



SORELL PLANNING AUTHORITY (SPA) MINUTES

18 JUNE 2024

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 18 JUNE 2024

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1.0 ATTENDANCE

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Deputy Mayor C Wooley
Councillor B Nichols
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miro Quesada Le Roux
Councillor M Reed – arrived at 4.38pm
Councillor N Reynolds
Robert Higgins, General Manager

Staff in attendance:

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

2.0 APOLOGIES

Councillor C Torenus

3.0 CONFIRMATION OF THE MINUTES OF 11 JUNE 2024

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 11 June 2024 be confirmed.”

26/2024 NICHOLS / GATEHOUSE

“That the recommendation be accepted.”

The motion was put.

For: Woolley, Nichols, Campbell, Gatehouse, Reynolds and Miro Quesada Le Roux

Against: None

The Motion was **CARRIED**



4.0 DECLARATIONS OF PECUNIARY INTEREST

Deputy Mayor Woolley requested any Councillors to indicate whether they had, or were likely to have, a pecuniary interest in any item on the agenda.

Councillor Miro Quesada Le Roux declared an interest (perceived non pecuniary) in item 5.3 and left the meeting for the duration of the debate and voting of Item 5.3.

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 SUBDIVISION APPLICATION NO. SA 2019 / 19 - 1

Applicant:	M Morley
Proposal:	One Lot Subdivision & Boundary Adjustment
Site Address:	491 Arthur Highway, Forcett (CT110787/1; 46583/1; 110658/5; 110873/1))
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> & <i>Part 3 of the Local Government (Building and Miscellaneous Provisions) Act 1993</i>
Reason for SPA meeting:	More than one representation received.
Relevant Zone:	Rural & Agriculture
Proposed Use:	Nil
Applicable Overlay(s):	
Applicable Codes(s):	Road and Rail Assets Code
Valid Application Date:	20 March 2024
Decision Due:	30 June 2024
Discretion(s):	1 Nil
	2
Representation(s):	Three

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 7.2019.19.1 for a One Lot Subdivision & Boundary Adjustment at 491 Arthur Highway, Forcett be approved, subject to the following conditions:



1. Except where modified by a condition of this permit, the use and development must be substantially in accordance with the endorsed plans and documents:
 - a) P4 (bushfire hazard report by Mulcahy Planning and Property Services V1.2, and
 - b) P4 (proposal plans (four sheets) from M Morley).
2. Staging must be in accordance with the endorsed plans and documents unless otherwise agreed to in writing by the General Manager.
3. Prior to sealing any final plan, all recommendations of the bushfire hazard management plan must be complete and be certified by a suitably qualified person.
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, to the satisfaction of Council's General Manager. The minimum easement width for stormwater is in accordance with the Tasmanian Subdivision Guidelines.
6. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.

Department of State Growth Conditions

7. The access to Lot 1 and 3 must be designed and constructed to provide a suitably wide sealed taper to facilitate safe deceleration for left-turning vehicles into the access. The access will also require an upgraded stormwater Pipe Culvert of sufficient length, and new Driveable Culvert Endwalls to replace the existing culvert Head Walls.

Advice: This condition has been included within this permit with respect to the Department of State Growth's request.

8. Prior to undertaking any access (or other) works in the State road reserve an Access Permit is required from the Department of State Growth, in accordance with Section 16 of the *Roads and Jetties Act 1935*. Application for the permit can be found at https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings . Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow for enough time to assess an application.

Advice: This condition has been included within this permit with respect to the Department of State Growth's request.

Development Engineering

9. Prior to the commencement of works, detailed 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, and
 - d) Any Council policy determined as relevant.

The design drawings must be prepared by a suitably qualified and experienced engineer or engineering consultancy with an 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 of Council's General Manager or their delegate where a clear justification exists and the alternative solution is to 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. Stamped endorsement granted by Council for engineering drawings assessed will expire two years from the date of issue, at which point reassessment and reissue will be mandatory.
10. Prior to works commencing, the following fees must be paid for each stage of construction:
- a) Engineering Drawing Assessment (EDA) 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: Where appropriate, Council fees are updated each financial year and can be found in the Sorell Council Fees and Charges schedule, available from Council.

11. Works must not commence on site prior to endorsement of engineering drawings by the General Manager.
12. A Construction Management Plan (CMP) must be provided including, but not limited to, the following:
 - a) Traffic Management Plan, and
 - b) Soil and Stormwater Management Plan.

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

13. Prior to works commencing, the developer must submit a Notice of Intention to Carry Out Work (available from Council) inclusive of a Certificate of Currency for Public Liability Insurance for the contractor and any sub-contractor.
14. Prior to sealing the Final Plan of Survey the following works must be completed in accordance with the endorsed engineering drawings:
 - a) Lot connections made available for each lot to the;
 - I. National telecommunications network, and
 - II. Regulated private electricity network.
 - b) Vehicle access for each lot;
 - I. The vehicle crossings for each lot must be upgraded in substantial accordance with requirements of an Access Permit issued by the Department of State Growth, and
 - II. The internal accesses for Lot 1, 3, 2 & 7 must be constructed up to each lot proper with a durable all-weather pavement, and have gradients, widths and clearances that comply with AS 2890 – Parking facilities, Parts 1-6, and have stormwater drainage provisions constructed to appropriately drain or contain stormwater runoff.
 - c) Fencing;
 - I. Any existing property boundary fencing, including frontage fencing, not constructed in the correct location must be removed and installed with fencing in the correct location, and
 - II. Property entrance (rural type) gates must be installed at each new property access and set back for a minimum of 6.0m from the edge of road seal to allow vehicles to stand clear of traffic lanes.

- d) Unimpeded stormwater network for each lot;
 - I. Capable of facilitating a Major Stormwater System for a 1% AEP event which can achieve safe conveyance of stormwater runoff and appropriate flood mitigation, and
 - II. Capable of facilitating a Minor Stormwater System for a 5% AEP event which has regard for convenience, safety and cost.
 - f) Rehabilitation;
 - I. Provision of top soil and grass or vegetation on all disturbed areas, along with weed management measures and/or scheduled planting and maintenance measures.
15. Mandatory audit inspections are required in accordance with the Tasmanian Subdivision Guidelines. The developer must provide a minimum 48 hours' notice.
16. Works must be completed to a standard that is to the satisfaction of the Council General Manager.
17. 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.
18. 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.

Roads

19. 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.
20. 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.

Stormwater

21. The minor and major stormwater system must be designed and constructed to not exceed the conveyance or treatment capacity of the downstream network.

Fill

22. Site filling, if to a depth of 300mm or more, must comply with the provisions of Australian Standard AS 3798 Guidelines on Earthworks for Commercial and Residential Development as demonstrated by certification from a suitably qualified and experienced civil engineer.

Sight distance

23. The development works must include vegetation clearance and/or earthworks to achieve the minimum sight distance required by the Austroads Guide to Road Design for all existing and proposed vehicle accesses.

Existing Services

24. 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.

25. Existing crossover(s) or lot connections, if retained, must comply with current standards

Telecommunications & Power

26. Prior to sealing 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>

27. Prior to sealing 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.

28. Street lights must include LED lamps at the developer's cost.

Road Widening

29. The final plan or survey must show the corners of each road intersection must be splayed or rounded by chords of a circle with a radius of not less than 6m.

Natural Environment & Hazards

30. No top soil is to be removed from the site without the prior approval of the Manager Planning.

Advice: This condition is to minimise the spread of weeds from the site.

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.
- 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.

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) before undertaking any works.

Other Approvals

- All stormwater management measures and designs on the endorsed plans and documents, together with any related permit condition, constitutes General Managers consent under section 14 of the *Urban Drainage Act 2013*.
- This permit does not imply that any other approval required under any other by-law or legislation has been granted.

Generally

- 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 is inclusive of any schedule of easement and Part 5 Agreement.
- The final plan of survey will not be sealed until all works required by this permit are complete. On lodgement of the final plan of survey, inspections will be undertaken, unless otherwise advised by the developer, and additional inspection fees will apply to incomplete or substandard works.

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

27/2024 GATEHOUSE / CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Woolley, Nichols, Campbell, Gatehouse, Miro Quesada Le Roux, Reed and Reynolds

Against: None

The Motion was **CARRIED**



5.2 DEVELOPMENT APPLICATION NO. DA 2024 / 95 - 1

Applicant:	D White	
Proposal:	Change of Use (Outbuilding to Dwelling), Veranda & New Outbuilding	
Site Address:	5 Ollie Drive, Sorell (CT 35780/3)	
Planning Scheme:	Tasmanian Planning Scheme (Sorell LPS)	
Application Status	Discretionary	
Relevant Legislation:	Section 57 of the Land Use Planning and Approvals Act 1993 (LUPAA)	
Reason for SPA meeting:	Owner is a staff member	
Relevant Zone:	Rural Living	
Proposed Use:	Single Dwelling	
Applicable Overlay(s):	Bushfire-Prone Areas	
Applicable Codes(s):	Parking and Sustainable Transport	
Valid Application Date:	13 May 2024	
Decision Due:	24 June 2024	
Discretion(s):	1	Front setback
	2	Side Setback
Representation(s):	Nil	

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2024.95.1 for a Change of Use (Outbuilding to Dwelling), Veranda & New Outbuilding at 5 Ollie Drive, Sorell be approved, subject to the following conditions:

1. Except where modified by a condition of this permit, the use and development must be substantially in accordance with the endorsed plans and documents:
 - a) P1 (building design designs by Darryn White & Associates dated 2 May 2024).
2. Within six months of the construction of the outbuilding, landscaping by way of trees or shrubs with a minimum height at maturity of 6m must be planted to the rear (south) elevation of the outbuilding.
3. Prior to first occupation or commencement of use (whichever occurs first), the internal driveway including areas set aside for off-street car parking and manoeuvring must:
 - a) Be constructed in substantial accordance with the designs prepared by Darryn White – Building Design and Consulting DWG 01 to 05 dated 2nd May 2024, with a compacted FCR gravel pavement;

- b) Be drained to a legal point of discharge or retain runoff onsite such that stormwater is not concentrated onto adjoining properties;
 - c) Be constructed and maintained to resist moisture infiltration, erosion, sediment, transportation, and dust generation;
 - d) Be maintained through the life of the approved use to be in a condition suitable for the maximum vehicular dimensions and loading likely;
 - e) Be constructed to comply with the relevant provisions of AS/NZS 2890.1:2004.
4. Prior to first occupation or commencement of use (whichever occurs first), at least Two (2) off-street car parking spaces must be provided on site and must be available for car parking at all times. Each car parking space must:
- a) Be at least 5.4m long and 2.6m wide with an additional 0.3m clearance from any nearby wall, fence, or other structure; and
 - b) 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.

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) before undertaking any works.

Other Approvals

- All stormwater management measures and designs on the endorsed plans and documents, together with any related permit condition, constitutes

General Managers consent under section 14 of the *Urban Drainage Act 2013*.

- 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

28/2024 REED / CAMPBELL

“That the recommendation be accepted.”

The motion was put.

For: Woolley, Nichols, Campbell, Gatehouse, Reynolds, Miro Quesada Le Roux and Reed

Against: None

The Motion was **CARRIED**

Councillor Miro Quesada Le Roux left the room.

5.3 DEVELOPMENT APPLICATION NO. DA 2024 / 3 – 1

Applicant:	D Elphinstone														
Proposal:	Educational and Occasional Care (Childcare Centre)														
Site Address:	18 Arthur Street, Sorell (CT 29255/1)														
Planning Scheme:	<i>Tasmanian Planning Scheme (Sorell LPS)</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:	General Residential														
Proposed Use:	Educational and Occasional Care														
Applicable Overlay(s):	Nil.														
Applicable Codes(s):	C1.0 Signs Code C2.0 Parking and Sustainable Transport Code C3.0 Road and Rail Assets Code C16.0 Safeguarding Airports Code														
Valid Application Date:	10 January 2024														
Decision Due:	30 June 2024														
Discretion(s):	<table border="1"> <tr> <td>1</td> <td>Clause 8.3.1 Discretionary uses (P1, P2, P4)</td> </tr> <tr> <td>2</td> <td>Clause 8.5.1 Non-dwelling development (P3, P4, P6)</td> </tr> <tr> <td>3</td> <td>Clause C2.6.2 Design and layout of parking areas (P1)</td> </tr> <tr> <td>4</td> <td>Clause C2.6.5 Pedestrian access (P1)</td> </tr> <tr> <td>5</td> <td>Clause C1.6.1 Design and siting of signs (P2)</td> </tr> <tr> <td>6</td> <td>Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction (P1)</td> </tr> <tr> <td>7</td> <td>Clause C2.5.1 Car parking numbers (P1, P2)</td> </tr> </table>	1	Clause 8.3.1 Discretionary uses (P1, P2, P4)	2	Clause 8.5.1 Non-dwelling development (P3, P4, P6)	3	Clause C2.6.2 Design and layout of parking areas (P1)	4	Clause C2.6.5 Pedestrian access (P1)	5	Clause C1.6.1 Design and siting of signs (P2)	6	Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction (P1)	7	Clause C2.5.1 Car parking numbers (P1, P2)
1	Clause 8.3.1 Discretionary uses (P1, P2, P4)														
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5	Clause C1.6.1 Design and siting of signs (P2)														
6	Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction (P1)														
7	Clause C2.5.1 Car parking numbers (P1, P2)														
Representation(s):	Five (5)														

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2024.3.1 for an Educational and Occasional Care (Childcare Centre) at 18 Arthur Street, Sorell be approved, subject to the following conditions:

1. Except where modified by a condition of this permit, the use and development must be substantially in accordance with the endorsed plans and documents:
 - a) P1 (planning report from ERA dated 21 December 2023);
 - b) P2 (additional information response from ERA dated 15 April 2024);
 - c) P2 (stormwater report from Aldanmark Consulting Engineers dated 10 March 2024);

- d) P4 (civil drawings (7 sheets) from Aldanmark Consulting Engineers dated 7 May 2024);
 - e) P2 (landscape plans (4 sheets) from Tessa Rose Playspace and Landscape Design dated 25 March 2024); and
 - f) P2 (building design drawings (10 sheets) from Cyber Drafting & Design dated 12 April 2024).
2. A detailed landscaping plan is to be submitted to Council and approved when to the satisfaction of the Planning Officer. The landscape plan is to show the following:
- a) Outline of proposed buildings;
 - b) Proposed planting, indicated by common and botanical name and expected mature height; and
 - c) Fencing, paths and paving, indicating materials and surface finish.

The plan should take into consideration maintaining privacy between the centre and residential properties to the north, including provided a vegetated buffer of 2m.

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 first occupation or commencement of use (whichever occurs first), the approved parking area including areas set aside for vehicle parking and manoeuvring must:
 - a) be constructed in substantial accordance with the plans (7 sheets, including cover page) prepared by *Aldanmark Consulting Engineers* titled *Childs Play Early Learning, 18 Arthur Street* DWG No. C001 – C401 last dated 7/05/2024;
 - b) have a pavement as per the specified 125mm thick reinforced (SL82) concrete (N32) over a 100mm thick base course (Class A – 20mm FCR) on approved subgrade OR other accepted by the Council Development Engineer;
 - c) be able to achieve safe, easy & efficient circulation for user vehicles;
 - d) have physical controls such as Kerbs, Barriers, Wheel stops, or Other protective devices installed where required;
 - e) have pavement markings for a pedestrian crossing, entry, exit and directional (circulation) pavement arrows, and other due considerations such as warning signage or traffic mirrors installed where appropriate;

- f) have lighting installed in accordance with AS1158.3.1:2020 (Category P);
 - g) have a formed concrete kerb no less than 100mm high along the circulation roadway's edge where required to capture and contain stormwater runoff;
 - h) have private stormwater drainage infrastructure such as grated pits, trench/strip drains and pipeline trenches constructed to an appropriate trafficable standard; and
 - i) have private stormwater drainage infrastructure installed with sufficient receiving capacity to drain all stormwater runoff and discharge via gravity to a Lawful Point of Discharge.
5. Prior to first occupation or commencement of use (whichever occurs first), at least fifteen (15) off-street car parking spaces shall be provided. The provision must ensure:
- a) pedestrian access is provided in a safe and convenient manner;
 - b) all car parking spaces are at least 5.4m long and 2.4m wide with an additional 0.3m clearance from any structure nearby;
 - c) 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;
 - d) spaces are delineated by line marking or other clear physical means; and
 - e) appropriate signposting is installed to provide reservation for users such as visitors and employees.
6. Prior to first occupation or commencement of use (whichever occurs first), at least One (1) off-street car parking space for people with disabilities shall be provided. The provision must ensure:
- a) spaces are constructed in accordance with AS/NZS 2890.1:2006 (including provision of a Shared Area and bollard);
 - b) a footpath, no less than 1.5m wide and with a gradient not steeper than 1 in 14, is provided to the main entry point of the building;
 - c) appropriate signposting is installed to provide reservation to parking spaces for people with disabilities; and
 - d) spaces are delineated with line marking and other clear means, as required.
7. Onsite stormwater quantity and stormwater quality treatment devices may be substituted for a financial contributions for quantity and quality treatment in accordance with the Sorell Council Stormwater in New Development Policy (Resolution Number 35/2023).

Environmental Health

8. The hours of operation of the Child care centre must comply with the following:
 - 6.30. a.m. to 7.00. p.m. from Monday to Friday.
9. 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 & Environment for any works outside of these hours.

10. 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.
11. Any vegetation removed as part of the development construction works, must not be burnt unless approval has been obtained from Councils Environmental Health Officer.
12. A 1.8m high solid acoustic fence (with no gaps) must be constructed on the northern and eastern boundaries. All works are to be completed to the satisfaction of the Manager Health and Compliance.
13. A suitable acoustic barrier must be erected around the air conditioner outside unit/s to reduce noise levels. The barrier must be designed in accordance with recommendations of an acoustic engineer.
14. Noise emissions from the air conditioner outside unit or any other fixed mechanical plant must not be higher than:
 - a) 55 dB(A) (LAeq) within the hours of 8am to 5pm;
 - b) 5 dB(A) above background (LA90) level or 40 dB(A) (LAeq), whichever is the lower, within the hours of 6pm and 8am; and
 - c) 65 dB(A) (LAm_{ax}).

Noise levels are to be averaged over a 15 minute interval.

LAeq means the average dB(A) noise level

LAm_{ax} means the maximum dB(A) noise level

15. Prior to first use, a noise management plan (NMP) must be submitted to and approved by Council's General Manager. The NMP must, at a minimum, include:
- a) Contact details of the centre's director or other onsite supervisor, including confirmation that such details are provided to neighbours in order to facilitate communication and resolve any neighbourhood issues that may arise due to the operation of the centre;
 - b) any limitations on the number of children playing outside at any one time;
 - c) the avoidance of any new hard surfaces in play areas to avoid reverberant noise;
 - d) the siting and design of active and/or passive outdoor play activities and their relation to windows and doors of habitable rooms or decks on adjoining properties;
 - e) the commitment that staff will move crying children inside for comforting;
 - f) the avoidance of amplified music in outside play areas; and
 - g) a commitment to undertake noise measurements by a suitable quality person in response to complaints deemed reasonable by the Manager of Health and Compliance and to install any necessary mitigation or management measure to ensure noise levels are not unreasonable.

TasWater

16. All requirements of TasWater Submission to Planning Authority Notice Reference TWADA 2024/00044-SOR Dated 19/04/2024

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) before undertaking any works.

Other Approvals

- All stormwater management measures and designs on the endorsed plans and documents, together with any related permit condition, constitutes General Managers consent under section 14 of the *Urban Drainage Act 2013*.
- 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

29/2024 GATEHOUSE / NICHOLS

“That the recommendation be accepted.”

An amended motion was moved to amend condition 15 by removing part (e).

RECOMMENDATION

15. Prior to first use, a noise management plan (NMP) must be submitted to and approved by Council’s General Manager. The NMP must, at a minimum, include:
 - a) Contact details of the centre’s director or other onsite supervisor, including confirmation that such details are provided to neighbours in order to facilitate communication and resolve any neighbourhood issues that may arise due to the operation of the centre;
 - b) any limitations on the number of children playing outside at any one time;
 - c) the avoidance of any new hard surfaces in play areas to avoid reverberant noise;

- d) the siting and design of active and/or passive outdoor play activities and their relation to windows and doors of habitable rooms or decks on adjoining properties;
- e) ~~the commitment that staff will move crying children inside for comforting;~~
- f) the avoidance of amplified music in outside play areas; and
- g) a commitment to undertake noise measurements by a suitable quality person in response to complaints deemed reasonable by the Manager of Health and Compliance and to install any necessary mitigation or management measure to ensure noise levels are not unreasonable.

30/2024 REYNOLDS / CAMPBELL

The amended motion was put.

For: Woolley, Nichols, Campbell, Gatehouse, Reynolds and Reed

Against: None

The amended motion was **CARRIED**

The motion (as amended) was put.

For: Woolley, Nichols, Campbell, Gatehouse, Reynolds and Reed

Against: None

The Motion was **CARRIED**

Meeting Closed at 4.59pm

**DEPUTY MAYOR
CHAIRPERSON
18 JUNE 2024**

