

From: [Shane Wells](#)
To: [TPC Enquiry \(DoJ\)](#)
Subject: AM 2018 07 Rheban Road
Date: Thursday, 6 June 2019 8:03:06 AM
Attachments: [image001.jpg](#)
[Draft Permit 05.06.2019V2.doc](#)

Please find attached a draft permit prepared in conjunction with the panel direction

regards

Shane Wells
Manager Development and Compliance
m: 0400 336 796



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Issued to: MJ & HFG Lawrence

Issued on: 27 November 2018

Issued under: Issued pursuant to [Tasmanian Planning Commission decision of XX XXXX 2019 Planning Authority resolution 27 June 2018.](#)

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~~Use: Residential~~

Development: Subdivision of 91 lots plus public open space and road lots

Site: **Lot 2, Rheban Road**, Orford (CT 149641/2, located generally between Rheban Road and East Shelly Road and 270m east of Jetty Road)

Title: CT 149641/2

Legislation: [Section 43H \(1\) \(b\) \(ii\) of the Land Use Planning and Approvals Act 1993 and section 81 of the Local Government \(Building and Miscellaneous Provisions\) Act 1993](#)

CONDITIONS

1. Use and development must be substantially in accordance with the endorsed plans being the plans prepared by Aldanmark Pty Ltd (Ref: 170724 CIV 15E96-10 B Z01-Z05 dated 20/12/2017 and 170724 CIV 15E96-10 C Z06-Z08 dated 24/07/17) and documents unless modified by a condition of this permit.

Advice: Any changes may either be deemed as substantially in accordance with the permit or may first require a formal amendment to this permit or a new permit to be issued.

- ~~2.~~ Use and development must comply with the requirements of TasWater specified by 'Submission to Planning Authority Notice' reference number TWSA 2017/00199-GSB, dated 13 August 2018 and attached to this permit.

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~~2.~~ [\(TPC to modify\)](#)

3. Lots 77 and 78 must be consolidated.

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~~4.~~ Use and development must be substantially in accordance with the Traffic Impact Assessment prepared by Milan Prodanovic dated July 2017 unless modified by a condition of this permit.

~~5.~~ Prior to the commencement of works the boundaries of the lot are to be re-pegged.

~~4.6.~~ In the event that any trees requiring removal under the recommendations of the Traffic Impact Assessment are located outside the lot, the developer must obtain the written authorisation of the General Manager or their delegate prior to removing any such vegetation.

~~5.7.~~ The development must be substantially in accordance with the Bushfire Hazard Management plan Assessment Report, by Andrew Goodsell, dated October 2018, and submitted with the application, or as otherwise required by this permit, whichever standard is greater.

~~6.8.~~ The staging plan must be amended to include road access for lots 31 to 39 as part of stage 1.

~~9.~~ The land shown on the proposal plans as 'POS' comprising an area of 17,762m² must be shown on the final plans as Public Open Space and transferred to the Glamorgan Spring Bay Council upon registration of the sealed plan for Stage 2.

~~7.~~ Prior to sealing the final plan of survey for any lots in Stage 2, the public open space lot must be transferred to Council.

~~10.~~ Land noted as 'ROAD', and land shown as footways (or similar) must be transferred to the Glamorgan Spring Bay Council upon registration of the sealed plan for the relevant stage.

~~8.~~ All land noted as roadway, footway, open space or similar must be transferred to Council. Complete transfer documents that have been assessed for stamp duty, must be submitted with the final plan of survey.

~~9.11.~~ The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's Municipal Engineer.

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~~40-12.~~ Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.

~~44-13.~~ The final plan or survey must show the corners of each road intersection must be splayed or rounded by chords of a circle with a radius of not less than 6m to the satisfaction of Council's General Manager.

Environment Management

~~42-14.~~ The developer must implement a soil and water management plan (SWMP) to ensure that soil and sediment does not leave the site during the construction process and must provide a copy of the SWMP to Council's General Manager prior to the commencement of works.

~~43-15.~~ No top soil is to be removed from the site.

~~44-16.~~ All vehicles and equipment associated with construction of the development and/or operation of the use must be cleaned of soil prior to entering and leaving the site to minimise the introduction and/or spread of weeds and diseases to the satisfaction of Council's General Manager.

~~45-17.~~ Prior to the commencement of works a list of procedures describing cleaning and monitoring practices in terms of weed and disease management must be submitted to Council's General Manager. If considered satisfactory, the procedures will be endorsed and will form part of the permit.

~~46-18.~~ Prior to the commencement of works a weed eradication plan must be submitted. The plan, and its implementation, must be to the satisfaction of Council's General Manager.

~~47-19.~~ Native vegetation must not be removed, lopped, ring-barked or otherwise wilfully destroyed, removed or adversely impacted on other than the minimum necessary for ~~the civil construction, of buildings and works,~~ the connection of services, vehicular access and roads including implementation of the Traffic Impact Assessment and the implementation of a Bushfire Hazard Management Plan to the satisfaction of Council's General Manager.

~~48-20.~~ Suitable barriers must be erected during the construction of the development to ensure native vegetation that must be retained is not damaged during construction works.

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Engineering

[49-21](#). Prior to sealing the final plan the following works must be completed in accordance with engineering design drawings endorsed by Council's Municipal Engineer:

- (a) Lot connections for each lot:
 - i. Connection to reticulated stormwater;
 - ii. Connection to electricity network;
 - iii. Connection to telecommunication network.

- (b) Vehicle access for each lot:
 - i. Reinforced concrete vehicle crossover to front boundary;
 - ii. Vehicle driveway over access strip for all shared rights of way and internal lots.

- (c) Road construction:
 - i. Fully paved, sealed and drained road carriageway with a 8.9m wide carriageway (or 6.9m carriageway with indented parking bays) and 18m road reservation;
 - ii. Low profile (LGAT standard drawings type KCM or KCM2 equivalent) concrete kerb and channel both sides;
 - iii. Concrete footpaths 1.5m wide on at least one side with kerb ramps;
 - iv. Concrete footpaths 1.5m wide on both sides of the road fronting lots 1 to 3 and lots 34 and 36
 - v. Underground stormwater drainage;
 - vi. Underground electrical and telecommunications reticulated infrastructure;
 - vii. Street lighting;
 - viii. Street trees;
 - ix. Street sign and standard to each intersection.

- (d) Stormwater network:
 - i. An underground stormwater drainage system capable of accommodating a storm with an ARI of 20 years, when the land serviced by the system is fully developed.
Where the existing public stormwater infrastructure has insufficient capacity to accommodate the increased stormwater runoff from the development, the developer is to upgrade public stormwater infrastructure or limit any increase such that it can be accommodated within the existing or upgraded public stormwater infrastructure. The

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details of any measures to limit stormwater or upgrade existing infrastructure are to be included in the Engineering design drawings to be submitted to the Glamorgan Spring Bay Council for approval.

- ii. A major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.
- iii. A stormwater property connection to each lot capable of servicing the entirety of each lot by gravity.
- ~~iv.~~ Stormwater treatment utilising Water Sensitive Urban Design Principles These Principles will be in accordance with the Water Sensitive Urban Design Procedures for Stormwater Management in Southern Tasmania and to the satisfaction of the Council's Municipal Engineer.
- ~~iv-v.~~ The removal and remediation of the existing dam from within the public open space lot.

(e) Public open space:

- ~~i.~~ Within a distance of 140m from Rheban Road, the public open space land must provide opportunities for recreation whilst also accommodated water sensitive urban design principles. The land must be shaped and grassed to provide a generally smooth and even grade and provide a wide swale for stormwater management purposes the detail of which must be shown in the engineering design drawings;
- ~~ii.~~ The balance of the public open space shaped to be fit for purpose; must retain the existing native vegetation and provide additional plantings of endemic native shrubs and trees the details of which must be described in a landscaping plan which must form part of the engineering design drawings;
- ~~ii.~~ Landscaping;
- iii. Electrical & water, ~~stormwater and sewer lot~~ connections fit for purpose;
- iv. Vehicular crossover or suitable access;
- v. Concrete or gravel footpaths fit for purpose;

(f) Rehabilitation

- ~~i.~~ Provision of top soil and grass or vegetation on all disturbed surfaces

All work must be to a standard that is to the satisfaction of Council's Municipal Engineer.

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Advice: Some or all works may be bonded subject to satisfaction of relevant Council policies.

- 20-22. Prior to the commencement of construction works, engineering design drawings showing all work required by this planning permit, and any additional work sought, must be submitted to Council's Municipal Engineer. The engineering design drawings must be prepared in accordance with the current:
- Tasmanian Subdivision Guidelines
 - Tasmanian Standard Drawings
 - Council policy
 - A comprehensive stormwater management plan including calculations of the stormwater drainage system, including treatment, detention and outfalls must be submitted in conjunction with the engineering design drawings for approval.

If considered satisfactory, the plans or documents will be endorsed by Council's Municipal Engineer and will form part of this permit.

Advice:

- The Tasmanian Subdivision Guidelines and Tasmanian Standard Drawings are available at www.lgat.tas.gov.au.*
- Variations from the Tasmanian Subdivision Guidelines and Tasmanian Standard Drawings may be approved at the discretion of Council's Municipal Engineering where a clear justification exists and the alternative solution is to a no lesser quality in terms of infrastructure performance or maintenance costs over the life of the asset.*
- Engineering design drawings must also include provisions for soil and water management*
- Engineering design drawings will expire two years after approval and will be endorsed as such by Council's Municipal Engineer.*

24-23. For any internal lot, all electrical, telecommunication, stormwater, water and sewer lot connections must be extended, or conduits for, for the full length of the access strip to the buildable area of lot.

- 22-24. Prior to sealing the final plan of survey the developer must submit to Council:
- A "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from NBN Co;
or

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written advice that the existing NBN and copper infrastructure is adequate and future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed.

- (b) A Letter of Release from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with;

or

written advice that existing infrastructure is adequate and future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed.

23-25. Works are subject to a 12 month defect liability period commencing from date of practical completion for each stage during which time all maintenance and repair of works during this time as the responsibility of the developer.

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24-26. A bond clearly in excess of 5% of the value of work and no less than \$5000.00, must be submitted to Council at the commencement of the defect liability period or prior to sealing the final plan or survey, whichever is earliest. The bond will be returned at the expiration of the defect liability period if all works are maintained and repaired as necessary to the satisfaction of Council's Municipal Engineer.

25-27. Prior to sealing the final plan of survey, as constructed drawings of all works undertaken must be submitted. The extent and quality of the as constructed drawings must be to the satisfaction of Council's Municipal Engineer.

26-28. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

27-29. The developer shall provide a commercial skip for the storage of builders waste on site and arrange for the removal and disposal of the waste to an approved landfill site by private contract.

The following advice is provided for information and assistance only and imposes no direct obligation on the developer.

- A. Please read all conditions of this permit and contact the planner for clarification if required.
- B. All costs associated with acting on this permit are borne by the person(s) acting on this permit.
- C. The following legislation may impose obligations that affect the approved or use development. This legislation is separate to the planning scheme and as such has not been considered by the Planning Authority in granting this permit. You may wish to obtain your own independent advice or discuss with the relevant Government department:
 - Aboriginal Relics Act 1975 (Tasmanian)
 - Threatened Species Protection Act 1995 (Tasmanian)
 - Weed Management Act 1999 (Tasmanian)

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- Disability Discrimination Act 1992 (Commonwealth); see AS 1248 for technical direction
 - Environment Protection and Biodiversity Conservation Act 2000 (Commonwealth)
 - Environmental Management and Pollution Control (Miscellaneous Noise) Regulations 2014 (Tasmanian)
- D. This permit is valid for two years from the date of approval and shall lapse unless it has been substantially commenced to the satisfaction of the Council Senior Planner or otherwise extended by written consent.
- E. The permit and conditions on this permit are based on the information submitted in the endorsed plans and documents. The Planning Authority is not responsible or liable for any errors or omissions. I encourage you to engage a land surveyor to accurately set out the location of buildings and works.
- F. The Environmental Management & Pollution Control (Distributed Atmospheric Emissions) Regulations 2007 prohibit backyard burning in incinerators or in the open on lots less than 2000m² and the burning of plastics, and other non-wood or vegetative material.
- G. The granting of this permit takes in no account of any civil covenants applicable to the land. The developer should make their own enquiries as to whether the proposed development is restricted or prohibited by any such covenant and what consequences may apply.
- H. Sealing of a final plan of survey is subject to a prescribed Council fee. Please refer to www.gsbc.tas.gov.au for the fee current at the date of lodgement of the final plan or survey.
- I. Land Title Office fees must be paid directly to the Recorder of Titles.
- J. The final plan of survey will not be sealed until all works required by this permit are complete.
- K. The final plan or survey is inclusive of any schedule of easement and Part 5 Agreement.
- L. The developer is responsible to ensure that all necessary inspections are undertaken before proceeding past mandatory inspection points as detailed in the

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Tasmanian Subdivision Guidelines. A minimum of 2 full working days notice must be provided to ensure Council can inspect at the requested time.

- M. The developer may suggest street names. Suggestions should be received three months prior to sealing the final plan of survey and be made in writing to the General Manager.

A handwritten signature in black ink, appearing to read "D. Metcalf", is positioned above the printed name.

David Metcalf
GENERAL MANAGER

DRAFT