



DEVELOPMENT APPLICATION

PDPLANPMTD-2023/038400

PROPOSAL: Outbuilding

LOCATION: 87 Grahams Road, Mount Rumney

RELEVANT PLANNING SCHEME: Tasmanian Planning Scheme - Clarence

ADVERTISING EXPIRY DATE: 27 March 2024

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 27 March 2024. In addition to legislative requirements, plans and documents can also be viewed at www.ccc.tas.gov.au during these times.

Any person may make representations about the application to the Chief Executive Officer, by writing to PO Box 96, Rosny Park, 7018 or by electronic mail to clarence@ccc.tas.gov.au. Representations must be received by Council on or before 27 March 2024.

To enable Council to contact you if necessary, would you please also include a day time contact number in any correspondence you may forward.

Any personal information submitted is covered by Council's privacy policy, available at www.ccc.tas.gov.au or at the Council offices.

Clarence City Council



APPLICATION FOR DEVELOPMENT / USE OR SUBDIVISION

The personal information on this form is required by Council for the development of land under the Land Use Planning and Approvals Act 1993. We will only use your personal information for this and other related purposes. If this information is not provided, we may not be able to deal with this matter. You may access and/or amend your personal information at any time. How we use this information is explained in our Privacy Policy, which is available at www.ccc.tas.gov.au or at Council offices.

Proposal:

SHED

Location:

Address: 87 GRAHAMS ROAD

Suburb/Town: MOUNT RIMNEY Postcode: 7170

Current Owners/s:

Applicant:

Personal Information Removed

Tax Invoice for application fees to be in the name of: (if different from applicant)

Estimated cost of development

\$40,000

Is the property on the Tasmanian Heritage Register?

Yes

No

(if yes, we recommend you discuss your proposal with Heritage Tasmania prior to lodgement as exemptions may apply which may save you time on your proposal)

If you had pre-application discussions with a Council Officer, please give their name

Current Use of Site:

RESIDENTIAL

Does the proposal involve land administered or owned by the Crown or Council?

Yes

No

Declaration:

- I have read the Certificate of Title and Schedule of Easements for the land and am satisfied that this application is not prevented by any restrictions, easements or covenants.
- I authorise the provision of a copy of any documents relating to this application to any person for the purposes of assessment or public consultation. I agree to arrange for the permission of the copyright owner of any part of this application to be obtained. I have arranged permission for Council's representatives to enter the land to assess this application
- I declare that, in accordance with Section 52 of the Land Use Planning and Approvals Act 1993, that I have notified the owner of the intention to make this application. Where the subject property is owned or controlled by Council or the Crown, their signed consent is attached. Where the application is submitted under Section 43A, the owner's consent is attached.
- I declare that the information in this declaration is true and correct.

Acknowledgement:

- I acknowledge that the documentation submitted in support of my application will become a public record held by Council and may be reproduced by Council in both electronic and hard copy format in order to facilitate the assessment process; for display purposes during public consultation; and to fulfil its statutory obligations. I further acknowledge that following determination of my application, Council will store documentation relating to my application in electronic format only.

Applicant's Signature:

Signature  Date 29-8-2023

PLEASE REFER TO THE DEVELOPMENT/USE AND SUBDIVISION CHECKLIST ON THE FOLLOWING PAGES TO DETERMINE WHAT DOCUMENTATION MUST BE SUBMITTED WITH YOUR APPLICATION.

SEARCH OF TORRENS TITLE

VOLUME 49999	FOLIO 2
EDITION 5	DATE OF ISSUE 28-Jun-2005

SEARCH DATE : 09-Aug-2023

SEARCH TIME : 11.35 AM

DESCRIPTION OF LAND

City of CLARENCE
 Lot 2 on Diagram 49999
 Derivation : Part of 1956 Acres Gtd to G. Stokell
 Prior CT 4789/100

SCHEDULE 1

C646967 C370163 TRANSFER to RODNEY PAUL DUFFY Registered
 28-Jun-2005 at 12.01 PM

SCHEDULE 2

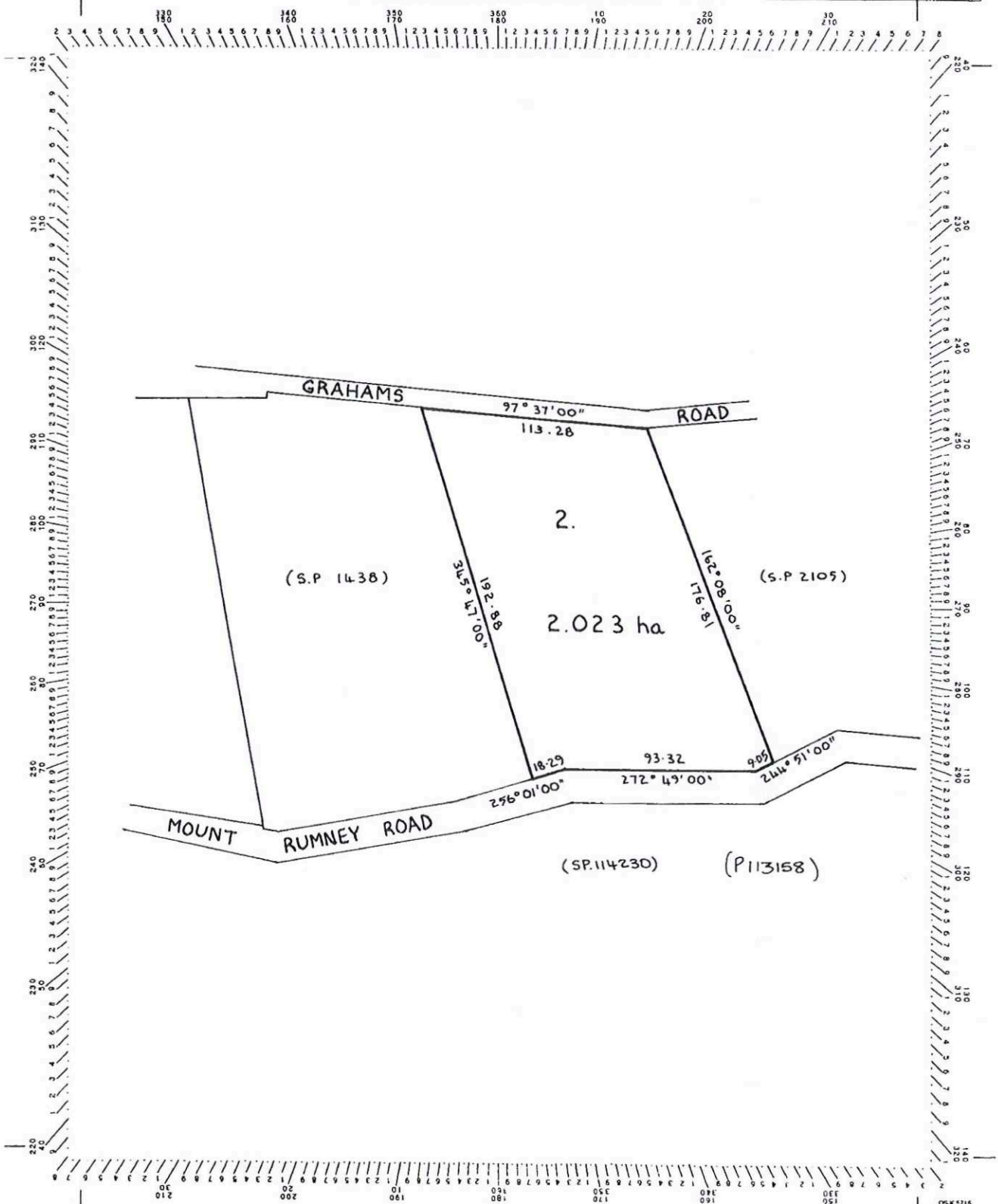
Reservations and conditions in the Crown Grant if any
 C370164 MORTGAGE to Australia and New Zealand Banking Group
 Limited Registered 17-Jun-2002 at 12.02 PM
 C646965 PARTIAL DISCHARGE OF MORTGAGE C370164 as relates to
 the personal responsibility of Tania Maree Morgan
 Registered 28-Jun-2005 at noon

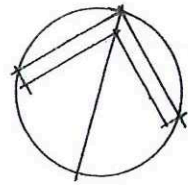
UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

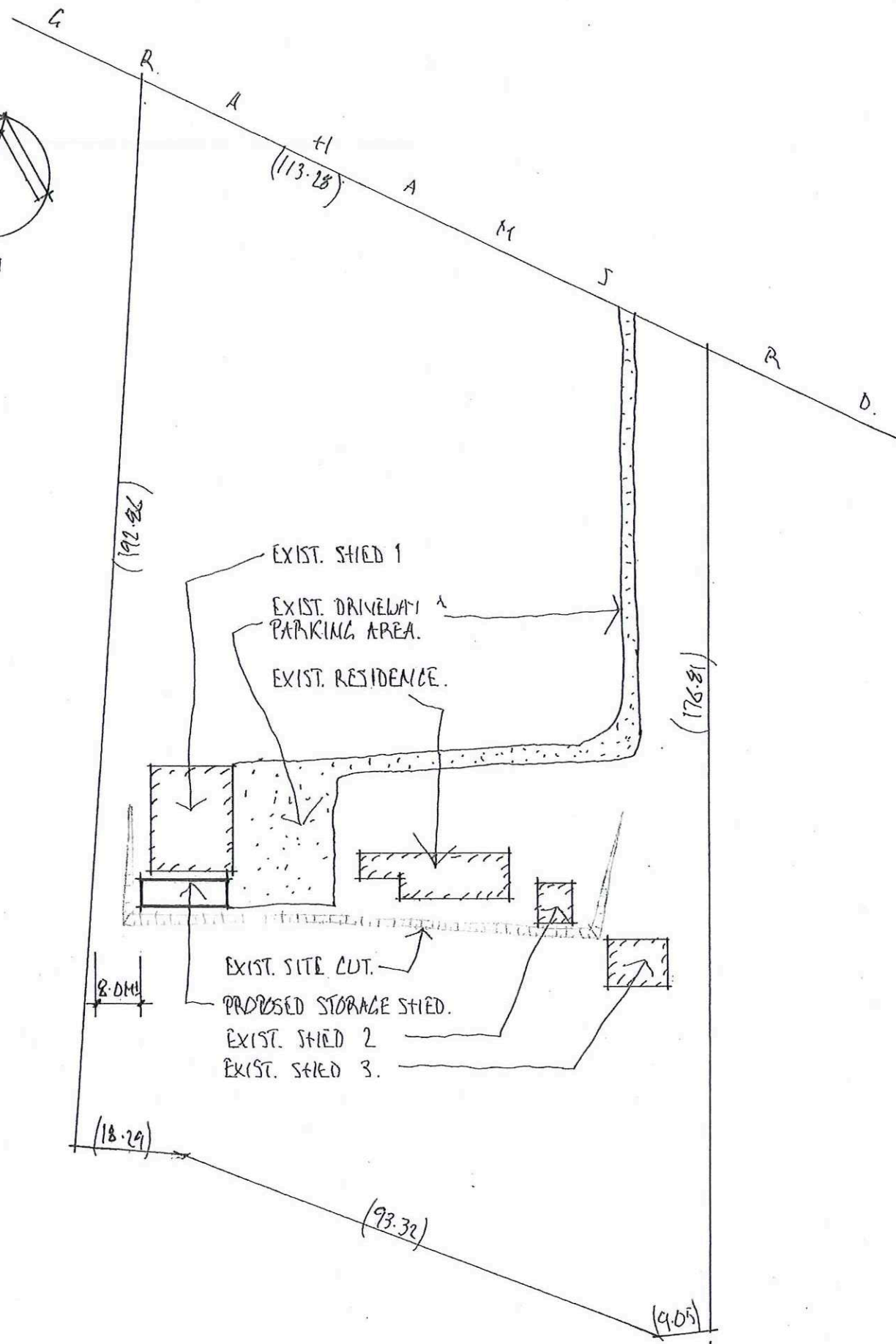
Owner. L.T. ACT 1980	PLAN OF SURVEY of land situated in the	Registered Number D.49999
Title Reference A.9146	CITY OF CLARENCE	Approved... 11 JUL 1991 <i>M. Sullivan</i> Recorder of Titles
Grantee. PART OF 1956-D-O-GTD TO GEORGE STOKELL	COMPILED FROM... 78/65 D.O.	

SCALE 1: 2000 MEASUREMENTS IN METRES





NORTH



site plan 1:1000

DRAWING LIST:-

- DWG. NO. 1RD P OF 3. SITE PLAN
- DWG. NO. 2RD P OF 3. FLOOR PLAN
- DWG. NO. 3RD P OF 3. ELEVATIONS.

PROJECT INFO:-

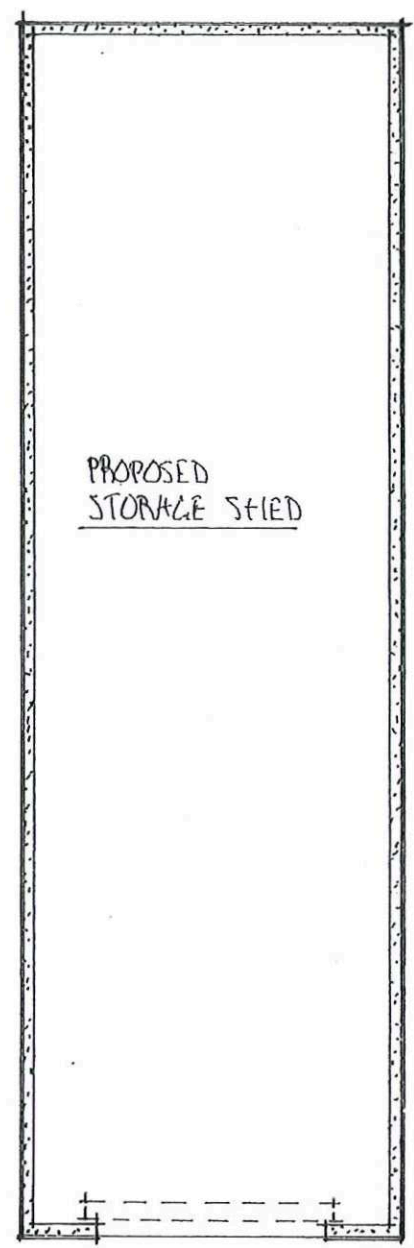
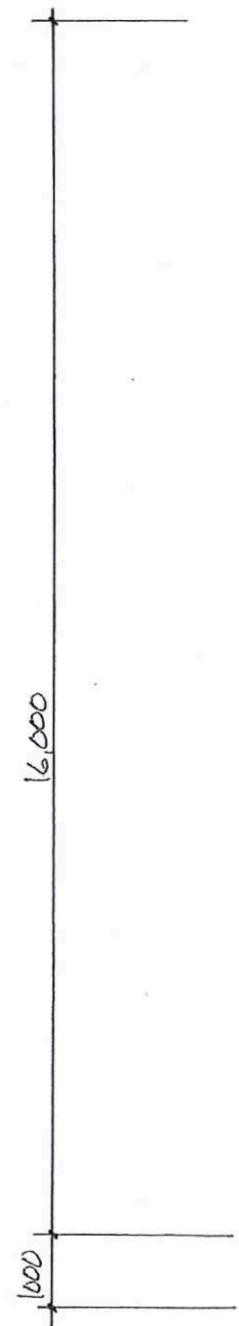
- AREAS: -
 - AREA OF PROP. BUILDING, 80 M²
 - AREA OF SITE, 2.023 HA.
 - AREA OF EXIST RESID., 195 M²±
 - AREA OF EXIST SHED 1 285 M², SHED 2 42 M², SHED 3 88 M²
- LAND TITLE, REF 49999/2.

PROPOSED STORAGE SHED
FOR MR. R. DUFFY.
AT NO 87 GRAHAMS ROAD,
MOUNT RUMNEY.

date MARCH 2023

scale 1:100, 1:1000

(CRANT SCOTT ACC. NO. CC1366).



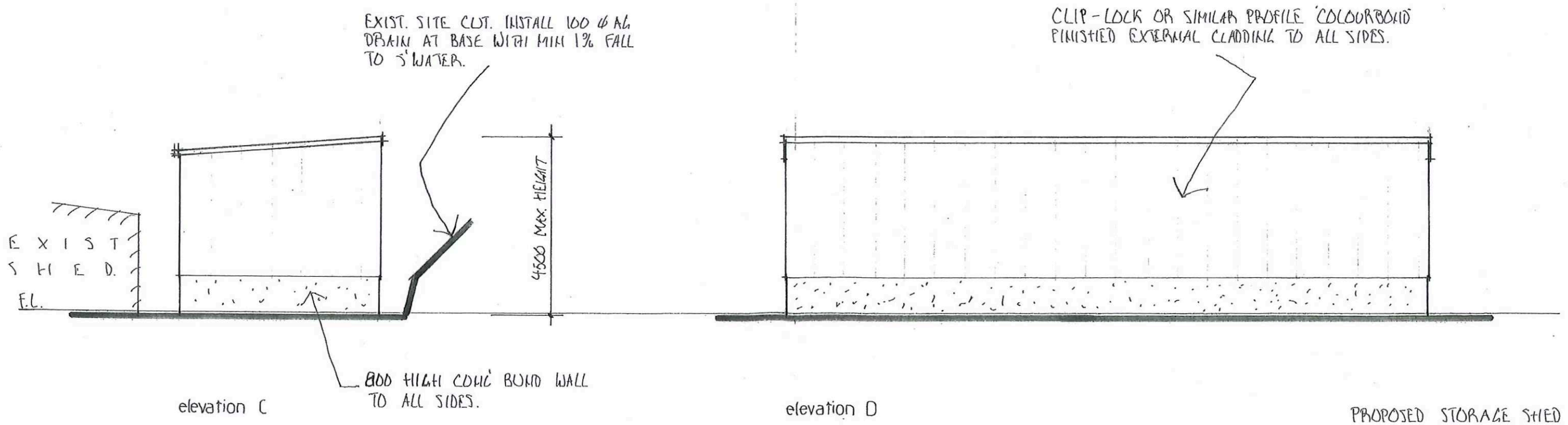
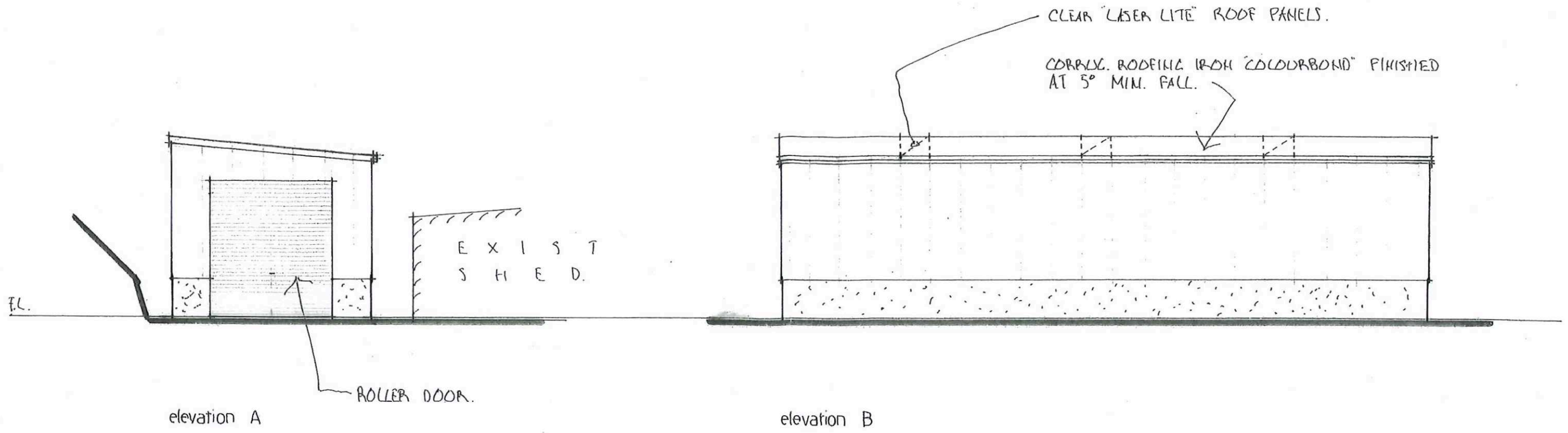
E X I S T I N G
B U I L D I N G



floor plan

PROPOSED STORAGE SHED
FOR MR. R. DUFFY.
AT NO. 87 GRAHAM'S ROAD,
MOUNT RUMNEY.
DATE, MARCH 2023
SCALE, 1:100
(L.P.A.H.T. SCOTT A.C.C. NO. 221366).

DWG. NO. 2RD P OF 3.



PROPOSED STORAGE SHED
 FOR MR. P. DUFFY.
 AT NO. 87 GRAHAMS ROAD,
 MOUNT RUMNEY.
 DATE, MARCH 2013.
 SCALE, 1:100
 (LBRANT SCOTT A/C. NO. CL1366).
 DWG. NO. 3RD P OF 3



Australian Government

**Department of Infrastructure, Transport,
Regional Development, Communications and the Arts**

TO	CC	FROM
Rodney Duffy rodsrepairs@bigpond.com	Sam Merlo Hobart Airport smerlo@hobartairport.com.au Civil Aviation Safety Authority airspace.protection@casa.gov.au Airservices Australia airport.developments@airservicesaustralia.com ifp@airservicesaustralia.com Clarence City Council clarence@ccc.tas.gov.au	Flysafe Airspace Protection flysafe@infrastructure.gov.au

DECISION UNDER THE AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996

Proposed Activity: Construction of a building - Shed
Location: 87 Grahams Road, Mount Rumney TAS
Coordinates: S 425114.73; E 1472541.07 (Lat. Long)
Proponent: Rodney Duffy

I refer to the application from Rodney Duffy (the Proponent), received by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) on 19 December 2023 from Hobart International Airport Pty Ltd (HIAPL). This application sought approval under the Airports (Protection of Airspace) Regulations 1996 (the Regulations) for the intrusion of a building at 87 Grahams Road, Mount Rumney Tas (the site) into airspace which, under the Regulations, is prescribed airspace for Hobart Airport.

Under regulation 6(1), ‘prescribed airspace’ includes ‘the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS) surface for the airport’.

The Outer Horizontal Surface of the OLS above this site is at a height of 152 metres above the Australian Height Datum (AHD) and hence prescribed airspace above the site commences at 152 metres AHD. Due to the existing intrusion of the underlying terrain, at a maximum height of 186.5 metres AHD, the building will penetrate the OLS by 34.5 metres.

Accordingly, the construction of the building constitutes a ‘controlled activity’ under Section 182 of the *Airports Act 1996* (the Act). Section 183 of the Act specifies that controlled activities cannot be carried out without approval. Details of the penetration of prescribed airspace are provided in Table 1.

Table 1: Height and location of the proposed activity that will intrude into prescribed airspace for Hobart Airport.

Activity	Coordinates	Maximum height (AHD)	Penetration of prescribed airspace
Building - Shed	S 425114.73; E 1472541.07	186.5 metres	34.5 metres

Regulation 14 provides that a proposal to carry out a controlled activity must be approved unless carrying out the controlled activity would interfere with the safety, efficiency or regularity of existing or future air transport operations into or out of the airport concerned. Regulation 14(1)(b) provides that an approval may be granted subject to conditions.

Under the Regulations, the Secretary of the Department is empowered to make decisions in relation to the approval of controlled activities, and impose conditions on the approval. I am the Secretary's Delegate for the purposes of the Regulations.

Decision

As you may be aware, the Secretary is required under regulation 15(1AB) of the Regulations to make a decision about the proposal within 28 days of receiving the application.

Due to delays with our processes and the time taken to receive all the information that is relevant under the Regulations, a decision was not made within this timeframe. Therefore, under regulation 15(2) this proposal was taken to have been refused. However, as this information has now been received and the Department has now considered the application in full, I have re-made the decision

In accordance with regulation 14, **I approve** the controlled activity for the intrusion of a building at 87 Grahams Road, Mount Rumney TAS into prescribed airspace for Hobart Airport to a **maximum height of 186.5 metres AHD**.

In making my decision, I have taken into consideration the opinions of the Proponent, the Civil Aviation Safety Authority, Airservices Australia (advice number YMHB-CA-062), and HIAPL.

In accordance with regulation 14(1)(b), I impose the following conditions on my approval:

1. The building **must not exceed** a maximum height of **186.5 metres AHD, including all** vents, chimneys, aerials, antennas, lightning rods, exhaust flues etc.
2. Separate approval must be sought under the Regulations for any equipment (e.g. cranes, concrete pumps) required to construct the building. Construction cranes or concrete pumps may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (e.g. cranes, concrete pumps) be obtained prior to any commitment to construct.
3. The Proponent **must advise** Airservices Australia at least three business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting YMHB-CA-062.
4. Upon completion, the Proponent **must provide** HIAPL with written confirmation of the finished height of the building.

5. A separate assessment and approval under the Regulations will be required for any further addition to the height of the building (including the installation of antennas) as it will increase the penetration of the OLS.

Breaches of approval conditions are subject to significant penalties under Sections 185 and 187 of the Act.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Grace Daniel', with a large loop at the start and a flourish at the end.

Grace Daniel
Director
Airspace Protection & Airport Safeguarding
Domestic Aviation & Reform

29 February 2024