



SORELL PLANNING AUTHORITY (SPA) AGENDA

7 FEBRUARY 2023

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)

NOTICE OF MEETING

Notice is hereby given that the next meeting of the Sorell Planning Authority (SPA) will be held at the Community Administration Centre (CAC), 47 Cole Street, Sorell on Tuesday, 7 February 2023 commencing at 4:30 pm.

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

I, Russell Fox, Acting 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.

RUSSELL FOX
ACTING GENERAL MANAGER
2 February 2023



AGENDA

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING TO BE HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
TUESDAY 7 FEBRUARY 2023

TABLE OF CONTENTS

1.0	ATTENDANCE	1
2.0	CONFIRMATION OF THE MINUTES OF 10 JANUARY 2023	1
3.0	DECLARATIONS OF PECUNIARY INTEREST	1
4.0	LAND USE PLANNING	2
4.1	DEVELOPMENT APPLICATION NO. DA 2022 / 190 - 1	2
4.2	CONSULTATION ON REGIONAL PLANNING FRAMEWORK AND STRUCTURE PLANNING GUIDELINES	20

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 10 JANUARY 2023

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 10 January 2023 be confirmed.”

3.0 DECLARATIONS OF PECUNIARY INTEREST



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

4.0 LAND USE PLANNING

4.1 DEVELOPMENT APPLICATION NO. DA 2022 / 190 - 1

Applicant:	e3Planning
Proposal:	Multiple Dwellings (One New and One Existing)
Site Address:	435 Shark Point Road, Penna (CT 60637/44)
Planning Scheme:	<i>Sorell Interim Planning Scheme 2015</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for DASC meeting:	Recommendation for refusal
Relevant Zone:	12.0 Low Density Residential
Proposed Use:	Multiple dwellings
Applicable Overlay(s):	Bushfire-Prone Areas, Waterway and Coastal Protection, Dispersive Soils, Coastal Erosion Hazard Area
Applicable Codes(s):	Parking and Access; Road and Railway Assets, Stormwater Management
Valid Application Date:	05 July 2022
Decision Due:	10 February 2023
Discretion(s):	1 North facing windows of existing dwelling
	2 Site area per dwelling
	3 Driveway surfacing
	4 Stormwater
	5 Waterway and Coastal Protection
	6 Dispersive soils
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 / 190 - 1 for a Multiple Dwellings x 2 (One Existing) at 435 Shark Point Road, Penna be refused for the following reasons:

1. The development does not comply with the acceptable solution or satisfy the performance criteria of standard 12.4.9 Residential Density for Multiple Dwellings as:
 - a) The site area per dwelling is less than 1500m² per dwelling;

- b) The site area per dwelling is out of character with the pattern of development in the area as the site is located within an area characterised by single dwelling use only on low density sized lots;
 - c) The site area per dwelling is not compatible with the density of development in the surrounding area;
 - d) The additional dwelling will have an unreasonable impact on the landscape values of the residential strip that runs parallel with the coast; and
 - e) The additional dwelling will exceed the capacity of current infrastructure and no intended infrastructure is planned or anticipated.
2. The development does not comply with the acceptable solution or satisfy the performance criteria of standard E6.7.6 Surface Treatment of Parking Areas as:
- a) A sealed surface is not provided;
 - b) A gravel surface will be subject to high levels of wear and tear leading to dust generation and sediment transport and detracting from the quality of the environment; and
 - c) Vehicle manoeuvring from multiple households will increase the levels of wear and tear and require higher levels of maintenance which will unreasonably detract from the amenity of users.
3. The development does not comply with the acceptable solution or satisfy the performance criteria of standard E7.7.1 Stormwater Drainage and Disposal as:
- a) new impervious surfaces cannot be disposed of by gravity to public stormwater infrastructure; and
 - b) there is insufficient evidence that on-site soakage of building and driveway runoff will be appropriately managed having regard to the location of the site and the prevalence of landslip risks in the vicinity.

You may appeal this decision, 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 Multiple Dwellings x 2 (One New and One Existing) at 435 Shark Point Road, Penna. This property is zoned 12.0 Low Density Residential and is located within a strip of residential development running along Pitt Water west of Penna Beach.



The key planning consideration relate to the compatibility of the use with the established character of the area.

The application is considered to not comply with each applicable standard of the *Sorell Interim Planning Scheme 2015* and is recommended for refusal.

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	Environmental considerations are assessed against the relevant planning scheme provisions.

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	Nil
Environmental Health	Yes	Yes	Nil	Nil
Plumbing	Yes	Yes	Nil	Nil
NRM	No			
TasWater	Yes	Yes	Yes	
State Growth	No			

Report

Description of Proposal

Application is made for a multiple dwelling use and development consisting of a new three bedroom dwelling and an existing four bedroom dwelling. The new dwelling is 12m x 7.79m (93.5m² floor area) plus carport. The existing dwelling is 14m x 9m plus laundry lean-to and veranda (132m² floor area).

The new dwelling is located to the front (north-west) of the existing dwelling with a 6.1m front setback and 4m side (north-east) boundary setback. Bulk earthworks are minimal. Cladding is face brick.

Car parking consists of a single vehicle carport for the new dwelling and four open car parking spaces between the new and existing dwelling. A 3.5m wide driveway is proposed from the existing gravel crossover with all parking areas to be surfaced in gravel (some documentation refers to a 'grass-crete' driveway which was initially proposed).

Onsite stormwater management is proposed via tanks and swales to achieve detention.

The application is supported by:

- a planning assessment from E3 Planning dated 28 June 2022;
- a dispersion assessment and soil and water management plan from Doyle Soil Consulting dated August 2022;
- various additional information responses; and
- proposal plans from map dated 9 December 2022 and 15 November 2022.

Description of Site

The site is a 1275m² adjoining Crown foreshore reserve. The lot has almost a west to east alignment and is some 21m wide and 55m to 67m deep. The site has a fall of 4m to the foreshore which is a gradient of approximately 1 in 12. The site, and adjoining land, are above Shark Point Road with a 1m high (approx.) cut in the public road. The site has minimal vegetation and contains an existing dwelling. Adjoining land consists of single dwellings to the south-west and north-east. Land to west is rural in nature with dwellings and small-scale agricultural uses occurring on 10 hectare lots.

The site is serviced by reticulated water and sewer but not stormwater. Shark Point Road is a sealed public road and the speed limit is set at 60 km/hr. Stormwater is limited to roadside table drains. A culvert some 50m west of the site drains the road onto Crown land and appears to be the major drainage route in the area.



Figure 1. Subject site.



Figure 2 – Locality

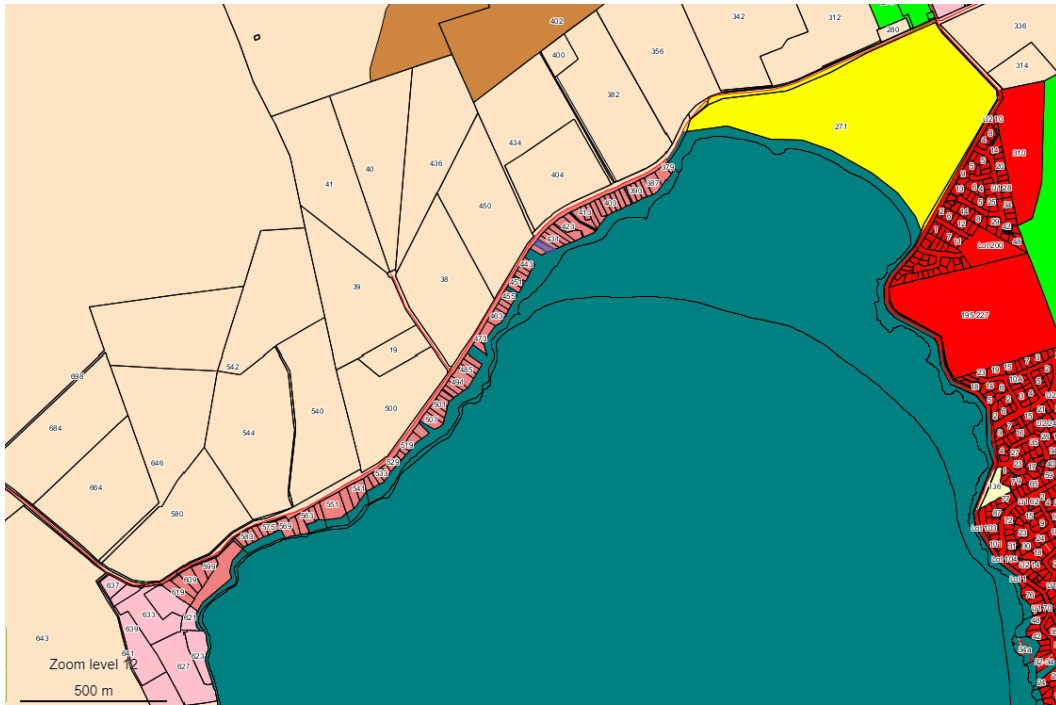


Figure 3 - Zoning

Planning Assessment

Use

The proposal is for multiple dwellings which means '2 or more dwellings on a site'. There is no alternative to this use classification given that the definition of an ancillary dwelling has a maximum floor area of 60m², whereas the floor area of the proposed dwelling exceeds 90m².

Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
12.4.2 A1	Front setback	Yes, as the front setback exceeds 4.5m.
12.4.2 A2	Carport setback	Yes, as the carport is more than 1m behind the façade of the dwelling
12.4.2 A3	Building envelope and side setback	Yes, as the side and rear setbacks are 4m or greater.
12.4.3 A1	Site coverage and private open space	Yes, site coverage is less than 25%, impervious surfaces are more than 25% and there is more than 60m ² of private open space per dwelling
12.4.3 A2	Private open space	Yes, each dwelling has more than 24m ² of private open space that has a minimum dimension of 4m, is accessible from a habitable room (other than a bedroom), is located to the north of the dwellings and is not steeper than 1 in 10.

12.4.4 A1	North facing window	No, north facing windows of the existing dwelling are for bedrooms. Performance criteria applies.
12.4.4. A2	Window overshadowing - internally	Yes, as the multiple dwellings are not to the north of the other.
12.4.4 A1	Private open space overshadowing - internally	Yes, as the multiple dwellings are not to the north of the other.
12.4.6 A1	Privacy of decks, etc	Yes, as the finished floor level of the new and existing is less than 1m.
12.4.6 A2	Privacy of windows	Yes, as the finished floor level of the new and existing is less than 1m.
12.4.6 A3	Privacy of shared driveway	Yes, shared driveways and parking areas are more than 2.5m from habitable rooms.
12.4.7 A1	Frontage fencing	Nil front fencing is proposed.
12.4.8 A1	Waste storage	Yes, bin storage can fit within the site and be required by permit conditions.
12.4.9 A1	Site area per dwelling	No, as the site area per dwelling is less than 1500m ² (637.5m ² proposed)

Performance Criteria Assessment 1 – Clause 12.4.4 P1 North facing window

A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).

The performance criteria is applicable as the windows of the existing dwelling that face between 30 degrees west of north and 30 degrees east of north are for bedrooms. The habitable rooms (other than a bedroom) of the existing dwelling are in the southern part of the dwelling and have windows facing north-west and south-east. As the requirement of the performance criteria is to only allow sunlight to enter, the performance criteria is satisfied.

Performance Criteria Assessment 2 – Clause 12.4.9 P1 Residential density for multiple dwellings

Multiple dwellings may only have a site area per dwelling of less than 1500m² if the number of dwellings:

- (a) is not out of character with the pattern of development in the surrounding area; and*
- (b) does not result in an unreasonable loss of natural or landscape values; and*
- (c) does not exceed the capacity of the current or intended infrastructure services in the area.*

The associated objective for standard 12.4.9 is:

To provide for densities for multiple dwellings that are compatible with the existing built and natural environment of the area and do not exceed the capacity of infrastructure services.

Through the life of the interim planning scheme, this application is the first application subject to 12.4.9 P1.

The applicant submits that the performance criteria is satisfied for reasons that include:

- the new dwelling would not be visible from the road;
- the character of the area is not principally influenced by density but is informed by matters that affect appearance, such as the siting and size of dwellings.

The assessment below is set out as follows:

- what is the surrounding area;
- the degree of compatibility of densities;
- character with the pattern of development;
- landscape and natural values; and
- infrastructure.

What constitutes the surrounding area?

Determining the surrounding area for the purposes of a planning scheme standard is not necessarily straightforward and varies from case to case while potentially involving properties with multiple zones and uses.

The surrounding area in this case is depicted in Figure 4. This area commences at the car park for the Penna coastal trail and runs to the foreshore adjoining 463 Shark Point Road. The total distance along the public road is some 1300m and entails 35 properties. All of the foreshore is included as this is integral to the character of the area, the landscape setting and is the reason for why this strip of residential development exists in the first place. The majority of lots in this area are connected to TasWater sewer and this service is a key reason to not consider a much larger surrounding area that could have included all of the Low Density Residential Zone. The rural land adjoining Shark Point Road is also key to the character and landscape of the area. However, the inclusion of such a different type of land use to that proposed will add additional levels of complexity to the assessment.



Figure 4. The surrounding area.

The compatibility of densities

The objective for standard 12.4.9, provided earlier, uses the term densities, whereas the performance criteria focuses on character. Density and character are related, but different, terms. Density is highly influential on the character of an area.

There are 39 existing freehold lots in the surrounding area with an average lot size of 1292m² and a median lot size of 1195m². The smallest lot is 523m² (which is vacant and subject to an active landslide) and there are eight lots slightly less than 800m². It is clear that there are no other multiple dwelling developments in the surrounding area. The site area per dwelling proposed is not comparable to any fee simple title. The proposal can only be considered as an outlier and compatibility cannot be established.

The compatibility with the character of the pattern of development

The pattern of development in the surrounding area is one of single dwelling use on lots that are of a low density pattern being in the range of 800m² to 1500m² but averaging 1292m². Most of the area has reticulated sewer and water but without a typical suburban appearance.

Built elements that influence the appearance of the area include the rural road construction, typical gravel access and driveways and a mix of dwelling sizes, styles and ages. The introduction of a new type of residential use is considered to be incompatible with the established pattern of development.

Landscape and natural values

Landscape and natural values within the surrounding area centre on the foreshore. The foreshore, particularly adjacent to the site, retains native vegetation on the steeper slopes above high water. As a strip of housing, there are only neighbours to the side emphasising the views over the foreshore and the associated sense of natural and landscape values. Intensification of residential use will reduce these values for both existing residence in the surrounding area and for people surrounding the area or passing through. Moreover, the site is close to an active landslide and therefore additional stormwater volumes are a significant risk to this landscape.

The application seeks to limit impacts to landscape and natural values through gravel driveway surfaces that are less impervious than concrete surfaces typical of any multiple dwelling development. The practicalities of a gravel surface to shared driveways are such that the proposed surfacing is inadequate and a concrete or asphalt surface would need to be applied if the application is approved.

Infrastructure

The development can be accommodated within existing sewer, water and road networks. Onsite stormwater management is proposed and is feasible, however, managing water quality from shared driveway surfaces is not straightforward.

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.

Road and Railway Assets Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
E5.5.1 A3	Traffic volumes	Yes, as additional traffic generation is less than 40 vehicles per day.
E5.6.4 A1	Sight distance	Yes, as sight distance is more than 105m.

Parking and Access Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
E6.6.1 A1	Numbers	Yes, as additional traffic generation is less than 40 vehicles per day.
E6.7.1 A1	Access numbers	Yes, as a single access is provided
E6.7.2 A1	Access design	Yes, as the access complies with all relevant standards.
E6.7.6 A1	Surface	No, a sealed driveway surface is not proposed.
E6.7.14 A1	Access	Yes, as access to Shark Point Road is in accordance with the road authority requirements

Performance Criteria Assessment 3 – E6.7.6 P3 Surfacing

Parking spaces and vehicle circulation roadways must not unreasonably detract from the amenity of users, adjoining occupiers or the quality of the environment through dust or mud generation or sediment transport, having regard to all of the following:

- (a) *the suitability of the surface treatment;*
- (b) *the characteristics of the use or development;*
- (c) *measures to mitigate mud or dust generation or sediment transport.*

In a shared use and ownership scenario, particularly one that could be strata titled, gravel driveways are inadequate. There is additional wear and tear which leads to dust and sediment that cannot be easily managed by one responsible party. The proposal will not provide a suitable level of amenity to users.

Stormwater Management Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
E7.7.1 A1	Public infrastructure	No. Stormwater is to be managed on site. Refer to performance criteria assessment below.

Performance Criteria Assessment 4 – Clause E7.7.1 P1 – Stormwater Drainage and Disposal

Stormwater from new impervious surfaces must be managed by any of the following:

- (a) *disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles*
- (b) *collected for re-use on the site;*
- (c) *disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.*

The performance criteria applies to onsite stormwater management.

The management of stormwater onsite could be possible. However, there is insufficient evidence provided in the application to demonstrate this.

Waterways and Coastal Protection Code

All of the site is subject to an overlay that extends 100m from high water mark.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
E11.7.1 A1	Buildings and works	No. Refer to performance criteria assessment below.

Performance Criteria Assessment 5 – Clause E11.7.1 P1 – Buildings and works

Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:

- (a) avoid or mitigate impact on natural values;*
- (b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;*
- (c) avoid or mitigate impacts on riparian or littoral vegetation;*
- (d) maintain natural streambank and streambed condition, (where it exists);*
- (e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (f) avoid significantly impeding natural flow and drainage;*
- (g) maintain fish passage (where applicable);*
- (h) avoid landfilling of wetlands;*
- (i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided.*

The site itself has limited natural values. Indirect impacts could arise from the development through sedimentation and the management of stormwater (discussed elsewhere). Sedimentation risks can be managed through soil and water management during construction.

Dispersive Soils Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
E21.7.1 A1	Public infrastructure	There is no acceptable solution. Refer to performance criteria assessment below.

Performance Criteria Assessment 6 – Clause E21.7.1 P1 – Development on Dispersive Soils

Development must be designed, sited and constructed to minimise the risk of dispersive soils to property and the environment having regard to the following, as appropriate:

- (a) the dispersive potential of soils in the vicinity of proposed buildings, driveways, services and the development area generally;
- (b) the potential of the development to affect or be affected by erosion, including gully and tunnel erosion;
- (c) the dispersive potential of soils in the vicinity of water drainage lines, infiltration areas/trenches, water storages, ponds, dams and disposal areas;
- (d) the level or risk and potential consequences for property and the environment from potential erosion, including gully and tunnel erosion;
- (e) management measures that would reduce risk to an acceptable level.

The proposal includes an assessment of dispersive soils and determined that there is a low risk for the site. Standard construction management practices are recommended.

Representations

Nil

Conclusion

The proposed multiple dwellings would be the only use and development of its kind in the surrounding area. Due to the proposed site density per area, it is necessary to consider the degree to which the proposal is compatible with the character and density of the surrounding area, among other matters. Compatibility is not established. It is therefore recommended that the application be refused.

Shane Wells
Manager Planner



DOYLE SOIL CONSULTING

Dr Richard Doyle
Geologist and Soil Scientist



Prepared by
Evan Langridge

11/08/2022



- EXISTING RESIDENCE
- GRASSCRETE
- SWALE DRAIN WITH PERFORATED DRAIN PIPE. LANDSCAPE WITH NATIVE GRASSES
- POS

Stockpiled soil and building materials. The sand may need watering to prevent wind erosion/dust

SOIL EROSION & WATER MANAGEMENT

DOWNPIPES TO BE CONNECTED TO STORMWATER DISPOSAL AS SOON AS ROOF IS INSTALLED.

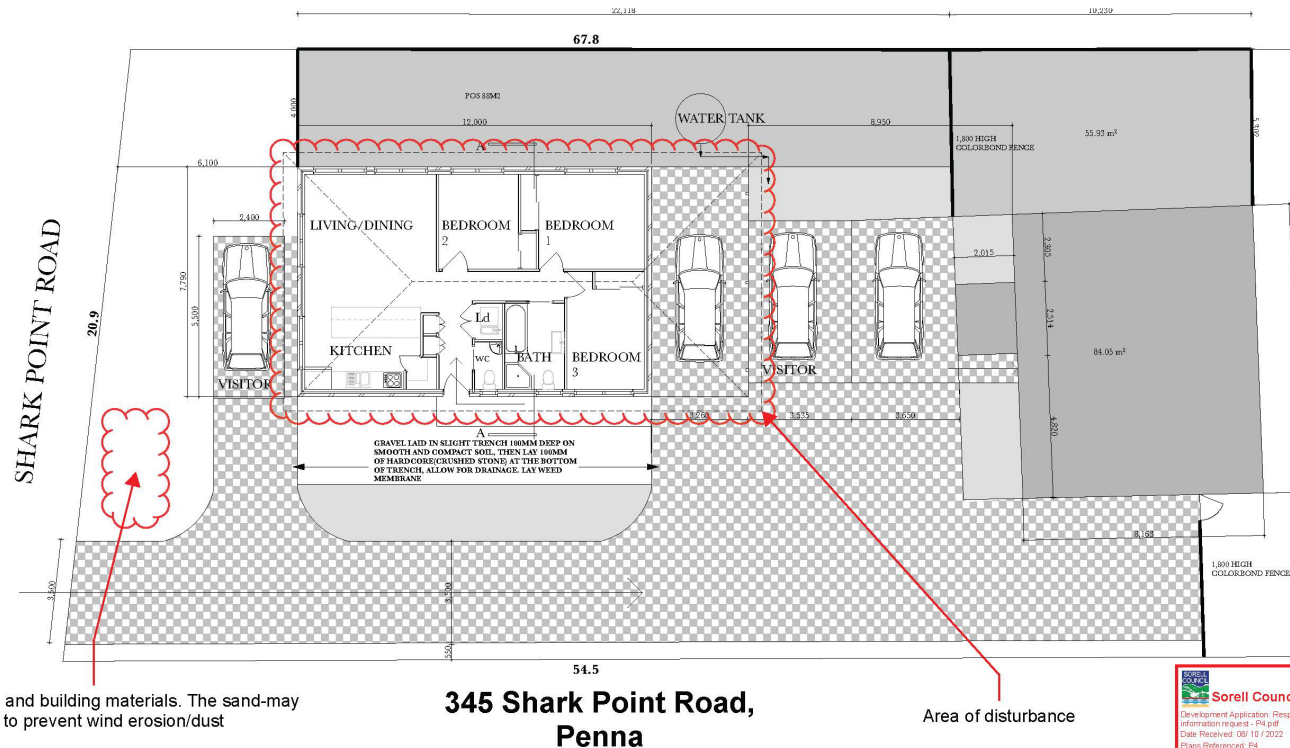
AG DRAINS WHERE SHOWN ARE TO BE INSTALLED PRIOR TO FOOTING EXCAVATION. AG DRAINS ARE TO BE 1000, 650 DEEP WITH FILTER SOCK U.N.O

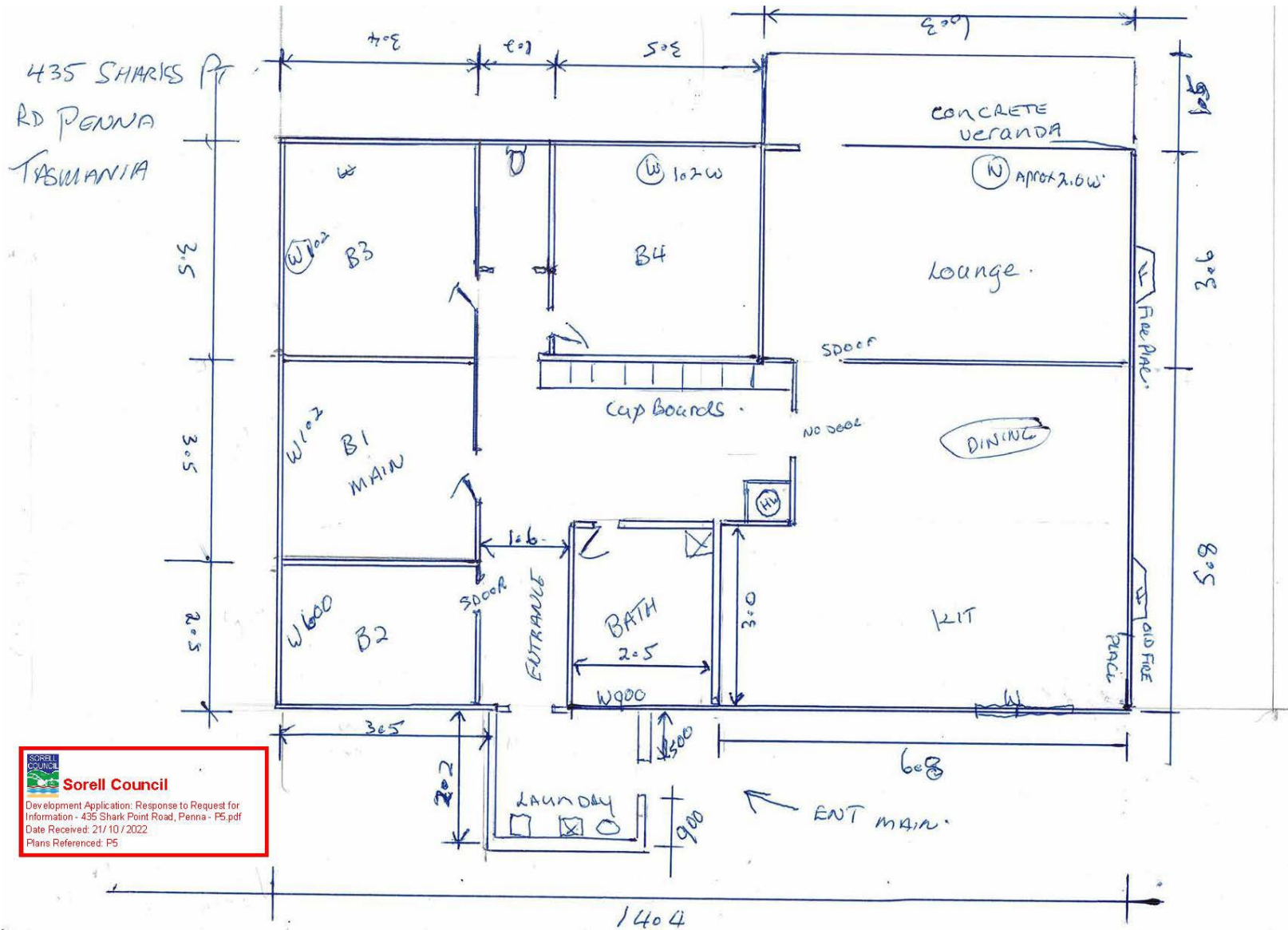
ALL EXCAVATED MATERIAL AND WASHDOWN AREAS TO BE PLACED UP SLOPE OF AG DRAIN OR A TEMPORARY SEDIMENT CONTROL FENCE. EXCAVATED MATERIALS TO BE REMOVED WHEN BUILDING WORKS ARE COMPLETE AND USED AS FILL ON SITE FOR ANY LOW POINTS.

CONSTRUCTION VEHICLES TO BE PARKED ON THE STREET OR DRIVEWAY ONCE CONSTRUCTED TO PREVENT TRANSFERRING DEBRIS ONTO STREET

MINIMISE THE DURATION AND EXTENT OF DISTURBED SOIL SURFACES

REINSTATE TOPSOIL AND PLANT VEGETATION TO MINIMISE SOIL LOSS AS SOON AS WORKS IN THE IMMEDIATE AREA ARE COMPLETE





PROJECT TITLE: Proposed Units (2)

Date: 15/11/2022

Client:

GREG THURSTON

Site Address:

435 SHARK POINT RD
PENNA

GENERAL NOTES:

- CHECK ALL DIMENSIONS AND MEASUREMENTS OF THE PROJ. TO PUBLICATION AND/OR CONSTRUCTION. DIMENSIONS ARE IN MILLIMETRES. PREPARE TO BUILD AND DO NOT ALLOW FOR EXTERIOR LEADINGS.
- DO NOT SCALE DRAWINGS. IF IN DOUBT ASK.

• ALL WORK IS ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA (BCOA) AND THE RELEVANT AUSTRALIAN STANDARD SPECIFICATIONS AND GOOD BUILDING PRACTICES. DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS AND SCHEDULES.

DATE	DESCRIPTION	DATE
15/11/22	APPROVED SITE PLAN	15/11/22

File Number:
JENARCH 6/6/22

Title:
Specifications & detailing for residential construction

map
modern architecture practice

Registered Architects

Leon Jenkins

34 Shark Avenue

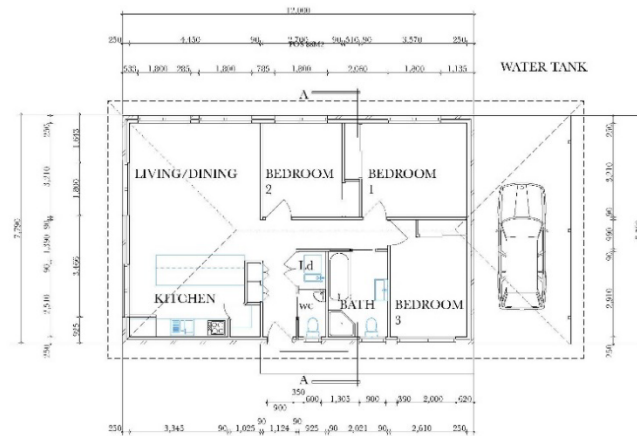
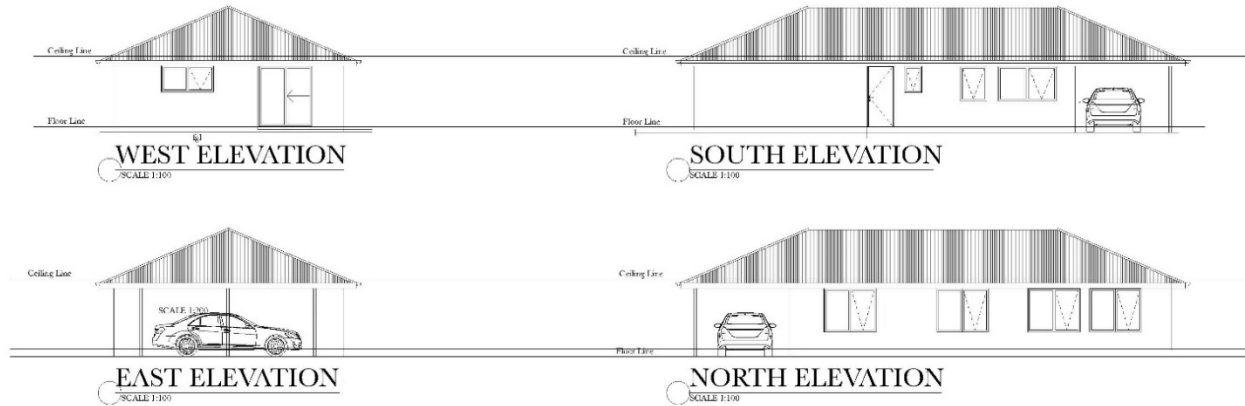
Hoskote, NSW 1511

Mobile: 0411 844 823

Email: maparch@maparch.net.au

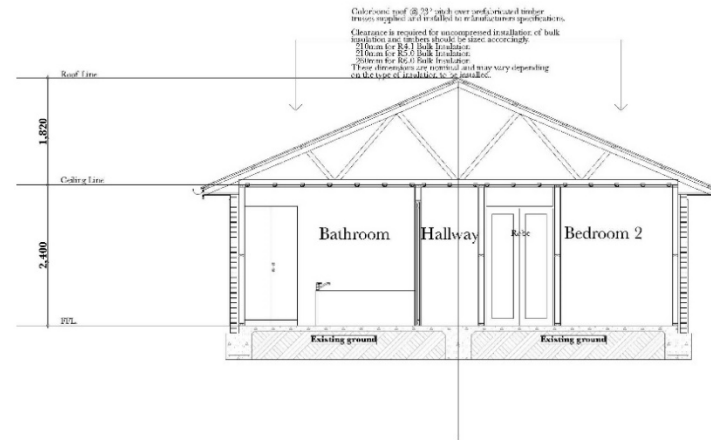
PGT: No: 1063
QAC: No: 8133
ARC: No: 2018

S02



PROPOSED FLOOR PLAN
SCALE 1:100

SITE PLAN
SCALE 1:100



SECTION A A
SCALE 1:100

PROJECT CONSULTANTS:

Engineer:

Surveyor:

Surveyor: Building

THIS DOCUMENT WAS BEEN PREPARED BY A & IS THE PROPERTY OF MODERN ARCHITECTURE PRACTICE. REGISTERED ARCHITECTS AND MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED.

UNAUTHORIZED USE OR REPRODUCTION OF THIS DOCUMENT OR DETAILS HEREON IS PROHIBITED.

Copyright ©



AGENDA
SORELL PLANNING AUTHORITY (SPA) MEETING
7 FEBRUARY 2023

PROJECT TITLE: Proposed Units (2)

Date: 9/12/2022

Client:

GREG THURSTON

Site Address:

435 SHARK POINT RD
PENNA

GENERAL NOTES:

- * CHECK ALL DIMENSIONS AND LOCATIONS OF UTILITIES WITH THE SUPPLIER OF MATERIALS. OPERATIONS ARE TO BE COMPLETED WITHIN 10 DAYS OF THE START DATE. *DO NOT SCALE DRAWINGS. IF IN DOUBT, ASK.

- * ALL WORK IS TO BE COMPLETED WITHIN THE BUILDING PERIOD OF MATERIALS. *DO NOT SCALE DRAWINGS. IF IN DOUBT, ASK.

DATE	DESCRIPTION	DATE
8/12/22	AMENDED SITE PLAN	8/12/22
8/12/22	AMENDED SITE PLAN	8/12/22

File Number:
JENARCH 6/6/22

Title:
Site plan & details for construction. A permit and of medical construction.

map
modern architecture practice

Registered Architects

Leon Jenkins

34 Glenview Avenue

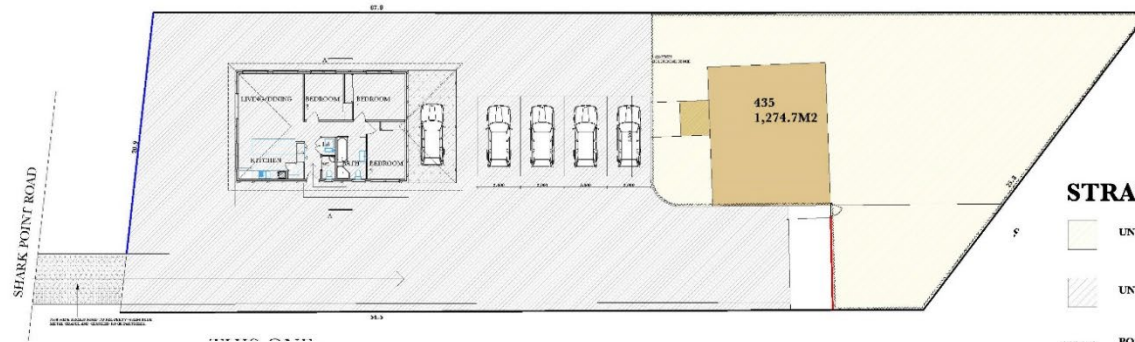
Hawthorn Vic 3176

Mobile 0418 824 825

Email: leon@mappractice.net.au

TGC No. 105
QC No. 025
ABRV No. 30648

S01



SITE/STRATA PLAN

SCALE 1:200

STRATA

UNIT 01

UNIT 02

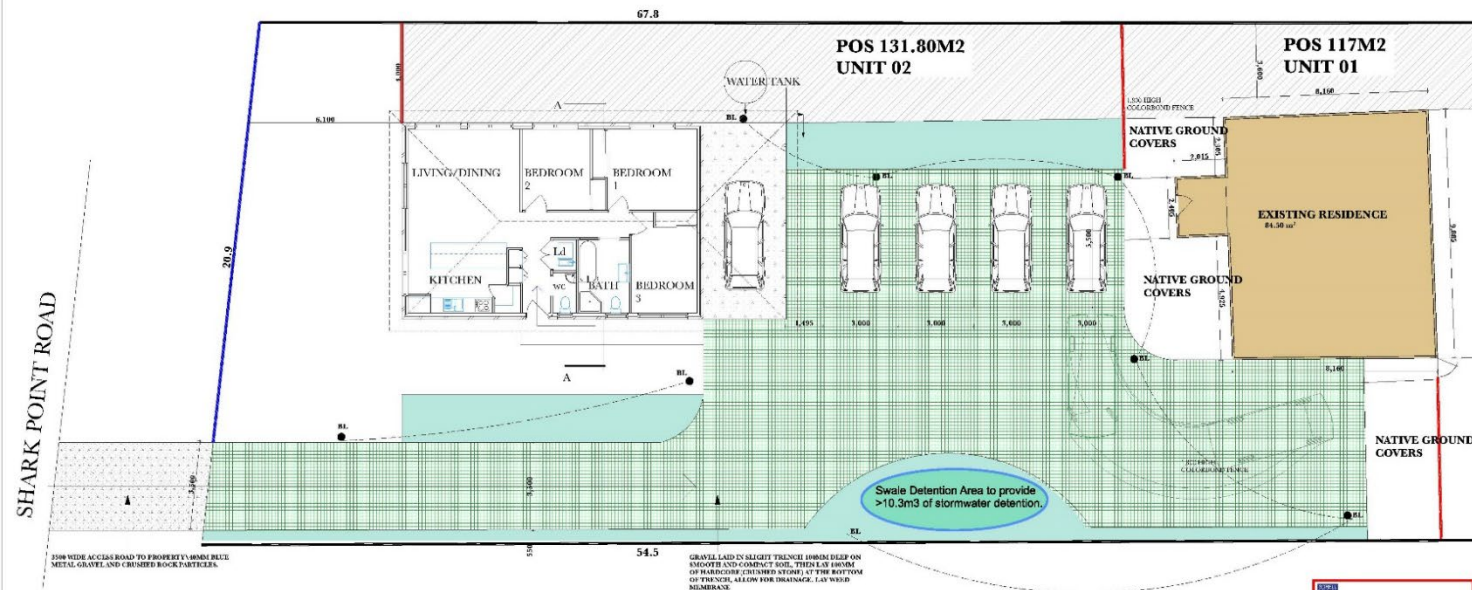
POS BOUNDARY

GRAVEL DRIVE/PARKING

SWALE DRAIN WITH PERFORATED DRAIN PIPE. LANDSCAPE WITH NATIVE GRASSES

EXISTING PILING FENCE

EXISTING 1000 HIGH FRONT FENCE



SITE PLAN

SCALE 1:200

PROJECT CONSULTANTS:

Engineers:

Surveyors:

Surveyors: Building

THIS DOCUMENT HAS BEEN PREPARED BY A MEMBER OF MODERN ARCHITECTURE PRACTICE. SIGNATURES, INITIALS AND ANY OTHER MARKS ON THIS DOCUMENT ARE THE PROPERTY OF MODERN ARCHITECTURE PRACTICE.

UNLESS OTHERWISE STATED, THE INFORMATION ON THIS DOCUMENT IS THE PROPERTY OF MODERN ARCHITECTURE PRACTICE.

Copyright ©



AGENDA
SORELL PLANNING AUTHORITY (SPA) MEETING
7 FEBRUARY 2023

4.2 CONSULTATION ON REGIONAL PLANNING FRAMEWORK AND STRUCTURE PLANNING GUIDELINES

RECOMMENDATION

That the General Manager provide a submission to the State Planning Office consistent with the comments in this report.

Executive Summary

The State Planning Office is undertaking consultation on a proposed regional planning framework and structure planning guidelines.

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 The framework and guidelines will impact how regional growth is facilitated and managed.
Asset Management Strategy 2018	The proposal has no significant implications for asset management.
Risk Management Strategy 2018	No risks identified.
Financial Implications	No financial implications are anticipated.
Open Space Strategy 2020 and Public Open Space Policy	The matter has no significant implications for open space management.
Enforcement Policy	Not applicable.
Environmental Sustainability Policy	Environmental considerations are reflected in the structure planning guidelines.

Legislation

The regional framework discussion outlines potential legislative change.

A submission from Council is optional.

Report

Regional Planning Framework Discussion Paper

The discussion paper covers matters relating to the legislative framework underpinning a regional land use strategy (RLUS) including:

- Should the general content and purpose of a RLUS be set in legislation
- What is the desired level of consistency across the three regions in terminology and structure
- How a RLUS is assessed and declared
- Review mechanisms, and
- How a RLUS is amended.

The *Land Use Planning and Approvals Act 1993* provides a framework for the making and review of a RLUS.

The three RLUS in effect in Tasmania differ in many key respects, including:

- Structure and terminology
- The level of detail and precision in recommendations
- The scope of issues addressed, and
- The type of land use responses necessary.

The southern RLUS, which was approved in 2010, is based on 2006 census data and has not kept base with growth pressures. The lack of formal reviews has resulted in a number of proposed ad-hoc amendments to alleviate growth pressures. Consensus exists that a better framework and additional resources are necessary to ensure that the next RLUS is an effective vehicle to plan and manage growth.

The discussion paper includes a series of questions, which are addressed in the following:

Discussion Paper Questions	Suggested Response	Reasons
Scope and Purpose		
Do you agree that the general content and purposes of the RLUSs should be outlined in the legislation or regulations similar to the TPPs and SPPs?	Yes	Will help ensure the role of regional planning in the broader legislative framework, and its implementation, is clear.
Do you agree with the suggested contents above? Are there other	Yes, agree with the content suggested	If a consistent, say 20-year, time horizon is set, it is important that the analysis and outcomes be able to

matters you think the RLUSs could capture?		take into account very long-term infrastructure and growth needs as appropriate.
Consistency		
What attributes should be consistent across regions (e.g., terminology, categorisation of settlement etc)?	As much terminology as possible should be defined and consistent. Hierarchies of activity centres and settlements should be consistent. Matters that are of State interest should be consistently expressed.	To minimise interpretation issues that currently exist within and surrounding land use planning practice in Tasmania.
Should there be a template for RLUSs?	Yes, at a high level	This could adopt the final structure of the Tasmanian Planning Policies with common issues/themes.
Assessment and declaration		
Should the RLUSs be subject to an assessment process by the TPC with recommendations made to the Minister? Should the assessment process include public hearings?	Yes, a public TPC hearing process is appropriate.	Consistent with LUPAA objectives for shared responsibility and public engagement.
Should the matters be taken into consideration when assessing a RLUS be similar to the TPPs? Are there any different matters that should be included?	Yes. The suggested matters on page 12 appear narrower than the suggested scope and purpose on page 9. It is essential that the TPC consider how well a RLUS provides for appropriate and necessary localised outcomes specific to localities or sub-regions.	The suggested matters on page 12 are top-down, being those related to LUPAA objectives, State Policies and Tasmanian Planning Policies. As structure planning takes on an increasingly important role in the planning system, sub-regional and local considerations will be more clearly understood and expressed. The TPC should consider such bottom-up concerns.
Review		
Should the timeframes for review of the RLUSs continue to reflect the 5 yearly cycle of the other instruments, triggered by the making or amendment of the TPPs?	Yes	

Should any other matters trigger the review of the RLUSs?	Potentially, depending on the provisions, if any, for out of cycle amendments	
Should the review process for the RLUSs be similar to that of the TPPs and SPPs?	Yes	
Amending		
Should the LUPA Act provide a specific process for amending RLUSs? Should that process be similar to that of the TPPs?	Yes, LUPAA should specify a process. Yes, the TPPs process is an appropriate basis.	
Should different types of amendments be provided for, such as a minor amendment of the RLUSs?	Yes.	This is critical. The significant interpretation issues of the current RLUS could have been minimised through simple corrective amendments.
What matters should qualify as triggers for amending a RLUS?	Changes to a TPP or State Policy, legislative change, major infrastructure projects, emergency recovery plans or other significant project or program	The need for ad hoc RLUS amendments should be avoided. Regular, 5-year reviews should be sufficient to avoid this. However, strategic planning in Tasmania is still in its infancy and while investment and experience continues to improve, it may be naive to think that reviews outside the five-year cycle will be necessary. Out of cycle reviews however should be limited to matters that impact one or more communities, as opposed to narrow site-specific considerations.
If more regular reviews are required or the RLUSs, should a request for amendments of a RLUS be provided for, and who should be able to make such a request?	No comment	

Structure Plan Guidelines

The guidelines are non-statutory and are intended to improve the consistency of structure plans and to distinguish structure planning from local area plans, master plans, streetscape plans, outline development plans or other studies that involve land use planning to varying degrees. The guidelines should assist in preparation of future structure plans and in implementation and, importantly, set out the content that a structure plan should include.

Section 1.3 of the guidelines lists what a structure plan can achieve depending on the scale and purpose. Matters listed include management land use change and conflict, coordinating land use and infrastructure, accounting for natural values and community aspirations, liveability and access to services and urban design. Population and demographic change, which is largely beyond the influence of local government, often drive these considerations and it is important that the guidelines recognise that structure planning is a growth management tool.

Section 1.3 of the guidelines should therefore reference population and demographic change and how structure planning can be used to better understand these changes and the implications for services, infrastructure and land use.

Section 2.1.10 refers to the preparation of an implementation plan. On the issue of funding, the guidelines refer to Council funds and to formal arrangements with the State Government that are arranged and allocated at the time of preparing the structure plan. Other funding sources, such as infrastructure contributions or future grants, are not mentioned.

The funding of infrastructure upgrades is an important part of any implantation plan. Implementation must considered how infrastructure can be incorporated into Council Long-Term Financial Plans (if not already) and the degree to which developer contributions, external funding or separate rates and charges are appropriate or necessary. The LGAT infrastructure contributions project has identified the clear basis for infrastructure contributions as one means to fairly distribute costs of necessary infrastructure. Section 2.1.10 should be broadened in scope and should include reference to infrastructure contributions.

Section 1.2 'defining structure plans' does not include a precise definition on what a structure plan is. The section could be improved, with or without a precise definition, by outlying in a table or text what the key features of a structure plan are alongside key features of an outline development plan, master plan or other land use studies in order to distinguish what a structure plan is and isn't.

Finally, the list of key stakeholders on page 13, while not intended as an exhaustive list, should nevertheless include:

- Local chamber of commerce or similar
- Local NRM bodies
- Other local organisations that assist in coordination environmental, social, health or other important services.

Conclusion

The State Planning Office is undertaking consultation on a proposed regional planning framework and structure planning guidelines. The proposed changes are important and will improve land use planning outcomes. A number of suggestions and comments should be nevertheless provided.

Shane Wells
Manager Planning

Attachments (Regional Framework and Structure Plan Guidelines)