

TASMANIAN PLANNING COMMISSION

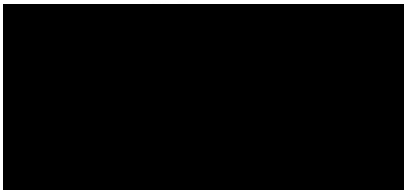
DECISION

Planning scheme	Tasmanian Planning Scheme - Clarence
Amendment	PDPSPAMEND-2024/0409390 - rezone part of 1300 Oceana Drive, Tranmere, and the adjoining road casement from Future Urban to General Residential and Utilities
Permit	PDPSPAMEND-2024/0409390 – 14-lot subdivision
Planning authority	Clarence City Council
Applicant	MC Planners for AJ Carr Development Corporation Pty Ltd
Date of decision	30 June 2026

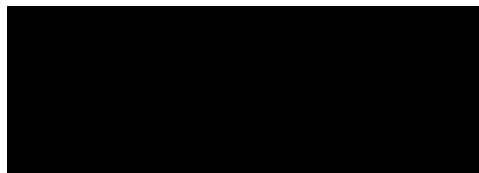
Decision

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.



Sandra Hogue
Delegate (Chair)



Robin Nolan
Delegate

Tasmanian Planning Commission Act 1997 (the Act)**Erratum under section 18A(1)****Decision on Tasmanian Planning Scheme - Clarence****Draft amendment and associated permit PDPSPAMEND- 2024/049390****30 June 2026****Table 1 - list of corrections to decision**

Page	Paragraph	Correction	Approved
1	Date of decision	Change the Date of decision from 30 June 2025 to 30 June 2026.	John Ramsay Executive Commissioner 21 July 2026
11	65	Replace 'Conditions 19 and 22' with 'Condition 24'	John Ramsay Executive Commissioner 21 July 2026
12	66	Replace 'These conditions are not for a proper planning purpose ¹ and are to be removed but may be included as advice' with 'This condition is not for a proper planning purpose ¹ and is to be removed but may be included as advice'	John Ramsay Executive Commissioner 21 July 2026
14	Condition 1	Replace '(Revision F 4355OCT-P1F 30 October 2025)' with 'Revision F 4355OCT-P1F 21 May 2025)'	John Ramsay Executive Commissioner 28 July 2026

REASONS FOR DECISION

Background

Amendment

The draft amendment proposes to rezone:

- part of 1300 Oceana Drive, Tranmere (folio of the Register 181629/101) from Future Urban to General Residential; and
- the adjoining road casement (folio of the Register 173546/1) from Future Urban to Utilities.

Permit

The permit provides for a 14-lot subdivision (13 new and balance) and 3 road lots and associated works.

Site information

The site, comprises part of the property at 1300 Oceana Drive, Tranmere and the adjoining Oceana Drive road casement, and is located at the southernmost extent of the existing road network that connects to Oceana Drive, Tranmere.

The site lies within the Skylands Master Plan (the Master Plan); a large-scale development plan for the Droughty Peninsula in Clarence. The Master Plan, as endorsed by Council in December 2023, designates the site for low density residential development.

The land is significantly modified through landfill for a portion of an existing drainage line and is otherwise without development. It is used for grazing in conjunction with the remainder of 1300 Oceana Drive, Tranmere.

The site is accessible to vehicle traffic from Oceania Drive, Cherrington Drive and Bindara Road and is connected to reticulated water and sewer.

The site is zoned Future Urban. The eastern portion of the property at 1300 Oceana Drive, Tranmere is zoned Landscape Conservation but is not affected by the draft amendment. The Parking and Sustainable Transport, Natural Assets, Flood-prone Areas Hazard, Bushfire-prone Areas, Landslip Hazard, and Safeguarding of Airports codes are relevant to use and development of the site.

The property is also subject to two site-specific qualifications under clauses CLA-22.1 and CLA-22.2 of the scheme. These Site-specific Qualifications apply to the use of that part of the property zoned Landscape Conservation and do not have impact the draft amendment.

The property to the south and west of the site is zoned Future Urban, while land to the east, northeast and southeast is zoned Landscape Conservation. To the north, zoning comprises General Residential, Low Density Residential, Local Business and Open Space, with existing development primarily consisting of single dwellings and some multiple dwellings.

Issues raised in representations

Five representations were received during the exhibition period. The representations raised the following issues:

- landslip hazard and risk to development
- increased traffic and demand for on-street parking
- road network design
- provision of services including waste management services
- public access; and
- support for the amendment.

The draft amendment was referred to TasWater under sections 56S and 56O of the *Water and Sewerage Industry Act 2008*.

TasWater advised that it had no objection to the draft amendment, did not require to be notified of nor attend any subsequent hearing, and provided conditions to be included in any permit.

These issues and any additional matters raised by representors at the hearing are discussed as relevant below.

Planning authority's response to the representations

The planning authority considered the representations and recommended that:

- modifications to the draft amendment were not required; and
- the planning authority no longer supports the application for the subdivision permit.

Date and place of hearing

The hearing was held at the Commission's office on Level 3, 144 Macquarie Street, Hobart on 30 April 2026.

Appearances at the hearing

Planning authority:	Mr Evan Boardman, Planning Consultant Ms Indra Boss, Strategic Planner
Applicant:	Mr Matthew Clarke, Principal Planner, MC Planners on behalf of AJ Carr Developments Mr Peter Hubble (Hubble Traffic) Mr Kris Taylor (Enviro-Tech) Dr Derek Pennington (Pennington Geotechnics) Mr Mark Santalucia (PDA)
Representors:	Mr Ben Waining (DSG) Dr Claire Kain (MRT) Dr Rebecca Sproule

Site Visits

A site visit was undertaken prior to the hearings.

Consideration of the draft amendment

Statutory Requirements

1. Under section 40M of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission is required to consider the draft amendment to the Tasmanian Planning Scheme - Clarence Local Provisions Schedule (LPS) and the representations, statements and recommendations contained in the planning authority's section 40K report, any information obtained at a hearing, and any technical matters.
2. A hearing was convened to assist the Commission consider the issues in the representations.
3. The Commission must consider whether the draft amendment meets the LPS criteria as set out under section 34(2) of the Act:
 - (a) contains all the provisions that the 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 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.

Application of the General Residential Zone

5. The draft amendment is to rezone the major part of the site from Future Urban to General Residential. The representations, submissions and evidence focused on the merit for General Residential zoning with objections and issues based on strategy, landslide, bushfire and traffic.

Strategy and General Residential zoning

6. Consideration of strategy and the strategic position of the site is primarily based on two documents, the Skylands Master Plan 2023 and draft Droughty Peninsular Structure Plan.
7. The Skylands Master Plan is a plan prepared for the landowner comprising much of the southern portion of the Droughty Peninsula within which the site is a small part. The Master Plan was endorsed by Council in 2023 to guide the use and development of the proponent's land. The draft Droughty Peninsular Structure Plan is a Council document in preparation and extends to a greater area of the peninsula over which the master plan forms a part.
8. The report supporting the draft amendment (supporting report) considered that the draft amendment was not well aligned with the master plan or the principles in the emerging structure plan, particularly in relation to proposed residential density, hazard mitigation and the management of the gullies. The latter being a strong feature for both environmental and open space attributes in both strategic documents. The officer report advocated for and recommended the site to be zoned Low Density Residential This recommendation was not accepted by the planning authority who favoured and certified the draft amendment with the site zoned General Residential and Utilities.

Commission consideration

9. The Commission notes the status of the master plan and the draft structure plan and that residential use of the site is broadly within the parameters of the master plan and draft structure plan. The Commission also notes that the draft amendment and associated permit depart from the masterplan in respect to residential density, aspects of street design and termination of proposed through streets. On balance these departures from the master plan can be accepted as a response to detailed investigation leading to the current application.
10. In consideration of location, the site adjoins General Residential zoning to the north and to the south the gully is proposed for future public open space . The site presents as an elongated strip of land that will provide end points for Cherrington Drive and Ardiletta Road and will complete this section of residential Tranmere that has access to water and sewer infrastructure. In terms of strategic allocation of residential zones, the orderly extension of residential Tranmere and to realise the density through available infrastructure, General Residential zone is preferred.

Landslip/landslide and General Residential zoning

11. The site is subject to the application of C15.0 Landslip Hazard Code.
12. The representation for the Department of State Growth (Mineral Resources Tasmania) submitted that the applicant's experts on landslide at the time did not have access to important data sets on landslide assessment. This carried the implication that the data sets should now be reviewed.
13. The representation for Mineral Resources Tasmania concluded:

The density associated with the proposed General Residential zoning, and as reflected in the lots in the development plan for 1300 Oceana

Drive, restricts options to avoid landslide issues when locating buildings and subsurface infrastructure, and increases risk and exposure to landslide movements that are known to have occurred and in some cases are currently occurring at the site.

14. Two reports were prepared for the applicant by Enviro-tech as part of the request to amend the planning scheme. The reports were titled Landslip Hazard Assessment and Geotechnical Site Investigation and both dated 29 October 2024. An additional Landslip Hazard Assessment (9 April 2026) was submitted for the hearing. Enviro-tech determined that the site comprises deeply weathered and highly dispersive soils with localised fill, creating manageable landslip and tunnel-erosion risks provided drainage is strictly controlled, existing tunnels are remediated, and structural and service loads are founded on competent bedrock.
15. Other reports become available leading to the hearing where expert evidence was given by Kris Taylor for Enviro-tech, Derrick Pennington for Pennington Geotechnics and Ben Waining for MRT.

Commission consideration

16. The locality being the site and the slopes above, clearly have geotechnical features weighing heavily on any development on the site. The features include susceptibility to landslide and dispersive soils and related tunnel erosion. In addition, as a separate geotechnical issue is extensive deep fill of a mix of material brought onto the site that, at the time, constituted unregulated compaction.
17. Turning to the evidence there is much knowledge of the site and the measures required to build on the site. Such measures include the identification of building areas on any future lots developed on the site and appropriate conditions on permits. The Commission notes the site is subject to the C15.0 Landslip Hazard Code being in the low landslip hazard band. The code will be triggered for all permit applications for use or development that fall within the scope of the code
18. Although the evidence differed on the preferred residential density of subsequent development there was agreement that, with due caution and appropriate conditions on any permit, residential development under General Residential zoning could be realised.
19. The submissions and evidence do not lead to the conclusion the draft amendment should be refused or modified to a lower residential density to that allowable under the General Residential zone. The Commission finds accordingly.

Bushfire and General Residential zoning

20. The site is subject to the application of C13.0 Bushfire-Prone Areas Code.
21. The applicant's Bushfire Hazard Report of February 2025 submitted with the draft amendment identifies the required hazard management areas, access and water supply standards to ensure compliance with the Bushfire-Prone Areas Code once the land is rezoned to General Residential.

22. In contrast the supporting report advised:

By seeking to rezone this area to General Residential to enable a residential subdivision, where sites have been designed to a low BAL rating the proposal relies on extending a new BHMA (approximately 50m to 100m) into the balance lot further south and south-east.

Council's Bushfire Mitigation Strategy 2024-2033, endorsed in November 2024, adopted the position that 'for all developments adjoining council land or involving new public open space bushfire management requirements (e.g. hazard management areas) are to be managed on the private property.

In the medium-term, if the applicant's proposal is supported, the subdivision will permanently encumber land to the south of the development (which is anticipated to be transferred to Council in the future through the Droughty Point Structure Plan) due to the proposed bushfire hazard management areas, which cannot be contained fully within the proposed lots. This will result in a higher maintenance regime in this area to manage the hazard.

Commission consideration

23. The supporting report and the applicant's submissions posed two different responses to bushfire risk management. The supporting report advocated for Low Density Residential zoning primarily so that the risk can be managed on individual lots. This approach is given status through Council's Bushfire Mitigation Strategy 2024-2033 that in effect seeks to avoid having bushfire management responsibility on public land. In this case the gully land to the south of the site is destined to become public land under the Skylands Master Plan. However, despite their Bushfire Mitigation Strategy, Council as the planning authority certified the draft amendment with the site zoned General Residential.
24. Further it is noted that the Applicant's bushfire hazard management plan carries a certificate under s.51(2)(d) of the Act certifying the plan is in accordance with the Chief Officer's requirements and compliant with the relevant acceptable solutions of the Bushfire-Prone Areas Code. Otherwise, future development on the site will trigger the Bushfire-Prone Areas Code.
25. In consideration of site location and capability for residential density, the services available and the prospect of further residential development to the south that over time lessens the bushfire threat, then General Residential zoning is considered appropriate.

Traffic and General Residential zoning

26. Representors objected to residential development that would increase traffic on Ardilletta Road and supported its termination in a cul-de-sac.
27. Evidence for the applicant included a Traffic Impact Statement prepared by Hubble Traffic. The report's conclusions included:

The proposed subdivision can be readily accommodated within the existing road hierarchy without adverse traffic impacts or causing an unacceptable loss of traffic amenity.

Oceana Drive, Ardilletta Road, Cherrington Drive and Bindarra Road all retain ample spare capacity with forecast increases in daily and peak-hour traffic volumes representing only minor changes, well within Austroads and LGAT Standards.

The route assessment confirms that the current road infrastructure is constructed to contemporary standards, with junction geometry and sight distances compliant with Austroads requirements, supporting safe and efficient operation for all road users.

Commission consideration

28. The General Residential zone as proposed will allow for use and development that consequently will lead to an increase in traffic on the street network. The evidence on traffic impact, however, has been in consideration of the proposed subdivision that advises road capacity and junction safety are within established Australian Standards for safe and efficient operation. In addition, noting the views of the representors, the traffic assessment was based on Cherrington Drive and Ardilletta Road being terminated in cul-de-sac.
29. The Commission finds the evidence, albeit on a particular subdivision proposal, supports the site being zoned General Residential on traffic grounds. This is on the assessment that safe and efficient traffic movements on the road network can be maintained.

Application of the Utilities Zone

30. Part of the site includes the current terminus for Oceana Drive and also the terminus for the Tranmere Metro bus service. The section of road is formed and sealed into a vehicle turning area and with an adjacent toilet facility for bus drivers. The draft amendment is to rezone the area from Future Urban to Utilities. A rezoning to Utilities is consistent with the road casement for Oceana Drive to the north and the section 8A Guideline No. 1 – Local Provisions Schedule (LPS): zone and code applicaiton (version 3). No representations concerned this part of the draft amendment.
31. The rezoning of this part of the site to Utilities is approved.

Regional land use strategy

32. The relevant regional strategy is the Southern Tasmania Regional Land Use Strategy 2010-2035 (regional strategy).
33. The submissions and evidence for the applicant and the planning authority focused on the site being included in the urban growth boundary and being identified as a 'greenfield development precinct'. There was no evidence to the effect that residential zoning of the site was not consistent with the regional policies.
34. The Commission finds that the draft amendment is, as far as practicable, consistent with the regional strategy.

Local Strategic Framework

City of Clarence Strategic Plan 2021-2031

35. The relevant strategic plan is the City of Clarence Strategic Plan 2021-2031 (the strategic plan).
36. The submissions and evidence for the applicant and the planning authority focused on elements of the strategic plan including supply of housing, neighbourhood amenity and the interface the site will have as part of land transfer to Council for open space as part of the structure plan implementation.
37. There was no evidence to the effect that residential zoning of the site was not consistent with the strategic plan.
38. The Commission finds that the draft amendment has had regard to the Council's strategic plan.

State Policies

State Coastal Policy 1996

39. The site is in the Coastal Zone as defined in the *State Coastal Policy 1996* (Coastal Policy). For the draft amendment the relevant outcomes are at 2.4 Urban and Residential Development. The site is:
 - highly modified without environmentally sensitive areas; and
 - based on existing urban development and not assessed as ribbon development along the coast or as unrelated cluster development.
40. The Commission finds that the draft amendment is consistent with the Coastal Policy.

State Policy on Water Quality Management 1997

41. The *State Policy on Water Quality Management 1997* (Water Quality Policy) has application to the site. The site and up-slope part of the property display a history of erosion and landslip. These matters were raised and reviewed through the representations and evidence to the hearing. The evidence is that the issues can be managed through the development of the site in accordance with the amended conditions on the permit accompanying the draft amendment.
42. Relevant to the draft amendment are outcomes 31.1 regarding stormwater management strategies and 31.5 regarding use and development being consistent with the physical capacity of the land so that the potential for erosion and subsequent water quality degradation is minimised.
43. The Commission finds that the draft amendment is consistent with the Water Quality Policy.

State Policy on the Protection of Agricultural Land 2009 (PAL Policy)

44. The policy does not apply as the site is not agricultural land as defined in the Policy.
45. The Commission finds that the PAL Policy is not relevant to the draft amendment.

National Environment Protection Measures (NEPMs)

46. There is no evidence that any NEPM has application to the site. The draft amendment is not inconsistent with NEPMs.

Schedule 1 Objectives of the Act

47. In considering the site's strategic context and infrastructure services provision and with specific reference to Part 1 objective 1(b) and Part 2 objective (h):
- 1 (b) to provide for the fair, orderly and sustainable use and development of air, land and water;
 - (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
48. The Commission finds the draft amend furthers the Schedule 1 Objectives.

Modifications required to the draft amendment

49. Under 40M of the Act the Commission must consider whether modifications to a draft amendment of a LPS ought to be made.
50. Minor modifications to the text of the draft amendment are required to provide clarity on the land that is to be rezoned.

Decision on draft amendment

51. 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

52. 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.
53. 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.
54. The permit sought is for development for a 14 lot subdivision. As such the permit application must be considered against the applicable standards in the General Residential Zone and applicable codes in the State Planning Provisions.
55. At the hearing, the drafting of the planning permit conditions was reviewed.

Assessment against the provisions of the planning scheme

56. The site is that part of 1300 Oceana Drive Tranmere rezoned to General Residential through planning scheme amendment PDPSPAMEND-2024/0409390. The planning scheme provisions applying to the site are those for the General Residential Zone and the following codes: Parking and Sustainable Transport, Natural Assets, Flood-Prone Areas Hazard, Bushfire-Prone Areas, Landslip Hazard and Safeguarding of Airports Codes.
57. Both the applicant and planning authority provided an assessment of the proposal against the planning scheme provisions in their reports. Accordingly, the Commission finds that the application meets the relevant zone and code provisions subject to the review of the draft permit conditions in response to the features of the site and the requirements of the Bushfire-Prone Areas and Landslip Hazard codes.

Planning Permit Conditions

58. At the hearing the planning authority submitted an amended copy of the planning permit that incorporated targeted changes to the geotechnical, earthworks and servicing conditions, including a replacement of the filling-plan requirement with a comprehensive Earthworks and Site Remediation Plan and the rationalisation of related geotechnical provisions.
59. The drafting of the planning permit conditions were reviewed with the planning authority and the applicant and made available for submission from the parties to the hearing.
60. Following the hearing the Commission directed the planning authority to further consider the permit conditions regarding earthworks and remediation, bushfire and a potential Part 5 Agreement.
61. In response, the planning authority, in conjunction with the applicant submitted an amended draft planning permit that responded to the Commission's direction.

Commission consideration

62. The Commission considers the amended permit conditions submitted by the planning authority are appropriate to the specific requirements of the site.
63. The Commission finds that the proposed development complies with the relevant provisions of the Tasmanian Planning Scheme - Clarence.

TasWater conditions

64. 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*.
65. Condition 24 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.

66. This condition is not for a proper planning purpose¹ and is to be removed but may be included as advice.

Schedule 1 Objectives of the Act

67. The Commission finds that the draft permit furthers the Objectives at Schedule 1 of the Act with specific reference to Part 1 objective 1(b) and Part 2 objective (h):
- 1 (b) to provide for the fair, orderly and sustainable use and development of air, land and water;
 - (h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.

Modification to permit conditions

68. The Commission modifies the planning authority's permit as described above and as contained in Annexure B of the decision.

Decision on permit

69. 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 PDPSPAMEND-2024/049390, Tasmanian Planning Scheme – Clarence

Rezone:

- part of 1300 Oceana Drive, Tranmere (folio of the Register 181629/101) from Future Urban to General Residential; and
- the adjoining road casement (folio of the Register 173546/1) from Future Urban to Utilities, as shown below.

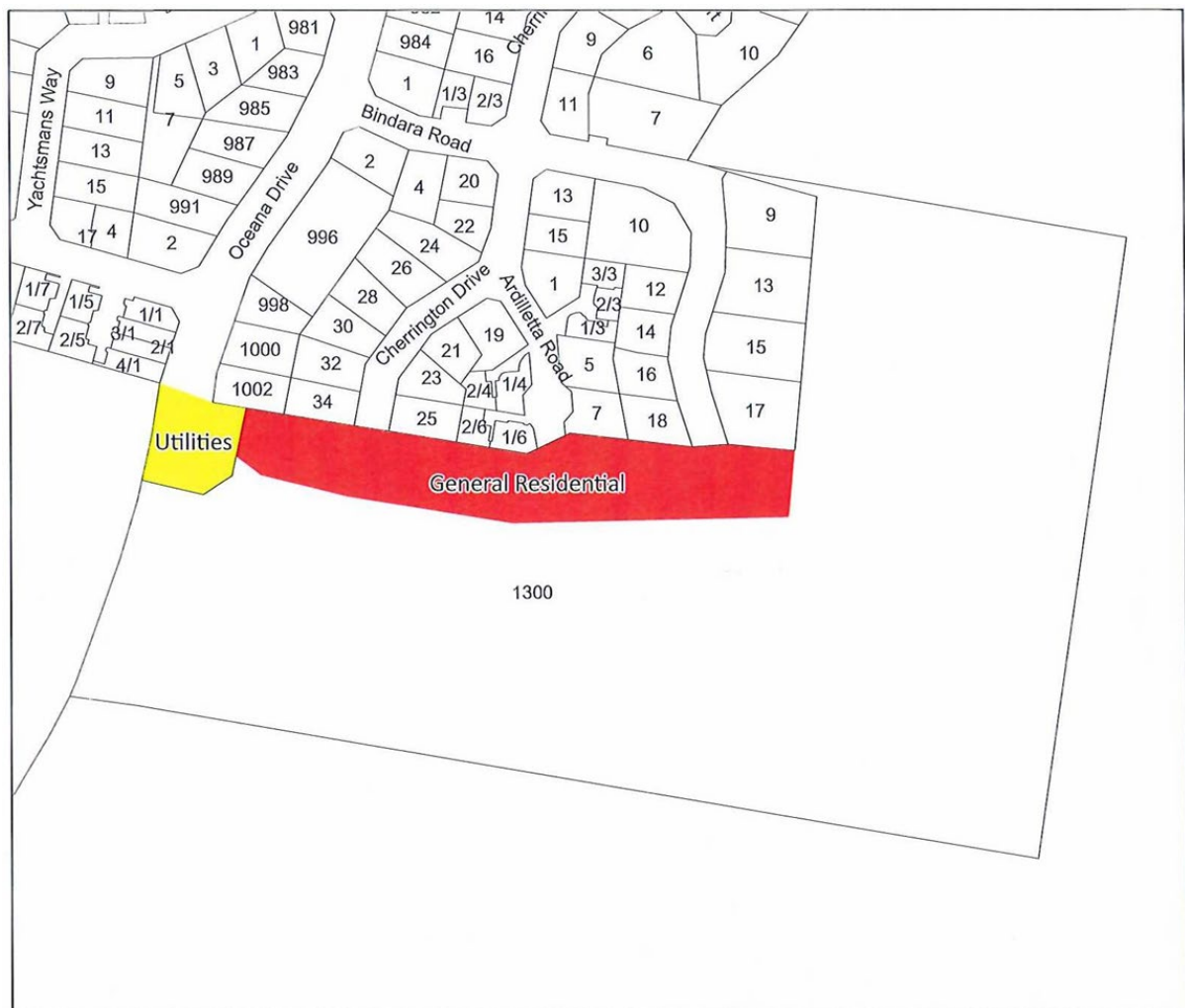


Figure 1: Application of General Residential and Utilities zones to land at 1300 Oceana Drive, Tranmere and the adjoining road casement

Annexure B

Modified permit PDPSPAMEND-2024/049390

General Conditions:

- 1 *The use or development must only be undertaken in accordance with the endorsed plans (Revision F 4355OCT-P1F 21 May 2025) and any permit conditions and must not be altered without the consent of Council.

- 2 Engineering designs, prepared by a suitably qualified person, are required for:

- road design (including line marking);
- road stormwater drainage;
- lot accesses;
- stormwater drainage;

and must show the extent of any vegetation removal proposed for these works and be designed in conjunction with any landscaping plan requirement. Such designs must be submitted to and approved by Council's Head of Infrastructure and Natural Assets and must clearly describe what works are being undertaken for each approved stage of the development.

An engineering assessment fee, in accordance with Council's adopted fee schedule, must be paid upon their lodgement. A 'start of works' permit must be obtained prior to the commencement of any works.

For the Final Plan to be sealed prior to the completion of the works or the expiry of the "on-maintenance" period a bond must be paid and an agreement entered into in accordance with Council Policy. Please note that the bond for the "on-maintenance" period is 5% the cost of the construction.

Works for all stages shown on the design plans must be commenced within 2 years of the date of their approval or the engineering designs will be required to be resubmitted.

- 3 Street construction, including line marking, concrete kerbs, gutters and footpaths with bitumen roads, must be carried out to the requirements of Council's Local Highways Standard Requirements By-Law. Pavement designs must be based upon laboratory soaked CBR values. Line marking must be in thermoplastic material.

- 4 Each lot must be provided with a minimum 3.6m wide constructed and sealed access from the road carriageway to the property boundary in accordance with Standard Drawing **TSD-R09** (copy available from Council). This access must be inspected by Council's Development Works Officer prior to sealing or pouring new concrete.

Following construction, the crossover must be maintained or repaired by the owner at the owner's expense in accordance with any directions given by Council to the owner.

- 5 *All lots with combined right-of-way accesses must be provided with a minimum 3.6m wide sealed access from the road carriageway to the property boundary in accordance with Standard Drawing **TSD-R09 (Urban)** (copy available from Council). A minimum 3.6m wide sealed driveway also must be constructed over the remaining length of the right-of-way. This access must be inspected by Council prior to sealing or pouring new concrete.

Following construction, the crossover must be maintained or repaired by the owner at the owner's expense in accordance with any directions given by Council to the owner.

- 6 Driveways, parking areas and other areas accessible to vehicles must be constructed in bituminous concrete or concrete, providing for adequate stormwater drainage, prior to the commencement of the use. Details of the construction must be submitted to and approved by Council's Head of Infrastructure and Natural Assets prior to the commencement of any works.
- 7 An erosion and sedimentation control plan, in accordance with the Derwent Estuary Program Soil & Water Management on Building & Construction Sites document, must be submitted for review by council's head of Infrastructure and Natural Assets when lodging the 'Start of Works Notice' to council. All debris/construction materials must be contained within the property. All works must be carried out in compliance with the approved erosion and sediment control plan.
- 8 *The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements (including any embankment easements) required in respect of all Council infrastructure required to service the lots in a form to the satisfaction of Council's relevant / delegated officer.
- 9 *Prior to commencing any works on-site, an Earthworks and Site Remediation Plan shall be prepared by a geotechnical engineer and submitted to and approved by Council's Head of Infrastructure and Natural Assets. The plan is to be substantially in accordance with principles outlined in AS3798-2007 – Guidelines on Earthworks for Commercial and Residential Developments and is to include start and end dates, a staging plan (if applicable) and a remediation plan.

The plan must:

- o identify locations and depths of all uncontrolled fill;
- o specify removal limits or, where removal is not practicable, specify remedial treatment and design for replacement engineered fill;
- o detail stockpile, erosion and sediment controls, and temporary stabilization measures;
- o include a testing and compaction regime (test frequency, test methods, acceptance criteria).

Any contaminated or hazardous fill removed must be disposed of at a licensed waste management facility and may not be disposed of elsewhere on the property.

Upon completion the works shall be certified by a geotechnical engineer as being carried out in accordance with the approved Earthworks and Site Remediation Plan and is fit for purpose and free of deleterious matter or hazardous/controlled substances.

An as constructed topographical survey plan at a suitable scale is to be provided to Council upon completion of the works.

- 10 *Building areas are to be shown on the Final Plan of Subdivision and must be sited wholly outside any geotechnically constrained areas as defined in the Earthworks and Site Remediation Plan.

- 11 *The new road must join with existing road construction in a smooth and continuous fashion.
- 12 The owner must, at their expense, repair any Council services (e.g. pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.
- If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense
- 13 Each lot must be provided with minimum 150mm diameter stormwater drainage connected to Council's main prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works. An extension to Council's stormwater main may be required at the owner's expense.
- 14 Suitable barriers must be erected during the stages of construction and at access points to the balance land to prevent unauthorised vehicle access.
- 15 All services, including the street lighting system, must be underground and within the road reserve or subject by a suitable easement approved by the Group Manager Engineering Services.
- 16 A weed management plan identifying methods to control weeds, must be submitted to and approved by Council's Head of Infrastructure and Natural Assets prior to commencement of works. The plan must:
- reference any Weeds of National Significance and Declared Weeds under the Weed Management Act and address the spread of soil-based pathogens in accordance with the Tasmanian Washdown Guidelines for Weed and Disease Control;
 - identify the weed species, initial treatment, on-going management and maintenance period thereof. The plan may include manual removal of larger plants and/or chemical control as recommended by the relevant Government department; and
 - include a detailed breakdown of estimated costs.
- The Final Plan and Schedule of Easements for any stage will not be sealed until the weed management plan for that stage has been implemented and maintained to the satisfaction of Council's Head of Infrastructure and Natural Assets. Alternatively, a bond of 1.5 times the estimated cost of works associated with implementing the weed management plan for that stage must be submitted prior to sealing. The bond will be held as security to ensure both development and maintenance of each lot is undertaken in accordance with the approved plan until each of the newly created lots are sold or the management period has expired, whichever comes first. The bond is to be a cash deposit or a bank guarantee.
- 17 *A Construction Management Plan must be submitted and approved by Council's Head of Infrastructure and Natural Assets prior to the issue of a Building or Plumbing Permit or commencement of works (whichever occurs first). The plan must outline the proposed demolition and construction practices in relation to:

- proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on-site);
 - proposed hours of construction;
 - identification of potentially noisy construction phases, such as operation of rock breakers if any;
 - control of dust and emissions during working hours;
 - access and parking during construction;
 - proposed screening of the site and vehicular access points during work; and procedures for washing down vehicles, to prevent soil and debris being carried onto the street.
- 18 *The landowner of the Balance Lot CT181629/101 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 and which provides for the implementation and on-going maintenance of the Hazard Management Area identified in the Bushfire Hazard Report 1300 Oceana Drive, Tranmere 16 Lot Subdivision for A J Carr Development Corporation Pty Ltd February 2025 Mat Clark BFP-P or alternate Hazard Management Area identified in a Bushfire Hazard Report approved by the Tasmanian Fire Service or their accredited practitioner.
- The 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 the Part 5 Agreement.
- 19 *A notation must be placed on all lots on the Final Plan of Subdivision stating:
- "Prior to undertaking any building or works on this lot, the landowner is advised to obtain a detailed geotechnical assessment by a suitably qualified geotechnical engineer."*
- The notation must be to the satisfaction of the Planning Authority.
- 20 The development must meet all required Conditions of Approval specified by TasWater notice, dated 21/07/2025 (TWDA 2025/00305-CCC).

The following advice is also provided:

- a. This Permit will lapse after 2 years from the date on which it is granted unless the development / use has been substantially commenced. Upon request, under Section 53(5A) of the Land Use Planning and Approvals Act 1993 Council may grant an extension of time for a further 2 years. A further 2 years may be granted upon request under Section 53(5B) of the Land Use Planning and Approvals Act 1993. Any such requests must be made in writing and within 6 months of the day on which the permit has lapsed.
- b. This is a town planning permit only. Please be aware that a building permit and / or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council's Building

Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.

- c. *Council, as a Stormwater authority, formed a view that the proposed development will intensify the stormwater discharge from the property and hence requires approval under the Urban Drainage Act 2013 and the stormwater is to be designed as per Council's Stormwater Management Procedure for new development (<https://assets.ccc.tas.gov.au/uploads/2023/07/Stormwater-Management-Procedure-for-New-Development.pdf>). This requirement will be assessed as part of engineering plans assessment if the proposed DA is approved.
If you would like to discuss what is required to meet Council's requirements in regard to stormwater, please contact Council Development Engineers on 6217 9500.
- d. The Department of Natural Resources and Environment Tasmania, Conservation Assessments and Wildlife Services Section has advised that the property may contain species identified in the schedules of the *Threatened Species Protection Act 1995*. I have enclosed a copy of the Department's letter. It is your responsibility to comply with the legislation and therefore you should contact the Department to determine whether there will be any issues which may arise under that Act in relation to the development.
- e. AHT acknowledge the findings and recommendations of the Aboriginal Heritage Assessment Report (Final Version 2) dated 2 September 2025 (the Report). For the purposes of the Aboriginal Heritage Act 1975 the Report conforms to the assessment standards outlined in the Aboriginal Heritage Standards and Procedures. All works should proceed in accordance with the recommendations made within the Report.
- f. *Based on the information provided, the development is not likely to adversely affect TasNetworks' operations. As with any subdivision of this magnitude, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot. It is recommended that the customer or their electrician submit an application via our website portal - Connections Hub - TasNetworks to establish the electricity supply connection to support this development.

To understand what these requirements may entail, it is recommended the developer contacts TasNetworks on 1300 137 008 or the TasNetworks Negotiated Connection Team at negotiated.connections@tasnetworks.com.au at their earliest convenience.

- g. Non-compliance with this permit is an offence under Section 63 of the Land Use Planning and Approvals Act 1993 and may result in enforcement action under Division 4A of the Land Use Planning and Approvals Act 1993 which provides for substantial fines and daily penalties.

***permit conditions modified by the decision of the Tasmanian Planning Commission dated 30 June 2026**