

11 Spring Farm Lane, Kingston

Planning scheme amendment

era

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Era Advisory acknowledge palawa as the Traditional Owners of lutruwita (Tasmania).

They are the original custodians of our land, sky and waters.

We respect their unique ability to care for country and deep spiritual connection to it.

We honour and pay our respect to Elders past and present, whose knowledge and wisdom has and will ensure the continuation of culture and traditional practices.

We acknowledge that their sovereignty has never been ceded.

Always was, always will be.

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Client	Tipalea Private No.27 Pty Ltd
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1 Introduction

1.1 Purpose of the report

Era Advisory (Era) has been engaged to request an amendment to the Kingborough Interim Planning Scheme 2015 (planning scheme) pursuant to section 33 of the *Land Use Planning and Approvals Act 1993* (the Act)¹.

This report forms the basis of the amendment application and has been prepared considering the provisions of the planning scheme, the requirements of the Act, and other relevant strategic documents.

1.2 Title details

The draft amendment relates to land at 11 Spring Farm Lane, Kingston, with title reference 189699/1. The land is owned by Tipalea Private No.27 Pty Ltd. Title documents are provided in Appendix A.

Pursuant to Section 33 of the Act, the landowner's written permission for the making of this application has been provided and is available separately to this report

1.3 Enquiries

Enquiries relating to this report can be directed to Monica Cameron, Principal Planner, on (03) 6165 0443 or at monica@era-advisory.com.au.

¹ References in this document to the provisions of the *Land Use Planning and Approvals Act 1993* are references to the former provisions of the Act as defined in Section 2 of Schedule 6 – Savings and transitional provisions of the Act.

2 Site and surrounds

2.1 The site

The site is at 11 Spring Farm Lane, Kingston, with title reference 189699/1. The site is approximately 2.55 ha and comprises the Spring Farm Village shopping centre. Planning and building approvals have been granted for the shopping centre, which is under construction. A copy of the approved plans is in Appendix B, and an extract of the approved site plan is in Figure 1.

Zoning for the site and surrounds is shown in Figure 2.



Figure 1 Approved site plan for Spring Farm Village shopping centre



Figure 2 Existing zones and overlays for site and surrounds (Commercial Zone is purple, Utilities Zone is yellow, Environmental Management Zone is green, and residential zones are red)

3 The draft amendment

3.1 Draft amendment

The draft amendment seeks a planning scheme amendment for a rezoning and site-specific qualification at the Spring Farm Village shopping centre, which is currently under construction. Specifically, the proposal seeks to rezone land from the Utilities Zone and Environmental Management Zone to the Commercial Zone, to ensure that all of the shopping centre area is in the Commercial Zone as shown in Figure 3 and Figure 4.

The site-specific qualification is achieved by amending the use table at Clause 23.2 of the Kingborough Interim Planning Scheme 2015 to include as a discretionary use per the following:

Use Class	Qualification
Hotel Industry	Only if a bottle shop located at 11 Spring Farm Lane, Kingston (189699/1)

No other changes are proposed to the zone and code provisions.

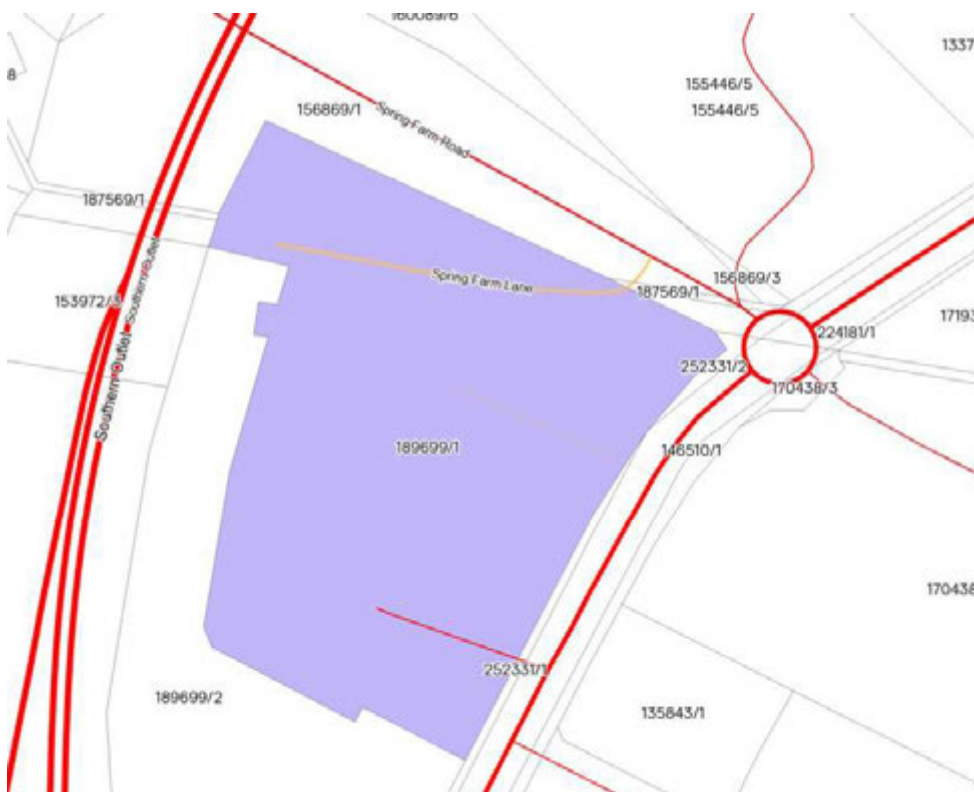


Figure 3 Proposed Commercial zone for Spring Farm Village (source: Esk Spatial)

3.2 Reason for the draft amendment

The draft amendment seeks to rezone land from the Utilities Zone and Environmental Management Zone to the Commercial Zone, to ensure that all of the shopping centre site is in the Commercial Zone. Currently, the site is split zoned as a result of historic title and ownership arrangements, which have recently been resolved with Council selling the redundant area of road. Having the entire shopping centre under a single zone intended for its purpose provides for orderly planning. The proposed rezoning is depicted in Figure 4.

The proposed site-specific qualification enables a bottle shop as a discretionary use on the site. A bottle shop is part of the hotel industry use class, which is prohibited in the Commercial Zone in the planning scheme. However, a bottle shop is part of the general retail and hire use class in the State Planning Provisions of the Tasmanian Planning Scheme (TPS), which is discretionary in the Commercial Zone. Therefore, the proposed SSQ seeks to bring forward a use that will become permissible under the TPS.



Figure 4 Proposed zoning

4 Assessment of planning scheme amendment

4.1 Requirements of the Act

This planning scheme amendment request is made under Section 33 of the Act.¹ The following assessment parameters are relevant to the proposal:

Section 20

(1) An amendment must ...

(a) seek to further the objectives set out in Schedule 1 within the area covered by the scheme; and

(b) prepare the scheme in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993; and

(c) [not applicable]

(d) have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Local Government Act 1993 as adopted by the council at the time the planning scheme is prepared; and

(e) have regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

Section 30O

(1) An amendment is as far as practicable consistent with the regional land use strategy

Section 32

(1) A draft amendment of a planning scheme ...

(a) – (d) [not applicable]

(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and

(ea) must not conflict with the requirements of section 30O ; and

(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

(2) The provisions of section 20 (2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.

4.2 Assessment against Section 20(1)(a) – schedule 1 objectives

Section 20(1)(a) requires that the amendment furthers the objective of the resource management and planning system set out in Schedule 1 of the Act. An assessment of the proposal against these objectives is provided in Table 1.

Table 1 - Assessment against objective of the Act

Part 1 Objective	Response
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity	The land subject to the amendment is existing urban land, with an approved shopping centre under construction. Natural values in the adjoining Environmental Management Zone land are in the biodiversity protection area overlay and will continue to be protected through the prevailing zone and code provisions. In addition, these values have been further protected in perpetuity by a Part 5 Agreement and the transfer of that land to Council as part of the planning permit for the shopping centre development.
(b) to provide for the fair, orderly and sustainable use and development of air, land and water	The proposed rezoning will ensure that the entire shopping centre is in the Commercial Zone, rather than its current split zoning. This will provide for more fair and orderly development and addresses an anomaly given the closure of the redundant road and its transfer to private ownership.
(c) to encourage public involvement in resource management and planning	This objective is achieved through the legislative process. The draft amendment will be placed on public exhibition for a formal comment period. Representors will be provided the opportunity to provide additional input during a public hearing process.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)	The proposed amendment allows a wider variety of commercial uses to be permissible in the shopping centre, which will directly contribute to the economic development of the area and serve the local community without impacting on natural values.
(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State	The proposed amendment represents a process of shared responsibility between State government, local government, the development industry and the community. All relevant bodies will be consulted as part of the planning approval process.
Part 2 Objective	Response
(a) to require sound strategic planning and co-ordinated action by State and local government	The site contains the under construction Spring Farm Village shopping centre, which was subject to previous planning approvals in accordance with sound strategic planning. The proposed amendment will not expand the footprint or scale of the shopping centre. Rather, the rezoning element will ensure that all land is contained in a single zone, tidying up an anomaly that is currently preventing onsite parking in some areas of the site. The SSQ element will ensure that a bottle shop is a permissible use in the zone, which will reflect the strategic intent in the State Planning Provisions for such use to be permissible in the Commercial Zone.

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land	The proposal does not affect the attainment of this objective. The proposed amendment does not seek any change to the zone and code provisions. This system of planning instruments is enabled by the Act and will allow for future development of the site to be considered against the provisions of the planning scheme.
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land	As indicated in the responses to Part 1 (a) through (d) above, future development of the site will contribute positively to the economic and social fabric of the municipality without introducing unmitigated environmental impacts. This is primarily achieved through the application of the prevailing zone and code provisions of the planning scheme during subsequent development stages.
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels	The proposal does not affect the attainment of this objective.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals	The proposal does not affect the attainment of this objective.
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation	The proposed amendment contributes towards the shopping centre's ability to provide for the needs of the community. Consolidating various retail needs into a shopping centre format enables a pleasant and efficient shopping experience. Providing reasonable access to services is an important part of promoting well-being.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value	The site has not been identified as having historic heritage values. Aboriginal heritage values have previously been identified on the site and the adjoining land in the Environmental Management Zone. As part of the planning and building approvals for Spring Farm Village shopping centre, Aboriginal heritage assessments were completed by Cultural Heritage Management Australia, and the relevant permits have been obtained pursuant to the requirements of the <i>Aboriginal Heritage Act 1975</i> ; see Appendix C. The proposed planning scheme amendment will result in no material change to the existing approved development on the land. Therefore, no impacts on heritage values will result from the proposal.
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.	Roads, water, sewer, stormwater, gas, and electricity supply is protected and provided for in typical development assessment processes under legislation including but not limited to the <i>Land Use Planning and Approvals Act 1993</i> , <i>Water and Sewerage Industry Act 2008</i> , <i>Urban Drainage Act 2013</i> , and <i>Gas Pipelines Act 2000</i> . That is, the planning scheme amendment process itself will not affect the attainment of this objective given the significant legislative framework in place to protect and provide for public infrastructure throughout various stages of the development process. Spring Farm Lane previously traversed the site, which was a public road in the Utilities Zone. However, this land has recently been disposed by Council and sold to the

currently landowner to for the purposes of developing Spring Farm Village. Therefore, noting that the public road is no longer required and the shopping centre approved, the proposal to rezone from the Utilities Zone to the Commercial Zone provides for coordinated and orderly planning.

In summary, planning and building permits have been issued for the shopping centre in accordance with this legislative framework, and the proposed rezoning will not impact on the public road network.

(i) to provide a planning framework which fully considers land capability.

The proposal does not affect the attainment of this objective. The site is not productive land capable of being used for rural or agricultural pursuits.

4.3 Assessment against Section 20(1)(b), and (e) – state policy

Section 20(1)(b) and (e) requires that the amendment be consistent with each State policy and the Gas Pipelines Act 2000. There are currently three state policies operational in Tasmania that articulate the government's strategic policy direction. The National Environmental Protection Measures are also taken as State policy for the purposes of this assessment. The relevance of these policies to the proposed scheme amendment are addressed below.

4.3.1 State Policy on the Protection of Agricultural Land 2009

This policy is not relevant to the proposed amendment. The site is already zoned for non-agricultural purposes and is not in proximity to agricultural land.

4.3.2 State Policy on Water Quality Management 1997

The site has access to full reticulated services, including stormwater. Council's building and plumbing permit processes will manage stormwater flows in accordance with the *Urban Drainage Act 2013* and relevant Council policies. It is considered that these existing provisions are adequate for this site to ensure future works are compliant with the State policy.

4.3.3 State Coastal Policy 1996

The site is more than 1 km from the coast. Therefore, this policy is not applicable.

4.3.4 National Environmental Protection Measures

National Environmental Protection Measures (NEPMs) are developed under the National Environment Protection Council (Tasmania) Act 1995 and outline objectives and protections for aspects of the environment. Section 12A of the State Policies and Projects Act 1993 empowers NEPMs with the status of a State Policy.

Seven NEPMs have been made to date that deal with ambient air quality, air toxins, assessment of site contamination, diesel vehicle emissions, movement of controlled waste between states and territories, national pollutant inventory, and used packaging materials.

The site is not identified as potentially contaminated, and the proposal does not involve any potential use or development that require environmental considerations under the NEPMs.

4.3.5 Gas Pipelines Act 2000

The site is not affected by a gas pipeline. Therefore, this requirement is not applicable.

4.4 Assessment against Section 20(1)(d) – Council strategic plan

Section 20(1)(d) of the Act requires the amendment to have regard to the Kingborough Council Strategic Plan 2020-2025. The plan provides the direction for the future delivery of Council services, to influence the quality of life for residents and businesses. The plan is based on key priorities to support a safe, healthy and connected community, to deliver quality infrastructure and services, and to sustain the natural environment whilst facilitating development. The proposed amendment furthers these priorities, contributing directly with quality services on existing commercial land.

4.5 Assessment against Section 30O(1) – regional land use strategy

Section 30O(1) requires the amendment, as far as practicable, to be consistent with the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS). The STRLUS guides the planning direction for the region and provides a critical link between State and local strategic planning. It sets out the strategy and policy basis to facilitate and manage change, growth, and development.

The STRLUS includes a suite of land use planning policies that are intended to guide decision making by State and local government including through the planning scheme amendment process. They outline how the strategic outcomes will be achieved. The STRLUS includes regional policies of relevance to the proposed amendment, including policies for activity centres.

An assessment of the proposed amendment against the relevant regional policies is provided below. The assessment approach considers the STRLUS as a holistic document and balances the draft amendment against all policies. Individual policies and actions are not taken as absolute requirements.

Regional policies for physical infrastructure

PI 1 – Maximise the efficiency of existing physical infrastructure

Regional policies for land use and transport integration

LUTI 1 – Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.

Regional policies for activity centres

AC 1 – Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.

The proposed amendment will enable an additional use class on the site, being hotel industry for a bottle shop. Allowing for a wider variety of uses in the existing shopping centre will optimise the efficiency of existing physical infrastructure by eliminating the need for out of centre development, and improve land use and transport integration by optimising use and development in proximity to the existing transport network.

Spring Farm Village shopping centre is a neighbourhood centre scale in the activity centre hierarchy. The introduction of a single additional use class into a newly establishing neighbourhood centre, without any associated increase in floor space, will also have no impact on the activity centre hierarchy.

4.6 Assessment against Section 32(1)(e) – land use conflict

Section 32(1)(e) requires the amendment, as far as practicable, avoid the potential for land use conflicts with adjacent land. Land adjacent to the site is in the Commercial Zone to the north and east, and both the Utilities Zone and Environmental Management Zone to the west and south. There are no land use conflicts between the adjacent land and the potential non-residential use on the site. Spring Farm Village is already approved for a variety of non-residential uses.

4.7 Assessment against Section 32(1)(ea)

Section 32(1)(ea) requires the amendment to not conflict with Section 300 of the Act. Refer to Section 4.5 of this report for assessment against Section 300(1) of the Act. The proposed amendment is consistent with the regional land use strategy.

4.8 Assessment against Section 32(1)(f) – regional scale impact

Section 32(1)(f) of the Act requires consideration of any regional scale impact that potential use and development could have because of the amendment. Assessment against regional scale impacts is provided in Sections 4.2, 4.3, and 4.5 of this report. In summary, the minor scale of the changes to the approved Spring Farm Village will not result in regional impacts.

4.9 Assessment against Section 32(2)

Section 32(2) of the Act requires that Sections 20(2) to 20(9) of the Act apply to the amendment in the same manner as they apply to planning schemes. The proposed amendment seeks a rezoning and SSQ without change to the underlying planning scheme provisions. This will have no impact on the existing legislative operations relevant to assessment in Section 32(2) of the Act.

5 Conclusion

The proposal seeks a rezoning and site-specific qualification at Spring Farm Village shopping centre. The rezoning will resolve an issue with split zoning that has resulted from now superseded title anomalies on the site. Specifically, from a section of Council road reservation that is no longer required and has been transferred to private ownership. Rezoning will ensure that all of the shopping centre is in the Commercial Zone. The site-specific qualification will enable the Hotel Industry use for a bottle shop as a discretionary use on the site. A bottle shop is a discretionary use in the Commercial Zone of the State Planning Provisions in the upcoming Tasmanian Planning Scheme. Therefore, the proposal will bring forward a use that will otherwise become permissible when the planning scheme transitions to the Tasmania Planning Scheme.

The proposed amendment has been assessed against the requirements of the *Land Use Planning and Approvals Act 1993*. Based on the supporting information provided in this report, it is submitted that there is sufficient justification to support the case for an amendment as proposed. Notably, the rezoning allows for the orderly development of unconstrained commercial land that meets the needs of the community without distorting the activity centre hierarchy nor introducing land use conflict with the adjacent use.

The proposed amendment meets the legislative requirements and is recommended for approval.

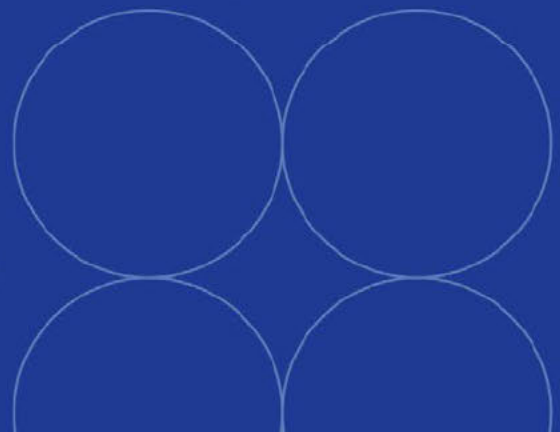
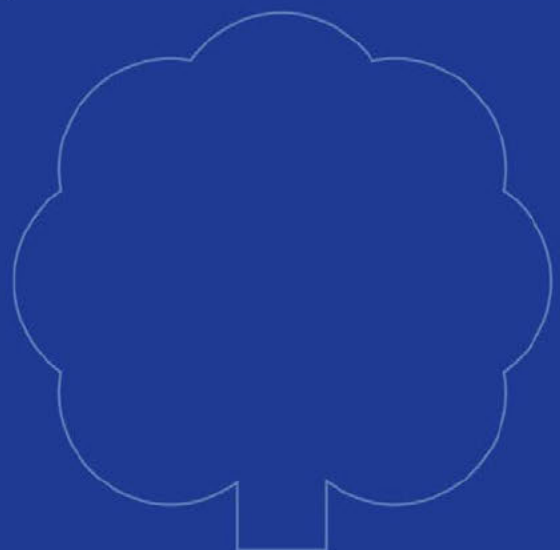
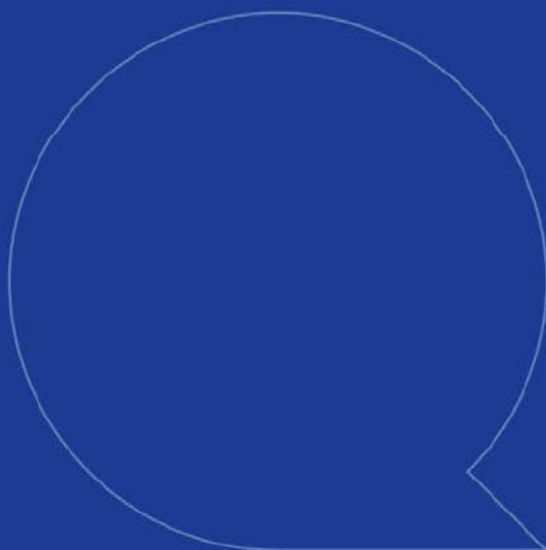
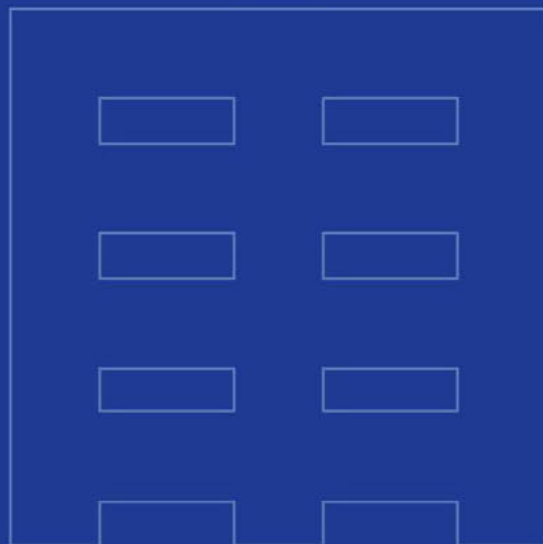
Appendix A Title documents

Appendix B Planning permit and approved plans for Spring Farm Village

Appendix C Aboriginal heritage permit for Spring Farm Village

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1 Introduction

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This report forms the basis of the amendment application and has been prepared considering the provisions of the planning scheme, the requirements of the Act, and other relevant strategic documents.

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2 Site and surrounds

2.1 The site

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Zoning for the site and surrounds is shown in Figure 2.



Figure 1 Approved site plan for Spring Farm Village shopping centre



Figure 2 Existing zones and overlays for site and surrounds (Commercial Zone is purple, Utilities Zone is yellow, Environmental Management Zone is green, and residential zones are red)

3.2 Reason for the draft amendment

The draft amendment seeks to rezone land from the Utilities Zone and Environmental Management Zone to the Commercial Zone, to ensure that all of the shopping centre site is in the Commercial Zone. Currently, the site is split zoned as a result of historic title and ownership arrangements, which have recently been resolved with Council selling the redundant area of road. Having the entire shopping centre under a single zone intended for its purpose provides for orderly planning. The proposed rezoning is depicted in Figure 4.

The proposed site-specific qualification enables a bottle shop as a discretionary use on the site. A bottle shop is part of the hotel industry use class, which is prohibited in the Commercial Zone in the planning scheme. However, a bottle shop is part of the general retail and hire use class in the State Planning Provisions of the Tasmanian Planning Scheme (TPS), which is discretionary in the Commercial Zone. Therefore, the proposed SSQ seeks to bring forward a use that will become permissible under the TPS.



Figure 4 Proposed zoning

4 Assessment of planning scheme amendment

4.1 Requirements of the Act

This planning scheme amendment request is made under Section 33 of the Act.¹ The following assessment parameters are relevant to the proposal:

Section 20

(1) An amendment must ...

(a) seek to further the objectives set out in Schedule 1 within the area covered by the scheme; and

(b) prepare the scheme in accordance with State Policies made under section 11 of the State Policies and Projects Act 1993; and

(c) [not applicable]

(d) have regard to the strategic plan of a council referred to in Division 2 of Part 7 of the Local Government Act 1993 as adopted by the council at the time the planning scheme is prepared; and

(e) have regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

Section 30O

(1) An amendment is as far as practicable consistent with the regional land use strategy

Section 32

(1) A draft amendment of a planning scheme ...

(a) – (d) [not applicable]

(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and

(ea) must not conflict with the requirements of section 30O ; and

(f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.

(2) The provisions of section 20 (2), (3), (4), (5), (6), (7), (8) and (9) apply to the amendment of a planning scheme in the same manner as they apply to planning schemes.

4.2 Assessment against Section 20(1)(a) – schedule 1 objectives

Section 20(1)(a) requires that the amendment furthers the objective of the resource management and planning system set out in Schedule 1 of the Act. An assessment of the proposal against these objectives is provided in Table 1.

Table 1 - Assessment against objective of the Act

Part 1 Objective	Response
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity	The land subject to the amendment is existing urban land, with an approved shopping centre under construction. Natural values in the adjoining Environmental Management Zone land are in the biodiversity protection area overlay and will continue to be protected through the prevailing zone and code provisions. In addition, these values have been further protected in perpetuity by a Part 5 Agreement and the transfer of that land to Council as part of the planning permit for the shopping centre development.
(b) to provide for the fair, orderly and sustainable use and development of air, land and water	The proposed rezoning will ensure that the entire shopping centre is in the Commercial Zone, rather than its current split zoning. This will provide for more fair and orderly development and addresses an anomaly given the closure of the redundant road and its transfer to private ownership.
(c) to encourage public involvement in resource management and planning	This objective is achieved through the legislative process. The draft amendment will be placed on public exhibition for a formal comment period. Representors will be provided the opportunity to provide additional input during a public hearing process.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)	The proposed amendment allows a wider variety of commercial uses to be permissible in the shopping centre, which will directly contribute to the economic development of the area and serve the local community without impacting on natural values.
(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State	The proposed amendment represents a process of shared responsibility between State government, local government, the development industry and the community. All relevant bodies will be consulted as part of the planning approval process.
Part 2 Objective	Response
(a) to require sound strategic planning and co-ordinated action by State and local government	The site contains the under construction Spring Farm Village shopping centre, which was subject to previous planning approvals in accordance with sound strategic planning. The proposed amendment will not expand the footprint or scale of the shopping centre. Rather, the rezoning element will ensure that all land is contained in a single zone, tidying up an anomaly that is currently preventing onsite parking in some areas of the site. The SSQ element will ensure that a bottle shop is a permissible use in the zone, which will reflect the strategic intent in the State Planning Provisions for such use to be permissible in the Commercial Zone.

(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land	The proposal does not affect the attainment of this objective. The proposed amendment does not seek any change to the zone and code provisions. This system of planning instruments is enabled by the Act and will allow for future development of the site to be considered against the provisions of the planning scheme.
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land	As indicated in the responses to Part 1 (a) through (d) above, future development of the site will contribute positively to the economic and social fabric of the municipality without introducing unmitigated environmental impacts. This is primarily achieved through the application of the prevailing zone and code provisions of the planning scheme during subsequent development stages.
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels	The proposal does not affect the attainment of this objective.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals	The proposal does not affect the attainment of this objective.
(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation	The proposed amendment contributes towards the shopping centre's ability to provide for the needs of the community. Consolidating various retail needs into a shopping centre format enables a pleasant and efficient shopping experience. Providing reasonable access to services is an important part of promoting well-being.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value	The site has not been identified as having historic heritage values. Aboriginal heritage values have previously been identified on the site and the adjoining land in the Environmental Management Zone. As part of the planning and building approvals for Spring Farm Village shopping centre, Aboriginal heritage assessments were completed by Cultural Heritage Management Australia, and the relevant permits have been obtained pursuant to the requirements of the <i>Aboriginal Heritage Act 1975</i> ; see Appendix C. The proposed planning scheme amendment will result in no material change to the existing approved development on the land. Therefore, no impacts on heritage values will result from the proposal.
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.	Roads, water, sewer, stormwater, gas, and electricity supply is protected and provided for in typical development assessment processes under legislation including but not limited to the <i>Land Use Planning and Approvals Act 1993</i> , <i>Water and Sewerage Industry Act 2008</i> , <i>Urban Drainage Act 2013</i> , and <i>Gas Pipelines Act 2000</i> . That is, the planning scheme amendment process itself will not affect the attainment of this objective given the significant legislative framework in place to protect and provide for public infrastructure throughout various stages of the development process. Spring Farm Lane previously traversed the site, which was a public road in the Utilities Zone. However, this land has recently been disposed by Council and sold to the

currently landowner to for the purposes of developing Spring Farm Village. Therefore, noting that the public road is no longer required and the shopping centre approved, the proposal to rezone from the Utilities Zone to the Commercial Zone provides for coordinated and orderly planning.

In summary, planning and building permits have been issued for the shopping centre in accordance with this legislative framework, and the proposed rezoning will not impact on the public road network.

(i) to provide a planning framework which fully considers land capability.

The proposal does not affect the attainment of this objective. The site is not productive land capable of being used for rural or agricultural pursuits.

4.3 Assessment against Section 20(1)(b), and (e) – state policy

Section 20(1)(b) and (e) requires that the amendment be consistent with each State policy and the Gas Pipelines Act 2000. There are currently three state policies operational in Tasmania that articulate the government's strategic policy direction. The National Environmental Protection Measures are also taken as State policy for the purposes of this assessment. The relevance of these policies to the proposed scheme amendment are addressed below.

4.3.1 State Policy on the Protection of Agricultural Land 2009

This policy is not relevant to the proposed amendment. The site is already zoned for non-agricultural purposes and is not in proximity to agricultural land.

4.3.2 State Policy on Water Quality Management 1997

The site has access to full reticulated services, including stormwater. Council's building and plumbing permit processes will manage stormwater flows in accordance with the *Urban Drainage Act 2013* and relevant Council policies. It is considered that these existing provisions are adequate for this site to ensure future works are compliant with the State policy.

4.3.3 State Coastal Policy 1996

The site is more than 1 km from the coast. Therefore, this policy is not applicable.

4.3.4 National Environmental Protection Measures

National Environmental Protection Measures (NEPMs) are developed under the National Environment Protection Council (Tasmania) Act 1995 and outline objectives and protections for aspects of the environment. Section 12A of the State Policies and Projects Act 1993 empowers NEPMs with the status of a State Policy.

Seven NEPMs have been made to date that deal with ambient air quality, air toxins, assessment of site contamination, diesel vehicle emissions, movement of controlled waste between states and territories, national pollutant inventory, and used packaging materials.

The site is not identified as potentially contaminated, and the proposal does not involve any potential use or development that require environmental considerations under the NEPMs.

4.3.5 Gas Pipelines Act 2000

The site is not affected by a gas pipeline. Therefore, this requirement is not applicable.

4.4 Assessment against Section 20(1)(d) – Council strategic plan

Section 20(1)(d) of the Act requires the amendment to have regard to the Kingborough Council Strategic Plan 2020-2025. The plan provides the direction for the future delivery of Council services, to influence the quality of life for residents and businesses. The plan is based on key priorities to support a safe, healthy and connected community, to deliver quality infrastructure and services, and to sustain the natural environment whilst facilitating development. The proposed amendment furthers these priorities, contributing directly with quality services on existing commercial land.

4.5 Assessment against Section 30O(1) – regional land use strategy

Section 30O(1) requires the amendment, as far as practicable, to be consistent with the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS). The STRLUS guides the planning direction for the region and provides a critical link between State and local strategic planning. It sets out the strategy and policy basis to facilitate and manage change, growth, and development.

The STRLUS includes a suite of land use planning policies that are intended to guide decision making by State and local government including through the planning scheme amendment process. They outline how the strategic outcomes will be achieved. The STRLUS includes regional policies of relevance to the proposed amendment, including policies for activity centres.

An assessment of the proposed amendment against the relevant regional policies is provided below. The assessment approach considers the STRLUS as a holistic document and balances the draft amendment against all policies. Individual policies and actions are not taken as absolute requirements.

Regional policies for physical infrastructure

PI 1 – Maximise the efficiency of existing physical infrastructure

Regional policies for land use and transport integration

LUTI 1 – Develop and maintain an integrated transport and land use planning system that supports economic growth, accessibility and modal choice in an efficient, safe and sustainable manner.

Regional policies for activity centres

AC 1 – Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.

The proposed amendment will enable an additional use class on the site, being hotel industry for a bottle shop. Allowing for a wider variety of uses in the existing shopping centre will optimise the efficiency of existing physical infrastructure by eliminating the need for out of centre development, and improve land use and transport integration by optimising use and development in proximity to the existing transport network.

Spring Farm Village shopping centre is a neighbourhood centre scale in the activity centre hierarchy. The introduction of a single additional use class into a newly establishing neighbourhood centre, without any associated increase in floor space, will also have no impact on the activity centre hierarchy.

4.6 Assessment against Section 32(1)(e) – land use conflict

Section 32(1)(e) requires the amendment, as far as practicable, avoid the potential for land use conflicts with adjacent land. Land adjacent to the site is in the Commercial Zone to the north and east, and both the Utilities Zone and Environmental Management Zone to the west and south. There are no land use conflicts between the adjacent land and the potential non-residential use on the site. Spring Farm Village is already approved for a variety of non-residential uses.

4.7 Assessment against Section 32(1)(ea)

Section 32(1)(ea) requires the amendment to not conflict with Section 300 of the Act. Refer to Section 4.5 of this report for assessment against Section 300(1) of the Act. The proposed amendment is consistent with the regional land use strategy.

4.8 Assessment against Section 32(1)(f) – regional scale impact

Section 32(1)(f) of the Act requires consideration of any regional scale impact that potential use and development could have because of the amendment. Assessment against regional scale impacts is provided in Sections 4.2, 4.3, and 4.5 of this report. In summary, the minor scale of the changes to the approved Spring Farm Village will not result in regional impacts.

4.9 Assessment against Section 32(2)

Section 32(2) of the Act requires that Sections 20(2) to 20(9) of the Act apply to the amendment in the same manner as they apply to planning schemes. The proposed amendment seeks a rezoning and SSQ without change to the underlying planning scheme provisions. This will have no impact on the existing legislative operations relevant to assessment in Section 32(2) of the Act.

5 Conclusion

The proposal seeks a rezoning and site-specific qualification at Spring Farm Village shopping centre. The rezoning will resolve an issue with split zoning that has resulted from now superseded title anomalies on the site. Specifically, from a section of Council road reservation that is no longer required and has been transferred to private ownership. Rezoning will ensure that all of the shopping centre is in the Commercial Zone. The site-specific qualification will enable the Hotel Industry use for a bottle shop as a discretionary use on the site. A bottle shop is a discretionary use in the Commercial Zone of the State Planning Provisions in the upcoming Tasmanian Planning Scheme. Therefore, the proposal will bring forward a use that will otherwise become permissible when the planning scheme transitions to the Tasmania Planning Scheme.

The proposed amendment has been assessed against the requirements of the *Land Use Planning and Approvals Act 1993*. Based on the supporting information provided in this report, it is submitted that there is sufficient justification to support the case for an amendment as proposed. Notably, the rezoning allows for the orderly development of unconstrained commercial land that meets the needs of the community without distorting the activity centre hierarchy nor introducing land use conflict with the adjacent use.

The proposed amendment meets the legislative requirements and is recommended for approval.

Appendix A Title documents

SEARCH OF TORRENS TITLE

VOLUME 189699	FOLIO 1
EDITION 1	DATE OF ISSUE 20-Feb-2026

SEARCH DATE : 24-Feb-2026

SEARCH TIME : 12.26 pm

DESCRIPTION OF LAND

Parish of KINGBOROUGH Land District of BUCKINGHAM

Lot 1 on Sealed Plan 189699

Derivation : Part of 200 Acres Gtd. to J. Baynton, Part of Lot 678, 152 Acres Gtd. to Daniel O'Connor and Whole of Lot 1, 1706m2 The Crown

Prior CTs 62794/3, 62794/4, 160089/6, 164731/100, 164731/101, 164731/202, 187415/1 and 187569/1

SCHEDULE 1

N129555 & N275772 TRANSFER to TIPALEA PRIVATE NO. 27 PTY LTD
Registered 20-Feb-2026 at 12.01 pm

SCHEDULE 2

N219220 & N219246 Land is limited in depth to 15 metres, excludes minerals and is subject to reservations relating to drains sewers and waterways in favour of the Crown

SP189699 EASEMENTS in Schedule of Easements

SP189699 COVENANTS in Schedule of Easements

SP164731 FENCING PROVISION in Schedule of Easements

A132707 FENCING CONDITION in Transfer

N219246 FENCING CONDITION in Transfer

A843867 PROCLAMATION under Section 9A and 52A of the Roads and Jetties Act 1935 affecting the said land within described Registered 25-May-1983 at noon

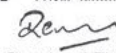
E405866 AGREEMENT pursuant to Section 78 of the Land Use Planning and Approvals Act 1993 Registered 22-Feb-2025 at noon

E423220 MORTGAGE to Commonwealth Bank of Australia
Registered 09-Aug-2025 at noon

UNREGISTERED DEALINGS AND NOTATIONS

NOTICE: This folio is affected as to amended plan notation pursuant to Request to Amend No. E391458 made under Section 103 of the Local Government (Building and

Miscellaneous Provisions) Act 1993. Search Sealed
Plan No. 189699 Lodged by ROGERSON & BIRCH on
03-Nov-2025 BP: 189699
N149234 PRIORITY NOTICE reserving priority for 90 days
D/MORTGAGE Commonwealth Bank of Australia to Tipalea
Private No. 27 Pty Ltd (Mortgage E423220)
MORTGAGE Tipalea Private No. 27 Pty Ltd to
Commonwealth Bank of Australia Lodged by SIMMONS
WOLFHAGEN on 20-Feb-2026 BP: N149234

OWNER TIPALEA PRIVATE NO.27 PTY LTD, KINGBOROUGH COUNCIL FOLIO REFERENCE C.T.164731/202, C.T.164731/100, C.T.164731/101, C.T.187415/1, C.T.187569/1, 160089/6 C.T.62794/4, C.T.62794/3 GRANTEE PART OF 200 ACRES GTD TO JAMES BAYNTON, PART OF LOT 678 (152A-OR-OP) GTD TO DANIEL O'CONNOR, WHOLE OF LOT 1 (1706m²) GTD TO THE CROWN (P187415)	PLAN OF SURVEY BY SURVEYOR ANDREW STEPHEN BIRCH ROGERSON AND BIRCH SURVEYORS UNIT 1 - 2 KENNEDY DRIVE, CAMBRIDGE PARK PH 6248-5898 LAND DISTRICT OF BUCKINGHAM PARISH OF KINGBOROUGH SCALE 1:1000 1:1250 LENGTHS IN METRES	REGISTERED NUMBER SP189699 APPROVED EFFECTIVE 20 FEB 2016 FROM  Recorder of Titles
--	--	--

LOT 2 IS COMPILED FROM C.T.164731/202 & THIS SURVEY

ALL EXISTING SURVEY NUMBERS TO BE
CROSS REFERENCED ON THIS PLAN

**PRIORITY FINAL PLAN
INDEX PLAN**

SPRING FARM ROAD

OUTLET

SOUTHERN

Public Open Space 2 1.657ha

1 2.551ha

CHANNEL HIGHWAY

PIPELINE EASEMENT 20.12m WIDE (571/34)

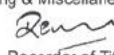
PIPELINE AND SERVICES EASEMENT 20.12m WIDE (CREATED BY N219220)

ROAD WIDENING (P187569)

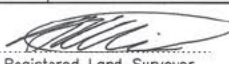
ELECTRICAL INFRASTRUCTURE EASEMENT 'A' VARIABLE WIDTH (CREATED BY N219220)

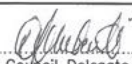
RIGHT OF WAY (P187415) VARIABLE WIDTH

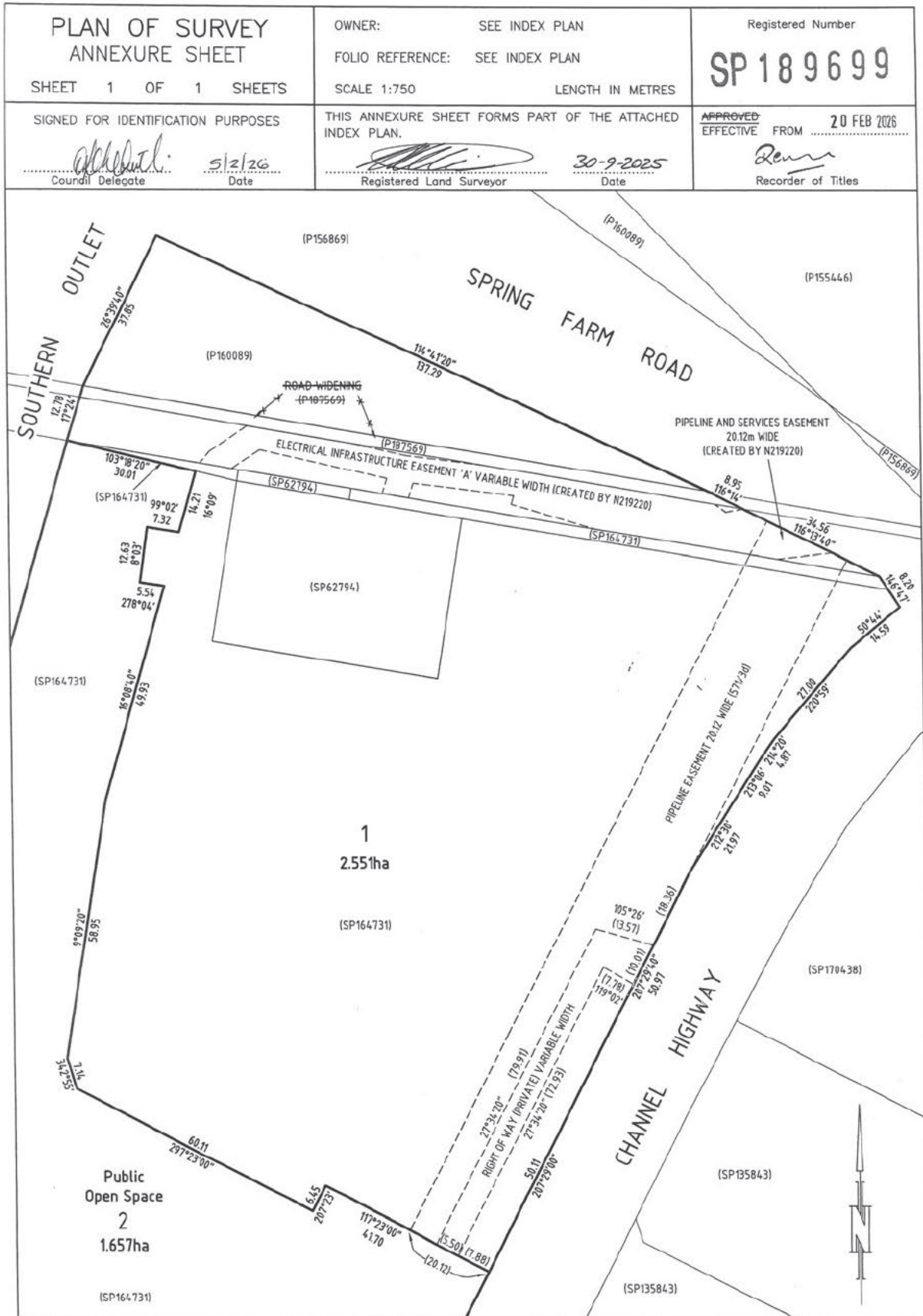
Road Widening notation hereon deleted by me pursuant to Request to Amend No. E391458 made under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993

 20 FEB 2016
Recorder of Titles Date

(SP135843)

 30-9-2025
Registered Land Surveyor Date

 5/2/26
Council Delegate Date



Department of Natural Resources and Environment Tasmania

LAND TITLES OFFICE - LAND TASMANIA

GPO Box 541, Hobart, Tasmania 7001
Ph (03)61654444
Email: lto@nre.tas.gov.au
Web: www.nre.tas.gov.au



20 February 2026

**TO: ROGERSON & BIRCH
UNIT 1
2 KENNEDY DR
CAMBRIDGE TAS 7170**

NOTICE OF ACCEPTANCE OF

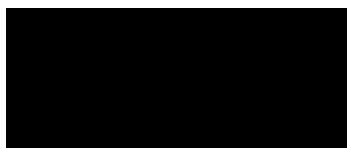
SEALED PLAN NO: 189699

SUBDIVIDER: KINGBOROUGH COUNCIL and TIPALEA PRIVATE NO.27 PTY LTD

I have accepted this Plan. Enclosed is a copy in the form in which it has taken effect.

Titles issued and dispatch details are as follows:

Volume	Folio	Dispatch
189701	6	Dispatched on: 23-Feb-2026 To: SIMMONS WOLFHAGEN
189699	1	Edition of: 20-Feb-2026 held on behalf of: COMMONWEALTH BANK OF AUSTRALIA
189699	2	Dispatched on: 23-Feb-2026 To: KINGBOROUGH COUNCIL
189700	1	Dispatched on: 23-Feb-2026 To: SIMMONS WOLFHAGEN



ROBERT MANNING
Recorder of Titles

SP 189699

COUNCIL APPROVAL

(Insert any qualification to the permit under section 83(5), section 109 or section 111 of the Local Government (Building & Miscellaneous Provisions) Act 1993)
The subdivision shown in this plan is approved



In witness whereof the common seal of Kingborough Council
has been affixed, pursuant to a resolution of the Council of the said municipality
passed the 23 day of August 2011, in the presence of us

Member

Member

Council Delegate

Council Reference DAS-2024-2

NOMINATIONS

For the purpose of section 88 of the Local Government (Building & Miscellaneous Provisions) Act 1993
the owner has nominated

SIMMONS WOLFHAGEN LAWYERS

Solicitor to act for the owner

ROGERSON & BIRCH SURVEYORS

Surveyor to act for the owner

OFFICE EXAMINATION:

Indexed

Computed MH.17/2/2026

Examined MH.17/2/2026

SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 189699

PAGE 1 OF 3 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-

(1) ~~such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and~~

(2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

(1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and

(2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

1. EASEMENTS

1.1 Lot 1 on the Plan is subject to a right of carriageway (appurtenant to Lot 2 on the Plan) over the land marked 'RIGHT OF WAY (PRIVATE) VARIABLE WIDTH' shown passing through Lot 1 on the Plan.

in favour of Tasmanian Networks Pty Ltd

1.2 Lot 1 on the Plan is subject to an Electrical Infrastructure Easement (as defined in N219220) over the land marked 'ELECTRICAL INFRASTRUCTURE EASMENT 'A' VARIABLE WIDTH (CREATED BY N219220)' shown passing through Lot 1 on the Plan.

1.3 Lot 1 on the Plan ("the Lot") is subject to a Pipeline and Services Easement (as defined in N219220) in gross in favour of TasWater over the land marked 'PIPELINE AND SERVICES EASEMENT 20.12 WIDE (CREATED BY N219220)' shown on the Plan ("the Easement Land")

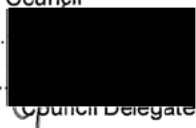
1.4 Lot 1 on the Plan ("the Lot") is subject to a Pipeline Easement (as defined in SP164731) in gross in favour of TasWater over the land marked 'PIPELINE EASEMENT 20.12 WIDE (571/3d) shown on the Plan ("the Easement Land")

1.5 Lot 2 on the Plan is together with a right of carriageway over the land marked 'RIGHT OF WAY (PRIVATE) VARIABLE WIDTH' shown passing through Lot 1 on the Plan.

1.6 Lot 2 on the Plan ("the Lot") is subject to a Pipeline Easement (as defined in SP164731) in gross in favour of TasWater over the land marked 'PIPELINE EASEMENT 20.12 WIDE (571/3d)' shown on the Plan ("the Easement Land")

Lots 1 & 2 on the Plan are each subject to a pipeline easement (for the Metropolitan Water Board) over the land marked Pipeline Easement 20.12 wide (571/3D) on the Plan as more fully defined in A357873 & A355592 (subject to conditions).

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Tipalea Private No. 27 Pty Ltd & Kingborough Council FOLIO REF: CT 164731/202, CT 164731/100, CT 164731/101, CT 187415/1, CT 187569/1, CT 160089/6, CT62794/4 and CT 62794/3 SOLICITOR & REFERENCE: C Wootton - 240551	PLAN SEALED BY: Kingborough Council DATE: <u>5/2/26</u> <u>DAS-2024-2</u> REF NO. 
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 3 PAGES	Registered Number SP 18 96 99
SUBDIVIDER: Tipalea Private No. 27 Pty Ltd & Kingborough Council FOLIO REFERENCE: CT 164731/202, CT 164731/100, CT 164731/101, CT 187415/1, CT 187569/1, CT 160089/6, CT 62794/4 and CT 62794/3	

2. INTERPRETATION

“Right of Carriage Way” means a right of carriage way as set out in long form within Schedule 8 of the *Conveyancing and Law of Property Act 1884*.

3. COVENANTS

3.1 The owner or owners of Lot 1 on the plan or any part thereof covenant with the Kingborough Council to the intent that the burden of this covenant may run with and bind the covenantor’s lot and every part thereof and that the benefit thereof may be created in gross in favour of the Kingborough Council to observe the following stipulation:

- Not to undertake any development on Lot 1 on the Plan that relies upon management of vegetation within Lot 2 on the Plan, based on the classification of Lot 2 on the Plan as forest.

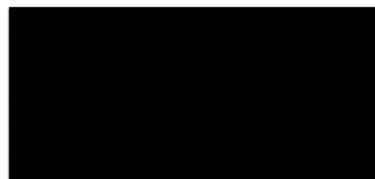
3.2 The owner or owners of Lot 2 on the plan or any part thereof covenant with the Kingborough Council to the intent that the burden of this covenant may run with and bind the covenantor’s lot and every part thereof and that the benefit thereof may be created in gross in favour of the Kingborough Council to observe the following stipulations:

- (a) Not to construct or permit to be constructed any habitable buildings on any part of Lot 2 on the Plan;
- (b) Not to erect, or permit to be erected any building, structure or works on Lot 2 on the Plan unless such building, structure or works is for the purpose of natural and cultural values management or passive recreation and in accordance with any endorsed management plan for Lot 2;
- (c) Not to use the said Lot 2 for any purpose other than biodiversity offset reserve, natural and cultural values management and public open space purposes.

Signed by:



Tipalea Private No. 27 Pty Ltd



Kingborough Council

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.



ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 3 PAGES	Registered Number SP 189699
SUBDIVIDER: Tipalea Private No. 27 Pty Ltd & Kingborough Council FOLIO REFERENCE: CT 164731/202, CT 164731/100, CT 164731/101, CT 187415/1, CT 187569/1, CT 160089/6, CT 62794/4 and CT 62794/3	

4. EXECUTION

Signed on behalf of Tipalea Private No. 27 Pty Ltd

(ACN 656 207 082) in accordance with section 127

of the *Corporations Act 2001 (Cth)* by:



Signature
Scott Spanton

Sole Director/Sole Secretary



Signed by Kingborough Council in
accordance with sections 19(3) & (5) of the
Local Government Act 1993

Signature 

Position CEO

Full Name DAVE STEWART

Signature MAYOR

Position PAULA WRIGHT

Full Name

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)

NOTE: Every annexed page must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

TASMANIAN LAND TITLES OFFICE

Notification of Agreement under the Land Use Planning and Approvals Act 1993

Section 78



E405866

DESCRIPTION OF LAND			
Folio of the Register			
Volume	Folio	Volume	Folio
164731	202		

REGISTERED PROPRIETOR: Tipalea Private No. 27 Pty Ltd (ACN 656 207 082) of Level 11, 50 Clarence Street
Sydney in New South Wales

PLANNING AUTHORITY: Kingborough Council of 15 Channel Highway, Kingston in Tasmania

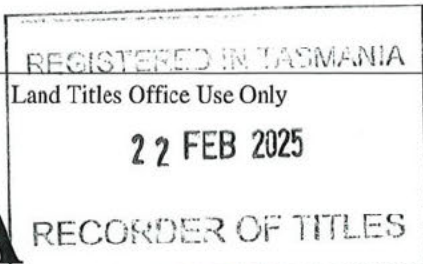
I/we **DAVE STEWART** of Kingborough Council

the abovenamed Planning Authority, certify that the above particulars are correct and that attached is a certified executed copy of the agreement (not including annexures) between the abovenamed parties, notice of which is to be registered against the abovementioned folio of the Register.

The abovenamed Planning Authority holds the original executed Agreement.

Date: **10 JANUARY 2025**

Signed: 
(on behalf of the Planning Authority)



LUA
Version 2 (TOLD)

RECORDER OF TITLES

THE BACK OF THIS FORM MUST NOT BE USED

Created 03-Dec-2024 10:46AM

PIN OR STAPLE HERE
DO NOT GUM THIS
FORM TO THE INSTRUMENT

I HEREBY CERTIFY THAT THIS IS A
TRUE COPY OF AN ORIGINAL DOCUMENT
PRESENTED TO ME ON 10 / 1 / 2025

EX-OFFICIO COMMISSIONER FOR DECLARATIONS
(TASMANIA)

PAGE 1 OF 22 PAGES

Vol. 164731 Fol. 202

**AGREEMENT UNDER PART 5
LAND USE PLANNING AND APPROVALS ACT 1993**

This **Agreement** is made on the

10

day of

JANUARY

25
2024

PW
[Signature]

BETWEEN: **TIPALEA PRIVATE NO. 27 PTY LTD** (ACN 656 207 082) of Level 11, 50 Clarence Street, Sydney in New South Wales ("the Owner")

-and-

KINGBOROUGH COUNCIL

of 15 Channel Highway Kingston in Tasmania ("the Council")

TERMS OF AGREEMENT

1. OBJECTIVES

- (a) This **Agreement** is entered into pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993*.
- (b) The purpose of the **Agreement** is to ensure orderly compliance with the requirements of Division 8 of the *Local Government (Building and Miscellaneous Provisions Act 1993* and facilitation of the development of the Land.
- (c) It is the intention of both parties to the **Agreement** that it will have the effect of binding all future owners as well as the current owner of the **Land**. The **Owner's** covenants shall run with the Land as if they were covenants to which section 102(2) of the *Land Titles Act 1980* applies.
- (d) This **Agreement** is to be registered pursuant to section 78 of the *Land Use Planning and Approvals Act 1993*.

2. LAND

This **Agreement** applies to the **Land**, being:

The whole of the land comprised in Folio of the Register 164731 folio 202 and known as 202 Channel Highway, Kingston in the Municipality of Kingborough in Tasmania comprising 3.505 hectares.

3. DEFINITIONS AND INTERPRETATIONS

3.1 In this agreement unless the contrary intention appears:

Signed by:

NOTE:- Every annexed page shall be signed by the parties to the dealing, or where the party is a corporate body, be signed by the persons who have attested the affixing of the seal of that body to the dealing.

THE BACK OF THIS PAGE MUST NOT BE USED

PW
[Signature]

PIN OR STAPLE HERE
DO NOT GUM THIS
FORM TO THE INSTRUMENT

EX-OFFICIO COMMISSIONER FOR DECLARATIONS
(TASMANIA)

- (a) **"Agreement"** means this instrument including any schedules, attachments and annexures;
- (b) **"Bond"** means the sum of \$300,000.00 (three hundred thousand dollars) in lieu of the transfer of the POS Land prior to commencement of the Works.
- (c) **"CEO"** means 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) or any person holding the position of General Manager for the time being.
- (d) **"Council"** means Kingborough Council;
- (e) **"Development"** means the amalgamation of titles and construction of a Coles anchored shopping centre including car parking and multiple retail tenancies generally in accordance with the **Permit**.
- (f) **"Land"** means the land described in clause 2 of this **Agreement**;
- (g) **"Owner"** means the person or persons named at the beginning of this **Agreement** as "the Owner" and includes any successors or assignees of that person;
- (h) **"Permit"** means Planning Permit reference DAS-2024-2 issued on 21 October 2024 a copy of which forms Schedule B of this agreement.
- (i) **"POS Land"** means all that part of the Land shown on the plan forming Schedule A of the Agreement as Lot 2 with an approximate area of 1.658 hectares, the area of which may vary within reasonable margins once the final plan for the Land is prepared.
- (j) **"Works"** means the construction works intended to be carried out as part of the Development.

3.2 Nothing contained herein should be taken to mean or imply that planning approval or any other approval has been or will be granted for activities which require such approval;

4. GENERAL COVENANTS

In consideration of the Council granting such permits as required for the commencement of construction of the **Works** and/or use of the **Land** the **Owner** hereby covenants with the **Council** as follows:

- (a) Upon execution of the Part 5 Agreement, the POS Land is established as a Bushland Reserve and will be managed by the Owner as an offset in accordance with the endorsed Conservation Management Plan required under the permit for DAS-2024-2 until the land is transferred to the Council;
- (b) Prior to completion of the **Works** and issue of any Occupancy Certificate, or within 12 months of the issue of the permit unless otherwise agreed by Council in writing whichever is the sooner, the

Signed by: [REDACTED]

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Owner is to provide the **Council** with a signed Transfer in registrable form in relation to the **POS Land** transferring that **POS Land** to **Council** for the sum of \$1.00 together with any other necessary document to enable transfer of that part of the **Land**;

- (c) The **Owner** and the **Council** agree and the **Owner** accepts that no certificate of occupancy for the **Development** shall be granted to the **Owner** until the condition set out in paragraph (b) is satisfied.
- (d) The **Owner** must provide the **Bond** to **Council** within 10 business days of execution of this Agreement by all parties.
- (e) In addition to the matters set out above, the parties acknowledge that upon satisfaction of the above matters and Transfer of the **POS Land** to **Council** the **Bond** must be returned to the **Owner** within 10 business days.
- (f) If the **Works** have not commenced and the **Permit** lapses, this agreement is at an end and the **Bond** must be promptly returned to the **Owner**.

5. DISPUTE

- (a) If a dispute arises between the parties under this **Agreement**, then (except in the case of action required to be taken under statute) the parties agree that it must be resolved expeditiously in accordance with the provisions of this clause.
- (b) If a dispute arises requiring resolution, a party must serve a notice on the other specifying the nature and substance of the matter in dispute.
- (c) If, within thirty (30) days of a notice under Clause 5(b) being served, the parties are unable to resolve the dispute, then the dispute must be submitted by the parties for resolution under the following sub-clauses.
- (d) The matter in dispute must be referred for resolution by a person of appropriate qualifications and experience, as agreed between the parties, who will act as mediator and conduct a mediation concerning the matter in dispute.
- (e) If the dispute is not settled under Clause 5(d) or the parties fail to appoint a mediator, the **CEO** may establish, in an attempt to resolve the dispute, a review committee comprising an independent chairperson and a representative of the **Owner** and a representative of the **Council**. This committee will be required to review the dispute and then attempt to resolve the dispute by agreement.
- (f) The costs of all mediation under this clause are to be shared equally between the parties.
- (g) Each of the parties agrees to use their best endeavours to resolve the dispute through mediation.

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- (h) If a dispute cannot be settled within thirty (30) days (or such other period as the parties agree) of one party serving a notice of that dispute in accordance with Clause 5(b), the dispute must be determined under the provisions of the *Commercial Arbitration Act 1986*.

6. SEVERANCE

If any provision of this **Agreement** or its application to any person or circumstance is or becomes invalid, illegal or unenforceable, then so far as possible, the provision will be read down to the extent necessary to ensure that it is not illegal, invalid or unenforceable. If any provision or part of it cannot be so read down, then the provision or part of it will be taken to be void and severable and the remaining provisions of this **Agreement** will not be affected or impaired in any way.

7. NOTIFICATION OF CHANGE OF OWNERSHIP

- (a) The **Owner** must notify the **Council** in writing of any agreement entered into by the **Owner** to effect any change of ownership or control of the **Land** and that notice must detail the name and address of all parties to the agreement and the nature of the change of ownership or control.
- (b) The **Owner** must notify the **Council** in writing of any change of ownership or control of any portion of the **Land** and that notice must detail the name and address of the new owner, lessee or licensee.
- (c) The **Owner** must provide a copy of all directions and approvals given by the **Council** under the terms of this **Agreement** to all prospective purchasers, lessees or licensees of the **Land**.

8. NOTIFICATION AND COMMUNICATION

- (a) The **Owner** and the **Council** must:
- i) advise each other of any proposed action which could adversely affect the **Land**; and,
 - ii) respond promptly to all communications from each other relating to this **Agreement**.
- (b) The **Owner** must notify the **Council** if the **Owner** intends to alter the use of any part of the **Land**; and
- (c) The **Council** must notify the **Owner** of any information relating to the **Land** within its knowledge that could adversely affect the use and management of the **Land**.

9. NOTICES

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(TASMANIA)

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- (a) A notice or other communication given or made under this **Agreement** must be in writing and addressed to the party to whom the notice is to be given at the address for service of notices as agreed by the parties from time to time.
- (b) A notice or other communication is taken to have been duly served:
 - i) in the case of hand delivery - when delivered;
 - ii) if sent by prepaid post - on the third business day after the date of posting;
 - iii) if sent by email, when the recipient acknowledges receipt of the email.
- (c) A notice or other communication given or made under this Agreement is sufficient if:
 - i) in the case of the **Council**, it is under the hand of the **CEO** or a duly authorised officer of the **Council** or the **Council's** solicitors;
 - ii) in the case of the **Owner**, it is under the hand of the **Owner** or the **Owner's** solicitors.
- (d) A printed or copied signature is sufficient for the purposes of sending any demand, written consent or other communication by email.

10. COSTS

The **Owner** must pay all costs associated with the preparation, execution and registration of this **Agreement**. Each party is to pay its own costs of the future operation of this **Agreement**.

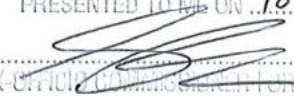
Signed by



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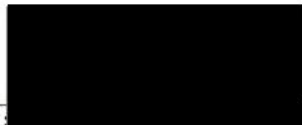
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SIGNED BY THE OWNER

Signed on behalf of Tipalea Private No. 27 Pty Ltd

(ACN 656 207 082) in accordance with section 127

of the *Corporations Act 2001 (Cth)* by:



Signature

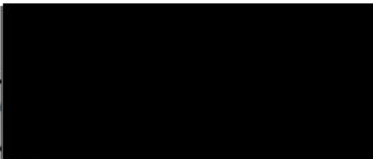
Scott Stanton

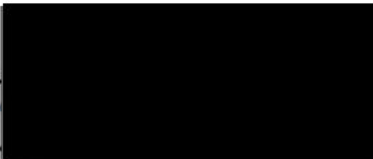
Sole Director

Signature

Director/Secretary

THE COMMON SEAL of the Kingborough Council
has been hereunto affixed pursuant to a resolution of
the said Council passed the 23rd day of August 2011 in
the presence of us:

Mayor/Councillor: 

Council Delegate: 



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)

Signed by: 

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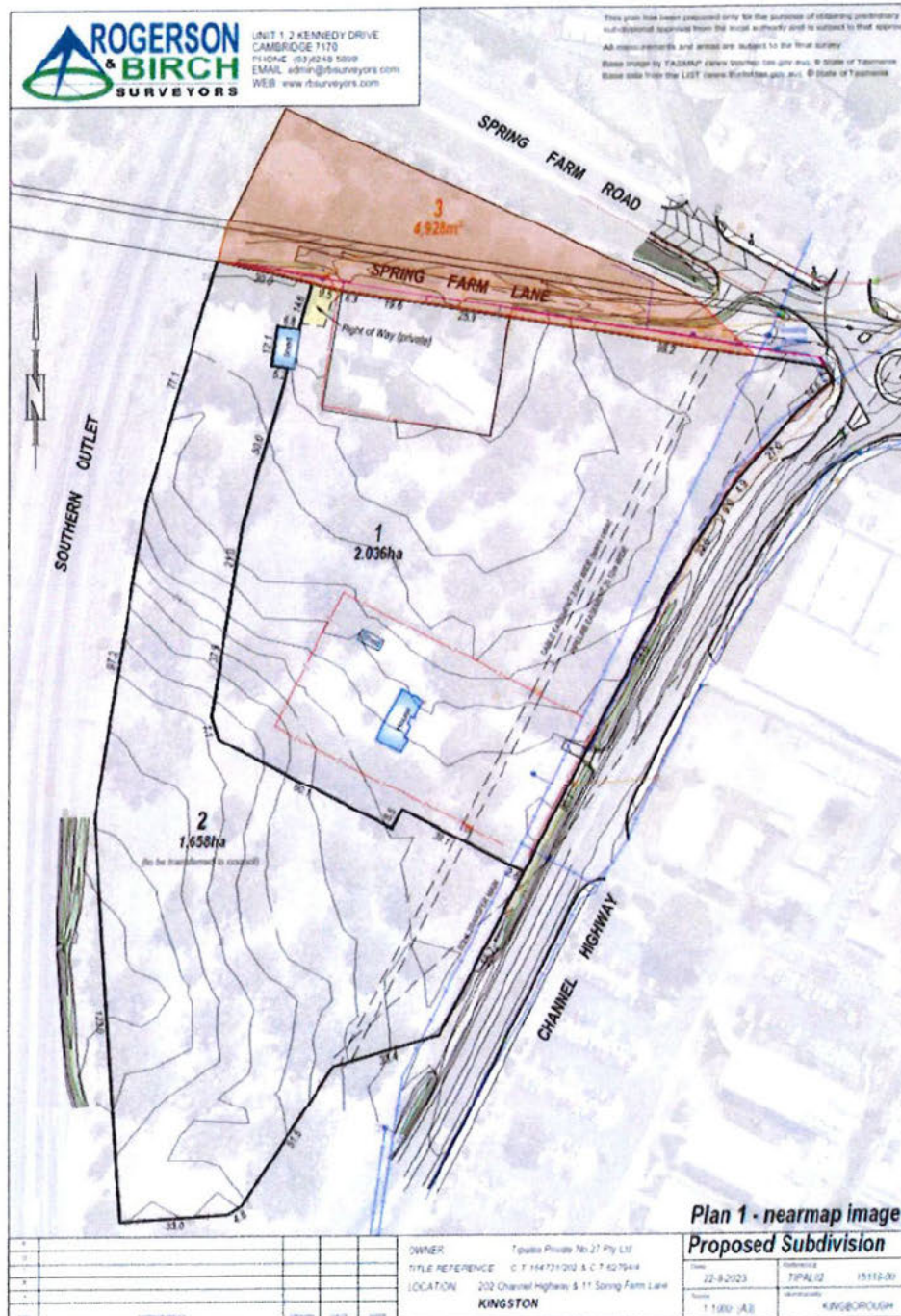
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SCHEDULE A



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EX-OFFICIO COMMISSIONER FOR DECLARATIONS
(TASMANIA)

SCHEDULE B



Civic Centre
15 Channel Hwy, Kingston, Tasmania 7050
Locked Bag 1, Kingston, Tasmania 7050
T: 603 6211 8200
F: 603 6211 8211
AusDoc: CX 70504
E: kcl@kingborough.tas.gov.au

PLANNING PERMIT

Land Use Planning and Approvals Act 1993
Kingborough Interim Planning Scheme 2015

ADDRESS OF THE LAND:

182 & 202 Channel Highway, 11 Spring Farm Lane, Lot 501 Spring Farm Road (CT 175960/501), Spring Farm Road, Spring Farm Lane and Channel Highway road reservations and various road lots (CT 164731/100, CT 62794/3, CT 164731/101, CT 252331/1, CT 252331/2 and CT 156869/1), Kingston
CT160089/6, CT155446/5, CT35517/1, CT164731/202, CT62794/4, CT164731/100, CT62794/3, CT164731/101, CT252331/2, CT252331/2, CT175960/501 and CT156869/1

REFERENCE:

DAS-2024-2

THE PERMIT ALLOWS:

Staged subdivision of 8 lots into 3 lots and 4 balance lots, demolition of existing buildings and combined commercial development (general retail and hire, food services, business and professional services), signage, associated works and infrastructure, and vegetation removal

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the commencement of works, amended plans, excluding the subdivision proposal plan, Council Plan Reference No. P5 submitted on 14/08/2024, to the satisfaction and approval of the Manager Development Services must be submitted to and approved. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans dated 19/12/2023 and 15/07/2024 and prepared by i2C, Council Plan Reference P4 submitted on 08/08/2024, and the plan dated 06/06/2024 prepared by Play Street Architecture, Council Plan Reference P3 submitted on 21/07/2024 and the Civil Drawings prepared by Gandy & Roberts, Council Plan Reference P5 submitted on 14/08/2024, but modified to show:
 - a) The redesign of the carparking areas and removal of car parking spaces from the land in the Utilities Zone as required by Condition 3 of this permit.
 - b) Landscaping as required by Condition 9 of this permit.

Page 1 of 20

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- c) Fencing of Lot 2 as required by Condition 10 of this permit.
- d) Provision of increased bicycle parking, including the provision of secure bicycle parking facilities in accordance with clause E6.0 "parking and access code" to the satisfaction of the Manager Development Services.

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

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

- 2. Prior to the permit coming into effect, the landowner must enter into a Part 5 Agreement with and to the satisfaction of Kingborough Council to the effect that:

- (a) A \$300,000 bond for the security of the transfer of the Bushland Reserve to Council must be paid prior to commencement of on-site works.
- (b) The Bushland Reserve on future Lot 2 must be established and managed as an offset in accordance with the endorsed Conservation Management Plan required under Condition 5 by the developer from execution of the Part 5 Agreement until such time as the land is transferred to Council.
- (c) The Bushland Reserve must be transferred to Council prior to the issue of a Certificate of Occupancy for any buildings or within 12 months of the date of issue of this Permit, whichever is the earlier, unless otherwise agreed by Council in writing.
- (d) No Certificate of Occupancy may be issued for any buildings until such time as the Bushland Reserve on future Lot 2 is transferred to Council for the purposes of public open space and as an offset.

This Part 5 Agreement must be to the satisfaction of the Manager Development Services and generally in accordance with the draft Agreement (Version 2) submitted to Council on 12 September 2024 and as amended by Council on 4 October 2024.

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

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

- 3. The use of the land zoned Utilities is restricted to use for access and utility infrastructure purposes only, or any other No Permit Required Use, or an approved Permitted or Discretionary Use in accordance with the relevant Planning Scheme in force at the time. The land must not be used for car parking and trolley bays associated with any business and professional services, food services, or general retail and hire use approved on proposed Lot 1.

Prior to the commencement of onsite works, an amended site plan removing any car parking and trolley bays within the Utilities Zone to the satisfaction of the Manager Development Services must be submitted to and approved by Council.

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(TASMANIA)

When approved, the plans will be endorsed and will then form part of this Permit.

For Advice: The use of car parking and trolley bays associated with any business and professional services, food services, or general retail and hire use on proposed Lot 1 is deemed to be a use ancillary to and associated with those uses which are Prohibited within the Utilities zone. Such uses are not able to be undertaken on the Utilities zoned land until and unless the land is rezoned to a zone that allows these uses to occur and any relevant planning approval is obtained.

4. Approved tree/vegetation removal and modification:

(a) Is limited to:

- (i) 120 trees as shown in Council Plan Reference P4 (submitted on 08/08/2024) and P5 (submitted on 14/08/2024), the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024); and
 - (ii) no more than 1.68 hectares of native vegetation comprising 1 hectare of Eucalyptus amygdalina forest and woodland on sandstone and 0.68 hectares of Eucalyptus obliqua dry forest and woodland as shown in Figure 2 of the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024), excluding individual trees identified for retention in Council Plan Reference P5 (submitted on 14/08/2024), the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024).
- (b) Must not occur prior to building approval for Stage One, securing the conservation offset through the execution of the Part 5 Agreement required under condition 2 and payment of the financial contribution required under condition 5 and approval of an 'Application for Approval of Planning Start of Works Notice' required condition 14.
- (c) Must be undertaken outside the breeding season of the swift parrot and blue-winged parrot (September-January inclusive). Alternatively, clearing may occur during the breeding season provided:
- (i) a suitably qualified consultant undertakes an activity assessment immediately prior to the commencement of clearing to determine whether breeding activity is evident and identify any mitigation measures that need to be applied to reduce impacts on breeding;
 - (ii) this assessment verifies that the species are not currently breeding within or adjacent to the trees to be removed;
 - (iii) this assessment confirms that any disturbance to the species is tolerable and will not compromise their ability to breed this season; and
 - (iv) the assessment is provided to Council for review and Council approves commencement of clearing, subject to implementation of any mitigation measures identified in the activity assessment.
- (d) Must be overseen by a wildlife spotter to identify and respond to any displaced wildlife in accordance with the endorsed Construction Environmental Management Plan required under Condition 8.

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- (e) Must include the identification and stockpiling of suitable large logs from felled trees within the development area in accordance with the endorsed Construction Environmental Management Plan required under Condition 8 for later strategic placement in the offset area in accordance with the endorsed Conservation Management Plan required under Condition 5.
5. To offset the loss of 1 hectare of the Eucalyptus amygdalina forest and woodland on sandstone, 1.28 hectares of potential swift parrot and blue-winged parrot nesting habitat and 0.99 hectares of Chaostola skipper habitat and eastern barred bandicoot habitat within the Commercial Zone and two (2) trees of very high conservation value within the Environmental Management Zone, the following offset package must be secured and implemented:
- A. The on-site protection area (the Bushland Reserve) of 1.658 hectares, including 0.43 hectares of Eucalyptus ovata forest and woodland, 0.45 hectares of Eucalyptus amygdalina forest on sandstone, 0.63 hectares of Eucalyptus obliqua dry forest and 0.13 hectares of cleared land with emergent Eucalyptus ovata trees, as 'secure conservation land' through:
- (a) Development and implementation of a Conservation Management Plan (CMP) for Lot 2. This plan must be submitted to and approved by the Manager Development Services prior to the commencement of on-site works. This CMP must:
- (i) provide for the protection for all native vegetation and habitat values within the Bushland Reserve in perpetuity;
- (ii) identify conservation actions and management prescriptions to ensure that environmental and cultural values are managed for their long-term survival, including but not limited to fencing of the Bushland Reserve, a weed management plan, facilitating natural regeneration, strategic placement of large woody debris from the development site, ensuring ongoing retention and maintenance of individual trees, and ongoing monitoring and reporting for a period of not less than 5 years following implementation of any primary conservation actions;
- (iii) be drafted by a suitably qualified environmental consultant; and
- (iv) include a schedule of works specifying timeframes, details and costings for each action.
- Once endorsed, this Plan forms part of the permit.
- (b) Interim protection of Lot 2 under a Part 5 Agreement prior to the permit coming into effect in accordance with Condition 2.
- (c) Payment of the costs equivalent to implementing, monitoring and reporting outstanding actions required as part of the Conservation Management Plan at the time of the sealing of the Final Plan of Survey. This payment must be made prior to the sealing of the Final Plan of Survey.
- (d) Transfer of Lot 2 to Council as a permanent Bushland Reserve and Public Open Space upon sealing of the Final Plan of Survey.

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OFFICER, COMMANDER FOR DECLARATIONS
(TASMANIA)

6. All remaining native vegetation identified for retention in Council Plan Reference P4 (submitted on 08/08/2024) and P5 (submitted on 14/08/2024), the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024) must be appropriately protected during and after construction in accordance with the Tree Protection Plan (TPP) contained in Appendix E of the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024). This includes but is not limited to implementation of the following measures:

A. Prior to Construction:

Prior to the commencement of any on-site works (including but not limited to vegetation removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings):

- (i) Appointing a Project Arborist.
- (ii) Conducting a site briefing between the Project Arborist and the project manager and site supervisor or equivalent for the development, including provision of the TPP.
- (iii) Installing tree protection fencing in accordance with the TPP and Condition 7.
- (iv) Tagging of trees for retention with aluminium tags labelled with the corresponding identifying number.
- (v) Pruning of overhanging branches from Trees 49 and 62 in accordance with the TPP by a minimum Australian Qualifications Framework (AQF) level 3 arborist following the guidelines in the Australian Standard 4373-2007 Pruning of amenity trees (Standards Australia 2007).
- (vi) Obtaining Project Arborist input into the landscaping plan required under Condition 9 to ensure landscape design and associated works do not adversely impact retained trees.
- (vii) Providing certification by the Project Arborist of satisfactory implementation of tree protection, tree tagging and pruning measures to the Manager Development Services prior to the commencement of any on-site works.

B. During Construction:

- (a) Maintaining tree protection measures required above for the duration of the construction.
- (b) Removal of the existing shed within the tree protection zone of Tree 49 from within the development area and in a way that does not damage the tree.
- (c) Ensuring the Project Arborist conducts a site audit during construction to check compliance against the TPP and permit conditions.

C. Post Construction:

- (a) Providing written certification by the Project Arborist of satisfactory

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(TASMANIA)

implementation of the measures identified in B. above to the Manager Development Services upon completion of construction, including implementation of any recommended remediation measures.

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

7. Tree protection fencing required under Condition 6 must:

- (a) Be located in accordance with Figure E3 in the Tree Protection Plan (TPP) contained in Appendix E of the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024).
- (b) 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.
- (c) Be constructed in accordance with the following requirements:

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Version: 1, Version Date: 27/02/2026

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IN OFFICE OF THE REGISTRAR FOR DECLARATIONS
(TASMANIA)

- (b) The remainder of the boundary between Lots 1 and 2 must be fenced with a minimum 1.8m high paling fence.
- (c) All fencing must not impact upon environmental or cultural values within Lot 2.

Once endorsed this plan will form part of the Permit.

11. Prior to the 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:

- Austroads Standards and Australian Standards.
- Australian Rainfall and Runoff Guidelines.
- The recommendations in the Traffic Impact Assessment Review by Midson Traffic, dated May 2024.
- Engineering plans and requirements approved by the Department of State Growth for road and road reservations in the Channel Highway.
- the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024).

The Plans must include, but are not limited to:

- (a) Road/access design plans, including:
 - (i) Design of the internal road network (including parking areas, aisles and loading bays), in accordance with the approved plans including junctions, vehicular crossovers to all lots, footpaths, and associated stormwater drainage system; and
 - (ii) Design of external adjoining roads (Channel Highway and Spring Farm Road access) including pavement design to suit the ultimate traffic loads.
 - (iii) Location and specification of the required bicycle parking facilities (as required by condition 1(d) of this permit).
- (b) A lighting plan for the parking and access areas in accordance with Code E6.0 'Parking and Access' Code of the Kingborough Interim Planning Scheme 2015.
- (c) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
 - (i) A water sensitive urban design system that achieves the acceptable stormwater quality and quantity targets, required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling;
 - (ii) The reticulated stormwater system sized to accommodate at least the estimated 5% AEP flow based on a future fully-developed catchment;
 - (iii) Overland flow paths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow based on a future fully-

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(TASMANIA)

- (ii) timeframes and methods of primary, secondary and follow up treatments for these weeds;
- (iii) weed hygiene measures to minimise the spread of weeds to and from the site during on site works; and
- (iv) an implementation, monitoring and reporting plan (including timeframes and costings for each action).

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

- (b) Primary treatment of all declared, environmental and/or listed weeds on land within the Commercial and Utilities zones and footprint of the subdivision and development works must be undertaken prior to the commencement of on-site works and the removal of any native vegetation.

B. During and Post Construction:

Weed management measures must be implemented in accordance with the endorsed plan to the satisfaction of the Manager Development Services.

- 13. Unless otherwise approved by the General Manager in writing, building works (excluding vegetation removal and access works) within Stage Two as shown on the Staging Plan (Council Plan Reference P4, submitted on 08/08/2024) must not commence unless and until all the lots within Stage One and Two are consolidated and the new title to Lot 1 is issued in accordance with the approved plan of subdivision (Council Plan Reference P5, submitted in 14/08/2024).
- 14. Prior to the commencement of any on-site works for each stage, 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 for each stage and works for each stage must not commence until this notice has been approved by the Manager Development Services.

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.

- 15. Prior to undertaking any works in the Channel Highway road reserve a Works permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935. The application is to be accompanied by detailed engineering drawings that include confirmation of the linemarking for the median turn lane and any islands/pedestrian crossing facilities on the Channel Highway.

For Advice: Application for permits can be found at <https://www.transport.tas.gov.au/roads-and-traffic-management/permits-and-bookings>. Applications must be received by the Department of State Growth at least 20

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business days before the expected start date for works, to allow enough time to assess the application.

The application is to comply with any conditions listed on the Crown Landowner Consent.

16. The design of the buildings must, to the satisfaction of the Manager Development Services:
 - (a) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces as much as practical; and
 - (b) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof.
17. The measures contained within the certified subdivision Bushfire Hazard Report and associated Bushfire Hazard Management Plan (BHMP) v2.0 (ERA Planning Pty Ltd, 2 July 2024) must be implemented in relation to any future development on Lot 1 involving development in a Building Class 1, 2, 3, 8 or 9, or a Class 10a building within 6m of a Class 1, 2, 3, 8 or 9 building, 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 are wholly contained within Lot 1 and do not rely upon any management of vegetation within Lot 2 as shown on the Final Plan of Survey, based on the classification of vegetation on Lot 2 as forest.
18. Prior to sealing of the Final Plan of Survey, fencing must be constructed between the boundary of proposed Lots 1 and 2 in accordance with the endorsed fencing plan required under condition 10.
19. Prior to sealing of the Final Plan of Survey for the subdivision Certificates of Completion issued under the Building Act 2016 for the demolition of the existing buildings on the land approved under BA/214-2024 and PA/205-2024 must be issued.
20. A Right of Way in favour of Lot 2 over proposed Lot 1 from the Channel Highway to the gate located on the western boundary between proposed Lots 1 and 2, generally in accordance with the endorsed subdivision proposal plan (Council Reference No. P5 submitted on 14/08/2024) and to the satisfaction of the Manager Development Services, must be included on the Final Plan of Survey submitted for signing and sealing by Council.
21. The Schedule of Easements submitted for sealing with the Final Plan of Survey must include a restrictive covenant on Lot 1 to the effect that any bushfire hazard management measures on Lot 1 must not rely upon any management of vegetation within Lot 2 as shown on the Sealed Plan, based on the classification of vegetation on Lot 2 as forest.
22. The Schedule of Easements submitted for sealing with the Final Plan of Survey must include restrictive covenants for Lot 2 to the following effect:
 - (a) no habitable buildings are to be constructed on any part of this lot.
 - (b) no other buildings, structures or other works are to occur on any part of this lot unless for the purposes of natural and cultural values management or passive recreation and in accordance with any endorsed management plan for the reserve; and

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(TASMANIA)

(c) the lot must not be used for any purpose except as a biodiversity offset reserve, natural and cultural values management and for public open space purposes.

23. Prior to the issue of a Certificate of Practical Completion of the public infrastructure for each approved stage of the subdivision, the developer must lodge a maintenance bond or bank guarantee equivalent to 10% of the total contract sum (including GST) of the public infrastructure works. This is to cover the satisfactory rectification of all defects and defective works during the statutory 52 weeks maintenance period.

Note: Council will be entitled to call upon the bond and bank guarantee funds to complete or rectify any outstanding defective works after the expiry of the maintenance period.

24. The maintenance period for completion of public infrastructure for each stage of the subdivision will be considered complete when:

- (a) All defects and any defective works have been rectified to the satisfaction of the Director Engineering Services; *Note: Council will be entitled to call upon the bond and bank guarantee funds to complete or rectify any outstanding defective works after the expiry of the maintenance period;*
- (b) the statutory 52-week maintenance period has ended and, the supervising Engineer requests a joint onsite inspection with the Council's authorised representative to confirm that all outstanding defects and defective works have been satisfactorily completed.

At the satisfactory completion of any outstanding defects and defective works Council will issue a notice of satisfactory 'Final Inspection' and the public assets will be taken over by Council.

After takeover of the public infrastructure assets, it is the supervising engineer's responsibility to request in writing release of all Bond or Bank Guarantee monies.

25. Prior to the occupation of any of the new buildings the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:

- (a) All lots are to be consolidated in accordance with the endorsed Subdivision Proposal Plan, Plan 2 of 3 - Resultant Titles, Proposed Subdivision, Rogerson & Birch Surveyors, Plan Ref TIPAL02 15118-00, dated 6/03/2024 v. D - (Council Plan Reference P5 submitted 14/08/2024).
- (b) The parking areas (including signage and access).
- (c) The garden and landscape areas in accordance with the endorsed Landscaping Plan required under condition 9.
- (d) Fencing in accordance with the endorsed Fencing Plan required under condition 10.
- (e) Drainage works undertaken and completed.
- (f) Channel Highway and Spring Farm Road upgraded including any new footpaths.
- (g) Installation of required bicycle parking including the secure spaces.

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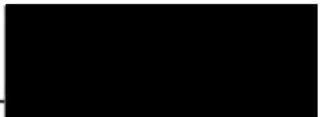
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(TASWATER)

26. Prior to occupation of any of the new buildings, all waste material generated during construction works must be completely removed from the site.
27. Prior to the use commencing, a Waste Management Plan must be prepared to the satisfaction of the Manager Development Services. Once satisfactory, the plan will be endorsed and form part of the Permit. Implementation of the Plan must be to the satisfaction of the Manager Development Services. The Plan must provide the following details of a regular private waste (including recyclables) collection service for the subject land including:
- Location of the bins for each tenancy (must not occupy parking, turning or access areas).
 - The type/s and number of waste bins.
 - Screening of bins, if visible from outside the site or areas visible by the public.
 - Type/size of trucks.
 - Frequency of waste collection.
 - Hours of collection (to comply with EPA Regulations).
 - Notation that the waste collection is a private service managed by the owner/occupants.
- The endorsed Waste Management Plan must not be amended without prior written consent of the Manager Development Services.
28. The landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose (i.e. parking, storage of goods, trafficable area) and any landscaping must be maintained to the satisfaction of the Manager Development Services.
29. The loading and unloading of vehicles and the storage of materials must be contained within the property boundaries and must not encroach on any part of any road reserve or public open space area.
30. Goods, materials or equipment must not be stored or displayed outside the buildings, unless otherwise approved in writing by Council.
31. Graffiti on the site which is visible to the public must be removed promptly to the satisfaction of the Manager Development Services.
32. 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.

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Appendix B Planning permit and approved plans for Spring Farm Village

AMENDED PLANNING PERMIT

*Land Use Planning and Approvals Act 1993
Kingborough Interim Planning Scheme 2015*

ADDRESS OF THE LAND:

182 & 202 Channel Highway, 11 Spring Farm Lane, Lot 501 Spring Farm Road (CT 175960/501), Spring Farm Road, Spring Farm Lane and Channel Highway road reservations and various road lots, Kingston CT160089/6, CT155446/5, CT35517/1, CT164731/202, CT62794/4, CT164731/100, CT62794/3, CT164731/101, CT252331/2, CT252331/2, CT175960/501 and CT156869/1

REFERENCE:

DAS-2024-2/B

THE PERMIT ALLOWS:

Staged subdivision of 8 lots into 3 lots and 4 balance lots, demolition of existing buildings and combined commercial development (general retail and hire, food services, business and professional services), signage, associated works and infrastructure, and vegetation removal

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with:
 - Development Application DAS-2024-2 and Council Subdivision Plan Reference No. P5 submitted on 14/08/2024; and
 - DAS-2024-2/A and:
 - Council Architectural Plan Reference No. P12 - Site Analysis prepared by i2C and submitted on 13/05/2025
 - Council Architectural Plan Reference No. P12 - Design Response prepared by i2C and submitted on 13/05/2025
 - Council Architectural Plan Reference No. P12 - Signage plans prepared by i2C and submitted on 13/05/2025
 - Landscape Irrigation Plan prepared by Play Street and submitted on the 13/05/2025
 - DAS-2024-2/B and:
 - Council Architectural Plan Reference No. P15 – Architectural Drawings prepared by i2C and submitted on 28/10/2025

- Landscape Plan prepared by Play Street and submitted on the 28/10/2025
- Council Civil Plan Reference No. P15 – Civil Drawings prepared by Gandy and Roberts and submitted on the 28/10/2025

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.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

2. Prior to the permit coming into effect, the landowner must enter into a Part 5 Agreement with and to the satisfaction of Kingborough Council to the effect that:
 - (a) A \$300,000 bond for the security of the transfer of the Bushland Reserve to Council must be paid prior to commencement of on-site works.
 - (b) The Bushland Reserve on future Lot 2 must be established and managed as an offset in accordance with the endorsed Conservation Management Plan required under Condition 5 by the developer from execution of the Part 5 Agreement until such time as the land is transferred to Council.
 - (c) The Bushland Reserve must be transferred to Council prior to the issue of a Certificate of Occupancy for any buildings or within 12 months of the date of issue of this Permit, whichever is the earlier, unless otherwise agreed by Council in writing.
 - (d) No Certificate of Occupancy may be issued for any buildings until such time as the Bushland Reserve on future Lot 2 is transferred to Council for the purposes of public open space and as an offset.

This Part 5 Agreement must be to the satisfaction of the Manager Development Services and generally in accordance with the draft Agreement (Version 2) submitted to Council on 12 September 2024 and as amended by Council on 4 October 2024.

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

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

3. The use of the land zoned Utilities is restricted to use for access and utility infrastructure purposes only, or any other No Permit Required Use, or an approved Permitted or Discretionary Use in accordance with the relevant Planning Scheme in force at the time. The land must not be used for car parking and trolley bays associated with any business and professional services, food services, or general retail and hire use approved on proposed Lot 1.

Prior to the commencement of onsite works, an amended site plan removing any car parking and trolley bays within the Utilities Zone to the satisfaction of the Manager Development Services must be submitted to and approved by Council.

When approved, the plans will be endorsed and will then form part of this Permit.

For Advice: The use of car parking and trolley bays associated with any business and professional services, food services, or general retail and hire use on proposed Lot 1 is deemed to be a use ancillary to and associated with those uses which are Prohibited within the Utilities zone. Such uses are not able to be undertaken on the Utilities zoned land until and unless the land is rezoned to a zone that allows these uses to occur and any relevant planning approval is obtained.

4. Approved tree/vegetation removal and modification:
- (a) Is limited to:
 - (i) 120 trees as shown in Council Architectural Plan Reference No. P13 – Architectural Drawings, Demolition Plan submitted on 28/10/2025 and Council Civil Plan Reference No. P12 – Civil Drawings, C022 Tree Plan & C023 Tree Plan 02, submitted on 28/10/2025, the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024); and
 - (ii) no more than 1.68 hectares of native vegetation comprising 1 hectare of Eucalyptus amygdalina forest and woodland on sandstone and 0.68 hectares of Eucalyptus obliqua dry forest and woodland as shown in Figure 2 of the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024), excluding individual trees identified for retention in Council Civil Plan Reference No. P12 – Civil Drawings, C022 Tree Plan & C023 Tree Plan 02, submitted on 28/10/2025, the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024).
 - (b) Must not occur prior to building approval for Stage One, securing the conservation offset through the execution of the Part 5 Agreement required under condition 2 and payment of the financial contribution required under condition 5 and approval of an 'Application for Approval of Planning Start of Works Notice' required condition 14.
 - (c) Must be undertaken outside the breeding season of the swift parrot and blue-winged parrot (September-January inclusive). Alternatively, clearing may occur during the breeding season provided:
 - (i) a suitably qualified consultant undertakes an activity assessment immediately prior to the commencement of clearing to determine whether breeding activity is evident and identify any mitigation measures that need to be applied to reduce impacts on breeding;
 - (ii) this assessment verifies that the species are not currently breeding within or adjacent to the trees to be removed;
 - (iii) this assessment confirms that any disturbance to the species is tolerable and will not compromise their ability to breed this season; and
 - (iv) the assessment is provided to Council for review and Council approves commencement of clearing, subject to implementation of any mitigation measures identified in the activity assessment.
 - (d) Must be overseen by a wildlife spotter to identify and respond to any displaced wildlife in accordance with the endorsed Construction Environmental Management Plan required under Condition 8.

- (e) Must include the identification and stockpiling of suitable large logs from felled trees within the development area in accordance with the endorsed Construction Environmental Management Plan required under Condition 8 for later strategic placement in the offset area in accordance with the endorsed Conservation Management Plan required under Condition 5.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

- 5. To offset the loss of 1 hectare of the *Eucalyptus amygdalina* forest and woodland on sandstone, 1.28 hectares of potential swift parrot and blue-winged parrot nesting habitat and 0.99 hectares of *Chaostola* skipper habitat and eastern barred bandicoot habitat within the Commercial Zone and two (2) trees of very high conservation value within the Environmental Management Zone, the following offset package must be secured and implemented:

- A. The on-site protection area (the Bushland Reserve) of 1.658 hectares, including 0.43 hectares of *Eucalyptus ovata* forest and woodland, 0.45 hectares of *Eucalyptus amygdalina* forest on sandstone, 0.63 hectares of *Eucalyptus obliqua* dry forest and 0.13 hectares of cleared land with emergent *Eucalyptus ovata* trees, as 'secure conservation land' through:

- (a) Development and implementation of a Conservation Management Plan (CMP) for Lot 2. This plan must be submitted to and approved by the Manager Development Services prior to the commencement of on-site works. This CMP must:
 - (i) provide for the protection for all native vegetation and habitat values within the Bushland Reserve in perpetuity;
 - (ii) identify conservation actions and management prescriptions to ensure that environmental and cultural values are managed for their long-term survival, including but not limited to fencing of the Bushland Reserve, a weed management plan, facilitating natural regeneration, strategic placement of large woody debris from the development site, ensuring ongoing retention and maintenance of individual trees, and ongoing monitoring and reporting for a period of not less than 5 years following implementation of any primary conservation actions;
 - (iii) be drafted by a suitably qualified environmental consultant; and
 - (iv) include a schedule of works specifying timeframes, details and costings for each action.

Once endorsed, this Plan forms part of the permit.

- (b) Interim protection of Lot 2 under a Part 5 Agreement prior to the permit coming into effect in accordance with Condition 2.
- (c) Payment of the costs equivalent to implementing, monitoring and reporting outstanding actions required as part of the Conservation Management Plan at the time of the sealing of the Final Plan of Survey. This payment must be made prior to the sealing of the Final Plan of Survey.

- (d) Transfer of Lot 2 to Council as a permanent Bushland Reserve and Public Open Space upon sealing of the Final Plan of Survey.
 - B. The off-site protection of 4.74 hectares of high priority biodiversity values via a financial contribution of \$13,650/ha, totalling \$64,701. In addition, the loss of two (2) very high conservation value trees within the Environmental Management Zone must be offset at a rate of \$570/tree. This offset is to be used for the protection and management of E. amygdalina forest on sandstone, swift parrot and blue-winged parrot breeding habitat and Chaostola skipper habitat in the vicinity of Kingston. This payment, totalling \$65,841, must be made into Kingborough Council's Environmental Fund prior to the removal of the vegetation and the commencement of any on-site works.
6. All remaining native vegetation identified for retention in Council Plans endorsed by Condition 1, the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024), the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024) must be appropriately protected during and after construction in accordance with the Tree Protection Plan (TPP) contained in Appendix E of the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and Appendix B of the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025). This includes but is not limited to implementation of the following measures:
- A. Prior to Construction:

Prior to the commencement of any on-site works (including but not limited to vegetation removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings):

 - (i) Appointing a Project Arborist.
 - (ii) Conducting a site briefing between the Project Arborist and the project manager and site supervisor or equivalent for the development, including provision of the TPP.
 - (iii) Installing tree protection fencing in accordance with the TPP and Condition 7.
 - (iv) Tagging of trees for retention with aluminium tags labelled with the corresponding identifying number.
 - (v) Pruning of overhanging branches from Trees 49 and 62 in accordance with the TPP by a minimum Australian Qualifications Framework (AQF) level 3 arborist following the guidelines in the Australian Standard 4373-2007 Pruning of amenity trees (Standards Australia 2007).
 - (vi) Obtaining Project Arborist input into the landscaping plan required under Condition 9 to ensure landscape design and associated works do not adversely impact retained trees.
 - (vii) Providing certification by the Project Arborist of satisfactory implementation of tree protection, tree tagging and pruning measures to the Manager Development Services prior to the commencement of any on-site works.
 - B. During Construction:
 - (a) Maintaining tree protection measures required above for the

duration of the construction.

- (b) Removal of the existing shed within the tree protection zone of Tree 49 from within the development area and in a way that does not damage the tree.
- (c) Ensuring the Project Arborist conducts a site audit during construction to check compliance against the TPP and permit conditions.

C. 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, including implementation of any recommended remediation measures.
- (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, contaminates or other materials;
 - (iii) machinery and vehicles are not permitted to access the tree protection zone; and
 - (iv) development and associated works are not permitted unless otherwise approved by Council in writing or otherwise in accordance with the law.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

7. Tree protection fencing required under Condition 6 must:

- (a) Be located in accordance with Figure E3 in the Tree Protection Plan (TPP) contained in Appendix E of the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and Appendix C of the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025).
- (b) 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.
- (c) Be constructed in accordance with the following requirements:
- (i) Utilise 1.8m high temporary chain wire mesh supported by concrete fence and covered with shade cloth, unless otherwise in accordance with the advice of the Project Arborist and approved in writing by Council.
 - (ii) Form a visual and physical barrier.
 - (iii) Include signage securely attached to the fence and visible from all angles within the development site.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

8. Prior to commencement of any on-site works, a Construction Environmental Management Plan (CEMP) must be submitted to and endorsed by the Manager Development Services. No works are permitted to occur until the plan has been endorsed. The plan must provide details of the following:
- (a) hours for construction activity in accordance with any other condition of this Permit;
 - (b) measures to control noise, dust, water and sediment laden runoff;
 - (c) measures relating to removal of hazardous or dangerous material from the site, where applicable;
 - (d) a plan showing the location of parking areas for construction workers and sub-contractor's vehicles on the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. No vehicle parking is permitted within the Channel Highway road reservation;
 - (e) a Traffic Management Plan showing truck routes to and from the site;
 - (f) a plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
 - (g) measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the CEMP;
 - (h) weed management measures in accordance with condition 12;
 - (i) the specifications and location of tree and vegetation protection measures in accordance with conditions 6 and 7;
 - (j) the extent of cut and fill;
 - (k) storage locations for the stockpiling of fill on site;
 - (l) demonstration that the stockpiling of fill will not encroach into the Tree Protection Zones of trees identified for retention;
 - (m) the location for the disposal of any excess fill off site and demonstration this site is either a certified landfill facility for Level 1 fill or a site that has been approved for the disposal or use of Level 1 fill under a development use permit issued by Council;
 - (n) measures to minimise impacts on fauna species during construction including: the timing of works, fauna spotting on site during tree removal, and identification and stockpiling of logs suitable for placement in reserve as large woody debris in accordance with condition 4 and collision risk of fencing;
 - (o) waste management during construction works including:
 - (i) collection and storage in appropriate enclosures onsite;
 - (ii) regularly emptying and maintaining the waste storage enclosures so that no litter overspills the construction site onto adjoining land,

- including roads;
- (iii) appropriately locating waste storage on the subject site so that it does not impede traffic or parking at any time;
- (p) a site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
- (q) Contact details of key construction site staff.

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

9. Prior to commencement of any on-site works, an amended landscaping plan must be submitted to Council for approval. The plan must be prepared by a suitably qualified person in consultation with the Project Arborist, be to the satisfaction of the Manager Development Services, be generally in accordance with the plan dated 06/06/2024 prepared by Play Street Architecture, Council Plan Reference P3 submitted on 21/07/2024 but modified to:

- (a) remove *Melaleuca ericifolia* and replace with a species of local provenance;
- (b) appropriate irrigation systems;
- (c) retention of Trees 92-100 and Trees 105-106 as required in condition 6 and inclusion of these trees in the landscaping;
- (d) the landscape design and associated works do not adversely impact retained trees; and
- (e) perimeter fencing of the boundary between proposed Lots 1 and 2 consistent with the requirements of condition 10.

Once endorsed, the plan will form part of this permit.

For Advice: It is recommended that consideration be given to Council's Landscape Guidelines (Preparing a Landscape Plan), which is available on Council's website.

10. Prior to commencement of any on-site works, a fencing plan developed in consultation with the Project Arborist must be submitted to and endorsed by Council. This plan must provide for fencing as follows:

- (a) The fence located on the side boundary between proposed Lots 1 and 2, between the proposed building and the Channel Highway frontage must be redesigned so that it does not detract from the appearance of the site or the locality and provides for passive surveillance to include:
 - (i) a maximum height of 1.5m;
 - (ii) at least 50% transparency above a height of 1.2m; and
 - (iii) does not contain barbed wire or chain mesh.
- (b) The remainder of the boundary between Lots 1 and 2 must be fenced with a minimum 1.8m high paling fence.
- (c) All fencing must not impact upon environmental or cultural values within Lot 2.

Once endorsed this plan will form part of the Permit.

11. Prior to the 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:

- Austroads Standards and Australian Standards.
- Australian Rainfall and Runoff Guidelines.
- The recommendations in the Traffic Impact Assessment Review by Midson Traffic, dated August 2025.
- Engineering plans and requirements approved by the Department of State Growth for road and road reservations in the Channel Highway.
- the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025).

The Plans must include, but are not limited to:

- (a) Road/access design plans, including:
 - (i) Design of the internal road network (including parking areas, aisles and loading bays), in accordance with the approved plans including junctions, vehicular crossovers to all lots, footpaths, and associated stormwater drainage system; and
 - (ii) Design of external adjoining roads (Channel Highway and Spring Farm Road access) including pavement design to suit the ultimate traffic loads.
 - (iii) Location and specification of the required bicycle parking facilities (as required by condition 1(d) of this permit).
- (b) A lighting plan for the parking and access areas in accordance with Code E6.0 'Parking and Access' Code of the Kingborough Interim Planning Scheme 2015.
- (c) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
 - (i) A water sensitive urban design system that achieves the acceptable stormwater quality and quantity targets, required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling;
 - (ii) The reticulated stormwater system sized to accommodate at least the estimated 5% AEP flow based on a future fully-developed catchment;
 - (iii) Overland flow paths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow based on a future fully-developed catchment;
- (d) Demonstration that the services alignment between 202 Channel Highway and Lot 501 Hollyhock Drive (CT 175960/501) is consistent with the approved plans and services along this alignment are installed via drilling rather than trenching where shown in Drawing C510 (Council Civil Plan Reference No. P12 – Sewer Long Section submitted on 28 October 2025); and
- (e) Inclusion of a Vegetation and Tree Protection Plan (which must be overlaid on the design plans indicating areas of cut, trenching, lines, poles, pits etc) which:
 - (i) identifies the species, diameter, tree protection zone and location of trees identified for retention in the approved plans within the vicinity of all civil works;
 - (ii) verifies that Trees 92-100 and Trees 105-106, all native vegetation within the Environmental Management Zone on CT

164731/202 (excluding Trees 53 and 61) and all trees within the Bypass Corridor and Lot 501 Hollyhock Drive (CT 175960/501), are to be retained in accordance with the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024), the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024);

- (iii) demonstrates that the total extent of encroachment into the tree protection zones of these trees is no greater than shown in Council Civil Plan Reference No. P12 (submitted on 28/10/2025), the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025); and
- (iv) includes the tree and vegetation protection measures required in conditions 6 and 7.

Once endorsed the plans will form part of the permit.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

12. Declared weeds under the Weed Management Act 1999, environmental weeds and/or weeds listed in the Kingborough Weed Management Strategy are present on the site, including but not limited to gorse, blackberry, boneseed, Spanish heath and Montpelier broom. To prevent the spread of weeds elsewhere and manage the weeds within the site, the following weed management measures must be undertaken to the satisfaction of the Manager Development Services:

A. Prior to Construction:

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

- (a) a Weed Management Plan by a suitably qualified person must be submitted to and approved by the Manager Development Services. The plan is limited to land within the Commercial and Utilities zones and footprint of the subdivision and development works and must include:
 - (i) a list and site plan of all declared weeds under the Weed Management Act 1999, environmental weeds and/or weeds listed in the Kingborough Weed Management Strategy present on the site;
 - (ii) timeframes and methods of primary, secondary and follow up treatments for these weeds;
 - (iii) weed hygiene measures to minimise the spread of weeds to and from the site during on site works; and
 - (iv) an implementation, monitoring and reporting plan (including timeframes and costings for each action).

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

- (b) Primary treatment of all declared, environmental and/or listed weeds on land within the Commercial and Utilities zones and footprint of the subdivision and development works must be undertaken prior to the commencement of on-site works and the removal of any native vegetation.

B. During and Post Construction:

Weed management measures must be implemented in accordance with the endorsed plan to the satisfaction of the Manager Development Services.

- 13. Unless otherwise approved by the General Manager in writing, building works (excluding vegetation removal and access works) within Stage Two as shown on the Staging Plan (Council Architectural Plan Reference No. P13 – Staging Plan submitted on the 28/10/2025) must not commence unless and until all the lots within Stage One and Two are consolidated and the new title to Lot 1 is issued in accordance with the approved plan of subdivision (Council Plan Reference No. P5, submitted on 14/08/2024).

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

- 14. Prior to the commencement of any on-site works for each stage, 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 for each stage and works for each stage must not commence until this notice has been approved by the Manager Development Services.

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.

- 15. Prior to undertaking any works in the Channel Highway road reserve a Works permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935. The application is to be accompanied by detailed engineering drawings that include confirmation of the linemarking for the median turn lane and any islands/pedestrian crossing facilities on the Channel Highway.

For Advice: Application for permits can be found at https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings. Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

The application is to comply with any conditions listed on the Crown Landowner Consent.

- 16. The design of the buildings must, to the satisfaction of the Manager Development

Services:

- (a) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces as much as practical; and
 - (b) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof, where appropriate, otherwise, ensure infrastructure is adequately screened from public view as much as practical.
- 17. The measures contained within the certified subdivision Bushfire Hazard Report and associated Bushfire Hazard Management Plan (BHMP) v2.0 (ERA Planning Pty Ltd, 2 July 2024) must be implemented in relation to any future development on Lot 1 involving development in a Building Class 1, 2, 3, 8 or 9, or a Class 10a building within 6m of a Class 1, 2, 3, 8 or 9 building, 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 are wholly contained within Lot 1 and do not rely upon any management of vegetation within Lot 2 as shown on the Final Plan of Survey, based on the classification of vegetation on Lot 2 as forest.
- 18. Prior to sealing of the Final Plan of Survey, fencing must be constructed between the boundary of proposed Lots 1 and 2 in accordance with the endorsed fencing plan required under condition 10.
- 19. Prior to sealing of the Final Plan of Survey for the subdivision Certificates of Completion issued under the Building Act 2016 for the demolition of the existing buildings on the land approved under BA/214-2024 and PA/205-2024 must be issued.
- 20. A Right of Way in favour of Lot 2 over proposed Lot 1 from the Channel Highway to the gate located on the western boundary between proposed Lots 1 and 2, generally in accordance with the endorsed subdivision proposal plan (Council Reference No. P5 submitted on 14/08/2024) and to the satisfaction of the Manager Development Services, must be included on the Final Plan of Survey submitted for signing and sealing by Council.
- 21. The Schedule of Easements submitted for sealing with the Final Plan of Survey must include a restrictive covenant on Lot 1 to the effect that any bushfire hazard management measures on Lot 1 must not rely upon any management of vegetation within Lot 2 as shown on the Sealed Plan, based on the classification of vegetation on Lot 2 as forest.
- 22. The Schedule of Easements submitted for sealing with the Final Plan of Survey must include restrictive covenants for Lot 2 to the following effect:
 - (a) no habitable buildings are to be constructed on any part of this lot;
 - (b) no other buildings, structures or other works are to occur on any part of this lot unless for the purposes of natural and cultural values management or passive recreation and in accordance with any endorsed management plan for the reserve; and
 - (c) the lot must not be used for any purpose except as a biodiversity offset reserve, natural and cultural values management and for public open space purposes.
- 23. Prior to the issue of a Certificate of Practical Completion of the public infrastructure

for each approved stage of the subdivision, the developer must lodge a maintenance bond or bank guarantee equivalent to 10% of the total contract sum (including GST) of the public infrastructure works. This is to cover the satisfactory rectification of all defects and defective works during the statutory 52 weeks maintenance period.

Note: Council will be entitled to call upon the bond and bank guarantee funds to complete or rectify any outstanding defective works after the expiry of the maintenance period.

24. The maintenance period for completion of public infrastructure for each stage of the subdivision will be considered complete when:
- (a) All defects and any defective works have been rectified to the satisfaction of the Director Engineering Services; Note: Council will be entitled to call upon the bond and bank guarantee funds to complete or rectify any outstanding defective works after the expiry of the maintenance period;
 - (b) the statutory 52-week maintenance period has ended and, the supervising Engineer requests a joint onsite inspection with the Council's authorised representative to confirm that all outstanding defects and defective works have been satisfactorily completed.

At the satisfactory completion of any outstanding defects and defective works Council will issue a notice of satisfactory 'Final Inspection' and the public assets will be taken over by Council.

After takeover of the public infrastructure assets, it is the supervising engineer's responsibility to request in writing release of all Bond or Bank Guarantee monies.

25. Prior to the occupation of any of the new buildings the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:
- (a) All lots are to be consolidated in accordance with the endorsed Subdivision Proposal Plan, Plan 2 of 3 - Resultant Titles, Proposed Subdivision, Rogerson & Birch Surveyors, Plan Ref TIPAL02 15118-00, dated 6/03/2024 v. D – (Council Plan Reference P5 submitted 14/08/2024).
 - (b) The parking areas (including signage and access).
 - (c) The garden and landscape areas in accordance with the endorsed Landscaping Plan required under condition 9.
 - (d) Fencing in accordance with the endorsed Fencing Plan required under condition 10.
 - (e) Drainage works undertaken and completed.
 - (f) Channel Highway and Spring Farm Road upgraded including any new footpaths.
 - (g) Installation of required bicycle parking including the secure spaces.
26. Prior to occupation of any of the new buildings, all waste material generated during construction works must be completely removed from the site.
27. Prior to the use commencing, a Waste Management Plan must be prepared to the satisfaction of the Manager Development Services. Once satisfactory, the plan will be endorsed and form part of the Permit. Implementation of the Plan must be to the satisfaction of the Manager Development Services. The Plan must provide the following details of a regular private waste (including recyclables) collection service

for the subject land including:

- Location of the bins for each tenancy (must not occupy parking, turning or access areas).
- The type/s and number of waste bins.
- Screening of bins, if visible from outside the site or areas visible by the public.
- Type/size of trucks.
- Frequency of waste collection.
- Hours of collection (to comply with EPA Regulations).
- Notation that the waste collection is a private service managed by the owner/occupants.

The endorsed Waste Management Plan must not be amended without prior written consent of the Manager Development Services.

28. The landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose (i.e. parking, storage of goods, trafficable area) and any landscaping must be maintained to the satisfaction of the Manager Development Services.
29. The loading and unloading of vehicles and the storage of materials must be contained within the property boundaries and must not encroach on any part of any road reserve or public open space area.
30. Goods, materials or equipment must not be stored or displayed outside the buildings, unless otherwise approved in writing by Council.
31. Graffiti on the site which is visible to the public must be removed promptly to the satisfaction of the Manager Development Services.
32. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

Amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

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. 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.
- C. 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.

- D. The developer should obtain a Plumbing Permit for the development prior to commencing construction.
- E. The Developer should not allocate any property address numbers for the proposed lots.

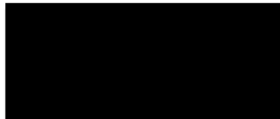
New property addresses have been allocated as follows:

Lot No.	Allocated Property Address
1	202 Channel Highway, Kingston (no change)
2	204 Channel Highway, Kingston
3	182 Channel Highway, Kingston (no change)

- F. TasNetworks have advised that based on the information provided, the development is likely to adversely affect TasNetworks' operations. As with any development of such scale, consideration needs to be given to whether existing electricity supply arrangements to the site will remain sufficient. The proponent is advised to make contact with TasNetworks Early Engagement team to explore that issue further at their earliest convenience. The Early Engagement team can be contacted at:

Early.Engagement@tasnetworks.com.au

or Ph 6324 7583.



MELISSA STEVENSON
COORDINATOR STATUTORY PLANNING

Decision Date: 21 October 2024

Permit Amended (pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*): 16 May 2025 and 14 November 2025

NOTE: This is a Discretionary Planning Permit issued in accordance with section 57 of the *Land Use Planning and Approvals Act 1993*.

Amended Submission to Planning Authority Notice

Application details

Council Planning Permit No.	DAS-2024-2/A
Council notice date	21/02/2024
TasWater Reference No.	TWDA 2024/00210-KIN
Date of response	29/08/2024
Date of amendment(s)	14/11/2025
TasWater Contact	Phil Papps – 0474 931 272
Trade Waste Contact	Scott James – 0417 240 264

Response issued to

Council name	KINGBOROUGH COUNCIL
Contact details	kc@kingborough.tas.gov.au

Development details

Address	202 CHANNEL HWY, KINGSTON
Property ID (PID)	3278681
Description of development	Subdivision- 3 lots -Staged ,Demolish Ex Dwellings & Combined Commercial Development (Retail & food services), Associated Works & Infrastructure

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Issue date
Rogerson & Birch	Plan of Subdivision / TIPAL02 15118-00 / Shts 1 & 2	D	08/03/2024
i2C Architects	Existing Context & Conditions / DA41 & 42	3	08/08/2025
i2C Architects	Demolition & Site / DA43	4	08/08/2025
i2C Architects	Demolition & Site / DA44	10	08/08/2025
i2C Architects	Staging Plan / DA44A	10	08/08/2025
i2C Architects	Ground Floor Plans DA45	13	08/08/2025
i2C Architects	Ground Floor Plans DA45A	9	08/08/2025
i2C Architects	L1 Floor Plan / DA46	10	08/08/2025
Gandy & Roberts	Sewer & Water Civil Plan / C050	D	30/07/2024

Conditions

Pursuant to the *Water and Sewerage Industry Act 2008 (TAS)* Section 56P(1) TasWater imposes the following conditions on the permit for this application:

CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.
Advice: TasWater will not accept direct fire boosting from the network unless it can be demonstrated that the periodic testing of the system will not have a significant negative effect on our network and the minimum service requirements of other customers serviced by the network. To this end if break tanks are required, the rate of flow into the break tank must be controlled so that peak flows to fill the tank do not also cause negative effect on the network.
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 use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.

TRADE WASTE

4. Prior to the commencement of operation the developer/property owner must obtain Consent to Discharge Trade Waste from TasWater.
5. The developer must install appropriately sized and suitable pre-treatment devices prior to gaining Consent to Discharge.
6. The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent

ASSET CREATION & INFRASTRUCTURE WORKS (Sewer Extension)

7. Prior to applying for a Certificate for Certifiable Work/Engineering Design Approval, the developer must physically locate all existing infrastructure to provide sufficient information for accurate design and physical works to be undertaken.
8. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.
 - a. Included in the application for Engineering Design Approval, must be a detailed report demonstrating exactly how the bored sewer will be guaranteed to meet the nominated grade and TasWater's Construction Requirements to make it fit for purpose and hand over (for example standard plans MRWA-S-208 and Sect 21.6.3 of WSA 02-2014-3.1).
9. Prior to applying for a Permit to Construct the new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.
10. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
11. Prior to undertaking any works related to water and sewerage, physical markers must be in place that clearly identify where water and/or sewer connections are to be made in accordance with any approved plan to TasWater's satisfaction.
12. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
13. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, are to be completed generally as shown on, and in accordance with, the plans listed in the schedule of drawings/documents, and are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
14. After testing, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
15. At practical completion of the water and sewerage works and prior to applying to TasWater for a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved.
 - b. Submit evidence demonstrating that the bored sewer has been constructed to the approved grade thus meeting the relevant standards. The evidence must include, but not be limited to electronic testing – CCTV light ring and measurement software as per Sect 21.6.3 of WSA 02-2014-3.1 and MRWA 21.11.1.
 - c. A request for a joint on-site inspection with TasWater's authorised representative must be made.
 - d. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank **guarantee**.

- e. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.

Upon TasWater issuing a Certificate of Practical Completion, the newly constructed infrastructure is deemed to have transferred to TasWater.

16. After the Certificate of Practical Completion has been issued, a 12-month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12-month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". TasWater will release any security held for the defect's liability period.
17. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
18. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
19. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater sewerage infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

20. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.
21. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions and requirements.
22. Prior to the issue of a TasWater Consent to Register a Legal Document, the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing:
 - a. the exact location of the existing water/sewerage infrastructure,
 - b. the easement protecting that infrastructure.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

56W CONSENT

23. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development if applicable which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

DEVELOPER CHARGES

24. 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 \$19,620.42 (Stage 1) and \$8,152.48 (Stage 2) to TasWater for water infrastructure for 11.167 (Stage 1) and 4.640 (Stage 2) 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.

Advice: 2.0 ET vacant lot water credits have been applied to Stage 1.

25. 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 \$34,992.41 (Stage 1) and \$12,228.72 (Stage 2) to TasWater for sewerage infrastructure for 19.916 (Stage 1) and 6.960 (Stage 2) 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.

Advice: No vacant lot sewer ET credits apply.

26. In the event Council approves a staging plan, prior to TasWater issuing a Certificate(s) 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

27. The applicant or landowner as the case may be, must pay a development assessment fee of \$775.39 and a Consent to Register a Legal Document fee of \$256.99 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater.

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.

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be

located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater.
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <https://www.taswater.com.au/building-and-development/service-locations> for a list of companies.

Declaration

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

ARCHITECTURAL DRAWINGS

04



Kingborough Council
Minor Amendment to Planning
Permit Document
Development Application: DAS-2024-2/B
Plan Reference No: P15
Date Received: 28/10/2025
Approved via Delegated Authority
Amendment Decision Date: 14/11/2025



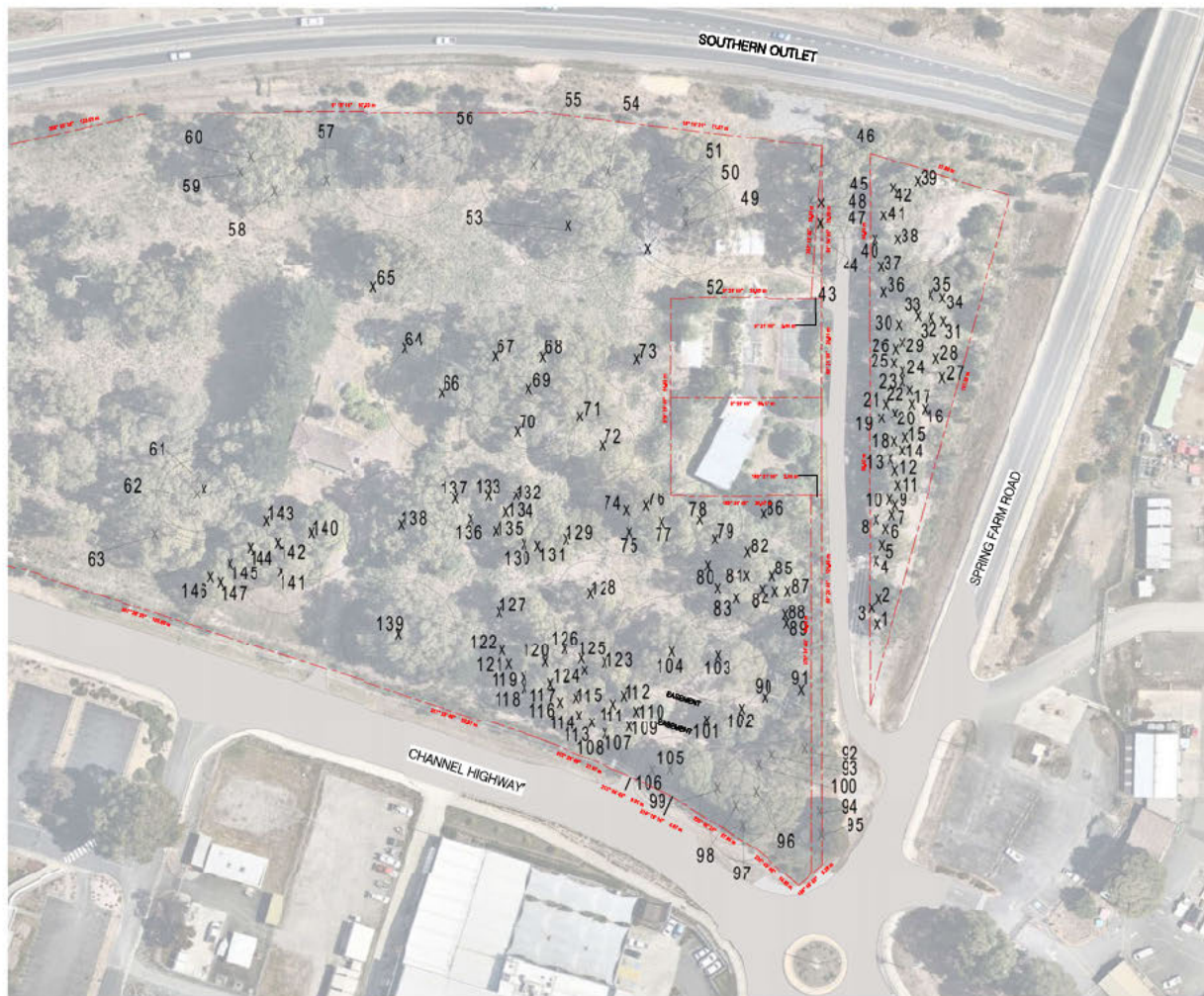
SPRING FARM VILLAGE
262 CHANNEL HWY, KINGSTON, TAS, 7050



IC inspiring ideas to enhance
human experience

EXISTING CONTEXT PLAN
MINOR AMENDMENT

Project	2023-084	Drawing No.	DA61	Scale	3
Revised By/Date	28/10/25	Revised By/Date	FMD	Revised By/Date	W00
1:150					



Kingborough Council
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SPRING FARM VILLAGE
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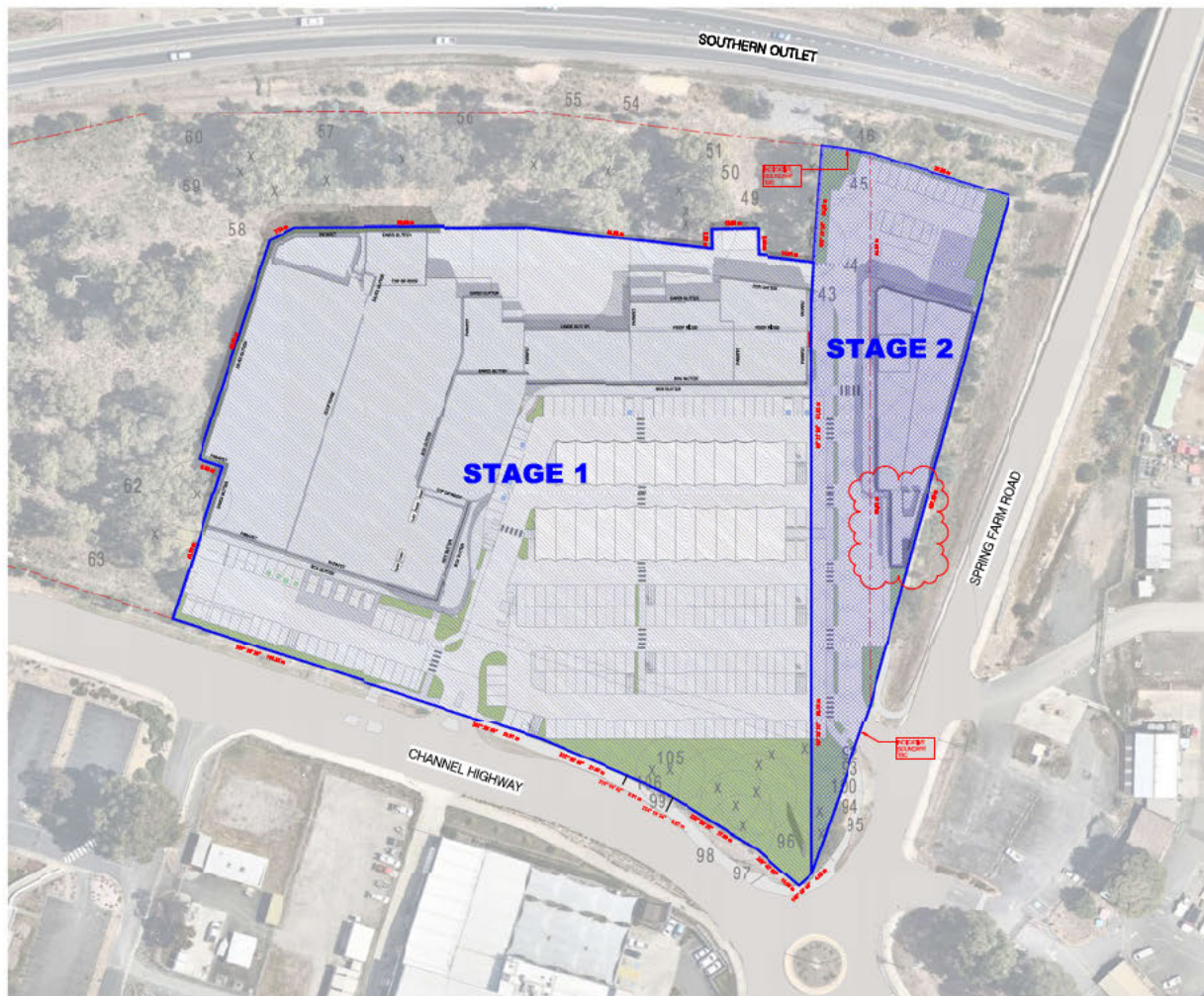


inspiring ideas to enhance
 human experience



EXISTING CONDITIONS PLAN
 MINOR AMENDMENT

Project	2025-084	Drawing No.	DA62	Scale	3
Revised By	28/10/25	Author	FMD	Checked	WOD
1:500					



Kingborough Council
Minor Amendment to Planning
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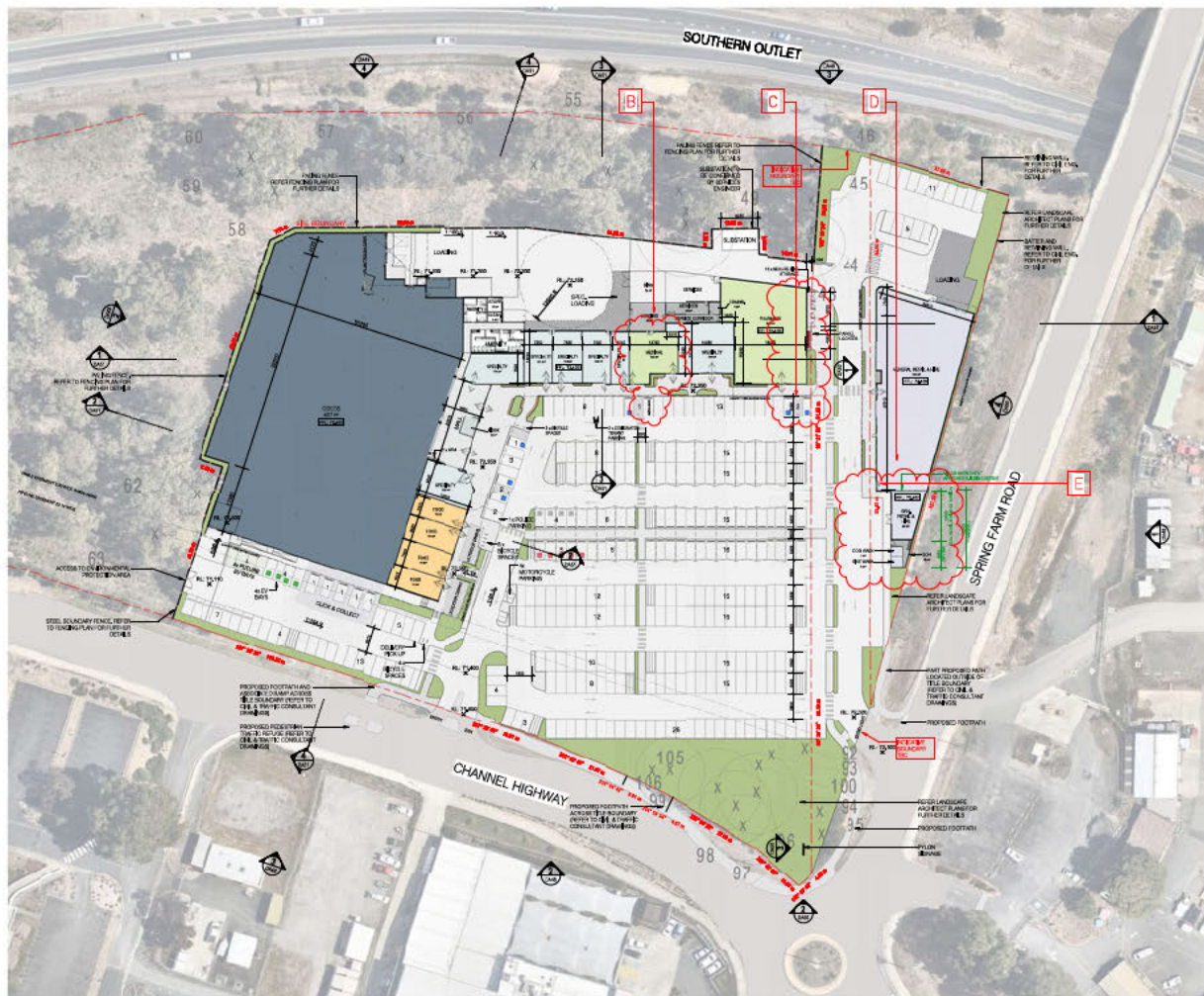
SPRING FARM VILLAGE
 202 CHANNEL HWY, KINGSTON, TAS, 7050



IC inspiring ideas to enhance
 human experience

PROPOSED STAGING PLAN
 MINOR AMENDMENT

Project	2025-084	Drawing No.	DA44A	Scale	1:10
Prepared By	IC	Checked By	FMO	Drawn By	IC
1:500					



Kingborough Council Minor Amendment to Planning Permit Document

Development Application: DAS-2024-2/B

Plan Reference No: P15

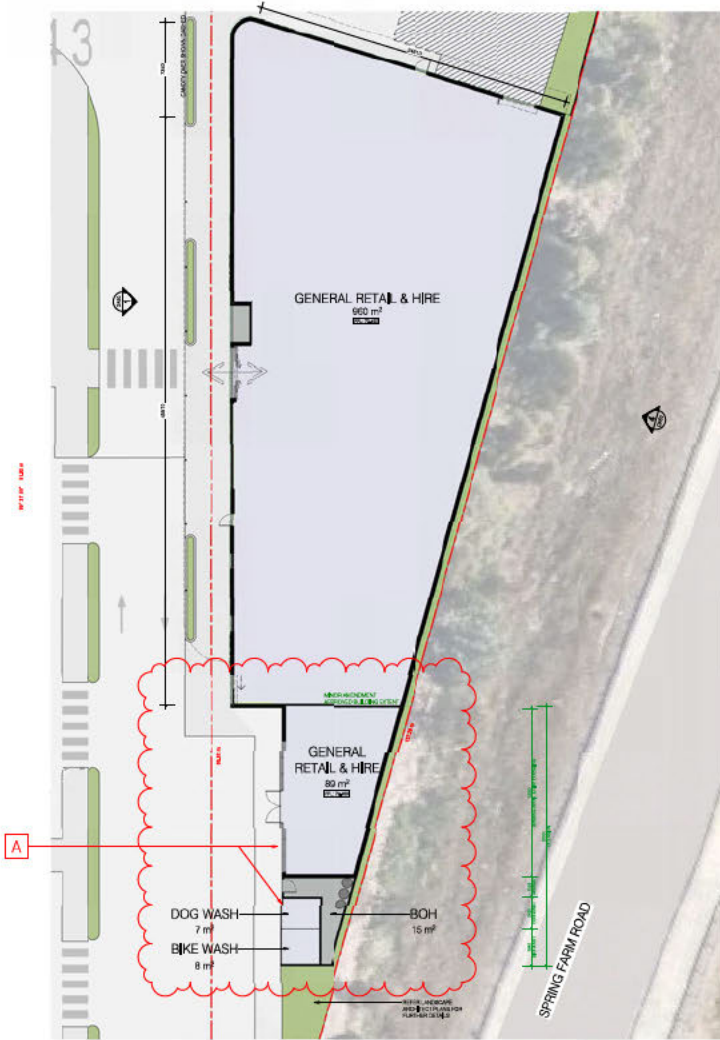
Date Received: 28/10/2025

Approved via Delegated Authority

Amendment Decision Date: 14/11/2025

A DEVELOPMENT SUMMARY	
SUPERSET AREA	
Supermarket	20,000 sq m
GROUND	1.1 ha new
USE	
Supermarket	4,077 sq m
General Retail & Hire Building 21	1,120 sq m
Food	3,010 sq m
Market	100 sq m
Day Wash (Building 21)	1,000 sq m
Blue Wash (Building 21)	800 sq m
total ground floor area	7,107 sq m
USE	
Commercial (Building 21)	100.0 sq m
total level B1 floor area	100.0 sq m
PARKING PROVIDER	
car parking	100 spaces
motorcycle parking	10 spaces

NOTES:
1. SEE 2D/3D/4D/5D/6D/7D/8D/9D/10D/11D/12D/13D/14D/15D/16D/17D/18D/19D/20D/21D/22D/23D/24D/25D/26D/27D/28D/29D/30D/31D/32D/33D/34D/35D/36D/37D/38D/39D/40D/41D/42D/43D/44D/45D/46D/47D/48D/49D/50D/51D/52D/53D/54D/55D/56D/57D/58D/59D/60D/61D/62D/63D/64D/65D/66D/67D/68D/69D/70D/71D/72D/73D/74D/75D/76D/77D/78D/79D/80D/81D/82D/83D/84D/85D/86D/87D/88D/89D/90D/91D/92D/93D/94D/95D/96D/97D/98D/99D/100D/101D/102D/103D/104D/105D/106D/107D/108D/109D/110D/111D/112D/113D/114D/115D/116D/117D/118D/119D/120D/121D/122D/123D/124D/125D/126D/127D/128D/129D/130D/131D/132D/133D/134D/135D/136D/137D/138D/139D/140D/141D/142D/143D/144D/145D/146D/147D/148D/149D/150D/151D/152D/153D/154D/155D/156D/157D/158D/159D/160D/161D/162D/163D/164D/165D/166D/167D/168D/169D/170D/171D/172D/173D/174D/175D/176D/177D/178D/179D/180D/181D/182D/183D/184D/185D/186D/187D/188D/189D/190D/191D/192D/193D/194D/195D/196D/197D/198D/199D/200D/201D/202D/203D/204D/205D/206D/207D/208D/209D/210D/211D/212D/213D/214D/215D/216D/217D/218D/219D/220D/221D/222D/223D/224D/225D/226D/227D/228D/229D/230D/231D/232D/233D/234D/235D/236D/237D/238D/239D/240D/241D/242D/243D/244D/245D/246D/247D/248D/249D/250D/251D/252D/253D/254D/255D/256D/257D/258D/259D/260D/261D/262D/263D/264D/265D/266D/267D/268D/269D/270D/271D/272D/273D/274D/275D/276D/277D/278D/279D/280D/281D/282D/283D/284D/285D/286D/287D/288D/289D/290D/291D/292D/293D/294D/295D/296D/297D/298D/299D/300D/301D/302D/303D/304D/305D/306D/307D/308D/309D/310D/311D/312D/313D/314D/315D/316D/317D/318D/319D/320D/321D/322D/323D/324D/325D/326D/327D/328D/329D/330D/331D/332D/333D/334D/335D/336D/337D/338D/339D/340D/341D/342D/343D/344D/345D/346D/347D/348D/349D/350D/351D/352D/353D/354D/355D/356D/357D/358D/359D/360D/361D/362D/363D/364D/365D/366D/367D/368D/369D/370D/371D/372D/373D/374D/375D/376D/377D/378D/379D/380D/381D/382D/383D/384D/385D/386D/387D/388D/389D/390D/391D/392D/393D/394D/395D/396D/397D/398D/399D/400D/401D/402D/403D/404D/405D/406D/407D/408D/409D/410D/411D/412D/413D/414D/415D/416D/417D/418D/419D/420D/421D/422D/423D/424D/425D/426D/427D/428D/429D/430D/431D/432D/433D/434D/435D/436D/437D/438D/439D/440D/441D/442D/443D/444D/445D/446D/447D/448D/449D/450D/451D/452D/453D/454D/455D/456D/457D/458D/459D/460D/461D/462D/463D/464D/465D/466D/467D/468D/469D/470D/471D/472D/473D/474D/475D/476D/477D/478D/479D/480D/481D/482D/483D/484D/485D/486D/487D/488D/489D/490D/491D/492D/493D/494D/495D/496D/497D/498D/499D/500D/501D/502D/503D/504D/505D/506D/507D/508D/509D/510D/511D/512D/513D/514D/515D/516D/517D/518D/519D/520D/521D/522D/523D/524D/525D/526D/527D/528D/529D/530D/531D/532D/533D/534D/535D/536D/537D/538D/539D/540D/541D/542D/543D/544D/545D/546D/547D/548D/549D/550D/551D/552D/553D/554D/555D/556D/557D/558D/559D/560D/561D/562D/563D/564D/565D/566D/567D/568D/569D/570D/571D/572D/573D/574D/575D/576D/577D/578D/579D/580D/581D/582D/583D/584D/585D/586D/587D/588D/589D/590D/591D/592D/593D/594D/595D/596D/597D/598D/599D/600D/601D/602D/603D/604D/605D/606D/607D/608D/609D/610D/611D/612D/613D/614D/615D/616D/617D/618D/619D/620D/621D/622D/623D/624D/625D/626D/627D/628D/629D/630D/631D/632D/633D/634D/635D/636D/637D/638D/639D/640D/641D/642D/643D/644D/645D/646D/647D/648D/649D/650D/651D/652D/653D/654D/655D/656D/657D/658D/659D/660D/661D/662D/663D/664D/665D/666D/667D/668D/669D/670D/671D/672D/673D/674D/675D/676D/677D/678D/679D/680D/681D/682D/683D/684D/685D/686D/687D/688D/689D/690D/691D/692D/693D/694D/695D/696D/697D/698D/699D/700D/701D/702D/703D/704D/705D/706D/707D/708D/709D/710D/711D/712D/713D/714D/715D/716D/717D/718D/719D/720D/721D/722D/723D/724D/725D/726D/727D/728D/729D/730D/731D/732D/733D/734D/735D/736D/737D/738D/739D/740D/741D/742D/743D/744D/745D/746D/747D/748D/749D/750D/751D/752D/753D/754D/755D/756D/757D/758D/759D/760D/761D/762D/763D/764D/765D/766D/767D/768D/769D/770D/771D/772D/773D/774D/775D/776D/777D/778D/779D/780D/781D/782D/783D/784D/785D/786D/787D/788D/789D/790D/791D/792D/793D/794D/795D/796D/797D/798D/799D/800D/801D/802D/803D/804D/805D/806D/807D/808D/809D/810D/811D/812D/813D/814D/815D/816D/817D/818D/819D/820D/821D/822D/823D/824D/825D/826D/827D/828D/829D/830D/831D/832D/833D/834D/835D/836D/837D/838D/839D/840D/841D/842D/843D/844D/845D/846D/847D/848D/849D/850D/851D/852D/853D/854D/855D/856D/857D/858D/859D/860D/861D/862D/863D/864D/865D/866D/867D/868D/869D/870D/871D/872D/873D/874D/875D/876D/877D/878D/879D/880D/881D/882D/883D/884D/885D/886D/887D/888D/889D/890D/891D/892D/893D/894D/895D/896D/897D/898D/899D/900D/901D/902D/903D/904D/905D/906D/907D/908D/909D/910D/911D/912D/913D/914D/915D/916D/917D/918D/919D/920D/921D/922D/923D/924D/925D/926D/927D/928D/929D/930D/931D/932D/933D/934D/935D/936D/937D/938D/939D/940D/941D/942D/943D/944D/945D/946D/947D/948D/949D/950D/951D/952D/953D/954D/955D/956D/957D/958D/959D/960D/961D/962D/963D/964D/965D/966D/967D/968D/969D/970D/971D/972D/973D/974D/975D/976D/977D/978D/979D/980D/981D/982D/983D/984D/985D/986D/987D/988D/989D/990D/991D/992D/993D/994D/995D/996D/997D/998D/999D/1000D/1001D/1002D/1003D/1004D/1005D/1006D/1007D/1008D/1009D/1010D/1011D/1012D/1013D/1014D/1015D/1016D/1017D/1018D/10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Kingborough Council
Minor Amendment to Planning
Permit Document
 Development Application: DAS-2024-2/B
 Plan Reference No: P15
 Date Received: 28/10/2025
 Approved via Delegated Authority
 Amendment Decision Date: 14/11/2025

1	Site Plan	1:100	2025-084	DAASA	15
2	Site Plan	1:100	2025-084	DAASA	15
3	Site Plan	1:100	2025-084	DAASA	15
4	Site Plan	1:100	2025-084	DAASA	15
5	Site Plan	1:100	2025-084	DAASA	15
6	Site Plan	1:100	2025-084	DAASA	15
7	Site Plan	1:100	2025-084	DAASA	15
8	Site Plan	1:100	2025-084	DAASA	15
9	Site Plan	1:100	2025-084	DAASA	15
10	Site Plan	1:100	2025-084	DAASA	15

SPRING FARM VILLAGE
 202 CHANNEL HWY, KINGSTON, TAS, 7050



inspiring ideas to enhance human experience



PROPOSED COMMERCIAL GROUND FLOOR PLAN
 MINOR AMENDMENT

Project	2025-084	DAASA	15
Version	1.1	FMD	15



Kingborough Council Minor Amendment to Planning Permit Document

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A DEVELOPMENT SUMMARY

superlot area	20363.0m ²
GROUND	141 view
USA	
Supermarket	4277.0m ²
Pharmacy (Specialty)	512.0m ²
Specialty	813.0m ²
Medical	152.0m ²
General Retail & Hire (Building 2)	1047.0m ²
CycleWash (Building 2)	7.0m ²
Bus Wash (Building 2)	8.0m ²
total ground floor area	7149.0m ²
Level 01	101
USA	
Commercial (Building 2)	100.0m ²
total level 01 floor area	100.0m ²

PARKING PROVISIONS	
ambulance parking	
carpark	
total parking	322 cars prov.
motor cycle parking	

NOTE: ALL EXISTING AREAS AND APPROPRIATE ONLY. SEE SITE
NO EXISTING AREAS TO BE CHANGED TO CONFORM WITH ALLUAGES

NOTES:
1. THE SITE IS A LARGELY UNDEVELOPED AREA WITH
EXISTING BUSH, TREES AND BUSHES.
2. THE SITE IS A LARGELY UNDEVELOPED AREA WITH
EXISTING BUSH, TREES AND BUSHES.



SPRING FARM VILLAGE
202 CHANNEL HWY, KINGSTON, TAS, 7050

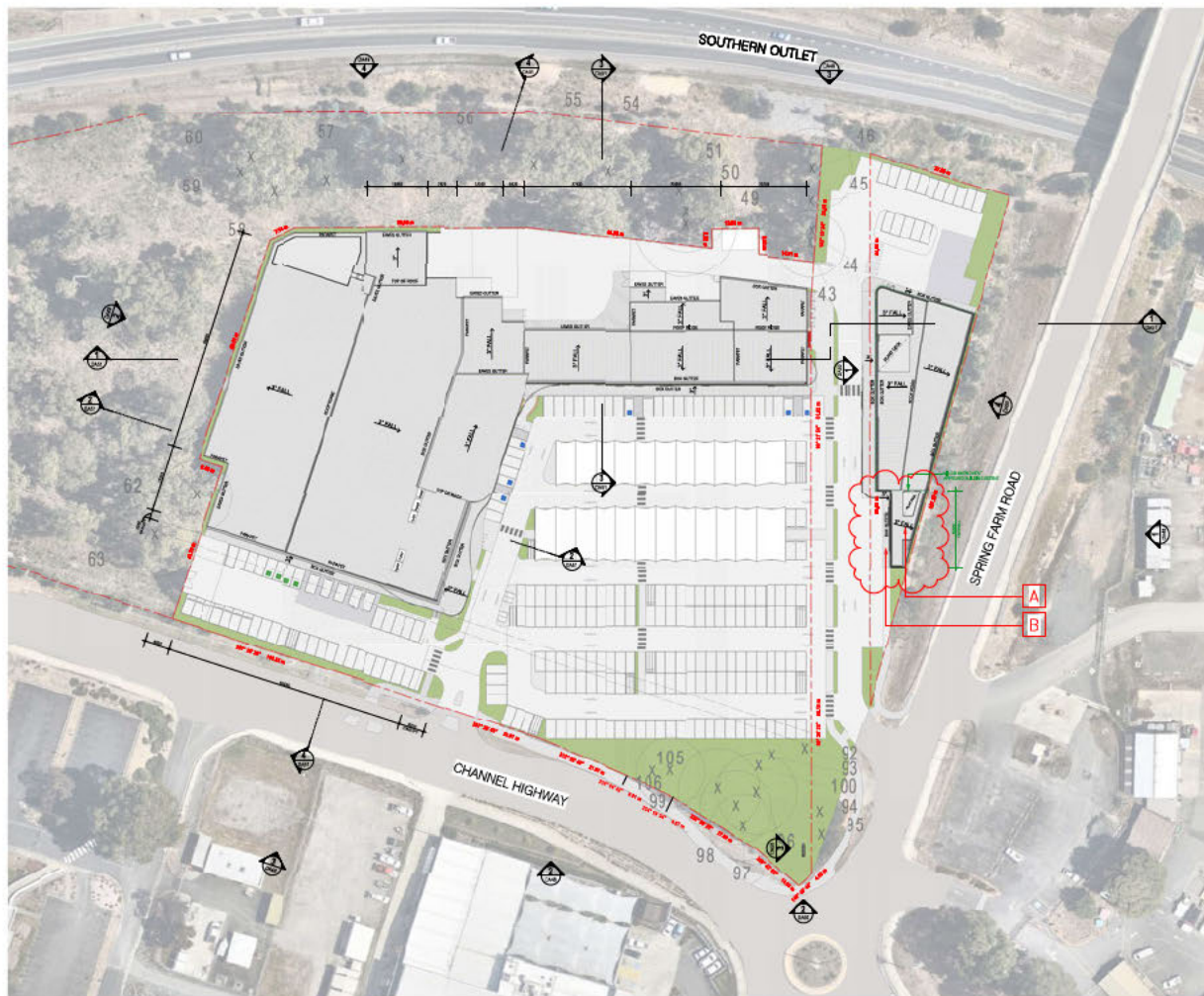


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PROPOSED LEVEL 01 PLAN
MINOR AMENDMENT

Project 2023-084
Drawing 01
Scale 1:500
Date 10/11/25
Author FMO
Check ISE



Kingborough Council
Minor Amendment to Planning
Permit Document
 Development Application: DAS-2024-2/B
 Plan Reference No: P15
 Date Received: 28/10/2025
 Approved via Delegated Authority
 Amendment Decision Date: 14/11/2025



SPRING FARM VILLAGE
 262 CHANNEL HWY, KINGSTON, TAS, 7050



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PROPOSED ROOF PLAN
 MINOR AMENDMENT

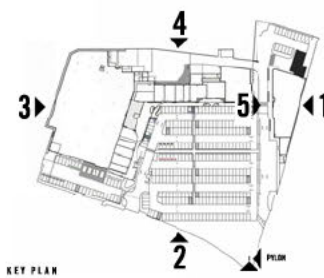
Project	2023-084	DA47	11
Version	1.0	FMO	15E



MATERIAL SCHEDULE		
BAND	TWO	DESCRIPTION
	BRW-01	BRICK VENEER-NEUTRAL, F100-H
	CDW-01	PREFCAST CONCRETE
	CDW-02	PREFCAST CONCRETE WITH P-001 F100-H+DARK GREEN
	CDW-03	PREFCAST CONCRETE WITH P-001 F100-H+DARK GREY
	MTL-01	POLISHED METAL
	PDC-01	POWDERCOAT F100-H+WHITE
	PDC-02	POWDERCOAT F100-H+RED
	PDC-03	POWDERCOAT F100-H+GREEN
	PDC-04	POWDERCOAT F100-H+DARK GREEN
	P-01	P-001 F100-H+DARK GREY
	E-01	EMERALD GREEN GLOSSY F10
	TBR-01	TIMBER SOUNDS-NEUTRAL, F100-H

Kingborough Council
Minor Amendment to Planning
Permit Document

Development Application: DAS-2024-2/B
Plan Reference No: P15
Date Received: 28/10/2025
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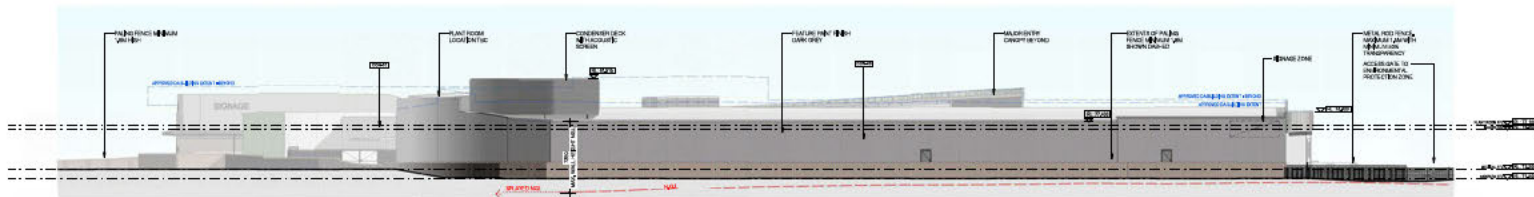


KEY PLAN

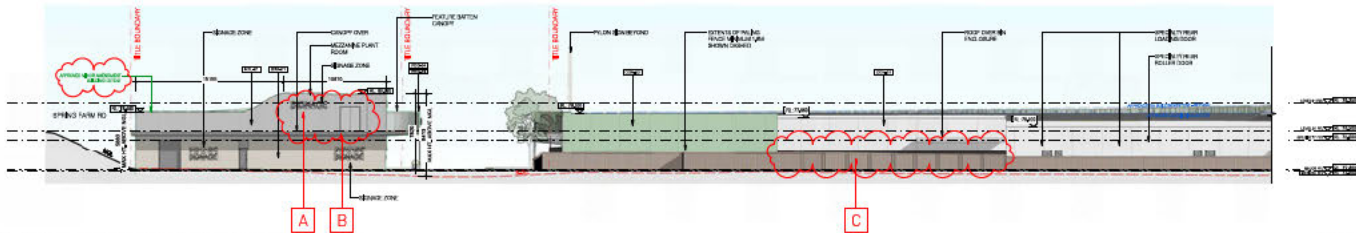
PROPOSED ELEVATIONS

MINOR AMENOMEN

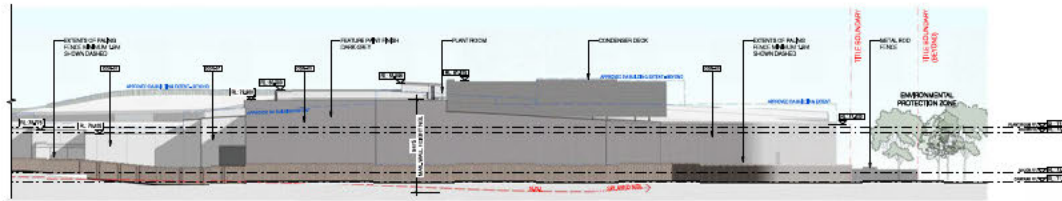
revision	2023-084	drawing no.	DA48	issue	8
scale	As indicated	designed	FMO	checked	TSE



3 - PROPOSED SOUTH ELEVATION - MINOR AMENDMENT 1:200

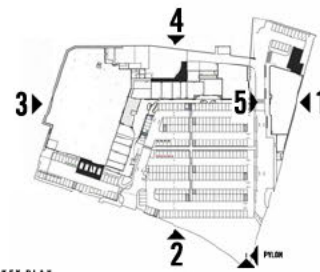


4 - PROPOSED WEST ELEVATION - PART A - MINOR AMENDMENT 1:200



4 - PROPOSED WEST ELEVATION - PART B - MINOR AMENDMENT 1:200

MATERIAL SCHEDULE		
IMAGE	TAG	DESCRIPTION
	BR421	BRICK VENEER - NEUTRAL TINT
	CON41	PRECAST CONCRETE
	CON42	PRECAST CONCRETE WITH TINT - DARK GREEN
	CON43	PRECAST CONCRETE WITH TINT - DARK GREY
	MTL41	POWDER COAT - WHITE
	POK42	POWDER COAT - RED
	POK43	POWDER COAT - GREEN
	POK44	POWDER COAT - DARK GREEN
	PA41	PAINT - DARK GREY
	IL41	EMERALD GREEN GLOSSY FLE
	TIM41	TIMBER GRAY - NEUTRAL TINT



KEY PLAN

PROPOSED ELEVATIONS

MINOR AMENDMENT

Project	2023-084	Issue	7
Drawing No.	DA69	Project	15E
As indicated	FMD		

Kingborough Council

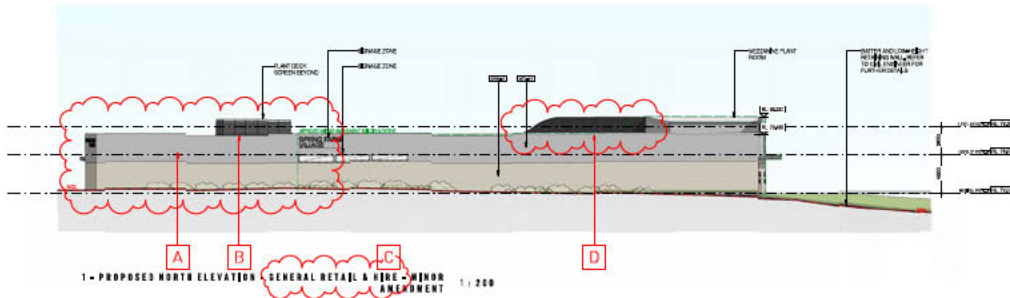
Minor Amendment to Planning Permit Document

Development Application: DAS-2024-2/B
Plan Reference No: P15
Date Received: 28/10/2025
Approved via Delegated Authority
Amendment Decision Date: 14/11/2025

SPRING FARM VILLAGE
262 CHANNEL HWY, KINGSTON, TAS, 7050



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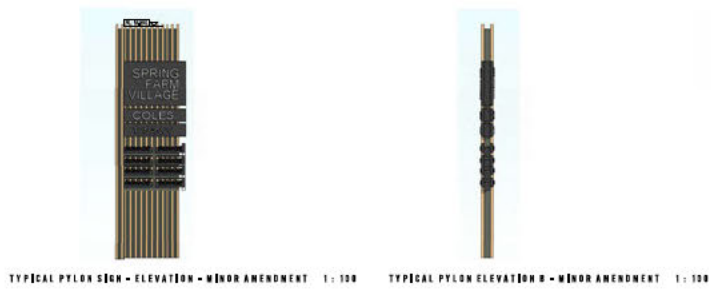


Kingborough Council
Minor Amendment to Planning
Permit Document
 Development Application: DAS-2024-2/B
 Plan Reference No: P15
 Date Received: 28/10/2025
 Approved via Delegated Authority
 Amendment Decision Date: 14/11/2025

MATERIAL SCHEDULE		
NAME	TAG	DESCRIPTION
BRK01		BRICK VENTILATOR - NEUTRAL FINISH
CON01		PRECAST CONCRETE
CON02		PRECAST CONCRETE WITH PAINT FINISH - DARK GREEN
CON03		PRECAST CONCRETE WITH PAINT FINISH - DARK GREY
MTL01		PRECAST METAL
POW01		POWDERCOAT FINISH - WHITE
POW02		POWDERCOAT FINISH - RED
POW03		POWDERCOAT FINISH - GREEN
POW04		POWDERCOAT FINISH - LIGHT GREEN
FIN01		PAINT FINISH - DARK GREY
GLS01		EMERALD GREEN GLOSSY TILE
BLK01		BLACK SCAFFOLD - NEUTRAL FINISH

FIN01	PAINT FINISH - DULL MINT GREEN
FIN02	PAINT FINISH - DULL MINT GREEN
POW01	POWDERCOAT FINISH - DULL DOKER WHITE
BLK01	BLACK SCAFFOLD - NEUTRAL FINISH

PYLON MATERIALS - MINOR AMENDMENT



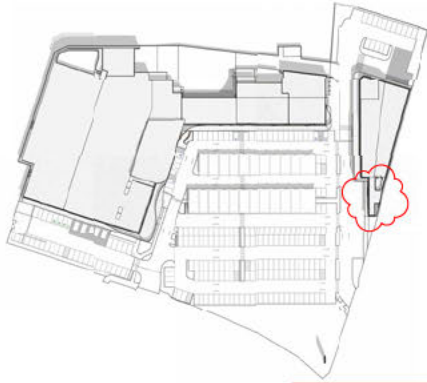
SPRING FARM VILLAGE
 202 CHANNEL HWY, KINGSTON, TAS, 7050



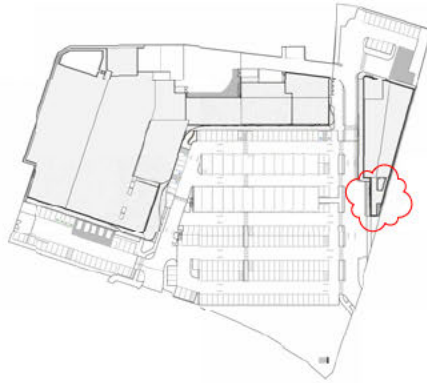
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PROPOSED ELEVATIONS
 MINOR AMENDMENT

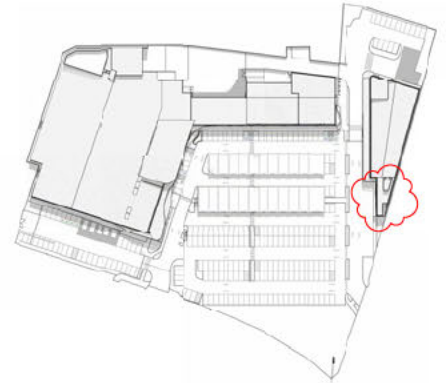
Project No:	2025-084	Drawing No:	DAS0	Page:	15
Client:	As indicated	Author:	FMO	Checked:	TSE



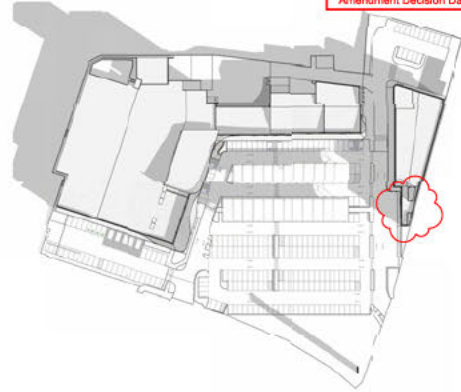
SUMMER SOLSTICE - 22 DEC, 9AM - MINOR AMENDMENT



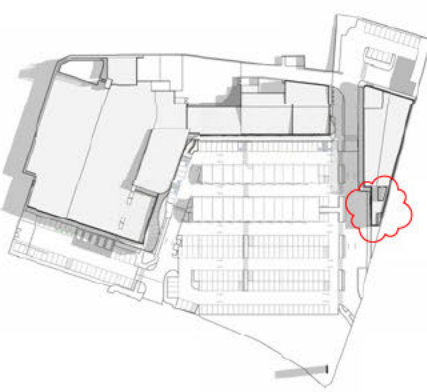
SUMMER SOLSTICE - 22 DEC, 12PM - MINOR AMENDMENT



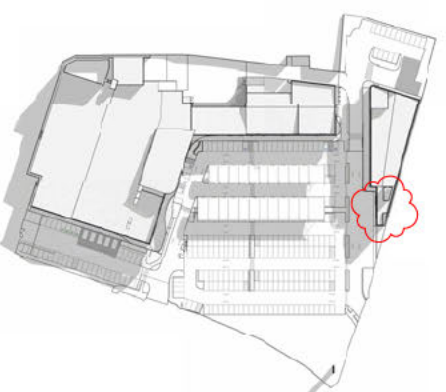
SUMMER SOLSTICE - 22 DEC, 3PM - MINOR AMENDMENT



WINTER SOLSTICE - 22 JUN, 9AM - MINOR AMENDMENT



WINTER SOLSTICE - 22 JUN, 12PM - MINOR AMENDMENT



WINTER SOLSTICE - 22 JUN, 3PM - MINOR AMENDMENT

Kingborough Council
Minor Amendment to Planning
Permit Document
 Development Application: DAS-2024-2/B
 Plan Reference No: P15
 Date Received: 29/10/2025
 Approved via Delegated Authority
 Amendment Decision Date: 14/11/2025

1	Site Plan
2	Shadow Diagrams
3	Site Plan
4	Shadow Diagrams
5	Site Plan
6	Shadow Diagrams
7	Site Plan
8	Shadow Diagrams
9	Site Plan
10	Shadow Diagrams

SPRING FARM VILLAGE
 262 CHANNEL HWY, KINGSTON, TAS, 7050

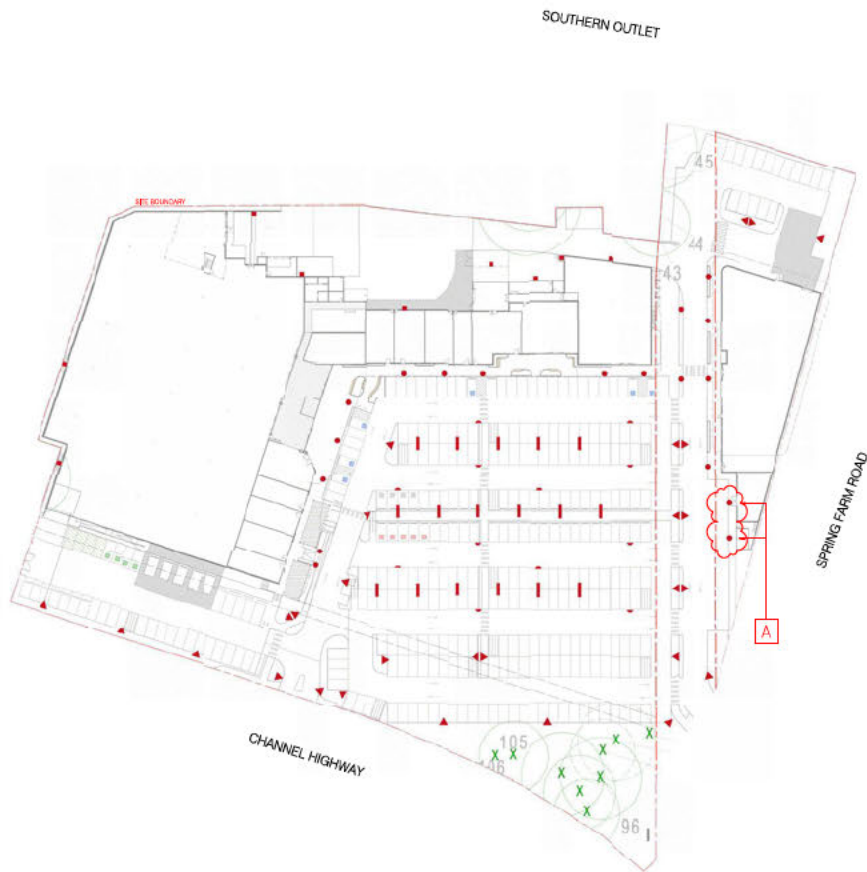


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SHADOW DIAGRAMS
 MINOR AMENDMENT

Project	2023-084	DAS2	Issue
Client	IC	IC	IC
Scale	1:1000	FMO	ISE



Kingborough Council
Minor Amendment to Planning
Permit Document
 Development Application: DAS-2024-2/B
 Plan Reference No: P15
 Date Received: 28/10/2025
 Approved via Delegated Authority
 Amendment Decision Date: 14/11/2025

- ▼ POLE MOUNTED LUMINAIRE
- WEATHERPROOF BATTEN UNDERSHADE SAIL FRAME
- LUMINAIR FIXED TO VERTICALS OF SHADE SAIL FRAME
- BOLLARD
- FLOODLIGHT ON BUILDING FACADE AT HIGH LEVEL

1	Site Plan	1:500
2	Site Plan	1:500
3	Site Plan	1:500
4	Site Plan	1:500
5	Site Plan	1:500
6	Site Plan	1:500
7	Site Plan	1:500
8	Site Plan	1:500
9	Site Plan	1:500
10	Site Plan	1:500

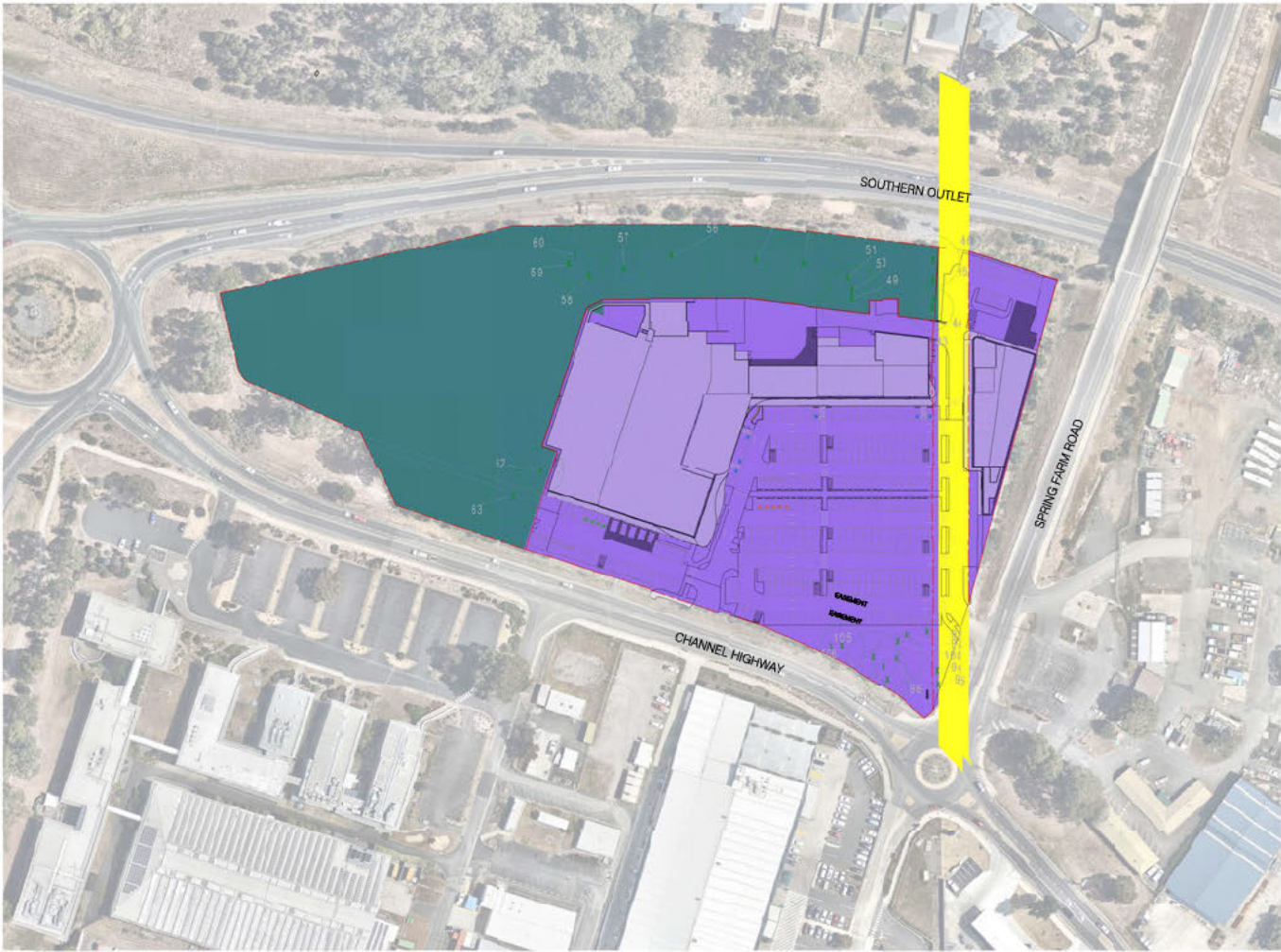
SPRING FARM VILLAGE
 202 CHANNEL HWY, KINGSTON, TAS, 7050



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PROPOSED LIGHTING PLAN
 KINGBOROUGH COUNCIL

Project No:	2023-084	Drawing No:	DAS3	Issue:	11
Project Name:	SPRING FARM VILLAGE	Drawing Title:	PROPOSED LIGHTING PLAN	Issue Date:	15/11/2025
Scale:	1:500	Author:	FMD	Check:	ISE



Kingborough Council
Minor Amendment to Planning
Permit Document
Development Application: DAS-2024-2/B
Plan Reference No: P15
Date Received: 28/10/2025
Approved via Delegated Authority
Amendment Decision Date: 14/11/2025

28.0 COMMERCIAL
28.0 UTILITIES
28.0 ENVIRONMENTAL MANAGEMENT

TASMANIAN PLANNING SCHEME - ZONING 1:750



SPRING FARM VILLAGE
202 CHANNEL HWY, KINGSTON, TAS, 7050



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TASMANIAN PLANNING SCHEME ZONING
MINOR AMENDMENT

Project	2025-084	Drawing No.	DAS4	Issue	1
Revised By/Date	28/10/25	Designed	FMD	Reviewed	TSE
As indicated		FMD		TSE	

Appendix C Aboriginal heritage permit for Spring Farm Village



**Permit for the purposes of Section 14
of the *Aboriginal Heritage Act 1975* (Tas)**

Permit No.:	P250
Name of Applicant:	Scott Spanton (Tipalea Private No.27 Pty Ltd)
Project Title:	Commercial Development – 202 Channel Highway, Kingston

Permit for the purposes of Section 14 of the *Aboriginal Heritage Act 1975* (Tas)

1 Background

- (a) The Applicant has made an application to the Minister for a Permit for the purpose of enabling persons to undertake the Approved Works on The Land without contravening Section 14 of the Act.
 - (b) The Minister has determined that the relics within the Site known as AH 10965/10966 is a Relic.
 - (c) The Minister has received a recommendation from the Director of National Parks and Wildlife that the Minister grant a permit pursuant to Section 14 of the Act under the terms contained in this permit.
-

2 Grant of Permit

The Minister in the exercise of their powers under the Act, hereby grants, on the terms set out in clause 3, to the Approved Persons a permit, for the purposes of Section 14 of the Act, to do the Permitted Acts in relation to Relics in connection with the carrying out on The Land of the Approved Works. This permit does not provide authorisation to undertake these works under any legislation other than the *Aboriginal Heritage Act 1975*.

3 Permit terms (conditions)

This permit is granted subject to the following terms:

- (a) The term of the permit is limited to the Permit Period.
- (b) Each Approved Person must comply with any direction given by the Minister in relation to:
 - (i) the Relics; or
 - (ii) any Relics disturbed by, uncovered or otherwise discovered during, or as a result of, the carrying out of the Approved Works,including, but not limited to, a direction to suspend the Approved Works.
- (c) All Approved Works and/or Permitted Acts must be undertaken in strict accordance with the conditions prescribed in this permit.
- (d) No persons may interfere with any Relic except for the purpose of undertaking the Approved Works.
- (e) This permit does not revoke any earlier permit granted for the purposes of Section 14 of the Act in respect of any part of The Land.

- (f) The Applicant must allow, and must ensure that any person who has control of The Land permits the Director and/or their delegate to enter and inspect The Land at all times for the purpose of monitoring compliance with this permit.
- (g) Prior to the commencement of the Approved Works, all persons involved in the Approved Works must be made aware of the location of the Relics and be made familiar with the permit and the requirements and conditions therein.
- (h) A copy of this permit must be kept at the construction site office or in the absence of a site office in the possession of the contractor/s for the duration of the Approved Works.
- (i) The two artefacts recorded in test pits 16 and 17 are to be salvaged and relocated by an Aboriginal Heritage Officer to the southern boundary of AH10965/10966.
- (j) An Aboriginal Heritage Officer is to monitor the removal and transfer of topsoil occurring during the Approved Works.
- (k) A permanent fence is to be erected along the southern boundary of the development to prevent construction works from encroaching and inadvertently impacting AH 10965/10966 beyond the Approved Works. The erection of this fence is to be monitored by an Aboriginal Heritage Officer to ensure that the fence is installed outside of the boundary of AH 10965/10966 where possible.
- (l) In the event that unanticipated material, being that other than AH 10965/10966, is located during the Approved Works, the Applicant must ensure that the Unanticipated Discovery Plan (Schedule 2 of this Permit) is implemented.
- (m) Photographs of the completed works and impacts to AH 10965/10966 must be forwarded to Aboriginal Heritage Tasmania as soon as practicable after the completion of the Permitted Acts.

4 Definitions

In this permit:

Act means the *Aboriginal Heritage Act 1975* (Tas).

AH means the abbreviated prefix for the Aboriginal Heritage number assigned to known Aboriginal Heritage Sites recorded within the Aboriginal Heritage Register.

Applicant means Scott Spanton on behalf of Tipalea Private No.27 Pty Ltd.

Approved Persons means the following:

- (a) the Applicant;
- (b) each contractor engaged by the Applicant to carry out the Approved Works or part thereof;
- (c) the sub-contractors engaged by any such contractor in connection with carrying out any Approved Works; and

- (d) the employees, servants and agents of each of the above whilst carrying out any Approved Works.

Approved Works means the construction of a commercial development within the proposed footprint as shown in Schedule 1, including vegetation clearing, levelling and removing topsoils, with disturbance extending beyond a depth of 1m. Two known artefacts will be relocated from test pits 16 and 17 to the southern section of AH10965/10966.

Director has the meaning in the Act.

Delegate means the following:

- a) Aboriginal Heritage Tasmanian staff member;
- b) Police Officer; and
- c) Warden

Interfere with means to destroy, damage, deface, conceal, or otherwise interfere with.

The Land means 202 Channel Highway, Kingston (Title Reference: 164731/202) and the road easement (Title Reference: 252331/1), identified in Schedule 1.

Minister means the Minister administering the Act.

Permitted Acts means to interfere with the Relic known as AH 10965/10966 within the area that lies within The Land, associated with undertaking the Approved Works within the terms of this permit.

Permit Period means the period commencing from the date of signing and ending three years henceforth or at the completion of the Permitted Acts, whichever is the sooner.

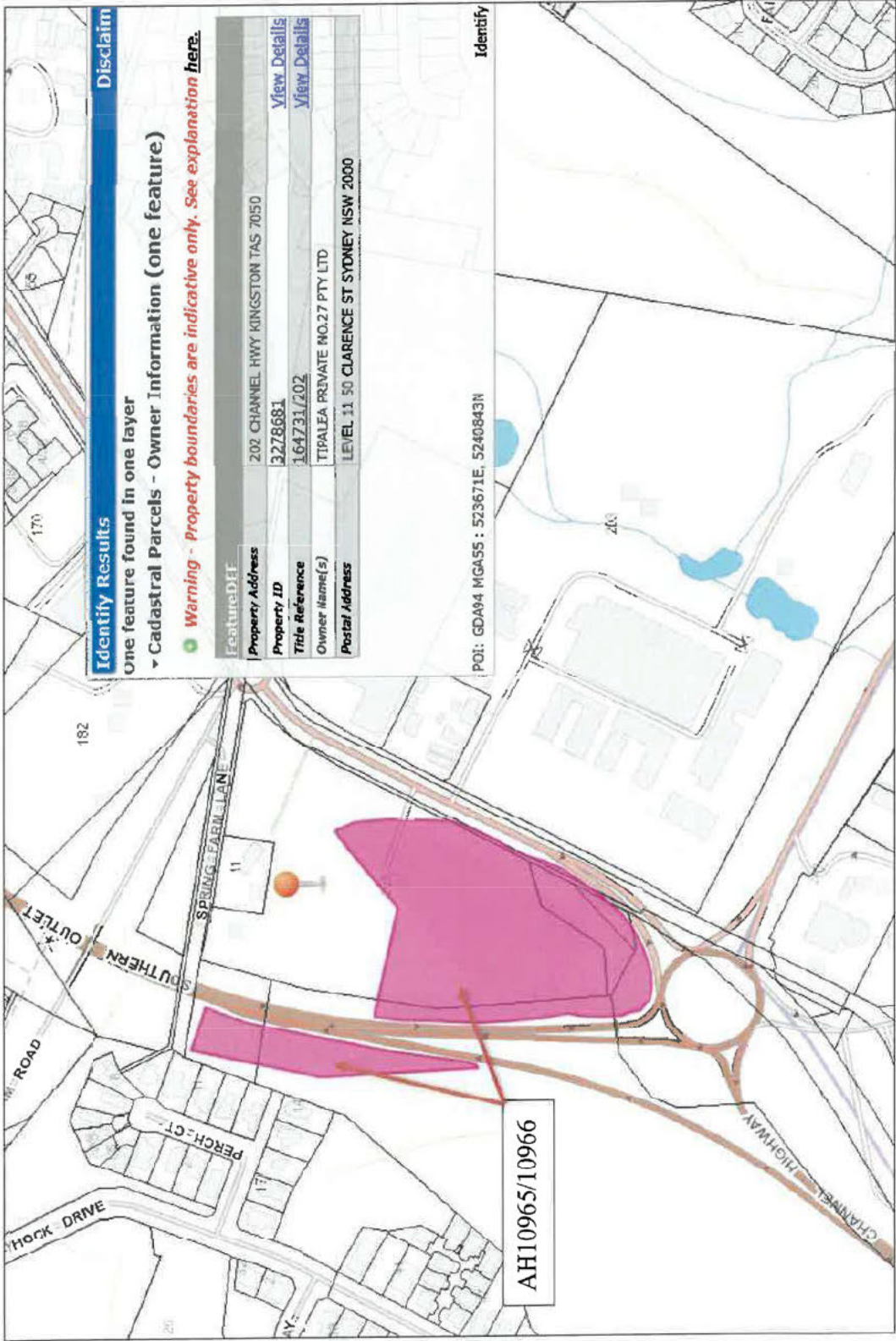
Relic has the meaning in the Act.

Dated: 19/5/24

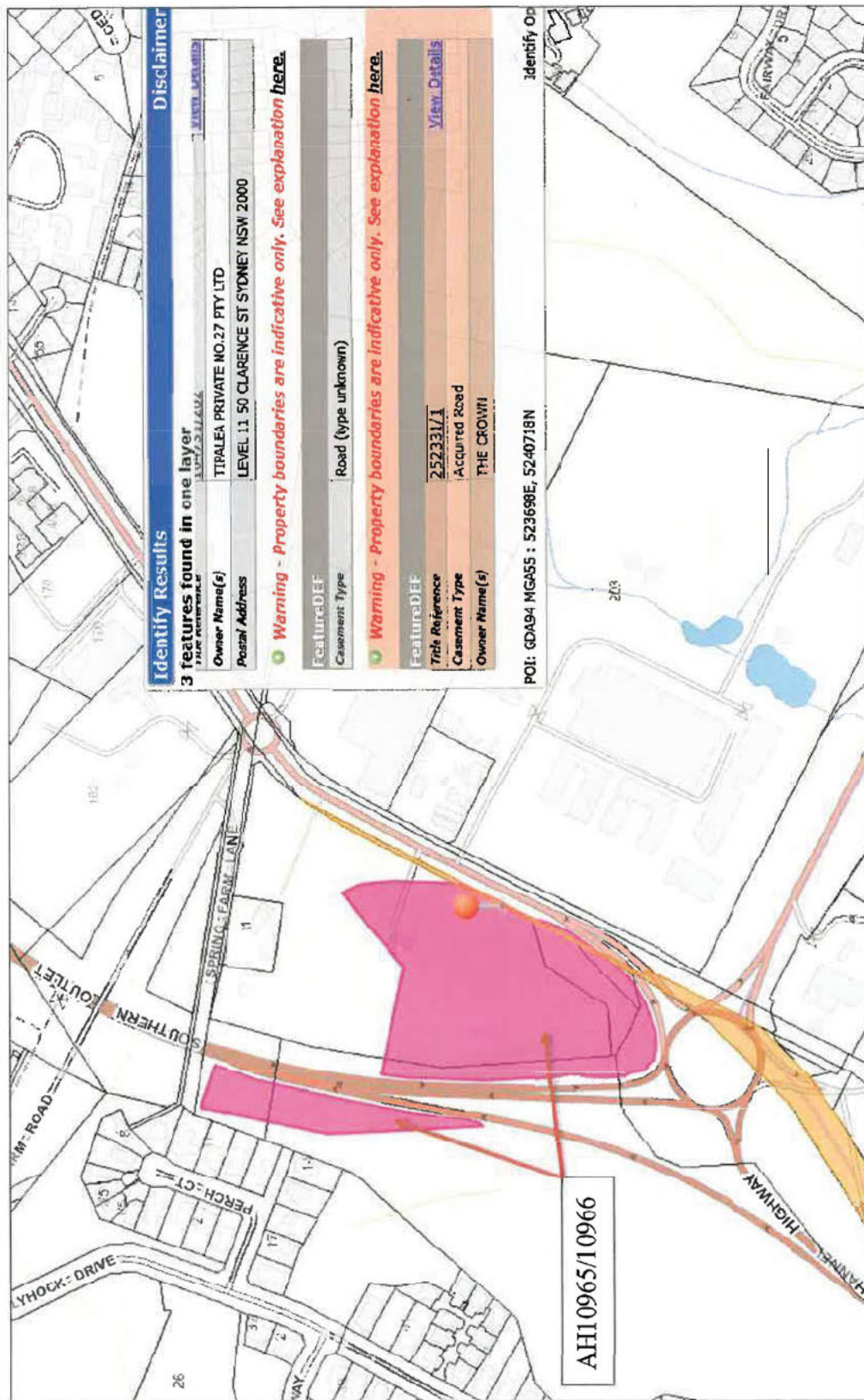


Hon Roger Jaensch MP

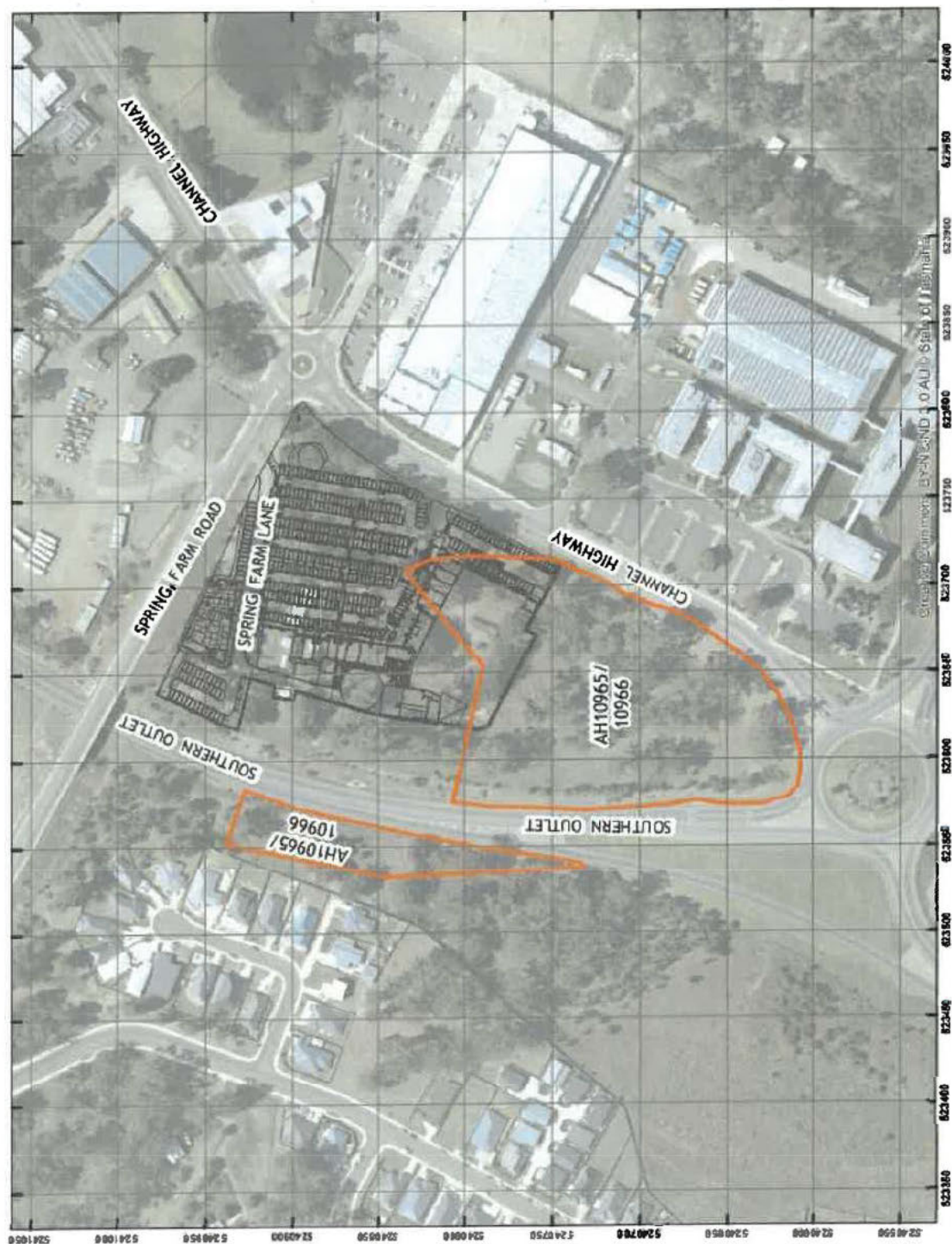
Schedule 1: The Land – 202 Channel Highway, Kingston (Title Ref: 164731/202)



The Land – Road Casement (Title Ref: 252331/1)



Footprint of proposed development in association with recorded Aboriginal heritage AH10965/10966

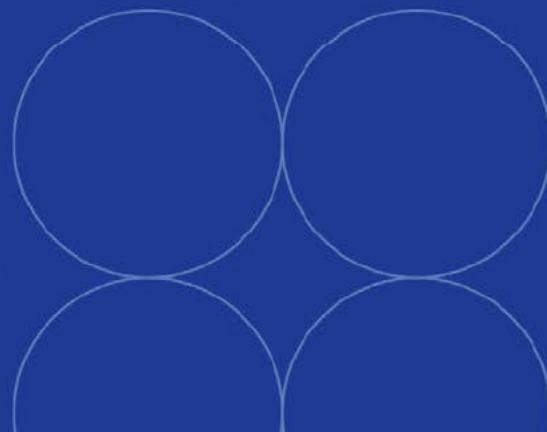
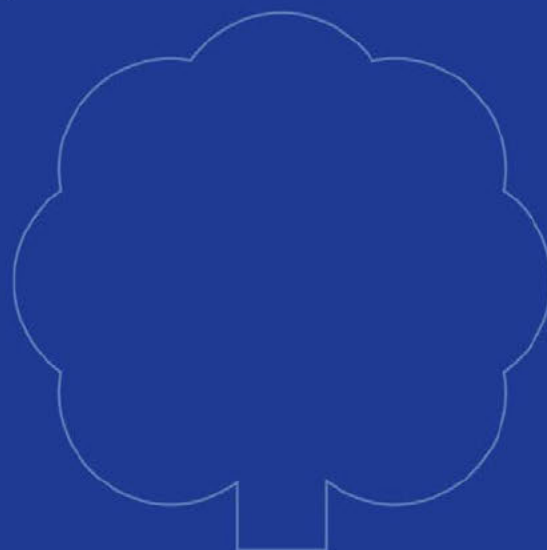
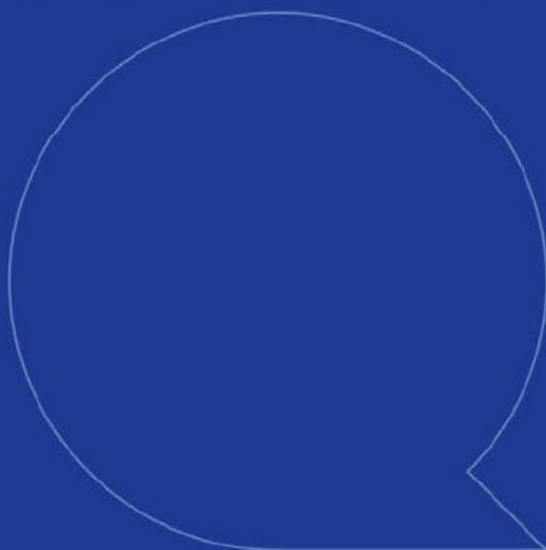
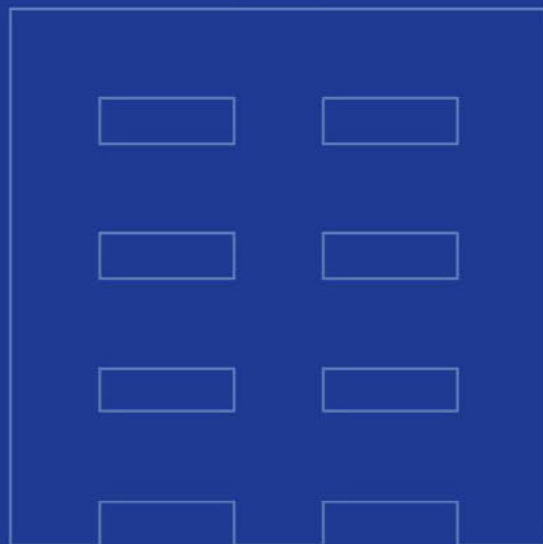


Schedule 2

Unanticipated Discovery Plan

Era Advisory
Level 1, 125A Elizabeth St
Hobart 7000

(03) 6165 0443
enquiries@era-advisory.com.au
era-advisory.com.au



era



**Permit for the purposes of Section 14
of the *Aboriginal Heritage Act 1975* (Tas)**

Permit No.:	P250
Name of Applicant:	Scott Spanton (Tipalea Private No.27 Pty Ltd)
Project Title:	Commercial Development – 202 Channel Highway, Kingston

Permit for the purposes of Section 14 of the *Aboriginal Heritage Act 1975* (Tas)

1 Background

- (a) The Applicant has made an application to the Minister for a Permit for the purpose of enabling persons to undertake the Approved Works on The Land without contravening Section 14 of the Act.
 - (b) The Minister has determined that the relics within the Site known as AH 10965/10966 is a Relic.
 - (c) The Minister has received a recommendation from the Director of National Parks and Wildlife that the Minister grant a permit pursuant to Section 14 of the Act under the terms contained in this permit.
-

2 Grant of Permit

The Minister in the exercise of their powers under the Act, hereby grants, on the terms set out in clause 3, to the Approved Persons a permit, for the purposes of Section 14 of the Act, to do the Permitted Acts in relation to Relics in connection with the carrying out on The Land of the Approved Works. This permit does not provide authorisation to undertake these works under any legislation other than the *Aboriginal Heritage Act 1975*.

3 Permit terms (conditions)

This permit is granted subject to the following terms:

- (a) The term of the permit is limited to the Permit Period.
- (b) Each Approved Person must comply with any direction given by the Minister in relation to:
 - (i) the Relics; or
 - (ii) any Relics disturbed by, uncovered or otherwise discovered during, or as a result of, the carrying out of the Approved Works,including, but not limited to, a direction to suspend the Approved Works.
- (c) All Approved Works and/or Permitted Acts must be undertaken in strict accordance with the conditions prescribed in this permit.
- (d) No persons may interfere with any Relic except for the purpose of undertaking the Approved Works.
- (e) This permit does not revoke any earlier permit granted for the purposes of Section 14 of the Act in respect of any part of The Land.

- (f) The Applicant must allow, and must ensure that any person who has control of The Land permits the Director and/or their delegate to enter and inspect The Land at all times for the purpose of monitoring compliance with this permit.
- (g) Prior to the commencement of the Approved Works, all persons involved in the Approved Works must be made aware of the location of the Relics and be made familiar with the permit and the requirements and conditions therein.
- (h) A copy of this permit must be kept at the construction site office or in the absence of a site office in the possession of the contractor/s for the duration of the Approved Works.
- (i) The two artefacts recorded in test pits 16 and 17 are to be salvaged and relocated by an Aboriginal Heritage Officer to the southern boundary of AH10965/10966.
- (j) An Aboriginal Heritage Officer is to monitor the removal and transfer of topsoil occurring during the Approved Works.
- (k) A permanent fence is to be erected along the southern boundary of the development to prevent construction works from encroaching and inadvertently impacting AH 10965/10966 beyond the Approved Works. The erection of this fence is to be monitored by an Aboriginal Heritage Officer to ensure that the fence is installed outside of the boundary of AH 10965/10966 where possible.
- (l) In the event that unanticipated material, being that other than AH 10965/10966, is located during the Approved Works, the Applicant must ensure that the Unanticipated Discovery Plan (Schedule 2 of this Permit) is implemented.
- (m) Photographs of the completed works and impacts to AH 10965/10966 must be forwarded to Aboriginal Heritage Tasmania as soon as practicable after the completion of the Permitted Acts.

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In this permit:

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Applicant means Scott Spanton on behalf of Tipalea Private No.27 Pty Ltd.

Approved Persons means the following:

- (a) the Applicant;
- (b) each contractor engaged by the Applicant to carry out the Approved Works or part thereof;
- (c) the sub-contractors engaged by any such contractor in connection with carrying out any Approved Works; and

- (d) the employees, servants and agents of each of the above whilst carrying out any Approved Works.

Approved Works means the construction of a commercial development within the proposed footprint as shown in Schedule 1, including vegetation clearing, levelling and removing topsoils, with disturbance extending beyond a depth of 1m. Two known artefacts will be relocated from test pits 16 and 17 to the southern section of AH10965/10966.

Director has the meaning in the Act.

Delegate means the following:

- a) Aboriginal Heritage Tasmanian staff member;
- b) Police Officer; and
- c) Warden

Interfere with means to destroy, damage, deface, conceal, or otherwise interfere with.

The Land means 202 Channel Highway, Kingston (Title Reference: 164731/202) and the road easement (Title Reference: 252331/1), identified in Schedule 1.

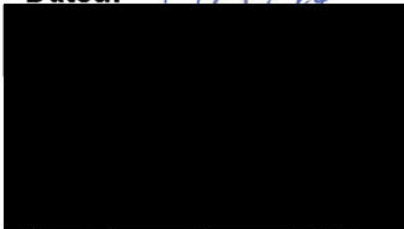
Minister means the Minister administering the Act.

Permitted Acts means to interfere with the Relic known as AH 10965/10966 within the area that lies within The Land, associated with undertaking the Approved Works within the terms of this permit.

Permit Period means the period commencing from the date of signing and ending three years henceforth or at the completion of the Permitted Acts, whichever is the sooner.

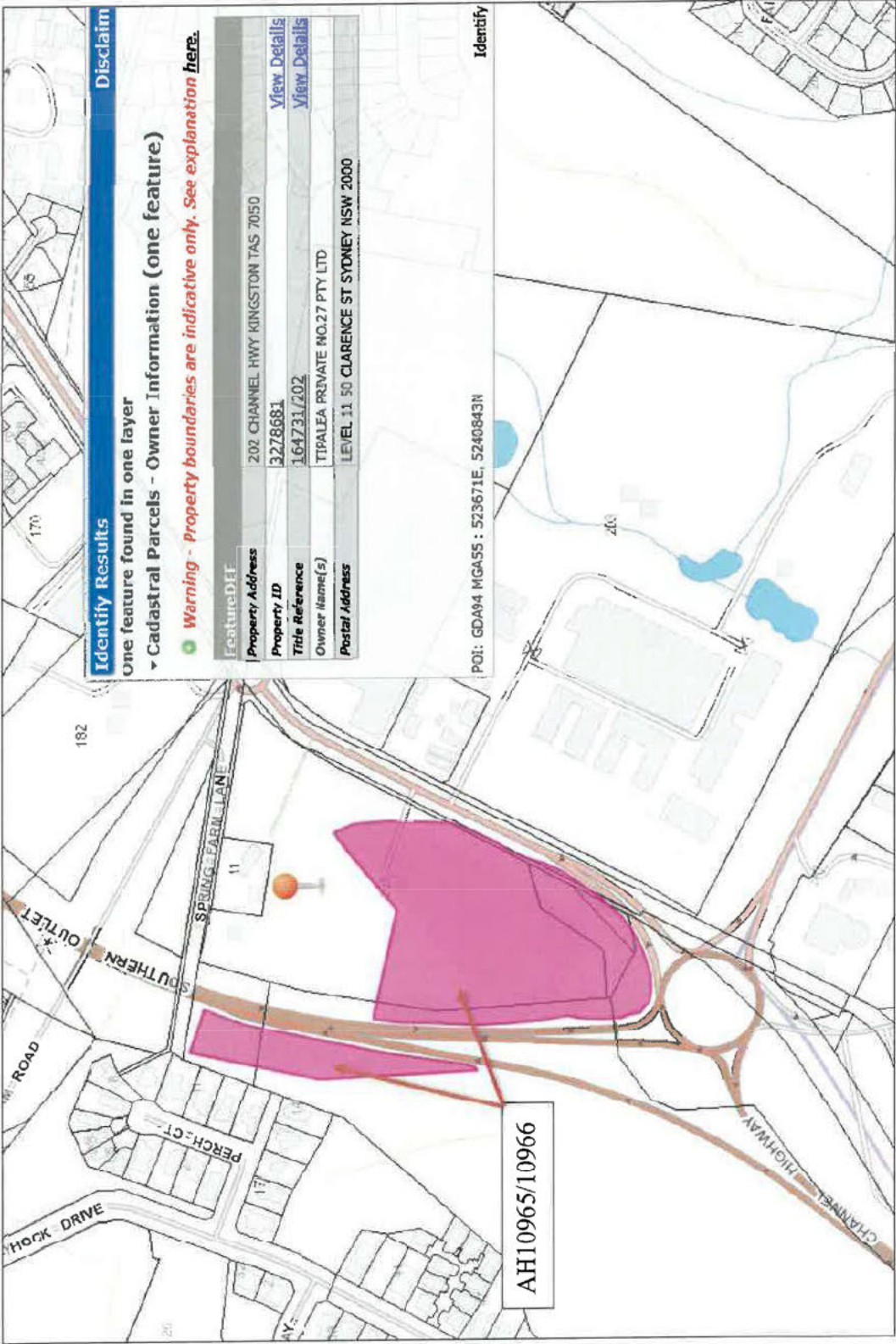
Relic has the meaning in the Act.

Dated: 19/5/24

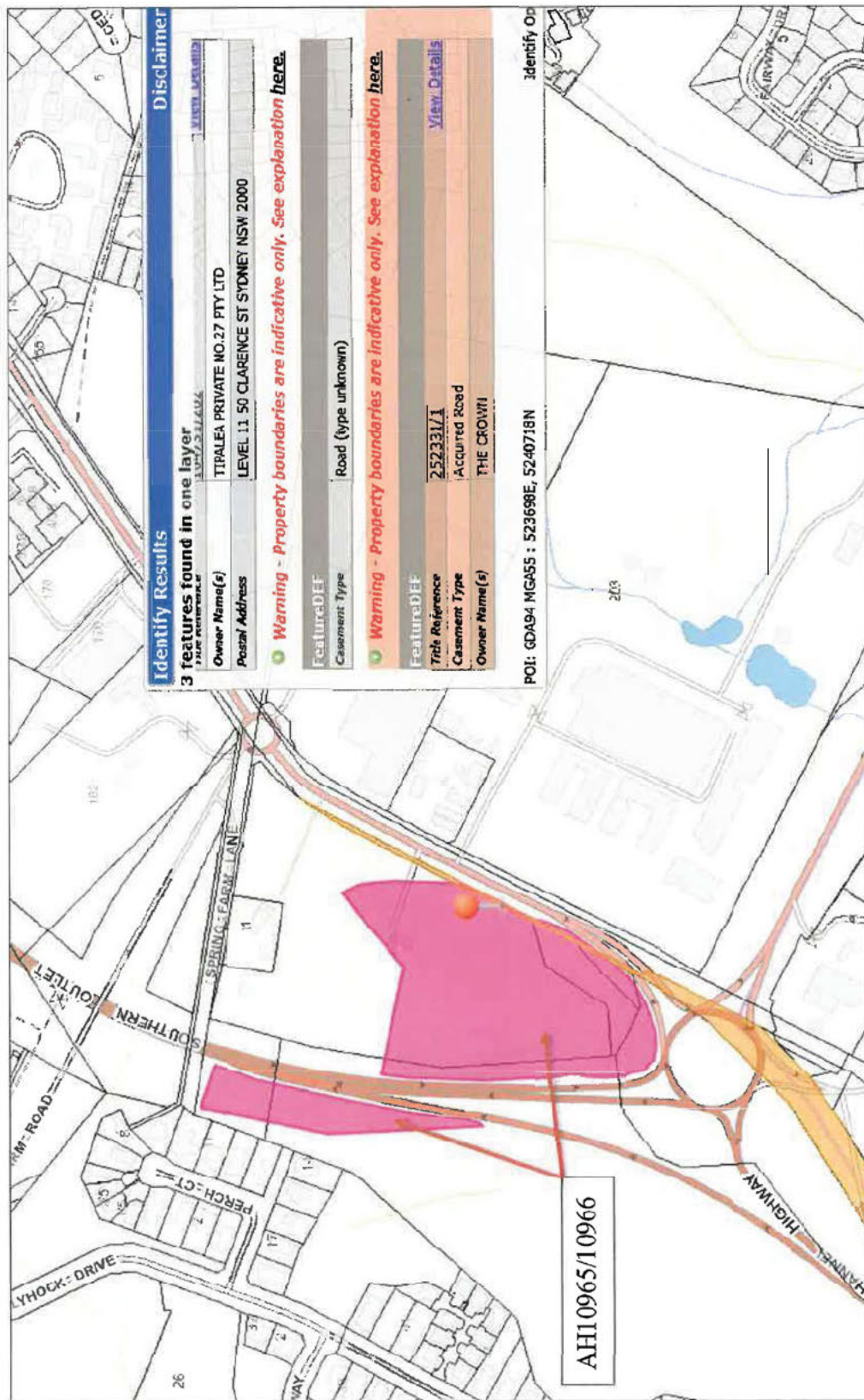


Hon Roger Jaensch MP

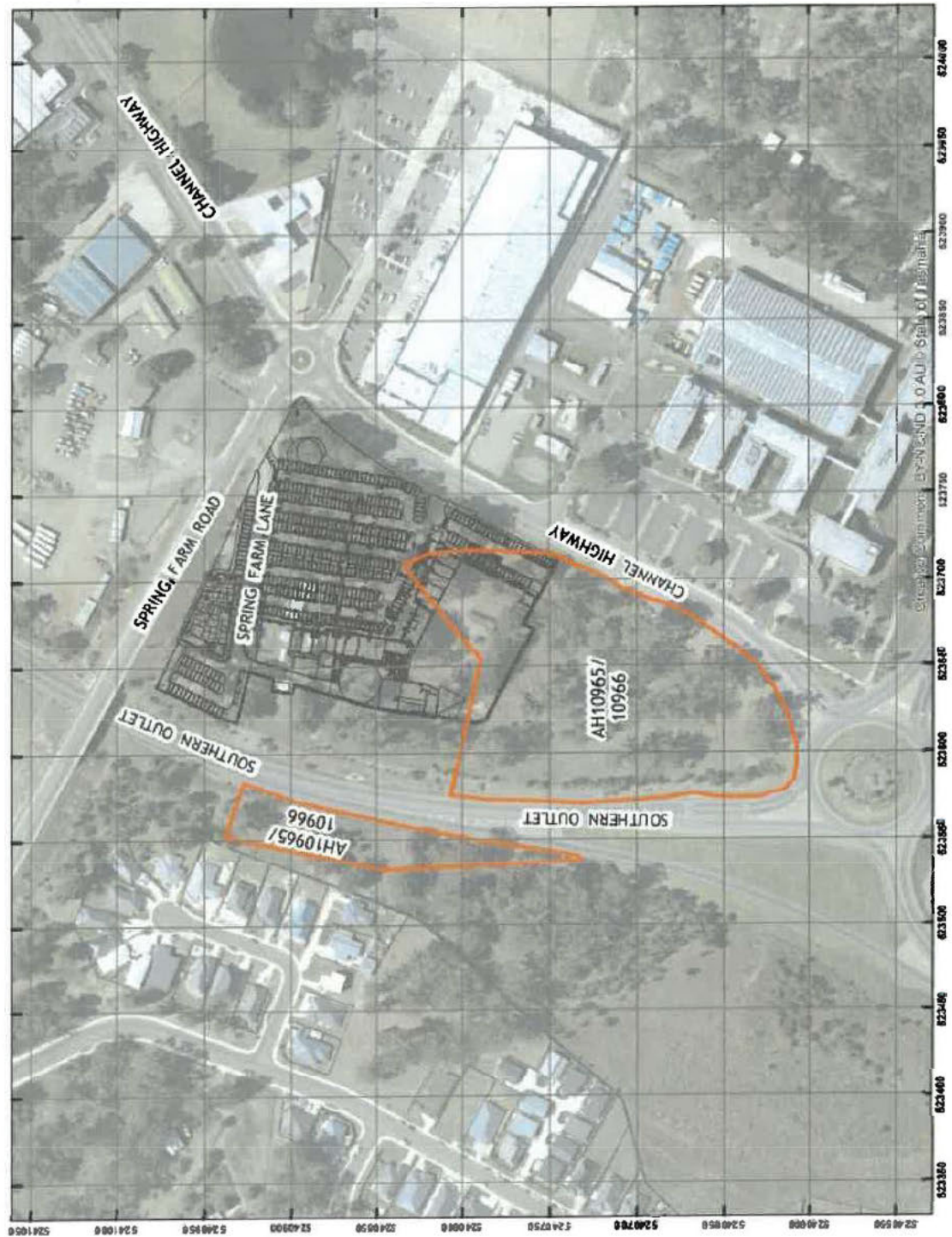
Schedule 1: The Land – 202 Channel Highway, Kingston (Title Ref: 164731/202)



The Land – Road Casement (Title Ref: 252331/1)



Footprint of proposed development in association with recorded Aboriginal heritage AH10965/10966



Schedule 2

Unanticipated Discovery Plan

AMENDED PLANNING PERMIT

*Land Use Planning and Approvals Act 1993
Kingborough Interim Planning Scheme 2015*

ADDRESS OF THE LAND:

182 & 202 Channel Highway, 11 Spring Farm Lane, Lot 501 Spring Farm Road (CT 175960/501), Spring Farm Road, Spring Farm Lane and Channel Highway road reservations and various road lots, Kingston CT160089/6, CT155446/5, CT35517/1, CT164731/202, CT62794/4, CT164731/100, CT62794/3, CT164731/101, CT252331/2, CT252331/2, CT175960/501 and CT156869/1

REFERENCE:

DAS-2024-2/B

THE PERMIT ALLOWS:

Staged subdivision of 8 lots into 3 lots and 4 balance lots, demolition of existing buildings and combined commercial development (general retail and hire, food services, business and professional services), signage, associated works and infrastructure, and vegetation removal

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Except as otherwise required by this Permit, use and development of the land must be substantially in accordance with:
 - Development Application DAS-2024-2 and Council Subdivision Plan Reference No. P5 submitted on 14/08/2024; and
 - DAS-2024-2/A and:
 - Council Architectural Plan Reference No. P12 - Site Analysis prepared by i2C and submitted on 13/05/2025
 - Council Architectural Plan Reference No. P12 - Design Response prepared by i2C and submitted on 13/05/2025
 - Council Architectural Plan Reference No. P12 - Signage plans prepared by i2C and submitted on 13/05/2025
 - Landscape Irrigation Plan prepared by Play Street and submitted on the 13/05/2025
 - DAS-2024-2/B and:
 - Council Architectural Plan Reference No. P15 – Architectural Drawings prepared by i2C and submitted on 28/10/2025

- Landscape Plan prepared by Play Street and submitted on the 28/10/2025
- Council Civil Plan Reference No. P15 – Civil Drawings prepared by Gandy and Roberts and submitted on the 28/10/2025

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.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

2. Prior to the permit coming into effect, the landowner must enter into a Part 5 Agreement with and to the satisfaction of Kingborough Council to the effect that:
 - (a) A \$300,000 bond for the security of the transfer of the Bushland Reserve to Council must be paid prior to commencement of on-site works.
 - (b) The Bushland Reserve on future Lot 2 must be established and managed as an offset in accordance with the endorsed Conservation Management Plan required under Condition 5 by the developer from execution of the Part 5 Agreement until such time as the land is transferred to Council.
 - (c) The Bushland Reserve must be transferred to Council prior to the issue of a Certificate of Occupancy for any buildings or within 12 months of the date of issue of this Permit, whichever is the earlier, unless otherwise agreed by Council in writing.
 - (d) No Certificate of Occupancy may be issued for any buildings until such time as the Bushland Reserve on future Lot 2 is transferred to Council for the purposes of public open space and as an offset.

This Part 5 Agreement must be to the satisfaction of the Manager Development Services and generally in accordance with the draft Agreement (Version 2) submitted to Council on 12 September 2024 and as amended by Council on 4 October 2024.

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

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

3. The use of the land zoned Utilities is restricted to use for access and utility infrastructure purposes only, or any other No Permit Required Use, or an approved Permitted or Discretionary Use in accordance with the relevant Planning Scheme in force at the time. The land must not be used for car parking and trolley bays associated with any business and professional services, food services, or general retail and hire use approved on proposed Lot 1.

Prior to the commencement of onsite works, an amended site plan removing any car parking and trolley bays within the Utilities Zone to the satisfaction of the Manager Development Services must be submitted to and approved by Council.

When approved, the plans will be endorsed and will then form part of this Permit.

For Advice: The use of car parking and trolley bays associated with any business and professional services, food services, or general retail and hire use on proposed Lot 1 is deemed to be a use ancillary to and associated with those uses which are Prohibited within the Utilities zone. Such uses are not able to be undertaken on the Utilities zoned land until and unless the land is rezoned to a zone that allows these uses to occur and any relevant planning approval is obtained.

4. Approved tree/vegetation removal and modification:
- (a) Is limited to:
 - (i) 120 trees as shown in Council Architectural Plan Reference No. P13 – Architectural Drawings, Demolition Plan submitted on 28/10/2025 and Council Civil Plan Reference No. P12 – Civil Drawings, C022 Tree Plan & C023 Tree Plan 02, submitted on 28/10/2025, the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024); and
 - (ii) no more than 1.68 hectares of native vegetation comprising 1 hectare of Eucalyptus amygdalina forest and woodland on sandstone and 0.68 hectares of Eucalyptus obliqua dry forest and woodland as shown in Figure 2 of the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024), excluding individual trees identified for retention in Council Civil Plan Reference No. P12 – Civil Drawings, C022 Tree Plan & C023 Tree Plan 02, submitted on 28/10/2025, the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024).
 - (b) Must not occur prior to building approval for Stage One, securing the conservation offset through the execution of the Part 5 Agreement required under condition 2 and payment of the financial contribution required under condition 5 and approval of an 'Application for Approval of Planning Start of Works Notice' required condition 14.
 - (c) Must be undertaken outside the breeding season of the swift parrot and blue-winged parrot (September-January inclusive). Alternatively, clearing may occur during the breeding season provided:
 - (i) a suitably qualified consultant undertakes an activity assessment immediately prior to the commencement of clearing to determine whether breeding activity is evident and identify any mitigation measures that need to be applied to reduce impacts on breeding;
 - (ii) this assessment verifies that the species are not currently breeding within or adjacent to the trees to be removed;
 - (iii) this assessment confirms that any disturbance to the species is tolerable and will not compromise their ability to breed this season; and
 - (iv) the assessment is provided to Council for review and Council approves commencement of clearing, subject to implementation of any mitigation measures identified in the activity assessment.
 - (d) Must be overseen by a wildlife spotter to identify and respond to any displaced wildlife in accordance with the endorsed Construction Environmental Management Plan required under Condition 8.

- (e) Must include the identification and stockpiling of suitable large logs from felled trees within the development area in accordance with the endorsed Construction Environmental Management Plan required under Condition 8 for later strategic placement in the offset area in accordance with the endorsed Conservation Management Plan required under Condition 5.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

- 5. To offset the loss of 1 hectare of the *Eucalyptus amygdalina* forest and woodland on sandstone, 1.28 hectares of potential swift parrot and blue-winged parrot nesting habitat and 0.99 hectares of *Chaostola* skipper habitat and eastern barred bandicoot habitat within the Commercial Zone and two (2) trees of very high conservation value within the Environmental Management Zone, the following offset package must be secured and implemented:

- A. The on-site protection area (the Bushland Reserve) of 1.658 hectares, including 0.43 hectares of *Eucalyptus ovata* forest and woodland, 0.45 hectares of *Eucalyptus amygdalina* forest on sandstone, 0.63 hectares of *Eucalyptus obliqua* dry forest and 0.13 hectares of cleared land with emergent *Eucalyptus ovata* trees, as 'secure conservation land' through:

- (a) Development and implementation of a Conservation Management Plan (CMP) for Lot 2. This plan must be submitted to and approved by the Manager Development Services prior to the commencement of on-site works. This CMP must:
 - (i) provide for the protection for all native vegetation and habitat values within the Bushland Reserve in perpetuity;
 - (ii) identify conservation actions and management prescriptions to ensure that environmental and cultural values are managed for their long-term survival, including but not limited to fencing of the Bushland Reserve, a weed management plan, facilitating natural regeneration, strategic placement of large woody debris from the development site, ensuring ongoing retention and maintenance of individual trees, and ongoing monitoring and reporting for a period of not less than 5 years following implementation of any primary conservation actions;
 - (iii) be drafted by a suitably qualified environmental consultant; and
 - (iv) include a schedule of works specifying timeframes, details and costings for each action.

Once endorsed, this Plan forms part of the permit.

- (b) Interim protection of Lot 2 under a Part 5 Agreement prior to the permit coming into effect in accordance with Condition 2.
- (c) Payment of the costs equivalent to implementing, monitoring and reporting outstanding actions required as part of the Conservation Management Plan at the time of the sealing of the Final Plan of Survey. This payment must be made prior to the sealing of the Final Plan of Survey.

- (d) Transfer of Lot 2 to Council as a permanent Bushland Reserve and Public Open Space upon sealing of the Final Plan of Survey.
 - B. The off-site protection of 4.74 hectares of high priority biodiversity values via a financial contribution of \$13,650/ha, totalling \$64,701. In addition, the loss of two (2) very high conservation value trees within the Environmental Management Zone must be offset at a rate of \$570/tree. This offset is to be used for the protection and management of E. amygdalina forest on sandstone, swift parrot and blue-winged parrot breeding habitat and Chaostola skipper habitat in the vicinity of Kingston. This payment, totalling \$65,841, must be made into Kingborough Council's Environmental Fund prior to the removal of the vegetation and the commencement of any on-site works.
6. All remaining native vegetation identified for retention in Council Plans endorsed by Condition 1, the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024), the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024) must be appropriately protected during and after construction in accordance with the Tree Protection Plan (TPP) contained in Appendix E of the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and Appendix B of the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025). This includes but is not limited to implementation of the following measures:
- A. Prior to Construction:

Prior to the commencement of any on-site works (including but not limited to vegetation removal, demolition, excavations, placement of fill, delivery of building/construction materials and/or temporary buildings):

 - (i) Appointing a Project Arborist.
 - (ii) Conducting a site briefing between the Project Arborist and the project manager and site supervisor or equivalent for the development, including provision of the TPP.
 - (iii) Installing tree protection fencing in accordance with the TPP and Condition 7.
 - (iv) Tagging of trees for retention with aluminium tags labelled with the corresponding identifying number.
 - (v) Pruning of overhanging branches from Trees 49 and 62 in accordance with the TPP by a minimum Australian Qualifications Framework (AQF) level 3 arborist following the guidelines in the Australian Standard 4373-2007 Pruning of amenity trees (Standards Australia 2007).
 - (vi) Obtaining Project Arborist input into the landscaping plan required under Condition 9 to ensure landscape design and associated works do not adversely impact retained trees.
 - (vii) Providing certification by the Project Arborist of satisfactory implementation of tree protection, tree tagging and pruning measures to the Manager Development Services prior to the commencement of any on-site works.
 - B. During Construction:
 - (a) Maintaining tree protection measures required above for the

duration of the construction.

- (b) Removal of the existing shed within the tree protection zone of Tree 49 from within the development area and in a way that does not damage the tree.
- (c) Ensuring the Project Arborist conducts a site audit during construction to check compliance against the TPP and permit conditions.

C. 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, including implementation of any recommended remediation measures.
- (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; and
 - (iv) development and associated works are not permitted unless otherwise approved by Council in writing or otherwise in accordance with the law.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

7. Tree protection fencing required under Condition 6 must:

- (a) Be located in accordance with Figure E3 in the Tree Protection Plan (TPP) contained in Appendix E of the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and Appendix C of the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025).
- (b) 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.
- (c) Be constructed in accordance with the following requirements:
- (i) Utilise 1.8m high temporary chain wire mesh supported by concrete fence and covered with shade cloth, unless otherwise in accordance with the advice of the Project Arborist and approved in writing by Council.
 - (ii) Form a visual and physical barrier.
 - (iii) Include signage securely attached to the fence and visible from all angles within the development site.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

8. Prior to commencement of any on-site works, a Construction Environmental Management Plan (CEMP) must be submitted to and endorsed by the Manager Development Services. No works are permitted to occur until the plan has been endorsed. The plan must provide details of the following:
- (a) hours for construction activity in accordance with any other condition of this Permit;
 - (b) measures to control noise, dust, water and sediment laden runoff;
 - (c) measures relating to removal of hazardous or dangerous material from the site, where applicable;
 - (d) a plan showing the location of parking areas for construction workers and sub-contractor's vehicles on the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. No vehicle parking is permitted within the Channel Highway road reservation;
 - (e) a Traffic Management Plan showing truck routes to and from the site;
 - (f) a plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
 - (g) measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the CEMP;
 - (h) weed management measures in accordance with condition 12;
 - (i) the specifications and location of tree and vegetation protection measures in accordance with conditions 6 and 7;
 - (j) the extent of cut and fill;
 - (k) storage locations for the stockpiling of fill on site;
 - (l) demonstration that the stockpiling of fill will not encroach into the Tree Protection Zones of trees identified for retention;
 - (m) the location for the disposal of any excess fill off site and demonstration this site is either a certified landfill facility for Level 1 fill or a site that has been approved for the disposal or use of Level 1 fill under a development use permit issued by Council;
 - (n) measures to minimise impacts on fauna species during construction including: the timing of works, fauna spotting on site during tree removal, and identification and stockpiling of logs suitable for placement in reserve as large woody debris in accordance with condition 4 and collision risk of fencing;
 - (o) waste management during construction works including:
 - (i) collection and storage in appropriate enclosures onsite;
 - (ii) regularly emptying and maintaining the waste storage enclosures so that no litter overspills the construction site onto adjoining land,

- including roads;
- (iii) appropriately locating waste storage on the subject site so that it does not impede traffic or parking at any time;
- (p) a site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
- (q) Contact details of key construction site staff.

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

9. Prior to commencement of any on-site works, an amended landscaping plan must be submitted to Council for approval. The plan must be prepared by a suitably qualified person in consultation with the Project Arborist, be to the satisfaction of the Manager Development Services, be generally in accordance with the plan dated 06/06/2024 prepared by Play Street Architecture, Council Plan Reference P3 submitted on 21/07/2024 but modified to:

- (a) remove *Melaleuca ericifolia* and replace with a species of local provenance;
- (b) appropriate irrigation systems;
- (c) retention of Trees 92-100 and Trees 105-106 as required in condition 6 and inclusion of these trees in the landscaping;
- (d) the landscape design and associated works do not adversely impact retained trees; and
- (e) perimeter fencing of the boundary between proposed Lots 1 and 2 consistent with the requirements of condition 10.

Once endorsed, the plan will form part of this permit.

For Advice: It is recommended that consideration be given to Council's Landscape Guidelines (Preparing a Landscape Plan), which is available on Council's website.

10. Prior to commencement of any on-site works, a fencing plan developed in consultation with the Project Arborist must be submitted to and endorsed by Council. This plan must provide for fencing as follows:

- (a) The fence located on the side boundary between proposed Lots 1 and 2, between the proposed building and the Channel Highway frontage must be redesigned so that it does not detract from the appearance of the site or the locality and provides for passive surveillance to include:
 - (i) a maximum height of 1.5m;
 - (ii) at least 50% transparency above a height of 1.2m; and
 - (iii) does not contain barbed wire or chain mesh.
- (b) The remainder of the boundary between Lots 1 and 2 must be fenced with a minimum 1.8m high paling fence.
- (c) All fencing must not impact upon environmental or cultural values within Lot 2.

Once endorsed this plan will form part of the Permit.

11. Prior to the 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:

- Austroads Standards and Australian Standards.
- Australian Rainfall and Runoff Guidelines.
- The recommendations in the Traffic Impact Assessment Review by Midson Traffic, dated August 2025.
- Engineering plans and requirements approved by the Department of State Growth for road and road reservations in the Channel Highway.
- the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025).

The Plans must include, but are not limited to:

- (a) Road/access design plans, including:
 - (i) Design of the internal road network (including parking areas, aisles and loading bays), in accordance with the approved plans including junctions, vehicular crossovers to all lots, footpaths, and associated stormwater drainage system; and
 - (ii) Design of external adjoining roads (Channel Highway and Spring Farm Road access) including pavement design to suit the ultimate traffic loads.
 - (iii) Location and specification of the required bicycle parking facilities (as required by condition 1(d) of this permit).
- (b) A lighting plan for the parking and access areas in accordance with Code E6.0 'Parking and Access' Code of the Kingborough Interim Planning Scheme 2015.
- (c) Design (including supporting documentation and hydraulic calculations) of the proposed stormwater infrastructure including:
 - (i) A water sensitive urban design system that achieves the acceptable stormwater quality and quantity targets, required in Table E7.1 of the Kingborough Interim Planning Scheme 2015 including MUSIC modelling;
 - (ii) The reticulated stormwater system sized to accommodate at least the estimated 5% AEP flow based on a future fully-developed catchment;
 - (iii) Overland flow paths sized to accommodate the estimated 1% AEP (Annual Exceedance Probability) flow based on a future fully-developed catchment;
- (d) Demonstration that the services alignment between 202 Channel Highway and Lot 501 Hollyhock Drive (CT 175960/501) is consistent with the approved plans and services along this alignment are installed via drilling rather than trenching where shown in Drawing C510 (Council Civil Plan Reference No. P12 – Sewer Long Section submitted on 28 October 2025); and
- (e) Inclusion of a Vegetation and Tree Protection Plan (which must be overlaid on the design plans indicating areas of cut, trenching, lines, poles, pits etc) which:
 - (i) identifies the species, diameter, tree protection zone and location of trees identified for retention in the approved plans within the vicinity of all civil works;
 - (ii) verifies that Trees 92-100 and Trees 105-106, all native vegetation within the Environmental Management Zone on CT

164731/202 (excluding Trees 53 and 61) and all trees within the Bypass Corridor and Lot 501 Hollyhock Drive (CT 175960/501), are to be retained in accordance with the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024), the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025) and the Natural Values Assessment (North Barker Ecosystem Services, 13 August 2024);

- (iii) demonstrates that the total extent of encroachment into the tree protection zones of these trees is no greater than shown in Council Civil Plan Reference No. P12 (submitted on 28/10/2025), the Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 8/8/2024) and the Addendum to the Arborist Arboriculture Impact Assessment (Tasmanian Arboriculture Consultants, 19 August 2025); and
- (iv) includes the tree and vegetation protection measures required in conditions 6 and 7.

Once endorsed the plans will form part of the permit.

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

12. Declared weeds under the Weed Management Act 1999, environmental weeds and/or weeds listed in the Kingborough Weed Management Strategy are present on the site, including but not limited to gorse, blackberry, boneseed, Spanish heath and Montpelier broom. To prevent the spread of weeds elsewhere and manage the weeds within the site, the following weed management measures must be undertaken to the satisfaction of the Manager Development Services:

A. Prior to Construction:

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

- (a) a Weed Management Plan by a suitably qualified person must be submitted to and approved by the Manager Development Services. The plan is limited to land within the Commercial and Utilities zones and footprint of the subdivision and development works and must include:
 - (i) a list and site plan of all declared weeds under the Weed Management Act 1999, environmental weeds and/or weeds listed in the Kingborough Weed Management Strategy present on the site;
 - (ii) timeframes and methods of primary, secondary and follow up treatments for these weeds;
 - (iii) weed hygiene measures to minimise the spread of weeds to and from the site during on site works; and
 - (iv) an implementation, monitoring and reporting plan (including timeframes and costings for each action).

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

- (b) Primary treatment of all declared, environmental and/or listed weeds on land within the Commercial and Utilities zones and footprint of the subdivision and development works must be undertaken prior to the commencement of on-site works and the removal of any native vegetation.

B. During and Post Construction:

Weed management measures must be implemented in accordance with the endorsed plan to the satisfaction of the Manager Development Services.

- 13. Unless otherwise approved by the General Manager in writing, building works (excluding vegetation removal and access works) within Stage Two as shown on the Staging Plan (Council Architectural Plan Reference No. P13 – Staging Plan submitted on the 28/10/2025) must not commence unless and until all the lots within Stage One and Two are consolidated and the new title to Lot 1 is issued in accordance with the approved plan of subdivision (Council Plan Reference No. P5, submitted on 14/08/2024).

Condition amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

- 14. Prior to the commencement of any on-site works for each stage, 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 for each stage and works for each stage must not commence until this notice has been approved by the Manager Development Services.

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.

- 15. Prior to undertaking any works in the Channel Highway road reserve a Works permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935. The application is to be accompanied by detailed engineering drawings that include confirmation of the linemarking for the median turn lane and any islands/pedestrian crossing facilities on the Channel Highway.

For Advice: Application for permits can be found at <https://www.transport.tas.gov.au/roads-and-traffic-management/permits-and-bookings>. Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

The application is to comply with any conditions listed on the Crown Landowner Consent.

- 16. The design of the buildings must, to the satisfaction of the Manager Development

Services:

- (a) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces as much as practical; and
 - (b) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof, where appropriate, otherwise, ensure infrastructure is adequately screened from public view as much as practical.
- 17. The measures contained within the certified subdivision Bushfire Hazard Report and associated Bushfire Hazard Management Plan (BHMP) v2.0 (ERA Planning Pty Ltd, 2 July 2024) must be implemented in relation to any future development on Lot 1 involving development in a Building Class 1, 2, 3, 8 or 9, or a Class 10a building within 6m of a Class 1, 2, 3, 8 or 9 building, 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 are wholly contained within Lot 1 and do not rely upon any management of vegetation within Lot 2 as shown on the Final Plan of Survey, based on the classification of vegetation on Lot 2 as forest.
- 18. Prior to sealing of the Final Plan of Survey, fencing must be constructed between the boundary of proposed Lots 1 and 2 in accordance with the endorsed fencing plan required under condition 10.
- 19. Prior to sealing of the Final Plan of Survey for the subdivision Certificates of Completion issued under the Building Act 2016 for the demolition of the existing buildings on the land approved under BA/214-2024 and PA/205-2024 must be issued.
- 20. A Right of Way in favour of Lot 2 over proposed Lot 1 from the Channel Highway to the gate located on the western boundary between proposed Lots 1 and 2, generally in accordance with the endorsed subdivision proposal plan (Council Reference No. P5 submitted on 14/08/2024) and to the satisfaction of the Manager Development Services, must be included on the Final Plan of Survey submitted for signing and sealing by Council.
- 21. The Schedule of Easements submitted for sealing with the Final Plan of Survey must include a restrictive covenant on Lot 1 to the effect that any bushfire hazard management measures on Lot 1 must not rely upon any management of vegetation within Lot 2 as shown on the Sealed Plan, based on the classification of vegetation on Lot 2 as forest.
- 22. The Schedule of Easements submitted for sealing with the Final Plan of Survey must include restrictive covenants for Lot 2 to the following effect:
 - (a) no habitable buildings are to be constructed on any part of this lot;
 - (b) no other buildings, structures or other works are to occur on any part of this lot unless for the purposes of natural and cultural values management or passive recreation and in accordance with any endorsed management plan for the reserve; and
 - (c) the lot must not be used for any purpose except as a biodiversity offset reserve, natural and cultural values management and for public open space purposes.
- 23. Prior to the issue of a Certificate of Practical Completion of the public infrastructure

for each approved stage of the subdivision, the developer must lodge a maintenance bond or bank guarantee equivalent to 10% of the total contract sum (including GST) of the public infrastructure works. This is to cover the satisfactory rectification of all defects and defective works during the statutory 52 weeks maintenance period.

Note: Council will be entitled to call upon the bond and bank guarantee funds to complete or rectify any outstanding defective works after the expiry of the maintenance period.

24. The maintenance period for completion of public infrastructure for each stage of the subdivision will be considered complete when:
- (a) All defects and any defective works have been rectified to the satisfaction of the Director Engineering Services; Note: Council will be entitled to call upon the bond and bank guarantee funds to complete or rectify any outstanding defective works after the expiry of the maintenance period;
 - (b) the statutory 52-week maintenance period has ended and, the supervising Engineer requests a joint onsite inspection with the Council's authorised representative to confirm that all outstanding defects and defective works have been satisfactorily completed.

At the satisfactory completion of any outstanding defects and defective works Council will issue a notice of satisfactory 'Final Inspection' and the public assets will be taken over by Council.

After takeover of the public infrastructure assets, it is the supervising engineer's responsibility to request in writing release of all Bond or Bank Guarantee monies.

25. Prior to the occupation of any of the new buildings the following works must be completed in accordance with the endorsed plans to the satisfaction of the Council:
- (a) All lots are to be consolidated in accordance with the endorsed Subdivision Proposal Plan, Plan 2 of 3 - Resultant Titles, Proposed Subdivision, Rogerson & Birch Surveyors, Plan Ref TIPAL02 15118-00, dated 6/03/2024 v. D – (Council Plan Reference P5 submitted 14/08/2024).
 - (b) The parking areas (including signage and access).
 - (c) The garden and landscape areas in accordance with the endorsed Landscaping Plan required under condition 9.
 - (d) Fencing in accordance with the endorsed Fencing Plan required under condition 10.
 - (e) Drainage works undertaken and completed.
 - (f) Channel Highway and Spring Farm Road upgraded including any new footpaths.
 - (g) Installation of required bicycle parking including the secure spaces.
26. Prior to occupation of any of the new buildings, all waste material generated during construction works must be completely removed from the site.
27. Prior to the use commencing, a Waste Management Plan must be prepared to the satisfaction of the Manager Development Services. Once satisfactory, the plan will be endorsed and form part of the Permit. Implementation of the Plan must be to the satisfaction of the Manager Development Services. The Plan must provide the following details of a regular private waste (including recyclables) collection service

for the subject land including:

- Location of the bins for each tenancy (must not occupy parking, turning or access areas).
- The type/s and number of waste bins.
- Screening of bins, if visible from outside the site or areas visible by the public.
- Type/size of trucks.
- Frequency of waste collection.
- Hours of collection (to comply with EPA Regulations).
- Notation that the waste collection is a private service managed by the owner/occupants.

The endorsed Waste Management Plan must not be amended without prior written consent of the Manager Development Services.

28. The landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose (i.e. parking, storage of goods, trafficable area) and any landscaping must be maintained to the satisfaction of the Manager Development Services.
29. The loading and unloading of vehicles and the storage of materials must be contained within the property boundaries and must not encroach on any part of any road reserve or public open space area.
30. Goods, materials or equipment must not be stored or displayed outside the buildings, unless otherwise approved in writing by Council.
31. Graffiti on the site which is visible to the public must be removed promptly to the satisfaction of the Manager Development Services.
32. The conditions as determined by TasWater, and set out in the attached Appendix A, form part of this permit.

Amended pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*

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. 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.
- C. 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.

- D. The developer should obtain a Plumbing Permit for the development prior to commencing construction.
- E. 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	202 Channel Highway, Kingston (no change)
2	204 Channel Highway, Kingston
3	182 Channel Highway, Kingston (no change)

- F. TasNetworks have advised that based on the information provided, the development is likely to adversely affect TasNetworks' operations. As with any development of such scale, consideration needs to be given to whether existing electricity supply arrangements to the site will remain sufficient. The proponent is advised to make contact with TasNetworks Early Engagement team to explore that issue further at their earliest convenience. The Early Engagement team can be contacted at:

Early.Engagement@tasnetworks.com.au

or Ph 6324 7583.



MELISSA STEVENSON
COORDINATOR STATUTORY PLANNING

Decision Date: 21 October 2024

Permit Amended (pursuant to section 56 of the *Land Use Planning and Approvals Act 1993*): 16 May 2025 and 14 November 2025

NOTE: This is a Discretionary Planning Permit issued in accordance with section 57 of the
Land Use Planning and Approvals Act 1993.

Amended Submission to Planning Authority Notice

Application details

Council Planning Permit No.	DAS-2024-2/A
Council notice date	21/02/2024
TasWater Reference No.	TWDA 2024/00210-KIN
Date of response	29/08/2024
Date of amendment(s)	14/11/2025
TasWater Contact	Phil Papps – 0474 931 272
Trade Waste Contact	Scott James – 0417 240 264

Response issued to

Council name	KINGBOROUGH COUNCIL
Contact details	kc@kingborough.tas.gov.au

Development details

Address	202 CHANNEL HWY, KINGSTON
Property ID (PID)	3278681
Description of development	Subdivision- 3 lots -Staged ,Demolish Ex Dwellings & Combined Commercial Development (Retail & food services), Associated Works & Infrastructure

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Issue date
Rogerson & Birch	Plan of Subdivision / TIPAL02 15118-00 / Shts 1 & 2	D	08/03/2024
i2C Architects	Existing Context & Conditions / DA41 & 42	3	08/08/2025
i2C Architects	Demolition & Site / DA43	4	08/08/2025
i2C Architects	Demolition & Site / DA44	10	08/08/2025
i2C Architects	Staging Plan / DA44A	10	08/08/2025
i2C Architects	Ground Floor Plans DA45	13	08/08/2025
i2C Architects	Ground Floor Plans DA45A	9	08/08/2025
i2C Architects	L1 Floor Plan / DA46	10	08/08/2025
Gandy & Roberts	Sewer & Water Civil Plan / C050	D	30/07/2024

Conditions

Pursuant to the *Water and Sewerage Industry Act 2008 (TAS)* Section 56P(1) TasWater imposes the following conditions on the permit for this application:

CONNECTIONS, METERING & BACKFLOW

- A suitably sized water supply with metered connections and sewerage system and connections to each lot of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.
Advice: TasWater will not accept direct fire boosting from the network unless it can be demonstrated that the periodic testing of the system will not have a significant negative effect on our network and the minimum service requirements of other customers serviced by the network. To this end if break tanks are required, the rate of flow into the break tank must be controlled so that peak flows to fill the tank do not also cause negative effect on the network.
- 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.
- Prior to commencing use of the development, any water connection utilised for the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.

TRADE WASTE

- Prior to the commencement of operation the developer/property owner must obtain Consent to Discharge Trade Waste from TasWater.
- The developer must install appropriately sized and suitable pre-treatment devices prior to gaining Consent to Discharge.
- The Developer/property owner must comply with all TasWater conditions prescribed in the Trade Waste Consent

ASSET CREATION & INFRASTRUCTURE WORKS (Sewer Extension)

7. Prior to applying for a Certificate for Certifiable Work/Engineering Design Approval, the developer must physically locate all existing infrastructure to provide sufficient information for accurate design and physical works to be undertaken.
8. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.
 - a. Included in the application for Engineering Design Approval, must be a detailed report demonstrating exactly how the bored sewer will be guaranteed to meet the nominated grade and TasWater's Construction Requirements to make it fit for purpose and hand over (for example standard plans MRWA-S-208 and Sect 21.6.3 of WSA 02-2014-3.1).
9. Prior to applying for a Permit to Construct the new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction.
10. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
11. Prior to undertaking any works related to water and sewerage, physical markers must be in place that clearly identify where water and/or sewer connections are to be made in accordance with any approved plan to TasWater's satisfaction.
12. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
13. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, are to be completed generally as shown on, and in accordance with, the plans listed in the schedule of drawings/documents, and are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
14. After testing, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
15. At practical completion of the water and sewerage works and prior to applying to TasWater for a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved.
 - b. Submit evidence demonstrating that the bored sewer has been constructed to the approved grade thus meeting the relevant standards. The evidence must include, but not be limited to electronic testing – CCTV light ring and measurement software as per Sect 21.6.3 of WSA 02-2014-3.1 and MRWA 21.11.1.
 - c. A request for a joint on-site inspection with TasWater's authorised representative must be made.
 - d. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank **guarantee**.

- e. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.

Upon TasWater issuing a Certificate of Practical Completion, the newly constructed infrastructure is deemed to have transferred to TasWater.

16. After the Certificate of Practical Completion has been issued, a 12-month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12-month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". TasWater will release any security held for the defect's liability period.
17. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
18. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
19. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater sewerage infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

20. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater as evidence of compliance with these conditions when application for sealing is made.
Advice: Council will refer the Final Plan of Survey to TasWater requesting Consent to Register a Legal Document be issued directly to them on behalf of the applicant.
21. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions and requirements.
22. Prior to the issue of a TasWater Consent to Register a Legal Document, the applicant must submit a .dwg file, prepared by a suitably qualified person to TasWater's satisfaction, showing:
 - a. the exact location of the existing water/sewerage infrastructure,
 - b. the easement protecting that infrastructure.

The developer must locate the existing TasWater infrastructure and clearly show it on the .dwg file. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost.

56W CONSENT

23. Prior to the issue of the Certificate for Certifiable Work (Building) and/or (Plumbing) by TasWater the applicant or landowner as the case may be must make application to TasWater pursuant to section 56W of the Water and Sewerage Industry Act 2008 for its consent in respect of that part of the development if applicable which is built within a TasWater easement or over or within two metres of TasWater infrastructure.

DEVELOPER CHARGES

24. 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 \$19,620.42 (Stage 1) and \$8,152.48 (Stage 2) to TasWater for water infrastructure for 11.167 (Stage 1) and 4.640 (Stage 2) 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.

Advice: 2.0 ET vacant lot water credits have been applied to Stage 1.

25. 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 \$34,992.41 (Stage 1) and \$12,228.72 (Stage 2) to TasWater for sewerage infrastructure for 19.916 (Stage 1) and 6.960 (Stage 2) 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.

Advice: No vacant lot sewer ET credits apply.

26. In the event Council approves a staging plan, prior to TasWater issuing a Certificate(s) 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

27. The applicant or landowner as the case may be, must pay a development assessment fee of \$775.39 and a Consent to Register a Legal Document fee of \$256.99 to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date paid to TasWater. The payment is required within 30 days of the issue of an invoice by TasWater.

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.

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be

located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater.
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <https://www.taswater.com.au/building-and-development/service-locations> for a list of companies.

Declaration

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

Kingborough Council
Minor Amendment to Planning
Permit Document
Development Application: DAS-2024-2/B
Plan Reference No: P15
Date Received: 28/10/2025
Approved via Delegated Authority
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ARCHITECTURAL DRAWINGS

04



Kingborough Council
Minor Amendment to Planning
Permit Document
Development Application: DAS-2024-2/B
Plan Reference No: P15
Date Received: 28/10/2025
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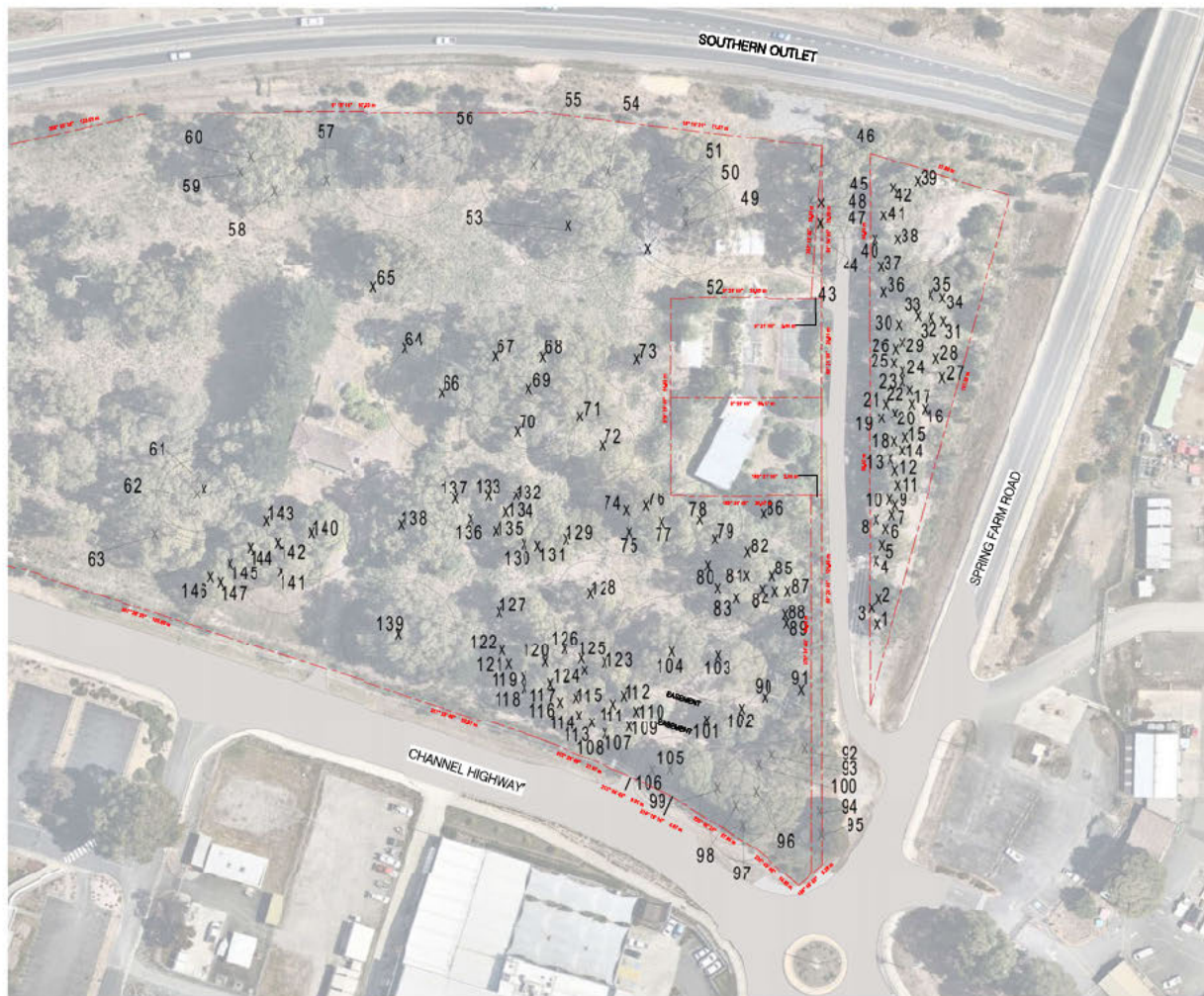
SPRING FARM VILLAGE
262 CHANNEL HWY, KINGSTON, TAS, 7050



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EXISTING CONTEXT PLAN
MINOR AMENDMENT

Project	2023-084	Drawing No.	DA61	Scale	3
Revised By	DA61	Revised	FMD	Revised	W00
1:150					



Kingborough Council
Minor Amendment to Planning
Permit Document
 Development Application: DAS-2024-2/B
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SPRING FARM VILLAGE
 262 CHANNEL HWY, KINGSTON, TAS, 7050

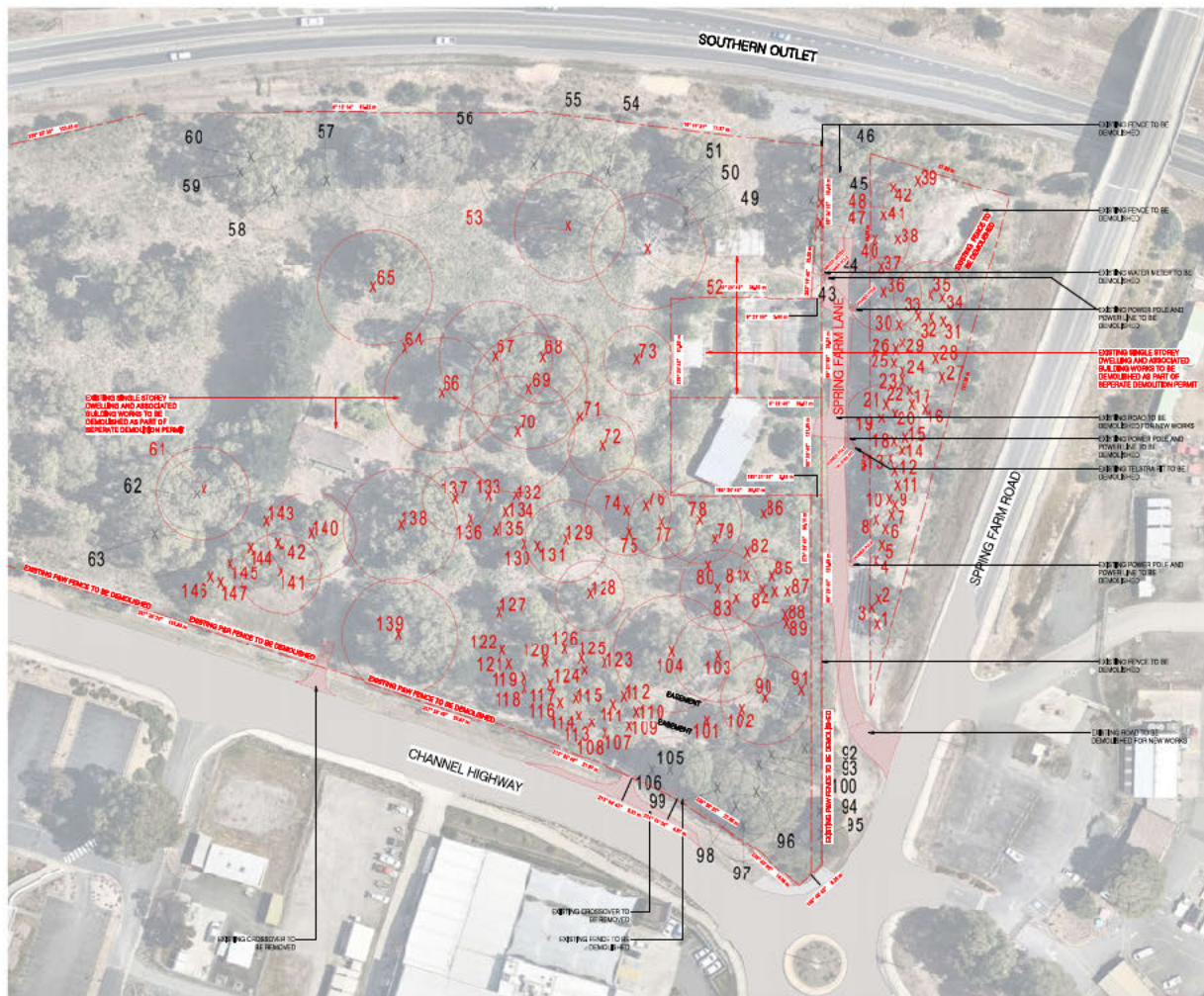


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EXISTING CONDITIONS PLAN
 MINOR AMENDMENT

Project	2023-084	Drawing No.	DA62	Scale	3
Revised By/Date	28/10/25	Author	FMO	Checked	WOD
1:500					



Kingborough Council
Minor Amendment to Planning
Permit Document
 Development Application: DAS-2024-2/B
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 Date Received: 28/10/2025
 Approved via Delegated Authority
 Amendment Decision Date: 14/11/2025

NOTES:
 1. THIS DOCUMENT IS A PRELIMINARY DESIGN AND CONSTRUCTION DOCUMENT. IT IS NOT A FINAL DESIGN AND CONSTRUCTION DOCUMENT.
 2. ANY CHANGES TO THIS DOCUMENT MUST BE APPROVED BY THE PROJECT MANAGER.

1	Demolition Plan
2	Demolition Schedule
3	Demolition Methodology
4	Demolition Safety Plan
5	Demolition Environmental Management Plan
6	Demolition Quality Management Plan
7	Demolition Risk Management Plan
8	Demolition Communication Plan
9	Demolition Stakeholder Engagement Plan
10	Demolition Monitoring and Reporting Plan

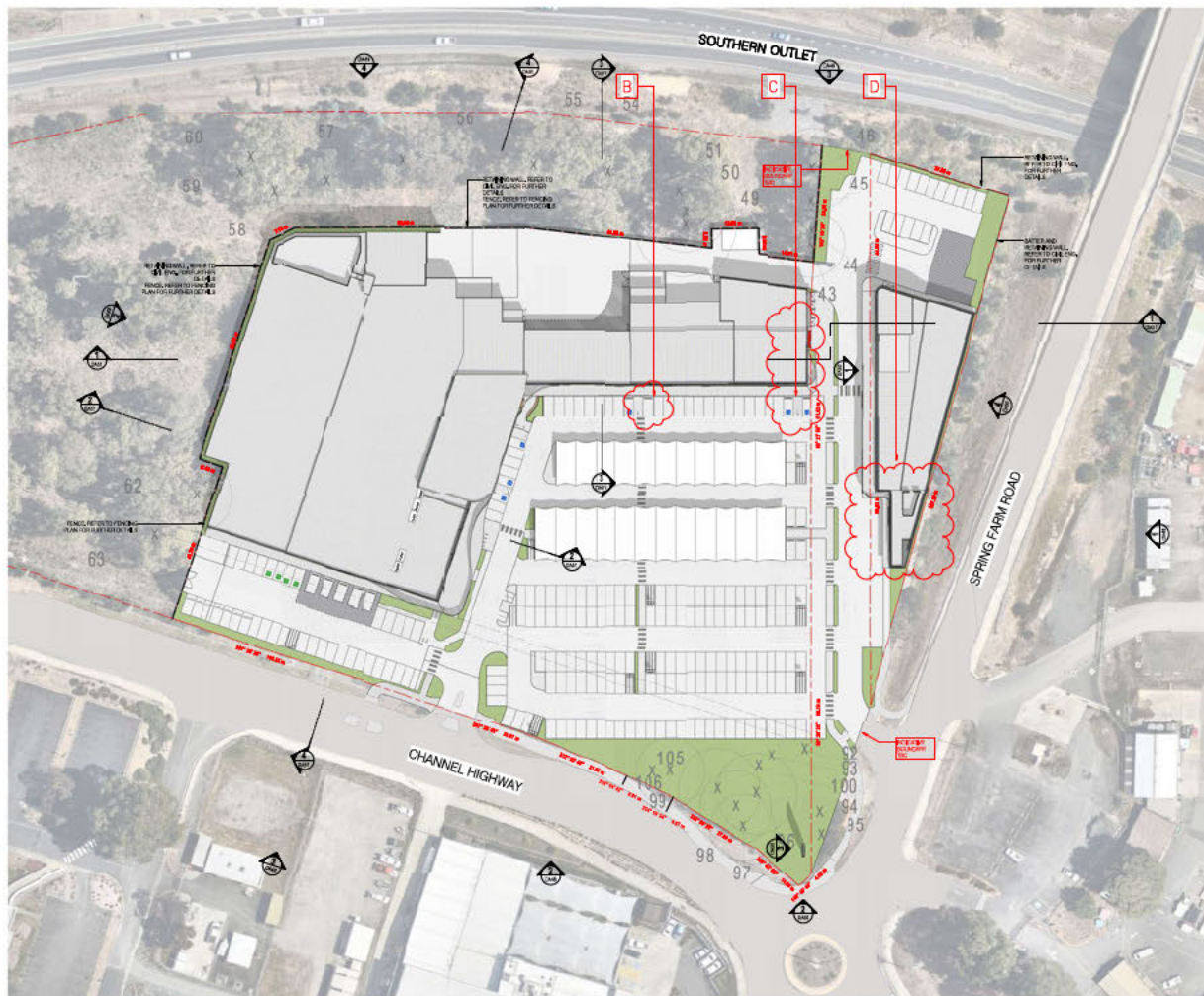
SPRING FARM VILLAGE
 202 CHANNEL HWY, KINGSTON, TAS, 7050



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DEMOLITION PLAN
 MINOR AMENDMENT

Project No:	2025-084	Drawing No:	DA63	Scale:	1:500
Project Name:	SPRING FARM VILLAGE	Project Manager:	FMO	Project Engineer:	WOD



Kingborough Council
Minor Amendment to Planning
Permit Document

Development Application: DAS-2024-2/B
Plan Reference No: P15
Date Received: 28/10/2025
Approved via Delegated Authority
Amendment Decision Date: 14/11/2025

A	
DEVELOPMENT SUMMARY	
superlot area	20063.0 m ²
GROUND	1-4 new
USE	
Supermarket	4277.0 m ²
Pharmacy (Specialty)	117.0 m ²
Service	173.0 m ²
Medical	152.0 m ²
General Retail & Hire (Building 2)	1049.0 m ²
Cong Wash (Building 2)	7.0 m ²
Wash Wash (Building 2)	8.0 m ²
total ground floor area	7149.0 m ²
total floor area	100.0 m ²
USE	
Commercial (Building 2)	100.0 m ²
total level 01 floor area	100.0 m ²
PARKING PROVIDES	
on-site parking	100
off-site parking	100
motorcycle parking	1

NOTES:
1. THIS PLAN IS A MINOR AMENDMENT TO THE 2024-2/B
2. THE PLAN IS A MINOR AMENDMENT TO THE 2024-2/B
3. THE PLAN IS A MINOR AMENDMENT TO THE 2024-2/B
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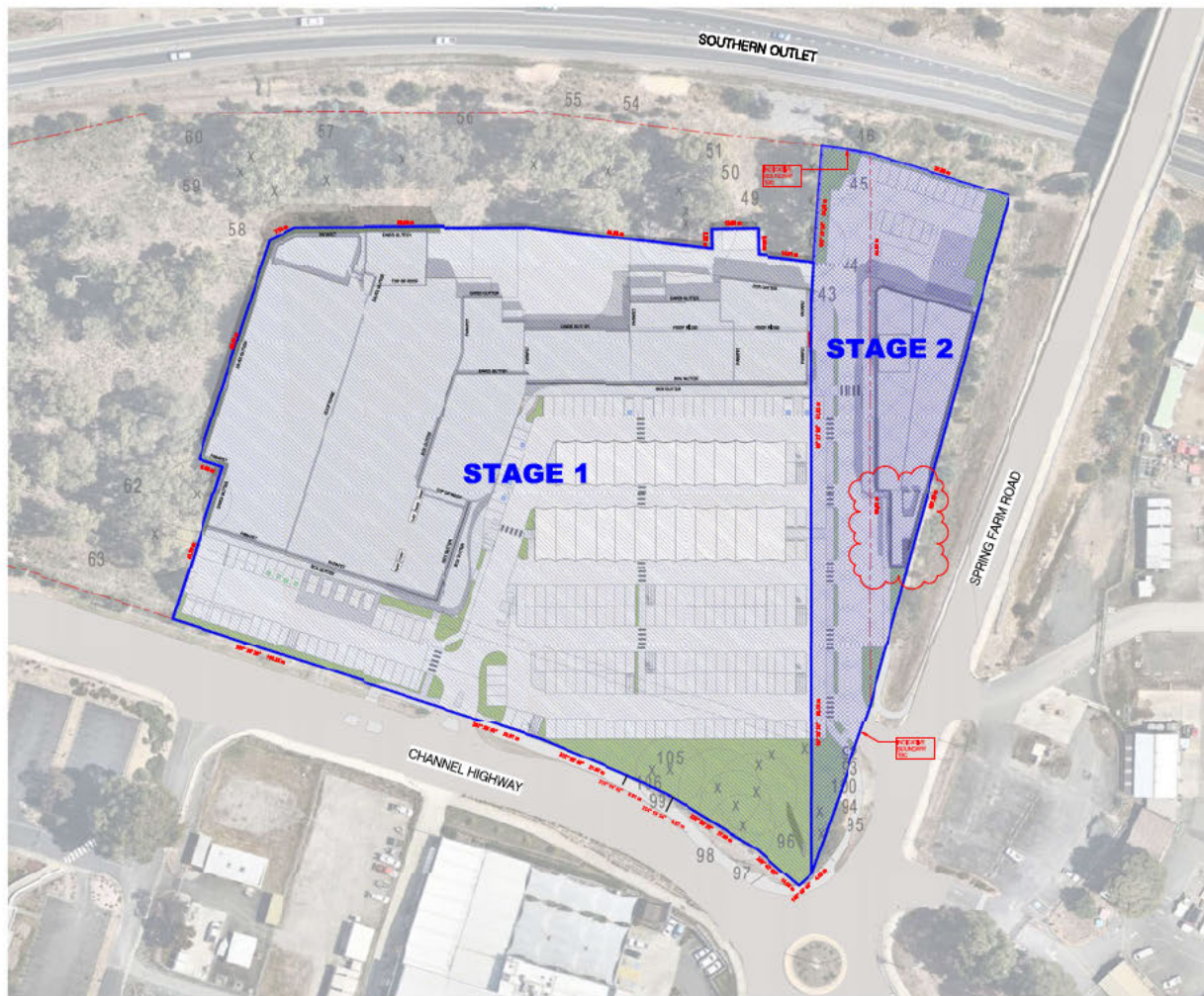
SPRING FARM VILLAGE
202 CHANNEL HWY, KINGSTON, TAS, 7050



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PROPOSED SITE PLAN
MINOR AMENDMENT

Project Reference	2023-084	Drawing No.	DA44	Scale	1:500
Project Name	SPRING FARM VILLAGE	Project Type	FMO	Project Status	P15



Kingborough Council
Minor Amendment to Planning
Permit Document
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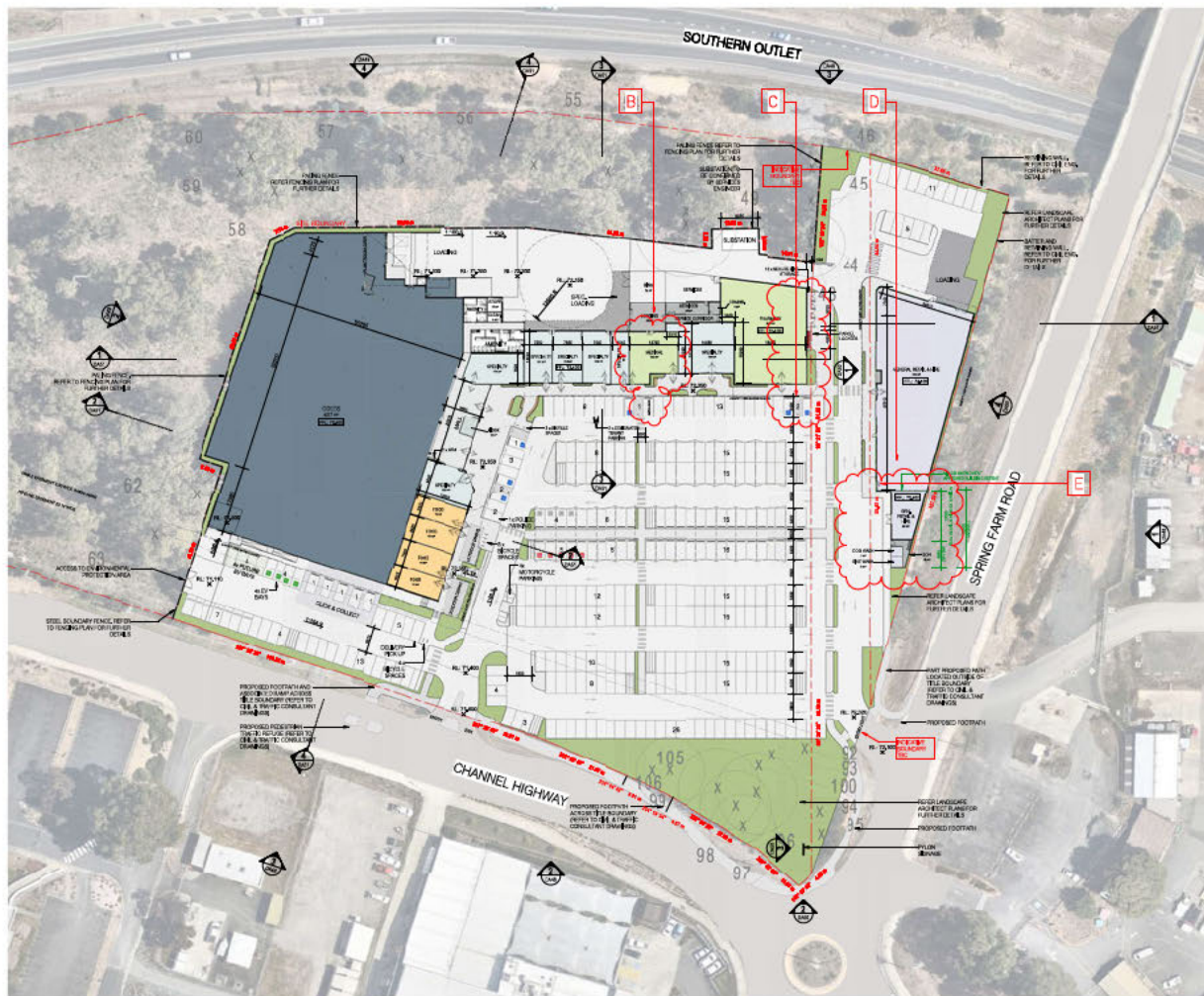
SPRING FARM VILLAGE
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PROPOSED STAGING PLAN
 MINOR AMENDMENT

Project	2025-084	Drawing No.	DA44A	Scale	1:10
Revised By/Date	28/10/25	Revised By/Date	FMD	Revised By/Date	1/11/25
1:500					



Kingborough Council Minor Amendment to Planning Permit Document

Development Application: DAS-2024-2/B

Plan Reference No: P15

Date Received: 28/10/2025

Approved via Delegated Authority

Amendment Decision Date: 14/11/2025

A DEVELOPMENT SUMMARY	
SUPERSET AREA	
Supermarket	20,000 sq m
GROUND	1.1 ha
USE	1.1 ha
Supermarket	4,077 sq m
General Retail & Hire Building 21	1,120 sq m
Food	3,010 sq m
Market	1,120 sq m
Day Wash (Building 21)	1,120 sq m
Blue Wash (Building 21)	1,120 sq m
total ground floor area	7,147 sq m
USE	1.1 ha
Commercial (Building 21)	1,120 sq m
total level B1 floor area	1,120 sq m
PARKING PROVIDER	
car parking	1,120 sq m
motorcycle parking	1,120 sq m

NOTES:
1. THE DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE KINGBOROUGH COUNCIL.
2. THE DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE KINGBOROUGH COUNCIL.
3. THE DEVELOPMENT IS SUBJECT TO THE APPROVAL OF THE KINGBOROUGH COUNCIL.



SPRING FARM VILLAGE
202 CHANNEL HWY, KINGSTON, TAS, 7050

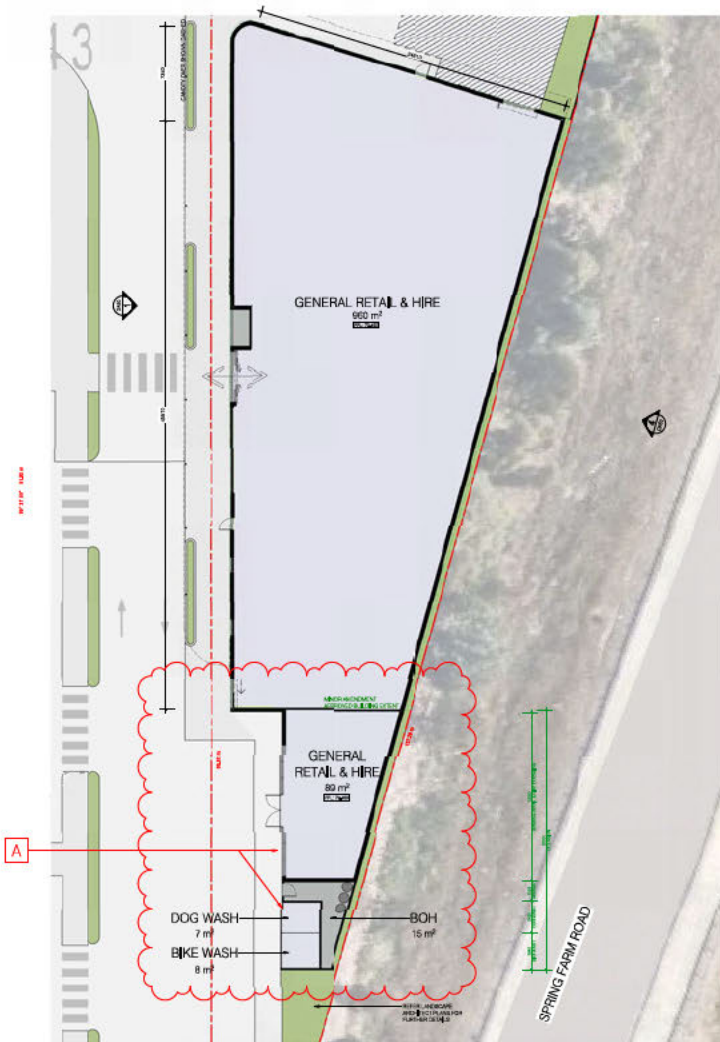


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PROPOSED GROUND FLOOR PLAN
MINOR AMENDMENT

Project No:	2025-004	DAAS	13
Scale:	1:500	FMO	15E



Kingborough Council
Minor Amendment to Planning
Permit Document
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Approved via Delegated Authority
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1	Site Plan
2	Site Plan
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SPRING FARM VILLAGE
202 CHANNEL HWY, KINGSTON, TAS, 7050

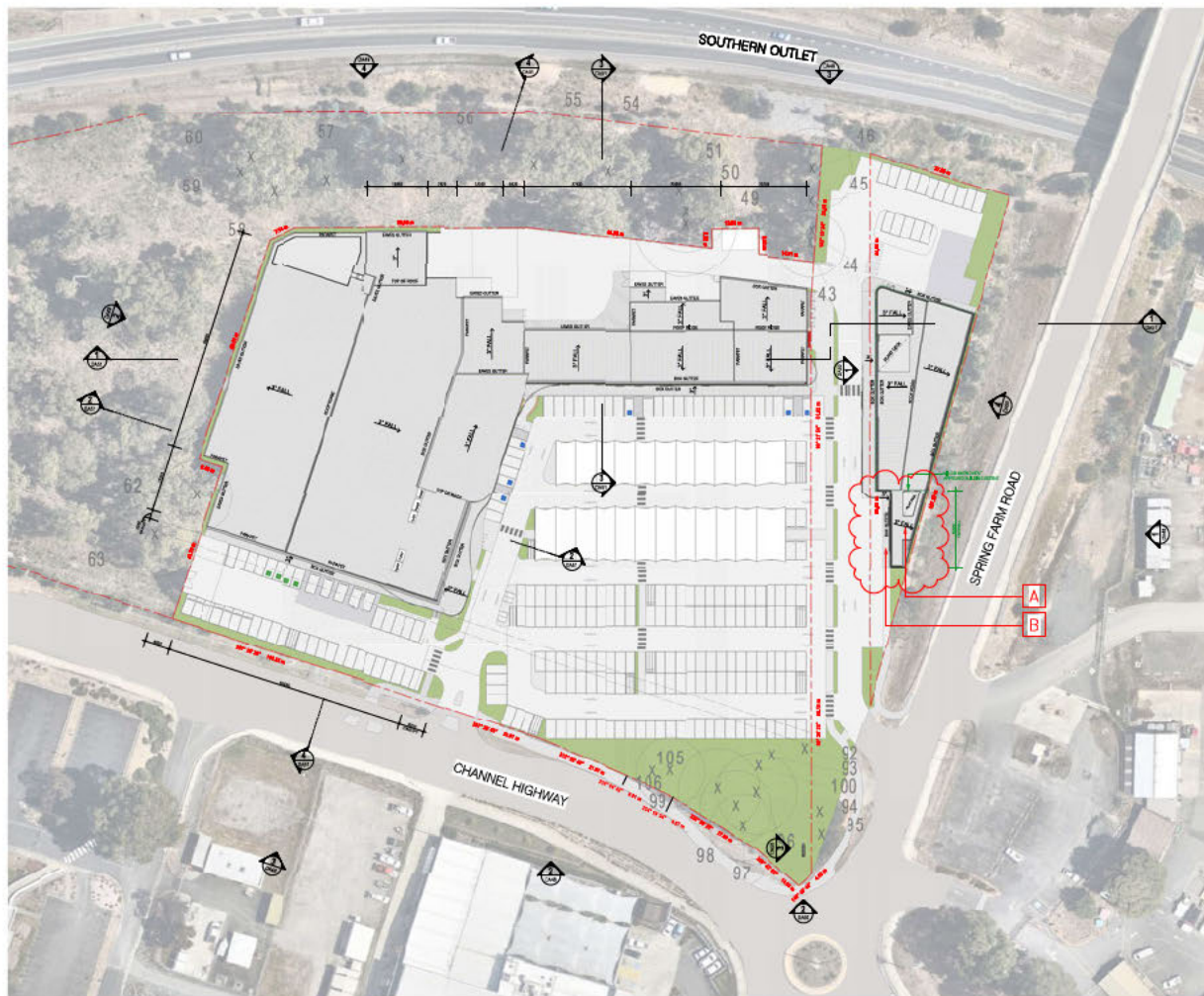


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PROPOSED COMMERCIAL GROUND FLOOR PLAN
MINOR AMENDMENT

Project	2025-084	Client	DAASA	Date	17
Version	1.1	Project	FMD	Project	ISE



Kingborough Council
Minor Amendment to Planning
Permit Document
 Development Application: DAS-2024-2/B
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 Approved via Delegated Authority
 Amendment Decision Date: 14/11/2025



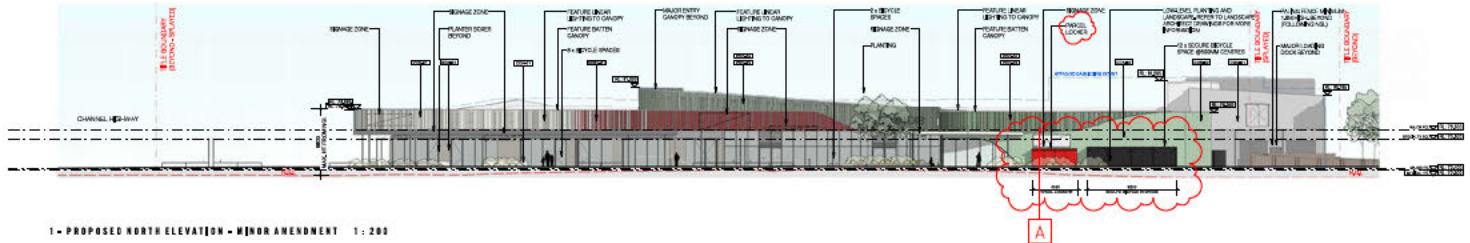
SPRING FARM VILLAGE
 262 CHANNEL HWY, KINGSTON, TAS, 7050



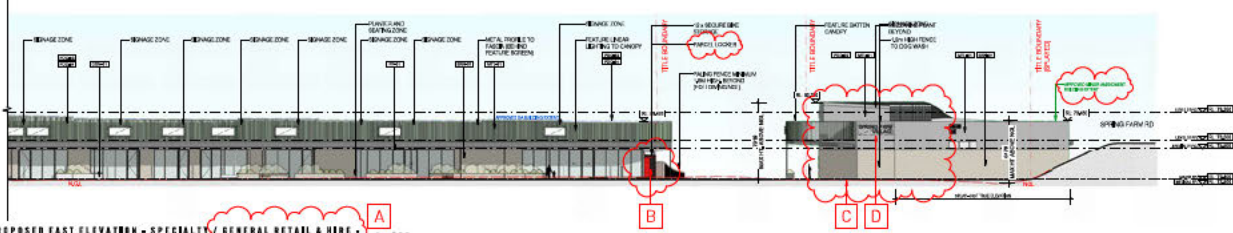
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PROPOSED ROOF PLAN
 MINOR AMENDMENT

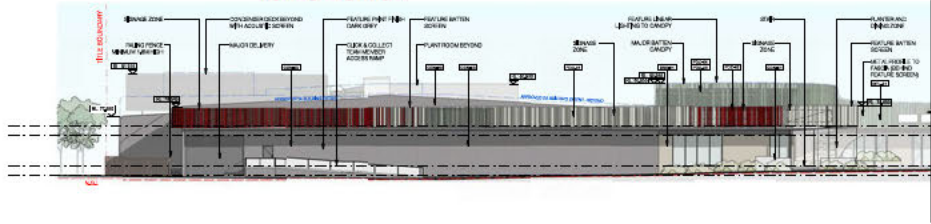
Project	2023-084	DA47	11
Version	1.0	FMD	15E



1 - PROPOSED NORTH ELEVATION - MINOR AMENDMENT 1:200

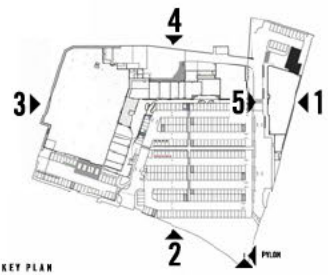


2 - PROPOSED EAST ELEVATION - SPECIALTY/ GENERAL RETAIL & HOME - MINOR AMENDMENT 1:200



3 - PROPOSED EAST ELEVATION - MAJOR / FOOD - MINOR AMENDMENT 1:200

NAME	TNO	MATERIAL SCHEDULE	DESCRIPTION
BRK-01		BRICK VENEER - NEUTRAL TONE	
CD-01		PRECAST CONCRETE	
CD-02		PRECAST CONCRETE WITH FINISH - DARK GREEN	
CD-03		PRECAST CONCRETE WITH FINISH - DARK GREY	
MT-01		PRESSED METAL	
PO-01		POWDERCOAT - WHITE	
PO-02		POWDERCOAT - RED	
PO-03		POWDERCOAT - GREEN	
PO-04		POWDERCOAT - LIGHT GREEN	
PA-01		PAINT - DARK GREY	
GL-01		EMERALD GREEN GLOSSY TILE	
TR-01		TIMBER SHAKES - NEUTRAL TONE	



KEY PLAN

Kingborough Council
Minor Amendment to Planning
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 Amendment Decision Date: 14/11/2025



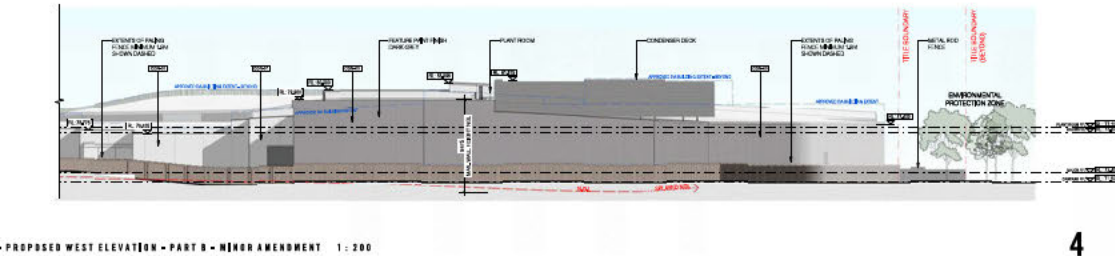
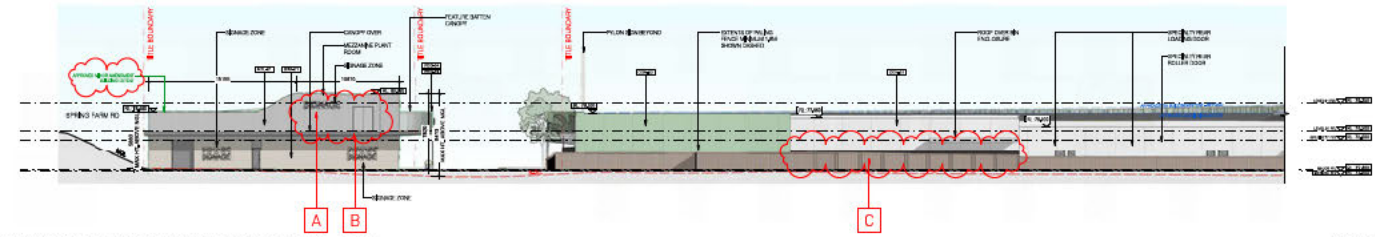
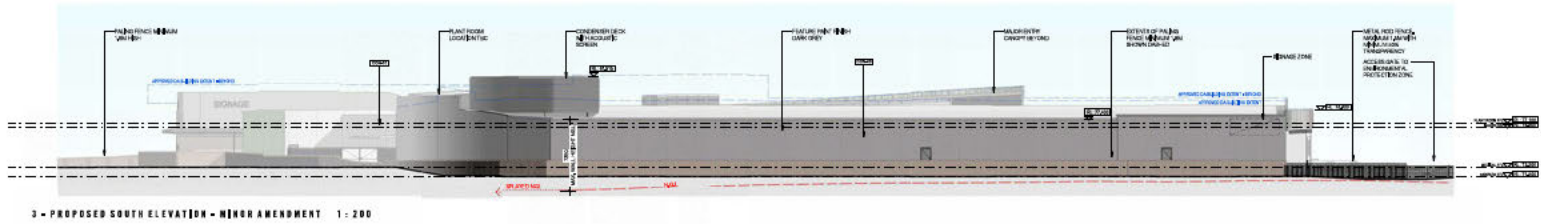
SPRING FARM VILLAGE
 202 CHANNEL HWY, KINGSTON, TAS, 7050



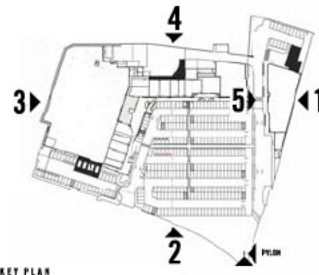
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PROPOSED ELEVATIONS
 MINOR AMENDMENT

Project No:	2023-084	Drawing No:	DA-08	Scale:	B
Client:	As indicated	Author:	FMD	Checked:	TSE



MATERIAL SCHEDULE		
IMAGE	TAG	DESCRIPTION
	BR421	BRICK VENEER - NEUTRAL TONE
	CON41	PRECAST CONCRETE
	CON42	PRECAST CONCRETE WITH FINISH 1 - DARK GREEN
	CON43	PRECAST CONCRETE WITH FINISH 2 - DARK GREY
	MT401	POWDER COAT - METAL
	PO401	POWDERCOAT - WHITE
	PO402	POWDERCOAT - RED
	PO403	POWDERCOAT - GREEN
	PO404	POWDERCOAT - LIGHT GREEN
	MT401	POWDER COAT - DARK GREY
	GL401	EMERALD GREEN GLASS (1.5)
	BR421	BRICK VENEER - NEUTRAL TONE



Kingborough Council Minor Amendment to Planning Permit Document

Development Application: DAS-2024-2/B
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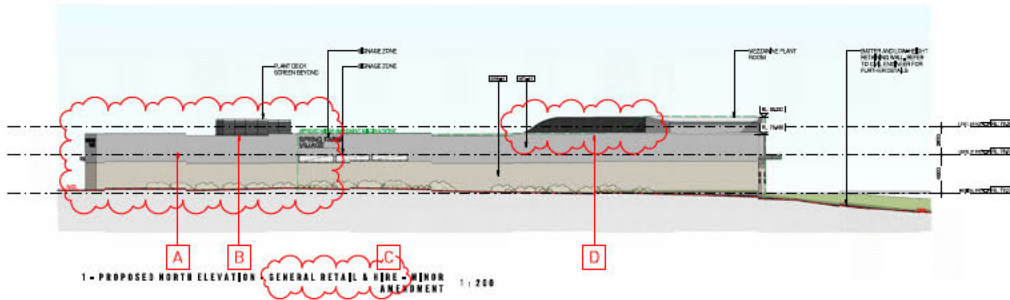
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PROPOSED ELEVATIONS
MINOR AMENDMENT

Project: 2025-084
Drawing No: DA69
Scale: 1:50
Date: 11/11/2025
Author: FMO



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Minor Amendment to Planning
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MATERIAL SCHEDULE		
NAME	TAG	DESCRIPTION
BRK01		BRICK VENTILATION - NEUTRAL FINISH
CON01		PRECAST CONCRETE
CON02		PRECAST CONCRETE WITH PAINT FINISH - DARK GREEN
CON03		PRECAST CONCRETE WITH PAINT FINISH - DARK GREY
MTL01		PROCESSED METAL
POW01		POWDERCOAT FINISH - WHITE
POW02		POWDERCOAT FINISH - RED
POW03		POWDERCOAT FINISH - GREEN
POW04		POWDERCOAT FINISH - LIGHT GREEN
FIN01		PAINT FINISH - DARK GREY
GLS01		EMERALD GREEN GLOSSY TILE
BLK01		BLACK SCAFFOLD - NEUTRAL FINISH

FIN01	PAINT FINISH - DULL MINT GREEN
FIN02	PAINT FINISH - DULL MINT GREEN
POW01	POWDERCOAT FINISH - DULL DOVE WHITE
BLK01	BLACK SCAFFOLD - NEUTRAL FINISH

PYLON MATERIALS - MINOR AMENDMENT



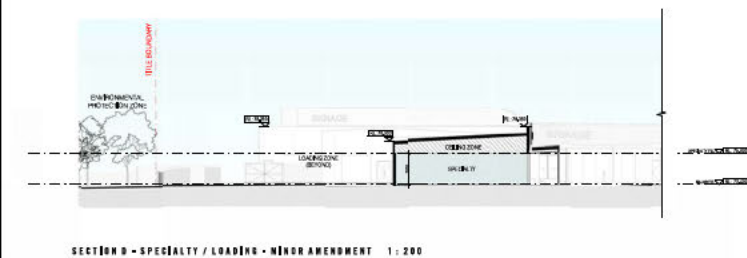
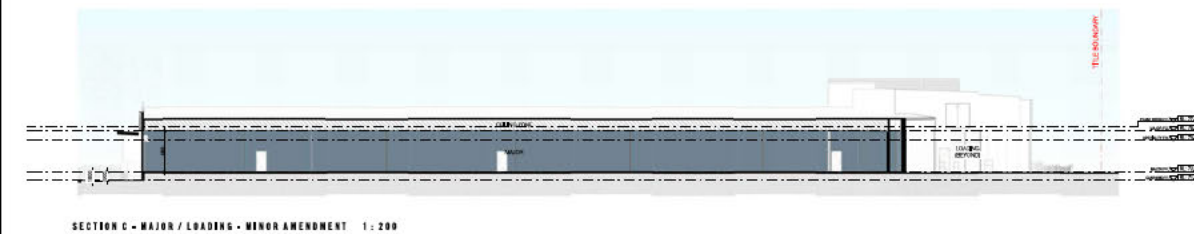
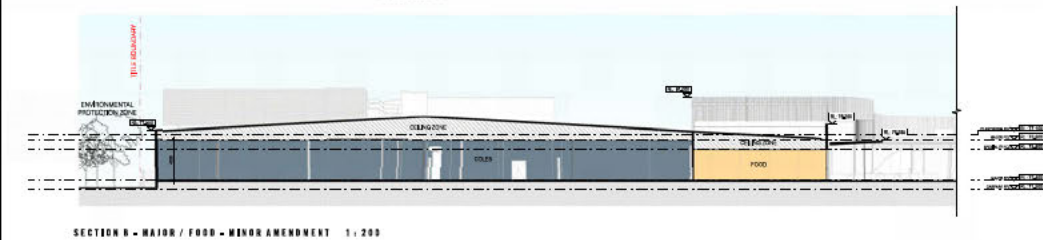
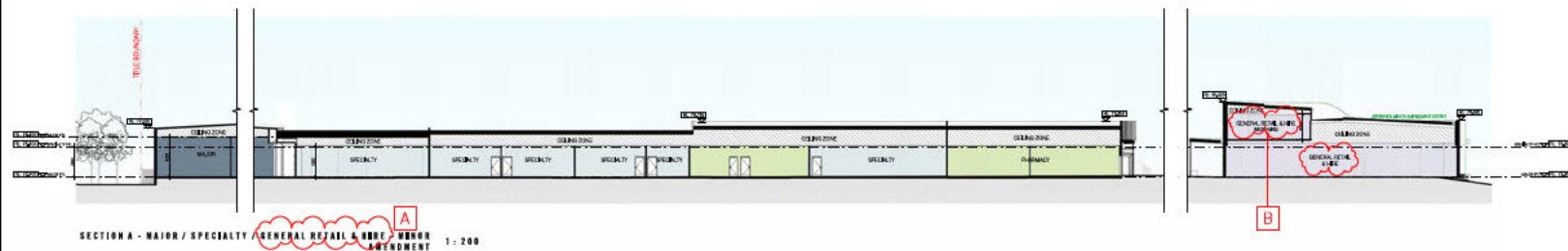
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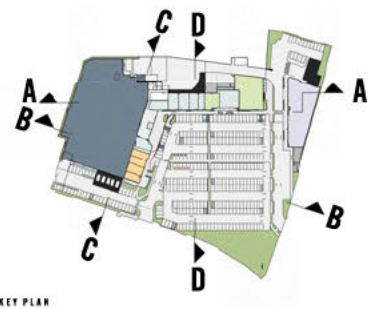
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PROPOSED ELEVATIONS
 MINOR AMENDMENT

Project No:	2025-084	Drawing No:	DAS0	Page:	15
Client:	As indicated	Scale:	FMD	Author:	TSE



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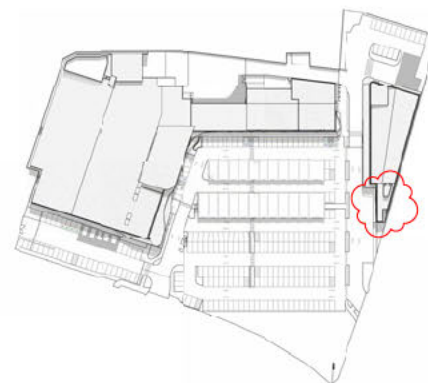
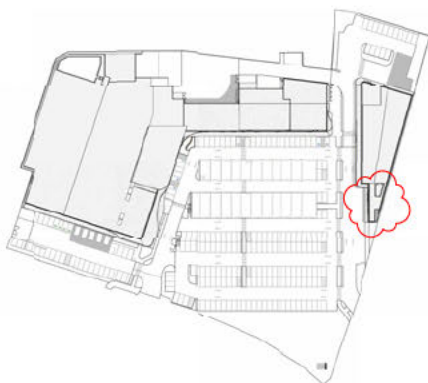
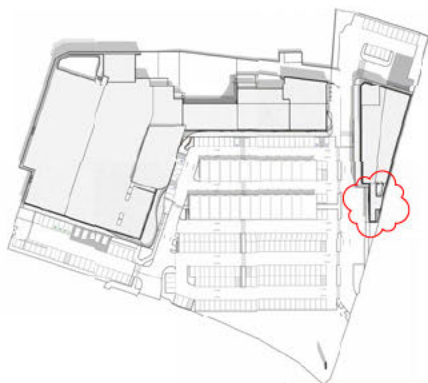
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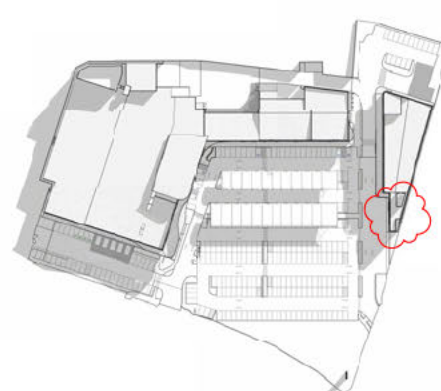
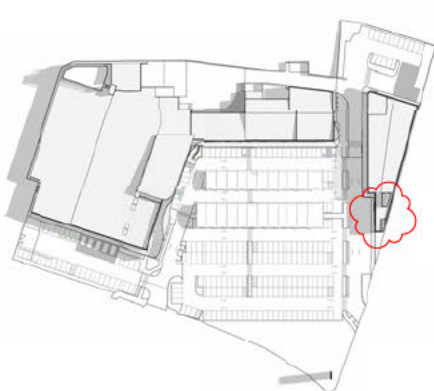
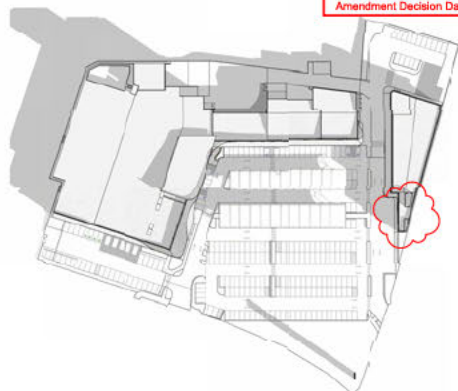
PROPOSED SECTIONS
 MINOR AMENDMENT

Project	2025-084	Drawing No.	DAS1	Issue	B
Revised By/Date	As indicated	Revised By/Date	As indicated	Revised By/Date	As indicated
Revised By/Date	As indicated	Revised By/Date	As indicated	Revised By/Date	As indicated
Revised By/Date	As indicated	Revised By/Date	As indicated	Revised By/Date	As indicated



Kingborough Council
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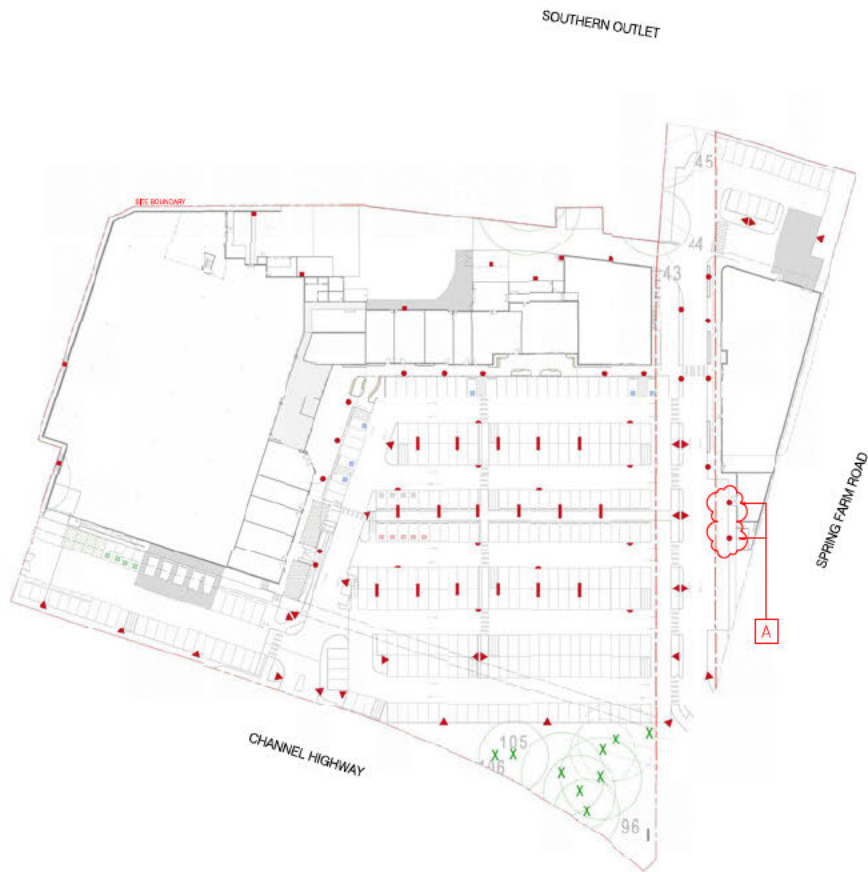
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SHADOW DIAGRAMS

project	drawing no.	issue
2023-084	DA52	9
scale: as A1	designed	checked
1:1000	FMO	ISA



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- ▼ POLE MOUNTED LUMINAIRE
- WEATHERPROOF BATTEN UNDERSHADE SAIL FRAME
- LUMINAIR FIXED TO VERTICALS OF SHADE SAIL FRAME
- BOLLARD
- FLOODLIGHT ON BUILDING FACADE AT HIGH LEVEL

1	Site Plan	1:500
2	Site Plan	1:500
3	Site Plan	1:500
4	Site Plan	1:500
5	Site Plan	1:500
6	Site Plan	1:500
7	Site Plan	1:500
8	Site Plan	1:500
9	Site Plan	1:500
10	Site Plan	1:500

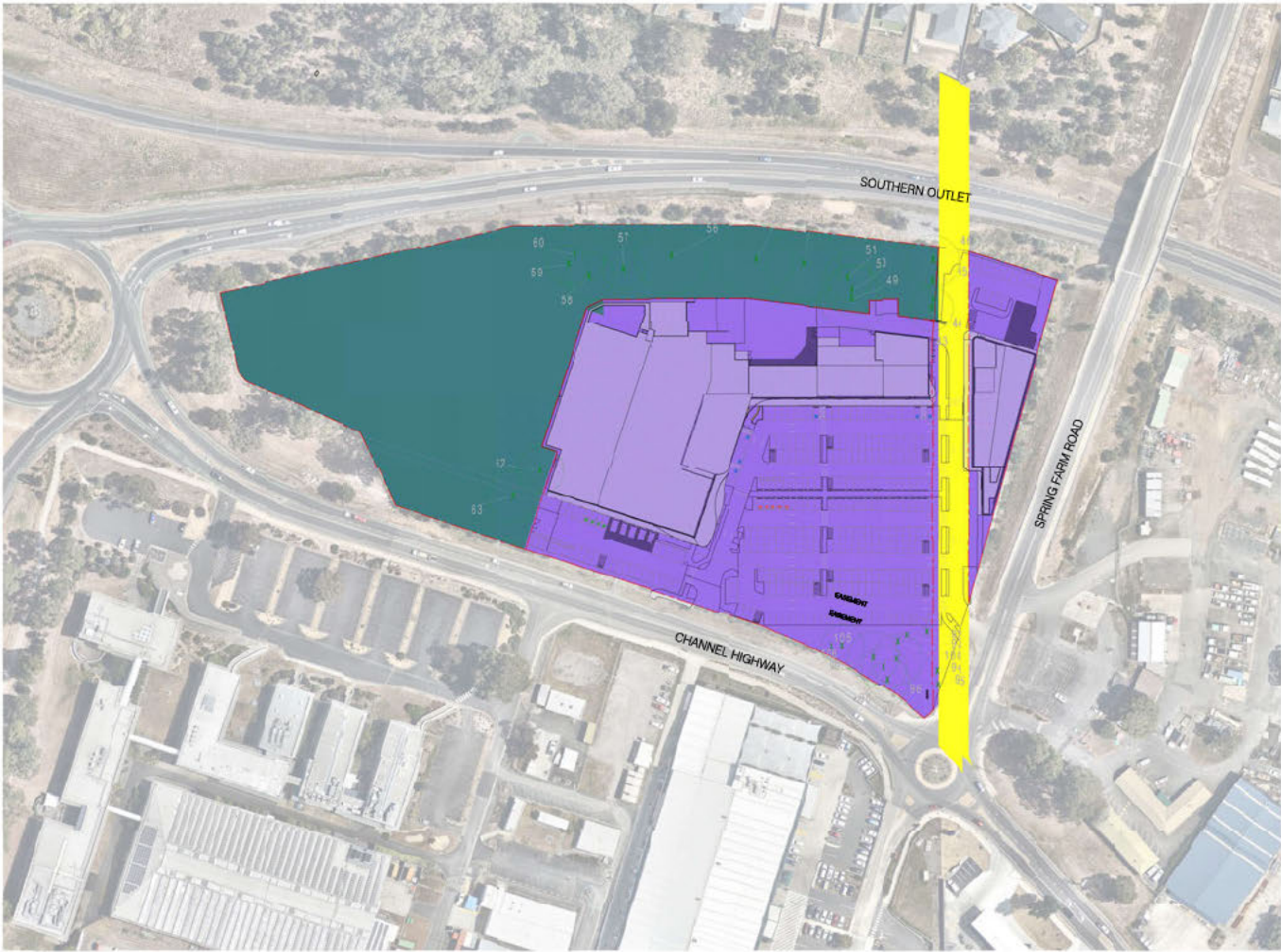
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PROPOSED LIGHTING PLAN
 KINGBOROUGH COUNCIL

Project No:	2025-084	Drawing No:	DAS3	Issue:	11
Project Name:	SPRING FARM VILLAGE	Drawing Title:	PROPOSED LIGHTING PLAN	Issue Date:	15/11/2025
Scale:	1:500	Author:	FMD	Checker:	TSE



Kingborough Council
Minor Amendment to Planning
Permit Document
Development Application: DAS-2024-2/B
Plan Reference No: P15
Date Received: 28/10/2025
Approved via Delegated Authority
Amendment Decision Date: 14/11/2025

28.0 COMMERCIAL
28.0 UTILITIES
28.0 ENVIRONMENTAL MANAGEMENT

TASMANIAN PLANNING SCHEME - ZONING 1:750



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TASMANIAN PLANNING SCHEME ZONING
MINOR AMENDMENT

Project	Drawing No.	Issue
2025-084	DAS4	1
As indicated	FMD	1/SE

