Clarence... a brighter place

Clarence City Council

DRAFT PLANNING PERMIT

LAND USE PLANNING AND APPROVALS ACT 1993

Development No: **PDPSPAMEND-2022/028417** **Approval Date:** **01 January 1900**

Description: **54 Residential (Retirement Village) Units, Demolition of existing dwelling & Outbuilding at 647 East Derwent Highway and Associated Works.**

Address: **2 Piper Road, Geilston Bay 647 East Derwent Highway & 657 East Derwent Highway, Risdon**

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 and any permit conditions and must not be altered without the consent of Council.

2. Development must occur in accordance with the recommendations contained within the Clarence Lifestyle Village - Noise Impact Assessment by Noise Impact Consulting, dated 28 October 2024. These measures are to be certified by a recognized Acoustic Engineer or other appropriately qualified person and submitted as part of a Building Permit.

3. An updated Bushfire Report must be submitted showing the following:
   - All dwellings be designed and built to BAL-12.5 minimum standard under AS 3959:2018.
   - An updated TFS-endorsed bushfire emergency plan drafted in accordance with the current template documents found on the TFS website.
   - All new dwellings be designed with a basic ember protection at a minimum.
   - The whole site must be maintained as a hazard management area.

   must be submitted to and approved by Chief Executive Officer or delegate prior to the commencement of the use / prior to the issue of a certificate of likely compliance

(CLC) for building works, (whichever occurs first). When approved, the plans will form part of the permit.

4. Suitable covenants must be included in the Schedule of Easements with respect to:

   - Establishing the 13m setback to the rear (southern boundary) of the subject property an exclusion zone with no new habitable buildings to be built within this zone.
   - the whole site must be maintained in a low fuel state as a hazard management area.

   Additional covenants or other controls must not be included on the titles to the lots created by the subdivision where they are in conflict with any provisions of, or seek to prohibit any use provided for within, the relevant Planning Scheme applying to the lot.

5. The proposed non-combustible fence must be designed in accordance with the specifications referred to in the bushfire hazard report and the construction of the non-combustible fence must be implemented as part of the site civil works to the satisfaction of Council's Chief Executive Officer or delegate.

6. A landscape plan must be submitted to and approved by Council's Chief Executive Officer or Delegate prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). The landscape plan must be to a standard scale, provide the designer's contact details and be legible when reproduced at A3 size. The landscape plan must clearly document the following:

   - a north point/arrow,
   - existing property information such as building footprints, location of underground and overhead services, boundary lines, outdoor structures, garden beds and fences,
   - existing trees identified, marked clearly as "retained" or "for removal". An outline of tree protection measures – inclusive of calculated Tree Protection Zones in line with AS 4970-2009 – is required for all "retained" trees,
   - existing contours, relevant finished floor levels and any proposed alterations to ground levels,
   - areas of proposed landscape hard work treatments such as driveways, paths, buildings, carparks, retaining walls, edging and fencing,
   - areas of proposed landscape soft work treatments including garden beds and lawns,

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- proposed planting design with locations of individual plants at intended spacing and clearly identified species (use of symbols with a legend or direct labelling of plants preferred),
- a table listing selected species' botanical names, mature height, mature width, pot size and total quantities,
- avenue type plantings adjacent to the Commerce Road boundary with the inclusion of Ornamental pear species,
- details of proposed ongoing maintenance schedule (e.g. watering, weeding), and
- estimated cost for the installation of landscape works.

Note: Refer to "Preparing Landscape Plans for Development Applications" pamphlet for further information. Installed landscape works (soft and hard) will be inspected for adherence to the approved landscape plan and for quality of workmanship.

7. The detailed landscape plan must be consistent with the hazard management area requirements.

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. 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.

10. Engineering designs, prepared by a suitably qualified person, are required for:
    - access arrangements;
    - carpark and driveways construction;
    - service upgrades or relocations;

    and must show the extent of any vegetation removal proposed for these works. Such designs must be submitted to and approved by Council's Chief Executive Officer or Delegate.

    The detailed engineering plans must also include the internal accessways, car parking and manoeuvring areas, pedestrian paths and crossings, and demonstrate appropriate grades, dimensions, turning movements, parking delineation and pedestrian safety treatments.

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A 'start of works' permit must be obtained prior to the commencement of any works.

A Works in Road Reservation Permit must also be obtained if any proposed works are to be conducted within the road reservation or Council land.

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.

11. 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. The detailed engineering plans must also include the internal accessways, car parking and manoeuvring areas, pedestrian paths and crossings, and demonstrate appropriate grades, dimensions, turning movements, parking delineation and pedestrian safety treatments.

12. The owner must, at their expense, repair any Council services (eg 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. Any 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 and the service replaced in PVC or copper type A for water.

14. All services must be sealed off prior to any demolition works.

15. Stormwater reticulation is to be designed in accordance with the requirements of Council's Local Highways Standard Requirements By- Law and the State Stormwater Strategy to the satisfaction of Council's Head of Infrastructure and Natural Assets. The design is to identify and design overland flow paths and run-off handling systems for 1% AEP events. These systems shall ensure that no concentrated flow or overflow from street drainage and stormwater reticulation is directed across or through proposed lots (unless dedicated as an overland flow path with easements in favour of Council). Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels and water quality characteristics of receiving waters are maintained or improved. The design must incorporate Water Sensitive Urban Design principles and be submitted for approval by Council's Chief Executive Officer or delegate 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.

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16. Prior to the issue of Engineering Approval, detailed and coordinated stormwater and flood management design, prepared by a suitably qualified engineer, must be submitted to and approved by Council's Chief Executive Officer or delegate.

The design must be consistent with the approved development plans and address the relevant findings of the supporting stormwater and flood reports. The design must demonstrate that:

a) the proposed drainage, detention and major overland flow systems safely manage the 1% AEP event, inclusive of the adopted climate change allowance;

b) post-development stormwater discharge from the development does not exceed pre-development discharge at the relevant discharge points;

c) the cut-off drain, check dams, headwalls, pipe network, detention basins, internal roads and overflow paths are coordinated and adequately designed to safely manage site runoff and external overland flows, including relevant design calculations, hydraulic modelling, longitudinal sections, cross sections, profiles, levels, pipe schedules, basin details and capacity calculations;

d) the proposed works do not cause or contribute to adverse flooding, permanent scour or erosion impacts on the site, adjoining land, East Derwent Highway or public infrastructure; and

e) finished floor levels and relevant access levels are set in accordance with the approved flood and drainage design, including appropriate freeboard where required.

The submission must include sufficient supporting calculations, modelling outputs and detailed engineering drawings to demonstrate compliance with this condition.

When approved, the amended plans will form part of this permit. If compliance with this condition cannot be demonstrated, the approved development must not proceed in its approved form, and a further planning approval may be required.

17 An erosion and sedimentation control plan, in accordance with the Derwent Estuary Program Soil & Water Management on Building & Construction Sites document, must be submitted and approved by Council's Chief Executive Officer or delegate prior to the commencement of the works / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). 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 or to the satisfaction of Council's Chief Executive Officer or delegate prior to the commencement of works.

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18. A weed management plan identifying methods to control weeds, must be submitted to and approved by Council's Chief Executive Officer or delegate 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 Chief Executive Officer or delegate. 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.

19. All works must be undertaken generally in accordance with the Wetlands and Waterways Works Manual produced by the Tasmanian Department of Primary Industries, Water and the Environment 2003 [copy available at https://nre.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual.

20. Certificates of Title for subject land, Volume 226109/1 and Volume 115696/1 must be consolidated into one title prior to the issue of a building/plumbing permit or commencement of works, whichever occurs first. To consolidate the titles, the final plan and schedule of easements must be submitted to Council for sealing.

21. The development must meet all required Conditions of Approval specified by TasWater notice dated 05/07/2024 (TWDA 2022/0088 - CCC).

The following advice is also provided:

a. This permit will lapse after 2 years from the date on which it is granted in accordance with Section 42C(2) (a) of the Act unless the development / use has been substantially commenced.

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In accordance with Section 42C(3) an application may be made to the Planning Authority for an extension in accordance with Section 42C (2) (b) or (c), any time before the period of 6 months from 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. 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.

d. All units and other structures are to comply with Fire Separation under the relevant National Construction Code and the Building Act 2016.

Daniel Marr
HEAD OF CITY PLANNING
THIS APPROVAL IS GIVEN UNDER DELEGATION GRANTED BY COUNCIL ON 14 DECEMBER 2020

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