



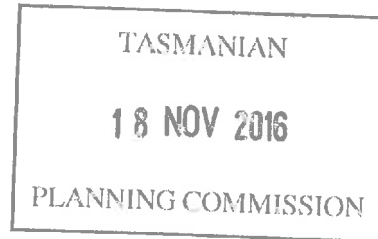
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Our Ref: 43.2016.4.1
Your Ref:
Enquiries to: John Molnar

14th November 2016

The Executive Commissioner
Tasmanian Planning Commission
GPO Box 1691
HOBART TAS 7000



Dear Sir/Madam

43.2016.3 REZONE LAND AT 208 BALLY PARK ROAD, DODGES FERRY FROM ENVIRONMENTAL LIVING TO LOW DENSITY RESIDENTIAL TOGETHER WITH SUBDIVISION APPLICATION 7.2016.21.1 FOR (8) LOTS – M BALL

I refer to the above application and advise that at its meeting on Tuesday 8th November 2016 Council certified that Draft Amendment 4 of 2016 meets the requirements specified in Section s35(4) & s32 of the Act.

The proposed amendment will be advertised on Saturday 12th November and Wednesday 16th November 2016 for a period of 4 weeks.

We have attached: Application and supporting documentation;
 Owners consent
 Planner's Report to Council Meeting of Tuesday 8th November 2016
 Council Minutes of Meeting of Tuesday 8th November 2016
 Copy of Advertisement for Saturday 12th November and Wednesday
 16th November 2016
 Four copies of the certified draft amendment

The lodgement fee of \$306.00 for this application will be forwarded as soon as possible.

Should you wish to discuss the matter, or require any additional information please contact John Molnar or Jenny Richmond on ☎6269 0000 who will be happy to assist.

Yours sincerely

**JOHN MOLNAR
SENIOR TOWN PLANNER**

- (e) *must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
- (ea) *must not conflict with the requirements of section 30O; and*
- (f) *must have regard to the impact the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms.*

In accordance with s65 of the *Local Government Act 1993*, the Council must take into account the advice provided by a person with the necessary qualifications and experience necessary to give such advice. This report is prepared by such a person and provides the appropriate advice and recommendations.

The initiation requirements for the proposed scheme amendment have been assessed in accordance with the requirements of s32 of LUPAA and the Planning Advisory Note 4 prepared by the TPC.

DISCUSSION

The subject property is relatively flat with slopes below 5 degrees generally in an easterly direction.

Interim Scheme Translation

Council's draft interim planning scheme process took a mixed approach to the translation of the previous Reserved Residential Unserviced Zone which had no similar zone. This zone was recommended as a number of zones having regard to the planning merit and existing property designs in particular areas.

Biodiversity Code

The site is subject to a Biodiversity Code which identifies "Eucalyptus viminalis – Eucalyptus globulus coastal forest and woodland. Consequently the applicant was advised to obtain the necessary survey of the land to determine the status of such an overlay. They have provided a report by Andrew Welling who concludes "*The vegetation community on the site is common and well reserved community and therefore the biodiversity value, as defined under E10.0 of the SIPC, is low. No threatened flora species were recorded during the survey ... the site contains degraded woodland which is not listed under the Nature Conservation Act as a threatened community*".

The applicant has requested that the Biodiversity Overlay be removed based on the findings of the report by Andrew Welling. *Council's Natural Resource Management Facilitator has assessed the application and supporting documentation and states that the "... biodiversity overlay should be retained as it may give some protection to any remaining biodiversity post development.*

The majority of vegetation will most likely be lost due to the construction of dwellings, sheds and access with fire prevention works taking out the remainder.

Drainage is potentially a big issue with increased hard surfaces increasing runoff with the potential impacts downstream and off site. There is a need to manage increased stormwater runoff with the development site retaining pre development flows.”

Infrastructure

Wastewater and stormwater

Council’s Senior Environmental Health Officer has provided his referral (attached) and stated;

“Rock solid geotechnics have completed a SSE report which demonstrates that it is possible to install an OWMS on each of the proposed lots that will comply with the On-site wastewater management code.

E23.9.1 requires that each lot must be able to accommodate a LAA for 3 bedroom house. E23.10 specifies the required setback distances.

The report was completed in March 2016 after a period of very dry weather; subsequently there has been significant rainfall over winter which may have resulted in the water table rising in this region.

If after heavy rainfall a lot is found to have a higher than expected seasonal water a mound or raised bed may be used to increase the vertical separation distance between groundwater and the base of the LAA.”

He goes further to discuss the interactions between site drainage and inundation and states;

“Lots 1-3 have limited suitable area for a house and wastewater land application area outside the drainage basin, the three may need to be combined into two depending on the amount of land required for stormwater and a cul-de-sac at the end of Lyeena St.”

Road networks, traffic management and drainage

The subject property is serviced by roads and associated stormwater drainage.

Overhead power and telecommunications will be required to service all lots in compliance with TasNetworks and the telecommunications services providers’ requirements, at the applicants cost.

STRATEGIC DISCUSSION & JUSTIFICATION:

Southern Tasmania Regional Land Use Strategy

The Southern Tasmania Regional Land Use Strategy (STRLUS), as amended on 1 October, 2013, has been implemented to provide guidance and direction for future development and use in the Southern Region.

Dodges Ferry is identified as a dormitory suburb with a low growth strategy to be achieved via consolidation.

It is considered that the STRLUS growth strategy for the Southern Beaches which includes Dodges Ferry is not based on any detailed analysis. The document serves to provide an initial broadbrush target to be developed through future iterations of the STRLUS which has not occurred (and there is no indication that this would occur in the future). STRLUS is clear in its acknowledgements of its limitations and clearly articulates the need for an ongoing process of regional planning to ensure its policy positions are grounded, relevant and responsive.

Council has engaged planning consultants to undertake a land use strategy for the municipal area to provide a detailed analysis of land supply and demand over a 20 year period.

Notwithstanding this it is considered that the small yield generated by the rezoning should not require detailed analysis to justify its compliance with the regional land use strategy. This is a particularly small amount and as such is unlikely to have any demonstrable effect on land supply and demand. The rezoning would simply allow a small number of lots to be created and a more efficient use of residential land to arise.

The STRLUS very low growth target for Dodges Ferry implies that no additional lots should be created. However, as noted previously, that target is not supported by any detailed analysis. The STRLUS is explicit in its status as the first cut of an ongoing strategic process which is intended to be reviewed and adjusted accordingly. Unfortunately, that process has stalled and these factors must be considered in forming any reasonable view of the effect of the STRLUS on this rezoning.

The proposal satisfies the intent of the STRLUS by providing a limited number of lots through consolidation of existing settlements such as Dodges Ferry. It is considered that the proposal does not in any meaningful way contravene the STRLUS and supports the overall aim of ensure efficient use of land. It is noted that SRD 1.6 on page 96 elaborates by stating that the intention is to "utilize the low density residential zone only where it is necessary to manage land constraints in settlements or to acknowledge existing areas".

This draft amendment is assessed against the provisions of s32 of the Act as follows. However note that these sections of the Act refer to former provisions of

the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. These former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) which was 17 December 2015.

Potential Land Use Conflicts

The proposed amendment would result in a minor extension of the residential footprint of Dodges Ferry but one that is clearly infill/consolidation.

Accordingly, the draft amendment is considered to be consistent with the existing residential land uses and therefore will not result in potential land use conflicts.

Conflict with the requirements of section 300

The proposed amendment is in relation to a local provision of the SIPS 2015. As discussed earlier in this report, the proposal is considered to be consistent with the Southern Tasmania Regional Land Use Strategy. No conflict with common provisions or other local provisions of the Scheme is evident. In consideration with the issues discussed under the STRLUS the proposal is considered to meet the requirements of s300 of LUPAA.

Impact on the Use and Development of the Region – section 32(1)(f)

This proposal is also considered to be consistent and not at odds with the Southern Tasmania Regional Land Use Strategy (STRLUS).

OBJECTIVES OF SCHEDULE 1 OF THE LAND USE PLANNING AND APPROVALS ACT 1993

The following table assesses the draft amendment against the objectives of Schedule 1 of the *Land Use Planning and Approvals Act 1993*

Objectives of Schedule 1 of the Land Use Planning and Approvals Act 1993	
Part 1 Objectives	
Objective	Comment

<p>(a) <i>to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i></p>	<p>The rezoning furthers this objective through providing sound and reasonable infill / consolidation of residential development in a location clear of natural values and constraints.</p>
<p>(b) <i>to provide for the fair, orderly and sustainable use and development of air, land and water</i></p>	<p>The land is adjacent to properties within the Low Density Residential Zone and provides for a minor consolidation of this zone. The zoning request more appropriately reflects the existing character of the immediate locality</p> <p>The proposal provides for more efficient use of existing road, telecommunication and electricity infrastructure and services and is unlikely to create new demand for unplanned infrastructure provision.</p>
<p>(c) <i>to encourage public involvement in resource management and planning</i></p>	<p>The proposal is subject to ordinary statutory requirements for public consultation.</p>
<p>(d) <i>To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i></p>	<p>The proposal would facilitate economic development through building construction and utilise the existing infrastructure such roads.</p>
<p>(e) <i>to promote the sharing of responsibility</i></p>	<p>The proposal is subject to ordinary statutory requirements for rezoning land.</p>

Part 2 Objectives	
Objective	Response
<p>(a) <i>To require sound strategic planning and co-ordinated action by State and Local Government</i></p>	<p>The proposal is considered to be consistent with regional land use strategies developed by both levels of government.</p>
<p>(b) <i>to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i></p>	<p>The proposal is consistent with regional land use strategies developed by both levels of government.</p>
<p>(c) <i>to ensure that the effects on the environment are considered and provide for explicit consideration of social & economic effects when decisions are made about the use and development of land</i></p>	<p>Future effects on the environment through subdivision of the subject land is capable of being managed via the existing interim planning scheme, for example, bushfire hazard management, wastewater management etc.</p> <p>The SIPS 2015 includes a number of Codes that have applicable standards to manage development in relation for example to bushfire, wastewater and stormwater management.</p>
<p>(d) <i>to require land use & development planning & policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;</i></p>	<p>It is considered that the proposal is consistent with relevant State Policies and the STRLUS.</p> <p>The objective is satisfactorily addressed.</p>

<p>(e) <i>to provide for the consolidation of approvals for land use or development and related matters and to co-ordinate planning approvals with related approvals;</i></p>	<p>It is considered that future development of the land is capable of meeting objective (e).</p>
<p>(f) <i>to secure a pleasant, efficient and safe worki</i></p>	<p>The land is well suited for residential development as it represents infill / consolidation. Further, the land is located near the coast which is a highly desired characteristic of residential land.</p>
<p>(g) <i>to conserve those buildings, areas or other places which are scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i></p>	<p>It is considered that the proposal will have no impact upon a listed place, or other place with scientific, aesthetic, architectural or historical interest etc.</p>
<p>(h) <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;</i></p>	<p>The proposal is not considered to detrimentally impact upon public infrastructure.</p>
<p>(i) <i>to provide a planning framework which fully considers land capability;</i></p>	<p>Assessment of this proposal throughout the Council planning report is considered to satisfy justification for the subject land to be zoned for low density residential purposes.</p>

STATE POLICIES

State Policies are made under the *State Policies and Projects Act 1993*. As specified by section 13C of this Act, the Council is bound by State Policies and under section 13(1), if a Planning Scheme is inconsistent with a State Policy; the Planning Scheme is void to the extent of that inconsistency. The proposed draft amendment is assessed against the provisions of the relevant State

Policies as follows:

State Coastal Policy 1996

The property is within the 1km Coastal Zone defined by the State Coastal Policy 1996. However the proposed zoning is not considered to have any significant impact on the nearby coastal environment but rather the proposal would facilitate infill development. Furthermore future development in this locality contributes in a sustainable manner to the coastal township of Dodges Ferry.

State Policy on Water Quality Management 1997

There are provisions contained within specific Codes under the SIPS 2015 to mitigate against any detrimental issues associated with wastewater disposal and the protection of water quality. The proposed minimum lot size of 2,000m² is considered to be of a sufficient size to manage any constraints associated with wastewater. This is confirmed by Council's Senior Environmental Health Officer who accepts the report by Rock Solid Geotechnics who have appropriately demonstrated that *"it is possible to install and OWMS on each of the proposed lots what would comply with the On-site wastewater management code"*.

It is considered there are sufficient provisions (development standards) contained within the SIPS 2015 to manage any offsite impacts on water quality and accordingly the draft amendment is considered to be consistent with the State Policy on Water Quality Management 1997.

State Policy on the Protection of Agricultural Land 2009

The existing zoning of the adjacent land confirms that this policy does not apply and there are no agricultural properties in the immediate vicinity.

National Environmental Protection Measures (NEPMs)

The National Environmental Protection Measures relate to:

- Ambient air quality;
- Ambient marine, estuarine and fresh water quality;
- The protection of amenity in relation to noise;
- General guidelines for assessment of site contamination;
- Environmental impacts associated with hazardous wastes; and
- The re-use and recycling of used materials.

The abovementioned listed NEPMs are not considered applicable to this amendment. It is further noted that there are provisions in the SIPS 2015 relating to the proposed Low Density Residential Zone in section 12.3.1 "Non-Residential Use" which provides development standards relating to such matters as hours of operation, noise, vehicle movements and lighting standards.

It is also considered that the following have been addressed;

The draft amendment is clear and concise and will achieve its intended

purpose.

The draft amendment is considered in detail in this report. It is considered that the draft amendment is clear and concise and will achieve a fair, orderly and sustainable outcome for the development of the site.

The effect on the strategy, intent and all relevant objectives and provisions of the Planning Scheme and any necessary consequential amendments

The proposed amendment is considered to be consistent with the strategy, intent and all relevant objectives and provisions of the Sorell Interim Planning Scheme 2015.

The effect on the status of use and development

The rezoning would have minimal effect on the range of uses possible. The development potential exists through the development & subdivision potential in the Low Density Zone with the latter being considered with the associated subdivision application.

The effect on any specific land and adjacent land

The rezoning is consistent with adjoining land use to the north, south and west and is deemed not be at odds with those properties currently zoned Environmental Living further to the east and north.

DEVELOPMENT ASSESSMENT OF ASSOCIATED SUBDIVISION APPLICATION

A concurrent 8 lot subdivision application has been lodged, as provided for by section 43A of the Land Use Planning & Approvals Act 1993. The subdivision application is assessed under the proposed Low Density Residential under the Sorell Interim Planning Scheme 2015.

The abovementioned zone requires compliance with development standards applicable to the lot design of new lots and includes;

- Lot size in A1 in accordance with table 12.1 which in this case is a minimum lot size of 2,000m²;
- Frontage for each lot in accordance with 12.5.1 A3 being 30 metres;
- Any internal lots in accordance with 12.5.1 A4; and
- Setbacks from a new boundary for an existing building in accordance with 12.5.1 A5 must comply with the development standards applicable to the Low Density Residential zone.

It should be noted that the abovementioned development standards may be varied in accordance with the relevant performance criteria (PC) excepting for lot size which has no discretion.

The applicant has provided documentation in accordance with E23.0 On-site Wastewater Management Code which is required for subdivision purposes.

Use Classification: Subdivision of land is discretionary.

Referrals

The application was referred to Council's Engineering and Environmental Health Departments with both providing comments and recommended conditions of approval.

Council's Development Engineering Manager and Senior Environmental Health Officer have provided their referrals comprising assessments and where applicable recommended conditions.

Subdivision Assessment

The property comprises a single title CT 113640/1 with an area of 1.743ha. The subject property is zoned Environmental Living in which the requested lot density associated with the associated subdivision is prohibited. It is the intention of this application to amend the zoning to Low Density Residential to enable the subdivision of 8 lots.

The development standards applicable for the subdivision of land in a Low Density Residential zone requires compliance with the following lot design for new lots. Responses have been provided below;

- Lot size in 12.5.1 A1 must be in accordance with table 12.1 which in this case is a minimum lot size of 2,000m²; **Response: All lots comply with this requirement ranging from 2000m² to 2630m². A condition has been placed on the permit for compliance with the minimum lot size of 2000m².**
- The provision of a building area in 12.5.1 A2 meeting certain developments standards; **Response; The plan of subdivision does not delineate a building area however it is considered that the proposal complies with the performance criteria attributed to P2.**
- Frontage for each lot in accordance with 12.5.1 A3 being 30 metres; **Response; Achieved.**
- **There are no proposed internal lots consequently 12.5.1 A4 is not applicable.**
- Setbacks from a new boundary for an existing building in accordance with A5 must comply with the Acceptable Solution applicable to the Low Density Residential zone; **Response; No details have been provided**

and consequently it is presumed that these structures will be removed.

The applicant has provided the following supporting documentation as part of the assessment which I have provided specific responses where appropriate.

- A Subdivision Proposal Plan by Medbury dated 15 July 2016.
- Site and Soil Assessment Report by Rock Solid Geotechnics P/L dated March 2016; **Response – Council’s Senior Environmental Health Officer has assessed the proposal and this supporting document and has given his approval and compliance with the Onsite Wastewater Code however see third dot point below and interaction between onsite waste water and stormwater management of the subdivision.**
- Inundation Vulnerability Assessment Report by Strata Geoscience and Environmental Consultants dated April 2016; **Response – The consultant has responded by stating “ *the proposed development presents an acceptable solution to managing potential site risks provided the recommendations in this report are adhered to in building and engineering design*”. Council’s Senior Environmental Health Officer has assessed the proposal and considers that as “*Lots 1-3 have limited suitable area for a house and wastewater land application area outside the drainage basin, the three lots may need to be combined into two ...*”**
- A Flora and Fauna Report by Welling Consulting dated 8 March 2016; **Response – which has conceded that**
- **A Planning Report by M Ball dated September 2016; Response; Planning justification has been provided by Mr Ball. Furthermore he has put forward the proposition that “ based on an appropriate Flora and Fauna Assessment the Biodiversity Overlay as it affects the subject site should be removed”. Council’s Natural Resource Management Facilitator has responded stating that “.. the biodiversity overlay should be retained as it may give some protection to any remaining biodiversity post development.**

The majority of vegetation will most likely be lost due to the construction of dwellings, sheds and access with fire prevention works taking out the remainder.

Drainage is potentially a big issue with increased hard surfaces increasing runoff with the potential impacts downstream and off site. There is a need to manage increased stormwater runoff with the development site retaining pre development flows.”

Clause 12.5.3 Ways and Public Open Space P2 states that Public Open Space must be provided as land or cash in lieu in accordance with the relevant Council

policy. Sorell Council Public Open Space Policy (amended on 20 September 2016) provides objectives and considerations with respect to the provision of public open space. As this application is not proposing any land for public open space then Council may require a cash in lieu of public open space land. Clause 4 dot point 4 of this policy states that ***“Accumulated monies will be used for related new or renewed facilities and amenities across the municipal area in accordance with priorities established by Council’s asset management planning.”*** It is my opinion that such monies should be required for cash in lieu for public open space and a condition is recommended for the permit.

Council’s engineering and environmental health officers have assessed the application under the planning scheme and provided their referrals and recommended conditions of approval. It is considered that this application has demonstrated compliance not only with the relevant acceptable solutions but as discussed above with the relevant performance criteria. It is noted that concerns have been raised concerning the number of lots and in particular those in the lower section near Lyeena Street. Engineering has requested that lots 1-3 be reduced from three to two lots “ ...in order to allow sufficient area for the cul-de-sac head.” This also accords with the statement by the Senior Environmental Health Officer concerning onsite wastewater management and potential inundation.

The development application is lodged based upon the scheme amendment being successful and accordingly is assessed against the appropriate Planning Scheme provisions for a Low Density Residential zone under

The draft development permit with recommended conditions is provided below;

8 November 2016

DEVELOPMENT / USE PERMIT

Sorell Interim Planning Scheme 2015

Application No: SA 7/2016/24/1

Submitted by: M BALL

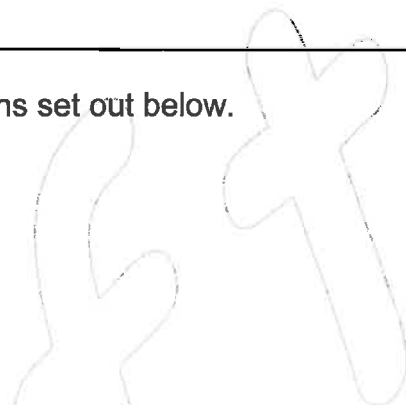
For: SUBDIVISION - 7 LOTS

At: 208 BALLY PARK ROAD, DODGES FERRY

CT113640/1

This permit is granted, subject to the conditions set out below.

Conditions:



1. Subdivision shall be substantially in accordance with Development Application No. SA 7/2016/24/1 submitted on 1 September 2016 and endorsed plans, except as may be amended by the conditions of this permit.
2. All lots are to comply with the minimum lot size requirement of 2,000m².
3. Prior to sealing the final plan of survey a cash contribution in lieu of public open space equal to 5% of the value of the additional lots created must be made to Sorell Council. The valuation is to be determined at the date of lodgement of the final plan by a registered land valuer.
4. Development is only to be undertaken in accordance with the recommendations of the Inundation Vulnerability Assessment Report by Strata Geoscience and Environmental Consultants with particular note of the provision of a 3.1m AHD inundation level assigned on the lower lying areas.
5. Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Council's Manager Engineering & Regulatory Services (ME&RS) for approval. Such plans and specifications must:
 - Include all infrastructure works required by the permit or shown in the endorsed plans;
 - Be prepared by a suitably qualified and experienced engineer or engineering consultancy;
 - Be prepared strictly in accordance with the current IPWEA Standard Drawings and Tasmanian Subdivision Guidelines available on the LGAT website;
 - Be to the satisfaction of Council's ME&RS.
6. Lyeena Street shall terminate in a cul-de-sac in accordance with Council's Standard Drawing TSD-R07. The applicant shall allow for a 25 metre diameter road reservation for the cul-de-sac.
7. Lots 1, 2 & 3 shall be combined to form two lots to allow sufficient area for the cul-de-sac head. The extension of Lyeena Street can be finished with an all-weather gravel surface over a suitably designed pavement base. An amended subdivision plan is to be provided to the satisfaction of Council's Manager Engineering & Regulatory Services and when approved will become the endorsed plans of subdivision.
8. The proposed footway between lots 5 & 6 is to be relocated between lots 3 & 4 and shall also be shown as a drainage easement in favour of Sorell Council to be used for possible future drainage works by Council.
9. Bally Park Road shall be upgraded to terminate in a cul-de-sac outside proposed lot 4. Bally Park Road shall be upgraded by the developer by grading the existing surface, supplying and spreading a minimum 100mm

thick compacted layer of Base A (FCR) material, and placing a two coat 14/7 bitumen seal over the existing gravel section of the road. The cul-de-sac head shall be blocked from vehicular access from Carlton Beach Road by installing bollards with delineators, or similar, (to satisfaction of Council) at 1.5m centres. A stormwater grated pit may be required to collect water runoff. This pit must be connected into Council's piped stormwater system.

10. All lots shall be provided with a single or double vehicular access from either Bally Park Road or Lyeena Street in accordance with Council's Standard Drawing TSD-R03. The accesses off Bally Park Road shall be sealed from the new road seal to the property boundary to a similar standard to the road.

11. Each access must be provided with an area adjacent the driveway and Council's road to store all bins on garbage collection days. The minimum size shall be 1.5m x 3.0m.

12. Electricity, Communications & Other Utilities:

- An underground electricity system must be provided to service all lots and installed to the approval of the Responsible Authority;
- An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority;
- Provision of broadband internet infrastructure to service all lots and installed to the approval of the Responsible Authority.

13. Some vegetation removal may be required to allow sufficient sight distance to satisfaction of Council's Development Engineering Manager.

14. A fee of 1% of the cost of construction or a minimum \$580.00 will be charged for the review and approval of design plans. This shall be payable by the developer prior to commencing works.

15. The applicant shall provide Council with "As Constructed" drawings of the development and complete the Data spreadsheet at the completion works. The following list must be submitted as part of these requirements:

- "As Constructed" drawings must be clearly understood and must provide all relevant information to the works. The minimum standard for "As Constructed" drawings is demonstrated through the *As Constructed Example Drawing*, available by contacting Council.
- "As Constructed" drawings must be completed and certified by a qualified surveyor or engineer prior to the works being placed on maintenance.

- “As Constructed” drawings must be accurate to AHD and GDA94 and must be drawn to an appropriate scale, show all top, inlet and outlet invert levels and shall be to the satisfaction of Council’s Manager Engineering & Regulatory Services.
- “As Constructed” drawings must be provided electronically in both .pdf and .dwg or .dxf formats, or as otherwise approved by Council’s ME&RS.
- The data sheet must be completed and certified by a suitably qualified surveyor or engineer prior to the works being placed on maintenance.
- The data sheet must be provided to Council’s Asset Manager along with the “As Constructed” drawings. A copy is available by contacting Council.
- All height and special information must be accurate to AHD and GDA94, to the satisfaction of Council’s ME&RS.
- The data sheet must be provided electronically, as an Excel document.
- Compaction and soil tests results for all earthworks or pavement works.
- An engineer’s certificate stating that each component of the works complies with the approved engineering plans and Council standards.

16. The Defects Liability Period shall be a minimum of twelve (12) months from the date of Practical Completion. Prior to the sealing of the Final Plan of Survey, the person responsible must lodge with the Council a bond in the form of a bank guarantee or a cash deposit for the duration of the defect liability period for the amount equal to 5% of the total construction value.

17. Engineering Inspections: Council’s Development Engineering Manager is to be notified and work inspected at each of the following stages of construction:

- Proof-roll inspection of the base course
- Prior to placement of seal on roads and accesses
- Practical completion of works
- Final Inspection at end of Defects Liability Period

Note: Where the development is to be constructed in multiple stages, the above inspection fees will be required for each stage.

18. For each inspection required, the developer 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 the works do not meet Council requirements and further inspections are required. Additional fees will be charged for subsequent inspections at the prescribed inspection rate.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- This permit shall lapse at the expiration of two (2) years from the date on which it is granted if the development and use is not substantially commenced within that period.
- This permit does not imply that any other approval required under any other by-law or legislation has been granted.
- The Final Survey will not be sealed until all conditions have been complied with or a sufficient bond or bank guarantee is lodged with Council to cover the cost of outstanding works necessary to complete the subdivision.

You may appeal against the above conditions; any such appeal must be lodged within fourteen (14) days of service of this notice to the Resource Management and Planning Appeal Tribunal, Level 6, 144-148 Macquarie Street Hobart 7001 Ph ☎6165 6794 or email mpat@justice.tas.gov.au

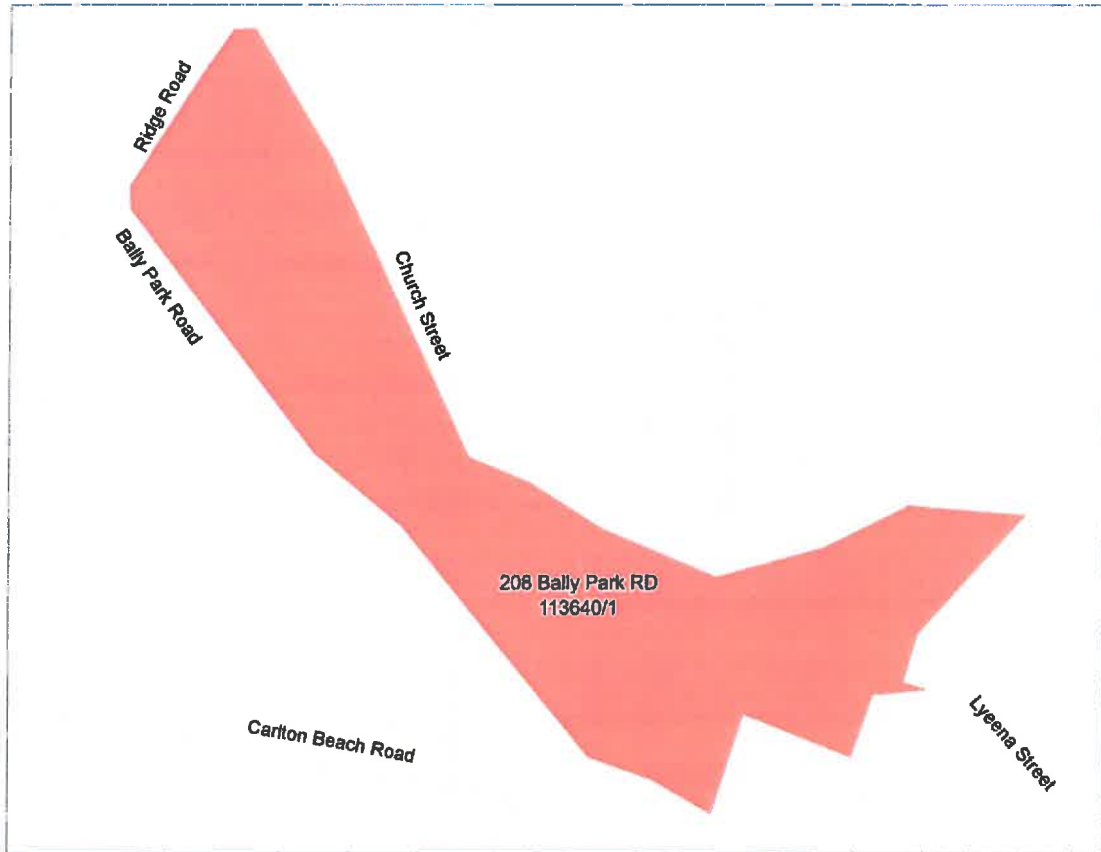
CONCLUSION

The rezoning provides a more appropriate zone for 208 Bally Park Road, Dodges Ferry The rezoning would allow for a small yield of additional residential lots utilising existing infrastructure as has been assessed concurrently with the subdivision application.

The proposal furthers the policies the Southern Tasmania Regional Land Use Strategy by providing for infill development. It is considered that there is a demonstrated need for additional lots in this part of Dodges Ferry and that no other area is more appropriate to provide for this demand.

**SORELL INTERIM PLANNING SCHEME 2015
AMENDMENT NO. 43.2016.4**

Seeks to rezone land from Environmental Living Zone to Low Density Residential Zone at 208 Bally Park Road, Dodges Ferry



In accordance with the provisions of Section 35 of the Land Use Planning and Approvals Act 1993 the Sorell Council, at its meeting on 8 November 2016, certified that draft amendment No.43.2016.4 of the Sorell Interim Planning Scheme 2015 meets the requirements specified in Section 32 of the Land Use Planning & Approvals Act 1993.

Date:.....

The Common Seal of the Sorell Council has been hereunto Duly affixed in the presence of:) Mayor
) Councillor
) General Manager

JOHN MOLNAR
SENIOR PLANNER
 Attachments: (24)
 1 November 2016

NOTICE OF DECISION

DATE: 10 NOVEMBER 2016

MEMO TO: JOHN MOLNAR, SENIOR PLANNER
JENNY RICHMOND, PLANNING OFFICER
RHIANNON WOODS, ADMINISTRATIVE OFFICER

SUBJECT: SECTION 43A – REZONING OF LAND AT 208 BALLY PARK ROAD, DODGES FERRY – AMENDMENT NO. 43/2016/4/1 TOGETHER WITH DEVELOPMENT APPLICATION NO. 7/2016/24/1 SUBDIVISION OF 8 LOTS – 208 BALLY PARK ROAD, DODGES FERRY – M BALL

At the DASC Meeting held on 8 NOVEMBER 2016 this item was:-

APPROVED AS PER THE RECOMMENDATION

Please arrange for any necessary action to be taken on the following minute.
Thank you.

Betty Spaulding
PA to the General Manager

11/11/2016

Action Date

J. Molnar

Action Officer

4.4 SECTION 43A – REZONING OF LAND AT 208 BALLY PARK ROAD, DODGES FERRY - AMENDMENT NO. 43/2016/4/1 TOGETHER WITH DEVELOPMENT APPLICATION NO. 7/2016/24/1 SUBDIVISION OF 8 LOTS

208 BALLY PARK ROAD, DODGES FERRY

APPLICANT: M BALL

PROPOSAL: SECTION 43A – REZONING OF LAND AT 208 BALLY PARK ROAD, DODGES FERRY - AMENDMENT NO. 43/2016/4/1 TOGETHER WITH DEVELOPMENT APPLICATION NO. 7/2016/24/1 SUBDIVISION OF 8 LOTS

ADDRESS: 208 BALLY PARK ROAD, DODGES FERRY



RECOMMENDATION

“That in accordance with the provisions of Section 43F of the Land Use Planning and Approvals Act 1993, Council certify that Draft Amendment No. 43.2016.4 for a Section 43A relating to 208 Bally Park Road, Dodges Ferry meets the requirements specified in Section 43C of the Act and Council resolves that the report of the Senior Planner be received.

That in accordance with section 38 of the Land Use Planning and Approvals Act 1993 that Draft Amendment No. 43.2016.4 and associated Subdivision Application 7/2016/24/1 at 208 Bally Park Road, Dodges Ferry be placed on public exhibition for a period of 28 days.”

44/2016 VINCENT/WHITE

“That the recommendation be accepted”

The Motion was **CARRIED**.

