

TASMANIAN PLANNING COMMISSION



DECISION

Planning scheme	Tasmanian Planning Scheme – Launceston
Amendment	PSA-LLP0021 – Rezone 40768 Tasman Highway, Waverley and the adjoining casement title from Rural to Rural Living A
Permit	DA0140-2024 – 23 lot subdivision
Planning authority	Launceston City Council
Applicant	6ty Pty Ltd for Garry and Leslie Dawkins
Date of decision	24 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.

Michael Hogan
Delegate (Chair)

Paul West
Delegate

Tasmanian Planning Commission Act 1997 (the Act)

Erratum under section 18A(1)

**Decision on Tasmanian Planning Scheme - Launceston
Draft amendment PSA-LLP0021 and associated permit DA0140-2024**

Dated 30 June 2026

Table 1 - list of corrections to decision

Page	Paragraph	Correction	Approved
19	18 of modified permit	Delete	John Ramsay Executive Commissioner 2 July 2026
13-19		Renumber all remaining paragraphs numerically. Delete existing modified permit paragraphs 1-19. Substitute new modified permit paragraphs 1-22 and notes, as shown in Attachment 1. The renumbered permit is shown in Attachment 1 and has been included in the decision	John Ramsay Executive Commissioner 2 July 2026

Attachment 1

Annexure B

Modified permit DA0140-2024

1. *ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Senior Leader City Development unless modified by a condition of the Permit:

- a) Proposal Plan, prepared by 6ty°, Rev L, Issue 13, 11/05/2026;
- b) Proposal BAL Treatment Plan Option, prepared by 6ty°, Project No. 22.257, Drawing No. Cp02, Revision F, dated 05/12/2024;
- c) Preliminary On-Site Wastewater Disposal Evaluation, prepared by Geoton Pty Ltd, Reference No. GL23301Ab, Revision.01, dated 4 July 2025;
- d) Agricultural Report, prepared by RMCG, Version 1.1, dated 9 July 2025;
- e) Bushfire Hazard Management Report, prepared by RMCG, Version 2.0, dated 9 July 2025, subject to condition 2;
- f) Flora and Fauna Report, Version 1.1, prepared by RMCG, dated 9 July 2025; and
- g) Traffic Impact Assessment, prepared by Traffic & Civil Services, Final 6, dated December 2024.

2. *SUITABILITY OF BUSHFIRE HAZARD MANAGEMENT PLAN

Prior to works on the development commencing, written confirmation is required from an accredited bushfire practitioner that the Proposal Plan (Rev L, Issue 13, 11/05/2026) is consistent with recommendations of the Bushfire Hazard Management Plan (BHMP). If any changes to the BHMP are required an amended plan is to be provided and is to be endorsed by the Senior Leader of Development Assessment.

3. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00561-LCC, dated 27/06/2025 and attached to the permit.

5. HOURS OF CONSTRUCTION

- a) Unless otherwise approved in writing by the Senior Leader Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7 am to 6 pm; and
 - ii. Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

6. DAMAGE TO COUNCIL INFRASTRUCTURE & ASSETS

The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of the Executive Leader - Community Assets and Design is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

8. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

9. SOIL AND WATER MANAGEMENT CONTROL PLAN

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.

- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Executive Leader Community Assets and Design. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

10. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

11. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

12. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader Community Assets and Design.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
- b. Roads
 - i. Provision of a fully constructed road 6.0m metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of a single vehicular crossing for each lot within the subdivision,
 - iii. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - iv. all necessary line marking, signage and other traffic control devices.
- c. Public Open
 - i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.

Contiguous

- d. Electricity, Communications & Other Utilities
 - i. 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,
 - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- 1. Construction requirements,
- 2. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- 3. Construction Audit inspections,
- 4. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

13. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

14. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

15. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available upon request.
- b. A Closed Circuit Television inspection report for all stormwater drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

16. EASEMENTS

Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

17. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Executive Leader Community Assets and Design:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.
- c. The provision of engineering certification and as constructed documentation in accordance the Council requirements.
- d. The subsequent issue of a Certificate of Practical Completion by the Executive Leader Community Assets and Design for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

18. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Executive Leader Community Assets and Design, of the Certificate under Section 10 (7) of the Local Government (Highways) Act 1962. All costs involved in this procedure must be met by the Subdivider.

19. COMPLETION OF WORKS

All works must be carried out to Council standards and under the direct supervision of a suitably qualified and experienced civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

20. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Council's Community Assets and Design Team.

21. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

22. *PART 5 (SECTION 71) AGREEMENTS

Prior to the sealing of the final plan, a Section 71 agreement must be executed, that provides for the following:

- a. A 40m 'no build zone' from the top of the bank from Distillery Creek. The buffer must be placed onto the folio plan for lots 9, 12, 13, and 14 of the endorsed plans, once registered.

- b. Sediment barriers must be used downslope of any construction on 9, 12, 13, and 14.
- c. The 'no build zone' includes no buildings (habitable or non-habitable), no earthworks, no native vegetation removal, and no fencing.
- d. Declared weeds within the 'no build area' must be actively managed.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*.

All cost associated with preparing and registering the Agreement must be borne by the applicant.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0140/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Tasmanian Civil & Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

C. Permit Commencement

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

D. Subdivision - On-site wastewater disposal

The onsite wastewater report prepared by GeoTon Pty Ltd dated 08/06/2023 specifies all lots are suitable only for the installation of a system capable of secondary treatment of effluent.

***permit conditions modified by the decision of the Tasmanian Planning Commission dated 24 June 2026**

REASONS FOR DECISION

Background

Amendment

The draft amendment proposes to rezone the land at 40768 Tasman Highway, Waverley (folio of the Register 104384/2) and the adjoining casement title known as folio of the Register 104384/4, from Rural to Rural Living A.

Permit

The permit provides for a 23 lot subdivision and associated road.

Site information

The site comprises two parcels of land with an approximate combined area of 24.6ha. The primary parcel is located at 40768 Tasman Highway, Waverley. The application also includes a small Council owned subdivision road known as folio of the Register 104384/4.

The site, primarily comprised of pasture, contains two residential dwellings (and associated outbuildings) located in the site's western corner. Distillery Creek adjoins the site to the north, where a small area of threatened eastern riparian scrub exists.

The site is currently zoned Rural and is subject to the Airport Obstacle Limitation Area, Landslip Hazard, Bushfire-Prone Areas, Priority Vegetation Area, and Waterway and Coastal Protection Area overlays. The site adjoins Agriculture-zoned land to its west, Rural-zoned land to its north, and Rural Living-zoned land to its east and south.

The site has significant south-western and south-eastern frontages to the Tasman Highway and Boomer Road respectively. The site is not connected to reticulated water, sewer or stormwater.

Issues raised in representations

Six representations were received during the exhibition period. The representations raised matters that included:

- environmental and wildlife impacts
- impacts on the existing character of the area
- demand for expansion of residential use and development
- potential land use conflicts
- water servicing and registered easements
- proposed lot sizes
- flood risk; and
- stormwater management.

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

In response TasWater advised that it does not object to the draft amendment and provided a submission to planning authority notice (SPAN) providing conditions to be included with 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 Council:

1. in accordance with sections with sections 40K of the Land Use Planning and Approvals Act 1993, considers the merit of any representation received during public exhibition of Draft Amendment DA0140/2024 and PSA-LLP0021 and,
2. amend Permit DA0140/2024 to include the following condition;

PART 5 (SECTION 71) AGREEMENTS

Prior to the final plan being sealed, a Section 71 agreement must be executed, that provides for the following:

- a. A 40m 'no build zone' from the top of the bank from Distillery Creek. The buffer must be placed onto the folio plan for lots 8, 9, 12, 13, and 14 of the endorsed plans, once registered.
- b. Sediment barriers must be used downslope of any construction on lots 8, 9, 12, 13, and 14.
- c. The 'no build zone' includes no buildings (habitable or non-habitable), no earthworks, no native vegetation removal, and no fencing.
- d. Declared weeds within the 'no build area' must be actively managed.
- e. The exception to the 'no build area' is future lot 9, which is permitted to remove vegetation, other than within the eastern riparian scrub (SRE) community identified on TASVEG 4.0 mapping, to undertake earthworks for the access purposes.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the Land Use Planning and Approvals Act 1993.

All cost associated with preparing and registering the Agreement must be borne by the applicant.

3. Recommends to the Tasmanian Planning Commission that Draft Amendment PSA-LLP00330 and permit DA0124/2023 be approved as exhibited.

Date and place of hearing

The hearing was held at the Launceston Town Hall at 18-28 John Street, Launceston on 16 April 2026.

Appearances at the hearing

Planning authority:	Ms Jen Welch, Planner Mr Iain More, Planner
Applicant:	Mr Ashley Brook – Planner – 6ty Pty Ltd Mr Chester Bullock – Director – 6ty Ltd Ms Donna Lucas – Agricultural expert – RMCG Ms Samantha Gadsby – Natural values expert – RMCG Mr Kurt Ainsaar – Economics consultant – Urban Enterprise Mr Tony Barriera – Wastewater expert – Geoton Mr Richard Burk – Traffic expert – Traffic and Civil Services
Representors:	Ms Bridget Freeman Ms Madeline Cashman

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 - Launceston 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 also 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 below.

Discussion

Expansion and intensification of rural residential areas

- 5. The relevant regional land use strategy; the Northern Tasmania Regional Land Use Strategy (the regional strategy), outlines that opportunities to increase the capacity of existing *rural residential areas* will be given greater priority over their expansion although it may be preferable to expand an existing *rural residential area* or create a new area where this meets the objectives of the regional strategy.
- 6. While the site is adjacent to land zoned for rural living purposes, for the purposes of the regional strategy the Commission considers that the site is not part of a *rural residential area*. Rather than being an intensification of a *rural residential area* the proposed amendment is considered to be an expansion of an existing area.
- 7. There is approximately 250ha of land in the broader locality zoned for rural living purposes, with around half of this area zoned Rural Living A and the remainder zoned Rural Living B.
- 8. Generally, land within the Rural Living B zone comprises a mix of native vegetation communities, steeply sloping terrain, and areas containing surface dolerite or dolerite outcrops. While some rural living areas may be capable of supporting more intensive use and development, the Commission considers that, across the locality, there is limited capacity for further consolidation due to the environmental values and physical constraints that characterise the land.

Local and sub-regional demand and supply

- 9. In part the regional strategy states that: growth opportunities will be provided in strategically preferred locations for rural living and environmental living based on sustainability criteria and local strategies to support settlement growth.

10. The regional strategy does not establish targets or objectives for the proportion of the region's housing supply to be accommodated in rural as opposed to urban environments. Prioritising additional rural living land may, however, conflict with higher-order policies within the regional settlement network of the regional strategy.
11. The Commission notes that the Launceston Residential Strategy 2009–2029 seeks to limit the extent of land zoned for rural living so that rural housing does not exceed 15% of the municipality's total housing supply, and to avoid diverting demand away from serviced urban areas. These aims are not translated into policy within the regional strategy.
12. The Commission considers that assessing the relationship between demand and supply for rural living land in the short, medium and long term is likely to be an important element in furthering the Schedule 1 objectives. However, as the supply of rural living land in greater Launceston is occurring at a regional scale, it is necessary to ensure that the regional settlement outcomes of the regional strategy are achieved. In this context, the Commission considers that applying planning policies or targets derived solely from local strategies should avoid generating perverse outcomes at the regional level.
13. Based on the evidence provided in the *Rural Living Market Assessment Report* February 2025 the Commission is satisfied that at a local level the catchment containing Waverly and Relbia demonstrates a long term demand equivalent to 6-10 rural living dwellings per year and that there is limited supply in the short medium and long term based on both available lots and land with the capacity to be subdivided and made available.
14. The Commission considers that;
 - at a local level the site has the capacity to supply land that equates to meeting 2-4 years of demand for rural living dwellings; and
 - the proposed rezoning in and of itself is not likely to create an oversupply of land rural living that would undermine broader housing and settlement policies.
15. At a subregional level, in the area immediately south of Launceston as well as across the towns to the south of Launceston, there is a significant supply of land available in the short and medium term for rural living. While areas at Perth and Longford have good access to local services provided in adjacent townships, generally these areas are 2 to 3 times the distance by road to regional services provided in Launceston in comparison to the rural living areas at Waverly or Relbia.
16. The supply of land in locations that are within 5km to 10km of central Launceston are considered to cater for a different demand for housing to land that are part of satellite towns 15km to 20km from central Launceston.
17. While the Commission only has information related to demand and supply across the southern subregion of Launceston, it considers that there is a demonstrated need for further supply of rural residential land in proximity to Launceston in the short to medium term.

Application of the Rural Living Zone A

18. The Commission considers that either the Rural Living Zone A or Rural Living Zone B would be consistent with the overall pattern of existing development in the locality.
19. At the hearing, the planning authority submitted that the draft amendment, in applying the Rural Living Zone (subdivision category A), was considered appropriate because it aligns with long-standing strategic planning and the established development pattern, and supports efficient, orderly rural-residential growth in the area.
20. The Commission considers that the minimum lot size of 1ha provides for an efficient and effective use of the land that will cater for community demand considering:
 - the topography of the site
 - its natural values
 - the capacity of the land
 - the potential and need to extend and upgrade infrastructure serving the site and locality; and
 - its characteristics within the broader landscape.

Natural values

21. The applicant submitted a flora and fauna report prepared by RMCG, dated 9 July 2025, to support the proposal.
22. RMCG considered that natural values on the site are located primarily within the remnant native vegetation, the threatened riparian vegetation community, and the associated corridor along Distillery Creek, all of which fall within and are protected by the Waterway and Coastal Protection Area and Priority Vegetation Area overlays of the Natural Assets Code.
23. The Commission considers that the potential residential development of the site in accordance with the Rural Living Zone (subdivision category A) will:
 - provide building areas outside of where the natural values exist; and
 - not unduly impact upon the ecological processes or natural values of the site.

Bushfire management

24. The applicant submitted a Bushfire Hazard Management Report prepared by RMCG, dated 9 July 2025, to support the proposal.
25. RMCG considered that the site is bushfire-prone and potential residential development can comply with the Bushfire-Prone Areas Code through grassland management, code-compliant access, and appropriate water supply arrangements

Landscape effects

26. The site has an area of approximately 24ha, is relatively flat, and is situated within a landscape where mid-ground and long-distance views are dominated

by the topography and native vegetation of the Boomer Hills range and its foothills.

27. While future rural living development on the site would be visible from elevated Rural Living zoned land to the east and south-east, the Commission considers that such development would not materially alter the broader landscape character, nor diminish the significance of the skyline formed by the Boomer Hills range.

Site capacity for Agricultural Use

28. The applicant submitted an Agricultural Report prepared by RMCG, dated 9 July 2025, to support the proposal.
29. RMCG considered that the draft amendment would remove a relatively small area of lower-productivity Class 4–6 land from the agricultural estate, with the title already functioning at a hobby-scale level and offering limited opportunity to be farmed in conjunction with surrounding land. Appropriate separation distances can be achieved to ensure that future dwellings do not constrain existing or potential primary industry uses in the locality.

Transport Network

30. The applicant submitted a Traffic Impact Assessment prepared by Traffic and Civil Services, dated December 2024, to support the application.
31. Traffic and Civil Services considered that the proposal will generate low traffic volumes within a low-risk road environment, with both Tasman Highway and Boomer Road operating safely and, with a BAL-standard junction upgrade, the development can meet the requirements of the Road and Railway Assets Code.

Infrastructure Services

32. The applicant submitted a Preliminary On-Site Wastewater Disposal Evaluation prepared by GeoTon Geotechnical Consultants, dated 4 July 2025, to support the application.
33. GeoTon Geotechnical Consultants considered that potential residential development on the site can be supported by on-site wastewater systems, with sufficient area and setbacks available to accommodate secondary-treated effluent disposal using AWTs-based systems or equivalent compliant solutions.

Regional Land Use Strategy

34. As outlined above, the Commission considers that the draft amendment is an expansion of a rural living area rather than the intensification of an existing rural living area for the purpose of the regional strategy. The Commission considers that there is a demonstrable demand for additional rural living land at a subregional level and the additional supply land this locations land caters for is a different type of rural living lifestyle to the existing zoned land further from central Launceston.
35. The Commission finds that having regard to potential and likely effects to relevant matters including natural hazards, ecological values, landscape values, current and future agricultural activities and infrastructure capacity the draft amendment gives effect to the regional strategy.

State Policies and Resource Management and Planning System Objectives

36. The Commission considers that the *State Policy on the Protection of Agricultural Land 2009* (PAL Policy) is relevant to the draft amendment. The Commission finds that the land is not prime agricultural land and that the draft amendment is consistent with the PAL Policy.
37. The Commission considers that the *State Policy on Water Quality Management 1997* (Water Quality Policy) is relevant to the draft amendment, noting that the regulatory assessment process for development would ensure requirements of the Water Quality Policy are upheld.
38. The Commission considers that no other State Policies are relevant to the draft amendment.
39. The Commission considers that the draft amendment will contribute to the orderly use of land that meets a clear sub-regional demand, that the intended use and development of land under the rural living zone is consistent with the capability of the land and that the protection and provision of infrastructure is achieved through the existing provision of the planning scheme. The Commission finds the draft amendment seeks to further the Objectives of the Resource Management and Planning System in Schedule 1 of the Act.

Local Strategic Plan

40. The relevant strategic plan is the City of Launceston Strategic Plan 2025-2035 (Launceston strategic plan).
41. The Commission finds that the amendment has regard to the strategic plan as it enables rezoning that is contiguous with existing rural living land, supports ongoing population growth, maintains a diversity of rural-setting housing opportunities, and protects on-site biodiversity through retention of the priority vegetation overlay.

Commission's findings

42. As described above, the Commission finds that the draft amendment:
 - is as far as practicable, consistent with the regional strategy
 - has regard to the strategic plan prepared under section 66 of the *Local Government Act 1993* and other local strategies of relevance
 - is consistent with the relevant State Policies; and
 - seeks to further the Objectives of the Resource Management and Planning System at Schedule 1 of the Act.

Modifications required to draft amendment

43. Under section 40M of the Act the Commission must consider whether modifications to a draft amendment of an LPS ought to be made.
44. Commission considers that the draft amendment be modified to correct a revealed discrepancy in the alignment of the mapping of the proposed rezoning along the edge of Distillery Creek, as set out in Annexure A.

Decision on draft amendment

45. 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

46. 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.
47. 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.
48. The permit sought is for a 23 lot subdivision. As such the development application must be considered against the applicable standards in the Rural Living Zone and applicable codes in the State Planning Provisions.
49. At the hearing, the drafting of the planning permit conditions was reviewed.

Assessment against the provisions of the planning scheme

50. The site is in the Rural Zone and the Airport Obstacle Limitation Area, Landslip Hazard, Bushfire-Prone Areas, Priority Vegetation Area and Waterway and Coastal Protection Area overlays apply to the land.
51. Both the applicant and planning authority assessed the proposal against the planning scheme provisions, concluding that it meets the relevant zone and code acceptable solutions and, where necessary, satisfies the applicable performance criteria.

Commission consideration

52. The Commission finds that the proposal meets the relevant provisions of the planning scheme.

Planning Permit Conditions

53. At the hearing the planning permit conditions were reviewed with the planning authority and the applicant.
54. Following the hearing, the Commission issued a direction to the planning authority and the applicant to consider planning permit conditions regarding access arrangements, required road upgrades, Part 5 (Section 71) agreements, endorsed plans, and bushfire management measures. The direction also raised a separate matter concerning an existing pipeline easement in the locality.
55. In response, the planning authority, in conjunction with the applicant:

- provided an amended proposal plan detailing amended access and bushfire management
- proposed to remove the condition regarding an upgrade to the junction at Boomer Road and the Tasman Highway; and
- drafted amended permit conditions relating to Part 5 (Section 71) agreements, endorsed plans and bushfire management measures.

Commission consideration

56. The Commission agrees with the suggested amendments to the permit by the planning authority and the applicant.
57. The Commission considers that the proposed development complies with the relevant provisions of the Tasmanian Planning Scheme.

Schedule 1 Objectives of the Act

58. The Commission finds that the draft permit furthers the Objectives at Schedule 1 of the Act.

TasWater conditions

59. 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*.
60. Conditions 20 and 21 on the TasWater notice provides for the payment by the developer of a fee for development assessment and for consent to register a legal document.
61. This condition is not for a proper planning purpose¹ and is to be removed but may be included as advice.

Modification to permit conditions

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

Decision on permit

63. 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 PSA-LLP0021, Tasmanian Planning Scheme – Launceston

Rezone 40768 Tasman Highway, Waverley (folio of the Register 104384/2) and the adjoining casement title (folio of the Register 104384/4) from Rural to Rural Living A, as shown in Figure 1 below:

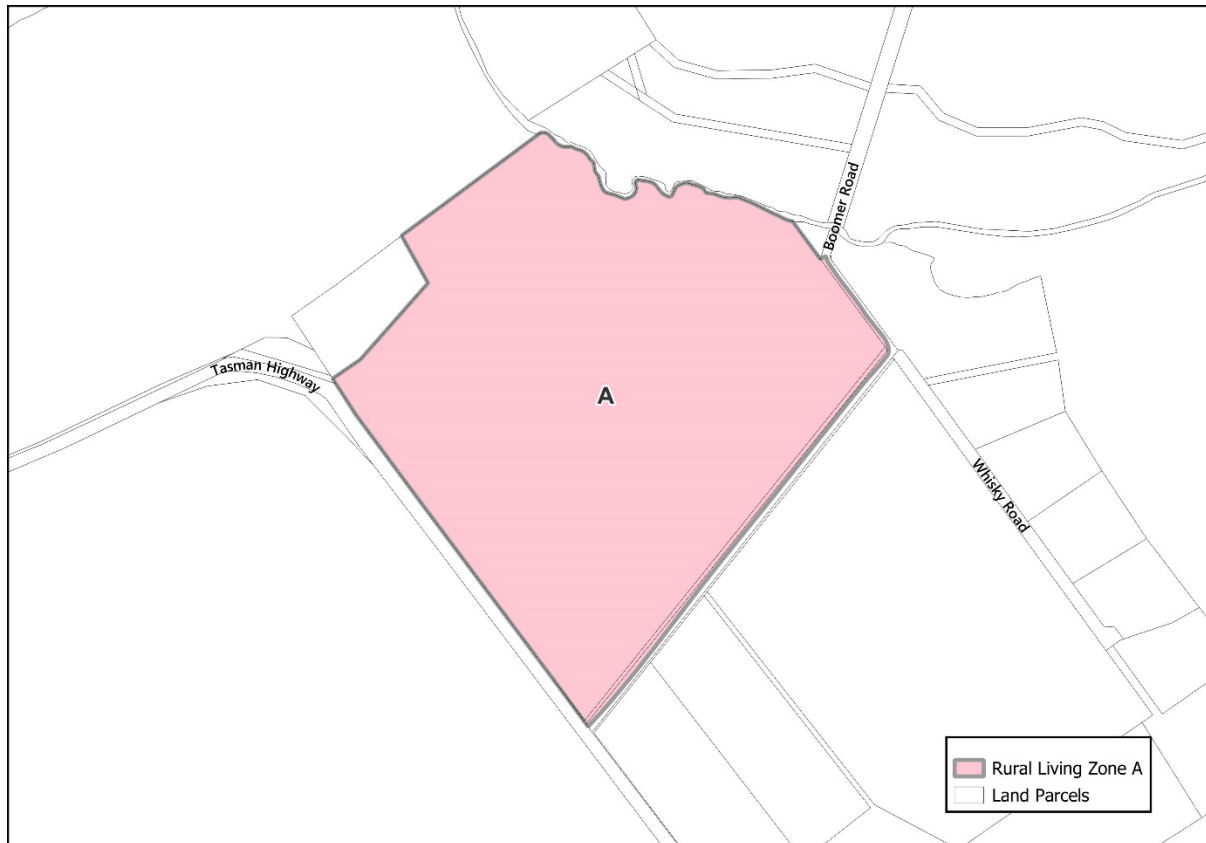


Figure 1: Application of Rural Living A Zone to land at 40768 Tasman Highway, Waverley and the adjoining casement title

Annexure B

Modified permit DA0140-2024

1. *ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Senior Leader City Development unless modified by a condition of the Permit:

- a) Proposal Plan, prepared by 6ty°, Rev L, Issue 13, 11/05/2026;
- b) Proposal BAL Treatment Plan Option, prepared by 6ty°, Project No. 22.257, Drawing No. Cp02, Revision F, dated 05/12/2024;
- c) Preliminary On-Site Wastewater Disposal Evaluation, prepared by Geoton Pty Ltd, Reference No. GL23301Ab, Revision.01, dated 4 July 2025;
- d) Agricultural Report, prepared by RMCG, Version 1.1, dated 9 July 2025;
- e) Bushfire Hazard Management Report, prepared by RMCG, Version 2.0, dated 9 July 2025, subject to condition 2;
- f) Flora and Fauna Report, Version 1.1, prepared by RMCG, dated 9 July 2025; and
- g) Traffic Impact Assessment, prepared by Traffic & Civil Services, Final 6, dated December 2024.

2. *SUITABILITY OF BUSHFIRE HAZARD MANAGEMENT PLAN

Prior to works on the development commencing, written confirmation is required from an accredited bushfire practitioner that the Proposal Plan (Rev L, Issue 13, 11/05/2026) is consistent with recommendations of the Bushfire Hazard Management Plan (BHMP). If any changes to the BHMP are required an amended plan is to be provided and is to be endorsed by the Senior Leader of Development Assessment.

3. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land except construction of access from the street.

4. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA 2024/00561-LCC, dated 27/06/2025 and attached to the permit.

5. HOURS OF CONSTRUCTION

- a) Unless otherwise approved in writing by the Senior Leader Health and Compliance construction activities must only be carried out between the hours of:
 - i. Monday to Friday - 7 am to 6 pm; and
 - ii. Saturday - 8 am to 6 pm.
- b) Notwithstanding the above paragraph, construction activities must not be carried out on public holidays that are observed state-wide (Easter Tuesday excepted).

6. DAMAGE TO COUNCIL INFRASTRUCTURE & ASSETS

The developer is liable for all costs associated with the repair of damage to Council infrastructure and assets resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. Damage may also include the undertaking of unauthorised works to Council infrastructure such as driveways, footpaths and stormwater infrastructure. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

7. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be carried out in accordance with a detailed Traffic Management Plan prepared by a qualified person in accordance with the requirements of Australian Standard AS1742. A copy of such plan is to be maintained on site and available for inspection upon request by an Authorised Officer.

The explicit permission of the Executive Leader - Community Assets and Design is required prior to undertaking works where the works:

- a. require a road or lane closure;
- b. require occupation of the road reserve for more than one week at a particular location;
- c. are in nominated high traffic locations; or
- d. involve opening or breaking trafficable surfaces.

Where the work is associated with the installation, removal or modification of a driveway or a stormwater connection, the approval of a permit for such works shall form the explicit approval.

8. TRENCH REINSTATEMENT FOR NEW/ALTERED CONNECTIONS

Where a service connection to a public main or utility is to be relocated/upsized or removed then the trench within the road pavement is to be reinstated in accordance with LGAT-IPWEA Tasmanian Standard Drawing TSD-G01 Trench Reinstatement Flexible Pavements and Council policy 27-Rfx-012 Standards for Surface Reinstatement of Works in the Road Service. The asphalt patch is to be placed to ensure a water tight seal against the existing asphalt surface. Any defect in the trench reinstatement that becomes apparent within 12 months of the works is to be repaired at the cost of the applicant.

9. SOIL AND WATER MANAGEMENT CONTROL PLAN

Prior to the commencement of works, a site management plan must be submitted detailing how soil and water must be managed on the site during the construction process. The management plan must include the following:

- a. Allotment boundaries, contours, approximate grades of slope and directions of fall.
- b. Location of adjoining roads, impervious surfaces, underground services and existing drainage.
- c. Location and types of all existing natural vegetation, the proposed location of topsoil stockpiles and the limit of clearing, grading and filling.

- d. Critical natural areas such as drainage lines, cliffs, wetlands and unstable ground.
- e. The estimated dates for the start and finish of the works.
- f. The erosion control practices to be used on the site such as cut off drains, fencing off areas to be undisturbed, revegetation program and so on.
- g. The sediment control practices to be used on site such as silt fencing, stabilised site access, filter screens for inlets to the drainage system, sediment traps and so on.
- h. Timing of the site rehabilitation or landscaping program.
- i. Outline of the maintenance program for the erosion and sediment controls.

Works must not commence prior to the approval of the Soil and Water Management Control Plan by the Executive Leader Community Assets and Design. The Plan must be implemented and maintained during construction to ensure that soil erosion is to be appropriately managed.

10. FACILITIES AND HIGHWAYS BY-LAW

Prior to the placement of any skip bin, security fencing, hoarding, shipping containers, site offices or amenities within a local highway, the person, corporation or other legal entity must seek and have issued a permit pursuant to the Facilities and Highways By-Law (No. 1 of 2021). The payment of the scheduled Occupation Fee (comprising a minimum base fee and a square metre weekly rate) is required prior to the occupation commencing. No occupation of the road reserve is permitted without approval.

11. SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Executive Leader Community Assets and Design for approval. Such plans and specifications must:

- a. Include all infrastructure works required by the permit or shown in the endorsed plans and specifications including:
 - i. Electricity infrastructure including street lighting.
 - ii. Communications infrastructure and evidence of compliance with the 'fibre-ready' requirements of National Broadband Network.
 - iii. Evidence of assessment by TasGas Networks re provision of reticulated gas network.
- b. be prepared strictly in accordance with the Tasmanian Subdivision Guidelines and the LGAT-IPWEA Tasmanian Standard Drawings applicable at the date of submission of the plans.
- c. be prepared by a suitably qualified and experienced engineer or Engineering Consultancy.
- d. be accompanied by:
 - i. an estimate of the construction cost of the future public works together with a schedule of the major components and their relevant costs; and
 - ii. a fee of 1.5% of the public works estimate (or a minimum of \$250). Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion & Final inspections.

12. CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Executive Leader Community Assets and Design.

The required infrastructure works must be as shown in the application documents and endorsed plans and modified by the approval of the detailed engineering drawings and specifications. Works must include:

- a. Stormwater
 - i. Provision of a public drainage system to drain all roadways, footpaths and nature strips within the road reserves and all land draining onto the road reserve,
- b. Roads
 - i. Provision of a fully constructed road 6.0m metres wide (measured from the face of kerb to the face of kerb) for the entire length of all the property frontages, complete with KC type kerb and channel,
 - ii. Provision of a single vehicular crossing for each lot within the subdivision,
 - iii. Provision of a sealed temporary turning head of a suitable size for incomplete roads,
 - iv. all necessary line marking, signage and other traffic control devices.
- c. Public Open
 - i. All public open space lots must be landscaped, provided with works to restrict traffic, provided with a 25mm water connection, connecting footpaths and all necessary drainage.

Contiguous

- d. Electricity, Communications & Other Utilities
 - i. 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,
 - ii. An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority,
 - iii. Provision of a suitably sized conduit/corridor for the future provision of broadband internet infrastructure.
 - iv. Provision of reticulated gas network to service all lots and installed to the approval of the Responsible Authority.

All construction works must be undertaken in accordance with the Tasmanian Subdivision Guidelines and LGAT-IPWEA Standard Drawings. These documents specify:

- 1. Construction requirements,
- 2. Appointment of a suitably qualified Supervising Engineer to supervise and certify construction works, arrange Council Audit inspections and other responsibilities,
- 3. Construction Audit inspections,
- 4. Practical Completion and after a 12 months defects liability period the Final Inspection & Hand-Over.

13. ACCESS OVER ADJACENT LAND

Where it is necessary, for the construction of the public works, to gain access to land not in the ownership of the developer the supervising engineer must:

- a. Advise Council 21 days before access is required onsite so that notices pursuant to the *Urban Drainage Act 2013* can be issued to the landowner, then
- b. Contact the adjacent land owners to advise them of the proposed works and assess any of their (reasonable) requirements which should be incorporated in the works and,
- c. Ensure that client provides a signed statement advising the Council that they will pay all compensation cost for the easements and the Council's out-of-pocket costs (ie legal, valuation, etc if any). If the compensation claims appears unacceptable then the process under the *Land Acquisition Act 1993* will be followed.

14. WORKS REQUIRED FOR EACH LOT IN A STAGE

Where it is proposed to release the subdivision in multiple stages, each lot in a stage must be provided with the following infrastructure and/or services in order to be included in the stage to be released:

- a. Fully constructed public road along all frontages, including the secondary frontage where a corner lot,
- b. A sealed vehicular crossing and driveway from the public road to the property boundary, unless a common internal driveway has been specified whereby the common driveway must also be constructed to the extent specified in the relevant construction condition
- c. A stormwater connection to the public drainage system,
- d. Access to underground electricity and communications infrastructure, and
- e. Where applicable, reticulated gas infrastructure.

15. CONSTRUCTION DOCUMENTATION

At the time of practical completion for the public works, the developer must provide Council with construction documentation sufficient to show that the works are completed in accordance with Council standards and are locatable for maintenance or connection purposes. The construction documentation is to consist of:

- a. An "as constructed" plan in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available upon request.
- b. A Closed Circuit Television inspection report for all stormwater drains constructed or incorporated in the works.
- c. Compaction and soil test results for all earthworks or pavement works.
- d. An engineer's certificate that each component of the works comply with the approved engineering plans and Council standards.

16. EASEMENTS

Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3 metres for Council (public) mains. A greater width will be required where the internal diameter of the pipe is greater than 475 mm or where the depth of the pipe exceeds 2.1 metres. A lesser width may be approved for a private service prior to the lodgement of a final plan of survey.

17. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the Executive Leader Community Assets and Design:

- a. The satisfactory completion of all public infrastructure works required by the planning permit.
- b. The provision of written evidence of the completion of third party services including connections to the electricity supply, telecommunications infrastructure and TasWater infrastructure, from the responsible service provider.
- c. The provision of engineering certification and as constructed documentation in accordance the Council requirements.
- d. The subsequent issue of a Certificate of Practical Completion by the Executive Leader Community Assets and Design for those works that will vest with the City of Launceston (Roads and Stormwater infrastructure).
- e. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.
- f. Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

18. CONVEYANCE OF ROADS

All roads in the Subdivision must be conveyed to the Council upon the issue by the Executive Leader Community Assets and Design, of the Certificate under Section 10 (7) of the Local Government (Highways) Act 1962. All costs involved in this procedure must be met by the Subdivider.

19. COMPLETION OF WORKS

All works must be carried out to Council standards and under the direct supervision of a suitably qualified and experienced civil engineer engaged by the owner and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion.

20. AS CONSTRUCTED PLANS

An "as constructed" plan must be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from Council's Community Assets and Design Team.

21. BUILDING ACT 2016 REQUIREMENTS

Prior to acting on this permit, it is recommended that an architect, a licensed building practitioner such as a building surveyor or a building designer be consulted to determine the requirements for any associated building, plumbing or demolition work under the Building Act 2016.

22. *PART 5 (SECTION 71) AGREEMENTS

Prior to the sealing of the final plan, a Section 71 agreement must be executed, that provides for the following:

- a. A 40m 'no build zone' from the top of the bank from Distillery Creek. The buffer must be placed onto the folio plan for lots 9, 12, 13, and 14 of the endorsed plans, once registered.

- b. Sediment barriers must be used downslope of any construction on 9, 12, 13, and 14.
- c. The 'no build zone' includes no buildings (habitable or non-habitable), no earthworks, no native vegetation removal, and no fencing.
- d. Declared weeds within the 'no build area' must be actively managed.

Once executed, the agreement must be lodged and registered in accordance with Section 78 of the *Land Use Planning and Approvals Act 1993*.

All cost associated with preparing and registering the Agreement must be borne by the applicant.

Notes

A. General

This permit was issued based on the proposal documents submitted for DA0140/2024. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 03 6323 3000.

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Tasmanian Civil & Administrative Appeal Tribunal (TASCAT) is withdrawn or determined; or*
- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

The permit lapses after a period of two (2) years if the development or use has not substantially commenced within that period. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

C. Permit Commencement

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

D. Subdivision - On-site wastewater disposal

The onsite wastewater report prepared by GeoTon Pty Ltd dated 08/06/2023 specifies all lots are suitable only for the installation of a system capable of secondary treatment of effluent.

***permit conditions modified by the decision of the Tasmanian Planning Commission dated 24 June 2026**