



COUNCIL MEETING MINUTES

7 September 2026

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

Kingborough Councillors 2022 - 2026



Acting Mayor
Councillor Christian Street



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson

Table of Contents

Item		Page No.
Open Session		
	1 Acknowledgement of Traditional Custodians	1
	2 Attendees	1
	3 Apologies	1
C266/16-2026	4 Confirmation of Minutes	2
	5 Workshops held since Last Council Meeting	2
	6 Declarations of Interest	2
	7 Transfer of Agenda Items	2
C267/16-2026	8 Questions without Notice from the Public	2
	8.1 Graffiti	2
	8.2 SnapSendSolve	3
	8.3 Planning	4
	8.4 Kingston Green	5
C268/16-2026	9 Questions on Notice from the Public	5
	9.1 Customer Service Charter	5
C269/16-2026	10 Questions without Notice from Councillors	8
	10.1 National Threatened Species Day	8
	10.2 Arts and Music Festivals	8
C270/16-2026	11 Questions on Notice from Councillors	9
	11.1 Pedestrian Safety on Bruny Island	9
	12 Officers Reports to Planning Authority	10
C271/16-2026	12.1 Development Application for 26 Multiple Dwellings at 47 Summerleas Road, Kingston	10
	13 Petitions still being Actioned	21
	14 Petitions Received in Last Period	21
C272/16-2026	14.1 Sealing of Van Morey Road, Margate	21
	15 Officers Reports to Council	21
C273/16-2026	15.1 AGM Notice of Motion - Potholes Repairs	21
C274/16-2026	15.2 Disposal of Public Land - Kingborough Sports Precinct	21
C275/16-2026	15.3 Appendices	22
	16 Notices of Motion	22
C276/16-2026	17 Confirmation of Items to be Dealt with In Closed Session	22

Table of Contents

Item			Page No.
Closed Session			
	18	Audio Recording	Error! Bookmark not defined.
C277/16-2026	19	Confirmation of Minutes	Error! Bookmark not defined.
	20	Applications for Leave of Absence	Error! Bookmark not defined.
C278/16-2026	21	Confirmation of Release of Closed Session Decisions	Error! Bookmark not defined.

Public Copy

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 7 September 2026 at 5.30pm

WELCOME

The Chairperson declared the meeting open and welcomed all in attendance. The Chairperson made a statement in terms of Section 8 of the *Local Government (Meeting Procedures) Regulations 2025* and advised that audio recordings of Council meetings are made publicly available on Council's website and are live streamed on YouTube.

1 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

2 ATTENDEES

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

Staff:

Chief Executive Officer	Mr Dave Stewart
Director People & Finance	Mr David Spinks
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Environment, Development & Community Services	Mrs Deleeze Chetcuti
Team Leader Statutory Planning	Ms Sarah Silva
Senior Statutory Planner	Mr Andrea Urzi
Coordinator Development Engineering	Mr Simon Johnson
Communications Lead	Ms Sam Adams
Executive Assistant	Mrs Amanda Morton

3 APOLOGIES

There were no apologies.

C266/16-2026

4 CONFIRMATION OF MINUTES

Moved: Cr Flora Fox
 Seconded: Cr David Bain

That the Minutes of the open session of the Council Meeting No. 15 held on 17 August 2026 be confirmed as a true record.

CARRIED**5 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

Date	Topic	Detail	Consultant
24 August	Organisational Update	Updates on various activities across Council operations.	Nil
31 August	Branding	Discussion on Kingborough Council brand identity.	Karen Kluss – Overtone

6 DECLARATIONS OF INTEREST

There were no declarations of interest.

7 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

C267/16-2026

8 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Ms Kim Phillips asked the following question without notice:

8.1 Graffiti

Council's Graffiti Management Guideline commits to prioritising removal of offensive graffiti from Council property but sets no time frame for doing so. What is Council's internal target for removal once graffiti is reported?

Chief Executive Officer responds:

I think we all agree that removal of graffiti is something that's really important, especially when it is offensive. But I'll need to check what that standard is around offensive graffiti and come back to you on notice.

Ms Phillips:

Clause 2 of the Graffiti Management Guideline commits Council to promptly notifying property owners when property is tagged and names the Department of State Growth as one such owner. Following the graffiti on fences backing the southern outlet at first sight raised at the meeting on 15 June, has Council established who owns the adjoining land and has any contact been made with State Growth?

Chief Executive Officer:

The land is owned by the State Government. But we have not contacted them, no.

Ms Phillips:

Clause 4 of the Graffiti Management Guideline records that Council and Tasmania Police initiated a Graffiti Management Action Plan to be actively tracked with progress updates provided to Council's executive management team. Has that action plan been completed and have elected members received any report on progress or outcomes?

Chief Executive Officer:

We've had a number of conversations through time with Tasmania Police about graffiti in our community, and it's fair to say that it has had its priorities and deep priorities through time as other things emerge, both across Council and with Tasmania Police. In terms of the actions under that action plan, a number of them have been put in place and are underway, but there's probably not the same level of regularity around the reporting to that, that was initially envisaged at the time when it was developed.

Ms Tamieka Adkins asked the following questions without notice:

8.2 SnapSendSolve

When residents report a dangerous tree, particularly one posing an immediate risk, like people and property, public spaces, it's important for the community to understand how quickly those reports are assessed and triaged and acted upon. And given we have an award-winning team of SnapSendSolve resolvers, I assume there is data available to enable Council to outline what the standard of average turnaround time is for actioning the SnapSendSolve reports. Specifically, I'm seeking clarity on the expected timeframes from an immediate acknowledgement, which is on the day when I've done the Snap, Send, Solve, to an onsite inspection and any mitigation work, and whether these safety related reports are prioritised under the dedicated response protocol?

Chief Executive Officer responds:

We've spoken about SnapSendSolve through questions from the public at Council meetings in the past. At the time I responded that the system wasn't fully integrated within Kingborough Council and that's still the case. We are doing that work as part of our digital strategy for this year but it's not in place yet. So what that means is when requests come through via SnapSendSolve they actually come through to Council effectively as an email where they're then loaded into our management system from a Council end and processed alongside any other customer request or request for service that we gain. So I'm not sure that we can necessarily report independently around SnapSendSolve and the resolution timelines or anything else there that's part of our overall response framework. However, when the integration is complete around that, I hope we'll have much richer data around that and certainly also feedback through to people that have snapped and sent to understand what's happened around the case that they've sent through.

Ms Adkins:

For clarity, taking the SnapSendSolve out of it, I've done this myself just recently and I received a SnapSendSolve immediate acknowledgement and an email from the Council. And since that email from the Council, I assumed that that would be the communication medium that I would have and I've had nothing further from it. Whilst I understand the integration is not there with SnapSendSolve, but this item that I put in is with the Council and I've had no more information on it, so is there a turnaround time that I would expect for these works to actually have some sort of communication back to me?

Chief Executive Officer:

All cases that are reported to Council requests for service are looked at and triaged on the basis of what risk they pose and the work that's required to resolve them. There's not a specific time frame for any particular request to be resolved because it does depend on the nature of the case in question. Like I say, when the system is fully integrated, I would hope that there was an expectation to be able to be communicated about the timelines associated with that because they'll increase the visibility into the system of where it is in terms of in that triage of the time frames for resolution.

Ms Adkins:

I understand that integration would be some time away but right now, how long should somebody expect a dangerous tree, whether by email or someone's phoned in, to be for the Council to be non-responsive on it? I said I have got an initial email, but that's been a couple of weeks now. Do I need to chase that up or should I be waiting for the Council to say it's even a progress report, I've had nothing and now I have to come back to it?

Chief Executive Officer:

I can't speak to a specific case but if it has been sent through, then it will be in the system and the team will have triaged it and looked into it. If you would like to send it through to the KC email address, then we can have another look at it to make sure it hasn't got lost in some way, but it should still be in the system for resolution.

Ms Adkins:

So the expectation would be on the person that actually sent it in to chase it up?

Acting Mayor:

I don't think that's what you heard Mr Stewart say, Ms Adkins, in fairness. I think you're verballing him in that instance. I think what you're hearing is it depends upon the particular matter that's raised and how that matter is triaged and without knowing the specifics of what you're asking, it's a very difficult question to answer in terms of whether a response is even appropriate. There are circumstances in which a SnapSendSolve is sent in and the matter is just dealt with and it would be unreasonable to expect a response on every occasion. So without knowing exactly what we're talking about, it's a very difficult question to answer.

Ms Adkins:

So a tree branch that's falling out of a tree into an area where people walk and park, that's my point, if it was something that wasn't dangerous, I'd let it go for a couple of months. But this one, I just want to know if I have to chase it up, that's all?

Acting Mayor:

No, you shouldn't have to chase it up.

Mr Nick Booth asked the following questions without notice:

8.3 Planning

Council reports show that planning costs increased from about \$1.9 million in 2019 to 2020 to almost \$3.2 million in 2024 to 2025. What caused the \$1.3 million increase in planning costs and how much was spent on staff, consultants, legal matters and administration?

Chief Executive Officer responds:

We'll take that on notice.

Mr Booth:

How many full-time planning staff did Council employ in 2019 to 2020 compared with 2024 to 2025, and how many positions were vacant or filled by consultants?

Chief Executive Officer:

We will have to take that on notice.

Mr Booth:

What improvements in planning performance have resulted from this increase in spending and will Council publish the costs, starting levels, application numbers and assessment times on a public dashboard?

Chief Executive Officer:

I'll take that on notice as well, but I will note that we are looking at a number of pieces of work at the moment around how we communicate what's going on inside the organisation and increase transparency into it so that there is more data available to people. That takes time as part of our digital improvement programme as well as our targeted pieces of work into different department areas. So I'll take the specifics from that question on notice though.

Mr Mark Donnellon asked the following questions without notice:

8.4 Kingston Green

There's a largish privately owned bit of land that's long been planned for development, I believe it's known as Kingston Green between what's now a petrol station and I forget what's on the other side, but hopefully that explains where it is. There's a large water body in there that I'm told from natural areas and biodiversity staff that is a natural spring that flows into Coffee Creek and which continues through the Coffee Creek Reserve and Peter Murrell Reserve through to Howden emptying into the Northwest Bay. I had a question from a Landcare volunteer that does a lot of work in the reserves along that creek and they want to know what amount of modifications could the landowner make to this water body and are there any limitations that prevent negative impacts to the downstream environment?

Director Environment, Development & Community Services responds:

That will primarily be determined under the planning scheme and the applicable zone and overlays that apply. I don't know what zone it is or what overlays apply, I imagine the waterways overlay does. I think we would have to take that on notice because I just can't tell you without having the scheme and details of any proposal what the limitations would actually be. But there would be consideration of the water body and its flow into the waterway and potential impacts on that as well. To what degree? I can't say at this stage.

C268/16-2026

9 QUESTIONS ON NOTICE FROM THE PUBLIC

9.1 Customer Service Charter

Ms Kim Phillips submitted the following questions on notice:

1. Authority to restrict contact

Clause 5.8 of the Customer Service Charter Policy adopted on 17 August 2026 lists six management options for unreasonable customer behaviour, ranging from a request to cease behaviour to terminating provision of services altogether. The clause does not identify who may

impose these options or at what level of authority. Clause 5.9.1 specifies that a review is undertaken by a Departmental Director not involved in the original decision.

- 1.1 Which officer or officers may impose a restriction under clause 5.8, and under what delegation?*
- 1.2 Did a written procedure governing decisions under clause 5.8 exist at the time the policy was adopted? If not, when is it expected to be in place, and are clauses 5.7 to 5.10 operative in the interim?*
- 1.3 Does anything require the options in clause 5.8 to be applied in escalating order, or may clause 5.8.6 be applied without any earlier step having been taken?*
- 1.4 Where the Chief Executive Officer makes the original decision under clause 5.8, which officer conducts the review required by clause 5.9.1?*

2. The threshold for “excessive contact”

Clause 5.7.2 identifies excessive contact, or forum shopping on a particular decision, as behaviour placing unreasonable demand on resources, and defines the latter as contacting multiple Council employees and/or elected members to seek different outcomes.

- 2.1 What threshold distinguishes “excessive” contact from persistent but reasonable contact, and where in the policy is that threshold stated?*
- 2.2 Where a resident has received a response from Council but the matter they raised remains unresolved, and they continue to raise it, is that continued contact capable of falling within clause 5.7.2?*
- 2.3 Does clause 5.7.2 apply where a resident, having received a decision from an officer, then raises the matter with an elected member?*
- 2.4 Is the second sentence of clause 5.7.2 intended to operate only where the behaviour also meets the test in the first sentence — that is, where it results in resource equity issues or disrupts service delivery — or does it operate independently?*

3. Timing of adoption and review

The report to the 17 August 2026 meeting contains a section headed Communication and Consultation, which states that the Charter is available for download from Council’s website and for viewing at the Civic Centre. Section 339F of the Local Government Act 1993 requires a council to review its customer service charter within 12 months of a general election.

- 3.1 Was any community consultation undertaken on the amendments to the Charter before it was adopted? If so, what form did it take?*
- 3.2 Given the incoming council must review the Charter within 12 months of the October 2026 election, what consideration was given to deferring these amendments to that review, so that they could be considered together with any community consultation?*
- 3.3 What was the reason for adopting the amended Charter at the last ordinary meeting at which Council was able to adopt policies before the caretaker period commenced?*

Officer’s Response:

- 1.1 Restrictions under clause 5.8 may only be imposed by the Chief Executive Officer or a delegate authorised by the Chief Executive Officer for the purposes of the policy. The supporting procedure requires recommendations to first be assessed by an Initial Review Officer before being referred to the CEO or delegate for determination. This is an operational authorisation made under the CEO’s management responsibilities under the Local Government Act 1993 rather than a statutory delegation prescribed by legislation.*

- 1.2 Yes. A supporting procedure had been drafted at the time the amendments were considered by Council and is currently being finalised for implementation. The procedure sets out assessment, review, approval, notification, appeal and review processes to ensure that any management action is applied consistently, proportionately, and fairly. The Charter provisions remain operative, with decisions informed by the procedural framework and principles of procedural fairness.
- 1.3 The options are not required to be applied in a strict escalating order. The procedure specifically provides that where conduct involves safety concerns, such as threats, intimidation or other behaviours identified under clause 5.7.1, the matter may proceed directly to formal assessment without preliminary steps. For other forms of unreasonable behaviour, staff are expected to first request that the behaviour cease. If the behaviour continues, an Initial Review Officer assesses the matter and determines whether it meets the criteria for unreasonable customer behaviour. Any recommended management action is then subject to a second review by the CEO or authorised delegate before a decision is made. If a restriction is approved, it is formally communicated to the customer through correspondence issued by Council's Legal Unit and signed by the CEO or delegate. Review and appeal rights are also available. Accordingly, clause 5.8.6 may be applied without earlier options having first been used, however any such decision must still be supported by the assessment and review process outlined above and be proportionate to the circumstances.
- 1.4 A Director who was not involved in the original decision.
- 2.1 The policy is not prescriptive in relation to the threshold for excessive contact. This is because every situation is different and must be assessed in context, having regard to factors such as the nature of the matter, the content and frequency of correspondence, previous responses provided by Council, and the impact on Council's ability to deliver services equitably.
- 2.2 Council recognises that customers may continue to engage with Council where they have legitimate concerns, new information, or available review rights. The provision is not intended to restrict genuine complaints or reasonable attempts to seek clarification or review. It is intended to address situations where a matter has been comprehensively considered and continued contact becomes unreasonable in its impact on Council resources or service delivery. Importantly, a matter is not necessarily "unresolved" simply because the customer disagrees with the outcome. There are also circumstances where Council is not the authority responsible for the matter raised and therefore cannot provide the action sought regardless of the frequency with which the issue is raised.
- 2.3 It is a resident's prerogative to contact an elected member if they are unhappy with a decision made by an officer of Council and elected members are entitled to make enquiries on behalf of constituents. However, where a matter has already been comprehensively considered and reviewed, repeated attempts to seek a different outcome by continually raising the same matter with multiple officers or elected members may become relevant to an assessment of unreasonable persistence or forum shopping. Any assessment would depend on the overall circumstances rather than the fact that an enquiry was directed to an elected member.
- 2.4 The clause should be read as a whole. The reference to excessive contact and forum shopping provides examples of the type of conduct that may give rise to resource equity issues or disrupt service delivery. Any assessment would consider both the behaviour and its impact on Council operations. The clause is not intended to capture ordinary advocacy, engagement with elected members, legitimate complaints or customers pursuing available review rights. Rather, it is intended to address conduct that becomes unreasonable in its effect on staff resources and Council's ability to provide services equitably across the community.
- 3.1 No specific public consultation was undertaken. The manner in which Council deals with unreasonable customers is a policy decision for the organisation. The amendments are operational in nature and are based on the Local Government Association of Tasmania's Model Policy for Managing Unreasonable Customer Conduct, which was adapted from Ombudsman guidance prepared for public authorities. Similar policies are commonly used across local government and public sector organisations in Tasmania and nationally.

Council does not undertake community consultation on every policy amendment, particularly where amendments are required to support workplace health and safety obligations or reflect recognised guidance and established sector practice. Given the established nature of these provisions and their alignment with sector guidance, separate community consultation was not considered necessary. The focus of the amendments is to support equitable service delivery and Council's obligations to provide a safe workplace for employees and elected members.

Importantly, the amendments do not remove any existing complaint rights, review rights or avenues for contacting Council. Nor do they prevent customers from raising legitimate concerns or pursuing complaints through established processes. Rather, they introduce a framework for managing the small number of situations where customer behaviour becomes unreasonable and affects workplace safety, or Council's ability to provide equitable services to the broader community. The intent is to preserve customer access to Council services wherever reasonable to do so, while ensuring those services remain accessible and available to all members of the community.

- 3.2 The amendments had been planned for some time and were considered necessary to strengthen Council's framework for managing unreasonable customer behaviour and supporting employee and elected member wellbeing. Council has obligations under workplace health and safety legislation to provide a safe workplace, including managing psychosocial risks and inappropriate conduct directed at staff. It was not considered appropriate to delay these measures when a clearly identified operational and workplace safety need existed. The future review of the Charter by the incoming Council does not prevent reasonable and necessary amendments being adopted in the interim where operational circumstances warrant it.
- 3.3 As outlined in the response to the previous question, the amendments had been planned for some time. There was no specific reason associated with the commencement of the caretaker period, nor was there considered to be any benefit in delaying the amendments once the review process had been completed.

Daniel Smee, Director Governance, Recreation & Property Services

C269/16-2026

10 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Cordover asked the following questions without notice:

10.1 National Threatened Species Day

Today is National Threatened Species Day. What did Kingborough Council do to mark that, if anything and as Kingborough has a nationally significant population of several threatened species, not least the swift parrot and the forty spotted pardalote, do we mark this occasion in any special way?

Chief Executive Officer responds:

I'm not aware of any celebration or acknowledgement that Kingborough Council has undertaken for National Threatened Species Day. Council does a lot of work on an ongoing basis around a number of the species within our municipal area, but to be honest I wasn't aware of the commemoration today.

10.2 Arts and Music Festivals

Both the Elvis Festival at Coolee Rocks on the Gold Coast and the Parks Elvis Festival, which is the largest one, brings in apparently between \$13 million and \$40 million per year for that region and bringing in 28,000 visitors over 5 days. What do we do with respect to encouraging festivals like the Elvis Festival or other arts and music festivals to Kingborough?

Chief Executive Officer responds:

We haven't got a strategy around bringing significant festivals, whether it be for Elvis or other artists or types to Kingborough at the moment. There is some value in events like that, certainly around the economic development that they can bring to our community, however, currently Kingborough doesn't have any resource in the economic development portfolio. So it is something that we're not prioritising at this point in time.

C270/16-2026**11 QUESTIONS ON NOTICE FROM COUNCILLORS**

11.1 Pedestrian Safety on Bruny Island

At the Council meeting held on 17 August 2026, **Cr Cordover** asked the following question without notice to the Chief Executive Officer, with a response that the question would be taken on notice:

There is a perception that road speed signs aren't being enforced or aren't being adhered to by visitors and perhaps residents, not sure. My question was what are the road safety measures that Kingborough Council is actively involved in establishing for areas designated to be high risk? There are a number of potential remedies or traffic calming measures that were suggested by residents at a recent community meeting, but I just wondered whether there has there been efficacy established around those?

Officer's Response:

Council is currently seeking further specificity and information regarding these concerns and will investigate accordingly.

Craig Mackey, Director Engineering Services

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.49pm

12 OFFICERS REPORTS TO PLANNING AUTHORITY

C271/16-2026

12.1 DEVELOPMENT APPLICATION FOR 26 MULTIPLE DWELLINGS AT 47 SUMMERLEAS ROAD, KINGSTON

Moved: Cr Kaspar Deane
Seconded: Cr Gideon Cordover

Moved Cr Fox
Seconded Cr Midgley

That Cr Cordover be allowed a further 3 minutes to complete his contribution.

CARRIED

That the Planning Authority resolves that the development application for 26 multiple dwellings including stormwater and pedestrian path connection works at 47 Summerleas Road, Kingston and Whitewater Creek Reserve, Kingston for Homes Tasmania 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-2026-84 and Council Plan Reference No. P3 submitted on 24/04/2026 (referred to as the Approved 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. Approved tree/vegetation removal and modification:

(a) Is limited to:

- (i) seven (7) high conservation value trees numbered T1, T6, T33, T34, T37, T38, and T66 and as shown in the Approved Plans and the preliminary arboricultural assessment (Tree Pioneers, January 2026);
- (ii) eight (8) non-high conservation value trees numbered T2, T3, T7, T32, T35, T36, T97 and T98 as shown in the Approved Plans and the preliminary arboricultural assessment (Tree Pioneers, January 2026);

(b) Must not occur prior to securing the conservation offset and approval of an 'Application for Approval of Planning Start of Works Notice'.

No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is approved as part of this planning permit.

3. Before the start of any works, including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, but excluding primary weed management as required under condition 7, 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.

4. Before the start of any works, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer, in consultation with a suitably qualified arborist. Plans must be to satisfaction of the Director Engineering Services and comply with:

- Tasmanian Standard Drawings
- Austroads Standards and Australian Standards
- Australian Rainfall and Runoff Guidelines

The Plans must include, but are not limited to:

- (a) Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas including:
 - (i) Longitudinal and cross sections of the driveway/access road.
 - (ii) Contours, finish levels and gradients of the driveway/access road.
 - (iii) Provision of minimum 6.0m wide vehicle access (crossover) with notation to be constructed in standard grey concrete.
 - (iv) The provision of two (2) motorcycle spaces on the site located, designed and to be constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking.
 - (v) Right of way access (E177699) serving 64A Channel Highway (CT 158094/1), correctly identified and labelled. All access, services, landscaping and associated works must be designed and constructed outside of the subject right-of-way.
- (b) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
 - (i) Stormwater layout details to service the development.
 - (ii) Replacement of the existing public stormwater connection (minimum 300mm dia.) at the Summerleas Road access point to service the access road design.
 - (iii) A stormwater water quality treatment and detention system as required in Table E7.1 of the Kingborough Interim Planning Scheme 2015.
- (c) Detailed Soil and Water Management Plan.
- (d) Detailed lighting plan with attention to landscaped areas and parking areas.
- (e) Detailed tree plan which:
 - (i) Shows the location and ID number of individual trees and their associated tree protection zones relative to all buildings and works.

- (ii) Includes an accompanying table of trees with the ID number, species, diameter at standard height, notional root zone, and confirmation of removal and retention.
- (iii) Demonstrates the management plan for T16 and T45 is implemented.
- (iv) Demonstrates that the stormwater works are outside or do not encroach more than 10% within the Notional Root Zone (NRZ) of T96 and T99.
- (v) Demonstrates that services are trenched in through the centre of the driveway.
- (vi) Demonstrates that works for the driveway which overlap significantly with the NRZ of retained trees is excavated with hydro-vac.
- (vii) Demonstrates that the extent of any encroachment from all other works and associated soil and water management measures is no greater than the approved plans.
- (viii) identifies tree protection measures to be implemented before, during and after construction in accordance with Australian Standard 4970-20259 and conditions 10 and 11.

Once endorsed the plans will form part of the permit.

5. Before the start of any works, a soil and water management plan must be submitted to Council for approval and included in the engineering plans required under Condition 4. The plan must be to the satisfaction of the Manager Development Services and be in accordance with the Soil and Water Management of Construction Sites – Guidelines.

All measures identified in the plan must be satisfactorily implemented and a site inspection of the implemented plan undertaken by Council with the principal contractor before the start of any works.

6. Before the start of any works, amended plans identifying the treatment to be adopted for the windows to the first-floor rear bedrooms of each dwelling to minimise direct views to the private open space of adjoining dwellings on the site must be submitted to and approved by Council. Each affected window must be treated using one or more of the following options:
- (a) a permanently fixed external screen for the full length of the opening, to a height of not less than 1.7m above finished floor level, with a uniform transparency of not more than 25%;
 - (b) a sill height of not less than 1.7m above finished floor level;
 - (c) fixed obscure glazing extending to a height of not less than 1.7m above finished floor level; or
 - (d) an alternative design solution demonstrated to Council's satisfaction to achieve an equivalent reduction in direct views.

The amended plans, once endorsed, form part of this permit.

The approved treatment must be installed prior to the occupation of the dwelling to which it relates and thereafter maintained for the life of the development.

7. Before the start of any works, a detailed Landscaping Plan must be prepared by a qualified landscape architect or suitably experienced landscape professional and approved by the Manager Development Services.

The plan must demonstrate how landscaping will relieve visual impact, enhance the appearance of communal areas, contribute to the character of the area, and protect Council and TasWater infrastructure.

The landscaping plan must avoid any landscaping that would obstruct access within the right of way (E177699) serving 64A Channel Highway (CT 158094/1).

The landscaping plan must include all of the following requirements:

(a) Deep Soil Canopy Trees

- (i) Provision of living, established canopy trees located within deep soil zones with a total area equivalent to not less than 5% of all parking and access areas.
- (ii) Each tree must be capable of achieving a minimum mature canopy diameter of 3–5 metres.
- (iii) Trees must be located along site boundaries, internal accesses, parking areas and common open space.
- (iv) Trees must not be located in private open space, except where located between the primary façade and the access.

(b) Diversity in plant types and sizes

- (i) Provision of perennial trees, shrubs, understory and groundcover plants within all areas identified for landscaping on the plan.
- (ii) Planting must exclude private open space, except where located between the primary façade and the access.

(c) Infrastructure Protection Requirements

- (i) Trees located within 2 metres laterally of any Council or TasWater infrastructure must be planted within a closed root-barrier structure (e.g., tub, raised garden bed, or equivalent containment system) designed to prevent root intrusion into pipe trenches.
- (ii) No trees are permitted within 1 metre laterally of Council or TasWater infrastructure.
- (iii) Landscaping located directly over Council or TasWater infrastructure must be limited to lawn or shallow-rooted species only.

(d) Existing Trees & Hard Landscaping

- (i) Identification of all existing trees to be retained.
- (ii) Specification of tree protection measures during construction.
- (iii) Location and details of all proposed fencing.
- (iv) All proposed earth shaping, including retaining wall(s).

(e) Planting Schedule

- (i) A planting schedule detailing for each species:
 - a. botanical name (genus and species)
 - b. common name
 - c. quantity
 - d. expected mature height
 - e. expected mature canopy size

- (ii) Artificial plants or astroturf are not permitted.
- (f) Maintenance Schedule
 - (i) A minimum 12-month maintenance schedule, including watering, fertilising, weed control and plant establishment measures.

For Advice: A deep soil zone is an area of soil with no impeding building structure or feature above or below, which supports growth of medium to large canopy trees.

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

Once endorsed the Landscaping Plan will form part of the permit.

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

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

9. Declared weeds under the *Biosecurity Act 2019* and environmental weeds are present on the site, including English broom (*Cytisus scoparius*), Montpellier broom (*Genista monspessulana*), blackberry (*Rubus fruticosus* aggregate), Spanish heath (*Erica lusitanica*), prickly pear (*Opuntia bonaerensis*), and gorse (*Ulex europaeus*).

Before the start of any works, primary treatment of all declared weeds and environmental weeds within the site must be undertaken. Treatment must be targeted to avoid impacts on native species and undertaken in accordance with current best-practice weed management guidelines published by the Department of Natural Resources and Environment Tasmania.

During construction:

- (a) Declared weed plant material, or soil containing declared weed seed, must not be removed from the site unless undertaken in accordance with the relevant Statutory Weed Management Plan, where such a plan exists;
 - (b) Weed plant material and topsoil containing weed seed must not be stockpiled or transferred into areas of weed-free native vegetation;
 - (c) Appropriate vehicle, machinery and equipment hygiene measures must be implemented prior to entering and leaving the site, in accordance with the Weed and Disease Planning and Hygiene Guidelines 2015;
 - (d) Any imported fill material must be sourced from a supplier able to provide documentation regarding weeds present at the source site, to minimise the introduction of additional weeds or pathogens to the area.
10. All remaining native vegetation identified for retention in the Approved Plans and the preliminary arboricultural assessment (Tree Pioneers, January 2026) must be appropriately protected during and after construction in accordance with all the recommendations in the Arboriculture Impact Assessment and AS 4970-2025. This includes but is not limited to implementation of the following measures:
- A. Prior to Construction:

Before the start of any works (including but not limited to vegetation removal, demolition, 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, including provision of the Tree Protection Plan (TPP).
 - (c) Prepare and implement management plans for Trees 16 and 45
 - (d) Installing tree protection fencing in accordance with Section 9 of the preliminary arboricultural assessment and Condition 11.
 - (e) Providing certification by the Project Arborist of satisfactory implementation of these tree protection measures to the Manager Development Services with the 'Application for Planning Start of Works Notice' required under Condition 3.
 - B. During Construction:
 - (a) Maintaining tree protection measures required above for the duration of the construction.
 - (b) Use construction sensitive methods to install car park and upgrade driveway.

- (c) Ensuring the Project Arborist conducts a site audit during construction to check compliance against the tree protection plan and permit conditions.

C. Post Construction:

- (a) Providing written certification by the Project Arborist of satisfactory implementation of the measures identified in B. above to the Manager Development Services upon completion of construction.
- (b) 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.

11. Tree protection fencing required under Condition 10 must:

- (a) Be located on the edge of the tree protection zone, unless the outer edge of works as shown on the endorsed plan are closer, in which case this tree/vegetation protection fencing may be reduced to the minimum amount necessary to allow the works to be completed.
- (b) Exclude the following from the tree protection zones:
 - (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.
- 12. To offset the loss of one (1) very high conservation value tree and six (6) trees of high conservation value (comprising three (3) *Eucalyptus viminalis* trees with DSH between 40 and 70cm, three (3) *Eucalyptus ovata* trees with DSH between 40 and 70cm and one (1) *Eucalyptus obliqua* tree with a DBH >70cm) a financial contribution of \$340-570/tree must be paid into Council's Environmental Fund, to be used to manage and conserve the habitat of the swift parrot and forty spotted pardalote in the vicinity of Kingston or an area that supports equivalent biodiversity values within the municipality.

This offset, totalling \$2,110, must be paid prior to approval of an 'Application for Approval of Planning Start of Works Notice' and removal of the trees.
- 13. All works within Whitewater Creek, including the 30m waterway protection zone, must be designed and constructed so as to:
 - (a) minimise impacts on existing natural values, including retention of all individual high conservation value trees (including T96 and T99) and rehabilitation and maintenance of riparian vegetation, in-stream habitat and bank condition;
 - (b) retain existing flow capacity;
 - (c) retain existing waterway bed levels;
 - (d) include mitigation measures at entry and exit of culverts and pipes to minimise scouring and erosion; and
 - (e) Be consistent with the 'Wetlands and Waterways Works Manual' (DPIWE, 2003).

Engineering plans and construction management plans submitted before the start of any works must demonstrate that the point source discharge into Whitewater Creek has been designed and construction methodology planned to achieve this.

In addition, all works within Whitewater Creek, including the 30m waterway protection zone, must be undertaken outside the breeding season of the forty-spotted pardalote (August to January inclusive). Alternatively, works may occur during the breeding season provided:

- (a) a suitably qualified consultant undertakes an activity assessment immediately prior to the commencement of works to determine whether breeding activity is evident and identify any mitigation measures that need to be applied to reduce impacts on breeding;
- (b) this assessment verifies that the species are not currently breeding within or adjacent to the trees to be removed and the area of works;
- (c) this assessment confirms that any disturbance to the species is tolerable and will not compromise their ability to breed this season; and
- (d) the assessment is provided to Council for review and Council approves commencement of works, subject to implementation of any mitigation measures identified in the activity assessment.

14. Bushfire hazard management measures for the use and development must be implemented consistent with the bushfire hazard management plan (GES, September 2024), including construction to BAL-29, the extent and location of vegetation retention and removal and/or modification to establish the hazard management area, and water supply and access arrangements.

For Advice: Documentation submitted for building approval must demonstrate compliance with these measures.

15. Before occupation of any of the dwellings, the applicant must make provision for a private waste service agreement to enable the development to be serviced with waste and recycling collection. This agreement is to ensure these services are provided on site adjacent to the proposed garbage bay facility as indicated on the Approved Plans. Council waste services will not be provided to service the development. A copy of the private waste service agreement must be submitted for Council's records.
16. Before occupation of any of the dwellings, landscaping must be provided in accordance with the endorsed landscaping plan, to the satisfaction of the Council's Manager Development Services.

The landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Manager Development Services, including that any dead, diseased or damaged plants are to be replaced.

17. Before the occupation of any of the dwellings the following works must be completed in accordance with the Approved Plans to the satisfaction of the Council:
 - (a) The parking areas (including signage and access)
 - (b) The garden and landscape areas
 - (c) Drainage works undertaken and completed
 - (d) Letterboxes installed
 - (e) Privacy treatment to the rear upper level bedroom windows
18. The existing right of way benefiting 64A Channel Highway (CT 158094/1) must not be obstructed, reduced in width, or otherwise adversely affected by the approved development at any time.

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 subject land contains potential habitat for the Swift Parrot. To minimise the risk of bird collisions, the developer is encouraged to incorporate bird-safe design measures into the development, specifically to the ground floor glazed sliding doors accessing the rear garden of each dwelling, having regard to the document *Minimising the Swift Parrot Collision Threat – Guidelines and Recommendations for Parrot-Safe Building Design*.

Bird-safe building design measures may include:

- (a) glazing with a total surface area of no greater than 2m²;
- (b) glazed surfaces incorporating visual markers or treatments that reduce transparency or reflectivity and give the appearance of an impenetrable surface, such as low-reflectivity glass (0-10%), films, coatings, fritted glass or permanent screens; and/or
- (c) glazed surfaces installed at a minimum angle of 20 degrees from vertical, angled inward at the base to reflect the ground rather than surrounding vegetation or sky.

Applicants are encouraged to avoid corner windows and direct sightlines through buildings from one window to another where practicable.

- D. The developer should obtain a Plumbing Permit for the development prior to commencing construction.
- E. 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.
- F. The Developer should not allocate any property address numbers for the proposed units.

New property addresses have been allocated as follows:

Lot No.	Property Address
1	Unit 1/47 Summerleas Road, Kingston
2	Unit 2/47 Summerleas Road, Kingston
3	Unit 3/47 Summerleas Road, Kingston
4	Unit 4/47 Summerleas Road, Kingston
5	Unit 5/47 Summerleas Road, Kingston
6	Unit 6/47 Summerleas Road, Kingston
7	Unit 7/47 Summerleas Road, Kingston
8	Unit 8/47 Summerleas Road, Kingston
9	Unit 9/47 Summerleas Road, Kingston
10	Unit 10/47 Summerleas Road, Kingston
11	Unit 11/47 Summerleas Road, Kingston
12	Unit 12/47 Summerleas Road, Kingston
13	Unit 26/47 Summerleas Road, Kingston
14	Unit 25/47 Summerleas Road, Kingston
15	Unit 24/47 Summerleas Road, Kingston
16	Unit 23/47 Summerleas Road, Kingston

17	Unit 22/47 Summerleas Road, Kingston
18	Unit 21/47 Summerleas Road, Kingston
19	Unit 20/47 Summerleas Road, Kingston
20	Unit 19/47 Summerleas Road, Kingston
21	Unit 18/47 Summerleas Road, Kingston
22	Unit 17/47 Summerleas Road, Kingston
23	Unit 16/47 Summerleas Road, Kingston
24	Unit 15/47 Summerleas Road, Kingston
25	Unit 14/47 Summerleas Road, Kingston
26	Unit 13/47 Summerleas Road, Kingston

These numbers must then be referenced on design and As-Constructed drawings as well as any Strata Plans lodged for sealing.

- G. Aboriginal Heritage Tasmania has issued a Record of Advice dated 16 July 2026 (reference 200008) confirming that no registered Aboriginal heritage exists within the project area, but that a registered Aboriginal site (AH10967) abuts the eastern boundary.

The management measures set out in that advice must be implemented for the full duration of works, including establishment of a barricaded and signed exclusion zone around the site extent with a 5m buffer, and compliance with the Unanticipated Discovery Plan.

The Record of Advice is valid for 12 months and does not exempt any person from their obligations under the *Aboriginal Heritage Act 1975*. It is an offence to destroy, damage, deface, conceal or otherwise interfere with Aboriginal heritage, whether registered or not, without a permit.

CARRIED

PLANNING AUTHORITY SESSION ADJOURNS

OPEN SESSION RESUMES

Open session resumed at 6.19pm

13 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

14 PETITIONS RECEIVED IN LAST PERIOD

C272/16-2026

14.1 SEALING OF VAN MOREY ROAD, MARGATE

Moved: Cr Gideon Cordover

Seconded: Cr David Bain

That the petition containing 354 signatures be received and referred to the appropriate Department for a report to Council.

CARRIED

15 OFFICERS REPORTS TO COUNCIL

C273/16-2026

15.1 AGM NOTICE OF MOTION - POTHOLES REPAIRS

Moved: Cr Gideon Cordover

Seconded: Cr Flora Fox

That in response to the Annual General Meeting Notice of Motion relating to pothole repairs, Council notes that a review of road grading and maintenance practices will be undertaken that will include consideration of improved pothole inspection, triage, repair standards, drainage interface, treatment selection, repeat-defect recording and community communication.

CARRIED

C274/16-2026

15.2 DISPOSAL OF PUBLIC LAND - KINGBOROUGH SPORTS PRECINCT

Moved: Cr Mark Richardson

Seconded: Cr David Bain

That:

- a) Pursuant to section 178(1) of the *Local Government Act 1993*, Council by absolute majority resolves to dispose of public land at 10 Kingston View Drive, Kingston, Certificate of Title reference 164078/2, PID 3202222 by means of a lease to the State Government and authorises the Chief Executive Officer to sign the lease agreement and any associated documentation;
- b) Council notes that the lease to the State Government is a reversionary lease only and will not become operative unless and until the lease between Council and the Tasmanian Football Club is terminated, surrendered, voided or otherwise ceases to have effect during its lease term.

CARRIED BY ABSOLUTE MAJORITY

C275/16-2026

15.3 APPENDICES

Moved: Cr Flora Fox

Seconded: Cr Mark Richardson

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

CARRIED

16 NOTICES OF MOTION

There were no Notices of Motion.

C276/16-2026

17 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

Moved: Cr Flora Fox

Seconded: Cr Gideon Cordover

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*

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY

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 6.41pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 6.43pm

C277/16-2026

Moved: Cr Flora Fox
Seconded: Cr Amanda Midgley

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 6.44pm

.....
(Confirmed)

.....
(Date)