



COUNCIL MEETING MINUTES

3 July 2023

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

Kingborough Councillors 2022 - 2026



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Clare Glade-Wright



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson



Councillor Christian Street

Table of Contents

Item		Page No.
Open Session		
	1 Audio Recording	1
	2 Acknowledgement of Traditional Custodians	1
	3 Attendees	1
	4 Apologies	1
C203/13-2023	5 Confirmation of Minutes	2
	6 Workshops held since Last Council Meeting	2
	7 Declarations of Interest	2
	8 Transfer of Agenda Items	2
	9 Questions without Notice from the Public	2
C204/13-2023	10 Questions on Notice from the Public	2
	10.1 Kingston Beach Foreshore Rehabilitation	2
	10.2 Proposed Browns River Bridge	3
C205/13-2023	11 Questions without Notice from Councillors	3
	11.1 Tasmanian Housing Strategy	3
	11.2 Whole Home Short Stay Accommodation	3
	11.3 Open Spaces Grant Program	4
	11.4 Line Markings on Redwood Road	4
	11.5 Review of the Landscape Conservation Zone	5
	12 Questions on Notice from Councillors	5
	13 Officers Reports to Planning Authority	6
C206/13-2023	13.1 DAS-2021-25 - Development Application for Subdivision of 30 residential lots, public open space, two road lots and stormwater infrastructure at 'Spring Farm', 63 Spring Farm Road, and Lot 293 Spring Farm Road (CT 174196/293) Kingston	6
	14 Petitions still being Actioned	17
	15 Petitions Received in Last Period	17
	16 Officers Reports to Council	17
C207/13-2023	16.1 Donations Policy 3.3	17
C208/13-2023	16.2 Appendices	17
	17 Notices of Motion	17
	18 Confirmation of Items to be Dealt with In Closed Session	17

MINUTES of an Ordinary Meeting of Council
Kingborough Civic Centre, 15 Channel Highway, Kingston
Monday, 3 July 2023 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 C Glade-Wright	✓
Councillor A Antolli	✓
Councillor D Bain	✓
Councillor G Cordover	✓
Councillor K Deane	✓
Councillor F Fox	✓
Councillor A Midgley	✓
Councillor M Richardson	✓
Councillor C Street	✓

Staff:

General Manager	Mr Gary Arnold
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Environment, Development & Community Services	Dr Samantha Fox
Manager Development Services	Ms Tasha Tyler-Moore
Senior Planning Officer	Mr Tim Donovan
Senior Finance Officer	Ms Laura Eaton
Media & Communications Advisor	Ms Sam Adams
Executive Assistant	Mrs Amanda Morton

4 APOLOGIES

There were no apologies.

C203/13-2023**5 CONFIRMATION OF MINUTES**

Moved: Cr Mark Richardson
Seconded: Cr David Bain

That the Minutes of the open session of the Council Meeting No.12 held on 19 June 2023 be confirmed as a true record.

CARRIED

6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING

Date	Topic	Detail
26 June	Southern Waste Solutions	Presentation and discussion on the development of the SWS organics proposal
	Coastal Hazards Policy	Presentation and discussion on the development of a draft Coastal Hazards program/policy

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

C204/13-2023**10 QUESTIONS ON NOTICE FROM THE PUBLIC**

10.1 Kingston Beach Foreshore Rehabilitation

Mr Roger Tonge submitted the following question on notice:

The Capital Works budget contains \$1.664 million spread over financial years 24/25 and 25/26 for stages 6 and 7. Having previously been advised by the General Manager that no funding had been included for this work in the 23/24 capital works budget, due to "other priorities". Can you confirm for the residents, ratepayers and recreational visitors to Kingston Beach that this is indeed a genuine commitment by Council to undertake the work as indicated in this capital works budget.

Officer's Response:

The five year capital program provides information on the upcoming approved capital program and an indication of projects being considered for future years. The timing and delivery of future year

projects, such as further work on the Osborne Esplanade foreshore path, will remain subject to availability of funding and relative priorities. Council remains committed to adding to the other improvements that have been made in the Kingston Beach area by renewing this section of foreshore path.

David Reeve, Director Engineering Services

10.2 Proposed Browns River Bridge

Mr Roger Tonge submitted the following question on notice:

The Capital Works Budget for 23/24 includes an amount of \$750,000 to be expended in financial year 24/25. I note however that there has been a change in the projects description. The project to be funded is now described as the "Browns River Pedestrian Bridge Rehabilitation" rather than as previously advised a completely new bridge over Browns River. Can you please confirm the project as described in the Capital Works Budget is accurate and provide a brief description of what is actually being proposed.

Officer's Response:

The intention will be to replace the Browns River pedestrian bridge with a more suitable structure. The descriptor will be altered to reflect this.

David Reeve, Director Engineering Services

C205/13-2023

11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Cr Cordover asked the following questions without notice:

11.1 Tasmanian Housing Strategy

The exposure draft of the Tasmanian Housing Strategy was open for consultation which closed at 5pm tonight. Did Kingborough Council provide a submission to the draft housing plan and how does that draft strategy fit in with our new Housing Statement?

Director Environment, Development & Community Services responds:

The exposure draft consultation period has been extended by a couple of weeks. We are preparing a submission internally which we will be able to circulate to Councillors as that is prepared. We have been working with other Councils as well to think about how the exposure draft relates to Council activities and to our Housing Statement as well and we all have similar comments to make. So we are working with other Councils, we are pulling something together and you will have something shortly.

11.2 Whole Home Short Stay Accommodation

According to SQM research the May rental vacancy rate was 1.6% for Hobart and in the postcode of 7050 the vacancy rate was 1.1%, which was less, so one might deduce therefore that the rental crisis may actually be more acute in Kingston than it is in Hobart. Is the Hobart City Council decision to double rates for short stay accommodation creating a rating differential for short stay accommodation, is that recent decision going to be included in our report on whole home short stay accommodation and do we have a Council position on the Hobart City Council decision?

Mayor responds:

No, we don't have a formal Council position on that. That's only been a recent development by the Hobart City Council. Dr Fox, could you assist with the remainder of that question?

Director Environment, Development & Community Services:

We are certainly considering the recent action by Hobart and it will come forward in that Council report in a few weeks time. As the Mayor has said, we don't have a position at this stage, but we will be providing you with information on that.

Cr Glade-Wright asked the following question without notice:

11.3 Open Spaces Grant Program

Today I saw an announcement by the Tasmanian Government for the open spaces grant program. The program offers \$5 million that will help fund community facilities including parks, change rooms, green spaces, walking, cycling trails and playgrounds. It is now open for Councils to apply, so my question is, will we be making an application and how is it decided what we will apply for?

Director Governance, Recreation & Property Services responds:

We certainly do wish to take advantage of that opportunity. Given that there is a requirement to provide funding from Council, it's really a case at looking at what existing projects we have got in our Capital Budget and looking at how we can value add to them but we haven't gone through that process yet.

Cr Glade-Wright:

Will we be hearing back about that?

Director Governance, Recreation & Property Services:

We can certainly inform Councillors as to what we intend to do with that program.

Cr Antolli asked the following questions without notice:

11.4 Line Markings on Redwood Road

I have received a crescendo of complaints over the past week or so from people that use Redwood Road a lot, particularly the schools on the road, and that is that the line markings for huge parts of the road are non-existent. Could Council advise the community what is the situation with that please?

General Manager responds:

I can start by saying that we will forward your question on to the relevant officer, and I'll make sure that happens. I am advised that we have previously submitted to DSG, as we regularly do, a request for some line marking along part of Redwood Road, primarily from Hawthorne Drive east to the Buttfield Link. That hasn't been approved at this stage but I suspect we will probably be making another application in that regard.

Cr Antolli:

Is that because Redwood Road is considered a Department of State Growth managed road?

General Manager:

It is a Council road, however, the delination of who is the appropriate authority to undertake line marking is a little grey in the State. You will recall that this Council has a notice of motion that will go to the next general meeting of the Local Government Association of Tasmania seeking to get a sector wide view of that to hopefully clarify that position with DSG moving forward.

11.5 Review of the Landscape Conservation Zone

Have the planning department finished their review of the application of the Landscape Conservation Zone in the draft LPS?

Manager Development Services responds:

We continue to work with the TPC on the changes to the zoning and other parts of the scheme, it's not limited to the LCZ.

Cr Antolli:

Could Council officers update us as to how many properties are now proposed to be LCZ to date?

Manager Development Services:

The answer isn't that different to the answer provided in May. It's around 470 properties.

Cr Antolli:

Will the revised mapping go to the Councillors for approval before the public exhibition? Is that part of the process?

Manager Development Services:

It is our intention that the draft supporting report, the mapping and other documents will come back to the Chambers for consideration before it goes to public exhibition.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from Councillors.

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.40pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C206/13-2023

13.1 DAS-2021-25 - DEVELOPMENT APPLICATION FOR SUBDIVISION OF 30 RESIDENTIAL LOTS, PUBLIC OPEN SPACE, TWO ROAD LOTS AND STORMWATER INFRASTRUCTURE AT 'SPRING FARM', 63 SPRING FARM ROAD, AND LOT 293 SPRING FARM ROAD (CT 174196/293) KINGSTON

Moved: Cr Clare Glade-Wright

Seconded: Cr Aldo Antolli

That the Planning Authority resolves that the development application for subdivision of 30 residential lots, public open space, two road lots and stormwater infrastructure at 'Spring Farm', 63 Spring Farm Road, and Lot 293 Spring Farm Road (CT 174196/293) Kingston. for Kingston Spring Farm Pty Ltd be approved subject to the following conditions:

1. Before the approved development 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 P3 received by Council on 1 March 2023 and prepared by PDA Surveyors but modified to show hazard management areas consistent with the certified Bushfire Hazard Management Plan (BHMP) (GES, February 2023, J3417v3).

Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with the endorsed plans (and/or reports).

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 landowner must enter into a Part 5 Agreement with and to the satisfaction of Council to the effect that the measures contained within the certified subdivision Bushfire Hazard Report and associated Bushfire Hazard Management Plan (BHMP) (GES, February 2023, J3417v3) 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:
 - (a) are no greater than that shown in the subdivision BHMP;
 - (b) are consistent with the vegetation classifications in the subdivision BHMP;
 - (c) are contained within the lot boundaries;
 - (d) do not encroach into Waterway and Coastal Protection Areas; and
 - (e) do not rely upon additional management of vegetation communities meeting the descriptions in: Kitchener, A. and Harris, S. (revised January 2016), *'From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation'*, Edition 2. Department of Primary Industries, Water and Environment, excluding those vegetation communities within the categories of modified land or other natural environments, located within CT 175960/500.

This Part 5 Agreement must use Council's template Part 5 Agreement and be executed by all parties prior to commencement of works. The Agreement must then be lodged at the Land Titles Office together with the Final Plan of Survey and registered on the title to the lots.

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

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

3. A covenant must be included on the titles to lots 387 and 389 to the effect that the lots are designated for multiple dwellings only.
4. All Public Open Space areas must be shown as lots on the Final Plan and endorsed as 'Public Open Space' or, in the case of paths, horse riding trails and the like, must be endorsed as 'Footway', 'Horse-way' or other suitably described 'way'. 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 amount.

The Final Plan submitted for sealing by Council must be accompanied by a signed transfer in respect of these areas and all documentation in relation to discharges of any Mortgages, caveats or the like, and all relevant registrable dealings. This Transfer must be executed by the vendor, identifying the lot(s) to be transferred and the applicant is responsible for all Land Titles Office and stamp duty fees and charges.

5. 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 (Cert IV Arboriculture and qualified in QTR Assessment or equivalent methodology). 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 subdivision Bushfire Hazard Report and Bushfire Hazard Management Plan and accompanying certified Bushfire Hazard Management Plan (BHMP) (GES, February 2023, J3417v3).

The Plans must include, but are not limited to:

- (a) Design of the internal road network, including junctions, vehicular crossovers to all lots, fire hydrants and associated stormwater drainage system.
- (b) Road pavement width to be 8.9m between face of kerbs (8.0m between lip of kerbs) for road lot 103 & footpath as indicated on the submitted plans.
- (c) Road pavement width to be 6.9m between face of kerbs (6.0m between lip of kerbs) for road lot 101 & & footpath as indicated on the submitted plans.
- (d) Footpath (1.5m width) along the north side of Java Head Link Road for the frontage length of the site.

- (e) Fire hydrant locations in accordance with the subdivision Bushfire Hazard Report and accompanying certified Bushfire Hazard Management Plan (BHMP) (GES, February 2023, J3417v3);
- (f) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
 - (i) A water sensitive urban design system that achieves the acceptable stormwater quality standards, required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling. The proposed proprietary system to be approved must be located in the proposed lot 103 road reserve adjacent to the 407 frontage with access for maintenance vehicles.
 - (ii) The reticulated stormwater system sized to accommodate at least the estimated 5% AEP flow based on a future fully-developed catchment.
 - (iii) Demonstration that the design has been developed in consultation with a fluvial geomorphologist or equivalent and is consistent with the Whitewater Creek Restoration Plan Version 1.5 (Millen EMS, August 2016) and associated Implementation Plan Version 1.2 (Millen EMS, December 2016).
 - (iv) Overland flow paths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow based on a future fully-developed catchment;
- (g) A cut and fill plan, including:
 - (i) details on the extent of cut and fill including minor filling (less than 300mm) of proposed lots 406 & 407 to minimum RL 47.60m;
 - (ii) storage locations for the stockpiling of fill on site;
 - (iii) demonstration that the stockpiling of fill will not encroach into the Tree Protection Zones of trees identified for retention; and
 - (iv) confirming 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.
- (h) A Tree Plan to the satisfaction of the Manager Development Services which:
 - (i) accurately locates all trees within 15m of, and relative to, the subdivision works, including the road, footpath, services and utilities;
 - (ii) includes a table of trees consistent with the Arborist Assessment (Tree Inclined, 1 May 2023) and containing a unique tree ID, diameter at chest height, species, extent of encroachment and tree removal and retention;
 - (iii) demonstrates all trees located within CT175960/500 are feasible for retention, including either demonstrating that the extent of encroachment into the tree protection zones of these trees is no greater than assessed in the Arborist Assessment (Tree Inclined, 1 May 2023), or demonstrating that the extent of encroachment tolerable, as verified in a revised Arborist Assessment of the detailed engineering drawings;
 - (iv) identifies mitigation and protection measures to be implemented during subdivision works to minimise the impacts of the development on the health of trees to be retained and avoid their loss within the scope of the approved development, including the measures identified in the Arborist Assessment (Tree Inclined, 1 May 2023) and any subsequent arborist assessment if required under (g)(iii); and

- (v) is in accordance with Australian Standard 4970-2009 for the protection of trees on development sites.

Once endorsed the plans will form part of the permit.

6. 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.
7. Prior to the commencement of on-site works, including vegetation removal or modification, demolition, construction, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings, an 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department.

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

A copy of the application form is available on Council's website.

8. No more than one (1) tree (Tree 18) and as shown in the Arborist Assessment (Tree Inclined, 1 May 2023) is approved for removal for the purposes of this development. This tree must not be removed prior to approval of an 'Application for Approval of Planning Start of Works Notice'. No further felling, lopping, ringbarking or otherwise injuring or destroying of native vegetation or individual trees is to take place without the prior written permission of Council.
9. Prior to the commencement of on-site works (including any tree removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), all individual trees identified for retention in the endorsed Engineering Drawings required under Condition 5, must be appropriately protected during and after construction in accordance with all the recommendations in the Arborist Assessment (Tree Inclined, 1 May 2023) and any subsequent arborist assessment submitted where required under Condition 5(h) to ensure that no damage is inflicted that may impact upon the health of the trees or cause them to die. This includes, but is not limited to implementation of the following measures during construction:
 - (a) ensuring no activity, storage of building materials or waste occurs within the neighbouring reserve;
 - (b) ensuring machinery movement and excavation for the water main and path is completed from below the south-eastern extremity of these features, avoiding compaction and minimising disturbance of the TPZ sections between the lot boundary and their footprint;
 - (c) ensuring any exposed roots are cleanly cut with a saw; and
 - (d) seeking further advice/services of an arborist regarding root management and pruning where roots larger than 50mm in diameter are found while excavating.

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); and
- (b) the Tree Protection Zone must be free from the storage of fill, contaminants or other materials; and
- (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. Prior to the sealing of the Final Plan of Survey for each stage, the hazard management area must be established to the satisfaction of Council and in accordance with the Bushfire Hazard Report and accompanying certified Bushfire Hazard Management Plan (BHMP) (GES, February 2023, J3417v3).
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. All existing sewer, water, stormwater, TasNetworks and telecommunication authorities supply infrastructure traversing newly created lots, must be removed and/or replaced as necessary so that they are contained wholly within the boundaries of the specific lot which they service with all associated costs borne by the applicant. The requirements of the relevant service authorities must be strictly complied with by the applicant.
14. 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.
15. 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.
16. At practical completion and the satisfactory completion of all mandatory audit inspections for each approved stage of the subdivision works the supervising engineer must:
- (a) Request a joint on-site practical completion inspection with the Council's authorised representative;
 - (b) Provide written confirmation that the works have been substantially completed in accordance with the Council approved plans and specifications and that the appropriate levels of quality and workmanship have been achieved;
 - (c) Provide a copy of relevant documentation that all requirements have been carried out as applicable by the following:
 - (i) Telecommunication authorities
 - (ii) TasNetworks
 - (iii) 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 'As Constructed' drawings in accordance with Council's Survey Brief, 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:

- (a) All mandatory audit inspections;
 - (b) Provision of acceptable documentation;
 - (c) Practical completion inspection;
 - (d) Provision of Bond and Bank guarantees.
17. The applicant 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.
18. All works associated with each approved stage of the subdivision must be completed to the satisfaction of the Executive Manager – Engineering Services prior to the sealing of the Final Plan of Survey by Council for the respective stage. Quality assured contractors may lodge a notice of intent to Council requesting assessment and approval that security be accepted to cover the completion of any outstanding works to enable the sealing of the Final Plan of Survey. The assessment 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; 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.

19. 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.
20. 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:

Lot No.	Allocated Property Address
387	8 Lot 101 Road, Kingston (Unknown Road to be named)
388	6 Lot 101 Road, Kingston (Unknown Road to be named)
389	4 Lot 101 Road, Kingston (Unknown Road to be named)
390	2 Lot 101 Road, Kingston (Unknown Road to be named)
391	7 Java Head Link, Kingston
392	9 Java Head Link, Kingston
393	11 Java Head Link, Kingston
394	13 Java Head Link, Kingston
395	15 Java Head Link, Kingston
396	6 Java Head Link, Kingston
397	13 Lot 103 Road, Kingston (Unknown Road to be named)
398	12 Java Head Link, Kingston
399	14 Java Head Link, Kingston
400	26 Lot 103 Road, Kingston (Unknown Road to be named)
401	24 Lot 103 Road, Kingston (Unknown Road to be named)
402	22 Lot 103 Road, Kingston (Unknown Road to be named)
403	20 Lot 103 Road, Kingston (Unknown Road to be named)
404	18 Lot 103 Road, Kingston (Unknown Road to be named)
405	16 Lot 103 Road, Kingston (Unknown Road to be named)
406	14 Lot 103 Road, Kingston (Unknown Road to be named)

407	12 Lot 103 Road, Kingston (Unknown Road to be named)
408	11 Lot 103 Road, Kingston (Unknown Road to be named)
409	9 Lot 103 Road, Kingston (Unknown Road to be named)
410	7 Lot 103 Road, Kingston (Unknown Road to be named)
411	5 Lot 103 Road, Kingston (Unknown Road to be named)
412	3 Lot 103 Road, Kingston (Unknown Road to be named)
413	1 Lot 103 Road, Kingston (Unknown Road to be named)
414	2 Java Head Link, Kingston
415	4 Java Head Link, Kingston

CARRIED

Public Copy



Submission to Planning Authority Notice

Council Planning Permit No.	DAS-2021-25		Council notice date	29/09/2021
TasWater details				
TasWater Reference No.	TWDA 2021/01651-KIN		Date of response	22/06/2023
TasWater Contact	Phil Papps	Phone No.	0474 931 272	
Response issued to				
Council name	KINGBOROUGH COUNCIL			
Contact details	kc@kingborough.tas.gov.au			
Development details				
Address	SPRING FARM ROAD, KINGSTON (CT184457/1000)		Property ID (PID)	9509060
Description of development	Subdivision of 30 residential lots			
Schedule of drawings/documents				
Prepared by	Drawing/document No.	Revision No.	Date of Issue	
PDA	Plan of Subdivision / 44511LM-1 / Shts 1-3	D	20/08/2021	
PDA	Concept Servicing / 44511LM-SK101 / Shts 1-3	J	13/12/2022	
Conditions				
Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:				
CONNECTIONS, METERING & BACKFLOW				
<ol style="list-style-type: none"> 1. A suitably sized water supply with metered connections and 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. 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 to exiting TasWater infrastructure 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. 				
ASSET CREATION & INFRASTRUCTURE WORKS				
<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 the 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. 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 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.
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, 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.

Upon TasWater issuing a Certificate of Practical Completion, the newly constructed infrastructure is deemed to have transferred 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". TasWater will release any security held for the defect's 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.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

15. 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.

16. 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 and requirements.
17. Prior to the issue of a Consent to Register a Legal from TasWater, the applicant must submit a copy of the completed Transfer for the provision of Pipeline and Services Easements to cover existing/proposed TasWater infrastructure as required by condition 16. All costs and expenses related to the transfer of easement(s)/lots to TasWater are to be paid by the developer.

DEVELOPMENT ASSESSMENT FEES

18. The applicant or landowner as the case may be, must pay a development assessment fee of \$1,220.97 and a Consent to Register a Legal Document fee of \$239.90 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.
19. 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 <https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit <https://www.taswater.com.au/building-and-development/development-application-form>

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.

Declaration

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

TasWater Contact Details

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

OPEN SESSION RESUMES

Open session resumed at 5.54pm

14 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

15 PETITIONS RECEIVED IN LAST PERIOD

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

16 OFFICERS REPORTS TO COUNCIL

C207/13-2023

16.1 DONATIONS POLICY 3.3

Moved: Cr Amanda Midgley
Seconded: Cr Clare Glade-Wright

That Council resolve to amend Donations Policy 3.3 by amending clause 5.1.6

CARRIED

C208/13-2023

16.2 APPENDICES

Moved: Cr Amanda Midgley
Seconded: Cr Christian Street

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

CARRIED

17 NOTICES OF MOTION

There were no Notices of Motion.

18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION

C209/13-2023

Moved: Cr Flora Fox
Seconded: Cr Aldo Antolli

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*

Tender Assessment - AB2305 Tarooma Foreshore Toilet Refurbishment

Regulation 15(2)(b), and (2)(d) *information that, if disclosed, is likely to confer a commercial advantage on a person with whom the Council is conducting, or proposes to conduct business, and contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.*

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 6.18pm

OPEN SESSION ADJOURNS

CLOSED SESSION

19 AUDIO RECORDING

The Chairperson advised all persons in attendance that it is Council policy to record the closed session of Council meetings. In accordance with Council's policy the Chairperson received confirmation that the audio recording had commenced.

C210/13-2023

20 CONFIRMATION OF MINUTES

Moved: Cr Clare Glade-Wright
Seconded: Cr Aldo Antolli

That the Minutes of the closed session of the Council Meeting No.12 held on 19 June 2023 be confirmed as a true record.

CARRIED

21 APPLICATIONS FOR LEAVE OF ABSENCE

There were no applications for leave of absence.

22 OFFICERS REPORTS TO COUNCIL

C211/13-2023

22.1 TENDER ASSESSMENT - AB2305 TAROONA FORESHORE TOILET REFURBISHMENT

Moved: Cr Clare Glade-Wright
Seconded: Cr Kaspar Deane

That Council accepts the tender submitted by Channel Construction Pty Ltd for Contract No. AB2305 Taroona Public Toilet Refurbishment upgrades for the Tendered sum of \$220,932.19 excl GST.

CARRIED

C212/13-2023**23 CONFIRMATION OF RELEASE OF CLOSED SESSION DECISIONS**

Moved: Cr Aldo Antolli
Seconded: Cr David Bain

That Council, pursuant to Regulation 15(9) of the *Local Government (Meeting Procedures) Regulations 2015* and having considered privacy and confidential issues, authorises the release to the public of the following discussions, decisions, reports or documents relating to this closed meeting:

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil
Tender Assessment - AB2305 Taroona Foreshore Toilet Refurbishment	Tender awarded to Channel Construction Pty Ltd for \$220,932.19 excl GST

CARRIED**C213/13-2023**

Moved: Cr Flora Fox
Seconded: Cr Clare Glade-Wright

That the Open Session of Council be resumed.

CARRIED

CLOSED SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 6.27pm

C214/13-2023

Moved: Cr Flora Fox
Seconded: Cr David Bain

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
Tender Assessment - AB2305 Taroona Foreshore Toilet Refurbishment	Tender awarded to Channel Construction Pty Ltd for \$220,932.19 excl GST

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 6.28pm

.....
(Confirmed)

.....
(Date)