



SORELL PLANNING AUTHORITY (SPA) MINUTES

16 MAY 2023

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
TUESDAY 16 MAY 2023

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1.0 ATTENDANCE

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Chairperson Mayor Vincent
Deputy Mayor C Wooley
Councillor M Brown
Councillor S Campbell
Councillor J Gatehouse – Arrived at 4.45pm
Councillor M Miro Quesada Le Roux
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus
Robert Higgins, General Manager

Staff in Attendance:

Shane Wells – Manager Planner
Eswaran Shanmugam – Development Engineer
Greg Robertson – Manager Health & Compliance

2.0 APOLOGIES

None

3.0 CONFIRMATION OF THE MINUTES OF 2 MAY 2023

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 2 May 2023 be confirmed.”

22/2023 BROWN / REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Brown, Reed, Reynolds, Campbell, Gatehouse, Miro Quesada and Torenus

Against: None

The Motion was **CARRIED**



4.0 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 Sorell Planning Authority 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.5.2022.404.1

Applicant:	Taylor & Beeson Building Pty Ltd
Proposal:	Four multiple dwellings
Site Address:	10 Heron Crescent, Midway Point (CT 177622/80)
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 SPA meeting:	More than one representation received.

Relevant Zone:	8.0 General Residential
Proposed Use:	Multiple dwellings
Applicable Overlay(s):	Airport obstacle limitation area
Applicable Codes(s):	Parking and sustainable transport; Road and railway assets
Applicable SAP(s):	Dispersive Soils SAP
Valid Application Date:	2 December 2022
Decision Due:	19 May 2023
Discretion(s):	1 Building envelope
	2 Privacy
	3 Dispersive soils
Representation(s):	Two

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2022.404.1 for four multiple dwellings at 10 Heron Crescent, Midway Point 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. Prior to first use, the endorsed landscaping plan must be implemented.
3. The west facing window of bedroom 1 in dwelling 3 must have a minimum sill height of 1.7m above finished upper floor level. This change must be reflected in drawings submitted to Council for compliance with the Building Act 2016.
4. Common water, stormwater, sewer, electrical and communication services must be installed in one location and be in the common area on any strata plan.
5. Prior to first use, each unit must be provided with private open space that consists of:
 - a) an area no less than 24m² in size that is:
 - I. formed with a gradient of no more than 1 in 10;
 - II. provided, where required, with steps or other means of access to the adjoining habitable room located outside the 24m² area;
 - III. grassed, paved or decked and may include bbq, seating or play equipment;
 - IV. free of any infrastructure pits, clothes lines, garden equipment storage or equivalent infrastructure or amenities not directly related to recreation purpose; and
 - b) a total area of no less than 60m² (which is inclusive of the 24m² required by (a) that is:
 - I. enclosed by a 1.5m high fence (excluding the frontage);
 - II. provided with an external clothes line accessible by a minimum 1m wide uninterrupted path from the external door that is the shortest route from the laundry to the clothes line;
 - III. free of pits for common water, stormwater, sewer, electrical and communication services; and
 - IV. free of rainwater tanks (if a rainwater tank is provided within the enclosed area the land on which the tank occupies must be in addition to the 60m²).
6. To comply with condition 2, the 24m² area of private open space for unit 4 must be setback 4.5m from frontage.

Development Engineering

7. Prior to any works commencing within the road reservation, a Vehicular Crossing and Associated Works Application (available on Council's website) must be submitted with an associated permit granted for the works.
8. Prior to first use, the existing vehicular access must be upgraded to compliant width, surface treatment, drainage, and sight distance as specified in a Vehicular Crossing Permit issued by Sorell Council.
9. The internal driveway including areas set aside for vehicle parking and manoeuvring must:
 - a) be fully complete within six months of first use;
 - b) be constructed with a durable all weather pavement;
 - c) be drained to a legal point of discharge or retain runoff onsite such that stormwater is not concentrated onto adjoining properties; and
 - d) have a sealed surface of either concrete, asphalt, two-coat spray seal, pavers, or similar.
10. Prior first use, at least nine (9) car parking spaces must be provided on site and must be available for car parking at all times.
 - a) Any external space must:
 - I. be at least 5.4m long and 2.6m wide with an additional 0.3m clearance from any nearby wall, fence or other obstruction;
 - II. have a maximum gradient of 1 in 20 (5%) measured parallel to the angle of parking and 1 in 16 (6.25%) in any other direction;
 - III. be delineated by line marking or other clear physical means; and
 - IV. have signage and/or line marking designating any visitor spaces and turning areas.
 - a) Any internal space must:
 - I. have sufficient clearance from structural elements to allow for single manoeuvre entry and exit.
11. All private stormwater infrastructure within the access or driveway must be constructed to a trafficable standard and maintained appropriately.

TasWater

12. All requirements of TasWater Submission to Planning Authority Notice Reference TWDA 2022/01966-SOR and dated 6 December 2022.



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.
- 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

23/2023 CAMPBELL / REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Brown, Reed, Reynolds, Campbell, Gatehouse, Miro
Quesada and Torenus

Against: None

The Motion was **CARRIED**



5.2 DEVELOPMENT APPLICATION NO.5.2022.9.1

Applicant:	J Lewis
Proposal:	Commercial Building (Office and Retail Use)
Site Address:	5 Station Lane & 27 Cole Street, Sorell (CT 232925/1 & 158000/1)
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 (LUPAA)</i>
Reason for SPA meeting:	Value of non-residential work exceeding \$1,000,000 and more than one representation received

Relevant Zone:	21.0 General Business																
Proposed Use:	General Retail and Hire (Commercial)																
Applicable Overlay(s):																	
Applicable Codes(s):	Car Parking and Access Code, Road and Rail Assets Code, Inundation Prone Areas Code																
Valid Application Date:	31 January 2022																
Decision Due:	19 May 2023																
Discretion(s):	<table border="1"> <tr> <td>1</td> <td>Height</td> </tr> <tr> <td>2</td> <td>Design (no footpath awning)</td> </tr> <tr> <td>3</td> <td>Traffic generation</td> </tr> <tr> <td>4</td> <td>Car parking numbers</td> </tr> <tr> <td>5</td> <td>Car parking landscaping</td> </tr> <tr> <td>6</td> <td>Inundation (floor level)</td> </tr> <tr> <td>7</td> <td>Inundation (walls)</td> </tr> <tr> <td>8</td> <td>Inundation (mitigation)</td> </tr> </table>	1	Height	2	Design (no footpath awning)	3	Traffic generation	4	Car parking numbers	5	Car parking landscaping	6	Inundation (floor level)	7	Inundation (walls)	8	Inundation (mitigation)
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8	Inundation (mitigation)																
Representation(s):	Two																

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2022.9.1 for a Commercial Building (Office and Retail Use) at 5 Station Lane & 27 Cole Street, 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. The footpath in front of 5 Station Lane must be extended with identical surface and width throughout the frontage of the car parking area.
3. Prior to the commencement of construction works, a financial contribution in lieu of 29 car parking spaces is required for the improvement of existing parking facilities in the vicinity. The amount of the total contribution is \$225,112.50 in accordance with the fee schedule for 2022-2023 (\$7,762.50



per space) and indexation at the CPI rate for Hobart until paid. Alternatively, a varied or staged payment schedule may be agreed to by Council's General Manager and set out in a deed, part 5 agreement or other suitable contract prior to the commencement of construction works.

4. Prior to the commencement of use, the land between the car parking spaces and the frontage must be landscaped with grasses, ground covers or shrubs.

Development Engineering

5. Prior to any works commencing within the road reservation, a Vehicular Crossing and Associated Works Application (available on Council's website) shall be submitted with an associated permit granted for the works.
6. The existing vehicular crossing servicing 7 Station Lane must be upgraded to compliant width, surface treatment, drainage, and sight distance, as specified in a Vehicular Crossing Permit issued by Sorell Council.
7. The new concrete access driveway shall be constructed to the specifications of TSD-R09-v3 and TSD-R16-v3, and have 150 mm thick reinforced concrete over a minimum 100 mm compacted base material. The existing kerb shall be saw cut and replaced with a trafficable driveway kerb. The concrete shall start at the edge of the existing (road seal) bitumen, and shall have a minimum width of 5.5 metres and extend for 6 metres or to the property boundary (whichever is greater). The connection to the existing footpath shall have R10 dowels at 400 centres (minimum). Any damaged sections of footpath shall be replaced as required.
8. The redundant vehicular crossing for 5 Station Lane shall be removed and reinstated with concrete footpath and kerbing to the specifications of TSD-R09-v3, TSD-R11-v3, and TSD-R14-v3. Any damaged sections of footpath shall be replaced where required.
9. Drainage from the new sealed access and sections of footpath must not cause ponding within the Council's highway reserve.
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. Prior to the commencement of the development of the site, detailed engineering drawings of the Parking Facilities shown in development plans approved by this permit must be submitted and approved by Council's Manager Planning. The drawings must:
 - a) be prepared by a suitably qualified engineer;
 - b) be substantially in accordance with AS/NZS 2890;

- c) include relevant details pertaining to roadways, footpaths, access driveways, circulation roadways, and parking modules (including aisles and bays);
 - d) detail physical controls (e.g., wheel stops) to be installed;
 - e) show traffic signage, line-marking, and pavement marking, where required;
 - f) detail all relevant layout dimensions, levels, transitions and gradients;
 - g) provide lighting specifications in accordance with AS/NZS 11548; and
 - h) reference specific IPWEA Standard Drawings (i.e., TSD) where required.
12. Prior to first use, all Parking Facilities (including off-street & on-street, car parking, commercial vehicle facilities, and facilities for people with disabilities) shall be constructed in accordance with the detailed designs approved by Council's Manager Planning.
13. Prior to first use, at least 28 off-street car parking spaces must be provided and be available for car parking at all times.
14. All stormwater runoff from the developed site shall be discharged via gravity to the Council approved stormwater system, or the satisfaction of Council's Manager Planning, and shall satisfy the following:
- a) All stormwater pipes collecting runoff from drainage surfaces and spaces (e.g., parking area hardstand, roof catchments, retaining walls) shall be designed to wholly accommodate the relevant runoff quantities generated by the development;
 - b) Concrete kerbing shall be installed along the entire length of the internal circulation roadway, car parking and turning areas, to direct stormwater into the stormwater system, using appropriate surface falls and directions;
 - c) Grated pits and drains, and stormwater lot connections (minimum size of DN150) shall be installed at suitable locations and constructed to a trafficable standard;
 - d) No ground stormwater runoff generated from the development shall be directed onto neighbouring properties;
 - e) The minor stormwater (on-site detention) system shall include a minimum 2650 litre detention tank and be in general accordance with the advertised engineer's advice and plans prepared by Gandy and Roberts Consulting Engineers;
 - f) An instruction & maintenance plan for the on-site detention system shall be provided by the responsible designer to the owner, who shall be responsible for the maintenance of said system; and

- g) 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.
- 15. The developer shall be responsible for the location of any existing services and Council infrastructure.
- 16. All works shall be undertaken by the developer at the developer's cost.
- 17. 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.
- 18. 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.

Environmental Health

- 19. 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. 10 a.m. to 6.00 p.m on Sundays or public holidays.

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

- 20. 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.
- 21. The building shall be designed to:
 - a) reduce external noise from the mechanical plant situated on the roof of 27 Cole Street, Sorell to a level suitable for the intended internal use; and
 - b) prevent offensive odours from adjacent food business exhaust canopies entering the air conditioning intake.

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

24/2023 BROWN / CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Brown, Reed, Reynolds, Campbell, Gatehouse and Torenus

Against: Miro Quesada

The Motion was **CARRIED**

The Meeting closed at 5.07pm

**MAYOR VINCENT
CHAIRPERSON
16 MAY 2023**

