

25 February 2020

Chief Executive Officer  
City of Launceston  
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Dear Sir,

**DRAFT AMENDMENT 58 & DA0472/2019 – 40520 TASMAN HIGHWAY,  
ST LEONARDS – REPRESENTATION**

6ty° Pty Ltd lodged the combined application relevant to draft amendment and permit on behalf JCBGP Pty Ltd.

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We support the draft amendment as certified.

We make the following submission in relation to two conditions contained in Permit DA0472/2019 which Council proposes for the subdivision.

**Condition 10(c)(i)**

- The condition requires the infrastructure works associated with the subdivision to include:

*An underground reticulated electricity system and public street lighting scheme must be provided to service all lots and installed to the approval of the Responsible Authority.*

- Council's Underground Power Policy is dated 12 December 2007. It seeks the provision of underground power to new subdivisions, excluding those in the rural zone. The policy pre-dates the *Launceston Interim Planning Scheme 2015* ("Scheme") and its principles are not given effect through the Scheme provisions. There is no standard in the Scheme that requires underground electricity in new subdivisions.

- Regardless, the second principle in the Underground Power Policy states:

*Underground power is not required where there is an existing overhead supply along the road alignment which is sufficient for the proposed development.*

- An overhead supply is located along the roads which adjoin the site, including Tasman Highway, White Gum Rise and Magpie Crescent. The proposed subdivision roads, and associated electricity infrastructure, will extend into the site from White Gum Rise and Magpie Crescent.
- The adjoining Drivers Run subdivision to the north-east of the site involved the construction of road and overhead electricity infrastructure. White Gum Rise, Escarpment Drive and Magpie Crescent are roads that were built entirely within that subdivision. The planning permit for the subdivision (Permit DA0109/2010) was given effect, following approval by the Tasmanian Planning Commission, in 2011. The Underground Power Policy therefore pre-dated the permit. However, Permit DA0109/2010 did not require the provision of underground electricity. Overhead electricity infrastructure was instead extended into Drivers Run subdivision from the Tasman Highway.

- Specifically, Condition 19(f)(i) in Permit DA0109/2010 states:

*An overhead electricity system and public street lighting scheme shall be provided to service all lots and installed to the approval of the responsible authority. Exterior lighting shall be suitably designed and shaded to minimise light pollution.*

- For consistency with the second principle in the Underground Power Policy, and the electricity infrastructure required for the adjoining Drivers Run subdivision (which will be extended into the site), Condition 10(c)(i) in Permit DA0472/2019 should be amended to allow the provision of overhead reticulated electricity infrastructure.

#### **Condition 4(b)**

- The condition requires the landowner to enter into an agreement with Council's Planning Authority under Section 71 of the *Land Use Planning and Approvals Act*, which is required to confirm the following matters:

##### *Onsite Wastewater Treatment*

- Lots 1, 2 and 4 to 30 inclusive must utilise approved aerated waste water treatment systems and sub-surface irrigation land application areas to manage the disposal of domestic effluent;*
  - Installation of an approved aerated wastewater treatment system and sub-surface irrigation land application area is required for any new development and/or alterations to the existing on-site waste water management system on Lot 3;*
  - The location of the land application area for disposal of domestic effluent on all lots (1 to 30 inclusive) must achieve the minimum setbacks specified in the Geoton Landslide Risk Assessment, Preliminary Wastewater Assessment and Preliminary Stormwater Assessment dated 9 December 2019.*
- The Geoton on-site wastewater assessment referred to in the condition is a preliminary assessment for subdivision approval. Site-specific assessments for each lot will be required once the actual location and size of each residential development is known. This will include the design of an on-site wastewater system in each lot in accordance with AS/NZS 1547:2012 "On-site domestic-wastewater management". The system and land application areas required for each lot will therefore be confirmed in obtaining future building and plumbing approvals for each lot. The requirement in the condition therefore adds unnecessarily to the statutory controls that already exist.
  - In the event that Condition 4(b) in Permit DA0472/2019 is retained, it should be amended to allow the provision of alternate on-site wastewater systems, land application areas and minimum setback distances based on the findings of site-specific assessments for each lot or any advancements in the available technologies. This could be achieved with the addition of the following clause in the condition:
    - Alternate on-site wastewater systems, sub-surface irrigation land application areas may be provided with the prior written permission of Council.*

Please do not hesitate to contact me should you have any queries relating to this representation.

Yours faithfully

**6ty° Pty Ltd**

A handwritten signature in black ink that reads "Ashley Brook". The signature is written in a cursive, flowing style.

Ashley Brook  
Planning Consultant