



DEVELOPMENT APPLICATION

PDPLANPMTD-2024/041925

PROPOSAL: Dwelling

LOCATION: 103 Spitfarm Road, Opossum Bay

RELEVANT PLANNING SCHEME: Tasmanian Planning Scheme - Clarence

ADVERTISING EXPIRY DATE: 30 April 2024

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 30 April 2024. In addition to legislative requirements, plans and documents can also be viewed at www.ccc.tas.gov.au during these times.

Any person may make representations about the application to the Chief Executive Officer, by writing to PO Box 96, Rosny Park, 7018 or by electronic mail to clarence@ccc.tas.gov.au. Representations must be received by Council on or before 30 April 2024.

To enable Council to contact you if necessary, would you please also include a day time contact number in any correspondence you may forward.

Any personal information submitted is covered by Council's privacy policy, available at www.ccc.tas.gov.au or at the Council offices.



Clarence... a brighter place

Clarence City Council

APPLICATION FOR DEVELOPMENT / USE OR SUBDIVISION

The personal information on this form is required by Council for the development of land under the Land Use Planning and Approvals Act 1993. We will only use your personal information for this and other related purposes. If this information is not provided, we may not be able to deal with this matter. You may access and/or amend your personal information at any time. How we use this information is explained in our **Privacy Policy**, which is available at www.ccc.tas.gov.au or at Council offices.

Proposal:

NEW RESIDENTIAL SINGLE DWELLING

Location:

Address 103 SPITFARM ROAD

Suburb/Town OPOSSUM BAY Postcode 7023

Current Owners/s:

Applicant:

Personal Information Removed

Tax Invoice for application fees to be in the name of: (if different from applicant)

Estimated cost of development

\$ 650,000

Is the property on the Tasmanian Heritage Register?

Yes

No

(if yes, we recommend you discuss your proposal with Heritage Tasmania prior to lodgement as exemptions may apply which may save you time on your proposal)

If you had pre-application discussions with a Council Officer, please give their name

Current Use of Site: Vacant

Vacant

Does the proposal involve land administered or owned by the Crown or Council?

Yes

No


Declaration:

- *I have read the Certificate of Title and Schedule of Easements for the land and am satisfied that this application is not prevented by any restrictions, easements or covenants.*
- *I authorise the provision of a copy of any documents relating to this application to any person for the purposes of assessment or public consultation. I agree to arrange for the permission of the copyright owner of any part of this application to be obtained. I have arranged permission for Council's representatives to enter the land to assess this application*
- *I declare that, in accordance with Section 52 of the Land Use Planning and Approvals Act 1993, that I have notified the owner of the intention to make this application. Where the subject property is owned or controlled by Council or the Crown, their signed consent is attached. Where the application is submitted under Section 43A, the owner's consent is attached.*
- *I declare that the information in this declaration is true and correct.*

Acknowledgement:

- *I acknowledge that the documentation submitted in support of my application will become a public record held by Council and may be reproduced by Council in both electronic and hard copy format in order to facilitate the assessment process; for display purposes during public consultation; and to fulfil its statutory obligations. I further acknowledge that following determination of my application, Council will store documentation relating to my application in electronic format only.*

Applicant's Signature:

Signature  Date 1 February 2024

PLEASE REFER TO THE DEVELOPMENT/USE AND SUBDIVISION CHECKLIST ON THE FOLLOWING PAGES TO DETERMINE WHAT DOCUMENTATION MUST BE SUBMITTED WITH YOUR APPLICATION.

Documentation required:

1. **MANDATORY DOCUMENTATION**

This information is required for the application to be valid. An application lodged without these items is unable to proceed.

- Details of the location of the proposed use or development.
- A copy of the current Certificate of Title, Sealed Plan, Plan or Diagram and Schedule of Easements and other restrictions for each parcel of land on which the use or development is proposed.
- Full description of the proposed use or development.
- Description of the proposed operation.
May include where appropriate: staff/student/customer numbers; operating hours; truck movements; and loading/unloading requirements; waste generation and disposal; equipment used; pollution, including noise, fumes, smoke or vibration and mitigation/management measures.
- Declaration the owner has been notified if the applicant is not the owner.
- Crown or Council consent (if publically-owned land).
- Any reports, plans or other information required by the relevant zone or code.
- Fees prescribed by the Council.

Application fees (please phone 03 6217 9550 to determine what fees apply). An invoice will be emailed upon lodgement.

2. **ADDITIONAL DOCUMENTATION**

In addition to the mandatory information required above, Council may, to enable it to consider an application, request further information it considers necessary to ensure that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or specific area plan, applicable to the use or development.

- Site analysis plan and site plan**, including where relevant:
 - *Existing and proposed use(s) on site.*
 - *Boundaries and dimensions of the site.*
 - *Topography, including contours showing AHD levels and major site features.*
 - *Natural drainage lines, watercourses and wetlands on or adjacent to the site.*
 - *Soil type.*
 - *Vegetation types and distribution, and trees and vegetation to be removed.*
 - *Location and capacity of any existing services or easements on/to the site.*
 - *Existing pedestrian and vehicle access to the site.*
 - *Location of existing and proposed buildings on the site.*
 - *Location of existing adjoining properties, adjacent buildings and their uses.*
 - *Any natural hazards that may affect use or development on the site.*
 - *Proposed roads, driveways, car parking areas and footpaths within the site.*
 - *Any proposed open space, communal space, or facilities on the site.*
 - *Main utility service connection points and easements.*
 - *Proposed subdivision lot boundaries.*

Clarence City Council

DEVELOPMENT/USE OR SUBDIVISION CHECKLIST



- Where it is proposed to erect buildings, **detailed plans** with dimensions at a scale of 1:100 or 1:200 showing:
 - *Internal layout of each building on the site.*
 - *Private open space for each dwelling.*
 - *External storage spaces.*
 - *Car parking space location and layout.*
 - *Major elevations of every building to be erected.*
 - *Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites.*
 - *Relationship of the elevations to natural ground level, showing any proposed cut or fill.*
 - *Materials and colours to be used on rooves and external walls.*
- Where it is proposed to erect buildings, a plan of the proposed **landscaping** showing:
 - *Planting concepts.*
 - *Paving materials and drainage treatments and lighting for vehicle areas and footpaths.*
 - *Plantings proposed for screening from adjacent sites or public places.*
- Any additional reports, plans or other information required by the relevant zone or code.

This list is not comprehensive for all possible situations. If you require further information about what may be required as part of your application documentation, please contact Council's Planning Officers on (03) 6217 9550 who will be pleased to assist.

SEARCH OF TORRENS TITLE

VOLUME 84973	FOLIO 6
EDITION 3	DATE OF ISSUE 17-Oct-2022

SEARCH DATE : 28-Aug-2023

SEARCH TIME : 09.29 AM

DESCRIPTION OF LAND

City of CLARENCE

Lot 6 on Diagram 84973 (formerly being 525-27D)

Derivation : Part of 3000 Acres Gtd. to G.H.B. Gellibrand

Prior CT 2223/25

SCHEDULE 1

M988983 ASSENT to JESSICA DELL Registered 17-Oct-2022 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
A236795 FENCING PROVISION in Transfer

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



31 January 2024.

Senior Statutory Planner,
Clarence City Council.
P.O. Box 96,
ROSNY PARK. TAS. 7018.

Dear Sir / Madam,

DELL, 103 SPITFARM ROAD, OPOSSUM BAY. PID 5236573.

Please consider this letter together with a Development Application for a proposed dwelling on the above site.

PROPERTY DESCRIPTION.

The land is a vacant building block, with evidence of a previously demolished building. It is grassed, with a two non endemic Eucalypts approximately 8 metres and 5 metres in height. There is a slight down slope towards the street (west).

The land is 642 square metres in size, and zoned Low Density Residential. It is subject to a Flood Prone Overlay, on a very small portion of the Spitfarm Road frontage. There is a Bushfire Attack Level hazard due to surrounding unmanaged vegetation, although this is not illustrated as an overlay.

PLANNING SCHEME & OTHER CONSTRAINTS.

Bushfire Attack Level.

A Site Plan forms part of this application. A report from a suitably qualified consultant is also included, and the limits for construction are shown on this site plan.

Flood Prone Overlay.

The extent is limited to one or two square metres on the extreme road boundary. The road is at a lower level, and it is hard to imagine how the constraint was arrived at. There is no likelihood of the proposed building, located where shown on the Site Plan, could be affected by flooding.

Zoning.

The Zoning under the Tasmanian Planning Scheme is Low Density Residential. This is problematic.

Building to the northern and eastern boundaries are restricted by the Bushfire Attack Level setbacks. The mandated side boundary setback in accordance with Tasmanian Planning Scheme Part 10.4.3 A2 is 5 metres. This cannot be achieved in practical terms. As the maximum site coverage is 30% (10.4.4.A1) an acceptable level of living space can only be achieved with a 2 storey construction. This must include car port or garage, as an outbuilding is prohibited due to BAL if the outbuilding is in an area otherwise restricted and cannot be removed 8 metres from the primary building.

For new subdivisions in this zone the minimum lot size is 1500 square metres to satisfy the Acceptable Solutions 10.6.1 A1, although 1200m² can be satisfactory in some circumstance (P1). This lot is only half of this size, but has the same constraints.

CONCLUSION.

The proposal suggests a two storey solution, but sited as far to the rear of the land as is possible. It is not possible to meet liveability constraints without encroaching on the minimum 5m side boundary on the southern side. The location limits the loss of sunshine as far as possible, whilst maintaining a corridor of view to the Derwent River for the southern neighbour. Some shading does occur, but as the primary recreation area for the southern neighbour is an upstairs deck the loss of sunshine is eliminated. Shadow diagrams are included.

The primary issue for Council to consider may be the loss of amenity due to shading brought about by reducing the side boundary setback. The house is consistent with others in the neighbourhood, and 10.4.3 P2 has been adhered to as closely as possible due to the combination of zone and non conforming lot size.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'W. French', written in a cursive style.

Warren French. B.Env Des., B.Arch.
Architect.

PROPOSED DWELLING FOR
Q & J DELL
at
103 SPITFARM ROAD, OPOSSUM BAY

SUMMARY

Title Reference: 84973/6

PROPERTY ID: 5236573

Building Size:

Class 1 Dwelling 135m²

Deck 84m²

Garage 21m²

Design Wind Speed: N3

Soil Classification: A

Climate Zone: 7

BAL: 19

SHEET 1	SITE PLAN
SHEET 2	PLAN
SHEET 3	ELEVATIONS
SHEET 4	SECTION
SHEET 5	SHADOW DIAGRAM

WARREN FRENCH

ARCHITECT

55 WILLIAM STREET, WESTBURY, TAS. 7303 ph 0417566964



OCTOBER 2021

BUILDING PRACTITIONER ACCREDITATION NO. CC230W.
ARCHITECTS REGISTRATION BOARD NO. 678.

Report on 103 Spitfarm Road, Opossum Bay.

The land is a vacant building block, with evidence of a previously demolished building. It is grassed, with a two non endemic Eucalypts approximately 8 metres and 5 metres in height. There is a slight down slope towards the street (west).

The land is 642 square metres in size, and zoned Low Density Residential. It is subject to a Flood Prone Overlay, on a very small portion of the Spitfarm Road frontage. There is a Bushfire Attack Level hazard due to surrounding unmanaged vegetation, although this is not illustrated as an overlay.

Bushfire Attack Level.

A Site Plan forms part of this application. A report from a suitably qualified consultant is also included, and the limits for construction are shown on this site plan.

Flood Prone Overlay.

The extent is limited to one or two square metres on the extreme road boundary. The road is at a lower level, and it is hard to imagine how the constraint was arrived at. There is no likelihood of the proposed building, located where shown on the Site Plan, could be affected by flooding.

Zoning.

The Zoning under the Tasmanian Planning Scheme is Low Density Residential. This is problematic.

Building to the northern and eastern boundaries are restricted by the Bushfire Attack Level setbacks. The mandated side boundary setback in accordance with Tasmanian Planning Scheme Part 10.4.3 A2 is 5 metres. This cannot be achieved in practical terms. As the maximum site coverage is 30% (10.4.4.A1) an acceptable level of living space can only be achieved with a 2 storey construction. This must include car port or garage, as an outbuilding is prohibited due to BAL if the outbuilding is in an area otherwise restricted and cannot be removed 8 metres from the primary building.

For new subdivisions in this zone the minimum lot size is 1500 square metres to satisfy the Acceptable Solutions 10.6.1 A1, although 1200m² can be satisfactory in some circumstance (P1). This lot is only half of this size, but has the same constraints.

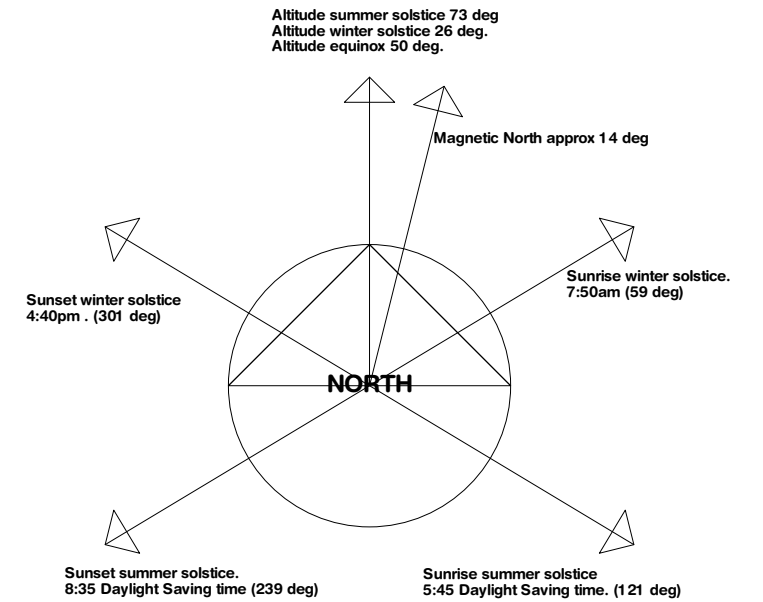
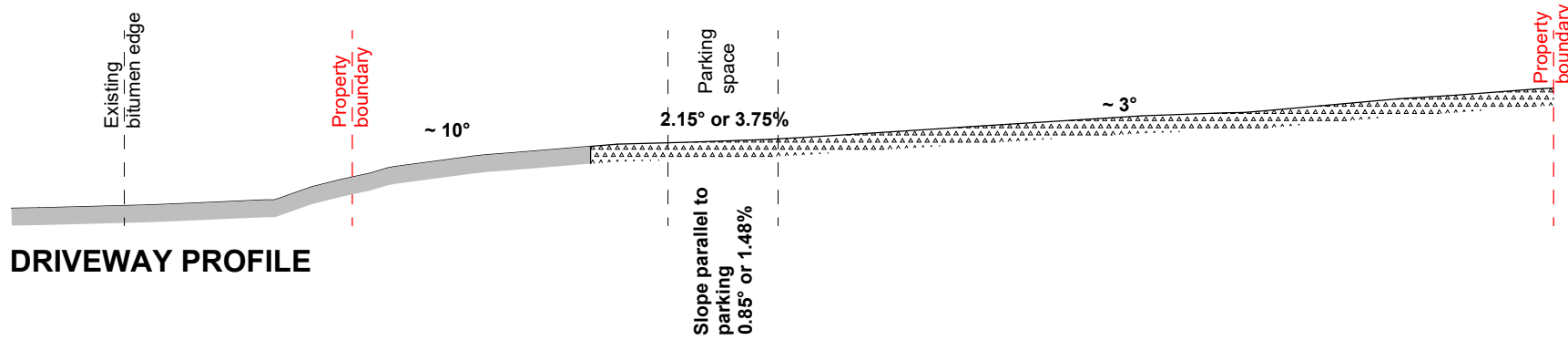
Conclusion.

The proposal suggests a two storey solution, but sited as far to the rear of the land as is possible. It is not possible to meet liveability constraints without encroaching on the minimum 5m side boundary on the southern side. The location limits the loss of sunshine as far as possible, whilst maintaining a corridor of view to the Derwent River for the southern neighbour. Some shading does occur, but as the primary recreation area for the southern neighbour is an upstairs deck the loss of sunshine is eliminated. Shadow diagrams are included.

The primary issue for Council to consider is the loss of amenity due to shading brought about by reducing the side boundary setback. The house is consistent with others in the neighbourhood, and 10.4.3 P2 has been adhered to as closely as possible due to the combination of zone and non conforming lot size.

Stormwater MH

DRIVEWAY PROFILE



Sediment Traps

- Pipe to street storm water pit
- Telstra Pit
- Tree Stump
- 10,000L BAL tank, overflow discharged to stormwater infrastructure

Grated pit storm water

Decommissioned existing property access

Power pole

Power pole

80m² set aside for proposed wastewater absorption bed location, this is likely to be more than sufficient. TBC at building application stage

New bitumen driveway

Hard stand

Grated cut off drain with sediment trap

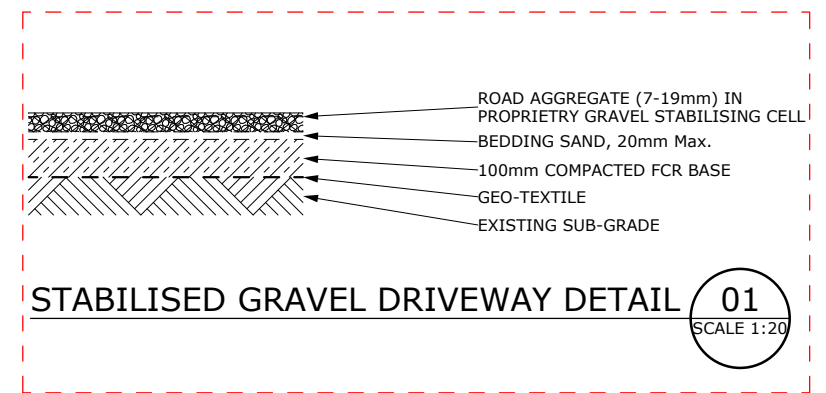
Weatherproof stabilised gravel driveway

Future rainwater collection tanks

Concrete garage slab

LEGEND

- Title boundary
- Existing Fence
- Power line
- Drainage
- Existing Tree
- Wastewater Absorption



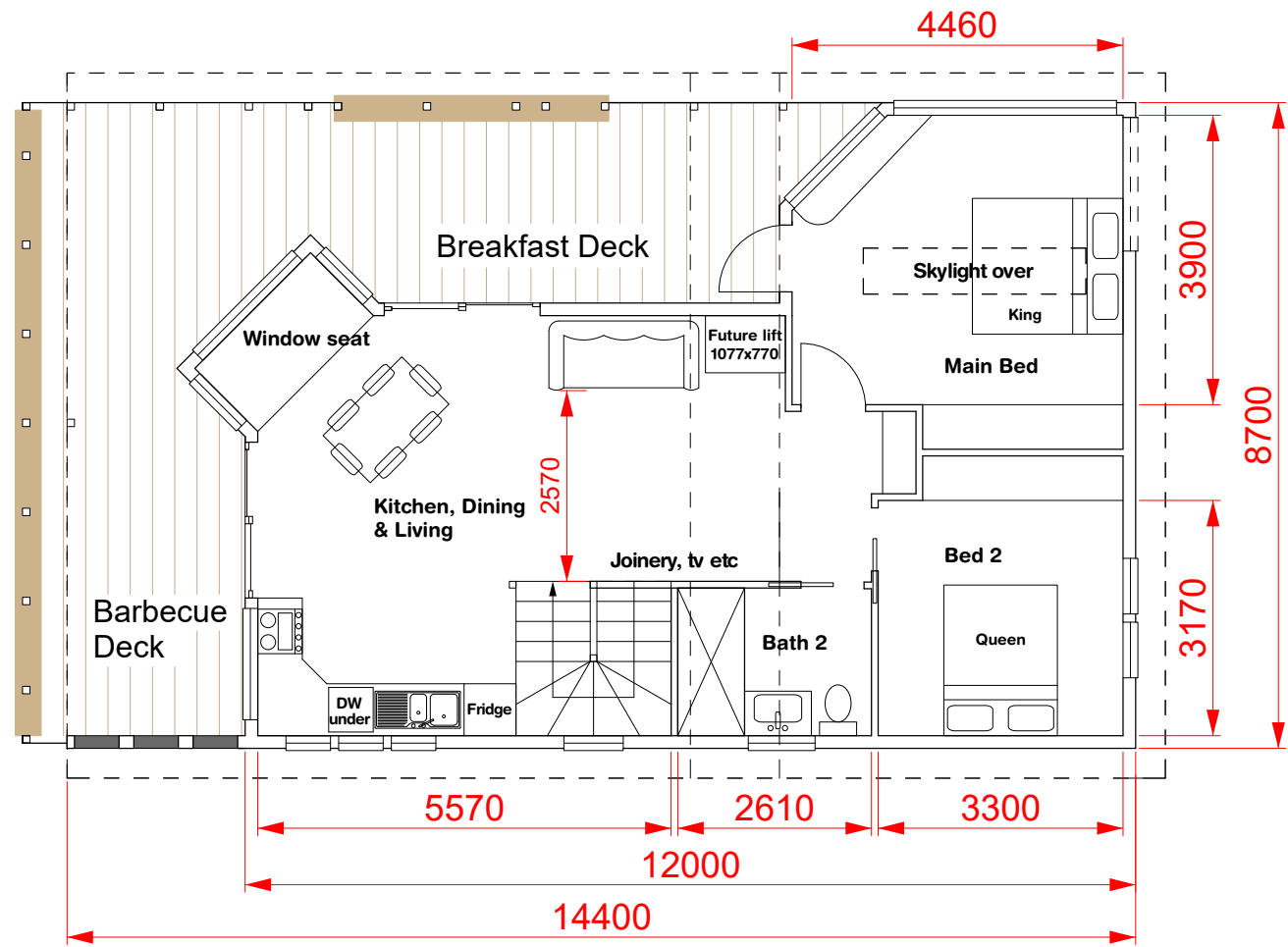
WARREN FRENCH ARCHITECT.
 BOARD OF ARCHITECTS REGISTRATION NO. 678.
 BUILDING PRACTITIONER ACCREDITATION NO. CC230W.

SHEET 1 - REV 3
SITE PLANS

Q & J DELL
103 SPITFARM ROAD,
OPOSSUM BAY

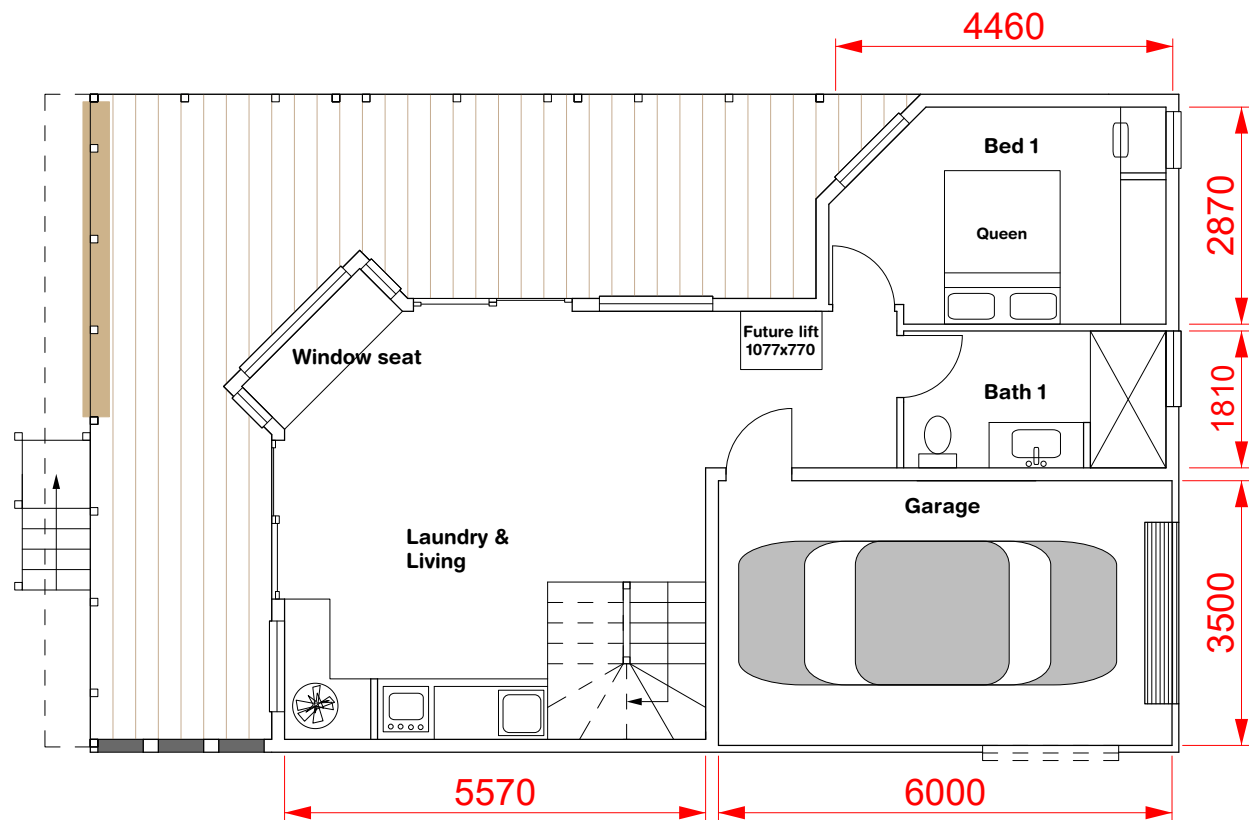
SCALE 1:200 @ A3
DATE 04 April 2024

ffi 20.24 AHD



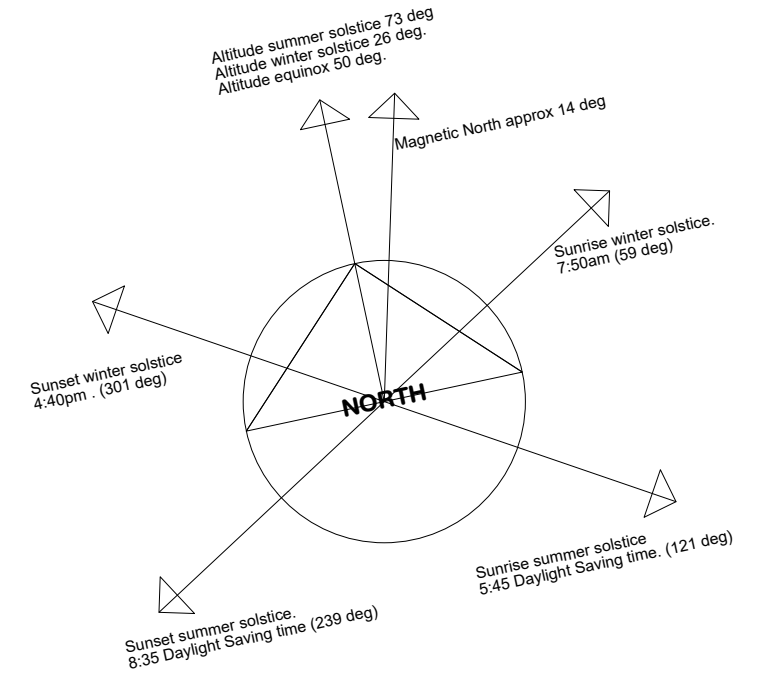
First Floor

ffi 17.48 AHD



Ground Floor

Building enclosure 135m²
Deck 84m²
Garage 21m²



WARREN FRENCH ARCHITECT.
BOARD OF ARCHITECTS REGISTRATION NO. 678.
BUILDING PRACTITIONER ACCREDITATION NO. CC230W.

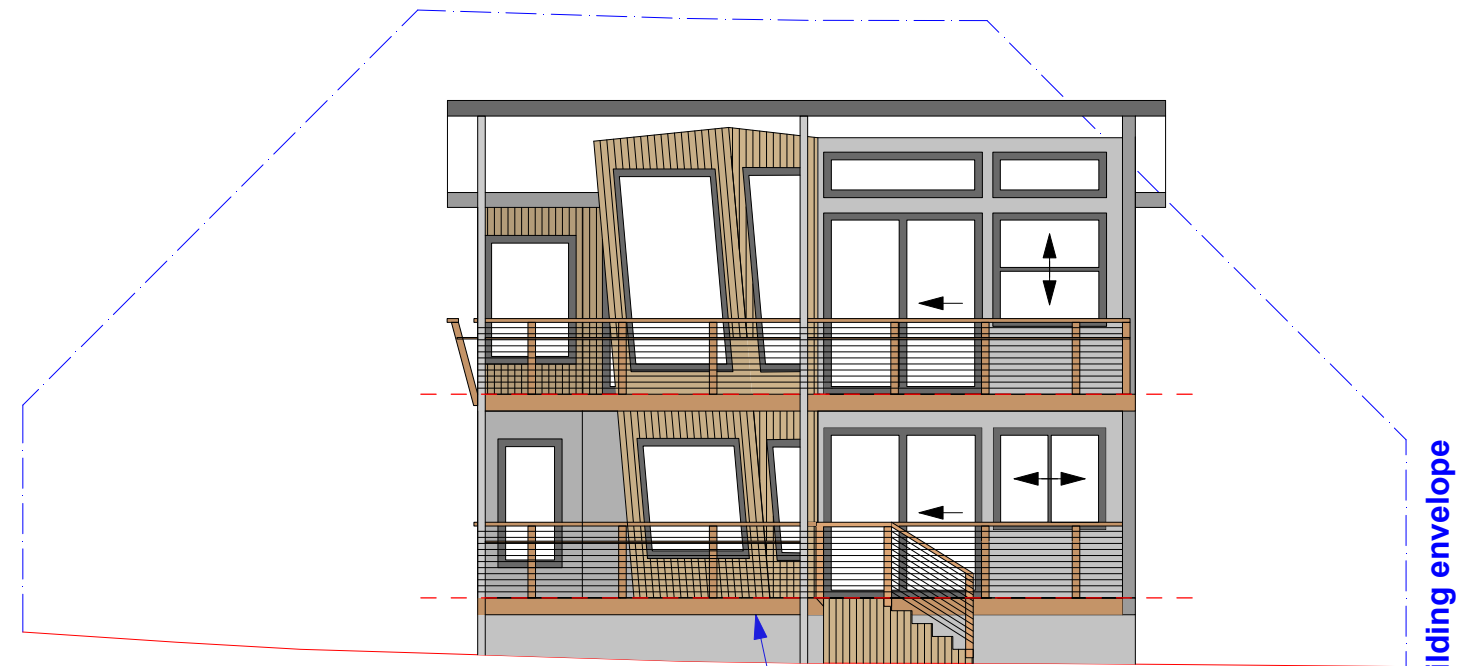
**SHEET 2
FLOOR PLANS**

Q & J DELL
103 SPITFARM ROAD,
OPOSSUM BAY

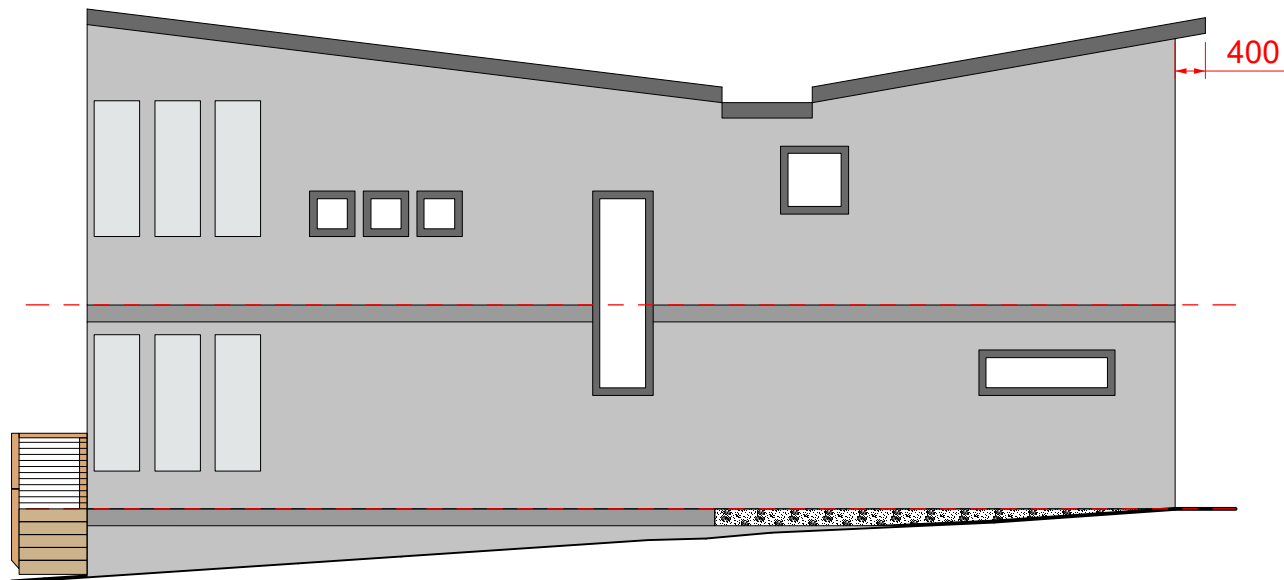
**SCALE 1:100 @ A3
DATE 29 JANUARY 2024**



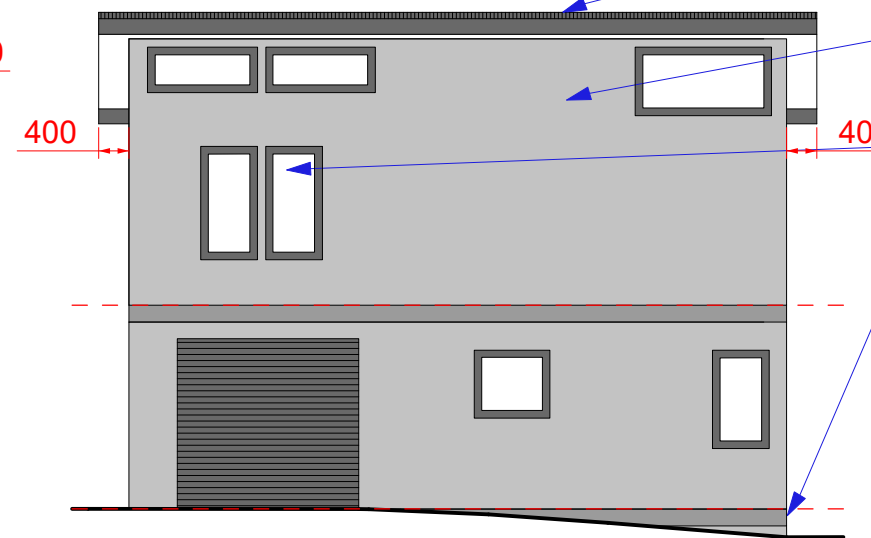
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

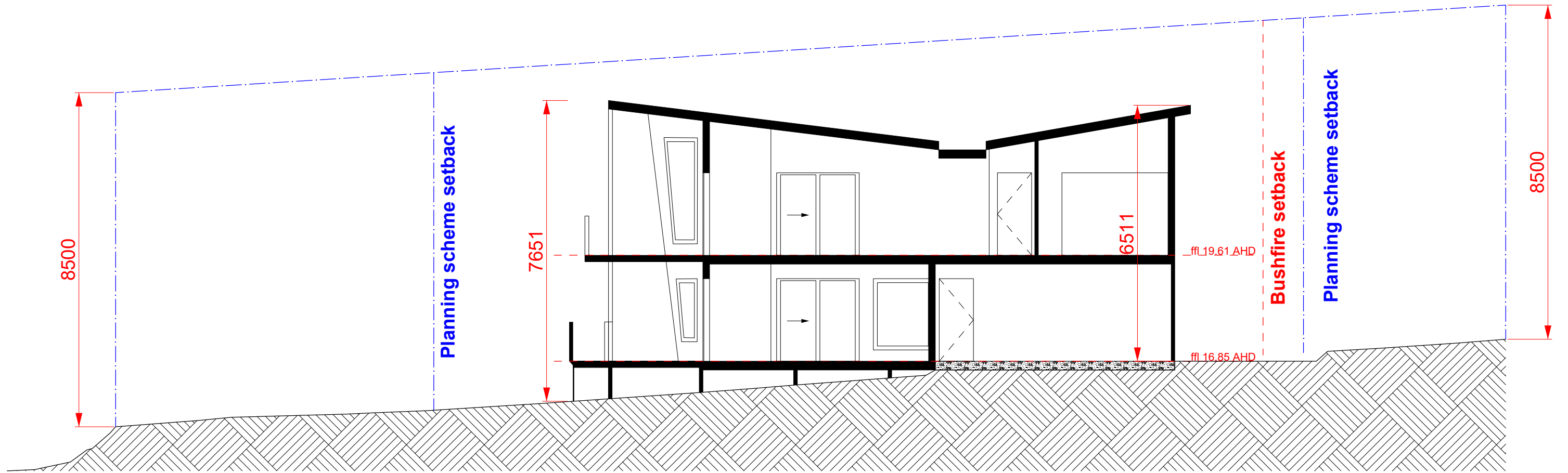
- Decks & verandahs, timber joists, handrail & decking of species to satisfy BAL 19. Stainless cable.
- Roof, Trimdek Colorbond Grey on ply grillage structural panels.
- Walls, spotted gum finished clear & Trimdeck Colourbond Woodlen Grey.
- Windows & Doors, aluminium frame double glazed. Screens metal mesh.
- Sub floor, ply grillage structural panels, steel columns in concrete pad footings to build up.

WARREN FRENCH ARCHITECT.
 BOARD OF ARCHITECTS REGISTRATION NO. 678.
 BUILDING PRACTITIONER ACCREDITATION NO. CC230W.

**SHEET 3
 ELEVATIONS**

**Q & J DELL
 103 SPITFARM ROAD,
 OPOSSUM BAY**

**SCALE 1:100 @ A3
 DATE 29 JANUARY 2024**



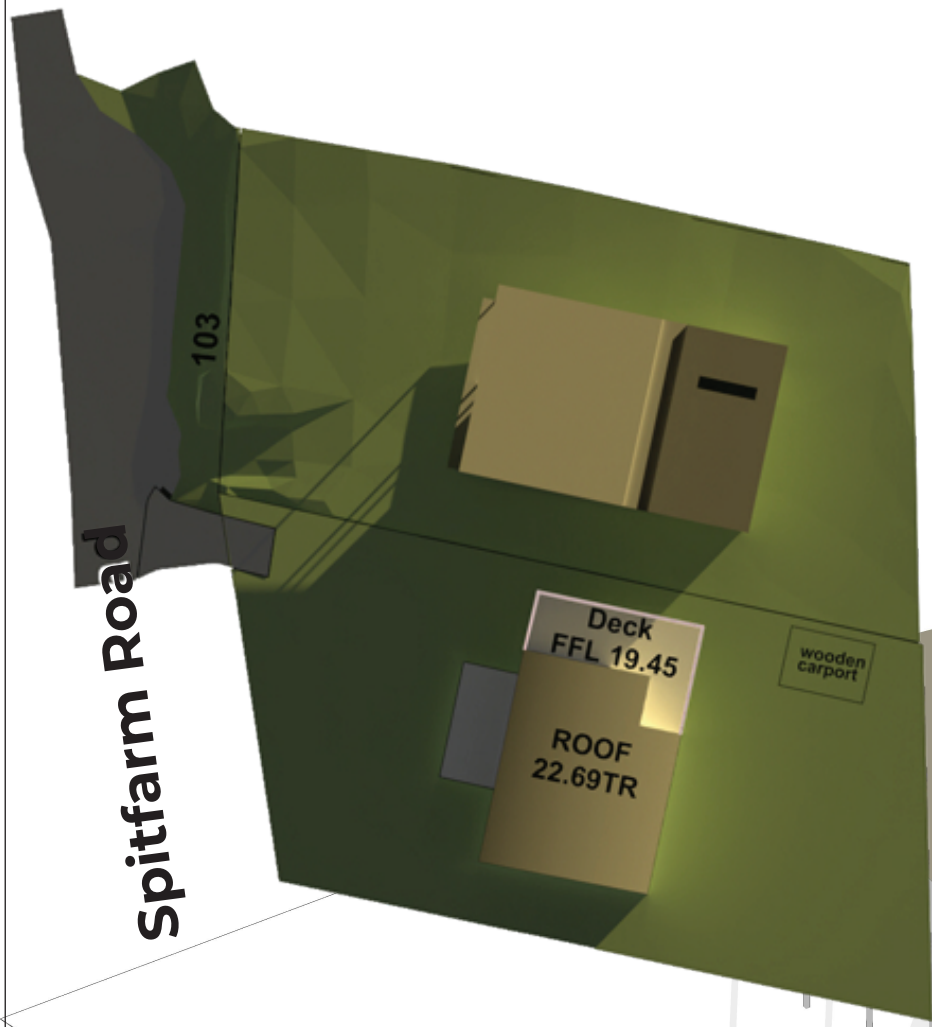
WARREN FRENCH ARCHITECT.
 BOARD OF ARCHITECTS REGISTRATION NO. 678.
 BUILDING PRACTITIONER ACCREDITATION NO. CC230W.

SHEET 4
SECTION

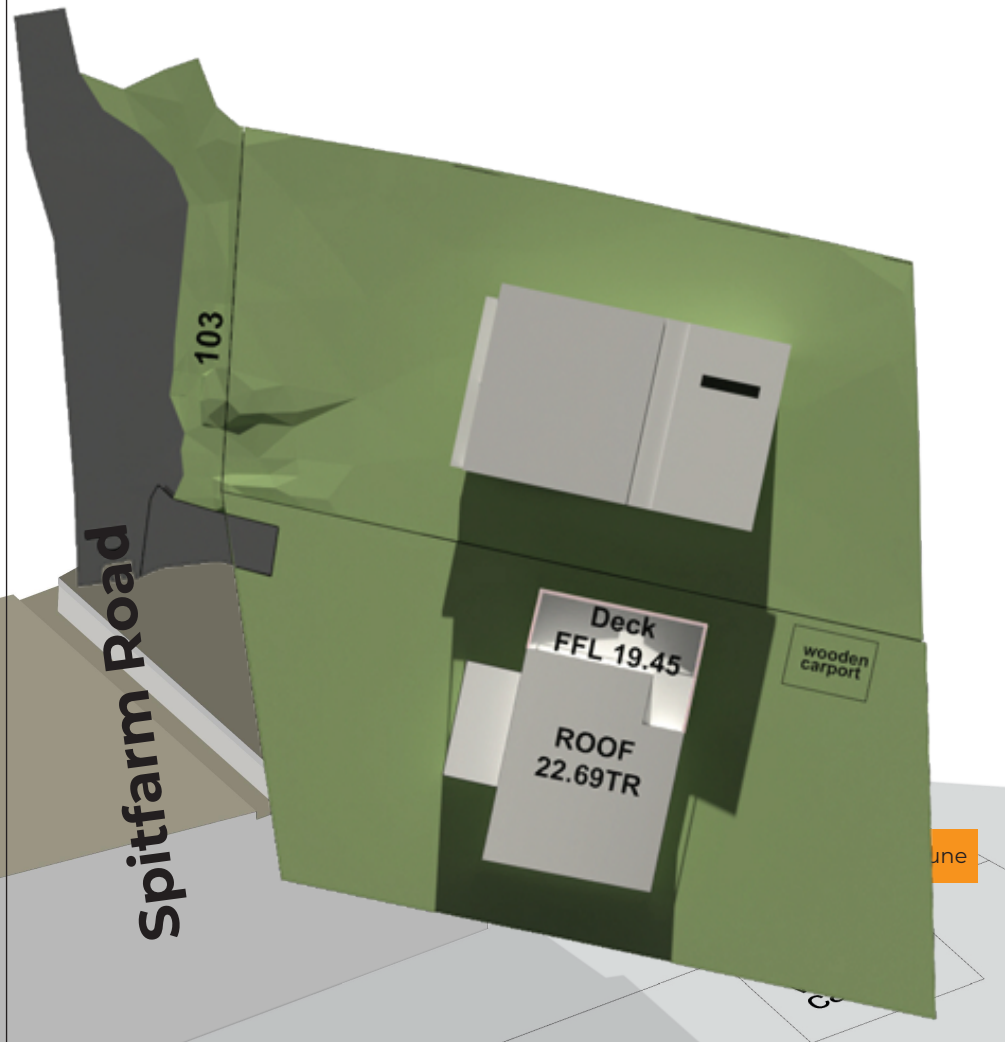
Q & J DELL
103 SPITFARM ROAD,
OPOSSUM BAY

SCALE 1:100 @ A3
DATE 29 JANUARY 2024

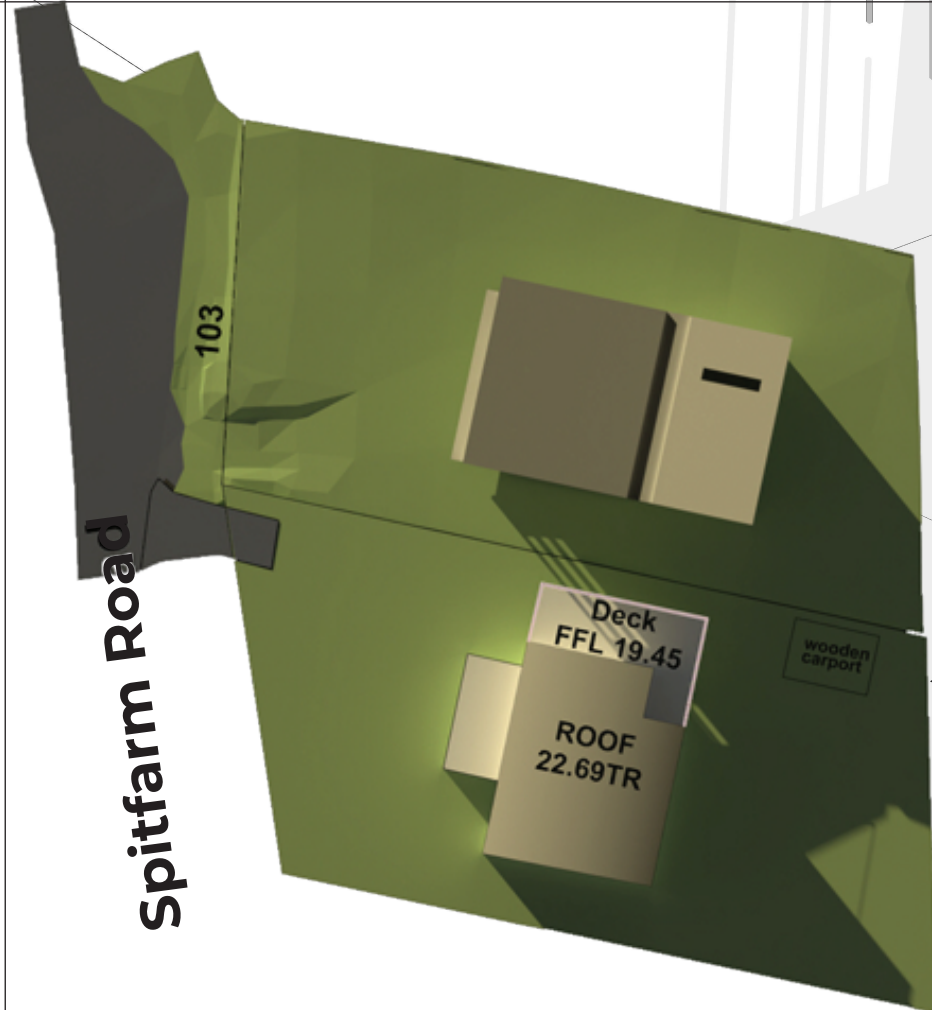
Shadow 9am 21st June



Shadow 12pm 21st June



Shadow 3pm 21st June



Shadow 12pm 21 June

In the first image you are able to see the deck is approximately half shaded at 9am June 21st with the deck sitting at FFL 19.45. The second image depicts 12pm June 21st shading approximately half of the deck area with no internal shading of the house. The third image shows again approximately half of the deck FFL shaded. Concluding, during the peak of winter 101 Spitfarm Road will have at minimum half of their deck area accessible to sun.

1st floor not affected by shading.

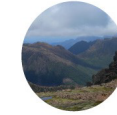
Shadow 9am 21 June

WARREN FRENCH ARCHITECT.
 BOARD OF ARCHITECTS REGISTRATION NO. 678.
 BUILDING PRACTITIONER ACCREDITATION NO. CC230W.

SHEET 5 - REV 1
SHADOW DIAGRAM

Q & J DELL
103 SPITFARM ROAD,
OPOSSUM BAY

SCALE NA
DATE 14 February 2024



**103 SPITFARM RD, OPOSSUM BAY
C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE ASSESSMENT
TASMANIAN PLANNING SCHEME – Version 5 (10 May 2023)**

C2.6 Development Standards for Buildings and Works

C2.6.1 Construction of parking areas

Objective:	That parking areas are constructed to an appropriate standard.	
Acceptable Solutions	Performance Criteria	
A1	P1	
<p>All parking, access ways, maneuvering and circulation spaces must:</p> <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement. 	<p>All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing. 	
C2.6.1 – A1 RESPONSE	C2.6.1 – P1 RESPONSE	
<ul style="list-style-type: none"> (a) N/A – The proposed development complies with the Performance Criteria 	<p>The proposed development complies with the Performance Criteria as follows</p> <ul style="list-style-type: none"> (a) NATURE OF USE Use as Low Density Residential, 103 Spitfarm RD is planned to be a holiday property with only 2 occupants. This will not generate a high volume of vehicle movement; free draining gravel will not be subject to ponding of water or becoming muddy. (b) TOPOGRAPHY OF LAND 	

	<p>The site is a 3° slope, parking areas are level and drainage are provided to capture water, while the site crossover is quite steep, here bitumen or concrete is used with a cut off drain above with sediment trap preventing gravel sediment running down driveway to street stormwater pit.</p> <p>(c) DRAINAGE SYSTEM Onsite stormwater systems will manage water captured from the access way and parking using sediment traps to prevent gravel runoff into stormwater main.</p> <p>(d) TRANSPORTING OF SEDIMENT Cut off drains with sediment traps will prevent transport of sediment in stormwater main.</p> <p>(e) GENERATING DUST Low volume of vehicle movement due to holiday home and large gravel size will prevent the generation of dust.</p> <p>(f) PROPOSED SURFACING The run-off co-efficient of a sealed surface in accordance to AS 3500.3 Table 5.4.6 (B) is much greater at 0.90 compared to that of an unsealed developed road (compacted gravel) at 0.50.</p> <p>This performance solution will reduce the stress on stormwater infrastructure during heavy rain events through only Bitumen driveway crossover, and free draining weatherproof stabilised gravel for the greater portion of driveway, providing a better run-off co-efficient than natural undeveloped surface of 0.70</p>
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	<p>or sealed surface of 0.90, and will not be subject to ponding of water, becoming muddy or high-water run-off.</p>
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