

## **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 2025 / 00047
<b>Applicant</b>	Michael Eastwood
<b>Proposal</b>	Visitor Accommodation – Construction of a Visitor Accommodation Unit
<b>Location</b>	Unit 16/36 Franks Street, Falmouth

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 31<sup>st</sup> May 2025 **until 5pm Monday 16<sup>th</sup> June, 2025.**

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

PROJECT INFORMATION

BUILDING DESIGNER:  
ACCREDITATION No:  
LAND TITLE REFERENCE NUMBER:  
FLOOR AREA  
DECK FLOOR AREA  
DESIGN WIND SPEED:  
SOIL CLASSIFICATION:  
CLIMATE ZONE:  
BUSHFIRE-PRONE BAL RATING:  
ALPINE AREA:  
CORROSION ENVIRONMENT:  
FLOODING:  
LANDSLIP:  
DISPERSIVE SOILS:  
SALINE SOILS:  
SAND DUNES:  
MINE SUBSIDENCE:  
LANDFILL:  
DATUM LEVEL AT KERB:  
GROUND LEVEL:  
FINISHED FLOOR LEVEL:  
OVERFLOW RELIEF GULLY LEVEL:  
TOTAL FOOTPRINT OF DWELLING AND DECKS

MICHAEL EASTWOOD  
CC 1066 S  
183241/16  
Lower Floor storage 21m² Upper Floor 264m²  
35m² front deck  
N3  
M  
7  
BAL 12.5  
NOT APPLICABLE  
MEDIUM  
NO  
NO  
UNKNOWN  
UNKNOWN  
UNKNOWN  
NO  
UNKNOWN  
UNKNOWN  
RL 18600  
Upper Floor RL21175 Lower Floor RL18800  
RL 18650

AREA SCHEDULE (Gross Building)		
Name	Area	Perimeter
lower floor	211.3	18900
Upper floor	263.85	82956
deck	34.44	24926
Wood Container	14.86	17065
Top Container 1	14.86	17069
Top Container 2	14.86	17069

Proposed Visitor Accommodation Unit For  
Margaret Head  
Unit 16 Saltwater Sunrise  
36 Franks Street  
Falmouth 7215  
  
PLANNING APPLICATION

Michael Eastwood

Onshore Design  
building designSTUDIO  
www.buildingdesignstudio.com.au

mail/ 10 Restdown Drive, Otago, 7017  
0429901003  
onshoredesigns@bigpond.com

Drawing List	
Sheet Number	Sheet Name
A0	Title Sheet
A1	Site Plan
A1a	Saltwater Sunrise
A2	Lower Area
A3	Floor Plan
A4	Elevations
A5	Elevations
A6	3D Visuals
A7	3D Visuals
A8	Section A-A
A9	Section B-B
A10	Gates
B1	Floor Plan Container
B2	Wood Container Elevations
C1	Containers *2 Floor Plan
C2	2*containers and water tanks

*'Drawings and Specifications as instruments of service are and shall remain the property of the Building Designer. They are not to be used on extensions of the project, or other projects, except by agreement in writing and appropriate compensation to the Building Designer. The General Contractor is responsible for confirming and correlating dimensions at the job site. The Building Designer will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the project.'*



SITE PLAN

1 : 1500

Rev.	Date	Description	<div><div></div><div>Printed Date</div><div>28/04/2025 3:21:02 PM</div></div>	<div><div></div><div>Onshore Designs</div><div>Building Designers</div><div>building design STUDIO</div><div>mail: 10 Restdown Drive, Otago, 7017</div><div>phone: mob 0429901003</div><div>web: www.buildingdesignstudio.com.au</div><div>email: onshoredesigns@bigpond.com</div></div>	<div>Job Title</div> <div>Proposed Development</div> <div>at 16/36 Franks Street</div> <div>Falmouth 7215</div> <div>for Margaret Head</div>	<div>Drawing Title</div> <div>Site Plan</div>	<div>Date:</div> <div>28/04/2025</div>	<div>Project No:</div>
							<div>Drawn By:</div> <div>Michael Eastwood</div>	<div>Sheet No:</div> <div>A101</div>
							<div>Accreditation No.</div> <div>CC 1066 S</div>	
							<div>Scale:</div> <div>1 : 1500</div>	

Job Title

**Visitor  
Accommodation**  
at

**Unit 16  
Saltwater  
Sunrise  
Falmouth 7216**  
for

Margaret Head

Drawing Title

**Site Plan**

Date:  
2/10/24

Drawn By:  
Michael Eastwood

Accreditation No  
CC 1066 S

Scale:  
**1 : 275**

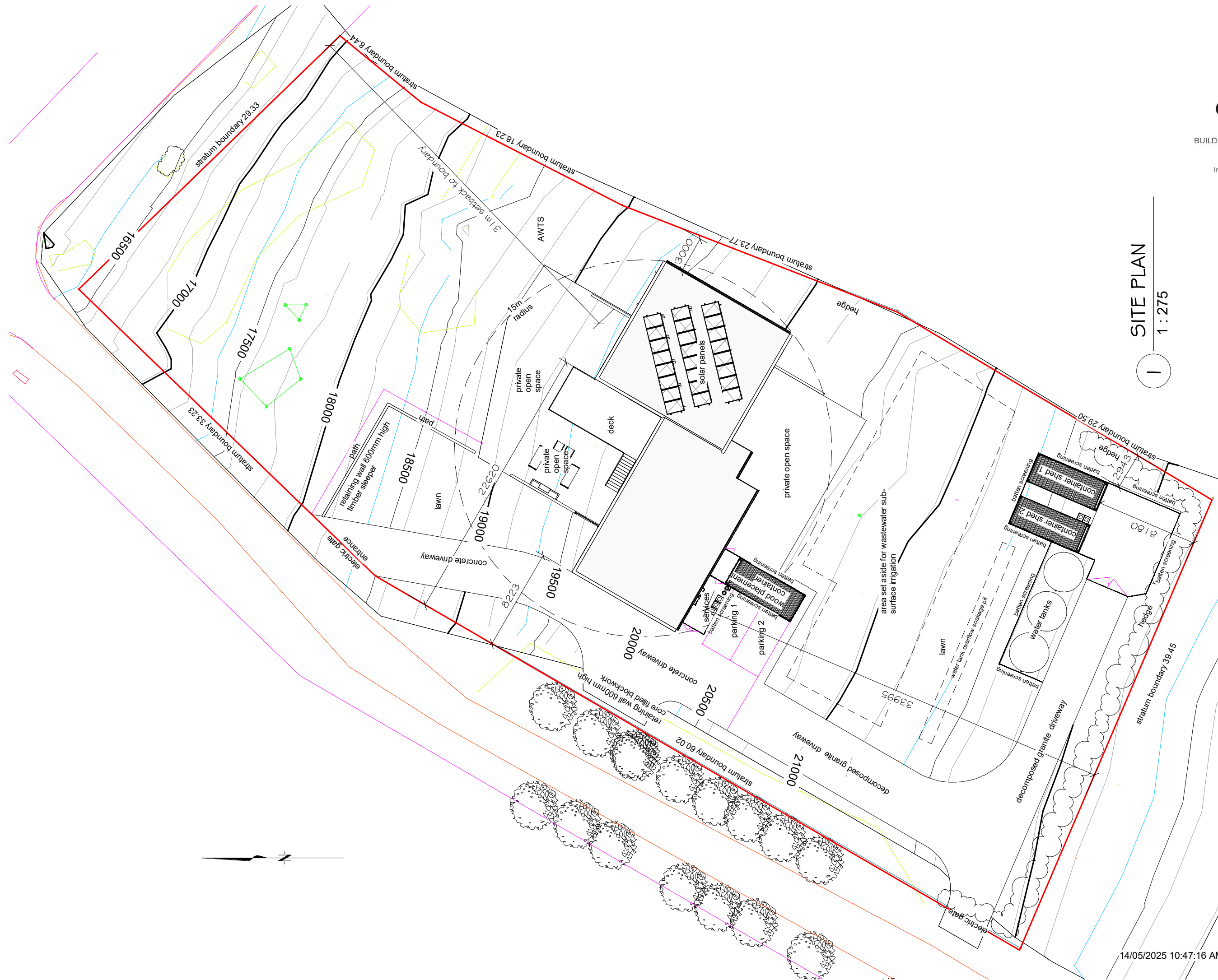
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AMMENDMENTS

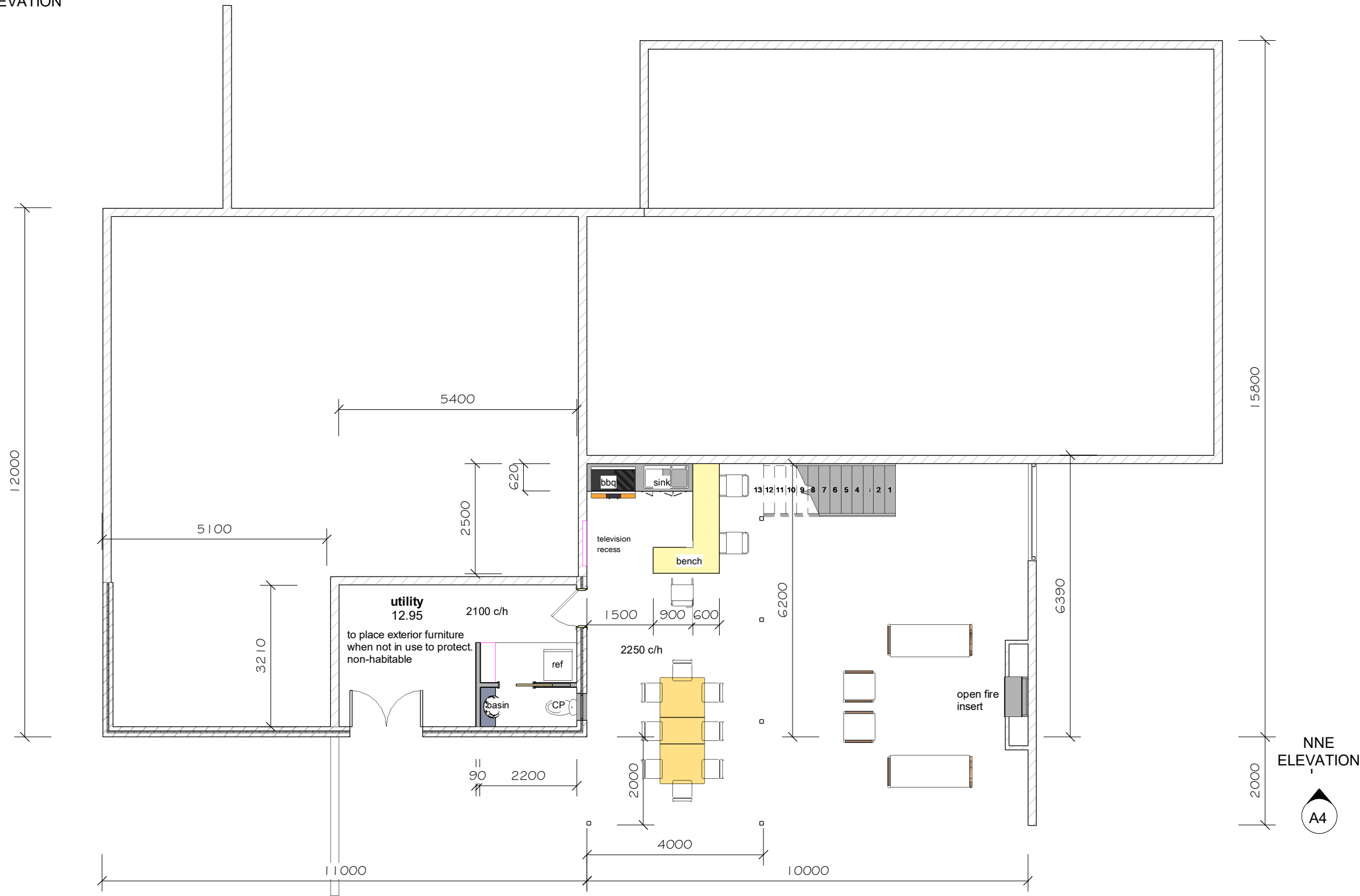
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14/05/2025 10:47:16 AM



A5  
SSW  
ELEVATION

A5  
ESE  
ELEVATION



NNE  
ELEVATION  
A4



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Accredited Building Practitioners  
Design + Documentation  
Interior Design / Planning / Energy Assessments  
Bushfire Assessments / Healthy House

10 Restdown Drive, Otago Bay, 7017

0429 901 003

Job Title  
**Visitor Accommodation**  
at Unit 16 Saltwater Sunrise  
Falmouth 7216  
for Margaret Head

Drawing Title  
**Lower Area**

Date:  
2/10/24

Drawn By:  
Michael Eastwood

Accreditation No.  
CC 1066 S

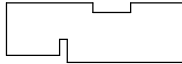
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Sheet No:

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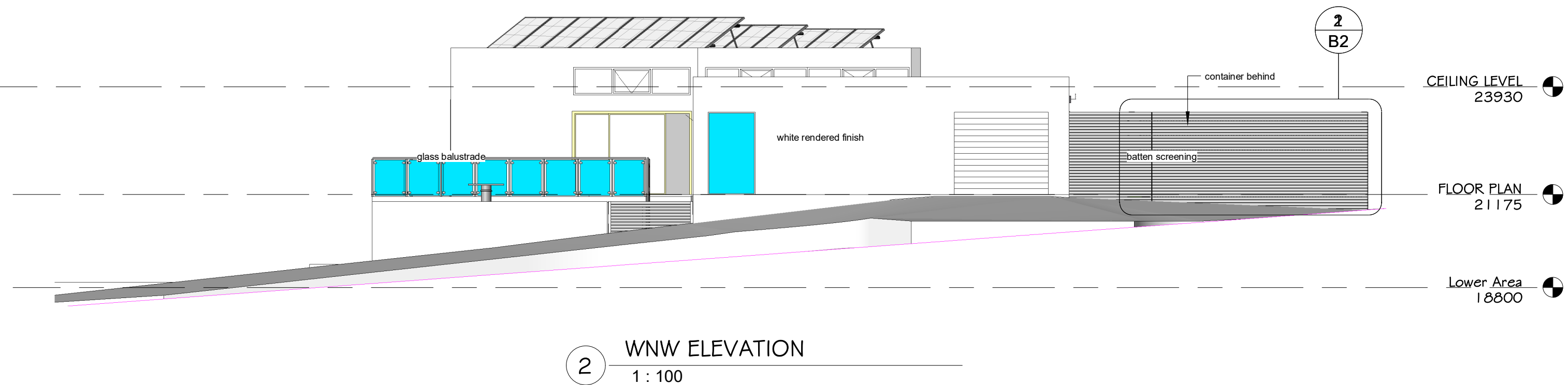
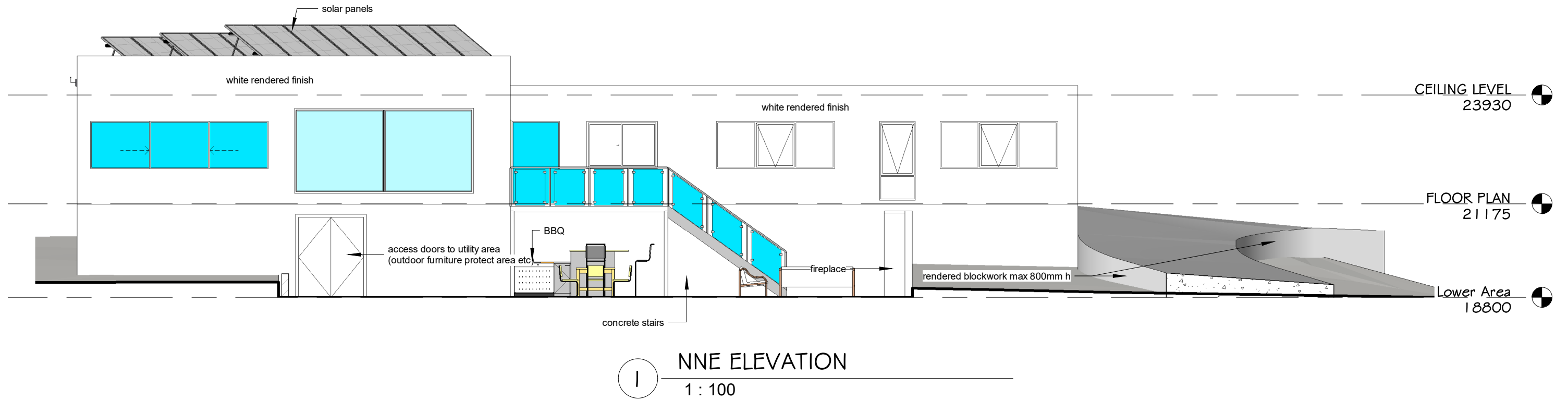


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			<div>ONSHORE DESIGNS</div> <div>MICHAEL EASTWOOD</div> <div>BUILDING · ENERGY REPORTS · BUSHFIRE REPORTS</div> <div>Accredited Building Practitioners Design + Documentation Interior Design / Planning / Energy Assessments Bushfire Assessments / Healthy House</div> <div>10 Restdown Drive, Otago Bay, 7017</div>		<div>Job Title</div> <div>Visitor Accommodation</div> <div>at Unit 16 Saltwater Sunrise</div> <div>Falmouth 7216</div> <div>for Margaret Head</div>		<div>Drawing Title</div> <div>Floor Plan</div>		<div>Date:</div> <div>2/10/24</div> <div>Drawn By:</div> <div>Michael Eastwood</div> <div>Accreditation No.</div> <div>CC 1066 S</div> <div>Scale:</div> <div>1 : 100</div>		<div>Project No:</div> <div></div> <div>Sheet No:</div> <div>A3</div>			
Rev.	Date	Description	<div></div> <div>Printed Date</div> <div>14/05/2025 10:47:20 AM</div>		<div>10 Restdown Drive, Otago Bay, 7017</div>		<div>Job Title</div> <div>Visitor Accommodation</div> <div>at Unit 16 Saltwater Sunrise</div> <div>Falmouth 7216</div> <div>for Margaret Head</div>		<div>Drawing Title</div> <div>Floor Plan</div>		<div>Date:</div> <div>2/10/24</div> <div>Drawn By:</div> <div>Michael Eastwood</div> <div>Accreditation No.</div> <div>CC 1066 S</div> <div>Scale:</div> <div>1 : 100</div>		<div>Project No:</div> <div></div> <div>Sheet No:</div> <div>A3</div>	



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Design + Documentation  
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Bushfire Assessments / Healthy House

10 Restdown Drive, Otago Bay, 7017

0429 901 003

Job Title  
**Visitor Accommodation**  
at Unit 16 Saltwater Sunrise  
Falmouth 7216  
  
for Margaret Head

Drawing Title  
**Elevations**

Date:  
2/10/24

Drawn By:  
Michael Eastwood

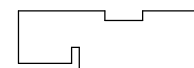
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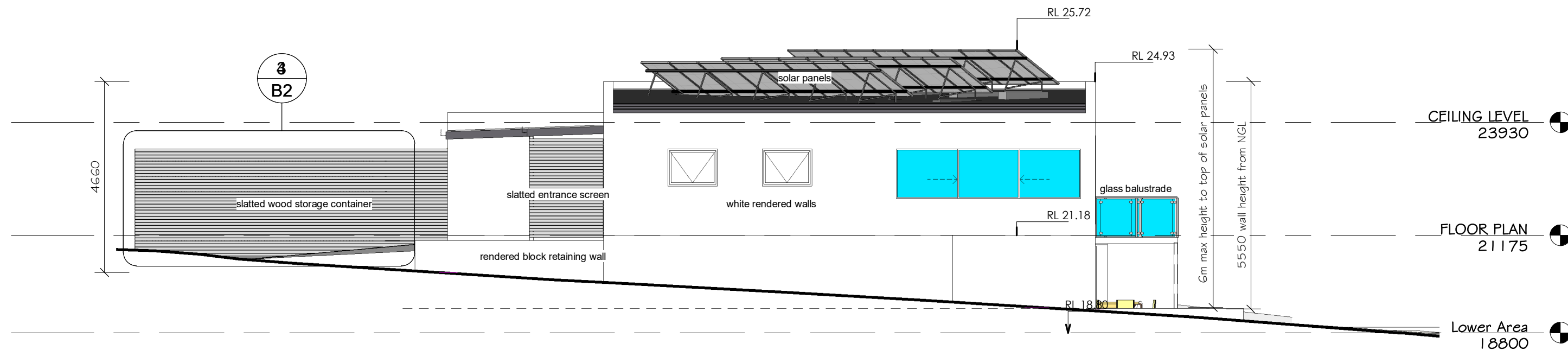
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Printed Date  
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1 SSW ELEVATION  
1 : 100



2 ESE ELEVATION  
1 : 100



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0429 901 003

Job Title  
**Visitor Accommodation**  
at Unit 16 Saltwater Sunrise  
Falmouth 7216

for Margaret Head

Drawing Title  
**Elevations**

Date:  
2/10/24

Drawn By:  
Michael Eastwood

Accreditation No.  
CC 1066 S

Scale:  
**1 : 100**

Project No:

Sheet No:

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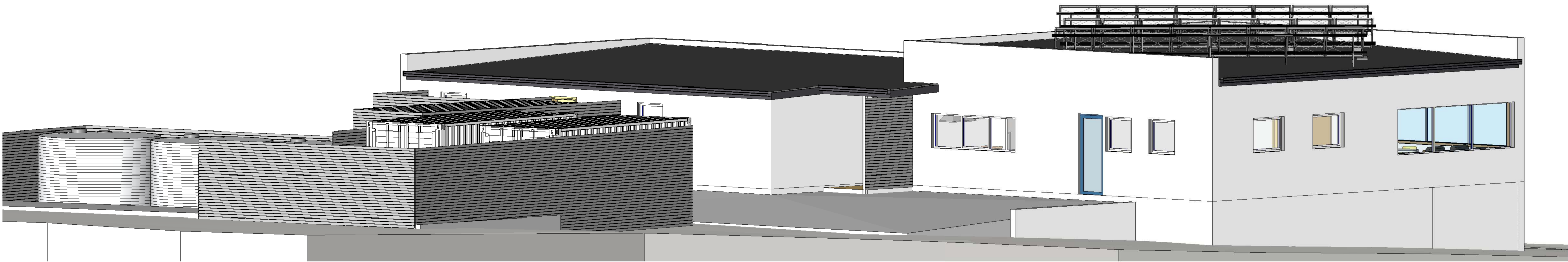
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1 NORTH VISUAL



2 SOUTH VISUAL



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Job Title  
**Visitor Accommodation**  
at Unit 16 Saltwater Sunrise  
Falmouth 7216  
for Margaret Head

Drawing Title  
**3D Visuals**

Date:  
**2/10/24**

Drawn By:  
**Michael Eastwood**

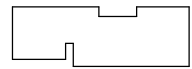
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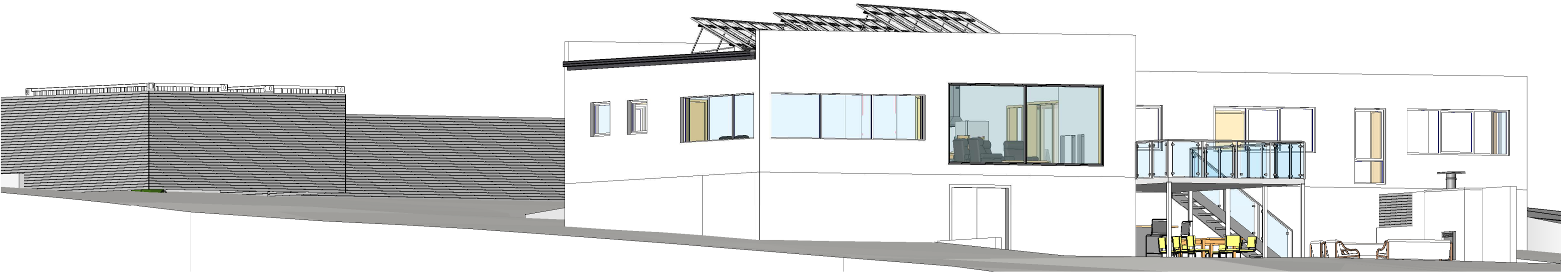
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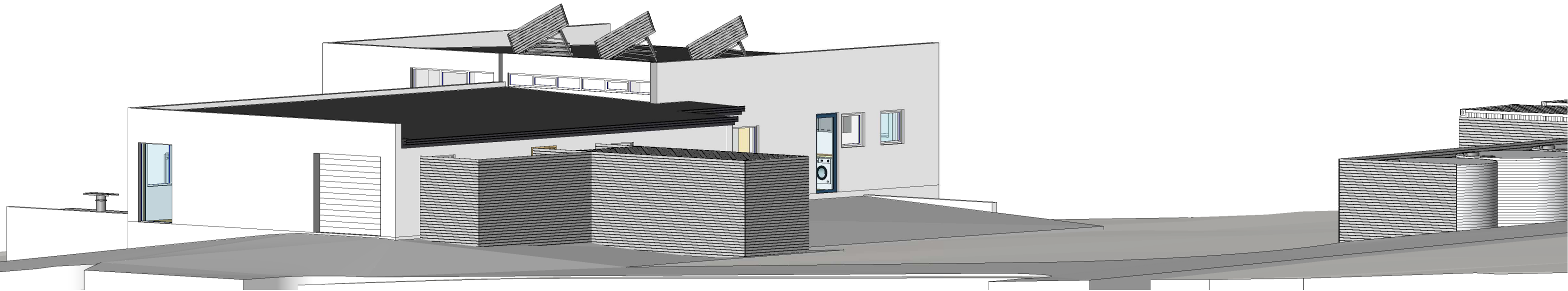
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14/05/2025 10:47:22  
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1 EAST VISUAL



2 WEST VISUAL



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0429 901 003

Job Title  
**Visitor Accommodation**  
at Unit 16 Saltwater Sunrise  
Falmouth 7216  
for Margaret Head

Drawing Title  
**3D Visuals**

Date:  
**2/10/24**

Drawn By:  
**Michael Eastwood**

Accreditation No.  
**CC 1066 S**

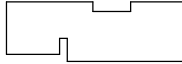
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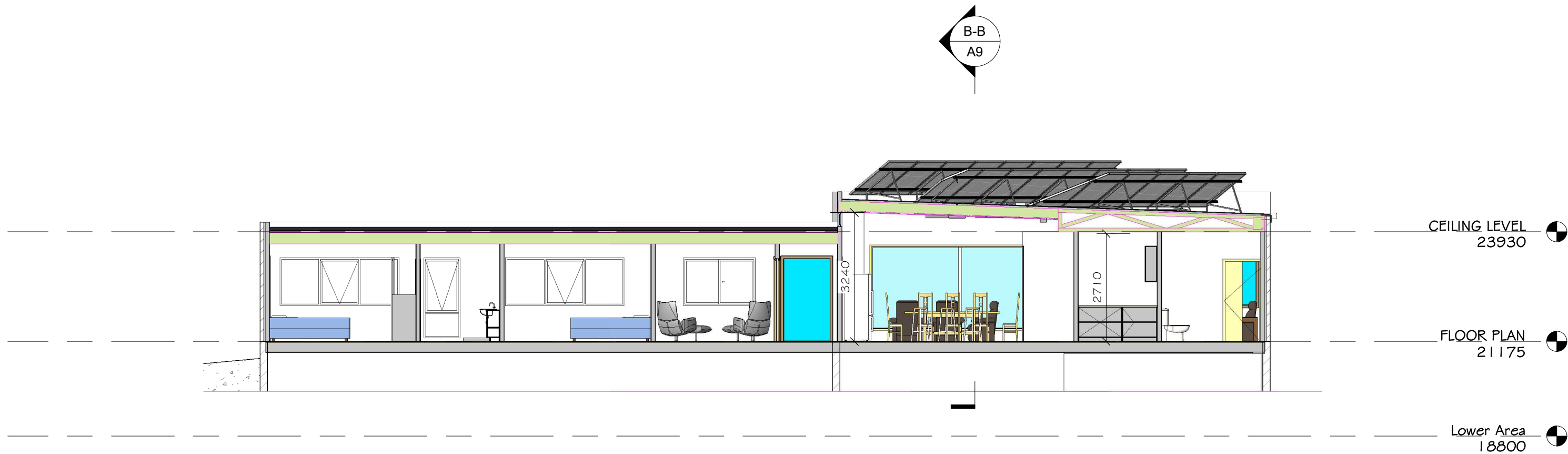
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Rev.	Date	Description



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1 A-A  
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ONSHORE DESIGNS

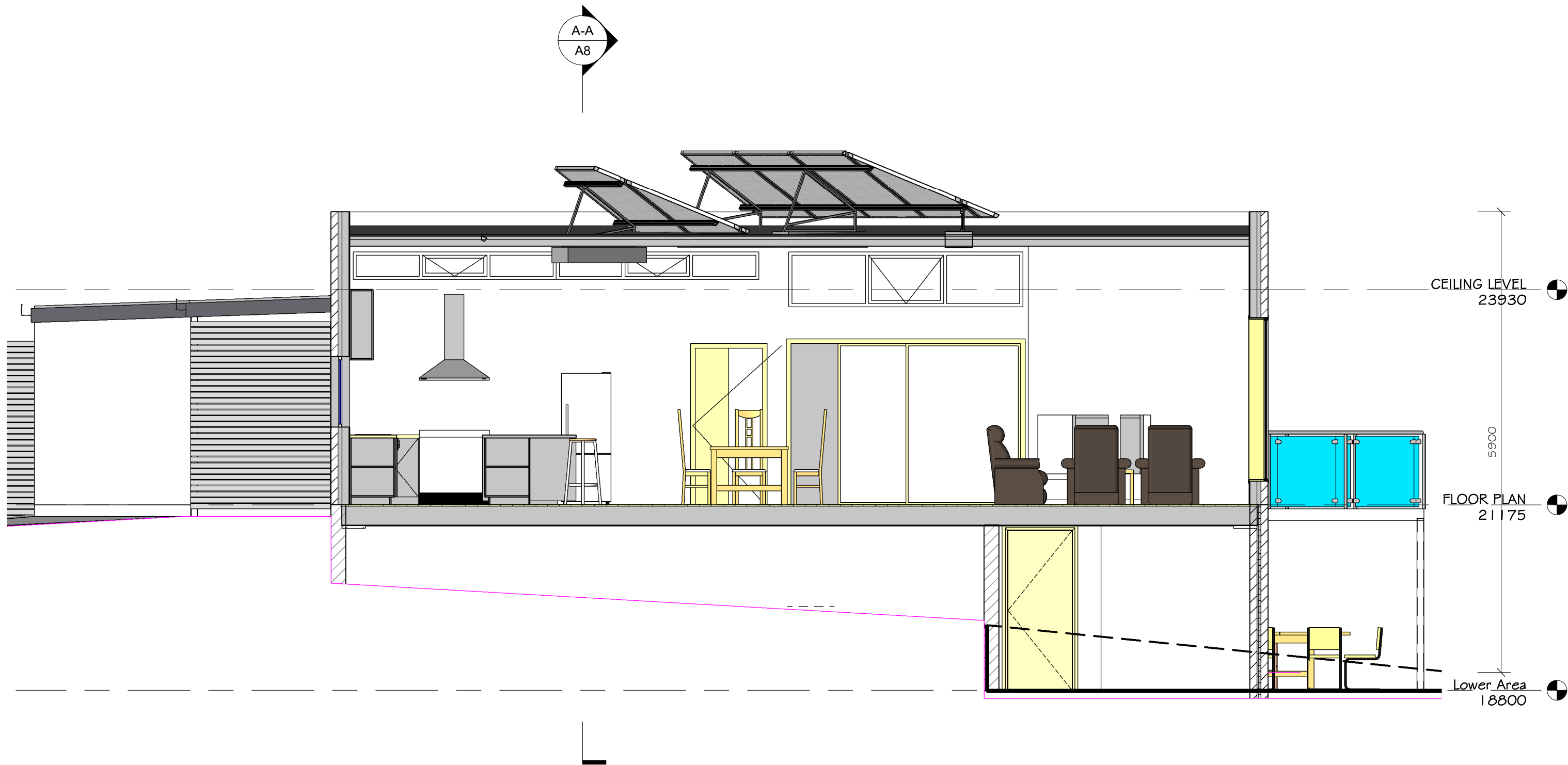
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0429 901 003

W50N3

Rev.	Date	Description	 Printed Date 14/05/2025 10:47:24 AM	<p>Job Title <b>Visitor Accommodation</b> at Unit 16 Saltwater Sunrise Falmouth 7216  for Margaret Head</p>	<p>Drawing Title <b>Section A-A</b></p>	Date: 2/10/24	Project No:
						Drawn By: Michael Eastwood	Sheet No:
						Accreditation No. CC 1066 S	<b>A8</b>
						Scale: <b>1 : 100</b>	



**ONSHORE DESIGNS**

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0429 901 003

Job Title  
**Visitor Accommodation**  
at Unit 16 Saltwater Sunrise  
Falmouth 7216  
for Margaret Head

Drawing Title  
**Section B-B**

Date:  
**2/10/24**

Drawn By:  
**Michael Eastwood**

Accreditation No.  
**CC 1066 S**

Scale:  
**1 : 50**

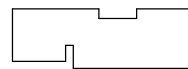
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Sheet No:

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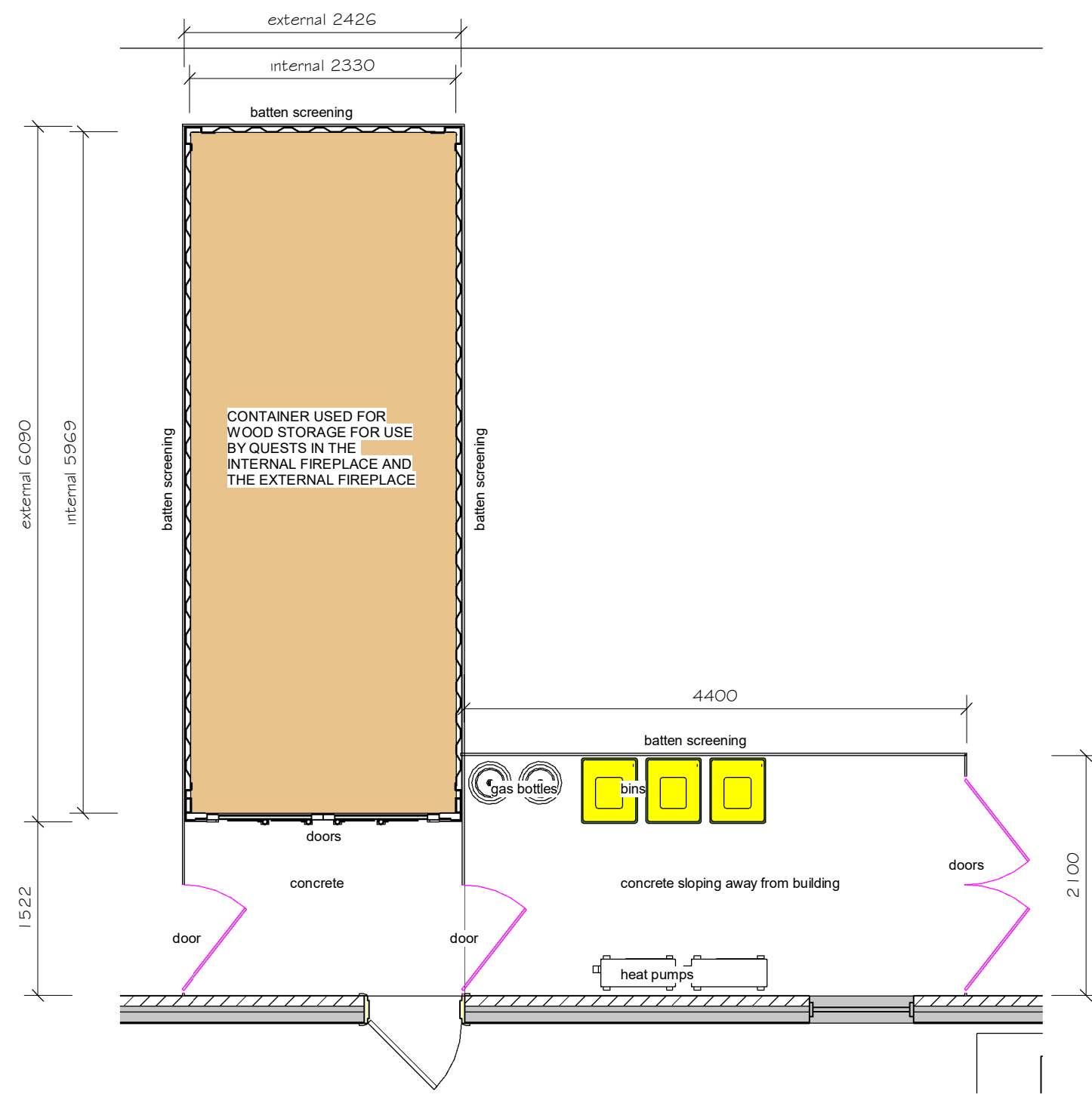
**W50N3**

Rev.	Date	Description



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0429 901 003

Job Title  
**Visitor Accommodation**  
at **Unit 16 Saltwater Sunrise**  
**Falmouth 7216**  
  
for **Margaret Head**

Drawing Title  
**Floor Plan**  
**Container**

Date:  
**2/10/24**  
  
Drawn By:  
**Michael Eastwood**  
  
Accreditation No.  
**CC 1066 S**  
  
Scale:  
**1 : 50**

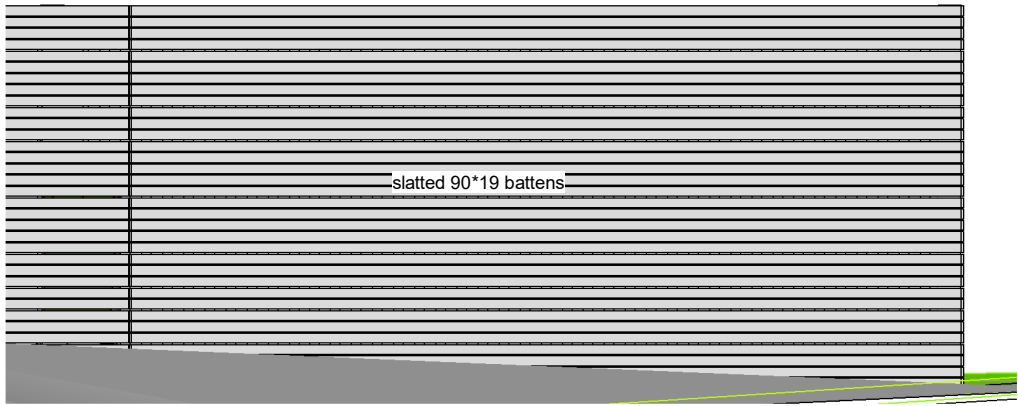
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Sheet No:  
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Rev.	Date	Description

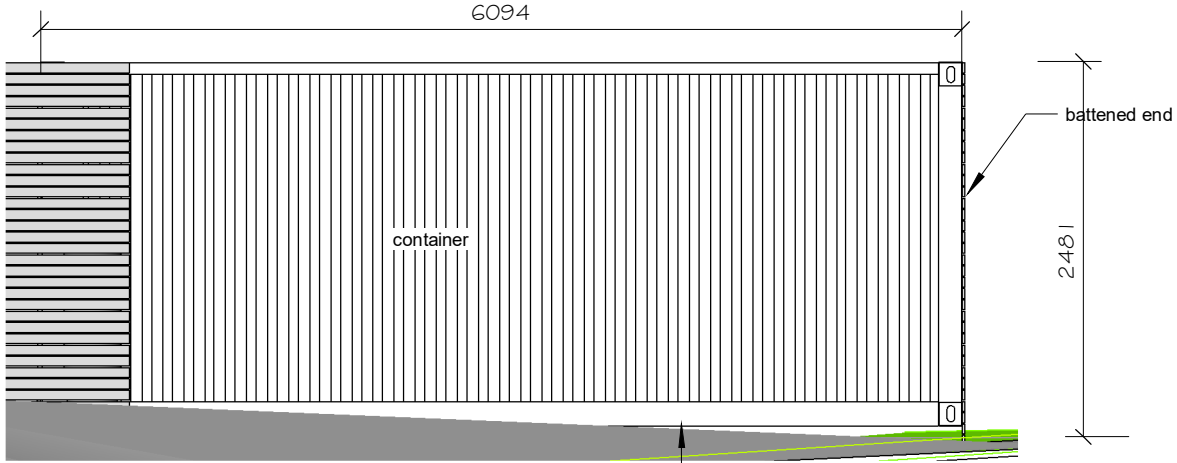
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Wood Container Floor Plan  
1 : 50

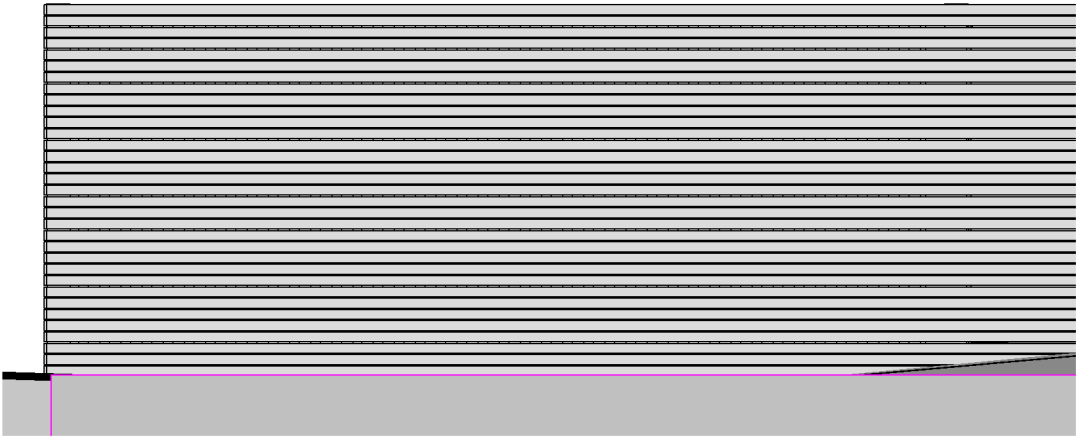




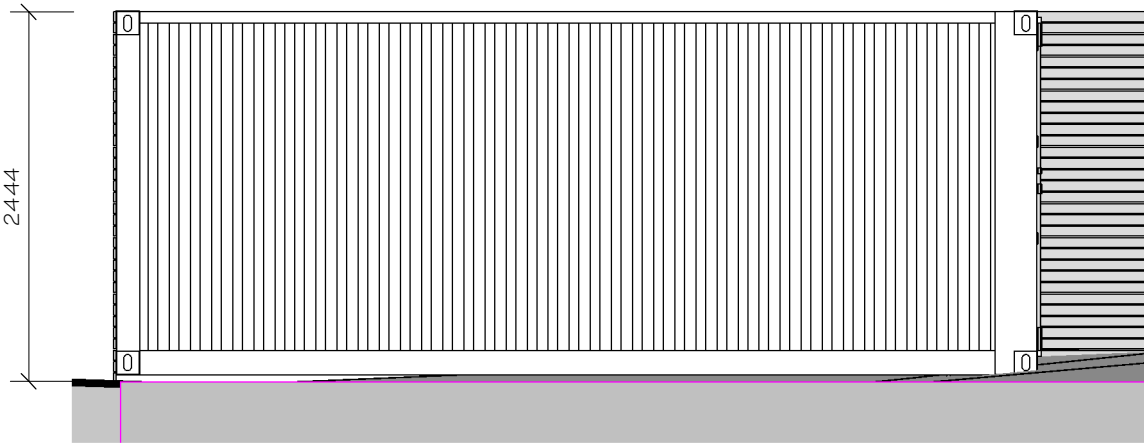
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1 : 50



2 WNW Wood container  
1 : 50



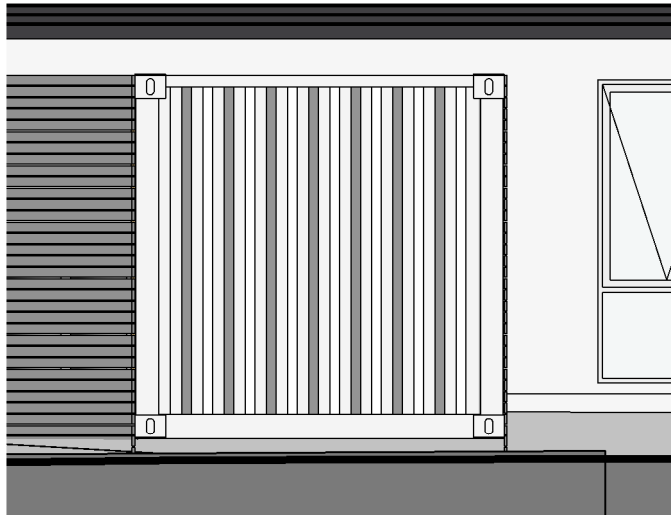
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1 : 50



4 ESE ELEVATION wood container  
1 : 50



5 SSW ELEVATION wood container battened  
1 : 50



6 SSW ELEVATION wood container  
1 : 50

Rev.	Date	Description	<div><div></div><div>Printed Date 14/05/2025 10:47:27 AM</div></div>	<div><div>ONSHORE DESIGNS</div><div>MICHAEL EASTWOOD</div><div>BUILDING · ENERGY REPORTS · BUSHFIRE REPORTS</div><div>Accredited Building Practitioners Design + Documentation Interior Design / Planning / Energy Assessments Bushfire Assessments / Healthy House</div><div>10 Restdown Drive, Otago Bay, 7017</div><div>0429 901 003</div></div>	<div>Job Title Visitor Accommodation at Unit 16 Saltwater Sunrise Falmouth 7216  for Margaret Head</div>	<div>Drawing Title Wood Container Elevations</div>	Date: 2/10/24	Project No:
							Drawn By: Michael Eastwood	Sheet No:
							Accreditation No. CC 1066 S	B2
							Scale: 1 : 50	



I Floor Plan Containers \*2  
1 : 100



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10 Restdown Drive, Otago Bay, 7017

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Job Title  
**Visitor Accommodation**  
at Unit 16 Saltwater Sunrise  
Falmouth 7216  
for Margaret Head

Drawing Title  
**Containers \*2  
Floor Plan**

Date:  
2/10/24

Drawn By:  
Michael Eastwood

Accreditation No.  
CC 1066 S

Scale:  
**1 : 100**

Project No:

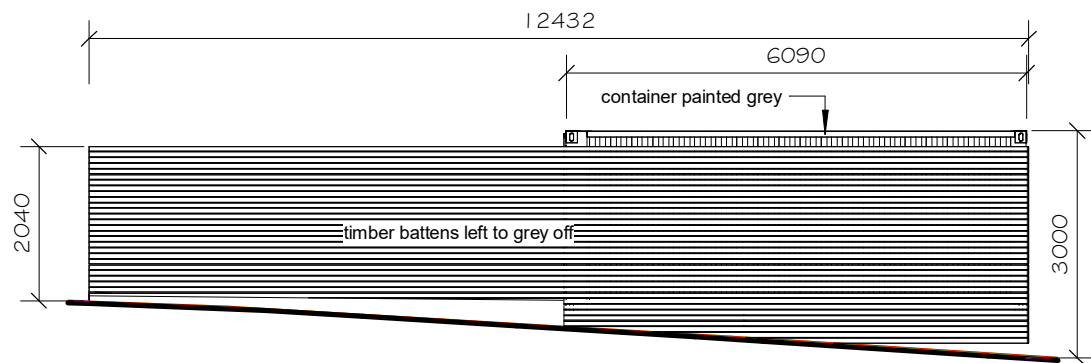
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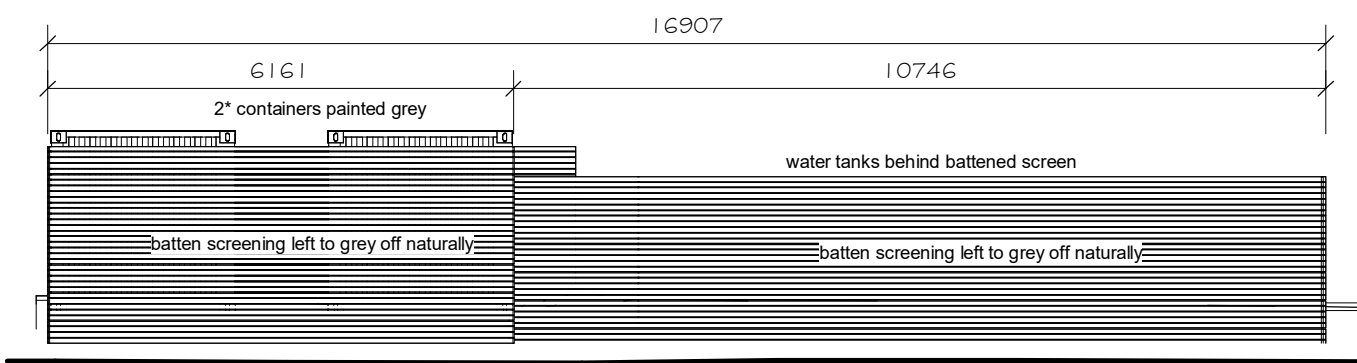
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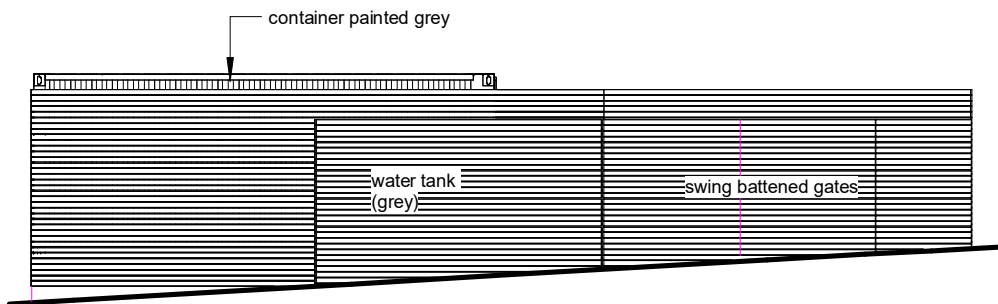
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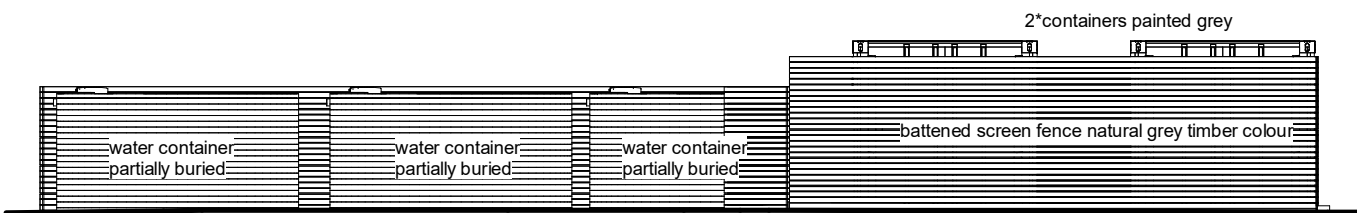
1 ESE Containers  
1 : 100



2 NNE Containers  
1 : 100



4 WNW Containers  
1 : 100



3 SSW Container  
1 : 100

March 2025

## Planning Application

## Break O'Day Council

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obo

**Margaret Head**  
**Unit 16/36 Franks Street**  
**Falmouth 7215**

**Prepared by**

**Michael Eastwood**  
**Onshore Designs**  
onshoredesigns@bigpond.com  
mobile 0429901003

Date	March 2025
Applicant Details	<b>Michael Eastwood</b> <b>Onshore Designs</b> 10 Restdown Drive Otago Bay, 7017 onshoredesigns@bigpond.com mobile 0429901003
Owner Details	<b>Margaret Head</b> <b>1/220 Springfield Road</b> <b>Blackburn 3130 Victoria</b>
Property Details	Property Identification Number 9084929 Cert Title no 183241/16
Development Address	<b>Unit 16/36 Franks Street</b> <b>Falmouth 7215</b>
Development Type	<b>Proposed Visitor Accommodation</b>
Development Area	<b>Area of proposed building Floor footprint Area upper and lower Upper 264m<sup>2</sup> Lower 21 m<sup>2</sup> Upper deck 35m<sup>2</sup> Containers*3 43.2m<sup>2</sup></b>
Zone	<b>22.0 Landscape Conservation</b>
Use	Visitor Accommodation
Application	<b>Discretionary use</b>

## Description of Development Proposal

There is an existing two (2) bedroom unit in the existing approved planning permit and in accordance with the Disclosure Statement, in relation to Section 35(2) of the Strata Titles Act 1998, Section 3.3 states that a lot purchaser may chose to construct an approved visitor accommodation unit in accordance with the existing planning permit or may choose to apply to council for approval of an alternative approved visitor accommodation unit within the lot building envelope. Body Corporate approval is required for an alternate visitor accommodation design proposal.

The proposed is not one of the approved plans, as shown in the existing planning approval documents, and cannot be classed as a minor amendment of the approved unit.

In accordance to the Land Use Planning and Approvals Act this is a new DA for a new planning application on Unit lot 16 and will also take into consideration the documents that form and integral part of the application and I reference these as the Disclosure Statement and First By-Laws required to be administered by the Body Corporate.

Part 9 of the Disclosure Statement 9.1 states the proposed visitor accommodation units will be constructed to a similar style as the existing units in the complex and 9.2 stating that the proposed units will have designs, material and finishes as approved by the planning permit, or as may be further approved by council and also 9.3 in relation to height. More importantly the proposed will be within the guidelines of 11.4 of the Disclosure Statement.

in relation to the above, the proposed will endeavour to meet all the requirements of the existing Disclosure Statement and the First By-Laws in reference to Saltwater Sunrise. This is fundamental in the Body Corporate providing signed approval for the proposed new planning application for Unit lot 16 as required.

The proposed building design is in the same style as the two (2) bedroom units presented in the original application for planning approval however the floor layout has been changed and designed to suit the allotted area for Unit 16.



**By saying this I'm relating the approved and proposed are the same in rectangular shape and form, have rendered white walls and a low skillion style roof. The design styles are the same to keep in fitting with the existing buildings in the strata development.**

**The changes to this proposal (as to the original) is the inclusion of a small garage, an additional bedroom, a small utility room under (c/h 2200mm) As this area is predominately surrounded by Visitor Accommodation units my client wants to provide a more marketable proposal that will include a small garage, large open plan kitchen, dining and lounge, large main bedroom, ensuite and walk in robe. Three bedrooms in total with a separate reading room that in someways can be opened up to the main living. Externally is a private deck off the main living with stairs down to a lower courtyard and fireplace. The idea of the proposed is to provide an attractive environ for a small family.**

**Please, take into consideration, the original building (passed in the existing planning permit), and the proposed, and note the proposed is in very much fitting with the style of buildings presented with the original planning application for Strata but more so in fitting with the allotted Stratum area.**

**The proposed is designed for Visitor Accommodation.**

## **Applicable 2013 Break O'Day Council Tasmanian Planning Scheme Standards and Codes**

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<b>ZONE</b>	<b>22.0 Landscape Conservation</b>
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### **CODES**

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<b>C2.0</b>	<b>Parking and Sustainable Transport Code</b>
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**Response**

**Meets all the requirements for a Visitor Accommodation Use  
Two (2) external parking spaces shown with internal garage parking  
if required.**

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<b>C13.0</b>	<b>Bushfire Prone Areas Code</b>
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**Bushfire Assessment provided at BA. HMA will be shown on BHMP**

## COMPLIANCE WITH TASMANIAN PLANNING SCHEME

The proposed Visitor Accommodation unit is within a defined **Landscape Conservation Zone**. Each scheme standard will be addressed in relation to the proposal.

### 22.0 Landscape Conservation Zone

#### 22.1 Zone Purpose

The purpose of the Landscape Conservation Zone is:

**22.1.1** To provide for the protection, conservation and management of landscape values.

**22.1.2** To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

#### 22.2 Use Table

##### Discretionary Use- Visitor Accommodation

**Qualification-** if not for holiday letting of an existing dwelling

#### 22.3 Use Standards

**22.3.1 Community Meeting and Entertainment, Food Services, and General Retail and Hire uses.**

**NA**

### **22.3.2 Visitor Accommodation**

#### **Objective:**

That Visitor Accommodation is of a scale that is:

- (a) compatible with the landscape values of the site and surrounding area; and
- (b) does not impact the safety and efficiency of local roads or private rights of way.

#### **P1 Visitor Accommodation**

- a) The proposed Visitor Accommodation building is of a scale that respects the character of use in this area. This being the local township of Falmouth and in particular the area known as “Saltwater Sunrise” in which this proposed building is to be located. The use in this area is Visitor Accommodation. There is a Mediterranean type theme in this stratum development and the existing developments, in this area, have been built to this theme going back at least twenty years. Some more previous developments have also followed this Mediterranean style. The buildings on all these unit allotments have had planning approvals granted with buildings presented in this style of architecture.
- b) The proposed will not cause an unreasonable impact on the landscape values of this site. Low and long and under the permitted height. There are no predominant landscape values of this site (the site being Unit 16) as the area of the site is predominantly mowed lawn with some specimen plantings. Man-made drainage swales were placed to the NE of the unit area many years ago and not a natural feature.
- c) The proposed will not adversely impact the safety and efficiency of the local road network or unreasonably disadvantage owners and users of rights of carriageway. There has been an updated Traffic Impact Statement, from Midson Traffic, taking into account the updated status of Franks Street in regard to sealing. The original Statement was sufficient for existing planning approval on these sites and the owners updated the Statement to take in improvements to Franks Street to alleviate any additional concerns mainly in relation to overuse or additional use. Visitor Accommodation use is less than residential use as the buildings only have a percentage rate of use as opposed to full-time residential use so therefore less traffic impact.

#### **P1 Discretionary Use- Visitor Accommodation**

**Again, this is basically As Above**

- a) The proposed Visitor Accommodation use is designed within fitting with all the other visitor accommodation buildings, within this area, and more importantly, with the design and style of all the proposed unit buildings passed by council for the existing planning approval for the strata development on this site area cumulatively known as ‘Saltwater Sunrise’. I have designed the Units for the strata allotments and this design follows the

same principles in design as stated in the First By-laws and Disclosure Statement and endorsed by the Body Corporate of Saltwater Sunrise.

- b) Visitor Accommodation is the type of use in this development area and a certain percentage of Falmouth has the same use.
- c) There are no major landscape values of this site. Its managed lawn area with some species plantings intermittent throughout the site.
- d) The landscape values of the surrounding area are exactly the same as described above and the developed township of Falmouth.
- e) The measures to minimize or mitigate impacts is to keep a low height and use the existing screening to the road reservation.

## 22.4 Development Standards for Buildings and Works

### 22.4.1 Site coverage

#### Objective:

That the site coverage is compatible with the protection, conservation and management of the landscape values of the site and surrounding area.

- A1** The proposed Visitor Accommodation has a living floor footprint of 264m<sup>2</sup> with deck area 35m<sup>2</sup>. Utility area under for safe storage of outdoor settings 22m<sup>2</sup>. 3/containers (battened) and these will be used as such. One placed close to the rear of the proposed for wood placement and the other two at the rear of the unit lot for maintenance vehicles and tools. Containers were selected, as opposed to a tin shed, for there low roof and more importantly the ability to soften there exterior appearance with timber battens.
- |  |                   |
|--|-------------------|
| Building total footprint (including containers and deck. | 342m <sup>2</sup> |
| Tanks  | 36m <sup>2</sup>  |

### 22.4.2 Building height, siting and exterior finishes

#### Objective:

That building height, siting and exterior finishes:

- (a) protects the amenity of adjoining properties;
- (b) minimises the impact on the landscape values of the area; and
- (c) minimises the impact on adjoining agricultural uses.

- A1** Max height 5.9m. See elevations.

- A2** NA

- A3** This is a stratum development and I believe is not applicable to the unit allotments.

**P4** The proposed is positioned approximately 110m from an area to the west zoned Agriculture. The proposed will in no way interfere with the uses in this zone due to

- (a) the size, shape and topography of the site;  
 The unit lot is reasonably small, in relation to the agricultural land area, and can have minimal development with the agricultural area also over the crest of a rise and sloping away from the area known as Saltwater Sunrise therefore there would be no direct site line to the proposed.
- (b) There are existing buildings on this stratum site that are within less setbacks than proposed as with most of the existing houses in Franks Street and beyond.
- (c) The proposed will not effect the existing or potential use of the land on the Agricultural zone and the zone is not directly adjoining.
- (d) There are existing small intermittent stands of existing vegetation that screen the division between the two.
- (e) No requirement for attenuation measures between the zones and in particular the uses.

**P5** This is an item of contention. The First By laws of the strata documents relate to the design and style of the existing buildings and of the units proposed in the application for statum title of such lots. The design throughout is a Mediterranean theme with colours resplendent of this style in which is predominantly white. I could refer to the surrounding foreshore and the light colour and reflectance. There is the addition of a light grey tone to the fascia and there would be hues of yellowy orange on the deck and batten screens fading into light grey with age. This is also represented by the colours along the foreshore of the rocks and pebbles.

Walls-predominantly white to match the theme of existing building units on the Saltwater Sunrise site and those that have been designed for the other allotments.

Roof-can be Monument or a darker grey colour that gives very minimal reflectance or a colour with a light reflectance of <40%.

- (a) The appearance from the road reservation, off Franks Street, will be minimal as there is an existing avenue of established vegetation screening this proposal from Franks Street
- (b) The existing vegetation between the proposed and the road reservation of Franks Street will filter screen the proposed.
- (c) The exterior finishes are a rendered block and in fitting with developments in the surrounding area. (surrounding area implying to Saltwater Sunrise strata development).



### **22.4.3 Access to a road**

**Objective:**

That new Visitor Accommodation units have appropriate vehicular access to a road maintained by a road authority.

**A1** The unit allotment is directly accessible by the private right of way on the property and this is connected to an existing access point on to Franks Street

### **22.4.4 Landscape protection**

**Objective:**

That the landscape values of the site and surrounding area are protected or managed to minimise adverse impacts.

**A1** I believe the proposed is located on a building area that was passed in the original planning approval for the stratum title and subsequent planning approvals for each unit lot.

**P2** The proposed is on a unit allotment that has a slope from south-west down to the north-east and the allotment is longitudinal in that direction. The proposed building is rectangular in shape and designed and positioned to minimize height.

- a) The topography of the site lends itself to providing a cut and subsequent access to an area below that can be used as a protected outdoor living area whilst also providing the ability to have directed upper access without too much changing of the landscape.
- b) This unit block is quite large and longitudinal and the size, shape and topography suits this design with minimal interference.
- c) The proposed bulk is reduced by dropping down into the landscape and height is reduced to a minimum at the most extreme north-east elevation.
- d) There are no constraints imposed by other existing developments as I can interpret other than trying to provide privacy between all units in the complex.
- e) The proposed will not be visual from Franks Street as there is a stand of existing pine trees between the proposed and the street and subsequent public spaces.

## 22.5 Development Standards for Subdivision

NA

Unit 16/36 Franks Street "Saltwater Sunrise"

The existing planning approval for Unit 16 stratum area was for a two (2) bedroom unit with several deck areas. There were several two bedroom units presented in the application for the original planning approval and they all averaged around the 200 to 211m<sup>2</sup> living area size with each proposed two (2) bedroom unit having large areas of deck space to be utilised for varying weather conditions.

The existing units presented for the granted planning approval were in a Mediterranean style to suit the existing units in the Saltwater Sunrise Strata application.

The proposed building design is in exactly the same style as the two (2) bedroom units presented in the original application however the floor layout has been changed and designed to suit the allotted area for Unit 16. The initial footprint and deck living areas are almost identical in size however the owners have decided that there is a requirement to provide for an additional bedroom to cater for families. Most families are with an average of two children and the additional bedroom gives a wider scope and attraction for family visitor accommodation.

Please have a look at the original building, and the proposed, and note the proposed is in very much fitting with the style of buildings presented with the original planning application for Strata but more so in fitting with the allotted Stratum area.

Yours Sincerely



Michael Eastwood

April 2025

## **RFI**

**RE: *Land Use Planning and Approvals Act 1993* – Section 51(1AC)  
Invalid Application & Section 54 - Additional information required  
Visitor Accommodation Unit, Unit 16/36 Franks Street, Falmouth**

## **Break O'Day Council**

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obo

**Margaret Head  
Unit 16/36 Franks Street  
Falmouth 7215**

**Prepared by**

**Michael Eastwood**  
Onshore Designs  
onshoredesigns@bigpond.com  
mobile 0429901003

# Tasmanian Planning Scheme Standards and Codes

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## ZONE 22.0 Landscape Conservation

### 22.0 Landscape Conservation Zone

#### 22.4 Development Standards for Buildings and Works

##### 22.4.1 Site coverage

Change in response to the original DA due to notification that the individual strata lot boundaries are not relevant.

Instead, consideration is given to the common lot boundaries of the Saltwater Sunrise Falmouth Strata Scheme in relation to setbacks and the existing visitor accommodation units contained therein contribute towards the assessment of site coverage therefore the acceptable solution is not possible and reliance on Performance Criteria. See below

**P1** 36 Franks Street is a large allotment and consists of multi-individual buildings all with varying setbacks. These individual buildings are scattered within the allotment with additional building sites allotted with planning approval provided. I need to note that there have been multiply buildings that have planning approval and through this process consideration would have been given to setbacks and compatibility with the landscape values of the site and the surrounding area ( Break'o'Day Planning Scheme). The site coverage of the proposed is 264m<sup>2</sup>, with an additional deck area of 35m<sup>2</sup>. This is within close range to a 20% variation of the approved building and the deck. The proposed building itself fits within the 15m radius of the approved building site however the attached screened container does protrude out of this radius, as with the additional 2\*containers that are positioned setback from the proposed and not within the allotted building area.

As far as being compatible with the landscape values of the site the proposed is in fitting with the designs of the existing buildings and these have been passed to be compatible with the site and the vision of the development provided through DA043-2019 by the owners.

I will relate the amended design change to the noted values of P1 and site coverage will be that of the whole lot formatively known as "Saltwater Sunrise".

(a) The topography of the site is general slope from west to east and faces east to the ocean. The position of the existing and new building envelope unit positions were distributed evenly throughout the allotment. The amended

building is positioned in one of the building envelopes and fits within albeit, a section of an added container that is screened and positioned on cleared land and obscured from view by the existing tree line to North and proposed building from main driveway to the East and ocean. The proposed DA has the addition of 2/shipping containers (6m\*2.4\*2.4 each) that are placed side by side and screened by broken timber battens left to weather and turn grey tones to suite the surrounding hues. The use of containers is the low height and combined with screening with the water tanks partially buried the height is kept to a minimum.

- (b) The site (falling in general west to east) has the capacity to absorb water run-off with an elaborate existing position of swales that direct all (or most) run-off to the existing dams or to the ocean. The proposed does not interfere with the existing stormwater run-off system.
- (c) Site coverage of all the proposed and existing buildings is compatible to the size and shape of the allotment. Being such a large allotment, that runs parallel to the coastline, the positioning of the proposed is in fitting with that of the total development and close to within the constraints of the positioned building envelope. Good setbacks between the allotted building envelopes still existing with the positioning of the containers not being detrimental to the position of other existing building unit areas.
- (d) The Saltwater Sunrise Strata Scheme, that was passed DA043 2019, have some constraints imposed to some of the existing developments that have been built since the inception of approval and the DA has been amended as such noting amendments through progression. Most of the constraints are noted in the 'First By-Laws' however there are provisions for these to be amended through granted approval by members of the Body Corporate. The Body Corporate have unanimously approved the proposed buildings. The changes being 1. Height off GL to 5600mm. 2. Small section of double storey (non-habitable) and the inclusion of battened screened containers.
- (e) There has been no requirement to remove vegetation in the application.
- (f) The development is in existing cleared areas of vegetation.
- (g) The proposed development has adequate setbacks in relation to natural hazards, mainly defined as in a Bushfire Prone Area.

Calculation of existing developed and the proposed.

This calculation includes deck areas.

Areas developed and the proposed Total approx..2320m<sup>2</sup>

Area of allotment 10.75ha

Percentage of area developed and proposed. 2.6%

## 22.4.4 Landscape protection

**P1** The proposed main building sits within the 15m radius building area however the proposed container, beside the main building, is not fully within the building area as with the additional side by side containers to the SW of the proposed. There is to be no removal of native vegetation as the area is maintained lawn, and I believe no impact on the landscape values as to that that has already been passed for planning for the strata development unit lots.

- (a) . The area, where the two containers are placed (see site plan) also are the placement of the water tanks. The area to be utilised (in addition to the building area and including the water tanks) is 80m<sup>2</sup>
- (b) There is no requirement for the removal of vegetation in the required locations of the container of the main building and the additional two containers.
- (c) The owners are going to batten screen the containers plus water tanks and plant native indigenous vegetation to the south and west sides of the double container.
- (d) The location does not compromise the habitat of native fauna as the area used is mowed grassland.
- (e) The balance of the site will be maintained as it is as cleared mowed ex-pastureland.
- (f) The type, size and design of the proposed is in fitting with the style of the buildings existing and those passed through planning for the strata application in 2019. The size for the proposed is 264m<sup>2</sup> for the main building and this is just above the allowance of 20% of the originally approved buildings. The proposed battened containers, however, are additional to the main building, and used primarily to provide wood placement and tools (lawnmowers etc.) to maintain the property. The combined size of these is 44m<sup>2</sup>. Manufactured garages were not considered as with the containers the roof line is low, and the containers are to be batten screened to ensure the containers themselves are not visible as containers.
- (g) The landscape values will be the same as those passed for the development of the strata unit lots and will be within the lines of the passed development ideals.

**P2** The proposed is on a passed stratum unit allotment area and the proposed main building sits within the 15m radius as shown on the building area site plan. The property has a slope from south-west down to the north-east and the allotment is longitudinal in that direction. The proposed building is rectangular in shape and designed and positioned to minimize height. There is some cut and fill required to enable the building to be lowered and provide covered area under the proposed deck. This also entails an area that is to be used as a courtyard and protected from most winds and visual protrusion minimised.

- a) The topography of the site lends itself to providing a cut and subsequent access to an area below that can be used as a protected outdoor living area whilst also providing the ability to have directed upper access without too much changing of the landscape.



- b) This unit block is quite large and longitudinal and the size, shape and topography suites this design with minimal interference.
- c) The proposed bulk is reduced by dropping down into the landscape and height is reduced to a minimum at the most extreme north-east elevation.
- d) The constraints would be those noted in the first By-Laws, and particularly the section 12. Use and development of lots. In relation to this the Body Corporate have all been advised of the proposal and amendment to the planning permit and have all given their consent for this application.
- e) The proposed will not be visual from Franks Street as there is a stand of existing pine trees between the proposed and the street and subsequent public spaces.

Yours Sincerely



Michael Eastwood