



THIS PLAN WAS PREPARED AS A PROPOSAL PLAN TO ACCOMPANY A DEVELOPMENT APPLICATION TO COUNCIL AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. ALL MEASUREMENTS AND AREAS ARE SUBJECT TO SURVEY

**LEGEND**

- BOUNDARY ---
- CONTOURS ———
- SEWER - - - - -
- STORMWATER - - - - -
- WATER - - - - -

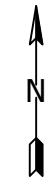
CARPARK SPACES 5.7x2.8

INDICATIVE 10 x 15 m BUILDING AREA

Notes:

- BOUNDARIES ARE COMPILED AND ARE APPROXIMATE AND SUBJECT TO SURVEY
- CONTOUR INTERVAL IS 0.2m; INDEX IS 1.0m

**PROPOSED 2 LOT SUBDIVISION  
7 GRANT STREET, ST HELENS 7216  
CT 217603/3**



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November 2024

# PLANNING REPORT

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**Subdivision of the land - 2 lots**

7 Grant Street ST HELENS



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Prepared by  
Woolcott Land Services Pty Ltd  
ABN 63 677 435 924

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4		

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## 1. Introduction

This report has been prepared in support of a planning permit application under Section 57 of the *Land Use Planning and Approvals Act 1993*.

<b>Proposed development</b>
Subdivision of the land - 2 lots.

This application is to be read in conjunction with the following supporting documentation:

Document	Consultant
Proposal Plan	Woolcott Land Services

## 2. Subject site and proposal

### 2.1 Site details

<b>Address</b>	7 Grant Street St Helens TAS 7216
<b>Property ID</b>	6794286
<b>Title</b>	217603/3
<b>Land area</b>	1596m <sup>2</sup> (estimated)
<b>Planning Authority</b>	Break O' Day Council
<b>Planning Scheme</b>	Tasmanian Planning Scheme - Break O' Day
<b>Easements</b>	None on title
<b>Application status</b>	Discretionary application
<b>Existing Access</b>	Direct frontage to Grant Street with existing single access
<b>Zone</b>	General Residential
<b>General Overlay</b>	Stormwater Management Specific Area Plan
<b>Overlays</b>	Airport obstacle limitation area
<b>Existing development</b>	Single dwelling with outbuilding
<b>Existing services and infrastructure</b>	



<b>Water</b>	Serviced
<b>Sewer</b>	Serviced
<b>Stormwater</b>	Serviced

## 2.2 Proposal

The proposal is for subdivision of the land to 2 lots from the single lot.

The existing development will be contained to a single lot of 529m<sup>2</sup> as proposed Lot 1 with all service connections and frontage measuring 16m.

Proposed Lot 2 will be 1079m<sup>2</sup> with a frontage of 5.3m as an access strip. Reticulated services are also included.

<b>Lot no.</b>	<b>Area</b>	<b>Frontage</b>	<b>Access</b>
<b>1</b>	529m <sup>2</sup>	16m	Existing access – proposed right of way easement
<b>2</b>	1079m <sup>2</sup>	3.6m	Existing access – proposed burdening right of way easement

## 2.3 Images

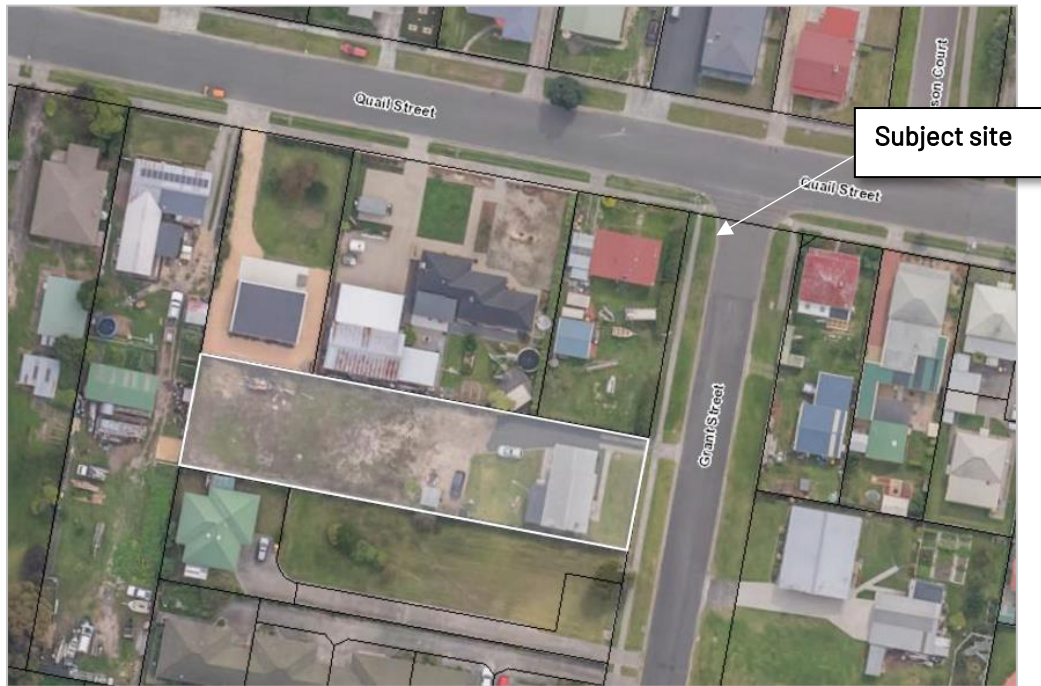


Figure 1 Aerial view of the subject site according to current title (Source: LIST)



Figure 2 Showing existing development on subject site



Figure 3 rear of dwelling looking south west

## 3. Zone and overlays

### 3.1 Zoning

The site is zoned General Residential under the Scheme.





### 3.2 Overlays

The subject site is affected by the Airport obstacle limitation area.

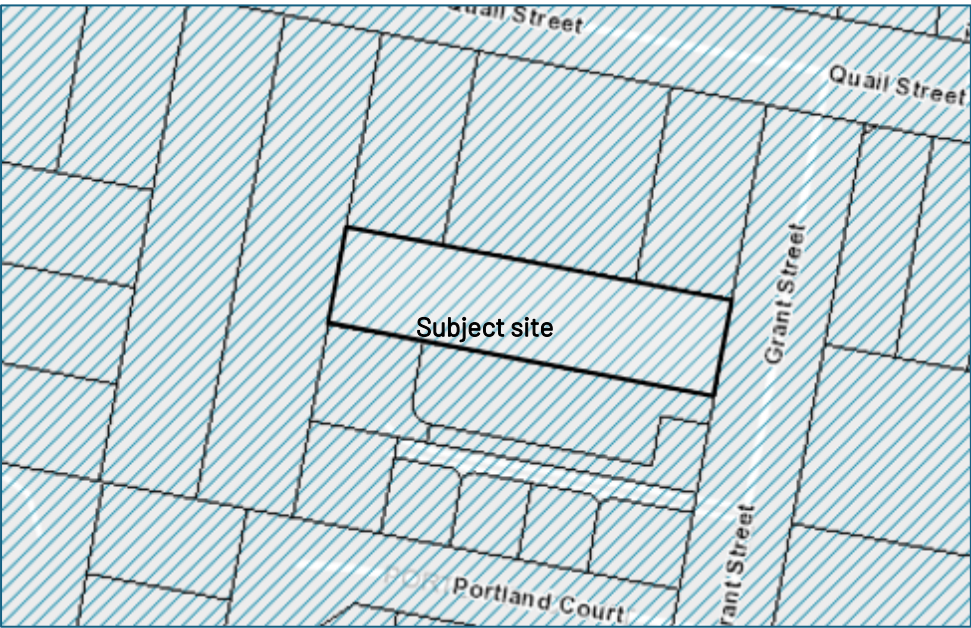


Figure 4 Overlays affecting the subject site (Source: LIST)

### 3.3 General Overlays

The site is included in the Stormwater Management Specific Area Plan under the Break O' Day Local Provisions.



Figure 5 Showing the area included in the Specific Area Plan (Source: LIST)

## 4. Planning Scheme Assessment

### 4.1 Zone assessment

#### BRE-S2.0 Stormwater Management Specific Area Plan

There are no provisions under this SAP for subdivision.

### 8.0 General Residential

#### 8.1 Zone Purpose

- 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.

7.10 Development not Required to be Categorised into a Use Class

7.10.1 An application for development that is not required to be categorised into one of the Use Classes under subclause 6.2.6 of this planning scheme and to which 6.8.2 applies, excluding adjustment of a boundary under subclause 7.3.1, may be approved at the discretion of the planning authority.

6.2.6 Notwithstanding subclause 6.2.1 of this planning scheme, development which is for subdivision, a sign, land filling, retaining walls or coastal protection works does not need to be categorised into one of the Use Classes.

RESPONSE

The application for subdivision is not subject to the Use provisions of the Scheme.

8.6 Development Standards for Subdivision

8.6.1 Lot Design

Objective	
That each lot:	
<ul style="list-style-type: none"> <li>a) has an area and dimensions appropriate for use and development in the zone;</li> <li>b) is provided with appropriate access to a road;</li> <li>c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and</li> <li>d) is orientated to provide solar access for future dwellings.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>a) have an area of not less than 450m<sup>2</sup> and:               <ul style="list-style-type: none"> <li>i. be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:                   <ul style="list-style-type: none"> <li>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>ii. existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2;</li> </ul> </li> <li>b) be required for public use by the Crown, a council or a State authority;</li> <li>c) be required for the provision of Utilities; or</li> <li>d) be for the consolidation of a lot with another</li> </ul>	<p>P1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> <li>a) the relevant requirements for development of buildings on the lots;</li> <li>b) the intended location of buildings on the lots;</li> <li>c) the topography of the site;</li> <li>d) the presence of any natural hazards;</li> <li>e) adequate provision of private open space; and</li> <li>f) the pattern of development existing on established properties in the area.</li> </ul>

lot provided each lot is within the same zone.	
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RESPONSE

- A1 The acceptable solution is achieved.
- All lots are sized to meet the minimum lot size.
- The gradient across the lot is compliant.
- Lot 2 is dimensioned to allow a 10m x 15m area with suitable setbacks and clear of easements.
- Lot 1 contains the existing dwelling. The minimum side setback will be 0.9m (eaves) to the north side boundary, however the dwelling does not exceed 9m (side of wall), so meets the acceptable solution .

A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 12m.	P2 Each lot, or a lot proposed in a plan of subdivision, 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: <ul style="list-style-type: none"> <li>a) the width of frontage proposed, if any;</li> <li>b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>c) the topography of the site;</li> <li>d) the functionality and useability of the frontage;</li> <li>e) the ability to manoeuvre vehicles on the site; and</li> <li>f) the pattern of development existing on established properties in the area,</li> </ul> and is not less than 3.6m wide.
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RESPONSE

- P2 The performance criteria are addressed.
- a. Proposed Lot 2 has a frontage of 3.6m.
  - b. The two lots will use the access which a right of carriageway easement will be made.
  - c. The topography has little bearing on the frontage.
  - d. The frontage to proposed Lot 2 will provide access to the lots, allowing increased efficiency of land use in the General Residential Zone.
  - e. All lots are adequately sized and dimensioned to allow manoeuvring.
  - f. The neighbouring lot includes a strata title that is similar in terms of pattern of development.

The access is proposed to be 3m wide.

A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	P3 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: <ul style="list-style-type: none"> <li>a) the topography of the site;</li> <li>b) the distance between the lot or building area and</li> </ul>
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	<p>the carriageway;</p> <p>c) the nature of the road and the traffic;</p> <p>d) the anticipated nature of vehicles likely to access the site; and</p> <p>e) the ability for emergency services to access the site.</p>
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RESPONSE

P3 The performance criteria are addressed.

- a. The topography has little bearing on the access.
- b. The carriageway will be 30m which is reasonable and will not require a passing bay.
- c. The road is located in a residential area and the traffic is most likely to be residential in nature.
- d. The anticipated vehicles will be light vehicles for residential use.
- e. The site will have normal access for emergency vehicles – the minimal width is achieved.

<p>A4 Any lot in a subdivision with a new road, must have the long axis of the lot between 30 degrees west of true north and 30 degrees east of true north.</p>	<p>P4 Subdivision must provide for solar orientation of lots adequate to provide solar access for future dwellings, having regard to:</p> <ul style="list-style-type: none"> <li>a) the size, shape and orientation of the lots;</li> <li>b) the topography of the site;</li> <li>c) the extent of overshadowing from adjoining properties;</li> <li>d) any development on the site;</li> <li>e) the location of roads and access to lots; and</li> <li>f) the existing pattern of subdivision in the area.</li> </ul>
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RESPONSE

Not applicable.

8.6.2 Roads

Objective	
<p>That the arrangement of new roads within a subdivision provides:</p> <ul style="list-style-type: none"> <li>a) safe, convenient and efficient connections to assist accessibility and mobility of the community;</li> <li>b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and</li> <li>c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.</li> </ul>	
Acceptable Solutions	Performance Criteria
<p>A1 The subdivision includes no new roads</p>	<p>P1 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:</p> <ul style="list-style-type: none"> <li>a) any road network plan adopted by the council;</li> </ul>



	<ul style="list-style-type: none"> <li>b) the existing and proposed road hierarchy;</li> <li>c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;</li> <li>d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;</li> <li>e) minimising the travel distance between key destinations such as shops and services and public transport routes;</li> <li>f) access to public transport;</li> <li>g) the efficient and safe movement of pedestrians, cyclists and public transport;</li> <li>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;</li> <li>i) the topography of the site; and</li> <li>j) the future subdivision potential of any balance lots on adjoining or adjacent land.</li> </ul>
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RESPONSE

A1 The acceptable solution is achieved; no new roads are proposed.

8.6.3 Services

Objective	
That the subdivision of land provides services for the future use and development of the land.	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a full water supply service.	<p>P1 A lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a limited water supply service, having regard to:</p> <ul style="list-style-type: none"> <li>a) flow rates;</li> <li>b) the quality of potable water;</li> <li>c) any existing or proposed infrastructure to provide the water service and its location;</li> <li>d) the topography of the site; and</li> <li>e) any advice from a regulated entity</li> </ul>

RESPONSE

A1 The acceptable solution is achieved. All lots will have connection to reticulated water.

A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.	P2 No Performance Criterion
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RESPONSE

A2 The acceptable solution is achieved. All lots will have connection to reticulated sewer.

<p>A3 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 connecting to a public stormwater system.</p>	<p>P3 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 stormwater management system adequate for the future use and development of the land, having regard to:</p> <ul style="list-style-type: none"><li>a) the size of the lot;</li><li>b) topography of the site;</li><li>c) soil conditions;</li><li>d) any existing buildings on the site;</li><li>e) any area of the site covered by impervious surfaces; and</li><li>f) any watercourse on the land.</li></ul>
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RESPONSE

A3 The acceptable solution is achieved. All lots will have connection to the local stormwater system.

## 4.2 Code Assessment

### C2.0 Parking and Sustainable Transport Code

#### C2.5 Use Standards

RESPONSE

A1 The acceptable solution is achieved. The lots are sized and dimensioned to allow suitable parking allowance. Proposed Lot 1 will contain parking provision for two spaces.

#### C2.6 Development standards for buildings and works

##### C2.6.1 Construction of parking areas

RESPONSE

P1 The performance criteria are addressed. The parking spaces for Lot 1 will be formed with gravel. The driveway is existing and is a combination of sealed (concrete) surface and gravel inlay. The vehicle crossing is unsealed as existing.

- a. The nature of the use is most likely to be residential.
- b. The land is generally flat and even.
- c. Stormwater is existing for the lot and proposed for the subdivided Lot 2. Additional runoff from the gravel parking area will be minimised by absorption.
- d. The sealed section of the driveway actively mitigates sediment and debris being transported to the road.

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- e. The driveway is not likely to produce dust. The parking area will be gravel and unlikely to produce dust through use.
  - f. Gravel parking areas are reasonably typical for residential use.

#### C2.6.2 Design and layout of parking areas

##### RESPONSE

A1.1 The acceptable solution is achieved and demonstrated on the plan supplied.

#### C2.6.3 Number of accesses for vehicles

##### RESPONSE

A1 The acceptable solution is achieved. One access point is provided as existing.

### C3.0 Road and Railway Assets Code

#### C3.5 Use Standards

##### C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

##### RESPONSE

A1.4 The acceptable solution is achieved. Vehicular traffic to the site will increase but will be within the limits prescribed by Table C3.1. Additional vehicular traffic is anticipated to be 7.4 vehicle movements per day as according to the RMS Guide (Roads and Maritime Services NSW 2013).

#### C3.7 Development Standards for Subdivision

##### C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area

##### RESPONSE

A1 The lot is not within 50m of a road area, according to the definitions of C3.3.

### C12.0 Flood Prone Areas Hazard Code

#### C12.7 Development Standards for Subdivision

##### C12.7.1 Subdivision within a flood-prone hazard area

##### RESPONSE

P1 The subdivision creates a lot that is included in the Break O' Day flood mapping. The development of a dwelling is likely to be included in the area shown as affected. Part of the access may also be included in the affected area depending on lot design for future development. The mapping is described as H1, which is considered generally safe for people, vehicles and buildings. As the risk is identified as low, it is submitted that the subdivision and future use and development can achieve a tolerable risk from flood.

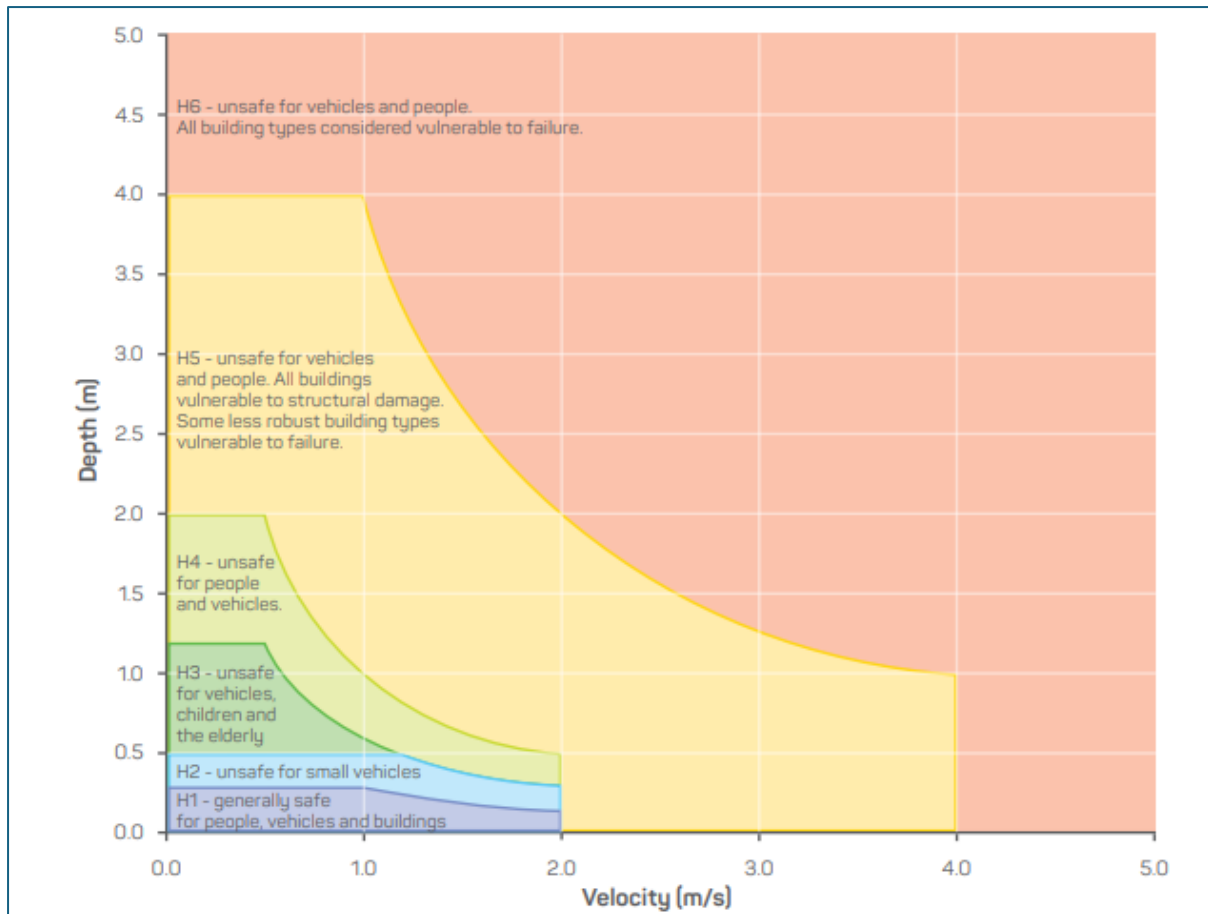


Figure 6 Extracted from Australian Disaster Resilience Handbook Collection – Flood Hazard (Australian Institute for disaster resilience 2017)

- a. Given the low level of risk, it is submitted that the level of risk is low and the increase in risk from flood for adjacent land is low.
- b. The new lot would allow (probable) residential development on private land. Reliance on public infrastructure would be according to residential use and development in the area and expected to be minimal.
- c. Future remediation works are not anticipated.
- d. The flood risk is low and does not impede the access. Free access is expected to be maintained.
- e. A building can be located outside the flood area; this would possibly create compromise to other provisions. Considered building design to allow overland flows would potentially create a mitigated development situation on the lot.
- f. Flood mapping from Council has been provided.
- g. Given the low level of risk, a flood report has not been obtained.

## C16.0 Safeguarding of Airports Code

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## C16.4 Use or Development Exempt from this Code

C16.4.1 The following use or development is exempt from this code:

- (a) development that is not more than the AHD height specified for the site of the development in the relevant airport obstacle limitation area

### RESPONSE

The proposed is exempt.

## 5. Conclusion

This application is for a subdivision to 2 lots in the General Residential Zone. Lot 1 will retain all existing development and car parking will be developed. A right of way easement will allow access to both lots over the existing driveway and access point. The proposed is in accord with the provisions of the Scheme and a planning permit is sought from Council.

## Annexures

Annexure 1 Copy of title plan and folio text

Annexure 2 Proposal plan

## References

- Australian Institute for disaster resilience. 2017. *Australian Disaster Resilience Handbook Collection - Flood Hazard*. Guideline, Australian Government - Attorney-General's Department.
- Roads and Maritime Services NSW. 2013. *Updated Traffic Surveys*. NSW State Government.



## **Development Applications**

Notice is hereby given under Section 57(3) of the *Land Use Planning & Approvals Act 1993* that an application has been made to the Break O' Day Council for a permit for the use or development of land as follows:

<b>DA Number</b>	DA 2024 / 00233
<b>Applicant</b>	Woolcott Land Services
<b>Proposal</b>	Two (2) Lot Subdivision
<b>Location</b>	7 Grant Street, St Helens

Plans and documents can be inspected at the Council Office by appointment, 32 – 34 Georges Bay Esplanade, St Helens during normal office hours or online at [www.bodc.tas.gov.au](http://www.bodc.tas.gov.au).

Representations must be submitted in writing to the General Manager, Break O'Day Council, 32 -34 Georges Bay Esplanade, St Helens 7216 or emailed to [admin@bodc.tas.gov.au](mailto:admin@bodc.tas.gov.au), and referenced with the Application Number in accordance with section 57(5) of the abovementioned Act during the fourteen (14) day advertised period commencing on Saturday 11<sup>th</sup> January 2025 **until 5pm Friday 24<sup>th</sup> January 2025**.

**John Brown**  
**GENERAL MANAGER**