



SORELL PLANNING AUTHORITY (SPA) **AGENDA**

14 JULY 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, 14 July 2026 commencing at 4:30 pm.

CERTIFICATION

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
9 JULY 2026



AGENDA

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING TO BE
HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47
COLE STREET, SORELL ON TUESDAY 14 JULY 2026

TABLE OF CONTENTS

1.0	ATTENDANCE	1
2.0	APOLOGIES	1
3.0	CONFIRMATION OF THE MINUTES OF 23 JUNE 2026	1
4.0	DECLARATIONS OF INTEREST	1
5.0	LAND USE PLANNING	2
5.1	5.2025.224.1 – SERVICE STATION 139 MAIN ROAD, SORELL	2
5.2	7.2025.08.1 – 15 LOT SUBDIVISION AT 67 TASMAN HIGHWAY SORELL	77
5.3	5.2025.340.1 – DWELLING AT 4 OCHRE COURT, DODGES FERRY	108
5.4	PLANNING SCHEME AMENDMENT – AM-SOR-5-2026-206-1 – BOOMER BAY	148

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

^

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

2.0 APOLOGIES

3.0 CONFIRMATION OF THE MINUTES OF 23 JUNE 2026

RECOMMENDATION

“That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 23 June 2026 be confirmed.”

4.0 DECLARATIONS OF INTEREST



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

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 5.2025.224.1 – SERVICE STATION 139 MAIN ROAD, SORELL

Applicant:	Apex Planning
Proposal:	Service Station and Car Wash
Site Address:	139 Main Road, Sorell (CT 187782/1, 105075/1, 105075/2 and 105075/3)
Planning Scheme:	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993</i>
Reason for SPA meeting:	Council land (establishment of bushfire hazard management areas), cost of works, and more than two representations.

Relevant Zone:	8.0 General Residential Zone, 18.0 Light Industrial Zone, 29.0 Open Space Zone																				
Proposed Use:	Vehicle Fuel Sales and Service (Commercial)																				
Applicable Overlay(s):	Bushfire-prone Area Waterway Coastal Protection Area Flood-prone hazard area Airport Obstacle Limitation Area																				
Applicable Codes(s):	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C7.0 Natural Assets Code C12.0 Flood Prone Hazard Area																				
Valid Application Date:	12 May 2026																				
Decision Due:	28 July 2026																				
Discretion(s):	<table border="1"> <tr> <td>1</td><td>7.6 Access and Provision of Infrastructure Across Land in Another Zone</td></tr> <tr> <td>2</td><td>7.7 Buildings Projecting onto Land in a Different Zone</td></tr> <tr> <td>3</td><td>7.10 Development Not Required to be Categorised into a Use Class</td></tr> <tr> <td>4</td><td>18.3.1 All uses (P1 & P2)</td></tr> <tr> <td>5</td><td>18.4.2 Setbacks (P3)</td></tr> <tr> <td>6</td><td>18.4.5 Landscaping (P1)</td></tr> <tr> <td>7</td><td>C1.6.1 Design and Siting of Signs (P1 & P3)</td></tr> <tr> <td>8</td><td>C1.6.2 Illuminated Signs (P1)</td></tr> <tr> <td>9</td><td>C2.5.2 Bicycle Parking Numbers (P1)</td></tr> <tr> <td>10</td><td>C2.6.5 Pedestrian Access (P1)</td></tr> </table>	1	7.6 Access and Provision of Infrastructure Across Land in Another Zone	2	7.7 Buildings Projecting onto Land in a Different Zone	3	7.10 Development Not Required to be Categorised into a Use Class	4	18.3.1 All uses (P1 & P2)	5	18.4.2 Setbacks (P3)	6	18.4.5 Landscaping (P1)	7	C1.6.1 Design and Siting of Signs (P1 & P3)	8	C1.6.2 Illuminated Signs (P1)	9	C2.5.2 Bicycle Parking Numbers (P1)	10	C2.6.5 Pedestrian Access (P1)
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AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

	11	C7.6.1 Buildings and works within a Waterway Coastal Protection Area or a future coastal refugia area (P1)
	12	C12.5.1 Uses within a flood-prone hazard area (P1)
	13	C12.5.2 Critical use, hazardous use or vulnerable use (P1 & P3)
	14	C12.6.1 Building and Works within a flood-prone hazard area (P1.1 & P1.2)
	15	C13.5.2 Hazardous Uses (P1)
Representations:		Three

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2025.224.1 for a Service Station and Car Wash at 139 Main Road, Sorell be approved, subject to the following conditions:

General

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:
 - (P1) Planning Report from Apex Planning, dated 23 August 2025, received 25 August 2025;
 - (P1) Noise Impact Assessment, authored by NVC (Noise Vibration Consulting), dated 05 August 2025, received 25 August 2025;
 - (P1) Traffic Impact Assessment, authored by Hubble Traffic, dated August 2025, received 25 August 2025;
 - (P2) Stormwater Report, 139 Main Road, Sorell, authored by Joe Mamic & Associates, undated, received 19 December 2025;
 - (P2) Atlan Stormwater; tech data submission with appendices, authored by Atlan Stormwater, received 01 September 2025;
 - (P4) Flood Hazard Report, dated 11 February 2026, authored by Flussig Engineers, received 20 February 2026;
 - (P2) Light Impact Assessment: Proposed Petrol Station Development, dated 4 November 2025, authored by Rubidium Light, received 19 December 2026;
 - (P2) Landscaping Plan, dated 10 November 2025, prepared by Lange Design, received 19 December 2026;



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

- (P2) Architectural drawings and concepts, prepared by Meyer Shircore Architects, dated August 2025, received 19 December 2026;
 - (P5) Concept Sewer and Water Servicing Designs, prepared by Flussig Engineers dated 22 April 2026; and
 - (P2) Lighting and signage plan, prepared by rubidium light, dated 04 November 2026, received 19 December 2026.
2. The use and development must be undertaken in accordance with the endorsed Emergency Management Strategy, Bushfire Hazard Report and Planning Certificate, authored by Mr Roger Fenwick, dated 03 June 2026.
 3. Prior to and during construction, an exclusion area is to be established at the boundary of the site adjoining the Pitt Water Reserve (CT 64307/2 or 16/4458). This exclusion area must be maintained until the completion of works.
 4. The recommendations made within section 6 of the Flood Hazard Report prepared by Flussig Engineers dated 11 February 2026 must be implemented during and post construction.
 5. Commercial vehicle movements (i.e refuelling truck movements) are limited to:
 - (a) 7.00am to 9.00pm Monday to Saturday, and
 - (b) 8.00 am to 9.00pm Sunday and Public Holidays
 6. Prior to the commencement of works, a Part 5 Agreement must be entered into and registered under Part 5 of the *Land Use Planning and Approvals Act 1993* is to be prepared and entered into, to have the effect that: the owner of the land will maintain all proposed landscaping vegetation within Council land for the life of the development.

The cost of the preparation and lodgement of this agreement is to be borne by the applicant.

Construction Management

7. A Construction Environmental Management Plan (CEMP) must be prepared and submitted to the General Manager for endorsement.

The Construction Environmental Management Plan (CEMP) must contain a detailed description of the proposed timing and sequence of the major construction activities and of the proposed management measures to be implemented to avoid or minimise the environmental impacts during the construction phase.



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

The CEMP must incorporate conditions of this permit related to construction activities, and must at a minimum incorporate measures in relation to the following:

- (a) How noise from construction works will be managed;
- (b) Measures to protect nearby residents significantly affected by construction noise;
- (c) Soil and Water Management strategies to prevent sediment entering stormwater and marine waters;
- (d) Measures to ensure fuel and hazardous substances do not contaminate land or water
- (e) Measures to address the Potential for Acid Sulphate Soils
- (f) Dust suppression measures to protect nearby residents and business;
- (g) Weed Management and weed hygiene during construction.

Once endorsed, the CEMP will form part of this permit and must be adhered to.

8. All civil and building construction work associated with the development must be within the following hours:

- (a) 7.00. a.m. to 7.00. p.m. from Monday to Friday
- (b) p.m. to 6.00 p.m on Saturdays; and

No works are permitted on Sundays or public holidays.

Approval must be obtained from the Manager Health & Compliance for any works outside of these hours.

9. If an incident causing or threatening environmental nuisance, serious environmental harm or material environmental harm from pollution occurs in the course of the construction works or operation of the service station, then the person responsible for the work/operation must immediately take all reasonable and practicable action to minimise any adverse environmental effects from the incident.
10. Unless otherwise approved in writing by the General Manager, environmentally hazardous material held on a construction site, including chemicals, fuels and oils, must be located within impervious bunded areas or spill trays which are designed and maintained to contain at least 110% of the total volume of material.
11. Spill kits appropriate for the types and volumes of materials handled on the construction site must be kept in appropriate locations to assist with the containment of spilt environmentally hazardous materials.

12. Airborne dust from construction works, roads, disturbed areas, storage heaps, or machinery operating on the land must not create an environmental nuisance. Areas must be dampened, covered, compacted or otherwise treated to reduce dust emissions.

Bushfire

13. Vegetation clearance for the provision of a bushfire hazard management area as shown in the endorsed bushfire hazard management plan must be undertaken prior to the commencement of the use.

Light

14. External lighting, including car parking lighting must be designed in accordance with AS4282-1997 – Control of the obtrusive effects of outdoor lighting and operated so that light does not spill onto neighboring properties and create an environmental nuisance.
15. Light poles near the western boundary which illuminate the vacuum bays and circulation areas must be placed in a revised location on the western which ensures that light is only directed to the east, and be of a height to direct light downward rather than laterally.
16. All exterior lighting on the building and car park must be baffled to prevent light spill onto adjoining properties.
17. The maximum average luminance of any sign facing a residence must not exceed:
 - (a) 6000cd/m² during the day
 - (b) 700cd/m² during morning, evening and overcast weather, and
 - (c) 250cd/m² at night.

Advice: The Manager of Health & Compliance may require the owner or operator of any business to undertake measurement of spillage to demonstrate compliance with this condition.

18. The illumination of the pylon sign is to be limited to the logo panel and the fuel price panels, which must be illuminated with red LEDs. No other illumination of this sign is permitted.

Note: the orientation of the sign should be considered with respect to its visibility from the Pitt Water Nature Reserve

19. The arrangement of lighting for the vacuum bays and automatic carwash, inclusive of pylon lights as shown on the endorsed plans must be specifically baffled or located to prevent spill and horizontal illumination beyond the car wash bays.

20. A plan to be endorsed by the Manager Planning which demonstrates all external lighting of the proposed development being in accordance with conditions 15 to 20 is to be provided prior to the commencement of works.

Noise

21. Sufficient sound insulation must be installed around the vacuum bay in accordance with the recommendations included in the Noise Impact Assessment completed by Noise and Vibration Consulting dated 5 August 2025.
22. Before commencing the activity, Noise Vibration Consulting or another acoustic consultant must provide a report to the General Manager that the sound insulation referred to in condition 21 has been installed in accordance with the recommendations included in clause 5.2 of the Noise Impact Assessment, and provide modelling as to its efficacy, alongside that of fencing referred to in condition 35, relevant to the adjacent Pitt Water Reserve
23. Noise emissions from the Service Station measured at eastern property boundary must not exceed the following:
- (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
 - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq) between the hours of 7.00 pm to 7.00 am;
 - (c) 65dB(A) (LAmix) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.

Noise levels (LAeq) are to be averaged over a 15-minute time interval.

24. Noise monitoring by a suitably qualified person to demonstrate compliance with condition 23 is to be undertaken at the direction of Council's Manager Health and Compliance, by the operator of the service station, where any complaint is made regarding exceedance of noise levels.

Stormwater quantity and quality control

25. The development must incorporate stormwater tanks for the capture of roof water to a minimum total capacity of 20,000L. This rainwater must be used for on-site fixtures (i.e wash bay hose, toilets, garden taps).

26. A suitably qualified person must prepare an environmental management plan detailing proposed measures to prevent contaminated stormwater discharging into Orielton Lagoon from a significant fuel spill on the site, leaking underground fuel storage tank, or from contaminated water resultant from any fire suppression.

The Management plan must be completed to the satisfaction of the General Manager prior to the use commencing.

The Service Station and associated activities must be operated in accordance with the environmental management plan approved by the General Manager.

Engineering

27. Prior to the issue of a building permit or prior to commencement of any on-site works relating the following must be provided with details and submitted for engineering assessment to Development Engineer and when approved the plans will form part of the permit.

- (a) provide sectional detailed design of proposed material on internal driveway; and
- (b) provide the layout of car parking and maneuvering on the internal driveway minimizing the extent of hardstand where possible.

28. Prior to first occupation or commencement of use (whichever occurs first), all parking facilities and manoeuvring area (including off-street parking and facilities for people with disabilities) shall be constructed in accordance with the AS 2890. The provision must ensure:

- (a) be constructed in substantial accordance with the “*Ground Floor Plan*”, prepared by “*MEYER SHIRCORE ARCHITECTS*”, Project No. 25-9586, having Rev No. SK014, last dated August 2025;
- (b) be constructed with a 12 m access width able to achieve safe, easy & efficient circulation for B85, B99 and 19 m semi-trailer vehicles;
- (c) have physical controls installed where required (i.e., Kerbs, Barriers, Wheel stops, or Other protective devices);
- (d) a formed concrete kerb along the length of the circulation roadway’s edge where required to contain stormwater runoff (*where applicable*);
- (e) all infrastructures are located within (such as meter lids, grated pits, constructed to the appropriate trafficable standard;
- (f) stormwater infrastructures are installed where required to drain all run-off generated to a legal point of discharge such that flows are not concentrated onto adjoining properties;

- (g) installation of appropriate signage at the entry to reinforce pedestrian awareness among drivers (*where applicable*);
- (h) ten (10) car parking spaces are at least 5.4m long and 2.6m wide with an additional 0.3m clearance from any nearby wall, fence, or other structure;
- (i) one (1) DDA complaint space is designed and constructed accordance with AS/NZS 2890.6:2009 Parking facilities, Off Street parking for people with disabilities;
- (j) 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; and
- (k) have spaces that are delineated by line marking.

29. Prior to the issue of a building permit or prior to commencement of any site works relating to stormwater, the following must be submitted for engineering assessment to Development Engineer and when approved the plans will form part of the permit. The provision must ensure:

- (a) a revised drainage plan showing all water from the car wash is pre-treated and discharged to the sewer system; and
- (b) all stormwater from roof and internal driveways leaving the site are treated by a suitable treatment unit achieving the State Stormwater Strategy 2010 targets and discharged to the Public Stormwater System. The stormwater connection point must also be shown on the plan.

30. A signed maintenance contract must be provided for the stormwater treatment unit and detention basin as part of the Building / Plumbing Application. This contract shall include, but not be limited to details on the procedure and frequency of both maintenance and testing required at developer cost to ensure continued compliance with Council's Stormwater In New Development Policy with minimum of:

- (a) 90% reduction in litter and gross pollutants;
- (b) 80% reduction in total suspended solids (TSS);
- (c) 45% reduction in total phosphorus (TP);
- (d) 45% reduction in total nitrogen (TN);
- (e) Higher requirements may apply to sites draining to a RAMSAR wetland.

Advice: Document can be found via link below:
<https://epa.tas.gov.au/Documents/DGVs%20for%20aquatic%20ecosystems%20of%20the%20Pitt%20Water-Coal%20Catchment.pdf>

31. A capacity utilisation charge of \$2,569.00 indexed at the CPI rate for Hobart until paid, must be paid in accordance with the Stormwater in New Developments Policy. Unless otherwise agreed to by the General Manager and set out in a Part 5 Agreement, deed or other contract with the developer, the contribution is payable prior to first use plus CPI indexation from the date of approval to the date of payment (or payments if staged).

Signs

32. Prior to the commencement of the use, redundant signage related to previous uses of the site must be removed and may not be replaced.
33. All signage must relate to goods available at the site, and not of any third party goods or services available elsewhere.

Department of State Growth

34. Prior to undertaking any access improvement works in the Tasman Highway reservation an Access Permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935. The application is to be accompanied by engineering plans to scale by a suitably qualified designer. These will need to show all works within the Highway reservation, including compliant width/length left turn lane (AUL or AUL/S), likely a kerb between the lane and likely reconstructed shared path, a painted chevron around the existing pedestrian refuge etc. (Note: it would be preferable for this plan to be included/required as part of the planning application).

Advice: Application for permits can be made at https://www.transport.tas.gov.au/road_permits/permits_and_bookings/new_or_altered_access_onto_a_road_driveways Applications and must be received by the Department of State Growth at least 20 business days before the expected start date for works, to allow enough time to assess the application.

Environment

35. A 1.8m high timber fence of full lapped construction (minimum 20mm paling thickness) or similar, to achieve a 12Kg/m² minimum mass surface, is to be erected at the boundary adjoining the Pitt Water Nature Reserve, for the length of the boundary relevant for the area of works, as shown as a hatched area on the endorsed demolition plan (DWG 25 - 9586 Sheet 4).

36. Works for the erection of any fencing must be undertaken from the subject site unless otherwise approved by the Parks and Wildlife Service.

NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT

General

- The development does not infer approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (cth)*. It is the responsibility of the applicant to obtain approval from this Environment Australia for any impacts that may occur to the Orielton Lagoon RAMSAR site.
- A separate food business registration under the *Food Act 2003* is required before commencing operations.
- The Tasmanian Environmental Management and Pollution Control (Underground Petroleum Storage System) Regulations 2020 require the EPA Tas Director to be notified of any new underground fuel storage tank installations.
- The proponent is encouraged to review the National Light Pollution Guidelines for Wildlife – DCCEEW, and consider these in selecting the specific globes for the proposal.

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) before undertaking any works.

Other Approvals



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

- 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.

TasNetworks

- It is recommended that the customer or their electrician submit an application via our website portal found here <https://www.tasnetworks.com.au/Connections/Connections-Hub> to upgrade the electricity supply connection and relocate any assets to support this development.

More information on relocating assets available on: Relocate a TasNetworks asset TasNetworks

It is recommended that the customer or their electrician contact TasNetworks on 1300 137008 if they have any questions regarding an upgrade they may require to their electricity supply due to this development.

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

Executive Summary

Application is made for a Service Station and Car Wash at 139 Main Road, Sorell. The property is zoned General Residential and Light Industrial and is located to the north of the Tasman Highway from the eastern end of the Sorell Causeway at a gateway site to Sorell. Principally set amongst residences, the site specifically has a commercial legacy of large floor area retail, contractors yard, and landscape supplies.

For reason of bushfire hazard management, the site includes Council land at 141 Main Road, Sorell at the fore of the site. This land is within the Open Space Zone, and forms part of the site.

The site adjoins an internationally significant wetland which is also a nature reserve under the *Nature Conservation Act 2002*.

The key planning considerations relate to the nature of the use within the respective zones, the management of traffic and parking circulation areas,



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

the management of reticulated services, the appropriateness of signage, the nature of the use with respect to bushfire risk, and the impacts to natural values both on and offsite.

The application is considered to comply with each applicable standard of the *Tasmanian Planning Scheme Sorell (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 does not include new road, stormwater, or footpath assets to be transferred to Council. The application does include Council owned land which is managed as a reserve, though there are no implications for asset management ongoing, once a hazard management area is established.
Risk Management Strategy 2018	In its capacity as a Planning Authority, Council must determine this application. Due diligence has been exercised in preparing this report and there are no predicted risks from a determination of this application.
Financial Implications	No financial implications are anticipated unless the decision is appealed to TASCAT. In such instances, legal counsel is typically required.
Open Space Strategy 2020 and Public Open Space Policy	The proposal has no significant implications for open space management.
Enforcement Policy	Not applicable.
Environmental Sustainability Policy	Environmental considerations are assessed against the relevant planning scheme provisions. Conditions also are recommended to be imposed which effect positive environmental outcomes, and which align to the Environmental Sustainability Policy. These conditions are imposed as the planning authority may, having regard to the Schedule 1 objectives of Act

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	Councils Development Engineer has reviewed the proposal and provided recommended conditions to be appended to the permit related to stormwater maintenance and quality, and the design of the parking and access ways.
Environmental Health	Yes	Yes	Yes	The proposal is supportable subject to conditions regarding the management of pollutants, conditions regarding the manner of the use, lighting, and the implementation of the recommendations of the noise report supplied within the application documents. Additional conditions are recommended to ensure ongoing compliance, and for the management of construction activity.
Plumbing	No	-	-	-
NRM	Yes	Yes	Yes	Council's Natural Resource Management Facilitator has provided a response to the referral noting concerns with the potential noise and lighting impacts of the proposal on the adjoining Pitt Water Reserve. These concerns have informed conditions of approval.
Department of Natural Resources and the Environment	Yes	Yes	Nil	Advice from both the Reserve Management branch and the Conservation assessments branch has

				been supplied. Their advice is reproduced under the referrals section of this report.
TasWater	Yes	Yes	Yes	Taswater have issued a submission which consents to the proposal and includes conditions to be appended to the permit.
TasNetworks	Yes	Yes	No	Advice has been supplied to be appended to the permit.
State Growth	Yes	Yes	Yes	The Department of State Growth has consented to the making of the application, which includes works within the Crown Road reserve. Conditions have been provided, to be appended to the permit.

Report

Description of Proposal

The proposal is for the development of a service station with convenience store, car wash, and blade sign. To facilitate the development, structures associated with the existing landscape and garden supplies business, and a portion of the structure which supports the rural supplies store are to be demolished. The development includes works and services for parking and circulation areas, works for the provision of a stormwater system (including detention basin), and provision of fuel tanks.

The application is supported by:

- Planning Report from Apex Planning;
- Bushfire Hazard Report and Planning Certificate, authored by Mr Roger Fenwick, dated June 2026;
- Noise Impact Assessment, authored by NVC (Noise Vibration Consulting), dated 05 August 2025;
- Traffic Impact Assessment, authored by Hubble Traffic, dated August 2025;
- Stormwater Report, 139 Main Road, Sorell, authored by Joe Mamic & Associates, undated, received 19 December 2025;
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AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

- Light Impact Assessment: Proposed Petrol Station Development, dated 4 November 2025, authored by Rubidium Light, received 19 December 2026;
- Landscaping Plan, dated 10 November 2025, prepared by Lange Design, received 19 December 2026;
- Architectural drawings and concepts, prepared by Meyer Shircore Architects, dated August 2025, received 19 December 2026;
- Concept Sewer and Water Servicing Designs, prepared by Flussig Engineers dated 22 April 2026; and
- Lighting and signage plan, prepared by rubidium light, dated 04 November 2026, received 19 December 2026.

Description of Site

The site has an area of 3.4ha and is located to the north of Main Road, Sorell. The site is comprised of four parcels, as listed below (Table 1). Of these parcels which form the site, three are owned by the Sorell Council, and are included for reason of the establishment of a bushfire hazard management area.

The site is relatively flat, with low points associated with historic works, there is no native vegetation and improvements relate to the multitude of uses historically undertaken onsite, as well as parking and circulation areas, and landscape supplies bins.

Adjoining land consists of the Pitt Water Nature Reserve, which is zoned Environmental Management.

The site is serviced (though subject to modification), with existing access to Main Road, which is a state highway administered by the Department of State Growth.

Importantly, the application includes the folio plan for the Council footway (ref CT 186811/100), though no work is shown within this land other than capping of the existing sewer connection (to be abandoned).

Capping of a sewer connection by a regulated entity (licensed person) is not considered to be development under LUPAA. Therefore, it is not necessary to include this land in the application as part of the application.

Address	Owner	Certificate of Title Reference
139 Main Road, Sorell	D.F Egan and K.J Vincent	187782/1
141 Main Road, Sorell	Sorell Council	105075/3
141 Main Road, Sorell	Sorell Council	105075/2
141 Main Road, Sorell	Sorell Council	105075/1



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026



Figure 1. Subject site marked blue, as adjoining the Pitt Water Nature Reserve (Green) and Main Road to the south.

Planning Assessment

7.0 General Provisions

7.6 Access and Provision of Infrastructure Across Land in Another Zone

The application includes provision of an access with associated landscaping and circulation areas, as well as a detention basin, within the General Residential Zone. This access and infrastructure are intended to serve the proposed use, which is principally located in the Light Industrial Zone.

As a use within the Vehicle Fuel Sales and Service Use Class is prohibited within the General Residential Zone and the access and infrastructure for this use where within the General Residential Zone may only be approved at the discretion of the planning authority having regard to:

- (a) whether there is no practical and reasonable alternative for providing the access or infrastructure to the site;*
- (b) the purpose and provisions of the zone and any applicable code for the land over which the access or provision of infrastructure is to occur; and*

(c) the potential for land use conflict with the use or development permissible under the planning scheme, for any adjoining properties and for the land over which the access or provision of infrastructure is to occur.

For (a) it is considered that the existing access location, though subject to modification is the determinative factor in the suitability of this location for access ongoing to the proposed use. Though an alternative may exist which sites the access in a new location wholly within the Light Industrial Zone further to the west, this is impractical for reason of the changes required to the road to facilitate turning, and unnecessary having regard for (b) and (c) of this clause.

For the detention basin, this is to be sited within an existing low point on the site, and it is neither practical or reasonable to site it anywhere else, particularly given the land in this location functions as part of the stormwater network in any event.

For (b) the purpose of the General Residential Zone is per clause 8.1:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.1.3 To provide for non-residential use that:

*(a) primarily serves the local community; and
(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*

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

The proposed access and infrastructure, as in a location of existing (though to be modified) access and infrastructure is considered to fulfil the zone purpose as non-residential uses which serves the local community, and does not cause an unreasonable loss of amenity for reasons of noise, light, vehicle movements or otherwise; as has been demonstrated by the application documentation inclusive of noise impact assessment, lighting plan and traffic impact assessment .

For (c), and similar to (b), the proposal is supported by a noise assessment, lighting plan and traffic impact assessment which speak to the intensity of the use and the specific siting of development, demonstrating that the proposal is not capable of conflicting with the adjoining residences in the General Residential Zone, nor for the remainder of the site which is within

the General Residential Zone. The limitation on the timing of commercial vehicle movements as proposed will assist in this sense.

Having regard for the above, the proposal is considered to comply.



Figure 2. site plan with extent of the General Residential Zone, shown in red, and approximate location of access and infrastructure to serve the development indicated.

7.7 Buildings Projecting onto Land in a Different Zone

The canopy over the fuel bowers is affixed to the ground by poles which are within the Light Industrial Zone. The canopy however projects over the General Residential Zone.

Clause 7.7 provides that the status of this portion of the building is to be determined in accordance with the provisions of the Light Industrial Zone.

7.10 Development Not Required to be Categorised into a Use Class

Clause 6.8.2 provides that signage is not categorised into a use class. The planning authority has discretion under clause 7.10 to refuse or permit a development that is not required to be categorised into a use class.

In considering a proposal under this provision, the purpose of the applicable zone and codes is relevant. For the Light Industrial Zone, the purpose is:

18.1.1 To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off site impacts are minimal or can be managed to minimise conflict with, or unreasonable loss of amenity to, any other uses.

18.1.2 To provide for use or development that supports and does not adversely impact on industrial activity.

Invariably a sign supporting a permitted use and attracting attention to its services fulfils this purpose; particularly 18.1.2.

For the relevant code, being the C1.0 Signs Code; the proposed signage is entirely supportable with respect to the applicable standards of that code, and the purpose statements thereof.

Having regard for the above the proposal is supportable with respect to the General Provision.

8.0 General Residential Zone

Of the development proposed, only the access works and associated landscaping is proposed within the General Residential Zone. The canopy for the fuelling areas projects over the zone boundary from columns affixed to ground within the Light Industrial Zone, as considered under clause 7.7 Buildings Projecting onto Land in a Different Zone.

For circulation areas including landscaping, these are considered as access and infrastructure across land in another zone, and so assessable under clause 7.6 Access and Provision of Infrastructure Across Land in Another Zone.

Subsequent to this, there are no applicable use or development standards of the General Residential Zone for the proposal.

29.0 Open Space Zone

The proposal includes the establishment of a Hazard Management Area over land at 141 Main Road, Sorell. This vegetation management is considered as being for the purpose of Natural and Cultural Values Management, which is a No Permit Required Use within the Open Space Zone.

As vegetation management is works, there are no applicable development standards within the Open Space Zone. There are therefore no applicable standards of the Open Space Zone for the establishment of the Hazard Management Areas as shown.

Use and Development Standards

18.0 Light Industrial Zone

The proposal is primarily located within the Light Industrial Zone (Figure 2 above) where Vehicle Fuel Sales and Services is a permitted use. As outlined above, part of the developed includes land which projects from this zone over the adjoining General Residential Zone, and this also be considered under the provisions of the Light Industrial Zone.

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
18.3.1 A1	Hours of operation	No – See performance criteria assessment
18.3.1 A2	External Lighting	No – See performance criteria assessment
18.3.1 A3	Commercial vehicle movements	Yes – the applicant contends commercial vehicle movements will be limited to the hours of the acceptable solution and a condition of approval is recommended to this effect
18.4.1 A1	Building height	Yes maximum building height is 5.5m
18.4.1 A2		Yes maximum building height is 5.5m
18.4.2 A1	Setbacks	Yes development exceeds 5.5m (Fuel tanks at 6m, Canopy at 23m)
18.4.2 A2		Yes >40m from adjoining property in the General Residential Zone
18.4.2 A3		No – See performance criteria assessment
18.4.3 A1	Fencing	N.A proposed fencing (and fencing as conditioned, conforms to the exemption
18.4.5 A1	Landscaping	No – See performance criteria assessment

Performance Criteria Assessment 1 – Clause 18.3.1 (P1) All uses

The proposal is for a service station and car wash, which will operate 24hrs a day, seven days a week. As the site is within 50m of the General Residential zone to the east, the proposal is reliant on the performance criteria which require:

Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:

- (a) the timing, duration or extent of vehicle movements; and
- (b) noise, lighting or other emissions.

Though the site is within 50m of the General Residential zone as measurable from the boundary, the activity is localised to a portion of the site which is at a minimum 48m from the nearest residence. This section of the proposal is for vehicle manoeuvring.

Further within the site, the specific activities are undertaken within discrete areas, and these are setback from the adjoining residential zone to varying degrees as outlined below and shown in Figure 3:

- The shop and carpark are approximately 60m from the nearest residence,
- bowzers are approximately 75m,
- carwash bays approximately 90m, and
- vacuum bays are over 100m.

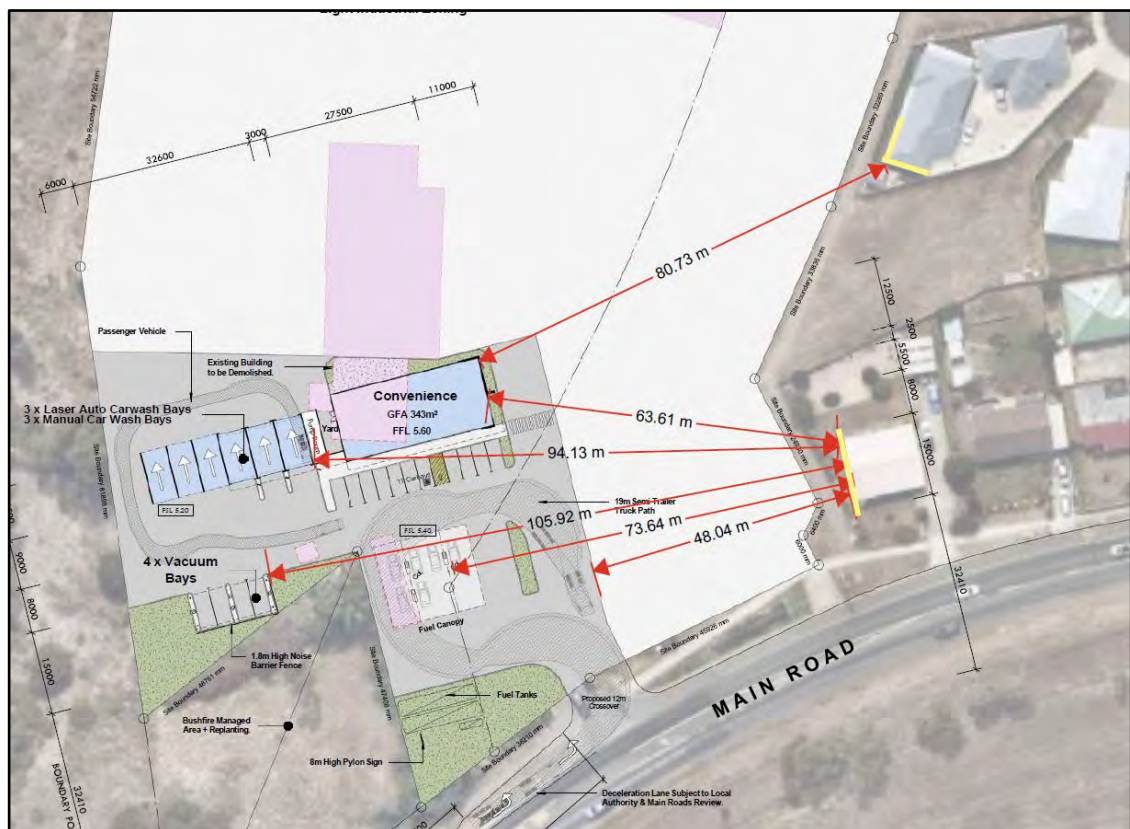


Figure 3. activities within the site relative to the nearest residence at 137 Main Road and Unit 2 of 17 Stanford Court, Sorell.

The impact of these activities at the proposed distances, though on a site within 50m of a General Residential zone, will not cause an unreasonable loss of amenity, especially within the context of that nearest residence having frontage to Main Road, presently subject to highway noise and vehicle light shine.

Specifically, for (a), a 24hr use of the existing cross over and proposed vehicle turning areas at a minimum 48m is not considered capable of causing an unreasonable impact.

For (b), the proposal is supported by a noise assessment and lighting assessment which find that the noise, subject to installation of an acoustic barrier for the vacuum bays (being the greater noise emitter) is acceptable; and that the lighting arrangement with respect to residence to the north east, subject to conditions regarding light spill and intensity is not considered capable of causing an unreasonable impact.

For other typical emissions of a service station, typical vapour recovery technology combined with a 50m setback from the nearest residence to the bowser is considered acceptable for impacts related to odour and other impacts of vapour emissions

The proposal has been referred to Council's Environmental Health Officer who has provided a detailed referral for this report, and concludes that subject to conditions of approval, the proposal will not cause for an unreasonable loss of amenity to residential zones.

Subject to recommended conditions of approval, the proposal is considered to comply.

Performance Criteria Assessment 2 – Clause 18.3.1 (P2) All uses

The proposal includes lighting of parking and circulation areas, as well as lighting of the canopy, wash bays and the like which will operate 24 hours a day, seven days a week, and is not limited to security lighting. The proposal is therefore reliant on the performance criteria which require:

External lighting for a use, excluding Natural and Cultural Values Management or Passive Recreation, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:

- (a) *the level of illumination and duration of lighting; and*
- (b) *the distance to habitable rooms of an adjacent dwelling.*

Similar to considerations under P1, the arrangement of lighting is relevant under this standard for the potential impacts to the nearest residences. The application is supported by an assessment which considers the potential for the impact of lighting against the background environment. Subject to recommendations of lighting intensity within the report, and recommended conditions of approval as provided by Council's Environmental Health Officer

Subject to recommended conditions of approval, the proposal is considered to comply.

Performance Criteria Assessment 2 – Clause 18.4.2 (P3) Setbacks

The proposal includes fuel pumps, which are within 10m of the General Residential Zone. As such the proposal is reliant on the performance criteria which require:

Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone or Rural Living Zone must be designed, located, baffled or insulated to not cause an unreasonable loss of residential amenity to the adjoining residential zones, having regard to:

- (a) *the characteristics and frequency of emissions generated;*
- (b) *the nature of the proposed use;*
- (c) *the topography of the site and location of the sensitive use;*
- and*
- (d) *any proposed mitigation measures.*

Though the fuel pumps are within 10m of the Residential Zone, they are approximately 75m from the nearest residential use. The proposal is supported by a Noise impact assessment which provides that instantaneous noises (i.e car door slams), and heavy vehicle idling at this distance is acceptable. Fuel pump noise is considered to be lesser in volume than these sources and so will not cause for an unreasonable loss of amenity. The overall noise impacts are by way of a recommended condition of approval restricted to a degree which will not have an unreasonable impact on those adjoining properties to the east.

The proposal is considered to comply.

Performance Criteria Assessment 3 – Clause 18.4.5 (P1) Landscaping

The proposal includes the development of a new building, set back from a road. The Acceptable Solution requires the provision of landscaping treatment along the frontage to a depth of 5.5m which is not able to be achieved owed to the access (which is similarly at the frontage and precludes landscaping). The proposal is therefore reliant on the performance criteria which require:

If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to:

- (a) *the width of the setback;*
- (b) *the width of the frontage;*
- (c) *the topography of the site;*
- (d) *existing vegetation on the site;*
- (e) *the location, type and growth of the proposed vegetation;*
- and*
- (f) *any relevant local area objectives contained within the relevant Local Provisions Schedule.*

The proposal is supported by a landscaping plan which identifies an arrangement of plant species to be located on the site, and along the frontage both within the Light Industrial Zone, General Residential Zone, and the adjoining Open Space Zone property, which is Council land.

For that landscaping along the frontage of the relevant Light Industrial Zone portion, the arrangement is sufficient to enhance the amenity and appearance of the streetscape, particularly as a range of plant heights and species are chosen to provide for a meaningful and immediate contribution to the street.

The dimensions of the site support the arrangement as proposed per (a) and (b), the topography is conducive to a depth of plantings per (c), existing vegetation is limited and conflicts with the intended layout of the proposal (e), and for (f), there are no local area objectives relevant to the assessment of this application.

The implementation of the landscaping plan is a recommended condition of approval and on this basis the proposal is considered to comply.

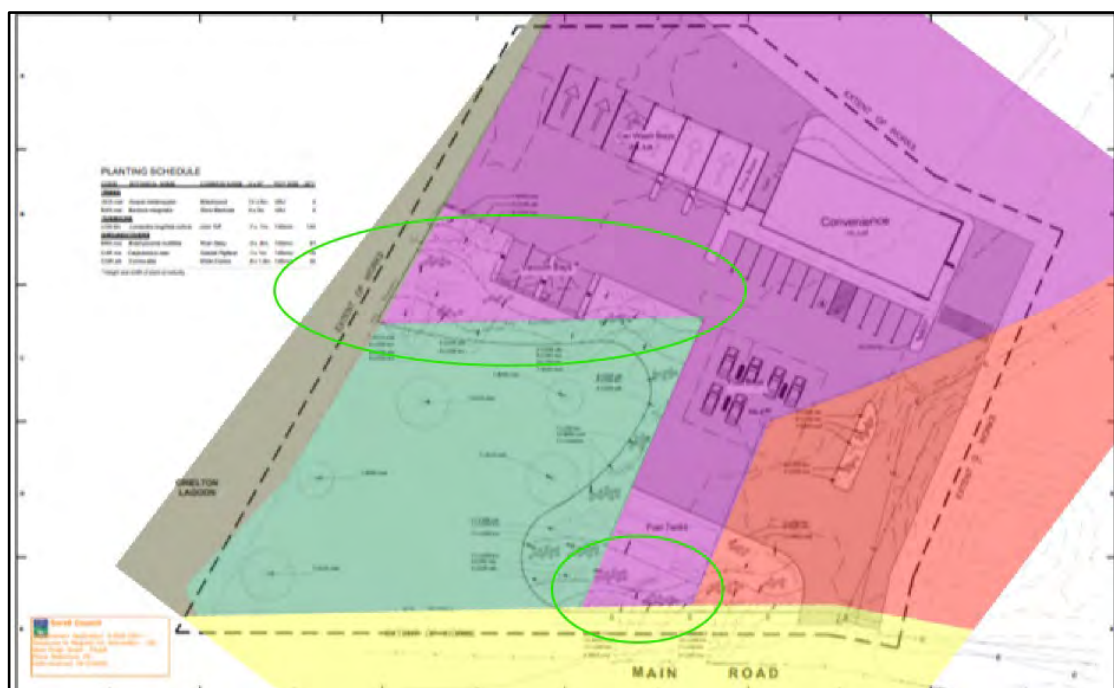


Figure 4. Areas of landscaping (Green circle) relative to the application of zones for the site.

Codes

Signs Code

The proposal includes a number of signs to support the use and development as outlined in Table 2.

Table 2. Proposed Signs

Sign Description	Type	Status in Zone	Status by standards	Illuminated	Note
East elevation 'Vibe' and logo	Wall sign	Permitted	9.25m ² Discretionary	Yes	
West elevation 'Vibe' and logo	Canopy sign	Permitted	3.6m ² Permitted	Yes	Sign dimensions taken to not encompass the entire canopy length.
South elevation 'Wash' and logo	Wall sign	Permitted	15.75m ² Discretionary	Yes	
South elevation 'Vibe' and logo	Wall sign	Permitted	15m ² Discretionary	Yes	
South elevation Signage Panel	Cabinet sign	Permitted	1.8m ² Permitted	No	
South 'Vibe' and logo	Canopy Sign	Permitted	3.6m ² Permitted	Yes	Sign dimensions taken to not encompass the entire canopy length.
Fuel Price Sign	Blade	Permitted	16m ² Discretionary	Yes	Max height 8m

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C1.6.1 A1	Sign standards	No – see performance criteria assessment
C1.6.1 A2		Yes- Sign exceeds 2m from a lot in an adjoining residential zone
C1.6.1 A3		No – see performance criteria assessment
C1.6.2 A1	Illuminated signs	No – see performance criteria assessment
C1.6.2 A2		Yes – Sign does not create the effect of movement

Performance Criteria Assessment 4 – Clause C1.6.1 (P1) Sign standards

The proposal includes a number of signs, each of which are permissible within the Light Industrial Zone. These signs however do not conform to the sign standard, and so are reliant on the performance criteria which require:

P1.1

A sign must:

- (a) *be located within an applicable zone for the relevant sign type as set out in Table C1.6; and*
- (b) *be compatible with the streetscape or landscape, having regard to:*
 - i. *the size and dimensions of the sign;*
 - ii. *the size and scale of the building upon which the sign is proposed;*
 - iii. *the amenity of surrounding properties;*
 - iv. *the repetition of messages or information;*
 - v. *the number and density of signs on the site and on adjacent properties; and*
 - vi. *the impact on the safe and efficient movement of vehicles and pedestrians.*

For (a), the signs are all permissible within the Light Industrial Zone.

For (b), much of the arrangement of signage is affixed to the development, generally setback from the road, and set at a site which has a legacy of large signs befitting of a services centre. This arrangement is neither immodest in size (i) and (ii), sited such that it will reduce residential amenity (the signs are all located within the Light Industrial Zone) per (b)(iii).

The signage is somewhat repetitive (consistent branding), though not to the end that there is an undue impact of visual amenity per (b)(iv).

The number of signs on site is being reduced and consolidated per (b)(v) and there is no undue impact on the safety or efficacy of the road network.

P1.2 is not relevant as the proposal is not for a sign as listed.

Subject to recommended conditions of approval, the proposal is considered to comply.

Performance Criteria Assessment 5 – Clause C1.6.2 (P3) Sign standards

The proposal includes a number of wall signs, which exceeds the amount permissible under A1 (a). the proposal is therefore reliant on the Performance Criteria which require:

The number of signs for each business or tenancy on a street frontage must:

- (a) *not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and*
- (b) *not involve the repetition of messages or information.*

The proposal is for a suitable arrangement of signs, typical of the type of development. Though three wall signs are proposed, on balance of the extent of the development, and the degree to which they are setback from the road is not considered to cause for unreasonable visual clutter.

Having regard for the nature of the site as it stands, a concise and consistent signage arrangement as proposed is a better outcome for visual amenity than the current arrangement.

For (b) though the branding is consistent the messaging is not repetitive. Each sign has a particular function.

Subject to recommended conditions of approval, the proposal is considered to comply

Performance Criteria Assessment 6 – C1.6.2 (P1) Sign standards

The proposal includes illuminated signage, and so is reliant on the performance criteria which require:

An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:

- (a) *the location of the sign;*
- (b) *the size of the sign;*
- (c) *the intensity of the lighting;*
- (d) *the hours of operation of the sign;*
- (e) *the purpose of the sign;*

- (f) *the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;*
- (g) *the intended purpose of the changing message of the sign;*
- (h) *the percentage of the sign that is illuminated with changing messages;*
- (i) *proposed dwell time; and*
- (j) *whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.*

For (a) the sign locations are supportable where their intensity is regulated by way of condition as recommended ($<125\text{cd/m}^2$), and in consideration of their distance from sensitive receivers being a minimum 60m from the dwelling at 137 Main Road, Sorell. The other canopy and wall signs all are setback $>20\text{m}$ from the road, and the blade (fuel price) sign is of a type which is entirely within the character of the streetscape, being an arterial road for a major satellite of Greater Hobart.

For (b) the sign sizes on balance of the location and buildings to which they are affixed are not considered to cause an unreasonable impact on amenity.

For (c), the intensity of the lighting is to be regulated by way of condition that it accords with the Australian Standard for the control of obtrusive lighting, and the recommendations of the accompanying light assessment.

For (d), the intensity of lighting is recommended to be managed relative to the time of day/night so as to not cause an unreasonable loss of amenity.

For (e), the purpose of the signage is understood, and typical of the nature of the development.

For (g)(h) and (i), the illuminated signage is static internal illumination rather than LED type signage which changes messages.

For (j), though the sign is visible from the road, there are no traffic control devices within the vicinity which the proposal can interrupt.

Having regard for the above, and subject to recommended conditions of approval, the proposal is considered to comply.

C2.0 Parking and Sustainable Transport Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C2.5.1 A1	Car parking numbers	Yes – the use specifically does not warrant the provision of any car parking spaces, as the Table C2.1 refers to service bays (mechanical servicing), which is not proposed. The number provided therefore exceeds the requirement under C2.5.1 as informed by the Table C2.1



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

C2.5.2 A1	Bicycle parking numbers	No – See performance criteria assessment
C2.5.3 A1	Motorcycle parking numbers	Not applicable (ref cl C2.2.2)
C2.6.1 A1	Construction of parking areas	Yes – all parking and access ways are to be sealed and drained to the public stormwater system.
C2.6.2 A1.1 and A1.2	Design and layout of parking areas	Yes – complies A1.1 (b) and A1.2
C2.6.3 A1	Number or Accesses for vehicles	Yes – number of vehicle accesses no more than existing per frontage.
C2.6.5 A1	Pedestrian Access	No – See performance criteria assessment

Performance Criteria Assessment 7 – C2.5.2 Bicycle parking numbers

The Table C2.1 provides that a bicycle parking space must be provided for every five staff. The application supporting report states that three staff will be employed, therefore 0.6 spaces are required.

Pursuant to the Notes to Table 2.1, which at (3) states that: *fractions of a space are to be rounded to the nearest whole number, so that a full number of spaces is provided for any fraction of a quota of floor area or number of employees.* A whole bicycle parking spaces would be required to meet the Acceptable Solution, though none is proposed.

The proposal is therefore reliant on the performance criteria which require:

Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and*
- (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.*

It is considered that the nature of the use, albeit with a convenience store front is unlikely to attract bicycle users of a number who would utilise a dedicated space, warranting its provision. The nature of the use is such that it principally will attract motor vehicle users.

Though it is acknowledged staff may choose to ride a bicycle to work, to require a dedicated bicycle parking space for what is only a demand of 0.6 of the space to be provided is unnecessary for this low likelihood.

For (b) there are no dedicated parking facilities existing or planned for the area.

It is considered that the reasonable needs of the use do not warrant a dedicated bicycle space and having regard for the above, the proposal complies.

Performance Criteria Assessment 8 – C2.6.5 (P1) Pedestrian Access

The proposal does not include a dedicated pedestrian access from the road in a manner which conforms to the Acceptable Solution (namely separation). The proposal is therefore reliant on the performance criteria which require:

Safe and convenient pedestrian access must be provided within parking areas, having regard to:

- (a) *the characteristics of the site;*
- (b) *the nature of the use;*
- (c) *the number of parking spaces;*
- (d) *the frequency of vehicle movements;*
- (e) *the needs of persons with a disability;*
- (f) *the location and number of footpath crossings;*
- (g) *vehicle and pedestrian traffic safety;*
- (h) *the location of any access ways or parking aisles; and*
- (i) *any protective devices proposed for pedestrian safety.*

The proposal is supported by a Traffic Impact Assessment, which has been considered by Council's Development Engineer. Council's engineer has assessed the proposal and is accepting of the pedestrian path design as shown.

The proposal is considered to comply.

C3.0 Road and Railway Assets Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C3.5.1 A1.2	Traffic generation	Yes – written consent supplied by the Department of State Growth

C7.0 Natural Assets Code

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C7.6.1 A1	Buildings and works	No – See performance criteria assessment
C7.6.1 A3	Buildings and works	Yes – No new stormwater discharge point

Performance Criteria Assessment 9 – Clause C7.6.1 (P1) Buildings and works within a Waterway Coastal Protection Area or a future coastal refugia area

The proposal includes development within a waterway coastal protection area (ref Figure 5). this waterway coastal protection area has been applied at a distance of 100m from the highwater mark of the Orielton lagoon (Pitt Water Nature Reserve), which is a RAMSAR wetland.



Figure 5. denoting extent of the waterway coastal protection area, as 100m from the high water mark of the Pitt Water Nature Reserve

Of particular relevance to the consideration of the proposal under the C7.0 Natural Assets Code, is the spatial extent of Waterway Coastal Protection Areas as defined within the Table C7.3 of the code. Table C7.3 specifies widths based on types of waterways and wetlands and provides guidance on the measurement of width.

Finally, the table provides a note that *any water course including the tidal waters of any river, creek or stream, within or adjoining the following zones (of which the Light Industrial Zone is listed) is deemed to be a Class 4 watercourse:*

The above is important in affirming the application of the code to the waterway coastal protection area to its full extent as shown on the overlay map. This is further evident by reference to the definition of *waterway and coastal protection area* which includes a clarifying statement that:

If an inconsistency for the width exists between Table C7.3 and the area shown on the overlay map, the greater distance prevails, excluding the width measured from the high water mark of tidal

waters where the distance shown on the overlay map in the relevant Local Provisions Schedule prevails.

The distance as shown on the overlay maps is 100m from the high water mark, this is a greater distance than the 10m of a deemed class 4 watercourse, and as the greater distance, it prevails.

As the site is within the waterway coastal protection area as defined, the C7.0 Natural Assets Code is an applicable code.

The proposal is neither in a building area under a sealed plan, or of a type as listed within the Acceptable Solution. It is therefore reliant on the performance criteria which require:

P1.1

Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:

- (a) impacts caused by erosion, siltation, sedimentation and runoff;*
- (b) impacts on riparian or littoral vegetation;*
- (c) maintaining natural streambank and streambed condition, where it exists;*
- (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;*
- (e) the need to avoid significantly impeding natural flow and drainage;*
- (f) the need to maintain fish passage, where known to exist;*
- (g) the need to avoid land filling of wetlands;*
- (h) the need to group new facilities with existing facilities, where reasonably practical;*
- (i) minimising cut and fill;*
- (j) building design that responds to the particular size, shape, contours or slope of the land;*
- (k) minimising impacts on coastal processes, including sand movement and wave action;*
- (l) minimising the need for future works for the protection of natural assets, infrastructure and property;*
- (m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and*
- (n) the guidelines in the Tasmanian Coastal Works Manual.*

For P1.1, the natural assets of the site are limited. The site is devoid of endemic vegetation, natural stream bank or stream beds which the development could affect. It is recognised that highly significant natural assets do exist at the adjoining site, being the Pittwater Nature Reserve, which is a RAMSAR listed site. The relationship between the proposal and this area is delicate and a number of conditions of approval have been recommended to limit impacts.

Post construction, the development itself is not considered to impact matters under (a) through to (g) provided conditions are adhered to, namely those regarding light and noise spill, which has the potential to affect natural assets within the reserve (birdlife).

For (h), (i) and (j), the site is being fully redeveloped, no cut or fill is required, and a responsive building design is not required.

For (k), the land is not subject to active coastal processes such as sand movement and wave action.

Having regard for the above, and subject to recommended conditions, P1.1 is considered to be met.

For P1.2 as the use and development is not within the spatial extent of tidal waters, the proposal is not reliant on these criteria.

The proposal is considered to comply.

C9.0 Attenuation Code

Though within the attenuation distance of an attenuating activity (Inghams poultry processing site at 82 Main Road), the proposal is not considered to be a sensitive use, and so the C9.0 Attenuation code does not apply. Equally, a fuel station of itself is not an attenuating activity.

C12.0 Flood-Prone Areas Hazard Code

The proposal includes development within a flood prone area, which is for a hazardous use, owing to the quantities of fuel proposed to be stored. The code applies to development of land within a flood-prone hazard area and a use for a habitable building which is defined under the Scheme as a building of Class 1-9 of the Building Code of Australia with a service station and car wash forming a Class 6 building. The Use and Development standards of the code therefore apply.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C12.5.1 A1	Use within a flood-prone hazard area	No – See performance criteria assessment
C12.5.2 A1	Critical use, hazardous use or vulnerable use	No – See performance criteria assessment
C12.5.2 A3	Critical use, hazardous use or vulnerable use	No – See performance criteria assessment
C12.6.1 A1	Buildings and works	No – See performance criteria assessment

Performance Criteria Assessment 10 – Clause C12.5.1 (P1) Use within a flood-prone hazard area

The proposal is for a use within a flood-prone hazard area for which there is no acceptable solution. The proposal is therefore reliant on the performance criteria, P1.2, which requires:

A flood hazard report also demonstrates that:

- (a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or*
- (b) the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.*

The Flood Hazard Report submitted with the application indicates the site forms most of the flood catchment with overland flow characterised by localised sheet flow directed towards the western lot boundary prior to discharging to Orierton Lagoon. Flood analysis shows the proposed development areas are located within close vicinity to the shallow overland flow, more prominently near the car wash and proposed building area with majority of the flood depths rated low (H1) hazard rating in the 1% AEP plus climate change event. This means the site is considered generally safe for all ages, and structures.

The Flood Hazard Report concludes the proposed use can achieve a tolerable risk to flooding over its asset life, assuming the recommendations of the report are implemented which seek to address the minor risks associated from erosion and debris movement during a flood event.

Having regard for the above, the proposal is considered to comply.

Performance Criteria Assessment 11 – Clause C12.5.2 (P1) Hazardous use within a flood-prone hazard area

The proposal is for a hazardous use within a flood-prone hazard area for which there is no acceptable solution. The proposal is therefore reliant on the performance criteria, P1, which requires:

A critical, hazardous, or vulnerable use within a flood-prone hazard area must achieve a tolerable level of risk from flood, having regard to:

- (a) the type form and duration of the use; and*
- (b) a flood hazard report that demonstrates that:*
 - (i) any increase in the level of risk from flood does not warrant any specific hazard reduction or protection measures; or*

- (ii) *the use can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.*

The Flood Hazard Report submitted with the application demonstrates the proposed hazardous use can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the life of the use without requiring any flood protection measures.

Having regard for the above, the proposal is considered to comply.

Performance Criteria Assessment 12 – Clause C12.5.2 (P3) Hazardous use within a flood-prone hazard area

The proposal is for a hazardous use within a flood-prone hazard area for which there is no acceptable solution. The proposal is therefore reliant on the performance criteria, P1, which requires:

In addition to the requirements in clause C12.5.2 P1, the impact of flood on a hazardous use within a flood-prone hazard area must achieve and maintain a tolerable risk, having regard to:

- (a) the health and safety of people;*
- (b) any impact on property;*
- (c) any impact on the environment;*
- (d) the advice contained in a flood hazard report; and*
- (e) any advice from a State authority, regulated entity or a council.*

As discussed above, the Flood Hazard Report concludes the proposed hazardous use will achieve and maintain a tolerable risk subject to the engineering design recommendations made within the report being implemented.

Having regard for the above, the proposal is considered to comply.

Performance Criteria Assessment 13 – Clause C12.6.1 (P1.1 & P1.2) Buildings and Works

The proposal involves buildings and works within a flood-prone hazard area for which there is no acceptable solution. The proposal is therefore reliant on the performance criteria, P1.1 and P1.2, which requires:

P1.1

Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:

- (a) the type, form, scale and intended duration of the development;
- (b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;
- (c) any advice from a State authority, regulated entity or a council; and
- (d) the advice contained in a flood hazard report.

P1.2

A flood hazard report also demonstrates that the building and works:

- (a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and
- (b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.

The Flood Hazard Report submitted with the application indicates there is no requirement to provide hazard reduction protection measures, there would be no increase in the level of risk within the lot, adjacent land and to surrounding infrastructure and can maintain and achieve a tolerable risk from flooding without mitigation measures provided the recommendations of the report are implemented. A condition is recommended requiring the recommendations of the Flood Hazard Report to be implemented.

Having regard for the above the proposal is considered to comply.

C13.0 Bushfire-Prone Areas Code

The proposal is for a hazardous use, owed to the quantities of fuel proposed to be stored.

Applicable Code standards		
Clause	Matter	Complies with acceptable solution?
C13.5.2 A1	Hazardous Uses	No – See performance criteria assessment
C13.5.2 A2	Emergency Management Strategy	Yes, the proposal is supported by an emergency management strategy which has been endorsed by the TFS.
C13.5.2 A3	Bushfire Hazard Management Plan	Yes, the proposal is supported by a bushfire hazard management plan, which has been certified by an accredited person.

Performance Criteria Assessment 14 – Clause C13.5.2 (A1) Hazardous uses

A hazardous use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:

- (a) *the location, characteristics, nature and scale of the use;*
- (b) *whether there is an overriding benefit to the community;*
- (c) *whether there is no suitable alternative lower-risk site;*
- (d) *the emergency management strategy (hazardous use) and bushfire management plan; and*
- (e) *other advice, if any, from the TFS.*

The proposal complies with the code through the provision of an accredited persons bushfire hazard report, which s52(2)(d) of LUPAA requires the planning authority to accept.

The use is typical of an urban area, and the site characteristics are capable of supporting a hazardous use of this type, as is evident in the endorsed strategy.

For (b) on balance of the extent to which the risk is tolerable and capable of management the relatively neutral benefit of a service station is supported.

For (c), A Vehicle Fuel Sales and Service use is permitted in only a few zones as applied in the area. Within Sorell, there are no sites which have similar access suitability to a main road, which are also within the Light Industrial Zone. For the General Business Zone, where the use would be *discretionary*, such sites in Sorell tend to be surrounded by residences making them less suitable for the proposed 24/7 use.

For (d), the Emergency Management Strategy supplied has been endorsed by the Tasmania Fire Service.

For (e), the Tasmania Fire Service have provided endorsement of the Emergency Management Strategy

Having regard for the above, the proposal is considered to comply.

C14.0 Potentially contaminated land code

The proposal is for development on a site where domestic scale engines and machinery have been repaired, such as motorcycles, chainsaws and lawn mowers. This is not considered to constitute a contaminating activity as listed within the Table C14.2 Potentially contaminating activities. The code therefore does not apply.

C16.0 Safeguarding of Airports Code

The proposal is within an airport obstacle limitation area, though does not exceed 137mAH, being the lower limit applicable to the site (ranges between 137mAH and 152mAH). The proposal is therefore exempt per clause C16.4.1 (a).

External Referrals

The proposal has been referred to a number of Agencies and regulators external to the Sorell Council. Responses to the referrals are outlined below:

1. TasNetworks

The proposal has been referred to TasNetworks which has provided advice to be appended to the permit.

2. TasWater

The proposal has been referred to TasWater, which has provided a submission with conditions to be appended to any permit.

3. State Growth

The proposal has been referred to the Department of State Growth which has provided recommended conditions of approval relating to works required within the State road reservation.

4. Department of Natural Resources and the Environment (DNRE)

Conservation Assessment and Wildlife Services (CAS)

The proposal was referred to the Conservation Assessment and Wildlife Services (CAS) to assist in the assessment of impacts to natural values either on site or within proximity to the site. Importantly the proposal does not seek any use or development of reserve land; the opportunity for offsite impacts are nevertheless considered relevant.

CAS Referral response:

Threatened fauna

Shorebirds

There are records of shorebirds listed under the *Threatened Species Protection Act 1995* (TSPA) and/or *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) within 500 m of the impact site. The species listed in the table below may have habitat nearby. This list is not exhaustive.

Species name	Common name	TSPA	EPBC Act
<i>Numenius madagascariensis</i>	Eastern curlew	Endangered	Critically endangered
<i>Tringa nebularia</i>	Common greenshank		Endangered
<i>Podiceps cristatus</i>	Great crested grebe	Vulnerable	
<i>Calidris ferruginea</i>	Curlew sandpiper		Critically endangered
<i>Calidris canutus</i>	Red knot		Vulnerable
<i>Calidris acuminata</i>	Sharp-tailed sandpiper		Vulnerable

Light pollution

Shorebirds can be negatively impacted by light pollution, especially at night. Light pollution can disrupt the natural behaviours of shorebirds, such as breeding and feeding, and can make their nesting sites more visible to competitors and predators.

To minimise disturbance to shorebirds, it is recommended that the proposed construction activities are conducted during daylight hours, where possible, and that illumination of the proposal footprint at night is minimised. If there is to be any form of night-time lighting associated with the construction area for safety or other reasons, illumination should be kept to a minimum and emit only red light where possible.

It is recommended that the principles outlined in the Department of the Environment and Energy [National Light Pollution Guidelines for Wildlife](#) are incorporated into the lighting design for the proposed construction works to reduce the impacts of artificial light during nighttime hours. Appendix A - Best Practice Lighting Design is particularly relevant.

Live-bearing seastar (*Parvulastra vivipara*)

The proposed development is adjacent to the Pitt Water-Orielton Lagoon Ramsar site. There are numerous records of the live-bearing seastar, which is listed as endangered under the TSPA and vulnerable under the EPBC Act, within the Ramsar site and within 1 km of the potential impact area. The live-bearing seastar is sensitive to degraded water quality resulting from chemical and nutrient pollution. Construction activities within or adjacent to the intertidal zone may also inadvertently lead to water pollution through input of chemicals or silt into the ocean from the construction site. It is recommended that runoff from the proposed construction works is managed in order to ensure that all chemical contaminants and sediment

are contained within the site and not allowed to enter the adjacent waterway.

Acid sulfate soils

The risk of encountering potential acid sulfate soils (PASS) in the marine and intertidal sediments in the area is considered to be high. The highest risk is in the intertidal zone. In this zone, disturbing the sediment can result in acid sulfates being oxidised, which can lead to rapid acidification of the water column. Some heavy metals become more mobile as the environment becomes more acidic, meaning that the heavy metals become more available for uptake by biological organisms. This is less of a risk in the sub-tidal sediment, because it is less likely to be exposed to air. It is still recommended to minimise disturbance of sub-tidal sediment where possible.

It is strongly recommended that, before proposed activities commences, the proponent demonstrate how they will manage the potential for the proposed activity to disturb acid sulfate soils (ASS) and monitor impacts according to the National Acid Sulfate Soils Guidance and Tasmanian Acid Sulfate Soil Management Guidelines (the ASS Guidelines).

Please note that the ASS Guidelines specify that a management plan is required for an activity if >100 m³ ASS material is likely to be disturbed during the construction phase. The management plan should:

- clearly describe and detail construction techniques,
- include a risk assessment and
- describe management and monitoring activities.

Specialised guidance on dredging ASS is available in the National Acid Sulfate Soils Guidance document.

Planners Comment

In response to the above, the requirements of the Construction Management Plan to be prepared and endorsed by Council's General Manager must include responses to those items raised by CAS, specifically related to lighting, sediment run off and the potential for acid sulfate soils. Further and ongoing, conditions are recommended to be imposed which relate to lighting of the proposal and mitigating the potential for light spill into sensitive areas.

Tasmania Parks and Wildlife Service

The proposal has been referred to Tasmania Parks and Wildlife Service. Importantly the proposal does not include any use or development of land within the Pitt Water Nature Reserve, though the advice of Parks was sought to assist in the assessment of offsite impacts of the proposal.

PWS Comments

The property is adjacent to Pitt Water Nature Reserve (the reserve) – land formally reserved for conservation purposes. The reserve provides habitat for migratory and resident birds, is an important estuarine ecosystem and an essential nursery for marine life. The reserve is part of the major summer feeding grounds for migratory shorebirds in Tasmania and the most southern in Australia. Orielson Lagoon in its entirety is identified migratory bird, as well as resident shorebird, habitat.

There is a statutory management plan in place for the reserve. PWS encourages Sorell Council to take into consideration the 'Guidelines for development' on adjacent lands that may adversely affect the values of the reserve (see Appendix 3 of the Pitt Water Nature Reserve Management Plan (2013)).

It is also noted here that the reserve largely overlaps with the Pitt Water-Orielson Lagoon Ramsar Site. The Site was included on the list of Wetlands of International Importance under the Ramsar convention on wetlands on 16 November 1982.

In general, development and use proposals adjacent to reserved land should be designed, constructed and operated in a manner that negative impacts to the reserved land are avoided, or if this is not possible, then impacts should be minimized. PWS considers that the development as proposed is likely to negatively impact the adjacent reserved land.

The following potential impacts have been identified, inclusive of information requests.

Encroachment – Construction Footprint

According to the site layout, a passenger vehicle road will lead around the wash bays, allowing cars to exit the wash bays in a forward direction. This road passes close to the site boundary with the reserve. It is unclear how close the road will be sited to the site boundary. PWS considers that the construction footprint is wider than the development footprint, accounting for a disturbance buffer. No construction management documentation has been provided. It is unclear whether the road can be constructed without machinery and disturbance from construction encroaching into the reserve.

Information requested:

- Please clarify how close the road will be sited to the property boundary.
- Please clarify what the construction footprint is (development footprint + disturbance buffer) and show this on a map to demonstrate that the construction footprint will not encroach into the reserve.

Planners Comment

A condition regarding the extent of the development, as a matter of clarity, is recommended to be imposed. It is understood there is no intention for any works to occur outside of the subject site.

Encroachment – Bushfire Hazard Management

A Bushfire Hazard Report has been prepared for the proposal, and PWS understands that the required Hazard Management Area (HMA) will not impact the reserve. While the bushfire-prone areas code is not mapped adjacent to the reserve, the Bushfire Hazard Report states that bushfire-prone areas are also defined as 'land within 100m of bushfire prone vegetation equal to or exceeding 1 hectare in area' and that 'bushfire prone vegetation includes areas of grasses and shrubs...' (pg. 4). It is unclear whether there is potential for vegetation within the reserve requiring clearing in the future for the purpose of reducing bushfire risk, noting that the Bushfire Hazard Report is based on the vegetation at the time of assessment.

Please note that PWS will not support HMAs on reserved land. Any development proposals must make adequate provisions to ensure HMAs can be contained entirely on the development lot and do not extend into reserved land. In addition, no new roads or tracks will be considered within the reserve to facilitate access to the property for bushfire hazard management purposes. This is consistent with the PWS policy 'Neighbouring Developments and Fire Management Policy'.

Information requested

- Please could you clarify whether there is potential for vegetation within the reserve being impacted in the future to facilitate a HMA for the site, should vegetation change (mature) within the reserve.

Planners Comment

No Bushfire Hazard Management may be undertaken on land external to the subject site, which includes 141 Main Road (Council land), but does not include any Crown land subject to a Reserve.

Construction Management – Acid Sulfate Soils

LISTmap indicates potential for Potential Acid Sulfate Soils (PASS) to occur in the development footprint, including the Council-land. Both cut and fill can disturb PASS and expose them to the air. PASS could be disturbed via compression due to overburden weights from fill material which might push PASS at the margins of the fill area to rise (this is influenced by the weight holding capacity of the underlying soil). Please note that while the mapping indicates a 'low' likelihood, this is somewhat misleading, as it is associated with a 6% to 70% chance of occurrence in the mapping unit.

Inappropriate management of PASS has potential to impact the reserve via runoff from the development footprint.

Information requested:

- Please undertake a desktop risk assessment for the presence of PASS in accordance with the Tasmanian Acid Sulfate Soil Guidelines (the guidelines; Figure 2 on page 4 is particularly helpful). This needs to be undertaken at each individual area of proposed excavation and fill that is located within the predicted mapping.
- If the desktop risk assessment determines likely encounter of PASS, please provide management measures in accordance with the guidelines.

Planners Comment

Though there is no Acid Sulfate Soils code within the planning scheme, matters to be regarded in the preparation of a Construction Management Plan, to be endorsed by Council's General Manager prior to the commencement of works are to include a response to the potential for acid sulfate soils.

Carwash Wastewater

The Stormwater Report states that the wastewater produced by the carwash facility will be released into Orielson Lagoon via the stormwater infrastructure after being treated "to ensure that the petroleum products are 100% removed" (pg. 3). While the nature (as well as quantities) of the wastewater being produced by the carwash facility has not been described, PWS considers that the cleaning chemicals being applied to the vehicles at the carwash facility and subsequently washed off with water also require treatment. A quick search online suggests that laser carwashes use harsher chemicals compared to automatic carwashes that use brushes. PWS considers that the carwash wastewater requires additional treatment to what is proposed.

Further, the water used at the carwash facility will be potable water. As such, the current proposal would likely see a significant increase of freshwater input from the site into the saltwater lagoon.

In general, the proposal to release the carwash wastewater through the stormwater system into Orielson Lagoon appears inappropriate and is not supported by PWS. A quick search online suggests that carwash wastewater needs to be directed to a sewer.

Information requested:

- Please provide clarification on the requirements for the management of carwash wastewater.
- Please provide a considered proposal for the management of the carwash wastewater. If this involves release of the treated wastewater

into Orielton Lagoon, demonstrate how this is not going to have a negative impact on the lagoon (both water quality and increased.

Planners Comment

All wastewater must be directed to the sewer. Stormwater treatment is also proposed for incidental run off outside of bunded areas, stormwater from roofed areas. The use of proprietary secondary treatment devices is considered appropriate.

Stormwater

Noting the comments above in relation to the carwash wastewater, PWS considers that the stormwater proposal may need to be updated.

In general, we understand that the proposal is to collect all runoff/stormwater from the site and treat it prior to release into the existing stormwater lines which drain into Orielton Lagoon. We understand that the stormwater system will be upgraded to include (1) treatment for water quality that removes not only gross pollutants but also reduces sediment and nutrient loads, and (2) detention methods to manage flow rates.

While treatment of stormwater and managing flow rates is supported, PWS notes that the proposal will produce increased volumes of stormwater from the site that will be directed towards Orielton Lagoon. It is also noted here that the submitted documentation indicates a staged proposal, and thus further increase in stormwater volumes from the property can be expected. The management plan for the reserve states that stormwater remains a potential source of nutrients and a threat to the environmental quality of Orielton Lagoon. PWS considers that consideration should be given to stormwater management options that reduce the volume of stormwater being released into Orielton Lagoon, or ensure it is not increased as a result of the development. PWS considers that the stormwater could be captured and re-used on site for other purposes, such as for gardening/watering plants, flushing toilets or for use at the carwash bays. It is unclear whether stormwater reuse options have been considered.

Information requested:

- Please clarify how the stormwater will be directed towards the stormwater pits, in particular adjacent to the reserve boundary. Will this be managed by sloping the pavement and road towards the carwash facility and away from the reserve, or is a side drain proposed at the reserve boundary that will catch runoff from the site and direct it to the pits?
- Please explain how the proposal is in accordance with the State Stormwater Strategy and Water Sensitive Urban Design, including exploring options for avoiding releasing increased volumes of stormwater into the reserve and instead reusing it on site (e.g. toilet flushing, watering gardens/lawns, carwash water).

- PWS considers that stormwater from the fuel station will contain increased levels of hydrocarbons. Please could you confirm that the stormwater system will be able to remove all hydrocarbon prior to release into the lagoon?

Please Comment

It is a recommended condition of approval that engineering drawings be supplied which detail the precise manner in which all stormwater will be directed to a suitably sized stormwater system. It is entirely feasible that all stormwater can be directed to the secondary treatment device, and these devices are designed for hydrocarbon capture of 99.99% efficacy.

Light Emissions

A light impact assessment has been undertaken and a lighting design plan has been developed for the proposal. While the lighting has been designed to standard, it is unclear whether lighting has been minimized (both quantity and quality – color and brightness, which should both be as low as possible). PWS provides the following considerations:

Light colour – lights should have a warm colour temperature, as these emit less of the harmful blue light:

The specifics of the 'Italo 1' luminaire indicates that it comes in a 2200K option; proposed is 2700K. Can the luminaire be replaced with the 2200K option?

The luminaire 'Viper II' comes in a 3000K option; proposed is 4000K. Can the luminaire be replaced with the 3000K option? Can another type of luminaire be used that allows for an even warmer colour temperature to be used (e.g. 2200K as the Italo 1 above)?

Minimising use of lights

Could lights be motion activated? PWS considers that nighttime use of the carwash and vacuum bays will be limited. As such, lighting will not be required continuously in this area.

Similar to the consideration above, the carwash bays and vacuum bays closest to the reserve boundary could be closed overnight (including the lighting for it), due to reduced demand for these facilities.

Could switchable/dimmable lights be used?

Please see some examples for wildlife sensitive design: Wild-Light • WE-EF; and Little Para River Trail - Buckford Illumination Group

PWS notes the proposed pylon sign near the entrance and its proposed orientation – the sign appears to be directly pointing towards the shoreline, rather than being angled towards oncoming traffic from the causeway. This combined with the proposed 8m height could make it a source of light pollution for the reserve.

Further, PWS considers that, due to its height and illumination, the sign may be visually intrusive and may impact the scenic/landscape values and visual amenity of the reserve.

Information requested:

- Please design lighting in accordance with the National Light Pollution Guidelines for Wildlife - DCCEEW; and explain how the lighting is in accordance with said guidelines. Please justify the need for each luminaire, including its location and quality (colour temperature and brightness).
- Please justify the need for an 8m high pylon sign directed towards the reserve and compare it against alternatives. Quantify the light output from the sign and assess its obtrusiveness as viewed from the reserve.

Planners Comment

The consideration of lighting as it may relate to spill is valid, and it is a recommended condition of approval that all lighting must be baffled to prevent spill to the adjoining property. The nature of lighting which is visible external to the site, but which does not of itself illuminate the adjoining land is a specific matter for which the advice of Council's NRM officer has been sought:

As noted by both PWS and CAS, there is clear evidence that artificial light can impact wildlife. Council's challenge is how to apply this in the absence of a clear threshold or locally specific standard. However, the DCCEEW guidelines outline a range of mitigation measures that Council can reasonably seek to have implemented. For this reason, I suggest the developer be required to assess the existing light conditions, model the likely future illumination based on the proposed design, and engage an independent suitably qualified expert to provide recommendations to avoid, minimise and mitigate potential impacts on wildlife and the adjoining reserve.

The proponent is to be directed to the guidelines (National Light Pollution Guidelines for Wildlife – DCCEEW) and consider these in selecting the specific globes for the proposal.

Insofar as conditions may be imposed for a planning purpose, the significance of the RAMSAR wetland of international significance for migratory birds which are sensitive to light and noise, the impact of light is considered relevant in informing proper planning conditions. It is a recommended condition of approval that boundary fencing be installed to reduce light levels and visibility. A revised layout of the light poles too, alongside restriction on lighting of washbays by way of a sensor will reduce lighting impacts.

Noise Emissions

A noise impact assessment (the report) has been undertaken; focused on the adjacent residential properties to the east of the development. Based on the report, PWS has concerns for noise pollution from the proposed development impacting reserve values.

The modelling shows that the two operations closest to the reserve boundary – the carwash facility and the vacuum bays – produce significant noise. It is noted here that there is a discrepancy between the location of the manual vs automatic wash bays between the design plans and figure 4.3 (pg. 18) of the report. Assuming that the design plans are correct, the noisier manual wash bays are closer to the reserve.

While the report identifies the vacuum bays as the main source of noise pollution for the residential properties to the east, PWS notes that the carwash produces equal amounts of noise levels. PWS also notes that automatic carwashes often emit loud beeping noises to indicate start and/or end of cleaning cycles.

PWS considers that mitigation measures will be required to reduce the noise pollution emitted towards the reserve.

PWS queries the need for a 24-hour operation of the carwash and vacuum bays, given that these are non-essential services, combined with the noise and light emissions associated with their operation and their location adjacent to a sensitive environment. PWS considers that hours should be limited (as a minimum consider excluding nighttime as defined by the Noise Regulations – 10pm to 6am)

Information requested:

- In the absence of a detailed proposal, assumptions about the proposed equipment and operations have been made for the noise modelling. Please confirm that the assumptions are correct or alternatively, commit to staying within the limits of the assumptions.
- Justify the need for a 24-hour operation of the carwash and vacuum bays.
- Please update the report to include the reserve (reference points: the reserve boundary with the property and the high-tide mark). PWS considers that the outcome of the assessment as a minimum will require an acoustic barrier to be installed on the boundary to the reserve.

Planners Comment

The nature of the use is, with regard for those matters anticipated by the planning scheme, relevant for impacts to sensitive receivers in the nearby General Residential Zone. Impacts of the nature of a use on natural assets is not available through the applicable standards, which are focused on

the development. Noise is consistently considered within the scheme as a component of *use*.

Notwithstanding this apparent limitation on matters to be considered, conditions may be imposed for a planning purpose. The significance of the RAMSAR wetland is recognised at an international level for providing nesting habitat for migratory birds, and it is understood migratory birds are sensitive to light and noise. The impact of the noise generated by the proposal is therefore relevant to consider in informing proper planning conditions which further the objectives of the Act. For this reason, it is a recommended condition of approval that a fence of particular qualities be installed along the boundary with the Reserve for the purpose of reducing noise levels. This barrier may be one and the same be suitable for the reduction in light levels.

The proposal was referred to Council's NRM officer who provided the following comments:

The current noise assessment appears to focus primarily on impacts to nearby residential properties, with mitigation measures such as noise-dampening walls directed towards residential receivers. It does not appear to adequately assess potential impacts on wildlife or the reserve environment.

I suggest the developer also be required to provide an independent assessment of noise impacts on the reserve and wildlife values, together with appropriate mitigation options. PWS has suggested several practical measures, including limiting the hours of operation for the car wash and vacuum bays and installing acoustic barriers along the reserve boundary.

Subject to independent advice, I would further suggest that the vacuum bays be enclosed within a noise-dampening structure, operate during daylight hours only, and that acoustic barriers be designed to absorb and reduce any noise spill towards the reserve. During construction, the use of electric or low-noise equipment, where available, should also be encouraged to help reduce disturbance.

The significance of the RAMSAR wetland is recognised at an international level for its significance for migratory birds which are sensitive to light and noise, the impact of noise is considered relevant in informing proper planning conditions. Conditions as recommended, being for the fence and consideration of impacts to the reserve for future noise modelling are considered sufficient to address the matters raised by Council's NRM officer.

Disturbance from Human Activity and Dogs

PWS considers that the increased presence of people, as well as dogs at the site (including an increased risk of unrestrained dogs straying into the reserve) has potential to disturb wildlife within the reserve, in particular breeding shorebirds. It is unclear if and how the boundary to the reserve is

currently defined and what the proposal is for boundary definition for the development. It is noted here that the statutory management plan for the reserve identifies as a strategy and action for disturbance from visitor access to prohibit new access points and all public access to the foreshore of Orielson Lagoon to avoid disturbance and trampling.

PWS considers that a suitable fence (height and material) will need to be erected. This fence would need to be dog-proof, and ideally solid to block the view, noting that shorebirds may be disturbed by the sight of dogs in the distance.

Information requested

- Please provide a proposal for boundary definition. PWS requests that consideration is given to a solid fence of sufficient height to block line-of-sight and prevent stray dogs from entering the reserve. The color of the fence must blend in with the natural colors of the surrounding landscape.

Planners Comment

The management of dogs is regulated under the *Dog Control Act 2000*, dogs are not permitted to be off leash in car parks, and the incidence of stray dogs, is considered sufficiently low that a specific condition for a dog proof fence is not warranted. In saying that, the fence to be erected for the purpose of reducing noise and light spill may further serve to reduce the unlikely instance of a stray dog.

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'.

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

Issue	Relevant Clause	Response
Noise/Acoustics	11.3.1 All uses	The proposal is supported by a noise assessment, which includes options. The options each are sufficient to mitigate noise, though do this to varying degrees. It is recognised option 1 will have a greater effect of the reduction of sound pressure at the modelled locations, though both options tend to modelled noise pressure less than the maximums.

		A condition regarding maximum noise levels at set times is recommended to be imposed in any event. Option 2 therefore is considered acceptable.
Odour	11.3.1 All uses	The distances between existing residences and the fuel bowzers are considered sufficient for odour. A condition is recommended to be imposed regarding the implementation of vapour recovery technology.
Environmental Impact	General C7.0 Natural Assets Code	The potential for risk is acknowledged, though mitigating strategies to be implemented during construction, and throughout the development are considered sufficient.
Appearance Character	18.4.5 Landscaping	The proposal is supported by a landscaping plan which will have a softening impact on the appearance of the development. The arrangement of signs and illumination too has been considered with respect to the streetscape, which is acknowledged as containing natural, urban and rural elements. The visibility of the proposal is understood, though the land is within the Industrial Zone, which is an urban zone. Subject to the implementation of landscaping as proposed, the development is considered to comply.
Traffic	C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	The Department of State Growth has provided general comments on the nature of the site and staging – though has consented to the making of the application and provided recommended conditions related to the access works.
Potential encroachment of works to Crown Land	General	No part of the development is specifically proposed within the Nature Reserve, a condition is recommended to affirm the scope as understood from the application documentation.

Bushfire Hazard Management Areas	General	No part of the hazard management area utilises land within the Nature Reserve.
Acid Sulfate Soils	General	A condition is recommended for a construction management plan to be implemented and will require consideration of the potential for acid sulfate soils.
Carwash wastewater	General	Waste water from the carwash is to be directed to the sewer system in accordance with the conditions of TasWater's Submission
Stormwater (Quality and Quantity)	General C2.6.1 Construction of parking areas	The arrangement and treatment of stormwater has been carefully considered, noting the downstream effects pollutants may have on the Pitt Water Lagoon. The treatment of stormwater prior to discharge, in the manner proposed through proprietary treatment devices is supported. The capture and reuse of stormwater to limit flows of freshwater into the Reserve is to be required by way of a condition of the permit
Light Emissions	General C7.0 18.3.1 All uses	The proposal has various light emitters which are required by way of recommended conditions to be either baffled, directed so as to not spill onto any adjoining land, or as is the case for proposed signage – to be limited in its luminance. Further, during construction works, light is to be limited through the observance of approved construction hours. Subject to recommended conditions of approval, the light emissions are managed such that undue impacts are limited.
Noise as an emission with potential to affect wildlife	18.3.1 All uses	The immediate standards of the planning scheme require consideration of noise with respect to receivers in the General Residential Zone. It is however a reasonable consideration to have regard for wildlife within the adjoining reserve, and a condition is recommended to be imposed that a fence be erected along the boundary with the reserve, and

		this fence where constructed with solid timber will have a mitigating effect on noise, as well as headlight shine, rubbish and human interference with the Reserve.
Dogs and Human activity	General	The planning scheme does not specify the interaction of people at commercial sites which adjoin Reserves. It is however a reasonable consideration to have regard for wildlife within the adjoining reserve, and a condition is recommended to be imposed that a fence be erected along the boundary with the reserve, and this fence where constructed with solid timber will have a mitigating effect on noise, as well as headlight shine, rubbish and human interference with the Reserve.

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

Attachments:

Architectural drawings and concepts, prepared by Meyer Shircore Architects, dated August 2025, received 19 December 2026
Representations x 3

Separate Attachments:

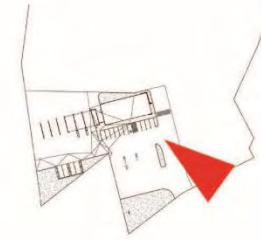
- *Planning Report from Apex Planning*
- *Bushfire Hazard Report and Planning Certificate, authored by Mr Roger Fenwick, dated 22 August 2025*
- *Noise Impact Assessment, authored by NVC (Noise Vibration Consulting), dated 05 August 2025*
- *Traffic Impact Assessment, authored by Hubble Traffic, dated August 2025*
- *Stormwater Report, 139 Main Road, Sorell, authored by Joe Mamic & Associates, undated, received 19 December 2025*
- *Atlan Stormwater; tech data submission with appendices, authored by Atlan Stormwater, received 01 September 2025*
- *Flood Hazard Report, dated 11 February 2026, authored by Flussig Engineers, received 20 February 2026*



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

- *Light Impact Assessment: Proposed Petrol Station Development, dated 4 November 2025, authored by Rubidium Light, received 19 December 2026*
- *Lighting and signage plan, prepared by rubidium light, dated 04 November 2026, received 19 December 2026.*
- *Landscaping Plan, dated 10 November 2025, prepared by Lange Design, received 19 December 2026*
- *Concept Sewer and Water Servicing Designs, prepared by Flussig Engineers dated 22 April 2026*



Sorell Council
Development Application 25-0005-004-1
Preparation of Required Form Information - 100
Main Street, Sorell, TAS 7172
Date received: 14/10/2025

PRELIMINARY

meyer
shircore
architects

PROPOSED COMMERCIAL DEVELOPMENT

LOCATION : LOT 1 (HIN 138) MAIN ROAD, SORELL, TAS 7172
FOR : CLIENT



DATE:
REVISION:
SHEET:

AUG 2025
SKD/14
0000
PROJECT NUMBER
25-9586
SHEET 1 OF 1
© MEYER SHIRCORE ARCHITECTS



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

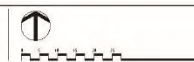


LOCATION PLAN
SCALE: 1:2000



PROPOSED COMMERCIAL DEVELOPMENT

LOCATION: LOT 1 (HN 139) MAIN ROAD, SORELL, TAS 7172
FOR: CLIENT



DATE: AUG 2025 PROJECT NUMBER
REVISION: SHS/14 25-9586
SHEET: 0
SCALE: 1:1 2000 @101 1:2000
DRAWN BY: SHS/14
CHECKED BY: SHS/14
DATE: 14 JUL 2026



AGENDA

SOORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026



DEMOLITION PLAN
SCALE: 1/8"=1'-0"

FOR : CLIENT



DATE:	AUG 2025	PROJECT NUMBER	25-9586
REVISION:	SK014		
SHEET:	4		
SCALE:	1:500 @91		





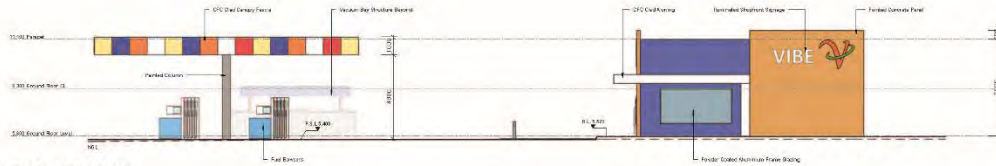
PROPOSED COMMERCIAL DEVELOPMENT
LOCATION: LOT 1 (HN 139) MAIN ROAD, SORELL, TAS 7172
FOR: CLIENT



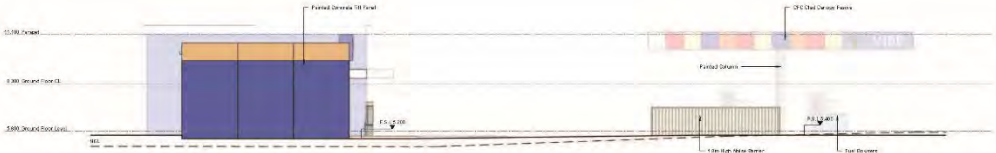
DATE: AUG 2023 PROJECT NUMBER: **25-9586**
REVISIONS: SK 014
SHEET: 5
SCALE: 1:200 @B1



AGENDA
SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

**EAST ELEVATION**

SCALE: 1:100

**WEST ELEVATION**

SCALE: 1:100

**NORTH ELEVATION**

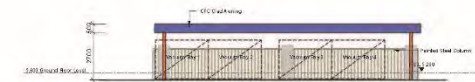
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**SOUTH ELEVATION (MAIN ROAD)**

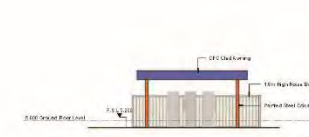
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**SOUTH ELEVATION (CANOPY)**

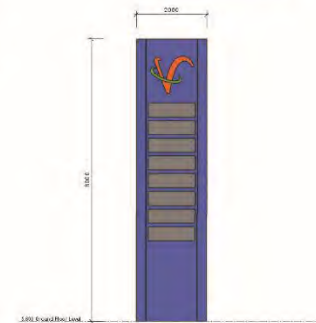
SCALE: 1:100

**VACUUM BAY ELEVATION - NORTH WEST**

SCALE: 1:100

**VACUUM BAY ELEVATION - SOUTH WEST**

SCALE: 1:100

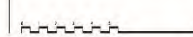
**PYLON SIGN ELEVATION**

SCALE: 1:100

meyer
shircore
architects

PROPOSED COMMERCIAL DEVELOPMENT

LOCATION: LOT 1 (HN 139) MAIN ROAD, SORELL, TAS 7172
FOR: CLIENT



DATE: AUG 2025
REVISION: 0001
SHEET: 6
SCALE: As Indicated
PROJECT NUMBER: 25-9586
DRAWN BY: J. GIBSON
CHECKED BY: J. GIBSON
DATE OF PRELIMINARY DESIGN: 14 JUL 2026
DATE OF PRELIMINARY DESIGN: 14 JUL 2026

**AGENDA**

SOIRELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026



VIEW 1
SCALE



VIEW 2
SCALE



VIEW 3
SCALE



meyer
shircore
architects

PROPOSED COMMERCIAL DEVELOPMENT

LOCATION : LOT 1 (HN 139) MAIN ROAD, SORELL, TAS 7172
FOR : CLIENT

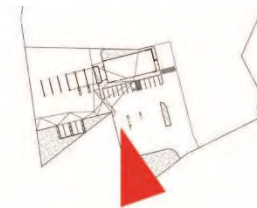


DATE: AUG 2025 PROJECT NUMBER
REVISION: 5/014 **25-9586**
SHEET: 7
SCALE: @01



AGENDA

SOORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026



Sorell Council
 Development Application: 5.2025.224.1 -
 Response to Request For Information - 139
 Alan Ford, Sorell, P2.pdf
 Plans & Information P2
 Date received: 19/12/2025

meyer
shircore
 architects

PROPOSED COMMERCIAL DEVELOPMENT

LOCATION: LOT 1 (HN 139) MAIN ROAD, SORELL, TAS 7172
 FOR: CLIENT

NOT
 TO SCALE
 TRUED

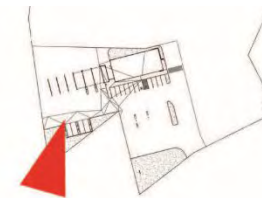


DATE: AUG 2025 PROJECT NUMBER:
 REVISION: SK014 **25-9586**
 SHEETS: 1: 6
 SCALE: 1:1000 @01
 S:\Projects\2025\25-9586\25-9586.dwg
 19/12/2025



AGENDA

SOURELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

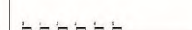


Sorell Council
 Development Application: 5.2025.234.1 -
 Response to Request For Information - 139
 Main Road, Sorell - P2.pdf
 Plans Reference: P-2
 Date received: 19/12/2025

meyer
shircore
 architects

PROPOSED COMMERCIAL DEVELOPMENT

LOCATION : LOT 1 (HN 139) MAIN ROAD, SORELL, TAS 7172
 FOR : CLIENT



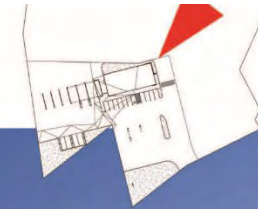
DATE: AUG 2025 PROJECT NUMBER
 REVISION: SW014 **25-9586**
 SHEET: 1: 5
 SCALE: 1:1000 @951



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

Sorell Council
 Planning Application S 2025 234-1
 Response to Request For Information - 139
 Plans Drafted: 10/12/2025
 Web received: 10/13/2025



meyer
shircore
 architects

PROPOSED COMMERCIAL DEVELOPMENT

LOCATION: LOT 1 (HN 139) MAIN ROAD, SORELL, TAS 7172
 FOR: CLIENT

DATE
 REVISION
 SHEET
 SCALE



DATE: AUG 2025 PROJECT NUMBER:
 REVISION: SK014 **25-9586**
 SHEET: 1: 10
 SCALE: 1000 @B1



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

From: [REDACTED]
 Subject: [Sorell Council](#)
 Application 5.2025-224.1 representation
 Date: Wednesday, 20 May 2026 8:20:48 AM
 Attachments: [inky-injection-inliner-03755809cc10337ec572b1f12a6beedf.png](#)
[inky-injection-inliner-239761ff400e110ea6b895ece084a6bf.png](#)



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To whom it may concern,

I am writing to express my concerns regarding application no, 5.2025-224.1 for a proposed service station and car wash development at 139 Main Road, Sorell.

My concerns are as follows:

- **Acoustics**
 Night time operations are "... predicted to exceed the measured background noise level during the night time". The proponent has rejected the best practice option (option 1) and instead chosen the acceptable option (option 2). Why have they chosen not to implement best practice? There is clearly a perceptible difference between the two options as per table 5.1 in the Noise Impact Assessment. Noise levels due to heavy vehicles is not mitigated when implementing option 2, nor is the auto car wash. As a minimum approval should be condition on the proponent implementing option 1. Fuel & stock delivery frequency is noted however time restrictions are not and should be adequately addressed as per the TPS 18.3.
- **State Growth comments**
 Fiona McLeod comments that "further intensification in the use of the site appears likely to be problematic." As such development of the site should be, at a minimum, deferred until the implementation of the highway upgrade.
- **Odour**
 The proponent does not adequately address concerns over odour emissions raised in the RFI. If the three dot points were considered adequate to address this then the same dot points could be applied to acoustics, traffic, fire hazard, etc. in lieu of reports by appropriately qualified individuals.
- **Environmental concerns**
 In the RFI item 14 addresses the adjacent internationally significant wetland. This development contains inherent risk, no matter how controlled, of run off of fuels, oils, lubricants, and other chemicals into the adjacent wetland. Due to the volume of these materials to be stored on the site and the significance of the wetland, any risk should be deemed unacceptable and a development of this nature should be rejected.
- **Appearance/character**
 Sorell is a rural town and as it stands entering Sorell from Midway Point presents this. Changing this to a highly illuminated service station and car

wash is directly in conflict with this appearance/character. If this development were needed, perhaps it would be desirable. However Sorell is presently serviced by four other service stations, including one 24 hour site. This application does not demonstrate this need. The 'prime location' would be better served with a more fitting development to the towns character.

Thank you for your consideration. I would appreciate it if I could be notified of the outcome of this application.



From: [REDACTED]
To: [Sorell Council; Sorell Council](#)
Subject: General Manager - Development Application #5.2025-224.1
Date: Sunday, 31 May 2026 1:34:16 PM
Attachments: [inky-injection-inliner-03755809cc10337ec572b1f12a6beedf.png](#)
[inky-injection-inliner-239761ff400e110ea6b895ece084a6bf.png](#)

 **Caution:** [REDACTED] 
 First-Time Sender [Details](#)
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[REDACTED]

General Manager
 Sorell Council

Re: Development Application #5.2025-224.1 – 139 Main Road, Sorell, Tas, 7172

Submission Regarding Proposed Noise Abatement Measures

Dear Sir/Madam,

We are writing in relation to the above development application for the proposed service station at 139 Main Road, Sorell and, in particular, the proposed noise mitigation measures identified within the application documentation.

We understand that two noise abatement options have been identified and that the applicant is seeking approval to proceed with Option 2. We respectfully request that Council require Option 1 noise abatement measures as a condition of any planning approval.

Our property is located approximately 40 metres from the proposed development and is one of the residences most directly affected by the operation of the service station. We note that our residence was identified in the acoustic assessment as

"Location A – Short Term Noise Measurement Location", indicating that it was considered a representative receptor for assessing the potential impacts of the development. We therefore believe the potential effects on our property warrant careful consideration.

Two bedrooms within our home face directly towards the development site and are therefore likely to be exposed to noise generated by the facility. Given that the proposed service station is intended to operate on a 24-hour basis, any increase in noise has the potential to adversely affect sleep, comfort, and the quiet enjoyment of our home, particularly during evening and overnight periods when background noise levels are typically lower.

As existing residents, we consider it reasonable to expect that bedrooms and private outdoor living areas can be used without undue disturbance from a neighbouring commercial development operating throughout the night. The location of these bedrooms directly facing the proposed development increases our concern that operational noise may have an unreasonable impact on our household.

In addition, our primary outdoor entertaining and recreational area is located at the northern end of our property and western end of outdoor entertaining area is facing the proposed development. This area is regularly used by our family and visitors and forms an important component of our property's residential amenity. Increased operational noise from the service station would reduce our ability to comfortably use and enjoy this outdoor living space.

The inclusion of multiple car wash and vacuum bays is of particular concern given their proximity to existing residential properties. Unlike many commercial activities that are largely contained within buildings, these facilities operate in open-air environments where noise may travel more readily to neighbouring residences. The potential impact on nearby bedrooms and private outdoor living areas should therefore be carefully considered when determining the appropriate level of noise mitigation.

Given the nature of the proposed development, which includes a 24-hour service station, three automatic car wash bays, three manual car wash bays, and four vacuum bays, it is particularly important that the highest available level of noise mitigation be implemented. In addition to vehicle movements, customer activity, engines idling, vehicle doors opening and closing, and fuel deliveries, the development is likely to generate noise associated with car washing equipment, dryers, high-pressure water systems, vacuum units, and customer use of these facilities. These activities have the potential to create intermittent and ongoing noise throughout the day and night and may be especially noticeable during evening and

overnight hours when ambient noise levels are lower.

The acoustic assessment identifies Option 1 as the "Best Practice" noise mitigation solution and Option 2 as an "Acceptable" solution. We respectfully submit that where a best-practice outcome has been identified as achievable, particularly for a 24-hour commercial development located in close proximity to existing residences, it should be preferred over a solution that merely meets an acceptable minimum standard.

Option 1 involves the construction of a 2.1 metre high acoustic barrier extending along the eastern side of the proposed development area, thereby providing acoustic screening between the development and surrounding residential properties. The barrier is to have a minimum surface mass of 15 kg/m², contain no gaps, and provide continuous screening along the eastern boundary. In contrast, Option 2 proposes a lower 1.8 metre barrier located only around the vacuum bay area.

Given the range of noise-generating activities associated with the proposed development, including fuel sales, customer vehicle movements, three automatic car wash bays, three manual car wash bays and four vacuum bays, we believe that a barrier protecting only the vacuum bays does not provide the same level of protection as a continuous acoustic barrier along the eastern boundary.

While we appreciate the need for development and economic activity within the municipality, we believe that where a higher standard of mitigation has been identified as achievable, it should be adopted to minimise impacts on neighbouring residents. Once a development is approved and operational, noise impacts can be difficult and costly to address. It is therefore prudent to implement the most effective mitigation measures from the outset.

In addition to the acoustic benefits, Option 1 would also provide a visual screening element between the service station and neighbouring residential properties. This additional screening would reduce the visual impact of the development when viewed from nearby homes and outdoor living areas. The combined benefit of improved noise attenuation and visual buffering would assist in creating a more appropriate interface between a 24-hour commercial operation and surrounding residential land uses.

We are also concerned that ongoing noise impacts associated with a 24-hour operation may reduce the attractiveness and desirability of neighbouring residential properties. A reduction in residential amenity can have broader consequences for residents and may adversely influence perceptions of property value and neighbourhood liveability. While we acknowledge that property values are affected

by many factors, preserving residential amenity remains an important consideration for maintaining the quality and desirability of the surrounding residential area.

The planning system seeks to balance development opportunities with the protection of existing residents from unreasonable impacts. In our view, requiring Option 1 noise abatement measures would better achieve that balance by providing greater protection for nearby homes, reducing the likelihood of future complaints, and ensuring that the development can operate in a manner that is compatible with surrounding residential uses.

Conclusion

For the reasons outlined above, we respectfully request that Council require Option 1 noise abatement measures as a condition of any approval granted for the development at 139 Main Road, Sorell.

The applicant's own acoustic assessment identifies Option 1 as the best-practice noise mitigation outcome. Given the proposed 24-hour operation of the service station, the inclusion of six car wash bays and four vacuum bays, the close proximity of neighbouring residences, and the fact that our property was selected as a representative noise receptor within the acoustic assessment, we believe there is a compelling basis for Council to require the implementation of Option 1.

Requiring a continuous 2.1 metre acoustic barrier along the eastern boundary would provide greater protection of residential amenity, improved visual screening, and a more appropriate long-term outcome for existing residents than the lower and more limited barrier proposed under Option 2.

We respectfully request that Council adopt the best-practice option and condition any approval accordingly.

Thank you for considering our submission.

Yours faithfully,



Robert Higgins
General Manager
Sorell Council
47 Cole Street, Sorell TAS 7172

Email: sorell.council@sorell.tas.gov.au

Dear Robert,

5.2025.224.1 – Development Application – 139 Main Road, Sorell – Service Station and Carwash

Thank you for the notification of planning application 5.2025.224.1 for a service station and carwash at 139 Main Road, Sorell. The [REDACTED] the land manager for the adjoining Pitt Water Nature Reserve.

PWS previously provided comments on this proposal to Sorell Council in response to a referral pre-advertising. Further email exchanges with Council occurred following our initial comments.

We understand that the updates to the Development Application (DA) since our initial comments pertain to the inclusion of a Flood Report. This report does not affect our comments. Our comments generally remain the same as provided on 20 January 2026. Noting that our initial comments were phrased as information requests, we provide these updated comments, acknowledging that our comments are recommendations and advice for Council's consideration.

Please be aware that the classification of Nature Reserve is afforded the highest level of environmental legislative protection. Please also be aware that Orielton Lagoon is part of a RAMSAR listed site.

There is a statutory management plan in place for the reserve. PWS encourages Sorell Council to take into consideration the 'Guidelines for development' on adjacent lands that may adversely affect the values of the reserve (see Appendix 3 of the Pitt Water Nature Reserve Management Plan (2013).

Matters that PWS would like to raise for Council to consider in regard to the application are identified below.

Potential Encroachment – Construction Footprint

According to the site layout, a road will be passing close to the site boundary with the reserve. It is unclear how close this road is to the boundary, and as such, whether there is a risk of encroachment from construction works. Please be advised that all works, including operation of

machinery, must be contained within the boundaries of the proponent's property. An encroachment without authority from PWS may constitute an offence under the *National Parks and Reserves Management Regulations 2019*.

Bushfire Hazard Management Area

Please note that PWS will not support HMAs on reserved land. Any development proposals must make adequate provisions to ensure HMAs can be contained entirely on the development lot and do not extend into reserved land. In addition, no new roads or tracks will be considered within the reserve to facilitate access to the property for bushfire hazard management purposes. This is consistent with the PWS policy 'Neighbouring Developments and Fire Management Policy'.

PWS understands that the required Hazard Management Area (HMA) for this proposal will not impact the reserve, and PWS supports this.

Construction Management – Acid Sulfate Soils

LISTmap indicates potential for Potential Acid Sulfate Soils (PASS) to occur in the development footprint, including the Council-owned land. Both cut and fill can disturb PASS and expose them to the air. PASS could be disturbed via compression due to overburden weights from fill material which might push PASS at the margins of the fill area to rise (this is influenced by the weight holding capacity of the underlying soil).

Please note that while the mapping indicates a 'low' likelihood, this is somewhat misleading, as it is associated with a 6% to 70% chance of occurrence in the mapping unit.

Inappropriate management of PASS (should it be present) has potential to impact the reserve via runoff from the development footprint.

PWS recommends that the proponent undertake a desktop risk assessment for the presence of PASS using the Tasmanian Acid Sulfate Soil Guidelines (the guidelines). If encounter of PASS is likely, management measures in accordance with the guidelines should be implemented.

Carwash Wastewater

Acknowledging our previous comments relating to the carwash wastewater, we now understand that the carwash wastewater will not be released into Orielton Lagoon via the stormwater system but instead, will be captured via the sewer system for treatment. PWS supports this and has no further comments.

Stormwater

We understand that the proposal is to collect all runoff/stormwater from the site and treat it prior to release into the existing stormwater lines which drain into Orielton Lagoon. We understand that the stormwater system will be upgraded to include (1) treatment for water quality that removes not only gross pollutants but also reduces sediment and nutrient loads, and (2) detention methods to manage flow rates.

PWS supports the proposed collection and treatment of all stormwater and management of flow rates.

We also understand that the treatment system will remove hydrocarbons. We consider that stormwater from the fuel station will contain increased levels of hydrocarbon (compared to proposals that are not fuel stations). We recommend that Council ensures they are satisfied that the treatment system will be able to remove these increased levels of hydrocarbons.

While the stormwater will be treated, we note that the proposal will produce increased volumes of stormwater from the site that will be directed towards Orielton Lagoon. It is also noted here that the submitted documentation indicates a staged proposal, and thus, further increase in stormwater volumes from the property can be expected. The management plan for the reserve states that stormwater remains a potential source of nutrients and a threat to the environmental quality of Orielton Lagoon.

PWS recommends that consideration is given to stormwater management options that reduce the volume of stormwater being released into Orielton Lagoon, or ensure it is not increased as a result of the development. Stormwater could be captured and re-used on site for other purposes,

such as for gardening/watering plants, flushing toilets or for use at the carwash bays.

PWS is unclear how the stormwater will be directed towards the stormwater pits, in particular adjacent to the reserve boundary (for instance, whether this will be managed by sloping the pavement and road towards the carwash facility and away from the reserve, or whether there is a side drain proposed at the reserve boundary that will catch runoff from the site and direct it to the pits). We recommend that Council ensures that they are satisfied that stormwater collection/retention methods are appropriate such that no untreated stormwater enters the reserve.

Light Emissions

A light impact assessment has been undertaken, and a lighting design plan has been developed for the proposal. While the lighting has been designed to standard, it is unclear whether lighting has been minimized, in both quantity and quality (colour and brightness).

PWS also notes the proposed pylon sign near the entrance and its proposed orientation – the sign appears to be pointing towards the shoreline, rather than being angled towards oncoming traffic from the causeway. This combined with the proposed 8m height could make it a source of light pollution for the reserve, if there is direct line-of-sight. We recommend this is clarified, as well as consideration of alternatives that may be less obtrusive.

PWS recommends that lighting is designed in accordance with the [National Light Pollution Guidelines for Wildlife](#).

Minimizing light pollution, particularly towards the reserve and towards the sky (sky glow), could be achieved via several means:

- Minimizing the use of lights, through
 - Minimizing the number of lights
 - Using motion-activated lights
 - Using switchable/dimmable lights
 - Restricting hours of operation*
 - Restricting use of the carwash and vacuum bays to those closest to the service station at nighttime
- Using warm colour temperatures as these emit less of the harmful blue light. We recommend a maximum colour temperature of 2700K; but ideally 2200K.
- Minimizing light spill into the reserve and into the sky (sky glow) through design, placement and use of barriers.

PWS also recommends that light pollution is considered during construction works. In the first instance, we recommend that construction works are undertaken during daylight hours to avoid the need for artificial light at night. If this is not possible, light at night during the construction phase should be minimized, following the principles of the *National Light Pollution Guidelines for Wildlife*.

*PWS understands that both the petrol station and the carwash and vacuum bays will operate 24 hours. While we understand the need for a 24-hour operation of a service station, we consider that carwash and vacuum bays are non-essential services. As these are located immediately adjacent a Nature Reserve and produce light and noise emissions, PWS recommends that their operating hours are restricted to reduce the light and noise pollution towards the reserve. We suggest that operation is restricted to between 7am and 10pm, consistent with the noise restrictions for Fixed Equipment in the *Environmental Management and Pollution Control (Noise) Regulations*.

Noise Emissions

A noise impact assessment (the report) has been undertaken; focused on the adjacent residential properties to the east of the development. The modelling shows that the two operations closest to the reserve boundary – the carwash facility and the vacuum bays – produce significant noise. We note that there is a discrepancy between the location of the manual vs automatic wash bays between the design plans and figure 4.3 (pg. 18) of the report. Assuming that the design plans are correct, the noisier manual wash bays are closer to the reserve. While the report identifies the vacuum bays as the main source of noise pollution for the residential properties to the east, PWS

notes that the carwash produces equal amounts of noise levels. PWS also notes that automatic carwashes often emit loud beeping noises to indicate start and/or end of cleaning cycles.

Noise mitigation measures are proposed for the residential properties to the east, PWS considers that noise does not only affect humans, but also wildlife.

PWS recommends that mitigation measures are implemented to reduce the noise pollution emitted towards the reserve. To give effect to this recommendation, PWS suggests the installation of acoustic barriers, in order of preference:

- Along the boundary with the reserve, and on the western sides of the vacuum bays and car wash bays; or
- Along the boundary with the reserve; or
- On the western sides of the vacuum bays and car wash bays.

The first option is preferred, as we consider that the noise emissions would be greater towards the reserve compared to the residential properties, given the closer proximity, and thus would need greater mitigation to achieve the same effect. If acoustic barriers are only possible along either the reserve boundary or the western sides of the vacuum/car wash bays, then we recommend preference is given to the boundary line, as we consider that it would achieve greater noise reduction.

We also note that in the absence of a detailed proposal, assumptions about the proposed equipment and operations have been made for the noise modelling. PWS recommends that Council ensures that they are satisfied that the operation is consistent with (does not exceed) the assumptions in the report.

Disturbance from Human Activity and Dogs

PWS considers that the increased presence of people, as well as dogs at the site (including an increased risk of unrestrained dogs straying into the reserve) has potential to disturb wildlife within the reserve, in particular breeding shorebirds.

We note that the boundary is currently defined by a wire fence that is compromised in parts from encroaching landscaping materials. We have attached a couple of photographs from our recent site visit for your reference. It is unclear what the proposal is for boundary definition for the development.

We note that the statutory management plan for the reserve identifies as a strategy and action for disturbance from visitor access to *prohibit new access points and all public access to the foreshore of Orielton Lagoon to avoid disturbance and trampling.*

PWS recommends that a new fence is established. This fence should be dog-proof. We recommend a solid fence. The Australian company '[Oscillot](#)' provides guidance on fence heights for dogs. PWS recommends a minimum height of 1.8m as this would capture the majority of dog breeds. Note that a solid fence would also mitigate potential disturbance of wildlife from the sight of dogs.

A suitably designed fence could also form part of the mitigations for light and noise emissions.

We recommend the colour of the fence blends in with the surrounding landscape, such as green, black or cream colours.

Attachment 1 - 139 Main Rd, Sorell - boundary fence - PWS image 1



Attachment 2 - 139 Main Rd, Sorell - boundary fence - PWS image 2



5.2

7.2025.08.1 – 15 LOT SUBDIVISION AT 67 TASMAN HIGHWAY SORELL

Applicant:	PDA Surveyors
Proposal:	Fifteen Lot Subdivision (including subdivision road lot & Tasman Highway road upgrade)
Site Address:	67 Tasman Highway (CT 12082/6), 47 Cole Street, CT 147627/1 Tasman Highway, Sorell, Adjacent Tasman Highway road reservation and CT 186576/1 Lot 1 Tasman Highway, Sorell for Bushfire Hazard Management
Planning Scheme:	<i>Tasmanian Planning Scheme (Sorell LPS)</i>
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	Subdivision resulting in more than ten lots and involves Council owned land.

Relevant Zone:	General Residential, Utilities and Open Space
Proposed Use:	Clause 6.2.6 – Subdivision not required to be categorised into a use class
Applicable Overlay(s):	Airport obstacle limitation area Bushfire-prone area Flood-prone areas Waterway and coastal protection area
Applicable Codes(s):	C2.0 Parking and Sustainable Transport Code C3.0 Road and Railway Assets Code C7.0 Natural Assets Code C12.0 Flood-prone Areas Hazard Code C13.0 Bushfire-prone Areas Code C16.0 Safeguarding of Airports Code
Valid Application Date:	4 June 2026
Decision Due:	17 July 2026
Discretion(s):	1 Clause 8.6.1 (P2) for lot design
	2 Clause 8.6.2 (P1) for roads
Representation(s):	2

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 7.2025.98.1 for a Fifteen Lot Subdivision (including subdivision road lot & Tasman Highway road upgrade) at 67 Tasman Highway (CT 12082/6), 47 Cole Street, CT 147627/1 Tasman Highway, Sorell, Adjacent Tasman Highway road reservation and CT 186576/1 Lot 1 Tasman Highway, Sorell for Bushfire Hazard Management be approved, subject to the following conditions:

1. Except where modified by a condition of this permit, the subdivision must be substantially in accordance with the endorsed plans and documents:

**AGENDA**

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

- Bushfire Hazard Report prepared by Bushfire Wise Development Planning dated February 2025;
 - Traffic Impact Assessment prepared by Hubble Traffic dated April 2025;
 - Stormwater Management Report – Rev 1 prepared by PDA Surveyors dated 19 March 2026; and
 - Civil drawings prepared by PDA Surveyors – Rev P2 dated 18 March 2026.
2. Staging must be in accordance with the endorsed plans and documents unless otherwise agreed to in writing by the General Manager.
 3. As no provision has been made for Public Open Space or improvements thereto and, having formed the opinion that such a provision should be made, Council invokes the provisions of Section 117 of the *Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMP)* and requires security equivalent of 5% of the improved value of the gross area of Lots 1-4 and 6-15. This security should be in the form of a direct payment made before the sealing of the final plan or, alternatively, in the form of security provided under Section 117 of the LGBMP.

The subdivider is to obtain a report from an Independent Registered Valuer for the purposes of determining the improved value of the gross area of the subdivision. The date to which the valuation is to be done must be within 3 months of the date of lodgement of the Final Plan of subdivision. Please refer to Council's Open Space Policy for valuation requirements.

Advice: Subject to an agreement being reached between the developer and Council's General Manager, the contribution may be reduced by an amount equivalent to the value of landscaping works within CT 147627/1 and CT 164990/1 undertaken by the developer.

4. Native vegetation must not be removed, lopped, ring-barked or otherwise wilfully destroyed, removed or adversely impacted on other than the minimum necessary for the construction of buildings and works, the connection of services, vehicular access and the implementation of a Bushfire Hazard Management Plan to the satisfaction of the General Manager.
5. All land noted as roadway, footway, open space or similar must be transferred to Council. Complete transfer documents that have been assessed for stamp duty, must be submitted with the final plan of survey.
6. Prior to sealing of the final plan of survey, all recommendations of the Bushfire Hazard Report and Bushfire Hazard Management Plan prepared by Bushfire Wise Development Planning dated February 2025 must be completed and be certified by a suitably qualified person.

7. Suitable covenants in gross in favour of Council, in a form approved by Council's General Manager, must be included on the Certificate of Title for each lot (final plan and Schedule of Easements) to the effect of managing each lot in accordance with the Bushfire Hazard Report and Bushfire Hazard Management Plan prepared by Bushfire Wise Development Planning dated February 2025.
8. Additional covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.
9. Prior to the sealing of the final plan of survey, the landowner of CT186576/1 and Lots 9-14 must enter into an agreement with Council under Section 71 of the Land Use Planning and Approvals Act 1993 in such form as Council may require and which provides for the following:
 - The implementation and ongoing maintenance of the Hazard Management Area upon the adjoining property at Lot 1 Tasman Highway, Sorell (CT186576/1) identified in the Bushfire Hazard Report and Bushfire Hazard Management Plan prepared by Bushfire Wise Development Planning dated February 2025 until no longer required because of the completion of the subdivision of CT186576/1.

The landowner is responsible for all drafting, Council and Land Titles Office fees and charges (and any subsequent removal if applicable).

Advice: if the adjoining subdivision has commenced the agreement may not be required. In this event the developer should seek further advice from Bushfire Wise Development Planning.

10. Prior to the commencement of any works associated with this permit the developer must obtain the consent of the Minister administering the Roads and Jetties Act 1935 in accordance with Section 84 (1) (c) of the *Local Government (Building and Miscellaneous Provisions) Act 1993*. This must include an indemnity for the Crown against any claim which may arise from an increase in the water flowing away from or under the State Road, or its rate of flow, by reason of the works approved by this permit.
Advice: Please contact Transport Services within the Department of State Growth with any queries arising.

Engineering

11. Prior to any works commencing for approved subdivision, engineering design drawings showing all work required by this planning permit must be prepared in substantial accordance with the latest:
 - (a) Tasmanian Subdivision Guidelines,
 - (b) Tasmanian Municipal Standard Specifications,



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

- (c) Tasmanian Standard Drawings, and
- (d) Any other document standard, specification, guideline or policy advised as relevant by Council.

The engineering design drawings must be prepared by a suitably qualified and experienced engineer or engineering consultancy with an appropriate level of professional indemnity insurance.

Advice:

- i. *The Tasmanian Subdivision Guidelines, Municipal Standard Specifications, and Standard Drawings are available at www.lgat.tas.gov.au.*
- ii. *Variations from the above listed or subsequently advised documents may be approved at the discretion of the Council General Manager or their delegate where a clear justification exists and the alternative solution is of no lesser quality, in terms of infrastructure performance or maintenance costs over the life of the asset.*

12. Prior to any works commencing for approved subdivision, the following Council Fees and Charges must be paid:

- (a) Engineering Design Drawing Checking Fee at 2% of the construction costs or the minimum amount (whichever is higher), and
- (b) Inspection Fee for the estimated minimum number of inspections.

In the event re-checking of engineering design drawings due to changes from client or if additional inspections are required, the Council Fees and Charges may be applied accordingly.

Advice:

- i. *All civil works must be constructed as per Council's approved Engineering drawings.*
- ii. *The engineering design drawings checked and stamped by Council will expire on Two (2) years from the date of issue.*
- iii. *Council Fees and Charges are updated each financial year and can be found in the Sorell Council Fees and Charges schedule, available from Council's website.*

13. Prior to any works commencing, the Council must issue stamped set of the engineering design drawings.

14. Mandatory audit inspections are required in accordance with the Tasmanian Subdivision Guidelines. The developer must provide a minimum 48 hours' notice.

Council must be notified and work inspected at each of the following stages of construction:

- (a) Proof roll inspection of the sub-grade/sub-grade improvement,
- (b) Proof roll inspection of the sub-base course(s),
- (c) Proof roll inspection of the base course, prior to sealing,
- (d) Laying of pipelines for stormwater drainage prior to back filling,
- (e) Benching within all stormwater pits,
- (f) Inspection of base course in footpaths, kerb and gutter and driveway accesses, prior
- (g) to pouring concrete,
- (h) Practical Completion of works (On Maintenance),
- (i) Final inspection at completion of Defects Liability Period (Off Maintenance),
- (j) Installation of all WSUD installations, and
- (k) Any other inspections required during the construction of the subdivision.

15. Works must be completed to a standard that is to the satisfaction of the Council General Manager.

16. A qualified and experienced civil engineer must supervise and certify all works in accordance with clause 21, 22, 23 and 24 of the Tasmanian Subdivision Guidelines.

Advice: A closed-circuit television (CCTV) camera survey of all public stormwater pipelines is also required in accordance with clause 22 of Subdivision Guidelines.

17. The developer must engage Council to organise a Practical Completion inspection when practical completion of works for each stage has been reached. Upon successful completion of the inspection in accordance with clause 21 and Appendix 6 of the Tasmanian Subdivision Guidelines, Council will issue a Certificate of Practical Completion, listing any minor defects identified.

Advice: Prior issuing Practical Completion Certificate following are required:

- Council As-Constructed plans in .dwg and .pdf format;
- TasWater As Constructed plans in .pdf format;
- Copy of NBN AS-BUILT plan;
- Copy of TasNetworks IFC plan; and
- As-Constructed Data Spreadsheet (Sorell Council).

18. Works are subject to a twelve (12) month Defect Liability Period commencing from the day the final plan of survey was sealed (for the applicable stage, if any) during which time all maintenance and repair of work required by this permit is the responsibility of the developer.

19. A Defect Liability Bond equal to 10% of the total value of the relevant works plus a contingency sum of 10% must be provided as a security in accordance with Sorell Council Bond Policy.
20. Upon completion of the Defect Liability Period, the developer must engage Council to organise a Final Completion inspection in accordance with clause 24 of the Tasmanian Subdivision Guidelines. When all outstanding items listed in the Certificate of Practical Completion and subsequent defects are satisfactorily completed, Council will issue a Certificate of Final Completion. Any remaining financial security in relation to the works will be returned and Council will assume maintenance of the works.
21. Prior to sealing the final plan of survey:
- (a) All existing lot connections must be relocated to be wholly contained within the balance lot or contained within new or existing service easements to the satisfaction of Council's General Manager (if any);
 - (b) The survey pegs for all lots in the subdivision are to be certified correct;
 - (c) Accurate as constructed drawings of all works undertaken must be submitted in .pdf and .dwg formats and:
 - i. *Be completed, and certified, by suitably qualified person;*
 - ii. *Include the data spreadsheet available from Council completed in accordance with the 'Guidelines for As Constructed Drawings and Asset Data Collection' available from Council;*
 - iii. *Photos of all new assets (if any);*
 - iv. *Be accurate to AHD and GDA94;*
 - v. *Be drawn to scale and dimensioned;*
 - vi. *Include top, inlet, and outlet invert levels;*
 - vii. *Include compaction and soil test results; and*
 - viii. *Include an engineer's certificate stating that each component of the works complies with the approved engineering plans and Council standards.*

Advice: The minimum standard is demonstrated through the As Constructed Example Drawing, available from Council's website.

Road

22. The proposed road layout must be in accordance with drawing title "Roads and Stormwater Plans Overall Plan" designed by "PDA", Job NO. "55263MW", DWG NO. C100, revision No. P2, dated 06/11/2025.

23. The proposed local road must be in accordance with LGAT standard TSD-R06-V3. The minimum width of the road must be 6.9m wide and minimum road reservation width of 15m. Final seal must 40mm DG Asphalt.
24. The Turning head of the proposed urban road cul-de sac must be in accordance with LGAT standard TSD-R08-V3 with a minimum road reservation width of 25m.
25. All roads in the subdivision must be conveyed to the Council upon the issue of the Certificate under Section 10 (7) of the *Local Government (Highways) Act 1982*. All costs involved in this procedure must be met by the person responsible.
26. Upon construction of a new vehicle access for the TasNetworks substation, the existing access is to be closed and fenced. The existing driveway surface and base through CT 147627/1 is to be removed and the area revegetated with grass.

Intersection

27. Vehicular access to the Tasman Highway must be upgraded and constructed in accordance with the Department of State Growth's (DSG) Works Permit prior to the sealing of the Final Plan of Survey. Works on, or affecting, the State Road Reservation must not be commenced until the necessary approvals have been obtained.

Footpath

28. A footpath must be constructed on the eastern side of the proposed road from the turning head to the intersection with the Tasman Highway.
29. Lots not provided with a footpath on their frontage must be provided with a 1.0m wide x 1.5 m long x 100mm thick concrete plinth adjacent to the driveway apron to serve as a storage for garbage bins on collection days. The standard of construction must be similar to a concrete footpath. These plinths shall be shown on the design plans.

Driveway and Access Ramps

30. Lot access must be constructed in accordance with LGAT standard TSD-R09-V3. Where a lot is suitable for multiple dwellings, or the access is serving two lots or more, the vehicular crossing must be widened to 6.0 metres.
31. Access ramps must be installed on footpaths at all intersections in accordance with LGAT standard TSD-R18-V3.

Traffic sign and line marking

32. Line marking and traffic control at intersection must be in accordance with LGAT standard TSD-RF02-V3.
33. The Giveaway sign at the intersection must be in accordance with LGAT standard TSD-R23-V3.

During Construction

34. No polluted and/or sediment laden runoff must discharge directly or indirectly into Council's drains during development. Prior to Council accepting a Notice of Intention to Carry Out Work, a Construction Management Plan (CMP) prepared by a suitably qualified person must be provided to Council. The CMP must include but is not limited to the following:

- (a) Soil Management Plan;
- (b) Traffic Management Plan; and
- (c) Noise and Dust Management Plan.

Advice: All requirements of the CMP provided must be fully implemented prior to commencement of works. Soil Management plan is only required if excavating and removing material off site.

35. Prior to any works commencing, the developer must submit a Notice of Intention to Carry Out Work. The submission must include a Certificate of Currency for public liability insurance for the head contractor and any sub-contractor(s).

Power and Telecommunication

36. Underground power, street light poles and communication services including NBN are to be provided to each lot within the subdivision in accordance with the relevant Authority's standards and specifications, with the developer to meet all costs.
37. Prior to sealing the final plan of survey, the developer must submit to Council either:
 - (a) a completed exemption from the installation of fibre ready pit and pipe notice, or
 - (b) a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment", or
 - (c) "Certificate of Practical Completion of Developer's Activities" from Telstra or NBN Co.

Advice: Please refer to Notice under Telecommunications (Fibre-ready Facilities – Exempt Real Estate Development Projects) Instrument 2021” at <https://www.communications.gov.au/policy/policy-listing/exemption-pit-and-pipe-requirements/development-form>

38. Prior to sealing the final plan of survey, the developer must submit written advice from TasNetworks confirming that either:
- (a) all conditions of the Agreement between the Owner and authority have been complied with with respect to the provision of a connection to the electricity network to each lot by the developer; or
 - (b) that future lot owners will not be liable for network extension or upgrade costs, above and beyond the costs of a standard property connection at the time each lot is further developed.

Stormwater

39. The proposed stormwater plan must be in accordance with “Roadworks and Stormwater Plans Overall Plan” designed by “PDA”, job number “55263MW”, DWG NO. C100, revision No. P2, last dated 06/11/2025. Minimum pipe size for stormwater must be DN 300.
40. Each lot must be provided with minimum DN100 connection to the lowest point of each lot capable of servicing the entire lot and connected to a piped system. Where a lot is serving multiple dwelling, appropriate pipe size must be provided and connected to proposed stormwater reticulated system.
41. A capacity utilisation charge of \$77,050, indexed at the CPI rate for Hobart must be paid prior to sealing the final plan of survey in accordance with the Stormwater in New Developments Policy.
42. The stormwater network must not duplicate any part of the network associated with the subdivision of land to the east (CT 186576/1).
43. Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to Council for approval. Such plans and specifications shall include best practice Water Sensitive Urban Design (WSUD) to prevent hard litter, 80% of Total Suspended Solids (TSS), and 45% of Total Nitrogen (TN) and 45% Total Phosphorus (TP).
44. The development must provide stormwater treatment assets to the Council with safe and convenient vehicular access to utilise a vac truck for future maintenance.

Advice: This can be offset by paying contribution in accordance with Council's Stormwater In New Development Policy. Water quality contribution cost would include design, construction, maintenance and operation cost.

Easements

45. Easements are required over all Council and third-party services located in private property. The minimum width of any easement must be 3.5m for Council (public) mains in accordance with "Roadworks and Stormwater Plans Overall Plan" designed by "PDA", job number "55263MW", DWG NO. C100, revision No. P2, dated 06/11/2025.

Fill

46. Site filling, if to a depth of 300mm or more, must comply with the provisions of Australian Standard AS 3798 Guidelines on Earthworks for Commercial and Residential Development as demonstrated by certification from a suitably qualified and experienced civil engineer.

Fencing for each lot

47. The survey pegs for all lots in the subdivision are to be certified correct prior to Council sealing the Final Plan of Survey.

Landscaping

48. Mature street trees must be provided and planted to the satisfaction of Council's Manager Planning prior to the sealing of the Final Plan of Survey. A plan showing locations and tree types must be provided together with the design plans as part of the engineering design approval process. Information of tree types may be obtained from Council prior to completing the planting plan.
49. The applicant is responsible for the sufficient establishment of the planted trees and any other vegetation and undertake regular (not greater than 3 months) maintenance for a period of twelve months on all plantings. The applicant/developer shall meet all costs involved.

TasWater

50. The subdivision must meet all required conditions of approval specified by TasWater Submission to Planning Authority Notice, dated 24 November 2025 (TWDA 2025/00657-SOR).

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.
- Any changes to the use or development approved, may be deemed as substantially in accordance with the permit or may first require either a formal amendment to this permit or a new permit.

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) before undertaking any works.

Other Approvals

- The subdivision is not approved to be staged, and separate planning approval may be required if staging is sought.
- 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.
- 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>
- TasNetworks must be informed when the development works are to commence given the proximity to the substation buffer, infrastructure and the existence of easements covering the land.

- Prior to undertaking any works in the State Road reserve, a Works Permit is required from the Department of State Growth in accordance with Section 16 of the Roads and Jetties Act 1935.
Advice: Application for permits can be found at https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings or contact permits@stategrowth.tas.gov.au.
- Prior to undertaking any works in the State Road reserve, a Works Permit is required from the Department of State Growth in accordance with Section 17B of the Roads and Jetties Act 1935 to concentrate and discharge drainage to the State Road reserve.
Advice: For further information please visit https://www.transport.tas.gov.au/road_permits/permits_and_bookings/stormwater_discharge or contact roadassets.utilities@stategrowth.tas.gov.au.

Generally

- Requirements for works or other outcomes to the satisfaction of the General Manager will be delegated to the appropriate officer for determination.
- All engineering related queries should be directed to the Development Engineer. The Council General Manager has delegated functions relevant to the permit to the Development Engineer.
- Sealing of a final plan of survey is subject to a prescribed Council fee at the date of lodgment of the final plan or survey. Land Title Office fees must be paid directly to the Recorder of Titles.
- The final plan of survey is inclusive of any schedule of easement and Part 5 Agreement.
- The final plan of survey will not be sealed until all works required by this permit are complete. On lodgment of the final plan of survey, inspections will be undertaken, unless otherwise advised by the developer, and additional inspection fees will apply to incomplete or substandard works.

Street Naming

- The developer may suggest street names. Suggestions should be received three months prior to sealing the final plan of survey and be made in writing to the General Manager. Street names must be consistent with Tasmanian Place Naming Guidelines, May 2021. Please refer to <https://nre.tas.gov.au/land-tasmania/place-naming-in-tasmania>

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



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

Executive Summary

Application is made for a Fifteen Lot Subdivision (including subdivision road lot & Tasman Highway road upgrade) at 67 Tasman Highway (CT 12082/6), 47 Cole Street, CT 147627/1 Tasman Highway, Sorell, adjacent Tasman Highway road reservation and CT 186576/1 Lot 1 Tasman Highway, Sorell for Bushfire Hazard Management.

The site is zoned General Residential, Open Space and Utilities and is located at the north-western fringe of the Sorell Township.

The key planning considerations relate to lot layout, creation of a new subdivision road, upgrades to the Tasman Highway to facilitate a new intersection and service infrastructure to cater for the proposed subdivision.

The application is considered to comply with each applicable standard of the Tasmanian Planning Scheme – Sorell (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 includes new road, stormwater and footpath assets to be transferred to Council. Design and construction standards for these assets are considered in this report.
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 does not include public open space nor is it considered desirable in this location as an existing public open space lot (primarily serving as an open stormwater drain and grassed verge) is provided from the proposed intersection location to Devenish Drive. However, the proposal will increase the demand for public open space in the locality through the creation of 14 vacant residential lots. While Section 117 of the <i>Local Government Building and Miscellaneous Provision Act 1993 (LGBMP)</i> provides for a maximum of up to 5% of the value the entire site to be taken as cash in lieu of public open space, it is considered appropriate to limit the contribution only to each additional lot created,



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

	representing the increased demand for POS generated by the new vacant lots, being Lots 1-4 and 6-15. and not the entire site the subject of the application. An associated condition has therefore been included in the recommended conditions, above.
Enforcement Policy	Not applicable.
Environmental Sustainability Policy	Environmental considerations are assessed against the relevant planning scheme provisions.

Legislation

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

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

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

- Clause 5.6.1 requires that each applicable standard is complied with if an application is to be approved.
- Clause 5.6.2, in turn, outlines that an applicable standard is any standard that deals with a matter that could affect, or could be affected by, the proposal.
- A standard can be met by either complying with an acceptable solution or satisfying the performance criteria, which are equally valid ways to comply with the standard.
- An acceptable solution will specify a measurable outcome. Performance criteria require judgement as to whether or not the proposal reasonably satisfies the criteria.

- Clause 6.10 outlines the matters that must be considered by a planning authority in determining applications. Clause 6.11 outlines the type of conditions and restrictions that can be specified in a conditional approval.

Referrals

Agency / Dept.	Referred?	Response?	Conditions?	Comments
Development Engineering	Yes	Yes	Yes	Nil
Environmental Health	Yes	Yes	Nil	Nil
Plumbing	No			
NRM	No			
TasWater	Yes	Yes	Yes	Nil – SPAN issued
TasNetworks	Yes	Yes	Yes	See representation comments below.
State Growth	Yes	Yes	Yes	See representation comments below.

Report

Description of Proposal

Use

The purpose of the development is a residential subdivision. Clause 6.2.6 of the Scheme provides that a development for subdivision is not required to be categorised into a use class. General Provision 7.10.1, 7.10.2 and 7.10.3 state a subdivision may be approved at the discretion of the planning authority and only on the basis there is no unreasonable detrimental impact on adjoining uses or the amenity of the surrounding area having regard to the purpose of the zone, the purpose of any applicable code, any relevant local area objectives and the purpose of any applicable specific area plan. The following assessment takes these matters into account.

Development

The proposal is for a fifteen-lot residential subdivision predominantly over 67 Tasman Highway (CT12082/6). Adjoining land owned by Council, TasNetworks and the Department of State Growth are included in the subdivision proposal to provide a new subdivision road access to the site from the Tasman Highway and stormwater services. The new subdivision road would terminate in a cul-de-sac and the new intersection to the Tasman Highway will require upgrades to the Tasman Highway to provide a dedicated right turn lane. A new internal junction would be provided to maintain access to the TasNetworks substation located at 65A Tasman Highway.

The proposed lots would range from 498m² to 1090m² with proposed Lot 5 retaining the existing dwelling.



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

Stormwater connections are also proposed in adjoining Council and TasNetworks land.

The proposal includes the establishment of a 10m wide bushfire hazard management area over adjoining land to the east to achieve the necessary BAL 19 compliance for Lots 9-14.

No provision is made for public open space within the subdivision design.

The application is supported by:

- written submission prepared by PDA Surveyors dated 21 May 2025;
- Bushfire Hazard Report prepared by Bushfire Wise Development Planning dated February 2025;
- Traffic Impact Assessment prepared by Hubble Traffic dated April 2025;
- Stormwater Management Report – Rev 1 prepared by PDA Surveyors dated 19 March 2026; and
- Civil drawings prepared by PDA Surveyors – Rev P2 dated 18 March 2026.

Background

The site is developed with a single dwelling. The adjacent land to the east (CT 186576/1 off Leitram Avenue) has a recently approved 36 lot subdivision. The proposed subdivision will implicate this approval in that it requires a 10m wide bushfire hazard management area to be established along the boundary accommodating lots 12 to 17 of the approved subdivision. The agreement will be required to be in place until the adjacent subdivision is completed.

Description of Site

The site has an area of 1.18ha and is located generally opposite the Tasman Highway / Shark Point Road intersection at the north-western perimeter of the township of Sorell. The site has frontage to the Tasman Highway and is currently accessed via a gravel access over adjoining Council and TasNetworks land to the south of the site. An existing dwelling is located on the western part of the site and would be retained within the boundaries of proposed Lot 5.

The site is located on the northern urban fringe of Sorell and consists of grassland and remnant vegetation along the boundaries. The site is gently sloping to the south-west and adjoins General Residential zoned land to the east, Open Space zoned land to the south (ex Rail Corridor) and Utilities zoned land to the west (Tasman Highway) and north (ex Quarry).

The site is serviced by water and electricity only. Reticulated sewerage would be provided to service each lot together with a new reticulated stormwater system discharging to the Tasman Highway.

Council and Crown landowner consent has been provided for the subdivision works affecting Council and Crown land as required by section 52(1B) of the *Land Use Planning and Approvals Act 1993* (LUPAA).



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

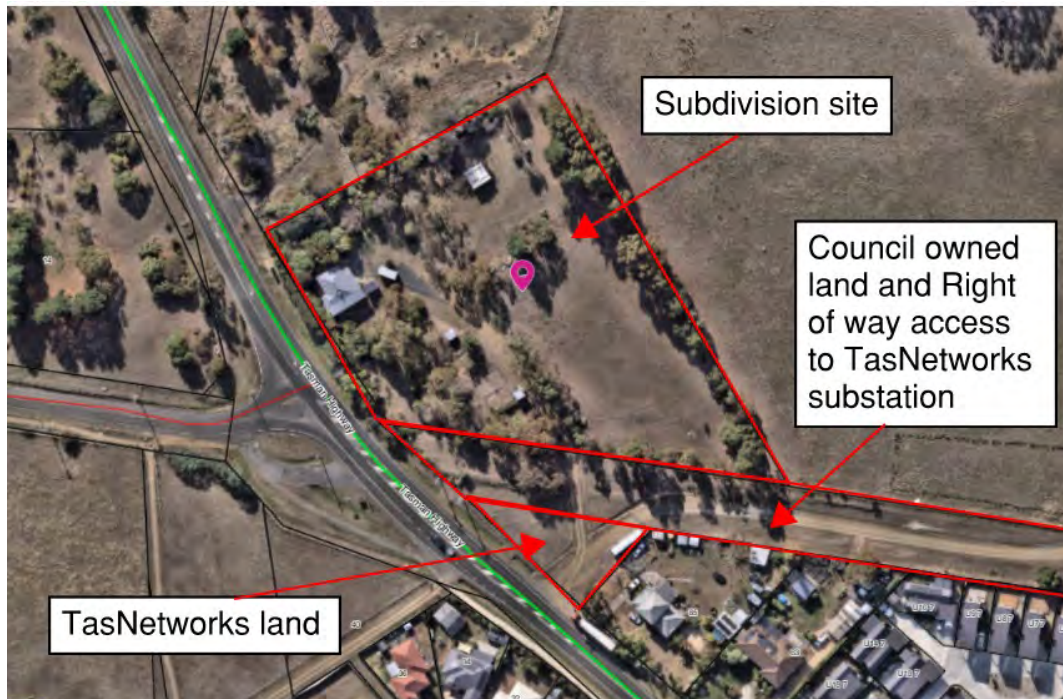


Figure 1. The subject site and adjacent parcels also included in the application for access and servicing infrastructure.

Planning Assessment

Zones

26.0 Utilities Zone

The proposed upgrades to the Tasman Highway would not satisfy exemption clause 4.2.4 in relation to road works as the upgrade would not be carried out by or on behalf of the road authority (Department of State Growth). In this case, the upgrades are the responsibility of the subdivider to the satisfaction of the Department of State Growth. The upgrade to the Tasman Highway is therefore required to be assessed under the applicable zone and code requirements.

The road upgrade forms part of a transport network and is defined as Utilities which is listed as a Permitted use in the Utilities Zone. There are no applicable standards in the Utilities Zone.

29.0 Open Space Zone

The subdivision road and servicing infrastructure required to service the proposed subdivision would commence at the Tasman Highway and would extend across Council and TasNetworks owned land at CT147627/1 Tasman Highway and 47 Cole Street, Sorell. The Council owned land at 47 Cole Street is zoned Open Space. The road infrastructure on 47 Cole Street would be dedicated as a road lot.

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
29.5.1 A1	Lot design	Yes, as the road lot and balance lot would be required for public use by the Council and be required for the provision of utilities.
29.5.1 A2	Lot design	Yes, the new road lot and balance drainage lot is for the purposes of utilities.
29.5.1 A3	Lot design	Yes, in that a road extension is proposed from the Tasman Highway and appropriate conditions would ensure construction of the road to an appropriate standard.

8.0 General Residential Zone

The subdivision lot at 67 Tasman Highway and the TasNetworks owned land at CT147627/1 are zoned General Residential.

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
8.6.1 A1	Lot design	Yes, as each lot would comply with the minimum lot size requirements and would provide the prescribed building area and would be clear of all easements and setbacks.
8.6.1 A2	Lot design	No, in that Lot 2, 6, 8 and 9 would not have the 12m frontage prescribed due to the positioning at the cul-de-sac head of the new subdivision road. Refer to the performance criteria assessment below.
8.6.1 A3	Lot design	Yes, in that a road extension is proposed from the Tasman Highway and appropriate conditions would ensure construction of the road to an appropriate standard.
8.6.1 A4	Lot design	Yes, in that all lots meet the specified orientation requirement.
8.6.2 A1	Roads	No, in that new public roads are proposed. Refer to the performance criteria assessment below.
8.6.3 A1	Services	Yes, in that reticulated water would be provided to service each lot.
8.6.3 A2	Services	Yes, as reticulated sewerage connection would be provided to service each lot.
8.6.3 A3	Services	Yes, as each lot would be provided with stormwater connection by gravity.

Performance Criteria Assessment – Clause 8.6.1 P2 Lot design

The performance criteria applies as proposed Lots 2, 6, 8 and 9 would have a frontage of 9m, 4.8m, 10.5m and 6m, respectively which is below the acceptable solution requirement of 12m. The proposal must be assessed against performance criteria P1 of clause 8.6.1 as follows.

Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be provided with a frontage



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:

- (a) the width of frontage proposed, if any;*
- (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;*
- (c) the topography of the site;*
- (d) the functionality and useability of the frontage;*
- (e) the ability to manoeuvre vehicles on the site; and*
- (f) the pattern of development existing on established properties in the area,*
- (g) and is not less than 3.6m wide.*

The proposal is assessed as satisfying the performance criteria as the frontage width for Lots 2, 6, 8 and 9 is well above the absolute minimum of 3.6m and is reflective of a reduced frontage stemming from lot positioning around a cul-de-sac head which is the only practical way of subdividing the lot given the connectivity constraints with adjoining land. The frontage width is sufficient to provide functional access to the lots and future residential development. Furthermore, the achievement of a compliant building area within each lot will ensure adequate manoeuvring of vehicles associated with future residential development and emergency vehicles and is consistent with the frontage arrangements for lots fronting a cul-de-sac within nearby established residential developments to the south.

For the above reasons, the performance criteria are satisfied and the standard is met in this regard.

Performance Criteria Assessment – Clause 8.6.2 P1 Roads

The acceptable solution is not met as a new subdivision road is proposed to service the subdivision. The proposal must be assessed against performance criteria P1 of clause 8.6.2 as follows.

The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:

- (a) any road network plan adopted by the council;*
- (b) the existing and proposed road hierarchy;*
- (c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;*
- (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;*
- (e) minimising the travel distance between key destinations such as shops and services and public transport routes;*
- (f) access to public transport;*
- (g) the efficient and safe movement of pedestrians, cyclists and public transport;*
- (h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking and Cycling 2016;*

- (i) *the topography of the site; and*
- (j) *the future subdivision potential of any balance lots on adjoining or adjacent land.*

The new public road would provide for the connectivity of pedestrians, cyclists and vehicles to the adjacent Tasman Highway by the creation of a new junction, internal road network and footpaths. The construction of both the road and associated footpath infrastructure would be reiterated by appropriate conditions and incorporates the necessary upgrades to the Tasman Highway to achieve a channelised right-turn treatment. Satisfactory access is also provided from the new subdivision road to the Council owned land at 47 Cole Street to maintain right of way access in favour of TasNetworks to the existing electricity substation.

Provision is not required to be made for a road connection to the adjacent land to the east as this land has obtained recent subdivision approval and is solely reliant upon access from Leitram Avenue.

For the above reasons, the performance criteria is satisfied.

Codes

Parking and Sustainable Transport Code

Applicable code standards		
Clause	Matter	Complies with acceptable solution?
C2.5.1 A1	Car parking numbers	Yes, as two car parking spaces would be provided for the existing dwelling to be retained on proposed Lot 5.
C2.6.1 A1	Construction of parking areas	Yes, all parking, access ways and manoeuvring areas associated with the subdivision road and lot access would be constructed from asphalt and concrete and would be drained to the public stormwater system via new reticulated stormwater infrastructure.
C2.6.2 A1.1	Design and layout of parking areas	Yes, all parking, access ways and manoeuvring areas associated with the subdivision road and lot accessed have been designed to comply with the layout, design and gradient requirements of Australian Standard AS2890- Parking facilities, Parts 1-6.
C2.6.3 A1	Number of accesses for vehicles	Yes, in that each lot would be provided with one access only.

Road and Railway Assets Code

Applicable code standards		
Clause	Matter	Complies with acceptable solution?
C3.5.1 A1.2	New junction	Yes, as written consent has been provided from the Department of State Growth for a new



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

		junction to the Tasman Highway (Category 2 road under the State Road Hierarchy) and sight distance improvements achieved through roadside vegetation removal.
C3.5.1 A1.5	New junction	Yes, the new subdivision road includes a suitable turning head to ensure vehicles can enter and leave the Tasman Highway in a forward direction.

Natural Assets Code

Part of the site is mapped as a priority vegetation area. In accordance with clause C7.2.1(c)(xii) of the Code, the Code applies to subdivision of land within the General Residential Zone. No native vegetation removal is proposed within the mapped priority vegetation area therefore an assessment under the Code is not required.

Flood-prone Areas Hazard Code

Applicable code standards		
Clause	Matter	Complies with acceptable solution?
C12.7.1 A1	Subdivision within a flood-prone hazard area	Yes, as each lot provides a building area, vehicle access and services outside the mapped flood prone hazard area.

Bushfire-prone Areas Code

Applicable code standards		
Clause	Matter	Complies with acceptable solution?
C13.6.1 A1	Provision of hazard management areas	Yes, as the proposed building lots are shown by the bushfire hazard management report to have compliant building areas as specified, and the hazard management areas proposed on land external to the subdivision is accompanied by the written consent of the owner of that land to enter into a Part 5 Agreement to manage that land in accordance with the bushfire hazard management plan.
C13.6.2 A1	Public and fire fighting access	Yes, as the proposed subdivision road provides the required access as certified by an accredited person.
C13.6.3 A1	Provision of water supply for fire fighting purposes	Yes, as water for firefighting would be provided via an extension to the existing reticulated network.

Safeguarding of Airports Code

The whole of the site is with an airport obstacle limitation area as defined by the code. Clause C16.4.1(a) of the Code provides that *development that is not more than the AHD height specified for the site of the development in the relevant airport obstacle limitation area* is development exempt from this code.

Representations

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

Two representations were received during the public advertising process. The representors raised the following concerns:

Issue	Relevant Clause	Response
<i>Electricity infrastructure protection</i>	Code E4	TasNetworks responded indicating they are supportive of the proposal subject to a suitable access being provided to maintain access to the adjacent substation, protection of electricity infrastructure through the creation of easements, existing cables to have mechanical protection installed, conduits/ducts to be installed as part of the road design and for all required right of way easements and electrical easements in favour of TasNetworks. Conditions of approval have been included addressing the above as standard practice.
<i>Road safety</i>	Code E3	Concern is raised by the representor in relation to the location and available sight distance for the proposed new intersection with the Tasman Highway. In responding, a Traffic Impact Assessment has been provided with the application recommending a short marked right turn lane be installed on the Tasman Highway to provide road space for right turning vehicles to store without impeding traffic flow along the highway. Minor vegetation removal is also required to the north of the Tasman Highway to achieve compliant sight distance. Overall, the Traffic Impact Assessment has found the additional traffic generated by the proposed subdivision will not cause any

		adverse safety or traffic efficiency issues on the Tasman Highway. Furthermore, the application was referred to the Department of State Growth who have indicated they are supportive of the proposed subdivision, upgrades to the Tasman Highway and sight distance improvements. Conditions of approval are recommended requiring the Tasman Highway road upgrade to be completed to the satisfaction of the Department of State Growth prior to the sealing of the final plan of survey.
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Conclusion

The application for a Fifteen Lot Subdivision (including subdivision road lot & Tasman Highway road upgrade) at 67 Tasman Highway (CT 12082/6), 47 Cole Street, CT 147627/1 Tasman Highway, Sorell, Adjacent Tasman Highway road reservation and CT 186576/1 Lot 1 Tasman Highway, Sorell for Bushfire Hazard Management is considered to comply with each applicable standard of the Tasmanian Planning Scheme (Sorell LPS) and is recommended for conditional approval.

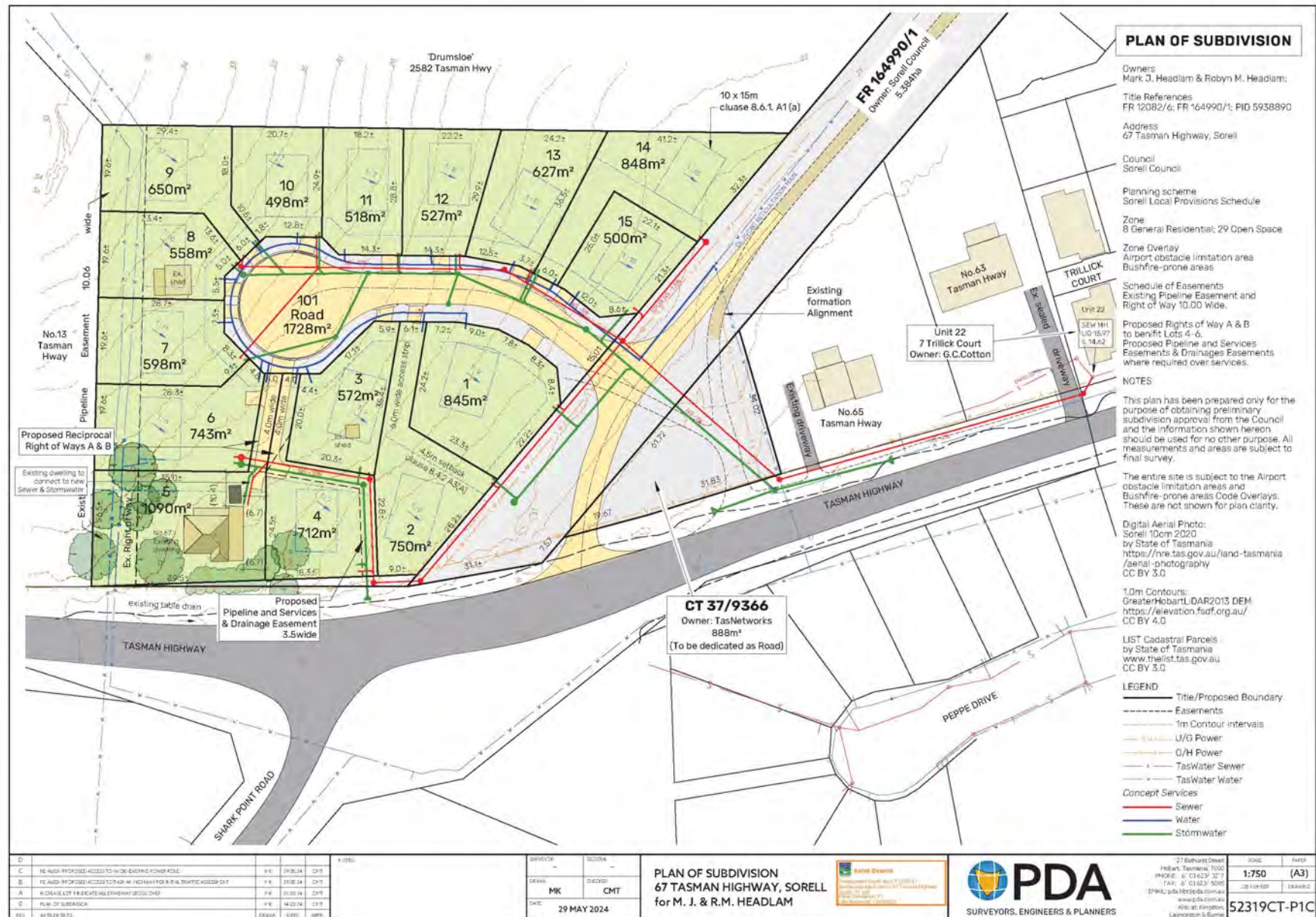
Amanda Beyer
Senior Planner

Attachments:

Civil drawings prepared by PDA Surveyors – Rev P2 dated 18 March 2026.
Representations x 2

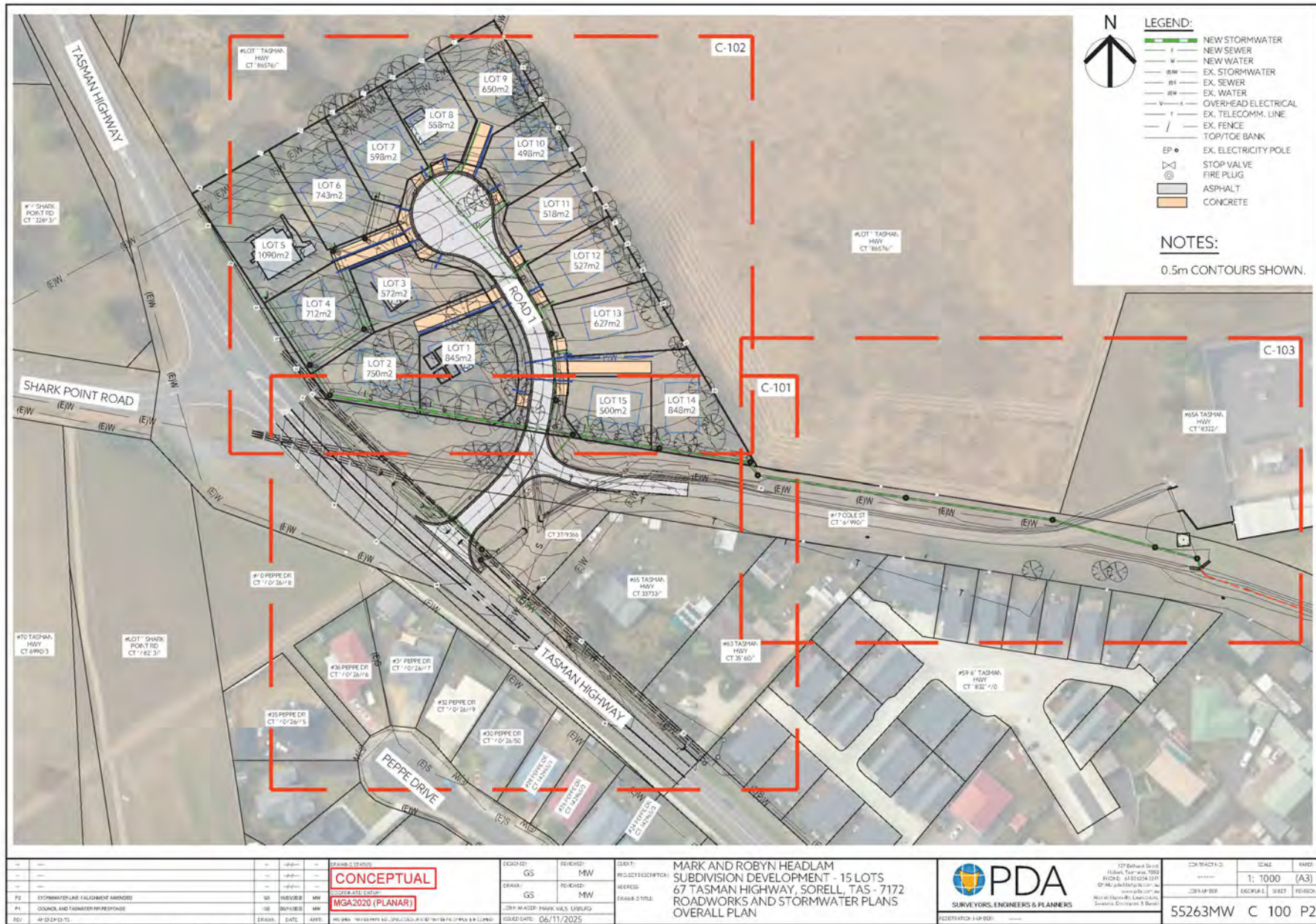
Separate Attachments:

- *Written submission prepared by PDA Surveyors dated 21 May 2025;*
- *Bushfire Hazard Report prepared by Bushfire Wise Development Planning dated February 2025;*
- *Traffic Impact Assessment prepared by Hubble Traffic dated April 2025; and*
- *Stormwater Management Report – Rev 1 prepared by PDA Surveyors dated 19 March 2026.*



AGENDA

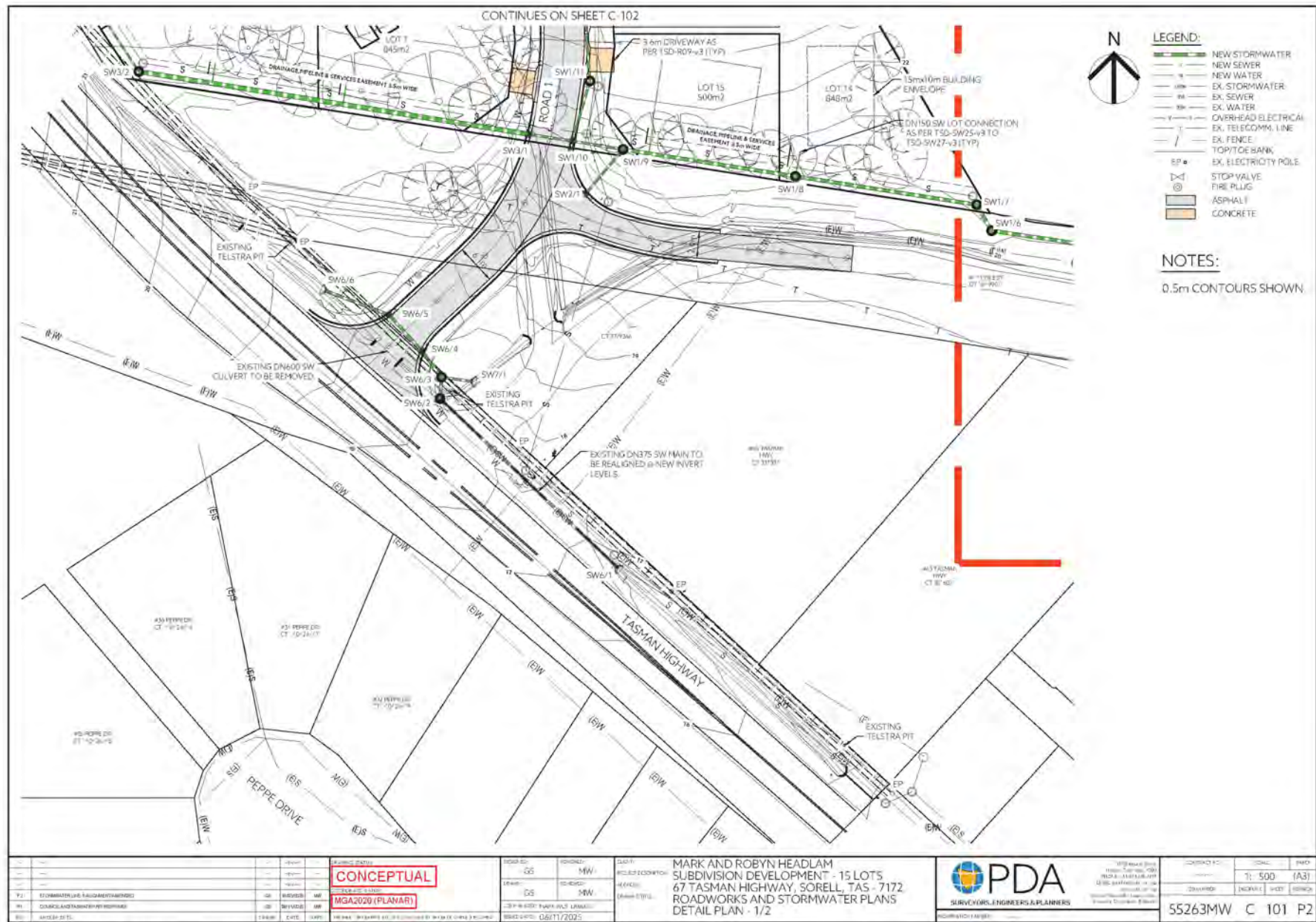
SORELL PLANNING AUTHORITY (SPA) MEETING
 14 JULY 2026

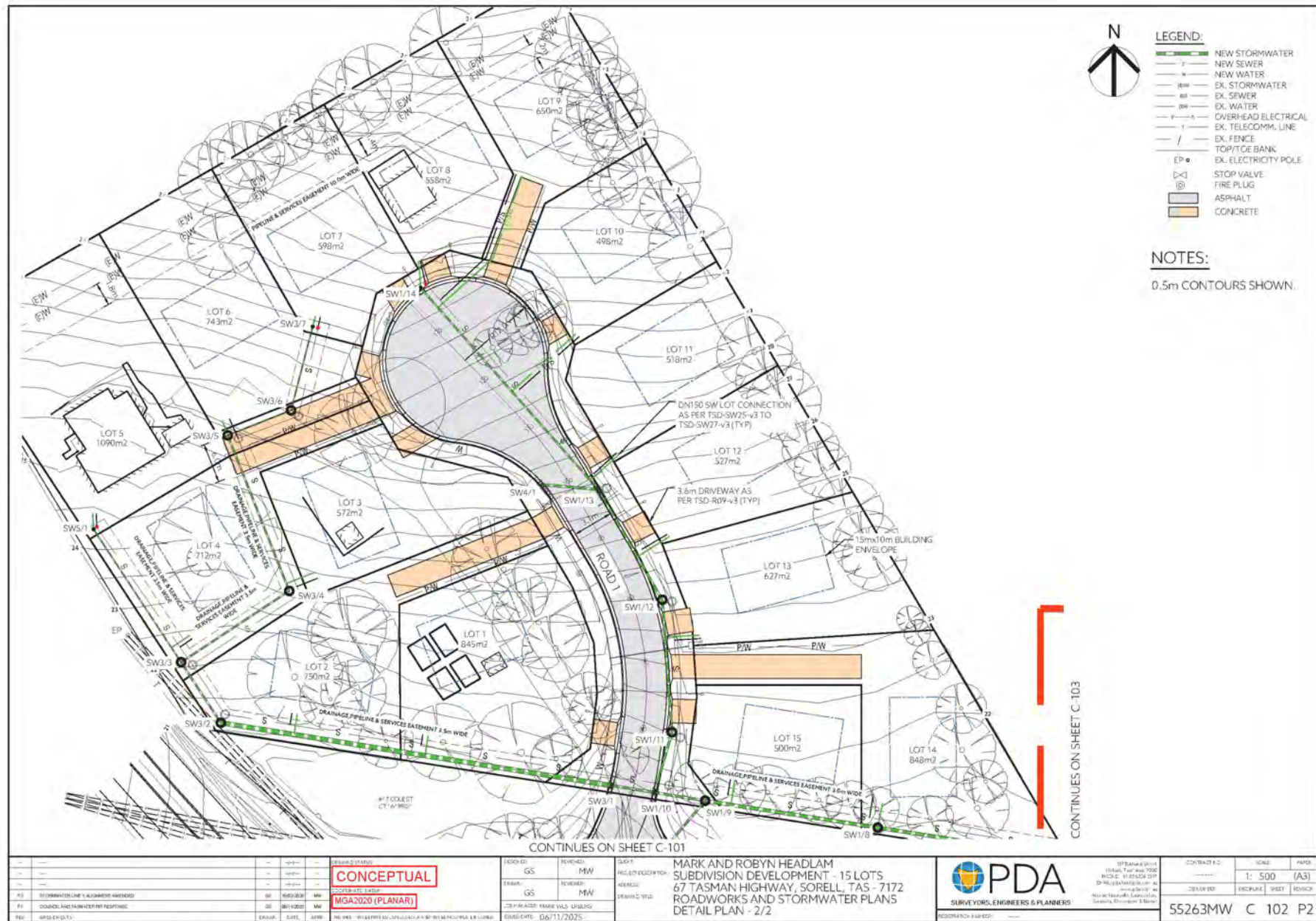


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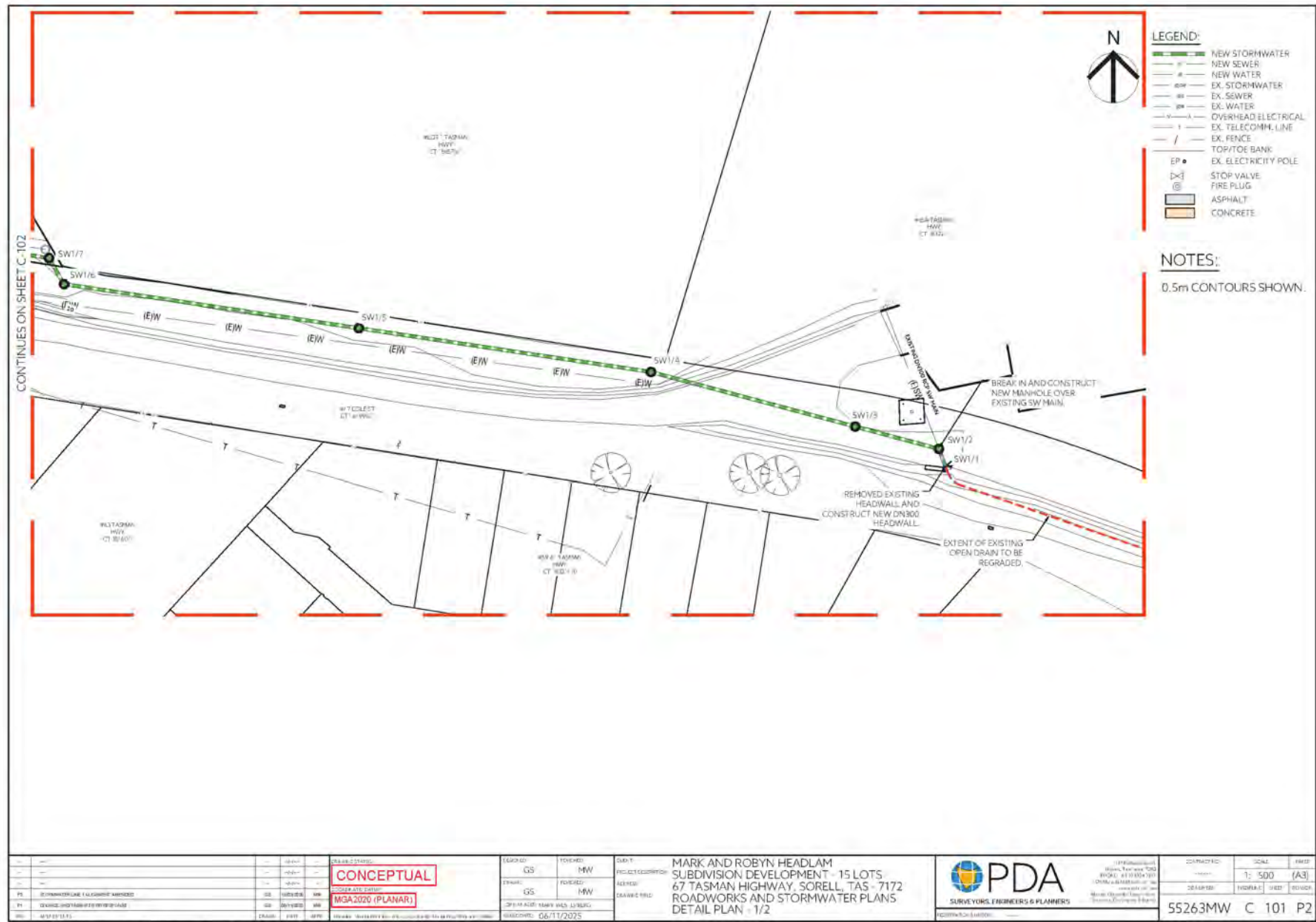
SOORELL PLANNING AUTHORITY (SPA) MEETING

14 JULY 2026





AGENDA
SOORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026





Planning Department

Sorell Council
47 Cole Street
Sorell TAS 7172
16/06/26

**Subject: Objection to Proposed Subdivision Driveway Access**

Dear Chief Executive Officer - Representations

I wish to formally object to the proposed subdivision driveway access associated with the development application at 67 Tasman Hwy, Sorell- application number 5.2025-8-1.

My primary concern is the location of the proposed driveway access at the bottom of a hill to the proposed subdivision. In my view, this creates a significant road safety hazard for both existing road users and future residents of the subdivision.

Vehicles travelling downhill may have limited stopping distance and reduced visibility when approaching the proposed access point. Likewise, vehicles entering or exiting the subdivision may experience difficulty safely merging with traffic due to restricted sight lines and the speed of approaching vehicles. These factors increase the risk of collisions, particularly during wet weather, poor visibility conditions, or periods of increased traffic.

I respectfully request that Council carefully assess:

- The available sight distance for vehicles approaching the proposed driveway from both directions.
- The ability of vehicles to safely enter and exit the subdivision. With this in mind the developer needs to construct run off lanes to allow vehicles safely entering or leaving the subdivision driveway. As there is the potential of 30 vehicles entering & or leaving daily from this subdivision.
- Whether an alternative access location could be provided in a safer position.

I believe the current driveway location does not adequately address the safety risks associated with its position at the bottom of a hill and may adversely affect the safety of residents and the wider community.

I therefore request that Council either refuse the proposed access arrangement or require the applicant to redesign the access point to a location that provides safe visibility and vehicle movements (provide run off lane & turning lane).

Thank you for considering my concerns. I would appreciate confirmation that this objection has been received and taken into account during the assessment of the application.

Yours faithfully,

A black rectangular redaction box covering the signature of the sender.



Robert Higgins
Chief Executive Officer
Sorell Council
47 Cole Street
Sorell, TAS 7172

By email only: sorell.council@sorell.tas.gov.au

Dear Mr Higgins

RE Planning Application 5.2025-8.1 – Fifteen Lot Subdivision

We refer to the above-mentioned subdivision application notified by Council on 12 June 2026 and thank you for the opportunity to comment on this proposal. TasNetworks supports the proposed subdivision subject to the following being taken into account:

1. The road providing access to the Substation Property having a surface which is designed, constructed and maintained to be suitable for any type of vehicle that would require access to the Substation Property (i.e. semi-trailer with a 70+ tonne transformer), suitable for all weather conditions and be hard wearing.
2. The provision of electricity infrastructure easements with a minimum width of 2 metres either side to cover cable locations and any spare conduit ducts that are to be installed. The easements must be registered on TasNetworks' standard easement terms.
3. Existing cables must have mechanical protection installed (fully funded, designed and constructed by the Developer and in accordance with TasNetworks requirements).
4. Conduits/ducts to be installed for any future cables prior to road construction.
5. The Schedule of Easements and Sealed Plan is to include all required right of way easements and electricity infrastructure easements in favour of TasNetworks in accordance with TasNetworks' standard terms.

Subject to these matters being addressed, TasNetworks considers that the proposed development will not compromise safety, security, access to, and operation of, existing and associated electricity infrastructure.

If you have any questions or wish to discuss the matters raised in our representation further, please contact our Principal Land Use Planner, Anita Bourn at Anita.Bourn@tasnetworks.com.au or by phone on 0458 015 441.

Yours sincerely



5.3 5.2025.340.1 – DWELLING AT 4 OCHRE COURT, DODGES FERRY

Applicant:	Paul Wakelam Architect
Proposal:	Dwelling and Outbuilding
Site Address:	4 Ochre Court, Dodges Ferry CT 187805/7
Planning Scheme:	Tasmanian Planning Scheme (Sorell LPS)
Application Status	Discretionary
Relevant Legislation:	Section 57 of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	More than one representation received.

Relevant Zone:	10.0 Low Density Residential
Proposed Use:	Discretionary Use
Applicable Overlay(s):	Airport obstacle limitation area
Applicable Codes(s):	C2.0 Parking and Sustainable Transport Code C16.0 Safeguarding of Airports Code SOR-S2.0 Southern Beaches On-site Waste Water and Stormwater Management Plan
Valid Application Date:	11 December 2025
Decision Due:	21 July 2026
Discretion(s):	1 Clause 10.4.3(P2), setback 2 SOR-S2.7.1(P1), on-site waste water
Representation(s):	Four

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2025.340.1 for a dwelling and outbuilding at 4 Ochre Court, Dodges Ferry be approved, subject to the following conditions:

- Except where modified by a condition of this permit, the use and development must be substantially in accordance with the endorsed plans and documents:
 - P3 (building designs prepared by Paul Wakelam Architect dated 1 April 2025)
 - P3 (geotechnical assessment prepared by Rock Solid Geotechnics dated 13 March 2026)
- Prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works, amended plans showing modification to the northeast-facing kitchen window (W12) to reduce the height of the window to 900mm and having a minimum sill height of 1500mm above the finished floor level must be submitted to the satisfaction of Council's Manager Planning or delegate. When approved, the plans will form part of the permit.



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

3. The outbuilding is to be used for residential storage purposes only and not to be used for commercial purposes.
4. The internal driveway including areas set aside for vehicle parking and manoeuvring must:
 - (a) be a minimum carriageway width of 4 m wide;
 - (b) be constructed with a durable all-weather pavement;
 - (c) have a gravel surface that is designed, constructed and maintained to avoid sedimentation or erosion or excess dust; and
 - (d) be drained to a legal point of discharge or retain runoff onsite such that stormwater is not concentrated onto adjoining properties
5. Prior first use, at least two car parking spaces must be provided on site. Any external space used for parking must:
 - (a) be at least 5.4m long and 2.6m 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.
6. At least 120m² of land must be reserved on-site for wastewater treatment which is located at least 10m 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 an irrigation area.

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) 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

- This permit does not grant approval for the use of the outbuilding as a dwelling. The outbuilding may, however, be used as a temporary dwelling for the duration of the construction of the main dwelling.

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

Executive Summary

Application is made for a dwelling and outbuilding at 4 Ochre Court, Dodges Ferry. This property is zoned Low Density Residential and is located in the southern part of Dodges Ferry.

The key planning considerations relate to the on-site management and disposal of wastewater, and side setback.

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



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

Relevance to Council Plans & Policies

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

Legislation

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

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

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	Yes	Nil
Plumbing	Yes	Yes	Nil	Nil
NRM	No			
TasWater	No			
TasNetworks	No			
State Growth	No			

Report

Description of Proposal

The proposal is for a dwelling and outbuilding at 4 Ochre Court, Dodges Ferry. Access to the site is from Ochre Court, with driveway and parking areas to the west of the proposed buildings, and on-site wastewater to the southeast of the dwelling.

The proposed use of the developed site is as a single dwelling, together with an associated domestic outbuilding. The outbuilding would incorporate a workshop space and amenities and is intended to be temporarily occupied as a dwelling whilst the dwelling is under construction.

The development consists of a new two-storey, three-bedroom single dwelling approximately on the northern part of the lot, together with an associated



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

domestic outbuilding. The proposed outbuilding would incorporate a domestic workshop, office, artists' studio and amenities, together with a mezzanine proposed for storage.

The application is supported by:

- written submission dated 11 May 2026 prepared by Paul Wakelam Architect;
- proposal plans prepared by Paul Wakelam Architect dated 1 April 2025; and
- geotechnical assessment prepared by Rock Solid Geotechnics Pty Ltd dated 13 March 2026.

Background

The subject lot was approved by subdivision 7.2022.32.1 sealed by Council in 2023.

Description of Site

The site is a 1502m² internal lot with access over an existing sealed crossover from Ochre Court, located in the southern part of Dodges Ferry. The lot is surrounded by residential land and is not serviced by water or sewage networks. On site management of stormwater and wastewater is therefore necessary.

The land contains no native vegetation, has a westerly aspect and average gradient of approximately one in eight. No covenants or easements of note exist in relation to the lot. Ochre Court is a sealed public road and the speed limit is 50km/hr.



Figure 1. Subject site.

Planning Assessment

Low Density Residential Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
10.4.2 A1	Building height	Yes, the dwelling would be 7.1m above natural ground level and the outbuilding would be 4.7m.
10.4.3 A1	Setback	Yes, the lot is an internal lot with the dwelling setback >8m.
10.4.3 A2	Setback	No, both structures would be setback less than the 5m setback prescribed. Please refer to the performance criteria assessment.
10.4.4 A1	Site coverage	Yes, site coverage would not exceed 17% of the lot area.
10.4.5 A1	Frontage fences for all dwellings	Yes, no front fencing is proposed.

Performance Criteria Assessment 1 – Clause 10.4.3(P2) Setbacks

The performance criteria is applicable as the dwelling would be setback 5m from northern (side) boundary and the outbuilding would be setback 2m from the western (side) boundary, being less than the 5m side setback prescribed. The performance criteria requires:

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 slopes relatively gradually down to the southwest with the dwelling sited at the more elevated part. The area is characterised by a range of dwelling styles with examples nearby of similarly prominent buildings, with which the proposed dwelling would be of a compatible scale. Images provided below show examples of dwellings of a similar scale located within proximity of the site.



Figure 2. Streetview image identifying 116 Bally Park Road.



Figure 3. Streetview image identifying 124 Bally Park Road, which adjoins the site.

For (b), the lots in Ochre Court are slightly larger than those adjacent the site fronting Bally Park Road, and being an internal lot the site is constrained somewhat for building placement. The main body of the lot is of a reasonable size for appropriate and considered residential development.

For (c), adjacent dwellings with frontage to Bally Park Road have side and rear boundary setbacks ranging from 0m (118 Bally Park Road), to 21m at 126 Bally Park Road. The dwelling at 116A Bally Park Road has a minimum setback of

approximately 4m associated with an outbuilding. The proposal is within the established range.

For (d), both proposed buildings would be large in the context of height and form. Both also have a moderate footprint of 130m² for the dwelling and 123m² for the outbuilding. The outbuilding would be offset from adjacent dwellings to the southwest at 124 and 126 Bally Park Road, and the dwelling would be separated by in the order of 15m to the northeast. The land to the southeast is vacant, and compliant setbacks are achieved in relation to the shared boundary with 8 Eastaugh Street. The impacts to amenity of neighbouring properties is varied but largely considered reasonable given the offsets proposed and the positioning of adjacent living areas.

Impacts associated with the upper level, northeast-facing kitchen window are, however, considered significant in terms of overlooking of what appear to be the main outdoor living areas of the adjacent dwelling at 116A Bally Park Road. The proposed kitchen window would have a sill height of 1m above the finished floor level. Owing to the height of the dwelling this, would allow for significant overlooking of the adjacent outdoor living areas at 116A Bally Park Road.

It is therefore considered reasonable, as a condition of approval, to require that the sill height of the window be increased to a minimum of 1.5m above the finished floor level to mitigate the impacts of overlooking. An appropriate condition has therefore been included in the recommended conditions, above.

For (e), there are no existing buildings at the site and 2 Ochre Court. It is noted a permit has been granted for a dwelling at 2 Ochre Court, however as the standard refers to *existing* buildings, this is not a relevant consideration. Similarly, a permit has been granted for a dwelling at 8 Eastaugh Street, which cannot be taken into consideration. For those dwellings fronting Bally Park Road, though the proposed outbuilding is set within 5m of the shared boundary to the southwest, this is not considered to cause for an unreasonable impact. The siting of the outbuilding relative to the existing buildings of those lots fronting Bally Park Road is of a sufficient distance to mitigate visual impacts.

The proposed outbuilding does not incorporate any upper level windows facing southwest towards the adjacent dwellings, and limited interaction between a domestic outbuilding and adjacent residential use is expected within a residential zone. Similarly, the west-facing elevation of the dwelling incorporates a single narrow upper level window only.

For (f), diagrams to illustrate the impact of overshadowing caused by the proposed development were provided for Winter Solstice. The submitted diagrams satisfactorily demonstrate that neither the habitable rooms nor private open space of those lots adjacent would be compromised.

For (g), though both proposed structures are large, the character of development within the area as informed by those adjoining properties fronting

Bally Park Road is such that large dwellings on moderately sized lots are interspersed amongst smaller dwellings, and this lack of uniformity of dwelling sizes tends to a character in which the proposal is consistent.

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. It is considered that the performance criteria is satisfied.

Code

C2.0 Parking and Sustainable Transport Code

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

SOR-S2.0 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. Refer performance criteria assessment below.
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;*



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

- (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 120m² of land must be reserved on-site for wastewater treatment which is located at least 10m 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 irrigation area.*

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'.

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

Issue	Relevant Clause	Response
The proposed outbuilding is a second dwelling	Clause 3.1	The concerns raised are that the outbuilding would be used as a second dwelling, which is a prohibited use in the zone. The Scheme defines a <i>single dwelling</i> as: <i>a dwelling on a lot on which no other dwelling, other than a secondary residence, is situated.</i> The application is for a single dwelling and outbuilding, part of the lower level of which would be used temporarily as a dwelling during the construction of the main dwelling. It is submitted that the outbuilding



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

		would revert to a domestic outbuilding upon completion of the main dwelling. This approach is permissible within the zone as part of the proposed use of the site. The outbuilding structure would revert solely to an outbuilding upon completion of the main dwelling, and the design of the outbuilding would allow for a future secondary residence, if proposed.
Non-compliance with development standards of zone	Clause 10.4	The representations raise concern that all development standards for the zone are not met, primarily in that it is submitted that the proposed use would be multiple dwellings, and additionally relating to privacy, amenity As considered above in detail, the proposal is assessed as complying with the relevant use and development standards for the reasons provided.
The proposed wastewater system is insufficient for two dwellings	SOR-S2.7.1	The application does not propose the development of two separate dwellings. The proposed wastewater system is assessed as being of a suitable size and design to manage on-site wastewater for the proposal.
Risk of short stay accommodation	N/A	Concerns are raised that the outbuilding would be used for visitor accommodation, and that this would have an adverse impact upon residential amenity. The application does not seek approval for visitor accommodation. Were a change of use to visitor accommodation to be intended, a new planning permit would be required.
Insufficient number of parking spaces	N/A	The concern is that there is not adequate parking on site for two multiple dwellings. Being, however, that two multiple dwellings are not what is proposed by this application, this is not a relevant consideration.
Risk of noise and dust emissions and impacts	N/A	The appropriate legislation is the <i>Environmental Management and Pollution Control Act 1993</i> , for which associated regulations exist in relation to noise protection.
Overall loss of residential amenity	10.4.3	Concerns are raised in relation to solar access to adjacent lots, and to privacy between the subject and adjacent sites.

		The tests of Clause 10.4.3(P2) are met, specifically in the context of existing buildings. Whilst permits do exist for two adjacent vacant lots, the Scheme does not make provision at this stage for impacts in that both buildings are not <i>existing</i>. That said, the permit granted for the vacant lot at 8 Eastaugh Street has been considered in the context of overshadowing, and the diagrams provided as part of this application show there being an impact at Winter Solstice in that shadowing would extend up to 9.5m across the shared boundary. Throughout the morning at Winter Solstice this shadow would extend across part of the approved dwelling. This impact is, however, limited to the morning and the adjacent dwelling (if developed as approved) would be provided with at least three hours of sunlight at Winter Solstice. Consistent with the established tests, this is a reasonable impact and would not warrant refusal of this application, if the dwelling at 8 Eastaugh Street were existing.
Alternative siting available	N/A	The application must be determined as is and it is not possible to consider alternative locations or design that change the nature of what is proposed.
Stormwater runoff	N/A	Concern is raised that there is insufficient area for on-site management of stormwater associated with the outbuilding, on the southwestern part of the site. The proposal is for stormwater to discharge to the existing stormwater network that traverses the southwestern part of the lot. On site tanks are also proposed for use on site. The proposed management measures are assessed by Council's development engineer as being appropriate for the size and nature of the proposed development.

Conclusion

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

Kate Guinane
Senior Planner

Attachments:

Proposal plans prepared by Paul Wakelam Architect dated 1 April 2025

Representations x 4

Separate Attachments:

- *Geotechnical assessment prepared by Rock Solid Geotechnics Pty Ltd dated 13 March 2026*



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026



Title Reference: 187805/7
 Property ID: 9211753
 View Property in LISTmap
 Address: 4 OCHRE CT,
 DODGES FERRY TAS 7173
 Location of Certificate:
 Held on behalf of NATIONAL
 AUSTRALIA BANK LIMITED
 Effective Date: 27/3/2025
 Description of Land:
 Prior CT 185271/200.
 Town of DODGES FERRY.
 Lot 7 on Sealed Plan 187805.
 Derivation : Part of 547
 Acres Gld. to Thomas Maccowell..m

DRAWINGS

A0.0 COVER SHEET
 A1.0 TITLE & SURVEY
 A1.1 SCHEDULE OF EASEMENTS
 A1.2 SITE PLAN
 A2.0 SHED FLOORPLAN
 A2.1 SHED ELEVATIONS
 A2.2 HOUSE LOWER FLOORPLAN
 A2.3 HOUSE UPPER FLOORPLAN
 A3.0 ELEVATIONS
 A4.0 SECTION
 A4.1 SECTION

Sorell Council
 Development Application 5.2025.340 1 -
 Development Application - 4 Ochre Court, Dodges
 Ferry - P1.pdf
 Plans Reference: P1
 Date Received: 5/12/2025

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 0432 936 911
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 paulwakelamarchitect.com
 Level 7 | 65 Murray Street, Hobart Tasmania 7000
Paul Wakelam Architect

BSPL No. C07578
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DEVELOPMENT APPROVAL SUBMISSION

COVER PAGE



PROJECT
PROPOSED RESIDENCE | SHED
 TO
 LOT 7, 118A BALLY PARK ROAD, DODGES FERRY 7173
 4 Ochre Court, Dodges Ferry TAS 7173
 FOR
 IGOR FELDMAN
 NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED AS APPROVED

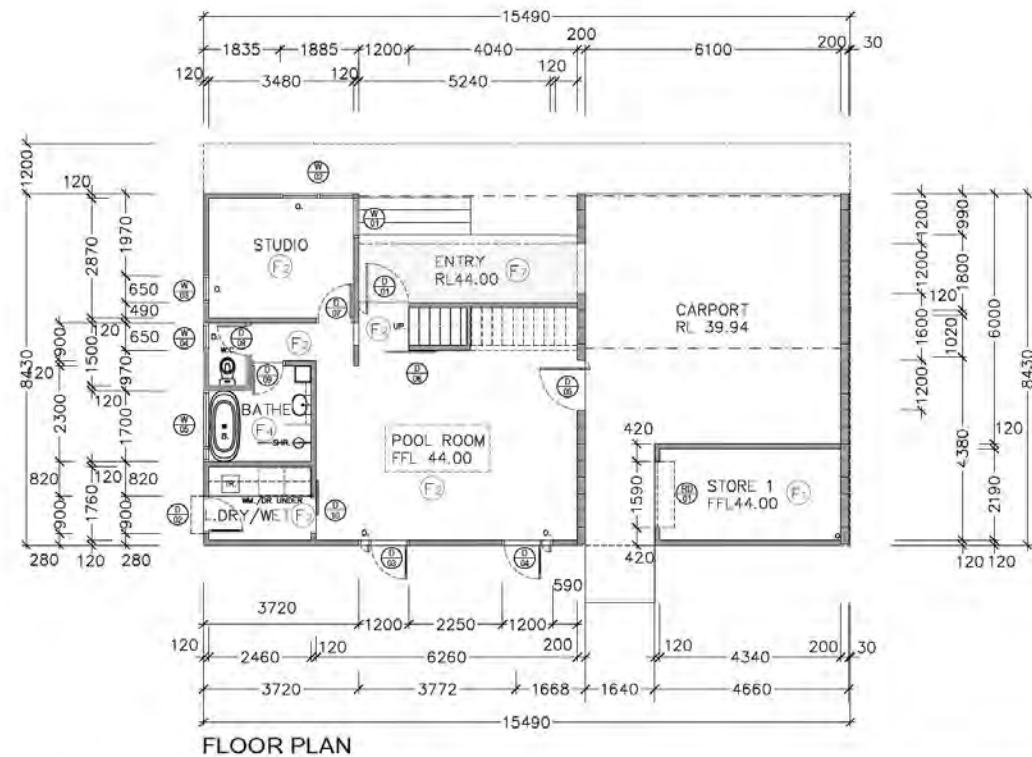
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SCALE		DATE
NTS		01.04.25
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AGENDA
 SORELL PLANNING AUTHORITY (SPA) MEETING
 14 JULY 2026



SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026



FLOOR PLAN

KEY TO MATERIALS

- (F1) CONCRETE SLAB ON CLEAN INFILL
 (F2) BURNISHED CONCRETE SLAB
 (F3) SELECTED TIMBER FLOORING ON STRUCTAFLOOR
 (F4) SELECTED TILE FLOORING ON CONCRETE SETDOWN
 (F5) SELECTED CARPET ON STRUCTAFLOOR
 (F6) SELECTED TILE FLOORING ON 19mm CEMENT SHEETING
 (F7) TIMBER DECKING

PROPOSED AREAS
 NEW HOUSE
 INTERNAL LOWER 63m²
 INTERNAL UPPER 129m²
 COURT UPPER 20m²
 CARPORT 36m²
 STORE 9.5m²



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Paul Wakelam Architect

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DEVELOPMENT APPROVAL SUBMISSION

HOUSE LOWER FLOORPLAN



PROJECT PROPOSED RESIDENCE | SHED
 TO LOT 7, 118A BALLY PARK ROAD, DODGES FERRY TAS 7123
 4 Ochre Court, Dodges Ferry TAS 7123
 FOR IGOR FELDMAN
 NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED AS APPROVED

DESIGN PAUL WAKELAM
 SCALE 1:100
 DRAWN PAW

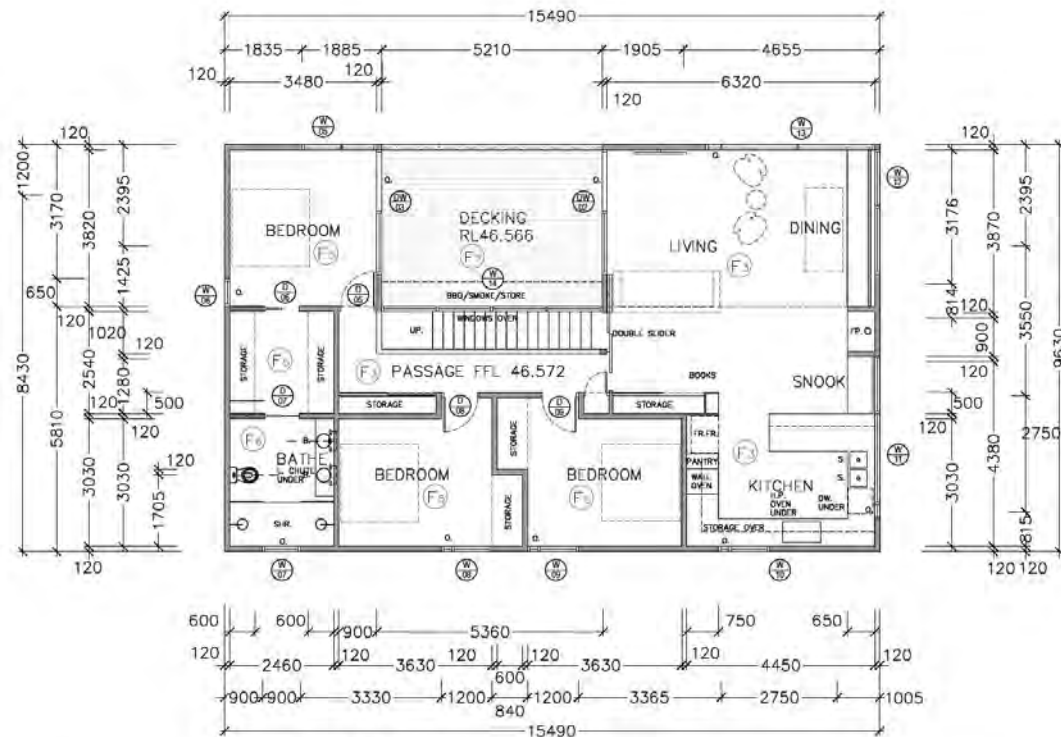
A. 01.11.25
 DATE 01.04.25
 DRAWING A2.2



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING

14 JULY 2026

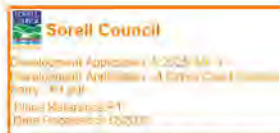


UPPER FLOOR PLAN

KEY TO MATERIALS

- | | | |
|---|---|---------------------|
| (F1) CONCRETE SLAB ON CLEAN INFILL | (F7) SELECTED TILE FLOORING ON CONCRETE SETDOWN | (F7) TIMBER DECKING |
| (F2) BURNISHED CONCRETE SLAB | (F3) SELECTED CARPET ON STRUCTAFLOOR | |
| (F4) SELECTED TIMBER FLOORING ON STRUCTAFLOOR | (F6) SELECTED TILE FLOORING ON 19mm CEMENT SHEETING | |

PROPOSED AREAS
 NEW HOUSE
 INTERNAL LOWER 63m²
 INTERNAL UPPER 129m²
 COURT UPPER 20m²
 CARPORT 36m²
 STORE 9.5m²



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Paul Wakelam Architect

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DEVELOPMENT APPROVAL SUBMISSION
HOUSE UPPER FLOORPLAN



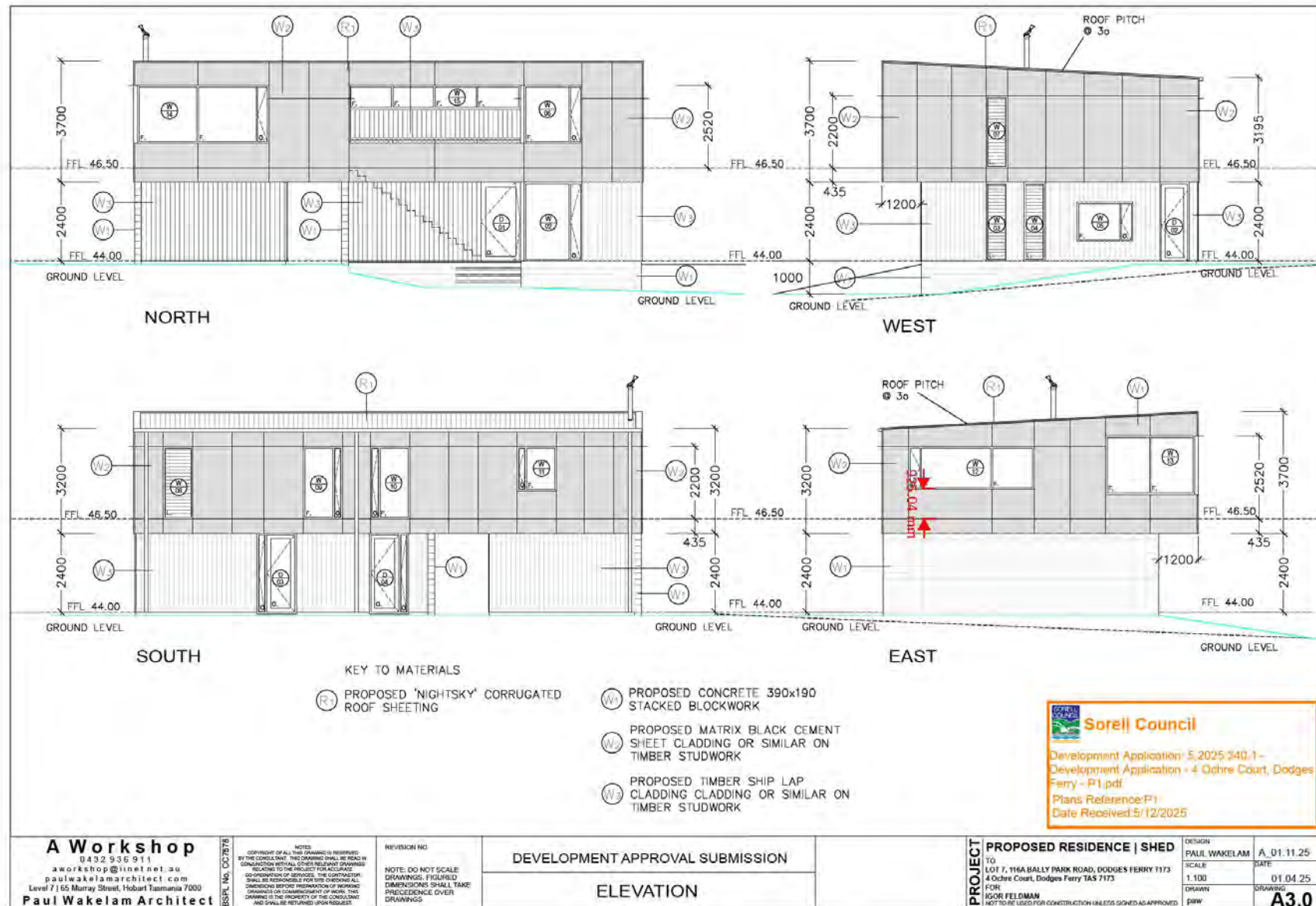
PROJECT **PROPOSED RESIDENCE | SHED**
 TO LOT 7, 116A BALLY PARK ROAD, DODGES FERRY 7173
 4 Oche Court, Dodges Ferry TAS 7173
 FOR IGOR FELDMAN
 NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED AND APPROVED

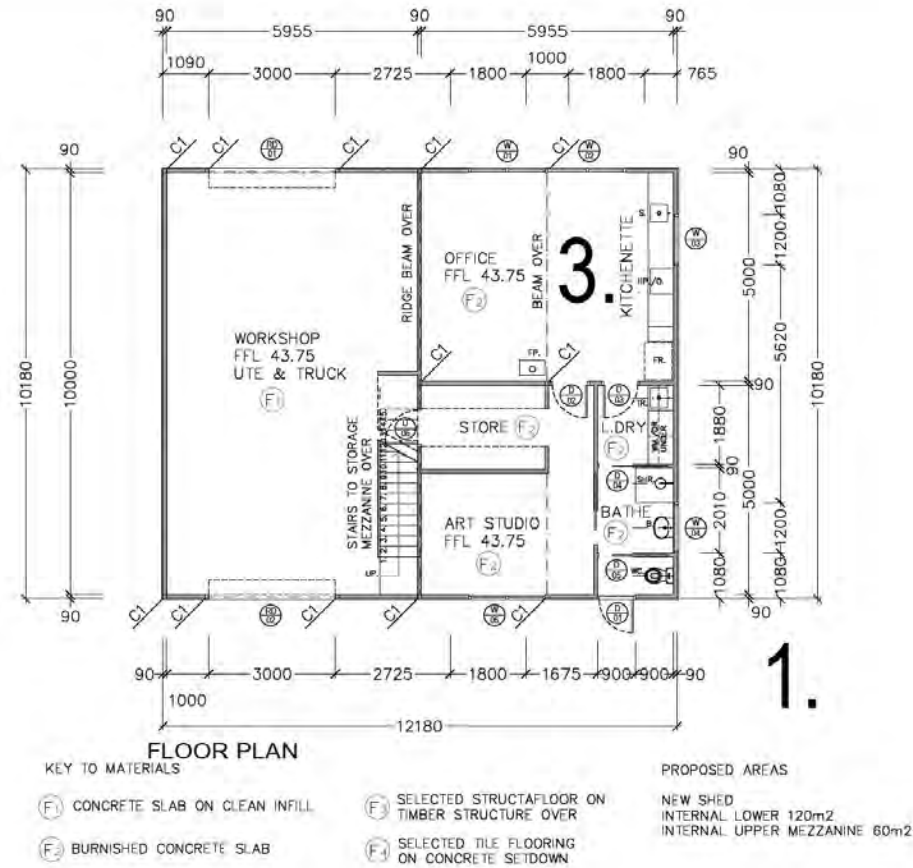
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SCALE	1:100	DATE
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DATE		DRAWING
		A2.3



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
 14 JULY 2026



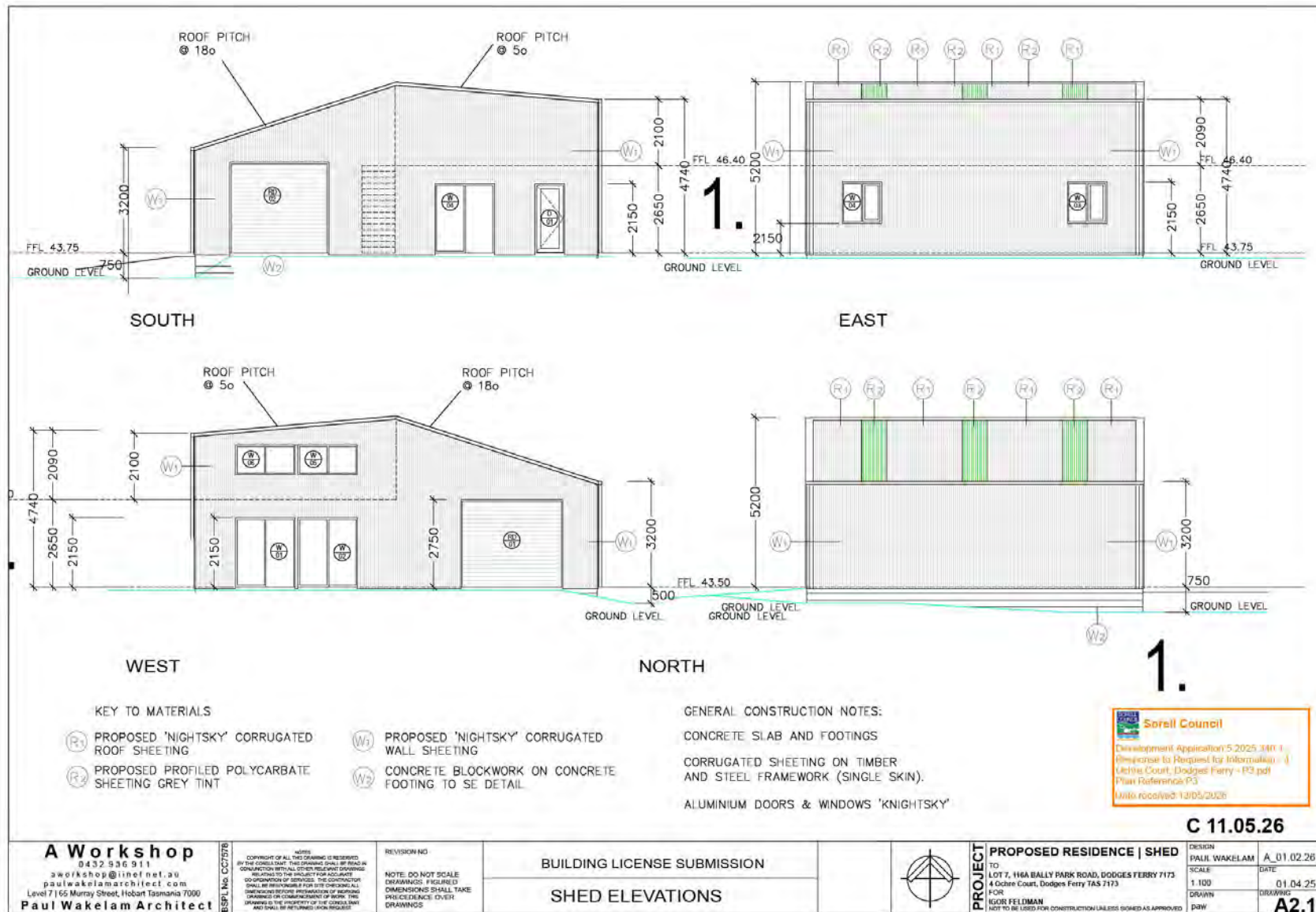


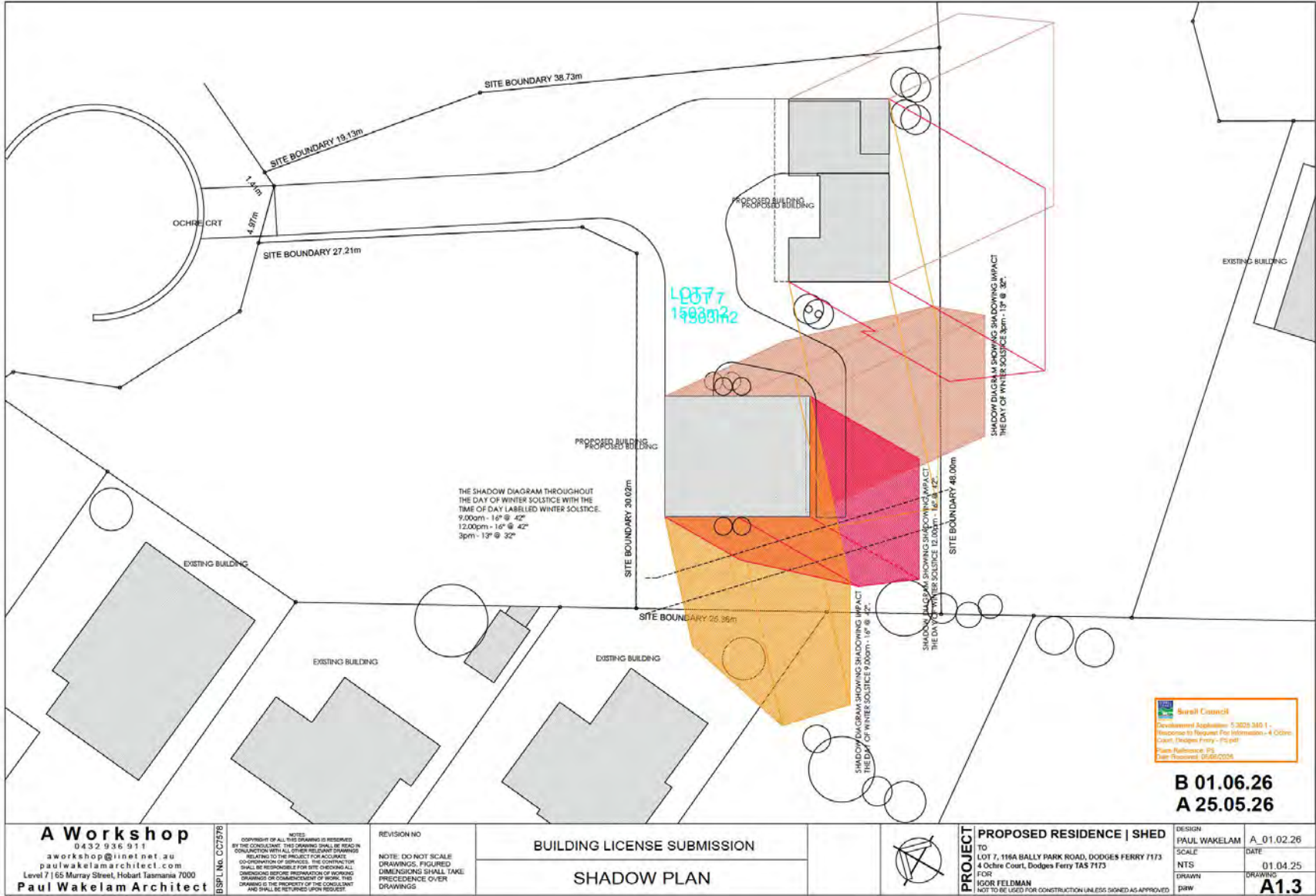
Sorell Council
 Development Application 5-2025-340-1
 Response to Request for Information - 4
 Ochre Court, Dodges Ferry - P3.pdf
 Plan Reference: P3
 Date received: 13/05/2026

C 11.05.26

A Workshop 0432 936 911 aworkshop@tinet.net.au paulwakelamarchitect.com Level 7 65 Murray Street, Hobart Tasmania 7000 Paul Wakelam Architect	NOTED: COPYRIGHT OF ALL THIS DRAWING IS RESERVED BY THE CONSULTANT. THE DRAWING SHALL BE RETURNED TO THE CONSULTANT WITHIN 14 DAYS OF THE DATE OF THE DRAWING BEING ISSUED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE DRAWING AND SHALL BE RESPONSIBLE FOR THE DRAWING BEING RETURNED TO THE CONSULTANT AND SHALL BE RETURNED UNDER REQUEST.	REVISION NO. NOTE: DO NOT SCALE DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER DRAWINGS.	BUILDING LICENSE SUBMISSION SHED FLOORPLAN		PROJECT PROPOSED RESIDENCE SHED TO: LOT 7, 116A BALLY PARK ROAD, DODGES FERRY 7173 4 Ochre Court, Dodges Ferry TAS 7173 FOR: KGOR FELDMAN NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED AS APPROVED	DESIGN: PAUL WAKELAM SCALE: 1:100 DATE: 01.04.25 DRAWN: A2.0
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SORELL PLANNING AUTHORITY (SPA) MEETING
14 JULY 2026

18 June 2026

Chief Executive Officer

Sorell Council

47 Cole Street

SORELL 7172

Dear Sir

Representation Development Application 5.2025-340.1

4 Ochre Court Dodges Ferry

I write in relation to the above application as the property owner of the adjoining property at [REDACTED]. The Application is not Compliant with many aspects of the Tasmanian Planning Scheme.

Executive Summary

The Application states that the buildings are "Outbuilding" and "Dwelling". By labelling the buildings as such, the provisions of the Tasmanian Planning Scheme (TPS) are not applied to the same standards to both buildings.

The second building is **functionally and legally a dwelling** under TPS 6.2. The applicant has **explicitly stated** they intend to **live in the outbuilding as a dwelling** while the main house is being constructed. This confirms the building's intended residential use and triggers the need for assessment as a **multiple-dwelling development**, which has **not** occurred.

Merely labelling the offices as such, and a five metre kitchen as a "kitchenette" does not prevent the self-contained unit being used as an additional residence, whilst not meeting the provisions of the TPS.

There is no detailed plan of the proposed Mezzanine section of the structure.

The proposal therefore appears to attempt to avoid assessment of the relevant provisions of the TPS and fails to meet the requirements of the **Low Density Residential Zone (LDRZ)**, the **On-Site Wastewater Management Code**, the **Parking and Access Code**, and the **Noise Attenuation Code**.

My Representation is as follows:

1. Introduction

A detailed review of the plans and documentation shows that the structure labelled as an "outbuilding" is not an outbuilding, but a second dwelling under the Tasmanian Planning Scheme.

The applicant has explicitly stated that they intend to live in the outbuilding as a dwelling while the main house is being built. This admission confirms the building's intended residential use.

Additionally, the two rooms labelled as "offices" are essentially bedrooms, based on their size, layout, and direct access to full sanitary and kitchen facilities. Relabelling does not change the residential loading.

The building is also highly suitable for commercial accommodation (e.g., Airbnb), which raises further compliance issues.

The proposal therefore must be assessed as a multiple-dwelling development, triggering development standards that the application does not meet.

2. The "Outbuilding" Meets the TPS Definition of a Dwelling

Relevant Provision

TPS 6.2 – Dwelling Definition

A dwelling is a building providing self-contained accommodation, including kitchen, bathroom, toilet and laundry.

Assessment

The proposed "outbuilding" contains:

- a kitchen five metres long (labelled as a kitchenette)
- a bathroom
- a toilet
- a laundry
- two rooms functioning as bedrooms
- a layout consistent with residential occupation

Applicant's Own Admission

The applicant has stated they intend to live in the outbuilding as a dwelling while the main house is being constructed.

This confirms:

- the building is designed for habitation
- the building is intended to function as a dwelling
- the applicant acknowledges it is a dwelling

Potential for Commercial Activities

The building's layout — two bedrooms, large kitchen, bathroom, laundry and separate access — is consistent with short-stay visitor accommodation.

Conclusion: The building is a dwelling, not an outbuilding, and is capable of being used for commercial accommodation and/or the conduct of two separate businesses, rather than "home offices".

3. Non-Compliance with the Low Density Residential Zone (LDRZ)

3.1 Zone Purpose – LDRZ 10.1.1

Non-Compliance

- A second dwelling increases residential intensity.
- The applicant's stated intention to live in the outbuilding confirms it is not ancillary.
- The inclusion of two bedroom-equivalent rooms reinforces residential use.
- The potential for commercial accommodation further increases intensity.

3.2 Residential Density – LDRZ 10.4.1

Non-Compliance

- The lot does not meet minimum requirements for multiple dwellings.
- No density assessment has been provided.
- A second dwelling with two bedrooms significantly increases occupancy potential.
- The applicant's intention to occupy the building confirms it is a dwelling.

3.3 Building Height – LDRZ 10.4.2

Non-Compliance

- The scale and height of the two-bedroom dwelling exceed what is typical for an outbuilding.
- Overshadowing and visual bulk impacts are not addressed, and will impact adjoining property amenity.
- Outbuilding bedroom-equivalent rooms increase privacy impacts.
- Commercial accommodation would increase overlooking and noise from short-term guests.

3.4 Setback – LDRZ 10.4.3

Non-Compliance

- The set-back of the second dwelling (labelled outbuilding) is two metres, not the five metres required as per LDZ 10.4.3
- Both dwellings overshadow neighbouring land.
- Shading diagrams suggest substantial impact from both two storey dwellings due to their proposed height and bulk.

3.5 Site Coverage – LDRZ 10.4.4

Non-Compliance

- Two dwellings exceed acceptable site coverage.
- No compliant private open space is provided for the second dwelling.

4. Wastewater Management – E5.0

Non-Compliance

Relevant Provisions

- E5.5.1 – Capacity of On-Site Wastewater System
- AS/NZS 1547 – Referenced Standard

Assessment

The wastewater system is sized for one dwelling only, with a stated maximum capacity of three bedrooms. However, the system should be designed as capable of handling five bedrooms, which in itself is precluded from the development, as the second building contains:

- full sanitary facilities
- a kitchen
- a laundry
- two rooms functioning as bedrooms
- and is intended to be lived in as a dwelling.

Further, the *Certificate of Responsible Design* from Rock Solid Geotechnics, dated 13/3/26 states the Onsite Waste Requirements Design Irrigation Rate (DIR) is for a three bedroom residence with a Land Application Area of 120 square metres, which is manifestly inadequate for the two proposed buildings.

In the Application, the *Loading Certificate for the On-site Wastewater*, also dated 13/3/26 states ***“the system capacity is for a three BR residence, and the consequences for overloading the system...may cause surfacing of effluent, public and environment health nuisances, pollution of surface water etc”***.

Commercial Accommodation Risk

Short-stay accommodation typically results in:

- higher wastewater loading
- peak-period surges
- increased laundry and cleaning cycles

None of this has been assessed, no hydraulic calculations provided, no soil report for two dwellings and there is no assessment of increased loading from a two-bedroom dwelling or potential visitor accommodation.

The wastewater system is non-compliant and poses environmental and public health risks.

5. Parking & Access – E6.0

Relevant Provisions

- E6.6.1 – Number of Car Parking Spaces
- E6.7.1 – Access Requirements

Non-Compliance

- Two dwellings require additional parking not shown.
- Bedroom-equivalent rooms increase expected vehicle numbers.
- Commercial accommodation would require additional parking, not provided.
- No traffic or parking assessment provided.

6. If the Applicant Claims the Building Is for “Two Offices”

Relevant Provisions

- Use Class: Business and Professional Services
- Use Class: Home-Based Business
- LDRZ Use Table
- E8.0 – Noise Attenuation Code

Assessment

Even if re-labelled as “two offices” for separate entities, the following remain true:

6.1 The “offices” are bedrooms

Their size, layout and proximity to full sanitary and kitchen facilities make them bedroom-equivalent rooms, not offices.

6.2 Applicant Intends to Live in the Building

The applicant's own statement confirms the building is intended to be used as a dwelling, not an office.

6.3 Wastewater Non-Compliance Remains

Commercial relabelling does not change the residential loading generated by two bedroom-equivalent rooms.

6.4 Noise Impacts

If used as offices for distinct and different operations, the building may generate:

- customer visits
- staff movements

- equipment noise
- extended operating hours

No noise assessment has been provided.

6.5 Commercial Accommodation Risk

The building's layout is highly suitable for Airbnb-style accommodation, which would:

- increase noise
- increase traffic
- increase parking demand
- introduce transient guests
- further conflict with the LDRZ purpose

No assessment has been provided for this potential use.

7. Conclusion and Request

For the reasons outlined above, I respectfully request that Sorell Council:

1. Reject the application in its current form, and
2. Require the applicant to re-design and re-submit the proposal as a development containing two dwellings, with full compliance demonstrated for:
 - residential density
 - wastewater capacity
 - amenity protections
 - parking
 - noise impacts
 - commercial accommodation risks
 - zone purpose and use standards

The current proposal is not compliant, not transparent, and not appropriate for the Low Density Residential Zone. I also request to be notified in writing of Council's decision on this application.

██████████
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 ████████████████████
 ████████████████████

TO: Sorell Council, Senior Planner / Manager Planning

DATE: 22 June 2026

RE: NOTICE OF REPRESENTATION — DEVELOPMENT APPLICATION Application No: 5.2025.340.1

Site Address: 4 Ochre Court, Dodges Ferry (Lot 7 on Sealed Plan 187805)

Proposed Development: Dwelling and "Outbuilding"

[REDACTED]
[REDACTED]

Dear Sir/Madam,

I am writing to lodge a formal representation regarding Development Application 5.2025.340.1 for the proposed dwelling and outbuilding at 4 Ochre Court, Dodges Ferry.

As the immediate neighbour sharing the majority of the western boundary line upon which this substantial outbuilding is positioned, I request that Council thoroughly evaluate several components of the design against the discretionary provisions and performance criteria of the *Tasmanian Planning Scheme – Sorell 2022*.

The eastern interface of my residence directly faces the location of the proposed structure. This section of my property contains highly sensitive residential areas, specifically my home office, our master bedroom, and a child's bedroom. I ask that the planning department evaluate the following potential conflicts with the scheme's residential amenity, use class, and privacy protections.

1. Reclassification of Use Class: Commercial Operation and De Facto Habitable Space

While the application is advertised as an ancillary residential outbuilding, the submitted documentation and the applicant's formal Request for Information (RFI) response explicitly demonstrate that the primary intent of this building is commercial and habitable.

- A. **Commercial Intent:** In the formal response letter to the Council Planner dated 11 May 2026, the architect states: "The purpose of these offices is for the client, a builder to run his business from and provide substantial storage for his equipment..."
- B. **Industrial Indicators:** Drawing A2.0 explicitly labels the primary lower zone as a "Workshop: Ute & Truck", confirming the intent to operate a commercial trade and park heavy trade vehicles and store commercial materials directly adjacent to a residential boundary.
- C. **Habitable Infrastructure:** The building totals 180m² of internal area (a 120m² lower floor and a 60m² mezzanine), which is nearly triple the footprint of the main house's lower living floor (63m²). It incorporates a substantially sized "kitchenette", full bathroom, laundry facilities, a separate art studio, and offices. The applicant further acknowledges that the space will be occupied as accommodation during the construction of the main dwelling.
- D. **Planning Point:** Under the scheme, an outbuilding must be subservient to the primary residential use. The scale, independent plumbing infrastructure, and declared commercial purpose indicate a potential shift in Use Class to *Business

Premises* or *General Industrial*, which are heavily restricted or non-permitted within the General Residential Zone. I request that Council place strict, legally binding conditions on the title prohibiting any commercial trade operations, un-zoned commercial manufacturing, or unauthorised short-stay/dual-occupancy residential use of this structure.

2. Discretionary Assessment Required for Acoustic Amenity, Noise, and Air Emission Controls

- A. **The Planning Rule:** Under the provisions of the General Residential Zone, developments must ensure that emissions (including noise, dust, and airborne particulate matter) do not cause an unreasonable loss of amenity to adjacent sensitive residential uses.
- B. **The Interface:** While the outbuilding is set back approximately ≈8 metres from the western boundary line, Drawing A2.0 details a wide structural opening and **roller door (labelled C1) positioned directly on the western elevation facing my property**. The back of my residence sits 4 to 5 metres from our shared fence line, creating a total separation of only 12 to 13 metres between the open workshop bay and my family's primary sleeping, playing and working zones.

bedroom window view - Taken from within the room (below)



Master Bedroom window view - taken from within the room (below)



- C. **The Core Conflict:** The operation of commercial-grade machinery, power tools, timber/metal cutting equipment, and trade vehicles with a wide-open roller door directly facing our bedroom windows creates an unmitigated line of exposure for acoustic travel and trade dust emissions/pollutants.
- D. **Requested Condition:** I request that Council exercise its discretionary powers to protect residential amenity by conditioning that ****no openable roller doors, commercial bays, or extraction vents be permitted on the western elevation****. The western wall must be constructed as a solid, fully sealed, acoustically insulated barrier to prevent structural workshop noise and dust from blowing into our bedroom windows. Additionally, no noise or pollutant producing work to be conducted on the outside of the outbuilding facing the shared fenceline.

3. Potential Visual Privacy and Overlooking Impacts under Clause 10.4.6

- A. **The Planning Rule:** Clause 10.4.6 (*Privacy for all dwellings*) seeks to protect residential amenity by preventing direct overlooking into the habitable room windows and private open spaces of existing adjacent dwellings.
- B. **The Reality:** Drawing A2.1 (Shed Elevations) shows expansive upper-level glazing on the mezzanine level facing toward the western boundary. Because the proposed building reaches an elevated height of 5.2 metres, occupants utilising the upper mezzanine office and studio spaces will have an elevated, unmitigated line of sight directly over the boundary fence.

- C. **The Core Conflict:** A horizontal separation distance of ≈ 8 metres does not resolve the privacy issue when dealing with an elevated 5.2-metre structure. The angle of depression allows direct visibility into the highly private zones of my home where my wife and I and my child sleeps and plays in and also where I conduct professional computer work on the lower level of my property situated directly under the master bedroom.
- D. **Requested Condition:** I request that Council ensure strict adherence to Clause 10.4.6 by requiring all upper-level glazing on the western elevation to be permanently fitted with fixed, obscure privacy glass on the second/mezzanine floor level, or to direct the sightlines away from our residential interface.

4. Cumulative Use and Wastewater Infrastructure Constraints

- A. **The Siting and Capacity:** The provided Onsite Wastewater Management report from "Rock Solid Geotechnics" states the Taylex AVTS system is engineered specifically for a standard 3-bedroom domestic loading capped at 600 litres per day.
- B. **The Design Conflict:** Drawing A2.0 details separate plumbing infrastructure within the outbuilding, including a "kitchenette", a laundry facility, and a full bathroom and four water tanks proposed for the outbuilding.
- C. **Wastewater/Hydraulic Risk:** The inclusion of this independent plumbing infrastructure introduces a high risk of unexpected hydraulic surges if utilised concurrently with the main dwelling by workers, clients, occupants, or guests. I request that Council verifies whether the capacity of the proposed Land Application Area (LAA) is legally sufficient to sustain the cumulative wastewater load of both independent structures without risking effluent surfacing or runoff.
- D. **Stormwater and Overland Flow Risk:** Furthermore, the massive 120m² roof footprint of the outbuilding creates a significant impervious surface. The proposal of four water tanks indicates a critical need to manage massive volumes of roof runoff. Because my property sits at a lower elevation directly adjacent to this interface, any overflow, failure, or inadequate engineering of the stormwater detention system poses an immediate risk of concentrated overland flow and potential workshop pollutants spilling onto our land. I request that Council strictly assess the stormwater management plan to ensure it can completely contain and safely divert 1-in-100-year storm events without impacting our shared boundary.

Conclusion

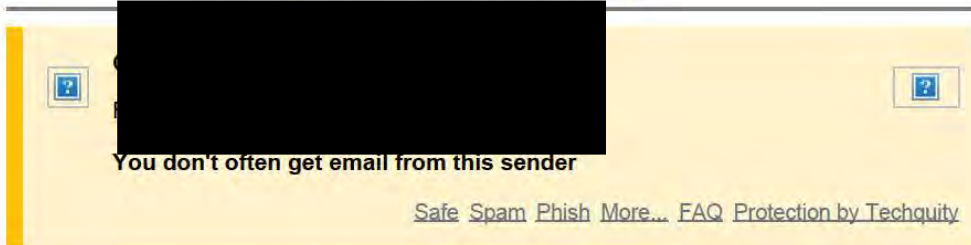
To maintain the fundamental intent of the General Residential Zone, developments must respect the privacy, health, and acoustic boundaries of existing dwellings. I trust that the planning department will rigorously assess these potential areas of non-compliance against the Performance Criteria of the Sorell Planning Scheme.

I look forward to receiving formal acknowledgment of this representation and request a copy of the final planner's report regarding these matters prior to the determination of the application.

Yours respectfully,



From: [REDACTED]
To: [Sorell Council](#); [REDACTED]
Subject: Fwd: Representation – Development Application 2025/340.1 – Lot 1 Eastaugh Street, Dodges Ferry
Date: Thursday, 25 June 2026 11:23:16 AM
Attachments: [IMG_6307.png](#)
[inky-injection-inliner-03755809cc10337ec572b1f12a6beedf.png](#)
[inky-injection-inliner-239761ff400e110ea6b895ecd084a6bf.png](#)



Dear Planning Officer,

We are writing in relation to Development Application 2025/340.1 for the proposed dwelling and short stay accommodation at Lot 1, Eastaugh Street, Dodges Ferry.

Firstly, we would like to make it clear that we do not oppose the proposed Short Stay Accommodation or the overall design of the dwelling. We understand that development within the subdivision is expected and we support appropriate development that is consistent with the Tasmanian Planning Scheme.

Our concern relates solely to the siting of the proposed dwelling and shed, and the impact this will have on the amenity of our approved home on [REDACTED]

Our home has already been approved by Council and has been specifically designed to maximise natural light into our primary living spaces. The submitted shadow diagrams demonstrate that the proposed two-storey dwelling will overshadow the windows to the majority of our habitable rooms, including our open plan kitchen, dining and lounge, children's play area, Bedroom 1 and Bedroom 2. These are the principal living areas of our home and the areas where our family will spend most of our time.

The resulting loss of sunlight, particularly during the winter months, will significantly reduce the amenity and passive solar performance of our home, increasing our reliance on artificial heating and impacting the way our home was intentionally designed to function.

We note that the proposal does not comply with the Acceptable Solution A2 of Clause 10.4.3 – Setback, which requires dwellings within the Low Density Residential Zone to have a minimum setback of 5 metres from the side and rear boundaries.

As the proposal does not satisfy the Acceptable Solution, it is our understanding that the application must demonstrate compliance with the relevant Performance Criteria of Clause 10.4.3, particularly P2. We are concerned that the Request for Information response does not adequately demonstrate how the proposal satisfies these Performance Criteria.

P2(d) – Height, Bulk and Form of Existing and Proposed Buildings

The application does not sufficiently demonstrate how the height, bulk and form of a substantial two-storey dwelling together with a two-storey shed, located close to the shared

boundary, avoids unreasonable impacts on adjoining properties. The combined scale and mass of the buildings will create a visually imposing outcome when viewed from our property.

P2(f) – Sunlight to Private Open Space and Windows of Habitable Rooms

The submitted shadow diagrams clearly demonstrate that the proposed dwelling will overshadow the windows of the majority of the habitable rooms within our approved home. This includes our open plan living, dining and kitchen, children's play area, Bedroom 1 and Bedroom 2.

Clause 10.4.3 P2 specifically requires consideration of sunlight to private open space and windows of habitable rooms on adjoining properties. We believe the proposal will result in an unreasonable loss of amenity by significantly reducing natural sunlight to the principal living areas of our home during the winter months.

P2(g) – Character of Development Existing on Established Properties in the Area

We are also concerned that the application has not demonstrated how the combined scale of a large two-storey dwelling and substantial two-storey shed is consistent with the existing character of the surrounding Low Density Residential area, where the predominant form of development is single-storey dwellings.

Importantly, we are not asking Council to refuse this application.

Our request is simply to relocating the proposed dwelling approximately two metres further south on the allotment. Given the generous size of the lot, we believe this is a reasonable and practical solution that would have minimal impact on the proposed development while providing a significant benefit to our property.

A relatively small adjustment to the siting of the dwelling would allow our approved home to continue receiving natural sunlight into our primary living areas throughout the year, particularly during the winter months when solar access is most important. Our living room, dining area, kitchen and family spaces were intentionally designed to capture natural sunlight for both comfort and energy efficiency. A two-metre relocation would better preserve this sunlight without preventing the applicant from proceeding with the development.

We are not seeking to prevent development or require a substantial redesign. Rather, we are asking for a modest relocation of the dwelling that would better balance the reasonable expectations of both property owners. We believe this solution would enable the applicant to proceed with their development while preserving the amenity of our approved home, consistent with the objectives of Clause 10.4.3 of the Tasmanian Planning Scheme.

In our view, this represents a fair and practical outcome for both parties. It allows the proposed development to proceed substantially as designed while avoiding what we believe would otherwise be an unreasonable loss of amenity to our property.

We believe this is precisely the type of planning outcome the Performance Criteria are intended to achieve—balancing the rights of both landowners so that development can proceed without causing an unreasonable loss of amenity to adjoining properties.

We are more than willing to discuss this directly with the applicant, designer and future owners if Council believes this would assist. Our preference is to work collaboratively and

achieve a fair outcome for everyone involved rather than create unnecessary conflict or delay.

However, we also wish to be transparent about our position. If the application is approved in its current form, and the impacts on our property's amenity remain unaddressed, we will have little option but to consider exercising our rights to seek a review through the Tasmanian Civil and Administrative Tribunal (TASCAT).

This is not an outcome we are seeking. We recognise that an appeal may delay the development and create additional costs and uncertainty for everyone involved. Our genuine hope is that, through Council's assessment or discussions with the applicant, a practical solution can be reached that avoids the need for further proceedings.

We respectfully ask Council to carefully consider the objective of Clause 10.4.3, which states that the siting of dwellings should be compatible with the streetscape and must not cause an unreasonable loss of amenity for adjoining properties.

We also ask Council to carefully consider the Performance Criteria under Clause 10.4.3 P2, particularly the requirement to assess:

- the height, bulk and form of existing and proposed buildings;
- sunlight to private open space and windows of habitable rooms on adjoining properties;
- and
- the character of development existing on established properties in the area.

We respectfully submit that the current proposal does not adequately demonstrate compliance with these Performance Criteria and that a modest relocation of approximately two metres would achieve a far more balanced planning outcome while still allowing the development to proceed.



Thank you for taking the time to consider our submission. We appreciate the role Council plays in balancing the interests of all parties and trust that our concerns will be carefully considered as part of the assessment process. We remain hopeful that a practical and reasonable solution can be reached that benefits both parties and avoids the need for further proceedings.

Kind regards,

[Redacted signature]

From: [REDACTED]
To: [Sorell Council](#)
Subject: Representation – Development Application 5.2025.340.1
Date: Sunday, 28 June 2026 7:39:00 PM
Attachments: [inky-injection-inliner-03755809cc10337ec572b1f12a6beedf.png](#)
[inky-injection-inliner-239761ff400e110ea6b895ece084a6bf.png](#)



Caution: External [REDACTED]

First-Time Sender [Details](#)

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To: Senior Planner, Sorell Council
 Re: Development Application 5.2025.340.1
 Site: 4 Ochre Court, Dodges Ferry

Dear Planning Officer,

I wish to lodge a representation regarding Development Application 5.2025.340.1 for the proposed dwelling and outbuilding at 4 Ochre Court, Dodges Ferry. I am the owner and occupier of [REDACTED]
 My representation relates primarily to the proposed reduction in the eastern side setback and the resulting impacts on the privacy and residential amenity of our property.

Under Clause 10.4.3 A2 of the Tasmanian Planning Scheme – Sorell, dwellings are required to be set back a minimum of 5 metres from side and rear boundaries. As the proposed dwelling does not comply with this Acceptable Solution, it must satisfy the Performance Criteria under Clause 10.4.3 P2 by demonstrating that the reduced setback will not result in an unreasonable loss of amenity to adjoining properties. In my view, the proposal has not demonstrated this for the following reasons.

1. Significant Loss of Privacy

The eastern elevation of the proposed dwelling directly faces our property. Our master bedroom window and a private outdoor area regularly used by our family are located immediately adjacent to the shared boundary. These are highly sensitive residential spaces where we have a reasonable expectation of privacy. The reduced side setback, together with the scale and orientation of the proposed dwelling, will substantially reduce the privacy we currently enjoy. Rather than looking towards open space, our bedroom will instead face a neighbouring dwelling positioned significantly closer to our boundary than anticipated under the Planning Scheme. This creates increased opportunities for overlooking into both our bedroom and



outdoor living area and will fundamentally change how these spaces are experienced on a daily basis. While privacy is addressed elsewhere in the Planning Scheme, it is also directly relevant to the assessment of residential amenity under Clause 10.4.3 P2.

2. Unreasonable Loss of Residential Amenity

Clause 10.4.3 P2 requires Council to consider whether the siting of a dwelling will cause an unreasonable loss of amenity to adjoining properties.

In this case, the proposal concentrates the bulk of the dwelling towards our common boundary despite the subject allotment being approximately 1,500 square metres and significantly larger than many residential lots within Dodges Ferry.

Unlike a boundary adjoining a driveway, garage or secondary yard, this interface directly affects the most sensitive parts of our home, including:

- our master bedroom;
- habitable room windows;
- our private outdoor living area; and
- the outlook from these spaces.

The reduced setback will increase the visual dominance of the dwelling, reduce the sense of openness currently enjoyed from our property and diminish the residential amenity of these areas. Given the generous size of the allotment, it is difficult to understand why the dwelling needs to be located so close to the eastern boundary when greater separation appears achievable.

3. Failure to Satisfy the Performance Criteria

Clause 10.4.3 P2 requires Council to consider:

- the topography of the site;
- the size, shape and orientation of the site;
- the setbacks of surrounding buildings;
- the height, bulk and form of the proposed dwelling;
- the effect on adjoining habitable rooms and private open space; and
- the existing pattern of development within the area.

In my opinion, the proposal has not adequately demonstrated that these matters have been satisfactorily addressed.

The reduced setback places a substantial built form unnecessarily close to our property despite there appearing to be sufficient land available elsewhere on the site to achieve greater compliance with the Planning Scheme.

As a result, the proposal imposes a disproportionate impact on our residential amenity compared with what would ordinarily be expected under the General Residential Zone.

4. Alternative Siting Appears Available

The subject property is considerably larger than a typical residential allotment. Given the generous dimensions of the site, there appears to be ample opportunity to reposition or redesign the dwelling to achieve greater compliance with the 5-metre setback while still allowing reasonable development of the land. For this reason, I question whether sufficient planning justification has been provided to support a departure from the Acceptable Solution.

5. Privacy Measures if Approved

Should Council determine that the reduced setback is acceptable, I respectfully request that conditions be imposed to minimise the resulting impacts on neighbouring properties. In particular, I request that any upper-storey or elevated eastern-facing habitable room windows, including living areas, kitchens or other regularly occupied spaces that overlook [REDACTED] be fitted with fixed obscure glazing or an equivalent privacy treatment sufficient to prevent direct views into adjoining habitable room windows and private outdoor areas. Such conditions are commonly used to balance development outcomes while protecting neighbouring residential amenity.

6. Intended Use of the Proposed Outbuilding

I also have concerns regarding the scale, design and intended use of the proposed outbuilding. Documentation accompanying the application refers to office space, workshop facilities and storage associated with the owner's building business. While I acknowledge that some home-based business activity may be permissible within residential areas, the proposed outbuilding appears substantially larger and more comprehensively fitted out than would ordinarily be expected for a typical ancillary residential building. Given the inclusion of workshop space, offices and supporting facilities, I respectfully request that Council carefully assess whether the proposed use remains genuinely ancillary to the residential use of the site and consistent with the intent of the General Residential Zone.

If Council approves the application, I request that appropriate conditions be imposed to ensure that the outbuilding is not used for commercial trade operations or activities that could adversely affect neighbouring residential amenity through increased noise, vehicle movements or other impacts.

Requested Outcome

For the reasons outlined above, I respectfully submit that the proposal has not adequately demonstrated compliance with Clause 10.4.3 P2, as the reduced eastern setback results in an unreasonable loss of privacy and residential amenity to our property.

I respectfully request that Council:

- require the dwelling to achieve greater compliance with the 5-metre side

setback where reasonably practicable;

- alternatively, require the dwelling to be redesigned or repositioned to reduce the impacts on adjoining properties;
- if approved, require fixed obscure glazing or equivalent privacy screening to eastern-facing upper-storey habitable room windows capable of overlooking 5 Ochre Court; and
- carefully assess the intended use of the proposed outbuilding and impose any necessary conditions to ensure it remains ancillary to the residential use of the site and does not adversely affect neighbouring residential amenity.

Thank you for considering this representation.

Yours faithfully,



5.4 PLANNING SCHEME AMENDMENT – AM-SOR-5-2026-206-1 – BOOMER BAY

Applicant:	Sorell Council
Proposal:	Section 40F – Rezone Utilities to Open Space
Site Address:	Lot 1 Craigs Hill Road, Boomer Bay, 7177, (CT 215565/1)
Planning Scheme:	<i>Tasmanian Planning Scheme Sorell (TPS-S)</i>
Relevant Legislation:	Part 3B of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	No delegated authority for a planning scheme amendment

Relevant Zone:	Utilities
Proposed Zone:	Open Space
Representation(s):	Not Applicable

RECOMMENDATION

- a) That pursuant to Section 40D(a) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority prepare Amendment AM-SOR-5-2026-206-1 to the Sorell Local Provisions Schedule for land at Lot 1 Craigs Hill Road, Boomer Bay (CT215565/1) to rezone part to Open Space Zone (as set out in attachment 1 to the report).
- b) That pursuant to Section 40 and *Use Planning and Approvals Act 1993*, AM-SOR-5-2026-206-1 is certified as meeting the LPS criteria.
- c) That in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*, the Planning Authority places the amendment on public exhibition for a period of 28 days.

Executive Summary Proposal

Proposal

The purpose of the report is to consider whether to prepare and certify a request to amend the planning scheme to rezone the Council owned land at Lot 1 Craigs Hill Road, Boomer Bay CT215565/1 from Utilities to Open Space. The site is a former small-scale tip to be managed into the future as a bushland reserve.

Process

The report provides details of the amendment and the site. The strategic outcomes of the proposal are outlined, having regard to matters of local, regional and then State importance.

Attachments to the report detail the degree of compliance with the *Land Use Planning and Approvals Act 1993 (LUPAA)*. LUPAA is based on environmental, economic and social objectives with a strong emphasis on public engagement. However, at this stage of the process consultation specifically related to re-zoning has not occurred. Over the years Council has worked with and supported the



AGENDA

SORELL PLANNING AUTHORITY (SPA)
MEETING 14 JULY 2026

community and community groups with projects relating to the site and discussed future proposals for the site.

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

1. The amendment is exhibited for 28 days. The Planning Authority will consider a report on the outcomes of exhibition; and
2. The Tasmanian Planning Commission (the Commission) will decide whether to approve, modify and approve, or reject the amendment. The Commission will typically hold a public hearing as part of its assessment process. The Commission will consider the Planning Authorities report on the outcomes of exhibition and any recommendation contained within that report.

If not prepared and certified, the proponent may request that the Commission review the decision and the Commission could direct Council to reconsider its position.

Options available to the Planning Authority are to either:

- a) certify the amendment as submitted,
- b) modify and certify the amendment, or
- c) refuse to certify the amendment.

Assessment:

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

- Changing the zoning confirms Councils commitment to retaining the land for its ongoing community recreation benefit and environmental conservation efforts.
- The proposed rezoning allows for the formalisation of the various recreational activities already taking place within the site and allows for development and funding opportunities to support these activities.
- The rezoning accurately reflects how the area is currently being utilised by the community and provides additional protection for the natural values already identified and others likely to on site.
- The utilities zoning for this site is no longer relevant or required for the foreseeable future of the sites' uses.

Potential Consequences:

- The rezoning will reflect the uses occurring on site already and has no foreseeable potential consequences arising as a result.

The key criteria for scheme amendments are set out in LUPAA, the Southern Tasmanian Regional Land Use Strategy (STRLUS) and Tasmanian Planning Policies (TPPs).



AGENDA

SORELL PLANNING AUTHORITY (SPA)
MEETING 14 JULY 2026

The STRLUS includes policies relating to environmental protections, community wellbeing and liveable communities. The request is consistent with these policies and the STRLUS and TPPs generally and is recommended to proceed to certification.

Documentation:

The request is supported by the Activity Plan for Craigs Hill Bushland Reserve.

Proposed planning scheme amendment:

The planning scheme amendment is for Lot 1 Craigs Hill Road, Boomer Bay (CT215565/1) and seeks to rezone the site from Utilities to Open Space

The draft amendment documents are included in **Attachment 1** – Amendment Documents.



Figure 1 – Existing Zone: 26.0 Utilities



Figure 2 – Proposed Zone: 29.0 Open Space



Figure 3 – Existing C7.0 Natural Assets Code Overlay: Priority Vegetation & Waterway and Coastal Protection



Figure 4 – Existing C9.0 Attenuation Code Overlay: Poultry Farm



Figure 5 – Existing C13.0 Bushfire-Prone Hazard Area Code Overlay



Figure 7 –Existing C15.0 Landslip Hazard Area (Low)



Figure 6 – Council Aerial Imagery SSA: October 2025

Proposed development

There is no associated development or works application for this request. The existing uses under the new proposed zoning will be 'No Permit Required' uses including 'Passive Recreation' and 'Natural and Cultural Values Management'.

Site and locality

Site Characteristics

The site consists of one lot with a total size of 22.35 hectares. The site was previously used as a Landfill site opening on the 8th May 1970 and closing on 13th August 1997, there is no outstanding EPN on the site and appropriate measures have been taken to rehabilitate the site, the site is not listed as a Contaminated Site by the Environmental Protection Agency.

The site slopes from northeast to southwest with an estimated gradient of 1 in 6. The site is densely vegetated along the western half and is home to a variety of fauna and flora including some threatened species based on anecdotal evidence from community observations. The eastern half of the site has a few informal tracks throughout and is used by the community for horse riding, dog walking, bushwalking and bike riding.

There are invasive weeds on the site that are being monitored and actively managed by the sites Community Landcare Group, as well as rubbish that is illegally dumped on the site from time to time.

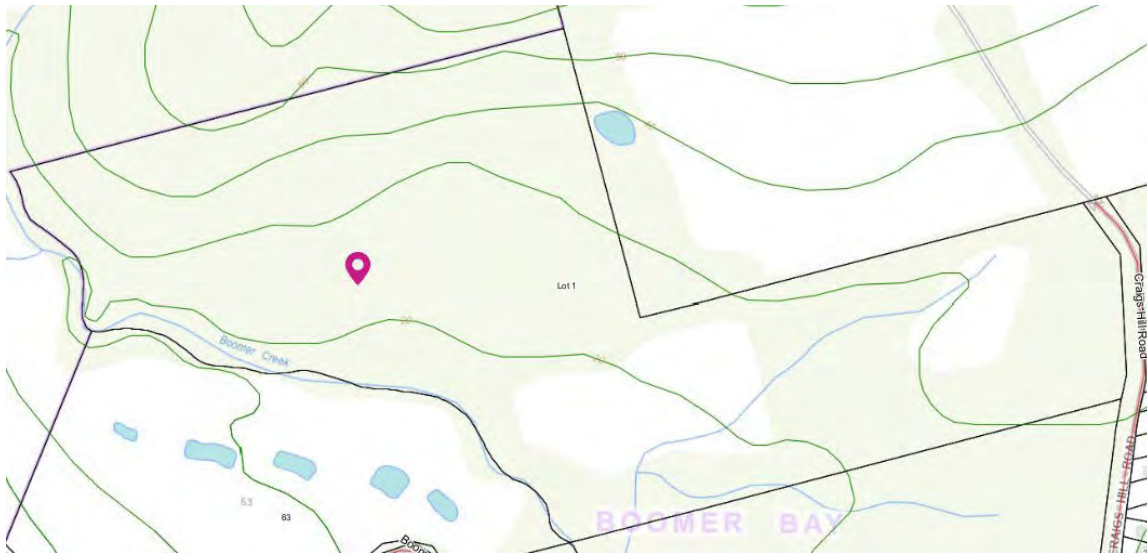


Figure 8 - Subject site Contour mapping (TheList).

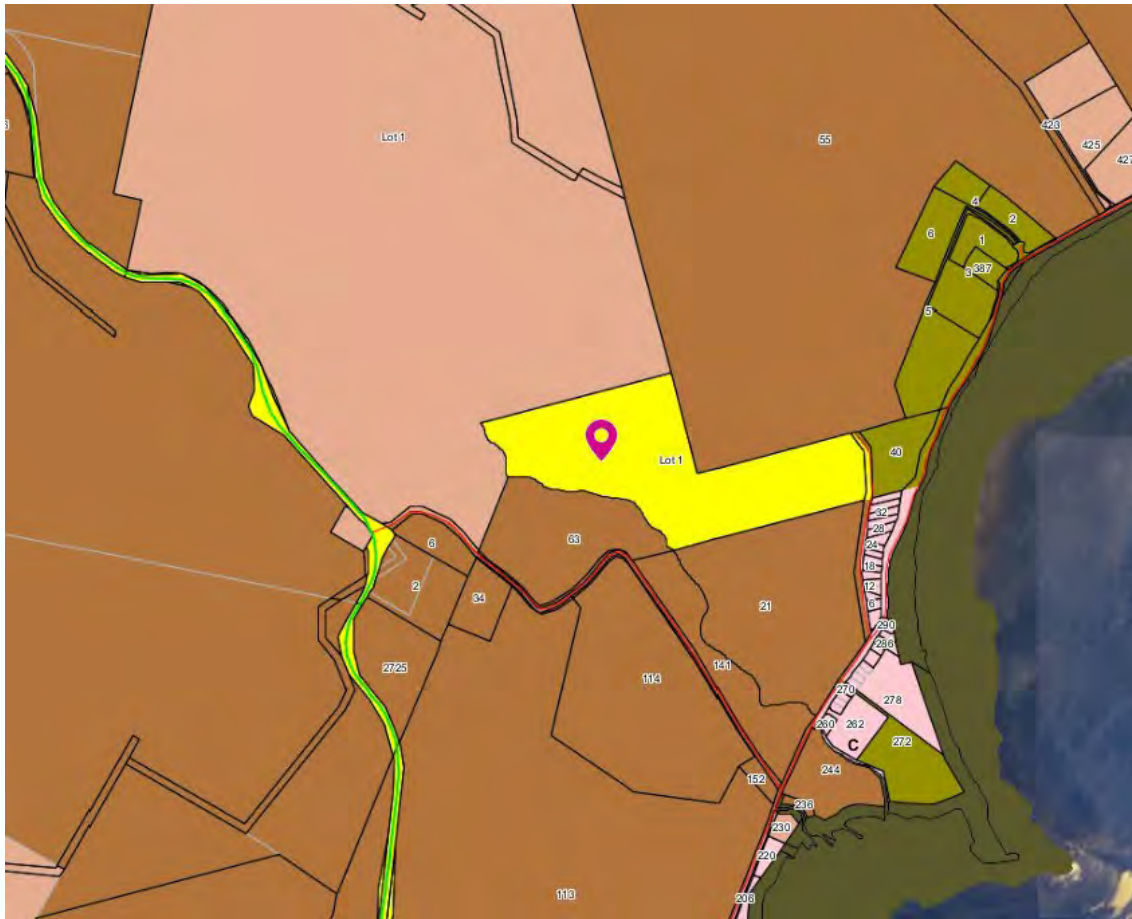


Figure 9 - Site and surrounds zoning (TheLIST).

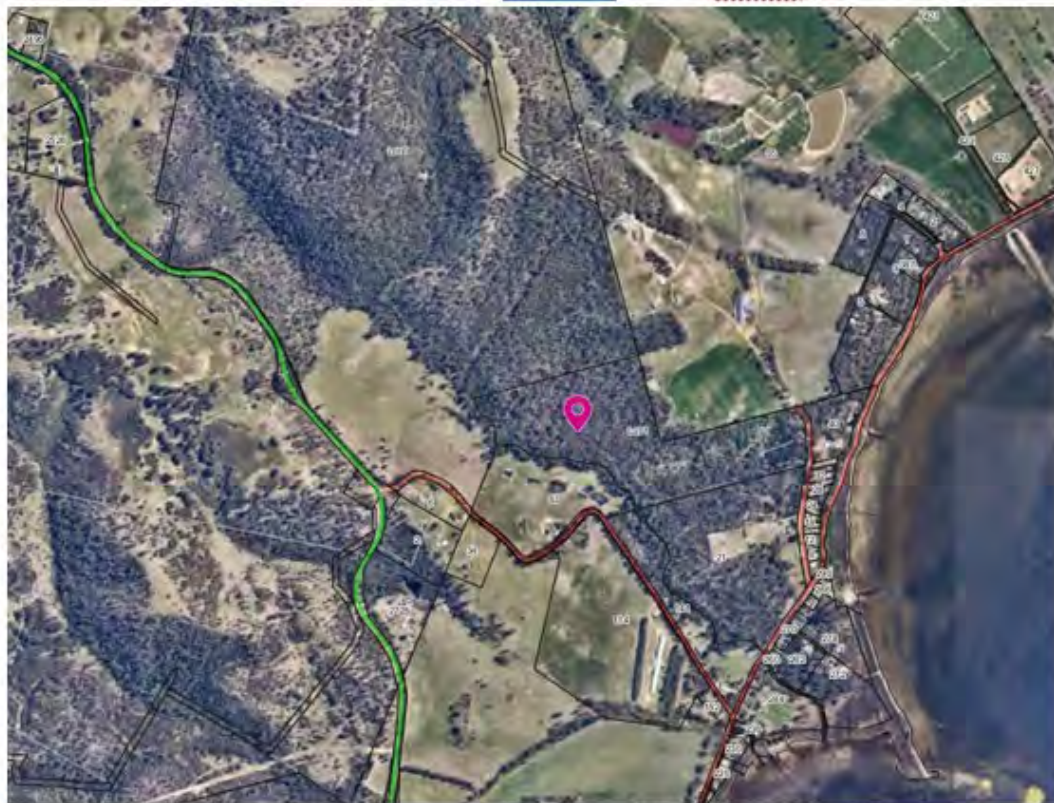


Figure 10 - Site and surrounds aerial Council imagery October 2025.

Adjoining Land

The land adjoining the property to the northwest is zoned Rural and has an agricultural farming use. The three large lots to the south are zoned Agriculture, they are small lots considering the zoning, all properties have existing dwellings and their primary use is residential. The lot to the north is zoned Agriculture and has a dwelling and operates an agricultural farming use onsite. The lot to the east is zoned Landscape Conservation and has a residential dwelling on site.

The figures below show a 400m, 1km and 5km radius from the current informal access off Craigs Hill Road of properties within the areas catchment of likely users. The radius shows within 400m there are around 30 residential lots that could reasonably walk to the site, a further 30 residential lots within 1km, and within the 5km radius more than an additional 200 lots and additionally capturing a large portion of the Dunalley settlement.



Figure 11 - 400m Radius catchment from Craigs Hill Road Entrance



Figure 12 - 1km Radius from Craigs Hill Road Entrance



Figure 13 - 5km Radius from Craigs Hill Road Entrance
Infrastructure and services

The site currently has no infrastructure or services onsite other than informal walking and vehicle access paths. It is unlikely to require connections to services and any infrastructure that might be required in the future is anticipated to be minor and largely formalisation of existing informal accessways.

Environmental Values

The information provided below has been compiled from a desktop search of the data available via List Map overlays, whilst this is not a comprehensive Natural Values Assessment it provides clear evidence of key natural values that the site is either directly or likely indirectly supporting in the surrounding areas.

In addition to this, data was provided by Birdlife Australia where sightings of Swift Parrot have been recorded in Marion Bay, Bream Creek, Boomer Bay and Dunalley with the most recent sightings in 2024. It is a reasonable conclusion that the site could have potential Swift Parrot breeding habitat and or provide other supporting structures for the critically endangered species.

Threatened Native Vegetation Communities:

1. Eucalyptus amygdalina forest and woodland on sandstone
2. Eucalyptus ovata forest and woodland

Vegetation Communities:

1. Eucalypt Pulchella Forest and woodland
2. Eucalypt Obliqua dry forest



Figure 14 - TASVEG 5.0 ListMap – Accessed 9 June 2026

Threatened Fauna on site and surrounding areas:

As can be seen on the map there has not been threatened species identified and recorded on the site, this is not an indication of an absence of threatened species, but more than likely a lack of investigation and notification of species that have been observed.

1. A swift parrot has been sighted within 100m of the site and was recorded September 2024, it is likely there are suitable trees for swift parrot nesting within the site.
2. Tasmanian Devils are sighted consistently in the surrounding areas of the site.
3. Eastern Barred Bandicoot
4. White bellied sea eagle
5. Marked Own
6. Wedge tailed eagle

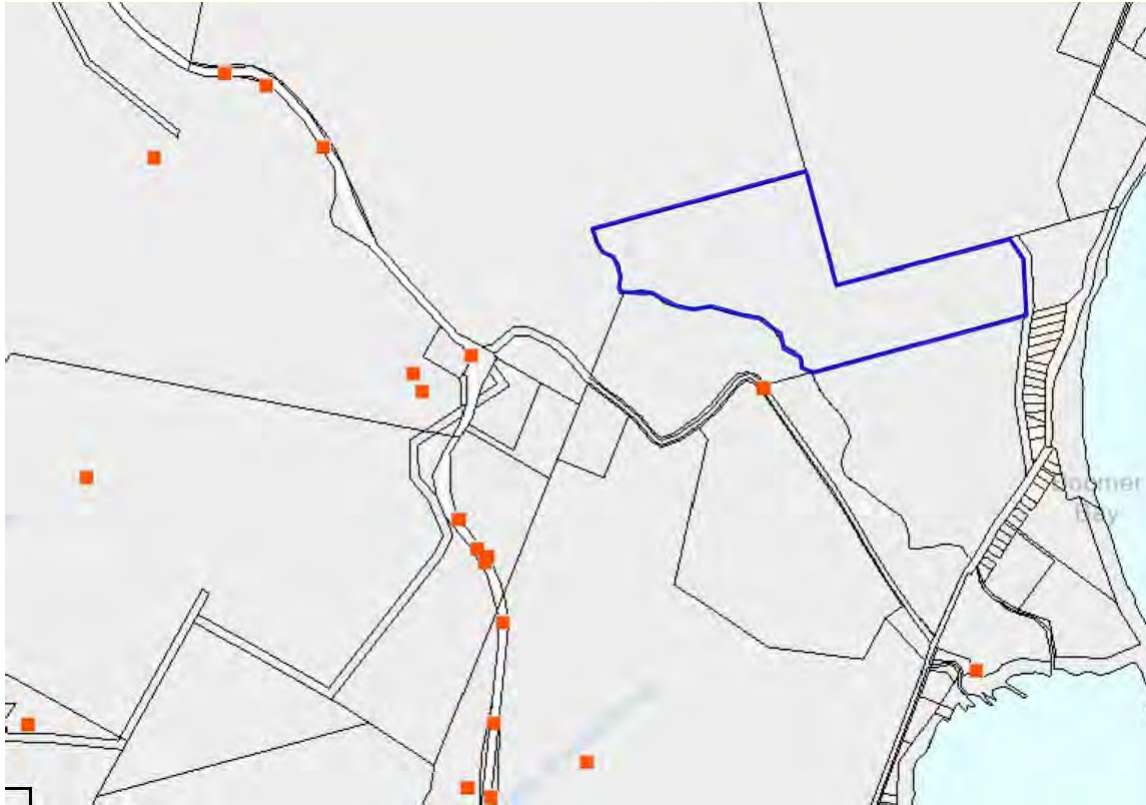


Figure 15 - Threatened Fauna Point Overlay TheList – Accessed 9 June 2026

There are several identified natural values on site that are important to the community and for environmental sustainability of the surrounding areas as well as specific communities on site. Given the densely vegetated areas that are infrequently accessed and the vegetation on site there is a meaningful change there are a number of suitable nesting and habitat for the above identified threatened and endangered species listed above.

Social and Economic Values

The site is intended to be retained for the social and environmental benefit of the surrounding communities noting there is very little public open spaces for the immediate and surrounding communities to utilise for recreational purposes. Given the Environmental values on site it is important that Council take reasonable measures to protect and enable and support local community groups to manage and maintain the existing Natural values which can be done through appropriate zoning.

29.0 OPEN SPACE ZONE

The use table for the zone is summarised below.

Table 1: Use Standards Table

No Permit Required		
Natural and Cultural Values	Passive Recreation	Utilities (if minor utilities)
Permitted		
No Permitted Uses in the zone		
Discretionary		
Community Meeting and Entertainment	Crematoria and Cemeteries	Emergency Services
Food Services	General Retail and Hire	Pleasure Boat Facility
Resource Development	Sports and Recreation	Tourist Operation
Transport Depot and Distribution	Utilities	Vehicle Parking
Visitor Accommodation		

Use standards apply to Discretionary Uses hours of operation and lighting within 50m of all Residential Zones. Development standards apply to height, setbacks, fencing and outdoor storage.

Background

The site was once used as a landfill site and as such was zoned 'Utilities'. Since the closure and rehabilitation for the 'Dunalley Tip' in August 1997, the site has become densely vegetated and appears likely to be hosting and supporting several important fauna and flora.

The site is used frequently by the local community for dog walking, horse riding, bike riding and more. A local Landcare group has been established to help manage the natural values of the site, specifically weed management, and the site unfortunately is subjected to illegal dumping of rubbish.

In 2023 Council held a community event at the site to gain insight as to how the community was using the site and what they would like to see happen to the site in the future. As a result of the community engagement an activity plan was developed from the feedback and is included as attachment 3. Since this time the Landcare group has continued their work in the reserve, however, no further works or action has been undertaken by Council.

Assessment and strategic outcomes

Legislation

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

- (2) The LPS criteria to be met by a relevant planning instrument are that the instrument –*
 - (a) contains all the provisions that the SPPs specify must be contained in an LPS; and*
 - (b) is in accordance with section 32 ; and*
 - (c) furthers the objectives set out in Schedule 1 ; and*
 - (d) is consistent with each State policy; and*
 - (da) satisfies the relevant criteria in relation to the TPPs; and*
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
 - (f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993 , that applies in relation to the land to which the relevant planning instrument relates; and*
 - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
 - (h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019 .*

Attachment 2 provides a detailed assessment against each relevant criteria.

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

Local Strategy, Policy and Impacts

Council's strategic land use documents include the:

- Strategic Plan 2019-2029 (2023 update, currently under review)
- Sorell Township Urban Master Plan 2015 (Aurecon)
- Community and Engagement Strategy (Sorell Council)
- Sorell Open Space Strategy 2020 (ERA)
- Sorell Social Strategy July 2024
- Natural Resource Management Strategy (2025-2035)
- Fire Hazard Abatement Policy



AGENDA

SORELL PLANNING AUTHORITY (SPA)
MEETING 14 JULY 2026

The following objectives and outcomes from the strategies align with the proposed re-zoning of the site ensuring Council remains consistent and committed to the objectives within the strategies, policies and plans.

The Sorell Strategic Plan

- Responsible stewardship and sustainable organization
- Ensure a liveable and inclusive community

The Sorell Township Urban Master Plan (STUMP) encourages the following objectives that are relevant to the site:

- having community facilities within the region to support population growth;
- provision of open spaces that deliver wider environmental sustainability objectives;
- enhancement of existing open spaces; and
- ensure the provision of open space takes into consideration future communities within regional catchment areas.

Sorell Community and Engagement Strategy

- To date Council has been in engagement with the local community and Landcare group for the site in alignment with the strategy.

Sorell Open Space Strategy

The site was not identified within the strategy like due to it being zoned 'Utilities' despite it being an established and valued open space to the local community.

- Proximity and equitable distribution – the area does not have a lot of provisions of public open space, as such this site has organically overtime evolved into an informal public open space for the surrounding community demonstrating the need for its retention as public open space.
- Supporting biodiversity
- Amenity and experience

Sorell Social Strategy

The strategy identifies the numerous benefits of social, green and blue infrastructure including:

- Mental, physical and social wellbeing
- Collaboration with local communities
- Environmental quality
- Cultural expression and identity

Natural Resource Management Strategy

- Protect natural landscape and promote sustainable land use
- Restore and preserve healthy waterway and water bodies
- Conserve biodiversity and manage invasive species
- Prepare for climate change
- Engage and support community



AGENDA

SORELL PLANNING AUTHORITY (SPA)

MEETING 14 JULY 2026

The following section addresses the major impacts and themes identified above within the relevant strategies, policies and plans:

Population impact:

The site organically has become an informal public open space for recreational activities for the local community. This was identified through Council working with and supporting the efforts of the local Landcare group. As a result of the community driven efforts the site has been identified as suitable for re-zoning to legitimize and support the existing uses on site that support the community.

This regional area does not have access to many public open spaces and as such the amendment would lend itself to Councils commitment for regional area support, supporting population growth in the areas and allow for equitable provisions of public open space in an area that is largely lacking these spaces.

Community impact:

Through formalizing appropriate zoning and enabling this community space to be further enhanced for the existing and potential future uses on site, it will continue to provide recreational and environmental benefits to the community. Through providing natural spaces for recreation and community use it improves the wellbeing of a community. This in turn can lead to indirect and direct economic impacts such as; keeping people mobile and in the workforce longer, maintaining independence and reducing dependence on the public health system. In addition to the benefits of the immediate community members, well considered and appropriate development of recreational spaces can draw visitors to an area and encourage spending within local settlements.

There will be no adverse amenity impacts to neighbouring agricultural or residential properties as a result of the rezoning proposal. Any future works will be to improve accessibility and useability of the site improve resident and visitor access to utilizing the site and ultimately is expected to improve amenity of the area as a result. The site already host passive recreation and natural resource management activities as such the impact on adjoining lots as a result of the rezoning is expected to be minimal if at all.

Environmental Impacts

The proposed zone changes are intended to support existing natural values and processes on site, noting that it is not only the identified natural values that are impacted but also adjoining sites such as coastal processes and surrounding fauna and flora depending on the site.

The environmental preservation of the site is not only important to the local community, but also wider environmental and climate change mitigation efforts. The proposed zoning change provides for stronger developmental controls

alongside the existing natural values overlays on the site to ensure protection of the natural values.

The site is subject to the Bushfire Hazard Code overlay across the whole site, by rezoning and intentionally managing the site with the assistance of the local Landcare Group this site can be better actively monitored and managed for bushfire risk. Changing the zoning will not negatively impact the current risk and requirements to prevent or minimize the harm of potential bushfires.

The areas subject to the Landslip Hazard Overlay (Low Risk) are within the area identified as suitable to be rezoned as Environmental Management and is not intended to have any future development or works outside of weed and necessary bushfire management. Any works in the future that may be proposed within the area would be subject to the controls of the code under the Tasmanian Planning Scheme.

Regional Strategy and Policy

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

State Strategy and Policy

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

Conclusions on the amendment

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

Tiara Williams
Planner

Attachments
Attachment 1- Draft Amendment

Separate Attachments:

- *Detailed LPS Criteria Assessment*
- *Activity Plan for Craigs Hill Bushland Reserve Aboriginal Heritage Advice*

**ATTACHMENT 1: TASMANIAN PLANNING
SCHEME - SORELL PLANNING SCHEME
AMENDMENT**

AM-SOR-5-2026-206-1

Pursuant to the Land Use Planning and Approvals Act 1993

Location

Lot 1 Craigs Hill Road, Boomer Bay (CT215565/1)

Description

Apply the Open Space Zone to the site as indicated below

