

NOTICE OF PROPOSED DEVELOPMENT

Notice is hereby given that an application has been made for planning approval for the following development:

SITE: Primrose Sands Road, Primrose Sands

**PROPOSED DEVELOPMENT:
LOCAL BUSINESS REZONE AND SAP**

The relevant plans and documents can be inspected at the Council Offices at 47 Cole Street, Sorell during normal office hours, or the plans may be viewed on Council's website at www.sorell.tas.gov.au until **Monday 21st July 2025**

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Any person may make representation in relation to the proposal by letter or electronic mail (sorell.council@sorell.tas.gov.au) addressed to the General Manager. Representations must be received no later than **Monday 21st July 2025**

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APPLICANT: Ireneinc Planning And Urban Design

APPLICATION NO: DA 2025 /51 1

DATE: 20 June 2025

TASMANIAN PLANNING SCHEME - SORELL

PLANNING SCHEME AMENDMENT

AM-SOR-5-2025-51-1

Pursuant to the Land Use Planning and Approvals Act 1993

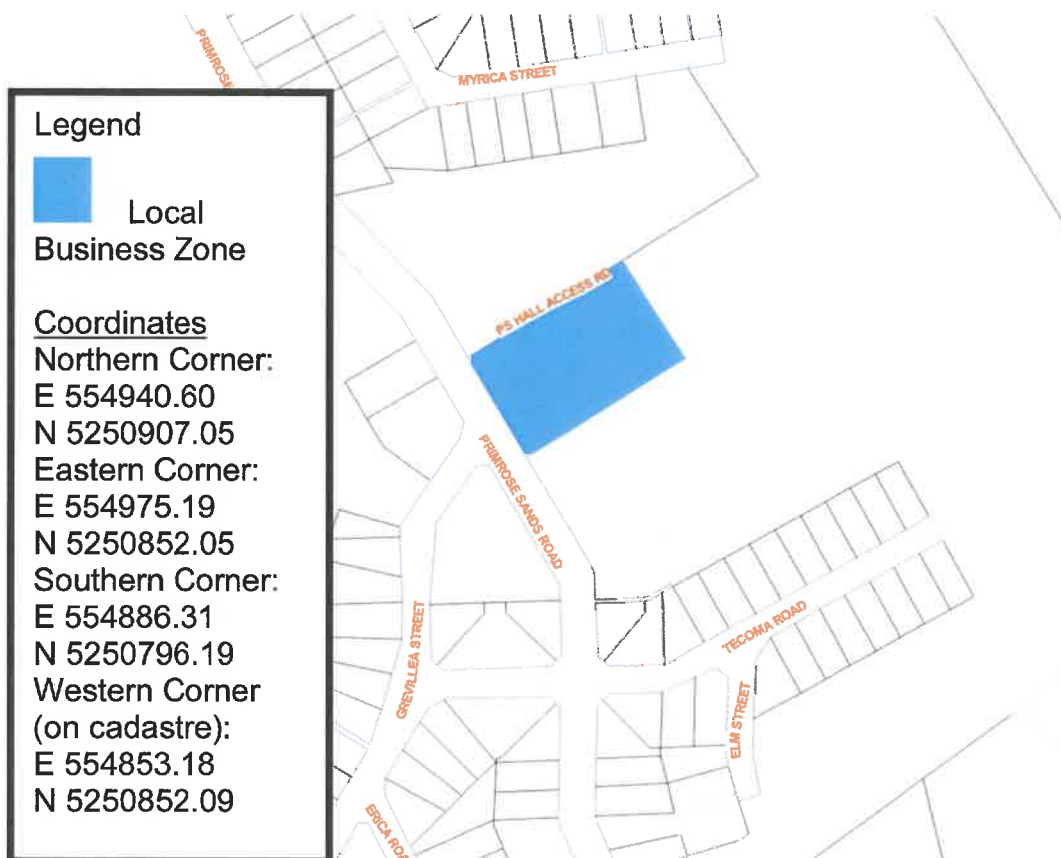
Location

Part of Primrose Sands Road, Primrose Sands (folio of the Register 139347/1) located south of the Primrose Sands Community Centre located at 570 Primrose Sands Road, Primrose Sands.

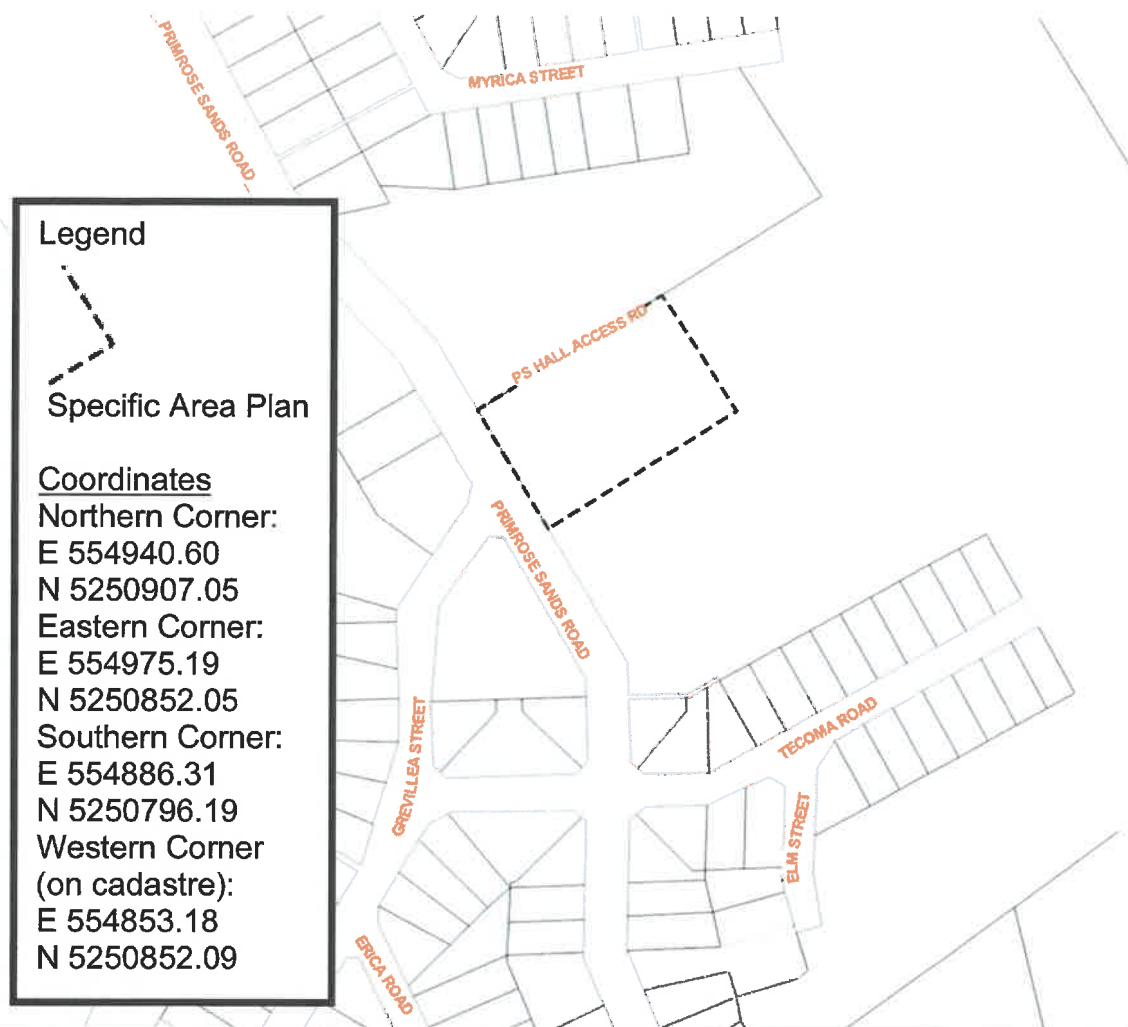
Description

In two parts

Part 1: Apply the Local Business Zone as shown below.



Part 2: Apply the Southern Beaches On-site Waste Water and Stormwater Management Specific Area Plan as shown below.



In accordance with the provisions of Section 40F of the *Land Use Planning and Approvals Act 1993* the Sorell Planning Authority, at its meeting on 3 June 2025 certified that draft amendment AM-SOR-2025-51-1 of the *Sorell Local Provisions Schedule* meets the requirements specified in Section 34 of the *Land Use Planning & Approvals Act 1993*.

The Common Seal of the Sorell Council has been hereunto Duly affixed in the presence of:



.....
General Manager

Date:..... 11. 6. 25



SORELL PLANNING AUTHORITY (SPA) AGENDA

3 JUNE 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, 3 June 2025 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
29 MAY 2025



AGENDA

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING TO BE HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON TUESDAY 3 JUNE 2025

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1.0 ATTENDANCE

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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 6 MAY 2025

RECOMMENDATION

"That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 6 May 2025 be confirmed."

4.0 DECLARATIONS OF PECUNIARY INTEREST



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
3 JUNE 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 7.2022.3.1 – 13 LOT SUBDIVISION AT 1668 ARTHUR HIGHWAY, COPPING

Applicant:	PDA Surveyors
Proposal:	13 Lot Subdivision
Site Address:	1668 Arthur Highway, Copping (CT 139620/1; 127347/1; 51570/2)
Planning Scheme:	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i> & Part 3 of the <i>Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMP)</i> .
Reason for SPA meeting:	Subdivision creates more than ten lots.

Relevant Zone:	Rural Zone Utilities Zone										
Proposed Use:	Not applicable - Subdivision										
Applicable Overlay(s):	Bushfire-prone areas Low landslip hazard band Medium landslip hazard band Waterway and coastal protection area Priority vegetation area										
Applicable Codes(s):	Parking and Sustainable Transport Code Road and Railway Assets Code Natural Assets Code Attenuation Code Bushfire-Prone Areas Code Landslip Hazard Code										
Valid Application Date:	18 July 2024 (date of State Growth section 52 consent)										
Decision Due:	10 June 2025										
Discretion(s):	<table> <tr> <td>1</td><td>Clause 26.5.1 P1 - Subdivision</td></tr> <tr> <td>2</td><td>Clause 26.5.2 P1 - Services</td></tr> <tr> <td>3</td><td>Clause C3.5.1 P1 - Traffic</td></tr> <tr> <td>4</td><td>Clause C7.7.1 P1 - Subdivision in a waterway area</td></tr> <tr> <td>5</td><td>Clause C7.7.2 P1 - Subdivision in a priority vegetation area</td></tr> </table>	1	Clause 26.5.1 P1 - Subdivision	2	Clause 26.5.2 P1 - Services	3	Clause C3.5.1 P1 - Traffic	4	Clause C7.7.1 P1 - Subdivision in a waterway area	5	Clause C7.7.2 P1 - Subdivision in a priority vegetation area
1	Clause 26.5.1 P1 - Subdivision										
2	Clause 26.5.2 P1 - Services										
3	Clause C3.5.1 P1 - Traffic										
4	Clause C7.7.1 P1 - Subdivision in a waterway area										
5	Clause C7.7.2 P1 - Subdivision in a priority vegetation area										



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SORELL PLANNING AUTHORITY (SPA) MEETING
3 JUNE 2025

	6	Clause C15.7.1 P1 - Subdivision in a landslip hazard area
Representation(s):	2 representations received.	

RECOMMENDATION

That pursuant to section 57 of the *Land Use Planning and Approvals Act 1993* and Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* Council resolve that Planning Application 7.2022.3.1 be refused for the following reasons:

1. The layout of the subdivision will make the maintenance of roads unduly expensive contrary to section 85 (c) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.
2. The proposal does not comply with acceptable solution C15.7.1 A1 as subdivision works and lots are within the landslip hazard area and does not satisfy performance criteria C15.7.1 P1 as it has not been demonstrated that development on each lot will achieve a tolerable level of risk from landslip.

Executive Summary

Application is made for a 13 Lot Subdivision at 1668 Arthur Highway, Copping. This property is zoned Rural and Utilities and is located approximately 5 km north of Connelly's Marsh and 7.5 km east of Forcett.

The key planning considerations relate to the provision of road infrastructure and impact on natural values.

The application does not comply with each applicable standard of the *Tasmanian Planning Scheme (Sorell LPS)* and the provision of roads is contrary to the *Local Government (Building and Miscellaneous) Provisions Act 1993* and is recommended 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 includes new road / stormwater / footpath assets to be transferred to Council. Design and construction standards for these assets are considered in this report.



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SORELL PLANNING AUTHORITY (SPA) MEETING
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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 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	See below
Environmental Health	No			
Plumbing	No			
NRM	Yes	Yes	Yes	Biosecurity Tasmania have completed a survey of the site confirming extensive Serrated Tussock infestation. Weed management is required for any work.
TasWater	No			

TasNetworks	Yes	Yes	Nil	"Based on the information provided, the use/development is not likely to adversely affect TasNetworks' operations."
State Growth	Yes	Yes	Yes	Section 52 land owner consent has been granted for this proposal. Comments below

Development Engineering Comments

- Proposal of 7 m wide road with 6 m sealed road with 2 coat seal 14/7 and 0.5m gravel shoulder on each side.
- Road segment is 3440 m long. Council to determine if financially if it is worth maintaining 3.4 km road for 13 lot subdivision.
- Table drain proposed along roadside.
- Separate stormwater management plan drawing sheet will be required that details the overall concept of stormwater discharge point during Engineering assessment of drawings. This information is hard to visualise at this stage.
- Safety barrier will be required where there is sharp edge drop from the road. This information is hard to achieve at this stage.
- Intersection of Council Road will be with the State Growth Road and will be approved by DSG but must also meet Council's minimum requirement. This will be assessed in more details when final drawings are submitted for engineering design assessment.

State Growth Comments

The Arthur Highway at this location has been built to a high standard in hilly terrain with overtaking lanes in the eastbound direction and a 100km/h speed limit.

Any new junction treatment is likely to extend into the highway curves either side of the proposed side road so that the highway alignment is not compromised. It is not clear whether widening will occur on one or both sides of the highway and whether there will be impacts to private land.

... to confirm scope, cost and land impacts, it seems desirable the development application includes preliminary design drawings on a 3D model of the proposed junction treatment undertaken by a suitably qualified road design consultant and to the satisfaction of the department. Drawings will need to show likely batter slopes/land impacts, drainage and include a construction cost estimate.

Given the expected high construction costs of both the works within the highway, and new council road - the feasibility of the development seems uncertain. ... this seems like an instance where financial security could be considered to ensure works are completed or reinstated.

Please include the following condition in any permit if issued.

1. Provide a CHR/AUL and acceleration lane at the site access to the Arthur Highway (DSG Ref. A0142 Link 9 Ch. 7.65km).
2. Remove the existing G-turn facility and informal access opposite.
3. Prior to undertaking any works in the state road reserve a Works Permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935. Construction works within the state highway will need to be undertaken by a suitably qualified organisation.

Application for permits can be found at https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings

Applications must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

Report

Description of Proposal

It is proposed titles CT 139620/1, CT 127347/1 & CT 51570/2 be combined and subdivided into 13 lots. Each lot will be no less than 40 ha in area. A 20m wide road reservation will be created over the existing ex-forestry access road to facilitate the subdivision, providing access to proposed lots. The total length of road is 3,550m long. The

road surface will be upgraded to meet the LGAT standards for a sealed rural road and transferred to Council as part of the subdivision.

The intersection of the proposed road is located at an overtaking lane for eastbound traffic. The intersection design requires 185m long deceleration lanes to both sides and a 185m long right turn lane. To accommodate this, the northern side of the roadway is to be widened to accommodate a relocated overtaking lane with this widening to occur for a length of 410m. The deceleration lanes are accommodated by widening the southern side of the highway. Road cross sections are not included with the application, yet the widening will require cut and fill.

The application is supported by:

- a Planning Report dated February 2022 from PDA Surveyors, Engineers & Planners;
- Road Design by PDA Surveyors, Engineers and Planners dated 22 April 2024;
- Plan of Subdivision by PDA Surveyors, Engineers and Planners Rev 3 dated 5 November 2021;
- State Growth Consent;
- a Landslide and Flood Risk Assessment report dated August 2024 from PDA Surveyors, Engineers & Planners;
- a Traffic Impact Assessment dated June 2024 from Midson Traffic; and
- a Bushfire Hazard Report dated December 2021 from Enviro-Dynamics.

Crown consent was provided by Department of State Growth due to proposed access upgrades for the new road connection to Arthur Highway. If a planning permit is issued, further State Growth approval is required for works in the road reservation including the final design and specification of the junction, access locations and stormwater conveyance.

Description of Site

The 680 hectare property is located at 1668 Arthur Highway, Copping, approximately 5 km north of Connelly's Marsh and 7.5 km east of Forcett. The site is topographically diverse, encompassing hills to the north, west and southeast, and a valley floor running north-south through the centre of the property. The elevation ranges between 17 to 277 m above sea level.

The Carlton River, its tributary Tanners Creek and subsequent minor tributaries run through the property extending from a fork towards the south. The vegetation on the lot is comprised mostly of dense

regenerating plantation species, particularly radiata pine (*Pinus radiata*) and shining gum (*Eucalyptus nitens*), with some small sections of native forest and cleared agricultural land.

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

Adjoining land consists of:

- Conservation Covenant land protected under the Nature Conservation Act, zoned Rural
- The Copping Landfill site, zoned Utilities
- Private freehold land, zoned Rural and Agriculture

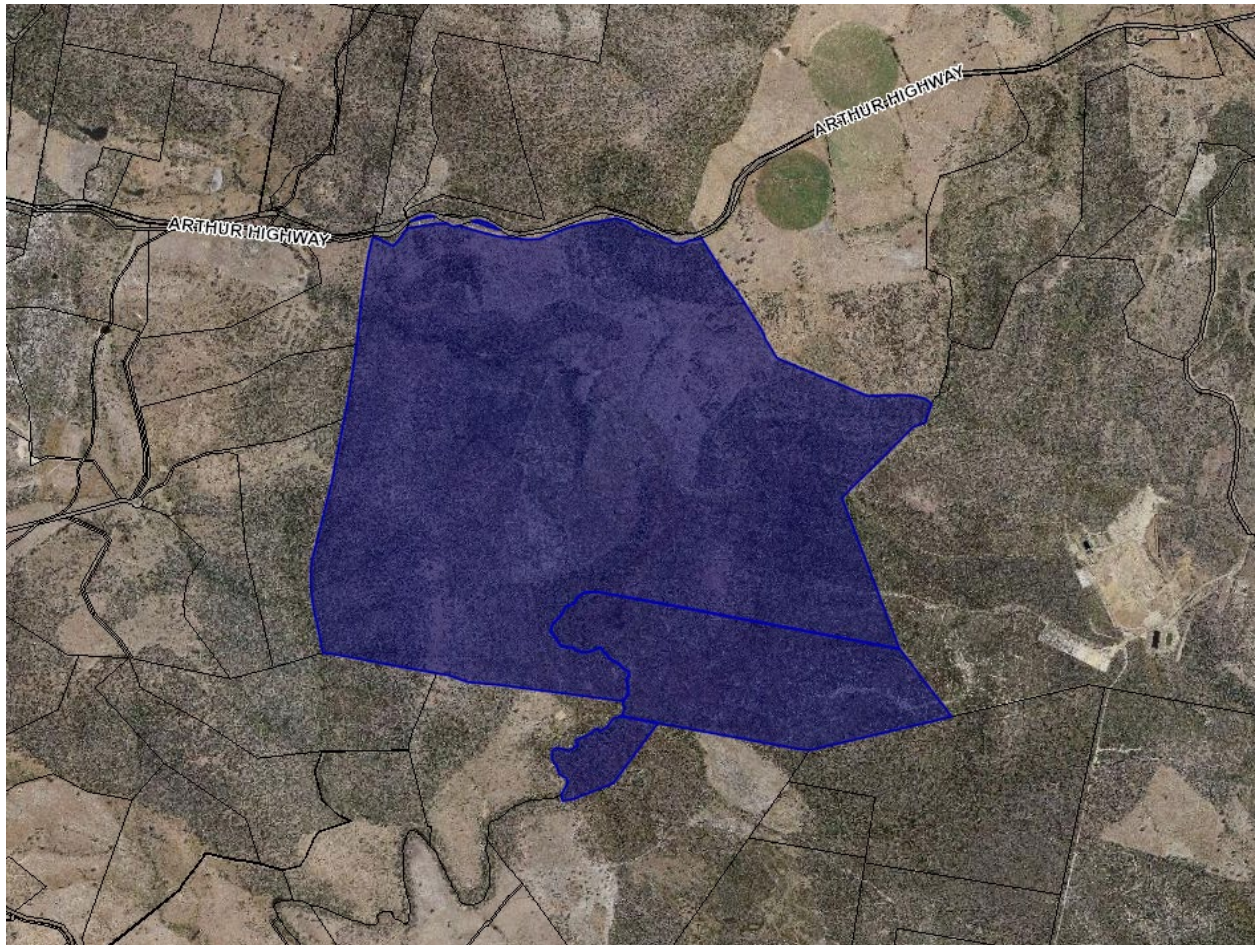


Figure 1. Subject site.

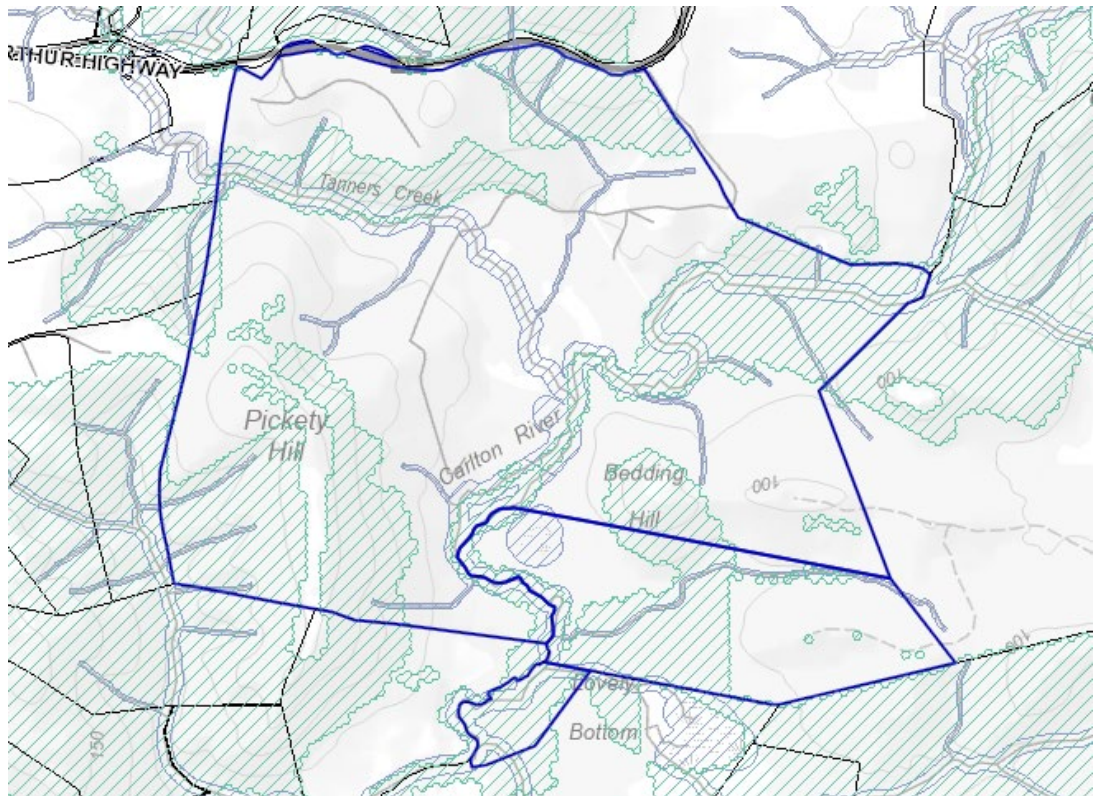


Figure 2. Priority vegetation overlay shown in green hatching and waterway and coastal protection area shown in blue hatching.

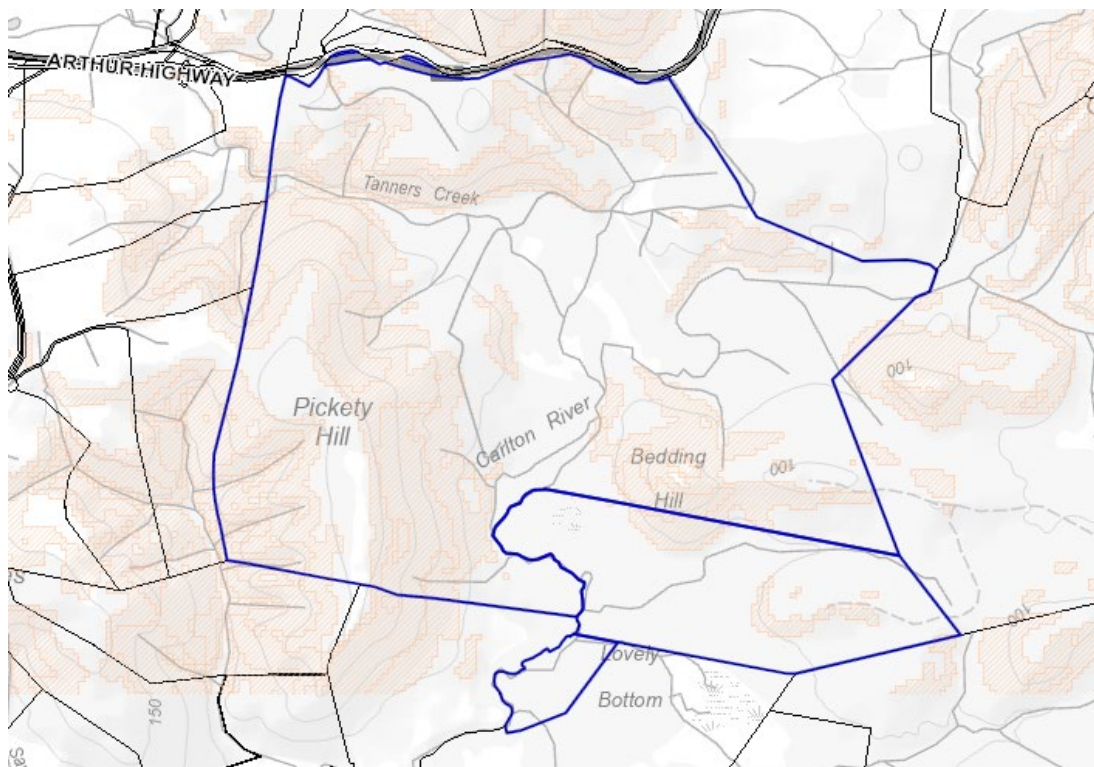


Figure 3. Landslip hazard overlay shown in orange hatching.



Figure 4. Intersection (facing east).



Figure 5. Intersection (facing west).

Planning Assessment

The Tasmanian Planning Scheme (Sorell) applies as the application, while lodged under the former scheme, became valid on receipt of section 52 land owner consent by which time the former scheme was not in effect.

The subject site is predominantly within the Rural Zone. Two small patches of land at the northern end of the site are within the Utilities Zone. They are part of Lot 1. These two areas are on the opposite (northern) side of the Arthur Highway, wedged between the current highway alignment and an older alignment.

Pursuant to Clause 6.2.6 of the planning scheme, development which is for subdivision does not need to be categorised into one of the Use Classes.

Rural zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
20.5.1 (A1)	Lot Design	Yes. Each lot is to be over 40ha with a frontage of more than 25m. There are no existing buildings.
20.5.1 (A2)	Lot Design	Yes. Each lot is provided with a vehicular access from the boundary of the lot to a road. Landowner consent from the road authority (Department of State Growth) has been granted insofar as it affects the State road network.

Utilities zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
26.5.1 (A1)	Subdivision	No. The proposal does not meet the standards in A1. It must be assessed against P1.
26.5.1 (A2)	Subdivision	Yes. Each lot has a frontage of not less than 3.6m.
26.5.1 (A3)	Subdivision	Yes. Each lot is provided with vehicular access.
26.5.2 (A1)	Services	No. The proposed lots do not have access to a reticulated sewerage system. The proposal must be assessed against P1.



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26.5.2 (A2)	Services	Yes. All lots are capable of connecting to the public stormwater system (i.e., the roadside table drain).
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Performance Criteria Assessment 1 – clause C26.5.1 P1 Subdivision

Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to:

- (a) the relevant requirements for development of buildings on the lot;
- (b) location of existing buildings on the lot;
- (c) likely location of buildings on the lot; and
- (d) accessibility for vehicles.

Proposed Lot 1 is partly in the Utilities Zone. This lot is not less than 40 ha in area, which is of sufficient useable area and dimensions suitable for its intended rural use. The proposal meets P1.

Performance Criteria Assessment 2 – clause C26.5.2 P1 Services

Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

Part of proposed Lot 1 is in the Utilities Zone. This lot is not less than 40 ha and is capable of accommodating on-site wastewater treatment system. The proposal meets P1.

Codes

Road and Railway Assets Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C3.5.1 (A1)	Traffic	No, as traffic generation will increase by more than 40 vehicles per day to Arthur Highway. The proposal must be assessed against P1.
C3.7.1 (A1)	Subdivision for sensitive uses within a road or railway attenuation area	Yes. Lots intended for sensitive uses have a building area for the sensitive use that is not within a road or railway attenuation area.

Performance Criteria Assessment 3 – clause C3.5.1 P1 Traffic Generation

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature of the road;*
- (d) the speed limit and traffic flow of the road;*
- (e) any alternative access to a road;*
- (f) the need for the use;*
- (g) any traffic impact assessment; and*
- (h) any advice received from the rail or road authority.*

It is considered that the performance criteria is satisfied having regard to:

- the findings of the traffic impact assessment;
- the granting of Crown consent by the road authority; and
- the assessment completed by Council's Development Engineering officer.

Natural Assets Code

This code applies to development on land within a waterway and coastal protection area, and a priority vegetation area in the Rural Zone.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C7.7.1 (A1)	Subdivision within a waterway and coastal protection area or a future coastal refugia area	No. The proposal includes subdivision works in a waterway protection area. The proposal must be assessed against P1.
C7.7.2 (A1)	Subdivision within a priority vegetation area	No. The proposal includes subdivision works in a priority vegetation area. The proposal must be assessed against P1.

Performance Criteria Assessment 4 – clause C7.7.1 P1 Subdivision within a waterway and coastal protection area or a future coastal refugia area

Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:

- (a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and
- (b) future development likely to be facilitated by the subdivision.

The proposed design and layout minimise impacts by utilising existing ex-forestry roads and tracks, whilst also taking into consideration the siting of new access points and indicative building areas. All indicative building areas and associated bushfire hazard management areas are outside of any waterway and coastal protection area or future coastal refugia area. The proposal meets P1.

Performance Criteria Assessment 5 – clause C7.7.2 P1 Subdivision within a priority vegetation area

P1.1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:

- (a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;
- (b) subdivision for the construction of a single dwelling or an associated outbuilding;
- (c) subdivision in the General Residential Zone or Low Density Residential Zone;
- (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;
- (e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or
- (f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

P1.2 Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:

- (a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;*
- (b) any particular requirements for the works and future development likely to be facilitated by the subdivision;*
- (c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;*
- (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;*
- (e) any on-site biodiversity offsets; and*
- (f) any existed cleared areas on the site.*

The extent of native vegetation is contained within reserves established in forest harvesting plans and is proportionally small. Subdivision works avoid extensive vegetation removal by containing the road to former forestry roads. On this basis, the proposal is consistent with P1.1 (e) and P1.2 (a) and (f).

Attenuation Code

This code applies to uses within attenuation zones of surrounding emitting activities. The subject site shares a boundary with the Copping Tip.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C9.6.1	Lot design	Yes. The subdivision is for the creation of lots where buildings for sensitive uses can be located entirely outside of the Copping Tip attenuation area.

Bushfire-Prone Areas Code

This code applies to subdivision of land that is located within a bushfire-prone area. A Bushfire Hazard Report has been provided by Enviro-Dynamics.

The proposal complies with the code through the provision of an accredited persons bushfire hazard report, which s51(2)(d) of LUPAA requires the planning authority to accept.

Landslip Hazard Code

This code applies to use or development of a land within a landslip hazard area.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C15.7.1	Subdivision within a landslip hazard area	No. There are no plans to demonstrate that the proposal meets A1. It must be assessed against P1.

Performance Criteria Assessment 6 – clause C15.7.1 P1 Subdivision within a landslip hazard area

Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or development that cannot achieve a tolerable risk from landslip, having regard to:

- (a) any increase in risk from a landslip for adjacent land;*
- (b) the level of risk to use or development arising from an increased reliance on public infrastructure;*
- (c) the need to minimise future remediation works;*
- (d) any loss or substantial compromise, by a landslip, of access to the lot on or off site;*
- (e) the need to locate building areas outside the landslip hazard area;*
- (f) any advice from a State authority, regulated entity or a council; and*
- (g) the advice contained in a landslip hazard report.*

Sections of the road traverse through the landslip hazard area. The landslip hazard report is a brief review of landslip risk that considers one, but not all, sections of road that traverse through the landslip hazard area. There is insufficient detail with the application to determine if driveways and building areas are clear of the landslip hazard area. The report is not prepared by a geotechnical practitioner recognised by CBOS. The application has not demonstrated compliance with performance criteria.

Public Open Space Policy

Broadly, there are three considerations for public open space within a subdivision under this policy being:

- whether public open space land should be taken for a park or other purpose;
- whether public open space land should be taken for connectivity; or

- if no public open space land is proposed or taken, what rate of a cash in lieu contribution should apply.

Section 5.2 of the public open space policy outlines criteria to assess the taking of land. Among other matters, this section has regard to any related Council policy, whether the land is conveniently located with respect to the wider area along with existing open space and any alternatives, whether the land would contribute to Council's ability to support a diversity of recreational activity and the demand created. In this case, it is considered that taking land for open space would not further the Council policy.

Implicit in the policy is that Council maintains and develops many forms of open space assets and across different scales. All residents benefit from regional and district scale facilities such as South East Sports Complex, from walking tracks and trails and from land used to manage natural or cultural values. Within settlements, residents also benefit from, and have a need for, nearby local parks.

There is no nearby public open space and no nearby walkways or equivalent public open space land. Council's public open space strategy does not support the creation of public open space land in areas of very low density and therefore no public open space land should be required.

Where land is not taken, a cash contribution is required. Section 6.2 of the policy applies to the Rural Zone and provides that:

- (b) a cash contribution in lieu of POS may be required in all other zones when:
 - (i) other land within the estate/suburb has been zoned in the Planning Scheme as being required for POS; or
 - (ii) other land within the estate/suburb has been identified in any Council policy as being required for POS.

Council's public open space strategy does not support the creation of public open space land in areas of very low density and therefore no public open space should be required in any permit granted.

Local Government (Building and Miscellaneous Provisions) Act 1993

Relevant provisions

The *Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMP)* sets out requirements for subdivision that apply to proposals unless addressed by a planning scheme, in which case the planning scheme takes precedence.

Section 85 of LGBMP provides:

The council may refuse to approve a plan of subdivision if it is of the opinion:

- (a) that the roads will not suit the public convenience, or will not give satisfactory inter-communication to the inhabitants both of the subdivision and the municipal area in which it is; or*
- (b) that the drainage both of roads and of other land will not be satisfactorily carried off and disposed of; or*
- (ba) that the land is not suitable for an on-site effluent disposal system for all or specified kinds of effluent from each block; or*
- (c) that the site or layout will make unduly expensive the arrangements for supply of water and electricity, connection to drains and sewers and the construction or maintenance of streets; or*
- (d) that the layout should be altered to include or omit –*
 - (i) blind roads; or*
 - (ii) alleys or rights of way to give access to the rear of lots; or*
 - (iii) public open space; or*
 - (iv) littoral or riparian reserves of up to 30 metres in from the shore of the sea or the bank of a river, rivulet or lake; or*
 - (v) private roads, ways or open spaces; or*
 - (vi) where the ground on one side is higher than on the other, wider roads in order to give reasonable access to both sides; or*
 - (vii) licences to embank highways under the Highways Act 1951; or*
 - (viii) provision for widening or deviating ways on or adjoining land comprised in the subdivision; or*
 - (ix) provision for the preservation of trees and shrubs; or*

- (e) *that adjacent land of the owner, including land in which the owner has any estate or interest, ought to be included in the subdivision; or*
- (f) *that one or more of the lots is by reason of its shape in relation to its size or its contours unsuitable for building on; or*
- (g) *that one or more of the lots ought not to be sold because of*
 - (i) *easements to which it is subject; or*
 - (ii) *party-wall easements; or*
 - (iii) *the state of a party-wall on its boundary.*

Relevant to how the above should be considered is the provision at section 5 of LUPAA which states that:

It is the obligation of any person on whom a function is imposed or a power is conferred under this Act to perform the function or exercise the power in such a manner as to further the objectives set out in Schedule 1.

The Schedule 1 objectives are in two parts as set out below:

PART 1 - Objectives of the Resource Management and Planning System of Tasmania

1. *The objectives of the resource management and planning system of Tasmania are:*

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and*
- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water; and*
- (c) *to encourage public involvement in resource management and planning; and*
- (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and*
- (e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

2. *In clause 1 (a), **sustainable development** means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and*

communities to provide for their social, economic and cultural well-being and for their health and safety while –

- (a) sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
- (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

PART 2 - Objectives of the Planning Process Established by this Act

The objectives of the planning process established by this Act are, in support of the objectives set out in Part 1 of this Schedule:

- (a) to require sound strategic planning and co-ordinated action by State and local government; and
- (b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and
- (c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and
- (d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and
- (e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and
- (f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and
- (g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and
- (h) to protect public infrastructure and other assets and enable the orderly provision and co-

- ordination of public utilities and other facilities for the benefit of the community; and*
- (i) *to provide a planning framework which fully considers land capability.*

A similar or equivalent provision to section 5 of LUPAA is provided at section 51(2)(a) of LUPAA which notes that a planning authority 'must seek to further the objectives set out in Schedule 1'.

Application to the proposal

The above matters are relevant to this proposal as the Rural Zone has no standard applicable to the design of a road. Therefore, the proposed road and road drainage is considered under LGBMP.

In the Tasmanian Planning Scheme, the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone and Village Zone contain standards for new roads while all other zones do not. It may be the case that the drafters of the scheme considered that no such standards were required for zones of low subdivision activity or where new road construction is unlikely.

Section 85 Assessment

The following assessment is made against each clause of section 85:

- (a) is satisfied insofar as there is no potential for the proposed road to connect into any existing or future road network;
- (b) is met as road drainage can be achieved (subject to future detailed design) and lots have sufficient size for onsite management;
- (ba) is satisfied by way of lot size;
- (c) is not satisfied for reasons detailed below.
- (d) is met as:
 - "blind roads" is an unclear, undefined term that cannot be further considered;
 - rear access to lots is not required in a rural area;
 - public open space is not required;
 - there are no littoral reserves around Carlton River either side of the property and new reserves would be in isolation;
 - no private roads or ways are proposed;
 - the 20m wide road reservations are adequate;
 - no embankments are necessary;
 - provisioning for widening or deviating ways is not required;

- preservation of trees is provided for by the planning scheme.
- (e) is met on the basis that there is no benefit in including adjoining land in the proposal;
- (f) is met as the basis that each lot has areas suitable for future buildings; and
- (g) is met as easements and party walls do not restrict development of any of the lots.

Clause (c) requires further consideration as this deals with the suitability of the proposed road and future maintenance costs.

Annual per kilometre depreciation cost for sealed rural roads is variable. A sample of costs from Council's asset management systems shows figures ranging from \$8,836 (Drovers Rise), \$13,398 (Greens Road) and \$11,275 (Wolstenholme Drive). Gravel road costs are lower with figures ranging from \$7,348 (Duncombe Lane, 5m wide) to \$9,481 (Josephs Road – 5.75m wide).

The proposed road is 3.5 kilometres long, with annual costs in the order of \$31,000 to \$46,900.

The depreciation cost is a cash cost incurred from day 1 of Council's responsibility for a new road, and applies irrespective of how well constructed, or not, an asset is or how far into the future any maintenance works occurs.

Annual rate revenue from 13 rural lots with dwellings is estimated to be \$32,500.

Approximately 20% of rate revenue is allocated to road depreciation (i.e., maintenance). The remaining 80% covers a range of other services and operational costs.

The above establishes that rate revenue will not cover the depreciation costs of the road asset, with the deficit to be borne by the community more generally.

While a number of existing rural roads have high maintenance costs relative to revenue, these are historic. It is not fair nor orderly for new assets to be built that have limited private benefits and excessive public costs. On this basis, the maintenance costs are therefore considered unduly expensive and that clause (c) is not satisfied.

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
Concerns about the subdivision impacting the security and privacy of the representor's property. They are concerned that the subdivision road will come up to their rear boundary. They would like to request for the landowner to install a security fence.	N/A	The building areas on proposed lots meet the acceptable solution for setbacks. There are no security of privacy provisions in the Rural Zone.
The representor objects to Lot 3 using the existing Right of Way through their property.	N/A	The use of the Right of Way is outside the scope of planning assessment for the proposed subdivision.
The representor requests that weed management is required on Lot 3, particularly for serrated tussock. The representor also objects to Lot 3 using the existing Right of Way through their property. They are concerned with the possibility of increased vehicle traffic to cause disturbance to their livestock.	N/A	The proponent will be required by permit conditions to undertake actions for weed management, including the submission of a Weed Management Plan detailing procedures to eradicate serrated tussock from the site. The use of the Right of Way is outside the scope of planning assessment for the proposed subdivision.

Conclusion

The application does not comply with each applicable standard of the *Tasmanian Planning Scheme (Sorell LPS)* and the provision of

roads is contrary to the *Local Government (Building and Miscellaneous) Provisions Act 1993* and is recommended refusal.

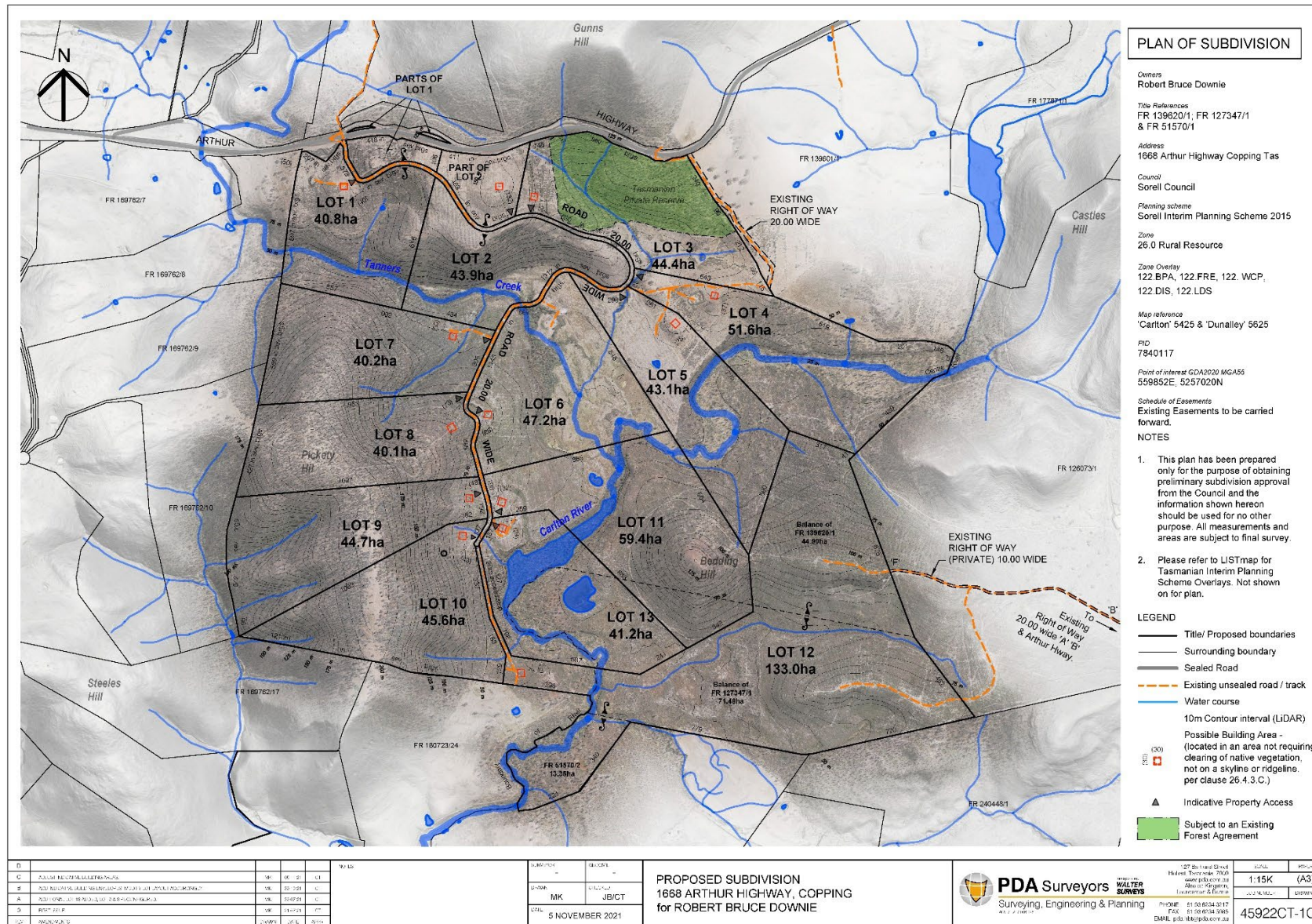
Shane Wells
Manager Planner

Attachments

Plan of Subdivision by PDA Surveyors, Engineers and Planners
Rev 3 dated 5 November 2021

Separate Attachments:

*State Growth Consent
Planning Report by PDA Surveyors, Engineers and Planners
Rev 3 dated 11 June 2024
Road Design by PDA Surveyors, Engineers and Planners dated
22 April 2024
Landslide and Flood Risk Assessment by PDA Surveyors,
Engineers and Planners dated 5 August 2024
Traffic Impact Assessment by Midson Traffic Pty Ltd dated
June 2024
Bushfire Hazard Report by Enviro-Dynamics dated December
2021*



5.2 GREATER HOBART BUS NETWORK REVIEW

RECOMMENDATION

"That Council endorse the General Manager to provide a submission that includes the matters outlined in the 'future needs' section of this report."

Introduction

The purpose of this report is to consider the details of any Council submission on a current review of the Greater Hobart bus network.

Background

Nil.

Strategic plan

3.5. "A more convenient and effective public transport system" with implementation statement of "Encourage the use of the public transport system and establishment of suitable park and ride facilities."

The *Sorell Active Transport Strategy 2024* recognises and promotes the following in support of increased bus patronage and addressing transport disadvantage:

- Safe and secure bike storage at bus stops and various key attractions; and
- Safe and convenient footpath linkages and pedestrian crossings near bus stops.

Consultation for *the Sorell Social Strategy 2024* identified a common community view that more frequent, express and cheaper bus services were needed. This is particularly the case for residents in the Southern Beaches to access services in Sorell township and in Greater Hobart. The equity and wellbeing effects of car dependency are widely recognised and discussed.

A key finding of the *South East Youth Engagement Project 2024* by YNOT is that 'access to affordable, reliable and appropriate transport makes or breaks a young persons ability to participate'. This is an issue for travel both within and outside the LGA. The project recommended that:

Transport is essential for young people to access school, work, essential services, and social and recreational opportunities, and contributes towards their overall wellbeing and socioeconomic participation. Explore opportunities to better utilise existing community and public transport and invest in youth-targeted transport services that allow young people to readily move about within and between their communities.

Annual plan

- 3.4 “Continue to lobby for affordable and increased public transport services and Park and Ride facilities for the Southern Beaches and Sorell East.”
- 3.7 “Develop a Masterplan for the Community Cultural Precinct, connecting the Training & Jobs Hub through to the Park and Ride and inclusive of short term activation opportunities.”

Please note the current DSG and Council funded project to design and replace bus shelters at Sorell park and ride and the DSG funded Midway Point park and ride which has just commenced construction.

Policy implications

Nil.

Environmental implications

Nil.

Asset management implications

Nil.

Risk management implications

Nil.

Community implications

Access to reliable public transport linking key destinations is significant to the health and wellbeing of the community.

Statutory implications

Nil. Any submission is optional.

Options

(1) Nil submission; (2) endorse submission proposed by officers; (3) modified submission.

Report

Scope of Review

The review will aim to deliver updated routes and timetables that:

- are reliable, easy to use and convenient*
- improve access to jobs and everyday needs like shopping and social activities*
- make better use of available funding to benefit the most people.*

Bus Services in the Sorell LGA

Presently, bus services are provided by Kinetic, Area Connect and various school services.

A gradual improvement in bus services is evident with investments by Kinetic in new buses, the 2023 fee reductions and park and ride infrastructure. Area Connect run a twice weekly pre-booked service from Primrose Sands to Sorell catering for an older demographic. The Kinetic service has approximately 8,500 customers per month and consists of:

- Eight weekday services from Sorell to the Hobart Interchange: 6am, 7.20am, 7.30am x 2, 9am, 11am, 12pm, 2pm, 4pm and 5pm. There is one direct weekday service. Other services run to the Rosny Interchange, with some also running through Midway Point and Cambridge Park. Trip time is between 40 and 55 minutes.
- Seven weekday services from Carlton to the Hobart Interchange via the Southern Beaches and Sorell: 6.25am, 6.45am, 7.25am, 9.25am, 12.25pm, 2.25pm and 5.05pm. These services are generally a 75 minute trip.
- Five weekend services from Sorell to the Hobart Interchange: 9am, 11am, 12.15pm, 1pm and 5.45pm.

- Four weekend services from Carlton to the Hobart Interchange via the Southern Beaches and Sorell: 7.25am, 9.40am, 1.55pm and 2.25pm.

We know that per trip patronage numbers for the Sorell LGA are higher than other satellite urban areas that have Metro services and higher population base. We also know that over the next 20 years the LGA population is projected by the Department of Treasury and Finance to increase at a faster rate than any other Tasmanian LGA.

Transport Disadvantage in the Sorell LGA

Residents in the Sorell LGA are dependent on private vehicles. The Greater Hobart Travel Profile shows that 84.4% of weekday trips are by private vehicles and 83.7% of weekend trips are by private vehicles. While slightly less reliant than the Brighton LGA, other Greater Hobart LGAs have greater modal choice and use.

Limited transport choice and availability impacts economic, health and wellbeing outcomes across broad swathes of the community. Impacts include lack of opportunity for participation in employment and recreation and lack of access to healthcare and other services. These issues are significant across the LGA, although more acute for residents of the Southern Beaches.

Specific issues raised through community engagement projects undertaken in 2024 include:

- Current bus services are designed to support school attendance and 9am to 5pm work commitments. Services capable of supporting flexible work and education arrangements or in support of social or recreation services generally do not exist;
- Outside of Sorell and Midway Point, there are few options 'usually a single bus departing in the morning and returning in the afternoon, ... making 'a single appointment a full day event';
- Long wait times between services; and
- Lack of safe and weather protected public shelters.

YNOT note that:

"Many educators said that young people's experience with transport would commonly disrupt their student's education and learning.

Young people would arrive at school tired having begun their journey as early as 5:30AM, needing to take time off school to travel to Hobart or Launceston for appointments, and had limited school-based work experience opportunities and apprenticeships without private transport. Local employment service providers mentioned significant challenges supporting young people to find work without a private vehicle or driver's licence, and that there were no affordable local driver mentor programs available to help them."

Future Needs

1. The township of Sorell be incorporated into the Metro Tasmania service. The LGA population is significant and growing faster than any other LGA and our population better utilises available bus services than equivalent population centres served by Metro Tas. Alternatively, greater investment is made in services between Sorell township, Rosny and Hobart CBD. Both options can make better use of available funding to benefit the most people.
2. Services that connect Dunalley and the Southern Beaches to Sorell available to all ages and abilities that provide regular opportunities to access work, education, recreation (including post school activities) and services outside simple 9am to 5pm work arrangements. Addressing documented transport disadvantage will improve access to jobs and everyday needs.
3. T2/T3 lanes, outlined in the Sorell to Hobart Corridor Plan, be pursued to incentivise bus patronage.
4. Travel time to the Rosny interchange must be improved if bus patronage (across multiple LGA's) is to be incentivised. The current route through Warrane and the Mornington Roundabout is tediously slow. The prospect of on and off ramps at Gordon's Hill Road as announced in association with the Mornington Roundabout Upgrade is welcome.
5. Investments stemming from the Greater Hobart Bicycle Parking Master Plan, currently under development will improve convenience and reliability.

Shane Wells

Manager Planning

Attachments: Consultation Brochure



AGENDA

**SORELL PLANNING AUTHORITY (SPA) MEETING
3 JUNE 2025**

Want better bus services? We want to hear from you.

Consultation closes 20 June 2025.

The Tasmanian Government wants your feedback on the current public bus network in Greater Hobart including outlying areas such as New Norfolk, Sorell and Southern Beaches, Richmond, Campania and the Huon Valley.

Whether you take the bus regularly, sometimes, or not at all, your feedback will help us understand what's working and what isn't.



Scan the QR code or visit
<https://engage.stategrowth.tas.gov.au/bus-network>
to help design a network that truly works for your
day to day life.



Passenger Transport
Department of State Growth



5.3 PLANNING SCHEME AMENDMENT 5.2025.51.1 – PRIMROSE SANDS ROAD, PRIMROSE SANDS (ADJACENT TO COMMUNITY CENTRE AT 570 PRIMROSE SANDS ROAD)

Applicant:	IreneInc Planning and Urban Design
Proposal:	Local Business Rezone and SAP
Site Address:	Part of Primrose Sands Road, Primrose Sands (CT 139347/1) located adjacent to the Primrose Sands Community Centre at 570 Primrose Sands Road
Planning Scheme:	<i>Tasmanian Planning Scheme Sorell (TPS-S)</i>
Relevant Legislation:	Part 3B of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	No delegated authority for a planning scheme amendment

Relevant Zone:	Rural Living
Proposed Zone:	Local Business
Valid Application Date:	5 March 2025
Decision Due:	19 June 2025
Representation(s):	N/A

RECOMMENDATION

- (a) That pursuant to Section 40D(a) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority prepare Amendment AM-SOR-2025-51-1 to the Sorell Local Provisions Schedule for land at Primrose Sands Road, Primrose Sands (CT 139347/1 located adjacent to the Primrose Sands Community Centre at 570 Primrose Sands Road (as set out in attachment 1 to the report) to:
- i. Rezone part of the land from the Rural Living Zone to the Local Business Zone;
 - ii. Apply the Southern Beaches On-site Waste Water and Stormwater Management Specific Area Plan to the Local Business Zone.
- (b) That pursuant to Section 40 and *Use Planning and Approvals Act 1993*, AM-SOR-2025 -1 is certified as meeting the LPS criteria.

(c) That in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment on public exhibition for a period of 28 days.

EXECUTIVE SUMMARY

The purpose of this report is to consider whether to prepare and certify a request to amend the planning scheme. The report provides details of the amendment and the site. The strategic outcomes of the proposal are outlined, having regard to matters of local, regional and then State importance. Attachments to the report detail the degree of compliance with the *Land Use Planning and Approvals Act 1993* (LUPAA). LUPAA seeks to pursue environmental, economic and social objectives with a strong emphasis on public engagement, however, at this stage of the process consultation has not occurred.

Proposal

The amendment applies to part of a property known as Primrose Sands Road which is adjacent to the Primrose Sands Community Centre at 570 Primrose Sands Road. The amendment has two parts: (a) rezoning from Rural Living Zone to Local Business Zone and (b) applying the Southern Beaches Onsite Wastewater and Stormwater Specific Area Plan to the rezoned portion.

Process

If prepared and certified, the following two processes will occur:

1. The amendment is exhibited for 28 days; and
2. The Tasmanian Planning Commission (the Commission) will decide whether to approve, modify and approve, or reject the amendment. The Commission will typically hold a public hearing and will consider the Planning Authorities report and recommendations on the outcomes of exhibition.

If not prepared and certified, the proponent may request that the Commission review the decision and the Commission could direct Council to reconsider its position. The Minister also has the power to direct Council to prepare amendments.

Options

Options available to the Planning Authority are to either: a) certify the amendment as submitted, b) modify and certify the amendment, or c) refuse to certify the amendment.

Assessment

The social, economic and environmental benefits of the proposal are:

- increased opportunity for retail and other services provided for by the Local Business Zone noting that:
 - there is currently no vacant Local Business Zone land;
 - existing Local Business Zone land is constrained by lot size and onsite servicing requirements;
 - the population is increasing through new housing construction and conversion of holiday homes to principal residents.
- a larger and less constrained site such as that proposed can meet modern requirements for onsite servicing and car parking and does not adjoin any coastal reserve;
- proximity to the Primrose Sands Community Centre with playgrounds and other amenities encourages people to dwell in the area for longer with greater opportunities for social interaction;
- Increase employment opportunities and employment self-sufficiency (i.e., residents working and living within the LGA); and
- construction investment.

No social, economic and environmental costs are identified.

REPORT

Documentation

The request is supported by a planning submission from Irenelnc Planning and Urban Design and an onsite wastewater assessment by Rock Solid Geotechnics Pty Ltd.

Proposed Planning Scheme Amendment

The amendment applies to part of a property known as Primrose Sands Road which is adjacent to the Primrose Sands Community Centre at 570 Primrose Sands Road. The amendment has two parts: (a) rezoning from Rural Living Zone to Local Business Zone and (b) applying the Southern Beaches Onsite Wastewater and Stormwater Specific Area Plan to the rezoned portion.

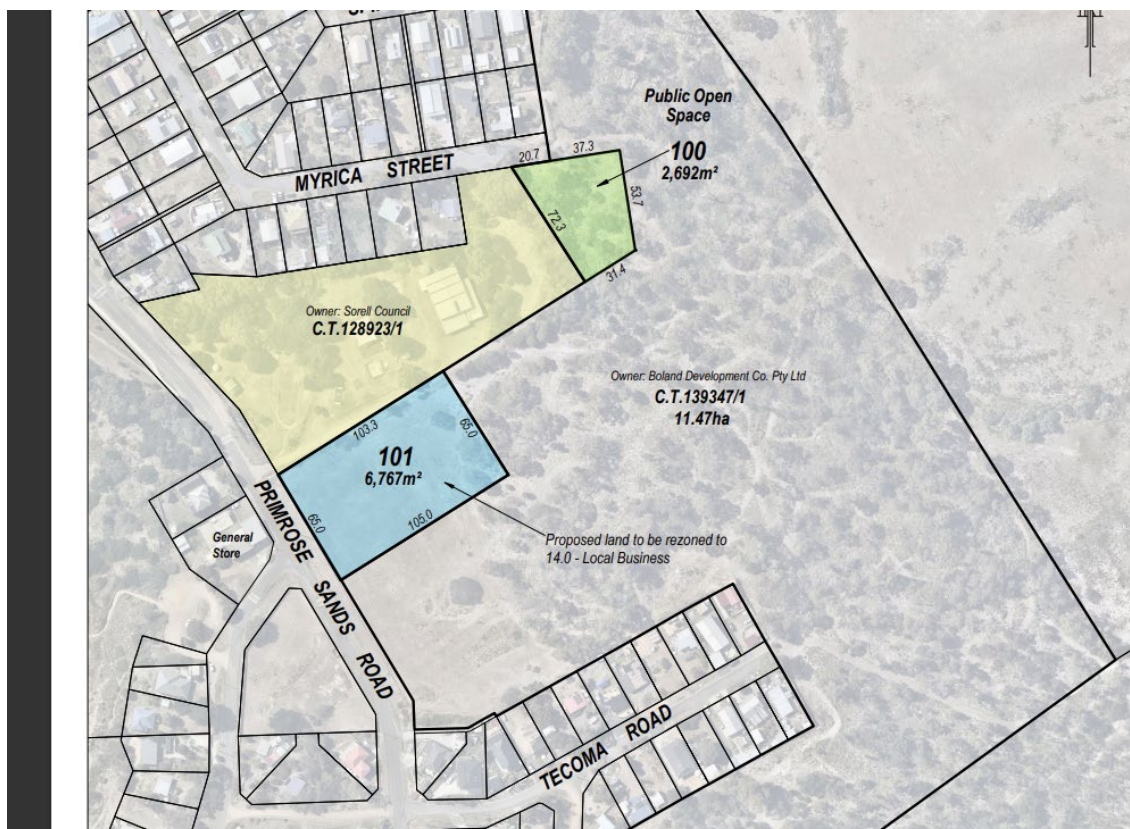


Figure 1. Proposed Area of Local Business Zoning Site and Locality

Site Characteristics

The lot subject to the request is 11.5 hectares in size with frontage to Tecoma Road, Myrica Street, Spiraea Street and Abelia Street. The lot is vacant and is predominately under native trees with a managed understory.

The rezoning site fronts Primrose Sands Road and the access road to the Primrose Sands Community Centre and is 6,767m² in size. Part of the access road to the community centre encroaches onto this title. It is a cleared site with three to four trees to the rear and two trees fronting the access road. The site has a westerly aspect and increases in elevation by approximately ten metres with a relatively uniform gradient of one in eight.



Figure 2 – Subject site (Council imagery February 2025).



Figure 2 – Site and surrounds (Council imagery February 2025).

Adjoining Land

Primrose Sands has three nodes of residential development: behind Primrose Beach; Renard Point and Susan Bay; and the eastern side of Carlton Bluff. The site is centrally located within the town, being at the south-east extent of Primrose Beach.

The site is adjacent to the Primrose Sands Community Centre, which is within the Community Purpose Zone. The community centre includes a hall, playground, stake park and public toilet. Part of the lot subject to the rezone is to be added to the rear of the hall to accommodate a dog park.

The site is also adjacent to the Local Business Zone (LBZ) which is comprised of 573, 575 and 579 Primrose Sands Road. The LBZ fronts the western side of Primrose Sands Road and is divided by Grevillea

Street. The LBZ adjoins the coastal reserve inclusive of a gravel car park associated with a formed beach access point.

573 Primrose Sands Road is a 1096m² lot created in 1977 and contains an existing dwelling.

575 Primrose Sands Road is a 1728m² property comprised of two lots. The site contains the Primrose Sands General Store which includes convenience retail, fuel sales and take-away food. Car parking is provided to the southern side of the building. The site includes a residential use to the rear. Wastewater land application area is located within a leased area of the foreshore.

579 Primrose Sands Road is a vacant lot with a permit in place for a dwelling. The dwelling has some background. Prior to the current planning scheme the site was zoned residential. The Sorell Land Supply Study identified the site as being suitable for an expansion of the LBZ which was approved in the current planning scheme. The owner subsequently advised that neither Council nor the Tasmanian Planning Commission consulted with the owner regarding this change. The dwelling was refused by Council on the basis that it would adversely affect the realisation of a functioning, small-scale activity centre. The dwelling was later approved by TASCAT following a full hearing (*Carthew-Wakefield v Sorell Council (No 2)* [2024] TASCAT 188).

The majority of Primrose Sands is zoned Low Density Residential with some areas of Rural Living Zone. The Community Purpose Zone also applies to the local fire station (3 Primrose Sands Esplanade) and to the RSL (415 Primrose Sands Road). One parcel along Tamarix Road is zoned Landscape Conservation.

Within the Rural Living Zone, there are four areas specified as Rural Living Zone 'D', which has a ten hectare minimum lot size and consequently no subdivision potential. The Rural Living Zone 'D' is a misnomer. These areas were formally a Reserved Residential Unserviced Zone. The Rural Living Zone was applied via a 'translation' exercise associated with standardised suite of zones across Tasmania, rather than a strategic exercise.



Figure 5. Road network.

Environmental Values

The lot contains an area of (DAC) *Eucalyptus amygdalina* coastal forest and woodland identified by TASVEG 4.0 and in the priority vegetation area. DAC is not a listed vegetation community, and no part of the rezoning is within the area of DAC.

Social and Economic Values

The site has limited development potential at present. The proposal represents an extension of the LBZ that has the potential to accommodate retail and other LBZ uses providing needed services for the community.

Use Table Comparison

The Local Business Zone principally provides for Business and Professional Services, Food Services and General Retail and Hire uses. Other uses include education, community meeting, residential, visitor accommodation, service industry and tourism.

Table 1. Use Comparison		
	Rural Living	Local Business
Bulky Goods Sales	X	P
Business and Professional Services	D (if for vet centre), X for all other uses	NPR
Community Meeting and Entertainment	D (if for place of worship, art and craft centre or public hall), X for all other uses	P
Crematoria and Cemeteries	X	X
Custodial Facility	X	X
Domestic Animal Breeding, Boarding or Training	D	X
Educational and Occasional Care	D (if for childcare, primary school or existing respite centre), X for all other uses	P
Emergency Services	D	P
Equipment and Machinery Sales and Hire	X	D
Extractive Industry	X	X
Food Services	D (if less than 200m ² , X otherwise)	NPR
General Retail and Hire	D (if for primary produce or local shop), X for all other uses	NPR
Hospital Services	X	X
Hotel Industry	X	P
Manufacturing and Processing	D (if existing, X otherwise)	D
Motor Racing Facility	X	X
Natural and Cultural Values Management	NPR	NPR
Passive Recreation	NPR	NPR
Pleasure Boat Facility	X	P (if boat ramp), X for all other uses
Port and Shipping	X	X

Recycling and Waste Disposal	X	X
Research and Development	X	P
Residential	NPR (if for single dwelling), P (if for home-based business), X for all other uses	NPR (if home-based business), P (if above ground floor or to rear), D for all other uses
Resource Development	NPR (if for grazing), D for all other uses except forestry and intensive animal husbandry	X
Resource Processing	D (except for abattoir, animal saleyards, sawmill)	D (if for food or beverage production), X for all other uses
Service Industry	X	D
Sports and Recreation	D (if for outdoor recreation), X for all other uses	D
Storage	X	D
Tourist Operation	X	D
Transport Depot and Distribution	X	D (if for public transport), X for all other uses
Utilities	NPR (if for minor utilities), D for all other uses	NPR (if for minor utilities), D for all other uses
Vehicle Fuel Sales and Services	D	D
Vehicle Parking	X	D
Visitor Accommodation	P	P (if above ground floor or to rear), D for all other uses

Use and Development Standards

Use standards in the LBZ related to hours of operation, external lighting and commercial vehicle movements will not be relevant as no part of the rezoning is within 50m of the Low Density Residential Zone.

Discretionary uses are considered against performance criteria that consider the effect on the character of the area and consider the effect on the activity centre hierarchy.

Bulky Goods Sales and General Retail and Hire uses (greater than 250m²) are also discretionary and consider the effect on the activity centre hierarchy.

Acceptable solutions in the development standards provide a 9m height, a nil frontage setback and 4m side setback. Mechanical plant must be screened and new buildings must present to the street through consideration of glazing, access points and avoidance of large blank walls.

Legislative Requirements

To be approved, a draft amendment must comply with the LPS criteria that are set out in LUPAA as follows:

- (2) *The LPS criteria to be met by a relevant planning instrument are that the instrument –*
 - (a) *contains all the provisions that the SPPs specify must be contained in an LPS; and*
 - (b) *is in accordance with section 32; and*
 - (c) *furtheres the objectives set out in Schedule 1; and*
 - (d) *is consistent with each State policy; and*
 - (da) *satisfies the relevant criteria in relation to the TPPs; and*
 - (e) *as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
 - (f) *has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and*
 - (g) *as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal*

areas that are adjacent to the municipal area to which the relevant planning instrument relates; and

- (h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.*

Attachment 2 provides a detailed assessment against each relevant criteria.

LUPAA provides a two-step process for planning scheme amendments. The first step under section 40D outlines how and when a planning authority is to prepare a draft amendment. Section 40F is step 2 and provides that once a planning authority has determined to prepare a draft amendment it must either certify that as meeting the LPS criteria or modify the draft amendment until it meets the LPA criteria and then certify.

Local Strategy, Policy and Impacts

Strategy

Council's strategic land use documents include the:

- Strategic Plan 2019-2029 (2023 update)
- Sorell Land Supply Strategy 2019 (stages 1, 2 and 3) (Ethos)
- Sorell Active Transport Strategy 2024 (GHD)
- Public Open Space Strategy (ERA) and Policy
- Stormwater System Management Plan (Entura)
- Stormwater in New Developments Policy

The main consideration for this site is the Sorell Land Supply Strategy (SLLS). The SLLS identified the need for additional LBZ in Primrose Sands and identified 579 Primrose Sands Road as the appropriate site.

The site has similar qualities to 579 Primrose Sands Road, notable being that it is also adjacent to the existing LBZ and also separated by a public road.

The site has many qualities that make it a better candidate site for a LBZ expansion, being:

- the site is flatter, with a one in eight gradient
- the soil quality is better, and
- adjacency to the community centre and playgrounds.

Ultimately, Council's strategic position is to support a functioning, small-scale activity centre servicing the daily needs of residents and visitors. The proposal supports that position.

Policy

Council's Public Open Space Policy and related Public Open Space Strategy are relevant as the site contains (and the proposal retains) an area of Open Space Zone along the Sorell Rivulet. The strategy supports expanding the existing network of tracks and trails. The site is connected to existing footpath networks along Primrose Sands Road and to foreshore access. A broader range of retail and other services in an expanded LBZ will support pedestrian activity.

The Stormwater In New Developments Policy requires that sites discharging to an overcapacity network and/or flood prone area will require retention such that post-development flows match pre-existing flows. Retention will be principally achieved through rainwater harvesting. There is adequate scope to manage stormwater impacts at the development stage.

Natural Hazards

The site is subject to flooding, although the depth and velocity is minimal. The blue area shown in Figure 5 is flooding modelled to a depth of 2cm for a 1 in 100 ARI. The lighter blue is a 10cm depth while the light green is a depth of 30cm. Hazard mapping outlined in the Stormwater System Management Plan classifies the area as H1 (the lowest level of risk) in both 1 in 20 and 1 in 100 ARI events.

The Flood Hazard Code applies to any future use and development.

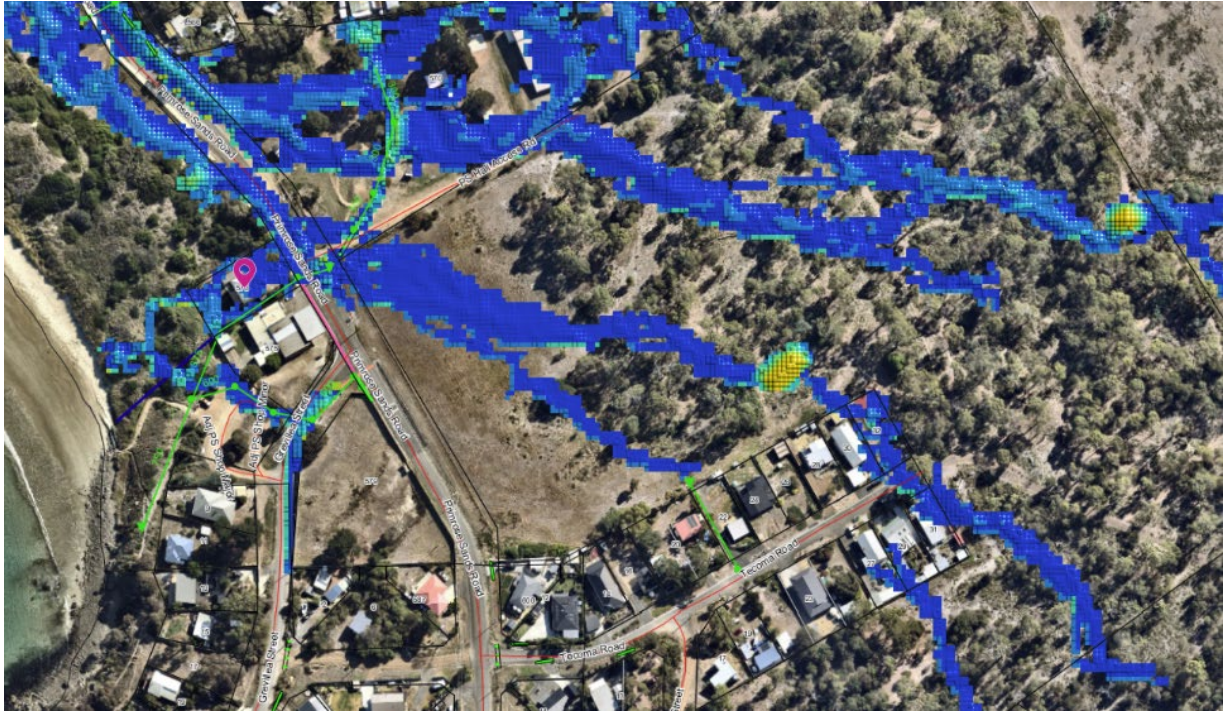


Figure 5. Flooding (Stormwater System Management Plan).

Infrastructure Impacts

Infrastructure impacts are minimal. The stormwater network downstream of the site has been recently upgraded and Primrose Sands Road has capacity for additional traffic. North-west of the site there is an extension footpath network with concrete surfacing provided to Tamarix Road and the new gravel footpath along Tamarix Road now extending to the boat ramp. The Sorell Activity Transport Strategy identifies a footpath to Grevillea Street and Linden Road as one of priority projects

Environmental Impacts

The proposed amendment will have no negative environmental impacts.

Amenity Impacts

The nearest residentially zoned properties are more than 80m from the site and amenity impacts are not expected.

Social and Economic Impacts

Social and economic considerations relate to the scale of the population, recent and expected population growth, the limited range of retail or related services and the relative isolation of Primrose Sands.

Primrose Sands had a population of 1,209 persons at the 2021 census. This figure uses the Urban Centres and Localities Geography from the Australian Bureau of Statistics (UCL615019). At the 2016 census the population was 1,050. Between 2016 and 2021, the population increased by 15%.

The unoccupied private dwelling count at the 2021 census was 447 being 44.5% of all dwellings. In 2016, the unoccupied private dwelling count was 476 being 49.9% of all dwellings. That is, over that five-year period the unoccupied private dwelling count fell by 29. Unoccupied private dwellings are typically associated with shacks or holiday homes. Between census nights 9 August 2016 and the start of the 2021 census period (July 2021), Council issued building approvals for 64 dwellings.

The population growth appears to be a function both of new dwelling constructions and the conversion of existing dwelling stock from shacks/holiday homes to principal residences.

As at February 2024, there were 265 vacant residential lots in Primrose Sands. The 2021 census found that the average numbers of persons per dwelling in Primrose Sands is 1.9 persons. At this ratio of 1.9 persons per dwelling, these vacant lots would accommodate a further 503 persons.

The trend towards a lower proportion of unoccupied private dwellings relative to all dwelling stock would be associated with further population growth.

Primrose Sands is a relatively isolated community, with limited public transport and being some distance from retail opportunities in Dunalley, Dodges Ferry and Sorell. The sole bus service to and from Primrose Sands is the *area connect* service that runs on a Tuesday

and Thursday only. Moreover, the median age of the population is 54, well above the median age for Tasmania of 42.

All these factors suggest that additional LBZ land is necessary to meet current and future community needs.

Regional Strategy and Policy

For the amendment to be approved, compliance with the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS) must be demonstrated. **Attachment 2** provides a detailed assessment of the amendment against the relevant STRLUS policies.

State Strategy and Policy

Attachment 2 provides a detailed assessment of the amendment against the relevant State policies.

CONCLUSIONS ON THE AMENDMENT

For the above reasons, the amendment is consistent with the objectives and other requirements of the *Land Use Planning and Approvals Act 1993*.

Attachments:

Attachment 1:	Draft Amendment as Recommended
Attachment 2:	Statutory Assessment – Response to criteria requirements for Local Provisions Schedule under LUPAA

Separate Attachments:

Attachment 3:	Planning Report (IreneInc)		
Attachment 4:	Wastewater report (Rock Solid Geotechnics)		
Attachment 5:	Land Owner Consent		

Attachment 1 - Draft Amendment as Recommended

TASMANIAN PLANNING SCHEME - SORELL

PLANNING SCHEME AMENDMENT

AM-SOR-5-2025-51-1

Pursuant to the Land Use Planning and Approvals Act 1993

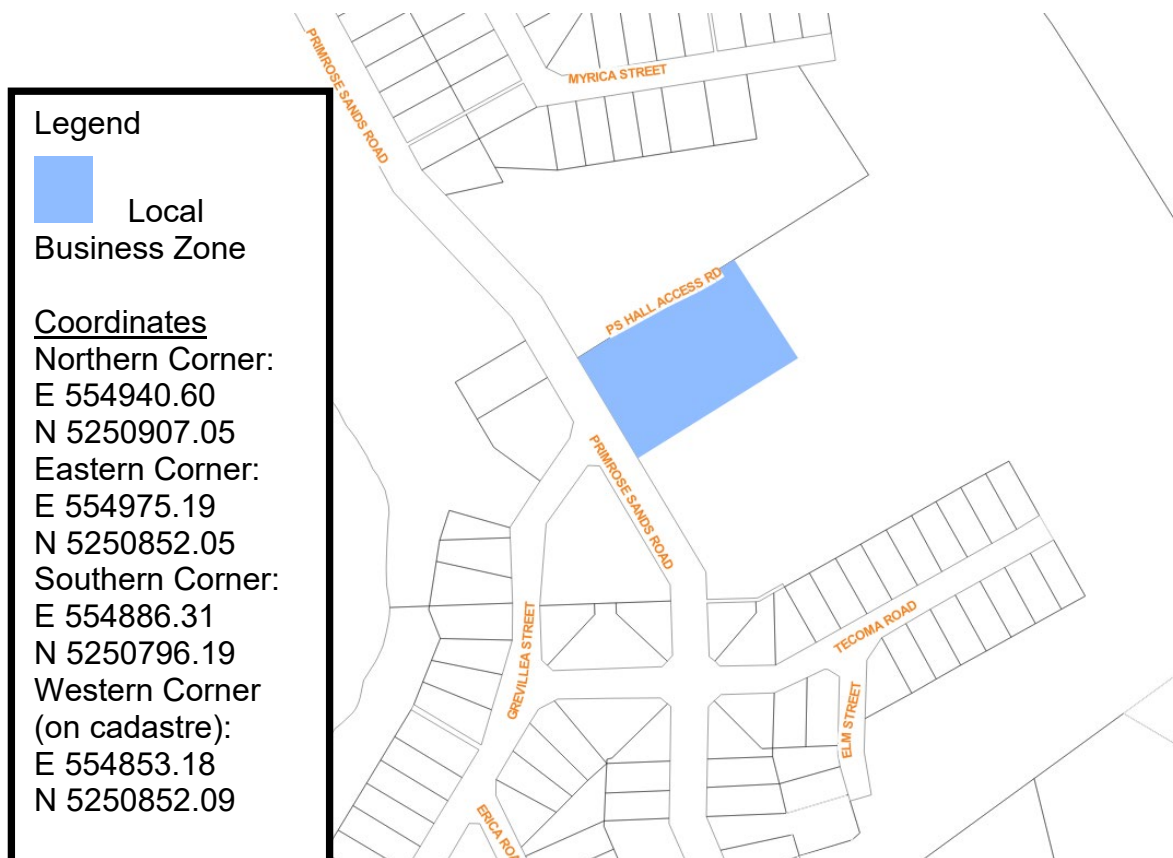
Location

Part of Primrose Sands Road, Primrose Sands (folio of the Register 139347/1) located south of the Primrose Sands Community Centre located at 570 Primrose Sands Road, Primrose Sands.

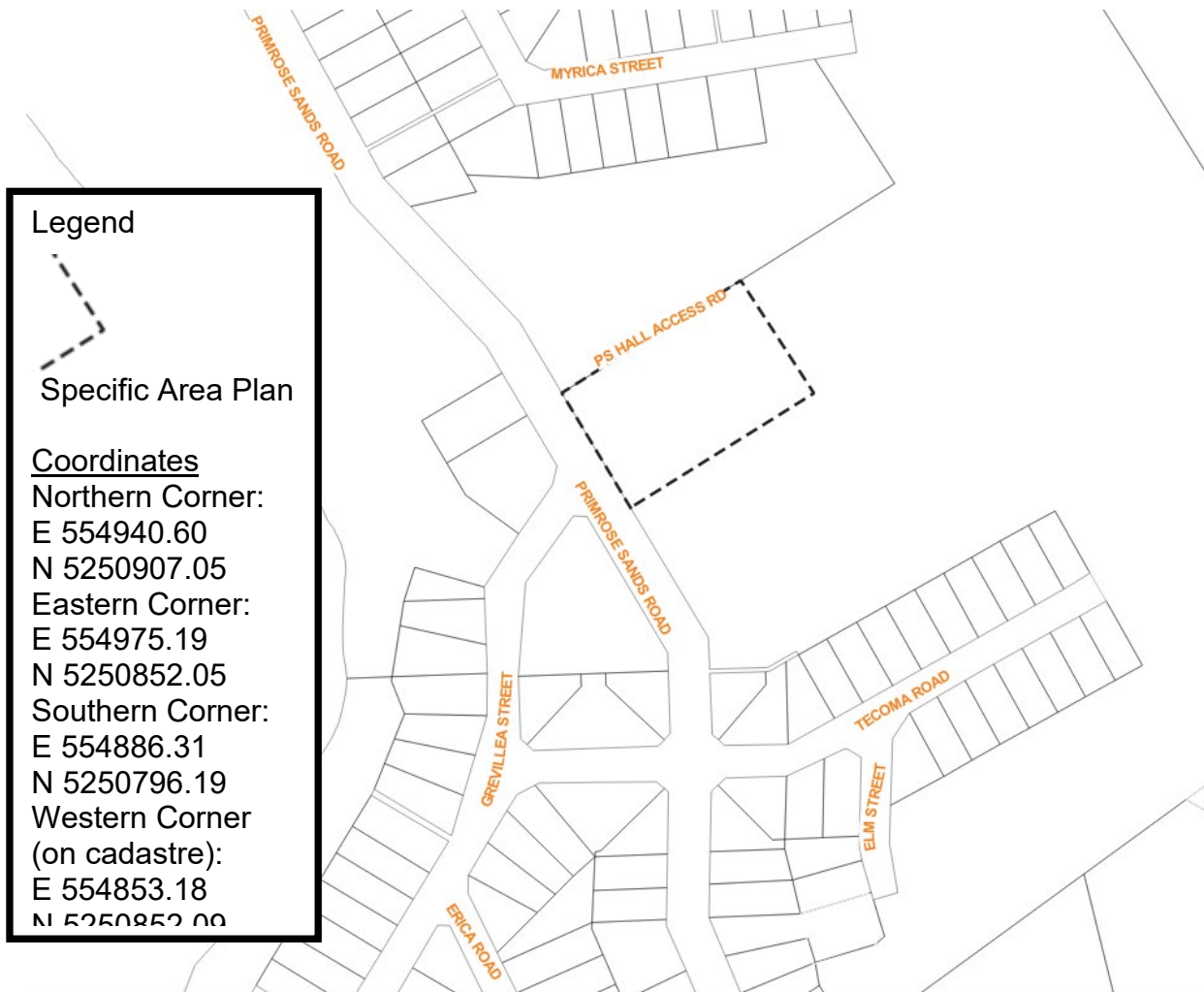
Description

In two parts

Part 1: Apply the Local Business Zone as shown below.



Part 2: Apply the Southern Beaches On-site Waste Water and Stormwater Management Specific Area Plan as shown below.



Attachment 2 Statutory Assessment – Response to criteria requirements for Local Provisions Schedule under LUPAA

Section 34(2) of LUPAA requires a relevant planning instrument to meet all of the following criteria.

(a) contains all the provisions that the SPPs specify must be contained in an LPS

The proposal complies with the SPP requirements for an LPS as set out in clause LP1.0 and Appendix A of the SPPs.

(b) is in accordance with section 32

This section identifies the technical aspects of a LPS such as inclusion of zone maps and overlays, and what additional local provisions can be included if permitted to do so under the SPPs, to add to, modify or override the SPPs. This proposed zone change and site specific qualification is consistent with this section.

(c) furthers the objectives set out in Schedule 1 of LUPAA

Assessment of the amendment against the Schedule 1 objectives is provided in the following table.

Part 1 Objectives	Comment
(a) <i>to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity</i>	The site has no resource or ecological value and potential off-site impacts such as stormwater can be managed through existing controls.
(b) <i>to provide for the fair, orderly and sustainable use and development of air, land and water</i>	The current, and future, population coupled with its separation from other centres requires a viable area of LBZ to facilitate a broader range of services. The site is well suited for this purpose, being adjacent to existing LBZ and community facilities and being free of ecological values or significant hazards.

(c) <i>to encourage public involvement in resource management and planning</i>	If certified, the draft amendment will be subject to public exhibition.
(d) <i>to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)</i>	The proposal would facilitate economic activity during construction and ongoing through employment and trade, including associated rates and taxes collected by local, State and Federal governments.
(e) <i>to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State</i>	This procedural objective has no bearing on the matter at hand.
Part 2 Objectives	
(a) <i>to require sound strategic planning and co-ordinated action by State and local government</i>	This procedural objective has no bearing on the matter at hand.
(b) <i>to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land</i>	This procedural objective has no bearing on the matter at hand.
(c) <i>to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are</i>	The site has no significant environmental value and potential off-site impacts can be managed through existing controls.

<i>made about the use and development of land</i>	
(d) <i>to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels</i>	This procedural objective has no bearing on the matter at hand.
(e) <i>to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals</i>	This procedural objective has no bearing on the matter at hand.
(f) <i>to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation</i>	The site can facilitate a pleasant, efficient and safe working environment and will supporting living and recreation activities by a broader range of services and facilitation of a small-scale activity centre attracting residents and visitors.
(g) <i>to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value</i>	There are no items of scientific, aesthetic, architectural or historical value within the site.

(h) <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community</i>	The amendment will have no adverse impact on public infrastructure.
(i) <i>to provide a planning framework which fully considers land capability.</i>	This procedural objective has no bearing on the matter at hand.

(d) is consistent with each State policy;

Assessment of the amendment against the current State policies is provided in the following table.

State Policy	Comment
<i>State Policy on the Protection of Agricultural Land 2000 (PAL)</i>	Not applicable based on the existing Rural Living Zone.
<i>State Policy on Water Quality Management 1997 (SPWQM)</i>	<p>The proposed amendment per se would not result in an increase in sediment transport to surface waters.</p> <p>Any future planning permits issued for developments in the subject area will require that appropriate water quality management measures are put in place at the time of works. Stormwater quality measures are provided in Council's Stormwater in New Development Policy.</p>

<p>State Coastal Policy 1996 (SCP).</p>	<p>The site is within 1000m of the coast and is subject to the policy. Relevant policy statements are:</p> <p><i>2.4.1. Care will be taken to minimise, or where possible totally avoid, any impact on environmentally sensitive areas from the expansion of urban and residential areas, including the provision of infrastructure for urban and residential areas.</i></p> <p><i>2.4.2. Urban and residential development in the coastal zone will be based on existing towns and townships. Compact and contained planned urban and residential development will be encouraged in order to avoid ribbon development and unrelated cluster developments along the coast.</i></p> <p>As the site is within an urban area the proposal would not conflict with the many and varied policy statements in the SCP.</p>
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National Environmental Protection Measures

National Environment Protection Measures (NEPM) are automatically adopted as State Policies under section 12A of the *State Policies and Projects Act 1993* and are administered by the Environment Protection Authority.

The NEPMs relate to:

- ambient air quality
- ambient marine, estuarine and fresh water quality
- the protection of amenity in relation to noise (but only if differences in markets for goods and services)
- general guidelines for the assessment of site contamination
- environmental impacts associated with hazardous wastes
- the re-use and recycling of used materials.

Principle 5 of the NEPMs states that planning authorities *'that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use.*

There are no known issues on the property.

(da) satisfies the relevant criteria in relation to the TPPs;

The Tasmanian Planning Policies have not been implemented.

(a) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

The following considers the key elements of the Southern Tasmanian Regional Land Use Strategy 2010-2035 (STRLUS).

Relevant STRLUS strategies	Comment
The Coast C1.2: Maximise growth within existing settlement boundaries through local area or structure planning for settlements in coastal areas.	The site is within the urban boundary of Primrose Sands.
Managing Risks and Hazards MRH 2.1: Provide for the mitigation of flooding risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by avoiding locating sensitive uses in flood prone areas. MRH 2.2: Include provisions in the planning scheme for use	Flood hazard modelling shows that flooding is both low in depth and slow in velocity and rated as H1 (the lowest level of risk). Much of the flood overlay is modelled at a depth of 2cm in a 1% ARI event. Future development must satisfy the Flood-Prone Areas

and development in flood prone areas based upon best practice in order to manage residual risk.	<p>Hazard Code.</p> <p>Strategically, flood risk may be mitigated by a combination of siting buildings and hardstands, concentrating and directing overland flows, in-ground soakage or in-ground storage (such as increasing the capacity of the upstream dam on the lot).</p>
<p>Recreation & Open Space</p> <p>ROS1.5: Ensure residential areas, open spaces and other community destinations are well connected with a network of high-quality walking and cycling routes.</p>	<p>The site is well connected to walking and cycling routes existing, and planned.</p>
<p>Land Use and Transport Integration</p> <p>LUT11.1: Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.</p> <p>LUT11.4: Consolidate residential development outside of Greater Hobart into key settlements where the daily and weekly needs of residents are met.</p>	<p>The extension of the LBZ is to provide greater opportunity for the daily and weekly needs of Primrose Sands residents to be met within Primrose Sands. This reduces the demand for travel to other towns.</p>

<p>Activity Centres</p> <p>AC1.2: Utilise the Central Business, General Business, Local Business Zones to deliver the activity centre network through planning schemes, providing for a range of land uses in each zone appropriate to the role and function of that centre in the network.</p> <p>AC1.4: Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.</p> <p>AC 1.6 Encourage an appropriate mix of uses in activity centres to create multi-functional activity in those centres.</p> <p>AC1.11: Provide for 10 – 15 years growth of existing activity centres through appropriate zoning within planning schemes.</p> <p>AC3.1: Actively encourage people to walk, cycle and use public transport to access Activity Centres.</p>	<p>An activity centre is defined as “a place that provides a focus for retail, commercial, services, employment, and social interaction in cities and towns”.</p> <p>The existing LBZ is small in size but is recognised by Council and TASCAT as a local centre within the activity centre hierarchy of STRLUS. It is clear that the existing LBZ together with the community centre are the focus area for retail and social interaction.</p> <p>The expanded LBZ will assist the community in meeting daily and weekly retail/service needs within the community consistent with the role of activity centres in strengthening the local community.</p> <p>Given the existing scale of the LBZ, it is not appropriate nor necessary to quantify the supply and demand. It is sufficient to note that the existing LBZ is constrained by lot size and residential uses.</p>
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(e) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates

The current municipal strategic plan is the *Strategic Plan 2019-2029 (March 2023 update)*. The amendment is consistent with the following objectives:

The Strategic Plan has four key objectives with success measures and delivery actions. Those relevant to the proposal are as follows:

- Objective 1: To Facilitate Regional Growth
 - Grow and measure business investment in agriculture, aquaculture, retail, service industry and social service sectors.
 - Support the revision of the Southern Tasmania Regional Land Use Strategy
- Objective 2: Responsible Stewardship and a Sustainable Organization
 - Strategic increase in the supply of commercial and industrial rated land consistent with Sorell Land Supply Strategy.
 - Support sustainable environmental performance through responsible corporate behaviour, appropriate and achievable climate change mitigation and adaptation practices and continuing to meet our statutory obligations.
- Objective 3: To Ensure a Liveable and Inclusive Community
 - Develop and implement a social infrastructure and community growth strategy.
 - Create an integrated network of shared pathways, within and between townships, and to recreational facilities and services.
 - Encourage the use of the public transport system and establishment of suitable park and ride facilities.
 - Support the development of appropriate public access to coastal assets and the natural environment
- Objective 4: Increased Community Confidence in Council
 - Ensure decision making is consistent and based on relevant and complete information, and is in the best

interest of sustainability and whole of community interest.

- Engage effectively with the community and other stakeholders, ensuring communication is timely, involving and consistent.

The proposal is broadly consistent with Council's Strategic Plan, in that the proposal will expand retail and other services in the town.

(f) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;

Not applicable as the site does not adjoin any other LGA and is of a scale that can have no effect on land use beyond the town.

(g) has regard to the safety requirements set out in the standards prescribed under the.

Not applicable.

5.4 7.2024.4.2 – MINOR AMENDMENT REQUEST FOR 16 LOT SUBDIVISION AT VALLEYFIELD ROAD, SORELL

Applicant:	Annecy Group Pty Ltd
Proposal:	Minor Amendment – Reduce Public Open Space Contribution on 16 Lot Subdivision
Site Address:	9 Valleyfield Road, Sorell and 123 Rosendale Road, Sorell)
Planning Scheme:	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
Application Status	Discretionary
Relevant Legislation:	Section 56 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	Original permit approved at SPA meeting

Relevant Zone:	Rural Living Zone
Decision Due:	5 June 2025
Representation(s):	N/A

RECOMMENDATION

That pursuant to Section 56 of the *Land Use Planning and Approvals Act 1993* Council resolve that permit 7.2024.4.1 be amended by the substitution of '5%' with '3%' and a new permit issued with reference 7.2024.4.2.

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

The minor amendment application seeks to vary the public open space cash-in-lieu contribution rate from 5% to 2.5%.

No recent discussions with the applicant on this matter have occurred.

The application was originally approved at the SPA meeting held 11 June 2024. The recommendation was to apply a 4% contribution rate. The recommendation was amended to a 5% contribution rate.

The officer report on public open space stated:



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There is no public open space within walking distance of the site and a reduction below the 5% rate is reasonable. The site is in close proximity to key facilities in Sorell and future residents will increase demand on such facilities. It is considered reasonable that the 4% contribution rate apply in this instance.

It is recommended that the 5% rate be modified to 3%.

If granted, adjoining owners, occupiers as well as representors are notified and have a right to appeal the decision.

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*.
- 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.

Description of Proposal

The amendment is made under section 56 of the Land Use Planning and Approvals Act 1993 as a minor amendment to reduce the rate of public open space contribution from 5% to 2.5% of the improved value of the land.

The applicant's rationale is outlined in the letter from Irenelnc Planning and Urban Design, attached to this report, which responds to the relevant sections of the Public Open Space Policy.

Planning Assessment

An assessment against section 56 is as follows.

Clause	Assessment
(1) The owner of land, or a person with the consent of the owner, may request the planning authority in writing to amend a permit which applies to that land and which is a permit issued by the planning authority.	Complies

(1A) A planning authority that receives a request under subsection (1) to amend a permit –	The 28 day period expires on 5 June 2025.
(a) must, within the 28-day period after the request was received, amend, or refuse to amend, the permit	
(b) must, within 7 days –	
(i) after amending the permit, comply with subsection (3)	
(ii) after refusing to amend the permit, give notice of the refusal to the person who made the request.	
(2) The planning authority may amend the permit if it is satisfied that the amendment –	
(aa) is not an amendment of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal; and	Not applicable
(a) does not change the effect of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal	Not applicable
(b) will not cause an increase in detriment to any person; and	Any detriment is indirect in the sense of less financial resources for public open space projects. Council has adopted a public open space policy and strategy which balances the competing priorities and interests arising from development.
(c) does not change the use or development for which the permit was issued other than a minor change to the description of the use or development.	The change is a minor alteration to how the multiple dwelling development is described.
(2A) An amendment of a condition or restriction specified in a permit is not to be taken to contravene subsection	Not applicable.

(2)(a) by reason only that other conditions or restrictions have been specified in the permit, or amended, by the Appeal Tribunal.	
(2B) a condition or restriction (the fresh condition or restriction) specified by the planning authority in a permit is not to be taken, for the purposes of this section, to be required or imposed by the Appeal Tribunal if – and	
(a) the fresh condition or restriction is to the same effect as a condition or restriction that was specified in the permit by the Appeal Tribunal before the planning authority specified the fresh condition or restriction in the permit; and	
(b) the fresh condition or restriction is not referred to in the decision, in relation to the permit, of the Appeal Tribunal made under section 78 of the Tasmanian Civil and Administrative Tribunal Act 2020.	
(3) If the planning authority amends a permit, it must, by notice in writing served on –	Notification will take place once a decision is made.
(a) the person who requested the permit to be amended; and	
(b) if that person is not the owner of the land, the owner; and	
(c) in the case of a permit granted under section 57, the owner or occupier of any property which adjoins the land; and	
(d) any person who made a representation under section 57(5) in relation to the application for the permit –	
notify those persons of the amendments made to the permit.	
(4) If the planning authority amends a permit containing a condition or restriction which the Board of the	Not applicable.

Environment Protection Authority has required under section 25(5) of the <i>Environmental Management and Pollution Control Act 1994</i> , the planning authority must, by notice in writing served on the Board, notify it of the amendments made to the permit.	
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The minor amendment request satisfies all legislative requirements and could be granted on this basis.

Public Open Space Policy

Key background includes:

- There is no practical public open space in walking distance;
- The edge of Iron Creek is too steep to create new public open space;
- There is a long-term intent for a shared user path from Iron Creek to Sorell, which with no clear costing or funding, may be a generational project;
- The site is within the locality of Sorell and residents will increase demand for public open space within the Sorell township, particularly with respect to sub-regional and district scale.

Applicant's submission

In summary, the applicant submits that the demand for public open space is low due to a lack of current/planned public open space assets nearby, a small and dispersed population surrounding the site and the size of the approved lots.

This submission is considered an accurate and correct assessment of the particulars of the proposal against Council's Public Open Space Policy.

Recommendation

The minor amendment request satisfies all legislative requirements and can be considered. There remains discretion beyond the provisions of section 56 relating to how the request satisfies the Public Open Space policy.

The author originally recommended a 4% rate apply. The rationale for 4% in the original recommendation is equivalent to the rationale of the applicant now for a 2.5% rate.

The point of difference is evaluating the proximity to Sorell and the range of assets available in Sorell. On review, the original recommendation placed too high an expectation for future residents to regularly use assets in Sorell given dependency on private vehicle transport. The applicant's position of 2.5% is conversely too low.

Conclusion

The application is considered to comply with section 56 of the *Land Use Planning and Approvals Act 1993* and is recommended for approval with a modification to 3%.

Shane Wells
Manager Planning

Attachments

Applicant's submission



ireneinc
 PLANNING & URBAN DESIGN



20 November 2024

Sorell Council
 47 Cole Street
Sorell TAS 7172
 By email: sorell.council@sorell.tas.gov.au

Dear Shane,

**MINOR AMENDMENT - 7.2024.4.1
 9 VALLEYFIELD ROAD, SORELL, 123 ROSENDALE ROAD, SORELL &
 INCLUDING VALLEYFIELD ROAD RESERVE (CT130391/2)**

We seek a minor amendment to the planning permit, specifically to adjust the condition regarding the Public Open Space cash-in-lieu contribution, reducing it from 5% to 2.5%. No other modifications are being proposed as part of this request.

The condition in question is as follows:

3. As no provision has been made for Public Open Space or improvements thereto and, having formed the opinion that such a provision should be made, Council invokes the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and requires security equivalent of 5% of the improved value of 1 to 8 (inclusive) and lots 10-15 (inclusive).

This should be in the form of a direct payment made before the sealing of the final plan or, alternatively, in the form of security provided under Section 117 of the Act. The subdivider is to obtain a report from an Independent Registered Valuer for the purposes of determining the improved value of the gross area of the subdivision. The date to which the valuation is to be done must be within 3 months of the date of lodgement of the Final Plan of subdivision. Please refer to Council's Open Space Policy for valuation requirements.

The Council's Public Open Space Contributions Policy mandates a cash-in-lieu contribution where land is not provided. The policy stipulates a contribution of up to 5% of the improved land value. However, it is our view that the discretionary criteria for determining this contribution have not been fully considered. The policy outlines specific criteria to assess the appropriate percentage for cash-in-lieu, and the following assessment is submitted for your consideration.

The following assessment is grounded in the principle that public open space (POS) land contributions should be relatively proportional to cash contributions. In other words, if the land contribution requirement is determined to be less than 5%, any cash in lieu contribution should be similarly adjusted to reflect this reduced need. This approach aligns with the principles of natural justice and equity, ensuring that the subdivision area is serviced in proportion to its actual demand and community requirements.

Section 6.4 of Sorell Councils Public Open Space Contributions Policy states:

In determining the percentage of a cash in lieu contribution, the following criteria must be considered:

(a) the existing provision of POS in the vicinity of the subject area;

smithstreetstudio | ireneinc

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 Mob 0418 346 283
 Email planning@ireneinc.com.au
 ABN 78 114 905 074

PLANNING TAS PTY LTD TRADING AS IRENEINC PLANNING & SMITH STREET STUDIO PLANNING & URBAN DESIGN



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(b) any planned provision of POS in the vicinity of the subject area as identified in the Open Space Strategy, the long-term financial plan, any relevant Council resolution or required by a valid subdivision permit;

(c) the extent to which the newly created lots will impact upon demand for POS; and

(d) the size of the newly created lots and the extent to which the lots can provide for their own recreational opportunities.

In considering a reduction in the required cash contribution for public open space (POS) from 5% to 2.5%, the following points provide a reasoned justification in line with the criteria set out in Section 6.4 of the policy.

a) The surrounding area of the site has limited existing public open space, with most of the open space concentrated closer to the township, particularly within denser residential areas.

While there is a small area of undeveloped Open Space zoning along Iron Creek, it remains largely unmaintained. There is also Environmental Management zoning along the entire length of the creek, bordering the southern boundary of the site.

Although there is a limited amount of existing public open space in the vicinity, it is essential to consider the broader context of the area—specifically, the factors contributing to the lack of POS—and the reasons why the demand for additional POS remains negligible:

- The site's location within a rural and agricultural context significantly limits its potential integration into a broader urban residential network. The subdivision is located 3 kilometres outside of Sorell, with no pedestrian or cycle path linking the site to the town centre, limiting ability for the site to connect to the broader residential township.
- The large lot sizes in this rural subdivision inherently provide extensive private open space for each resident. Ranging from 9000m² to 1.8 hectares, these lots offer residents the opportunity to engage in a wide range of outdoor recreational activities, including gardening, farming, and leisure pursuits like hiking or other enjoyment along the creek. This ample private space means that residents are far less reliant on public open spaces for recreational needs.
- With fewer residents spread across a larger land area, the overall demand for public facilities such as parks, playgrounds, or sporting fields is significantly reduced. Unlike urban areas, where higher population densities drive the need for shared recreational spaces, the rural setting here does not generate the same pressure for additional POS.

The demand for public open space in this predominantly rural area is inherently lower than in urban or suburban zones. The nature of the large lots, low population density, and rural setting all contribute to reduced requirements for public open space. Therefore, while there may be minimal existing public open space, the characteristics of the area and the lifestyle it offers do not warrant the creation of additional public open space.

b) Upon a high-level review of the Sorell Open Space Strategy 2020 and other relevant Council documents, it appears that no future public open space is planned within the immediate area around the site. Given that the site is situated in an isolated pocket of rural living land that is surrounded by agricultural and rural zoning, it is considered unlikely that the subdivision will form part of any larger public open space network for the township of Sorell.

While the strategy generally suggests that subdivisions over 10 hectares should allocate at least 6,000m² for public park space, the unique characteristics of this subdivision—specifically its large lot sizes and rural setting—render this requirement less relevant. This is where the Council's discretion becomes crucial in applying the policy appropriately.

Although the strategy does not directly address Valleyfield, it does make specific reference to Orielton, providing recommendations for public open space provision, including walking trails or bridle paths to connect Orielton to the township of Sorell. While Orielton shares similarities with Valleyfield—such as its proximity to Sorell, low population density, and prevalence of agricultural and rural living lots—the recommendations for POS do not explicitly extend to Valleyfield. As such, it is reasonable to conclude that Valleyfield has not been identified as an area where additional POS is required.

In the absence of an identified requirement for public open space (POS) in the surrounding area, it is important to consider the following.

Section 4.3(d) of the policy implies that cash contributions should be used for the development or improvement of new or renewed facilities and amenities, including paths and connectivity, within the local area. This reinforces the argument that the funds generated by this development should primarily be allocated to improving any local public open space, rather than being diverted to more distant regional spaces. This approach ensures equitable outcomes by upholding the principle of natural justice, ensuring that contributions made within a specific locality directly benefit that community, rather than being allocated to other regions.

This rationale also supports the request for a reduction in the cash contribution requirement. Given the absence of identified POS needs in the immediate area, it follows that the cash contribution should be commensurately lower. Where no planned POS provision exists nearby, it is reasonable to expect a reduced contribution.

c) It is considered that the newly created lots will have minimal impact on the demand for public open space. Given their rural character and large size, these lots provide ample space for recreational activities on-site. Previous decisions, such as the *P Barker & A Woolley v Clarence City Council* [2017] TASRMPAT, have broadly supported the notion that large sized lots which provide substantial private open space, may not generate significant additional demand for public open space when compared with a more urbanised subdivision. It is considered that this justifies a reduction in the required cash contribution, as the demand for public open space is significantly lower.

d) The newly created lots are large, with 10 of the 15 lots exceeding 1 hectare in size, with some lots up to 1.8ha. These lots are marketed as "lifestyle acreages," where future residents are purchasing space for activities such as gardening, keeping pets, or having room for larger family recreational activities. The large size of these lots means that the residents will not rely on public open space to meet their recreational needs; they will have ample private space to accommodate these activities. Additionally, the location of the site, adjacent to Iron Creek and rural areas, provides residents with opportunities for activities like canoeing, which further reduces the need for POS contributions.

Section 56 Provisions

S56 of the *Land Use Planning and Approvals Act 1993*, allows the planning authority to amend a permit if it is satisfied with the following (S56 (2)):

(aa) is not an amendment of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal; and

(a) does not change the effect of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal; and

The permit was not subject to a planning appeal.

(b) will not cause an increase in detriment to any person; and

The changes to the permit are minor and will not cause an increase in detriment to any person.

Given the lack of proximity to existing or planned POS, the large size of the newly created lots, and the absence of any significant increase in demand for public open space, it is considered reasonable to request a reduction in the cash contribution from 5% to 2.5%. This would strike a balance between contributing to POS infrastructure while acknowledging the fact that the subdivision is located in a rural area with limited access to urban amenities.

(c) does not change the use or development for which the permit was issued other than a minor change to the description of the use or development.

The minor amendment does not change the description of the approved use and development.

The proposed changes to the permit condition are consistent with the requirements of S56, are considered minor and do not substantially alter any element of the use and development. If you would like any further information please do not hesitate to contact me on 6234 9281.

Yours sincerely,



Michela Fortini
Planner

IRENEINC PLANNING & URBAN DESIGN



Attachment to item number 5.1 -

State Growth Consent

*Planning Report by PDA Surveyors, Engineers and
Planners Rev 3 dated 11 June 2024*

*Road Design by PDA Surveyors, Engineers and
Planners dated 22 April 2024*

*Landslide and Flood Risk Assessment by PDA
Surveyors, Engineers and Planners dated 5 August
2024*

*Traffic Impact Assessment by Midson Traffic Pty
Ltd dated June 2024*

*Bushfire Hazard Report by Enviro-Dynamics dated
December 2021*



Application for Subdivision and/or Boundary Adjustment

Description of Proposal:	12 Lot Subdivision

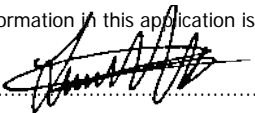
Location of Proposed Works:	Address... 1688 Arthur Highway
	Suburb/Town... Copping Postcode... 7174

Current Owner/s:	Please print name/s (Mr/Mrs/Ms)... Mr Robert Bruce Downie
------------------	--

Applicant / Contact Person:	Name (Mr/Mrs/Ms)... PDA Surveyors
	Address... 127 Bathurst St
	Suburb... Hobart Postcode... 7000
	Phone (Business)... 62343217 (Home).....
	(Mobile)..... Facsimile.....

Estimated Cost of Development	\$
Is any of the Properties on the Tasmanian Heritage Register?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
If you have had pre-application discussions with a Council Officer, please give their name	
Current use of the site/s	Agriculture
Site Contamination – Have any potentially contaminating uses been undertaken on the site/s?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Does the proposal involve any land administered or owned by the Crown or Council?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>

Declaration:	<ul style="list-style-type: none">In relation to this application, I have read the Certificate of Title and Schedule of Easements for the land and I am satisfied that this application is not prevented by any restrictions, easements or covenants. I also give my permission to Council's representatives to enter the property to assess this application.I authorize the provision of a copy of any documents relating to this application to any person for the purposes of assessment or public consultation. I agree to arrange for the permission of the copyright owner of any part of this application to be obtained.I declare that, in accordance with Section 52(1) of the Land Use Planning and Approvals Act 1993, that I have notified the owner of the intention to make this application. Where in the case that Section 52(1B) of the Act applies, the required consent is attached.
--------------	--

Applicant's Signature:	I declare that the information in this application is true and correct. Signature:  Date: 2/2/22
------------------------	--

PLEASE SEE OVER FOR CHECKLIST/.....

Part B: Please note that Part B of this form is publicly exhibited.

Full description of Proposal:	Use:
	Development:
	<i>Large or complex proposals should be described in a letter or planning report.</i>
Design and construction cost of proposal: \$	

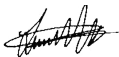
Is all, or some the work already constructed:	No: <input type="checkbox"/> Yes: <input type="checkbox"/>
---	--


Location of proposed works:	Street address:
	Suburb: Postcode:
	Certificate of Title(s) Volume: 139620, 127347 Folio: 1, 1 51570 1

Current Use of Site
---------------------	-------

Current Owner/s:	Name(s).....
------------------	--------------

Is the Property on the Tasmanian Heritage Register?	No: <input type="checkbox"/> Yes: <input type="checkbox"/>	<i>If yes, please provide written advice from Heritage Tasmania</i>
Is the proposal to be carried out in more than one stage?	No: <input type="checkbox"/> Yes: <input type="checkbox"/>	<i>If yes, please clearly describe in plans</i>
Have any potentially contaminating uses been undertaken on the site?	No: <input type="checkbox"/> Yes: <input type="checkbox"/>	<i>If yes, please complete the Additional Information for Non-Residential Use</i>
Is any vegetation proposed to be removed?	No: <input type="checkbox"/> Yes: <input type="checkbox"/>	<i>If yes, please ensure plans clearly show area to be impacted</i>
Does the proposal involve land administered or owned by either the Crown or Council?	No: <input type="checkbox"/> Yes: <input type="checkbox"/>	<i>If yes, please complete the Council or Crown land section on page 3</i>
If a new or upgraded vehicular crossing is required from Council to the front boundary please complete the Vehicular Crossing (and Associated Works) application form https://www.sorell.tas.gov.au/services/engineering/		

Declarations and acknowledgements	
<ul style="list-style-type: none"> I/we confirm that the application does not contradict any easement, covenant or restriction specified in the Certificate of Title, Schedule of Easements or Part 5 Agreement for the land. I/we consent to Council employees or consultants entering the site and have arranged permission and/or access for Council's representatives to enter the land at any time during normal business hours. I/we authorise the provision of a copy of any documents relating to this application to any person for the purposes of assessment or public consultation and have permission of the copyright owner for such copies. I/we declare that, in accordance with s52(1) of the <i>Land Use Planning and Approvals Act 1993</i>, that I have notified the owner(s) of the intention to make this application. I/we declare that the information in this application is true and correct. <p><i>Details of how the Council manages personal information and how you can request access or corrections to it is outlined in Council's Privacy Policy available on the Council website.</i></p>	
<ul style="list-style-type: none"> I/we acknowledge that the documentation submitted in support of my application will become a public record held by Council and may be reproduced by Council in both electronic and hard copy format in order to facilitate the assessment process, for display purposes during public exhibition, and to fulfil its statutory obligations. I further acknowledge that following determination of my application, Council will store documentation relating to my application in electronic format only. 	
<ul style="list-style-type: none"> Where the General Manager's consent is also required under s.14 of the <i>Urban Drainage Act 2013</i>, by making this application I/we also apply for that consent. 	
Applicant Signature:	Signature:  Date:

Crown or General Manager Land Owner Consent	
<p>If the land that is the subject of this application is owned or administered by either the Crown or Sorell Council, the consent of the relevant Minister or the Council General Manager whichever is applicable, must be included here. This consent should be completed and signed by either the General Manager, the Minister, or a delegate (as specified in s52 (1D-1G) of the <i>Land Use Planning and Approvals Act 1993</i>).</p> <p>Please note:</p> <ul style="list-style-type: none"> If General Manager consent is required, please first complete the General Manager consent application form available on our website www.sorell.tas.gov.au If the application involves Crown land you will also need a letter of consent. Any consent is for the purposes of making this application only and is not consent to undertaken work or take any other action with respect to the proposed use or development. 	
<p>I _____ being responsible for the administration of land at _____ declare that I have given permission for the making of this application for _____</p>	
Signature of General Manager, Minister or Delegate:	Signature:  Date: <small>Delegate of Minister for Infrastructure Michael Ferguson MP</small>

Department of State Growth

Salamanca Building Parliament Square
4 Salamanca Place, Hobart TAS
GPO Box 536, Hobart TAS 7001 Australia
Email permits@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Ref: SRA-24-439



Jane Monks
PDA Surveyors (OBO J. Orr)
By email: jane.monks@pda.com.au

Dear Jane

Crown Landowner Consent Granted - 1668 Arthur Highway, Copping

I refer to your recent request for Crown landowner consent relating to the development application at 1668 Arthur Highway, Copping for Construction and Alteration of Arthur Highway and 13 Lot Subdivision.

I, Fiona McLeod, Director Asset Management, the Department of State Growth, having been duly delegated by the Minister under section 52 (1F) of the *Land Use Planning and Approvals Act 1993* (the Act), and in accordance with the provisions of section 52 (1B) (b) of the Act, hereby give my consent to the making of the application, insofar as it affects the State road network and any Crown land under the jurisdiction of this Department.

The consent given by this letter is for the making of the application only insofar as that it impacts Department of State Growth administered Crown land and is with reference to your application dated 25 June 2024, and the approved documents, as accessible via the link below:

<https://files.stategrowth.tas.gov.au/index.php/s/XqfK22IzsHLxhop>

A copy of the Instrument of Delegation from the Minister authorising the delegate to sign under section 52 of the Act can also be accessed via the above link.

Please access and download these documents for your records as soon as possible as this link will expire six months from the date of this letter.

In giving consent to lodge the subject development application, the Department notes the following applicable advice:

- **Other types of works (pipeline, etc.) OR Construction of infrastructure in the road reserve/on Crown land (Works permit required)**

In giving consent to lodge the subject development application, the Department notes that the works in the State road network will require the following additional consent:

The consent of the Minister under Section 16 of the *Roads and Jetties Act 1935* to undertake works within the State road reservation.

For further information please visit https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings or contact permits@stategrowth.tas.gov.au.

- **Other advice:**

The Arthur Highway at this location has been built to a high standard in hilly terrain with overtaking lanes in the eastbound direction and a 100km/h speed limit.

Any new junction treatment is likely to extend into the highway curves either side of the proposed side road so that the highway alignment is not compromised. It is not clear whether widening will occur on one of both sides of the highway and whether there will be impacts on private land.

Any Development Application should include a preliminary design of the proposed junction treatment undertaken by a suitably qualified consultant and to the satisfaction of the department. This will need to show likely batter slopes/land impacts and include a construction cost estimate – given costs are expected to be significant.

Construction works within the state highway will also need to be undertaken by a suitably qualified person.

The Department reserves the right to make a representation to the relevant Council in relation to any aspect of the proposed development relating to its road network and/or property.

Yours sincerely



Fiona McLeod

DIRECTOR ASSET MANAGEMENT

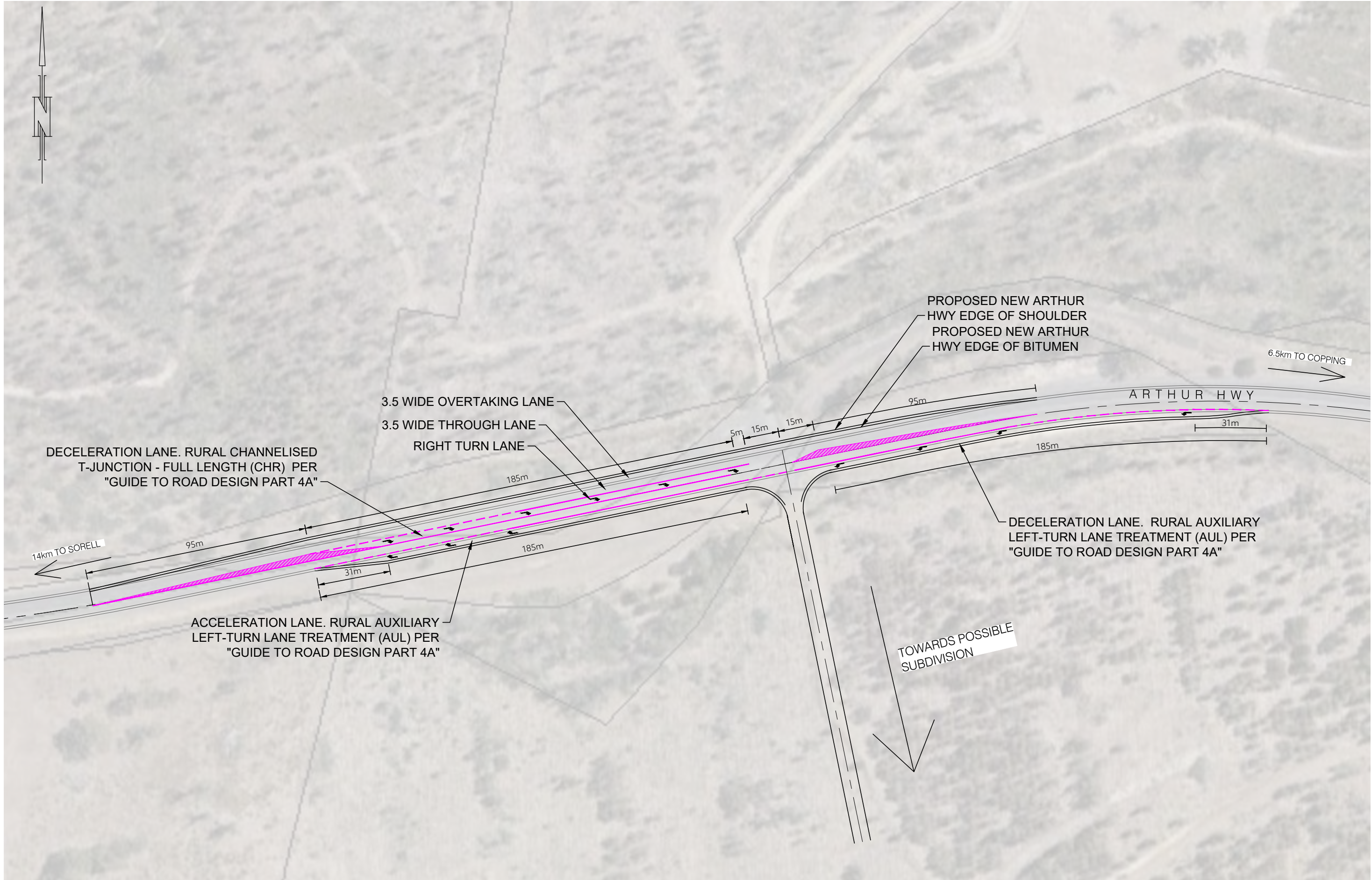
Delegate of

Minister for Infrastructure and Transport

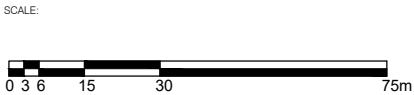
Michael Ferguson MP

18 July 2024

cc: General Manager, Sorell Council



E				
D				
C				
B				
A				
REV	AMENDMENTS	DRAWN	DATE	APPR.



SURVEYOR	DM	GEOCIVIL	DP
DRAWN	DM	CHECKED	DP
DATE	23 NOV 2023		

JUSTIN ORR
1668 ARTHUR HIGHWAY
COPPING 7174
CONCEPT INTERSECTION DESIGN



PDA Surveyors
Surveying, Engineering & Planning
ABN 71 217 806 325

incorporating
**WALTER
SURVEYS**

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JOB NUMBER	DRAWING
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PDA

SURVEYORS, ENGINEERS & PLANNERS



Planning Report

1668 Arthur Highway, Copping
13 Lot Subdivision

45922CT | FEB 2022

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PDA Contributors

Planning Assessment	Jane Monks	2 nd February 2022
Review & Approval	Craig Terry	

Revision History

Revision	Description	Date
0	First Issue	2 nd February 2022
1	Revision V2	23 rd January 2024
2	Revision V3	11 th June 2024

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EXECUTIVE SUMMARY

Council approval is sought for 13 lot subdivision at 1668 Arthur Highway, Copping (CT 139620/1, CT 127347/1, & CT51570/2). This planning assessment, combined with supplementary documentation has been provided in support of the proposed development.

Development Details:

Client/Owner	Justin Xavier Orr
Property Address	1668 Arthur Highway, Copping
Proposal	13 Lot Subdivision
Land Area	686.75ha ±

PID / CT	7840117	139620/1; 127347/1; 51570/2;
Planning Ordinance	<i>Sorell Interim Planning Scheme 2015</i>	
Land Zoning	26.0 Rural Resource Zone	
Specific Areas Plans	N/A	
Code Overlays	Bushfire Prone Area Waterway and Coastal Protection Area Landslide Hazard Area (low/medium) Biodiversity Protection Area Dispersive Soils	

Use Status	Resource Development
Application Status	Discretionary

1. Introduction/Context

Council approval is sought for a 13 subdivision at 1668 Arthur Highway, Copping. In support of the proposal the following associated documents have been provided in conjunction with this planning assessment:

- Title Plan and Folio: CT 139620/1; CT 127347/1; CT 51570/2
- Plan of Subdivision: PDA 45922CT-1C
- Bushfire Hazard Assessment & Bushfire Hazard Management Plan prepared by Andy Welling & Amber Button of Enviro-dynamics Pty Ltd: December 2021
- Access Assessment & TIA prepared by Keith Midson of Midson Traffic Pty Ltd
- Concept engineering design *PDA 45922CT*
- Landslide & Flood Risk assessment *PDA 45922CT*

1.1. The Land



Figure 1. Existing aerial image of the subject land (LISTmap, 2021)

The Subject land is located at 1668 Arthur Highway, Copping (PID: 7840117) It is an irregular shaped pocket of land consisting of 3 titles FR139620/1, FR127347/1 & FR51570/2, with a combined land area of 686.75ha±, as highlighted in Figure 1. Contained within the area is a Private Timber Reserve located in the north eastern corner, two access points to Arthur Highway, and two existing rights of way located within the south eastern corner of land that is adjacent to the 'Copping Tip' site. The land holds minimal agricultural capability, as it is comprised of class 5 & 6 soil types (LISTmap 2021), has limited water supply, and diverse topography across the site.

1.3. Natural Values

The subject land is comprised of Pickety Hill and Bedding Hill, and is bisected by a valley floor with minor tributaries running into Tanners Creek and the subsequent formation of the Carlton River. The vegetation across the site consists of 'dense regenerating plantation species, particularly radiata pine (*Pinus radiata*) and shinning Gum (*Eucalyptus nitens*), with some small sections of native forest and cleared agricultural land' as described by Welling & Button in the attached *Bushfire Hazard Assessment 2021*. However, during the Hazard Assessment two threatened vegetation communities were identified, *Eucalyptus ovata* forest and woodland (DOV) and *Eucalyptus globulus* dry forest (DGL), impact assessment and mitigation measures for the proposed development can be located in Section 2 - page 5.

2. The Proposal

A Planning Permit for a 13 lot subdivision is sought, in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* and Clause 8.8.1 (b) of the *Sorell Interim Planning Scheme 2015*.

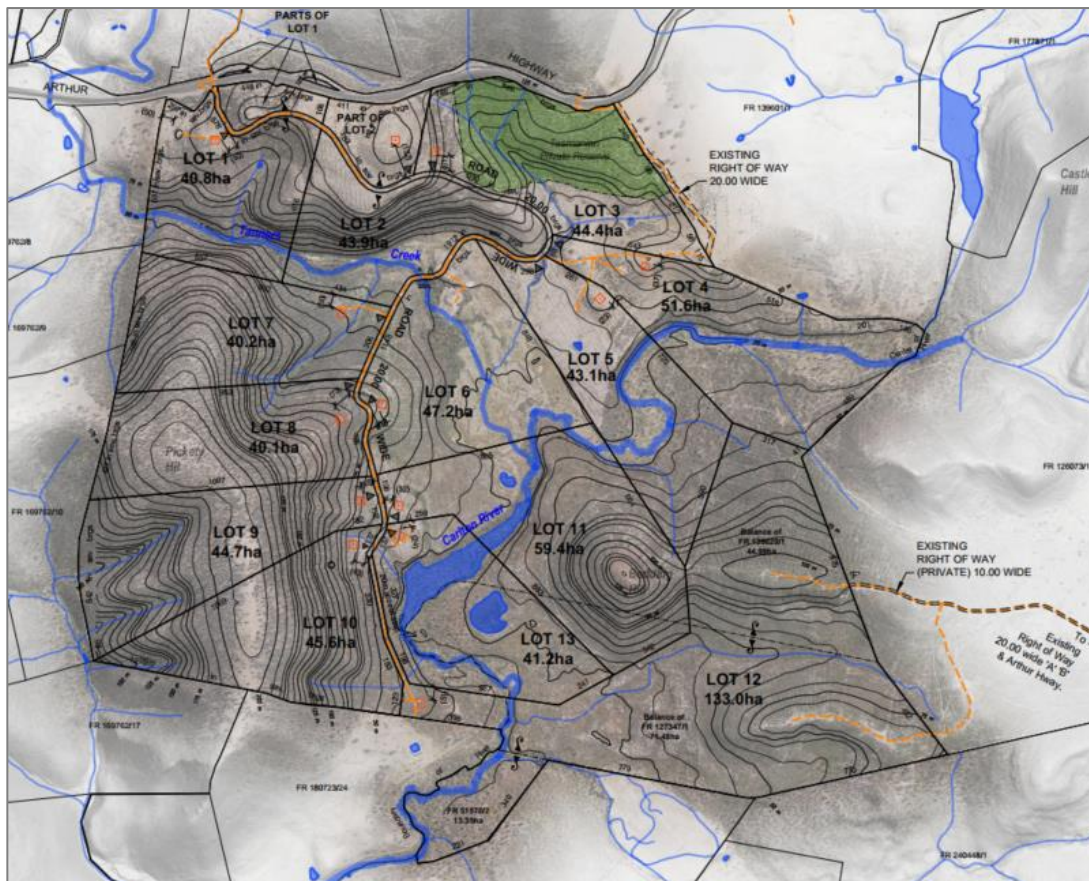


Figure 2a. Proposed Plan of Subdivision
 (Please refer to the attached file PDA 45922CT-1C for complete Plan of Subdivision)

It is proposed titles CT 139620/1, CT 127347/1 & CT 51570/2 be combined and subdivided into 13 lots, as illustrated in Figure 2a. A 20m wide road reservation will be created over the existing ex-forestry access road to facilitate the subdivision, providing access to proposed lots with minimal impact to the land. The road surface will be upgraded to meet the LGAT standards for a sealed rural road generally in accordance with TSD-R02-v3, Table 2. S5, and transferred to council as part of the subdivision. As the majority of the proposed road is an existing forestry road, all gradients and corner radii are generally in accordance with LGAT rural road standards, whilst the new section of road through lot 2 and lot 3 has been located such that the average grade is at less than 14% per the subdivision standards.

The formation of each lot has been designed to encompass and utilise the existing formed vehicle tracks providing access, at the same time as containing sufficient land with the potential for future development opportunities. The location of each Indicative building area has been

identified and placed with the intent to reduce environmental impacts, whilst increasing bushfire management, and incorporating the topographical arrangement of Bedding Hill and associated foot hills as a barrier between the adjacent 'Copping Tip'. The preexisting Private Timber Reserve will to be entirely contained within lot 3, and existing rights of way on adjoining lots CT 139601/1 & CT126073/1 are to be carried forward in favour of lot 3 and lot 12 respectively.

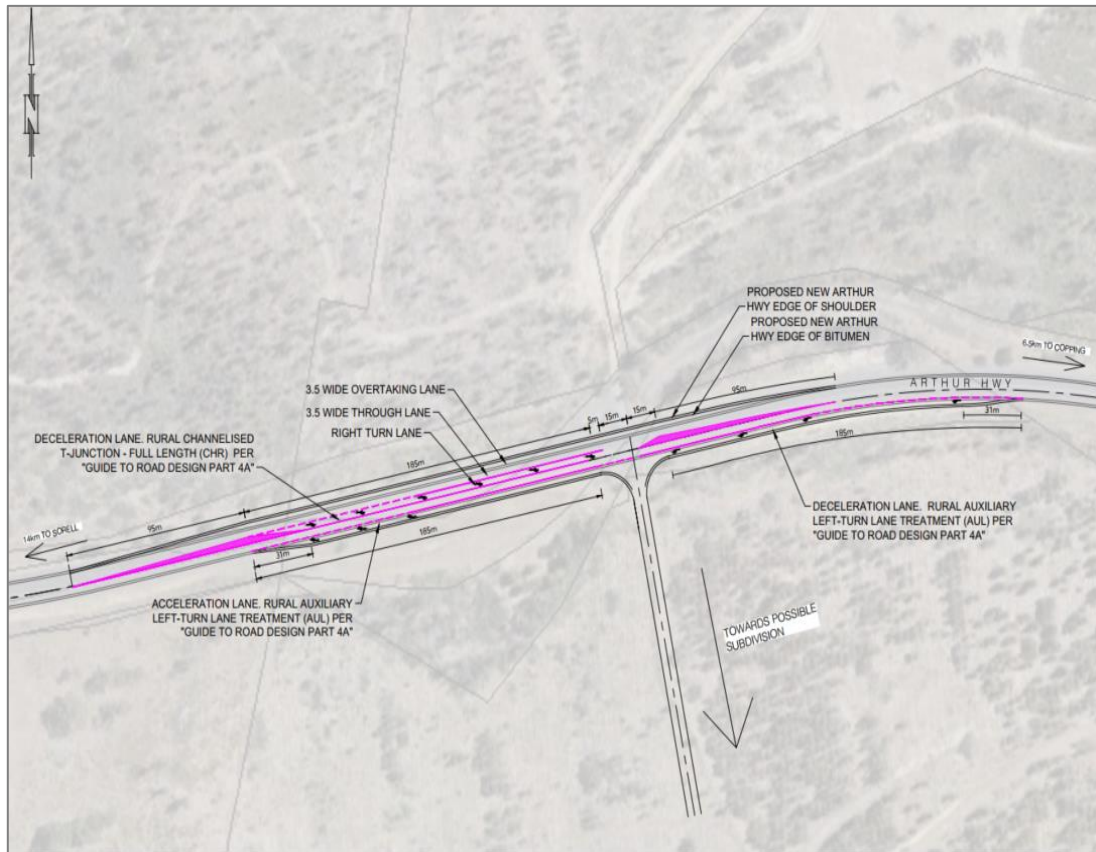


Figure 2b. Concept Intersection Design

(Please refer to the attached file PDA-45922CT-ENG-CONCEPT-231123 for the complete concept intersection design)

An Access Assessment undertaken by Keith Midson of Midson Traffic has been provided as part of this development application due to the intensification of the existing access to the land. As a result, it is proposed that the existing G-Turn facility be upgraded into a channelised right turn lane facility, as illustrated in Figure 2b. The proposed concept intersection design enables one solitary access for the subdivision, as recommended by Midson Traffic Pty Ltd, and agreed to as a suitable junction by State Growth, with no in-principle objections as stated in Appendix A.

3. Planning Assessment

This current proposal for subdivision has been developed in accordance with the *Sorell Interim Planning Scheme 2015*.

3.1. Use Class

Resource Development

3.2 Zoning

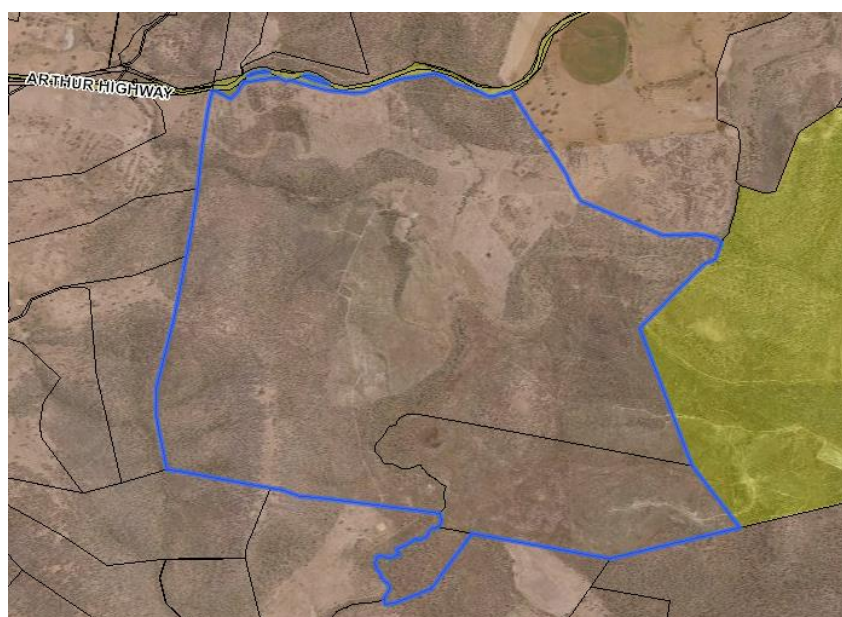


Figure 3. Zoning identification of the subject land and surrounds (LISTmap)

The subject land is located within the Rural Resource Zone, whilst also bordering a large parcel of land zoned Utilities at the eastern boundary, as illustrated in Figure 3.

3.3 Zone Standards – Rural Resource

26.5 Development Standards for Subdivision

26.5.1 New lots

Objective:	
To prevent further fragmentation and fettering of rural resource land	
Acceptable Solutions	Performance Criteria
A lot is for public open space, a riparian or littoral reserve, or a Utilities, Emergency services, or Community meeting and entertainment use class, by or on behalf of the State Government, a Council, a	A lot must satisfy all of the following: <ul style="list-style-type: none"> (a) be no less than 40ha; (b) have a frontage of no less than 6m; (c) not be an internal lot unless the site contains existing internal lots or creation of an internal lot is necessary to facilitate rural resource use; (d) be provided with safe vehicular access from a road;

statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority.

- (e) provide for the sustainable commercial operation of the land by either:
- (i) encompassing sufficient agricultural land and key agricultural infrastructure, as demonstrated by a whole farm management plan;
 - (ii) encompassing an existing or proposed non-agricultural rural resource use;
- (f) if containing a dwelling, setbacks to new boundaries satisfy clause 26.4.2;
- (g) if containing a dwelling, other than the primary dwelling, the dwelling is surplus to rural resource requirements of the lot containing the primary dwelling;
- (h) if vacant, must:
- (i) contain a building area capable of accommodating residential development satisfying clauses 26.4.2 and 26.4.3;
 - (ii) not result in a significant increase in demand for public infrastructure or services;
- (i) be consistent with any Local Area Objectives or Desired Future Character Statements provided for the area.

Response:

P1 is met: The proposal satisfies all of the performance criteria as follows:

- (a) All proposed lots are over 40ha, as listed in Table 1;
- (b) The frontage of all proposed lots is over 6m, as shown in Table 1;

Table 1. Proposed Lot Area and Frontage

Lot #	Area	Frontage
1	40.8ha±	1156 m±
2	43.9 ha±	2395 m±
3	44.4 ha±	630 m±
4	51.6 ha±	88 m±
5	43.1 ha±	298 m±
6	47.2 ha±	1148 m±
7	40.2 ha±	306 m±
8	40.1 ha±	406 m±
9	44.7 ha±	192 m±
10	45.6 ha±	137 m±
11	59.4 ha±	198 m±
12	133.0 ha±	20 m±
13	41.2 ha±	137 m±

(Subject to final survey)

- (c) While Lot 12 is an internal lot, the creation of this lot is necessary to provide adequate access and frontage to the previously land locked title, increasing the utility of the land;
- (d) All lots have existing safe vehicular access via the road, as indicated in the attached plan of subdivision;

- (e) As the land has limited capacity as a rural resource, due to topographical restrictions, lack of water resources and soil classification. The proposed subdivision therefore satisfies (ii), by providing the opportunity for diversification of sustainable commercial operations of non-agricultural rural resource use;
- (f) *Not applicable* there are no existing dwellings currently contained on the subject land;
- (g) *Not applicable* there are no existing dwellings currently contained on the subject land;
- (h) (i) All proposed lots contain indicative building areas intended for future residential development that satisfy clauses 26.4.2 and 26.4.3 as identified on the Plan of Subdivision, as well as within the Bushfire Hazard Report supplied by Enviro-dynamics Pty Ltd;
(ii) Creation of new lots will not result in a significant increase in demand for public infrastructure or services;
- (i) There are no Local Area Objectives or Desired Future Character Statements for the area

3.4 Codes

The subject land is overlaid with a Bushfire-Prone Area Bushfire Prone Area, Landslide Hazard Area (low/medium), Biodiversity Protection Area, Waterway and Coastal Protection Area, and Dispersive Soils. The proposed 13 lot subdivision therefore requires the following Codes under the *Sorell Interim Planning Scheme 2015* to be considered.

Code	Comments:
E1.0 Bushfire-Prone Area	Please refer to the attached <i>Bushfire Hazard Report</i> prepared by Andy Welling & Amber Button of Enviro-dynamics Pty Ltd
E2.0 Potentially Contaminated Land	N/A
E3.0 Landslide	As this Code is relevant to this proposal, an assessment is provided below
E5.0 Road and Railway Asset Code	Please refer to the attached Assessment prepared by Keith Midson of Midson Traffic Pty Ltd
E6.0 Parking and Access Code	As this Code is relevant to this proposal, an assessment is provided below
E7.0 Stormwater Management Code	As this Code is relevant to this proposal, an assessment is provided below.
E8.0 Electricity Transmission Infrastructure	N/A
E9.0 Attenuation Code	As this Code is relevant to this proposal, an assessment is provided below
E10.0 Biodiversity Code	As this Code is relevant to this proposal, an assessment is provided below
E11.0 Waterway and Coastal Protection Code	As this Code is relevant to this proposal, an assessment is provided below
E13.0 Historic Heritage Code	N/A
E14.0 Scenic Landscape Code	N/A
E15.0 Inundation Prone Area Code	N/A
E16.0 Coastal Erosion Hazard Code	N/A
E17.0 Signs Code	N/A
E18.0 Wind and Solar Energy Code	N/A
E19.0 Telecommunications Code	N/A
E21.0 Dispersive Soils Code	<p><i>Exempt – as per E21.4.1 (a)</i></p> <p>The proposal does not include any works involving the exposure or disturbance of any sub-surface soils within the potential dispersive soils area identified on the subject land;</p>
E23.0 On-Site Wastewater Management Code	As this Code is relevant to this proposal, an assessment is provided below

3.5 Code Standards

E1.0 Bushfire-Prone Areas Code

As the subject land is located in a bushfire-prone area, it is necessary for the proposed subdivision to demonstrate that it can be compliant with the provisions of this code and Australian Standard AS3959-2009 *Construction of buildings in bushfire-prone areas*.

A Bushfire Hazard Assessment and Bushfire Hazard Management Plan has been prepared and supplied with this application by Andy Welling and Amber Button from Enviro-dynamics Pty Ltd, with the proposed subdivision taking into consideration these requirements. The executive summary on page *ii* provides the following;

Executive Summary

This bushfire hazard report for a new lot subdivision at 1668 Arthur Highway, Copping (Title Reference: 139620/1) meets the requirement of a subdivision application within a bushfire prone area under the Sorell Interim Planning Scheme 2015 and E1.0 Bushfire Prone Areas Code (the Code).

E3.0 Land Slide Code

E3.8 Development standards

E.8.1 Subdivision

Objective:	
To ensure that landslide risk associated with subdivision in Landslide Hazard Areas, is: (a) acceptable risk; or (b) tolerable risk, having regard to the feasibility and effectiveness of any measures required to manage the landslide hazard	
Acceptable Solutions	Performance Criteria
A1 No acceptable solution	P1 Subdivision of a lot, all or part of which is within a Landslide Hazard Area must be for the purpose of one of the following: (a) separation of existing dwellings; (b) creation of a lot for the purposes of public open space, public reserve or utilities; (c) creation of a lot in which the building area, access and services are outside the High Landslide Hazard Area and the landslide risk associated with the subdivision is either: (i) acceptable risk, or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.

Response:

P1 is met: The proposal satisfies (c)(i) of the performance criteria; Proposed lots have been created in which the indicative building areas (identified by Enviro-dynamics – see Figure 4), access and services are outside any High Landslide Hazard Areas. The landslide risk associated with the subdivision is minimised due to the location of the indicative development areas and are of an acceptable risk. Please also refer to the attached Landslide and Flood risk assessment prepared by PDA engineering.

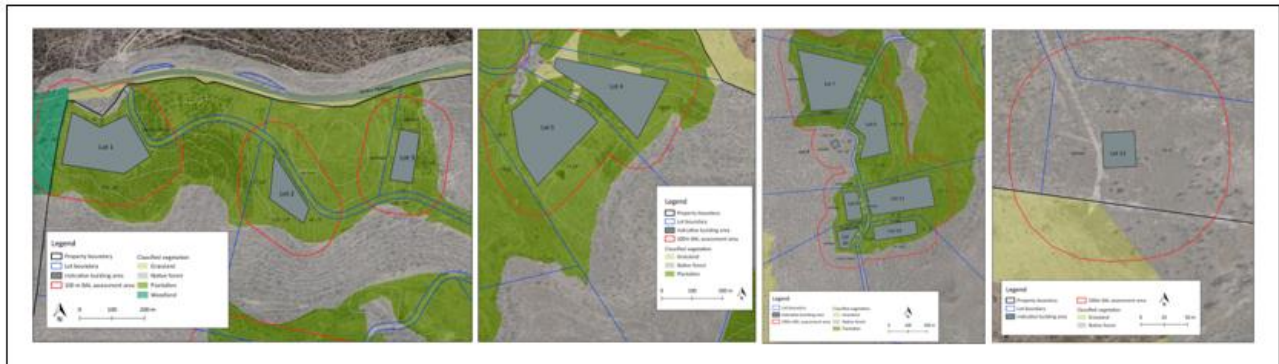


Figure 4. Indicative building areas identified by Enviro-dynamics Bushfire Hazard Report for 1668 Arthur Highway, Copping, December 2021 (pg. 13 -16).

However, as this application is a proposal for subdivision of the land which may, or may not, be developed into the future. It would be more appropriate to seek information about the mitigation or management of risk at the time of any future development.

A2

Subdivision is not prohibited by the relevant zone standards.

Response:

A2 is met: The proposed subdivision is not prohibited by the relevant zone standards.

E5.0 Road and Railway Assets Code

E5.5 Use Standards

E5.5.1 Existing Road accesses and junctions

Please refer to the attached Traffic Impact Assessment prepared by Keith Midson of Midson Traffic Pty Ltd, of which documents findings a vehicular access assessment for the proposed 13 lot subdivision on traffic grounds. Also, please refer to Appendix A for DSG confirmation of suitability with no in-principal objections.

E5.6 Development Standards

E5.6.1 Development adjacent to Road and Railways

Objective:	
To ensure that development adjacent to category 1 or category 2 roads or the rail network: <ul style="list-style-type: none"> (a) ensures the safe and efficient operation of roads and the rail network; (b) allows for future road and rail widening, realignment and upgrading; and (c) is located to minimise adverse effects of noise, vibration, light and air emissions from roads and the rail network. 	
Acceptable Solutions	
<p>A1.1 Except as provided in A1.2, the following development must be located at least 50m from the rail network, or a category 1 road or category 2 road, in an area subject to a speed limit of more than 60km/h:</p> <ul style="list-style-type: none"> (a) new buildings; (b) other road or earth works; and (c) building envelopes on new lots. <p>A1.2 Buildings, may be:</p> <ul style="list-style-type: none"> (a) located within a row of existing buildings and setback no closer than the immediately adjacent building; or (b) an extension which extends no closer than: <ul style="list-style-type: none"> (i) the existing building; or (ii) an immediately adjacent building. 	
Response:	
<p>A1 is met: <i>Not applicable</i> – as Arthur Highway is identified as a category 3 road, not adjacent or within 50m of a railway, and no building development is proposed as part of this application</p>	

E5.6.2 Road accesses and junctions

Objective:	
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.	
Acceptable Solutions	
A1	No new access or junction to roads in an area subject to a speed limit of more than 60km/h.
Response:	
A1 is met: No new access or junction to Arthur Highway is proposed as part of this application, as access to the subdivision is proposed via the existing access point to Arthur Highway;	
Acceptable Solutions	
A2	No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less
Response:	
A2 is met: <i>Not applicable</i> – as there is no new access to Arthur Highway proposed. The 13 lot subdivision utilises the existing access points to the subject land.	

E5.6.4 Sight distance at accesses, junction and level crossings

Objective:	
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.	
Acceptable Solutions	
A1	Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.
Response:	
A1 is met: The proposal meets all acceptable solutions for sight distances as follows: (a) The upgraded access to Arthur Highway proposed as part of this application, provided by Midson Traffic Pty Ltd, illustrates compliance with all Safe Intersection Sight Distance shown in Table E5.1; (b) <i>Not applicable</i> ; As the subject land is not in vicinity of any rail crossings.	

E6.0 Parking and Access Code

E6.7 Development Standards

E6.7.1 Number of Vehicular Accesses

Objective:	
<p>To ensure that:</p> <p>(a) safe and efficient access is provided to all road network users, including, but not limited to: drivers, passengers, pedestrians, and cyclists, by minimising:</p> <ul style="list-style-type: none"> (i) the number of vehicle access points; and (ii) loss of on-street car parking spaces; <p>(b) vehicle access points do not unreasonably detract from the amenity of adjoining land uses;</p> <p>(c) vehicle access points do not have a dominating impact on local streetscape and character.</p>	
Acceptable Solutions	
<p>A1</p> <p>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.</p>	
Response:	
<p>A1 is met: Each proposed lot has one access per road frontage as specified in the acceptable solution.</p>	

E6.7.2 Design of Vehicular Accesses

Objective:	
<p>To ensure safe and efficient access for all users, including drivers, passengers, pedestrians and cyclists by locating, designing and constructing vehicle access points safely relative to the road network.</p>	
Acceptable Solutions	
<p>A1</p> <p>Design of vehicle access points must comply with all of the following:</p> <p>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – "Access Facilities to Off-street Parking Areas and Queuing Areas" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</p>	
Response:	
<p>A1 is met: Each access is proposed to be designed and constructed to comply with the location, sight distance, width and gradient stipulated in AS/NZS 2890.1:2004 and AS2890.2:2002.</p>	

E6.7.3 -E6.7.13: Not Applicable

E6.7.14 Access to a Road

Objective:	
To ensure that access to the road network is provided appropriately.	
Acceptable Solutions	
A1 Access to a road must be in accordance with the requirements of the road authority.	
Response: A1 is met: Access to Arthur Highway is in accordance with the requirements of the road authority and will be subject to engineering approval at that authority.	

E7.0 Stormwater Management Code

E7.7 Development Standards

E7.7.1 Stormwater Drainage and Disposal

Objective:	
To ensure that stormwater quality and quantity is managed appropriately.	
Acceptable Solutions	
A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	
Response: A1 is met: Stormwater from the new proposed access points will be disposed of by gravity to the public roadside stormwater infrastructure.	

A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	P2 A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.
--	--

Response:

P2 is met: The stormwater system for the current proposal will incorporate a stormwater drainage system designed and constructed to sufficiently achieve the stormwater quality and quantity targets of the State Stormwater Strategy 2010, as detailed in Table E7.1.

A3

A minor stormwater drainage system must be designed to comply with all of the following:
(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;
(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.

Response:

A3 is met: The proposed subdivision will be designed and constructed to accommodate a minor storm event with an ARI of 20 years, and the stormwater runoff will be accommodated within existing public stormwater infrastructure.

A4

A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.

Response:

A4 is met: The proposed subdivision will be designed and constructed to accommodate a major storm event with an ARI of 100 years.

E9.0 Attenuation Code

E9.7 Development Standards

E9.7.2 Development for Sensitive Use in Proximity to Use with Potential to Cause Environmental Harm

Objective:	
To ensure that new sensitive use does not conflict with, interfere with or constrain uses with potential to cause environmental harm.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	P1 Development for sensitive use, including subdivision of lots within a sensitive zone, must not result in potential to be impacted by environmental harm from use with potential to cause environmental harm, having regard to all of the following: (a) the nature of the use with potential to cause environmental harm; including: (i) operational characteristics; (ii) scale and intensity; (iii) degree of hazard or pollution that may emitted from the activity; (b) the degree of encroachment by the sensitive use into the Attenuation Area or the attenuation distance; (c) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions
Response: <p>P1 is met: <i>Not applicable</i> as the land is zone Rural Resource, therefore the proposed subdivision does not meet the definition of a sensitive area within the provisions of the <i>Sorell Interim Planning Scheme 2015</i>, as listed in <i>E9.3 Definition of Terms</i>. However, the combination of scale, intensity, design, and layout, has taken into consideration environmental factors such as wind direction, hydrology and topography of the land to provide adequate measures to mitigate and manage any potential effects of emissions produced by the nearby 'Copping Tip' landfill site.</p>	

E10.0 Biodiversity Code

E10.8 Subdivision Standards

E10.8.1 Subdivision

Objective:	
<p>To ensure that:</p> <p>(a) works associated with subdivision resulting in clearance and conversion or disturbance will not have an unnecessary or unacceptable impact on priority biodiversity values;</p> <p>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority biodiversity values.</p>	
Acceptable Solutions	
<p>A1</p> <p>Subdivision of a lot, all or part of which is within a Biodiversity Protection Area, must comply with one or more of the following:</p> <p>(a) be for the purposes of separating existing dwellings;</p> <p>(b) be for the creation of a lot for public open space, public reserve or utility;</p> <p>(c) no works, other than boundary fencing works, are within the Biodiversity Protection Area;</p> <p>(d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Biodiversity Protection Area.</p>	<p>P1</p> <p>Clearance and conversion or disturbance must satisfy the following:</p> <p>(a) if low priority biodiversity values:</p> <p>(i) subdivision works are designed and located to minimise impacts, having regard to constraints such as topography or land hazard and the particular requirements of the subdivision;</p> <p>(ii) impacts resulting from future bushfire hazard management measures are minimised as far as reasonably practicable through appropriate siting of any building area;</p>
Response:	
<p>A1 is met: The proposal meets Acceptable Solution (c) and (d), as all proposed works, including indicative building areas, bushfire hazard management areas, and vehicular access driveways, are located outside of any Biodiversity Protection Area.</p>	
Acceptable Solutions	
<p>A2</p> <p>Subdivision is not prohibited by the relevant zone standards.</p>	
Response:	
<p>A2 is met: Subdivision is not prohibited by the Rural Resource standards</p>	

E11.0 Waterway and Coastal Protection Code

E11.8 Subdivision Standards

E11.8.1 Subdivision

Objective:	
<p>To ensure that:</p> <p>(a) works associated with subdivision in proximity to a waterway, the coast, identified climate change refugia and potable water supply areas will not have an unnecessary or unacceptable impact on natural values;</p> <p>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural values.</p>	
Acceptable Solutions	
<p>A1</p> <p>Subdivision of a lot, all or part of which is within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area must comply with one or more of the following:</p> <p>(a) be for the purpose of separation of existing dwellings;</p> <p>(b) be for the creation of a lot for public open space, public reserve or utility;</p> <p>(c) no works, other than boundary fencing works, are within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area;</p> <p>(d) the building area, bushfire hazard management area, services and vehicular access driveway are outside the Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area.</p>	<p>P1</p> <p>Subdivision of a lot, all or part of which is within a Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area, must satisfy all of the following:</p> <p>(a) minimise impact on natural values;</p> <p>(b) provide for any building area and any associated bushfire hazard management area to be either:</p> <p>(i) outside the Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area; or</p> <p>(ii) able to accommodate development capable of satisfying this code.</p> <p>(c) if within a Potable Water Supply Area, be in accordance with the requirements of the water and sewer authority.</p>
Response:	
<p>P1 is met: The proposal satisfies all of the performance criteria as follows:</p> <p>(a) The proposed design and layout minimise impacts to the Waterway Protection Area by utilising existing ex-forestry roads and tracks, whilst also taking into consideration the citing of new access points and indicative building areas. The attached Concept Engineering Design drawings, and Landslide and Flood Report, identify the extent of works required for the upgrade of the existing ex-forestry roads and tracks;</p> <p>(b) All indicative building areas and associated bushfire hazard management areas are (i) outside of any Waterway and Coastal Protection Area, Future Coastal Refugia Area or Potable Water Supply Area;</p> <p>(c) <i>Not Applicable</i> as the land is not within a Potable Water Supply Area.</p>	

Acceptable Solutions	
A2 Subdivision is not prohibited by the relevant zone standards.	
Response:	
A2 is met: Subdivision is not prohibited by the Rural Resource standards.	

E23.0 On-site Wastewater Management Code

E23.9 Development Standards for Subdivision

E23.9.1 Development Standards for New Lots

Objective:	
To ensure sustainable onsite wastewater management for new lots.	
Acceptable Solutions	
A1 A new lot must have an area no less than: 5,000 m ² .	
Response:	
A1 is met: Each proposed lot has an area over 5000m ² as previously illustrated in Table 1.	


Conclusion

The planning assessment and supporting documentation provided, demonstrates that the development proposal for a 13 lot subdivision at 1668 Arthur Highway, Copping, meets all requirements of the *Sorell Interim Planning Scheme 2015*.

Yours faithfully,

PDA Surveyors, Engineers & Planners

Per:



Jane Monks

Appendix A

From: Volker, Sam <Sam.Volker@stategrowth.tas.gov.au>
Sent: Tuesday, 28 November 2023 2:04 PM
To: Craig Terry <Craig.Terry@pda.com.au>
Subject: 1688 Arthur Hwy proposed junction

Craig,
Traffic engineering have no in-principle objections to the proposed junction subject to an amended TIA and confirmation that sight distance requirements will be achieved from all legs.
I am unsure who you are currently communicating with at Sorell Council please feel free to forward this email to them.

Sam Volker | Traffic Engineering Liaison
Network Management | Department of State Growth
76 Federal Street, North Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Phone: (03) 6165 5205
www.stategrowth.tas.gov.au

Courage to make a difference through
TEAMWORK | INTEGRITY | RESPECT | EXCELLENCE

*In recognition of the deep history and culture of this island, I acknowledge and pay my
respects to all Tasmanian Aboriginal people; the past, and present custodians of the Land.*

Contact

For any enquiries, please contact one of our offices:

HOBART

A: 127 Bathurst Street, Hobart Tasmania 7000

P: (03) 6234 3217

E: pda.hbt@pda.com.au

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A: 6 Freeman Street, Kingston, TAS 7050

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EAST COAST

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A: 77 Gunn Street, Devonport, TAS 7310

P: (03) 6423 6875

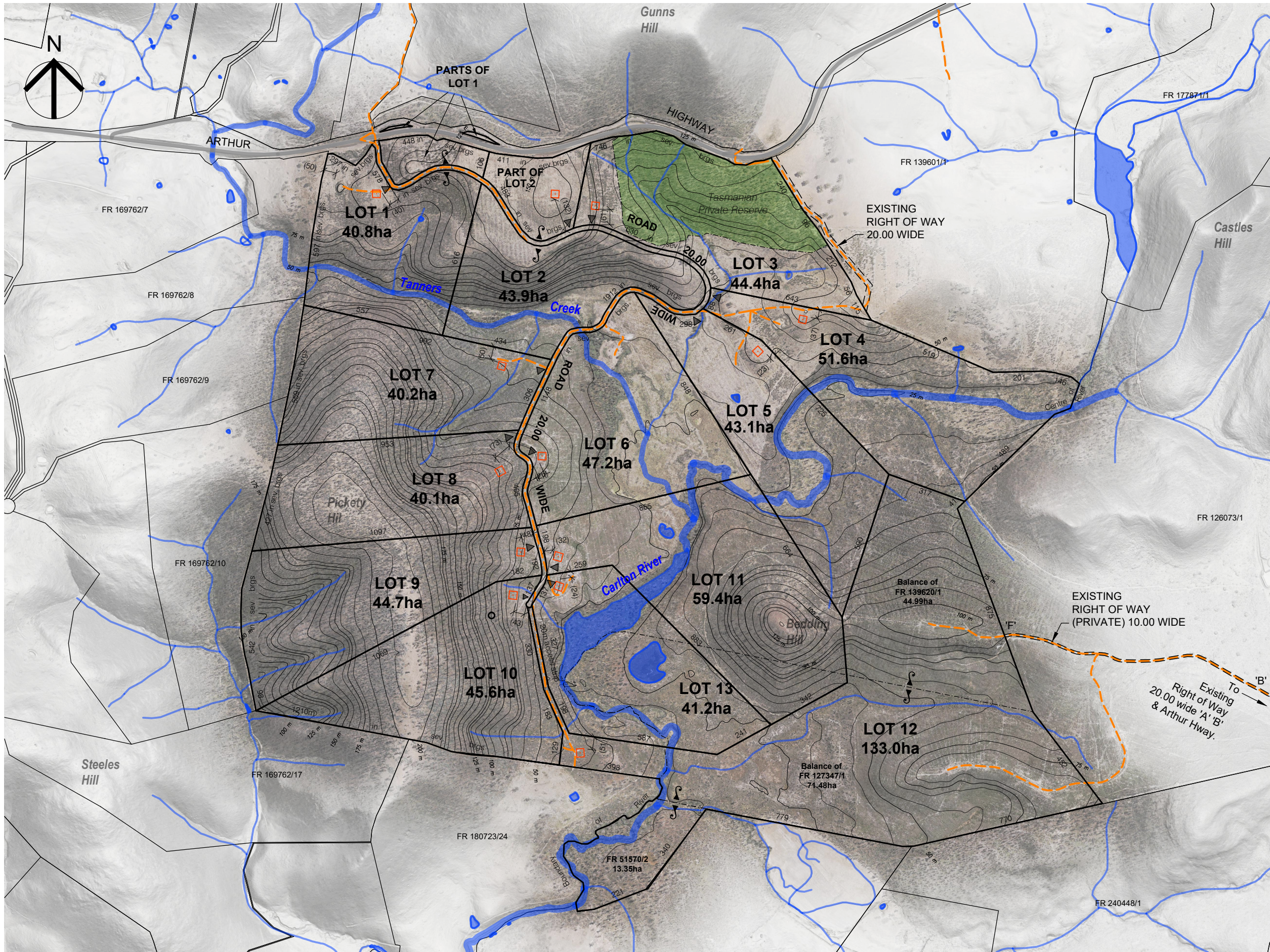
E: pda.dpt@pda.com.au

WALTER SURVEYS

A: 127 Bathurst Street, Hobart, TAS 7000 (Civil Site Surveying and Machine Control)

P: 0419 532 669 (Tom Walter)

E: tom.walter@waltersurveys.com.au



PLAN OF SUBDIVISION

Owners
Robert Bruce Downie

Title References
FR 139620/1; FR 127347/1
& FR 51570/1

Address
1668 Arthur Highway Copping Tas

Council
Sorell Council

Planning scheme
Sorell Interim Planning Scheme 2015

Zone
26.0 Rural Resource

Zone Overlay
122.BPA, 122.FRE, 122. WCP,
122.DIS, 122.LDS

Map reference
'Carlton' 5425 & 'Dunalley' 5625

PID
7840117

Point of interest GDA2020 MGA55
559852E, 5257020N


Schedule of Easements
Existing Easements to be carried forward.

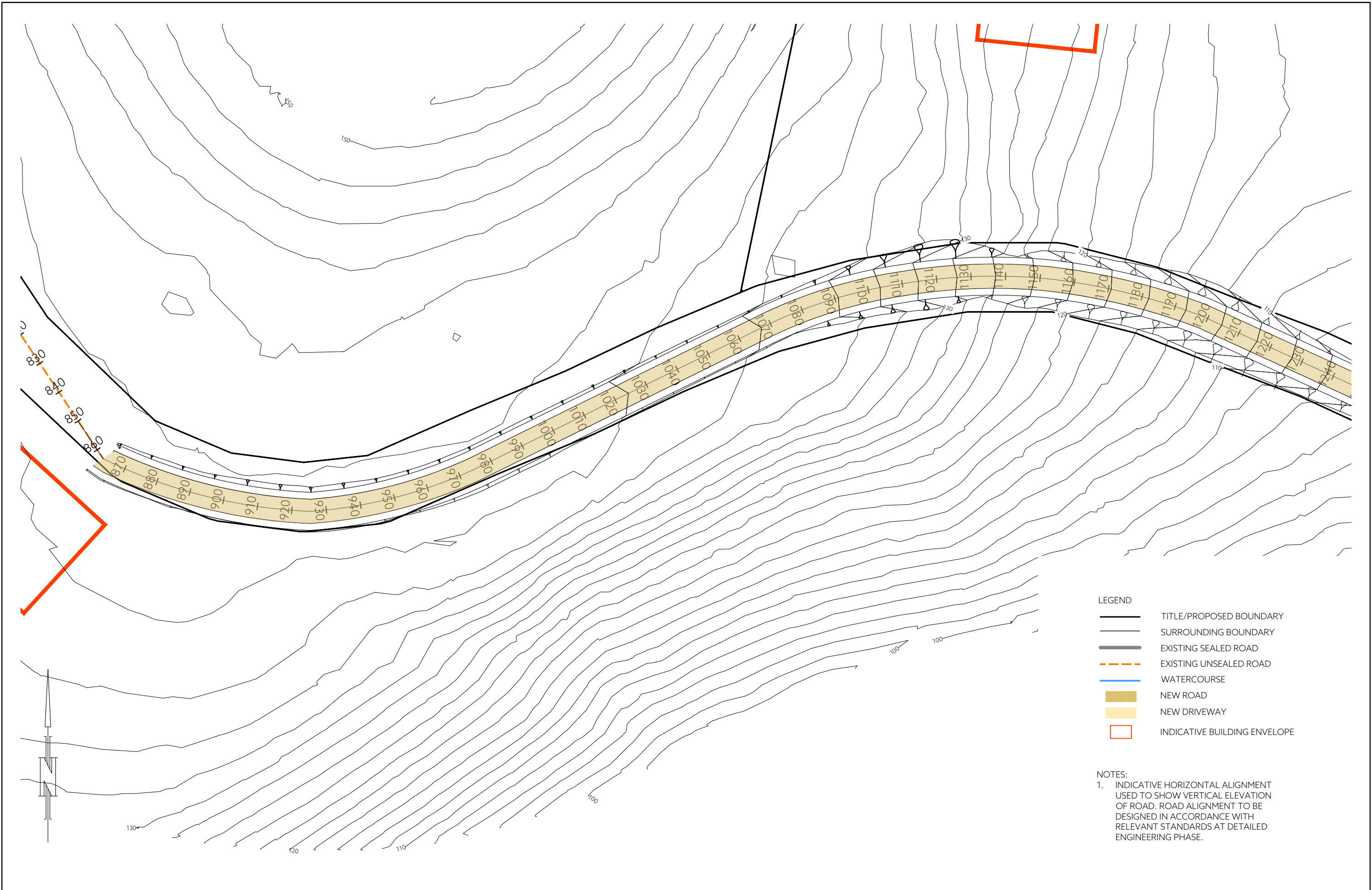
NOTES

1. This plan has been prepared only for the purpose of obtaining preliminary subdivision approval from the Council and the information shown hereon should be used for no other purpose. All measurements and areas are subject to final survey.
2. Please refer to LISTmap for Tasmanian Interim Planning Scheme Overlays. Not shown on for plan.

LEGEND

- Title/ Proposed boundaries
- Surrounding boundary
- Sealed Road
- Existing unsealed road / track
- Water course
- 10m Contour interval (LiDAR)
- Possible Building Area - (located in an area not requiring clearing of native vegetation, not on a skyline or ridgeline. per clause 26.4.3.C.)
- Indicative Property Access
- Subject to an Existing Forest Agreement


D					NOTES:	SURVEYOR	GEOCIVIL	PROPOSED SUBDIVISION 1668 ARTHUR HIGHWAY, COPPING for ROBERT BRUCE DOWNIE	<div>PDA Surveyors<small>Incorporating WALTER SURVEYS</small> Surveying, Engineering & Planning <small>ABN 71 217 806 325</small></div> <div>127 Bathurst Street Hobart, Tasmania, 7000 www.pda.com.au Also at: Kingston, Launceston & Burnie PHONE: +61 03 6234 3217 FAX: +61 03 6234 5085 EMAIL: pda.hbt@pda.com.au</div>	SCALE	PAPER
C	ADJUST INDICATIVE BUILDING AREAS.	MK	05.11.21	CT		DRAWN	CHECKED			1:15K	(A3)
B	ADD INDICATIVE BUILDING ENVELOPES. MODIFY LOT LAYOUT ACCORDINGLY.	MK	22.10.21	CT		DATE 5 NOVEMBER 2021	JB/CT			JOB NUMBER	DRAWING
A	ADDITIONAL LOT 13 ADDED, LOT 2 & 3 RECONFIGURED.	MK	22.07.21	CT							
O	FIRST ISSUE.	MK	21.07.21	CT							
REV	AMENDMENTS	DRAWN	DATE	APPR.							

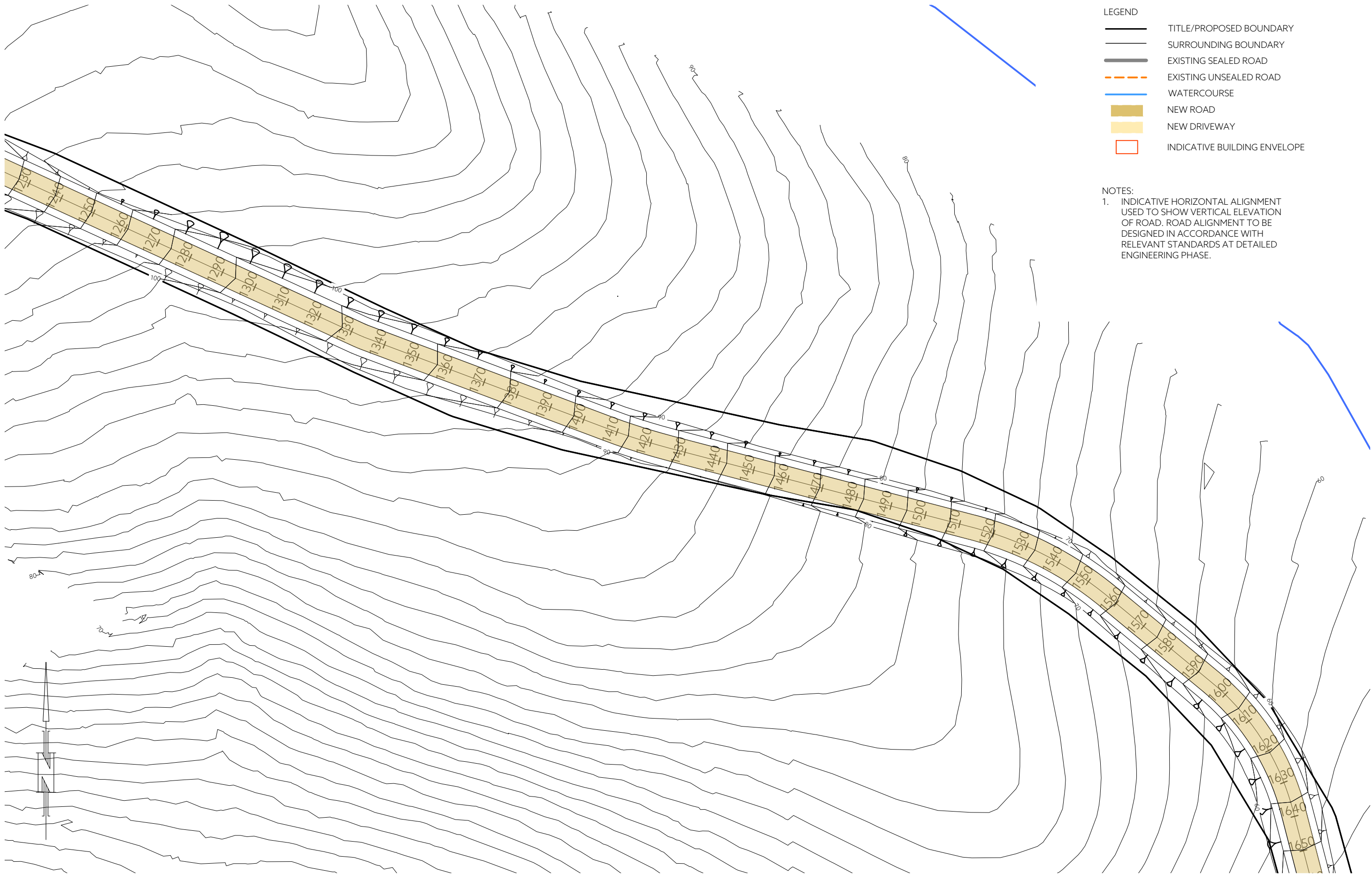


- LEGEND
- TITLE/PROPOSED BOUNDARY
 - SURROUNDING BOUNDARY
 - EXISTING SEALED ROAD
 - EXISTING UNSEALED ROAD
 - WATERCOURSE
 - NEW ROAD
 - NEW DRIVEWAY
 - INDICATIVE BUILDING ENVELOPE

NOTES:

1. INDICATIVE HORIZONTAL ALIGNMENT USED TO SHOW VERTICAL ELEVATION OF ROAD. ROAD ALIGNMENT TO BE DESIGNED IN ACCORDANCE WITH RELEVANT STANDARDS AT DETAILED ENGINEERING PHASE.


				DRAWING STATUS:		DESIGNED: AK		REVIEWED: CT		CLIENT: JUSTIN ORR 13 LOT SUBDIVISION 1668 ARTHUR HIGHWAY, COPPING DETAIL SITE PLAN SHEET 1 OF 4		<div>PDA SURVEYORS, ENGINEERS & PLANNERS</div> <div>REGISTRATION NUMBER: ----</div>		CONTRACT NO.		SCALE		PAPER					
				DRAFT										-----		1: 15000		(A3)					
				COORDINATE/ DATUM:		DRAWN: AK		REVIEWED: CT						JOB NUMBER		DISCIPLINE		SHEET		REVISION			
				PLANAR GDA2020																			
REV		AMENDMENTS		DRAWN		DATE		APPR.		THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED		ISSUED DATE: 22/04/2024				45922CT		C		101		-	

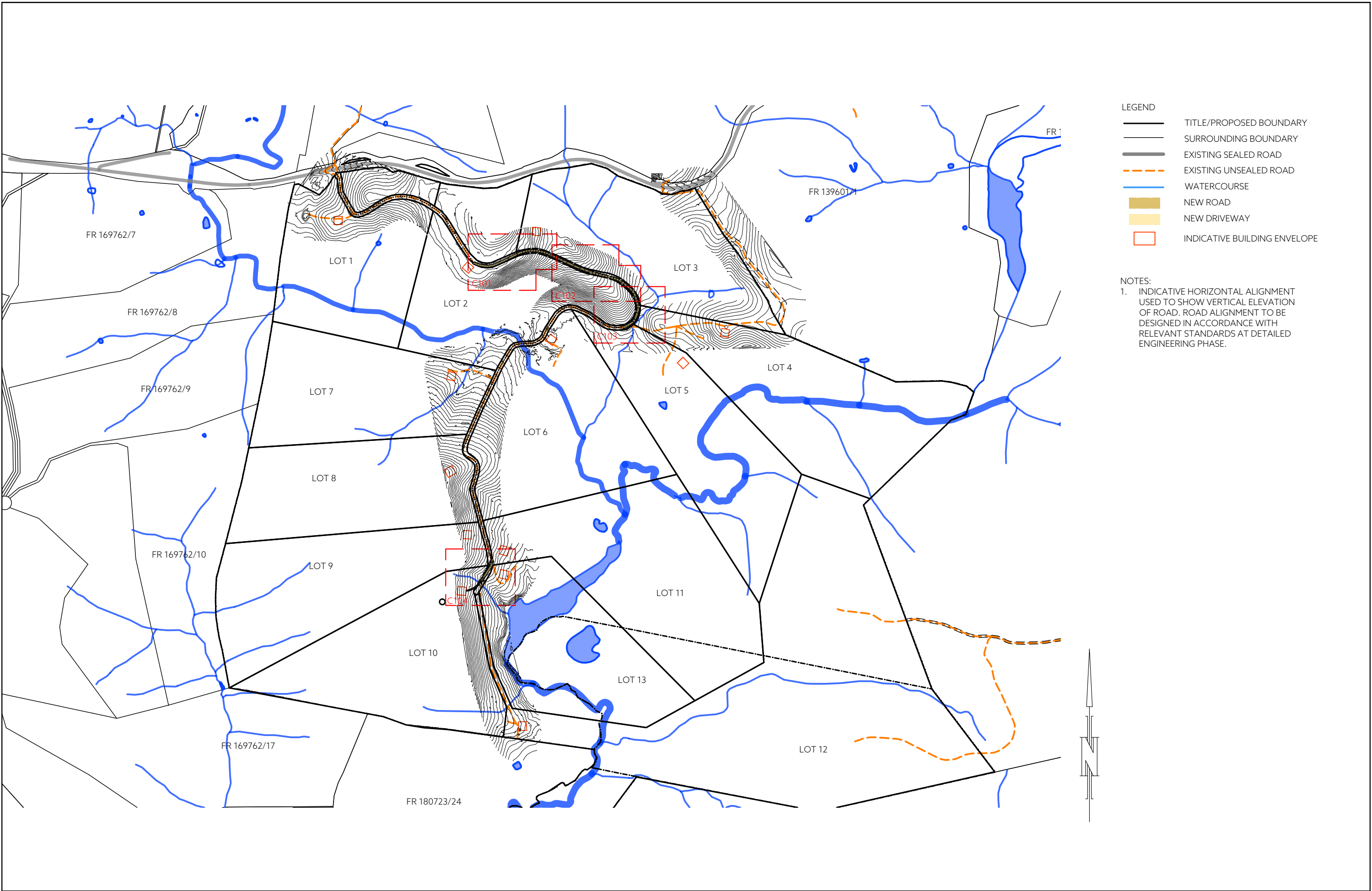


- LEGEND
- TITLE/PROPOSED BOUNDARY
 - SURROUNDING BOUNDARY
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 - EXISTING UNSEALED ROAD
 - WATERCOURSE
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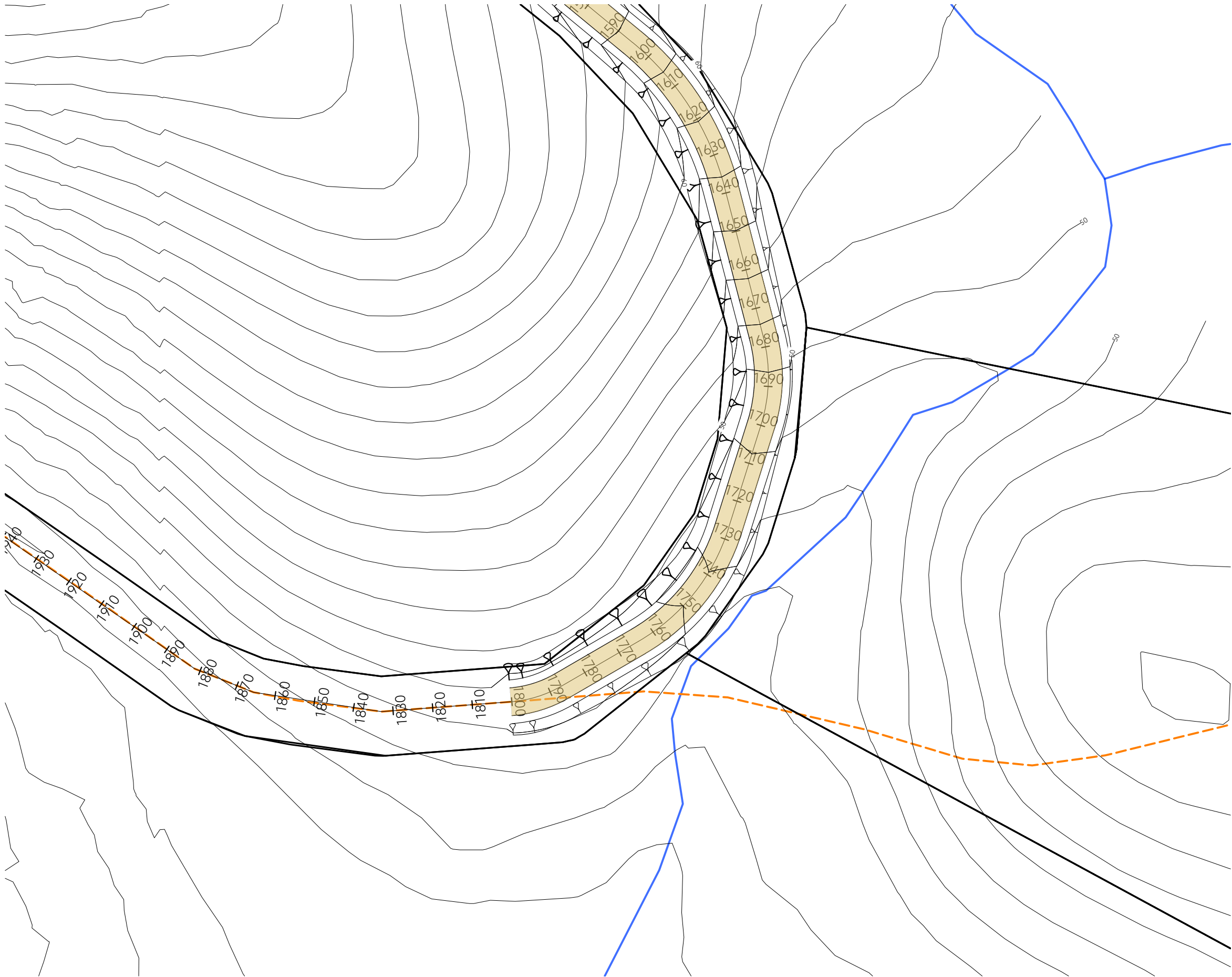
				DRAWING STATUS:		DESIGNED:		REVIEWED:		CLIENT: JUSTIN ORR 13 LOT SUBDIVISION 1668 ARTHUR HIGHWAY, COPPING DETAIL SITE PLAN SHEET 2 OF 4		 PDA SURVEYORS, ENGINEERS & PLANNERS REGISTRATION NUMBER: ----		127 Bathurst Street Hobart, Tasmania, 7000 PHONE: +61 03 6234 3217 FAX: +61 03 6234 5085 EMAIL: pda.hbt@pda.com.au www.pda.com.au Also at: Kingston, Launceston & Burnie		CONTRACT NO.		SCALE		PAPER	
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				PLANAR GDA2020		JOB MANAGER: CRAIG TERRY															
REV				AMENDMENTS		DRAWN		DATE		APPR.		THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED		ISSUED DATE: 22/04/2024							



- LEGEND
- TITLE/PROPOSED BOUNDARY
 - SURROUNDING BOUNDARY
 - EXISTING SEALED ROAD
 - EXISTING UNSEALED ROAD
 - WATERCOURSE
 - NEW ROAD
 - NEW DRIVEWAY
 - INDICATIVE BUILDING ENVELOPE

NOTES:
1. INDICATIVE HORIZONTAL ALIGNMENT USED TO SHOW VERTICAL ELEVATION OF ROAD. ROAD ALIGNMENT TO BE DESIGNED IN ACCORDANCE WITH RELEVANT STANDARDS AT DETAILED ENGINEERING PHASE.


				DRAWING STATUS:		DESIGNED:		REVIEWED:		CLIENT:		<div><div></div><div><div>PDA</div><div>SURVEYORS, ENGINEERS & PLANNERS</div></div></div> <div>127 Bathurst Street Hobart, Tasmania, 7000 PHONE: +61 03 6234 3217 FAX: +61 03 6234 5085 EMAIL: pda.hbt@pda.com.au www.pda.com.au Also at: Kingston, Launceston & Burnie</div> <div>CONTRACT NO. ----- 1: 15000 (A3)</div> <div>JOB NUMBER DISCIPLINE SHEET REVISION</div> <div>45922CT C 100 -</div>	
				DRAFT		AK		CT		PROJECT DESCRIPTION:			
				COORDINATE/ DATUM:		DRAWN:		REVIEWED:		ADDRESS:			
				PLANAR GDA2020		AK		CT		DRAWING TITLE:			
						JOB MANAGER: CRAIG TERRY							
REV		AMENDMENTS		DRAWN	DATE	APPR.	THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED		ISSUED DATE: 22/04/2024				

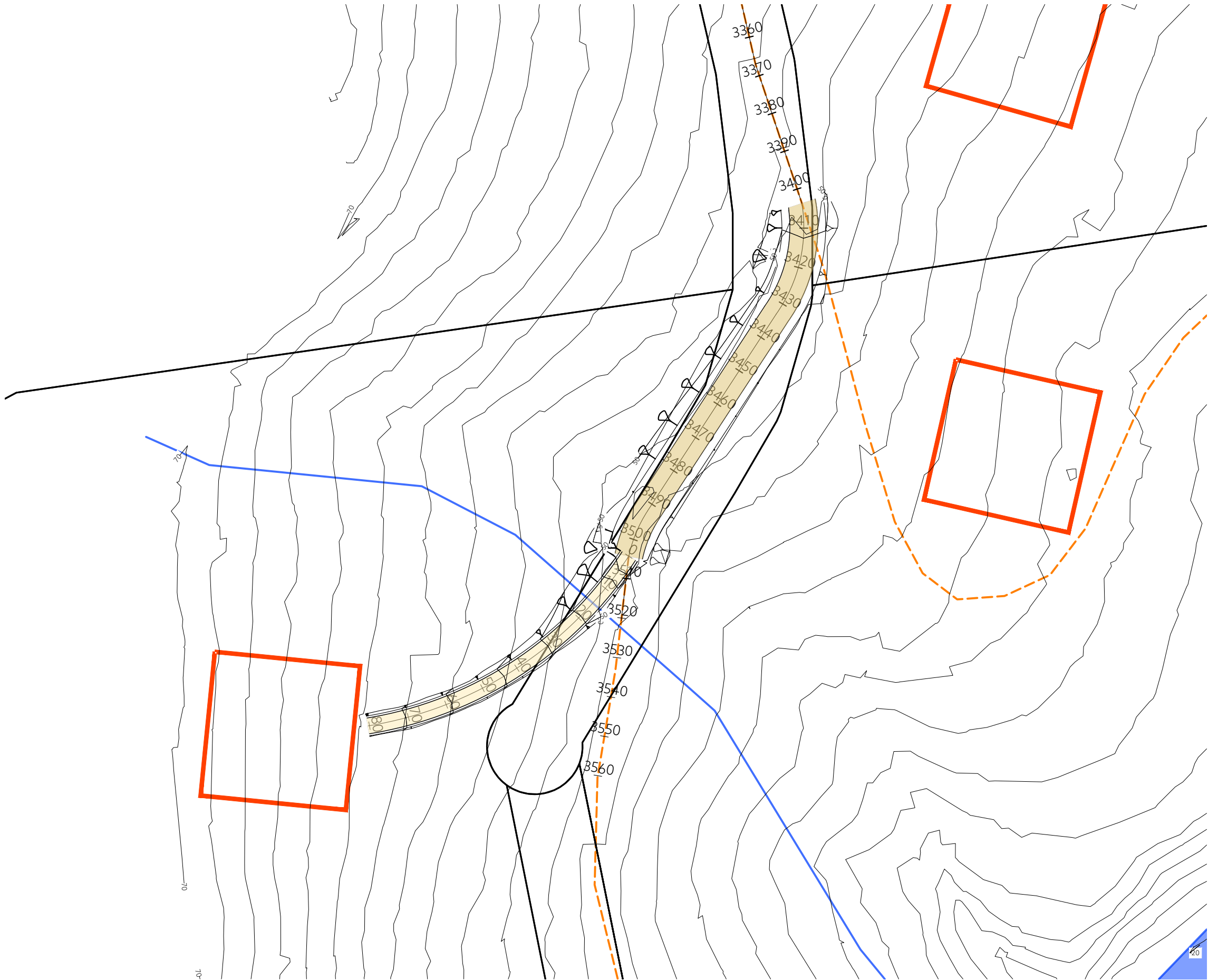


- LEGEND
- TITLE/PROPOSED BOUNDARY
 - SURROUNDING BOUNDARY
 - EXISTING SEALED ROAD
 - EXISTING UNSEALED ROAD
 - WATERCOURSE
 - NEW ROAD
 - NEW DRIVEWAY
 - INDICATIVE BUILDING ENVELOPE

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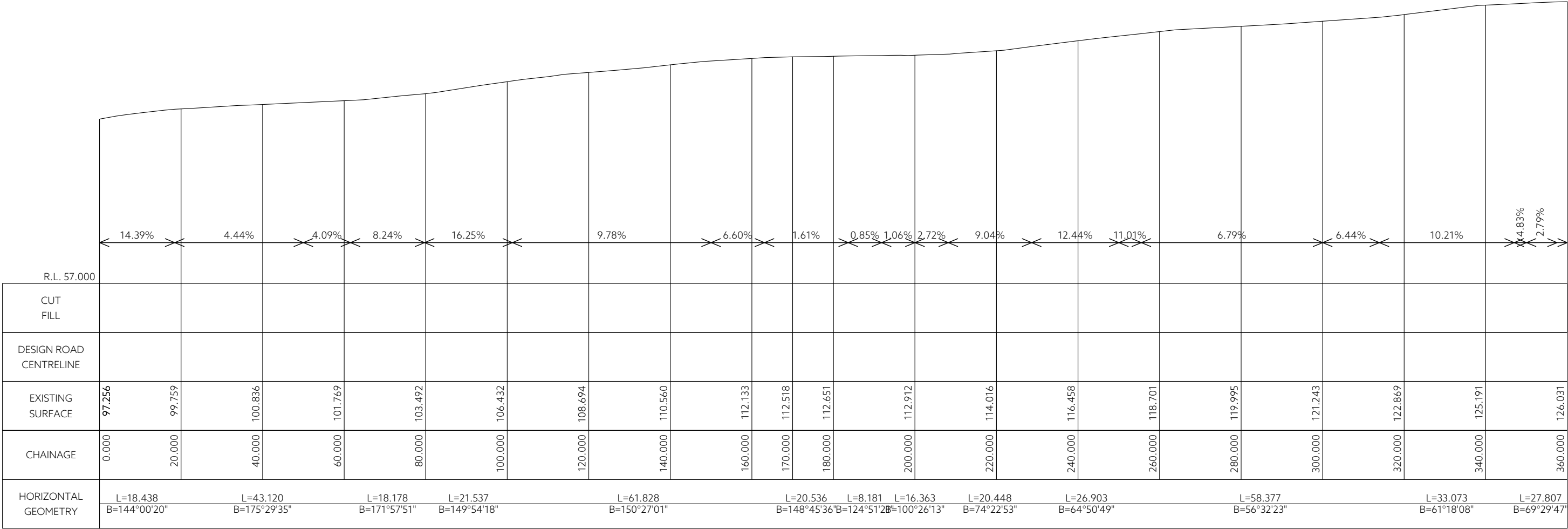
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				DRAFT		AK		CT						-----		1: 15000		(A3)			
				COORDINATE/ DATUM:		DRAWN:		REVIEWED:						JOB NUMBER		DISCIPLINE		SHEET		REVISION	
				PLANAR GDA2020		AK		CT													
REV		AMENDMENTS		DRAWN		DATE		APPR.		THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED		JOB MANAGER: CRAIG TERRY									
										ISSUED DATE: 22/04/2024											



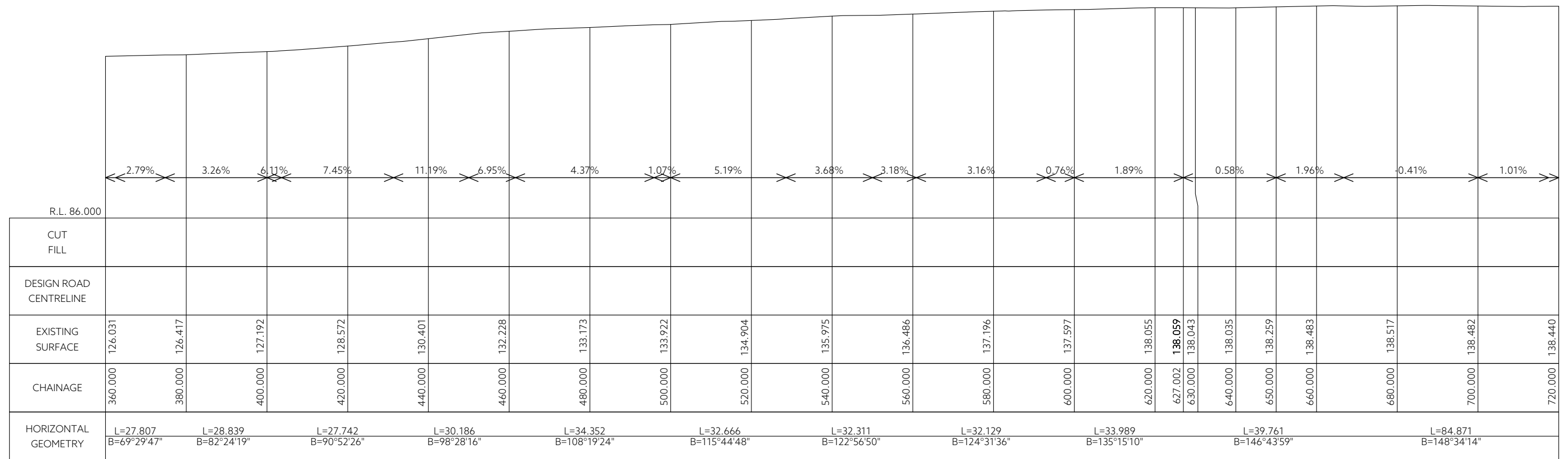
- LEGEND
- TITLE/PROPOSED BOUNDARY
 - SURROUNDING BOUNDARY
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NOTES:
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				DRAWING STATUS:		DESIGNED:		REVIEWED:		CLIENT: JUSTIN ORR PROJECT DESCRIPTION: 13 LOT SUBDIVISION ADDRESS: 1688 ARTHUR HIGHWAY, COPPING DRAWING TITLE: DETAIL SITE PLAN SHEET 4 OF 4		 SURVEYORS, ENGINEERS & PLANNERS REGISTRATION NUMBER: ----		127 Bathurst Street Hobart, Tasmania, 7000 PHONE: +61 03 6234 3217 FAX: +61 03 6234 5085 EMAIL: pda.hbt@pda.com.au www.pda.com.au Also at: Kingston, Launceston & Burnie		CONTRACT NO.		SCALE		PAPER	
-	----	-	-	DRAFT		AK		CT						-----		1: 15000		(A3)			
-	----	-	-	COORDINATE/ DATUM:		AK		CT						JOB NUMBER		DISCIPLINE		SHEET		REVISION	
-	----	-	-	PLANAR GDA2020																	
REV	AMENDMENTS	DRAWN	DATE	APPR.	THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED		JOB MANAGER: CRAIG TERRY		ISSUED DATE: 22/04/2024												

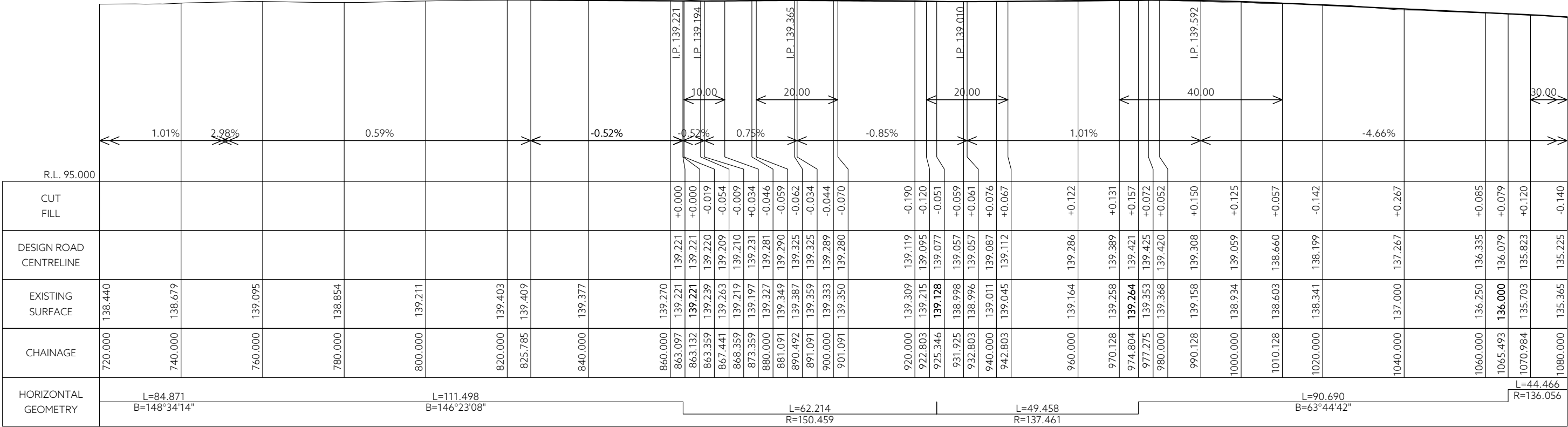


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REV	AMENDMENTS	DRAWN	DATE	APPR.	THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED	ISSUED DATE: 22/04/2024						REGISTRATION NUMBER: ----		

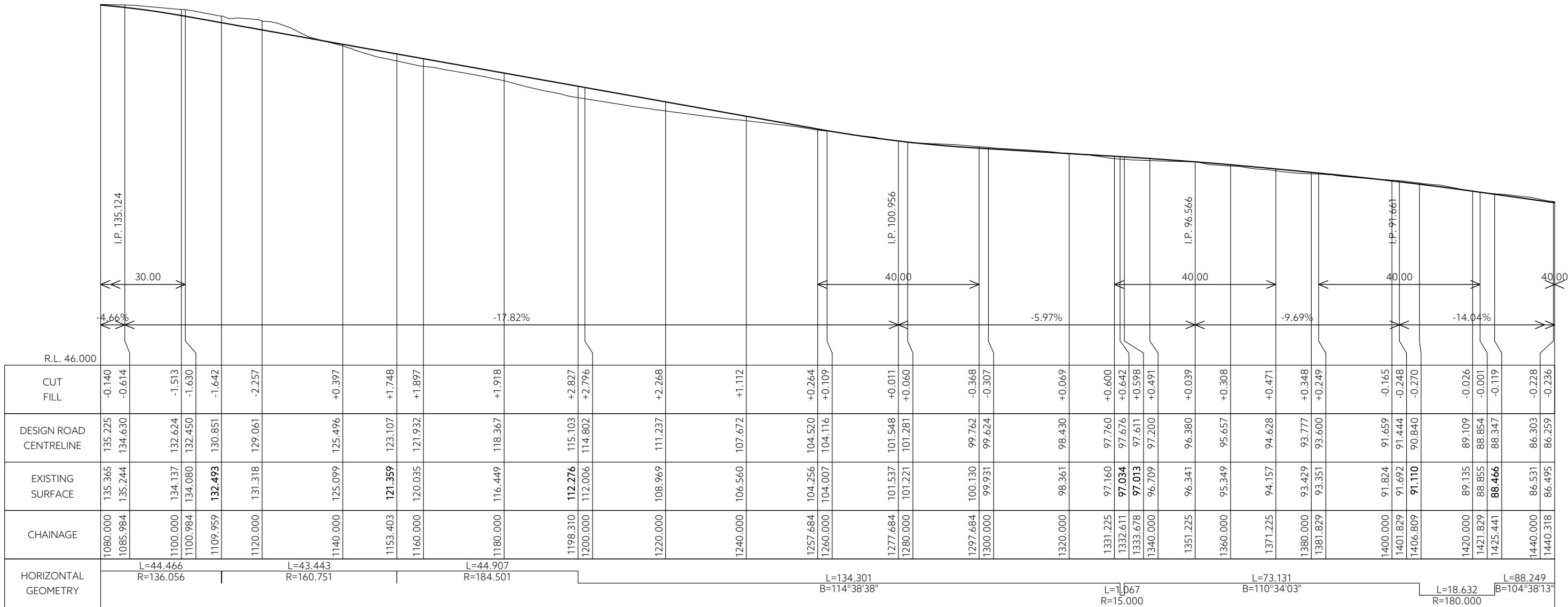


LONG SECTION -ROAD A
 SCALES: (H) 1:1000 (V) 1:1000 (A3)

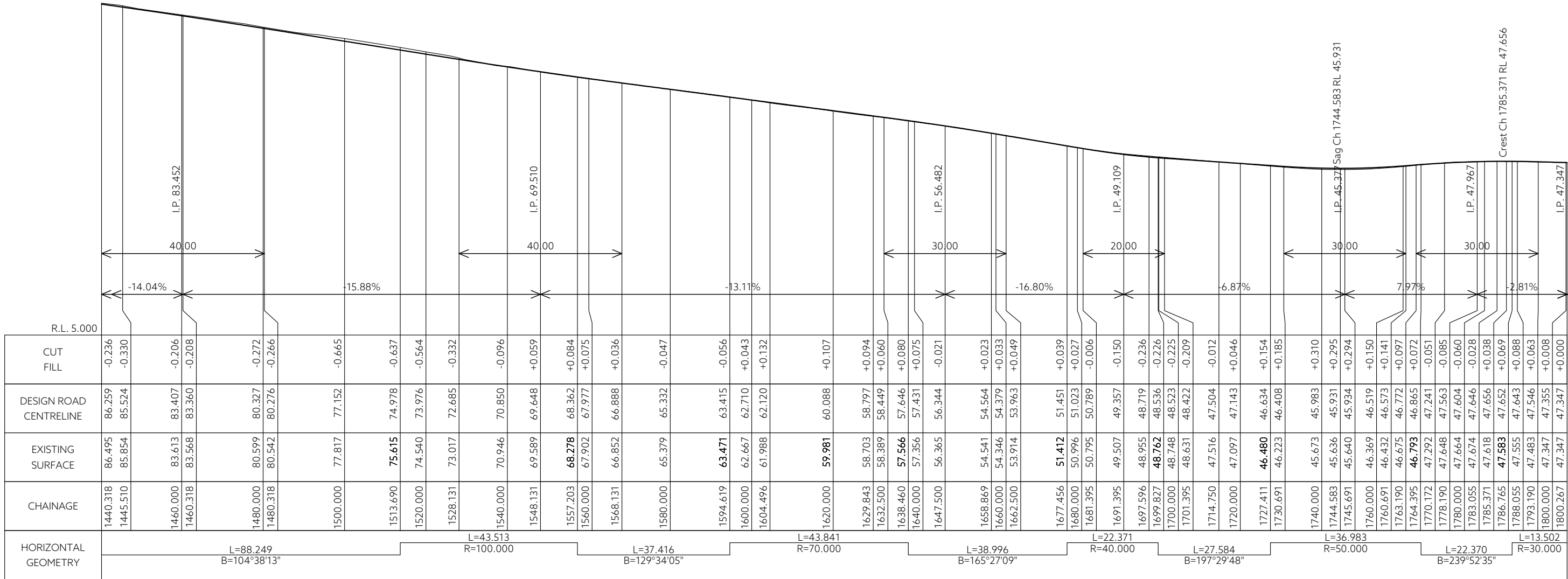
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- - - - -				--	---/---/---	--	<div style="border: 2px solid red; padding: 5px; display: inline-block;">DRAFT</div>	AK	CT	-----			1: 1000	(A3)		
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- - - - -				--	---/---/---	--		AK	CT	DRAWING TITLE:			145922CT	C	201	-
- - - - -				--	---/---/---	--		JOB MANAGER: CRAIG TERRY		ISSUED DATE:			22/04/2024			
REV	AMENDMENTS	DRAWN	DATE	APPR.	THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED											



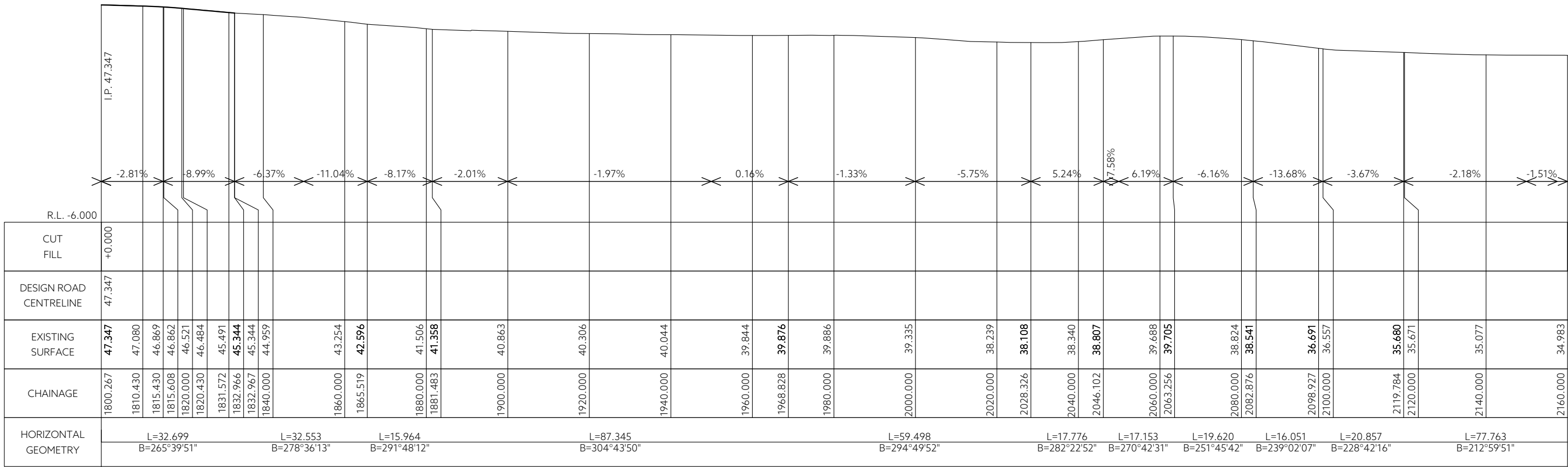
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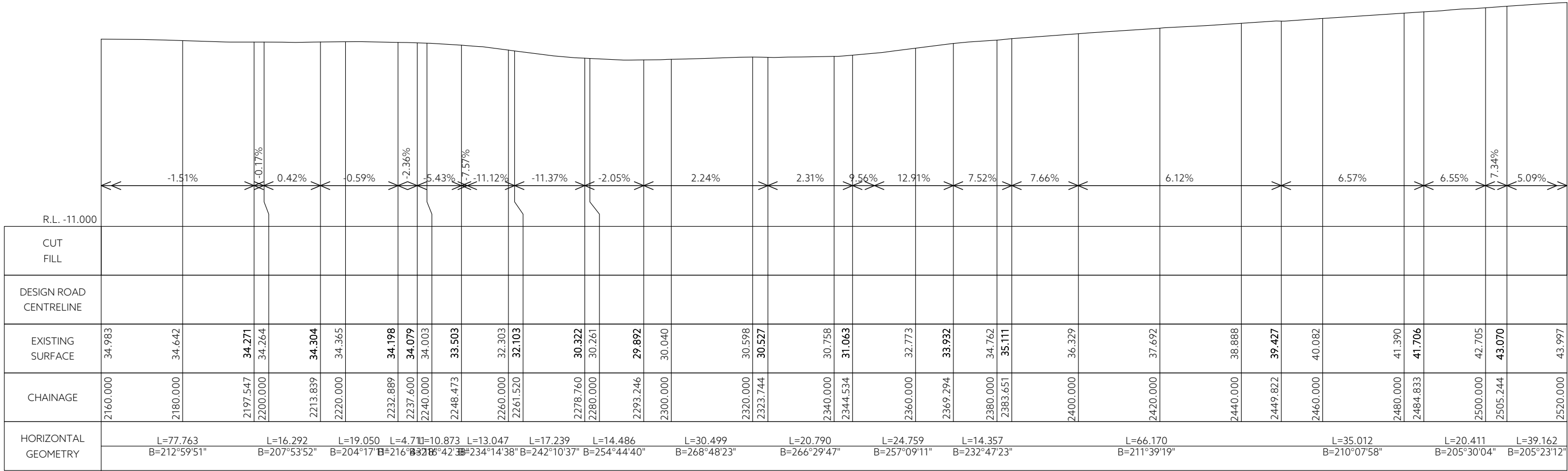
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-	----	--	--/-/----	--	THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED	JOB MANAGER: CRAIG TERRY	ISSUED DATE: 22/04/2024	DRAWING TITLE:			REGISTRATION NUMBER: ----			
REV	AMENDMENTS	DRAWN	DATE	APPR.										




LONG SECTION -ROAD A
SCALES: (H) 1:1000 (V) 1:1000 (A3)

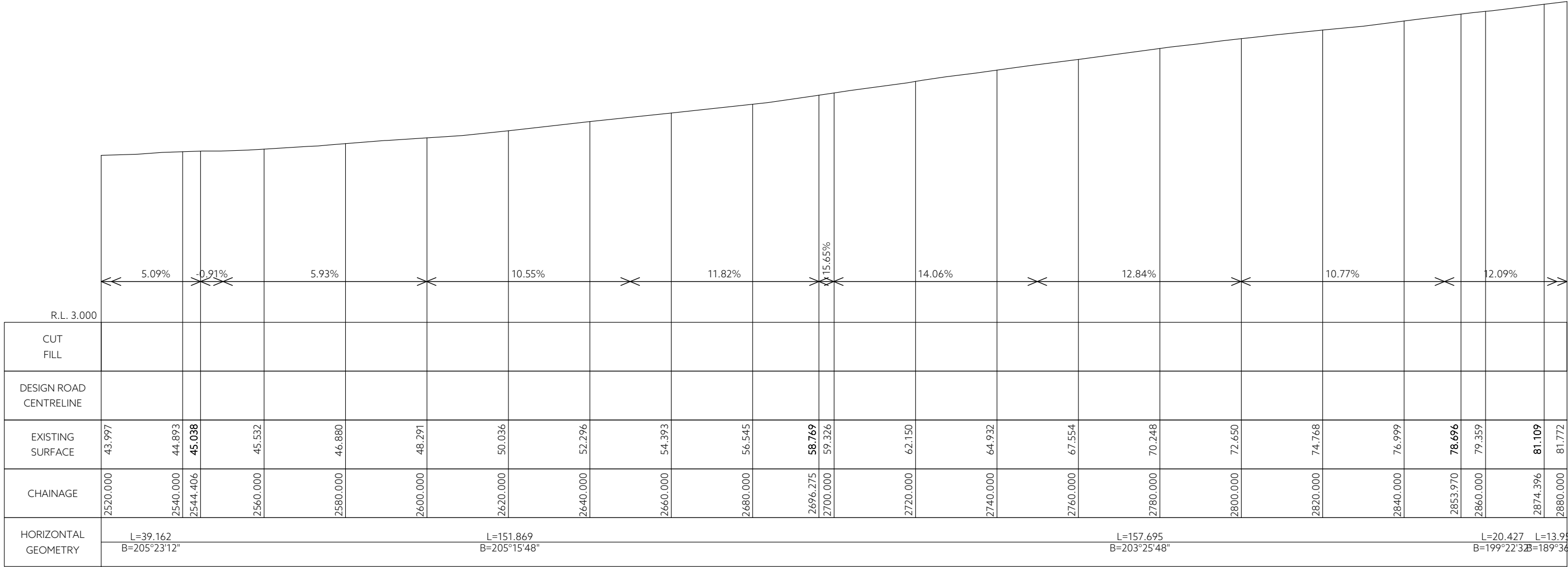


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REV	AMENDMENTS	DRAWN	DATE	APPR.	THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED				ISSUED DATE: 22/04/2024		REGISTRATION NUMBER: ----		45922CT C 205 -				



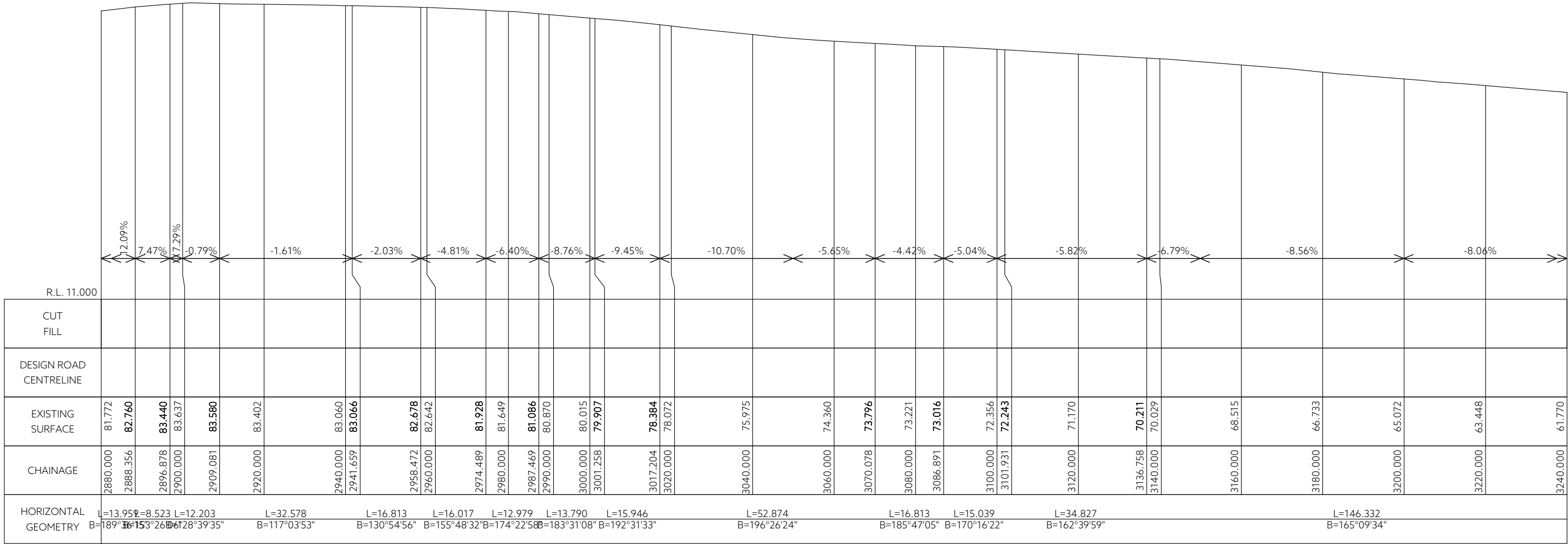
LONG SECTION -ROAD A
SCALES: (H) 1:1000 (V) 1:1000 (A3)

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-	----		--	-----	--		DRAWN:	REVIEWED:	JOB NUMBER				DISCIPLINE	SHEET	REVISION
-	----		--	-----	--	COORDINATE/ DATUM:	AK	CT							
-	----		--	-----	--	PLANAR GDA2020	JOB MANAGER: CRAIG TERRY								
REV	AMENDMENTS		DRAWN	DATE	APPR.	THIS SHEET MAY BE PRINTED USING COLOUR AND MAY BE INCOMPLETE IF COPIED		ISSUED DATE: 22/04/2024		REGISTRATION NUMBER: ----			45922CT C 206 -		



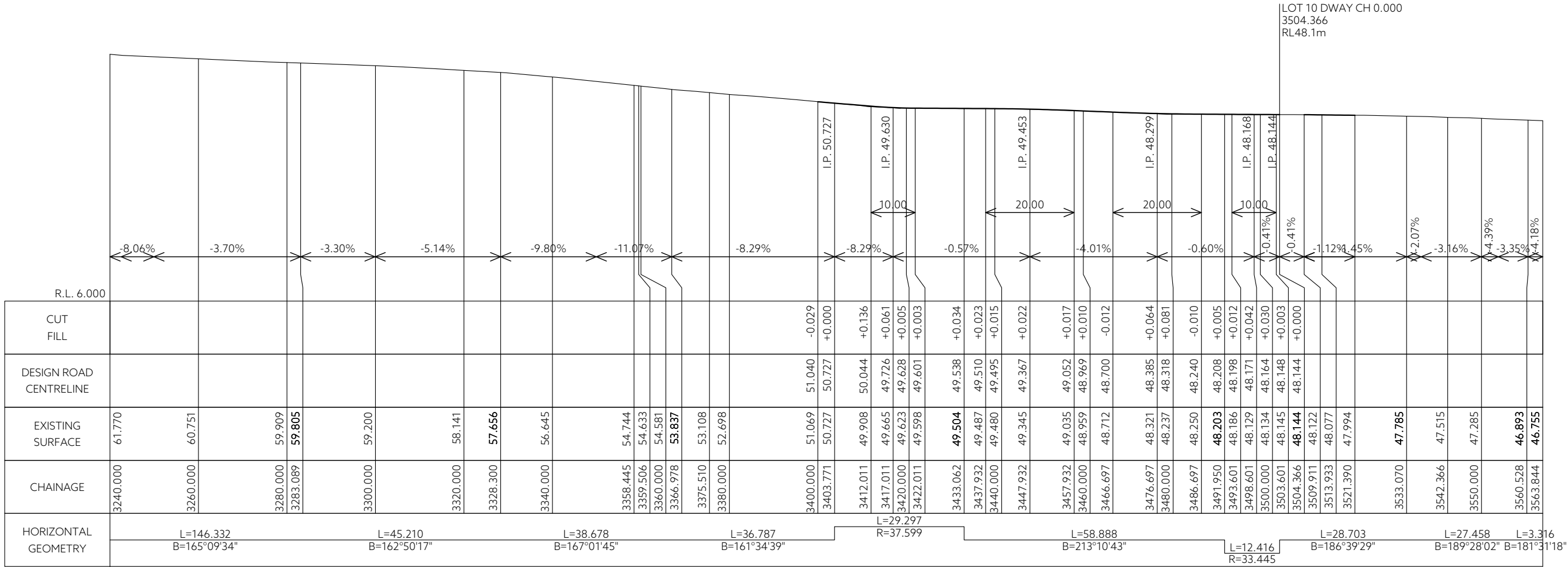
LONG SECTION -ROAD A
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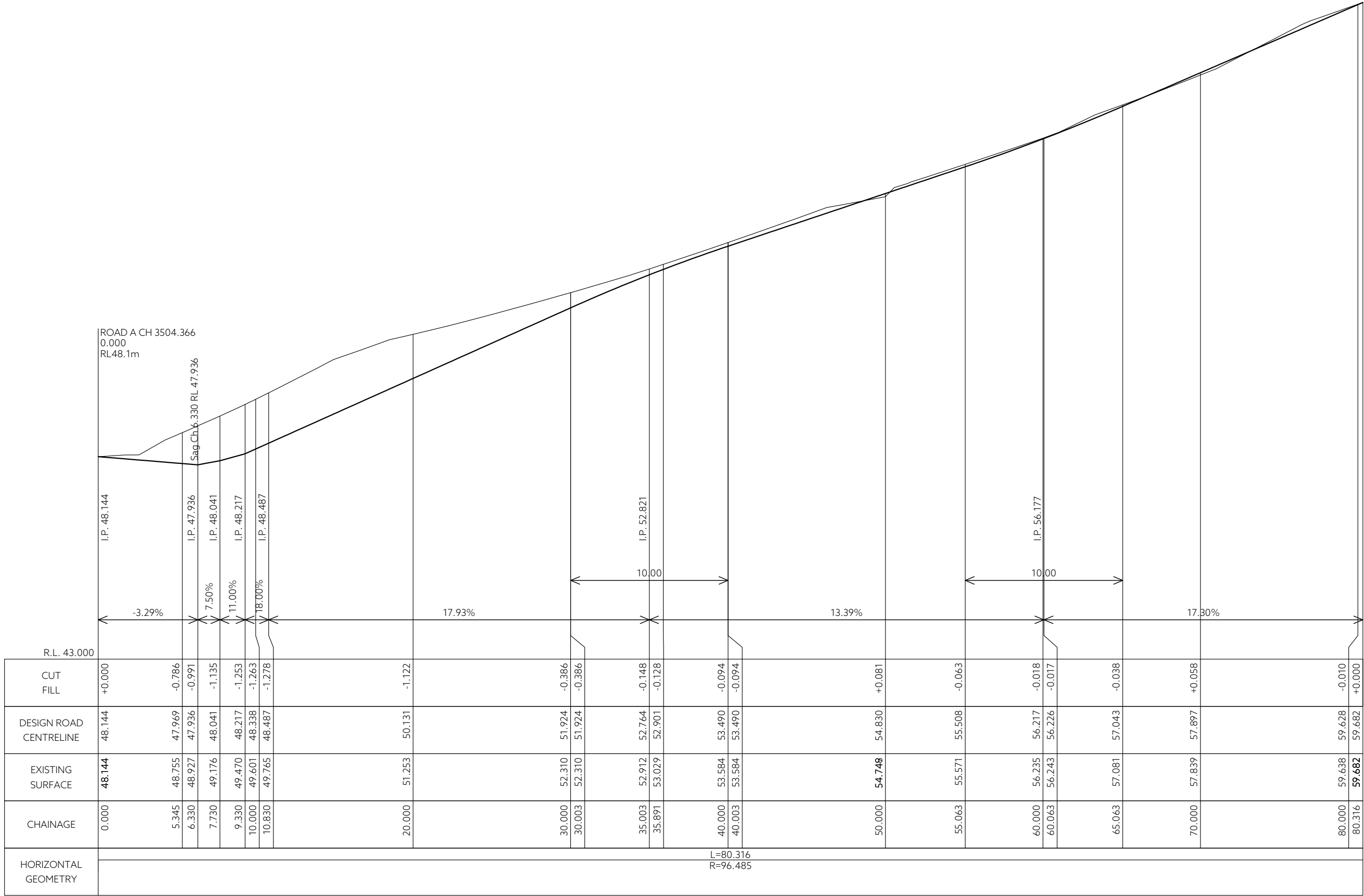


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LONG SECTION - LOT 10 DRIVEWAY
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1668 Arthur Highway, Copping

Landslide and Flood Risk Assessment

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Revision History

Revision	Description	Date
0	First Issue	05/08/2024

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Abbreviations

LIST	Land System Information Tasmania
RFI	Request for Information
SC	Sorell Council

1. Background

1.1. Introduction

PDA Surveyors Engineers and Planners have conducted a field visit, to address points 6 and 11 from the RFI from Sorell Council dated 28 March 2024, for the proposed subdivision and road construction at 1668 Arthur Highway, Copping. The site location is provided in Figure 1.

Examination of the Landslide Hazard Band Map from The LIST revealed areas of 'low hazard' and 'medium hazard' within the property. The proposed road briefly intercepts the 'low hazard' band. However, the proposed works are to be performed predominantly in areas with no identified landslide risk. Similarly, water courses crossing the road or any property access were identified and assessed for potential flood hazards.

During the recent field investigation, the site surrounding the proposed road was assessed and the findings are presented in this report.



Figure 1: Location of Site

1.2. Purpose of this report

The primary objectives of this report are as follows:

- To present findings from field visit conducted on the 19 July 2024;
- To provide a Landslide Risk Assessment in accordance with E3.8.1 Landslide Hazard Code of the Sorell Interim Planning Scheme 2015;
- To identify and discuss any potential flood hazards and water courses affecting the road or property access;
- To provide initial mitigation measures to address any potential risks.

1.3. Site Investigation

Seven points of interest were identified, and labelled on the site plan. Refer to Annexure A for photos of landmarks indicated on Figure 2.

A field investigation was conducted on 19 July 2024 and consisted of the following:

- Visual inspection of site conditions;
- Geological overview;
- Visual slope assessment;
- Visual assessment of watercourse crossings along the proposed road and property accesses.

General site observations:

- Reference to the Mineral Resources Tasmania indicates that the site is predominantly underlain by Dolerite and Sandstone.
- Vegetation consists mainly of low eucalypt forest and softwood pine trees with dense vegetation throughout the site.
- Visit was conducted after several days with consistent rainfall. High moisture was observed in the soil, with some runoff still ponding over the soil in some areas.
- Site topography is mostly gentle/mild to moderate slopes. No visible signs of erosion or previous landslides were observed during the site investigation.
- The existing road is a long-standing, gravel, forestry road covered with a thin, vegetal layer and few bushes. Previously, this road served as the path for trucks carrying substantial loads. Therefore, the road and the soil underneath might be highly compacted.

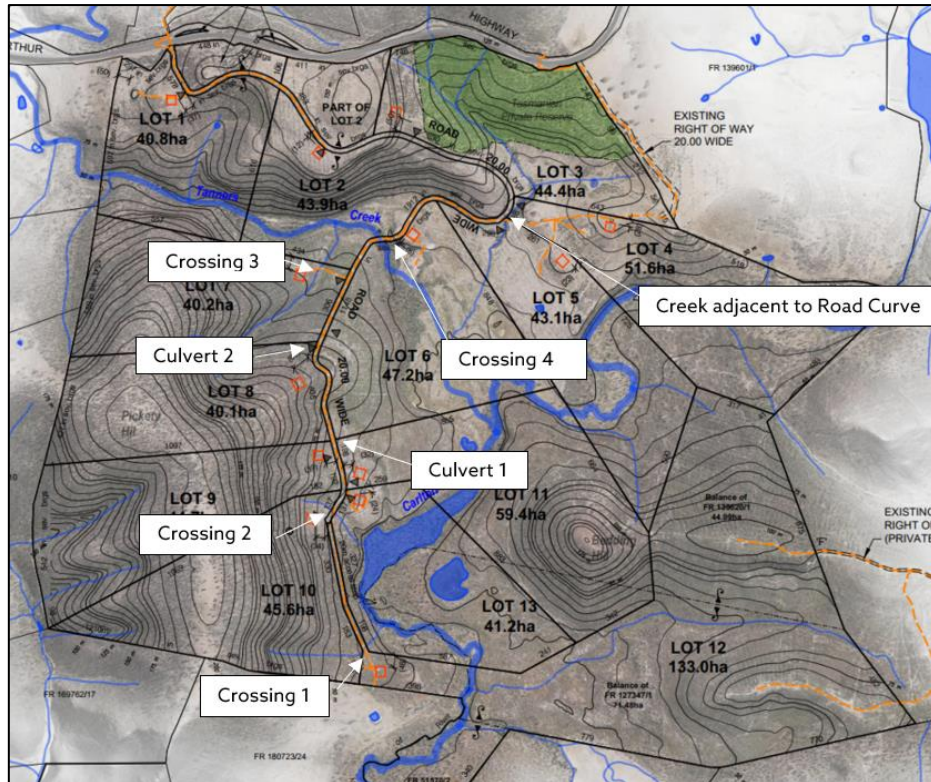


Figure 2: Site Plan with Labelled Watercourses and Landmarks

2. Landslide Risk Assessment

Inspection of the Hazard Band Map in Figure 3 (below) shows the two existing accesses to the 1668 Arthur Highway property. The proposed road is to connect the western access with the central forestry road and is to be constructed in areas where no landslide hazard is indicated. The proposed connecting section of road is shown below in red to curve around and avoid the 'low hazard' landslide areas.

A walkover inspection of the site provided no evidence of previous or current landslides. Assessment of the Landslide Planning Map provided by Mineral Resources Tasmania indicates 'Low & Medium' hazard bands throughout the site.

During the field investigation, photographs were acquired at locations where the proposed road is to briefly intercept the 'low hazard' band. The slope appears to be Mild at the location where the connecting road runs adjacent to the creek, evidence for this can be found in Photo 19 in Appendix A.

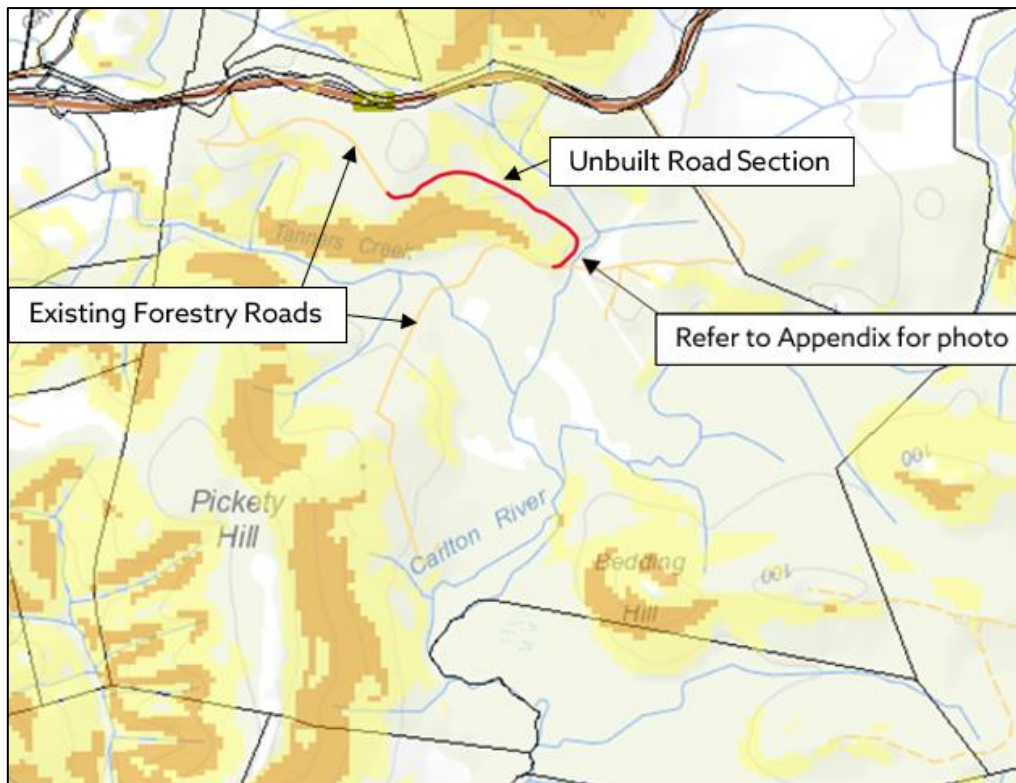


Figure 3: Landslide Hazard Bands (source: LISTmap)

The existing forestry roads shown above are currently accessible by car although minor track widening is required prior to road construction. Both existing forestry roads/tracks appear to have good compaction likely due to traffic from forestry trucks. The conducted field investigation allowed visual inspection of slopes in areas of proposed works.

Mild erosion is observed (Photo 20) along the central forestry road in areas where table drain excavations have been performed. This can be prevented by ensuring sufficient batters for slopes surrounding table drains and culverts during the detailed design stage.

In terms of Clause E3.8.1 P1, the condition is satisfied for all lots as building areas, services and accesses remain outside of 'High Hazard' Landslide areas. The landslide risk associated with the subdivision is deemed to have acceptable risk.

2.1. Clause E3.8.1 P1

The road alignment will satisfy Performance Criterion P1 (c) i, in that the landslide risk is acceptable.

E3.8 Development Standards for Subdivision

E3.8.1 Subdivision

Objective:

To ensure that landslide risk associated with subdivision in Landslide Hazard Areas, is:

- (a) acceptable risk; or
- (b) tolerable risk, having regard to the feasibility and effectiveness of any measures required to manage the landslide hazard.

Acceptable Solutions

A1

No acceptable solution.

Performance Criteria

P1

Subdivision of a lot, all or part of which is within a Landslide Hazard Area must be for the purpose of one of the following:

- (a) separation of existing dwellings;
- (b) creation of a lot for the purposes of public open space, public reserve or utilities;
- (c) creation of a lot in which the building area, access and services are outside the High Landslide Hazard Area and the landslide risk associated with the subdivision is either:
 - (i) acceptable risk, or
 - (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.

Figure 4: TPS Clause E3.8.1. Landslide Hazard Code

3. Flood Risk Assessment

Flood hazards associated with water courses crossing the proposed road were assessed during the field visit. Each crossing is labelled in Figure 2. An analysis of each crossing is presented below, with references to photos in Annexure A:

- **Water course crossing 1:**
No visible culvert was found at this crossing. Although a water course is shown on The LIST map, there is no clearly defined creek section on-site, either upstream or downstream from the road (photos 3 and 4). Thus, it is likely that runoff flowing through this point is primarily overland flow. The presence of a small pond (photo 2) suggests the possibility of runoff crossing the road at this point. It is recommended that a properly designed culvert be included at this point during detailed design stage to manage stormwater runoff from Pickety Hill.
- **Water course crossing 2:**
Similar to crossing 1, no culvert or clearly defined creek section was found on-site (photos 5 and 6). Debris was observed both upstream and downstream of the road (photos 7 and 8). It is recommended that a properly designed culvert be included at this point during the detailed design stage to manage stormwater runoff from Pickety Hill.
- **Between crossings 2 and 3:**
Starting from crossing 1, a table drain with a few culverts was observed between crossings 2 and 3, most probably to manage overland flows from Pickety Hill (western side of the road). Verification of these culvert sizes is recommended during detailed design stage.
- **Water course crossing 3:**
A 375 mm diameter culvert was found at this crossing (photos 10 and 11). No signs of flood or runoff spilling over the road were observed. Verification of this culvert size is recommended during detailed design stage.
- **Water course crossing 4:**
At this location, the road crosses above Tanners Creek. Two culverts were found at this crossing (photo 12) with water flowing at the time of the visit (photos 13 and 14). Signs of water spilling from the road and flowing to a secondary crossing (i.e, crossing 4.1) were observed, including bent bushes on the ground (photo 15). It is recommended that properly sized culverts be included at this point during detailed design stage.
- **Water course crossing 4.1:**
A secondary crossing adjacent to crossing No. 4 was found (photo 16). Water was ponding upstream from the road, and a culvert was observed below water level at the time of the visit (photo 17). The road show signs of flows crossing over. No fine particles in the soil were observed on the surface, possibly due to overland flows washing them away. Bent bushes in the direction of the flow also suggest the presence of flows crossing

over the road. It is recommended that a properly sized culvert be included at this point during the detailed design stage.

Considering the size of the catchments and steepness of the slopes, flood risks to the road may be appreciable and culverts will need to be sized correctly. Crossings 2 and 4 are the critical crossings.

4. Summary

The findings of the site investigation are provided below.

Summary of the Landslide Risk Assessment:

- Assessment of the Landslide Hazard Band Map shows that proposed works are to occur in areas with no indicated landslide risk.
- The walkover site investigation provided no evidence of previous or current landslides.
- Visual slope assessments were mild to moderate throughout areas of proposed works.
- This Landslide Risk Assessment complies with Clause E3.8.1 P1 (Performance Criteria) of the Sorell Interim Planning Scheme 2015. The landslide risk associated with the proposed works is an acceptable risk.

Summary of the Flood Risk Assessment:

- The assessment suggests appreciable risk of flooding for the proposed road. Culverts will need to be adequately sized. Recommendations were made to mitigate possible risks associated with heavy rainfall events;
- A preliminary verification on The LIST map of water courses crossing the road was done, where four crossings were identified;
- A clearly defined creek section was not found in both crossings 1 and 2. Signs of overland flows were observed. The inclusion of properly designed culverts is recommended to manage runoff from Pickety Hill.
- A 375 mm diameter culvert was found at crossing 3. A verification of the size of this culvert is recommended at detailed design stage.
- At water course crossing 4 the road crosses Tanners Creek. Two culverts and signs of water spilling to a secondary crossing (crossing 4.1) were observed. At Crossing 4.1, ponding upstream and a submerged culvert were observed, with evidence of overland flows crossing the road. Properly sized culverts are recommended for both crossings during the detailed design stage.

5. Qualifications

This document is intended solely for the purpose of documenting the findings of the field visit conducted on 19 July 2024 and should not be used for any other purpose without proper

consultation. It is to be used by qualified professionals in conjunction with their professional judgement.

The comments presented are based on the data available at the time of writing and reflects site-specific conditions observed at the time the field visit. Data available may include information provided by third parties. While this information is believed to be accurate, no warrant is given as to its completeness and or reliability.

While every effort has been made to ensure the accuracy of this report, PDA and the authors assume no liability for any direct, indirect, or consequential damages resulting from the use of this document.

Annexures

ANNEXURE A – Photos from site visit

ANNEXURE A – Photos from site visit



Photo 1 - Road section between lot 10 and 13



Photo 2 - Water course crossing 1

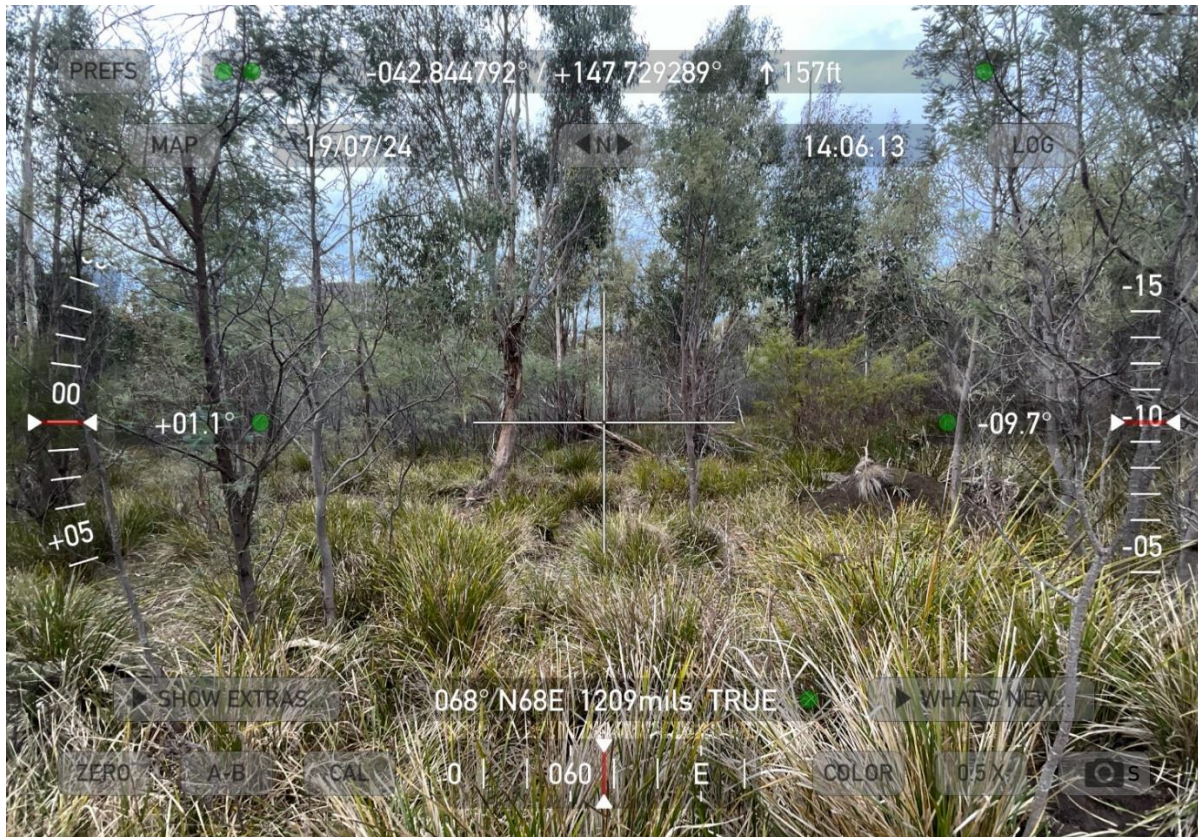


Photo 3 - Water course crossing 1 upstream



Photo 4 - Water course crossing 1 downstream



Photo 5 - Water course crossing 2



Photo 6 - Water course crossing 2

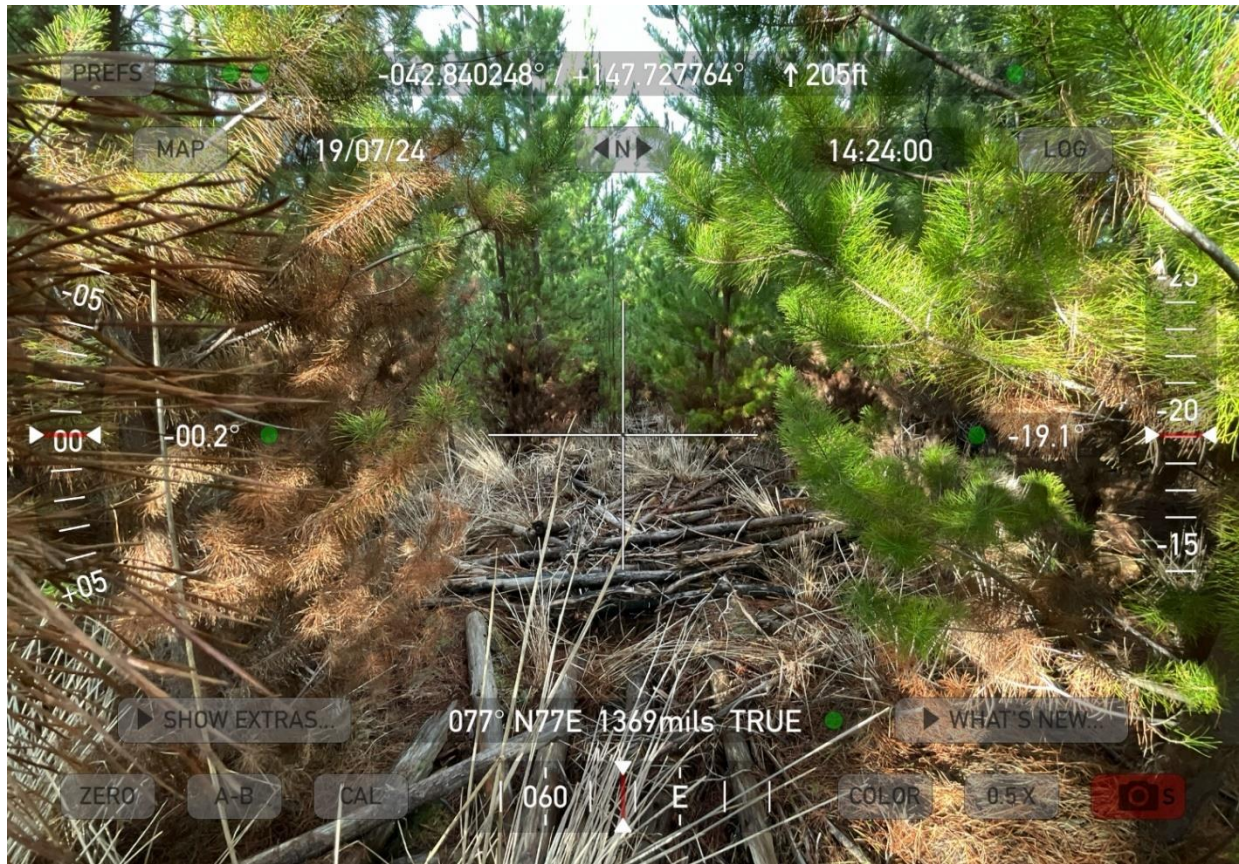


Photo 7 - Water course crossing 2 downstream

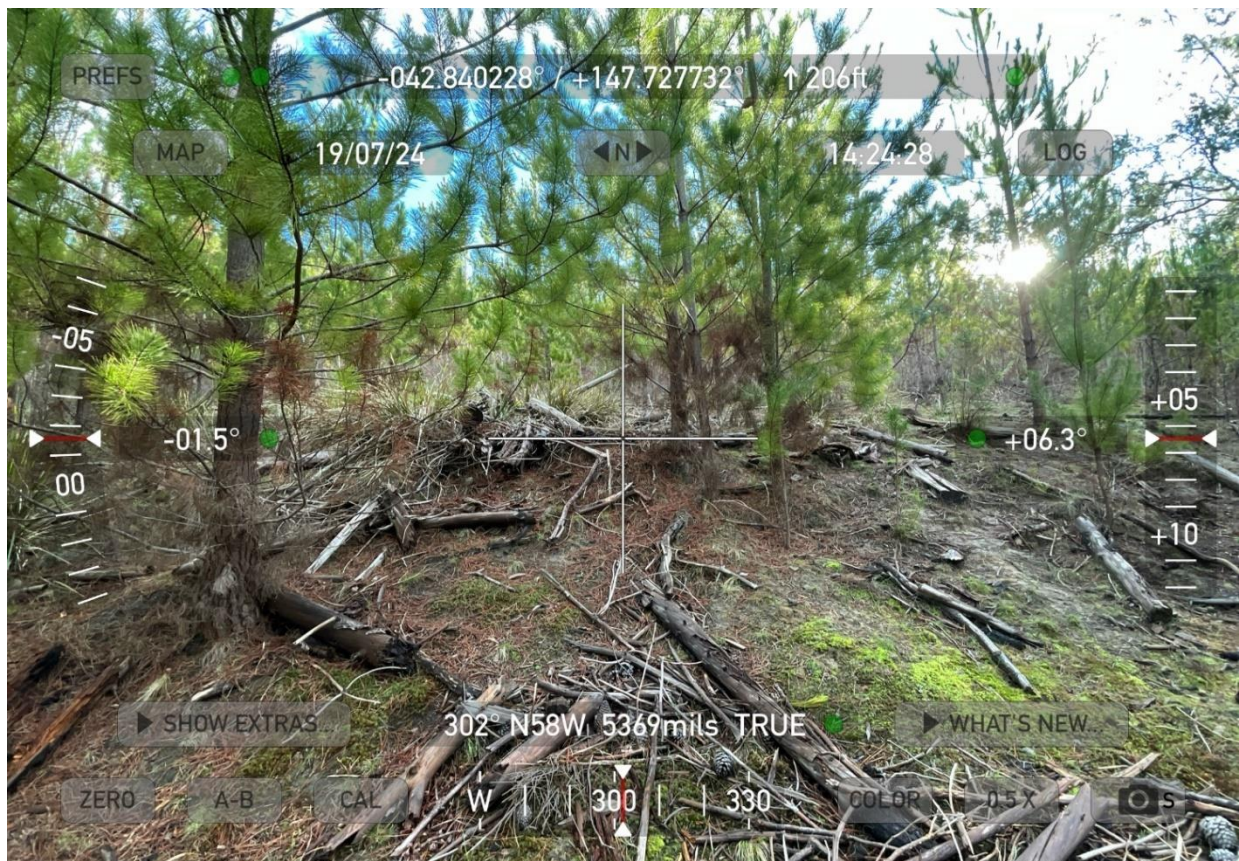


Photo 8 - Water course crossing 2 upstream



Photo 9 - Culvert between crossing 2 and 3



Photo 10 - Water course crossing 3 upstream



Photo 11 - Water course crossing 3 downstream



Photo 12 - Water course crossing 4 downstream



Photo 13 - Water course crossing 4 downstream



Photo 14 - Water course crossing 4 upstream



Photo 15 - Path between crossing 4 and 4.1 showing possible signs of overland flow



Photo 16 - Water course crossing 4.1



Photo 17 - Water course crossing 4.1 upstream



Photo 18 - Creek adjacent to road curve



Photo 19 - Between road curve and creek



Photo 20 - Erosion next to table drain

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Justin Xavier Orr

**1668 Arthur Highway, Copping
Traffic Impact Assessment**

June 2024



**CELEBRATING 15 YEARS
2008 - 2023**

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1. Introduction

1.1 Background

Midson Traffic were engaged by Justin Orr to prepare a traffic impact assessment for a proposed 13-lot residential subdivision development at 1668 Arthur Highway, Copping.

1.2 Traffic Impact Assessment (TIA)

A traffic impact assessment (TIA) is a process of compiling and analysing information on the impacts that a specific development proposal is likely to have on the operation of roads and transport networks. A TIA should not only include general impacts relating to traffic management, but should also consider specific impacts on all road users, including on-road public transport, pedestrians, cyclists and heavy vehicles.

This TIA has been prepared in accordance with the Department of State Growth (DSG) publication, *Traffic Impact Assessment Guidelines*, August 2020. This TIA has also been prepared with reference to the Austroads publication, *Guide to Traffic Management*, Part 12: *Integrated Transport Assessments for Developments*, 2020.

Land use developments generate traffic movements as people move to, from and within a development. Without a clear understanding of the type of traffic movements (including cars, pedestrians, trucks, etc), the scale of their movements, timing, duration and location, there is a risk that this traffic movement may contribute to safety issues, unforeseen congestion or other problems where the development connects to the road system or elsewhere on the road network. A TIA attempts to forecast these movements and their impact on the surrounding transport network.

A TIA is not a promotional exercise undertaken on behalf of a developer; a TIA must provide an impartial and objective description of the impacts and traffic effects of a proposed development. A full and detailed assessment of how vehicle and person movements to and from a development site might affect existing road and pedestrian networks is required. An objective consideration of the traffic impact of a proposal is vital to enable planning decisions to be based upon the principles of sustainable development.

This TIA also addresses the relevant clauses of C2.0, *Parking and Sustainable Parking Code*, and C3.0, *Road and Railway Assets Code*, of the Tasmanian Planning Scheme – Sorell, 2021.

1.3 Statement of Qualification and Experience

This TIA has been prepared by an experienced and qualified traffic engineer in accordance with the requirements of Council's Planning Scheme and The Department of State Growth's, *Traffic Impact Assessment Guidelines*, August 2020, as well as Council's requirements.

The TIA was prepared by Keith Midson. Keith's experience and qualifications are briefly outlined as follows:

- 28 years professional experience in traffic engineering and transport planning.
- Master of Transport, Monash University, 2006
- Master of Traffic, Monash University, 2004

- Bachelor of Civil Engineering, University of Tasmania, 1995
- Engineers Australia: Fellow (FIEAust); Chartered Professional Engineer (CPEng); Engineering Executive (EngExec); National Engineers Register (NER)

1.4 Project Scope

The project scope of this TIA is outlined as follows:

- Review of the existing road environment in the vicinity of the site and the traffic conditions on the road network.
- Provision of information on the proposed development with regards to traffic movements and activity.
- Identification of the traffic generation potential of the proposal with respect to the surrounding road network in terms of road network capacity.
- Review of the parking requirements of the proposed development. Assessment of this parking supply with Planning Scheme requirements.
- Traffic implications of the proposal with respect to the external road network in terms of traffic efficiency and road safety.

1.5 Subject Site

The subject site is located at 1668 Arthur Highway, Copping. The existing site consists of three titles with a combined area of 686.7 hectares. An existing ex-forestry access road connects the site to the Arthur Highway.

The subject site is located within the Rural Resource Zone.

The subject site and surrounding road network is shown in Figure 1.

Figure 1 Subject Site & Surrounding Road Network

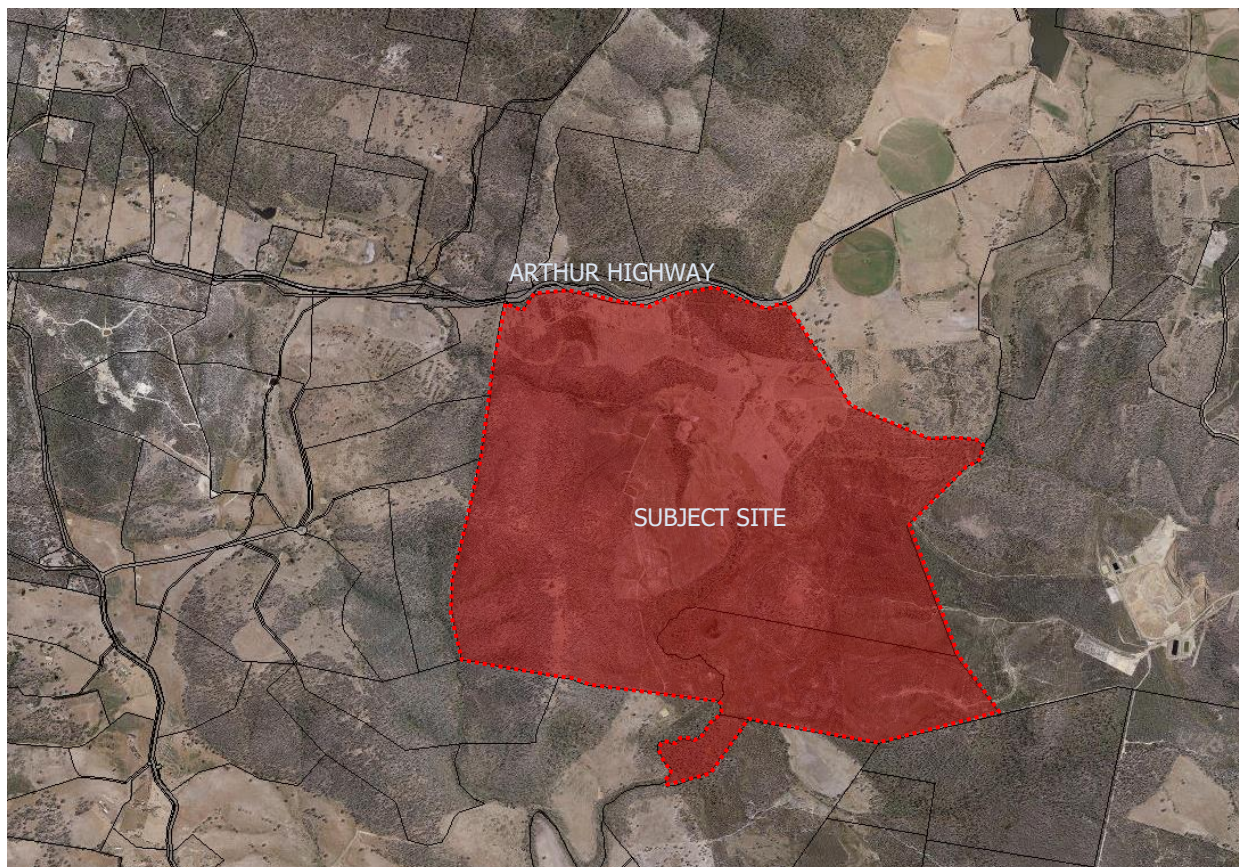


Image Source: LIST Map, DPIPW

1.6 Reference Resources

The following references were used in the preparation of this TIA:

- Tasmanian Planning Scheme – Sorell, 2021 (Planning Scheme)
- Austroads, *Guide to Traffic Management*, Part 12: *Integrated Transport Assessments for Developments*, 2020
- Austroads, *Guide to Road Design*, Part 4A: Unsignalised and Signalised Intersections, 2021
- Department of State Growth, *Traffic Impact Assessment Guidelines*, 2020
- Roads and Maritime Services NSW, *Guide to Traffic Generating Developments*, 2002 (RMS Guide)
- Roads and Maritime Services NSW, *Updated Traffic Surveys*, 2013 (Updated RMS Guide)
- Australian Standards, AS2890.1, *Off-Street Parking*, 2004 (AS2890.1)

2. Existing Conditions

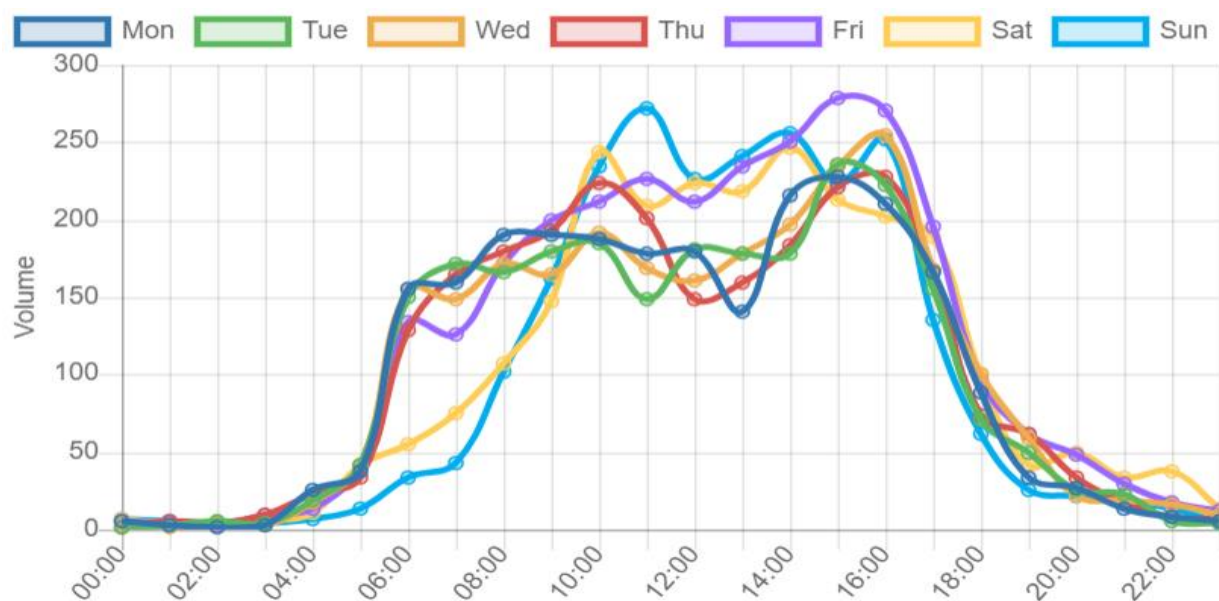
2.1 Transport Network

For the purposes of this report, the transport network consists of Arthur Highway only.

Arthur Highway is classified as a Category 3 '*Regional Access Road*' under the Department of State Growth's State Road Hierarchy 2007. Regional Access Roads are of strategic importance to regional and local communities and economies; they link important towns to the Category 1 and Category 2 roads. While they are used by heavy freight vehicles, this use is less than that of Regional Freight Roads. Together with Regional Freight Roads, the Regional Access Roads also provide safe and efficient access to Tasmania's Regions.

Arthur Highway has a posted speed limit of 100-km/h and carries approximately 3,000 vehicles per day in Copping¹. Peak flows are typically 280 vehicles per hour. Hourly traffic flows by day of week is shown in

Figure 2 Arthur Highway Hourly Traffic Flow



Source: Department of State Growth

The posted speed limit of Arthur Highway is 100-km/h near the subject site. A small sample of vehicle speeds were obtained using a hand-held radar device. The speed recordings confirmed that the 85th percentile speed² is likely to be 100-km/h adjacent to the site in both directions.

¹ Department of State Growth – 2022 traffic data, Arthur Hwy 360 metres west of Kellevie Rd.

² The 85th percentile speed is the speed not exceeded by 85 percent of all vehicles.

A G-Turn junction is located adjacent to the subject site, which currently accesses an ex-forestry access road through the site. Arthur Highway at the G-Turn facility that accesses the subject site is shown in Figure 3.

Figure 3 Arthur Highway



2.2 Road Safety Performance

Crash data can provide valuable information on the road safety performance of a road network. Existing road safety deficiencies can be highlighted through the examination of crash data, which can assist in determining whether traffic generation from the proposed development may exacerbate any identified issues.

Crash data was obtained from the Department of State Growth for a 5+ year period between 1st January 2019 and 30th April 2024 for Arthur Highway between Sugarloaf Road and Kellevie Road.

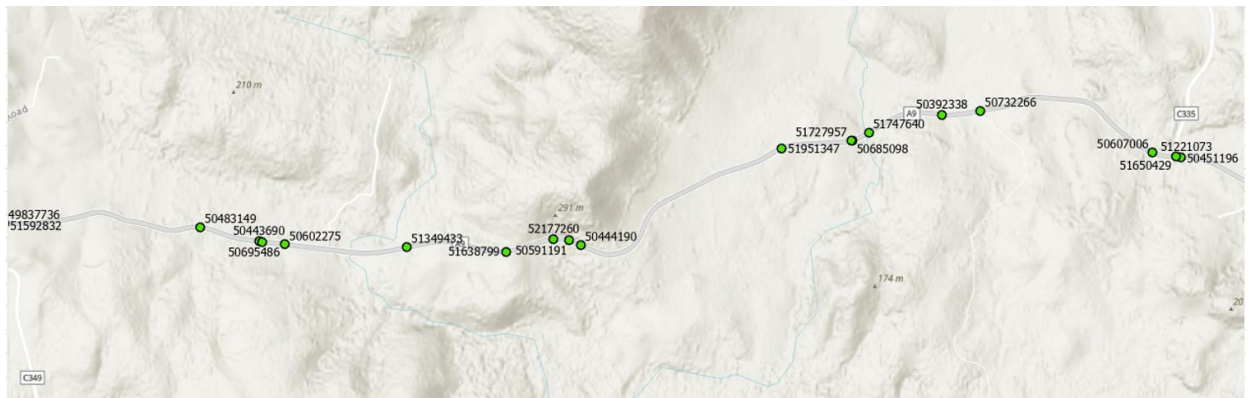
The findings of the crash data is summarised as follows:

- A total of 35 crashes were reported during this time.
- Severity. 2 crashes involved fatalities (both head-on collisions); 2 crashes involved serious injury; 7 crashes involved minor injury; 6 crashes involved first aid at the scene; 18 crashes involved property damage only.
- Time of day. 25 crashes were reported between 9:00am and 5:00pm. 4 crashes were reported between midnight and 7:00am. 6 crashes were reported between 5:00pm and 9:00pm.
- Day of week. Crashes were relatively evenly distributed by day of week. 6 crashes were reported on Tuesdays, Wednesdays and Fridays; 5 crashes were reported on Saturdays; 4 crashes were reported on Mondays, Thursdays and Sundays.
- Crash types. 9 crashes involved a 'rear-end' collision; 9 crashes involved a single vehicle losing control on the carriageway (consisting of left-bends, right-bends and straight alignment crashes); 3 crashes involved a 'right-rear' collision; 2 crashes involved 'left-near' collisions; 2 crashes involved a 'head-on' collision; 2 crashes involved 'cross-traffic' collisions.

- Crash locations. 10 crashes were reported at the Sugarloaf Road junction; 4 crashes were reported at the Kellevie Road junction; 1 crash was reported at the Blue Hills Road junction; 19 crashes were reported at mid-block locations. The crash locations are shown in Figure 4.
- Vulnerable road users. No crashes involved vulnerable road users (pedestrians, bicyclists or motorcyclists).

The crash data is consistent with a rural highway. The incidence of two fatalities within the study area is of concern. Both fatal crashes were head-on collisions (March 2020 and April 2023), which is a crash type that typically has a severe injury outcome.

Figure 4 Crash Locations



Source: Department of State Growth

4. Traffic Impacts

4.1 Trip Generation

Traffic generation rates were sourced from the RMS Guide. The RMS Guide (and RMS updated surveys) states that residential dwellings generate 7.4 trips per day per dwelling, with a peak generation of 0.78 trips per hour.

This equates to a total traffic generation of 96 two-way vehicle movements per day, with a peak of 10 vehicle per hour.

4.2 Trip Assignment

All subdivision traffic generation will access the site at the Arthur Highway. It is proposed that a new channelised right turn facility be constructed on the Highway to facilitate safe and efficient access to the subdivision.

The dominant movements at the site's access at Arthur Highway will be right-in/ left-out due to the connectivity of the highway with areas such as Sorell.

4.3 Junction Assessment

The Austroads publication, Guide to Traffic Management, Part 6: Intersections, Interchanges and Crossings, 2020, provides the guiding technical requirements for junction treatments.

In a rural context (100-km/h), the requirements for junction treatments are reproduced in Figure 6.

The major road volume is 280 vehicles per hour³, with a peak turn volume estimated to be up to 7 vehicles per hour⁴. The turning volumes warrant a short channelised right-turn lane facility into the site. Given that the installation of a turn lane would be adjacent to an eastbound overtaking lane, a full channelised right turn lane is recommended.

Similarly, channelised left-turn and channelised acceleration lanes are recommended due to the high-speed operating environment of the Arthur Highway adjacent to the subject site. A concept design of the proposed channelised turn lanes are shown in Figure 7.

³ Department of State Growth, 2022 traffic data

⁴ Sourced from Table 1, assuming 70% evening peak inward trips, of which 100% of this inward generation turns right into the site.

4.4 Access Impacts

The subdivision will utilise and upgrade an existing access at Arthur Highway. The Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme states "*Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than the amounts in Table C3.1*".

Table C3.1 specifies a maximum increase of 10% or 10 vehicles per day for a major road. The subdivision will generate an increase in excess of Table C3.1 requirements. The access therefore does not comply with the requirements of Acceptable Solution A1.4 of Clause C3.5.1 of the Planning Scheme.

The Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme states:

"Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;*
- (b) the nature of the traffic generated by the use;*
- (c) the nature of the road;*
- (d) the speed limit and traffic flow of the road;*
- (e) any alternative access to a road;*
- (f) the need for the use;*
- (g) any traffic impact assessment; and*
- (h) any advice received from the rail or road authority".*

The following is relevant with respect of the proposed subdivision:

- a. Increase in traffic. The daily increase in traffic will be 96 vehicles per day (assuming the existing use of the access is effectively zero vehicles per day). The peak increase is likely to be 10 vehicles per hour. The increase in traffic can be accommodated by the upgraded junction at a high level of efficiency and safety.
- b. Nature of traffic generation. The traffic generation will be residential in nature, which is consistent with traffic generation from the surrounding area.
- c. Nature of road. Arthur Highway is a Category 3 road under State Growth's road hierarchy. It has infrequent vehicle access near the subject site.
- d. Speed limit and traffic flow. The posted speed limit of Arthur Highway is 100-km/h. The traffic volume is 3,000 vehicles per day. The speed limit and traffic flow are compatible with the traffic generation associated with the proposed subdivision, particularly in light of the proposed junction upgrade to access the site.
- e. Alternative access. No alternative access is considered possible or necessary.

- f. Need for use. The access is required to service the lots within the subdivision.
- g. Traffic impact assessment. This report documents the findings of a traffic impact assessment.
- h. Road authority advice. Council, as road authority, require a TIA to be prepared for the proposed subdivision.

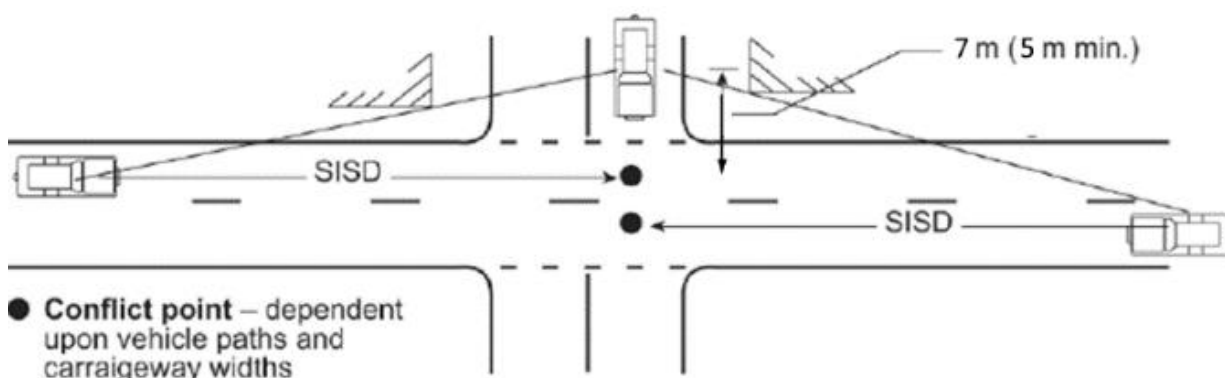
Based on the above assessment, the proposed subdivision meets the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme.

4.5 Sight Distance

Austrroads Part 4A provides the sight distance requirements for road junctions.

Safe Intersection Sight Distance (SISD) is the minimum sight distance which should be provided on the major road at any intersection. SISD is measured along the carriageway from the approaching vehicle to the conflict point; the line of sight having to be clear to a point 7.0 metres (5.0 metres minimum) back along the side road from the conflict point as shown in Figure 8.

Figure 8 Austrroads SISD Requirements



The posted speed limit of Arthur Highway is 100-km/h near the subject site. A small sample of vehicle speeds were obtained using a hand-held radar device. The speed recordings confirmed that the 85th percentile speed⁵ is likely to be 100-km/h adjacent to the site in both directions.

Austrroads requires a SISD of 248 metres for a design speed of 100-km/h. The available sight distance to the west of the access exceeds 248 metres (approximately 350 metres). The available sight distance to the east of the access is approximately 220 metres, thus not complying with Austrroads SISD requirements.

⁵ The 85th percentile speed is the speed not exceeded by 85 percent of all vehicles.

The proposed junction upgrades include the installation of a channelised acceleration lane for westbound traffic existing the subdivision. This facilitates safe access onto the Arthur Highway, compensating for the reduced sight distance at the junction location.

4.6 Internal Road Design

Council relies on the design criteria of LGAT Tasmanian Standard Drawings and Subdivision Guidelines, 2020. The requirements for residential subdivision roads are reproduced in Table 1. The following standards are applicable:

- Road junction design should be in accordance with Austroads Guidelines.
- LGAT Standard Drawings and Tasmanian Subdivision Guidelines.

Table 1 LGAT Standard Drawings – Road Requirements, Rural Unsealed

CODE*	A.A.D.T.	(w) TRAFFIC WIDTH	GRAVEL SHOULDER	VERGE	PAVEMENT WIDTH	LOGGING ROUTE	HEAVY VEHICLES	BUS ROUTE	Bends with < 50m sight line
US1	<30	4000 (S)	500	NO	5	NO	< 5%	NO	w + 1000
US2	30 – 100	4000 (S)	1000	NO	6	YES < 5%	< 5 %	YES	w + 1000
US3	100 – 300	5500 (D)	1000	NO	7.5	YES	< 10%	YES	w + 500
US4	> 300	6000 (D)	1000	NO	8	YES	> 10%	YES	w + 500

*To satisfy a Road Class (eg. US3) the capability to comply with A.A.D.T, LOGGING ROUTE, HEAVY VEHICLE and BUS ROUTE is necessary.

(S) – SINGLE LANE

(D) – DUAL LANE

The estimated AADT traffic volume of the subdivision is 96 vehicles per day (ie. close to the upper limit of US2 and lower limit of US3 standards). The most suitable road design through lots 1 and 2 is an US3 design, which will accommodate volumes higher than 100 vehicles per day if necessary. This requires an unsealed width of 5.5 metres, with gravel shoulders of 1 metre and an overall carriageway width of 7.5 metres.

Other sections of road designed in accordance with US2 design standards (between lots 3 and 12).

All road gradients and corner radii associated with the internal subdivision roads are generally in accordance with LGAT rural road standards. The new section of road through lots 2 and 3 has been located such that the average grade is at less than 14% per the subdivision standards. The maximum grade through the balance of the subdivision is 17.8%.

4.7 Road Safety Impacts

There are no significant detrimental road safety impacts foreseen for the proposed development. This is based on the following:

- The surrounding road network is able to adequately absorb the small amount of traffic generated by the development proposal (noting a low peak hour traffic generation of 10 vehicles per hour).
- The access to the site is proposed to be significantly upgraded to facilitate safe and efficient access to and from the site. The junction upgrade is appropriate for the high-speed operating environment of the Highway to facilitate safe movements into and out of the proposed subdivision.
- Adequate sight distance is available in accordance with Austroads requirements in relation to the prevailing vehicle speeds at the site's access.

5. Conclusions

This traffic impact assessment (TIA) investigated the traffic and parking impacts of a proposed 13-lot residential subdivision at 1668 Arthur Highway, Copping.

The key findings of the TIA are summarised as follows:

- The traffic generation of the development is likely to be 96 vehicles per day with a peak generation of 10 vehicles per hour.
- The development's access is proposed to be upgraded from an existing G-Turn facility to a channelised road junction on the Arthur Highway. The modifications include a channelised right turn lane entry adjacent to the existing overtaking lanes; channelised left turn entry; and channelised acceleration lane exit.
- The junction with Arthur Highway satisfies the requirements of Performance Criteria P1 of Clause C3.5.1 of the Planning Scheme.
- The internal road design will be unsealed, designed in accordance with LGAT Standard Drawing requirements.

Based on the findings of this report the proposed development is supported on traffic grounds.

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Document Status

Revision	Author	Review	Date
0	Keith Midson	Zara Kacic-Midson	10 June 2024

Bushfire Hazard Report

For 13 Lot subdivision at
1668 Arthur Highway,
Copping

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Executive Summary

This bushfire hazard report for a new lot subdivision at 1668 Arthur Highway, Copping (Title Reference: 139620/1) meets the requirement of a subdivision application within a bushfire prone area under the Sorell Interim Planning Scheme 2015 and E1.0 Bushfire Prone Areas Code (the Code).

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

Based on the plan of subdivision, the neighbouring land uses and separation distances to classified vegetation, the assessment has determined new habitable buildings within the designated building areas on all lots will be able to achieve BAL 19 provided the following conditions are achieved:

- Building areas are designed for all proposed lots as indicated on the BHMP.
- Each lot will have a designated Hazard Management Area (HMA) established at the time of construction as per the Bushfire Hazard Management Plan (Attachment 1).
- Future habitable buildings (Class 1a building) on all lots will comply with minimum construction standards for BAL 19 as per AS 3959 -2009 (Sections 3 and 6).
- Subdivision internal roads will meet all requirements of PD5.1 E1.6.2, Table E1.
- Property access to will generally be greater than 30 m long and will comply with E1.6.2 and Table E2 Element B and C of PD5.1. Property access to lots less than 30 m long will not be subject to any specified design and construction requirements.
- Provision of fire-fighting water supply will meet the requirements PD5.1 E1.6.3 and Table E5 static water for firefighting for all future residences established on the new Lots. The building area to be protected must be located within a 90 m hose lay of the firefighting water point of a static supply. Indicative water supply locations are provided in the Bushfire Hazard Management Plan (Attachment 1).
- Subdivision roads must meet all requirements of E1.6.2, Table E1 of the Code.
- Property Access to all lots are >30m long and must comply with E1.6.2 and Table E2 Element B of the Code. Property access to lots that are less than 30m are subject to no specified design and construction requirements.

- Provision of fire-fighting water supply will meet the requirements PD5.1 E1.6.3 and Table E5 static water for firefighting for all future residences established on the new Lots. The building area to be protected must be located within a 90 m hose lay of the firefighting water point of a static supply. Indicative water supply locations are provided in the Bushfire Hazard Management Plan (Attachment 1).

Disclaimers

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

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

Planning Scheme provisions

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

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

Australian Standards

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

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

Andy Welling – ENVIRO-DYNAMICS PTY LTD

ACCREDITED BUSHFIRE ASSESSOR (BFP-135)

CERTIFICATE No: ED0402 DATE: 10/12/2021

Signed



1 Introduction

The following Bushfire Hazard Assessment Report has been developed as part of the planning requirements of the Sorell Interim Planning Scheme 2015 and Planning Directive No. 5.1 (PD5.1) Bushfire-Prone Areas Code for subdivision of 13 lots located within a bushfire prone area. The Code requires that a new subdivision achieves a minimum BAL rating of BAL 19 for all future habitable buildings on newly formed lots within a bushfire prone area. Under the Code, development standards must be certified by the Tasmania Fire Service (TFS) or an accredited person.

This report provides an assessment of the Bushfire Attack Level (BAL) and outlines protective features and controls that must be incorporated into the design and layout of the subdivision to ensure compliance with AS 3959-2009 Construction of Buildings in Bushfire Prone Areas and the Tasmania Fire Service publication: Guidelines for Development in Bushfire Prone Areas 2005.

1.1 Site Details

<u>Landowner:</u>	Robert Downie
<u>Location:</u>	1668 Arthur Highway, Copping
<u>Title reference:</u>	139620/1 PID: 7840117
<u>Municipality:</u>	Sorell
<u>Zoning:</u>	26.0 Rural Resource – <i>Sorell Interim Planning Scheme 2015</i>
<u>Planning Scheme Overlays:</u>	Bushfire Prone Area, Biodiversity Protection Area, Potential Dispersive Soils, Waterway and Coastal Protection Area, Landslide Hazard Area
<u>Type of Development:</u>	13 lot subdivision
<u>Date of Assessment:</u>	22 September 2021
<u>Assessment Number:</u>	ED0402

1.2 Subdivision Proposal

The proposed subdivision will see the formation of 13 lots and the construction of one new internal road. The subdivision will occur in a single stage, with bushfire hazard management areas (HMAs) established from the outset of the development and maintained continuously during development.

The proposed development will see three lots formed across the northern boundary (each approximately 40 ha), a further four lots along the western boundary (each 40 – 45 ha), four central lots (ranging from 39 to 61) and two lots along the eastern boundary, (60 ha and 131 ha).

The main road of the subdivision will connect to existing roads. The main road will connect to the Arthur Highway to the north and end in a cul-de-sac between lots 10 and 13. A private access road will be established from the cul-de-sac to reach lot 12.

No property access will be directly onto the Arthur Highway (Figure 1, Photos in Appendix 1 and subdivision plan in Figure 2).]

1.3 Site Description

The 680 ha property is located at 1668 Arthur Highway, Copping, approximately 5 km north of Connelly's Marsh and 7.5 km east of Forcett (Figure 1). The site is topographically diverse, encompassing hills to the north, west and southeast, and a valley floor running north-south through the centre of the property. The elevation ranges between 17 to 277 m above sea level.

The Carlton River, its tributary Tanners Creek and subsequent minor tributaries run through the property extending from a fork towards the south. The vegetation on the lot is comprised mostly of dense regenerating plantation species, particularly radiata pine (*Pinus radiata*) and shining gum (*Eucalyptus nitens*), with some small sections of native forest and cleared agricultural land.

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

Under the *Sorell Interim Planning Scheme* 2015, the land is zoned as Rural Resource. The site has Biodiversity Protection Area and Waterway and Coastal Protection Area overlays (LISTmap 2021) which have been considered in the selection of the proposed habitable buildings site and the BAL assessment.

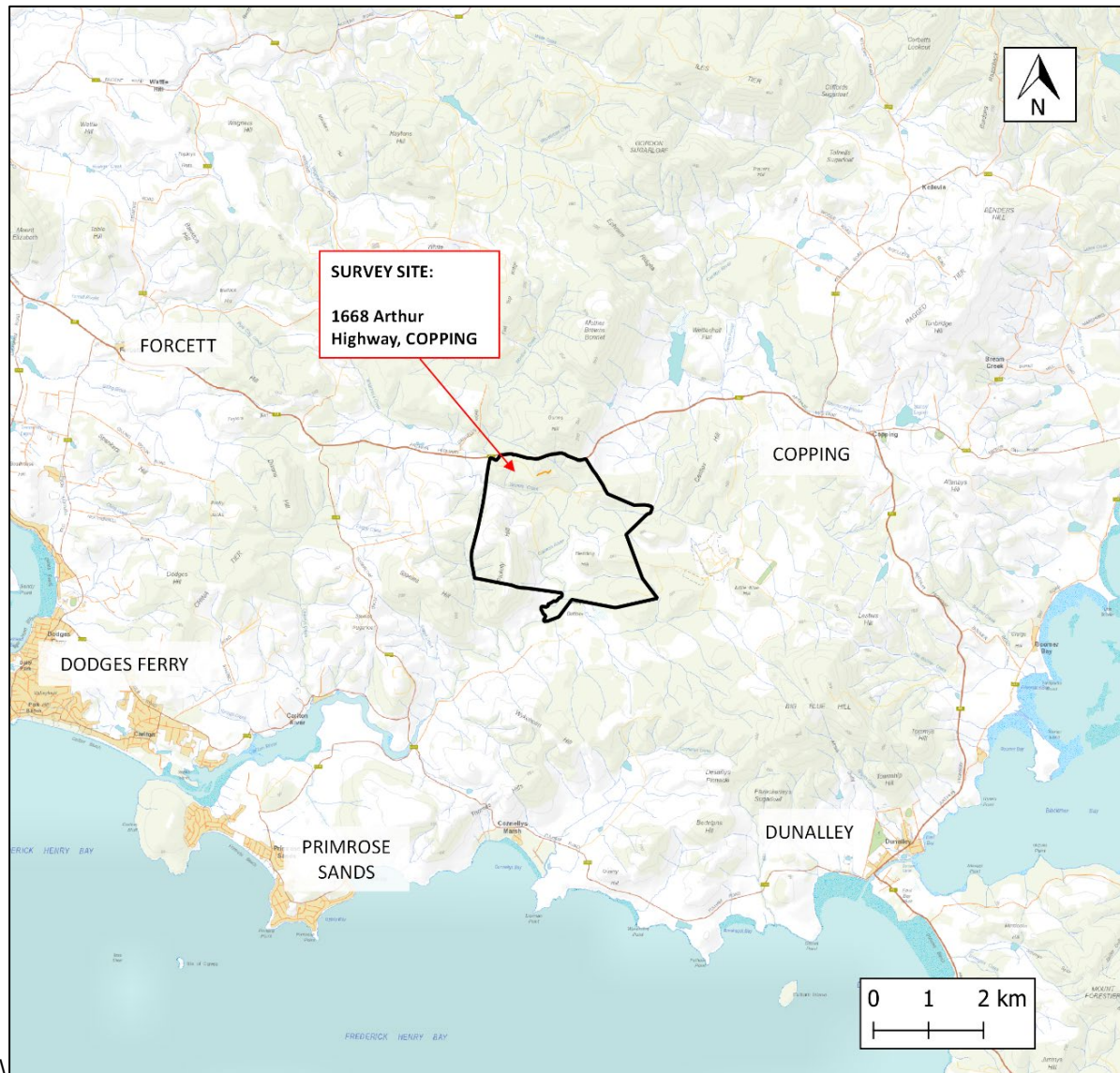


Figure 1 Site Location (Source: LISTmap 2021)

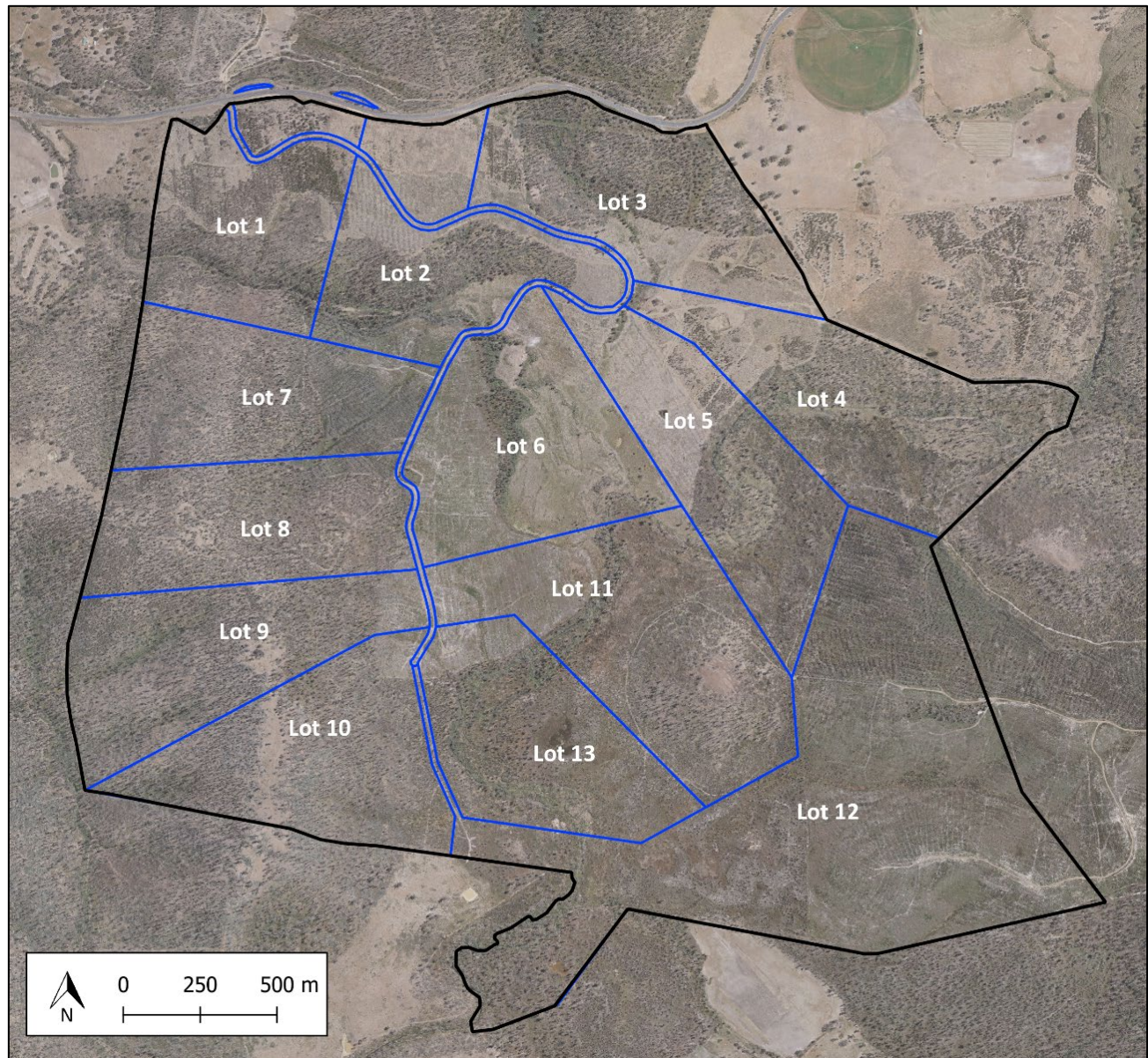


Figure 2 - Subdivision plan(adapted for PDA drawing 45922CT-1C).

2 Bushfire Attack Level Assessment

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

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

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

Bushfire Threat Direction: The highest bushfire threat to the proposed subdivision is from the forest vegetation from the north, northeast and northwest which are the prevailing wind directions during fire weather. The entire property burnt during Dunalley bushfire in January 2013 (TheLIST 2021).

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

Vegetation & Slope:

Vegetation was assessed within 100 m of the indicative building areas in all directions (see Figure 4Figure 7). Forest vegetation (actual and potential, in the form of plantations and native forest) covers lots 1, 2, 5 – 8, 12 and 13, while patches of grassland also occur among forest on lots 3, 4 and 9 – 11.

Significant Natural Values:

No threatened flora species were recorded on the site (LISTmap 2021). Two vegetation communities listed as threatened under the *Nature Conservation Act 2002* were identified within 100 m of indicative building areas on the lots- *Eucalyptus ovata* forest and woodland (DOV) at lot 12, and *Eucalyptus globulus* dry forest (DGL) at Lot 8.

The minimum width of the hazard management areas in this report are recommended for lots 8, 9, 10, 12 and 13 to protect the DOV and DGL communities and ensure impacts resulting from bushfire hazard management measures will be minimal.

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

Table 1 – Summary of Bushfire Site Assessment

Lot 1				
Direction of slope	North	East	South	West
Vegetation Classification ^A	Forest	Forest	Forest	Woodland
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	>0 – 5 °	across slope	>10 – 15 °	>5 – 10 °
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	27 - <38 m	23 - <32 m	27 - <38 m	23 - <32 m

Lot 2				
Direction of slope	North	East	South	West
Vegetation Classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	30 m	0 m	0 m	0 m
Effective slope under vegetation	upslope	0 – 5 °	>10– 15 °	>5– 10 °
Current BAL value for each side of the site	BAL – FZ	BAL - FZ	BAL – FZ	BAL - FZ
Width of HMA to achieve BAL-19	23 - <32 m	27 - <38 m	41 - <56 m	34 – <46 m

Lot 3				
Direction of slope	North	East	South	West
Vegetation Classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	30 m	0 m
Effective slope under vegetation	upslope	>5– 10 °	>10– 15 °	upslope
Current BAL value for each side of the site	BAL - FZ	BAL - FZ	BAL – 29	BAL - FZ
Width of HMA to achieve BAL-19	23 - <32 m	34 – <46 m	41 - <56 m	23 – <32 m

Lot 4				
Direction of slope	North	East	South	West
Vegetation Classification ^A	Forest (potential)	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	>5– 10 °	>10 – 15 °	>5 – 10 °	>5 – 10 °
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	34 - <46 m	41 - <56 m	34 - <46 m	34 - <46 m

Lot 5				
Direction of slope	Northeast	Southeast	Southwest	Northwest
Vegetation Classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	upslope	>5 – 10 °	>0 – 5 °	upslope
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	23 - <32 m	34 - <46 m	27 - <38 m	23 - <32 m

Lot 6				
Direction of slope	North	East	South	West
Vegetation Classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	30 m
Effective slope under vegetation	>5 – 10 °	>15 – 20°	>5 – 10 °	>5 – 10 °
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – 29
Width of HMA to achieve BAL-19	34 – <46 m	51 - <67 m	34 – <46 m	34 – <46 m

Lot 7				
Direction of slope	North	East	South	West
Vegetation classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	30 m
Effective slope under vegetation	>5 – 10 °	>5 – 10 °	upslope	upslope
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	34 – <46 m	34 – <46 m	23 – <32 m	23 – <32 m

Lot 8				
Direction of slope	Northeast	Southeast	Southwest	Northwest
Vegetation classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	30 m
Effective slope under vegetation	>5 – 10 °	>10 – 15 °	upslope	>10 – 15 °
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	34 – <46 m	41 – <56 m	23 – <32 m	41 – <56 m

Lot 9				
Direction of slope	North	East	South	West
Vegetation Classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	across slope	>5 – 10 °	>across slope	upslope
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	23 - <32 m	34 - <46 m	23 - <32 m	23 - <32 m

Lot 10				
Direction of slope	North	East	South	West
Vegetation Classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	across slope	>10 – 15 °	across slope	upslope
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	23 - <32 m	41 - <56 m	23 - <32 m	23 - <32 m

Lot 11				
Direction of slope	North	East	South	West
Vegetation classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	>0 – 5 °	>0 – 5 °	>5 – 10 °	upslope
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	27 - <38 m	27 - <38 m	34 - <46 m	23 - <32 m

Lot 12				
Direction of slope	North	East	South	West
Vegetation classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	>5 – 10 °	>0 – 5 °	>5 – 10 °	upslope
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	34 - <46 m	27 - <38 m	34 - <46 m	23 - <32 m

Lot 13				
Direction of slope	North	East	South	West
Vegetation Classification ^A	Forest	Forest	Forest	Forest
Distance to classified vegetation	0 m	0 m	0 m	0 m
Effective slope under vegetation	upslope	>0 – 5 °	>5 – 10 °	>5 – 10 °
Current BAL value for each side of the site	BAL – FZ	BAL – FZ	BAL – FZ	BAL – FZ
Width of HMA to achieve BAL-19	23 - <32 m	27 - <38 m	34 - <46 m	34 - <46 m

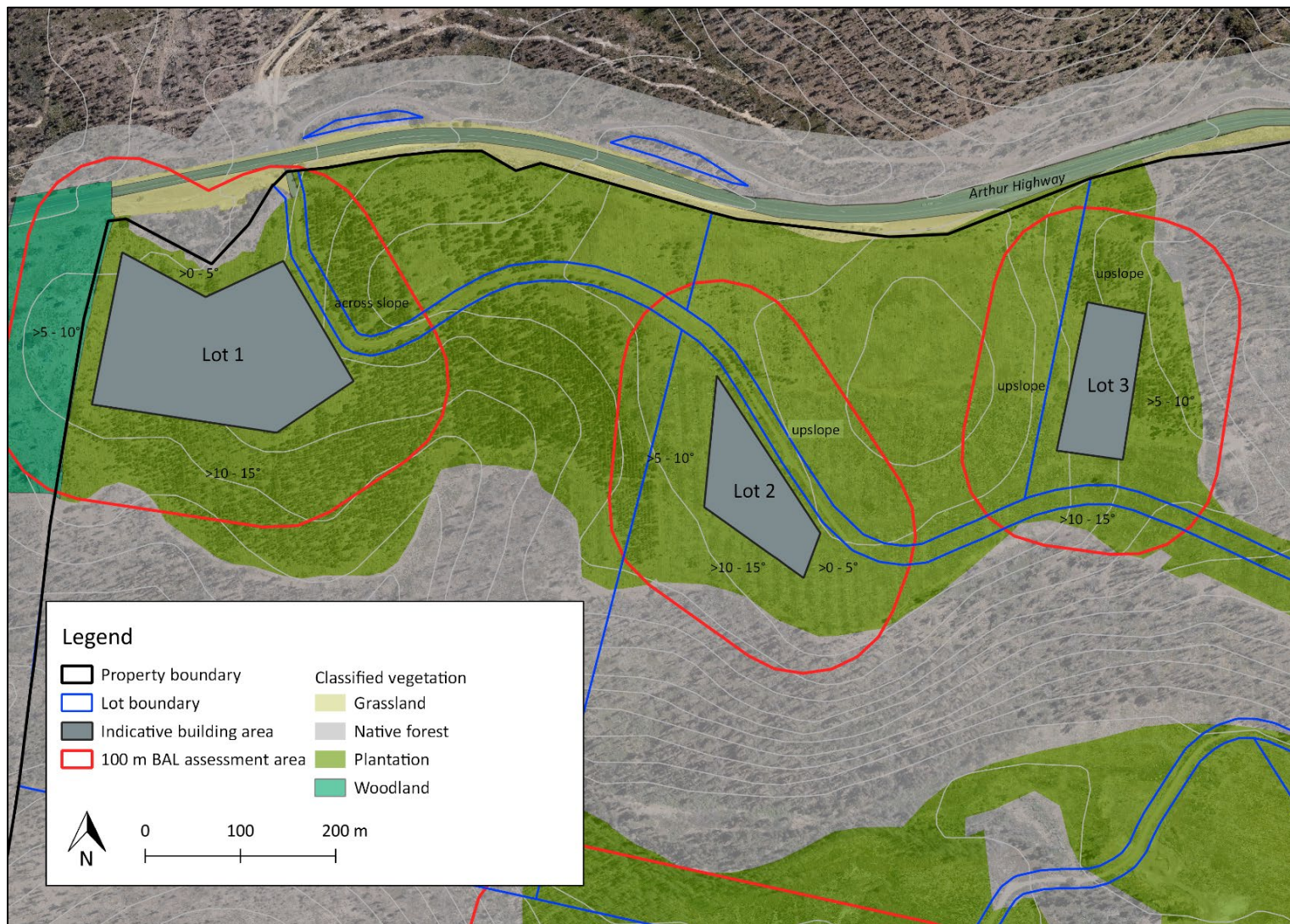


Figure 3 – Aerial photo of site showing vegetation types within 100m radius BAL Assessment area and slopes for Lots 1, 2 and 3.



Figure 4 - Aerial photo of site showing vegetation types within 100 m radius BAL Assessment area and slopes for Lots 4 and 5. (Source: theLIST 2021).

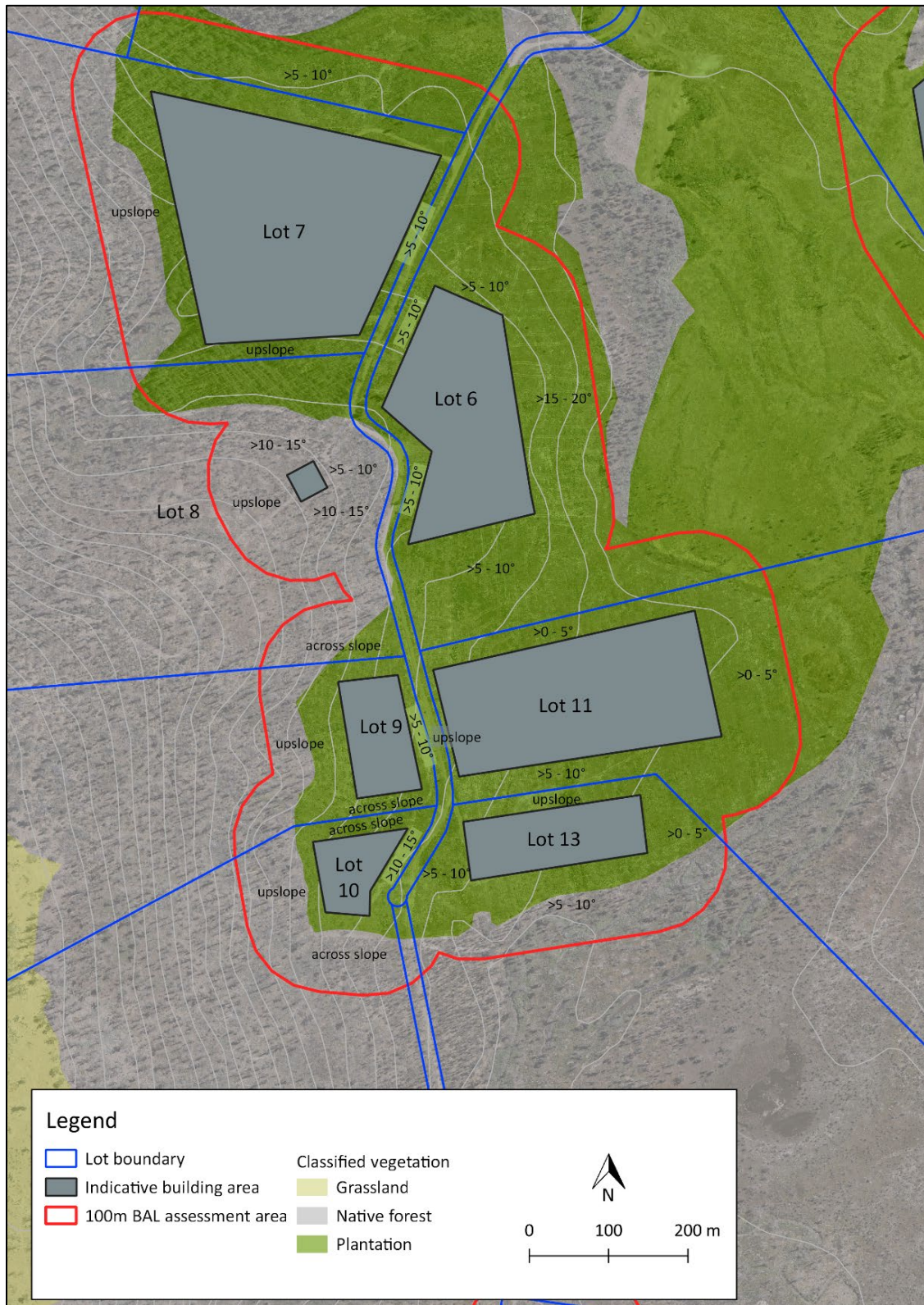


Figure 5 - Aerial photo of site showing vegetation types within 100 m radius BAL assessment area and slopes for Lots 6-11 and 13. (Source theLIST 2021)

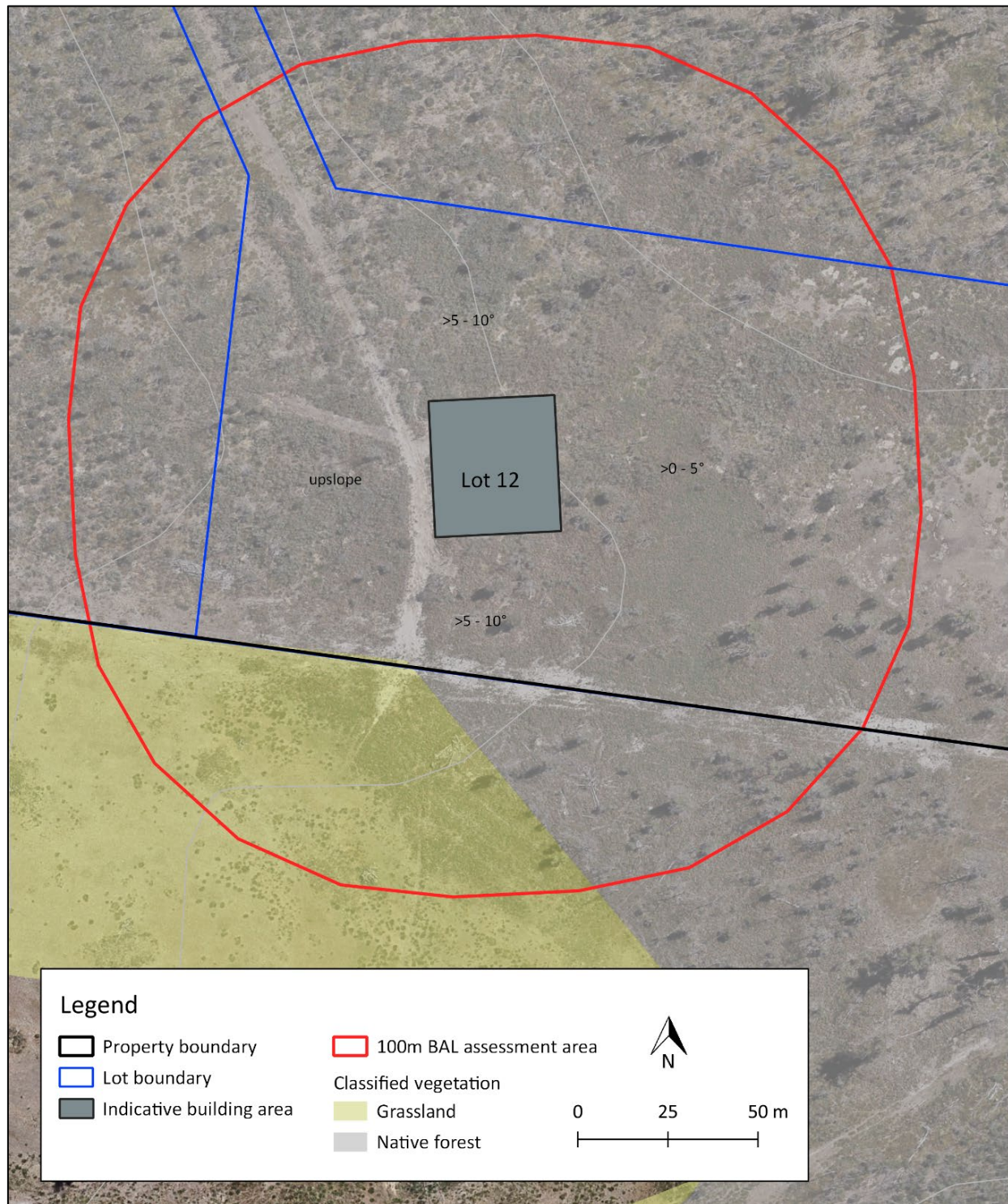


Figure 6 - Aerial photo of site showing vegetation types within 100 m radius BAL assessment area and slopes for Lot 12. (Source theLIST 2021, Google Satellite 2021)

3 Bushfire Protection Measures

The site is within a defined Bushfire-Prone Area as defined by the Sorell Interim Planning Scheme 2015. The forest, grassland and woodland vegetation require ongoing management as it is recognised as having the potential to become an elevated bushfire risk.

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

Table 2– Compliance with E1.0

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

3.1 Hazard Management Areas

Bushfire hazard management areas (HMA) provide a cleared space between buildings and the bushfire hazard. Any vegetation in this area needs to be strategically modified and then maintained in a low fuel state to protect buildings from direct flame contact and intense radiant heat thereby

allowing them to be defended from lower intensity bushfires. Fine fuel loads must be minimal to reduce the quantity of windborne sparks and embers reaching buildings, to reduce the radiant heat at the building, and to halt or check direct flame attack.

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

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

The TFS guidelines and the *Requirements for Building in Bushfire-Prone Areas* require the HMA to be contained within the development site or a formal agreement entered into with the owner of any adjoining land that needs to be managed as part of the HMA.

3.1.1 Requirements:

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

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

** refer to disclaimer re setback requirements for planning.*

3.1.2 Current conditions:

- There are no existing habitable buildings on any of the lots.
- Woodland vegetation exists to the west of the indicative building area on Lot 1, and the remainder of the lot is surrounded by Forest.
- Grassland vegetation is found to the east of the indicative building area on Lot 3, and the remainder of the lot is surrounded by forest.
- Forest vegetation surrounds the indicative building areas of the remaining Lots.

3.1.3 Compliance:

- All lots have a designated building area.

- Each lot will be managed with separation distances to ensure **BAL 19** as a minimum.
- The vegetation across HMAs must be strategically maintained with short grass (<100mm), horizontal separation between tree canopies and the removal of low branches to create vertical separation between the ground and the canopy to reduce fuel loads and protect future habitable buildings from direct flame contact and intense radiant heat. In addition, clearing and clean-up of leaf litter, branches and bark is required as on-going management.

3.1.4 Staging Requirements:

The proposed subdivision will not be staged. As all new lots contain building areas and associated hazard management areas within their lot boundaries, the establishment and maintenance of HMA's on adjoining lots is not required until individual lots are developed and maintained from the establishment of new lot titles.

3.1.5 Maintenance of Hazard Management Areas

The HMAs around the future habitable buildings must be maintained in a minimal fuel condition once buildings are constructed. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season and any flammable material such as leaves, litter, wood piles removed.

3.2 Construction Standards

All future habitable buildings (Class 1a buildings) are to comply with minimum construction standards for **BAL 19** on all lots, to be constructed to as per AS3959-2009 (Sections 3 and 6).

3.3 Public and Fire-fighting Access

3.3.1 Requirements:

Proposed roads will be designed and constructed in compliance with E1.6.2 and Table E1 of PD5.1, as follows, unless the development standards in the zone require a higher standard:

- two-wheel drive, all-weather construction;
- load capacity of at least 20 t, including for bridges and culverts;
- minimum carriageway width is 7 m for a through road, or 5.5 m for a dead-end or cul-de-sac road;
- minimum vertical clearance of 4 m;
- minimum horizontal clearance of 2 m from the edge of the carriageway;
- cross falls of less than 3 degrees (1:20 or 5%);

- maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;
- curves have a minimum inner radius of 10 m;
- dead-end or cul-de-sac roads are not more than 200 m in length unless the carriageway is 7 m in width;
- dead-end or cul-de-sac roads have a turning circle with a minimum 12 m outer radius; and
- carriageways less than 7 m wide have 'No Parking' zones on one side, indicated by a road sign that complies with AS1743 – 2001 Road Signs – Specifications.

Property access will generally be greater than 30 m long and as such must meet the following design and construction requirements as per Table E2 Element B of PD5.1:

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

3.3.2 Current conditions:

- The Arthur Highway is a public road and for the purposes of this report is deemed to provide adequate access for firefighting access.
- There are existing access roads on the parent title which may be upgraded to provide road access to the new lots.

3.3.3 Compliance:

The new road in the proposed subdivision is to be constructed or exiting access road upgraded to comply with E.1.6.2 and Table E1 of PD5.1 as described above.

Access to building area on the lots are to comply with E.1.6.2 and Table E1 of PD5.1 as described above.

3.4 Fire-fighting Water Supply

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

3.4.1 Requirements:

The development occurs in an area not serviced with reticulated water supply, and static water supplies will be required for firefighting purposes. The requirements for provision of static water supplies for firefighting purposes are detailed in E1.6.3 A1. The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated for firefighting, will be provided and located compliant with Table E5.

The following summarises the requirements for static water supplies for firefighting pursuant to Table E5 of the Code.

Distance between building area to be protected and water supply:

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

Static water supply requirements:

- May have a remotely located off-take connected to the static water supply,
- May be a supply for combined use (firefighting and other uses) but the specified minimum quantity of firefighting water must be available at all times,
- Must be a minimum of 10,000 litres per building area to be protected; this volume of water must not be used for any other purpose including firefighting sprinkler or spray systems,
- Must be metal, concrete or lagged by non-combustible materials if above ground, and

- If a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS3959-2009, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: metal, non-combustible material, or fibre-cement a minimum of 6 mm thickness.

Fittings and pipework and accessories requirements:

- Fittings and pipework associated with a water connection point for a static water supply must:
 - Have a minimum nominal internal diameter of 50 mm,
 - Be fitted with a valve with a minimum nominal internal diameter of 50 mm,
 - Be metal or lagged by non-combustible materials if above ground,
 - If buried, have a minimum depth of 300 mm (compliant with AS/NZS 3500.1-2003 Clause 5.23),
 - Provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to firefighting equipment,
 - Ensure the coupling is accessible and available for connection at all times,
 - Ensure the coupling is fitted with a blank cap and securing chain (minimum 220 mm length),
 - Ensure underground tanks have either an opening at the top of not less than 250 mm diameter or coupling compliant with Table 4.3B, and
 - If a remote offtake is installed, ensure the offtake is in a position that is visible; accessible to allow connection by firefighting equipment; at working height of 450–600 mm above ground level; and protected from possible damage, including damage by vehicles.

Signage for static water connections requirements:

- The firefighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must comply with:
 - Water tank signage requirements within AS 2304-2011 Water storage tanks for fire protection systems, or
 - the Tasmania Fire Service Guideline – be marked with the letter “W” contained within a circle with the letter in upper case of not less than 100 mm in height; marked in fade-resistant material with white reflective lettering and circle on a red background; be located within one metre of the water connection point in a situation which will not impede access or operation; and be no less than 400 mm above the ground.

Hardstand area for fire appliances requirements:

- No more than 3 m from the firefighting water point, measured as a hose-lay (including the minimum water level in dams, swimming pools and the like),
- No closer than 6 m from the building area to be protected,
- A minimum width of 3 m constructed to the same standard as the carriageway, and
- Connected to the property access by a carriageway equivalent to the standard of the property access.

3.4.2 Current conditions:

- There is currently no water infrastructure servicing the site.

3.4.3 Compliance:

- The indicative locations of water tanks for firefighting shown on the BHMP (Attachment 1) must be provided with adjacent hardstands. The BHMP demonstrates the capacity of all lots to support static water supplies compliant with the Code.
- Static water supplies for firefighting to service the lots must be provided at the time of building on the lots and must be completed and be compliant in all respects with the provisions of E1.6.3 Table E5, as outlined above prior to occupancy of any habitable buildings.

4 Conclusions

The assessment of the bushfire risk of a proposed 13 Lot subdivision at 1668 Arthur Highway, Copping indicates that it can achieve the requirements of PD5.1, E1.0 Bushfire-Prone Areas Code provided compliance with the following measures:

- Building areas are designed for all proposed lots.
- Each lot will have a designated Hazard Management Area (HMA) established at the time of construction of habitable buildings on each lot as per the Bushfire Hazard Management Plan (Attachment 1).
- Future habitable buildings (Class 1a building) on all lots will comply with minimum construction standards for **BAL 19** as per AS 3959 -2009 (Sections 3 and 6).
- Subdivision internal roads will meet all requirements of PD5.1 E1.6.2, Table E1.

- Property access to will generally be greater than 30 m long and will comply with E1.6.2 and Table E2 Element B and C of PD5.1. Property access to lots less than 30 m long will not be subject to any specified design and construction requirements.
- Provision of fire-fighting water supply will meet the requirements PD5.1 E1.6.3 and Table E5 static water for firefighting for all future residences established on the new Lots. The building area to be protected must be located within a 90 m hose lay of the firefighting water point of a static supply. Indicative water supply locations are provided in the Bushfire Hazard Management Plan (Attachments 1 - 4).

5 Recommendations

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

5.1 Limitations of Plan

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

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

6 Glossary and Abbreviations

AS – Australian Standard

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

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

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

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

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

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

m – metres

ha – hectares

NASH – National Association of Steel Framed Housing

7 References

AS3959-2009. *Australian Standard for Construction of buildings in bushfire-prone areas*. SAI Global Limited Sydney, NSW Australia.

Building Act 2016. The State of Tasmania Department of Premier and Cabinet.
<https://www.legislation.tas.gov.au/view/html/inforce/current/act-2016-025>

Building Act 2016. Director's Determination – Requirements for Building in a Bushfire-Prone Area (v2.1) DOC/17/62962. Director of Building Control
https://www.cbos.tas.gov.au/__data/assets/pdf_file/0011/405011/Directors-Determination-Requirements-building-bushfire-prone-areas.pdf

Building Regulations 2016. The State of Tasmania Department of Premier and Cabinet.
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NASH 2014. *NASH Standard for Steel Framed Construction in Bush Fire Areas*. National Association of Steel Framed Housing Inc.

NCC 2016. *National Construction Code 2016 Vol Two, Building Code of Australia Class 1 and Class 10 Buildings*. Australian Building Codes Board, Australia.

SIPS 2015. Sorell Interim Planning Scheme 2015.
<https://iplan.tas.gov.au/pages/plan/book.aspx?exhibit=sorips>

TFS 2005. *Guidelines for Development in Bushfire prone Areas of Tasmania. Living with Fire in Tasmania*. Bushfire Planning Group of Tasmania Fire Service, Tasmania.

APPENDIX 1 – Photos of site, surrounds and vegetation



Photo 1 - Looking north from proposed building area at Lot 1 at forest, downslope 0 - 5°



Photo 2 - Looking west from proposed building area of Lot 1 at woodland downslope 5 - 10°



Photo 3 - North from proposed building envelope at lot 2, forest



Photo 4 - Representative photo of forest vegetation surrounding lots 2, 3, 6, 7, 9, 10, 11 and 13

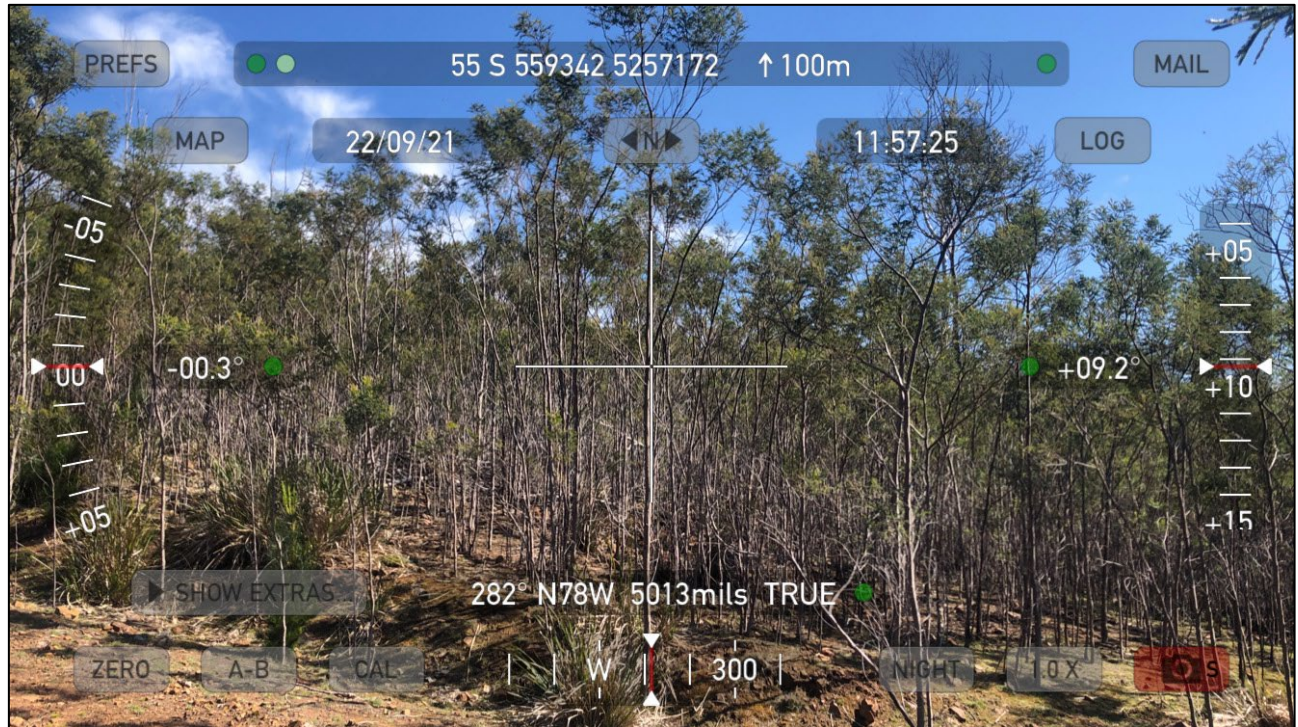


Photo 5 - Forest vegetation surrounding proposed building area of Lot 8, looking west - upslope.



Photo 6 - Looking south along proposed access to Lot 12



Photo 7 - Looking south across the Arthur Highway into proposed access to lots

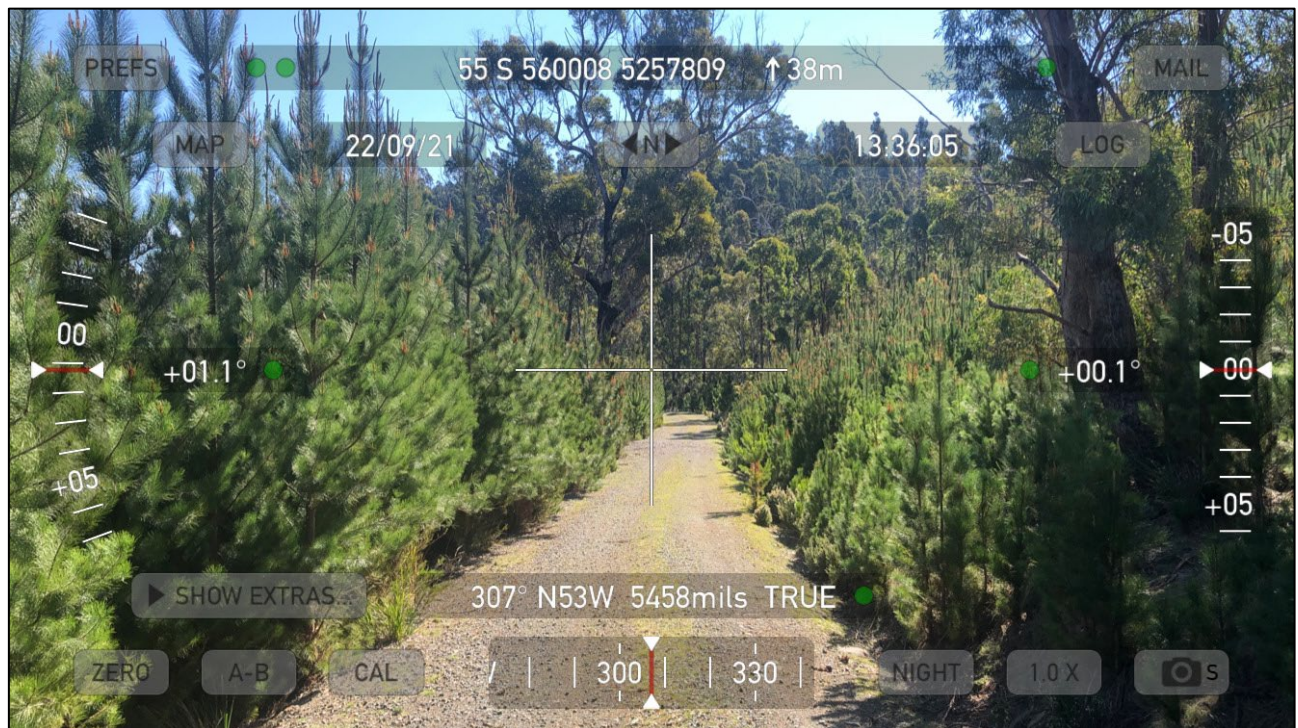
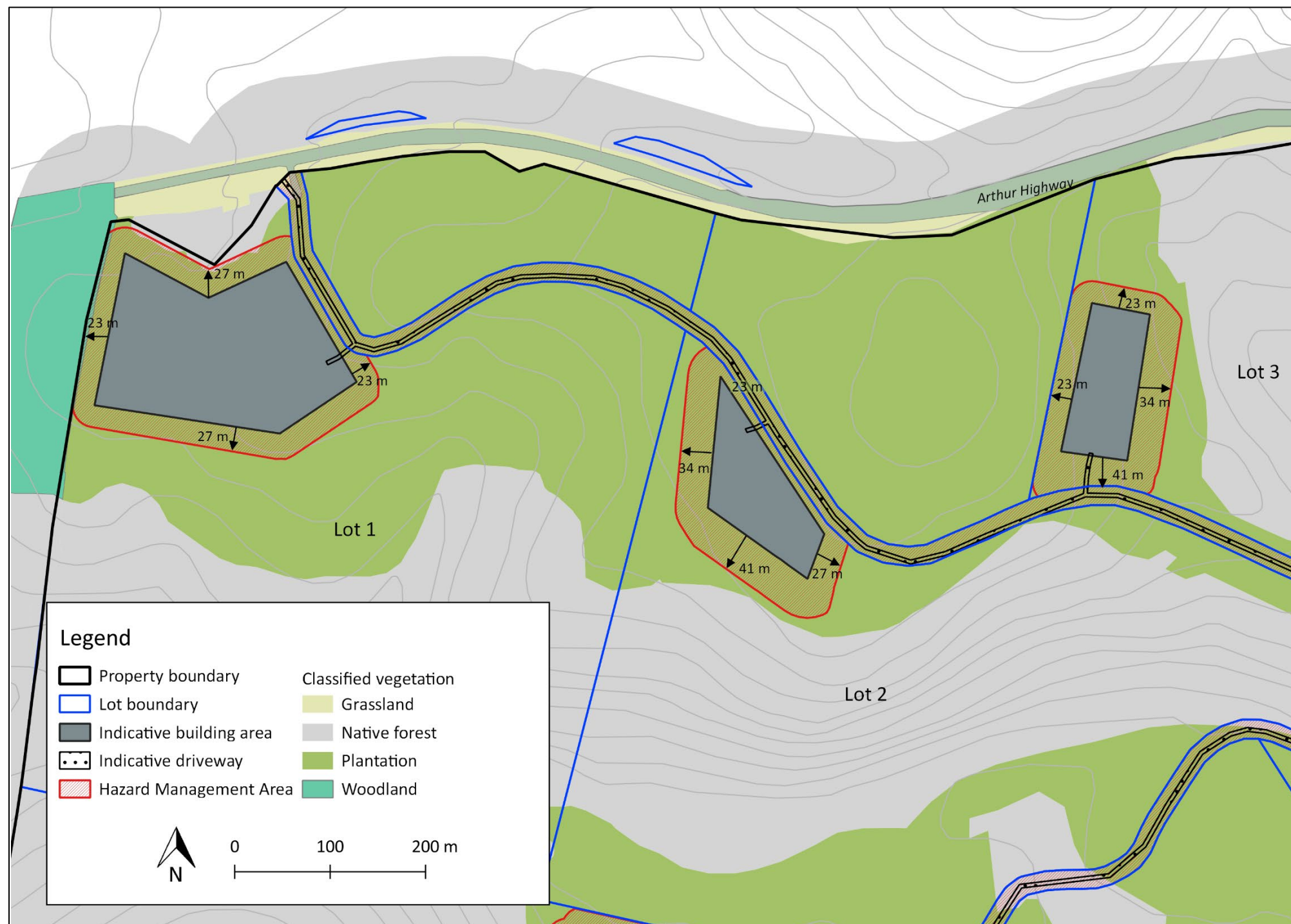


Photo 8 - Looking along proposed access road to lots through forest

APPENDIX 2 – Subdivision Plan – PDA Surveyors Nov 2021

ATTACHMENT 1—Bushfire Hazard Management Plan—Lots 1, 2 and 3—December 2021



NOTES

Hazard Management Zone

- HMA to be established on lots as indicated in this plan and as set out in Table 1 of Bushfire Attack Level Assessment for BAL 19 as minimum.
- Vegetation in the HMA needs to be strategically modified and then maintained in a low fuel state to protect future habitable buildings from direct flame contact and intense radiant heat. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season. All grasses or pastures must be kept short (<100 mm) within the HMA. Fine fuel loads at ground level such as leaves, litter and wood piles must be minimal to reduce the quantity of windborne sparks and embers reaching buildings; and to halt or check direct flame attack.
- Some trees can be retained provided there is 6 m horizontal separation between the canopies; and low branches are removed to create vertical separation between the ground and the canopy. Small clumps of established trees and/or shrubs may act to trap embers and reduce wind speeds.
- No trees to overhang houses to prevent branches or leaves from falling on the building.
- Non-combustible elements including driveways, paths and short cropped lawns are recommended within the HMA.
- Fine fuels (leaves bark, twigs) should be removed from the ground periodically (pre-fire season) and all grasses or pastures must be kept short (<100 mm).

Construction Standards

- Any future habitable buildings on the balance lot to be constructed to comply with BAL 19 as a minimum and as per AS3959-2018 (Sections 3 and 6).

Public and Fire-fighting Access Requirements

- The public access road must comply with E1.6.2 of PD 5.1
- Access to all lots will be greater than 30 m long and must comply with Table E2 Element B of PD 5.1.

Static Fire-fighting Water Supply

- 10,000 L static fire fighting water supply must be provided for any new habitable buildings and is recommended for existing habitable buildings as indicated on this plan, and meet requirements of Section 3.5 of the Bushfire Hazard Report.

This plan is to be printed at A3 and read in conjunction with the preceding Bushfire Hazard Assessment Report (enviro-dynamics December 2021).

For: R. Downie – 1668 Arthur Highway, Copping

Title: 139620/1 PID: 7840117

December 2021

Assessment #: ED0402

Andy Welling – ENVIRO-DYNAMICS

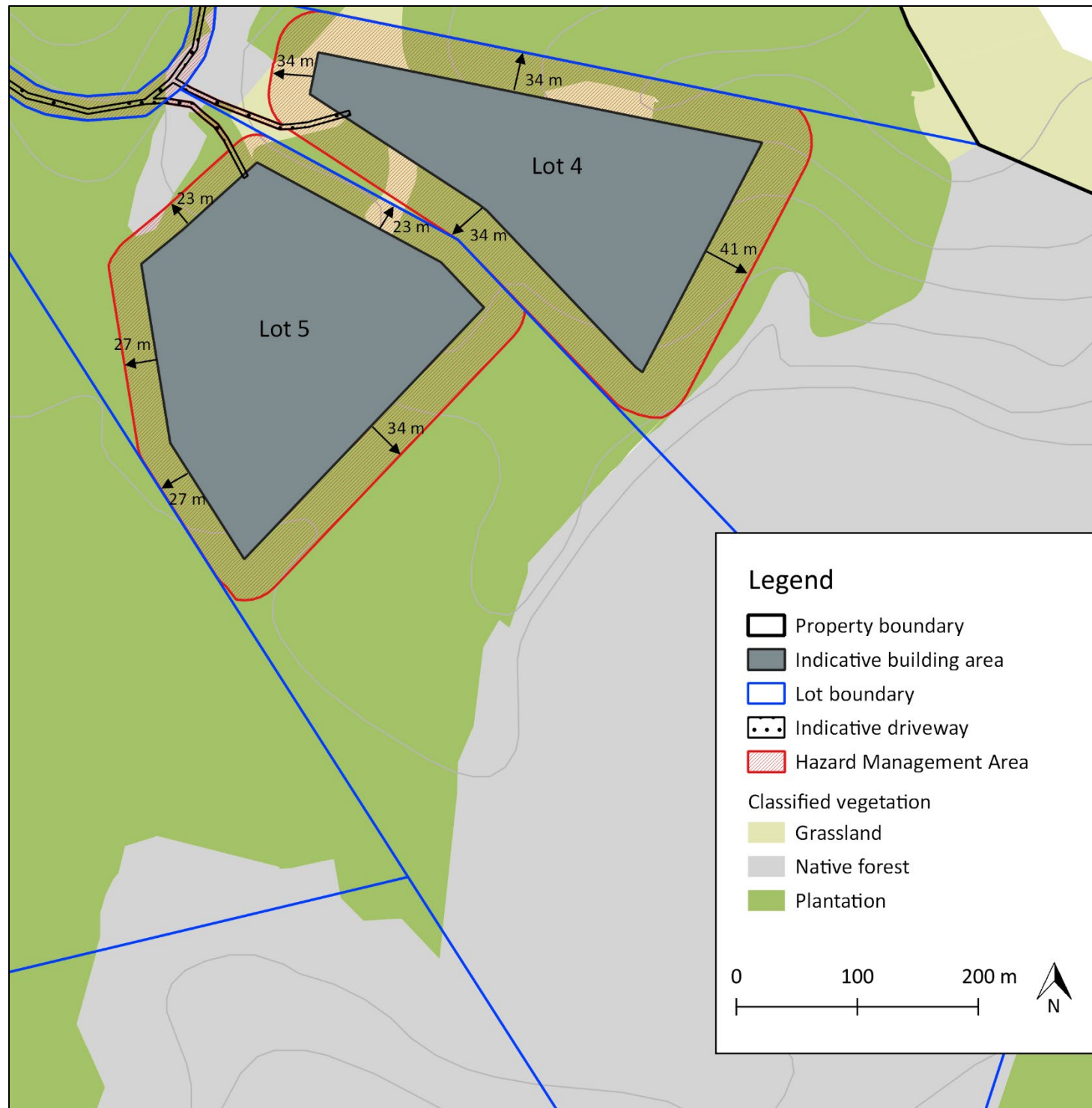
ACCREDITED BUSHFIRE ASSESSOR (BFP-135)

CERTIFICATE No: ED0402 DATE: 10/12/2021

Signed

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ATTACHMENT 2—Bushfire Hazard Management Plan—Lots 4 and 5—December 2021



NOTES

Hazard Management Zone

- HMA to be established on lots as indicated in this plan and as set out in Table 1 of Bushfire Attack Level Assessment for BAL 19 as minimum.
- Vegetation in the HMA needs to be strategically modified and then maintained in a low fuel state to protect future habitable buildings from direct flame contact and intense radiant heat. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season. All grasses or pastures must be kept short (<100 mm) within the HMA. Fine fuel loads at ground level such as leaves, litter and wood piles must be minimal to reduce the quantity of windborne sparks and embers reaching buildings; and to halt or check direct flame attack.
- Some trees can be retained provided there is 6 m horizontal separation between the canopies; and low branches are removed to create vertical separation between the ground and the canopy. Small clumps of established trees and/or shrubs may act to trap embers and reduce wind speeds.
- No trees to overhang houses to prevent branches or leaves from falling on the building.
- Non-combustible elements including driveways, paths and short cropped lawns are recommended within the HMA.
- Fine fuels (leaves bark, twigs) should be removed from the ground periodically (pre-fire season) and all grasses or pastures must be kept short (<100 mm).

Construction Standards

- Any future habitable buildings on the balance lot to be constructed to comply with BAL 19 as a minimum and as per AS3959-2018 (Sections 3 and 6).

Public and Fire-fighting Access Requirements

- The public access road must comply with E1.6.2 of PD 5.1
- Access to all lots will be greater than 30 m long and must comply with Table E2 Element B of PD 5.1

Static Fire-fighting Water Supply

- 10,000 L static fire fighting water supply must be provided for any new habitable buildings and is recommended for existing habitable buildings as indicated on this plan, and meet requirements of Section 3.5 of the Bushfire Hazard Report.

This plan is to be printed at A3 and read in conjunction with the preceding Bushfire Hazard Assessment Report (enviro-dynamics December 2021).

For: R. Downie – 1668 Arthur Highway, Copping

Title: 139620/1 PID: 7840117

December 2021

Assessment #: ED0402

Andy Welling – ENVIRO-DYNAMICS

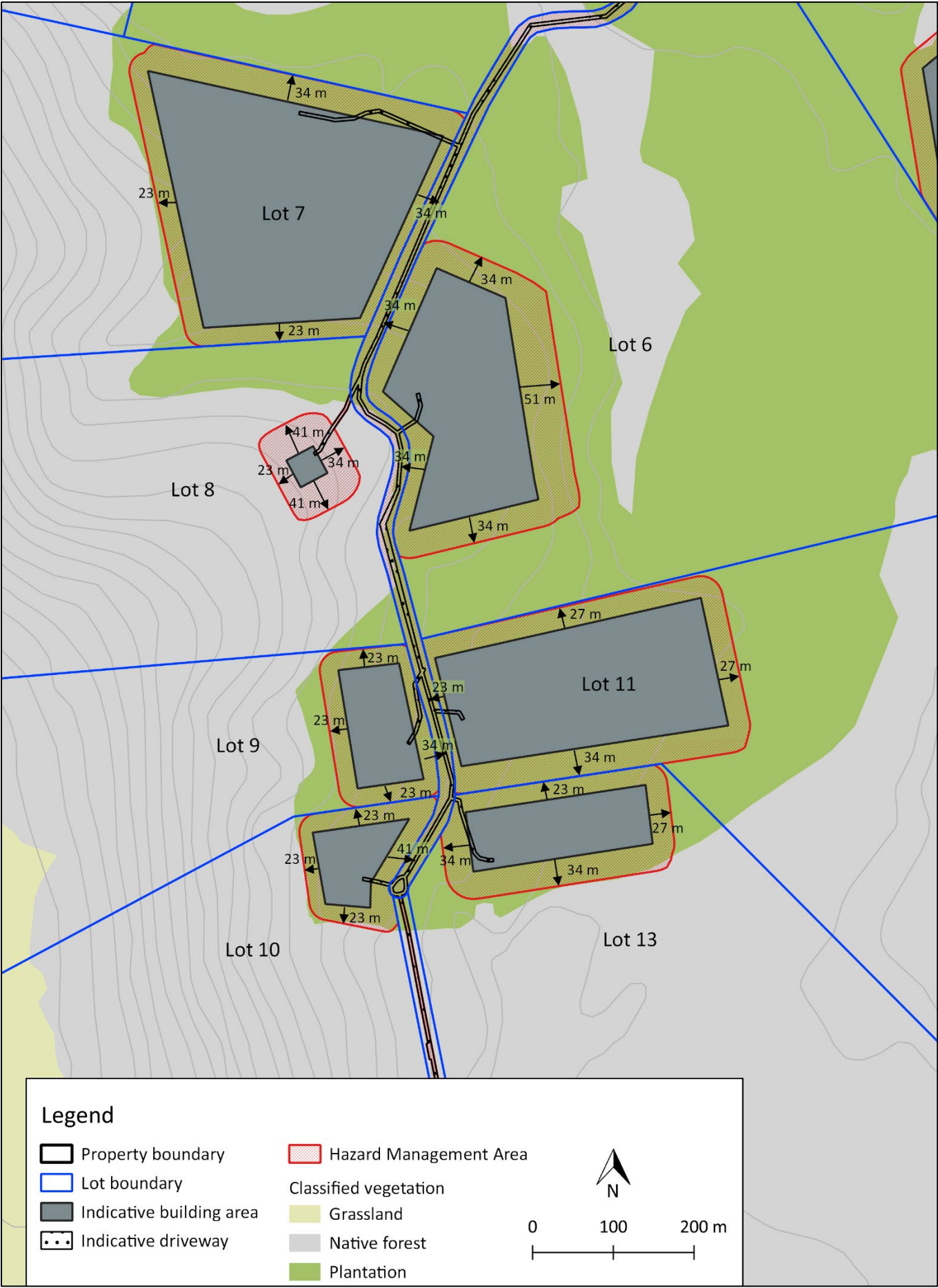
ACCREDITED BUSHFIRE ASSESSOR (BFP-159)

CERTIFICATE No: ED0402 DATE: 10/12/2021

Signed

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ATTACHMENT 3—Bushfire Hazard Management Plan—Lots 6-11 and 13 -December 2021



NOTES

Hazard Management Zone

- HMA to be established on lots as indicated in this plan and as set out in Table 1 of Bushfire Attack Level Assessment for BAL 19 as minimum.
- Vegetation in the HMA needs to be strategically modified and then maintained in a low fuel state to protect future habitable buildings from direct flame contact and intense radiant heat. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season. All grasses or pastures must be kept short (<100 mm) within the HMA. Fine fuel loads at ground level such as leaves, litter and wood piles must be minimal to reduce the quantity of windborne sparks and embers reaching buildings; and to halt or check direct flame attack.
- Some trees can be retained provided there is 6 m horizontal separation between the canopies; and low branches are removed to create vertical separation between the ground and the canopy. Small clumps of established trees and/or shrubs may act to trap embers and reduce wind speeds.
- No trees to overhang houses to prevent branches or leaves from falling on the building.
- Non-combustible elements including driveways, paths and short cropped lawns are recommended within the HMA.
- Fine fuels (leaves bark, twigs) should be removed from the ground periodically (pre-fire season) and all grasses or pastures must be kept short (<100 mm).

Construction Standards

- Any future habitable buildings on the balance lot to be constructed to comply with BAL 19 as a minimum and as per AS3959-2018 (Sections 3 and 6).

Public and Fire-fighting Access Requirements

- The public access road must comply with E1.6.2 of PD 5.1
- Access to all lots will be greater than 30 m long and must comply with Table E2 Element B of PD 5.1.

Static Fire-fighting Water Supply

- 10,000 L static fire fighting water supply must be provided for any new habitable buildings and is recommended for existing habitable buildings as indicated on this plan, and meet requirements of Section 3.5 of the Bushfire Hazard Report.

This plan is to be printed at A3 and read in conjunction with the preceding Bushfire Hazard Assessment Report (enviro-dynamics December 2021).

For: R. Downie – 1668 Arthur Highway,
Copping

Title: 139620/1 PID: 7840117

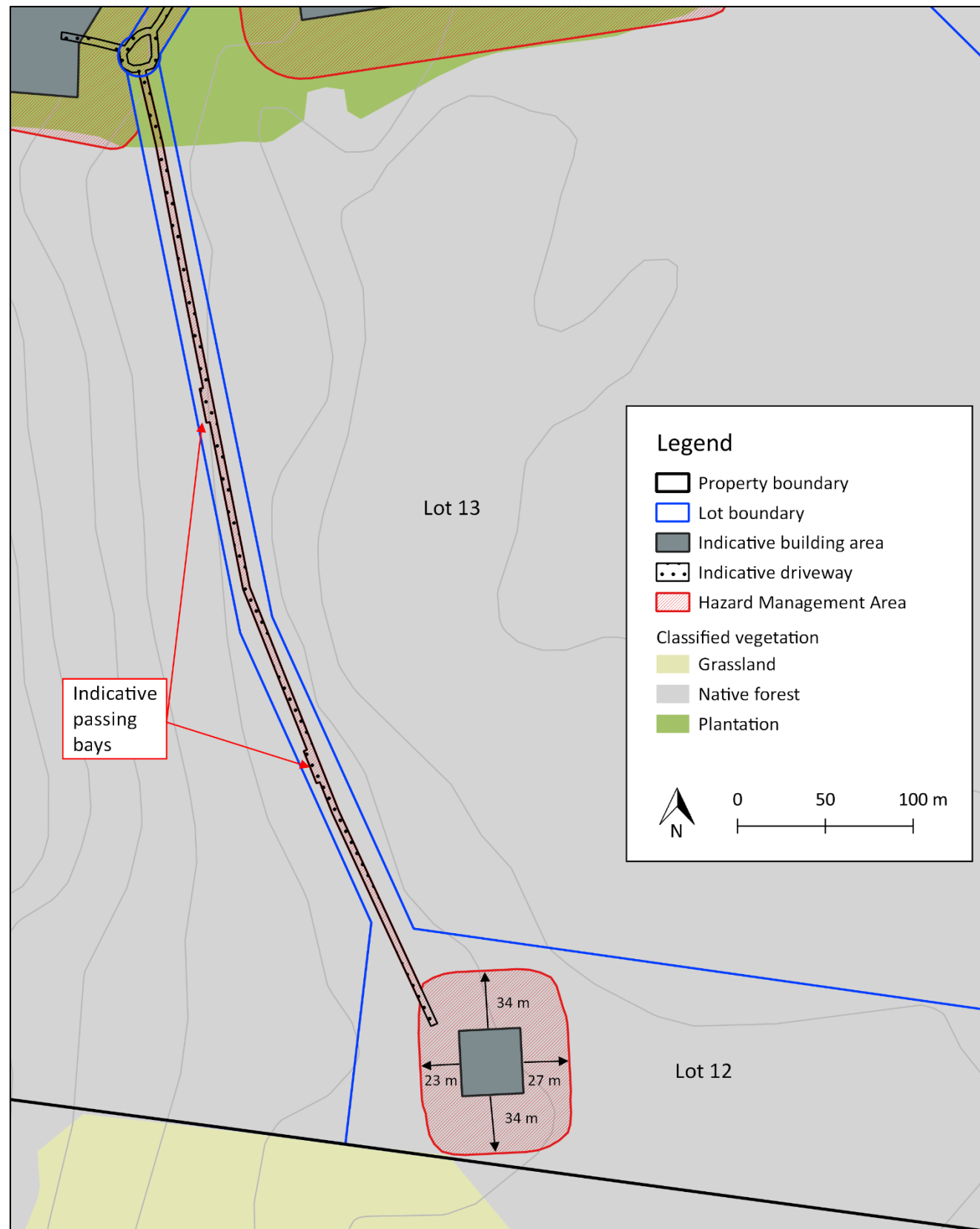
December 2021 Assessment #: ED0402

Andy Welling – ENVIRO-DYNAMICS
ACCREDITED BUSHFIRE ASSESSOR (BFP-135)
CERTIFICATE No: ED0402 DATE: 10/12/2021

Signed



ATTACHMENT 4 – Bushfire Hazard Management Plan – Lot 12 - December 2021



NOTES

Hazard Management Zone

- HMA to be established on lots as indicated in this plan and as set out in Table 1 of Bushfire Attack Level Assessment for BAL 19 as minimum.
- Vegetation in the HMA needs to be strategically modified and then maintained in a low fuel state to protect future habitable buildings from direct flame contact and intense radiant heat. An annual inspection and maintenance of the HMA should be conducted prior to the bushfire season. All grasses or pastures must be kept short (<100 mm) within the HMA. Fine fuel loads at ground level such as leaves, litter and wood piles must be minimal to reduce the quantity of windborne sparks and embers reaching buildings; and to halt or check direct flame attack.
- Some trees can be retained provided there is 6 m horizontal separation between the canopies; and low branches are removed to create vertical separation between the ground and the canopy. Small clumps of established trees and/or shrubs may act to trap embers and reduce wind speeds.
- No trees to overhang houses to prevent branches or leaves from falling on the building.
- Non-combustible elements including driveways, paths and short cropped lawns are recommended within the HMA.
- Fine fuels (leaves bark, twigs) should be removed from the ground periodically (pre-fire season) and all grasses or pastures must be kept short (<100 mm).

Construction Standards

- Any future habitable buildings on the balance lot to be constructed to comply with BAL 19 as a minimum and as per AS3959-2018 (Sections 3 and 6).

Public and Fire-fighting Access Requirements

- The public access road must comply with E1.6.2 of PD 5.1.
- Access to all lots will be greater than 30 m long and must comply with Table E2 Element B of PD 5.1

Static Fire-fighting Water Supply

- 10,000 L static fire fighting water supply must be provided for any new habitable buildings and is recommended for existing habitable buildings as indicated on this plan, and meet requirements of Section 3.5 of the Bushfire Hazard Report.

This plan is to be printed at A3 and read in conjunction with the preceding Bushfire Hazard Assessment Report (enviro-dynamics December 2021).

For: R. Downie – 1668 Arthur Highway, Copping

Title: 139620/1 PID: 7840117

December 2021

Assessment #: ED0402

Andy Welling – ENVIRO-DYNAMICS

ACCREDITED BUSHFIRE ASSESSOR (BFP-135)

CERTIFICATE No: ED0402 DATE: 10/12/2021

Signed

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BUSHFIRE-PRONE AREAS CODE

CERTIFICATE¹ UNDER S51(2)(d) *LAND USE PLANNING AND APPROVALS ACT 1993*

1. Land to which certificate applies

The subject site includes property that is proposed for use and development and includes all properties upon which works are proposed for bushfire protection purposes.

Street address:

1668 Arthur Highway

Certificate of Title / PID:

C.T.: 139620/1 PID: 7840117

2. Proposed Use or Development

Description of proposed Use and Development:

Thirteen lot subdivision.

Lot 1 (40.8 ha), Lot 2 (43.9 ha), Lot 3 (44.4 ha), Lot 4 (51.6 ha), Lot 5 (43.1 ha), Lot 6 (47.2 ha), Lot 7 (40.2 ha), Lot 8 (40.1 ha), Lot 9 (44.7 ha), Lot 10 (45.6 ha), Lot 11 (59.4 ha), balance Lot 12 (133.0 ha) and Lot 13 (41.2 ha).

All lots will be accesses from a new road from the Arthur Highway. Access to building areas will be via access roads from >30m ot >30m.

Building areas have been designated for all new lots. The development will not be staged.

Bushfire hazard management areas can achieve BAL 19 for all lots.

Applicable Planning Scheme:

Sorell Interim Planning Scheme 2015

3. Documents relied upon

This certificate relates to the following documents:

Title	Author	Date	Version
Plan of Subdivision – 45922CT-1C	PDA Surveyors	05/11/2021	C

¹ This document is the approved form of certification for this purpose and must not be altered from its original form.

Bushfire Hazard Report for a six-lot subdivision at 1668 Arthur Highway, Copping.	Enviro-dynamics Pty Ltd	10/12/2021	V2
Bushfire Hazard Management Plan 1668 Arthur Highway, Copping.	Enviro-dynamics Pty Ltd	10/12/2021	V2

4. Nature of Certificate

The following requirements are applicable to the proposed use and development:

<input type="checkbox"/>	E1.4 / C13.4 – Use or development exempt from this Code	
	Compliance test	Compliance Requirement
<input type="checkbox"/>	E1.4(a) / C13.4.1(a)	Insufficient increase in risk

<input type="checkbox"/>	E1.5.1 / C13.5.1 – Vulnerable Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.1 P1 / C13.5.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.1 A2 / C13.5.1 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.1 A3 / C13.5.1 A2	Bushfire hazard management plan

<input type="checkbox"/>	E1.5.2 / C13.5.2 – Hazardous Uses	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.5.2 P1 / C13.5.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.5.2 A2 / C13.5.2 A2	Emergency management strategy
<input type="checkbox"/>	E1.5.2 A3 / C13.5.2 A3	Bushfire hazard management plan

<input type="checkbox"/>	E1.6.1 / C13.6.1 Subdivision: Provision of hazard management areas	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.1 P1 / C13.6.1 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>

<input type="checkbox"/>	E1.6.1 A1 (a) / C13.6.1 A1(a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.1 A1 (b) / C13.6.1 A1(b)	Provides BAL-19 for all lots.
<input type="checkbox"/>	E1.6.1 A1(c) / C13.6.1 A1(c)	Consent for Part 5 Agreement

<input type="checkbox"/>	E1.6.2 / C13.6.2 Subdivision: Public and fire fighting access	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.2 P1 / C13.6.2 P1	<i>Planning authority discretion required. A proposal cannot be certified as compliant with P1.</i>
<input type="checkbox"/>	E1.6.2 A1 (a) / C13.6.2 A1 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.2 A1 (b) / C13.6.2 A1 (b)	Access complies with relevant Tables

<input type="checkbox"/>	E1.6.3 / C13.1.6.3 Subdivision: Provision of water supply for fire fighting purposes	
	Acceptable Solution	Compliance Requirement
<input type="checkbox"/>	E1.6.3 A1 (a) / C13.6.3 A1 (a)	Insufficient increase in risk
<input type="checkbox"/>	E1.6.3 A1 (b) / C13.6.3 A1 (b)	Reticulated water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A1 (c) / C13.6.3 A1 (c)	Water supply consistent with the objective
<input type="checkbox"/>	E1.6.3 A2 (a) / C13.6.3 A2 (a)	Insufficient increase in risk
<input checked="" type="checkbox"/>	E1.6.3 A2 (b) / C13.6.3 A2 (b)	Static water supply complies with relevant Table
<input type="checkbox"/>	E1.6.3 A2 (c) / C13.6.3 A2 (c)	Static water supply consistent with the objective

5. Bushfire Hazard Practitioner

Name: Andrew Welling

Phone No: 0400 151 205

Postal Address: 16 Collins Street, Hobart 7000

Email Address: andy.welling@enviro-dynamics.com.au

Accreditation No: BFP – 135

Scope: Accredited person under Part 4A of the *Fire Service Act 1979*

6. Certification

I certify that in accordance with the authority given under Part 4A of the *Fire Service Act 1979* that the proposed use and development:

- ☐ Is exempt from the requirement Bushfire-Prone Areas Code because, having regard to the objective of all applicable standards in the Code, there is considered to be an insufficient increase in risk to the use or development from bushfire to warrant any specific bushfire protection measures, or
- ☒ The Bushfire Hazard Management Plan/s identified in Section 3 of this certificate is/are in accordance with the Chief Officer's requirements and compliant with the relevant **Acceptable Solutions** identified in Section 4 of this Certificate.

Signed:
certifier



Name: Andy Welling

Date: 10/12/2021

Certificate
Number: ED_0402

(for Practitioner Use only)



Attachment to item number 5.3 -

Planning Report (IreneInc)

*Wastewater report (Rock Solid
Geotechnics)*

Land Owner Consent

26 February 2025

Sorell Council
PO BOX 126
SORELL TAS 7172
email: sorell.council@sorell.tas.gov.au



Sorell Council

Development Application: 5.2025.51.1 - Scheme
Amendment - Primrose Sands Road, Primrose
Sands P1.pdf
Plans Reference: P1
Date Received: 26/02/2025



To whom it may concern,

PLANNING SCHEME AMENDMENT - PRIMROSE SANDS ROAD, PRIMROSE SANDS (CT 139347/1)

Ireneinc Planning and Urban Design have been engaged by Boland Development Co Pty. Ltd., as their agent, to lodge a request seeking the Councils consideration of an amendment to the *Tasmanian Planning Scheme - Sorell* pursuant to section 37 of the *Land Use Planning and Approvals Act 1993* (the Act) at the abovementioned property.

This amendment proposes to rezone a portion of the existing Rural Living Zoned property to be included within the Local Business Zone and is intended to provide for future commercial growth in Primrose Sands.

Detailed investigations of how the proposed amendment will support the relevant objectives of the planning framework under the State legislation, State policies and Council objectives are provided in the accompanying planning report.

This amendment request is being made by Boland Development Co Pty. Ltd. as the owners of the subject property.

The following is an overview of the materials provided to support this request:

- Planning Report
- Attachment 1: Proposal Plans
- Titles documents

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Tel (03) 6234 9281

Fax (03) 6231 4727

Mob 0418 346 283

Email planning@ireneinc.com.au

ABN 78 114 905 074

I trust that these materials provide sufficient information to support councils consideration of this request. However, if any further information or clarification is sought, please do not hesitate to contact me at kate@ireneinc.com.au or by phone on 6234 9281.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K Heckelmann', with a long horizontal flourish extending to the right.

Kate Heckelmann
Senior Planner
IRENEINC PLANNING & URBAN DESIGN



PRIMROSE SANDS ROAD, PRIMROSE SANDS



ireneinc & smithstreetstudio
PLANNING & URBAN DESIGN

PRIMROSE SANDS ROAD, PRIMROSE SANDS

Planning Scheme Amendment Submission

Tasmanian Planning Scheme - Sorell

Last Updated - 25 February 2025

Author - Kate Heckelmann

Reviewed - Irene Duckett

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EXECUTIVE SUMMARY

Ireneinc Planning and Urban Design have been engaged by Boland Development Co Pty. Ltd. to prepare a request for an amendment to the planning provisions in relation to land described as CT 139347/1 at Primrose Sands Road, Primrose Sands (PID: 3334858) (the site).

This site is approximately 11.47ha and is currently identified within the Rural Living Zone (Rural Living Area D) under the Tasmanian Planning Scheme - Sorell (the planning scheme).

This report supports a request seeking consideration of an amendment to the *Tasmanian Planning Scheme - Sorell* pursuant to section 37 of the *Land Use Planning and Approvals Act 1993* (the Act) for the introduction of a portion of Local Business Zoned land on the site which is intended to provide for future commercial growth in Primrose Sands. The portion of proposed Local Business Zone is shown on proposal plans prepared by Rogerson & Birch Surveyors provided as Attachment 1 to this report.

This report includes the strategic background and historical context of the site and provides a consideration of the requested planning scheme amendment against the requirements of the Act and the relevant state policies. It provides an assessment of the strategic rationale for the proposed rezoning of the subject site. The following documents have been referenced as part of this analysis:

- Guideline No.1 Local Provisions: Zone and Code Application
- Southern Tasmanian Regional Land Use Strategy, 2023
- Sorell Council Strategic Plan 2019-2029
- Sorell Land Supply Strategy 2019.

1. INTRODUCTION

This report supports a request to council for consideration of an amendment to the *Tasmanian Planning Scheme - Sorell* (the planning scheme) pursuant to section 37 of the *Land Use Planning and Approvals Act 1993* (the Act).

1.1 SITE DESCRIPTION

The site is located at Primrose Sands Road, Primrose Sands. Having a total site area of approximately 114,700m² (11.47ha) the site is formally identified as CT 139347/1 (PID3334858).

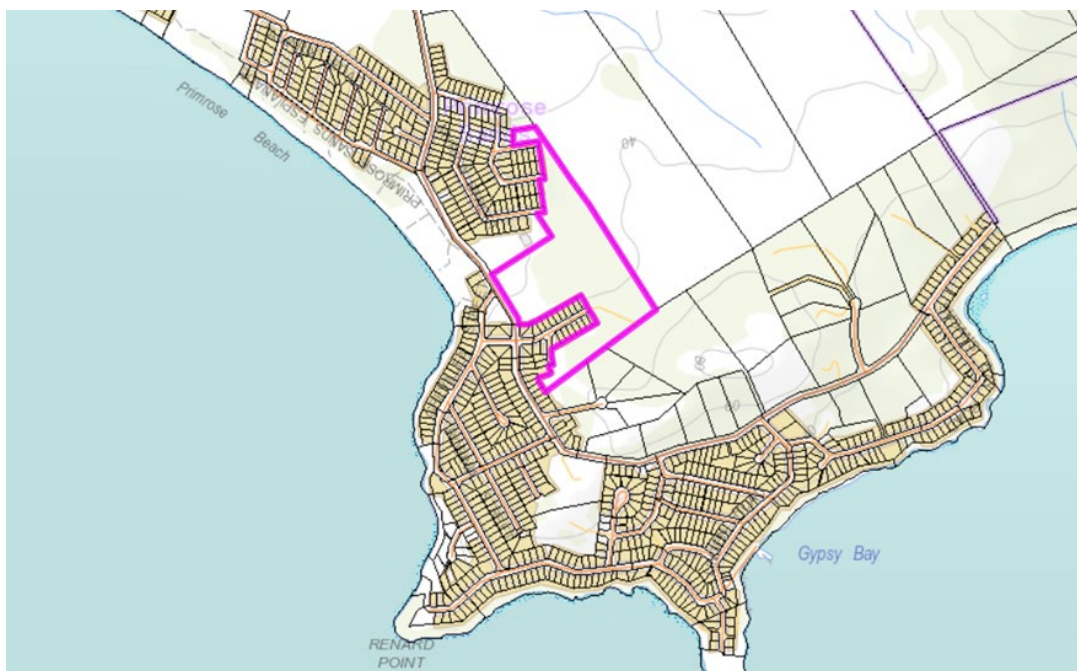


Figure 1: Primrose Sands Road site identified on topographic map. (source: State of Tasmania www.theLIST.tas.gov.au)



Figure 2: Primrose Sands Road site identified on aerial map. (source: State of Tasmania www.theLIST.tas.gov.au)



Figure 3: Site frontage to Primrose Sands Road. (source: Ireneinc Planning & Urban Design, December 2024)

1.1.1 Existing use

The site is currently vacant.

1.1.2 Topography

As shown in the following figures, the site has a sloping topography, that falls from the north east to the southwest of the site.



Figure 4 and 5: Hillshade Colour and slope in degrees with subject site identified. (source: State of Tasmania www.theLIST.tas.gov.au)

1.1.3 Infrastructure and services

The site is not identified as being serviced by reticulated water services or sewerage services.

Overhead powerlines adjoin the site along its Primrose Sands Road frontage in the existing road reserve. A telephone payphone is also located in this same road reserve.

1.1.4 Movement Network

There is no current formalised vehicle access to the site from the section of Primrose Sands Road which fronts the site. Primrose Sands Road is identified as a sealed public collector road, with Council as the identified road authority. Aerial mapping indicates that access to the site is in part currently gained through the adjoining 'Primrose Sands Community Centre' at 570 Primrose Sands Road.

More broadly, the subject site also adjoins a number of different roads which also appear to provide access points to the site. This includes Tecoma Road, Myrica Street and Spiraea Street and Abelia Street which are also identified as sealed public local roads, with Council as the identified road authority.

Primrose Sands has limited access to public transport. The area is currently served by a connector bus service which operates two days a week and provides home pick up and drop off to Primrose Sands to Sorell Connector Service.

1.1.5 Natural Values

TasVeg 4.0 mapping of the site indicates that the land is partially classified as an Urban Area (FUR), with the balance of the site being classified as having Eucalyptus amygdalina coastal forest and woodland (DAC) and a small slither of land along the eastern boundary of the site being classified as Agricultural Land (FAG).

The area identified within the DAC classification under the TasVeg mapping generally aligns with the extent of land which is identified as being affected by the Priority Vegetation Area Overlay under the planning scheme.

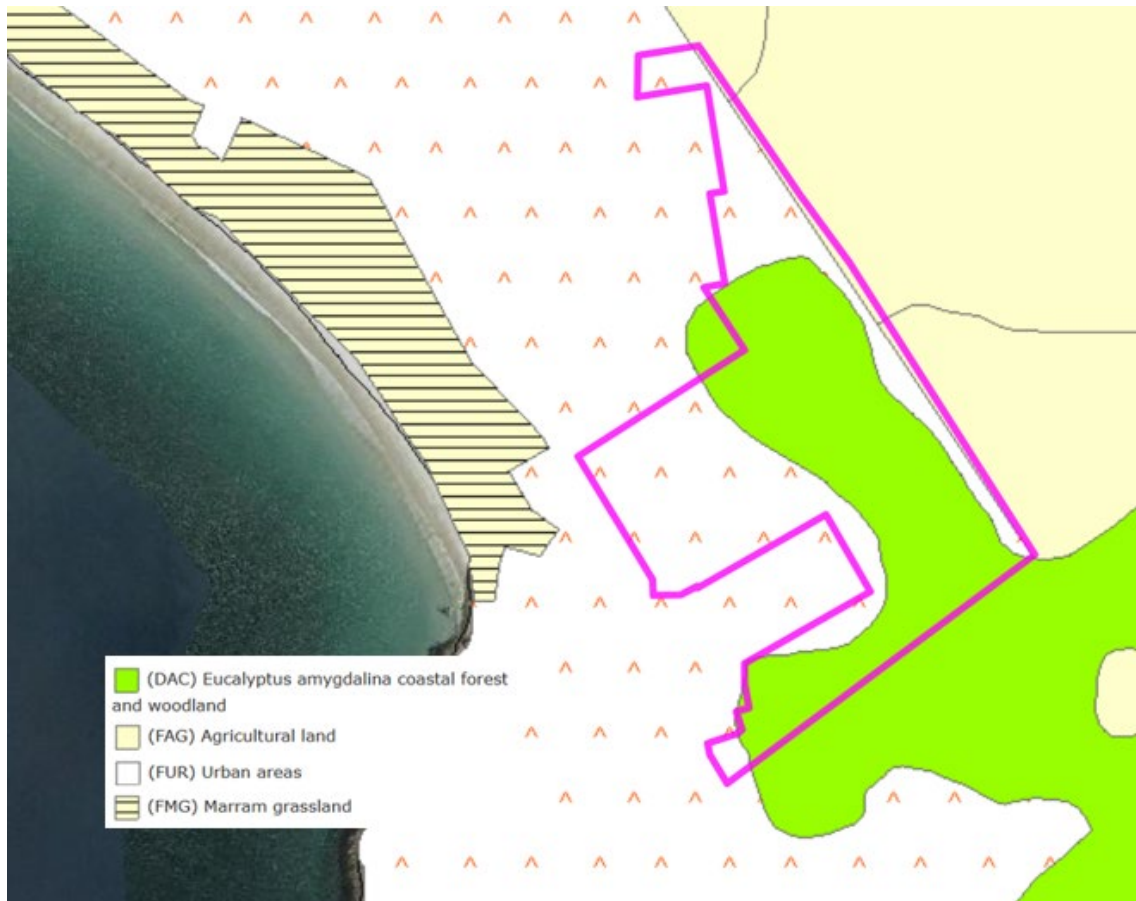


Figure 6: State aerial photo with Tas Veg 4.0 overlay and subject site identified. (source: State of Tasmania www.theLIST.tas.gov.au)

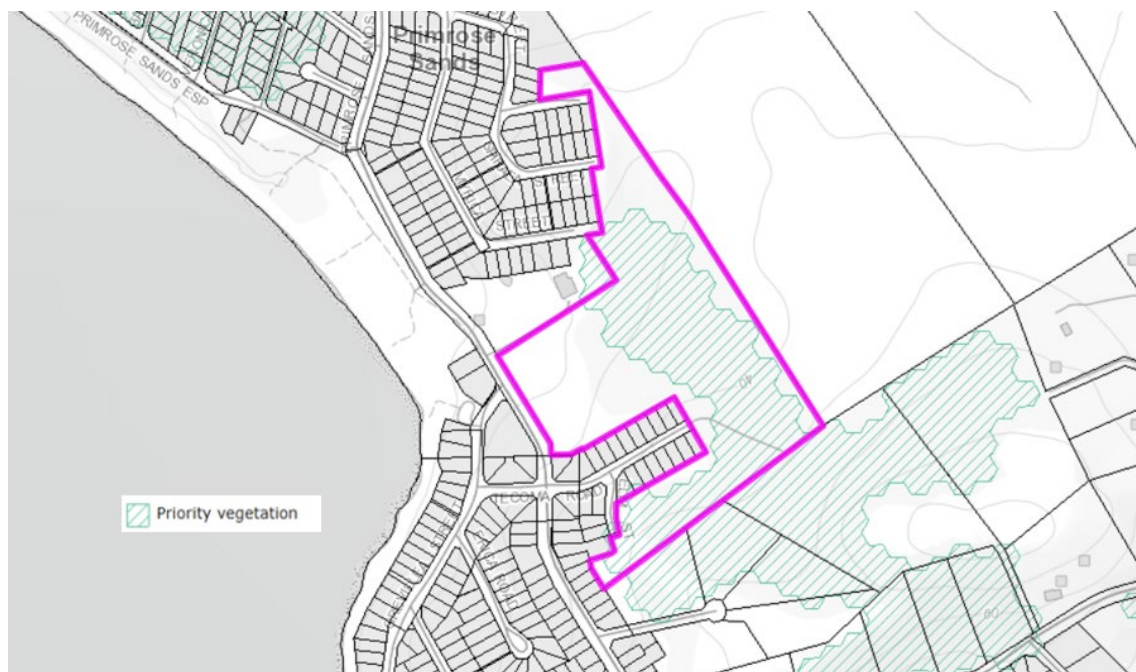


Figure 7: Priority Vegetation Area Overlay. (source: State of Tasmania www.theLIST.tas.gov.au)

1.1.6 Bushfire-Prone Area

The site is identified within the bushfire-prone area under the planning scheme as shown in the figure below.

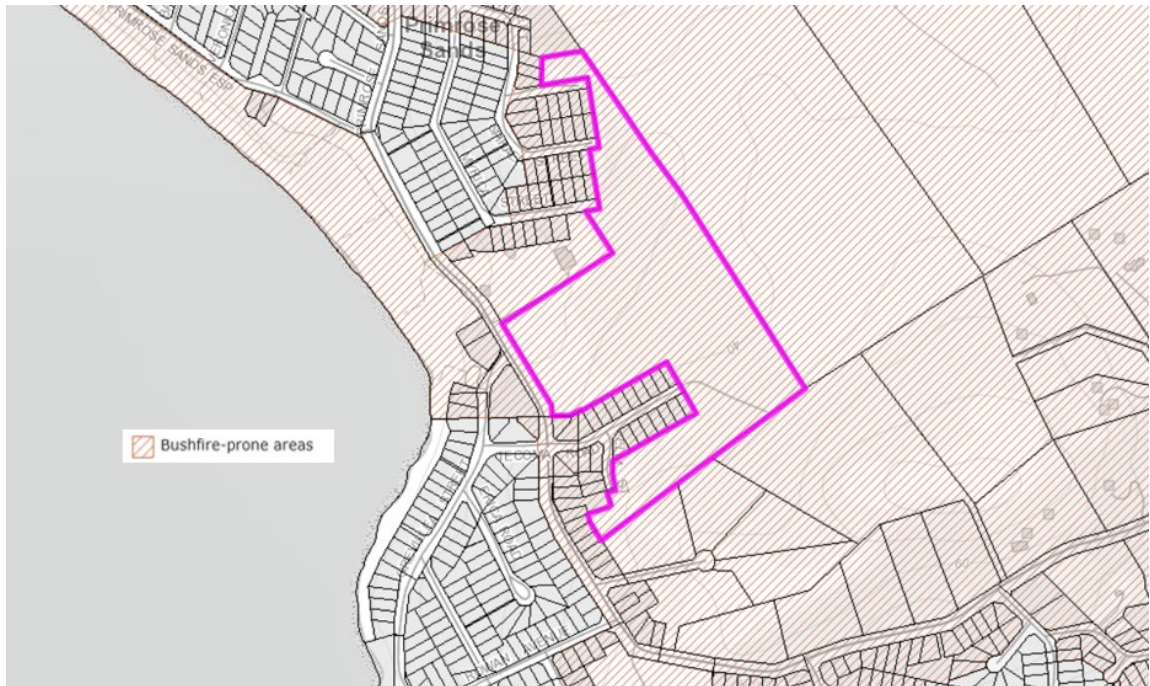


Figure 8: Bushfire Prone Area Overlay with subject site identified. (source: State of Tasmania www.theLIST.tas.gov.au)

1.1.7 Flood-Prone Area

The site is identified as being partially affected by the Flood-Prone Area Overlay, in which future development will trigger assessment against the Flood-Prone Area code.

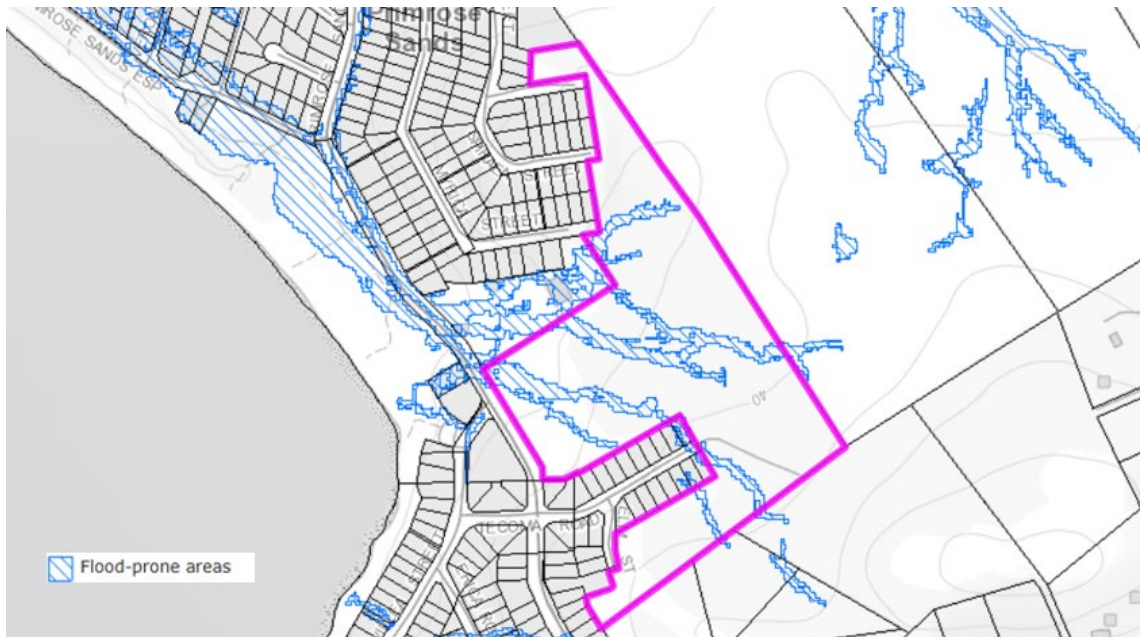


Figure 9: Site identified in the Flood-Prone Area overlay mapping. (source: State of Tasmania www.theLIST.tas.gov.au)

1.1.8 Obstacle Limitation Area

The subject site is identified as being affected by the Obstacle limitation area for the Hobart International Airport. The Safeguarding of Airports Code applies to development within an airport obstacle limitation area which exceeds the 152m AHD.

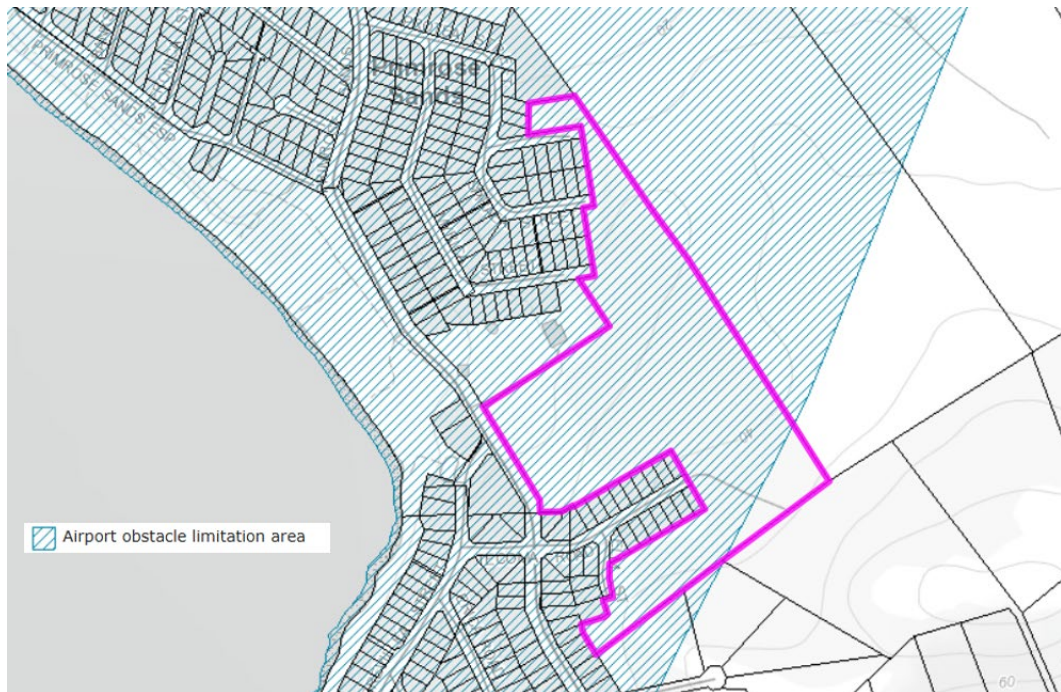


Figure 10: Site identified in the Airport Obstacle Limitation Area Overlay mapping. (source: State of Tasmania www.theLIST.tas.gov.au)

1.1.9 Agricultural Values

Land capability classification is an internationally accepted method of ranking the ability of the land to support a range of broadacre agricultural activities on a sustainable basis. In Tasmania the system comprises seven classes ranked in order of agricultural virility, with Class 1 land being identified as the best and Class 7 as the poorest.

The subject site is identified within this land capability mapping as being within the Class 6 +5 category in recognition that the site has low agricultural values and that it is not considered as prime agricultural land¹.

Within this context, agricultural land means all land that is in agricultural use or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

The site is also identified within the Rural Living Zone and is considered to be indicating that it would not be considered to be agricultural land to be considered under this policy as it is significantly restricted for future provision of agricultural uses due to its limited agricultural capability and the sites proximity to established urbanised uses which extend along the eastern boundary of the site.

¹ “Prime agricultural land” means agricultural land classified as Class 1, 2 or 3 land based on the class definitions and methodology from the Land Capability Handbook, Second Edition, C J Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.

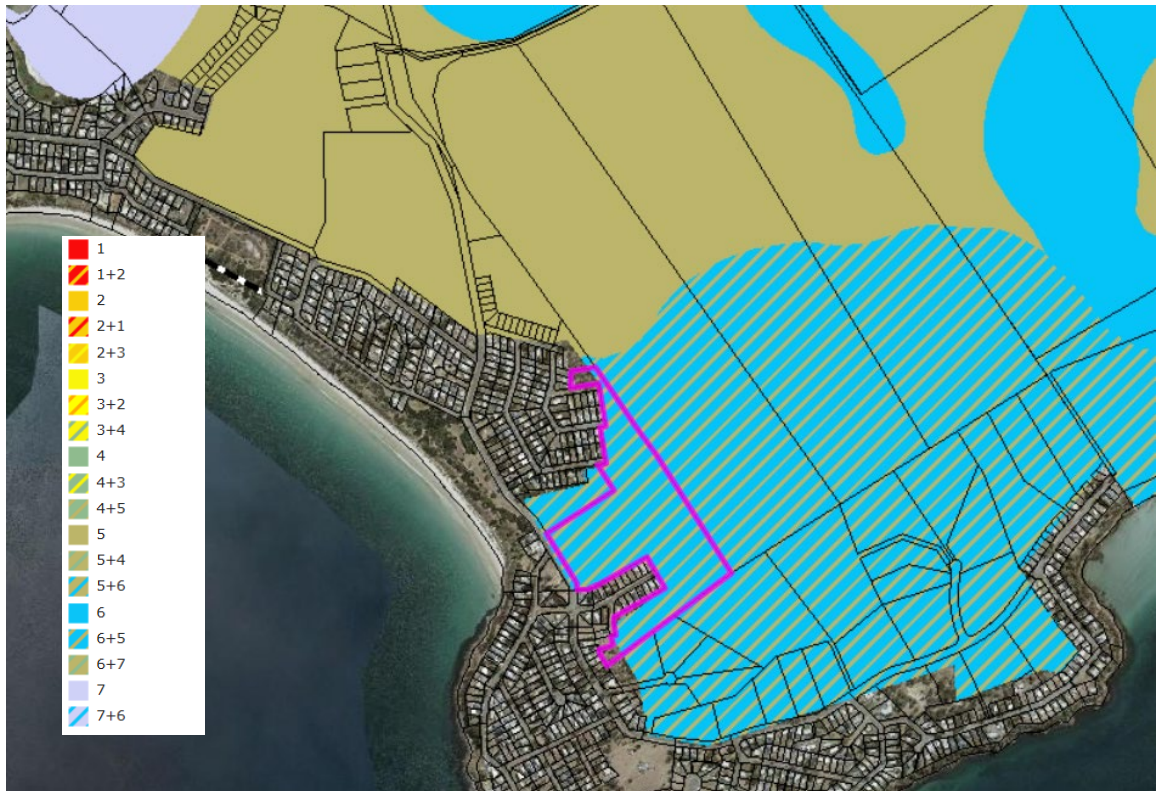


Figure 11: Land Capability mapping with subject site identified. (Source: State of Tasmania www.theLIST.tas.gov.au)

1.1.10 Aboriginal heritage

There are no registered aboriginal heritage sites on the property and no identified apparent risk of impacting registered Aboriginal relics (Aboriginal Heritage Tasmania, 2025). However, any works on the site may be subject to the *Aboriginal Heritage Act 1975*.

1.1.11 European Heritage

The site is not listed on the Tasmanian Heritage Register and is not subject to the local Historic Heritage Code.

1.2 ADJOINING LAND USES

The following provides an overview of the uses and development generally surrounding the subject site.

Direction	Land uses and activities
North	<p>Immediately adjacent to the site is a parcel of land which contains the Primrose Sands Community Centre, Playground and Public Toilet facilities.</p> <p>Further to the north of the site is predominantly made up of detached single dwelling houses.</p> <p>The Primrose Sands RSL is approximately 800m travelling along Primrose Sands Road from the site.</p>
East	Vacant rural living parcels as well as vacant rural holdings.
South	Some vacant large lot rural living parcels, predominantly made up of detached single dwelling houses.

West	<p>579 Primrose Sands Road is an irregular shaped 3716.2m² vacant lot. This lot is proposed to be used for residential purposes, approved through a decision of the Tribunal.²</p> <p>573 Primrose Sands Road has an area of 1100m² and contains a residential dwelling.</p> <p>574 Primrose Sands Road has an area of 1753m² and contains a service station with convenience store, a residence and a general store.</p> <p>Other nearby uses area predominantly made up of detached single dwelling houses.</p> <p>Primrose Sands Beach is less than 90m from the site as accessed along Grevillea Street.</p> <p>The Primrose Sands Fire Station is approximately 500m travelling along Primrose Sands Road and Esplanade from the site.</p>
------	---

The above activities are described in the figure below:



Figure 12: Subject site identified with surrounding uses identified on aerial mapping. (source: State of Tasmania www.theLIST.tas.gov.au)

1.3 CURRENT ZONING

The site exists within the Rural Living Zone under the planning scheme. The site is further identified in the Rural Living Zone Area D, which provides for 10ha minimum lot sizes. The land immediately surrounding this site is allocated into a variety of zoned including the Rural Living Zone, Low Density Residential Zone, Community Purpose Zone, Local Business Zone and Rural Zone.

² Carthew-Wakefield v Sorell Council (No 2) [2024] TASCAT 188 (10 October 2024) [2024] TASCAT 188)

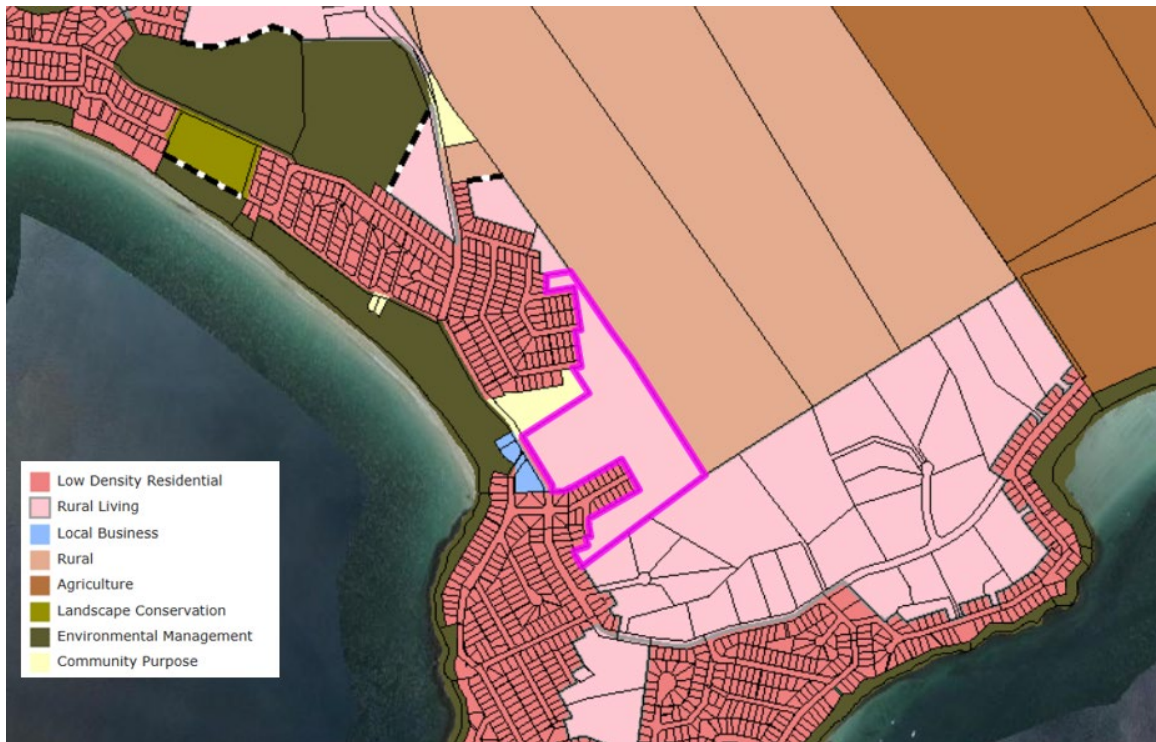


Figure 13: Subject site identified within the planning schemes zoning mapping. (source: State of Tasmania www.theLIST.tas.gov.au)

Adjacent to the site is a parcel of Community Purpose zoned land which is then surrounded predominantly by Low Density Residential zoned land. Immediately to the west of the site is also three parcels of land identified within the Local Business zone. This adjoined by Primrose Sands Beach further the west which is identified within the Environmental Management zone.

To the north east of the site there is land within the Rural Zone and land to the south of the site is predominantly identified within the Rural Living and Low Density Residential zone.

1.4 ZONING HISTORY

1.4.1 Sorell Planning Scheme 1993

Under the *Sorell Planning Scheme 1993*, which was in effect until 2015, the subject site was identified within the Reserved Residential (Unserviced) Zone.

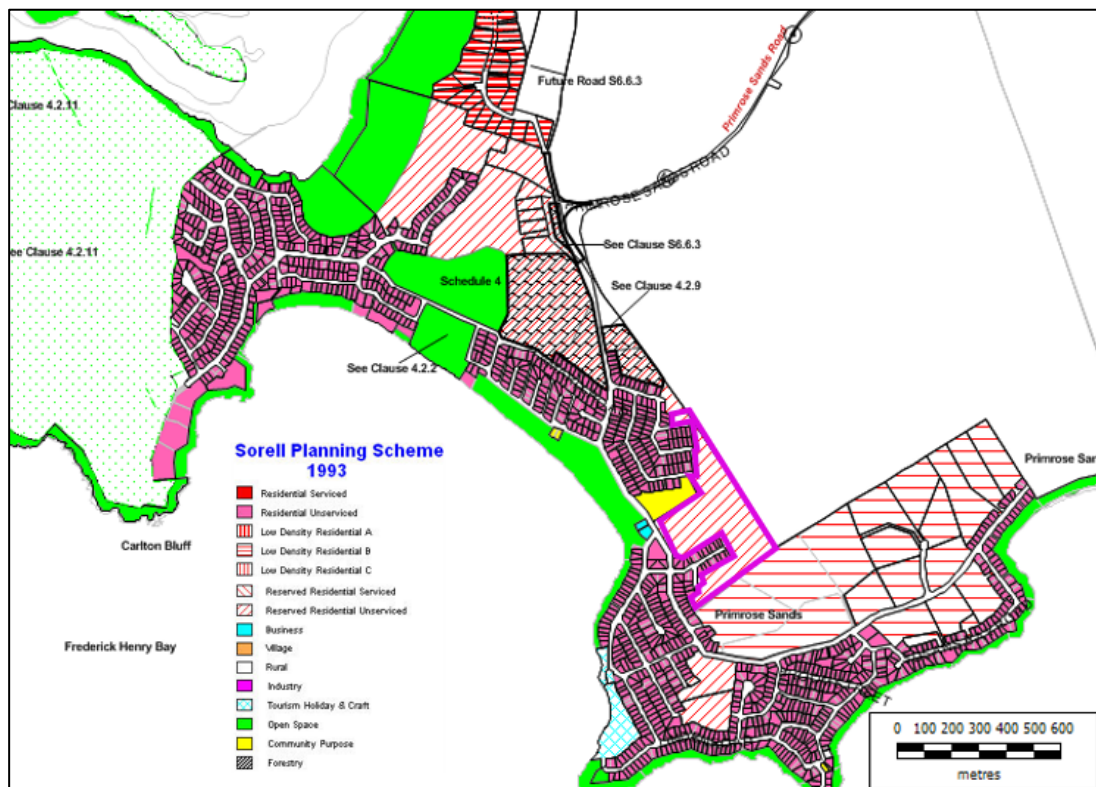


Figure 14: Sorell Planning Scheme 1993 Zoning with subject site identified. (source: Sorell Planning Scheme 1993)

1.4.2 Sorell Interim Planning Scheme 2015

The *Sorell Interim Planning Scheme 2015* commenced in August 2015. Under the interim scheme the subject site was identified within the Rural Living Zone, and further identified within the Rural Living Zone Area B, which provided for 10ha lots.

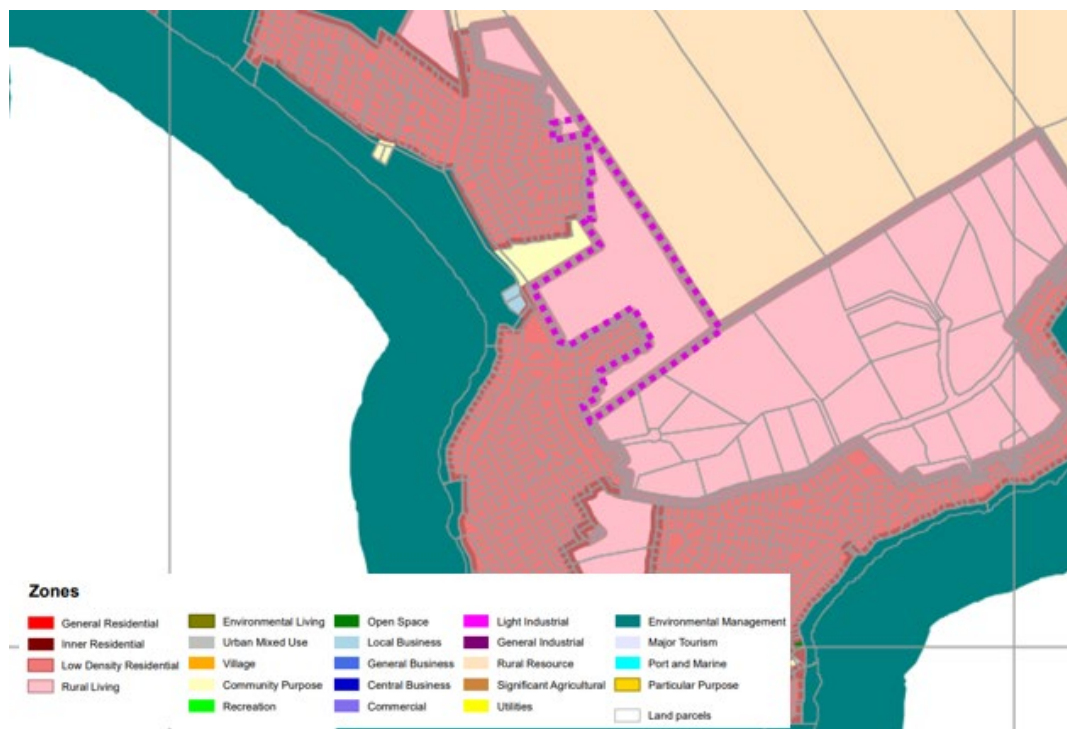


Figure 15: Sorell Interim Planning Scheme 1993 Zoning with subject site identified. (source: *Sorell Planning Scheme 2015*)

In preparing interim planning schemes all Tasmanian councils were required to apply Planning Directive No.1 - The Format and Structure of Planning Schemes, which includes a standard set of 23 zones. None of these zones provide a 'like-for-like' translation in the case of the Reserved Residential Unserved zone.

Although not a 'like-for-like' zoning, the Tasmanian Planning Commission considered at that time of considering the Interim Planning Scheme, that it was appropriate to zone all land formerly zoned Reserved Residential Unserved at Lewisham, Dodges Ferry and Primrose Sands to 'Rural Living Area B' on the basis that this zone would provide the similar development potential as the former zone and that these areas did not have structure plans or strategic planning that could underpin the translation of these areas into urbanised residential or other zones the Interim Planning Scheme. Interim Planning Scheme was in effect until 20 December 2021.

1.4.3 Transition to the Tasmanian Planning Scheme - Sorell

The proposed Sorell draft Local Provisions Schedule, when released for public consultation, identified the subject site within the Rural Living Zone within the Rural Living Zone D category which provided for 10ha lots.

In 2020, representations were made as part of the planning scheme process seeking to have this site be revised from the Rural Living Zone D to the Rural Living Zone A or the Low Density Residential Zone.

At the time, council were not supportive of this representation and in its consideration of this site and the representations, the Tasmanian Planning Commission ultimately supported the Councils recommendation that no modifications were required and as a result no rezoning of the subject site was undertaken.

Further details relating to these representations and the Tasmanian Planning Commission's decision are set out in section 4.1.1 of this report.

1.5 OTHER MATTERS

1.5.1 Proposed Open Space Zone

There is portion of the site which adjoins the eastern boundary of the Community Purpose Zoned Land that is currently going through a separate process to become council land that is intended to be included within the Open Space Zone (providing a local dog park). This represents approximately 2692m² of the overall 11.47ha site. This change does not form part of this request.

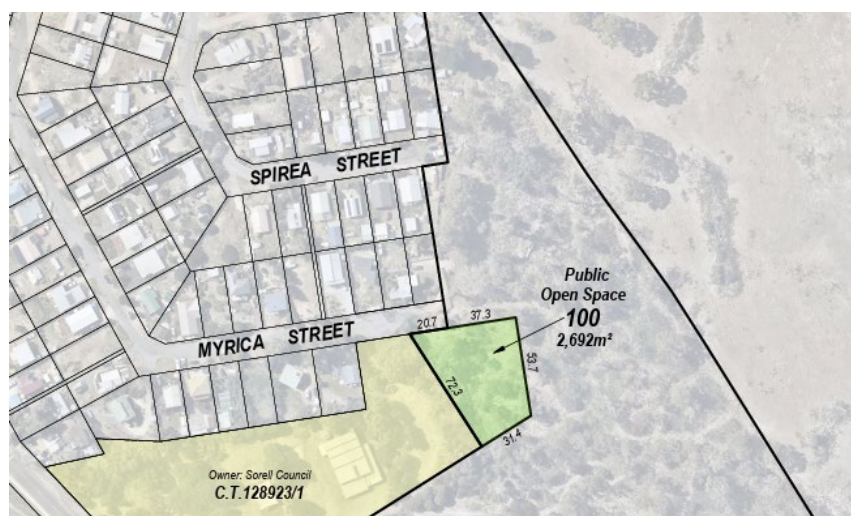


Figure 16: Likely extent of Open Space Zone within the subject site. (source: Rogerson & Birch Surveyors 2024)

1.5.2 Southern Beaches On-site Waste Water Management Specific Area Plan

The Southern Beaches On-site Waste Water Management Specific Area Plan (SAP) provides localised provisions which are intended to ensure Stormwater quality and quantity is managed to protect natural assets, infrastructure and property and that on-site waste water management for residential or business uses do not cause any adverse environmental impact or impact on public health.

The site is currently identified as adjoining the boundary of the SAP along the sites western boundary, however at this time the site is outside the extent of the SAP.

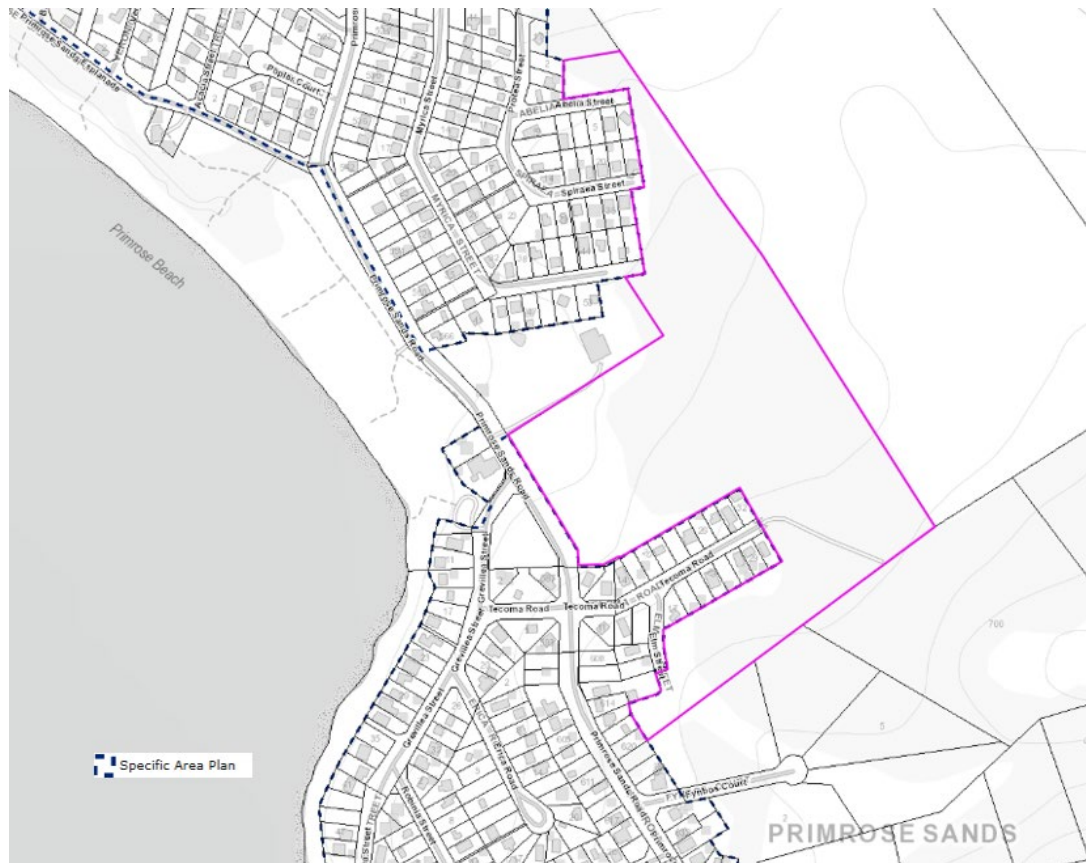


Figure 17: Subject site identified beyond extent of Specific Area Plan. (source: State of Tasmania www.theLIST.tas.gov.au)

2. PROPOSED PLANNING SCHEME AMENDMENT

The proposed planning scheme amendment request seeks to change the existing zoning Rural Living Zoning of a portion of the subject site to provide for an identified 6,767m² portion of the site to be included within the Local Business Zone, with the balance of the site to remain as Rural Living Zone.

The portion of proposed Local Business Zone is shown on proposal plans prepared by Rogerson & Birch Surveyors provided as **Attachment 1** to this report. This portion is intentionally located toward the frontage of Primrose Sands Road on a relatively unconstrained part of the site which is well located to function as part of the Primrose Sands local activity centre.

The introduction of a portion of Local Business zoned land on the site is intended to provide for future commercial growth in Primrose Sands. Uses that would be associated with future commercial activities services occurring on this portion of the site would be subject to future planning approval which would be considered against the relevant standards of the Local Business Zone.

As a consequential change, the proposal also seeks to include the extent of the proposed Local Business Zone within the Southern Beaches On-site Waste Water Management Specific Area Plan, to ensure effective operation of the planning scheme.

No changes are proposed to apply to the balance of the remaining Rural Living Zoned land.

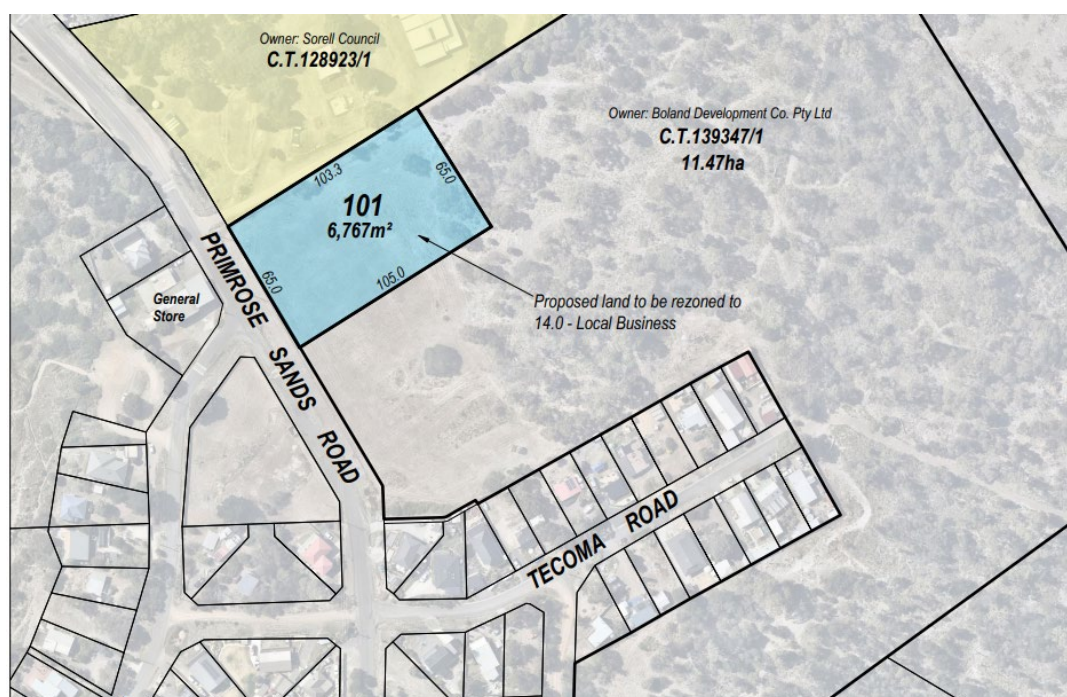


Figure 18: Proposed extent of Local Business Zone with balance of site remaining within the Rural Living Zone. (source: Rogerson & Birch Surveyors 2024)

3. EXISTING STATUTORY CONTROLS

The following considers the applicable statutory controls as per the *Tasmanian Planning Scheme - Sorell*. The following provides the provisions of the planning scheme relevant to the site and use and development proposed for the land.

3.1 ZONING

The site exists within the Rural Living Zone under the planning scheme. The land immediately surrounding this site is also located within the Rural Living Zone. The site is further identified in the Rural Living Zone Area D, which provides for 10ha minimum lot sizes.



Figure 19: Subject site identified within the planning schemes zoning mapping. (source: State of Tasmania www.theLIST.tas.gov.au)

The following Rural Living Zone Purpose Statements in the planning scheme are a relevant consideration.

11.1.1 To provide for residential use or development in a rural setting where:

(a) services are limited; or

(b) existing natural and landscape values are to be retained.

11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.

11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.

11.1.4 To provide for Visitor Accommodation that is compatible with residential character.

This zone seeks to ensure that development does not cause unreasonable loss of residential amenity.

The following Local Business Zone Purpose Statements in the planning scheme are also a relevant consideration.

14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.

14.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.

14.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.

14.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

This zone seeks to ensure that development provides for local functions that do not distort or compromise the centre hierarchy, which will be a relevant consideration in a planning scheme amendment application.

It is anticipated that the proposed rezoning would result in development outcomes which are in alignment with the Local Business Zone and that would remain compatible with the intended purpose of the balance of the site which will remain within the Rural Living Zone.

3.1.1 Zone Uses

The following table outlines the uses which are permitted, discretionary and prohibited within the Rural Living Zone. The envisaged use of the subject land would primarily provide for local scale commercial activities which would exceed the limitations of the use qualifications that are applied to General Retail and Hire and Business and Professional Services within this zone and as such would be considered prohibited uses.

<i>Rural Living Zone Use Table</i>
No Permit Required
<ul style="list-style-type: none">• Natural and Cultural Values Management• Passive Recreation• Residential - <i>where for a single dwelling</i>• Resource Development - <i>where for grazing</i>• Utilities - <i>where for minor utilities</i>

Permitted
<ul style="list-style-type: none"> Residential - <i>where for a home-based business</i> Visitor Accommodation
Discretionary
<ul style="list-style-type: none"> Business and Professional Services - <i>where for a veterinary centre</i> Community Meeting and Entertainment - <i>where for a place of worship, art and craft centre or public hall</i> Domestic Animal Breeding, Boarding or Training Education and Occasional Care - <i>where for a childcare centre or primary school; or an existing respite centre.</i> Emergency Services Food Services - <i>where a gross floor area of not more than 200m².</i> General Retail and Hire where for: <i>primary produce sales; sales related to Resource Development; or a local shop</i> Manufacturing and Processing - <i>where for alterations or extensions to existing Manufacturing and Processing</i> Resource Development - <i>where not for intensive animal husbandry or plantation forestry; or not listed as No Permit Required</i> Resource Processing - <i>where not for an abattoir, animal saleyards or sawmilling</i> Sports and Recreation - <i>where for an outdoor recreation facility</i> Utilities - <i>where not listed as No Permit Required</i> Vehicle Fuel Sales and Service
Prohibited
<ul style="list-style-type: none"> All other uses

3.1.2 Use Standards

The Rural Living Zone establishes Use Standards that apply to discretionary uses which regulate hours of operation, external lighting and commercial vehicle movements, and to visitor accommodation uses. These Standards would continue to apply to the Rural Living Zoned portion of the site but would be replaced by the Use Standards of the Local Business Zone for the identified portion of the site. The Local Business Zone has similar regulatory controls in relation to hours of operation, external lighting and commercial vehicle movements, but provides for slightly longer operating hours.

However, it is acknowledged that the intended local scale commercial activities intended for the Local Business Zoned portion of the site are likely to be prohibited uses, and as such these standards under the Rural Living Zone would not be applicable.

3.1.3 Development Standards

The Rural Living Zone establishes Development Standards which regulate site coverage, building height, setback and siting of development proposals. These Standards would continue to apply to the Rural Living Zoned portion of the site but would be replaced by the Development Standards of the Local Business Zone for the identified portion of the site which seek to regulate building height, setbacks, design, fencing, outdoor storage and additional controls for dwellings.

However, it is acknowledged that the intended local scale commercial activities intended for the Local Business Zoned portion of the site are likely to be prohibited uses, and as such these standards under the Rural Living Zone would not be applicable.

3.2 OTHER PLANNING SCHEME CODES

The land is identified as being affected by additional codes and overlays under the planning scheme. These have been considered in the below.

3.2.1 Road And Railway Assets Code

The code applies where any new accesses are proposed, or intensification of existing accesses is likely. Given the existing use of the site, any future development of the site would result in an intensification which would result be considered in the same way, regardless of whether the site was zoned in the Rural Living or Local Business Zone.

3.2.2 Parking and Sustainable Transport Code

The standards of the parking access code provide requirements for the provision of car parking based on the uses being undertaken on the site. All uses require assessment against this code.

These standards also require compliance with Australian Standards in regard to car parking areas, accesses and turning sufficient in number and design.

The Parking and access code in the planning scheme will apply to any proposed future development including where development will intensify or change the use of the site. This would apply regardless of whether the site was zoned in the Rural Living or Local Business Zone.

3.2.3 Bushfire-Prone Areas Code

The entirety of the site is identified as being affected by the Bushfire-Prone Area Overlay.

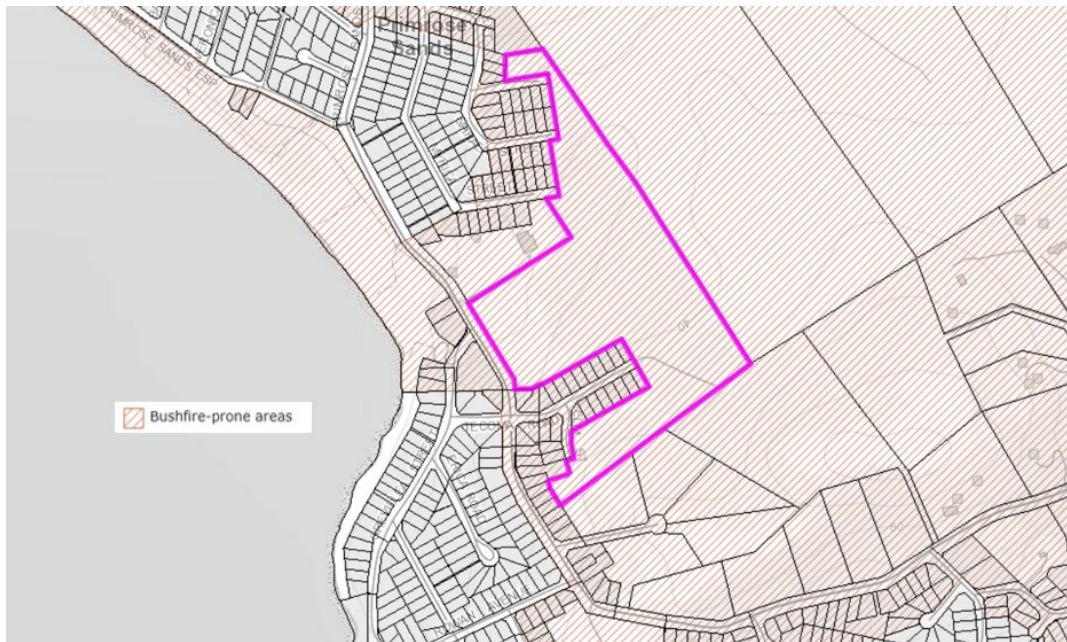


Figure 20: Site identified in the Bushfire-Prone Area Code overlay mapping. (source: State of Tasmania www.theLIST.tas.gov.au)

The extent of the site subject to the proposed rezoning represents the least vegetated portion of the site and is topographically the lowest portion of the site which elevates moving towards the east and south east across the balance of the site. The portion of the site relevant to the Local Business Zone is also identified in the Greater Hobart Wildfire index as having a low exposure rating (see Figure 21).

The extent of Local Business Zone proposed also intends to ensure that the site is of a sufficient size such that future development can adequately provide for and ensure any relevant bushfire management or mitigation can occur on site.

Any future subdivision will require consideration of the bushfire provisions, and any future development will need to be designed with consideration of the risk in order to satisfy further building requirements at a building stage.

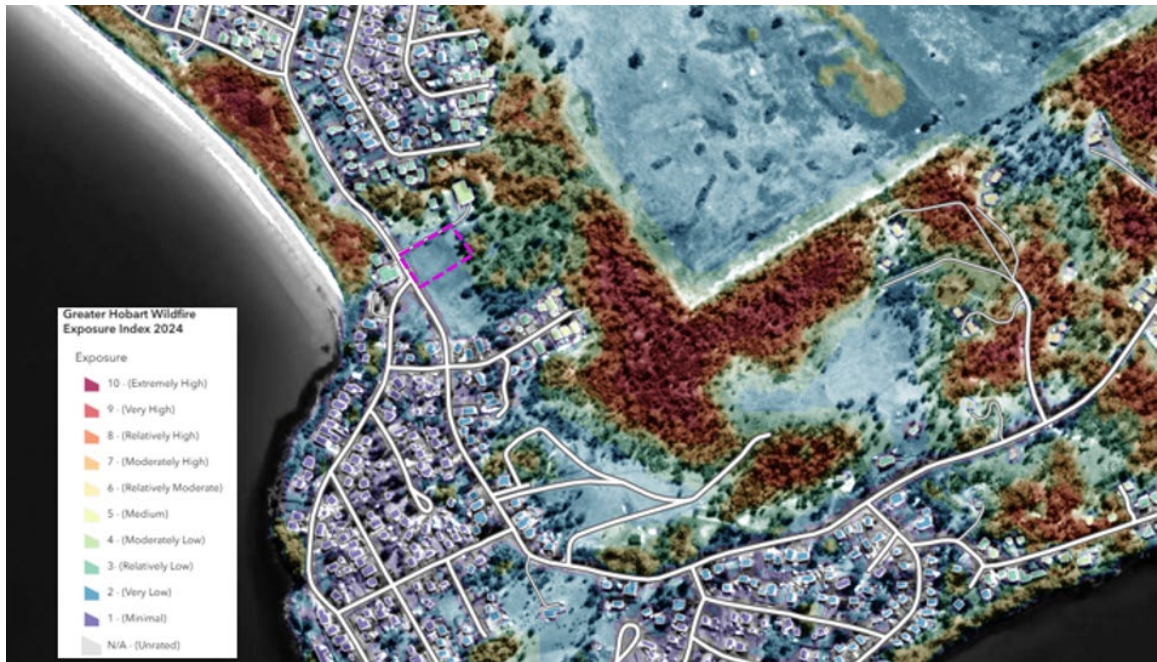


Figure 21: Approximate extent of land subject to proposed rezoning identified in Greater Hobart Wildfire Exposure Index 2024. (source: Geoneon Pty Ltd 2024 <https://hobart.geoneon.com/explore-the-map>)

Rezoning of the identified portion of the site would not alter future developments consideration against the provisions of this code.

3.2.4 Flood-Prone Area Code

The site is identified as being partially affected by the Flood-Prone Area Overlay, in which future development will trigger assessment against the Flood-Prone Area code.

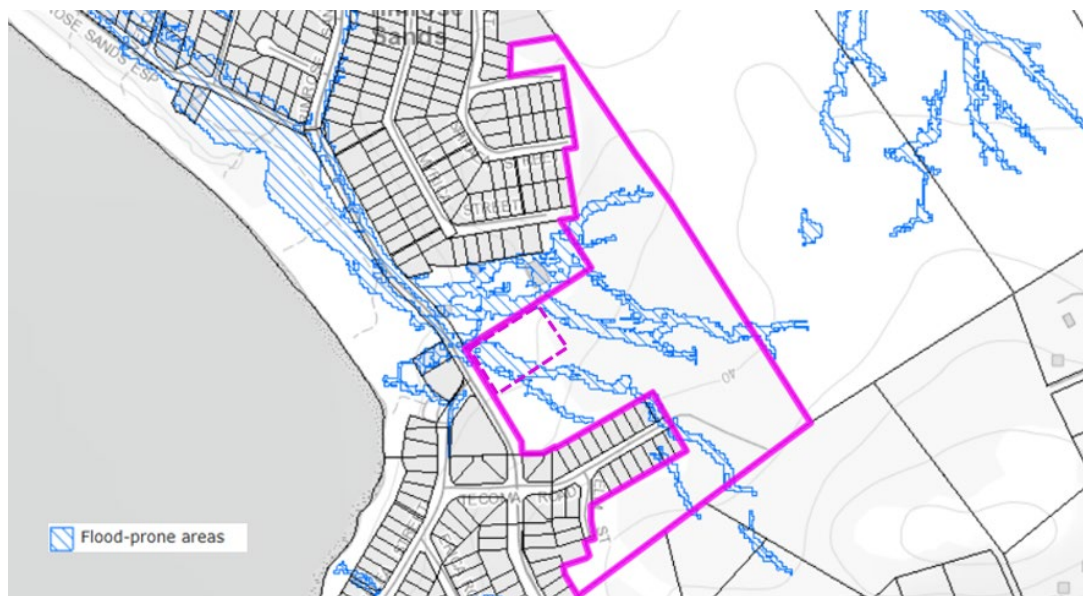


Figure 4: Subject site and approximate extent of land subject to proposed rezoning identified in the Flood-Prone Area overlay mapping. (source: State of Tasmania www.theLIST.tas.gov.au)

Further interrogation of Flood Hazard modelling supplied by the council (see Figure 23 and Figure 24) establishes that the portion of the site subject to the Local Business Zone rezoning would see a 2cm inundation depth at slow velocity at 1% Annual Exceedance Probability (AEP) flood event, which is recognised as a major flood event.

On this basis, this portion the site is considered unlikely to cause significant inundation risk and it would be anticipated that future development proposals would be capable of being developed in accordance with and responding to the relevant provisions of the Flood-Prone Area code.

Rezoning of the site would not alter a future development proposals consideration against the provisions of this code, as it is applicable to both the Rural Living and Local Business Zones.



Figure 235: Flood Hazard Modelling of a 1%AEP flood event - velocity - with subject site identified. (source: Council supplied)

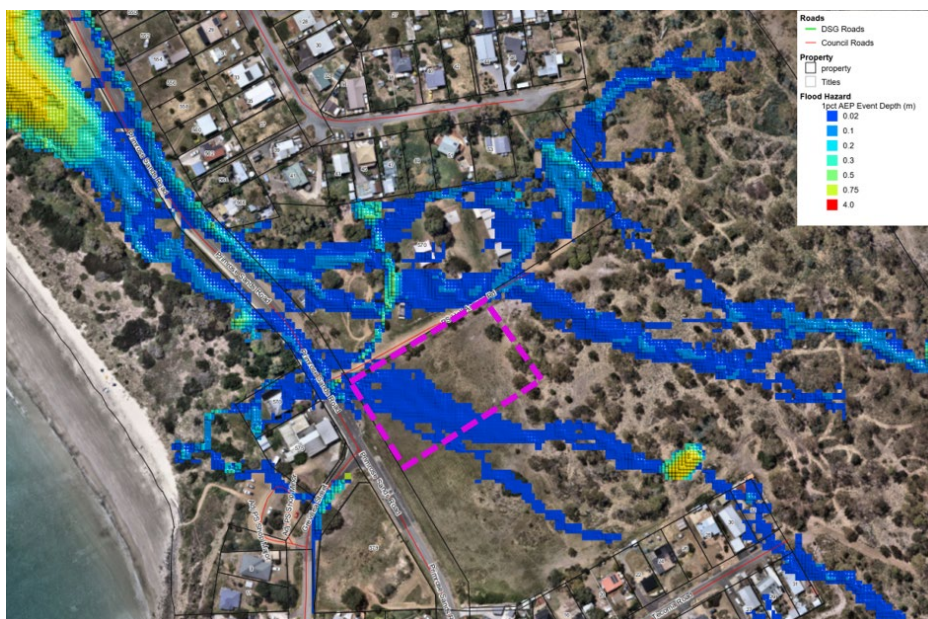


Figure 24: Flood Hazard Modelling of a 1%AEP flood event - depth - with subject site identified. (source: Council supplied)

3.2.5 Natural Assets Code

The site is identified as being partially affected by the Priority Vegetation Area. The extent of the site which is affected by the Priority Vegetation Area is to be fully retained within the existing Rural Living portion of the site, and as such future development occurring on the proposed Local Business Zoned portion would not trigger assessment of the Natural Assets Code in relation to Priority Vegetation Area. The Natural Assets Code would continue to apply to the Rural Living portion of the site in the same way in which it would be triggered under the current planning scheme provisions.

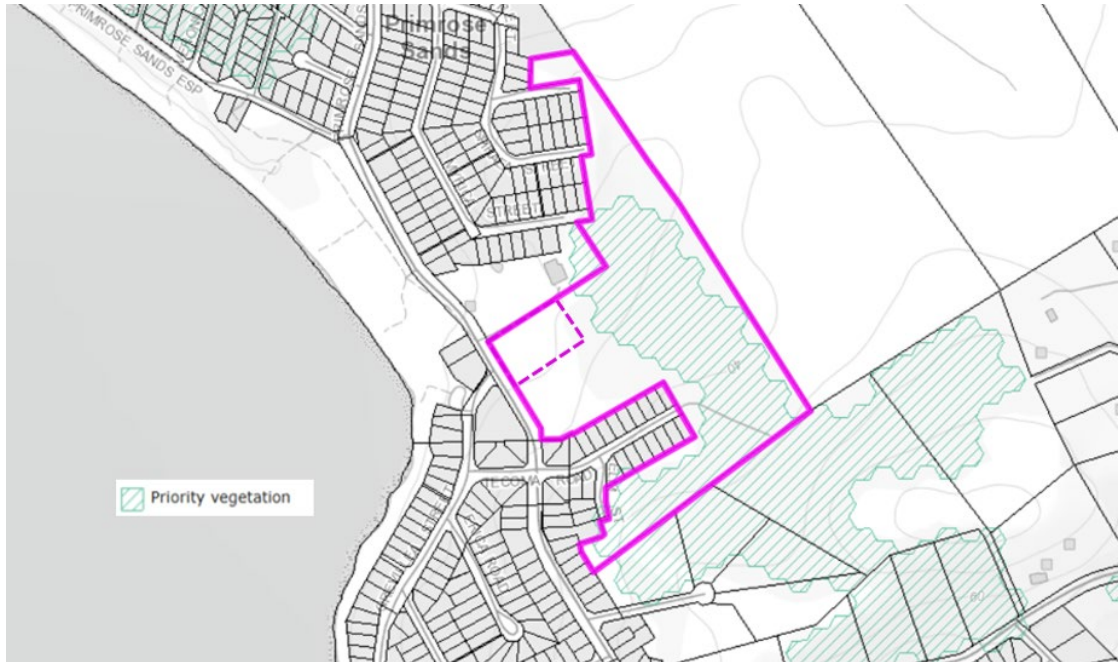


Figure 6: Subject site and approximate extent of land subject to proposed rezoning identified within the Priority Vegetation Area Overlay. (source: State of Tasmania www.theLIST.tas.gov.au)

3.2.6 Obstacle Limitation Area

The subject site is identified as being affected by the Obstacle limitation area for the Hobart International Airport. The Safeguarding of Airports Code applies to development within an airport obstacle limitation area which exceeds the 152m AHD. It is unlikely development of this site will trigger assessment under this code. Therefore, proposed development would not be anticipated to exceed this requirement.

3.2.7 Southern Beaches On-site Waste Water Management Specific Area Plan

The site is currently identified as being outside of the extent of Southern Beaches On-site Waste Water Management SAP. This planning scheme amendment request seeks to have the Local Business Zone portion of the site be included within the extent of this SAP. This will result in the intended controls of the SAP applying to future development of the proposal and ensure alignment with the intended operation of the planning scheme.



Figure 26: Land subject to rezoning as identified beyond extent of Specific Area Plan. (source: State of Tasmania www.theLIST.tas.gov.au)

4. OTHER RELEVANT MATTERS

4.1 TRANSITION TO THE TASMANIAN PLANNING SCHEME - SORELL

In 2020, representations were made about the subject site in response to council's public consultation on the proposed Sorell draft Local Provisions Schedule, which now form part of the current planning scheme. The draft scheme identified the subject site within the Rural Living Zone within the Rural Living Zone D category which provides for 10ha lots.

These representations requested that this site be revised from the Rural Living Zone D to the Rural Living Zone or the Low Density Residential Zone. The reasons included:

- *the land has long been planned for higher density residential development and was previously zoned un-serviced residential.*
- *other similar land in Primrose Sands within the Rural Living Zone, but with a one hectare minimum lot size, has been developed, demonstrating demand for this land type;*
- *the basis for the back-zoning was a land supply report which argued an oversupply of land, however current data shows a shortage of available residential land, which has led to an increase in prices;*
- *the land could have supported 1500m² lots, however lots of a minimum of one hectare would be more consistent with the regional strategy; and*
- *allowing low density residential development in Primrose Sands is consistent with good planning principles and affordable housing goals.*
- *In Council's response to representations received through public consultation, the Council considered the representation did not warrant modification to the draft LPS as Primrose Sands is identified as a Dormitory Suburb with very low consolidated growth scenario, which means no new potential dwellings are provided for except single dwellings on existing lots or where there is existing subdivision potential.*

At the hearing, the representor submitted:

- *if the land was developed to one hectare lots, it would provide only 10 new lots, which is not a significant increase; and*
- *the land could also potentially be developed for commercial purposes due to its location and characteristics.*

At the hearing, the planning authority submitted:

- *a 10 lot subdivision of the site into one hectare parcels would represent about a 15% increase in the number of lots, which is not insubstantial;*

- *the application of the Rural Living Zone D is a like-for-like translation from the current zone applying under the interim planning scheme; and*
- *if Council prepared a structure plan for Primrose Sands, the site could potentially be considered for the Local Business Zone.*

In its consideration of this site and the representations, the Tasmanian Planning Commission ultimately supported the Councils recommendation that no modifications were required and as a result no rezoning of the subject site was undertaken.

The Tasmanian Planning Commission's recommendation include the following statement (with our bolding for emphasis):

146. *The Commission notes that at the hearing, the representor requested either the Rural Living Zone, with a minimum lot size of one hectare (Rural Living Zone A), and/or to allow part of the site to be developed for commercial purposes.*
147. *The Commission recognises that the land is opposite the existing small cluster of land within the Local Business Zone and may be an appropriate location for expansion of that cluster. However, the Commission notes the submission of the planning authority that further structure planning work for the settlement would be required to determine the demand for additional commercial land. The Commission considers that at this time, insufficient strategic analysis has been undertaken to support a revision to the Local Business Zone.*
148. *The Commission considers that the land is located within the settlement of Primrose Sands. The Commission agrees with the planning authority that the potential increase in lots is not insignificant in the context of the very low growth strategy allocated to Primrose Sands in the regional strategy. The Commission considers the application of the Rural Living Zone with higher lot yield than Rural Living Zone D, or the Low Density Residential Zone, to the land partially or fully, would therefore be inconsistent with the regional strategy, namely SRD 1.1 and SRD 1.6.*

While council have not prepared a structure plan in relation to this matter, further planning and legal processes which have occurred subsequent to these recommendations, have resulted in further exploration of future need and demand for additional commercial land in Primrose Sands and have created strengthened the basis for which inclusion of the identified portion of Local Business Zone on the subject site should be considered.

This is further explored in the following sections as well as within section 6.1 of this report.

4.2 579 PRIMROSE SANDS ROAD

579 Primrose Sands Road is an irregular shaped 3716.2m² vacant lot. This site is situated at the south of the junction of Grevillea Street with Primrose Sands Road. To the northwest of the junction 573 and 574 Primrose Sands Road. 573 Primrose Sands Road has an area of 1100m² and contains a residential dwelling. 574 Primrose Sands Road has an area of 1753m² and contains a service station, a residence and a general store.

Under the current planning scheme 579, 574 and 573 Primrose Sands Road are all identified within the Local Business Zone. These properties comprise the entirety of the Local Business Zone within Primrose Sands.

579 Primrose Sands Road was previously zoned Low Density Residential under the Sorell Interim Planning Scheme 2015 and was rezoned to the Local Business Zone during transition to the Scheme, which commenced on 21 December 2022.

This rezoning was based largely on the 2019 Sorell Land Supply Strategy Report recommendations which have been explored in section 4.2.1 below.

Although initially intended by council that this rezoning 579 Primrose Sands Road would provide for expansion of local business activities in Primrose Sands, a recent planning decision made by TASCAT, which approved a residential use over the 579 Primrose Sands site, means it is now unlikely that this land will now be capable of providing for this commercial expansion. This is further explored in section 4.2.2 below.

4.3 SORELL LAND SUPPLY STRATEGY 2019

The Sorell Land Supply Strategy Report Stage 2, commissioned by the Council and dated 21 June 2019, identified Primrose Sands as one of eight local centres. This report considered the need for additional commercial land and recommended the minor expansion of the local commercial area of Primrose Sands.

The report identified the existing Local Business Zoned parcels as the only local centre in Primrose Sands, consisting of two land parcels, one of which contained a convenience store with petrol station facilities and the other of which contains a dwelling. The report considered that the centre could expand onto the latter residential site, and also onto the southern corner of the intersection where there is a vacant site.

This strategy recommended that 579 Primrose Road be removed from the Low Density Residential zone and instead be included within the Local Business Zone. This strategy recognised land to the north of 579 Primrose Road as the only local centre in Primrose Sands and that the centre could expand on to the 579 Primrose Road property.

As part of Stage 3 of the report, a master plan was prepared to support the recommendation which included the following:

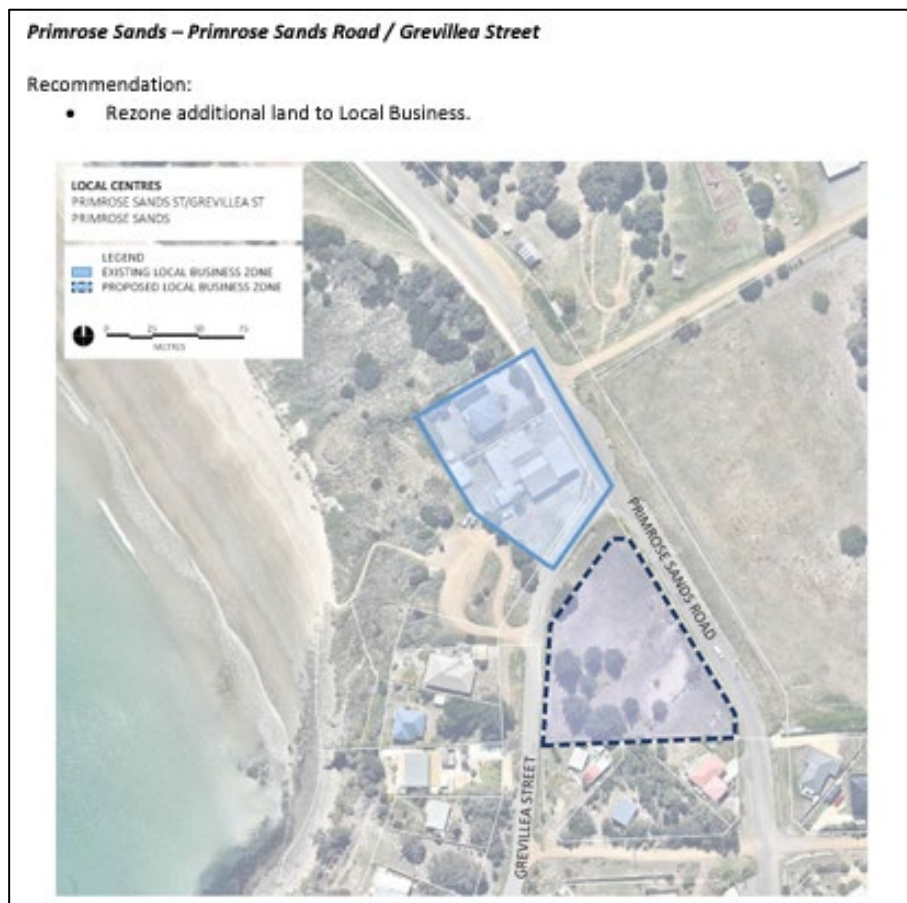


Figure 27: Sorell Land Supply Strategy - Primrose Sands Local Centre Masterplan. (source: [Sorell-Land-Supply-Strategy-2019-Update-Stage-3-Report.pdf](#))

Within the draft Sorell Local Provisions Schedule council provided for this site to be included within the Local Business Zone. This change was accepted by the Tasmanian Planning Commission who approved its inclusion within planning scheme.

4.4 CARTHEW-WAKEFIELD DECISION

The 579 Primrose Sands Road site has been subject to a development permit for a residential dwelling on the site, which would significantly compromise the sites ability to provide for further commercial development.

Although initially refused by council, this decision was overturned by TASCAT on 10 October 2024 - instead determining that the approval should be granted for the residential dwelling.

In consideration of the limited detail included in the councils Land Supply Strategy which supported the rezoning of 579 Primrose Sands Road, the Carthew-Wakefield decision recognised:

47. ... zoning is a mechanism used in land use planning to encompass current and future use and to reflect intended future use and development. The report claimed a need for expansion of the Primrose Sands activities centre by rezoning, although it provided no analysis of supply and demand. Notwithstanding that, and contrary to Mr Boardman's opinion, Mr Wells identified trends in the ABS data that indicate the potential for some population growth.

48. Although the commercial activity in the area is modest, that area includes all of the retail, commercial and service activities in Primrose Sands, other than the Primrose Sands RSL. The re-zoning indicates a strategic intention to increase the land available for future business activity in Primrose Sands.

49. For these reasons, and the reasons advanced by the Council, we are satisfied that notwithstanding the limited current commercial activity in the area and the existing residential uses, the area is a local centre within the activity centre network in STRLUS.

This decision effectively found that while the proposed residential use of 579 Primrose Sands Road would likely distort the activity centre envisaged for Primrose Sands by the Council, the planning scheme provisions restricted the decision making relating to the relevant provisions of the scheme were the directed at compromise or distortion of the activity centre hierarchy, not the activity centre itself.

Future development undertaken in accordance with this approval, will result in residential development comprising 63% of the 579 Primrose Sands Road property. The siting and extent of the residential development is considered by council to render the site effectively unusable for any other purpose³. As a result, councils intention of providing for expansion of local business activities sought in its previous Land Supply Strategy in Primrose Sands will be lost.

4.5 POPULATION AND DWELLING FORECAST

Primrose Sands had a population of 1,209 persons at the 2021 census⁴. This figure uses the Urban Centres and Localities Geography from the Australian Bureau of Statistics (UCL615019). At the 2016⁵ census the population was 1,050. Between 2016 and 2021, the population increased by 15%.

The unoccupied private dwelling count at the 2021 census was 447 being 44.5% of all dwellings⁶. In 2016, the unoccupied private dwelling count was 476 being 49.9% of all dwellings⁷. That is, over that time period the unoccupied private dwelling count fell by 29. Unoccupied private dwellings are typically associated with shacks or holiday homes.

Between August 2016 and the start of the 2021 census period (July 2021), Sorell Council had issued building approvals for 64 dwellings in Primrose Sands⁸.

As at February 2024, there were 265 vacant residential lots in Primrose Sands.⁹ The 2021 census found that the average numbers of persons per dwelling in Primrose Sands is 1.9 persons. At this ratio of 1.9 persons per dwelling, these vacant lots would be expected to accommodate a further 503 persons.

³ **Carthew-Wakefield v Sorell Council (No 2) [2024] TASCAT 188 (10 October 2024):**

50.The Council contends that the proposal will result in the majority of the site being occupied as the residential use will render the site effectively unusable for any other purpose. In this respect, the Council notes that the proposed dwelling is located close to the middle of the site and that Mr Boardman has calculated the area dedicated to residential use would be 2359m² of the total 3721m² of the site, being 63% of the site.

⁴ [2021 Primrose Sands, Census All persons QuickStats | Australian Bureau of Statistics](#) SAL60522

⁵ [2016 Primrose Sands, Census All persons QuickStats | Australian Bureau of Statistics](#) UCL615019

⁶ [2021 Primrose Sands, Census All persons QuickStats | Australian Bureau of Statistics](#) SAL60522

⁷ [2016 Primrose Sands, Census All persons QuickStats | Australian Bureau of Statistics](#) UCL615019

⁸ Data supplied by Sorell Council

⁹ Data supplied by Sorell Council

5. INTENT OF THE PROPOSED AMENDMENT

The intent of the proposed amendment to provide for future commercial growth in Primrose Sands through the inclusion of a portion of Local Business zoned land at the Primrose Road site.

5.1 SPECIFIC AMENDMENT

Rezone the below identified portion of CT 139347/1 (PID3334858), Primrose Sands Road, Primrose Sands to provide 6,767m² of Local Business Zoned land, with the balance of the lot is intended to remain within the Rural Living Zone.

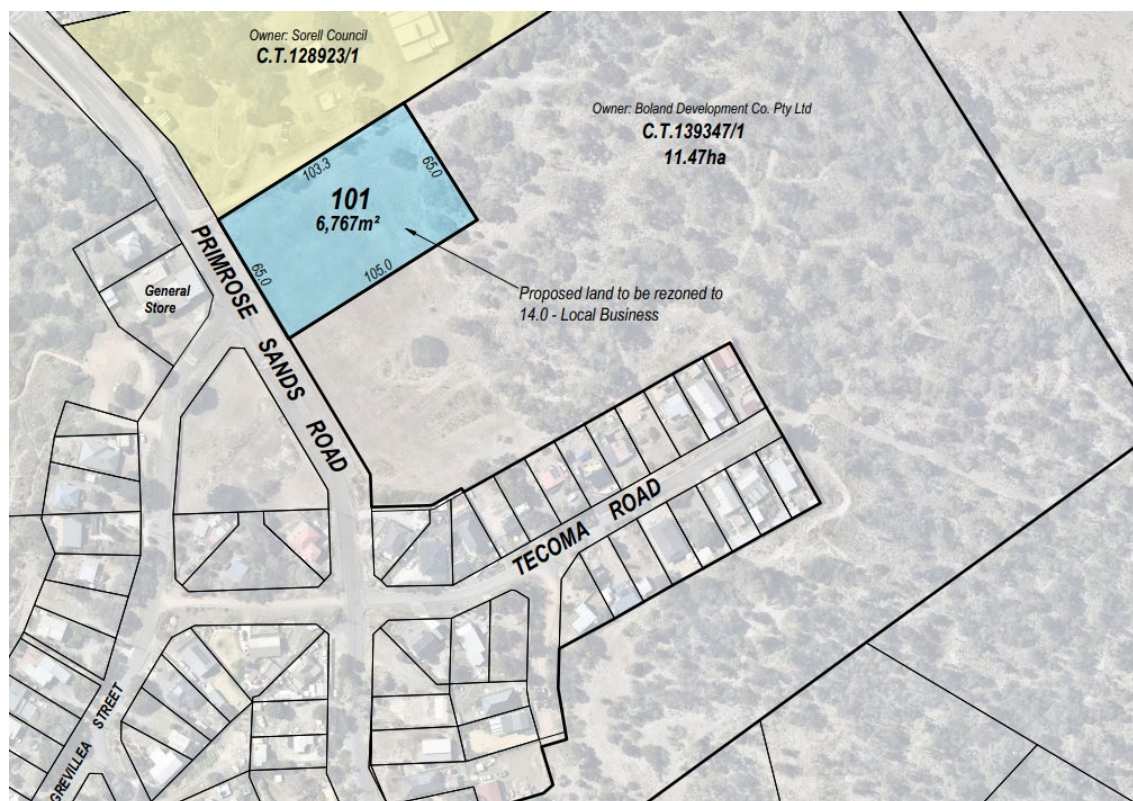


Figure 28: Proposed extent of Local Business Zone. (source: Rogerson & Birch Surveyors 2024)

As an additional associated and consequential amendment, this amendment also seeks to include the extent of the proposed Local Business Zone within the Southern Beaches On-site Waste Water Management Specific Area Plan, to ensure effective operation of the planning scheme.

5.1.1 Proposed Zone

The proposed rezoning request seeks to have approximately 6,767m² of the site included within the Local Business Zone. The overall site is approximately 11.47ha and this change will result in approximately 6% of the total site being affected by Local Business Zone. The remaining

10.77ha of Rural Living Zone is of a size which will not limit the potential for uses and development anticipated within the Rural Living Zone from occurring on the site.

5.1.2 Inclusion within Southern Beaches On-site Waste Water Management Specific Area Plan

The site is currently identified as being outside of the extent of Southern Beaches On-site Waste Water Management SAP. This planning scheme amendment request seeks to have the Local Business Zone portion of the site be included within the extent of this SAP. This will result in the intended controls of the SAP applying to the in away which is consistent with its surrounds. The change will result in future development proposals within the Local Business Zoned portion of the site needing to be considered against the relevant provisions of the SAP.

Without this change, the provisions of the SAP would not apply as intended for business zoned land within this localised area.

6. STRATEGIC ANALYSIS AND STATUTORY CONSIDERATIONS

The following provides a strategic analysis of the proposed rezoning and has considered it against the strategic documents that are relevant to the future use of the subject land. This includes consideration of the *Southern Tasmania Regional Land Use Strategy 2010-2035* (as amended in 2023) (STRLUS) and strategic plans and other land use strategies prepared by the Sorell Council as key strategic documents.

6.1 STRATEGIC ANALYSIS

The proposed amendment effectively seeks to ensure there is sufficient land available for future commercial activities within the Primrose Sands locality. This amendment primarily recognises that previous work undertaken by the council to provide additional land to support future growth may no longer be realised through the 579 Primrose Sands Road which had been rezoned for the purpose of accommodating this growth.

The proposed rezoning seeks to provide an integrated and effective land use planning outcome that:

- resolves a potential undersupply of local business zoned land which has resulted from recent planning decision on surrounding sites;
- provides a sufficient amount of Local Business Zoned land that it is capable of providing for future commercial uses to occur in Primrose Sands, in manner that can facilitate an adequate development area that ensures parking and storm water and waste water management is able to occur and be appropriately managed on site.

The following analysis demonstrates that the proposed rezoning provides a sound alternative approach to ensure there is sufficient land appropriately zoned future commercial use within the Primrose Sands locality.

6.1.1 Extent of Local Business Zone land proposed

The proposed rezoning request seeks to have approximately 6,767m² of the site included within the Local Business Zone. The overall site is approximately 11.47ha and this change will result in approximately 6% of the total site being affected by Local Business Zone. The remaining 10.79ha of Rural Living Zone is of a size which will not limit the potential for uses and development anticipated within the Rural Living Zone from occurring on the site.

In considering the current planning scheme controls which will apply to future development proposals on the site, there are various factors including waste water management, parking and bushfire management, that are present across the site and its surrounding area, which will limit the actual extent of a commercial activities footprint on the site.

In determining the proposed extent of Local Business Zoned land this proposal intends to reach a balance that will allow for a viable commercial development to service the local area that

can achieve the intended development outcomes sought by the planning scheme such that a future development is able to appropriately manage its impacts on site.

The 6,767m² extent of the Local Business Zone is intended to provide sufficient area for:

- effective and efficient storm water and wastewater management for future development to occur within the bounds of the site;
- parking and access arrangements to be accommodated within the site;
- appropriate bushfire management arrangements, as required, to be accommodated within the site.

This also considers limitations which exist within some of the existing commercial land within Primrose Sands that may affect their future ability to be utilised for commercial development. For example, it is understood that the existing wastewater for the service station at 574 Primrose Sands Road is managed on the adjoining foreshore via a lease arrangement as the land at 1753m² is too small to accommodate wastewater management within its boundaries.

Acknowledging that the existing dwelling on 573 Primrose Sands Road is on a smaller title than the service station site, it is considered that there is a strong likelihood that this site would not be of sufficient size to support a commercial use on the site unless the commercial use was as an expansion to the existing service station site or was a very low intensity activity (e.g. operating within the capacity and extent of the existing dwelling). This may be considered a further limitation on the supply of Local Business Zoned land within the locality.

While the proposed extent of Local Business Zone is larger than the 3716.2m² of Local Business Zoned land which had been provided for 579 Primrose Sands Road, it is considered that the proposed size is appropriate within the context of the Primrose Sand settlement and commensurate to the intended expansion of Local Business Zoned land which has been contemplated in the local centre.

6.1.2 Commercial Need

The Sorell Land Supply Strategy Report June 2019 identified Primrose Sands as one of eight local centres. This report considered the need for additional commercial land and recommended the minor expansion of the local commercial area of Primrose Sands. This strategy recommended that 579 Primrose Road be removed from the Low Density Residential zone and instead be included within the Local Business Zone.

Based on this recommendation 579 Primrose Sands Road was rezoned to the Local Business Zone during transition to the current planning scheme, which commenced on 21 December 2022.

Although initially intended by council that this rezoning 579 Primrose Sands Road would provide for expansion of local business activities in Primrose Sands, a recent planning decision made by TASCAT, which approved a residential use over the 579 Primrose Sands site, means it is now unlikely that this land will now be capable of providing for this commercial expansion.

This in effect, results in the reemergence of the need for additional commercial land within Primrose Sands that had been initially identified within the 2019 Land Supply Strategy Report.

In considering the growth which has occurred in Primrose Sands (see section 4.2.3 of this report) since the Land Supply Strategy Report was prepared it is likely that this need would have also grown over time. Considering the continued uptake of vacant residential land¹⁰ and the

¹⁰ At least 11 vacant residential land parcels have been identified as having been sold in the last 12 months on with 6 of those within the last 6 months. (Source: realestate.com.au)

continuation of an emerging trend of transitioning unoccupied private dwellings into occupied dwellings (i.e. holiday shacks being transitioned to permanent principle place of residence) it is reasonable to assume that continued minor population growth within the Primrose Sands area would continue to further grow the need for additional commercial land to service the local area.

6.1.3 Function of the existing Local Centre

Under the current planning scheme 579, 574 and 573 Primrose Sands Road are all identified within the Local Business Zone. Those properties comprise the entirety of the Local Business Zone within Primrose Sands, which is the identified extent of the Primrose Sands Local Centre. The Community Purpose Zoned land which is adjacent to Local Business Zoned land is also considered to contribute to the function of the local centre. These properties are all identified in the below figure.



Figure 29: Approximate extent of proposed rezoning and location of surrounding Community Purpose Zone and Local Business Zoned land. (source: State of Tasmania www.theLIST.tas.gov.au)

The local centre is considered to be a very minor centre with minimal commercial offerings; while having limited offerings, the local centre still does provide a significant function for the local area in servicing local convenience needs. In considering the function of the local centre, each of the above mentioned sites have been further explored in the following where it is evident that there is to some regard an underutilisation of commercial land.

579 Primrose Sands Road

579 Primrose Sands Road is an irregular shaped 3716.2m² vacant lot. This site is situated at the south of the junction of Grevillea Street with Primrose Sands Road.



Figure 30: Frontage of 579 Primrose Sands Road viewed from Grevillea Street. (source: Ireneinc Planning & Urban Design, December 2024)

574 Primrose Sands Road

574 Primrose Sands Road has an area of 1753m² and contains an operational service station, a residence and a general store.



Figure 31: Frontage of 574 Primrose Sands Road. (source: Ireneinc Planning & Urban Design, December 2024)

573 Primrose Sands Road

This property is immediately to the north of 574 Primrose Sands Road and has an area of 1100m². It contains a residential dwelling which is understood to be occupied as a permanent residence.



Figure 32: Frontage of 573 Primrose Sands Road. (source: Ireneinc Planning & Urban Design, December 2024)

Community Centre

In addition to the Local Business Zoned land, there is also a significant 1.6ha property immediately to the north of the portion of the subject site, which is relevant to the proposed rezoning, that is identified as the Primrose Sands Community Centre - 570 Primrose Sands Road.

The community centre has a large community hall which is utilised for various community, sport and recreation functions including a children's play group. The site also provides a variety of other amenities including public toilets located along the Primrose Sands Road Frontage, a halfpipe and BMX bike track, BBQ and picnic area and playground.



Figure 33 and Figure 34: Frontage of Community Centre viewed from Primrose Sands Road showing toilet facilities (left) and the access and centre viewed from the front of the subject sites boundary. (source: Ireneinc Planning & Urban Design, December 2024)

6.2 REQUEST FOR AMENDMENT OF LPS UNDER THE ACT

The Local Provisions Schedules indicate how the State Planning Provisions (zones and codes) apply in each local municipal area. They contain zone maps and overlay maps or descriptions of places where the codes apply. Section 37 of the Act outlines the form of requests to amend a Local Provisions Schedule (LPS), including changes to zonings, as:

- (1) *A person may request a planning authority to amend an LPS that applies to the municipal area of the planning authority.*
- (2) *A request under subsection (1) is to be in a form approved by the planning authority or, if a form has been approved by the Commission, is to be in that form.*
- (3) *A request under subsection (1) by a person to a planning authority to amend the zoning or use or development of one or more parcels of land specified in an LPS must, if the person is not the owner, or the sole owner, of the land -*
 - (i) *be signed by each owner of the land; or*
 - (ii) *be accompanied by the written permission of each owner of the land to the making of the request.*

This request under section 37 of the Act is being made to Sorell Council as the relevant planning authority. It is understood that there is no approved form relevant to this request. The planning scheme amendment request is made by the owners of the site and as such no Local Government or State Government consent is required as part of this application.

6.3 LPS CRITERIA

Section 34(2) of the Act sets out the LPS Criteria, for which proposed amendments to the Local Provisions Schedules must satisfy. These criteria have been considered against the proposed planning scheme amendment in the following.

THE LPS CRITERIA TO BE MET	PROPOSAL RESPONSE
<i>(a) contains all the provisions that the SPPs specify must be contained in an LPS; and</i>	The proposed planning scheme amendment seeks a change to zoning (using zoning already utilised within the planning scheme). The change does not alter the status of the planning scheme as made having satisfied 34(2)(a) of the Act.
<i>(b) is in accordance with section 32 ; and</i>	The proposed planning scheme amendment seeks a change to zoning (using zoning already utilised within the planning scheme and on the site). The change ensures the planning scheme continues to satisfy section 32 of the Act.
<i>(c) furthers the objectives set out in Schedule 1; and</i>	The proposed amendment is consistent with and furthers the objectives of the Act. See section 5.4 of this report.
<i>(d) is consistent with each State policy; and</i>	The proposed amendment is consistent with each State Policy. See section 5.5 of this report.
<i>(da) satisfies the relevant criteria in relation to the TPPs; and</i>	N/A - There are currently no Tasmanian Planning Provisions in operation.

<i>(e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and</i>	The proposed amendment is not inconsistent with the relevant goals and strategic directions of the Southern Tasmanian Regional Land Use Strategy. See section 5.6 of this report.
<i>(f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and</i>	This is considered in section 5.7 and 5.8 of this report.
<i>(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and</i>	N/A - Given the localised and site-specific nature of the proposed rezoning there is limited effect on adjacent local council areas.
<i>(h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.</i>	The rezoning proposed by this request to amend the planning scheme does not affect the overall schemes previous consideration and regard for the <i>standards prescribed under the Gas Safety Act 2019</i> .

Section 34(3) of the Act, then further establishes that:

.... a draft amendment of an LPS, is taken to meet the LPS criteria if The draft amendment of the LPS, if made, will not have the effect that the LPS, as amended, will cease to meet the LPS criteria.

6.4 SCHEDULE 1 OBJECTIVES OF THE ACT

The objectives are considered in the following tables:

PART 1 - OBJECTIVES OF THE RESOURCE MANAGEMENT AND PLANNING SYSTEM OF TASMANIA	
PROVISION	RESPONSE
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	The proposal seeks to include land within the Local Business Area to ensure there is sufficient supply of commercial land available to support Primrose Sands in the future.
<i>(b) to provide for the fair, orderly and sustainable use and development of air, land and water: and</i>	The development will provide for sustainable land use as it represents a logically continuation of the existing local centre of Primrose Sands.
<i>(c) to encourage public involvement in resources management and planning; and</i>	The process required for the assessment of amendments to planning schemes provides interested parties with an opportunity to make representations during public exhibition as well as attending subsequent hearings. This process additionally provides council and subsequently the Tasmanian Planning Commission the opportunity to consider issues raised during their assessment.
<i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c): and</i>	The proposed rezoning seeks to provide an integrated and effective land use planning outcome that resolves a potential undersupply of local business zoned land which has resulted from recent planning decision on surrounding sites. It also intends to provide a portion Local Business Zoned land which is of a size that it is capable of providing for future commercial uses to occur in Primrose Sands, in manner that can facilitate an adequate development area that ensures parking and storm water and waste water management is able to occur and be appropriately managed on site.
<i>(e) to promote the sharing of responsibility for resource management and planning between</i>	The assessment process promotes the involvement of the public as well as local and state government.

<i>the different spheres of Government, the community and industry in the State.</i>	
PART 2 - OBJECTIVES OF THE PLANNING PROCESS ESTABLISHED BY THE ACT	
PROVISION	RESPONSE
<i>(a) to require sound strategic planning and co-ordinated action by State and local government; and</i>	The proposal demonstrates strategic compliance with policy at both State and Local government and considers all the relevant strategic documents.
<i>(b) to establish a system of planning instruments to be the principle way of setting objectives, policies and controls for the use, development and protection of land;</i>	The system as per the Act provides the instruments to achieve these objectives.
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;</i>	All matters related to the future development of the site will be considered through provisions of the planning scheme as part of future applications.
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;</i>	Not directly applicable to the proposed amendment.
<i>(e) to provide for the consolidation of approvals for land use and development and related matters, and to co-ordinate planning approvals with related approvals;</i>	This is achieved through the existing planning mechanisms and amendment process.
<i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation;</i>	The proposed amendment will support a pleasant, efficient and safe living environment, by ensuring that Primrose Sands is provided sufficient capacity to operate as an intended local centre for the area in the future.
<i>(g) to conserve those buildings and areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;</i>	The proposed amendment does not alter any matter related to any area of scientific, aesthetic, architectural, historic or cultural significance.
<i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other</i>	The proposed amendment is not anticipated to adversely effect public infrastructure or assets.

<i>facilities for the benefit of the community; and</i>	
<i>(i) to provide a planning framework which fully considers land capability.</i>	The land is not considered to have any agricultural potential and land capability will not be affected by future use and development.

6.5 GUIDELINE NO.1 LOCAL PROVISIONS (LPS): ZONE AND CODE APPLICATION

This guideline provides an easy reference guide for the application of all zones and codes for the preparation of draft Local Provisions Schedules (LPSs) and amendments to an LPS.

The zone guidelines relevant to the Local Business Zone have been considered and responded to in the following:

LOCAL BUSINESS ZONE	
ZONE APPLICATION GUIDELINES	RESPONSE
<p><i>LBZ 1 The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within:</i></p> <p><i>(a) local shopping strips; or</i></p> <p><i>(b) town centres for some smaller settlements.</i></p>	<p>The background available from the council's Land Supply Strategy 2019 outlines a clear intention for additional land to be made available for future local business expansion opportunities to support the existing local centre of Primrose Sands.</p> <p>This intention has been further reaffirmed through the information provided by council which formed part of the recent Carthew-Wakefield decision.</p> <p>Although initially intended by council that this expansion would occur at 579 Primrose Sands Road, it is now unlikely that this land will now be capable of providing for this type of commercial expansion. This represents a significant opportunity for the identified portion of the subject site to instead provide for this local centre expansion.</p> <p>The location of the subject site is directly across Primrose Sands Road from the balance of Local Business Zoned land and is directly adjacent to the Primrose Sands Community Hall, making it a logical extension of the local centre.</p>
<p><i>LBZ 2 The Local Business Zone may be applied to:</i></p> <p><i>(a) Local Centres and the lower order Minor or Neighbourhood Centres in the</i></p>	<p>The recent Carthew-Wakefield decision confirms a view that the area is a local centre within the activity centre network in STRLUS¹¹.</p>

¹¹ **Carthew-Wakefield v Sorell Council (No 2) [2024] TASCAT 188 (10 October 2024):**For these reasons, and the reasons advanced by the Council, we are satisfied that notwithstanding the limited current commercial activity in the area and the existing residential uses, the area is a local centre within the activity centre network in STRLUS.

<p><i>Activity Centre Network under the Southern Tasmania Regional Land Use Strategy;</i></p> <p><i>(b) Local or Minor Centres and the Neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and</i></p> <p><i>(c) the main retail and business areas of Local Service Centres and Localities in the activity centres description in the Cradle Coast Regional Land Use Strategy.</i></p>	
<p><i>LBZ 3 The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.</i></p>	<p>This provision would not be applicable as the rezoning would not relate to groups of local shops and businesses in existing residential areas.</p>
<p><i>LBZ 4 The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless:</i></p> <p><i>(a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or</i></p> <p><i>(b) there is a strategic intention to expand the existing retail or business area in this locality consistent with the relevant regional land use strategy or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.</i></p>	<p>The inclusion of the identified portion of the subject site does not result in the use of the Local Business Zone for individual, isolated local shops or businesses, as the proposed rezoning is adjacent to land already included within the Local Business Zone. This rezoning provides for a logical extension to the local activity centre.</p>

6.6 STATE POLICIES

The following are State Policies that have been considered as part of this application.

6.6.1 The State Coastal Policy 1996

The *Tasmanian State Coastal Policy 1996* applies to all land within 1km of the high-water mark. The purpose of the policy is to ensure that:

- *Natural and cultural values of the coast shall be protected;*
- *The coast shall be used and developed in a sustainable manner;*

- *Integrated management and protection of the coastal zone is a shared responsibility.*

Given its proximity to the coastline, a request to amend the planning scheme will need to demonstrate the proposal is consistent with the principles of this policy.

Specifically, in relation to the proposal, the following principles are relevant:

PRINCIPLE	RESPONSE
<i>Natural and Cultural values of the coast shall be protected.</i>	<p>The current provisions of the planning scheme manage and protect the sustainability of coastal ecosystems and natural processes through the application of appropriate Zones and Codes.</p> <p>The subject land is approximately 130m from the nearest coastline, however it is anticipated that the proposed amendment would not change the matters by which proposed development would be required to be considered against under the existing planning provisions that protect the natural and cultural values of the coast.</p>
<i>The coast shall be used and developed in a sustainable manner.</i>	<p>The current provisions of the planning scheme manage and protect the sustainability of coastal ecosystems and natural processes through the application of appropriate Zones and Codes.</p> <p>The subject land is approximately 130m from the nearest coastline from the nearest coastline, however it is not anticipated that the proposed amendment would not result in changes to the consideration of planning provisions that protect the natural and cultural values of the coast.</p>
<i>Integrated management and protection of the coastal zone is a shared responsibility.</i>	<p>The planning processes for the amendment proposed involve both local and state government as well as providing opportunities for interested or affected community members to be involved.</p>

6.6.2 The State Policy on Water Quality Management 1997

The purpose of this Policy is:

To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System.

The objectives of the proposal to the policy include:

PRINCIPLE	RESPONSE
a) <i>focus water quality management on the achievement of water quality objectives which will maintain or enhance water quality and further the objectives of Tasmania's Resource Management and Planning System;</i>	Any future use or development will consider water quality objectives in its design.
b) <i>Ensure that diffuse source and point source pollution does not prejudice the achievement of water quality objectives, and that pollutants discharged into waterways are reduced as far as possible by the use of best practice environmental management;</i>	Any future development will consider diffuse and point source pollution and ensure that no new sources of pollution will occur. Any change to the way water is discharged from the site will consider water quality objectives.
c) <i>Ensure that efficient and effective water quality monitoring programs are carried out and that the responsibility for monitoring is shared by those who use and benefit from the resource, including polluters, who should bear an appropriate share of the costs arising from their activities, water resource managers and the community</i>	Any future development on the site resulting in pollution will be responsible for any monitoring required.
d) <i>facilitate and promote integrated catchment management through the achievement of objectives (a) to (c) above; and</i>	Any future proposed development on the site will need to meet the requirements for catchment management.
e) <i>Apply the precautionary principle to Part 4 of this Policy.</i>	The precautionary principle will be applied.

6.6.3 The State Policy on the Protection of Agricultural Land 2009

The purpose of this Policy is:

To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.

The Objectives of the Policy are:

To enable the sustainable development of agriculture by minimising:

(a) conflict with or interference from other land uses; and

(b) non-agricultural use or development on agricultural land that precludes the return of that land to agricultural use.

In accordance with this policy "Agricultural land" means all land that is in agricultural use or has the potential for agricultural use, that has not been zoned or developed for another use or would not be unduly restricted for agricultural use by its size, shape and proximity to adjoining non-agricultural uses.

The subject site is identified within this land capability mapping as being within the Class 6 +5 category in recognition that the site has low agricultural values and that it is not considered as prime agricultural land¹².

The site is also identified within the Rural Living Zone and is considered to be indicating that it would not be considered to be agricultural land to be considered under this policy as it is significantly restricted for future provision of agricultural uses due to its limited agricultural capability and the sites proximity to established urbanised uses which extend along the eastern boundary of the site.

6.6.4 National Environment Protection Measures (NEPMs)

NEPMs are taken to be State Policies in Tasmania. NEPMs are made under Commonwealth legislation and given effect in Tasmania through the *State Policies and Projects Act 1993*.

The current NEPMs are:

- Air Toxics
- Ambient Air Quality
- Assessment of Site Contamination
- Diesel Vehicle Emissions
- Movement of Controlled Waster
- National Pollutant Inventory
- Used Packaging

The proposed amendment is intended to allow for commercial activities to occur on a portion of the site to service future commercial growth in Primrose Sands, with the balance of the site remaining within the Rural Living Zone.

It is highly unlikely and not intended that dangerous substances or emissions will occur as a result of these activities. It is not intended that the site would support commercial activities which will result in the above environmental impacts.

The Codes within the planning scheme addresses the relevant matters (noise and air quality) and the assessment of the submitted application can be undertaken against the appropriate Use and Development Standards.

6.7 SOUTHERN REGIONAL LAND USE STRATEGY

The *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS), most recently amended in May 2023, is a statutory regional plan that sets out the strategy and policy framework to manage change and support growth in Southern Tasmania. The document provides in-depth strategic policies, directions and actions to guide economic, social and cultural growth throughout the region.

The purpose of the STRLUS is to guide land use and development in the region and as such the contents of the STRLUS needs to be considered in relation to the proposal.

The strategic foundations are the vision and strategic directions. These are provided in Part B. The specific policies by which the strategic directions and then the vision will be achieved are

¹² “Prime agricultural land” means agricultural land classified as Class 1, 2 or 3 land based on the class definitions and methodology from the Land Capability Handbook, Second Edition, C J Grose, 1999, Department of Primary Industries, Water and Environment, Tasmania.

outlined in Part C: Regional Policies. Each regional policy is supported by sub-policies. Compliance with the sub-policies is not intended to imply achievement of the overall policy. The sub-policies are intended to highlight critical matters to be achieved in the future.

The following outlines the components of the STRLUS which are relevant considerations in relation to the proposed planning scheme amendment.

6.7.1 Activity Centres

Chapter 18 of the STRLUS establishes an Activity Centre Network which is intended to provide the foundation for the activity centres policy under the Regional Land Use Strategy. The 'Activity Centre Network' establishes an ordering of centres to provide for a regionally planned and defined hierarchy to ensure complementarities and efficiencies, rather than creating unnecessary competition, between centres.

Section 18.5 of the STRLUS establishes the Activity Centre network by identifying the activity centre types and provides descriptions of the intended function of activity centres within the network as well as identifying the localities within region that reflect the intended centre type.

Under the STRLUS the Activity Centre network, is described in descending order to include:

- (a) Primary activity centre - Hobart CBD and immediate surrounds.
- (b) Principle activity centre - Central Glenorchy, Rosny Park and Kingston.
- (c) Major activity centre - Moonah and Bridgewater.
- (d) Rural Services Centre - Brighton, Huonville, New Norfolk, Oatlands and Sorell.
- (e) Minor or neighbourhood centre - to be determined at the local level, examples include Claremont, Howrah, Shoreline, Lauderdale, Margate, Sandy Bay Shopping Centre and Triabunna.
- (f) Local centre - to be determined at the local level.

Although Primrose Sands is not specifically identified within the network a recent decision of the Tribunal (*Carthew-Wakefield v Sorell Council* (No 2) [2024] TASCAT 188) has determined that the Primrose Sands is a local centre in the context of the Activity Centre Network established by the STRLUS.

The STRLUS further establishes a Local Centre as:

- **Role:** To provide a focus for day-to-day life within an urban community
- **Commercial including retail Government Services & Community infrastructure:** Offer at least one grocery/convenience store and a range of small specialty shops (i.e. newsagents, pharmacy, gift store) or small-scale eating establishments. Local community services, including Child Health Centre.
- **Residential:** Some residential may be interspersed.
- **Entertainment:** May have some dining in the evening or local bar, but residential amenity should be preserved.
- **Access:** Should be highly accessible by cycling or walking from surrounding area to enhance local access. In an urban context should be serviced by existing public transport.
- **Catchment:** Locality.

Relevant policies:

AC1 Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.

- *AC1.2 Utilise the Central Business, General Business, Local Business Zones to deliver the activity centre network through planning schemes, providing for a range of land uses in each zone appropriate to the role and function of that centre in the network.*

The proposed rezoning will be well placed in the context of surrounding Local Business Zoned and Community Purpose Zoned land and will support this focus. The location of the subject site is directly across Primrose Sands Road from the balance of Local Business Zoned land and is directly adjacent to the Primrose Sands Community Hall, making it a logical extension of the local centre.

- *AC1.4 Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.*

The proposed rezoning will provide a parcel of relatively unconstrained and vacant Local Business Zoned land which will be of a size that is sufficient to provide for future commercial development that can strengthen the role of the Primrose Sands activity centre.

- *AC1.11 Provide for 10 - 15 years growth of existing activity centres through appropriate zoning within planning schemes.*

The proposed rezoning will resolve a potential undersupply of local business zoned land by ensuring there is sufficient land available to provide for future growth.

6.7.2 Settlement and Residential Development

Chapter 19 of the STRLUS establishes a Regional Settlement Strategy and growth management strategies that establishes the intended network of settlements across the region and identifies intended growth management strategies for each settlement.

This chapter of the STRLUS establishes that residential growth will be primarily managed through an Urban Growth Boundary that will set the physical extent for a 20 year supply of residential land for the metropolitan area. Under this chapter, Primrose Sands is not identified as being included within the Urban Growth Boundary. Under the STRLUS smaller dormitory suburbs have been excluded from the Urban Growth Boundary and are managed through the Growth Strategy articulated elsewhere in the STRLUS. The following attributes are identified as the intended growth management strategy for Primrose Sands in the STRLUS:

- **Proposed regional function:** Dormitory Suburb. The STRLUS defines Dormitory Suburbs as Physically isolated suburbs that have high social and economic dependence upon the metropolitan area of Greater Hobart, and which are listed as such under Table 3.
- **Growth Strategy:** Very Low
- **Growth Scenario:** Consolidation

Parts of Primrose Sands are identified within the Existing Urban Area under the STRLUS, there is limited detailed mapping to show the extent of this layer, however it is assumed that the subject site is not included within the current Existing Urban Area.

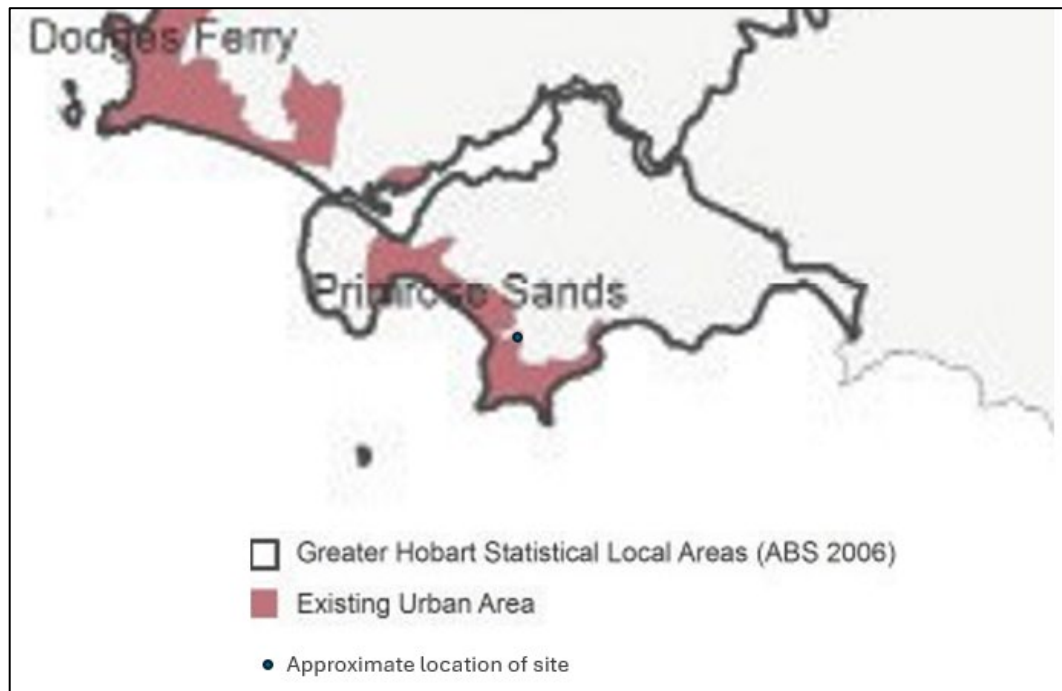


Figure 35: Greater Hobart Area and existing Urban Area with subject site approximately identified. (source: STRLUS)

Relevant Policies:

SRD 2 seeks to Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability.

SRD2.2 Manage greenfield growth through an Urban Growth Boundary, which sets a 20 year supply limit with associated growth limits on dormitory suburbs.

This site represents an opportunity for alternate land to be considered for inclusion within the Local Business Zone, to ensure future needs of the Primrose Sands community can be appropriately catered for. The portion of land subject to exploration in this report represents a logical extension of the local centre that could be provided in place of land originally intended for this purpose which is now likely to be unavailable for commercial uses in the future. It will ensure sufficient capacity in commercial activities to support the small amount of future growth that is expected in Primrose Sands, which has been previously intended to be supplied through another nearby property.

SRD 2.12

Notwithstanding SRD 2.2 and SRD 2.8, and having regard to the strategic intent of the Urban Growth Boundary under SRD 2 to manage and contain growth across greater Hobart, land outside the Urban Growth Boundary shown in Map 10 may be considered for urban development if it:

(a) shares a common boundary with land zoned for urban development within the Urban Growth Boundary and:

The site shares a common boundary with land within the Low density Residential zone and Community Purpose Zone and is also understood to adjoin land identified as existing urban area under the STRLUS.

- i. only provides for a small and logical extension, in the context of the immediate area, to land zoned for urban development beyond the Urban Growth Boundary; or*
- ii. does not constitute a significant increase in land zoned for urban development in the context of the suburb, or the major or minor satellite as identified in Table 3, and is*

identified in a contemporary settlement strategy or structure plan produced or endorsed by the relevant planning authority; and

Although initially it was intended that expansion of the Primrose Sands activity centre would occur at 579 Primrose Sands Road, recent development decisions make it now highly unlikely that this land will now be capable of providing for this type of commercial expansion. The rezoning of a portion of the subject site represents a significant opportunity for the identified portion of the subject site to instead provide for this local centre expansion and positively contribute to planning for future local commercial growth in Primrose Sands.

(b) can be supplied with reticulated water, sewerage and stormwater services; and

The rezoning would not be capable of satisfying this section - however the site of the lot proposed would likely provide for uses which are able to provide sufficient water storage and onsite wastewater and stormwater management.

(c) can be accommodated by the existing transport system, does not reduce the level of service of the existing road network, and would provide for an efficient and connected extension of existing passenger and active transport services and networks; and

The proposed rezoning looks to replace a previously allocated piece of Local Business Zoned land which will be unable to be utilised as initially intended. It is anticipated that given the scale of the rezoning and the existing arrangements for the Primrose Sands area, the proposal would result in an outcome where the existing transport system would not be significantly altered.

(d) results in minimal potential for land use conflicts with adjoining uses.

The location of the subject site is directly across Primrose Sands Road from the balance of Local Business Zoned land and is directly adjacent to the Primrose Sands Community Hall, making it a logical extension of the local centre.

6.8 SORELL COUNCIL STRATEGIC PLAN 2019-2029

The Sorell Council Strategic Plan 2019-2029 has been reviewed as part of this assessment.

This Strategic Plan establishes a strategic framework for a ten year horizon and is intended to drive multiple processes and functions across council. It establishes councils focus areas and strategies for guiding the councils direction in achieving community objectives and operational priorities. This strategic plan focuses on four key objectives including:



Figure 36: Objectives set out in Sorell Council Strategic Plan 2019-2029. (source: Sorell Council Strategic Plan 2019-2029)

The proposed rezoning does not appear to conflict with outcomes sought by the plan and could be considered to align with and support outcomes sought by the plan. Particularly:

- Objective 1 - to facilitate Regional Growth which seeks to increase business investment and employment opportunities with local jobs for local people.
- Objective 3 - Ensure a liveable and inclusive community -maintaining the community, coast and country lifestyle and by improving access to regional services.

The proposed rezoning is generally consistent with and will objectively contribute to the objectives and overall outcomes of the Sorell Council Strategic Plan.

7. CONCLUSION

This report supports a request relating to the site identified as CT 139347/1 Primrose Sands Road, Primrose Sands seeking consideration of an identified 6,767m² portion of the site to be included within the Local Business Zone, with the balance of the site to remain as Rural Living Zone.

Uses that would be associated with future commercial activities services occurring on this portion of the site would be subject to future planning approval which would be considered against the relevant standards of the Local Business Zone. No changes are proposed to apply to the balance of the remaining Rural Living Zoned land.

As an additional consequential change, the proposal also seeks to include the extent of the proposed Local Business Zone within the Southern Beaches On-site Waste Water Management Specific Area Plan, to ensure effective operation of the planning scheme.

The intent of this proposed amendment is to resolve an identified potential undersupply of commercial zoned land within the Primrose Sands local area.

This report has considered the strategic background and historical context of the site and provides a consideration of the requested planning scheme amendment against the requirements of the Act and the state policies.

The following documents have been referenced as part of this analysis:

- Guideline No.1 Local Provisions: Zone and Code Application
- Southern Tasmanian Regional Land Use Strategy, 2023
- Sorell Council Strategic Plan 2019-2029
- Sorell Land Supply Strategy 2019.

The proposal will provide an integrated and effective land use planning outcome that will provide for future intended commercial activities and will strengthen the role of the Primrose Sands activity centre by:

- resolving a potential undersupply of local business zoned land which has resulted from recent planning decision on surrounding sites; and
- ensuring there is a sufficient amount of Local Business Zoned land that it is capable of providing for future commercial uses to occur in Primrose Sands, in manner that can facilitate an adequate development area that ensures parking and storm water and waste water management is able to occur and be appropriately managed on site.

SEARCH OF TORRENS TITLE

VOLUME 139347	FOLIO 1
EDITION 2	DATE OF ISSUE 12-Nov-2014

SEARCH DATE : 26-Feb-2025

SEARCH TIME : 01.56 PM

DESCRIPTION OF LAND

Parish of CARLTON Land District of PEMBROKE

Lot 1 on Plan 139347

Derivation : Part of Lot 31145 Gtd. to E.J. Kennedy and Part
of Lot 35624 Gtd. to B.S. Simmonds
Prior CT 126237/503

SCHEDULE 1

BOLAND DEVELOPMENT CO. PTY. LTD.

**Sorell Council**

Development Application: 5.2025.51.1 - Scheme
Amendment - Primrose Sands Road, Primrose
Sands P1.pdf
Plans Reference: P1
Date Received: 26/02/2025

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

BURDENING EASEMENT: Right of Drainage (appurtenant to Lots
3-12 Section C on Plan No.1497) over the Drainage
Easement marked G.H. on Plan No. 139347

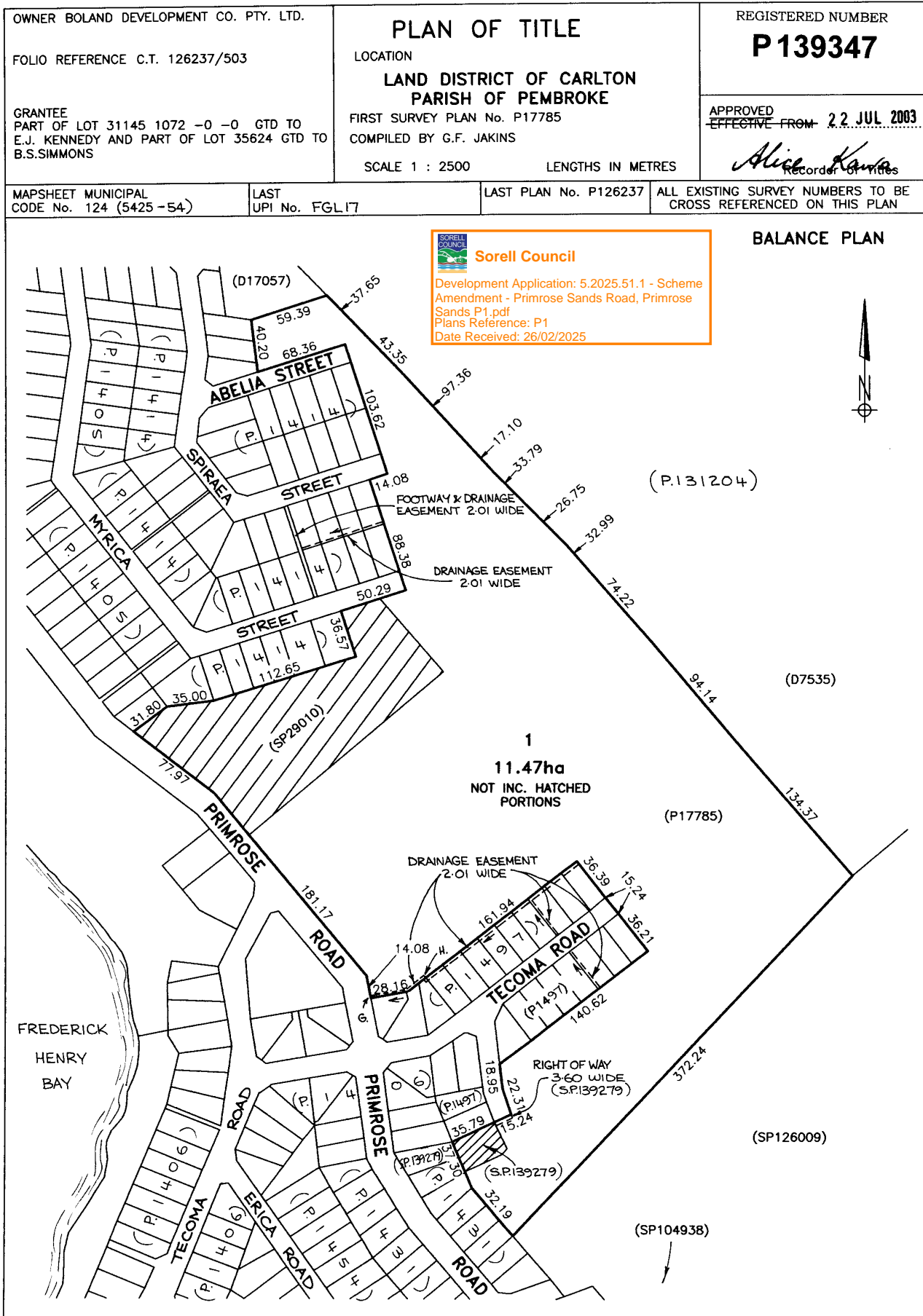
BENEFITING EASEMENTS: Right of Drainage over the Drainage
Easements 2.01 wide, Footway & Drainage Easement 1.00
wide on Plan No. 139347.


SP139279 BURDENING EASEMENT: Right of Carriageway (appurtenant
to Lot 1 on Sealed Plan No. 139279) over the Right of
Way 3.60 wide shown on Plan No. 139347

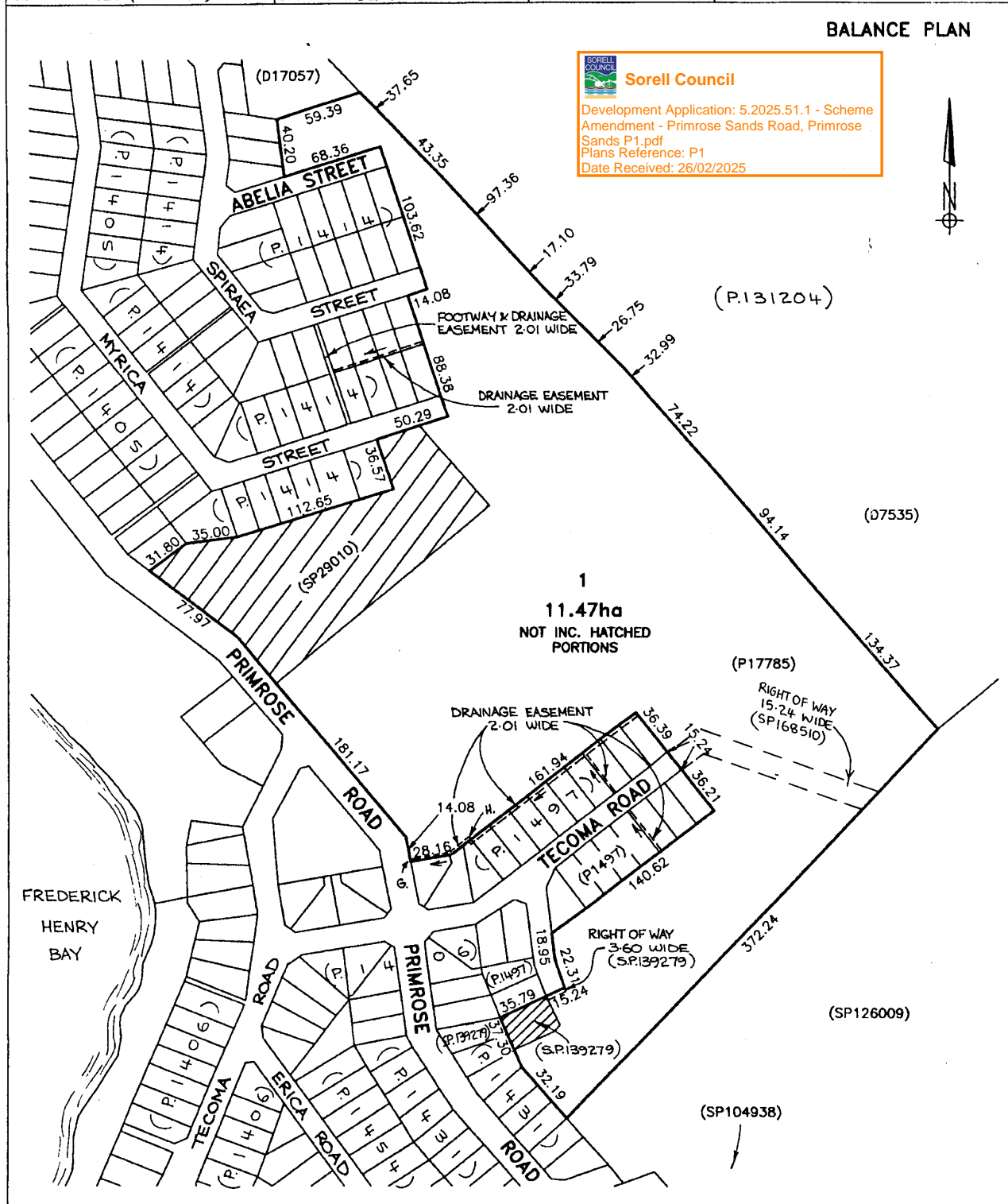
SP168510 BURDENING EASEMENT: Right of Carriageway (appurtenant
to Lot 2 on Sealed Plan 168510) over the Right of Way
15.24 wide on P139347

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



OWNER BOLAND DEVELOPMENT CO. PTY. LTD.		PLAN OF TITLE		REGISTERED NUMBER P139347	
FOLIO REFERENCE C.T. 126237/503		LOCATION LAND DISTRICT OF CARLTON PARISH OF PEMBROKE		APPROVED EFFECTIVE FROM 22 JUL 2003	
GRANTEE PART OF LOT 31145 1072 -0 -0 GTD TO E.J. KENNEDY AND PART OF LOT 35624 GTD TO B.S.SIMMONS		FIRST SURVEY PLAN No. P17785 COMPILED BY G.F. JAKINS		 Recorder of Titles	
		SCALE 1 : 2500 LENGTHS IN METRES			
MAPSHEET MUNICIPAL CODE No. 124 (5425-54)		LAST UPI No. FGL17		LAST PLAN No. P126237	
				ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

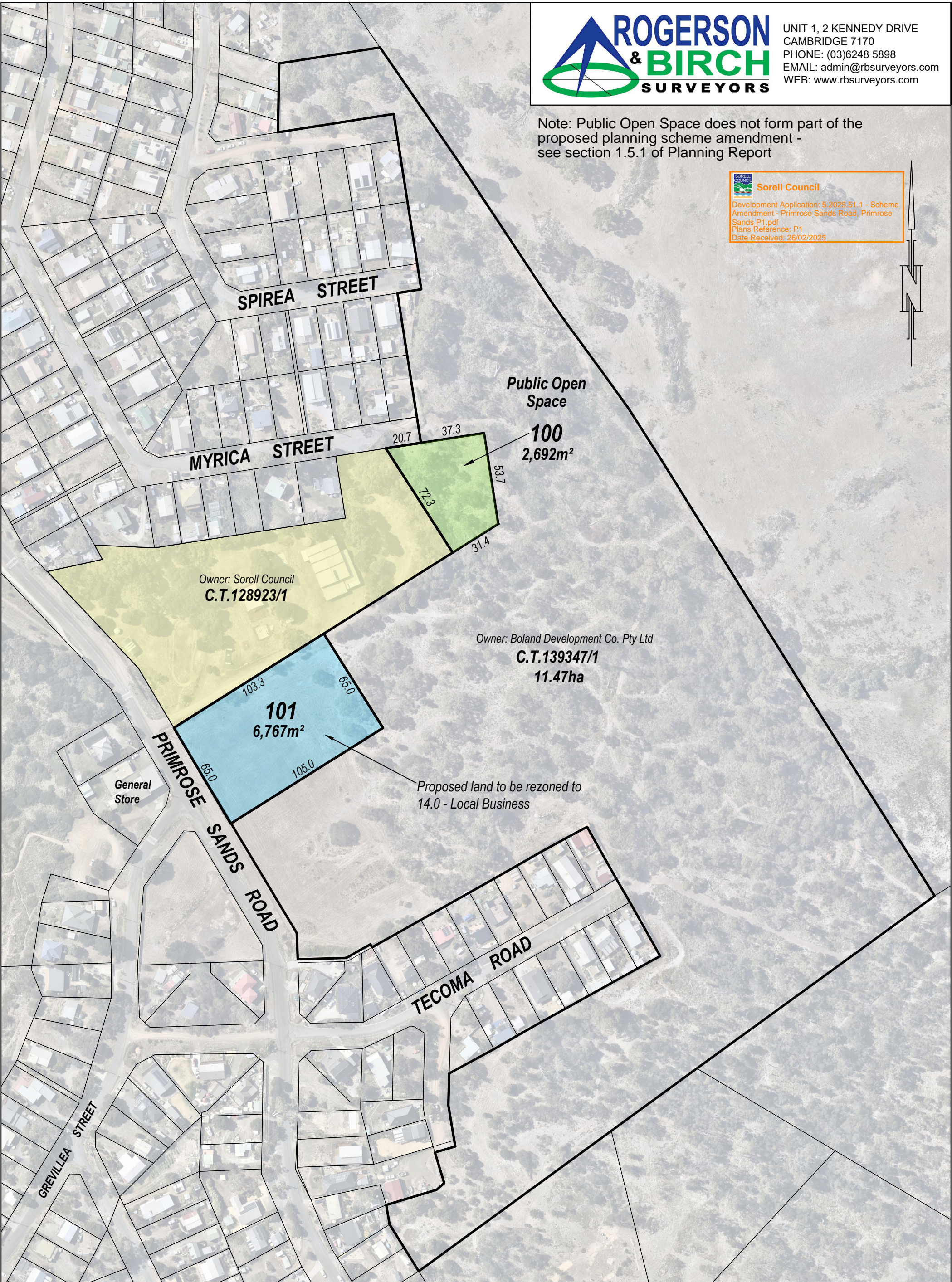


Note: Public Open Space does not form part of the proposed planning scheme amendment - see section 1.5.1 of Planning Report



Sorell Council

Development Application: 5.2025.51.1 - Scheme
Amendment - Primrose Sands Road, Primrose
Sands P1.pdf
Plans Reference: P1
Date Received: 26/02/2025



E				
D				
C				
B				
A				
REV	AMENDMENTS	DRAWN	DATE	APPR.

OWNER: Boland Development Co. Pty Ltd
TITLE REFERENCE: C.T.139347/1
LOCATION: Primrose Sands Road
PRIMROSE SANDS

Proposal

Date:	27-9-2024	Reference:	SIMMP05	9398-50
Scale:	1:2000 (A3)	Municipality:	SORELL	



8 May 2025

Sorell Council
PO BOX 126
SORELL TAS 7172
email: sorell.council@sorell.tas.gov.au

Attention: Shane Wells, Manager - Planning

Dear Shane,

**INFORMATION REQUEST RESPONSE - DA 2025 / 51 - PRIMROSE SANDS
ROAD, PRIMROSE SANDS - PLANNING SCHEME AMENDMENT**

I am writing in response to Council's letter of 26 March 2025 seeking additional information to support Council's assessment and consideration of our request for an amendment to the *Tasmanian Planning Scheme - Sorell* in relation to the above mentioned site. The following provides a response to each of the matters raised.

Item 1

Provide a Site & Soil Evaluation Report in accordance with AS/NZS 1547-2012 detailing the site and soil conditions and the suitability for onsite wastewater disposal. The Report should be prepared by a suitably qualified person such as an Engineer, Geologist, Environmental Health Officer or a Soil Scientist.

Provided as **Attachment 1** to this response is a Site and Soil Evaluation Report prepared by Rock Solid Geotechnics Pty Ltd which details the site and soil conditions of the site and the suitability for onsite waste water treatment.

Item 2

Demonstrate that future development is capable of complying with SOR - S2.7.1 A1 or P1 and S2.7.2 P1 or P2- Southern Beaches On-Site Wastewater Management Code of the Tasmanian Planning Scheme.

As a consequential change, the proposed amendment seeks to include the extent of the proposed Local Business Zone within the Southern Beaches On-site Waste Water Management Specific Area Plan. This will result in the intended controls of the SAP applying to future development of the proposal and ensure alignment with the intended operation of the planning scheme.

The 6767m² of proposed Local Business Zone is intended to provide a sufficient site area to be capable of providing for future commercial uses to occur in Primrose Sands, in manner that provides an adequate development area is reasonably capable of ensuring storm water and waste water management is able to occur and be appropriately managed on site. This is confirmed through the Site and Soil Evaluation Report prepared by Rock Solid Geotechnics Pty Ltd - provided as **Attachment 1**.

The following is an overview of the materials provided to support this response:

Attachment 1: Site and Soil Evaluation Report prepared by Rock Solid Geotechnics Pty Ltd.

I trust that this information provides sufficient detail to allow Council to proceed with its assessment and consideration of this application. If further information or clarification is sought, please do not hesitate to contact me at kate@ireneinc.com.au or by phone on 6234 9281.

Yours sincerely,



Kate Heckelmann
Senior Planner
IRENEINC PLANNING & URBAN DESIGN



Sorell Council

Development Application: 5.2025.51.1 -
Response to Request For Information -
Primrose Sands Road, Primrose Sands -
Plans Reference: P2
Date received: 8/05/2025

GEOTECH 25-043

10/4/2025

Boland Development Co Pty Ltd

c/o Peter Simmonds

primroseeleven@icloud.com

ROCK SOLID GEOTECHNICS PTY LTD

Peter Hofto

163 Orielson Road

Orielton

TAS 7172

0417 960 769

peter@rocksolidgeotechnics.com.au

CT139347/1 Primrose Sands Road, Primrose Sands

Mr Peter Simmonds, on behalf of Boland Development Co Pty Ltd, has requested that site soil conditions be obtained for the southwestern portion of the land at CT139347/1 Primrose Sands Road, Primrose Sands ([Figure 1](#)).

The Tasmanian Geological Survey 1:50000 Geological Atlas – 'Sorell', indicates the site is underlain by Quaternary aged windblown sandy sediments.

A site investigation was completed on Friday 28 March, 2025. The investigation included the mechanical augering of three test holes using a 4WD mounted SAMPLA25 Auger drill with 100mm diameter solid flight augers. The positions of the Auger Holes are marked on [Figure 1](#). The information from the test holes forms the basis of this report.

The site lies on the northeastern side of Primrose Sands Road ([Plate 1](#)). The southwestern portion of CT139347/1 slopes to the west/northwest at between 6 and 9 degrees. Most of the block is covered in grass pasture, with shrubs and semi-mature trees present on the upper eastern portion of the site.

The proposal provides a site area of approximately 6767m² which is considered to be of sufficient size to provide for future commercial development to occur on the site in manner that can facilitate an adequate development area that would be capable of ensuring storm water and waste water management is able to occur and be appropriately managed on site which would be anticipated to be able to comply with the relevant provisions of the Southern Beaches On-site Waste Water Management Specific Area Plan.

The extent of proposed area of Local Business Zoned land is considered sufficient to provide for future development that will be capable of providing sufficient area for the management of on-site wastewater, which would generally be capable of aligning with the intended outcomes associated with SOR-2.7.1 P1.

Additionally, the proposed extent, topography, and soil evaluation of this portion of the site demonstrates that future development will be capable of complying with the intended stormwater management outcomes associated with SOR-2.7.2.

Plate 1 – Subject Land – looking to the southwest.



The profile encountered in Auger Hole #1 consisted of:

0 – 0.20m	SAND: fine grained, greyish brown, trace rootlets – TOPSOIL
0.20 – 0.85m	SAND: fine grained, grey, dry
0.85 – 1.30m	clayey SAND: fine to medium grained, yellowish brown, 20% clay, slightly moist
1.30 – 2.10m	clayey SAND: fine to medium grained, light brown, 20% clay, moist
2.10m+	Hole terminated at required depth 2.10m.

The profile encountered in **Auger Hole #2** consisted of:

0 – 0.20m	SAND: fine grained, greyish brown, trace rootlets – TOPSOIL
0.20 – 0.70m	SAND: fine grained, grey, dry
0.70 – 2.10m	clayey SAND: fine to medium grained, light brown, 25% clay, moist
2.10m+	Hole terminated at required depth 2.10m.

The profile encountered in **Auger Hole #3** consisted of:

0 – 0.20m	SAND: fine grained, greyish brown, trace rootlets – TOPSOIL
0.20 – 0.80m	SAND: fine grained, grey, dry
0.80 – 2.10m	clayey SAND: fine to medium grained, light brown, 25-30% clay, moist
2.10m+	Hole terminated at required depth 2.10m.

Groundwater was not encountered in any of the test holes.

SITE AND SOIL EVALUATION REPORT

<u>Soil Category:</u> (as stated in AS/NZS 1547-2000) 1, ...2, ...3, ...4, ...5, ...6		Modified Emerson Test Required If Yes, Emerson Class No.	No
<u>Geology:</u>		Quaternary sediments.	

<u>Slope:</u>	6-9 degrees
<u>Drainage lines / water courses:</u>	Nil
<u>Vegetation:</u>	Grass, semi-mature trees
<u>Site History: (land use)</u>	Vacant block / grazing?
<u>Aspect:</u>	W/SW
<u>Pre-dominant wind direction:</u>	Northwest to southwest
<u>Site Stability:</u> Will on-site wastewater disposal affect site stability?	No
<u>Is geological advice required?</u>	No
<u>Drainage/Groundwater:</u>	Not encountered
<u>Depth to seasonal groundwater (m):</u>	Not Encountered
<u>Are surface or sub-surface drains required upslope of the land application area</u>	Yes
<u>Water Supply:</u>	
<input checked="" type="checkbox"/> Rainwater Tanks	
<u>Date of Site Evaluation:</u>	28/3/2025
<u>Weather Conditions:</u>	Fine

CONDITIONS OF INVESTIGATION

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This report should not be used for submission for Building or Development Application until RSG has been paid in full for its production. RSG accepts no liability for the contents of this report until full payment has been received.

The results & interpretation of conditions presented in this report are current at the time of the investigation only. The investigation has been conducted in accordance with the specific client's requirements &/or with their servants or agent's instructions.

This report contains observations & interpretations based often on limited subsurface evaluation. Where interpretative information or evaluation has been reported, this information has been identified accordingly & is presented based on professional judgement. RSG does not accept responsibility for variations between interpreted conditions & those that may be subsequently revealed by whatever means.

Due to the possibility of variation in subsurface conditions & materials, the characteristics of materials can vary between sample & observation sites. RSG takes no responsibility for changed or unexpected variations in ground conditions that may affect any aspect of the project. The classifications in this report are based on samples taken from specific sites. The information is not transferable to different sites, no matter how close (ie. if the development site is moved from the original assessment site an additional assessment will be required).

It is recommended to notify the author should it be revealed that the sub-surface conditions differ from those presented in this report, so additional assessment & advice may be provided.

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PETER HOFTO

ROCK SOLID GEOTECHNICS PTY LTD

TEST HOLE LOCATIONS



GDA94 MGA55 : 554874E, 5250910N 1:846 Disclaimer and Copyright Notice

Owners' consent

Requests for amendments of a planning scheme or Local Provisions Schedule and applications for combined permits require owners' consent. This form must be completed if the person making the request is not the owner, or the sole owner.

The person making the request must clearly demonstrate that all owners have consented.

Please read the notes below to assist with filling in this form.

1. Request made by:

Name(s):

Ireneinc Planning & Urban Design

Email address

planning@ireneinc.com.au

Contact number:

03 6234 9281

2. Site address:

Address:

Primrose Sands Road
PRIMROSE SANDS

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

C.T.139347/1

3. Consent of registered land owner(s):

Every owner, joint or part owner of the land to which the application relates must sign this form (or a separate letter signed by each owner is to be attached).

Consent to this request for a draft amendment/and combined permit application is given by:

Registered owner : Boland Development Co. Pty Ltd

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

C.T.139347/1

Position
(if applicable):

PETER SIMMONDS

SECRETARY , DIRECTOR

Signature:



Date:

26th MAY 2025
26.05.25

Registered owner
(please print):

BOLAND DEVELOPMENT CO P/L

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

Position
(if applicable):

Signature:

Date:

Registered owner
(please print):

Property identifier (folio of the Register for all lots, PIDs, or affected lot numbers on a strata plan):

Position
(if applicable):

Signature:

Date:

NOTES:

a. When is owners' consent required?

Owners' consent is required for:

- amendments to an interim planning scheme or to a Local Provisions Schedule¹; or
- combined permits and amendments².

Owners' consent must be provided before the planning authority determines to initiate, certify or prepare the amendment.

b. Who can sign as owner?

Where an owner is a natural person they must generally sign the owner's consent form personally.

Where an owner is not a natural person then the signatory must be a person with legal authority to sign, for example company director or company secretary.

If the person is acting on behalf of the owner under a legal authority, then they must identify their position, for example trustee or under a power of attorney. Documentary evidence of that authority must also be given, such as a full copy of the relevant Trust Deed, Power of Attorney, Grant of Probate; Grant of Letters of Administration; Delegation etc.

Please attach additional pages or separate written authority as required.

c. Strata title lots

Permission must be provided for any affected lot owner and for common property for land under a strata title under the *Strata Titles Act 1998*. For common property, permission can be provided in one of the following ways:

- i. a letter affixed with the body corporate's common seal, witnessed by at least two members of the body corporate (unless there is only one member, in which case the seal must be witnessed by that member) and which cites the date on which the body corporate or its committee of management met and resolved to give its consent to the application; or,
- ii. the consent of each owner of each lot on the strata plan.

d. Companies

If the land is owned by a company the form is to be signed by a person with authority in accordance with the *Corporations Act 2001* (Cwth).

e. Associations

If the land is owned by an incorporated association the form is to be signed by a person with authority in accordance with the rules of the association.

f. Council or the Crown

If the land is owned by a council or the Crown then form is to be signed by a person authorised by the relevant council or, for Crown land, by the Minister responsible for the Crown land, or a duly authorised delegate.

The name and positions of those signing must be provided.

Effective Date: September 2021

¹ under section 33(1) of the former provisions of the *Land Use Planning and Approvals Act 1993* or section 37 of the current provisions.

² under section 43A of the former provisions or section 40T of the current provisions of the Act



SORELL PLANNING AUTHORITY (SPA) MINUTES

3 JUNE 2025

COUNCIL CHAMBERS
COMMUNITY ADMINISTRATION CENTRE (CAC)



MINUTES

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON TUESDAY 3 JUNE 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 Reed
Councillor C Torenus
Robert Higgins, General Manager

Staff in attendance:

Shane Wells - Manager Planning

2.0 APOLOGIES

Councillor M Miro Quesada Le Roux
Councillor N Reynolds

3.0 CONFIRMATION OF THE MINUTES OF 6 MAY 2025

RECOMMENDATION

"That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 6 May 2025 be confirmed."

16/2025 NICHOLS / LARKINS

"That the recommendation be accepted."

The motion was put.

For: Gatehouse, Wooley, Nichols, Campbell, Larkins, Reed and Torenus

Against: None

The motion was **CARRIED**.



MINUTES

SORELL PLANNING AUTHORITY (SPA) MEETING
3 JUNE 2025

4.0 DECLARATIONS OF PECUNIARY INTEREST

The Mayor requested any Councillors to indicate whether they had, or were likely to have, a pecuniary interest in any item on the agenda.

No Authority member indicated that they had, or were likely to have, a pecuniary interest in any item on the agenda.

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 7.2022.3.1 – 13 LOT SUBDIVISION AT 1668 ARTHUR HIGHWAY, COPPING

Applicant:	PDA Surveyors
Proposal:	13 Lot Subdivision
Site Address:	1668 Arthur Highway, Copping (CT 139620/1; 127347/1; 51570/2)
Planning Scheme:	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i> & Part 3 of the <i>Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMP)</i> .
Reason for SPA meeting:	Subdivision creates more than ten lots.

Relevant Zone:	Rural Zone Utilities Zone
Proposed Use:	Not applicable - Subdivision
Applicable Overlay(s):	Bushfire-prone areas Low landslip hazard band Medium landslip hazard band Waterway and coastal protection area Priority vegetation area
Applicable Codes(s):	Parking and Sustainable Transport Code Road and Railway Assets Code Natural Assets Code Attenuation Code Bushfire-Prone Areas Code Landslip Hazard Code

Valid Application Date:	18 July 2024 (date of State Growth section 52 consent)
Decision Due:	10 June 2025
Discretion(s):	1 Clause 26.5.1 P1 - Subdivision
	2 Clause 26.5.2 P1 - Services
	3 Clause C3.5.1 P1 - Traffic
	4 Clause C7.7.1 P1 - Subdivision in a waterway area
	5 Clause C7.7.2 P1 - Subdivision in a priority vegetation area
	6 Clause C15.7.1 P1 - Subdivision in a landslip hazard area
Representation(s):	2 representations received.

RECOMMENDATION

That pursuant to section 57 of the *Land Use Planning and Approvals Act 1993* and Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* Council resolve that Planning Application 7.2022.3.1 be refused for the following reasons:

1. The layout of the subdivision will make the maintenance of roads unduly expensive contrary to section 85 (c) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.
2. The proposal does not comply with acceptable solution C15.7.1 A1 as subdivision works and lots are within the landslip hazard area and does not satisfy performance criteria C15.7.1 P1 as it has not been demonstrated that development on each lot will achieve a tolerable level of risk from landslip.

17/2025 TORENIUS / NICHOLS

"That the recommendation be accepted."

The motion was put.

For: Gatehouse, Wooley, Nichols, Campbell, Larkins, Reed and Torenus

Against: None

The motion was **CARRIED**.



MINUTES

SORELL PLANNING AUTHORITY (SPA) MEETING
3 JUNE 2025

5.2 GREATER HOBART BUS NETWORK REVIEW

RECOMMENDATION

"That Council endorse the General Manager to provide a submission that includes the matters outlined in the 'future needs' section of this report."

18/2025 REED / LARKINS

"That the recommendation be accepted."

The motion was put.

For: Gatehouse, Wooley, Nichols, Campbell, Larkins, Reed and Torenus

Against: None

The motion was **CARRIED**.

5.3 PLANNING SCHEME AMENDMENT 5.2025.51.1 – PRIMROSE SANDS ROAD, PRIMROSE SANDS (ADJACENT TO COMMUNITY CENTRE AT 570 PRIMROSE SANDS ROAD)

Applicant:	IreneInc Planning and Urban Design
Proposal:	Local Business Rezone and SAP
Site Address:	Part of Primrose Sands Road, Primrose Sands (CT 139347/1) located adjacent to the Primrose Sands Community Centre at 570 Primrose Sands Road
Planning Scheme:	<i>Tasmanian Planning Scheme Sorell (TPS-S)</i>
Relevant Legislation:	Part 3B of the Land Use Planning and Approvals Act 1993 (LUPAA)
Reason for SPA meeting:	No delegated authority for a planning scheme amendment

Relevant Zone:	Rural Living
Proposed Zone:	Local Business
Valid Application Date:	5 March 2025
Decision Due:	19 June 2025
Representation(s):	N/A



MINUTES

SORELL PLANNING AUTHORITY (SPA) MEETING
3 JUNE 2025

RECOMMENDATION

(a) That pursuant to Section 40D(a) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority prepare Amendment AM-SOR-2025-51-1 to the Sorell Local Provisions Schedule for land at Primrose Sands Road, Primrose Sands (CT 139347/1 located adjacent to the Primrose Sands Community Centre at 570 Primrose Sands Road (as set out in attachment 1 to the report) to:

- i. Rezone part of the land from the Rural Living Zone to the Local Business Zone;
- ii. Apply the Southern Beaches On-site Waste Water and Stormwater Management Specific Area Plan to the Local Business Zone.

(b) That pursuant to Section 40 and *Use Planning and Approvals Act 1993*, AM-SOR-2025 -1 is certified as meeting the LPS criteria.

(a) That in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment on public exhibition for a period of 28 days.

19/2025 LARKINS / REED

"That the recommendation be accepted."

The motion was put.

For: Gatehouse, Wooley, Nichols, Campbell, Larkins, Reed and Torenus

Against: None

The motion was **CARRIED**.

5.4 7.2024.4.2 – MINOR AMENDMENT REQUEST FOR 16 LOT SUBDIVISION AT VALLEYFIELD ROAD, SORELL

Applicant:	Annecy Group Pty Ltd
Proposal:	Minor Amendment – Reduce Public Open Space Contribution on 16 Lot Subdivision



MINUTES

SOORELL PLANNING AUTHORITY (SPA) MEETING
3 JUNE 2025

Site Address:	9 Valleyfield Road, Sorell and 123 Rosendale Road, Sorell)
Planning Scheme:	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
Application Status	Discretionary
Relevant Legislation:	Section 56 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	Original permit approved at SPA meeting

Relevant Zone:	Rural Living Zone
Decision Due:	5 June 2025
Representation(s):	N/A

RECOMMENDATION

That pursuant to Section 56 of the *Land Use Planning and Approvals Act 1993* Council resolve that permit 7.2024.4.1 be amended by the substitution of '5%' with '3%' and a new permit issued with reference 7.2024.4.2.

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

20/2025 LARKINS / TORENIUS

"That the recommendation be accepted."

The motion was put.

For: Gatehouse, Wooley, Nichols, Campbell, Larkins and Torenus

Against: Reed

The motion was **CARRIED**.

Meeting closed at 4:55pm

**MAYOR GATEHOUSE
CHAIRPERSON
3 JUNE 2025**



MINUTES

SORELL PLANNING AUTHORITY (SPA) MEETING
3 JUNE 2025