



Clarence City Council

DRAFT PLANNING PERMIT

LAND USE PLANNING AND APPROVALS ACT 1993

Development No: PDPSPAMEND-2024/048902 **Approval Date:** 01 January 1900

Description: **Five Lot Subdivision (2 residential lots, 1 public open space lot, 1 road lot, and 1 balance lot with two existing dwellings)**

Address: **471 Cambridge Road, Mornington, 528 & 540 Pass Road, Cambridge**

This permit is granted, subject to the following conditions:

General Conditions:

- 1 The use or development must only be undertaken in accordance with the endorsed plans:
 - Proposed subdivision plans version C dated 10/01/25, prepared by Rogerson & Birch,
 - Concept Services – General Arrangement, Dwg No. 1 version DA4, dated 28/01/26 prepared by Johnston McGee & Gandy Pty Ltd,
 - Bushfire Hazard Report, version 4, dated 14/02/25, prepared by Mat Clark (BFP-P)and any permit conditions and must not be altered without the consent of Council.
- 2 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 Tasmanian Standard Drawing or its relevant equivalent operating at the time the works are being undertaken (copy available from Council). 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 and in accordance with the relevant Council's local highways standards By-Law operating from time to time.

Unless within a new subdivision, a permit to carry out works within Council's Road reservation, is required for the purposes of this condition. An application form is available on Council's website.

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

- road design (including line marking, signage and any traffic devices);
- traffic calming design;
- stormwater drainage including upgrade of stormwater main along Cambridge Road and detention design;
- footpaths and pedestrian infrastructure;
- lot accesses, and;
- other (as specified)

and must show the extent of any vegetation removal proposed for these works and be designed in conjunction with any landscaping plan requirement. Such engineering designs must be compliant with all Council By-Laws and adopted standards applicable at the time of lodgement of the engineering designs. These engineering designs, together with the safety in design report, must be submitted and approved by Council's Chief Executive Officer or delegate clearly describing works that 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 prior to the approval of the engineering designs. A 'Start of Works' authority must be obtained prior to the commencement of any works.

For the Final Engineering Design Plans to be sealed prior to the completion of the works or the expiry of the "On-Maintenance" period a bond must be paid, in accordance with Council bonding Policy. Please note that the bond for the "On-Maintenance" period is 5% of the construction cost.

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

As construction drawings and necessary CCTV reports for Council's infrastructures must be submitted prior to the issue of the Certificate of Practical Completion.

4 Driveways, parking areas and other areas accessible to vehicles must be constructed in a suitable impervious surface, and provide for adequate stormwater drainage prior to the commencement of the use. Details of the construction must be submitted to, and approved by, Council's Chief Executive Officer or delegate prior to the commencement of any works.

5 An erosion and sedimentation control plan, in accordance with the Derwent Estuary Programme Soil and Water Management on Building and Construction Sites document, must be submitted and approved by Council's Chief Executive Officer or delegate 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.

- 6 The owner or developer must not deposit, stockpile or store any soil, fill or other material on any lot after the completion of civil works, except where expressly approved in writing by the planning authority for landscaping or construction purposes.

Any unauthorised fill must be removed within 14 days of written notice. Failure to comply constitutes a breach of this permit. The planning authority may issue infringement notices and penalties or undertake remedial works at the owner's

- 7 The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all council infrastructure required to service the lots in a form to the satisfaction of Council's Chief Executive Officer or delegate.

- 8 The Final Plan and accompanying Schedule of Easements must describe all existing easements and any additional easements required in respect of all utilities infrastructure required to service the lots in a form to the satisfaction of the relevant utility service provider.

- 9 Prior to commencing any works on-site, a filling plan shall be prepared by a suitably qualified person and submitted to and approved by Council's Head of Infrastructure and Natural Assets. The plan is to conform 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 rehabilitation plan.

Filling of the land shall be fit for the purposes of those future uses reasonably expected on the land and must be undertaken in a manner which does not create nuisance by way of dust, noise, traffic movements or weed dispersal, either during the filling operation or after completion.

Upon completion of filling operations, the works shall be certified by a suitably qualified person as being carried out in accordance with the approved filling plan and rehabilitation 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 Street construction, including line marking, traffic devices, street lighting, concrete kerbs, gutters and [footpath / shared paths] with asphalt roads, must be carried out to the requirements of council's Local Highways Standard Requirements By-Law and must be approved by council's Head of Infrastructure and Natural Assets. Pavement designs must be based upon laboratory-soaked California Bearing Ratio (CBR) values. Line marking must be in thermoplastic material.

- 11 Suitable barriers must be erected during the stages of construction and at access points to the balance land to prevent unauthorised vehicle access.

- 12 Appropriate temporary turning heads are to be provided with sealed surfaces at the end of each road stage to facilitate adequate vehicle manoeuvrability. Appropriate signage signifying the temporary turning head is required. Appropriate and sustainable drainage must be provided for these temporary facilities.
- 13 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 because of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs must be in accordance with any directions given by the council and in accordance with the council's Local Highways Standard Requirements By-Law.

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.

- 14 Any lots described as "public open space", "public access way", "road", "to be acquired by the Highway Authority" or other land designated to become public land on the Final Plan must be transferred to the Council for a nominal sum of \$1.00 and must be accompanied by a Memorandum of Transfer to the Clarence City 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 applicant is responsible for all Land Titles Office fees and charges and duty in relation to the document.

The applicant remains responsible for ensuring that any Land Titles Office requisitions are effectively resolved and the applicant must meet the costs of such requisitions.

- 15 All proposed waterway crossings must be designed and constructed in a manner to ensure the waterway is not obstructed in any way. A hydraulic analysis of the catchment must be provided to demonstrate the adequacy of the crossing to meet Council's adopted Stormwater Management Procedure for New Development. Engineering designs and drawings must be prepared for approval of Council's Chief Executive Officer or delegate prior to the commencement of works.

The works must be completed in accordance with the approved plans prior to the sealing of the final plan of survey.

- 16 A minimum 150mm diameter stormwater drainage connection to council's main must be provided prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works/ issue of title whichever occurs first. An extension to council's stormwater main may be required at the developer's expense.

- 17 All existing services on the land must be contained within a single lot. For any services extending beyond the property boundary, a suitable easement must be created on the affected titles.

- 18 All new power and telecommunication services, including applicable street lighting, must be underground and within the road reserve or subject of a suitable easement approved by Council's Chief Executive Officer or delegate. Trenchless installations must incorporate the installation of a conduit to accommodate the services. These conduits are to extend beyond all trafficable areas and surface drainage, inclusive of footpaths and table drains, with a minimum cover of 1.2 metres. The above works must be to the satisfaction of Council's Chief Executive Officer or delegate and completed prior to the sealing of the Final Plan of Survey.
- 19 Prior to the sealing of the final plan, the developer must supply the City of Clarence with as-installed services plan(s) clearly indicating the location and details of all relevant services (entirely contained within their respective lots or appropriate easements). The as-installed services plan(s) must be submitted by a suitable qualified expert as confirmation that all engineering work required by this permit has been completed.
- 20 Where subdivision or development works are approved to be undertaken in stages, all works for each stage must comply with the most current Council By-Laws, adopted policies and Standards in force at the time the engineering drawings for that stage are lodged for approval.

If any previously completed works do not comply with the current Council By-Laws, adopted policies and Standards and require modification to integrate with subsequent stages, the permit holder must reconstruct or upgrade those works to achieve compliance and ensure seamless integration between stages.

All costs associated with such reconstruction or upgrade works are the responsibility of the permit holder.

- 21 All public open space/reserve areas (other than roads) must be included in the first stage of the development.
- 22 Council has formed the opinion that the subdivision is to provide for public open space as shown on the subdivision proposal plan, where the POS lot area of 5000m² exceeds the 5% contribution minimum requirement of s116(a) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

Council has negotiated an agreement with Mornington Park Estate Pty Ltd, for the purchase of the land in excess of the 5% contribution, as per the terms and conditions of the Deed executed on 22 April 2026 or in accordance with S116 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

- 23 All public recreation space areas must be shown as lots on the Final Plan and noted as "Public Open Space".

All public open space lots must be fenced by the subdivider, and suitable fire breaks created, to satisfaction of Council's Manager City Planning. The Final Plan and Schedule of Easements will not be sealed until this work is complete or a suitable Bond and Guarantee for the work is lodged.

The bond is to be for an amount of 1.5 times the estimated cost of construction and may be a cash deposit or a bank guarantee. The work is to be completed within 6 months of the lodging of the bond. If the works are not completed within this time,

Council may have the fencing work undertaken and may recover those costs incurred from the bonded amount.

A Landscape and Earthworks Plan for all areas of Public Open Space (POS) shown on the Plan of Subdivision must be submitted to and approved by Council's Chief Executive Officer or delegate prior to the issue of a Certificate of Likely Compliance (CLC) for building works or commencement of works within the POS, whichever occurs first.

1. The Landscape and Earthworks Plan must clearly document the following:

- finished surface contours at 0.1 metre intervals and spot levels sufficient to demonstrate final landform and drainage patterns;
- the detailed shaping of all swales, low points and overland flow paths to demonstrate that the land will function as usable public open space while accommodating stormwater conveyance;
- cross sections and long sections of proposed swales and overland flow paths at intervals sufficient to demonstrate batter slopes, depths and integration with surrounding landforms;
- finished surface treatments including turfing, topsoil depths and soil preparation for all disturbed areas;
- establishment specifications for turf and planted areas, including soil preparation, turf type, installation method and establishment requirements sufficient to achieve practical completion prior to handover;
- the location of any proposed paths, furniture or landscape features (if applicable);
- a staging and implementation schedule for the landscape works.

In addition, the plan must include:

- a north point and site boundaries;
- existing site features including buildings, services and structures;
- the identification of existing trees as retained or removed, and Tree Protection Zones for retained trees in accordance with AS 4970-2009;
- areas of proposed hard and soft landscape treatments;
- planting schedules identifying species, quantities and installation details;
- an annotation stating that any damage to the nature strip during construction will be suitably remediated;
- the location of water connection points; and
- a proposed maintenance schedule for landscaped areas prior to handover.

2. The design must demonstrate, to the satisfaction of Council's Chief Executive Officer or delegate, that:

- stormwater conveyance infrastructure within the POS area is integrated into the landform in a manner that minimises visual and functional impacts and enables the primary use of the land as public recreation space; and

- the finished grading, shaping and levels provide safe, usable and maintainable recreational land suitable for public access and routine maintenance.
3. Prior to sealing of the Final Plan of Survey, an as-constructed topographical survey plan certified by a suitably qualified surveyor must be submitted to and approved by Council's Chief Executive Officer or delegate demonstrating that the works have been completed in accordance with the approved Landscape and Earthworks Plan.
- 25 The development must meet all required Conditions of Approval specified by TasWater notice, dated 03/03/2026 (TWDA 2023/01137-CCC).
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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. The proposed lots are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for individual building applications.
- d. The proposed works are located within a mapped overland flow path and prone to flood. Please refer to council's flood mapping system <https://www.ccc.tas.gov.au/flood-maps/>
- e. The site may contain relics which are protected under the Aboriginal Relics Act 1975 and the applicant is therefore responsible to ensure compliance with the provisions of that Act. Applicants are advised to seek independent technical advice in relation to identification and protection of any relics.
- f. Based on the information provided, the use/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. To understand what these requirements may entail, it is recommended that the developer contacts TasNetworks

on 1300 137 008 or the Negotiated Connections team at Negotiated.Connections@tasnetworks.com.au at their earliest convenience.

- g. The Department of Primary Industries, Parks, Water and Environment, Threatened Species Unit 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.
- h. Hobart Airport received application number PDPSAMEND-2024/048902 471 Cambridge Road Mornington and 528 & 540 Pass Road, Cambridge for a development that may be considered a Controlled Activity as stated Airports (Protection of Airspace) Regulations. Hobart Airport as the aerodrome operator has completed the initial assessment of this application as required in the Regulations. Based on the information supplied it does not appear that this proposal is classed as a controlled activity, as defined in the Regulations. Hobart Airport does not object to this proposal which may create occasional pooling of water in the proposed open space, during flood events, which may increase wildlife activity (e.g. attracting birds).

Controlled activities are also defined as any activities causing intrusions into the protected airspace through glare from artificial light or reflected sunlight, air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter. Details will need to be provided to Hobart Airport for consideration if this proposal may subject the protected airspace around Hobart Airport to one or more of these items. Please note that further to the above, any structures used in the construction process, such as cranes, may in fact be controlled activities and require separate approval under the Regulations. Please note this commentary is from an aerodrome airspace perspective (only) and Hobart Airport may separately submit additional representations within the advertised timeframe.

- i. 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.

Daniel Marr

HEAD OF CITY PLANNING

THIS APPROVAL IS GIVEN UNDER DELEGATION GRANTED BY COUNCIL ON 14 DECEMBER 2020

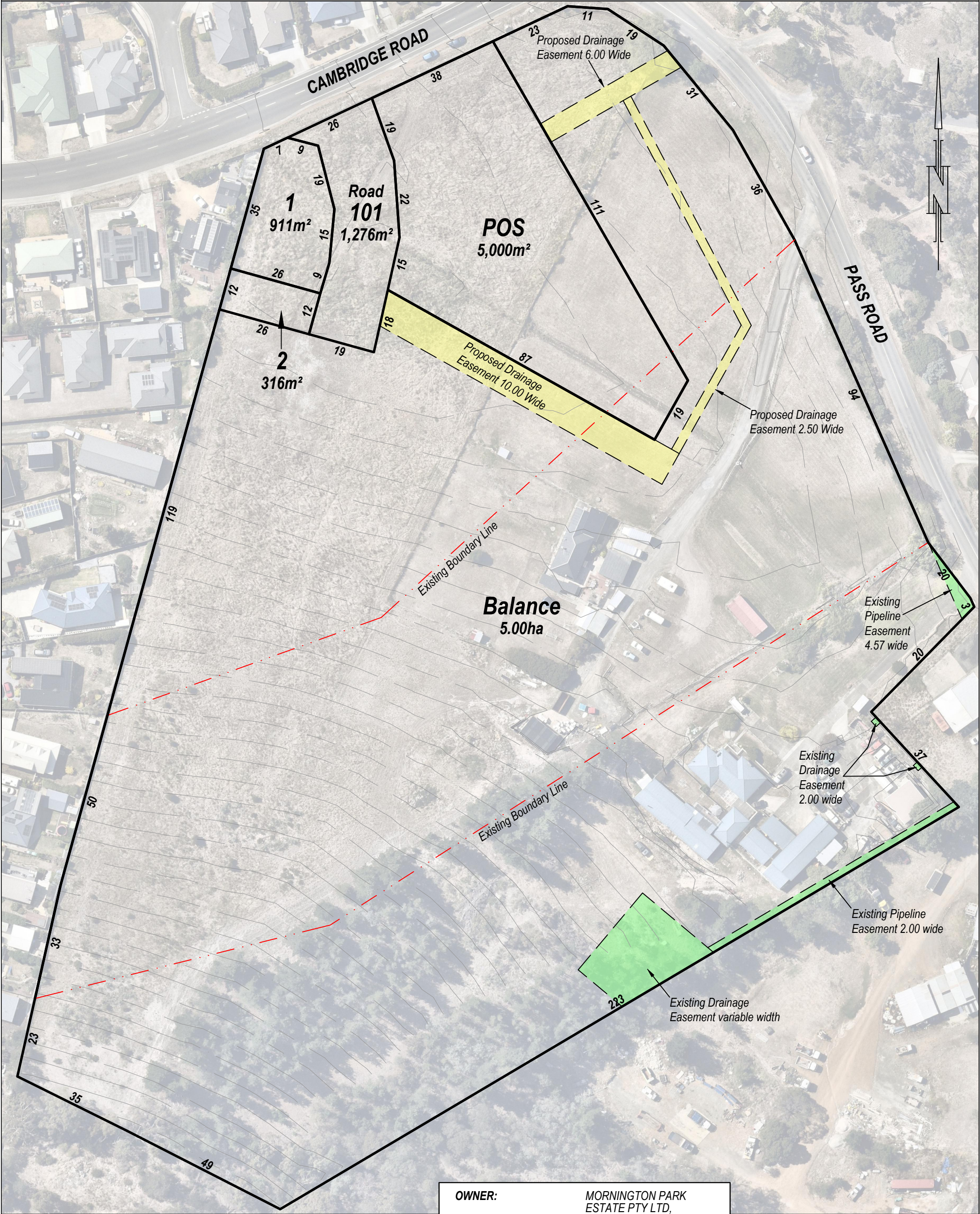


UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com

This plan has been prepared only for the purpose of obtaining preliminary subdivisinal approval from the local authority and is subject to that approval.

All measurements and areas are subject to the final survey.

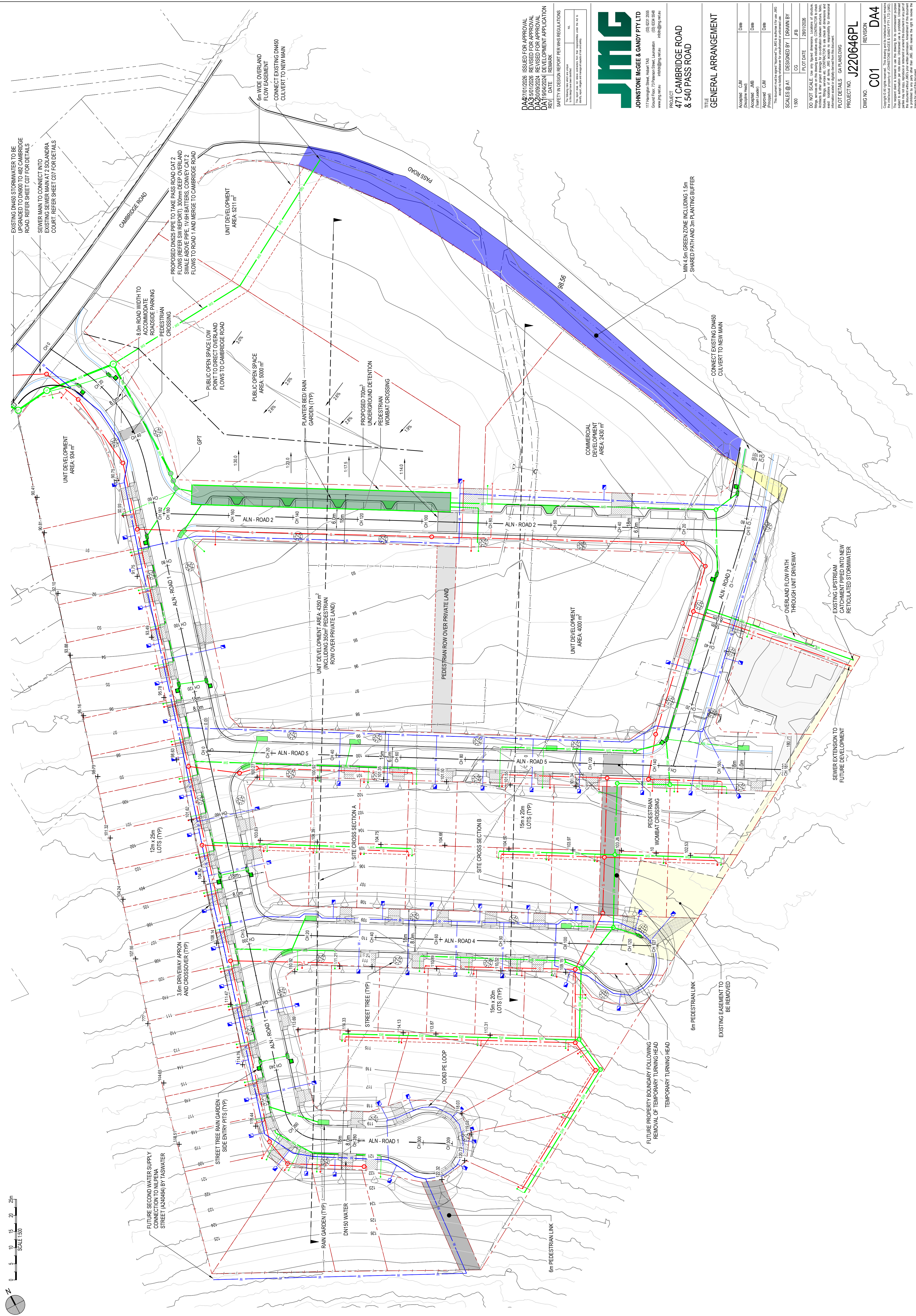
Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania
Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania



E				
D				
C	Update balance lot + add existing easements	LH	10/01/25	LH
B	Remove 528 Pass Road from proposal + add drainage easements	LH	19/11/24	LH
A	Update proposal layout	LH	06/11/24	LH
REV	AMENDMENTS	DRAWN	DATE	APPR.

OWNER:	MORNINGTON PARK ESTATE PTY LTD,
TITLE REFERENCE:	C.T.184647/1, C.T.184647/2 & C.T.184647/3
LOCATION:	471 CAMBRIDGE ROAD, MORNINGTON & 528 & 540 PASS ROAD, CAMBRIDGE

Proposed Subdivision			
Date:	24/04/2024	Reference:	BRG001 7868-50
Scale:	1:1250 (A3)	Municipality:	CLARENCE



The following risks which are unique to this design have been identified:	NL
This report does not relieve contractors from their responsibilities under the Act to identify, report, mitigate and manage all aspects of risk and safety.	



TITLE	GENERAL ARRANGEMENT

This document must be signed "Approved" by JMG to authorize it for use. JMG
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SCALES @ A1	DESIGNED BY	DRAWN BY
1:500	C.G	J.F.R

PLOT DATE	28/01/2026
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DO NOT SCALE: Use only figured dimensions. Locations of structure, fittings, services etc. on this drawing are indicative only. CONTRACTOR to check Architects & other project drawings for co-ordination between structure, fabric, fixtures, fittings, services etc. CONTRACTOR to site check all dimensions and exact locations of all items. JWG accepts no responsibility for dimensional information scaled or digitally derived from this document.

PLOT DETAILS GA PLANS.DWG

PROJECT NO.	J220646PL
DWG NO.	REVISION
C01	DA4

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