of machinery is permitted within the Reserve.
      - f. No waste is to be retained or stored within the Reserve.
      - g. The CEMP must include procedures demonstrating ongoing compliance with these requirements for the duration of construction.
    - (b) Construction Hours and Contact information
      - a. Detail hours of operation
      - b. Contact details of key construction site staff.
    - (c) Soil, Water and Coastal Protection
      - a. Details on how construction will be undertaken in accordance with:
        - i. Waterways and Wetlands Works Manual (DPIWE, 2003);
        - ii. NRM South Soil and Water Management of Construction Sites – Guidelines;

- iii. Tasmanian Standard Drawings (TSD-SW28); and
  - iv. Tasmanian Coastal Works Manual (DPIPWE, Page and Thorp, 2010)
- (d) Noise, Vibration and Construction Methods
- a. Measures to control construction noise.
  - b. Construction methods are pile-supported.
  - c. Details of how vibration will be managed to mitigate potential land instability on adjoining properties.
- (e) Protection of Terrestrial and Marine Natural Values
- a. Ensure a marine survey is undertaken not more than one (1) year prior to the commencement of works.
  - b. Measures to minimise impacts on marine fauna, including:
    - i. consultation with the Wildlife Management Branch of DNRE immediately prior to construction activities to determine whether there have been any recent marine mammal sightings in the proposed work area (24-hour Whale Hotline: 0427 WHALES / 0427 942 537);
    - ii. monitoring of the site footprint for marine mammals prior to and during construction activities;
    - iii. construction activities must not commence, or must immediately cease, if any listed cetacean or pinniped/turtle/penguin species are known to be present within 500 metres of the construction activities;
    - iv. works must not recommence until the fauna has moved beyond the 500-metre exclusion zone;
  - c. Ensure the implementation of a 'soft start' piling technique, including:
    - i. implementation of a 'soft start' technique at the beginning of each pile installation day;
    - ii. impact piling must commence at the lowest practicable energy and gradually ramp up to full capacity over a minimum 30-minute period;
    - iii. the soft-start procedure must be repeated following any significant break in piling activities;
- (f) Biosecurity Controls
- a. Use of locally sourced machinery for all phases of development to mitigate the risk of introducing non-native species or releasing toxic contaminants;
  - b. Ensuring machinery and equipment with the potential to transport waterborne viruses or invasive species is disinfected and dried prior to use on site;
  - c. Details on how construction will be undertaken in accordance with Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment.
- (g) Documenting, Induction and Site Responsibilities
- a. Clear documentation of monitoring procedures, decision-making thresholds for ceasing works, and responsibilities for fauna observation and reporting; and

- b. induction of all construction personnel on marine fauna protection measures prior to works commencing.

Once endorsed, the Construction Environmental Management 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.

14. Prior to the commencement of any 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.

For Advice: This Planning Start of Works Notice is not the same as the Form 39 Building Start Works Notice. As such, lodgement of a Form 39 will not satisfy this condition, and a separate 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department. A copy of the application form is available on Council's website.

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

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

16. To minimise the risk of weed introduction, erosion and wildlife disturbance associated with increased visitor use of the reserve, including visitors arriving by vessel, the ongoing use of the development must be managed in accordance with an approved Visitor Management Plan.

The Visitor Management Plan must include, but not be limited to:

- (a) Weed hygiene and weed management measures for visitors, vessels and equipment;
- (b) Measures to ensure visitors remain on designated tracks and accessways to prevent erosion or vegetation damage;
- (c) Signage and education measures addressing sensitive environments and wildlife protection; and
- (d) Compliance and monitoring measures to ensure the Plan is effectively implemented.

The Visitor Management Plan must be provided to and approved by the Manager Development Services prior to the commencement of the use of the jetty and must be implemented for the duration of its use.

17. Prior to the commencement of use, a Coastal Monitoring Program (CMP) must be prepared and implemented to the satisfaction of the Manager Development Services. The CMP must:
  - (a) Monitor potential localised scour and erosion at the toe of the piles, rock armouring and retaining wall following construction;
  - (b) Monitor the rate of shoreline recession;

- (c) Confirm that the approved infrastructure remains located outside any identified or emerging coastal instability zone; and
- (d) Specify monitoring frequency, trigger thresholds and appropriate management or remedial responses should unacceptable scour, erosion or shoreline recession be identified.

The results of the CMP must be made available to the Manager Development Services.

### ADVICE

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval in this permit is under the *Land Use Planning and Approvals Act 1993* and does not provide any approvals under other Acts including, but not limited to *Building Act 2016*, *Urban Drainage Act 2013*, *Food Act 2003* or Council by-laws.

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

### ATTACHMENTS

1. Title documents
2. Assessment checklist
3. Proposed development plans



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 20339	FOLIO 1
EDITION 3	DATE OF ISSUE 28-Feb-2017

SEARCH DATE : 09-Aug-2017

SEARCH TIME : 08.35 AM

DESCRIPTION OF LAND

Parish of BAGOT, Land District of BUCKINGHAM  
 Lot 1 on Diagram 20339  
 Derivation : part of Lot 218 Gtd. to Robert Rhodes  
 Prior CT 4018/1

SCHEDULE 1

M614500 TRANSFER to MIKA THAM WESTERHAUSEN Registered  
 28-Feb-2017 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

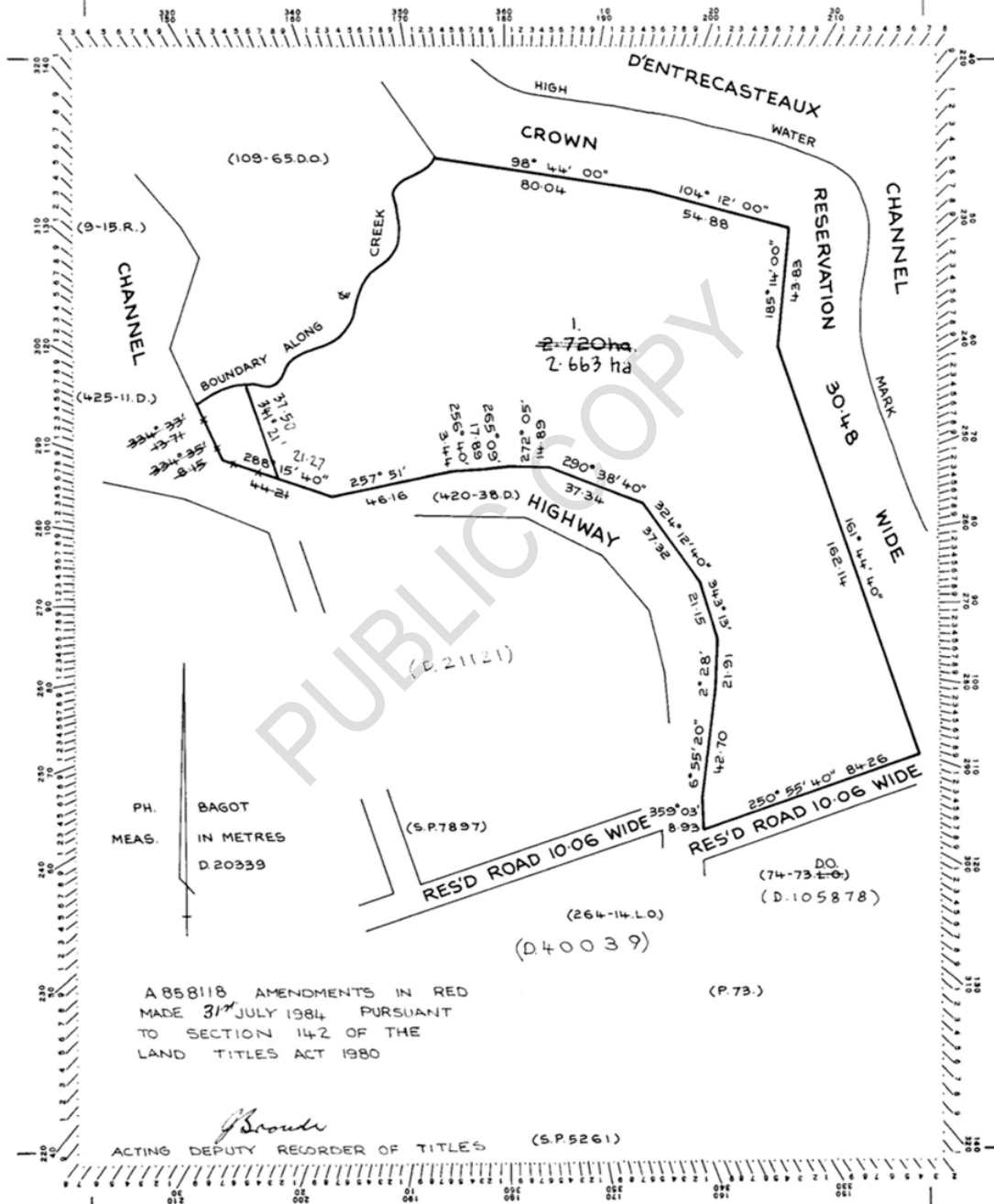
PUBLIC COPY



**FOLIO PLAN**  
RECORDER OF TITLES  
Issued Pursuant to the Land Titles Act 1980



Owner: L.T. ACT. 1980	PLAN OF SURVEY by Surveyor ..... of land situated in the <b>LAND DISTRICT OF BUCKINGHAM PARISH OF BAGOT</b>	Registered Number: <b>D. 20339</b>
Title Reference: Y. 691		Approved Effective from: <b>- 9 MAY 1983</b>
Grantee: PART OF LOT 218 (A.R.P.) <b>ROBERT RHODES.</b>		<i>J. Brown</i> Recorder of titles
SCALE 1:1500 MEASUREMENTS IN METRES		



**Assessment Checklist for Development Applications for Use and/or Development within the Rural Resource Zone**

<b>Application No:</b> DA-2025-82	<b>Description:</b> Construction of jetty, boat shed and associated walkway
<b>Applicant:</b> K Mahendran	<b>Owner:</b> Ms. M T Westerhausen
<b>Location:</b> 4101 Channel Highway, Flowerpot and adjacent Crown Public Reserve	

**Use Status**

<b>Use Class</b>	<b>Pleasure boat facility</b>
<b>Use Status</b>	<b>Discretionary</b>

**Rural Resource Zone Provisions (use and/or development)**

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

<b>Clause</b>	<b>Compliance/Comments</b>
<b>26.3 Use Standards</b>	
<p><b>Clause 26.3.1 – Sensitive Use (including residential use)</b>  <b>A1</b> – A sensitive use is for a home based business or an extension or replacement of an existing dwelling or existing ancillary dwelling, or for home-based child care in accordance with a licence under the <i>Child Care Act 2001</i>.</p>	<p><b>A1 – Not applicable</b>                      The use of the proposed jetty and the upgraded section of the pathway is not a Sensitive Use.</p>
<p><b>Clause 26.3.2 – Visitor Accommodation</b>  <b>A1</b> – Visitor accommodation must comply with all of the following:                      (a) is accommodated in existing buildings;                      (b) provides for any parking and manoeuvring spaces required pursuant to the Parking and Access Code on-site;                      (c) has a floor area of no more than 160m<sup>2</sup>.</p>	<p><b>A1 – Not applicable</b>                      The proposed jetty and the upgrade to a section of the existing pathway is not Visitor Accommodation.</p>
<p><b>Clause 26.3.3 – Discretionary Use</b>  <b>A1</b> – No acceptable solution.</p>	<p><b>A1 – Does not comply</b>                      The proposed jetty and the upgrade to a section of the existing pathway is categorised into the Pleasure Boat Facility use class. While the jetty and pathway upgrade are not located in the part of the site included in the Rural Resource Zone, they both depend on land in that zone to operate. All uses which fall in the Pleasure Boat Facility use class are a Discretionary Use in the Rural Resource Zone. As a Discretionary Use there must be compliance with Performance Criteria P1 of Clause 26.3.3.</p>
<b>26.4 Development Standards for Buildings and Works</b>	
<p><b>Clause 26.4.1 – Building Height</b>  <b>A1</b> – Building height must be no more than:                      8.5 m if for a residential use.                      10 m otherwise.</p>	<p><b>A1 – Not applicable</b>                      The proposed jetty is not located in the part of the site included in the Rural Resource Zone.</p>

Clause	Compliance/Comments
<p><b>Clause 26.4.2 – Setback</b></p> <p><b>A1</b> – Building setback from frontage must be no less than: 20 m.</p> <p><b>A2</b> – Building setback from side and rear boundaries must be no less than: 50 m.</p>	<p><b>A1 – Not applicable</b> The proposed jetty is not located in the part of the site included in the Rural Resource Zone.</p> <p><b>A2 – Not applicable</b> The proposed jetty is not located in the part of the site included in the Rural Resource Zone.</p>
<p><b>A3</b> – Building setback for buildings for sensitive use must comply with all of the following:</p> <p>(a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m;</p> <p>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.</p>	<p><b>A3 – Not applicable</b> The proposed jetty is not located in the part of the site included in the Rural Resource Zone.</p>
<p><b>A4</b> – Buildings and works must be setback from land zoned Environmental Management no less than: 100 m.</p>	<p><b>A4 – Not applicable</b> The proposed jetty and the works for the upgrade to a section of the existing pathway are not located in the part of the site included in the Rural Resource Zone.</p> <p>While no works are proposed on the section of the existing pathway in the Rural Resource Zone, a condition should be included to clarify that no works are approved in the Rural Resource Zone (being 4101 Channel Highway, Flowerpot, CT20339/1), including vegetation management.</p>
<p><b>Clause 26.4.3 – Design</b></p> <p><b>A1</b> – The location of buildings and works must comply with any of the following:</p> <p>(a) be located within a building area, if provided on the title;</p> <p>(b) be an addition or alteration to an existing building;</p> <p>(c) be located in an area not require the clearing of native vegetation and not on a skyline or ridgeline.</p>	<p><b>A1 – Not applicable</b> The proposed jetty and the works for the upgrade to a section of the existing pathway are not located in the part of the site included in the Rural Resource Zone.</p>
<p><b>A2</b> - Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p><b>A2 – Not applicable</b> The proposed jetty is not located in the part of the site included in the Rural Resource Zone.</p>
<p><b>A3</b> – The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.</p>	<p><b>A3 – Not applicable</b> No filling or excavation is proposed in the part of the site included in the Rural Resource Zone.</p>
<p><b>Clause 26.4.4 – Plantation Forestry</b></p> <p><b>A1</b> – Plantation forestry, including establishment and harvesting, must comply with a certified Forest Practices Plan.</p>	<p><b>A1 – Not applicable</b> The proposed use and development is not for Plantation Forestry.</p>

**Environmental Management Zone Provisions (use and/or development)**

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

Clause	Compliance/Comments
<b>29.3 Use Standards</b>	
<p><b>Clause 29.3.1 – Use Standards for Reserved Land</b>  <b>A1</b> – Use is undertaken in accordance with a reserve management plan.</p>	<p><b>A1 – Does not comply</b>                      The subject land is a Public Reserve under the <i>Crown Lands Act 1976</i>. As no reserve management plan exists for this reserve, the change of use must demonstrate compliance with Performance Criteria P1 of Clause 29.3.1.</p>
<b>29.4 Development Standards for Buildings and Works</b>	
<p><b>Clause 29.4.1 – Building Height</b>  <b>A1</b> – Building height comply with any of the following:                      (a) as proscribed in an applicable reserve management plan;                      (b) be no more than 7.5 m.</p>	<p><b>A1 – Complies</b>                      There is no applicable reserve management plan. The maximum height of the proposed jetty and boathouse is 4.95m.</p>
<p><b>Clause 29.4.2 – Setback</b>  <b>A1</b> – Building setback from frontage must comply with any of the following:                      (a) as proscribed in an applicable reserve management plan;                      (b) be no less than 30 m.  <b>A2</b> – Building setback from side and rear boundaries must comply with any of the following:                      (a) as proscribed in an applicable reserve management plan;                      (b) be no less than 30 m.</p>	<p><b>A1 – Not applicable</b>                      The Public Reserve land does not have a frontage to a road.  <b>A2 – Does not comply</b>                      There is no applicable reserve management plan, so the required setback is 30m. The proposed jetty traverses the seaward boundary of the Public Reserve land and so has a zero setback to this boundary. Therefore, the proposal must be assessed against Performance Criteria P2 of Clause 29.4.2.</p>
<p><b>A3</b> – Buildings and works must be setback from land zoned Environmental Living no less than 30 m.</p>	<p><b>A3 – Complies</b>                      The proposed jetty and the works for the upgrade to a section of the existing pathway are not within 30m of land in the Environmental Living Zone.</p>
<p><b>A4</b> – Building setback for buildings for sensitive use (including residential use) must comply with all of the following:                      (a) be sufficient to provide a separation distance from land zoned Rural Resource no less than 100 m;                      (b) be sufficient to provide a separation distance from land zoned Significant Agriculture no less than 200 m.</p>	<p><b>A4 – Not applicable</b>                      The use of the proposed jetty and the upgraded section of the pathway is not a Sensitive Use.</p>
<p><b>Clause 29.4.3 – Design</b>  <b>A1</b> – The location of buildings and works must comply with any of the following:</p>	<p><b>A1 – Does not comply</b>                      The proposed jetty and the works to upgrade a section of the existing pathway:</p>

Clause	Compliance/Comments
(a) be located on a site that does not require the clearing of native vegetation and is not on a skyline or ridgeline; (b) be located within a building area, if provided on the title; (c) be an addition or alteration to an existing building; (d) as prescribed in an applicable reserve management plan.	(a) do not require the clearing of native vegetation and is not on a skyline or ridgeline, but will likely result in disturbance to terrestrial vegetation due to the proximity of the path upgrade to vegetation; (b) is not located within a building area as none is provided on the title; (c) is not an addition or alteration to an existing building; and (d) is not prescribed in an applicable reserve management plan, as there is no reserve management plan in effect for the reserve.  Therefore, the proposal must be assessed against Performance Criteria P1 of Clause 29.4.3.
<b>A2</b> – Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.	<b>A2 – Complies</b> The proposed jetty and boat shed are to be finished with natural timber, and the proposed boat shed is to have a Colorbond steel roof with a light reflectance value less than 40%.
<b>A3</b> – Fill and excavation must comply with all of the following: (a) height of fill and depth of excavation is no more than 1 m from natural ground level, except where required for building foundations; (b) extent is limited to the area required for the construction of buildings and vehicular access.	<b>A3 – Does not comply</b> The filling and excavation required for the upgrade of the path and to construct the jetty is less than 1m in depth but is not limited to the area required for the construction of buildings and vehicular access. The proposed rock armouring is considered to constitute filling that is 1.5m in height and is not required for the construction of buildings or vehicular access. Therefore, the proposal must be assessed against Performance Criteria P3 of Clause 29.4.3.

### Code Provisions

Clause	Compliance/Comments
<b>E1.0 Bushfire-Prone Areas Code</b>	
While the proposed development is located within a Bushfire Prone Area, the Bushfire Prone Areas Code (Clause E1.2) does not apply to the pleasure boat facility and no hazardous or vulnerable use is proposed.	
<b>E3.0 Landslide Code</b>	
Pursuant to Clause E3.4(c), the proposed buildings and works are exempt from assessment against this code; and the use is neither vulnerable nor hazardous.	
<b>E5.0 Road and Railway Assets Code</b>	
This code does not apply to this proposal as it does not involve use or development of land that: (a) that will require a new vehicle crossing, junction or level crossing; or (b) that intensifies the use of an existing access; or (c) that involves a sensitive use, a building, works or subdivision within 50m metres of a Utilities zone that is part of:	

Clause	Compliance/Comments
(i) a rail network; (ii) a category 1 - Trunk Road or a category 2 - Regional Freight Road, that is subject to a speed limit of more than 60km/h kilometres per hour.	
<b>E6.0 Parking and Access Code</b>	
This application is for the construction of private jetty and does not alter the existing parking and access and the proposal does not trigger an increased demand for parking. Therefore, a full assessment against this code is not required.	
<b>Clause E6.7.14 - Access to a road</b> <b>A1</b> – Access to a road must be in accordance with the requirements of the road authority.	<b>A1 – Complies</b> The existing access is in accordance with Council’s/DSG’s requirements.
<b>E7.0 Stormwater Management Code</b>	
As the proposal does not create, increase or alter existing, compliant stormwater management, the code does not apply.	
<b>E10.0 Biodiversity Code</b>	
<b>Clause E10.7.1 - Buildings and works</b> <b>A1</b> – Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.	<b>A1 – Does not comply</b> The proposal is unable to meet A1 as there is no building area on the title and the proposal involves the disturbance of low priority biodiversity values and biodiversity values that do not readily fit within a category, being Eucalyptus obliqua wet forest and aquatic native vegetation. Therefore, the proposal must be assessed against Performance Criteria P1 of Clause E10.7.1.
<b>Clause E10.8.1 – Subdivision</b> <b>A1</b> – Subdivision of a lot, all or part of which is within a Biodiversity Protection Area, must comply with one or more of the following: (a) be for the purposes of separating existing dwellings; (b) be for the creation of a lot for public open space, public reserve or utility; (c) no works, other than boundary fencing works, are within the Biodiversity Protection Area; (d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Biodiversity Protection Area.	<b>A1 – Not applicable</b> The proposal is not a subdivision.
<b>A2</b> – Subdivision is not prohibited by the relevant zone standards.	<b>A2 – Not applicable</b> The proposal is not a subdivision.
<b>E11.0 Waterway and Coastal Protection Code</b>	
<b>Clause E11.7.1 - Buildings and works</b> <b>A1</b> – Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	<b>A1 – Does not comply</b> The proposed jetty and pathway upgrade works are not located in a building area on a subdivision plan approved under this Scheme and therefore

Clause	Compliance/Comments
	must be assessed against Performance Criteria P1 of Clause E11.7.1.
<p><b>A2</b> – Building and works within a Future Coastal Refugia Area must be within a building area on a plan of subdivision approved under this planning scheme.</p>	<p><b>A2 – Not applicable</b> The proposed jetty and pathway upgrade works are not within a Future Coastal Refugia Area.</p>
<p><b>A3</b> – Buildings and works within a Potable Water Supply Area must be within a building area on a plan of subdivision approved under this planning scheme.</p>	<p><b>A3 – Not applicable</b> The proposed jetty and pathway upgrade works are not located in a Potable Water Supply Area.</p>
<p><b>A4</b> – Development must involve no new stormwater point discharge into a watercourse, wetland or lake.</p>	<p><b>A4 – Complies</b> The proposed jetty and pathway upgrade does not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>
<p><b>Clause E11.7.2 – Buildings and Works Dependent on a Coastal Location</b> <b>A1</b> – An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.</p>	<p><b>A1 – Does not comply</b> The proposed jetty and associated pathway upgrade meet the definition of development that is dependent on a coastal location; however, it is not an extension to an existing facility. Therefore, the proposal must be assessed against Performance Criteria P1 of Clause E11.7.2.</p>
<p><b>A2</b> – No Acceptable Solution for dredging and reclamation.</p>	<p><b>A2 – Not applicable</b> The proposed jetty does not involve any dredging or reclamation.</p>
<p><b>A3</b> – No Acceptable Solution for coastal protection works initiated by the private sector.</p>	<p><b>A3 – Does not comply</b> The proposed jetty and pathway upgrade includes the installation of rock armouring at the landward end of the jetty. This is being provided to ensure the land where the jetty connects to the land is stable and so falls within the scope of coastal protection works initiated by the private sector. Therefore, the proposal must be assessed against Performance Criteria P3 of Clause E11.7.2.</p>
<p><b>Clause E11.8.1 – Subdivision</b> <b>A1</b> – Subdivision of a lot, all or part of which is within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area must comply with one or more of the following:</p> <ul style="list-style-type: none"> <li>(a) be for the purpose of separation of existing dwellings;</li> <li>(b) be for the creation of a lot for public open space, public reserve or utility;</li> <li>(c) no works, other than boundary fencing works, are within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area;</li> </ul>	<p><b>A1 – Not applicable</b> The proposal is not a subdivision.</p>

Clause	Compliance/Comments
(d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area.	
<b>A2</b> – Subdivision is not prohibited by the relevant zone standards.	<b>A2 – Not applicable</b> The proposal is not a subdivision.
<b>E15.0 Inundation Prone Areas Code</b>	
<p><b>Clause E15.6 - Use standards</b></p> <p><b>A1</b> – Change of use of a non-habitable building to a habitable building or a use involving habitable rooms must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) floor level of habitable rooms is no less than the AHD level for the Coastal Inundation Low Hazard Area in Table E15.1;</li> <li>(b) floor level of habitable rooms is no less than the AHD level for the 1% AEP plus 300mm if in an area subject to riverine flooding.</li> </ul>	<p><b>A1 – Not applicable</b></p> <p>The proposal does not involve the change of use of a non-habitable building to a habitable building and is not for a use involving habitable rooms.</p>
<p><b>Clause E15.7.1 - Coastal inundation high hazard areas</b></p> <p><b>A1</b> – For a habitable building, including extensions to existing habitable buildings, there is no Acceptable Solution (requires assessment against performance criteria).</p>	<p><b>A1 – Not applicable</b></p> <p>The proposed jetty and pathway upgrade are not located in a coastal inundation high hazard area.</p>
<p><b>A2</b> – For a non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, there is no Acceptable Solution (requires assessment against performance criteria).</p>	<p><b>A2 – Not applicable</b></p> <p>The proposed jetty and pathway upgrade are not located in a coastal inundation high hazard area.</p>
<p><b>Clause E15.7.2 - Coastal inundation medium hazard areas</b></p> <p><b>A1</b> – For a new habitable building there is no Acceptable Solution (requires assessment against performance criteria).</p>	<p><b>A1 – Not applicable</b></p> <p>The proposed jetty and pathway upgrade are not located in a coastal inundation medium hazard area.</p>
<p><b>A2</b> – Except for new rooms associated with habitable buildings other than dwellings, for which there is no acceptable solution, an extension to an existing habitable building must comply with one of the following:</p> <ul style="list-style-type: none"> <li>(a) new habitable rooms must comply with both of the following: <ul style="list-style-type: none"> <li>(i) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1,</li> <li>(ii) floor area of the extension no more than 40 m<sup>2</sup> from the date of commencement of this planning scheme;</li> </ul> </li> </ul>	<p><b>A2 – Not applicable</b></p> <p>The proposed jetty and pathway upgrade are not located in a coastal inundation medium hazard area.</p>

Clause	Compliance/Comments
(b) new habitable rooms must be above ground floor.	
<b>A3</b> – A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40 m <sup>2</sup> .	<b>A3 – Not applicable</b> The proposed jetty and pathway upgrade are not located in a coastal inundation medium hazard area.
<b>Clause E15.7.3 - Coastal inundation low hazard areas</b> <b>A1</b> – A new habitable building must comply with the following: (a) floor level no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1;	<b>A1 – Not applicable</b> The proposal does not include a new habitable building within a Coastal Inundation Low Hazard Area.
<b>A2</b> – An extension to a habitable building must comply with either of the following: (a) floor level of habitable rooms is no lower than the Minimum Level for the Coastal Inundation Low Hazard Area in Table E15.1; (b) floor area is no more than 60 m <sup>2</sup> .	<b>A2 – Not applicable</b> The proposal does not include an extension to an existing habitable building within the Coastal Inundation Low Hazard Area.
<b>A3</b> – A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60 m <sup>2</sup> .	<b>A3 – Not applicable</b> The proposal does not comprise a building with a floor area.
<b>Clause E15.7.4 - Riverine inundation hazard areas</b> <b>A1</b> – A new habitable building must have a floor level no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm.	<b>A1 – Not applicable</b> The proposed jetty and pathway upgrade are not located in a riverine hazard area.
<b>A2</b> – An extension to an existing habitable building must comply with one of the following: (a) floor level of habitable rooms is no lower than the 1% AEP (100 yr ARI) storm event plus 300 mm; (b) floor area of the extension no more than 60 m <sup>2</sup> as at the date of commencement of this planning scheme.	<b>A2 – Not applicable</b> The proposed jetty and pathway upgrade are not located in a riverine hazard area.
<b>A3</b> – The total floor area of all non-habitable buildings, outbuildings and Class 10b buildings under the Building Code of Australia, on a site must be no more than 60 m <sup>2</sup> .	<b>A3 – Not applicable</b> The proposed jetty and pathway upgrade are not located in a riverine hazard area.
<b>Clause E15.7.5 - Riverine, coastal investigation area, low, medium high inundation hazard area</b> <b>A1</b> – For landfill, or solid walls greater than 5 m in length and 0.5 m in height, there is no acceptable solution (requires assessment against performance criteria).	<b>A1 – Not applicable</b> The proposed jetty and pathway upgrade are not located in a riverine, coastal investigation area, low, medium, or high inundation hazard area.

Clause	Compliance/Comments
<p><b>A2</b> – No acceptable solution (requires assessment against performance criteria)</p>	<p><b>A2 – Not applicable</b> The proposed jetty and pathway upgrade are not located in a riverine, coastal investigation area, low, medium, or high inundation hazard area.</p>
<p><b>A3</b> – A land application area for onsite wastewater management must comply with all of the following:</p> <p>(a) horizontal separation distance from high water mark or from the top of bank of a watercourse or lake must be no less than 100 m;</p> <p>(b) vertical separation distance from the water table must be no less than 1.5 m.</p>	<p><b>A3 – Not applicable</b> The proposed jetty and pathway upgrade are not located in a riverine, coastal investigation area, low, medium, or high inundation hazard area.</p>
<p><b>Clause E15.7.6 - Development Dependent on a Coastal Location</b></p> <p><b>A1</b> – An extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.</p>	<p><b>A1 – Does not comply</b> The proposal meets the definition of development dependent on a coastal location but is for a new facility rather than an extension to an existing facility. Therefore, the proposal must be assessed against Performance Criteria P1 of Clause E15.7.6.</p>
<p><b>A2</b> – No acceptable solution (requires assessment against performance criteria).</p>	<p><b>A2 – Not Applicable</b> The proposed jetty and pathway upgrade does not involve any dredging or reclamation.</p>
<p><b>A3</b> – No Acceptable Solution for coastal protection works initiated by the private sector (requires assessment against performance criteria).</p>	<p><b>A3 – Does not comply</b> The proposed jetty and pathway upgrade includes the installation of rock armouring at the landward end of the proposed jetty which being provided to ensure the land where the jetty connects with the land is stable and so falls with the scope of coastal protection works. Therefore, the proposal must be assessed against Performance Criteria P3 of Clause E15.7.6.</p>
<p><b>E15.8 Development Standards for Subdivision</b></p>	
<p><b>Clause E15.8.1 - Medium and High Inundation Hazard Areas</b></p> <p><b>A1</b> – No acceptable solution (requires assessment against performance criteria).</p>	<p><b>A1 – Not applicable</b> The proposal is not a subdivision.</p>
<p><b>A2</b> – Subdivision is not prohibited by the relevant zone standards.</p>	<p><b>A2 – Not applicable</b> The proposal is not a subdivision.</p>
<p><b>Clause E15.8.2 - Subdivision Dependent on a Coastal Location</b></p> <p><b>A1</b> – No acceptable solution (requires assessment against performance criteria).</p>	<p><b>A1 – Not applicable</b> The proposal is not a subdivision.</p>
<p><b>Clause E15.8.3 - Subdivision within a Riverine Inundation Hazard Area</b></p>	<p><b>A1 – Not applicable</b> The proposal is not a subdivision.</p>

Clause	Compliance/Comments
<p><b>A1</b> – Each lot, or a lot proposed in a plan of subdivision, within a Riverine Inundation Hazard Area must:</p> <ul style="list-style-type: none"> <li>(a) be able to contain a building area, vehicular access and services, that are wholly located outside a Riverine Inundation Hazard Area;</li> <li>(b) be for the creation of separate lots for existing buildings;</li> <li>(c) be required for public use by the Crown, a council or a relevant agency; or</li> <li>(d) be required for the provision of Utilities.</li> </ul>	
<p><b>E16.0 Coastal Erosion Hazard Code</b></p>	
<p>The subject site is experiencing erosion but is not mapped within the Coastal Erosion Hazard Areas as such this code does not apply. Notwithstanding this, erosion has been addressed under the Waterway and Coastal Protection Code.</p>	
<p><b>E23.0 On-Site Wastewater Management Code</b></p>	
<p>The proposed jetty and pathway upgrade does not generate any additional wastewater, and they are located where they have no impact on a land disposal area, so assessment against this code is not required.</p>	

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

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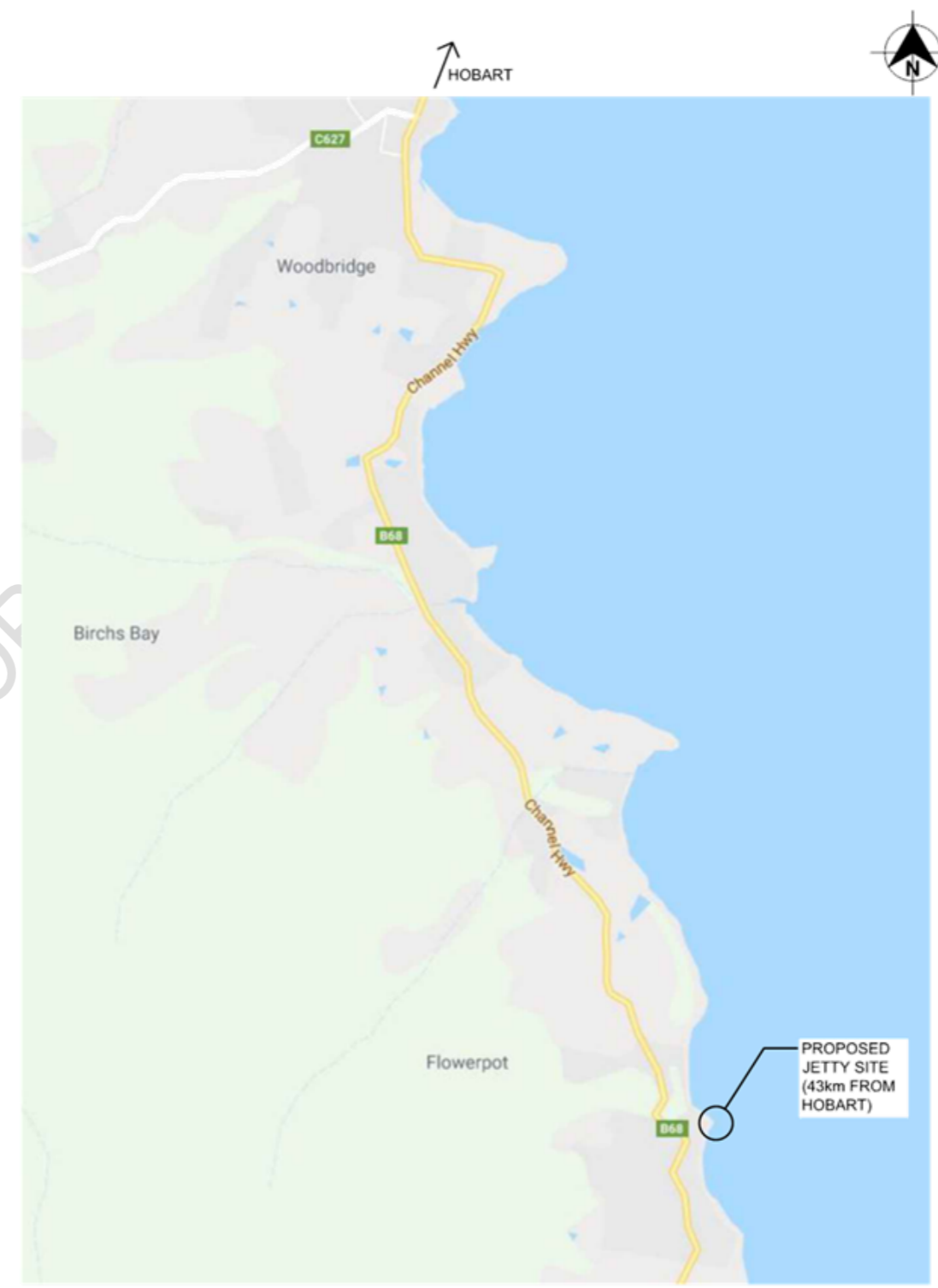
**4101 CHANNEL HIGHWAY - PROPOSED JETTY  
DEVELOPMENT APPLICATION DRAWING SET**

**DRAWING LIST:**

1922 - 001	DRAWING LIST, NOTES & LOCATION PLAN
1922 - 002	SITE PLAN
1922 - 003	GENERAL ARRANGEMENT
1922 - 004	ELEVATIONS 1/2
1922 - 005	ELEVATIONS 2/2

**GENERAL NOTES:**

1. UNLESS NOTED OTHERWISE ON A PARTICULAR DRAWING THESE NOTES APPLY TO ALL DRAWINGS IN THIS SET.
2. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.
3. ALL REDUCED LEVELS ARE METERS TO CHART DATUM (CD).
4. TIDE LEVEL DATA IS TAKEN FROM HOBART.
5. THIS DRAWING SET IS FOR DEVELOPMENT APPLICATION PURPOSES AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
6. ALL PROPERTY DETAILS ARE TAKEN FROM LISTmap.
7. ALL MOORING DETAILS ARE TAKEN FROM MAST WEBSITE.
8. LOWER LANDING DECK LEVEL TO BE CONFIRMED DURING DETAILED DESIGN PHASE.
9. DESIGN VESSEL: HEIGHFIELD 4.2m SDS500 RIGID INFLATABLE TENDER.
10. REFER TO LANDSCAPE PLAN BY SUSAN MCKINNON.



SITE LOCATION PLAN  
NTS

**Kingborough Council**  
 Development Application: DA-2025-82  
 Plan Reference No: P4  
 Date Received: 25/3/2026  
 Date placed on Public Exhibition: 11/4/2026

**FOR APPROVAL**

REVISIONS	Rev No	Revision note	Date	Checked	Approved		ABN 75 145 719 969 P O BOX 354 SOUTH HOBART, TAS 7004 P: (03) 6223 8007 F: (03) 6223 1143 E: admin@burburyconsulting.com.au	COPYRIGHT © "This document is and shall remain the property of Burbury Consulting Pty Ltd. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission. Unauthorised use of this document in any way is prohibited."	Drawn by	Date	Client	
	A	FOR CLIENT REVIEW	13/11/2024	MS	KM				H. MARDOCK	13/11/2024	JANDAKAYA Pty. Ltd.	
	B	UPDATED FOR DA RE-SUBMISSION	07/07/2025	MS	KM				R. PARKER	13/11/2024	4101 CHANNEL HIGHWAY, PROPOSED JETTY	
	C	UPDATED AS CLOUDED	23/03/2026	MS	KM	M. SCANLON	13/11/2024	DRAWING LIST, NOTES & LOCATION PLAN				
						K. MAHENDRAN			NTS	A3	Drawing No: 1922 - 001	Rev C

Document Set ID: 4752733  
 Version: 1. Version Date: 09/04/2026



**Kingborough Council**  
 Development Application: DA-2025-82  
 Plan Reference No: P4  
 Date Received: 25/3/2026  
 Date placed on Public Exhibition: 11/4/2026

SITE PLAN  
1:1000

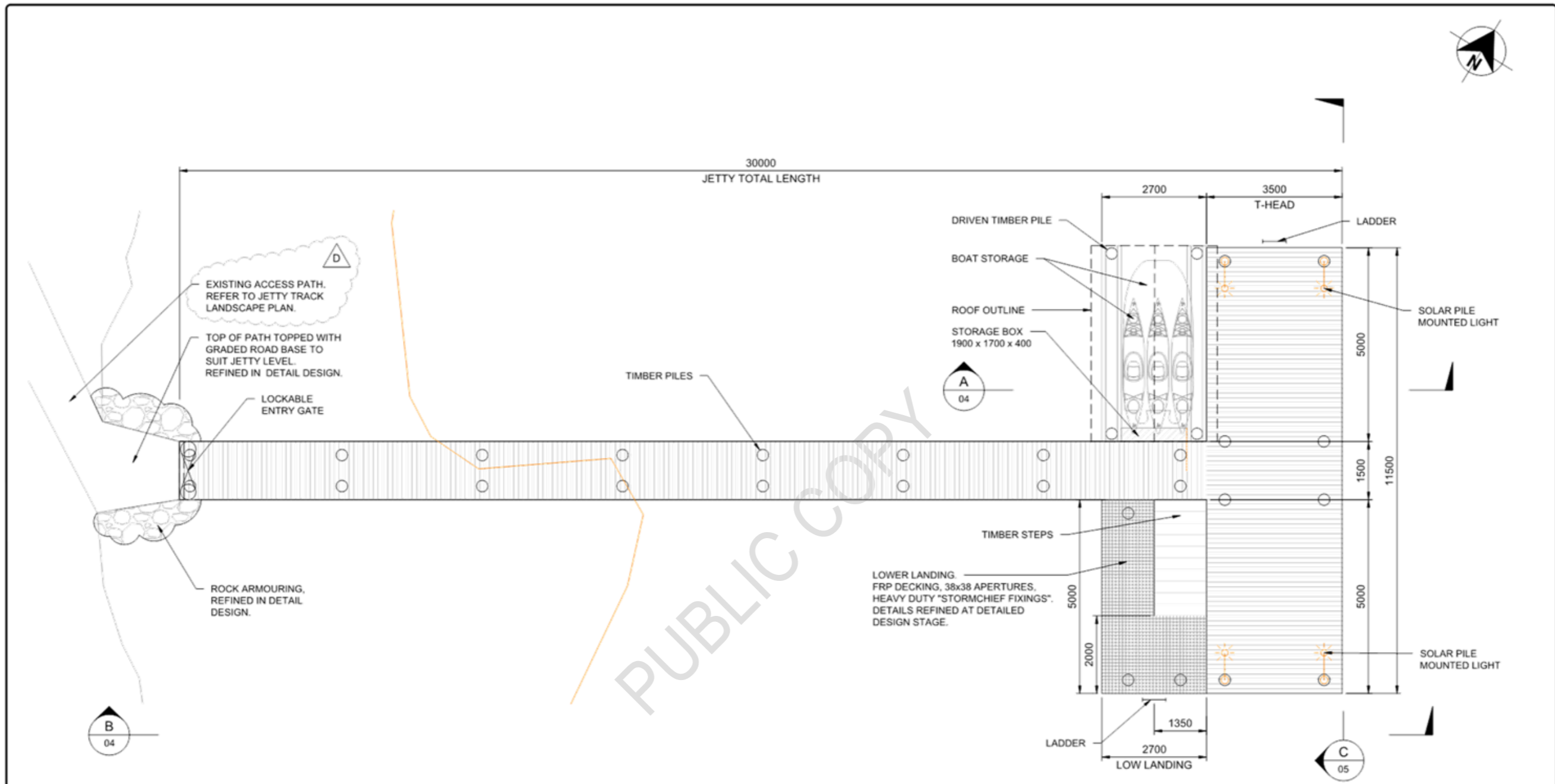
FOR APPROVAL

Rev No	Revision note	Date	Checked	Approved
A	FOR CLIENT REVIEW	13/11/2024	MS	KM
B	UPDATED FOR DA RE-SUBMISSION	07/07/2025	MS	KM
C	UPDATED AS CLOUDED	23/03/2026	MS	KM

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GENERAL ARRANGEMENT PLAN  
1:100

**Kingborough Council**  
 Development Application: DA-2025-82  
 Plan Reference No: P4  
 Date Received: 25/3/2026  
 Date placed on Public Exhibition: 11/4/2026

NOTES:

1. FOR GENERAL NOTES REFER TO DWG. 001.
2. JETTY STRUCTURE TO BE TIMBER.
3. ROOF BOAT STORAGE ROOF TO BE COLORBOND.
4. LADDERS TO BE GRADE 316 STAINLESS STEEL.

FOR APPROVAL

Rev No	Revision note	Date	Checked	Approved
A	FOR CLIENT REVIEW	13/11/2024	MS	KM
B	UPDATED FOR DA RE-SUBMISSION	07/07/2025	MS	KM
C	UPDATED AS CLOUDED	11/12/2025	MS	KM
D	UPDATED AS CLOUDED	23/03/2026	MS	KM

	ABN 75 145 719 969 P O BOX 354 SOUTH HOBBART, TAS 7004 P: (03) 6223 8007 F: (03) 6223 1143 E: admin@burburyconsulting.com.au	COPYRIGHT © This document is and shall remain the property of Burbury Consulting Pty Ltd. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission. Unauthorised use of this document in any way is prohibited.	Drawn by: H. MARDOCK Date: 13/11/2024 Designed by: R. PARKER Date: 13/11/2024 Checked by: M. SCANLON Date: 13/11/2024 Approved by: K. MAHENDRAN Date:	Client: JANDAKAYA Pty. Ltd. Project: 4101 CHANNEL HIGHWAY, PROPOSED JETTY Title: GENERAL ARRANGEMENT PLAN Scale: 1:100 Drawing No: 1922 - 003 Rev: D
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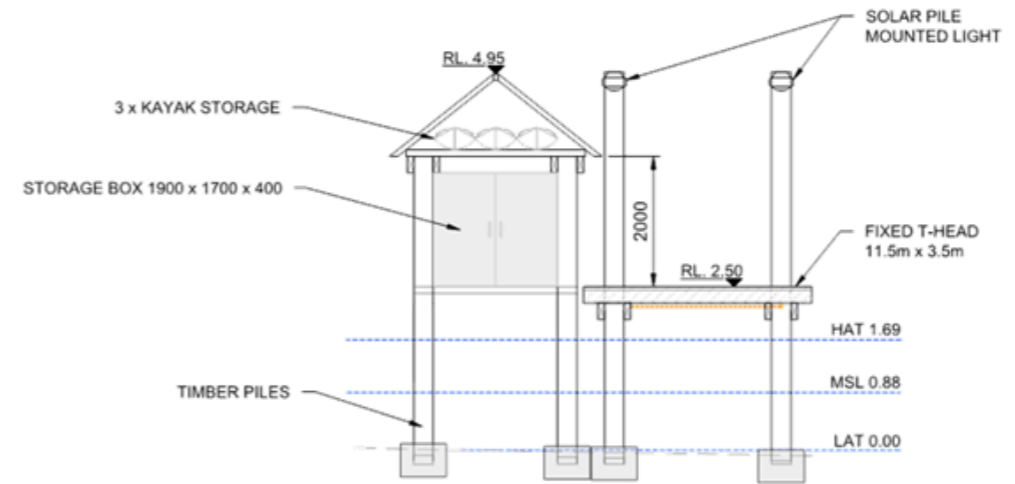
# Kingborough Council

Development Application: DA-2025-82

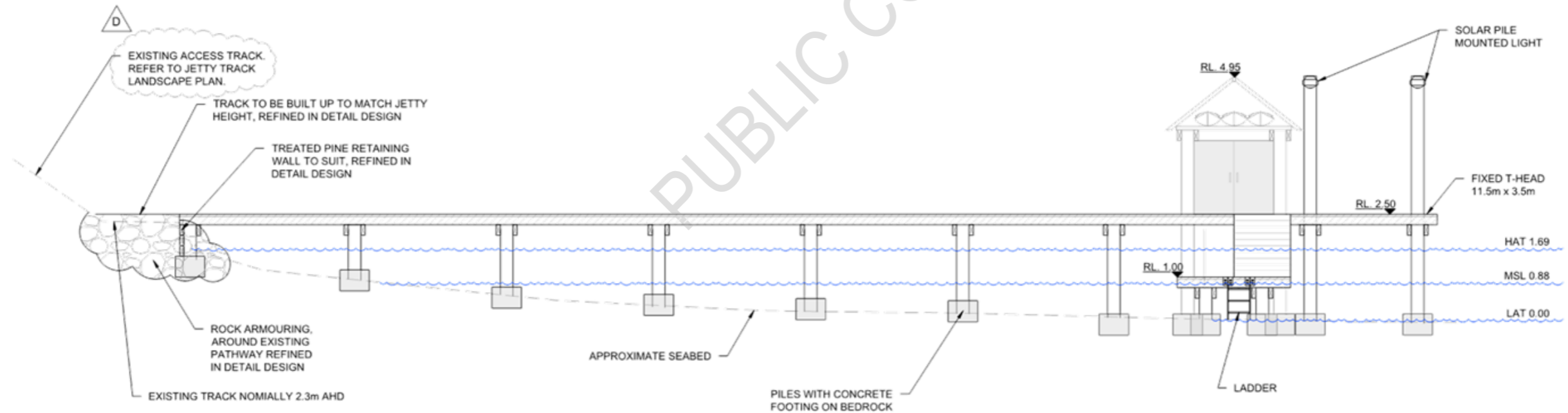
Plan Reference No: P4

Date Received: 25/3/2026

Date placed on Public Exhibition: 11/4/2026



ELEVATION A  
1:100



ELEVATION B  
1:100

- NOTES:
- FOR GENERAL NOTES REFER TO DWG. 001.
  - JETTY STRUCTURE TO BE TIMBER.
  - ROOF BOAT STORAGE ROOF TO BE COLORBOND.
  - LADDERS TO BE GRADE 316 STAINLESS STEEL.

**FOR APPROVAL**

Rev No	Revision note	Date	Checked	Approved
A	FOR CLIENT REVIEW	13/11/2024	MS	KM
B	UPDATED FOR DA RE-SUBMISSION	07/07/2025	MS	KM
C	UPDATED AS CLOUDED	11/12/2025	MS	KM
D	UPDATED AS CLOUDED	23/03/2026	MS	KM



**Burbury**  
CONSULTING

ABN 75 145 719 969  
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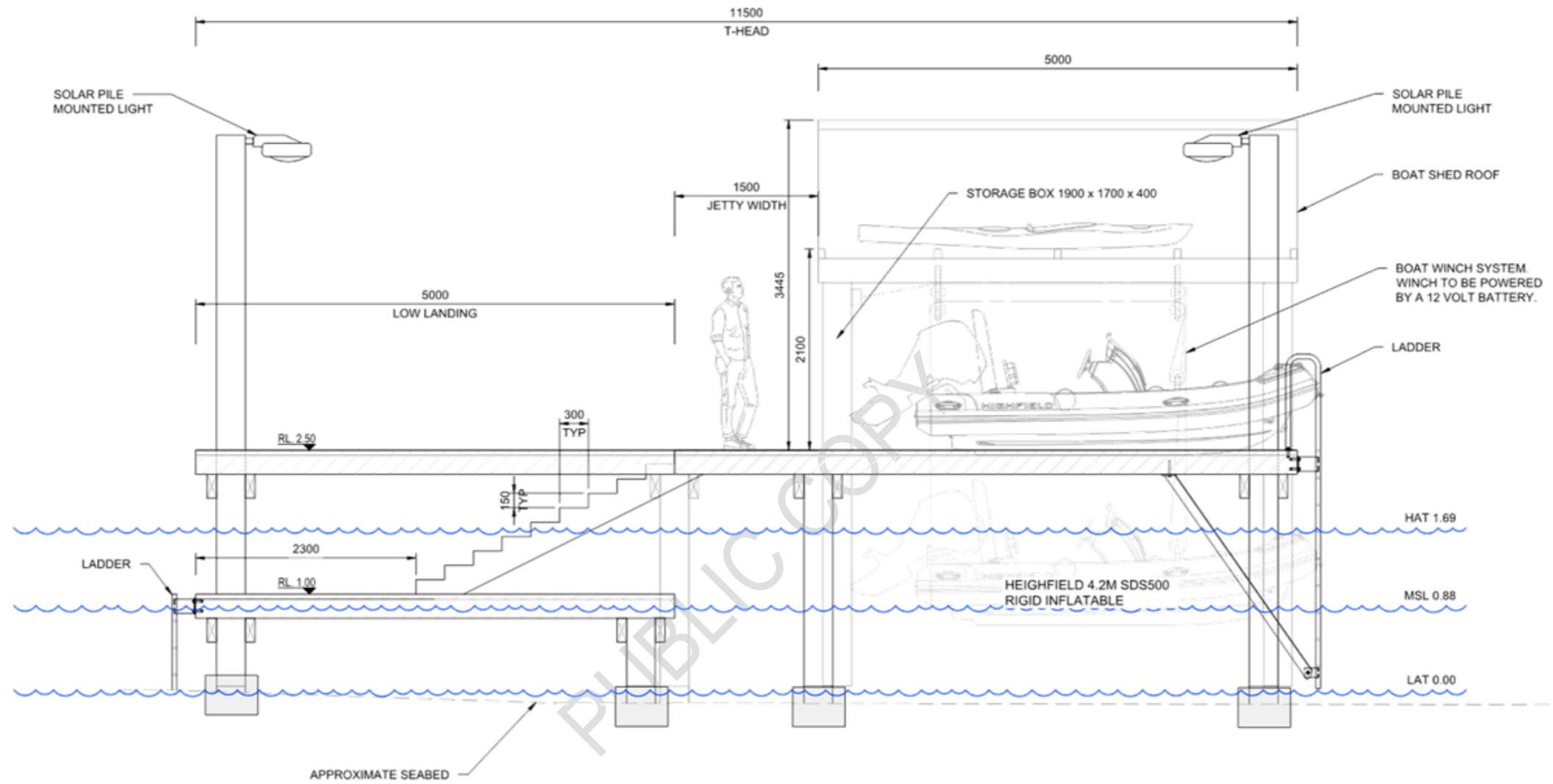
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Drawn by: H. MARDOCK  
Designed by: R. PARKER  
Checked by: M. SCANLON  
Approved by: K. MAHENDRAN

Date: 08/11/2024  
Date: 13/11/2024  
Date: 13/11/2024  
Date: 13/11/2024

Client: JANDAKAYA Pty. Ltd.  
Project: 4101 CHANNEL HIGHWAY, PROPOSED JETTY  
Title: ELEVATIONS 1/2  
Scale: 1:100  
Drawing No: 1922 - 004  
Rev: D

Document Set ID: 4752733  
Version: 1. Version Date: 09/04/2026



ELEVATION C  
1:50

**Kingborough Council**  
 Development Application: DA-2025-82  
 Plan Reference No: P4  
 Date Received: 25/3/2026  
 Date placed on Public Exhibition: 11/4/2026

- NOTES:**
1. FOR GENERAL NOTES REFER TO DWG. 001.
  2. JETTY STRUCTURE TO BE TIMBER.
  3. ROOF BOAT STORAGE ROOF TO BE COLORBOND.
  4. LADDERS TO BE GRADE 316 STAINLESS STEEL.

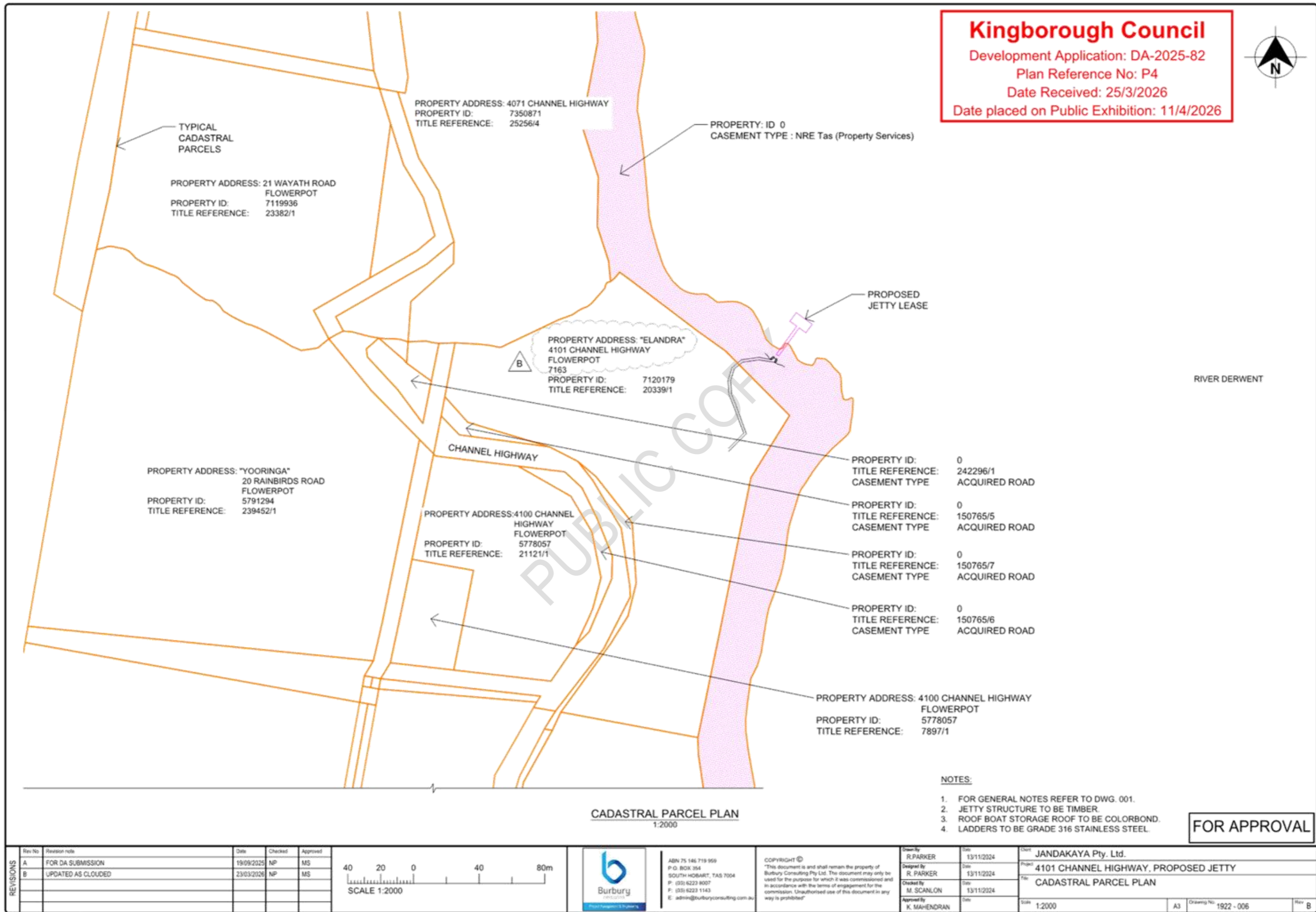
**FOR APPROVAL**

Rev No	Revision note	Date	Checked	Approved
A	FOR CLIENT REVIEW	13/11/2024	MS	KM
B	UPDATED FOR DA RE-SUBMISSION	07/07/2025	MS	KM

1000 0 1000 2000mm SCALE 1:50		ABN 75 145 719 969 P O BOX 354 SOUTH HOBBART, TAS 7004 P: (03) 6223 8007 F: (03) 6223 1143 E: admin@burburyconsulting.com.au	COPYRIGHT © "This document is and shall remain the property of Burbury Consulting Pty Ltd. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission. Unauthorised use of this document in any way is prohibited."	Drawn by: H. MARDOCK Date: 13/11/2024 Designed by: R. PARKER Date: 13/11/2024 Checked by: M. SCANLON Date: 13/11/2024 Approved by: K. MAHENDRAN Date:	Client: JANDAKAYA Pty. Ltd. Project: 4101 CHANNEL HIGHWAY, PROPOSED JETTY Title: ELEVATIONS 2/2 Scale: 1:50 A3 Drawing No: 1922 - 005 Rev: B
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 Version: 1. Version Date: 09/04/2026

**Kingborough Council**  
 Development Application: DA-2025-82  
 Plan Reference No: P4  
 Date Received: 25/3/2026  
 Date placed on Public Exhibition: 11/4/2026

**TABLE 4**  
**CLASSIFICATION SYSTEM—CLASS 4**

Item	Description
Overview	Opportunity for visitors to explore and discover relatively undisturbed natural environments along defined and distinct tracks with minimal (if any) facilities. Users can expect opportunities to observe and appreciate the natural environment without provisions of interpretive signage. Users can expect opportunities for solitude with few encounters with others.
Elements for classification*	
Track conditions	Generally distinct without major modification to the ground. Encounters with fallen debris and other obstacles are likely.
Gradient	Limited to environmental and maintenance considerations.
Signage	Minimal signage for management and directional purposes.
Infrastructure	Facilities generally not provided except for specific safety and environmental considerations.
Terrain	Users require a moderate level of specialized skills such as navigation skills. Users may require maps and navigation equipment to successfully complete the track. Users need to be well-rehearsed, particularly in regard to emergency first aid and possible weather hazards.
Weather	Storms and severe weather may affect navigation and safety.

Track design to meet AS 2156.1-2001 Class 4

Handrail Detail  
Weathering Steel Option

Sandstone rubble steps

Weathering steel handrail option

Mudstone rock to be placed at edges to retain gravel where needed and to help reduce erosion. Shallow, rock paved gutters to be provided across the path where the natural runoff indicates.

**Tree Plan**

Identifier	Species	Trunk diameter at 1.4m	High conservation sp., DBH>70 or nesting hollows?	Extent of TPZ	Retain or remove
1	Eucalyptus obliqua	520mm	No	6.24mR	Retained
2	Eucalyptus obliqua	800mm	Yes	9.6mR	Retained
3	Eucalyptus obliqua	400mm	No	4.8mR	Retained
4	Pinus radiata	500mm	No	na	Retained
5	Pinus radiata	600mm	No	na	Retained
6	Pinus radiata	500mm	No	na	Retained

**JETTY TRACK LANDSCAPE PLAN**

**SUSAN MCKINNON**  
 LANDSCAPE & GARDEN DESIGN

**NOTES**  
 ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOT SCALED FROM THIS DRAWING.  
 ALL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH AUSTRALIAN STANDARDS AND ANY BY-LAWS THAT MAY APPLY.  
 PRIOR TO COMMENCING ANY CONSTRUCTION OR EARTHWORKS OWNER MUST CONTACT LOCAL COUNCIL AS PLANNING, BUILDING, PLUMBING OR EARTHWORK PERMITS MAY APPLY.  
 IT REMAINS THE DESIGNER'S RESPONSIBILITY THAT PERMISSIONS ARE SOUGHT AND ADHERED TO.  
 NO PART OF THIS DRAWING SHALL BE REPRODUCED OR OTHERWISE DEALT WITH WITHOUT THE WRITTEN CONSENT OF SUSAN MCKINNON, DESIGNER. THESE DRAWINGS ARE COPYRIGHT.

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 Version: 1, Version Date: 06/04/2026

CLIENT DETAILS  
 'ELANDRA'  
 4101 CHANNEL HIGHWAY FLOWERPOT  
 FOR QIWAH THAM & THILDO WESTERHAUSEN

1:200 A2  
 12-03-2026  
 THAMWESTERHAUSEN 07-2020

SCALE  
 DATE  
 DRAWN BY

PUBLIC COPY

E: MCKINNON@BIGPOND.COM

M: 0438 286 761



## OPEN SESSION RESUMES

### 13 PETITIONS STILL BEING ACTIONED

---

There are no petitions still being actioned.

### 14 PETITIONS RECEIVED IN LAST PERIOD

---

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

### 15 OFFICERS REPORTS TO COUNCIL

---

#### 15.1 ELECTION OF DEPUTY MAYOR

**File Number:**

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

#### Strategic Plan Reference

Key Priority Area: 1. Helping our community stay safe, healthy and well connected.  
Strategic Outcome: 1.3 Effective advocacy for the Kingborough community.

#### 1. PURPOSE

1.1 To elect a Deputy Mayor to fill a vacancy in the office, in accordance with the *Local Government Act 1993* and the *Local Government (General) Regulations 2025*.

#### 2. BACKGROUND

2.1 Councillor Clare Glade-Wright formally resigned as Deputy Mayor and Councillor on Monday 11 May 2026.  
2.2 As described in the following sections Council must now select a councillor to undertake the duties of Deputy Mayor for the remainder of the Council term.

#### 3. STATUTORY REQUIREMENTS

3.1 Under section 44(4) of the *Local Government Act 1993* where the office of Deputy Mayor becomes vacant, councillors must elect one of their number in the prescribed manner.  
3.2 The prescribed manner is set out in Part 2 of the *Local Government (General) Regulations 2025*, which governs:  
3.2.1 nomination periods,  
3.2.2 voting by ballot, and  
3.2.3 the method for determining a successful candidate.

#### 4. DISCUSSION

##### Nomination Process

4.1 The nomination period for the election:

- 4.1.1 opened at 9.00am on Tuesday, 12 May 2026; and
- 4.1.2 closed at 12.00 noon on Friday, 15 May 2026.
- 4.2 Only current councillors are eligible to nominate.
- 4.3 Nominations must:
  - 4.3.1 be in writing;
  - 4.3.2 be signed by the candidate; and
  - 4.3.3 be lodged with the CEO during the nomination period.
- 4.4 Self-nominations are permitted.
- 4.5 No nominations may be accepted after the close of the nomination period.

### **Meeting Process**

#### **Declaration of Candidates**

- 4.6 At the meeting, the Mayor (or meeting chair) will declare the names of all candidates validly nominated within the prescribed period.

#### **Candidate Statements**

- 4.7 Each nominated candidate will be provided up to three (3) minutes to address Council and outline why they seek election as Deputy Mayor.

#### **Voting Method**

- 4.8 The election will be conducted by secret ballot.
- 4.9 Each councillor present and entitled to vote has one vote in each ballot.
- 4.10 Councillors vote for one candidate only on each ballot.
- 4.11 To be elected, a candidate must receive a simple majority, being more than half of the votes cast.

#### **Ballot Paper Instructions**

- 4.12 Ballot papers will list the names of all remaining candidates.
- 4.13 To cast a valid vote:
  - 4.13.1 councillors must indicate support for one candidate only; and
  - 4.13.2 the names of all other candidates must be clearly struck through.
- 4.14 A ballot paper will be informal and excluded from the count if:
  - 4.14.1 more than one candidate is marked,
  - 4.14.2 no clear selection is made, or
  - 4.14.3 the councillor's intention is unclear.

#### **Counting of Votes and Further Ballots**

- 4.15 Council staff will collect and count the ballot papers.
- 4.16 If a candidate receives a simple majority on the first ballot, that candidate is elected.
- 4.17 If no candidate receives a simple majority:

4.17.1 the candidate with the lowest number of votes is excluded; and

4.17.2 a further ballot is conducted with the remaining candidates.

4.18 Fresh ballot papers are issued for each subsequent ballot.

4.19 This process continues until one candidate receives a simple majority.

#### **Record-Keeping**

4.20 Copies of ballot papers will be retained for record-keeping and scrutineering purposes, in accordance with Council's records management requirements.

4.21 Individual voting choices are not recorded in the minutes.

#### **Declaration and Commencement**

4.22 Once a candidate receives a simple majority, the Mayor (or meeting chair) will declare the successful candidate elected as Deputy Mayor.

4.23 The result will be recorded in the minutes.

4.24 The elected Deputy Mayor takes office immediately upon declaration, for the balance of the term.

### **5. FINANCE**

5.1 The newly elected Deputy Mayor will receive the additional deputy mayoral allowance in addition to their standard councillor allowance.

### **6. ENVIRONMENT**

6.1 There are no environmental implications from this report.

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

7.1 Councillors were formally notified of the Deputy Mayor's resignation and the process for nomination for the role on Monday 11 May 2026

### **8. RISK**

8.1 There are no significant risks associated with this report.

### **9. CONCLUSION**

9.1 Following the resignation of the Deputy Mayor, Council will vote to fill a vacancy in the office, in accordance with the *Local Government Act 1993* and the *Local Government (General) Regulations 2025*.

### **10. RECOMMENDATION**

That Council appoint Cr \_\_\_\_\_ as Deputy Mayor for the remainder of the current term of Council.

### **ATTACHMENTS**

Nil

**15.2 PETITION RESPONSE - EXCESSIVE NOISE FROM THE SALTY DOG HOTEL****File Number:** 36.137**Author:** John Devries, Environmental Health Officer**Authoriser:** Liz Quinn, Manager Environmental Services**Strategic Plan Reference**

Key Priority Area: 5. Doing the essentials efficiently and effectively so we can build for the future.

Strategic Outcome: 5.4 Statutory and governance functions which are delivered to a high standard.

**1. PURPOSE**

- 1.1 The purpose of this report is to respond to a petition regarding excessive noise from the Salty Dog Hotel, 2-6 Beach Road, Kingston Beach.

**2. BACKGROUND**

- 2.1 A petition regarding noise emissions from the Salty Dog Hotel has been received with 43 signatories requesting that:

*Council conduct formal noise monitoring at affected residential properties and ensure the venue complies with all applicable noise limits and regulations and to take appropriate enforcement action where breaches are identified.*

- 2.2 The Salty Dog Hotel (the Hotel), located at 2-6 Beach Road, Kingston Beach has been operating for approximately twelve years. Prior to this, the Beachside Hotel operated at the site from the 1970s. Live music has been played in the outdoor area on weekends, for several years.

- 2.3 The land at 2-6 Beach Road, Kingston beach is zoned Local Business in accordance with the *Kingborough Interim Planning Scheme 2015*.

- 2.4 In September 2023, Council issued a planning permit for alterations to the Hotel including construction of an outdoor music stage in the outdoor seating area in the northern seating area. The permit included conditions relevant to noise emissions, requiring:

- Amplified outdoor music to cease at 7:00pm (except for on New Years Eve, when it must cease at midnight).
- Submission of a noise management plan.

- 2.5 A new outdoor music stage was completed in late 2025 and live music commenced on the stage shortly after.

**3. STATUTORY REQUIREMENTS**

- 3.1 The petition meets the requirement of Section 57 the *Local Government Act 1993* and Council is therefore required to determine what action should be taken in response.

- 3.2 The primary legislation regulating noise emissions from residential and commercial activities in Tasmania is the *Environmental Management and Pollution Control Act 1994* (EMPCA). The key provisions relevant to this matter are set out below.

- 3.3 Section 3 of EMPCA provides that 'pollution' includes noise emissions.

- 3.4 Section 3 of EMPCA defines 'environmental nuisance' to mean:

- (a) the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment; and
  - (b) any emission, discharge, depositing or disturbance specified in an environment protection policy to be an environmental nuisance.
- 3.5 Under section 20A of EMPCA, Council must use its best endeavours to prevent or control acts or emissions that cause, or are capable of causing, pollution. This includes investigation of potential non-compliance with the Act.
- 3.6 Council's Environmental Health Officers are appointed as authorised council officers under section 21 of EMPCA.
- 3.7 Section 53(3) of EMPCA, provides that a person must not wilfully or unlawfully cause an environmental nuisance. In determining whether noise emissions constitute an environmental nuisance, regard must be had to:
- a) its volume, intensity or duration; and
  - b) the time, place and other circumstances in which it is emitted.
- 3.8 The *Environment Protection Policy (Noise) 2009* (the Noise Policy) provides a framework for assessing and managing noise emissions from existing activities. Relevantly, where noise from an existing commercial activity is unreasonably impacting environmental values or causing nuisance, the responsible regulatory authority should require progressive noise mitigation within a timeframe determined by the risk, the practicability of mitigation measures and the economic cost of upgrades. Where appropriate, the Noise Policy also supports the use of noise monitoring and noise impact studies to assess whether emissions are being effectively managed. The indicator noise levels in the Noise Policy are provided as guidance and are not statutory limits.
- 3.9 Whilst specific requirements relating to noise levels and hours of operation are principally covered by the *Environmental Management and Pollution Control (Miscellaneous Noise) Regulations 2016*. These regulations only relate to noise being emitted from residential premises and construction and demolition sites. They do not apply to venues such as the Salty Dog Hotel.
- 3.10 The venue is subject to a planning permit under the Kingborough Interim Planning Scheme 2015 which includes conditions related to the regulation of noise.

#### 4. DISCUSSION

- 4.1 While the petition meets the requirements of section 57 of the *Local Government Act 1993*, that Act does not determine whether Council must investigate the alleged noise emissions. That issue is governed by EMPCA, under which Council is managing the matter following a complaint received before the petition was lodged. The investigation will continue under the Act through direct liaison with the venue and the relevant complainants rather than through further reporting to Council on the investigation outcome.
- 4.2 Wherever possible and appropriate, Council's approach in these situations is to investigate and respond pragmatically, and work through compliance and mitigation options with the person or business undertaking the activity.
- 4.3 Noise emissions from live music at the Hotel are generally related to the style of music being played on the stage, with full rock bands causing significantly higher noise emissions than other styles of music.
- 4.4 The typical live band schedule at the Hotel is as follows:
- Fridays: From 5pm - 7pm (typically a duet, or similar with lower noise emissions than a rock band)

- Occasional Saturdays: From 3pm – 6pm (usually a rock band, but will vary)
  - Sundays: From 3pm – 6pm (usually a rock band)
- 4.5 Council received a complaint on 10 February 2026 regarding excessive noise from live music at the Hotel.
- 4.6 The complainant was advised that an investigation would be conducted by Council to determine if the noise constitutes an environmental nuisance. This investigation is still in progress.
- 4.7 There is no evidence that these permit conditions have been breached, however the provisions of EMPCA still apply in relation to potential nuisance.
- 4.8 The complainant subsequently lodged a petition to Council (with 43 signatories) on 8 April 2026.
- 4.9 There are no specific noise limits (maximum volume levels) for live music venues defined in the Tasmanian noise legislation. Noise monitoring carried out by a suitably qualified acoustic engineer will assist officers to determine whether the volume of noise from the Hotel is unreasonable.
- 4.10 Noise assessments are undertaken at sensitive receptors, such as nearby homes, rather than directly at the noise source. Noise is generally measured in A-weighted decibels (dBA), and assessment may include the LAeq measure, which reflects the average noise level over a period, rather than focusing on peaks in emissions or 'one-off' readings.
- 4.11 In assessing the complaint, Council must consider the provisions in section 53 of EMPCA and determine whether the noise emissions amount to an environmental nuisance in the circumstances.
- 4.12 Accordingly, the overall volume from the live music is only one consideration. Council must also consider the duration, timing and surrounding circumstances of the emissions when determining whether the emissions are an environmental nuisance. Other factors relevant to noise emissions from the Hotel include the frequency of emissions, land use zoning of the premises and the history of the use of the site.
- 4.13 In addition to above the monitoring results will also characterise the type of noise and whether it has intrusive characteristics such as tonal noise or vibration. Existing background noise levels are also relevant, as a sound may be more noticeable and intrusive in a quieter environment.
- 4.14 There are no specific statutory noise limits in Tasmania for live music venues of this kind. Council will therefore assess whether the Hotel's noise emissions are unreasonable following noise monitoring, having regard to section 53 of the Act, the Noise Policy and other more current interstate regulatory guidance.
- 4.15 Since the initial noise complaint was received on 10 February 2026, several noise mitigation measures have been installed around the stage area at the Hotel with the aim of reducing noise emissions from the premises.
- 4.16 Now that noise mitigation measures have been installed at the venue, Council will engage a suitably qualified acoustic engineer to conduct noise monitoring. Noise monitoring will be conducted over the next month.
- 4.17 Once noise monitoring has been completed, Council will review the Hotel's Noise Management Plan and the monitoring results to determine whether further action is required to achieve compliance. If further actions are required, reasonable timeframes for implementation will be provided. Council will also continue to liaise with complainants as required.

4.18 The Hotel will be required to ensure compliance with its Noise Management Plan on an ongoing basis.

## **5. FINANCE**

5.1 Council will engage a suitably qualified acoustic engineer to undertake noise monitoring.

## **6. ENVIRONMENT**

6.1 Failure to investigate the noise complaint could result in the emission of unreasonable noise pollution from the Hotel causing environmental nuisance to surrounding residents.

## **7. COMMUNICATION AND CONSULTATION**

7.1 A copy of this report will be provided to the organiser of the petition.

7.2 The outcome of the investigation will be communicated to venue and the relevant complainants.

## **8. RISK**

8.1 Failure to investigate the noise complaint raised in the petition would present a breach of Council's legal obligations under the EMPCA.

## **9. CONCLUSION**

9.1 A petition has been received requesting that Council conduct formal noise monitoring of the Salty Dog Hotel at affected residential properties and ensure the venue complies with all acceptable noise limits and regulations and to take appropriate enforcement action where breaches are identified.

9.2 Council's Environmental Health Officer is investigating the complaint in accordance with the provisions in Section 53 of the Act.

9.3 Noise monitoring is scheduled to be conducted within the next month.

9.4 Once noise monitoring is completed, Council will review the results together with the Hotel's Noise Management Plan to verify the level and characteristics of noise emissions from the hotel to determine whether further action is required.

9.5 It is appropriate that Council's Environmental Health Officer continue the investigation in accordance with the Act.

## **10. RECOMMENDATION**

That the organiser of the petition be advised that Council is continuing to investigate the complaint of excessive noise emissions from the Salty Dog Hotel in accordance with section 53 of the *Environmental Management and Pollution Control Act 1994*, and that Council will continue to liaise directly with the venue and the relevant complainants as part of that process.

## **ATTACHMENTS**

Nil

**15.3 FEES AND CHARGES 2026/27****File Number:** 3.18**Author:** Laura Eaton, Assistant Finance Manager**Authoriser:** David Spinks, Director People & Finance**Strategic Plan Reference**

Key Priority Area: 2 Deliver quality infrastructure and services.

Strategic Outcome: 2.4 The organisation has a corporate culture that delivers quality customer service, encourages innovation and has high standards of accountability.

**1. PURPOSE**

- 1.1 The purpose of this report is to consider the adoption of Council's Fees and Charges for 2026/27.

**2. BACKGROUND**

- 2.1 Each year Council adopts the Fees and Charges Schedule for the following financial year.
- 2.2 Due to some fees requiring advance notice (for signage, communication with customers etc), it is necessary to seek adoption of the fees and charges schedule in May so that appropriate notice of the changes can be provided.

**3. STATUTORY REQUIREMENTS**

- 3.1 The relevant section of legislation regarding this report is Sections 205 and 206 of the *Local Government Act 1993*. Section 205 provides guidance on the matters on which Council may impose fees and section 206 states the requirement to keep a list of fees and charges and to make it available to the public.

**4. DISCUSSION**

- 4.1 The attached list provides details of the current fees for 2025/26, the proposed 2026/27 fees and the percentage increase.
- 4.2 In general, the fees and charges have been increased by 5.1% in line with March CPI for Tasmania, unless a different change amount has been nominated for other reasons such as cost recovery objectives, or comparison to other councils.
- 4.3 Given Council's desire to continue to address the operating deficit situation and alleviate rate increases as much as possible, officers have performed a thorough review of all fees and charges, including benchmarking against other councils and providers and assessing the cost of providing the service to ensure fees are relevant and sustainable.
- 4.4 Any new fees are shown in red in the attached list.
- 4.5 Fees with 0% proposed increase are shown in black and fees increased are shown in blue.
- 4.6 The attached list provides explanation for any fees proposed to increase by more or less than the 5.1% in line with CPI, noting some are due to rounding to whole dollars.
- 4.7 The proposed fees and charges were discussed previously at a Council workshop on 13 April 2026.

**5. FINANCE**

5.1 The increase in fees and charges has been built into the draft operational budget for 2026/27.

**6. ENVIRONMENT**

6.1 There are no environmental issues associated with the recommendation.

**7. COMMUNICATION AND CONSULTATION**

7.1 The fees and charges will be made available on the Council's web page.

**8. RISK**

8.1 There is a low level of risk associated with the fees and charges as they are in line with other councils fees and consideration has been given to the cost of providing the service.

8.2 Notwithstanding this, fee and charge levels do attract scrutiny from time to time.

**9. CONCLUSION**

9.1 The attached fees and charges schedule has been updated for 2026/27.

**10. RECOMMENDATION**

That Council adopts the attached Fees and Charges Schedule for the 2026/27 financial year.

**ATTACHMENTS****1. Fees & Charges 2026-27**

KINGBOROUGH COUNCIL - PROPOSED FEES AND CHARGES 2026/27  
 (\* indicates GST applies)

DRAFT  
 11 May 2026

1) PLANNING FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Development Application Fees</b>										
1)	Single dwelling (Permitted application)	2025/26	500.00	0.00	500.00	526.00	0.00	526.00	5.10%	
2)	Single dwelling (Discretionary application) (plus public notification fee)	2025/26	620.00	0.00	620.00	652.00	0.00	652.00	5.10%	
3)	Public notification fee (applies to any Discretionary statutory application, in addition to application fees)	2025/26	381.82	38.18	420.00	400.91	40.09	441.00	5.10%	
4)	Residential alterations/ancillary dwellings	2025/26	391.00	0.00	391.00	411.00	0.00	411.00	5.10%	
5)	Residential outbuildings (ie garage/carport/shed)	2025/26	316.00	0.00	316.00	332.00	0.00	332.00	5.10%	
6)	Discretionary residential minor structure or fencing only (ie fence, retaining wall, garden structure (excludes sheds))	2025/26	290.00	0.00	290.00	305.00	0.00	305.00	5.10%	
7)	Other 'Permitted' development of a minor nature	2025/26	296.00	0.00	296.00	311.00	0.00	311.00	5.10%	
8)	Other 'Discretionary' development of a minor nature (buildings/works less than \$10 000)	2025/26	382.00	0.00	382.00	401.00	0.00	401.00	5.10%	
9)	Other development (including: multiple dwellings, combined change of use and development (valued over \$25 000), commercial/industrial)	2025/26	717.00	0.00	717.00	754.00	0.00	754.00	5.10%	
	plus per dwelling unit (including existing dwelling if retained)	2025/26	91.00	0.00	91.00	96.00	0.00	96.00	5.10%	
10)	plus per \$1,000 of project cost up to \$1m	2025/26	2.60	0.00	2.60	2.70	0.00	2.70	5.10%	
11)	plus per \$1,000 of project cost from \$1m to \$5m	2025/26	1.90	0.00	1.90	2.00	0.00	2.00	5.10%	
12)	plus per \$1,000 of project cost over \$5m	2023/24	1.20	0.00	1.20	1.30	0.00	1.30	8.30%	Fee has not increased since 2023/24 - so higher percentage increase recommended
13)	Change of use only (or including works if value less than \$25000)	2025/26	363.00	0.00	363.00	382.00	0.00	382.00	5.10%	
14)	Signage	2025/26	350.00	0.00	350.00	368.00	0.00	368.00	5.10%	
15)	Subdivision	2025/26	912.00	0.00	912.00	959.00	0.00	959.00	5.10%	
	plus per proposed lot (including balance lot)	2025/26	212.00	0.00	212.00	223.00	0.00	223.00	5.10%	
17)	Subdivision - Permitted boundary adjustment	2025/26	518.00	0.00	518.00	544.00	0.00	544.00	5.10%	
18)	Adhesion orders (including discharges of adhesion orders and sealing)	2025/26	382.00	0.00	382.00	401.00	0.00	401.00	5.10%	
19)	Sealing of final plan (per final plan)	2025/26	442.00	0.00	442.00	465.00	0.00	465.00	5.10%	
20)	Review, approval and sealing of Part 5 Agreement	2025/26	375.00	0.00	375.00	394.00	0.00	394.00	5.10%	
21)	Amend Part 5 agreement, including sealing	Introduced 2025/26	275.00	0.00	275.00	289.00	0.00	289.00	5.10%	
22)	End Part 5 Agreement, including signing	Introduced 2025/26	200.00	0.00	200.00	210.00	0.00	210.00	5.10%	
23)	* Consideration and sealing of documentation (not listed elsewhere on this schedule)	2025/26	190.91	19.09	210.00	200.91	20.09	221.00	5.10%	
24)	Application to amend sealed plan (including sealing)	2025/26	569.00	0.00	569.00	598.00	0.00	598.00	5.10%	
25)	Sealed Plan amendment hearing	2025/26	1765.00	0.00	1,765.00	1855.00	0.00	1855.00	5.10%	
26)	Strata plans (includes assessment, inspections and signing)	2025/26	569.00	0.00	569.00	598.00	0.00	598.00	5.10%	
27)	plus per lot	2025/26	64.00	0.00	64.00	67.00	0.00	67.00	5.10%	
28)	Strata plan resinspection fee (for non-compliance with permit conditions)	2025/26	169.00	0.00	169.00	178.00	0.00	178.00	5.10%	
29)	Amendment to Strata Plan/variation to staged development scheme	2025/26	328.00	0.00	328.00	345.00	0.00	345.00	5.10%	
30)	Staged development schemes	2025/26	421.00	0.00	421.00	442.00	0.00	442.00	5.10%	
31)	Application for variation of staged development schemes	2025/26	328.00	0.00	328.00	345.00	0.00	345.00	5.10%	
32)	Cancellation of strata plan	Introduced 2025/26	250.00	0.00	250.00	263.00	0.00	263.00	5.10%	
33)	* Cancellation of Council Seal	2025/26	280.91	28.09	309.00	295.45	29.55	325.00	5.10%	
34)	Minor Amendment application (s56) - Original application Permitted	2025/26	302.00	0.00	302.00	317.00	0.00	317.00	5.10%	
35)	Minor Amendment application (s56) - Original application Discretionary	2025/26	497.00	0.00	497.00	522.00	0.00	522.00	5.10%	
36)	plus postage (number of neighbour/representor notifications)				plus postage			plus postage		
37)	Extension of time on existing valid permit	2025/26	408.00	0.00	408.00	429.00	0.00	429.00	5.10%	
38)	* Investigation (substantial commencement or condition compliance)	2025/26	205.45	20.55	226.00	216.36	21.64	238.00	5.10%	

KINGBOROUGH COUNCIL - PROPOSED FEES AND CHARGES 2026/27

(\* indicates GST applies)

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11 May 2026

1) PLANNING FEES									
	Last Increase	FEE 2024/25 EXCL GST	GST	FEE 2024/25 INCL GST	PROPOSED FEE 2025/26 EXCL GST	GST	PROPOSED FEE 2025/26 INCL GST	INCREASE 2025/26 (%)	NOTES
<b>Development Application Fees</b>									
39)	2025/26	17000.00	0.00	17,000.00	17867.00	0.00	17867.00	5.10%	
Standard Amendment to Planning Scheme (ie rezoning, changes to code overlays or text in the Scheme - can include combined application). Fees for advertising and TPC fee not included. 50% of the fee is refundable if the amendment is not certified by the Council. If a combined application, the standard fee relating to the development will also apply.									
40)	Introduced 2025/26	25000.00	0.00	25,000.00	26275.00	0.00	26275.00	5.10%	
Major Amendment to the Planning Scheme (ie changes to the Regional Land Use Strategy or introduction of Specific Area Plan or applications involving assessment of structure /master plans). Can be a combined application. Fees for advertising and TPC fee not included. 25% refundable if not initiated by Council. If a combined application, the standard fee relating to the development will also apply.									
41)	Introduced 2025/26	1818.18	181.82	2,000.00	1910.91	191.09	2102.00	5.10%	
* Planning Scheme Amendment application - advertising fee									
42)									
Refund of fees for application withdrawn prior to determination up to 50%									
43)									
Application for retrospective approval - double the normal application fee									
44)	2025/26	170.00	0.00	170.00	179.00	0.00	179.00	5.10%	
Review of application lodged as exempt / no permit required/written advice									
45)	NEW				18.18	1.82	20.00		New fee to reflect cost of delivering this service
* Full planning application with endorsed plans and associated documents (email) - additional charges apply for printed copies - see printing charges									
46)	NEW				37.27	3.73	41.00		New fee to reflect cost of delivering this service
* Full Planning Approvals history for a property (half hourly rate, min half an hour)									
47)	NEW				47.27	4.73	52.00		New fee to reflect cost of delivering this service
* Fee to retrieve hard copy plans from offsite storage facility (plus copying fees)									
2) DEVELOPMENT & SUBDIVISION ENGINEERING FEES									
	Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Commercial Development / Subdivision Engineering Fees</b>									
48)	2025/26	1054.00	0.00	1,054.00	1108.00	0.00	1108.00	5.10%	
Engineering plan approval and audit inspection fee for civil works or 2% of value of civil works (GST included) - whichever fee is greater.									
49)	2025/26	421.00	0.00	421.00	442.00	0.00	442.00	5.10%	
Minor subdivision (incl. Adhesions and boundary adjustments) assessment/inspection fee not involving significant civil works. 1 audit inspection included									
50)	2025/26	153.64	15.36	169.00	161.82	16.18	178.00	5.10%	
* Audit inspection - reinspection fee for (29) and (30)									
<b>Other - as required per development permit engineering condition</b>									
51)	2025/26	319.00	0.00	319.00	335.00	0.00	335.00	5.10%	
Permit to carry out works within Road Reserve or Easement (1 audit inspection included) - development permit condition									
52)	2025/26	151.82	15.18	167.00	160.00	16.00	176.00	5.10%	
* Audit inspection - reinspection fee for (32) and subdivisions									
53)	2025/26	569.09	56.91	626.00	598.18	59.82	658.00	5.10%	
* Supply & Install Street Sign in Municipality									
54)									
* Location of Infrastructure									
<b>Infrastructure Bonds</b>									
55)	2025/26	333.64	33.36	367.00	350.91	35.09	386.00	5.10%	
* Administration Fee									
56)	2025/26	1226.00	0.00	1,226.00	1289.00	0.00	1289.00	5.10%	
Protection bond-single residential dwellings and extensions refundable at completion of works if road reservation including crossings, footpaths and nature strips are left in a good condition									
57)	2025/26	2448.00	0.00	2,448.00	2573.00	0.00	2573.00	5.10%	
Protection bond-multiple dwellings and commercial buildings including additions and demolitions refundable at completion of works if road reservation including crossings, footpaths and nature strips are left in a good condition									

KINGBOROUGH COUNCIL - PROPOSED FEES AND CHARGES 2026/27

(\* indicates GST applies)

DRAFT  
11 May 2026

3) BUILDING FEES	Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Building Surveying Consultancy Fees (Council Certified Permits)</b>									
58)	* Building Surveying Fee			<b>Building Surveyor-Consultant fee + 30% Council-Administration-Fee (GST Applies)</b>					Fee no longer relevant
<b>Building Permit Fees</b>									
59)	Application for Building Permit (Form 2) - non commercial less than \$40,000	2025/26	231.00	0.00	231.00	243.00	0.00	243.00	5.10%
60)	Application for Building Permit (Form 2) - non commercial \$40,000 or more.	2025/26	464.00	0.00	464.00	488.00	0.00	488.00	5.10%
61)	Application for Building Permit (Form 2) - Multiple Dwelling Development (either on the same lot, different lots or on a strata lot)								
	- cost per dwelling - up to 2 dwellings	2025/26	464.00	0.00	464.00	488.00	0.00	488.00	5.10%
	- cost per dwelling when there are more than 2 dwellings	2025/26	115.00	0.00	115.00	121.00	0.00	121.00	5.10%
62)	Single Dwelling and or Class 10a Outbuilding (building or demolition) - Notification Fee, Note: Excludes Commercial or Multiple Dwelling Notifications	2025/26	319.00	0.00	319.00	335.00	0.00	335.00	5.10%
63)	Multiple Dwelling (building or demolition) - Notification Fee	2025/26	579.00	0.00	579.00	609.00	0.00	609.00	5.10%
64)	Commercial Building (Building or demolition) - Notification Fee	2025/26	579.00	0.00	579.00	609.00	0.00	609.00	5.10%
65)	Application for Building Permit (Form 2) - Commercial/non residential type where value of work is up to \$20,000	2025/26	231.00	0.00	231.00	243.00	0.00	243.00	5.10%
66)	Application for Building Permit (Form 2) - Commercial /non residential type work where the value of work is between: \$20,001 to \$100,000	2025/26	464.00	0.00	464.00	488.00	0.00	488.00	5.10%
67)	Application for Building Permit (Form 2) - Commercial /non residential type work where the value of work is between: \$100,001 to \$500,000	2025/26	694.00	0.00	694.00	729.00	0.00	729.00	5.10%
68)	Application for Building Permit (Form 2) - Commercial /non residential type work where the value of work is between: \$500,001 to maximum value of \$1,000,000	2025/26	926.00	0.00	926.00	973.00	0.00	973.00	5.10%
69)	Application for Building Permit (Form 2) - Commercial /non residential type work where the value of work is \$1,000,001 or more.	2025/26	1158.00	0.00	1,158.00	1217.00	0.00	1217.00	5.10%
70)	Application for Demolition Permit (Form 1) - All types of Demolition Work	2025/26	464.00	0.00	464.00	488.00	0.00	488.00	5.10%
71)	Application for Permit of Substantial Compliance (Form 9) for all building classifications lodged with Permit Authority up to 12 months from date of issue of associated Building Order	2025/26	630.00	0.00	630.00	662.00	0.00	662.00	5.10%
<b>Building Permit Fees (Continued)</b>									
72)	Application for Permit of Substantial Compliance (Form 9) for all building classifications lodged with Permit Authority more than 12 months and less than 18 months from date of issue of associated Building Order	2025/26	1,262.00	0.00	1,262.00	1000.00	0.00	1000.00	-20.80% To encourage compliance by making lodgement of retrospective approvals more appealing.
73)	Application for Permit of Substantial Compliance (Form 9) for all building classifications lodged with Permit Authority more than 18 months from date of issue of associated Building Order	2025/26	2,521.00	0.00	2,521.00	1500.00	0.00	1500.00	-40.50% To encourage compliance by making lodgement of retrospective approvals more appealing.
74)	Application to change an application from Notifiable Building Work to Permit Building Work where there is no change to plans. <i>Please Note: This fee does not apply for when applications involve a change in the plans from that which was approved in the original notifiable building approval. Where there is change in the plans the standard applicable Application for a Building Permit fee structure applies.</i>	2025/26	54.00	0.00	54.00	150.00	0.00	150.00	178.00% To more accurately reflect the resourcing required to process.
<b>Building Inspections</b>									
75)	* All building classifications compliance inspection by Council's Building Inspector	2025/26	279.09	27.91	307.00				Fee no longer relevant
<b>Certificates/Notices</b>									
76)	Applications for Certificate of Completion - Building	2025/26	74.00	0.00	74.00	106.00	0.00	106.00	43.00% To more accurately reflect the resourcing required to process.
77)	Applications for Building Certificate - Stratum Title (Per Strata Lot)	2025/26	138.00	0.00	138.00	145.00	0.00	145.00	5.10%
78)	- Building/Others + fee for normal app'n process: at Council discretion	2025/26	307.00	0.00	307.00	323.00	0.00	323.00	5.10%
79)	- Plumbing Compliance (additional to above)	2025/26	307.00	0.00	307.00	323.00	0.00	323.00	5.10%
80)	Strata re-inspection fee	Introduced 2025/26	184.00	0.00	184.00	193.00	0.00	193.00	5.10%
81)	Recovery of Compliance Costs (section 270(1)(d) of the Building Act 2016) per hour inspection	2025/26	190.00	0.00	190.00	200.00	0.00	200.00	5.10% Description of fee changed to more accurately reflect how fee is charged.

KINGBOROUGH COUNCIL - PROPOSED FEES AND CHARGES 2026/27  
 (\* indicates GST applies)

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3) BUILDING FEES (Continued)		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Building Permit Amendments (per amendment) Permit Authority Fee</b>										
82)	All Building Classes	2025/26	290.00	0.00	290.00	305.00	0.00	305.00	5.10%	
83)	Lodgement of Low Risk Building Work - Post Construction Notification (Form 80)	2025/26	120.00	0.00	120.00	120.00	0.00	120.00	0.00%	Fee reflects correct recovery cost of processing application.
<b>Building Permit - Extended/Expired Permit Fees/Old Permit</b>										
84)	Application to Extend Building Permit (Form 76A) - per month fee	2025/26	32.00	0.00	32.00	34.00	0.00	34.00	5.10%	
85)	* Miscellaneous Fee – Council’s Contract Building Surveyor Consultancy Services (for preparation of reports etc.)		<b>Building Surveyor Consultant fee + 30% Council Administration Fee (GST Applies)</b>							Fee no longer relevant
<b>Building Levies</b>										
86)	Industry Training Levy (where cost exceeds \$20,000) = 0.2%		Calculated	0.00	Calculated	Calculated	0.00	Calculated		
87)	Building Permit Levy (where cost exceeds \$20,000) = 0.1%		Calculated	0.00	Calculated	Calculated	0.00	Calculated		
88)	* Building Plans single electronic file emailed to customer (additional printing fees apply if hard copy is required, refer to Copy Charges Fees)	2025/26	13.64	1.36	15.00	18.18	1.82	20.00	30.00%	Fee adjusted to better reflect resourcing cost.
89)	* Full Building and Plumbing Approvals History for Property (half hourly rate, min half an hour)	2025/26	37.27	3.73	41.00	39.09	3.91	43.00	5.10%	Description changed to more accurately reflect resourcing cost.
90)	* Fee to retrieve hard copy plans from offsite storage facility (in addition to relevant)	Introduced 2025/26	45.45	4.55	50.00	50.00	5.00	55.00	9.00%	To more accurately reflect minimum charges incurred with retrieval.

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4) PLUMBING FEES	Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES	
<b>Plumbing Permit Fees</b>										
91)	Application for Permit Plumbing Work (Form 3) (Note - this fee is not applicable for the repair or replacement of a failing onsite waste water system)	2025/26	440.00	0.00	440.00	462.00	0.00	462.00	5.10%	
92)	Application for Notifiable Plumbing Work (Form 3) - <b>This fee does not apply to installation of single plumbing fixture.</b>	2025/26	440.00	0.00	440.00	462.00	0.00	462.00	5.10%	Description of fee altered for single plumbing fixture to better reflect charges.
93)	Application for Amendment to Plumbing Approval (Plumbing Permit or Notifiable Plumbing Work)	2025/26	290.00	0.00	290.00	305.00	0.00	305.00	5.10%	
94)	Application for Plumbing Permit (Form 3) where a Plumbing Order is issued for the plumbing work and the Form 3 is lodged less than 9 months since the issue of the Plumbing Order for the work.	2025/26	579.00	0.00	579.00	609.00	0.00	609.00	5.10%	
95)	Application for Plumbing Permit (Form 3) where a Plumbing Order is issued for the plumbing work and the Form 3 is lodged more than 9 months and less than 12 months of the issue of Plumbing Order for the work.	2025/26	811.00	0.00	811.00	852.00	0.00	852.00	5.10%	
96)	Application for Plumbing Permit (Form 3) where a Plumbing Order is issued for the plumbing work and the Form 3 is lodged over 12 months since the Plumbing Order was issued for the work.	2025/26	1,052.00	0.00	1,052.00	1106.00	0.00	1106.00	5.10%	
<b>Certificate of Likely Compliance</b>										
97)	Plan Approval (per m2) Class 1 to 9 - <u>minimum fee applies to single plumbing fixture installation</u>	2025/26	2.20	0.00	2.20	2.30	0.00	2.30	5.10%	Description of fee altered for single plumbing fixture to better reflect charges.
98)	Plan Approval (per m2) Class 10 - <u>minimum fee applies to single plumbing fixture installation</u>	2025/26	1.90	0.00	1.90	2.00	0.00	2.00	5.10%	Description of fee altered for single plumbing fixture to better reflect charges.
99)	Plan Approval Minimum Charge for Class 1 to 9 - <u>minimum fee applies to single plumbing fixture installation</u>	2025/26	347.00	0.00	347.00	365.00	0.00	365.00	5.10%	Description of fee altered for single plumbing fixture to better reflect charges.
100)	Plan Approval Minimum Charge for Class 10 - <u>minimum fee applies to single plumbing fixture installation</u>	2025/26	208.00	0.00	208.00	219.00	0.00	219.00	5.10%	Description of fee altered for single plumbing fixture to better reflect charges.
101)	* Plumbing Inspections (per inspections)	2025/26	172.73	17.27	190.00	206.36	20.64	227.00	19.50%	Fee increased to account for upcoming statutory change to plumbing system
102)	* Additional inspections <u>related to Plumbing Permit, Notifiable inspections conducted under section 270(1) of the Building Act 2016</u>	2025/26	172.73	17.27	190.00	272.73	27.27	300.00	58.00%	Description changed to accommodate compliance related inspections and the fee altered to accurately reflect associated resourcing cost.
103)	Permit Assessment - Backflow Prevention & Swimming Pools	2025/26	239.00	0.00	239.00	251.00	0.00	251.00	5.10%	
104)	Certificate of Completion - Plumbing	2025/26	103.00	0.00	103.00	108.00	0.00	108.00	5.10%	
105)	Plumbing Amendment Fee (per Hour)	2025/26	290.00	0.00	290.00	305.00	0.00	305.00	5.10%	
106)	Onsite Wastewater System Assessment	2025/26	302.00	0.00	302.00	317.00	0.00	317.00	5.10%	
107)	Onsite Wastewater System Amendment / Replacement or repair of existing Onsite Waste Water System	2025/26	103.00	0.00	103.00	108.00	0.00	108.00	5.10%	
108)	* Assessment of plumbing performance solutions	Introduced 2025/26	263.64	26.36	290.00	277.27	27.73	305.00	5.10%	
<b>Other Fees Plumbing Permit—Extended/Expired Permits/Old Permits</b>										
109)	Application to Extend Plumbing Permit or Plumbing Notification (Form 76A) - per month fee	2025/26	32.00	0.00	32.00	34.00	0.00	34.00	5.10%	
110)	<b>Fast Track Combined Plumbing Verification Fee, As constructed plan review, Completion</b>	NEW				557.00	0.00	557.00		New Fee as result of expected introduction of Fast Track Plumbing System in Tasmania
<b>Copies of Plans</b>										
111)	Copy of drainage plan (simple search and print on A3)	2025/26	15.00	0.00	15.00	20.00	0.00	20.00	30.00%	Fee adjusted to better reflect resourcing cost.
112)	Copy of drainage plans and/or plumbing approvals - multiple approvals for a property - this charge is per half hour increments of time taken to research and compile documents (minimum charge half an hour) - additional printing fees apply (refer to Council Copy Charges Fee)	2025/26	40.00	0.00	40.00	42.00	0.00	42.00	5.10%	

KINGBOROUGH COUNCIL - PROPOSED FEES AND CHARGES 2026/27

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5) ENVIRONMENTAL HEALTH FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Food (licensing, assessment &amp; inspections)</b>										
113)	Notification - P4 /P3N	2025/26	84.00	0.00	84.00	88.00	0.00	88.00	5.10%	
114)	Annual Application - P3	2025/26	210.00	0.00	210.00	242.00	0.00	242.00	15.00%	Increased to more closely align with other Councils
115)	Annual Application - P2	2025/26	293.00	0.00	293.00	337.00	0.00	337.00	15.00%	Increased to more closely align with other Councils
116)	Annual Application - P1	2025/26	374.00	0.00	374.00	430.00	0.00	430.00	15.00%	Increased to more closely align with other Councils
<i>Note: A 50% discount of the scheduled fee applies to food businesses that have a six-month seasonal sports ground lease</i>										
117)	* Additional Inspection	2025/26	180.91	18.09	199.00	190.00	19.00	209.00	5.10%	
118)	* Assessment of Food Premises - new/modified/alterations (report request)	2025/26	481.82	48.18	530.00	506.36	50.64	557.00	5.10%	
119)	Temporary Food Business - Charity/Community (per day)	2025/26	22.00	0.00	22.00	23.00	0.00	23.00	5.10%	
120)	Temporary Food Business - School/Charity/Community Event (one applicant - multiple stalls, per event)	2025/26	47.00	0.00	47.00	49.00	0.00	49.00	5.10%	
121)	Temporary Food Registration (Commercial - per stall, per event)	2025/26	47.00	0.00	47.00	49.00	0.00	49.00	5.10%	
122)	* Pre Purchase Inspection and Report	2025/26	240.00	24.00	264.00	251.82	25.18	277.00	5.10%	
<b>Water Sampling</b>										
123)	* Sampling Officer Time, per sampling event (analysis fee additional)	2025/26	120.00	12.00	132.00	126.36	12.64	139.00	5.10%	
<b>Sharps Container &amp; Disposal (per Litre)</b>										
124)	* Commercial delivered (per litre)	2025/26	20.91	2.09	23.00	23.64	2.36	26.00	13.00%	
125)	* Sharps (Community) - Small 1.4L	2024/25	4.55	0.45	5.00	5.45	0.55	6.00	20.00%	Fees increased to cover all costs associated with disposal, including staff time to administer the service.
126)	* Sharps (Community) - Large 3L	2025/26	8.18	0.82	9.00	9.09	0.91	10.00	11.00%	
<b>Other Environmental Health Licences &amp; Fees</b>										
127)	Event - Temporary Place of Assembly Licence	2025/26	161.00	0.00	161.00	169.00	0.00	169.00	5.10%	
128)	* Event - Inspection Fee (weekdays, per hour)	2025/26	120.00	12.00	132.00	126.36	12.64	139.00	5.10%	
129)	* Event - Inspection Fee (weekend and public holidays, per hour)	2025/26	178.18	17.82	196.00	187.27	18.73	206.00	5.10%	
130)	Water Carrier - licence (per vehicle)	2025/26	132.00	0.00	132.00	139.00	0.00	139.00	5.10%	
131)	Systems for Air & Water - registration	2025/26	132.00	0.00	132.00	139.00	0.00	139.00	5.10%	
132)	Private Water Supply - registration (high risk)	2025/26	132.00	0.00	132.00	139.00	0.00	139.00	5.10%	
133)	Private Water Supply - registration (low risk)	2025/26	64.00	0.00	64.00	67.00	0.00	67.00	5.10%	
134)	Public Health Risk Activity - premises	2025/26	132.00	0.00	132.00	152.00	0.00	152.00	15.00%	Increased to more closely align with other Councils
135)	Public Health Risk Activity - operator	2025/26	67.00	0.00	67.00	77.00	0.00	77.00	15.00%	Increased to more closely align with other Councils
136)	Application for Caravan Permit (By-Law) (25 Fee Units, as set by State Government)	2025/26	47.75	0.00	47.75	49.00	0.00	49.00		Fees set by State Government (25 Fee Units)
137)	Application for Bee Permit (By-Law) (25 Fee Units, as set by State Government)	2025/26	47.75	0.00	47.75	49.00	0.00	49.00		Fees set by State Government (25 Fee Units)
138)	* Late application administration fee	2025/26	29.09	2.91	32.00	30.91	3.09	34.00	5.10%	
139)	* Retrospective application - additional 25% of relevant fee		Calculated	Calculated	Calculated	Calculated	Calculated	Calculated		
140)	* Private Burial Assessment and Inspection	2025/26	187.27	18.73	206.00	197.27	19.73	217.00	5.10%	
141)	* Private Environmental Sample Fee (analysis fee additional)	2025/26	120.00	12.00	132.00	126.36	12.64	139.00	5.10%	
142)	* Environmental Health Assessment Fee - General (per hour)	2025/26	120.00	12.00	132.00	126.36	12.64	139.00	5.10%	
143)	Environment Protection Notice (EPN) - issue	2025/26	397.00	0.00	397.00	457.00	0.00	457.00	15.00%	Increased to more closely align with other Councils
144)	Environment Protection Notice (EPN) - amendment	2025/26	132.00	0.00	132.00	152.00	0.00	152.00	15.00%	Increased to more closely align with other Councils
145)	Environment Protection Notice (EPN) - compliance / inspection per hour or part thereof	2025/26	132.00	0.00	132.00	152.00	0.00	152.00	15.00%	Increased to more closely align with other Councils
146)	Environmental Health Infringement Notices (refer to Act for the charges to be levied)				Refer Act			Refer Act		
147)	* Environmental Health Onsite Wastewater Inspection (per hour)	2025/26	120.00	12.00	132.00	126.36	12.64	139.00	5.10%	
<b>Immunisations</b>										
148)	Vaccines to Public (dTpa)	2025/26	64.00	0.00	64.00	67.00	0.00	67.00	4.00%	

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6) ENGINEERING FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Road works and Occupation</b>										
149)	Application for Road Occupation Permit (Road closure, traffic management, scaffolding, or obstruct a road/footpath) (Weekly charge, 210 Fee Units as set by State Government)	2025/26	401.10	0.00	401.10	411.60	0.00	411.60		Fees set by State Government (210 Fee Units)
150)	Application for Road Works Permit (General works or Service works as per Section 46(1) of the Local Government (Highways) Act 1982) (Weekly charge, 210 Fee Units as set by State Government)	2025/26	401.10	0.00	401.10	411.60	0.00	411.60		Fees set by State Government (210 Fee Units)
151)	Application for Crossover Permit (Per Access, 160 Fee Units as set by State Government)	Introduced 2025/26	305.60	0.00	305.60	313.60	0.00	313.60		Fees set by State Government (160 Fee Units)
152)	Application for Object on Road - Skip Permit (to place a skip bin or shipping container in road reserve) (Weekly charge, 50 Fee Units as set by State Government)	2025/26	95.50	0.00	95.50	98.00	0.00	98.00		Fees set by State Government (50 Fee Units)
153)	Application for Outer Road Permits as defined in the Roads and Parking by-Law no. 4 of 2021 (Weekly charge, 25 Fee Units as set by State Government) - Materials on road - Inhibiting parking - Dismantling or repairing vehicle - Parking on footpaths and nature strips - Parking of caravans and trailers - Removal of vegetation - Removal of materials - Driving vehicles over footpath, kerbs and gutters	Introduced 2025/26	47.75	0.00	47.75	49.00	0.00	49.00		Fees set by State Government (25 Fee Units)
<b>Road Closures</b>										
154)	Application Fee (Weekly charge, 210 Fee Units as set by State Government)	2025/26	401.10	0.00	401.10	411.60	0.00	411.60		Fees set by State Government (210 Fee Units)
155)	* Road Closure Statutory Advertising	2025/26	Full Cost Recovery	GST Applies	Full Cost Recovery	Full Cost Recovery	GST Applies	Full Cost Recovery		
<b>Events</b>										
156)	Provision of waste and recycling services		Price on Application			Price on Application				
157)	Provision of traffic management support		Price on Application			Price on Application				
158)	Provision of road or site clean up services		Price on Application			Price on Application				
159)	* Special Event Occupation Licence (210 Fee Units as set by State Government)	2025/26	401.10	0.00	401.10	411.60	0.00	411.60		Fees set by State Government (210 Fee Units)
<b>Food Trucks and related services</b>										
160)	Full Year Permit (723 Fee Units as set by State Government)	2025/26	1,380.93	0.00	1,380.93	1417.08	0.00	1417.08		Fees set by State Government (723 Fee Units)
161)	3 month Permit (Pro rata of 723 Fee Units as set by State Government)	2025/26	345.23	0.00	345.23	354.27	0.00	354.27		Fees set by State Government (723/4 Fee Units)
162)	6 month Permit (Pro rata of 723 Fee Units as set by State Government)	2025/26	690.46	0.00	690.46	708.54	0.00	708.54		Fees set by State Government (723/2 Fee Units)

**KINGBOROUGH COUNCIL - PROPOSED FEES AND CHARGES 2026/27**  
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6) ENGINEERING FEES (Continued)		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Street Trading</b>										
163)	Application for Street Trading Permit, including On Street Dining and signage in road reserve (annual charge, 25 Fee Units per square metre as set by State Government)	2025/26	47.75	0.00	47.75	49.00	0.00	49.00		Fees set by State Government (25 Fee Units)
164)	Application for Street Trading Signage in Road Reserve (annual charge per sign, 25 Fee Units as set by State Government)	2025/26	47.75	0.00	47.75	49.00	0.00	49.00		Fees set by State Government (25 Fee Units)
165)	Application for Roadside Sales Permit (25 Fee Units per square metre as set by State Government)	2025/26	47.75	0.00	47.75	49.00	0.00	49.00		Fees set by State Government (25 Fee Units)
<b>Other</b>										
165)	* Building Over Easements Administration Fee	2025/26	333.64	33.36	367.00	350.91	35.09	386.00	5.10%	
<b>Hydraulic Models</b>										
166)	* Extraction of flood related information	2025/26	428.18	42.82	471.00	450.00	45.00	495.00	5.10%	
<b>Seepage and soakage (refunded if Council infrastructure at fault)</b>										
167)	* Preliminary Inspection and Dye Testing	2025/26	167.27	16.73	184.00	175.45	17.55	193.00	5.10%	
168)	* Additional Investigation (per hour)	2025/26	167.27	16.73	184.00	175.45	17.55	193.00	5.10%	

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<b>7) COPY CHARGES</b>		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Copy from customer original</b>										
169)	* A1 (per sheet) - Black & White	2025/26	5.45	0.55	6.00	5.73	0.57	6.30	5.10%	
170)	* A1 (per sheet) - Colour	Introduced 2025/26	27.27	2.73	30.00	29.09	2.91	32.00	5.10%	
171)	* A2 (per sheet) - Black & White	2025/26	3.64	0.36	4.00	3.82	0.38	4.20	5.10%	
172)	* A2 (per sheet) - Colour	Introduced 2025/26	18.18	1.82	20.00	19.09	1.91	21.00	5.10%	
173)	* A3 (per sheet)	2024/25	2.27	0.23	2.50	2.36	0.24	2.60	5.10%	
174)	* A4 (per sheet)	2023/24	1.18	0.12	1.30	1.27	0.13	1.40	5.10%	
<b>Copy from Council Data/Records</b>										
175)	* Retrieval of Plan from Council Offsite Archives	2025/26	45.45	4.55	50.00	47.82	4.78	52.60	5.10%	
<b>Prints from GIS (roads, water, sewer, stormwater, subdivision etc)</b>										
176)	* A1 or A2	2025/26	22.73	2.27	25.00	23.64	2.36	26.00	5.10%	
177)	* A3 or A4	2025/26	11.82	1.18	13.00	12.73	1.27	14.00	5.10%	
<b>Other Council Records (as constructed subdivision, 1:5000 Ortho photos, Council Design)</b>										
178)	* A1 or A2	2025/26	22.73	2.27	25.00	23.64	2.36	26.00	5.10%	
179)	* A3 or A4	2025/26	11.82	1.18	13.00	12.73	1.27	14.00	5.10%	
<b>8) PLANT HIRE</b>		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
180)	Plant Hire charges are charges at internal rates particular to each item, so as to cover the cost of operating and replacing the item of plant. Hire charges are exclusive of the cost of the operators labour charges.									

PUBLIC COMMENT

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 (\* indicates GST applies)

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9) WASTE CHARGES (NOT KINGBOROUGH WASTE SERVICES)		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Kerbside Collection Service</b>										
181)	* Administration Fee:	2025/26	36.36	3.64	40.00	36.36	3.64	40.00		The current fee is adequate for service provided
	- Upgrade/Downgrade Mobile Garbage Bin									
	- Opt In/Opt Out of FOGO Service									
<b>Mobile Garbage Bin Replacement Fee</b>										
<i>Payable for the second and any subsequent replacement bin in any three-year period</i>										
182)	* - 80 Litre Bin	2025/26	106.36	10.64	117.00	111.82	11.18	123.00	5.10%	
183)	* - 120 Litre Bin	2025/26	110.00	11.00	121.00	115.45	11.55	127.00	5.10%	
184)	* - 240 Litre Bin	2025/26	116.36	11.64	128.00	122.73	12.27	135.00	5.10%	
<b>Mobile Recycling Bin Replacement Fee</b>										
<i>Payable for the second and any subsequent replacement bin in any three-year period</i>										
185)	* - 240 Litre Bin	2025/26	116.36	11.64	128.00	122.73	12.27	135.00	5.10%	
<b>Mobile Green Waste Bin</b>										
<i>Payable for the second and any subsequent replacement bin in any three-year period</i>										
186)	* - 240 Litre Bin	2025/26	116.36	11.64	128.00	122.73	12.27	135.00	5.10%	
<b>10) KINGBOROUGH WASTE SERVICES CHARGES</b>		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>General Waste</b>										
187)	* General Waste (per tonne - in excess of 100kg)	2025/26	198.18	19.82	218.00	229.09	22.91	252.00	15.50%	Higher fee recommended to cover cost of increased Waste Levy and disposal charges.
188)	* Minimum Fee - Waste to the Walking Floor	2024/25	14.55	1.45	16.00	16.36	1.64	18.00	9.50%	Council workshop 1 recommend \$18
189)	* Household Collection Waste (per tonne)	2025/26	198.18	19.82	218.00	229.09	22.91	252.00	15.50%	Higher fee recommended to cover cost of increased Waste Levy and disposal charges.
<b>Tyres (each)</b>										
190)	* - Car Tyres	2023/24	10.00	1.00	11.00	10.00	1.00	11.00		The current fee covers the disposal cost.
191)	* - Car Tyres on rim	2025/26	16.36	1.64	18.00	17.27	1.73	19.00	5.10%	
192)	* - Light Truck Tyres	2025/26	20.91	2.09	23.00	21.82	2.18	24.00	5.10%	
193)	* - Light Truck Tyres on rim	2025/26	25.45	2.55	28.00	26.36	2.64	29.00	5.10%	
194)	* - Truck Tyres	2025/26	30.91	3.09	34.00	32.73	3.27	36.00	5.10%	
<b>Green Waste</b>										
195)	* Green Waste (by weight - minimum charge)	2024/25	11.82	1.18	13.00	12.73	1.27	14.00	5.10%	
196)	* Green Waste (per tonne in excess of 100kg)	2025/26	117.27	11.73	129.00	123.64	12.36	136.00	5.10%	
<b>Other</b>										
197)	* Recycling Fee (where the customer does not have general waste)		0.00	0.00	No Charge	0.00	0.00	No Charge		
198)	* Steel (per tonne)	2025/26	97.27	9.73	107.00	101.82	10.18	112.00	5.10%	
199)	* Bin Straps	Introduced 2025/26	9.09	0.91	10.00	10.00	1.00	11.00	5.10%	
200)	* Waste Motor Oil (per litre)	Introduced 2025/26	1.00	0.10	1.10	1.09	0.11	1.20	5.10%	
201)	* Mattress Disposal	NEW				22.73	2.27	25.00		Cost recovery - new fee being implemented by Southern Waste Solutions from 01/07/26

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11) BRUNY TRANSFER STATION FEES	Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES	
<b>Garbage Bags</b>										
202)	* Single Garbage Bags	2024/25	7.27	0.73	8.00	8.18	0.82	9.00	7.00%	To cover increase in waste levy
203)	* Two Garbage Bags	2024/25	10.91	1.09	12.00	11.82	1.18	13.00	7.00%	To cover increase in waste levy
204)	* Three Garbage Bags	2024/25	14.55	1.45	16.00	15.45	1.55	17.00	7.00%	To cover increase in waste levy
<b>Light Vehicles</b>										
205)	* Light vehicles without trailer - boot load (3 garbage bags -55 litre)	2024/25	14.55	1.45	16.00	15.45	1.55	17.00	7.00%	To cover increase in waste levy
206)	* Light vehicles with or without trailer <1m3 load	2025/26	19.09	1.91	21.00	20.00	2.00	22.00	7.00%	To cover increase in waste levy
207)	* Light vehicles with or without trailer 1m3 to 3m3 load	2025/26	32.73	3.27	36.00	35.45	3.55	39.00	7.00%	To cover increase in waste levy
208)	* Light vehicles with or without trailer >3m3 load (5m3 Limit)	2025/26	40.91	4.09	45.00	43.64	4.36	48.00	7.00%	To cover increase in waste levy
<b>Greenwaste</b>										
209)	* Light vehicles without trailer - boot load (3 garbage bags -55 litre)	2024/25	10.91	1.09	12.00	11.82	1.18	13.00	5.10%	
210)	* Clean Green Waste <1m3	2024/25	11.82	1.18	13.00	12.73	1.27	14.00	5.10%	
211)	* Clean Green Waste 1m3 to 3m3 load	2025/26	23.64	2.36	26.00	24.55	2.45	27.00	5.10%	
212)	* Clean Green Waste Trailer 3m3 to 5m3 load	2025/26	27.27	2.73	30.00	29.09	2.91	32.00	5.10%	
213)	* Clean Green Waste Truck <12t GVM	2025/26	40.00	4.00	44.00	41.82	4.18	46.00	5.10%	
<b>Tyres</b>										
214)	* Car Tyres	2023/24	10.00	1.00	11.00	10.91	1.09	12.00	5.10%	
215)	* Car tyres on rim	2025/26	16.36	1.64	18.00	17.27	1.73	19.00	5.10%	
216)	* Light Truck Tyres	2025/26	20.91	2.09	23.00	21.82	2.18	24.00	5.10%	
217)	* Light Truck Tyres on rim	2025/26	25.45	2.55	28.00	26.36	2.64	29.00	5.10%	
218)	* Truck Tyres	2025/26	30.91	3.09	34.00	32.73	3.27	36.00	5.10%	
<b>Other</b>										
219)	* Steel (per cubic metre)	2023/24	5.45	0.55	6.00	5.45	0.55	6.00		The current fee covers the disposal cost.
220)	* Waste Motor Oil (per litre)	Introduced 2025/26	1.00	0.10	1.10	1.09	0.11	1.20	5.10%	
221)	* Mattress Disposal	NEW				22.73	2.27	25.00		Cost recovery - new fee being implemented by Southern Waste Solutions from 01/07/26
<b>Not accepted:</b>										
Vehicles greater than 12t GVM and or 5 cubic metres in volume, compacters and any skip bins.										
Liquid Waste										
Hazardous (including noxious) Waste.										

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12) HIRE CHARGES FOR HALLS	Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES	
<b>Blackmans Bay, Kingston Beach, Margate, Sandfly, Middleton &amp; Alonnah</b>										
<b>Deposits, Bonds &amp; Equipment Hire</b>										
222)	Cleaning Deposit (normal use & trading activities) (GST 10% of forfeited)	2013/14	100.00	0.00	100.00	100.00	0.00	100.00	0.00%	Currently not charged, however can be applied if required
223)	Functions Bond (parties, weddings etc) (GST 10% of forfeited)	2006/07	300.00	0.00	300.00	300.00	0.00	300.00	0.00%	Currently not charged, however can be applied if required
224)	Key Deposit - Additional Key for Hall User System may be supplied if one or more days per week permanently booked - assessed on each individual application. (GST 10% if forfeited)	2023/24	50.00	0.00	50.00	50.00	0.00	50.00	0.00%	Cost recovery only
225)	Smart Key Fob Deposit (for Halls with Smart Access System installed) may be supplied if one or more days per week permanently booked - assessed on each individual application. (GST 10% if forfeited)	Introduced 2023/24	25.00	0.00	25.00	25.00	0.00	25.00	0.00%	Cost recovery only
<b>Hall Hire Charges</b>										
<b>Base Rate - Community Groups/Not For Profit Organisations/Resident/Ratepayer</b>										
226)	* Daytime Use (between 6.00am - 6.00pm) Hourly Fee	2025/26	17.27	1.73	19.00	18.18	1.82	20.00	5.10%	
227)	* Up to Full Day (between 6am to 6pm)	2025/26	113.64	11.36	125.00	120.00	12.00	132.00	5.50%	
228)	* Night Time Use (between 6.00pm - Midnight) Hourly Fee	2025/26	27.27	2.73	30.00	29.09	2.91	32.00	5.10%	
229)	* Up to Full Night (between 6pm - Midnight)	2025/26	125.45	12.55	138.00	132.73	13.27	146.00	5.50%	
<b>Sport/Fitness/Recreation Classes (Fee for Service) - Base Rate + 50%</b>										
230)	* Daytime Use (between 6.00am - 6.00pm) Hourly Fee	2025/26	25.45	2.55	28.00	27.27	2.73	30.00	6.00%	Rate is calculated as base + 50%
231)	* Up to Full Day (between 6am to 6pm)	2025/26	170.00	17.00	187.00	180.00	18.00	198.00	5.88%	Rate is calculated as base + 50%
232)	* Night Time Use (between 6.00pm - Midnight) Hourly Fee	2025/26	40.91	4.09	45.00	43.64	4.36	48.00	6.00%	Rate is calculated as base + 50%
233)	* Up to Full Night (between 6pm - Midnight)	2025/26	188.18	18.82	207.00	199.09	19.91	219.00	5.78%	
<b>Commercial/Fee for Service/Non Resident/Non Ratepayer - Base Rate + 100%</b>										
234)	* Daytime Use (between 6.00am - 6.00pm) Hourly Fee	2025/26	34.55	3.45	38.00	36.36	3.64	40.00	4.00%	Commercial rate calculated as double base rate
235)	* Up to Full Day (between 6am to 6pm)	2025/26	227.27	22.73	250.00	240.00	24.00	264.00	5.50%	Commercial rate calculated as double base rate
236)	* Night Time Use (between 6.00pm - Midnight) Hourly Fee	2025/26	54.55	5.45	60.00	58.18	5.82	64.00	6.00%	Commercial rate calculated as double base rate
237)	* Up to Full Night (between 6pm - Midnight)	2025/26	250.91	25.09	276.00	265.45	26.55	292.00	5.78%	
<b>Arts Hub/Gallery at rear of Kingston Beach Hall</b>										
<i>Commercial Hirers charged double rate</i>										
238)	* Daily rate (hire for full day/evening)	2025/26	58.18	5.82	64.00	60.91	6.09	67.00	5.10%	
239)	* Hourly Fee	2025/26	10.00	1.00	11.00	10.91	1.09	12.00	5.10%	
<b>Playschool Groups</b>										
240)	* Per Session (2 hour maximum)	2024/25	14.55	1.45	16.00	18.18	1.82	20.00	22.00%	Fee has not been increased since 2024/25 - increase equates to \$4 for a 2 hour session
<b>Youth Groups (Scouts, Guides etc)</b>										
241)	* Per Session (2 hour maximum)	2024/25	14.55	1.45	16.00	18.18	1.82	20.00	22.00%	Fee has not been increased since 2024/25 - increase equates to \$4 for a 2 hour session
<b>Progress Associations and Public Meetings</b>										
<i>There is no Charge for Community Groups for public meetings Monday-Thursday</i>										
242)	* All Facilities (Friday to Sunday inclusive)	2025/26	28.18	2.82	31.00	30.00	3.00	33.00	5.10%	
<b>Trading Activities (Indoor Markets Etc)</b>										
243)	* Markets - Urban Halls (Kingston Beach/Blackmans Bay) per day	2025/26	238.18	23.82	262.00	250.00	25.00	275.00	5.10%	
244)	* Markets - Rural Halls per day	2025/26	149.09	14.91	164.00	156.36	15.64	172.00	5.10%	
Note: Markets operated on a not-for-profit basis - 50% discount										

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12) HIRE CHARGES FOR HALLS (Continued)		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
Taroona, Lower Longley, Kettering, Snug, Woodbridge, Adventure Bay, Lunawanna & Dennes Point (Lennon)										
245) Hall Management Committees are required to use the above fees unless otherwise approved by Council.										
North Bruny Tennis Club Rooms and Taroona Cottage Hire										
246)	* Ratepayer/Resident (rate per hour)	2023/24	9.09	0.91	10.00	9.09	0.91	10.00	0.00%	No increase is recommended as the fee is appropriate for the facilities being hired.
247)	* Non-Ratepayer/Non-Resident (per hour)	2023/24	14.55	1.45	16.00	14.55	1.45	16.00	0.00%	
13) HIRE CHARGES FOR GROUNDS		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
Casual Rates (all grounds excluding Twin Ovals)										
248)	* Daily Rate - Ratepayer/Residents	2025/26	100.91	10.09	111.00	109.09	10.91	120.00	8.00%	Higher increase recommended across Casual Rates to help offset the rising cost incurred for grounds maintenance.
249)	* Daily Rate - Non-Ratepayer/Non-Resident	2025/26	143.64	14.36	158.00	154.55	15.45	170.00	7.50%	
250)	* Hourly Rate (per hour up to maximum daily rate)	2025/26	25.45	2.55	28.00	27.27	2.73	30.00	6.00%	
Casual Rates - Premier Grounds (Twin Ovals 1 and 2, Lightwood Park 1)										
251)	* Match Rate (per hour) (Juniors under 16 - 50% discount) Note: If hirer requires staff to be in attendance, full cost recovery to apply	2025/26	125.45	12.55	138.00	136.36	13.64	150.00	8.50%	Higher increase recommended across Casual Rates to help offset the rising cost incurred for grounds maintenance.
252)	* Training Rate (per hour) (Juniors under 16 - 50% discount)	2025/26	60.91	6.09	67.00	63.64	6.36	70.00	5.10%	
253)	* Turf Practice Net Hire (per hour, per net)	2025/26	21.82	2.18	24.00	22.73	2.27	25.00	6.00%	
254)	* Synthetic Practice Nets (per hour, per net)	2025/26	16.36	1.64	18.00	17.27	1.73	19.00	6.00%	
255)	* Lights (full cost recovery to apply)		Calculated	Calculated	Calculated	Calculated	Calculated	Calculated		
256)	* Major Events - Negotiables (minimum \$2,000)									
257)	* Twin Ovals Ground Rental - Anchor Tenant Club (per annum)	2025/26	11,181.82	1,118.18	12,300.00	11,852.73	1,185.27	13,038.00	6.00%	
Sports Grounds User Fees - Tenant Clubs										
Urban Clubs										
258)	* Large Urban Club	2025/26	4681.82	468.18	5,150.00	5000.00	500.00	5500.00	6.80%	Higher increase recommended across Sports Ground User Fees to help offset the rising cost of fertiliser and fuel required for grounds maintenance.
259)	* Medium Urban Club	2025/26	2340.91	234.09	2,575.00	2500.00	250.00	2750.00	6.80%	
260)	* Small Urban Club	2025/26	936.36	93.64	1,030.00	1000.00	100.00	1100.00	6.80%	
Rural Clubs										
261)	* Large Rural Club	2025/26	1404.55	140.45	1,545.00	1500.00	150.00	1650.00	6.80%	Higher increase recommended across Sports Ground User Fees to help offset the rising cost of fertiliser and fuel required for grounds maintenance.
262)	* Medium Rural Club	2025/26	936.36	93.64	1,030.00	1000.00	100.00	1100.00	6.80%	
263)	* Small Rural Club	2025/26	468.18	46.82	515.00	500.00	50.00	550.00	6.80%	
Junior Clubs										
264)	* Large Junior Club	2025/26	936.36	93.64	1,030.00	1000.00	100.00	1100.00	6.80%	Tenant Clubs increased to \$8 per hour
265)	* Medium Junior Club	2025/26	702.73	70.27	773.00	750.00	75.00	825.00	6.70%	
266)	* Small Junior Club	2025/26	468.18	46.82	515.00	500.00	50.00	550.00	6.80%	
*Kingsborough based clubs who apply for a Seasonal Tenancy but have yearly usage less than 100 hours, may request to instead be charged at a rate of \$8 per hour.										
Dru Point BBQ and Shelter (per BBQ per Session)										
267)	* Small Hut (Hut 2 & 4)	2024/25	13.64	1.36	15.00	13.64	1.36	15.00	0.00%	Unable to justify increase until facilities are upgraded
268)	* Large Hut (Huts 1 & 3) - 1/2 Hut	2024/25	13.64	1.36	15.00	13.64	1.36	15.00	0.00%	
269)	* Large Hut (Huts 1 & 3) - Full Hut	2024/25	22.73	2.27	25.00	22.73	2.27	25.00	0.00%	

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14) SPORTS CENTRE CHARGES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Squash Fees</b>										
<b>Squash (Casual Adult - Per Court)</b>										
270)	* 9:00am - 10:00pm (1 hour)	2025/26	30.00	3.00	33.00	30.00	3.00	33.00	0.00%	High pricing already, comparatively to the cost at other venues in Hobart eg Eastside \$28 per court or \$14 solo hit
<b>Squash Concession (Junior/Students/Pensioners)</b>										
271)	* 9:00am - 10:00pm (1 hour)	2024/25	16.36	1.64	18.00	17.27	1.73	19.00	5.50%	
<b>Squash (Club Member - Per Court)</b>										
272)	* 9:00am - 10:00pm (1 hour)	2024/25	22.73	2.27	25.00	22.73	2.27	25.00	0.00%	High pricing already, comparatively to the cost at other venues in Hobart eg Eastside \$28 per court or \$14 solo hit
<b>Stadium Hire</b>										
<b>Sports Centre Hiring (including Schools)</b>										
273)	* Court hire (cost per hour)	2025/26	70.00	7.00	77.00	70.00	7.00	77.00	0.00%	Market price is already high. Cant afford to price out of the market especially with losing Jack Jumper bookings for next financial year. Examples include \$52 per hour, Moonah \$40 during school hours and \$60 in evening
274)	* Court hire (cost per hour on a public holiday)	NEW				105.45	10.55	116.00		Staffing costs on a public holiday are above the court hire fees collected.
<b>Basketball/Netball</b>										
275)	* Casual Use – (up to 2 hours)	2025/26	10.91	1.09	12.00	11.82	1.18	13.00	5.10%	
<b>Full Stadium</b>										
276)	* Roster use – Basketball/Netball/Volleyball/Indoor Soccer (limited seating only) * Price on application, however base rate per court per hour for evening rosters applies									

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14) SPORTS CENTRE CHARGES (Continued)	Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Badminton</b>									
<b>Single Court (Casual Use Only)</b>									
277) * Seniors 9.00 am – midnight (1 hour)	2025/26	29.09	2.91	32.00	30.91	3.09	34.00	6.25%	
<b>Association Use of Stadium</b>									
278) * Price on application to Sports Centre Manager	2025/26	52.73	5.27	58.00	55.45	5.55	61.00	5.17%	
279) * Court hire (cost per hour on a public holiday)	NEW				82.73	8.27	91.00		Staffing costs on a Public holiday are above the court hire fees collected.
<b>Room Hire</b>									
280) * Fitness Centre Activities Room (per hour)	2025/26	51.82	5.18	57.00	54.55	5.45	60.00	5.26%	
281) * Martial Arts Rooms (per hour)	2025/26	51.82	5.18	57.00	54.55	5.45	60.00	5.26%	
<b>Fitness Centre</b>									
<b>Fitness Centre Access</b>									
282) * Fitness Centre Access Card (FOB) - cost for new members, or replacement.	Introduced 2025/26	17.27	1.73	19.00	18.18	1.82	20.00	5.26%	
283) * 30 Day Trial (includes FOB)	NEW				53.64	5.36	59.00		
<b>Fitness Centre Membership (Direct Debit)</b>									
284) * Gym, Weights & Conditioning Equipment (per week Direct Debit)	2025/26	14.55	1.45	16.00	15.45	1.55	17.00	6.25%	Similar to Zap fitness, increase by due to replacement of weights and new cardio equipment
285) * Premium Group, Weights, Conditioning & Group Fitness (per week Direct Debit)	2025/26	20.00	2.00	22.00	21.82	2.18	24.00	9.09%	Market comparability with aquatic centre, class staffing costs, new equipment
<b>Family Membership (Direct Debit)</b>									
286) * 2 Adults & 2 Children (Year 7-12), Weights, Conditioning Equipment + Group Fitness (per week Direct Debit)	2025/26	34.55	3.45	38.00	37.27	3.73	41.00	7.89%	Class staffing costs, new equipment
287) * Additional child or student under 18 at home residence	NEW				8.18	0.82	9.00		
288) * Additional student/concession cardholder at home residence	NEW				10.91	1.09	12.00		
<b>PAYG Visits to the Fitness Centre</b>									
289) * Group Fitness/Strength	2025/26	16.36	1.64	18.00	17.27	1.73	19.00	5.10%	
290) * Under 18 yrs	2024/25	9.09	0.91	10.00	10.00	1.00	11.00	10.00%	A higher increase has been recommended as fee has not been increased since 2024/25
291) * Student/Concession	2024/25	10.91	1.09	12.00	11.82	1.18	13.00	8.33%	A higher increase has been recommended as fee has not been increased since 2024/25
292) * 5 Session Pass	2025/26	65.45	6.55	72.00	69.09	6.91	76.00	5.10%	
293) * 10 Session Pass	2025/26	120.00	12.00	132.00	126.36	12.64	139.00	5.10%	
294) * 20 Session Pass	2025/26	215.45	21.55	237.00	227.27	22.73	250.00	5.49%	
295) * Staying Active 10 session pass (over 60 years or seniors card holder)	NEW				77.27	7.73	85.00		
296) * Personal Training Single Session	NEW				70.91	7.09	78.00		
297) * Introduction to Personal Training	NEW				180.91	18.09	199.00		
298) * Personal Training Five Session	NEW				336.36	33.64	370.00		
299) * Senior Single Session	NEW				10.00	1.00	11.00		

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14) SPORTS CENTRE CHARGES (Continued)	Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Term Based Memberships (up-front/one-payment)</b>									
300) * Gym, Weights & Conditioning Equipment	2025/26	741.82	74.18	816.00	780.00	78.00	858.00	5.10%	Similar to Zap fitness, increase due to replacement of weights and new cardio equipment
301) * Premium Group, Weights, Conditioning & Group Fitness	2025/26	981.82	98.18	1,080.00	1050.91	105.09	1156.00	7.04%	Market comparability with aquatic centre, class staffing costs, new equipment
302) * 2 Adults & 2 Children (Year 7-12), Weights, Conditioning Equipment + Group Fitness	2025/26	1680.00	168.00	1,848.00	1797.27	179.73	1977.00	6.98%	Increased to cover class staffing costs, new equipment
303) Family Membership (2 Adults & 2 Children) - 3 Months Only	NEW				720.00	72.00	792.00		
304) Family Membership (2 Adults & 2 Children) - 6 Months Only	NEW				1167.27	116.73	1284.00		
305) Gym, Weights & Conditioning Equipment - 3 Months Only	NEW				307.27	30.73	338.00		
306) Gym, Weights & Conditioning Equipment - 6 Months Only	NEW				506.36	50.64	557.00		
307) Premium Group, Weights, Conditioning & Group Fitness - 3 Months Only	NEW				422.73	42.27	465.00		
308) Premium Group, Weights, Conditioning & Group Fitness - 6 Months Only	NEW				685.45	68.55	754.00		
309) Student Membership (Under 15yrs) - 3 Months	NEW				116.36	11.64	128.00		
310) Student Membership (Under 18yrs) - 3 Months	NEW				116.36	11.64	128.00		
311) Student Membership (Over 18yrs) - 3 Months	NEW				175.45	17.55	193.00		
- Instalment payments are a minimum 3 month commitment – 28 days notice required of cancellation. - Concession/Pensioner discounts of 10% only available on 12 Month									
<b>Childminding Fees</b>									
312) * Casual Users (per session)	Introduced 2025/26	2.73	0.27	3.00	3.64	0.36	4.00	33.33%	Contribution made does not cover service expenses for childminding
313) * 10 Session Pass	Introduced 2025/26	18.18	1.82	20.00	27.27	2.73	30.00	50.00%	Discount on 10 session passes is too low in comparison to an individual session (new equals \$3.00 per session)
314) * 20 Session Pass	Introduced 2025/26	27.27	2.73	30.00	45.45	4.55	50.00	66.66%	Discount on 20 session passes is too low in comparison to an individual session (new equals \$2.50 per session)

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15) ANIMAL FEES & CHARGES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Registration Fees</b>										
315)	Entire Dogs	2025/26	126.00	0.00	126.00	132.00	0.00	132.00	5.10%	
316)	Restricted Breed	2025/26	126.00	0.00	126.00	132.00	0.00	132.00	5.10%	
317)	Dangerous Dogs	2025/26	126.00	0.00	126.00	132.00	0.00	132.00	5.10%	
318)	Guard Dogs	2025/26	126.00	0.00	126.00	132.00	0.00	132.00	5.10%	
319)	Sterilised Dogs	2025/26	44.00	0.00	44.00	46.00	0.00	46.00	5.10%	
320)	TCA Breeding Dogs	2025/26	44.00	0.00	44.00	46.00	0.00	46.00	5.10%	
321)	Working dogs	2025/26	44.00	0.00	44.00	46.00	0.00	46.00	5.10%	
322)	Racing Greyhound	2025/26	44.00	0.00	44.00	46.00	0.00	46.00	5.10%	
323)	Pensioner/Health Care Card Dogs not sterilised	2025/26	50.00	0.00	50.00	53.00	0.00	53.00	5.10%	
324)	Obedience Dogs (Trained to ANKC standard) not sterilised	2025/26	50.00	0.00	50.00	53.00	0.00	53.00	5.10%	
325)	Pensioner/Health Care Card Dog Sterilised	2025/26	34.00	0.00	34.00	36.00	0.00	36.00	5.10%	
326)	Obedience Dogs Sterilised (Trained to ANKC standard)	2025/26	34.00	0.00	34.00	36.00	0.00	36.00	5.10%	
327)	Special Dogs - Guide Dogs, Hearing Dogs & Assistance Dogs		0.00	0.00	0.00	0.00	0.00	0.00		
	<b>New dog registration pre 1 January - 100% of fees charged</b>									
	<b>New dog registration post 1 January - 50% of fees charged</b>									
328)	* Change of Dog Owner Fee (already registered)	2025/26	26.36	2.64	29.00	27.27	2.73	30.00	5.10%	
329)	Monthly late fee charged from 1 August	2024/25	16.00	0.00	16.00	17.00	0.00	17.00	5.10%	
<b>Pound Maintenance Charges</b>										
330)	* Dog (per day)	2025/26	47.27	4.73	52.00	50.00	5.00	55.00	5.10%	
331)	* Large Animals - eg Horse, Cow, Bull, Pig (per day)	2025/26	39.09	3.91	43.00	40.91	4.09	45.00	5.10%	
332)	* Small Animals - eg Sheep, Goat (per day)	2025/26	39.09	3.91	43.00	40.91	4.09	45.00	5.10%	
333)	* Emergency After Hours Pound Release - Registered dogs only	2025/26	177.27	17.73	195.00	186.36	18.64	205.00	5.10%	
334)	* Pound Release (All animals)	2025/26	38.18	3.82	42.00	40.00	4.00	44.00	5.10%	
335)	* Animal returned to pound (owner fails to attend Council to collect seized animal)	2025/26	28.18	2.82	31.00	30.00	3.00	33.00	5.10%	
<b>Animal Surrender Fee</b>										
336)	* Surrender of Animal to Council	2025/26	417.27	41.73	459.00	438.18	43.82	482.00	5.10%	
<b>Application for the keeping of several dogs</b>										
337)	Application Fee	2025/26	112.00	0.00	112.00	118.00	0.00	118.00	5.10%	
338)	* Public Notification	2025/26	290.91	29.09	320.00	305.45	30.55	336.00	5.10%	
339)	Renewal Fee	2025/26	79.00	0.00	79.00	83.00	0.00	83.00	5.10%	
<b>Other Fees</b>										
340)	* Dangerous Dogs Collar	2025/26	60.91	6.09	67.00	63.64	6.36	70.00	5.10%	
341)	* Dangerous Dogs Sign	2025/26	94.55	9.45	104.00	99.09	9.91	109.00	5.10%	
342)	* Restricted Breed Dogs Collar	2025/26	60.91	6.09	67.00	63.64	6.36	70.00	5.10%	
343)	* Restricted Breed Dogs Sign	2025/26	94.55	9.45	104.00	99.09	9.91	109.00	5.10%	
344)	Replacement Dog Registration Tag	2024/25	9.00	0.00	9.00	10.00	0.00	10.00	7.00%	Higher percentage increased as been recommend as fee has not increased since 2024/25
345)	* Complaint (s 46) as to nuisance created by dog (refundable)	2025/26	71.82	7.18	79.00	75.45	7.55	83.00	5.10%	

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16) RATES SUNDRY CHARGES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
Set by the Local Government Act 1993										
346)	Section 132 Certificate of Liabilities (30 Fee Units, fee set by State Government)	2024/25	57.30	0.00	57.30	58.80	0.00	58.80		Fees set by State Government (30 Fee Units)
347)	Section 337 Certificate of Council's Rights (132.50 Fee Units, fee set by State Government)	2024/25	253.07	0.00	253.07	259.70	0.00	259.70		Fees set by State Government (132.50 Fee Units)
17) SUNDRY DEBTORS		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
Sundry Debtor Accounts to be paid on Government Terms (end of month following month invoice is dated).										
348)	Interest (per annum) may be applied to outstanding sundry debtor accounts as at the close of business each month.	2024/25			10.30%			10.64%		
349)	All unpaid sundry debtor accounts referred to an external debt collection agency will be subject to additional referral fees									
18) PRIVATE WORKS -COUNCIL-ON-COSTS		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
Fire Hazards										
350)	* Administration on PWA Cost				20%			20%		
All Other										
351)	Oncost applied to Labour Charge:									
	- Outdoor Workforce (Council Staff with Supervisor)				90%			90%		
	- Outdoor Workforce (without Council Supervisor)				35%			35%		
	- Engineering Project Manager				40%			40%		
Capital Works										
352)	All-Contracts		5%	0.00	5%	5%	0.00	5%		Fee no longer required
19) RENTAL OF HOUSES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
Rent										
353)	Bruny Glensyn Pensioner Units - per week	2025/26	79.00	0.00	79.00	83.00	0.00	83.00	5.10%	Rental charges may be subject to review once renovations are complete
Bond										
354)	Bruny Glensyn Pensioner Units Bond (GST 10% if forfeited) - 4 x weekly rental cost		Calculated	0.00	Calculated	Calculated	0.00	Calculated		
20) CEMETERY FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
Burial Plot Reservation										
355)	Single	2025/26	1,230.00	0.00	1,230.00	1300.00	0.00	1300.00	5.70%	
356)	Double (side by side)	2025/26	2,460.00	0.00	2,460.00	2600.00	0.00	2600.00	5.70%	Increased to more closely align with other providers.
357)	Double (depth)	2025/26	1,375.00	0.00	1,375.00	1500.00	0.00	1500.00	9.10%	
Memorial Walls - Niche Plot Reservation										
358)	Reservation Fee (Alonnah, North West Bay, Middleton and Adventure Bay cemeteries)	2025/26	270.00	0.00	270.00	300.00	0.00	300.00	11.00%	Increased to more closely align with other providers.

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21) MEMORIAL SEATING		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
359)	* Supply & Installation of Memorial Seat (subject to approval)	2025/26	2,350.00	235.00	2,585.00	Full Cost Recovery	GST Applies	Full Cost Recovery		Recommended to not record a fee, but to recover the costs in full.
22) PARKING FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
360)	* Application for Temporary Parking Permit for Building Works (Weekly charge, per parking space, 25 Fee Units as set by State Government)	2025/26	47.75	0.00	47.75	49.00	0.00	49.00		Fees set by State Government (25 Fee Units)
361)	Penalty amounts associated to Traffic Infringement Notices served in accordance with the Road Rules 2019, is pursuant to the provisions of the Traffic (Compliance and Enforcement) Regulations 2017.									
23) MARINE FACILITY FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
362)	* Charge per vessel per trip at Council controlled Jetty	2025/26	34.55	3.45	38.00	36.36	3.64	40.00	5.10%	
24) SIGN/ARTICLE COLLECTION FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
363)	* Fee for recovery of signage/article breaching By Laws, Legislation and Regulations Storage fees will also apply	2025/26	29.09	2.91	32.00	30.91	3.09	34.00	5.10%	
25) REMOVED OR ABANDONED ARTICLE STORAGE		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
364)	* Removed or Abandoned articles (incl vehicles, trailers, signs etc) Storage Fee (per day)	2025/26	19.09	1.91	21.00	20.00	2.00	22.00	5.10%	
365)	* Towing of Abandoned-Vehicle Articles (incl vehicles, trailers, signs etc)	2025/26	199.09	19.91	219.00	209.09	20.91	230.00	5.10%	
26) CAMPING FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
366)	* Camping Fees - Gordon Reserve (per vehicle/tent, per night)	2021/22	5.45	0.55	6.00	5.45	0.55	6.00	0.00%	Current fee is adequate. Fees are passed to South Channel Ratepayers Association.
27) RIGHT TO INFORMATON		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
367)	Fee for Application for Assessed disclosure (25 Fee Units, fees set by State Government)	2025/26	47.75	0.00	47.75	49.00	0.00	49.00		Fees set by State Government (25 Fee Units)
28) BY LAW PERMIT FEES		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
368)	By Law Permit - As provided for in schedule 2 - prescribed fees of each By-Law		As per By-Law	0.00	As per By-Law	As per By-Law	0.00	As per By-Law		Fees are provided in Schedule 2 of each By-Law. Fee Unit value has been set by State Government at \$1.96 for 2026/27
369)	By Law Exemption - As provided for in schedule 2 - prescribed fees of each By-Law		As per By-Law	0.00	As per By-Law	As per By-Law	0.00	As per By-Law		
29) VOLUNTEER PROGRAM		Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
370)	* Kingborough Volunteer Program Service Charge per visit	2024/25	9.09	0.91	10.00	9.09	0.91	10.00	0.00%	No change recommended for 26/27 - current fee is adequate for service.

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30) COMMUNITY HUB FEES	Last Increase	FEE 2025/26 EXCL GST	GST	FEE 2025/26 INCL GST	PROPOSED FEE 2026/27 EXCL GST	GST	PROPOSED FEE 2026/27 INCL GST	INCREASE 2026/27 (%)	NOTES
<b>Auditorium</b>									
<i>Commercial, Corporate and Government users and individuals providing services for a personal profit (Double the below rates)</i>									
371) * Hourly rate	2025/26	49.09	4.91	54.00	51.82	5.18	57.00	5.10%	
372) * Half Day (5hrs)	2025/26	193.64	19.36	213.00	203.64	20.36	224.00	5.10%	
373) * Daily rate (10hrs)	2025/26	388.18	38.82	427.00	408.18	40.82	449.00	5.10%	
374) * Full Day (15hrs)	2025/26	584.55	58.45	643.00	614.55	61.45	676.00	5.10%	
375) * Full week	2025/26	2,041.82	204.18	2,246.00	2146.36	214.64	2361.00	5.10%	
<b>Auditorium - Markets &amp; Art Exhibitions</b>									
376) * Community Markets (Auditorium only)	2025/26	258.18	25.82	284.00	270.91	27.09	298.00	5.10%	
377) * Commercial Markets (includes Town Square)	2025/26	518.18	51.82	570.00					Fee has never been charged. Markets have community value and benefit, so Community fee is charged.
378) * Art Exhibitions		Negotiable	0.00	Negotiable	Negotiable	0.00	Negotiable		
<b>Whitewater Room/Middleton Room</b>									
<i>Commercial, Corporate and Government users and individuals providing services for a personal profit (Double the below rates)</i>									
379) * Hourly rate	2025/26	32.73	3.27	36.00	34.55	3.45	38.00	5.10%	
380) * Half Day (5hrs)	2025/26	98.18	9.82	108.00	103.64	10.36	114.00	5.10%	
381) * Daily rate (10hrs)	2025/26	193.64	19.36	213.00	203.64	20.36	224.00	5.10%	
382) * Full Day (15hrs)	2025/26	258.18	25.82	284.00	270.91	27.09	298.00	5.10%	
383) * Full Week (7 Days)	2025/26	811.82	81.18	893.00	853.64	85.36	939.00	5.10%	
384) * Room only - no A/V use (30% discount for room only)	NEW						30% Discount for room only		
<b>Longley Gallery (available during office hours only)</b>									
<i>Commercial, Corporate and Government users and individuals providing services for a personal profit (Double the below rates)</i>									
385) * Hourly rate	2024/25	13.64	1.36	15.00	14.55	1.45	16.00	5.10%	
386) * Half Day (4hrs)	2025/26	40.93	4.09	45.00	42.73	4.27	47.00	5.10%	
387) * Daily rate (8hrs)	2025/26	81.82	8.18	90.00	86.36	8.64	95.00	5.10%	
<b>Other Facilities</b>									
388) * Commercial Kitchen	2025/26	53.64	5.36	59.00	56.36	5.64	62.00	5.10%	
389) * Town Square		Negotiable	0.00	Negotiable	Negotiable	0.00	Negotiable		
390) * Event Support		Negotiable	0.00	Negotiable	Negotiable	0.00	Negotiable		
<b>Additional Equipment</b>									
<i>Pricing (up to 3 hours)</i>									
391) * Gallery Walls (includes hanging equipment), per set of 10	2025/26	53.64	5.36	59.00	56.36	5.64	62.00	5.10%	
392) * Stage, per 2 sections	2025/26	53.64	5.36	59.00	56.36	5.64	62.00	5.10%	
393) * Lectern with microphones *only with event support	2025/26	104.55	10.45	115.00	110.00	11.00	121.00	5.10%	
394) * Projector and Screen (Auditorium)	2025/26	104.55	10.45	115.00	110.00	11.00	121.00	5.10%	
395) * Roving Microphones with Stands	2025/26	83.64	8.36	92.00	88.18	8.82	97.00	5.10%	
<i>Technical Support is available for your event and will include setting up, activating and monitoring of audio-visual equipment. Contact the Community Hub team for details and to provide a quote.</i>									
<b>Other Fees</b>									
396) * Weekend/After Hours Surcharge	2025/26	53.64	5.36	59.00	56.36	5.64	62.00	5.10%	
397) * Heating	2025/26	63.64	6.36	70.00					
398) * Cleaning Charge	2025/26	53.64	5.36	59.00	56.36	5.64	62.00	5.10%	
399) * Set Up and Pull Down Fee - Auditorium	2025/26	194.55	19.45	214.00	204.55	20.45	225.00	5.10%	
400) * Set Up and Pull Down Fee - Middleton/Whitewater	2025/26	97.27	9.73	107.00	101.82	10.18	112.00	5.10%	

## 15.4 AGM NOTICE OF MOTION - PLANNING AND COMPLIANCE REPORTING

File Number:

Author: Deleeze Chetcuti, Director Environment, Development & Community Services

Authoriser: Dave Stewart, Chief Executive Officer

### Strategic Plan Reference

Key Priority Area: 5. Doing the essentials efficiently and effectively so we can build for the future.

Strategic Outcome: 5.4 Statutory and governance functions which are delivered to a high standard.

## 1. PURPOSE

1.1 The purpose of this report is to respond to the Annual General Meeting (AGM) Notice of Motion from 2 December 2025 relating to publishing a report with planning and compliance data.

## 2. BACKGROUND

2.1 At the AGM on 2 December 2025, the following motion was made:

*'That Council prepare and publish an annual report comparing:*

- a) *The resources which include staff hours and budget allocated to planning compliance activities such as rezoning administration and overlays and requests for further information; and*
- b) *The resources allocated directly to housing delivery projects including infrastructure works, partnerships and community facilities supporting new housing.*

*This report should include year on year trends and be made publicly available to demonstrate whether council's resource allocation is balanced toward enabling housing supply rather than disproportionately consumed by compliance processes'.*

## 3. STATUTORY REQUIREMENTS

- 3.1 Part 3A of the *Land Use Planning and Approvals Act 1993* (LUPAA) sets out the process for drafting, assessing and approving a Local Provisions Schedule.
- 3.2 Part 4, Division 2 – Development Control of the LUPAA sets out the requirements for Planning Authorities when assessing applications.
- 3.3 Part 4, Division 1 and 4 of the LUPAA sets out enforcement requirements and obligations of the Planning Authority in respect to planning schemes.
- 3.4 Part 3B of the LUPAA sets out the requirements for the amendment of a Local Provision Schedule.

## 4. DISCUSSION

4.1 All planning activities currently undertaken by Council's planning team are statutory functions or requirements of the Planning Authority under the *Land Use Planning and Approvals Act 1993* (LUPAA) and the Kingborough Interim Planning Scheme. This includes

assessing and determining development applications, drafting and exhibiting the Kingborough Local Provisions Schedule (LPS) in accordance with LUPAA and any directions of the Tasmanian Planning Commission (TPC), preparing for and attending hearings, and responding to directions arising from those hearings.

- 4.2 Although the Planning Authority must enforce the planning scheme, this is not where most planning resources are directed. In practice, most officer time is allocated to assessing and approving development applications, including pre-application advice, assessment against the relevant planning scheme provisions, referral and consultation processes, reporting, decision-making and post approval tasks such as reviewing and approving detailed plans.
- 4.3 The Notice of Motion seeks an annual report comparing staff hours and budget allocated to planning 'compliance activities' such as rezoning administration, overlays and RFIs, with resources allocated directly to housing delivery projects. In practice, rezoning administration and overlay-related work is predominantly statutory planning work under LUPAA, including LPS amendments and associated Tasmanian Planning Commission processes, rather than discretionary compliance activity.
- 4.4 Council acknowledges the community's interest in transparency, accountability and efficiency, and shares these objectives. However, producing an annual report in the proposed form would require a new, ongoing data capture and reporting approach to reliably attribute staff time and budget across functions that are not discrete in practice. For example, differentiating statutory development assessment tasks from matters characterised as 'compliance', and separating rezoning or LPS amendment administration from other statutory planning work.
- 4.5 Council's statutory and strategic planning and land use resources are currently focused on application assessment and completion of the draft Kingborough LPS. Council presently has one full-time equivalent (FTE) strategic planning resource, and this capacity is fully absorbed by the LPS program and associated statutory processes. Establishing, maintaining and publishing the proposed annual resourcing comparison report would divert limited officer time from statutory priorities and is likely to slow or distract from application assessment and other work program items, including post-LPS strategic planning and land use initiatives such as master planning and structure planning.
- 4.6 While Council can support housing outcomes through supporting infrastructure (i.e. roads and stormwater), community infrastructure, partnerships and advocacy, local government has limited direct ability to materially influence overall housing supply and affordability, which are shaped by broader market conditions and State and Federal policy settings. The most significant contribution Council can make within its control is to finalise the LPS, provide an efficient and customer-focused development assessment service, and then progress prioritised strategic planning work to create clear and timely planning pathways for housing and supporting infrastructure.
- 4.7 Council has a small development compliance function covering building, plumbing and planning. Compliance activity is undertaken to meet statutory obligations, manage risk and protect public safety. In accordance with these obligations and Councils *Enforcement Policy 4.16* Council must investigate potential non-compliance, assess risk, and take proportionate action, including issuing notices and, where necessary, orders, in accordance with legislative frameworks and procedural fairness. While important, this function is limited in scale relative to the resources directed to assessing and determining development applications. It should also be noted, that where circumstances allow, Council's approach is to work with the landowner to obtain retrospective approval for unauthorised development.
- 4.8 Council has actively participated in State strategic planning initiatives, including the Southern Tasmanian Regional Land Use Strategy, and has advocated for Kingborough's land use needs, including extension of the urban growth boundary. In parallel, Council is reviewing its statutory planning function to improve efficiency and applicant experience, with

completion planned by the end of June and a prioritised implementation plan. This review will also;

- (i) develop a practical data capture and reporting methodology focused on insights that drive improvement and distinguish between what is normal or required, what is influenced by factors outside Council's control, and where potential process or assessment issues are present or emerging; and
- (ii) support publication of periodic, high-level public data and updates that improve transparency and explain the main drivers of assessment timeframes and the performance of other planning-related functions.

4.9 Budget allocation for resourcing relating to development services is contained in Council's monthly and annual financial reports published in Council meeting agendas under the 'Building and Plumbing Services' and 'Town Planning' summaries.

4.10 For these reasons, producing the additional annual resourcing comparison report proposed by the Notice of Motion is not recommended.

## **5. FINANCE**

5.1 There are no financial implications associated with the recommendation in this report.

## **6. ENVIRONMENT**

6.1 There are no environmental implications associated with the recommendation in this report.

## **7. COMMUNICATION AND CONSULTATION**

7.1 A summary of Councils building, plumbing and planning data can be found via the LIST open data portal under in the 'Tasmanian Local Government Consolidated Data Collection' dataset. [LISTdata Open Data](#)

## **8. RISK**

8.1 There are no risks associated with the recommendation in this report.

## **9. CONCLUSION**

9.1 In summary, the activities identified in the Notice of Motion are largely part of Council's existing statutory planning functions, and preparing the proposed annual comparison report would require additional ongoing resourcing without delivering a clear operational benefit. Council's efforts are better directed to completing the Kingborough Local Provisions Schedule, maintaining an efficient development assessment service, and improving transparency through more practical and targeted reporting measures.

## **10. RECOMMENDATION**

That the response to the motion be noted and that Council continue finalising the draft LPS in accordance with the statutory process, progressing improvement initiatives for development assessment processes, and prioritising strategic planning work to commence once the LPS is finalised.

## **ATTACHMENTS**

Nil

**15.5 FINANCIAL REPORT - APRIL 2026****File Number: 10.47****Author: Anthony Lovell, Manager Finance****Authoriser: David Spinks, Director People & Finance****Strategic Plan Reference**

Key Priority Area: 5. Doing the essentials efficiently and effectively so we can build for the future.

Strategic Outcome: 5.4 Statutory and governance functions which are delivered to a high standard.

**1. PURPOSE**

1.1 To provide the April 2026 Financial Report Summary to Council for review

**2. BACKGROUND**

2.1 The attached report has been prepared based on current information with estimates and accruals being used where final information is not available as per standard accounting practice.

**3. STATUTORY REQUIREMENTS**

3.1 There are no specific requirements under the *Local Government Act 1993* regarding financial reporting, however good practice indicates a monthly financial report is required to enable adequate governance of council finances.

**4. DISCUSSION**

4.1 Operating Revenue and Expenditure

The summary Operating statement contains several variances to original budget. Both revenue and expenditure are favourable to budget for the YTD April 2026.

The following are the major variances and explanations

**REVENUE**

**YTD** Total Revenue \$2.61M positive variance to Budget, the main variances are explained:

- \$1.179M positive to Budget Grants Recurrent: unbudgeted and rollover grants as reported in prior months. Grants from State Gov in relation to cost recovery for staffing, project management and associated costs of the AFL High Performance centre. (\$1.074M). Further revisions have been made this month to the full year forecast to account for this income, in addition to matching expense lines.
- \$330K User Fees positive to Budget. Main driver gym memberships at Kingborough Sports Centre +\$265K ; further Full Year forecast adjustment made.
- \$666K Statutory Fees & Fines positive to budget, driven by an increase in planning application fees of \$566,000 over budget. A further forecast adjustment of \$200,000 has been made to now total \$480,000.
- \$236K in Other Income favourable to Budget, being driven by interest on overdue rates +\$27K, Contributions - Car Parking +\$31K, Contributions Open Space +\$23K,

\$48k Private Works Income, Community events +\$13K and \$55K Container refund scheme in Waste.

- \$197K Interest Income favourable to Budget, due to higher interest earned on Investment and Operating Accounts, as the cash rate has continued to rise.

### **EXPENSES**

- \$557K Total Expenses - underspend versus unadjusted YTD Budget to April.
- Full year forecast is for \$(924,000) unfavourable to original Budget.
- This is mostly driven by forecast \$683K over spend in Materials and Services related to the additional/rolled over grants (mentioned above), and also increases as a result of the AFL/HPC Project (in-line with the increase in Grants Revenue)
- There is Forecast \$150K overspend on Other Expenses mainly due to remissions expense, which is matching Remissions income.
- Employment YTD is showing a favourable result versus unadjusted Budget however Forecast Full Year is predicted to be \$171K unfavourable, due to AFL project spending of Grant monies, and other forecast adjustments to Employment for Planning and Parks and Reserves.

4.2 Council's cash position at the end of April amounted to \$13.4M, offset by \$10.9M in borrowings with a net position of \$2.5M.

4.3 The year-to-date detailed Capital expenditure report against Budget is attached.

## **5. FINANCE**

5.1 The year-to-date underlying result is \$3.382M favourable to budget at the end of April 2026, influenced by the above, which also includes a number of timing variances which will not see this translate into a Full Year variance of this magnitude.

5.2 However as detailed above several full year forecast variations have been outlined (\$1.287M favourable), which would see the full year deficit result achieved being \$(1.237M).

## **6. ENVIRONMENT**

6.1 There are no direct environmental issues associate with this report.

## **7. COMMUNICATION AND CONSULTATION**

7.1 The financial results for April 2026 are available for public scrutiny in the Council meeting agenda.

## **8. CONCLUSION**

8.1 The budgeted underlying deficit of \$2.524M is now forecast at \$1.237M.

## **9. RECOMMENDATION**

That Council endorses the attached Financial Report as at 30 April 2026.

## **ATTACHMENTS**

- 1. Financial Report Summary April 2026**
- 2. Capital Report April 2026**

# Kingborough



## FINANCIAL REPORT

FOR THE PERIOD

1ST JULY, 2025

TO

30TH APRIL, 2026

SUBMITTED TO COUNCIL

18TH MAY, 2026

**KINGBOROUGH COUNCIL - April 2026**

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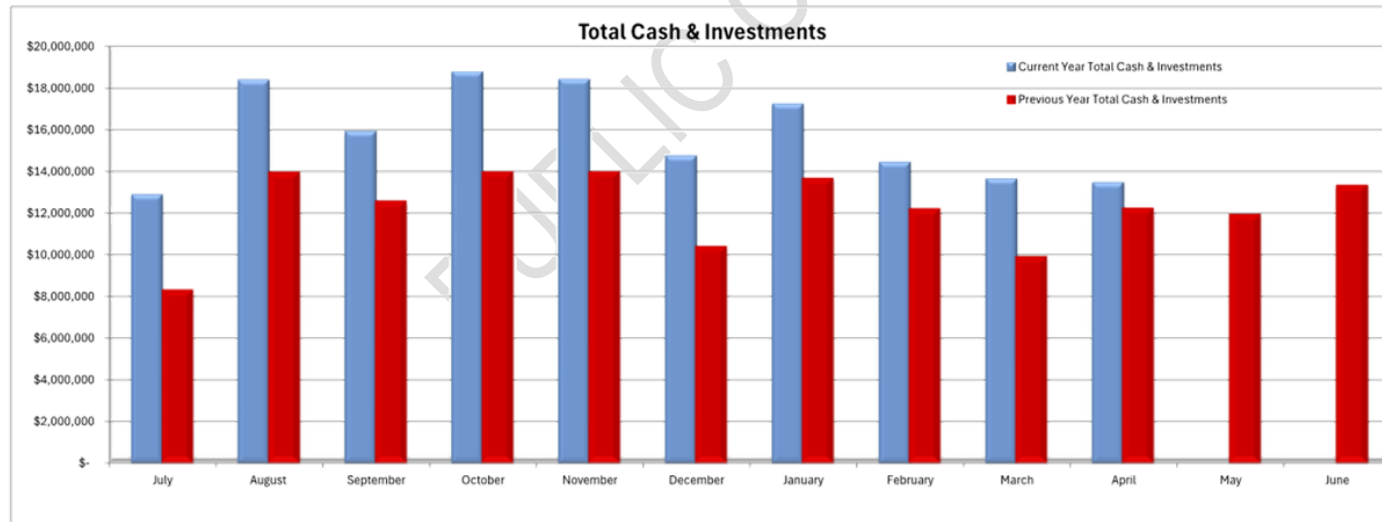
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KINGBOROUGH COUNCIL - April 2026

CASH BALANCES

Balance Type	July	August	September	October	November	December	January	February	March	April	May	June
Reserves	\$ 6,098,571	\$ 6,106,269	\$ 7,151,939	\$ 7,162,203	\$ 7,160,358	\$ 7,178,791	\$ 7,187,394	\$ 7,253,348	\$ 7,333,842	\$ 7,452,593	\$ -	\$ -
Held in Trust	\$ 1,875,177	\$ 1,875,177	\$ 1,839,670	\$ 1,820,170	\$ 1,920,170	\$ 1,920,170	\$ 1,974,895	\$ 1,589,888	\$ 1,599,876	\$ 1,486,302		
Unexpended Capital Works*	\$ 1,101,378	\$ 1,835,630	\$ 1,875,584	TBA	TBA	\$ 3,926,843	\$ 4,835,977	\$ 5,579,387	\$ 6,264,209	\$ 6,597,772		
<b>Current Year Total Committed Cash</b>	\$ 9,075,126	\$ 9,817,076	\$ 10,867,193	\$ 8,982,373	\$ 9,080,528	\$ 13,025,804	\$ 13,998,267	\$ 14,422,622	\$ 15,197,927	\$ 15,536,667	\$ -	\$ -
<b>Previous Year Total Committed Cash</b>	\$ 6,343,173	\$ 7,734,433	\$ 8,368,823	\$ 8,941,184	\$ 9,199,835	\$ 9,515,684	\$ 11,220,222	\$ 13,719,395	\$ 14,682,747	\$ 15,823,077	\$ 16,954,631	\$ 18,784,766
Uncommitted Funds	\$ 3,770,241	\$ 8,539,189	\$ 5,018,399	\$ 9,773,247	\$ 9,306,953	\$ 1,685,816	\$ 3,204,883	\$ -19,501	\$ -1,591,546	\$ -2,113,141	\$ -	\$ -
<b>Current Year Total Cash</b>	\$ 12,845,367	\$ 18,356,265	\$ 15,885,592	\$ 18,755,619	\$ 18,387,481	\$ 14,711,620	\$ 17,203,150	\$ 14,403,121	\$ 13,606,381	\$ 13,423,526	\$ -	\$ -
<b>Previous Year Total Cash</b>	\$ 8,277,781	\$ 13,944,576	\$ 12,546,242	\$ 13,959,674	\$ 13,967,891	\$ 10,363,898	\$ 13,640,312	\$ 12,172,242	\$ 9,869,835	\$ 12,205,764	\$ 11,903,341	\$ 13,304,652

\*Unexpended Capital Works excludes Kingston Park expenditure



KINGBOROUGH COUNCIL - April 2026

CASH, INVESTMENTS & BORROWINGS

CASH ACCOUNTS	Interest Rate	Maturity Date	July	August	September	October	November	December	January	February	March	April	May	June
CBA - Overdraft Account	4.20%	Ongoing	\$ 952,664	\$ 5,492,681	\$ 4,168,410	\$ 7,481,093	\$ 7,203,027	\$ 3,476,826	\$ 7,501,547	\$ 4,981,226	\$ 4,684,197	\$ 7,043,040		
CBA - Applications Account	4.20%	Ongoing	\$ 425,866	\$ 678,319	\$ 135,869	\$ 47,284	\$ 5,936	\$ 24,267	\$ 229,328	\$ 413,189	\$ 208,005	\$ 30,455		
CBA - AR Account	4.20%	Ongoing	\$ 433,497	\$ 1,114,908	\$ 445,453	\$ 72,190	\$ 4,835	\$ 17,532	\$ 259,909	\$ 777,726	\$ 2,461,790	\$ 76,144		
CBA - Business Online Saver	3.60%	Ongoing	\$ 7,427,622	\$ 7,453,016	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
<b>Total Cash</b>			<b>\$ 9,239,650</b>	<b>\$ 14,738,924</b>	<b>\$ 4,749,733</b>	<b>\$ 7,600,567</b>	<b>\$ 7,213,798</b>	<b>\$ 3,518,625</b>	<b>\$ 7,990,784</b>	<b>\$ 6,172,141</b>	<b>\$ 7,353,991</b>	<b>\$ 7,149,639</b>	<b>\$ -</b>	<b>\$ -</b>
<b>INVESTMENTS</b>														
CBA Cash Deposit Account	4.09%	03-Feb-26						\$ 1,000,000	\$ 1,000,000					
Mystate 4 TD	4.00%	02-Jan-26			\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000						
Westpac 2 TD	4.13%	03-Mar-26			\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000				
Westpac 3 TD	4.06%	01-Dec-25			\$ 1,000,000	\$ 1,000,000	\$ 1,000,000							
Tascorp HT - At Call	4.25%	Managed Trust	\$ 1,227,989	\$ 1,231,844	\$ 2,739,928	\$ 2,748,305	\$ 2,756,437	\$ 2,764,865	\$ 2,773,319	\$ 2,781,452	\$ 2,790,814	\$ 3,473,668		
Tascorp CG - 45 Day Wdl term on funds	4.10%	Managed Trust	\$ 2,377,729	\$ 2,385,497	\$ 3,395,932	\$ 3,406,748	\$ 3,417,246	\$ 3,428,129	\$ 3,439,047	\$ 3,449,528	\$ 3,461,576	\$ 2,800,219		
<b>Total Investments</b>			<b>\$ 3,605,718</b>	<b>\$ 3,617,342</b>	<b>\$ 11,135,860</b>	<b>\$ 11,155,053</b>	<b>\$ 11,173,683</b>	<b>\$ 11,192,994</b>	<b>\$ 9,212,365</b>	<b>\$ 8,230,980</b>	<b>\$ 6,252,390</b>	<b>\$ 6,273,887</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Current Year Total Cash &amp; Investments</b>			<b>\$ 12,845,367</b>	<b>\$ 18,356,265</b>	<b>\$ 15,885,592</b>	<b>\$ 18,755,619</b>	<b>\$ 18,387,481</b>	<b>\$ 14,711,620</b>	<b>\$ 17,203,150</b>	<b>\$ 14,403,121</b>	<b>\$ 13,606,381</b>	<b>\$ 13,423,526</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Previous Year Cash &amp; Investments</b>			<b>\$ 8,277,781</b>	<b>\$ 13,944,576</b>	<b>\$ 12,546,242</b>	<b>\$ 13,959,674</b>	<b>\$ 13,967,891</b>	<b>\$ 10,363,898</b>	<b>\$ 13,640,312</b>	<b>\$ 12,172,242</b>	<b>\$ 9,869,835</b>	<b>\$ 12,205,764</b>	<b>\$ 11,903,341</b>	<b>\$ 13,304,652</b>
<b>Borrowings</b>														
Tascorp	4.88%	27-Jun-27	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000		
Tascorp	5.25%	21-Jan-27	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000	\$2,100,000		
Tascorp	5.06%	19-Feb-29	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$9,422,500	\$6,422,500	\$6,422,500	\$6,422,500		
			<b>\$ 13,922,500</b>	<b>\$ 13,922,500</b>	<b>\$ 13,922,500</b>	<b>\$ 13,922,500</b>	<b>\$ 13,922,500</b>	<b>\$ 13,922,500</b>	<b>\$ 13,922,500</b>	<b>\$ 10,922,500</b>	<b>\$ 10,922,500</b>	<b>\$ 10,922,500</b>	<b>\$ -</b>	<b>\$ -</b>

**KINGBOROUGH COUNCIL - April 2026**

**RESERVES**

<b>Accounts</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>
Boronia Hill Reserve	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733	\$ 10,733		
Car Parking	\$ 56,512	\$ 56,512	\$ 56,512	\$ 66,776	\$ 66,776	\$ 66,776	\$ 66,776	\$ 77,040	\$ 77,040	\$ 77,040		
Infrastructure Replacement Reserve	\$ 2,000,000	\$ 2,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000		
Hall Equipment Replacement	\$ 76,300	\$ 76,300	\$ 76,300	\$ 76,300	\$ 76,300	\$ 76,300	\$ 76,300	\$ 76,300	\$ 76,300	\$ 76,300		
IT Equipment Replacement	\$ 330,823	\$ 330,823	\$ 330,823	\$ 330,823	\$ 330,823	\$ 330,823	\$ 330,823	\$ 330,823	\$ 330,823	\$ 330,823		
KSC Equipment Replacement	\$ 120,686	\$ 120,686	\$ 120,686	\$ 120,686	\$ 120,686	\$ 120,686	\$ 120,686	\$ 120,686	\$ 120,686	\$ 120,686		
KWS Replacement Reserve	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000		
Office Equipment Replacement	\$ 71,969	\$ 71,969	\$ 71,969	\$ 71,969	\$ 71,969	\$ 71,969	\$ 71,969	\$ 71,969	\$ 71,969	\$ 71,969		
Plant & Equipment Replacement	\$ 1,903,207	\$ 1,903,207	\$ 1,903,207	\$ 1,903,207	\$ 1,903,207	\$ 1,903,207	\$ 1,903,207	\$ 1,903,207	\$ 1,903,207	\$ 1,903,207		
Public Open Space Reserve	\$ 311,956	\$ 311,956	\$ 355,106	\$ 355,106	\$ 355,106	\$ 371,606	\$ 378,106	\$ 378,106	\$ 459,856	\$ 459,856		
Kingborough Environmental Reserve	\$ 716,386	\$ 724,084	\$ 726,604	\$ 726,604	\$ 724,759	\$ 726,692	\$ 728,795	\$ 784,485	\$ 783,230	\$ 901,980		
<b>Current Year Total Reserve</b>	<b>\$ 6,098,571</b>	<b>\$ 6,106,269</b>	<b>\$ 7,151,939</b>	<b>\$ 7,162,203</b>	<b>\$ 7,160,358</b>	<b>\$ 7,178,791</b>	<b>\$ 7,187,394</b>	<b>\$ 7,253,348</b>	<b>\$ 7,333,842</b>	<b>\$ 7,452,593</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Previous Year Total Reserve</b>	<b>\$ 3,213,968</b>	<b>\$ 3,214,557</b>	<b>\$ 3,250,054</b>	<b>\$ 3,265,371</b>	<b>\$ 3,275,427</b>	<b>\$ 3,257,630</b>	<b>\$ 3,340,947</b>	<b>\$ 4,362,437</b>	<b>\$ 4,336,388</b>	<b>\$ 4,368,138</b>	<b>\$ 4,346,819</b>	<b>\$ 6,088,548</b>

PUBLIC

KINGBOROUGH COUNCIL - April 2026 YTD

PUBLIC OPEN SPACE FUNDS

Opening Balance 01/04/2026	\$ 459,856
Closing Balance 30/04/2026	<u>\$ 459,856</u>
Public Open Space Uncommitted Balance	<u><u>\$ 459,856</u></u>

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**KINGBOROUGH COUNCIL - April 2026**

**FORECAST CHANGES TO BUDGET NOTES**

<b>RECONCILIATION OF ORIGINAL TO FORECAST BUDGET</b>	
<b>BUDGET UNDERLYING RESULT</b>	<b>(2,524,453)</b>
<b>Forecast Changes to full year FY26:</b>	
<b>Rates</b> - adjusted inline with current YTD income	(120,000)
<b>Statutory Fees &amp; Fines</b> – Planning Application Fees associated with large developments including AFL High Performance Centre & a general increase in development	480,000
<b>User Fees</b> - Increased Fitness Centre Memberships	230,000
<b>Grants Recurrent</b> - Adjustment for carried forward grant revenue, & AFL Master Plan Grant	1,163,338
<b>Reimbursements</b> - Adjusted inline with Remission expenses	130,000
<b>Other Income</b> - Adjustment for Container Refund Scheme, & Interest on Overdue Rates	118,000
<b>Interest</b> - higher interest received on investments	160,000
<b>Other Income Cash Contributions</b> Car Parking and POS Adj in Governance	50,000
<b>Employment</b>	
Salary savings Governance & Business Services due to vacancies	493,700
Offset by AFL Salaries (Grant Funded), Planning & Reserves Salaries	(665,516)
<b>Loan Interest</b> - reduced inline with principal payment	80,000
<b>Materials &amp; Services</b>	
Adjustment for Grant Expenditure	(369,338)
Planning Consulting	(161,000)
Planning Consulting LCZ	(152,000)
<b>Other Expenses</b> – Rates Remissions greater than expected & adj for AFL Grant Expenditure	(150,000)
<b>FORECAST UNDERLYING RESULT</b>	<b>(1,237,269)</b>

The Underlying Surplus/(Deficit) is the measure which is accepted as the primary local government operating result measure. It removes capital income, and other one off or non-recurring items, to derive a result (surplus or deficit) which is considered more representative of ongoing or recurring operations and thus sustainability.

**KINGBOROUGH COUNCIL - April 2026**

**Summary Operating Statement All**

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	43,609,499	43,752,969	(143,470)	43,781,269	43,661,269	(120,000)
Income Levies	2,237,706	2,224,471	13,235	2,224,471	2,224,471	0
Statutory Fees & Fines	2,155,267	1,488,600	666,667	1,874,800	2,354,800	480,000
User Fees	1,906,055	1,575,770	330,285	1,930,900	2,160,900	230,000
Grants Recurrent	2,423,676	1,243,745	1,179,931	3,394,000	4,557,338	1,163,338
Contributions - Cash	378,629	191,700	186,929	230,000	280,000	50,000
Reimbursements	1,426,128	1,285,770	140,358	1,286,000	1,416,000	130,000
Other Income	673,913	437,450	236,463	540,950	658,950	118,000
Internal Charges Income	183,330	183,300	30	220,000	220,000	0
<b>Total Income</b>	<b>54,994,203</b>	<b>52,383,775</b>	<b>2,610,428</b>	<b>55,482,390</b>	<b>57,533,728</b>	<b>2,051,338</b>
<b>Expenses</b>						
Employee Costs	17,628,868	18,263,267	634,400	21,494,389	21,666,205	(171,816)
Expenses Levies	1,668,353	1,668,353	0	2,224,471	2,224,471	0
Loan Interest	484,179	558,300	74,121	670,000	590,000	80,000
Materials and Services	12,019,121	11,971,115	(48,006)	14,007,833	14,690,171	(682,338)
Other Expenses	4,615,446	4,512,503	(102,943)	4,884,749	5,034,749	(150,000)
Internal Charges Expense	183,330	183,300	(30)	220,000	220,000	0
<b>Total Expenses</b>	<b>36,599,297</b>	<b>37,156,838</b>	<b>557,541</b>	<b>43,501,443</b>	<b>44,425,597</b>	<b>(924,154)</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>18,394,906</b>	<b>15,226,936</b>	<b>3,167,969</b>	<b>11,980,947</b>	<b>13,108,131</b>	<b>1,127,184</b>
Carrying Amount of Assets Retired	0	0	0	750,000	750,000	0
Depreciation	14,033,220	14,110,380	77,160	16,945,000	16,945,000	0
(Profit)/Loss on Disposal of Assets	(137,252)	0	137,252	(200,000)	(200,000)	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>4,498,937</b>	<b>1,116,556</b>	<b>3,382,381</b>	<b>(5,514,053)</b>	<b>(4,386,869)</b>	<b>1,127,184</b>
Interest	511,368	314,200	197,168	377,000	537,000	160,000
Dividends	1,016,400	1,016,400	0	1,601,600	1,601,600	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	200,000	200,000	0
Investment Copping	0	0	0	811,000	811,000	0
<b>NET UNDERLYING SURPLUS/(DEFICIT)</b>	<b>6,026,705</b>	<b>2,447,156</b>	<b>3,579,549</b>	<b>(2,524,453)</b>	<b>(1,237,269)</b>	<b>1,287,184</b>
<b>NON UNDERLYING SURPLUS TRANSACTIONS</b>						
Grants Capital	2,970,020	2,900,633	69,387	2,900,633	2,900,633	0
Contributions - Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	1,000,000	1,000,000	0
<b>NET SURPLUS/(DEFICIT)</b>	<b>8,996,725</b>	<b>5,347,789</b>	<b>3,648,936</b>	<b>1,376,180</b>	<b>2,663,364</b>	<b>1,287,184</b>
<b>Transfers</b>						
Transfers Income	0	0	0	0	0	0
Transfers Expense	378,629	0	(378,629)	0	0	0
<b>Net Operating Surplus/(Deficit) After Transfers:</b>	<b>8,618,096</b>	<b>5,347,789</b>	<b>3,270,307</b>	<b>1,376,180</b>	<b>2,663,364</b>	<b>1,287,184</b>

**KINGBOROUGH COUNCIL - April 2026**

**Summary Operating Statement Business Services**

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	0	0	0	0	0	0
Income Levies	0	0	0	0	0	0
Statutory Fees & Fines	260,142	229,200	30,942	275,000	275,000	0
User Fees	0	0	0	0	0	0
Grants Recurrent	0	0	0	0	0	0
Contributions - Cash	0	0	0	0	0	0
Reimbursements	0	0	0	0	0	0
Other Income	122,572	119,350	3,222	152,000	152,000	0
Internal Charges Income	125,000	125,000	0	150,000	150,000	0
<b>Total Income</b>	<b>507,714</b>	<b>473,550</b>	<b>34,164</b>	<b>577,000</b>	<b>577,000</b>	<b>0</b>
<b>Expenses</b>						
Employee Costs	2,434,107	2,539,922	105,815	3,135,746	3,062,046	73,700
Expenses Levies	0	0	0	0	0	0
Loan Interest	484,179	558,300	74,121	670,000	590,000	80,000
Materials and Services	1,182,478	1,111,227	(71,251)	1,277,664	1,277,664	0
Other Expenses	1,144,674	1,318,450	173,776	1,433,500	1,433,500	0
Internal Charges Expense	0	0	0	0	0	0
<b>Total Expenses</b>	<b>5,245,437</b>	<b>5,527,899</b>	<b>282,462</b>	<b>6,516,910</b>	<b>6,363,210</b>	<b>153,700</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(4,737,723)</b>	<b>(5,054,349)</b>	<b>316,626</b>	<b>(5,939,910)</b>	<b>(5,786,210)</b>	<b>153,700</b>
Depreciation	111,117	144,070	32,953	173,000	173,000	0
Loss/(Profit) on Disposal of Assets	0	0	0	0	0	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(4,848,840)</b>	<b>(5,198,419)</b>	<b>349,579</b>	<b>(6,112,910)</b>	<b>(5,959,210)</b>	<b>153,700</b>
Interest	511,368	314,200	197,168	377,000	537,000	160,000
Dividends	0	0	0	0	0	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	0	0	0
Investment Copping	0	0	0	0	0	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>(4,337,473)</b>	<b>(4,884,219)</b>	<b>546,746</b>	<b>(5,735,910)</b>	<b>(5,422,210)</b>	<b>313,700</b>
Grants Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	0	0	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>(4,337,473)</b>	<b>(4,884,219)</b>	<b>546,746</b>	<b>(5,735,910)</b>	<b>(5,422,210)</b>	<b>313,700</b>

**KINGBOROUGH COUNCIL - April 2026**

**Summary Operating Statement Governance**

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	35,050,476	35,196,096	(145,620)	35,224,396	35,104,396	(120,000)
Income Levies	2,237,706	2,224,471	13,235	2,224,471	2,224,471	0
Statutory Fees & Fines	0	0	0	0	0	0
User Fees	87,833	87,800	33	105,400	105,400	0
Grants Recurrent	1,243,745	1,243,745	0	3,394,000	3,483,338	89,338
Contributions - Cash	178,692	125,000	53,692	150,000	200,000	50,000
Reimbursements	1,426,128	1,285,770	140,358	1,286,000	1,416,000	130,000
Other Income	118,024	90,800	27,224	121,000	139,000	18,000
Internal Charges Income	0	0	0	0	0	0
<b>Total Income</b>	<b>40,342,604</b>	<b>40,253,682</b>	<b>88,922</b>	<b>42,505,267</b>	<b>42,672,605</b>	<b>167,338</b>
<b>Expenses</b>						
Employee Costs	424,259	886,173	461,914	1,093,492	673,492	420,000
Expenses Levies	1,668,353	1,668,353	0	2,224,471	2,224,471	0
Loan Interest	0	0	0	0	0	0
Materials and Services	182,520	184,300	1,780	216,800	306,138	(89,338)
Other Expenses	2,665,085	2,494,689	(170,396)	2,619,005	2,749,005	(130,000)
Internal Charges Expense	0	0	0	0	0	0
<b>Total Expenses</b>	<b>4,940,218</b>	<b>5,233,515</b>	<b>293,297</b>	<b>6,153,768</b>	<b>5,953,106</b>	<b>200,662</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>35,402,386</b>	<b>35,020,166</b>	<b>382,219</b>	<b>36,351,499</b>	<b>36,719,499</b>	<b>368,000</b>
Carrying Amount of Assets Retired	0	0	0	750,000	750,000	0
Depreciation	914	800	(114)	1,000	1,000	0
Loss/(Profit) on Disposal of Assets	(137,252)	0	137,252	(200,000)	(200,000)	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>35,538,723</b>	<b>35,019,366</b>	<b>519,357</b>	<b>35,800,499</b>	<b>36,168,499</b>	<b>368,000</b>
Interest	0	0	0	0	0	0
Dividends	1,016,400	1,016,400	0	1,601,600	1,601,600	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	200,000	200,000	0
Investment Copping	0	0	0	811,000	811,000	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>36,555,123</b>	<b>36,035,766</b>	<b>519,357</b>	<b>38,413,099</b>	<b>38,781,099</b>	<b>368,000</b>
Grants Capital	2,970,020	2,900,633	69,387	2,900,633	2,900,633	0
Contributions - Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	1,000,000	1,000,000	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>39,525,143</b>	<b>38,936,399</b>	<b>588,744</b>	<b>42,313,732</b>	<b>42,681,732</b>	<b>368,000</b>
<b>Transfers</b>						
Transfers Income	0	0	0	0	0	0
Transfers Expense	178,692	0	(178,692)	0	0	0
<b>Net Operating Surplus/(Deficit) After Transfers:</b>	<b>39,346,451</b>	<b>38,936,399</b>	<b>410,052</b>	<b>42,313,732</b>	<b>42,681,732</b>	<b>368,000</b>

**KINGBOROUGH COUNCIL - April 2026**

**Summary Operating Statement Governance & Property Services**

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	0	0	0	0	0	0
Income Levies	0	0	0	0	0	0
Statutory Fees & Fines	322,009	304,200	17,809	453,500	453,500	0
User Fees	1,622,132	1,329,570	292,562	1,635,500	1,865,500	230,000
Grants Recurrent	0	0	0	0	0	0
Contributions - Cash	0	0	0	0	0	0
Reimbursements	0	0	0	0	0	0
Other Income	88,561	82,400	6,161	99,000	99,000	0
Internal Charges Income	0	0	0	0	0	0
<b>Total Income</b>	<b>2,032,703</b>	<b>1,716,170</b>	<b>316,533</b>	<b>2,188,000</b>	<b>2,418,000</b>	<b>230,000</b>
<b>Expenses</b>						
Employee Costs	3,629,763	3,742,740	112,977	4,611,274	4,611,274	0
Expenses Levies	0	0	0	0	0	0
Loan Interest	0	0	0	0	0	0
Materials and Services	1,417,390	1,604,905	187,515	1,839,256	1,839,256	0
Other Expenses	223,283	179,340	(43,943)	213,400	213,400	0
Internal Charges Expense	0	0	0	0	0	0
<b>Total Expenses</b>	<b>5,270,436</b>	<b>5,526,985</b>	<b>256,549</b>	<b>6,663,930</b>	<b>6,663,930</b>	<b>0</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(3,237,734)</b>	<b>(3,810,815)</b>	<b>573,081</b>	<b>(4,475,930)</b>	<b>(4,245,930)</b>	<b>230,000</b>
Depreciation	1,517,049	1,467,470	(49,579)	1,762,000	1,762,000	0
Loss/(Profit) on Disposal of Assets	0	0	0	0	0	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(4,754,783)</b>	<b>(5,278,285)</b>	<b>523,502</b>	<b>(6,237,930)</b>	<b>(6,007,930)</b>	<b>230,000</b>
Interest	0	0	0	0	0	0
Dividends	0	0	0	0	0	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	0	0	0
Investment Copping	0	0	0	0	0	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>(4,754,783)</b>	<b>(5,278,285)</b>	<b>523,502</b>	<b>(6,237,930)</b>	<b>(6,007,930)</b>	<b>230,000</b>
Grants Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	0	0	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>(4,754,783)</b>	<b>(5,278,285)</b>	<b>523,502</b>	<b>(6,237,930)</b>	<b>(6,007,930)</b>	<b>230,000</b>
<b>Transfers</b>						

**KINGBOROUGH COUNCIL - April 2026**

**Summary Operating Statement Environment, Development & Community Services**

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	0	0	0	0	0	0
Income Levies	0	0	0	0	0	0
Statutory Fees & Fines	1,573,115	955,200	617,915	1,146,300	1,626,300	480,000
User Fees	92,648	77,600	15,048	93,000	93,000	0
Grants Recurrent	105,924	0	105,924	0	0	0
Contributions - Cash	199,937	66,700	133,237	80,000	80,000	0
Reimbursements	0	0	0	0	0	0
Other Income	62,630	51,000	11,630	58,300	58,300	0
Internal Charges Income	0	0	0	0	0	0
<b>Total Income</b>	<b>2,034,254</b>	<b>1,150,500</b>	<b>883,754</b>	<b>1,377,600</b>	<b>1,857,600</b>	<b>480,000</b>
<b>Expenses</b>						
Employee Costs	5,363,614	5,524,673	161,059	6,835,317	6,870,170	(34,853)
Expenses Levies	0	0	0	0	0	0
Loan Interest	0	0	0	0	0	0
Materials and Services	1,045,015	1,058,200	13,185	1,254,980	1,567,980	(313,000)
Other Expenses	301,409	256,000	(45,409)	302,400	302,400	0
Internal Charges Expense	0	0	0	0	0	0
<b>Total Expenses</b>	<b>6,710,037</b>	<b>6,838,873</b>	<b>128,836</b>	<b>8,392,697</b>	<b>8,740,550</b>	<b>(347,853)</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(4,675,783)</b>	<b>(5,688,373)</b>	<b>1,012,590</b>	<b>(7,015,097)</b>	<b>(6,882,950)</b>	<b>132,147</b>
Depreciation	204,217	190,680	(13,537)	232,000	232,000	0
Loss/(Profit) on Disposal of Assets	0	0	0	0	0	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(4,880,000)</b>	<b>(5,879,053)</b>	<b>999,053</b>	<b>(7,247,097)</b>	<b>(7,114,950)</b>	<b>132,147</b>
Interest	0	0	0	0	0	0
Dividends	0	0	0	0	0	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	0	0	0
Investment Copping	0	0	0	0	0	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>(4,880,000)</b>	<b>(5,879,053)</b>	<b>999,053</b>	<b>(7,247,097)</b>	<b>(7,114,950)</b>	<b>132,147</b>
Grants Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	0	0	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>(4,880,000)</b>	<b>(5,879,053)</b>	<b>999,053</b>	<b>(7,247,097)</b>	<b>(7,114,950)</b>	<b>132,147</b>

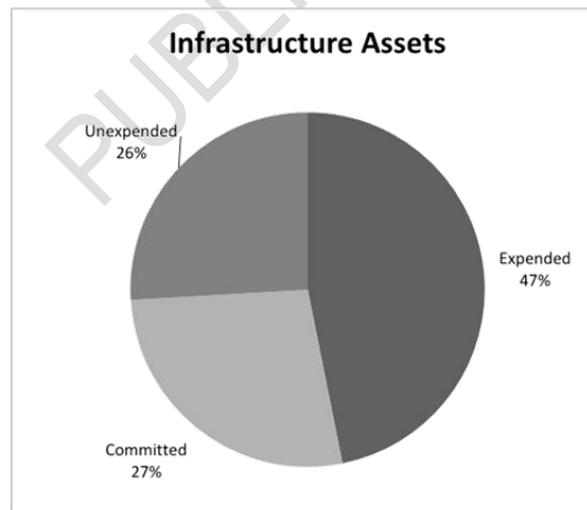
**KINGBOROUGH COUNCIL - April 2026**

**Summary Operating Statement Infrastructure Services**

	YTD Actuals	YTD Budget	YTD Variance	Annual Budget	Forecast Budget	Forecast Variance
<b>Income</b>						
Rates	8,559,023	8,556,873	2,150	8,556,873	8,556,873	0
Income Levies	0	0	0	0	0	0
Statutory Fees & Fines	0	0	0	0	0	0
User Fees	103,442	80,800	22,642	97,000	97,000	0
Grants Recurrent	1,074,007	0	1,074,007	0	1,074,000	1,074,000
Contributions - Cash	0	0	0	0	0	0
Reimbursements	0	0	0	0	0	0
Other Income	282,125	93,900	188,225	110,650	210,650	100,000
Internal Charges Income	58,330	58,300	30	70,000	70,000	0
<b>Total Income</b>	<b>10,076,927</b>	<b>8,789,873</b>	<b>1,287,054</b>	<b>8,834,523</b>	<b>10,008,523</b>	<b>1,174,000</b>
<b>Expenses</b>						
Employee Costs	5,777,125	5,569,759	(207,365)	5,818,561	6,449,224	(630,663)
Expenses Levies	0	0	0	0	0	0
Loan Interest	0	0	0	0	0	0
Materials and Services	8,191,718	8,012,483	(179,236)	9,419,133	9,993,133	(574,000)
Other Expenses	280,995	264,024	(16,971)	316,444	336,444	(20,000)
Internal Charges Expense	183,330	183,300	(30)	220,000	220,000	0
<b>Total Expenses</b>	<b>14,433,168</b>	<b>14,029,566</b>	<b>(403,602)</b>	<b>15,774,138</b>	<b>16,998,801</b>	<b>(1,224,663)</b>
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(4,356,241)</b>	<b>(5,239,693)</b>	<b>883,452</b>	<b>(6,939,615)</b>	<b>(6,990,278)</b>	<b>(50,663)</b>
Depreciation	12,199,923	12,307,360	107,437	14,777,000	14,777,000	0
Loss/(Profit) on Disposal of Assets	0	0	0	0	0	0
<b>Net Operating Surplus/(Deficit) before:</b>	<b>(16,556,164)</b>	<b>(17,547,053)</b>	<b>990,889</b>	<b>(21,716,615)</b>	<b>(21,767,278)</b>	<b>(50,663)</b>
Interest	0	0	0	0	0	0
Dividends	0	0	0	0	0	0
Share of Profits/(Losses) of Invest. In Assoc	0	0	0	0	0	0
Investment Copping	0	0	0	0	0	0
<b>NET OPERATING SURPLUS/(DEFICIT)</b>	<b>(16,556,164)</b>	<b>(17,547,053)</b>	<b>990,889</b>	<b>(21,716,615)</b>	<b>(21,767,278)</b>	<b>(50,663)</b>
Grants Capital	0	0	0	0	0	0
Contributions - Non Monetary Assets	0	0	0	0	0	0
Initial Recognition of Infrastructure Assets	0	0	0	0	0	0
<b>NET SUPRPLUS/(DEFICIT)</b>	<b>(16,556,164)</b>	<b>(17,547,053)</b>	<b>990,889</b>	<b>(21,716,615)</b>	<b>(21,767,278)</b>	<b>(50,663)</b>

**KINGBOROUGH COUNCIL  
CAPITAL EXPENDITURE TO 30/04/2026**

	Budget				Actual			Remaining	
	Carry Forward	Annual Budget	Grants/ Council	IMG Adjustments	Total	Actual	Commitments		Total
<b>EXPENDITURE BY ASSET TYPE</b>									
Roads	-	7,628,392	2,832,541	(25,000)	10,435,933	4,202,019	3,341,152	7,543,171	2,892,762
Stormwater	-	2,648,045	23,000	(150,676)	2,520,369	1,188,620	804,679	1,993,299	527,070
Property	253,767	3,857,823	290,000	288,170	4,689,760	2,418,503	683,246	3,101,749	1,588,011
Other	-	439,525	-	(8,062)	431,463	657,689	93,578	751,267	(319,804)
Sub total	253,767	14,573,785	3,145,541	104,432	18,077,525	8,466,832	4,922,655	13,389,487	4,688,038
Kingston Park	(2,000,535)	-	-	-	(2,000,535)	31,818	-	31,818	(2,032,353)
City Deal Funding	(1,816,378)	-	-	-	(1,816,378)	104,029	-	104,029	(1,920,406)
Summerleas Underpass	(284,508)	-	-	-	(284,508)	5,193	-	5,193	(289,701)
LRCI 4	-	1,284,420	375,978	-	1,660,398	1,351,455	66,801	1,418,256	242,142
<b>Grand Total</b>	<b>(3,847,654)</b>	<b>15,858,205</b>	<b>3,521,519</b>	<b>104,432</b>	<b>15,636,502</b>	<b>9,959,327</b>	<b>4,989,456</b>	<b>14,948,783</b>	<b>687,719</b>



**KINGBOROUGH COUNCIL  
CAPITAL EXPENDITURE TO 30/04/2026**

Closed?	Capital Project No.	Description	Department	Renewal, Upgrade, or New	Budget					Actual			Remaining		
					Carry Forward	Annual Budget	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments		Total	
<b>1 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE</b>															
2	G10095	Total Grant \$939,947 - payable 2024/25 \$563,969 and 2025/26 \$375,978													
3	No C03775	KB & Osborne Esp Foreshore Rehab - footpath, pedestrian ramps, etc		New		1,171,951	375,978	-	-	1,547,929	1,251,109	66,801	1,317,910	230,019	
4	No C03776	Kingston Beach LATM - Stage 2 Beach Rd		New		112,469		-	-	112,469	100,346	-	100,346	12,123	
5	No C03777	KB & Osborne Esp Foreshore Rehab - Kerb extensions		New				-	-						
6															
7		<b>TOTAL LOCAL ROADS AND COMMUNITY INFRASTRUCTURE</b>				-	1,284,420	375,978	-	-	1,660,398	1,351,455	66,801	1,418,256	242,142
8															
<b>9 PROPERTY AND RESERVES</b>															
10	No C03423	Kingston Beach Foreshore Rehabilitation	Reserves	Renewal				-	-						
11	No C03455	Alamo Close Play Space and Parkland Works (POS)	Property	Upgrade	156,936			47		156,983	1,185		1,185	155,798	
12	No C03546	Civic Centre HVAC System Upgrade, Design & Install	Property	New		124,657			21,982	146,639	51,168	99,109	150,277	(3,638)	
13	No C03314	Silverwater Park Upgrade	Property	Upgrade		334,501	115,000			449,501	349,468	147,398	496,866	(47,365)	
14	No C03610	Mt Royal Park Upgrade (POS)	Property	Upgrade	25,639					25,639	60,583		60,583	(34,944)	
15	No C03622	Barretta Transfer Station Vehicle Storage Shed	Property	New		300,000				300,000	122,077	159,859	281,936	18,064	
16	No C03632	North West Bay River Trail - Stage 2	Reserves	New		134,407				134,407	141,585		141,585	(7,178)	
17	Yes C03639	Kingston Wetlands Access Upgrade (POS)	Reserves	30% R / 70% U	71,192					71,192				71,192	
18	No C03640	Sherburd Oval Cricket Net Replacement	Reserves	Renewal		95,975			45,558	141,533	116,923	25,682	142,605	(1,072)	
19	Yes C03712	Silverwater Park Toilet Replacement	Property	Renewal		33,000		1,385		34,385	29,077		29,077	5,308	
20	No C03713	KSC Main Stadium Fire Detection System Replacement	Property	Renewal		180,000				180,000	63,115	76,855	139,970	40,030	
21	No C03719	Sherberd Park Clubrooms Upgrade	Property	New		454,701				454,701	28,485	10,195	38,680	416,021	
22	No C03726	Works Depot Main Gate No 2 Replacement	Reserves	New		20,700			7,130	27,830		17,100	17,100	10,730	
23	Yes C03729	Adventure Bay Cemetery Columbarium Wall	Reserves	Renewal		7,420		501		7,921	10,525		10,525	(2,604)	
24	No C03780	Taroona Foreshore path Retaining Structure (vic Nubee	Reserves	Upgrade		50,000				50,000				50,000	
25	No C03784	Kelvedon Park Ground Lighting	Reserves	Upgrade		230,592	15,000			245,592	255,460		255,460	(9,868)	
26	No C03789	Dru Point Basketball Court	Reserves	New		150,000				150,000	143,411		143,411	6,589	
27	Yes C03733	Alonah Playground Renewal	Playgrounds	Renewal		35,743		1,714		37,457	35,994		35,994	1,463	
28	Yes C03735	Dru Point Timber Play Ship	Playgrounds	Renewal		75,741		2,861		78,602	60,089		60,089	18,513	
29	No C03769	Old Station Rd to Davies Rd Shared Path	Reserves	New		222,493				222,493	202,261		202,261	20,232	
30	Yes C03783	Re-Ashphalting Dennes Point Tennis Court	Property	Renewal		50,000		2,498		52,498	52,460		52,460	38	
31	No C03785	Margate Hall Disability Access Ramp	Property	New		28,649			25,500	54,149	4,623		4,623	49,526	
32	No C03786	Blackmans Bay Hall Disability Toilet	Property	New		146,540				146,540	11,133		11,133	135,407	
33	No C03787	Kettering Hall Disability Toilet	Property	New		148,480				148,480	9,811		9,811	138,669	
34	No C03788	Kingston Beach Disability Toilet	Property	New		88,000				88,000				88,000	
35	Yes C03790	Alonah Hall Emergency Equipment (G10102)	Property	New		7,493		610		8,103	11,777		11,777	(3,674)	
36	Yes C03791	Middleton Hall Emergency Equipment (G10103)	Property	New		5,231		393		5,624	8,260		8,260	(2,636)	
37	No C25001	KSC Storage Area Concrete Floor Slab	Property	New		20,000				20,000	23,941		23,941	(3,941)	
38	No C25002	Adventure Bay Community Hall Septic System Upgrade	Property	Upgrade		120,000			(40,000)	80,000	41,933		41,933	38,067	
39	No C25003	Woodbridge Community Hall Toilet Demolition	Property	Renewal		90,000				90,000	34,625		34,625	55,375	
40	No C25004	Kingston Hub Door Replacement	Property	Renewal		25,000				25,000	7,839		7,839	17,161	
41	No C25005	Margate Oval Changeroom Upgrade - Design Only	Property	Upgrade		36,000				36,000				36,000	
42	No C25007	Cottage Road Track Upgrade	Reserves	Upgrade		46,500				46,500	53,200		53,200	(6,700)	
43	No C25008	Blackmans Bay Foreshore Shelter Replacement	Reserves	Renewal		103,000				103,000				103,000	
44	No C25009	Tracks & Trails Signage Upgrades	Reserves	Upgrade		30,000				30,000	7,880		7,880	22,120	
45	No C25010	Hollyhock Dr to Whitewater Creek Connector Track - De	Reserves	New		15,000				15,000	4,297		4,297	10,703	
46	No C25011	Snug Foreshore Beach Access - Design Only	Reserves	New		20,000				20,000	10,058	9,155	19,213	787	
47	No C25012	Blackmans Bay Community Hall Walkway Lighting	Reserves	New		36,000				36,000	15,687		15,687	20,313	
48	No C25013	POS Picnic Table / Bench Seat Replacement	Reserves	Renewal		60,000				60,000	14,910	13,240	28,150	31,850	
49	No C25014	Spring Farm Playground Shade Shelter (POS)	Reserves	New			20,000			20,000	23,883		23,883	(3,883)	
50	No C25039	Longley Reserve Carpark Upgrade (POS)	Reserves	Upgrade			20,000			20,000	5,277		5,277	14,723	
51	No C25040	Mills Reef Reserve Alonah Rehabilitation	Reserves	Renewal		165,000				165,000	474		474	164,526	

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Closed?	Capital Project No.	Description	Department	Renewal, Upgrade, or New	Budget					Actual			Remaining			
					Carry Forward	Annual Budget	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments		Total		
52	No	C03793	Electric Vehicle Charging Station (G10115)	Property	New		100,000		-	-	100,000	52,465	50,000	102,465	(2,465)	
53	No	C25044	Glensyn Unit 3 Refurbishment	Property	New		-		-	68,000	68,000	77,407	71,853	149,260	(81,260)	
54	No	C25046	Lightwood Park Access Link (Carpark to NewPavilion)	Property	New		67,000		-	-	67,000	99,359	2,800	102,159	(35,159)	
55	Yes	C25047	KSC Basketball Hoops & Winch Systems (Crt 3 & 4)	Property	New		-	120,000	8,371	60,000	188,371	175,798	-	175,798	12,573	
56	No	C25048	Glensyn Unit 2 Refurb Bruny	Property	New		-	-	-	70,000	70,000	-	-	-	70,000	
57	No	C25051	Tinderbox Foreshore - Toilet Upgrade	Property	Upgrade		-	-	-	30,000	30,000	-	-	-	30,000	
58																
59			<b>TOTAL PROPERTY AND RESERVES</b>				253,767	3,857,823	290,000	18,380	288,170	4,708,140	2,418,503	683,246	3,101,749	1,606,391
60																
61			<b>IT</b>													
62	No	C03130	Multi-function devices - CC, Depot, KSC etc	IT	Renewal		-	-	-	-	-	-	-	-	-	
63	No	C00613	Purchase IT Equipment	IT	New		-	-	-	-	-	422,357	19,881	442,238	(442,238)	
64	No	C03794	AV system for Council Chambers	IT	Renewal		179,525	-	-	-	179,525	178,492	-	178,492	1,033	
65	No	C25036	Dynamics NAV implementation (finance system to Clou	IT	Upgrade		90,000	-	-	-	90,000	45,000	45,000	90,000	-	
66	No	C25037	Website transformation	IT	Upgrade		150,000	-	-	-	150,000	11,840	17,760	29,600	120,400	
67	Yes	C25038	Website booking system implementation	IT	New		20,000	-	-	(20,000)	-	-	-	-	-	
68	No	C25050	Survey/Engineering Neo (Listech) Software	IT	New		-	-	-	11,938	11,938	-	10,938	10,938	1,000	
69																
70			<b>TOTAL IT</b>				-	439,525	-	-	(8,062)	431,463	657,689	93,578	751,267	(319,804)
71																
72			<b>DESIGN/SURVEY FOR FUTURE WORKS</b>													
73	Yes	C90003	Design/survey for future works	Design	Renewal		150,000	-	-	(35,000)	115,000	-	-	-	115,000	
74	Yes	C03537	Recreation Street Carpark Rehabilitation	Design	Renewal		-	-	-	-	-	-	-	-	-	
75	No	C03645	Belhaven Avenue (vic.2-16) Design	Design	Renewal		-	-	-	-	-	71,180	8,280	79,460	(79,460)	
76	No	C03642	Taroona Bowls & Tennis Club Carpark - Design	Reserves	Renewal		-	-	-	-	-	-	-	-	-	
77	No	C03571	Auburn Road Reconstruction	Roads	80% R / 20% U		-	-	-	-	-	87	-	87	(87)	
78																
79			<b>TOTAL DESIGN/SURVEY FOR FUTURE WORKS</b>				-	150,000	-	-	(35,000)	115,000	71,267	8,280	79,547	35,453
80																
81			<b>ROADS</b>													
82	No	C03499	Wyburton Place and Clare Street Reconstruction	Roads	20% R / 80% U		-	571,752	-	-	571,752	18,005	1,205,644	1,223,650	(651,898)	
83	No	C03508	Pelverata Road Slope Failure Repair	Roads	New		220,999	-	-	-	220,999	318,566	-	318,566	(97,567)	
84	No	C03541	Browns River Pedestrian Bridge Replacement	Roads	Renewal		13,238	-	-	-	13,238	-	-	-	13,238	
85	No	C03572	Browns Road Stg2 (vic1-19) Reconstruction	Roads	80% R / 20% U		1,736,953	296,301	-	-	2,033,254	352,403	1,668,020	2,020,424	12,831	
86	No	C03574	Taroona Bike Lanes Upgrade	Roads	New		543,144	-	-	-	543,144	9,315	-	9,315	533,829	
87	No	C03577	Kingston Beach Precinct LATM - Stage 1	Roads	Upgrade		266,246	-	-	-	266,246	156,909	45,722	202,631	63,615	
88	No	C03644	Crescent Drive shared path	Roads	50% R / 50% N		3,832	-	-	-	3,832	1,985	-	1,985	1,847	
89	No	C03342	Pelverata Road (vic 609) Rehabilitation	Roads	Upgrade		740,000	-	-	-	740,000	709,634	26,393	736,027	3,973	
90	No	C03646	Margate Main Street Master Plan	Roads	80% R / 20% U		7,673	-	-	-	7,673	993	-	993	6,680	
91	Yes	C03655	Maranoa Road - Denison Street Black Spot Project (Grar	Roads	Upgrade		-	120,000	2,352	-	122,352	49,400	-	49,400	72,952	
92	No	C03664	Channel Hwy (Vic2216-2236) Snug Footpath	Footpaths	New		242,285	137,500	-	-	379,785	308,305	-	308,305	71,480	
93	No	C03665	Channel Hwy (vic157-197) Kingston Footpath	Footpaths	New		10,000	-	-	-	10,000	95	-	95	9,905	
94	No	C03672	North West Bay Bridge Replacement - Design Only	Bridges	Renewal		14,360	-	-	-	14,360	-	-	-	14,360	
95	No	C03737	Stewart Crescent Reconstruction	Roads	60% R / 40% N		18,157	-	-	-	18,157	48,705	-	48,705	(30,548)	
96	No	C03738	Wells Parade (Illawarra-Suncoast) Reconstruction	Roads	Renewal		11,240	-	-	-	11,240	25,768	-	25,768	(14,528)	
97	No	C03591	Davies Road Rehabilitation	Roads	Renewal		599,577	-	-	-	599,577	430,771	73,388	504,160	95,417	
98	Yes	C03706	Simpson Bay Boat Ramp	Design	New		95,400	-	-	-	95,400	82,221	-	82,221	13,179	
99	Yes	C03739	Snug Tiers Road (vic166) Bridge Approach Sealing	Roads	Renewal		23,000	-	1,233	-	24,233	25,886	-	25,886	(1,653)	
100	Yes	C03740	Rowleys Road (vic21) Bridge Approach Sealing	Roads	Upgrade		20,500	-	1,249	-	21,749	26,227	-	26,227	(4,478)	
101	No	C03741	Church St/Beach Rd Junction Signalisation	Roads	Upgrade		249,627	500,000	-	-	749,627	727	-	727	748,900	
102	No	C03758	Algoona Road Shared Path feasibility Study	Roads	New		51,510	-	-	-	51,510	4,676	20,930	25,606	25,904	
103	No	C03773	Whitewater Creek Path (KFC-Underpass) Upgrade	Roads	New		264,743	-	-	-	264,743	241,809	14,051	255,860	8,883	

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Closed?	Capital Project No.	Description	Department	Renewal, Upgrade, or New	Budget					Actual			Remaining			
					Carry Forward	Annual Budget	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments		Total		
104	No	C03761	Barretta Re-Use Yard Upgrade	Roads	Upgrade		218,799		-	-	218,799	-	-	-	218,799	
105	No	C03774	Sandfly Road Sealed Shoulders	Roads	Upgrade		78,394	400,000	-	-	478,394	353,995	20,588	374,582	103,812	
106	No	C25016	Tyndall Road (Christopher Johnson Pk) Slip Failure	Roads	New		90,000		-	-	90,000	21,855	16,442	38,297	51,703	
107	No	C25022	Burwood Drive (vic69-130) Footpath - Design Only	Roads	New		25,000		-	-	25,000	11,749	-	11,749	13,251	
108	No	C25023	Esplanade (vic2-4) Snug Footpath	Roads	New		96,000		-	-	96,000	26,723	9,550	36,273	59,727	
109	No	C25024	Sirius Dr to Park & Ride Footpath - Design Only	Roads	New		25,000		-	-	25,000	11,900	-	11,900	13,100	
110	No	C25025	Hutchins Street (vic8-10) Footpath Upgrade	Roads	Upgrade		165,500		-	-	165,500	13,743	95,375	109,118	56,382	
111	No	C25026	Tinderbox Jetty Dive Platform	Roads	New		40,000		-	-	40,000	663	4,000	4,663	35,337	
112	Yes	C03795	Barnes Bay Jetty Light and Safety Ladder	Roads	80% R / 20% N		-	10,441	522	-	10,963	10,963	-	10,963	0	
113																
114	Yes	C90006	Access ramps	Roads	New		-		-	-	-	-	-	-	-	
115	No	C03736	Redwood Road/Lewan Avenue Access Ramps	Roads	New		13,321		-	-	13,321	12,384	-	12,384	937	
116	No	C25015	Dollery Dr / Jantina Pl / Corina Pl Access Ramps	Roads	New		24,000		-	-	24,000	22,491	6,710	29,201	(5,201)	
117																
118	Yes	C90002	2025/26 Resheeting Program	Roads	Renewal		-		-	-	-	-	-	-	-	
119	No	C25018	Summerleas Rd (vic429-799) Resheet	Roads	Renewal		326,000		-	-	326,000	196,663	6,100	202,763	123,237	
120	No	C25019	Betts Road (vic20-126) Resheet	Roads	Renewal		106,000		-	-	106,000	69,748	23,590	93,339	12,661	
121	No	C25020	Talbots Road (vic9-147) Resheet	Roads	Renewal		139,000		-	-	139,000	45,564	26,100	71,664	67,336	
122	No	C25021	Resolution Road Resheet	Roads	Renewal		234,000		-	-	234,000	115,114	70,108	185,222	48,778	
123																
124			2025/26 Resealing Program	Roads	Renewal		-		-	-	-	-	-	-	-	
125	No	C03700	Hackford Drive (vic15-61) Spray Seal	Roads	Renewal		93,011		-	-	93,011	56,427	160	56,587	36,424	
126	Yes	C03747	Fergusson Avenue (vic24-52) Spray Seal	Roads	Renewal		32,303		1,345	-	33,648	28,247	-	28,247	5,401	
127	Yes	C03748	Brook Lane (vic6-16) Spray Seal	Roads	Renewal		26,345		751	-	27,096	15,766	-	15,766	11,330	
128	Yes	C03749	Dayspring Drive (vic15-19) Spray Seal	Roads	Renewal		3,000		129	-	3,129	2,713	-	2,713	416	
129	Yes	C03703	Manuka Road (vic110-122) Spray Seal	Roads	Renewal		11,244		1,351	-	12,595	28,378	-	28,378	(15,783)	
130	Yes	C03751	Bruchs Road (vic38) Spray Seal	Roads	Renewal		221		433	-	654	4,073	-	4,073	(3,419)	
131	Yes	C03752	Corbys Road (vic4) Spray Seal	Roads	Renewal		7,807		890	-	8,697	16,394	-	16,394	(7,697)	
132	Yes	C03753	Rada Road (vic5-15) Spray Seal	Roads	Renewal		20,798		869	-	21,667	18,254	-	18,254	3,413	
133	Yes	C03702	Pelverata Road (vic239-379) Spray Seal	Roads	Renewal		96,682		3,441	-	100,123	72,262	-	72,262	27,861	
134	No	C03701	Adventure Bay Road reseal	Roads	Renewal		91,988		-	-	91,988	122,269	-	122,269	(30,281)	
135	No	C25017	Old Station Rd (vic75-101) Reseal	Roads	Renewal		50,000		-	-	50,000	36,221	-	36,221	13,779	
136	No	C25042	Adventure Bay Footpath	Roads	Upgrade		-	250,000	-	5,000	255,000	3,791	-	3,791	251,210	
137	No	C25043	Huon Road Safety Improvements	Roads	Upgrade		-	180,000	-	5,000	185,000	-	-	-	185,000	
138				Roads	Renewal				-	-	-	-	-	-	-	
139	Yes	C90001	Prep works 2025/26	Roads	Renewal		216,940		-	-	216,940	-	-	-	216,940	
140																
141	Yes	C90018	Grant Funding Shortfall - Council Allocation	Roads	Renewal		114,555		-	-	114,555	-	-	-	114,555	
142	Yes	C90019	Grant Balance - To be Allocated	Roads	Renewal			366,547	-	-	366,547	-	-	-	366,547	
143																
144			<b>TOTAL ROADS</b>				-	7,478,392	2,832,541	14,565	10,000	10,335,498	4,130,752	3,332,872	7,463,624	2,871,874
145																
146			<b>STORMWATER</b>													
147	No	C03242	Leslie Road Stormwater Upgrade	Stormwater	New		65,767		-	-	65,767	575	-	575	65,192	
148	Yes	C03447	Woodlands-View-Hazell Catchment Invest incl Survey	Stormwater	50% R / 50% N		5,000		-	(5,000)	-	-	-	-	-	
149	Yes	C03583	Roslyn Ave / James Ave Stormwater Investigation	Stormwater	50% R / 50% N		5,000		-	(5,000)	-	-	-	-	-	
150	Yes	C03252	Willowbend Catchment Investigation	Stormwater	50% R / 50% N		3,268		-	(3,268)	-	-	-	-	-	
151	Yes	C03444	Roslyn, Pearsall & Wells Catchment Investigation	Stormwater	50% R / 50% N		5,000		-	(5,000)	-	-	-	-	-	
152	No	C03544	Illawong to Hinsby Stormwater Upgrade	Stormwater	Upgrade		435,155		-	-	435,155	403,655	15,182	418,836	16,319	
153	No	C03675	KSC Stormwater Strategy - Design Only	Stormwater	50% R / 50% N		-		-	46,000	46,000	66,645	-	66,645	(20,645)	
154	No	C03678	Campbell Street SW Upgrade - Design Only	Stormwater	Upgrade		490,613		-	(161,249)	329,364	21,783	299,852	321,635	7,729	
155	Yes	C03680	Drysdale / Whitewater SW Upgrade	Stormwater	Upgrade		5,907		-	(5,906)	1	-	-	-	1	

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Closed?	Capital Project No.	Description	Department	Renewal, Upgrade, or New	Budget					Actual			Remaining			
					Carry Forward	Annual Budget	Grants Rec., POS Funding Council decision	On costs allocated	IMG Adjustments	Total	Actual	Commitments		Total		
156	No	C03707	Whitewater-Boddy Creek Flood Investigation	Stormwater	Upgrade		58,664		-	-	58,664	27,860	5,387	33,247	25,417	
157	No	C03763	Baringa / Wandella Road SW Upgrade	Stormwater	Upgrade		380,486		-	-	380,486	9,953	217,497	227,450	153,036	
158	No	C03765	Ewing Ave (vic2) SW Upgrade	Stormwater	Upgrade		293,013		-	-	293,013	285,369	-	285,369	7,644	
159	Yes	C03766	Kelvedon Ave (vic1-3) SW Upgrade	Stormwater	New		107,361		-	-	107,361	92,626	-	92,626	14,735	
160	Yes	C03767	Esplanade Middleton Culvert Upgrade	Stormwater	New		5,000		156	-	5,156	3,277	-	3,277	1,879	
161	No	C03768	Kingston Beach/Boriona Hill Flood Investigation	Stormwater	50% R / 50% N		59,216		-	-	59,216	30,380	14,000	44,380	14,836	
162	Yes	C03770	O'Connor Dr SW Improvements	Stormwater	Upgrade		13,795		-	(13,795)	-	-	46,000	46,000	(46,000)	
163	No	C03772	Stirling Ave (vic22-24) SW Upgrade	Stormwater	Upgrade		80,000		-	-	80,000	50,048	3,500	53,548	26,452	
164	Yes	C25027	Frosts Rd (vic69-81) Margate SW Upgrade	Stormwater	Upgrade		53,000		1,878	-	54,878	39,439	-	39,439	15,439	
165	No	C25028	Burwood Dr (vic98 & vic102) SW Improvements	Stormwater	Upgrade		74,800	23,000	-	-	97,800	10,172	83,642	93,813	3,987	
166	Yes	C25029	Millers Road (vic13) Middleton SW Upgrade	Stormwater	Upgrade		39,000		2,257	-	41,257	47,401	-	47,401	(6,144)	
167	No	C25030	Pullens Rd (vic40) Woodbridge SW Upgrade	Stormwater	Upgrade		51,000		-	-	51,000	-	-	-	51,000	
168	Yes	C25031	Risby Rd (vic49) Middleton SW Upgrade	Stormwater	Upgrade		40,000		1,781	-	41,781	37,396	-	37,396	4,385	
169	No	C25032	Taranaki Place (vic23-25) Snug SW Upgrade	Stormwater	Upgrade		62,000		-	-	62,000	8,747	-	8,747	53,253	
170	No	C25033	Vinces Saddle Rd (vic208) Lower Longley SW Upgrade	Stormwater	Upgrade		60,000		-	-	60,000	-	-	-	60,000	
171	No	C25034	Tramway Creek flood modelling	Stormwater	New		70,000		-	(30,000)	40,000	18,610	23,500	42,110	(2,110)	
172	No	C25041	Snug River flood modelling	Stormwater	New		90,000		-	21,390	111,390	19,313	94,680	113,993	(2,603)	
173	No	C25045	Auburn Rd to Beach Rd (vic 84) Stormwater Improve	Stormwater	New		95,000		-	-	95,000	5,231	1,440	6,671	88,329	
174	No	C25049	17 Ascot Drive Warehouse Stormwater	Stormwater	New		-		-	11,152	11,152	10,138	-	10,138	1,014	
175																
176			<b>TOTAL STORMWATER</b>				<b>-</b>	<b>2,648,045</b>	<b>23,000</b>	<b>6,072</b>	<b>(150,676)</b>	<b>2,526,441</b>	<b>1,188,620</b>	<b>804,679</b>	<b>1,993,299</b>	<b>533,142</b>
177																
178	B00000	Capital Balancing Account	Other								(104,432)	(104,432)	-	-	-	(104,432)
179	OC	On costs on capital project	Other								(39,264)	(39,264)	-	-	-	(39,264)
180																
181			<b>TOTAL CAPITAL EXPENDITURE EX MAJOR PROJECTS</b>				<b>253,767</b>	<b>15,858,205</b>	<b>3,521,519</b>	<b>39,264</b>	<b>-</b>	<b>19,776,940</b>	<b>9,818,287</b>	<b>4,989,456</b>	<b>14,807,743</b>	<b>4,825,501</b>
182																
183			<b>MAJOR PROJECTS</b>													
184	Yes	C03277	KP Public Open Space - Stage 2	Kingston Park	New		-	-	-	-	-	31,818	-	31,818	(31,818)	
185	Yes	C03525	Channel Highway - Construct	Roads	Upgrade		-	-	-	-	-	104,029	-	104,029	(104,029)	
186		KP	Kingston Park	Kingston Park	New		(2,000,535)	-	-	-	(2,000,535)	-	-	-	(2,000,535)	
187		CD	City Deal funding	Roads	New		(1,816,378)	-	-	-	(1,816,378)	-	-	-	(1,816,378)	
188	Yes	C03569	Whitewater Ck pedestrian Underpass Summerleas Rd	Roads	New		(284,508)	-	247	-	(284,261)	5,193	-	5,193	(289,454)	
189																
190			<b>TOTAL CAPITAL EXPENDITURE INCL MAJOR PROJECTS</b>				<b>(3,847,654)</b>	<b>15,858,205</b>	<b>3,521,519</b>	<b>39,511</b>	<b>-</b>	<b>15,675,766</b>	<b>9,959,327</b>	<b>4,989,456</b>	<b>14,948,783</b>	<b>(4,242,214)</b>

	Budget	Actual incl Commitments
Renewal	7,598,740	5,785,492
Upgrade	7,758,949	5,752,416
New	4,419,252	3,269,831
	<b>19,776,941</b>	<b>14,807,739</b>
Kingston Park New	(2,000,535)	31,818
City Deal funding	(1,816,378)	104,029
Summerleas Underpass	(284,261)	5,193
	<b>15,675,767</b>	<b>14,948,779</b>

NOTE: Classification is an estimate at the start of a project and may change on completion of job.

**15.6 APPENDICES****RECOMMENDATION**

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

**16 NOTICES OF MOTION**

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

**17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

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**RECOMMENDATION**

That in accordance with the *Local Government (Meeting Procedures) Regulations 2025* Council, by absolute majority, move into closed session to consider the following items:

**Confirmation of Minutes**

Regulation 40(6) *At the next closed meeting, the minutes of the previous closed meeting, after any necessary correction, are to be confirmed as the true record by the council or council committee and signed by the chairperson of the closed meeting.*

**Applications for Leave of Absence**

Regulation 17(2)(i) *applications by councillors for a leave of absence*

**Raine & Horne Lease**

Regulation 17(2)(g) *proposals for the council to acquire land or an interest in land or for the disposal of land.*

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

Open Session of Council adjourned at

**OPEN SESSION ADJOURNS**

**OPEN SESSION RESUMES**

**RECOMMENDATION**

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

Item	Decision
Confirmation of Minutes	
Applications for Leave of Absence	
Raine & Horne Lease	

**CLOSURE**

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**APPENDICES**

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- A Disability Inclusion and Access Advisory Committee Minutes - 22 April 2026

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A DISABILITY INCLUSION AND ACCESS ADVISORY COMMITTEE MINUTES - 22 APRIL 2026

# MINUTES

## KINGBOROUGH DISABILITY INCLUSION & ACCESS ADVISORY COMMITTEE

Meeting No. 2026 - 2

Wednesday 22 APRIL 2026 | 2pm

The logo for Kingborough, featuring the word "Kingborough" in a serif font with a green underline.

**PRESENT**

		<b>PRESENT</b>	<b>APOLOGY</b>
Chairperson	Cr Paula Wriedt	✓	
Deputy Chairperson	Cr Flora Fox		✓
	Heather Anderson		✓
	Di Carter	✓	
	Kevin Clayton	✓	
	Taraidh Colquhuon		✓
	Paula Heald		✓
	Dr Don Hempton	✓	
	Zola Lawry	✓	
	Tamara Manning		✓
	Fran Thompson	✓	
	Michelle Warr		✓
Organisational	Angelica Thaddeus	✓	
	Sarah Young	✓	
	Samara Jenkins	✓	
Staff	Aleira Chalker – Administration Officer		✓
	Anthony Verdouw – Executive Officer	✓	
Presenters			

**ACKNOWLEDGEMENT OF COUNTRY**

Kingborough Council acknowledges the Tasmanian Aboriginal People as the Traditional Owners and ongoing custodians of lutruwita, Tasmania. We pay our respect to all Aboriginal and Torres Strait Islander people and to their Elders past and present.

**LEAVE OF ABSENCE**

**CONFIRMATION OF MINUTES****18 February 2026 meeting**

Moved: Don Hempton

Seconded: Samara Jenkins

CARRIED

**PRESENTATIONS****NIL**

*ACTION: Contact Guide Dogs Tasmania requesting a presentation for an upcoming meeting.*

**BUSINESS ARISING****Motion from February Committee meeting**

Motion went to Council - 20 April 2026:

**C1/7-2026****15.1 DISABILITY INCLUSION AND ACCESS ADVISORY COMMITTEE MINUTES 18 FEBRUARY 2026**

Moved: Cr Gideon Cordover

Seconded: Cr Clare Glade-Wright

That Council:

- (a) Notes the minutes of the Disability Inclusion and Access Advisory Committee.
- (b) Investigates options to improve pedestrian safety on Hutchins Street, including the feasibility for a pedestrian priority crossing vicinity U3A Kingborough and the Kingston Library.

CARRIED

Noted the recommendation endorsed by Council. Discussed that further investigation be undertaken on Hutchins Street between Church Street and Channel Highway to improve safety outcomes.

**Disability Expo**

2026 expo scheduled for Tuesday 26 August 2026 at Mac2.

<https://disabilityexpotas.org/>

*Include Disability Expo Tas Council Stall on list for discussion at Group Meeting of Southern Council Committees.*

**Group Meeting of other Southern Council Access Committees**

Aiming for a mid-year meeting of other Southern Council access committees for group advocacy actions.

**CORRESPONDENCE****Incoming**

- 18 March 26 - *Community inclusion resource for adults on the autism spectrum (18+) Information for Council networks* - [enquiries@aspireclubhouse.com.au](mailto:enquiries@aspireclubhouse.com.au)
- 15 April 26 - *Free online P-CEP Facilitation Course* – Richard Witbreuk (SES)  
As part of the PCEP project, Uni of Sydney are offering free online facilitation course of P-CEP.

**Outgoing**

Nil

**DEVELOPMENT APPLICATIONS & COUNCIL PROJECTS**

Sherburd Park Changerooms Development Application design – Council are planning for new changerroom facilities at Sherburd oval to commence in FY26-27.

Feedback outlined below:

- Regarding unsealed carpark noted that choice of gravel or compacted gravel could improve access for wheelchair users, prams and dust for neighbouring residents.
- U/A amenities – requested that amenities installed to standards, accessibility requirements reviewed.

**OTHER BUSINESS****ALGA**

Cr Wriedt noted a recent Australian Local Government Association meeting and advocacy for a national approach to disability access.

**Accessible Businesses**

Di Carter noted issues with Disability Toilet upstairs in Channel Court Shopping Centre. After raising with Centre management, the issues have now been resolved.

Suggested that DIAAC advocate for businesses regarding disability access. Noted that something like a Kingborough accessible businesses certificate would be beneficial.

*ACTION: Follow up opportunity for Kingborough Chronicle article to outline what DIAAC does, ask whether community needs are being met by community services and infrastructure, provide email for feedback.*

*Include proposal for accessible businesses certificate on list for discussion at the Southern Council's Group meeting.*

### **Wheelie Bins on Footpaths**

Wheelie bins on footpaths restricting access was again raised. Noted the brochure outlining the issue went out with rates notices some years ago. Suggested that the brochure be sent out again.

Noted that a mainstream media story – article in the Mercury – could be beneficial.

*Include Wheelie Bins/Obstructed footpaths on list for discussion at the Southern Group Meeting.*

### **School Access**

St Aloysius Blackmans Bay Campus – the School requires users of the accessible car spaces to enter the carpark through the Exit point of the carpark. Safety concerns raised and suggested contact with Catholic Schools Tasmania.

### **NDIS**

Noted the proposed changes to the NDIS to be implemented from 1 July 2026.

### **Sunflower Lanyards**

Discussed sunflower lanyards for hidden disabilities. Suggestion this could be promoted in the community and resources could possibly be distributed from Civic Centre.

[www.hdsunflower.com/au/](http://www.hdsunflower.com/au/)

*Include Sunflower Lanyards resources and community education to list for discussion at Southern Group meeting.*

**Meeting closed:** 3.28pm

**NEXT MEETING** – 10 June 2026

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**Action Items**

What	Who	Date added
Committee to prepare a submission to Tasmanian Disability Inclusion Plan consultation. Initially requesting Committee members to submit feedback regarding the plan via email with all feedback consolidated and to be discussed at the February 2026 Committee meeting.	Committee members to email contributions by 27 February.  Feedback submitted.	18/12/2025
Follow and clarify up how and when relevant Developments (via Planning Dept.) and Council projects (via Engineering Dept.) are brought to the Committee for feedback.	AO – New project development process underway for FY27.  New DDA building projects added to agenda for comment.	18/12/2025
Local student feedback to DIAAC.	AO – Calvin Christian School advised that two of their primary students may be interested in attending with a teacher to a future meeting. Follow up in 2026 school year.  Contacted Calvin waiting to hear back.	18/12/2025
Write to the other 11 Mayors of Southern Tas Councils garnering support for State Government to recognise assistant animals. Invite Minister to a meeting and/or provide a timeline for response.	Chair - Follow up classifications of assistant animals as an action for post State election or State Government reshuffle.	9/4/2025
Disability taxis – Confirm if letter has been sent to minister.	Chair. Follow up if this letter to Minister Palmer has been sent.	
Write to Christian Homes regarding getting a representative to do a presentation about the proposed developments in Kingborough municipality.	AO  Christian Homes scheduled to present at 10 June meeting.	18/12/2025

Write to Southern Tasmanian Councils regarding organising a time to convene representatives from the respective Access Committees for a Group Meeting or discussion.	Chair / AO	18/02/2026
Create a list of items for discussion for Group Meeting.	AO - ongoing	18/02/2026
Fencing around Kingston Park – raise issue with Council’s parks and reserves team	AO – to contact reserves team to raise issue	18/02/2026
Contact Guide Dogs Tasmania requesting a presentation for an upcoming meeting.	AO	22/04/2026
Follow up opportunity for Kingborough Chronicle article to outline what DIAAC does, ask whether community needs are being met by community services and infrastructure, provide email for feedback.	Comms, Chair, AO	22/04/2026

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