



DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) AGENDA

19 JULY 2022

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)

NOTICE OF MEETING

Notice is hereby given that the next meeting of the Development Assessment Special Committee (DASC) will be held at the Community Administration Centre (CAC), 47 Cole Street, Sorell on Tuesday, 19 July 2022 commencing at 4:00 pm.

C E R T I F I C A T I O N

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
13 July 2020



AGENDA

FOR THE DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TO BE HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE
STREET, SORELL ON TUESDAY 19 JULY 2022

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1.0 ATTENDANCE

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Chairperson Mayor Vincent
Deputy Mayor N Reynolds
Councillor K Degrassi
Councillor V Gala
Councillor G Jackson
Councillor C Torenus
Councillor M Reed
Councillor B Nichols
Robert Higgins, General Manager

2.0 CONFIRMATION OF THE MINUTES OF 7 JUNE 2022

RECOMMENDATION

“That the Minutes of the Development Assessment Special Committee (DASC) Meeting held on 7 June 2022 be confirmed.”

3.0 DECLARATIONS OF PECUNIARY INTEREST



In considering the following land use planning matters the Development Assessment Special Committee intends to act as a planning authority under the *Land Use Planning and Approvals Act 1993*.

4.0 LAND USE PLANNING

4.1 DEVELOPMENT APPLICATION NO. DA 2022 / 111 - 1

APPLICANT: A KIMBER

PROPOSAL: CHANGE OF USE TO VISITOR ACCOMMODATION

ADDRESS: 17 OCEAN GROVE, CARLTON

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Sorell Interim Planning Scheme 2015*, Council resolve that Development Application DA 2022 / 111 - 1 for change of use to visitor accommodation at 17 Ocean Grove, Carlton be approved, subject to the following conditions:

1. Development shall generally be in accordance with the short stay visitor accommodation package submitted on 27 April 2022 except as may be amended by the conditions of this permit.
2. Prior to the commencement of use, two car parking spaces must be provided from the northern most access and must be clearly delineated onsite.
3. Signage, no greater than 0.2m², must be installed at the first entrance to the site identifying the business and directing vehicles to car parking areas.
4. The maximum number of guests occupying the visitor accommodation per day shall not exceed 7 persons, averaged over a 14 day recurring period.
5. The land application area must be protected from vehicular access.
6. A maintenance/operational manual for the installed aerated wastewater management system must be provided to the guests to ensure correct use of the aerated waste management system by visitors.
7. Prior to the commencement of the use, a sign must be installed near the existing foot access to the foreshore advising that direct access to the beach is not possible at this location and guests should use an alternative public access point.

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.
- Separate Building Approval may be required prior to commencement of the development.
- Council recommends contacting Dial-Before-You-Dig (phone 1100 or www.1100.com.au) before undertaking any works.

You may appeal against the above condition/s, any such appeal must be lodged within fourteen (14) days of service of this notice to the Tasmanian Civic and Administrative Tribunal, 38 Barrack Street, Hobart 7000. Ph ☎ 1800 657 500 or email resourceplanning@tascat.tas.gov.au.

Introduction

Application is made under Planning Directive No 6 for a change of use from a dwelling to short-stay visitor accommodation. The existing dwelling is described as a family shack. All of the house is to be let for short-stay accommodation.

Strategic plan

The proposal will not affect implementation of Council's Strategic Plan 2019 – 2029.

Annual plan

The proposal will not affect implementation of Council's Annual Plan 2022/2023.

Environmental implications

There are no significant environmental implications associated with this proposal.

Asset management implications

There are no asset management implications.

Risk management implications

There are no significant risk management implications associated with this proposal.

Community implications

There are no significant implications for the community associated with this proposal.



Statutory implications

Zone: Low Density Residential

Overlays: Bushfire-Prone Areas and Coastal Erosion.

Codes: Stormwater Management; Parking and Access

Use Classification: Permitted

Representations

The application was advertised in accordance with the requirements of section 57 of the *Land Use Planning and Approvals Act 1993* (LUPAA) on 19 March 2022 and representations closed on 4 April 2022. Five representations were received.

Referrals

The application was referred to Council's Engineering, Plumbing and Environmental Health Departments. Conditions are required in response to these referrals.

Date of Receipt of Application

27 April 2022, and made valid on 6 May 2022.

Date by Which a Decision Must be Made

21 July 2022.

Report

Application is made under Planning Directive No 6 for a change of use from a dwelling to short-stay visitor accommodation. The existing dwelling is described as a family shack. All of the house is to be let for short-stay accommodation.

The dwelling is a single-storey, three bedroom structure. The site adjoins the foreshore and is located at the end of Ocean Grove. The existing dwelling and an outbuilding are located in the front, northern half of the site. Practical access is provided by a shared driveway used by three other properties. The site has a benefitting right of way over this shared driveway. The site has two entry points from this shared driveway.



Figure 1. Site.



Figure 2. Shared access



Figure 3. Lot access

Planning Directive No 6.

Planning Directive No 6 overrides the use standards for visitor accommodation in the Low Density Residential Zone and provides the following.

Visitor Accommodation

Objective: That Visitor Accommodation: <ul style="list-style-type: none"> (a) is compatible with the character and use of the area; (b) does not cause an unreasonable loss of residential amenity; and (c) does not impact the safety and efficiency of local roads or rights of way. 	
Acceptable Solutions	Performance Criteria
A1 Visitor Accommodation must: <ul style="list-style-type: none"> (a) accommodate guests in existing habitable buildings; and (b) have a gross floor area of not more than 200m² per lot. 	P1 Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to: <ul style="list-style-type: none"> (a) the privacy of adjoining properties; (b) any likely increase in noise to adjoining properties; (c) the scale of the use and its compatibility with the surrounding character and uses within the area; (d) retaining the primary residential function of an area; (e) the impact on the safety and efficiency of the local road network; and (f) any impact on the owners and users rights of way.
A2 Visitor Accommodation is not for a lot, as defined in the <i>Strata Titles Act 1998</i> , that is part of a strata scheme where another lot within that strata scheme is used for a residential use.	P2 Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other lots within the strata scheme, having regard to: <ul style="list-style-type: none"> (a) the privacy of residents; (b) any likely increase in noise; (c) the residential function of the strata scheme; (d) the location and layout of the lots; (e) the extent and nature of any other non-residential uses; and (f) any impact on shared access and common property.

The application complies with acceptable solution A1 as the building is existing and less than 200m² in floor area. Acceptable solution A2 is not relevant.

Codes

The application is subject to the following Codes:

- Bushfire-Prone Areas Code
- Parking and Access Code
- Coastal Erosion Hazard Code
- Onsite Wastewater Management Code

Bushfire-Prone Areas Code

The site is within a bushfire-prone area. As the use is not a vulnerable nor hazardous use, the application is exempt from the Code.

Parking and Access Code

The site has two informal car parking spaces and a gravel driveway. No additional car parking is required, however, it is considered reasonable that two spaces be clearly delineated onsite.

Coastal Erosion Hazard Code

As a change of use from one habitable use to another habitable use, the proposal is exempt.

Onsite Wastewater Management Code

Please refer to EHO referral.

Representations

Five representations were received. The issues raised along with officer comments are detailed in Table 1.

Table 1. Representation Issues	
Safety of the shared road for other users and children	The shared road is a low speed environment due to its narrow width. The visitor accommodation use will not generate any greater number of traffic movements compared to a full-time residential use.
Maintenance of the shared road	This is a civil matter.
Loss of privacy	The property has extensive landscaping and is relatively enclosed.

Guests parking on the side of the shared road and restricting other users	There is ample room onsite for parking. Small directional signage should be installed to help guests navigate to the parking area.
The site should have vehicle access direct from Ocean Grove Road rather than use the shared driveway.	This is practicable but is not a reasonable requirement given the site has a legal right of way over the shared driveway. This change may have greater impact to neighbours to the east.
Environmental damage of guests accessing the beach and requests that beach access be managed or restricted to protect the dunes.	<p>The aerial image shows an existing beach access track from the dwelling. This is similar to all other properties in the area. The dune in front of the dwelling is currently eroded and safe access to the water is not possible.</p> <p>Within the confines of the site, it is considered reasonable to fence or otherwise direct beach access to the single point only and to preclude large vehicle access.</p>
No 17 has no legal right to use this driveway.	The site has a legal right of way over the driveway.
There is the obvious potential that it could become a Party House with many people visiting at once and with no adequate car parking places available. We are also concerned about the noise that would eventuate due to late night partying, drinking, yelling, fighting and abuse. destabilizing the tranquillity of our existence illustrating a lack of respect for neighbours' property and peaceful environment.	Should this eventuate, this is a matter for the police.

Conclusion

In considering the use and site, with the application of appropriate conditions, the application is recommended for approval with conditions.

Shane Wells

SENIOR PLANNER

Attachments: Proposal Plan, Environmental Health referral & Representations x 5



17 OCEAN GROVE,
CARLTON.

SITE PLAN (NTS)
SHEET 2

N ←



Development / Use (Planning/Subdivision) Officer Referral

Date Application Received	6/05/2022
Application Number	DA 2022 / 00111 - 1
Applicants Name	A Kimber
Address	17 Ocean Grove, Carlton
Proposal (brief description)	Visitor Accommodation
CT & Lot No:	39267/4
Property Id No:	7566218

DATE REFERRED: 10 MAY 2022

✓ **ENVIRONMENTAL HEALTH OFFICER –.....**

Do you require Additional Information? No

Would you like to nominate any conditions of approval? Yes

General Comments:

The application is to change the use of the residence at **17 Ocean Grove, Carlton** to visitor accommodation. The dwelling has an existing septic tank system that was approved in 1989.

The applicant has advised that the maximum number of residents that will occupy the visitor accommodation per day is 7, but typically 5.

If the existing septic tank system fails, there is sufficient room for a future wastewater land application area.





E23 - On-site wastewater management

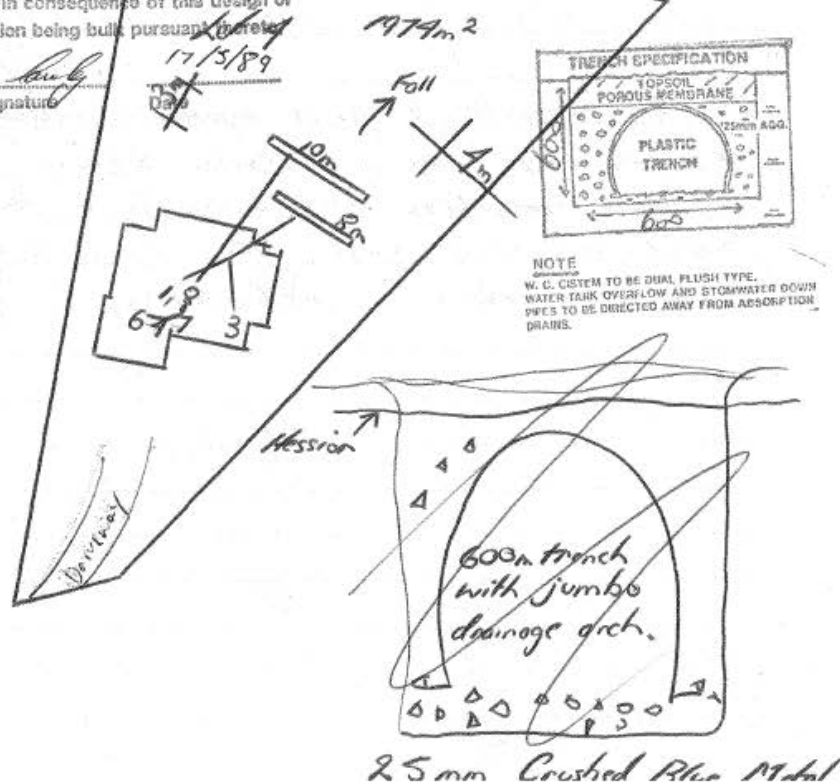
Clause	Acceptable Solution	Performance criteria
7 – min reserve area	Complies	
Addition to building (existing OWMS)	N/A	
8 – non residential	Has an existing septic tank system suitable for the hydraulic loading generated by the visitor accommodation	
9 - Subdivision	N/A	
10.1 – setback to buildings	N/A	
10.2 – setback to surface water	N/A	
10.3 - setback to boundaries	N/A	
10.4 - setback to bore	N/A	
10.5 - setback to ground water	N/A	
10.6 - setback to	N/A	

impermeable layer		
10.7 – arrangement of LAA	N/A	

In respect of this design is given and received as and from my agent and in consideration of such advice or assistance I hereby release and indemnify such officer and the municipality from all claims of whatever nature howsoever arising (whether through negligence or otherwise) which might be made by me or any other person in consequence of this design or of an installation being built pursuant thereto.

[Signature]
Applicant's Signature

17/5/89
Date



Comments on Representations

Issue	Comment
Maximum number of occupants – wastewater impacts	Permit has a condition limiting the maximum number of occupants to 7 (averaged over a 14 day period). The applicants said that the typical number will likely be 5.
Maximum number of occupants – amenity and environmental impacts	As above an occupancy limit will minimise impacts

Tardis Documents consider in assessment

Doc Id 612176

Recommended Conditions:

Visitor Accommodation

- (1) The maximum number of guests occupying the visitor accommodation per day shall not exceed 7 persons, averaged over a 14 day recurring period.
- (2) The land application area must be protected from vehicular access.
- (3) A maintenance/operational manual for the installed aerated wastewater management system must be provided to the guests to ensure correct use of the aerated waste management system by visitors.

Signed: Greg Robertson

Date Completed: 24/05/2022

From:
To: [Sorell Council](#)
Cc:
Subject: Planning Department Re proposed development 17 Ocean Grove, Carlton
Date: Friday, 1 July 2022 2:49:04 PM
Attachments: [image.jpg](#)

Attention General Manager

Dear Sir,

My name is I am still the owner and permanent resident of , originally known as .

I purchased my land here in 1989 and built in 1992 and have been here ever since.

I and my fellow neighbours, living at numbers and share our private driveways as the sole access to and from our homes.

I/we for safety and privacy reasons do not want to share our private driveway with a commercial/business property.

Number 17, originally known as lot 4, has been using our driveways as their main and only access. This property in the past has been mainly used as a shack and thus used rarely, having limited impact, on our privacy, safety etc ..

While my understanding is that 17 and 9 Ocean Grove, being either side of our driveways, have emergency, for want of a better description, access, for trades and services etc, and that under no circumstances are those vehicles allowed to park over our driveways, which has not always adhered to, but I was not aware that our access could be used as their main access.

Not sure how the original plan changed from 3 x 4 metre private right of ways has to one " 5.5 metre wide common access to 13, 11 and 17 Ocean Grove" as per the proposal? My neighbours at the 15 Ocean Grove appear to have lost their access completely! Surely for any change, to land that we own, should come through us, the owners?

Council originally sealed the middle section of our driveways, on the condition that thereafter, it would be the responsibility of the residents of 11, 13 and 15 Ocean Grove to implement any future maintenance. My partner and I have done so when it has been necessary over the years. This maintenance is only going to increase with more and more use as a commercial property will have not only visitors vehicles, but other associated vehicles... ie cleaners, tradies, water trucks etc.

Would a possible solution be for number 17 to use the originally intended access/driveway which comes straight off Ocean Grove, beside the driveway to number 18. This, for reasons that I can't explain and have never understood, has never been used?

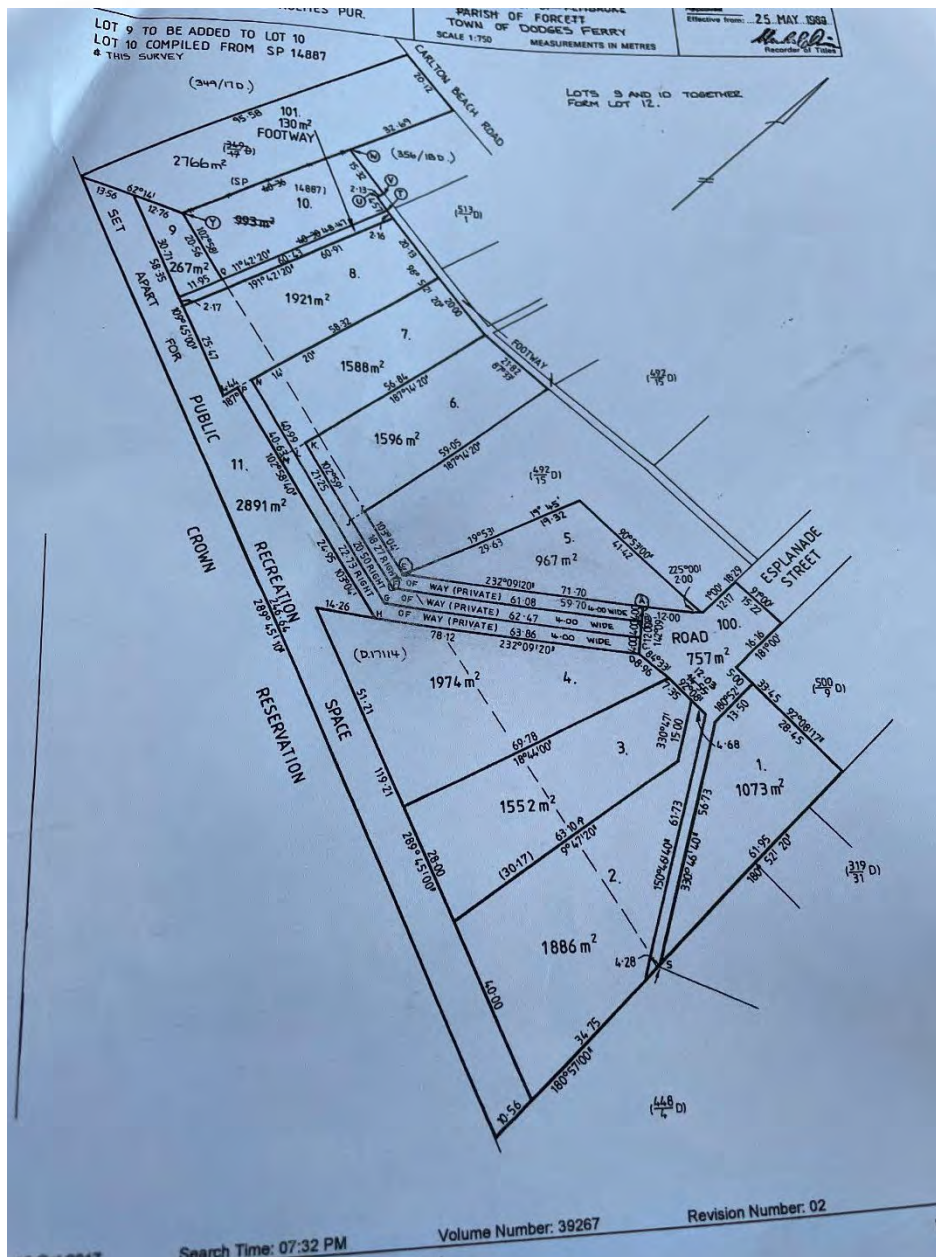
Unfortunately the current 2 access points to number 17 are on the crest of the hilly part of the shared driveways, thus vision to traffic coming up and down is greatly compromised. We share the middle part of the 3 driveways rather than have a 12 metre wide stretch of bitumen to maintain, while we have also always been extremely aware, that the more native shrubs, plants, trees, grasses etc that are removed, as would happen if we used all 3 x 4 metre widths of driveway, will impact on the integrity of the sand dunes, upon which our homes sit. The more we remove, the more erosion will occur. We have always left spaces large enough clear, where necessary for safety reasons, to allow a car to pull over in order to prevent a head on, or any other sort of collision, on either side of the middle shared driveway.



More than happy to be corrected if my understanding of the relevant issues pertaining to the use of our access is wrong of course.

Please advise if you require more information or need to discuss further as I'm sure I've only covered a few of the issues I fear.

Regards



RE PROPOSED DEVELOPMENT.

17 OCEAN GROVE — DA 2022/111-1 -

- CUSTOMERS STAYING AT AN ^{IND} WILL NOT BE AWARE, NOR WOULD THEY BE EXPECTED TO BE, OF THE RULES/PROTOCOL RE USE OF OUR DRIVEWAYS.
- HISTORICALLY, THIS HAS LED TO PEOPLE UNWITTINGLY UP IN FRONT OF OUR HOMES - BECAUSE THEY DON'T REALISE THAT THIS IS THE CASE. HENCE OUR PRIVACY IS REGULARLY (COMPROMISED).

From:
To: [Sorell Council](#)
Subject: Planning Application no. DA 2022 / 111 - 1
Date: Friday, 1 July 2022 11:36:12 AM

To the General Manager,

I am the owner of _____ and would like to express my concern that my property is not listed at all on the application from 17 Ocean Grove. Furthermore, what is in fact my property's driveway has actually been listed as belonging to # 17; documentation can be provided to prove that this is not the case.

Having received the application development letter because it adjoins my property I know you acknowledge this information.

Curiously this is listed as a 5.5 metre common road when in actual fact it is three 4 metre width private driveways. We understand they have right of carriageway up to the bend over the three driveways.

As this roadway is a one lane access in and out of no's. 11, 13 and 15 it's imperative that this roadway is always kept clear of any vehicles parking on the verge of and on the roadway.

This is my main concern regarding this property becoming a business of air bnb. I don't want anyone parking on my driveway which is the outside of this property. This is how we've maintained the safety aspect of driveway usage so far being a shared one lane road to the three properties who own these driveways.

It's not the place for children, bikes and guests to use as a "common road" which is how our private driveways are described in the applicants application. This is where the problems may begin. We have experienced this in the past with tenants and it always becomes problematic and definitely something that no one wants to experience or tolerate.

This information should be made clear to guests who visit the business.

Hopefully my concerns are taken on board.
 Regards,

From:
To:
Subject: proposed visitor accommodation development at 17 Ocean Grove, Carlton
Date: Thursday, 30 June 2022 10:41:56 AM

To whom it may concern,

I am writing in relation to the proposed development at 17 Ocean Grove Carlton, for visitor accommodation.

A number of very serious issues need to be addressed.

1. There is already a number of Visitor Accommodations in the immediate area, which has a dramatic influence on the character and nature of the locale. This is first and foremost a residential area and we are seeing an imbalance occurring.
2. There has been a dramatic impact on the very sensitive coastal dune system at Carlton Beach, and I have personally observed guests from neighbouring visitor accommodations cause damage to the vegetation and sand dunes. It seems they do not feel invested or responsible for it's care as they are only using the environment for a short stay.
3. If Visitor Accommodation is allowed in this area, then it is essential that signage is placed along the top of the sand dunes (and along the walkways) informing all visitors and residents alike, of the sensitive nature of the sand dune/coastal vegetation ecosystem. And also informed of the illegal nature of any interference/damage to the ecosystem, with fines attached to this illegal practice.

Please understand the residents of this area are very concerned about these matters, so hoping the above will be taken into consideration by the council.

Kind Regards.

From:
To: [Sorell Council](#)
Subject: DA 2022/111-1
Date: Sunday, 3 July 2022 3:17:53 PM

29 June, 2022

Re Site: 17 Ocean Grove, Carlton Proposed Development DA 2022/111-1

The General Manager

As owners of the property at Accommodation at 17 Ocean Grove. we object to the proposed Visitor

This is a very quiet cul de sac chosen by the owners for its safety, tranquillity and closeness to nature. If this becomes an Air B and B, we believe that it will jeopardize the safety and security because

We do not want vehicles using our Private Driveway designated for # 11, 13 and 15 Ocean Grove for entry into No 17 or using it as a parking bay. The driveway has been designated for our use only, is far too narrow for more than one car, and would be unsafe for extra traffic. Children and adults using this driveway would not be visible to a driver existing their home. We have found that even with a Private Driveway sign at the entrance to our properties, people still think they have a right to use the driveway. No 17 has no legal right to use this driveway.

There is the obvious potential that it could become a Party House with many people visiting at once and with no adequate car parking places available. We are also concerned about the noise that would eventuate due to late night partying, drinking, yelling, fighting and abuse, destabilizing the tranquillity of our existence illustrating a lack of respect for neighbours' property and peaceful environment.

We do not want to have to contend with the careless and irresponsible littering that would be found after such events, bottles, cans, food wrappers, needles etc.

We therefore decline to support DA2022/111-1.

The General Manager,
Sorell Council,
47 Cole Street,
Sorell,
TAS 7172

By email: sorell.council@sorell.tas.gov.au

Dear Sir/Madam,

DA 2022/ 111-1 Visitor Accommodation at 17 Ocean Grove, Carlton

Thank you for your letter of 16 June 2022 and the opportunity to comment on this application. Whilst I have no major issue with the proposal, a general concern arises in one regard.

It is my understanding that Council generally imposes no limitations or standards on utilization of properties for visitor accommodation, save for a potential limitation on the number of guests/residents determined by waste water/ sewage considerations. It is further understood that the current thinking in regard to this application is that this property could accommodate an average of 7 persons over a 14 day period – does this mean that 14 persons could occupy the property for 7 days and then it remain vacant for 7 days to meet this criteria?

A generous or unlimited cap on the number of guests at any one time raises concerns around neighborhood amenity, but of equal or even greater concern this raises the potential of environmental damage as the property is part of a unique and sensitive environment. The property is one of what I believe is only 33 properties situated on the dunes; generally the residents of these properties are very mindful of the need to preserve the dunes.

This is not necessarily the case with visitors and short stays – the failure in general of persons to respect this unique environment is starkly represented by the walkway that has been created by persons accessing the beach from the car park adjacent to the surf club, totally ignoring the signs requesting that the nearby proper access see be used – see photo below.

Should Council be of a mind to approve the application I respectfully ask that consideration be given to the allowable number of guests at any one time and that this should be capped at a reasonably low level to ameliorate the potential for any dune damage and to maintain reasonable amenity for nearby residents.



SIGN: "DUNE REHABILITATION IN PROGRESS
Please use access beside Surf Lifesaving Club Rooms"



4.2 SUBDIVISION APPLICATION NO. SA 2021 / 20 - 1**APPLICANT:** TN WOOLFORD & ASSOCIATES**PROPOSAL:** ONE LOT SUBDIVISION & BALANCE**ADDRESS:** 12 CLARK STREET, DUNALLEY**RECOMMENDATION**

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Sorell Interim Planning Scheme 2015*, Council resolve that Subdivision Application SA 2021 / 20 - 1 for a one lot subdivision and balance at 12 Clark Street, Dunalley be approved, subject to the following conditions:

1. Development shall generally be in accordance with the short stay visitor accommodation package submitted on 12 November 2021 except as may be amended by the conditions of this permit.
2. As no provision has been made for Public Open Space or improvements thereto, and having formed the opinion that such a provision should be made, Council invokes the provisions of Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and requires security equivalent of 2% of the improved value of the area of lot 1. This should be in the form of a direct payment made before the sealing of the final plan, or alternatively in the form of security provided under Section 117 of the Act. The subdivider is to obtain a report from an independent Registered Valuer, at the subdividers cost, and provided to Council for the purposes of determining the improve value of the area being subdivided. The assessment of the value must have been completed no longer than 3 months prior to the final plan being submitted to Council for approval.

TasWater Conditions

- | | | |
|----|------------------------|---------------------|
| 3. | Refer to TasWater form | SPAN |
| | Reference number | TWDA 2021/02083-SOR |
| | Dated | 1 July 2022. |

Engineering Conditions

4. No debris/materials/waste is to be left behind within the road reservation once all works are completed. The road reserve shall not be used for storage of any materials during construction.
5. Power and communication services (including NBN if available) are to be provided to the new lot in accordance with the relevant Authority's standards and specifications, with the developer to meet all costs.



6. The survey pegs for all lots in the subdivision are to be certified correct after all works have been completed.
7. Prior to Council 'sealing' the final plan of survey, all engineering conditions in this permit must be satisfied

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.
- Separate Building Approval may be required prior to commencement of the development.
- Council recommends contacting Dial-Before-You-Dig (phone 1100 or www.1100.com.au) before undertaking any works.

You may appeal against the above condition/s, any such appeal must be lodged within fourteen (14) days of service of this notice to the Tasmanian Civic and Administrative Tribunal, 38 Barrack Street, Hobart 7000. Ph ☎ 1800 657 500 or email resourceplanning@tascat.tas.gov.au.

Introduction

Application is made for a one lot subdivision. Lot 1 contains a previously approved but not built dwelling. The balance lot is vacant.

Strategic plan

The proposal will not affect implementation of Council's Strategic Plan 2019 – 2029.

Annual plan

The proposal will not affect implementation of Council's Annual Plan 2022/2023.

Environmental implications

There are no significant environmental implications associated with this proposal.

Asset management implications

There are no significant asset management implications.



Risk management implications

There are no significant risk management implications associated with this proposal.

Community implications

There are no significant implications for the community associated with this proposal.

Statutory implications

Zone: Low Density Residential

Overlays: Bushfire-Prone Areas and Coastal Erosion.

Codes: Stormwater Management; Parking and Access

Use Classification: Permitted

Representations

The application was advertised in accordance with the requirements of section 57 of the *Land Use Planning and Approvals Act 1993* (LUPAA) on 26 June 2022 and representations closed on 11 July 2022. No representations were received.

Referrals

The application was referred to Council's Engineering, Plumbing and Environmental Health Departments. Conditions are required in response to these referrals.

Date of Receipt of Application

12 November 2022, and made valid on 21 November 2022.

Date by Which a Decision Must be Made

12 August 2022.

Report

Lot 1 is 3370m² containing an approved but not built dwelling. The lot is provided with a new access from Clark Street and is to be connected to TasWater sewer with a pumped connection. The balance lot is vacant with an area of 10,990m² and an existing crossover to Clark Street. No services are proposed for the balance lot

Clark Street is a sealed rural road serving a small number of dwellings. TasWater sewer lines run within Clark Street but there are no water services. The northern boundary of the site is subject to a drainage easement which drains a culvert that is under Clark Street.

The existing site is vacant other than for two small outbuildings. The site has a boundary with Gilpins Creek to the east and has boundaries with two rural living properties to the north and south. The site has a gradient of approximately 1 in 15 with an easterly aspect.

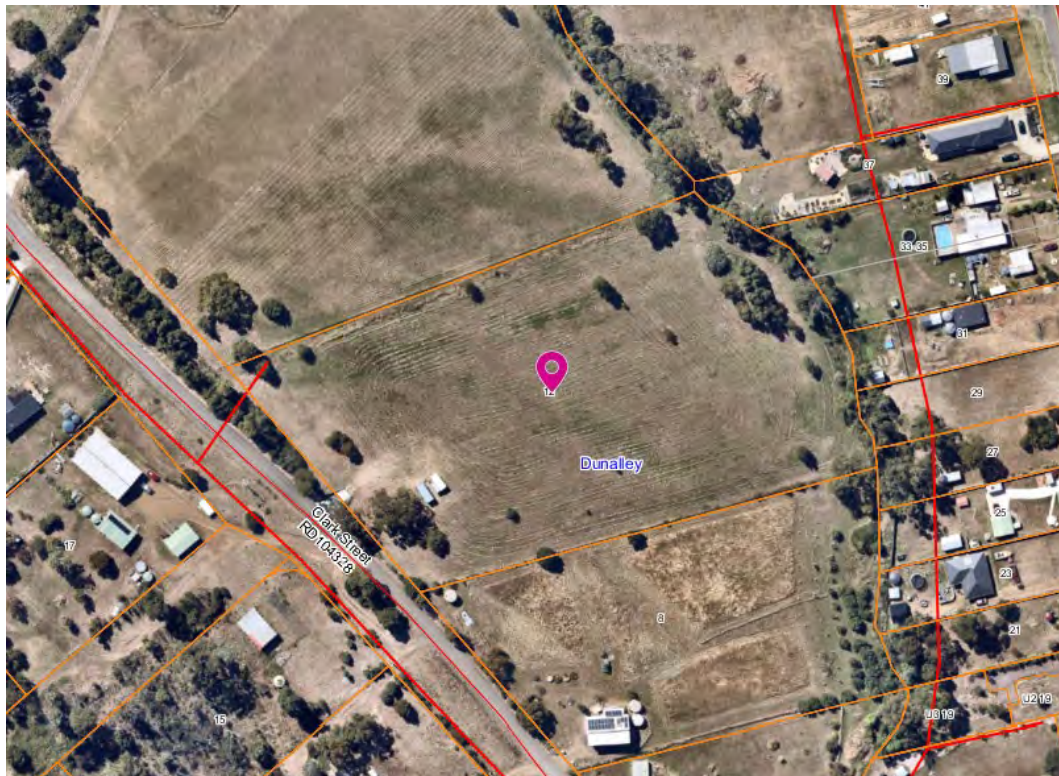


Figure 1. Site.

Zone

The site and surrounding land is zoned Low Density Residential (Area 2). The opposite side of Clark Street is part Rural Living and part Low Density Residential (Area 1).



Figure 2. Zone and Overlay (waterway overlay in blue).

The application complies with the acceptable solutions for the following Subdivision Standards:

- 12.5.1 Lot Design A1 – Lot size is greater than 1500m²;
- 12.5.1 Lot Design A3 – Frontage is greater than 30m;
- 12.5.1 Lot Design A4 – No lot is an internal lot;
- 12.5.1 Lot Design A5 – Setbacks to existing buildings comply;
- 12.5.2 Roads A1 – No new road;
- 12.5.4 Services A1 – Nil water services; and
- 12.5.4 Services A4 – No new road.

The proposal is subject to performance criteria for:

- A. 12.5.1 Lot Design P2 – Building areas subject to overlays;
- B. 12.5.3 Ways and Open Space P1 and P2 – No acceptable solution;
- C. 12.5.4 Services P2 – No sewer connection for balance lot; and
- D. 12.5.4 Services P3 – No stormwater services.

A. 12.5.1 Lot Design P2 – Building areas subject to overlays;

The performance criteria applies as both lots are subject to the Bushfire-Prone Areas Code and the balance lot is subject to the Waterway and Coastal Protection Area.

The design of each lot must contain a building area able to satisfy all of the following:

- (a) is reasonably capable of accommodating residential use and development;*
- (b) meets any applicable standards in codes in this planning scheme;*
- (c) enables future development to achieve reasonable solar access, given the slope and aspect of the land;*
- (d) minimises the requirement for earth works, retaining walls, and cut & dill associated with future development;*
- (e) is sufficiently separated from the land zoned Rural Resource and Significant Agriculture to prevent potential for land use conflict that would fetter non-sensitive use of that land, and the separation distance is no less than:*
 - (i) 40 m from land zoned Rural Resource;*
 - (ii) 80 m from land zoned Significant Agriculture;*
- (f) is setback from land zoned Environmental Management to satisfy all of the following:*
 - (i) there is no significant impact from the development on environmental values;*
 - (ii) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Management is minimised;*
 - (iii) there is no potential for contaminated or sedimented water runoff impacting the land zoned Environmental Management;*
 - (iv) there are no reasonable and practical alternatives to developing close to land zoned Environmental Management.*

With respect to each criteria, it is considered that the:

- a) The Bushfire Hazard Report by Enviro-Dynamics and dated February 2022 demonstrates that bushfire risks can be managed. The waterway overlay does not impede future development of the balance lot given the large size of the lot. There are not major constraints to residential use;
- b) Complied with;
- c) There are no limitations on solar access;
- d) There is no need for major earthworks;
- e) N/A; and
- f) NA.

Therefore, it is considered that the performance criteria is satisfied.

B. 12.5.3 Ways and Open Space P1 and P2

There is no acceptable solution for ways and open space.

P1

The arrangement of ways and public open space within a subdivision must satisfy all of the following:

- (a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;*
- (b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;*
- (c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;*
- (d) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;*
- (e) topographical and other physical conditions of the site are appropriately accommodated in the design;*
- (f) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;*
- (g) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:*
 - (i) the width of the way;*
 - (ii) the length of the way;*
 - (iii) landscaping within the way;*
 - (iv) lighting;*
 - (v) provision of opportunities for 'loitering';*
 - (vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).*
- (h) the route of new equestrian ways has regard to any equestrian trail plan adopted by the Planning Authority.*

P2

Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.

Public open space is not proposed. There are no opportunities to connect to existing public open space or tracks and trails.

Above Church Street West, there are no riparian reserves for Giplins Creek. Giplins Creek is the boundary for 17 existing lots. It is considered that there are no practical benefits from taking a riparian reserve.

Dunalley is well served by public open space facilities including the skate park and coastal walkway.

Council's public open space strategy does not identify any major public open space investment but makes reference to improved accessibility and shade. The new lot will increase the demand for public open space and given this a cash in lieu contribution is considered appropriate for that new lot.

A contribution of the entire 5% is not considered warranted given the high levels of existing public open space in the area. Accordingly, it is recommended that a cash in lieu contribution of 2% improved value of the land is required.

C. *12.5.4 Services P2 – No sewer connection for balance lot*

The balance lot is not provided with sewer. A lot connect would require a pumped system similar to lot 1. The developer considers that a lot connection would be best considered as part of any future development. The performance criteria provides:

Where a reticulated sewerage system is not available, each lot must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

The balance lot is large and has adequate room for future onsite wastewater treatment.

D. *12.5.4 Services P3 – No stormwater services*

Each lot must be capable of accommodating an on-site stormwater management system adequate for the likely future use and development of the land.

Stormwater is to be retained onsite. Each lot is sufficient large for this to occur. Any overflow will eventually drain via Giplins Creek.

Codes

The application is subject to the following Codes:

- Bushfire-Prone Areas Code
- Road and Railway Assets Code
- Waterway and Coastal Protection Code
- Onsite Wastewater Management Code

Bushfire-Prone Areas Code

The site is within a bushfire-prone area. The Bushfire Hazard Report demonstrates compliance with the Code.

Road and Railway Assets Code

The existing and new crossover site have good sight distance in both directions and the associated standard is complied with.

Waterway and Coastal Protection Code

No works are proposed within the overlay and therefore the proposal is exempt from the Code.

Onsite Wastewater Management Code

Wastewater for lot 1 has been previously considered through the approval of the dwelling. Wastewater for the balance lot is not a relevant consideration as the lot is greater than 5,000m² in area.

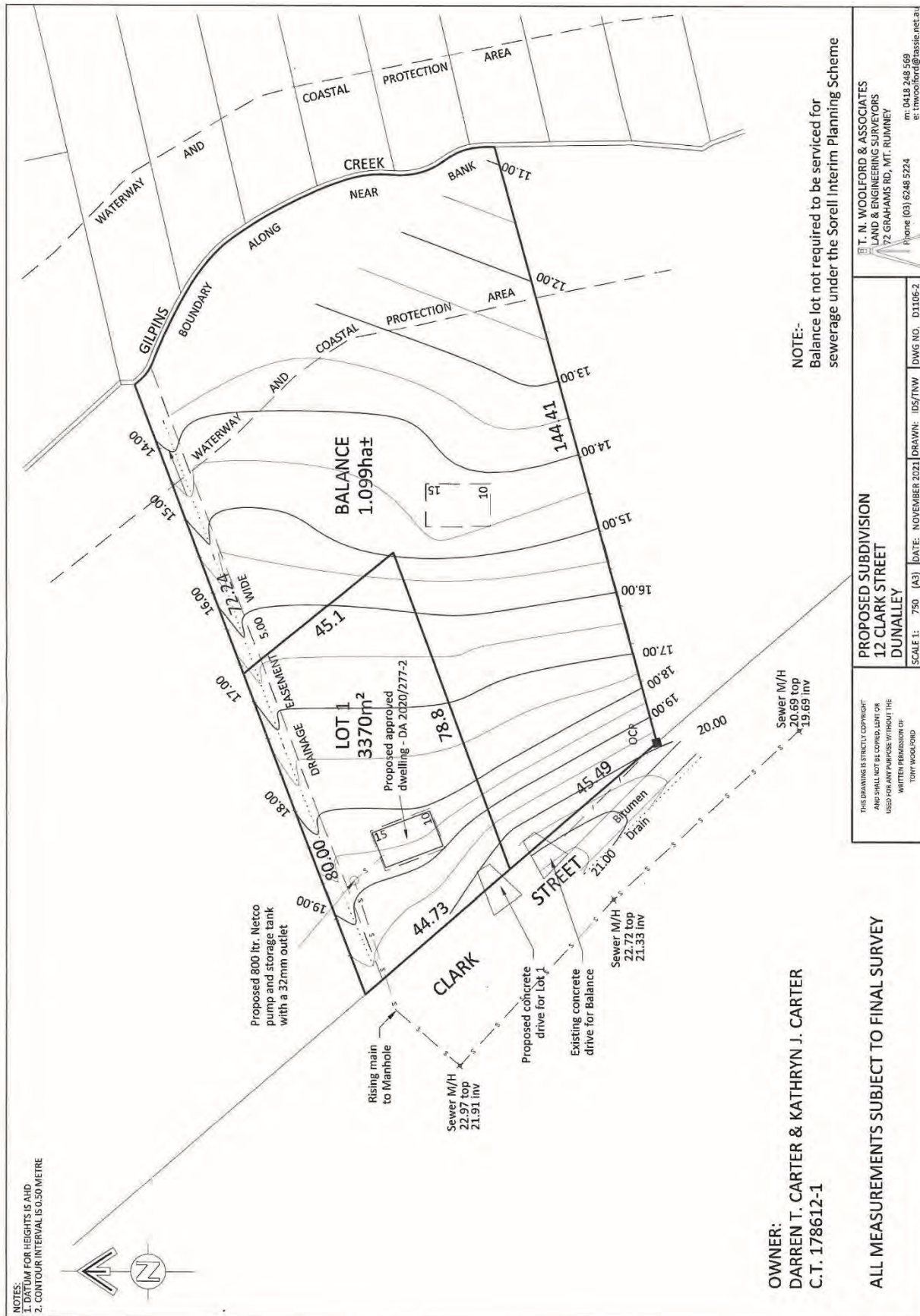
Conclusion

In considering the use and site, with the application of appropriate conditions, the application is recommended for approval with conditions.

Shane Wells

SENIOR PLANNER

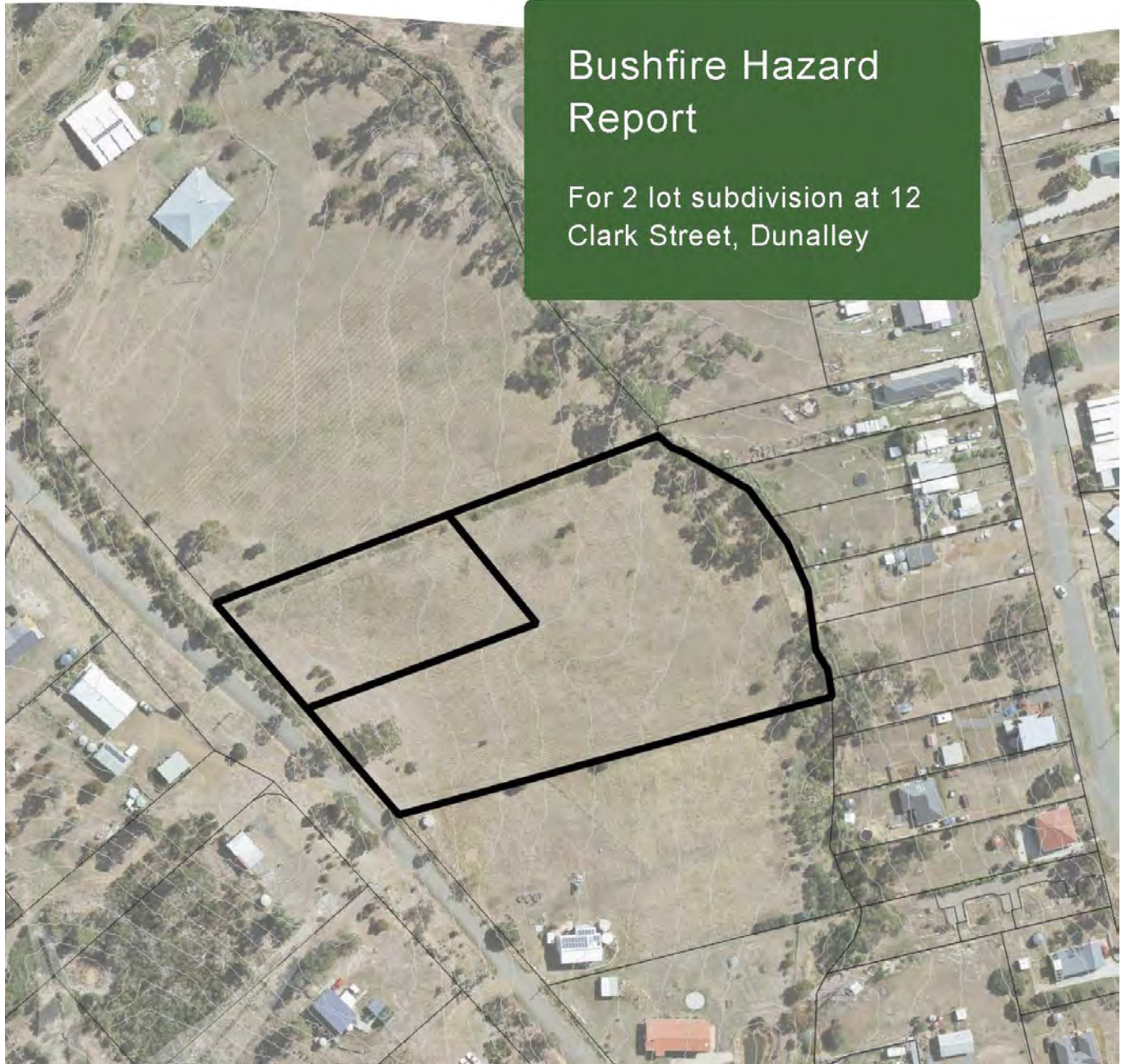
Attachment: Proposal Plan & Bushfire Hazard Report





Bushfire Hazard Report

For 2 lot subdivision at 12
Clark Street, Dunalley



Client: Darren Carter
Prepared by: Jim Mulcahy (BFP-159)
and Amber Button
FEBRUARY 2022



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Executive Summary

This bushfire hazard report for a new 2 lot subdivision at 12 Clark Street, Dunalley (Title Reference: 178612/1) meets the requirement of a subdivision application within a bushfire prone area under the Sorell Interim Planning Scheme 2015 and E1.0 Bushfire Prone Areas Code (the Code).

The Code requires a new subdivision to achieve a minimum BAL 19 rating for all future habitable buildings on the newly formed lots. To illustrate the bushfire hazard management and protection measures needed to achieve the rating, a Bushfire Hazard Management Plan (BHMP) is also required by the Code.

Based on Drawing 1, the neighbouring land uses and separation distances to classified vegetation, the assessment has determined new habitable buildings within the indicative building area on Lot 1 will be able to achieve **BAL 12.5** and within the indicative building area on the balance lot will be able to achieve **BAL 19** provided the following conditions are achieved:

- Building areas are designed for both proposed lots as indicated on the BHMP.
- Hazard Management Areas are established at the commencement of construction on each lot as per the Bushfire Hazard Management Plan (Attachment 1).
- Property access to both lots must provide access for a firefighting appliance to a firefighting water point and must comply with E1.6.2 and Table E2 Element B of the Code.
- Provision of static water supplies for firefighting to service future habitable buildings established on the new lots must meet the requirements of Clause E1.6.3 and Table E5 of the Code. Firefighting water supplies must be established to ensure all new habitable buildings are within a 90 m hose lay of a firefighting water point. Indicative water supply locations are provided in the Bushfire Hazard Management Plan (Attachment 1).
- A formal Part V agreement is to be established with the landowner of the balance lot for management of land as an HMA external to Lot 1.
- is complete. The HMA is always managed in a low fuel condition to protect the lot.

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Disclaimers

The assessor has taken all reasonable steps to ensure that the information provided in this assessment is accurate and reflects the conditions on and around the site and allotment on the date of this assessment.

Whilst measures outlined in this report are designed to reduce the bushfire risk to the habitable buildings, due to the unpredictable nature of wildfires and impacts of extreme weather conditions the survival of the structure during a fire event cannot be guaranteed.

Planning Scheme provisions

This report and the attached Bushfire Hazard Management Plan (BHMP) address the requirements of the Code. In so doing, they define 'indicative building areas' which demonstrate the capacity of the proposed subdivision to support habitable buildings which can meet the requirements of BAL-12.5 or BAL-19. It is the owners' responsibility to address any other planning requirements relating to use and development of the subject land. Nothing in this report or the attached BHMP should be taken to suggest or imply that the indicative building areas will:

- satisfy all relevant provisions of the Scheme in respect of the current application for subdivision; or
- at the time of any future applications to build on lots arising from the subdivision, satisfy any relevant provisions of the planning scheme in force at that time.

Australian Standards

AS3959 – 2009 Construction of Buildings in Bushfire-Prone Areas has recently been superseded by AS3959:2018. AS3959 2009 remains relevant for this report and will remain relevant until the Code has been updated to reference the new standard.

In respect of Bushfire Attack Level (BAL) determinations based on vegetation type and slope, the content of Table 2.4.4 in AS3959-2009 is the same as Table 2.6 in AS3959:2018. The new standard does include some changes to the description of 'low threat vegetation' and the Classification of Vegetation, but these changes do not materially affect the analysis contained in this report. As a result, to the best of the author's knowledge and understanding, the conclusions and prescribed separation distances contained in this report and the attached Bushfire Hazard Management Plan are consistent with the provisions of both AS3959-2009 and AS3959:2018.

Jim Mulcahy – ENVIRO-DYNAMICS PTY LTD
 ACCREDITED BUSHFIRE ASSESSOR (BFP-159)
 CERTIFICATE No: ED0451 DATE: 17/02/2022
 Signed



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1 Introduction

The following Bushfire Hazard Report has been developed as part of the planning requirements of the Sorell Interim Planning Scheme 2015 (the Scheme) and the Bushfire-Prone Areas Code (the Code) for subdivision located within a bushfire prone area. The Code requires that a new subdivision achieves a minimum BAL rating of BAL 19 for all future habitable buildings on newly formed lots within a bushfire prone area. Under the Code, development standards must be certified by the Tasmania Fire Service (TFS) or an accredited person.

This report provides an assessment of the Bushfire Attack Level (BAL) and outlines protective features and controls that must be incorporated into the design and layout of the subdivision to ensure compliance with AS 3959-2009 Construction of Buildings in Bushfire Prone Areas and the Code.

1.1 Site Details

<u>Landowner:</u>	Darren Carter
<u>Location:</u>	12 Clark Street, Dunalley
<u>Title reference:</u>	178612/1 PID: 9501227
<u>Municipality:</u>	Sorell
<u>Zoning:</u>	12.0 Low Density Residential – Sorell Interim Planning Scheme 2015
<u>Planning Scheme Overlays:</u>	Bushfire-Prone Area, Waterway and Coastal Protection Area
<u>Type of Building:</u>	New Class 1a building
<u>Date of Assessment:</u>	August 2019
<u>Assessment Number:</u>	ED0451

1.2 Subdivision Proposal

The proposed subdivision will see the formation of 2 lots and the construction of a new access road to the proposed Lot 1 from Clark Street. The subdivision will not be staged. Refer to Appendix 2 for subdivision plan (T. N. Woolford & Associates, November 2021).

1.3 Site Description

The 1.4 ha property is located at 12 Clark Street, Dunalley, within the Dunalley township, approximately 7 km south of Copping and 8 km southwest of Marion Bay (Figure 1). The property is situated on a gradual east-facing slope towards Gilpins Creek, which runs along the eastern boundary (Figure 2). Elevation at the property ranges from 11 to 19 m above sea level.

Vegetation on the site consists of agricultural grassland with isolated trees. The lots to the east and west consist entirely of managed land, while agricultural grassland occurs on the adjoining properties to the north and south.

The lot is currently not serviced with power and reticulated water; nor is there a nearby fire hydrant.

Under the Sorell Interim Planning Scheme 2015, the land is zoned as Low Density Residential. The site has a Waterway and Coastal Protection Area overlay set back approximately 30 m from the eastern boundary (LISTmap 2022) which has been considered in the selection of the proposed habitable building sites and the BAL assessment.



Figure 1 – Site Location (Image source: LISTmap 2022)

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2 Bushfire Attack Level Assessment

The following is a summary of the bushfire risk at the property.

Bushfire Hazard: Slope, grassland vegetation, and fuel loads.

Bushfire Attack Mechanisms: Radiant heat, ember attack, wind, direct flame and smoke.

Bushfire Threat Direction: The highest bushfire threat to the proposed subdivision is from the grassland vegetation across slope to the north, which is the prevailing wind direction during the fire season. The lot was last burnt during the 2013 Inala Road- Forcett fire (TheList 2022).

Fire Danger Index: FDI 50 (this index applies across Tasmania).

Vegetation & Slope: Vegetation on the property consists entirely of grassland vegetation with isolated trees. Grassland vegetation occurs across slope to the north and $>0 - 5^\circ$ downslope to the south. Managed land occurs over $>0 - 5^\circ$ downslope to the east and west.

Significant Natural Values: No threatened flora or fauna species have been recorded at the site (TheList 2022). The vegetation community at the site (TASVEG4.0) is agricultural land (FAG).

Refer to Table 1 for the summary of the BAL Assessment and Figure 2 for the BAL Assessment Area for the proposed habitable buildings.

Bushfire Hazard Report for subdivision at 12 Clark Street, Dunalley – February 2022

Table 1 – Summary of Bushfire Site Assessment

Lot 1				
Direction of slope	Northeast	Southeast	Southwest	Northwest
Vegetation Classification ^A	G (i) Grassland	G (i) Grassland	G (i) Grassland	G (i) Grassland
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	>0-5° downslope	>0-5° downslope	across slope	upslope
Current BAL value	BAL- FZ	BAL- FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	11 - <16 m	11 - <16 m	10 - <14 m	10 - <14 m
Width of HMA to achieve BAL-12.5	16 - <50 m	16 - <50 m	14 - <50 m	14 - <50 m

Balance Lot				
Direction of slope	North	East	South	West
Vegetation Classification ^A	G (i) Grassland	G (i) Grassland	G (i) Grassland	G (i) Grassland
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	upslope	>0-5° downslope	>0-5° downslope	across slope
Current BAL value	BAL- FZ	BAL- FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	10 - <14 m	11 - <16 m	11 - <16 m	10 - <14 m
Width of HMA to achieve BAL-12.5	14 - <50 m	16 - <50 m	16 - <50 m	14 - <50 m

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^A Vegetation within 100 m of the proposed subdivision is identified as Agricultural Land (FAG) (TasVeg 4.0) and is comprised of pasture grasses with the potential to become Grassland if not managed. The areas classified as Managed Land are a combination of waterways, paved road, gardens and buildings. There is a patch of Forest along the roadside to the northeast of the property, however it is considered low threat as the patch is less than 1 ha in size and less than 20 m wide.

***Exclusion** – As per definitions in paragraph 2.2.3.2 of AS3959-2009, an 'Exclusion' is provided by Low threat vegetation and non-vegetated areas.

The Bushfire Attack Level shall be classified BAL—LOW where the vegetation is one or a combination of any of the following:

- Non-vegetated areas, including **waterways, roads, footpaths, buildings** and rocky outcrops.
- Low threat vegetation, including grassland managed in a minimal fuel condition, **maintained lawns**, golf courses, maintained public reserves and parklands, vineyards, orchards, **cultivated gardens**, commercial nurseries, nature strips and windbreaks. NOTE: minimal fuel condition means there is insufficient fuel available to significantly increase the severity of the bushfire attack (recognisable as short-cropped for example, to a nominal height of 100 mm).

Bushfire Hazard Report for subdivision at 12 Clark Street, Dunalley – February 2022

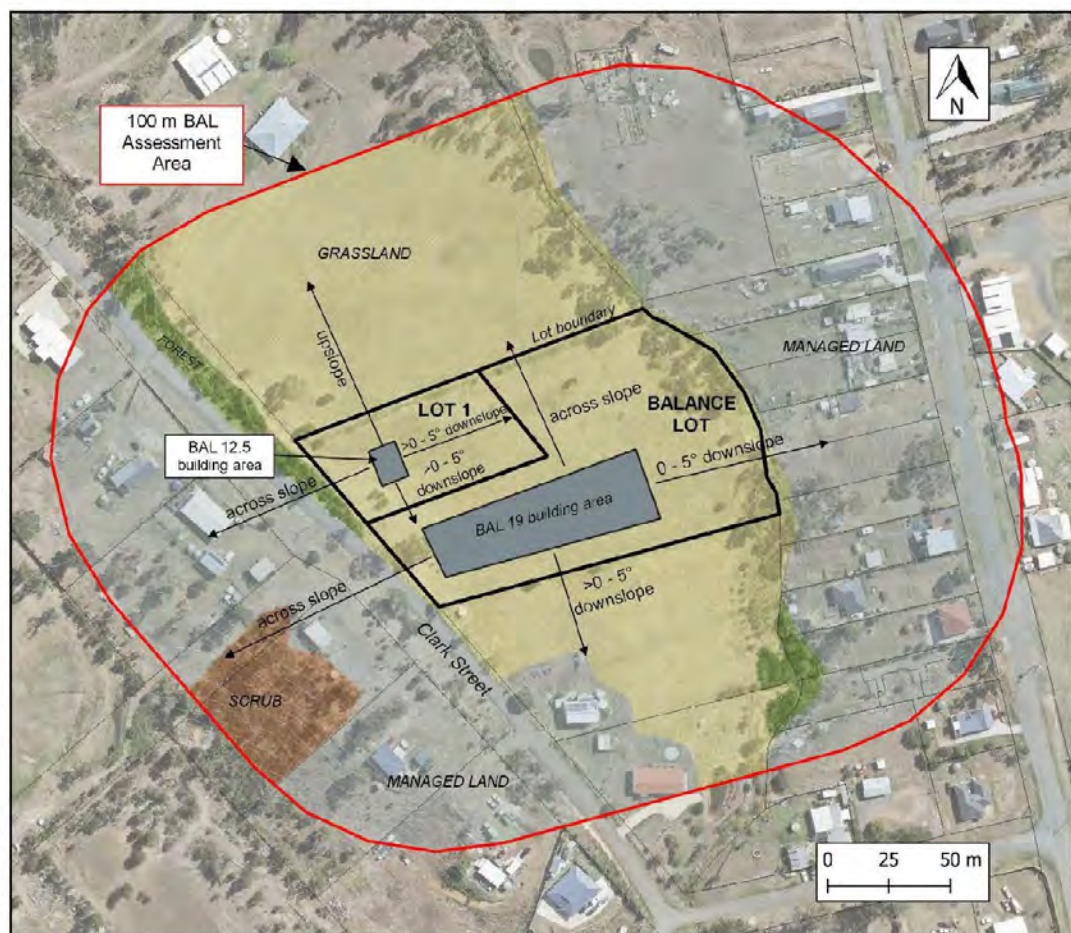


Figure 2 – Aerial photo of site showing managed land and vegetation types within 100m radius BAL Assessment area and slopes (Image source: LISTmap 2022).

3 Bushfire Protection Measures

The site is within a Bushfire-Prone Area as defined by the Sorell Interim Planning Scheme 2015. The Grassland vegetation on and around the site requires ongoing management as it is recognised as having the potential to become an elevated bushfire risk.

As such, a subdivision development at the site must meet minimum development standards. These development standards are set out under clause E1.6.1 of the Code and include: Provision of HMA (E1.6.1), Public access (E1.6.2) and Provision of water supply for fire-fighting purposes (E1.6.3). The subdivision development must comply with the following clauses of E1.0 – Bushfire-Prone Areas Code (shaded clauses in Table 2).

Table 2 – Compliance with E1.0

CLAUSE	ISSUE
E1.2	Application of Code
E1.3	Definition of terms in this Code
E1.4	Use or development exempt from this Code
E1.5	Use Standards
E1.5.1	Vulnerable Uses
E1.5.2	Hazardous Uses
E1.6	Developments Standards
E1.6.1	Subdivision: Provision of hazard management areas (HMA) for habitable buildings
E1.6.2	Subdivision: Public and fire-fighting access
E1.6.3	Subdivision: Provision of water supply for fire-fighting purposes

3.1 Hazard Management Areas

Bushfire hazard management areas (HMAs) provide a cleared space between buildings and the bushfire hazard. Any vegetation in this area needs to be strategically modified and then maintained in a low fuel state to protect buildings from direct flame contact and intense radiant heat thereby allowing them to be defended from lower intensity bushfires. Fine fuel loads must be minimal to reduce the quantity of windborne sparks and embers reaching buildings, to reduce the radiant heat at the building, and to halt or check direct flame attack.

Further information on the maintenance of the equivalent 'defendable space' are provided on the Tasmania Fire Service website: <http://www.fire.tas.gov.au>.

The current conditions and the compliance of the lots affected by potential bushfire-prone vegetation are described below.

The Code requires that HMAs be contained within the development site or a formal agreement entered into with the owner of any adjoining land that needs to be managed as part of the HMA.

3.1.1 Requirements:

To comply with Acceptable solutions under E1.6.1 – A1 the plan of subdivision must:

- show building areas* for each lot;
- indicate HMAs which separate building areas from bushfire prone vegetation with separation distances required for BAL 19 as a minimum as per Table 2.4.4 of AS 3959-2009 Construction of Buildings in Bushfire Prone Areas; and
- provide protection for lots at any stage of a staged subdivision.

3.1.2 Current conditions:

- The property has been previously cleared and vegetation consists of agricultural grassland with isolated trees.
- There are no existing buildings on the land.
- The lot is not serviced with power or reticulated water, nor is there a fire hydrant nearby.

3.1.3 Compliance:

- All lots have a designated building area.
- An HMA is to be established around the building area on Lot 1 to ensure **BAL 12.5** separation distances as per the BHMP (Attachment 1) and Table 1 of this report.

- An HMA is to be established around the building area on the balance lot to ensure **BAL 19** separation distances as per the BHMP (Attachment 1) and Table 1 of this report.
- The vegetation across HMAs must be strategically maintained with short grass (<100 mm), horizontal separation between tree canopies and the removal of low branches to create vertical separation between the ground and the canopy to reduce fuel loads and protect future habitable buildings from direct flame contact and intense radiant heat. In addition, clearing and clean-up of leaf litter, branches and bark is required as part of ongoing management.
- The HMA for Lot 1 requires the use of land on the balance lot. To comply with the bushfire requirements of the Code, a Part V Agreement under section 71 of the *Land Use Planning and Approvals Act 1993* is to be registered to the Title of the balance lot where land external to the title needs to be managed as an HMA in accordance with this bushfire hazard report (Appendix 3).

3.1.4 Maintenance of Hazard Management Areas

The HMAs around the building areas must be maintained in a minimal fuel condition to ensure bushfire protection mechanisms are effective. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season and any flammable material such as leaves, litter, wood piles removed.

3.2 Construction Standards

To utilise the certification provided under this report, future habitable buildings (Class 1a buildings) on Lot 1 must comply with construction standards for **BAL 12.5** as a minimum, as per AS3959-2009 (Sections 3 and 5).

To utilise the certification provided under this report, future habitable buildings on the balance lot must comply with construction standards for **BAL 19**, as per AS3959-2009 (Sections 3 and 6).

3.3 Public and Fire-fighting Access

3.3.1 Requirements:

Property access will be used to provide access to a firefighting water point by a fire appliance. Consequently, the following design and construction requirements apply as per E1.6.2 and Table E2 Element B of the Code:

- all- weather construction;

- load capacity of at least 20 t, including for bridges and culverts;
- minimum carriageway width of 4 m;
- minimum vertical clearance of 4 m;
- minimum horizontal clearance of 0.5 m from the edge of the carriageway;
- cross falls of less than 3 degrees (1:20 or 5%);
- dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;
- curves with a minimum inner radius of 10 m;
- maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and
- terminate with a turning area for fire appliances provided by one of the following:
 - a turning circle with a minimum outer radius of 10m; or
 - a property access encircling the building; or
 - a hammerhead "T" or "Y" turning head 4 m wide and 8 m long

3.3.2 Current conditions:

- Clark Street is a public road and for the purposes of this report is deemed to provide adequate access for firefighting access.
- There is no existing access onto the property, however access will be established prior to the commencement of construction on the lots.

3.3.3 Compliance:

Access to Lot 1 and the balance lot will be used to provide access to a firefighting water point, and will comply with Table E2, Element B as described above.

Property access to firefighting water points must be provided at the time of building on the lots and must be established to a compliant standard prior to the occupation of any habitable buildings.

3.4 Static Fire-fighting Water Supply

An adequate, accessible and reliable water supply for fire-fighting purposes must be supplied to allow for the protection of life and property from the risks associated with bushfire.

Requirements:

The building areas to be protected must be located within 90 m of a firefighting water supply, and the distance must be measured as a hose lay between the firefighting water point and the furthest part of the building area.

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Static water supplies for firefighting:

- may have a remotely located offtake connected to the static water supply;
- may be a supply for combined use (firefighting and other uses) but the specified minimum quantity of firefighting water must be available at all times;
- must be a minimum of 10,000 L per building area to be protected. This volume of water must not be used for any other purpose including firefighting sprinkler or spray systems;
- must be metal, concrete or lagged by non-combustible materials if above ground; and
- if a tank can be located so it is shielded in all directions in compliance with section 3.5 of the *Australian Standard AS 3959-2009 Construction of buildings in bushfire-prone areas*, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by:
 - Metal;
 - Non-combustible material; or
 - Fibre-cement a minimum of 6 mm thickness.

Fittings and pipework associated with a firefighting water point or static water supply must:

- have a minimum nominal internal diameter of 50 mm;
- be fitted with a valve with a minimum nominal internal diameter of 50 mm;
- be metal or lagged by non-combustible materials if above ground;
- if buried, have a minimum depth of 300 mm;
- provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to firefighting equipment;
- ensure the coupling is accessible and available for connection at all times;
- ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length);
- ensure underground tanks have either an opening at the top of not less than 250 mm diameter or a coupling compliant with this Table; and
- if a remote offtake is installed, ensure the offtake is in a position that is:
 - visible;
 - accessible to allow connection by firefighting equipment;
 - at a working height of 450 – 600 mm above ground level; and
 - protected from possible damage, including damage by vehicles.

A firefighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must:

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- comply with water tank signage requirements within the *Australian standard AS2304-2011 Water storage tanks for fire protection systems*; or
- comply with the Tasmania Fire Service Water Supply Guideline published by the Tasmania Fire Service.

Hardstand areas for fire appliances must be:

- no more than 3 m from the hydrant, measured as a hose lay;
- no closer than 6 m from the building area to be protected;
- a minimum width of 3 m constructed to the same standard as the carriageway; and
- connected to the property access by a carriageway equivalent to the standard of the property access.

3.4.1 Current conditions:

- The site is not within a reticulated water supply area and there are no fire hydrants nearby.
- There is no existing static water supply on site.

3.4.2 Compliance:

The proposed subdivision must comply with static water supply and hardstand requirements as per the preceding requirements and Table E5 of the Code. An indicative static water supply layout is provided in Attachment 1.

Static water supplies for firefighting and associated hardstands must be provided at the time of building on the lots and must be established to a compliant standard prior to the occupation of any habitable buildings.

4 Conclusions

The assessment of the bushfire risk to a proposed 2 lot subdivision at 12 Clark Street, Dunalley indicates that the development can meet the requirements of E1.0 Bushfire-Prone Areas Code provided it complies with the following measures:

- Building areas are designed for both proposed lots as indicated on the BHMP.
- Hazard Management Areas are established at the commencement of construction on each lot as per the Bushfire Hazard Management Plan (Attachment 1).
- Property access to both lots must provide access for a firefighting appliance to a firefighting water point and must comply with E1.6.2 and Table E2 Element B of the Code.
- Provision of static water supplies for firefighting to service future habitable buildings established on the new lots must meet the requirements of Clause E1.6.3 and Table E5 of the Code. Firefighting water supplies must be established to ensure all new habitable buildings are within a 90 m hose lay of a firefighting water point. Indicative water supply locations are provided in the Bushfire Hazard Management Plan (Attachment 1).

5 Recommendations

The recommendation is to adopt the BHMP as per Attachment 1.

5.1 Limitations of Plan

The bushfire protection measures outlined in the Bushfire Hazard Management Plan (Attachment 1) are based on a Fire Danger Index of 50 (FDI 50) which relates to a fire danger rating of 'very high'. Defending the property or sheltering within a structure constructed to AS3959-2009 on days when the fire danger rating is greater than 50 (i.e. 'severe' or higher) is not recommended.

Due to the unpredictable nature of bushfire behaviour and the impacts of extreme weather no structure built in a bushfire-prone area can be guaranteed to survive a bushfire. The safest option in the event of a bushfire is to leave the area early and seek shelter in a safe location.

7 Glossary and Abbreviations

AS – Australian Standard

BAL – **Bushfire Attack Level** – a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire (AS3959-2009).

BFP – **Bush Fire Practitioner** – An accredited practitioner recognised by Tasmania Fire Service.

BHMP – **Bushfire Hazard Management Plan** – plan for individual habitable buildings or subdivision identifying separation distances required between a habitable buildings(s) and bushfire prone vegetation based on the BAL for the site. The BHMP also indicates requirements for construction, property access and firefighting water supplies.

Class 1a building – is a single habitable buildings being a detached house; or one of a group of attached habitable buildings being a town house, row house or the like (NCC 2016).

FDI – **fire danger index** – relates to the chance of a fire starting, its rate of spread, its intensity and the difficulty of its suppression, according to various combinations of air temperature, relative humidity, wind speed and both the long- and short-term drought effects (AS3959-2009).

HMA – **Hazard Management Area** – the area, between a habitable building or building area and the bushfire-prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire.

m – meters

ha – hectares

NASH – National Association of Steel Framed Housing

APPENDIX 1 – Photos of site, surrounds and vegetation



Photo 1 – Looking northwest from proposed habitable buildings site at forest – upslope



Photo 2 – Looking north from eastern boundary at proposed habitable buildings site and grassland, alongside riparian forest vegetation (right hand side) - upslope

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Photo 3 – Looking southwest from proposed habitable buildings site at grassland – 0-5° downslope



Photo 4 – Looking west from proposed building site at grassland and the forested roadside nature-strip beyond

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Bushfire Hazard Report for subdivision at 12 Clark Street, Dunalley – February 2022

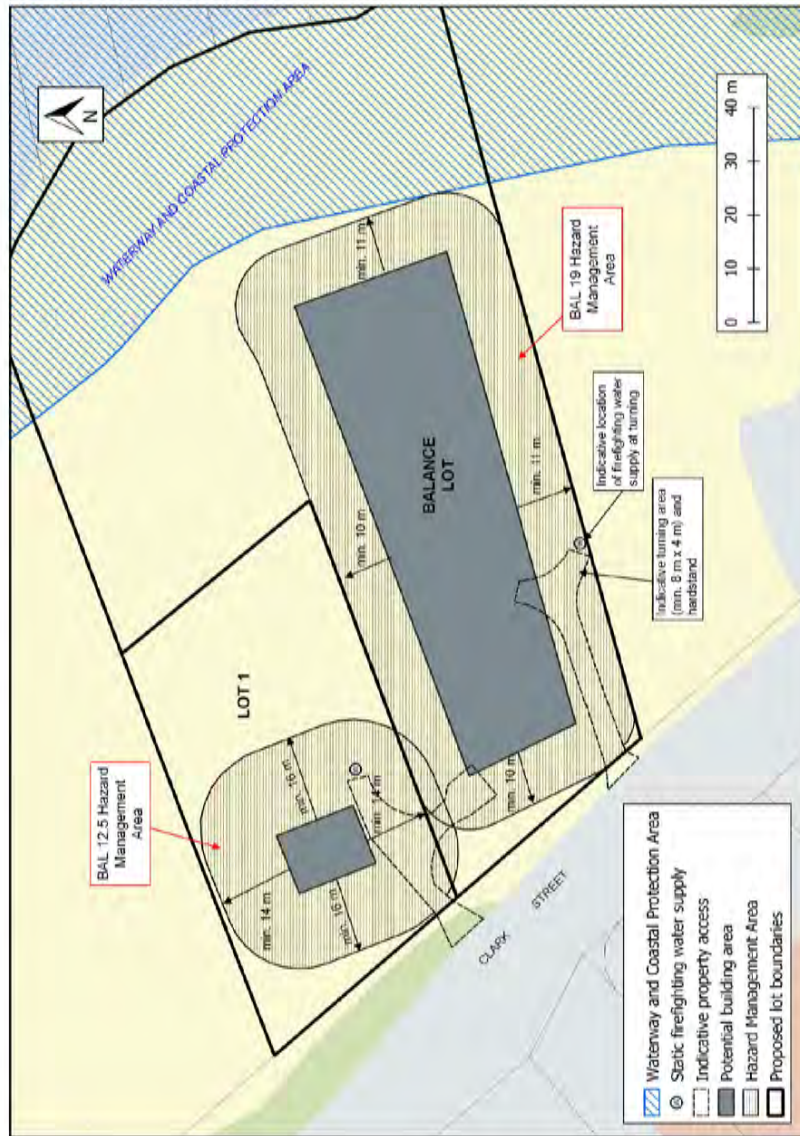


Photo 5 – Looking south along Clark Street, a sealed, single-lane public road

APPENDIX 3 – Part V Agreement

The subdivision layout and proximity to classified vegetation requires a Part V agreement or a restricted covenant on the lot Title as Lot 1 relies on the hazard management area of the balance lot.

ATTACHMENT 1 – Bushfire Hazard Management Plan – February 2022



NOTES

Hazard Management Areas (HMAs)

- HMAs are to be established as indicated in this plan to provide separation distances for meeting the requirements of BAL 12.5 for Lot 1 and BAL 19 for the balance lot.
- Vegetation in the HMAs needs to be strategically modified and then maintained in a low fuel state to protect future habitable buildings from direct flame contact and intense radiant heat. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season.
- Fine fuel loads at ground level such as leaves, litter and wood piles must be minimal to reduce the quantity of windborne sparks and embers reaching buildings, and to halt or check direct flame attack.
- Some trees can be retained provided there is 2-5 m horizontal separation between the canopies, and low branches are removed to create at least 2m vertical separation between the ground and the canopy. Small clumps of established trees and/or shrubs may act to trap embers and reduce wind speeds.
- No trees overhanging houses to prevent branches or leaves from falling on the building.
- Non-combustible elements including driveways, paths and short cropped lawns are recommended within the HMA.
- Fine fuels (leaves bark, twigs) should be removed from the ground periodically (pre-fire season) and all grasses or pastures must be kept short (<100 mm).

Public and Fire-fighting Access Requirements

- Properly access to firefighting water points must be provided at the time of building on the lots and must comply with E1.6.2 and Table E2 Element B of the Code.

Static Fire-fighting Water Supply

- Static water supplies for firefighting and associated handstands must be provided at the time of building on the lots and must comply with E1.6.3 and Table E5 of the Code.
- Construction Standards
- This plan only certifies that future habitable buildings constructed in the indicative building areas can meet the separation distances required to allow construction to BAL-12.5 (Lot 1) and BAL-19 (balance lot), as per AS3959-2009.

This plan is to be printed at A3 and read in conjunction with the preceding Bushfire Hazard Assessment Report (Enviro-dynamics February 2022).

enviro-dynamics
environmental solutions to a changing world

Jim Mulcahy – ENVIRO-DYNAMICS Pty Ltd

ACCREDITED BUSH-FIRE ASSESSOR (BFP-159)

CERTIFICATE NO: ED0451 DATE: 17/02/2022

Signed

Jim Mulcahy

For: D. Carter – 12 Clark Street, Dunalley

Title: 178612/1 PID: 9501227

February 2022 Assessment #: ED0451

4.3 SUBDIVISION APPLICATION NO. SA 2022 / 8 - 1**APPLICANT:** D T CARTER**PROPOSAL:** 1 LOT SUBDIVISION**ADDRESS:** 7 GORDON STREET, SORELL**RECOMMENDATION**

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* and the *Sorell Interim Planning Scheme 2015*, Council resolves that Development Application No. SA 2022 / 00008 - 1 for a 1 Lot Subdivision at 7 Gordon Street, Sorell for D T Carter be approved, subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 30/03/2022 except as may be amended by the conditions of this permit.
2. As no provision has been made for Public Open Space or improvements thereto, and having formed the opinion that such a provision should be made, Council invokes the provisions of Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and requires security equivalent of 2% of the improved value of the area being subdivided. This should be in the form of a direct payment made before the sealing of the final plan, or alternatively in the form of security provided under Section 117 of the Act. The subdivider is to obtain a report from an independent Registered Valuer, at the subdividers cost, and provided to Council for the purposes of determining the improve value of the area being subdivided. The assessment of the value must have been completed no longer than 3 months prior to the final plan being submitted to Council for approval.

TasWater Conditions

- | | | |
|----|------------------------|---------------------|
| 3. | Refer to TasWater form | SPAN |
| | Reference number | TWDA 2022/00626-SOR |
| | Dated | 12 May 2022. |

Engineering Conditions

4. Access to Lot 1 shall be via a right of way over Lot 2. The proposed crossover to Lot 1 from Gordon Street is not approved.
5. All works shall be constructed in accordance with Council's current Standard Drawings, and Specifications. All information, design plans and works shall be carried out to the satisfaction of Council's Manager Engineering and Regulatory Services (ME&RS).



6. All works shall be undertaken at the developer's expense.
7. The existing access shall be upgraded substantially in accordance with Council's current standard drawings, TSD-R09-v3 and TSD-R16-v3, and as follows:
 - a. The access shall be constructed of 150mm thick centrally reinforced concrete over a minimum of 100mm compacted sub-base material;
 - b. The concrete shall start at the back of kerb in Gordon Street, shall have a minimum width of 6.0 metres, and shall extend for 6.0 metres or to the property boundary, whichever is greater;
 - c. The concrete shall be finished in a charcoal grey colour to match the streetscape;
 - d. The existing vehicular crossover shall be extended to match the driveway;
 - e. The connection to the road seal shall have a clean straight edge;
 - f. Drainage from the sealed access must not cause ponding within Council's road reserve.
8. Any damaged sections of the existing footpath shall be repaired / replaced as required to match the existing construction.
9. A Council engineering officer must inspect the completed base prior to pouring concrete. Please call Council on 6269 0000 to arrange a time giving at least 24 hours' notice.
10. The off street car parking area for the hairdresser shall be upgraded to comply with the following requirements:
 - a. Off street parking requirements (including layout, line marking, signage and the installation of wheel stops) shall comply with Australian Standard AS 2890.1;
 - b. Off street driveway, car parking and turning areas shall be constructed with a sealed surface treatment and be appropriately drained to Council's stormwater system;
 - c. Fixed bollards shall be installed along the property frontage to Gordon Street to separate the car parking area from the footpath;
 - d. A revised car parking plan implementing the above requirements shall be submitted to Council for review and approval prior to any works commencing.
11. A new DN150 stormwater lot connection to Council's existing stormwater line must be provided for both the existing and new lot. An appropriate drainage easement must be created over the stormwater lot connection for lot 2 in favour of lot 1. A revised drainage plan must be submitted to Council for review and approval prior to any works commencing.
12. A Start Works Notice shall be completed and submitted to Council prior to commencement of works on site.

13. 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 works do not meet Council requirements and/or further inspections are required, additional fees will be charged for each subsequent inspection at the prescribed inspection rate. Council will not 'seal' final plan of survey until all fees are paid and all works are completed.
14. No debris/materials/waste is to be left behind within the road reservation once all works are completed. The road reserve shall not be used for storage of any materials during construction.
15. Power and communication services (including NBN if available) are to be provided to the new lot in accordance with the relevant Authority's standards and specifications, with the developer to meet all costs.
16. The survey pegs for all lots in the subdivision are to be certified correct after all works have been completed.
17. Prior to Council 'sealing' the final plan of survey, all engineering conditions in this permit must be satisfied.

DSG Conditions

18. 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 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.

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.
- Separate Building Approval may be required prior to commencement of the development.

You may appeal against the above condition/s, any such appeal must be lodged within fourteen (14) days of service of this notice to the Resource Management and Planning Appeal Tribunal, Level 1, 144-148 Macquarie Street Hobart 7001. Ph ☎ 6165 6794 or email rmpat@justice.tas.gov.au.

Introduction

Council received an application to subdivide 7 Gordon Street into two lots. Lot 1 closer to Gordon Street will have an area of approximately 428m² and incorporates an existing commercial use within a converted dwelling and outbuilding. Lot 2 to the rear is vacant of other structures, will be accessed via an access strip, and will have an area of 767m² (including the access strip). Its access will be to Gordon Street, utilising the existing crossover which will be widened to accommodate the potential increase in traffic.

Lot 1 will have a new access constructed, but will retain a right of access over the access strip for Lot 2.

The subdivision has a prior approval that has since lapsed.



Figure 1: The subject site highlighted. The new access strip will travel along the northern boundary of the existing dwelling

Strategic plan

The development does not impact upon Council's Strategic Plan.

Annual plan

The development does not impact upon Council's Annual Plan.

Policy

The development does not reflect any specific Council policies, however the Open Space Policy will be referenced as part of the assessment process.

Environmental implications

There are no specific Environmental implications from the proposal.

Asset management implications

There are no specific asset management implications from the proposal.

Risk management implications

There are no specific risk management implications from the proposal.

Community implications

There are no specific community implications from the proposal.

Statutory implications

Zone: General Business

Use Classification: Subdivision is discretionary within the General Business zone.

Representations

The application was advertised on 2 June 2022 and representations closed on 21 June 2022.

At the time of preparing this report, no representations were received.

Referrals

The application was referred to Council's Engineering, Plumbing and Environmental Health Departments.

Environmental Health had no comments or conditions.

Engineering provided comments and conditions.

Plumbing had no comments or conditions.

The application was referred to TasWater on 29 April 2022 and a response was received on 12 May 2022 with reference number TWDA 2022/00626-SOR.

Date of Receipt of Application

30/03/2022

Date by Which a Decision Must be Made

8 July 2022.



Report

This is an application for 1 Lot Subdivision at 7 Gordon Street, Sorell.

The property is a single title which is approximately 1191m² in area. The property currently accommodates a small weatherboard building which has housed a hairdresser. It is located within the business district of Sorell.

The subdivision will separate the rear parcel off the parent title providing a lot at the rear, accessed via an access strip. The front Lot 1 will have a right of access over the strip but will also have a new crossover constructed to the south.

General Business Zone

The relevant standards within the General Business Zone are limited to those applicable to Subdivision. The following standards are complied with:

- Clause 21.5.1, A1. Minimum lot size. Each lot has an area of greater than 300m² which is the minimum lot size for the zone.
- Clause 21.5.1, A2. Building area. Each lot has a building area that is clear of the setbacks, and easements, is level and has a minimum dimension of 10m x 15m.
- Clause 21.5.1, A5. Each lot is connected to services adequate to support the future use and development of the land.

The following standards require discretionary consideration:

P3

The frontage of each lot must be sufficient to accommodate development consistent with the Zone Purpose, having regard to any Local Area Objectives or Desired Future Character Statements.

The lot at the rear of the site is accessed via an access strip that has a 6m frontage width instead of the 10m specified by the acceptable solution of the scheme. It is unclear what the rear lot would be used for in the future, however, it is considered that a 6m access width is adequate to enable a commercial use at the rear. This use would be limited somewhat by the size of the proposed lot, which in turn is likely to reduce the amount of traffic coming down the access strip.

The front lot will have a new crossover constructed to the south of the existing access. This is considered to be appropriate in the circumstances and provides for better utilisation of the land to the rear of the site.

P4

The arrangement of roads within a subdivision must satisfy all of the following:

- (a) the subdivision will not compromise appropriate and reasonable future subdivision of the entirety of the parent lot;*
- (b) accords with any relevant road network plan adopted by the Planning Authority;*
- (c) facilitates the subdivision of neighbouring land with subdivision potential through the provision of connector roads, where appropriate, to the common boundary;*
- (d) provides for acceptable levels of access, safety, convenience and legibility through a consistent road function hierarchy.*

This criteria does not have an acceptable solution therefore all applications must be assessed against the performance criteria. It is noted that this is a single lot subdivision, and does not propose any roads. Therefore the application meets the requirements of the performance criteria as the subdivision is to separate the entire parent lot for future development, it does not contradict any road network plan, does not impede the ability of neighbouring lots to be subdivided, and provides for an acceptable level of access. The application complies with the performance criteria.

P6

Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.

With a single lot subdivision, consideration of the relevant contribution for public open space must be given.

This land has not been strategically identified for a land contribution of public open space. It does not provide for improved accessibility, nor does it link with other open space areas that are located in the surrounding streets.

The zoning of this land is General Business and the parcel of land is located close to other open space areas including open space associated with the church, open space associated with the tennis centre and playground at Parsonage Place, and open space associated with Pembroke Park. Therefore there is not a deficiency in open space in this specific area.

There is generally an increase in land from a subdivision, purely from the ability of the site to be developed further, ordinarily for housing.

This site is zoned General Business, therefore the range of uses that could occur there is broad, and does include residential uses, but also includes a range of business and commercial uses. Given this, whilst a cash in lieu contribution is considered appropriate, a contribution of the entire 5% is not considered warranted, given that the site may not be used for residential purposes (therefore increasing the demand for space) into the future. Accordingly, it will be recommended that a cash in lieu contribution of 2% improved value of the land is required for the site.

CODES

The following Codes require consideration under the application:

- Parking and Access Code;
- Stormwater Management Code

It is noted that ordinarily for a subdivision, a Bushfire Hazard Management Plan would be a requirement. Under the Bushfire-Prone Areas Code it specifies that a plan (or exemption) be provided for the subdivision of land within identified Bushfire prone areas. This site is not bushfire prone, either through mapping, or through being within 100m of more than 1ha of bushfire prone vegetation. Therefore, it has been determined that the Code does not apply.

Parking and Access Code

The application provides for a new access crossover from Lot 1 (the front Lot), as well as an access strip and associated crossover for Lot 2. This will be a single access point per lot which meets the requirements of Clause E6.7.1.

The access for Lot 2 includes a double width cross over at the street edge, providing a vehicle passing area immediately adjacent to the front boundary. The length of the access strip is approximately 30m. The passing bay at the front boundary will ensure that the access arrangement meets Clause E6.7.3 of the Code.

As noted in the engineering referral, the crossover for Lot 1 is not supported.

No parking is proposed as part of this application therefore those standards do not require consideration. All accesses will be sealed in 150mm concrete which complies.

The application meets the requirements of the Code.

Stormwater Management Code

The site has access to reticulated stormwater which ensures that any stormwater from new impervious surfaces (such as access strips and cross overs) will be able to be disposed of by gravity to the public stormwater infrastructure.

The requirements for a stormwater system does not apply for single lot subdivisions. Similarly it is not considered necessary to require a minor or major stormwater system for the scale of this development. The application meets the requirements of the Code.

Development Engineering

Councils Development Engineer has made the following comments:

The application is for a 1 lot subdivision at 7 Gordon Street, Sorell. The existing site is used for a hairdresser which has 2 car parking spaces associated with it. The purpose of the subdivision is to separate the hairdresser and create an additional lot at the rear of the property.

The 2 car parking spaces associated with the hairdresser should be sealed and formalised as part of this development. Segregation from the existing Council walkway should be implemented in the form of bollards to separate vehicles from pedestrians.

The site is currently accessed from a single access point on the north side of the Gordon Street frontage. The proposed subdivision includes a new access point for the hairdresser, leaving the existing access for the new block. To promote pedestrian safety and increase the number of available on-street parking spaces, the number of access points to Gordon Street should be minimised. A right of way over the existing access should be created instead of the new access point. The existing access will need to be upgraded to comply with current standards.

The existing hairdresser has an existing SW connection to the kerb in Gordon Street. A new stormwater connection should be provided for both lots through the existing stormwater line towards the rear of the property.

DSG have included conditions which I have included in this referral.

Conclusion

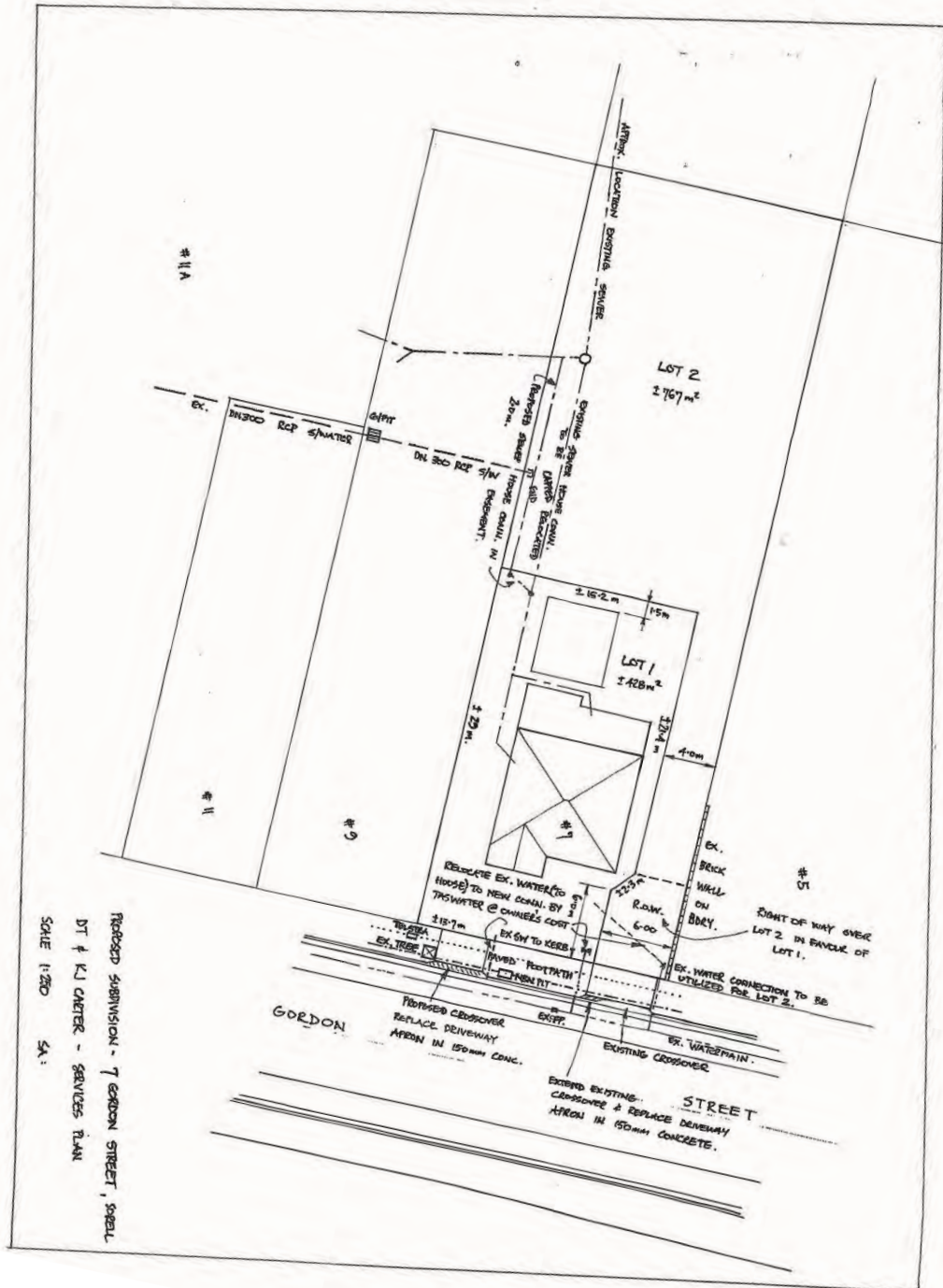
In considering this application and requirements of the Sorell Interim Planning Scheme 2015, this application has been presented to Council and recommended for approval with conditions.

Caroline Lindus

CONSULTANT SENIOR PLANNER

Attachment: Subdivision Plan dated 29/04/2022





4.4 DEVELOPMENT APPLICATION NO. DA 2022 / 169 - 1

APPLICANT: O STRICKLAND

PROPOSAL: SIGNAGE

ADDRESS: 11 FITZROY STREET, SORELL

RECOMMENDATION

That pursuant to *Section 57* of the *Land Use Planning and Approvals Act 1993* and the *Sorell Interim Planning Scheme 2015*, Council resolve that Development Application DA2022/169-1 for Signage at 11 Fitzroy Street, Sorell be approved subject to the following condition:

1. Development shall generally be in accordance with the endorsed plans submitted on 15/06/2022 except as may be amended by the conditions of this permit.

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.

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

Introduction

This is an application for Signage on the wall of the building at 11 Fitzroy Street, Sorell. The type of sign is considered a “Wall Sign” measuring 1.220m x 1.600m and located on the face of the existing building. The signage is a part of the establishment of a new employment centre known as “Business and Employment South East Tasmania” (BEST).

Strategic plan

The proposal will not affect implementation of Council’s Strategic Plan.

Annual plan

The proposal will not affect implementation of Council’s Annual Plan.



Environmental implications

There are no environmental implications.

Asset management implications

There are no asset management implications.

Risk management implications

There are no risk management implications.

Community implications

There are no significant implications for the community associated with this development. The use of the building is considered to benefit the community by providing business and employment services opportunities to the immediate community and surrounds.

Statutory implications

Zone: General Business

The application for signage only, does not require consideration against standards within the General Business Zone.

Codes: Signage Code 17.0

Use Classification: Permitted Use

Referrals

The application was referred to Council's Engineering, Plumbing and Environmental Health Departments with no concerns raised.

Date of Receipt of Application

15 June 2022

Date by Which a Decision Must be Made

1 August 2022 (the application became valid on 4 July 2022)

Report

This is an application for Signage at 11 Fitzroy Street, Sorell. The application is therefore assessed against the Signs Code E17.0 within the Sorell Interim Planning Scheme 2015.



Figure 1 – Location of signage on front wall of the existing building @ 11 Fitzroy Street Sorell



Figure 2 – Montage Image of proposed sign on front wall of building @ 11 Fitzroy Street, Sorell.

The application proposes a wall sign on the front wall of the existing building at 11 Fitzroy Street.

The application is therefore assessed under Clause 17.6.1 – Signage Use:

17.6.1 A1 – A Wall sign is permitted in the General Business zone in Table E17.3 of the Code

17.6.1 A2 - The signage is associated with the business activity services at the site (BEST).

17.6.1 A3 - The sign does not contain any flashing lights or moving parts.

17.6.1 A4 – As the sign is not illuminated, therefore A4 does not apply.

The application is also assessed under Clause 17.7.1 – Standards for Signs:

17.7.1 A1 – The sign complies with the standards for wall signs as listed in Table E17.2 (below) and permitted in Table E17.3.

Table 17.2 Sign Standards for a Wall Sign:

(a) Message on the front face only;

(b) Projection from the face of the wall or fence no more than 450mm;

(c) Does not extend laterally beyond the wall or above the top of the wall to which it is attached;

(d) Area of sign no more than 2m².

17.7.1 A2 – Number of Signs – there is only one advertising wall sign type at the property, therefore meets the requirements for the number of signs per frontage.

17.7.1 A3 – This type of signage will not obscure or prevent or delay a driver from viewing a statutory or tourism sign.

17.7.1A4 – The sign is not similar to or does not resemble any statutory sign.

The wall sign is considered to be permitted and complies with Signage Code E17.0.

Council is considering this application as the property is in the ownership of the Sorell Council.

In considering this application and requirements of the *Sorell Interim Planning Scheme 2015*, this application has been presented to Council and recommended for approval with conditions.

Jenny Richmond
PLANNING OFFICER
Attachments (0)

