

# DEVELOPMENT APPLICATION PDPLANPMTD-2024/041902

**PROPOSAL:** Secondary Residence (Residential)

**LOCATION:** 7 Bangor Road, Opossum Bay

**RELEVANT PLANNING SCHEME:** Tasmanian Planning Scheme - Clarence

ADVERTISING EXPIRY DATE: 11 April 2024

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 11 April 2024. In addition to legislative requirements, plans and documents can also be viewed at <a href="https://www.ccc.tas.gov.au">www.ccc.tas.gov.au</a> 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 <a href="mailto:clarence@ccc.tas.gov.au">clarence@ccc.tas.gov.au</a>. Representations must be received by Council on or before 11 April 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 <a href="https://www.ccc.tas.gov.au">www.ccc.tas.gov.au</a> 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 <a href="https://www.ccc.tas.gov.au">www.ccc.tas.gov.au</a> or at Council offices.

Proposal:	Proposed ancillary dwelling
Location:	Address 7 Bangor Road  Suburb/Town Opossum Bay Postcode 7023
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 \$250,000.00
	Is the property on the Tasmanian Heritage Register?  Yes  No x
	(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)

38 Bligh Street, Rosny Park, Tasmania • Address correspondence to: General Manager, PO Box 96, Rosny Park 7018 • Dx: 70402 Telephone (03) 6217 9550 • Email cityplanning@ccc.tas.gov.au • Website www.ccc.tas.gov.au

	If you had pre-application discussions with a Council Officer, please give their name
	Current Use of Site: Single dwelling
	Does the proposal involve land administered or owned Yes No x by the Crown or Council?
Declaration:	<ul> <li>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.</li> <li>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</li> <li>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.</li> <li>I declare that the information in this declaration is true and correct.</li> </ul>
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 P.Pitt 25/01/2024

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

# Clarence City Council



### DEVELOPMENT/USE OR SUBDIVISION CHECKLIST

#### Documentation required:

# 1. MANDATORY DOCUMENTATION This information is required for the application to be valid. An application lodged without these items is

unable to proceed.
Details of the location of the proposed use or development.
A copy of the current Certificate of Title, Sealed Plan, Plan or Diagram and Schedule of Easements and other restrictions for each parcel of land on which the use or development is proposed.
Full description of the proposed use or development.
Description of the proposed operation.  May include where appropriate: staff/student/customer numbers; operating hours; truck movements; and loading/unloading requirements; waste generation and disposal; equipment used; pollution, including noise, fumes, smoke or vibration and mitigation/management measures.
Declaration the owner has been notified if the applicant is not the owner.
Crown or Council consent (if publically-owned land).
Any reports, plans or other information required by the relevant zone or code.
Fees prescribed by the Council.
Application fees (please phone 03 6217 9550 to determine what fees apply). An invoice will be emailed

#### 2. ADDITIONAL DOCUMENTATION

upon lodgement.

In addition to the mandatory information required above, Council may, to enable it to consider an application, request further information it considers necessary to ensure that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or specific area plan, applicable to the use or development.

#### □ Site analysis plan and site plan, including where relevant:

- Existing and proposed use(s) on site.
- Boundaries and dimensions of the site.
- Topography, including contours showing AHD levels and major site features.
- Natural drainage lines, watercourses and wetlands on or adjacent to the site.
- Soil type.
- Vegetation types and distribution, and trees and vegetation to be removed.
- Location and capacity of any existing services or easements on/to the site.
- Existing pedestrian and vehicle access to the site.
- Location of existing and proposed buildings on the site.
- Location of existing adjoining properties, adjacent buildings and their uses.
- Any natural hazards that may affect use or development on the site.
- Proposed roads, driveways, car parking areas and footpaths within the site.
- Any proposed open space, communal space, or facilities on the site.
- Main utility service connection points and easements.
- Proposed subdivision lot boundaries.

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# Clarence City Council DEVELOPMENT/USE OR SUBDIVISION CHECKLIST



Where it is proposed to erect buildings,	detailed plans with	dimensions at a	scale of	1:100 or
1:200 showing:				

- Internal layout of each building on the site.
- Private open space for each dwelling.
- External storage spaces.
- Car parking space location and layout.
- Major elevations of every building to be erected.
- Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites.
- Relationship of the elevations to natural ground level, showing any proposed cut or fill.
- Materials and colours to be used on rooves and external walls.
- ☐ Where it is proposed to erect buildings, a plan of the proposed **landscaping** showing:
  - Planting concepts.
  - Paving materials and drainage treatments and lighting for vehicle areas and footpaths.
  - Plantings proposed for screening from adjacent sites or public places.
- Any additional reports, plans or other information required by the relevant zone or code.

This list is not comprehensive for all possible situations. If you require further information about what may be required as part of your application documentation, please contact Council's Planning Officers on (03) 6217 9550 who will be pleased to assist.



Catalyst Design & Drafting Pty Ltd
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www.catalystdesignanddrafting.com.au
Building Services Provider Licence No. 619068752 &
CC6621

General Manager Clarence City Council PO Box 96 Rosny Park 7018

To Whom It May Concern:

#### RE: 7 BANGOR ROAD, OPOSSUM BAY, TAS 7023 - PROPOSED ANCILLARY DWELLING

Accompanying this letter are documents forming a development application for proposed ancillary dwelling at 7 Bangor Road, Opossum Bay, TAS 7023, CT 127600/1.

The property is zoned as Low Density Residential under the Tasmanian Planning Scheme - Clarence. There are no planning overlays present.

We believe this proposal to comply with all Acceptable Solutions of the Scheme, except 10.4.3 Setback, clause A2, due to setback from rear and site boundaries of less than 5m.

The proposal is for an ancillary dwelling for the owner's mother. The location of the development allows for privacy between the main dwelling and the ancillary dwelling, while also allowing space for on site services, such as wastewater treatment system.

In response to 10.4.3 P2, we believe the objective of 10.4.3 is met: *That the siting of dwellings is compatible with the streetscape and does not cause an unreasonable loss of amenity for adjoining properties*. This statement is largely rectified in P2. Regardless of zoning, (General Residential compared with Low Density Residential), the allotment size, particularly width, of the neighbouring lot at 3 Pardalote Close is more akin to that of a General Residential development. Further, we do not believe any unreasonable loss of amenity will occur as a result of this development, given that the proposed secondary dwelling is as close to ground level as possible, and would essentially meet the Acceptable Solution for setbacks and privacy if located in General Residential zoning – our 3D modelling indicate FFL or just over one metre above existing natural ground however the terrain surface based on available contours information naturally contains some deviation. The existing dwelling at 48 Driftwood Drive appears to be around 80 metres from this proposed development. We envisage that a proposed dwelling at 3 Pardalote Close would be near the frontage, and therefore quite some distance from this proposal.

The proposed ancillary dwelling is similar in form to the existing dwelling and outbuilding on site with a gable roof, however it sits lower to the ground, following the topography of the site. The proposed development does not impact the private open space, or windows of habitable room on any adjoining properties. Upon review of aerial imagery from LISTmap, most properties in the area have multiple buildings per site, while the use of these is unknown, the proposal for an ancillary dwelling is in keeping with the character of the area.

We look forward to your response.

Kind regards,

Perri Pitt

Building Designer Catalyst Design & Drafting

31 January 2024



## **RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



#### SEARCH OF TORRENS TITLE

VOLUME	FOLIO
127600	1
EDITION	DATE OF ISSUE
9	06-Nov-2019

SEARCH DATE : 31-Jan-2024 SEARCH TIME : 10.56 AM

#### DESCRIPTION OF LAND

City of CLARENCE

Lot 1 on Sealed Plan 127600

Derivation: Part of 3900 Acres Gtd to G H B Gellibrand

Prior CT 122115/1

#### SCHEDULE 1

M763412 TRANSFER to IAN LAWRENCE ANDERSON and FIONA JANE GILLHAM Registered 04-Jul-2019 at 12.01 PM

#### SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP127600 COVENANTS in Schedule of Easements

SP127600 FENCING PROVISION in Schedule of Easements

SP127600 WATER SUPPLY RESTRICTION

SP127600 SEWERAGE AND/OR DRAINAGE RESTRICTION

E199562 MORTGAGE to MyState Bank Limited Registered

06-Nov-2019 at 12.01 PM

#### UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Page 1 of 1



### **FOLIO PLAN**

RECORDER OF TITLES

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REGISTERED NUMBER owner Florence Marjorie Grace Calvert PLAN OF SURVEY SP127600 BY SURVEYOR C.M.Terry of PEAGOCK, DARKEY & ANDERSON P/L AUTHORISED SURVEYORS LOCATION 127 BATHURST STREET: HOBART. FOLIO REFERENCE C.T. 122115-1 GRANTEE Part of 3900 Acres, Gtd. 28 FEB 1995 CITY OF CLARENCE to George Henry Blake Gellibrand. 28 JUL 1997 LENGTHS IN METRES SCALE 1: 2000 Recorder of Titles ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN MAPSHEET MUNICIPAL CODE No. (5224-445) LAST PLAN No. P122115 LAST UPI No. 1407683-(P. 127 601 BAL.) 103 34 33 35 32 36 37 31 38 (SEE 39 102 ANNEXURE 104 30 40 27 28 26 29 25 (S.P.28643) (166°37′ 24 (170-44 90° 53' 40 1 (174\*50°) 55 1 (178\*56°) 55 1 (178\*56°) 52 1 (183\*03°) 54 ₩ 以 (174°50′ 公 (178°56′ 23 至(183\*037) A040 22 86 h 31 (126/8 N.S.) (P.198370) (S.P.2 RIGHT OF WAY (PRIVATE) 21 105 9.436ha 20 BANGOR 19 101 BAY 2 1 RIGHT OF WAY

(PRIVATE) 301.56 (S.P.12001) 263\*48'10" -173°57'40' 34.70 -282°05 (S. P.\1 1 2 5 3) 8.75 8.75 282°35 2.5**8** (S. P. \1 2 0 0 1) S.P\28195 525/**27** D. 106 DRIVE 12.25 ROAD OPOSSUM MOOD (126/8/D 1787m<sup>2</sup> 200°09 190 07 12.25 (153/38 D 208°48 9.09 LOT 106 COMPILED FROM C.T. 4275 219 14 9.09 a SPITFARM AND THIS SURVEY ROAD

Search Date: 31 Jan 2024

Search Time: 10:57 AM

Volume Number: 127600

Revision Number: 02

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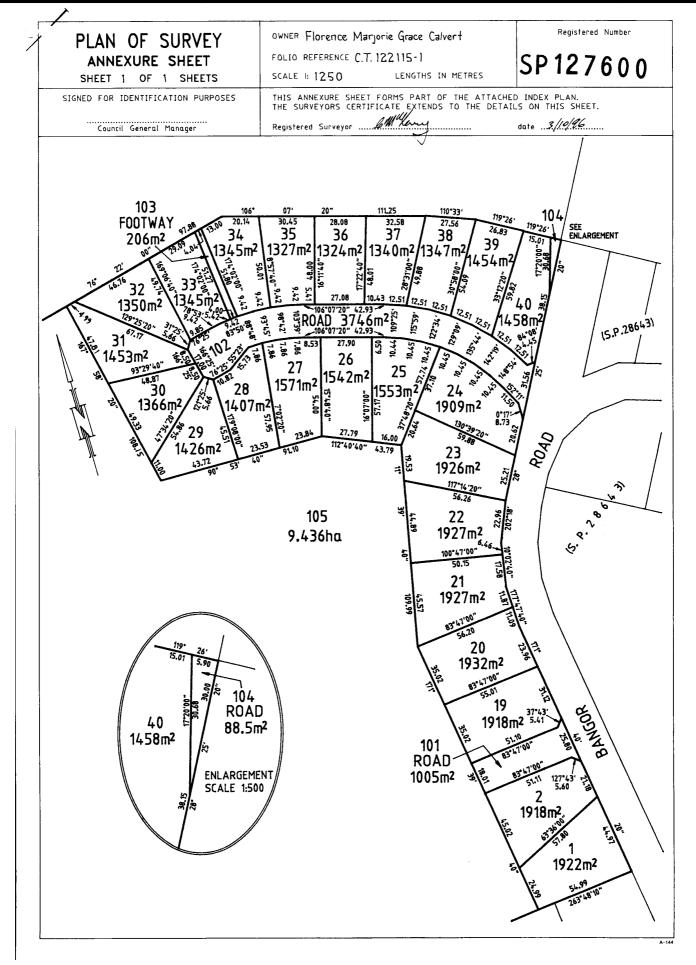


### **FOLIO PLAN**

RECORDER OF TITLES



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### SCHEDULE OF EASEMENTS

RECORDER OF TITLES

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#### SCHEDULE OF EASEMENTS

NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.

REGISTERED NUMBER

SP127600

#### EASEMENTS AND PROFITS

PAGE | OF 2 PAGE/S

Each lot on the plan is together with:-

(1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:-

(1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and

(2) any easements or profits a prendre described hereunder. The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

Lot 105 on the plan is:-

Subject to a right of carriageway (appurtenant to the balance\*) over the Rights of Way (Private) marked "W" and "Z" on the plan.

Subject to a right of carriageway (appurtenant to the land in Folio of the Register Volume 198370 Folio 1) over the Rights of Way (Private) marked "W", "X" and "Y" on the plan.

#### Covenants:

The owner of each lot shown on the plan covenants with the Vendor (Florence Marjorie Grace Calvert) and the owner for the time being of every other lot shown on the plan to the intent that the burden of this covenant may run with and bind the covenantor's lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every other lot shown on the plan to observe the following stipulations:

- Not to construct or place or permit to be constructed or placed upon such 1. lot any building higher than one (1) storey\*\* high and no higher than 4.5 metres above the highest point of the natural ground level of each lot.
- Not to construct or permit to be constructed any paling fence on such lot where the boundary of such lot is contiguous with the balance\*.
- Not to erect or place or permit to be erected or placed on such lot any building or structure which would detract from the seaside village character of the area.
  ( USE ANNEXURE PAGES FOR CONTINUATION )

SUBDIVIDER: Florence Marjorie Grace Colvet FOLIO REF : CT /22115 - 1

SEALED BY: CLARENCE CITY COUNTILL

**SOLICITOR** & REFERENCE : PAGE SEAGER

REF No.

NOTE: THE COUNCIL DELEGATE MUST SIGN THE CERTIFICATE FOR THE PURPOSE

OF IDENTIFICATION.

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### SCHEDULE OF EASEMENTS

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# ANNEXURE TO SCHEDULE OF EASEMENTS

PAGE 2 OF 2 PAGES

Registered Number

SP127600

SUBDIVIDER: -

FOLIO REFERENCE:-

4. Not to erect or place or permit to be erected or placed on such lot any dwelling constructed of materials other than those of a type or colour that are to the satisfaction of the Clarence City Council and which will blend rather than contrast with the surrounding natural environment and not to use unpainted galvanised iron or other reflective surfaces in any such construction.

#### Fencing Provision:

In respect of each lot shown on the plan the Vendor (Florence Marjorie Grace Calvert) shall not be required to fence.

\* Means the balance of the land remaining in Folio of the Register Volume 122115 Folio 1 following acceptance of this Sealed Plan.

\*\* One (1) storey, means and includes, subject to Council approval, split level housing, garages, storerooms and similar non habitable areas downstairs and dormer windows and living space in the roof void, provided the overall height of the building is no higher than 4.5 metres above the highest point of the natural ground level of each lot.

SIGNED by FLORENCE MARJORIE )
GRACE CALVERT the registered )
proprietor of the land in Folio of the Register Volume 122115 Folio 1 in the )
presence of: )

1. 11 4 Lavert

Helen Marjorie Davis
44 Sanhanen Avenue
Goilston Bay. Home Dotres

SIGNED for and on behalf of the NATIONAL AUSTRALIA BANK the Mortgagee under Mortgage No. B26735) in the presence of:

Executed by the NATIONAL AUSTRALIA BANK LIMITED by its Autorney ANTHONY JOSEPH DEVICE under Power of Attorney No. 67/0241 (who states that he holds the office in the NATIONAL AUTORIAL ACTIONAL AUTORIAL AUTORIAL

NOTE:- Every annexed sheet must be signed by the parties to the dealing or where the party is a corporate body be signed by the persons who have attested the affixing of the seal of that body to the dealing.

Search Date: 31 Jan 2024

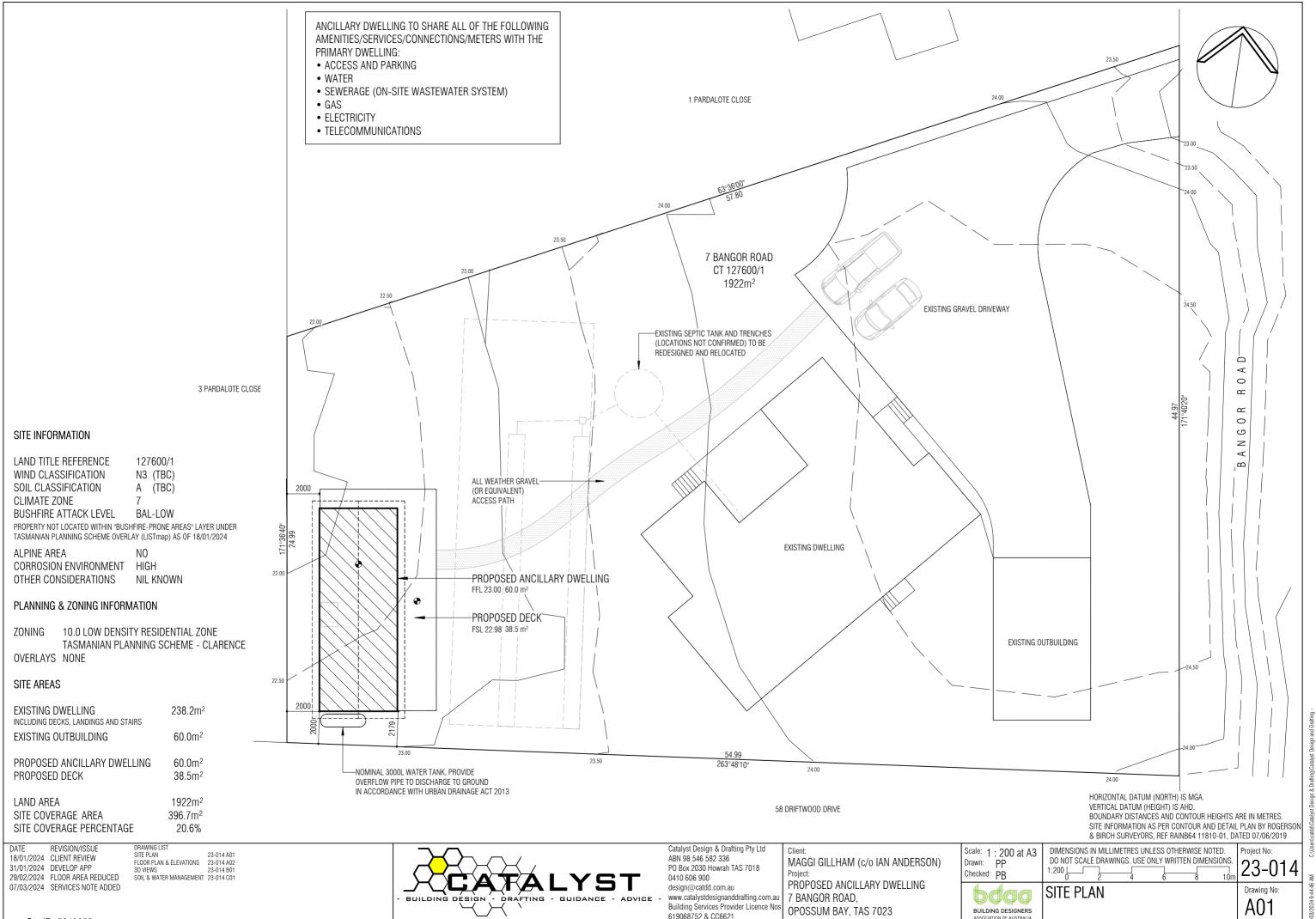
Search Time: 10:57 AM

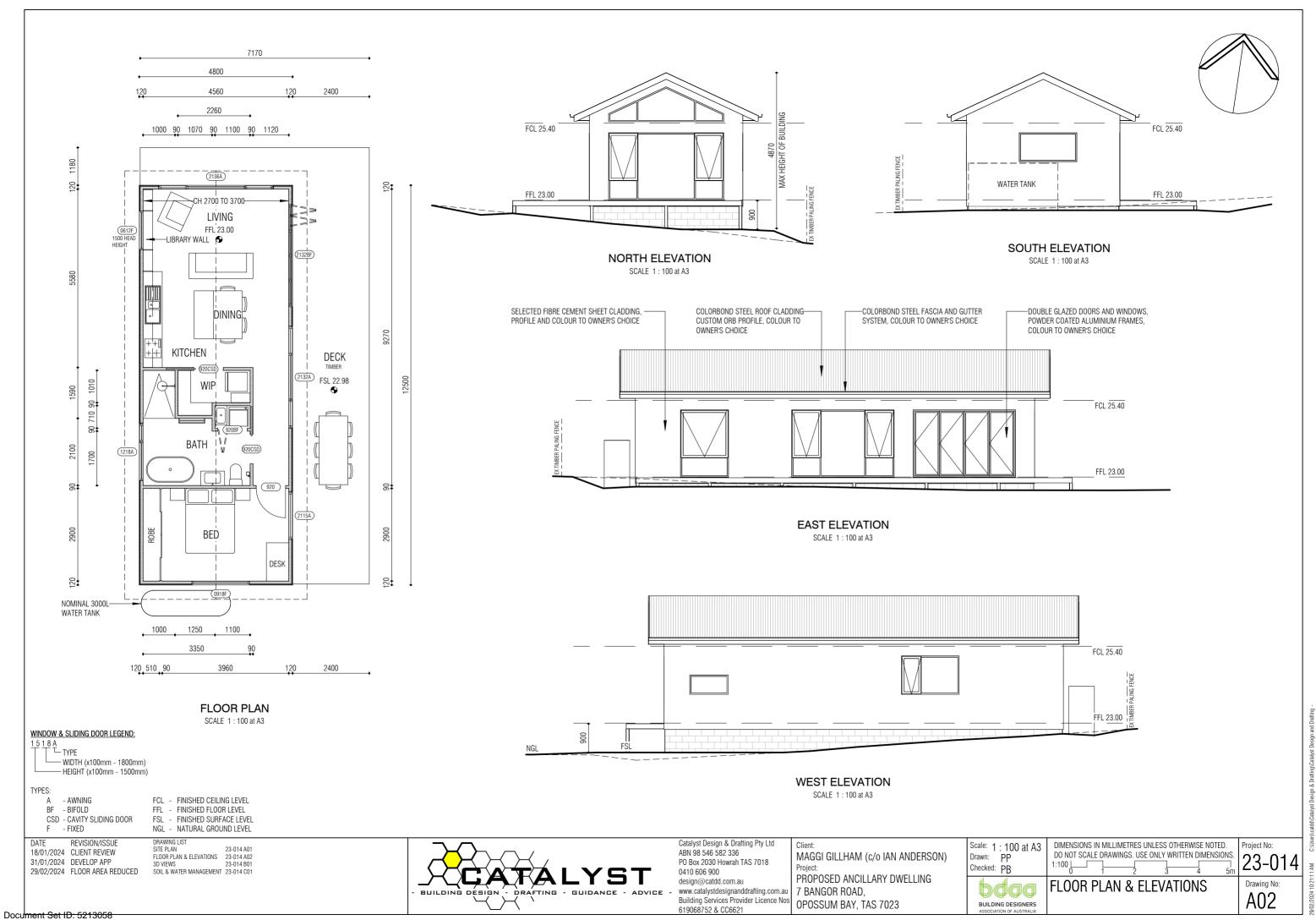
Sunk Office.

Volume Number: 127600

Revision Number: 02

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Version: 1, Version Date: 07/03/2024





INTERIOR 3D VIEW NOT TO SCALE



NORTH 3D VIEW NOT TO SCALE



NORTHEAST 3D VIEW

NOT TO SCALE

DATE	REVISION/ISSUE	DRAWING LIST	
18/01/2024	CLIENT REVIEW	SITE PLAN	23-014 A0
31/01/2024	DEVELOP APP	FLOOR PLAN & ELEVATIONS 3D VIEWS	23-014 A0 23-014 B0
29/02/2024	FLOOR AREA REDUCED	SOIL & WATER MANAGEMENT	



Catalyst Design & Drafting Pty Ltd ABN 98 546 582 336 PO Box 2030 Howrah TAS 7018 0410 606 900 design@catdd.com.au

MAGGI GILLHAM (c/o IAN ANDERSON) PROPOSED ANCILLARY DWELLING

Scale: NO SCALE Drawn: PP Checked: PB

BUILDING DESIGNERS

DIMENSIONS IN MILLIMETRES UNLESS OTHERWISE NOTED. DO NOT SCALE DRAWINGS. USE ONLY WRITTEN DIMENSIONS. NOT TO SCALE.

3D VIEWS

Project No: 23-014

Drawing No: B01

design@catdd.com.au

619068752 & CC6621

Building Services Provider Licence Nos

- GUIDANCE - ADVICE - www.catalystdesignanddrafting.com.au

Document Set ID: 5213058

Version: 1, Version Date: 07/03/2024

PLAN

BUILDING DESIGNERS

PROPOSED ANCILLARY DWELLING

7 BANGOR ROAD,

OPOSSUM BAY, TAS 7023

SOIL & WATER MANAGEMENT

23-014 Drawing No: