

Development Applications

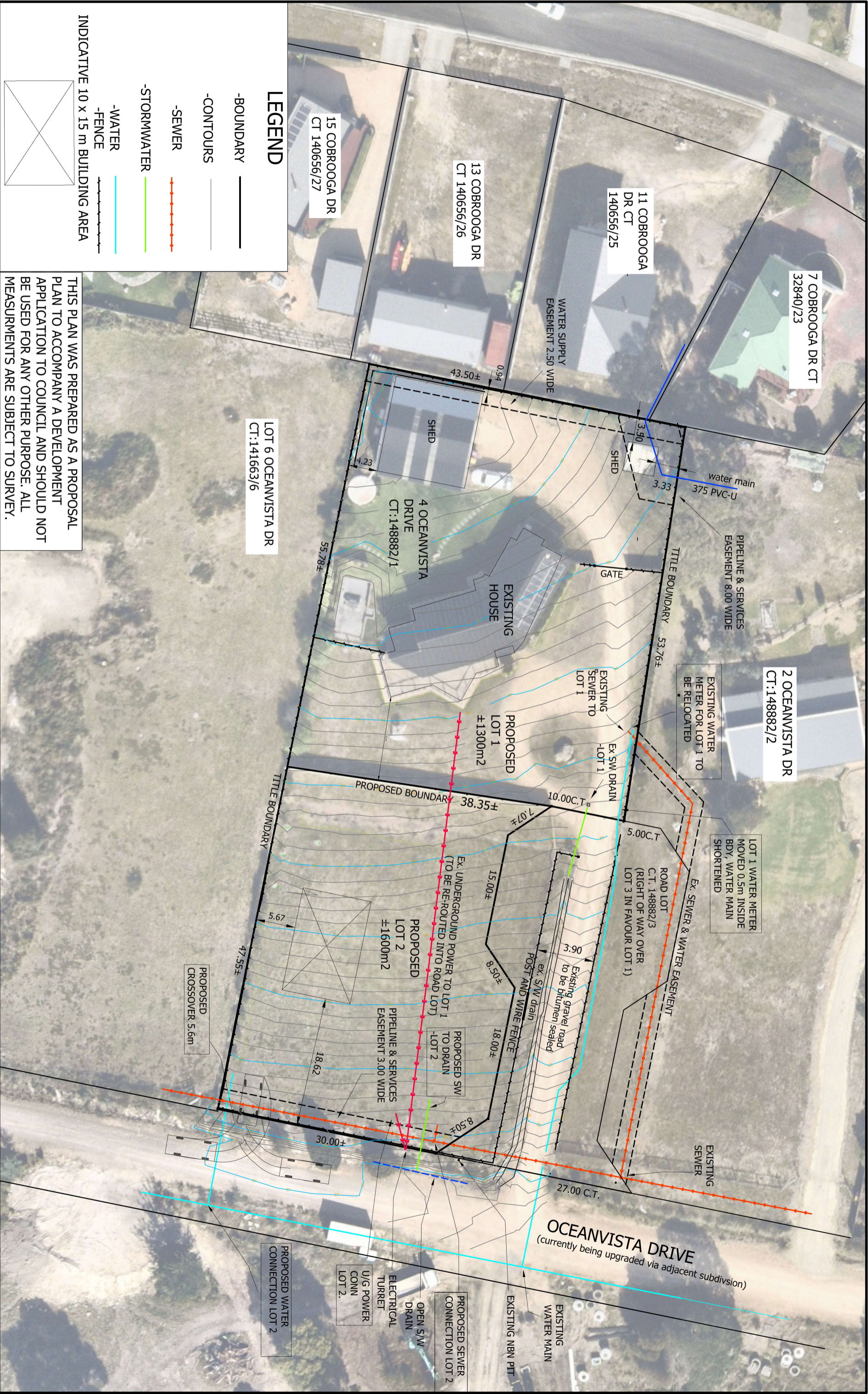
Notice is hereby given under Section 57(3) of the *Land Use Planning & Approvals Act 1993* that an application has been made to the Break O' Day Council for a permit for the use or development of land as follows:


DA Number	DA 2025 / 00103
Applicant	Woolcott Land Services
Proposal	Subdivision - 2 Lot Subdivision
Location	4 Oceanvista Drive, 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.

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, 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 12th July, 2025 **until 5pm Friday 25th July, 2025.**

John Brown
GENERAL MANAGER






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Job Number
241001

Drawn	File Name	Date	Scale
LIL	241001 proposal plan 270625.dwg	27/06/25	1:500@A3



June 2025

PLANNING REPORT

Subdivision - 2 lots

4 Oceanvista Drive ST HELENS



Prepared by
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Rev.no	Description	Date
1	Review	
2	Draft	12 June 2025
3	Final	
4	RFI	26 June 2025

References

Land Tasmania. 2021. *Land Information System Tasmania*. Accessed 2025.

<https://www.thelist.tas.gov.au/app/content/home/>.

Roads and Maritime Services NSW. 2013. *Updated Traffic Surveys*. NSW State Government.

Annexures

Annexure 1 Copy of title plan and folio text
Annexure 2 Proposal plan

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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*.

Proposed development
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

Address	4 Oceanvista Drive, St Helens TAS 7216
Property ID	2745129
Title	148882/1
Land area	4046m ²
Planning Authority	Break O' Day Council
Planning Scheme	Tasmanian Planning Scheme – Break O' Day
Easements	Water supply easement
Application status	Discretionary application
Existing Access	From Oceanvista Drive – (road stub)
Zone	General Residential
General Overlay	Stormwater Management Specific Area Plan
Overlays	Priority vegetation area Airport obstacle limitation area
Existing development	Single dwelling and outbuildings
Existing services and infrastructure	
Water	Serviced

Sewer	Serviced
Stormwater	Serviced

2.2 Proposal

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

Proposed Lot 1 will be 1300m² and proposed Lot 2 will be 1600m².

Proposed Lot 1 will retain the existing from the road extending from Oceanvista Drive. Proposed Lot 2 will have a new access point from Oceanvista Drive.

Lot no.	Area	Frontage	Access
1	1300m ²	10m	Existing from Oceanvista Drive
2	1600m ²	30m	Proposed from Oceanvista Drive

Ocean Vista Drive is currently being upgraded via the adjacent subdivision undertaken by Hudson Civil. It was noted at a council meeting with J. Ihnen and D. Jolly, (21/5/25 4.00pm) that these upgrades by Hudson Civil were adequate for the proposed subdivision. The existing gravel access road over Road lot 3 will be upgraded by bitumen sealing the access road from Ocean Vista Drive to the eastern boundary of lot 1. This will stop erosion of the gravel surface and prevent dust nuisance to the road lot. The existing underground power supply to lot 1 will be relocated to Road Lot 3, removing the encroachment over lot 2. The provided plan shows the proposed power connection for lot. Lot 2 will have a new stormwater connection into the existing drain on Ocean Vista Drive. The existing stormwater connection for lot 1 will remain unchanged.

2.3 Images



Figure 1 Aerial view of the subject site (Land Tasmania 2021)

3. Zone and overlays

3.1 Zoning

The site is zoned General Residential under the Scheme.



Figure 2 Zoning for the subject site (Land Tasmania 2021)

3.2 Overlays

The subject site is affected by the Airport obstacle limitation area and Priority vegetation area overlays.

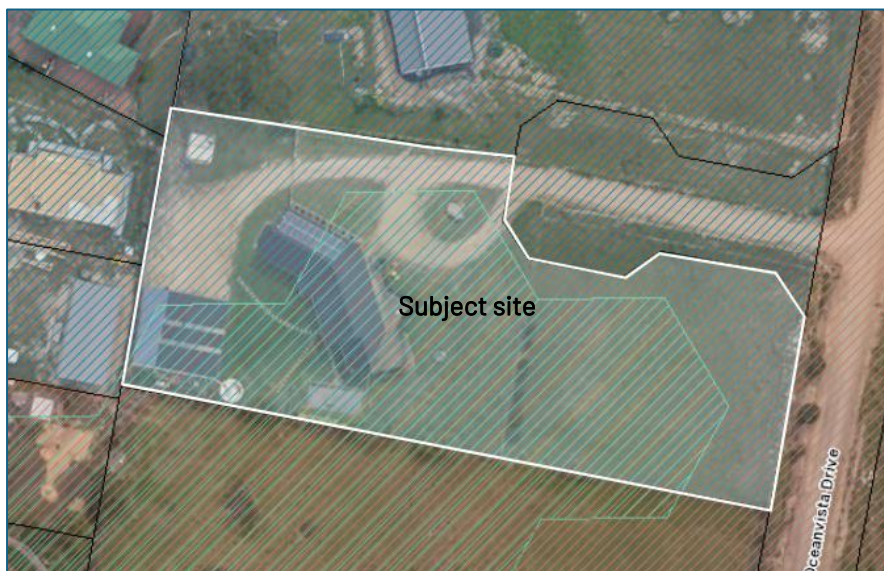


Figure 3 Overlays affecting the subject site (Land Tasmania 2021)

The site is within the Stormwater Management Specific Area Plan (SAP)

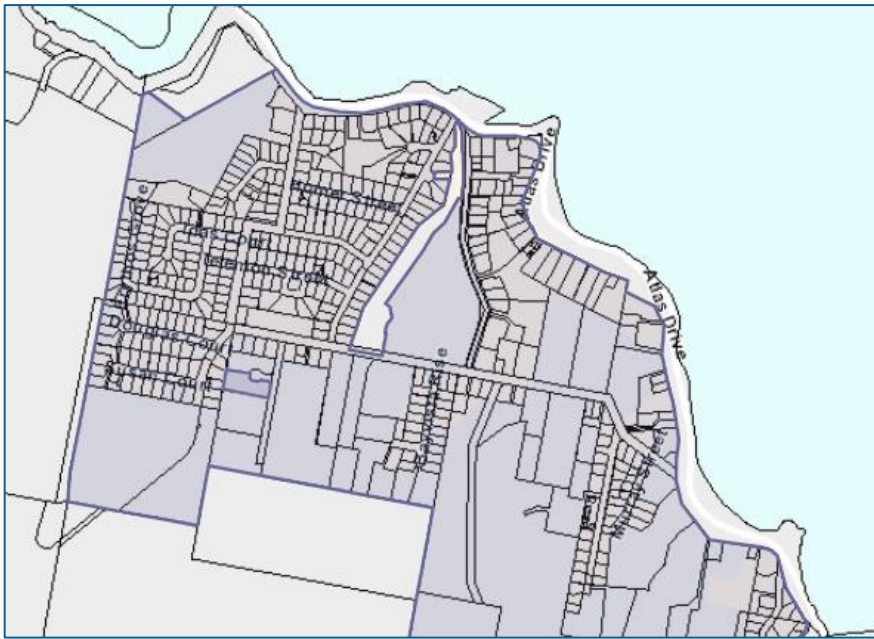


Figure 4 Showing the area of the SAP with subject site (Land Tasmania 2021)

4. Planning Scheme Assessment

4.1 Zone assessment

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.

BRE-S2.0 Stormwater Management Specific Area Plan

NOR-S7.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

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.

8.6 Development Standards for Subdivision

8.6.1 Lot Design

Objective	
That each lot: a) has an area and dimensions appropriate for use and development in the zone; b) is provided with appropriate access to a road; c) contains areas which are suitable for development appropriate to the zone purpose, located to avoid natural hazards; and d) is orientated to provide solar access for future dwellings.	
Acceptable Solutions	Performance Criteria
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>a) have an area of not less than 450m² and:</p> <p>i. be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</p> <p>a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p>b. easements or other title restrictions that limit or restrict development; and</p> <p>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;</p> <p>b) be required for public use by the Crown, a council or a State authority;</p> <p>c) be required for the provision of Utilities; or</p> <p>d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<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> <p>a) the relevant requirements for development of buildings on the lots;</p> <p>b) the intended location of buildings on the lots;</p> <p>c) the topography of the site;</p> <p>d) the presence of any natural hazards;</p> <p>e) adequate provision of private open space; and</p> <p>f) the pattern of development existing on established properties in the area.</p>

RESPONSE

A1 The acceptable solution is achieved. Each lot meets the minimum area requirement and can contain a building area of 10m x 15m with appropriate setbacks.

Existing buildings have adequate setbacks to the proposed boundary. Setbacks to existing boundaries are previously approved. The proposed boundary does not coincide with any easements.

<p>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.</p>	<p>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:</p> <ul style="list-style-type: none"> 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, <p>and is not less than 3.6m wide.</p>
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RESPONSE

P2 The performance criteria are addressed.

- a. The frontage to Proposed Lot 1 is reduced to 10m, according the extent of the road (stub), as existing.
- b. No right of carriageway easement is required.
- c. The topography has no bearing on the frontage.
- d. The frontage is directly off the road and allows sufficient width for entry to the lot.
- e. The proposed lot is sufficiently sized and dimensioned to allow manoeuvring.
- f. The road, as it is located to the property is existing and guides the pattern of development.

The minimum width is achieved.

<p>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.</p>	<p>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:</p> <ul style="list-style-type: none"> a) the topography of the site; b) the distance between the lot or building area and the carriageway; c) the nature of the road and the traffic; d) the anticipated nature of vehicles likely to access the site; and e) the ability for emergency services to access the site.
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RESPONSE

A3 The acceptable solution is achieved.

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>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"> a) the size, shape and orientation of the lots; b) the topography of the site; c) the extent of overshadowing from adjoining properties; d) any development on the site; e) the location of roads and access to lots; and f) the existing pattern of subdivision in the area.
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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"> a) safe, convenient and efficient connections to assist accessibility and mobility of the community; b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and c) the efficient ultimate subdivision of the entirety of the land and of surrounding land. 	
Acceptable Solutions	Performance Criteria
A1 The subdivision includes no new roads	<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"> a) any road network plan adopted by the council; b) the existing and proposed road hierarchy; c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential; d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; e) minimising the travel distance between key destinations such as shops and services and public transport routes; f) access to public transport; g) the efficient and safe movement of pedestrians, cyclists and public transport; h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the Guide to Road Design Part 6A: Paths for Walking

	<p>and Cycling 2016;</p> <p>i) the topography of the site; and</p> <p>j) the future subdivision potential of any balance lots on adjoining or adjacent land.</p>
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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> <p>a) flow rates;</p> <p>b) the quality of potable water;</p> <p>c) any existing or proposed infrastructure to provide the water service and its location;</p> <p>d) the topography of the site; and</p> <p>e) any advice from a regulated entity</p>

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.

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>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> <p>a) the size of the lot;</p> <p>b) topography of the site;</p> <p>c) soil conditions;</p> <p>d) any existing buildings on the site;</p> <p>e) any area of the site covered by impervious surfaces; and</p> <p>f) any watercourse on the land.</p>
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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 retain existing parking provision.

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

P1 The performance criteria apply. The proposal includes one new vehicular access point; Council consent as the road authority is required.

The increase to traffic to the proposed lot is within the acceptable limits according to Table C3.1.

The traffic increase will be residential in nature on a local road with a speed limit 50km/h. The access point may be made to a variety of location, but the new lot requires an access point for vehicles. As the proposal is minor in nature not further advice has been sought for the proposed vehicular access.

C3.7 Development Standards for Subdivision

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

A1 The proposed subdivision is not within a road or railway attenuation area.

C7.0 Natural Assets Code

C7.7 Development Standards for Subdivision

C7.7.2 Subdivision within a priority vegetation area

RESPONSE

A1 The acceptable solution is achieved. There are no works proposed in the overlay area.

C16.0 Safeguarding of Airports Code

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 proposal is exempt from the Code.

5. Conclusion

This application is for a subdivision to 2 lots in the General Residential Zone. Proposed Lot 1 will retain the existing development. The proposed is in accord with the provisions of the Scheme and a planning permit is sought from Council.