



# DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) AGENDA

12 APRIL 2022

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)

# 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, 12 April 2022 commencing at 4:30 pm.

---

## C E R T I F I C A T I O N

I, Russell Fox, Acting 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.

RUSSELL FOX  
ACTING GENERAL MANAGER  
7 April 2022



## AGENDA

FOR THE DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING  
TO BE HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE  
STREET, SORELL ON TUESDAY 12 APRIL 2022

---

### TABLE OF CONTENTS

1.0	ATTENDANCE	1
2.0	APOLOGIES	1
3.0	CONFIRMATION OF THE MINUTES OF 29 MARCH 2022	1
4.0	DECLARATIONS OF PECUNIARY INTEREST	1
5.0	LAND USE PLANNING	2
5.1	DEVELOPMENT APPLICATION NO. DA 2023 / 35 - 1	2
5.2	DEVELOPMENT APPLICATION NO. DA 2023 / 36 - 1	11
5.3	DEVELOPMENT APPLICATION NO. SA 2021 / 5 - 1	29

## 1.0 ATTENDANCE

^

Chairperson Mayor Vincent  
Deputy Mayor N Reynolds  
Councillor K Degrassi  
Councillor V Gala  
Councillor G Jackson  
Councillor C Torenus  
Councillor M Reed  
Councillor B Nichols  
Robert Higgins, General Manager

## 2.0 APOLOGIES

Councillor D De Williams – Approved Leave of Absence

## 3.0 CONFIRMATION OF THE MINUTES OF 29 MARCH 2022

### RECOMMENDATION

“That the Minutes of the Development Assessment Special Committee (DASC) Meeting held on 29 March 2022 be confirmed.”

## 4.0 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*.

## 5.0 LAND USE PLANNING

### 5.1 DEVELOPMENT APPLICATION NO. DA 2023 / 35 - 1

APPLICANT: K J VINCENT

PROPOSAL: ADDITIONS TO DWELLING AND NEW OUTBUILDING

ADDRESS: 5 GRIERSON DRIVE, FORCETT

#### RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Sorell Interim Planning Scheme 2015*, Council resolve that Development Application DA 2022 / 00035 - 1 for additions to dwelling and a new outbuilding at 5 Grierson Drive, Forcett be approved, subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 18/02/2022 except as may be amended by the conditions of this permit.

#### 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.
- Council recommends contacting Dial-Before-You-Dig (phone 1100 or [www.1100.com.au](http://www.1100.com.au)) before undertaking any works.

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 Tasmanian Civic and Administrative Tribunal, 38 Barrack Street, Hobart 7000. Ph ☎ 1800 657 500 or email [resourceplanning@tascat.tas.gov.au](mailto:resourceplanning@tascat.tas.gov.au).



## **Introduction**

The application seeks approval for:

- (a) Additions to an existing dwelling for a small roof over an existing bbq area; and
- (b) A 10m x 8m x 3.6m (high) shed clad in Colorbond with pale eucalypts and mist green colours located to the front of the property.

## **Strategic plan**

The proposal will not affect implementation of Council's Strategic Plan 2019 – 2029.

## **Annual plan**

The proposal will not affect implementation of Council's Annual Plan 2021/2022.

## **Environmental implications**

There are no significant environmental implications associated with this proposal. The shed is located in an existing clearing.

## **Asset management implications**

There are no asset management implications.

## **Risk management implications**

There are no significant risk management implications associated with this proposal.

## **Community implications**

There are no significant implications for the community associated with this proposal.

## **Statutory implications**

Zone: Rural Living

Overlays: Bushfire-Prone Areas and Dispersive Soils. Biodiversity and landslide overlays also apply to the site but not to the area of works.

Codes: Stormwater Management

Use Classification: No Permit Required



## Representations

The application was advertised in accordance with the requirements of section 57 of the *Land Use Planning and Approvals Act 1993* (LUPAA) on 19 March 2022 and representations closed on 4 April 2022. No representations were received.

## Referrals

The application was referred to Council's Engineering, Plumbing and Environmental Health Departments. No conditions are required in response to these referrals.

## Date of Receipt of Application

17 February 2022, and made valid on 18 February 2022.

Additional information was requested on 2 March 2022 seeking information on colours, access and titles, with a response received on 16 March 2022.

## Date by Which a Decision Must be Made

27 April 2022.

## Report

The application seeks approval for:

- (a) Additions to an existing dwelling for a small roof over an existing bbq area; and
- (b) A 10m x 8m x 3.6m (high) shed clad in Colorbond with pale eucalypts and mist green colours located to the front of the property.

The proposed shed is setback 13.3m from the northern side boundary and 33m from the western side setback, and approximately 30m from the existing dwelling.

The site is a 1ha lot at the end of Grierson Drive. The site contains an existing dwelling located centrally on the site and a separate garage to the rear of the dwelling. The site has a slight west to south-west aspect with a gradient of 1 in 10 around the existing development. Similar to surrounding properties, there are a number of native trees scattered through the front of the site with vegetation largely intact to the rear.

The Rural Living Zone applies to the site and to all adjoining properties. Overlays for bushfire, dispersive soils, landslide and biodiversity apply to the site while the development located within the bushfire and dispersive soils overlay.

## Rural Living Zone

The Use Standards of the zone are not applicable.

The application complies with the acceptable solutions for the following Development Standards:

- 13.4.1 Building Height A1 – height is less than 8.5m;
- 13.4.2 Setback A1 – front setback exceeds 20m;
- 13.4.2 Setback A3 – separation of +100m to the Rural Resource Zone;
- 13.4.2 Setback A4 – separation of +100m to the Environmental Management Zone;
- 13.4.3 Design A1 – works do not require clearing of native vegetation;
- 13.4.3 Design A2 – colours have light reflectance value no greater than 40%; and
- 14.3.2 Design A4 – fill and excavation is no more than 1m.

The proposal is subject to performance criteria for front setback, combined gross floor area and outbuilding combined gross floor area, which are discussed in the following.

### A. 13.4.2. Setback P2

*Building setback from side and rear boundaries must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:*

- (a) *the topography of the site;*
- (b) *the size and shape of the site;*
- (c) *the location of existing buildings on the site;*
- (d) *the proposed colours and external materials of the building;*
- (e) *visual impact on skylines and prominent ridgelines;*
- (f) *impact on native vegetation;*
- (g) *be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:*
  - (i) *overlooking and loss of privacy;*
  - (ii) *visual impact, when viewed from adjoining lots, through building bulk and massing.*

The acceptable solution of 20m is not met. The setback would, however, comply with the new State Planning Provisions.



It is considered that the setback will not have an unreasonable impact on the amenity of adjoining land or the character of the area as:

- The siting to the front avoids more intact native vegetation to the rear;
- The setback is consistent with nearby development, in particularly 10 Grierson Drive which has a 54m<sup>2</sup> outbuilding setback 10m from the boundary; and
- The boundary subject to the variation is currently an access strip to a large rural lot and no development can take place near the proposal.



*Subject site and surrounding development.*

#### B. 13.4.4. Design P3

*The combined gross floor area of buildings must satisfy all of the following:*

- there is no unreasonable adverse impact on the landscape;*
- buildings are consistent with the domestic scale of dwellings on the site or in close visual proximity;*
- be consistent with any Desired Future Character Statements provided for the area;*

It is considered that the performance criteria is satisfied as:

- The landscape will be largely unaffected as existing vegetation will be retained with this vegetation providing an effective screen of the new structure; and
- The domestic scale of the site will also be retained with the new shed separate from the dwelling and screened by vegetation. The combined gross floor area of 399m<sup>2</sup> is consistent with that prevailing in the area, with similar gross floor areas at 2 and 6 Grierson Drive.

#### *C - 13.4.4 Outbuildings P1*

*Outbuildings (including garages and carports not incorporated within the dwelling) must be designed and located to satisfy all of the following:*

- (a) be less visually prominent than the existing or proposed dwelling on the site;*
- (c) be consistent with the scale of outbuildings on the site or in close visual proximity*
- (d) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape.*

The performance criteria applies as the shed is built forward of the dwelling and the combined floor area of outbuildings will exceed 100m<sup>2</sup>.

It is considered that the performance criteria is satisfied as:

- existing vegetation on the site will provide an effective screen of the shed such that the shed is not more visually prominent than the dwelling;
- the siting and design of the outbuilding will not have a negative impact on the amenity of the area; and
- the floor area of the outbuilding is similar to outbuildings on properties in the area.

#### **Codes**

The application is subject to the following Codes:

- Bushfire-Prone Areas Code
- Stormwater Management Code
- Dispersive Soils Code

#### *Bushfire-Prone Areas Code*

The site is within a bushfire-prone area. As a residential use, the application is exempt from the Code.

#### *Stormwater Management Code*

Stormwater is to be collected via a tank with overflow to be managed onsite. The site is sufficient in size for onsite management.

*Dispersive Soils Code*

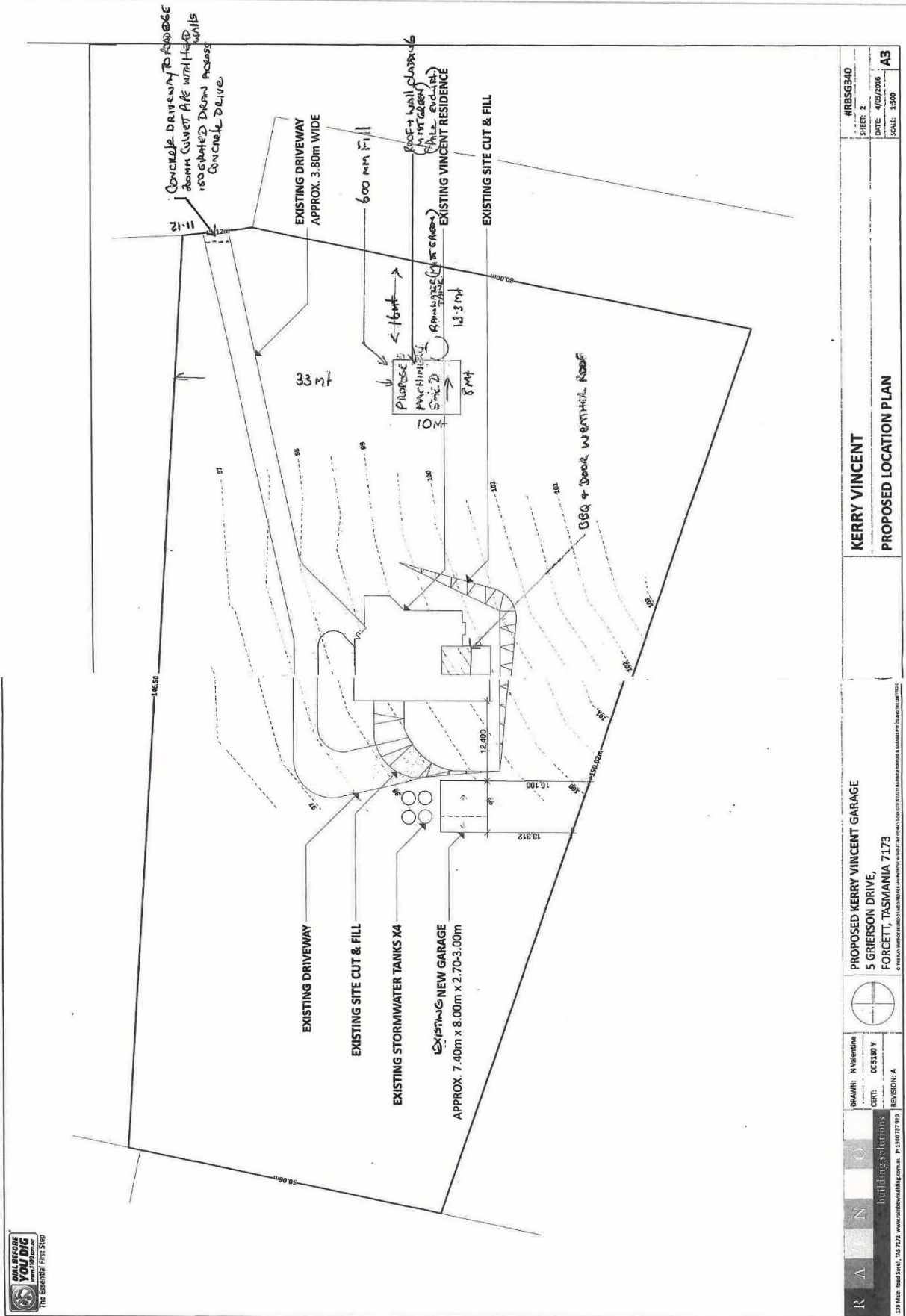
As the development footprint is less than 100m<sup>2</sup> in area, the application is exempt from the Code.

**Conclusion**

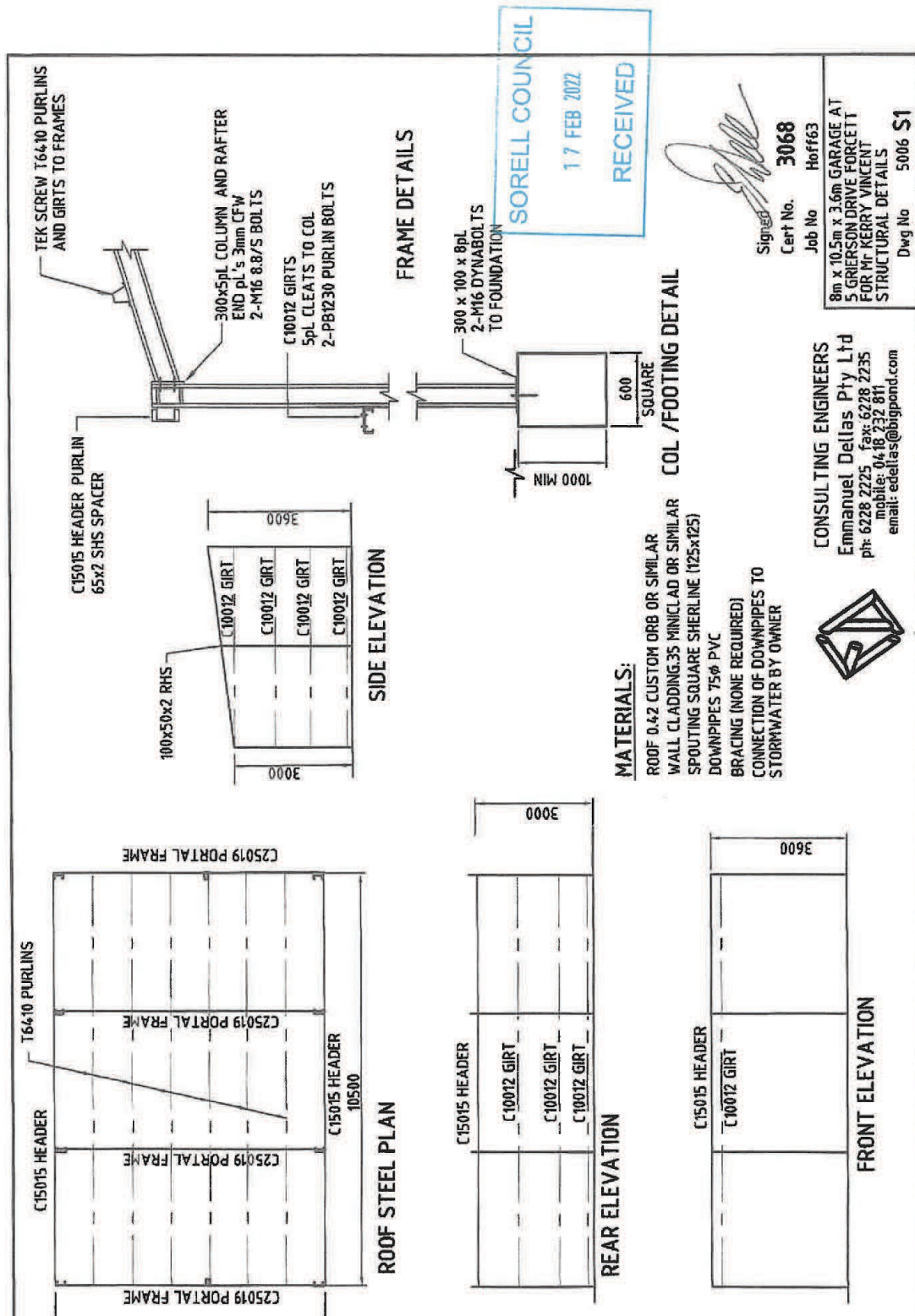
In considering the development and site, with the application of appropriate conditions, the application is recommended for approval with conditions.

**Shane Wells**  
**SENIOR PLANNER**

**Attachments:**  
Proposal Plans







## 5.2 DEVELOPMENT APPLICATION NO. DA 2023 / 36 - 1

APPLICANT: M A MORROW

PROPOSAL: DWELLING AND OUTBUILDING INCLUDING TEMPORARY OCCUPANCY

ADDRESS: KELLEVE ROAD, KELLEVE (CT 132276/1)

**RECOMMENDATION**

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Sorell Interim Planning Scheme 2015*, Council resolve that Development Application DA 2022 / 00036 - 1 for a dwelling and outbuilding including temporary occupancy at Kellevie Road, Kellevie (CT 132376/1 be approved, subject to the following conditions:

2. Development shall generally be in accordance with the endorsed plans submitted on 18/02/2022 except as may be amended by the conditions of this permit.
3. All recommendations of the Geotechnical Assessment prepared by Rock Solid Geotechnics related to dispersive soils must be implemented, including:
  - a. Covering and revegetation of any disturbed areas of dispersive soils;
  - b. Ensuring stormwater overflow is appropriately managed; and
  - c. Avoiding unnecessary disturbance to the dispersive soil layer under the sandy soil profile.
4. The development is to be implemented in the following stages:
  - a. Stage 1: Construction of outbuilding to be utilised as Temporary Dwelling;
  - b. Stage 2: Construction of dwelling, and alterations to outbuilding to remove fixtures and fittings so it is no longer habitable space.

The outbuilding must have all fixtures removed so it can no longer be utilised as habitable space within 3 months of a certificate of occupancy being issued for the dwelling in Stage 2.

**Engineering**

5. A vehicular crossing application shall be submitted to Council and an associated permit must be granted prior to any works commencing within the road reservation.

6. A new access shall be constructed to Council's Standard Drawings TSD-R03-v3 and TSD-R04-v3. The access shall have a 100mm thick compacted all-weather gravel finish (as a minimum standard) over a minimum 150mm compacted FCR base material or 150mm thick reinforced concrete over a minimum 100mm compacted base material.
7. The access shall start at the edge of the existing bitumen in Kellevie Road, shall have a minimum width of 4.0 metres, and shall extend for 6 metres or to the property boundary, whichever is greater. The connection to the road seal shall have a clean straight edge.
8. The access shall be located approximately 60 metres north of the existing gate to Kellevie Road (within the gravel section of Kellevie Road) and to the satisfaction of Council's Development Engineer.
9. Drainage from the access must not cause ponding within the Council's road reserve. A DN300 RCP Class 4 culvert plus headwalls shall be installed within the existing road side table drain. The table drain shall be reshaped and excavated as required to allow stormwater to flow through and gain adequate cover over the culvert.
10. A Council engineering officer must inspect the completed base prior to laying asphalt or pouring concrete. Please call Council on 6269 0000 to arrange a time giving at least 24 hours' notice.
11. The internal driveway and parking areas shall be upgraded to have a minimum width of 3.0 metres with a compacted all-weather gravel finish (as a minimum standard). This shall include provision of an appropriately sized table drain (or equivalent) to direct all stormwater runoff to Council's roadside drainage. A passing bay with minimum width of 5.5 metres and length of 6.0 metres, tapering back to the width of the driveway, shall be constructed as close as practicable to the property boundary and access to site.
12. The developer shall be responsible for the location of any existing services and Council infrastructure.
13. All works shall be undertaken by the developer at the developer's cost.
14. Any existing Council infrastructure that is damaged or modified in any way, as a consequence of these works, shall be repaired or reinstated by the developer to its original condition, as soon as reasonably practicable, at the developer's cost.

15. During the works period, the developer shall contain all materials within the property boundaries and maintain the site so as not to cause a hazard to pedestrian or vehicular traffic.

**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.
- Council recommends contacting Dial-Before-You-Dig (phone 1100 or [www.1100.com.au](http://www.1100.com.au)) before undertaking any works.

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 Tasmanian Civic and Administrative Tribunal, 38 Barrack Street, Hobart 7000. Ph ☎ 1800 657 500 or email [resourceplanning@tascat.tas.gov.au](mailto:resourceplanning@tascat.tas.gov.au).

### Introduction

The application seeks approval for a dwelling and outbuilding at Kellevie Road, Kellevie (CT 132276/1), which is located approximately 500m north of Woods Road.

### Strategic plan

The proposal will not affect implementation of Council's Strategic Plan 2019 – 2029.

### Annual plan

The proposal will not affect implementation of Council's Annual Plan 2021/2022.

### Environmental implications

There are no significant environmental implications associated with this proposal.

### Asset management implications

There are no asset management implications.





### **Risk management implications**

There are no significant risk management implications associated with this proposal.

### **Community implications**

There are no significant implications for the community associated with this proposal.

### **Statutory implications**

Zone: Rural Resource

Overlays: Bushfire-Prone Areas and Dispersive Soils. Waterway and landslide overlays also apply to the site but not to the area of works.

Codes: Road and Rail Assets Code, Parking and Access Code; Stormwater Management Code.

Use Classification: Discretionary.

### **Representations**

The application was advertised in accordance with the requirements of section 57 of the *Land Use Planning and Approvals Act 1993* (LUPAA) on 19 March 2022 and representations closed on 4 April 2022. No representations were received.

### **Referrals**

The application was referred to Council's Engineering, Plumbing and Environmental Health Departments. Engineering conditions are provided for any permit issued.

### **Date of Receipt of Application**

17 February 2022, and made valid on 23 February 2022.

Additional information was requested on 2 March 2022 seeking information on sight distance, access and vehicle passing, with a response received on 4 March 2022.

### **Date by Which a Decision Must be Made**

27 April 2022.



## Report

The application seeks approval a dwelling and outbuilding on a 18.3ha rural lot.

The dwelling and outbuilding are located centrally on the site. The front setback is 347m and side setbacks are 100m or more other than to a reserve road that dissects the site.

The dwelling is a single storey, three-bedroom dwelling with a building height of 4.2m. The footprint of the dwelling is 16m x 10m. Cladding is a mix of brick, weatherboard and cement sheet with a grey colour scheme proposed.

The outbuilding is 12m x 9m x 4.7m (high) clad in Colourbond with a shale grey finish.

The site borders Nelsons Rivulet to the south and fronts Kellevie Road. Land to the west is a small rural lot and land to the north is a similar sized rural lot. The land to the south is a similarly sized rural lot. In the surrounding area there are a number of small, house lots and the area is of a semi-rural living nature.

The northern part of the site is relatively flat with a fall of 20m and a westerly aspect. The southern section rises in elevation above Nelsons Rivulet. This steeper section contains a scattering of native vegetation, as does the area of the site where development is proposed. Three trees are to be removed.

The Rural Resource Zone applies to the site and to all adjoining properties. Overlays for bushfire, dispersive soils, landslide and biodiversity apply to the site while the development located within the bushfire and dispersive soils overlay.

### Rural Resource Zone

The application complies with the acceptable solutions for the following Use and Development Standards:

26.4.1 Building Height A1 – height is less than 8.5m;

26.4.2 Setback A1 – front setback exceeds 20m;

26.4.2 Setback A3 – separation of +100m to forestry and +200m to Significant

Agriculture Zone;

26.4.2 Setback A4 – separation of +100m to the Environmental Management Zone;

13.4.3 Design A2 – colours have light reflectance value no greater than 40%; and

14.3.2 Design A4 – fill and excavation is no more than 1m.

The proposal is subject to performance criteria for sensitive use, discretionary use, side setback and removal of native vegetation.

B. 26.3.1. Sensitive Use P1

*A sensitive use must not unreasonably convert agricultural land or conflict with or fetter non-sensitive use on adjoining land having regard to all of the following:*

- (a) the characteristics of the proposed sensitive use;*
- (b) the characteristics of the existing or likely non-sensitive use on adjoining land;*
- (c) setback to site boundaries and separation distance between the proposed sensitive use and existing or likely non-sensitive use on adjoining land;*
- (d) any characteristics of the site and adjoining land that would buffer the proposed sensitive use from the adverse impacts on residential amenity from existing or likely non-sensitive use.*

It is considered that the use will not unreasonable convert agricultural land or fetter adjoining land as:

- The site is used for pasture and is constrained by the lack of water storage or supply;
- The dwelling will have no adverse effect on agricultural potential of the site; and
- Adjoining land is also constrained and the setbacks proposed are sufficient to avoid fettering.



*Subject site and surrounding development.*

### B. 26.3.3. Discretionary Use P3

*A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:*

- (a) the characteristics of the proposed non-agricultural use;*
- (b) the characteristics of the existing or likely agricultural use;*
- (c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;*
- (d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.*

It is considered that the use will not unreasonable convert agricultural land or fetter adjoining land as:

- The site is used for pasture and is constrained by the lack of water storage or supply;
- The dwelling will have no adverse effect on agricultural potential of the site; and
- Adjoining land is also constrained and used for pasture or rural living purposes and the setbacks proposed are sufficient to avoid fettering now and into the future.

### C – 26.4.2 Setbacks P2

*Building setback from side and rear boundaries must maintain the character of the surrounding rural landscape, having regard to all of the following:*

- (a) the topography of the site;*
- (b) the size and shape of the site;*
- (c) the location of existing buildings on the site;*
- (d) the proposed colours and external materials of the building;*
- (e) visual impact on skylines and prominent ridgelines;*
- (f) impact on native vegetation.*

The performance criteria only applies to the boundary of the reserved road that dissects the site. This reserved road forms a side boundary. The reserve road could connect the adjoining land to the west to Kellevie Road however this is unlikely as that land fronts Burdons Road. The setback of the dwelling to the reserve road boundary will have no effect on the character of the surrounding rural landscape and the performance criteria are considered satisfied.

*D – 26.4.3 Design P1*

*The location of buildings and works must satisfy all of the following:*

- (a) be located on a skyline or ridgeline only if:*
  - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;*
  - (ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;*
- (b) be consistent with any Desired Future Character Statements provided for the area;*
- (c) be located in an area requiring the clearing of native vegetation only if:*
  - (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;*
  - (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.*

Criteria (c) is the relevant provision. It is considered that the extent of clear is minimal with three trees proposed to be removed (shown below).

With respect to need, the applicant has advised that the siting of the dwelling at the tree line is to:

- retain more of the cleared areas for future use
- avoid poorly drained paddocks; and
- achieve wind protection of the dwelling.

On balance, it is considered that the performance criteria is satisfied.





*Approximate location of house and three trees proposed to be removed.*

## Codes

The application is subject to the following Codes:

- Bushfire-Prone Areas Code
- Road and Rail Assets Code
- Parking and Access Code
- Stormwater Management Code
- Dispersive Soils Code

### *Bushfire-Prone Areas Code*

The site is within a bushfire-prone area. As a residential use, the application is exempt from the Code.

### *Road and Rail Assets Code*

To achieve minimum sight distance the access will be relocated north from the existing farm access. On this basis the development complies with all relevant standards of the Code.

### *Parking and Access Code*

The site has two car parking spaces and vehicle passing areas. A gravel driveway is proposed from a sealed road which is subject to a performance criteria in the Code. A gravel driveway is appropriate for the character of the area and is acceptable subject to ongoing maintenance.

### *Stormwater Management Code*

Stormwater is to be collected via a tank with overflow to be managed onsite. The site is sufficient in site for onsite management.

### *Dispersive Soils Code*

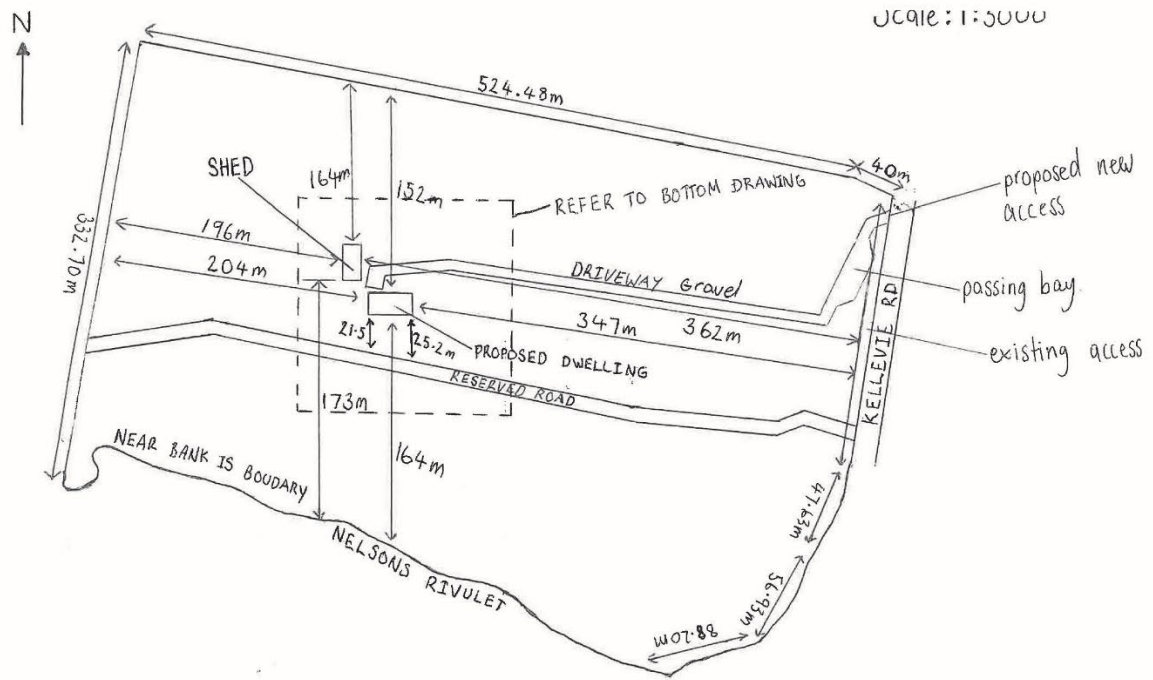
A Geotechnical Assessment submitted with the application confirms that the soil is at risk of dispersion. This level of risk is low, however, due to sandy soils covering the clay layer. Excavation may however expose the dispersive soils and the assessment includes a number of construction management recommendations to minimise the risk. Subject to implementation of the recommendations, it is considered that the performance criteria is satisfied and adverse impacts can be avoided.

### **Conclusion**

In considering the development and site, with the application of appropriate conditions, the application is recommended for approval with conditions.

**Shane Wells**  
**SENIOR PLANNER**

Attachments:  
Proposal Plans

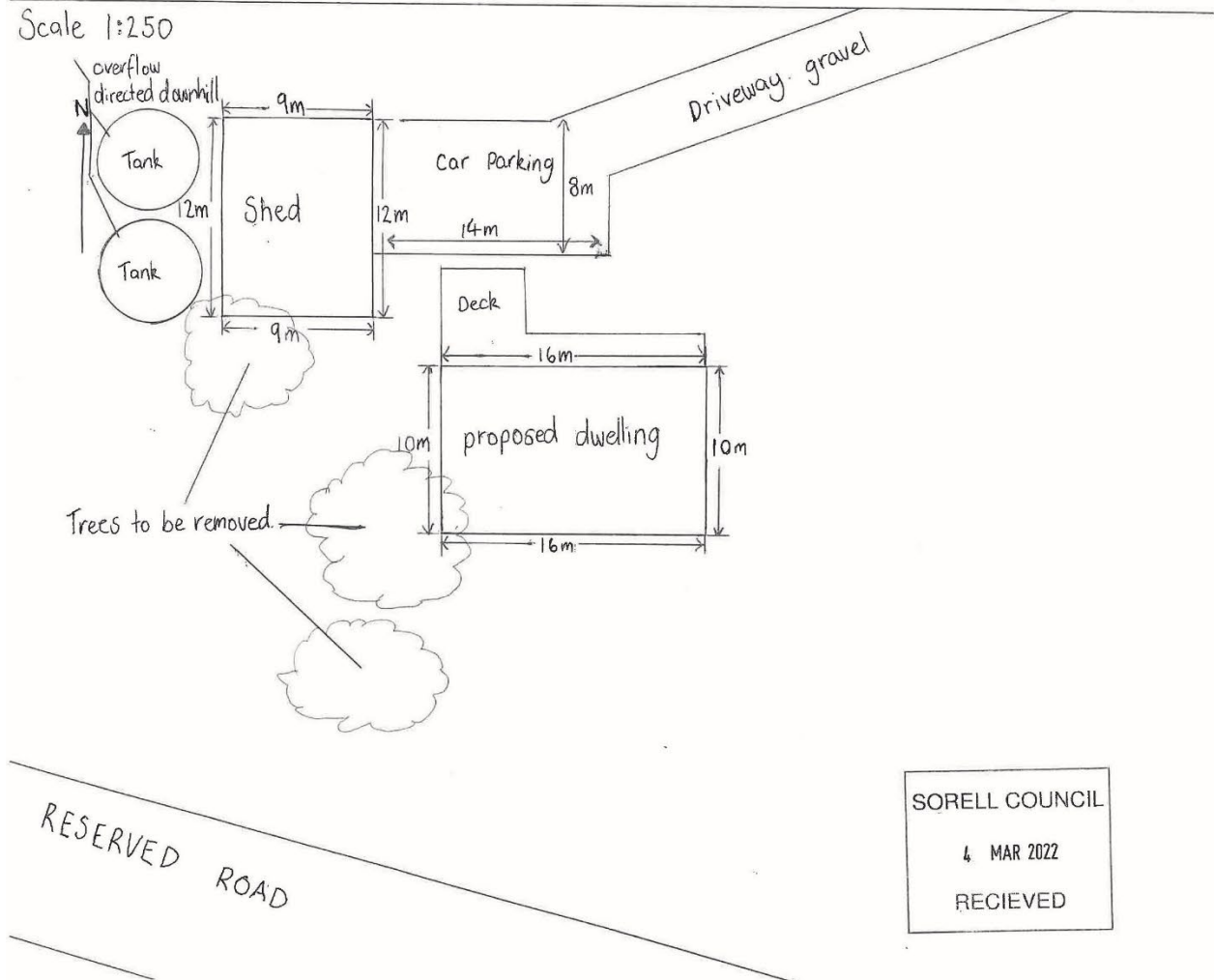


Lot 1 Kellevie Road CT 132276/1

Date:

Site Plan

Scale 1:250



SORELL COUNCIL  
4 MAR 2022  
RECIEVED

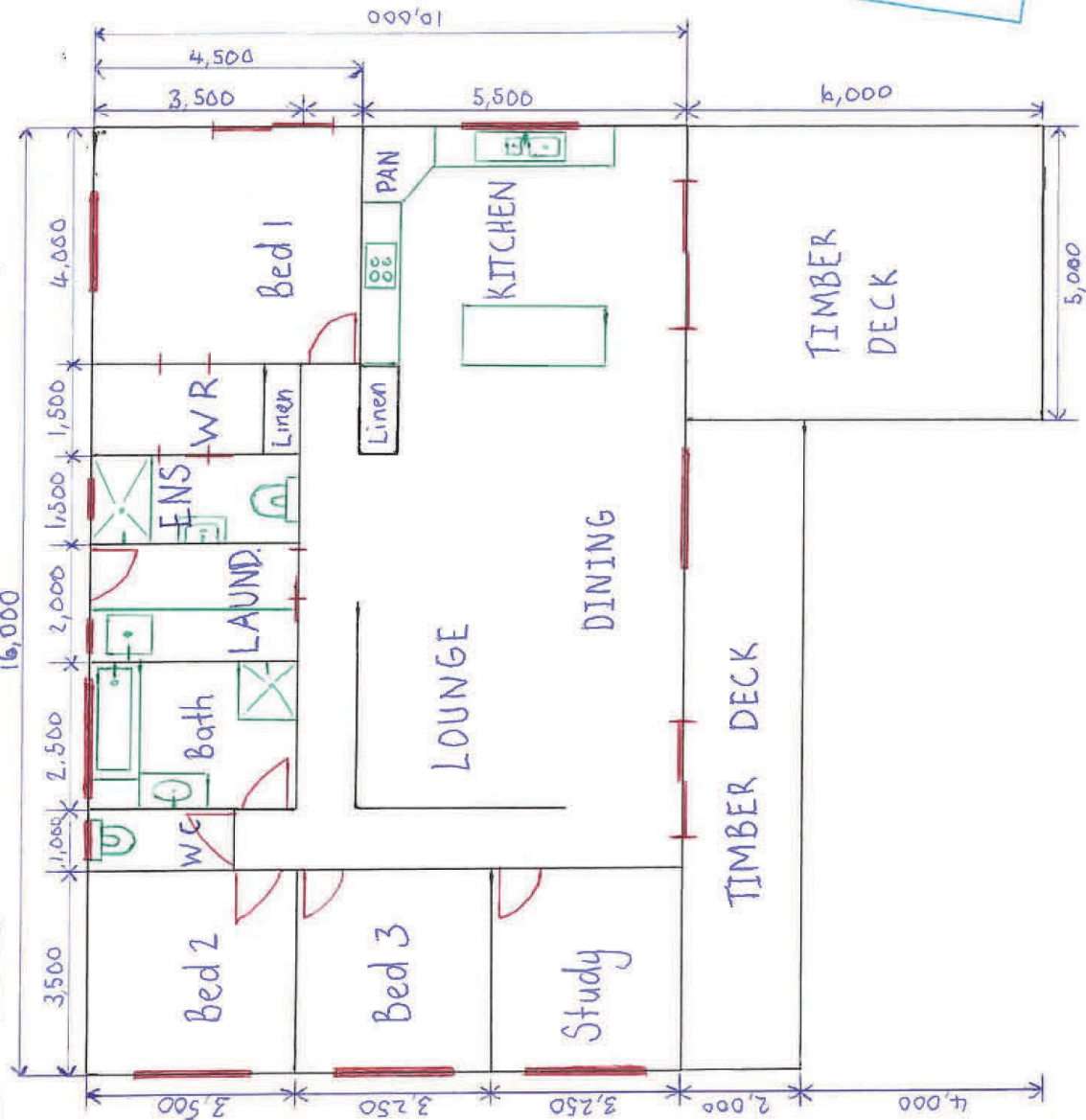




FLOOR PLAN Scale 1:100 LOT 1 Kellevie Rd CT 132276/1

Dwelling

Date:



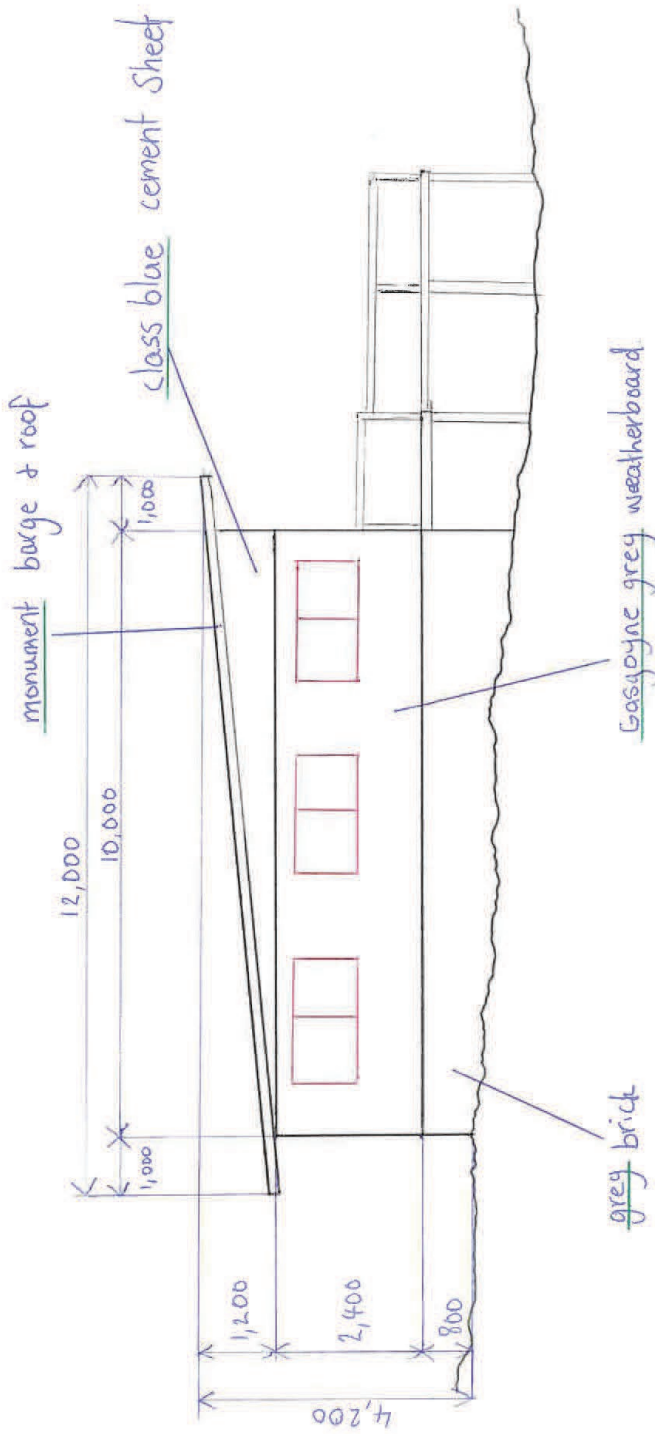
SORELL COUNCIL  
17 FEB 2022  
RECEIVED



Scale 1:100

Lot 1 Kellevie Rd CT 132276/1

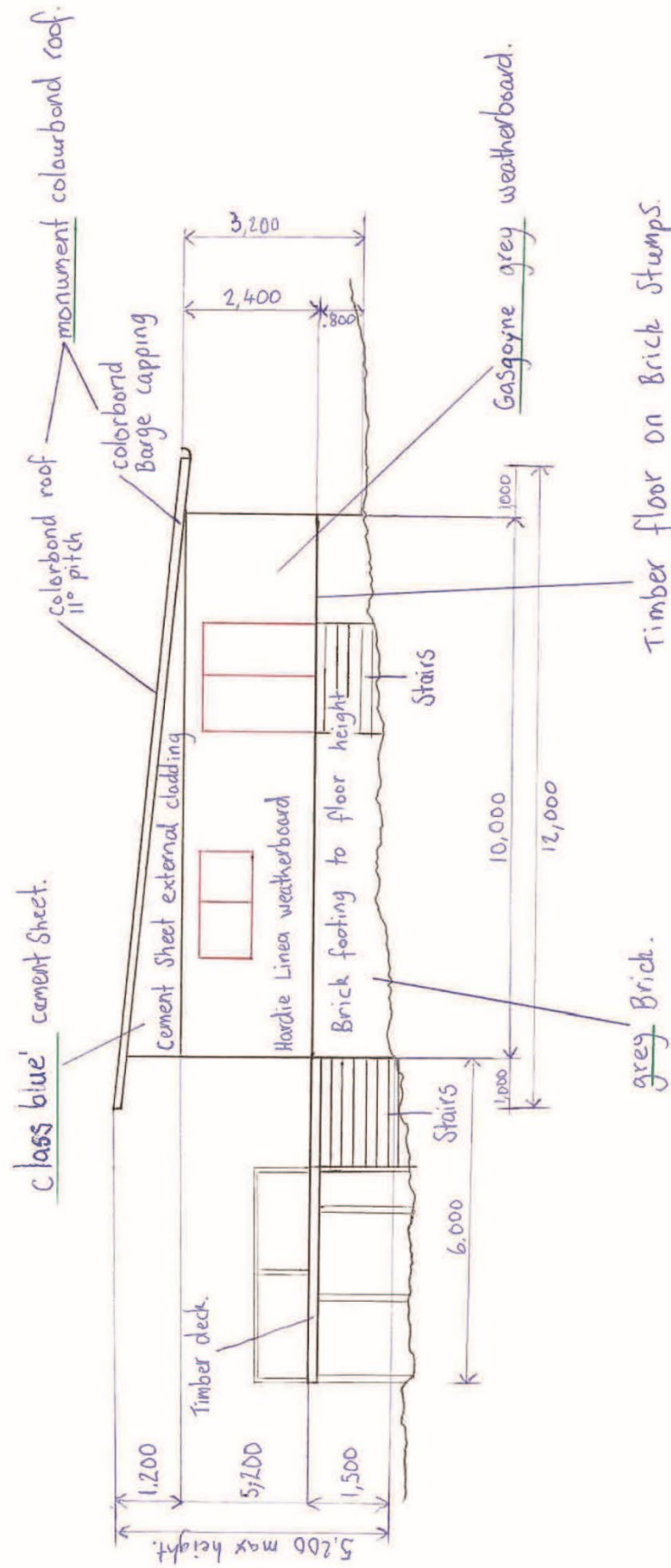
East elevation  
Date:



Scale 1:100

West Elevation Lot 1 Kelleve Rd CT 132276/1

Date:



AGENDA

DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING

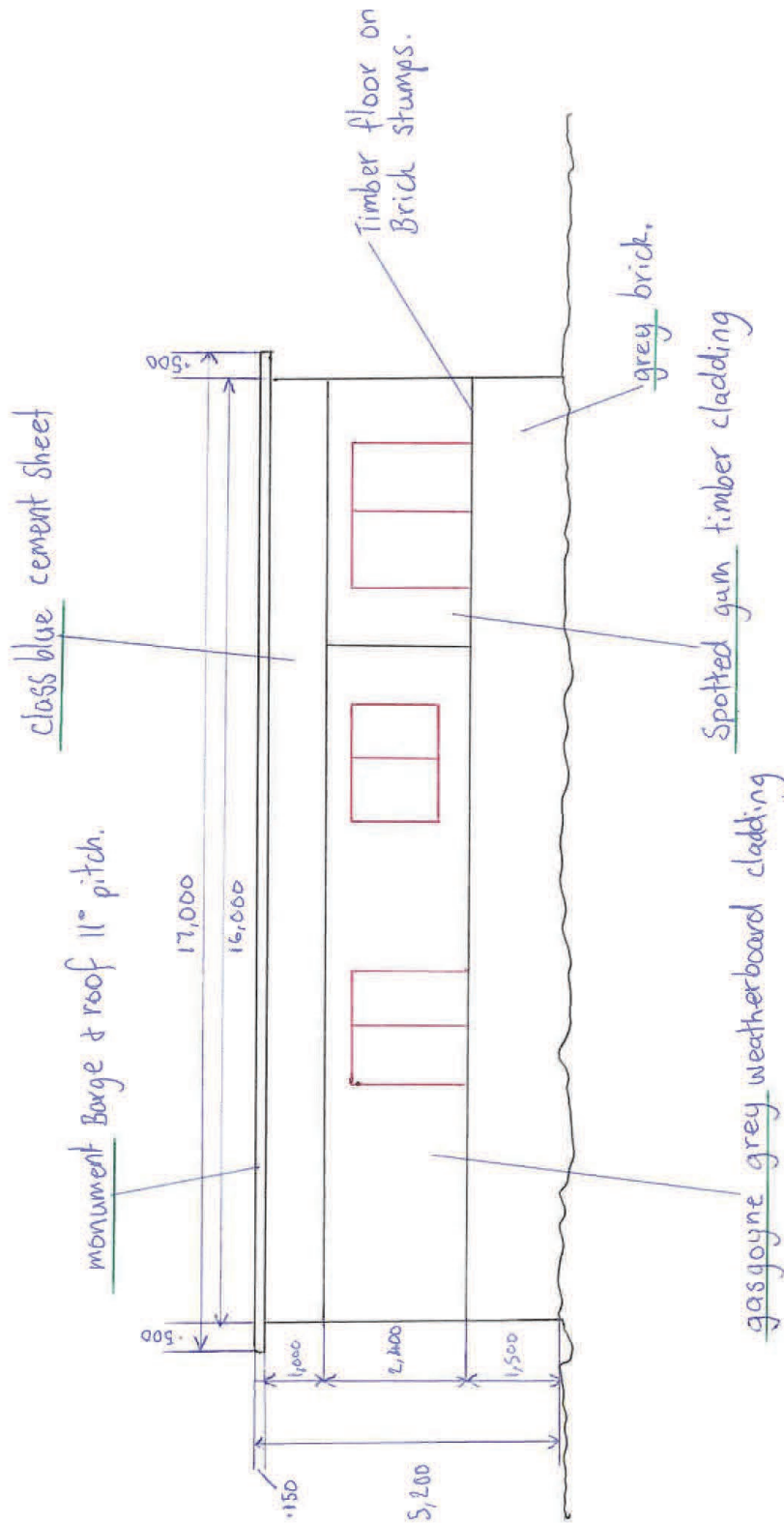
12 APRIL 2022

Scale 1:100

Lot 1 Kellevie Rd CT 132276/1

North Elevation

Date:

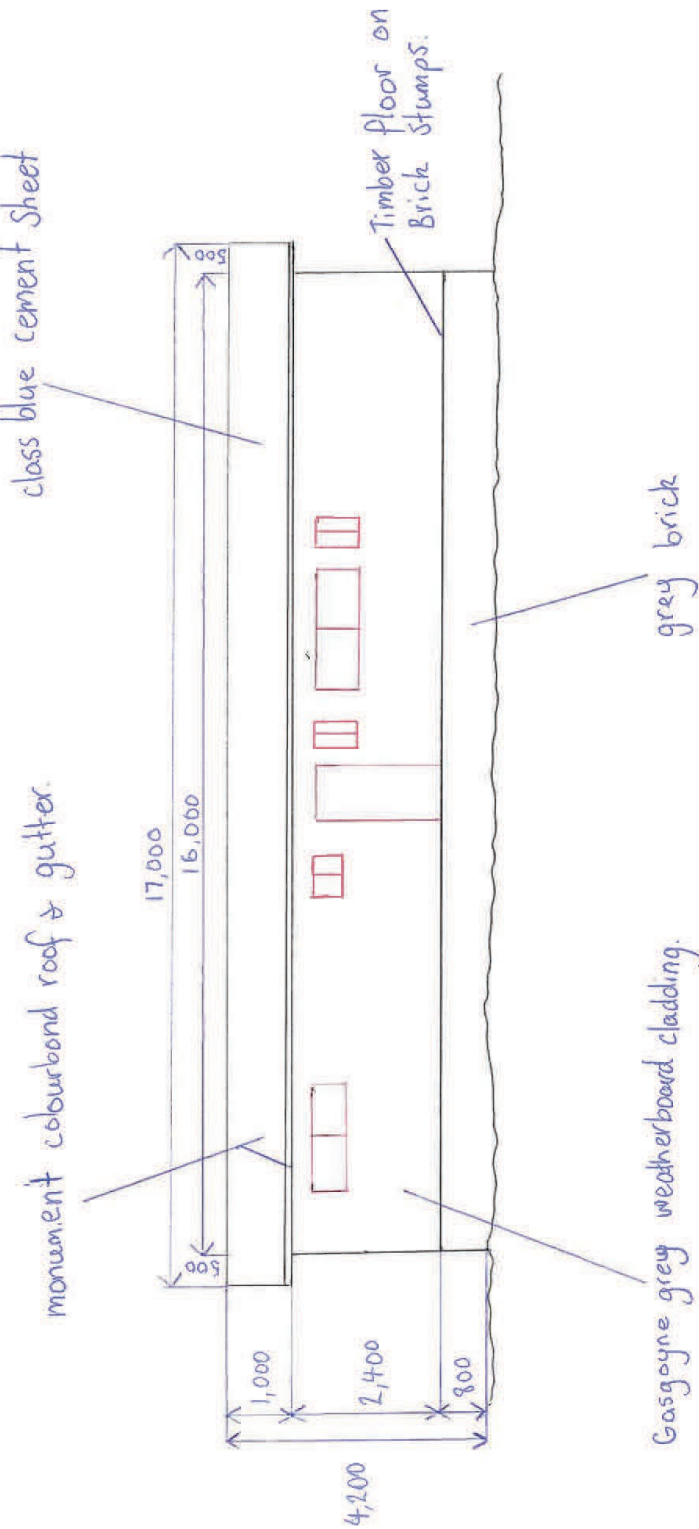


Scale 1:100

Lot 1 Kellevie Rd CT 132276/1

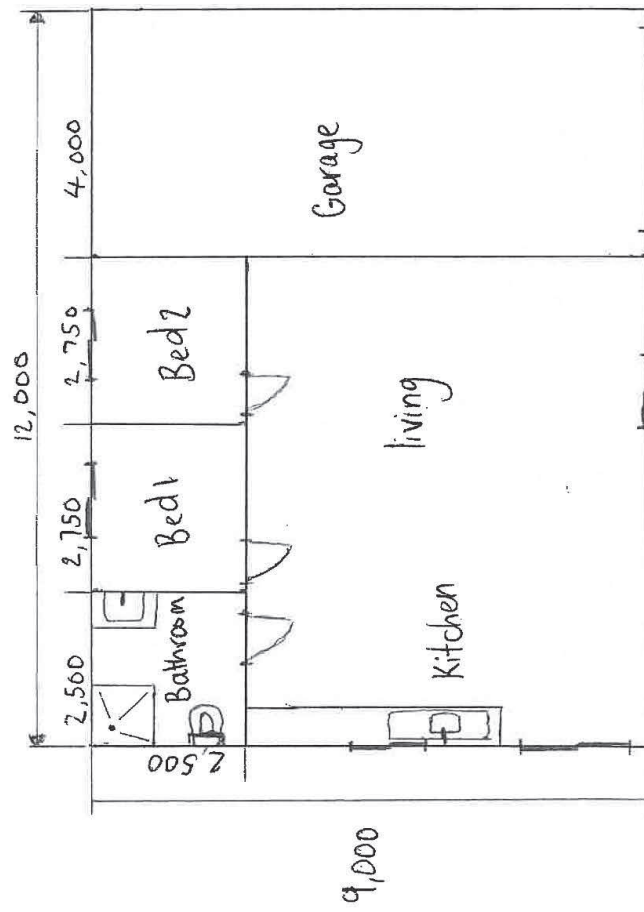
South elevation

Date:



Date: 07/03/2022.  
Scale: 1:100

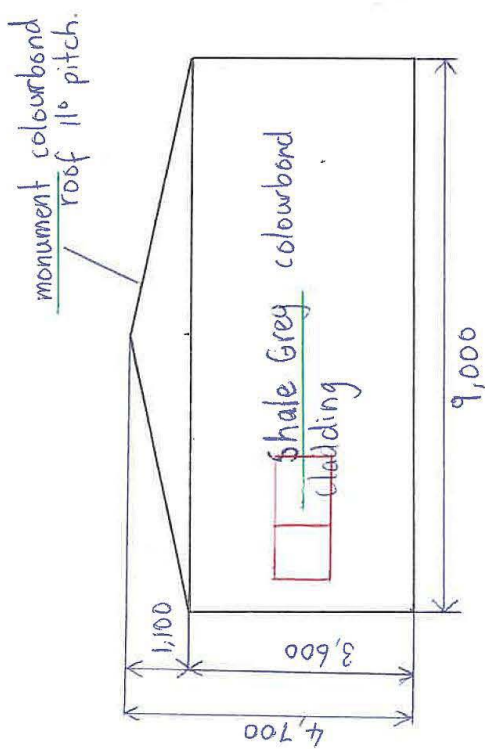
Shed floor plan  
Lot 1 Kellevie Rd CT-132276/1





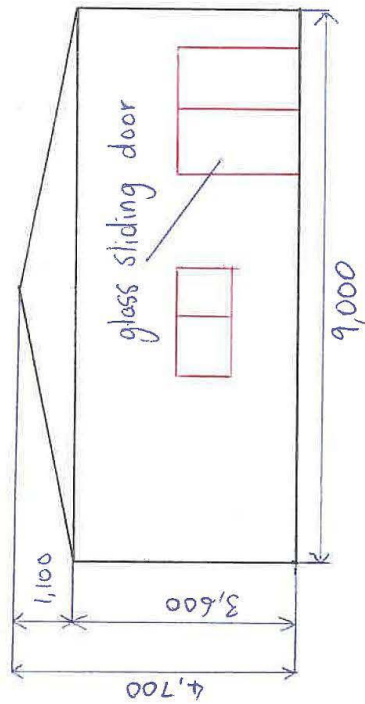
North elevation on Lot 1 Kellewie Rd CT 132276/1

Date:

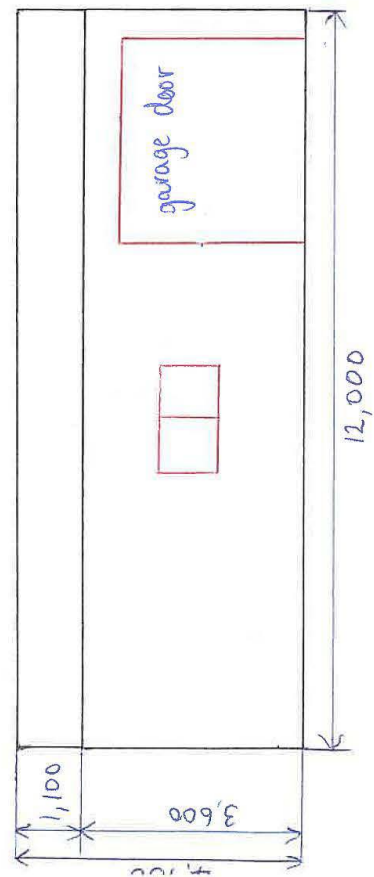


South elevation.

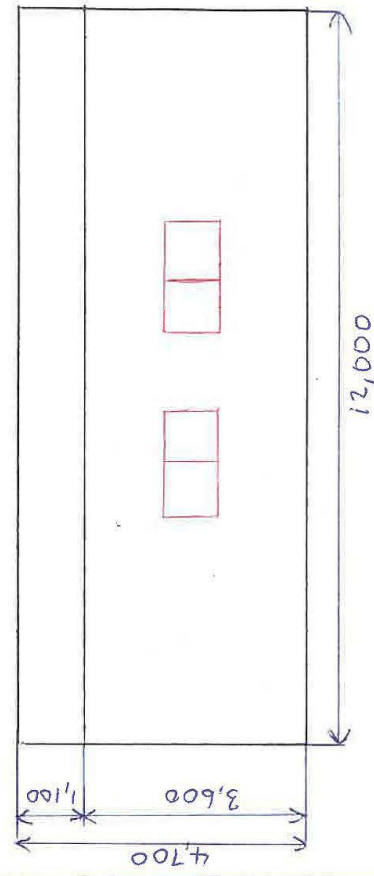
Scale 1:100  
Refer to site plan for  
Boundary layout.



East elevation



West elevation.



**5.3 DEVELOPMENT APPLICATION NO. SA 2021 / 5 - 1****APPLICANT:** L DOERNER**PROPOSAL:** 1 LOT SUBDIVISION**ADDRESS:** LOT 1000 OLD FORCETT ROAD, DODGES FERRY (CT 40340/1000)**RECOMMENDATION**

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Sorell Interim Planning Scheme 2015*, Council resolve that Development Application SA 2021 / 00005 - 1 for a 1 lot subdivision at Lot 1000, Old Forcett Road, Dodges Ferry (CT 40340/1000) be approved, subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 08/04/2021 except as may be amended by the conditions of this permit.

**Engineering**

2. All works shall be constructed in accordance with Council's current Standard Drawings and Specifications, and under the direct supervision of a qualified civil engineer. All information, design plans, and works shall be to the satisfaction of Council's Manager Engineering and Regulatory Services (ME&RS).
3. All works shall be undertaken at the developer's expense.
4. Prior to the commencement of the development of the site, revised detailed plans and specifications must be submitted to Council's ME&RS for approval. Such plans and specifications shall:
  - Include all infrastructure works required by the permit or shown on the endorsed plans;
  - Be prepared by a suitably qualified and experienced engineer or engineering consultancy;
  - Be prepared substantially in accordance with the current IPWEA Standard Drawings and Tasmanian Subdivision Guidelines available on the LGAT website;
  - Stormwater systems shall be designed to accommodate a storm with an ARI of 20 years.
5. The existing access road shall be upgraded as required to be generally in accordance with Council's Standard Drawings TSD-R02-v3 and TSD-R03-v3 with a minimum sealed traffic width of 6.0 metres. This shall include construction of two new access points, with culverts and headwalls, for the proposed public and staff car parking areas.





6. A new roadside table drain shall be constructed between the proposed access points for the proposed car parking areas as shown on the stormwater plan (21E99-53-C101) completed by Aldanmark Consulting Engineers dated 14/09/2021. This drain shall be extended, as required by the civil design and to the satisfaction of Council's ME&RS, along Old Forcett Road to the south western corner of the site.
7. The existing access for 531 Old Forcett Road shall be upgraded (within Council's road reserve) generally in accordance with TSD-R03-v3 and TSD-R04-v3 and as required to ensure stormwater from the proposed development does not pond or create flooding issues within the road reserve.
8. The drainage easement, which currently runs along the south boundary of the adjacent property (CT133712/2), shall be extended along the south boundary of the proposed Lot 1.
9. Stormwater shall be discharged to the Council roadside drainage system, which shall be upgraded as required by the civil design plans and to the satisfaction of the Manager Engineering & Regulatory Services (ME&RS). All disturbed areas shall have appropriate revegetation to prevent erosion.
10. The developer shall be responsible for the location of any existing services and Council infrastructure.
11. A Start Works Notice shall be completed and submitted to Council prior to commencement of works on site.
12. Any existing Council infrastructure that is damaged or modified in any way, as a consequence of these works, shall be repaired or reinstated by the developer to its original condition, as soon as reasonably practicable, at the developer's cost.
13. Any old fencing fronting the road shall be removed and a new fence shall be installed on the property boundary with all costs met by the developer.
14. A Council engineering officer must inspect the access culverts prior to backfilling and the completed access base, prior to laying asphalt or pouring concrete. Please call Council on 6269 0000 to arrange a time giving at least 24 hours' notice.
15. For each inspection required, the developer shall pay the prescribed fee as set by Sorell Council in the fees and charges schedule (currently \$275). This inspection fee shall be indexed at the CPI rate for Hobart until paid. Where works do not meet Council requirements and/or further inspections are required, additional fees will be charged for each subsequent inspection at the prescribed inspection rate.
16. A fee is associated with the review and approval of engineering design plans. The fee will be calculated at 1% of the construction estimate or contract price for stormwater and roadworks, with a minimum fee as set by Sorell Council in the fees and charges schedule (currently \$641). This shall be paid along with inspection fees prior to commencing works. An invoice will be provided with the approval letter.

17. The Defects Liability Period, for Council infrastructure, shall be a minimum of twelve (12) months from the date of Practical Completion. The developer must lodge with Council a bond in the form of a bank guarantee or a cash deposit for the duration of the defect liability period for an amount equal to 5% of the total construction value.
18. No debris/materials/waste is to be left behind within the road reservation once all works are completed. The road reserve shall not be used for storage of any materials during construction.
19. Power and communication services (including NBN if available) are to be provided to the new lot in accordance with the relevant Authority's standards and specifications, with the developer to meet all costs.
20. The survey pegs for all lots in the subdivision are to be certified correct after all works have been completed.
21. Prior to Council 'sealing' the final plan of survey, all engineering conditions in this permit must be satisfied.

**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.
- Council recommends contacting Dial-Before-You-Dig (phone 1100 or [www.1100.com.au](http://www.1100.com.au)) before undertaking any works.

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 Tasmanian Civic and Administrative Tribunal, 38 Barrack Street, Hobart 7000. Ph ☎ 1800 657 500 or email [resourceplanning@tascat.tas.gov.au](mailto:resourceplanning@tascat.tas.gov.au).

## Introduction

The subdivision is associated with the previously approved swim centre (DA 2021/00114) located in a road reservation generally opposite Dodges Ferry Recreation Park and Dodges Ferry Primary School. The site is owned by Council. The purpose of the subdivision is to create a new lot for the swim centre leaving a balance lot to be retained by Council.



**Strategic plan**

The proposal will not affect implementation of Council's Strategic Plan 2019 – 2029.

**Annual plan**

The proposal will not affect implementation of Council's Annual Plan 2021/2022.

**Environmental implications**

There are no significant environmental implications associated with this proposal.

**Asset management implications**

There are no asset management implications. The proposal will result in the disposal of a small amount of Council managed land.

**Risk management implications**

There are no significant risk management implications associated with this proposal.

**Community implications**

The subdivision is to facilitate the previously approved swim centre development which will have a number of positive effects of community health and wellbeing.

**Statutory implications**

Zone: Utilities

Overlays: Bushfire-Prone Areas.

Codes: Road and Rail Assets Code, Parking and Access Code; Stormwater Management Code; Onsite Wastewater Management Code.

**Representations**

The application was advertised in accordance with the requirements of section 57 of the *Land Use Planning and Approvals Act 1993* (LUPAA) on 26 March 2022 and representations closed on 11 April 2022. No representations were received.

**Referrals**

The application was referred to Council's Engineering, Plumbing and Environmental Health Departments. Engineering conditions are provided for any permit issued.



**Date of Receipt of Application**

8 April 2021, and made valid on 19 July 2021.

Additional information was requested on 23 July 2021 seeking information on the lot layout with a response provided on 23 March 2022.

**Date by Which a Decision Must be Made**

27 April 2022.

**Report**

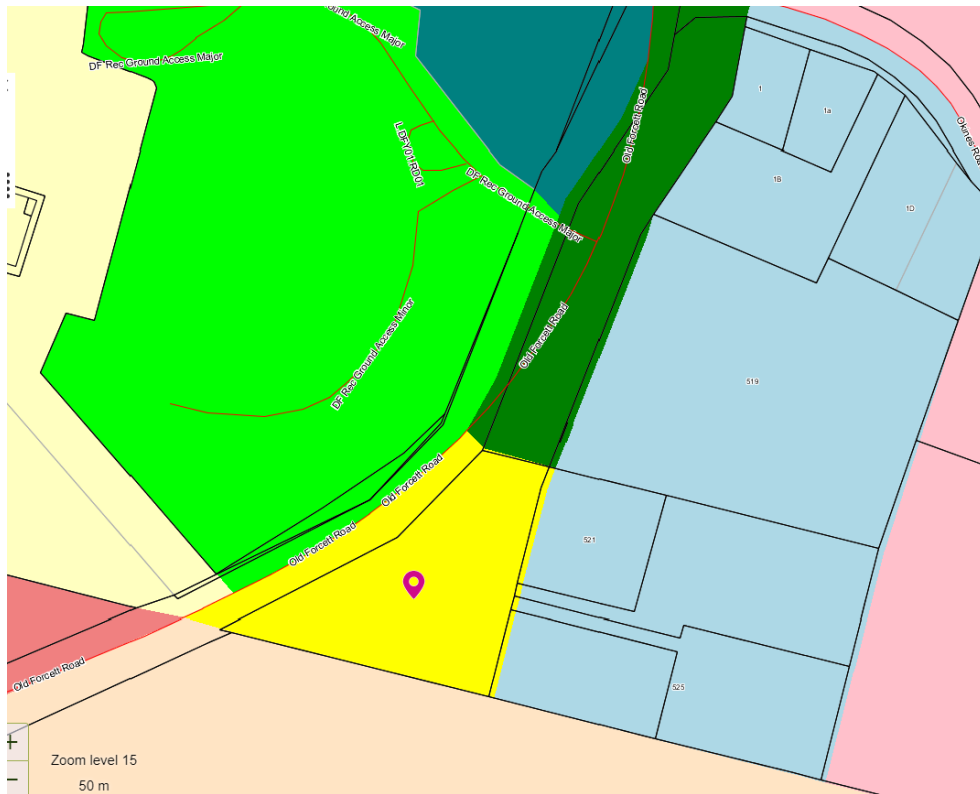
The application seeks approval for a 1 lot subdivision of a road reservation.

Lot 1 is a 4144m<sup>2</sup> lot which is to contain the future swim centre. The lot is to the south of an existing access road from Old Forcett Road through to four lots to the east. The boundary of Lot 1 generally follows the alignment of the existing access road and includes a splay towards the eastern boundary to ensure that each of the four lots to the rear has at least 6m of frontage. Lot 1 includes a new 2m wide drainage easement along the southern boundary.

Lot 2 is a 3021m<sup>2</sup> balance lot. The balance lot is effectively a wide road verge in front of the former service station. Lot 2 will contain an existing access road and Stormwater drainage infrastructure.

The site is currently a 7164m<sup>2</sup> lot notated as 'road' on the title. The road notation is to be removed from Lot 1 through a future petition to amend a sealed plan process. The road notation will be retained on Lot 2.

The site is opposite the Dodges Ferry Recreation Park (Recreation Zone) and Dodges Ferry Primary School (Community Purpose Zone), south and west of an area of Local Business Zone that includes the Dodges Ferry Hotel and north of a rural lot. The site itself is zoned utilities. The section of Old Forcett Road north of the site is within the Open Space Zone.



Zoning



Site and surrounds

## Utilities Zone

The application complies with the acceptable solutions for the Subdivision Standards:

- 28.5.1 Subdivision A2 – frontage of each lot is more than 15m; and
- 28.5.1 Subdivision A3 – water, sewer and stormwater services (onsite) are adequate for the intended purpose as demonstrated in the previous approval of the swim centre.

The proposal is subject to performance criteria that considers the purpose of the subdivision. Acceptable solution 28.5.1 Subdivision A1 provides:

*Subdivision is for the purpose of providing lots for public open space, a riparian or littoral reserve or utilities.*

As the subdivision is not for one of these purposes, the following performance criteria applies:

### *28.5.1. Subdivision P1*

*Subdivision is for the purpose of providing a lot for an allowable use.*

The swim centre is a sports and recreation use which is discretionary in the Utilities Zone. As the swim centre has been approved, the subdivision is for an allowable use.

## Codes

The application is subject to the following Codes:

- Bushfire-Prone Areas Code
- Potentially Contaminated Land Code
- Road and Rail Assets Code
- Stormwater Management Code
- Inundation Prone Areas Code

### *Bushfire-Prone Areas Code*

The site is within a bushfire-prone area. A bushfire hazard management report has not been submitted, however, TFS are satisfied that this issue will be adequately managed through the construction of the swim centre.



### *Potentially Contaminated Land Code*

The following comments from Council's Manager Regulatory Services was provided on the swim centre approval.

**Response;** Council's Manager Regulatory Services has considered the information and provided his referral and recommended conditions of approval stating;

- *Over 20 years ago an underground fuel storage tank leaked at the former neighbouring service station. The leak resulted in groundwater becoming contaminated. EPA TAS issued an Investigation Notice, after remediation works, the EPA removed the Notice in 2015. GES have prepared an Environmental Site Investigation report assessing the risks.*
- *The Report was prepared by Sarah Joyce and reviewed by J P Cumming.*
- *No potential contaminants were detected in surface soils to 2.5m deep.*
- *The development site is an 'area of potential concern' as it is down gradient from the former service station.*
- *Contaminated groundwater was detected in monitoring bores on the site following the fuel leak.*
- *Several contaminants of concerns were detected on the site including TPH/TRH, Mono Aromatic hydrocarbons, PAH and lead. Recent sampling indicates that lead no longer appears to be an issue.*
- *Report focussed on risks associated with hydrocarbons, in particular to human health, the environment and occupants of buildings.*
- *The pool has been designed to minimise soil excavation. The maximum depth of excavation does not exceed 2.5m.*
- *GES made the following recommendations in their Environmental Site Assessment prepared dated April 2021*

GES recommends the following:

The presence of hydrocarbons in the groundwater is confirmed. To minimise the risk to future site commercial workers during the development, occupants of the Swim Centre including staff and visitors plus future trench works and ecological receptors, the following mitigation measures should be put in place as a minimum:

- To mitigate the indoor vapour risk, the proposed building should be designed with an above ground floor level and minimal excavation into the current ground surface should be undertaken.
- There should be a minimum vertical separation distance of 8m between the base of the building including services and the water-table. Seasonal fluctuations in the water-table must be considered in the depth of any separation calculation.
- Engineering solutions for increasing the impermeability of the building from the ground should be considered, such as impermeable membranes, a clay layer below the concrete and / or an increased thickness in the floor / pool base concrete slab.
- Current groundwater and remediation bores should be decommissioned in accordance with appropriate decommissioning guidelines. Including and not limited to the removal of PVC piping and backfilling with bentonite or a comparable impermeable medium to ensure vapours from the contaminated groundwater do not travel up preferential pathways and enter the Swim Centre building.

It can be noted that no impact in shallow soil has been identified and from the current soil testing no risk to human health from the soil on site was identified.

Although there were no ecological or human health guideline exceedances for soil tested; the deepest soil bore drilled during the current investigation was 2.5m below ground surface. It is likely that there is secondary soil contamination associated with the contaminated groundwater at depths from 5-10m below ground surface. To minimise the risk to ecological receptors it is recommended that minimal material from depth be disturbed during the site redevelopment.

Given the site history of 521 Old Forcett Road the former Service Station and the impact it has had on the current site, it is recommended that for any future disturbance at the site of soil over 1 cubic metre;

- A Soil and Water Management Plan (SWMP) will be required to control the movement and erosion of soil from the site that could impact ecological receptors.
- Soil should be tested and managed in accordance with EPA Tasmania's IB105.

It is considered that the requirements of the Code have been considered and addressed by a suitability qualified person (contaminated land) and that the performance criteria has been addressed.

The standards for subdivision in the Potentially Contaminated Land Code are essentially the same as for use and development and, therefore, it is considered that the performance criteria at E2.6.1 Subdivision P1 is satisfied.

#### *Road and Rail Assets Code*

The swim centre development approval was subject to a number of performance criteria and included a traffic impact assessment. As a standalone subdivision, this application complies with all applicable Standards (E5.5.1 A3/P3 & E5.6.4 A1/P1).

Council's Development Engineer has provided the following comments:

*The application is for a 1 lot subdivision of lot 1000 old Forcett Road.*



*The existing access road will need to be upgraded and modified to allow for the new development and the stormwater drainage. Conditions have been included for Engineering Civil plans to be provided to Council's satisfaction prior to commencement of works.*

*Condition has been included for stormwater drainage from the new access along the frontage of the new lot and across the neighbouring driveway. Updated civil plans showing this are required to ensure no ponding on Council land.*

*AsCon drawings not required, 12 month defects liability period required for table drains.*

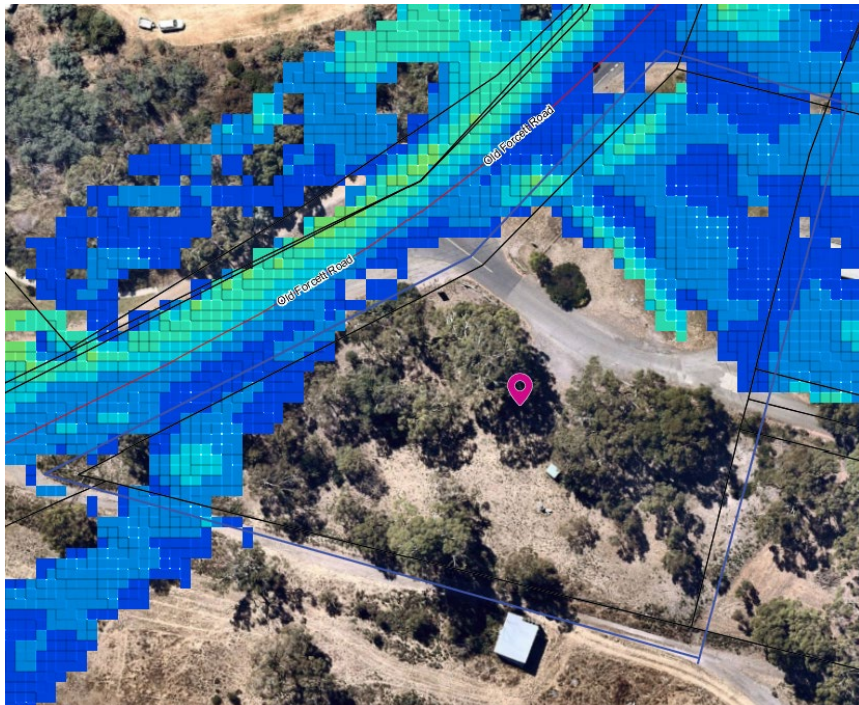
A number of engineering conditions are recommended for any permit granted. Some conditions have been included in the Swim Centre permit as well.

#### *Stormwater Management Code*

Stormwater is to be directed to roadside drainage. It is recommended that any permit issued include conditions relating to stormwater management.

#### *Inundation Prone Areas Code*

Parts of lot 1 and lot 2 are subject to flood hazard



*Flood hazard*

The approved swim centre development has car parking areas only in the area of flood hazard.

The subdivision complies with E15.8.1 A1 as Lot 1 has building areas, services and vehicle access clear of the flood hazard and Lot 2 is required to be retained for public use by Council.

### **Conclusion**

In considering the development and site, with the application of appropriate conditions, the application is recommended for approval with conditions.

**Shane Wells**  
**SENIOR PLANNER**

Attachments:  
Subdivision Plan





