

PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

PROPERTY ADDRESS: 40768 Tasman Highway, Waverley

DEVELOPMENT/USE: 40T Combined Scheme Amendment - Change of zone from Rural to Rural Living A; Subdivision - Subdivide land into 23 lots and a new road - PSA-LLP0021

ZONE: Rural Living

USE CLASS: Residential

DECISION:

That the Council, at its meeting held on 31/07/2025 (Minute No: 11.2), made a decision to approve the development application, subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Senior Leader City Development unless modified by a condition of the Permit:

- Proposal Plan, prepared by 6ty°, Project No. 22.257, Drawing No. Cp01, Revision G, dated 21/05/2025;
- Proposal BAL Treatment Plan Option, prepared by 6ty°, Project No. 22.257, Drawing No. Cp02, Revision F, dated 05/12/2024;
- Preliminary On-Site Wastewater Disposal Evaluation, prepared by Geoton Pty Ltd, Reference No. GL23301Ab, Revision.01, dated 4 July 2025;
- Agricultural Report, prepared by RMCG, Version 1.1, dated 9 July 2025;
- Bushfire Hazard Management Report, prepared by RMCG, Version 2.0, dated 9 July 2025;
- Flora and Fauna Report, Version 1.1, prepared by RMCG, dated 9 July 2025; and
- Traffic Impact Assessment, prepared by Traffic & Civil Services, Final 6, dated December 2024.

2. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

3. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00561-LCC, dated 27/06/2025 and attached to the permit.



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4. HOURS OF CONSTRUCTION

- a) Unless otherwise approved in writing by the Senior Leader Health and Compliance construction activities must only be carried out between the hours of:
- Monday to Friday - 7 am to 6 pm; and
 - Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

5. DAMAGE TO COUNCIL INFRASTRUCTURE & ASSETS

The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

6. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of the Executive Leader - Community Assets and Design is required prior to undertaking works where the works:

- require a road or lane closure;
- require occupation of the road reserve for more than one week at a particular location;
- are in nominated high traffic locations; or
- involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.



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7. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

8. SOIL AND WATER MANAGEMENT control plan

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- Allotment boundaries, contours, approximate grades of slope and directions of fall.
- Location of adjoining roads, impervious surfaces, underground services and existing drainage.
- Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.
- Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- The estimated dates for the start and finish of the works.
- The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- Timing of the site rehabilitation or landscaping program.
- Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Executive Leader Community Assets and Design. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

9. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.



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10. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

11. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader Community Assets and Design.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications.

Works must include:

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
- b. Roads
 - i. Provision of a fully constructed road 6.0m metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of a single vehicular crossing for each lot within the subdivision,
 - iii. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - iv. all necessary line marking, signage and other traffic control devices.



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- c. Public Open
 - i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.
- d. Electricity, Communications & Other Utilities
 - i. An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority,
 - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- 1. Construction requirements,
- 2. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- 3. Construction Audit inspections,
- 4. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

12. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.



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13. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

14. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available upon request.
- b. A Closed Circuit Television inspection report for all stormwater drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

15. EASEMENTS

Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

16. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Executive Leader Community Assets and Design:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.
- c. The provision of engineering certification and as constructed documentation in accordance



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the Council requirements.

- d. The subsequent issue of a Certificate of Practical Completion by the Executive Leader Community Assets and Design for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

17. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Executive Leader Community Assets and Design, of the Certificate under Section 10 (7) of the Local Government (Highways) Act 1962. All costs involved in this procedure must be met by the Subdivider.

18. COMPLETION OF WORKS

All works must be carried out to Council standards and under the direct supervision of a suitably qualified and experienced civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

19. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Council's Community Assets and Design Team.

20. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

21. JUNCTION UPGRADE AND SEASLING

Sealing of plans beyond 12 lots will not be signed and stamped by Council until the upgrade to a BAR & BAL junction at Boomer Road and the Tasman Highway has occurred.



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Notes

A. General

This permit was issued based on the proposal documents submitted for DA0140/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Tasmanian Civil & Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

C. Permit Commencement.

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

D. Subdivision - On-site wastewater disposal

The onsite wastewater report prepared by GeoTon Pty Ltd dated 08/06/2023 specifies all lots are suitable only for the installation of a system capable of secondary treatment of effluent.



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