



# COUNCIL MEETING AGENDA

NOTICE is hereby given that an Ordinary meeting of the Kingborough Council  
will be held in the Kingborough Civic Centre, 15 Channel Highway, Kingston on  
Monday, 2 September 2024 at 5.30pm

# 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**

# QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports contained in Council Meeting Agenda No. 16 to be held on Monday, 2 September 2024 contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendations.



Dave Stewart  
CHIEF EXECUTIVE OFFICER  
being the General Manager as appointed by the  
Kingborough Council pursuant to section 61 of the  
*Local Government Act 1993* (TAS)

Tuesday, 27 August 2024

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## **GUIDELINES FOR PUBLIC QUESTIONS**

### **Section 31 of the *Local Government (Meeting Procedures) Regulations 2015***

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Questions from the public may either be submitted to the General Manager in writing or asked verbally at an Ordinary Council meeting. Any question asked must only relate to the activities of Council [Section 31(2)(b)].

This guideline is provided to assist the public with the requirements of Public Question Time as set out in the *Local Government (Meeting Procedures) Regulations 2015* as well as determinations made by Council. You are reminded that the public question forum is designed to accommodate questions only and neither the questions nor answers will be debated.

#### **Questions on Notice**

Written questions on notice must be received at least seven (7) days before an Ordinary Council meeting [Section 31(1)] and must be clearly headed 'Question/s on Notice'. The period of 7 days includes Saturdays, Sundays and statutory holidays but does not include the day on which notice is given or the day of the Ordinary Council meeting [Section 31(8)].

#### **Questions Without Notice**

The Chairperson of an Ordinary Council meeting must ensure that, if required, at least 15 minutes is made available for public questions without notice [Section 31(3)]. A question without notice must not relate to any matter that is listed on the agenda for that meeting.

A question by any member of the public and an answer to that question is not to be debated at the meeting [Section 31(4)]. If a response to a question cannot be provided at the meeting, the question will be taken on notice and will be included in the following Ordinary Council meeting agenda, or as soon as practicable, together with the response to that question.

There is to be no discussion, preamble or embellishment of any question asked without notice, and the Chairperson may require that a member of the public immediately put the question.

The Chairperson can determine whether a question without notice will not be accepted but must provide reasons for refusing to accept the said question [Section 31 (6)]. The Chairperson may require a question without notice to be put on notice and in writing.

The Chairperson may rule a question inappropriate, and thus inadmissible if in his or her opinion it has already been asked, is unclear, irrelevant, offensive or relates to any matter which would normally be considered in Closed Session. The Chairperson may require that a member of the public immediately put the question.

AGENDA of an Ordinary Meeting of Council  
Kingborough Civic Centre, 15 Channel Highway, Kingston  
Monday, 2 September 2024 at 5.30pm

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**1 AUDIO RECORDING**

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The Chairperson will declare the meeting open, welcome all in attendance and advise that Council meetings are recorded and made publicly available on its website. In accordance with Council's policy the Chairperson will request confirmation that the audio recording has commenced.

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**2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

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**3 ATTENDEES**

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**Councillors:**

Mayor Councillor P Wriedt  
Deputy Mayor Councillor C Glade-Wright  
Councillor A Antolli  
Councillor D Bain  
Councillor K Deane  
Councillor F Fox  
Councillor A Midgley  
Councillor M Richardson  
Councillor C Street

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**4 APOLOGIES**

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Councillor G Cordover

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**5 CONFIRMATION OF MINUTES**

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**RECOMMENDATION**

That the Minutes of the open session of the Council Meeting No. 15 held on 19 August 2024 be confirmed as a true record.

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**6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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Date	Topic	Detail
26 August	Tasmanian Planning Scheme	Discussion of the State Government's Planning Reform including the introduction and implementation of the statewide planning scheme.

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**7 DECLARATIONS OF INTEREST**

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In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have, a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

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**8 TRANSFER OF AGENDA ITEMS**

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Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

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**9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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**10 QUESTIONS ON NOTICE FROM THE PUBLIC**

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*Council has determined that questions on notice or questions taken on notice from a previous meeting should not contain lengthy preambles or embellishments and should consist of a question only. To this end, Council reserves the right to edit questions for brevity so as to table the question only, with some context if need be, for clarity.*

**10.1 Summerleas Road Underpass**

**Mr Roger Tonge** submitted the following question on notice:

*The Mayor has indicated in the media ,that the delay in the project relates to non council infrastructure (Tas Water and Transend). The inference being that they were slow off the mark, hence the delay.*

- 1. Can Council confirm that those organisations were advised in good time of the scheduled project start date.*
- 2. Did Council submit a "Dial and Dig" submission prior to commencing.*
- 3. Did Transend and Taswater advise Council of the works they had to undertake?*
- 4. If they did, why did council begin work prior to the infrastructure work being completed?*
- 5. Were Council staff aware of that there was infrastructure in the vicinity of the project.*
- 6. If not, why not?*
- 7. Will Council incur additional costs as a consequence of the delay and additional works.*
- 8. If additional costs are incurred will Council be able to claim that additional cost from the infrastructure companies or will it just impact negatively on the already budgeted \$2.9 million loss for this financial year?*

**Officer's Response:**

1. The organisations were contacted within the expected time frames for a project of this complexity. For example approval was sought from TasWater at the beginning of October 2023.
2. Yes, Dials were undertaken both during the design phase and prior to construction beginning. Detailed survey work was also undertaken during the design phase which included underground service locating to assist with the underpass design.
3. The works requiring TasNetworks involvement are due to Council's project. A service relocation form was submitted to relocate a private electrical pole which is situated on land now owned by Council. TasNetworks had a requirement which required an easement for this pole prior to undertaking the work. This requirement was unknown to Council before the application was submitted. The easement has now been lodged with the Titles Office and TasNetworks are progressing with the application.
4. As above, these relocations are due to the Council project and were planned to be undertaken concurrently.
5. Yes, as above.
6. Not applicable.
7. There may be some minor costs as a result however the contractor is assisting Council with options to keep progressing the project which will help minimise cost impacts.
8. It would be unlikely that costs can be recovered, however a contingency was included in the project for unforeseen issues and we are still well within the contingency figure.

*Daniel Kaimatsoglu, Special Projects Manager*

**10.2 Personal Bushfire Shelters**

**Professor Michael Rowan** submitted the following question on notice:

1. *Can the Mayor confirm that the Tasmanian government has established a working party to look at the process for the approval of Personal Bushfire Shelters in Tasmania (PBS)?*
2. *If so, when was this working party established?*
3. *Does the Council have a representative on this working party, and if so, who is it?*
4. *Has the Mayor or Council or the General Manager received progress reports on the deliberations of the working party from the Council's representative?*
5. *Has the working party produced a report?*
6. *If so, has this report been considered by the Mayor, the General Manager, or the Council?*
7. *If not, when is a report from the working party expected?*
8. *What is the explanation of the length of time it has taken for the working party to conclude its deliberations?*
9. *Will Council undertake to make the report of the working party, should it ever be finalized, available to the public of Kingborough as soon as it becomes available?*
10. *Will the report should, it ever be produced, be considered by Council, in view of the fact that Kingborough is the largest population in Australia at extreme risk from bushfire?*

**Officer's Response:**

- 1 – 3 A Bushfire Shelter Working Group (the Working Group) was established in September 2023 by the Justice Department's Consumer, Building and Occupational Services (CBOS).

The Working Group looked at options to improve community awareness of the existing approvals system for private bushfire shelters, and factors associated to an accreditation system for private bushfire bunkers in Tasmania.

The Working Group included representatives from CBOS, the Local Government Association of Tasmania (Council's Permit Authority), the Australian Institute of Building Surveyors, and the Tasmanian Fire Department.

Enquiries regarding the status or recommendations of the Working Group, can be made directly to CBOS by telephone: 1300 654 499, or via email to: [CBOS.info@justice.tas.gov.au](mailto:CBOS.info@justice.tas.gov.au)

- 4 An update was provided to the General Manager of Council in April 2024.
- 5 – 10 Council is waiting on the production of any guideline and or report the Director of Building Control deems appropriate. Dissemination of any guideline or report will be managed by CBOS. Further enquiries should be directed to CBOS.

*Tasha Tyler-Moore, Manager Development Services*

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**11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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**12 QUESTIONS ON NOTICE FROM COUNCILLORS**

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

**OPEN SESSION ADJOURNS**

## PLANNING AUTHORITY IN SESSION

### 13 OFFICERS REPORTS TO PLANNING AUTHORITY

#### 13.1 DA-2023-389 - DEVELOPMENT APPLICATION FOR FOUR MULTIPLE DWELLINGS (ONE EXISTING) AT 70 BEACH ROAD, ACCESS OVER 74 BEACH ROAD AND ADJOINING COUNCIL ROAD RESERVE, AND STORMWATER WORKS OVER 68 BEACH ROAD, KINGSTON BEACH AT 68, 70 & 74 BEACH ROAD, KINGSTON BEACH AND ADJOINING ROAD RESERVE

**File Number:** DA-2023-389  
**Author:** Mary McNeill, Planner  
**Authoriser:** Tasha Tyler-Moore, Manager Development Services

<b>Applicant:</b>	Glanville Architects/Ideas/Solutions
<b>Owner:</b>	Traderick Pty Ltd
<b>Subject Site:</b>	68, 70 & 74 Beach Road, Kingston Beach and adjoining road reserve
<b>Proposal:</b>	Four multiple dwellings (one existing) at 70 Beach Road, access over 74 Beach Road and adjoining Council road reserve, and stormwater works over 68 Beach Road, Kingston Beach
<b>Planning Scheme:</b>	Kingborough Interim Planning Scheme 2015 <i>Assessment is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)</i>
<b>Zoning:</b>	10.0 General Residential
<b>Codes:</b>	E3.0 Landslide (Low) E5.0 Road and Railway Assets E6.0 Parking and Access E7.0 Stormwater Management E10.0 Biodiversity E13.0 Historic Heritage 'Kingston Beach Heritage Precinct'
<b>Use Class/Category:</b>	Residential (Multiple Dwellings)
<b>Discretions:</b>	<u>General Residential Zone</u> Clause 10.4.2 (A3) Setbacks and building envelopes for all dwellings Clause 10.4.2 (A4) Setbacks and building envelopes for all dwellings <u>Landslide Code</u> Clause E3.7.1 (A1) Buildings and works, other than minor extensions Clause E3.7.3 (A1) Major works <u>Road and Railway Assets Code</u> Clause E5.5.1 (A3) Existing road accesses and junctions <u>Parking and Access Code</u> Clause E6.7.3 (A1) Vehicular Passing Areas Along and Access <u>Biodiversity Code</u> Clause E10.7.1 (A1) Buildings and works <u>Historic Heritage Code</u> E13.8.1 (A1) Demolition

	E13.8.2 (A1) Buildings and Works E13.8.2 (A3) Buildings and Works
<b>Public Notification:</b>	Public advertising was undertaken between 27 July 2024 and 9 August 2024 in accordance with section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
<b>Representations:</b>	Three (3)
<b>Recommendation:</b>	Approval subject to conditions

## 1. PROPOSAL

### 1.1 Description of Proposal

#### 70 Beach Road

##### Multiple dwellings

The lot at 70 Beach Road is the parcel of land on which four multiple dwellings are proposed, three new townhouses and one existing dwelling. The proposed residential density on the site is one dwelling per 475.5m<sup>2</sup>.

Partial demolition of the existing dwelling is proposed including removing a carport, with a minor extension being a roofed deck that extends from the existing living room and alterations proposed to the northern façade to provide sliding doors to the deck connecting from the living area on the upper split level.

The three new townhouses, to be located to the rear of the existing dwelling, are proposed to be double-storey, with three bedrooms, two bathrooms. A deck area of private open space is provided on the upper level accessible from the living area and a garden area at ground level accessible from a sitting area.

The new dwellings are contemporary in design with skillion roof form, cut in to the slope on their southern elevation. The design includes a mix of external materials including exposed blockwork on the lower level, 'EasyLap' cladding on the upper level, feature cladding between the two levels of vertical board appearance and Colorbond roofing that wraps from the roof the full height of the upper level on the southern elevation of each dwelling (see below Figure 1).



Figure 1 – Schematic design showing existing dwelling and the three proposed dwellings

### Tree Impacts

There are 11 native trees on the subject lot. The proposed development relies on the removal of eight (8) trees, including five (5) Very High Conservation Value (VHCV) *Eucalyptus ovata* and three (3) other native trees being one (1) black sheoak (Tree 1), one (1) black peppermint (Tree 2), and one (1) native cherry (Tree 7).

### Works

There will be works including excavation and soil scraping, and a cut totalling 190m<sup>3</sup>. The total soil disturbance will be 590m<sup>2</sup>, with 700m<sup>2</sup> of vegetation clearance.

A new washed aggregate concrete driveway is proposed along the north-western boundary of the site with three proposed parking bays along its extent.

### Parking and use of the existing access/driveway

Each new townhouse is provided a double garage within the ground floor footprint; there are two parking spaces for the existing dwelling, and two visitor parks allocated forward of the existing dwelling. The proposal is estimated to generate an additional 20 daily trips utilising the existing shared driveway.

### **68 Beach Road:**

A stormwater connection is the only proposed works on this title.

### **74 Beach Road:**

The existing dual property access is partially located through this lot. No works are proposed.

### **Beach Road Road Reserve:**

No works are proposed in the road reserve. It is included in the application due to the intensification of the use that would occur under the proposal for multiple dwellings.

### **Specialist reports accompanying the application**

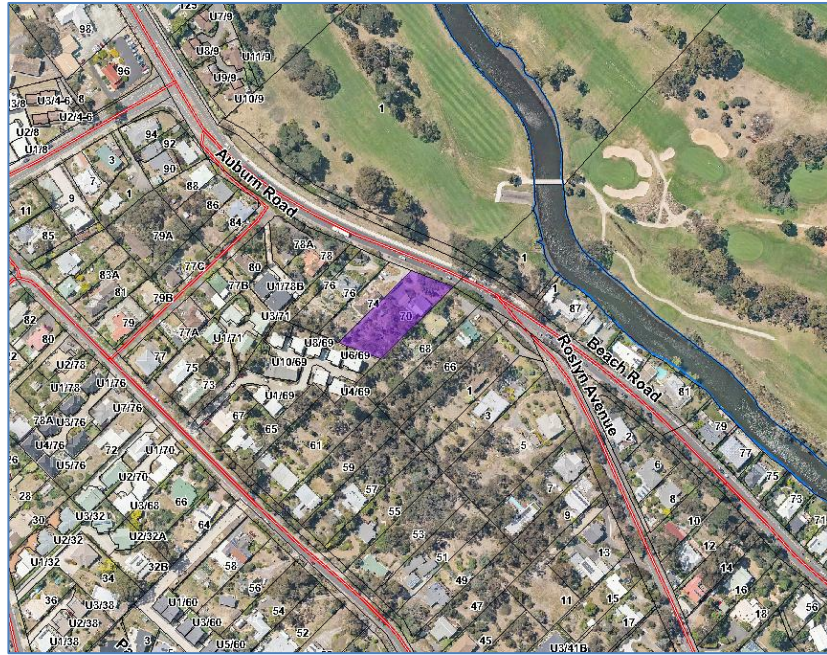
AS2870:2011 Site Assessment, 70 Beach Road, Kingston Beach, Geo-Environmental Solutions (GES), December 2023.

Landslide Risk Assessment, Project: Proposed New Units, Site Address: 70 Beach Road, Kingston Beach, TAS, 2050, Geo-Environmental Solutions (GES), 26 June 2024.

Arboricultural Impact Assessment & Tree Protection Specification, Multiple Townhouse Construction, 70 Beach Road, Kingston Beach 7050, Philip Jackson - Arborist & Tree Management Services, Revision 1, October 2023.

Traffic Impact Assessment, Unit Development, 70 Beach Road Kingston, Hubble Traffic, October 2023 (updated).

## 1.2 Description of Site



**Figure 2 - 70 Beach Road and surrounding development context (Source: MapInfo) Note: Aerial imagery only accurate as to most recent MapInfo update**

### **70 Beach Road: (CT 197675/1)**

The subject lot at 70 Beach Road (CT 197675/1) is located on the south-western side of Beach Road, to the east of Church Road between the Auburn Road and the Roslyn Avenue junctions (see Figure 2 above). The site is located in an area of diverse land use, being located opposite the Golf Club, and amongst other residential development including a number of multiple unit developments and single dwellings with large gardens and remnant native vegetation in proximity. The Kingston town centre is located to the north-west, the periphery of this central shopping and service centre being approximately 200m from the boundary of 70 Beach Road.



**Figure 3 - Aerial view of 70 Beach Road and neighbouring land at 68 and 74 Beach Road and adjoining road reserve (Source: MapInfo).**

The 1902m<sup>2</sup> lot at 70 Beach Road is relatively steep topographically, falling from approximately 26m to 9m Australian Height Datum (AHD) generally to the north-east. It has an elevated position relative to the adjoining road.

Vegetation on the site is identified as a vegetation community under TasVeg classifications and is mapped as *Eucalyptus viminalis* grassy forest and woodland (DVG) (at the rear of lot) and the front of the lot is mapped as Urban Land (FUR). An assessment by Council's Environmental Planner determined that the vegetation on the site is characterised by a compacted garden with a lack of understorey plants, that does not comprise a vegetation community. The understorey is predominantly scattered garden plants such as agapanthus, shrubs and patchy lawn. Notwithstanding, the subject lot contains high biodiversity values, being trees of high and very conservation value, which provide significant foraging habitat for the endangered swift parrot.

Existing development at the subject land includes a weatherboard and galvanised iron dwelling constructed circa 1960. An extension to the dwelling was undertaken circa 1985 (carport). There are a number of outbuildings located at the rear of the lot of unknown age. Access to the site is via an existing dual access that also provides access to 74 Beach Road.

#### **74 Beach Road: CT 50271/3**

The existing dual property access is partially located on this lot. No works are proposed.

#### **68 Beach Road: CT 167474/1**

This lot is a residential lot located to the south-east of the lot on which the multiple-dwellings are proposed to be constructed.

#### **Road Reserve:**

The road reserve is located to the north of 70 Beach Road and contains Beach Road which is a Council managed road. No works are proposed in the road reserve.

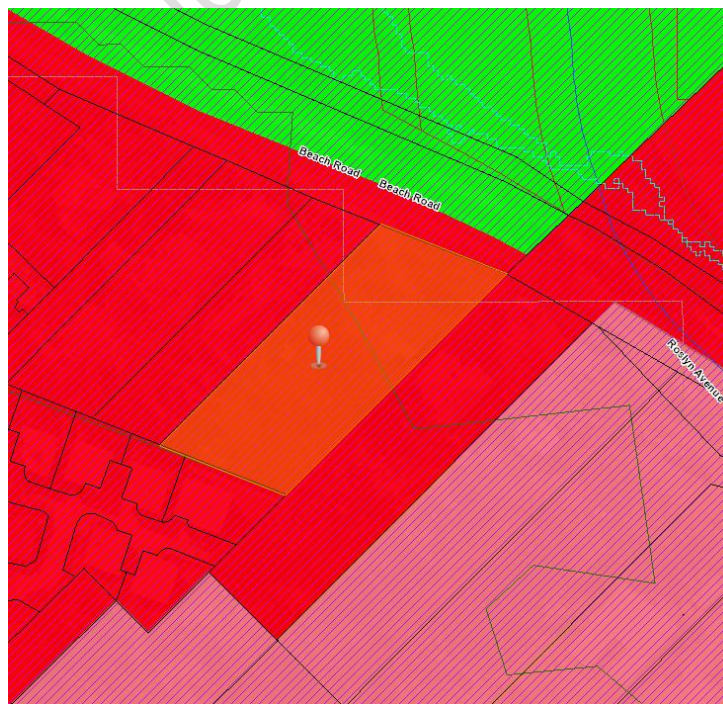


Figure 4 - Zoning and Code overlays applied to subject site, the land at 70 Beach Road is pinned  
(Source: LISTmap)

All land associated with the proposal, including the section of the Council road reserve is zoned General Residential under the Scheme. Surrounding lots are similarly zoned General Residential, with the Low Density Residential Zone to the south-east. The Recreation Zone is located opposite the subject site.

The Historic Heritage (Kingston Beach Heritage Precinct), Landslide (Low Hazard Band) and Biodiversity statutory overlays are mapped over the subject land.

The Statements of Significance for the Kingston Beach Heritage Precinct are as follows:

1. Significant as a good quality period late 19th century and early 20th century holiday and 'shack' suburb.
2. Significant for the quality and quantity of late Victorian, Federation, Edwardian and early 20th century vertical board bungalow dwellings with high aesthetic qualities and appeal.
3. Block sizes vary.
4. Houses dating from the late 19th century and early 20th century typically are setback a generous distance from the road and consist of large lawn areas, flowering plants, shrubs and smaller species of trees.
5. Older properties have generously landscaped front gardens with typically an absence of freestanding garage or carport structures.
6. Properties on the hill overlooking Kingston Beach with frontage onto Roslyn Avenue are typically well landscaped with mature trees including both native Eucalyptus and exotics.
7. Houses directly face the street and have open verandahs.
8. Early to mid 20th century vertical board dwellings are typically on smaller lots and have lesser setbacks.
9. Dwellings are typically single storey with an absence of ground floor enclosed garages or storage areas.
10. Dwellings are typically Victorian, Edwardian and pre war in architectural design and generally intact examples with little modification.
11. Dwelling facades are often symmetrical and dwellings typically have solid timber front doors and double hung timber framed sash windows either side of the front door.
12. The precinct also exhibits a significant percentage of good quality and mostly intact and unmodified vertical board cottages dating from the 1930's and 1940's of simple bungalow design and original dark brown oiled vertical board external wall cladding.
13. Front fences are typically low (less than 1 metre) and simple picket designs with timber posts.
14. The precinct exhibits a strong beachside landscape with strong residential amenity and character.

Assessment against the Road and Railway Assets, Parking and Access and Stormwater Management Codes is also required for the proposal.

### 1.3 Background

#### Previous applications

Council records indicate a number of applications related to the land at 70 Beach Road:

- BA 011239 Carport (added to the existing dwelling circa 1985)
- DA-2015-177 – 3 units, one existing - application withdrawn
- DA-2016-522 – 3 units, one existing – application lapsed
- PA-139-2017 – water and sewerage – completed
- PA-341-2022 – Minor alterations to kitchen and new ensuite
- TREE-2018-96 Felling 1 Tree – application on further information
- TREE-2021-88 Felling/Lopping – application on further information

It is unknown why previous applications for multiple dwellings at 70 Beach Road did not proceed.

#### Legal Access

It is understood that the original single access to 70 Beach Road was removed, and the current dual access shared with 74 Beach Road was put in place when widening of Beach Road occurred in the 1970's. Beach Road belonged to the State Government at the time of the works. Council does not have any records of the establishment of the access or any knowledge of why a right-of-way was not created for the benefit of 70 Beach Road over the land at 74 Beach Road at that time. The owner of 70 Beach Road is attempting to rectify this omission of a benefitting easement from the title and is pursuing the establishment of legal access to 70 Beach Road.

#### Title Restrictions

There are no title restrictions.

An Adhesion Order was registered on the title in 1980 (Dealing Number A725522) however, no details of the dealing were able to be located in the Land Information System Tasmania.

#### Council Consent for the Making of the Application

Due to the Council road reserve being included in the application, General Managers consent was sought by the applicant and provided for the making of the application pursuant to section 52(1B) of the *Land Use Planning and Approvals Act 1993* (LUPAA).

## 2. ASSESSMENT

### 2.1 State Policies and Act Objectives

There are no State Policies relevant to the assessment. There are only three State Policies, and these relate to the Protection of Agricultural land (2009), Coastal Policy (1996) and Water Quality Management (1997).

The proposal is consistent with the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

## 2.2 Strategic Planning

There are no relevant strategies associated with the Scheme that require consideration under the assessment of this application.

The use is Permitted in the Use Table 10.2, and therefore there is no residual discretionary assessment required against the Zone Purpose Statements under Clause 8.8.1.

Notwithstanding that there is no trigger to consider the Zone Purpose Statements in the assessment of the proposal, it is considered that the proposal is consistent with the Zone Purpose Statements under Clause 10.1.1 including:

- 10.1.1.1 *To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.*
- 10.1.1.5 *To encourage residential development that respects the neighbourhood character, natural landscape and provides a high standard of residential amenity.*
- 10.1.1.6 *To encourage urban consolidation and greater housing choice through a range of housing types and residential densities.*

There is no trigger to consider Local Area Objectives or Desired Future Character Statements under the assessment of the application, however, there are such Objectives and Statements for Kingston Beach under Clauses 10.1.2 and 10.1.3 of the Scheme.

*Clause 10.1.2 and Clause 10.1.3 – Local Area Objectives and Desired Future Character Statements*

The following Local Area Objectives and Desired Future Character Statements are provided in the Scheme for Kingston Beach:

Local Area Objectives		Implementation Strategy	
(a)	The built environment of Kingston Beach should retain the area's existing heritage values.	(a)	Residential development is to respect the existing scale and architectural style of existing buildings
Desired Future Character Statements		Implementation Strategy	
(a)	Kingston Beach should retain its existing seaside village character	(a)	New development within Kingston Beach should complement the existing architectural style (essentially Colonial Federation with single or two storey weatherboard clad homes and substantial street setbacks)
(b)	Kingston Beach should remain primarily a residential area with existing streetscape appearance and character retained	(b)	Commercial use or development within residential areas should be limited to low impact uses

The proposal is considered to be consistent with the above-mentioned statements and objectives as it is for an Architect designed residential development of an appropriate scale that has adequately considered the heritage and streetscape character of the area.

## 2.3 Statutory Planning

The use is categorised as Residential (Multiple Dwelling) under the Scheme, which is a use that requires Permitted assessment in the General Residential Zone.

Whilst the application is classified as a Permitted use, it relies on Performance Criteria to comply with the Scheme provisions and is therefore discretionary.

Council's assessment of this proposal should also consider the issues raised in the representations.

## 2.4 Use and Development Standards

The proposal satisfies the relevant Acceptable Solutions of the Scheme (see Assessment Checklist in Attachment 2), with the exception of the following:

### General Residential Zone

#### Clause 10.4.2 - Setbacks and building envelopes for all dwellings

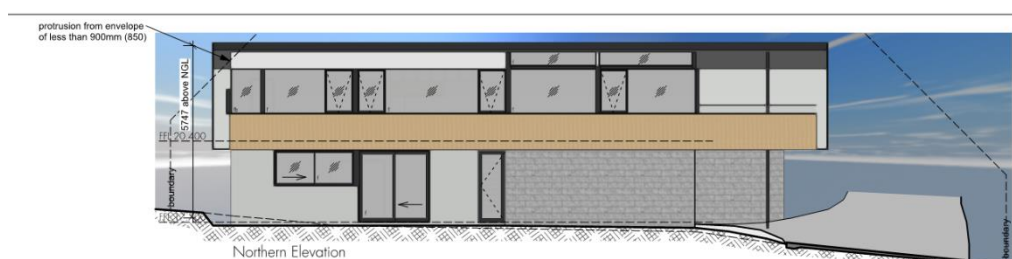
Acceptable Solution
<p><b>A3</b> - A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</p>
Performance Criteria
<p><b>P3</b> The siting and scale of a dwelling must:</p> <p>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</p> <p>(ii) overshadowing the private open space of a dwelling on an adjoining property;</p> <p>(iii) overshadowing of an adjoining vacant property; and</p> <p>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</p> <p>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <p>(i) an adjoining property; or</p> <p>(ii) another dwelling on the same site.</p>
Proposal
<p>Townhouse 1 protrudes from the building envelope on eastern side. Townhouse 3 protrudes from building envelope on western side. Therefore, the proposal does not comply with the Acceptable Solution.</p> <p>(Note: existing dwelling protrudes to the east but as it is existing, it does not require assessment under the Clause).</p>

The proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

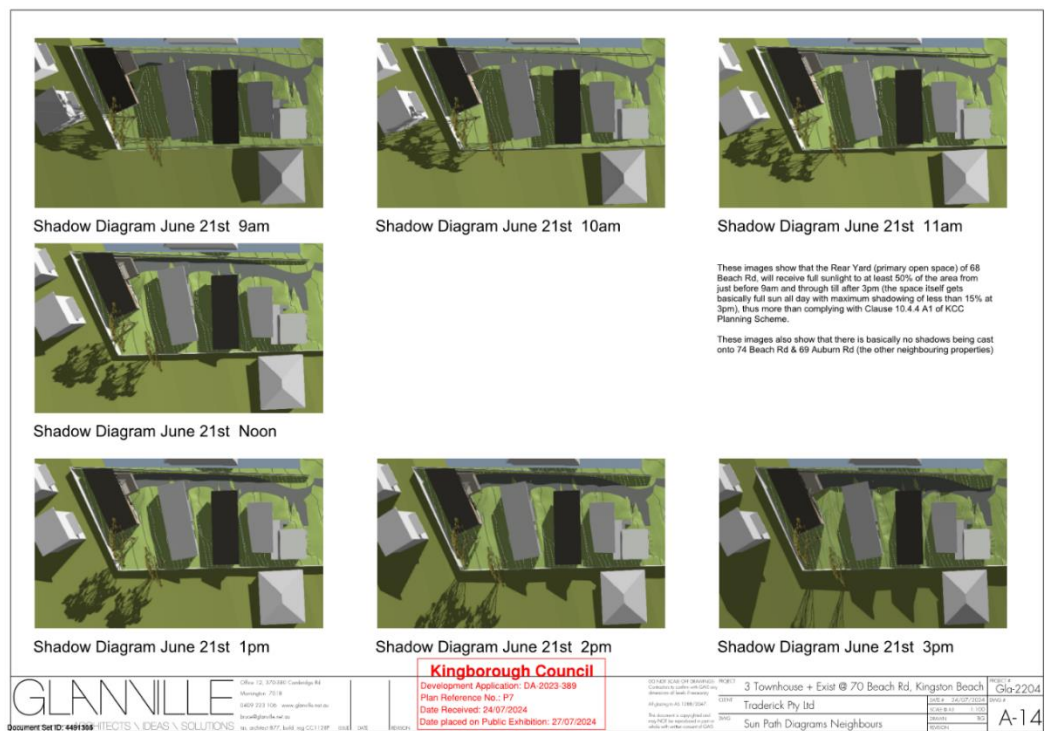
- Shadow diagrams were provided as supporting documentation that demonstrate the extent of overshadowing to adjoining land between 9am and 3pm on the winter solstice (21 June) (see Figure 7 below).
- The shadow diagrams show that there is no reduction of sunlight to habitable rooms of dwellings on adjoining lots.
- The shadow diagrams show that there would be no overshadowing between 9am and 11am on the land to the south at 68 Beach Road. From 11am until 1pm there would be minimal overshadowing. Some longer shadows are cast between 1pm and 3pm, however, due to the narrow nature of the shadows cast by the building forms, the private open space at 68 Beach Road would receive full sunlight to at least 50% of the area from 9am until 3pm which is considered reasonable. There is little to no shadow cast onto the land at 74 Beach Road and 69 Beach Road.
- The proposed townhouses, whilst double storey, are cut into the site and have the lesser dimension of their rectangular form to the side boundaries. The protrusions from the envelope are considered very minor (see Figures 5 and 6 below). Townhouse 3 has an open deck facing the western boundary which is a covered open form that reduces the appearance of any bulk when viewed from the west. Townhouse 1 has a very small section of the upper wall and roof that would be read in the context of the whole building and is not considered to be bulky or of an inappropriate scale in its context.
- The proposed separation between dwellings is considered to be consistent with the surrounding area as the dwellings at 66, 68, 74 and 76 Beach Road all have minimal setbacks to side boundaries (see development context in Figures 1 and 2 above).
- No solar installations would be impacted.



**Figure 5 - Protrusion from building envelope, Townhouse 3**



**Figure 6 - Protrusion from building envelope, Townhouse 1**



**Figure 7 - Shadow Diagrams June 21 9am - 3pm (Source: Sun Path Diagrams submitted by applicant)**

## General Residential Zone

### Clause 10.4.2 - Setbacks and building envelopes for all dwellings

<b>Acceptable Solution</b>
<p><b>A4 –</b></p> <p>No trees of high conservation value will be impacted.</p>
<b>Performance Criteria</b>
<p><b>P4 -</b></p> <p>Buildings and works are designed and located to avoid, minimise, mitigate and offset impacts on trees of high conservation value</p>
<b>Proposal</b>
<p>Trees of High Conservation Value (HCV), including of Very High Conservation Value (VHCV), will be impacted by the proposal (tree removal and incursion into Tree Protection Zones (TPZ's)).</p> <p>The trees to be removed are five (5) trees of VHCV, being black gums with a DBH over 40cm (Trees 5, 6, 8, 9 and 10); and three (3) other native trees, being one (1) black sheoak (Tree 1), one (1) black peppermint (Tree 2), and one (1) native cherry (Tree 7).</p> <p>Trees 3 and 4 (both <i>E. ovata</i> of HCV), and 11 (native daphne) will be retained.</p> <p>The Aboricultural Impact Assessment and Tree Protection Specification (P Jackson, October 2023) has determined that works for the landscaping proposed will encroach into the TPZ of Tree 3 (<i>E ovata</i>, DBH 0.63) by approximately 85%.</p> <p>There will be approximately 8% encroachment into the TPZ of Tree 4 (<i>E. ovata</i>, DBH 0.54) from footings for fence posts.</p>

It is noted that the civil engineering drawings by Aldanmark Consulting Engineers (5 December 2023) shows that there will be additional encroachment into the TPZ of Tree 3 from underground sewer lines. The Arborist did not assess these impacts.

Excavation for the new driveway will result in an unacceptable level of encroachment (>30%) of the TPZ area of tree of Tree 10, resulting in the severing of roots which will result in the necessary removal of the tree.

The application was referred to Council's Environmental Planner who has advised that the proposed variation can be supported pursuant to this Performance Criteria of the Zone for the following reasons:

- The applicants sought pre-lodgement advice from Council which resulted in some design changes of Townhouse 3 moving further away from the HCV trees on site and this results in less encroachment into the TPZs of trees in proximity to the proposal. Even with these design changes, the proposal does not completely avoid the impacts on the trees of high or very high conservation but does aim to minimise where possible.
- A discussion between the Environmental Planner and the Arborist Philip Jackson on 13 June 2024 (phone) confirmed that the trees are not in good health as per the descriptions of the individual trees in the Arboricultural Impact Assessment (with decay and damage evident), and even with design changes it is unlikely that the trees would thrive. Long term health of the trees is not viable even without any further use or development of the site due to significant stem decay in the trunks of most of the trees proposed for removal. Additionally, the site has poor hydrology due to developments further up hill, and the slope of the site itself.
- The encroachment into Tree 3 (*E. ovata*, DBH 0.63) by approximately 85% will be tolerable so long as the Tree Protection Specifications are adhered to, including installing turf without excavation or compaction, excavating planting holes by hand and offset to avoid significant roots and limiting plant pot/bag size to 25L.
- The encroachment into Tree 4 (8%) is below the acceptable threshold. Notwithstanding, the Arborist has recommended that fence posts footings are excavated by hand and offset to avoid significant roots.
- Any further encroachment from the location of proposed underground sewer lines within the TPZ's of Tree 3 can be minimised with Project Arborist consultation and input into engineering drawings prior to endorsement.
- The Arborist has determined that the encroachment from the driveway will lead to a significant adverse impact and potential decline of Tree 10. Although the tree is categorised as having a high conservation value due to its DBH, it is comprised of three stump regrowth stems from a previously removed tree. As the Arborist advises, stump regrowth stems are structurally compromised and predisposed to a higher likelihood of failure. Tree 10 also has an asymmetric crown due to suppression from Tree 8. The Arborist concludes that due to these factors, alternative driveway construction methods to facilitate its retention would not be warranted.
- Replacement planting with black gums and understorey plants such as *Lomandra longifolia* will be recommended to be included in the landscaping plan which is to be submitted to Council for endorsement.
- The Arborist has recommended a condition to be included in the permit that requires monitoring of the health and maintenance of retained black gums and

proposed replacement plantings. This monitoring would be bonded and required as part of the post-construction requirements.

- The loss of the individual very high conservation trees must be offset in accordance with Kingborough Council Policy 6.10 - Biodiversity Offset Policy November 2016 at a cost of \$500.00 per tree (5 x \$500.00 = \$2,500.00) via inclusion of a condition in any planning permit issued.

Permit conditions are recommended for inclusion in any permit issued approving the proposed tree removal, requiring:

- the retention of remaining trees, requiring Arborist consultation prior to the installation of the underground services that may encroach in the TPZ of Tree 3;
- implementation of tree protection measures and mitigation measures when installing underground services within the TPZ in accordance with the Arborist recommendations;
- endorsed engineering drawings, building and landscaping plans to demonstrate Arborist mitigation measures;
- the financial offset to be paid prior to construction; and
- a bond for monitoring of retained trees.

The proposal includes a landscaping plan which incorporates the planting of three (3) *E. pulchella*. A condition is recommended for inclusion in any permit issued requiring implementation of a landscaping plan that includes *E. ovata* or *E. viminalis* to be planted, and which ensures the HCV trees proposed for retention and the new plantings are retained and protected into the future.

**Landslide Code**  
**Clause E3.7.1 - Buildings and works, other than minor extensions**

<b>Acceptable Solution</b>
<b>A1 -</b> No Acceptable Solution
<b>Performance Criteria</b>
<b>P1 -</b> Buildings and works must satisfy all of the following: (a) no part of the buildings and works is in a High Landslide Hazard Area; (b) the landslide risk associated with the buildings and works is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.
<b>Proposal</b>
Works are proposed in Low Landslide Hazard Area as described in proposal section above. There is no acceptable solution under the Clause.

An assessment of the Landslide Risk was provided by a suitably qualified person (GES 26 June 2024) and this assessment confirms the proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- No part of the development is within a High Landslide Hazard Area.

- The risk is reduced to a tolerable level providing the recommended mitigation measures are implemented. These measures include the following:
  - Foundations of the proposed dwellings should be extended on the rock and be adequately designed in accordance with good hillside construction practices as outlined in the Australian Geomechanics Society (AGS) Geoguide LR8.
  - All earthworks should be conducted in accordance with AS3798-2007 and a sediment and erosion control plan should be implemented on the site during and after construction.
  - Cutting batters to the west of the townhouses should be constructed using the following slope angles: Residual Soils – 1V: 2 H and Rock - 1V: 1H. Slopes can also be retained using suitably designed retaining walls, free – draining walls.
  - Cut-off drain to be located above the development to intercept surface water away from the proposed development and any cutting/retaining wall faces.
  - Cut surfaces must be protected from erosion using an erosion control blanket.

A condition is recommended to be included in any permit issued requiring implementation of the recommended mitigation measures.

#### **Landslide Code**

#### **Clause E3.7.3 – Major Works**

<b>Acceptable Solution</b>
<b>A1 –</b> No Acceptable Solution.
<b>Performance Criteria</b>
<b>P1 -</b> Major works must satisfy all of the following: (a) no part of the works is in a High Landslide Hazard Area; (b) the landslide risk associated with the works is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.
<b>Proposal</b>
The proposal involves more than 100m <sup>3</sup> of cut volume. Therefore, the works meet the definition of major works in a Low Landslide Hazard Area. There is no Acceptable Solution under the Clause.

An assessment of the Landslide Risk was provided by a suitably qualified person (GES 26 June 2024) and this assessment confirms the proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- No part of the development is within a High Landslide Hazard Area.
- The risk is reduced to a tolerable level providing the recommended mitigation measures are implemented. These measures are detailed above in relation to compliance with Clause E3.7.1.

A condition is recommended to be included in any permit issued requiring implementation of the recommended mitigation measures.

### Road and Railway Assets Code

#### Clause E5.5.1 - Existing road accesses and junctions

<b>Acceptable Solution</b>
<p><b>A3 -</b></p> <p>The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>
<b>Performance Criteria</b>
<p><b>P3 –</b></p> <p>Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature and efficiency of the access or the junction;</li> <li>(d) the nature and category of the road;</li> <li>(e) the speed limit and traffic flow of the road;</li> <li>(f) any alternative access to a road;</li> <li>(g) the need for the use;</li> <li>(h) any traffic impact assessment; and</li> <li>(i) any written advice received from the road authority.</li> </ul>
<b>Proposal</b>
<p>AADT vehicle movements would increase by more than 20% per day (existing movements 15, proposed additional 20 movements) and therefore the proposal does not comply with A3.</p>

The application was referred to Council's Development Engineer who has advised that a Traffic Impact Assessment has been provided by a suitably qualified person that demonstrates that the proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- The three new townhouses are predicted to generate an additional 20 daily vehicle movements, particularly occurring during the morning and evening peak periods. The existing dwelling and adjacent property are already generating 15 daily vehicle movements, with two of these movements occurring during the morning and evening peaks.
- The development is expected to generate light vehicles (less than 5.5 metres in length) associated with urban residential living, and this type of vehicle is compatible with existing vehicles using Beach Road.
- The development will use the existing constrained shared vehicular driveway onto Beach Road, that operates as a single traffic lane. Traffic flow along the shared driveway will be enhanced with a passing bay located at the top of the driveway, providing drivers adequate sight lines between opposing vehicles. The assessment predicts a low increase in traffic movements, with a maximum of four vehicles operating within the peak hours, with opposing vehicles using the driveway unlikely. All vehicles will enter and leave the site in forward-driving

direction, and the available sight distance at Beach Road is appropriate for the prevailing operating speed. Overall, the existing driveway access to Beach Road is fit-for-purpose, having consideration to the existing driveway constraints.

- Beach Road operates as an urban collector road within the surrounding road network, which has been constructed to a high urban standard, capable of carrying significant traffic volumes.
- Beach Road has a posted speed limit of 50km/hour, in recognition of being within an established urban environment. From available traffic data, it is evident that the traffic flow along Beach Road during the morning and evening peak hour periods are busy, but with traffic signals operating at either side of the development site, the changing in signal phases create gaps in the traffic stream, allowing for vehicles to enter and leave the development site in a safe and efficient manner without adversely impacting other road users. Additional traffic generated by the development will not cause any deterioration in the level of service for existing road users.
- No alternative access to a road is possible.
- Urban infill in established suburbs is an excellent method to increase the supply of housing, while optimising the current infrastructure and community facilities.
- An independent traffic assessment found that there was no reason for this development not to proceed. Council's Development Engineers raised no concerns with the assessment.
- Council as the road authority provided the assessment.

#### **Parking and Assets Code**

##### **Clause E6.7.3 - Existing road accesses and junctions**

<b>Acceptable Solution</b>
<p><b>A1 -</b> Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p>(i) it serves more than 5 car parking spaces;</p> <p>(ii) is more than 30 m long;</p> <p>(iii) it meets a road serving more than 6000 vehicles per day</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) it meets a road serving more than 6000 vehicles per day;</p> <p>(d) have the first passing area constructed at the kerb;</p> <p>(e) be at intervals of no more than 30 m along the access.</p>
<b>Performance Criteria</b>
<p><b>P1 –</b> Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:</p> <p>(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;</p> <p>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;</p> <p>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</p> <p>(d) ease of accessibility and recognition for users.</p>
<b>Proposal</b>

Three passing bays are proposed along the access and driveway, however, the first bay is not proposed to be constructed at the kerb and therefore the proposal does not comply with A1(d).

The application was referred to Council's Development Engineer who has advised that the Performance Criteria has been addressed in the TIA, item no. 7.3. The proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- It is proposed to establish the first passing bay at the top of the driveway with suitable sight lines to Beach Road traffic lanes.
- The driveway is expected to have vehicles enter from turning right off Beach Road based on the acute intersecting angle of the driveway.
- Drivers entering from Beach Road will have unrestricted visibility of the passing bay at the top of the driveway, allowing vehicles to enter and avoid conflicts between users.
- The passing bays are expected to provide safe and efficient access to the development and adjacent properties as traffic generation is predicted to be low with a maximum of 4 vehicles per hour and during weekday peak hour periods vehicles using the driveway are expected to be one directional, leaving in the morning and returning in the evening.

#### **Biodiversity Code**

##### **Clause E10.7.1 – Buildings and works**

<b>Acceptable Solution</b>
<b>A1 -</b> Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.
<b>Performance Criteria</b>
<b>P1(c) -</b> if high priority biodiversity values: (i) development is designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the development; and (ii) impacts resulting from bushfire hazard management measures are minimised as far as reasonably practicable through siting and fire- resistant design of habitable buildings; and (iii) remaining high priority biodiversity values on the site are retained and improved through implementation of current best practice mitigation strategies and ongoing management measures designed to protect the integrity of these values; and (iv) special circumstances exist; and (v) residual adverse impacts on high priority biodiversity values not able to be avoided or satisfactorily mitigated are offset in accordance with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority, April 2013 and Kingborough Biodiversity Offset Policy 6.10, November 2023; and (vi) clearance and conversion or disturbance will not substantially detract from the conservation status of the biodiversity value(s) in the vicinity of the development.
<b>Proposal</b>
Trees 1,2 and VHCV <i>E. ovata</i> trees 5 to 10 are proposed for removal as they are entirely within the footprint of the proposed works and/or had no practicable design solutions to allow for their retention.

Trees 3 and 4 (HCV *E. ovata*) will be retained onsite, with any impacts from the development to be mitigated with tree protection measures, and consultation from a Project Arborist where required during construction.

Clearance and conversion or disturbance is not within a Building Area on a plan of subdivision approved under this planning scheme and therefore the proposal does not comply with the Acceptable Solution.

The proposal will impact on high biodiversity values, being the occasional tree of high conservation value providing habitat for the swift parrot and therefore must be assessed against P1(c).

The application was referred to Council's Environmental Planner who has advised that the proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- Due to the importance of *E. ovata* trees as foraging habitat for the swift parrot, it is expected that any healthy mature trees would be retained on site where practical. However, the retention of all foraging trees on this site is not deemed feasible by the Arborist due to the trees not being in good health, and suffering decay and damage, including historical pruning. The *E. ovata* on site are likely to become an unacceptable risk to people or property with age and will not thrive, whether or not they are retained as part of the development.
- While some tree removal is required to facilitate the development which will be offset, it has been demonstrated that the proposed development has been designed and located to minimise (to the extent feasible) and mitigate impacts on remaining significant foraging habitat located within the Biodiversity Protection Area (BPA).
- Remaining values are proposed to be maintained and managed through retention of two (2) large *E. ovata* Trees 3 and 4. Where encroachment is to occur into the TPZ's of retained HCV trees, the Arborist confirms that any long term adverse impacts can be minimised and/or mitigated with recommendations, tree protection measures/fencing and Arborist consultation during construction. Additionally, the retained trees will be maintained and protected into the future with proposed surrounding landscaping.
- Landscaping plans submitted for endorsement should include endemic species that would enhance the biodiversity values of the site such as *E. ovata*, *melaleuca* species, *Lomandra longifolia* and *Leptospermum scoparium*.
- In the absence of further use or development of the site, the Arborist has advised that the long term health of the trees is not viable even without any development due to significant stem decay in the trunks, poor hydrology due to developments further up hill, and the slope of the site itself. Therefore, special circumstances exist as ongoing management of the *E. ovata* trees on site cannot ensure the survival of the high priority biodiversity values on the site and there is little potential for long term persistence, as determined by the Arborist.
- A financial contribution of \$500 per tree of VHCV is proposed to offset any impacts in accordance with the Guidelines for the Use of Biodiversity Offsets in the Local Planning Approval Process, Southern Tasmanian Councils Authority 2013 and Council Policy 6.10.
- Disturbance of the site will not substantially detract from the conservation status of the swift parrot in the vicinity of the development, as the trees on site that are most likely to survive to provide swift parrot habitat into the future are being retained (Trees 3 and 4).

To ensure compliance with the Performance Criteria, it is recommended that the following conditions are included in any permit issued:

- limiting clearing to eight (8) trees including five (5) black gums;
- retaining the remaining black gums which provide foraging habitat (Trees 3 and 4), requiring the financial offset to be paid prior to onsite works commencing;
- requiring tree protection measures and fencing in accordance with the Arborist recommendations;
- requiring a landscaping plan that includes black gums or white gums and associated understory species to be submitted to Council for endorsement; and
- requiring tree impact mitigation measures in accordance with the arborist recommendations, such requiring appropriate hygiene, and requiring a soil and water management plan to be submitted.

### Historic Heritage Code

#### Clause E13.8.2 - Demolition

<b>Acceptable Solution</b>
<b>A1 -</b> No Acceptable Solution.
<b>Performance Criteria</b>
<b>P1 -</b> Demolition must not result in the loss of any of the following: (a) buildings or works that contribute to the historic cultural heritage significance of the precinct; (b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct; unless all of the following apply; (i) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place; (ii) there are no prudent or feasible alternatives; (iii) opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct.
<b>Proposal</b>
Partial demolition of existing dwelling is proposed, being a carport added in the 1980's, and outbuildings. There is no Acceptable Solution under the Clause.

The proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- The demolition is limited to outbuildings of unknown age and a carport that was part of a 1980's addition to the existing dwelling. The outbuildings do not appear to hold any heritage significance. The 1980's addition, whilst sympathetic to the original design of the dwelling, would not result in any detriment to the precinct should it be demolished.
- It is therefore considered that there would be no loss of buildings or works that contribute to the historic cultural heritage significance of the precinct.
- Whilst garden elements are proposed to be removed, these are to the rear of the existing dwelling and do not offer any strong contribution to the precinct.

- Tree removal is proposed but is not directly related to the demolition. Notwithstanding, whilst mature trees are identified in the Statements of Significance for properties overlooking Kingston Beach with frontage to Roslyn Avenue, the statement does not address the properties on Beach Road. It is also noted that the large tree most visible in the streetscape providing a backdrop to, and located behind, the existing dwelling (Tree 8 – *E. ovata*) has been identified by the Arborist as not being in good health, and suffering stem decay and leaning towards the existing house.

### Historic Heritage Code

#### Clause E13.8.2 - Buildings and Works

<b>Acceptable Solution</b>
<b>A1 -</b> No Acceptable Solution
<b>Performance Criteria</b>
<b>P1 -</b> Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.
<b>Proposal</b>
New buildings and works are proposed as per the description in the proposal section above. There is no Acceptable Solution under the Clause.

The proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- A supporting document addressing the Heritage Precinct standards was provided by the Architect for the project (Bruce Glanville), the content of which was generally agreed with.
- The existing dwelling, that provides the primary streetscape character for the development site, will be retained, allowing this existing characteristic to be maintained.
- The siting of the proposed townhouses and addition to the existing dwelling will sit in a staggered line running up the hill. The topography of the land will result in few viewpoints to the development, and the existing dwelling will remain the focal point in the streetscape.
- The front setback and landscaping in the front yard area will remain unchanged but will be enhanced with additional plantings.
- There will be no freestanding garage or carport structures under the proposal.
- The location of 70 Beach Road is at the fringe of the precinct and is not a focus of any points of significance for the precinct and also associates with the centre of Kingston. Few of the statements of significance relate to the predominantly mid-century development in this part of the precinct.
- The beach side character of the streetscape will not be negatively impacted by the increased in residential density. It is considered that the design of the dwellings is a suitable contemporary response to mid-century design that characterises development in this section of the precinct and will enhance residential amenity and result in no detriment to the character of the area.

**Historic Heritage Code**  
**Clause E13.8.2 - Buildings and Works**

<b>Acceptable Solution</b>
<b>A3 -</b> No Acceptable Solution
<b>Performance Criteria</b>
<b>P3 -</b> Extensions to existing buildings must not detract from the historic cultural heritage significance of the precinct.
<b>Proposal</b>
An extension to existing dwelling is proposed. There is no Acceptable Solution under the Clause.

The proposed variation can be supported pursuant to this Performance Criteria of the Code for the following reasons:

- A supporting document addressing the Heritage Precinct standards was provided by the Architect for the project and the content of which was generally agreed with.
- The existing double storey (with elevated foundation) dwelling is very different from the styles typically described within the statements of significance for the precinct. However, a skillion roofed weatherboard dwelling does have strong roots within the holiday house/beach shack typology.
- The proposed extension to the existing dwelling will utilise a new skillion roof form and the design concepts will be repeated in the design of the new townhouses which will provide for site continuity with a presentation of related forms.

## **2.5 Public Consultation and Representations**

The application was advertised in accordance with the requirements of s.57 of the *Land Use Planning and Approvals Act 1993* (from 27 July 2024 to 9 August 2024). Three (3) representations were received during the public exhibition period. The following issues were raised by the representors:

### **2.5.1 Issue – Consent for the making of the application**

An owner of land included in the application states that they have not given, and do not wish to give, permission for their property to be included in the application. They have stated that the owner of 70 Beach Road has advised them of the making of the application including their land.

#### *Response*

The owner of land to which an application relates, unless the Crown or Council, do not need to give consent for the making of an application. The owner of that land only requires to be notified by the applicant that the land forms part of the application and a declaration to that effect was made on the application form.

Therefore, the requirement for a declaration from the applicant that the applicant has notified the owner of the intention to make the application pursuant to Section 52(1) of the LUPAA has been satisfied.

### **2.5.2 Issue – permission for the development to use the land at 74 Beach Road.**

The owner of 74 Beach Road does not give permission for the development to use or take their land as an access for their development.

*Response*

Legal access is required to be demonstrated for the application. Whilst this has not yet been established, any permit issued would rely on a formal right-of-way to be established over the land at 74 Beach Road.

It is noted that the land at 74 Beach Road already forms part of a dual access that provides access to 70 Beach Road.

**2.5.3 Issue – safety of access**

The representor believes that the safety of the access has not been adequately considered and objects to the use of the driveway for an increased volume of traffic and pedestrians. They believe there are existing safety issues, being an old crib retaining wall in a landslip area and are concerned with the adequacy of the existing guard rail along the shared driveway that they consider to be narrow and steep, for the safety of pedestrian and vehicle use that will be increased under the proposal.

*Response*

Whilst the proposal has demonstrated compliance with the applicable Code standards as stated earlier in the report, the representation was referred to Council's Development Engineer who provided the following response:

- The retaining wall, shared driveway and safety barrier are existing to the development and TIA has considered all these as fit for purpose having regards to the topography and constraints.
- The existing width of the shared driveway is 3.8m which will be able to serve both the pedestrian and one way traffic to move and there is a passing bay at the top which provides better visuals of the people and vehicles coming in the driveway.
- The TIA provided with the application has defined the numbers of vehicles movement and its Level of Safety, which shows the access is safe.

**2.5.4 Issue – Delivery vehicles**

The Traffic Management Plan did not consider non-residents using the driveway such as visitors, deliveries, taxis, postman, heavy vehicles and machinery.

*Response*

Occasional light vehicle deliveries are considered part of a residential use and no commercial vehicle assessment is required. The TIA states that the design of the existing vehicular access is fit-for-purpose for the proposed residential development.

**2.5.5 Issue – Use of the access**

The proposal will result in the use of the access being inefficient, inconvenient and lead to road use conflict, and be potentially unsafe. There will be a significant increase in vehicles using the existing driveway.

There is insufficient passing from the curb to allow for efficient use of the proposed access which will create conflict along Beach Road.

The Traffic Engineer has underestimated the likely additional vehicle movements during peak traffic time.

The angle of the driveway limits the site distance from the right when exiting the driveway.

*Response*

The proposal has demonstrated compliance with the applicable Code standards as stated earlier in the report. Notwithstanding, it is reiterated that the TIA was produced by a suitably qualified consultant, Hubble Traffic. The TIA has assessed the vehicle movements, impacts of the increase in the use of the access under the proposal, site distances, and the traffic impacts on Beach Road. The assessment is based on requirements of Austroads, Guide to Traffic Management Part 12: Traffic Impacts of Developments, 2019, and other resources (see page 1 of the TIA). It is considered that the assessment is adequate.

**2.5.6 Issue – Tree and vegetation impacts**

The site is within a biodiversity protection area and the development will impact the environment adversely. There is threatened native Tasmanian species impacted by the development. *Eucalyptus ovata*, *Eucalyptus amygdalina*. *Eucalyptus littoralis*, Native cherry, Native Daphne. The plans show these species will be removed, however, they are listed as having high/very high conservation value under the Kingborough Council Policy 6.10 Biodiversity offset policy.

Although the plans state that they won't remove the trees, an additional 12 trees will be negatively impacted by excavation, as shown in the Arboricultural Impact Assessment and Tree Protection Plans.

*Response*

The proposal has demonstrated compliance with the applicable Zone and Code standards as stated earlier in the report. Notwithstanding, a response to this representation has been provided by Council's Environmental Planner:

The representation raises that the plans note there will be no trees removed, however the plans clearly show the trees to be removed and impacted by the proposal. The plans note that "All vegetation outside the excavation area will be retained", which is correct, as all trees outside the development footprint will be retained and protected in accordance with the Arborist's Tree Protection Plan.

The representation also notes that twelve (12) trees will be negatively impacted by the development, however only eight (8) trees will be removed, with five (5) of these being of very high conservation value. Any adverse impacts on the trees to be retained will be mitigated with consultation and guidance provided by a Project Arborist prior to and during construction where required.

Of the trees to be removed, Trees 5, 6, 8, 9 and 10 are *E. ovata*, all with a trunk diameter (DBH) to be classed High/Very High Conservation Value (as described Council's "Biodiversity Offset Policy"). The trees are also considered to have high priority Biodiversity Values as set out in Table E10.1 of the Scheme and should therefore be retained and protected wherever practicable as prescribed in E10.0.

However, the Arborist has determined that the trees are in poor health and the long-term survival of these trees is not viable. The retention of these trees could present a future safety issues, and even if the design of the development was changed to retain more or all of the trees on site, it is unlikely that they would thrive. The applicants will be required to offset the loss of the VHCV trees with a financial contribution to the Kingborough Environmental Fund.

2.5.7 Issue – Landslide Risk

A representation listed landslide risk as a concern but did not provide any other details related to this.

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*Response*

The proposal has demonstrated compliance with the applicable Code standards as stated earlier in the report. A Landslide Risk Assessment was provided with the application documentation and was prepared by a suitably qualified person and was considered adequate to demonstrate compliance with the Scheme.

**2.5.8 Issue - Privacy**

The development will removal all privacy from the backyard at 68 Beach Road. The proposed windows in the eastern elevation will look directly into the backyard.

*Response*

The proposal has satisfied the Acceptable Solutions for privacy provisions under the Zone standards and therefore Council has no grounds to request a change to the design of any windows on the eastern elevation of townhouses. The window on the eastern elevation of Townhouse 1 will have a fixed screen to 1.7m above finished floor level. This will be conditioned on any permit issued.

**2.5.9 Issue – Reduction of sunlight to garden at 68 Beach Road.**

The double storey nature of the proposed units will significantly reduce the sunlight entering the garden at 68 Beach Road.

*Response*

An assessment against the Performance Criteria related to building envelope discretion has been provided in the assessment section above against Clause 10.4.2 (A3) of the Scheme, and the overshadowing impacts to the garden at 68 Beach Road have been considered. Only minor overshadowing would occur as a result of the proposal.

**2.6 Other Matters****Condition for establishment of right-of-way**

The following condition would be required to be included on any permit issued:

A reciprocal Right of way must be established over neighbouring lot at 74 Beach Road (CT 50271/3), prior to commencement of works.

For Advice: should works be required over the land at 74 Beach Road, Kingston Beach, further application must be made to Council.

**Advice regarding any future Strata Plan proposal:**

The Traffic Impact Assessment (Hubble Traffic, October 2023 Updated) provides details of on-site manoeuvring of vehicles. It is noted that vehicles leaving the parking spaces at Townhouse 3 rely on the area under the deck of Townhouse 2 for adequate swept path in order to turn on-site. It is advised that the area under Townhouse 2's deck would therefore be considered as part of the shared driveway and as common property under any future Strata Plan proposal.

**Advice regarding no works on Council land:**

No works on Council land are proposed as part of the development. Advice is recommended to be included in any permit issued that Should works on Council land be required, further application must be made to Council for a planning permit and Road Works Permit must also be obtained.

**Weed Hygiene**

In accordance with clause 8.11.3, a condition should be included in any permit issued requiring implementation of best practice hygiene measures.

**TasWater referral**

The application was referred to TasWater who have provided a Submission to Planning Authority Notice (TasWater reference: TWDA 2023/01592-KIN). Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(1) TasWater has imposed conditions to be included in any permit issued.

**TasNetworks referral**

The application was referred to TasNetworks as per their requirements. TasNetworks advised that based on the information provided, the development is not likely to adversely affect TasNetworks operations. They provided advice for the proponent which will be included as advice on any permit issued.

**Extension of time to determine application**

Due to the number of representations received during the public notification period, an extension of time was requested by Council in order for the application to proceed to the next Council meeting for a decision. The request was granted by the applicant and an application period expiry date of 3 September 2024 was agreed.

**3. CONCLUSION**

The application for four multiple dwellings (one existing) at 70 Beach Road, access over 74 Beach Road and adjoining Council road reserve, and stormwater works over 68 Beach Road, Kingston Beach has satisfied all applicable standards under the Scheme and is therefore recommended for approval subject to conditions.

**4. RECOMMENDATION**

That the Planning Authority resolves that the development application DA-2023-389 for four multiple dwellings (one existing) at 70 Beach Road, access over 74 Beach Road and adjoining Council road reserve, and stormwater works over 68 Beach Road, Kingston Beach at 68, 70 & 74 Beach Road, Kingston Beach and adjoining road reserve for Glanville Architects/Ideas/Solutions be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DA-2023-389 and Civil Plans Council Plan Reference No. P3 submitted on 4 April 2024 and Architectural Plans Council Plan Reference No. P7 submitted on 24 July 2024.

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

2. Before the approved development commences, a reciprocal Right-of-Way must be established over neighbouring lot at 74 Beach Road, Kingston Beach (CT 50271/3).

For Advice: should works be required over the land at 74 Beach Road, further application must be made to Council.

3. Prior to commencement of on-site works, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be

prepared and certified by a professional Civil Engineer. Plans must be to satisfaction of the Director Engineering Services and comply with:

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

The Plans must include, but are not limited to:

- (a) Detailed internal vehicular and pedestrian access, carparking and manoeuvring areas including:
  - (i) Longitudinal and cross sections of the driveway/access road.
  - (ii) Contours, finish levels and gradients of the driveway/access road.
  - (iii) Provision of passing bays.
  - (iv) Signage for visitor spaces or residential spaces.
  - (v) 'No parking/keep clear' signage for turning bay areas.
  - (vi) Wheel stops for open parking bays (as appropriate).
  - (vii) Lighting for parking and vehicle circulation roadways and pedestrian paths.
  - (viii) Surface treatment and stormwater drainage.
- (b) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
  - (i) Layout details.
  - (ii) A water sensitive urban design system to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling.
  - (iii) A reticulated stormwater system sized to accommodate at least the estimated 5% AEP (Annual Exceedance Probability) flow. Any on-site stormwater detention must be detailed including how the on-site detention will be serviced to prevent blockages while maintaining its capacity.
- (c) A soil and water management plan to the satisfaction of the Manager Development Services and which is in accordance with the Soil and Water Management of Construction Sites - Guidelines.
- (d) A Tree Protection Plan developed in consultation with a suitably qualified arborist which:
  - (i) Identifies all individual native trees with a diameter >25cm at 1.4m from natural ground level and their associated tree protection zones relative to the works.
  - (ii) Identifies which trees are to be removed and which are to be retained.
  - (iii) Demonstrates all works are designed, located and constructed to minimise impacts on individual trees, and enable retention of Trees 3, 4 and 11 as shown in the Arborist Assessment (P Jackson, October 2023) and Council Plan reference P7 (submitted 24 July 2024).

- (iv) Be accompanied by an addendum to the arborist assessment where works (including installation of underground services such as sewer, water, electricity or stormwater or implementation of soil and water management measures) encroach into the tree protection zone of high conservation value trees more than shown in the Tree Protection Plan in the Arborist Assessment (P Jackson, October 2023). Where required, the addendum must:
  - a. demonstrate that the extent of any encroachment will not have a detrimental impact on the health of the trees and that the trees are capable of retention within the context of the approved development; and
  - b. include recommendations on the necessary tree protection measures to mitigate any potential impacts on the trees as a result of the development.
- (v) Details the mitigation and vegetation protection measures to be implemented before, during and after construction in accordance with Australian Standard 4970-2009 for the protection of trees on development sites, including incorporation of the recommendations in the Arboricultural Impact Assessment (P Jackson, October 2023) and any additional recommendations in the arborist addendum.

Once endorsed the plans will form part of the permit.

4. Before the approved development commences, amended landscaping plans must be submitted for approval by Council's Manager Development Services.

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

- (a) Outline of the proposed buildings.
- (b) Proposed planting by quantity, genus, species, common name, expected mature height and plant size.
- (c) Use of local provenance native species, with tree species to preference *Eucalyptus ovata* or *Eucalyptus viminalis*, and understorey species to preference *Lomandra longifolia*, *Leptospermum scoparium*, and *melaleuca species*.
- (d) Demonstrating each tree planted has a minimum available area of 10m x 10m for canopy development.
- (e) Existing trees to be retained and proposed measures to be carried out for their preparation and protection during construction.
- (f) Earth shaping proposals, including retaining wall(s).
- (g) Fencing, paths and paving (indicating materials and surface finish).

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

The landscaping shown on the endorsed landscaping plan must be completed prior to the occupation of the building.

5. No more than eight (8) trees numbered 1, 2, and 5 - 10 and as shown in Council Plan Reference P7 (submitted on 24 July 2024) and the Arboricultural Impact Assessment (P

Jackson October 2023 – revision 1), are approved for removal for the purposes of this development.

This vegetation must not be removed prior to:

- (a) Building approval.
  - (b) Securing the conservation offset.
  - (c) Approval of an 'Application for Approval of Planning Start of Works Notice'.
6. Prior to the removal of any individual trees and the commencement of on-site works, the loss of five (5) very high conservation value *Eucalyptus ovata* trees must be offset by a financial contribution totaling \$2,500.00 (\$500.00 per tree). This contribution must be paid to Council's Environmental Fund and used solely for the protection and management of swift parrot habitat within the municipality.
7. All remaining native vegetation identified for retention in Council Plan Reference P7 (submitted on 24 July 2024) and the Arboricultural Impact Assessment (P Jackson, October 2023) must be appropriately protected during and after construction in accordance with all the recommendations in the Arboricultural Impact Assessment. This includes but is not limited to implementation of the following measures:
- A. Prior to Removal of Trees 1, 2, 5, 6, 7, 8, 9 and 10:
    - (a) Appointment of a Project Arborist with a minimum of AQF Certificate Level 5.
    - (b) Conducting a site briefing between the Project Arborist and the project manager and site supervisor or equivalent for the development, to ensure tree protection measures are understood and correctly implemented.
  - B. Prior to the commencement of remaining on-site works (including but not limited to other vegetation removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings):
    - (a) Grubbing out the stumps with a mechanical stump grinder without damage to the root system of other trees, not pulling them out using excavation equipment or equivalent.
    - (b) Installing tree protection fencing and ground protection measures in accordance with the Tree Protection Plan (Section 6 and Appendix 1 of the Arboricultural Impact Assessment) and Condition 9.
    - (c) Consulting with the Project Arborist in development of the engineering drawings and obtaining an addendum to the arborist assessment where required under Condition 3.
    - (d) Providing certification by the Project Arborist of satisfactory implementation of these tree protection measures to the Manager Development Services prior to the commencement of any on-site works.
  - C. During Construction:
    - (a) Maintaining tree, ground and trunk protection measures required above for the duration of the construction.
    - (b) Engaging the Project Arborist to oversee any excavation, machine trenching, compacted fill placement and other designated site specific activities within the TPZ/SRZ of all retained trees.

- (c) Ensuring works within the tree protection zones are under the supervision of the Project Arborist and in accordance with Section 6.4 of the Arboricultural Impact Assessment (P Jackson, October 2023).
- (d) Ensuring the installation of services within tree protection zones is in accordance with Section 6.6 of the Arboricultural Impact Assessment (P Jackson, October 2023), including using non-destructive excavation methods.
- (e) Ensuring all landscaping within the TPZs is done in accordance with Section 6.8 of the Arboricultural Impact Assessment (P Jackson, October 2023).
- (f) Installing new turf area within the TPZ of Tree 3 without excavation (apart from light scarification to remove existing vegetation) or compaction of the existing soil profile (or any fill material deposited).
- (g) Excavating new tree/plant holes by hand, offsetting slightly to avoid conflict with any significant roots encountered.
- (h) Limiting new trees/plants to a 25L bag/pot size.
- (i) Excavating new fence post footing holes by hand, offsetting slightly to avoid conflict with any significant roots encountered.
- (j) Ensuring the Project Arborist conducts a site audit monthly during construction to check compliance against the tree protection plan and permit conditions.
- (k) Providing written certification by the Project Arborist of satisfactory implementation of these measures to the Manager Development Services upon completion of construction.

D. Post Construction:

- (a) Providing written certification by the Project Arborist of satisfactory implementation of the measures identified in B. above to the Manager Development Services upon completion of construction.
- (b) Adhering to the following tree management measures post construction for all areas within the tree protection zone but outside the footprint of the approved works:
  - (i) The existing soil level must not be altered around the tree protection zone of the trees (including the disposal of fill, placement of materials or the scalping of the soil).
  - (ii) The tree protection zone must be free from the storage of fill, contaminants or other materials.
  - (iii) Machinery and vehicles are not permitted to access the tree protection zone.
  - (iv) Development and associated works are not permitted unless otherwise approved by Council in writing or otherwise in accordance with the law.
  - (v) Monitoring must be undertaken by a suitably qualified arborist (Certificate V in Arboriculture) annually for a period of five (5) years following construction.

8. Prior to commencement of on-site works, a bond equivalent to the costs of undertaking the monitoring must be paid to Council for the monitoring of the health of the retained

*Eucalyptus ovata* Trees 3 and 4, and new landscaping tree plantings required under Condition 7.D(b)(v). Reporting to Council on the monitoring must be undertaken by a suitably qualified arborist and conducted not less than once annually for a minimum period of 5 years. The bond will be repaid to the payer in stages on an annual basis once each annual report is received and satisfactory implementation of any further mitigation recommendation by the arborist are demonstrated.

9. Tree protection fencing required under Condition 7 must:
  - (a) Be installed after any required tree removals but before the start of any site works that could affect trees.
  - (b) Be installed at the locations shown in the Tree Protection Plan (Appendix 1 of the Arboricultural Impact Assessment, P Jackson October 2023), indicated by a blue line.
  - (c) Exclude the following from the tree protection zones:
    - (i) Machine excavation including trenching.
    - (ii) Machinery movement.
    - (iii) Excavation of silt fencing.
    - (iv) Cultivation.
    - (v) Storage.
    - (vi) Preparation of chemicals, including preparation of cement products.
    - (vii) Parking of vehicles and plant.
    - (viii) Refuelling.
    - (ix) Dumping waste.
    - (x) Placement of fill.
    - (xi) Lighting of fires.
    - (xii) Soil level changes.
    - (xiii) Temporary or permanent installation of utilities and signs.
    - (xiv) Physical damage to the trees.
  - (d) Be constructed in accordance with the following requirements:
    - (i) Utilise 1.8m high chain wire mesh panels with shade cloth attached (if required), held in place with concrete feet; or utilise a plywood or wooden panel paling fence, unless otherwise approved in writing by the Project Arborist and Council.
    - (ii) Form a visual and physical barrier.
    - (iii) Be a minimum height of 1.8 metres above ground level.
    - (iv) Include signage clearly marked "Tree Protection Zone - No Entry" on all sides.
10. Prior to the commencement of any on-site works, all measures identified in the endorsed soil and water management plan as required under Condition 3 must be satisfactorily

implemented and a site inspection of the implemented plan undertaken by Council with the principal contractor.

11. 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.

For Advice: This Planning Start of Works Notice is not the same as the Form 39 Building Start Works Notice. As such, lodgement of a Form 39 will not satisfy this condition, and a separate 'Application for Approval of Planning Start of Works Notice' must be lodged with Council's Planning Department. A copy of the application form is available on Council's website.

12. Documentation submitted for building approval must:
  - (a) Demonstrate the works within the Tree Protection Zones of Trees 3 and 4 are consistent with the mitigation measures as recommended by the Arborist (P Jackson October 2023) including the following:
    - (i) Installing new turf area within the TPZ of tree 3 without excavation (apart from light scarification to remove existing vegetation) or compaction of the existing soil profile (or any fill material deposited);
    - (ii) Excavating new tree/plant holes by hand, offsetting slightly to avoid conflict with any significant roots encountered;
    - (iii) Limiting new trees/plants to a 25L bag/pot size; and
    - (iv) Excavating new fence post footing holes by hand, offsetting slightly to avoid conflict with any significant roots encountered;
  - (b) Demonstrate the proposed works for the sewer line within the Tree Protection Zone of Tree 3 have been developed in consultation with the Project Arborist;
  - (c) Incorporate the construction recommendations in the Landslide Risk Assessment prepared by GES (26 June 2024) including the following:
    - (i) Extending the foundations of the proposed dwellings on the rock and adequately designing them in accordance with good hillside construction practices as outlined in the Australian Geomechanics Society (AGS) Geoguide LR8;
    - (ii) Conducting all earthworks in accordance with AS3798-2007 and implementing a sediment and erosion control plan on the site during and after construction;
    - (iii) Constructing cutting batters to the west of the townhouses using the following slope angles: Residual Soils – 1V: 2 H and Rock - 1V: 1H. Retaining slopes to be constructed using suitably designed free draining retaining walls;

- (iv) Locating the cut-off drain above the development to intercept surface water away from the proposed development and any cutting/retaining wall faces; and
- (v) Protecting cut surfaces from erosion using an erosion control blanket.

All works within the Tree Protection Zones and Landslide Hazard Mitigation requirements must be implemented and maintained to the satisfaction of the Manager Development Services for the life of the development.

13. The following privacy treatments must be installed prior to occupancy of the dwellings and maintained for the life of the development:
  - (a) The window to the master bedroom on the eastern elevation of Townhouse 1 must have a fixed screen to 1.7m above finished floor level with uniform transparency not more than 25%.
  - (b) The sill height to the living room on the western elevation of Townhouse 3 must have a minimum height of 1.7m above finished floor level.
  - (c) The side of the deck on the western elevation of Townhouse 3 must have a privacy screen a minimum of 1.7m in height from finished surface level with uniform transparency not more than 25%.
14. Prior to the occupation of any of the new dwellings the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:
  - (a) The parking areas (including signage) and passing bays;
  - (b) The garden and landscape areas;
  - (c) Drainage works undertaken and completed; and
  - (d) Letterboxes installed.
15. At least two (2) visitor parking spaces must be provided for the proposed development. These visitor parking spaces must be appropriately signposted and kept available for visitor parking at all times.

For Advice: Any future application for strata title in respect of the property must ensure that the visitor parking spaces are included within the common property on the strata plan.

16. The construction works must be undertaken in accordance with the approved drawings. Works must be to the satisfaction and approval of the Executive Manager - Engineering Services and include the following:
  - (a) 'No Parking'/'Keep Clear' signage must be installed for the turning bay;
  - (b) visitor carparking signs must be installed for the 2 visitor carparking spaces;
  - (c) signage noting residential parking for existing unit must be installed for the two carparking space;
  - (d) parking and vehicle circulation roadways and pedestrian paths must be provided with bollard lighting;
  - (e) Wheel stops for open parking bays must be installed;
  - (f) on-site stormwater detention must be installed;

- (g) stormwater discharge from all new impervious areas must be disposed of by gravity to Council's stormwater infrastructure; and
17. 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 Weed and Disease Planning and Hygiene Guidelines 2015 produced by the Department of Primary Industries, Parks, Water and Environment.
- Any imported materials must be from a weed and pathogen free source to prevent introduction of new weeds and pathogens to the area.
18. All waste material generated by the development or from other sources must be contained in appropriate building waste containers for periodic removal to a licensed disposal site. The receptacle must be of a size to adequately contain the amount of waste generated and must be appropriately located on the subject site and must not impede residential traffic or parking at any time.
19. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

### ADVICE

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

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

- C. The Developer should not allocate any property address numbers for the proposed units.

New property addresses have been allocated as follows:

Townhouse No.	Allocated Property Address
EXISTING	Unit 1 / 70 Beach Road, Kingston Beach
1	Unit 2 / 70 Beach Road, Kingston Beach
2	Unit 3 / 70 Beach Road, Kingston Beach
3	Unit 4 / 70 Beach Road, Kingston Beach

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

- D. An application for Notifiable Plumbing Work must be lodged with Council before commencing any work.
- E. A drainage design plan at a scale of 1:200, designed by a qualified Hydraulic Designer, showing the location of the proposed sewer and stormwater house connection drains; including the pipe sizes, pits and driveway drainage, must be submitted with the application for Plumbing Permit.

- F. No works on Council land are approved as part of this permit. Should works on Council land be required, further application must be made to Council for a planning permit and Road Works Permit must also be obtained.
- G. The swept paths provided in the Traffic Impact Assessment (Hubble Traffic, October 2023 Updated) shows that vehicles leaving the parking spaces at Townhouse 3 rely on the area under the deck of Townhouse 2 in order to turn on-site and that part of a passing bay is also located under the deck area of Townhouse 2. It is advised that the area under Townhouse 2's deck would therefore be considered as part of the shared driveway and as common property under any future Strata Plan proposal.
- H. TasNetworks advise that consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to this development. To understand what these requirements may entail it is recommended that contact is made with TasWater at the earliest convenience.

#### **ATTACHMENTS**

- 1. APPLICATION PLANS**
- 2. ASSESSMENT CHECKLIST**
- 3. TASWATER CONDITIONS**

Public Copy

Floor Area & POS Calcs (per townhouse):

Floor Area T1 (habitable)- 154.7sqm  
Floor Area T1 (garage)- 39.6sqm  
Floor Area T1 (decks)- 25sqm  
POS Primary (with min. dimensions)- 25sqm Total 90sqm

Floor Area T2 (habitable)- 154.7sqm  
Floor Area T2 (garage)- 39.6sqm  
Floor Area T2 (decks)- 25sqm  
POS Primary (with min. dimensions)- 25sqm Total 110sqm

Floor Area T3 (habitable)- 161.7sqm  
Floor Area T3 (garage)- 46.1sqm  
Floor Area T3 (decks)- 24.2sqm  
POS Primary (with min. dimensions)- 24.2sqm Total 240sqm

Floor Area E1 (habitable)- 194.3sqm  
Floor Area E1 (shed)- 35.7sqm  
Floor Area E1 (decks)- 29.4sqm  
POS Primary (with min. dimensions)- 29sqm Total 200+sqm



PID: 5725852

Title Reference: 197675/1

Soil Classification: Class M (see GES Site Assessment)

Energy Rating: TBC

Design Wind Speed: N2

Climate Zone: 7

BAL: NA (fully surrounded by Residential Zone)

Hazard Area: NA

Corrosion Level: NA

Drawing List			
Sheet No.	Sheet Name	Rev. No.	Rev. Date
A-01	Site Plan		
A-02	Landscape/ Site Lighting Plan		
A-03	T1 Floor Plans		
A-04	T2 Floor Plans		
A-05	T3 Floor Plans		
A-06	T1 Elevations		
A-07	T2 Elevations		
A-08	T3 Elevations		
A-09	Townhouse Images		
A-10	Existing Dwelling Plans		
A-11	Existing Dwelling Elevations		
A-12	Sun Path Diagrams Existing & T1		
A-13	Sun Path Diagrams T2 & T3		
A-14	Sun Path Diagrams Neighbours		

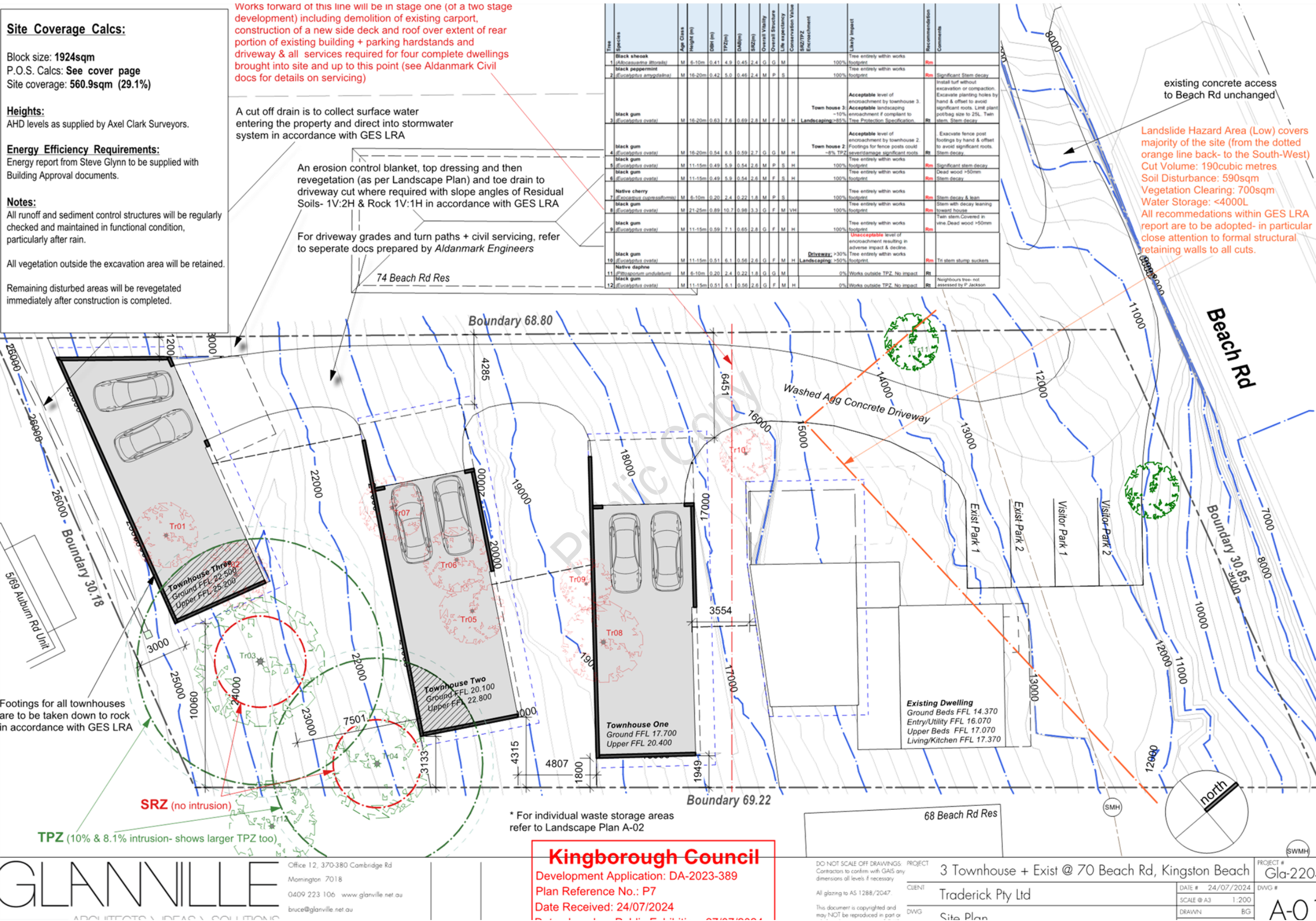


Kingborough Council

Development Application: DA-2023-389

Plan Reference No.: P7

Date Received: 24/07/2024





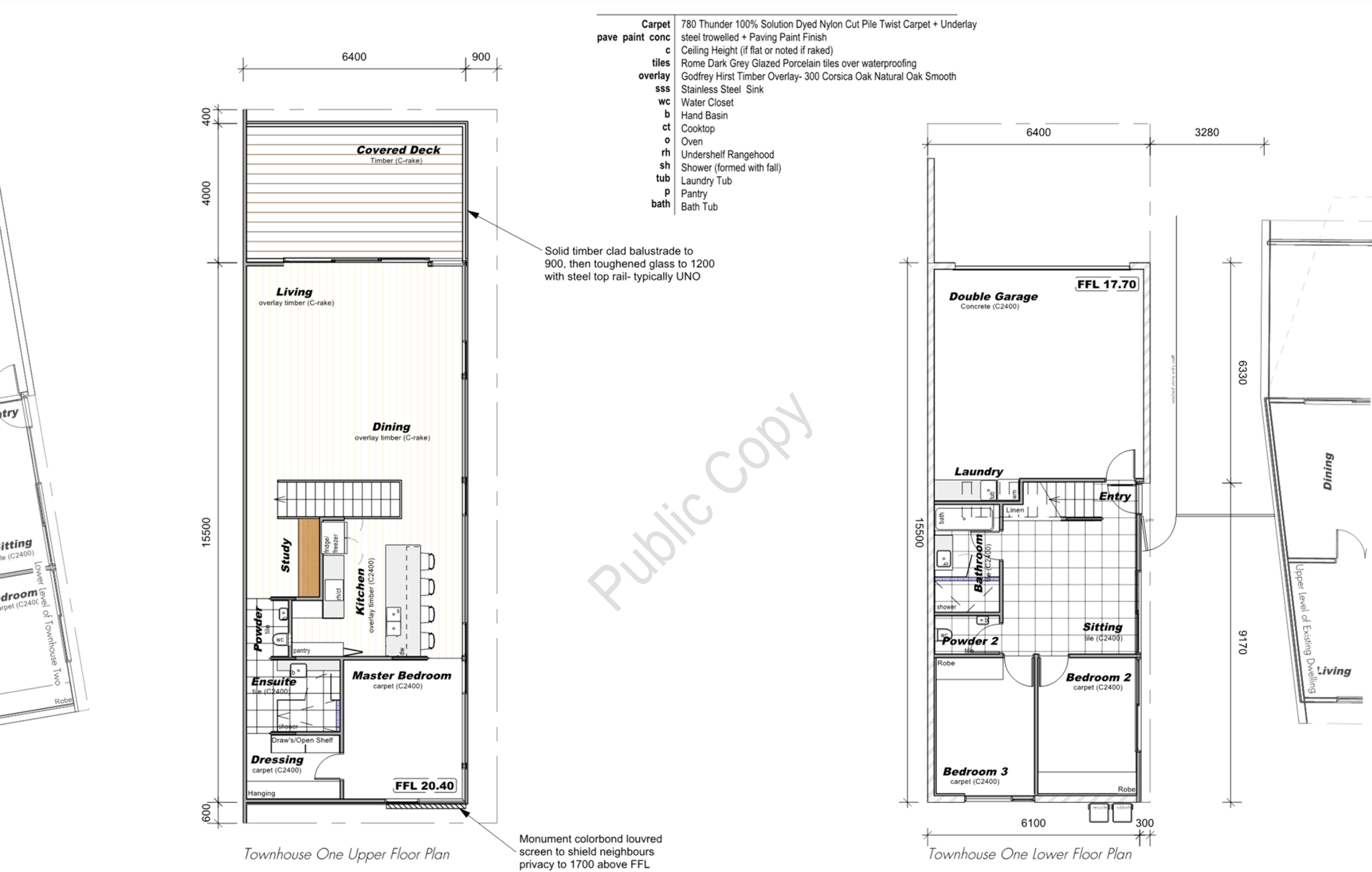
**GLANNILLE**  
ARCHITECTS & DESIGNERS

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Marrington 7018  
0409 223 106 www.glanville.net.au  
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**Kingborough Council**

Development Application: DA-2023-389  
Plan Reference No.: P7  
Date Received: 24/07/2024  
Date placed on Public Exhibition: 27/07/2024

DO NOT SCALE OFF DRAWINGS: Contractors to confirm with GAIS any dimensions all levels if necessary	PROJECT 3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach	PROJECT # Gla-220
All glazing to AS 1288/2047.	CLIENT Traderick Pty Ltd	DATE # 24/07/2024 SCALE @ A3 1:200 DRAWN BG
This document is copyrighted and may NOT be reproduced in part or	DWG Landscape / Site Lighting Plan	DWG # A-02



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ARCHITECTS & DESIGNERS

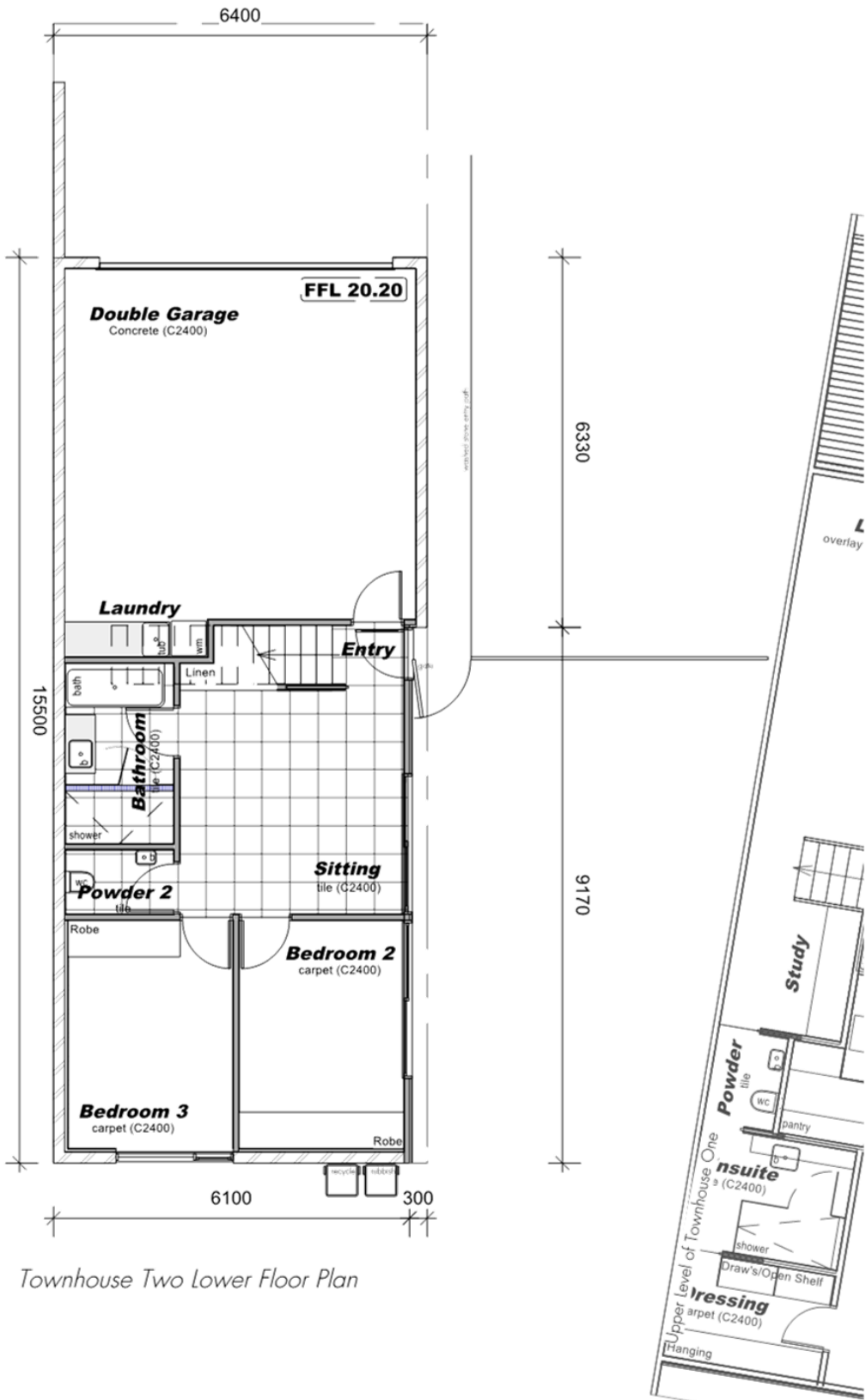
Office 12, 370-380 Cambridge Rd  
Mornington 7018  
0409 223 106 www.glanville.net.au  
bruce@glanville.net.au

**Kingborough Council**  
Development Application: DA-2023-389  
Plan Reference No.: P7  
Date Received: 24/07/2024  
Date placed on Public Exhibition: 27/07/2024

DO NOT SCALE OFF DRAWINGS. CONTRACTORS TO CONFIRM WITH GAIS ANY DIMENSIONS ALL LEVELS, IF NECESSARY.	PROJECT: 3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach	PROJECT #: Gla-220.
ALL GLAZING TO AS 1288/2047.	CLIENT: Traderick Pty Ltd	DATE #: 24/07/2024
THIS DOCUMENT IS COPYRIGHTED AND MAY NOT BE REPRODUCED IN PART OR WHOLE.	DWG: T1 Floor Plans	DWG #: A-01
		SCALE @ A3: 1:100
		DRAWN: BG



Townhouse Two Upper Floor Plan



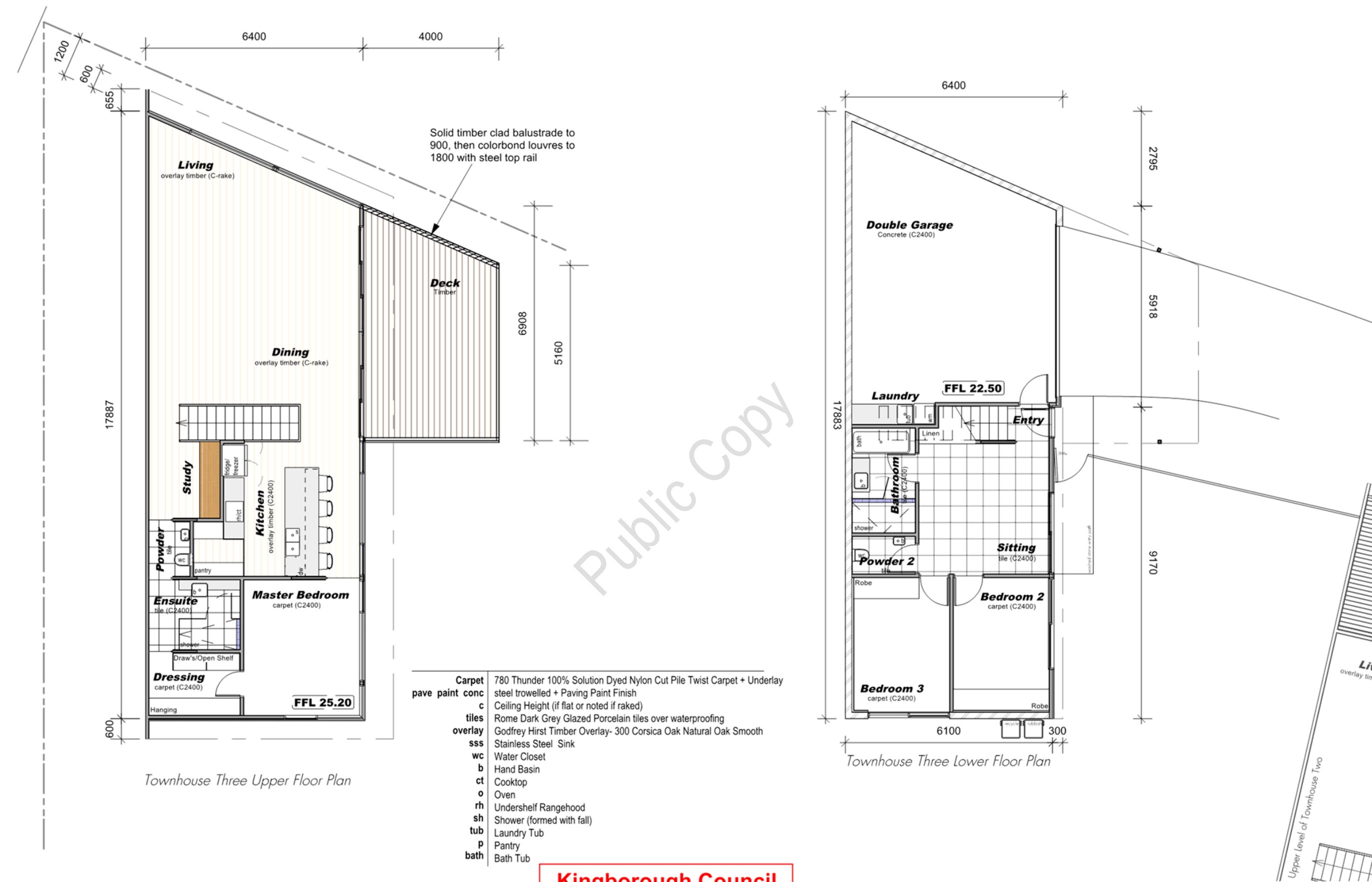
Townhouse Two Lower Floor Plan

GLANNVILLE  
ARCHITECTS & INTERIORS

Office 12, 370-380 Cambridge Rd  
Mornington 7018  
0409 223 106 www.glanville.net.au  
bruce@glanville.net.au

**Kingborough Council**  
Development Application: DA-2023-389  
Plan Reference No.: P7  
Date Received: 24/07/2024  
Date placed on Public Exhibition: 27/07/2024

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PROJECT: 3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach  
CLIENT: Traderick Pty Ltd  
DWG: T2 Floor Plans  
DATE: 24/07/2024  
SCALE: A3 1:100  
DRAWN: BG  
PROJECT #: Gla-220  
DWG #: A-04



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**Kingborough Council**  
Development Application: DA-2023-389  
Plan Reference No.: P7  
Date Received: 24/07/2024  
Date placed on Public Exhibition: 27/07/2024

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CLIENT: Traderick Pty Ltd  
DWG: T3 Floor Plans

DATE # 24/07/2024  
SCALE @ A3 1:100  
DRAWN BG

PROJECT # Gla-220  
DWG # A-01

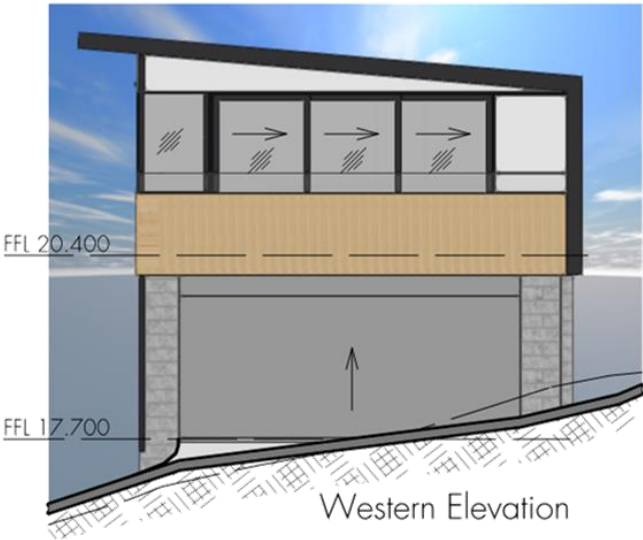


Northern Elevation

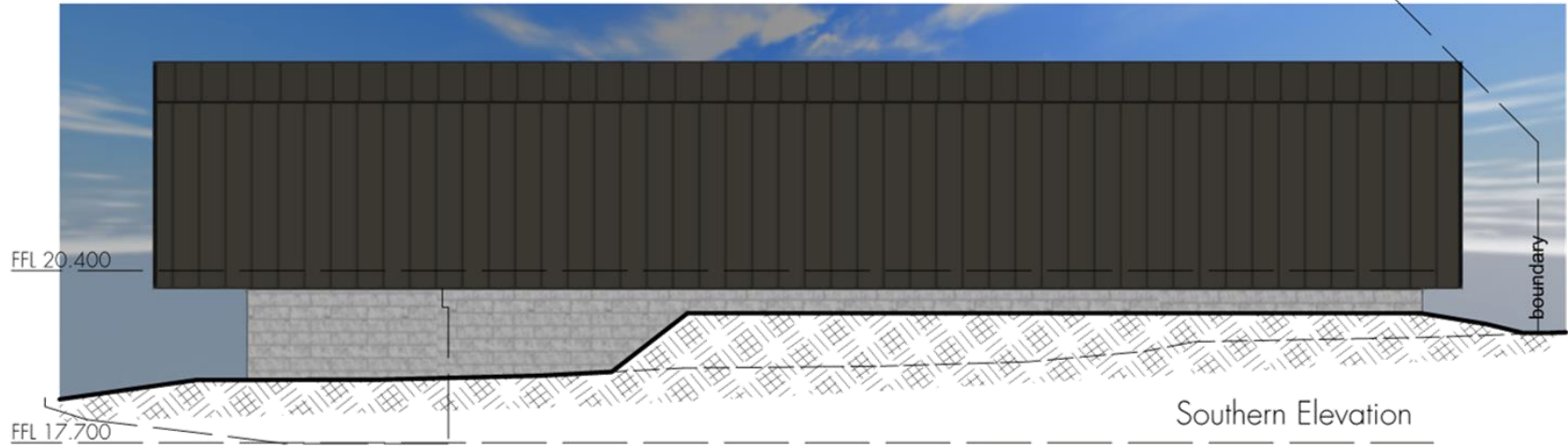


Eastern Elevation

- Notes:**
- Exposed Steelwork waterproof primed immediately after erection, then painted Monument
  - Roof/Custom Fascia/Gutter in Colorbond "Monument"
  - Windows and Doors Powdercoated Monument
  - All external walls to have bulk insulation of R2.5 or higher and VapaWrap or similar installed prior to placement of EasyLap or Barestone (installed as per Part 3.5.3 BCA) etc.
  - R1.5 foam insulation under slabs where habitable
  - All ceilings are to be insulated with R6.0 bulk insulation + Vapour permeable membrane
  - Line eaves with 6mm CFC Sheet, 2mm sealant joins, painted Dulux "White on White" UNO



Western Elevation



Southern Elevation

**Finishes Legend: Typical for all elevations UNO**

- Cemintel Territory Woodlands- Teak
- Cemintel Territory Woodlands- Birch
- Island Block Eco Exposed Finish Ebony Stackbonded Blocks
- Standing Seam Cladding Colorbond Shale Grey
- Standing Seam Cladding Colorbond Monument & Flashing between windows
- James Hardie EasyLap, Texture Painted Wayward Grey
- James Hardie EasyLap, Painted White On White

**GLANNVILLE**  
ARCHITECTS & IDEAS SOLUTIONS

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**Kingborough Council**  
Development Application: DA-2023-389  
Plan Reference No.: P7  
Date Received: 24/07/2024

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PROJECT 3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach  
CLIENT Traderick Pty Ltd  
DWG T1 Elevations

PROJECT # Gla-220  
DATE # 24/07/2024  
SCALE @ A3 1:100  
DRAWN BG  
DWG # A-00



Northern Elevation



Eastern Elevation

- Notes:**
- Exposed Steelwork waterproof primed immediately after erection, then painted Monument
  - Roof/Custom Fascia/Gutter in Colorbond "Shale Grey"
  - Windows and Doors Powdercoated Monument
  - All external walls to have bulk insulation of R2.5 or higher and VapaWrap or similar installed prior to placement of EasyLap or Barestone (installed as per Part 3.5.3 BCA) etc.
  - R1.5 foam insulation under slabs where habitable
  - All ceilings are to be insulated with R6.0 bulk insulation + Vapour permeable membrane
  - Line eaves with 6mm CFC Sheet, 2mm sealant joins, painted Dulux "White on White" UNO



Western Elevation



Southern Elevation

**Finishes Legend: Typical for all elevations UNO**

- Cemintel Territory Woodlands- Teak
- Cemintel Territory Woodlands- Birch
- Island Block Eco Exposed Finish Ebony Stackbonded Blocks
- Standing Seam Cladding Colorbond Shale Grey
- Standing Seam Cladding Colorbond Monument & Flashing between windows
- James Hardie EasyLap, Texture Painted Wayward Grey
- James Hardie EasyLap, Painted White On White

**GLANNVILLE**  
ARCHITECTS & DESIGNERS

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**Kingborough Council**

Development Application: DA-2023-389  
Plan Reference No.: P7  
Date Received: 24/07/2024  
Date placed on Public Exhibition: 27/07/2024

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PROJECT 3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach  
CLIENT Traderick Pty Ltd  
DWG T2 Elevations  
DATE # 24/07/2024  
SCALE @ A3 1:100  
DRAWN BG

PROJECT # Gla-220  
DWG # A-07

**Finishes Legend: Typical for all elevations UNO**

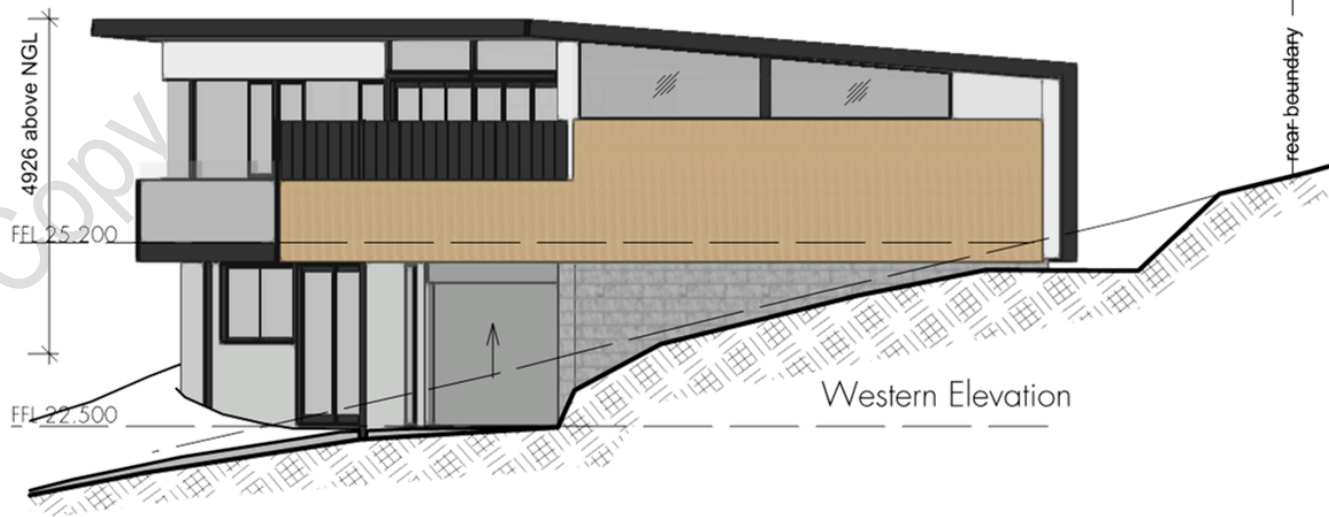
	Cemintel Territory Woodlands- Teak
	Cemintel Territory Woodlands- Birch
	Island Block Eco Exposed Finish Ebony Stackbonded Blocks
	Standing Seam Cladding Colorbond Shale Grey
	Standing Seam Cladding Colorbond Monument & Flashing between windows
	James Hardie EasyLap, Texture Painted Wayward Grey
	James Hardie EasyLap, Painted White On White



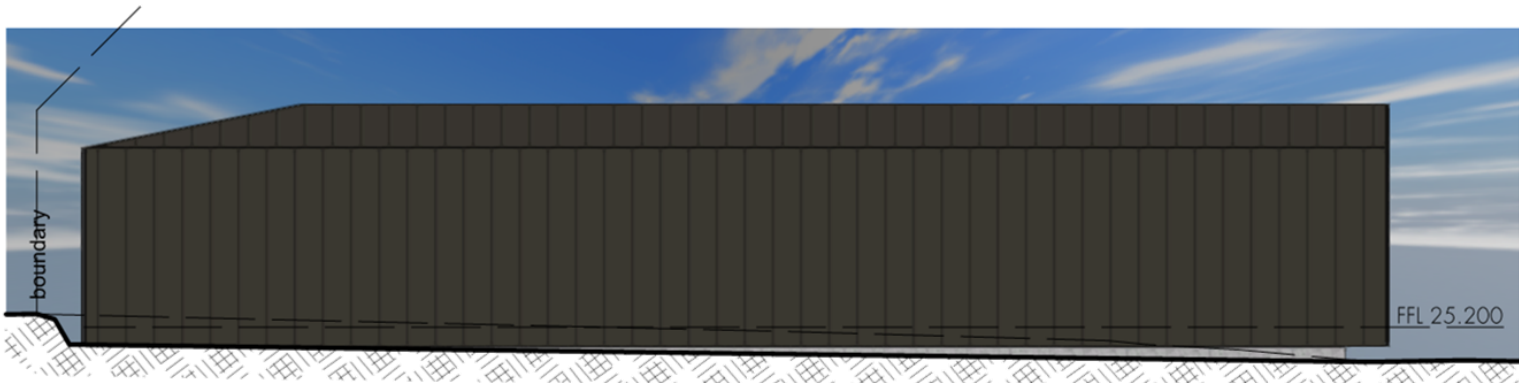
Northern Elevation



Eastern Elevation



Western Elevation



Southern Elevation

- Notes:**
- Exposed Steelwork waterproof primed immediately after erection, then painted Monument
  - Roof/Custom Fascia/Gutter in Colorbond "Monument"
  - Windows and Doors Powdercoated Monument
  - All external walls to have bulk insulation of R2.5 or higher and VapaWrap or similar installed prior to placement of EasyLap or Barestone (installed as per Part 3.5.3 BCA) etc.
  - R1.5 foam insulation under slabs where habitable
  - All ceilings are to be insulated with R6.0 bulk insulation + Vapour permeable membrane
  - Line eaves with 6mm CFC Sheet, 2mm sealant joins, painted Dulux "White on White" UNO

**GLANNVILLE**  
ARCHITECTS & DESIGNERS

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Development Application: DA-2023-389  
Plan Reference No.: P7  
Date Received: 24/07/2024  
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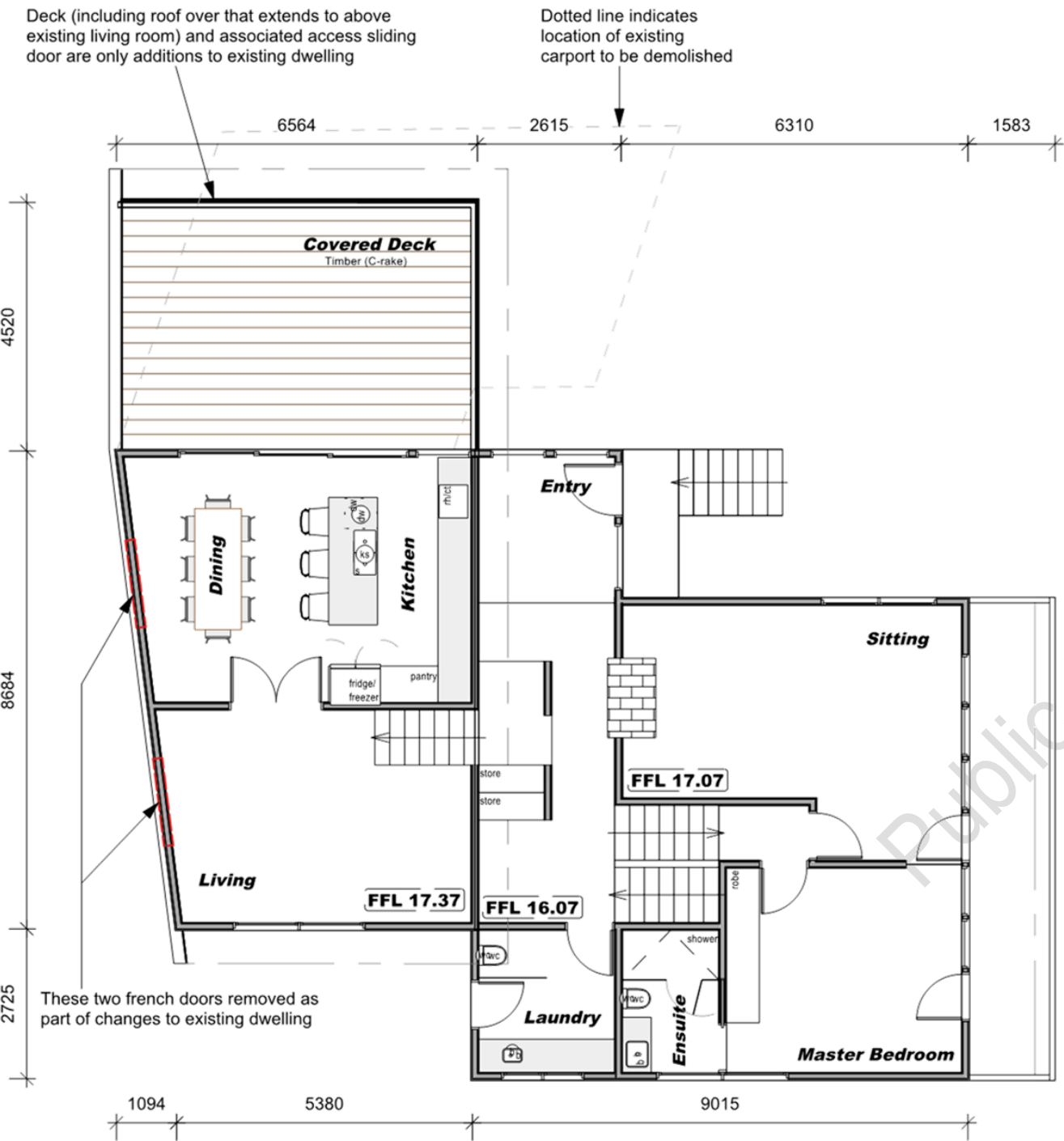
DO NOT SCALE OFF DRAWINGS. Contractors to confirm with GAIS any dimensions all levels if necessary. All glazing to AS 1288/2047. This document is copyrighted and may NOT be reproduced in part or	PROJECT 3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach	PROJECT # Gla-220.
CLIENT Traderick Pty Ltd	DATE # 24/07/2024	DWG # A-08
DWG T3 Elevations	SCALE @ A3 1:100	DRAWN BG



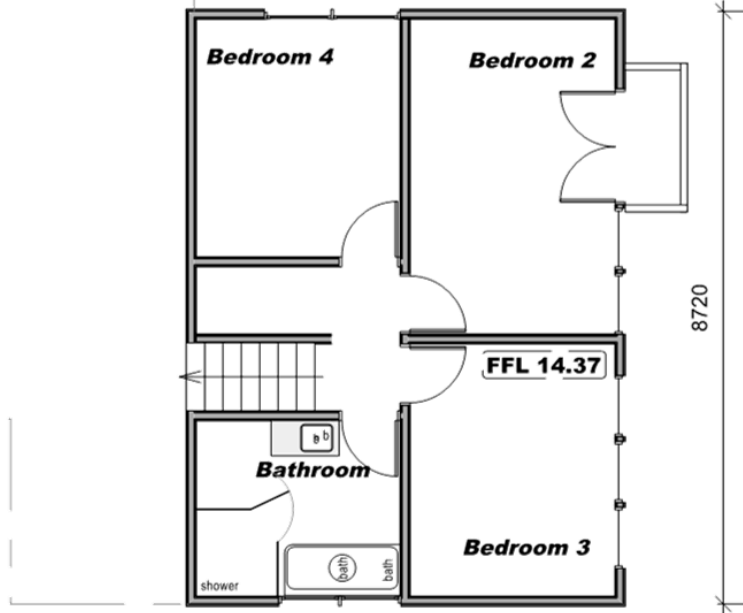
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ARCHITECTS & INTERIORS  
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Marrington 7018  
0409 223 106 www.glanville.net.au  
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Development Application: DA-2023-389  
Plan Reference No.: P7  
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PROJECT 3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach  
CLIENT Traderick Pty Ltd  
DWG Townhouse Images  
PROJECT # Gla-220.  
DATE # 24/07/2024  
SCALE @ A3 INTS  
DRAWN BG  
DWG # A-09



Existing Dwelling Upper Floor Plan



Existing Dwelling Lower Floor Plan

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	CLIENT Traderick Pty Ltd		DWG #
	DATE # 24/07/2024		SCALE @ A3 1:100
	DWG Existing Dwelling Plans		DRAWN BG A-10



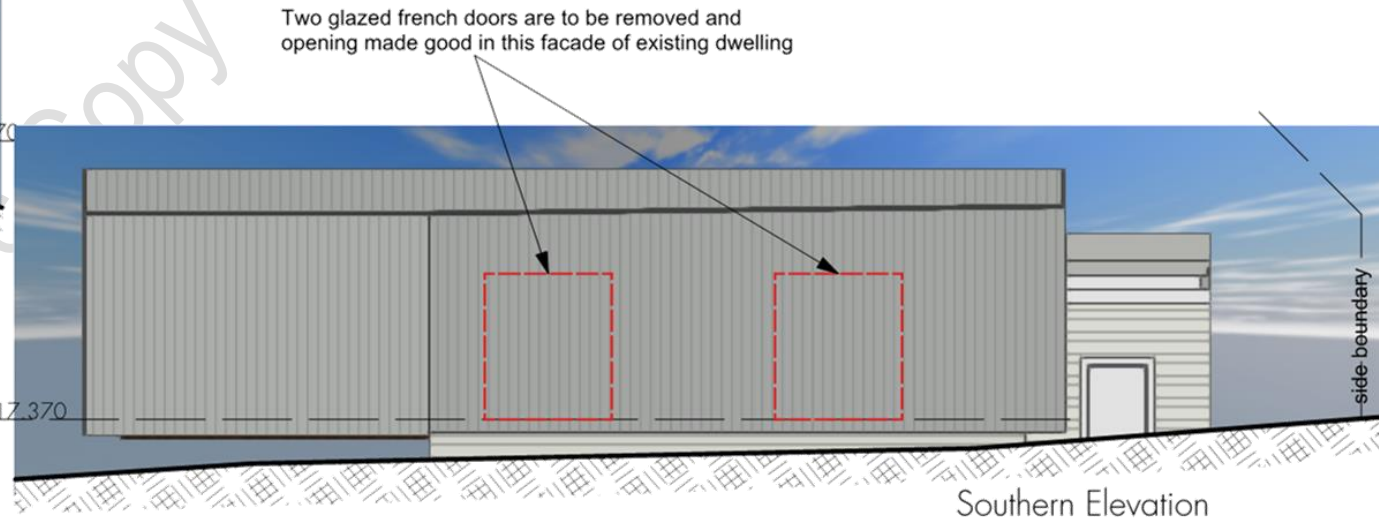
Eastern Elevation



Northern Elevation



Western Elevation



Southern Elevation

Two glazed french doors are to be removed and opening made good in this facade of existing dwelling

**Finishes Legend: Typical for all elevations UNO**

- Cemintel Territory Woodlands- Teak
- Existing Brick Foundation
- Standing Seam Cladding Colorbond Shale Grey
- Existing Timber Weatherboards- Painted White

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PROJECT 3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach  
CLIENT Traderick Pty Ltd  
DWG Existing Dwelling Elevations

PROJECT # Gla-220  
DATE # 24/07/2024  
SCALE @ A3 1:100  
DRAWN BG  
DWG # A-1



Shadow Diagram June 21st 9am



Shadow Diagram June 21st 10am



Shadow Diagram June 21st 11am



Shadow Diagram June 21st Noon

These images show that the primary open space of Townhouse 1 \* the Existing Dwelling which is a deck of at least 24sqm with a minimum dimension of 4m, will receive full sunlight to at least 50% of the area from just after 10am and through till just before 2pm (the space itself gets basically full sun all day but the solid balustrade means that the floor plate sees less full sun), thus more than complying with Clause 10.4.4 A1 of KCC Planning Scheme



Shadow Diagram June 21st 1pm



Shadow Diagram June 21st 2pm



Shadow Diagram June 21st 3pm

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Plan Reference No.: P7  
Date Received: 24/07/2024  
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PROJECT  
3 Townhouse + Exist @ 70 Beach Rd, Kingston Beach

CLIENT  
Traderick Pty Ltd

DWG  
Sun Path Diagrams Existing & T1

PROJECT #  
Gla-220.

DATE #  
24/07/2024

SCALE @ A3  
1:100

DRAWN  
BG

DWG #  
A-10



Shadow Diagram June 21st 9am



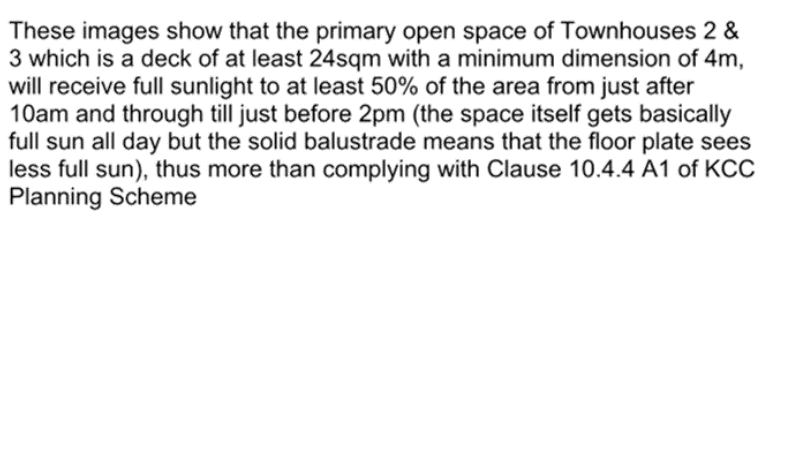
Shadow Diagram June 21st 10am



Shadow Diagram June 21st 11am



Shadow Diagram June 21st Noon



These images show that the primary open space of Townhouses 2 & 3 which is a deck of at least 24sqm with a minimum dimension of 4m, will receive full sunlight to at least 50% of the area from just after 10am and through till just before 2pm (the space itself gets basically full sun all day but the solid balustrade means that the floor plate sees less full sun), thus more than complying with Clause 10.4.4 A1 of KCC Planning Scheme



Shadow Diagram June 21st 1pm



Shadow Diagram June 21st 2pm



Shadow Diagram June 21st 3pm

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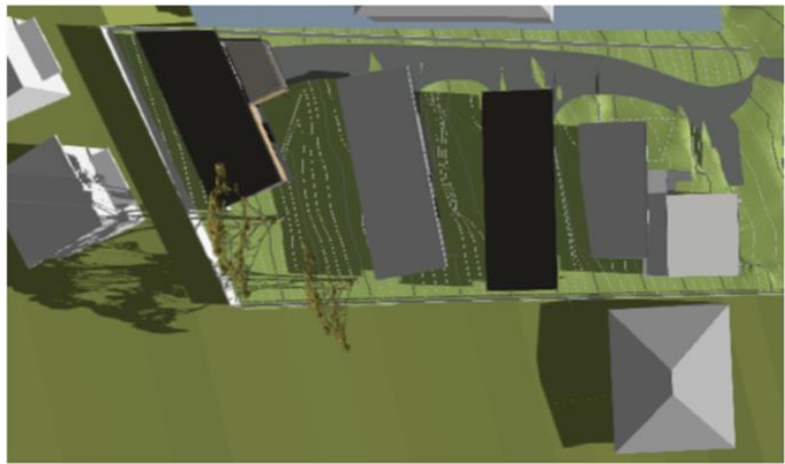
**Kingborough Council**

Development Application: DA-2023-389  
Plan Reference No.: P7  
Date Received: 24/07/2024  
Date placed on Public Exhibition: 27/07/2024

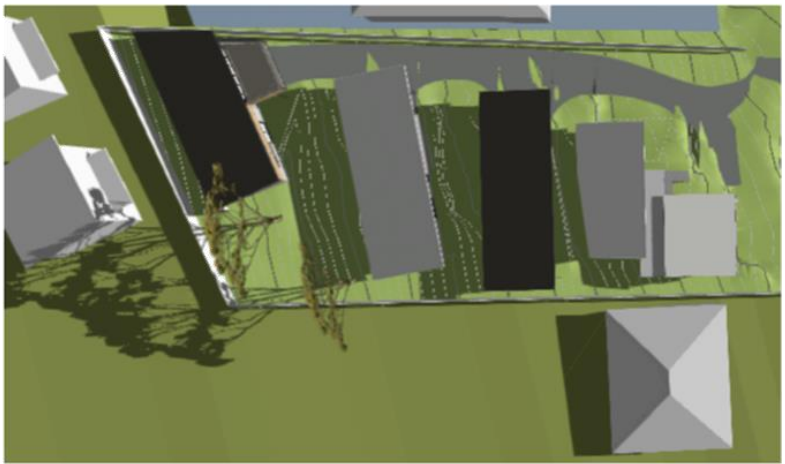
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CLIENT	Traderick Pty Ltd	DATE #	24/07/2024
DWG	Site Path Diagrams T2 & T3	SCALE @ A3	1:100
		DRAWN	BG

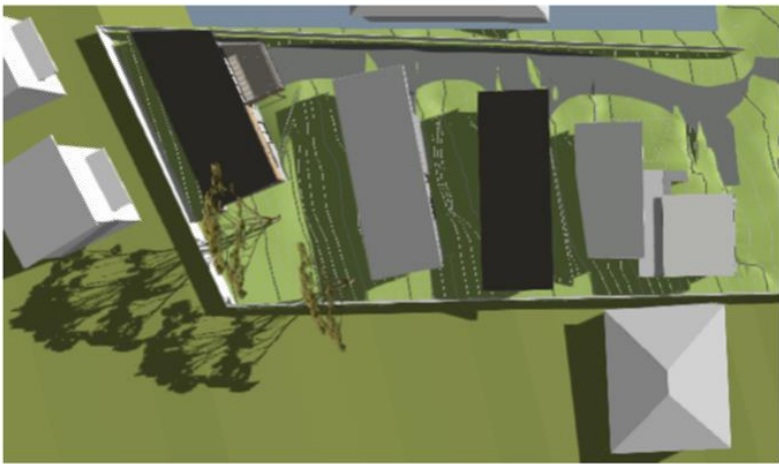
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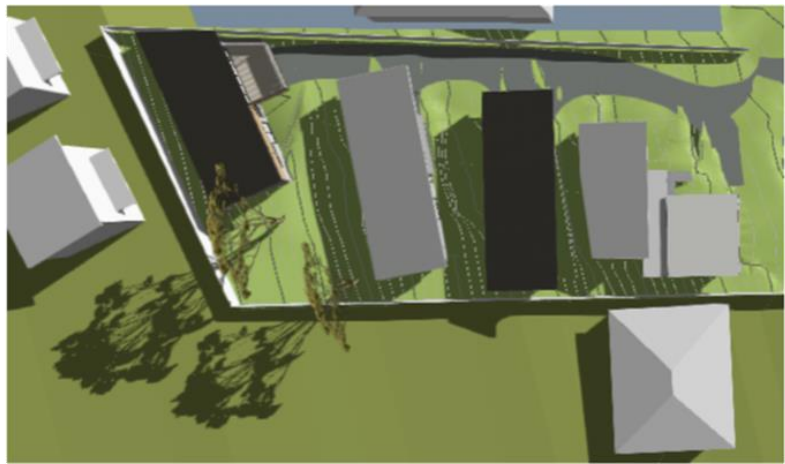
Shadow Diagram June 21st 9am



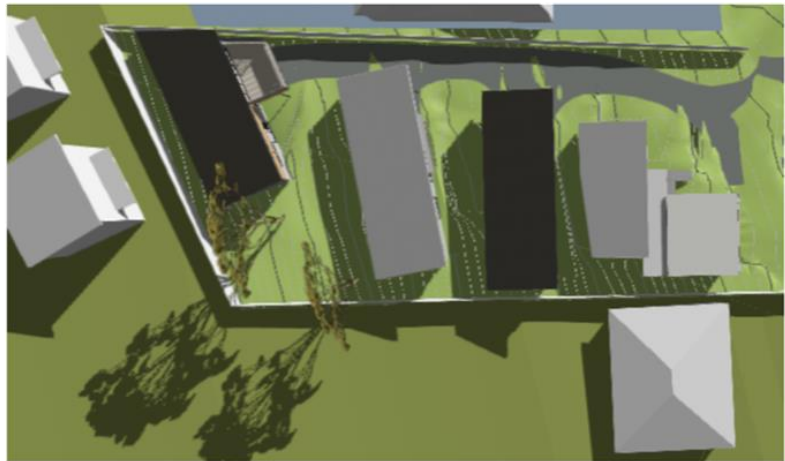
Shadow Diagram June 21st 10am



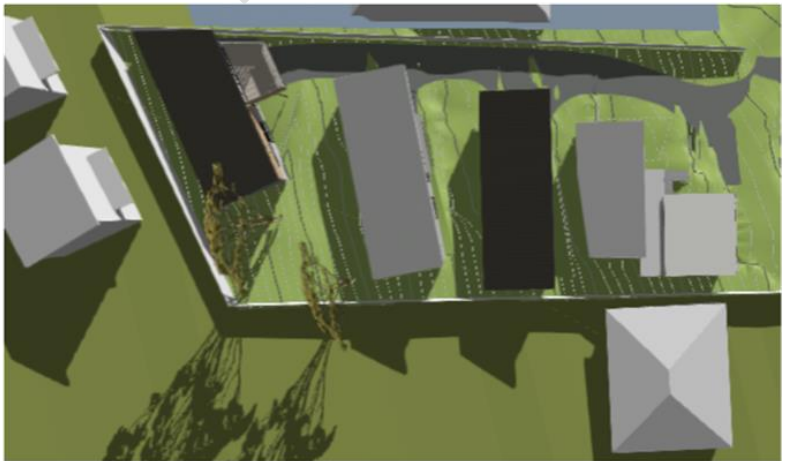
Shadow Diagram June 21st 11am



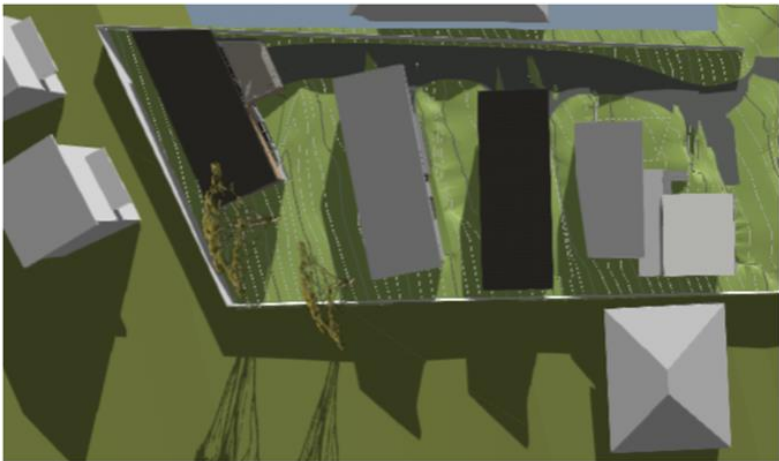
Shadow Diagram June 21st Noon



Shadow Diagram June 21st 1pm



Shadow Diagram June 21st 2pm



Shadow Diagram June 21st 3pm

These images show that the Rear Yard (primary open space) of 68 Beach Rd, will receive full sunlight to at least 50% of the area from just before 9am and through till after 3pm (the space itself gets basically full sun all day with maximum shadowing of less than 15% at 3pm), thus more than complying with Clause 10.4.4 A1 of KCC Planning Scheme.

These images also show that there is basically no shadows being cast onto 74 Beach Rd & 69 Auburn Rd (the other neighbouring properties)

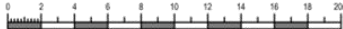
Public Copy



E	DEVELOPMENT APPLICATION	6/11/2023	DRAWN:	DE			PROJECT: TRADERICK PTY LTD	ADDRESS: 70 BEACH ROAD KINGSTON BEACH	CLIENT: RODERICK AND TRACY GLANVILLE	SHEET: STAGING PLAN			
D	DEVELOPMENT APPLICATION	12/09/2023	CHECKED:	NM									
C	DEVELOPMENT APPLICATION	11/09/2023	DESIGN:	DM									
B	DEVELOPMENT APPLICATION	6/07/2023	CHECKED:	NM									
F	DEVELOPMENT APPLICATION	5/12/2023	VERIFIED:										
REV	ISSUE	DATE	APPROVAL								SCALE: 1:200	TOTAL SHEETS: 9	SIZE: A1
											PROJECT No: 23 E 24 - 6	SHEET: C100	REV: F

Kingborough Council  
Development Application: DA-2023-389  
Plan Reference No.: P3  
Date Received: 4/04/2024  
Date placed on Public Exhibition: 27/07/2024

Lower Ground  
199 Macquarie Street  
Hobart TAS 7000  
03 6234 8666  
mail@aldanmark.com.au  
www.aldanmark.com.au





STORMWATER LEGEND	
	PVC STORMWATER DN150 S/NB U.N.O.
	SLOTTED PVC AG DRAIN
	TABLE DRAIN
	EXISTING STORMWATER
	STORMWATER MANHOLE
	SIDE ENTRY PIT TYPE 3, AS PER TSD-SW09-v3
	SIDE ENTRY PIT TYPE 5, AS PER TSD-SW12-v3
	SIDE ENTRY PIT TYPE 6, AS PER TSD-SW16-v3
	INSPECTION OPENING
	GRATED PIT
	GRATED TRENCH WITH PIT
SEWER LEGEND	
	UPVC SEWER DN100 S/NB U.N.O.
	EXISTING SEWER
	SEWER MAINTENANCE HOLE 1050Ø
	MAINTENANCE SHAFT
	SEWER FIXTURE
	INSPECTION OPENING
	INSPECTION OPENING TO SURFACE
	OVERFLOW RELIEF GULLY (DN100) WITH TAP OVER
SITE & EXISTING SERVICES LEGEND	
	DESIGN SURFACE CONTOUR (MAJMIN)
	EXISTING SURFACE CONTOUR (MAJMIN)
	BOUNDARY
	EASEMENT
	EXISTING FENCE
	EXISTING OVERHEAD POWER
	EXISTING UNDERGROUND POWER
	EXISTING TELSTRA
	EXISTING NBN
	EXISTING GAS
PAVEMENT LEGEND	
	ASPHALT
	CONCRETE DRIVEWAY
	CONCRETE FOOTPATH
	GRAVEL
NOTES	
THESE DRAWINGS SHALL BE APPROVED BY RELEVANT AUTHORITIES (INCL. COUNCIL & TASIWATER) PRIOR TO CONSTRUCTION.	
THIS DRAWING MUST ONLY BE DISTRIBUTED IN FULL COLOUR. ALDANMARK CONSULTING ENGINEERS ACCEPTS NO LIABILITY ARISING FROM FAILURE TO COMPLY WITH THIS REQUIREMENT.	
BEWARE OF UNDERGROUND SERVICES: THE LOCATION OF UNDER GROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT LOCATION SHOULD BE PROVEN ON SITE BY THE RELEVANT AUTHORITIES. NO GUARANTEE IS GIVEN THAT ALL SERVICES ARE SHOWN.	
HOLD POINTS / CONSTRUCTION TOLERANCES	
THE BUILDER IS TO ALLOW TO ENGAGE ALDANMARK ENGINEERS TO UNDERTAKE INSPECTIONS AT THE FOLLOWING HOLD POINTS OF A CIVIL WORKS NATURE: 1. SUBGRADE AND FORMATION LEVEL OF DRIVEWAY PAVEMENT INCLUSIVE OF PROOF ROLL 2. DRIVEWAY REINFORCEMENT AND JOINTING PRIOR TO CONCRETE POUR	
THE FOLLOWING TOLERANCES APPLY TO CONSTRUCTION OF THE DRIVEWAY: • DRIVEWAY CENTRELINE GRADIENTS NOT TO EXCEED A MAXIMUM OF 28% ON STRAIGHT SECTIONS • INNER WHEEL RADIUS GRADIENT NOT TO EXCEED A MAXIMUM OF 28% IN CURVES • FORMATION LEVEL OF DRIVEWAY TO BE WITHIN +/- 20mm OF DESIGN LEVELS • FINISHED SURFACE LEVELS OF DRIVEWAY TO BE WITHIN: +/- 10mm OF DESIGN LEVELS ON STRAIGHT SECTIONS +/- 5mm OF DESIGN LEVELS ON VERTICAL TRANSITIONS	
SETOUT FOR DRIVEWAY ALIGNMENT, FORMATION LEVELS AND FINISHED SURFACE LEVELS MUST BE PERFORMED BY A REGISTERED SURVEYOR AND EVIDENCE PROVIDED TO ALDANMARK PRIOR TO DRIVEWAY POUR. ALDANMARK TAKE NO RESPONSIBILITY FOR CONSTRUCTION OR REGULATORY ISSUES DUE TO INACCURATE SET-OUT OR CONSTRUCTION TOLERANCES BEYOND LIMITS NOTED ABOVE.	
BUILDER TO ALLOW TO ENGAGE SURVEYOR FOR AN AS-CONSTRUCTED SURVEY OF DRIVEWAY FOR REVIEW BY ALDANMARK.	
AS CONSTRUCTED SERVICES DRAWINGS MUST BE PROVIDED TO ALDANMARK UPON PROJECT COMPLETION.	
WHERE DRIVEWAY GRADIENT EXCEEDS 28% THE DRIVEWAY SURFACE MUST BE A COARSE BROOMED FINISH. ALL OTHER SECTIONS OF DRIVEWAY SURFACE MAY HAVE A WOODEN FLOAT OR COARSE BROOMED FINISH. DRIVEWAY AGGREGATE MUST BE ANGULAR DOLERITE. ROUNDED STONE AGGREGATE IS NOT ACCEPTABLE.	

**Kingborough Council**  
Development Application: DA-2023-389  
Plan Reference No.: P3  
Date Received: 4/04/2024  
Date placed on Public Exhibition: 27/07/2024

E	DEVELOPMENT APPLICATION	6/11/2023	DRAWN:	DE
D	DEVELOPMENT APPLICATION	12/09/2023	CHECKED:	NM
C	DEVELOPMENT APPLICATION	11/09/2023	DESIGN:	DM
B	DEVELOPMENT APPLICATION	6/07/2023	CHECKED:	NM
F	DEVELOPMENT APPLICATION	5/12/2023	VERIFIED:	
REV	ISSUE	DATE	APPROVAL	



Lower Ground  
199 Macquarie Street  
Hobart TAS 7000  
mail@aldanmark.com.au  
www.aldanmark.com.au

PROJECT: TRADERICK PTY LTD



ADDRESS: 70 BEACH ROAD  
KINGSTON BEACH

CLIENT: RODERICK AND TRACY GLANVILLE

SHEET: SITE PLAN

SCALE: 1:200

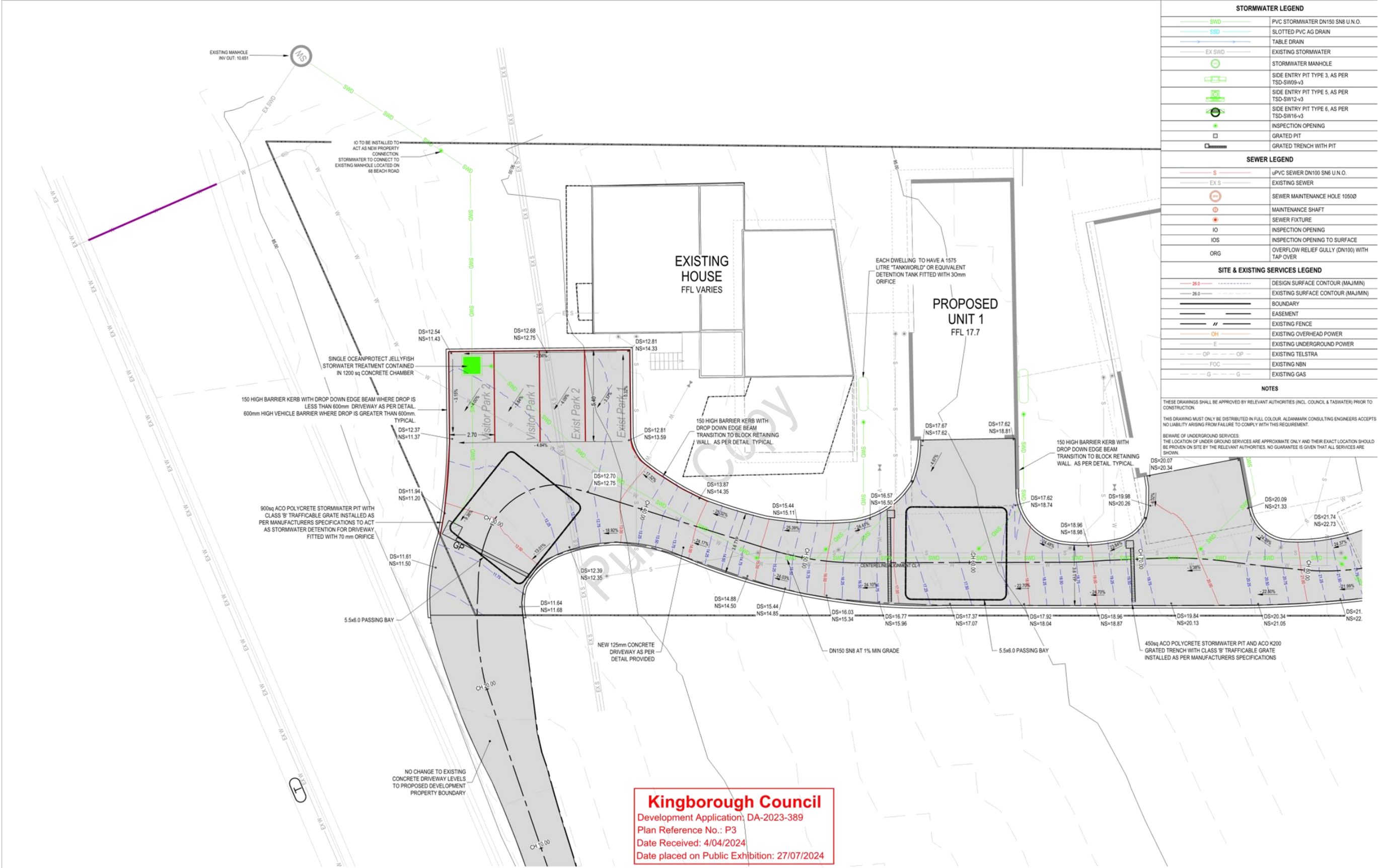
PROJECT No: 23 E 24 - 6

TOTAL SHEETS: 9

SHEET: C101

SIZE: A1

REV: F

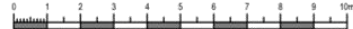


E	DEVELOPMENT APPLICATION	6/11/2023	DRAWN:	DE
D	DEVELOPMENT APPLICATION	12/09/2023	CHECKED:	NM
C	DEVELOPMENT APPLICATION	11/09/2023	DESIGN:	DM
B	DEVELOPMENT APPLICATION	6/07/2023	CHECKED:	NM
F	DEVELOPMENT APPLICATION	5/12/2023	VERIFIED:	
REV	ISSUE	DATE	APPROVAL	



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03 6234 8666  
mail@aldanmark.com.au  
www.aldanmark.com.au

PROJECT: TRADERICK PTY LTD



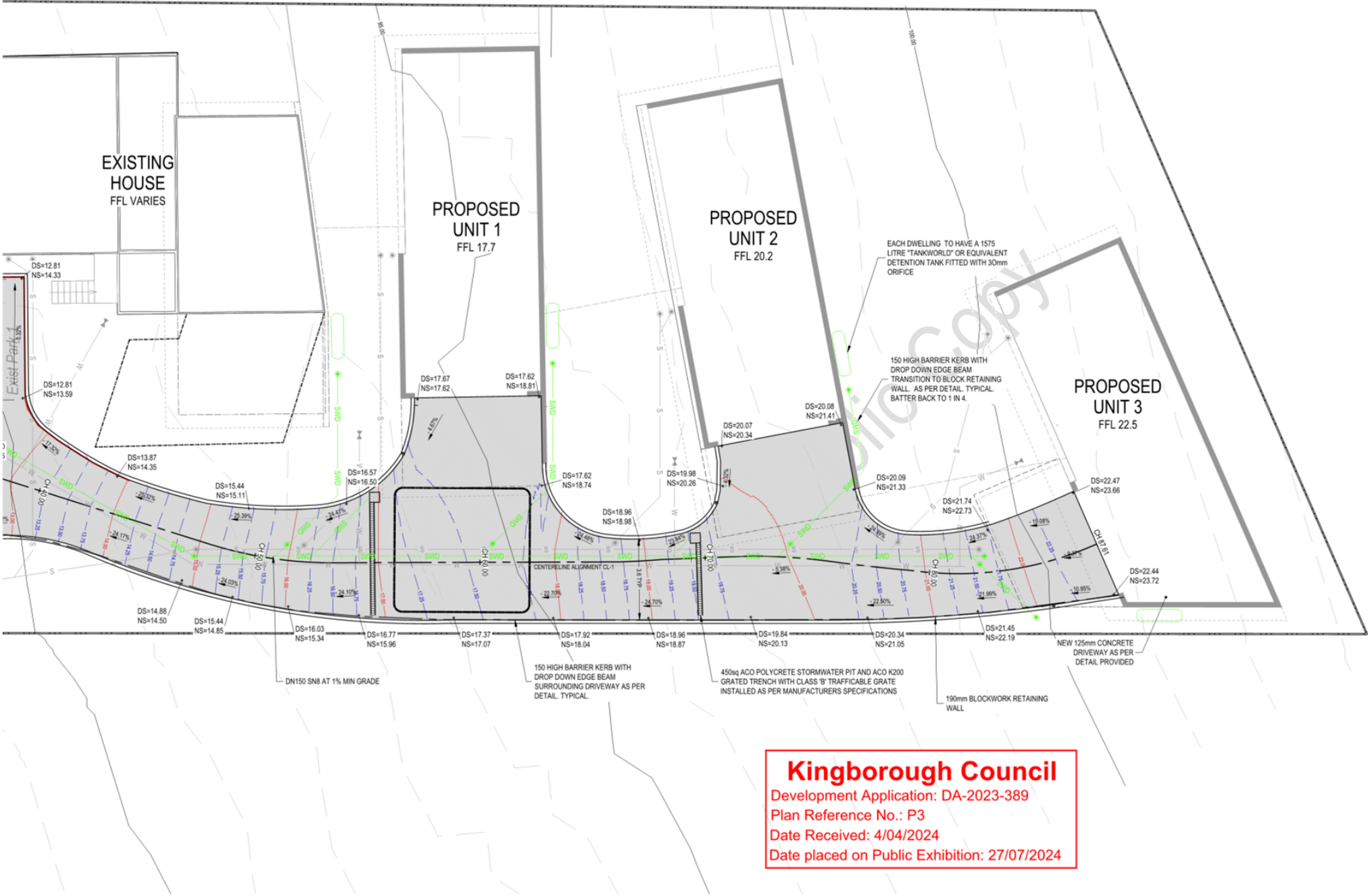
ADDRESS: 70 BEACH ROAD  
KINGSTON BEACH

CLIENT: RODERICK AND TRACY GLANVILLE

SHEET: STORMWATER AND GRADING PLAN - SHEET ONE

SCALE: 1:100  
PROJECT No: 23 E 24 - 6  
TOTAL SHEETS: 9  
SHEET: C102  
SIZE: A1  
REV: F

STORMWATER LEGEND	
	PVC STORMWATER DN150 SN8 U.N.O.
	SLOTTED PVC AG DRAIN
	TABLE DRAIN
	EXISTING STORMWATER
	STORMWATER MANHOLE
	SIDE ENTRY PIT TYPE 3, AS PER TSD-SW09-v3
	SIDE ENTRY PIT TYPE 5, AS PER TSD-SW12-v3
	SIDE ENTRY PIT TYPE 6, AS PER TSD-SW16-v3
	INSPECTION OPENING
	GRATED PIT
	GRATED TRENCH WITH PIT
SEWER LEGEND	
	UPVC SEWER DN100 SN8 U.N.O.
	EXISTING SEWER
	SEWER MAINTENANCE HOLE 1050Ø
	MAINTENANCE SHAFT
	SEWER FIXTURE
	INSPECTION OPENING
	INSPECTION OPENING TO SURFACE
	OVERFLOW RELIEF GULLY (DN100) WITH TAP OVER
SITE & EXISTING SERVICES LEGEND	
	DESIGN SURFACE CONTOUR (MAJMIN)
	EXISTING SURFACE CONTOUR (MAJMIN)
	BOUNDARY
	EASEMENT
	EXISTING FENCE
	EXISTING OVERHEAD POWER
	EXISTING UNDERGROUND POWER
	EXISTING TELSTRA
	EXISTING NBN
	EXISTING GAS
NOTES	
THESE DRAWINGS SHALL BE APPROVED BY RELEVANT AUTHORITIES (INCL. COUNCIL & TASFATER) PRIOR TO CONSTRUCTION.	
THIS DRAWING MUST ONLY BE DISTRIBUTED IN FULL COLOUR. ALDANMARK CONSULTING ENGINEERS ACCEPTS NO LIABILITY ARISING FROM FAILURE TO COMPLY WITH THIS REQUIREMENT.	
BEWARE OF UNDERGROUND SERVICES.	
THE LOCATION OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT LOCATION SHOULD BE PROVEN ON SITE BY THE RELEVANT AUTHORITIES. NO GUARANTEE IS GIVEN THAT ALL SERVICES ARE SHOWN.	



**Kingborough Council**  
Development Application: DA-2023-389  
Plan Reference No.: P3  
Date Received: 4/04/2024  
Date placed on Public Exhibition: 27/07/2024

E	DEVELOPMENT APPLICATION	6/11/2023	DRAWN:	DE
D	DEVELOPMENT APPLICATION	12/09/2023	CHECKED:	NM
C	DEVELOPMENT APPLICATION	11/09/2023	DESIGN:	DM
B	DEVELOPMENT APPLICATION	6/07/2023	CHECKED:	NM
F	DEVELOPMENT APPLICATION	5/12/2023	VERIFIED:	
REV	ISSUE	DATE	APPROVAL	

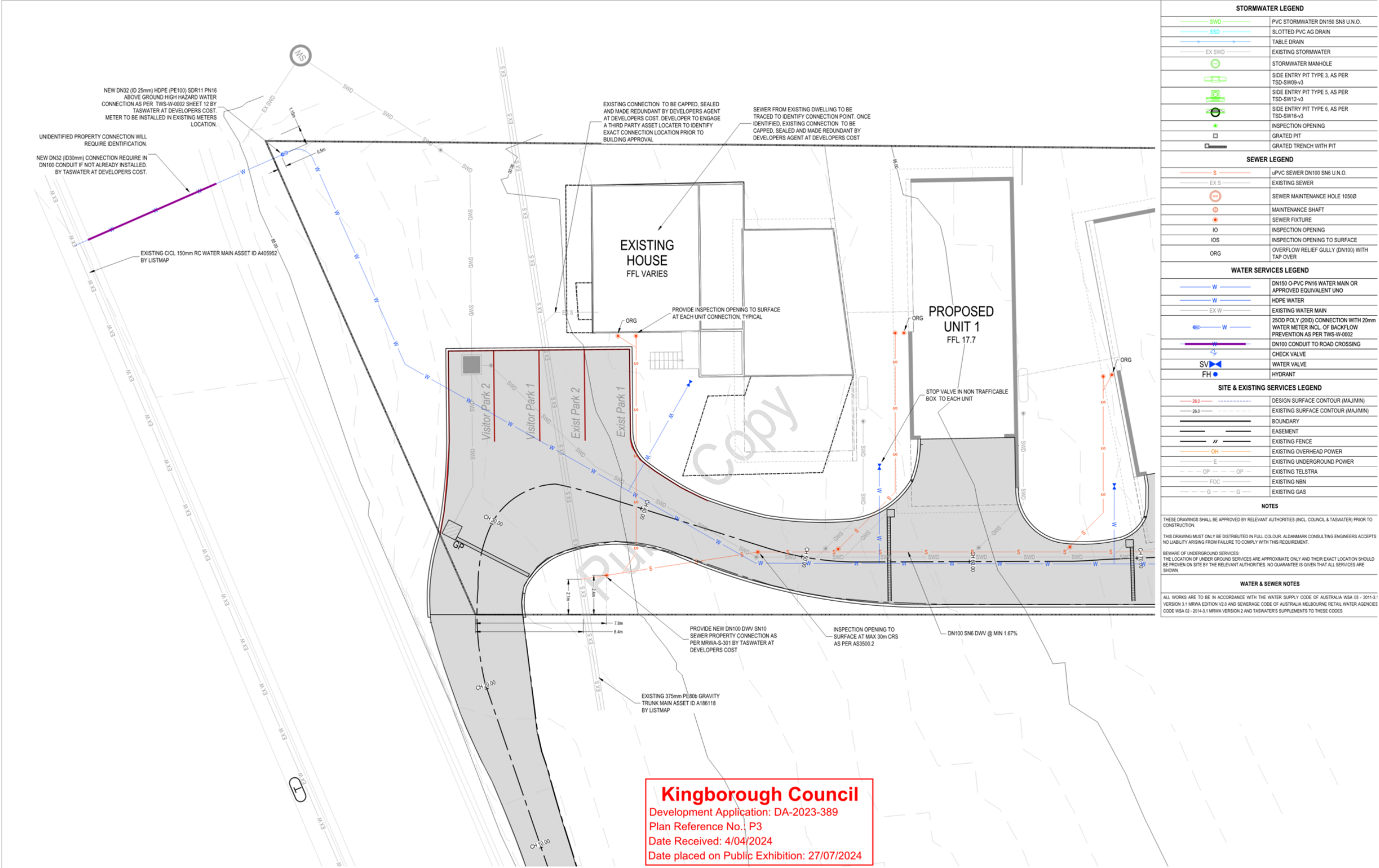


Lower Ground  
199 Macquarie Street  
Hobart TAS 7000  
03 6234 8666  
mail@aldanmark.com.au  
www.aldanmark.com.au

PROJECT:	TRADERICK PTY LTD
ADDRESS:	70 BEACH ROAD KINGSTON BEACH
CLIENT:	RODERICK AND TRACY GLANVILLE

SHEET:	STORMWATER AND GRADING PLAN - SHEET TWO
SCALE:	1:100
PROJECT No:	23 E 24 - 6

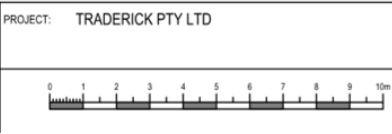
TOTAL SHEETS:	9	SIZE:	A1
SHEET:	C103	REV:	F



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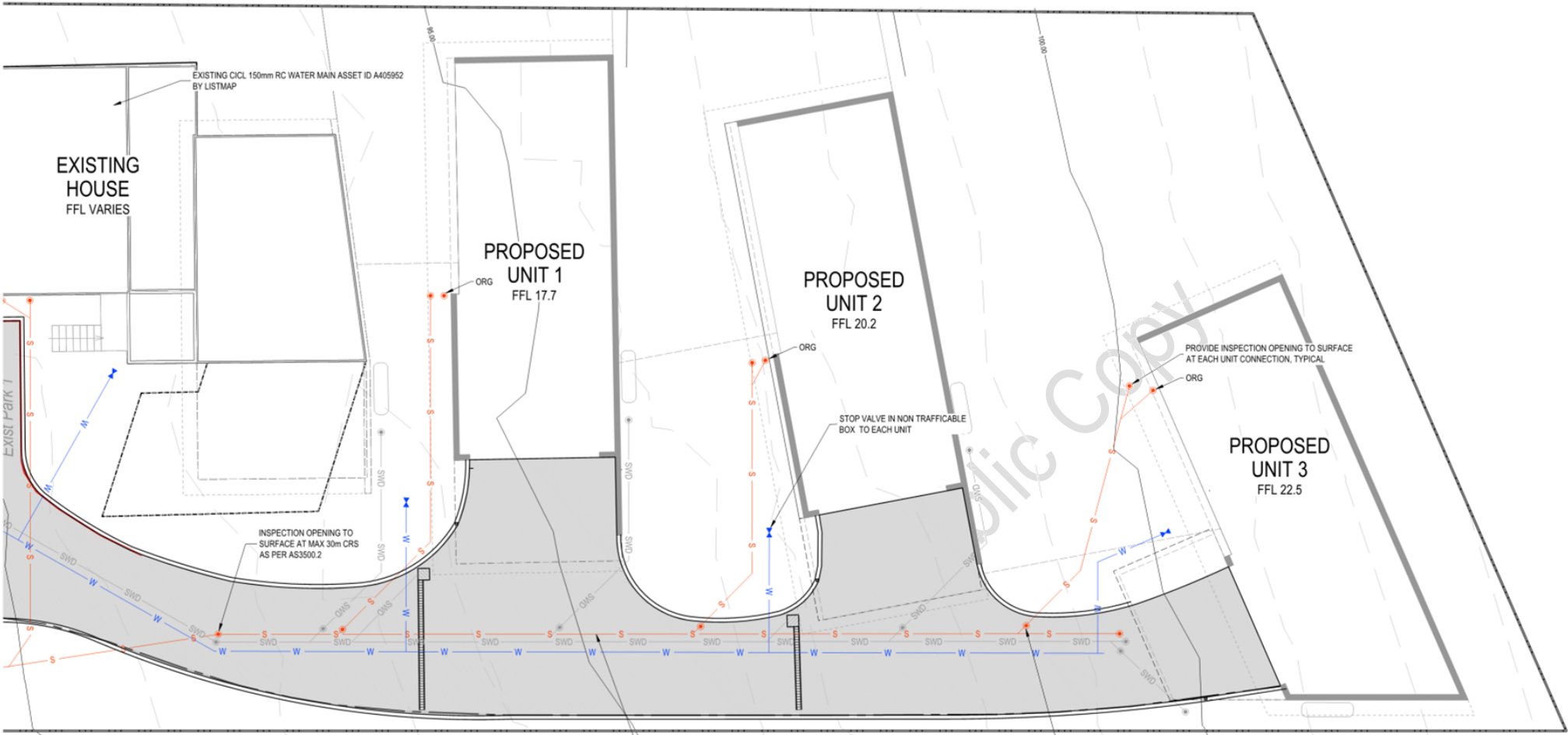
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ADDRESS:	70 BEACH ROAD KINGSTON BEACH
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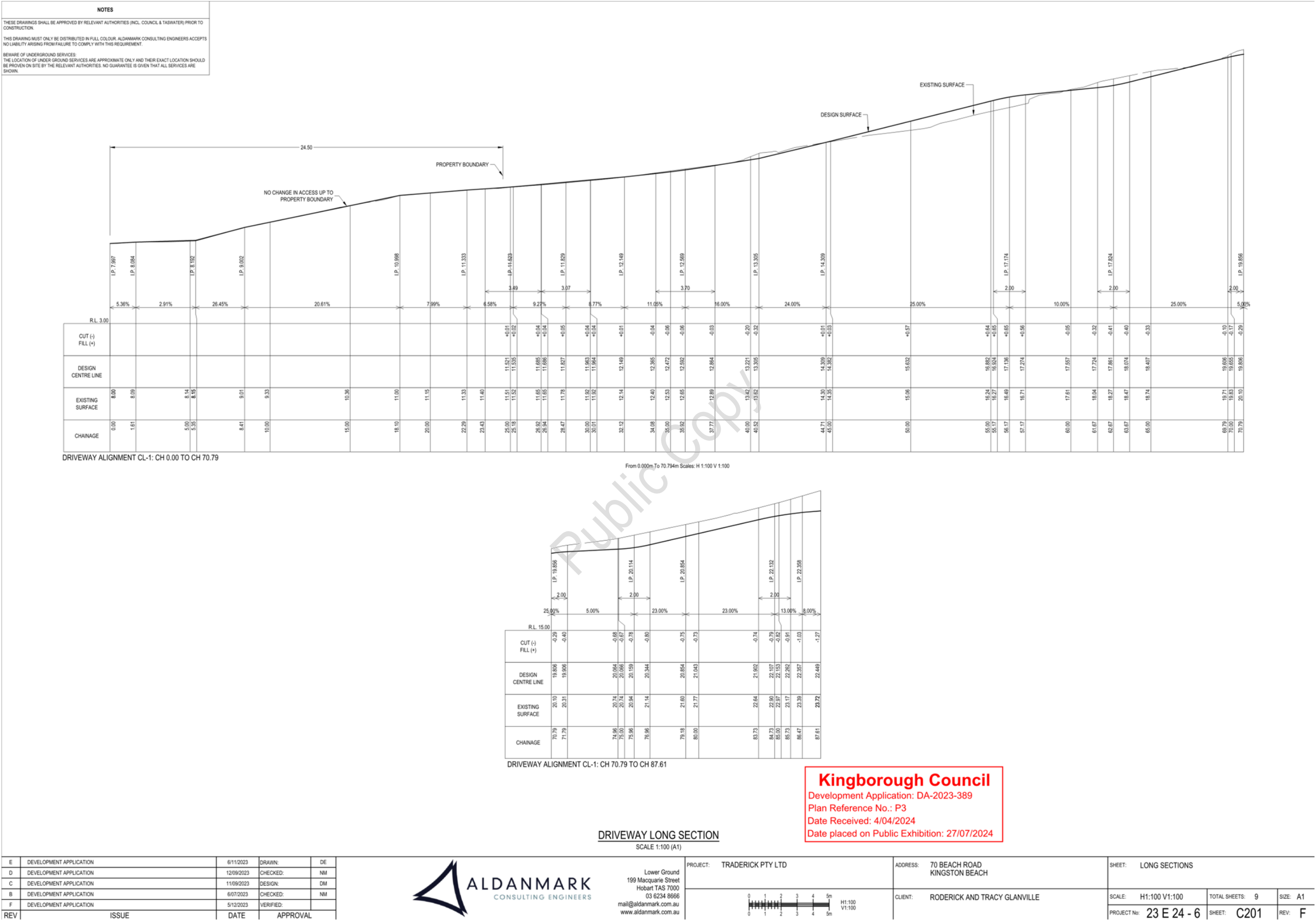
SHEET:	SEWER AND WATER PLAN - SHEET ONE
SCALE:	1:100
PROJECT No:	23 E 24 - 6
TOTAL SHEETS:	9
SHEET:	C104
SIZE:	A1
REV:	F

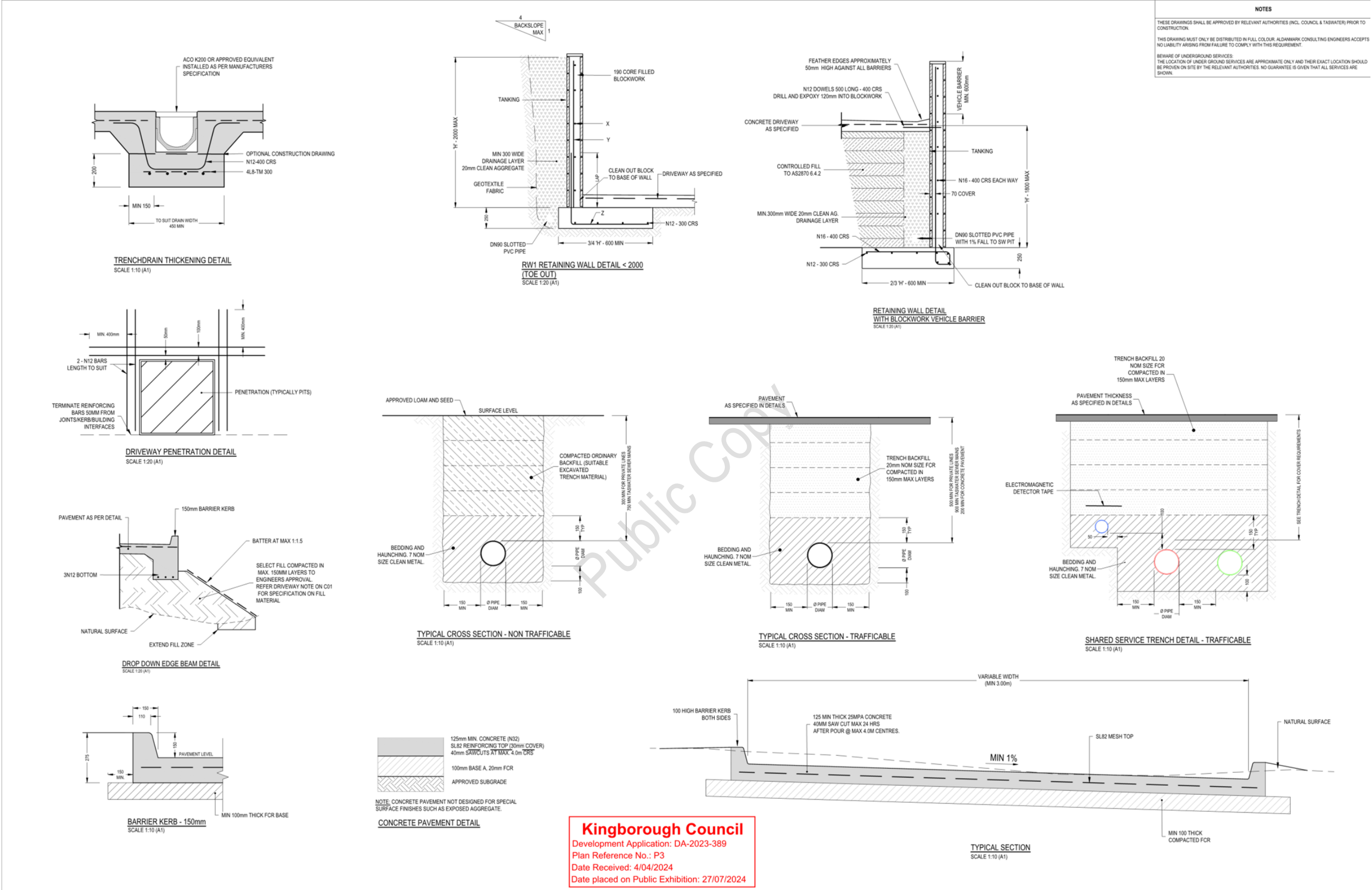
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	SIDE ENTRY PIT TYPE 3, AS PER TSD-SW09-v3
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	SEWER FIXTURE
	INSPECTION OPENING
	INSPECTION OPENING TO SURFACE
	OVERFLOW RELIEF GULLY (DN100) WITH TAP OVER
WATER SERVICES LEGEND	
	DN150 O-PVC PN16 WATER MAIN OR APPROVED EQUIVALENT UNO
	HDPE WATER
	EXISTING WATER MAIN
	2500 POLY (200) CONNECTION WITH 20mm WATER METER INCL. OF BACKFLOW PREVENTION AS PER TW5-W-0002
	DN100 CONDUIT TO ROAD CROSSING
	CHECK VALVE
	WATER VALVE
	HYDRANT
SITE & EXISTING SERVICES LEGEND	
	DESIGN SURFACE CONTOUR (MAJMIN)
	EXISTING SURFACE CONTOUR (MAJMIN)
	BOUNDARY
	EASEMENT
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WATER & SEWER NOTES	
ALL WORKS ARE TO BE IN ACCORDANCE WITH THE WATER SUPPLY CODE OF AUSTRALIA WSA 03 - 2011:3.1 VERSION 3.1 MRWA EDITION V2.0 AND SEWERAGE CODE OF AUSTRALIA MELBOURNE RETAIL WATER AGENCIES CODE WSA 02 - 2014:3.1 MRWA VERSION 2 AND TSWATER'S SUPPLEMENTS TO THESE CODES	



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			CHECKED:	NM					CLIENT: RODERICK AND TRACY GLANVILLE	SCALE: 1:100	TOTAL SHEETS: 9	SIZE: A1
			DESIGN:	DM								
			CHECKED:	NM								
F	DEVELOPMENT APPLICATION	5/12/2023	VERIFIED:									
REV	ISSUE	DATE	APPROVAL									





## Assessment Checklist for Development Applications for Multiple Dwellings within the General Residential Zone

### Use Status

Use Class	Residential (multiple dwelling)
Use Status	Permitted Use

### General Residential Zone Provisions (multiple dwellings)

*Checklist is based on KIPS2015 and provisions of PD8 (which commenced 22 Feb 2022)*

Clause	Compliance/Comments
<b>10.4.1 - Residential Density for multiple dwellings</b> <b>A1</b> - Multiple dwellings must have a site area per dwelling of not less than 325m <sup>2</sup> .	<b>A1 – Complies</b>  Site area is 1902m <sup>2</sup> 4 dwellings @ 475.5m <sup>2</sup>
<b>10.4.2 - Setbacks and building envelopes for all dwellings</b> <b>A1</b> - Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is: <ul style="list-style-type: none"> <li>(a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site;</li> <li>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</li> <li>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street;</li> <li>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level; or</li> <li>(e) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.</li> </ul>	<b>A1 – Complies.</b>  <b>A1(a)</b> – Setback to primary frontage is a minimum of 11.5m to existing dwelling and a minimum of 18m to new building work.  <b>A1(b)</b> – n/a <b>A1(c)</b> – n/a <b>A1(d)</b> – n/a <b>A1(e)</b> – n/a

Clause	Compliance/Comments
<p><b>A2</b> - A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> <li>(a) 5.5m, or alternatively 1m behind the building line;</li> <li>(b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or</li> <li>(c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</li> </ul>	<p><b>A2 – Complies.</b></p> <p><b>A2(a)</b> – No carport or garage associated with existing dwelling (existing carport to be demolished). Setback Carport/garage setback from primary frontage well in excess of 5.5m. (approx. 26m)</p> <p><b>A2(b)</b> – n/a</p> <p><b>A2(c)</b> – n/a</p>
<p><b>A3</b> - A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 10.1, 10.2 and 10.3) determined by: <ul style="list-style-type: none"> <li>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage;</li> <li>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> </li> <li>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling: <ul style="list-style-type: none"> <li>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>(ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul>	<p><b>A3 – Does not comply.</b></p> <p><b>A3(a)</b> – Does not comply. Townhouse 1 protrudes from building envelope on eastern side. Townhouse 3 protrudes from building envelope on western side. (note: existing dwelling protrudes to the east)</p> <p><b>A3(b)</b> – Complies. 6.4m within 1.5m of western side boundary.</p>
<p><b>A4</b> - No trees of high conservation value will be impacted.</p>	<p><b>A4 – Does not comply.</b></p> <p>(11) Trees of high or very high conservation value will be impacted by the proposal. Tree removal (8) trees and encroachment into TPZ's of (3) trees.</p>
<p><b>10.4.3 - Site coverage and private open space for all dwellings</b></p> <p><b>A1</b> - Dwellings must have:</p> <ul style="list-style-type: none"> <li>(a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and</li> <li>(b) for multiple dwellings, a total area of private open space of not less than 60m2 associated</li> </ul>	<p><b>A1- Complies.</b></p> <p><b>A1(a)</b> – Complies. Site coverage proposed to be 560.9m2 which equates to 29.1%</p>

Clause	Compliance/Comments
<p>with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer).</p> <p><b>A2</b> - A dwelling must have private open space that:</p> <p>(a) is in one location and is not less than:</p> <ul style="list-style-type: none"> <li>(i) 24m<sup>2</sup>; or</li> <li>(ii) 12m<sup>2</sup>, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ul> <p>(b) has a minimum horizontal dimension of not less than:</p> <ul style="list-style-type: none"> <li>(i) 4m; or</li> <li>(ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer);</li> </ul> <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north;</p> <p>(d) has a gradient not steeper than 1 in 10; and</p> <p>(e) is not used for vehicle access or parking.</p>	<p><b>A1(b)</b> – Complies.</p> <p>Private open space associated with each dwelling is greater than 60m<sup>2</sup> – all units between 90-240m<sup>2</sup>.</p> <p><b>A2- Complies.</b></p> <p><b>A2(a)</b> – Complies. Each unit has a primary area of between 24-29.67m<sup>2</sup> on first floor deck.</p> <p><b>A2(b)</b> – Complies.</p> <p>Townhouse 1 &amp; 2 – 4 x 6.4m  Townhouse 3 – 4 x 5.16 to 6.908m  Existing dwelling – 4.52 x 6.564m</p> <p><b>A2(c)</b> – Complies.</p> <p>Townhouse 3 has POS located between the dwelling and the frontage. The frontage is oriented approximately 15 degrees west of north.</p> <p><b>A2(d)</b> – Complies.</p> <p>All areas are flat.</p> <p><b>A2(e)</b> – Complies.</p> <p>Not used for vehicle access or parking.</p>
<p><b>10.4.4 - Sunlight to private open space of multiple dwellings</b></p> <p><b>A1</b> - A multiple dwelling, that is to the north of the private open space of another dwelling on the same site, required to satisfy A2 or P2 of clause 10.4.3, must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting (see Figure 10.4):</p> <ul style="list-style-type: none"> <li>(i) at a distance of 3m from the northern edge of the private open space; and</li> <li>(ii) vertically to a height of 3m above existing ground level and then at an angle of 45 degrees from the horizontal;</li> </ul> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June; and</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <ul style="list-style-type: none"> <li>(i) an outbuilding with a building height not more than 2.4m; or</li> </ul>	<p><b>A1- Complies with (b)</b></p> <p><b>A1(a)</b> – Does not comply with (a)(ii).</p> <p>(i) Complies.</p> <p>5m between primary POS of Townhouses 2 and 3.  7m between primary POS of Townhouses 1 and 2  3m between primary POS of Townhouse 1 and extension to existing dwelling.</p> <p>(ii) Does not comply. Extension to existing dwelling protrudes from the line required.</p> <p><b>A1(b)</b> – Complies.</p> <p>Dwellings are all offset in the horizontal plane such that only a small area of each dwelling is to the north of the area of primary private open space of each dwelling. In addition, the topography and siting proposed results in the built form to the north being largely below the FSL of each deck area.</p> <p>(Note that overshadowing is caused by the building form of each building related to balustrading and</p>

Clause	Compliance/Comments
(ii) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.	<p>roofing of each private open space deck area, however, the Scheme does not require the area to be free from overshadowing from itself, just from other dwellings to the north on the same site).</p> <p><b>A1(c)</b> – Not excluded by (c).</p>
<p><b>10.4.5 - Width of openings for garages and carports for all dwellings</b></p> <p><b>A1</b> - A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p>	<p><b>A1 – Not applicable.</b></p> <p>No garage or carport within 12m of the frontage.</p>
<p><b>10.4.6 - Privacy for all dwellings</b></p> <p><b>A1</b> - A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary;</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is not less than 6m:</p> <p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site.</p> <p><b>A2</b> - A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>(a) the window or glazed door:</p> <p>(i) is to have a setback of not less than 3m from a side boundary;</p> <p>(ii) is to have a setback of not less than 4m from a rear boundary;</p>	<p><b>A1 – Complies.</b></p> <p>Whilst decks are all over 1m as a maximum, they are not consistently so due to site cut and topography.</p> <p><b>A1(a)</b> – Complies. Western elevation, deck of Townhouse 3, FSL over 1m. Proposed screen solid timber balustrade to 900 with colorbond louvres to 1800.</p> <p><b>A1(b)</b> – Complies. Setback to rear boundary of Townhouse 3 is proposed to be 3m. However, deck does not face rear boundary.</p> <p><b>A1(c)</b> – Complies. Decks are within 6m from a deck or the POS of the other dwelling on the same site.</p> <p>5m between primary POS of Townhouses 2 and 3.</p> <p>7m between primary POS of Townhouses 1 and 2</p> <p>3m between primary POS of Townhouse 1 and extension to existing dwelling.</p> <p>Solid walls proposed on the southern façade of decks to existing dwelling, and Townhouses 1 and 2.</p> <p><b>A2 – Complies with (b)</b></p> <p><b>A2(a)</b> – Does not comply with (a)</p> <p>Glazed windows to living area on western elevation of Townhouse 3 within 3m of western side boundary (1.2m setback)</p>

Clause	Compliance/Comments
<p>(iii) if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site.</p> <p>(b) the window or glazed door:</p> <p>(i) is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling;</p> <p>(ii) is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or</p> <p>(iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%.</p> <p><b>A3</b> - A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of not less than 1.7m in height; or</p> <p>(ii) the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level.</p>	<p>Glazed windows to master bedroom on eastern elevation of Townhouse 1 within 3m of eastern side boundary (1.8m setback).</p> <p>No windows within 4m of the rear boundary.</p> <p>No windows within 6m of a window or glazed door to a habitable room of another dwelling on the same site.</p> <p>Windows within 6m of POS of another dwelling on the same site.</p> <p><b>A2(b)</b> – Complies with (ii) and (iii).</p> <p>Sill height of living room window on western elevation of T3 is proposed to be 1.8m from FFL.</p> <p>Sill height of window to master bedroom on eastern elevation of T1 is proposed to be less than 1.7m however a louvred screen is proposed to 1.7m above FFL.</p> <p>Solid walls to southern sides of all POS decks.</p> <p><b>A3 – Complies</b></p> <p><b>A3(a)</b> –</p> <p>Townhouse 3 setback – living room on driveway with 0 setback, however it may be considered that the area next to this window is not part of the shared driveway.</p> <p>Townhouse 1 – Complies - setback of 4m to shared. Existing dwelling extension – 4m setback to shared driveway.</p> <p><b>A3(b)</b> – (ii) Townhouse 2 - Habitable room setback from shared driveway would be 1m as Townhouse 3 relies on undercroft area of deck for swept path and a section of the passing bay. As the habitable room of Townhouse 2 is on the second level above the driveway, the required sill height is met.</p>
<p><b>10.4.7 - Frontage fences for all dwellings</b></p> <p><b>A1</b> - No Acceptable solution (when not exempt)</p>	<p><b>A1 – Not applicable.</b></p> <p>No frontage fences proposed.</p>
<p><b>10.4.8 - Waste storage for multiple dwellings</b></p> <p><b>A1</b> - A multiple dwelling must have a storage area, for waste and recycling bins, that is not less than</p>	<p><b>A1 – Complies.</b></p> <p><b>A1(a)</b> – Complies</p>

Clause	Compliance/Comments
<p>1.5m<sup>2</sup> per dwelling and is within one of the following locations:</p> <p>(a) an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or</p> <p>(b) a common storage area with an impervious surface that:</p> <p>(i) has a setback of not less than 4.5m from a frontage;</p> <p>(ii) is not less than 5.5m from any dwelling; and</p> <p>(iii) is screened from the frontage and any dwelling by a wall to a height not less than 1.2m above the finished surface level of the storage area.</p>	<p>Waste storage is provided for exclusive use for each dwelling and does not include the area in front of the dwelling.</p> <p><b>A1(b)</b> – Not applicable. Exclusive areas are proposed.</p>

## Code Provisions

Clause	Compliance/Comments
<b>E3.0 Landslide Code</b>	
<p><b>Clause E3.7.1 - Buildings and works, other than minor extensions</b> (see definition) <b>A1</b> – No acceptable solution</p>	<p><b>A1</b> – <b>Does not comply.</b></p> <p>Works proposed in low landslide hazard area. There is no Acceptable Solution</p>
<p><b>Clause E3.7.2 - Minor extensions</b> (see definition) <b>A1</b> – Buildings and works for minor extensions must comply with the following: (a) be in a Medium Landslide Hazard Area.</p>	<p><b>A1</b> – <b>Not applicable.</b></p> <p>Proposal is not for minor extensions.</p>
<p><b>Clause E3.7.3 - Major works</b> (see definition) <b>A1</b> – No acceptable solution</p>	<p><b>A1</b> – <b>Does not comply.</b></p> <p>Major works are proposed in a low landslide hazard area. No Acceptable Solution</p>
<b>E5.0 Road and Railway Assets Code</b>	
<p><b>Clause E5.5.1 – Existing road accesses and junctions</b> <b>A3</b> – The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p>	<p><b>A3</b> – <b>Does not comply.</b></p> <p>AADT vehicle movements would increase by more than 20% vehicle movements per day (existing 15, proposed 35).</p>
<p><b>Clause E5.6.2 - Road access and junctions</b> <b>A2</b> – No more than one access providing both entry and exit, or two accesses providing separate entry</p>	<p><b>A2</b> – <b>Complies.</b></p>

Clause	Compliance/Comments
and exit, to roads in an area subject to a speed limit of 60km/h or less.	One access only. Existing.
<p><b>Clause E5.6.4 - Sight distance at accesses, junctions and level crossings</b></p> <p><b>A1</b> – Sight distances at:</p> <p>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</p> <p>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p>	<p><b>A1 – Complies.</b></p> <p>Existing access and explained in TIA</p>
<b>E6.0 Parking and Access Code</b>	
<p><b>Clause E6.6.1 - Number of car parking spaces</b></p> <p><b>A1</b> - The number of on-site car parking spaces must be:</p> <p>(a) no less than the number specified in Table E6.1; except if:</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>	<p><b>A1 – Complies.</b></p> <p>8 parking spaces provided for dwellings and two visitor parking spaces provided.</p>
<p><b>Clause E6.7.1 - Number of vehicular accesses</b></p> <p><b>A1</b> – The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.</p>	<p><b>A1 – Complies.</b></p> <p>One vehicle access point.</p>
<p><b>Clause E6.7.2 - Design of vehicular accesses</b></p> <p><b>A1</b> – Design of vehicle access points must comply with all of the following:</p> <p>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</p>	<p><b>A1 – Not applicable.</b></p> <p>Existing access.</p>

Clause	Compliance/Comments
<p><b>Clause E6.7.3 - Vehicular passing areas along an access</b></p> <p><b>A1</b> – Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p>(i) it serves more than 5 car parking spaces;</p> <p>(ii) is more than 30 m long;</p> <p>(iii) it meets a road serving more than 6000 vehicles per day</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) it meets a road serving more than 6000 vehicles per day;</p> <p>(d) have the first passing area constructed at the kerb;</p> <p>(e) be at intervals of no more than 30 m along the access.</p>	<p><b>A1 – Does not comply.</b></p> <p>Three passing bays are proposed – at entry to site adjacent visitor parking spaces, and adjacent T1 and T2.</p> <p>However, first passing bay is not constructed at the kerb and therefore the proposal does not comply with A1(d).</p>
<p><b>Clause E6.7.4 - On-site turning</b></p> <p><b>A1</b> – On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <p>(a) it serves no more than two dwelling units;</p>	<p><b>A1 – Complies.</b></p> <p><u>NOTE:</u> vehicles leaving the parking spaces at T3 rely on area under the deck of T2 for swept path in order to turn on-site.</p>
<p><b>Clause E6.7.5 - Layout of parking areas</b></p> <p><b>A1</b> – The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.</p>	<p><b>A1 – Complies.</b></p>
<p><b>Clause E6.7.6 - Surface treatment of parking areas</b></p> <p><b>A1</b> – Parking spaces and vehicle circulation roadways must be in accordance with all of the following:</p> <p>(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway;</p> <p>(b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.</p>	<p><b>A1 – Complies</b></p> <p>Proposed concrete surface with drainage</p>
<p><b>Clause E6.7.7 - Lighting of parking areas</b></p> <p><b>A1</b> – Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be</p>	<p><b>A1 – Complies</b></p> <p>Lighting of the driveway is provided.</p>

Clause	Compliance/Comments
provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	
<b>Clause E6.7.8 - Landscaping of parking areas</b> <b>A1</b> – Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	<b>A1 – Complies</b>  Landscaping is proposed adjacent the hardstand areas and would be no less than 5% of the parking/circulation areas.
<b>Clause E6.7.14 - Access to a road</b> <b>A1</b> – Access to a road must be in accordance with the requirements of the road authority.	<b>A1 – Complies.</b>  Existing access.
<b>E7.0 Stormwater Management Code</b>	
<b>Clause E7.7.1 - Stormwater drainage and disposal</b> <b>A1</b> – Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	<b>A1 – Complies</b>  Shown in plan
<b>A2</b> – A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m <sup>2</sup> ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	<b>A2 – Complies</b>  Shown in plan
<b>A3</b> – A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	<b>A3 – Not applicable.</b>
<b>A4</b> – A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	<b>A4 – Not applicable.</b>
<b>E10.0 Biodiversity Code</b>	
<b>Clause E10.7.1 - Buildings and works</b>	<b>A1 – Does not comply.</b>

Clause	Compliance/Comments
<b>A1</b> – Clearance and conversion or disturbance must be within a Building Area on a plan of subdivision approved under this planning scheme.	The proposal will impact on high biodiversity values, being the occasional tree of high conservation value providing habitat for the swift parrot. The works are not within a building area on a plan of subdivision.
<b>E13.0 Historic Heritage Code</b>	
<b>E13.8 - Development standards for heritage precincts</b>	
<b>Clause E13.8.1 – Demolition</b> <b>A1</b> – No acceptable solution	<b>A1 – Does not comply.</b>  Demolition proposed. No Acceptable Solution.
<b>Clause E.13.8.2 Buildings and works other than demolition</b> <b>A1</b> – No acceptable solution	<b>A1 – Does not comply.</b>  New buildings proposed. There is no Acceptable Solution.
<b>A2</b> – No acceptable solution	<b>A2 – Not applicable.</b>  No conservation criteria.
<b>A3</b> – No acceptable solution	<b>A3 – Does not comply.</b> Extension to existing dwelling is proposed. There is no Acceptable Solution.
<b>A4</b> – New front fences and gates must accord with original design, based on photographic, archaeological or other historical evidence.	<b>A4 – Not applicable.</b>  No new front fences or gates proposed.

Note: Codes not listed in this Checklist have been assessed as not being relevant to the assessment of this application.



## Submission to Planning Authority Notice

<b>Council Planning Permit No.</b>	DA-2023-389	<b>Council notice date</b>	16/11/2023
<b>TasWater details</b>			
<b>TasWater Reference No.</b>	TWDA 2023/01592-KIN	<b>Date of response</b>	10/04/2024
<b>TasWater Contact</b>	David Boyle	<b>Phone No.</b>	0436 629 652
<b>Response issued to</b>			
<b>Council name</b>	KINGBOROUGH COUNCIL		
<b>Contact details</b>	kc@kingborough.tas.gov.au		
<b>Development details</b>			
<b>Address</b>	70 BEACH RD, KINGSTON BEACH	<b>Property ID (PID)</b>	5725852
<b>Description of development</b>	Multiple Dwellings x 4 (3 new + 1 ex)		
<b>Schedule of drawings/documents</b>			
<b>Prepared by</b>	<b>Drawing/document No.</b>	<b>Revision No.</b>	<b>Date of Issue</b>
Aldanmark Consulting Engineers	23 E 24 – 6 SH. C100 & C104	F	5/12/2023
<b>Conditions</b>			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p><b>CONNECTIONS, METERING &amp; BACKFLOW</b></p> <ol style="list-style-type: none"> <li>1. A suitably sized water supply with metered connection and sewerage system and connection for this multiple unit development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.</li> <li>2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.</li> <li>3. Prior to commencing construction / use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.</li> </ol> <p><b>DEVELOPER CHARGES</b></p> <ol style="list-style-type: none"> <li>4. Prior to TasWater issuing a Certificate(s) for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a developer charge totalling \$3,865.40 to TasWater for water infrastructure for 2.20 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.</li> <li>5. Prior to TasWater issuing a Certificate(s) for Certifiable Work (Building) and/or (Plumbing), the applicant or landowner as the case may be, must pay a developer charge totalling \$5,271.00 to TasWater for sewerage infrastructure for 3 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.</li> <li>6. In the event Council approves a staging plan, prior to TasWater issuing a for Certifiable Work (Building) and/or (Plumbing) for each stage, the developer must pay the developer charges commensurate with the number of Equivalent Tenements in each stage, as approved by Council.</li> </ol>			



#### DEVELOPMENT ASSESSMENT FEES

7. The applicant or landowner as the case may be, must pay a development assessment fee of \$389.86 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.

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

#### Advice

##### General

For information on TasWater development standards, please visit <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>

##### Developer Charges

For information on Developer Charges please visit the following webpage -

<https://www.taswater.com.au/building-and-development/developer-charges>

##### Water Submetering

As of July 1 2022, TasWater's Sub-Metering Policy no longer permits TasWater sub-meters to be installed for new developments. Please ensure plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) reflect this. For clarity, TasWater does not object to private sub-metering arrangements. Further information is available on our website ([www.taswater.com.au](http://www.taswater.com.au)) within our Sub-Metering Policy and Water Metering Guidelines.

#### 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

### 14 PETITIONS STILL BEING ACTIONED

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There are no petitions still being actioned.

### 15 PETITIONS RECEIVED IN LAST PERIOD

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

### 16 OFFICERS REPORTS TO COUNCIL

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#### 16.1 PRIVACY POLICY 1.9

**File Number:** 12.144

**Author:** Fred Moul, Chief Information Officer

**Authoriser:** Dave Stewart, Chief Executive Officer

#### Strategic Plan Reference

Key Priority Area: 2 Deliver quality infrastructure and services.

Strategic Outcome: 2.4 The organisation has a corporate culture that delivers quality customer service, encourages innovation and has high standards of accountability.

#### 1. PURPOSE

- 1.1 The purpose of this report is to recommend the renewal of Council Policy 1.9 – Privacy Policy.

#### 2. BACKGROUND

- 2.1 The *Personal Information Protection Act 2004* (the Act) provides a governance framework for the collection, use and disclosure of personal information by Tasmanian organisations including public bodies.
- 2.2 Council's Privacy Policy is based on the Privacy Principles defined in the Act and is due for review.

#### 3. STATUTORY REQUIREMENTS

- 3.1 Council collects, stores and uses personal information where it is necessary to undertake its functions and activities.
- 3.2 As a custodian of personal information, Council is required to comply with the provisions and principles of the Act.
- 3.3 The Act requires that Council sets out, in a document, its policies on the management of personal information, and that the document is to be made available to any person who requests it.

#### **4. DISCUSSION**

- 4.1 This policy sets out Council's approach to managing and protecting the personal information of its customers. The Act, on which the policy is based, seeks to balance the right of individuals to protect their personal information with the requirements of organisations to collect, store and use personal information in a reasonable and appropriate way.
- 4.2 A majority of the personal information used by Council is stored and managed electronically. Appropriate training, access control and encryption is applied to minimise the risk of unauthorised or inadvertent disclosure of personal information. Council's information systems are regularly audited to verify that appropriate controls are in place.
- 4.3 Following a review of Council's privacy governance arrangements by WLF in April this year, it was agreed to include a process for identifying and actioning privacy breaches. This process has been adapted from the notifiable data breach scheme administered by the Office of the Australian Privacy Commissioner and has been added to the Policy at 5.11.
- 4.4 Additional information about how to lodge an external complaint regarding non-compliance with the Privacy Policy by Council, has been included in the policy at 6.2.
- 4.5 Other changes are minor and editorial in nature.

#### **5. FINANCE**

- 5.1 There are no financial implications associated with the adoption of this policy.

#### **6. ENVIRONMENT**

- 6.1 There are no environmental implications associated with the adoption of this policy.

#### **7. COMMUNICATION AND CONSULTATION**

- 7.1 This policy is available on Council's website and intranet.
- 7.2 Privacy principles are covered in the employee induction program.
- 7.3 Expectations regarding the management and disclosure of information are also covered in the IT Administrative Policy and Employee Code of Conduct and are integral to the day-to-day operations of Council.

#### **8. RISK**

- 8.1 As a personal information custodian, there is risk of inadvertent or unauthorised disclosure of personal information occurring. However, the application of this policy, in conjunction with information management controls and staff training/induction reduce the likelihood of a breach occurring.
- 8.2 Council's information systems are regularly reviewed and audited to verify that appropriate controls are in place.
- 8.3 Staff take a conservative approach with regard to requests for disclosure of information. Where clear guidance is not provided by this policy and the Act, staff consult with Council's RTI officer.
- 8.4 Council's personal information breach process specifies that any suspected breaches are assessed as a priority and reported to affected parties where a breach is likely to result in serious harm to an individual.

#### **9. CONCLUSION**

- 9.1 Adoption of this policy reinstates Council's commitment to the protection of the personal information of its customers and good governance practices.

## 10. RECOMMENDATION

That Council adopt the updated *Privacy Policy* (Policy 1.9) as attached to this report.

## ATTACHMENTS

1. Existing Policy with Tracked Changes
2. Updated Policy for Approval

Public Copy

## EXISTING POLICY WITH TRACK CHANGES



Policy No: 1.9  
Approved by Council April 2021

New Review Date: April 2024

Responsible Officer: ~~Director Information Officer~~ Chief Information Officer

Minute No: TBA  
ECM File No: 12.144  
Version: 54.0

Privacy Policy	
POLICY STATEMENT	<p><u>1.1</u> Council is committed to upholding the right to privacy of all individuals who have dealings with the Council in accordance with the Privacy Principles of this Policy.</p> <p>1.2 <del>Council is committed and endeavours to ensure</del> <u>ensuring</u> that the personal information Council holds is accurate, complete and <del>up to date</del> <u>protected in accordance with Personal Information Protection Principles</u>. Where practicable, the accuracy of personal information held will be confirmed before it is used by the Council.</p>
DEFINITIONS	<p>2.1 In this policy:</p> <p><b>“Council”</b> means Kingborough Council</p> <p><b>“Personal information”</b> means any information or opinion in any recorded format about an individual whose identity is apparent or is reasonably ascertainable from the information or opinion; and who is alive or has not been dead for more than 25 years.</p> <p><b>“Personal information custodian”</b> means a public authority (Council)</p> <p><b>“Sensitive information”</b> includes any information about a person’s racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliation, philosophical beliefs, membership of a professional trade association, membership of a trade union, sexual preference or practice, criminal record or health information.</p> <p><u><b>“Serious Harm”</b> includes identity theft which can affect an individual’s finances and credit report, financial loss through fraud, a likely risk of physical harm, serious psychological harm, serious harm to an individual’s reputation.</u></p>
OBJECTIVE	<p>3.1 The Personal Information Protection (PIP) Act 2004 requires that Council must set out in a document its policies on the management of personal information, and that the document is to be made available to any person who requests it.</p> <p>3.2 This policy explains the PIP Act Privacy Principles and how they apply to dealings with Council.</p>
SCOPE	<p>4.1 This policy applies to Councillors, officers and agents of Council, and covers all personal information held by Council, including:</p> <ul style="list-style-type: none"> <li>Information Council has collected directly from individuals, as well as information collected from third parties,</li> </ul>



Policy No: **1.9**  
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**Chief Information Officer**

	<ul style="list-style-type: none"> <li>All information collected regardless of format and media, e.g. correspondence, forms (paper and electronic), in person, over the telephone or via Council websites.</li> </ul> <p><u>4.2</u> The <del>General Manager</del><u>Chief Executive Officer</u> will determine procedures as necessary for implementation of this Policy in accordance with the requirements of the PIP Act and any other Act and will appoint and delegate functions to Officers as required.</p> <p><u>4.3</u> <u>The Personal Information Protection Act 2004 and associated Privacy Information Protection Principles prevail over this policy if there is a conflict between them.</u></p>
<b>PROCEDURE (POLICY DETAIL)</b>	<p><b>5.1 Collection</b></p> <p>5.1.1 Council will only collect personal information when it is necessary for its functions or activities.</p> <p>5.1.2 Council will collect personal information directly from an individual wherever it is reasonable and practicable to do so.</p> <p>5.1.3 Council will collect personal information only by lawful and fair means and not in an unreasonably intrusive way.</p> <p>5.1.4 In some instances, Council will be required by law to collect personal information.</p> <p>5.1.5 Council will only collect sensitive information where an individual has consented or as permitted under the Act.</p> <p>5.1.6 Before, during, or as soon as practicable after collection of personal information, Council will take reasonable steps to ensure that the individual is aware of:</p> <ul style="list-style-type: none"> <li>Council's identity and how to contact it;</li> <li>Their right to access the information;</li> <li>The purpose for which the information is collected;</li> <li>The intended recipients of the information;</li> <li>Any law that requires the information to be collected;</li> <li>The main consequences (if any) if all or part of the information is not provided.</li> </ul> <p>5.1.7 If Council collects personal information about an individual from a third party, it will take reasonable steps to make sure that the person is aware of the matters referred to above, unless doing so would pose a serious threat to the life, safety, health or welfare of any individual, or, would prejudice the carrying out of an investigation.</p> <p><b>5.2 Use and Disclosure</b></p> <p>5.2.1 Council will only use personal information within the Council, or disclose it outside the Council:</p> <p>5.2.1.1 for the purpose for which it was collected, or</p> <p>5.2.1.2 in accordance with this Act or as provided for in any other legislative provision, or</p>



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	<p>5.2.1.3 where consent has been provided, or</p> <p>5.2.1.4 where it could be reasonably expected that consent would be provided.</p> <p>5.2.1.5 When <u>in doubt necessary</u>, contact the Officer nominated on any correspondence <u>or the Right to Information Officer prior to use or disclosure outside the Council</u>.</p> <p>5.2.2 Council may use the information for purposes including, but not limited to, the following:</p> <p>5.2.2.1 To make contact in order to provide services requested by that person, e.g. obtaining a permit</p> <p>5.2.2.2 To make contact <del>in order to resolve issues relating to Council services or functions, that the person has brought to our attention, e.g. where they have reported a matter (service request/failure) to be resolved by Council</del>.</p> <p>5.2.2.3 To contact an individual before a Council Meeting to confirm their attendance and to advise them of any changes to the meeting details where they have made an application to speak or ask a question.</p> <p>5.2.2.4 To supply an individual with material concerning Council initiatives and programs.</p> <p>5.2.2.5 To contact an individual in relation to their property.</p> <p>5.2.2.6 To facilitate the collection of Council fees and charges, e.g. we will use a person's name and address details to forward rate notices.</p> <p>5.2.2.7 To enable payment for Council-provided goods and services, e.g. we may collect an individual's credit card and bank account details when they make a payment for goods and services.</p> <p>5.2.2.8 To enable Council to undertake its law enforcement functions, e.g. Council collects information about an individual from various Road Traffic Authorities to process Parking Infringement Notices.</p> <p>5.2.2.9 To update an individual's name and address details and verify information</p> <p>5.2.2.10 To check occupancy for ratings purposes.</p> <p>5.2.2.11 To contact an individual in case of an emergency.</p> <p>5.2.3 In some circumstances, Council needs to disclose a person's information to other organisations. Examples of situations where disclosure may occur include:</p> <p>5.2.3.1 Personal Information collected in relation to an individual's property may be forwarded to the Valuer-General and the Australian Bureau of Statistics, the Director of Building Control and the Training Levy</p>
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	<p>Board in accordance with various legislative requirements.</p> <p>5.2.3.2 Personal Information included on a subdivision or development application may be forwarded to other State Government agencies in accordance with legislative requirements and made available to the public.</p> <p>5.2.3.3 Pensioner Applications for Rates Remission may be forwarded to Centrelink, the Department of Treasury, the Department of Veterans' Affairs and Housing Tasmania.</p> <p>5.2.3.4 Information relating to financial requests, for example a direct debit, may be forwarded to our bank.</p> <p>5.2.3.5 If a workplace incident or other incident or accident occurs, information may be forwarded to our Workers Compensation, public liability or professional indemnity insurers.</p> <p>5.2.3.6 If an individual does not pay their rates, Council may forward their information to the courts and a debt collector may be appointed.</p> <p>5.2.3.7 If infringement notices are not paid, Council may forward an individual's information to the courts, solicitor or the Monetary Penalties Enforcement Unit.</p> <p>5.2.3.8 Personal Information and Sensitive Information of a person utilising Council's immunisation services may be provided to Commonwealth or State Government Departments such as Medicare Australia.</p> <p>5.2.3.9 In order to properly assess an individual's development, building or subdivision application, Council may be required to seek the advice of other agencies. In doing so, will provide details of the application, including any personal information included on the application to that agency.</p> <p>5.2.4 Council does not sell, trade or make available personal information to others except where otherwise defined in this policy.</p> <p>5.2.5 Personal information in written submissions on policy matters, matters of public consultation may be disclosed in reports that are made public, unless the submission was submitted and accepted on a confidential basis. Examples of such information includes but is not limited to:</p> <ul style="list-style-type: none"> <li>Representations or submissions made in respect of a planning matter under the <i>Land Use Planning and Approvals Act 1993</i>.</li> </ul>
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 Version: 54.0

	<ul style="list-style-type: none"> <li>Submissions made in relation to statutory documents such as an Annual Reports, Dog Management Policy and the like.</li> <li>Petitions presented to the Council in accordance with Part 6 of the <i>Local Government Act 1993</i>.</li> </ul>
	<p><b>5.3 Data Quality</b></p> <p>5.3.1 Council will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up to date.</p> <p>5.3.2 An individual may update the personal information supplied to Council. Details on how to do so are outlined under Principle 5.6.</p> <p><b>5.4 Data Security</b></p> <p>5.4.1 Council will ensure that all employees are aware of the provisions of the Local Government Act 1993 S 339 in relation to the improper use of information.</p> <p>5.4.2 Council will take all necessary steps to make sure that personal information is stored safely and securely. Technological and operational procedures are in place to protect personal information from misuse and loss.</p> <p>5.4.3 Council will dispose of personal information where it is no longer necessary to fulfil the purposes for which it was collected, or as required by the Archive Act 1983 or other legislation.</p> <p><b>5.5 Openness</b></p> <p>5.5.1 This policy will be available on Council's website and for inspection at Council's Customer Service Centre.</p> <p>5.5.2 On request by an individual, Council will take reasonable steps to let the person know, generally, what sort of personal information it holds, collects, for what purposes, and how it collects, holds, uses and discloses that information.</p> <p><b>5.6 Access and Correction</b></p> <p>5.6.1 A person who considers their personal information to be incorrect, incomplete, out of date or misleading, can request that the information be amended. Any amendment will be processed in accordance with the provisions of the Act.</p> <p>5.6.2 Access will be provided except in the circumstances outlined by the Act, for example, where the information relates to legal proceedings or where the Right to Information Act 2009 applies.</p> <p>5.6.3 Depending upon the nature of the request a fee may be charged for this service.</p> <p>5.6.4 A person, who is not satisfied with the handling or outcome of a request for access to or correction of personal information, can lodge a complaint with the Ombudsman.</p>



Policy No: 1.9  
 Approved by Council April 2021  
 New Review Date: April 2024  
 Responsible Officer: ~~Director Information Officer~~

Minute No: TBA  
 ECM File No: 12.144  
 Version: 54.0  
 Chief Information Officer

	<p><b>5.7 Unique Identifiers</b></p> <p>5.7.1 A unique identifier is a reference that enables the identification of a particular person (e.g. driver's licence number).</p> <p>5.7.2 Council will only assign unique identifiers if is necessary to carry out any Council functions or responsibilities, or it is required by law.</p> <p><b>5.8 Anonymity</b></p> <p>5.8.1 Council will, where it is lawful and practicable, give individuals the option of remaining anonymous when entering into transactions with Council.</p> <p>5.8.2 However, as anonymity may limit Council's ability to process a complaint or other matter, Council reserves the right to take no action on any matter if a person chooses not to supply sufficient personal information to Council.</p> <p>5.8.3 Where possible, Council will treat complainants with anonymity with respect to enforcement matters. It may be necessary, however, to disclose identity to provide natural justice and procedural fairness to a person for which the complaint is about, for the necessity of enforcement or court processes or for compliance with other legislation including the Right to Information Act 2009.</p> <p><b>5.9 Disclosure of Information Outside Tasmania</b></p> <p>5.9.1 Council may transfer personal information to a region outside Tasmania only if it is satisfied that the information is to be managed by the recipient <u>in a way that is consistent with the Personal Information Protection Principles, or the individual consents to the disclosure, or the disclosure is authorised or required by any other law.</u><del>in line with the personal information protection principles.</del></p> <p><b>5.10 Sensitive Information</b></p> <p>5.10.1 Council will only collect sensitive information when you have consented, or as permitted under the PIP Act or required by law.</p> <p><u>5.10.2 Sensitive information will be appropriately secured and treated with the utmost confidentiality and only used for the purpose for which it was collected.</u></p> <p><b><u>5.11 Personal Information Data Breach</u></b></p> <p><u>5.11.1 Council must record a personal information data breach and notify affected individuals when:</u></p> <p><u>5.11.1.1 there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that Council holds</u></p> <p><u>5.11.1.2 that is likely to result in serious harm to one or more individuals, and</u></p>
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Policy No: 1.9  
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 Version: 54.0

	<p><a href="#">5.11.1.3 Council hasn't been able to prevent the likely risk of serious harm with remedial action.</a></p> <p>(+) <a href="#">5.11.2 If Council suspects a personal information data breach may have occurred, it must quickly assess the incident to determine if it is likely to result in serious harm to any individual.</a></p>
<b><u>GUIDELINES</u></b>	<p><a href="#">6.1 The Chief Executive Officer is responsible for ensuring that personal information is managed in accordance with this policy and the Personal Information Protection Principles as defined in the PIP Act.</a></p> <p><a href="#">6.2 If an individual has raised an alleged contravention by Council of this policy and remains dissatisfied with the response, a complaint can be made to the Ombudsman in accordance with s.18 of the PIP Act 2004 by contacting:</a></p> <p><a href="#">The Ombudsman</a>  <a href="#">NAB House, Level 6</a>  <a href="#">86 Collins Street</a>  <a href="#">Hobart</a>  <a href="#">GPO Box 960</a>  <a href="#">Hobart Tas 7001</a>  <a href="#">T 1800 001 170 (free call in Tasmania) Email: <a href="mailto:ombudsman@ombudsman.tas.gov.au">ombudsman@ombudsman.tas.gov.au</a></a>  <a href="http://www.ombudsman.tas.gov.au/home">www: <a href="http://www.ombudsman.tas.gov.au/home">www.ombudsman.tas.gov.au/home</a></a></p>
<b>COMMUNICATION</b>	<p>7.1 All staff, Councillors and Customers, members of the public. Available free of charge at the Civic Centre and on Councils Web Site <a href="http://www.kingborough.tas.gov.au">www.kingborough.tas.gov.au</a></p>
<b>LEGISLATION</b>	<p>8.1 <i>Local Government Act 1993</i></p> <p>8.2 <i>Personal Information Protection Act 2004</i></p> <p>8.3 <i>Right to Information Act 2009</i></p>
<b>RELATED DOCUMENTS</b>	<p>9.1 Policy 9.14: Code of conduct – Employees</p> <p>9.2 Policy 1.8: Code of Conduct - Councillors</p> <p>9.3 Policy 1.6: Customer service Charter</p>
<b>AUDIENCE</b>	<p>10.1 Public document</p>

## UPDATED POLICY FOR APPROVAL



## Privacy Policy

<b>Policy No:</b>	1.9
<b>Approved by Council:</b>	August 2024
<b>New Review Date:</b>	August 2027
<b>Minute No:</b>	TBA
<b>ECM File No:</b>	12.144
<b>Version:</b>	5
<b>Responsible Officer:</b>	Chief Information Officer
<b>Strategic Plan Reference:</b>	2.4 The organisation has a corporate culture that delivers quality customer service, encourages innovation and has high standards of accountability

## 1. POLICY STATEMENTS

- 1.1 Council is committed to upholding the right to privacy of all individuals who have dealings with the Council in accordance with the Privacy Principles of this Policy
- 1.2 Council is committed to ensuring that the personal information Council holds is accurate, complete and protected in accordance with Personal Information Protection Principles. Where practicable, the accuracy of personal information held will be confirmed before it is used by the Council.

## 2. DEFINITIONS

- 2.1 **“Council”** means Kingborough Council
- 2.2 **“Personal information”** means any information or opinion in any recorded format about an individual whose identity is apparent or is reasonably ascertainable from the information or opinion; and who is alive or has not been dead for more than 25 years.
- 2.3 **“Personal information custodian”** means a public authority (Council)
- 2.4 **“Sensitive information”** includes any information about a person’s racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliation, philosophical beliefs, membership of a professional trade association, membership of a trade union, sexual preference or practice, criminal record or health information.
- 2.5 **“Serious harm”** includes identity theft which can affect an individual’s finances and credit report, financial loss through fraud, a likely risk of physical harm, serious psychological harm, serious harm to an individual’s reputation.

## 3. OBJECTIVE

- 3.1 The Personal Information Protection (PIP) Act 2004 requires that Council must set out in a document its policies on the management of personal information, and that the document is to be made available to any person who requests it.
- 3.2 This policy explains the PIP Act Privacy Principles and how they apply to dealings with Council.

## 4. SCOPE

- 4.1 This policy applies to Councillors, officers and agents of Council, and covers all personal information held by Council, including:
  - Information Council has collected directly from individuals, as well as information collected from third parties,
  - All information collected regardless of format and media, e.g. correspondence, forms (paper and electronic), in person, over the telephone or via Council websites.
- 4.2 The Chief Executive Officer will determine procedures as necessary for implementation of this Policy in accordance with the requirements of the PIP Act and any other Act and will appoint and delegate functions to Officers as required
- 4.3 The Personal Information Protection Act 2004 and associated Privacy Information Protection Principles prevail over this policy if there is a conflict between them.

## 5. PROCEDURE (Personal Information Protection Principles)

### 5.1 Collection

- 5.1.1 Council will only collect personal information when it is necessary for its functions or activities.

- 5.1.2 Council will collect personal information directly from an individual wherever it is reasonable and practicable to do so.
- 5.1.3 Council will collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
- 5.1.4 In some instances, Council will be required by law to collect personal information.
- 5.1.5 Council will only collect sensitive information where an individual has consented or as permitted under the Act.
- 5.1.6 Before, during, or as soon as practicable after collection of personal information, Council will take reasonable steps to ensure that the individual is aware of:
  - 5.1.6.1 Council's identity and how to contact it;
  - 5.1.6.2 Their right to access the information;
  - 5.1.6.3 The purpose for which the information is collected;
  - 5.1.6.4 The intended recipients of the information;
  - 5.1.6.5 Any law that requires the information to be collected;
  - 5.1.6.6 The main consequences (if any) if all or part of the information is not provided.
- 5.1.7 If Council collects personal information about an individual from a third party, it will take reasonable steps to make sure that the person is aware of the matters referred to above, unless doing so would pose a serious threat to the life, safety, health or welfare of any individual, or, would prejudice the carrying out of an investigation.

## 5.2 Use and Disclosure

- 5.2.1 Council will only use personal information within the Council, or disclose it outside the Council:
  - 5.2.1.1 for the purpose for which it was collected, or
  - 5.2.1.2 in accordance with this Act or as provided for in any other legislative provision, or
  - 5.2.1.3 where consent has been provided, or
  - 5.2.1.4 where it could be reasonably expected that consent would be provided.
  - 5.2.1.5 When in doubt, contact the Officer nominated on any correspondence or the Right to Information Officer prior to use or disclosure outside the Council.
- 5.2.2 Council may use the information for purposes including, but not limited to, the following:
  - 5.2.2.1 To make contact in order to provide services requested by that person, e.g. obtaining a permit
  - 5.2.2.2 To make contact in order to resolve issues relating to Council services or functions, that the person has brought to our attention, e.g. where they have reported a matter (service request/failure) to be resolved by Council.
  - 5.2.2.3 To contact an individual before a Council Meeting to confirm their attendance and to advise them of any changes to the meeting details where they have made an application to speak or ask a question.
  - 5.2.2.4 To supply an individual with material concerning Council initiatives and programs.
  - 5.2.2.5 To contact an individual in relation to their property.
  - 5.2.2.6 To facilitate the collection of Council fees and charges, e.g. we will use a person's name and address details to forward rate notices.

- 5.2.2.7 To enable payment for Council-provided goods and services, e.g. we may collect an individual's credit card and bank account details when they make a payment for goods and services.
- 5.2.2.8 To enable Council to undertake its law enforcement functions, e.g. Council collects information about an individual from various Road Traffic Authorities to process Parking Infringement Notices.
- 5.2.2.9 To update an individual's name and address details and verify information
- 5.2.2.10 To check occupancy for ratings purposes.
- 5.2.2.11 To contact an individual in case of an emergency.
- 5.2.3 In some circumstances, Council needs to disclose a person's information to other organisations. Examples of situations where disclosure may occur include:
  - 5.2.3.1 Personal Information collected in relation to an individual's property may be forwarded to the Valuer-General and the Australian Bureau of Statistics, the Director of Building Control and the Training Levy Board in accordance with various legislative requirements.
  - 5.2.3.2 Personal Information included on a subdivision or development application may be forwarded to other State Government agencies in accordance with legislative requirements and made available to the public.
  - 5.2.3.3 Pensioner Applications for Rates Remission may be forwarded to Centrelink, the Department of Treasury, the Department of Veterans' Affairs and Housing Tasmania.
  - 5.2.3.4 Information relating to financial requests, for example a direct debit, may be forwarded to our bank.
  - 5.2.3.5 If a workplace incident or other incident or accident occurs, information may be forwarded to our Workers Compensation, public liability or professional indemnity insurers.
  - 5.2.3.6 If an individual does not pay their rates, Council may forward their information to the courts and a debt collector may be appointed.
  - 5.2.3.7 If infringement notices are not paid, Council may forward an individual's information to the courts, solicitor or the Monetary Penalties Enforcement Unit.
  - 5.2.3.8 Personal Information and Sensitive Information of a person utilising Council's immunisation services may be provided to Commonwealth or State Government Departments such as Medicare Australia.
  - 5.2.3.9 In order to properly assess an individual's development, building or subdivision application, Council may be required to seek the advice of other agencies. In doing so, will provide details of the application, including any personal information included on the application to that agency.

### 5.3 Data Quality

- 5.3.1 Council will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up to date.
- 5.3.2 An individual may update the personal information supplied to Council. Details on how to do so are outlined under Principle 5.6.

**5.4 Data Security**

- 5.4.1 Council will ensure that all employees are aware of the provisions of the Local Government Act 1993 S 339 in relation to the improper use of information.
- 5.4.2 Council will take all necessary steps to make sure that personal information is stored safely and securely. Technological and operational procedures are in place to protect personal information from misuse and loss.
- 5.4.3 Council will dispose of personal information where it is no longer necessary to fulfil the purposes for which it was collected, or as required by the Archive Act 1983 or other legislation.

**5.5 Openness**

- 5.5.1 This policy will be available on Council's website and for inspection at Council's Customer Service Centre.
- 5.5.2 On request by an individual, Council will take reasonable steps to let the person know, generally, what sort of personal information it holds, collects, for what purposes, and how it collects, holds, uses and discloses that information.

**5.6 Access and Correction**

- 5.6.1 A person who considers their personal information to be incorrect, incomplete, out of date or misleading, can request that the information be amended. Any amendment will be processed in accordance with the provisions of the Act.
- 5.6.2 Access will be provided except in the circumstances outlined by the Act, for example, where the information relates to legal proceedings or where the Right to Information Act 2009 applies.
- 5.6.3 Depending upon the nature of the request a fee may be charged for this service.
- 5.6.4 A person, who is not satisfied with the handling or outcome of a request for access to or correction of personal information, can lodge a complaint with the Ombudsman.

**5.7 Unique Identifiers**

- 5.7.1 A unique identifier is a reference that enables the identification of a particular person (e.g. driver's licence number).
- 5.7.2 Council will only assign unique identifiers if it is necessary to carry out any Council functions or responsibilities, or it is required by law.

**5.8 Anonymity**

- 5.8.1 Council will, where it is lawful and practicable, give individuals the option of remaining anonymous when entering into transactions with Council.
- 5.8.2 However, as anonymity may limit Council's ability to process a complaint or other matter, Council reserves the right to take no action on any matter if a person chooses not to supply sufficient personal information to Council.
- 5.8.3 Where possible, Council will treat complainants with anonymity with respect to enforcement matters. It may be necessary, however, to disclose identity to provide natural justice and procedural fairness to a person for which the complaint is about, for the necessity of enforcement or court processes or for compliance with other legislation including the Right to Information Act 2009.

**5.9 Disclosure of Information Outside Tasmania**

- 5.9.1 Council may disclose personal information of an individual to a region outside of Tasmania only if it is satisfied that the information is to be managed by the recipient in a way that

is consistent with the Personal Information Protection Principles, or the individual consents to the disclosure, or the disclosure is authorised or required by any other law.

#### 5.10 Sensitive Information

5.10.1 Council will only collect sensitive information when you have consented, or as permitted under the PIP Act or required by law.

5.10.2 Sensitive information will be appropriately secured and treated with the utmost confidentiality and only used for the purpose for which it was collected.

#### 5.11 Personal Information Data Breach

5.11.1 Council must record a personal information data breach and notify affected individuals when:

5.11.1.1 there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that Council holds

5.11.1.2 that is likely to result in serious harm to one or more individuals, and

5.11.1.3 Council hasn't been able to prevent the likely risk of serious harm with remedial action.

5.11.2 If Council suspects a personal information data breach may have occurred, it must quickly assess the incident to determine if it is likely to result in serious harm to any individual.

### 6. GUIDELINES

6.1 The Chief Executive Officer is responsible for ensuring that personal information is managed in accordance with this policy and the Personal Information Protection Principles as defined in the PIP Act.

6.2 If an individual has raised an alleged contravention by Council of this policy and remains dissatisfied with the response, a complaint can be made to the Ombudsman in accordance with s.18 of the PIP Act 2004 by contacting:

The Ombudsman  
NAB House, Level 6  
86 Collins Street  
Hobart  
GPO Box 960  
Hobart Tas 7001  
T 1800 001 170 (free call in Tasmania) Email: [ombudsman@ombudsman.tas.gov.au](mailto:ombudsman@ombudsman.tas.gov.au)  
[www: www.ombudsman.tas.gov.au/home](http://www.ombudsman.tas.gov.au/home)

### 7. COMMUNICATION

7.1 All staff and Councillors and will be made aware of this Policy.

7.2 The Policy will be published on the Council web page.

### 8. LEGISLATION

8.1 *Local Government Act 1993*

8.2 *Personal Information Protection Act 2004*

8.3 *Right to Information Act 2009*

### 9. RELATED DOCUMENTS

9.1 Policy 9.14: Code of conduct – Employees

9.2 Policy 1.8: Code of Conduct - Councillors

9.3 Policy 1.6: Customer service Charter

**10. AUDIENCE**

10.1 Public document

Public Copy

## 16.2 THE KINGBOROUGH COMMUNITY AWARDS

**File Number:** 5.557

**Author:** Carol Swards, Coordinator Community Services and Hub

**Authoriser:** Deleeze Chetcuti, Director Environment, Development & Community Services

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.1 A Council that engages with and enables its community.

### 1. PURPOSE

- 1.1 The purpose of this report is to provide Council with information on the status of the Kingborough Community Awards program and to seek endorsement to deliver an alternative annual event during National Volunteer Week, to acknowledge and celebrate the efforts of volunteers in Kingborough.

### 2. BACKGROUND

- 2.1 In 2010 Council began hosting the Kingborough Australia Day Awards. The program aligned with the national Australia Day Ambassador program and was supported by the state government by way of marketing, coordination and administration.
- 2.2 In 2017, Council determined that the Australia Day Awards be moved from 26 January to a more culturally sensitive date.
- 2.3 In 2018, the awards became the Kingborough Community Awards. The date was moved to early January to coincide with the date of the inaugural Kingborough Council meeting held on 6<sup>th</sup> January 1908. The award categories remained the same; Citizen of the Year, Young Citizen of the Year, Community Group of the Year and Certificate of Appreciation.
- 2.4 Council officers have been assessing the progress of the awards over the past 5 years and have determined that the resourcing required to deliver the program is not consistent with the community benefit outcomes.
- 2.5 The awards are promoted through social and print media, mailing lists, approaches to community groups, schools, organisations and via local newsletter distributors. Promotional reach is wide, however, the resulting response to the call for nominations has decreased over time.
- 2.6 While the program has been a positive celebration of people's achievements in the community it would appear that a fresh approach to volunteer recognition is timely.

### 3. STATUTORY REQUIREMENTS

There are no statutory requirements associated with the content of this report.

### 4. DISCUSSION

- 4.1 Officers have been monitoring community engagement with the Kingborough Community Awards over the past 5 years. Uptake of the program has been decreasing and has led to a review being undertaken.
- 4.2 Competition with statewide annual awards such as the Tasmanian Volunteering Awards may be a component in the gradual decline in nominations.

- 4.3 The awards require significant staff resourcing over the months from August to January. Given the decrease in community participation, it is becoming increasingly difficult to justify the allocation of resources when assessed against the overall community benefit.
- 4.4 To determine if a different model of volunteer recognition would be welcomed by the community, a 'Thank You' event was held on 21 May 2024 as part of National Volunteer Week. Kingborough Council volunteers from Council hall committees, advisory groups, Landcare groups and the Kingborough Volunteer Program were invited to take part. An address was provided by the Mayor and a presentation by local volunteer Edna Pennicott was included. The event was informal and provided an opportunity for networking. The main objective of the event was to offer an opportunity for Council to express gratitude for the many important and varied volunteer roles carried out in the community. Over 40 volunteers attended.
- 4.5 The National Volunteer Week event acknowledged a large number of volunteers. Its delivery required less demand on staff resources compared to the Kingborough Community Awards and feedback from all stakeholders was extremely positive.
- 4.6 According to Volunteering Tasmania's '*State of Volunteering Report 2019*', research shows that volunteering habits have changed, largely due to economic and social pressures on families. As such, people are tending to volunteer for fewer hours and this model of volunteering does not align with expectations that underpin the current awards categories and criteria.

It is suggested that Council take a more active role in nominating Kingborough community volunteers for the state Volunteering Tasmania awards delivered by Volunteering Tasmania. This would ensure that long serving volunteers are duly recognised and rewarded.

## 5. FINANCE

If Council endorses the proposal to deliver an annual event during National Volunteer Week, it is anticipated that no additional funding will be required.

## 6. ENVIRONMENT

There are no environmental implications associated with this report.

## 7. COMMUNICATION AND CONSULTATION

- 7.1 In undertaking a review of the Awards, Council Officers have sought input from a number of other Councils, liaised with Volunteering Tasmania and communicated with other relevant stakeholders.
- 7.2 Transition away from the current awards program would be communicated via Council's media channels and convey positive elements associated with the changes.

## 8. RISK

- 8.1 There is a risk that some community members may be disappointed by the discontinuation of the Kingborough Community Awards. Effective communication would help to mitigate against this risk.

## 9. CONCLUSION

- 9.1 The Kingborough Community Awards Program has been running since 2018.
- 9.2 For the past 5 years there has been a notable decrease in the number of nominations in each category.

- 9.3 A pilot National Volunteers Week event was held on 21 May 2024 to acknowledge and thank Council volunteers and was very well received by those in attendance.
- 9.4 An annual event, extended to all volunteers in Kingborough, would celebrate the efforts of many rather than a select few.

## **10. RECOMMENDATION**

That:

- (a) Council resolves to cease the delivery of the Kingborough Community Awards Program and retire the current Kingborough Awards Policy.
- (b) An annual event is delivered during National Volunteer Week to acknowledge and celebrate all volunteers in Kingborough

## **ATTACHMENTS**

**Nil**

Public Copy

## 16.3 RATE REMISSION REQUEST WOODBRIDGE COMMUNITY ASSOCIATION FOR THEIR WOODBRIDGE VILLAGE GREEN PROJECT

**File Number:** 3553102

**Author:** Tim Jones, Manager Finance

**Authoriser:** David Spinks, Director People & Finance

### Strategic Plan Reference

Key Priority Area: 1 Encourage and support a safe, healthy and connected community.

Strategic Outcome: 1.5 An active and healthy community, with vibrant, clean local areas that provide social, recreational and economic opportunities.

### 1. PURPOSE

- 1.1 To consider a request for a renewal of the Rates Remission, previously granted, for the Woodbridge Community Association for their Woodbridge Village Green Project at 10 Potters Road, Woodbridge.

### 2. BACKGROUND

- 2.1 The Woodbridge Village Green Project is a project of the Woodbridge Community Association (WCA).
- 2.2 The Association were gifted a block of land and have developed it as a commemorative park and place of historical and commemorative interest for the community and visitors.
- 2.3 The park was formally opened in October 2022 and is now regularly used by locals and visitors as well as for a range of village social occasions
- 2.4 It continues to be run on an entirely community volunteer basis using funds raised by the WCA.
- 2.5 The *Local Government Act 1993* provides Council with the ability to grant a remission of all, or part, of any rates under section 129.
- 2.6 The remission was originally granted in the 2018/19 year for three years with further requests to be considered upon application. In 2021 Council agreed to grant the remission for a further three years.

### 3. STATUTORY REQUIREMENTS

- 3.1 The *Local Government Act 1993* gives Council the power to grant a remission of rates.

- 3.2 Section 129:

*129. Remission of rates*

*(1) A ratepayer may apply to the council for remission of all or part of any rates paid or payable by the ratepayer or any penalty imposed or interest charged under section 128.*

*(2) An application is to be –*

*(a) made in writing; and*

*(b) lodged with the general manager.*

*(3) A council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer.*

(4) A council, by absolute majority, may grant a remission of any rates, penalty or interest paid or payable by a class of ratepayers.

(5) The general manager is to keep a record of the details of any remission granted under this section.

#### 4. DISCUSSION

- 4.1 The Woodbridge Community Association (WCA) have provided the following in support of their application:

*“The land was generously gifted to the community for the benefit of all residents and visitors, providing a valuable community space in the centre of the village that greatly enhances the existing heritage walk, complements the Cenotaph and provides historical context for the existing buildings. It encourages visitors and residents to explore the village further, including the beautiful walk through Silverwater Park and along the foreshore back to the Woodbridge Wharf.*

*It continues to be very much a community based, volunteer effort, made possible by the generous gifting of the land by Peppermint Bay. Since the park was officially opened in Oct 22 the WCA has continued fund raising for ongoing park maintenance, with strong support from the South Channel community.*

*The RSL, South Channel Garden Club and Birchs Bay Art Farm and School continue to be strongly supportive.*

*The maintenance of the park is done on an entirely volunteer basis, with the WCA raising sufficient funds for plants, mulch, fertiliser, fuel and other items/labour as required.*

*In view of the level of community and volunteer support for the project, WCA expects to be able to maintain the park into the future from within its own and community resources. Beyond the requested waiver of rates, the Park should place no further burden on Council.*

*A waiver of the rates would reduce some of the pressure on ongoing WCA fund raising efforts, which do take a substantial amount of volunteer time and effort from the committee and membership.*

*Lastly, approval of a rates waiver would represent a strong statement of ongoing support by Council for the Potters’ Corner Memorial Park.”*

- 4.2 Most areas of public open space are owned and maintained by Council. Waiving the rates is a means of supporting the provision of open space without a requirement to commit Council resources to maintenance.

- 4.3 The annual rates for 2024/25 are \$1,017.50.

#### 5. FINANCE

- 5.1 The budget includes an allowance for rating adjustments during the year, for both new assessments and remissions/reductions. Therefore any decision on these properties would be within the budget parameters.

#### 6. ENVIRONMENT

- 6.1 The provision of public open space is positive for the environment.

**7. COMMUNICATION AND CONSULTATION**

- 7.1 The decision of Council will be communicated to the Woodbridge Community Association.
- 7.2 This report is available to the public.

**8. RISK**

- 8.1 There is little risk to Council.

**9. CONCLUSION**

- 9.1 The Woodbridge Community Association have requested a renewal of the support from Council by granting a rate remission.
- 9.2 The Association will be responsible for the maintenance of the property.
- 9.3 The application is recommended on the basis that the land is available for community use.
- 9.4 An additional five year remission is recommended with further remissions being considered at this time, on application.

**10. RECOMMENDATION**

That the application for a Rate Remission by the Woodbridge Community Association for 10 Potters Road, Woodbridge be approved for a further five years.

**ATTACHMENTS**

Nil

**16.4 APPENDICES****RECOMMENDATION**

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

**17 NOTICES OF MOTION**

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At the time the Agenda was compiled there were no Notices of Motion received.

**18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

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**RECOMMENDATION**

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*

**Purchase Hook Truck 16500 KG GVM**

Regulation 15(2)(d) *contracts, and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.*

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

**OPEN SESSION ADJOURNS**

## OPEN SESSION RESUMES

### RECOMMENDATION

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	
Applications for Leave of Absence	
Purchase Hook Truck 16500 KG GVM	

### CLOSURE

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# APPENDICES

- A Chief Executive Officer's Activities 29 July 2024 to 23 August 2024
- B Current and Ongoing Minute Resolutions (Open Session)

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**A CHIEF EXECUTIVE OFFICER'S ACTIVITIES 29 JULY 2024 TO 23 AUGUST 2024**

Date	Description
30 July	Participated in Metropolitan Council GM's/CEO's weekly meeting
	Met with Mr Kerry Muller of the Business Enterprise Centre
	Met with representatives of the Kingborough Tigers Football Club and the Kingborough District Cricket Club
31 July	Met with representatives of the Department of State Growth to discuss the bus interchange
1 August	Attended regular meeting with the Department of State Growth regarding the Jack Jumpers High Performance Centre
	Attended SETN Board Meeting
2 August	Attended the Southern Council's Local Government Roundtable meeting hosted by Anita Dow
	Met with representatives of Traders in Purple on next steps in the development of Kingston Park
5 August	Met with representatives of T-Bone Brewery
	Met with representatives of the Kingborough Tigers Football Club and the Kingborough District Cricket Club
	Attended Council meeting
7 August	Hosted the Governor's visit to the Kingborough Municipality
8 August	Attended regular meeting with the Department of State Growth regarding the Jack Jumpers High Performance Centre
9 August	Attended Audit Panel meeting
	Met with the Mayor and Chief Executive Officer of Clarence City Council regarding the AFL High Performance Centre
	Met with the Executive Officer Hobart City Council, with the Mayor
12 August	Attended meeting with representatives of the Department of State Growth regarding preliminary master planning for the AFL HPC
	Met with impacted stakeholders of the Twin Ovals regarding the AFL HPC, with the Mayor
	Attended Council workshop
13 August	Attended Greater Hobart Committee meeting
	Attended the launch of the Multicultural Action Plan
14 August	Participated in all day visit to Bruny Island, meeting with members of representative groups
15 August	Attended Copping Joint Authority General Meeting
	Met with representatives of the Department of State Growth and bus operators to discuss the bus interchange
16 August	Met with Mr Paul Jackson of TasWaste South
	Met with Mr Mel Cooper and Mr Les Connell from the Kingston Beach RSL Club

Date	Description
19 August	Attended Council meeting
21 August	Met with Ms Justine Brooks of PDA Surveyors
	Met with Ms Louisa D'Arville of the Blackmans Bay Community Association
23 August	Attended the Kingborough Bicycle Advisory Committee Meeting
	Met with Mr Lachlan Kranz, Huon Valley Chief Executive Officer

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**B CURRENT AND ONGOING MINUTE RESOLUTIONS (OPEN SESSION)**

<b>CURRENT</b>	
<b>Resolution Title</b>	Use of Space at the Community Hub
<b>Meeting Date</b>	19 August 2024
<b>Minute No.</b>	C236/15-2024
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Director Environment, Development & Community Services
<b>Officers Comments</b>	Workshop scheduled for 28 October 2024
<b>Anticipated Date of Completion</b>	November 2024
<b>STILL BEING ACTIONED</b>	
<b>Resolution Title</b>	<b>AGM Motion – Environmental Reports</b>
<b>Meeting Date</b>	18 December 2024
<b>Minute No.</b>	C395/24-2023
<b>Status</b>	In progress
<b>Responsible Officer</b>	Manager Development Services
<b>Officers Comments</b>	A workshop has been scheduled for 14 October and will provide Councillors with an overview of the current process, understand specific concerns and to determine if further action is required.
<b>Anticipated Date of Completion</b>	October 2024
<b>Resolution Title</b>	<b>The Tasmanian Sustainability Strategy</b>
<b>Meeting Date</b>	2 October 2023
<b>Minute No.</b>	C314/19-2023
<b>Status</b>	In progress
<b>Responsible Officer</b>	Manager Development Services
<b>Officers Comments</b>	A submission was sent to State Govt (who are running the project) in October 2023. We await further direction or steps from them on the project.
<b>Anticipated Date of Completion</b>	Unknown
<b>Resolution Title</b>	<b>Buy Local Procurement &amp; Tendering Policy</b>
<b>Meeting Date</b>	20 November 2023
<b>Minute No.</b>	C365/22-2023
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Manager Legal & Property
<b>Officers Comments</b>	A draft policy will be developed for Council in accordance with the Council resolution
<b>Anticipated Date of Completion</b>	September 2024
<b>Resolution Title</b>	<b>Expansion of Smoke-Free Areas</b>
<b>Meeting Date</b>	5 June 2023
<b>Minute No.</b>	C172/10-2023
<b>Status</b>	In progress
<b>Responsible Officer</b>	Manager Environmental Services
<b>Officers Comments</b>	Community consultation completed. Engagement Report to Council in September
<b>Anticipated Date of Completion</b>	September 2024

<b>Resolution Title</b>	<b>Glyphosate</b>
<b>Meeting Date</b>	7 February 2022
<b>Minute No.</b>	C54/2-2022
<b>Status</b>	Ongoing
<b>Responsible Officer</b>	Director Environment, Development & Community Services
<b>Officers Comments</b>	A broader herbicide usage review is underway which encompasses Glyphosate. The project is being delivered in two stages. Stage 1 will provide the context of the review including Council herbicide use and alternatives. Stage 2 will provide costings for alternatives. Both stages will be delivered in first half 24/25.
<b>Anticipated Date of Completion</b>	January 2025

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