



SORELL PLANNING AUTHORITY (SPA) MINUTES

1 AUGUST 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 1 AUGUST 2023

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1.0 ATTENDANCE

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Chairperson Mayor Vincent
Deputy Mayor C Wooley
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miro Quesada Le Roux
Councillor M Reed
Councillor C Torenius – attended at 4.35pm (item 5.1)
Robert Higgins, General Manager

Staff in attendance:

Shane Wells – Manager Planning
Greg Robertson – Manager Health & Compliance
Eswaren Shanmugam – Development Engineer

2.0 APOLOGIES

Councillor M Brown – approved leave of absence
Councillor N Reynolds

3.0 CONFIRMATION OF THE MINUTES OF 4 JULY 2023

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 4th July 2023 be confirmed.”

33/2023 GATEHOUSE / CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Woolley, Campbell, Gatehouse, Reed 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*.

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5.0 LAND USE PLANNING

5.1 SUBDIVISION APPLICATION NO. 7.2022.4.1

Applicant:	Rogerson & Birch Surveyors
Proposal:	3 Lot Subdivision
Site Address:	3 Gate Five Road, Carlton River (CT 142971/1)
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:	Subdivision creates more than one lot.

Relevant Zone:	Low Density Residential Zone										
Proposed Use:	N/A										
Applicable Overlay(s):	Bushfire										
Applicable Codes(s):	Road and Railway Assets, Stormwater Management, Onsite Wastewater Management										
Valid Application Date:	23 September 2022										
Decision Due:	4 August 2023										
Discretion(s):	<table border="1"> <tr> <td>1</td> <td>Frontage</td> </tr> <tr> <td>2</td> <td>Internal lots</td> </tr> <tr> <td>3</td> <td>Open Space</td> </tr> <tr> <td>4</td> <td>Sewer</td> </tr> <tr> <td>5</td> <td>Stormwater</td> </tr> </table>	1	Frontage	2	Internal lots	3	Open Space	4	Sewer	5	Stormwater
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2	Internal lots										
3	Open Space										
4	Sewer										
5	Stormwater										



	6	Stormwater Management Code
	7	Flood hazard
	8	Onsite Wastewater Management Code
Representation(s):	Nil	

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 7.2022.04.1 for a 3 Lot Subdivision at 3 Gate Five Road, Carlton River 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 4% 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.

3. Prior to the commencement of works, a flood hazard management plan is to be submitted demonstrating how the recommendations of the JMG Flood Hazard Report are to be implemented, either through works to the property and/or title/Part 5 agreement.

Advice: Please note that private stormwater infrastructure with sufficient receiving capacity is required to be installed within the lowest point of the inundation prone Lot 3 of the subdivision to facilitate drainage of stormwater and prevent localised ponding. Consideration could also be given to cut-off drains along the northern boundary of lots 2 and 3 with stormwater managed onsite or pumped to Gate Five Drive.



Development Engineering

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

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

Advice:

- i. The Tasmanian Subdivision Guidelines, Specifications, and Drawings are available at www.lgat.tas.gov.au.*
 - ii. Variations from the Tasmanian Subdivision Guidelines, Specifications, or drawings may be approved at the discretion on Council's General Manager or their delegate where an acceptable justification exists and the proposed solution is not considered inferior in terms of engineering performance and maintenance, over the life of the final product.*
 - iii. In the event of any conflict(s) arising between the Tasmanian Subdivision Guidelines, Specifications, Drawings, and approved permit, the requirements of the approved permit shall take precedence.*
5. Prior to any works commencing on site (including demolition and site disturbance) for each stage of construction, the following Council fees (or equivalent) must be paid:
 - (a) Subdivision Planning Fees – Inspection Fee,
 - (b) Subdivision Planning Fees – For the consideration of engineering plans for roadwork, stormwater and drainage works in a subdivision, a fee of 1% of the approved estimated construction costs or the Minimum Fee (whichever is greater), and
 - (c) Any Council fees determined as relevant.

Prior to any reinspection or reassessment required, additional fee(s) shall be required to be paid to Council.



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

6. Prior to any works commencing on site (including demolition and site disturbance) for each stage of construction, approval of engineering design drawings must be granted by Council's General Manager.
7. Prior to sealing of the Final Plan of Survey, the following works must be completed in accordance with the approved engineering design drawings:
 - (a) Lot connection for each lot:
 - i. Connection to the electricity network.
 - ii. Connection to the telecommunication network (if available).
 - (b) Vehicular access for each lot:
 - i. Property access (i.e., access driveways) must be constructed with 40mm thick DG10 asphalt over a minimum 200mm deep (FCR) base course, and shall at least be hot sprayed bituminous sealed from the edge of Road Seal for at least 6m.
 - ii. Each property access must be located to minimise potential conflicts with vehicles and other users.
 - iii. Appropriate drainage provisions must be constructed (reshaped if required) to effectively direct, contain, and divert stormwater runoff from a vehicular access (i.e., access driveway or circulation roadway) to a Council approved system.
 - iv. Internal accesses (i.e., circulation roadways) must be constructed to provide an all-weather durable pavement and carriageway suitable for the maximum vehicular dimensions and appropriate loading.
 - (c) Fencing and gates for each lot:
 - i. Any frontage fencing, including existing, not located on the correct boundary must be removed and replaced with new rural type fencing, and installed in the correct location.
 - ii. Gates must be installed at each new property access and set back to facilitate vehicle standing clear of traffic lanes.

- (d) Rehabilitation
 - i. Top soil & grass, or alternative approved vegetation, must be provided (including seeding and watering) along with any other management measures to stabilise all surfaces disturbed during construction, as required by Council.
 - (e) Compliance
 - i. All existing infrastructure, including vehicular accesses, must be upgraded to comply with current standards.
8. Mandatory audit inspections are required in accordance with the Tasmanian Subdivision Guidelines, including:
- (a) Inspection of property access concrete culvert and headwall prior to backfilling (if required), and
 - (b) Inspection of property access bases prior to sealing (i.e., laying asphalt).
- (a) The developer is required to make contact with Council’s Development Engineer to arrange an inspection at least 48 hours prior to.
9. Survey pegs for all lots are to be certified correct after completion of all subdivision works.
10. Prior to sealing the final plan of survey, all existing lot connections must be relocated to be wholly contained within the balance lot or contained within new or existing service easements to the satisfaction of Council’s General Manager.
- Advice: this condition covers any existing stormwater, water, sewer, electrical, access, or telecommunications infrastructure.
11. Prior to sealing of the Final Plan of Survey, the developer must submit to Council either:
- (a) Demonstration that the exemption from the installation of fibre ready pit and pipe notice has been completed, or
 - (b) An Exemption from the installation of fibre ready pit and pipe, a “Provisioning of Telecommunications Infrastructure – Confirmation of final payment” or “Certificate of Practical Completion of Developer’s Activities” from Telstra or NBN Co.

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

12. Prior to sealing of the Final Plan of Survey, the developer must submit written advice from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed.
13. Council has no Public Stormwater System infrastructure in the immediate area. Therefore, stormwater outfalls shall be appropriately directed and discharged to the satisfaction of the Council Development Engineer.
14. Prior to sealing the Final Plan of Survey, all works determined as required by Council shall be performed and completed by the developer, at the developer’s cost and expense, to a standard that is to the absolute satisfaction of Council’s General Manager.

On-site wastewater

15. Before sealing the final plan the applicant must decommission the existing septic tank absorption trenches and install a new wastewater land application for the existing house on lot 2. All works must be completed to the satisfaction of the Manager Health and Compliance.
16. At least 100m² of land must be designated on the final plan for a wastewater land application area in accordance with Geo-technical Assessment provided by Rock Solid Geotechnics – Subdivision of Land at 3 Gate Five Road, Carlton River dated 6/6/2022.
17. An area must be designated on the final plan of lot 3 that prohibits buildings and impervious surfaces being located on the western and south western part of the lot that is prone to inundation.

Environmental

18. All civil and building construction work associated with the development must be within the following hours:
 - (a) 7.00. a.m. to 7.00. p.m. from Monday to Friday;
 - (b) 8.00 a.m. to 6.00 p.m on Saturdays; and



(c) No works are permitted on Sundays or public holidays.

Approval must be obtained from the Manager Health & Compliance for any works outside of these hours.

19. Any vegetation removed as part of the subdivision construction works, must not be burnt unless approval has been obtained from Councils Environmental Health Officer.

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

34/2023 REED / CAMPBELL

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

5.2 STORMWATER IN NEW DEVELOPMENT POLICY

RECOMMENDATION

“That Council, acting as a Planning Authority, resolves to adopt the Stormwater in New Development Policy.”

35/2023 GATEHOUSE / REED

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**



5.3 CAR PARKING STRATEGY AND CASH IN LIEU OF CAR PARKING POLICY

RECOMMENDATION

“That Council, acting as a Planning Authority, resolves to:

- i. Adopt the Cash in Lieu of Car Parking Policy as attached; and
- ii. Adopt the Draft Car Parking Strategy as attached and commence consultation with business groups and owners as appropriate.”

36/2023 REED / CAMPBELL

“That the recommendation be accepted.”

The motion was put.

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

Against: None

The Motion was **CARRIED**

The Meeting closed at 5.02pm

MAYOR VINCENT
CHAIRPERSON
1 AUGUST 2023

