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24 January 2017



Our Ref: 43.2016.4.1 Property No: 9923

Your Ref:

Enquiries to: John Molnar

The Executive Commissioner  
Tasmanian Planning Commission  
GPO Box 1691  
HOBART TAS 7000

Dear Sir/Madam

**43.2016.4 REZONE LAND AT 208 BALLY PARK ROAD, DODGES FERRY FROM ENVIRONMENTAL LIVING TO LOW DENSITY RESIDENTIAL TOGETHER WITH SUBDIVISION APPLICATION 7.2016.21.1 FOR (8) LOTS – M BALL**

I refer to the above application and advise that during the 4-week advertising period commencing on 12<sup>th</sup> November 2016 there were seven (7) representations received.

Furthermore, Council has determined at its meeting on the 17<sup>th</sup> January 2017 that it continues to support the Scheme Amendment 4 of 2016.

I have attached - Planners report to Council Meeting of 17<sup>th</sup> January 2017  
Council Minutes of meeting of the 17<sup>th</sup> January 2017  
Copy of representations including response from TasWater

We await further advice from Tasmanian Planning Commission as to your determination.

Should you wish to discuss the matter, or require any additional information please contact John Molnar on \_\_\_\_\_ or Jenny Richmond on \_\_\_\_\_ who will be happy to assist.

Yours faithfully

*for* **JOHN MOLNAR**  
**SENIOR TOWN PLANNER**  
Encl.

## **LAND USE PLANNING**

**SECTION 43A – REZONING OF LAND AT 208 BALLY PARK ROAD,  
DODGES FERRY - AMENDMENT NO. 43/2016/4/1 TOGETHER WITH  
DEVELOPMENT APPLICATION NO. 7/2016/24/1 SUBDIVISION OF 8 LOTS**

**208 BALLY PARK ROAD, DODGES FERRY**

**APPLICANT: M BALL**

**PROPOSAL: SECTION 43A – REZONING OF LAND AT 208 BALLY  
PARK ROAD, DODGES FERRY - AMENDMENT NO.  
43/2016/4/1 TOGETHER WITH  
DEVELOPMENT APPLICATION NO. 7/2016/24/1  
SUBDIVISION OF 8 LOTS**

**ADDRESS: 208 BALLY PARK ROAD, DODGES FERRY**

### **RECOMMENDATION**

That in accordance with the provisions of Section 39(2) of the former provisions of the *Land Use Planning & Approvals Act 1993*, in connection with the public exhibition period for Draft Amendment No. 43.2016.4 for a Section 43A relating to 208 Bally Park Road, Dodges Ferry notification be made to the Tasmanian Planning Commission that seven (7) representations were received; and:

That there are no other matters intended to be raised by Council with respect to this scheme amendment other than the inclusion of the two additional conditions to the subdivision permit 7.2016.24;

**(19) No vehicular access is permitted to or from Church Street.**

**(20) The developer is to control environmental weeds on site prior to subdivision earthworks and follow-up weed control during the development period prior to the issuing of the Final Survey Plan to the satisfaction of Council's Senior Planner.**

And that Council continues to support scheme amendment No. 43.2016.4

### **INTRODUCTION**

This matter relates to the proposed rezoning of a single title at 208 Bally Park Road from Environmental Living to Low Density Residential zone together with a subdivision application proposing 8 lots.

This document reports on the representations received during the public advertising period and provides responses in relation to the issues raised. This report will subsequently be forwarded to the Tasmanian Planning Commission (TPC) for further assessment which may include holding a hearing on the

matter.

### **Community Strategic Plan**

One of the main guiding principles in the Sorell Community Strategic Plan 2014-2018 is “valuing the balance between the natural environment, community settlements, rural landscape, scenic waterways and development” and “facilitating growth and new opportunities”.

### **Environmental Implications**

There are no known environmental concerns.

### **Statutory Implications**

It is considered that this amendment complies with the relevant legislation, Land Use Planning and Approvals Act 1993, in particular the objectives which include the promotion of sustainable development and provision for the fair, orderly and sustainable use and development of air, land and water.

It is further considered that this amendment provides for the sustainable and appropriate development of the property in consideration of the Sorell Interim Planning Scheme 2015.

### **Representations**

This application for a planning scheme amendment was advertised for a period of 28 days commencing on 12 November 2016 and the required advertisements were placed in the Mercury Newspaper on the 12<sup>th</sup> and 16<sup>th</sup> of November 2016.

During this period seven (7) representations were received.

### **Referrals**

The representations were referred to Council's Engineering, NRM Facilitator and Environmental Health Departments with all providing comments.

In accordance with section 56S of the Water and Sewer Industry Act 2008, Council, as the planning authority, referred this draft amendment under section 34 to TasWater on the 15<sup>th</sup> September 2016. A subsequent response was received on the 26<sup>th</sup> September 2016 stating that they did not object to the proposed development and *“no conditions are imposed for the Tasmanian Planning Commission”* (see attachment).

### **Date of Receipt of Application**

1 September 2016

### **REPORT**

This proposal seeks to amend the *Sorell Interim Planning Scheme 2015* in accordance with section 33(1) of the *Land Use Planning and Approvals Act 1993* (LUPAA).

## THE SITE

The property is narrow in design and is bound by Bally Park Road, Church Street, a small frontage to Carlton Beach Road and a further access to Lyeena Street. Whilst it is zoned Environmental Living the properties to the north, west and south are zoned Low Density Residential reflecting the residential development of the adjacent land. It is noted that the property connects with other land to the east that is likewise zoned Environmental Living.

The land is not serviced by either reticulated potable water or sewerage systems.



Current zoning. Subject land identified by thick blue line.



Aerial image

The amendment was placed on public exhibition and advertised for a period of 28 days. During this period seven (7) representations were received including one from the applicant (see attachments). The following identifies the main issues raised with each representation and provides a response from relevant Council officers.

### **First Submission**

This representation objects to the rezoning on environmental grounds stating that “the space at the bottom of Bally Park Road is the only bush left in our area ... it would be an environment catastrophe for both the animals that live there and the residents”

**Response; Council’s NRM Facilitator responds stating;**

***“The size of the property makes it highly susceptible to edge effects from the surrounding residential area. To be viable as a long-term refuge it really needs to be much larger in size. It also has a developed area with somebody living in an 847m<sup>2</sup> area at the north-west end of the property.”***

**It is recommended that no change occurs.**

### **Second Submission**

This representation has provided a submission on behalf of the owner, Mr Ortmann, specifically relating to the conditions of the subdivision permit.

- The first condition is no. 7 which currently states;

***“Lots 1, 2 & 3 shall be combined to form two lots to allow sufficient area for the cul-de-sac head. The extension of Lyeena Street can be finished with an all-weather gravel surface over a suitably designed pavement base. An amended subdivision plan is to be provided to the satisfaction of Council’s Manager Engineering & Regulatory Services and when approved will become the endorsed plans of subdivision.”***

The representor states that “It is submitted that there is no planning justification for the reduction in lot yield”. Going further to say that the lots fulfil the minimum standards and they have been assessed by “suitably qualified professionals” who support the subdivision as submitted. Furthermore, condition requires a cul de sac which the representor argues against stating that lots 1 and 2 could have primary access off Church Street.

**Response; Council’s Development Engineering Manager responds stating that Council requires that access to lots 1 & 2 should be from Lyeena Street as Church Street has not been constructed to a standard to allow further development without upgrading. Lyeena St requires a turning head and this development application allows for this opportunity. Both lots 1 & 2 are minimum size so any land required for turning head purposes will have an effect on the size of these lots. This was the main reason to make three lots into two.**

**It is recommended that no change occurs.**

- The second condition is no. 10 in that lot 3 has frontage to neither Bally Park Road nor Lyeena Street.

**Response; Condition 10 is correct once condition 7 is achieved. It is intended that there be no vehicular access from Church Street but rather limited to Bally Park Road and Lyeena Street. As a consequence, the only upgrading of road infrastructure is to Bally Park Road and not to Church Street. An additional condition is recommended to give effect to the intention of condition 10 to state "No vehicular access is permitted to or from Church Street". If, however condition 7 is to be deleted as well as the additional condition then Church Street is also to be upgraded to the standard that Bally Park Road is to become which given the extent of the works would be quite costly to the developer and one that Council is not supporting, i.e. only upgrading one road and not two which would increase ongoing maintenance costs to Council.**

**It is recommended that there be an additional condition "(19) No vehicular access is permitted to or from Church Street".**

### **Third Submission**

The representation has stated that they would like to see foot access between Church and Lyeena Street maintained.

**Response; It is evident that the representor has been using private property to walk between Church and Lyeena Streets. A condition of approval requires that a footway be established between the proposed lots 3 & 4 rather than between lots 5 & 6 which links Church Street and Carlton Beach Road (via Bally Park Road) which is considered an appropriate outcome for pedestrian connection to Carlton Beach.**

**It is recommended that no change occurs.**

### **Fourth Submission**

The representation objects to the rezoning on environmental grounds stating;

- "this land is a natural watercourse feeding in to the lagoon/wetland area"
- "wherever we subdivide and develop, all ground dwelling species numbers decline"
- "can we please have a more comprehensive environmental report ... with strict environmental conditions which are to be enforced"
- "if we really cared for the environment council would decline subdivision approval and make the land a reserve"
- "no cats and preferably no dogs".

**Response; Council's NRM Facilitator has responded stating;**

***“As to the problems with cats and dogs I would suggest that these problems already exist with animals entering the property from adjoin properties.***

***The size of the property makes it highly susceptible to edge effects from the surrounding residential area. To be viable as a long-term refuge it really needs to be much larger in size. It also has a developed area with somebody living in an 847m<sup>2</sup> area at the north-west end of the property.***

***It would be good to control the loss/impact of vegetation but I expect between building, infrastructure and fire management a lot of vegetation will be lost.***

***Weeds should be controlled by the developer and carried on by future owners.”***

**It is recommended that an additional subdivision condition be included in the permit stating “(20) The developer is to control environmental weeds on site prior to subdivision earthworks and follow-up weed control during the development period prior to the issuing of the Final Survey Plan to the satisfaction of Council's Senior Planner.”**

#### **Fifth Submission**

The representation has stated that the application is;

- contrary to the STRLUS (Southern Tasmania Regional Land Use Strategy) raising the issue that Dodges Ferry is identified “with low growth strategy to be achieved via consolidation and no additional lots created”.

**Response; Council has engaged the planning consultant firm Echelon to undertake a Sorell Land Supply Strategy which is to be completed in the early part of 2017. It is noted that this property is included in the area designated as Site R19 Dodges Ferry and as such it is considered relevant to await the outcome of this strategic assessment in order to address the requirements of STRLUS.**

- Add a footway or larger section of public open space between Church Street and Lyeena Street

**Response; Once again it is evident that the public has been using private property for access between Church and Lyeena Streets. It is proposed as a condition of the associated draft subdivision permit that a footway be provided between Church and Carlton Beach Road (via Bally Park Road) which is considered an appropriate outcome for ultimate access to Carlton Beach.**

- Missing words in my earlier assessment report to Council as sentence was not completed having read “which has conceded that ...”

**Response; Words were indeed missing in this section relating to the Flora and Fauna Report by Welling Consultant dated 8 March 2016. This relates to the report and the summary section 3 the “potential impacts of rezoning and summary”. In hindsight it was my intention to say the following;**

**A Flora and Fauna Report by Welling consulting dated 8 March 2016; Response - which has conceded that “the rezoning of the site to low density residential and the future subdivision and development of lots .... will result in the loss of most vegetation from the site”. But then goes further to state that the vegetation community is common and therefore the biodiversity value is low and is “heavily degraded by woody weed species”. Though acknowledging potential shelter and foraging habitat for birds and mammals.**

**It is considered that the missing words are an administrative error but that Council’s NRM Facilitator did not raise objections to the scheme amendment and associated subdivision. This is also apparent in the response in the next dot point responding to the planning report by M Ball dated September 2016.**

- Retain the biodiversity overlay and remove existing noxious weeds

**Response; As stated by Council’s NRM Facilitator “the biodiversity overlay should be retained as it may give some protection to any remaining biodiversity post development”**

- Stormwater and waste water services – what are the stormwater structures servicing the roads – only the roadside swale drains. Concerns that further development, especially if vegetation is removed and increase in hard services “... will have a detrimental impact on neighboring properties”

**Response; Council’s Development Engineering Manager responds stating that the area is currently serviced by open drains which will continue excepting that once Bally Park Road is sealed it (the road) will be piped to a pit which will flow into existing stormwater pipes on Carlton Beach Road. Note that this will only service the road runoff. As most roof runoff will be stored in tanks it is not considered that there would be an issue with stormwater runoff from subsequent hard stand areas associated with future dwellings.**

**Council’s Senior Environmental Health Officer has assessed the application including the subdivision and offered no objections.**

**It is recommended that no change occurs associated with the issues raised by this representation.**



### **Sixth Submission**

This representation objects to the rezoning on environmental grounds stating that it "is so important for the residents of this area" providing forest views and wildlife habitat.

**Response; See earlier comments by Council's NRM Facilitator in the fourth submission.**

**It is recommended that no change occurs.**

### **Seventh Submission**

This representation raises the following points;

- The walkway should be between lots 3 & 4; **Response; Council's Development Engineering Manager has placed a condition on the draft subdivision permit for this to occur, see condition 8.**
- Retain an access between Church and Lyeena Streets; **Response; it is considered that the pedestrian footway between Church Street and Bally Park Roads would be sufficient for access to Carlton Beach.**
- Lots 1 & 2 have access off Lyeena Street Carlton yet the land is in Dodges Ferry –would the rates be charged to Carlton or Dodges Ferry? **Response; Council rates are determined as a response to the land valuation undertaken by the Valuer Generals Office. I understand however that there is no differentiation as far as rates are concerned between a property in Carlton and Dodges Ferry.**

**It is recommended that no change occurs.**

### **CONCLUSION**

Council is required to consider submissions made during the public exhibition period and make a further decision with respect to the merits of the application which is the intent of this s39 report.

With due respect to the submissions provided and the issues put forward it is recommended that the only change to the planning scheme amendment be the inclusion of two additional conditions to the subdivision permit certified by Council and that the Tasmanian Planning Commission undertake their appropriate assessment.

In conclusion this report recommends that notification be made to the Tasmanian Planning Commission that seven (7) representations were received; and that there are no other matters intended to be raised by Council with

respect to this scheme amendment other than the inclusion of two additional conditions to the subdivision permit 7.2016.24 including;

**(19) No vehicular access is permitted to or from Church Street. &**

**(20) The developer is to control environmental weeds on site prior to subdivision earthworks and follow-up weed control during the development period prior to the issuing of the Final Survey Plan to the satisfaction of Council's Senior Planner.**

Furthermore, that Council continues to support scheme amendment No. 43.2016.4

The accompanying document, Appendix A “**REPORT TO THE TASMANIAN PLANNING COMMISSION SUBMISSIONS**” if endorsed by Council, will form Council's submission to the Commission.

## **APPENDIX A**

### **REPORT TO THE TASMANIAN PLANNING COMMISSION SUBMISSIONS – AMENDMENT NO. 43.2016.3**

In accordance with s39(2)(a) of the Act and the prescribed statutory requirements it is confirmed that seven (7) representations were received during the public advertising period.

#### **REPORT**

The proposal was advertised in accordance with statutory requirements under s38 for a total of 28 days which resulted in receipt of seven (7) representations (see attachments).

TasWater responded on the 26 September 2016 stating that they did not object to the proposed development and “no conditions are imposed” for the Tasmanian Planning Commission (see attachment).

The representations have been considered, assessed and responded to in this report.

With due respect to the representations received and the issues put forward it is recommended that the only change to the planning scheme amendment be the inclusion of two additional conditions to the subdivision permit stating;

**(19) No vehicular access is permitted to or from Church Street.**

**(20) The Developer is to Control environmental weeds on site prior to subdivision earthworks and follow-up weed control during the development period prior to the issuing of the Final Survey Plan to the satisfaction of Council's Senior Planner.**

The draft subdivision permit SA 7/2016/24/1 to now read;

8 November 2016

## **DEVELOPMENT / USE PERMIT**

**Sorell Interim Planning Scheme 2015**

**Application No: SA 7/2016/24/1**

**Submitted by: M BALL**

**For: SUBDIVISION - 7 LOTS**

**At: 208 BALLY PARK ROAD, DODGES FERRY  
CT113640/1**

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This permit is granted, subject to the conditions set out below.

### **Conditions:**

1. Subdivision shall be substantially in accordance with Development Application No. SA 7/2016/24/1 submitted on 1 September 2016 and endorsed plans, except as may be amended by the conditions of this permit.
2. All lots are to comply with the minimum lot size requirement of 2,000m<sup>2</sup>.
3. Prior to sealing the final plan of survey a cash contribution in lieu of public open space equal to 5% of the value of the additional lots created must be made to Sorell Council. The valuation is to be determined at the date of lodgement of the final plan by a registered land valuer.
4. Development is only to be undertaken in accordance with the recommendations of the Inundation Vulnerability Assessment Report by Strata Geoscience and Environmental Consultants with particular note of the provision of a 3.1m AHD inundation level assigned on the lower lying areas.
5. Prior to the commencement of the development of the site, detailed plans and specifications must be submitted to the Council's Manager Engineering & Regulatory Services (ME&RS) for approval. Such plans and specifications must:

- Include all infrastructure works required by the permit or shown in the endorsed plans;
  - Be prepared by a suitably qualified and experienced engineer or engineering consultancy;
  - Be prepared strictly in accordance with the current IPWEA Standard Drawings and Tasmanian Subdivision Guidelines available on the LGAT website;
  - Be to the satisfaction of Council's ME&RS.
6. Lyeena Street shall terminate in a cul-de-sac in accordance with Council's Standard Drawing TSD-R07. The applicant shall allow for a 25 metre diameter road reservation for the cul-de-sac.
7. Lots 1, 2 & 3 shall be combined to form two lots to allow sufficient area for the cul-de-sac head. The extension of Lyeena Street can be finished with an all-weather gravel surface over a suitably designed pavement base. An amended subdivision plan is to be provided to the satisfaction of Council's Manager Engineering & Regulatory Services and when approved will become the endorsed plans of subdivision.
8. The proposed footway between lots 5 & 6 is to be relocated between lots 3 & 4 and shall also be shown as a drainage easement in favour of Sorell Council to be used for possible future drainage works by Council.
9. Bally Park Road shall be upgraded to terminate in a cul-de-sac outside proposed lot 4. Bally Park Road shall be upgraded by the developer by grading the existing surface, supplying and spreading a minimum 100mm thick compacted layer of Base A (FCR) material, and placing a two coat 14/7 bitumen seal over the existing gravel section of the road. The cul-de-sac head shall be blocked from vehicular access from Carlton Beach Road by installing bollards with delineators, or similar, (to satisfaction of Council) at 1.5m centres. A stormwater grated pit may be required to collect water runoff. This pit must be connected into Council's piped stormwater system.
10. All lots shall be provided with a single or double vehicular access from either Bally Park Road or Lyeena Street in accordance with Council's Standard Drawing TSD-R03. The accesses off Bally Park Road shall be sealed from the new road seal to the property boundary to a similar standard to the road.
11. Each access must be provided with an area adjacent the driveway and Council's road to store all bins on garbage collection days. The minimum size shall be 1.5m x 3.0m.
12. Electricity, Communications & Other Utilities:
- An underground electricity system must be provided to service all lots and installed to the approval of the Responsible Authority;

- An underground telecommunications system must be provided to service all lots and installed to the approval of the Responsible Authority;
- Provision of broadband internet infrastructure to service all lots and installed to the approval of the Responsible Authority.

13. Some vegetation removal may be required to allow sufficient sight distance to satisfaction of Council's Development Engineering Manager.

14. A fee of 1% of the cost of construction or a minimum \$580.00 will be charged for the review and approval of design plans. This shall be payable by the developer prior to commencing works.

15. The applicant shall provide Council with "As Constructed" drawings of the development and complete the Data spreadsheet at the completion works. The following list must be submitted as part of these requirements:

- "As Constructed" drawings must be clearly understood and must provide all relevant information to the works. The minimum standard for "As Constructed" drawings is demonstrated through the *As Constructed Example Drawing*, available by contacting Council.
- "As Constructed" drawings must be completed and certified by a qualified surveyor or engineer prior to the works being placed on maintenance.
- "As Constructed" drawings must be accurate to AHD and GDA94 and must be drawn to an appropriate scale, show all top, inlet and outlet invert levels and shall be to the satisfaction of Council's Manager Engineering & Regulatory Services.
- "As Constructed" drawings must be provided electronically in both .pdf and .dwg or .dxf formats, or as otherwise approved by Council's ME&RS.
- The data sheet must be completed and certified by a suitably qualified surveyor or engineer prior to the works being placed on maintenance.
- The data sheet must be provided to Council's Asset Manager along with the "As Constructed" drawings. A copy is available by contacting Council.
- All height and special information must be accurate to AHD and GDA94, to the satisfaction of Council's ME&RS.
- The data sheet must be provided electronically, as an Excel document.
- Compaction and soil tests results for all earthworks or pavement works.
- An engineer's certificate stating that each component of the works complies with the approved engineering plans and Council standards.

16. The Defects Liability Period shall be a minimum of twelve (12) months from the date of Practical Completion. Prior to the sealing of the Final Plan of Survey, the person responsible must lodge with the Council a bond in the form of a bank guarantee or a cash deposit for the duration of the defect liability period for the amount equal to 5% of the total construction value.

17. Engineering Inspections: Council's Development Engineering Manager is to be notified and work inspected at each of the following stages of construction:

- Proof-roll inspection of the base course
- Prior to placement of seal on roads and accesses
- Practical completion of works
- Final Inspection at end of Defects Liability Period

**Note: Where the development is to be constructed in multiple stages, the above inspection fees will be required for each stage.**

18. For each inspection required, the developer shall pay the prescribed fee as set annually by Council. This inspection fee shall be indexed at the CPI rate for Hobart until paid. Where the works do not meet Council requirements and further inspections are required. Additional fees will be charged for subsequent inspections at the prescribed inspection rate.

19. No vehicular access is permitted to or from Church Street.

20. The developer is to Control environmental weeds on site prior to subdivision earthworks and follow-up weed control during the development period prior to the issuing of the Final Survey Plan to the satisfaction of Council's Senior Planner.

**NOTE: THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:**

- This permit shall lapse at the expiration of two (2) years from the date on which it is granted if the development and use is not substantially commenced within that period.
- This permit does not imply that any other approval required under any other by-law or legislation has been granted.
- The Final Survey will not be sealed until all conditions have been complied with or a sufficient bond or bank guarantee is lodged with Council to cover the cost of outstanding works necessary to complete the subdivision.

You may appeal against the above conditions; any such appeal must be lodged within fourteen (14) days of service of this notice to the Resource Management

and Planning Appeal Tribunal, Level 6, 144-148 Macquarie Street Hobart 7001 Ph  
☎6165 6794 or email [mpat@justice.tas.gov.au](mailto:mpat@justice.tas.gov.au)

Furthermore, that there are no other matters intended to be raised by Council with respect to this scheme amendment and that Council continues to support scheme amendment No. 43.2016.4

**John Molnar**  
**Senior Planner**

Attachments: (17)  
10 January 2017

## **NOTICE OF DECISION**

**DATE:** 18 JANUARY 2017

**MEMO TO:** JOHN MOLNAR, SENIOR PLANNER  
JENNY RICHMOND, PLANNING OFFICER  
RHIANNON WOODS, ADMINISTRATIVE OFFICER

**SUBJECT:** SECTION 43A – REZONING OF LAND AT 208 BALLY PARK ROAD, DODGES FERRY – AMENDMENT NO. 43/2016/1 TOGETHER WITH DEVELOPMENT APPLICATION NO. 7/2016/24/1 SUBDIVISION OF 8 LOTS – APPLICANT: M BALL

**At the DASC Meeting held on 17 JANUARY 2017 this item was:-**

**APPROVED AS PER THE RECOMMENDATION**

Please arrange for any necessary action to be taken on the following minute. Thank you.

\_\_\_\_\_  
Betty Spaulding

Corporate Administrative Officer

\_\_\_\_\_  
Action Date

\_\_\_\_\_  
Action Officer

4.5

**SECTION 43A – REZONING OF LAND AT 208 BALLY PARK ROAD, DODGES FERRY - AMENDMENT NO. 43/2016/4/1 TOGETHER WITH DEVELOPMENT APPLICATION NO. 7/2016/24/1 SUBDIVISION OF 8 LOTS**

**208 BALLY PARK ROAD, DODGES FERRY**

**APPLICANT: M BALL**

**PROPOSAL: SECTION 43A – REZONING OF LAND AT 208 BALLY PARK ROAD, DODGES FERRY - AMENDMENT NO. 43/2016/4/1 TOGETHER WITH DEVELOPMENT APPLICATION NO. 7/2016/24/1 SUBDIVISION OF 8 LOTS**

**ADDRESS: 208 BALLY PARK ROAD, DODGES FERRY**

**RECOMMENDATION**



"That in accordance with the provisions of Section 39(2) of the former provisions of the *Land Use Planning & Approvals Act 1993*, in connection with the public exhibition period for Draft Amendment No. 43.2016.4 for a Section 43A relating to 208 Bally Park Road, Dodges Ferry notification be made to the Tasmanian Planning Commission that seven (7) representations were received; and:

That there are no other matters intended to be raised by Council with respect to this scheme amendment other than the inclusion of the two additional conditions to the subdivision permit 7.2016.24:

**(19) No vehicular access is permitted to or from Church Street.**

**(20) The developer is to control environmental weeds on site prior to subdivision earthworks and follow-up weed control during the development period prior to the issuing of the Final Survey Plan to the satisfaction of Council's Senior Planner.**

and that Council continues to support scheme amendment No. 43.2016.4."

**5/2017 REYNOLDS/WHITE**

"That the recommendation be accepted."

The Motion was **CARRIED**.