



DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MINUTES

18 OCTOBER 2022

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



AGENDA

FOR THE DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET,
SORELL ON TUESDAY 18 OCTOBER 2022

TABLE OF CONTENTS

1.0	ATTENDANCE	1
2.0	CONFIRMATION OF THE MINUTES OF 4 OCTOBER 2022	1
3.0	DECLARATIONS OF PECUNIARY INTEREST	2
4.0	LAND USE PLANNING	2
4.1	DEVELOPMENT APPLICATION NO. 7.2022.5.1	2
4.2	DEVELOPMENT APPLICATION NO. 5.2022.166.1	11

1.0 ATTENDANCE

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

APOLOGIES

Councillor G Jackson

STAFF IN ATTENDANCE

Shane Wells, Senior Planner
Denis Wall, Development Engineer
Greg Robertson, Manager Regulatory Services

2.0 CONFIRMATION OF THE MINUTES OF 4 OCTOBER 2022

RECOMMENDATION

“That the Minutes of the Development Assessment Special Committee (DASC) Meeting held on 4 October 2022 be confirmed.”

37/2022 GALA / NICHOLS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Degrassi, Gala, Torenius, Reed & Nichols

Against: None



3.0 DECLARATIONS OF PECUNIARY INTEREST

The Mayor requested any Councillors to indicate whether they had, or were likely to have, a pecuniary interest in any item on the agenda.

No committee member indicated that they had, or were likely to have, a pecuniary interest in any item on the agenda.

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 DEVELOPMENT APPLICATION NO. 7.2022.5.1

PLANNING SCHEME:	<i>Sorell Interim Planning Scheme 2015</i>
APPLICATION STATUS	Discretionary
RELEVANT LEGISLATION:	Section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
REASON FOR DASC MEETING	Subdivision creates more than one lot and more than one representation received

APPLICANT:	PDA Surveyors, Engineers and Planners
PROPOSAL:	Subdivision (6 lot and balance)
SITE ADDRESS:	16-42 Arthur Highway, Dunalley

RELEVANT ZONE:	Rural Living Zone
PROPOSED USE:	NA
APPLICABLE OVERLAY(S):	Bushfire-Prone Areas; Waterway and Coastal Protection
APPLICABLE CODES(S):	Road and Rail Assets, Stormwater Management
VALID APPLICATION DATE:	1 March 2022
DECISION DUE:	20 October 2022
DISCRETION(S):	1 Lot design
	2 Frontage
	3 Internal lots
	4 Roads
	5 Open Space
	6 Open Space
	7 Wastewater
	8 Stormwater
	9 Traffic increase
REPRESENTATION(S):	Two



RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 7.2022.5.1 for a six lot subdivision plus balance at 16-42 Arthur Highway, Dunalley be approved, subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 5 September 2022 except as may be amended by the conditions of this permit.
2. As no provision has been made for Public Open Space or improvements thereto, and having formed the opinion that such a provision should be made, Council invokes the provisions of Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and requires security equivalent of 3% of the improved value of the area of lots 1, 2, 3, 4, 5 and 6. This should be in the form of a direct payment made before the sealing of the final plan, or alternatively in the form of security provided under Section 117 of the Act. The subdivider is to obtain a report from an independent Registered Valuer, at the subdividers cost, and provided to Council for the purposes of determining the improve value of the area being subdivided. The assessment of the value must have been completed no longer than 3 months prior to the final plan being submitted to Council for approval.
3. A 18m wide right of way is to be created over lot 5 for the benefit of CT 231238/1 to facilitate future subdivision and to satisfy clause 15.5.2 P1(c). The right of way is to allow for an extension of the public road only and not provide for access strips that service multiple lots.

Design and Construction

4. Prior to the commencement of works, engineering design drawings showing all work required by this planning permit, and any additional work proposed, must be prepared in accordance with the current:
 - (a) Tasmanian Subdivision Guidelines
 - (b) Tasmanian Municipal Standard - Specifications
 - (c) Tasmanian Municipal Standard - Drawings
 - (d) Any relevant council policy

The design drawings must be prepared by a suitably qualified and experienced engineer or engineering consultancy with an appropriate level of professional indemnity insurance.

Advice:

- i. *The Tasmanian Subdivision Guidelines, Specification, and Drawings are available at www.lgat.tas.gov.au.*



- ii. *Variations from the Tasmanian Subdivision Guidelines, Specifications, or Drawings may be approved at the discretion on Council's General Manager or their delegate where a clear justification exists and the alternative solution is to a no lesser quality in terms of infrastructure performance or maintenance costs over the life of the asset.*
 - iii. *Where there exists any conflict(s) between the Tasmanian Subdivision Guidelines, Specifications, or Drawings and this permit, any requirements of this permit shall take precedence.*
 - iv. *Engineering design drawings will expire two years after their approval and will be endorsed as such.*
5. Prior to works commencing, the following fees must be paid for each stage of construction:
- (a) Engineering design drawing assessment fee;
 - (b) Inspection fees for minimum estimated number of inspections.

Where reassessment of engineering drawings or subsequent inspections are required, additional fees may be required.

Advice: Where appropriate, Council fees are updated each financial year and can be found in the Sorell Council Fees and Charges schedule, available from Council.

6. Works must not commence on site prior to the approval of engineering design drawings by the General Manager.
7. A Construction Management Plan (CMP) must be provided including, but not limited to, the following:
- (a) Traffic Management Plan;
 - (b) Soil and Stormwater Management Plan.

All requirements of the CMP must be implemented prior to any works commencing on site.

8. Prior to works commencing, the developer must submit a Notice of Intention to Carry Out Work (available from Council) inclusive a certificate of currency for public liability insurance for the contractor and any sub-contractor.
9. Prior to sealing the final plan the following works must be completed in accordance with the endorsed engineering design drawings:
- (a) Lot connections for each lot:
 - I. Connection to the electricity network;
 - II. Connection to the telecommunication network (if available).

- (b) Vehicle access for each lot:
 - I. 40mm thick DG10 asphalt vehicle crossover to front boundary (6.0m minimum);
 - II. Sealed vehicle driveway over the access strip for lot 5;
 - III. Minimum width of 3.6m, or 4.0m where bushfire prone;
 - IV. Each property access must be located to minimise potential conflicts with other vehicles.
 - (c) Fencing and gates:
 - I. Any existing frontage fencing not located on the correct boundary must be removed with new rural type fence installed in the correct location;
 - II. Gates must be installed at each new property access and set back to allow vehicles to stop clear of traffic lanes, minimum of 6.0m from edge of seal.
 - (d) Road construction:
 - I. Sealed and drained road carriageway with a 7m wide seal width (including shoulders) and 18m road reservation;
 - II. Cul-de-sac heads must be finished with 40mm thick DG10 asphalt with 9m radius and 25m road reservation. Where bushfire prone, radius to be increased to 12m with 31m road reservation;
 - III. Street lighting with LED lamps. Developer to reimburse Council at a rate of \$625 (indexed with CPI) per LED lamp required;
 - IV. Street signage and standard line marking to each intersection.
 - (e) Stormwater network:
 - I. Unimpeded major stormwater network for a 1% AEP event;
 - II. Minor stormwater network for a 5% AEP event, including provision of any required detention to prevent downstream flooding.
 - (f) Natural values:
 - I. Construction soil and water management plan.
 - (g) Rehabilitation
 - I. Provision of top soil and grass or vegetation on all disturbed surfaces along with weed management measures.
10. Mandatory audit inspections are required in accordance with the Tasmanian Subdivision Guidelines. The developer must provide a minimum 48 hours' notice.
11. Works must be completed to a standard that is to the satisfaction of the Council General Manager.
12. A qualified and experienced civil engineer must supervise and certify all works in accordance with clause 21, 22, 23 and 24 of the Tasmanian Subdivision Guidelines.

13. The developer must engage Council to organise a Practical Completion inspection when practical completion of works for each stage has been reached. Upon successful completion of the inspection in accordance with clause 21 and Appendix 6 of the Tasmanian Subdivision Guidelines, Council will issue a Certificate of practical Completion, listing any minor defects identified.
14. Works are subject to a twelve (12) month Defect Liability Period commencing from the day the final plan of survey was sealed (for the applicable stage, if any) during which time all maintenance and repair of work required by this permit is the responsibility of the developer.
15. A Defect Liability Bond equal to 5% of the total construction value, and no less than \$10,000.00, must be submitted for the duration of the defect liability period.
16. Upon completion of the Defect Liability Period, the developer must engage Council to organise a Final Completion inspection in accordance with clause 24 of the Tasmanian Subdivision Guidelines. When all outstanding items listed in the Certificate of Practical Completion and subsequent defects are satisfactorily completed, Council will issue a Certificate of Final Completion. Any remaining financial security in relation to the works will be returned and Council will assume maintenance of the works.
17. Prior to sealing the final plan of survey, accurate as constructed drawings of all works undertaken must be submitted in .pdf and .dwg formats and:
 - (a) Be completed, and certified, by a land surveyor or civil engineer;
 - (b) Include the data spreadsheet available from Council completed in accordance with the 'Guidelines for As Constructed Drawings and Asset Data Collection' available from Council;
 - (c) photos of all new assets;
 - (d) be accurate to AHD and GDA94;
 - (e) be drawn to scale and dimensioned;
 - (f) include top, inlet, and outlet invert levels;
 - (g) include compaction and soil test results; and
 - (h) include an engineer's certificate stating that each component of the works complies with the approved engineering plans and Council standards.

Advice: The minimum standard is demonstrated through the As Constructed Example Drawing, available from Council.

State Road Indemnity

18. Prior to the commencement of any works associated with this permit the developer must obtain the consent of the Minister administering the *Roads and Jetties Act 1935* in accordance with Section 84 (1) (c) of the *Local*



Government (Building and Miscellaneous Provisions) Act 1993. This must include an indemnity for the Crown against any claim which may arise from an increase in the water flowing away from or under the State Road, or its rate of flow, by reason of the works approved by this permit.

Advice: Please contact Transport Services within the Department of State Growth.

General

19. Staging must be in accordance with the endorsed plans and documents unless otherwise agreed to in writing by Council's General Manager.
20. Prior to sealing any final plan, all recommendations of the bushfire hazard management plan must be complete and be certified by a suitably qualified person.
21. All land noted as roadway, footway, open space, or similar must be transferred to Council. Complete transfer documents that have been assessed for stamp duty, must be submitted with the final plan of survey.
22. To the satisfaction of Council's General Manager, the final plan of survey must include easements over all drains, pipelines, wayleaves and services. The minimum easement width for stormwater is in accordance with the Tasmanian Subdivision Guidelines.
23. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.
24. Prior to practical completion, survey pegs are to be certified correct post construction.

Roads

25. All roads in the subdivision must be conveyed to the Council upon the issue of the Certificate under Section 10 (7) of the Local Government (Highways) Act 1982. All costs involved in this procedure must be met by the person responsible.
26. The new intersection of Arthur Highway and the proposed road must be constructed in accordance with any Department of State Growth requirements.
27. Unless for a local road, service installation across an existing sealed road carriageway must be bored with a minimum cover of 1.2m. Bores for services greater than 100mm must have a pumped backfill.



Stormwater

28. The minor and major stormwater system must be designed and constructed to not exceed the conveyance or treatment capacity of the downstream network.

Sight distance

29. The development must undertake vegetation clearance and/or earthworks to achieve the minimum sight distance specified in the planning scheme for all existing and proposed vehicle accesses.

Existing Services

30. Prior to sealing the final plan of survey, all existing lot connections must be relocated to be wholly contained within the balance lot or contained within new or existing service easements to the satisfaction of Council's General Manager.

Advice: this condition covers any existing stormwater, water, sewer, electrical, access or telecommunications infrastructure.

31. Existing crossover(s) or lot connections, if retained, must comply with current standards

Telecommunications & Power

32. Prior to sealing the final plan of survey, the developer must submit to Council either:
- (a) Demonstration that the exemption from the installation of fibre ready pit and pipe notice has been completed, or
 - (b) An Exemption from the installation of fibre ready pit and pipe, a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from Telstra or NBN Co.

Advice: Please refer to Notice under Telecommunications (Fibre-ready Facilities – Exempt Real Estate Development Projects) Instrument 2021" at <https://www.communications.gov.au/policy/policy-listing/exemption-pit-and-pipe-requirements/development-form>

33. Prior to sealing the final plan of survey, the developer must submit written advice from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed.



34. Street lights must include LED lamps at the developers cost.

Road Widening

35. The final plan or survey must show the corners of each road intersection must be splayed or rounded by chords of a circle with a radius of not less than 6m.

Natural Environment & Hazards

36. No top soil is to be removed from the site.

Advice: this condition is to minimise the spread of weeds from the site.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- Requirements for works or other outcomes to the satisfaction of the General Manager will be delegated to the appropriate officer for determination.
- All engineering related queries should be directed to the Development Engineer. The Council General Manager has delegated functions relevant to the permit to the Development Engineer.
- Sealing of a final plan of survey is subject to a prescribed Council fee at the date of lodgement of the final plan or survey.
- Land Title Office fees must be paid directly to the Recorder of Titles.
- The final plan of survey will not be sealed until all works required by this permit are complete.
- The final plan of survey is inclusive of any schedule of easement and Part 5 Agreement.
- The developer may suggest street names. Suggestions should be received three months prior to sealing the final plan of survey and be made in writing to the General Manager. Street names must be consistent with Tasmanian Place Naming Guidelines, May 2021. Please refer to <https://nre.tas.gov.au/land-tasmania/place-naming-in-tasmania>
- The permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- This permit does not imply that any other approval required under any other legislation or by-law has been granted.

- This planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.
- Any changes to the use or development approved, may be deemed as substantially in accordance with the permit or may first require either a formal amendment to this permit or a new permit.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street Hobart 7000 Ph: ☎(03) 6165 6790 or email resourceplanning@tascat.tas.gov.au

38/2022 REED / REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Degrassi, Gala, Torenus, Reed & Nichols

Against: None



4.2 DEVELOPMENT APPLICATION NO. 5.2022.166.1

PLANNING SCHEME:	Sorell Interim Planning Scheme 2015
APPLICATION STATUS	Discretionary
RELEVANT LEGISLATION:	Section 57 of the Land Use Planning and Approvals Act 1993
REASON FOR DASC MEETING	While staff have delegation the proposal is large in scale with Councillors requesting it be considered by DASC

APPLICANT:	Young Group Pty Ltd
PROPOSAL:	Commercial Building (Multiple Uses)
SITE ADDRESS:	33 Dubs and Co Drive, Sorell

RELEVANT ZONE:	General Business Zone
PROPOSED USE:	Office, Restaurant, Retail, Storage
APPLICABLE OVERLAY(S):	Nil
APPLICABLE CODES(S):	Road and Rail Assets, Parking and Access, Stormwater Management, Inundation Prone Ares
VALID APPLICATION DATE:	15 September 2022
DECISION DUE:	26 October 2022
DISCRETION(S):	1 Height
	2 Front setback
	3 Traffic increase
	4 Car parking numbers
	5 Number of vehicle accesses
	6 Flood prone area
REPRESENTATION(S):	One

RECOMMENDATION

That pursuant to Section 57 of the Land Use Planning and Approvals Act 1993, Council resolve that Planning Application 5.2022.237.1 for a Commercial Building (Mixed Use) at 33 Dubs and Co Drive, Sorell for Young Group Pty Ltd be approved, subject to the following conditions:

- Development shall generally be in accordance with the endorsed plans and document unless amended by the conditions of this permit. The endorsed plans and documents consist of:
 - Noise assessment from NVC dated 10 August 2022 (Council ref: P4);
 - Traffic impact assessment from Howarth Fisher and Associates dated August 2022 (Council ref: P4);
 - Flood hazard report from Flussig dated 5 May 2022 (Council ref: P1);
 - Stormwater report from Aldanmark dated 13 July 2022 (Council ref: P2);
 - Lighting illumination plan received 25 August 2022 (Council ref: P5);



- Landscaping plan from Inspiring Place dated 6 May 2022 (Council ref: P1); and
 - Architectural drawings from 1+2 Architecture (Council ref: P4); and
2. Two motor cycles spaces are to be included in the completed development. The design of each space must comply with Provision for Motorcycles” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking

Environmental Health Conditions

3. The hours of operation of the development must comply with the following:
- (a) 6.00. a.m. to 10.00. p.m. from Monday to Saturday;
 - (b) 7.00 a.m. to 9.00 p.m. on Sundays and Public Holidays.
4. Commercial vehicle movements delivering or collecting goods or waste are only permitted between 7am and 7pm.
5. All civil and building construction work associated with the development must be within the following hours:
- (a) 7.00. a.m. to 7.00. p.m. from Monday to Friday;
 - (b) 8.00 a.m. to 6.00 p.m. on Saturdays; and
 - (c) No works are permitted on Sundays or public holidays.

Approval must be obtained from the Manager Regulatory Services for any works outside of these hours.

6. The Manager Regulatory Services may require the building owner to undertake noise or light measurements to demonstrate compliance with permit conditions. Measurements must be undertaken by a suitably qualified person to the satisfaction of the Manager Regulatory Services.
7. Airborne dust from construction works, roads, disturbed areas, storage heaps, or machinery operating on the land must not create an environmental nuisance. Areas must be dampened, covered, compacted or otherwise treated to reduce dust emissions.
8. Before commencing works on the site the applicant must provide a construction environmental management plan details proposed measures to prevent pollutants leaving the site. The plan shall include but not be limited to:
- (a) Soil and water management;
 - (b) Dust suppression;
 - (c) Noise management;
 - (d) Air pollution control;
 - (e) Washing down of construction vehicles to; and
 - (f) Light spillage from construction or security lighting.

9. A solid 2.1m high fence must be erected and maintained along the northern boundary of the site. The fence must not have any gaps and be constructed with a material with a minimum surface mass of 15kg/m².
10. All external lighting on the building and car park shall be located to minimize light spillage onto neighbouring properties and comply with AS/NZS 4282:2019 Control of the obtrusive effects of lighting.

Engineering Conditions

11. Prior to any works commencing, revised detailed plans and specifications, clearly showing all proposed works within the road reservation, must be submitted to Council for approval. These shall include, but not be limited to:
 - (a) Any landscaping or pedestrian facilities proposed in the road reserve;
 - (b) All proposed driveway entrance or exit points from the site;
 - (c) All traffic facilities and line marking required for the on-street parking.
12. A vehicular crossing application must be submitted to Council and an associated permit must be granted prior to any access or egress works commencing within the road reservation.
13. On-street car parking for the development must generally be in accordance with AS 2890.5:2020 and the traffic impact assessment completed by Howarth Fisher and Associates, dated August 2022.
14. Off-street car parking shall comply with the following requirements:
 - (a) Off street parking requirements (including layout, line marking, signage and the installation of wheel stops) shall comply with AS 2890.1:2004;
 - (b) Off street driveway, car parking and turning areas shall be constructed of reinforced concrete or asphalt;
 - (c) Lighting and landscaping must be implemented for the car parking and vehicular circulation areas generally in accordance with the approved plans.
15. Stormwater shall be discharged to the existing piped Council stormwater system in accordance with the following:
 - (a) All stormwater pipes collecting runoff from driveways, car parking, turning areas and other hard surfaces shall be designed to suit the calculated stormwater runoff from the property;
 - (b) A concrete kerb shall be installed along the entire length of the internal driveway, car parking and turning areas to direct

- stormwater into the stormwater system. Grated pits shall be installed at suitable locations, as per the drainage plan;
- (c) All grated pits, grated drains and stormwater lot connections must be constructed to a trafficable standard;
 - (d) No ground stormwater runoff generated from the development shall be directed onto neighbouring properties;
 - (e) A stormwater filtration and detention system must be implemented as specified in the civil drawings by Aldanmark and dated 5/04/2022;
 - (f) Council must be notified and all stormwater works within the road reserve must be inspected by Council prior to any backfilling. Please call Council on 6269 0000 to arrange a time giving at least 24 hours' notice.
16. The developer shall be responsible for the location of any existing services and Council infrastructure.
 17. All works shall be undertaken by the developer at the developer's cost.
 18. 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.
 19. 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.

TasWater Conditions

- | | |
|----------------------------|---------------------|
| 20. Refer to TasWater form | 04 (attached) |
| Reference number | TWDA 2022/00894-SOR |
| Dated | 29 June 2022 |

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- A separate registration under the Food Act 2003 is required for any food business before commencing operations.
- 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 conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street Hobart 7000 Ph: ☎(03) 6165 6790 or email resourceplanning@tascat.tas.gov.au

39/2022 REYNOLDS / REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Degrassi, Gala, Torenius, Reed & Nichols

Against: None

Meeting closed at 4.41pm

**MAYOR VINCENT
CHAIRPERSON
18 OCTOBER 2022**

