

# PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

**PROPERTY ADDRESS:** 304 Penquite Road and 308 Penquite Road, Norwood

**DEVELOPMENT/USE:** Residential - multiple dwellings; amalgamation of 2 titles, demolition of 2 sheds, 2 dwellings and former church building; construction and use of 24 multiple dwellings; site works; vegetation removal

**ZONE:** General Residential

**USE CLASS:** Residential

**DECISION:**

That the Council, at its meeting held on 10/06/2014 (Minute No: 7.1), made a decision to approve the development application, subject to the following conditions:

**1. ENDORSED PLANS**

The use and development must be carried out as shown on the Endorsed Plans and described in the endorsed documents to the satisfaction of the Planning Authority. The endorsed plans are as identified in Annexure A.

**2. AMENDED PLAN REQUIRED**

Prior to the commencement of the development and use, amended plans must be submitted for approval by the Manager Planning Services Department. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided.

The plans must show:

Pedestrian Access and Internal Road

- (a) A continuous footpath from the pedestrian gate on the frontage around one side of the internal loop road which is:
  - a minimum of 1.5 metre wide between townhouses 6 and 12,
  - provided with a concrete kerb with a minimum height of 150mm to provide vertical separation,
  - visually differentiated from the loop road and the driveways from the loop road to the parking areas/garages i.e. contrasting pavement colours or surface treatment or material type,
  - handrails where retaining walls create differences in level exceeding 1.00 metre
- (b) Provision of hand rails and wheel stops in parking areas where retaining walls create differences in level exceed 1.00 metre or pose a hazard to vehicles or people,



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- (c) Provision of signage to indicate the direction of traffic flow around the loop road.

## Private Open Space – Townhouses 6 and 7

- (a) The identification of the boundary and fence between Townhouses 6 and 7 on all plans shall be as it is shown on Drawing No. PD13202-01, Revision 3.

## Parking

- (a) Deletion of the taxi parking space.  
(b) Provision of one (1) additional car parking space, to increase the overall provision to 54 spaces.  
(c) Provision of one (1) additional parking space for persons with a disability, to increase the overall supply to three (3) disability spaces.

The amended plans must be drawn to scale with dimensions and four copies must be provided. When approved by the Manager Planning Services Department the plans will be endorsed and will then form part of the permit and shall supersede the original endorsed plans.

### 3. LEGAL TITLE

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

### 4. HOURS OF CONSTRUCTION

Construction works may be carried out between the hours of 7am to 6pm Monday to Friday and 8am to 5pm Saturday and no works on Sunday or public holidays.

### 5. DEMOLITION

The Developer must:

- a. protect property and services which are to either remain on or adjacent to the site from interference or damage and erect dust screens as necessary.  
b. not undertake any burning of waste materials on site.  
c. remove all rubbish from the site for disposal at a licensed refuse disposal site.



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Dispose of any asbestos found during demolition in accordance with the Workplace Tasmania's 'Code of Practice for the Safe Removal of Asbestos.

## 6. CONSTRUCTION WASTE

All waste materials produced must be removed from the site and disposed of in accordance with the relevant Australian Standards, Acts and in such a manner as to avoid nuisance, pollution or loss of amenity to the surrounding area. Waste materials should not be disposed of by burning unless approved by the Planning Authority.

## 7. NO BURNING OF WASTES

No burning of solid wastes is to be carried out on the site in such a manner so as to become a proven environmental nuisance to the occupiers of properties nearby.

## 8. REMOVAL OF ASBESTOS

Asbestos removal is to be in accordance with The Code of Practice for the Safe Removal of Asbestos [NOHSC:2002(1988)] Also, a Notice Of Intention To Remove Asbestos as required by Workplace Health and Safety Regulations 1998 Division 9 should be made to; Director Workplace Standards

## 9. EXTERIOR AND SECURITY LIGHTING

Exterior Lighting and Security lighting must be designed, baffled and located in accordance with Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting" such that no direct light is emitted outside the boundaries of the subject land.

## 10. AMENITY

The construction of the development permitted by this permit must not adversely affect the amenity of the site and the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; the presence of vermin, or otherwise.

## 11. NUISANCE

During operation of this use, the best practicable means shall be taken to prevent nuisance or annoyance to any person not associated with the use. Air, noise and water pollution



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matters may be subject to provisions of the Environmental Management & Pollution Control Act 1994 and Regulations there under.

## 12. MULTIPLE DWELLINGS - FENCING

The side and rear boundaries of the property and the boundaries between the individual approved dwellings shall be provided with a new, solid (ie no gaps) fence to provide full privacy between each dwelling and adjoining neighbours. The fence must be constructed to a height of at least 1.8m when measured from the highest finished level on either side of the common boundaries at the developers cost.

## 13. REFUSE & RECYCLING COLLECTION ARRANGEMENT

Prior to the commencement of works, the applicant must provide written evidence of an agreement between the owner and a relevant contractor for the collection of refuse and recycling from the site. The relevant contractor may be the Council appointed contractor for refuse and recycling collection or other contractor engaged in the collection of refuse and/or recycling.

Collection will not be permitted to occur directly from Penquite Road and bins must be located within the property boundary in the areas set aside for collection.

## 14. PUBLIC, COMMUNAL AND PRIVATE AREAS

Prior to the sealing of the strata plan, a plan must be submitted to Council in accordance with the site plan identifying public, communal and private areas.

## 15. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any bylaw or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, bylaws and legislation relevant to the development activity on the site.

## 16. SOIL AND WATER MANAGEMENT PLAN

Prior to the commencement of the development works the applicant must install all necessary silt fences and cut-off drains to prevent the soil, gravel and other debris from escaping the site. Additional works may be required on complex sites.



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No material or debris is to be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve as a result of the development activity is to be removed by the applicant.

The silt fencing, cut off drains and other works to minimise erosion are to be maintained on the site until such time as the site has revegetated sufficiently to mitigate erosion and sediment transport.

## 17. CONSOLIDATION OF TITLES

Prior to the issue of Certificates of Occupancy for the development, the titles which comprise the subject site must be consolidated in accordance with under the Local Government (Building and Miscellaneous Provisions) Act 1993. This permit provides approval for the consolidation under the terms of the *Land Use Planning and Approvals Act 1993* and the *Launceston Interim Planning Scheme 2012*.

Prior to the adhesion being endorsed the provision of a single stormwater connection point located so as to drain the lowest part of the lot with all other stormwater connections removed at the main. Where connections are installed in the kerb, these are to be removed and the kerb and channel reinstated to match the existing construction.

Application for stormwater connection is to be made on the approved form and accompanied by the requisite fee. The developer must nominate the contractor who will perform the work to install the new connection and remove all redundant connections. All work is to be carried out in accordance with the Council standard drawings.

## 18. WORKS TO EXISTING PENQUITE ROAD RETAINING WALL

The existing retaining wall located at the back of the footpath along Penquite Road is to be continued along the existing alignment to fill the voids created by the removal of the redundant vehicular crossings. The new sections of the wall shall be constructed of a like material as the existing wall and shall be designed so as to create a continuous structure.

## 19. VEHICULAR CROSSINGS

Before the commencement of the use all unused crossovers and driveways must be removed. An application for such work must be lodged on the approved form



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No work must be undertaken to remove the existing driveway outside the property boundary without the prior approval of the works by the Council's Road & Hydraulic Assets Department.

The work must be completed to Council standards by a contractor to perform such work. The work must include all necessary alterations to other services including lowering/raising pit levels and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra, and Aurora etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

## 20. WORKS WITHIN/OCCUPATION OF THE ROAD RESERVE

All works in (or requiring the occupation of) the road reserve must be undertaken by, or under the supervision of a tradesman/contractor who is registered with Council as a "Registered Contractor".

Prior to the commencement of works, the applicant must prepare a detailed Traffic Management Plan specifying the following:

- a. The nature and the duration of the occupation and may include the placement of skips, building materials or scaffolding in the road reserve and time restrictions for the works,
- b. The traffic management works that are to be employed to provide for the continued safe use of the road reserve by pedestrians and vehicles,
- c. Any temporary works required to maintain the serviceability of the road or footpath,
- d. Any remedial works required to repair damage to the road reserve resulting from the occupation.

The Traffic Management Plan must be prepared in accordance with the relevant Australian Standard, codes of practice and guidelines. A copy of the Traffic Management Plan must be maintained on the site while works are being undertaken and all works must be in accordance with the plan.

## 21. 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 reserve is to be reinstated in accordance with IPWEA-LGAT Tasmanian Standard Drawing specifications and standard drawing TSD-G-01 Trench reinstatement. Asphalt patching is to be placed to ensure a water tight seal against the



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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.

## 22. GEOTECHNICAL REQUIREMENTS

The design of the proposal including retaining walls, buildings and drainage and the construction works are to be consistent with the recommendations of the **Geoton** Pty Ltd Geotechnical Report for 304 - 312 Penquite Road, Norwood dated 31st July 2009. Where the design or works are not consistent, a supplementary report must be submitted that demonstrates that there will not be an increased landslip risk.

Where required, a copy of the supplementary report must be submitted to Council before the works proceed. Deviation from the approved plans may require further approval.

## 23. CONSTRUCTION OF RETAINING WALLS

All retaining walls, irrespective of height, located within 1.5 metres of the property boundaries are to be designed and certified by a suitably qualified person. The design shall have regard to the installation of fencing atop the retaining wall and other imposed loading in addition to site conditions on adjoining properties.

## 24. CAR PARKING CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must;

- a. Be designed to comply with the following suite of Australian Standards AS 2890.1 Off-street car parking and AS 2890.6 Off-street parking for people with disabilities.
- b. Be properly constructed to such levels that they can be used in accordance with the plans,
- c. Be surfaced with a fully sealed, debris free surface of concrete, asphalt or square edged pavers,
- d. Be drained to Councils requirements,
- e. Be line-marked or otherwise delineated to indicate each car space and access lanes,
- f. Be provided with a concrete kerb of a minimum height of 150mm or such other form of barrier as the Planning Authority may approve, of sufficient height to prevent the passage of vehicles other than from approved crossovers, and to prevent vehicles causing damage to landscape areas;
- g. Have exterior lights that are installed in such positions as to effectively illuminate all pathways, car parking areas and porch areas. Such lighting must be controlled by a



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time clock or sensor unit and shielded to prevent direct light being emitted outside the site,

Parking areas and access lanes must be kept available for these purposes at all times.

## 25. TAS WATER

The development is expected to comply with TasWater Certificate of Consent Number TWDA14/111 - N, which is attached to this permit.

### Notes

#### A. Building Permit Required

*Prior to the commencement of any construction the applicant is required to attain a Building Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

#### B. Occupancy Permit Required

*Prior to the occupation of the premises the applicant is required to attain an Occupancy Permit pursuant to the Building Act 2000. Section 93. A copy of this planning permit should be given to your Building Surveyor.*

#### C. Plumbing Permit Required

*Prior to the commencement of any construction the applicant is required to attain a Plumbing Permit pursuant to the Building Act 2000. A copy of this planning permit should be given to your Building Surveyor. Please contact the Council's Building Services Department on 6323 3000 for further information.*

#### D. Restrictive Covenants

*The granting of this permit takes no account of any covenants applicable to the land that contradict the Launceston Planning Scheme. The permit holder and any other interested party, should make their own enquires as to whether the proposed development is effected, 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.*



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