

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 / 00041
Applicant	J M Kreltzheim
Proposal	Residential - Retrospective Approval for Studio Outbuilding, Carport Extension to the Existing Shed and Vegetation Clearance
Location	222 Gardens Road, Binalong Bay

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 22nd November, 2025 **until 5pm Friday 5th December, 2025.**

John Brown
GENERAL MANAGER

Retrospective Approval for Studio Outbuilding & Carport Extension

222 Gardens Road, Binalong Bay

Client: John Eymael

AREAS:

SITE AREA - 106164m²
 FLOOR AREA - 37.5m²
 ROOF AREA - 68m²
 CARPORT - 51.8m²

PROPERTY ID: 6807470

CT: 82046/1

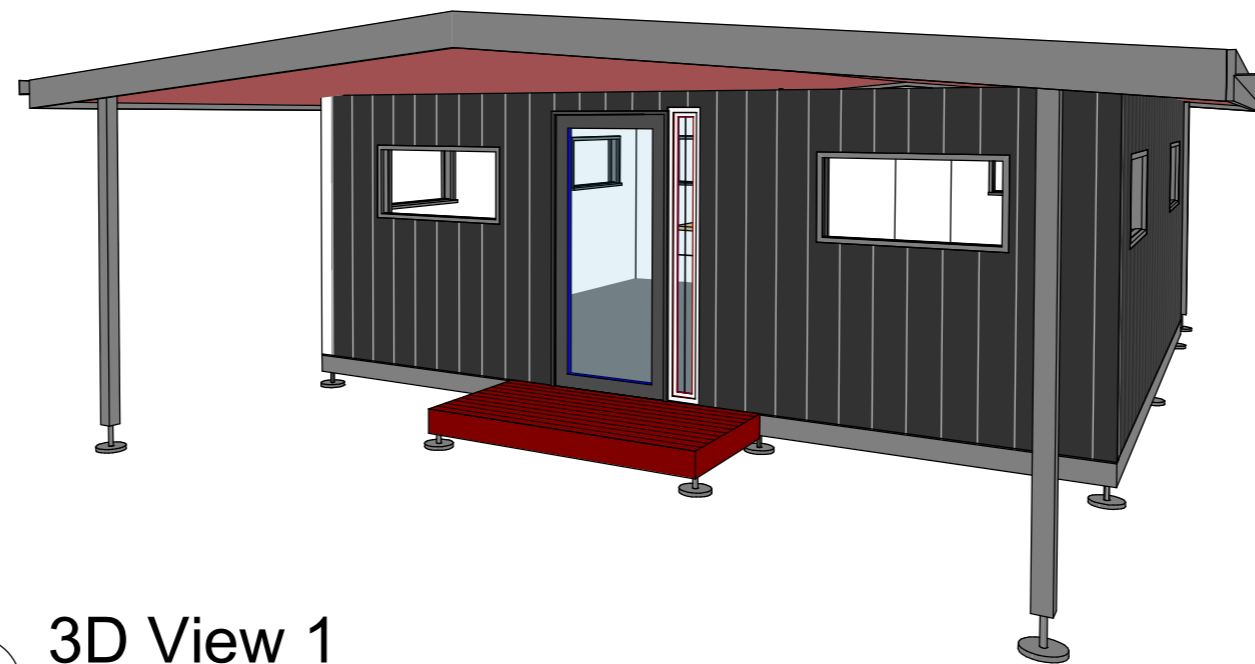
PROPERTY AREA: 10.61ha

PLANNING CODES / OVERLAYS:

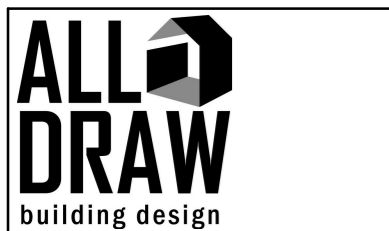
Priority vegetation area
 Coastal erosion investigation area
 Bushfire prone area
 Scenic road corridor
 Low landslip hazard band

DESIGN WIND SPEED - N3
 SOIL CLASSIFICATION - S
 CORROSION ENVIRONMENT: MODERATE

DRAWING LIST	
Sheet Number	Sheet Name
0	Title Page
1	Location Plan
2	Site Plan
3	Floor Plan
4	Elevations
5	Elevations
6	Roof Plan
7	Section
8	Glazing Schedule
9	Details
10	Site Drainage Plan
11	Electrical Plan
12	Overlay Plans
13	Retrospective Carport



1 3D View 1

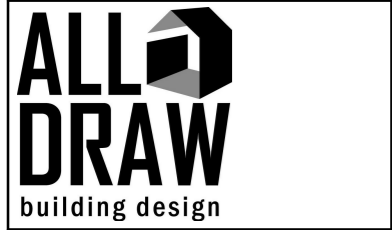
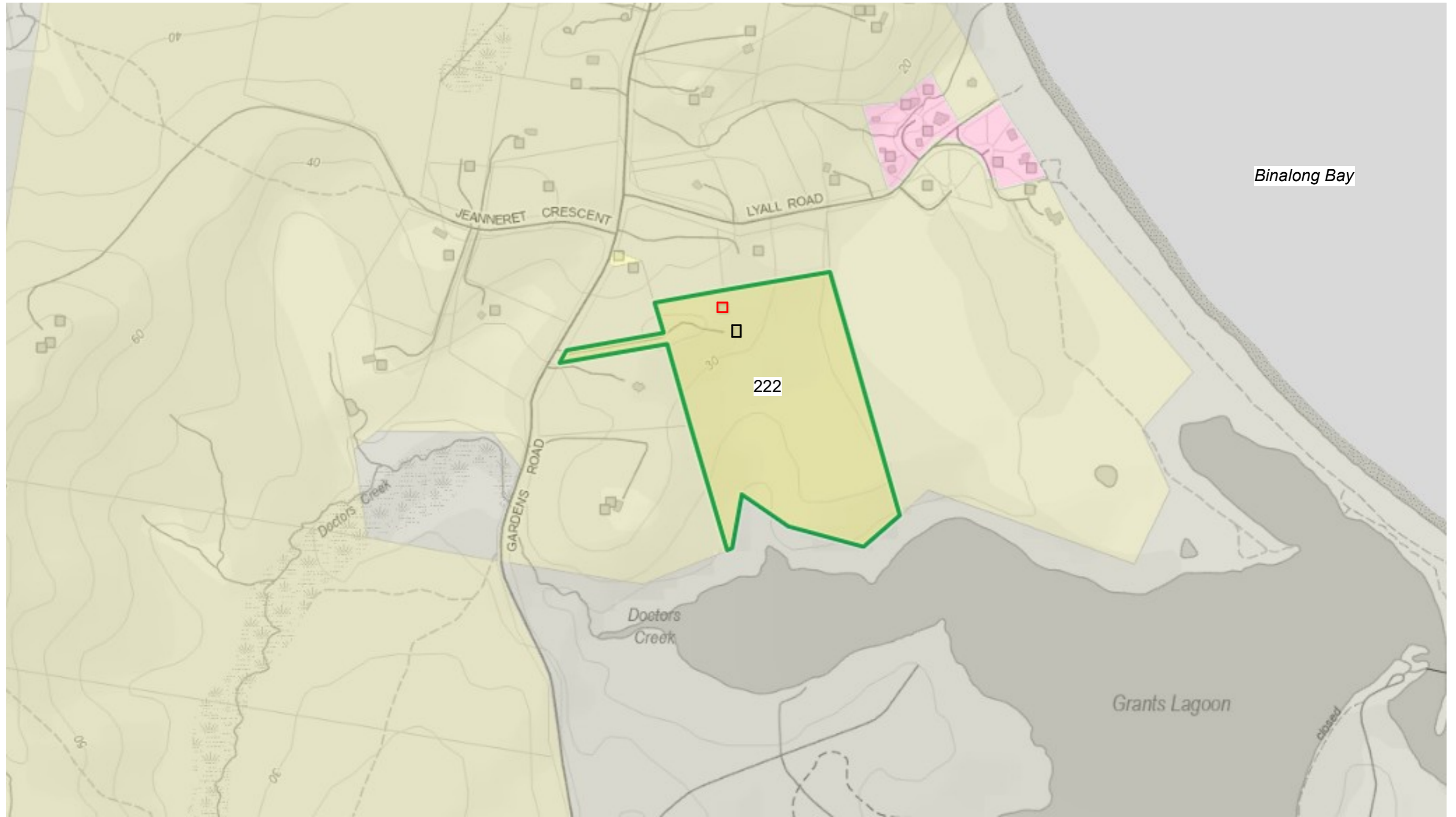


No.	Description	Date

P: 0421 745 095
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 DP-AD 36943

Studio Outbuilding
 222 Garden Road,
 Binalong Bay

Title Page		
Project number	1395	0
Date	4/11/2025	
Drawn by	JK	
Checked by	DA	
Scale		1 : 100



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No.	Description	Date

**Studio Outbuilding
 222 Garden Road,
 Binalong Bay**

Location Plan		
	Project number	1395
	Date	4/11/2025
	Drawn by	JK
	Checked by	JE
		1
		Scale

BINALONG BAY ROAD

decomposed / crushed granite to driveway surface

272m title boundary

18m approx.

27m approx.

CARPORT ADDITION

EXISTING SHED

415m² ABSORPTION AREA
AWTS

RETROSPECTIVE OUTBUILDING

EXISTING DWELLING

B.P.Z
20m WIDE

F.M.B.Z
15-25m WIDE

CT 82046-1
10.61 ha

105m approx.

Driveway

Driveway

47m

Driveway

331m title boundary



WASTE WATER

WASTE WATER TO BE CONNECTED TO EXISTING WASTE WATER SYSTEM

STORMWATER:

ALL STORMWATER DISCHARGE TO BE TAKEN TO WATER TANKS & OVERFLOW TO DISCHARGE ON SITE
ALL DRAINAGE WORKS IN ACCORDANCE WITH AS3500

DESIGN WIND SPEED - N3
SOIL CLASSIFICATION - S
CORROSION ENVIRONMENT: MODERATE



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No.	Description	Date
Rev1	carport / bushfire zone	8/09/25

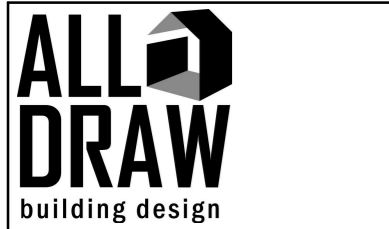
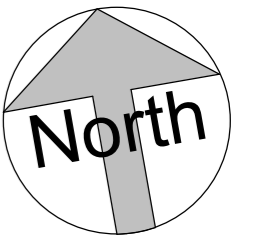
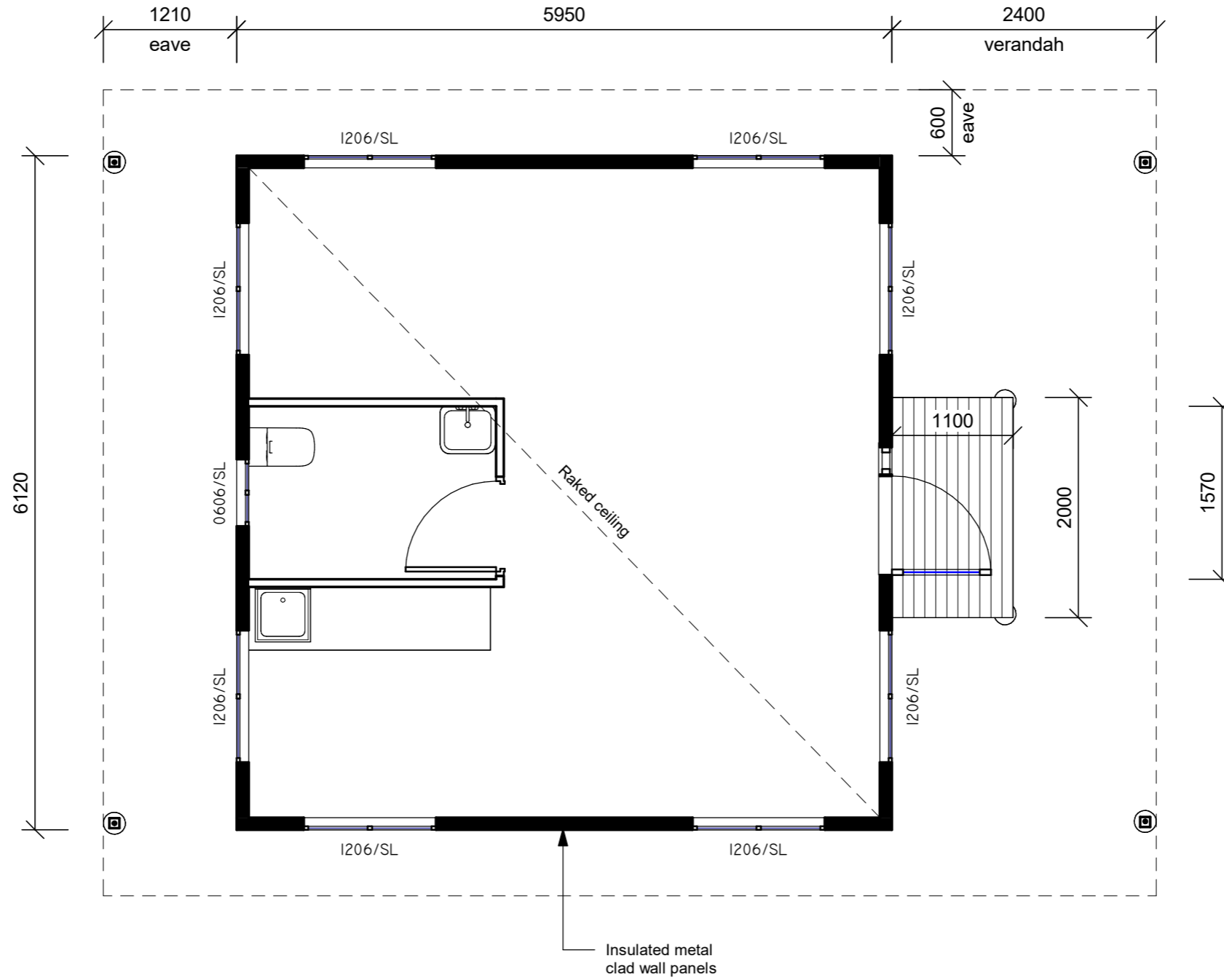
Studio Outbuilding
222 Garden Road,
Binalong Bay

Site Plan



Project number	1395	2
Date	4/11/2025	
Drawn by	JK	
Checked by	JE	
		ScAs indicated

AREAS:
 FLOOR AREA - 37.5m²
 ROOF AREA - 68m²



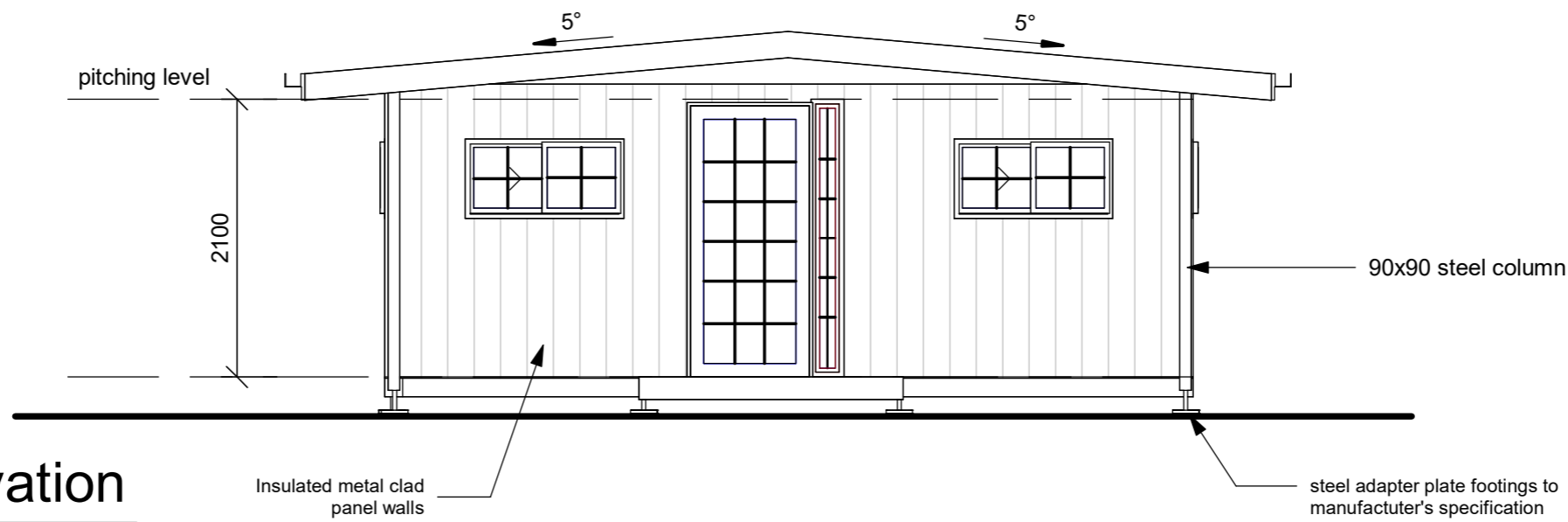
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 DP-AD 36943

No.	Description	Date

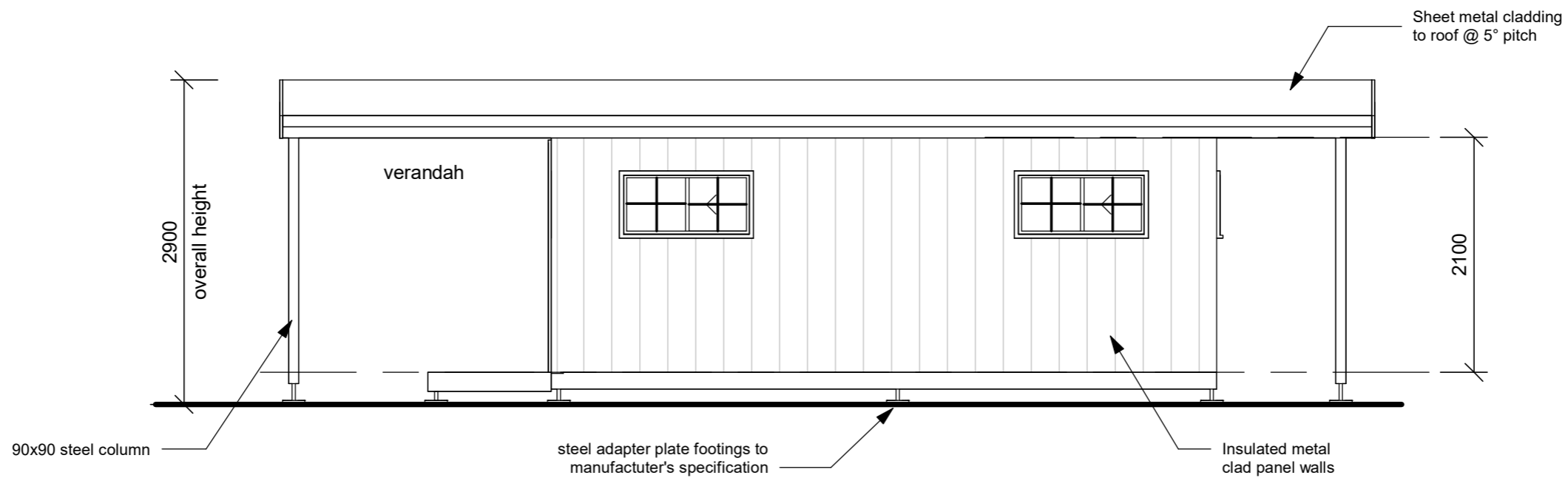
Studio Outbuilding
 222 Garden Road,
 Binalong Bay

Floor Plan

	Project number	1395	3
	Date	4/11/2025	
	Drawn by	JK	
	Checked by	JE	
		Scale	1 : 50



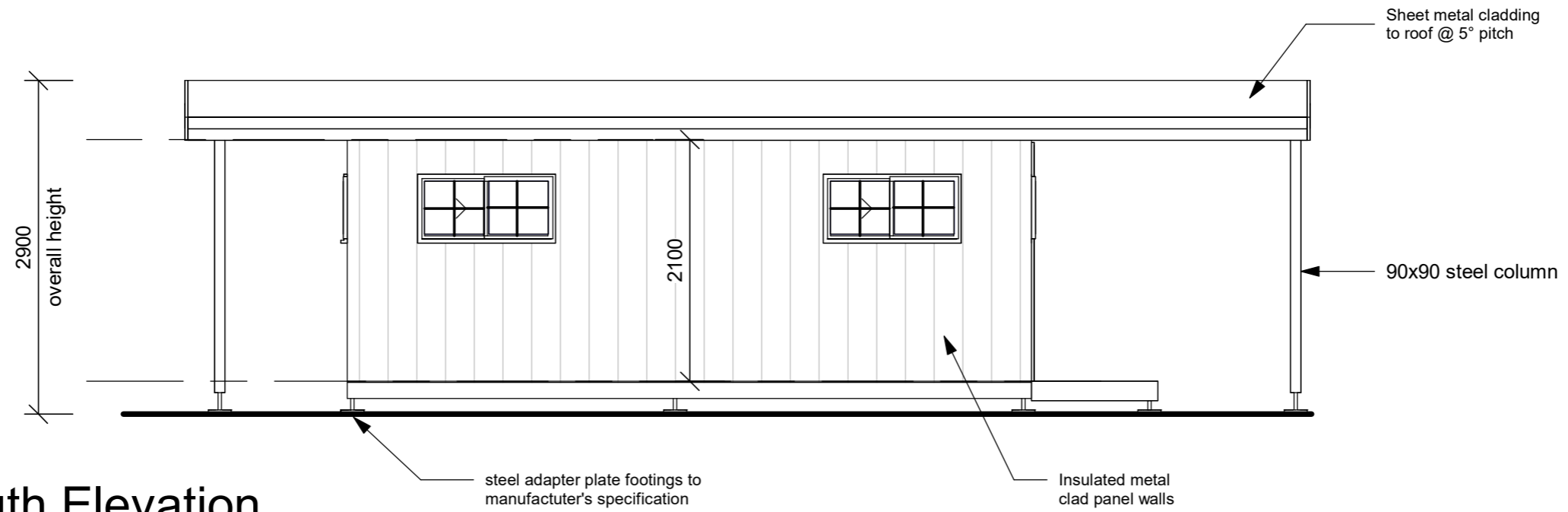
1 East Elevation
1 : 50



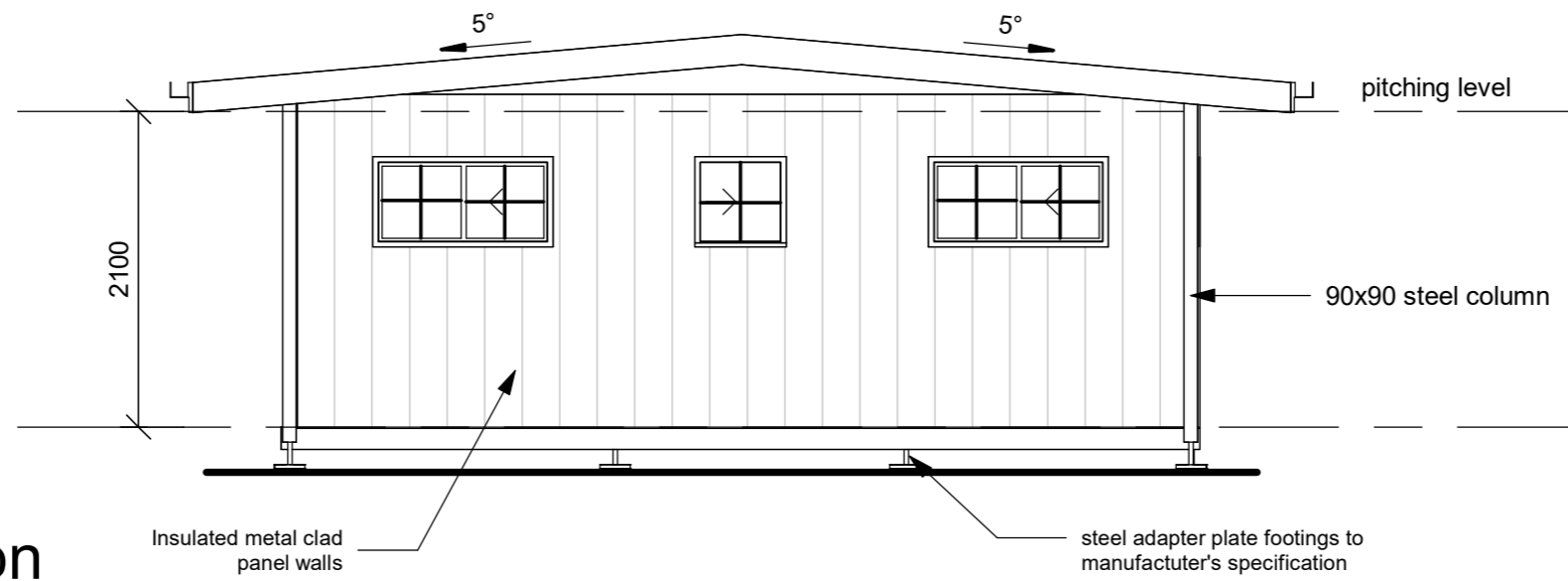
2 North Elevation
1 : 50

No.	Description	Date

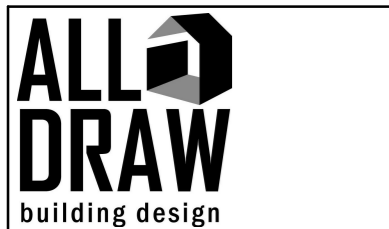
Project number	1395	4
Date	4/11/2025	
Drawn by	JK	
Checked by	OH	
Scale		1 : 50



1 South Elevation
1 : 50



2 West Elevation
1 : 50



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No.	Description	Date

Studio Outbuilding
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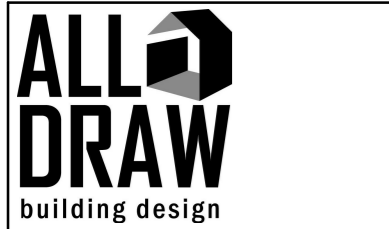
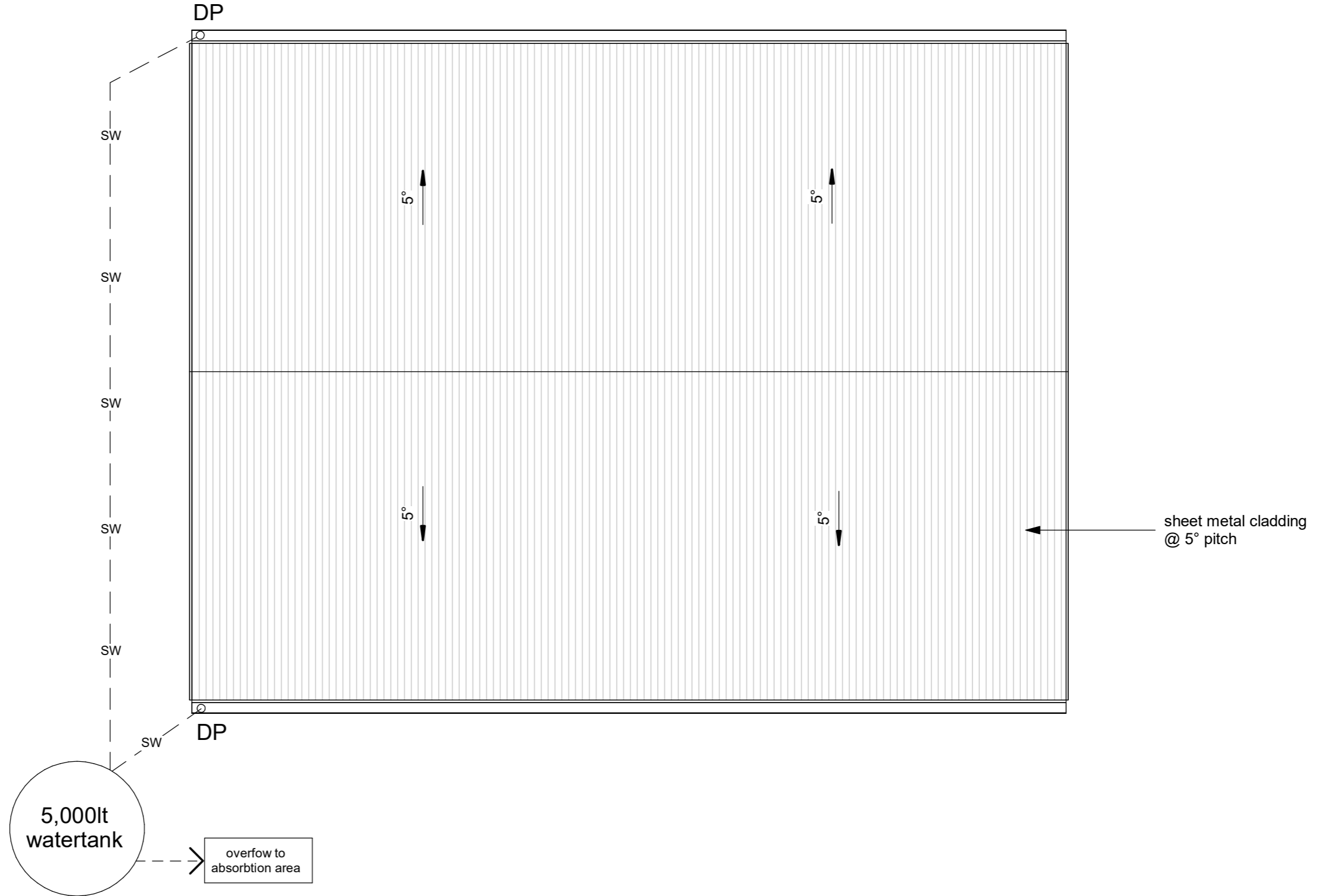
Elevations		
Project number	1395	5
Date	4/11/2025	
Drawn by	JK	
Checked by	DA	
Scale		1 : 50

STORMWATER:

ALL STORMWATER DISCHARGE TO BE TAKEN TO WATER TANKS & OVERFLOW TO DISCHARGE ON SITE
ALL DRAINAGE WORKS IN ACCORDANCE WITH AS3500

DOWNPIPES

DOWNPIPES MUST NOT SERVE MORE THAN 12m OF GUTTER LENGTH FOR EACH DOWNPIPE ACCORDING TO NCC 3.5.3.5



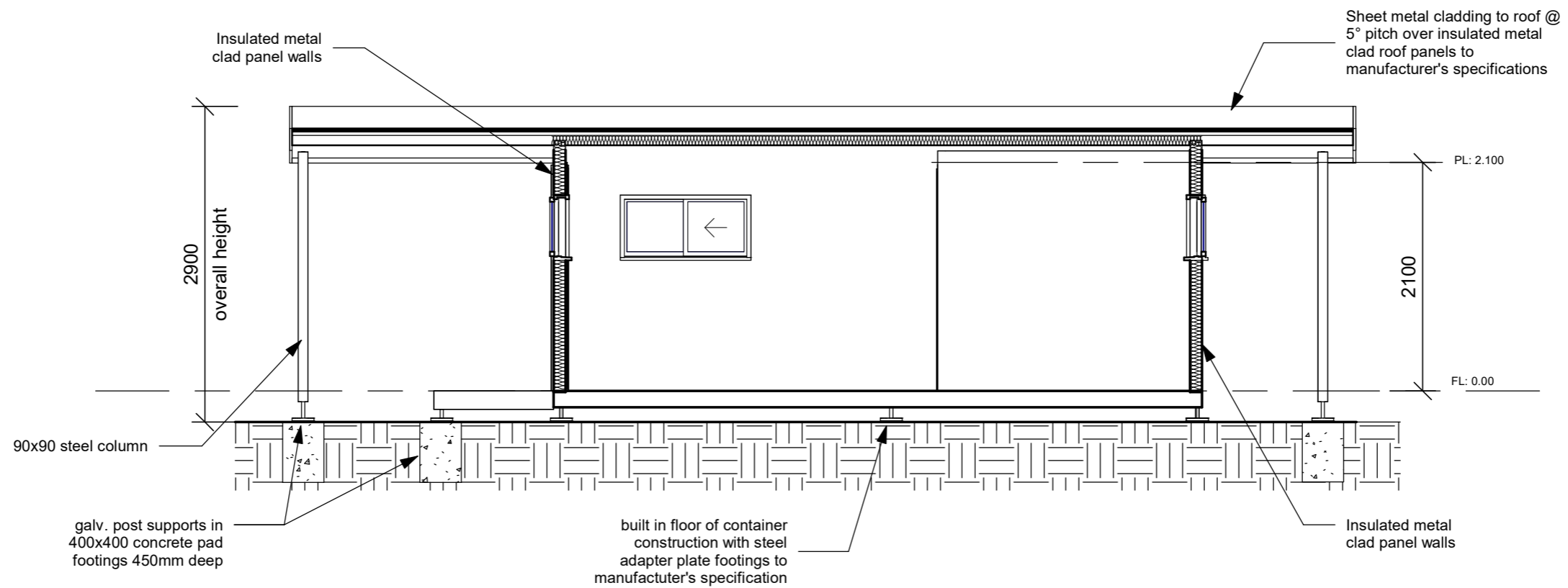
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DP-AD 36943

No.	Description	Date

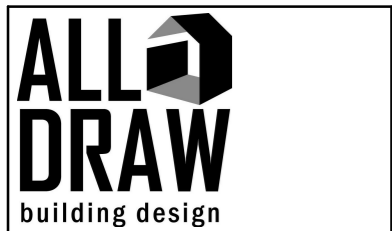
Studio Outbuilding
222 Garden Road,
Binalong Bay

Roof Plan

	Project number	1395	6
	Date	4/11/2025	
	Drawn by	JK	
	Checked by	JE	
			ScAs indicated



1 Section 1
1 : 50



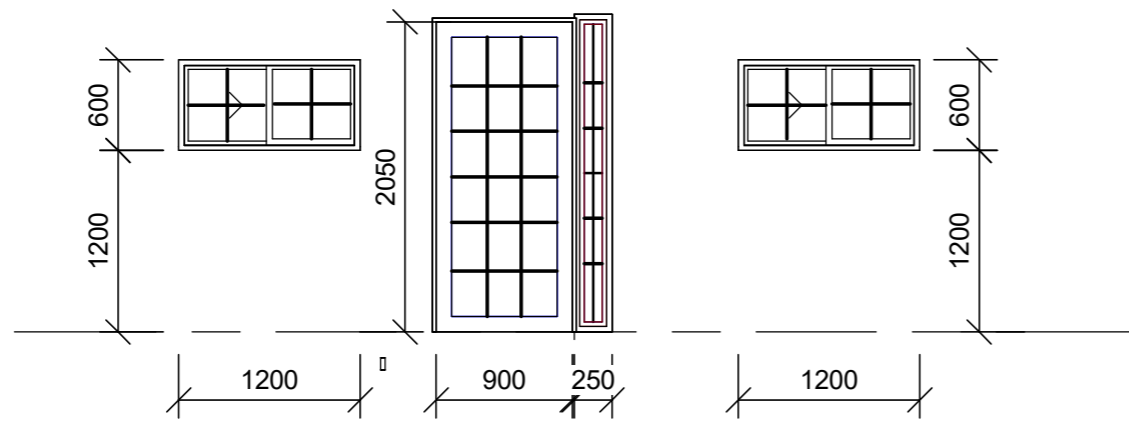
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DP-AD 36943

No.	Description	Date

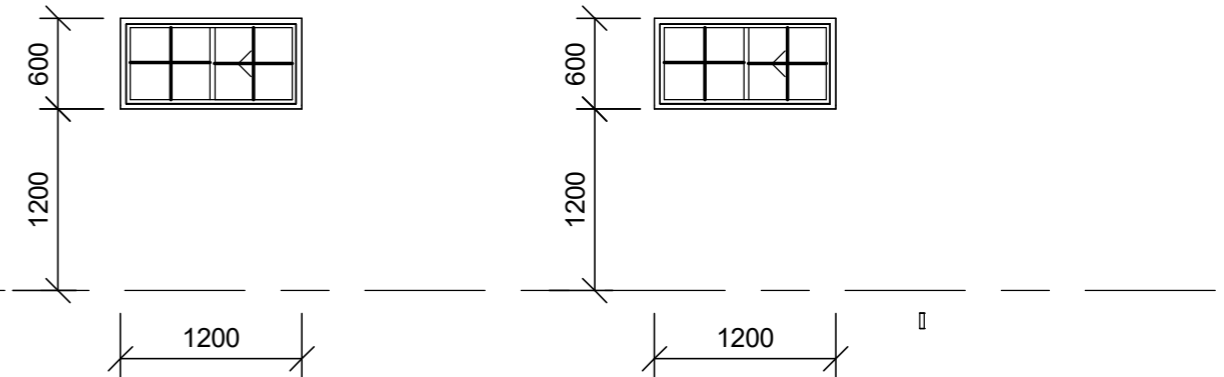
Studio Outbuilding
222 Garden Road,
Binalong Bay

Section		
Project number	1395	7
Date	4/11/2025	
Drawn by	JK	
Checked by	JE	
Scale		1 : 50

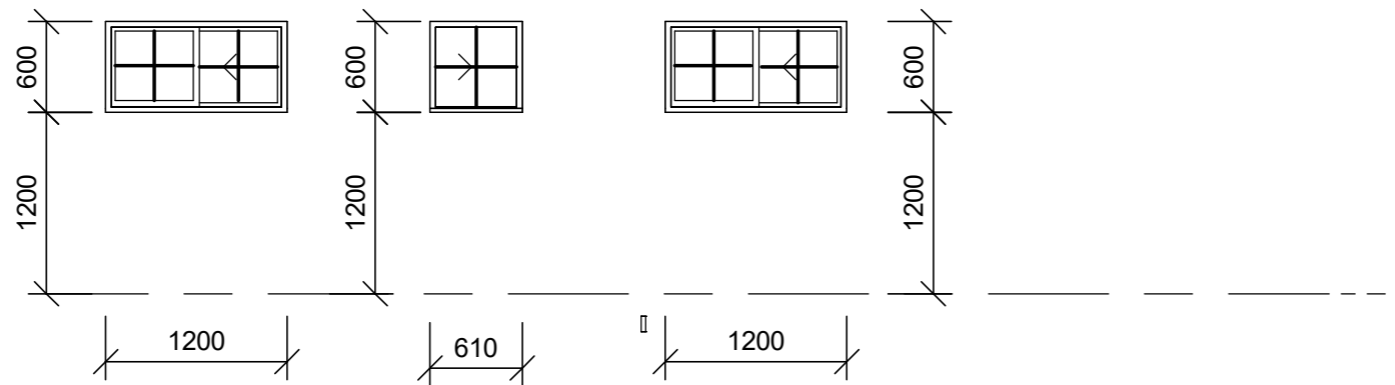
1 East Glazing
1 : 50



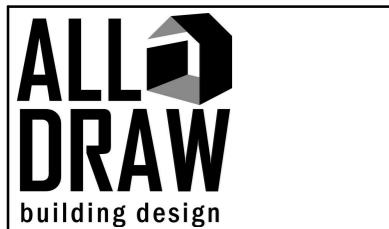
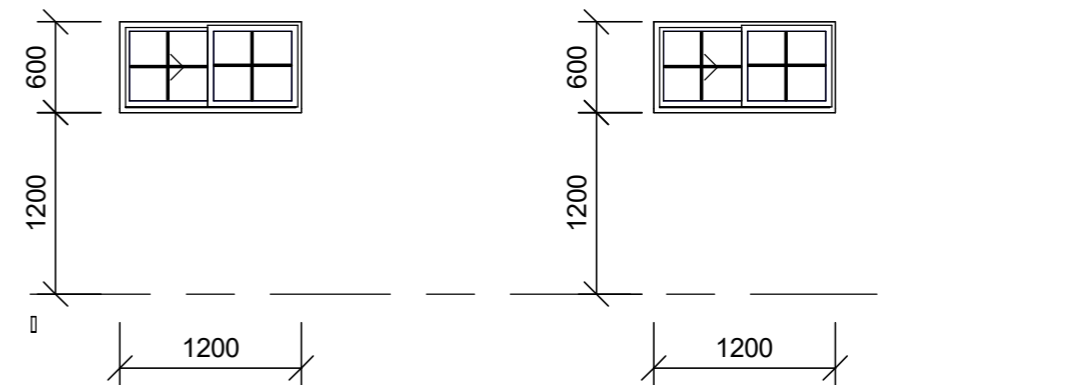
2 North Glazing
1 : 50



3 West Glazing
1 : 50



4 South Glazing
1 : 50

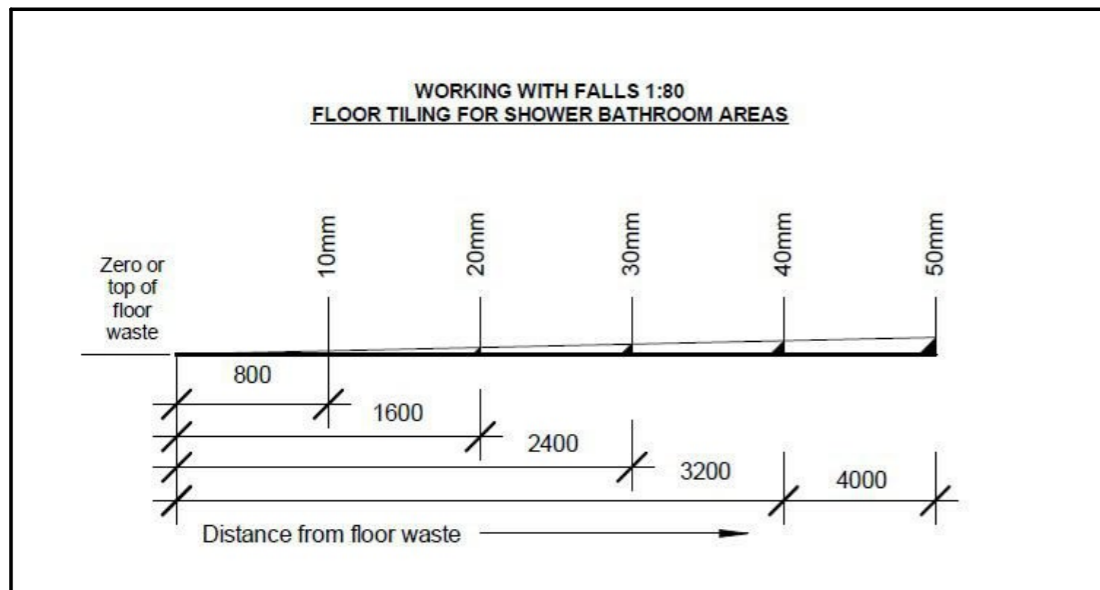


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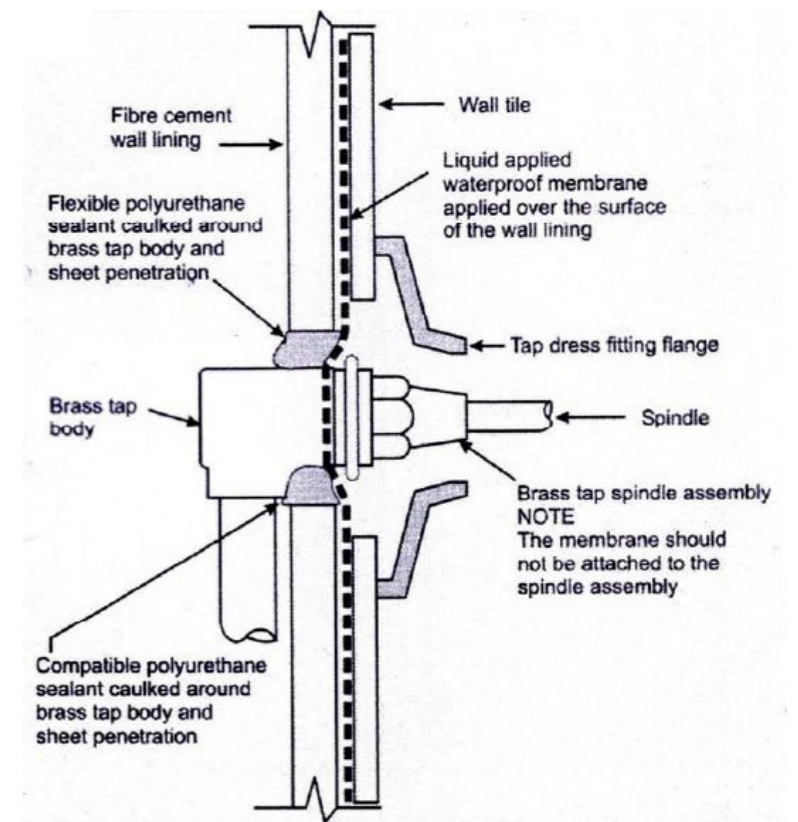
No.	Description	Date

Studio Outbuilding
222 Garden Road,
Binalong Bay

Glazing Schedule		
Project number	1395	8 Scale 1 : 50
Date	4/11/2025	
Drawn by	JK	
Checked by	JE	



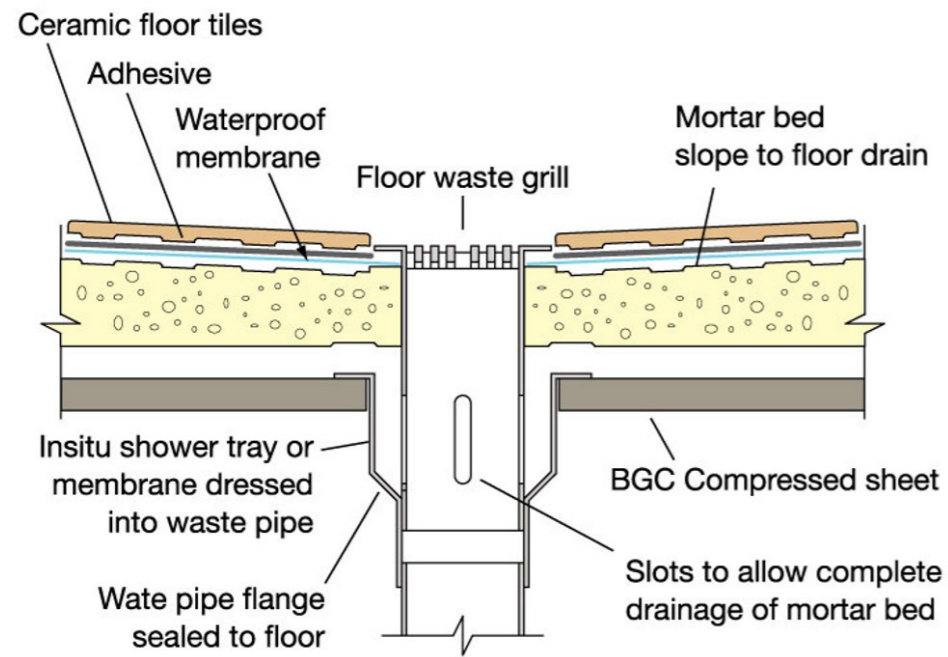
FALLS TO BATHROOM FLOOR AREA



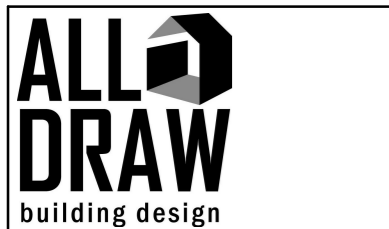
SPLASHBACK DETAIL

WALL TILING:

All wall tiles to wet areas to be on a backing of waterproof plasterboard or fibrous cement villa board lining. Tiles 1800mm minimum above shower base and 150mm min. above sinks, basins, troughs & baths



FLOOR WASTE DETAILS



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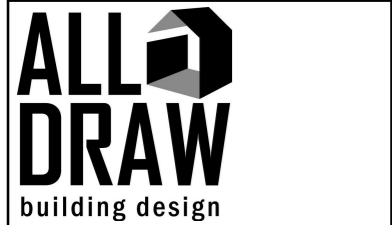
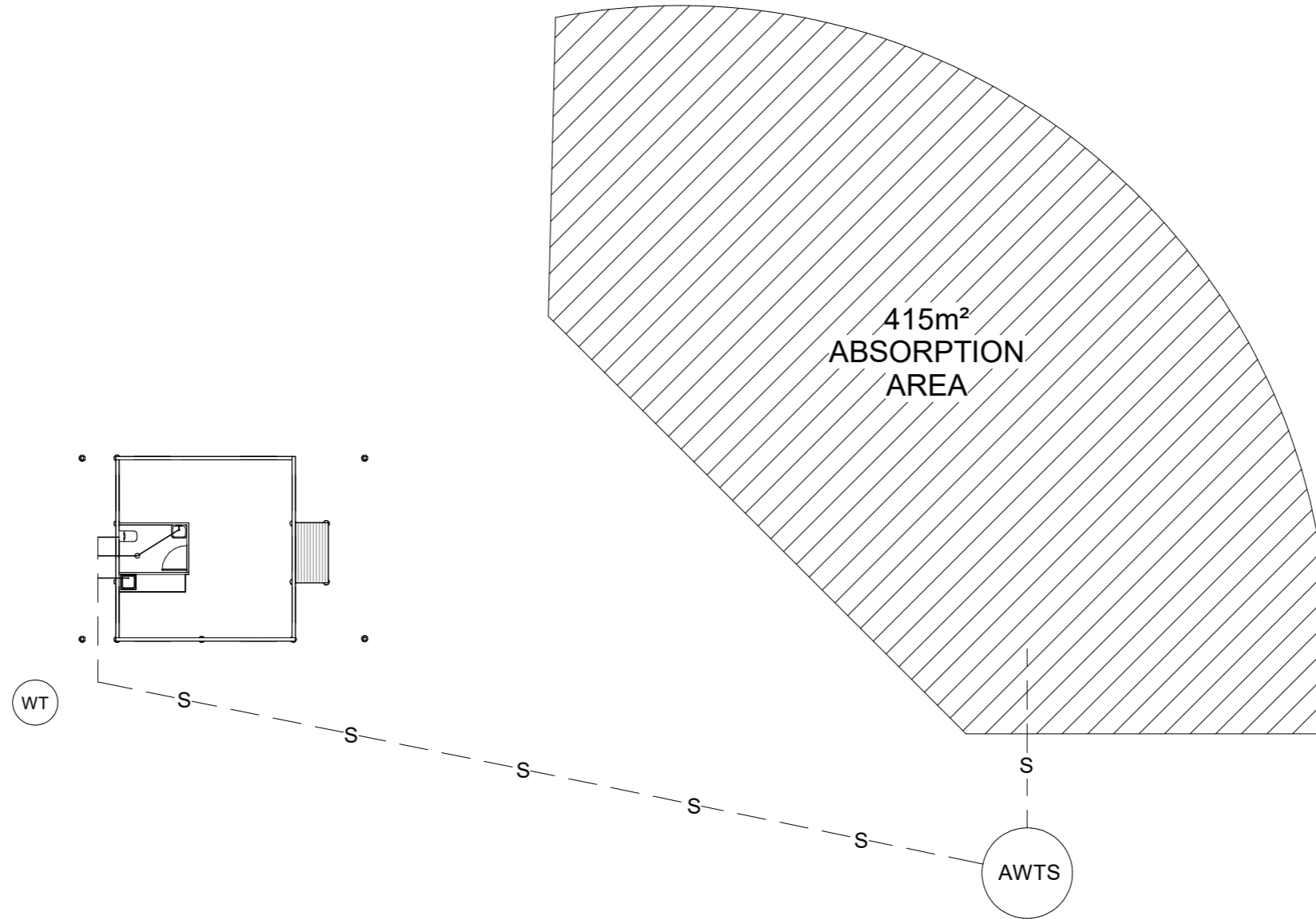
Details		
Project number	1395	9
Date	4/11/2025	
Drawn by	JK	
Checked by	JE	
Scale		

All drainage works are provisional only and subject to amendments to comply with local council requirements
 all works to comply with NCC, AS3500 and all plumbing codes of Tasmania
 All plumbing to be carried out by licensed trade person only All connections to be approved by local council

SEWER:
 Sewer trunk line shall be DN100 dia. Class SH solvent weld uPVC at a minimum grade of 1 :60 in straight, even grades to terminate at town sewer connection

Min. Grades:
 DN50 - 2.5%
 DN100 - 1.65%

Maximum fixture unit loadings for graded discharge pipes:
 DN50 - 8
 DN100 - 165



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No.	Description	Date

Studio Outbuilding
 222 Garden Road,
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Site Drainage Plan		
	Project number	1395
	Date	4/11/2025
	Drawn by	JK
	Checked by	JE
10		Scale 1 : 200

EXHAUST SYSTEMS - EXHAUST FROM A KITCHEN, KITCHEN RANGE HOOD, BATHROOM, SANITARY COMPARTMENT OR LAUNDRY MUST DISCHARGE DIRECTLY OR VIA A SHAFT OR DUCT TO OUTDOOR AIR ACCORDING TO NCC 10.8.2

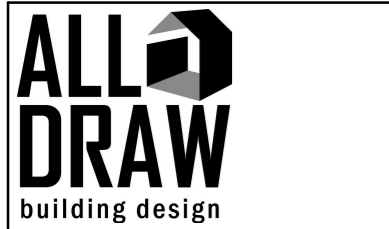
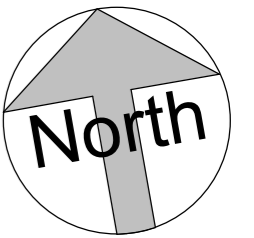
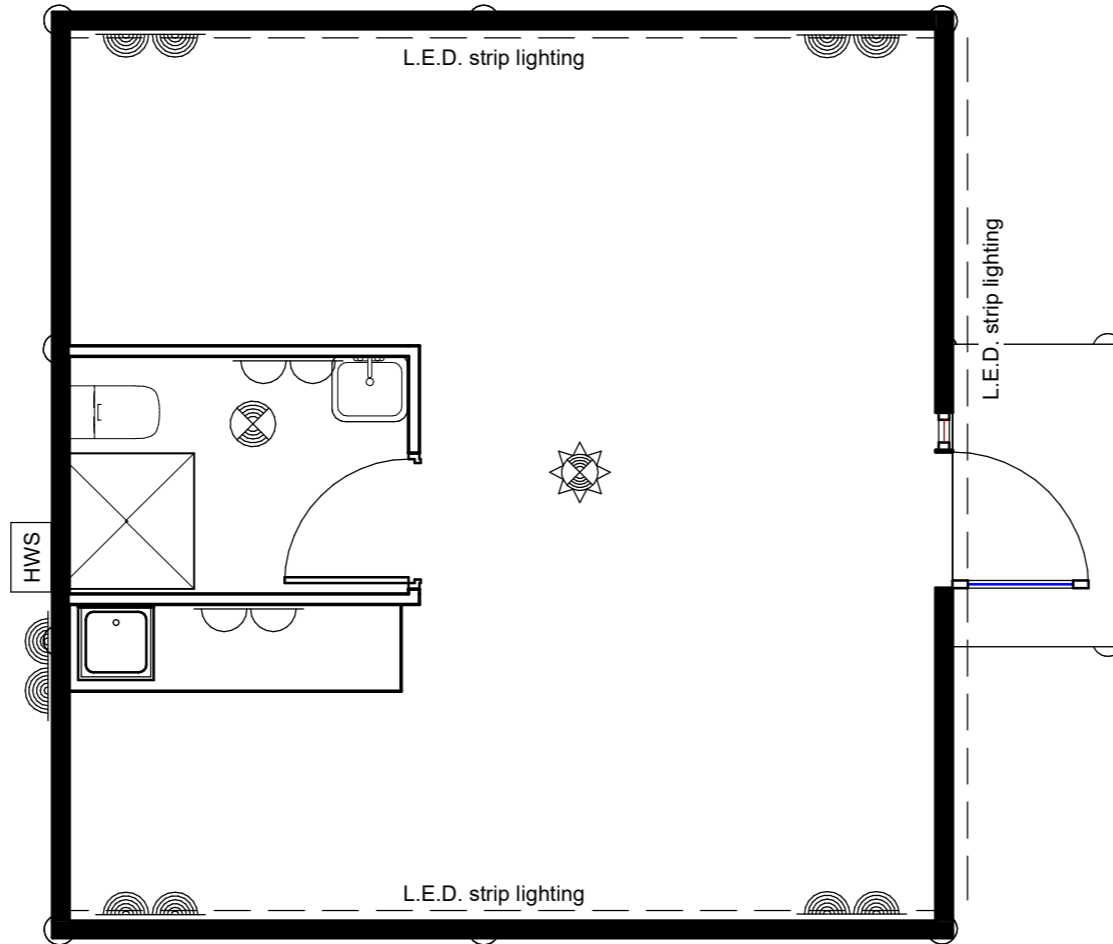
SMOKE DETECTORS

- MUST COMPLY WITH AS 3786
- BE POWERED FROM THE CONSUMER MAINS SOURCE
- BE INTERCONNECTED WHERE THERE IS MORE THAN ONE ALARM
- INSTALLED IN ACCORDANCE WITH NCC 9.5.1

THE LAMP POWER DENSITY OF ARTIFICIAL LIGHTING DOES NOT EXCEED:
 5Wp/m² OF FLOOR AREA
 3Wp/m² OF VERANDAH AREA

LEGEND:

	SINGLE P.P. 300mm above floor		SMOKE DETECTOR(AS3786)
	DOUBLE P.P. 300mm above floor		WALL MOUNTED LIGHT 15 watt compact fluro
	SINGLE P.P. 1100mm above floor		L.E.D. STRIP LIGHTING
	DOUBLE P.P. 1100mm above floor		PARA FLOOD LIGHT 18 watt
	TELEPHONE PLUG.		EXHAUST FAN
	LIGHT 15 Watt Compact fluro		CEILING FAN WITHOUT LIGHT
	DOWN LIGHT 15 Watt Compact Fluro		CEILING FAN WITH LIGHT 15 watt compact fluro

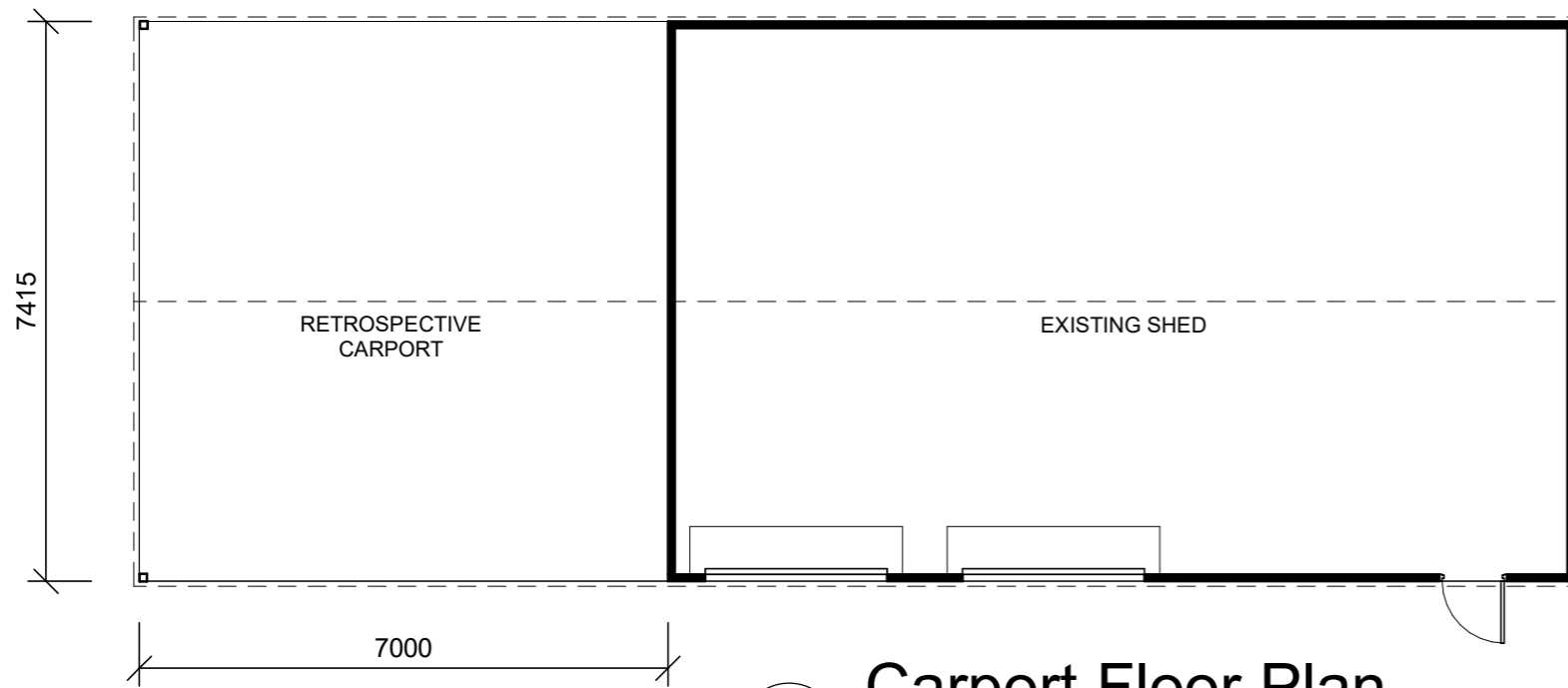


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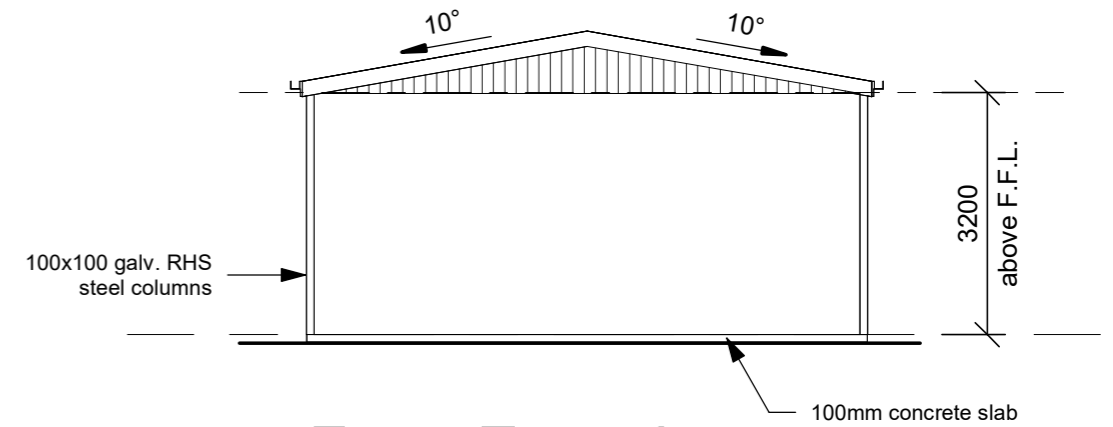
No.	Description	Date

Studio Outbuilding
 222 Garden Road,
 Binalong Bay

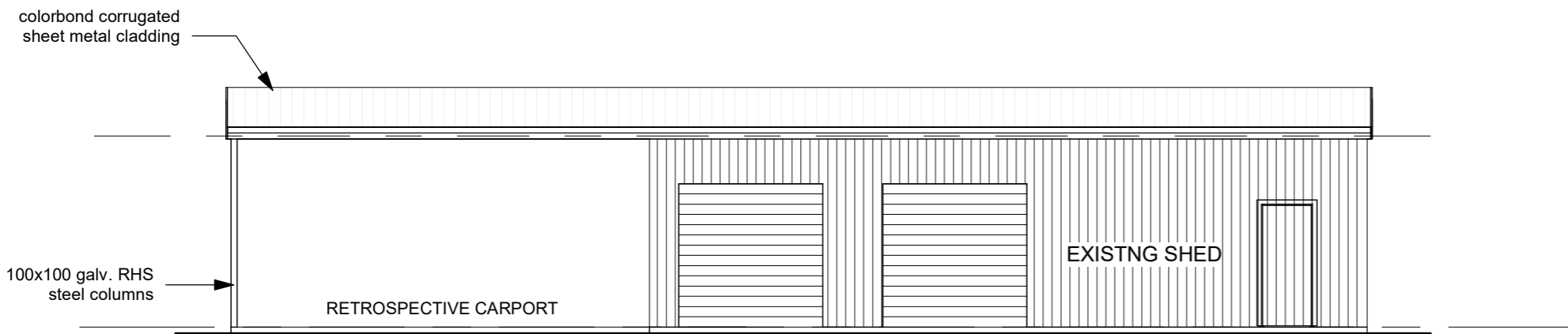
Electrical Plan		
	Project number	1395
	Date	4/11/2025
	Drawn by	JK
	Checked by	JE
		11
		ScAs indicated



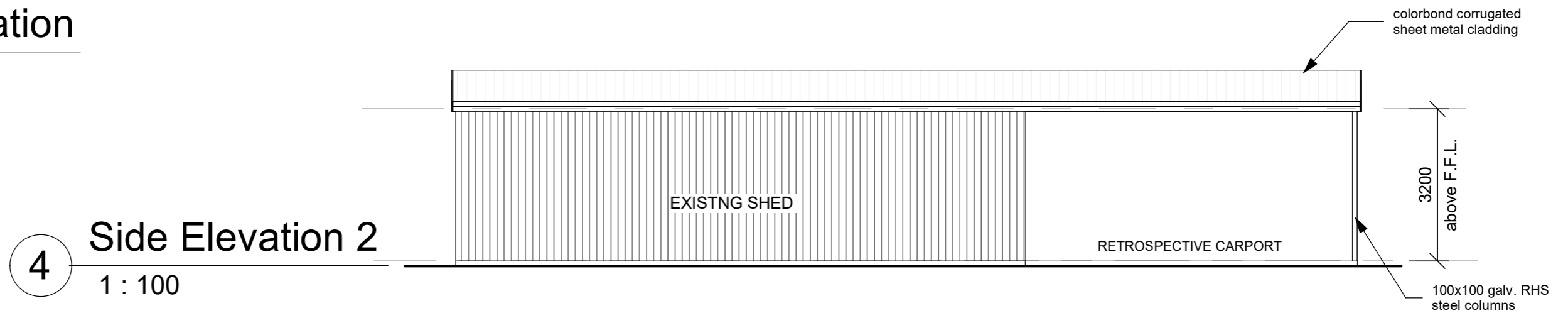
1 Carport Floor Plan
1 : 100



2 Front Elevation
1 : 100



3 Side Elevation
1 : 100



4 Side Elevation 2
1 : 100



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No.	Description	Date

Studio Outbuilding
222 Garden Road,
Binalong Bay

Retrospective Carport

	Project number	1395	<p>13</p> <p>Scale 1 : 100</p>
	Date	4/11/2025	
	Drawn by	JK	
	Checked by	JE	

PLANNING REPORT

Existing Ancillary Studio Outbuilding – 222 Gardens Road, Binalong Bay

Prepared by: Angela Kreltszheim, All Draw

Contact: info@alldraw.com.au

Revision	Date	Description	Prepared by
0	26/06/2025	Original Issue	AK
1	08/09/2025	Updated per Council RFI	AK

Property Identification Number: 6807470

Certificate of Title Reference (Volume/Folio): 82046/1

Locality: Binalong Bay **Municipality:** Break O'Day

Planning Zone: Landscape Conservation

Planning Codes: Overlay : Priority vegetation area, Coastal erosion investigation area, Bushfire prone areas, Scenic road corridor, Low landslip hazard band

Total Area: 106134 sqm

PROPOSAL

This application seeks retrospective approval for a Class 10a studio outbuilding & a carport extension to existing shed. The studio outbuilding is comprising of a fold-out modular structure with an ensuite. The structure is ancillary to the existing dwelling and is located on a large rural-residential allotment (10.61ha) in the **Landscape Conservation Zone** under the Tasmanian Planning Scheme. This report should be read in conjunction with the Planning Drawings and Manufacturers Installation Instructions technical document attached.

Use

The studio is not intended as a separate dwelling and does not include kitchen facilities. It is a non-habitable building used solely as a workspace/studio, ancillary in function to the main residence.

OVERLAY RESPONSES

Priority Vegetation Area

The studio has been sited in a previously cleared area of the property. No native vegetation was removed or impacted during placement. The development therefore does not result in loss or fragmentation of priority vegetation and is compliant with the intent of the overlay.

Coastal Erosion Investigation Area

The site of the studio is located well away from the mapped Coastal Erosion Investigation Area, as demonstrated on the Planning Overlay drawings (refer to Drawing Sheet 12 – Overlay Plans). The structure is positioned at the inland portion of the lot, and thus there is no exposure to coastal erosion risk.

Low Landslip Hazard Band

The property is partially affected by a Low Landslip Hazard Band, which identifies general susceptibility rather than known active movement. The studio is located away from the identified band (as per Planning Overlay mapping) and is a lightweight, non-permanent structure installed on a stable, level area. This mitigates any residual risk, and further geotechnical assessment is not considered necessary.

Scenic Road Corridor

While the property is within a Scenic Road Corridor, the studio is sited over 100 metres from the road and behind the existing dwelling and vegetation. It is not visible from Gardens Road and therefore does not compromise the scenic or visual values of the corridor.

Bushfire-Prone Area

The property is mapped within a Bushfire-Prone Area. The studio is a Class 10a non-habitable outbuilding used solely as a workspace, ancillary to the existing residence. It does not contain kitchen facilities and is not used for accommodation purposes.

As per advice from East Coast Surveying, a Bushfire Hazard Management Plan (BHMP) is unlikely to be required, subject to confirmation by Council. This aligns with exemptions under:

- Planning Directive No. 5.1 – Bushfire-Prone Areas Code, Clause A2.1 and related standards for vulnerable uses,
- Building Regulations 2016 (Tas), *Regulation 25(3)(b)*, which exempts certain Class 10a buildings from requiring bushfire hazard assessments, and
- The Director’s Determination – Requirements for Building in Bushfire-Prone Areas (CBOS, 2021), which supports exemption where buildings are non-habitable and not associated with habitable use.

Given the building’s siting, construction type (lightweight, transportable), and clear ancillary use, the development is consistent with the intent and low-risk scope of these regulatory provisions.

22.0 Landscape Conservation Zone

22.4.2 Building height, siting and exterior finishes

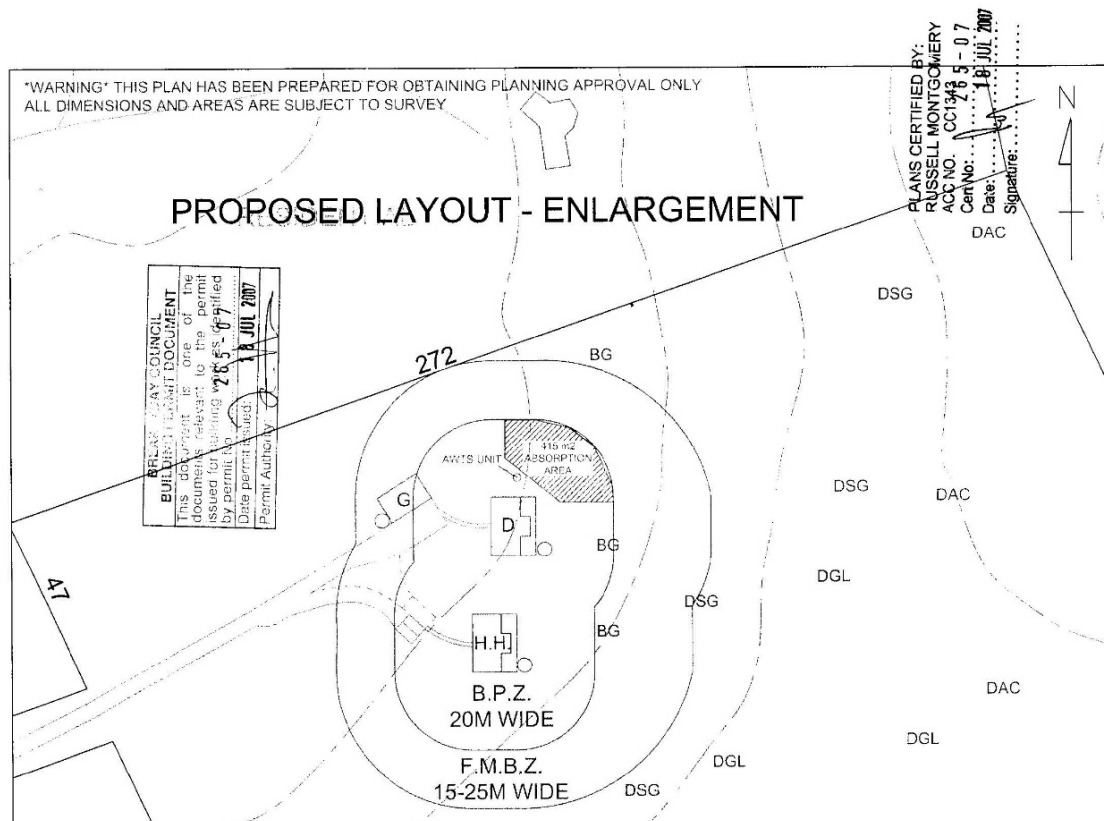
The existing ancillary studio is a small Class 10a outbuilding (single storey, modular construction) which is located behind the carport / shed and well set back from Gardens Road. Like all of the buildings on-site, the siting of the studio is screened by existing bushland & vegetation, thereby having no visual impact.

The structure has an overall height of 2.9m (see Elevation drawings pg: 4 & 5). The exterior colour and finish has muted tones (monument) that integrate with the surrounding bushland setting. These elements maintain the landscape character and are consistent with the intent of the Landscape Conservation Zone.

22.4.4 Landscape protection

The studio is sited within an area that was previously cleared as part of the original dwelling development, as supported by historic aerial imagery below. No new vegetation clearing was required for its placement. The building footprint is contained within the Bushfire Protection Zone (BPZ) and Fuel Modified Buffer Zone (FMBZ) around the existing dwelling. (see Site Plan pg: 2 of the planning drawings) These zones are maintained in accordance with bushfire requirements and provide a defensible space for asset protection. This was approved by break O' Day Council in July of 2007 with the original development application. (See stamped approved Site Layout plan below)

Accordingly, the development does not result in any additional loss or fragmentation of native vegetation and protects the broader landscape and natural values of the site.



C7.0 Natural Assets Code

C7.6.2 Clearance within a priority vegetation area

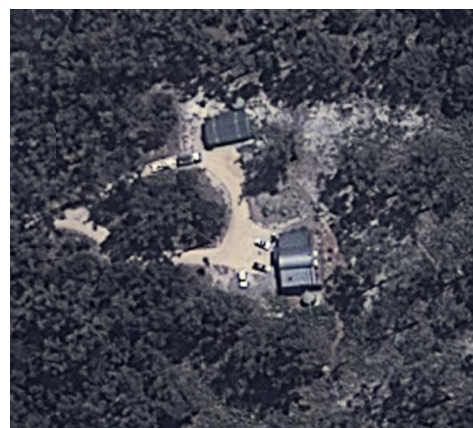
The property is mapped within a Priority Vegetation Area. However, the studio is located on land already cleared for the original dwelling, as confirmed by comparative aerial photography (2008–2025). The cleared footprint has not materially changed during this period, demonstrating that the current works did not involve removal of priority vegetation.

Further, the siting of the studio within the Bushfire Protection Zone (BPZ) and Fuel Modified Buffer Zone (FMBZ) reflects the required management standards for bushfire safety. Within these zones, grass and low shrubs are managed to reduce fuel load. Any ground disturbance is therefore consistent with existing bushfire management obligations and does not represent new or additional vegetation clearance.

On this basis, the development does not contravene C7.6.2 and a Natural Values Assessment is not considered necessary, as the building has been placed within an already established, permissible cleared area.



2008 Image



2012 Image



2021 Image



2025 Image

CONCLUSION

The studio & carport are minor ancillary structures that are sensitively sited to avoid environmental constraints and maintain the landscape character. It does not impact vegetation, scenic values, or natural hazards. The proposal complies with the relevant overlays and is appropriate for approval.

Regulatory References

1. **Planning Directive No. 5.1 – Bushfire-Prone Areas Code**
https://www.planning.tas.gov.au/__data/assets/pdf_file/0006/582225/Planning-Directive-No-5.1-Bushfire-Prone-Areas-Code.PDF
2. **Building Regulations 2016 (Tas) – Regulation 25(3)**
<https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2016-110>
3. **Director’s Determination – Requirements for Building in Bushfire-Prone Areas**
https://www.cbos.tas.gov.au/__data/assets/pdf_file/0011/405011/Requirements-for-Building-in-Bushfire-Prone-Areas-Determination.pdf