



# SORELL PLANNING AUTHORITY (SPA) **AGENDA**

19 MAY 2026

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, 19 May 2025 commencing at 4:30 pm.

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

I, Robert Higgins, Chief Executive Officer 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  
CHIEF EXECUTIVE OFFICER  
14 MAY 2026



## **AGENDA**

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING TO BE HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON TUESDAY 19 MAY 2026.

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## AUDIO-VISUAL RECORDING OF MEETINGS

I would like to advise that an audio-visual recording is being made of this meeting. I also remind everyone present to be respectful and considerate towards others attending the meeting. Language or behaviour that could be perceived as offensive, defamatory, or threatening to any person attending the meeting, or to those listening to the recording, will not be tolerated.

### 1.0 ATTENDANCE

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

### 2.0 APOLOGIES

Councillor B Shaw

### 3.0 CONFIRMATION OF THE MINUTES OF 21 APRIL 2026

#### RECOMMENDATION

"That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 21 April 2026 be confirmed."

### 4.0 DECLARATIONS OF INTEREST



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

## 5.0 LAND USE PLANNING

### 5.1 5.2026.3.1 – DWELLING AT 2 OCHRE COURT, DODGES FERRY

<b>Applicant:</b>	H Crowe and A Hede-Tiggelaven
<b>Proposal:</b>	Dwelling & Outbuilding
<b>Site Address:</b>	2 Ochre Court, Dodges Ferry CT187805/8
<b>Planning Scheme:</b>	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
<b>Application Status</b>	Discretionary
<b>Relevant Legislation:</b>	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
<b>Reason for SPA meeting:</b>	Owner or applicant is a staff member

<b>Relevant Zone:</b>	10.0 Low Density Residential
<b>Proposed Use:</b>	Residential (Single Residential or Multi Residential)
<b>Applicable Overlay(s):</b>	SOR-S2.0 Southern Beaches On-site Wastewater and Stormwater Management Specific Area Plan C16.0 Airport obstacle limitation area
<b>Applicable Codes(s):</b>	C2.0 Parking and Sustainable Transport Code C16.0 Safeguarding of Airports Code
<b>Valid Application Date:</b>	07 January 2026
<b>Decision Due:</b>	29 May 2026
<b>Discretion(s):</b>	1 10.4.3 P1 - Setback 2 10.4.3 P3 - Setback 3 SOR-S2.7.1 P1 On-site wastewater
<b>Representation(s):</b>	One

#### RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2026.3.1 for a Dwelling & Outbuilding at 2 Ochre Court, Dodges Ferry be approved, subject to the following conditions:

1. Use and development must be substantially in accordance with the endorsed plans and documents except where modified by a condition of this permit.
  - (a) P1 (Geotechnical Assessment), prepared by Rock Solid Geotechnics Pty Ltd, dated 2 July 2025, received 07 January 2026
  - (b) P1 (onsite wastewater system design), prepared by Rock Solid Geotechnics Pty Ltd, dated 2 July 2025, received 07 January 2026



(c) P5 (Building designs) prepared by C.G Kean, dated 03 September 2025, received 21 April 2026

2. The outbuilding is to be used for residential storage purposes only and not to be used for commercial purposes or made habitable.

### Engineering

3. The internal driveway including areas set aside for vehicle parking and manoeuvring must:
  - (a) have a concrete surface constructed in accordance with engineer's specification;
  - (b) be drained to a legal point of discharge or retain runoff onsite such that stormwater is not concentrated onto adjoining properties; and
  - (c) have all stormwater drainage infrastructure located in the parking area (e.g., grated pit and channel) constructed to a trafficable standard.
4. Prior first use, at least two car parking spaces must be provided on site and must be available for car parking at all times. Any external space used for parking must:
  - (a) be at least 5.4m long and 2.6 m wide with an additional 0.3m clearance from any nearby wall, fence or other obstruction; and
  - (b) have a maximum gradient of 1 in 20 (5%) measured parallel to the angle of parking and 1 in 16 (6.25%) in any other direction.
5. Stormwater property connection to Council's stormwater main must be in accordance with TSD-SW25-V3.

### On-Site Wastewater

6. At least 180m<sup>2</sup> of land must be reserved on-site for wastewater treatment which is located at least 4.5 m from the downslope boundary and 1.5m from all other boundaries.
7. Driveways, parking areas, impervious sealing and buildings are not permitted in the area reserved for wastewater treatment.
8. An aerated wastewater treatment system (or equivalent) must be used for wastewater treatment, which discharges into a raised irrigation area.
9. The raised terraced irrigation area shall be at least 150m<sup>2</sup> and consist of at least 0.3m deep of sandy loam soil classified in accordance

with AS/NZS1547:2012 – *On-site Domestic Wastewater Management*. All works must be completed to the satisfaction of the Environmental Health Officer.

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

Legal

- The permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the Land Use Planning and Approvals Act 1993.
- This planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.

Asset Protection

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

Other Approvals

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

General

- A front fence above 1.2m in height may require planning approval – please refer to our info sheet at <https://www.sorell.tas.gov.au/planning-information-sheets/>
- Please consider providing a fill connection/inlet for your water tank near the street frontage to assist water carriers.



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

### Executive Summary

Application is made for a Dwelling & Outbuilding at 2 Ochre Court, Dodges Ferry. This property is zoned 10.0 Low Density Residential and is subject to overlays relating to Airport obstacle limitation area, and the Southern Beaches On-site Wastewater and Stormwater Management Specific Area Plan.

The key planning consideration relates to the design and siting of the dwelling, particularly the appearance as viewable from adjoining residential properties.

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

### Relevance to Council Plans & Policies

Strategic Plan 2019-2029	Objective 1: To Facilitate Regional Growth Objective 2: Responsible Stewardship and a Sustainable Organisation Objective 3: To Ensure a Liveable and Inclusive Community
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.



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Environmental Sustainability Policy	There are no environmental implications associated with the proposal.
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## Legislation

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

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

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

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

## Referrals

Agency / Dept.	Referred?	Response?	Conditions?	Comments
Development Engineering	Yes	Yes	Yes	Nil
Environmental Health	Yes	Yes	Nil	Nil
Plumbing	Yes	Yes	No	Complies, Engineering condition for kerb connection
NRM	No			
TasWater	No			
TasNetworks	No			
State Growth	No			

## Report

### Description of Proposal

The proposal is for the development of a dwelling and outbuilding (see figure 1).

A dwelling is to be categorised in the Residential Use Class. This is a No Permit Required use in the Low Density Residential Zone.

The development consists of a two storey, three bedroom dwelling which includes an 8m by 6m outbuilding for residential storage. The dwelling is arranged in modules, where the upper floor is over the lower at a perpendicular angle, relatively independent except for the stair connecting the two. This orientation affords a carport underneath and a slight cantilever to the south east.

The upper storey consists of the principal living areas with kitchen, living and dining opening to a north facing deck.

The application is supported and more fully described by:

- Geotechnical Assessment, prepared by Rock Solid Geotechnics Pty Ltd, dated 2 July 2025, received 07 January 2026
- Onsite wastewater system design, prepared by Rock Solid Geotechnics Pty Ltd, dated 2 July 2025, received 07 January 2026; and
- Building designs prepared by C.G Kean, dated 03 September 2025, received 21 April 2026

### Description of Site

The site is a 1200m<sup>2</sup> residential allotment, at the southern side of Ochre Court, being a cul de sac located within Dodges Ferry, accessible from Bally Park Road. Ochre Court is a relatively new inclusion within the area and is being incrementally developed for single dwellings.

Ochre Court rises from the junction with Bally Park Road, though plateaus at the site before rising again further to the east (5 Ochre Court). The site is therefore prominent on approach from the west, though relatively flat.

The site is serviced, and gains access via a sealed cross over.



**Figure 1.** Subject site, 2 Ochre Court, Dodges Ferry.

### Planning Assessment

*Low Density Residential Zone*

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
10.4.2 A1	Building Height	Yes, maximum height is 7.14m
10.4.3 A1	Setback	No – See Performance Criteria Assessment
10.4.3 A2	Setback	No – See Performance Criteria Assessment
10.4.4 A1	Site Coverage	Yes, Site coverage equates to 29%

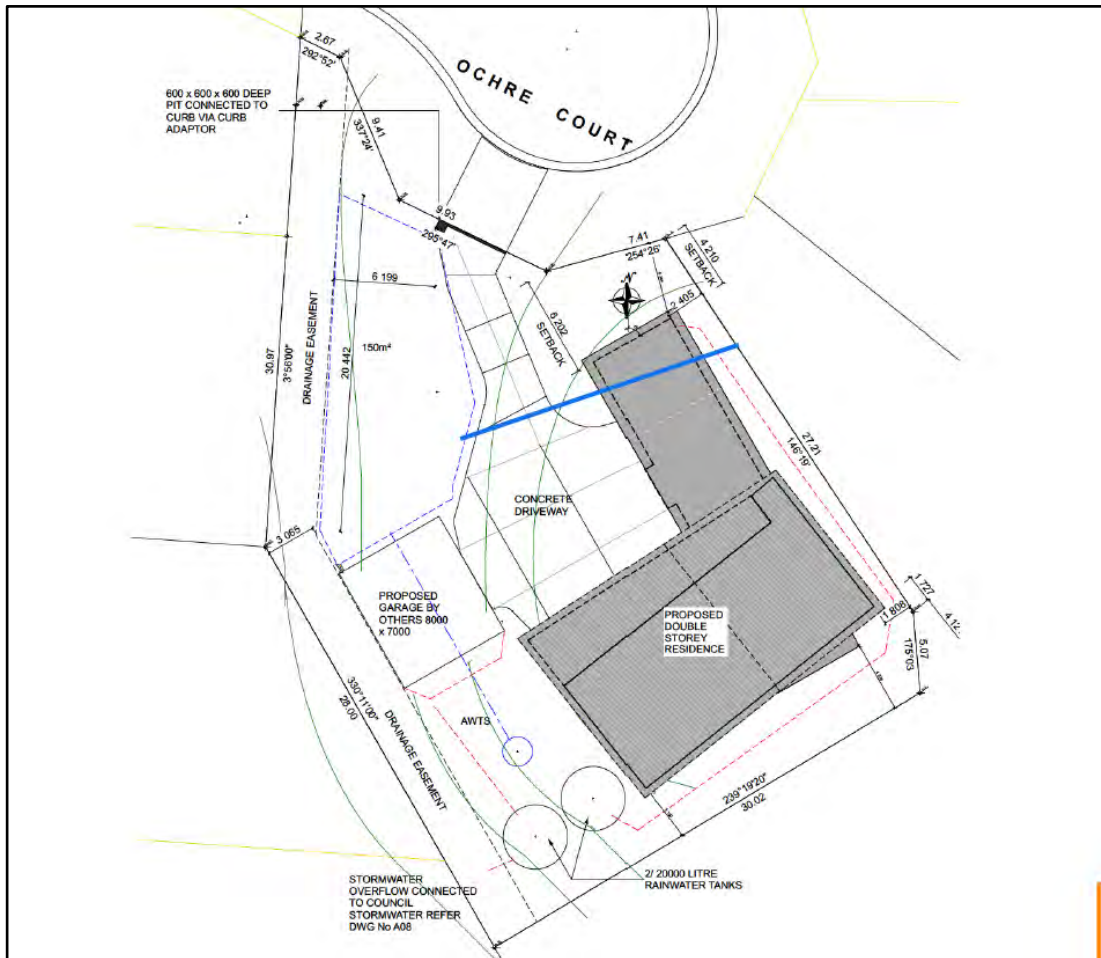
Performance Criteria Assessment 1 – 10.4.3 Setback (P1)

The proposed setback varies from 6.2m to 4.2m owed to the angle of the frontage from which the dwelling is set.

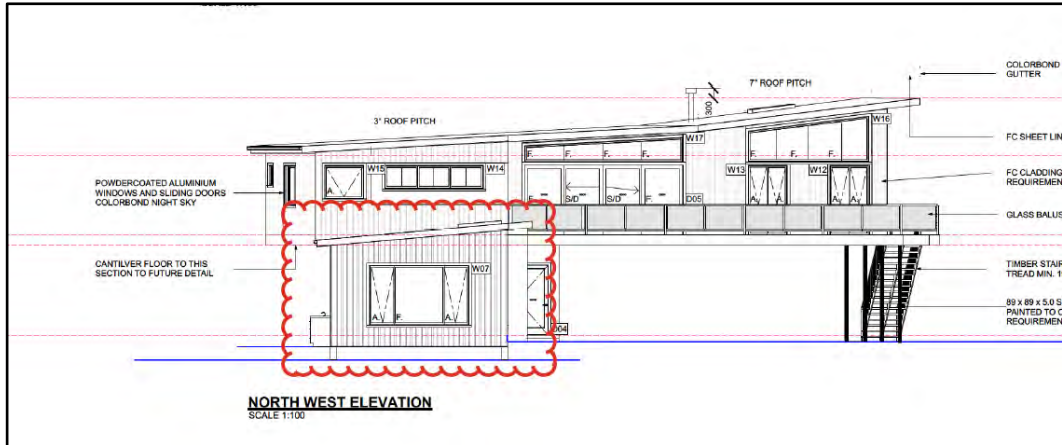
As such, the proposal is reliant on the performance criteria which require:

*The siting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:*

- (a) the topography of the site;
- (b) the setbacks of surrounding buildings;
- (c) the height, bulk and form of existing and proposed buildings;
- (d) the appearance when viewed from roads and public open space adjacent to the site; and
- (e) the safety of road users.



**Figure 2.** Site plan with frontage setback as determined by the Acceptable Solution shown blue.



**Figure 3.** Elevation plan extract showing the portion of the dwelling which is set forward of the frontage setback.

In considering the performance criteria, the atypical lot geometry is relevant in informing the response to the streetscape character. There are in effect three frontages to the site, and a uniform presentation to the street with consistent setbacks to these is challenging (ref Figure 4).

For the character of development, as a relatively new estate there are few established examples of dwellings to broadly inform the character of the area. The existing dwellings at 116 and 118 Bally Park Road provide examples of dwellings which have lesser setbacks than that anticipated by the Acceptable Solution, tending to a closer dwelling-street relationship. The dwelling at 5 Ochre Court is set back quite significantly and forms a backdrop to Ochre Court.

Specifically, for (a), the topography of the site is not causative to a reduced setback, though it is acknowledged that the lot geometry is an inhibiting factor as caused by the siting of the road.

For (b), the setbacks of established dwellings within the surrounding area range from nil at 118 Bally Park Road, to 42m at 5 Ochre Court. The dwelling at 116 Bally Park Road is a significant element within the streetscape and has a setback of approximately 2m. The proposal broadly corresponds to this range.

For (c), by virtue of its simple design and single storey construction at the fore, rising to two storey at the rear; the dwelling design incorporates an approach to massing from the frontage which tends to a compatible outcome on balance of the dwelling types within the immediate area.

For (d), Figure 3 gives an indication of the appearance of the proposal as viewable from the street. The appearance when viewed from the road will tend to a modest forward section framed by a larger section of a greater distance which is a suitable approach.

For (e) the siting of the dwelling is not considered to cause an issue for safety of road users.

The proposal is considered to comply.



**Figure 4.** image denoting the actual setbacks of nearby properties (blue), relative to the approximate 8m line from the frontage (green), and the proposed setback in yellow.



**Figure 5.** image identifying 116 (left) and 118 Bally Park Road (right), which define the established forms of the streetscape for Ochre Court.

Performance Criteria Assessment 1 – 10.4.3 Setback (P2)

The proposal is setback less than 5m from the eastern side boundary, and the southern rear boundary, both of which adjoin 4 Ochre Court. Further, the proposed outbuilding is setback less than 5m from the western boundary adjoining 122 and 124 Bally Park Road. As such, the proposal is reliant on the Performance Criteria which require:

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

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

For (a), the site is relatively flat, though sits prominently above those dwellings fronting Bally Park Road, and marginally lower than dwellings further to the south. The dwelling therefore will be apparent from the surrounding area not only for reason of its building height, but also the nature of the site relative to the surroundings. This apparentness is, however, within a landscape of moderately prominent buildings at elevated sections, and so is not discordant in this sense.

For (b), the size and shape of the lot is by comparison to the surrounding area somewhat larger than the lots fronting Bally Park Road, though is consistent with the area of lots within the remainder of Ochre Court, which the site shares greater affinities with. The shape however, owed to the siting of the road does reduce what proportions of the lot are able to be developed, and this constrains the lot somewhat more than those other lots in Ochre Court.

For (c), dwellings fronting Bally Park Road maintain side and rear boundary setbacks ranging from nil (118 Bally Park Road), to 21m at 126 Bally Park Road. The dwelling at 5 Ochre Court has a minimum setback of approximately 4m owed to an outbuilding. The proposal is within the range established by existing properties.

For (d) the height and form of the proposal is large, occupying a significant breadth of the lot with the upper storey of the dwelling set over the carport. The impact on the amenity to the adjoining properties however is varied by reason of the nature of the adjoining properties, and the arrangement of the three core components of the dwelling (outbuilding, ground level, and upper level) which each have different relationships to the surroundings.

For the dwelling as viewable from 4 Ochre Court, the outbuilding is an inconsequential element with respect to appearance and so is not considered to have an unreasonable impact. The lower part is setback from an access strip, from which a lesser degree of amenity is had, and so the

impact is not considered unreasonable. The upper storey is quite prominent from the south east, though appreciating the lot constraints, and the relatively flat roof coupled with a setback ranging between 3m and 5.2m is not unreasonable.

For those properties which front Bally Park Road, and which adjoin the property (118,120,122 and 124 Bally Park Road), the outbuilding is the pertinent feature which is within 5m of the side boundary setback and this is considered a modest element. The lower floor is inconsequential, and though the upper floor may be visible, its apparentness from these properties should be balanced on the setback which is a minimum 12m (between the proposal and the boundary adjoin 124 Bally Park Road).

For (e), there are no existing buildings at the site or at 4 Ochre Court. For those dwellings fronting Bally Park Road, though the proposed outbuilding is set within 5m of the shared boundary to the west, this is not considered to cause for an unreasonable impact. The siting of the dwelling relative to the existing buildings of those lots fronting Bally Park Road is considered of a sufficient distance to mitigate visual impacts.

For (f), shadow diagrams provided show morning shadows to the west, principally over 122 and 124 Bally Park Road. These however ease by mid morning, and shadows are otherwise limited to the vacant lot at 4 Ochre Court upon which there is neither any private open space nor windows to habitable rooms.

For (g), though the dwelling is large, the character of development within the area, particularly as informed by those adjoining properties fronting Bally Park Road is such that large dwellings on modestly sized lots are interspersed amongst smaller dwellings, and this lack of uniformity of dwelling sizes tends to a character with which the proposal accords.

Having regard for the above the proposal is considered to not cause for an unreasonable impact on amenity, specifically owed to the size and shape of the lot, and the character of development within the area.

The proposal is considered to comply.



**Figure 6.** site as viewable from Ochre Court, note mixed pattern of dwelling sizes in Eastaugh Street, and the roofs of 130 Bally Park Road (middle) with the adjoining property at 124 Bally Park Road (right).



**Figure 7.** site as viewable from Ochre Court, with adjoining property at 120 Bally Park Road to the fore and 124 Bally Park higher in the background.



**Figure 8.** 124 Bally Park Road (right) relative to 122 Bally Park Road (left). Both of these properties adjoin the site.



**Figure 9.** 116 Bally Park Road (middle left) for context on the surrounding area, and 120 Bally Park Road (right).



**Figure 10.** site as viewable from 4 Ochre Court, note 124 Bally Park Road (left) and 116 Bally Park Road for context on the surrounding area (right), which frame the area.

**C2.0 Parking and Sustainable Transport Code**

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C2.5.1 A1	Parking numbers	Yes, as two spaces are provided.
C2.6.1 A1	Construction	Yes, concrete surface drained to public network.
C2.6.2 A1.1	Layout	Yes, all relevant standards are complied with A1.1
C2.6.3 A1	Accesses	Yes, a single access is provided.

**C16.0 Safeguarding of Airports Code**

The proposal is within an airport obstacle limitation area, though the development does not exceed 152mAHD, being the lower limit of the obstacle limitation area. The proposal is therefore exempt.

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

Applicable SAP standards		
Clause	Matter	Complies with acceptable solution?
SOR-S2.7.1 A1	Onsite wastewater	No - See Performance Criteria Assessment
SOR-S2.7.2	Stormwater management	Yes, the site is capable of connecting to the public stormwater network.

Performance Criteria Assessment 2 –SOR-S2.7.1 P1 Onsite wastewater

*The site must provide sufficient area for management of on-site waste water, having regard to:*

- (a) the topography of the site;*
- (b) the capacity of the site to absorb wastewater;*
- (c) the size and shape of the site*
- (d) the existing buildings and any constraints imposed by existing development;*
- (e) the area of the site to be covered by the proposed development;*
- (f) the provision for landscaping, vehicle parking, driveways and private open space;*
- (g) any adverse impacts on the quality of ground, surface and coastal waters;*
- (h) any adverse environmental impact on surrounding properties and the locality; and*
- (i) any written advice from a suitably qualified person (onsite waste water management) about the adequacy of the on-site waste water management system.*

Council's Manager Health and Compliance has reviewed the application and is satisfied that the proposal can adequately provide for onsite wastewater management. The following conditions are recommended to be included in any permit granted:

- *At least 30m<sup>2</sup> of land must be reserved on-site for wastewater treatment which is located at least 5 m from the downslope boundary and 1.5m from all other boundaries.*
- *Driveways, parking areas, impervious sealing and buildings are not permitted in the area reserved for wastewater treatment.*
- *An aerated wastewater treatment system (or equivalent) must be used for wastewater treatment, which discharges into an absorption bed.*
- *The raised terraced irrigation area shall be at least 150m<sup>2</sup> and consist of at least 0.3m deep of sandy loam soil classified in accordance with AS/NZS1547:2012 – On-site Domestic Wastewater Management. All works must be completed to the satisfaction of the Environmental Health Officer.*

## 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'.



One representation has been received, which is addressed in the following table.

Issue	Relevant Clause	Response
The proposal does not include a cover letter or contours on the site plan	Clause 6	Though contours may be beneficial in certain applications, for the proposal at hand, such information has not been required to determine compliance related to building height or visual impact. The site is only moderately sloped, (approximately 6%).
The proposal does not provide a cover letter which includes justification against the performance criteria	Clause 6	A written response to the performance criteria is not a mandatory requirement where compliance may be determined by the planning authority from the submitted application documents.
Misleading levels	Clause 6	It is acknowledged that the relative levels on the plans do not relate to AHD. The scale is measurable though and the heights and setbacks are able to be determined.

### Conclusion

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

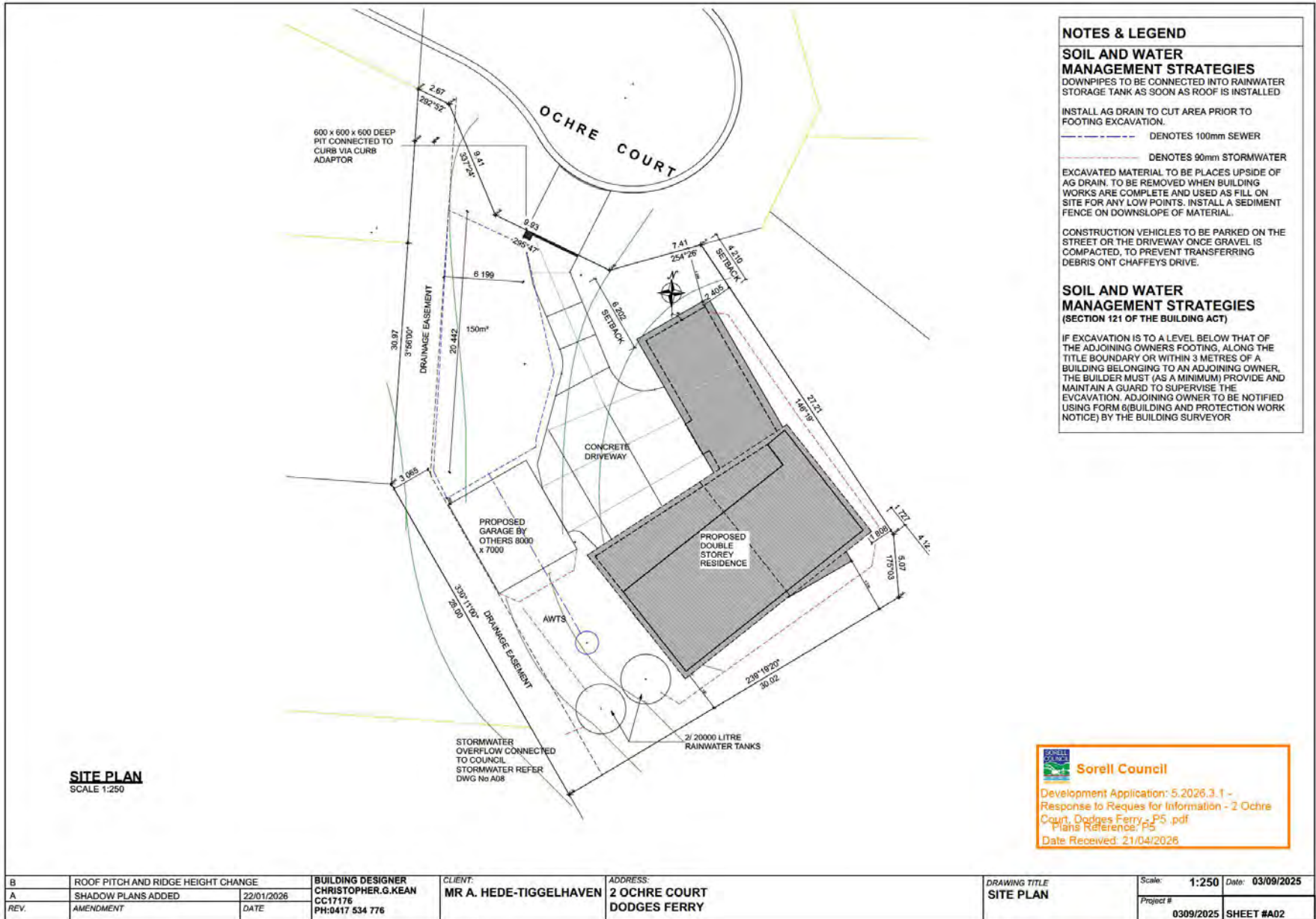
**Peter Coney**  
Consultant Planner

### Separate Attachments

*Geotechnical Assessment, prepared by Rock Solid Geotechnics Pty Ltd, dated 2 July 2025, received 07 January 2026*

*Onsite wastewater system design, prepared by Rock Solid Geotechnics Pty Ltd, dated 2 July 2025, received 07 January 2026*

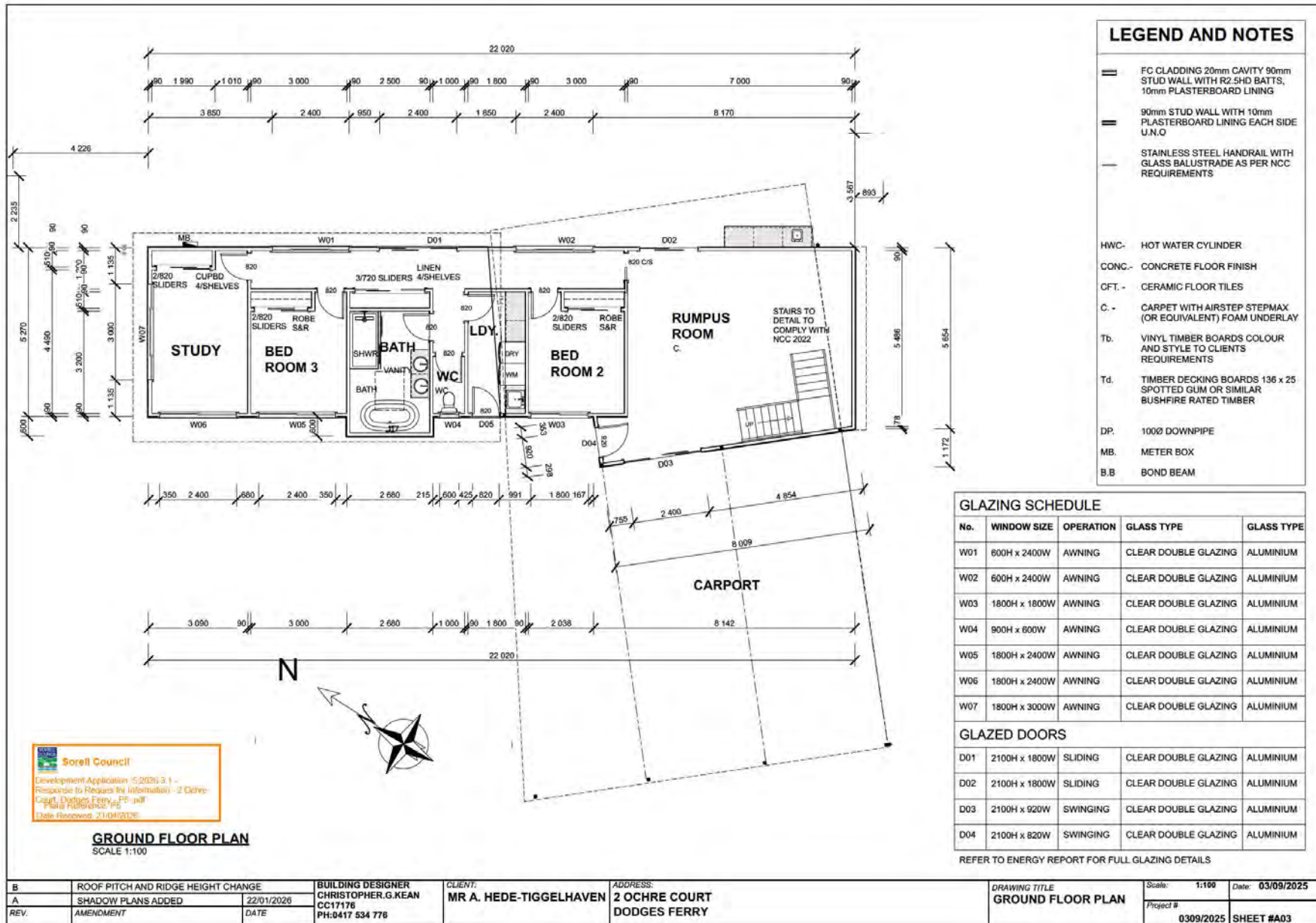


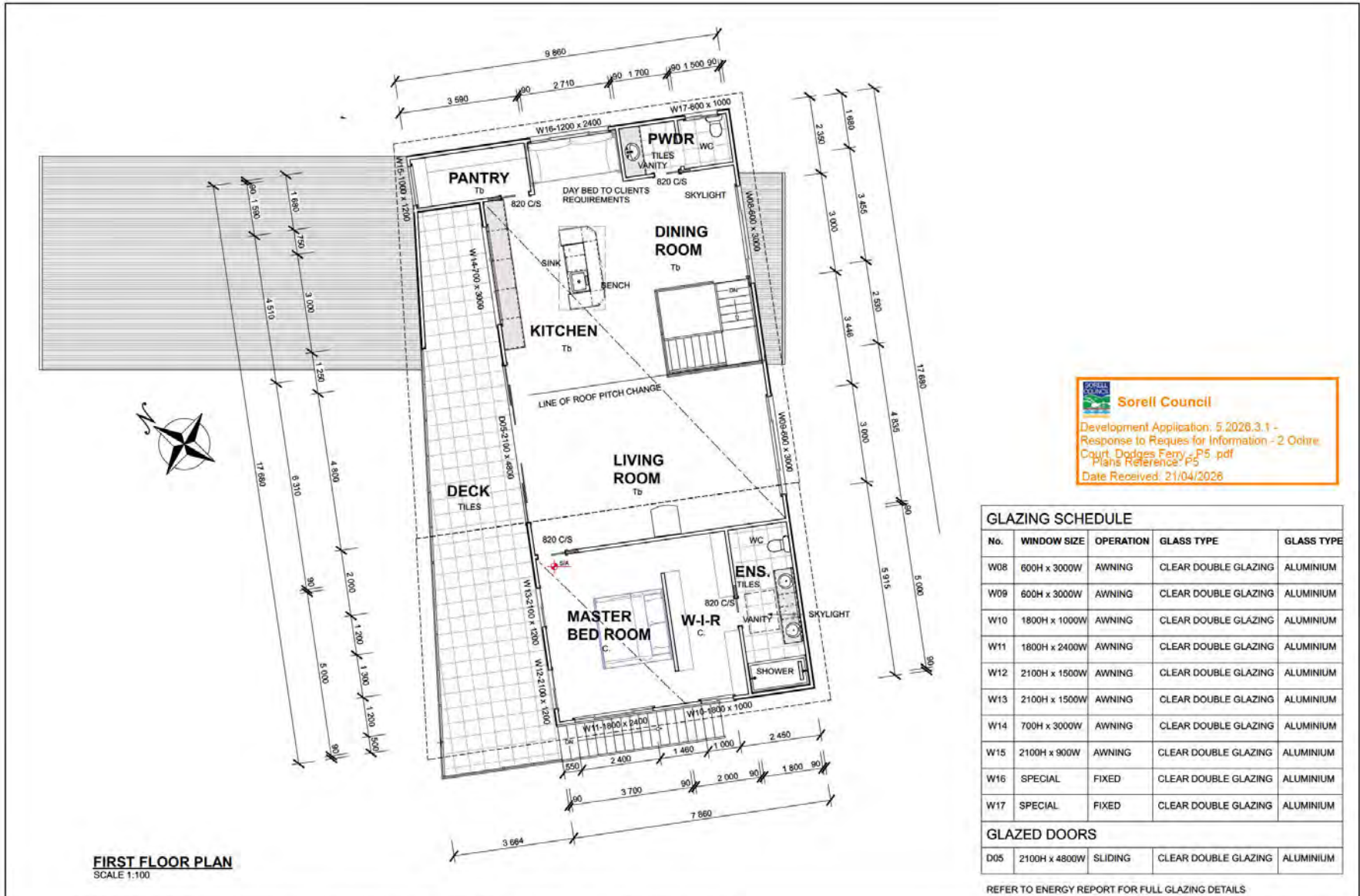


**Sorell Council**  
 Development Application: 5.2026.3.1 -  
 Response to Reques for Information - 2 Ochre  
 Court, Dodges Ferry\_P5 .pdf  
 Plans Reference:  
 Date Received: 21/04/2026

B	ROOF PITCH AND RIDGE HEIGHT CHANGE	BUILDING DESIGNER CHRISTOPHER.G.KEAN	CLIENT: MR A. HEDE-TIGGELHAVEN	ADDRESS: 2 OCHRE COURT DODGES FERRY	DRAWING TITLE SITE PLAN	Scale: 1:250	Date: 03/09/2025
A	SHADOW PLANS ADDED	22/01/2026	CC:17176			Project #	0309/2025
REV.	AMENDMENT	DATE	PH:0417 534 776				SHEET #A02







**Sorell Council**  
 Development Application: 5.2026.3.1 -  
 Response to Reques for Information - 2 Ochre  
 Court, Dodges Ferry, P5.pdf  
 Plans Reference: P5  
 Date Received: 21/04/2026

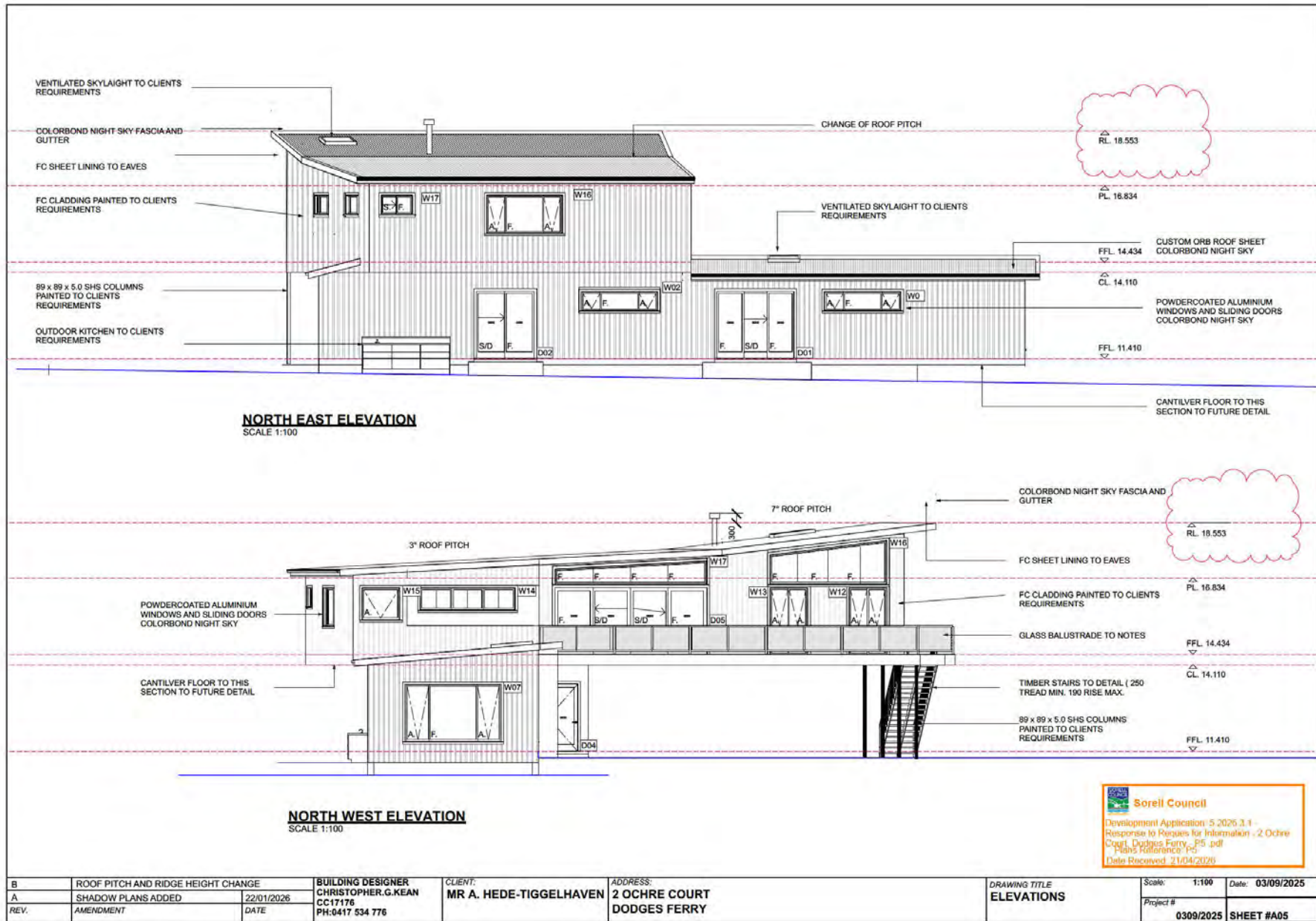
**FIRST FLOOR PLAN**  
 SCALE 1:100

GLAZING SCHEDULE				
No.	WINDOW SIZE	OPERATION	GLASS TYPE	GLASS TYPE
W08	600H x 3000W	AWNING	CLEAR DOUBLE GLAZING	ALUMINIUM
W09	600H x 3000W	AWNING	CLEAR DOUBLE GLAZING	ALUMINIUM
W10	1800H x 1000W	AWNING	CLEAR DOUBLE GLAZING	ALUMINIUM
W11	1800H x 2400W	AWNING	CLEAR DOUBLE GLAZING	ALUMINIUM
W12	2100H x 1500W	AWNING	CLEAR DOUBLE GLAZING	ALUMINIUM
W13	2100H x 1500W	AWNING	CLEAR DOUBLE GLAZING	ALUMINIUM
W14	700H x 3000W	AWNING	CLEAR DOUBLE GLAZING	ALUMINIUM
W15	2100H x 900W	AWNING	CLEAR DOUBLE GLAZING	ALUMINIUM
W16	SPECIAL	FIXED	CLEAR DOUBLE GLAZING	ALUMINIUM
W17	SPECIAL	FIXED	CLEAR DOUBLE GLAZING	ALUMINIUM
GLAZED DOORS				
D05	2100H x 4800W	SLIDING	CLEAR DOUBLE GLAZING	ALUMINIUM

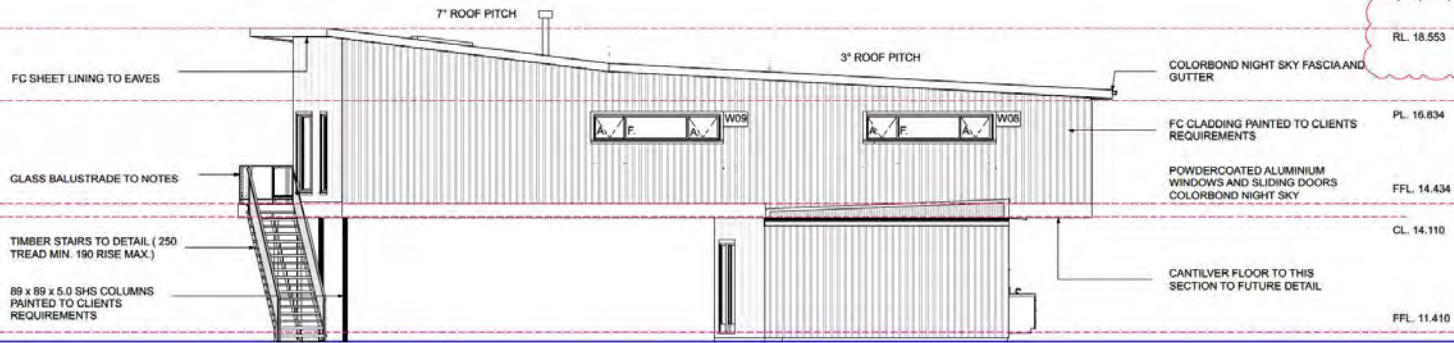
REFER TO ENERGY REPORT FOR FULL GLAZING DETAILS

B	ROOF PITCH AND RIDGE HEIGHT CHANGE	BUILDING DESIGNER	CLIENT:	ADDRESS:	DRAWING TITLE	Scale:	Date:
A	SHADOW PLANS ADDED	CHRISTOPHER.G.KEAN	MR A. HEDE-TIGGELHAVEN	2 OCHRE COURT	UPPER FLOOR PLAN	1:100	03/09/2025
REV.	AMENDMENT	CC17176		DODGES FERRY		Project #	
	DATE	PH:0417 534 776				0309/2025	SHEET #A04

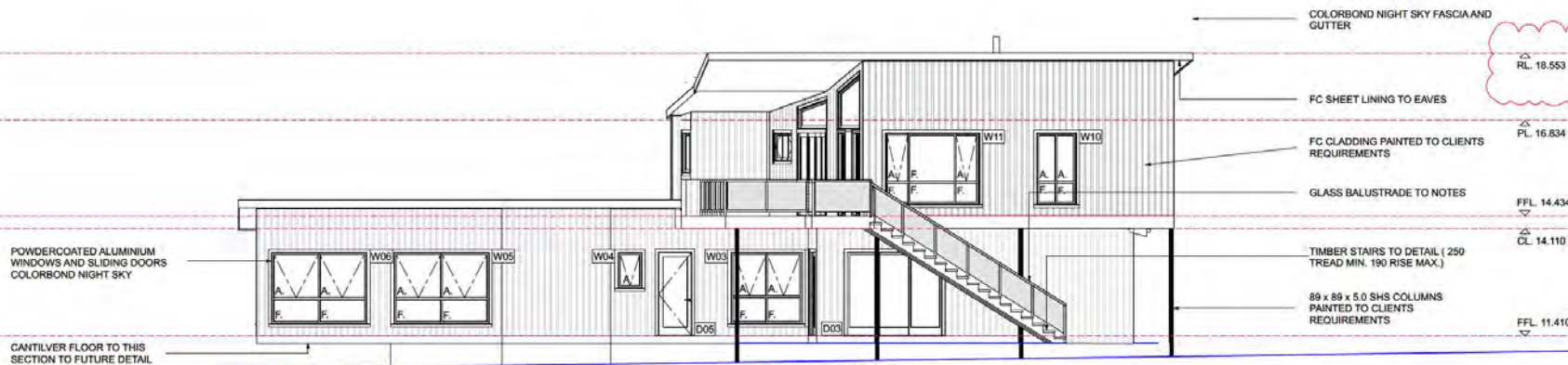




**Sorell Council**  
 Development Application 5/2025.3.1 -  
 Response to Requests for Information - 2 Ochre  
 Court, Dodges Ferry, No. 90f  
 Plans Reference: P15  
 Date Received: 21/04/2025



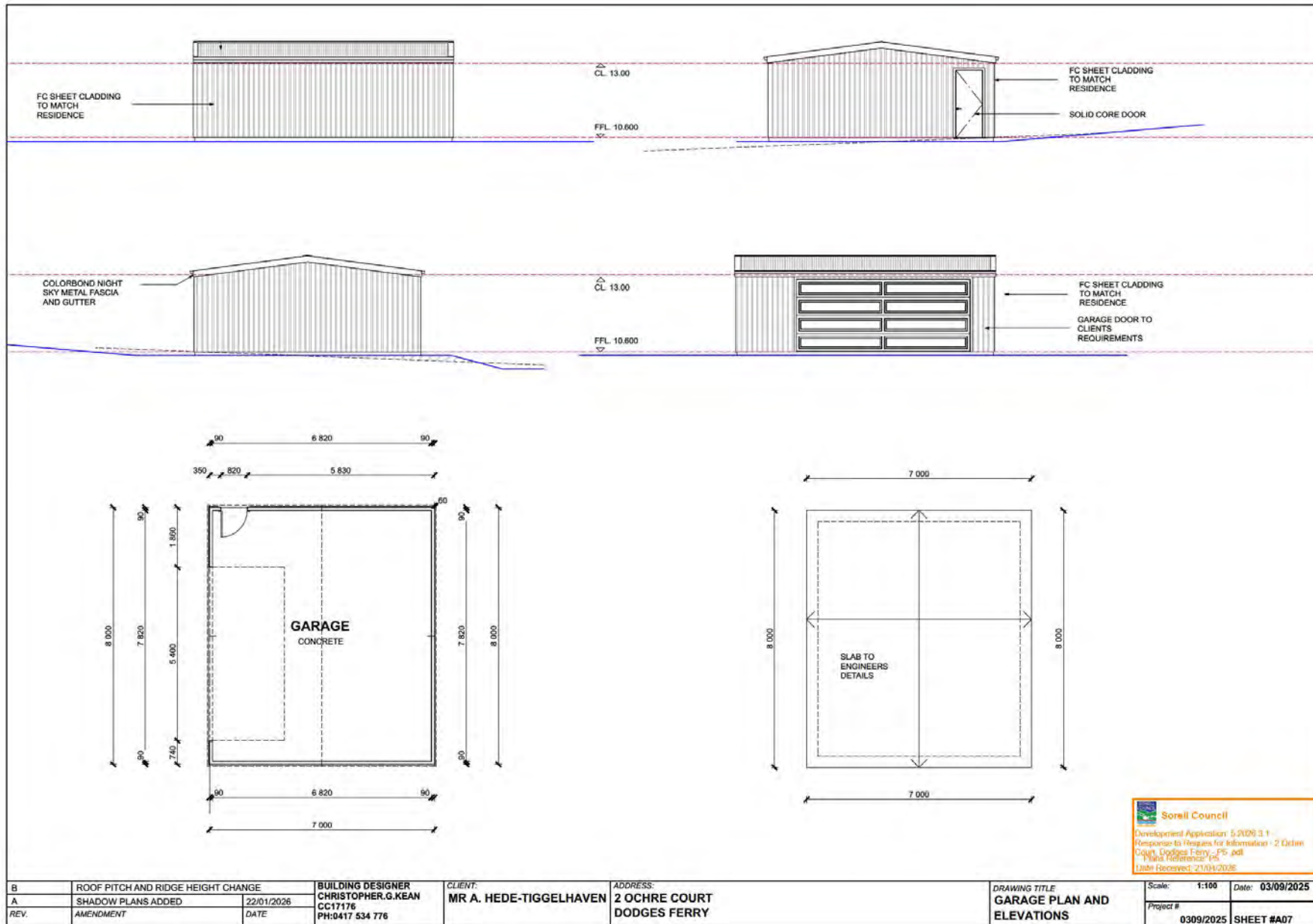
**SOUTH EAST ELEVATION**  
 SCALE 1:100



**SOUTH WEST ELEVATION**  
 SCALE 1:100

B	ROOF PITCH AND RIDGE HEIGHT CHANGE	BUILDING DESIGNER CHRISTOPHER.G.KEAN CC:17176 PH:0417 534 776	CLIENT: MR A. HEDE-TIGGELHAVEN	ADDRESS: 2 OCHRE COURT DODGES FERRY	DRAWING TITLE ELEVATIONS	Scale: 1:100	Date: 03/09/2025
A	SHADOW PLANS ADDED	22/01/2026				Project #	0309/2025 SHEET #A06
REV.	AMENDMENT	DATE					

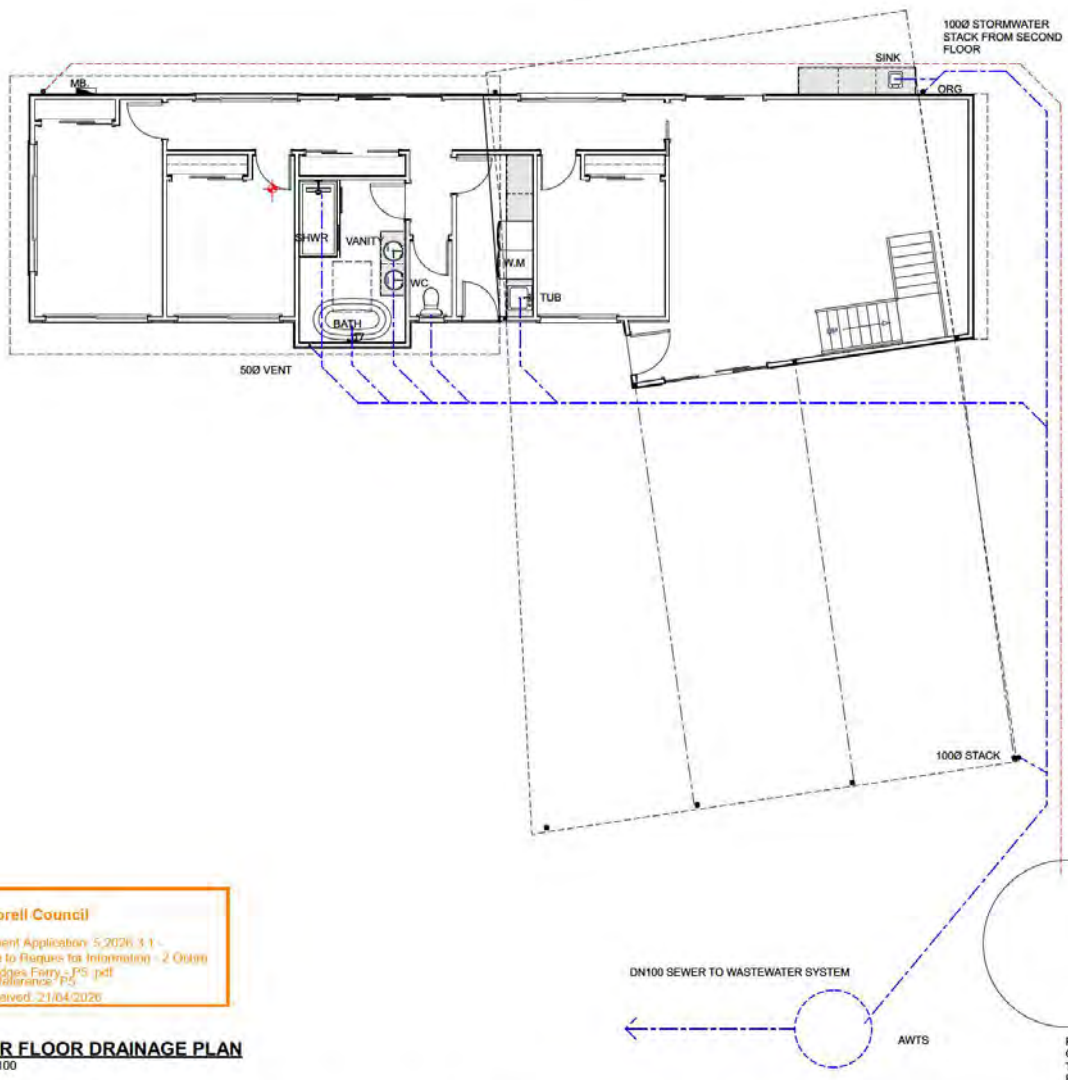




**Sorell Council**  
 Development Application 5/2025 3.1  
 Response to Requests for Information - 2 Ochr  
 Court, Dodges Ferry - FS.pdf  
 Plans Reference: FS  
 Date Received: 21/03/2025

B	ROOF PITCH AND RIDGE HEIGHT CHANGE	BUILDING DESIGNER	CLIENT:	ADDRESS:	DRAWING TITLE	Scale:	1:100	Date:	03/09/2025
A	SHADOW PLANS ADDED	CHRISTOPHER.G.KEAN	MR A. HEDE-TIGGELHAVEN	2 OCHRE COURT	GARAGE PLAN AND ELEVATIONS	Project #	0309/2025	SHEET #A07	
REV.	AMENDMENT	DATE	PH:0417 534 776	DODGES FERRY					





**LEGEND & NOTES**  
 STORMWATER LINE 100mm UPVC  
 SEWER LINE 100mm UPVC

INSTALL INSPECTION OPENINGS AT MAJOR BENDS FOR STORMWATER AND ALL LOW POINTS OF DOWNPIPES

ALL PLUMBING AND DRAINAGE TO BE IN ACCORDANCE WITH LOCAL COUNCIL REQUIREMENTS

**SERVICES**

THE HEATED WATER SYSTEM MUST BE DESIGNED AND INSTALLED IN ACCORDANCE WITH PART B2 OF NCC VOLUME THREE - PLUMBING CODE OF AUSTRALIA

THERMAL INSULATION OF HEATED WATER PIPING MUST:  
 A) BE PROTECTED AGAINST THE EFFECTS OF WEATHER AND SUNLIGHT  
 B) BE ABLE TO WITHSTAND TEMPERATURES WITHIN THE PIPING  
 C) USE THERMAL INSULATION IN ACCORDANCE WITH AS/NZS 4859.1

HEATED WATER PIPING THAT IS NOT WITHIN A CONDITIONED SPACE MUST BE THERMALLY INSULATED AS FOLLOWS:

**1. INTERNAL PIPING**

A) ALL FLOW AND RETURN INTERNAL PIPING THAT IS -  
 i) WITHIN AN UNVENTILATED WALL SPACE  
 ii) WITHIN AN INTERNAL FLOOR BETWEEN STOREYS; OR  
 iii) BETWEEN CEILING INSULATION AND CEILING  
 MUST HAVE A MINIMUM R-VALUE OF 0.2 (IE 9mm OF CLOSED CELL POLYMER INSULATION)

**2. PIPING LOCATED WITHIN A VENTILATED WALL SPACE, AN ENCLOSED BUILDING SUBFLOOR OR A ROOF SPACE**

A) ALL FLOW AND RETURN PIPING  
 B) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM  
 MUST HAVE A MINIMUM R-VALUE OF 0.45 (IE 19mm OF CLOSED CELL POLYMER INSULATION)

**3. PIPING LOCATED OUTSIDE THE BUILDING OR IN AN UNENCLOSED BUILDING SUBFLOOR OR A ROOF SPACE**

A) ALL FLOW AND RETURN PIPING  
 B) COLD WATER SUPPLY PIPING AND RELIEF VALVE PIPING WITHIN 500mm OF THE CONNECTION TO CENTRAL WATER HEATING SYSTEM  
 MUST HAVE A MINIMUM R-VALUE OF 0.6 (IE 25mm OF CLOSED CELL POLYMER INSULATION)

PIPING PASSING WITHIN AN INSULATED TIMBER FRAMED WALL, SUCH AS THAT PASSING THROUGH A WALL STUD, IS CONSIDERED TO COMPLY WITH THE ABOVE INSULATION REQUIREMENTS

**FIXTURES LEGEND**

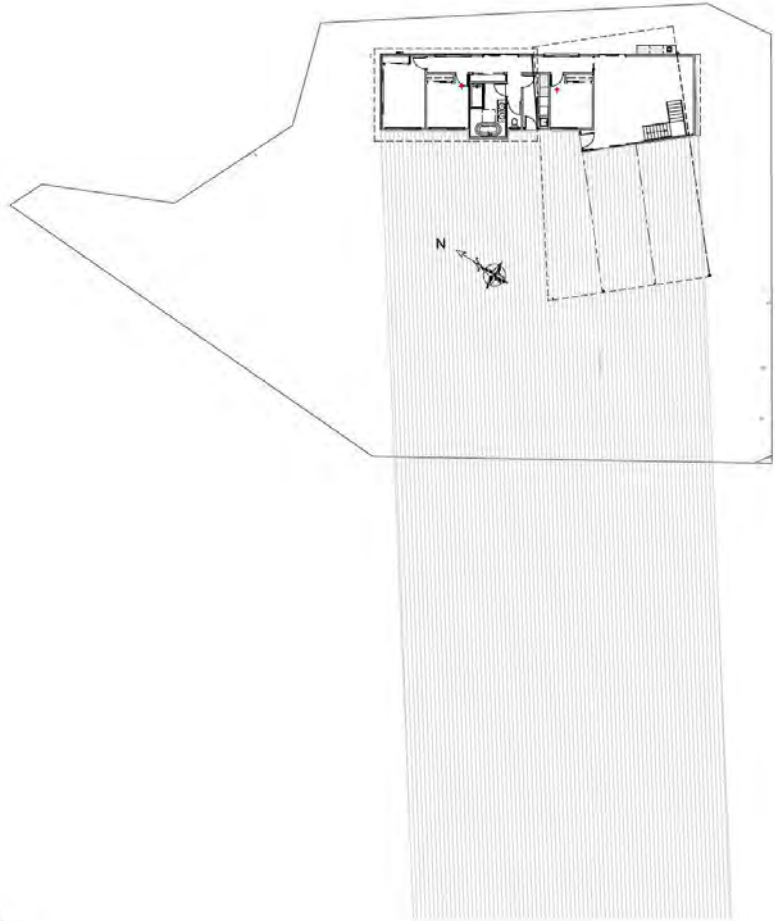
SINK : 50mm DIAMETER  
 DW : 50mm DIAMETER  
 TROUGH : 50mm DIAMETER  
 WC : 100mm DIAMETER  
 VANITY : 50 DIAMETER  
 SHOWER : 500mm DIAMETER  
 BATH : 50mm DIAMETER  
 DP : 90mm DIAMETER

**Sorell Council**  
 Development Application 5/2026 3 1 -  
 Response to Request for Information - 2 OCHRE  
 Court, Dodges Ferry - PS.pdf  
 Plans Reference: P5  
 Date Received: 21/04/2026

**LOWER FLOOR DRAINAGE PLAN**  
 SCALE 1:100

B	ROOF PITCH AND RIDGE HEIGHT CHANGE	BUILDING DESIGNER	CLIENT:	ADDRESS:	DRAWING TITLE	Scale:	1:100	Date:	03/09/2025
A	SHADOW PLANS ADDED	CHRISTOPHER.G.KEAN	MR A. HEDE-TIGGELHAVEN	2 OCHRE COURT	GROUND FLOOR	Project #	0309/2025	SHEET #A09	
REV.	AMENDMENT	DATE	PH:0417 534 776	DODGES FERRY	DRAINAGE PLAN				



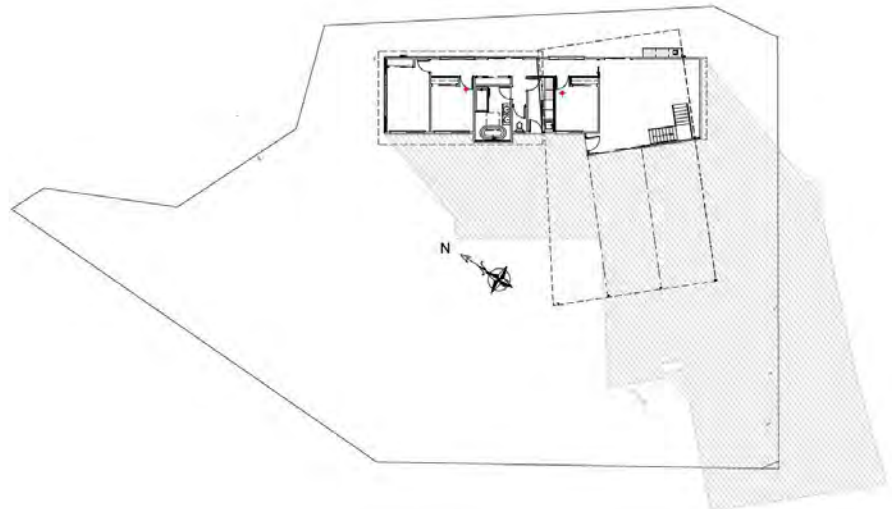


**SHADOW SITE PLAN 9:00am 21/06/2026**  
SCALE 1:300

**Sorell Council**  
Development Application 6 2024 3 1 -  
Response to Request for Information - 2 Ochre  
Court, Dodges Ferry - P5 .pdf  
Plans Reference: PS  
Date Received: 21/04/2025

B	ROOF PITCH AND RIDGE HEIGHT CHANGE	BUILDING DESIGNER CHRISTOPHER.G.KEAN CC17176 PH:0417 534 776	CLIENT: MR A. HEDE-TIGGELHAVEN	ADDRESS: 2 OCHRE COURT DODGES FERRY	DRAWING TITLE SHADOW PLAN 9:00AM 21/06/26	Scale: 1:300	Date: 03/09/2025
A	SHADOW PLANS ADDED	22/01/2026				Project #	
REV.	AMENDMENT	DATE				0309/2025	SHEET #A011



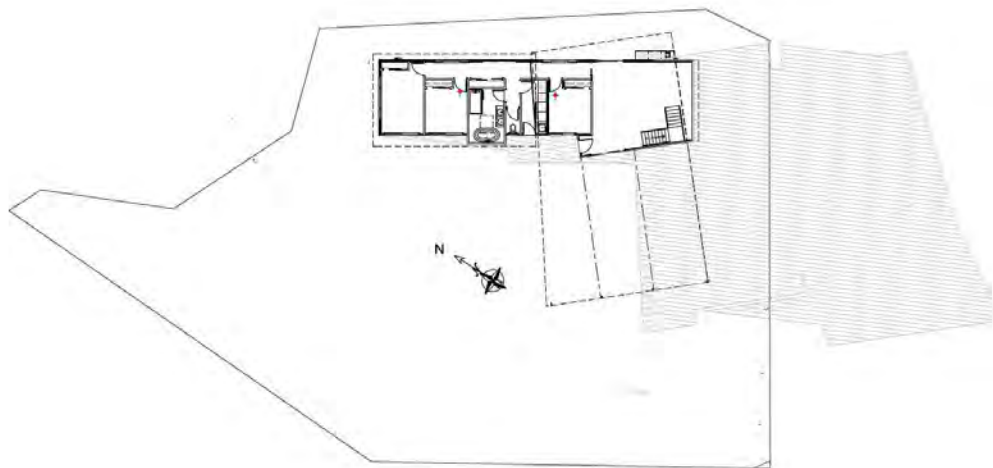


**SHADOW SITE PLAN 12:00 NOON 21/06/2026**  
SCALE 1:300

**Sorell Council**  
 Development Application: S 2026 0 1 -  
 Response to Request for Information - 2 Ochre  
 Court, Dodges Ferry - P5 .pdf  
 Plans Reference: P5  
 Date Received: 21/04/2026

<b>B</b>	ROOF PITCH AND RIDGE HEIGHT CHANGE	<b>BUILDING DESIGNER</b> CHRISTOPHER.G.KEAN CC17176	<b>CLIENT:</b> MR A. HEDE-TIGGELHAVEN	<b>ADDRESS:</b> 2 OCHRE COURT DODGES FERRY	<b>DRAWING TITLE</b> SHADOW PLAN 12 NOON 21/06/26	Scale: 1:300	Date: 03/09/2025
<b>A</b>	SHADOW PLANS ADDED	22/01/2026				Project #	0309/2025
<b>REV.</b>	AMENDMENT	DATE	PH:0417 534 776				<b>SHEET #A012</b>





**SHADOW SITE PLAN 3:00pm 21/06/2026**  
SCALE 1:300

**Sorell Council**  
Development Application: 5\_2025\_3\_1 -  
Response to Request for Information - 2 Ochre  
Court, Dodges Ferry - P5.pdf  
Plans Reference: P5  
Date Received: 21/04/2025

B	ROOF PITCH AND RIDGE HEIGHT CHANGE	BUILDING DESIGNER CHRISTOPHER.G.KEAN CC17176 PH:0417 534 776	CLIENT: MR A. HEDE-TIGGELHAVEN	ADDRESS: 2 OCHRE COURT DODGES FERRY	DRAWING TITLE SHADOW PLAN 3:00PM 21/06/26	Scale: 1:300	Date: 03/09/2025
A	SHADOW PLANS ADDED	22/01/2026				Project #	0309/2025 SHEET #A013
REV.	AMENDMENT	DATE					



**Shane Wells**

**From:** [REDACTED]  
**Sent:** Monday, May 11, 2026 6:55 PM  
**To:** Sorell Council  
**Cc:** [REDACTED]  
 [REDACTED] Representation for 2 OCHRE COURT, DODGES FERRY

 [REDACTED] 

First-Time Sender [Details](#)

**You don't often get email from this sender**

[Safe](#) [Spam](#) [Phish](#) [More...](#) [FAQ](#) [Protection by Techquity](#)

Dear General Manager,

I am writing regarding the proposed dwelling development at 2 Ochre Court, Dodges Ferry and wish to raise serious concerns regarding the adequacy and compliance of the current application submitted to Council.

Please see the below correspondence from our designer, Mr Jeremiah Dwyer of JJJ Design, which outlines significant concerns relating to missing mandatory documentation, non-compliance with setback requirements under Clause 10.4.3 of the Tasmanian Interim Planning Scheme, and the absence of accurate contour information required to properly assess the proposal.

This is from Mr Jeremiah Dwyer of JJJ Design.

The proposal does not include a cover letter or contours on the site plan.  
 These are a requirement of any development application as stated on the attached form.  
 I have highlighted the section which clearly lays out these required items:

Additionally, the proposed design clearly does not comply with acceptable solutions A1 & A2 of Clause 10.4.3 of the Tasmanian Interim Planning Scheme (attached).  
 Under the Land Use Planning and Approvals Act 1993, Any development that does not meet an Acceptable Solution outlined in the relevant planning scheme is required to provide a cover letter that demonstrates how the proposal complies with the relevant Performance Criteria  
 I have Highlighted the relevant Clauses and performance criteria which are required to be addressed:

Any development within the Low-Density Residential zone requires a minimum set-back of 8m from the front boundary, and 5m from the side & rear boundaries.  
 The proposed development fails to comply with any of these minimum set-backs.  
 As such they need to provide a cover letter that convincingly justifies the non-compliance with these set-backs by addressing the relevant Performance Criteria (P1 & P2), namely in the potential visual

impact on neighbouring properties, as well as any potential loss of amenity due to overshadowing of habitable rooms/private open space.

In order to accurately gauge any potential visual impact or loss of amenity due to overshadowing, ground contours are required so that you can get an idea of how the proposed dwelling will sit in the landscape, roof heights etc.

No ground contour lines were provided at all and it appears the ground lines and heights shown on elevations were just made up in an attempt to mislead the planning department as well as the public on the potential impact of this proposal...

In summary the proposal is required by the planning scheme to include accurate ground contours and heights, as well as a cover letter that convincingly satisfies the Performance Criteria P1 & P2 of Clause 10.4.3 of the Tasmanian Planning Scheme.

Failure to do so would be in contravention of the Land Use Planning and Approvals Act 1993 and if the Sorell Council were to grant planning approval for the proposal as it currently stands, they themselves would likely be liable in any appeal made to the TASCAT Tribunal.

Kind regards,

Jeremiah Dwyer Principal – JJD Design

Thank you for your attention to this matter and I trust these concerns will be carefully considered as part of the assessment process.

Kind regards,



## 5.2 5.2026.55.1 – DWELLING AT 13 POINA STREET, DODGES FERRY

<b>Applicant:</b>	Matthew Bax Architect
<b>Proposal:</b>	Dwelling
<b>Site Address:</b>	13 Poina Street, Dodges Ferry (CT 63763/4)
<b>Planning Scheme:</b>	<i>Tasmanian Planning Scheme (Sorell LPS) or Sorell Interim Planning Scheme 2015</i>
<b>Application Status</b>	Discretionary
<b>Relevant Legislation:</b>	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
<b>Reason for SPA meeting:</b>	Owner or applicant is a staff member

<b>Relevant Zone:</b>	10.0 Low Density Residential
<b>Proposed Use:</b>	Residential (Single Residential or Multi Residential)
<b>Applicable Overlay(s):</b>	<i>Airport Obstacle Limitation Area</i> SAP- Southern Beaches Stormwater and Wastewater
<b>Applicable Codes(s):</b>	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Transport Code C16.0 Safeguarding Airport Code SOR-2.0 Southern Beaches Stormwater and Wastewater Management Specific Area Plan
<b>Valid Application Date:</b>	27 February 2026
<b>Decision Due:</b>	29 May 2026
<b>Discretion(s):</b>	1 10.4.3 (P1) Setback – Frontage 2 10.4.3 (P1) Setback – Side
<b>Representation(s):</b>	Nil

### RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2026.55.1 for a Single Dwelling at 13 Poina Street, Dodges Ferry be approved, subject to the following conditions:

#### Planning:

1. Except where modified by a condition of this permit, the use and development must be substantially in accordance with the endorsed plans and documents:
  - (a) P4 (building design designs, by Matthew Bax, Submitted on 23/03/2026).

#### Engineering:

2. Prior to any works commencing within the road reservation, a Vehicular Crossing and Associated Works Application (available on Council's website) must be submitted with an associated permit granted for the works.



3. Prior to first use, the proposed vehicular access must be upgraded to compliant width, surface treatment, drainage, and sight distance as specified in a Vehicular Crossing Permit issued by Sorell Council.
4. The internal path including areas set aside for vehicle parking and manoeuvring must:
  - (a) be fully complete within six months of first use;
  - (b) be drained to a legal point of discharge or retain runoff onsite such that stormwater is not concentrated onto adjoining properties; and
  - (c) have a concrete surface or durable gravel pavement constructed in accordance with engineer's specification.
5. Prior first use, at least one car parking space must be provided on site and must be available for car parking at all times. Any external space used for parking must:
  - (a) be at least 5.4m long and 2.6 m wide with an additional 0.3m clearance from any nearby wall, fence or other obstruction; and
  - (b) have a maximum gradient of 1 in 20 (5%) measured parallel to the angle of parking and 1 in 16 (6.25%) in any other direction.

#### **Environmental Health:**

6. At least 25m<sup>2</sup> of land must be reserved on-site for the wastewater treatment which is located at least 3.5m from the downslope boundary and 1.5m from all other boundaries.
7. Driveways, parking areas, impervious sealing and buildings are not permitted in the area reserved for wastewater treatment.
8. An aerated wastewater treatment system (or equivalent secondary treatment) must be used for wastewater treatment.

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

##### Legal

- The permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the Land Use Planning and Approvals Act 1993.
- This planning approval shall lapse at the expiration of two (2) years from the date on which this permit became valid, if the permit is not substantially commenced. At the discretion of the Planning Authority, the expiration date may be extended for a further two (2) years on two separate occasions for a total of six (6) years. Once lapsed, a new application will be required.

### Asset Protection

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

### Other Approvals

- All stormwater management measures and designs on the endorsed plans and documents, together with any related permit condition, constitutes General Managers consent under section 14 of the *Urban Drainage Act 2013*.
- This permit does not imply that any other approval required under any other by-law or legislation has been granted.
- Separate building and plumbing approval may be required prior to the commencement of the development/use.
- A Vehicular Crossing Permit can be obtained by completing the Vehicular Crossing and Associated Works Application form available at [www.sorell.tas.gov.au/services/engineering](http://www.sorell.tas.gov.au/services/engineering)

### General

- A front fence above 1.2m in height may require planning approval – please refer to our info sheet at <https://www.sorell.tas.gov.au/planning-information-sheets/>
- Please consider providing a fill connection/inlet for your water tank near the street frontage to assist water carriers.
- You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street Hobart 7000 Ph: (03) 6165 6790 or email [resourceplanning@tascat.tas.gov.au](mailto:resourceplanning@tascat.tas.gov.au)

## Executive Summary

Application is made for a Single Dwelling at 13 Poina Street, Dodges Ferry. This property is zoned 10.0 Low Density Residential.

The key planning consideration relates to the proposed setbacks of the dwelling and outbuilding.

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

## Relevance to Council Plans & Policies

Strategic Plan 2019-2029	Objective 1: To Facilitate Regional Growth Objective 2: Responsible Stewardship and a Sustainable Organisation Objective 3: To Ensure a Liveable and Inclusive Community
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:



## AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING  
19 MAY 2026

*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	n/a
Environmental Health	Yes	Yes	Yes	n/a
Plumbing	Yes	Yes	no	n/a
NRM	No	n/a	n/a	n/a
TasWater	No	n/a	n/a	n/a
TasNetworks	No	n/a	n/a	n/a
State Growth	No	n/a	n/a	n/a

### Report

#### Description of Proposal

The application is supported by:

- Building designs, by Matthew Bax



## Description of Site

The property had a previous dwelling application that was approved under application number 5.2019.388. The current proposal is in the same location as the previous approved dwelling, but it is smaller in footprint, bulk and form.

The site is 761m<sup>2</sup>, flat with a minor slope and a height difference of approximately 1m from the northeastern corner of the site to the southwest corner of the site. The site has an existing outbuilding, crossover and is cleared of vegetation.

The property adjoins similar sized blocks, of the same zoning with single dwellings. To the south of the site is Park Beach and is within 25m of the coastal foreshore reserve which is zoned as Environmental Management.

Poina Street is a Gravel Road maintained by Council and has a speed limit of 50km/h, the area is unserviced and required the provision of onsite wastewater. There is no public stormwater infrastructure close by to the property and as such stormwater must be retained and managed onsite.



Figure 1. Subject site.



**Figure 2. Subject site zoning**

**Planning Assessment**

*Zone*

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
10.4.2	Building Height	Complies, the maximum building height allowable is 8.5m the maximum building height proposed is 3.76m
10.4.3	Setback	Does not comply, the proposal is discretionary on both the frontage and side setback requirements of the acceptable solution.
10.4.4	Site Coverage	Complies, the proposals site coverage is 20%

Performance Criteria Assessment 1 – Clause 10.4.3 Setback P1

*The sitting of a dwelling must be compatible with the streetscape and character of development existing on established properties in the area having regard to:*

- (a) The topography of the site;*
- (b) The setbacks of surrounding buildings;*
- (c) The height, bulk and form of existing and proposed buildings;*
- (d) The appearance when viewed from roads and public open space adjacent to the site; and*
- (e) The safety of road users.*



The performance criteria are applicable as the proposed frontage setback is 4.5m.

- (a) The topography of the lot is not a constraining factor regarding setback requirements.
- (b) the proposed setback is compatible with the surrounding existing buildings setbacks, the below table shows the number of dwellings with a reduced frontage setback within a 100m radius of the property at 13 Poina:

Address	Frontage Set Back
15 Poina Street	Built on the frontage boundary
14 Poina Street	4.4m setback
11 Poina Street	4.5m setback
9 Poina Street	3m setback
7 Poina Street	2.7m setback
6 Mungara Street	4.5m setback
10 Riaweena Road	5m setback

- (c) the proposed building is a small single storey dwelling that is consistent in the small size, bulk and form, conforming to the 'shack' character of the Dodges Ferry area.
- (d) The dwelling is a small building that does not diminish the existing street scape and is consistent with surrounding development and character of the area. The setback is consistent with the streetscape.
- (e) The proposal for a small single dwelling will not impact the safety of road users.

It is considered that the performance criteria is satisfied.

Performance Criteria Assessment 2 – Clause 10.4.3 Setback P2

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

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

The performance criteria is applicable as the proposed setback from the southern boundary is 1.5m

- (a) The lot is a fairly flat site and only with a single storey dwelling that takes up less than half of the boundary length.

(b) The size and shape of the lot as with many lots in the area means the 5m setbacks are near impossible to achieve, or to meet them, can place dwellings in inappropriate locations. The proposed location provides ample area for the provision of wastewater and private open spaces. Noting the small building size and structure the sitting of the dwelling will not result in an unreasonable loss of amenity to adjoining lots.

(c) The following properties within a 100m radius have a reduced side boundary setback, notably many of the properties have either the dwelling, and outbuilding or both built on the boundary of the lots:

Address	Side Boundary Set Back
15 Poina Street	3m setback
14 Poina Street	0m setback
11 Poina Street	1m setback
10 Mungara Street	0m setback
12 Begonia Street	3m setback
9 Poina Street	0m setback
8 Poina Street	0m setback
7 Poina Street	0m setback
6 Mungara Street	0m setback
10 Riaweena Road	0m setback
12 Riaweena Road	0m setback

(d) The bulk and form is consistent with the typical 'shack' style structures seen around dodges ferry, see below images of existing dwellings in the surrounding areas demonstrating the proposed single storey dwelling is consistent with surrounding development bulk and form:



10 Poina Street



7 Poina Street



1,3 & 5 Mungara Street



6 and 8 Mungara Street



4 Riaweena Road

- (e) The placement of the dwelling and outbuilding allows ample private open space.
- (f) The single storey height and placement of the dwelling will not have an unreasonable impact on the adjoining lot at 15 Poina Street's ability to access sunlight to existing habitable rooms or private open space.
- (g) The character of single storey, small 'shack' style dwellings and existing development setbacks has already been addressed above and demonstrates the proposal is consistent with the existing street scape and character of the area.

It is considered that the performance criteria are satisfied.

## Code

### Parking and Sustainable Transport Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C2.5.1 A1	Parking numbers	Yes, as two spaces are provided.
C2.6.1 A1	Construction	No, as a gravel surface is provided.
C2.6.2 A1.1	Layout	Yes, all relevant standards are complied with
C2.6.3 A1	Accesses	Yes, a single access is provided.

#### Performance Criteria Assessment 3 – clause C2.6.1 P1 Construction of parking

*All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:*

- (a) *the nature of the use;*
- (b) *the topography of the land;*
- (c) *the drainage system available;*
- (d) *the likelihood of transporting sediment or debris from the site onto a road or public place;*
- (e) *the likelihood of generating dust; and*
- (f) *the nature of the proposed surfacing.*

A compacted gravel surface as proposed is appropriate given the gravel surface of Poina Street.

It is considered that the performance criteria is satisfied.

## Road and Railway Assets Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C3.5.1	Traffic Generation	Complies: A1.4 Vehicle traffic to and from the site will not increase by more than 40 vehicle movements per day in accordance with table C3.1

## Southern Beaches Onsite Wastewater and Stormwater Specific Area Plan

Applicable SAP standards		
Clause	Matter	Complies with acceptable solution?
SOR-S2.6.1	Use Standards	No, as the proposal intensifies the vacant site by developing a dwelling and accommodating a residential use.
SOR-S2.7.1	Development Standards	Yes, the proposal does not exceed 20% of the site, is not located on land within the flood-prone, landslip hazard, coastal erosion, inundation or waterway and coastal protection overlays, the average gradient of the land does not exceed 10% and provides 62m <sup>2</sup> for wastewater land application area.
SOR-S2.7.2	Stormwater Management	Yes, the overflow from the tank proposed to go to Council Roadside drain.

*Performance Criteria Assessment 2 –SOR-S2.6.1 Uses within the Southern Beaches on-site wastewater management specific area.*

- (a) *The change, expansion or intensification of a residential or business use on the site does not cause any adverse environmental impact or impact on public health having regard to accommodate an on-site wastewater management system (including land application area) for the proposed development.*
- (b) *The land application area is setback a sufficient distance from watercourses, property boundaries and groundwater.*

Council's Manager Health and Compliance has reviewed the application and is satisfied that the proposal can adequately provide for onsite wastewater management. The following conditions are recommended to be included in any permit granted:

1. At least 25m<sup>2</sup> of land must be reserved on-site for the wastewater treatment which is located at least 3.5m from the downslope boundary and 1.5m from all other boundaries.
2. Driveways, parking areas, impervious sealing and buildings are not permitted in the area reserved for wastewater treatment.
3. An aerated wastewater treatment system (or equivalent secondary treatment) must be used for wastewater treatment.



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## 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'.

No representations have been received.

## Conclusion

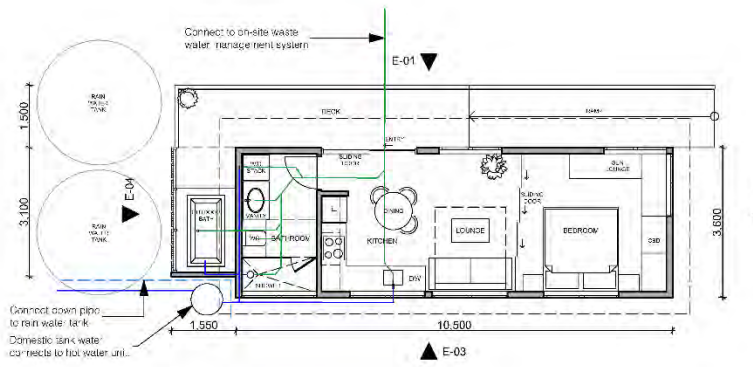
The application is considered to comply with each applicable standard of the *Tasmanian Planning Scheme (Sorell LPS)* and is recommended for conditional approval.

**Tiara Williams**  
Planner

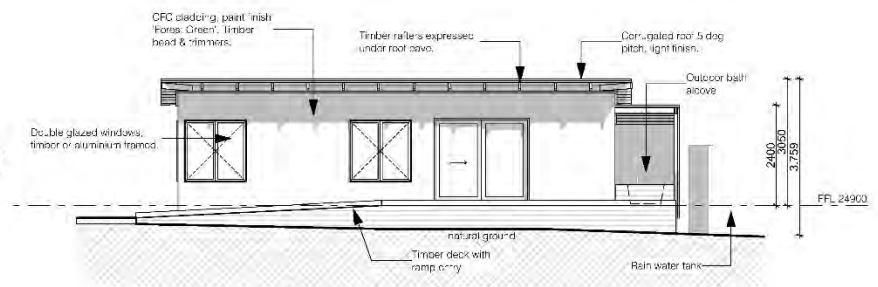


Revision	Date	Project Title	Drawing Title	Drawn	Checked
A	24/02/25	Proposed Dwelling 13 Poina Street Dodges Ferry	Site Plan	Scale 1:200 @ A3	Date Mar 2026
B	16/03/2026				
C	10/03/2026				
<b>GENERAL NOTES</b> DO NOT SCALE DRAWINGS CONFIRM DIMENSIONS AND SETOUTS ON SITE PRIOR TO MANUFACTURE AND INSTALLATION ALL WORK IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AND BCA ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH WRITTEN SPECIFICATION AND ENGINEERS DRAWINGS		Client Oliver & Kylie Clark	MATTHEW BAX ARCHITECT ph 0408 522 861 e mail@matthewbaxarchitect.com.au w www.matthewbaxarchitect.com.au	File Number <b>2514</b> Drawing No <b>A001</b>	Printed:

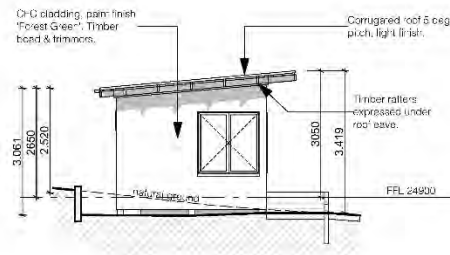




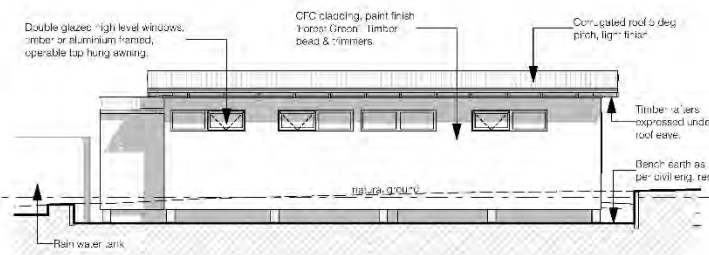
1 PROPOSED FLOOR PLAN 1:100



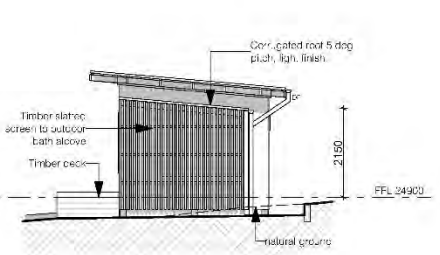
E-01 NORTH ELEVATION 1:100



E-02 EAST ELEVATION 1:100



E-03 SOUTH ELEVATION 1:100

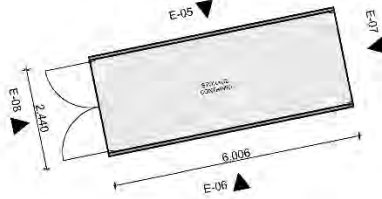


E-04 WEST ELEVATION 1:100

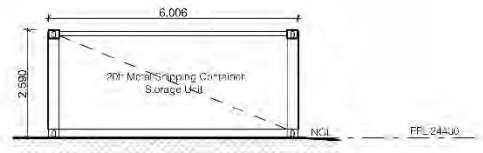


Revision	Date	Project Title	Drawing Title	Drawn	Checked
A	24/10/2025	Proposed Dwelling 13 Poina Street Dodges Ferry	Proposed Floor Plan & Elevations	Scale 1:100 @ A3	Date Mar 2026
B	10/03/2026				
C	10/03/2026				
<b>GENERAL NOTES</b> DO NOT SCALE DRAWINGS CONFIRM DIMENSIONS AND SITUATIONS ON SITE PRIOR TO MANUFACTURE AND INSTALLATION ALL WORK IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AND BCA ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH WRITTEN SPECIFICATION AND ENGINEER DRAWINGS		Client Oliver & Kylie Clark	MATTHEW BAX ARCHITECT ph 0405 522 661 e matt@matthewbaxarchitect.com.au w www.matthewbaxarchitect.com.au	Drawing No <b>A002</b>	Printed

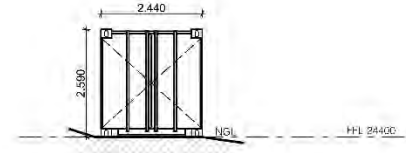




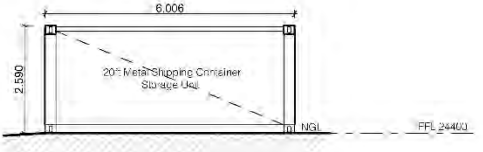
01 FLOOR PLAN - SHIPPING CONTAINER 1:100



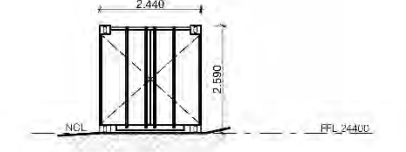
E-05 NORTH ELEVATION 1:100



E-07 EAST ELEVATION 1:100



E-06 SOUTH ELEVATION 1:100



E-08 WEST ELEVATION 1:100



Revision	Date	Project Title
A	29/10/2025	Proposed Dwelling 13 Poina Street Dodges Ferry
B	10/03/2026	
C	10/03/2026	
<b>GENERAL NOTES</b> DO NOT SCALE DRAWINGS CONFIRM DIMENSIONS AND SETOUTS ON SITE PRIOR TO MANUFACTURE AND INSTALLATION ALL WORK IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS (AS/NZS) ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH WRITTEN SPECIFICATION AND ENGINEERS DRAWINGS		

Client:  
Oliver & Kylie Clark

**MATTHEW BAX**  
ARCHITECT

ph 0408 522 881  
e matt@matthewbaxarchitect.com.au  
w www.matthewbaxarchitect.com.au

Drawing Title:  
**Proposed Storage Container - Floor Plan & Elevations**

Drawn	Checked
Scale: 1:100 @ A3	Date: Mar 2026
File Number: <b>2514</b>	Drawing No: <b>A003</b>



## 5.3 7.2025.21.1 – SUBDIVISION AT 491 NUGENT ROAD, WATTLE HILL

<b>Applicant:</b>	PDA Surveyors
<b>Proposal:</b>	Two Lot Subdivision
<b>Site Address:</b>	491 Nugent Road, Wattle Hill (CT42190/1)
<b>Planning Scheme:</b>	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
<b>Application Status</b>	Discretionary
<b>Relevant Legislation:</b>	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
<b>Reason for SPA meeting:</b>	Property owner is a relative of a Councillor

<b>Relevant Zone:</b>	21.0 Agriculture Zone
<b>Proposed Use:</b>	Not applicable (Subdivision is not required to be categorised into a use class as per clause 6.2.6)
<b>Applicable Overlay(s):</b>	Airport obstacle limitation area Bushfire-prone area Low and medium landslip hazard band Waterway and coastal protection area
<b>Applicable Codes(s):</b>	Safeguarding of Airports Code Bushfire-prone Areas Code Landslip Hazard Code Natural Assets Code Parking and Sustainable Transport Code Road and Railway Assets Code
<b>Valid Application Date:</b>	7 October 2025
<b>Decision Due:</b>	29 May 2026
<b>Discretion:</b>	1   21.5.2 - Lot Design
<b>Representation(s):</b>	None received

**RECOMMENDATION**

That pursuant to section 57 of the *Land Use Planning and Approvals Act 1993 (LUPAA)* Council resolve that Planning Application 7.SA2025.21.1 for a two lot subdivision at 491 Nugent Road, Wattle Hill be approved, subject to the following conditions:

Planning:

1. Except where modified by a condition of this permit, the use and development must be substantially in accordance with the endorsed plans and documents:
  - (a) P1 - Plan of subdivision prepared by PDA Surveyors, Engineers and Planners dated 9 September 2025.
  - (b) P2 - Agricultural Assessment and Compliance Report prepared by Pinion Advisory dated February 2026.

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(c) P3 - Bushfire Hazard Management Report prepared by Livingston Natural Resource Services dated 23 September 2025.

Engineering:

2. Prior to any works commencing within the road reservation, a Vehicular Crossing and Associated Works Application (available on Council's website) must be submitted with an associated permit granted for the works.
3. Prior to the sealing of the final plan of survey, the vehicular access for Lot 1 and the Balance Lot must be upgraded to compliant width, surface treatment, drainage, and sight distance as specified in a Vehicular Crossing Permit issued by Sorell Council.
4. Prior to the sealing of the final plan of survey, the internal shared access must be constructed in accordance with drawing Plan of Subdivision designed by PDA Surveyors, Engineers and Planners, dated 23 September 2025. The provision must ensure:
  - (a) minimum width of 5.5 metres for first 14 m from the title boundary and thereafter 4 m wide to lot proper in accordance with the Bushfire Hazard Management Report prepared by Livingston Natural Resources Services, dated 23 September 2025;
  - (b) feature one-way crossfall and capture stormwater runoff such that it is managed on site; and
  - (c) a gravel surface that is designed, constructed and maintained to avoid sedimentation, erosion, or excess dust.
5. Any frontage fencing, including existing, not located on the correct boundary must be removed and replaced with new rural type fencing, and installed in the correct location.
6. The survey pegs for all lots in the subdivision are to be certified correct prior to Council sealing the final plan of survey.

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

Legal

- The permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the Land Use Planning and Approvals Act 1993.



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

#### Asset Protection

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

#### Other Approvals

- The final plan of survey will not be sealed until all works required by this permit are complete.
- A Vehicular Crossing Permit can be obtained by completing the Vehicular Crossing and Associated Works Application form available at [www.sorell.tas.gov.au/services/engineering](http://www.sorell.tas.gov.au/services/engineering).
- A Notice of Intention to Carry Out Work can be obtained by completing the form available at <https://www.sorell.tas.gov.au/notice-of-intention-to-carry-out-work>
- All stormwater management measures and designs on the endorsed plans and documents, together with any related permit condition, constitutes General Managers consent under section 14 of the Urban Drainage Act 2013.
- This permit does not imply that any other approval required under any other by-law or legislation has been granted.
- TasNetworks have advised to submit an application via TasNetwork website portal <https://www.tasnetworks.com.au/Connections/Connections-Hub> found here <https://www.tasnetworks.com.au/Connections/Connections-Hub> to establish an electricity supply connection to lot 1.

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



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## Executive Summary

Application is made for a two lot subdivision at 491 Nugent Road, Wattle Hill. The property is zoned Agriculture and is located on the northern side of Nugent Road with the rear boundary adjoining Iron Creek and a portion of the eastern boundary adjoining the commencement of Shrub End Road.

The key planning consideration relates to demonstrating the proposed lots can protect the long-term productive capacity of agricultural zoned land and compliance with the subdivision standards of the Agriculture Zone. The Agriculture Zone applies to the State's main agricultural land with the overriding purpose of the zone being to protect quality soil from conversion to other land uses, fragmentation through subdivision and protection from land use conflict arising from residential or other sensitive land uses. It is important to note the Agriculture Zone forms offers the highest level of agricultural zoning when compared with the Rural Zone and has been drafted to meet the principles of *the State Policy on the Protection of Agricultural Land 2009* (the PAL Policy).

The application of the Agriculture Zone by local council's was determined through detailed mapping undertaken by the State Government based on soil suitability, land size, water availability and existing constraints. The State Government also produced a zone and code application guideline to assist in the application of zones through the development of the State Planning Provisions.

Subdivision in the Agriculture Zone is generally limited to uphold the principles of the PAL Policy which focus on preventing further fragmentation of agricultural land and conversion to non-agricultural use. However, subdivision in the Agriculture Zone can be achieved if either of the following tests can be satisfied:

- (a) each lot will provide for the operation of an agricultural use;
- (b) be for the reorganisation of lot boundaries; or
- (c) be for the excision of a use established at the scheme effective date.

The subdivision will result in the creation of two lots therefore is required to demonstrate the subdivision will provide for the operation of an agricultural use. The Agricultural Assessment submitted with the application demonstrates the subdivision will provide a sustainable carrying capacity for dryland stock grazing based on the land area and identified land capability. It is however noted in the Agricultural Assessment that the current and future lack of access to irrigation water severely constrains the ability to undertake cropping and horticultural activities on the lots.

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



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## 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 proposed subdivision is assessed in accordance with the Public Open Space Policy (17 September 2019) which recognises the creation of new lots generally increases the demand for public open space. The Policy recognises the provision of public open space needs to be considered in the context of the local and municipal needs.  In this case, it has been determined land is not required for public open space as part of the subdivision as council has not identified a need for public open space in this location nor are there any existing public open space assets in the form of tracks or trails to provide a suitable connection. In accordance with the Policy, a financial contribution in lieu of public open space is not warranted based on the Agricultural zoning of the site and limitations on new residential use being established on the new vacant lot.
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



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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.

### Internal and External Referrals

Agency / Dept.	Referred?	Response?	Conditions?	Comments
Development Engineering	Yes	Yes	Yes	Conditions have been included to require the existing vehicular crossover to be upgraded (sealed) to meet the relevant LGAT standard and for the shared internal driveway to be constructed with a 5.5m wide graven surface and to the specifications



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				recommended within the Bushfire Hazard Management Report.
Environmental Health	Yes	Yes	Nil	Nil
Plumbing	No			
NRM	No			
TasWater	No			
TasNetworks	Yes	Yes	No	Included as advice on permit
State Growth	No			

## Report

### Description of Proposal

The application is for the subdivision of the existing 88.42ha lot into two lots. The Balance Lot would provide an area of 44.22ha with a 21m frontage to Nugent Road accommodating the existing access and driveway servicing the existing dwelling. A 6m wide by 229m long access strip is proposed from Nugent Road to the lot proper.

The Balance Lot would contain the existing dwelling, irrigation infrastructure and a small dam. The Balance Lot would benefit from a pipeline easement over Lot 1 to Iron Creek in addition to a wayleave easement to Nugent Road. A right of way would be formed over the initial section of the access strip to benefit proposed Lot 1. The western boundary of the lot is formed by Iron Creek and an unnamed creek.

Proposed Lot 1 would have an area of 44.2ha and would consist of pasture with frontage to Nugent Road and Shrub End Road. The northern boundary of the lot would be formed by an unnamed creek and Iron Creek would pass through the lower lying river flats located at the northern end of the lot.

The existing gravel driveway servicing the existing dwelling would be retained on the proposed Balance Lot and the access to Nugent Road with minor upgrades proposed to satisfy relevant requirements of the road authority and as recommended within the submitted Bushfire Hazard Management Report.

Each lot would be reliant upon on-site servicing infrastructure.

The application is supported by:

- a plan of subdivision prepared by PDA Surveyors, Engineers and Planners dated 9 September 2025;
- a planning submission prepared by PDA Surveyors, Engineers and Planners dated 4 March 2026;
- an Agricultural Assessment and Compliance Report prepared by Pinion Advisory dated February 2026; and



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- a Bushfire Hazard Management Report prepared by Livingston Natural Resource Services dated 23 September 2025.

### **Description of Site**

The site has an area of 88.42ha and is located northeast of Sorell between Wattle Hill, Pear Hill and Dunbabins Hill. The site has frontage to Nugent Road to the south and Shrub End Road to the east. The western and northern boundaries are formed by Iron Creek. No easements appear on title however, advice from TasNetworks indicates a Statutory Deemed easement is in place for electricity infrastructure (low and high voltage feeder). The site is undulating and except for riparian vegetation associated with Iron Creek, the site consists primarily of pasture. The Agricultural Assessment submitted with the application details the property currently supports dryland pastoral activity including sheep breeding and finishing and beef finishing.

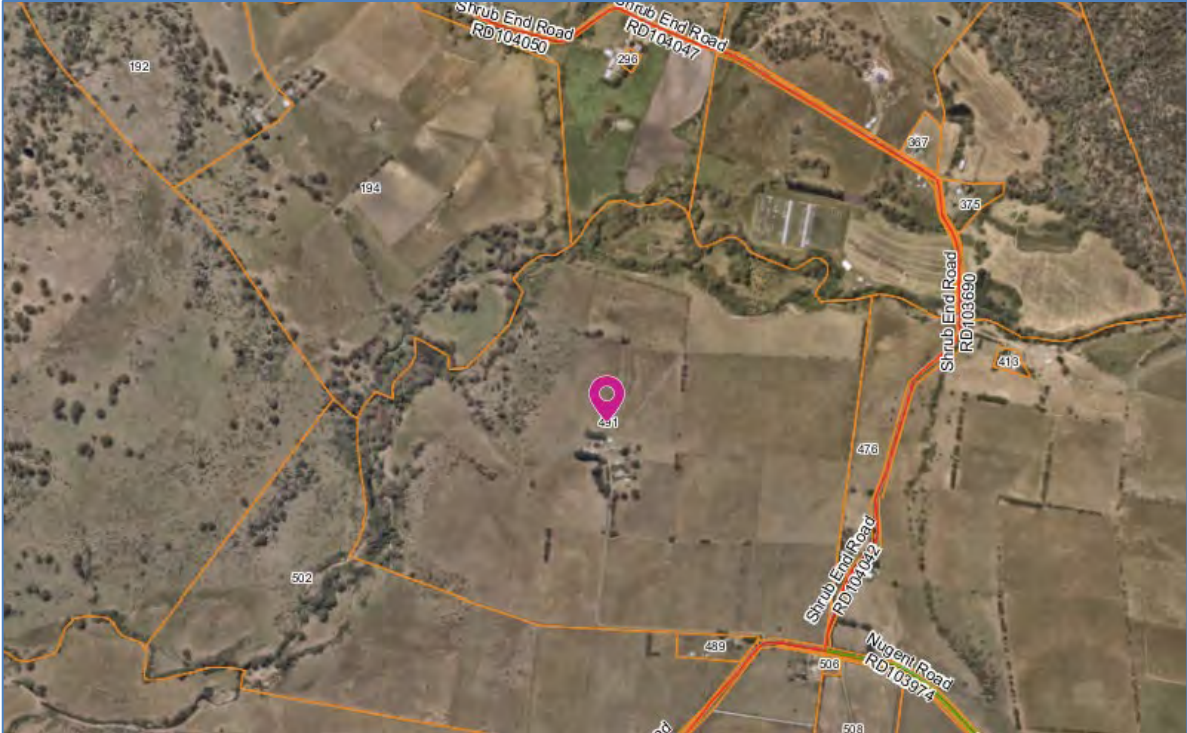
The site is developed with a dwelling located centrally on the site and several agricultural outbuildings. The site is irrigated by pump supply from Iron Creek.

Access to the site is obtained via a gravel crossover and driveway from Nugent Road which forms a sealed, council-maintained road.

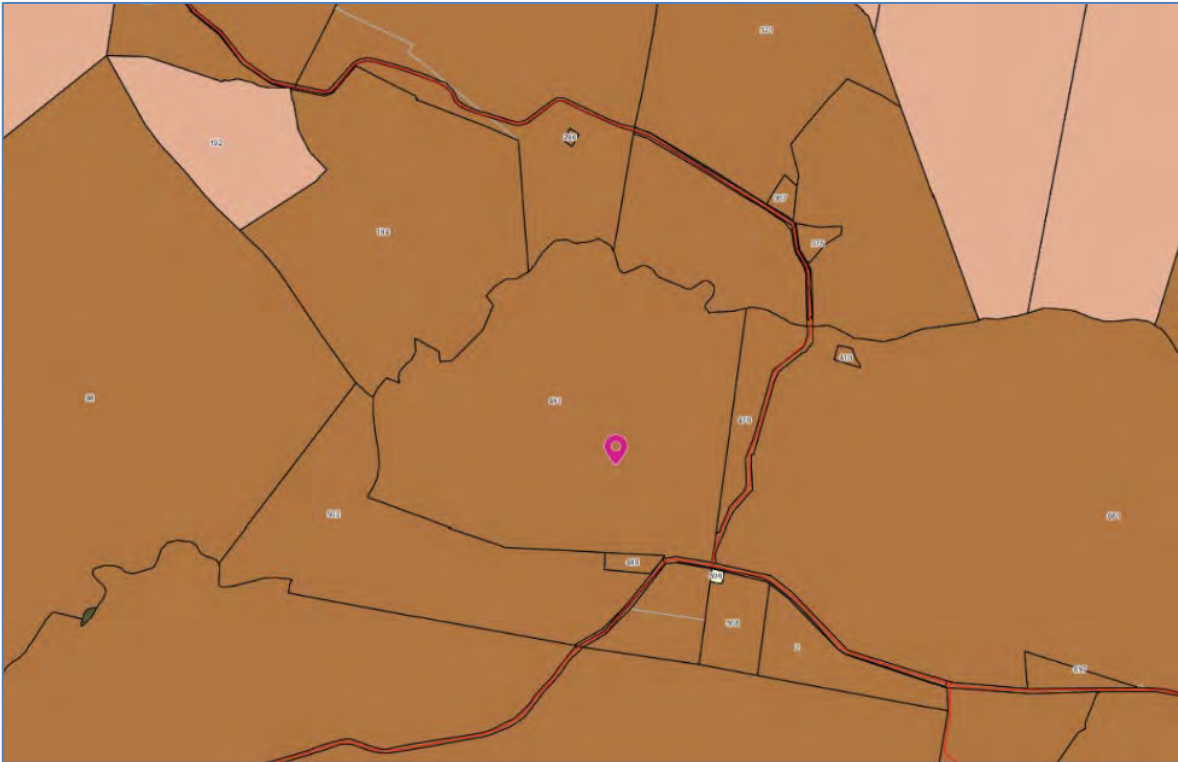
The site is zoned Agriculture (Figure 2 and 3 below) and forms part of a broad area of Agriculture zoned land extending through the undulating plains on the outskirts of Sorell to Nugent and Forcett.

The site is subject to planning scheme overlays for the airport protection, bushfire, landslip hazard and waterway and coastal protection.





**Figure 1.** The site showing the existing dwelling located centrally within the site, pasture and waterways (Source: SSA Base Map Imagery).



**Figure 2:** The site is zoned Agriculture under the Tasmanian Planning Scheme- Sorell in conjunction with surrounding properties (Source: SSA Spatial).





Figure 3: The broader Agriculture zoning application to the north-east of the Sorell township relative to the subject site (Source: SSA Spatial).

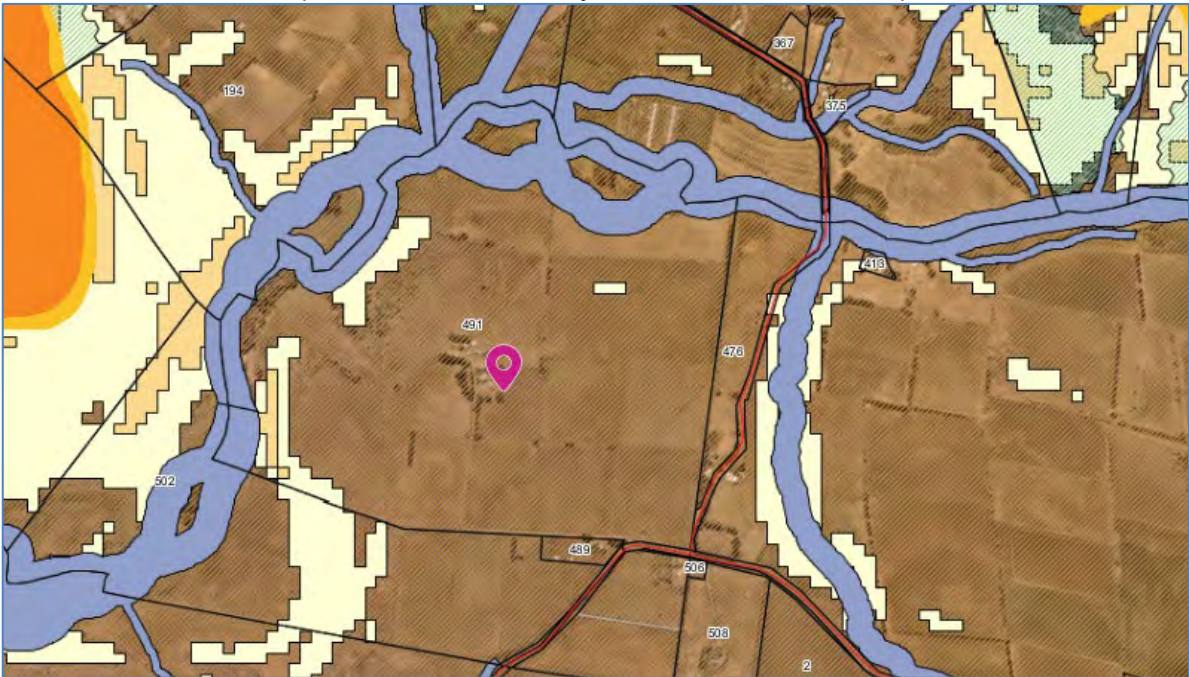


Figure 4: The planning scheme overlays affecting the site include the Low landslip band (yellow), medium landslip band (orange), bushfire-prone area (red hatching), waterway and coastal protection area (blue) and airport obstacle limitation area (Source: SSA Spatial).



## Planning Assessment

### General Provisions

Clause 6.2.6 of the Scheme provides that development for subdivision is not required to be categorised into one of the use classes. General Provision 7.10.1 and 7.10.2 of the Scheme provides that development not required to be categorised into a use class may be approved at the discretion of the planning authority where it can be demonstrated there would be no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area having regard to the purpose of the zone and applicable codes. The assessment below demonstrates the proposed subdivision would not cause any detrimental impact upon adjoining uses or the amenity of the surrounding area.

### Agriculture Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
21.5.2 A1	Lot Design	No, as the subdivision it is not required for the crown, state authority, provision of utilities or consolidation. Refer to performance criteria assessment below.
21.5.1 A2	Vehicular Access	Yes, as the proposal includes the provision for one access to each lot in accordance with the road authority requirements.

### Performance Criteria Assessment – Clause 21.5.1 P1 in relation to Lot Design

*Each lot, or a lot proposed in a plan of subdivision, must:*

- (a) *provide for the operation of an agricultural use, having regard to:*
  - (i) *not materially diminishing the agricultural productivity of the land;*
  - (ii) *the capacity of the new lots for productive agricultural use;*
  - (iii) *any topographical constraints to agricultural use; and*
  - (iv) *current irrigation practices and the potential for irrigation;*
- (b) *be for the reorganisation of lot boundaries that satisfies all of the following:*
  - (i) *provides for the operation of an agricultural use, having regard to:*
    - a. *not materially diminishing the agricultural productivity of the land;*
    - b. *the capacity of the new lots for productive agricultural use;*
    - c. *any topographical constraints to agricultural use; and*
    - d. *current irrigation practices and the potential for irrigation;*
  - (ii) *all new lots must be not less than 1ha in area;*



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- (iii) *existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;*
  - (iv) *all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and*
  - (v) *it does not create any additional lots; or*
- (c) *be for the excision of a use or development existing at the effective date that satisfies all of the following:*
- (i) *the balance lot provides for the operation of an agricultural use, having regard to:*
    - a. *not materially diminishing the agricultural productivity of the land;*
    - b. *the capacity of the balance lot for productive agricultural use;*
    - c. *any topographical constraints to agricultural use; and*
    - d. *current irrigation practices and the potential for irrigation;*
  - (ii) *an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;*
  - (iii) *any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and*
  - (iv) *all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.*

The proposal being for a two-lot subdivision is required to demonstrate clause (a) above is met by the proposed lot design. Clause (b) and (c) above are not relevant to the assessment of the subdivision in this case as the proposal is not for a boundary re-organisation or excision of the dwelling use established at the Scheme effective date.

The performance criteria requires that each lot within a proposed subdivision be able to provide for the operation of an agricultural use. An agricultural use is defined under the Scheme as *'means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets. It includes the handling, packing or storing of plant and animal produce for dispatch to processors. It includes controlled environment agriculture and plantation forestry.'*

The agricultural potential of the proposed lots has been informed by an Agricultural Assessment. The Agricultural Assessment has found the land capability consistent with classes 4, 5, 5+6 and 6 land as per the Land Capability Survey of Tasmania (Musk and



DeRose, 2020) which includes land well suited to grazing and occasional cropping (Class 4) through to land marginally suitable for grazing because of severe limitations (Class 6). Class 4 land has been mapped across most of the pasture across the site with the constrained land associated with the riverbank and associated river flats. The majority of both lots is mapped as Class 4 land as per the below image.



**Figure 5:** Mapped land capability of the site (Source: Agricultural Assessment prepared by Pinion Advisory, dated February 2026).

Given most of the prime agricultural land (Class 1, 2 and 3 land), is confined to northern and north-west Tasmania, Class 4-5 land is strategically significant to the southern region of Tasmania with the main impediment to agricultural production in the south-east being water availability.

The Southern Tasmania Regional Land Use Strategy (updated May 2025) (Regional Strategy) identifies agricultural production value is increasing across all regions in Tasmania with the value of livestock production and wool increasing in the southern region. The Regional Strategy also identifies most of the agricultural land in the south is used for extensive dryland agriculture and warrants a high level of protection from conversion to non-agricultural use.

The Agricultural Assessment submitted with the application states the purpose of the subdivision is to *'support a succession plan and integrated transition of farm management and property ownership within the proponent's family.'* This is not considered reasonable justification for subdivision in that future land ownership cannot be guaranteed once a lot is created (i.e., lots can be lawfully sold to another landowner at any time) and seems contradictory to the retention of the current farm management plan in place which is reliant on current pastoral activities occurring across both lots to be maintained. However, the Agricultural Assessment establishes that each lot could support viable pastoral activities for beef cattle generating an annual income.

The Agricultural Assessment indicates the owner's intentions to support an increase in the carrying capacity of the current livestock enterprises on the site as the lack of reliable water (water available from the adjacent streams provides for stock drinking water as opposed to irrigation) limits the cropping and horticultural capability of the property. This is consistent with the current agricultural land use activity on adjacent properties. The Agricultural Assessment concurs the carrying capacity of both lots can be increased on a sustainable basis from current operations which will further enhance viability.

While the site is currently of an average, if not larger, size compared to other Agriculture zoned lots in the area, the impact of agricultural land fragmentation is a key issue impacting agricultural productivity in the southern region and its continued proliferation is discouraged by state and regional land use policy. The proposed subdivision will result in the fragmentation of locally significant agricultural land however the Agricultural Assessment has demonstrated the relevant test of the performance criteria has been met in that the subdivision will not materially diminish the agricultural productivity of the land and will provide for the operation of an agricultural use on both lots despite the lack of current or future irrigation.

## Codes

### C2.0 Parking and Sustainable Transport Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C2.5.1 A1	Car parking numbers	Yes, as two spaces are provided for the existing dwelling proposed to be retained on the proposed Balance Lot. No car parking requirements apply to a Resource development use which would be retained on both lots.
C2.6.1 A1	Construction of parking areas	Yes, as all parking, access ways and manoeuvring areas would be constructed from a durable all-weather pavement and would contain stormwater on the site.



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C2.6.2 A1.1	Design and layout of parking areas	Yes, all relevant standards are complied with.
C2.6.3 A1	Number of accesses	Yes, a single shared access is proposed to service the proposed lots.

### C3.0 Road and Railway Assets Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
13.5.1 A1.4	Traffic generation at a vehicle crossing	Yes, as the proposed subdivision will not increase the vehicular traffic to and from the site, using an existing vehicle crossing, greater than the amount prescribed in Table C3.1.

### C7.0 Natural Assets Code

The waterways associated with Iron Creek and its tributaries are covered by the waterway and coastal protection area overlay. The proposed subdivision complies with clause C7.7.1 A1(e) in relation to subdivision within a waterway and coastal protection area because the subdivision does not include any works, building area, services, bushfire hazard management or vehicular access within the overlay area.

### C13.0 Bushfire-Prone Areas Code

The proposal is for a subdivision of land that is located within a bushfire prone area. A Bushfire Hazard Management Plan has been submitted with the application demonstrating the Balance Lot and Lot 1 meets all acceptable solutions for subdivision and no specific bushfire requirements are recommended as part of the creation of either lot.

### C15.0 Landslip Hazard Code

Parts of the site is covered by the low and medium landslip hazard overlay. The proposed lots would be able to contain a building area, vehicle access and services that are wholly located outside a landslip hazard area therefore complies with clause C15.7.1 A1 in relation to subdivision within a landslip hazard area.

### C16.0 Safeguarding of Airports Code

The site is located within the obstacle limitation area overlay which provides for a maximum building height of 152m AHD. The highest elevation of the site is 105m AHD and the subdivision does not propose any works that would exceed the prescribed obstacle limitation area therefore satisfies exemption clause C16.4.1(a) of the Code.



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## 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'. No representations were received during the public exhibition period.

## Conclusion

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

**Shane Wells**  
**Manager Planner**

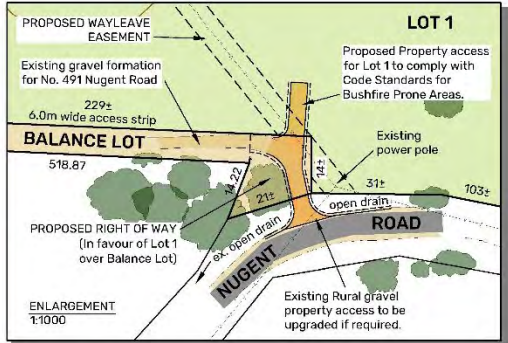
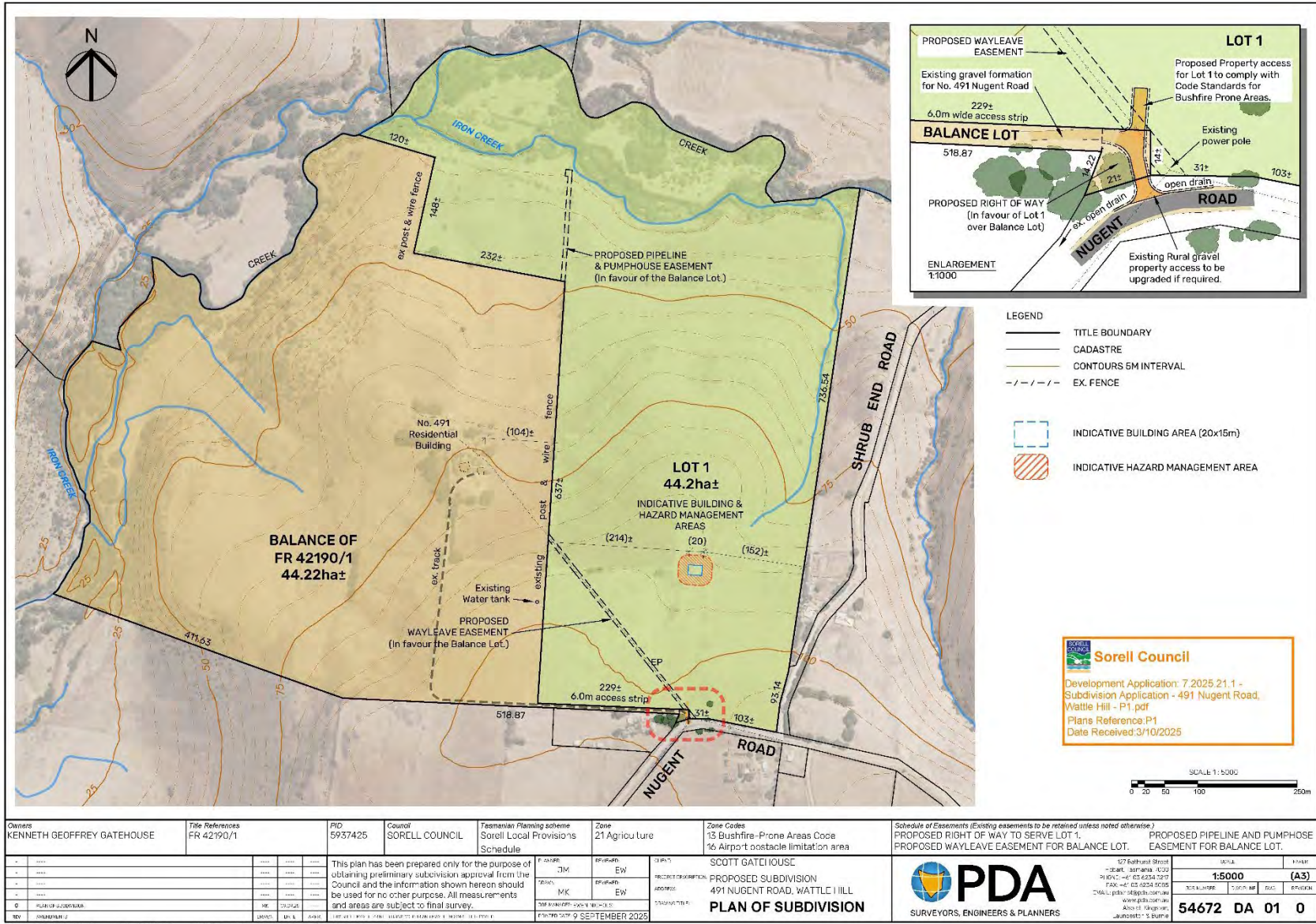
## Separate Attachments:

*Bushfire Hazard Management Report prepared by Livingston Natural Resource Services dated 23 September 2025.*

*Planning Submission prepared by PDA Surveyors, Engineers and Planners dated 4 March 2026.*

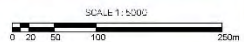
*Agricultural Assessment and Compliance Report prepared by Pinion Advisory dated February 2026.*





- LEGEND**
- TITLE BOUNDARY
  - CADASTRE
  - CONTOURS 5M INTERVAL
  - - - - EX. FENCE
  - [Blue dashed box] INDICATIVE BUILDING AREA (20x15m)
  - [Red hatched box] INDICATIVE HAZARD MANAGEMENT AREA

**Sorell Council**  
 Development Application: 7.2025.21.1 -  
 Subdivision Application - 491 Nugent Road,  
 Wattle Hill - P1.pdf  
 Plans Reference: P1  
 Date Received: 3/10/2025



<b>Owners</b> KENNETH GEOFFREY GATEHOUSE	<b>Title References</b> FR 42190/1	<b>PID</b> 5937425	<b>Council</b> SORELL COUNCIL	<b>Fasmanian Planning scheme</b> Sorell Local Provisions Schedule	<b>Zone</b> Z1 Agriculture	<b>Zone Codes</b> 15 Bushfire-Prone Areas Code 16 Airport obstacle limitation area	<b>Schedule of Easements (Existing easements to be retained unless noted otherwise)</b> PROPOSED RIGHT OF WAY TO SERVE LOT 1. PROPOSED PIPELINE AND PUMPHOUSE EASEMENT FOR BALANCE LOT. PROPOSED WAYLEAVE EASEMENT FOR BALANCE LOT.
<p>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.</p>				<p>DATE: 09 SEPTEMBER 2025</p>	<p>PROJECT DESCRIPTION: 491 NUGENT ROAD, WATTLE HILL PLAN OF SUBDIVISION</p>	<p>1:5000 (A3)</p>	<p>54672 DA 01 0</p>



**AGENDA**  
 SORELL PLANNING AUTHORITY (SPA) MEETING  
 19 MAY 2026