

**PROPERTY ADDRESS:** 3 Taylor Street, Invermay

**DEVELOPMENT/USE:** Bulky Goods Sales - Change of use to tile storage. Subdivision -  
Subdivide 3 Taylor Street into two lots and partially consolidate with 1 Taylor Street

**ZONE:** General Residential, Local Business

**USE CLASS:** Storage

## 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 Council unless modified by a condition of the Permit:

- a. Section 43A Submission, Prepared by Ireneinc, Version No. 2, Dated 5 November 2019.
- b. Plan of Subdivision, Prepared by PDA Surveyors, Drawing No. 44241-P01, Dated 22 July 2019.

## 2. CONSOLIDATION (SUBDIVISION) OF TITLES

Lots 2 and 2A must be consolidated as shown on the endorsed plans.

## 3. POTENTIALLY CONTAMINATED LAND

Not more than 1m<sup>2</sup> of land be disturbed by future development on the site, prior to the completion of an environmental site assessment prepared in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999, as amended 16 May 2013, must be undertaken. Further planning approval may be required depending on the findings of the report.

## 4. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

## 5. USE LIMITATION

This permit allows 1 Taylor Street, Invermay (to be made up of Lot 2 and Lot 2A on the approved plan of subdivision) to be used for Bulky Good Sales as defined in the Launceston Interim Planning Scheme 2015. This planning permit does not permit any development apart from that required for the subdivision.



Richard Jamieson

**MANAGER CITY DEVELOPMENT**

Date: 2<sup>nd</sup> April 2020

Permit No: DA0671/2018

# PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

## 6. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:

- Monday to Friday - 7.00am to 6.00pm
- Saturday - 8.00am to 5.00pm
- No works on Sunday or Public Holidays

## 7. BUSINESS HOURS

The operation of the Bulky Good Use, including forklifts, must be confined to:

- a. 8:00am and 5:30pm Monday to Friday
- b. 9:00am and 1:00pm Saturdays

## 8. SITE LANDSCAPING PLAN

Prior to the final plan being sealed by Council, a landscape plan must be prepared by a suitably qualified landscape architect and submitted for approval by Manager City Development. The plan must be drawn to scale and must include the following details:

- a. Major site features such as building footprints, topography, contours existing vegetation, street boundaries and lot boundaries;
- b. All proposed and existing garden beds, fences, retaining walls, lawn, hard surfaces and pathways; and
- c. A landscaping buffer that, as far as possible, covers an area at least 2 metres wide between along the boundary of Lot 2A and Lot 1) (as shown on the endorsed plan of subdivision)). The landscaping buffer must be at least 2m wide along the boundary of Lot 2A (on the endorsed plan of subdivision) and 31 Albion Street, Invermay. The landscaping buffer should include species that can grow to at least 3 metres in height are effective at screening. Details of the buffer must include a schedule of all proposed trees, shrubs and groundcover including common name, botanical name and like size at maturity;
- d. A 'limited stack area' of at least 4m from the boundary of Lot 2A (on the endorsed plan of subdivision) and 31 Albion Street, Invermay;
- e. A site plan showing points (c) and (d);
- f. Any stabilisation works required as a result of tree or vegetation removal;
- g. Suitable irrigation or a fixed sprinkler system for the watering of the landscaped areas.

Once approved by Manager City Development the plan will be endorsed and will form part of the permit. The landscaping must be:

- h. Installed in accordance with the endorsed plan; and
- i. Completed within three (3) months of the permit being issued;
- j. Maintained as part of non-residential development. It must not be removed, destroyed or lopped without the written consent of *the Council*.



Richard Jamieson

**MANAGER CITY DEVELOPMENT**

Date: 2<sup>nd</sup> April 2020

Permit No: DA0671/2018

# PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

## 9. LIMITED STACK AREA

The stacking of tiles within the 'limited stack area' must not exceed 2 metres in height. The limited stack area must be physically delineated on site at all times.

## 10. FENCING

A 2.1 metre solid fence must be constructed along the boundary between the boundary of Lot 2A and Lot 1 (as shown on the endorsed subdivision plan). The fence must be constructed at the owner/ applicant's expense.

## 11. COVENANTS ON SUBDIVISIONS

Covenants or similar restrictive controls must not be included on or otherwise imposed on the titles to the lots created by the subdivision permitted by this permit unless:

- a. Such covenants or controls are expressly authorised by the terms of this permit; or
- b. Such covenants or similar controls are expressly authorised by the consent in writing of the Council.
- c. Such covenants or similar controls are submitted for and receive written approval by the Council prior to submission of a Plan of Survey and associated title documentation is submitted to the Council for sealing.

## 12. DAMAGE TO THE COUNCIL'S INFRASTRUCTURE

The developer is liable for all costs associated with damage to the Council's infrastructure 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. 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.

## 13. 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 Technical Services 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.



Richard Jamieson

**MANAGER CITY DEVELOPMENT**

Date: 2<sup>nd</sup> April 2020

Permit No: DA0671/2018

# PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

## 14. APPLICATION TO ALTER A STORMWATER SERVICE

To have an existing service connection physically removed/relocated/alterd, or to have a new connection installed, an application must be made using the Council's eServices web portal or on the approved form and accompanied by the prescribed fee. All work must be carried out by a suitably experienced contractor and in accordance with the Council's standards. All costs associated with these contractors are to be borne by the applicant.

## 15. 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. 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.

## 16. SEALING PLANS OF SUBDIVISION

No Plan of Survey shall be sealed until the following matters have been completed to the satisfaction of the General Manager, Infrastructure and Assets Network:

- a. The satisfactory completion of all public infrastructure works including the provision of engineering certification and as constructed documentation in accordance the Council's requirements.
- b. The subsequent issue of a Certificate of Practical Completion by the General Manager, Infrastructure and Assets Network.
- c. The lodgement of a bond and bank guarantee/cash deposit for the duration of the Defect Liability Period.

Any other payment or action required by a planning permit condition to occur prior to the sealing of the Final Plan of Survey.

## 17. SEPARATION OF SERVICE CONNECTIONS

The applicant must locate and identify the existing service connections (water supply, sewer and stormwater) for the existing development of the land and complete the following work:

- a. Ensure that each new title has a single connection to a public stormwater main or kerb adaptor with all other connections being capped.
- b. Where required, reroute internal stormwater or sewer pipes within each lot so as to provide an independent system for each lot.
- c. Stormwater drains that do cross the new title boundary between lots must be upgraded to a public drain standard or where permitted must be subject to private easement.
- d. Ensure each lot has a water connection and meter in accordance with the requirements of TasWater.



Richard Jamieson

**MANAGER CITY DEVELOPMENT**

Date: 2<sup>nd</sup> April 2020

Permit No: DA0671/2018

# PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

The applicant must provide detailed construction plans of all proposed public works prepared by suitably qualified persons and complying with current Council standards and approved by the Council's General Manager, Infrastructure and Assets Network prior to any works commencing. A fee of 1.5% of the public works estimate (or a minimum of \$250) is payable for any public works. Such fee covers assessment of the plans and specifications, audit inspections and Practical Completion and Final inspections.

Ensure adequate facilities for the storage of garbage and recyclable materials are provided on-site to comply with Tas H102 P4.

## 18. 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.

## 19. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

## 20. WASTE MATERIALS

All waste materials generated by the activity are to be disposed of at an approved refuse disposal facility or reclaimed/recycled if possible.

## 21. NOISE - COMMERCIAL/INDUSTRIAL

The use must not cause unreasonable noise or interference to other uses. Precautions must be taken to avoid nuisance, particularly from warning sirens, intruder alarms, public address systems, heavy-duty compressors, reversing beepers and the like.

### Notes

#### A. General

*This permit was issued based on the proposal documents submitted for DA0671/2018. You should contact the Council with any other use or developments, as they may require the separate approval of the Council. The Council's Planning Staff can be contacted on 6323 3000.*



Richard Jamieson

**MANAGER CITY DEVELOPMENT**

Date: 2<sup>nd</sup> April 2020

Permit No: DA0671/2018

# PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

*This permit takes effect after:*

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Resource Management and Planning Appeal Tribunal 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.*

*This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to the 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. Appeal Provisions**

*A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.*

*A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.*

*For more information see the Resource Management and Planning Appeal Tribunal website [www.rmpat.tas.gov.au](http://www.rmpat.tas.gov.au) <<http://www.rmpat.tas.gov.au>>*

## **D. 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 the Council's Notice to Waive Right of Appeal is attached.*



Richard Jamieson

**MANAGER CITY DEVELOPMENT**

Date: 2<sup>nd</sup> April 2020

Permit No: DA0671/2018



# PLANNING PERMIT

s.57 Land Use Planning and Approvals Act 1993

E. Potentially Contaminated Site

*There is a current 'potentially contaminated site' alert for this property and the source of the potential contamination is Tile Storage on 1 and 3 Taylor Street and Engineering Sales Yard on 80-82 Invermay Road. The proposed change of use does not require any further investigation at this time, however, if the use of this site changes to a more sensitive use eg. residential premises OR the site is significantly developed (disturbance of more than 1m<sup>2</sup> of land) then an Environmental Site Assessment in accordance with the requirements of Environmental Management and Pollution Control Act 1994 will be required by the Council prior to further approvals being granted.*



Richard Jamieson

**MANAGER CITY DEVELOPMENT**

Date: 2<sup>nd</sup> April 2020

Permit No: DA0671/2018