

TASMANIAN PLANNING COMMISSION



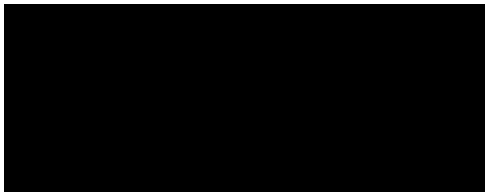
DECISION

Planning scheme	Tasmanian Planning Scheme – George Town
Amendment	AMD-2026-1 Apply the General Residential Zone and Low Density Residential Zone to 1 Stonehouse Street, George Town and remove the Natural Assets Code – priority vegetation area overlay.
Permit	DA-2026-4 - 20-lot subdivision on land zoned General Residential
Planning authority	George Town Council
Applicant	Woolcott Land Services Pty Ltd for Shane Musu
Date of decision	28 October 2026

Decision

The draft amendment is modified under section 40N(1)(b) of the *Land Use Planning and Approvals Act 1993* as set out in Annexure A and is approved under section 40Q.

The permit is modified under section 42B(1)(b)(ii) of the *Land Use Planning and Approvals Act 1993*, as set out in Annexure B.



John Ramsay
Executive Commissioner

REASONS FOR DECISION

Background

Amendment

The draft amendment (as certified) proposes to rezone land at 1 Stonehouse Street, George Town folio of the Register 143259/2 from Future Urban to General Residential and Low Density Residential. The draft amendment also proposes to remove the Natural Assets Code's priority vegetation area overlay from 1 Stonehouse Street and 70 Arnold Street, George Town folio of the Register [143259/1](#). The planning authority confirmed the land at 70 Arnold Street did not form part of the application and its inclusion in the certified amendment was an error.

Permit

The permit provides for the subdivision 1 Stonehouse Street, George Town. The proposal provides for 20 residential lots, a balance lot and a new road lot.

Site information

1 Stonehouse Street, George Town (the subject site) is a triangular-shaped lot with an area of approximately 6.5ha. The site is separated into 2 parts by an undeveloped road easement (Crown reserved road). The land is currently vacant and has road frontage to Arnold Street to the west and Stonehouse Street to the south. The land is serviced with reticulated water. The reticulated sewer service adjoins the site.

The site is generally flat and mostly clear of vegetation. The TasVeg 5.0 layer in LISTmap indicates the site is 'agricultural land' with small areas that contain weeds (gorse).

The land surrounding the site is zoned General Residential, Low Density Residential, Future Urban and Agriculture. The land is within the confines of the George Town settlement and adjoins the Agriculture Zone on its eastern boundary. Aerial photography indicates the land to the east is used for rural/agricultural purposes.

The entire site is subject to the bushfire-prone hazard area and airport obstacle limitation area overlays, and the majority is subject to that Natural Assets Code's priority vegetation area overlay. Additionally, parts of the site are also subject to the Flood-Prone Areas Hazard Code.

Issues raised in representations

The draft amendment was referred to TasWater under section 56S of the *Water and Sewerage Industry Act 2008*. In response, TasWater made a representation stating it had no objection to the draft amendment. TasWater otherwise provided a submission to planning authority notice (SPAN) providing conditions to be included with the planning permit, if granted.

The planning authority advised that one other representation relating to the draft amendment was received from the landowner and proposed developer. The representor outlined their support for the draft amendment and advised that the General Residential Zone could also be considered for that part of the site proposed to be zoned Low Density Residential.

Planning authority's response to the representations

The planning authority considered the representations and recommended that no modifications to the draft amendment or the permit were required.

Consideration of the draft amendment

Statutory Requirements

1. The Commission is required to consider the draft amendment to the George Town Local Provisions Schedule (LPS) under section 40M of the *Land Use Planning and Approvals Act 1993* (the Act). This includes consideration of any representations, the statements and recommendations contained in the planning authority's section 40K report, any information obtained at a hearing, and any technical matters.
2. Under section 40L(2) of the Act, the Commission dispensed with holding a hearing as the representations received were in support of the draft amendment and permit.
3. The Commission must also consider whether the draft amendment meets the LPS criteria as set out in section 34(2) of the Act. The criteria require that the draft amendment:
 - (a) contains all the provisions that the State Planning Provisions (SPPs) specify must be contained in an LPS; and
 - (b) is in accordance with section 32; and
 - (c) furthers the objectives set out in Schedule 1; and
 - (d) is consistent with each State policy; and
 - (da) satisfies the relevant criteria in relation to the Tasmanian Planning Policies (TPPs); and
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and
 - (f) has regard to the strategic plan, prepared under section 66 of the *Local Government Act 1993*, that applies in relation to the land to which the relevant planning instrument relates; and
 - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and

- (h) has regard to the safety requirements set out in the standards prescribed under the *Gas Safety Act 2019*.

4. Where relevant, these matters are discussed in the sections below.

Suitability of the General Residential and Low Density Residential Zones

5. In the applicant's supporting report dated December 2025, it was submitted that the proposed General Residential and Low Density Residential zones would reflect the established zone pattern and context of the surrounding area and locality. The applicant added that the rezoning would 'enable suitable subdivision that interfaces with existing development of the area and fill a recognised gap in the market for larger residential lots in George Town.'
6. The planning authority, in its report supporting the draft amendment (supporting report) dated 28 April 2026, submitted that the proposed zones would provide for housing diversity, particularly as there was limited land available for use and development in the Low Density Residential Zone at George Town. The planning authority also acknowledged the findings of the Northern Tasmania Residential Demand and Supply Study project undertaken for the Northern Tasmania Development Corporation (Remplan 2024). The planning authority reported the study found George Town 'has adequate land supply to cater to demand, based on the vacant land under both private and government ownership being released.' However, it added that many lots that were suitable for release were 'privately held with no development or movement for decades.' Furthermore, the planning authority stated 'the land release afforded by rezoning and subdivision will continue to supplement the recent (sharp) increase in demand for affordable residential land in George Town.'
7. The representation made by the owner/proposed developer indicated support for a larger part of the land being zoned General Residential Zone if was 'more fitting with the local and overall State strategic planning objectives.'
8. The planning authority, in its section 40K report dated 28 July 2026, submitted that there was not sufficient strategic justification to warrant application of the General Residential Zone to a larger extent of the land. The planning authority submitted:
- 'There is merit in the argument that a greater extent of General Residential zoning may ultimately provide a more efficient use of serviced urban land. However, the representation does not identify additional strategic justification to warrant modification of the amendment at this time. The exhibited amendment appropriately balances the efficient use of serviced urban land with the orderly sequencing of future residential growth. Significant areas of existing General Residential land and Future Urban land exist to the west of the site and application of the Low Density Residential Zone on the peripheries does not compromise the availability of supply to meet forecast demand well into the future.'

Commission consideration

9. The Commission notes the evidence submitted by the applicant and planning authority on the application of the proposed zones.
10. Based on the evidence provided, the Commission is not persuaded that current demand supports the further application of the General Residential Zone on the balance of the site. However, the Commission notes that the land will provide for an additional supply of residential land in an area identified for this purpose. The Commission is also persuaded that the proposed mix of General Residential and Low Density Residential zoned land (as certified) will provide for a range of housing options consistent with the surrounding settlement pattern.

Tasmanian Planning Policies

11. The draft amendment was certified on 1 May 2026 as meeting the LPS criteria before the Tasmanian Planning Policies (TPPs) were made (1 July 2026). Even so, in its supporting report dated December 2025, the applicant addressed the TPPs Settlement policy.
12. Similarly, in the planning authority's supporting report dated 28 April 2026 each of the TPPs were addressed individually. The planning authority submitted that the following TPPs were relevant: Settlement, Environmental Values, Environmental hazards, Sustainable Economic Development, Physical Infrastructure and Planning Processes.

Commission consideration

13. The Commission notes that the draft amendment represents a logical extension of the existing settlement in an area identified for future expansion and can be serviced through the augmentation of existing infrastructure. The proposed mix of General Residential and Low Density Residential zoned land will provide a range of housing choices, including larger lots on the town periphery, thereby meeting an immediate and currently unmet demand. The Commission accepts the submission from the planning authority and finds that the draft amendment satisfies the relevant TPPs.

Regional land use strategy

14. The relevant regional strategy is the Northern Tasmanian Regional Land Use Strategy (regional strategy).
15. In its supporting report the applicant considered the relevant sections of the regional strategy, which are summarised below:

Economic Development

'The subject site is located within an urban environment. The site has access to reticulated sewer, water and stormwater services and immediate access to the transport network. Development of the site would utilise existing infrastructure in a coordinated way being an extension of existing services infrastructure and joined to existing urban residential development.'

Liveability

‘The subject site has been identified as a growth area (indicated by the current zoning). Within the Regional Framework Plan, the subject area is shown within the general area for Supporting Consolidation Areas. The site is zoned Future Urban, indicating that the site is found to be suitable for future population growth. The site is able to be serviced. The site is also identified as a District Service Centre, so is well provisioned for services and, from a land use and development perspective, can accommodate population growth in an efficient and effective manner.’

Sustainability

‘The subject site is not identified as coastal land, and has no serious or significant natural hazards. The site is also assessed for natural values and no significance has been identified.

The site is well positioned to take advantage of recreational opportunities, of both informal and formal nature.

The site is not identified for productive values and no opportunity for primary production is lost.

The land is well placed for residential development due to its lack of natural and productive values together with its proximity to outdoor recreational opportunities.’

16. To support the removal of the Natural Assets Code’s priority vegetation area overlay, the applicant provided a report from ECOtas Natural Values assessment dated 14 July 2025.
17. The survey found that the onsite vegetation is FAG with patches of FWU dominated by gorse (*Ulex europaeus*) and no native vegetation communities were found. The report stated:

‘.... occurrences of FAG and FWU do not form “an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the Nature Conservation Act 2002”, such that C7.3.1(a) is not applicable. On that basis (and in relation to native vegetation communities only), it was not appropriate to classify any part of this site as “priority vegetation” and therefore apply the Priority Vegetation Area overlay’.

Regional Land Use Categories

‘The subject site is identified within the Supporting Consolidation Area and this is reflected by the current zoning. The site is also identified in the GTASP as an area suitable for ‘minimal intensification’ (George Town Area Structure Plan 2021, 41).’

Regional Planning Policies

‘The proposed rezone and subdivision is consistent with the Key Settlement Network Strategies in that the proposed represents a contiguous development of urban form to a consolidated area within the confines of the township and urban area.’

18. The applicant provided a detailed response to several specific policies including D2.1.1 Urban Growth Areas - regional settlement networks, housing dwellings and densities, integrated land use and transport, E3 Regional Activity Centre Network Policy – RAC-P4 and E.4 Regional Infrastructure Network Policy:

‘The proposed rezone and subdivision development is an opportunity to develop within an existing and contained urban area. The subject site includes road allotments that can be made upon future subdivision (expansion of the site), and full road connectedness is available within the site.

The proposal is in line with the strategy for development that consolidates and maximises the use of existing infrastructure with contiguous extension to water, sewer and stormwater.’

19. The planning authority in its supporting report dated 28 April 2026 provided a detailed consideration of various parts and policies within the regional strategy including (in part):

In response to Liveability

‘The proposed General Residential Zone is within a Supporting Consolidation Area in map G2 of the NTRLUS. The development [of] the subject site would form a contained periphery to the existing urban form, and to the settlement area of George Town before graduating to rural land; an outcome consistent with its function as a growth area, combined for the strategic intent to limit intensification as per the George Town Structure Plan.’

In response to Regional Settlement Network Policy

‘The proposed General Residential Zone is located on the peripheries of the existing urban settlement and maximises the utility of existing infrastructure in the vicinity. This portion of the site is within the Urban Growth Areas identified in the NTRLUS and does not constitute a new settlement.....

....The proposed development utilises existing infrastructure and does not require significant upgrades or network planning. The Low Density Zone, suitable for lifestyle allotments, is located outside of the Urban Growth Area consistent with RSN-A8 and provides for a development mix supporting graduation and transition to areas outside of the settlement.’

Commission consideration

20. The Commission accepts the evidence submitted by the applicant and planning authority.
21. The Commission accepts the site does not contain threatened native vegetation communities, threatened flora species, significant habitat for threatened fauna and supports the removal of the overlay.
22. The Commission finds that the draft amendment is as far as practicable consistent with the regional strategy.

State Policies

State Policy on Water Quality Management 1997 (water quality)

23. In the applicant's report dated December 2025 it was submitted that:

'The objectives of this policy are to manage Tasmania's water bodies and public water systems sustainably. The provisions of this State policy are generally practically captured in the Natural Assets Code in the Scheme.

The proposal includes reticulated services, thereby mitigating effects of urban stormwater runoff and wastewater. Future lots may depend on on-site servicing, but each lot will be subject to a site assessment for capacity upon development.'

24. The planning authority in its supporting report submitted (in part) that:

'.....The amendment and subsequent development will not inherently increase sediment runoff to surface waters; the proposed subdivision and future subdivisions will be required to demonstrate appropriate stormwater management as part of the approval process.'

National Environment Protection Measures (NEPMs)

25. In the applicant's report dated December 2025 it was submitted (in part) that:

'.....The NEPMs relate to matters that are not affected by this proposal. The site is not considered to be contaminated.'

26. The planning authority in its supporting report dated 28 April 2026 submitted (in part) that:

'.....There are no known contamination issues associated with the land. Should any contamination issues be discovered in the future, these would be addressed under C14.0 Potentially Contaminated Land Code.

The provisions of the applicable zone, the Natural Assets Code, the Attenuation Code, the *Urban Drainage Act 2013*, and the Environmental Management and Pollution Control deal with issues related to environmental protection measures.'

State Policy on the Protection of Agricultural Land 2009

27. In its supporting report, the planning authority submits that:

The State Policy on the Protection of Agricultural Land 2009 aims to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land. The proposal does not use land that is considered or zoned agricultural. The proposal conforms with the goals of the Policy. The site is separated from agricultural land by a road lot, providing a measure of buffering to the (grazing) productive land.

State Coastal Policy 1996

28. In its supporting report, the planning authority submits that the subject site is not within a coastal zone and that there are no coastal overlays or triggers affecting the site.

Commission consideration

29. The Commission finds that the subject site is not agricultural land and the *State Policy on the Protection of Agricultural Land 2009* is not relevant to the draft amendment.
30. The Commission finds that water quality management measures can be required where appropriate to potential future development. The Commission finds that the draft amendment is consistent with the *State Policy on Water Quality Management 1997*.
31. The Commission finds that the draft amendment is not inconsistent with requirements for National Environment Protection Measures.
32. The Commission finds that due to the location of the site, approximately 1.2km east of the kanamaluka / River Tamar, the *State Coastal Policy 1996* is not relevant to the draft amendment.

Schedule 1 Objectives of the Act

33. In the applicant's report dated December 2025 each of the schedule 1 objectives were addressed individually. The applicant submitted (in part) that:
- ‘....The land is suited to residential use and development in a continuous pattern of use and development that maximises the use of the existing built infrastructure.’ Additionally, the applicant submitted that ‘The proposal is in keeping with fair, orderly and sustainable development as the land has existing status under the zone (FUZ) and the proposed zoning brings development opportunities into better alignment with the surrounding use and development.....’
34. The planning authority in its supporting report dated 28 April 2026 submitted (in part) that:
- ‘The subject site comprises cleared vacant land on the peripheries of the existing urban settlement. The property is suited to residential use and development, will maximise the use of existing infrastructure and will consolidate the existing urban form.
- While the land is subject to the priority habitat overlay, the application has demonstrated that the land does not have significant natural value and is largely cleared of native vegetation.’
35. The planning authority addressed each point in the schedule 1 objectives Part 1 and Part 2 individually and submitted the proposal furthered the objectives.

Commission consideration

36. The Commission agrees with the planning authority's submission and finds that the draft amendment seeks to further the objectives of the Resource Management and Planning System at Schedule 1 of the Act.

Modifications required to draft amendment

37. Under section 40M of the Act the Commission must consider whether modifications to a draft amendment of an LPS ought to be made.
38. The instrument map for the removal of the Natural Assets Code – priority vegetation overlay included adjoining land on a separate property in error. This land did not form part of the application and the error was confirmed by the planning authority via email correspondence.
39. As discussed above, the Commission makes the following modifications to the draft amendment:
40. Modify the map instrument for the removal of the Natural Assets Code – priority vegetation to exclude the land at 70 Arnold Street, George Town folio of the Register 143259/1 which does not form part of this draft amendment.

Decision on draft amendment

41. Subject to the modifications described above, the Commission is satisfied that the draft amendment meets the LPS criteria and gives its approval.

Consideration of the permit

42. Under section 40T(1) of the Act, a person who requests a planning authority under section 37 to amend an LPS may also:
 - (a) make an application to the planning authority for a permit, which permit could not be issued unless the LPS were amended as requested; and
 - (b) request the planning authority to consider the request to amend the LPS and the application for a permit at the same time.
43. Under section 42A of the Act, the Commission must consider the permit and, under section 42B, review the planning authority's decision as reported under section 42.
44. The permit sought is for a residential subdivision. The subject site is in the Future Urban Zone, and the proposal is currently prohibited and the reason for the proposed amendment.
45. The proposed subdivision is for the creation of a 20 residential lots within the General Residential Zone. The lots range from 486m² to 777m² accessed from Stonehouse Street. With the exception of lot 20

which is triangular, each lot is regularly shaped, orientated northwest and has a frontage of 12-18.5m.

46. A 512m², 18.0m wide road lot (lot 101) is also proposed in the General Residential Zone providing access to a 5.39ha balance lot in the Low Density Residential Zone.
47. As such the development application must be considered against the applicable standards in the General Residential Zone and Low Density Residential Zone and the applicable codes in the State Planning Provisions.
48. The Commission has reviewed the drafting of the planning permit conditions.

Assessment of the provisions of the planning scheme

49. Both the applicant and planning authority provided an assessment of the proposal against the planning scheme provisions in their reports.
50. The following zone and code provisions apply to the draft amendment:
 - General Residential Zone
 - Low Density Residential Zone
 - Parking and Sustainable Transport Code
 - Road and Railway Assets Code
 - Flood-Prone Areas Hazard Code
 - Bushfire-Prone Areas Code
 - Safeguarding of Airports Code
51. The Commission in reviewing the planning authority's assessment considers the proposal meets the relevant zone and code acceptable solutions, except for those discussed in further detail below.

8.0 General Residential Zone

Development standards – 8.6.1 Lot design

52. The planning authority in its supporting report dated 28 April 2026 stated 'The development relies on Performance Criteria as lots 18 and 11 are both burdened by 3m wide easements and have a frontage of 12m, confirming the 3m wide easement encroaches on the 10mx15m building envelope. Both lots are relatively deep and have a building area 9m x36m capable of achieving the Acceptable Solutions for setbacks and free of encumbrances.
53. It is noted that the area of the land occupied by easements is still capable of functioning as parking and private open space and can meaningfully contribute to residential use and development.'
54. The Commission accepts the submission and agrees with the planning authority that the performance criterion is satisfied.

8.0 General Residential Zone

Development standards – 8.6.2 Roads

55. The subdivision includes a proposed road lot and therefore unable to meet the acceptable solution. In the applicant's report dated December 2025 it was submitted that the proposal met the performance criteria.
56. The planning authority in its supporting report dated 28 April 2026 submitted the proposal adequately addressed the performance criteria and stated:

‘The location of the proposed road lot is considered to facilitate appropriate access to the balance land to the north, contributing positively to pedestrian connectivity and the permeability of the network. The road contributes to the safe, convenient and efficient movement of pedestrians and vehicles.’
57. The Commission notes that lots 1-20 each rely on the existing road infrastructure on Stonehouse Street for sufficient frontage and access. The Commission is persuaded that the proposed road lot is suitably located to provide access to the balance lot and future subdivision. The Commission accepts the submission and agrees with the planning authority that the performance criterion is satisfied.

C3.0 Road and Railway Assets Code

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

58. The subdivision includes a proposed road lot, and the new access was not accompanied by the written consent of the Road Authority. For this reason, the proposal was unable to meet the acceptable solution.
59. The application was supported by a traffic impact assessment (TIA) by Midson Traffic TIA dated August 2025. The TIA provided an assessment against the relevant performance criteria recognising the increased traffic generation (151 vehicles per day), low speed traffic environment, and need for an alternative access. The TIA concluded that ‘Importantly the proposed accesses are consistent with other driveway accesses within the surrounding network. The Accesses are within a very low traffic volume and low speed environment.’
60. The planning authority in its assessment of the permit noted that the TIA adequately addressed the performance criteria C3.5.1 P1.
61. The Commission accepts the submission and agrees with the planning authority that the performance criterion is satisfied.

C13.0 Bushfire-Prone Areas Code overlay

C13.6.1 Provision of hazard management areas

C13.6.2 Public and firefighting access

62. The Bushfire-Prone Areas Code overlay applies to the entirety of the subject site. The applicant's supporting documents included a Bushfire Hazard Report dated January 2026. To address the performance criteria, a bushfire hazard management plan is proposed incorporating a 10m wide easement on the adjoining land proposed in the Low Density Residential Zone to the rear (north) of the proposed General Residential lots 1-10 and on the eastern side of lot 11.
63. It is noted that this requirement is not reflected in a permit condition, such as the requirement for a suitable agreement under section 71 of the Act (Part 5 Agreement), which would require the future owners of the balance lot to maintain the bushfire hazard management area in perpetuity.
64. The Commission is not persuaded that the bushfire risk can be managed adequately without a suitable mechanism providing for the ongoing implementation and maintenance of the bushfire hazard management plan. This will become increasingly necessary as the land ownership changes in the future.
65. The Commission finds that the permit requires modification to include a condition to provide for the ongoing maintenance of the bushfire hazard management areas for the ongoing safety of future residents of the area.
66. Subject to the modification described above the Commission agrees with the planning authority that the performance criteria are satisfied.

Commission consideration

67. The Commission finds that subject to the modifications identified at Annexure B, the proposed use/development complies with the relevant provisions of the LPS.

Schedule 1 Objectives of the Act

68. The Commission finds that the draft permit furthers the Objectives at Schedule 1 of the Act.

Modified permit conditions

69. The TasWater notice to the planning authority provided conditions to be included in the permit under sections 56P and 56S of the Water and Sewerage Industry Act 2008.
70. Condition 23 on the TasWater notice provide for the payment by the developer of a fee for development assessment and for consent to register a legal document.

71. This condition is not for a proper planning purpose¹ and is to be removed but may be included as advice.
72. The Commission wrote to the planning authority and requested its view on an appropriate control for bushfire hazard management. The planning authority in its response dated 7 September 2026 stated that a Part 5 Agreement was an acceptable mechanism. The planning authority further submitted that Council's preference was an easement however a Part 5 Agreement could provide sufficient certainty for the future landowners.
73. The Commission wrote to the applicant on 10 September 2026 and provided a copy of the planning authority's letter, requesting the applicant on behalf of the landowner provide a view on the appropriateness of a Part 5 Agreement. The applicant's response dated 14 September concurred with the planning authority but did not indicate a preference for either mechanism.
74. The Commission considers that the appropriate mechanism is a Part 5 Agreement registered on the title of the land that would provide the bushfire management 'easement' area. The Commission finds that an additional permit condition for bushfire hazard management is required below:

Part 5 Agreement

The landowner must enter into an agreement with Council under Part 5 of the Land Use Planning and Approvals Act 1993 in such form as Council may require that provides for the following:

The 10m wide bushfire hazard management easement is to be maintained and managed in perpetuity as required by the Woolcott bushfire hazard report dated January 2026.

This agreement will be prepared and registered by Council. The landowner is responsible for all Council and Land Titles Office fees and charges. Upon written request from the landowner and payment of relevant fees, Council will prepare a Part 5 Agreement.

Decision on permit

75. The Commission modifies the conditions attached to the permit granted by the planning authority, as set out above, and as contained in Annexure B of the decision.

Attachments

Annexure A - Modified amendment

Annexure B - Modified permit

¹ See *Western Australian Planning Commission v Temwood Holding Pty Ltd* [2004] HCA 63 at 57 and 60

Annexure A

Modified amendment AMD-2026-1, Tasmanian Planning Scheme – George Town

1. Apply the Low Density Residential Zone and General Residential Zone at 1 Stonehouse Street, George Town folio of the Register 143259/2 as shown in Figure 1 below:



Figure 1 – 1 Stonehouse Street, George Town Zone Map

2. Delete the priority vegetation area overlay from 1 Stonehouse Street, George Town folio of the Register 143259/2 as shown in Figure 2 below:



Figure 2 – 1 Stonehouse Street, George Town priority vegetation area overlay

Annexure B

Modified permit – DA-2026-4

1. ENDORSED PLANS

The use and/or development must be carried out as shown on the endorsed plans and described in the endorsed documents:

- a. Woolcott Land Services, job no. L240128, Sheets 1 & 2, dated 23 February 2026;
- b. Woolcott Land Services, job no. L240128, S.40T Planning Scheme Amendment-Supporting Report, dated December 2025;
- c. Woolcott Land Services, Bushfire Hazard Report, January 2026;
- d. Collective Consulting, Infrastructure Report, dated December 2025;
- e. Collective Consulting, project no. 256025, Drawing No. COV-C, C011, C101, C501, dated 11 December 2025;
- f. Midson Traffic Pty Ltd, Stonehouse Street Rezoning and Subdivision, George Town Traffic Impact Assessment, dated August 2025;

to the satisfaction of the Council, unless otherwise specified by a condition of this permit. Any other proposed development and/or use will require a separate application to and assessment by the Council.

2. SUBMISSION AND APPROVAL OF ENGINEERING PLANS

Prior to the commencement of works, detailed engineering drawings and specifications must be submitted for an 'Assessment of Public Works' to the satisfaction of Council's Director Infrastructure & Operations. Such drawings and specifications must include the following:

- a. All infrastructure works shown on the endorsed plans and specifications or otherwise specified by the conditions below:
 - i. Roads, crossovers and reticulated drainage infrastructure;
 - ii. All necessary line marking and traffic signage;
 - iii. Reticulated water and sewage;
 - iv. Electricity infrastructure including street lighting;
 - v. Communications infrastructure.
- b. All new infrastructure is to be fully integrated with existing infrastructure networks within reasonable distance of the development.
- c. The Stormwater Management Plan must demonstrate that:
 - i. Post-development peak flows do not exceed pre-development flows for the 10% AEP event, based on a minimum 60% impervious area.
 - ii. Should modelling demonstrate insufficient capacity of the existing stormwater system on Stonehouse Street, or downstream to accommodate the additional runoff generated by the development, the developer must submit proposed solutions to mitigate this issue. Acceptable solutions may include:

- a. Onsite detention to reduce the peak runoff discharge to the Stonehouse Street system; or
- b. Upgrading the downstream stormwater network to an appropriate extent to ensure adequate capacity. The cost of upgrading the existing drainage system is to be borne by the developer.
- iii. Hydrologic and hydraulic modelling, including supporting calculations and assumptions, covering the entire development site and downstream drainage network to an appropriate extent, in accordance with Australian Rainfall and Runoff (ARR 2019).
- iv. Details of the minor stormwater drainage system, including pipe layout, pits, inlet structures, and outfalls.
- v. Mapping of overland flow paths, that the major drainage system safely conveys the 1% AEP event plus climate change allowance without adverse impacts to downstream properties
- vi. Details of the detention system (if required), including sizing & capacity, inlet and outlet control, and geometry (depth, area, and batter slopes).
- vii. All stormwater discharge points must be designed to prevent erosion, scour and nuisance to adjoining properties, and must be to the satisfaction of Council.
- d. Treatment of points of transition where new infrastructure does not match the existing is to be clearly detailed.
- e. A landscape plan must be submitted showing a minimum of one street tree per lot, with spacing between tree centres not exceeding 20m. Where practicable, a minimum 1.5 m clearance from the tree trunk must be maintained free of services, crossovers, footpaths and electrical infrastructure. Street trees are to be located to avoid conflicts with existing and future infrastructure, with provision made during service installation (e.g. sewer, water and telecommunications) to ensure adequate space for planting. Tree species must be approved by Council's Director Infrastructure & Operations.
- f. All public infrastructures are to be designed in accordance with the Austroads Guide to Road Design, LGAT Standard Drawings and Tasmanian Subdivision Guidelines, except where deviations are strictly necessary and approved or directed by Council's Director Infrastructure & Operations. The Guidelines are available at www.lgat.tas.gov.au
- g. The means of connection to power reticulation services to each lot and street lighting in accordance with a design approved by TasNetworks. A copy of the approved design must be submitted to Council upon approval by TasNetworks.
- h. The means of connection for all lots to telecommunications. Where physical infrastructure is provided, services are to be underground. Written advice regarding the preferred means of connection and/or a

plan approved by Telstra or other approved supplier must be submitted to Council upon approval by the supplier.

- i. All drawings are to be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.

In all instances where the detailed design requires deviation from the standards identified above, approval must be sought from Council's Director Infrastructure & Operations.

Any such request for approval must be accompanied by supporting evidence prepared by a suitably qualified engineer.

Once approved by Council's Director Infrastructure & Operations, engineering design drawings are valid for a period of five (5) years from the date of such approval, following which they will automatically lapse if they have not been carried into effect via works. Where any engineering design drawings have lapsed, Council may require the re-submission and review of the relevant engineering design drawings, any associated calculations and any other relevant information to ensure compliance with current infrastructure standards and applicable legislation.

3. CONSTRUCTION OF WORKS

Prior to the sealing of the Final Plan, all private and public infrastructure works must be constructed in accordance with the engineering design drawings approved by the Council's Director Infrastructure & Operations in accordance with Condition 2.

All works, including infrastructure and landscaping, must be commenced under the direct supervision of a civil engineer and completed to the satisfaction of the Council's Director Infrastructure & Operations.

Certification from the supervising engineer 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.

4. WORKS REQUIRED FOR EACH LOT IN A STAGE

The proposal may be staged with the approval of Council's Town Planner and Director Infrastructure & Operations.

Prior to the sealing of the Final Plan, each lot in a stage must be provided with the following infrastructure and/or services:

- 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;
- c. A stormwater connection to the public drainage system where required;
- d. Access to electricity and communications infrastructure.

All works, including landscaping and servicing, relative to each stage must be completed to the satisfaction of Council's Director Infrastructure & Operations.

5. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the commencement of works a construction environmental management plan is to be submitted to the satisfaction of the Director Infrastructure & Operations. The plan is to include plans and procedures for the management of:

- a. dust
- b. erosion, including stabilisation of exposed soils within reshaped drains;
- c. soil and water management to minimise discharge of polluted or sediment laden runoff directly or indirectly into Council's drains and watercourses; and
- d. noise

during construction. The plan is also to include a plan and procedure for receiving and addressing complaints from surrounding landowners. All works are to be undertaken in accordance with the approved soil and water management plan.

6. CONTRIBUTION IN LIEU OF PUBLIC OPEN SPACE

Pursuant to section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, Council has determined that the subdivision will, or is likely to, increase the demand for public open space and, as no or no sufficient or acceptable provision has been made in the plan of subdivision for public open space, Council has determined that payment of a cash contribution (the Contribution) in lieu of public open space is appropriate.

The Contribution must be in an amount equal to five percent (5%) of the value of the area of land (relative to each stage) in the approved plan of subdivision, excluding the balance lot (lot 200).

The amount of the Contribution is to be determined by a valuation (the Valuation) of the specified lots prepared by a registered land valuer. The Valuation must be procured at the subdivider's expense. Unless otherwise specified in this condition, the Valuation is to determine the value of the relevant land as at the date of lodgment with Council of the Final Plan of subdivision for sealing (the Final Plan), following the completion of all works required by this permit, including but not limited to all private and public infrastructure and landscaping works.

The subdivider must pay the Contribution to Council before the Final Plan will be sealed by Council.

References in this permit condition to payment of a Contribution includes the provision of security for the same in the form of a bond by the landowner to pay the Contribution which is supported by a bank guarantee, in accordance with the requirements of sub-section 117(4) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. Each of the bond and the guarantee must be in a form acceptable to Council.

7. TRANSFER OF ROAD LOT

The road Lots (Lots 101 and 102) are to be transferred to Council on sealing of the Final Plan (the lot is to be directly issued in the name of George Town

Council). All costs incurred in the surveying and transfer of the road Lots are to be borne by the subdivider.

8. DEFECT LIABILITY PERIOD

Prior to the sealing of the Plan of Survey, the person responsible must lodge with Council a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period for the amount of 5% of the construction value of the public works.

9. VEHICULAR CROSSOVERS

Prior to the sealing of the Final Plan, driveway crossovers for each lot must be constructed in accordance with the endorsed plans and Tasmanian Standard Drawing TSD-R09-v3, to Council's satisfaction. All crossings are to be sealed from the road edge to the property boundary with either minimum 35 mm asphalt or 150 mm concrete.

10. 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) stormwater mains. A greater or lesser width may be approved/required in appropriate circumstances.

A bushfire hazard management easement is to be provided on the Balance land in accordance with the Endorsed Bushfire Hazard Management Plan.

11. COVENANTS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a) such covenants or controls are expressly authorised by the terms of this permit; or
- b) such covenants or similar controls are expressly authorised by the consent in writing of the Council.

***12. TASWATER**

The development must be in accordance with the Amended Submission to Planning Authority Notice issued by TasWater (TWDA 2026/00127-GTC attached). Except for condition 23 which does not form part of the permit.

13. NO POLLUTED RUNOFF

No polluted and/or sediment laden runoff must be discharged directly or indirectly into Council's drains, watercourses or the foreshore during and after development.

14. DAMAGE TO PUBLIC INFRASTRUCTURE

Any damage to public infrastructure shall be repaired at the owner's cost. If any repairs are necessary, they will be undertaken in accordance with the requirements and to the satisfaction of the Director Infrastructure & Operations.

***15. Part 5 Agreement**

The landowner must enter into an agreement with Council under Part 5 of the *Land Use Planning and Approvals Act 1993* in such form as Council may require that provides for the following:

The 10m wide bushfire hazard management easement is to be maintained and managed in perpetuity as required by the Woolcott bushfire hazard report dated January 2026.

This agreement will be prepared and registered by Council. The landowner is responsible for all Council and Land Titles Office fees and charges. Upon written request from the landowner and payment of relevant fees, Council will prepare a Part 5 Agreement.

***permit conditions modified by the decision of the Tasmanian Planning Commission dated 28 October 2026**