

MINUTES

OF COUNCIL MEETING HELD ON

25 JULY 2016



Back (L - R): Cr Paul Chatterton, Cr Mike Percy, Cr Sue Bastone, Cr Dean Winter, Cr Richard Atkinson

Front (L - R): Cr Dr Graham Bury, Cr Flora Fox, Mayor Cr Steve Wass, Deputy Mayor Cr Paula Wriedt, Cr David Grace

TABLE OF CONTENTS

Open Session

Minute No's.

Agenda Page No.

Minute Page No.

	Attendees	1	1
C294/14-16	Apologies	2	1
C295/14-16	Confirmation of Minutes of Council Meeting No. 13 held on 11 July 2016	2	2
	Workshops held Since Council Meeting on 11 July 2016	2	2
C296/14-16	Declarations of Interest	2	2
	Questions on Notice from the Public	4	2
	Questions Without Notice from the Public	4	2
	Questions on Notice from Councillors	4	3
C297/14-16	Old Vodafone Call Centre	4	3
C298/14-16	Browns River Erosion	4	3
C299/14-16	Questions Without Notice from Councillors	5	4
	Motions of Which Notice has been Given	5	6
C300/14-16	Local Government Reform	5	6
	Petitions Still Being Actioned	6	6
	Petitions Received in Last Period	6	6
	Planning Authority - Reports of Officers	7	7
C301/14-16	Delegated Authority for the Period 29 June 2016 to 12 July 2016	7	7
C302/14-16	DA-2015-430 - Development Application for Dwelling, Shed and Demolition of Existing Shed Requiring Relaxation of Side Boundary Setback and Height Maximum at 270 Llantwit Road, Woodbridge for Mr S Sheppard and Mrs D Sheppard	11	7
C303/14-16	DA-2016-115 - Development Application for Dwelling at 940 Adventure Bay Road, Adventure Bay for E3 Planning Pty Ltd	36	9
C304/14-16	DA-2016-221 - Development Application for Dwelling and Shed Requiring Relaxation of Side and Rear Boundary Setbacks at 16 Dianella Drive, Blackmans Bay for Maveric Builders	50	12

TABLE OF CONTENTS (cont.)

Open Session

Minute No's.

Agenda Page No.

Minute Page No.

C305/14-16	DAS-2015-49 - Development Application for Subdivision of Two Lots and Balance at 2 Selby Road, Kettering for Mr A S Hamilton	76	13
C306/14-16	DAS-2015-54 - Development Application for Subdivision of 22 Lots and Associated Infrastructure Works at 42 Hutchins Street and Hutchins Street Road Reserve, Kingston for Rogerson and Birch Surveyors	90	16
	Council - Reports of Officers	140	29
C307/14-16	Former Kingston High School Site Naming Competition	140	29
C308/14-16	Information Reports	144	30
	Financial Report for the Period 1 July 2015 to 30 June 2015	145	
	Donations	210	
	Councillor Allowance & Expense Table for Period 1 July 2015 to 30 June 2016	214	
	Councillor Attendance at Meetings from 1 July 2015 to 30 June 2016	215	
	General Manager's Diary for the Period 20 June 2016 to 15 July 2016	219	
	Report from Cr Fox re Waste Management Association Australia Seminar	223	
	Report from Mayor Wass re: National General Assembly of Local Government, Canberra 19-22 June 2016	224	
C309/14-16	Confirmation of Items to be Dealt With in Closed Session	227	31

MINUTES of an Ordinary Meeting of Council held at the Kingborough Civic Centre, Kingston on Monday, 25 July 2016 at 5.30pm.

	From	To	Time Occupied
Open Council	5.30pm	6.09pm	39 minutes
Planning Authority	6.09pm	6.55pm	46 minutes
Open Council	6.55pm	7.47pm	52 minutes
Closed Council	7.47pm	7.50pm	3 minute
Open Council	7.50pm	7.51pm	1 minute
TOTAL TIME OCCUPIED			2 hours, 21 minutes

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chairperson acknowledged the traditional owners of the land and paid respects to them and their customs, and to their elders, past, present and future.

ATTENDEES

Councillors:

		PRESENT
Mayor	Councillor S Wass	✓
Deputy Mayor	Councillor P Wriedt	✓
	Councillor R Atkinson	x
	Councillor S Bastone	✓
	Councillor Dr G Bury	✓
	Councillor P Chatterton	✓
	Councillor F Fox	✓
	Councillor D Grace	✓
	Councillor M Percey	✓
	Councillor D Winter	✓

Staff:

TITLE	NAME
General Manager	Mr Gary Arnold
Deputy General Manager	Mr Tony Ferrier
Chief Financial Officer	Mr John Breen
Manager Finance	Mr Tim Jones
Manager Governance & Property Services	Mr Daniel Smee
Senior Planner	Mrs Melissa Stevenson
Media & Communications Officer	Ms Sarah Wilcox
Executive Assistant	Mrs Amanda Morton

C294/14-16

APOLOGIES

Cr Atkinson

CONFIRMATION OF MINUTES OF COUNCIL MEETING NO. 13 HELD ON 11 JULY 2016

MOVED Cr Fox
 SECONDED Cr Bury

That the Minutes of Council Meeting No. 13 held on 11 July 2016 be confirmed.

FOR

Cr Bastone	Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt	

Carried Unanimously

WORKSHOPS HELD SINCE COUNCIL MEETING ON 11 JULY 2016

DATE	PURPOSE
18 July 2016	LGAT & New Code of Conduct

(Commences at ± 2 minutes, 45 seconds of audio recording)

DECLARATIONS OF INTEREST

Cr Bastone declared an interest in the report headed "DAS-2015-49 - Development Application for Subdivision of two Lots and Balance at 2 Selby Road, Kettering for Mr A S Hamilton". Cr Bastone is the objector.

Cr Bastone declared an interest in the report headed "DAS-2015-54 - Development Application for Subdivision of 22 Lots and Associated Infrastructure Works at 42 Hutchins Street and Hutchins Street Road Reserve, Kingston for Rogerson and Birch Surveyors. Cr Bastone visited the site with the developer.

Cr Chatterton declared an interest in the report headed "DAS-2015-54 - Development Application for Subdivision of 22 Lots and Associated Infrastructure Works at 42 Hutchins Street and Hutchins Street Road Reserve, Kingston for Rogerson and Birch Surveyors. Cr Chatterton visited the site with the developer.

QUESTIONS ON NOTICE FROM THE PUBLIC

At the time the Agenda was compiled there were no questions on notice from the public.

QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

There were no questions without notice from the public.

QUESTIONS ON NOTICE FROM COUNCILLORS

C297/14-16

Old Vodafone Call Centre

Cr Winter has submitted the following question on notice :

Has Council had any involvement with the building owners or State Government regarding future tenancies for the old Vodafone Call Centre in Huntingfield?

Is Council aware of any proposals for the site?

Response:

Responsible Officer: Tony Ferrier – Deputy General Manager

Council staff have had discussions with the owners since Vodafone vacated this site in regard to its alternative use. Council is not aware of any specific proposals.

C298/14-16

Browns River Erosion

Cr Winter has submitted the following question on notice :

What is Council doing to remediate the fenced Coastcare sites at the mouth of Browns River, which were damaged in the recent storms?

Response:

Responsible Officer: Liz Quinn – NRM Coordinator

Officers have assessed the recent damage to the revegetation area directly in front of the carpark at Browns River. This site was planted and fenced by the Kingston Beach/ Browns River Coastcare Group in 2002. Historical aerial imagery indicates that in 2011 there was approximately 10m of sand from the front edge of the planting to the High Water Mark (HWM). The HWM is now at the edge of the planting site indicating that a large area of sand, including an area of marram grass in front of the planting has been lost. The river mouth is a dynamic environment and ongoing changes to the position of the banks is expected. It is in part protected from erosive wave action by the sandbar on the opposite bank of the river, but this too may move over time.

The native vegetation appears to have assisted in holding the bank in place during storm events, but is being eroded during particularly large events, as occurred in late June i.e. erosion tends to occur in severe events dramatically rather than gradually over time.

Following the onsite assessment by both NRM and Engineering officers and consultation with the convenor of the Kingston Beach Coastcare group, the following course of action has been proposed:

- A wider, more densely planted strip of vegetation will have a higher chance of withstanding erosive action. The revegetation area will be widened, planted and re-fenced on the inland edge in winter 2017.
- Sand-binding grasses and coastal shrubs will be densely planted within the existing revegetation area to improve its ability to withstand erosive action.

- No hardening of the coast with rock or similar in front of the planting is required at this time as there is no major infrastructure at risk and there is sufficient area behind the revegetation zone to retreat (with use of more vegetation) prior to there being any significant impact on the Tyndall Beach Carpark.
- It is expected that further minor works will be required from time to time to repair erosion impacts on recreation infrastructure in this zone.
- Long term adaptation planning will be required to manage and adapt to the increasing hazard of coastal erosion and inundation risks in this area to the Tyndall Beach carpark and infrastructure in Christopher Johnstone memorial park.

C299/14-16

(Commences at ± 4 minutes, 30 seconds of audio recording)

QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Grace asked the following questions without notice:

1. *“What is the current status of the proposed road reconstruction and widening at the Esplanade, Margate from Beach Road to Dru Point Reserve?”*

Senior Planner responds:

A Development Application has been submitted to Council, DA-2016-86. The Development Application is currently on advertising. It commenced advertising on 16 July and the advertising period closes on 29 July.

2. *“If the DA is approved, will it involve private property?”*

Senior Planner responds:

Yes. There are seven private properties which are affected by the proposed road widening.

3. *“Will the owners of the affected land be able to get an independent valuation? If so, will Council be able to pay for that?”*

General Manager responds:

If the Council acting as the Planning Authority ultimately approve the DA that you are referring to in these questions, then the Act allows for a formal process but prior to that there is an informal process which will involve negotiation. In each case, both the informal and the formal process it would be most likely that an independent valuation will be required.

4. *“As Councillors are aware, we have introduced a new fee for the stormwater. Will the Manager provide a written capital works project on what this money is going to be spent on individual projects? Will it be treated as capital works? When Council management have time, will they prepare a full list of projects and costings of what those projects will cost and where they are to be done so that the community is aware of where we are spending that money.”*

General Manager responds:

The current budget allows for expenditure of \$1.9 million. This is approximately \$900,000 more than the average spend on stormwater projects. However, given that you have placed the question on the public record, it is probably appropriate that I take

the remainder of the question on notice so that I can provide a written response to the next Council meeting.

Cr Bastone asked the following question without notice:

The guard rail in Snug on the pedestrian refuge has been removed after being hit a number of times. Is it going to be replaced or have you decided that its badly engineered and shouldn't be there at all?

General Manager responds:

I will take that question on notice and provide a written response.

Cr Percey asked the following question without notice:

"What is the Council strategy around tree preservation reserve and what part of the strategic plan does it come under and I believe that the balance is \$346,000 and hasn't been used since 2012."

General Manager responds:

Over the past three years there has been minimal expenditure. Some of the things that I am aware of is \$3,000 for swift parrot habitat planning at Tramway Hill Reserve, \$3,100 of the implementation of the Hawthorn Reserve Conservation Management plan and \$1,400 of the implementation of the Algonna Reserve Conservation Management plan. Co-incidentally, I was discussing the Council policy and more importantly an implementation plan with my colleague, Liz Quinn, earlier today. She has indicated that she has already prepared some guidelines and is in the process of preparing a report to Council which she expects to come next month, if not September. I hope that that will give a more concise answer to your question

Cr Wass asked the following question without notice:

"I know that you had a meeting with the principal and advisors in relation to the Spring Farm development application and I'm wondering whether you might have an update from that meeting?"

General Manager responds:

Last week Council officers, including Mrs Stevenson who is here this evening, held a meeting with representatives of the JAC Group who are the proponents for the Spring Farm development and at that meeting, I have reports back it went extremely well. The JAC Group consultants that were present undertook to go away from that meeting and make alterations to the Bushfire Management Plan and also to the Whitewater Creek Riparian Management Plan and Council officers are anticipating that they will be in receipt of those revised plans in the next few days. One can only assume that, subject to satisfactory revision of those two plans, that we would be very close to moving forward with that DA.

Cr Bastone asked the following question without notice:

"I'm just wondering if anyone is aware of the sign that has gone up on Bruny Island pointing to the "Alonnah Ferry Terminal". I've brought in a photograph of it. It's a very misleading sign. I will tender the photograph."

The Mayor advised that the question will be taken on notice and a written response will be provided to all Councillors.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

C300/14-16

(Commences at ± 12 minutes, 49 seconds of audio recording)

Local Government Reform

The following Notice of Motion was submitted by **Cr Bury** :

MOVED Cr Bury
SECONDED Cr Chatterton

Kingborough Council is willing to talk to representatives from Huon Valley Council about sharing services and any other issues involving the Local government reform process.

Council does not, however, support the proposal from Huon Valley Council for the boundary adjustment which would lead to all the area from Margate, south of the Kingborough Municipality, being part of an expanded Huon Valley Municipality, and notes that this proposal has never been discussed with Kingborough Council.

FOR

Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox	Cr Wass
Cr Wriedt				

AGAINST

Cr Grace	Cr Percey	Cr Winter		
----------	-----------	-----------	--	--

Carried

PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

PETITIONS RECEIVED IN LAST PERIOD

On the day of compiling the Agenda no Petitions had been received.

OPEN SESSION OF COUNCIL ADJOURNS

Planning Authority Meeting commenced at 6.09pm

REPORTS OF OFFICERS

C301/14-16

(Commences at ± 39 minutes, 30 seconds of audio recording)

DELEGATED AUTHORITY FOR THE PERIOD 29 JUNE 2016 TO 12 JULY 2016

MOVED Cr Percey
SECONDED Cr Fox

That the report be noted.

FOR

Cr Bastone	Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt	

Carried Unanimously

C302/14-16

(Commences at ± 41 minutes, 19 seconds of audio recording)

DA-2015-430 - DEVELOPMENT APPLICATION FOR DWELLING, SHED AND DEMOLITION OF EXISTING SHED REQUIRING RELAXATION OF SIDE BOUNDARY SETBACK AND HEIGHT MAXIMUM AT 270 LLANTWIT ROAD, WOODBRIDGE FOR MR S SHEPPARD AND MRS D SHEPPARD

MOVED Cr Grace
SECONDED Cr Wriedt

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for dwelling, shed and demolition of existing shed requiring relaxation of side boundary setback and height maximum at 270 Llantwit Road, Woodbridge for Mr S Sheppard and Mrs D Sheppard 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-2015-430 and Council Plan Reference No. P3 submitted on 25 May 2016, No. P4 submitted on 16 June 2016 and No. P5 submitted 20 June 2016. 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. A drainage design plan in accordance with the Director of Building Control Specified List, Schedule 2, at a scale of 1:200, designed by a qualified hydraulic engineer, 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 Building Permit.

3. The developer must obtain from Council a Special Plumbing Permit for an onsite wastewater management system. This application must be to the satisfaction of Council's Environmental Health Officer and should accompany any application for a Building Permit for the development.
4. Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40%. In order to reduce visual amenity impact, the external building materials of all buildings applying to this development must be of types and colours that are muted and sympathetic to the environment to the satisfaction of the Manager – Development Services. Plans submitted for building approval must indicate the proposed colour and type of the external building materials.
5. Due to the presence of swift parrot habitat in close proximity to the subject land, building plans submitted for the development must minimise the risk of bird collision by incorporating design elements and strategies in accordance with the document "Minimising the swift parrot collision threat – Guidelines and recommendations for parrot-safe building design", to the satisfaction of Council's Development Services Manager.
6. No felling, lopping, ringbarking or otherwise injuring, disturbing or destroying of native vegetation or individual trees is to take place without further written approval of Council.

Any native vegetation in close proximity to works must be appropriately protected during construction. This includes establishing and maintaining a Tree Protection Zone (calculated as 12 x trunk diameter at 1.4m above ground in accordance with AS 4970-2009) to exclude:

- a) Storing of building materials;
 - b) Vehicular traffic;
 - c) Placement of fill; and
 - d) Excavation works.
7. Any environmental weeds present within the footprint of the works must be treated prior to commencement of works.

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 Tasmanian Washdown Guidelines for Weed and Disease Control produced by the Department of Primary Industries, Parks, Water and Environment.

Any imported fill materials must be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.

8. Prior to occupation, screening vegetation must be installed along the northern boundary of the site for a minimum length of 80m commencing 10m of the property boundary with Llantwit Road. This vegetation must constitute species with a minimum mature height of 3.5m.
9. The design and construction works must be generally in accordance with the submitted proposal plan P4 and to the satisfaction and approval of the Executive Manager - Engineering Services and as follows:
 - a) The engineering plans shall include but not be limited to adequately detailed internal vehicular and carparking, manoeuvring areas and drainage services.

- b) Approval of the plans and specifications is required prior to the issue of a Building Permit.
10. The stormwater runoff from all concrete, paved, or otherwise sealed areas must be collected and contained within the property or discharged to a council approved discharge point. All works in relation to the discharge of stormwater is to be completed to the satisfaction of the Executive Manager - Engineering Services.
11. Erosion/siltation infiltration control measures are to be applied during construction works to the satisfaction of the Executive Manager - Engineering Services.
12. The vehicular access must be in accordance with the Tasmanian Standard Drawings (TSD-RO3, TSD-RO4, TSD-E01 & TSD-RF01).

ADVICE

- A. In accordance with section 53(5) of the Land Use Planning and Approvals Act 1993 this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. This Permit does not constitute building approval. The developer should obtain a Building Permit for the development prior to commencing construction.

FOR

Cr Bastone	Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt	

Carried Unanimously

C303/14-16

(Commences at ± 53 minutes, 17 seconds of audio recording)

DA-2016-115 - DEVELOPMENT APPLICATION FOR DWELLING AT 940 ADVENTURE BAY ROAD, ADVENTURE BAY FOR E3 PLANNING PTY LTD

MOVED Cr Bury
SECONDED Cr Fox

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for dwelling at 940 Adventure Bay Road, Adventure Bay for E3 Planning Pty Ltd be approved subject to the following conditions:

1. The development must substantially comply with development application no. 2016-115 and the plans marked P1 submitted to Council on 18 March 2016. Whoever acts on this Permit (hereafter referred to as the developer) must comply with all conditions placed upon it. Any amendment, variation, or extension of this Permit requires further approval.
2. The exterior building surfaces of the development must be coloured using colours with a light reflectance value not greater than 40 percent. Any plans submitted together with a Building Permit for the development should demonstrate likely compliance with this condition.

3. A drainage design plan (preferably drawn at a scale of 1:200) prepared by a suitably qualified person that shows the location of the sewer and stormwater house connection drains and includes pipe sizes, pits, and driveway drainage, should accompany any application for a Building Permit for the development.
4. Wastewater from the development must be managed by an onsite wastewater management system. The developer must obtain from Council a Special Plumbing Permit (SPP) for an onsite wastewater management system prior to construction of the development commencing. Any application for an SPP must be to the satisfaction of Council's Senior Environmental Health Officer and should accompany any application for a Building Permit for the development.
5. Only *Eucalyptus obliqua* dry forest may be removed or disturbed for the purpose of the proposal, to the extent required to achieve a BAL 19 under the Australian Standard AS3959:2009 Construction of buildings in bushfire prone areas.

The wastewater system installed for the dwelling must be located within the approved bushfire hazard management area and away from trees to be retained.

Two black gums and one blue gum are approved for removal within the house site as per the information submitted by Evan Boardman dated 5 May 2016. All other blue gums and black gums on the site must be retained unless removal is otherwise approved in writing by Council. In accordance with the requirements of Code E10.0 of the Scheme and Council's Biodiversity Offset Policy, these trees are approved for removal subject to an offset of \$300 per tree. This offset, totaling \$900, must be paid into Council's Tree Preservation Fund to be used to manage and conserve the habitat of the swift parrot on Bruny Island.

All trees identified for retention must be appropriately protected during construction to ensure that no damage is inflicted that may impact upon the health of the trees or cause them to die. This includes establishing and maintaining a Tree Root Protection Zone (calculated as 12 x trunk diameter at 1.4m above ground) in accordance with AS 4970-2009 to exclude:

- a) Storing of building materials;
- b) Vehicular traffic;
- c) Placement of fill; and
- d) Excavation works.

The following must be shown on site plans submitted for the Building Permit application to the satisfaction of the Development Services Manager:

- a) locations of the trees to be removed,
- b) locations of trees within the bushfire hazard management area to be retained,
- c) location of wastewater system and other services requiring works;
- d) location of visible barriers to protect Tree Protection Zones and other vegetation during construction.

No native vegetation is to be removed prior to the issue of a Building Permit for the dwelling and payment of the offset.

All remaining native vegetation, including individual trees, is to be protected and retained. No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written approval of Council.

6. Environmental weeds declared under the Weed Management Act 1999 are present on the site. These weeds include blackberry and Spanish heath.

Prior to commencement of construction, primary treatment of all weeds within the access strip and construction footprint must be undertaken in accordance with current State government guidelines for weed control. Prior to Occupation, primary control of all weeds on site must be carried out to preserve the remainder of the environmental values on the site. Please note that Spanish heath should not be slashed as this encourages growth.

To ensure these weeds are not spread from the site:

- (a) Weed plant material or soil containing their seed must not be removed from the site, unless approval is obtained from State government as required under the Weed Management Act 1999;
 - (b) Weed plant material and topsoil containing their seed must not be stored or moved into areas containing weed-free native vegetation;
 - (c) Appropriate hygiene measures must be undertaken prior to any machinery entering and leaving the site as per the Tasmanian Washdown Guidelines for Weed and Disease Control produced by the Department of Primary Industries, Parks, Water and Environment;
 - (d) Any imported fill materials must be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.
7. Vehicular access to the development must be in accordance with the Tasmanian Standard Drawings (TSD-RO3, TSD-RO4 , TSD-E01 & TSD-RF01) and be sealed to match the existing road surface from the edge of the carriageway to the lots property boundary. A permit to carry out works within a Council road reservation must be obtained prior to any works being commenced within the Adventure Bay Road reservation.
8. Stormwater runoff from the development must be directed to an approved discharge point to the satisfaction of Council's Executive Manager - Engineering Services.
9. Onsite erosion and siltation infiltration control measures must be implemented and maintained throughout construction of the development to the satisfaction of Council's Executive Manager - 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) This Permit does not constitute building approval. The developer should obtain a Building Permit for the development prior to commencing construction.

FOR

Cr Bastone	Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percy	Cr Wass	Cr Winter	Cr Wriedt	

Carried Unanimously

DA-2016-221 - DEVELOPMENT APPLICATION FOR DWELLING AND SHED REQUIRING RELAXATION OF SIDE AND REAR BOUNDARY SETBACKS AT 16 DIANELLA DRIVE, BLACKMANS BAY FOR MAVERIC BUILDERS

MOVED Cr Grace
SECONDED Cr Percey

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for dwelling and shed requiring relaxation of side and rear boundary setbacks at 16 Dianella Drive, Blackmans Bay for Maveric Builders 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-2016-221 and Council Plan Reference No. P1 shed plans submitted on 25 May 2016 and P3 dwelling plans submitted on 27 June 2016 and P4 amended site plan submitted 29 June 2016. 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. Approval is given to remove one Eucalyptus amygdalina located at the rear of the site as per the approved plans, for the purpose of the development.

‘Tree 16’ as identified on the Part V Agreement Plan attached to the title (known to be a Eucalyptus amygdalina with a DBH of at least 30cm) must be retained and protected. A Tree Protection Zone with a radius of at least 3.6m (as measured from the centre of the trunk of the tree) must be established and maintained prior to commencement of construction with a visible barrier, in accordance with AS 4970-2009, to exclude:

- a) Storing of building materials;
 - b) Vehicular traffic;
 - c) Placement of fill; and
 - d) Excavation works.
3. The external building materials of all buildings applying to this development must be of types and colours that are sympathetic to the environment and must be to the satisfaction of the Manager – Development Services. Unpainted metal surfaces will not be approved.
 4. Erosion/siltation infiltration control measures are to be applied during construction works in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines, Tasmanian Standard Drawings (TSD-SW28) and to the satisfaction of the Executive Manager - Engineering Services.
 5. The stormwater runoff and overflows from all roofed or sealed areas must be collected and discharged into Council’s reticulated stormwater system to the satisfaction of the Executive Manager - Engineering Services.

ADVICE

6. 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.
7. This Permit does not constitute building approval. The developer should obtain a Building Permit for the development prior to commencing construction.

FOR

Cr Bastone	Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt	

Carried Unanimously

C305/14-16

(Commences at ± 1 hour, 3 minutes of audio recording)

Cr Bastone left the room at 6.33pm

DAS-2015-49 - DEVELOPMENT APPLICATION FOR SUBDIVISION OF TWO LOTS AND BALANCE AT 2 SELBY ROAD, KETTERING FOR MR A S HAMILTON

MOVED Cr Chatterton
SECONDED Cr Grace

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for subdivision of two lots and balance at 2 Selby Road, Kettering for Mr A S Hamilton be approved subject to the following conditions:

1. The development must substantially comply with development application no. DAS2015-49 and the plans marked P1 submitted to Council on 13 July 2016. Whoever acts on this Permit (hereafter referred to as the developer) must comply with all conditions placed upon it. Any amendment, variation, or extension of this Permit requires further approval.
2. The titles of the lots must be endorsed to state that onsite wastewater management for future development upon the lots may only be via an Aerated Wastewater Treatment System. Any Schedule of Easements submitted together with the Final Plan of Survey for the subdivision should demonstrate compliance with this condition.
3. Prior to Council sealing the Final Plan of Survey for the subdivision, the septic tank and associated infrastructure on the property must be decommissioned to the satisfaction of Council's Senior Environmental Health Officer.

Prior to decommissioning, the septic tank must be emptied of all controlled waste by an appropriately licensed contractor (ref: Environmental Management and Pollution Control Act 1994). The tank must be treated with slaked lime and either removed, destroyed, or filled in with a solid inert material. Any absorption trenches must be removed and the void back-filled with clean fill. Any application for sealing of the Final Plan of Survey for subdivision must be accompanied by certification from a suitably qualified wastewater consultant that demonstrates compliance with this condition.

4. Prior to Council sealing the Final Plan of Survey for the subdivision, the developer must replace the existing septic tank and associated infrastructure on the property with an Aerated Wastewater Treatment System (AWTS).

The developer must obtain from Council a Special Plumbing Permit (SPP) for the decommissioning of the existing septic tank and associated infrastructure required by condition 3 and the installation of the above AWTS. Any application for an SPP must be to the satisfaction of Council's Senior Environmental Health Officer.

Any application for sealing of the Final Plan of Survey for the subdivision must be accompanied by certification of the AWTS by a suitably qualified wastewater consultant.

5. Prior to commencement of works, Tree Protection Zones (calculated as 12 x trunk diameter at 1.4m above ground in accordance with AS 4970-2009) must be established with a visible barrier around adjacent black gum trees to exclude:

- a) Storing of building materials;
- b) Vehicular traffic;
- c) Placement of fill; and
- d) Excavation works.

6. To reduce the spread of weeds or pathogens, the operators of any machinery must implement appropriate hygiene measures prior to entering and leaving the site as per the Tasmanian Washdown Guidelines for Weed and Disease Control (DPIPWE).

Any imported fill materials should be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.

7. Any work within a Waterway and Coastal Protection Area required to carry out the subdivision must be undertaken generally in accordance with the Wetlands and Waterways Works Manual (DPIWE, 2003). The unnecessary use of machinery within watercourses should be avoided.

8. As no provision has been made for recreation space or improvements thereto, and having formed the opinion that such a provision should be made, Council invokes the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and requires security equivalent of 3.33% of the unimproved value of the gross area of the subdivision. This should be in the form of a direct payment made before the sealing of the Final Plan, or alternatively, in the form of security provided under Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993. The subdivider should obtain a valuation from a registered Valuer for the purposes of determining the unimproved value of the gross area of the subdivision.

9. Council's engineering plan approval and inspection fee, being 2% of the estimated value of the Council infrastructure construction works (including GST, provisional items and contingencies) for the development, must be paid at the time of submission of the design plans for approval.

Return inspections for non-compliance and/or additional audit inspections requested by the supervising engineer will incur additional hourly rate charges based on the rates adopted by Council and prevailing at the time of payment. These additional fees shall be paid prior to issue of a Certificate of Practical Completion or deducted from any guarantee held for the works.

10. Prior to the commencement of site works, the developer must submit to Council a soil and water management plan prepared by a suitably qualified person. The plan must be to the satisfaction of Council's Development Engineer and in accordance with the NRM South Soil and Water Management Code of Practice 2009.

A site inspection by a Council Development Inspector must be undertaken prior to the commencement of any work on site to ensure soil and water control measures are in place.

Prior to completion, all disturbed surfaces on the land must be top-dressed to a minimum depth of 50mm with approved local stockpiled topsoil or weed free imported topsoil. The top-dressed areas must be stabilised and revegetated with local plants and grasses to the satisfaction of Council's Development Engineer.

11. The design and construction works must be carried out generally in accordance with the submitted application proposal plan P3, the Drainage Plan LN15371-C1 (A) and associated Stormwater Design for Subdivision submitted by Pitt and Sherry Engineers, dated 9 March 2016, to the satisfaction and approval of the Development Engineer and comply with the following:

- Austroads Standards,
- Australian Rainfall and Runoff Guidelines,
- Tasmanian Standard Drawings – LGAT.

The engineering design plans must include but not be limited to, adequately detailed overall subdivision lots accesses and services plans, piped drainage and associated easements and including associated traffic, pedestrian and hydraulic services contained within the full extent of the subdivision and demonstrating compatibility with adjacent areas.

The engineering plan approval will be valid for a maximum period of two years from the date of Council endorsement, and if practical completion has not been achieved within the time limit, the engineering plans will be subject to re-assessment in light of the appropriate prevailing Council standards at the time. The engineering plans and specifications shall be prepared and certified by a professional engineer. The developer's engineer must supervise the subdivision construction works in accordance with Councils audit inspection.

An application for a permit to construct within Council's Road (Selby Road) must be lodged with Council for approval by the Development Engineer. A permit to construct within a State Road must be obtained from the Department of State Growth prior to lot access construction on the Channel Highway. A copy of the permit must be provided to Council's Development Engineer prior to acceptance of the required subdivision start of works notice to be lodged by the developer/developer's engineer.

Upon completion of the works the developer's engineer must arrange a practical completion inspection with Council's Development Engineer. Any outstanding or uncompleted works must be completed and reinspected prior to acceptance of a written request from the developer's engineer to Council for the works to be placed onto a statutory twelve month maintenance period. A bond and bank guarantee may be provided at this time for early issue of titles.

As constructed drawings must be lodged with Council's Development Engineer by the developer's Registered Surveyor in digital format in accordance with Council's policy requirements prior to the works being placed onto the maintenance period.

The developer's engineer must arrange a final inspection of the subdivision works with Councils Development Engineer just prior to the end of the maintenance period. Any outstanding works must be completed and satisfactorily inspected prior to Council

acceptance of the developer's engineer's written request for take-over of Council infrastructure and return of any associated bond and bank guarantee.

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 developer should not allocate any property address numbers to the lots. Council has allocated the following property addresses:

Lot No.	Allocated Property Address
102	2 Selby Road, Kettering (existing)
103	2966 Channel Highway, Kettering
104	6 Selby Road, Kettering

FOR

Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace	Cr Percey
Cr Wass	Cr Winter	Cr Wriedt		

Carried Unanimously

Cr Bastone returned to the meeting at 6.35pm

C306/14-16

(Commences at ± 1 hour, 5 minutes of audio recording)

DAS-2015-54 - DEVELOPMENT APPLICATION FOR SUBDIVISION OF 22 LOTS AND ASSOCIATED INFRASTRUCTURE WORKS AT 42 HUTCHINS STREET AND HUTCHINS STREET ROAD RESERVE, KINGSTON FOR ROGERSON AND BIRCH SURVEYORS

MOVED Cr Chatterton
SECONDED Cr Percey

That in accordance with Council Policy 1.1 – Delegated Authority Policy, the Planning Authority resolves that the report of the Manager Development Services be received and that the development application for the subdivision of 22 lots and associated infrastructure works at 42 Hutchins Street and Hutchins Street road reserve, Kingston for Rogerson and Birch Surveyors be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DAS-2015-54 and Council Plan Reference No's. P3 submitted on 26 May 2016, P4 submitted on 14 June 2016 and P6 submitted on 17 June 2016. 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 subdivision plan must be amended as follows:
 - a) Approval is not given for the creation of Lots 2 and 3 as separate lots. Lots 2 and 3 must be combined and replaced with a single lot;
 - b) An access strip (minimum 8m wide) must be provided from the new subdivision road to Lot 22. The final location of the access strip will be subject to detailed design however, it is recommended that it be located in the vicinity of Lots 6, 7, 8 or 9.

A revised proposed plan showing the above modifications must be submitted to Council prior to the commencement of development on the site and must be to the satisfaction of the Manager Development Services.

3. As no provision has been made for recreation space or improvements thereto, and having formed the opinion that such a provision should be made, Council invokes the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and requires security equivalent of 5% of the unimproved value of Lots 1 – 9 and 11 - 22. This should be in the form of a direct payment made before the sealing of the Final Plan, or alternatively, in the form of security provided under Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993.

The subdivider is to obtain a valuation from a registered Valuer for the purposes of determining the unimproved value of Lots 1 – 9 and 11 -22.

4. A covenant must be included on the new title to Lot 22 restricting future development to multiple dwellings only.
5. All the downpipes, sub soil drains, stormwater house connection drains and driveway run off from the existing dwelling must be contained within the proposed new property boundary and be connected to the proposed new stormwater connection by a licensed plumbing contractor and inspected by a Council Plumbing Surveyor prior to backfilling.

This work must be carried out prior to the sealing of the Final Plan of Survey.

6. The sewer house connection drains from the existing dwelling must be connected to a new sewer connection by a licensed plumbing contractor and inspected by a Council Plumbing Surveyor prior to backfilling, as they currently pass through the proposed new Lot 22.

These drains are to be contained within the proposed new property boundary.

This work must be carried out prior to the sealing of the Final Plan of Survey.

7. The water supply to the existing dwelling must be connected to the proposed new water connection and contained within the proposed new property boundary by a licensed plumbing contractor and inspected by a Council Plumbing Surveyor prior to backfilling.

This work must be carried out prior to the sealing of the Final Plan of Survey.

8. Only those trees identified for removal in the approved plan (Council Plan No. P6 received 17 June 2016) and the understorey vegetation within Lots 1-21 and road access may be removed or disturbed as part of the proposed development, unless the written consent of Council has been obtained and it can be demonstrated by a qualified arborist that:

- o the health and viability of the trees is such that they represent a danger; and/or
 - o there are no reasonable mitigation and/or protection measures able to be implemented to minimise the impacts of the development on the health of these trees and avoid their loss within the scope of the approved development.

Should further tree removal be approved by Council following arborist advice, the cost of removal of these trees and any offset required for the loss of these trees must be borne by the applicant.

9. Removal of the approved trees and vegetation are subject to the payment of a financial offset to be paid into Council's Tree Offset Fund as follows:
 - (a) \$22,000 for the loss of 56 trees of high conservation value, namely white gums and black gums over 25cm trunk diameter, to be used for the conservation and management of forty-spotted pardalote habitat and swift parrot habitat in Kingborough; and
 - (b) \$16,500 for the loss of 0.55ha of Eucalyptus amygdalina forest on sandstone (DAS) in poor condition, to be used for the conservation and management of DAS vegetation in Kingborough.

No native vegetation is to be removed prior to the finalisation of the detailed access and services design to the satisfaction of Council, and payment of the financial offset. Detailed design must demonstrate that those trees sought to be retained will not be negatively impacted by the proposal, as reviewed by a qualified arborist.

10. All remaining native vegetation, including individual trees, is to be protected and retained. No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written approval of Council.

Prior to commencement of works, tree protection measures must be inspected by a qualified arborist at the cost of the applicant, to the satisfaction of Council's Manager Development Services. All trees identified for retention must be appropriately protected during construction to ensure that no damage is inflicted that may impact upon the health of the trees or cause them to die. This includes establishing and maintaining Tree Protection Zones (calculated as 12 x trunk diameter at 1.4m above ground) in accordance with AS 4970-2009 to exclude:

- (a) Storing of building materials;
 - (b) Vehicular traffic;
 - (c) Placement of fill; and
 - (d) Excavation works.
11. Environmental weeds declared under the Weed Management Act 1999 are present on the site as documented in NorthBarker (May 2016).

Prior to commencement of construction, a weed action plan to the satisfaction of the Manager Development Services is required to ensure weeds are treated and/or buried in such a way as to minimise the potential for their persistence on the site or to be spread elsewhere in the municipality. This plan should include a site plan showing known locations and identify the timeframes and methods of primary and follow up treatment for all infestations of the weeds.

To ensure these weeds are not spread from the site:

- (a) Weed plant material or soil containing their seed must not be removed from the site, unless approval is obtained from State government as required under the Weed Management Act 1999;
 - (b) Weed plant material and topsoil containing their seed must not be stored or moved into areas containing weed-free native vegetation;

- (c) Appropriate hygiene measures must be undertaken prior to any machinery entering and leaving the site as per the Tasmanian Washdown Guidelines for Weed and Disease Control produced by the Department of Primary Industries, Parks, Water and Environment;
 - (d) Any imported fill materials must be sourced from quarries able to provide documentation as to the weeds present on the source site in order to minimise introduction of new weeds and pathogens to the area.
12. A Council fee of 2% of the estimated value of the construction works (including GST, provisional items and contingencies) for the development or a minimum of \$773 shall be paid at the time of submission of the design plans for approval. The actual amounts paid shall be based on the rates adopted by Council and prevailing at the time of payment.
13. The engineering design and construction works for the subdivision must be carried out generally in accordance with the submitted application concept design general arrangement plan "P6" and with the associated hydraulic and traffic impact assessment reports to the satisfaction and approval of the Executive Manager - Engineering Services and in compliance with the following:
- (a) IPWEA Tasmanian standard construction drawings and specifications;
 - (b) IPWEA Tasmanian subdivision guidelines;
 - (c) Austroads standards;
 - (d) Australian Rainfall and runoff guidelines;
 - (e) Kingborough Council's development and capital works inspection and administration guidelines;
 - (f) Kingborough Council's standard testing methods and procedures;
 - (g) The engineering design plans must include, but not be limited to, the following:
 - (i) The design of the cul-de-sac road with associated footpath, lighting and reticulated stormwater drainage to a 8.9m wide road between face of kerbs (FOK) from Hutchins Street prior to the sealing of the Final Plan of Survey;
 - (ii) The proposed stormwater drainage system should be sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow based on a possible future fully-developed catchment. The reticulated stormwater system itself should be sized to accommodate at least the estimated 5% AEP flow based on a possible future fully-developed catchment;
 - (iii) Construction of the internal road network in accordance with the approved subdivision plan including kerb and channel, concrete footpath, and associated stormwater treatment system incorporating in road bio-retention basins;
 - (h) The engineering plan approval will be valid for a maximum period of two years from the date of Council endorsement, and if practical completion has not been achieved within the time limit, the engineering plans will be subject to re-assessment;
 - (i) Design reports and calculations must be provided as required;
 - (j) The engineering plans and specifications must be prepared and certified by an accredited professional engineer to the satisfaction and approval of the Executive Manager - Engineering Services.

14. The works must be supervised by the engineer referred to above and in accordance with Council's inspections schedule. All enquiries and matters pertaining to the works during the construction and maintenance stages shall be directed to the applicant or applicant's representative in the first instance, until the works have successfully undergone the requisite 52 week maintenance period and have been taken over by Council.
15. Council will provide unique Kingborough Council road numbers for all the proposed roads within the development. These numbers must then be referenced on design and "As-Constructed" drawings. The proposal will also be assessed as to the suitability of street numbering for each road segment. The applicant must submit to Council within one month of the permit being issued a list of preferred names for new roads or alternately select name from Council's preferred road name listing. Council will endorse, or otherwise, the proposed road names.

Should the applicant not submit or select road names Council will allocate a name from the preferred road name listing.

All new road signs related to this development must be provided and installed by Council at the applicant's cost. The actual costs must be paid prior to the sealing of the Final Plan of Survey and shall be based on the rates adopted by Council at the time of payment.

16. The applicant must not commence civil construction works within a road reservation until the following requirements are met:
 - (a) A 'Permit to carry out works within a Council road reservation' has been issued by Council and the associated application fee paid;
 - (b) A traffic and pedestrian management plan has been lodged with Council in accordance with Department of State Growth 'Traffic Control at Work Sites' code of practice; and
 - (c) Written approval from the Department of State Growth for any works within a State Road reservation has been issued.
17. Road reservations must be provided with lot boundaries splayed where necessary, and shown as "Road" on the Final Survey Plan. The applicant must arrange for the necessary transfer of the road reservations to Council at the time of lodgement of the Final Plan of Survey for sealing. Road reservation widths must in accordance with Tasmanian Standard Drawings TDS-R06, TSD-R07 and TSD-R08.
18. Embankment easements must be created over all road cut or fill embankments extending into lots and must be shown on the Final Plan of Survey lodged for sealing.
19. Road pavements must be designed in accordance with IPWEA Tasmanian subdivision guidelines and TDS-R06 to the satisfaction and approval of the Executive Manager – Engineering Services and also include the following requirements:
 - (a) General road gradient must be $> 0.5\%$ and $\leq 16\%$;
 - (b) Pavements must be designed to suit the ultimate traffic loads determined after completion of geotechnical reports of the sub grade. Minimum soil testing required for the design of the pavement must comprise a representative on-site soaked CBR test for every 50m of road pavement (or part thereof) or where there is change of sub grade;
 - (c) The pavement design calculations including the geotechnical report must accompany the plans submitted for approval;
 - (d) The sub grade must be inspected and approved prior to commencement of construction of the pavement in accordance with Kingborough inspection audit and

construction guidelines. Any sub grade improvements shall be subject to additional inspections and approvals;

- (e) Surface (wearing course) must be a minimum 40mm thickness approved compacted hot mixed asphalt in accordance with TDS-R06 and TSD-E01 (Kingborough Council exclusion notes);
 - (f) Concrete kerb and channel must be provided to both sides of any new road pavement in accordance with TSD-R14 and TSD-R16;
 - (g) Road subsoil drainage must be installed in accordance with TDS-R06 and TSD-R12; and
 - (h) Road pavements shall be designed to convey the 1% AEP storm event overland flow.
20. Vehicular accesses must be constructed in standard grey concrete with a broomed non slip finish to all lots from the back of the kerb crossing layback to the lot boundaries and be in accordance with TSD-R09 and TSD-E01 (Kingborough Council exclusion notes).
21. A vehicular access must be constructed for the length of the access strip from the new subdivision road servicing proposed Lot 22. The vehicular access must be constructed in standard grey concrete with a broomed non slip finish from the back of the kerb crossing layback to the lot proper and be in accordance with TSD-R09 and TSD-E01 (Kingborough Council exclusion notes).
22. Reinforced concrete footpaths must be constructed at locations shown on the submitted concept design general arrangement plan "P6" in accordance with TDS-R06, TSD-R09, TSD-R11, TSD-R18 and TSD-E01 (Kingborough Council exclusion notes).
23. Reinforced concrete pedestrian kerb ramps must be constructed at locations shown on the approved engineering plans in accordance with TDS-R18 and following:
- (a) Australian standard AS1428-1 design for access and mobility;
 - (b) Australian standard AS1428-4 Tactile Indicators.
24. Minimum sealed road widths must be provided generally in accordance with the submitted concept design general arrangement plan "P6" and must be in accordance with TDS-R06 , TSD-R07 and TSD-R08; unless otherwise approved by the Executive Manager - Engineering Services.
25. All existing and proposed water, sewer and stormwater pipelines must be provided with all necessary drainage easements and shown on the Final Plan of Survey lodged for sealing.
- Specific easements as required by other authorities must also be provided and shown on the Final Plan of Survey lodged for sealing.
26. All existing sewer, water, stormwater, TasNetworks and telecommunication authorities supply infrastructure traversing newly created lots, must be removed and/or replaced as necessary so that they are contained wholly within the boundaries of the specific lot which they service with all associated costs borne by the applicant. The requirements of the relevant service authorities must be strictly complied with by the applicant.
27. All sewer, water and stormwater extensions or relocations including TasNetworks and telecommunication authorities supply infrastructure that are externally required to serve the development must be constructed to the approval of the Executive Manager - Engineering Services at the applicant's cost.

28. Prior to construction the applicant must submit engineering drawings in both plan and long-section of the proposed stormwater main extension, as well as the associated calculations and catchment area plans, to the approval and satisfaction of the Executive Manager - Engineering Service. These should also take into account connections, clearances, cover, grade, sizing, material, erosion protection, adequate working platforms around manholes, easements and inspection openings.
29. Site filling that exceeds a depth of 300mm must be placed in accordance with AS3798 guidelines for commercial and residential developments 1996. Upon completion of the works, the supervising engineer must confirm in writing that the works have been carried out in accordance with AS 3798. The location of fill areas must be shown on the "as constructed drawings" and Final Plan of Survey submitted for sealing.
30. All new reticulation service connections to Council's mains must be provided by Council at the applicant's cost. The applicant must submit a 'Private Works Authority Request' with approved design plans giving adequate lead time for Council to cost and program the works.
31. Underground power must be provided to each lot and street lighting in accordance with the requirements of TasNetworks at the applicant's cost and as follows:
 - (a) Cabling and street lighting design including annual operating costs must be submitted to Council for approval prior to engineering plan approval;
 - (b) Generally standard TasNetworks standard poles together with Kingborough Council required LED lamps and lenses must be provided;
 - (c) The applicant must provide Council with the following pole, lamp and lens assemblies at no cost to Council:
 - (i) 0-4 streetlights - one (1) complete assembly;
 - (ii) 5-12 streetlights - two (2) complete assemblies;
 - (iii) More than 12 streetlights – three (3) complete assemblies.
32. Prior to the commencement of any site works a Soil and Water Management Plan (SWMP) must be prepared by a suitably qualified engineer for the approved staged subdivision construction works to the satisfaction and approval of the Executive Manager – Engineering Services and in accordance with the following:
 - (a) NRM South – Soil and Water Management of Construction Sites Guidelines.
 - (b) Prior to commencement of each stage of the subdivision the approved SWMP must be implemented and satisfactorily inspected by the Development Inspector.
 - (c) Suitable approved topsoil must be stockpiled on the site for future reinstatement of disturbed areas for each construction stage.
 - (d) All cleared vegetation must be removed from the site. Disposal by burying or burning is not permitted.
 - (e) Prior to practical completion of each approved construction stage all disturbed surfaces on the land authorised by this permit, except for those areas set aside for roadways and footpaths, must be dressed to a minimum depth of 50mm with:
 - (i) Approved local stockpiled topsoil;
 - (ii) Approved weed free imported topsoil; and

(iii) Revegetated with local plants, grasses and stabilised.

33. At practical completion and the satisfactory completion of all mandatory audit inspections for each approved stage of the subdivision works the supervising engineer must:

- (a) Request a joint on site practical completion inspection with the Council's authorised representative;
- (b) Provide written confirmation that the works have been substantially completed in accordance with the Council approved plans and specifications and that the appropriate levels of quality and workmanship have been achieved;
- (c) Provide a copy of relevant documentation that all requirements have been carried out as applicable by the following:
 - (i) Department State Growth
 - (ii) Telecommunication authorities
 - (iii) TasNetworks
 - (iv) TasWater
- (d) Supervising engineer's certification that site filling exceeding 300mm has been placed in accordance with AS3798 (guidelines on earthworks for commercial and residential developments). Fill areas must be shown on the 'As Constructed' drawings;
- (e) Provide a signed checklist for 'As Constructed' drawings;
- (f) Submit A1 size 'As Constructed' drawings in accordance with Council's Survey Brief, at a scale of 1:200 or 1:500 as appropriate, unless approved otherwise, certified as correct by a registered land surveyor in accordance with Council's Survey requirements for subdivisions, developments and capital works projects;
- (g) Submit A1 size 'As Constructed' drawings of all traffic management signage, pavement markings and associated infrastructure as approved by the Department of State Growth;
- (h) Provide digital information on compact disc clearly labelled with the Project name and stage. The disc must be virus checked and be endorsed as to the software and version utilised (Digital information must be provided in AutoCAD DXF/DWG format);
- (i) Provide CCTV inspection and associated report of any new public stormwater infrastructure to be taken over by Council;

Council will issue a Certificate of Practical Completion including a minor defects list, upon the successful completion of:

- (a) All mandatory audit inspections;
- (b) Provision of acceptable documentation;
- (c) Practical completion inspection;
- (d) Provision of Bond and Bank guarantees.

34. The supervising engineer must lodge a maintenance bond and bank guarantee of 10% of the total contract sum including GST to cover the satisfactory rectification of minor defects and

defective works during the statutory 52 weeks maintenance period prior to the issue of Certificate of Practical Completion for each approved stage of the subdivision.

35. All works associated with each approved stage of the subdivision must be completed to the satisfaction of the Executive Manager – Engineering Services prior to the sealing of the Final Plan of Survey by Council for the respective stage. Quality assured contractors may lodge a notice of intent to Council requesting assessment and approval that security be accepted to cover the completion of any outstanding works to enable the sealing of the Final Plan of Survey. The assessment will be in accordance with Council's policy at the time and shall include but not be limited to the following and subject to an onsite inspection and report by Council's officers and confirmation in writing:
 - (a) All road pavement, kerbs, channels and accesses must be substantially constructed;
 - (b) All sewer, stormwater, water mains and associated house connections must be constructed and capable of satisfactory operation;
 - (c) Written confirmation that all requirements of the Department of State Growth, Aurora and Telecommunication agencies and other services authorities have been satisfactorily completed; and
 - (d) The provision of acceptable "As Constructed" drawings.
36. A re-peg survey must be undertaken by a registered surveyor upon completion of subdivision construction works. A copy of the re-peg survey notes are to be lodged with Council, together with evidence that they have been registered at the Land Titles Office. In cases where a Bond and Bank Guarantee are lodged, the cost of the re-peg survey must be included in the Bond and Bank Guarantee.
37. The satisfactory completion of all public infrastructure for each stage of the subdivision works shall be considered achieved when:
 - (a) A Certificate of Practical Completion has been issued;
 - (b) Minor defects and any defective works have been satisfactorily rectified at the completion of the 52 week maintenance period;
 - (c) Council shall be entitled to call upon the bond and bank guarantee funds to complete or rectify any outstanding defective works after the expiry of the maintenance period;
 - (d) At the end of the statutory 52 week maintenance period, the supervising Engineer must request a joint onsite inspection with the Council's authorised representative to confirm that all outstanding practical completion minor defects and defective works have been satisfactorily completed;
 - (e) Upon satisfactory completion of all outstanding practical completion, minor defects and defective works Council will issue a notice of satisfactory 'Final Inspection' and all of the infrastructure works shall be taken over by Council;
 - (f) After takeover of the works, it shall be the responsibility of the supervising engineer or applicant to request Council to release all Bond and Bank Guarantee monies.
38. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

ADVICE

- A A Final Plan of Survey must be submitted to Council for sealing, together with a Schedule of Easements, a copy of the survey notes, and a copy of the balance plan (where applicable). Payment of Council's fee for sealing the Final Plan of Survey and Schedule of Easements must be made upon submission of plans.
- B. 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.

Cr Percey left the room at 6.49pm

Cr Percey returned at 6.51pm

FOR

Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox	Cr Percey
Cr Wass	Cr Winter	Cr Wriedt		

AGAINST

Cr Grace				
----------	--	--	--	--

Carried

Submission to Planning Authority Notice

Council Planning Permit No.	DAS-2015-54		Council notice date	16/12/2015
TasWater details				
TasWater Reference No.	TWDA 2015/01994-KIN		Date of response	20/04/2016
TasWater Contact	David Boyle	Phone No.	6345 6323	
Response issued to				
Council name	KINGBOROUGH COUNCIL			
Contact details	kc@kingborough.tas.gov.au			
Development details				
Address	42 HUTCHINS ST, KINGSTON	Property ID (PID)	5743161	
Description of development	Subdivision of 20 lots plus balance			
Schedule of drawings/documents				
Prepared by	Drawing/document No.	Revision No.	Date of Issue	
Rogerson & Birch Surveyors	LEMMD18 9337-02		10/12/2015	
JMG	J161043CH P01		NA	
Conditions				
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:				
CONNECTIONS & METERING				
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections / sewerage system and connections to each dwelling unit / lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to achieving Practical Completion, water meters must be installed as part of the subdivision, to the satisfaction of TasWater. 				
NEW WATER RETICULATION				
ADVICE: The Water Services Association of Australia (WSAA) Code 3.1.3 (Empirical sizing of mains table 3.2) limits the number of residential lots to 40 for a DN100mm water main.				
CONDITION				
<ol style="list-style-type: none"> 4. The Developer must demonstrate (by hydraulic modelling assessment) that the existing and proposed DN100 water reticulation will provide a water supply to all lots that meets the TasWater's water supply service levels for fire and domestic. 5. Subject to the outcome of condition 4 (above) the Developer must amend the water reticulation design to ensure the TasWater's water service level is met to TasWater's satisfaction at the engineering design approval stage. 				

ASSET CREATION & INFRASTRUCTURE WORKS

6. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.
7. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.
8. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
9. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
10. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, generally as shown on the concept servicing plan "JMG J161043CH P01", are to be at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
11. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
12. At practical completion of the water and sewerage works and prior to TasWater issuing Consent to a Register Legal Document, the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a) Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b) A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c) Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d) As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
13. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
14. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
15. Ground levels over the TasWater assets and/or easements must not be altered without the written

approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

16. Prior to the Sealing of the Final Plan of Survey, the developer must obtain a Consent to Register a Legal Document from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.
17. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.

DEVELOPMENT ASSESSMENT FEES

18. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:
 1. \$975.00 for development assessment; and
 2. \$216.00 for Consent to Register a Legal Document

The payment is required within 30 days of the issue of an invoice by TasWater.
19. In the event Council approves a staging plan, Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

For information on TasWater development standards, please visit
<http://www.taswater.com.au/Development/Development-Standards>

For information regarding headworks, further assessment fees and other miscellaneous fees, please visit
<http://www.taswater.com.au/Development/Fees---Charges>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

The developer is responsible for arranging to locate existing TasWater infrastructure and clearly showing it on any drawings. Existing TasWater infrastructure may be located by TasWater (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.

Declaration

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

Authorised by



Jason Taylor
 Development Assessment Manager

TasWater Contact Details

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

Open session of Council resumed at 6.55pm

REPORTS OF OFFICERS

C307/14-16

(Commences at ± 1 hour, 26 minutes of audio recording)

FORMER KINGSTON HIGH SCHOOL SITE NAMING COMPETITION

MOVED Cr Fox
SECONDED Cr Bury

That the matter be discussed.

Cr Grace left the room at 6.56pm

FOR

Cr Bastone	Cr Bury	Cr Fox	Cr Wass	Cr Winter
Cr Wriedt				

AGAINST

Cr Chatterton	Cr Percey			
---------------	-----------	--	--	--

Carried

Cr Grace returned at 6.58pm

MOVED Cr Chatterton
SECONDED Cr Percey

That in accordance with the public voting process agreed by Council in February 2016, "Kingston Park" be endorsed as the name for the former Kingston High School site, with the winner of the associated competition to be determined by random draw.

FOR

Cr Bury	Cr Chatterton	Cr Fox	Cr Percey	Cr Wass
Cr Winter	Cr Wriedt			

AGAINST

Cr Bastone	Cr Grace			
------------	----------	--	--	--

Carried

INFORMATION REPORTS

MOVED Cr Fox
 SECONDED Cr Bury

That the following information reports be noted:

1. Financial Report for the period 1 July 2015 to 30 June 2016.
2. Donations Table for the period 1 July 2015 to 30 June 2016.
3. Councillor Allowance & Expense Table for the period 1 July 2015 to 30 June 2016.
4. Councillors Meeting Attendance Record for the period 1 July 2015 to 30 June 2016.
5. Draft Minutes of the 1967 Bushfires Commemoration Working Group dated 22 June 2016.
6. General Manager's Diary for the period 20 June 2016 to 15 July 2016 and Minute Spreadsheet.
7. Report from Cr Fox re Waste Management Association Australia Seminar.
8. Report from Mayor re: attendance at National General Assembly on 19 – 22 July 2016.

FOR

Cr Bastone	Cr Bury	Cr Chatterton	Cr Fox	Cr Percey
Cr Wass	Cr Winter	Cr Wriedt		

AGAINST

Cr Grace				
----------	--	--	--	--

Carried

CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

MOVED Cr Percey
 SECONDED Cr Chatterton

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* the following items are to be dealt with in Closed Session.

Matter	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
Applications for Leave of Absence	15(2)(h)
Delegated Authority	15(2)(j)

FOR

Cr Bastone	Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt	

Carried Unanimously

CLOSED SESSION

MOVED Cr Chatterton
 SECONDED Cr Bastone

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* that Council move into Closed Session.

FOR

Cr Bastone	Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt	

Carried Unanimously

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

Open Session of Council adjourned at 7.47pm

OPEN SESSION OF COUNCIL ADJOURNS

OPEN SESSION OF COUNCIL RESUMES

Open Session of Council resumed at 7.50pm

C314/14-16

MOVED Cr Wriedt
SECONDED Cr Percey

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

Subject	Decisions/Documents
Applications for Leave of Absence	Nil
Delegated Authority	Noted

FOR

Cr Bastone	Cr Dr Bury	Cr Chatterton	Cr Fox	Cr Grace
Cr Percey	Cr Wass	Cr Winter	Cr Wriedt	

Carried Unanimously

CLOSURE :

There being no further business, the Chairperson declared the meeting closed at 7.51pm

.....
(Confirmed)

.....
(Date)