



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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1.0 ATTENDANCE

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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**

