

# Kingborough



## COUNCIL MEETING MINUTES

3 May 2021

*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 2018 - 2022



**Mayor**  
Councillor Dean Winter



**Deputy Mayor**  
Councillor Jo Westwood



Councillor Sue Bastone



Councillor Gideon Cordover



Councillor Flora Fox



Councillor David Grace



Councillor Amanda Midgley



Councillor Christian Street



Councillor Steve Wass



Councillor Paula Wriedt

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MINUTES of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 3 May 2021 at 5.30pm

## 1 AUDIO RECORDING

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

## 2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

## 3 ATTENDEES

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### Councillors:

Mayor Councillor D Winter	✓
Deputy Mayor Councillor J Westwood	✓
Councillor S Bastone	✓
Councillor G Cordover	✓
Councillor F Fox	✓
Councillor D Grace	x
Councillor A Midgley	✓
Councillor C Street	✓
Councillor S Wass	✓
Councillor P Wriedt	✓

### Staff:

General Manager	Mr Gary Arnold
Director Engineering Services	Mr David Reeve
Chief Information Officer	Mr Fred Moulton
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Environment, Development & Community	Dr Katrena Stephenson
Manager Environmental Services	Mr Jon Doole
Manager Development Services	Ms Tasha Tyler-Moore
Coordinator Statutory Planning	Ms Melissa Stevenson
Media & Communications Advisor	Ms Sam Adams
Customer Services Coordinator	Ms Kelly Nichols
Executive Assistant	Mrs Amanda Morton

## 4 APOLOGIES

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There were no apologies.

C191/8-2021

(commences at ± 2 minutes of Part A of audio recording)

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**5 CONFIRMATION OF MINUTES**

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Moved: Cr Flora Fox  
Seconded: Cr Amanda Midgley

That the Minutes of the open session of the Council Meeting No.7 held on 19 April 2021 be confirmed as a true record.

**CARRIED**

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**6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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26 April - Aquatic Feasibility Study

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**7 DECLARATIONS OF INTEREST**

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There were no declarations of interest.

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**8 TRANSFER OF AGENDA ITEMS**

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There were no agenda items transferred.

C192/8-2021

(commences at ± 4 minutes of Part A of audio recording)

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**9 CODE OF CONDUCT - PANEL DETERMINATION REPORT**

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Moved: Cr Jo Westwood  
Seconded: Cr Amanda Midgley

That Council resolve to receive the Code of Conduct Panel Determination Report made 16 April 2021 in relation to a complaint against Cr David Grace.

Moved: Cr Sue Bastone  
Seconded: Cr Gideon Cordover

That Cr Wriedt be allowed an additional 3 minutes to complete her contribution.

**CARRIED**

The motion was then put.

**CARRIED**

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**10 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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There were no questions without notice from the public.

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## 11 QUESTIONS ON NOTICE FROM THE PUBLIC

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There were no questions on notice from the public.

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## 12 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

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**C193/8-2021**

*(commences at ± 39 minutes of Part A of audio recording)*

### 12.1 Climate Change Act and Action Plan Review Submission

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

*In the appendix of the Agenda on page 293, there is a response from staff in this report, the second dot point, why, considering the State Government has recently brought out interim orders or changed the planning scheme to allow the building of homes without solar access to habitable rooms without being solar oriented and also the concern that I have that insulation, double glazing and solar panels would have made a substantial difference to the consumption of energy in all of those houses and I'm wondering why we haven't emphasised our concern with these new regulations in the planning scheme which will have a massive effect on the climate change issues?*

**Manager Environmental Services responds:**

I did have a conversation earlier in the day with Cr Fox about this and I subsequently received the overall submission from LGAT which pulled together the information from all the councils. Certainly the emphasis you made was picked up on the overall submission. Not the specifics of the orders but certainly the principals of the lack of the loss of things like solar orientation etc was picked up in the LGAT submission as being a serious deficit in the current situation under the climate action plan. But I can certainly hand over to Ms Tyler-Moore to give a few more details on the latest orders.

**Manager Development Services:**

The policy change that Cr Fox is referring to is IPD4 (Interim Planning Directive No. 4) which the State Government brought in rather swiftly and made changes to the solar access as well as other changes to the set backs. Following that, which had no public consultation, restrictions were brought into the planning scheme when they wrote the SPP's 4 years ago that still haven't come into effect for Kingborough yet, but following the IPD4, they have now done PD8, which is identical to IDP4, but it is a public consultation period, so Kingborough will be putting a submission in on our position on those changes to the planning scheme and I believe the closing for that is mid-May. Members of the public as well as Council are able to put submissions into that change of legislation and planning control.

**C194/8-2021**

### 12.2 Sealing of Groombridge Road

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

*Considering there is less than two months left of this financial year, when will work start on the sealing of Groombridge Road?*

**Director Engineering Services responds:**

There will be a number of projects that will probably carry forward into the next financial year. Groombridge Road has only recently come to Council for a tender approval and is probably due to start in June and will span into next financial year in terms of completion.

**C195/8-2021****12.3 Removal of Bin at Blowhole Road**

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

*Last week I attended the Blackmans Bay community meeting and a few matters were raised. One of them was that a bin has been removed near the Blowhole Road which has the dog poo bags and there is concern that there isn't a bin there anymore. Why was it removed and will it be replaced?*

**Director Engineering Services responds:**

I can certainly chase that up and put in a service request in or provide some more information.

**C196/8-2021****12.4 Lights on the New Blackmans Bay Toilets**

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

*The lights that have been fitted to the new Blackmans Bay toilets are very bright. Are they on all night?*

**Director Engineering Services responds:**

Yes, they will be consistently on. They are LED lights and they tend to be relatively bright. It not only lights it up as a façade but also for facial recognition and from crime prevention perspective as well.

**C197/8-2021****12.5 Quarterly Summary Action Report**

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

*On page 307 of the Agenda at 2.5.5, I note that the annual employee health and well-being program has been limited by Covid restrictions. Is there going to be any work on that area in the future?*

**General Manager responds:**

That's currently being considered in the context of the draft budget that is currently out for community consultation.

**C198/8-2021****12.6 Climate Change Act**

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

*Mr Doole did note that he has seen the response from other Councils. Do we know if LGAT will be providing a summary in regards to what other Councils have submitted? What is the process now and will there be any further community consultation?*

**Manager Environmental Services responds:**

I would suggest that LGAT would circulate their final submission. I literally only got it this afternoon. The timing of the whole thing ended up being a little strange because of caretaker mode but I'm fairly confident that after this there will be quite extensive consultation on it and I'm hopeful that will be the case.

**C199/8-2021****12.7 Waste Strategy Report**

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

*When will the strategic initiatives be developed for 2021/22 and will that come before Council in regards to what they are thinking about their strategies for that?*

**Director Engineering Services responds:**

That is currently being worked on at the moment. There is the intention of having a workshop with Council in May and we will go through all the planned stuff for the next financial year.

**C200/8-2021****12.8 Comment on Energy Precinct in the Appendix**

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

*On page 303 of the Agenda at 1.4.2 regarding development of an alternative energy precinct and awaiting contact from potential proponent.*

**Manager Environmental Services responds:**

We had contact about a month ago with the proponent and it was suggested that there would be a development application coming through in May. I did email them last week but I haven't heard back yet. I'm led to believe that it will proceed and there will be a development application soon.

**Cr Bastone:**

Is this the second proponent of the site?

**Manager Environmental Services:**

Yes, it is the Tasmania proponent.

**C201/8-2021****12.9 KWS**

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

*Does the KWS receive any financial assistance from the tyre stewardship and, if not, are there funds available from the tyre stewardship that KWS can apply for?*

**Direct Engineering Services responds:**

No, I don't believe so. I can follow up on the second part of the question and provide a response.

**C202/8-2021****12.10 Safety at Kingston Park Playground**

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

*A constituent has shown some concern that their young one might be able to run onto the road or get out of the playground. In addition to the CCTV and the lighting, is the provision of fencing adequate to ensure that the young people are not at risk of wandering outside the perimeter of the park and is this potentially something that the Safety Committee might look at?*

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

The playground has been subject to three independent safety audits. The toddlers playground is fully fenced. The remainder of the playground is designed to have appropriate parental supervision. It's not the case that a parent can simply let their child run unsupervised throughout the majority of the playground. There is a level of supervision required and that level of supervision obviously needs to relate to the age of the child etc.

**13 QUESTIONS ON NOTICE FROM COUNCILLORS****C203/8-2021***(commences at ± 51 minutes of Part B of audio recording)***13.1 Staff on Leave on Bruny Island**

At the Council meeting on 19 April 2021, **Cr Grace** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

*How many of the workers were away on annual leave while the project was in place?*

**Officer's Response:**

Two workers had periods of annual leave during the project with no loss of efficiency in delivery of the project.

*David Reeve, Director Engineering Services*

**OPEN SESSION ADJOURNS**

## PLANNING AUTHORITY IN SESSION

Planning authority commenced at 6.21pm

### 14 OFFICERS REPORTS TO PLANNING AUTHORITY

**C204/8-2021**

*(commences at ± 51 minutes of Part A of audio recording)*

#### 14.1 DELEGATED REPORT FOR APPLICATION DA 2020-696 BROWNS ROAD, KINGSTON

Moved: Cr Gideon Cordover

Seconded: Cr Amanda Midgley

That the Planning Authority resolves that the development application for vehicle parking facility (park and ride) at Browns Road, Kingston (CT 205706/1) for Pitt & Sherry 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. DA2020-696 and Council Plan Reference No. P1 submitted on 23 November 2020 and Council Plan Reference No. P2 submitted on 17 February 2021. 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 Vehicle Parking Facility for the Firthside Park and Ride shall be managed and used for the purposes of a public park and ride facility in association with the bus network and not be used for any other vehicle parking activity including commercial car parking at any time without the written consent of the Council.
3. Landscaping must be provided in accordance with the approved plans prior to the use commencing, unless otherwise agreed by Council.
4. Lighting must be provided in accordance with the approved plans prior to the use commencing, unless otherwise agreed by Council. To ensure that external lighting (not including street lighting) does not have unreasonable impact on residential amenity, on land within the adjacent residential zone, security lighting must be baffled to the satisfaction of the Council's Manager – Development Services to ensure they do not cause emission of light outside the Utilities Zone.
5. The construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Director Engineering Services. A Permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation.
6. Prior to commencement of on-site works, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer. 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:

- (i) Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas including:
  - (a) Longitudinal and Cross sections of the driveway/access road;
  - (b) Contours, finish levels and gradients of the driveway/access road;
  - (c) Stormwater drainage;
  - (d) Pavement construction;
  - (e) Wheel stops for open parking bays (as appropriate); and
  - (f) Lighting for parking and vehicle circulation roadways and pedestrian paths.
- (ii) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
  - (a) Layout details;
  - (b) A water sensitive urban design system to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling;
  - (c) A reticulated stormwater system sized to accommodate at least the estimated 5% AEP (Annual Exceedance Probability) flow. Any on-site stormwater detention must be detailed including how the on-site detention will be serviced to prevent blockages while maintaining its capacity; and
  - (d) Overland flowpaths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow.

Once endorsed the plans will form part of the permit.

- 7. Prior to the commencement of site works a soil and water management plan must be submitted to Council for approval. The plan must be in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines and Tasmanian Standard Drawings (TSD-SW28). A site inspection of the implemented plan by the Council's Development Inspector must be satisfactorily undertaken with the principal contractor prior to the commencement of any work on site.
- 8. Trees identified for removal in the Arboricultural Tree Survey (Philip Jackson, January 2021) and on Council Plan Reference P2 and submitted to Council on 17 February 2021 are approved for removal to accommodate the proposed development.

No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council or in accordance with a further permit or otherwise as provided for in the Kingborough Interim Planning Scheme 2015 or otherwise in accordance with law.

- 9. Prior to the commencement of any on-site works (including any tree removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), trees shown in Council Plan Reference P2 and submitted to Council on 18 February 2021 must be retained and appropriately protected during construction through the installation of temporary fencing between any on-site works and adjacent native vegetation in accordance with AS 4970-2009 to exclude:

- machine excavation including trenching;
- excavation for silt fencing;
- cultivation;
- storage;
- preparation of chemicals, including preparation of cement products;
- parking of vehicles and plant;
- refuelling;
- dumping of waste;
- wash down and cleaning of equipment;
- placement of fill;
- lighting of fires;
- soil level changes;
- temporary or permanent installation of utilities and signs; and
- physical damage to the tree(s).

Evidence of satisfactory installation of this fencing must be obtained prior to the commencement of any on-site works and made available to Council upon request.

In addition, the following tree protection measures must be adhered to following construction for all areas within the Tree Protection Zone but outside the footprint of the approved works:

- (a) the existing soil level must not be altered around the Tree Protection Zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil);
  - (b) the Tree Protection Zone must be free from the storage of fill, contaminants or other materials;
  - (c) machinery and vehicles are not permitted to access the Tree Protection Zone; and
  - (d) development and associated works are not permitted unless otherwise approved by Council in writing.
10. 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 from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.
11. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

#### **ADVICE**

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.

- B. The Plumber is to provide the following documentation to Council after the plumbing work is completed:
- (a) A Form 80;
  - (b) A Form 71B; and
  - (c) An 'As Constructed' drainage plan at a scale of 1:200 in accordance with the Director's Specified List Schedule 3.
- C. The approval in this permit is under the *Land Use Planning and Approvals Act 1993* and does not provide any approvals under other Acts including, but not limited to *Building Act 2016*, *Urban Drainage Act 2013*, *Food Act 2003* or Council by-laws.

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

Meeting adjourned at 6.42pm  
Meeting resumed at 6.51pm

(commences at beginning of Part B of audio recording)

**Amendment:**

Moved: Cr Steve Wass  
Seconded: Cr Flora Fox

That condition 1 be amended as follows:

1. *Before the approved development or use commences, amended plans to the satisfaction and approval of the Manager Development Services must be submitted to and approved. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with Council Plan Reference No. P1 submitted on 23 November 2020 and P2 submitted on 17 February 2021 and prepared by Pitt and Sherry but modified to show:*
  - a) *Provision of one additional motorcycle parking space (total provision on site to be three (3)). The provision of motorcycle parking must not reduce the number of car parking spaces provided.*

*Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with the endorsed plans. This Permit relates to the use of land or buildings irrespective of the applicant or subsequent occupants, and whoever acts on it must comply with all conditions in this Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council.*

**CARRIED**

The substantive motion was then put.

**CARRIED**



## Submission to Planning Authority Notice

Council Planning Permit No.	DA-2020-696 205706/1	Council notice date	30/11/2020
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2020/02029-KIN	Date of response	10/12/2020
TasWater Contact	Al Cole	Phone No.	0439605108
<b>Response issued to</b>			
Council name	KINGBOROUGH COUNCIL		
Contact details	kc@kingborough.tas.gov.au		
<b>Development details</b>			
Address	86 BROWNS RD, KINGSTON	Property ID (PID)	2699767
Description of development	Vehicle Parking Facility		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Pitt & Sherry	Site Plan/1101	C	19/11/2020
<b>Conditions</b>			
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:			
<b>CONNECTIONS, METERING &amp; BACKFLOW</b>			
<ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connections and sewerage system and connections (if required) to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>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.</li> <li>3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol>			
<b>56W CONSENT</b>			
<ol style="list-style-type: none"> <li>4. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the <i>Water and Sewerage Industry Act 2008</i> for its consent in respect of that part of the development which is built within a TasWater easement or over or within two metres of TasWater infrastructure. <b>Advice:</b> TasWater records indicate that there is a DN200 water main in the area of the proposed development.</li> </ol>			
<b>DEVELOPMENT ASSESSMENT FEES</b>			
<ol style="list-style-type: none"> <li>5. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63, to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater.</li> </ol>			



<b>Advice</b>			
<b>General</b>			
For information on TasWater development standards, please visit <a href="http://www.taswater.com.au/Development/Development-Standards">http://www.taswater.com.au/Development/Development-Standards</a>			
For application forms please visit <a href="http://www.taswater.com.au/Development/Forms">http://www.taswater.com.au/Development/Forms</a>			
<b>Service Locations</b>			
Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure. The location of this infrastructure as shown on the GIS is indicative only.			
(a) A permit is required to work within TasWater’s easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater			
(b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <a href="http://www.taswater.com.au/Development/Service-location">www.taswater.com.au/Development/Service-location</a> for a list of companies			
(c) TasWater will locate residential water stop taps free of charge			
(d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.			
<b>56W Consent</b>			
The plans submitted with the application for the Certificate for Certifiable Work (Building) and/or (Plumbing) will need to show footings of proposed buildings located over or within 2.0m from TasWater pipes and will need to be designed by a suitably qualified person to adequately protect the integrity of TasWater’s infrastructure, and to TasWater’s satisfaction, be in accordance with AS3500 Part 2.2 Section 3.8 to ensure that no loads are transferred to TasWater’s pipes. These plans will need to also include a cross sectional view through the footings which clearly shows;			
(a) Existing pipe depth and proposed finished surface levels over the pipe;			
(b) The line of influence from the base of the footing must pass below the invert of the pipe and be clear of the pipe trench and;			
(c) A note on the plan indicating how the pipe location and depth were ascertained.			
<b>Declaration</b>			
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

**C205/8-202***(commences at ± 6 minutes of Part B of audio recording)***14.2 DELEGATED REPORT FOR APPLICATION DA 2020-695 CHANNEL HIGHWAY, HUNTINGFIELD**

Moved: Cr Amanda Midgley  
Seconded: Cr Gideon Cordover

That the Planning Authority resolves that the development application for vehicle parking and bus stop facility (park and ride) at Channel Highway, Huntingfield for Pitt & Sherry 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. DA2020-695 and Council Plan Reference No. P1 submitted on 23 November 2020 and Council Plan Reference No. P2 submitted on 18 February 2021. 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 Vehicle Parking Facility for the Huntingfield Park and Ride shall be managed and used for the purposes of a public park and ride facility in association with the bus network and bus interchange and not be used for any other vehicle parking activity including commercial car parking at any time without the written consent of the Council.
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. Plans submitted for building approval must indicate the proposed colour and type of the external building materials.
4. Landscaping must be provided in accordance with the approved plans prior to the use commencing, unless otherwise agreed by Council.
5. Lighting must be provided in accordance with the approved plans prior to the use commencing, unless otherwise agreed by Council. To ensure that external lighting (not including street lighting) does not have unreasonable impact on residential amenity, on land within the adjacent residential zone, security lighting must be baffled to the satisfaction of the Council's Manager – Development Services to ensure they do not cause emission of light outside the Utilities Zone.
6. A total of nine (9) on-site motorcycle parking spaces shall be provided to meet the needs of likely users in accordance with the Parking and Access Code E.6.0 of the Kingborough Interim Planning Scheme 2015.
7. The construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Director Engineering Services. A Permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation.
8. Prior to the commencement of site works a soil and water management plan must be submitted to Council for approval. The plan must be in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines and Tasmanian Standard Drawings (TSD-SW28). A site inspection of the implemented plan by the Council's Development Inspector must be satisfactorily undertaken with the principal contractor prior to the commencement of any work on site.
9. Prior to commencement of on-site works, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer. Plans must be to the satisfaction of the

Director Engineering Services and comply with:

- (a) Tasmanian Standard Drawings
- (b) Austroads Standards and Australian Standards
- (c) Australian Rainfall and Runoff Guidelines

The Plans must include, but are not limited to:

- (i) Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas including:
  - (a) Longitudinal and Cross sections of the driveway/access road.
  - (b) Contours, finish levels and gradients of the driveway/access road.
  - (c) Stormwater drainage.
  - (d) Pavement construction.
  - (e) Wheel stops for open parking bays (as appropriate).
  - (f) Lighting for parking and vehicle circulation roadways and pedestrian paths.
- (ii) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
  - (a) Layout details
  - (b) A water sensitive urban design system to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling.
  - (c) A reticulated stormwater system sized to accommodate at least the estimated 5% AEP (Annual Exceedance Probability) flow. Any on-site stormwater detention must be detailed including how the on-site detention will be serviced to prevent blockages while maintaining its capacity.
  - (d) Overland flowpaths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow.

Once endorsed the plans will form part of the permit.

10. Prior to the commencement of any on-site works (including any tree removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), T9 as shown in Council Plan Reference P2 and submitted to Council on 18 February 2021 must be retained and appropriately protected during construction through the installation of temporary fencing between any on-site works and adjacent native vegetation in accordance with AS 4970-2009 to exclude:
  - machine excavation including trenching;
  - excavation for silt fencing;
  - cultivation;
  - storage;
  - preparation of chemicals, including preparation of cement products;
  - parking of vehicles and plant;
  - refuelling;
  - dumping of waste;
  - wash down and cleaning of equipment;

- placement of fill;
- lighting of fires;
- soil level changes;
- temporary or permanent installation of utilities and signs; and
- physical damage to the tree(s).

Evidence of satisfactory installation of this fencing must be obtained prior to the commencement of any on-site works and made available to Council upon request.

In addition, the following tree protection measures must be adhered to following construction for all areas within the Tree Protection Zone but outside the footprint of the approved works:

- (a) the existing soil level must not be altered around the Tree Protection Zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil);
  - (b) the Tree Protection Zone must be free from the storage of fill, contaminants or other materials;
  - (c) machinery and vehicles are not permitted to access the Tree Protection Zone; and
  - (d) development and associated works are not permitted unless otherwise approved by Council in writing.
11. Trees identified for removal in the Arboricultural Tree Survey (Philip Jackson, January 2021) and on Council Plan Reference P2 and submitted to Council on 18 February 2021 are approved for removal to accommodate the proposed development.

No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council or in accordance with a further permit or otherwise as provided for in the Kingborough Interim Planning Scheme 2015 or otherwise in accordance with law.

12. 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 from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.

13. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

#### ADVICE

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. 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.

**CARRIED**

Public Copy



### Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	DA-2020-695	<b>Council notice date</b>	30/11/2020
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2020/02028-KIN	<b>Date of response</b>	03/03/2021
<b>TasWater Contact</b>	Al Cole	<b>Phone No.</b>	0439605108
<b>Response issued to</b>			
<b>Council name</b>	KINGBOROUGH COUNCIL		
<b>Contact details</b>	kc@kingborough.tas.gov.au		
<b>Development details</b>			
<b>Address</b>	229 HUNTINGFIELD AVE, HUNTINGFIELD	<b>Property ID (PID)</b>	2857016
<b>Description of development</b>	Vehicle Parking and Bus Stop Facility		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
Pitt & Sherry	Drainage and Services	0	16/02/2021
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connections and sewerage system and connections to the development must be designed and constructed to TasWater’s satisfaction and be in accordance with any other conditions in this permit. <b>Advice:</b> TasWater preference is for new water and sewerage infrastructure to be located in the road reserve instead of the road pavement, where possible.</li> <li>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.</li> <li>3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>ASSET CREATION &amp; INFRASTRUCTURE WORKS</b></p> <ol style="list-style-type: none"> <li>4. Plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) / Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.</li> <li>5. Prior to applying for a Permit to Construct/the issue of a Certificate for Certifiable Work (Building and/or Plumbing) 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.</li> <li>6. 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.</li> </ol>			



7. 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.
8. Prior to the issue of a Certificate for Certifiable Work (Building and/or Plumbing) Certificate of Water and sewerage Compliance (Building and/or Plumbing) 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 "Drainage and Services", are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
9. 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.
10. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal Document / applying to TasWater for a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), 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. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
11. 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.
12. 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.
13. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
14. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.



**DEVELOPMENT ASSESSMENT FEES**

15. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63, to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

**Advice**

**General**

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

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

**Service Locations**

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

- (a) A permit is required to work within TasWater’s easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit [www.taswater.com.au/Development/Service-location](http://www.taswater.com.au/Development/Service-location) for a list of companies
- (c) TasWater will locate residential water stop taps free of charge
- (d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

**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

**C206/8-2021***(commences at ± 11 minutes of Part B of audio recording)***14.3 DA-2021-34 - DEVELOPMENT APPLICATION FOR CHANGE OF USE FROM RESIDENTIAL TO DOG GROOM BUSINESS (GENERAL RETAIL AND HIRE)**

Moved: Cr Steve Wass

Seconded: Cr Sue Bastone

*Cr Bastone left the meeting at 7.12pm*

That the Planning Authority resolves that the development application for change of use from residential to dog grooming business (general retail and hire) & signage (retrospective) at 23-27 John Street, Kingston for Mrs J A Webster 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-2021-34 and Council Plan Reference No. P3 submitted on 18 March 2021. 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. Within one (1) month of this approval, either:
  - (a) provide five parking spaces wholly within the site (note: if this option is taken amended plans must be submitted and approved showing the engineering details for those parking spaces and any plans that result in the built form being amended must be submitted and approved); or
  - (b) Pay a cash contribution to Council in lieu of the two (2) car parking spaces which are not being provided on site. The amount calculated is based upon the calculations provided in Council's 'Policy 3.10: Cash-in-lieu of Parking Policy'.
3. Within one (1) month of this approval, a Landscaping Plan must be submitted for approval by Council's Manager Development Services.

The Landscape Plan must be prepared by a suitably qualified person and be at a suitable scale, and indicate the following:

- a) retention of as much of the existing landscaping along the John Street frontage as practicable (this includes the existing apple tree);
- b) outline of the buildings and areas of hardstand;
- c) fencing, paths and paving (indicating materials and surface finish)

Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose.

The landscaping shown on the endorsed landscaping plan must be completed to the satisfaction of the Manager Development Services Council.

4. Within one (1) month of this approval, the construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Director Engineering Services and include the following:
  - a) The vehicular access/driveway, car parking areas and vehicle manoeuvring areas must be of a sealed construction with associated stormwater drainage provision and comply with Australian Standard AS2890.1:2004 (Off-street car parking).
  - b) Visitors carparking signs must be installed for the two (2) new on-site visitor carparking spaces and must always be available and reserved for visitors/customers during business hours;

- c) Wheel stops for car parking spaces must be installed, if required, in accordance with Australian Standard AS2890.1:2004 (Off-street car parking).
  - d) Connection of dogwashing (trade waste) to sewer as per *Building Act 2016* and/or TasWater requirements.
5. The stormwater runoff from all new impervious areas must be disposed of by gravity to Council's reticulated stormwater system to the satisfaction and approval of the Director Engineering Services.
  6. No dogs are to be kept outside unattended at any time.
  7. The loading and unloading of vehicles and the storage of materials must be contained within the property boundaries and must not encroach on any part of any road reserve or public open space area.
  8. Car spaces and driveways must be kept available for these purposes at all times, to the satisfaction of the Manager Development Services.
  9. Goods and supplies for the business must not be stored outside within public view.
  10. The signs must not contain any flashing or moving light and must be kept in good condition, to the satisfaction of the Manager Development Services.
  11. Erosion/siltation infiltration control measures must be applied during construction works to the satisfaction of the Director Engineering Services.

#### ADVICE

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. The approval in this permit is under the *Land Use Planning and Approvals Act 1993* and does not provide any approvals under other Acts including, but not limited to *Building Act 2016*, *Urban Drainage Act 2013*, *Food Act 2003*, *Dog Control Act 2000* or Council by-laws, and/or TasWater requirements.

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. 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.
- D. This approval is on the basis that customers collect their dogs once the grooming is complete and does not include the boarding of dogs on-site for any extended period of time. Any proposed boarding of dogs on-site will be subject to separate planning approval.

**CARRIED**

**C207/8-2021***(commences at ± 24 minutes of Part B of audio recording)***14.4 DA-2020-474 - COMMUNAL RESIDENCE - 16 O'CONNOR DRIVE, KINGSTON**

Moved: Cr Gideon Cordover

Seconded: Cr Jo Westwood

*Cr Bastone returned at 7.15pm*

That the Planning Authority resolves that the development application for communal residence at 16 O'Connor Drive, Kingston for Systembuilt Homes 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-2020-474 and Council Plan Reference No. P2 submitted on 21 October 2020. 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. Before the approved development commences, landscaping plans must be submitted for approval by Council's Manager Development Services.

The landscape plan must be prepared by a suitably qualified person and be at a suitable scale, and indicate the following:

- a) landscaping along the O'Connor Drive frontage, private open space areas and driveways.
- b) outline of the proposed buildings;
- c) proposed planting by quantity, genus, species, common name, expected mature height and plant size;
- d) existing trees to be retained and proposed measures to be carried out for their preparation and protection during construction;
- e) earth shaping proposals, including retaining wall(s);
- f) fencing, paths and paving (indicating materials and surface finish)

Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose.

3. Plans submitted for building approval for the development must demonstrate that the dwelling will be constructed to BAL-12.5 consistent with the requirements of the Bushfire Attack Level Assessment and accompanying a certified Bushfire Hazard Management Plan (Chris Draffin, Onto It Solutions, 17 March 2021).
4. All recommendations and management actions in the Bushfire Attack Level Assessment and accompanying certified Bushfire Hazard Management Plan (Chris Draffin, Onto It Solutions, 17 March 2021) must be implemented, including maintenance of the hazard management area in a low fuel state and ensuring compliant access, water supply and construction to BAL-12.5.

Ongoing use of the site must also be in accordance with the certified Emergency Management Strategy (Chris Draffin, Onto It Solutions), certified by the Tasmania Fire Service on 31 March 2021.

5. All development and works must contained within the property boundary and access to the site must be via O'Connor Drive not the adjacent Public Open Space, unless a permit is issued by Council under the Parks, Recreation and Natural Areas By-law 2 of 2011.

6. Prior to the commencement of site works a soil and water management plan must be submitted to Council for approval. The plan must be in accordance with NRM South Soil and Water Management of Construction Sites – Guidelines and Tasmanian Standard Drawings (TSD-SW28). A site inspection of the implemented plan by the Council's Development Inspector must be satisfactorily undertaken with the principal contractor prior to the commencement of any work on site.
7. The stormwater runoff from all new impervious areas must be disposed of by gravity to Council's reticulated stormwater system to the satisfaction and approval of the Director Engineering Services.
8. 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 from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.

9. Prior to the occupation of any of the new building the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:
  - i. The parking areas (including signage and access);
  - ii. The garden and landscape areas;
  - iii. Drainage works undertaken and completed;
  - iv. Letterbox installed
10. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

#### ADVICE

- A. In accordance with section 53(5) of the *Land Use Planning and Approvals Act 1993* this permit lapses after a period of two years from the date on which it is granted if the use or development in respect of which it is granted is not substantially commenced within that period.
- B. 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. An application for Notifiable Plumbing Work must be lodged with Council before commencing any work.

**CARRIED**



### Submission to Planning Authority Notice

Council Planning Permit No.	DA-2020-474	Council notice date	7/09/2020
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2020/01392-KIN	Date of response	18/09/2020
TasWater Contact	Phil Papps	Phone No.	0474 931 272
<b>Response issued to</b>			
Council name	KINGBOROUGH COUNCIL		
Contact details	kc@kingborough.tas.gov.au		
<b>Development details</b>			
Address	16 O'CONOR DR, KINGSTON	Property ID (PID)	9995357
Description of development	Communal residence		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Systembuilt	Site/Services Plan / A1.2	1	24/08/2020
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connections and sewerage system and connections to the development must be utilised to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>2. Water and/or sewer property connections located within trafficable areas must be housed in suitable trafficable boxes.</li> <li>3. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> <li>4. Prior to commencing construction of the subdivision/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>DEVELOPMENT ASSESSMENT FEES</b></p> <ol style="list-style-type: none"> <li>5. The applicant or landowner as the case may be, must pay a development assessment fee of \$211.63 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater.</li> </ol>			



Advice			
<b>General</b>			
For information on TasWater development standards, please visit <a href="http://www.taswater.com.au/Development/Development-Standards">http://www.taswater.com.au/Development/Development-Standards</a>			
For application forms please visit <a href="http://www.taswater.com.au/Development/Forms">http://www.taswater.com.au/Development/Forms</a>			
<b>Service Locations</b>			
Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure. The location of TasWater infrastructure as shown on the GIS is indicative only.			
(a) A permit is required to work within TasWater’s easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater			
(b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <a href="http://www.taswater.com.au/Development/Service-location">www.taswater.com.au/Development/Service-location</a> for a list of companies			
(c) TasWater will locate residential water stop taps free of charge			
Declaration			
The drawings/documents and conditions stated above constitute TasWater’s Submission to Planning Authority Notice.			
<b>Authorised by</b>			
 <b>Jason Taylor</b> 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

**C208/8-202***(commences at ± 28 minutes of Part B of audio recording)***14.5 DEVELOPMENT APPLICATION FOR SUBDIVISION CREATING ADDITIONAL NEW 20 LOTS - STAGE 4B AND 4C AT 41 ALFREDS GARDEN, KINGSTON**

Moved: Cr Flora Fox  
Seconded: Cr Amanda Midgley

That the Planning Authority resolves that the development application for subdivision creating additional new 20 lots - Stages 4B and 4C at 41 Alfreds Garden, Kingston for JMG Engineers be approved subject to the following conditions:

1. Before the approved subdivision commences, amended plans to the satisfaction and approval of the Manager Development Services must be submitted and approved. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the advertised plans but modified to show:

- Provision of a public open space linkage that generally aligns with the existing, informal track located adjacent to the south-western boundary of the subject site, extending down to the existing footway to the south, which connects the proposed public open space to the Coffee Creek pedestrian network. The final design and alignment of the track must be to the satisfaction of the Manager Development Services.

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

2. Prior to the permit coming into the effect, the owner must enter into a Part 5 Agreement with and to the satisfaction of Council to the effect that:
  - (a) the measures contained within the certified subdivision Bushfire Hazard Report (Adam Smee, JMG Engineers and Planners, March 2020) and the associated Bushfire Hazard Management Plan (Dana Elphinstone, JMG Engineers and Planners, 23/03/2020) must be implemented in relation to any future development of the lots, unless superseded by an alternative BHMP certified by an accredited person or TFS, and only if this alternative BHMP demonstrates that the hazard management areas:
    - (i) are no greater than that shown in the subdivision BHMP;
    - (ii) are consistent with the vegetation classifications in the subdivision BHMP; and
    - (iii) ensure ongoing management of the hazard management areas on the balance land as native vegetation communities in accordance with the Part 5 Agreement and accompanying endorsed Conservation Management Plan.
  - (b) the extent of the hazard management area extending on to the balance land must be managed by the owner in accordance with:
    - (i) the certified subdivision Bushfire Hazard Report (Adam Smee, JMG Engineers and Planners, March 2020) and the associated Bushfire Hazard Management Plan (Dana Elphinstone, JMG Engineers and Planners, 23/03/2020); and
    - (ii) the Part 5 Agreement and accompanying endorsed Conservation Management Plan.

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

Please note, planning permits containing a requirement for a Part 5 Agreement are not valid

until such time as the Agreement is executed, as specified in s53(6) of the Land Use Planning and Approvals Act 1993. Therefore, the above Agreement must be signed and sealed, and proof of lodgement of the Agreement with the Land Titles Office for registration on the property title provided to Council, prior to the commencement of any onsite works. The template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.

3. Prior to the permit coming into effect and the removal of any vegetation on site, the landowner must end the existing Part 5 Agreement (Dealing No. E167943) and concurrently replace this with a new agreement under the Land Use Planning and Approvals Act 1993 with and to the satisfaction of Kingborough Council to secure the in-situ conservation offset required under Condition 4 (a) of this permit and maintain the existing offset under Condition 5 of DAS-2014-48. This Part 5 Agreement must:
  - (a) verify the extent of the conservation zone, which must include:
    - (i) all the native vegetation and habitat values currently protected under Dealing No. E167943, excluding 0.0686m<sup>2</sup> of DAS within the footprint of the stormwater infrastructure, totalling 2.05 hectares; and
    - (ii) the offset area as shown in Figure 7 (p23) of the Natural Values Assessment (North Barker, 11 May 2020).
  - (b) provide for:
    - (i) the protection in perpetuity of all native vegetation and habitat values within the conservation zone;
    - (ii) restoration of two patches of DOV (1600m<sup>2</sup>) shown as DOV 3 and DOV 4 in Figure 7 (p20) of the Natural Values Assessment (North Barker, 11 May 2020) in accordance with the endorsed Conservation Management Plan required under (c) below;
    - (iii) revegetation of 2750m<sup>2</sup> shown as the Stage 5 Offset in Figure 7 (p23) of the Natural Values Assessment (North Barker, 11 May 2020) in accordance with the endorsed Conservation Management Plan required under (c) below; and
    - (iv) long-term management of the hazard management areas shown as native vegetation communities in accordance with the endorsed Conservation Management Plan required under (c) below; and
  - (c) include a Conservation Management Plan prepared by a suitably qualified ecological consultant which:
    - (i) includes the management measures and prescriptions detailed in the existing Conservation Management Plan contained within Dealing No. E167943 and extends these to apply to the full extent of the new conservation zone;
    - (ii) details management prescriptions for the restoration and replanting of the of the Stage 5 Offset Area as shown in Figure 7 (p23) of the Natural Values Assessment (11 May 2020), including weed management and planting a minimum of twenty (20) *E. ovata* trees; and
    - (iii) details management prescriptions for the long-term management of the hazard management areas. These prescriptions must meet the following management objectives:
      - (a) to maintain the species diversity and structure of the hazard management areas as native vegetation communities;

- (b) to maximise regeneration of native species under the proposed management regime;
  - (c) to maintain the habitat of threatened and/or priority species;
  - (d) to eradicate weeds and prevent any further introduction(s) of exotic species; and
  - (e) to maintain the hazard management areas in a low fuel state in accordance with the certified subdivision Bushfire Hazard Report (Adam Smee, JMG Engineers and Planners, March 2020) and the associated Bushfire Hazard Management Plan (Dana Elphinstone, JMG Engineers and Planners, 23/03/2020) by a method which best maintains the natural values and minimises the risk of introducing exotic species.
- (iv) details any additional management prescriptions for the new conservation zone where relevant; and
- (v) includes timeframes, performance indicators, ongoing monitoring and costings for ongoing implementation of the Conservation Management Plan.
- (d) be drafted using Council's template Part 5 Agreement for offsets; and
- (e) be to the satisfaction of the Manager Development Services.

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

Please note, planning permits containing a requirement for a Part 5 Agreement are not valid until such time as the Agreement is executed, as specified in s53(6) of the Land Use Planning and Approvals Act 1993. Therefore the above ending of Agreement and new Agreement must be concurrently signed and sealed, and proof of lodgement of the Agreement with the Land Titles Office for registration on the property title provided to Council, prior to the commencement of any onsite works. The template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.

4. To offset the loss of 0.71 hectares of native vegetation, comprising 0.13 hectares of Eucalyptus ovata forest and woodland (DOV) and 0.58 hectares of Eucalyptus amygdalina forest and woodland on sandstone (DAS) and providing habitat for the swift parrot, Chaostola skipper and eastern barred bandicoot, and offset the loss of twelve (12) trees of high-very high conservation value, the following offset package must be secured and implemented:
- (a) prior to the permit coming into effect, the establishment and maintenance of an in situ offset on the balance land as 'secure conservation land' under Part 5 of the Land Use Planning and Approvals Act 1993 in accordance with Condition 3, including:
    - (i) the protection of 1.66 hectares of high priority vegetation, comprising approximately 0.55 hectares of DOV, and 1.11 hectares of DAS in accordance with an endorsed Conservation Management Plan;
    - (ii) restoration of two patches of DOV (1600m<sup>2</sup>) shown as DOV 3 and DOV 4 in Figure 7 (p20) of the Natural Values Assessment (North Barker, 11 May 2020) through weed management;
    - (iii) revegetation of 2750m<sup>2</sup> with a minimum of twenty (20) Eucalyptus ovata trees following weed control, shown as the Stage 5 Offset in Figure 7 (p23) of the Natural Values Assessment (North Barker, 11 May 2020);

- (iv) long-term management of the hazard management areas within the balance land, as shown in Figure 7 (p20) of the Natural Values Assessment (North Barker, 11 May 2020), as native vegetation communities; and
  - (b) prior to the commencement of any on-site works, including the removal of native vegetation, the payment of a financial contribution totalling \$21,300 for the shortfall in the in situ offset to Council's Environmental Fund. This contribution must be used solely for the protection and management of DOV, DAS, swift parrot habitat and Chaostola skipper habitat in the vicinity of Kingston/Blackmans Bay.
5. No more than twelve (12) trees of conservation value (all *Eucalyptus ovata* trees located within the footprint of Stage 4B and 4C) and 0.71 hectares of native vegetation, comprising 0.13 hectares of DOV and 0.58 hectares of DAS, are approved for removal consistent with the Natural Values Assessment (North Barker, 11 May 2020).

This vegetation must not be removed prior to the issue of start of works.

No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council.

6. Prior to the commencement of any on-site works (including any tree removal, demolition, excavations, placement of fill, delivery of materials and/or temporary buildings), all remaining native vegetation, including individual trees, must be retained and appropriately protected during construction through the installation of temporary fencing between any on-site works and adjacent native vegetation in accordance with AS 4970-2009 and the endorsed Vegetation Protection Plan to exclude:
- (a) machine excavation including trenching;
  - (b) excavation for silt fencing;
  - (c) cultivation;
  - (d) storage;
  - (e) preparation of chemicals, including preparation of cement products;
  - (f) parking of vehicles and plant;
  - (g) refuelling;
  - (h) dumping of waste;
  - (i) wash down and cleaning of equipment;
  - (j) placement of fill;
  - (k) lighting of fires;
  - (l) soil level changes;
  - (m) temporary or permanent installation of utilities and signs; and
  - (n) physical damage to the tree(s).

Evidence of satisfactory installation of this fencing from a suitably qualified person must be provided to the Manager Development Services prior to the commencement of any on-site works.

In addition, the following tree protection measures must be adhered to following 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.
7. Prior to commencement of on-site works, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer, in consultation with a suitably qualified arborist. Plans must be to satisfaction of the Director Engineering Services and comply with:
- Tasmanian Standard Drawings
  - Austroads Standards and Australian Standards
  - Australian Rainfall and Runoff Guidelines

The Plans must include, but are not limited to:

- (a) Design of the internal road network including junctions, footpaths, footways, flood ways, emergency access ways and associated stormwater drainage system.
- (b) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
  - i. Longitudinal section details
  - ii. A water sensitive urban design system that achieves the acceptable stormwater quality and quantity targets, required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling
  - iii. The reticulated stormwater system sized to accommodate at least the estimated 5% AEP flow based on a future fully-developed catchment
  - iv. Overland flowpaths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow based on a future fully-developed catchment
  - v. Drainage easements being provided within the subject property boundaries with the stormwater main located centrally within the easement
  - vi. A Vegetation Protection Plan in accordance with Condition 9.

Once endorsed the plans will form part of the permit.

8. A Council fee of 2% of the estimated value of the civil engineering construction works (including GST, provisional items and contingencies) for the development or the current minimum fee, whichever is the greater, must be paid at the time of submission of the engineering design plans for approval. The actual amounts payable shall be based on the rates adopted by Council and prevailing at the time of payment.
9. Detailed engineering design drawings submitted in response to Condition 7 must include a Vegetation Protection Plan which has been developed in consultation with a suitably qualified arborist and:

- (a) identifies all native vegetation and individual native trees with a diameter >25cm at 1.4m from natural ground level and their associated tree protection zones within 15m of subdivision works, including within the conservation zone and on adjacent land;
- (b) demonstrates the subdivision works are designed, located and constructed to enable the retention and protection of all native vegetation, including individual trees, within the conservation zone and on adjacent land;
- (c) where works encroach into the tree protection zone of any trees located within the conservation zone or adjacent land, be accompanied by an assessment by a suitably qualified arborist which demonstrates that the extent of any encroachment will not have a detrimental impact on the health of any trees and the trees are capable of retention within the context of the subdivision works; and
- (d) details the mitigation and vegetation protection measures to be implemented before, during and after construction in accordance with Australian Standard 4970-2009 for the protection of trees on development sites, including incorporation of any recommendations by a suitably qualified arborist.

Once endorsed, this Plan forms part of the Permit.

10. Prior to the commencement of any on-site works, including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, a “start works” notice must be lodged with Council.

This notice must be lodged a minimum of 14 days prior to commencement of on-site works and works must not commence until this notice has been approved by the Manager Development Services.

11. 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.

12. Underground power and telecommunication services must be provided to all lots on the endorsed plan of subdivision in accordance with the requirements of TasNetworks and the telecommunications authority requirements. Services conduits must be provided to the lots proper at the developer’s cost. Services conduits must be provided to the service authority requirements. The underground cabling and street lighting design including annual operating costs must be submitted to Council for approval prior to engineering plan approval.

13. 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.

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

- Request a joint on site practical completion inspection with the Council’s authorised representative;

- 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;
- Provide a copy of relevant documentation that all requirements have been carried out as applicable by the following:
  - (i) Telecommunication authorities
  - (ii) TasNetworks
  - (iii) TasWater;
- Provide 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;
- Provide a signed checklist for 'As Constructed' drawings;
- 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;
- Provide CCTV inspection and report (by Council approved contractor) of any new public stormwater infrastructure to be taken over by Council; and
- Provide an arborist assessment that the vegetation protection measures as required in the Vegetation Protection Plan have been satisfactorily implemented.

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.
15. 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 all 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.
16. The satisfactory completion of all public infrastructure for each stage of the subdivision works will be considered achieved when:
- (a) A Certificate of Practical Completion has been issued;
  - (b) All defects and any defective works have been satisfactorily rectified at the completion of the 52 week maintenance period;
  - (c) Council will 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 defects and defective works have been satisfactorily completed;

- (e) Upon satisfactory completion of all outstanding defects and defective works Council will issue a notice of satisfactory 'Final Inspection' and the public assets will be taken over by Council;
  - (f) After takeover of the works, it will be the responsibility of the supervising engineer or applicant to request Council to release all Bond and Bank Guarantee monies.
17. All works associated with each approved stage of the subdivision must be completed to the satisfaction of the Director 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 must be in accordance with Council's policy at the time, is subject to an onsite inspection and report by Council's officers. The follow must be confirmed in writing:
- (a) That all sewer, stormwater, water mains and associated house connections are constructed and capable of satisfactory operation; and
  - (b) That all requirements of the Electricity and Telecommunication agencies and other relevant service authorities have been satisfactorily completed.

Acceptable "As Constructed" drawings must be provided.

18. All existing sewer, water, stormwater, Tas Networks 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.
19. Ongoing management of the land must be in accordance with the Part 5 Agreement in perpetuity.

Prior to sealing of the Final Plan of Survey, a bond must be paid to Council for the cost of five years of monitoring and implementation of the Part 5 Agreement and associated endorsed Conservation Management Plan, excluding any initial actions already undertaken. Reporting to Council on compliance with and implementation of the Agreement must be undertaken by a suitably qualified consultant and not less than once annually for a minimum period of 5 years.

The bond will be repaid to the payer in stages on an annual basis once each annual report is received and satisfactory implementation of the Agreement demonstrated, in accordance with the cost schedule identified in the Agreement.

20. The Final Plan of Survey and Schedule of Easements must include a Covenant on the title of Lots 1-20 to the effect that buildings and structures must not pose an unacceptable 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".

Buildings and structures will be deemed to pose such a risk unless they comply with any one of the following:

- (a) the glazed surface of the window does not have a total surface area of greater than 2m<sup>2</sup> and does not result in a sight line through the building from one window to another, such as corner windows;

- (b) the glazed surface of a window is treated to include visual markers or muted reflections, the purpose of which is to give them the appearance of an impenetrable surface. Such surfaces may include any one of the following types of treatments: the use of low-reflectivity glass (0-10%); films; coatings; fritted glass; or screens; or
  - (c) the glazed surface of a window is installed at a minimum of 20 degrees from vertical, angled in at its base to reflect the ground.
21. 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.
- C. The Developer should not allocate any property address numbers for the proposed lots.

New property addresses have been allocated as follows:

<b>Lot No.</b>	<b>Allocated Property Address</b>
1	25 Eleni Avenue, Kingston
2	27 Eleni Avenue, Kingston
3	29 Eleni Avenue, Kingston
4	31 Eleni Avenue, Kingston
5	35 Eleni Avenue, Kingston
6	37 Eleni Avenue, Kingston
7	39 Eleni Avenue, Kingston
8	41 Eleni Avenue, Kingston
9	43 Eleni Avenue, Kingston
10	45 Eleni Avenue, Kingston
11	47 Eleni Avenue, Kingston
12	24 Eleni Avenue, Kingston
13	26 Eleni Avenue, Kingston
14	28 Eleni Avenue, Kingston
15	30 Eleni Avenue, Kingston
16	49 Alfreds Garden, Kingston / 32 Eleni Avenue, Kingston
17	47 Alfreds Garden, Kingston
18	45 Alfreds Garden, Kingston
19	43 Alfreds Garden, Kingston
20	41 Alfreds Garden, Kingston

- D Council is investigating the option of construction of a larger stormwater detention and quality treatment basin that would include the Kingston Green 4A, 4B and 4C sites and accommodate the future connection from the upstream catchment (Bishop Davies Court and St Lukes site). Council will be in contact in the future to discuss options that may affect the smaller detention and treatment system for Kingston Green 4A, 4B and 4C.

**Amendment:**

Moved Cr Wass  
 Seconded Cr Bastone

That the following words and paragraph be deleted from condition 1:

*“... but modified to show:*

- *Provision of a public open space linkage that generally aligns with the existing, informal track located adjacent to the south-western boundary of the subject site, extending down to the existing footway to the south, which connects the proposed public open space to the Coffee Creek pedestrian network. The final design and alignment of the track must be to the satisfaction of the Manager Development Services.”*

In Favour: Crs Sue Bastone and Steve Wass

Against: Crs Dean Winter, Jo Westwood, Gideon Cordover, Flora Fox, Amanda Midgley, Christian Street and Paula Wriedt

**LOST 2/7**

The substantive motion was then put.

**CARRIED**



### Submission to Planning Authority Notice

Council Planning Permit No.	DAS 2020-6	Council notice date	5/03/2020
<b>TasWater details</b>			
TasWater Reference No.	TWDA 2020/00291-KIN	Date of response	23/03/2020
TasWater Contact	Phil Papps	Phone No.	(03) 6237 8246
<b>Response issued to</b>			
Council name	KINGBOROUGH COUNCIL		
Contact details	kc@kingborough.tas.gov.au		
<b>Development details</b>			
Address	ALFREDS GARDEN , KINGSTON	Property ID (PID)	9364894
Description of development	Subdivision of 20 lots (Stage 4B & 4C)		
<b>Schedule of drawings/documents</b>			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
A Hamilton & Associates	Plan of Subdivision / 6111	--	18/02/2020
JMG	Servicing Plan / J14027PH / C102	P1	21/02/2020
JMG	Sewer Vent Stack Relocation / J14027PH / SK01	P1	16/03/2020
<b>Conditions</b>			
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:			
<b>CONNECTIONS, METERING &amp; BACKFLOW</b>			
<ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connections / sewerage system and connections to each lot of the development must be designed and constructed to TasWater’s satisfaction and be in accordance with any other conditions in this permit.</li> <li>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.</li> </ol>			
<b>ASSET CREATION &amp; INFRASTRUCTURE WORKS</b>			
<ol style="list-style-type: none"> <li>3. 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.</li> <li>4. Prior to applying for a Permit to Construct new water and/or sewerage 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.</li> <li>5. 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.</li> <li>6. 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.</li> <li>7. Prior to the issue of a Consent to Register a Legal Document / Certificate of Water and sewerage</li> </ol>			



Compliance (Building and/or Plumbing) all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development including the relocation of the existing sewerage vent stack located within 9 Eleni Ave (CT 176913/417) to a new location (nominally adjacent to sewer manhole Asset A186897), generally as shown on the plans listed in the Schedule of drawings/documents, are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.

8. 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.
9. At practical completion of the water and sewerage works and prior to TasWater issuing a 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.
10. 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.
11. 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.
12. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

#### **FINAL PLANS, EASEMENTS & ENDORSEMENTS**

13. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.  
*Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.*
14. 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**



15. 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:
- a. \$675.71 for development assessment; and
  - b. \$149.20 for Consent to Register a Legal Document
- The payment is required by the due date as noted on the statement when issued by TasWater.

**Advice**

**General**

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

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

**Service Locations**

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

- A permit is required to work within TasWater’s easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater
- TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit [www.taswater.com.au/Development/Service-location](http://www.taswater.com.au/Development/Service-location) for a list of companies
- TasWater will locate residential water stop taps free of charge
- Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

**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**

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

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**OPEN SESSION**

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Open session resumes at 8.25pm

*Meeting adjourned at 8.25pm*

*Meeting resumed at 8.35pm*

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**15 NOTICES OF MOTION**

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**C209/8-2021**

*(commences at beginning of Part C of audio recording)*

**14.1 WINGARA ROAD BEACH STEPS, HOWDEN**

Moved: Cr Flora Fox

Seconded: Cr Amanda Midgley

That Council obtain a licence from the Crown to take responsibility for maintenance of the steps at Wingara Beach, located at the beginning of Wingara Road across from 15 Wingara Road in Howden.

**CARRIED**

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**16 PETITIONS STILL BEING ACTIONED**

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There were no petitions still being actioned.

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**17 PETITIONS RECEIVED IN LAST PERIOD**

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No Petitions had been received.

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**18 OFFICERS REPORTS TO COUNCIL**

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**C210/8-2021**

*(commences at ± 3 minutes of Part C of audio recording)*

**18.1 COUNCILLOR WORKSHOP POLICY**

Moved: Cr Jo Westwood

Seconded: Cr Amanda Midgley

That Council:

(a) Add a new clause 5.2.1.4 in the policy as follows:

*“The Chair of the meeting may ask a Councillor or staff member to leave a meeting if they disrupt the workshop’s proceedings or do not behave in accordance with their respective Codes of Conduct.”*

(b) That Council adopt the Councillor Workshop Policy 1.19.

**CARRIED**

**C211/8-2021***(commences at ± 17 minutes of Part C of audio recording)***18.2 KINGBOROUGH BICYCLE ADVISORY COMMITTEE**

Moved: Cr Amanda Midgley

Seconded: Cr Flora Fox

That Council:

- (a) Notes the minutes of the Kingborough Bicycle Advisory Committee.
- (b) Council write to the Department of State Growth to request a shared path be built on the Algona Road reservation to link the Algona Road underpass to the shared path on Channel Highway that leads to the new Huntingfield park and ride site.
- (c) Notes that Huntingfield park and ride routes will be identified and prioritised in the *Kingborough Bicycle Plan* and this will assist informing any response to a future Development Application for 1179 Channel Highway.
- (d) Makes a submission to State Government requesting planning standards are developed for park and rides.
- (e) Notes that walking and cycling provision associated with subdivision of land in the Huntingfield area will be considered as part of the Development application.

**CARRIED****C212/8-2021***(commences at ± 23 minutes of Part C of audio recording)***18.3 CAT PROHIBITED AREAS - COUNCIL RESERVES**

Moved: Cr Paula Wriedt

Seconded: Cr Amanda Midgley

That Council resolves to:

- (a) commence the advertising and community consultation process associated with intention to declare Algona, Coffee Creek and Huntingfield Reserves Cat Prohibited Areas in accordance with Section 21 of the *Cat Management Act 2009*.
- (b) receive a further report following community consultation.

**CARRIED****C213/8-2021***(commences at ± 32 minutes of Part C of audio recording)***18.4 SOUTHERN TASMANIAN REGIONAL CAT MANAGEMENT STRATEGY**

Moved: Cr Paula Wriedt

Seconded: Cr Gideon Cordover

That Council endorses the Southern Tasmania Regional Cat Management Strategy.

**CARRIED**

**C214/8-2021***(commences at ± 38 minutes of Part C of audio recording)***18.5 COPPING REFUSE SITE JOINT DISPOSAL AUTHORITY - PROPOSED RULE CHANGE**

Moved: Cr Christian Street  
Seconded: Cr Jo Westwood

That Council

- (a) Endorses the proposed amendment to Copping Refuse Disposal Site Joint Authority's Rule 219 as agreed by the Authority at its meeting on 13 August 2020, and
- (b) Approves advertising the proposed amendment to Rule 219 in accordance with the requirements of the *Local Government Act 1993 (Tas)*.

**CARRIED**

**C215/8-2021****19 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

Moved: Cr Flora Fox  
Seconded: Cr Amanda Midgley

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

**Confirmation of Minutes**

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

**Applications for Leave of Absence**

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

**Delegated Authority**

Regulation 15 (2)(j) *the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.*

**CARRIED AND BY ABSOLUTE MAJORITY**

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

Open Session of Council adjourned at 9.15pm

**OPEN SESSION ADJOURNS**

**OPEN SESSION RESUMES**

Open Session of Council resumed at 9.18pm

**C216/8-2021**

Moved: Cr Paula Wriedt

Seconded: Cr Flora Fox

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil
Delegated Authority	Noted

**CARRIED**

**CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 9.19pm

.....  
(Confirmed)

.....  
(Date)