

PLAN 9

DRAFT PLANNING SCHEME AMENDMENT 03/2020 & PLANNING APPLICATION PLN-20-0071
2A SAUNDRIDGE ROAD, CRESSY

ATTACHMENTS

- Draft amendment and permit

- Representation

**NORTHERN MIDLANDS INTERIM
PLANNING SCHEME 2013**

INSTRUMENT OF CERTIFICATION

The Northern Midlands Council resolved at its meeting of 29 June 2020 to certify that draft Amendment 03/2020 of *Northern Midlands Interim Planning Scheme 2013* meets the requirements specified in section 32 of the *Land Use Planning and Approvals Act 1993*.

Draft Amendment 03/2020:

To amend the text provisions of the *Northern Midlands Interim Planning Scheme 2013 Particular Purpose - Future Residential Zone*, as follows:

- Delete clause 32.4.2 A1 "No subdivision".
- Insert clause 32.4.2 A1 "No subdivision, except on CT 14961/1 in accordance with PLN-20-0071".

The **COMMON SEAL** of the)
 Northern Midlands Council is)
 affixed hereto, pursuant to the)
 Council's resolution of)
29 June 2020 in the presence of:)



M Knowles

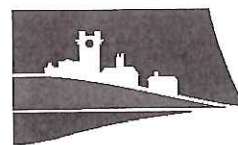
.....
Mayor

.....
General Manager

Northern Midlands Interim Planning Scheme 2013

Planning Permit PLN-20-0071

DRAFT



NORTHERN
MIDLANDS
COUNCIL

In accordance with Division 2 of the *Land Use and Planning Approvals Act 1993*, the Northern Midlands Council (Planning Authority) hereby grants a permit for –

ADDRESS OF LAND:

2A SAUNDRIDGE ROAD CRESSY

Property No: 6750793
Subdivision No: 27/003/880
CT 14961/4

THIS PERMIT ALLOWS FOR:

The land at 2A SAUNDRIDGE ROAD, Cressy to be developed and used for a 2 lot subdivision in accordance with application PLN-20-0071, and subject to the following conditions:

1 LAYOUT NOT ALTERED

The use and development must be in accordance with the endorsed documents.

2 WORKS & INFRASTRUCTURE DEPARTMENT CONDITIONS

2.1 Stormwater

- Confirmation must be provided that lot 1 has a stormwater connection to the kerb in Saundridge Road, otherwise, lot 1 must be provided with a connection to the kerb in Saundridge Road.
- The applicant must enter into, and comply with all conditions of, an agreement under Part 5 of the Land Use Planning & Approvals Act 1993 with the Northern Midlands Council to provide for the following:
 - The owner of lot 2 agrees to construct an absorption drain prior to any building works on lot 2.
 - The drain shall be sized taking into account the saturated permeability of the soil
 - The drain shall be sized to meet the full range of storms for the 10 year ARI for storage capacity with an additional safety factor volume 50% above the calculated need.
 - The drain shall be located to command the stormwater discharge from all areas of the site.
 - The drain shall be installed along the contour at a minimum of 6.0 metres clear of boundaries down slope of any structures.
 - The installation shall be located to ensure there is no concentrated discharge from any structures.
 - A system operation / maintenance manual is to be provided and approved by the Works Manager.
 - The system shall be marked on an "As Constructed" plan to Council requirements with the plan provided to Council.
 - The system is to be installed prior to site occupancy, operated and maintained by the owner in conformity with the manufacturer or design engineer's instruction manual and any additional conditions as required by Council. Any nuisance / concentrated discharge from the facility shall be rectified by the owner to Council's requirements and at the owner's expense within 14 days notice of the nuisance.

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2.2 Access (Urban)

- A gravel driveway crossover and apron must be constructed from the edge of Saundridge Road to the property boundary of lot 2 in accordance with Council standards.
- Access works must not commence until an application for vehicular crossing has been approved by Council.

2.3 As constructed information

As Constructed Plans and Asset Management Information must be provided in accordance with Council's standard requirements.

2.4 Municipal standards & certification of works

Unless otherwise specified within a condition, all works must comply with the Municipal Standards including specifications and standard drawings. Any design must be completed in accordance with Council's subdivision design guidelines to the satisfaction of the Works & Infrastructure Department. Any construction, including maintenance periods, must also be completed to the approval of the Works & Infrastructure Department.

2.5 Works in Council road reserve

- Works must not be undertaken within the public road reserve, including crossovers, driveways or kerb and guttering, without prior approval for the works by the Works Manager.
- Twenty-four (24) hours notice must be given to the Works & Infrastructure Department to inspect works within road reserve, and before placement of concrete or seal. Failure to do so may result in rejection of the vehicular access or other works and its reconstruction.

2.6 Separation of stormwater services

- All existing stormwater pipes and connections must be located.
- Where required, pipes are to be rerouted to provide an independent system for each lot.
- Certification must be provided that stormwater services have been separated between the lots.

2.7 Payment in lieu of works

A payment of \$19,974 (68m of kerb = \$7,480; 136 sq. m of road construction = \$9,520; 2 x concrete driveway aprons = \$2,614) shall be made to cover the cost of future kerb and road widening works and a concrete driveway to lot 1 and 2.

2.8 Easements to be created

Easements must be created over all Council owned services in favour of the Northern Midlands Council. Such easements must be created on the final plan to the satisfaction of the General Manager.

2.9 Pollutants

- The developer/property owner must ensure that pollutants such as mud, silt or chemicals are not released from the site.
- Prior to the commencement of the development authorised by this permit the developer/property owner must install all necessary silt fences and cut-off drains to prevent soil, gravel and other debris from escaping the site. Material or debris must not be transported onto the road reserve (including the nature strip, footpath and road pavement). Any material that is deposited on the road reserve must be removed by the developer/property owner. Should Council be required to clean or carry out works on any of their infrastructure as a result of pollutants being released from the site the cost of these works may be charged to the developer/property owner.

2.10 Nature strips

Any areas of nature strip that are disturbed during construction must be topped with 100mm of good quality topsoil and sown with grass. Grass must be established and free of weeds before the final plan is sealed.



3 TasWater conditions

Sewer and water services shall be provided in accordance with TasWater's Submission to Planning Authority Notice (reference number TWDA 2020/00600-NMC, dated 19/05/2020) – see Appendix A.

4 Sealing of Plans

The final plan of survey will not be sealed until all conditions have been complied with.



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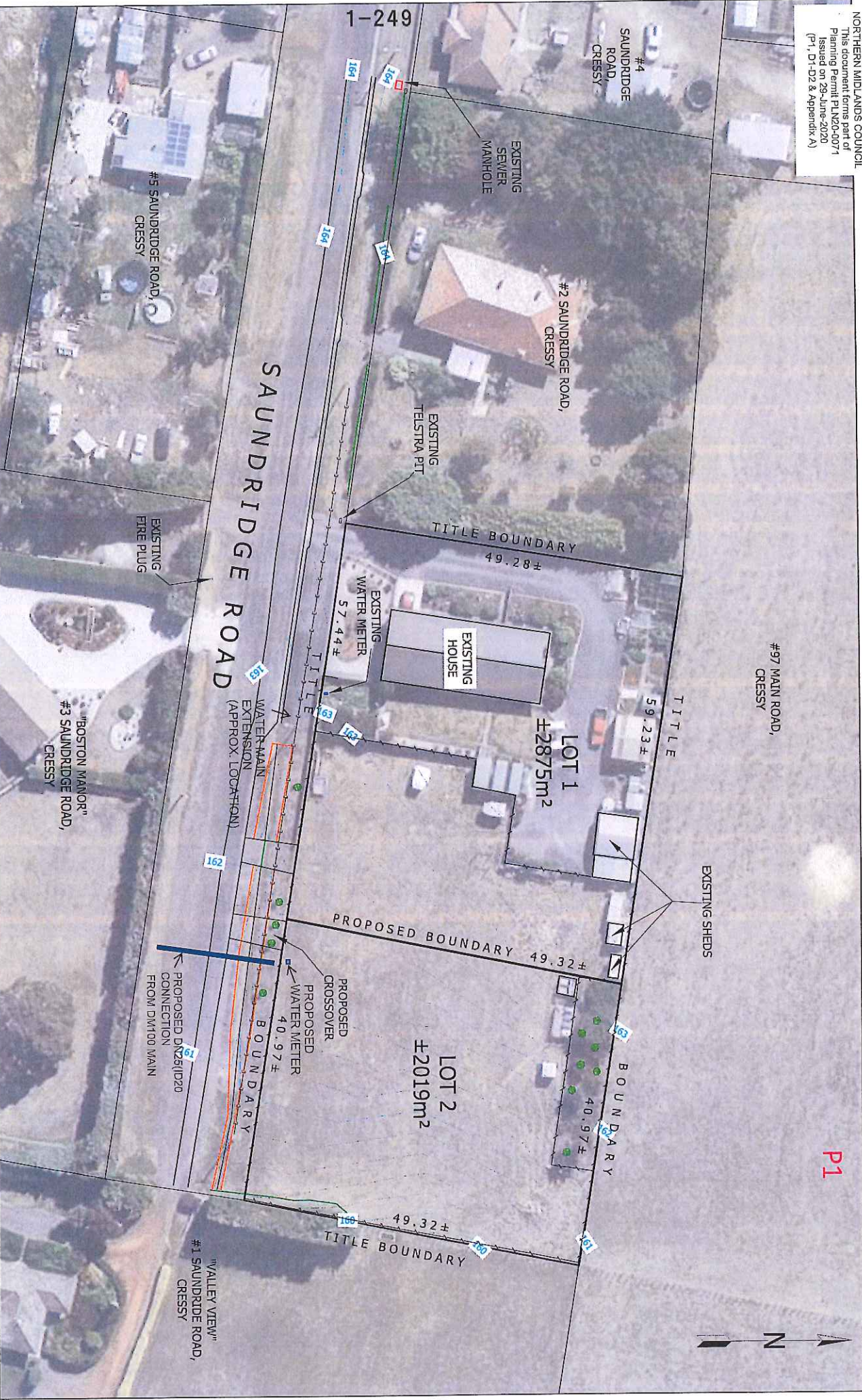
GENERAL MANAGER

Date of Decision: 29 June 2020

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Notes:

- A This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.
- B The issue of this planning permit does not certify compliance with the *Building Code of Australia*, the *Disability Discrimination Act 1992* or any other applicable legislation.
- C All new road reservation and/or drainage reserve areas shall be transferred to Council prior to takeover of the subdivision works as council assets at no cost to Council.
- D This permit has no force or effect until such time as the associated Planning Scheme Amendment is approved by the Tasmanian Planning Commission.
- E Attention is directed to Section 39 of the Land Use Planning and Approvals Act 1993: "... representations in relation to that draft amendment may be submitted to the authority by any person before the expiration of the exhibition period referred to in section 38(1)(a) ... 28 days (or a longer period agreed to by the planning authority and the Commission) from the date, specified in the notice, on which the public exhibition of those documents is to begin." (The authority is the Northern Midlands Council.)



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- Notes:
1. HORIZONTAL DATUM IS PLANE BASED ON MGA94
 2. VERTICAL DATUM IS AHD83
 3. CONTOUR INTERVAL IS 0.2m, INDEX 1.0m

PROPOSED 2 LOT SUBDIVISION
 OWNERS: STEVEN VICTOR JOHNSON & ROSELY JEAN JOHNSON
 2a SAUNDRIDGE ROAD, CRESSY 7302
 C.T. 14961-4

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|---|---|------------------|-------------------|-----------------------|
| Drawn JAG | File name L191106_Prop_PlanV2_030420.dwg | Date 03/04/20 | Scale 1:500@A3 | Job Number L191106 |
| WOOLCOTT SURVEYS 10 Goodman Court, Invermay TAS 7248 PO Box 593 Mowbray Heights TAS 7248 Phone (03) 6332 3760 Fax (03) 6332 3764 Email: admin@woolcottsurveys.com.au | | | | Edition V2 |
| | | | | Sheet 1 of 1 |



WOOLCOTT SURVEYS



Our Ref: L191106
Date: 11 August 2020

General Manager
Northern Midlands Council
13 Smith Street
LONGFORD 7301

Dear Council

**REPRESENTATION ON DRAFT PERMIT PLN-20-0071
2A SAUNDRIDGE ROAD, CRESSY**

We thank the staff and Council for the certification of the draft amendment and subdivision at 2A Saundridge Road, Cressy.

By letter of 29 June 2020, we raised some questions and concerns regarding condition 2.7, which requires a payment of \$19,974 for road improvements.

We understand that the contribution relates to road widening and kerbing to the full frontage of the land and two concrete driveways.

For the reasons below, we do not consider that the conditions is fair or reasonable having regard to the characteristics of the amendment and subdivision. During the advertising period, we have had discussions with Council staff regarding a fairer and more reasonable condition but at the time of writing have not had any firm response.

The draft amendment allows one additional lot. There is no potential for multiple dwellings or for further subdivision. As such, the proposal will generate a small increase in traffic only, and none of this traffic will be to the east of the crossover to lot 2. That is, all traffic from the additional lot will head west along Saundridge Road.

The property, along with adjoining land, is within a Future Residential Zone. At some point, the Future Urban Zone will be upgraded to residential zone and made available for subdivision. Traffic generation and circulation will be matters that are considered as part of any rezone. The upgrade of the Future Residential Zone will generate additional traffic movements along Saundridge Road that will be significantly greater than that generated by this one additional lot.

The condition does not describe when the payment will be used by Council to complete the works. Payment without works within a timeframe of one to two years is unreasonable and is nothing more than a tax of development.

LAUNCESTON

10 Goodman Crt, Invermay
PO Box 593, Mowbray TAS 7248
P 03 6332 3760

ST HELENS

48 Cecilia St, St Helens
PO Box 430, St Helens TAS 7216
P 03 6376 1972

HOBART

Rear Studio, 132 Davey St,
Hobart TAS 7000
P 03 6227 7968

DEVONPORT

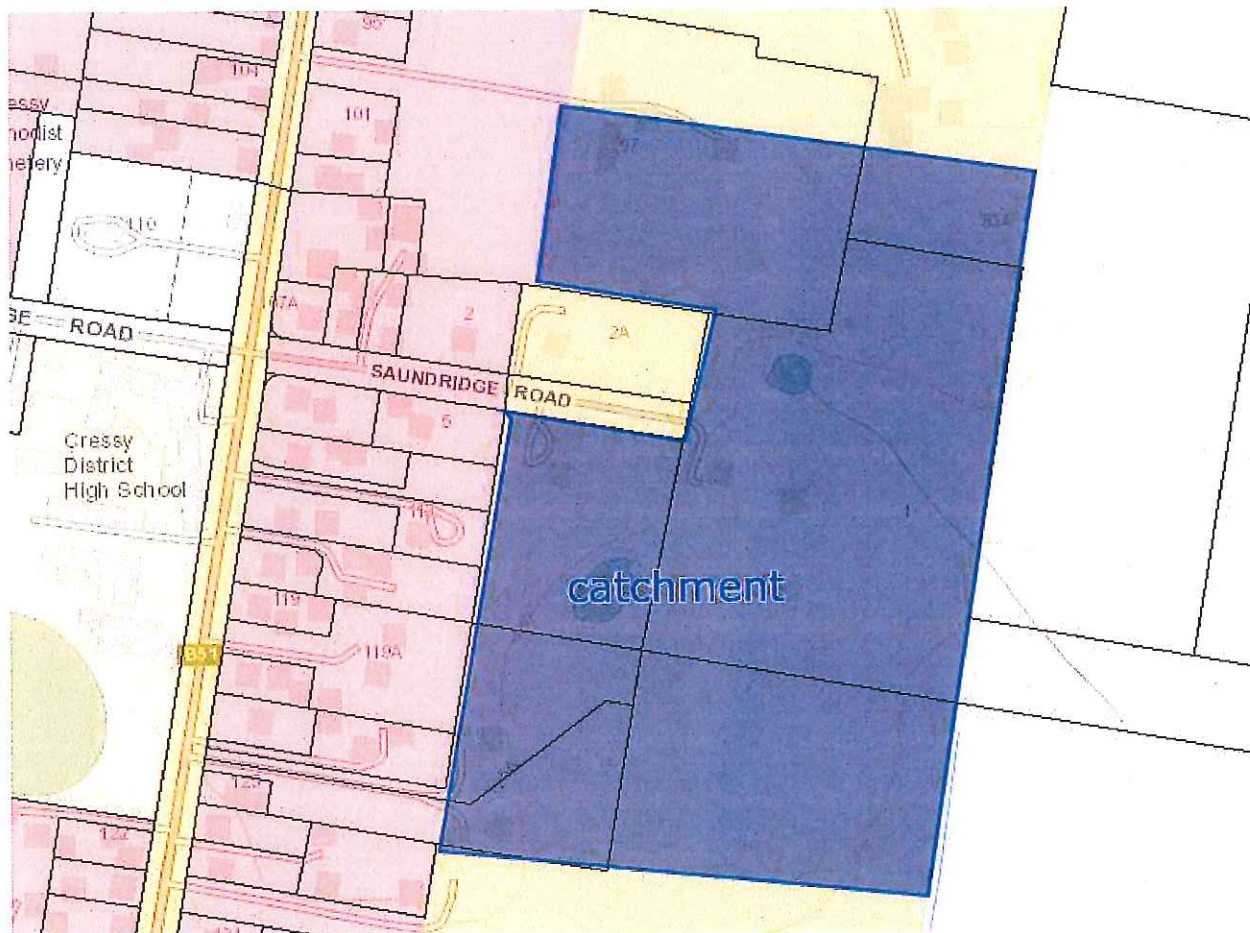
2 Piping Lane,
East Devonport TAS 7310
P 03 6332 3760



In light of the above, we consider that the draft permit be amended:

- Such that any financial contribution to Council is not required until the land at the end of Saundridge Road is rezoned from a Future Urban Zone to a General Residential Zone or Low Density Residential Zone and that road widening works to Saundridge Road and budgeted and scheduled by Council; and
- Be apportioned on a land area basis to reflect the traffic generated from the subject site relative to all land in the Future Residential Zone.

As shown below, some 10.5ha of Future Residential Zone land would rely principally on Saundridge Road for access. The subject site represents less than 10% of this area, and therefore less than 10% of traffic generation.


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We consider that a reasonable alternative condition would be to delete condition 2.7 and amend condition 2.1 to the effect that the Part 5 Agreement would also require:

- A payment of \$1190.00 to Council as a contribution to future kerb and road widening works and a payment of \$5200.00 to Council for two concrete driveway aprons if concrete aprons are not existing;
- Payment to be made on the commencement of works to Saundridge Road by Council following a rezoning of the future residential zone; and
- Rates of payment to increase by 2.5% per year; and
- The Agreement to be null and void if Council does not undertake with work within 15 years from the date of subdivision approval.

If you have any questions on this request please contact me on 0400 336 796.

King regards

Shane Wells
Senior Town Planner

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