



# SORELL PLANNING AUTHORITY (SPA) AGENDA

8 APRIL 2025

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, 8 April 2025 commencing at 4:30 pm.

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## 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  
3 APRIL 2025



## **AGENDA**

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING TO BE  
HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47  
COLE STREET, SORELL ON TUESDAY 8 APRIL 2025

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## 1.0 ATTENDANCE

^

Chairperson Mayor Gatehouse  
Deputy Mayor C Wooley  
Councillor B Nichols  
Councillor S Campbell  
Councillor M Larkins  
Councillor M Miro Quesada Le Roux  
Councillor M Reed  
Councillor N Reynolds  
Councillor C Torenus  
Robert Higgins, General Manager

## 2.0 APOLOGIES

## 3.0 CONFIRMATION OF THE MINUTES OF 1 APRIL 2025

### RECOMMENDATION

"That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 1 April 2025 be confirmed."

## 4.0 DECLARATIONS OF PECUNIARY INTEREST



### AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING  
8 APRIL 2025

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

## 5.0 LAND USE PLANNING

### 5.1 DEVELOPMENT APPLICATION NO. DA 2024 / 266 - 1

<b>Applicant:</b>	Matt Kennedy Drafting and Design
<b>Proposal:</b>	Dwelling
<b>Site Address:</b>	12 East Street, Dodges Ferry (CT 79621/6)
<b>Planning Scheme:</b>	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
<b>Application Status</b>	Discretionary
<b>Relevant Legislation:</b>	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
<b>Reason for SPA meeting:</b>	More than one representation received.

<b>Relevant Zone:</b>	10.0 Low Density Residential
<b>Proposed Use:</b>	Residential (Single Residential Dwelling)
<b>Applicable Overlay(s):</b>	Clause 2.0 Parking and Sustainable Transport Code
<b>Applicable Codes(s):</b>	SAP-SOR-S2.0 Southern Beaches onsite wastewater and storm water
<b>Valid Application Date:</b>	05 November 2024
<b>Decision Due:</b>	17 April 2025
<b>Discretion(s):</b>	1 Clause 10.4.3 P2 – Side Setbacks (both sides)
	2 SAP-SOR-S2.0 Southern Beaches onsite wastewater and storm water
<b>Representation(s):</b>	Four (4)

#### RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2024.266.1 for a Dwelling at 12 East Street, Dodges Ferry be approved, subject to the following conditions:

1. Except where modified by a condition of this permit, the use and development must be substantially in accordance with the endorsed plans and documents:
  - P2 Design drawings by MK Design & drafting - Dated 26/02/2025

- P2 Site Investigation Report – Onsite wastewater assessment report by HED Consulting - Dated 01/04/2025
2. Use of the outbuilding is limited to residential storage and must not be used for commercial purposes or made habitable.
  3. External lighting for any purpose must be located, designed and baffled to ensure that no direct light is emitted outside the site.

### Engineering

4. Prior to any works commencing within the road reservation, a Vehicular Crossing and Associated Works Application (available on Council's website) must be submitted with an associated permit granted for the works.
5. Prior to first use, the proposed vehicular access must be upgraded to compliant width, surface treatment, drainage, and sight distance as specified in a Vehicular Crossing Permit issued by Sorell Council.
6. The internal driveway including areas set aside for vehicle parking and manoeuvring must:
  - a. be fully complete within six months of first use;
  - b. be constructed with a durable all weather pavement;
  - c. be drained to a legal point of discharge or retain runoff onsite such that stormwater is not concentrated onto adjoining properties;
  - d. have a sealed surface of either concrete, asphalt, two-coat spray seal, pavers, or similar; and
  - e. be maintained through the life of the use in a condition that, at a minimum, is suitable for two-wheel drive vehicles.
7. Prior first use, three car parking spaces must be provided on site as shown on plan by *Matt Kennedy Drafting & Design* on DWG sheet A.03, dated 26/02/2025. Any external space must:
  - a. be at least 5.4m long and 2.4m wide with an additional 0.3m clearance from any nearby wall, fence or other obstruction; and

- b. have a maximum gradient of 1 in 20 (5%) measured parallel to the angle of parking and 1 in 16 (6.25%) in any other direction.

### Environmental Health

- 8. Wastewater management must be in accordance with the Site Investigation Report by HED Consulting dated 20 September 2024

### NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

**The site is subject to the landslip hazard band.**

#### Legal

- 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 planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.

#### Asset Protection

- In accordance with the *Local Highway Bylaw 2 of 2015*, the owner is required to repair any damage to any Council infrastructure caused during construction.
- Council recommends contacting Dial-Before-You-Dig (phone 1100 or [www.1100.com.au](http://www.1100.com.au)) before undertaking any works.

#### Other Approvals

- All stormwater management measures and designs on the endorsed plans and documents, together with any related permit condition, constitutes General Managers consent under section 14 of the *Urban Drainage Act 2013*.
- This permit does not imply that any other approval required under any other by-law or legislation has been granted.

- Separate building and plumbing approval may be required prior to the commencement of the development/use.

#### General

- A front fence above 1.2m in height may require planning approval – please refer to our info sheet at <https://www.sorell.tas.gov.au/planning-information-sheets/>

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](mailto:resourceplanning@tascat.tas.gov.au)

### Executive Summary

Application is made for a three-bedroom dwelling at 12 East Street, Dodges Ferry. This property is zoned Low Density Residential and is surrounded by residential land to the north, south, east and west.

The key planning considerations relate to:

- The subject site has site constraints, as it is an irregular-shaped lot with narrow boundaries to the front portion and sloping topography from the frontage to the rear boundary.
- Neighbouring properties to the rear, which have significantly lower natural ground levels and are more vulnerable to loss of amenity with regard to visual bulk and scale and loss of privacy.
- The design results in reduced side setbacks less than 5m (northern side boundary 1.935m and southern side boundary 2.991m).

The application is considered to comply with each applicable standard of the *Tasmanian Planning Scheme (Sorell LPS)* 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
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SORELL PLANNING AUTHORITY (SPA) MEETING  
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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 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	No			
TasNetworks	No			
State Growth	No			

## Report

## Proposal

The proposed dwelling is situated at the narrower, higher portion of the site.

The positioning of the dwelling proposes reduced side boundary setbacks (northern side boundary 1.935m and southern side boundary 2.991m in lieu of the prescribed 5m Acceptable Solution).



## AGENDA

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The development's design is single-story as it presents to the street and includes a basement level to the rear as it responds to the natural topography (See Figure 2 below).



Figure 1. Site Plan

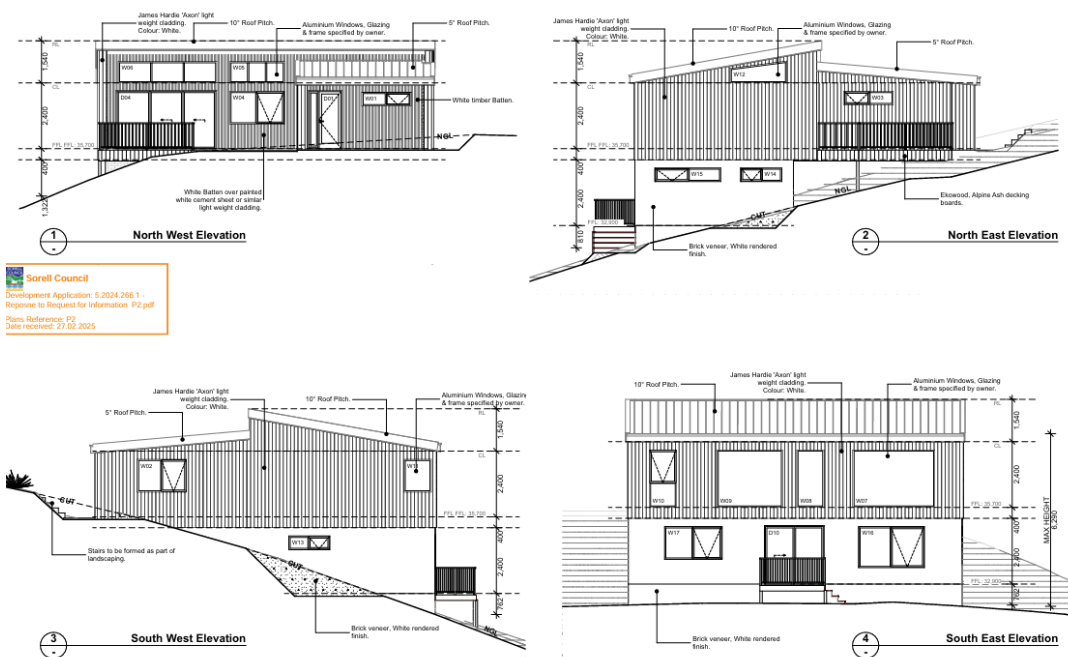


Figure 2. Elevations

The application is supported by:

- Design drawings by MK Design & drafting
- Site Investigation Report – Onsite wastewater assessment report by HED Consulting.

### Description of Site

The 1185 sqm site is zoned low-density residential. Adjoining residential land to the north, south, east and west are zoned low-density residential.

The site is an irregular-shape with narrow boundaries to the front portion, being a ten metre wide frontage with a 37 metre wide rear boundary. The site falls by 14m from front to rear at a gradient of approximately 1 in 5.

The site is unserviced, requires onsite management of water and sewer and accessed from East Street over an unsealed crossover.



**Figure 3. Subject Site.**

The site is subject to the landslip hazard area with a low hazard band prescribed. Development that requires building and plumbing approval is exempt from the landslip hazard code by clause C15.4.1 (d)(i)(a). This is on the basis that associated risks are managed through the building approval system.

## Planning Assessment

### Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
10.4.2 A1	Building Height	Yes, as the maximum building height is less than 8.5m.
10.4.3 A1	Front Setbacks	Yes, as the setback to the frontage is greater than 8.5m.
10.4.3 A2	Setbacks	No, as the side setbacks are less than 5m (northern side boundary 1.935m and southern side boundary 2.991m). Refer to performance criteria assessment below.
10.4.4.4 A1	Site Coverage	Yes, as the site coverage is less than 30%. The site coverage of the dwelling (including deck is 134.75sqm and the outbuilding (shed) is sqm. The total site coverage is 155.75 sqm (13%).
10.4.5 A1	Front Fences	Yes, as no front fence is proposed.

### Performance Criteria Assessment 1 – Clause 10.4.2. P2 Setbacks

*The siting of a dwelling must not cause an unreasonable loss of amenity to adjoining properties, having regard to:*

- (a) the topography of the site;*
- (b) the size, shape and orientation of the site;*
- (c) the setbacks of surrounding buildings;*
- (d) the height, bulk and form of existing and proposed buildings;*
- (e) the existing buildings and private open space areas on the site;*
- (f) sunlight to private open space and windows of habitable rooms on adjoining properties; and*
- (g) the character of development existing on established properties in the area.*

The performance criteria is applicable as the side setbacks are less than 5m (northern side boundary 1.935m and southern side boundary 2.991m).

It is considered that the performance criteria is satisfied given:

- The subject site has site constraints, as it is an irregular-shaped lot with narrow boundaries to the front portion and sloping topography from the frontage to the rear boundary.
- The proposed dwelling, located at the narrower, higher portion of the site, accommodates space for an appropriate wastewater system at the lower end of the lot and greater separation from neighbouring properties to the rear, which have significantly lower natural ground levels and are more vulnerable to loss of amenity with regard to visual bulk and scale and loss of privacy. The positioning of the proposed dwelling, which resulted in reduced side boundary setbacks, was deemed functional and respectful of the site constraints and neighbouring properties.
- The proposed location of the building envelope and reduced side boundary setbacks reflect the established development pattern in the area, where similar topographical challenges have influenced the placement of houses. Notably, no dwelling in East Street has compliant side setbacks. 10 East Street has a 1.8m side setback while 14 East Street has a 2m side setback.
- The design of the development, in terms of height, bulk, and form, responds to the natural topography of the land. The proposal is not directly adjacent to any adjoining dwelling to either side and is setback 23m from the rear; as such, there are no overshadowing or privacy impacts to adjoining properties.
- Supplied shadow diagrams confirm that private open spaces and habitable room windows on neighbouring properties will not be unreasonably affected by overshadowing.

## Code

### Parking and Sustainable Transport Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C2.5.1 A1	Parking numbers	Yes, as two spaces are provided.
C2.6.1 A1	Construction	Yes, as Council's engineers have reviewed the application and confirmed that the design satisfies the relevant prescribed requirements.
C2.6.2 A1.1	Layout	Yes, all relevant standards are complied with
C2.6.3 A1	Accesses	Yes, a single access is provided.

## Overlays (LPS)

### Southern Beaches Onsite Wastewater and Stormwater Specific Area Plan

Applicable SAP standards		
Clause	Matter	Complies with acceptable solution?
SOR-S2.7.1 A1	Onsite wastewater	Yes, as less than 20% of the site is covered by buildings and complies with the prescribed acceptable solution.
SOR-S2.7.2	Stormwater management	No, as the site is not capable of connecting by gravity to a public stormwater system. Refer to performance criteria assessment below.

#### Performance Criteria Assessment 2 –SOR-S2.7.2 P1 Onsite stormwater

*Development must be capable of accommodating an on-site stormwater management system adequate for the development, having regard to:*

- (a) topography of the site;*
- (b) the size and shape of the site;*
- (c) soil conditions;*
- (d) any existing buildings and any constraints imposed by existing development on the site;*
- (e) any area of the site covered by impervious surfaces*
- (f) any watercourses on the land;*
- (g) stormwater quality and quantity management targets identified in the State Stormwater Strategy 2010; and*

- (h) any advice from a suitably qualified person on the seasonal water table at the site, risks of inundation, land instability or coastal erosion

The onsite wastewater assessment report by HED Consulting demonstrates that an on-site stormwater management system adequate for the development is capable. Council's Environmental Engineers have reviewed the proposed development and confirm that it satisfies the Relevant Performance.

### Representations

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

Two representations have been received, which are addressed in the following table.

Issue	Relevant Clause	Response
Overlooking and loss of visual Privacy	10.4.3 A2 Setbacks	<ul style="list-style-type: none"> <li>The development is not located within 5m of any neighbouring boundary with clear line of sight resulting in possible overlooking of private open space or habitable windows.</li> <li>The north-east elevation has highlight windows only while the deck is 10m from the nearest adjoining dwelling. The south-west elevation has a window adjacent to the adjoining property but is setback 5m consistent with the acceptable solution.</li> <li>The proposed dwelling, located at the narrower, higher portion of the site accommodates space for greater separation from neighbouring properties to the rear, which have significantly lower natural ground levels and are more</li> </ul>

		vulnerable to loss of amenity by way of loss of privacy given the natural sloping topography.
Loss of amenity of neighbouring properties due to proposed bulk and scale	10.4.3 A2 – Setbacks	<ul style="list-style-type: none"> <li>• The bulk and scale of the proposal is consistent with the acceptable solutions for height and site cover.</li> <li>• Moreover, the siting accommodates greater separation from neighbouring properties to the rear, which have significantly lower natural ground levels and are more vulnerable to loss of amenity with regard to visual bulk and scale and loss of privacy. The positioning of the proposed dwelling, which resulted in reduced side boundary setbacks, was deemed functional and respectful of the site constraints and consistency with neighbouring properties.</li> <li>• The proposed location of the building envelope and reduced side boundary setbacks reflect the established development pattern in the area, where similar topographical challenges have influenced the placement of houses.</li> <li>• The design of the development, in terms of height, bulk, and form, responds to the natural topography of the land and is considered site-specific.</li> <li>• Supplied shadow diagrams confirm that private open spaces and habitable room windows on neighbouring</li> </ul>

		properties will not be unreasonably affected by overshadowing.
Ground stability and insufficient potential for satisfactory onsite wastewater treatment due to site constraints.		The application demonstrates suitability for onsite wastewater and stormwater. As noted earlier, issues associated with ground stability are exempted out of the Tasmanian Planning Scheme and left to the building system to regulate and manage. Thus, there is no scope to consider this issue as part of this assessment.

## Conclusion

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

Shannon McCaughey

**Senior Planner**

Attachments:

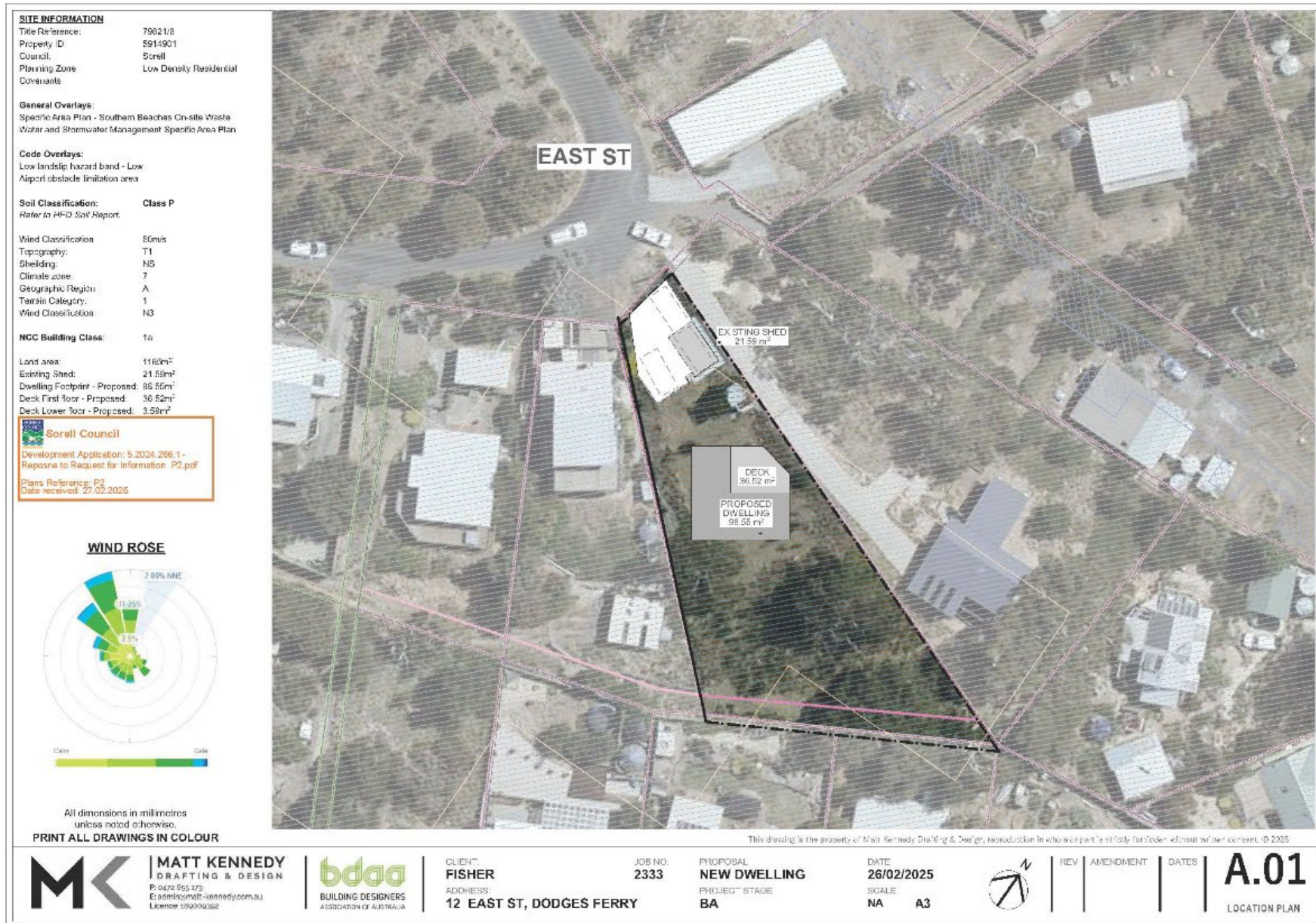
Proposal Plans

Representations x 4

*Separate Attachments:*

*Site Investigation Report - Site Classification & Wind Loads for Housing*

*Site Investigation Report – On-Site Wastewater Management Assessment Report*

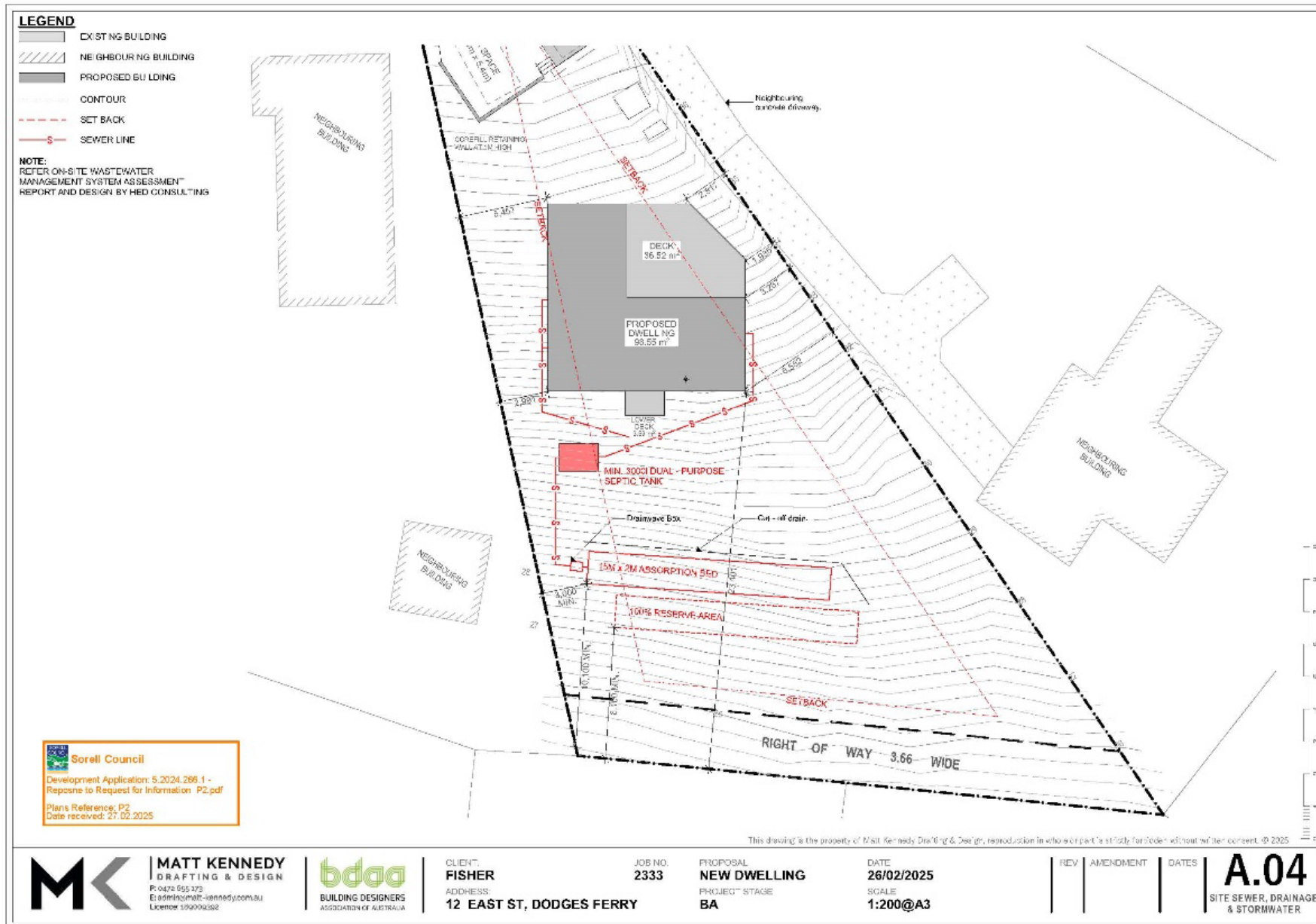


## AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING  
 8 APRIL 2025

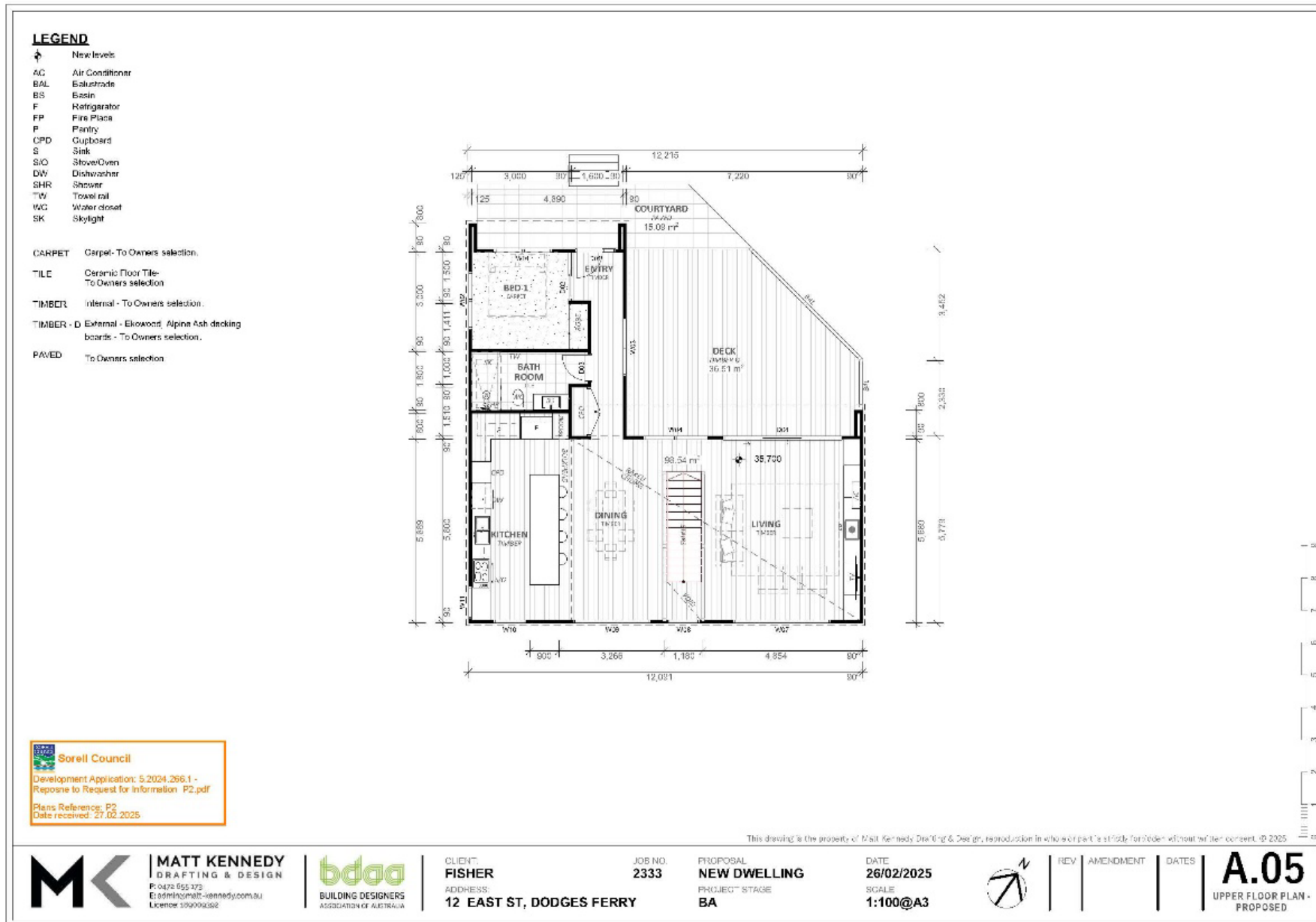


SORELL PLANNING AUTHORITY (SPA) MEETING  
8 APRIL 2025



## AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING  
8 APRIL 2025



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SORELL PLANNING AUTHORITY (SPA) MEETING  
8 APRIL 2025

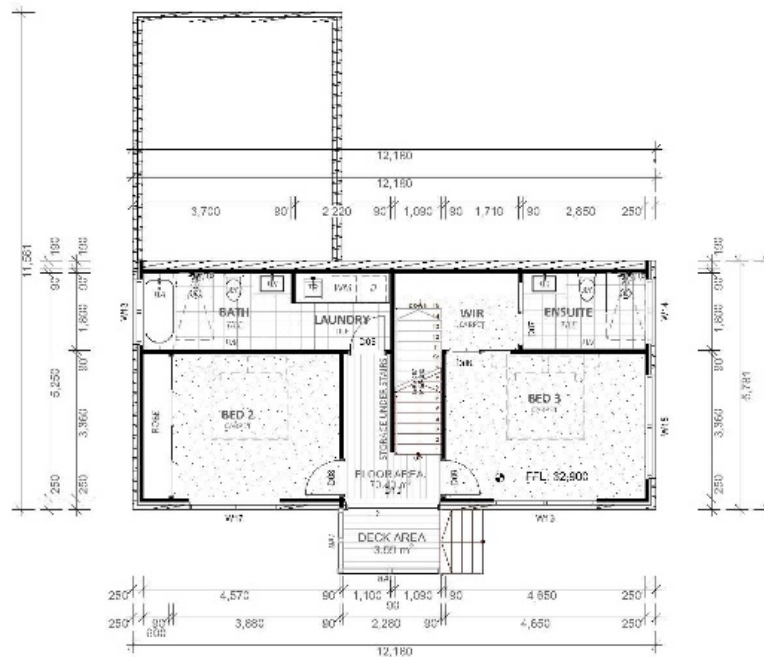
**LEGEND**

↑	New levels
BA	Bath
BAL	Balustrade
BS	Basin
SHR	Shower
TR	Trough
TW	Towel rail
WCG	Water closet
D	Dryer
WM	Washing Machine

CARPET Carpet- To Owners selection.

TILE Ceramic Floor Tile-  
To Owners selection

TIMBER Timber Decking- Modwood Decking- To  
Owners selection



**Sorell Council**

Development Application: S.2024.266.1 -  
Response to Request for Information P2.pdf

Plans Reference: P2  
Date received: 27.02.2025

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Licence 309090392



CLIENT:  
**FISHER**  
ADDRESS:  
**12 EAST ST, DODGES FERRY**

JOB NO.  
**2333**

PROPOSAL  
**NEW DWELLING**  
PROJECT STAGE  
**BA**

DATE  
**26/02/2025**  
SCALE  
**1:100@A3**



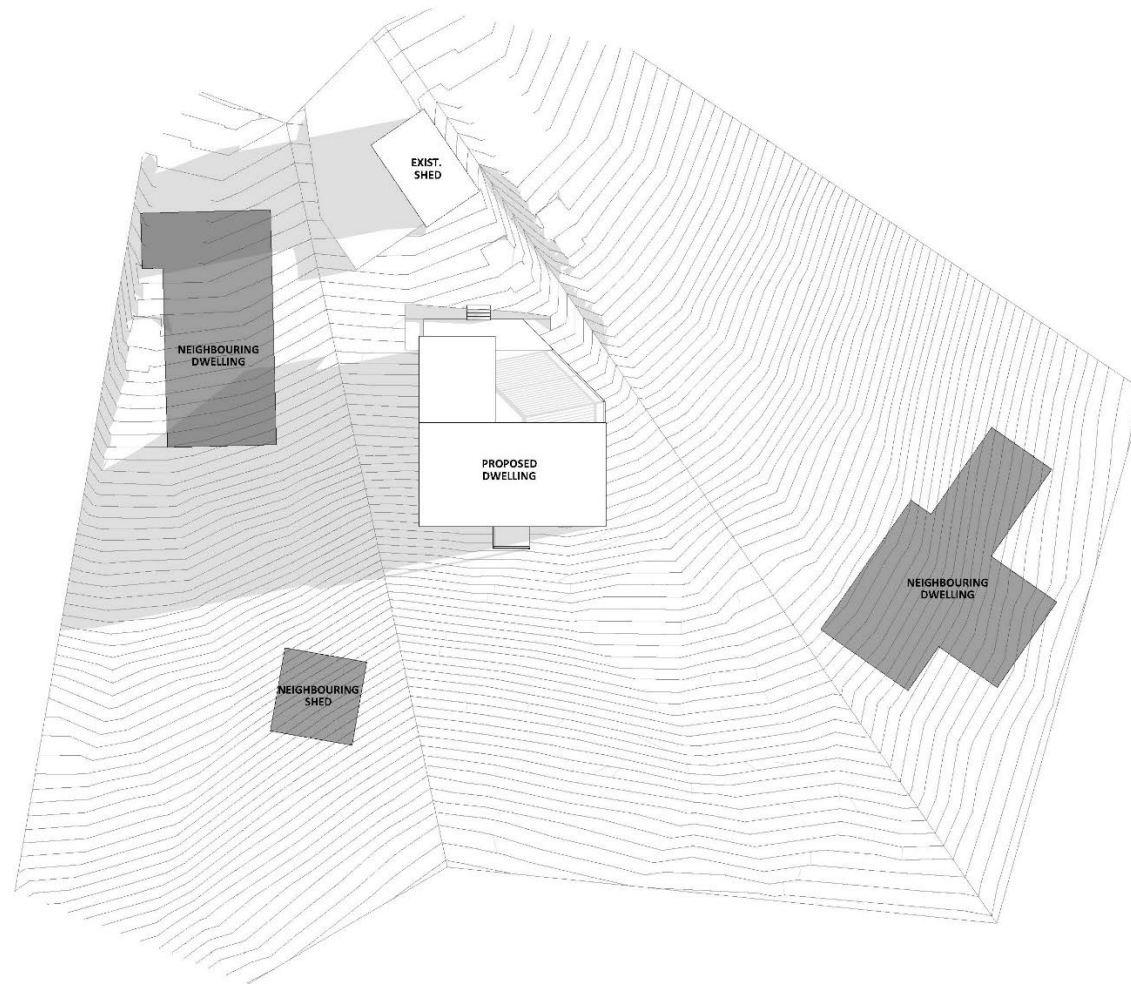
REV	AMENDMENT	DATES

**A.06**  
LOWER FLOOR PLAN -  
PROPOSED

**AGENDA**

SORELL PLANNING AUTHORITY (SPA) MEETING  
8 APRIL 2025





**Sorell Council**  
 Development Application: 5.2024.266.1 -  
 Response to Request for Information P2.pdf  
 Plans Reference: P2  
 Date received: 27.02.2025

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CLIENT: **FISHER**  
 ADDRESS: **12 EAST ST, DODGES FERRY**

JOB NO:  
**2333**

PROPOSAL:  
**NEW DWELLING**  
 PROJECT STAGE:  
**BA**

DATE:  
**26/02/2025**  
 SCALE:  
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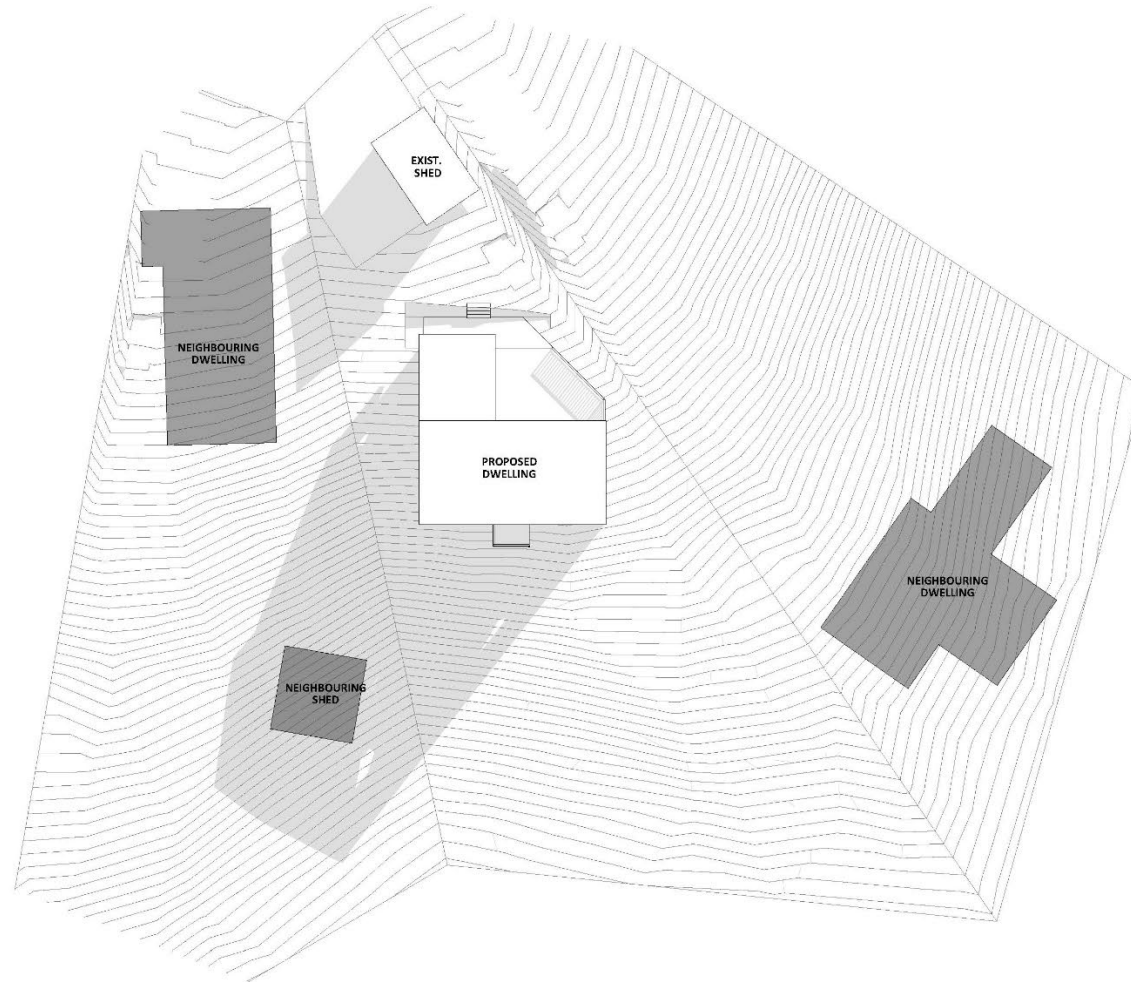


REV	AMENDMENT	DATES

**A.12**  
 SHADOW DIAGRAM  
 9:00AM AT 21 JUNE



**AGENDA**  
 SORELL PLANNING AUTHORITY (SPA) MEETING  
 8 APRIL 2025



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ADDRESS: **12 EAST ST, DODGES FERRY**

JOB NO:  
**2333**

PROPOSAL:  
**NEW DWELLING**  
PROJECT STAGE:  
**BA**

DATE:  
**26/02/2025**  
SCALE:  
**1:200@A2**



REV	AMENDMENT	DATES

**A.13**  
SHADOW DIAGRAM  
12:00PM AT 21 JUNE



**AGENDA**  
**SORELL PLANNING AUTHORITY (SPA) MEETING**  
**8 APRIL 2025**

NOTE:  
3:00PM SHADOW ALSO CAST BY TERRAIN



**Sorell Council**  
Development Application: 5.2024.266.1 -  
Response to Request for Information P2.pdf  
Plans Reference: P2  
Date received: 27.02.2025

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JOB NO:  
**2333**

PROPOSAL:  
**NEW DWELLING**  
PROJECT STAGE:  
**BA**

DATE:  
**26/02/2025**  
SCALE:  
**1:200@A2**



REV	AMENDMENT	DATES

**A.14**  
SHADOW DIAGRAM  
3:00PM AT 21 JUNE



**AGENDA**  
**SORELL PLANNING AUTHORITY (SPA) MEETING**  
**8 APRIL 2025**



PO Box 126  
47 Cole Street  
SORELL TAS 7172  
ABN 12 690 767 695

Telephone 03 6269 0000  
Fax 03 6269 0014  
sorell.council@sorell.tas.gov.au  
www.sorell.tas.gov.au

## SUBMIT A REPRESENTATION ON A PLANNING APPLICATION

*This form is to help you make a representation (objection) to an application. However, there is no requirement to use this particular form.*

Representor Details	
Your Name:	
Your Postal Address:	
Your Address (if different to the above)	
Your Contact Details:	
Application Details	
Application Number:	Planning Application for a dwelling
Application Address:	5.2024.1226 12 East Street, Dodges Ferry

What are your concerns with the proposal

I have a concern with this proposal to do with the possible failure of the septic tank and the ability of the sand to absorb its effluent considering the steepness of the site and its possible instability if saturated and the volume of waste generated by high water usage of a family occupancey (3-toilets etc). Since my house is approximately 10 metres from our shared boundary the only recourse if the eoli-eoli count is unacceptably high is what? Maybe the proposed house could be closer to East Street?

Important notes about the Representations against a planning application:

- Supporting documentation, such as photos, plans, sketches etc (PDF only if submitting online) can be attached to this form;
- Please make sure you clearly understand what is proposed before you make a representation;

**SORELL COUNCIL**

24 MAR 2025

RECEIVED

Ensure we receive your representation by the due date and through one of the means specified in the public notice;

We will inform all representors of the decision; and

You, the applicant and any other representor can appeal against the decision.

Telephone: (03) 6269 0000 Fax: (03) 6269 0014 Email: sorell.council@sorell.tas.gov.au  
8:00am - 4:45pm Weekdays Web: www.sorell.tas.gov.au

November 2022



### AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING  
8 APRIL 2025

24 Mar 2025

Sorell Council,  
General Manager,  
Planning Department,  
47 Cole Street,  
Sorell, Tas 7172

Development Application:  
Matt Kennedy Drafting and Design  
APPLICATION NO: DA 2024 / 266 1  
DATE: 7 March 2025  
12 East Street, Dodges Ferry

Subject: Representation Against Planning Application No DA 2024 / 266 1

Dear Mr Higgins,

I am writing to formally submit a Representation to the proposed development at 12 East St, Dodges Ferry on the following grounds:

Firstly, I would like to respectfully disagree with the covering letter provide to Sorell Council of the above proposed dwelling by Matt Kennedy on two points:

- To quote: "We have utilised the slope, so the design ensures the building blends with the natural terrain without appearing imposing or inconsistent with the area's character." Given that the dwelling colour is an integral part of the design, and that ensures the building blends with the natural terrain, I am having great difficulty reconciling how a total white building meets this objective. This concern is further addressed below under Visual Amenity Impacts.
- "The design complies with....., and character of the area while minimising impacts on neighbouring properties." From his perspective this may be the case, however I would strongly disagree. The south easterly aspect of this building directly overlooks our property. The design incorporates multiple windows and severely impinges on our privacy and general wellbeing. This concern is further addressed below under Privacy and Residential Amenity Concerns.

### 1. **Geotechnical and Stability Concerns**

The proposed dwelling is to be situated on a steeply sloped block with sandy soil. This type of soil presents significant risks, particularly in terms of erosion and potential landslip. Given the steep nature of the site and the absence of solid bedrock for anchoring foundations, concerns regarding the stability of the construction are substantial. These risks are further exacerbated by the removal of most pre-existing trees and vegetation that previously provided structural support to the sloping site.

Situating the dwelling closer to the relatively flat area of the East St frontage would help mitigate these and our concerns.

### 2. **Visual Amenity Impacts**

The proposed development is alien to the natural landscape. The use of stark white cladding will be inescapably dominant. The visual impact, creating an intrusive presence within the area and particularly from the rear of our dwelling in (To fully appreciate this impact inspection from our residence is welcome). To better integrate with the environment, alternative colours such as earthy tones, muted greens, or natural stone hues should be considered. These would soften the structure's visual impact, allowing it to blend more harmoniously with the surrounding landscape. The current design is inconsistent with the area's character and detracts from the aesthetic appeal of the neighbourhood, and more directly, our property.

### 3. **Privacy and Residential Amenity Concerns**

We strongly object to the proposed building design on the hill directly behind our property due to its substantial impact on our privacy, well-being, and overall comfort. The structure is designed to maximise views, incorporating seven windows and a deck on their south easterly aspect. Its elevated position will create direct sightlines into our property and courtyard, significantly compromising our ability to enjoy our home and outdoor spaces without intrusion.

The loss of privacy will disrupt our daily lives, fostering a constant sense of being observed and diminishing our well-being and peaceful enjoyment of our home. The inclusion of a deck further intensifies these concerns, allowing prolonged overlooking and increasing the potential for noise disturbances. See attached images of views from proposed building block towards and from our dwelling.

We urge that modifications be made to the design to mitigate these concerns, such as repositioning windows, incorporating screening measures, or adjusting the overall orientation of the building to respect our right to privacy.

### 4. **Drainage and Septic System Issues**

The proposed drainage and septic system raise multiple concerns:

- The hydrophobic nature of the sandy soil may impair adequate drainage, leading to ineffective wastewater management.
- The adequacy of the septic system to function effectively on this soil type and slope remains in question, increasing the risk of system failure and environmental contamination.
- The location of the septic tank outlet in close proximity to my property boundary is particularly concerning, as any leakage or overflow could lead to effluent seepage onto my land.

- The application itself acknowledges that the reserve land area below the septic system is unsuitable for children's play due to potential risks. If this is the case, it raises further concerns about the implied risks to people and land on my property, given the close proximity.
- Also, the issue of septic tank run off raise concerns, for example, the recently reported incidents in the Primrose Sands community and neighbouring beachside areas raises concerns as to the suitability of such a waste management system. Why is Sorell Council approving more septic systems to be installed?

**5. Insufficient Site Investigation**

The geotechnical site investigation has only covered part of the site, leaving uncertainties about the consequences of building in the proposed location. A more comprehensive investigation should be required to ensure the structural feasibility of both the dwelling and the associated sewerage infrastructure.

In light of these issues, I respectfully urge the planning authority to carefully reconsider this application and either require significant modifications or refuse approval until all concerns regarding stability, drainage, environmental and visual impacts, and privacy, are adequately addressed.

Thank you for your time and consideration.

Yours sincerely,





23 Mar 2025

Sorell Council,  
General Manager,  
Planning Officer  
47 Cole Street,  
Sorell, Tas 7172

Subject: Representation Against Planning Application No DA 2024 / 266 1

Development Application:

Matt Kennedy Drafting and Design

APPLICATION NO: DA 2024 / 266 1

DATE: 7 March 2025

12 East Street, Dodges Ferry

Dear Mr Higgins,

I am writing to formally lodge an appeal against the proposed development of a new white building on a steep slope at 12 East Street, Dodges Ferry, which directly overlooks my property at . I have significant concerns regarding the visual impact, loss of privacy, and environmental suitability of the proposed development, particularly regarding the installation of a septic system in such steep sandy terrain.

#### **Visual and Privacy Concerns**

The proposed building, due to its elevated position and stark white appearance, will dominate the landscape and negatively impact the character of the area. The contrast between this structure and the surrounding environment will be visually intrusive and inconsistent with the natural aesthetics of the neighbourhood. Furthermore, the height and placement of the building will significantly overlook my property, leading to a substantial loss of privacy for myself and my family. This intrusion will affect our general well-being, as it diminishes our ability to enjoy our outdoor spaces without feeling observed. Please find attached images to representation email of views from proposed development into and from our property.

#### **Environmental and Septic System Concerns**

A key concern is the suitability of a septic tank on such steep sandy terrain. The risks of system failure, effluent seepage, or surface run-off are heightened in these conditions. Given the close proximity of the proposed septic system to the boundary fence and my vegetable garden, I am

extremely worried about potential contamination and health hazards. Any leakage or overflow could pose a significant risk to the local environment, groundwater, and my home-grown produce, which I rely on for food.

**Request for Consideration**

Given these substantial concerns, I respectfully request that:

1. The visual and privacy impacts of the proposed development be reassessed, with consideration given to alternative positioning, design modifications, or natural screening solutions.
2. The environmental feasibility of installing a septic system on such a steep sandy slope be thoroughly evaluated, including an independent environmental impact assessment.
3. The council ensures compliance with all relevant zoning and environmental regulations to safeguard the well-being of existing residents.

I appreciate your consideration of this appeal and request that my concerns be taken into account before any final approvals are granted. I would welcome the opportunity to discuss this matter further and look forward to your response.

Sincerely,



**From:**  
**To:** [Sorell Council](#)  
**Subject:** Representation: Development Application: DA 2024 / 266 1 - 12 East Street, Dodges Ferry  
**Date:** Tuesday, 25 March 2025 4:25:55 PM

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Sorell Council,  
 General Manager,  
 Planning Department,  
 47 Cole Street, Sorell, Tas 7172

Development Application:  
 APPLICATION NO: DA 2024 / 266 1 - 12 East Street, Dodges Ferry

Dear Mr Higgins,

Subject: Representation Against Planning Application

No DA 2024 / 266 1

I am daughter of the people living at \_\_\_\_\_, and am an occasional weekend visitor. I am here now and using my mothers computer to write this representation.

I have looked through the application for the proposed construction and feel that my parents and my privacy will be invaded both short term by tradies and long term by the residents. The stages of building section is not indicating any length of time or if being built in stages. I see this will be an unknown for my parents and it may well cause additional stress to them both; with noise and amenity being affected.

The use of the back patio area will be disrupted, also. Will any build be completed before summer when further the use of the patio and backyard is greatly increased?

Run off from the 12 East Street site and the proposed channelling of the water to take its course towards the parents' neighbouring property will be of concern; as water knows no boundaries.

The view from the back of the property at \_\_\_\_\_ will be impaired - the white building affects the visual amenity.

Yours sincerely,

