DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) AGENDA

COMMUNITY ADMINISTRATION CENTRE (CAC)

19 MAY 2015
NOTICE OF MEETING

Notice is hereby given that the next meeting of the Development Assessment Special Committee (DASC) will be held at the Community Administration Centre (CAC), 47 Cole Street, Sorell on Tuesday, 19 May 2015 commencing at 4 pm.

CERTIFICATION

I, Robert Higgins, General Manager of the Sorell Council, hereby certify that in accordance with Section 65 of the Local Government Act 1993, the reports in this Agenda have been prepared by persons who have the qualifications and experience necessary to give such advice. Information and recommendations or such advice was obtained and taken into account in providing general advice contained within the Agenda.

ROBERT HIGGINS
GENERAL MANAGER
14 May 2015
TABLE OF CONTENTS

1.0 ATTENDANCE 1
2.0 CONFIRMATION OF THE MINUTES OF 31 MARCH 2015 1
3.0 DECLARATIONS OF PECUNIARY INTEREST 1
4.0 LAND USE PLANNING 2
  4.1 SUBDIVISION APPLICATION NO. SA 2012/00033–1 2
      WHITELEA COURT, SORELL 2
  4.2 SUBDIVISION APPLICATION NO. SA 2013/00001-1 10
      GELLIBRAND STREET, DUNALLEY WITH ASSOCIATED INFRASTRUCTURE
      ON 31 BOOTH STREET, DUNALLEY & 188 ARTHUR HIGHWAY, DUNALLEY 10
  4.3 DEVELOPMENT APPLICATION NO. DA 2015/00091–1 23
      272 DELMORE ROAD, FORCETT 23
  4.4 DEVELOPMENT APPLICATION NO. DA 2015/00095–1 32
      PRIMROSE SANDS ROAD, PRIMROSE SANDS 32
1.0 ATTENDANCE
^
Chairperson D/Mayor B McDonald
Councillor K Degrassi
Councillor V Gala
Councillor G Evans
Councillor C Torenius
Councillor N Reynolds
Councillor L White
Councillor D De Williams
Mayor K Vincent D/Chairperson
Robert Higgins, General Manager

2.0 CONFIRMATION OF THE MINUTES OF 31 MARCH 2015

RECOMMENDATION

“That the Minutes of the Development Assessment Special Committee (DASC) Meeting held on 31 March 2015 be confirmed.”

3.0 DECLARATIONS OF PECUNIARY INTEREST
In considering the following land use planning matters the Development Assessment Special Committee intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993*.

### 4.0 LAND USE PLANNING

#### 4.1 SUBDIVISION APPLICATION NO. SA 2012/00033–1

**WHITELEA COURT, SORELL**

**APPLICANT:** RAADAS PROPERTY PTY LTD

**PROPOSAL:** REQUEST FOR AN EXTENSION OF TIME UNDER SECTION 53 (5A) RELATING TO DEVELOPMENT APPLICATION NO. SA 2012/00033–1 RELATING TO A ONE LOT SUBDIVISION

**ADDRESS:** WHITELEA COURT, SORELL

**RECOMMENDATION**

“That Council consider the request for an extension of time for Subdivision Application No. SA 2012/00033-1 for a one lot subdivision at Whitelea Court, Sorell for Raadas Property Pty Ltd and resolve to grant an extension of time for an additional period of two years.”

**INTRODUCTION**

Council has received a request from Kevin Roberts obo Raadas Property Pty Ltd for an extension of time to an existing planning permit for a one lot subdivision at Whitelea Court, Sorell. The approval was given on the 15th January 2013 by Council’s Development Approvals Special Committee.

**Statutory Implications**

Zone: Residential serviced

The *Land Use and Planning Approvals Act 1993* states under section 53;

(5A) *If the use or development in respect of which a permit was granted is not, or is unlikely to be, substantially commenced before the permit would otherwise lapse under subsection (5) (a), the planning authority may grant (once only) a further extension of the period during which that use or development must be substantially commenced.*
It is noted that recent changes to the abovementioned legislation now allows a further extension of two years following the original extension. Furthermore an application for such an extension may be made “…at any time before the end of the period of six months from the day on which the permit has lapsed and, if the extension is granted, the permit is to be taken to not have lapsed on that day”.

Representations

The request for an extension of time requires no formal procedure for public comment or representations.

Referrals

No objection or comment has been received from Council’s development appraisal staff.

Date of Receipt of Application

20 April 2015

Date by Which a Decision Must be Made

Not applicable.

REPORT

Council has received a request from Kevin Roberts obo Raadas Property Pty Ltd for an extension of time to an existing planning permit for a one lot subdivision at Whitelea Court, Sorell. The approval was given on the 15th January 2013 by Council’s Development Approvals Special Committee.

The applicant’s letter has asked Council for an extension of time as the subdivision has lapsed however recent amendments to LUPA now allow for a further period of 6 months from the time a permit would have lapsed in which to request an extension of time. This request satisfies this new provision in the Act.

As the applicant’s letter states a further development is proposed but dependent on this extension of time being granted.

Council’s Environmental, Plumbing and Engineering staff has advised that they have no concerns with Council granting an extension of time.

The request for an extension of time is recommended for approval.

JOHN MOLNAR
SENIOR PLANNER
07 May 2015
Attachments: (6)
Mr. J. Molnar
47 Cole Street
Sorell Council
Sorell 7172

Dear Sir,

We are applying for a two year extension to the existing planning approval SA7-2012-33-1 which has recently expired.

As you are aware, we have a contact of sale for the property which is subject to a planning approval of a child care centre. If approved, we would proceed with the creation of title. In our recent meeting at council, I mentioned that we will submit a planning amendment to the SA7-2012-33-1 approval which could be hopefully processed at the same time as the child care planning application.

Could you please advise at your earliest convenience.

Yours sincerely,

Kevin Roberts
Project Manager
Raadas Property Pty. Ltd.
20/04/2015
17 January 2013

Raadas Property Pty Ltd
1/26 Mornington Road
MORNINGTON TAS 7018

Dear Sir/Madam

SA7/2012/933/1 – 1 LOT SUBDIVISION – FORCETT STREET, SORELL 7172 (CT 164399/280) OFF WHITELEA COURT – RAADAS PROPERTY PTY LTD.

I refer to your application for the above proposal. I advise that it has now been approved.

I have attached the Development/Use Permit containing the conditions under which the approval was granted.

It should be noted that the use/development as shown on the endorsed plans must not be altered without the consent of Council and once the use/development has started it must be carried out in accordance with the requirements of this permit.

This is a town planning permit only and does not imply that any other approval required under any other by-law or legislation has been granted. An application for a Building Permit must be submitted and a Permit issued before the use/development may commence.

Yours faithfully

[Signature]

Emma Riley
CONSULTANT PLANNER

Encl.
SUBDIVISION PERMIT
Sorell Planning Scheme 1993

Application No: SA7/2012/33/1
Submitted by: Raadas Property Pty Ltd
For: 1 Lot Subdivision
At: Forcett Street, Sorell 7172 (CT 164399/200) off Whitelea Court

This permit is granted, subject to the conditions set out below.

Conditions:

1) The subdivision shall generally conform to the submitted plans of 14 November 2012 except as may be amended by the conditions of this permit.

2) Lot 1 is to incorporate a “no building area” shown as 20 metres from the southern side boundary and the line shown as potential impact area, as shown on the plan of subdivision. This is to be shown on title and have the corresponding restrictive covenant.

3) Prior to commencing works on site the developer shall provide Council with a Start Work Notice (see advice below).

4) The developer shall provide the allotment with a double width vehicular crossing in accordance with the following requirements:
   a) Prior to commencing access works within the state highway reserve a works permit shall be obtained from the Department of Infrastructure, Energy and Resources;
   b) The access shall comply with DIER’s standard drawing for geometric requirements;
   c) As a minimum requirement the access shall be constructed to an asphalt standard (40mm thick asphalt on a 200mm thick compacted FCR base), or of 150mm thick reinforced concrete;
d) An inspection is to be undertaken by a Council officer prior to the application of the wearing course or the placement of concrete (see advice below);

e) The finished sealed surface shall be of minimum width 6.0 metres and shall extend from the road carriageway to the property boundary;

f) Vegetation either side of the access shall be trimmed or removed, as necessary, to provide clear sight lines;

g) The access shall be located at the northern boundary of proposed Lot 1 as required by DIER;

h) A covenant restricting access to the point described above is to be included in the Schedule of Easements for proposed Lot 1 as required by DIER;

i) These works shall be carried out at the developer's cost, and to the satisfaction of DIER and Council's Manager Engineering Services.

5. Road lot condition:

a) The area designated on the proposal plan as Lot 100 ROAD 364 m² shall be transferred to the Crown as "Road" at the developer's cost;

b) The developer must lodge a Transfer Form and applicable transfer fees with the Land Titles Office and provide evidence of such to Council prior to Council sealing the final plan;

c) The developer shall remove the existing boundary fence and rebuild it on the new boundary at the developer's cost prior to Council sealing the final plan.

6. Stormwater shall be drained in accordance with the following requirements:

a) Proposed Lot 1 shall be provided with a DN150 connection to Council's stormwater system;

b) An inspection is to be undertaken by a Council officer prior to backfilling;

c) All stormwater services shall be designed and constructed in accordance with Council Standard Drawings and By-Laws;

d) The developer shall be responsible for the location of any existing services;

e) Stormwater mains shall be bedded in accordance with Municipal Standard Drawing SD-5001 TYPICAL PIPE TRENCH DETAILS;

f) Easements shall be created as required to contain Sorell Council stormwater infrastructure;

g) These works shall be carried out at the developer's cost and to the satisfaction of the Manager Engineering Services.

7. All engineering works (in particular access construction, stormwater drainage and fence relocation) shall be carried out in accordance with plans and specifications certified by a qualified and experienced civil engineer, and shall comply with relevant Municipal Standard Drawings and Australian Standards. The developer shall obtain separate Engineering Approval for these works and no works shall commence on site until the civil works drawings have been specifically approved by the Manager Engineering Services.
8. Prior to Council sealing the final plan of survey and except as may be permitted by registered easement, the developer shall locate and re-lay all existing underground service connections (including electricity and communications) as necessary to ensure they are contained within the boundary of the lot served by those services.

9. Refer to Southern Water form PL05C Reference Number SWSA 2012 / 00516-SOR Dated 22-Nov-2012

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- This permit shall lapse at the expiration of two (2) years from the date on which it is granted if the development and use is not substantially commenced within that period.

- This permit does not imply that any other approval required under any other by-law or legislation has been granted.

- The final plan of survey will not be sealed until all conditions have been complied with or a sufficient bond and bank guarantee is lodged with council to cover the cost of outstanding works necessary to complete the subdivision. In the event that Council’s stormwater system is found to be inadequate, the developer shall pay all costs associated with the extension and upgrade of Council’s stormwater system to service the development.

- To obtain a Start Work Notice form or to book a Council inspection (allowing 24 hours’ notice), please phone Council’s Administrative Officer for Engineering Services (Sonia Pullen) on 6299-0059.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to the Resource Management and Planning Appeal Tribunal (6233 6464).*

Emma Riley
CONSULTANT PLANNER
4.2 SUBDIVISION APPLICATION NO. SA 2013/00001-1

GELLIBRAND STREET, DUNALLEY WITH ASSOCIATED INFRASTRUCTURE ON 31 BOOTH STREET, DUNALLEY & 188 ARTHUR HIGHWAY, DUNALLEY

APPLICANT: D J COOK

PROPOSAL: REQUEST FOR AN EXTENSION OF TIME UNDER SECTION 53 (5A) RELATING TO SUBDIVISION APPLICATION NO. SA 2013 / 0001 – 1- RELATING TO A 3 LOT SUBDIVISION

ADDRESS: GELLIBRAND STREET, DUNALLEY WITH ASSOCIATED INFRASTRUCTURE ON 31 BOOTH STREET, DUNALLEY & 188 ARTHUR HIGHWAY, DUNALLEY

RECOMMENDATION

“That Council consider the request for an extension of time for Subdivision Application No. SA 2013/0001-1 relating to a three lot subdivision at Gellibrand Street, Dunalley, with associated infrastructure on 31 Booth Street, Dunalley & 188 Arthur Highway, Dunalley, for D J Cook and resolve to grant an extension of time for an additional period of two years.”

INTRODUCTION

Council has received a request from D J Cook for an extension of time to an existing planning permit for a three lot subdivision at Gellibrand Street, Dunalley with associated infrastructure at 31 Booth Street, Dunalley and 188 Arthur Highway, Dunalley. The approval was given on the 2 July 2013 by Council’s Development Approvals Special Committee.

Statutory Implications

Zone: the subject property is zoned Residential Unserviced and likewise 188 Arthur Highway whilst 31 Booth Street is zoned Business.

The Land Use and Planning Approvals Act 1993 states under section 53;

(5A) If the use or development in respect of which a permit was granted is not, or is unlikely to be, substantially commenced before the permit would otherwise lapse under subsection (5) (a), the planning authority may grant (once only) a further extension of the period during which that use or development must be substantially commenced.
It is noted that recent changes to the abovementioned legislation now allows a further extension of two years following the original extension. Furthermore an application for such an extension may be made “… at any time before the end of the period of six months from the day on which the permit has lapsed and, if the extension is granted, the permit is to be taken to not have lapsed on that day”.

Representations

The request for an extension of time requires no formal procedure for public comment or representations.

Referrals

No objection or comment has been received from Council’s development appraisal staff.

Date of Receipt of Application

28 April 2015

Date by Which a Decision Must be Made

Not applicable.

REPORT

Council has received a request from D J Cook for an extension of time to an existing planning permit for a three lot subdivision at Gellibrand Street, Dunalley with associated infrastructure at 31 Booth Street, Dunalley and 188 Arthur Highway, Dunalley. The approval was given on the 2 July 2013 by Council’s Development Approvals Special Committee.

The applicant’s letter has asked Council for an extension of time.

Council’s Environmental, Plumbing and Engineering staff has advised that they have no concerns with Council granting an extension of time.

The request for an extension of time is considered reasonable and no planning issues are evident consequently it is recommended for approval.

JOHN MOLNAR
SENIOR PLANNER
07 May 2015
Attachments: (11)
2 July 2013

D J Cook
1 Shelmore Drive
OLD BEACH TAS 7017

Dear Sir/Madam

SA7/2013/1/1 – 3 LOT SUBDIVISION WITH ASSOCIATED INFRASTRUCTURE ON 31 BOOTH ST AND 188 ARTHUR HIGHWAY DUNALLEY – GELIBRAND STREET DUNALLEY – CT153057/1 – D J COOK.

I refer to your application for the above proposal. I advise that it has now been approved.

I have attached the Development/Use Permit containing the conditions under which the approval was granted.

It should be noted that the use/development as shown on the endorsed plans must not be altered without the consent of Council and once the use/development has started it must be carried out in accordance with the requirements of this permit.

This is a town planning permit only and does not imply that any other approval required under any other by-law or legislation has been granted. An application for a Building Permit must be submitted and a Permit issued before the use/development may commence.

Yours faithfully

John Molnar
SENIOR PLANNER
2 July 2013

SUBDIVISION PERMIT
Sorell Planning Scheme 1993

Application No: SA7/2013/1/1
Submitted by: D J Cook
For: 3 Lot Subdivision with associated infrastructure on 31 Booth Street and 188 Arthur Highway Dunalley
At: Gellibrand Street DUNALLEY 7177 - CT153057/1

This permit is granted, subject to the conditions set out below.

Conditions:

1. The Subdivision shall generally conform to the plans submitted on 7 March 2013 and Amended Plans submitted on 14 May 2013 except as may be amended by the conditions of this permit.

Engineering Conditions:

2. The developer shall provide the new lots with a single combined vehicular crossing in accordance with the following requirements, unless otherwise approved in writing by the Manager Engineering Services:

   a) The access shall comply with Municipal Standard Drawing SD-1009 RURAL ROADS – TYPICAL STANDARD ACCESS (see advice below);
   b) As a minimum requirement the access shall be constructed of compacted gravel;
   c) The access width shall extend for the full frontage of the lots. The access length shall extend from the road carriageway to the property boundary;
   d) If Rights of Way are created they shall be constructed to the lot proper with an all-weather compacted gravel surface of minimum width 6.0 metres;
   e) Construction of the access shall include a 300mm diameter Class 4 RRJ concrete culvert with headwalls;
   f) The developer shall provide a locally deepened table drain either side of the access to match the installed culvert;
   g) The vehicular crossing shall be installed with guide posts in accordance with the Standard Drawing (SD-1009);
h) Vegetation either side of the access shall be trimmed or removed, as necessary, to provide clear sight lines. The applicant shall liaise with Council regarding the removal of trees within the road reservation (see advice below);
  i) The developer shall reinstate all affected surfaces within the road reservation;
  j) These works shall be completed at the developer’s cost and to the satisfaction of the Manager Engineering Services prior to Council sealing the final plan of survey.

3. Stormwater shall be drained in accordance with the following requirements, unless otherwise approved in writing by the Manager Engineering Services:
   a) The developer shall provide each allotment with a single DN150 connection to Council’s stormwater system;
   b) The developer shall extend and upgrade Council’s existing stormwater system as necessary to service the subdivision;
   c) Stormwater mains shall be bedded in accordance with Municipal Standard Drawing SD-5001 TYPICAL PIPE TRENCH DETAILS (see advice below);
   d) All stormwater services shall be designed and constructed in accordance with Council Standard Drawings;
   e) The developer shall be responsible for locating any existing services;
   f) The developer shall be responsible for obtaining relevant consents and providing notification to affected landowners prior to commencing works on site;
   g) These works shall be completed at the developer’s cost and to the satisfaction of the Manager Engineering Services prior to Council sealing the final plan of survey.

4. Engineering drawings:
   a) Prior to commencing works on site the developer shall provide Council with engineering (civil works) drawings that have been certified by a qualified and experienced civil engineer. A fee is associated with the review and approval of these drawings;
   b) The drawings shall detail all engineering works but particular attention is drawn to the construction of accesses and stormwater drainage. Stormwater drainage plans shall include a long-section;
   c) The drawings shall comply with relevant Municipal Standard Drawings and Australian Standards;
   d) No works shall commence on site until the drawings have been approved by the Manager Engineering Services. A fee is associated with the review and approval of these drawings;
   e) The developer shall carry out all engineering works in accordance with the approved drawings, unless otherwise approved in writing by the Manager Engineering Services;
   f) Prior to Council sealing the final plan of survey, all engineering works shall be completed by the developer, at the developer’s cost, and to the satisfaction of the Manager Engineering Services.

5. Prior to commencing works on site the developer shall provide Council with a Start Work Notice (see advice below).
6. Prior to commencing any works within the state highway reservation the developer shall obtain a works permit from the Department of Infrastructure, Energy and Resources (DIER).

7. Prior to Council sealing the final plan of survey and except as may be permitted by registered easement, the developer shall locate and re-lay all existing underground service connections (including electricity and communications) as necessary to ensure they are contained within the boundary of the lot served by those services.

8. Council is to be notified and work inspected at each of the following stages of construction. A fee is associated with each of these inspections:
   a) Prior to backfilling of stormwater pipelines;
   b) Benching within stormwater pits;
   c) Practical completion of works (on maintenance inspection);
   d) Final (off maintenance) inspection.

9. As Constructed drawings:
   a) The developer shall provide Council with As Constructed drawings prior to Council sealing the final plan of survey;
   b) The drawings shall be in pdf format;
   c) The developer shall arrange underground service locations or excavation as necessary to obtain the required information;
   d) Underground services on these drawings shall be certified by a licensed surveyor at the "As Constructed" location;
   e) These requirements shall be carried out at the developer’s cost and to the satisfaction of the Manager Engineering Services;
   f) These drawings shall include but not be limited to:
      • pipe diameter, material and class;
      • accurate horizontal and vertical location of underground services including surface and subsurface level information to AHD.

10. The survey pegs are to be stamped with the lot number and certified correct by a licensed surveyor before the works are placed on maintenance.

11. Upon a successful Practical Completion Inspection, the works are to be placed on a six (6) month defect liability period:
    a) During this period, all defects must be rectified at the developer’s cost and to the satisfaction of the Manager Engineering Services;
    b) A further 6 month maintenance period may be applied to defects after rectification;
    c) Council may, at its own discretion, undertake rectification of any defects at the developer’s cost.

12. The developer shall provide easements on title for corresponding infrastructure in accordance with the requirements of the responsible authority, and to the satisfaction of the Manager Engineering Services. The easement containing both the sewer main and the stormwater main shall be contained within an easement of minimum width 4.0 m.
Southern Water Conditions:

Refer to Southern Water form PL05C
Reference number SWISA 2013 / 00101-SOR
Dated 22 May 2013

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- To obtain a Start Work Notice form, a copy of drawings SD-1009 or SD-5001 or to book a Council inspection (allowing 24 hours' notice) please phone Council’s Administrative Officer for Engineering Services (Sonia Pullen) on 66289-0069.

- For the removal of trees within the road reservation please phone Council’s Supervisor for Parks and Reserves (Kerry Ford) on 66289-0051.

- The developer is referred to the grated pit that is located within the Arthur Highway road reservation and which is shown to provide a connection point on the stormwater drainage concept plan. The developer is advised that this pit is located in front of an allotment containing an existing house and will most likely require the installation of an additional stormwater manhole within the Arthur Highway road reservation to accommodate the change of direction.

- The developer is advised that the final plan of survey will not be sealed until after a successful Final (Off Maintenance) inspection, or a sufficient bond / bank guarantee is lodged with Council.

- The final plan when submitted and found to be in accordance with the above conditions be sealed.

- This permit shall lapse at the expiration of two (2) years from the date on which it is granted if the development and use is not substantially commenced within that period.

- This permit does not imply that any other approval required under any other by-law or legislation has been granted.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to the Resource Management and Planning Appeal Tribunal (Phone: 03 6233 6464).

John Molnar
SENIOR PLANNER
AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TUESDAY, 19 MAY 2015
applicant or landowner as the case may be, must pay a headworks charge totalling $2,466.94 to Southern Water for sewerage infrastructure for two (2) additional Equivalent Tenements, indexed annually by 2.6% or as otherwise approved by the Economic Regulator from the date of the Response to the Council Notice until the date it is paid to Southern Water.

5. The Plan of Subdivision Council Endorsement Page for lot 1 (and for any other lot on the Plan of Subdivision where it cannot be guaranteed customers sanitary drains will be able to discharge via gravity into Southern Water’s sewerage system) is to note, pursuant to Section 83 of the Local Government (Building and Miscellaneous Provisions) Act 1993, that Southern Water cannot guarantee customers sanitary drains will be able to discharge via gravity into Southern Water’s sewerage system.

6. The developer must protect Southern Water assets and any damage to Southern Water’s assets must be promptly reported to Southern Water and shall be repaired by Southern Water at the developer’s cost.

7. The applicant or landowner as the case may be, must pay the following fees to Southern Water for this proposal. All fees quoted in this permit shall be indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this document until invoiced by Southern Water.

Advice: Payment terms are 30 days from the date of the invoice. Southern Water will not issue a Certificate of Approval for the Plan of Subdivision until outstanding fees have been paid.

The invoice will be sent by mail to the 'Applicant' as described on the Council planning application form. If you are an agent acting on behalf of a client and require the invoice to be sent to the client, please email development@southernwatertas.com.au within 48 hours of receiving the invoice and provide alternative details quoting the invoice ‘DACS’ number.

<table>
<thead>
<tr>
<th>Description of Fee [BID inclusive]</th>
<th>Fee</th>
<th>Date from which the Southern Water Invoice will be issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment application for development [subdivision]</td>
<td>$537.45</td>
<td>The date of the Response to the Council Notice</td>
</tr>
<tr>
<td>Final Plan Sealing</td>
<td>$565.20</td>
<td>The date of the Southern Water Certificate of Approval of Plan of Subdivision</td>
</tr>
</tbody>
</table>

ADVICE

Locating Southern Water’s Infrastructure

The developer is responsible for arranging to locate existing Southern Water infrastructure and clearly showing it on any drawings. Existing Southern Water infrastructure may be located by Southern Water (call 136 992) on site at the developer’s cost, alternatively a surveyor and/or a private contractor may be engaged at the developer’s cost to locate the infrastructure.

Private Sewerage Service Pipps

All private sewerage service pipes should be separated so that they are wholly contained within the lot they service.
AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TUESDAY, 19 MAY 2015
AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TUESDAY, 19 MAY 2015
4.3 DEVELOPMENT APPLICATION NO. DA 2015/00091–1

^ 272 DELMORE ROAD, FORCETT

APPLICANT: M HALL

PROPOSAL: HOUSE AND OUTBUILDINGS (2 SHEDS) REQUIRING VARIATION TO FRONT AND SIDE BOUNDARY SETBACKS

ADDRESS: 272 DELMORE ROAD, FORCETT (CT 132225/2)

RECOMMENDATION

“That Development Application No. DA 2015/00091–1 for a House and Outbuildings (2 sheds) requiring variation to front and side boundary setback at 272 Delmore Road, Forcett (CT 132225/2) for M Hall be approved subject to the following conditions:

1. Development and use shall be substantially in accordance with Development Application No. DA 2015 / 00091, and the endorsed plans submitted on 9 April 2015.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- This permit shall lapse at the expiration of two (2) years from the date on which it is granted if the development and use is not substantially commenced within that period.

- This permit does not imply that any other approval required under any other by-law or legislation has been granted.

- Separate Building Approval may be required prior to commencement of the development.

You may appeal against the above condition/s, any such appeal must be lodged within fourteen (14) days of service of this notice to the Resource Management and Planning Appeal Tribunal, Level 1, 144-148 Macquarie Street Hobart 7001. Ph 6165 6794 or email rmpat@justice.tas.gov.au”
INTRODUCTION

This is an application for a house together with outbuildings comprising two sheds with the latter requiring variations to front and side boundary setback at 272 Delmore Road, Forcett.

The property comprises a single title CT 132225/ 2 of approximately 18.61 ha in area.

Statutory Implications

Zone: Rural

Use Classification: House which is a discretionary use in a rural zone.

6.9.2 Development Standards

(a) Height

   Residential Buildings - The maximum height within the Rural zone shall be 7 metres.
   
   Farm Buildings - The maximum height within the Rural zone shall be 8.5 metres.

(b) Setback

   Unless a greater setback is required in Schedule 6 the following minimum setbacks apply:

   FRONT       25 metres
   SIDE        25 metres
   REAR        25 metres

Representations

The application was advertised on 18 April 2015 and representations closed on 4 May 2015.

At the time of preparing this report, no representations were received.

Referrals

The application was referred to Council’s Engineering, Plumbing and Environmental Health Departments with no issues presented or conditions being requested.
Date of Receipt of Application

9 April 2015 and application became valid on 15 April 2015.

Date by Which a Decision Must be Made

26 May 2015

REPORT

This is an application for a house together with outbuildings comprising two sheds with the latter requiring variations to front and side boundary setback at 272 Delmore Road, Forcett. The outbuildings comprise a 7m x 10m shed proposed to be 12.6m from the front boundary & 20m from the side boundary whilst the 10m x 15m shed is proposed to be 19.1m from the front boundary & 7m from the side boundary. It is noted that the house complies with the development standards for the rural zone being a minimum 25 metres from all title boundaries.

The property comprises a single title CT 132225/2 of approximately 18.61 ha in area.

A geotechnical assessment was provided with this application which Council’s Senior Environmental Officer has assessed and has offered no objections or conditions of approval.

The applicant was asked on the 24th April to provide information as to the intended use of the sheds and replied;

- “Garage – to be used for storage off private car and motor bike.
- Farm shed – to be used for farm machinery, truck, tractor, seed drill & round baler.”

At the time of preparing this report, no representations were received.

There are no planning issues raised concerning the request to relax the development standards associated with the minimum front and side setback from title boundaries being less than 25 metres for the proposed sheds. These buildings are not habitable and therefore present little potential to fetter adjacent farming practices.

In considering this application and requirements of the Sorell Planning Scheme 1993, this application has been presented to Council and recommended for approval with conditions.

JOHN MOLNAR
SENIOR PLANNER
7 May 2015
Attachments: (6)

AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TUESDAY, 19 MAY 2015
APPLICATION FOR DEVELOPMENT / USE (PLANNING)

Description of Proposal: New Dwelling

If your application requires a variation to the development standards (i.e., setbacks, heights etc.) please provide reasons why the variation should be considered. (If insufficient space please attach a separate page)

Location of Proposed Works:
Address: 272 Delmore Rd
Suburb/Town: Forcett
Postcode:

Current Owners:
Please print name: Ken Grierson

Applicant / Contact Person:
Name: Martin Hall
Address: 649 Cambridge Rd
Suburb/Town: Cambridge
Postcode: 7170
Telephone
Mobile: 0417 157 386

Would you like your details to be updated to the above address?

Estimated Cost of Development: $240,000

Is the Property on the Tasmanian Heritage Register?
Yes
No

If you have had pre-application discussions with a Council Officer, please give their name

Current Use of the Site

Site Contamination – Have any potentially contaminating uses been undertaken on the site?
Yes
No

Does the proposed involve land administered or owned by the Crown or Council?

Declaration:

I, in relation to this application, I have read the Certificate of Title and Schedule of Encumbrances for the land and am satisfied that this application is not prevented by any restrictions, assessments or covenants. I also give my permission to Council’s representatives to enter the property to assess this application.

I authorize the provision of a copy of any documents relating to this application to any person for the purposes of assessment or public consultation. I agree to arrange for the permission of the copyright owner of any part of this application to be obtained.

I declare that, in accordance with Section 52(1) of the Land Use Planning and Approvals Act 1982, that I have notified the owner of the intention to make this application. Where in the case that Section 52(1B) of the Act applies, the required consent is attached.

Applicant’s Signature: I declare that the information in this application is true and correct. Date: 9/4/2015

Please see over for checklist
AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TUESDAY, 19 MAY 2015
AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TUESDAY, 19 MAY 2015
4.4 DEVELOPMENT APPLICATION NO. DA 2015/00095–1
^ PRIMROSE SANDS ROAD, PRIMROSE SANDS

APPLICANT: M M N HANNA

PROPOSAL: HOUSE

ADDRESS: PRIMROSE SANDS ROAD, PRIMROSE SANDS (CT143073/2)

RECOMMENDATION

“That Development Application No. DA 2015/00095–1 for a House at Primrose Sands Road, Primrose Sands (CT143073/2) for M M N Hanna be approved subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 13/04/2015 except as may be amended by the conditions of this permit.

2. At least 200m² of land must be reserved on-site for wastewater treatment which is located at least 5m from the downslope boundary and 2m from all other boundaries.

3. Driveways, parking areas, impervious sealing and buildings are not permitted in the area reserved for wastewater treatment.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- This permit shall lapse at the expiration of two (2) years from the date on which it is granted if the development and use is not substantially commenced within that period.

- This permit does not imply that any other approval required under any other by-law or legislation has been granted.

- Separate Building Approval may be required prior to commencement of the development.

You may appeal against the above condition/s; any such appeal must be lodged within fourteen (14) days of service of this notice to the Resource Management and Planning Appeal Tribunal, Level 1, 144-148 Macquarie Street Hobart 7001. ☎ 6165 6794 or email rmpat@justice.tas.gov.au”
INTRODUCTION

This is an application for a house at Primrose Sands Road, Primrose Sands (CT143073/2)

The property comprises a single vacant title and is approximately 16.25 ha in area.

Statutory Implications

Zone: The property is under a split zone comprising Reserved Residential Unserviced and Open Space. However, the proposed house will be entirely located in the Reserved Residential Unserviced zone.

Use Classification: House which is discretionary within the Reserved Residential Unserviced zone with the following relevant to the application;

6.6.1 Intent

(a) To define areas for residential development to be served by a level of infrastructure that will maintain and improve the quality of the natural and residential environments.

(b) To prevent the establishment of activities, or undertaking of works that will retard development for residential use and maintain a suitable environmental quality for future residential development.

6.6.2 Development Standards

(a) Height

The maximum height of a building within the Reserved Residential Unserviced zone shall be 8 metres.

(b) Siting

The siting of any building shall conform with the setback requirements of the Residential Unserviced Zone based on schematic subdivision layout at Residential Unserviced density and standards to be submitted in conjunction with the development proposal.

(c) When a lot is created in accordance with Clause 6.6.3(a) below, development may occur in accordance with the provisions of the Residential Unserviced zone.
(d) Notwithstanding Clause 6.6.2(a) Council may at its discretion and subject to Clause 2.5 relax the height requirements where it is satisfied that the sunlight, daylight, privacy, skyline and views of adjoining residents and the overall streetscape will not be adversely affected. Amendment 1/2001 3/7/01

Representations

The application was advertised on 22 April 2015 and representations closed on 7 May 2015.

At the time of preparing this report, two (2) representations were received;

- Mr and Mrs Kenny of 112 Carlton Bluff Road;
- Mr Philp of 95 Carlton Bluff Road.

It is noted that the one letter was signed by both parties.

Referrals

The application was referred to Council’s Engineering, Plumbing and Environmental Health Departments with Environmental Health providing comments and conditions.

Date of Receipt of Application

13 April 2015

Date by Which a Decision Must be Made

25 May 2015

REPORT

This is an application for a house at Primrose Sands Road, Primrose Sands on single vacant title (CT143073/2) and is approximately 16.25 ha in area.

Whilst the property has a split zone the proposed house will be located entirely within the Reserved Residential Unserviced zone and consequently will be assessed under that zone. Subsequently it has been determined that the application complies with the relevant development standards of the zone.

A single letter was received, signed by two parties, consequently no officer delegation exists and this matter is put before the Planning Authority for its determination.
The subject property comprises 16.25 ha with frontage to Carlton Bluff Road, Tamarix Road and Primrose Sands Road. As a house is prohibited in the Open Space zone access via Tamarix Road is not permitted. The other two road connections are both available however it is noted that traffic safety may be an issue from Primrose Sands Road. However, notwithstanding this point it is logical that access could be provided from Carlton Bluff Road as it was clearly the intention at the time of the approval of the subdivision.

The application before Council is for a single dwelling which satisfies the development standards for the zone. In fact by locating the house in close proximity to the existing houses and road (and in fact not compromising the continuation of this road) the application fulfils the requirement of the Reserved Residential Unserviced zone by not compromising future subdivision potential, as the zone is currently intended.

Council’s Development Engineering Manager has considered the application and raised no concerns or conditions.

The representation is concerned that approval of this application would set a precedence in allowing a future road. However, it is noted that if a subdivision application complied with the requirements of the planning scheme this could occur irrespective of whether a house is approved in the proposed location.

Furthermore the concerns that additional cars from this house would cause a loss in “peace and quiet” is not supported as we are only dealing with a single dwelling notwithstanding if there were any subdivision proposal in the future this would be a logical road connection.

The property is large in area but equally it is considered logical to continue the development of houses as has historically occurred ie: from Carlton Bluff Road. The addition of one house is not considered to adversely affect the existing residents from a traffic perspective further supported by no adverse comment from Council’s engineering staff.

Whilst a change in circumstance such as the development of a neighbouring property can be viewed as problematic by some local residents, it is considered that the issues raised in the representation, having been noted and considered by Council staff, do not warrant any decision other than approval.

In considering this application and requirements of the Sorell Planning Scheme, this application has been presented to Council and recommended for approval with conditions.

JOHN MOLNAR
SENIOR PLANNER
13 May 2015
Attachments: (13)
RESULT OF SEARCH

SEARCH OF TERRITORY TITLE

<table>
<thead>
<tr>
<th>VOLUME</th>
<th>FOLIO</th>
</tr>
</thead>
<tbody>
<tr>
<td>143073</td>
<td>2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EDITION</th>
<th>DATE OF ISSUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>26-May-2008</td>
</tr>
</tbody>
</table>

SEARCH DATE: 10-Apr-2015
SEARCH TIME: 11.48 AM

DESCRIPTION OF LAND

Parish of CARLTON Land District of PEMBROKE
Lot 2 on Sealed Plan 143073
Derivation: Part of Lot 31345, 1072 Acres Rtd. to E.J. Kennedy
Prior CT 251276/1

SCHEDULE 1

M159048 TRANSFER to MONA MEXHAIL NAGUIB HANNA Registered 26-May-2008 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
SP143073 BUSHMENTS in Schedule of Easements
SP143073 PENING PROVISION in Schedule of Basements
SP 2952 PENING COVENANT in Schedule of Easements
SP 2952 COUNCIL NOTIFICATION under Section 468(12) of the Local Government Act 1962

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations
**AGENDA**

**DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING**

**TUESDAY, 19 MAY 2015**

---

**SCHEDULE OF EASEMENTS**

**NOTE:** THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGERS OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.

**EASEMENTS AND PROFITS**

Each lot on the plan is together with:

1. such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot and any easements or profits aforesaid heretunder.
2. any easements or profits aforesaid heretunder.

Each lot on the plan is subject to:

1. such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan and any easements or profits aforesaid heretunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 2 is:

Together with the Benefitting Easements shown on SP 891 and SP 957, more particularly described as, a Right of Drainage over the Drainage easement running through Lots 1, 2, 3 & 5 on SP 891 and the Drainage Easement running through Lots 38 – 43 and Lot 403 on SP 957.

**Fencing Provision**

In respect of the Lots upon the plan the Vendor Gentle Investments Pty Ltd shall not be required to fence.

**EXECUTED by GENTLE INVESTMENTS PTY LTD** by being signed by two Directors

(Date)

(Please print names)

---

**ADMINISTRATIVE PAGES FOR CONTINUATION**

**SUBDIVIDER:** Gentle Investments

**FOLD REF:** 2012761

**SOLICITOR & REFERENCE:** Peter Jysch / Peter Mottyn & Butler

**PLAN SEALED BY:**

**DATE:**

**PAGE:**

**REF NO.:**

**Council Delegate**

**NOTE:** The Council Delegate must sign the Certificate for the purposes of identification.
Proposed house

The written submission for the proposed house at lot 2 Carlton Bluff Road:

- The Proposed House:
  - Floor: concrete ground floor and timber first floor.
  - Walls: White render masonry walls and stone walls. As per Elevations.
  - Roof: Sloping metal roof
- The proposed house will be both water efficient and energy efficient and good solar orientation
- 3 no. car park spaces.
- No trees or native vegetation will be removed.
- The Proposed House sitting is clear of the future extension of Carlton Bluff Road, which incorporate in the relevant siting.
- The Proposed House comply with the intent and the development standards of the zone.
NEW HOUSE FOR MONA HANNA
AT PRIMROSE SANDS

MASTER BED 4

AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TUESDAY, 19 MAY 2015
AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TUESDAY, 19 MAY 2015
112 Carlton bluff road

Primrose sands

1 May 2015

Regarding access from Carlton bluff road end

Sir

I feel if we allow this access to happen it’s going to open a window for the possibility in the future for a road that will come from the other end that being primrose road so we feel that’s going to create a problem for lots of us.

We have lived here now for 11 years it’s our bit of peace and quiet no cars passing our house this is one of the reason why we moved here knowing that Carlton bluff road finished beside us.

I am not saying that putting a house on this land is wrong but I feel where they want to put is going to create problems for us all and why should they have the right to interfere with other peoples lives just to suit themselves I feel and I am sure other people would feel the same these people have not considered us at all. With all that land why do they have to build right beside us beats me I know we cannot stop them building where they like but I just feel it’s going to very dangerous for us to go out of our drive way.

I feel they should consider using their own access from primrose road and consider other peoples privacy it would be better for all of us.

Kind regards

Mrs Kenny Mr Kenny

Tyroo Philip
95 Carlton bluff rd Primrose Sands
0419336443.
Development / Use (Planning/Subdivision)
Officer Referral

Date Application Received 13/04/2015
Application Number DA 2015 / 00095 - 1
Applicants Name M M N Hanna
Address Primrose Sands Road, Primrose Sands
Proposal (brief description) New House
CT & Lot No: 143073/2
Property Id No: 2598042

DATE REFERRED: 17 APRIL 2015

✓ ENVIRONMENTAL HEALTH OFFICER —………..

Do you require Additional Information? No

Would you like to nominate any conditions of approval? Yes

General Comments:
The house location is close to the salt pan / lake in Tamarix Road, however the survey plan with contour lines supplied with the application indicate that the house site will be well above the flood level of the lake.

The lot is very large and has sufficient area for wastewater treatment, the exact design can be resolved when the SPP application is received.
Recommended Conditions:

(1) At least 200m² of land must be reserved on-site for wastewater treatment which is located at least 5m from the downslope boundary and 2m from all other boundaries.

(2) Driveways, parking areas, impervious sealing and buildings are not permitted in the area reserved for wastewater treatment.

Signed Greg Robertson Date Completed: 17/4/2015