



SORELL PLANNING AUTHORITY (SPA) **AGENDA**

15 SEPTEMBER 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, 15 September 2026 commencing at 4:30 pm.

CERTIFICATION

I, Jess Hinchon, Acting 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.

JESS HINCHON
ACTING CHIEF EXECUTIVE OFFICER
10 SEPTEMBER 2026



AGENDA

FOR THE SORELL PLANNING AUTHORITY (SPA) MEETING TO BE
HELD AT THE COMMUNITY ADMINISTRATION CENTRE (CAC), 47
COLE STREET, SORELL ON TUESDAY 15 SEPTEMBER 2026

TABLE OF CONTENTS

1.0	ATTENDANCE	1
2.0	APOLOGIES	1
3.0	CONFIRMATION OF THE MINUTES OF 11 AUGUST 2026	1
4.0	DECLARATIONS OF INTEREST	1
5.0	LAND USE PLANNING	2
5.1	SUBDIVISION APPLICATION NO. SA 2025 / 17 – 1	2
5.2	REPORT ON REPRESENTATIONS RECEIVED FOR THE SUBSTITUTE DRAFT PLANNING SCHEME - AM-SOR-5-2026-206-1 – BOOMER BAY	31

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
Jess Hinchey, Acting CEO

2.0 APOLOGIES

3.0 CONFIRMATION OF THE MINUTES OF 11 AUGUST 2026

RECOMMENDATION

"That the Minutes of the Sorell Planning Authority (SPA) Meeting held on 11 August 2026 be confirmed."

4.0 DECLARATIONS OF INTEREST



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
15 SEPTEMBER 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 SUBDIVISION APPLICATION NO. SA 2025 / 17 – 1

Applicant:	PDA Surveyors
Proposal:	Sixteen Lot Subdivision
Site Address:	26 Gate Five Road, Carlton River (CT 114193/2) including works in Erle Street and Carlton River Esplanade
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:	Subdivision creates more than one lot.

Relevant Zone:	Low Density Residential Agriculture
Proposed Use:	N/A to subdivisions, see Clause 6.2.6 of the Tasmanian Planning Scheme
Applicable Overlay(s):	Bushfire-prone Area Airport Obstacle Limitation Area Flood-prone Hazard Area Priority Vegetation Area Southern Beaches On-site Waste Water and Stormwater Management Specific Area Plan
Applicable Codes(s):	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 C13.0 Safeguarding of Airports Code
Valid Application Date:	22 September 2025
Decision Due:	17 September 2026
Discretion(s):	1 Clause 10.6.1 (P1) & (P2), lot design
	2 Clause 10.6.2 (P1), roads
	3 Clause 10.6.3 (P2), services
	4 Clause 21.5.1 (P1), lot design
	5 Clause C12.7.1 (P1), subdivision within a flood-prone hazard area
Representation(s):	One

RECOMMENDATION

That pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* Council resolve that Planning Application 5.2025.17.1 for a sixteen lot subdivision at 26 Gate Five Road, Carlton River (including works in Erle Street and Carlton River Esplanade) 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:
 - (a) P1 (plan of subdivision prepared by PDA dated 30 April 2025)
 - (b) P1 (bushfire hazard report prepared by BushfireWise dated June 2025)
 - (c) P1 (traffic impact assessment prepared by Traffic and Civil Services dated June 2025)
 - (d) P1 (geotechnical assessment prepared by Rock Solid Geotechnics dated 16 July 2025)
 - (e) P2 (stormwater management and flood hazard report prepared by PDA dated 20 May 2026)
 - (f) P3 (concept servicing plans prepared by PDA dated 26 June 2026)
2. The subdivision must not be staged without further approval by the Council.
3. As no provision has been made for Public Open Space or improvements thereto and, having formed the opinion that such a provision should be made, Council invokes the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 and requires security equivalent of 1.5% of the improved value of Lots 1 – 11 inclusive, and Lots 13 – 16 inclusive.

This should be in the form of a direct payment made before the sealing of the final plan or, alternatively, in the form of security provided under Section 117 of the Act.

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

Alternatively, the playground area proposed for Lot 102 is to be constructed to a minimum value of 1.5% of the improved value of Lots 1 – 11 inclusive, and Lots 13 – 16 inclusive. This would be in lieu of a cash contribution.

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. Prior to sealing of the final plan of survey, all recommendations of the Bushfire Hazard Report prepared by Bushfire Wise Development Planning dated June 2025 must be completed and be certified by a suitably qualified person.
6. Prior to sealing the final plan of survey or as otherwise approved in writing, a ex-post flood hazard report is required. Among other matters, this flood hazard report must identify any residual flood risk after the installation of the minor and major stormwater systems within the subdivision site and any material changes to the catchment since the permit was granted. Where necessary, this flood hazard report must identify:
 - Minimum floor levels for dwellings
 - Flood hazard rating
 - Risk mitigation measures for future stages of the subdivision
 - Lot specific risk mitigation measures such as for bulk earthworks, driveways, construction material or building design.
7. All recommendations of the Flood Hazard Report prepared by PDA dated 20 May 2026 related to flood risk must be implemented.
8. 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.
9. Prior to sealing any final plan, all recommendations of the bushfire hazard management plan must be complete and be certified by a suitably qualified person.
10. 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.
11. Covenants or other restrictions must not conflict with, or seek to override, provisions of the planning scheme.
12. The final plan of survey must include easements over all drains, pipelines, wayleaves and services. The minimum easement width for stormwater is in accordance with the Tasmanian Subdivision Guidelines.

Development Engineering:

Design and Construction

13. Prior to the commencement of works, engineering design drawings showing all work required by this planning permit, and any additional work proposed, must be prepared in accordance with the current:

- (a) Tasmanian Subdivision Guidelines
- (b) Tasmanian Municipal Standard - Specifications
- (c) Tasmanian Municipal Standard - Drawings
- (d) Any relevant Council policy.

Advice:

- i. *The Tasmanian Subdivision Guidelines, Specification and Drawings are available at www.lgat.tas.gov.au.*
 - ii. *Justifiable variations from the Tasmanian Subdivision Guidelines, Specifications or Drawings may be approved where the alternative solution is to a no lesser quality in terms of infrastructure performance or maintenance costs over the life of the asset.*
 - iii. *Where there exists any conflict(s) between the Tasmanian Subdivision Guidelines, Specifications, or Drawings and this permit, any requirements of this permit shall take precedence.*
 - iv. *Engineering design drawings will expire two years after their approval and will be endorsed as such.*
14. The proposed road and services layout must be in accordance with document title "conceptual design" designed by "PDA", Job NO. "49125LM", DWG NO. C001 – 013 inclusive, revision No. P2, dated 26/6/2026.
15. Prior to works commencing, the following fees must be paid for each stage of construction:
- (a) Engineering design drawing assessment fee;
 - (b) Inspection fees for minimum estimated number of inspections.
- Where reassessment of engineering drawings or subsequent inspections are required, additional fees may be required.
- Advice: Council fees are set each financial year and can be found in the Sorell Council Fees and Charges schedule, available from Council*
16. Works must not commence on site prior to the approval of engineering design drawings by the General Manager.
17. Prior to works commencing, the developer must submit a Notice of Intention to Carry Out Work (available from Council) inclusive a certificate of currency for public liability insurance for the contractor and any sub-contractor.

Construction Management

18. A Construction Management Plan (CMP) must be provided including, but not limited to, the following:

- (a) Traffic Management Plan;
- (b) Soil and Stormwater Management Plan.

All requirements of the CMP must be implemented prior to any works commencing on site.

19. Unless otherwise approved in writing by the General Manager, during construction:

- (a) soil, building waste and debris must only leave the site in an orderly fashion to be disposed of at an approved facility;
- (b) debris or waste must not be burned on site;
- (c) any damaged or unclean private or public infrastructure must be promptly rectified; and
- (d) public land, footpaths and roads must not be unreasonably obstructed.

20. Construction activities must be managed using such measures as are necessary to prevent dust emissions causing environmental nuisance. Such measures may include but are not limited to:

- using a dust suppression method such as watering dust generating surfaces; and
- ceasing construction activities in windy weather when dust may be blown in the direction of residences.

21. Vehicles carrying loads containing material which may blow or spill must be equipped with effective control measures to prevent the escape of the materials from the vehicles when they leave the site or travel on public roads. Effective control measures may include tarpaulins or load dampening.

22. At least 30 days prior to the commencement of construction activities, or by a date otherwise specified in writing by the General Manager, a Construction Environmental Management Plan ('Construction EMP') must be submitted to the General Manager for approval.

23. The Construction EMP 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. The Construction EMP must include, but not necessarily be limited to, management measures in relation to the following:

- (a) prevention of impacts upon surface water and waterways;
- (b) erosion and sediment control;

- (c) noise control;
 - (d) dust control;
 - (e) management of environmentally hazardous materials;
 - (f) cultural (Aboriginal and non-aboriginal) heritage considerations;
 - (g) flora and fauna management;
 - (h) weed, pest and disease management;
 - (i) quality control arrangements including supervision by appropriately qualified and experienced persons, detailed construction specifications for key items of environmental management infrastructure, documented site procedures, quality control testing and the keeping of appropriate records; and
 - (j) acid sulphate soil management (if identified in pre-construction testing).
24. Construction must not commence until the Construction EMP has been approved by the General Manager.
 25. Unless otherwise specified in writing by the General Manager, construction activities must be carried out in accordance with an approved Construction EMP.
 26. Any vegetation removed as part of the construction works, must not be burnt on-site.
 27. Prior to any ground disturbance, a silt fence must be installed along the perimeter of all downslope lot boundaries and must be retained until all ground cover is re-established.

Works Required

28. Prior to sealing the final plan, the following works must be completed in accordance with the endorsed engineering design drawings:
 - (a) Lot connections for each lot:
 - i. Connection to reticulated stormwater located at the lowest point of each lot and capable of draining the entire lot;
 - ii. Connection to the electricity network;
 - iii. Connection to the telecommunication network (if available).
 - (b) Vehicle access for each lot:
 - i. Each access is located to minimise potential conflicts with other vehicles
 - ii. Concrete vehicle crossover to front boundary
 - iii. Concrete vehicle driveway over the access strip for all shared accesses.
 - (c) Road construction:
 - i. Fully paved, sealed and drained road carriageway in accordance with the conceptual design drawings;
 - ii. Concrete kerb and channel both sides;

- iii. Underground electrical and telecommunications reticulated infrastructure;
- iv. Cul-de-sac heads must be finished with 40mm thick DG10 asphalt with 9m radius and 25m road reservation. Unless otherwise certified or approved by the TFS, where bushfire prone, radius to be increased to 12m with 31m road reservation;
- v. Street lighting with LED lamps;
- vi. Street sign and standard to each intersection.

(d) Stormwater network:

- i. unimpeded major stormwater network for a 1% AEP event;
- ii. minor stormwater network for a 5% AEP event via underground reticulation;
- iii. quality treatment sufficient to satisfy the Sorell Stormwater in New Development Policy

(e) Public open space:

- i. Land shaped to be fit for purpose;
- ii. Landscaping;
- iii. Vehicular crossover;

(f) Natural values:

- i. Construction soil and water management plan

(g) Rehabilitation

- i. Provision of top soil and grass or vegetation on all disturbed surfaces along with weed management measures.

- 29. Each lot without footpath on their frontage must be provided with a minimum 0.5m deep by 1.5m wide compacted level area adjacent the driveway and kerb to store bins on collection days.
- 30. Footpaths must be constructed with a minimum 100mm deep reinforced concrete and in accordance with the Tasmanian Standard Drawing - Specifications.
- 31. Any fencing adjacent to public walkways or public land shall be no higher than 1.2m if solid or 1.8m if the fence has openings above the height of 1.2m which provide a uniform transparency of at least 30% (excluding any posts or uprights).
- 32. Vehicle access must be located at least 2m from any existing or future power pole.
- 33. Any new or upgraded stormwater lot connection must be constructed in accordance with TSD-SW25-V3, TSD-SW26-v3 and TSD-SW27-v3 as relevant and inspected by Council's plumbing surveyor or development engineer prior to back-fill. A standard inspection fee applies.

Supervision

34. Works must be completed to a standard that is to the satisfaction of the Council General Manager.
35. 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.
36. 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.
37. 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.

Miscellaneous

38. Prior to practical completion, survey pegs are to be certified correct post construction.
39. 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.
40. The final plan of survey must include easements over all drains, pipelines, wayleaves and services. The minimum easement width for

stormwater is in accordance with the Tasmanian Subdivision Guidelines.

41. Unless for a local road, service installation across an existing sealed road carriageway must be bored with a minimum cover of 1.2m. Bores for services greater than 100mm must have a pumped backfill.

Defect Period

42. 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.
43. A Defect Liability Bond equal to 5% of the total construction value, and no less than \$10,000.00, must be submitted for the duration of the defect liability period.
44. 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.

As Constructed

45. Prior to sealing the final plan of survey, accurate as constructed drawings of all works undertaken must be submitted in .pdf and .dwg formats and:
 - (a) be completed and certified by a land surveyor or civil engineer;
 - (b) include the data spreadsheet available from Council completed in accordance with the 'Guidelines for As Constructed Drawings and Asset Data Collection' available from Council;
 - (c) photos of all new assets;
 - (d) be accurate to AHD and GDA94;
 - (e) be scale and dimensioned;
 - (f) include top, inlet and outlet invert levels;
 - (g) include compaction and soil test results; and
 - (h) include 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.

46. Prior to first use, a practicing civil engineer must provide certification to Council stating that the works been constructed in accordance with the endorsed drawings and specifications approved by Council.

Existing Services

47. Prior to sealing the final plan of survey, all existing lot connections must be relocated to be wholly contained within Lot 12 or contained within new or existing service easements.

Advice: this condition covers any existing stormwater, water, sewer, electrical, access or telecommunications infrastructure.

Telecommunications & Power

48. 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>

49. 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.

Environmental Health:

50. A new on-site wastewater management system (OWMS) must be provided for the existing residence on lot 12. The final position of the OWMS must be to the satisfaction of the Manager of Health & Compliance. All works are to be completed before the final plan of the subdivision is sealed.
51. A site filling plan for the existing dam must be provided prior to approval of the final engineering subdivision design. The plan should

specify the fill materials and how the land will be stabilised and compacted.

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.
- Vehicles associated with construction workers must be parked on site.
- 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.

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.

TasNetworks

- TasNetworks has a Deemed easement over this property for distribution assets. Further information regarding Easements can be found on the TasNetworks website:- <https://www.tasnetworks.com.au/easements>
- The referenced assets are a distribution high voltage feeder (22kV) on Carlton River Road as well as a TasNetworks pole 332849 supply the existing dwelling. This will need to be resupplied with the proposed subdivision and will be worked through during the design stage.
- As with any subdivisions, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to each lot.
- It is recommended that the customer or their electrician submit an online application via the TasNetworks website portal found here <https://www.tasnetworks.com.au/Connections/Connections-Hub> to establish an electricity supply connection to each lot.

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
15 SEPTEMBER 2026

Executive Summary

Application is made for a sixteen lot subdivision at 26 Gate Five Road, Carlton River (including works in Erle Street and Carlton River Esplanade). The property is zoned Low Density Residential and Agriculture, and is located towards the southern part of Carlton River.

The key planning consideration relate to the subdivision design, provision of new road and stormwater infrastructure, and development of a site partly identified as being flood-prone.

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

Relevance to Council Plans & Policies

Strategic Plan 2019-2029	Objective 1: To Facilitate Regional Growth Objective 2: Responsible Stewardship and a Sustainable Organisation Objective 3: To Ensure a Liveable and Inclusive Community
Asset Management Strategy 2018	The proposal includes new road / stormwater / 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 will increase demand on open space in the locality. The subject site is within an established urban area and will be afforded a high level of access to both local and regional recreational opportunities. It is considered that the development resulting from an approval of this application will, or is likely to, increase residential density creating further demand on Council's open space network and associated facilities. Two parcels of public open space are proposed to be provided to Council as part of this application, being a walkway through to Erle Street to the south (Lo1 103), and Lot 102, being proposed in part for a proposed

	stormwater detention basin. The proposed plan of subdivision indicates a nature-based playground area in the order of 300m² would be developed within Lot 102. It is appropriate that the proposal contributes in part to the enhancement of Council's POS network and associated facilities. Discounting factors influencing the contribution include the provision of the above-mentioned land, amounting to 3.5% of the improved value of the total area of the subdivision which ought to be taken into account to warrant a reduction of the maximum POS contribution. While Section 117 of the <i>Local Government Building and Miscellaneous Provision Act 1993</i> (LGBMP) provides for a maximum of up to 5% of the value the entire site to be taken as cash in lieu of POS, it is considered appropriate to limit the contribution only to 1.5% of the value of the site, representing the increased demand for POS generated by the proposal. Alternatively, it is considered reasonable that the proponent undertake the construction of the proposed playground area within Lot 102 to a value of 1.5% of the improved value of the total area of the site. As such, a related condition has been included providing both options.
Enforcement Policy	Not applicable.
Environmental Sustainability Policy	Environmental considerations are assessed against the relevant planning scheme provisions.

Legislation

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

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

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

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

Referrals

Agency / Dept.	Referred?	Response?	Conditions?	Comments
Development Engineering	Yes	Yes	Yes	Nil
Environmental Health	Yes	Yes	Yes	Conditions are required relating to filling of the existing dam, and to the necessity for a new wastewater system for the existing dwelling.
Plumbing	No			
NRM	No			
TasWater	Yes	Yes	Nil	No interest in application.
TasNetworks	Yes	Yes	No	Advice provided.
State Growth	No			

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 does not need to be categorised into a use class.

Development

The proposal is for a sixteen lot subdivision of the subject lot, with a development area of approximately 3.2ha and lot sizes ranging from 1200m² to 1948m². A new road is proposed to provide access from Gate Five Road, and a second road lot is proposed where the title crosses Carlton River Road at the north of the site. Reciprocal rights of way are proposed for Lots 10 and 12, and Lots 3, 4 and 5. Lots 14, 15 and 16 would have access and frontage to Carlton River Road.

Two open space lots are proposed: Lot 103 would have an area of 595m² and would form a pedestrian walkway to Erle Street to the south; and Lot 102 would have an area of 1525m² and would encompass a proposed stormwater detention basin and playground area. The proposal incorporates a DN375 stormwater main to the south of the site for the purposes of stormwater disposal, for which Council consent has been obtained.

Two parcels of public open space are proposed to be provided to Council as part of this application, being a walkway through to Erle Street to the south (Lot 103), and Lot 102, being proposed in part for a proposed stormwater detention basin. The proposed plan of subdivision indicates a nature-based playground area in the order of 300m² would be developed within Lot 102.

The application is supported by:

- a planning report from PDA dated 8 September 2026;
- a bushfire hazard report from BushfireWise dated June 2025;
- a traffic impact assessment from Traffic and Civil Services dated June 2025;
- a geotechnical assessment from Rock Solid Geotechnics dated 16 July 2026;
- a stormwater management and flood hazard report from PDA dated 20 May 2026;
- concept engineering design from PDA dated 26 June 2026; and
- a plan of subdivision from PDA dated 30 April 2025.

Background

The site is developed with a single dwelling and associated outbuildings. The most recent approvals for the site relate to additions to the existing dwelling in 1995.

The adjacent land to the east at CT 113113/1 is subject to a subdivision permit which was granted by council on 9 April 2024. The proposed subdivision does not include connection to this adjacent land as provision has not been made for a reciprocal connection.

Description of Site

The site has an area of 3.25ha and is located within an established residential area at the west of the Carlton River settlement. The site has frontage to Carlton River Road, and the existing dwelling is accessed via an existing right of way over 16 Gate Five Road at the southwest of the site.

The site is located within an established residential area at Carlton River, and consists of grassland and remnant vegetation along the boundaries. Largely level, it is noted that parts of the site are low-lying and susceptible to inundation. A dam exists to the northeast of the existing dwelling which would be filled as part of the proposal.

Adjoining development to the east, south and north is residential. Land to the north is agricultural and used for grazing purposes.

The site is serviced by electricity only. On-site management of wastewater would occur as part of the future development of the proposed lots. New stormwater infrastructure is proposed as noted above to drain of stormwater from the site.

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



Figure 1. The subject site and adjacent land included in the application for servicing infrastructure.

Planning Assessment

Zones

The site is subject to split zoning, with the majority of the lot being zoned Low Density Residential, and a triangular portion of the site north of Carlton River Road being zoned Agriculture.

10.0 Low Density Residential Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
10.6.1 A1	Lot design	No, as a number of lots within the subdivision would be less than the minimum area of 1500m ²



		prescribed. Refer to the performance criteria assessment below.
10.6.1 A2	Lot design	No, in that a number of lots proposed would each have less than 20m frontage to a public road. Refer to the performance criteria assessment below.
10.6.1 A3	Lot design	Yes, in that appropriate conditions would ensure the proposed vehicular accesses would be constructed to a standard required by Council.
10.6.2 A1	Roads	No, in that a new road is proposed. Refer to performance criteria assessment below.
10.6.3 A1	Services	Yes, as there is no reticulated water supply within proximity of the site.
10.6.3 A2	Services	No, as there is no reticulated sewerage service available to the site. Refer to the performance criteria assessment below.
10.6.3 A3	Services	Yes, as all lots would be connected to the proposed stormwater infrastructure network that would become public upon completion of the development.

Performance Criteria Assessment 1 – Clause 10.6.1 P1 Lot Design

The performance criteria applies as Lots 1, 2, 6, 7, 8 and 13 would be less than the minimum area prescribed for lots within the Low Density Residential Zone of 1500m². The proposal must therefore be considered against the related performance criteria as follows:

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

- (a) the relevant requirements for development of buildings on the lots;*
- (b) the intended location of buildings on the lots;*
- (c) the topography of the site;*
- (d) adequate provision of private open space;*
- (e) the pattern of development existing on established properties in the area; and*
- (f) any constraints to development, and must have an area not less than 1200m².*

The proposal incorporates a range of lot sizes, which are considered appropriate for likely future residential use. Building envelopes have been shown as part of the proposal which could, subject to detailed design, accommodate a future dwelling in compliance with the relevant Scheme tests. The lot sizes in the area range from as little as 700m² to the south on Erle Street, to larger lots in the order of 2000m² to the west with frontage to Gate Five Road. The range of lot sizes proposed is considered consistent with the pattern of established properties in the area, and a reasonable response to the low-lying nature of the site. It is considered that the performance criteria is satisfied.

Performance Criteria Assessment 2 – Clause 10.6.1 P2 Lot Design

The performance criteria is relevant in that Lots 3, 4, 5, 7, 8, 9, 10, 11 and 12 would each have less than 20m frontage to a public road. The tests of the associated performance criteria of the clause are therefore assessed 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 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, and is not less than 3.6m wide.*

Reciprocal rights of way are proposed for Lots 10 and 12, and Lots 3, 4 and 5. Lots 14, 15 and 16 would have access and frontage to Carlton River Road. All lots have access to a road that would be sufficient for the likely future residential use being that they are all well above the minimum of 3.6m, and would allow sufficient area for manoeuvring of both residential and emergency services vehicles, and parking on the site. The configuration would allow sufficient useable frontage for waste collection and is considered a reasonable response to the site being an internal lot with limited access options at the head of a cul de sac. It is considered that the performance criteria is satisfied.

Performance Criteria Assessment 3 – Clause 10.6.2 P1 Roads

The performance criteria is relevant as a new road and cul de sac are proposed as part of the proposal. A second road lot is proposed where the title crosses Carlton River Road at the north of the site. The associated performance criteria, P1, are therefore addressed as follows:

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

- (a) any relevant road network plan adopted by council;*
- (b) the existing and proposed road hierarchy;*
- (c) the need for connecting roads and pedestrian 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 for 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 adjacent Gate Five Road 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 Gate Five Road. The proposal incorporates a pedestrian link to Erle Street, further facilitating pedestrian connectivity within proximity of the site and through to Erly Street and Carlton River Esplanade.

No footpath is provided. The road reserve provided between 10 and 12 Gate Five Road is only 15m which constrains space. More relevantly, however is that there is no footpath in Gate Five Road to connect to, the number of lots is minimal and the speed environment is slow due to the cul-de-sac termination and short length. A shared road surface is reasonable in this instance.

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 Erle Street. For the above reasons, the performance criteria is satisfied.

Performance Criteria Assessment 4 – Clause 10.6.3 P2 Services

The performance criteria is relevant as there is no reticulated sewerage system available within proximity of the site for connection. The performance criteria must therefore be assessed, 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 capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.

The proposal was accompanied by an on-site wastewater assessment that assesses the on-site wastewater disposal of each of the proposed lots. The assessment concludes that with the stormwater infrastructure proposed to drain the site and future lots, that all lots are capable of accommodating wastewater systems and associated land application areas. A specific requirement is highlighted that a new system would be required for the existing dwelling on the proposed Lot 12, to require that a new system be

constructed. A related condition has been included in the recommended conditions above to ensure this occurs. With this requirement, the tests of the performance criteria are met.

21.0 Agriculture Zone

Applicable zone standards		
Clause	Matter	Complies with acceptable solution?
21.5.1 A1	Lot design	No, refer to the performance criteria assessment below.
21.5.1 A2	Lot design	Yes, in that each lot of the proposed development would have vehicular access from the boundary of the lot to a road in accordance with Council's requirements. Appropriate conditions would ensure this occurs.

Performance Criteria Assessment 5 – Clause 21.5.1 P1 Lot design

The performance criteria is applicable as the lot is not for consolidation, public use or for the provision of infrastructure. The proposal is reliant upon part (a) of P1, and parts (b) and (c) are not relevant to this assessment. The proposal must therefore be assessed against the performance criteria P1 (a) of the clause as follows:

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

- (a) *provide for the operation of an agricultural use, having regard to:*
 - i. *not materially diminishing the agricultural productivity of the land;*
 - ii. *the capacity of the new lots for productive agricultural use;*
 - iii. *any topographical constraints to agricultural use; and*
 - iv. *current irrigation practices and the potential for irrigation;*

The proposal complies with the performance criteria in that the agricultural potential of the land would not be diminished and would be capable of continued use for grazing purposes. It is noted that the land is identified as being prone to flooding and exists as distinctly separate from the bulk of the lot to the south, being bisected by Carlton River Road. The performance criteria is therefore 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 12.
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	Traffic generation at a new junction	Yes, in that the written consent of the road authority (Council) has been obtained.
C3.5.1 A1.5	Traffic generation at a 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.
C3.7.1 A1	Subdivision for sensitive uses within a road or railway attenuation area	Yes, in that Carlton River Road is not a major road, therefore there is no associated road attenuation area.

Natural Assets Code

The Natural Assets Code applies to a small area of land at the southwestern part of the site. In accordance with clause C7.2.1(c)(xii) of the Code, the Code applies to subdivision of land within the Low Density Residential Zone. Though applicable, there are no works proposed within the affected area with the exception of likely boundary fencing which is exempted by Clause 4.4.1 of the Scheme. The building areas associated with Lot 11 is sited outside the affected 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	No, as access to a number of the proposed lots and the proposed road and cul de sac are within the identified flood-prone area. Refer to the performance criteria assessment below.

Performance Criteria Assessment 6 – Clause C12.7.1 P1 Subdivision within a flood-prone hazard area

The performance criteria is applicable as it is proposed to develop the proposed road within the flood-prone area, and Lots 3, 4, 5, 6, 7, 8, 9, 10, 12 and 13 would take access through the affected area also. The proposal must therefore be assessed against the performance criteria P1 of the clause as follows:

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

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

As noted, a stormwater and flood hazard report was provided in support of the proposal. The report considers tolerable risk in the context of flooding, and concludes that whilst an outfall to the ocean is to be provided for stormwater from the site, that the impact to adjacent land would decrease. In practical terms, the footprint of the hazard area would be significantly reduced as a result of the subdivision works and detention basin. Sufficient building areas would therefore exist in areas clear of flood risk.

The proposal complies with the performance criteria in that there is no reliance upon existing Council infrastructure, rather that new infrastructure is proposed to facilitate the development and manage stormwater from the site. Whilst fill is proposed, it would be designed by a suitably qualified engineer and would manage the risk of ponding and blockage associated with stormwater flows. The performance criteria is therefore satisfied.

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 hazard management areas are to be confined to land the subject of this application in accordance with the bushfire hazard management plan.
C13.6.2 A1	Public and firefighting access	Yes, as the proposed subdivision road provides the required access as certified by an accredited person.
C13.6.3 A2	Provision of water supply for firefighting 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 within 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.

Southern Beaches Onsite Wastewater and Stormwater Specific Area Plan

Though relevant to the site, Clause SOR-S2.8 provides that the specific area plan does not apply to subdivision.

Representations

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

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

Issue	Relevant Clause	Response
The location of street lighting in terms of residential amenity whereby a street light at Gate Five Road intersection with Carlton River Road	N/A	The proposed subdivision, if approved, must be developed in accordance with the Tasmanian Subdivision Guidelines and Municipal Standards for placement of street lighting. This is ultimately a matter for TasNetworks to which Council has limited ability to influence. That said, Council's engineers advise that there is



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
15 SEPTEMBER 2026

would be more practicable		scope to consider use of deflectors (if required) to minimise impacts to adjoining properties. This would be considered at engineering design stage for the subdivision.
Crash history	C3.0 Road and Railway Assets Code	The representation notes the significance of there being no reported crash history on the approaches to or at the proposed junction site. An excerpt from the submitted traffic impact assessment is highlighted, with no comment. It is noted in the context of this comment that the relevant tests of the Road and Railway Assets Code are satisfied by the proposal.

Conclusion

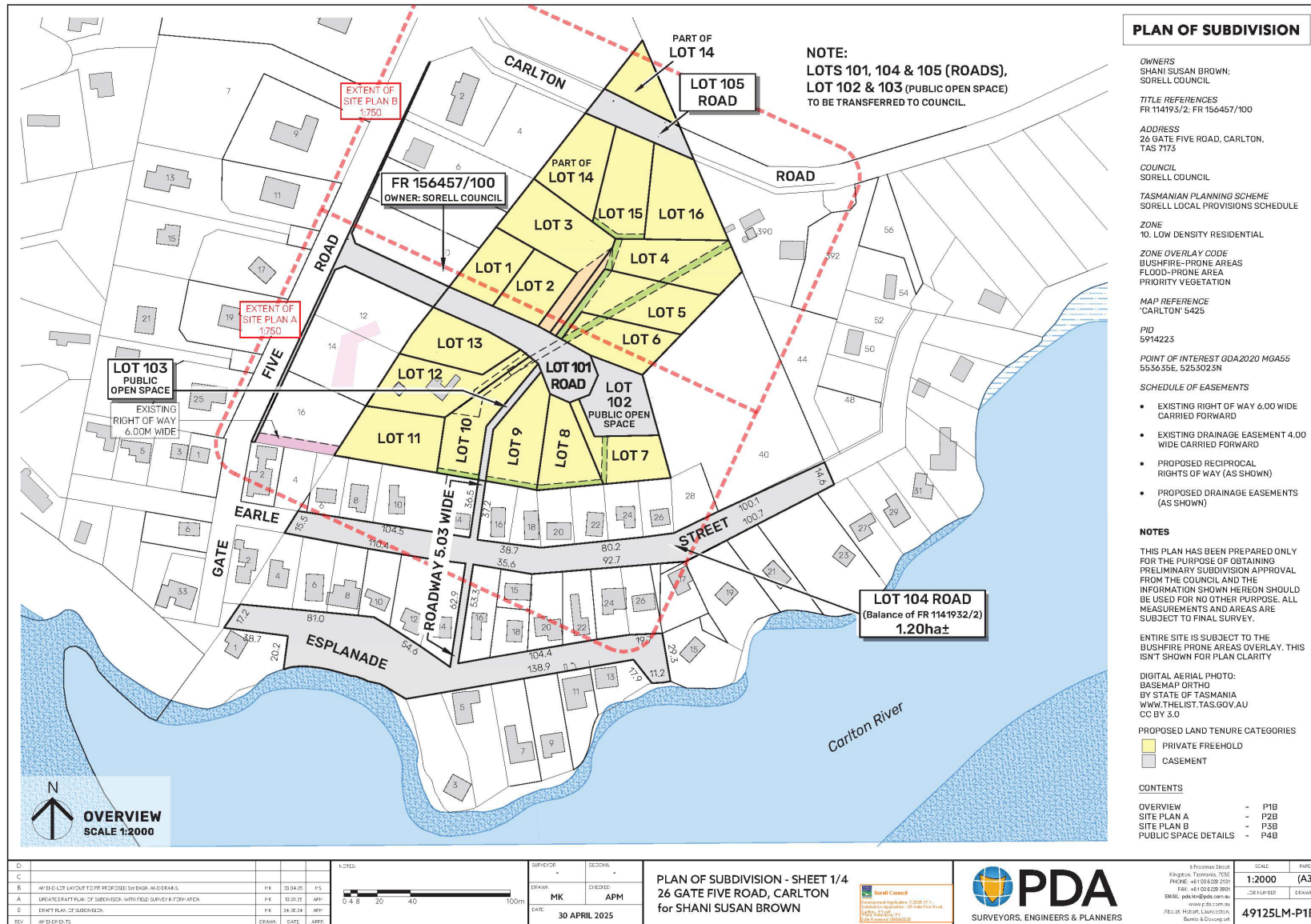
The application for a sixteen lot subdivision at 26 Gate Five Road, Carlton River (including works in Erle Street and Carlton River Esplanade) is considered to comply with each applicable standard of the Tasmanian Planning Scheme (Sorell LPS) and is recommended for conditional approval.

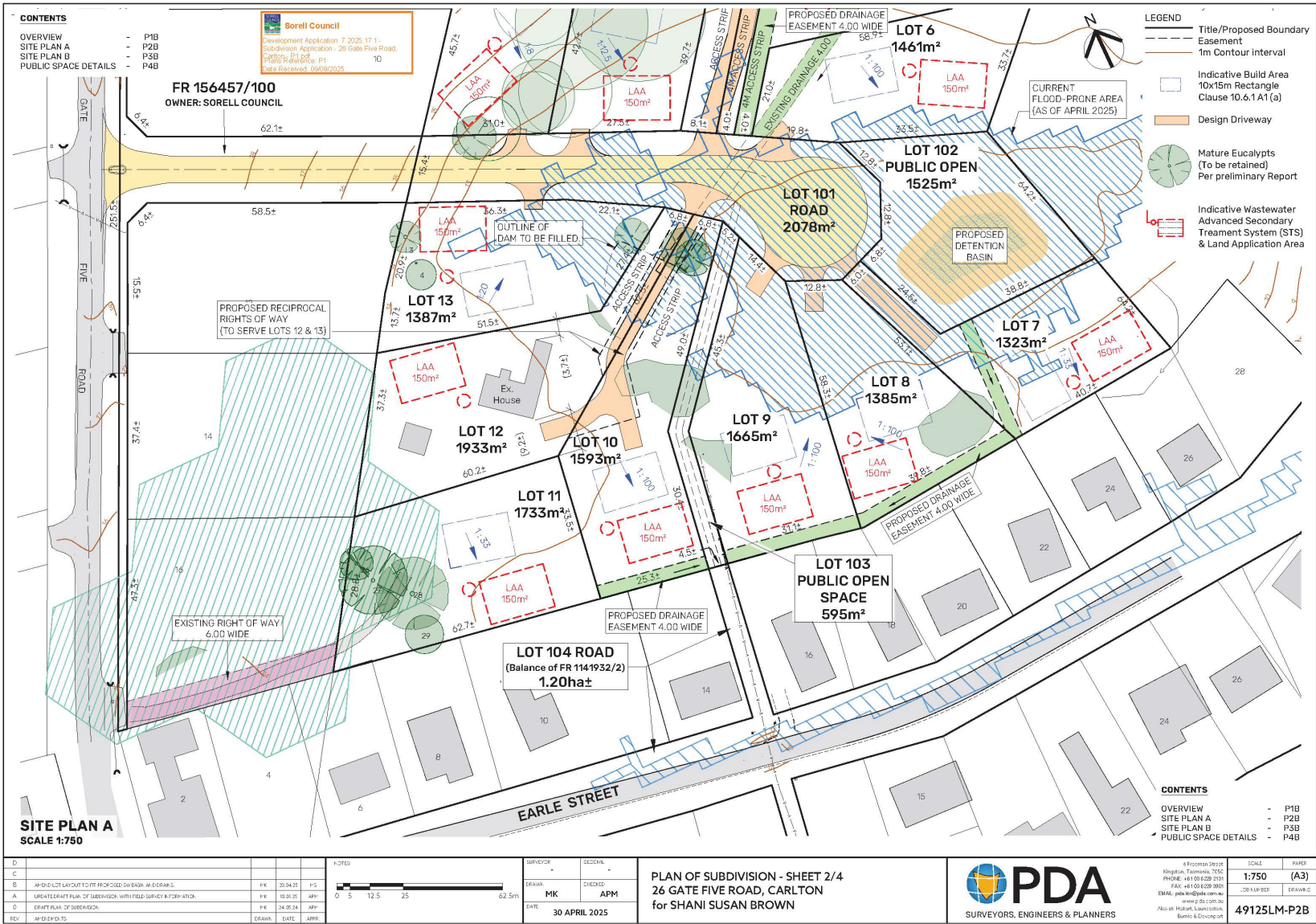
Kate Guinane
Senior Planner

Attachments:
Proposal Plans – PDA dated 30 April 2025
X 1 Representations

Separate Attachments:

- *planning report from PDA dated 8 September 2026;*
- *bushfire hazard report from BushfireWise dated June 2025;*
- *traffic impact assessment from Traffic and Civil Services dated June 2025;*
- *geotechnical assessment from Rock Solid Geotechnics dated 16 July 2026;*
- *stormwater management and flood hazard report from PDA dated 20 May 2026;*
- *concept engineering design from PDA dated 26 June 2026; and*







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

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

SUBMIT A REPRESENTATION ON A PLANNING APPLICATION

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

Representor Details	
Your Name:	
Your Postal Address:	
Your Address (if different to the above)	
Your Contact Details:	Phone.....Mobile:
	Email..
Application Details	
Application Number:	7.2025.17.1
Application Address:	26 GATE FIVE ROAD, CARLTON RIVER
What are your concerns with the proposal	
I would like to put representation in for the following concept drawing page 189 of 194 the streetlight identified on the corner of the proposed road and my property When I purchased the property 2023 there was no mention of a proposed development behind, or the land beside me as proposed road. This property was purchased primarily because of quiet and dark nature of the area because of having zero light pollution for personal reasons post Military service. The proposed light would be better utilised on the corner of Carlton River and Gate Five road as there is no lighting at a more significant intersection. 7.2.3 5 Year Reported Crash History From crash history for Gate Five Road provides no evidence of a crash propensity on the approaches to or at the proposed junction site.	

Important notes about the Representations against a planning application:

- Supporting documentation, such as photos, plans, sketches etc (PDF only if submitting online) can be attached to this form;
- Please make sure you clearly understand what is proposed before you make a representation;
- Ensure we receive your representation by the due date and through one of the means specified in the public notice;
- We will inform all representors of the decision; and
- You, the applicant and any other representor can appeal against the decision.

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

November 2022



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
15 SEPTEMBER 2026

5.2 REPORT ON REPRESENTATIONS RECEIVED FOR THE SUBSTITUTE DRAFT PLANNING SCHEME - AM-SOR-5-2026-206-1 – BOOMER BAY

Applicant:	Sorell Council
Proposal:	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:	Section 40K of the <i>Land Use Planning and Approvals Act 1993 (LUPAA)</i>
Reason for SPA meeting:	Representations received for a planning scheme amendment
Decision Due:	13 September 2026 (35 days after public exhibition ends)
Representation(s):	None

RECOMMENDATION

That pursuant to Section 40K of the *Land Use Planning and Approvals Act 1993*, the Planning Authority provides the Tasmanian Planning Commission with the following report in relation to the public exhibition of draft amendment AM-SOR-5-2026-206-1 to the Sorell Local Provisions Schedule.

Executive summary

Council initiated a planning scheme amendment to rezone land it owns at Craigs Hill Road (former tip) from the Utilities Zone to the Open Space Zone.

At the end of public exhibition of a planning scheme amendment, a report must be provided to the Tasmanian Planning Commission (the Commission) that includes:

- a copy of each representation;
- a statement of the Planning Authorities opinion as to the merit of each representation;
- a statement as to whether the draft amendment satisfies the criteria for approval; and
- any other recommendation on the draft amendment.

No representations have been received.

The matter was referred to TasWater, as required, and no submission received.



AGENDA

SORELL PLANNING AUTHORITY (SPA) MEETING
15 SEPTEMBER 2026

Section 40k assessment

Section 40K	Required Statement
(2) The report by a planning authority in relation to the draft amendment of an LPS is to contain–	
(a) a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and	No representations were received.
(b) a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and	No applicable.
(c) a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to– (i) whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and (ii) the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and	Not applicable.
(d) a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and	The amendment is considered to satisfy the LPS for the reasons identified in the certification report previously considered by Council.
(e) any recommendations in relation to the draft amendment that the planning authority thinks fit.	Nil.

(3) Without limiting the generality of subsection (2)(e) (above), the recommendations in relation to a draft amendment of an LPS may include recommendations as to whether– (a) a provision of the draft amendment of an LPS is inconsistent with a provision of the SPPs; or (b) the draft amendment of an LPS should, or should not, apply a provision of the SPPs to an area of land; or (c) the draft amendment of an LPS should, or should not, contain a provision that an LPS is permitted under section 32 to contain.	Nil.
(4) A planning authority must not include in a recommendation in relation to a draft amendment of an LPS a recommendation to the effect that the content of a provision of the SPPs should be altered.	No such recommendation is made.

Conclusion

This report on representations received on the draft amendment is required to be provided to the Tasmanian Planning Commission. There were no representations received during the notification period.

Shane Wells

MANAGER PLANNING

Separate Attachments:

- *Exhibited Documentation*