



# SORELL PLANNING AUTHORITY (SPA) MINUTES

12 DECEMBER 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 12 DECEMBER 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 B Nichols  
Councillor M Reed  
Councillor N Reynolds – arrived at 4.43pm  
Councillor C Torenus  
Robert Higgins, General Manager

Staff in attendance:

Shane Wells – Manager Planning  
Shannon McCaughey – Senior Planner  
Jenny Richmond – Planning Officer  
Eswaren Shanmugam – Development Engineer

## 2.0 APOLOGIES

None

## 3.0 CONFIRMATION OF THE MINUTES OF 5 DECEMBER 2023

### RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 5<sup>th</sup> December 2023 be confirmed.”

### 65/2023 REED / TORENIUS

“That the recommendation be accepted.”

The motion was put.

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

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 DRAFT AMENDMENT NO. DA 2022 / 354 – 1 – 2 PAWLEENA ROAD, SORELL

<b>Applicant:</b>	Ireneinc Planning And Urban Design
<b>Proposal:</b>	Section 40F – Rezone to Open Space to General Business and site specific qualifications
<b>Site Address:</b>	2 Pawleena Road, Sorell (CT 52621/1, 61/654 and 222468/1)
<b>Planning Scheme:</b>	<i>Tasmanian Planning Scheme Sorell (TPS-S)</i>
<b>Relevant Legislation:</b>	Part 3B of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
<b>Reason for SPA meeting:</b>	No delegated authority for a planning scheme amendment

<b>Relevant Zone:</b>	Low Density Residential and Open Space
<b>Proposed Zone:</b>	General Business and Open Space
<b>Valid Application Date:</b>	07 November 2022
<b>Decision Due:</b>	9 December 2023 (extension requested from the Tasmanian Planning Commission)
<b>Representation(s):</b>	N/A

#### RECOMMENDATION:

- (a) That pursuant to Section 40D(a) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority prepare Amendment AM-SOR-5.2022-354-1 to the Sorell Local Provisions Schedule for land at 2 Pawleena Road, Sorell (52621/1, 61/654 and 222468/1 to rezone to part General Business Zone and part Open Space Zone and include two site specific qualifications (as set out in attachment 1 to the report).
- (b) That pursuant to Section 40 and *Use Planning and Approvals Act 1993*, AM-SOR-5-2022.354.1 is certified as meeting the LPS criteria.

- (c) That in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment on public exhibition for a period of 28 days.

**66/2023 CAMPBELL / GATEHOUSE**

“That the recommendation be accepted.”

The motion was put.

For: Campbell and Reynolds

Against: Vincent, Wooley, Gatehouse, Miro Quesada Le Roux, Reed, Torenus and Nichols

The Motion was **LOST**

**5.2 DEVELOPMENT APPLICATION NO. DA 2023 / 284 – 1**

<b>Applicant:</b>	J Stuart-Smith on behalf of University of Tasmania, IMAS
<b>Proposal:</b>	Signage
<b>Site Address:</b>	25 Tiger Head Road, Dodges Ferry (CT 103608/2)
<b>Planning Scheme:</b>	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
<b>Application Status</b>	Discretionary
<b>Relevant Legislation:</b>	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
<b>Reason for SPA meeting:</b>	Council land

<b>Relevant Zone:</b>	29.0 Open Space
<b>Proposed Use:</b>	Signage
<b>Applicable Overlay(s):</b>	N/A
<b>Applicable Codes(s):</b>	C1.0 Signs Code
<b>Valid Application Date:</b>	12/10/2023
<b>Decision Due:</b>	22/12/2023
<b>Discretion(s):</b>	1 C1.6.3 Third party sign
<b>Representation(s):</b>	None received

**RECOMMENDATION**

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2023.284.1 for Signage at 25 Tiger Head Road, Dodges Ferry be approved, subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 3/10/2023 & 30/10/2023 except as may be amended by the conditions of this permit.

- a) P1 Signage diagram, size and dimensions; and
- b) P2 Map identifying the location of signage - adjacent to Tiger Head Boat Ramp.

**NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT**

*Legal*

- 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 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.

*Asset Protection*

- In accordance with the *Local Highway Bylaw 2 of 2015*, the owner is required to repair any damage to any Council infrastructure caused during construction.
- Council recommends contacting Dial-Before-You-Dig (phone 1100 or [www.1100.com.au](http://www.1100.com.au)) before undertaking any works.

*Other Approvals*

- This permit does not imply that any other approval required under any other by-law or legislation has been granted.
- Separate building and plumbing approval may be required prior to the commencement of the development/use.

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](mailto:resourceplanning@tascat.tas.gov.au)

**67/2023 TORENIUS / REYNOLDS**

“That the recommendation be accepted.”

The motion was put.

For: Vincent, Wooley, Campbell, Gatehouse, Miro Quesada Le Roux, Reed,  
Torenius, Nichols and Reynolds

Against: None

The Motion was **CARRIED**



## 5.3 SUBDIVISION APPLICATION NO. SA 2022 / 10 – 1

<b>Applicant:</b>	Ireneinc Planning And Urban Design
<b>Proposal:</b>	199 lot subdivision plus public open space
<b>Site Address:</b>	8 Cole Street, Sorell and adjoining land to the east (CT 181114/1) (previously known as 5 Arthur Highway) with access from Clifton Drive and Cole Street and with works to adjoining Council land
<b>Planning Scheme:</b>	<i>Tasmanian Planning Scheme - Sorell</i>
<b>Application Status</b>	Discretionary
<b>Relevant Legislation:</b>	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
<b>Reason for SPA meeting:</b>	Subdivision creates more than one lot.

<b>Relevant Zone:</b>	General Residential Zone & Open Space Zone														
<b>Proposed Use:</b>	Not relevant														
<b>Applicable Overlay(s):</b>	Bushfire-Prone Areas, Flood-Prone Areas, Airport noise exposure area														
<b>Applicable Codes(s):</b>	Road and Railway Assets Code														
<b>Valid Application Date:</b>	1 November 2023														
<b>Decision Due:</b>	19 December 2023														
<b>Discretion(s):</b>	<table border="1"> <tr> <td>1</td> <td>Clause 8.6.1 P2 Lot Design (frontage)</td> </tr> <tr> <td>2</td> <td>Clause 8.6.1 P4 Lot Design (orientation)</td> </tr> <tr> <td>3</td> <td>Clause 8.6.2 P1 Roads</td> </tr> <tr> <td>4</td> <td>Clause C3.7.1 P1 Subdivision for sensitive use within a road attenuation area</td> </tr> <tr> <td>5</td> <td>C9.6.1 P1 Lot design (attenuation)</td> </tr> <tr> <td>6</td> <td>C12.7.1 P1 Subdivision (flood)</td> </tr> <tr> <td>7</td> <td>Clause C16.7.1 P1 Subdivision (airport noise exposure)</td> </tr> </table>	1	Clause 8.6.1 P2 Lot Design (frontage)	2	Clause 8.6.1 P4 Lot Design (orientation)	3	Clause 8.6.2 P1 Roads	4	Clause C3.7.1 P1 Subdivision for sensitive use within a road attenuation area	5	C9.6.1 P1 Lot design (attenuation)	6	C12.7.1 P1 Subdivision (flood)	7	Clause C16.7.1 P1 Subdivision (airport noise exposure)
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7	Clause C16.7.1 P1 Subdivision (airport noise exposure)														
<b>Representation(s):</b>	Nil														

**RECOMMENDATION**

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 7.2022.10.1 for a 199 lot subdivision plus public open space at 8 Cole Street, Sorell and adjoining land to the east (CT 181114/1) (previously known as 5 Arthur Highway) with access from Clifton Drive and Cole Street and with works to adjoining Council land be approved, subject to the following conditions:

**General**

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. Subject to condition 3, staging must be in accordance with the endorsed plans and documents unless otherwise agreed to in writing by the General Manager.
3. Infrastructure associated with lots 44, 45, 46, 47, 65, 66, 67, 68, 69, 70, 71, 72:
  - a) Shall not commence construction until a detailed design of an overpass across the Sorell Southern Bypass is prepared to the satisfaction of Council's General Manager; and
  - b) Shall be modified to the extent necessary to match into such detailed design including any changes to the alignment or design levels of infrastructure and the number or dimension of lots.

*Advice: This condition is imposed in response to referral comments from the Department of State Growth. The General Manager will consult with the Department of State Growth prior to accepting the detailed design required by part (a) of the condition.*

#### **Transfers and Easements**

4. All land noted as roadway, footway, open space or similar must be transferred to Council. Complete transfer documents that have been assessed for stamp duty, must be submitted with the final plan of survey.
5. The final plan of survey must include easements over all drains, pipelines, wayleaves and services. The minimum easement width for stormwater is in accordance with the Tasmanian Subdivision Guidelines.

#### **Infrastructure Contributions**

6. An infrastructure contribution of \$4,522.61 per lot, indexed at the CPI rate for Hobart, is required for the construction of a pedestrian bridge over the Sorell Rivulet.

Unless otherwise agreed to by the General Manager and set out in a Part 5 Agreement, deed or other contract with the developer, the contribution is payable prior to the sealing of the final plan of survey for each stage and shall total the number of lots in each stage multiplied by \$4,522.61 plus CPI indexation from the date of approval to the date of each payment.

*Advice: The final project scope and timing is at the discretion of Council.*



## Flood-prone areas

7. Prior to sealing the final plan of survey for stage 2, 3, 5, 6 or 7, or as otherwise approved in writing, an ex-post flood hazard report is required. Among other matters, this flood hazard report must identify any residual flood risk after the installation of the minor and major stormwater systems within the subdivision site and any material changes to the catchment since the permit was granted. Where necessary, this flood hazard report must identify:
  - a) minimum floor levels for dwellings (if required);
  - b) flood hazard rating;
  - c) risk mitigation measures for future stages of the subdivision (if required); and
  - d) lot specific risk mitigation measures such as for bulk earthworks, driveways, construction material or building design (if required).

## Noise Management

8. Prior to the issue of titles for stage 8, the noise barrier identified in the *Arthur Highway Subdivision – Traffic Noise Assessment* by NVC Noise Vibration Consulting dated 9 September 2022 must be constructed.
9. Prior to the issue of titles for stage 1, 4, 5 or 11, the noise barrier identified in the *Arthur Highway Subdivision – Noise Assessment* by NVC Noise Vibration Consulting dated 12 July 2022 must be constructed.
10. Prior to constructing the noise barrier required by condition 8 and condition 9, a detailed construction plan must be submitted to and approved by the Council's General Manager demonstrating that the barrier will:
  - a) achieve the required mitigation;
  - b) is of a reasonable standard and appearance; and
  - c) incorporates anti graffiti design measure;additionally, any necessary maintenance measures must be specified.
11. A covenant within the schedule of easements and/or Part 5 agreement must:
  - a) bring to the attention of future owners any lots subject to the airport noise exposure area overlay at the time the final plan of survey is lodged the effect of the overlay and the application requirements for future sensitive use;
  - b) bring to the attention of future owners on lots 4 to 8, 21 to 29 and 31 the existence of a transport and logistics facility at 4 Clifton Drive, Sorell;

- c) require any dwelling on lots 4 to 8, 21 to 29 and 31 with bedrooms facing 4 Clifton Drive, Sorell to have acoustic double glazing in all windows and glazed external doors;
- d) require any two storey dwelling on lots 4 to 8, 21 to 29 and 31 to submit an independent noise assessment prepared by a suitably qualified and experienced specialist in accordance with any relevant Australian Standard demonstrating that the siting, design or construction of that dwelling includes appropriate noise attenuation measures to avoid future residents being exposed to environmental nuisance or environmental harm from the operations of the transport and logistics facility at 4 Clifton Drive, Sorell.

### Public open space

- 12. Lot 401 must form part of stage 1, stage 2 or stage 3.
- 13. Lot 402 must form part of Stage 8.
- 14. A landscape plan for the proposed road reserves and public open space areas within the subdivision must be submitted to and approved by Council's General Manager. The plans must be developed in association with the engineering plans to ensure suitable locations and planting types. Where appropriate, the plan must include construction details for footways and other public links within both road reserves and public open space areas.
- 15. Prior to sealing the final plan or survey for the relevant stage, at least the following work within lot 401 and 402 must be completed:
  - a) shared paths as required by this permit;
  - b) weed management as required by this permit;
  - c) restoration of existing pasture that is not otherwise disturbed by subdivision works to achieve a smooth and even grassed surface;
  - d) establishment of a smooth grass surface over all areas disturbed by subdivision works (unless finished in a hard surface);
  - e) unless retained, all batters are to be a maximum of 1 in 5;
  - f) all plantings of grass, shrubs or trees.
- 16. Landscaping, excluding hard form infrastructure, is to be completed and maintained for a period of 3 years. Alternatively, a bond of 1.5 times the estimated cost of landscape works must be submitted with the landscape plan and/or prior to sealing the final plan of survey for any stage involving the transfer of public open space lots to Council. The bond will be held as security to ensure both development and maintenance of the landscape work for a period of 3 years is undertaken in accordance with the approved plan. The bond is to be a cash deposit or a bank guarantee.

17. Play equipment (if any), seating, lighting, fencing or other infrastructure to be installed in the public open space lots must be detailed in the engineering design drawings inclusive of specifications.
18. The design and installation of any play equipment must be independently certified as compliant with all appropriate Australian Standard's and to the satisfaction of Council's General Manager.

### **Shared / Multi-Purpose Trail Plan**

19. The '2.50m wide multi user path' shown on drawing 19275/P1 Revision H by Hutchins Spurr Pty Ltd dated Aug' 22 must:
  - a) be constructed in concrete to a width no less than 2.5 metres;
  - b) connect Cole Street (ex Arthur Highway) from the Cole Street bridge through to both the future flyover over the Sorell Southern Bypass and to the existing public walkway at a point south of the proposed elevated sewer line;
  - c) have a minimum clearance of 2.4m above finish ground level at all points; and
  - d) for public open space lot 401. be constructed prior to the sealing of titles for Stage 3.

### **Weed Management & Natural Values**

20. Prior to any ground disturbance, a silt fence must be installed along the perimeter of all downslope lot boundaries and must be retained until all ground cover is re-established.
21. Prior to commencement of works, a weed management plan must be prepared to the satisfaction of Council's Manager Planning to eradicate or control all weeds within the property. For at least the following species, eradication is required:
  - a) Cracked willow (*Salix x fragilis nothovar. Fragilis*)
  - b) Boneseed (*Chrysanthemoides monilifera subsp. Monilifera*);
  - c) Gorse (*Ulex europaeus*);
  - d) Canary Broom (*Genista monspessulana*);
  - e) Hairy Fiddleneck (*Amsinckia calycina*);
  - f) White Horehound (*Marrubium vulgare*);
  - g) African boxthorn (*Lycium ferocissimum*);
  - h) Fennel (*Foeniculum vulgare*)
22. Prior to sealing the final plan of survey for a stage that includes public open space, all weeds must be eradicated or under effective control.

23. Prior to works commencing, a Weed Hygiene Plan identifying methods to prevent the possible spread of weeds and soil based pathogens to and from your property during construction must be submitted. At a minimum, the plan must provide for:
- a) the retention of any topsoil on the property,
  - b) detail the source of any fill, rock or other material to be imported to the property, and
  - c) the clean-down of all machinery before entering or exiting the property.

The plan must be implemented prior to any works occurring on the land and be maintained throughout the construction period.

24. Suitable barriers must be erected during the construction of the development to ensure native vegetation that must be retained is not damaged during construction works.
25. Each lot must be connected to stormwater quality treatment consistent with '5 Arthur Highway Stormwater Treatment Report V1 by A Wilson dated 20 July 2023'.
26. Prior to sealing the final plan of survey for stage 1, the developer must prepare educational material to be provided to purchasers and occupiers of residential lots to ensure awareness of the natural values and risks to the Sorell Rivulet and RAMSAR site including:
- a) from domestic animals and non-native garden plants by providing information on riparian and coastal weed species to avoid planting;
  - b) responsible cat ownership and use cat containment structures consistent with the *Cat Management Regulation 2022*;
  - c) calendar and maps to identify migratory and resident shorebirds feeding, roosting, nesting and breeding periods; and
  - d) maps of areas where dogs are permitted in the local area.

### Covenant

27. A restrictive covenant must be placed on the title for each newly created residential lot with a frontage to the Arthur Highway 'Highway Corridor' stating "Vehicular access to the Arthur Highway 'Highway Corridor' is NOT permitted".

### Asset Protection

28. In accordance with the *Local Highway Bylaw 2 of 2015*, the developer (i.e., principal) or the appropriate representative (i.e., superintendent representative, consultant, or contractor – including head contractor or

relevant sub-contractor) is required to repair any damage to any Council infrastructure caused during construction.

## Design and Construction

29. Prior to the commencement of works, engineering design drawings showing all work required by this planning permit, and any additional work proposed, must be prepared in accordance with the current:

- a) Tasmanian Subdivision Guidelines;
- b) Tasmanian Municipal Standard - Specifications;
- c) Tasmanian Municipal Standard - Drawings;
- d) Sorell Council Stormwater in New Development Policy; and
- e) Any relevant Council policy.

*Advice:*

- i. *The Tasmanian Subdivision Guidelines, Specification and Drawings are available at [www.lgat.tas.gov.au](http://www.lgat.tas.gov.au).*
- ii. *Justifiable variations from the Tasmanian Subdivision Guidelines, Specifications or Drawings may be approved where the alternative solution is to a no lesser quality in terms of infrastructure performance or maintenance costs over the life of the asset.*
- iii. *Where there exists any conflict(s) between the Tasmanian Subdivision Guidelines, Specifications, or Drawings and this permit, any requirements of this permit shall take precedence.*
- iv. *Engineering design drawings will expire two years after their approval and will be endorsed as such.*

30. Prior to works commencing, the following fees must be paid for each stage of construction:

- a) Engineering design drawing assessment fee; and
- b) Inspection fees for minimum estimated number of inspections.

Where reassessment of engineering drawings or subsequent inspections are required, additional fees may be required.

*Advice: Council fees are set each financial year and can be found in the Sorell Council Fees and Charges schedule, available from Council. An official Tax Invoice and Council Letter is typically provided to the developer or the appropriate representative with a written request for payment for fees for the minimum number of inspections required together with the fees for consideration of detailed engineering design drawings.*

31. For each inspection required and carried out, the developer (i.e., principal) or the appropriate representative (i.e., superintendent, superintendent representative, consultant, or contractor – including head contractor or

relevant sub-contractor) shall pay the prescribed fee as set annually by Council. This inspection fee shall be indexed at the CPI rate for Hobart until paid. Where works fail to meet Council requirements or a further inspection is required, additional fees will be charged at the prescribed inspection rate.

32. Prior to Council granting stamped endorsement for detailed engineering design drawings (for construction) for any stage of this subdivision, a Scheduled Civil Works Cost Estimate is required to be submitted to Council for calculation of the '1% construction estimate' (to be based on either the total contract value or contract price) for the design and construction of public infrastructure including stormwater, roads and lighting for each stage.
33. Works must not commence on site prior to the approval of engineering design drawings by the General Manager.
34. A Construction Management Plan (CMP) must be provided including, but not limited to, the following:
  - a) Traffic Management Plan in accordance with AS 1742;
  - b) Soil and Stormwater Management Plan; and
  - c) Dust Suppression Plan

All requirements of the CMP must be implemented prior to any works commencing on site.

35. Prior to works commencing, the developer must submit a Notice of Intention to Carry Out Work (available from Council) inclusive a certificate of currency for public liability insurance for the contractor and any sub-contractor.

### Works Required

36. Prior to sealing the final plan, the following works must be completed for each stage in accordance with the endorsed engineering design drawings:
  - a) Lot connections for each lot:
    - I. minimum DN150 connection to reticulated stormwater located at the lowest point of each lot and capable of draining the entire lot;
    - II. connection to the electricity network;
    - III. connection to the telecommunication network (if available).
    - IV. all existing lot connections must be relocated to be wholly contained within the balance lot or contained within new or existing easements.
  - b) Vehicle access for each lot:
    - i. 40mm thick DG10 asphalt vehicle crossover to the front boundary or a minimum length of 6m with minimum width of 3.6m or 4.0 where bushfire-prone;

- ii. Each access is located to minimise potential conflicts with other vehicles;
  - iii. Concrete vehicle crossover to front boundary; and
  - iv. Concrete vehicle driveway over the access strip for all shared accesses and / or rights of way.
- c) Road construction:
- I. fully paved, sealed and drained road carriageway with roundabout at intersection of Road 1, 2 and 4 and any modifications required to Cole Street / Arthur Highway to match Road 1 into the existing;
  - II. concrete kerb and channel both sides;
  - III. concrete footpaths with kerb ramps;
  - IV. shared paths in accordance with condition 19;
  - V. underground electrical and telecommunications reticulated infrastructure;
  - VI. street lighting with LED lamps;
  - VII. street trees including shade trees and irrigation if necessary; and
  - VIII. street sign and standard to each intersection.
- d) Stormwater network:
- I. unimpeded major stormwater network for a 1% AEP event;
  - II. minor stormwater network for a 5% AEP event via underground reticulation;
  - III. quality and quantity treatment consistent with '5 Arthur Highway Stormwater Treatment Report V1 by A Wilson dated 20 July 2023';
  - IV. extension of stormwater main for lot 30 and 31 to provide a connection to the south-east corner of 4 Clifton Drive, Sorell and the provision of a lot connection for 4 Clifton Drive, Sorell at lot 22;
  - V. surface and/or subsurface measures to control runoff from 4 Clifton Drive, Sorell to be installed prior to any noise barrier or noise attenuating fence; and
  - VI. distinguish between public and private infrastructure,
  - VII. detail specifications for pipe, manhole, side entry pit, grated pit, and headwall types and sizes,
  - VIII. all design parameters must be in accordance with the *Stormwater in New Development Policy* and *Tasmanian Standard Drawing Guidelines*.
- e) Public open space:
- I. land shaped to be fit for purpose in accordance with condition 15;
  - II. landscaping in accordance with condition 14; and
  - III. electrical and water lot connections fit for purpose.

- f) Shared path
    - i. the '2.50m wide multi user path' shown on drawing 19275/P1 Revision H by Hutchins Spurr Pty Ltd dated Aug' 22, as modified by conditions of this permit, including long sections and cross fall.
  - g) Rehabilitation
    - i. provision of top soil and grass or vegetation on all disturbed surfaces along with weed management measures.
  - h) Waste collection
    - i. each lot without footpath on their frontage must be provided with a minimum 1.5m x 3m concrete area constructed in accordance with the footpath specification adjacent the driveway and kerb to store bins on collection days.
37. Unless for a local road, service installation across an existing sealed road carriageway must be bored with a minimum cover of 1.2m. Bores for services greater than 100mm must have a pumped backfill.
38. Site filling shall not be placed outside of the approved title property boundaries for newly created lots without endorsement granted by Council's General Manager.
39. Designs for a signage and line marking plan in the road reservation must be included within the Council stamped detailed engineering design drawings, and must feature directional, informative, regulatory or warning signposting, pavement marking, line marking, and traffic control devices where required (or other Council specified).

*Advice: As a guide, please refer to the Australian Standard AS 1742.2: Traffic Control Devices for General Use – Part 2: Traffic Control Devices for Urban Roads.*

40. Prior to Council certifying Practical Completion for any stage of this subdivision, the developer (i.e., principal) or the appropriate representative (i.e., superintendent, superintendent representative, consultant, or contractor – including head contractor or relevant sub-contractor) must design and construct a temporary turning head wherever required by Council.

*Advice: Temporary turning heads are likely to be required at the completion of Stages 1,2,3,4,5,7,8, and 9, with respect to the subdivision stages approved by this permit.*



41. Designs for temporary turning heads require must be included with the Council stamped detailed engineering design drawings and must details a durable all-weather pavement and an appropriate turning head type in general accordance with the Tasmanian Standard Drawing TSD-R07-v3 at a minimum, or otherwise directed by Council's General Manager.
42. Upon construction of a temporary turning head at the termination of a new roadway, a D4 type hazard sign (or other Council specified) must be installed at the end of the new road by the developer (i.e., principal) or the appropriate representative (i.e., superintendent, superintendent representative, consultant, or contractor – including head contractor or relevant sub-contractor), at no cost or expense to Council.

### Footpath & Ways Construction

43. Footpaths must be constructed a minimum width of 1.5m with a minimum 100mm deep reinforced concrete and in accordance with the *Tasmanian Standard Drawing - Specifications*.
44. Where mountable kerb and channel is used (Type KCM), the footpath must have a minimum depth of 150mm with F82 mesh.

### Internal lots

45. Where an internal lot is connected to reticulated sewer, water, stormwater, NBN and/or electricity supplies, the subdivider must extend the service from the connection point and through the access strip to the lot proper.

### Telecommunications & Power

46. Prior to Council certifying Practical Completion for any stage of this subdivision, the developer (i.e., principal) or the appropriate representative (i.e., superintendent, superintendent representative, consultant, or contractor – including head contractor or relevant sub-contractor) must submit to Council a copy of the latest As-built NBN design plans and TasNetworks IFC design plans, or equivalent.
47. 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>*

48. 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.

### **Inspection and Certification**

49. All roads in the subdivision must be conveyed to the Council upon the issue of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1982*. All costs involved in this procedure must be met by the person responsible.
50. Mandatory audit inspections are required in accordance with the *Tasmanian Subdivision Guidelines*. The developer must provide a minimum 48 hours notice.
51. Works must be completed to a standard that is to the satisfaction of the Council General Manager.
52. The developer must engage Council to organise a Practical Completion inspection when practical completion of works for each stage has been reached. Upon successful completion of the inspection in accordance with clause 21 and Appendix 6 of the *Tasmanian Subdivision Guidelines*, Council will issue a Certificate of Practical Completion, listing any minor defects identified.
53. A qualified and experienced civil engineer must supervise and certify all works in accordance with clause 21, 22, 23 and 24 of the *Tasmanian Subdivision Guidelines*.
54. Works are subject to a twelve (12) month defect liability period commencing from the day the final plan of survey was sealed (for the applicable stage, if any) during which time all maintenance and repair of work required by this permit is the responsibility of the developer.

55. A Defect Liability Bond equal to 5% of the total construction value, and no less than \$10,000.00, must be submitted for the duration of the defect liability period.
56. Upon completion of the Defect Liability Period, the developer must engage Council to organise a Final Completion inspection in accordance with clause 24 of the Tasmanian Subdivision Guidelines. When all outstanding items listed in the Certificate of Practical Completion and subsequent defects are satisfactorily completed, Council will issue a Certificate of Final Completion. Any remaining financial security in relation to the works will be returned and Council will assume maintenance of the works.
57. Prior to sealing the final plan of survey, accurate as constructed drawings of all works undertaken must be submitted in .pdf and .dwg formats and:
  - a) be completed and certified by a land surveyor or civil engineer;
  - b) include the data spreadsheet available from Council completed in accordance with the 'Guidelines for As Constructed Drawings and Asset Data Collection' available from Council;
  - c) photos of all new assets;
  - d) be accurate to AHD and GDA94;
  - e) be scale and dimensioned;
  - f) include top, inlet and outlet invert levels;
  - g) include compaction and soil test results; and
  - h) include engineer's certificate stating that each component of the works complies with the approved engineering plans and Council standards.

*Advice: the minimum standard is demonstrated through the As Constructed Example Drawing, available from Council.*

#### **State Road Indemnity (Cole St / Arthur Highway)**

58. Unless Cole Street (Arthur Highway) is transferred to Council prior to the commencement of stage 1 works, the developer must obtain the consent of the Minister administering the Roads and Jetties Act 1935 in accordance with Section 84 (1) (c) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. This must include an indemnity for the Crown against any claim which may arise from an increase in the water flowing away from or under the State Road, or its rate of flow, by reason of the works approved by this permit.

*Advice: Please contact Transport Services within the Department of State Growth.*

## TasWater

59. The development must comply with all requirements of the TasWater SPAN 2022/00642-SOR dated 31 October 2022.

## Environmental Health

60. Unless otherwise approved in writing by the General Manager, environmentally hazardous material held on a construction site, including chemicals, fuels and oils, must be located within impervious bunded areas or spill trays which are designed and maintained to contain at least 110% of the total volume of material.
61. Spill kits appropriate for the types and volumes of materials handled on the construction site must be kept in appropriate locations to assist with the containment of spilt environmentally hazardous materials.
62. Any construction lighting used must be designed and located to minimise light spillage and not create a nuisance to neighbouring residential properties.
63. Any vegetation removed as part of the construction works, must not be burnt on-site.
64. Construction activities must be managed using such measures as are necessary to prevent dust emissions causing environmental nuisance. Such measures may include but are not limited to:
- a) using a dust suppression method such as watering dust generating surfaces; and
  - b) ceasing construction activities in windy weather when dust may be blown in the direction of residences.

## NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

### General

- Cranes and other construction equipment may require approval under the *Airports (Protection of Airspace) Regulations*. Please contact Hobart International Airport for further advice.
- 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.

#### Land Titles Office

- 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.

#### Street Naming

- 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>

#### Legislation

- 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](mailto:resourceplanning@tascat.tas.gov.au)

**67/2023 REED / GATEHOUSE**

“That the recommendation be accepted.”

An amended motion was moved to insert an additional condition (61)

**RECOMMENDATION**

65. The plan of subdivision must be amended to include a 4m wide footway inclusive of a 2.5m wide concrete footpath between stage 3 and stage 9. Some or all lots within stage 2, 3, 8 or 9 are to be amended to accommodate the footpath. Prior to submission of engineering design drawings, a revised plan of subdivision must be submitted to Council’s General Manager in accordance with the condition. If satisfactory, the revised plan will be endorsed as part of this permit.

**68/2023 CAMPBELL / REYNOLDS**

The amended motion was put.

For: Vincent, Wooley, Campbell, Gatehouse, Miro Quesada Le Roux, Reed, Torenus, Nichols and Reynolds

Against: None

The amended motion was **CARRIED**.

The motion as amended was put.

For: Vincent, Wooley, Campbell, Gatehouse, Reed, Torenus, Nichols and Reynolds

Against: Miro Quesada Le Roux

The Motion was **CARRIED**

Meeting Closed at 5.36pm

**MAYOR VINCENT  
CHAIRPERSON  
12 DECEMBER 2023**

