



SORELL PLANNING AUTHORITY (SPA) AGENDA

10 SEPTEMBER 2024

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)

NOTICE OF MEETING

Notice is hereby given that the next meeting of the Sorell Planning Authority (SPA) will be held at the Community Administration Centre (CAC), 47 Cole Street, Sorell on Tuesday, 10 September 2024 commencing at 4:30 pm.

CERTIFICATION

I, Robert Higgins, General Manager of the Sorell Council, hereby certify that in accordance with Section 65 of the *Local Government Act 1993*, the reports in this Agenda have been prepared by persons who have the qualifications and experience necessary to give such advice. Information and recommendations or such advice was obtained and taken into account in providing general advice contained within the Agenda.

ROBERT HIGGINS
GENERAL MANAGER
5 SEPTEMBER 2024



AGENDA

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING TO BE HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON TUESDAY 10 SEPTEMBER 2024

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1.0 ATTENDANCE

^
Chairperson Mayor Gatehouse
Deputy Mayor C Wooley
Councillor B Nichols
Councillor M Larkins
Councillor M Miro Quesada Le Roux
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus
Jess Hinchon, Acting General Manager

2.0 APOLOGIES

Robert Higgins, General Manager
Councillor S Campbell

3.0 CONFIRMATION OF THE MINUTES OF 27 AUGUST 2024

RECOMMENDATION

"That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 27 August 2024 be confirmed."

4.0 DECLARATIONS OF PECUNIARY INTEREST



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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. DA 2024 / 133 – 1

Applicant:	ERA Planning & Environment																
Proposal:	Educational and Occasional Care (Childcare Centre)																
Site Address:	24 Clifton Drive, Sorell including works to the Clifton Drive road reservation (CT179906/1)																
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:	Development Cost in excess of one (1) million dollars																
Relevant Zone:	General Residential																
Proposed Use:	Educational and Occasional Care (Childcare Centre)																
Applicable Overlay(s):	Nil.																
Applicable Codes(s):	Signs Code, Parking and Sustainable Transport Code, Road and Railway Assets Code and Safeguarding of Airports Code																
Valid Application Date:	12 June 2024																
Decision Due:	18 September 2024																
Discretion(s):	<table border="1"> <tr> <td>1</td> <td>Clause 8.3.1 – Discretionary Use</td> </tr> <tr> <td>2</td> <td>Clause 8.5.1 - Non Residential Use</td> </tr> <tr> <td>3</td> <td>Clause C1.6.1 - Design and Siting of Signs</td> </tr> <tr> <td>4</td> <td>Clause C2.5.3 - Motorcycle parking numbers</td> </tr> <tr> <td>5</td> <td>Clause C2.6.5 - Pedestrian access</td> </tr> <tr> <td>6</td> <td>Clause C3.5.1 - Traffic generation at a vehicle crossing, level crossing or new junction</td> </tr> <tr> <td>7</td> <td>Clause C3.6.1 - Habitable buildings for sensitive uses within a road or railway attenuation area</td> </tr> <tr> <td>8</td> <td>Clause C16.5.1 - Sensitive use within an airport noise exposure area</td> </tr> </table>	1	Clause 8.3.1 – Discretionary Use	2	Clause 8.5.1 - Non Residential Use	3	Clause C1.6.1 - Design and Siting of Signs	4	Clause C2.5.3 - Motorcycle parking numbers	5	Clause C2.6.5 - Pedestrian access	6	Clause C3.5.1 - Traffic generation at a vehicle crossing, level crossing or new junction	7	Clause C3.6.1 - Habitable buildings for sensitive uses within a road or railway attenuation area	8	Clause C16.5.1 - Sensitive use within an airport noise exposure area
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7	Clause C3.6.1 - Habitable buildings for sensitive uses within a road or railway attenuation area																
8	Clause C16.5.1 - Sensitive use within an airport noise exposure area																
Representation(s):	Nil.																



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RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2024.133.1 for an Educational and Occasional Care at 24 Clifton Drive, Sorell including works to the Clifton Drive road reservation 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 (Architectural Plans from Tipalea Partners Dated 30/05/2024)
 - b) P1 (Services Plans prepared by Gandy and Roberts titled Sorell Childcare Centre – 24 Clifton Drive, Sorell Project No: 24.0111 Drawing C010 to C700 last dated June 2024)
 - c) P1 (Traffic Impact Assessment from Midson Traffic PTY LTD Dated May 2024); and
 - d) P1 (Acoustic Engineering Report from DDEG Dated 23/05/2024)
2. Prior to the commencement of works, a landscaping plan must be provided that details a mix of shrubs and ground cover, soil preparation and watering / mulching. A minimum of ten shrubs with a height at maturity of 4m must be included. If satisfactory, the landscaping plan will be endorsed as part of this permit.
3. All recommendations of the Acoustic Report prepared by DDEG dated 23/05/2024 related to noise must be implemented.
4. Operating hours must be within the following hours, except for office and administrative tasks:
 - a) Monday to Friday: 6.30am to 6.30pm
 - b) Saturday: 6.30am to 6.30pm
5. Within three months of first use, the endorsed landscaping plan must be implemented.
6. The owner must maintain the landscaping at all times, including replacing dead, diseased or slow growing plantings.
7. Equipment, materials, waste and machinery stored externally must be located or screened to restrict visibility from any public road, public land or adjoining residence.



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8. Commercial vehicle movements must be limited to:

- a) Monday to Friday: 7.00am to 6.30pm
- b) Saturday: 9.00am to 12.00pm

Engineering

9. 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 engineering plans prepared by *Gandy and Roberts* titled *Sorell Childcare Centre – 24 Clifton Drive, Sorell Project No: 24.0111 Drawing C010 to C700* last dated June 2024;
- b) be constructed with a carriageway able to achieve safe, easy & efficient circulation for a standard Medium Rigid Vehicle;
- c) have physical controls installed where required (i.e., Kerbs, Barriers, Wheel stops, or Other protective devices);
- d) have a traffic mirror, a keep-left sign, pavement markings (i.e., pedestrian crossing and pavement arrows), and any other considerations, installed where required, as per AS/NZS 2890.1:2004;
- e) have lighting installed in accordance with AS1158.3.1:2020 (Category P);
- f) have a formed concrete kerb along the length of the circulation roadway's edge where required to contain stormwater runoff;
- g) have all infrastructure located within (such as meter lids, grated pits, trench/strip drains and pipe trenches) constructed to the appropriate trafficable standard; and
- h) have stormwater infrastructure installed where required to drain all run-off generated to a legal point of discharge such that flows are not concentrated onto adjoining properties.

10. Prior to first use, at least Twenty One (21) 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 nearby wall, fence, or other structure;
 - 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) have appropriate signposting and pavement markings for reservation of visitor and resident car parking spaces.
11. Prior to first use, at least Five (5) Bicycle parking spaces shall be provided.
12. Prior to first use, all stormwater run-off generated by developed site must be drained and discharged to the Public Stormwater System.
13. Signs must be located to not adversely affect site lines of vehicles and pedestrian movements onsite.
14. The developer shall be responsible for the location of all services, including Council infrastructure and other utilities.
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.
16. Prior to first use, a waste contractor must be engaged to perform all waste management related activities wholly on site, and that no bins are stored or collected from the highway reservation.
17. All works determined as required by this permit, shall be performed and completed by the developer, at the developer cost and expense, to a standard that is to the absolute satisfaction of Council's General Manager.

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



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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. 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.
20. Any soil disturbed or spread onto the land resulting from civil construction works must be compacted, revegetated and watered to allow the soil to stabilise and prevent dust being generated.
21. Any vegetation removed as part of the subdivision construction works, must not be burnt unless approval has been obtained from Councils Environmental Health Officer.
22. External lighting, including car parking lighting shall be designed in accordance with AS4282-1997 – Control of the obtrusive effects of outdoor lighting and operated so that light does not spill onto neighbouring properties and create an environmental nuisance.
23. Sufficient sound insulation shall be positioned around all mechanical plant to ensure that noise emissions do not create a nuisance to neighbouring residential properties. The Manager of Health & Compliance may require the owner of the building to complete noise monitoring is completed (by a suitably qualified person) to demonstrate compliance with this condition.
24. A solid acoustic fence shall be erected around the property boundaries, the design of the fence shall be consistent with the recommendations included in clauses 6.3, 8.3, 11 of Acoustic Engineering Town Planning Acoustic Report - 24 Clifton Drive, Sorell TAS, prepared by DDEG (Acoustics).
25. Provide and maintain a solid 2m high fence along the western boundary to prevent car lights shining onto neighbouring residential dwellings.

State Growth

26. Prior to first use, a CHR/S (Channelised Right Turn Lane – Short) must be provided on Clifton Drive at the site access to 24 Clifton Drive, Sorell. The CHR/S is to be designed by a suitably qualified consultant and a preliminary plan is to be submitted to the Department in the first instance. It appears widening on the outside of the curve is preferable.

Prior to undertaking any works in the state road reserve, a Works Permit is required from the Department of State Growth in accordance with Section 16 of *the Roads and Jetties Act 1935*.

Advice: Application for permits 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 enough time to assess the application.

TasWater

27. All requirements of TasWater Submission to Planning Authority Notice Reference TWDA 2024/00683-SOR and date 18/06/2024.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

Legal

- 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.



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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

Executive Summary

An application is made for Educational and Occasional Care at 24 Clifton Drive, Sorell, including works to the Clifton Drive road reservation. This property is zoned General Residential and located on the corner of Clifton Drive and the Arthur Highway.

The proposed childcare centre is located in the north-west portion of the site, which is currently being subdivided as part of a subdivision permit 7.2024.7.1.

The key planning considerations relate to:

- the use being discretionary;
- hours of operation;
- noise impacts; and
- access and traffic impacts.

The application is considered to comply with each applicable standard of the *Tasmanian Planning Scheme (Sorell LPS)* and is recommended for conditional approval.



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Relevance to Council Plans & Policies

Strategic Plan 2019-2029	Objective 1: To Facilitate Regional Growth Objective 2: Responsible Stewardship and a Sustainable Organisation Objective 3: To Ensure a Liveable and Inclusive Community
Asset Management Strategy 2018	Nil
Risk Management Strategy 2018	In its capacity as a Planning Authority, Council must determine this application. Due diligence has been exercised in preparing this report and there are no predicted risks from a determination of this application.
Financial Implications	No financial implications are anticipated unless the decision is appealed to TASCAT. In such instances, legal counsel is typically required.
Open Space Strategy 2020 and Public Open Space Policy	The proposal has no significant implications for open space management.
Enforcement Policy	Not applicable.
Environmental Sustainability Policy	There are no environmental implications associated with the proposal.

Legislation

- This report details the reasons for the officer recommendation.
- Broadly, the planning authority can either adopt or change the recommendation by adding, modifying or removing conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.
- The planning authority has a specific role in LUPAA. As noted by the Tribunal:

The role of the Council in relation to planning matters is, in very broad terms, to uphold its planning scheme. In that context it is in a sense, blind to everything but the terms of the Scheme. It cannot put economic advantage or perceived community



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benefits over the terms of the Scheme. And in the context of enforcement proceedings unless expressly authorised to do so, it may not take any approach which is inconsistent with the terms of its Scheme.

Planning Scheme Operation – for Zones, Codes and site specific provisions

- Clause 5.6.1 requires that each applicable standard is complied with if an application is to be approved.
- Clause 5.6.2, in turn, outlines that an applicable standard is any standard that deals with a matter that could affect, or could be affected by, the proposal.
- A standard can be met by either complying with an acceptable solution or satisfying the performance criteria, which are equally valid ways to comply with the standard.
- An acceptable solution will specify a measurable outcome. Performance criteria require judgement as to whether or not the proposal reasonably satisfies the criteria.
- Clause 6.10 outlines the matters that must be considered by a planning authority in determining applications. Clause 6.11 outlines the type of conditions and restrictions that can be specified in a conditional approval.

Referrals

Agency / Dept.	Referred?	Response?	Conditions?	Comments
Development Engineering	Yes	Yes	Yes	Nil
Environmental Health	Yes	Yes	Yes	Nil
Plumbing	Yes	Yes	No	Nil
NRM	No			
TasWater	No	Yes	Yes	Nil
TasNetworks	Yes	Yes	No	Based on the information provided, the development is not likely to adversely affect



				TasNetworks' operations. The standard arrangements will apply for connection to the electricity network.
State Growth	Yes	Yes	Yes	Nil

Report

Description of Proposal

The proposed development includes:

- A 5.64m high building with a total floor area of 832m². This building will house six activity rooms, a kitchen, laundry, reception area, five bathrooms, three prep spaces, an associated office, meeting room and a staff planning area.
- An outdoor play area of 822.9m².
- Parking for 21 vehicles and circulation areas, including one space for accessible parking.
- Five (5) bicycle parking spaces.
- A ground base sign and a Transom sign.
- Upgrade of the existing driveway and crossover on to Clifton Drive, Sorell.

The centre will provide 21 staff with a maximum of 114 children, including:

- Fifty (50) children of kindergarten age with five staff.
- Forty (40) children of toddler age with eight staff.
- Twenty-four (24) children of nursery age with six staff.

The centre is proposed to operate from 6.30 am to 6.30 pm, Monday to Saturday.





Figure 1. Site Plan

The application is supported by:

- A planning assessment from ERA;
- A Traffic impact assessment (TIA) by Midson Traffic May 2024;
- An acoustic report has been by DDEG dated 23 May 2024;
- A bushfire hazard report by ERA dated 30 May 2024; and
- Landowner consent from the Department of State Growth given the proposed upgrade of the existing driveway and crossover on to Clifton Drive, Sorell.

Description of Site

The subject site, 24 Clifton Drive, Sorell, is located on the corner of Clifton Drive and Arthur Highway. It has been cleared of native vegetation and contains an existing Single Dwelling and associated buildings in the southernmost corner.



The site is 1.65ha in area and has a frontage to Clifton Drive of approximately 125m and a frontage to Arthur Highway of approximately 227m.

The site is located in the General Residential zone and is surrounded by land zoned General Residential to the north and west and land zoned Agriculture to the east and south.

The site is generally flat, with one existing vehicle crossing to Clifton Drive. The existing crossover is gravel and requires upgrading, which is being undertaken under the current subdivision approval (subdivision permit 7.2024.7.1) of the parent title (certificate of title, CT179906/1).

Note: The western portion of the subject site currently has a development application for forty-two (42) units and local shop development that proposes shared access from Clifton Drive.



Figure 2. Subject Site

Planning Assessment

Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
8.3.1 A1	Hours of operation	No, as the proposed hours of operation are outside the 8.00am to 6.00pm. Refer to performance criteria assessment below.
8.3.1 A2	External lighting	No, as external lighting will be operational between 6.30am to 6.30pm Refer to performance criteria assessment below.
8.3.1 A3	Commercial vehicle movements	Yes, as all commercial vehicle movements will be limited to the hours detailed in the acceptable solution. A condition to ensure compliance is included within the recommendation.
8.3.1 A4	Unreasonable loss of amenity	No, as there is no acceptable solution. Refer to performance criteria assessment below.
8.5.1 A1	Front Setback	Yes, as the front setback is 4.5m.
8.5.1 A2	Setbacks	Yes, as the setbacks comply with the prescribed requirements.
8.5.1 A3	Site Coverage	Yes, as the site coverage is less than 50 percent of the site.
8.5.1 A4	Fencing	No, as there is no acceptable solution. Refer to performance criteria assessment below.
8.5.1 A5	Outdoor Storage	Yes, as the outdoor storage area is: <ul style="list-style-type: none"> - located on the northern side of the building; - the outdoor storage area is located under the roofed area of the building and is not be visible from any road or public space adjoining the site; and - the outdoor storage area does not encroach upon parking areas, driveways, or landscaped areas.
8.5.1 A6	Air extraction, pumping, refrigeration systems or compressors, for a building that is not a dwelling.	Yes, as the service area would be located more than 10 m from any boundary containing a sensitive use.

Performance Criteria Assessment 1 – Clause 8.3.1 P1 Discretionary Uses

Hours of operation of a use listed as Discretionary, excluding Emergency Services, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:

- a) the timing, duration or extent of vehicle movements; and*
- b) noise, lighting or other emissions.*

The performance criteria is applicable as the proposed operating hours for the development are 6.30 am to 6.30 pm. It is considered that the performance criteria is satisfied given:

- It is expected that the majority of children will be dropped off between the hours of 7 am to 8 am.
- The number of children in the outdoor areas is expected to be minimal in the early hours of the morning and in the evening given the operational nature of use.
- The indoor and outdoor activities for the children vary between age groups, meaning they are not all outside at any one time.
- The majority of vehicles are expected to arrive at the centre between 7am and 8am, park briefly and then depart.
- Parking is provided for onsite to minimise the impact on the surrounding road network, ensuring there is less impact on residential amenity.
- External lighting will be in operation between 6.30 am to 6.30 pm in the winter months, exceeding the acceptable solution under Clause 8.3.1 (A2) by a negligible half an hour in the morning.
- External lighting will meet applicable Australian Standards ensuring the lighting is appropriately baffled and angled to prevent any light spillage into adjoining properties.
- The TIA prepared by Midson Traffic determines the impact of the timing, duration, and extent of vehicle movements. This finds the opening hours of the childcare centre to be suitable for the location.

Performance Criteria Assessment 2 – Clause 8.3.1 P2

External lighting for a use listed as Discretionary, must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:

- a) the number of proposed light sources and their intensity;*
- b) the location of the proposed light sources;*
- c) the topography of the site; and*
- d) any existing light sources.*

The performance criteria is applicable as the proposed external lighting will be in operation between 6.30am to 6.30pm exceeding the acceptable solution by a negligible half an hour in the morning. It is considered that the performance criteria is satisfied given:

- The site is generally flat, meaning there would not be any exaggerated angles for light spill to cause unreasonable impact.
- External lighting will meet applicable Australian Standards ensuring the lighting is appropriately baffled and angled to prevent any light spillage into adjoining properties.
- The proposed external lighting is not considered to have an unreasonable impact on the amenity of adjacent sensitive.

Performance Criteria Assessment 3 – Clause 8.3.1 P4

A use listed as Discretionary must not cause an unreasonable loss of amenity to adjacent sensitive uses, having regard to:

- a) the intensity and scale of the use;*
- b) the emissions generated by the use;*
- c) the type and intensity of traffic generated by the use;*
- d) the impact on the character of the area; and*
- e) the need for the use in that location.*

The performance criteria is applicable as there is no acceptable solution. It is considered that the performance criteria is satisfied given:

- The proposed use will operate 6.30 am to 6.30 pm, six (6) days per week (Monday to Saturday) not at sensitive hours of the day and night.
- The noise generation is expected to be most significant during the hours considered acceptable under A3 above. Acoustic

measures employed within the proposed design with regards to siting help ameliorate the noise level.

- Lighting will operate for an additional half an hour outside the acceptable hours listed in A2 above. Lighting will be used at a level to provide safe access to the centre and will meet applicable standards to ensure no light spillage into adjoining properties.
- The traffic generation from the use will increase the morning and evening peak traffic within Clifton Drive. All vehicles will be able to enter the site and park, before exiting the site in a forward direction. This will minimise the impact of the additional vehicles on the street by avoiding on-street parking and ensuring safe and legible merging from the site.
- The site is located in a residential area in proximity to community purpose and business zoned land. The density of residential use in the area are not relatively high, with proximity of Arthur Highway and being on the fringe of the general residential zone within proximity to the Sorell town centre. Nearby uses have a range of diversity in use(s) and a higher level of intensity of use is deemed acceptable given the nature of location within proximity to the Sorell Centre and main roads.
- The site is within proximity the Sorell School, the town centre, main transport routes and the area accommodates a mixture of community and commercial uses of which a daycare centre is compatible with.
- There is a high need for childcare centres in the area and the region which this development seeks to service.
- The proposed use is not considered to cause an unreasonable loss of amenity to adjacent sensitive uses.
- The noise assessment and acoustic report supplied demonstrates that noise generation from the site can be mitigated through treatment measures to ensure impacts on the adjacent sensitive uses are minimised.
- The Traffic Impact Assessment (TIA) demonstrates that the proposal would not cause an unreasonable loss of amenity with regard to the type and intensity of traffic generated, particularly given the location on the corner of the Arthur Highway and it is considered that with the implementation of

the consultant's recommendations a childcare centre in that location is appropriate.

Performance Criteria Assessment 4 – Clause 8.5.1 P4

A fence (including a free-standing wall) for a building that is not a dwelling within 4.5m of a frontage must:

- a) provide for security and privacy while allowing for passive surveillance of the road; and*
- b) be compatible with the height and transparency of fences in the street, having regard to: the topography of the site; and (ii) traffic volumes on the adjoining road.*

The performance criteria is applicable as there is no acceptable solution and the proposed fencing is not be exempt pursuant to Table 4.6 of the planning scheme. It is considered that the performance criteria is satisfied given:

- The fence fronting Clifton Drive is a black aluminium fence with a maximum height of 1 m and allows for passive surveillance both to and from the car parking area and the main entrance to the building, which will see high numbers of pedestrian traffic.
- The 2 m high fencing surrounding the waste and service area within the front setback minimises view lines into the area from pedestrians and the street. The fencing is limited to a relatively small area and deemed appropriate in design and location, given the irregular nature of the subject site.
- The acoustic report recommends the 2 m high front boundary fence adjoining Clifton Drive as it transitions onto Arthur Highway to mitigate the noise created by the traffic on the proposed sensitive use to an acceptable level. The fence, therefore, has limited transparency, which is required for acoustic purposes. It is deemed appropriate due to its proximity to Arthur Highway, a Category 3 road with large daily traffic volumes.
- The road reserve between Clifton Drive and the subject site is more than 10 m long, contains a relatively deep and wide spoon drain, and does not contain a footpath.
- The acoustic report recommends the southern side boundary fence, between 2 m and 2.7 m in height, to mitigate the noise created by the children on the adjoining uses to an acceptable level.

- Acoustic fences constructed of 25 mm timber palings to meet acoustic requirements are considered an acceptable design and similar to a typical dividing fence within a residential setting.
- The proposed fencing is considered to provide security and privacy for the children frequenting the childcare centre and would ensure that the noise generated by both the traffic and the children would be kept to an acceptable level, minimising the risk of land use conflict.

Codes

Signs Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C1.6.1 A1	Design and Siting of Signs	No, Refer to performance criteria assessment below.
C1.6.1 A2	Sign Setbacks	Yes, as no signs are located with 2m of the boundary.

Performance Criteria Assessment 5 – Clause C.1.6.1 P1

P1.1 A sign must:

- a) *be located within an applicable zone for the relevant sign type as set out in Table C1.6; and*
- b) *be compatible with the streetscape or landscape, having regard to:*
 - i. *the size and dimensions of the sign;*
 - ii. *the size and scale of the building upon which the sign is proposed;*
 - iii. *the amenity of surrounding properties;*
 - iv. *the repetition of messages or information;*
 - v. *the number and density of signs on the site and on adjacent properties; and*
 - vi. *the impact on the safe and efficient movement of vehicles and pedestrians.*

P1.2 If a roof sign, sky sign or billboard, the sign must:

- a) *be located within the applicable zone for the relevant sign type set out in Table C1.6;*
- b) *meet the sign standards for the relevant sign type in Table C1.6; and*
- c) *not contribute to visual clutter or cause unreasonable loss of amenity to the surrounding area, having regard to:*



- i. the size and dimensions of the sign;*
- ii. the size and scale of the building upon which the sign is proposed;*
- iii. the amenity of surrounding properties;*
- iv. the repetition of messages or information;*
- v. the number and density of signs on the site and on adjacent properties; and*
- vi. the impact on the safe and efficient movement of vehicles and pedestrians.*

The performance criteria is applicable as there is one proposed transom sign that does not comply with the sign standards for the relevant sign type set out in Table C1.6. It is considered that the performance criteria is satisfied given:

- The proposed Transom sign is located in the applicable zone for the sign as per table C1.6.
- The transom sign is appropriately located above the main entrance to the centre and would read 'Sorell childcare'.
- The transom sign does not extend more than 200 mm beyond the building alignment, nor does it extend beyond or below the level of the head of the doorway or window above which it is attached.
- The transom sign is approximately 600 mm high and 3.7 m wide with a maximum height above ground level of 3.6 m and the front façade of the building is 34 m wide with a maximum height of 5.48 m. The sign is appropriate fits with the size and scale of the building.
- The sign faces the western side boundary and is setback approximately 17 m.
- There are only two signs proposed on site.
- The proposed sign would not impact on the safe and efficient movement of vehicles and pedestrians.

Parking and Sustainable Transport Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C2.5.1 A1	Parking numbers	Yes, as twenty-one (21) car parking spaces are provided in accordance with Table C2.1 of the Code.
C2.5.2 A1	Bicycle Parking	Yes, as five (5) bicycle parking spaces are provided in accordance with Table C2.1 of the Code.
C2.5.3	Motorcycle Parking	No, as no motorcycle parking is provided. Refer to performance criteria assessment below.
C2.6.1	Construction of Parking Spaces	Yes, as all parking areas would be constructed of a durable all-weather pavement and drained to the public stormwater system.
C2.5.3 A1.1 and A1.2	Layout	Yes, all relevant standards are complied with.
C2.6.3 A1	Accesses	Yes, a single access is provided via a right of carriage way from existing site access
C2.6.3 A1 and A1.2	Pedestrian Access	No, as not all relevant acceptable solution prescribed requirements are met. Refer to performance criteria assessment below.

Performance Criteria Assessment 6 – Clause C2.5.3 P1

Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:

- a) *the nature of the proposed use and development;*
- b) *the topography of the site;*
- c) *the location of existing buildings on the site;*
- d) *any constraints imposed by existing development; and*
- e) *the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area*

The performance criteria is applicable as the proposal does not provide for motorcycle parking. It is considered that the performance criteria is satisfied given the proposed use is for a childcare centre and it is considered that transportation of children to and from the centre on a motorcycle is uncommon. The proposal provides for twenty (21) car parking spaces which is considered adequate for the proposed use, and can be relied upon for motorcycle parking.



Performance Criteria Assessment 7 – Clause C2.6.5 P1

Safe and convenient pedestrian access must be provided within parking areas, having regard to:

- a) the characteristics of the site;
- b) the nature of the use;
- c) the number of parking spaces;
- d) the frequency of vehicle movements;
- e) the needs of persons with a disability;
- f) the location and number of footpath crossings;
- g) vehicle and pedestrian traffic safety;
- h) the location of any access ways or parking aisles; and
- i) any protective devices proposed for pedestrian safety.

The performance criteria is applicable as the proposal does provide a pedestrian access in accordance with the acceptable solution prescribed requirements. It is considered that the performance criteria is satisfied given:

- The design layout of the car parking and access to the building is appropriate and allows for pedestrians to reasonably safely navigate the car park.
- The nature of the use is such that onsite traffic is slow moving with expected pedestrian awareness.
- A disabled parking space has been incorporated into the design of the car park located next to main entrance.
- The Traffic Impact Assessment (TIA) demonstrates that the proposed development is acceptable in terms of safe and convenient pedestrian access and relevant Australian standards.

Road and Railway Assets Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C3.5.1 A1.1-A1.5 (inclusive)	Traffic Generation	No, vehicular traffic movement is expected to increase by more 20% or forty (40) vehicle movements.
C3.6.1 A1	Sensitive Use within Road Attenuation Area	No. Refer to performance criteria assessment below.



Performance Criteria Assessment 8 – Clause C3.5.1

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- a) any increase in traffic caused by the use;
- b) the nature of the traffic generated by the use;
- c) the nature of the road;
- d) the speed limit and traffic flow of the road;
- e) any alternative access to a road;
- f) the need for the use;
- g) any traffic impact assessment; and
- h) any advice received from the rail or road authority

The performance criteria is applicable as vehicular traffic movement is expected to increase by more 20% or forty (40) vehicle movements. Right turn movements during morning peaks are expected to increase from 28 per hour to 46 per hour. A channelised right turn lane (CHR(S)) is proposed.

It is considered that the performance criteria is satisfied given:

- The CHR(S) upgrade caters for additional traffic generation.
- The use is located on a major collector road.
- The findings of the traffic impact assessment.
- The advice of the Department of State Growth.

Performance Criteria Assessment 9 – Clause C3.6.1

Habitable buildings for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise adverse effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:

- a) the topography of the site;
- b) the proposed setback;
- c) any buffers created by natural or other features;
- d) the location of existing or proposed buildings on the site;
- e) the frequency of use of the rail network;
- f) the speed limit and traffic volume of the road;
- g) any noise, vibration, light and air emissions from the rail network or road;
- h) the nature of the road;
- i) the nature of the development;

- j) *the need for the development;*
- k) *any traffic impact assessment;*
- l) *any mitigating measures proposed;*
- m) *any recommendations from a suitably qualified person for mitigation of noise; and*
- n) *any advice received from the rail or road authority*

The performance criteria is applicable as:

- i. the proposed building is for a sensitive use and is not within a building area on a sealed plan, is not an extension, and is not in an existing row of buildings; and
- ii. the acoustic report has detailed that without any acoustic measures noise levels at the outdoor play areas are expected to reach more than the external noise levels set out in Table C3.2, pursuant to Clause C3.6.1(c).

It is considered that the performance criteria is satisfied given:

- The supplied Acoustic Report demonstrates that the proposal, subject to the implementation of the engineered recommendations/acoustic measures, can satisfy the applicable design noise level of 63 dB(A) LA10,18hr or less at the most exposed facade of the habitable building.
- Both the traffic impact assessment and an acoustic report provided recommendations to ensure that the building and outdoor play areas are designed and screened to minimise adverse effects of emissions from the Arthur Highway, and these have been incorporated into the design.

Bushfire-Prone Areas Code

The proposal complies with the code through the provision of an accredited persons bushfire hazard report, which s52(2)(d) of LUPAA requires the planning authority to accept.

Safeguarding of Airports Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C16.5.1 A1	Sensitive Use within an Airport Noise Exposure Area	No, as an Educational and Occasional Care use is a sensitive use and must be assessed against the performance criteria. Refer to performance criteria assessment below.



C16.6.1 A1	Clauses C16.6.1 Buildings and works within an airport obstacle limitation area.	Not applicable. The buildings and works would not exceed the specified height limit shown on the airport obstacle limitation area overlay.
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Performance Criteria Assessment 10 – Clause 16.5.1 P1

A sensitive use within an airport noise exposure area must be located and designed to minimise exposure to excessive aircraft noise, having regard to:

- a) the location, orientation and elevation of the site relative to aircraft flight paths;*
- b) the current and future type and frequency of aircraft operating from the airport;*
- c) the type of use and the operational requirements for the use;*
- d) the layout and construction of buildings associated with the use;*
- e) the need to not compromise the future operation of the airport;*
- f) the noise attenuation measures required by Section 3 of the Australian Standard AS 2021 – 2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction;*
- g) the requirements of any relevant airport master plan; and*
- h) any advice from the airport operator or Airservices Australia.*

An acoustic report has been prepared by DDEG and maintains that the development will comply with performance criteria P1. On this basis it is considered that the performance criteria is satisfied.

Representations

Clause 6.10.1 of the planning scheme requires the consideration of any representation received but ‘only insofar as each such matter is relevant to the particular discretion being exercised’.

No representations have been received.

Conclusion

The application is considered to comply with each applicable standard of the *Tasmanian Planning Scheme (Sorell LPS)* and is recommended for conditional approval.

Shannon McCaughey
SENIOR PLANNER

Attachments:
Proposal Plans

Separate Attachments:
ERA Planning Report
Traffic Impact Assessment
DDEG Acoustic Engineering
ERA Bushfire Hazard Report



SORELL CHILDCARE CENTRE

27 ARTHUR HIGHWAY, SORELL, TASMANIA 7172

ARCHITECTURAL DRAWING SCHEDULE

Sheet Number	Sheet Name	Revision	Revision Date
001	COVER SHEET	1	24/05/24
002	3D SITE VISUALISATION	1	24/05/24
003	CONCEPT & SITE PLAN	1	24/05/24
004	SECTION	1	24/05/24
005	LANDSCAPE PLAN	1	24/05/24
006	STRUCTURE	1	24/05/24
007	MECHANICAL	1	24/05/24
008	ELECTRICAL	1	24/05/24
009	PLUMB & HEATING	1	24/05/24
010	DETAILS	1	24/05/24
011	DEVELOPMENT	1	24/05/24

DA ISSUE
DEVELOPMENT APPLICATION

No.	Description	Date
1	DRAFT DA	24/05/24
2	DA ISSUE	27/08/24
3	DA ISSUE	24/08/24

PRINTING NOTE
 THIS DRAWING IS TO BE PRINTED IN COLOUR
 THIS NOTE IS FOR:

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Sorell Council
 Development Application Development
 Application - 24 Clifton Drive, Sorell.pdf
 Plans Reference: P1
 Photo Reference: A8100/2024

TIPALEA PARTNERS

SORELL COC

COVER SHEET

Scale
 Date 24/05/24
 SF 34-574 No. 2024/006
 Draw No. **D41** Rev. **3** 21/08/24





SITE FROM ROUND ABOUT



22 CLIFTON DRIVE

Sorell Council
Development Application - Development Application - 24 Clifton Drive, Sorell.pdf
Plans Reference: PA
Date Received: 10/09/2024

DA ISSUE
DEVELOPMENT APPLICATION

Rev	Description	Date
1	ISSUE	10/09/2024
2	REVISED	10/09/2024
3	REVISED	10/09/2024

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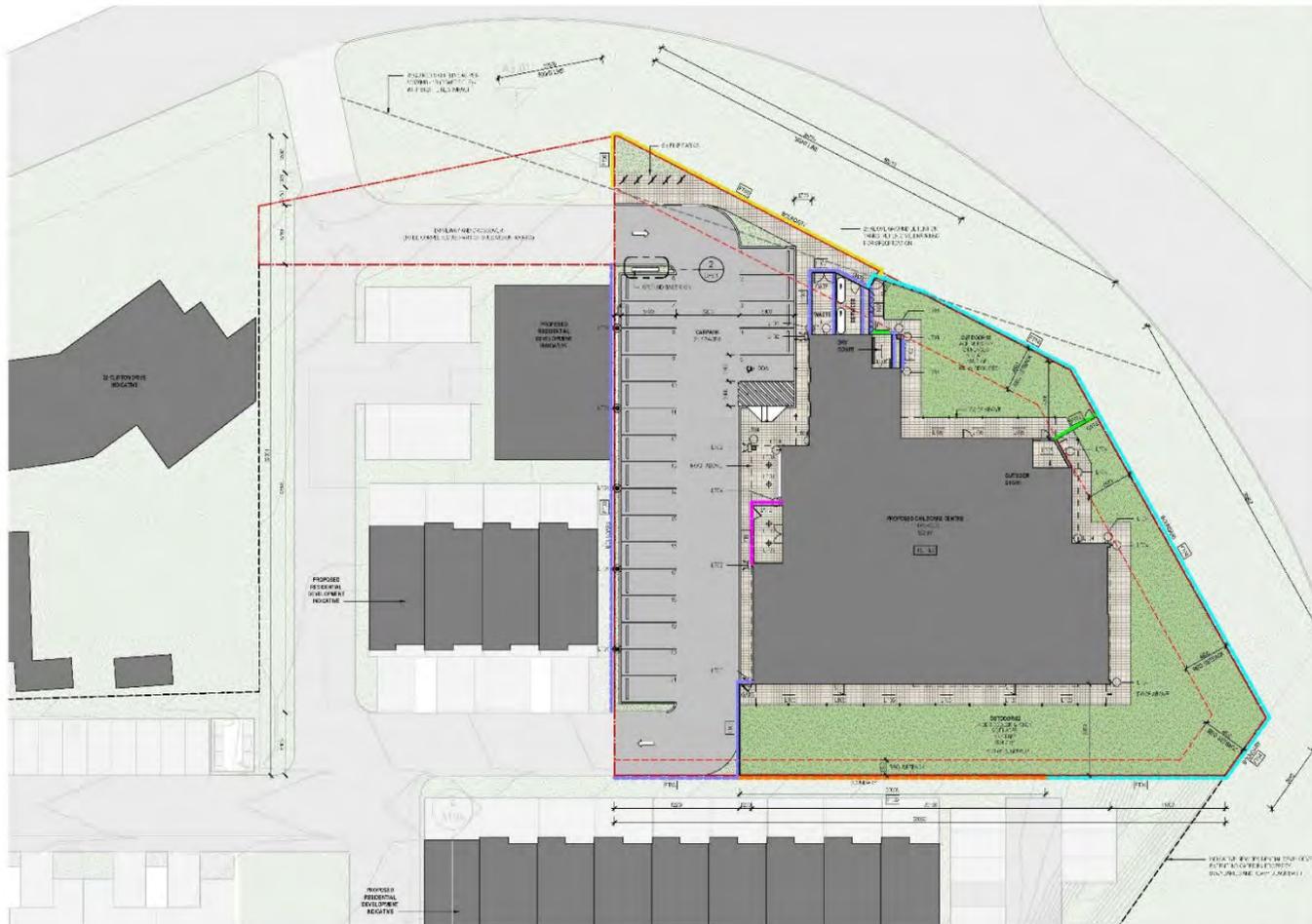
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SORELL CCC

CONTEXT & SITE ANALYSIS

Scale: 1:1000
Date: 24/09/24
Project No: 24/09/24
Drawing: DAB3 Rev: 3 4/11/24





DA ISSUE

NO.	DESCRIPTION	DATE
1	APPROVAL	2024/08/28
2	REVISED	2024/09/05
3	REVISED	2024/09/05



NUMBER OF PLACES

TYPE	NUMBER
CHILDREN'S PLACES	114
ADULTS	20
CHILDREN'S PLACES	200
ADULTS	200
CHILDREN'S PLACES	200
ADULTS	20

PREPARED BY: [Firm Name] 10/05/2024
 DRAWN BY: [Firm Name] 10/05/2024
 CHECKED BY: [Firm Name] 10/05/2024
 APPROVED BY: [Firm Name] 10/05/2024



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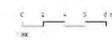
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SORELL CCC

SITE PLAN

Scale: As Indicated
 Date: 24/09/2024
 Drawn by: [Name]
 Drawn No: D404 Rev 3

SITE PLAN
1:200



AGENDA
SORELL PLANNING AUTHORITY (SPA) MEETING
10 SEPTEMBER 2024



DA ISSUE
 DEVELOPMENT APPLICATION

REV	DATE	BY	APP
1	20/07/24	DA/001	DA/001
2	08/08/24	DA/001	DA/001
3	08/08/24	DA/001	DA/001

Sorell Council
 Development Application: Development
 Application - 24 Clifton Drive, Sorell.pdf
 Plans Reference: P1
 Date Received: 08/08/2024

NUMBER OF PLACES	HE
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ACTIVITY B100	10000

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 CHECKED BY: [Name]
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FLOOR PLAN

Scale: 1:100
 Date: 08/08/24
 Drawn by: DA/001
 Drawn: DA/001 Rev: 3 of 3/24



AGENDA
 SORELL PLANNING AUTHORITY (SPA) MEETING
 10 SEPTEMBER 2024



DA ISSUE
REVISIONS TO DEVELOPMENT APPLICATION

Rev.	Description	Date
1	DA0110A	20/08/2024
2	DA0110B	20/08/2024
3	DA0110C	20/08/2024

Sorell Council
 Development Application: Development Application - 24 Clifton Drive, Sorell.pdf
 Plans Reference: P1
 Data Received: 06/08/2024

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TIPALEA PARTNERS

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3D PERSPECTIVES

Scale:
 Date: 24/08/24
 IP: 24/08/24 No. 2024/001
 Day/No. DA10 Rev. 3 4th SHEET

