



DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) AGENDA

6 DECEMBER 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, 6 December commencing at 4:30 pm.

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

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
1 December 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 6 DECEMBER 2022

TABLE OF CONTENTS

1.0	ATTENDANCE	1
2.0	CONFIRMATION OF THE MINUTES OF 18 OCTOBER 2022	1
3.0	DECLARATIONS OF PECUNIARY INTEREST	1
4.0	LAND USE PLANNING	2
4.1	DEVELOPMENT APPLICATION NO. DA 2022 / 00337 - 1	2

1.0 ATTENDANCE

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Chairperson Mayor Vincent
Deputy Mayor C Wooley
Councillor M Brown
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miro Quesada Le Roux
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus
Robert Higgins, General Manager

2.0 CONFIRMATION OF THE MINUTES OF 18 OCTOBER 2022

RECOMMENDATION

“That the Minutes of the Development Assessment Special Committee (DASC) Meeting held on 18 October 2022 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 DEVELOPMENT APPLICATION NO. DA 2022 / 00337 - 1

Applicant:	Rainbow Building Solutions
Proposal:	Dwelling & Outbuilding
Site Address:	5 Ollie Drive, Sorell (CT 35780/3)
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 (LUPAA)</i>
Reason for DASC meeting:	Owner is a staff member

Relevant Zone:	13.0 Rural Living
Proposed Use:	Single Residential
Applicable Overlay(s):	Bushfire-Prone Areas, Landslide Hazard Areas
Applicable Codes(s):	Parking and Access Code, Stormwater Management Code
Valid Application Date:	27/10/2022
Decision Due:	7 December 2022
Discretion(s):	1 Front setback
	2 Side setback
	3 Siting requiring clearing of native vegetation
	4 Depth of excavation
	5 Outbuilding floor area and siting
	6 Stormwater
Representation(s):	Nil

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application DA 2022 / 00337 - 1 for a Dwelling & Outbuilding at 5 Ollie Drive, Sorell 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. Within six months of the construction of the outbuilding, landscaping by way of trees or shrubs with a minimum height at maturity of 2m must be planted between the outbuilding and Ollie Drive and between the outbuilding and the western side boundary.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- 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.

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

Executive Summary

Application is made for a Dwelling & Outbuilding at 5 Ollie Drive, Sorell. This property is zoned **13.0 Rural Living** and is located midway along Ollie Drive and on the southern side of the road.

The key planning considerations relate to the proposed front and side setback.

The application is considered to comply with each applicable standard of the *Sorell Interim Planning Scheme 2015* and is recommended for conditional approval.

Relevance to Council Plans & Policies

Strategic Plan 2019-2029	Objective 1: To Facilitate Regional Growth Objective 2: Responsible Stewardship and a Sustainable Organisation Objective 3: To Ensure a Liveable and Inclusive Community
Asset Management Strategy 2018	The proposal has no significant implications for asset management.
Risk Management Strategy 2018	In its capacity as a Planning Authority, Council must determine this application. Due diligence has been



	exercised in preparing this report and there are no predicted risks from a determination of this application.
Financial Implications	No financial implications are anticipated unless the decision is appealed to TASCAT. In such instances, legal counsel is typically required.
Open Space Strategy 2020 and Public Open Space Policy	The proposal has no significant implications for open space management.
Enforcement Policy	Not applicable.
Environmental Sustainability Policy	There are no environmental implications associated with the proposal.

Legislation

- This report details the reasons for the officer recommendation.
- Broadly, the planning authority can either adopt or change the recommendation by adding, modifying or removing conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.

Planning Scheme Operation – for Zones, Codes and site specific provisions

- Clause 5.6.1 requires that each applicable standard is complied with if an application is to be approved.
- Clause 5.6.2, in turn, outlines that an applicable standard is any standard that deals with a matter that could affect, or could be affected by, the proposal.
- A standard can be met by either complying with an acceptable solution or satisfying the performance criteria, which are equally valid ways to comply with the standard.
- An acceptable solution will specify a measurable outcome. Performance criteria require judgement as to whether or not the proposal reasonably satisfies the criteria.
- Clause 6.10 outlines the matters that must be considered by a planning authority in determining applications. Clause 6.11 outlines the type of conditions and restrictions that can be specified in a conditional approval.

Referrals

Agency / Dept.	Referred?	Response?	Conditions?	Comments
Development Engineering	Yes	Yes	Yes	Nil
Environmental Health	Yes	Yes	No	No
Plumbing	No			
NRM	Yes	Yes	No	No
TasWater	No			
State Growth	No			

Report

Description of Proposal

The dwelling has five bedrooms across two levels. The structure includes a double garage and decking to the southern elevation. The ground floor area is 192m² and the total floor area is 307m². The dwelling is clad in a mix of face brick and fibre cement panels in grey to black finishes with a Colorbond roof. The outbuilding is 12m x 10m x 3.8m (high) with a 4m x 2.5m lean-to. The outbuilding is on cut and fill with a 2.6m high retaining wall and is clad in Colorbond in Monument (wall) and Shale Grey (roof).

The outbuilding is setback 7m from frontage and 5m from the western side boundary. The dwelling is setback 23m from frontage, 18.2m from the western boundary, 19.9m from the eastern boundary and 50m from the rear southern boundary.

A concrete driveway is proposed to both the dwelling and the outbuilding.

The application is supported by:

- Drawings from Rainbow Building Solutions dated 17/10/2022 (ref: RBSI300).

Description of Site

The site is a south facing 5047m² regular shaped lot located within a rural living area.

The site falls from north to south with a gradient of approximately 1 in 8.5. The site contains a scattering of trees throughout.

All adjoining land consists of developed rural living lots.



The site is unserviced. Ollie Drive is a sealed public road and the speed limit is set at 50 km/hr. There is a drainage culvert to the east of the site which is directed to an easement on the property to the east.



Figure 1. Subject site.

Planning Assessment

Rural Living Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
13.4.1 A1	Building height	Yes, height is 7.1m for the dwelling and 3.8m for the outbuilding, both less than 8.5m.
13.4.2 A1	Front setback	No, the outbuilding setback of 7m is less than the 20m acceptable solution. Refer to performance criteria assessment below.
13.4.2 A2	Side setback	No, the setbacks are less than the 20m acceptable solution. Refer to performance criteria assessment below.
13.4.2 A3	Setback to RRZ and SAZ	Yes, there is no Rural Resource Zone or Significant Agriculture Zone within 200m of the site.
13.4.2 A4	Setback to EMZ	Yes, there is no Environmental Management Zone within 100m of the site.
13.4.3 A1	Design (siting)	No, buildings and works require the clearing of native vegetation. Refer to performance criteria assessment below.
13.4.3 A2	Design (materials)	Yes, as the light reflectance value of exterior building surfaces does not exceed 40%.
13.4.3 A3	Design (GFA)	Yes, as the combined gross floor area of 369.4m ² is less than 375m ² .
13.4.3 A4	Design (excavation)	No, the excavation for the outbuilding exceeds 1m depth. Refer to performance criteria assessment below.
13.4.4 A1	Outbuildings	No, as the outbuilding floor area is above 100m ² and is forward of the dwelling. Refer to performance criteria assessment below.

Performance Criteria Assessment 1 – Clause 13.4.2 P1 - Front setback

Building setback from frontages 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 prevailing setbacks of existing buildings on nearby lots;*
- (c) the size and shape of the site;*
- (d) the location of existing buildings on the site;*
- (e) the proposed colours and external materials of the building;*
- (f) the visual impact of the building when viewed from an adjoining road;*
- (g) retention of vegetation.*

The performance criteria is applicable as the front setback of 7m is less than 20m. It is considered that the performance criteria is satisfied as:

- The topography leads dwellings to be siting towards the frontage. There is a close to zero setback at 1 Ollie Drive and setbacks of some 11m at 7, 11 and 19 Ollie Drive;
- The outbuilding is excavated into the site at the front and will have a low apparent height when viewed from the street; and
- It is reasonable to require landscaping between the outbuilding and the street to soften the appearance and to be consistent with most other sites in Ollie Drive.

Performance Criteria Assessment 2 – Clause 13.4.2 P2 – Side Setback

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 performance criteria is applicable as the side setbacks are less than 20m.

Please note that the State Planning Provisions have a side setback of 10m.

It is considered that the performance criteria is satisfied as:

- The dwelling is centrally located on the site with good separation from side boundaries;
- The outbuilding, being sited to the side, maintains line of sight from much of the Ollie Drive frontage to the dwelling;
- There is no adverse impacts by way of overlooking or loss of privacy from the dwelling or outbuilding and the apparent building bulk is reduced by the excavation of the outbuilding; and
- It is reasonable to require landscaping between the outbuilding and the side boundary to soften the appearance and to be consistent with most other sites in Ollie Drive;

- All other dwellings on the southern side of Ollie Drive have setbacks less than 20m and most have a setback of less than 10m.

Performance Criteria Assessment 3 – Clause 13.4.3 P1 – Siting requiring clearing of native vegetation

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

(c) be located in an area requiring the clearing of native vegetation only if:

- (i) there are no sites clear of native vegetation or any such areas are not suitable for development due to access difficulties or excessive slope;*
- (ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures.*

The performance criteria is applicable as the site plans shows that two trees are to be removed.

Please note that if this application was made today under the State Planning Provisions, there would be no planning standard in effect that would have regard to native vegetation.

It is considered that the performance criteria is satisfied as:

- Avoiding native vegetation is not possible given the general scattering of trees across the site;
- The extent of clearing is minimal; and
- The biodiversity protection area does not apply to the site.

Performance Criteria Assessment 4 – Clause 13.4.3 P4 – Depth of excavation

Fill and excavation must satisfy all of the following:

- (a) does not detract from the landscape character of the area;*
- (b) does not unreasonably impact upon the privacy for adjoining properties;*
- (c) does not affect land stability on the lot or adjoining land.*

The performance criteria is applicable as the depth of excavation for the outbuilding is 2.6m and is greater than 1m.

Please note that if this application was made today under the State Planning Provisions, there would be no planning standard in effect that would have regard to depth of excavation.

It is considered that the performance criteria is satisfied as:

- The excavation will not pose any significant landslide or instability risk, noting that all works are located clear of the landslide hazard area (refer to site plan for location of landslide hazard area);
- The site is located on the lower elevation of a ridgeline that eventually forms Weston Hill. As viewed from the south, the excavation is screened by the outbuilding; and
- The excavation will have no effect on privacy.

Performance Criteria Assessment 5 – Clause 13.4.4 P1 – Outbuilding floor area and siting

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;*
- (b) be consistent with the scale of outbuildings on the site or in close visual proximity*
- (c) 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 is applicable as the outbuilding floor area of 138m² is greater than the 100m² of the acceptable solution and as the outbuilding is forward of the dwelling.

Please note that if this application was made today under the State Planning Provisions, these matters would not be considered as there is no applicable planning standard.

It is considered that the performance criteria is satisfied as:

- The prominence of the outbuilding is reduced by excavation, landscaping and siting;
- The prominence of the outbuilding is reduced by consistency with adjacent properties that also have outbuildings forward of the dwelling (1, 3, 9, and 16 Ollie Drive); and
- Outbuildings greater than 100m² exist at 6, 8, 13 and 16 Ollie Drive.

Code

Bushfire-Prone Areas Code

As the proposal is not a vulnerable or hazardous use (as defined by the Code), the provisions of the Code do not apply.

Parking and Access Code

The proposal provides more than two car parking spaces which are accessed by a concrete driveway.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
E6.6.1 A1	Numbers	Yes, as two spaces are provided.
E6.7.1 A1	Access Numbers	Yes, as a single access is provided.
E6.7.2 A1	Access Design	Yes, as the access complies with all relevant standards.
E6.7.6 A1	Surface	Yes, as a sealed surface is proposed.
E6.7.14 A1	Access	Yes, as access to Ollie Drive is in accordance with the road authority requirements.

Stormwater Management Code

Onsite stormwater management is proposed.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
E7.7.1 A1	Public infrastructure	No. Stormwater is to be managed on site. Refer to performance criteria assessment below.

Performance Criteria Assessment 6 – Clause E7.7.1 P1 – Stormwater Drainage and Disposal

Stormwater from new impervious surfaces must be managed by any of the following:

- (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles*
- (b) collected for re-use on the site;*
- (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.*

The performance criteria applies to onsite stormwater management.

Please note that if this application was made today under the State Planning Provisions, these matters would not be considered as there is no applicable planning standard in this area.

It is considered that the performance criteria is satisfied as:

- The site has sufficient land area and soil type to manage stormwater via onsite soakage; and
- Much of the stormwater will be re-used as there is no reticulated water service in the location.

Representations

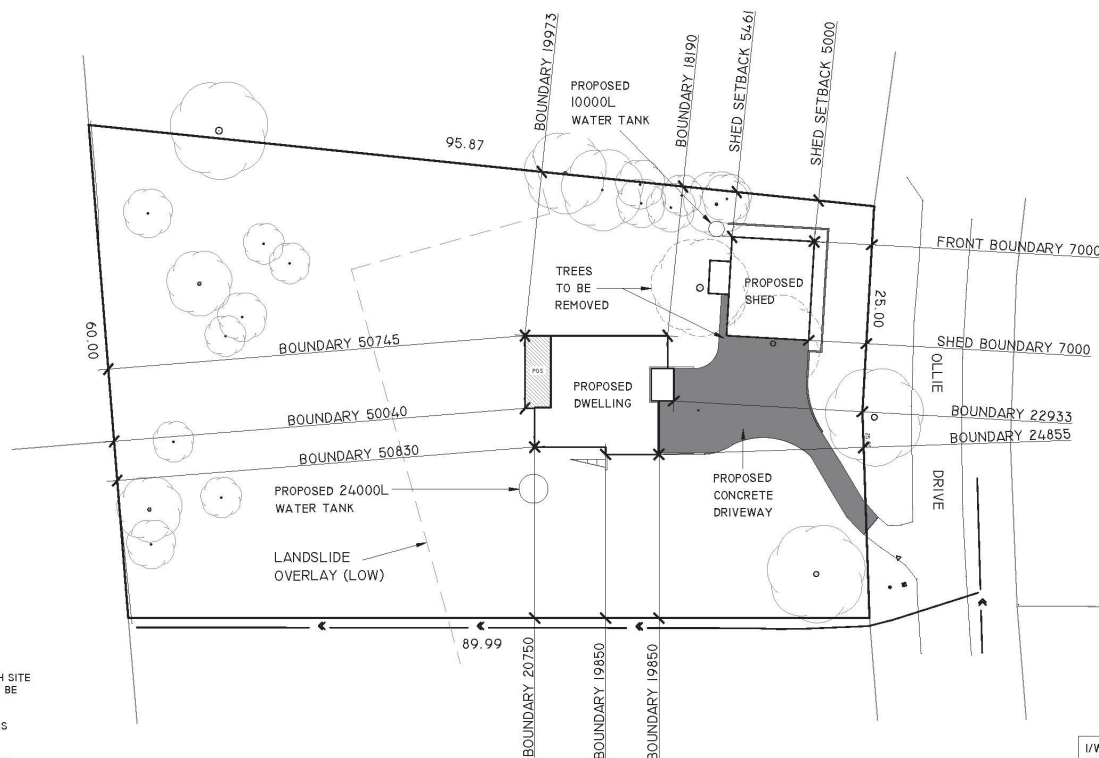
Nil

Conclusion

The application is considered to comply with each applicable standard of the *Sorell Interim Planning Scheme 2015* and is recommended for conditional approval.

Shane Wells
Senior Planner

PROPOSED DWELLING & SHED



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Sorell Council
Development Application: 5.2022.337.1 - 5 Ollie Drive, Sorell
Plans Reference: P1
Date Received: 24/10/2022

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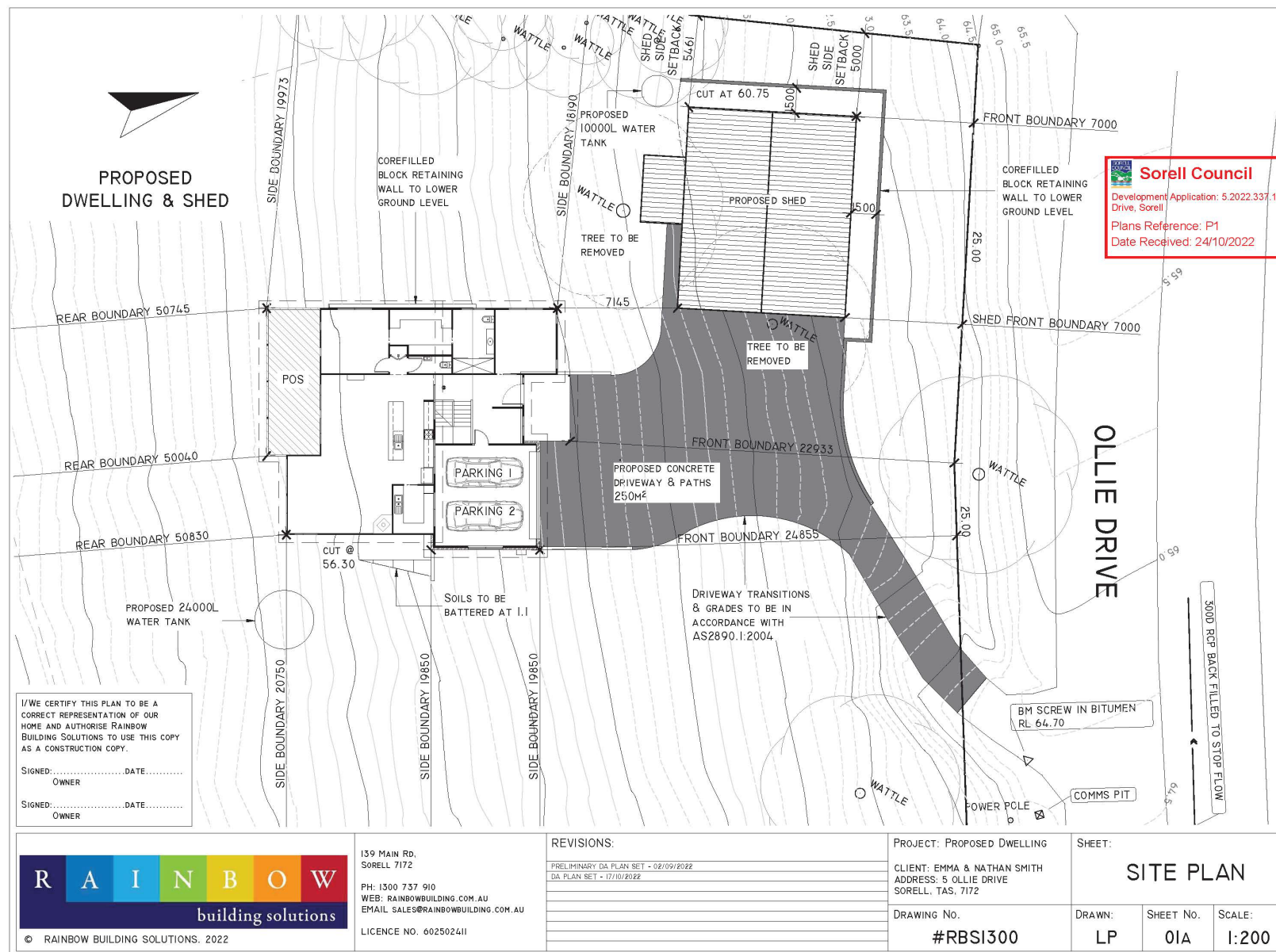
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OWNER

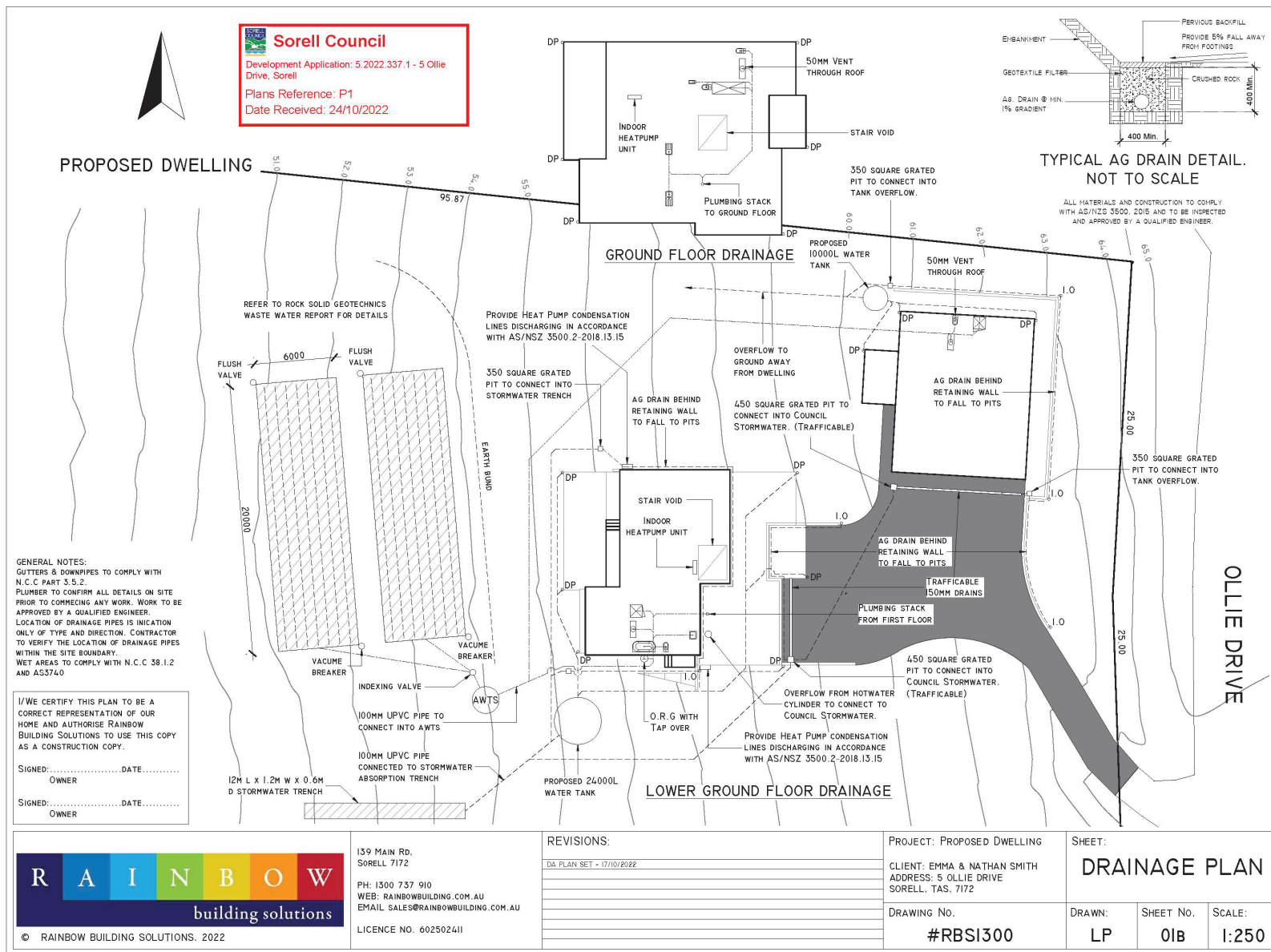
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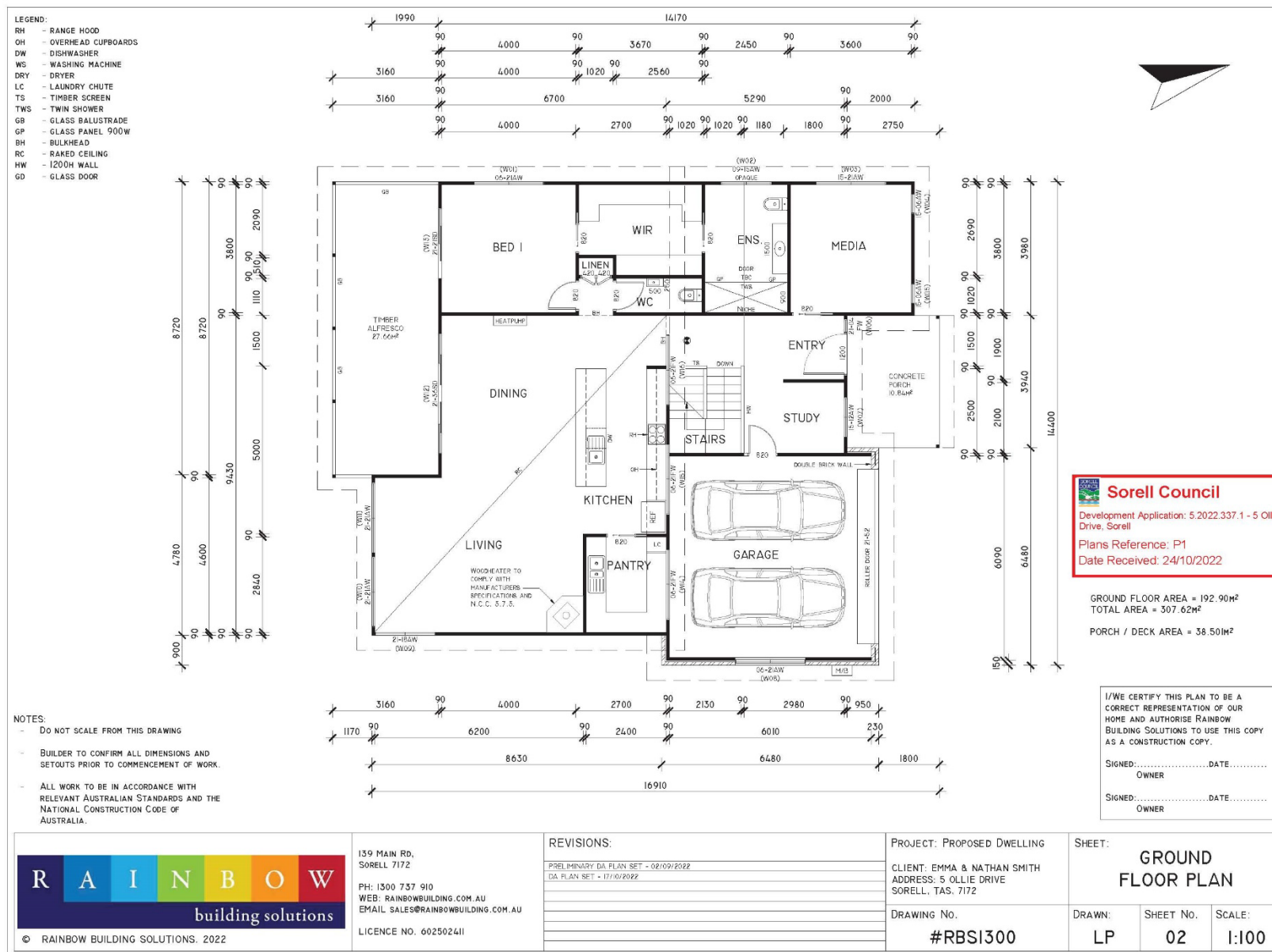
 © RAINBOW BUILDING SOLUTIONS. 2022	139 MAIN RD. SORELL 7172	REVISIONS:	PROJECT: PROPOSED DWELLING	SHEET:		
	PH: 1300 737 910	PRELIMINARY DA PLAN SET - 02/09/2022	CLIENT: EMMA & NATHAN SMITH	LOCATION PLAN		
	WEB: RAINBOWBUILDING.COM.AU	DA PLAN SET - 17/10/2022	ADDRESS: 5 OLLIE DRIVE			
	EMAIL: SALES@RAINBOWBUILDING.COM.AU		SORELL, TAS. 7172			
	LICENCE NO. 602502411		DRAWING No.	DRAWN:	SHEET No.	SCALE:
			#RBS1300	LP	01	1:500

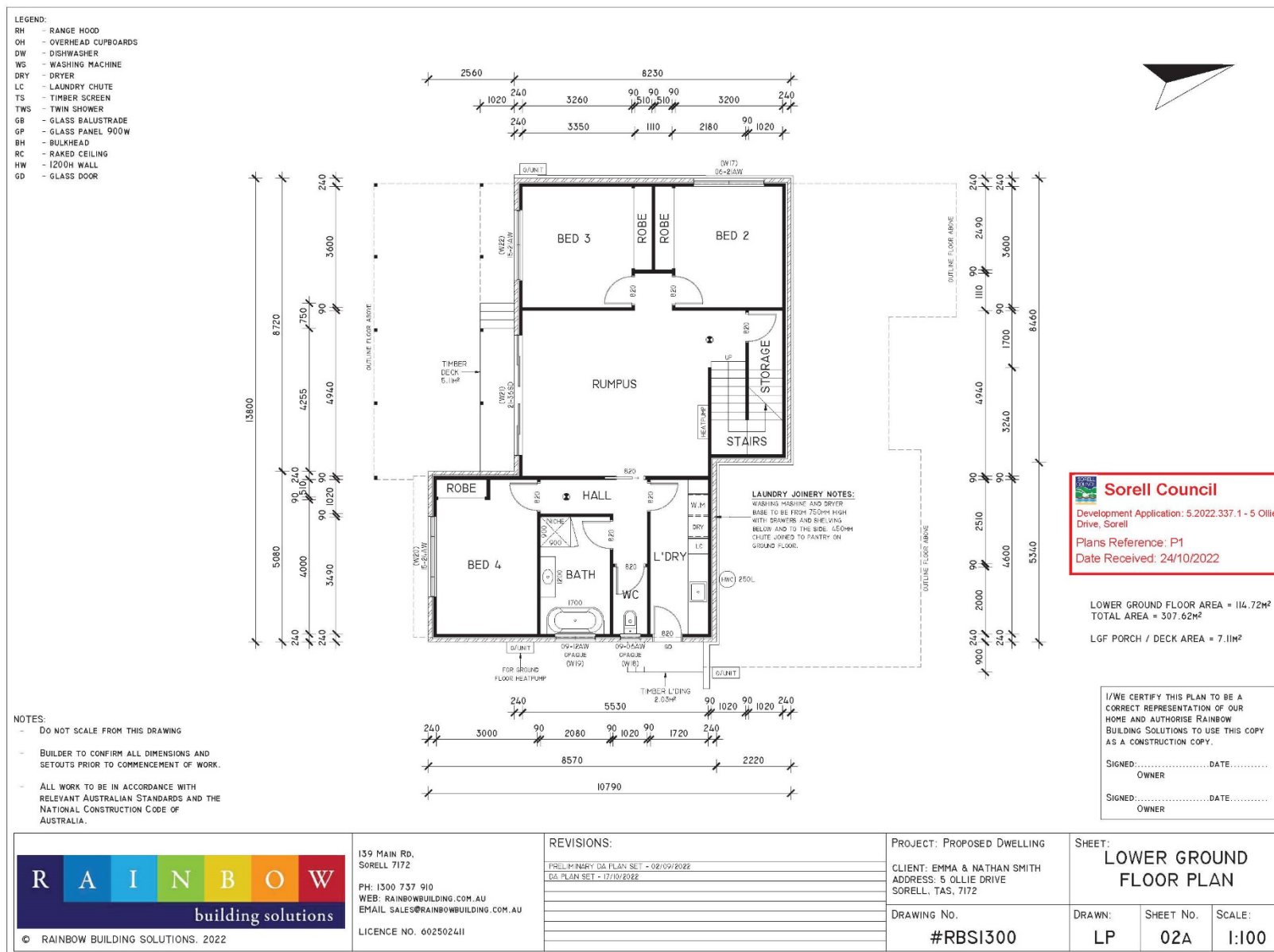


AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
6 DECEMBER 2022









FINISHING NOTES:

GROUND FLOOR WALL CLADDING:
 - JAMES HARDIE STRIA - COLOUR: 'WINDSPRAY'
 - JAMES HARDIE AXON - COLOUR: 'MONUMENT'

LOWER GROUND FLOOR WALL CLADDING:
 - FACE BRICK - EBONY
 - FACE BRICK - PEARL

WINDOW, DOOR TRIM AND CAPPING:
 'MONUMENT'

ROOF CLADDING: CORRUGATED SHEET
 'SHALE GREY'

FASCIA, GUTTER: 'SHALE GREY'

WINDOW AND DOOR LIGHTS: DOUBLE
 GLAZING (UNLESS NOTED OTHERWISE)

TIMBER DECKING AND STEPS: MERBAU OR
 SIMILAR TO SUIT BAL TBC SPECIES -
 TRUECORE STEEL FRAMING

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- ALL WINDOWS AND DOORS ARE DOUBLE GLAZED.



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EAST ELEVATION

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 HOME AND AUTHORISE RAINBOW
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 EMAIL: SALES@RAINBOWBUILD.COM.AU

LICENCE NO. 602502411

REVISIONS:

PRELIMINARY DA PLAN SET - 02/09/2022
 DA PLAN SET - 17/10/2022

PROJECT: PROPOSED DWELLING

CLIENT: EMMA & NATHAN SMITH
 ADDRESS: 5 OLLIE DRIVE
 SORELL, TAS, 7172

DRAWING No.

#RBSI300

SHEET:

ELEVATIONS SHEET I

DRAWN:

LP

SHEET No.

03

SCALE:

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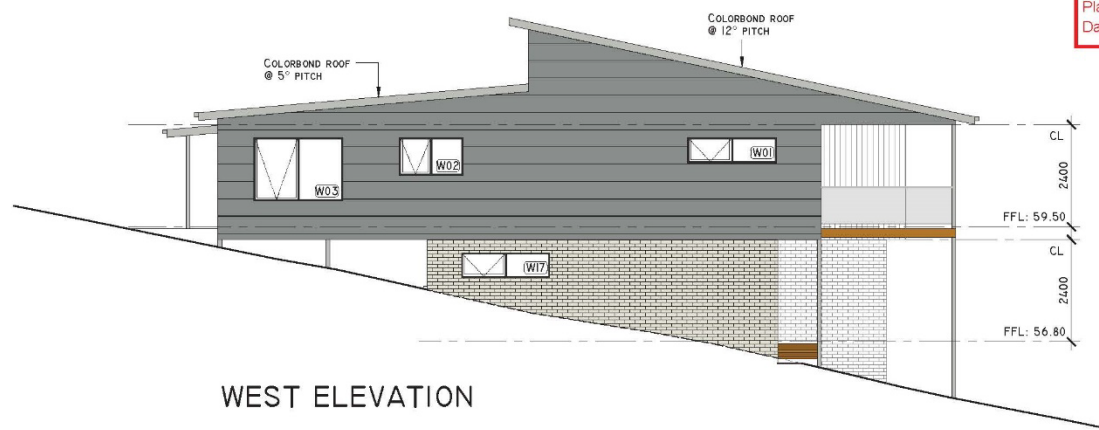
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SOUTH ELEVATION



WEST ELEVATION




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 AS A CONSTRUCTION COPY.

SIGNED:.....DATE.....

OWNER

SIGNED:.....DATE.....

OWNER

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