



DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) AGENDA

10 JANUARY 2023

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, 10 January 2023 commencing at 4:30 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
5 JANUARY 2023



AGENDA

FOR THE DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
TO BE HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE
STREET, SORELL ON TUESDAY 10 JANURY 2023

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1.0 ATTENDANCE

^

Chairperson Mayor Vincent
Deputy Mayor C Wooley
Councillor M Brown
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miro Quesada Le Roux
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus
Robert Higgins, General Manager

2.0 CONFIRMATION OF THE MINUTES OF 6 DECEMBER 2022

RECOMMENDATION

“That the Minutes of the Development Assessment Special Committee (DASC) Meeting held on 6 December 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 / 373 - 1

Applicant:	Casa Eros Pty Ltd
Proposal:	Change of use, signage, demolition of outbuildings
Site Address:	12 Fitzroy Street, Sorell (CT 82814/2)
Planning Scheme:	<i>Tasmanian Planning Scheme - Sorell</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for DASC meeting:	Owner or applicant is a relative of a staff member
Relevant Zone:	8.0 General Residential
Proposed Use:	Business and Professional Services
Applicable Overlay(s):	Nil
Applicable Codes(s):	C1.0 Signs Code C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code
Valid Application Date:	21/11/2022
Decision Due:	11 January 2023
Discretion(s):	1 8.3.1 P1 Discretionary Use
	2 C1.6.1 P1 Signage
	3 C2.5.1 P1 – Car parking numbers
Representation(s):	Nil

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application DA 2022 / 00373 - 1 for a Change of use, signage, demolition of outbuildings at 12 Fitzroy Street, Sorell, be approved subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans P2 submitted on 21 November and 24 November 2022 except as may be amended by the conditions of this permit.

Engineering Conditions:

2. The minimum number of on-site car parking spaces provided must be no less than the following:



- a) Stage 1 (2 practitioners) – minimum of 4 spaces including one accessibility space;
- b) Stage 2 (3 practitioners) – minimum of 6 spaces including one accessibility space.

The required on-site car parking spaces must be operational and constructed to the satisfaction of Council's Manager Planning prior to the operation of each consulting room.

3. Off-street car parking shall 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 suitable sealed surface treatment (asphalt, concrete, etc.);
 - c) Turning bays are to be designated as such on site.
4. Stormwater shall be discharged to Council's stormwater system to the satisfaction of the Manager Planning. No stormwater runoff shall be directed onto neighbouring properties.
5. The developer shall be responsible for the location of any existing services and Council infrastructure.
6. All works shall be undertaken by the developer at the developer's cost.
7. Any existing Council infrastructure that is damaged or modified in any way, as a consequence of these works, shall be repaired or reinstated by the developer to its original condition, as soon as reasonably practicable, at the developer's cost.
8. During the works period, the developer shall contain all materials within the property boundaries and maintain the site so as not to cause a hazard to pedestrian or vehicular traffic.

TasWater Conditions:

- | | |
|------------------------------|---------------------|
| 9. Refer to TasWater Notice: | SPAN |
| Reference: | TWDA 2022/01885-SOR |
| Dated: | 5/12/2022 |

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- Requirements for works or other outcomes to the satisfaction of the General Manager will be delegated to the appropriate officer for determination.
- All engineering related queries should be directed to the Development Engineer. The Council General Manager has delegated functions relevant to the permit to the Development Engineer.
- The permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the *Land Use Planning and Approvals Act 1993*.
- This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- This planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.
- Any changes to the use or development approved, may be deemed as substantially in accordance with the permit or may first require either a formal amendment to this permit or a new permit.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street Hobart 7000 Ph: ☎(03) 6165 6790 or email resourceplanning@tascat.tas.gov.au

Executive Summary

An application is made for a Change of use, signage and demolition of outbuildings at 12 Fitzroy Street, Sorell. This property is zoned General Residential.

The key planning considerations relate to the potential for loss of amenity to adjoining sensitive uses pursuant to Clause 8.3.1 A4 of the planning scheme, the provision of car parking spaces pursuant to Clause C2.5.1 of the planning scheme and the design and siting of signs pursuant to Clause C1.6.1 P2 of the planning scheme.

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



Relevance to Council Plans & Policies

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

Legislation

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

The role of the Council in relation to planning matters is, in very broad terms, to uphold its planning scheme. In that context it is in a sense, blind to everything but the terms of the Scheme. It cannot put economic advantage or perceived community benefits over the terms of the Scheme. And in the context of enforcement proceedings unless expressly authorised to do so, it may not take any approach which is inconsistent with the terms of its Scheme.

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

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

Referrals

Agency / Dept.	Referred?	Response?	Conditions?	Comments
Development Engineering	Yes	Yes	Yes	Yes
Environmental Health	No	No	Nil	Nil
Plumbing	No	No	Nil	Nil
NRM	No	No	Nil	Nil
TasWater	Yes	Yes	Yes	Nil
State Growth	No	No	Nil	Nil

Report

Description of Proposal

The proposal is for a change of use from residential to Business and Professional services and associated demolition and signage. The proposed use is for consulting rooms for a Psychology and Allied Mental Health practice, 'Psyche Mental Health Centre' that currently operates in Salamanca, Hobart and is looking to expand. Currently the practice employs Clinical Psychologists, Provisional Psychologists, a Play Therapist and a Hypnotherapist. It is anticipated that the consulting rooms would also be available for hire by related allied health services. The building contains 3 consulting rooms. It is proposed that the car parking would be undertaken in stages. Stage 1 would see 2 car parking spaces and stage 2 would see an additional 2 spaces, with 4 car parking spaces in total.



The demolition would involve the removal of a shed and carport, which are located on the eastern side boundary towards the rear of the property. The demolition is required to enable onsite car parking and manoeuvring.

The proposed signage would be double sided and would read 'Psyche Mental Health Care' with the logo of the business. The face of the sign would measure 800mmHx 1200mmW. The sign would have a maximum height above ground level of 1200mm.

The proposal would involve minor landscaping between the building and the front boundary.

The application is supported by:

- a planning assessment from the applicant.

Description of Site

The subject site is flat with no significant vegetation and contains an existing single dwelling with associated outbuildings. The site has an approximate total area of 612m² with a frontage of approximately 19.5m to Fitzroy Street, refer below to Figure 1.

The surrounding properties are all zoned General Residential and the properties to the east and west contain single dwellings and to the north, across Fitzroy Street, and south contain multiple dwellings.

The site is fully connected to reticulated water, sewer and stormwater services.

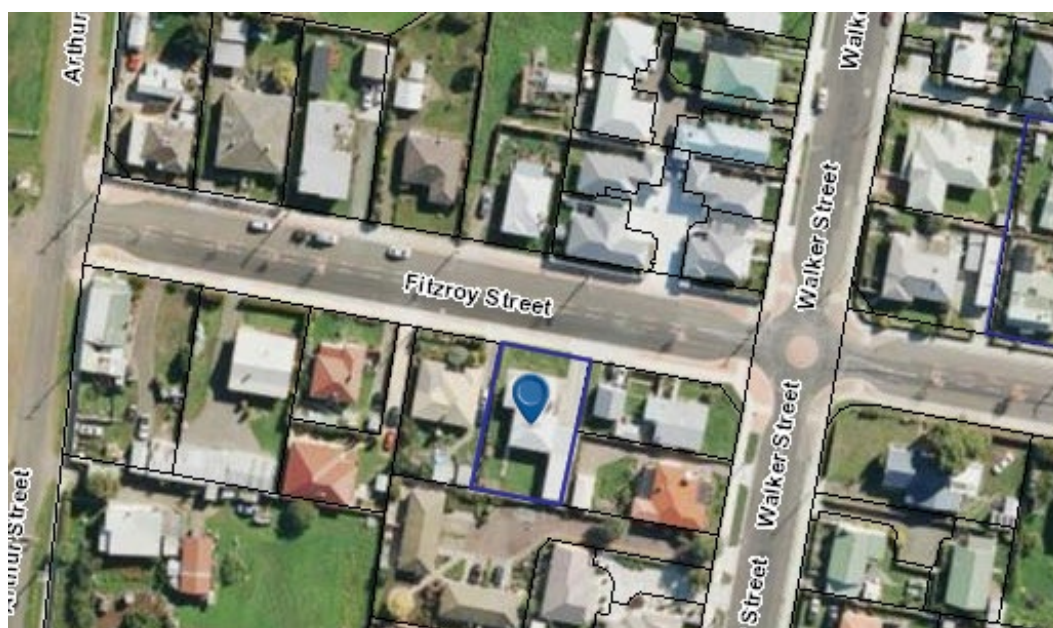


Figure 1: Subject site outlined in blue (Source: www.thelist.tas.gov.au)

Planning Assessment

General Residential Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
8.3.1 A1	Discretionary Uses	Yes, as the proposed hours of operation are 9am to 5pm Monday-Saturday.
8.3.1 A2		Yes, as the proposal does not include any external lighting.
8.3.1 A3		Yes, as the proposal does not involve any commercial vehicle movements.
8.3.1 A4		No, as there is no acceptable solution. Refer to performance criteria assessment below.

Performance Criteria Assessment 1 – 8.3.1 P4, refer below to clause.

P4

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

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

The performance criteria are applicable as there is no corresponding acceptable solution for Clause 8.3.1. It is considered that the performance criteria are satisfied for the following reasons:

- 1) The intensity and scale of the use is minor;
- 2) No emissions would be generated by the proposed use;
- 3) The traffic generation would be for private vehicles only and is anticipated to be 18 per day. This would consist of 5 clients per room per day and 1 staff member per room per day, when the use is at maximum capacity. It is noted that there is existing through traffic to both Gordon Street and Pembroke Park;
- 4) Given the nature of the proposed use it is considered that there would be minimal impact on the character of the area; and
- 5) The applicant maintains that there are no suitable alternative buildings given the strong demand for office floor space and the limited commercial construction activity.

Code

Signs Code

The proposed signage is classified as a Ground Base Sign pursuant to Table C1.6 Sign Standards of the planning scheme. The sign would be double sided and would read 'Psyche Mental Health Care' with the logo of the business. The face of the sign would be 800mmHx1200mmW. The sign would have a maximum height above ground level of 1200mm.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C1.6.1 A1	Design and siting of signs	Yes, the sign is located within the applicable zone for a ground base sign as set out in Table C1.6 & meets the sign standards for a ground base sign as set out in Table C1.6.
C1.6.1 A2		No, the sign would be less than 2m from the boundary of any lot in the General Residential Zone.
C1.6.1 A3		Yes, only 1 ground base sign is proposed.

Performance Criteria Assessment - C1.6.1 P2, refer below to clause.

P2

A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:

- (a) the topography of the site and the surrounding area;*
- (b) the relative location of buildings, habitable rooms of dwellings and private open space;*
- (c) any overshadowing; and*
- (d) the nature and type of the sign.*

It is considered that the performance criteria are satisfied for the following reasons:

- 1) The proposed sign would be located on the front boundary, approximately 8m from the shared side boundaries of the 2 adjoining properties at 14 Fitzroy Street and 19 Walker Street. The sign would therefore be located some distance from buildings, habitable rooms and private open space of the adjoining properties.
- 2) No overshadowing of the adjoining sites would occur as a result of the proposed signage.
- 3) The sign would have a maximum total height of 1200mm and maximum width of 1200mm. The sign would provide adequate business notification without resulting in a loss of amenity to adjoining properties.

Parking and Sustainable Transport Code

The following comments were provided by Council's Development Engineer:

- Application involves off-street car parking areas and will require conditions around layout plus line marking.
- The car parking area is proposed to be expanded in the future to accommodate a third consulting room, this will need to be conditioned.
- The accessibility space provided does not need to be signed for the initial proposal. When the car parking area is expanded, this will need to be signed and line marked appropriately.

Parking requirements for a Business and Professional Services (consulting room) are 4 car parking spaces per practitioner and 2 bicycle parking spaces for each 8 practitioners pursuant to Table C2.1 Parking space requirements. Given there would be a maximum of 3 practitioners working onsite at any one time 12 car parking spaces would be required and 8 bicycle parking spaces would be required. The proposal would provide for 4 car parking spaces when fully operational.

In considering the intensity of the development, and the availability of street parking, it is considered that the discretion is warranted. The nature of the business is such that it does not have a high turnover of patients like a GP clinic. Rather patients arrive to the site and have an hour appointment, and there is a break between appointments. This reduces the cross over between patients and the demand on vehicle spaces. Given the proximity of the site to the centre of Sorell and the extensive on-street parking, it is considered that the discretion under C2.5.1 P1 is warranted.

Road and Railway Assets Code

No further comments provided in relation to this code.

Representations

The application was advertised from 2 December 2022 until 19 December 2022. No representations were received.

Conclusion

The application is considered to comply with each applicable standard of the *Tasmania Planning Scheme - Sorell* and is recommended for conditional approval.

CAROLINE LINDUS
CONSULTANT SENIOR PLANNER





Psyche Mental Health Centre – Sorell

12 Fitzroy Street, Sorell

Planning Application – November 2022

The proposal

We ask that Sorell Council grant discretionary approval to use the existing dwelling at 12 Fitzroy Street as consulting rooms.

Our business is a Psychology and Allied Mental Health practice operating in Hobart and Sorell. We employ Clinical Psychologist's Provisional Psychologists and a Play Therapist, along with a Hypnotherapist co-located in our sites. Our rooms will also be available for day hire or sublease to related allied health services. Consulting rooms will be available for day hire by related professionals, which fills a significant gap in opportunities for room hire.

External changes to the site include:

- Landscaping to the front yard;
- One small sign to the front; and
- Removal of shed and carport.

Why Sorell?

The provision of mental and allied health services within the Sorell LGA, whether by government, NGO's or private firms, is limited. With multiple staff members residing in the Sorell LGA we are acutely aware of the shortfall with respect to mental health services. In mid-2022 we opened PMHC Sorell and continue to expand our service provision.

Our Values:

- **Community:** Developing relationships and connections outside of the individual to create a narrative normalizing mental health and wellbeing and empower healthy communities.
- **Compassion:** For ourselves and others. Recognising the struggles of the individual and working in a collaborative partnership to alleviate pain and distress.
- **Authenticity:** Embracing and celebrating what makes us different yet unique. Being professional yet humble and recognising that each individual is the expert in their story. Taking our work exceptionally seriously but never ourselves.



Why this site?

Before commencing PHMC Sorell, we conducted an extension search for free-hold, lease, sub-lease and room hire space across the Sorell commercial precinct. Aside from our current site, only high-exposure and high-traffic tenancies in the Sorell Plaza were available. There is a shortage of suitable commercial floor area. Our current leasehold site, which was the only practical option at the time, is not of a suitable standard in the long-term.

We selected this site in part due to the lack of alternatives and also because of its close proximity Gordon Street as well as being located on a key local road linking Gordon Street to Pembroke Park. By foot or vehicle, the site is close to other commercial and community services. The existing dwelling is well suited to a consultancy as it requires no structural change and has a disable access ramp in place.

Zone

Hours of operation are 9am to 5pm, which is within the limits set by the acceptable solution. There is no external lighting and no commercial vehicle movements. The performance criteria for discretionary use state:

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

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

We submit that the use will not impact the amenity of the area. We note that:

- The intensity and scale of the use is minor. The use operates only between 9am and 5pm
- There are no emissions
- Traffic generation involves private vehicles only and is minimal, noting existing through traffic to Gordon Street and Pembroke Park
- Traffic generation is six movements per room per day for 18 per day. This consists of five clients per room per day and one staff per room per day. The generation of 18 per day will only occur at maximum capacity of the site
- The nearest intersection is a roundabout which safely facilitates traffic movements;
- External change in appearance of the site is limited;
- The location is close to existing commercial areas;

P S C H E

MENTAL HEALTH CENTRE

- There are no suitable alternative buildings given the strong demand for office floor space and the limited commercial construction activity (relative to housing growth).

The image below shows the location of non-residential uses currently occurring in Sorell, as well as the residential uses that currently occur in the General Business Zone. The circle is a 500m radius. The image shows that there is mixture of land uses occurring across residential and commercial areas within Sorell. The proposed use is consistent in scale and location to the various non-residential uses occurring in residential areas.



Non-residential uses in residential areas (red). Residential uses in the General Business Zone (Green). General Business Zone land in blue.



Car Parking

The scheme requirement of 12 spaces (four per room) is excessive and impractical. The car parking requirements in the scheme treats all medical and allied health uses as one, notwithstanding very significant operational differences. Our use, for instance, does not involve client waiting nor short-sessions such as you would see at a GP clinic.

Relative to other medical and allied health operations, the number of clients coming to our services is less. The day-to-day operations of our business involves a clinician seeing five clients with each session running for 50 minutes and a minimum 10 minute gap between clinicians. There is usually no overlap between clients leaving and arriving, significantly reducing the need for car parking.

The actual demand generated by our use is two spaces per room (one space per clinician and one space per client) and a total of six spaces at capacity.

Our existing operation at Sorell involves a maximum of two clinicians onsite at one time and does not operate five days a week. We do not envisage that PMHC or room hire will operate at capacity for several years.

We propose to provide a staged arrangement to parking whereby:

- Stage 1 and prior to first use, four line-marked spaces are provided utilising existing hardstand areas and a new gravel turning area;
- Stage 2, constructed when all rooms are in use for at least two days per week, the provision of two additional sealed car parking spaces and turning area.

With respect to the performance criteria:

- The practical demand can be accommodated onsite; and
- There is ample off-street parking in Fitzroy Street for any temporary overflow

Fitzroy Street is a full urban road with parking to both sides, footpaths and central street-trees.

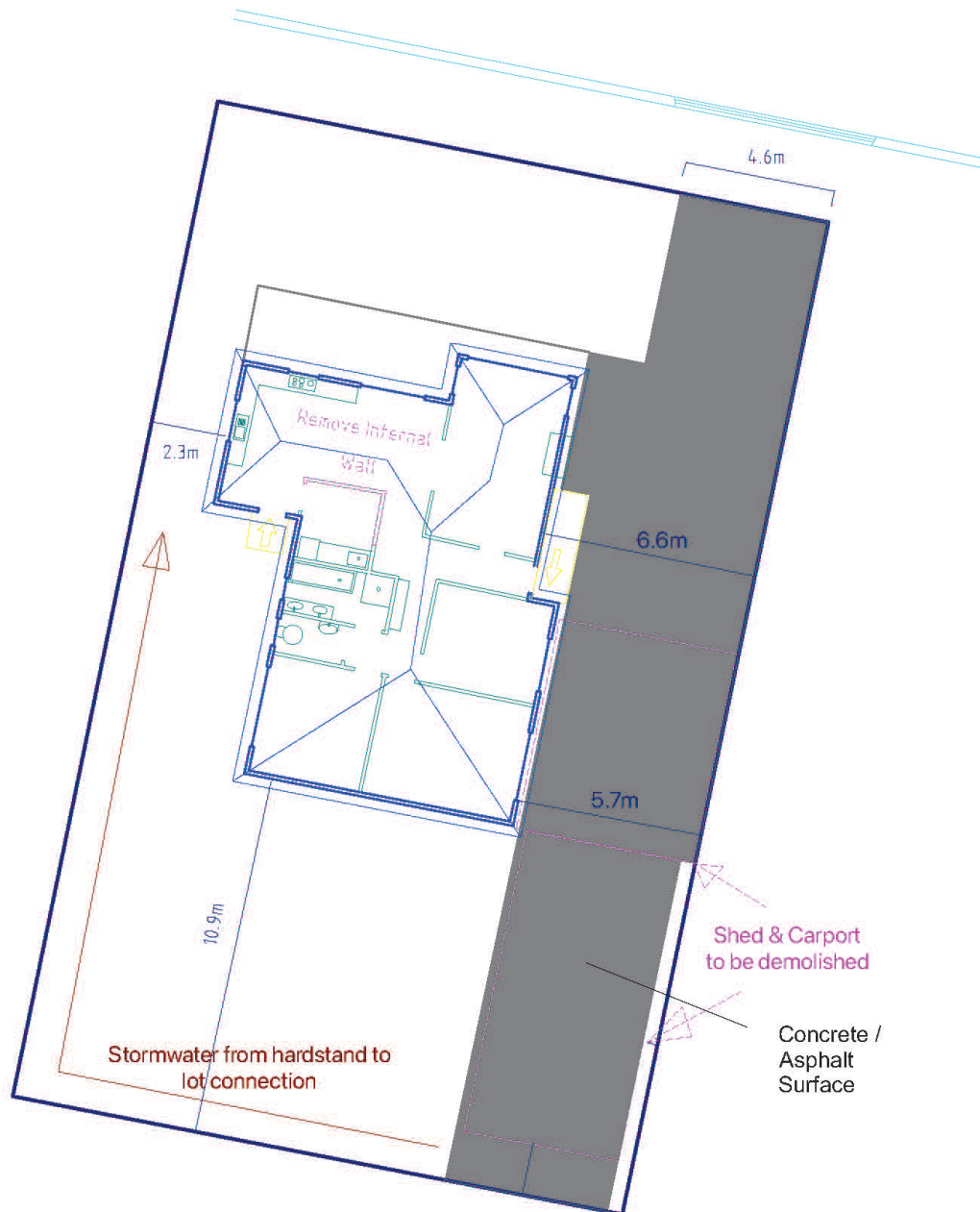


Site Image



Attachments:

Proposal Plan
Demolition Plan
Stage 1 Parking Layout
Stage 2 Parking Layout
Titles

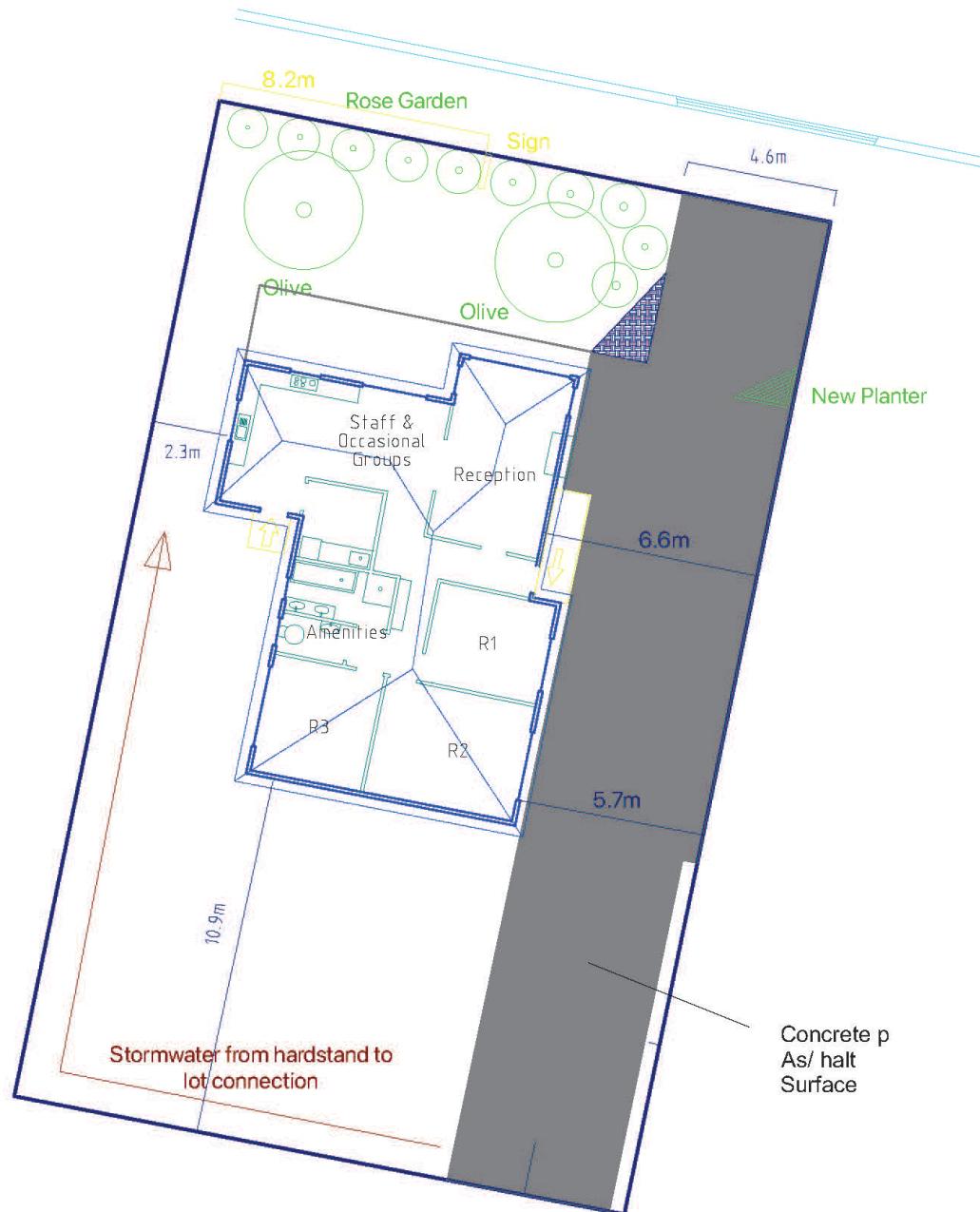


Psyche Mental
Health Centre

12 Fitzroy Street, Sorell
Change of Use
Demolition Plan

Drawn:
Date: 14 Nov 2022
Scale: 1:100 @ A3
Measurements subject to survey



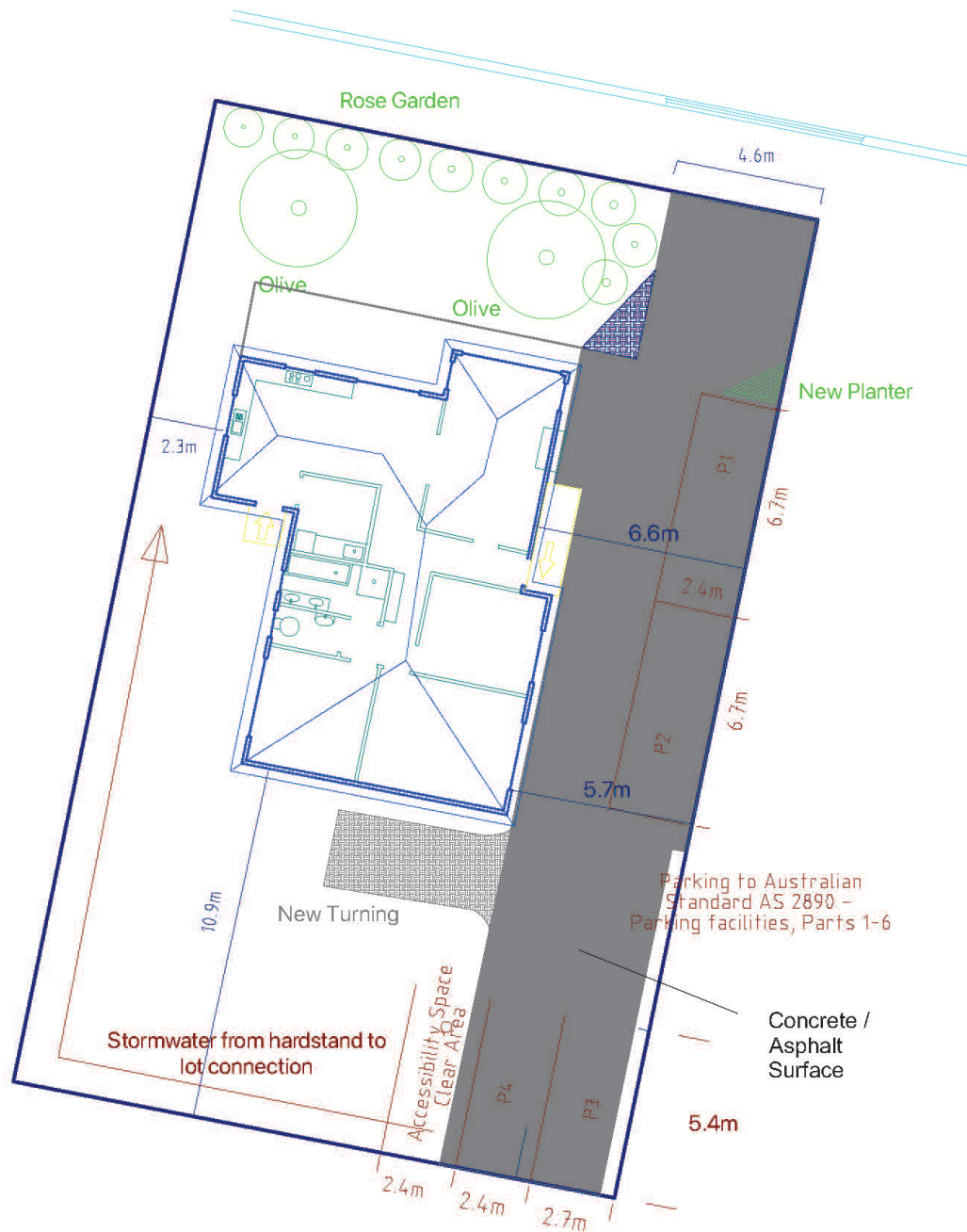


Psyche Mental
Health Centre

12 Fitzroy Street, Sorell
Change of Use
Pro/ osal Plan

Drawn:
Date: 14 Nov 2022
Scale: 1:100 @ A3
Measurements subject to survey



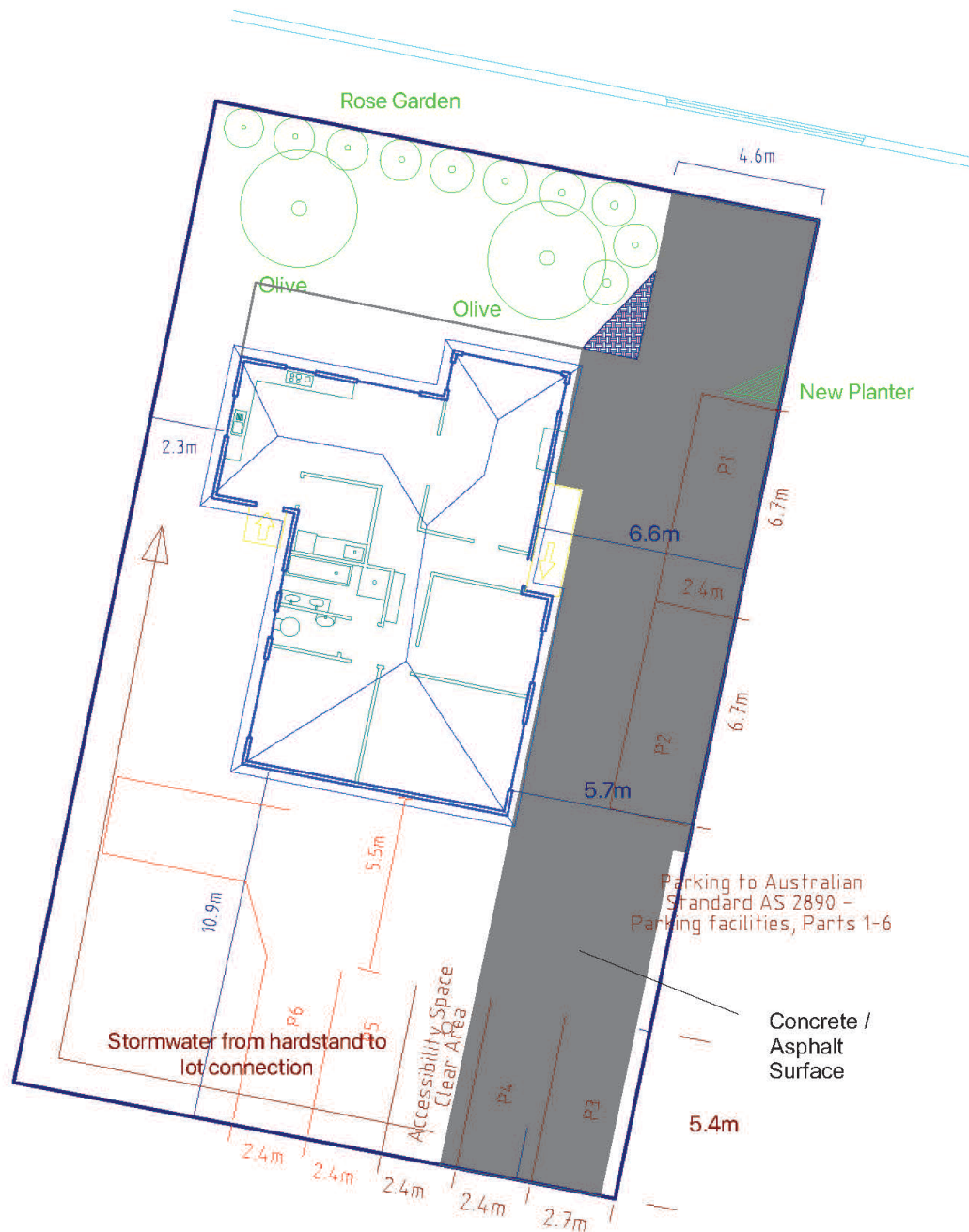


Psyche Mental
Health Centre

12 Fitzroy Street, Sorell
Change of Use
Stage 1 Parking Plan

Drawn:
Date: 14 Nov 2022
Scale: 1:100 @ A3
Measurements subject to survey





Psyche Mental
Health Centre

12 Fitzroy Street, Sorell
Change of Use
Stage 2 Parking Plan

Drawn:
Date: 14 Nov 2022
Scale: 1:100 @ A3
Measurements subject to survey





4.2 DEVELOPMENT APPLICATION NO. DA 2022 / 356 - 1

Applicant:	T G Spaulding
Proposal:	Outbuilding
Site Address:	142 Fulham Road, Dunalley (CT 175275/1)
Planning Scheme:	<i>Tasmanian Planning Scheme - Sorell</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for DASC meeting:	Applicant is a relative of a staff member
Relevant Zone:	21.0 Agriculture
Proposed Use:	Residential (Outbuilding)
Applicable Overlay(s):	Nil
Applicable Codes(s):	Parking and Sustainable Transport
Valid Application Date:	10/11/2022
Decision Due:	12 January 2023
Discretion(s):	1 Use
Representation(s):	Nil

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application DA 2022 / 00356 - 1 for an Outbuilding at 142 Fulham Road, Dunalley, be approved subject to the following conditions:

1. Development shall generally be in accordance with the endorsed plans submitted on 5 September 2022 except as may be amended by the conditions of this permit.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

- This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- This planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.
- Any changes to the use or development approved, may be deemed as substantially in accordance with the permit or may first require either a formal amendment to this permit or a new permit.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street Hobart 7000 Ph: ☎(03) 6165 6790 or email resourceplanning@tascat.tas.gov.au

Executive Summary

Application is made for an outbuilding at 142 Fulham Road, Dunalley . This property is zoned 21.0 Agriculture and is located towards west of the sewerage treatment plan.

The application is considered to comply with each applicable standard of the *Sorell Interim Planning Scheme 2015* and is recommended for conditional approval.

Relevance to Council Plans & Policies

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

Legislation

- This report details the reasons for the officer recommendation.
- Broadly, the planning authority can either adopt or change the recommendation by adding, modifying or removing conditions or replacing an approval with a refusal (or vice versa). Any alternative decision requires a full



statement of reasons to comply with the *Judicial Review Act 2000* and the *Local Government (Meeting Procedures) Regulations 2015*.

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

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Referrals

Agency / Dept.	Referred?	Response?	Conditions?	Comments
Development Engineering	Yes	Yes	Nil	Nil
Environmental Health	Yes	Yes	Nil	Nil
Plumbing	Yes	Yes	Nil	Nil
NRM	Yes	Yes	Yes	Nil
TasWater	No	No	Nil	Nil
State Growth	No	No	Nil	Nil

Report

Description of Proposal

The application seeks approval for a 20m x 12m x 5m (high) outbuilding located south-west of an existing dwelling. The structure is clad in Colorbond in Dune (walls) and Monument (roof and doors).

Description of Site

The site is a large rural lot that is elevated above Fulham Road and located west of Dunalley. The site contains an existing dwelling. Adjoining land consists of similar rural properties with the sewerage treatment plant located to the east. The site is unserviced. Fulham Road is a sealed public road and the speed limit is set at 80 km/hr.



Figure 1. Subject site.



Figure 2. Overlays

Planning Assessment

Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
21.3.1 A4	Use	No acceptable solution is provided. Refer to performance criteria assessment below.
21.4.1	Height	Yes, as the height is less than 12m.

Performance Criteria Assessment 1 – Clause 21.3.1 P4 Use

A Residential use listed as Discretionary must:

(a) be required as part of an agricultural use, having regard to:

- (i) the scale of the agricultural use;*
- (ii) the complexity of the agricultural use;*
- (iii) the operational requirements of the agricultural use;*
- (iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and*
- (v) proximity of the dwelling to the agricultural use; or*

(b) be located on a site that:

- (i) is not capable of supporting an agricultural use;*
- (ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and*
- (iii) does not confine or restrain agricultural use on adjoining properties.*

Part (b) of the performance criteria is not considered relevant. It is considered that part (a) of the performance criteria is satisfied as:

- There are no other outbuildings on the property; and
- The outbuilding will support future agricultural use on the property, as it is sufficiently large to accommodate residential and agricultural vehicles and storage.

Code

Bushfire-Prone Areas Code

As the proposal is not a vulnerable or hazardous use (as defined by the Code), the provisions of the Code do not apply.

Parking and Sustainable Transport Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C2.6.1 A1	Parking	Yes, the extension of the vehicle driveway will be appropriately drained and constructed.

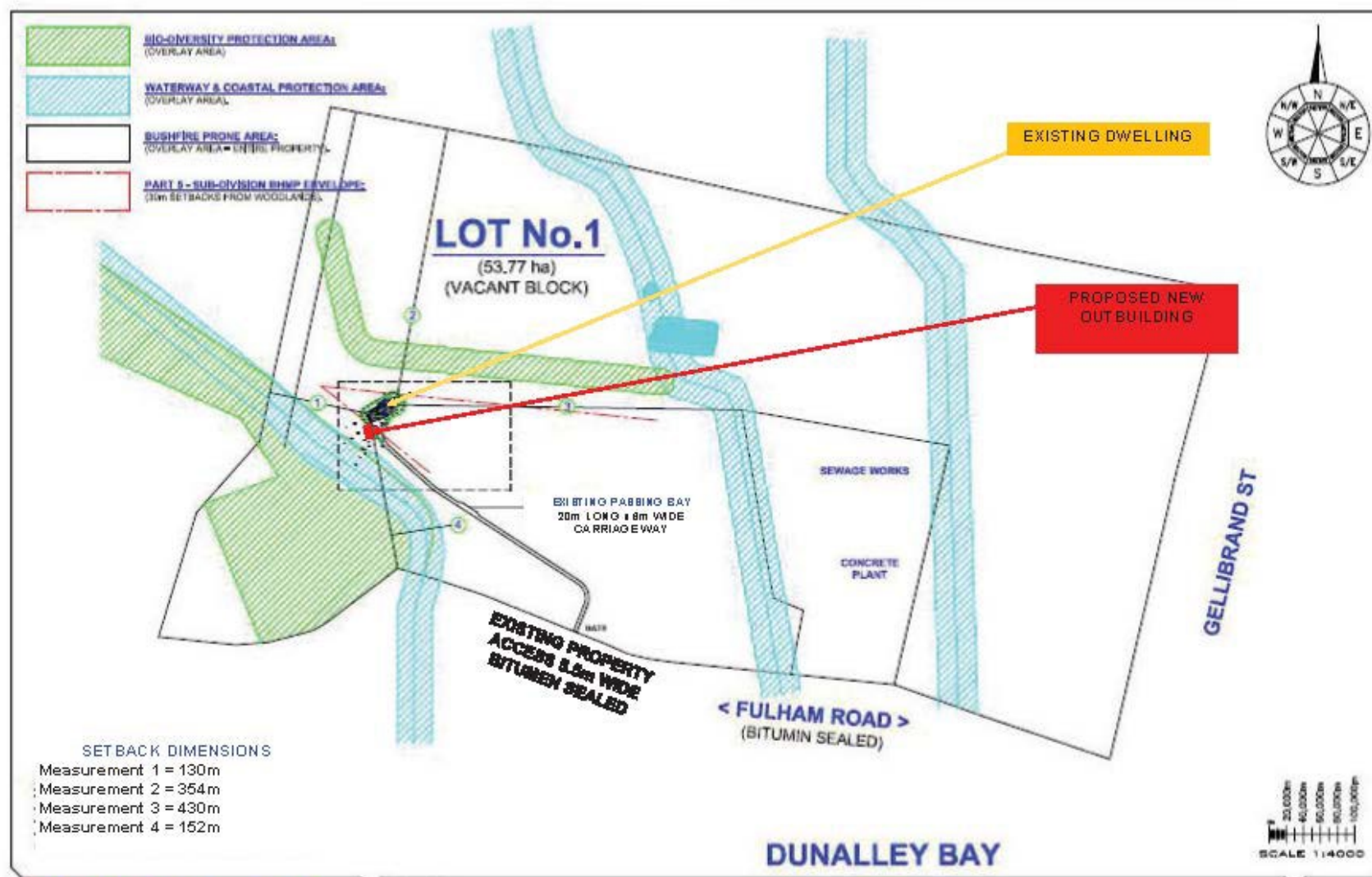
Flood-Prone Areas Code

As an outbuilding, the application is exempt from this Code.

Conclusion

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

SHANE WELLS
MANAGER PLANNING

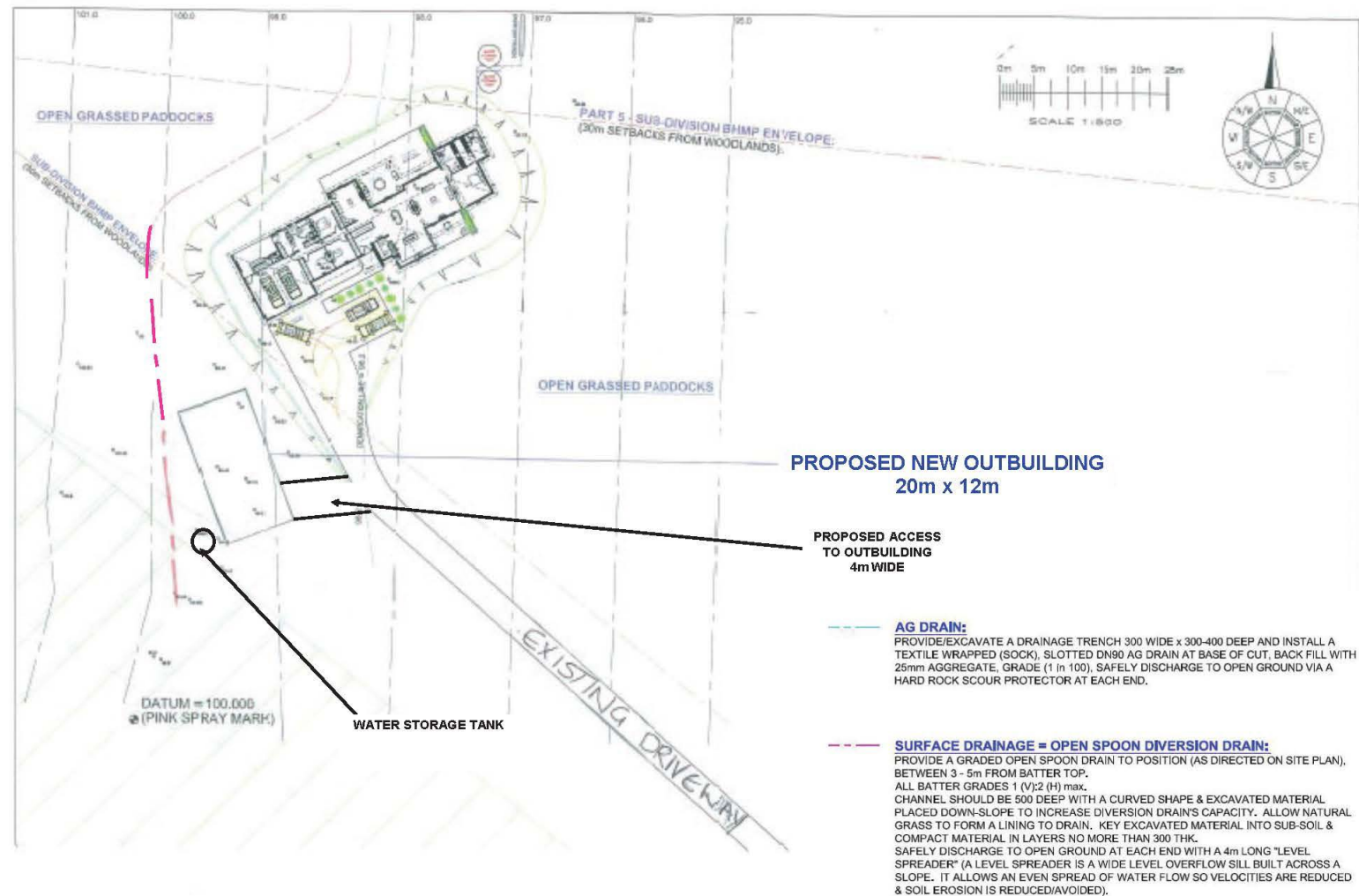


SITE PLAN

142 Fulham Road, Dunalley TAS 7177 Title Reference 175275/1 PID: 9686307



AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
10 JANUARY 2023

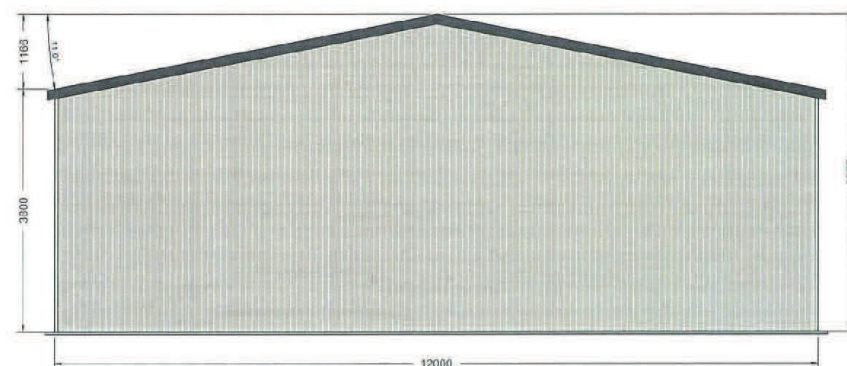


142 Fulham Road, Dunally TAS 7177 Title Reference 175275/1 PID: 9686307

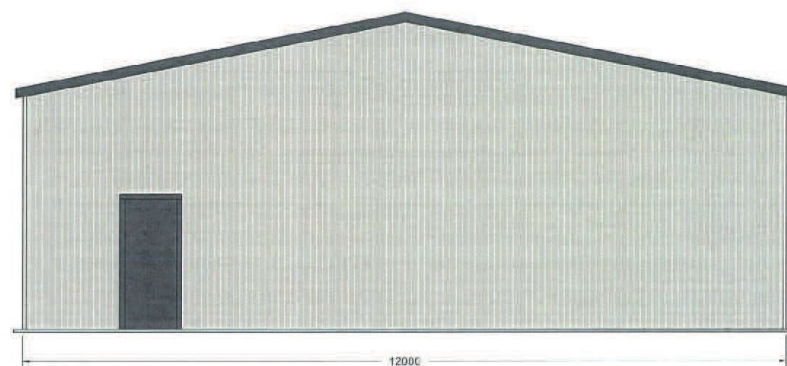


PROPOSED COLOURS

Wall Cladding - DUNE
Roof & Doors - Monument



SOUTH ELEVATION



NORTH ELEVATION



139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT: Tom Spaulding
SITE ADDRESS: 142 Fulham Road, DUNALLEY, TAS, 7177
PHONE:
EMAIL: angeendtom@gmail.com
DRAWING TITLE: End Elevations
SCALE: 1:79.212
DATE: 04-07-2022
Job Number: SOR01_8524
Drawing Number: EE

142 Fulham Road, Dunalley TAS 7177 Title Reference 175275/1 PID: 9686307



AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
10 JANUARY 2023



139 Main Road,
Sorell TAS 7172
Phone: 1300 737 910
Email: sales@rainbowbuilding.com.au

CLIENT Tom Spaulding
SITE ADDRESS 142 Fulham Road, DUNALLEY, TAS, 7177
PHONE angeandtom@gmail.com
EMAIL angeandtom@gmail.com
DRAWING TITLE Side Elevations
SCALE 1:92.568
DATE 04-07-2022
Job Number SOR01_8524
Drawing Number SE

142 Fulham Road, Dunalley TAS 7177 Title Reference 175275/1 PID: 9686307



AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
10 JANUARY 2023

	139 Main Road, Sorell TAS 7172 Phone: 1300 737 910 Email: sales@rainbowbuilding.com.au	CLIENT Tom Spaulding	DRAWING TITLE Floor Plan
		SITE ADDRESS 142 Fulham Road, DUNALLEY, TAS, 7177	SCALE 1:98.903
		PHONE	DATE 04-07-2022
		EMAIL angeardtom@gmail.com	Job Number SORC1_8524
			Drawing Number FP

**SORELL
COUNCIL**

AGENDA
DEVELOPMENT ASSESSMENT SPECIAL COMMITTEE (DASC) MEETING
10 JANUARY 2023