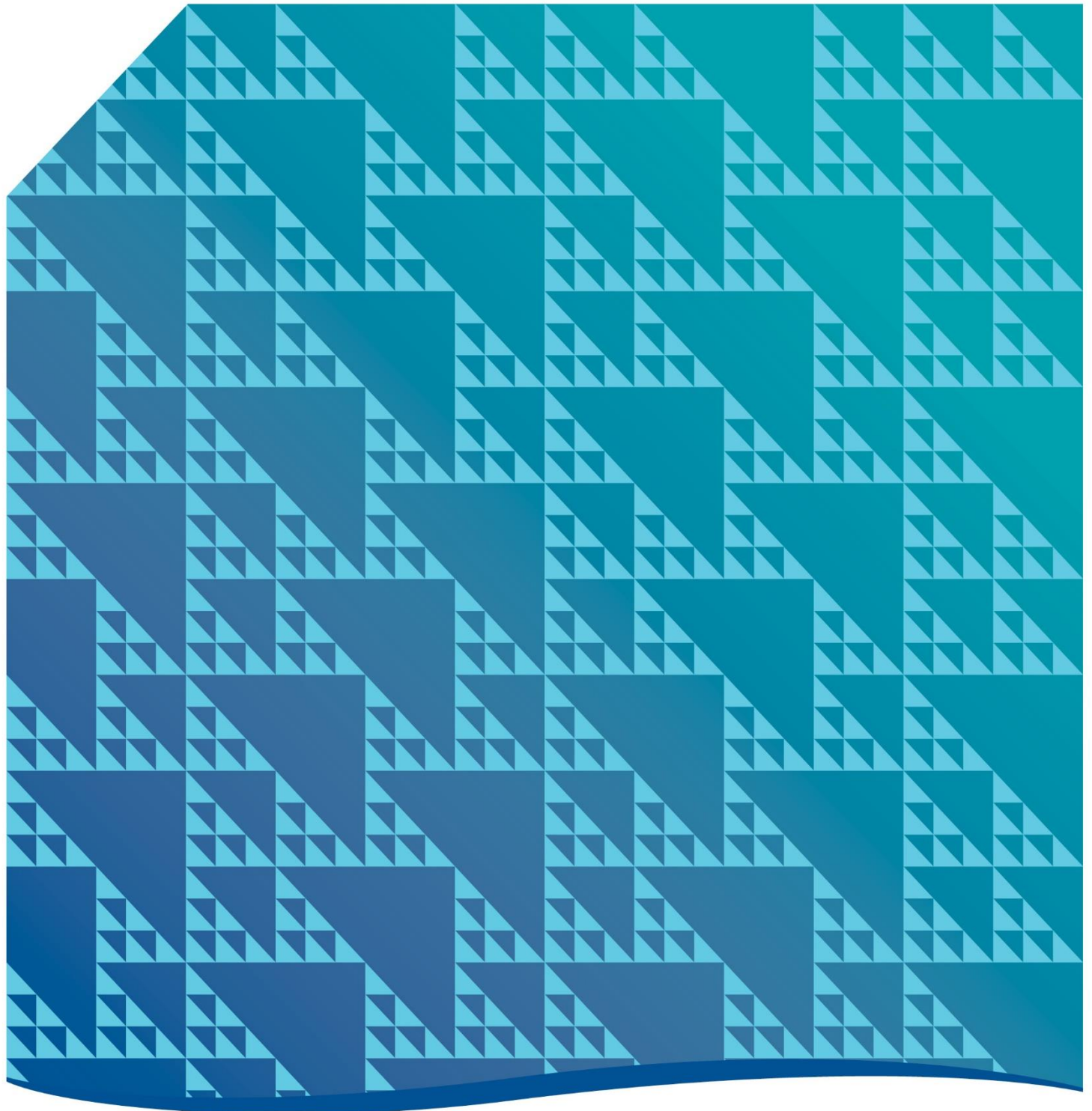


PM4 – Permits

Last updated:
August 2020



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Revision History

Version No.	Date	Description of changes
1.1	17 Aug 2020	Template updated and old references to superseded documents/entities updated

PM4.1 Scope

This Specification sets out the requirements for:

1. Approval of construction projects by the relevant Local, State and Commonwealth bodies, and
2. Obtaining of all permits required to undertake the consultancy services of the project.

This Specification is part of the set of specifications comprising the Professional Services Specifications (PSS).

PM4.2 Objective

The objective of this Specification is to ensure all permit requirements are met at the appropriate time in the consultancy services.

PM4.3 References

The legislation listed in *Appendix PM4.A* applies to this Specification.

PM4.4 Definitions

Project Management Plan means the Consultant's Project Management Plan established in accordance with the requirements of *PSS PM2 Project Management Plan*.

Permit means any written authority required for approval of all aspects of the investigation, design and its implementation but does not include client approval of the deliverables of the professional services.

PM4.5 Evidence of Compliance

The Consultant shall include all permit requirements in the Project Management Plan.

The Consultant shall provide the Client with the original copy of all permits obtained including rights of entry to private property.

PM4.6 Permits

PM4.6.1 Access to Property Owned by Others

The Consultant will be required to have written authorisation from the Client prior to entering onto land not owned by the Department of State Growth.

Access to property not owned by the Department of State Growth will be subject to one or more of the following Acts:

- *Land Acquisition Act 1993*

- *Roads and Jetties Act 1935*
- *Surveyors Act 2002.*

In most cases the Department of State Growth will have issued a Notice of Entry under the *Land Acquisition Act* for the purposes of investigation, survey and design, but in some cases may need to issue such notice after advice from the Consultant.

The Consultant shall, more than four (4) days before the date on which the Consultant enters the land, notify the relevant owner of:

- the consultant's intention to enter onto the land
- the purpose of the entry
- the nature of the activity (including any potential disturbances)
- the planned duration of entry.

PM4.6.2 Environmental Approvals

Further to the requirements of *PSS T5 Environmental Investigations and Reporting* the Consultant shall prepare a Statement of Environmental Effects in accordance with the requirements of the *Environmental Management and Pollution Control Act* and *Regulations* if required.

The level and scope of environmental investigations and reporting shall be determined by consultation with the Client.

Projects with impacts of national environmental significance (in accordance with the *Environmental Protection and Biodiversity Conservation Act*) will need to be referred by the Department of State Growth to the Australian Government.

This includes but is not limited to impacts on:

- world heritage and national heritage properties
- Ramsar wetlands of international importance
- nationally threatened animal and plant species and ecological communities
- internationally protected migratory species
- matters affecting the Commonwealth such as Commonwealth land and Commonwealth heritage places outside Australian jurisdiction.

Information:

Under the Intergovernmental Agreement on the Environment, the State environmental authority has the role of managing and co-ordinating environment assessments.

PM4.6.3 Government Approvals

Local Government

Where necessary to allow the project to be implemented a request for rezoning of land shall be submitted to the Local Government Authority. The submission shall include all information to allow the Council to seek approval for the rezoning in accordance with the Land Use Planning and Approvals Act.

For each project, the Consultant shall establish whether a Planning Permit is required.

A Development Application to the relevant Local Government Authority shall be lodged and a Planning Permit obtained. A Planning Permit Report shall be prepared recommending actions to address each of the conditions attached to the Planning Permit.

Where the works will impact directly on local highways the Consultant shall obtain the written approval of the respective Councils as the affected road authority.

State Government

Where required by the Project Brief, evidence to the Parliamentary Standing Committee on Public Works shall be prepared in accordance with the *Planning the Procurement for Parliamentary Approval* documents for referral to the Parliamentary Standing Committee on Public Works. These publications, produced by the Department of Treasury and Finance are available from www.purchasing.tas.gov.au.

PM4.7 Hold Points

Hold Points for this Specification are in *Table PM4.7.1 – Hold Points*.

PM4.7.1 Hold Points

Description of Hold Points	Nominated Work not to proceed
Permits	The permitted activity
Permission to access property	Access to property
Agreements	Dependent activity
Statement of Environmental Effects	Printing
Project Proposal Report	Printing
Planning Permit Report	Printing

Deliverables for this Specification are in *Table PM4.7.2 – Deliverables*.

PM4.7.2 Deliverables

Name	Timing	No. of Copies in Format Shown
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		Hard Copies		Electronic Copies
		Bound	Unbound	
Statement of Environmental Effects	Hold Point release copy	1	0	0
	As defined in the Project Brief	5	0	1
Submission to Parliamentary Standing Committee on Public works	Hold Point release copy	1	0	0
	As defined in the Project Brief	5	0	1
Planning Permit	As defined in the Project Brief	Original to be supplied		
Permit to Destroy	As defined in the Project Brief	Original to be supplied		
Project Proposal Report	Hold Point release copy	1	0	0
	As defined in the Project Brief	10	0	1
Planning Permit Report	Hold Point release copy	1	0	0
	Within the statutory appeal period for the permit conditions	10	0	1
Agreements	As required for action on dependent issues	Original to be supplied		
Permission to enter land	Prior to entry	Original to be supplied where a landowner permission		

Appendix PM4.A – Legislation References

Legislation References	
State Legislation	
1	<i>Aboriginal Lands Act 1995</i>
2	<i>Aboriginal Relics Act 1975</i>
3	<i>Environmental Management and Pollution Control Act 1994</i>
4	<i>Environmental Management and Pollution Control (Controlled Waste Tracking) Regulations 2010</i>
5	<i>Environmental Management and Pollution Control (Waste Management) Regulations 2010</i>
6	<i>Environmental Management and Pollution Control (Underground Petroleum Storage Systems) Regulations 2010</i>
7	<i>Environmental Protection (Impact of Proposals) Act 1974</i>
8	<i>Historic Cultural Heritage Act 1995</i>
9	<i>Land Use Planning and Approvals Act 1993</i>
10	<i>National Parks and Reserved Land Regulations 2009</i>
11	<i>National Parks and Reserves Management Act 2002</i>
12	<i>Roads and Jetties Act 1935</i>
13	<i>Threatened Species Act 1995</i>
14	<i>Traffic Act 1925</i>
15	<i>Regulations and Road Rules under the Traffic Act 1925</i>
Commonwealth Legislation	
16	<i>Australian Heritage Council Act 2003</i>
17	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
18	<i>Environment Protection and Biodiversity Regulations 2000</i>
19	<i>Land Transport Development Act 1988</i>



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