



COUNCIL MEETING MINUTES

25 October 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 Paula Wriedt



Deputy Mayor
Councillor Jo Westwood



Councillor Sue Bastone



Councillor Gideon Cordover



Councillor Flora Fox



Councillor Clare Glade-Wright



Councillor David Grace



Councillor Amanda Midgley



Councillor Christian Street



Councillor Steve Wass

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Public Copy

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 25 October 2021 at 5.30pm

1 AUDIO RECORDING

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

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

Councillors:

Mayor Councillor P Wriedt	✓
Deputy Mayor Councillor J Westwood	✓
Councillor S Bastone	✓
Councillor G Cordover	✓
Councillor F Fox	✓
Councillor C Glade-Wright	✓
Councillor A Midgley	✓
Councillor C Street	✓
Councillor S Wass	✓

Staff:

Acting General Manager	Dr Katrena Stephenson
Chief Financial Officer	Mr John Breen
Director Engineering Services	Mr David Reeve
Director Governance, Recreation & Property Services	Mr Daniel Smee
Manager Development Services	Ms Tasha Tyler-Moore
Senior Planning Officer	Mr Timothy Donovan
Media & Communications Advisor	Ms Sam Adams
Executive Assistant	Mrs Amanda Morton

C558/21-2021

4 APOLOGIES

Councillor D Grace

C559/21-2021

5 CONFIRMATION OF MINUTES

Moved: Cr Flora Fox

Seconded: Cr Sue Bastone

That the Minutes of the open session of the Council Meeting No.20 held on 4 October 2021 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

11 October - Complaints Handling Framework

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

C560/21-2021

9.1 Seating at Taroona Park

Mr Peter Alexis asked the following questions without notice:

I recently found out that there have been some objections to the seating at Taroona park and I have sent Mayor Wriedt an email which provides more detail. My questions are: Is Taroona park the private domain of some of the residents that overlook it? Would Council contemplate banning people from congregating, chatting and looking at houses at closer range than the proposed seating while their dogs run around? The entire point of the original proposal was to provide staged resting places for the elderly and frail. How does Council propose to provide this particularly at the top of the hill and along the straight parallel to Taroona Crescent, if there are to be any changes to the seating arrangement that has already commenced?

Mayor responds:

I did receive your email and I think that Mr Smee phoned you this afternoon as I was unavailable in meetings. We certainly have every intention to continue on with installing the seating and there are I think 12 seats in total that will be around the park. You are correct in that there have been some representations from some people who live in adjacent houses who are concerned about their privacy and the direction of two of the 12 seats. The Deputy Mayor and I went and had a look on sight last week or the week before after the holes for the footings had been dug to see what was intended in terms of the location of the seats. We are certainly very committed to still making sure that there are seats at the top of that hill. Now having walked it in inappropriate hills, we can verify that it is quite a steep hill and there will certainly be some seats there, but we are trying to respond to the concerns of privacy from residents along there and seeing if we can orient the seats slightly so that they are not looking directly into the backyards. Please be assured that those seats will be going ahead, but it's just a question of whether there is a compromised position as to where we

can place them. They will still be spaced out so that there is a resting area so they would be in that general vicinity of where the footings have been dug for those two. We are going to start the installation because the concrete has gone in now for those footings and they will start at the top end near the dog exercise area and move back down, so those two will be the last one's to be done. The reason for that is that our Urban Designer was away last week so we weren't able to progress that. I don't believe that we have the powers under any of our by-laws to stop people congregating in areas where they might be looking into the neighbouring houses. That is why we are trying to find the compromise of re-orienting them, but there is a lot of support for the seats, there are just those concerns from those residents which I understand, but please let me assure you that we will make sure that we get them in.

C561/21-2021

9.2 Waste Bins

Ms Diane Guest asked the following question without notice:

I live at Bealiba Place and one of the other residents are putting waste in people's recycle, rubbish and green bins. Some people in the neighbourhood have been told that their bins are overweight. There was yellow bags in my driveway and I spoke to the rubbish collector man and he very kindly picked up the bags.

Mayor responds:

So your question is whether we can stop people putting rubbish in other people's rubbish bins?

Ms Guest:

Yes.

Mayor:

I believe the short answer to that is unfortunately, no. We don't have any power to stop that. Mr Reeve might be able to give you some more information.

Director Engineering Services:

That's correct. We can't police what other people are putting into bins. However, what we can do, and it sounds like there is a little bit more to it than just one or two occasions, we can do more monitoring of that area and we can get information back from the drivers in terms of what they are seeing in the area. One of the issues we will have is if residents do get a sticker on their bins to say that they have an overweight bin and it's not their fault, generally we would be sending out a letter to them to make them aware of that. If that continues on then we would want to continue to get to the root cause of the problem compared to sending the letter to the resident. I will take on board what you have said and do some monitoring in that area and see if we can try and get to a point where that is not happening.

10 QUESTIONS ON NOTICE FROM THE PUBLIC

There were no questions on notice from the public.

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

There were no questions without notice from Councillors.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

C562/21-2021**12.1 Quick Response Grants**

Cr Midgley submitted the following question on notice:

How many applications have there been for the Quick Response grants? How are we promoting the quick response grants?

Officer's Response:

In November 2020, Council approved the allocation, from the Community Grants budget, of 12.5% or \$5,000 to Quick Response Grants to be available throughout the financial year or until funds are expended. To date, there have been 2 successful applications and 1 unsuccessful application (did not meet criteria) and the total allocated through the Quick Response Grants is \$1500. The two grants related to event support. The Quick Response Grants were promoted earlier this financial year via media release and social media and information remains available on our website. Quick grants can be applied for any time.

Dr Katrena Stephenson, Director Environment, Development & Community

C563/21-2021**12.2 Margate to Huntingfield Feasibility Study**

Cr Midgley submitted the following question on notice:

Council has set aside funds towards a feasibility study for Margate – Huntingfield shared path study. Have we had discussion with government regarding their plan to contribute funds towards this study, noting it is part of their 10 year strategic plan for the Channel Highway. If the government cannot commit funds in this financial year, can Council start to progress the feasibility study with the funds set aside in the KC budget?

Officer's Response:

The funding Council has put aside was intended as a support for possible additional funding from the State Government. The amount would not be enough to complete a feasibility of this complexity based on previous studies of this type.

David Reeve, Director Engineering Services

C564/21-2021**12.3 Transform Kingston Project**

Cr Midgley submitted the following question on notice:

Are there plans for public art as part of the Transform Kingston project? If so, what is the process for engaging artists?

Officer's Response:

It is envisaged that the Transform Kingston Project will include a public art component, however, nothing specific has been determined at this stage. If a public art was to be included, it would either

be through a commissioned work or through the installation of a piece from Council's public art collection.

Daniel Smee, Director Governance, Recreation & Property Services

C565/21-2021

12.4 School Waste Education Program

Cr Midgley submitted the following question on notice:

When is KWS planning to start the school waste education program?

Officer's Response:

There have been some issues in contracting an external provider for this program and it is now intended to use internal resources to begin the program. It is intended to commence in November 2021 with Illawarra Primary School, with other schools to follow.

David Reeve, Director Engineering Services

C566/21-2021

12.5 Youth Events

Cr Glade-Wright submitted the following question on notice:

Can you provide some more information about "You Think" monthly youth lead discussion forums?

Officer's Response:

You Think is a new program that we will be piloting at the Hub, starting 10 November, for four sessions initially.

You Think is hour long topical discussion forums with members of Council's Youth Action Network involved in the organisation and delivery.

The program will provide a safe space for youth led discussions and an opportunity for Council to better understand issues important to our young people.

After the initial 4 sessions we will evaluate the program considering several factors including attendance levels and feedback from those who take part.

Dr Katrena Stephenson, Director Environment, Development & Community

C567/21-2021

12.6 21 Dennes Lane

At the Council meeting on 4 October 2021, **Cr Wass** asked the following question without notice to the General Manager, with a response that the question would be taken on notice:

Could we have an update on proceedings and the present position regarding a development application at 21 Dennes Point Lane?

Officer's Response:

A Planning Permit was issued for the property under DA-2015-122 under RMPAT direction, which approved the dwelling and laneway upgrade works from Ch 115 to the lot. This permit is valid as

substantial commencement has occurred. However, the works have been put on hold to resolve issues with the upgrade works for the first portion of Dennes Point Lane from Bruny Island Main Road up to Ch 115. This will require a new planning application. The preliminary design for this portion of the laneway has been completed addressing the recommendations of the Aboriginal Heritage Assessment report and in consultation with Aboriginal Heritage Tasmania. Council is expecting a development application for this portion of the Dennes Point lane for assessment and approval upon satisfying the requirements of Aboriginal Heritage Tasmania.

Tasha Tyler-Moore, Manager Development Services

C568/21-2021

12.7 Electric Vehicle Charging Stations

Cr Midgley submitted the following question on notice:

Where are the two electric vehicle charging stations going to be located?

Officer's Response:

One charging station will be located in Council's carpark at the rear of the Civic Centre. The location of the second station has yet to be determined, with a number of sites currently under investigation.

Daniel Smee, Director Governance, Recreation & Property Services

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning authority commenced at 5.45pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C569/21-2021

13.1 DAS-2020-26 DEVELOPMENT APPLICATION FOR SUBDIVISION CREATING 218 RESIDENTIAL LOTS, 1 COMMERCIAL LOT, 13 ROAD LOTS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE WORKS (INCLUDING SEWER PUMP STATION, STORMWATER AND ROAD WORKS)

Moved: Cr Steve Wass

Seconded: Cr Amanda Midgley

That the Planning Authority resolves that the development application for subdivision creating 218 residential lots, 1 commercial lot, 13 road lots, public open space, and associated infrastructure works (including sewer pump station, stormwater and road works) at 1287 Channel Highway, Huntingfield, CT172716/1; CT134371/1; CT131270/1; CT248218/1; CT151047/1; CT151121/1; CT248218/1; CT223727/1; CT134203/1; CT114677/101; CT114677/102; CT114677/105. for Department of Communities Tasmania be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DAS-2020-26 and Council Plan Reference No's. P1 submitted on 17 December 2020 and P2 submitted on 15 July 2021 (excluding the Huntingfield Master Plan Version K – refer to Advice Clauses).

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 Schedule of Easements accompanying the Final Plan of Survey must contain a right for Lots 1 to 53 on the plan and the Balance, being provided with a right of carriageway over the land to be marked "Access Way (Variable Width)" on the Subdivision Proposal Plan prepared by Leary Cox & Cripps dated 20/04/2021 and to be marked "Access Way (Variable Width) (Private)" on the final plan.

ADVICE:

Council will not accept the transfer of the Access Way (Variable Width) to the Council under the provisions of the Local Government Highways Act 1985 as the area does not comply with the Council standards.

3. Prior to the permit coming into the effect, the owner must enter into a Part 5 Agreement for the Huntingfield Design Guidelines under the *Land Use Planning and Approvals Act 1993* with and to the satisfaction of Council detailing the responsibilities for the developer, nominated authorities and individual landowners, including the requirements that:
 - (a) The agreement will apply to lots with rear access only, single dwelling development restrictions, non-complying design development standards of the relevant Planning Scheme, or other lots as agreed between the Department of Communities and Council;

- (b) Prior to the lodgement of a development application with the Planning Authority the applicant shall be required to submit plans and information of the proposed development to the Department of Communities for appraisal under the Design Guideline. The plans and information must have sufficient documentation to demonstrate performance in accordance with the relevant Design Guideline standards. The development application, when lodged with the Planning Authority, shall be accompanied by the Department of Communities' approval. The following specific restrictions must be included:
 - (i) Lot No's 77-84, 98-104, 134-139, 177-184, and 185-192 are lots that have a frontage to the rear lane access ways and are required to have vehicle access only from the rear lane access way, unless otherwise approved in writing by the Planning Authority. Any such request is required to be provided prior to the lodgement of a development application (if applicable) with the Planning Authority.
 - (ii) Lot No's 1-53 shall be required to obtain the approval of the Department of Communities that a proposed development complies with the 'Design Guidelines'. Where a development application is required to be lodged with the Planning Authority, it must be accompanied by the Department of Communities' approval.
 - (iii) Lot No's 78-83, 89-91, 135-138, 142-146, 152-153, 181 and 182 that do not comply with Clause F5.8.1 – Lot Design Acceptable Solution A2.2 of the Huntingfield Housing Land Supply Order SAP, shall be required to obtain the approval of the Department of Communities that a proposed development complies with the 'Design Guidelines'. Where a development application is required to be lodged with the Planning Authority, it must be accompanied by the Department of Communities' approval.
 - (iv) Development on Lot No's 54-62, or on lots agreed between the Department of Communities and the Planning Authority, are restricted to a single dwelling.

The Design Guideline document and the Part V agreement must state that the approval of an application complying with the design guidelines by the Department of Communities, will not constitute approval or endorsement by the Planning Authority for any other discretion of the relevant Planning Scheme.

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.

The Design Guidelines (as agreed by the Department of Communities and Council) must be a Schedule to the agreement.

This Part 5 Agreement must be lodged at the Land Titles Office and registered on the title prior to the commencement of on-site works.

Please note, planning permits containing a requirement for a Part 5 Agreement are not effective until such time as the Agreement is executed, as specified in s53(6) of the Land Use Planning and Approvals Act 1993. Therefore, the above Agreement must be signed and sealed and registered on the title prior to the Permit coming into effect and commencement of works. A template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.

4. Prior to the permit coming into the effect, the owner must enter into a Part 5 Agreement under the Land Use Planning and Approvals Act 1993 with and to the satisfaction of Council detailing the management responsibilities for the developer, nominated authorities and individual landowners, including the requirements that:

- (a) the developer (Department of Communities), or the nominated authority, must maintain all lots within Stage 1, and the Stage 1 hazard management area, as low threat vegetation until such time as ownership of the titles is transferred and maintaining the vegetation on each lot becomes the responsibility of the individual lot owners;
- (b) the developer (Department of Communities), or the nominated authority, must maintain the perimeter road (including the verges each side of the carriageway) and the public open spaces, until such a time as ownership/responsibility is transferred, and maintaining the vegetation in these publicly owned areas, becomes the responsibility of the nominated authority;
- (c) the developer (Department of Communities), or the nominated authority, must maintain the Stage 1 buffer as grassland with less than 10% overstorey;
- (d) the hazard management area (HMA) within each lot must be managed by the responsible party in accordance with the recommendations of the bushfire report and perpetually maintained to ensure ongoing compliance with 'low threat vegetation' classification as defined in AS3959-2018 Clause 2.2.3.2;
- (e) future development of lots must be constructed to the specified BAL rating as a minimum, in accordance with the construction requirements in the Bushfire Hazard Report (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021); and
- (f) when landscaping the HMA on both the private allotments and in the public open spaces, measures must be incorporated to reduce bushfire hazard in accordance with the vegetation management recommendations in the Bushfire Hazard Report (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021);

unless the BHMP is superseded by an alternative BHMP certified by an accredited person and only if this alternative BHMP is to the satisfaction of the Tasmania Fire Service and Council and demonstrates that no additional vegetation management on the balance of CT 1727161/1 as shown in the original subdivision BHMP (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021) is being relied upon and does not compromise the potential requirements for a 100m buffer to forty-spotted pardalote habitat and revegetation of the tributary to Coffee Creek or other mitigation measures required as part of future stages.

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.

This Part 5 Agreement must be lodged at the Land Titles Office and registered on the title prior to the commencement of on-site works.

ADVICE:

Please note, planning permits containing a requirement for a Part 5 Agreement are not effective until such time as the Agreement is executed, as specified in s53(6) of the Land Use Planning and Approvals Act 1993. Therefore the above Agreement must be signed and sealed and registered on the title prior to the Permit coming into effect and commencement of works. A template, and a checklist for the process of drafting and lodging such an Agreement, may be obtained from Council's planning team.

5. Prior to the commencement of on-site works, an urban design and landscaping plan for the proposed road reserves, open space areas, shared paths, stormwater basins and drainage swales within the subdivision must be submitted to and approved by the Manager Development Services. The plan(s) must include:

A. Open Space Plan

A subdivision open spaces plan (exclusive for the subdivision approved by this permit) that delineates open space for recreational purposes or pedestrian links; areas for Water Sensitive Urban Design (where there are particular engineering design requirements); and other open spaces areas that will be transferred to Council (such as road reservations and footpaths). It is recommended that the plan uses coloured hatching and a key to differentiate the areas.

B. Open Space Infrastructure (including road reservations)

The layout and provision of Open Space infrastructure must provide for a streetscape and road and path network that encourages walkability of an area and active use of the open space areas.

- i) A sealed footpath located adjacent the property boundary to enable landscaping with shrubs, trees and grass providing vehicle separation from footpaths;
- ii) Street lights located at the end or beginning of footways and provided with elongated beams for safety that do not have spill light on neighbouring properties;
- iii) Provision of spaces suitable for future installation of bus stops, in accordance with any requirements of the public transport providers. This may include connection/conduit points for power and communications/NBN;
- iv) Services bundled on one side of the road and sited to allow for the planting of street trees (consistent with the landscaping requirement in Part C of this condition), to ensure a positive walkable local environment;
- v) Where space allows, sites (including paths of passive recreation) should be identified within the road reservation for the provision of seating;
- vi) The shared path widths a minimum of 3m; (in accordance with Council's Footpath Provision and Maintenance Policy);
- vii) Traffic calming methods for pedestrians on roads adjacent public open space to assist with linking of the public open space areas;
- viii) Within the recreational area of public open space the following (but not limited to) must be provided:
 - Connections of services (water and electricity) near the entry point of the open space
 - Vehicle crossover for ongoing maintenance vehicles with removable bollards
 - Water bubbler with base dog drink bowl
 - Seating
 - Playgrounds - designed in accordance with the Kingborough Play Space and Playground Strategy 2020 – 2025 and in consultation with Council
 - Fencing as appropriate

C. Landscaping Detail

Subdivision landscaping must enhance the overall quality, appearance, character, and function of new developments and be long lasting. The landscaping detail must include:

- i) All elements of the landscaping requirements in other parts in this condition must demonstrate consistency with the Bushfire Hazard Assessment Report and accompanying BHMP (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021) in relation to landscaping, including:
 - a) establishing and maintaining road verges, traffic islands, walkways and cycleways as low threat vegetation;
 - b) establishing and maintaining Public Open Space (POS) within Stage 1 as low threat vegetation;
 - c) establishing and maintaining the perimeter road (including the verges on each side of the carriageway) as low threat vegetation; and
 - d) maintaining linear Open Space/50m wide perimeter grassland as grassland; and
- ii) Street Tree Plan; including
 - a) Notation of any existing trees to be retained (including any applicable reference number to arborist or ecology reports) including their species and location.
 - b) Species (species selection is subject to approval and should have low limb failure risk and be drought tolerant).
 - c) one tree per lot is to be provided (or as agreed by Council). Spacing between street tree centres of greater than 20m will not be considered acceptable.
 - d) Street trees are to be supplied in pot sizes that support the establishment of clean trunks to at least 1.5m above finished surface level of any adjoining footpath and/or road pavement (within 2 years of planting), dependant on species selection and availability, with 45ltr being the desired minimum pot size.
- iii) For any landscaping (other than street trees) planting by quantity, genus, species, common name, expected mature height and plant size;
- iv) Notation of any existing trees to be retained or removed (including any applicable reference number to arborist or ecology reports) including their species and location;
- v) Earth shaping proposals, including retaining wall(s);
- vi) Notations of fencing, paths and paving (indicating materials and surface finish); identify the species, diameter, tree protection zone and location of trees identified for retention in the Affected Tree Plan (Council Plan Reference P2, dated 15 July 2021) and demonstrate that the total extent of encroachment into the tree protections zones of these trees is less than 10%;
- vii) Demonstration that species selection includes the use of endemic and native species and excludes the use of native species not local to Kingborough and the use of declared and environmental weeds as listed in the Weed

Management Strategy and Action Plan, Kingborough Municipal Area 2017-2027; and

- viii) Establishment and maintenance program (for the 12 month maintenance period).

All engineering drawings and other related plans submitted for approval must also reflect the above requirements.

Once endorsed the plans will form part of the permit.

6. Prior to the commencement of on-site works a Construction Environmental Management Plan (CEMP) must be submitted to and endorsed by Council. No works are permitted to occur until the Plan has been endorsed by Council. The plan must provide details of the following:
 - (a) The Construction Environmental Management Plan must be in accordance with Section 6 – Erosion and sediment control, The Huntingfield Master Plan and Civil Design, Stage 1 Development – Stormwater Management Plan dated 15 July 2021, including adequate measures to control noise and dust.
 - (b) The construction of all water quality systems including raingardens, bioretention swales and basins must initially be constructed as construction sediment basins and flow channels only as per Section 6 Erosion and Sediment Control of the Huntingfield Master Plan and Civil Design, Stage 1 Development – Stormwater Management Plan dated 15 July 2021.
 - (c) The Construction Environmental Management Plan must incorporate a water quality asset installation plan. The water quality asset installation plan must detail the timeframes for construction and maintenance of all final filter media systems for water quality assets including associated planting/landscaping during the individual lot development housing construction period. The maintenance of the water quality assets must be undertaken in accordance with Section 5.4.1 Maintenance of stormwater quality infrastructure of the above Stormwater Management Plan and for a minimum 12 month period prior to acceptance of assets by Council;
 - (d) Hours for construction activity in accordance with any other condition of this Permit;
 - (e) A Traffic Management Plan showing truck routes to and from the site;
 - (f) Weed management measures in accordance with Condition 10;
 - (g) The specifications and location of tree and vegetation protection measures in accordance with Condition 11;
 - (h) The extent of cut and fill;
 - (i) Storage locations for the stockpiling of fill on site;
 - (j) Demonstration that the stockpiling of fill will not encroach into the Tree Protection Zones of trees identified for retention;
 - (k) The location for the disposal of any excess fill off site and demonstration this site is either a certified landfill facility for Level 1 fill or a site that has been approved for the disposal or use of Level 1 fill under a development use permit issued by Council;
 - (l) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;

- (m) Measures to minimise impacts on threatened species during construction including the collision risk of fencing and use of rodenticides;
- (n) Waste management during construction works;
- (o) Measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the Construction Management Plan;
- (p) Contact details of key construction site staff; and
- (q) A site plan showing the location of site sheds, on-site amenities, parking and other required facilities;
- (r) Measures relating to removal of hazardous or dangerous material from the site, where applicable.

Once endorsed, the Plan will form part of the permit and must be implemented to the satisfaction of Council.

ADVICE:

The water quality asset installation plan may be based on the overall percentage of individual lot dwellings completion or separate zones of the percentage of individual lot dwellings completion on separate road lots.

7. Prior to commencement of on-site works, engineering design drawings and specifications 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 Huntingfield Master Plan and Civil Design, Stage 1 Development – Stormwater Management Plan dated 15 July 2021;
 - The Huntingfield Master Plan and Civil Design, Huntingfield Development – Preliminary Design Report dated July 2021, and
 - The Bushfire Hazard Assessment Report and accompanying BHMP (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021).

The Plans must include, but are not limited to:

- (a) Design of the internal road network, including junctions, vehicular crossovers to all lots, footways, flood ways, and associated stormwater drainage system.
- (b) Further to the proposed footpath locations as indicated on the submitted drawings, Roads 4, 5, 6, 7, 13 and 2 (between 1 and 11 intersections) must include a 1.5m footpath on both sides of the road to service residential lots on both sides of the road.
- (c) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
 - i. All lots to be serviced with a minimum 150mm underground stormwater connection to a reticulation main. Kerb connections will not be permitted.
 - ii. Longitudinal section details (the minimum reticulated main size servicing a residential lot is 225mm).

- iii. 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
- iv. The reticulated stormwater system sized to accommodate at least the estimated 5% AEP flow based on a future fully-developed catchment
- v. Overland flow paths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow based on a future fully-developed catchment
- (d) Locate electricity infrastructure underground;
- (e) A Vegetation and Tree Protection Plan which:
 - i. identifies the species, diameter, tree protection zone and location of trees identified for retention in the Affected Tree Plan (Council Plan Reference P2, dated 15 July 2021);
 - ii. demonstrates that the total extent of encroachment into the tree protection zones of these trees is less than 10% and including the tree protection measures; and
 - iii. includes the tree and vegetation protection measures required in Condition 11;
- (f) Demonstrate no works encroach into the Waterway and Coastal Protection Area of the tributary to Coffee Creek or within 20m of patches of remnant native vegetation on the Balance lot;
- (g) Demonstrate that any external lighting in proximity to the Reserve boundary is adequately shielded to minimise impacts on conservation values;
- (h) Demonstrate consistency with the Bushfire Hazard Assessment Report and accompanying BHMP (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021) in relation to access and static water supply, including:
 - i. design of public access to comply with Table E1;
 - ii. design of the perimeter road/fire trail is to comply with PD 5.1 Table E3;
 - iii. design of interim turning heads compliant with PD 5.1 Table E1 at the end of the road reserve for Stage 1;
 - iv. ensuring all parts of a building area are within reach of a 120m long hose (measured as a hose lay) connected to a compliant hydrant; and
 - v. ensuring public roads serve as hardstand located within 3m of the proposed fire hydrants.

Once endorsed the plans will form part of the permit.

8. Underground power and telecommunication services including NBN 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.
9. Prior to the Council endorsement of submitted Engineering Drawings the 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 engineering plan assessment fee, whichever is the greater must be paid (refer to Permit Note).

10. To prevent the spread of weeds and manage any weeds within the site, the following weed management measures must be undertaken to the satisfaction of the Manager Development Services:

- (a) Prior to the commencement of on-site works (including but not limited to tree removal, construction, excavations, placement of fill, delivery of construction materials and/or temporary buildings), the following is required:

- i. a Weed Management Plan by a suitably qualified person must be submitted to and approved by the Manager Development Services for each stage. The plan must include:

- a list and site plan of all declared weeds under the Weed Management Act 1999, environmental weeds and/or weeds listed in the Kingborough Weed Management Strategy present on the site;
- objectives and identify responsibilities for weed management;
- provision for a buffer zone adjacent to Peter Murrell Reserve;
- timeframes and methods of primary, secondary and follow up treatments for these weeds;
- weed hygiene measures to minimise the spread of weeds to and from the site during on site works, including washdown and management of fill; and
- an implementation, monitoring and reporting plan (including timeframes and costings for each action).

Once endorsed the plan will form part of the permit and must be complied with to the satisfaction of the Manager Development Services, unless otherwise agreed in writing by the Manager of Development Services.

- ii. Primary treatment of all declared, environmental and/or listed weeds must be undertaken within the footprint of subdivision works, including within areas to be traversed and disturbed during construction.

- (b) During construction – weed management measures must be implemented in accordance with the endorsed plan to the satisfaction of the Manager Development Services.

- (c) Prior to the Sealing of the Final Plan of Survey – a weed management audit must be undertaken by a suitably qualified person verifying weed management actions have been satisfactorily implemented in accordance with the Weed Management Plan. Any outstanding weed management must be implemented or non-compliance with the Weed Management Plan rectified in accordance with the objectives and actions in the report to the satisfaction of the Manager Development Services prior to the Sealing of the Final Plan of Survey.

- (d) Ongoing management – ongoing implementation of the Weed Management Plan and management of weeds on the site is the responsibility of the developer (Communities Tasmania), or the nominated authority, until such time as ownership of the titles is transferred and maintaining the weeds on each lot becomes the responsibility of the individual lot owners.

11. Prior to the commencement of on-site works (including but not limited to tree removal, construction, excavations, placement of fill, delivery of construction materials and/or temporary buildings), temporary barrier fencing must be installed:

- (a) around the tree protection zone of individual trees identified for retention in the Affected Tree Plan (Council Plan Reference P2, dated 15 July 2021) in accordance with AS 4970-2009; and
- (b) along the outer edge of the Stage 1 buffer subdivision BHMP (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021) and the maximum extent of subdivision works as shown in the endorsed engineering drawings;

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 provided to the Manager Development Services prior to the commencement of on-site works.

This fencing must be maintained for the duration of the subdivision works unless otherwise approved by Council in writing.

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.

12. Two blue gum (*Eucalyptus globulus*) trees, identified as Trees 384 and 385 in the Affected Tree Plan (Council Plan Reference P2, dated 15 July 2021), are approved for removal.

No trees are to be removed prior to the Masked Owl survey required under Condition 14 and issue of a 'Start of Works Notice' for the subdivision works required under condition 15.

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.

13. To offset the loss of two (2) very high conservation value trees (both *Eucalyptus globulus* trees with a DBH >70cm) an offset of \$500/tree must be paid into Council's Environmental Fund, to be used to manage and conserve the habitat of the swift parrot in the vicinity of Kingston.

This offset must be paid prior to the commencement of on-site works (including but not limited to tree removal, construction, excavations, placement of fill, delivery of construction materials and/or temporary buildings).

14. Prior to the removal of Trees 384 and 385, a survey by a suitably qualified person must be undertaken to determine whether any hollows are being utilised by the masked owl (*Tyto novaehollandiae*) or other hollow dwelling species.

If a habitat tree is determined to be active, advice from DPIPWE must be sought prior to removal, including any relevant mitigation measures and approvals.

The results of the survey and any advice of DPIPWE (if required) must be provided to Council prior to tree removal.

Tree removal may only be undertaken in accordance with the advice of DPIPWE and any mitigation measures and approvals (where required).

15. Prior to the commencement of any on-site works, including but not limited to tree removal, demolition, construction, excavations, placement of fill, delivery of 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.

16. The construction works must be undertaken to the satisfaction and approval of the Manager Development Services and in accordance with:

- (a) the approved engineering design drawings;
- (b) the approved Construction Management Plan;
- (c) the Huntingfield Master Plan and Civil Design, Stage 1 Development – Stormwater Management Plan' dated 15 July 2021; and
- (d) The Bushfire Hazard Assessment Report and accompanying BHMP (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021)

The works must be supervised by a professional Civil Engineer in accordance with Council's inspections schedule.

17. At practical completion and the satisfactory completion of all mandatory audit inspections for the subdivision works the supervising engineer must:
 - (a) Request a joint on-site practical completion inspection with the Council's authorised representative;
 - (b) Provide written confirmation that the works have been substantially completed in accordance with the Council approved plans and specifications and that the appropriate levels of quality and workmanship have been achieved;
 - (c) Provide a copy of relevant documentation that all requirements have been carried out as applicable by the following:
 - a. Telecommunication authorities
 - b. TasNetworks
 - c. TasWater;
 - (d) 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;
 - (e) Provide a signed checklist for 'As Constructed' drawings;
 - (f) Submit A1 size 'As Constructed' drawings in accordance with Council's Survey Brief, at a scale of 1:200 or 1:500 as appropriate, unless approved otherwise, certified as correct by a registered land surveyor in accordance with Council's Survey requirements for subdivisions, developments and capital works projects;
 - (g) Provide CCTV inspection and report (by Council approved contractor) of any new public stormwater infrastructure to be taken over by Council; and

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

- i. All mandatory audit inspections.
 - ii. Provision of acceptable documentation.
 - iii. Practical completion inspection.
 - iv. Provision of Bond and Bank guarantees.
18. Prior to the issue of a Certificate of Practical Completion for each approved stage of the subdivision, the developer must lodge a maintenance bond or bank guarantee equivalent to 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.

Note: 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.
19. Prior to the Sealing of the Final Plan of Survey, all works associated with the subdivision must be completed to the satisfaction of the Director Engineering Services and the Manager Development Services. 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 following must be confirmed in writing:

- (a) That all sewer, stormwater, water mains and associated house connections are constructed and capable of satisfactory operation;
- (b) The access and static water supply must be constructed in accordance with the approved engineering drawings, Bushfire Hazard Assessment Report and accompanying BHMP (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021) and
- (c) 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.

- 20. The Final Plan of Subdivision presented to Council for approval pursuant to the Local Government (Building and Miscellaneous Provisions) Act 1993 must show the "Access Way (Variable Width)" as shown on the Subdivision Proposal Plan prepared by Leary Cox & Cripps dated 18/02/2021 as being as being "Access Way (Variable Width) (Private)".
- 21. 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.
- 22. 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.

- 23. Prior to the Sealing of the Final Plan of Survey:
 - (a) the vegetation within Stage 1 (as shown in DAS-2020-26), and the Stage 1 hazard management area, must be slashed to <100mm max fuel height and that trees and shrubs retained within this area constitute less than 10% overstorey foliage and vegetation within the Stage 1 buffer must maintained as grassland with less than 10% overstorey; and
 - (b) the extent of the Hazard Management Area and buffer as shown in the subdivision BHMP (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021) must be demarcated with permanent markers or posts to the satisfaction of the Manager Development Services. These markers must be maintained unless otherwise approved by Council in writing or if superseded by subsequent subdivision approvals.
- 24. Prior to the Sealing of the Final Plan of Survey, the developer must construct fencing to the satisfaction of the Manager Development Services to preventing uncontrolled access to habitat within the Open Spaced zoned portion of the site and adjacent Peter Murrell Reserve. This fencing must be continuous and located:
 - (a) outside the Waterway and Coastal Protection Area of the tributary to Coffee Creek;
 - (b) a minimum of 20m from the closest edge of remnant native vegetation patches; and
 - (c) along the boundary with the Peter Murrell Reserve, with design and material to the satisfaction of the PWS Southern Regional Manager.

This must be maintained unless otherwise approved by Council in writing or the fencing is superseded by subsequent subdivision approvals.

25. Prior to the Sealing of the Final Plan of Survey, the developer must implement the urban design and landscaping plans required under Condition 5 to the satisfaction of the Manager Development Services
26. The Final Plan of Survey and Schedule of Easements must include Covenants on the title of all lots to the effect that:
 - (a) the owner or occupier must not introduce or keep domestic cats, unless otherwise approved by the General Manager in writing. The General Manager will only approve the introduction and keeping of cats where there is sufficient justification and the owner or occupier agrees to and can demonstrate that any cat will be contained within the lot boundary at all times.
 - (b) 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".

Glazing on buildings and structures will be deemed to pose such a risk unless the glazed surfaces do not result in corner windows or sightlines through buildings from window to window and comply with any of the following:

- i. the glazed surface does not have a total surface area of greater than 2m²; or
- ii. the glazed surface is treated to include visual markers or muted reflections, the purpose of which must give them the appearance of an impenetrable surface. Such surfaces may include any one of the following types of treatments: the use of low-reflectivity glass (0-10%); films; coatings; fritted glass; or screens; or
- iii. the glazed surface is installed at a minimum of 20 degrees from vertical, angled in at its base to reflect the ground; and
- iv. there are no sight lines through the glazing surfaces, such as corner windows.

Fencing will be deemed to pose such a risk where it includes chain-link fencing.

27. All Public Open Space lots are to be shown as lots on the Final Plan of Survey and endorsed as "Public Open Space". In accordance with Section 83(1)(a) of the Local Government (Building and Miscellaneous Provisions) Act 1993, these areas must be sold to Council for a nominal consideration. The Final Plan submitted for sealing by the Council is to be accompanied by a signed transfer in respect of these areas together with the payment of applicable Land Titles Office lodgement fees and payment of Stamp Duty.

All road lots must be provided with lot boundaries the satisfaction of the Director Engineering Services and shown as "Road" on the Final Plan of Survey. The applicant must arrange at their expense for the necessary transfer of the road reservation(s) to Council at the time of lodgement of the Final Plan of Survey for sealing.

28. The Final Plan of Survey and Schedule of Easements must include Covenants on the title of all residential lots requiring each dwelling installs a minimum volume 3000L rainwater tank to capture roof water as follows:
 - (a) a combined rainwater detention and re-use tank of minimum 3000L must be installed to capture roof water with the following combination; and
 - (b) the tank to include a restricted outlet sized for a minimum detention volume of 2150L and re-use volume of 850L available for re-use on site.
29. 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.
30. The conditions as determined by TasWater, and set out in the Attachment 4, form part of this permit.

ADVICE

- A. The Huntingfield Masterplan (Version K) does not form part of the endorsed documents and no endorsement of or approval for Stages 2 and 3 as shown in the Master Plan is provided or is to be inferred by Council as part of this permit.

It is acknowledged that Stage 1 has been designed as an integral part of the Master Plan but also designed to stand alone and does not need other land to deliver infrastructure, services or amenities. However the Master Plan may require further amendment for Stages 2 and 3 in relation to a range of issues including:

- (a) Matters raised in the Significant Impact Assessment (SIA) (North Barker Ecosystem Services, 3/12/2020).
 - (b) Bushfire Hazard Management.
 - (c) Environmental issues including possible referral to the Australian Government Department of Agriculture, Water and the Environment (DAWE) for a decision by the Minister as to whether Stages 2 and 3 are Controlled Actions under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).
 - (d) Aboriginal Heritage requirements.
- B. 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.

Any proposal to stage the proposal is subject to the separate approval of Council.

- C. 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.

- D. The Developer should not allocate any property address numbers for the proposed lots.

New property addresses will be allocated by Council prior to the Sealing of the Final Plan of Survey.

- E. In the event that there are any other major variations to items prescribed in the Bushfire Hazard Assessment Report (Gifford Bushfire Risk Assessment, v4.0, 15/08/2021), including but not limited to requirements for threatened species mitigation measures potentially affecting the vegetation classifications being relied upon for the purposes of the subdivision BHMP for Stage 1, the developer or responsible party must notify the Tasmania Fire Service, Council and the author of the Bushfire Hazard Assessment Report and BHMP to confirm whether these alterations are acceptable and determine whether changes to BALs and/or a revised bushfire assessment and/or any amendments to the permit are required.

- F. Aboriginal Heritage

Advice has been received from Aboriginal Heritage Tasmania confirming that, as outlined in Section 4.1.2 of the Stage 1 Planning Report (GHD, August 2021), Aboriginal heritage investigations were carried out on the property in 1995, 2009, and most recently in 2010. The cumulative result of these investigations was the identification and mapping of an extensive stone quarry and associated artefact scatter site (AH 7734) across the southern and eastern portion of the property – in proximity to both Coffee Creek and its unnamed tributary. This site is considered a significant part of the complex of silcrete quarries within North West Bay.

Aboriginal Heritage Tasmania further advise that the development plans indicate there are parts of Stage 1, Stage 2 and Stage 3 which will impact the fringes of AH 7734. Therefore, the Department of Communities are advised that they will require a permit to be issued by the Minister for Aboriginal Affairs under the Aboriginal Heritage Act 1975 in order to proceed with the current plan for the Huntingfield development.

- G. TasNetworks

The application was referred to TasNetworks pursuant to s44L(1) of the *Electricity Supply Act 1995* (the Act) and specifically:

- 1) whether a development or use to which the application relates is, if carried out, likely to adversely affect the relevant entity's operations and, if so, how; and
- 2) whether the relevant entity considers it likely that works would be required to be carried out in order for a development or use to which the application relates to be carried out; and
- 3) if the relevant entity considers that works are likely to be required to be carried out in order for a development or use to which the application relates to be carried out – the contact details of the person, or the unit of administration, that is to be responsible to the relevant entity for ensuring compliance by the relevant entity with section 44N.

TasNetworks has not informed Council of any specific requirements and advised that based on the information provided, and given the nature of the development, that the developer should contact TasNetworks' Early Engagement Team at their earliest convenience to ensure issues relating to electricity infrastructure arrangements are understood.

Moved Cr Midgley
Seconded Cr Glade-Wright

That Cr Wriedt be allowed a further 3 minutes to complete her contribution.

In Favour: Crs Paula Wriedt, Jo Westwood, Gideon Cordover, Sue Bastone, Flora Fox, Clare Glade-Wright, Amanda Midgley and Christian Street

Against: Cr Steve Wass

CARRIED 8/1

The motion was then put.

CARRIED

Public Copy



Submission to Planning Authority Notice

Council Planning Permit No.	DAS 2020-26		Council notice date	24/12/2020
TasWater details				
TasWater Reference No.	TWDA 2020/02215-KIN		Date of response	11/08/2021
TasWater Contact	Anthony Cengia	Phone No.	0474 933 293	
Response issued to				
Council name	KINGBOROUGH COUNCIL			
Contact details	kc@kingborough.tas.gov.au			
Development details				
Address	1287 CHANNEL HWY, HUNTINGFIELD		Property ID (PID)	9171495
Description of development	Subdivision - Stage 1 - Huntingfield			
Schedule of drawings/documents				
	Prepared by	Drawing/document No.	Revision No.	Date of Issue
GHD		3218958 Huntingfield Stage 1 Development Application Sewerage Servicing Report	0	15/07/2021
Conditions				
<p>SUBMISSION TO PLANNING AUTHORITY NOTICE OF PLANNING APPLICATION REFERRAL</p> <p>Pursuant to the <i>Water and Sewerage Industry Act</i> 2008 (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connection and sewerage connection 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. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to 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. <p>ASSET CREATION & INFRASTRUCTURE WORKS</p> <ol style="list-style-type: none"> 4. 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. 5. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction. 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.

7. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, are to be completed generally as shown on, and in accordance with, the plans listed in the schedule of drawings/documents and are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
8. 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.
9. The developer must design and construct an additional 32m³ of emergency storage to TasWater's satisfaction which is needed at TasWater's Patriarch Drive Sewage Pump Station (Asset number: BLASP15). The emergency storage must be designed and constructed to allow future augmentation to meet a total external emergency storage of 45.6m³.

Advice: In accordance with TasWater's 'Developer Charges Policy' for developments located outside of Serviced Land where insufficient capacity is available within an existing system, the developer pays the costs of Extension, including connection, to that system and Expansion of the system to the level of capacity required to service the development.

The additional amount of storage has been determined using tables 6.1 & 6.2 of TasWater Supplement to WSA 04-2005 2.1 WSAA Sewage Pumping Station Code of Australia Version 3.0

10. The application for Engineering Design Approval must, to the satisfaction of TasWater, include a water model compliant with TasWater's supplement to the Water Supply Code of Australia – Melbourne Retail Water Agencies Integrated Code (WSA 03-2011-3.1 MRWA Version 2).

- a. The developer must ensure that maximum water service pressures of 80m are not exceeded.

Advice: Generally, the developer will install a network pressure reducing valve to ensure the maximum water service pressure is dropped below 80m.

11. The developer must design and construct a diversion of the existing (sewer) pressure main (asset A3375571) that discharges from Howden Road Sewage Pumping Station No.1 (HOWSP01) into the proposed Sewage Pump Station (SPS).

See Advice Section

12. The developer must apply to TasWater for reimbursement for costs for design and construction of eligible works. To be eligible for reimbursement, costs for which reimbursement is claimed must be determined from a competitive public tender process, with process and reimbursements determined prior to construction, and to the written approval of TasWater.

Applicable reimbursements for eligible works will be the marginal additional cost for design and construction of diverting the sewerage loads from Howden Road Sewage Pumping Station No.1 (HOWSP01) into the proposed sewage pump station (estimated PWWF of 8L/s).

13. After testing 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.
14. 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. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
15. 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.
 16. 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.
 17. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
 18. 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.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

19. 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.
20. Pipeline easements and/or lots, 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 and/or lot creation requirements.
21. Prior to the issue of a Consent to Register a Legal Document from TasWater, the applicant must submit a copy of the completed Transfer for the provision of a Pipeline and Services Easement(s)/lot(s) to cover existing/proposed TasWater infrastructure as required by condition 20. All costs and expenses related to the transfer of easement(s)/lots to TasWater are to be paid by the developer.

DEVELOPMENT ASSESSMENT FEES

22. The applicant or landowner as the case may be, must pay a development assessment fee of \$1,179.68 and a Consent to Register a Legal Document fee of \$154.42 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater.



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

23. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

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>

Sewer Servicing

The developer must divert the rising main that discharges from Howden Road Sewage Pumping Station No.1 (HOWSP01) into the proposed Sewage Pump Station (SPS). The estimated PWWF from this SPS is 8L/s.

The downstream SPS "BLASP15 Patriarch Drive SPS" that will take flows from the development currently has insufficient storage to support the proposed development. The total additional storage required at this site without the development is 13.3 kL. The total additional storage required at this site including the development is 45.6 kL. TasWater will hence be responsible for 13.3 kL and the developer responsible for 32.3 kL.

The alignment for the proposed rising main is not as good as our current rising main from Howden to Patriarch Drive that goes past the SPS. They proposal is to pump the sewerage to a much higher level before it goes to Patriarch Drive, at least an extra 10m of pumping. The developer should look at following the eastern boundary of the development and going past the school on the lower side also – this aligns with the WSA Code requirement to determine the best whole of life solution.

The developer may be able to utilise the existing rising main to Patriarch Drive, as the proposed SPS is ~50m from the existing rising main at the closest point. The developer should review the sizing to see if it could work.

Existing ETs into Patriarch Drive SPS = ~317ET

Development ET = 432ET

Total ET to Patriarch Drive = 749ET -> PWWF=31.9l/s

Patriarch Drive SPS has a Flygt CP 3201.180 HT 53-450 which has a duty of ~49l/s

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.

- (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 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

A handwritten signature in black ink, appearing to read "J Taylor".

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

Public Copy

OPEN SESSION RESUMES

Open session resumed at 6.46pm

14 NOTICES OF MOTION

C570/21-2021

14.1 COUNCIL MEETINGS

Moved: Cr Jo Westwood
Seconded: Cr Amanda Midgley

That Council agree to hold ordinary meetings of Council on the first and third Monday of each month, with the exception of the first Monday in January, commencing 2022.

CARRIED

C571/21-2021

14.2 FOOD TRUCK POLICY

Moved: Cr Jo Westwood
Seconded: Cr Clare Glade-Wright

That Council agree to amend its *Food Truck Policy 4.12* and associated *Food Truck Trading Locations* document to enable food trucks to trade at Osborne Esplanade for no more than three days per calendar week.

Amendment:

Moved: Cr Gideon Cordover
Seconded: Cr Christian Street

That Council agree to amend its *Food Truck Policy 4.12* and associated *Food Truck Trading Locations* document to enable food trucks to trade at Osborne Esplanade for no more than one day per week during daylight savings and three days per week all other months.

In Favour: Cr Christian Street

Against: Crs Paula Wriedt, Jo Westwood, Sue Bastone, Gideon Cordover, Flora Fox, Clare Glade-Wright, Amanda Midgley and Steve Wass

LOST

Moved: Cr Steve Wass
Seconded: Cr Sue Bastone

That this matter be deferred.

In Favour: Crs Paula Wriedt, Sue Bastone, Gideon Cordover, Flora Fox and Steve Wass

Against: Crs Jo Westwood, Clare Glade-Wright, Amanda Midgley and Christian Street

CARRIED 5/4

15 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

16 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

17 OFFICERS REPORTS TO COUNCIL

C572/21-2021

17.1 REQUEST FROM GLAMORGAN SPRING BAY COUNCIL AND CLARENCE CITY COUNCIL TO AMEND THE SOUTHERN TASMANIAN REGIONAL LAND USE STRATEGY

Moved: Cr Flora Fox
Seconded: Cr Amanda Midgley

That Council does not provide support for the requests from Glamorgan Spring Bay Council or Clarence City Council to amend the Southern Tasmanian Regional Land Use Strategy (STRLUS).

In Favour: Crs Gideon Cordover, Flora Fox and Amanda Midgley

Against: Crs Paula Wriedt, Jo Westwood, Sue Bastone, Clare Glade-Wright, Christian Street and Steve Wass

LOST 3/6

Foreshadowed Motion:

Moved: Cr Christian Street
Seconded: Cr Glade-Wright

While Council maintains concerns around the level of detail provided with the requests of Glamorgan Spring Bay Council and Clarence City Council, it provides support to the requests to amend Southern Tasmanian Regional Land Use Strategy, in principle.

In Favour: Crs Paula Wriedt, Jo Westwood Sue Bastone, Clare Glade-Wright, Amanda Midgley, Christian Street and Steve Wass

Against: Crs Gideon Cordover and Flora Fox,

CARRIED 7/2

C573/21-2021

17.2 DRAFT KINGBOROUGH CYCLING STRATEGY 2021-2030

Moved: Cr Amanda Midgley
Seconded: Cr Flora Fox

That the attached *Draft Kingborough Cycling Strategy 2021-2030* be endorsed for community consultation.

CARRIED

C574/21-2021

17.3 ELECTION CARETAKER PERIOD POLICY

Moved: Cr Jo Westwood
Seconded: Cr Amanda Midgley

That the attached Election Period Policy be endorsed.

Amendment:

Moved: Cr Gideon Cordover
Seconded: Cr Sue Bastone

To remove 5.1.7 from the policy.

In Favour: Crs Gideon Cordover, Sue Bastone and Flora Fox

Against: Crs Paula Wriedt, Jo Westwood, Clare Glade-Wright, Amanda Midgley, Christian Street and Steve Wass

LOST 3/6

Moved: Cr Gideon Cordover
Seconded: Cr Sue Bastone

That this matter be deferred.

CARRIED

C575/21-2021

17.4 COMMUNITY GRANTS 2021/2022

Moved: Cr Flora Fox
Seconded: Cr Christian Street

That Council approves an allocation of \$9,650 for 2021/22 Community Grant funding as outlined in the attached table and endorses a second funding round utilising the balance of funds to be conducted early in 2022.

CARRIED

C576/21-2021

17.6 FINANCIAL REPORT - SEPTEMBER 2021

Moved: Cr Jo Westwood
Seconded: Cr Flora Fox

That Council endorses the attached Financial Report as at 30 September 2021.

CARRIED

C577/21-2021

18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

Moved: Cr Gideon Cordover
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*

CARRIED

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 8.59pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 9.04pm

C578/21-2021

Moved: Cr Jo Westwood
Seconded: Cr Clare Glade-Wright

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

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

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 9.05pm

.....
(Confirmed)

.....
(Date)