PLANNING AUTHORITY IN SESSION

Planning Authority commenced at 5.44pm

12 OFFICERS REPORTS TO PLANNING AUTHORITY

C254/15-2026

12.1 PSA-2026-2: PROPOSED AMENDMENT TO THE KINGBOROUGH INTERIM PLANNING SCHEME 2015 - REZONING AT 27 SELBY ROAD, KETTERING

Moved: Cr David Bain
Seconded: Cr Flora Fox

That the Planning Authority:

(a) Pursuant to section 34(1) of the former provisions of the *Land Use Planning and Approvals Act 1993 (LUPAA)*, initiates Amendment PSA-2026-2 to the *Kingborough Interim Planning Scheme 2015* (KIPS2015) as per Attachment 1.

(b) Pursuant to section 35 of the LUPAA, certifies that Amendment PSA-2026-2 meets the requirements of section 32 and authorises the Chief Executive Officer to sign the Instrument of Certification provided in Attachment 2.

(c) Pursuant to section 35(4) of the LUPAA, forwards a copy of the draft amendment and the Instrument of Certification to the Tasmanian Planning Commission within 7 days of certification;

(d) Pursuant to section 56S of the Water and Sewer Industry Act 2008, refers PSA-2026-2 to TasWater; and

(e) Pursuant to section 38 of LUPAA, places PSA-2026-2 on public exhibition for a period of at least 28 days following certification.

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12.2 DAS-2026-4 – S43A DEVELOPMENT APPLICATION FOR SUBDIVISION CREATING THREE (3) LOTS ASSOCIATED WITH PLANNING SCHEME AMENDMENT PSA-2026-2

Moved: Cr Gideon Cordover
Seconded: Cr David Bain

That if the Planning Authority resolves to initiate Amendment PSA-2026-2 to the *Kingborough Interim Planning Scheme 2015*, that the development application for subdivision creating three (3) lots at 27 and 29 Selby Road, Kettering and the adjacent Council road reserve (CT 141484/100) for Ireneinc Planning be approved subject to the following conditions:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with Development Application No. DAS-2026-4 and Council Plan Reference No. P2 submitted on 4th June 2026.

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

2. Prior to the permit coming into the effect, the landowner must enter into a Part 5 Agreement under the *Land Use Planning and Approvals Act 1993* with and to the satisfaction of

Kingborough Council to the effect that the measures contained within the certified subdivision Bushfire Hazard Report and associated Bushfire Hazard Management Plan (BHMP) (Lark & Creese, 4 June 2026) must be implemented in relation to any future development on proposed lots 1, 2, and 3, unless superseded by an alternative BHMP certified by an accredited person or TFS, and only if this alternative BHMP demonstrates that the hazard management measures meet all of the following:

(a) are no greater than that shown in the subdivision BHMP;

(b) are consistent with the vegetation classifications in the subdivision BHMP;

(c) are contained within the lot boundaries;

(d) do not impact upon individual native trees with a diameter >25cm at 1.4m from natural ground level; and

(e) do not rely upon management of vegetation communities meeting the descriptions in: Kitchener, A. and Harris, S. (revised January 2016), '*From Forest to Fjaeldmark: Descriptions of Tasmania's Vegetation'*, Edition 2. Department of Primary Industries, Water and Environment, excluding those vegetation communities within the categories of "modified land" or "other natural environments".

This Part 5 Agreement must use Council's template Part 5 Agreement and be executed by all parties prior to commencement of works. The Agreement must then be lodged at the Land Titles Office together with the Final Plan of Survey and registered on the title to Lots 1-3.

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

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

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3. Prior to the commencement of any on-site works associated with the private infrastructure to service the approved dwellings, engineering design drawings must be submitted to Council for approval. The engineering plans and specifications must be prepared and certified by a professional Civil Engineer, in consultation with a suitably qualified arborist. Plans must be to satisfaction of the Director Engineering Services and comply with:

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

The Plans must include, but are not limited to:

(a) 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 minimum 4.0m wide vehicle access (crossover) and passing bays in accordance with the submitted Bushfire Hazard Management Plan.

(b) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:

(i) Stormwater layout details to service the development.

(ii) A stormwater detention system as required in Table E7.1 of the Kingborough Interim Planning Scheme 2015.

(iii) Upgrading of existing stormwater pipe culvert in Selby Road to 375mm pipe culvert as indicated on the submitted plans and in accordance with Council requirements.

(c) Detailed Soil and Water Management Plan.

Once endorsed the plans will form part of the permit.

4. A Council fee of 2% of the estimated value of the civil engineering construction works (including GST, provisional items and contingencies) for the development or the current minimum fee, whichever is the greater, must be paid at the time of submission of the engineering design plans for approval. The actual amounts payable shall be based on the rates adopted by Council and prevailing at the time of payment.

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

6. Prior to the commencement of any on-site works (including excavations, placement of fill, delivery of building/construction materials and/or temporary buildings), all native vegetation, including individual trees identified for retention in the Approved Plans must be appropriately protected during and after subdivision works. This includes implementation of the Tree protection Plan (Phillip Jackson, May 2026) during construction.

In addition, the following vegetation protection measures must be adhered to following construction for all areas of native vegetation, including individual trees identified for retention, but outside the footprint of the approved works:

(i) the existing soil level must not be altered (including the disposal of fill, placement of materials or the scalping of the soil);

(ii) the areas must be free from the storage of fill, contaminates or other materials;

(iii) machinery and vehicles are not permitted access; and

(iv) development and associated works are not permitted unless otherwise approved by Council in writing or otherwise in accordance with the law.

7. 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.

8. The vehicular access must be constructed in accordance with the approved engineering drawings. A permit to carry out works within a Council road reservation must be obtained prior to any works commencing within the Council road reservation.

9. Underground power services must be provided to all lots on the endorsed plan of subdivision in accordance with the requirements of TasNetworks and the telecommunications authority

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requirements. Services conduits must be provided to the lots proper at the developer's cost. Services conduits must be provided to the service authority requirements.

10. Prior to the sealing of the Final Plan of Survey, a cash contribution must be paid, in lieu of providing Public Open Space on-site, equivalent to 5% of the unimproved value of the gross area of Lots 2 and 3 as shown on the endorsed plans. The process and calculation must be in accordance with section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and Council's Public Open Space Contributions Policy.

    The subdivider is to obtain a valuation from a registered Valuer for the purposes of determining the unimproved value of proposed Lots 2 and 3 of the subdivision.

11. All existing and proposed water, sewer and stormwater pipelines shall be provided with all necessary drainage easements and shown on the Final Plan of Survey lodged for sealing.

    Specific easements as required by other authorities shall also be provided and shown on the Final Plan of Survey lodged for sealing.

12. Prior to the sealing of the Final Plan of Survey, the wastewater system servicing the existing dwelling must be decommissioned and a new wastewater system must be constructed within the boundaries of Lot 1.

13. Prior to the sealing of the Final Plan of Survey, a compliant water supply must be provided to Lot 1 in accordance with the submitted Bushfire Hazard Report and accompanying subdivision Bushfire Hazard Management Plan.

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ADVICE

A. A Final Plan of Survey must be submitted to Council for sealing, together with a Schedule of Easements, a copy of the survey notes, and a copy of the balance plan (where applicable). Payment of Council's fee for sealing the Final Plan of Survey and Schedule of Easements must be made upon submission of plans.

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

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

    New property addresses have been allocated as follows:

Lot No.	Allocated Property Address
1	27B Selby Road, Kettering (existing dwelling)
2	27A Selby Road, Kettering
3	27C Selby Road, Kettering

    While the existing dwelling would normally retain the original addressing, the lack of available numbers for street numbering necessitates the use of alpha-suffixing. Alpha-suffixing must be allocated sequentially, thereby requiring the re-numbering of the existing dwelling in this case

D. The developer should obtain a Plumbing Permit for the relocation of the onsite wastewater irrigation area.

    This work must be carried out prior to the sealing of the Final Plan of Survey and inspected by a Council Plumbing Surveyor.

E. The developer must obtain from Council a Plumbing Permit for an onsite wastewater management system. Prior to Council issuing a Plumbing Permit, the developer must submit all documents specified in Schedule 2 of the Director's Specified List for an onsite wastewater management system.

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PLANNING AUTHORITY SESSION ADJOURNS