



**Attachment to item number 4.0 -
Minutes from the Council Meeting 16 May 2023**



COUNCIL MINUTES

16 MAY 2023

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

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

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The meeting commenced at 6.03pm.

1.0 ATTENDANCE

Mayor K Vincent
Deputy Mayor C Wooley
Councillor M Brown
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miró Quesada Le Roux
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus

2.0 APOLOGIES

Nil

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 Councillor indicated they had, or were likely to have, a pecuniary interest in any items on the agenda.

4.0 CONFIRMATION OF THE MINUTES OF 18 APRIL 2023

RECOMMENDATION

“That the Minutes of the Council Meeting held on 18th April 2023 be confirmed.”

Attachment – Council Meeting Minutes 18 April 2023.

68/2023 BROWN/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell,
Wooley, Reed, Brown

Against:



The Motion was **CARRIED**

5.0 MAYOR'S REPORT

RECOMMENDATION

"That the Mayor's communication report as listed be received."

69/2023 REED/WOOLEY

"That the recommendation be accepted."

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

6.0 SUPPLEMENTARY ITEMS

RECOMMENDATION

"That the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the *Local Government (Meeting Procedures) Regulations 2015*."

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council by absolute majority may approve the consideration of a matter not appearing on the agenda, where the General Manager has reported:

- a) The reason it was not possible to include the matter on the agenda; and
- b) That the matter is urgent; and
- c) That advice has been provided under section 65 of the *Local Government Act 1993*.



7.0 COUNCIL WORKSHOPS REPORT

The following Council Workshop was held:

Date	Purpose	Councillor Attendance	Councillor Apologies
2 nd May 2023	<ul style="list-style-type: none"> 23/24 annual plan 23/24 operating and capital budget LG reform project Councillor workshop requests LGAT GMC candidates 	<ul style="list-style-type: none"> Vincent, Woolley, Brown, Torenius, Miro Quesada Le Roux, Reynolds, Gatehouse, Campbell, Reed 	<ul style="list-style-type: none"> Nil
9 th May 2023	<ul style="list-style-type: none"> 23/24 budget prep bus trip 	<ul style="list-style-type: none"> Vincent, Woolley, Torenius, Reynolds, Gatehouse, Reed 	<ul style="list-style-type: none"> Brown, Miro Quesada Le Roux, Campbell
9 th May 2023	<ul style="list-style-type: none"> 23/24 operating and capital budget 	<ul style="list-style-type: none"> Vincent, Woolley, Torenius, Miro Quesada Le Roux, Reynolds, Gatehouse, Campbell, Reed 	<ul style="list-style-type: none"> Brown

8.0 COUNCILLOR QUESTIONS ON NOTICE

Nil

9.0 COUNCILLOR MOTIONS ON NOTICE

Nil

10.0 WORKGROUP REPORTS

RECOMMENDATION

“That the workgroup reports as listed be received.”

70/2023 BROWN/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenius, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



11.0 PETITIONS

11.1 PETITION – INAPPROPRIATE ZONING SHARK POINT ROAD PENNA RECOMMENDATION

“That in accordance with Section 58(2) of the Local Government Act 1993, Council receives the attached petition comprising 99 signatories requesting Council take action to reject an application for an industrial development at 404 Shark Point Road Penna and petition Councillors to initiate an amendment through the Sorell Planning Authority to the Southern Tasmanian Regional Land Use Strategy (STRLUS) to enable land on the northern side of Shark Point Road, to the west of Penna Road be rezoned to Rural Living.”

71/2023 REYNOLDS/CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

11.2 PETITION – RESTRICTING VEHICULAR ACCESS TO CONNELLY’S MARSH BEACH

RECOMMENDATION

“That in accordance with Section 60(2) of the Local Government Act 1993, Council resolves to undertake the following:

- i) To install signage at the Knights Road beach access junction advising no turning and parking is available;
- ii) To prepare a design and cost estimate for the establishment of a public parking area in the Knights Road road reserve;
- iii) To formally request Parks and Wildlife Service confirm their position on retaining or restricting vehicle access to Connelly’s Marsh beach from the Knights Road access; and
- iv) To formally request Parks and Wildlife Service confirm their position on existing private property vehicle access.”



72/2023 BROWN/REED

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

12.0 LAND USE PLANNING

The Mayor advised in accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Council to act as a planning authority pursuant to the Land Use Planning and Approvals Act 1993 is to be noted.

In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under item 12 on this agenda, inclusive of any supplementary items.

12.1 SORELL PLANNING AUTHORITY MINUTES**RECOMMENDATION**

“That the minutes of the Sorell Planning Authority (“SPA”) Meetings of 2nd May 2023 be noted.”

73/2023 BROWN/WOOLEY

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



13.0 GOVERNANCE

13.1 PROPOSED DISPOSAL OF PUBLIC LAND – PART OF TRILICK COURT ROAD RESERVE

RECOMMENDATION

”That Council:

1. resolve pursuant to Section 178 of the *Local Government Act 1993* (“the Act”) that Council intends to dispose, exchange or lease public land, being land (“the Land”) described in - Certificate of Title Volume 106970 Folio 14 Part of Trillick Court Road Reserve, Sorell;
2. authorise the General Manager to take all actions necessary to complete public notification of Council’s intent to exchange, sell or lease the Land in accordance with Section 178 of the Act; and
3. authorise the General Manager to consider and acknowledge any objection received pursuant to Section 178(6) of the Act and report to a future Council meeting.”

74/2023 CAMPBELL/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

13.2 COPPING REFUSE SITE JOINT DISPOSAL AUTHORITY – CERTIFIED RULE CHANGES

RECOMMENDATION

“That Sorell Council approves the certified amendments to the Rules of the Copping Refuse Disposal Site Joint Authority.”

75/2023 REED/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.



For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

13.3 LGAT GENERAL MANAGEMENT COMMITTEE – 2023 ELECTIONS

RECOMMENDATION

“That Council resolve:

- (i) to determine voting for the LGAT General Management Committee member (Southern Electoral District – less than 20,000) by numbering at least one box of the five candidates;
- (ii) to determine voting for the LGAT General Management Committee member (Southern Electoral District – more than 20,000) by numbering at least one box of the three candidates;
- (iii) to determine voting for the LGAT President by numbering at least one box of the six candidates; and
- (iv) to authorise the Mayor to execute and submit the ballot paper to the Returning Officer by 15th June 2023.”

76/2023 CAMPBELL/REED

“That the recommendation be accepted as per the following:

- (i) LGAT General Management Committee member (Southern Electoral District – less than 20,000);

*Councillor Campbell recommended Council nominate Michelle DRACOULIS.
No further recommendations were received.*

For: Vincent, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against: Reynolds



- (ii) LGAT General Management Committee member (Southern Electoral District – more than 20,000);

Councillor Reed recommended Council nominate Paula WRIEDT. No further recommendations were received.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against: Nil

- (iii) LGAT President

Deputy Mayor Wooley recommended Council nominate Mick TUCKER. No further recommendations were received.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against: Nil

- (iv) Authorise the Mayor to execute and submit the ballot paper to the Returning Officer by 15th June 2023.”

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against: Nil

The above motions were put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motions were **CARRIED**

14.0 INFRASTRUCTURE AND ASSETS

Nil reports.



15.0 COMMUNITY RELATIONS

15.1 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council resolve to approve two grant applications under the 2022-2023 Community Grants Program – \$2,000 for Families Tasmania Inc and \$2,000 for Tasmanian Brick Enthusiasts Inc.”

77/2023 CAMPBELL/BROWN

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

15.2 COMMUNITY GRANTS PROGRAM

RECOMMENDATION

“That Council resolve to approve a donation of \$6,726 from the Section 77 Donations budget to Carlton Park Surf Life Saving Club to fund construction of a storage shed for their beach wheelchairs.”

78/2023 TORENIUS/MIRO QUESADA

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



16.0 FINANCE

16.1 EXECUTIVE SUMMARY – FINANCIAL REPORT APRIL 2023 YTD

RECOMMENDATION

“That the Executive Summary – FINANCIAL REPORT APRIL 2023 YEAR-TO-DATE be received and noted by Council.”

79/2023 REED/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

16.2 2023-2024 FEES AND CHARGES

RECOMMENDATION

Local Government Act 1993 (Tas) – Part 12

“In accordance with Section 205 of the *Local Government Act 1993 (Tas)*, the Council hereby makes the following fees and charges for the period commencing on 1 July 2023 and ending on 30 June 2024.”

80/2023 CAMPBELL/TORENIUS

“That the recommendation be accepted (noting Recreational Vehicle Short Term Parking fees not included).”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Campbell, Wooley, Reed, Brown

Against: Miró Quesada Le Roux

The Motion was **CARRIED**



17.0 PLANNING

17.1 CLIMATE COUNCIL CITIES POWER PARTNERSHIP (CCCPP) – 5 PARTNERSHIP ACTION PLEDGES TO THE CITIES POWER PARTNERSHIP

RECOMMENDATION

“That Council resolve to endorse the five climate action pledges as recommended and to submit them on behalf of the Mayor.”

81/2023 REED/MIRO QUESADA

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

18.0 HEALTH AND COMPLIANCE

Nil reports.

19.0 ROADS AND STORMWATER

Nil reports.

20.0 FACILITIES AND RECREATION

Nil reports.



21.0 QUESTIONS FROM THE PUBLIC

In accordance with Regulation 31 of the Local Government (Meeting Procedures) Regulations 2015, Council will conduct a Public Question Time.

At each meeting the Mayor will invite those members of the public present to ask questions. When requested please:

- Stand up; and
- State clearly your name and address.

This time is allocated for questions from the public. Questions are to be kept brief and specific to the topic to which they relate.

Members of the public are reminded that questions and any answers to such questions are not to be debated.

Questions may be submitted to Council in writing at least seven (7) days before an ordinary Council meeting.

Sharon Fotheringham of Forcett questioned the zoning of a property on Sugarloaf Road approximately 5 kilometres in and whether multiple dwelling are permitted as there appears to be 2 units built alongside a dwelling close to the roadside?

The General Manager advised he would make enquiries and respond directly to Ms Fotheringham after the meeting.

Maria Mitsakis of Penna questioned if Council would consider a footpath along Shark Point Road Penna due to the increase in traffic relating to the recently approved caravan and boat storage facility on Shark Point Road?

Mayor Vincent advised that unfortunately there isn't a footpath consideration in this years budget and is not part of the next 12 months expected expenditure.

Maria further questioned if Council would consider dropping the speed limit on Shark Point Road Penna from 80km to 60km for safety reasons due to the previously mentioned development?

The Director Service Delivery advised Council have the ability to consider speed limit reductions but ultimately is the decision of the Road Safety Commission. Department of State Growth will only consider these on a Council



recommendation. He further advised that we would have data on the average speed of vehicles in this section of road that can be presented to Council.

Maria asked what the expected timeframe for a response to a meeting request with the General Manager should be.

The General Manager advised that timeframes are contained in Councils Customer Service Charter and that he would be happy to discuss a suitable time to meet at the end of the meeting.

Rendell Emmett of Penna made a statement regarding the increase in traffic in particular heavy trucks and lack of a footpath on Shark Point Road, Penna.

Maree Emmett of Penna raised concern over the turning lane from Midway Point into the new subdivision on Penna Road, Midway Point.

The Director Service Delivery advised that he would follow up with the regulations for this turning lane and advise Maree.

Maria Mitsakis asked if Council would make a commitment to initiating an amendment to the STRLUS.

Mayor Vincent advised that without all the details being presented that Council would not be able to make a commitment now. He further advised that Council has previously supported failed zoning changes in the Penna area. Further consultation with staff would be required.

Maria further questioned if the community would be involved in any amendment considerations.

The Mayor advised that as part of the STRLUS review, there are numerous areas within the municipality that will be reviewed with different areas and community members with differing needs.

Paula Karydis of Penna made a statement regarding current and longer term strategic land use for Penna and that the existing Rural Zone provides for incompatible uses with surrounding dwellings. She also questioned what Council is going to do regarding the non-native Pine trees that have been planted as part of the screening of the approved caravan and boat storage facility on Shark Point Road?

Mayor Vincent responded that the Planning Scheme and underpinning STRLUS is out of date but that Council currently does not have the ability to change this until the STRLUS is reviewed. Council having to make decisions as a Planning Authority and act as a Council are two very different considerations. He further advised that



Council do have a vision for this area including Orielton, and part of that is to preserve productive agricultural land as well. Along with this protection of agricultural land, the State Planning Scheme provisions provide for a range of permitted uses in the Rural and Agriculture zones that can be established.

A response was not provided regarding the planting of non-natives on the site. The General Manager will, however, enquire of the Manager Planning the operation of the permit and any relevant conditions.



CLOSED MEETING

Members are advised that items listed below in the CLOSED SESSION AGENDA are classified as CONFIDENTIAL ITEMS in accordance with the provisions of the Local Government Act 1993.

A Councillor must not discuss any item listed in a CLOSED SESSION AGENDA with any person (except another elected member, the General Manager or the author of a report to the closed session of Council or a Council Committee) without a specific resolution of the Council or a Council Committee that considered the report.

Section 338A (1) of the Local Government Act 1993 states that a Councillor must not disclose information:

- (a) seen or heard by the Councillor at a meeting or part of a meeting of a council or council committee that is closed to the public that is not authorised by the council or council committee to be disclosed; or*
- (b) given to the Councillor by the mayor, deputy mayor, chairperson of a meeting of the council or council committee or the general manager on the condition that it be kept confidential.*

Section 338A (3) states that a member must not disclose information acquired as such a member on the condition that it be kept confidential.

Additionally, Section 339 of the Local Government Act 1993 states that:

- (1) A councillor or a member must not make improper use of any information acquired as a councillor or member.*
- (3) Improper use of information includes using the information –*
 - (a) to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for oneself, a member of one's family or a close associate; or*
 - (b) to cause any loss or damage to any council, controlling authority, single authority, joint authority or person.*



The closed meeting commenced at 8.22pm.

22.0 CLOSED MEETING

The General Manager advised that in his opinion the listing of agenda item/s:

Reference	Item
22.1	Confirmation of the Closed Council Minutes of the Council Meeting of 18 April 2023 – <i>Regulation 34(3)</i>
22.2	Disclosure of confidential information – <i>Regulation 15(8)</i>
22.3	Tender C-23-S-006 Curryjong Rivulet Culvert on Nugent Road, Replacement – <i>Regulation 15(2)(d)</i>
22.4	Audit Panel Meeting Minutes – <i>Regulation 15(2)(c)</i>

As prescribed items in accordance with Regulations 15 and 34 of the Local Government (Meeting Procedures) Regulations 2015, and therefore Council may by absolute majority determine to close the meeting to the general public.

RECOMMENDATION

That the meeting be closed to the public to enable Council to consider agenda items 22.1 - 22.4 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.

82/2023 REYNOLDS/BROWN

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



22.1 CONFIRMATION OF THE CLOSED MINUTES OF THE COUNCIL MEETING OF 18 APRIL 2023

RECOMMENDATION

“That the Closed Minutes of the Council Meeting held on 18 April 2023 be confirmed.”

83/2023 TORENIUS/MIRO QUESADA

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

22.2 AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION

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RECOMMENDATION

“That in accordance with Regulation 15(9) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor and General Manager be authorised to disclose information from this ‘Closed Section’ of this meeting in the course of implementing the decisions of Council.”

84/2023 REED/MIRO QUESADA

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell, Wooley, Reed, Brown

Against:

The Motion was **CARRIED**



22.3 TENDER C-23-S-006 CURRYJONG RIVULET CULVERT ON NUGENT ROAD,
REPLACEMENT

85/2023 REED/REYNOLDS

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell,
Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

22.4 AUDIT PANEL MEETING MINUTES

86/2023 CAMPBELL/GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Reynolds, Torenus, Gatehouse, Miró Quesada Le Roux, Campbell,
Wooley, Reed, Brown

Against:

The Motion was **CARRIED**

The closed meeting concluded at 8.27pm.



23.0 ACRONYMNS

AGM	Annual General Meeting
AFL	Australian Football League
AIR	Australian Immunisation Register
ASU	Australian Services Union
ATO	Australian Taxation Office
AWTS	Aerated Wastewater Treatment Systems
BEST	Business and Employment Southeast Tasmania
CAC	Community Administration Centre
CEO	Chief Executive Officer
CLRS	Councillors
CPR	Cardiopulmonary Resuscitation
CRM	Customer Request Management
CRDSJA	Copping Refuse Disposal Site Joint Authority
DASC	Development Assessment Special Committee
DEDTA	Department Economic Development, Tourism & The Arts
DOE	Department of Education
DPAC	Department of Premier & Cabinet
DPFEM	Department of Police, Fire and Emergency Management
DSG	Department of State Growth
DST	Destination Southern Tasmania
EBA	Enterprise Bargaining Agreement
EOI	Expressions of Interest
EOFY	End of Financial Year
EPA	Environment Permit Authority
EWaste	Electronic Waste
FMAC	Fire Management Assessment Committee
GM	General Manager
ICT	Information Communication Technology
LGAT	Local Government Association of Tasmania
LPS	Local Provisions Schedule
LT	Leadership Team
LTFP	Long Term Financial Plan
LTI	Lost Time Injury
MAST	Marine & Safety Tasmania
MEMC	Municipal Emergency Management Committee
NBN	National Broadband Network
NRE	Department of Natural Resources and Environment Tasmania
NRM	Natural Resource Management
PWS	Parks and Wildlife Service
RACT	Royal Automobile Club of Tasmania
RDA	Regional Development Australia
RSL	Returned Services League



RTI	Right to Information
SBIP	School Based Immunisation Program
SEI	South East Irrigation
SEBA	South East Basketball Association
SENA	South East Netball Association
SERDA	South East Region Development Association
SEUFC	South East United Football Club
SES	State Emergency Service
SFC	Sorell Football Club
SFL	Southern Football League
SMH	Sorell Memorial Hall
SPA	Sorell Planning Authority
STCA	Southern Tasmanian Councils Association
STRWA	Southern Tasmanian Regional Waste Authority
SWSA	Southern Waste Strategy Association
SWS	Southern Waste Solutions
TasCAT	Tasmanian Civil and Administrative Tribunal
TAO	Tasmanian Audit Office
TCF	Tasmanian Community Fund
TOR	Terms of Reference
UTAS	University of Tasmania





Attachment to item number 12.1-
Sorell Planning Authority (SPA) Minutes



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)
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)																
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**





SORELL PLANNING AUTHORITY (SPA) MINUTES

30 MAY 2023

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING TO BE HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON TUESDAY 30 MAY 2023

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5.1	TASMANIAN PLANNING SCHEME – SUBSTANTIAL MODIFICATIONS TO THE SORELL LOCAL PROVISIONS SCHEDULE – REPRESENTATIONS RECEIVED DURING PUBLIC EXHIBITION PERIOD	4

1.0 ATTENDANCE

^
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 – Arrived 4.40pm
Councillor C Torenus

Staff in Attendance:

Shane Wells – Manager Planning

2.0 APOLOGIES

Robert Higgins, General Manager

3.0 CONFIRMATION OF THE MINUTES OF 16 MAY 2023

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 16 May 2023 be confirmed.”

25/2023 REED / BROWN

“That the recommendation be accepted.”

The motion was put.

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

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 TASMANIAN PLANNING SCHEME – SUBSTANTIAL MODIFICATIONS TO THE SORELL LOCAL PROVISIONS SCHEDULE – REPRESENTATIONS RECEIVED DURING PUBLIC EXHIBITION PERIOD

RECOMMENDATION

That Council in its role as a Planning Authority, and in accordance with Section 40K of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission this report about the various Amendments to the Sorell Local Provisions Schedules, which includes the following particulars:

- (a) As set out in Attachment A - 1, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft amendments;
- (b) A copy of each representation received during the public exhibition period (Attachment B); and
- (c) Determination that the draft amendments (including any recommendations) satisfy the local provisions schedule criteria set out under section 34(2) of the *Land Use Planning and Approvals Act 1993*.

26/2023 CAMPBELL / REED

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

The Meeting closed at 4.48pm

**MAYOR VINCENT
CHAIRPERSON
30 MAY 2023**



SORELL PLANNING AUTHORITY (SPA) MINUTES

6 JUNE 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 6 JUNE 2023

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5.2	SUBDIVISION APPLICATION NO. 7.2022.22.1	7

1.0 ATTENDANCE

^
Chairperson Mayor Vincent
Deputy Mayor C Wooley
Councillor M Brown
Councillor J Gatehouse
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 Planning
Greg Robertson – Manager Health & Compliance
Eswaren Shanmugam – Development Engineer

2.0 APOLOGIES

Councillor S Campbell

3.0 CONFIRMATION OF THE MINUTES OF 30 MAY 2023

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 30th May 2023 be confirmed.”

27/2023 REED / GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

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

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.5.2023.97.1

Applicant:	M A Morrow
Proposal:	Secondary Residence
Site Address:	411 Kellevie Road, Kellevie (CT 132276/1)
Planning Scheme:	<i>Tasmanian Planning Scheme Sorell</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	Owner is a staff member

Relevant Zone:	21.0 Agriculture
Proposed Use:	Secondary Residence
Applicable Overlay(s):	Bushfire-Prone Areas
Applicable Codes(s):	Parking and Sustainable Transport
Valid Application Date:	28 April 2023
Decision Due:	9 June 2023
Discretion(s):	1 Setbacks
Representation(s):	Nil

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2023.97.1 for a Secondary Residence at 411 Kellevie Road, Kellevie 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 secondary residence, if constructed or occupied prior to the approved dwelling, shall be classified as a single dwelling until such time that the approved dwelling is occupied. At no stage shall two single dwellings exist on the site.
3. A minimum of two car parking spaces shall be provided on site.
4. 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.

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

- 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



28/2023 REYNOLDS / BROWN

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Brown, Reed, Reynolds, Gatehouse, Torenius and Miro
Quesada Le Roux

Against: None

The Motion was **CARRIED**

5.2 SUBDIVISION APPLICATION NO. 7.2022.22.1

Applicant:	Tony Woolford & Associates	
Proposal:	Three Lot Subdivision	
Site Address:	41 Imlay Street, Dunalley (CT 182841/1)	
Planning Scheme:	<i>Tasmanian Planning Scheme Sorell</i>	
Application Status	Discretionary	
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>	
Reason for SPA meeting:	Subdivision creates more than one lot.	
Relevant Zone:	Low Density Residential Zone	
Proposed Use:	N/A	
Applicable Overlay(s):	Bushfire-Prone Areas, Priority Vegetation Area	
Applicable Codes(s):	Road and Railway Assets	
Valid Application Date:	13 January 2023	
Decision Due:	9 June 2023	
Discretion(s):	1	Frontage
	2	Sewer
	3	Stormwater
Representation(s):	Nil	

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 7.2022.22.1 for a three lot subdivision at 41 Imlay Street, 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 in the subdivision.

This security 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 improved value of the area being subdivided. Please refer to Council's Open Space Policy for valuation requirements.

Development Engineering

3. 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.
4. Prior to sealing the final plan the following works must be completed:
 - (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. Must be upgraded to compliant width, surface treatment, drainage, and sight distance as specified in a Vehicular Crossing Permit issued by Sorell Council;
 - II. 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 road seal.
5. Survey pegs for all lots are to be certified correct after completion of all subdivision works.

6. Council has no public stormwater infrastructure in the immediate area, therefore any post-development stormwater outfalls should be wholly contained on-site (e.g., a suitable absorption system).
7. Prior to sealing the final plan of survey, all services (including existing and proposed lot connections) must be separated and relocated to be wholly contained within each respective 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, telecommunications, or vehicular access, infrastructure.

8. Existing services connections (e.g., vehicular access), if retained, must comply with current standards.
9. Prior to sealing the final plan of survey, the developer must submit to Council either:
 - (a) a completed exemption from the installation of fibre ready pit and pipe notice, or
 - (b) a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment", or
 - (c) "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>

10. Prior to sealing the final plan of survey, the developer must submit written advice from TasNetworks confirming that either:
 - (a) all conditions of the Agreement between the Owner and authority have been complied with; or
 - (b) 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.
11. Any existing Council infrastructure (e.g., roadway and table drain) that is damaged or modified in any way as a consequence of works approved by this permit shall be repaired or reinstated by the developer to its original condition, as soon as reasonably practicable and at the developer's cost.

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 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

29/2023 BROWN / GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

The Meeting closed at 4.36pm

**MAYOR VINCENT
CHAIRPERSON
6 JUNE 2023**