



COUNCIL MEETING MINUTES

2 September 2024

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

Kingborough Councillors 2022 - 2026



Mayor
Councillor Paula Wriedt



Deputy Mayor
Councillor Clare Glade-Wright



Councillor Aldo Antolli



Councillor David Bain



Councillor Gideon Cordover



Councillor Kaspar Deane



Councillor Flora Fox



Councillor Amanda Midgley



Councillor Mark Richardson



Councillor Christian Street

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Public Copy

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

1 AUDIO RECORDING

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

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS

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

3 ATTENDEES

Councillors:

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

Staff:

Chief Executive Officer	Mr Dave Stewart
Director People & Finance	Mr David Spinks
Director Governance, Recreation & Property Services	Mr Daniel Smee
Director Engineering Services	Mr David Reeve
Director Environment, Development & Community Services	Ms Deleeze Chetcuti
Manager Development Services	Ms Tasha Tyler-Moore
Planner	Ms Mary McNeill
Media & Communications Advisor	Ms Sam Adams
Executive Assistant	Mrs Amanda Morton

C1/16-2024

4 APOLOGIES

Councillor D Bain
Councillor G Cordover

C2/16-2024**5 CONFIRMATION OF MINUTES**

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

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

CARRIED**6 WORKSHOPS HELD SINCE LAST COUNCIL MEETING**

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.

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 TRANSFER OF AGENDA ITEMS

There were no agenda items transferred.

9 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

There were no questions without notice.

C3/16-2024**10 QUESTIONS ON NOTICE FROM THE PUBLIC**

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

- 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

C4/16-2024**11 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS**

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.

Cr Fox asked the following question without notice:

11.1 Copping Joint Authority

What is the long term expected lifetime of the C Cell based on current input? What percentage of the waste comes from interstate? Does the C Cell leak? What are the financial risks of it filling up or leaking? Could Council provide a report on these items at the next meeting?

Director Engineering Services responds:

None of the material comes from interstate, it's all sourced from within the State, mainly from the larger industrial processing such as Nystar, mining and contaminated sites. The C Cell exceeds landfill engineering standards. It has two layers with an automated leak detection system and has a sump in between the layers to control the movement of leachate. Based on the current tonnages, it would be about 70 years of life that you would have in the C Cell. There is some rehabilitation that would happen after the life of the C Cell had expired similar to that what may be expected with any closure of a landfill cell. I'm happy to do a report to Council or send out some additional information in an email to Councillors and SWS has provided a brochure with some more information.

Cr Midgley asked the following questions without notice:

11.2 Coastal Policy Submission

I understand that the Coast Policy Validation Bill has been tabled and could be debated at any time in the Upper House from 10 September. As Kingborough Council made a submission to this, have we received any correspondence regarding it?

Director Environment, Development & Community Services responds:

No, to my knowledge we have not received any correspondence regarding it, apart from an acknowledgement that it was received.

Cr Midgley:

I understand that there may be an opportunity for councils who made a submission to brief upper house members regarding their concerns. What are our plans for this?

Director Environment, Development & Community Services:

When we become aware of that process, it will certainly be considered and we will advise Councillors of how we progress with that.

11.3 Personal Bushfire Shelters

Further to Professor Rowan's questions in the agenda, can you advise Council's involvement in the working party and what is Council's role and advocacy?

Manager Development Services responds:

Yes, we are part of the working group and it is another agency that is managing it, so the advocacy in as far as raising the concerns of residents and the particular matter that led to and we have been open and transparent with them. If residents or groups would like to advocate for changes within another agency, they should really direct that directly with that agency.

Cr Midgley:

In regard to advocating for reports as requested, that's not our role in the working party?

Manager Development Services:

No, we've partaken in that. We have relayed and discussed the issues that were raised by a resident of our community, but it's really up to the other agencies to manage those and to decide what they are going to do with those.

Cr Midgley:

Can I ask who the other agencies are:

Manager Development Services:

The lead agency on this is the Tasmania Fire Service as well as CBOS, who are looking at these legislative changes.

Cr Midgley:

If there is a report from this working party, how will Councillors be kept up to date in regards to the progress and the briefing on that?

Manager Development Services:

Council is on a number of working groups, whether that's State or Federal legislation and the reporting back on that varies. In this instance, with the interest in it, we could inform Councillors of any updates of that, if it is requested, but typically, unless there is a significant legislative change, it may not come to the chamber, but we are more than happy to provide any updates.

Cr Midgley:

As consistent with the recommendations of the Royal Commission into the 2009 bushfires in Victoria, is Council seeking to do whatever possible to ensure the working party finds a way to approve bushfire bunkers in Tasmania?

Manager Development Services:

As mentioned, it's not our jurisdiction to be managing the approvals of those. We just simply need to follow the legislation that is provided to us. We are part of the working group, as I've said, and we will provide feedback, the same as we do with any other State Government legislated changes that we also participate in and provide feedback and partake in those working groups.

11.4 TasWater Pump Infrastructure

A TasWater pump station in Howden has been failing since installed and during heavy rain events. I had also sent in a letter regarding a sewerage leak into the adjacent bay from this pump station. Ten new resident blocks have been approved for development and connected to this pump station site. It's not up to standard and many residents are unsure as to what to do. What other advocacy can happen in this area?

Chief Executive Officer responds:

We can follow up with TasWater. I'll follow up with you after the meeting to find out more about the specifics about this pump station.

12 QUESTIONS ON NOTICE FROM COUNCILLORS

There were no questions on notice from Councillors.

OPEN SESSION ADJOURNS

PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.44pm

13 OFFICERS REPORTS TO PLANNING AUTHORITY

C5/16-2024

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

Moved: Cr Clare Glade-Wright

Seconded: Cr Kaspar Deane

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 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 2 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.

CARRIED



Submission to Planning Authority Notice

Council Planning Permit No.	DA-2023-389	Council notice date	16/11/2023
TasWater details			
TasWater Reference No.	TWDA 2023/01592-KIN	Date of response	10/04/2024
TasWater Contact	David Boyle	Phone No.	0436 629 652
Response issued to			
Council name	KINGBOROUGH COUNCIL		
Contact details	kc@kingborough.tas.gov.au		
Development details			
Address	70 BEACH RD, KINGSTON BEACH	Property ID (PID)	5725852
Description of development	Multiple Dwellings x 4 (3 new + 1 ex)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Aldanmark Consulting Engineers	23 E 24 – 6 SH. C100 & C104	F	5/12/2023
Conditions			
<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>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 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. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction / use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. <p>DEVELOPER CHARGES</p> <ol style="list-style-type: none"> 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. 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. 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. 			



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) 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

Open session resumed at 6.01pm

14 PETITIONS STILL BEING ACTIONED

There are no petitions still being actioned.

15 PETITIONS RECEIVED IN LAST PERIOD

No Petitions had been received.

16 OFFICERS REPORTS TO COUNCIL

C6/16-2024

16.1 PRIVACY POLICY 1.9

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

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

CARRIED

C7/16-2024

16.2 THE KINGBOROUGH COMMUNITY AWARDS

Moved: Cr Amanda Midgley
Seconded: Cr Flora Fox

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

CARRIED

C8/16-2024

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

Moved: Cr Amanda Midgley
Seconded: Cr Flora Fox

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

CARRIED

C9/16-2024**16.4 APPENDICES**

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

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

CARRIED**17 NOTICES OF MOTION**

There were no Notices of Motion received.

C10/16-2024**18 CONFIRMATION OF ITEMS TO BE DEALT WITH IN CLOSED SESSION**

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

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.*

CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY

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

Open Session of Council adjourned at 6.14pm

OPEN SESSION ADJOURNS

OPEN SESSION RESUMES

Open Session of Council resumed at 6.19pm

C11/16-2024

Moved: Cr Amanda Midgley
Seconded: Cr Flora Fox

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

Item	Decision
Confirmation of Minutes	Confirmed
Applications for Leave of Absence	Nil
Purchase Hook Truck 16500 KG GVM	Approved

CARRIED

CLOSURE

There being no further business, the Chairperson declared the meeting closed at 6.20pm

.....
(Confirmed)

.....
(Date)