

PROPOSED PERMIT CONDITIONS

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. Plan of subdivision, prepared by PDA Surveyors, drawing no. 43682J-P05, 90-110 Willis Street, Launceston, dated 22 July 2019
- b. Plan of subdivision, prepared by PDA Surveyors, drawing no. 43682J-P04, 90-110 Willis Street, Launceston, dated 19 June 2019
- c. Location Plan and Ground Floor Plan, prepared by Artas Architects, drawing A7000-DA06, Proposed Gasworks Multi-Storey Car Park, revision DA06, dated 16/08/2019
- d. Levels 1-6 Floor Plans, prepared by Artas Architects, drawing A7001-DA03, Proposed Gasworks Multi-Storey Car Park, revision DA03, dated 29/07/2019
- e. Sections, prepared by Artas Architects, drawing A7002-DA03, Proposed Gasworks Multi-Storey Car Park, revision DA03, dated 11/11/2019
- f. External Elevations, prepared by Artas Architects, drawing A7003-DA04, Proposed Gasworks Multi-Storey Car Park, revision DA04, dated 11/11/2019
- g. 3D Visualisations, prepared by Artas Architects, drawing A7004-DA03, Proposed Gasworks Multi-Storey Car Park, revision DA03, dated 11/11/2019
- h. Sun Study 1, prepared by Artas Architects, drawing A7005-DA01, Proposed Gasworks Multi-Storey Car Park, revision DA01, dated 21/06/2019
- i. Sun Study 2, prepared by Artas Architects, drawing A7006-DA01, Proposed Gasworks Multi-Storey Car Park, revision DA06, dated 21/06/2019
- j. Site Views, prepared by Artas Architects, drawing A7008-DA02, Proposed Gasworks Multi-Storey Car Park, revision DA02, dated 02/12/2019
- k. External Finishes Concept, prepared by Artas Architects, drawing 191013 P02, Proposed Gasworks Multi-Storey Car Park, page 1, dated 11/11/2019
- l. External Finishes Concept, prepared by Artas Architects, drawing 191013 P02, Proposed Gasworks Multi-Storey Car Park, page 2, dated 11/11/2019
- m. Planning Submission, prepared by Tasland Developments, 90-110 Willis Street, Launceston, Multi-Storey Car Park, undated
- n. Heritage Impact Assessment, prepared by Plico Design Studio, 90-110 Cimitiere Street, Launceston, Multi-Storey Car Park, dated 30/11/2019
- o. Traffic Impact Assessment, prepared by Traffic & Civil Services, 90-110 Willis Street, Launceston, Multi-Storey Car Park, dated July 2019

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.

HOURS OF CONSTRUCTION

Construction works must only 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.

TASWATER

The development must comply with the requirements of Taswater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA

2019/01789-LCC, dated 06/12/2019 and attached to the permit.

AMENDED PLANS REQUIRED

Prior to the commencement of any work and use, amended plans must be submitted to show:

- a. The walkway from Cimitiere Street to the car park is to be redesigned using Crime Prevention Through Environmental Design (CPTED) principles including clear sight lines from each end of the walkway and lighting.
- b. A 1.5 m wide footpath from the car park to Willis Street as recommended in the TIA.
- c. Shared zone 10Km/h signage in the car park to the north of the proposal. Once approved by the Manager City Development, these amended plans will be endorsed and will then form part of the Permit and shall supersede the original endorsed plans

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 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.

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.

SINGLE STORMWATER CONNECTIONS

All proposed new pipelines must be connected to the existing internal drainage network for the property. It is not permitted to have multiple connections to Council's stormwater mains.

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. 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.

VEHICULAR CROSSINGS

No new vehicular crossing shall be installed, or any existing crossing removed or altered (including but not limited to the alteration of the kerb and channel or the placement of additional concrete segments against the existing apron) without the prior approval of Technical Services.

An application for such work must be lodged electronically via the Council eServices web portal or on the approved hard copy form.

All redundant crossovers and driveways must be removed prior to the occupation of the development.

All new works must be constructed to Council standards and include all necessary alterations to other services including lowering/raising pit levels, upgrading trenches non trafficable trenches to trafficable standard and/or relocation of services. Permission to alter such services must be obtained from the relevant authority (eg TasWater, Telstra and TasNetworks, etc). The construction of the new crossover and driveway and removal of the unused crossover and driveway will be at the applicant's expense.

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.

OCCUPATION OF ROAD RESERVE (METERED PARKING BAYS)

Prior to the commencement of the occupation the applicant must make application to Council's Director Infrastructure Services for the occupation of the metered parking spaces located along the <<INSERT DESCRIPTION>> side of <<INSERT STREET NAME>>. The applicant must pay the prescribed daily fee for each occupied metered space for the duration of the occupation, except where the Council's Manager Parking permits a variation.

CAPPING OF SERVICES

Unused service connections must be capped for possible future use, or permanently sealed with concrete plugs and the disused portion of pipe filled with an approved medium. The location of any capped services must be located on a site plan and provided to Council.

PROTECTION OF PIPELINES

The existing underground Council pipes are to be located, both in alignment and depth, prior to the start of construction and all necessary steps taken to protect these pipes from damage during the construction process, including from vehicular access over the pipes, or from loads transmitted to the pipes from the proposed development. This shall be achieved in the following manner:

- a. Footings must be no closer than 1.5 metres from the outer edge of the pipe,

- b. Footings must extend below the line of influence, being a line rising at 45 degrees from the invert of the pipe,
- c. There must be a minimum clear space between buildings or substantial structures of at least 3 metres in width to allow maintenance along the line of the pipe.
- d. Manholes or inspection openings are not to be covered and must remain accessible at all times.

No work over or immediately adjacent to the pipe is to commence without the written permission of the General Manager or his delegate pursuant to Section 13 of the **Urban Drainage Act 2013**.

SUBMISSION AND APPROVAL OF PLANS

Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Director Infrastructure Services 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.

CONSTRUCTION OF WORKS

Private and public infrastructure works must be constructed in accordance with plans and specification approved by the Director Infrastructure Services

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. The provision of a DN 150 connection to the lowest point of each lot,
 - ii. Relocation of the existing SEP in Willis Street to accommodate the modified driveway crossover.
- b. Roads
 - i. Modification of the existing driveway crossover in Willis Street at the property frontage for Lot 1,
- 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:

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

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 from Infrastructure Services Directorate.
- b. A Closed Circuit Television inspection report for all sewers or 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.

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 in line with the LCC document *'How close can I build to a Council Service?'* 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.

COMPLETION OF WORKS

All works must be carried out to Council standards and to the satisfaction of the Director Infrastructure Services and under the direct supervision of a 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.

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 the Infrastructure Services Directorate

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.

EXTERIOR AND SECURITY LIGHTING PLANNING

Exterior Lighting and Security lighting to comply with the Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting" or any subsequent versions of the document.

NO BURNING OF WASTE

No burning of any waste materials, including removed vegetation, generated by the construction process, to be undertaken on-site. Any such waste materials to be removed to a licensed refuse disposal facility (e.g. Launceston Waste Centre), reclaimed or recycled.

CONTAMINATED LAND

The developer must comply with the Soil Contamination Assessment for Planning Approval Report prepared by es&d dated 26/09/17 and letter prepared by es&d dated 9 December 2019 and complete all works required in the recommendations.

Any new information which comes to light during construction works, which has the potential to alter previous conclusions about site contamination and remediation, must be notified to Council and (Environmental Protection Authority if relevant) immediately upon discovery.

HERITAGE

The development must be undertaken in accordance with the conditions included on the Tasmanian Heritage Council 'Notice of Heritage Decision' for THC Application No. 5077, endorsed as part of this permit.

SIGNAGE CONTENT

Due to the listing of the site as a Local Heritage Place, any additional signage and any alteration to the content or graphic of approved signs may require separate approval of Council.

SIGN MAINTENANCE

The sign structure and the individual blades must be constructed and maintained in good condition to the satisfaction of the Council.

ARCHAEOLOGY

1. Prior to the commencement of works involving ground disturbance:
 - i. An Archaeological Method Statement (AMS) must be prepared by a qualified professional historical archaeologist; and
 - ii. The AMS must include a method for sorting, assessing, discarding, curating and interpreting any identified materials; and
 - iii. The AMS must be submitted to and endorsed by the Manager City Development. Once endorsed, the archaeological processes that are recommended in the AMS will form part of this Planning Permit and must be implemented.

2. Prior to the commencement of bulk excavations for the purpose of building construction, a draft report detailing the findings of the archaeological investigations must be submitted and be to the satisfaction of the Manager City Development.

Notes

General

This permit was issued based on the proposal documents submitted for DA0679/2019. 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 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 (2) 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 Council.

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.

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>>

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.

Contaminated Site

If the use of this site is to change to a sensitive use e.g. residential premises a further Environmental Site Assessment in accordance with the requirements of Environmental Management and Pollution Control Act 1994 will be required by council prior to further approvals being granted.

Local Heritage Place Listings

Please note that all lots affected by the subdivision will remain listed as Local Heritage Places within the current Planning Scheme as part of the original entry for 90-110 Cimitiere Street, Launceston (title no. 175929/2), and that works to the new lots may be subject to the current heritage code. The owner may request to have listings reviewed when the new property titles are sealed.