

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 / 00029
Applicant	J Binns
Proposal	Residential – Construction of a Dwelling
Location	19 Scamander Avenue, Scamander

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 5th July, 2025 **until 5pm Friday 18th July, 2025**.

John Brown
GENERAL MANAGER

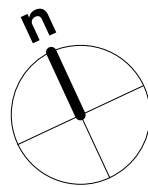
proposed dwelling



colin + susan smith
19 scamander avenue scamander tasmania 7215

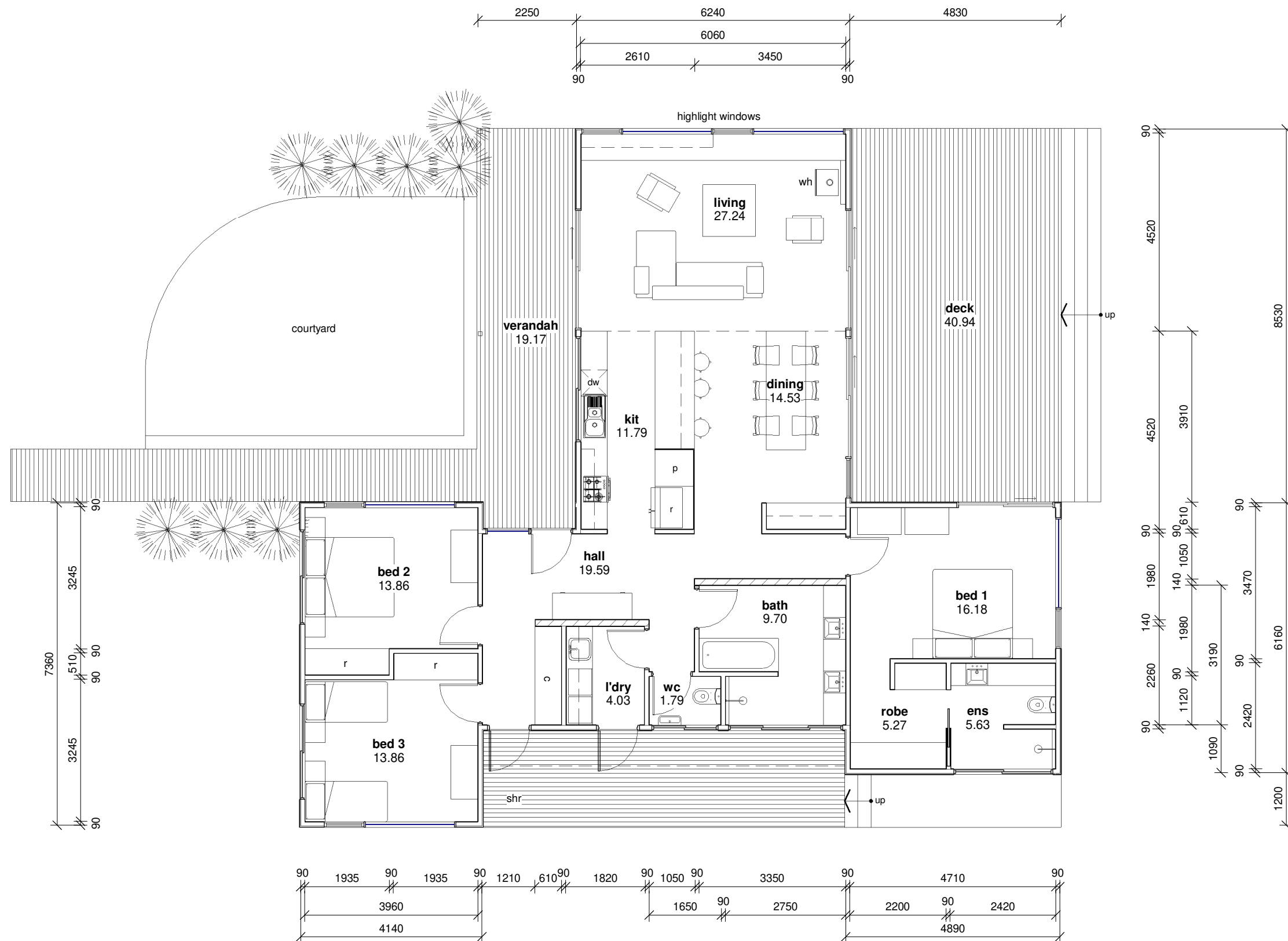


planning application

SCAMANDER

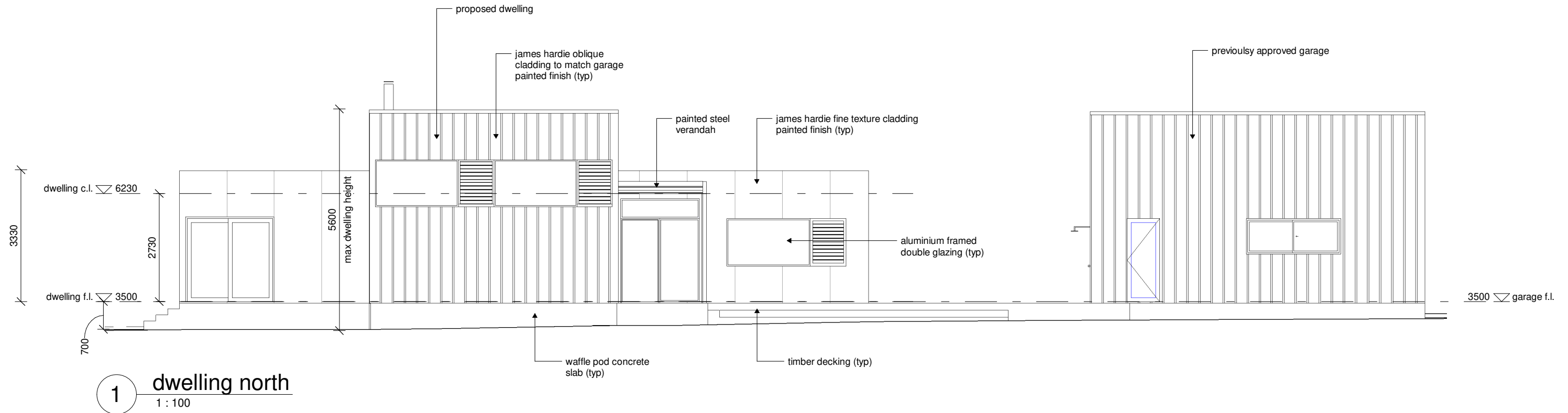




REV:	DESCRIPTION:	DATE:
PROJECT: proposed dwelling FOR: survtas pty ltd 19 scamander avenue scamander tasmania 7215		
DRAWING TITLE: site plan		
DRAWING NO: a04	DRAWN BY: JB	
	DATE: 26.02.25	
SCALE: 1 : 200	PROJECT: 0722SM	
<div>  jennifer binns </div> <div> www.jenniferbinnsdesign.com.au 0439 765 452 : mail @ jenniferbinnsdesign.com.au 52 cecilia street st helens tasmania 7216 </div> <div>  </div> <div> BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA </div> <div> ACCREDITATION NO: CC 1269L </div>		

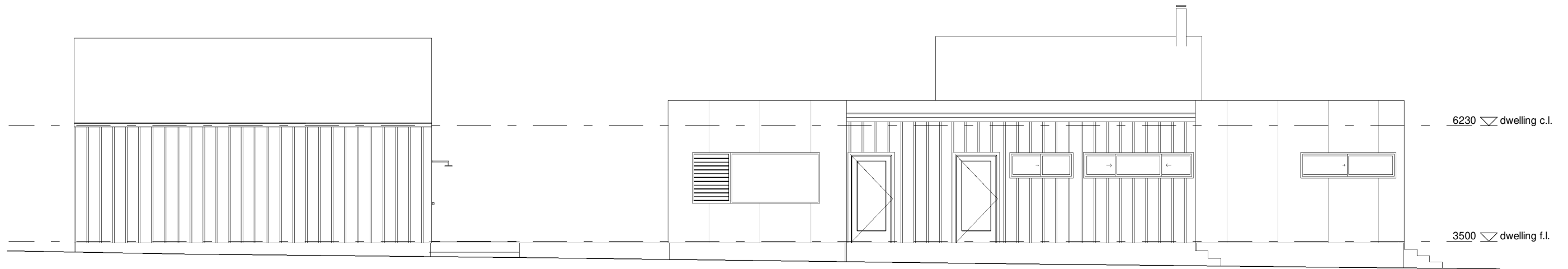


1 dwelling floor plan
1 : 100

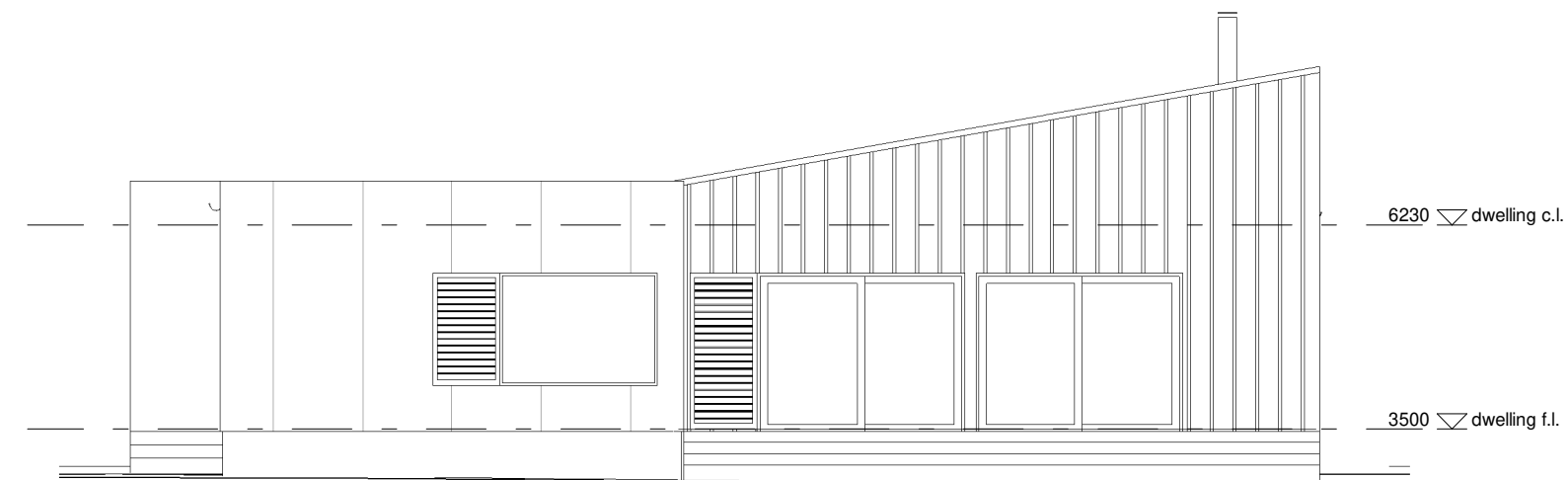
1	REV:	DESCRIPTION:	DATE:
PROJECT: proposed dwelling			
FOR: survtas pty ltd 19 scamander avenue scamander tasmania 7215			
DRAWING TITLE: floor plan			
DRAWING NO: a05	DRAWN BY: JB		
SCALE: 1 : 100	DATE: 26.02.25		
PROJECT: 0722SM			
www.jenniferbinnsdesign.com.au 0439 765 452 : mail @ jenniferbinnsdesign.com.au 52 cecilia street st helens tasmania 7216			
		ACCREDITATION NO: CC 1269L	





REV:	DESCRIPTION:	DATE:
PROJECT: proposed dwelling		
FOR: survtas pty ltd 19 scamander avenue scamander tasmania 7215		
DRAWING TITLE: elevations		
DRAWING NO: a06	DRAWN BY: JB	
	DATE: 26.02.25	
SCALE: 1 : 100	PROJECT: 0722SM	
<div> jennifer binns</div> <div>www.jenniferbinnsdesign.com.au 0439 765 452 : mail @ jenniferbinnsdesign.com.au 52 cecilia street st helens tasmania 7216</div> <div> BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA</div> <div>ACCREDITATION NO: CC 1269L</div>		



1 dwelling south
1 : 100

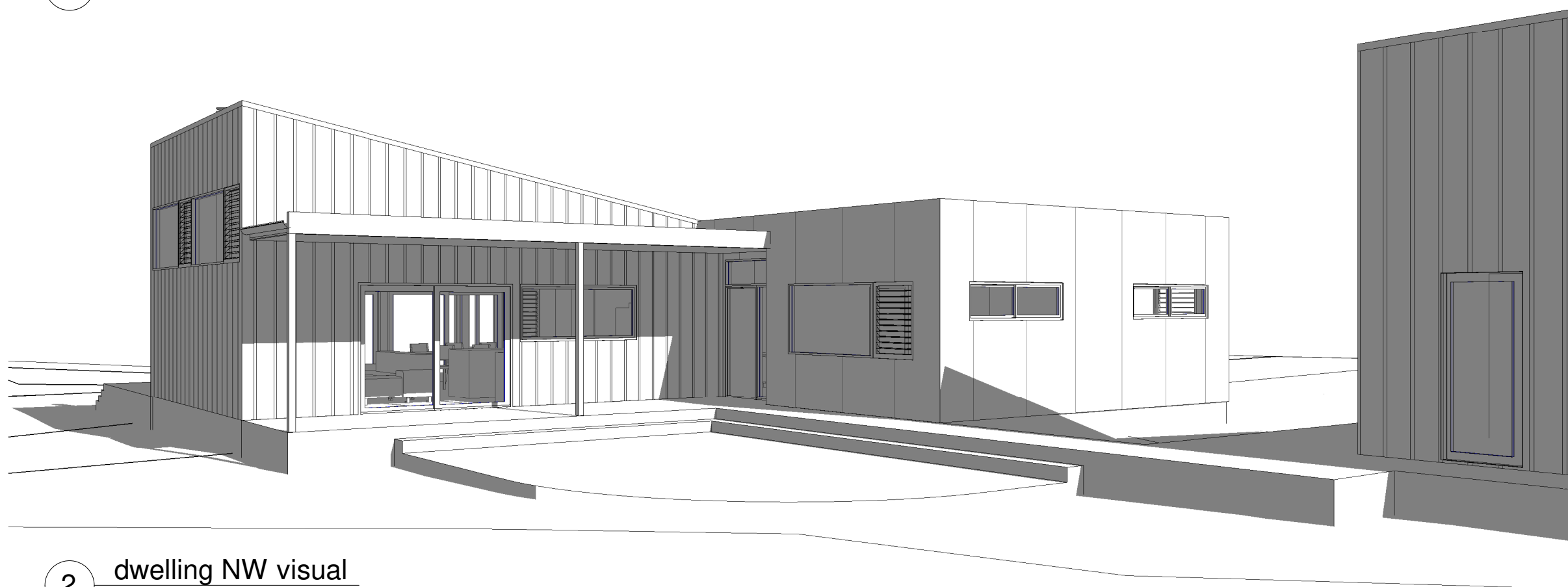


2 dwelling east
1 : 100



REV:	DESCRIPTION:	DATE:
PROJECT: proposed dwelling FOR: survtas pty ltd 19 scamander avenue scamander tasmania 7215		
DRAWING TITLE: elevations		
DRAWING NO: a07	DRAWN BY: JB	
	DATE: 26.02.25	
SCALE: 1 : 100	PROJECT: 0722SM	
<div> jennifer binns</div> <div>www.jenniferbinnsdesign.com.au 0439 765 452 : mail @ jenniferbinnsdesign.com.au 52 cecilia street st helens tasmania 7216</div> <div> BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA</div> <div>ACCREDITATION NO: CC 1269L</div>		



1 dwelling N visual



2 dwelling NW visual

REV:	DESCRIPTION:	DATE:
PROJECT: proposed dwelling		
FOR: survtas pty ltd 19 scamander avenue scamander tasmania 7215		
DRAWING TITLE: visuals		
DRAWING NO: a08	DRAWN BY: JB	
	DATE: 26.02.25	
SCALE:	PROJECT: 0722SM	
<div><div></div><div><div>jennifer binns</div><div>www.jenniferbinnsdesign.com.au 0439 765 452 : mail @ jenniferbinnsdesign.com.au 52 cecilia street st helens tasmania 7216</div></div></div> <div><div></div><div><div>BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA</div><div>ACCREDITATION NO: CC 1269L</div></div></div>		

proposed dwelling

survtas pty ltd
19 scamander avenue scamander tasmania 7215

planning compliance report

february 26 2025

jennifer binns building design
52 cecilia street st helens tasmania 7216
mail@jenniferbinnsdesign.com.au : 0439 765 452

Introduction

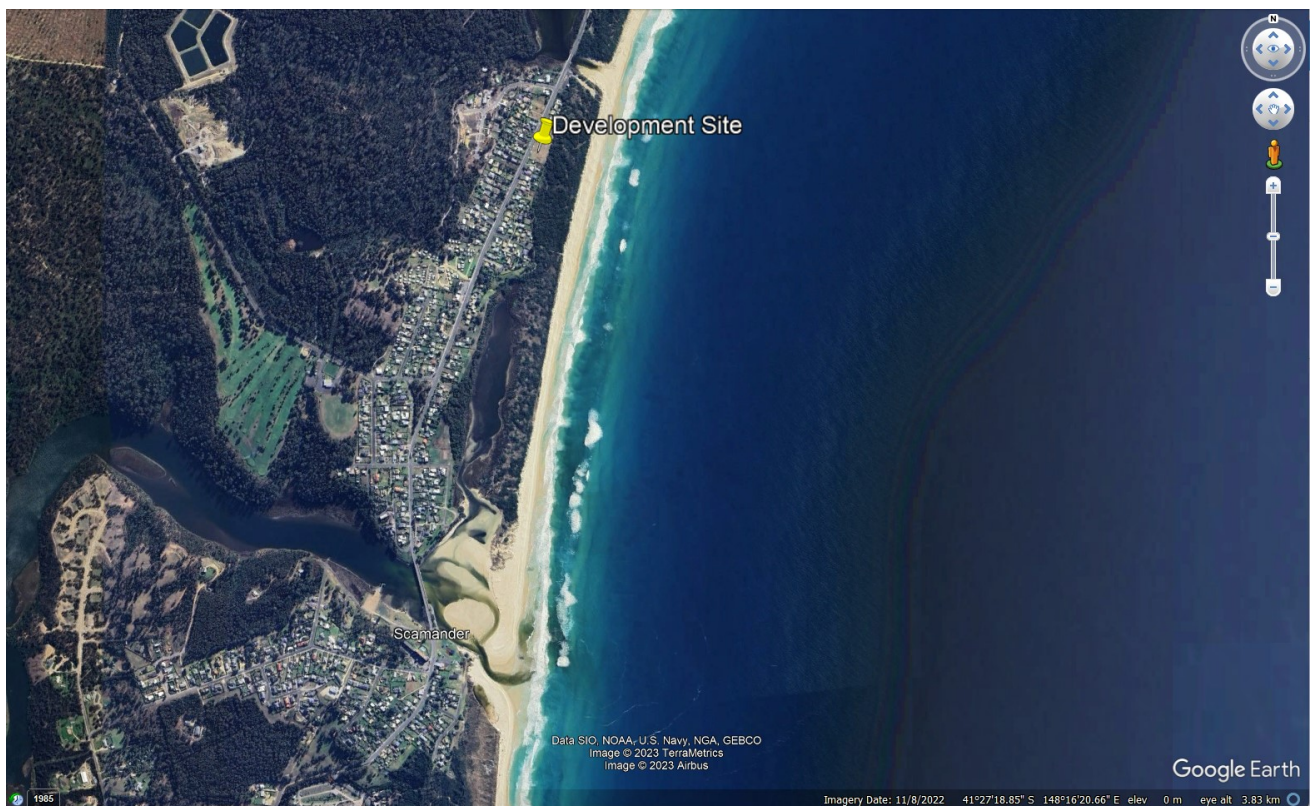
This report aims to demonstrate compliance with relevant planning standards for a proposed dwelling for Survtas Pty Ltd at 19 Scamander Ave Scamander (c.t.180671/4). The report aims to take into consideration the intent, values and objectives of the Tasmanian Planning Scheme 2013 and address all scheme standards applicable to this development.

The proposed development relies on **Performance Solutions** to satisfy relevant planning standards and is to be read in conjunction with drawings submitted for the development.

Development Site Details

The development site is a residential title within the Scamander township. The property is considered flood prone and bushfire prone, no vegetation removal is required for the proposed development. The site was created as part of a recent subdivision and is serviced by existing sewer and stormwater connections. Approval has previously been granted for a garage on the site which included alterations to the vehicle access, no further alterations are proposed as part of this application.

Zone: General Residential



Development Details

The proposed development is a timber framed single story dwelling with associated timber decking.

Dwelling floor area: 154.9m²

Deck area: 95.0m²

Total area of development: 249.9m²

Use Class: Residential

Applicable Planning Codes

The proposed development is in the *Residential* use class which in the *General Residential Zone* is a *Permitted* use.

The following zone standards and codes of the Break 'O Day Interim Planning Scheme 2013 are applicable to the proposed development:

- **Zone 8.0 GENERAL RESIDENTIAL ZONE**
- **Code C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE**
- **Code C12.0 FLOOD PRONE AREAS CODE**

Table 8.3 GENERAL RESIDENTIAL USE STANDARDS

8.3.1 Amenity

A1 Not Applicable

The proposed development is not a *Discretionary* use.

A2 Not Applicable

The proposed development is not a *Discretionary* use.

A3 Not Applicable

The proposed development is not a commercial use.

A4 Not Applicable

The proposed development is not a *Discretionary* use.

8.3.2 Residential Character

A1 Not Applicable

The proposed development is not in the *Visitor Accommodation* use class.

A1 Not Applicable

The proposed development is not in the *Visitor Accommodation* use class.

Table 8.4 GENERAL RESIDENTIAL DEVELOPMENT STANDARDS

8.4.1. Residential density for multiple dwellings**A1 Not Applicable**

The proposed development does not include multiple dwellings.

8.4.2 Setback and building envelope for all dwellings**A1 Acceptable Solution**

The proposed dwelling is sited to the rear of the previously approved garage and has a front setback of 20m.

A2 Not Applicable

This application does not include a garage or carport.

A3 Acceptable Solution

- (a) The proposed dwelling fits within the prescribed building envelope.
- (b) The dwelling has a 2m setback from the southern boundary with a wall length adjacent to the boundary of 4.2m. The section of decking adjacent to the southern boundary is unroofed and is <600mm above n.g.l.

8.4.3 Site coverage and private open space for all dwellings**A1 Acceptable Solution**

- (a) The site coverage of development is <50% of the lot area.
- (b) The proposed development does not include multiple dwellings.

A2 Acceptable Solution

Adequate private open space is available for the dwelling in accordance with the specified requirements.

8.4.4 Sunlight to private open space of multiple dwellings**A1 Not Applicable**

The proposed development does not include multiple dwellings.

8.4.5 Width of openings for garages and carports for all dwellings**A1 Not Applicable**

This application does not include a garage or carport.

8.4.6 Privacy for all dwellings

A1 Not Applicable

The proposed development does not include a new floor level >1m above natural ground level.

A2 Not Applicable

The proposed development does not include a new floor level >1m above natural ground level.

A3 Not Applicable

The proposed development does not include a shared driveway.

8.4.7 Frontage fences for all dwellings

A1 Not Applicable

Fencing is not proposed as part of this application.

8.4.8 Waste storage for multiple dwellings

A1 Not Applicable

The proposed development does not include multiple dwellings.

Table 8.5 DEVELOPMENT STANDARDS FOR NON DWELLINGS

Not Applicable

The proposed development is a dwelling.

Table 8.6 DEVELOPMENT STANDARDS FOR SUBDIVISION

Not Applicable

No subdivision of land is proposed.

Table C2.5 CAR PARKING USE STANDARDS

C2.5.1 Car parking numbers

A1 Acceptable Solution

The previously approved garage provides parking for two vehicles in accordance with the requirements of Table 2.1.

C2.5.2 Bicycle parking numbers

Not Applicable

The proposed development does not require the provision of bicycle parking.

C2.5.3 Motorcycle parking numbers

Not Applicable

The proposed development does not require the provision of motorcycle parking.

C2.5.4 Loading bays

Not Applicable

The proposed development does not require provision of a loading bay.

C2.5.5 Number of car parking spaces within the General Residential zone and Inner Residential zone

A1 Not Applicable

The proposed development is a new dwelling.

Table C2.6 CAR PARKING DEVELOPMENT STANDARDS

C2.6.1 Construction of parking areas

A1 Not Applicable

The driveway and parking areas were approved as part of the previous garage application and no alteration is proposed.

C2.6.2 Design and layout of parking areas

A1 Acceptable Solution

The layout of the parking spaces meets the prescribed requirements.

A1.2 Not Applicable

No accessible parking is required for the proposed development.

C2.6.3 Number of accesses for vehicles

A1 Not Applicable

No alteration is proposed to the existing single access point.

A2 Not Applicable

The development site is in the *General Residential* zone.

C2.6.4 Lighting of parking areas within the Gen. Business zone and Central Business zone

A1 Not Applicable

The development site is in the *General Residential* zone.

C2.6.5 Pedestrian Access

A1.1 Not Applicable

The proposed development does not require the provision of pedestrian access paths.

A1.2 Acceptable Solution

The proposed development does not require the provision of accessible parking.

C2.6.6 Loading bays

A1 Not Applicable

The proposed development does not require the provision of a loading bay.

A2 Not Applicable

There are no commercial vehicles associated with the proposed development.

C2.6.7 Bicycle parking and storage facilities within the Gen. Business zone and Central Business zone

A1 Not Applicable

The proposed development does not require the provision of bicycle parking.

A2 Not Applicable

The proposed development does not require the provision of bicycle parking.

C2.6.8 Siting of parking and turning areas

A1 Not Applicable

The development site is in the *General Residential* zone.

A2 Not Applicable

The development site is in the *General Residential* zone.

Table C2.7 PARKING PRECINCT PLAN

C2.7.1 Construction of parking areas

A1 Not Applicable

The development site is not within a parking precinct plan.

Table C12.5 FLOOD PRONE AREAS CODE USE STANDARDS

C12.5.1 Use within a flood prone hazard area

P1 Performance Criteria

A flood hazard assessment was provided at the time the development site was created through subdivision and a minimum floor level of 3.5m was established to mitigate flood risk. The proposed dwelling has been designed with a minimum floor level of 3.5m.

C12.5.2 Critical use, hazardous use or vulnerable use

A1 Not Applicable

The proposed dwelling is not a *critical, hazardous or vulnerable* use.

A2 Not Applicable

The proposed dwelling is not a *critical* use.

A3 Not Applicable

The proposed dwelling is not a *hazardous* use.

A4 Not Applicable

The proposed dwelling is not a *vulnerable* use.

Table C12.6 FLOOD PRONE AREAS CODE DEVELOPMENT STANDARDS

C12.6.1 Buildings and works within a flood prone hazard area

P1.1 Performance Criteria

A flood hazard assessment was provided at the time the development site was created through subdivision and a minimum floor level of 3.5m was established to mitigate flood risk. The proposed dwelling has been designed with a minimum floor level of 3.5m.

P1.2 Performance Criteria

The proposed dwelling has been designed in accordance with the flood hazard report requirements and does not require specific flood protection measures.

Table C12.7 FLOOD PRONE AREAS CODE SUB-DIVISION STANDARDS

Not Applicable

No subdivision of land is proposed.

Date 11/06/2025

Break O'Day Council
32-34 St Georges Bay Esplanade
St Helens 7216
Tasmania



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132 DAVEY STREET, 7000
INFO@NOVALAND.COM.AU
ABN 60 675 014 356

Via Email: admin@bodc.tas.gov.au

RE: ATTN ALEX MCKINLAY - FURTHER INFORMATION RESPONSE – 19 SCAMANDER AVE, SCAMANDER – DA029-2025

Dear Alex

Please find below response to further information, as requested via letter, dated 14th April 2025.

Item 3 in the further information request states:

Please provide an amended planning compliance report ensuring that a response is provided where relevant for performance criteria P1.1 of clause C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area from the C7.0 Natural Assets Code.

The site is mapped as being within a Waterway and Coastal Protection Area, as shown on a planning scheme overlay map. The extent of the mapping is below:



Figure 1 - Aerial view of subject site, showing extent of Wetland and Coastal Protection Overlay Mapping

Clause C7.6.1 of the Natural Assets Code is shown below:

Objective:	That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.	
Acceptable Solutions		Performance Criteria
A1 Buildings and works within a waterway and coastal protection area must: <ul style="list-style-type: none"> (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date. 		P1 Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to: <ul style="list-style-type: none"> (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist; (g) the need to avoid land filling of wetlands; (h) the need to group new facilities with existing facilities, where reasonably practical; (i) minimising cut and fill; (j) building design that responds to the particular size, shape, contours or slope of the land; (k) minimising impacts on coastal processes, including sand movement and wave action; (l) minimising the need for future works for

	<p>the protection of natural assets, infrastructure and property;</p> <p>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n) the guidelines in the Tasmanian Coastal Works Manual.</p> <p>P1.2</p> <p>Buildings and works within the spatial extent of tidal waters must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>(b) the need to operate a marine farming shore facility;</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of essential utility or marine infrastructure; or</p> <p>(f) provisions of open space or for marine-related educational, research, or recreational facilities.</p>
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Response:

The application relies on performance criteria, as there is no building area located on a sealed plan. While the site has been identified on the mapping as containing a wetland, the land itself no longer provides this feature.

Google streetview mapping from 2023 indicates that the block is a level site, maintained as grassland with no bodies of water or features that are consistent with a wetland. The scheme provides a definition of wetland as:

means a depression in the land, or an area of poor drainage, that holds water derived from ground water and surface water runoff and supports plants adapted to partial or full inundation and includes an artificial wetland

In this instance, stormwater trenches have been constructed at the rear of each lot, ensuring there is no longer ponding or pooling across the site. Shaping of the stormwater detention areas resulted in filling and leveling of any low lying portions of the blocks. The site does not support plants adapted to partial or full inundation. This is evidenced by the google street view photos of the site which show the site as clear and managed.



Figure 2 - View of the site from Scamander Ave. The site does not contain a wetland as defined. Source: Google Street View

The performance criteria is responded to below:

The proposed dwelling is not considered to have any impact on natural assets. The site is not identified as containing a wetland, nor is it identified as containing any riparian vegetation or littoral vegetation. Stormwater will be directed to stormwater infiltration beds, as approved and constructed as part of the subdivision works. In complying with the performance criteria, the following matters have been regarded:

- a) There are no identified impacts as a result of erosion, siltation and run off. Development can occur in accordance with a soil and water management plan, which is a standard condition on a permit.
- b) The site contains no riparian or littoral vegetation.
- c) The site contains no natural stream banks or stream beds.
- d) The site contains no instream habitat.
- e) There are no identified flow paths or natural drainage lines. The site doesn't contain overland flow paths or a creek/watercourse.
- f) There is no fish passage.
- g) There is no filling of the site required as a result of the proposed dwelling.

- h) There are no existing facilities on the site. The land is approved for residential development, located within a residential zone. There are dwellings to the north, south and west of the site.
- i) There is no proposed cut and fill.
- j) The site is level. The building design is not constrained or impacted by the sites topography or levels.
- k) The dwelling will have no impacts on coastal processes.
- l) There are no future works required as a result of the proposed dwelling.
- m) Not applicable. The site is not classified as a wetland, as defined under Table 3.1 of the scheme
- n) If required, the development can be conditioned to be in accordance with the Coastal Works Manual.

The performance criteria has been satisfied.

<p>A2</p> <p>Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.</p>	<p>P2</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) the need to minimise impacts on water quality; and (b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.
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Response:

Not applicable. The site is not mapped as future coastal refugia.

<p>A3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3</p> <p>Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets,</p>
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	<p>having regard to:</p> <p>(a) the need to minimise impacts on water quality; and</p> <p>(b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.</p>
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Response:

Acceptable solution achieved. The proposed development does not propose a new stormwater point discharge. The stormwater detention onsite was approved as part of the subdivision, with stormwater detention areas constructed as part of the subdivision works.

We trust that the above response satisfies Council in relation to compliance with applicable standards under the code. Should you have any further questions or queries, please don't hesitate to get in touch.

Sincerely



James Stewart
Senior Town Planner
Nova Land Consulting