

Resource Planning and Development Commission

Land Use Planning and Approvals Act 1993 and Resource Planning and Development Commission Act 1997

Decision and Reasons for Decision

Glenorchy Planning Scheme 1992

Draft amendment 11-07 to amend the plan to rezone 3 small areas of land from open space and landscape and conservation to future urban.

Permit PLN07/4834 is to grant a permit for a staged subdivision at Alexa Court, Tavistock Road and Wakehurst Road Austins Ferry.

Date and Place of Hearing

Tuesday 16 December 2008 Resource Planning and Development Commission, 144 Macquarie Street Hobart commencing at 10.30am.

Delegation

In accordance with its decision dated 17 November 2008 and in exercise of the power conferred upon it by s.8 of the *Resource Planning and Development Commission Act 1997*, the Resource Planning and Development Commission delegated to Mr John Vandenberg and Mr Robin Nolan jointly and severally:

1. its powers and functions under sections 40, 41, 41A, 41B, 42(1), 42(2), 43G, 43H and 43I of the *Land Use Planning and Approvals Act 1993* in relation to draft amendment 11-07 and permit number PLN07/4834 to the Glenorchy Planning Scheme 1992; and
2. in connection with the exercise of those powers in performance of those functions, its powers under Part 3 of the *Resource Planning and Development Commission Act 1997*.

Documents supplied by Planning Authority

- Council's s.35 report – 26 May 2008 including the application of 3 August 2007
- Council's s.39 report – 26 August 2008

Representations

Representations were received from:

D & P Voss

B Holderness-Roddam

J McCann

RK & RC Turner

L Watson

A Watson

Appearances at the hearing

Council:

Ms G van Randen and Mr R Grierson represented the Glenorchy City Council

Applicant:

Mr C B Rogerson of Rogerson & Birch Surveyors obo AB & EA McKay.

Mr B Mc Kay..

Representor:

Mr B Holderness-Roddam.

Issues raised in the Representations

There were 6 representations. The following issues were raised in respect of the draft amendment and permit:

- Need for the development.
- Vegetation removal and loss of wildlife habitat.
- Encroachment by residential use, domestic animals and weeds on Poimena Reserve.
- Land should be absorbed into the Poimena Reserve.
- Traffic impacts.
- Loss of amenity.
- Area should be left as conservation and open space zoning.
- Subdivision layout, control of water run-off. Sufficient water pressure and restrictions on building height.

Council's Response to the Representations

Apart from correcting a technical wording issue with the draft amendment, the Council determined that none of the issues raised by the representors warranted any modifications.

Council recommended some minor changes to the permit.

Evidence to the hearing

Mr Holderness-Roddam did not oppose the draft amendment or proposed subdivision but sought to protect the Poimena Reserve raising management issues with illegal entry of trail bikes, intrusion of dogs and cats and weed infestation. Mr Holderness-Roddam sought effective barriers to trail bikes as each section of the subdivision progressed.

Mr Holderness-Roddam advocated the landscape and conservation zoned areas be held in perpetuity.

Commission's assessment of the draft amendment

The draft amendment involves some 4.3ha of land with access from Tavistock Road and Alexa Court Austins Ferry. The area is principally zoned future urban with landscape and conservation zoning of over 0.8ha above the 90m contour. The draft amendment is to resolve the zoning of 3 small areas to bring these areas into the future urban zone.

The larger parcel for rezoning is a triangular shaped area of 1320m² that is zoned open space and forms part of the adjacent Poimena Reserve. The land has no particular features that suggest it should remain as part of the reserve.

The second parcel for rezoning is a 3m by 60m strip of land zoned open space that provides pedestrian access to Poimena Reserve from the current extent of the constructed Tavistock Road. Under the accompanying permit an alternative and shorter access strip is to be provided to the reserve. The 2 parcels of open space zoned land are currently under a purchase contract between the Council and the permit applicant.

The third parcel for rezoning comprises an elongated triangular area of land 2m-6m wide and some 145m long currently zoned landscape and conservation. The boundary between the future urban and the landscape and conservation zones is drawn at the 90m contour and the draft amendment is to determine a surveyed (straight) boundary between the 2 zones.

Of the 3 parts of the draft amendment, the proposed rezoning from open space to future urban requires consideration against the intent of the open space zone, which is;

- (a) to encourage use and *Development* of public and private land for recreational use;
- (b) to set aside areas that are required for public recreation use and development in the future;
- (c) to protect the scenic and environmental values of open space areas;
- (d) to provide for safe and convenient access to open space areas;
- (e) to provide facilities for a range of leisure activities;
- (f) to act as a buffer between potentially conflicting uses and *Development*;
- (g) to encourage public involvement in the development of land for recreational use; and
- (h) to provide for the safety and security of recreational users and minimise the potential for crime and vandalism.

The draft amendment for the current pedestrian access strip, by relocating that access to a shorter strip of some 27m compared to the current 60m furthers, the intents concerning safe and convenient access to open space. The triangular piece of approximately 1320m² could conflict with the intent to 'protect the scenic and environmental values of open space areas'. However the piece has no particular features that suggest it should remain as part of the reserve. Council's Natural Areas Coordinator in Council's s.39(2) report noted that the Poimena Reserve contains native vegetation and supports native animals but did not believe that development would cause a substantial increase in urban pressures as it is already surrounded by development. Mr Holderness-Roddam considered that the section of vegetation in the reserve in good condition was not near the area proposed for subdivision.

The rezoning proposed in the draft amendment is of little consequence. Arguments from objectors that the land should not be developed or that it should be absorbed into the Poimena Reserve can not be sustained as the majority of the land is already zoned future urban where subdivision to urban residential densities is allowed. Whilst a rejection of the draft amendments might frustrate a small area of the proposed subdivision layout it would not change the outcome concerning the development and residential use of the major portion of land already zoned future urban.

There is no evidence to conclude that the 3 parcels of land are not suitable for future urban zoning as described in the intents for the zone. The draft amendment principally assists with the rationalisation of both property and zone boundaries.

Commission's assessment of the Permit

The permit is for the staged subdivision development of 41 lots and attendant internal roads, services etc. The staging is based on the provision of adequate water supply pressure to land containing 16 lots above the 75m contour. Council granted the permit subject to conditions. As part of its s.39(2) of LUPAA report, Council recommended modifications to the permit conditions.

The zoning of the site is future urban. This zoning is based within the cluster of residential zones in the planning scheme that also includes the corresponding urban residential zone. Both zones have similar provisions. The major departure is that the future urban zone intent allows specific consideration to prevent premature development of land and to require an outline development plan, although this requirement does not appear to be exclusive to the future urban zone under clause 2.9 of the scheme.

The structure of the planning scheme is that subdivision development and subsequent housing development in the future urban zone is not based on a prior requirement to rezone to the urban residential zone.

Council's submission that the land is capable of subdivision, is surrounded by developed residential lots and the proposed subdivision is based on an acceptable outline development plan, is an accepted basis for the granting of the permit.

As noted above Council recommended modifications to the permit conditions as part of its s.39(2) report of LUPAA. The recommendations primarily concern the requirement for a building envelope for lot 19. Lot 19 is the 8099m² lot remaining in the landscape and conservation zone. Other recommendations related to conditions on fire hazard and the establishment of a building set back for lots 1, 2 and 3 to protect the residential amenity of adjoining properties.

At the hearing the issue of unauthorised access to the Poimena Reserve by trail bikes during the staged development of the site, was canvassed without a ready solution. However an additional condition requires the provision of suitable barriers to prevent access to the reserve by trail bikes via the proposed footway (lot 105).

The recommended modifications and additional modifications identified at the hearing are accepted.

Application of State Policies

State Coastal Policy 1996:

The draft amendment involves land in the coastal zone as defined by the Policy and within the urban area of Glenorchy. Development of the land would not constitute ribbon development or an unrelated cluster development along the coast. The site is not an area of coastal hazard. The draft amendment is assessed as being prepared in accordance with the Policy.

Interim State Policy on the Protection of Agricultural Land 2008:

The draft amendment does not involve agricultural land as defined in the Policy. The Policy is not applicable to the draft amendment.

State Policy on Water Quality Management 1997

The draft amendment will allow for development consistent with the Policy and is assessed as being prepared in accordance with the Policy.

National environmental protection measures

National environmental protection measures do not have application for use or development of the site.

Schedule 1 Objectives

Part 1 objectives

(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;

The draft amendment and permit further the objective for sustainable development of physical resources through the provision for additional residential land in the serviced area of Glenorchy. There is no evidence that the maintenance of ecological processes and genetic diversity are issues for the area of future urban zoning. The area of landscape and conservation zoning is retained as lot 19 and a building envelope defined to minimise disturbance of the remaining vegetation.

(b) to provide for the fair, orderly and sustainable use and development of air, land and water;

The draft amendment and permit further the objective for fair and orderly use and development through the provision of additional housing land within the urban area and on land zoned future urban.

(c) to encourage public involvement in resource management and planning;

The draft amendment and permit has included public processes.

(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c);

The draft amendment and permit further this objective consistent with the above objectives.

(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 draft amendment and permit involves the sharing of responsibility for additional housing land within existing urban areas.

Part 2 objectives

The part 2 objectives are furthered principally in terms of establishing a system of planning instruments to be the principal way of setting objectives, policies and controls

for the use, development and protection of land and to secure a pleasant, efficient and safe, living and recreational environment.

Conclusion

In accordance with s.40(1) of LUPAA, the draft amendment, representations and Council's report have been considered. The draft amendment is to rezone small parcels of land to future urban to rationalise the current zone boundaries. The draft amendment should be approved with a minor correction to the plan key. The modified amendment is attached at Annexure A.

The permit is for the subdivision of land zoned future urban. The land is surrounded by lots previously subdivided and the subdivision continues the pattern established for adjoining areas. The permit should be approved with modifications to the conditions. The modified permit is attached at Annexure B.

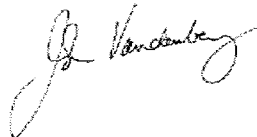
Decision

Pursuant to Section 41(ab) of the *Land Use Planning and Approvals Act 1993* the Commission modifies the draft amendment as set out in Annexure A and gives its approval to the draft amendment as modified pursuant to Section 42 of the Act.

Pursuant to Section 43H (1)(b)(ii) of the *Land Use Planning and Approvals Act 1993* the Commission modifies the permit as set out in Annexure B.



Robin Nolan
Chairman



John Vandenberg

Delegates
Resource Planning and Development Commission
27 January 2009

Attachments:




Annexure A: The modified draft amendment
Annexure B: The modified permit

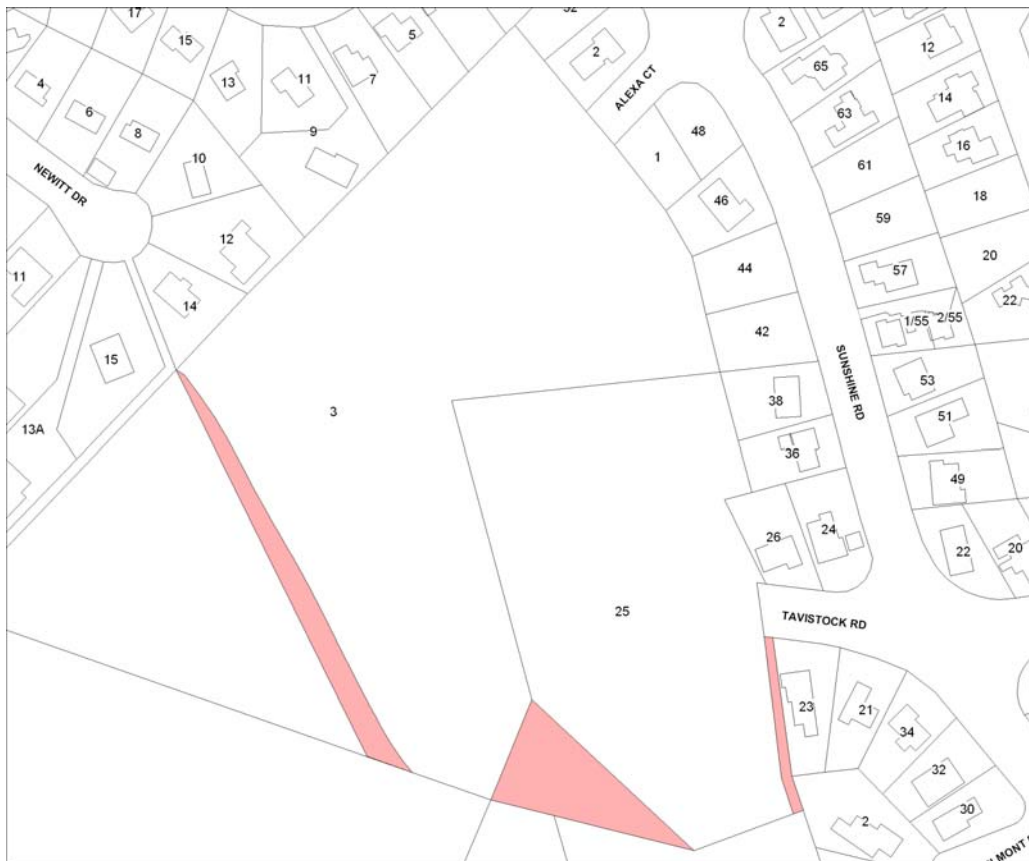
Annexure A

**GLENORCHY PLANNING SCHEME 1992
AMENDMENT 11-07**

The Glenorchy Planning Scheme 1992 is amended as follows:

Land affected by this amendment: 3 Alexa Court, 25 Tavistock Road and 30 Wakehurst Road, Austins Ferry

Existing Zone:	Open Space	
Existing Zone:	Landscape and Conservation	
Proposed Zone:	Future Urban	



Annexure B

Resource Planning and Development Commission

GLENORCHY PLANNING SCHEME 1992

P L A N N I N G P E R M I T

Application No:	PLN-07-4834
Applicant:	Rogerson & Birch Surveyors
Proposed Use/development:	Staged subdivision creating forty-one (41) lots - S43A
Address:	3 Alexa Court, 25 Tavistock Road and 30 Wakehurst Road Austins Ferry

This permit allows the use/development of the land, subject to the conditions set out below.

This permit will lapse if the use/development is not substantially commenced within 2 years of the permit date, unless the Planning Authority has granted an extension of the permit.

Please Note: This is NOT a Building Permit.

CONDITIONS

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN 07-4834 and Drawing No. P1 submitted on 11/01/08 and Plan A, except as otherwise required by this permit
2. The subdivision is to proceed in the following stages:
 - Stage 1 – Lots 1 to 8, lot 105 and boundary adjustment with adjoining Council property.
 - Stage 2 – Lots 37 to 42
 - Stage 3 Lots 25, 26, 28, & 30 to 36
 - Stage 4 Lots 9 to 17
 - Stage 5 Lots 18 to 24 & 27.

3. Each lot shall conform to the requirements set out in the Glenorchy Planning Scheme 1992 with respect to dimensions, area and frontage.
4. An original and two copies of each of the Plan of Survey and Schedule of Easements shall be submitted to Council for sealing.
5. All roads, areas required for road widening, walkways and public open space areas are to be shown as lots on the final diagram and are to be sold to Council for a nominal sum of \$1.00. The final plan of survey will not be sealed until an executed Agreement for Sale and an executed Memorandum of Transfer is provided to Council, along with the required Titles Office registration fees. Any other legal costs associated with fulfilment of this condition are to be met by the applicant. Within 14 days after issue of titles, certificates of titles to the abovementioned lots shall be surrendered to Council by the applicant so that the transfer can be effected.
6. This permit does not authorise the removal of any trees which are subject to the tree preservation provisions in Clause 9.7 of the Glenorchy Planning Scheme 1992 other than those required for the provision of services and roads in association with the subdivision. A plan showing the vegetation and trees to be removed shall be submitted and approved in writing by Council's Senior Statutory Planner prior to the commencement of any works on site.
7. The Plan of Survey and Schedule of Easements for Lot 19 must describe a building envelope outside of which no building is to be constructed. The building envelope shall generally be in the location shown on Plan A and shall be such that bushfire management can be achieved within property boundaries and without significant loss of vegetation, to the satisfaction of Council's Senior Statutory Planner.
8. A covenant, to which Council is to be made a party, is to be placed on the title of Lot 19 by the applicant to the effect that no building shall be constructed outside of the building envelope.
9. A covenant, to which both the Glenorchy City Council and the Tasmania Fire Service are to be made a party is to be placed on the title of lot 19 by the applicant. The covenant shall require that the lot shall not be developed with a dwelling unless it is managed in accordance with a Tasmania Fire Service approved Bushfire Hazard Management Plan. The Bushfire Hazard Management Plan shall be prepared in accordance with the requirements of the Tasmania Fire Service as set out in the publication *Guidelines for Development in Bushfire Prone Areas of Tasmania*.
10. A covenant, to which both the Glenorchy City Council and the Tasmania Fire Service are to be made a party is to be placed on the title of lots 3, 4, 9, 10, 11, 12, 13, 14 15, 20, 21 and 22 by the applicant. The covenant shall require that the lots shall not be developed with a dwelling unless they are managed in accordance with the requirements for a Building Protection Zone as set out in the publication *Guidelines for Development in Bushfire Prone Areas of Tasmania*.
11. A covenant, to which Council is to be made a party, is to be placed on the titles of Lots 1, 2 and 3 by the applicant to the effect that the following structures shall not be constructed within 6.85m of east boundaries:
 - dwelling
 - deck exceeding 1m above natural ground level; and

- outbuilding exceeding 3m in height above natural ground level.

Engineering

12. The applicant is to pay the cost of upgrading the existing stormwater system within Tavistock Road, between pits RR132/09 to RR132/11 (refer Glenorchy City Council graphic information system), prior to commencing construction of subdivision stages 2 or 4. Stormwater upgrading works shall be undertaken by Council at the applicant's cost.
13. The applicant is to pay the cost of upgrading the stormwater system within Sunshine Road and Tracy Road, to extent required to serve the development, between pits GN052/07 to GN052/08, GN052/09 to GN068/01, GN068/01 to GN068/06 (refer Glenorchy City Council graphic information system), prior to commencing construction of subdivision stages 3 or 5. Stormwater upgrading works shall be undertaken by Council at the applicant's cost.
14. Stages 4 and 5 of the development, including the creation of titles for the lots, must not proceed until a sustainable water supply has been established to service the area above the 75m (AHD) level. The applicant must obtain the written approval of Council's Development Engineer, prior to commencing construction of Stages 4 and 5.
15. Pending the establishment of a sustainable water supply to serve the area above the 75m (AHD) level Council approval is subject to the following qualification on the final plan of survey for lots 4,5, 25 and 28:- "Council cannot provide a guaranteed adequate water supply to any portion of the lots above the elevation of 75 metres AHD"
16. Any existing service lines, other than service mains, that transgress the boundary between lots must be cut and sealed at the boundary to the requirements of Council's Plumbing Surveyor. Confirmation of this in writing must be provided to Council's Development Engineer.
17. Drainage must be provided at the upper slope of the site to control subsurface and surface flows and direct water away from potential house sites and into the stormwater system. Full details of site drainage must be shown on the engineering plans.
18. Driveways to rear lots must be fully constructed to a minimum width of 3 metres and sealed or concreted for the full length to the requirements of Council's Development Engineer.
19. Driveways must be demonstrated on the engineering design plans as complying with standards of acceptable sight distance and maximum grade of 1 in 5 unless otherwise approved by Council's Development Engineer.
20. Following completion of the roads and infrastructure, ground levels of the subdivided land must not be altered by more than 300 mm without written approval of Council's Development Engineer or having been incorporated into an approved Building permit application.
21. Construct the new roadworks to the following minimum standards:-
 - Main roadway loop
 - Minimum 18 metre wide road reservation.
 - Fully constructed, sealed and drained carriageways with concrete semi-mountable kerb and channel, 7.5 metre wide, exclusive of kerb and channel.

- 1.5 metre wide concrete footpaths on both sides located adjacent to the property boundary unless otherwise approved by Council's Development Engineer.

Minor road

- Minimum 12m metre wide road reservation.
 - Fully constructed, sealed and drained carriageways with concrete semi-mountable kerb and channel, 5.5 metre wide, exclusive of kerb and channel.
 - 1.5 metre wide concrete footpath on one side located adjacent to the property boundary unless otherwise approved by Council's Development Engineer. The footpath must extend and be continuous to the Council reserve on the southern side of the development, accessed via the footway between lots 2 and 3. Chicane barriers must be provided to prevent trail bike access to the Poimena Reserve via the footway between lots 2 and 3.
22. The applicant must provide a 1.5m wide concrete footpath, in accordance with Municipal Standards, along the north side of Alexa Court to connect the existing footpath in Sunshine Road to the new subdivision footpath.
 23. The applicant must provide a sealed temporary turning facility must be incorporated at the end of the constructed road at each stage of construction.
 24. Threshold treatments must be provided by the applicant for the smaller link road between the extension of Alexa Court and Tavistock Road, to the requirements of Council's Traffic Engineer, to discourage through traffic from using this minor link.
 25. All earth retaining structures in cut must be located at the edge of the road reservation but not within the road reservation. All earth retaining structures in fill must be completely within the road reservation.
 26. Where drops associated with retaining walls are in excess of 1m, the drop shall be protected by pedestrian fencing, approved by Council's Development Engineer.
 27. A covenant, to which Council is to be made a party, is to be placed by the applicant on the titles of all Lots to the effect that "No development shall take place on the said land except in accordance with the recommendations contained in the Geotechnical Report prepared by Tasmania Development and Resources, dated 19 April 1994 and the peer review prepared by Chris L Potter, Consulting Engineer, dated February 2008".
 28. The applicant must make available to all prospective purchasers, or their agents upon request a copy of the Geotechnical Report prepared by Tasmania Development and Resources, dated 19 April 1994 and the peer review prepared by Chris L Potter, Consulting Engineer, dated February 2008".
 29. Where earthworks, including earthworks associated with driveways, and/or an easement encroach on a proposed lot, the lot must contain an area of land, outside the earthworks and/or easement which complies with the minimum internal rectangle in accordance with the subdivision requirements of the Glenorchy Planning Scheme 1992.
 30. As the subdivision is to be staged, a Plan of Survey and Schedule of Easements for each stage of the subdivision in accordance with the approved plan of subdivision is to be submitted by the applicant separately for sealing by Council.

31. The applicant is to provide underground electrical reticulation for power and street lighting. Underground H.E.C. cables shall be used subject to any underground cables in joint use trenches complying with Council requirements.
32. All subdivisional road works, footpath, drainage and associated works must be constructed in accordance with Council specifications and by-law No. 156. Design plans and specifications must be submitted for approval in accordance with Section 10 of the Local Government (Highways) Act 1982, and are subject to full compliance with Council's By Law No. 156 and the Development Engineer's approval. All documents must be signed and sealed in accordance with Section 19 of the Local Government Act 1993.
33. The Approval of Engineering plans shall be undertaken in a maximum of two stages. If Engineering plans are submitted in more than one stage, preliminary design shall be provided, to the requirements of Council's Development Engineer, to demonstrate that road alignments and drainage designs are compatible with the ultimate design of the subdivision.
34. Prior to the approval of engineering drawings the applicant is to provide Council with a detailed estimate for the works. Under Council Resolution Nov 10/03, payment of an engineering assessment fee of 1% of the value of the works is required prior to the issue of the approved drawings.
35. The applicant is to drain the proposed roadway in accordance with section 86(2)(c) of the Local Government (Building and Miscellaneous Provisions) Act 1993 and the requirements of Council's Development Engineer.
36. The applicant is to provide sub-soil drains on each side of roads constructed with the sub-grade below the natural ground or as otherwise required by Council's Development Engineer.
37. Easements must be created over all existing and proposed service lines in accordance with Council's Development Engineer's requirements, including existing water mains within the land. A 4m wide easement must be created over the existing 450mm diameter water main, which will be within lots 1,2 and 3. The main must be potholed to determine the exact depth and location of the pipe so as to ensure the easement is correctly located.
38. A 3m wide easement must be created along the south boundary of lot 22 and a 'sleeper' main installed in the easement to provide for future high level water supply to the higher lots within the site.
39. A separate service connection for water supply, sewerage, and storm water must be provided to each lot in accordance with the Development Engineer's requirements.
40. Services for rear lots must be provided from the front boundary or legal point of connection for the total length of the access of internal rear blocks.
41. The cost of any alterations and/or reinstatement to existing services or private property incurred in proposed subdivisional works to be borne by the applicant. Any work so required is to be specified and undertaken by the appropriate Authority concerned.
42. The applicant is to extend the sewer main and provide a 100 nom dia sewer connections to each lot in accordance with section 86(2)(b) of the Local Government (Building and Miscellaneous Provisions) Act 1993 and the requirements of Council's Development Engineer.

43. The applicant is to extend the existing stormwater drain and provide a 150mm dia connection from the boundary of each lot to a legal point of discharge in accordance with section 86(2)(c) of the Local Government (Building and Miscellaneous Provisions) Act 1993 and the requirements of Council's Development Engineer.
44. In respect to any existing or proposed service infrastructure located outside the boundaries of the land, the applicant must negotiate and obtain the written agreement from the owners of such land, which will permit the necessary easements and allow Council to undertake the necessary works. All costs related to obtaining the required agreements, undertaking works and establishing easements shall met by the applicant.
45. The applicant is to incorporate water reticulation mains as required for the ultimate system to the Development Engineer's sizing and design requirements. Existing water mains must be extended to serve the development for each of the separate water supply zones required to serve the lots. Works required to extend water mains outside the site shall be undertaken by Council at the applicant's cost.
46. Alterations and additions to existing Council services are to be undertaken by Council at the applicant's cost. This includes connections to, and diversions of, existing mains where relocation of existing services is required.
47. Design road pavement depths to the satisfaction of Council's Development Engineer based on the estimated traffic volume, the expected traffic type, the subgrade CBR and in accordance with sound engineering practice. Base subgrade CBR's on laboratory tests using a minimum of 3 separate samples for each street, unless otherwise approved by Council's Development Engineer.
48. Embankment licences to be shown on the final diagram where road batters extend into any lot.
49. The applicant is to construct driveways to each lot from the kerb to the property boundary using reinforced concrete.
50. The applicant is to provide a sealed temporary turning facility at the end of each stage of construction to the approval of Council's Development Engineer.
51. Light standards and fittings connected to H.E.C. supply must be provided in accordance with the Development Engineer's requirements.
52. Should the applicant wish to have the final plan of survey for the subdivision sealed by Council prior to the completion of the subdivisional works and the roading being taken over by Council, then it will be necessary for the applicant to lodge with Council a bank guarantee covering the cost of the uncompleted and unsecured works. Such guarantee sum shall be assessed by the Development Engineer at an appropriate stage of the works.
53. Where it is proposed to construct and retain consolidated fill batters steeper than an angle of repose of 1 in 2, adequate retaining structures must be provided by the applicant to resist all potential earth loading including surcharge and traffic loadings designed by a qualified engineer. Suitable certified design drawings and associated calculations by a qualified Engineer of insitu-structures must be prepared and must be submitted for Council's Development Engineer's approval with the engineering drawings. Where considered necessary, by the Development Engineer, the intended use of precast components shall be accompanied by the manufacturer's written

- endorsement approving of the application in the manner proposed. Such endorsement must be submitted to Council's Development Engineer for approval.
54. No top soil shall be removed from land outside the limits of earthworks associated with road construction unless otherwise approved by Council's Development Engineer. Any top soil disturbed as a result of works allowed by this permit must be stock-piled on site for the duration of the works and reinstated by the applicant prior to completion of the works.
 55. All disturbed surfaces on the land authorised by this permit except those areas set aside for roadways and footpaths must be dressed with top soil and revegetated and stabilised to the satisfaction of Council so as to prevent any erosion or siltation either on or adjacent to the land.
 56. Provide street signs and linemarking in accordance with the requirements of Council's Development Engineer.
 57. Pay Council to the amount of \$88 per lot to complete the measure up and record "as constructed" data for all services and connections prior to the works being placed on maintenance.
 58. All runoff from paved and driveway areas must be retained within site boundaries and drained to an approved stormwater system.
 59. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
 60. A detailed Soil and Water Management Plan, related to the construction process, must be submitted and approved by Council's Development Engineer, in accordance with the Soil and Water Management Code of Practice for Hobart Regional Councils. The SWMP must consider the potential for erosion of the local soils and must address the extent of vegetation to be cleared from the site and the revegetation of cleared areas to enhance soil stability and minimise the potential for erosion as recommended in the Geotechnical Report Peer Review.
 61. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
 - Any damage to Council's assets, including services, footpaths, driveway crossings and nature strips must be promptly reported to and then repaired to the requirements of Council's Development Engineer, at the applicant's cost.
 - It shall be the applicant's responsibility to obtain and submit with the Building Application, a comprehensive photographic record of the condition of the footpaths, driveways and nature strips at the road frontage to the site and adjacent to the site, prior to commencing construction. The photographic record shall be relied upon to establish the extent of damage caused to Council's assets throughout construction. In the event that the applicant fails to provide a pre-construction photographic record of the site then any damage to Council assets found on

completion of the works shall be deemed to be the responsibility of the applicant and shall be repaired at the applicant's cost.

62. Prior to the issue of the Final Plan of Survey and Schedule of Easements, and unless otherwise approved by Council in writing, for each stage of the subdivision the applicant is to pay Council a Community Assets Charge as a contribution to off-site community sewer assets nominated in Council's Community Assets Charges policy. The total amount of the charge at the date of payment is to be \$3,992 per lot (excluding the balance lot) plus an adjustment for the relative change in the most recent Australian bureau of Statistics' non-building construction index (ABS catalogue no. 6427.0 Table 16) (December quarter) between the date of the permit and the date of payment.
63. Prior to the issue of the Final Plan of Survey and Schedule of Easements, and unless otherwise approved by Council in writing, for each stage of the subdivision the applicant is to pay Council a Community Assets Charge as a contribution to off-site community water assets nominated in Council's Community Assets Charges Policy. The total amount of the charge at the date of payment is to be \$2,231 per lot (excluding the balance lot) plus an adjustment for the relative change in the most recent Australian Bureau of Statistics' non-building construction index (ABS catalogue no. 6427.0 Table 16) (December quarter) between the date of the permit and the date of payment.

Advice to applicant

This advice does not form part of the permit but is provided for the information of the applicant.

- As the roadworks and underground infrastructure will become part of Council's assets to be maintained by Council, the Contractor undertaking the works must be approved by Council's Development Engineer, is to be fully competent in subdivision works, and have in place, a currently recognised Quality Assurance System under AS3900.
- The allowable maximum grade of driveways permitted by the Glenorchy Planning Scheme is 1 in 5. The design and construction should extend the driveway into the lot up to maximum grade as far as required to reach natural surface, unless otherwise approved by Council's Development Engineer.
- Engineering plans are to be prepared by a qualified and experienced, practicing civil engineer to a standard as approved by Council's Development Engineer.
- The applicant should liaise with Powerco and investigate the provision of reticulated gas supply to the subdivision.
- Council's existing water reticulation system is able to supply to the 75m (AHD) level only. The Poimena tanks, which supply existing properties above this level are at capacity in terms of storage. Accordingly the subdivision stages above 75m may not proceed until a sustainable water service is established to service the required level.
- The current estimate to upgrade Council's stormwater system within Tavistock Road, to provide for the development, is \$37,670, excluding GST. A revised cost will be determined at the time of payment, prior to construction of Stages 2 or 4.
- The current estimate to upgrade Council's stormwater system within Sunshine Road / Tracey Road, to provide for the development, is \$59,100, excluding GST. A revised cost will be determined at the time of payment, prior to construction of Stages 3 or 5.

- Waste management Services to the subdivision will be Council's standard service of one 140l wheelie bin for waste and one 140l wheelie bin for recycling collected fortnightly to each property. Council's Waste Management Contractor will not enter the property to collect and empty wheelie bins. All bins are to be placed on the kerbside for collection.

Resource Planning and Development Commission