

## **C2. DRAFT PLANNING PERMIT CONDITIONS - SUB-36/2017**

1. The development must be substantially in accordance with SUB-36/2017, as shown on the following documents and plans:
  - Plans including Plan of Subdivision
  - Content page: V704UH (dated 10-8-2020)
  - Plans: V704UH: 0; 1, 2, 3, 4, 5, 6, and 9 (8 pages; dated 10-8-2020)
  - Plans: V704UH: Plans: 10 – 11 (31-7-2020)
  - Plans: V704UH: Plans: 50D; 51D; 52D (26-9-2019)
  - Cygnet WWTP Odour Buffer Review (2017) prepared by Pitt and Sherry;
  - Environmental Impacts & Attenuation Report (2020) prepared by SEAM Environmental;
  - Bushfire Hazard Report (April 2020) and Bushfire Management Hazard Plan (2 April 2020) prepared by Mr Van den Berg (GES Environmental Solutions) ('Bushfire Report and Plan');
  - Stormwater Planning Report (2020) prepared by PDA Surveyors;
  - Traffic Impact Assessment (2019) prepared by Midson Traffic;
  - Land Capability Assessment (2017) prepared by GES Environmental Solutions;

Whoever acts on this permit (hereinafter referred to as the 'landowner') must comply with the all conditions of the Permit. Any amendment, variation or extension of this Permit requires further planning consent of Council. Any amendment, variation, or extension of this permit requires further approval.

2. The subdivision must only proceed in accordance with the 12 stages referred to Plan V704UH-4 d10 August 2020 prepared by PDA Surveyors ("Subdivision Plan") unless otherwise approved by Council.
3. Lots described as "public open space", "public access way", "road", "to be acquired by the Highway Authority" or other way or land designated to become public land on the Final Plan must be transferred to Council for a nominal sum of \$1.00 and must be accompanied by a Memorandum of Transfer to the Huon Valley Council, all documentation in relation to discharges of any Mortgages, withdrawal of caveats, and all other relevant registrable dealings. This Transfer must be executed by the vendor, identifying the lot(s) to be transferred and the landowner is responsible for all Lands Titles Office fees and charges and duty in relation to the document.

### Lot 56

The landowner is to ensure that Lot 56 (or other lot adjacent to this lot) is marked as 'road' on a Final Plan of Survey to be lodged with Council for sealing prior to the final stage of subdivision. This road lot is to be constructed as a road to municipal standards and transferred to Council for \$1.00 in accordance with this condition prior to the final stage of subdivision to provide connection between the Balance Lot and the approved subdivision.

### Lot 106

The landowner is to ensure that Lot 106 (footway lot) is marked as 'footway' on a Final Plan of Survey, constructed as a footway lot in accordance with standard requirements and these conditions, and transferred to Council in accordance with this condition for \$1.00 prior to the final stage of subdivision.

### Lots 101,102 and 103

The landowner is to ensure that Lots 101,102 and 103 are marked as 'road' on a Final Plan of Survey to be lodged with Council for sealing prior to the final stage of subdivision. The road lots are to be constructed to municipal standards in accordance with these conditions and transferred to the Crown in accordance with this condition prior to the final stage of subdivision.

4. A footpath is to be constructed on the southern side of the Channel Highway in accordance with Annexure 10 and other approved documentation in accordance with standard construction requirements to connect the junction of the subdivision with the existing footpath.
5. In accordance with the approved application documentation, the landowner is to submit a Landscaping Plan for Lot 104 for approval with details of suitable trees and plants for growing on the lot, proposed timeframe of commencement of the landscaping and landscape management procedures. The plan is to be submitted prior to the sealing of Stage 1 of the subdivision. The surface of the public footway or path on this lot is to be sealed in accordance with Council's requirements.
6. All works for the installation of infrastructure on the Esplanade that are carried out at the outfall area must be undertaken in accordance with the '*Wetlands and Waterways Works Manual*' (DPIPWE, 2003) and "*Tasmanian Coastal Works Manual*" (DPIPWE, Page and Thorp, 2010).
7. The landowner must ensure development of the land is carried out in accordance with all requirements and recommendations of the Bushfire Report and Plan (and any approved revision of that plan). The Bushfire Report and Plan must be fully implemented by the landowner for each stage and must thereafter be maintained by the landowner.

Prior to the sealing of the Final Plan of each respective stage all requirements of paragraph 5.2, 5.3, Table 1, 2 and 3 including completion and registration of Part Agreements under the *Land Use Planning and Approvals Act 1993* ('Act') as required by the Bushfire Report and Plan, must be completed to the satisfaction of the Council. An approved stage of a subdivision will not be sealed unless the Council is satisfied these requirements have been implemented as required by the Bushfire Report and Plan, and in accordance with all statutory requirements including requirements of a Director's Determination under the *Building Act 2016*, where applicable.

8. The conditions set out in the TasWater Submission to Planning Authority Notice dated 20 December 2019 (TWDA 2017/01865-HVC) apply to this permit (as attached).
9. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Director Infrastructure Services. The cost of locating the pipes and creating the easements must be at the landowner's full cost.

10. The Final Plan of Survey and Schedule of Easements together with any Part 5 Agreement, Transfer or other related document must be submitted to Council together with two copies of each which are to include provision for building envelopes and for residential dwelling density in accordance with the approved plans. At the time of lodging the Final Plan of Survey, the landowner must ensure that all conditions of approval have been completed and provide a written statement to this effect.
11. Reinforced concrete pathways must be constructed centrally within the footway reservations and Public open spaces at locations shown on the submitted subdivision proposal plans in accordance with TDS-R11 and TSD-E01;
12. Reinforced concrete footpaths must be constructed at locations shown on the submitted subdivision proposal plans in accordance with TDS-R06, TSD-R0 , TSD-R11, TSD-R18, and TSD-E01;
13. Survey pegs must be stamped with lot numbers prior to the sealing of each stage of the subdivision.
14. Council will provide unique road numbers for all the proposed roads within the development. These numbers must then be referenced on the design and "As-Constructed" drawings. The proposal will also be assessed as to the suitability of street numbering for each road segment. The applicant must submit to Council within one month of the permit being issued a list of preferred names for new roads or alternately select name from Council's preferred road name listing. Council will endorse, or otherwise, the proposed road names.

Should the applicant not submit or select road names Council will allocate a name from the preferred road name listing.

All new road signs related to this development must be provided and installed by Council at the applicant's cost. The actual costs must be paid prior to the sealing of the Final Plan of Survey and shall be based on the rates adopted by Council at the time of payment.

15. The applicant must not commence civil construction works within a road reservation until the following requirements are met:
  - (a) A 'Permit to carry out works within a Council road reservation' has been issued by Council and the associated application fee paid;
  - (b) A traffic and pedestrian management plan has been lodged with Council in accordance with Department of State Growth 'Traffic Control at Work Sites' code of practice; and
  - (c) Written approval from the Department of State Growth for any works within a State Road reservation has been issued.
16. Road reservation must be provided with lot boundaries splayed where necessary, and shown as "Road" on the Final Survey Plan. The applicant must arrange for the necessary transfer of the road reservations to Council at the time of lodgement of the Final Plan of Survey for sealing.

Road reservation widths must in accordance with TDS-R06, TSD-R07 and TSD-R08;

17. The road layout and design must be adequate to provide for the proper operation and manoeuvrability of Council's contract garbage collection vehicles and operations.
18. Road pavements must be designed in accordance with IPWEA Tasmanian subdivision guidelines and TDS-R06 to the satisfaction and approval of the Director Infrastructure Services in accordance with the following requirements:
  - (a) General road gradient must be  $> 0.5\%$  and  $\leq 16\%$ ;
  - (b) Pavements must be designed to suit the ultimate traffic loads determined after completion of geotechnical reports of the sub grade. Minimum soil testing required for the design of the pavement must comprise a representative on-site soaked CBR test for every 50m of road pavement (or part thereof) or where there is change of sub grade;
  - (c) The pavement design calculations including the geotechnical report must accompany the plans submitted for approval;
  - (d) The sub grade must be inspected and approved prior to commencement of construction of the pavement in accordance with construction guidelines. Any sub grade improvements shall be subject to additional inspections and approvals;
  - (e) Surface (wearing course) must be a minimum 40mm thickness approved compacted hot mixed asphalt in accordance with TDS-R06 and TSD-E01;
  - (f) Concrete kerb and channel must be provided to both sides of any new road pavement with a minimum gradient of 1.0%. and must in accordance with TDS-R06, TSD-R14 and TSD-R16;
  - (g) Road subsoil drainage must be installed in accordance with TDS-R06 and TSD-R12;
  - (h) Road pavements shall be designed to convey the 1 in 100 year ARI storm event overland flow; and
  - (i) Road drainage systems must be integrated with the subdivision piped stormwater reticulation system and filtered/detained point discharges.
19. Road junctions and accesses must be designed in accordance with the provisions of the *Huon Valley Interim Planning Scheme 2015* and the requirements for the guidelines of the Department of State Growth for traffic impact and site distance assessments. The applicant must submit to the Department of State Growth and the Director Infrastructure Services a traffic management plan for approval, incorporating the following:
  - (a) Road signage;
  - (b) Pavement markings;
  - (c) Pedestrian crossings; and
  - (d) Any other requirements that the Department of State Growth or the Director Infrastructure Services may require.

The provision and installation of all such infrastructure must be at the applicant's expense

20. Minimum sealed road widths must 7.5m lip of gutter to lip of gutter unless otherwise approved by the Director Infrastructure Services.
21. All sewer, water and stormwater extensions or relocations including Tas Networks and telecommunication authorities supply infrastructure including fibre ready facilities (pit and pipe that can hold optical fibre line) that are externally required to serve the development must be constructed to the approval of the Director Infrastructure Services at the applicant's cost.
22. Site filling that exceeds a depth of 300mm must be placed in accordance with *AS3798 Guidelines for commercial and residential developments 1996*. Upon completion of the works, the supervising engineer must confirm in writing that the works have been carried out in accordance with AS 3798. The location of fill areas must be shown on the "as constructed drawings" and Final Plan of Survey.
23. A piped reticulated stormwater system minimum 375mm diameter, a Gross Pollution Trap and associated treatment devices, overland flood ways and point discharges to the natural water course must be provided in accordance with the following:
  - (a) Sized to contain a minimum of a 1 in 20 year ARI storm event from the contributing "developed" upstream catchment.
  - (b) 150mm diameter individual lot drainage connections to service the lowest point of each lot connected to a piped stormwater main or sub main system as required.
  - (c) Overland flow paths for the 1 in 100 ARI storm event. Paths must be located within road reservations and pavements, footways or public open spaces.
24. Underground power must be provided to each lot and street lighting in accordance with the requirements of Tas Networks at the applicant's cost and as follows:
  - (a) Cabling and street lighting design including annual operating costs must be submitted to Council for approval prior to engineering plan approval.
  - (b) Generally standard Aurora Energy standard poles together with Huon Valley Council required LED lamps and lenses must be provided.
  - (c) The applicant must provide Council with the following pole, lamp and lens assemblies at no cost to Council:
    - (i) 0-4 streetlights - one (1) complete assembly.
    - (ii) 5-12 streetlights - two (2) complete assemblies.
    - (iii) More than 12 streetlights – three (3) complete assemblies.
25. Prior to the commencement of Stage 1 site works a Soil and Water Management Plan (SWMP) must be prepared by a suitably qualified engineer for the approved staged subdivision construction works to the satisfaction and approval of the Director Infrastructure Services and in accordance with the following:
  - (a) NRM South – Soil and Water Management of Construction Sites Guidelines.

- (b) Prior to commencement of each stage of the subdivision the approved SWMP must be implemented and satisfactorily inspected by the Council's Development Engineer.
- (c) Suitable approved topsoil must be stockpiled on the site for future reinstatement of disturbed areas for each construction stage.
- (d) All cleared vegetation must be removed from the site. Disposal by burying or burning is not permitted.
- (e) Prior to practical completion of each approved construction stage all disturbed surfaces on the land authorised by this permit, except for those areas set aside for roadways and footpaths, must be dressed to a minimum depth of 50mm with:
  - (f) Approved local stockpiled topsoil;
  - (g) Approved weed free imported topsoil; and
  - (h) Revegetated with local plants, grasses and stabilised.

26. At practical completion and the satisfactory completion of all mandatory audit inspections for each approved stage of the subdivision works the supervising engineer must:

- (a) Request a joint on site practical completion inspection with the Council's authorised representative;
- (b) Provide written confirmation that the works have been substantially completed in accordance with the Council approved plans and specifications and that the appropriate levels of quality and workmanship have been achieved;
- (c) Provide a copy of relevant documentation that all requirements have been carried out as applicable by the following:
  - i. Department State Growth
  - ii. Department Primary Industries and Water
  - iii. Telecommunication authorities
  - iv. Tas Networks
  - v. Tas Water
  - vi. Component Manufacturers - GPT
- (d) Supervising engineer's certification that site filling exceeding 300mm has been placed in accordance with AS3798 (guidelines on earthworks for commercial and residential developments). Fill areas must be shown on the 'As Constructed' drawings;
- (e) Provide a signed checklist for 'As Constructed' drawings;
- (f) Submit A1 size 'As Constructed' drawings in accordance with Council's Survey Brief, at a scale of 1:200 or 1:500 as appropriate, unless approved otherwise, certified as correct by a registered land surveyor in accordance with Council's

Survey requirements for subdivisions, developments and capital works projects;

- (g) Submit A1 size 'As Constructed' drawings of all traffic management signage, pavement markings and associated infrastructure as approved by the Department of State Growth;
- (h) Provide digital files clearly labelled and must be provided in AutoCAD DXF/DWG format;
- (i) Provide CCTV inspection and associated report of any new public stormwater infrastructure to be taken over by Council;
- (j) The supervising engineer must provide operating and maintenance manuals and appropriate training sessions for the Gross Pollution Trap.
- (k) Council will issue a Certificate of Practical Completion including a minor defects list, upon the successful completion of:
  - (i) All mandatory audit inspections
  - (ii) Provision of acceptable documentation
  - (iii) Practical completion inspection
  - (iv) Provision of Bond and Bank guarantees.

27. The supervising engineer or landowner must lodge a maintenance bond and Bank guarantee of 10% of the total contract sum including GST to cover the satisfactory rectification of minor defects and defective works during the statutory 52 weeks maintenance period prior to the issue of Certificate of Practical Completion for each approved stage of the subdivision.

The landowner is to complete a security agreement for management of construction works during the maintenance period of each stage with Council prior to the sealing of a Final Plan of Survey for a stage of the subdivision

28. All works associated with each approved stage of the subdivision must be completed to the satisfaction of the Director Infrastructure Services prior to the sealing of the Final Plan of Survey by Council for the respective stage. Quality assured contractors may lodge a notice of intent to Council requesting assessment and approval that security be accepted to cover the completion of any outstanding works to enable the sealing of the Final Plan of Survey. The assessment will be in accordance with Council's policy at the time and shall include but not be limited to the following and subject to an onsite inspection and report by Council's officers and confirmation in writing:
- (a) All road pavement, kerbs, channels and accesses must be substantially constructed;
  - (b) All sewer, stormwater, water mains and associated house connections must be constructed and capable of satisfactory operation;
  - (c) Written confirmation that all requirements of the Department of State Growth, Aurora and Telecommunication agencies and other services authorities have been satisfactorily completed; and

(d) The provision of acceptable "As Constructed" drawings.

29. The satisfactory completion of all public infrastructure for each stage of the subdivision works shall be considered achieved when:

- (a) A Certificate of Practical Completion has been issued;
- (b) Minor defects and any defective works have been satisfactorily rectified at the completion of the 52 week maintenance period;
- (c) Council shall be entitled to call upon the bond and bank guarantee funds to complete or rectify any outstanding defective works after the expiry of the maintenance period;
- (d) At the end of the statutory 52 week maintenance period, the supervising Engineer must request a joint onsite inspection with the Council's authorised representative to confirm that all outstanding practical completion minor defects and defective works have been satisfactorily completed;
- (e) Upon satisfactory completion of all outstanding practical completion, minor defects and defective works Council will issue a notice of satisfactory 'Final Inspection' and all of the infrastructure works shall be taken over by Council;

After takeover of the works, it shall be the responsibility of the supervising engineer or applicant to request Council to release all Bond and Bank Guarantee monies

30. The design and construction works for the staged subdivision must be carried out generally in accordance with the submitted application plans and associated hydraulic and traffic impact assessment reports to the satisfaction and approval of the Director Infrastructure Services and in compliance with the following:

- (a) IPWEA Tasmanian standard construction drawings and specifications;
- (b) IPWEA Tasmanian subdivision guidelines
- (c) Austroads standards;
- (d) Australian rainfall and run off guide lines;
- (e) The engineering design plans must include but not limited to the following:
  - i. Implementation of the following recommendations of the Traffic Impact Assessment undertaken by Keith Midson Traffic Engineer by the applicant at the landowner's cost:
  - ii. Construction of the internal road network in accordance with the approved subdivision staging plan including, junctions, concrete footpaths, footways, flood ways, reticulated stormwater system, the Gross Pollution trap and associated filtered stormwater devices.
- (f) the driveway and road design must detail the following:
  - i. long and cross sections of the driveway/access road;
  - ii. cut and fill batters and any stabilisation works required;
  - iii. contours, finish levels and gradients of the driveway/access road;



- iv. drainage and scour protection;
  - v. pavement construction; and
  - vi. sight distance at road junctions and accesses demonstrating compliance with the minimum requirements of the planning scheme;
- (g) the stormwater design must detail the following:
- i. water sensitive urban design principles must be incorporated to achieve the acceptable stormwater quality and quantity targets required in Table E7.1 of the *Huon Valley Interim Planning Scheme 2015*. Supporting documentation with associated hydraulic calculations and MUSIC modelling must be submitted;
  - ii. long section details must be provided for the proposed stormwater infrastructure and supporting documentation and associated hydraulic calculations must be submitted;
  - iii. drainage easements must be provided within the subject property boundaries and the stormwater main must be located centrally within the easement;
- (h) All vegetation to be retained and removed for the subdivision works;
- (i) All other work required by this permit
- (j) The engineering plan approval will be valid for a maximum period of two years from the date of Council endorsement, and if practical completion has not been achieved within the time limit, the engineering plans will be subject to re-assessment;

The engineering plans and specifications must be prepared and certified by an accredited professional engineer to the satisfaction and approval of the Director Infrastructure Services

A fee equal to 2% of the contract fee of the civil construction works or where no contract is let, an estimate of this fee prepared by a registered consulting engineer is payable to the Council prior to commencement of the works. If required by the Council the landowner is to provide the schedule of costed civil construction works or other documentation setting out the contracted amount.

- 31. Any deficiencies identified and any upgrading of Council infrastructure is to be undertaken at the landowner's expense.
- 32. All existing sewer, water, stormwater plumbing infrastructure including Tas Networks and telecommunication authorities supply infrastructure traversing newly created lots, must be removed and/or replaced as necessary so that they are contained wholly within the boundaries of the specific lot which they service with all associated costs borne by the applicant. The requirements of the relevant service authorities must be strictly complied with by the applicant.
- 33. Vehicular accesses must be constructed in standard grey concrete with a broomed non slip finish to all lots from the back of the kerb crossing layback to the lot boundaries and be in accordance with TSD-R09 and TSD-E01.
- 34. Reinforced concrete pedestrian kerb ramps must be constructed at locations shown on the approved engineering plans in accordance with TDS-R18 and following:

- Australian standard AS1428-1 design for access and mobility;
- Australian standard AS1428-4 Tactile Indicators.

35. In accordance with Council's Community Infrastructure Policy payment of a community infrastructure contribution is required for stormwater works. The community infrastructure contribution amount is one thousand four hundred and fifty dollars (\$1,450) per additional lot created and must be paid to the Council prior to sealing of the Final Plan of Survey.

36. In accordance with the provisions of Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*, payment of a cash contribution for Public Open Space for the relevant lots in each stage of the subdivision must be provided to the Council prior to the sealing the Final Plan of Survey for each stage of the subdivision.

The cash contribution amount is to be equal to 5% of the unimproved land value of the area in the whole plan of subdivision at the date of subdivision approval.

The value is to be determined by a Land Valuer within the meaning of the *Land Valuers Act 2001* at the landowner's expense.

The Council may accept a transfer of Lot 104 as Public Open Space for part of the financial payment of the Public Open Space amount subject to the landowner arranging for a transfer of registration of that land to Council in accordance with permit Condition 3.

37. The cost of any repair work or any alterations to and/or reinstatement of existing services including roads and footpaths or private property incurred ("remedial works") required as a result of the development is to be at the expense of the landowner.

Remedial works are to be undertaken by the appropriate authority concerned or alternatively undertaken with the written consent of the appropriate authority.

38. At the end point of all staged roadworks, the landowner is to install a temporary turning circle in accordance with the requirements of Director Infrastructure Services. These works are to be completed prior to sealing the final plan of survey and the turning circle is to be shown on the engineering plans submitted for Council's approval.

39. To prevent unauthorised vehicular access to public recreation areas, all access points to reserves, parklands and open spaces must be obstructed by 100mm minimum diameter posts set 1.2m apart. Two bollard posts must be removable but capable of being locked in position. The landowner is to ensure that the design and installation of these posts and bollards are approved by the Director Infrastructure Services.