

PLEASE QUOTE

Your Ref:

Our Ref: DA 2025/66

Enquiries: Planning Department

80 Wilson Street, Burnie Tasmania
PO Box 973, Burnie TAS 7320

ABN: 29 846 979 690
Phone: (03) 6430 5700
Email: burnie@burnie.tas.gov.au
Web: www.burnie.tas.gov.au

We value your feedback on our service.
Tell us about it at www.burnie.tas.gov.au/feedback



NOTICE OF APPLICATION FOR LAND USE PERMIT

(Section 57(3) Land Use Planning and Approvals Act 1993)

Advice to Adjoining Land Owner or Occupier

Application No: - DA 2025/66
Development Site: - 2B Bernard Road OCEAN VISTA
CT: 183174/3
Proposal: - Dwelling - Single and associated carport

Notice of the above application is served on you as an adjoining land owner or occupier.

The application may be viewed at -

**Burnie City Council Customer Services Counter
Ground Floor, City Offices,
80 Wilson Street, Burnie**

Between the hours of 8.45 am – 4.45 pm Monday to Friday inclusive (excluding public holidays) or on Council's website at www.burnie.tas.gov.au/permits

You are entitled to make representation in writing on any aspect of the proposal addressed to: -

**General Manager,
Burnie City Council,
PO Box 973, Burnie 7320**

or burnie@burnie.tas.gov.au by no later than 5.00 pm on **12 November 2025**. Council must have regard to any written representation received during the exhibition period when considering its decision on the application.

All persons who make representation will be notified within seven (7) days of the Council's decision. Any persons who made representation and is not satisfied with the Council decision may, under Section 61(5) of the *Land Use Planning and Approvals Act 1993*, lodge an appeal against that decision within fourteen (14) days of the date of that notice to: -

**The Tasmanian Civil and Administrative Tribunal,
GPO Box 1311,
HOBART TAS 7001.**

Should you have any enquiries regarding this development proposal, please do not hesitate to contact the Planning Department on (03) 6430 5700.

Troy McCarthy

PRINCIPAL PLANNER

Date of Notice: - **29 October 2025**



Land Use Planning and Approvals Act 1993

Tasmanian Planning Scheme

PERMIT APPLICATION

Office use only

Application No _____

Date Received _____

Permit Pathway - *Permitted/Discretionary*

Use or Development Site:

Street Address

2B Bernard Road, Ocean Vista
2A Bernard Road, Ocean Vista
2C Bernard Road, Ocean Vista

Certificate of
Title Reference

183174/3
183174/4
183174/2

Applicant

First Name

Woolcott Land Services

Second
Name

Surname

Postal Address:

PO Box 593, Mowbray TAS 7248

Phone No:

6332 3760

Mobile:

Email Address:

planning@woolcott.au

I/we consent for all giving of information and the serving of notices in relation to this application to be delivered electronically to the above email address?

YES



NO



Applicants Signature:

egblake

Owner (note – if more than one owner, all names must be indicated)

First Name

See attached

Second Name

Surname

Postal Address:

See attached

Phone No:

Instruction for making a permit application

a) *Use or development?*

The application must provide a full description of the proposed use and/or development and of the manner in which the use and/or development is to operate.

“Use” is the purpose or manner for which land is utilised. “Development” is any site works (including any change in natural condition or topography of land and the clearing or conversion of vegetation), and the construction, alteration, or removal of buildings, structures and signs, required in order to prepare a site for use or to change existing conditions within a site. Subdivision is development.

Clause 6.2 Tasmanian Planning Scheme provides the use classes by which all use or development must be described. Development must be categorised by reference to the use class it is to serve.

b) *Required Information*

Adequate statements, plans and specifications must be included within the permit application to address and demonstrate compliance with all applicable requirements of the planning scheme, including any site analysis, impact report and recommendation, and advice, consent or determination required from a State agency or utility entity.

The application must clearly identify the documents relied upon for determination.

Section 51(1AC) *Land Use Planning and Approvals Act 1993* provides that a permit application is not valid unless it includes all of the information required by a planning scheme. Clause 6.1 Tasmanian Planning Scheme prescribes the minimum information that is necessary in order to complete a valid permit application.

S54 *Land Use Planning and Approvals Act 1993* provides that the planning authority may require the applicant to supply further information before it considers a permit application. If the planning authority requires further information to more particularly address one or more of the applicable requirements of the Tasmanian Planning Scheme, the statutory period for determination of a permit application does not run until that information is answered to the satisfaction of the planning authority

c) *Applicable Provisions and Standards*

The permit application must be assessed against the applicable provisions and standards of the Tasmanian Planning Scheme. The application is to identify by reference the clauses it relies upon to demonstrate compliance. (eg *clause 8.4.3 (A1 – A4, and P5)*)

d) *Discretionary Permits*

If a permit is discretionary the permit application must be notified for a period of 14 days to allow opportunity for any interested person to consider the proposed use and/or development and to provide comment on the discretionary matter.

If a permit application relies on performance criteria to satisfy an applicable standard or is discretionary under another provision of the interim planning scheme, the permit is discretionary only with respect to that standard.

The Council must have regard to all representations received during the notification period on a discretionary matter when determining whether to grant or refuse a permit.

e) *If the applicant is not the landowner*

If the applicant is not the owner of the land in the use or development site, the applicant is required to notify all of the owners either prior to or within 7 days from the date of making the permit application.

The permit application must identify all of the landowners; and the applicant must sign the application form to acknowledge the obligation to advise such landowners that the permit application has been made.

If the site includes land owned or administered by the Burnie City Council or by a State government agency, the consent in writing from the Council or the Minister responsible for Crown land must be provided at the time of making the application.

f) *Applicant declaration*

It is an offence for a person to do any act that is contrary to a compliance requirement created under the section 63 *Land Use Planning and Approvals Act 1993*. The applicant is required to complete a declaration that the information given in the permit application is true and correct.

g) *Payment of Fees*

The Council is not required to take any action on the permit application until all the relevant fees have been paid.

Permit Information

(NB If insufficient space, please attach separate document)

Proposed Use:

Use Class

Documents included with the permit application to describe the Use

Residential

Proposed Development

Use class to which the development applies

Documents included with the permit application to describe the Development

See planning report

Provisions and Standards relied upon for grant of a Permit

Value of use and/or development

Notification of Landowner/s

If land is not in applicant's ownership

I, Ellie Blake, declare that the owner/each of the owners of the land has been notified of the intention to make this permit application.

Signature of Applicant

egblake

Date 24/09/2025

If the permit application involves land owned or administered by the BURNIE CITY COUNCIL

Burnie City Council consents to the making of this permit application.

General Manager (Signature)

Date

If the permit application involves land owned or administered by the CROWN

I, the Minister responsible for the land, consent to the making of this permit application.

Minister (Signature)

Date

Applicant Declaration

I, Ellie Blake declare that the information I have given in this permit application to be true and correct to the best of my knowledge.

Signature of Applicant

egblake

Date 24/09/2025

Office use only

SEARCH OF TORRENS TITLE

VOLUME 183174	FOLIO 2
EDITION 2	DATE OF ISSUE 14-Aug-2023

SEARCH DATE : 09-Sep-2025

SEARCH TIME : 03.25 PM

DESCRIPTION OF LAND

City of BURNIE

Lot 2 on Sealed Plan [183174](#)

Derivation : Part of 50000 Acres, Emu Bay Block, Gtd. to The Van Diemens Land Company

Prior CT [163225/2](#)

SCHEDULE 1

[N139790](#) TRANSFER to SAMARASINGHEGE CHAMINDA PUSHPAKUMAR RATNAYAKE and DHANESHA HIRANGI GUNAWARDENA Registered 14-Aug-2023 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
[SP183174](#) EASEMENTS in Schedule of Easements
[SP183174](#) FENCING PROVISION in Schedule of Easements
[B929619](#) PROCLAMATION under Section 9A and 52A of the Roads and Jetties Act 1935 Registered 29-Mar-1996 at noon
[E354583](#) MORTGAGE to Commonwealth Bank of Australia Registered 14-Aug-2023 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

SEARCH OF TORRENS TITLE

VOLUME 183174	FOLIO 3
EDITION 2	DATE OF ISSUE 16-Sep-2022

SEARCH DATE : 31-Jul-2025

SEARCH TIME : 10.46 AM

DESCRIPTION OF LAND

City of BURNIE

Lot 3 on Sealed Plan [183174](#)

Derivation : Part of 50000 Acres, Emu Bay Block, Gtd. to The Van Diemens Land Company

Prior CT [163225/2](#)

SCHEDULE 1

[M982084](#) TRANSFER to ROBERT DALTON CLANCY and ANNICE CATHERINE KEIGHTLEY Registered 16-Sep-2022 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

[SP183174](#) EASEMENTS in Schedule of Easements

[SP183174](#) FENCING PROVISION in Schedule of Easements

[B929619](#) PROCLAMATION under Section 9A and 52A of the Roads and Jetties Act 1935 Registered 29-Mar-1996 at noon

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

SEARCH OF TORRENS TITLE

VOLUME 183174	FOLIO 4
EDITION 2	DATE OF ISSUE 17-Oct-2022

SEARCH DATE : 09-Sep-2025

SEARCH TIME : 03.23 PM

DESCRIPTION OF LAND

City of BURNIE

Lot 4 on Sealed Plan [183174](#)

Derivation : Part of 50000 Acres, Emu Bay Block, Gtd. to The Van Diemens Land Company

Prior CT [163225/2](#)

SCHEDULE 1

[M301904](#) & [D27058](#) TRANSFER to KURT WYSS and ANNE LOUISE BRAKEY

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

[SP183174](#) EASEMENTS in Schedule of Easements

[SP183174](#) FENCING PROVISION in Schedule of Easements

[B929619](#) PROCLAMATION under Section 9A and 52A of the Roads and Jetties Act 1935 Registered 29-Mar-1996 at noon

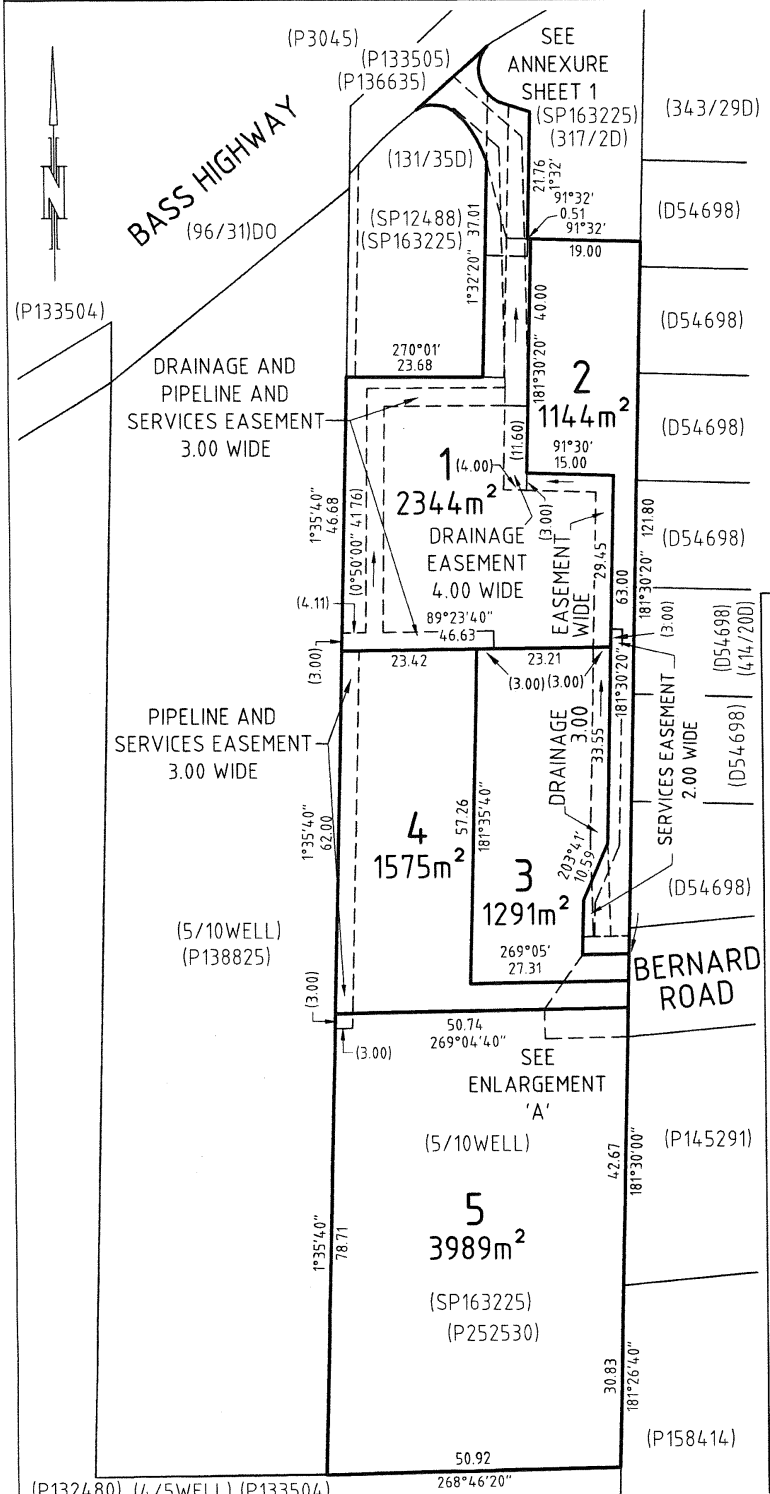
UNREGISTERED DEALINGS AND NOTATIONS

NOTICE: This folio is affected as to amended easements pursuant to Request to Amend No. E311132 made under Section 103 of the Local Government (Building and Miscellaneous Provisions) Act 1993. Search Sealed Plan No. [183174](#) Lodged by G WOODHOUSE CONVEYAN on 23-Feb-2024 BP: E311132

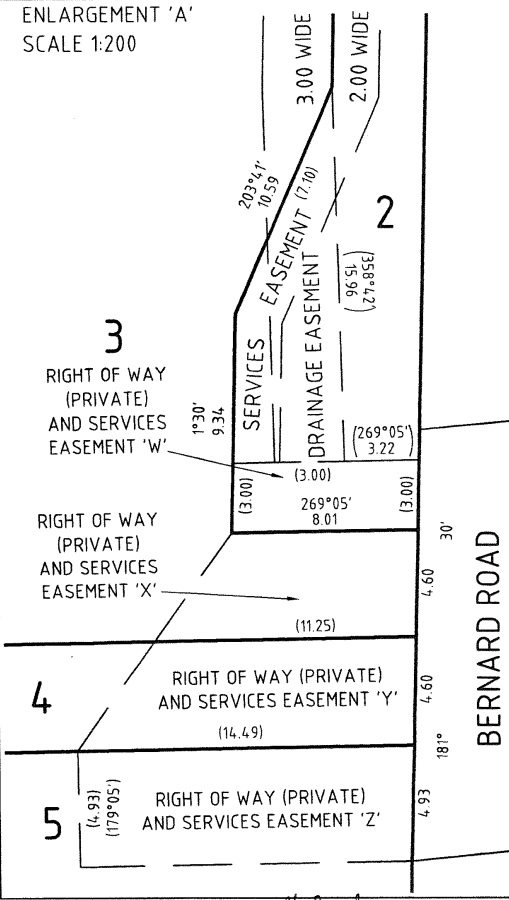
OWNER: KURT WYSS AND ANNE LOUISE BRAKEY
 FOLIO REFERENCE: 163225/2
 GRANTEE: PART OF 50,000 ACRES, EMU BAY BLOCK, GRANTED TO THE VAN DIEMENS LAND COMPANY.

NEW PLAN OF SURVEY
 BY SURVEYOR: Adrian Wade Eberhardt of **PDA Surveyors**
 Surveying, Engineering & Planning
 6 QUEEN STREET, BURNIE
 LOCATION: **CITY OF BURNIE**
 SCALE 1: 800 LENGTHS IN METRES

Registered Number
SP183174
 APPROVED EFFECTIVE FROM 27 MAR 2024
Renwick
 Recorder of Titles



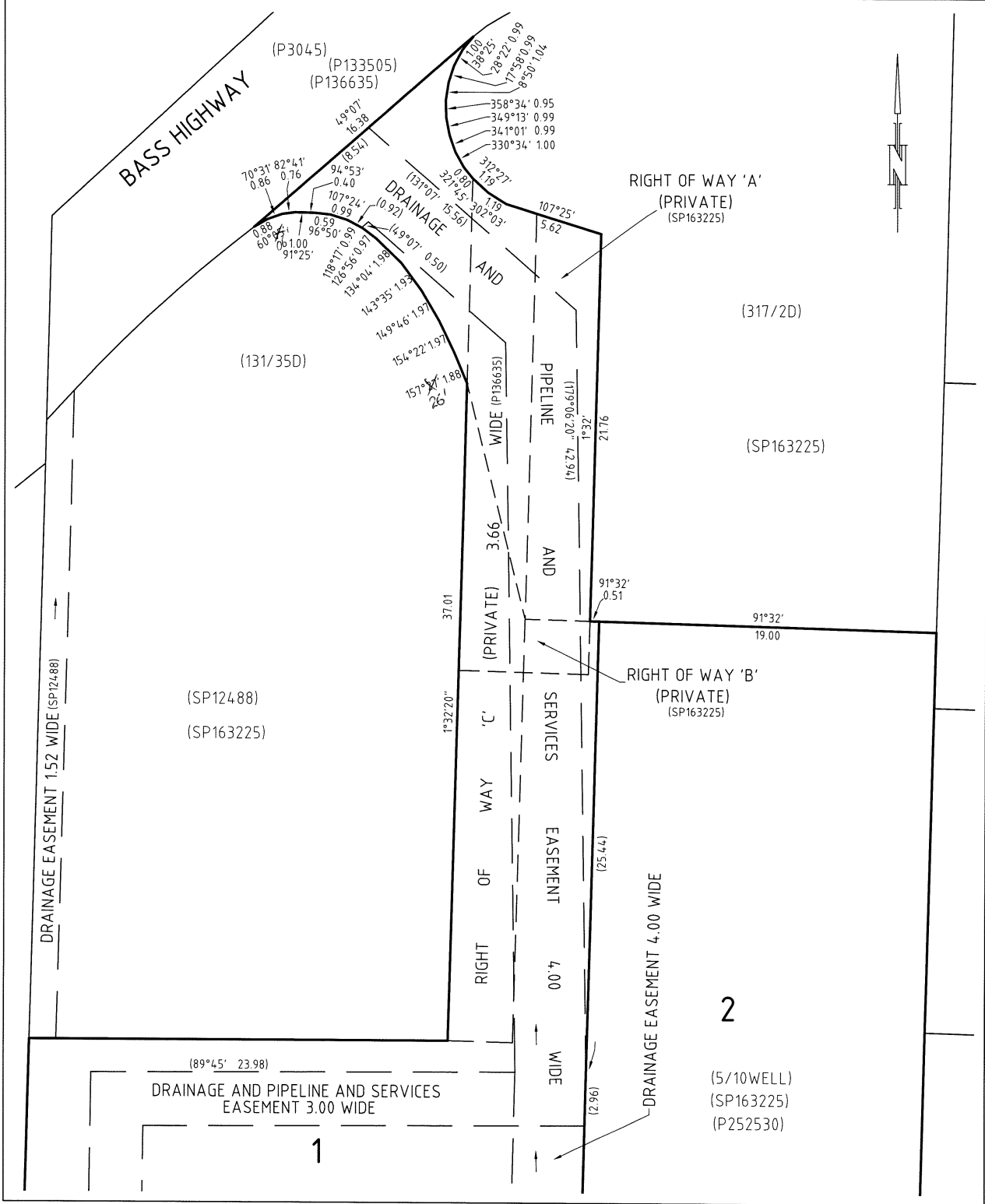
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
'PRIORITY FINAL PLAN'
 E311132 - REQUEST TO AMEND DRAINAGE AND PIPELINE AND SERVICES EASEMENT 3.00 WIDE WITHIN LOT 1 EXTENDED AND LOCATION OF PIPELINE AND SERVICES EASEMENT 3.00 WIDE WITHIN LOTS 4 & 5 AMENDED BY ME PURSUANT TO SECTION 103 OF THE LOCAL GOVERNMENT (BUILDING & MISCELLANEOUS PROVISIONS) ACT 1993.
Renwick
 RECORDER OF TITLES 10 APR 2024 DATE



Adrian Wade Eberhardt
 Registered Land Surveyor 30/06/2023 Date 48803 Ref No.

Renwick
 Council Delegate 10/11/2023 Date

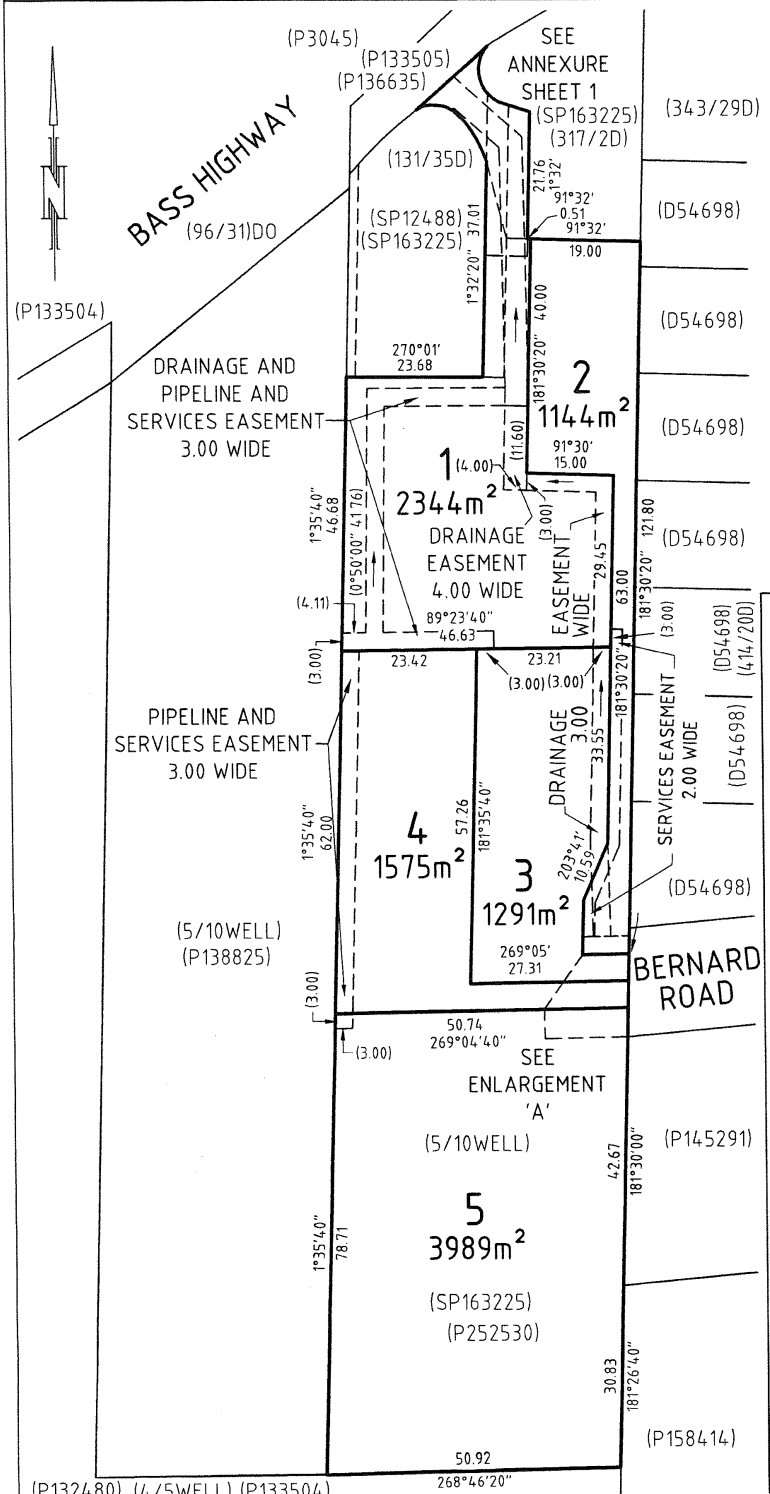
<p>PLAN OF SURVEY ANNEXURE SHEET</p> <p>SHEET 2 OF 2 SHEETS</p>	<p>OWNER: KURT WYSS AND ANNE LOUISE BRAKEY</p> <p>FOLIO REFERENCE: 163225/2</p> <p>SCALE 1:200 LENGTH IN METRES</p>	<p>Registered Number</p> <p>SP,183174</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <p><i>[Signature]</i> 2.6.22 Council Delegate Date</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN.</p> <p><i>[Signature]</i> 29/03/2022 Registered Land Surveyor Date</p>	<p>APPROVED EFFECTIVE FROM 15 JUN 2022</p> <p><i>[Signature]</i> Recorder of Titles</p>



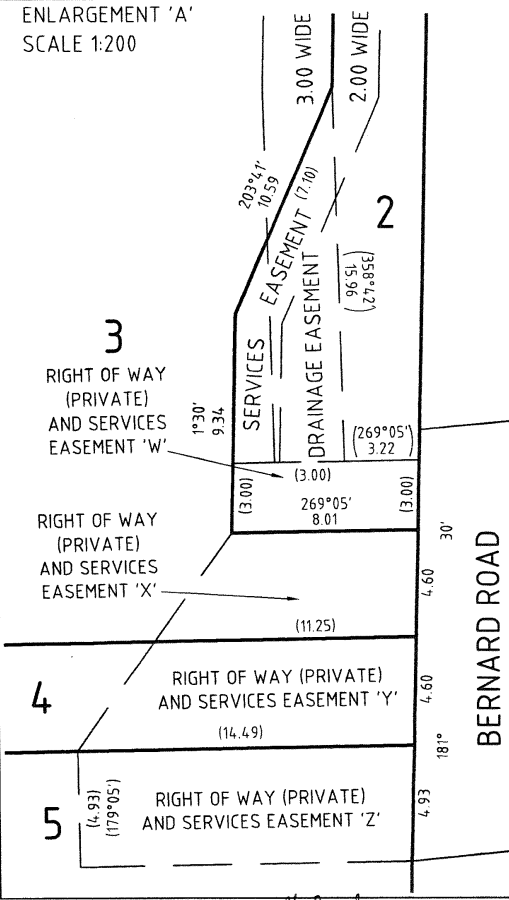
OWNER: KURT WYSS AND ANNE LOUISE BRAKEY
FOLIO REFERENCE: 163225/2
GRANTEE: PART OF 50,000 ACRES, EMU BAY BLOCK, GRANTED TO THE VAN DIEMENS LAND COMPANY.

NEW PLAN OF SURVEY
BY SURVEYOR: Adrian Wade Eberhardt of **PDA Surveyors**
6 QUEEN STREET, BURNIE
LOCATION: **CITY OF BURNIE**
SCALE 1: 800 LENGTHS IN METRES

Registered Number
SP183174
APPROVED EFFECTIVE FROM 27 MAR 2024
Ren
Recorder of Titles



ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
'PRIORITY FINAL PLAN'
E311132 – REQUEST TO AMEND DRAINAGE AND PIPELINE AND SERVICES EASEMENT 3.00 WIDE WITHIN LOT 1 EXTENDED AND LOCATION OF PIPELINE AND SERVICES EASEMENT 3.00 WIDE WITHIN LOTS 4 & 5 AMENDED BY ME PURSUANT TO SECTION 103 OF THE LOCAL GOVERNMENT (BUILDING & MISCELLANEOUS PROVISIONS) ACT 1993.
Ren
RECORDER OF TITLES 10 APR 2024 DATE



Adrian Wade Eberhardt
Registered Land Surveyor 30/06/2023 Date 48803 Ref No.

Ren
Council Delegate 6/11/2023 Date

SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP.183174

PAGE 1 OF 6 PAGES

EASEMENTS AND PROFITS

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 1 is together with a right of drainage over the land marked DRAINAGE EASEMENT 1.52 WIDE on the plan

Lot 1 is subject to a right of carriageway (appurtenant to lots 1 & 3 on Sealed Plan 163225) over the land marked RIGHT OF WAY "A" (PRIVATE) passing through that lot on the plan

Lot 1 is subject to a right of carriageway (appurtenant to lot 1 on Sealed Plan 163225) over the land marked RIGHT OF WAY "B" (PRIVATE) passing through that lot on the plan

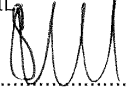
Lot 1 is subject to a right of carriageway (appurtenant to lot 1 on Sealed Plan 163225 and lot 1 on Sealed Plan 12488) over the land marked RIGHT OF WAY "C" (PRIVATE) 3.66 WIDE passing through that lot on the plan

Lot 1 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE AND PIPELINE AND SERVICES EASEMENT 3.00 WIDE, DRAINAGE EASEMENT 3.00 WIDE, DRAINAGE AND PIPELINE AND SERVICES EASEMENT 4.00 WIDE and DRAINAGE EASEMENT 4.00 WIDE passing through that lot on the plan

Lot 1 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked DRAINAGE AND PIPELINE AND SERVICES EASEMENT 3.00 WIDE and DRAINAGE AND PIPELINE AND SERVICES EASEMENT 4.00 WIDE ("the Easement Land") passing through that lot on the plan

Lot 2 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REF: 163225-2 SOLICITOR: GRAHAM WOODHOUSE CONVEYANCING	PLAN SEALED BY: BURNIE CITY COUNCIL DATE: 26.2.22 SD-2017-1269 REF NO.
 Council Delegate	
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 2 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP.183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 2 is subject to a right of carriageway (appurtenant to lot 3) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE EASEMENT 3.00 WIDE and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to a service easement as defined herein (appurtenant to lots 3-5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to an easement of support as defined herein (appurtenant to lot 3) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan


Lot 3 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is together with an easement of support as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is subject to a right of carriageway (appurtenant to lots 2, 4 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

Lot 3 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE EASEMENT 3.00 WIDE and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

Lot 3 is subject to a service easement as defined herein (appurtenant to lots 4 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

K Wyss: 

A L Brakey: 

NOTE: Every annexed page 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.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 3 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 4 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" on the plan & RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is together with an easement of support as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lots 2, 3 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 4 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE AND SERVICES EASEMENT 3.00 WIDE ("the Easement Land") passing through that lot on the plan

Lot 4 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" passing through that lot on the plan

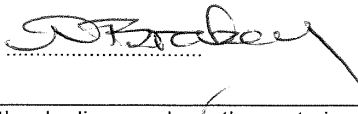
Lot 4 is subject to a service easement as defined herein (appurtenant to lot 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" passing through that lot on the plan

Lot 5 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 5 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 5 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE AND SERVICES EASEMENT 3.00 WIDE ("the Easement Land") passing through that lot on the plan

K Wyss: 

A L Brakey: 

NOTE: Every annexed page 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.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 4 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 5 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to a service easement as defined herein (appurtenant to lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to an easement of support as defined herein (appurtenant to lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to a right of carriageway (appurtenant to Lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" shown on the plan

FENCING PROVISION

In respect to the lots on the plan the vendor (Kurt Wyss and Anne Louise Brakey) shall not be required to fence

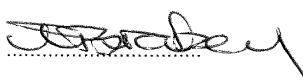
INTERPRETATION

"Service easement" means the right for the proprietor of the dominant tenement at any time with others and machinery-

- (a) to enter upon the land marked "Right of Way (Private) and Services Easement" on the plan to lay pipes, drains, mains, wires, cables and conducting media along and under the surface of the said land; and
- (b) to inspect, maintain, repair and amend the said infrastructure for the purpose of conveying water, stormwater, electricity, gas and telecommunication media; and
- (c) to ensure that the rights granted are exercised in a proper manner so as to cause as little inconvenience as possible and to do as little damage as practicable to the said land

"Easement of support" (for lot 3) means the right for the proprietor of dominant tenement to enter upon the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan to inspect and maintain the gabion wall, in conjunction with the proprietor of the servient tenement, that supports the adjoining carriageway pavement immediately above the gabion wall

K Wyss: 

A L Brakey: 

NOTE: Every annexed page 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.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 5 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

“Easement of support” (for lot 4) means the right for the proprietor of dominant tenement to enter upon the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT “Z” on the plan to inspect and maintain the gabion wall, in conjunction with the proprietor of the servient tenement, that supports the adjoining carriageway pavement immediately below the gabion wall


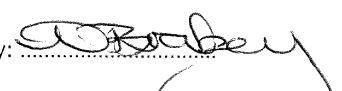
“TasWater” means Tasmanian Water & Sewerage Corporation Pty Ltd (ACN 162 220 653) its successors and assigns

“Pipeline and Services Easement” means:-

FIRSTLY, the full and free right and liberty for TasWater and its employees, contractors, agents and all other persons duly authorised by it, at all times to:

- (1) enter and remain upon the Easement Land with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse, repair, remove and replace the Infrastructure;
- (4) run and pass sewage, water and electricity through and along the Infrastructure;
- (5) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (a) without doing unnecessary damage to the Easement Land; and
 - (b) leaving the Easement Land in a clean and tidy condition;
- (6) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and any other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any vehicle entry and cross the Lot to the Easement Land; and
- (7) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot

SECONDLY, the benefit of a covenant in gross for TasWater with the registered proprietor/s of the Easement Land and their successors and assigns not to erect any building, or place any structures, objects, vegetation, or remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land, without the prior written consent of TasWater to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement herein described

K Wyss:  A L Brakey: 

NOTE: Every annexed page 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.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 6 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

"Infrastructure" means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) electricity assets and other conducting media (excluding telemetry and monitoring devices); \
- (e) markers or signs indicating the location of the Easement Land or any other Infrastructure or any warnings or restrictions with respect to the Easement Land or any other Infrastructure;
- (f) anything reasonably required to support, protect or cover any other Infrastructure;
- (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.

Signed by KURT WYSS in the presence of-)

Witness signature:)

Print Full Name:

Postal Address: **Tonya Cunningham**
4 Cattley Street, Burnie TAS 7320
Conveyancing Clerk

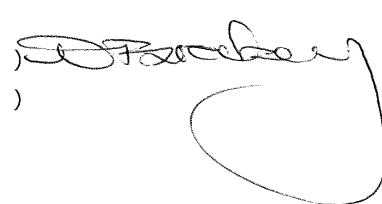


Signed by ANNE LOUISE BRAKEY in the presence of-)

Witness signature:)

Print Full Name:

Postal Address: **Tonya Cunningham**
4 Cattley Street, Burnie TAS 7320
Conveyancing Clerk



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<p>SCHEDULE OF EASEMENTS</p> <p>NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.</p>	<p>Registered Number</p> <p>SP.183174</p>
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PAGE 1 OF 6 PAGES

EASEMENTS AND PROFITS

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 1 is together with a right of drainage over the land marked DRAINAGE EASEMENT 1.52 WIDE on the plan

Lot 1 is subject to a right of carriageway (appurtenant to lots 1 & 3 on Sealed Plan 163225) over the land marked RIGHT OF WAY "A" (PRIVATE) passing through that lot on the plan

Lot 1 is subject to a right of carriageway (appurtenant to lot 1 on Sealed Plan 163225) over the land marked RIGHT OF WAY "B" (PRIVATE) passing through that lot on the plan

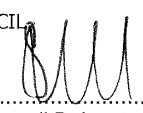
Lot 1 is subject to a right of carriageway (appurtenant to lot 1 on Sealed Plan 163225 and lot 1 on Sealed Plan 12488) over the land marked RIGHT OF WAY "C" (PRIVATE) 3.66 WIDE passing through that lot on the plan

Lot 1 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE AND PIPELINE AND SERVICES EASEMENT 3.00 WIDE, DRAINAGE EASEMENT 3.00 WIDE, DRAINAGE AND PIPELINE AND SERVICES EASEMENT 4.00 WIDE and DRAINAGE EASEMENT 4.00 WIDE passing through that lot on the plan

Lot 1 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked DRAINAGE AND PIPELINE AND SERVICES EASEMENT 3.00 WIDE and DRAINAGE AND PIPELINE AND SERVICES EASEMENT 4.00 WIDE ("the Easement Land") passing through that lot on the plan

Lot 2 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

(USE ANNEXURE PAGES FOR CONTINUATION)

<p>SUBDIVIDER: K WYSS & A L BRAKEY</p> <p>FOLIO REF: 163225-2</p> <p>SOLICITOR: GRAHAM WOODHOUSE CONVEYANCING</p>	<p>PLAN SEALED BY: BURNIE CITY COUNCIL</p> <p>DATE: 26.2.22</p> <p>SD-2017-1269 REF NO.</p>	 <p>..... Council Delegate</p>
<p>NOTE: The Council Delegate must sign the Certificate for the purposes of identification.</p>		

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 2 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP.183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 2 is subject to a right of carriageway (appurtenant to lot 3) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE EASEMENT 3.00 WIDE and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to a service easement as defined herein (appurtenant to lots 3-5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to an easement of support as defined herein (appurtenant to lot 3) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan


Lot 3 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is together with an easement of support as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is subject to a right of carriageway (appurtenant to lots 2, 4 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

Lot 3 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE EASEMENT 3.00 WIDE and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

Lot 3 is subject to a service easement as defined herein (appurtenant to lots 4 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

K Wyss: 

A L Brakey: 

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<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 3 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 4 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" on the plan & RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is together with an easement of support as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lots 2, 3 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 4 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE AND SERVICES EASEMENT 3.00 WIDE ("the Easement Land") passing through that lot on the plan

Lot 4 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" passing through that lot on the plan

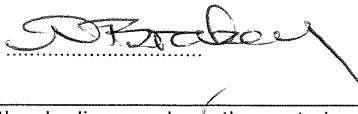
Lot 4 is subject to a service easement as defined herein (appurtenant to lot 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" passing through that lot on the plan

Lot 5 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 5 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 5 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE AND SERVICES EASEMENT 3.00 WIDE ("the Easement Land") passing through that lot on the plan

K Wyss: 

A L Brakey: 

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<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 4 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 5 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to a service easement as defined herein (appurtenant to lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to an easement of support as defined herein (appurtenant to lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to a right of carriageway (appurtenant to Lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" shown on the plan

FENCING PROVISION


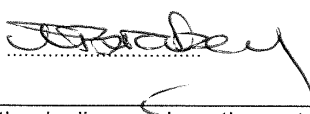
In respect to the lots on the plan the vendor (Kurt Wyss and Anne Louise Brakey) shall not be required to fence

INTERPRETATION

"Service easement" means the right for the proprietor of the dominant tenement at any time with others and machinery-

- (a) to enter upon the land marked "Right of Way (Private) and Services Easement" on the plan to lay pipes, drains, mains, wires, cables and conducting media along and under the surface of the said land; and
- (b) to inspect, maintain, repair and amend the said infrastructure for the purpose of conveying water, stormwater, electricity, gas and telecommunication media; and
- (c) to ensure that the rights granted are exercised in a proper manner so as to cause as little inconvenience as possible and to do as little damage as practicable to the said land

"Easement of support" (for lot 3) means the right for the proprietor of dominant tenement to enter upon the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan to inspect and maintain the gabion wall, in conjunction with the proprietor of the servient tenement, that supports the adjoining carriageway pavement immediately above the gabion wall

K Wyss:  A L Brakey: 

NOTE: Every annexed page 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.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 5 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

“Easement of support” (for lot 4) means the right for the proprietor of dominant tenement to enter upon the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT “Z” on the plan to inspect and maintain the gabion wall, in conjunction with the proprietor of the servient tenement, that supports the adjoining carriageway pavement immediately below the gabion wall

“TasWater” means Tasmanian Water & Sewerage Corporation Pty Ltd (ACN 162 220 653) its successors and assigns

“Pipeline and Services Easement” means:-

FIRSTLY, the full and free right and liberty for TasWater and its employees, contractors, agents and all other persons duly authorised by it, at all times to:

- (1) enter and remain upon the Easement Land with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse, repair, remove and replace the Infrastructure;
- (4) run and pass sewage, water and electricity through and along the Infrastructure;
- (5) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (a) without doing unnecessary damage to the Easement Land; and
 - (b) leaving the Easement Land in a clean and tidy condition;
- (6) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and any other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any vehicle entry and cross the Lot to the Easement Land; and
- (7) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot

SECONDLY, the benefit of a covenant in gross for TasWater with the registered proprietor/s of the Easement Land and their successors and assigns not to erect any building, or place any structures, objects, vegetation, or remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land, without the prior written consent of TasWater to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement herein described

K Wyss: 

A L Brakey: 

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<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 6 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

“Infrastructure” means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) electricity assets and other conducting media (excluding telemetry and monitoring devices); \
- (e) markers or signs indicating the location of the Easement Land or any other Infrastructure or any warnings or restrictions with respect to the Easement Land or any other Infrastructure;
- (f) anything reasonably required to support, protect or cover any other Infrastructure;
- (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.

Signed by KURT WYSS in the presence of-)

Witness signature:)

Print Full Name:

Postal Address: **Tonya Cunningham**
4 Cattley Street, Burnie TAS 7320
Conveyancing Clerk

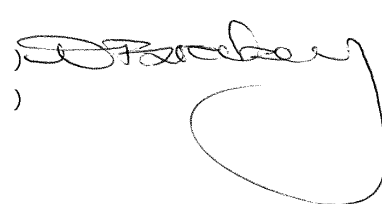


Signed by ANNE LOUISE BRAKEY in the presence of-)

Witness signature:)

Print Full Name:

Postal Address: **Tonya Cunningham**
4 Cattley Street, Burnie TAS 7320
Conveyancing Clerk



NOTE: Every annexed page 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.

SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP. 183174

PAGE 1 OF 6 PAGES

EASEMENTS AND PROFITS

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 1 is together with a right of drainage over the land marked DRAINAGE EASEMENT 1.52 WIDE on the plan

Lot 1 is subject to a right of carriageway (appurtenant to lots 1 & 3 on Sealed Plan 163225) over the land marked RIGHT OF WAY "A" (PRIVATE) passing through that lot on the plan

Lot 1 is subject to a right of carriageway (appurtenant to lot 1 on Sealed Plan 163225) over the land marked RIGHT OF WAY "B" (PRIVATE) passing through that lot on the plan

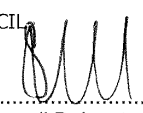
Lot 1 is subject to a right of carriageway (appurtenant to lot 1 on Sealed Plan 163225 and lot 1 on Sealed Plan 12488) over the land marked RIGHT OF WAY "C" (PRIVATE) 3.66 WIDE passing through that lot on the plan

Lot 1 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE AND PIPELINE AND SERVICES EASEMENT 3.00 WIDE, DRAINAGE EASEMENT 3.00 WIDE, DRAINAGE AND PIPELINE AND SERVICES EASEMENT 4.00 WIDE and DRAINAGE EASEMENT 4.00 WIDE passing through that lot on the plan

Lot 1 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked DRAINAGE AND PIPELINE AND SERVICES EASEMENT 3.00 WIDE and DRAINAGE AND PIPELINE AND SERVICES EASEMENT 4.00 WIDE ("the Easement Land") passing through that lot on the plan

Lot 2 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REF: 163225-2 SOLICITOR: GRAHAM WOODHOUSE CONVEYANCING	PLAN SEALED BY: BURNIE CITY COUNCIL DATE: 26.2.22 SD-2017-1269 REF NO.
 Council Delegate	
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 2 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP.183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 2 is subject to a right of carriageway (appurtenant to lot 3) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE EASEMENT 3.00 WIDE and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to a service easement as defined herein (appurtenant to lots 3-5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" passing through that lot on the plan

Lot 2 is subject to an easement of support as defined herein (appurtenant to lot 3) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan


Lot 3 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is together with an easement of support as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan

Lot 3 is subject to a right of carriageway (appurtenant to lots 2, 4 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

Lot 3 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked DRAINAGE EASEMENT 3.00 WIDE and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

Lot 3 is subject to a service easement as defined herein (appurtenant to lots 4 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" passing through that lot on the plan

K Wyss: 

A L Brakey: 

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<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 3 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 4 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" on the plan & RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is together with an easement of support as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan

Lot 4 is subject to a right of carriageway (appurtenant to lots 2, 3 & 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 4 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE AND SERVICES EASEMENT 3.00 WIDE ("the Easement Land") passing through that lot on the plan

Lot 4 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" passing through that lot on the plan

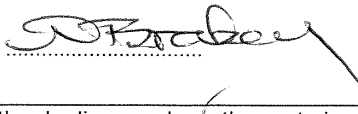
Lot 4 is subject to a service easement as defined herein (appurtenant to lot 5) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" passing through that lot on the plan

Lot 5 is together with a right of carriageway over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "X" and RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 5 is together with a service easement as defined herein over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Y" on the plan

Lot 5 is subject to a pipeline and services easement in gross as defined herein (in favour of TasWater) over the land marked PIPELINE AND SERVICES EASEMENT 3.00 WIDE ("the Easement Land") passing through that lot on the plan

K Wyss: 

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<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 4 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

Lot 5 is subject to a right of drainage in gross (in favour of Burnie City Council) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to a service easement as defined herein (appurtenant to lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to an easement of support as defined herein (appurtenant to lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" passing through that lot on the plan

Lot 5 is subject to a right of carriageway (appurtenant to Lot 4) over the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" shown on the plan

FENCING PROVISION

In respect to the lots on the plan the vendor (Kurt Wyss and Anne Louise Brakey) shall not be required to fence

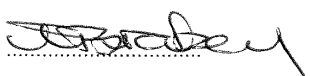
INTERPRETATION

"Service easement" means the right for the proprietor of the dominant tenement at any time with others and machinery-

- (a) to enter upon the land marked "Right of Way (Private) and Services Easement" on the plan to lay pipes, drains, mains, wires, cables and conducting media along and under the surface of the said land; and
- (b) to inspect, maintain, repair and amend the said infrastructure for the purpose of conveying water, stormwater, electricity, gas and telecommunication media; and
- (c) to ensure that the rights granted are exercised in a proper manner so as to cause as little inconvenience as possible and to do as little damage as practicable to the said land

"Easement of support" (for lot 3) means the right for the proprietor of dominant tenement to enter upon the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "W" on the plan to inspect and maintain the gabion wall, in conjunction with the proprietor of the servient tenement, that supports the adjoining carriageway pavement immediately above the gabion wall

K Wyss: 

A L Brakey: 

NOTE: Every annexed page 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.

<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 5 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

"Easement of support" (for lot 4) means the right for the proprietor of dominant tenement to enter upon the land marked RIGHT OF WAY (PRIVATE) AND SERVICES EASEMENT "Z" on the plan to inspect and maintain the gabion wall, in conjunction with the proprietor of the servient tenement, that supports the adjoining carriageway pavement immediately below the gabion wall

"TasWater" means Tasmanian Water & Sewerage Corporation Pty Ltd (ACN 162 220 653) its successors and assigns

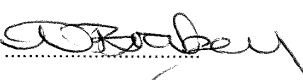
"Pipeline and Services Easement" means:-

FIRSTLY, the full and free right and liberty for TasWater and its employees, contractors, agents and all other persons duly authorised by it, at all times to:

- (1) enter and remain upon the Easement Land with or without machinery, vehicles, plant and equipment;
- (2) investigate, take soil, rock and other samples, survey, open and break up and excavate the Easement Land for any purpose or activity that TasWater is authorised to do or undertake;
- (3) install, retain, operate, modify, relocate, maintain, inspect, cleanse, repair, remove and replace the Infrastructure;
- (4) run and pass sewage, water and electricity through and along the Infrastructure;
- (5) do all works reasonably required in connection with such activities or as may be authorised or required by any law:
 - (a) without doing unnecessary damage to the Easement Land; and
 - (b) leaving the Easement Land in a clean and tidy condition;
- (6) if the Easement Land is not directly accessible from a highway, then for the purpose of undertaking any of the preceding activities TasWater may with or without employees, contractors, agents and any other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any vehicle entry and cross the Lot to the Easement Land; and
- (7) use the Easement Land as a right of carriageway for the purpose of undertaking any of the preceding purposes on other land, TasWater reinstating any damage that it causes in doing so to any boundary fence of the Lot

SECONDLY, the benefit of a covenant in gross for TasWater with the registered proprietor/s of the Easement Land and their successors and assigns not to erect any building, or place any structures, objects, vegetation, or remove any thing that supports, protects or covers any Infrastructure on or in the Easement Land, without the prior written consent of TasWater to the intent that the burden of the covenant may run with and bind the servient land and every part thereof and that the benefit thereof may be annexed to the easement herein described

K Wyss: 


A L Brakey: 

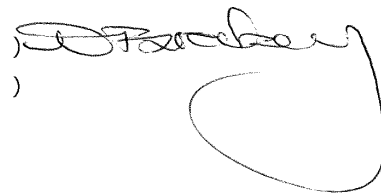
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<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 6 OF 6 PAGES</p>	<p>Registered Number</p> <p>SP 183174</p>
<p>SUBDIVIDER: K WYSS & A L BRAKEY FOLIO REFERENCE: 163225-2</p>	

“Infrastructure” means infrastructure owned or for which TasWater is responsible and includes but is not limited to:

- (a) sewer pipes and water pipes and associated valves;
- (b) telemetry and monitoring devices;
- (c) inspection and access pits;
- (d) electricity assets and other conducting media (excluding telemetry and monitoring devices); \
- (e) markers or signs indicating the location of the Easement Land or any other Infrastructure or any warnings or restrictions with respect to the Easement Land or any other Infrastructure;
- (f) anything reasonably required to support, protect or cover any other Infrastructure;
- (g) any other infrastructure whether of a similar nature or not to the preceding which is reasonably required for the piping of sewage or water, or the running of electricity, through the Easement Land or monitoring or managing that activity; and
- (h) where the context permits, any part of the Infrastructure.

Signed by KURT WYSS in the presence of-) 
 Witness signature:)
 Print Full Name:
 Postal Address: **Tonya Cunningham**
 4 Cattley Street, Burnie TAS 7320
 Conveyancing Clerk

Signed by ANNE LOUISE BRAKEY in the presence of-) 
 Witness signature:)
 Print Full Name:
 Postal Address: **Tonya Cunningham**
 4 Cattley Street, Burnie TAS 7320
 Conveyancing Clerk

NOTE: Every annexed page 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.



September 2025

PLANNING REPORT

DEVELOPMENT OF A SINGLE DWELLING

2B Bernard Road OCEAN VISTA



Prepared by
Woolcott Land Services Pty Ltd
ABN 63 677 435 924

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Town Planner

Rev.no	Description	Date
1	Review	
2	Draft	
3	Final	24 September 2025

Annexures

Annexure 1 Copy of Title plan and Folio text

Annexure 2 Proposal Plan

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1. Introduction

This report has been prepared in support of a planning permit application under Section 57 of the *Land Use Planning and Approvals Act 1993*.

Proposed development
Development – development of a single dwelling and car port.

This application is to be read in conjunction with the following supporting documentation:

Document	Consultant
Proposal Plan	Engineering Plus / Tasbuilt Homes

2. Subject site and proposal

2.1 Site details

Address	2B Bernard Road, Ocean Vista TAS 7320
Property ID	9582204
Title	183174/3 <i>183174/4 & 183174/2 (ROW)</i>
Land area	1291m ²
Planning Authority	Burnie Council
Planning Scheme	Tasmanian Planning Scheme – Burnie (Scheme)
Easements	Drainage and pipeline and services easement Right of way easement
Application status	Discretionary application
Existing Access	Dual vehicle crossing from Bernard Road
Zone	General Residential
General Overlay	None
Overlays	Medium landslip hazard band Bushfire-prone areas
Existing development	Vacant

Existing services and infrastructure	
Water	Serviced
Sewer	Serviced
Stormwater	Serviced

2.2 Proposal

The proposal is for the development of a single dwelling on the lot with a car port.

The dwelling will be single storey, it will have two bedrooms with two bathrooms, study, kitchen, living area and laundry. The dwelling will have a north facing deck accessible from the dwelling. There will also be a small roofed entry deck at the south elevation.

The building will have a partial under-floor void as the northern elevation will be raised according to the slope of the land. This will be accessible by personal door and used only for household storage. The area is not intended for habitation.

The dwelling will have a floor area of 145.63m².

A carport will provide car parking for a single vehicle. An area of fill is required to make the driveway and parking area, which will be sealed and a retaining wall to the west side of the lot is included to the works.

2.3 Subject site

The site is a single lot of 2191m² accessed from the west end of Bernard Road. The lot has a shared access point existing which allows access to two other lots (CT. 183174/4 and CT. 183174/2). The site has is vacant and is sloped downwards to the north at a ratio that varies from 1:3 to 1:15 over the site.



Figure 1 Aerial view of the subject site (Source: LIST)



Figure 2 Vehicle access from Bernard Street



Figure 3 Subject site looking north

3. Zoning and overlays

3.1 Zoning

The site is zoned General Residential under the Scheme.

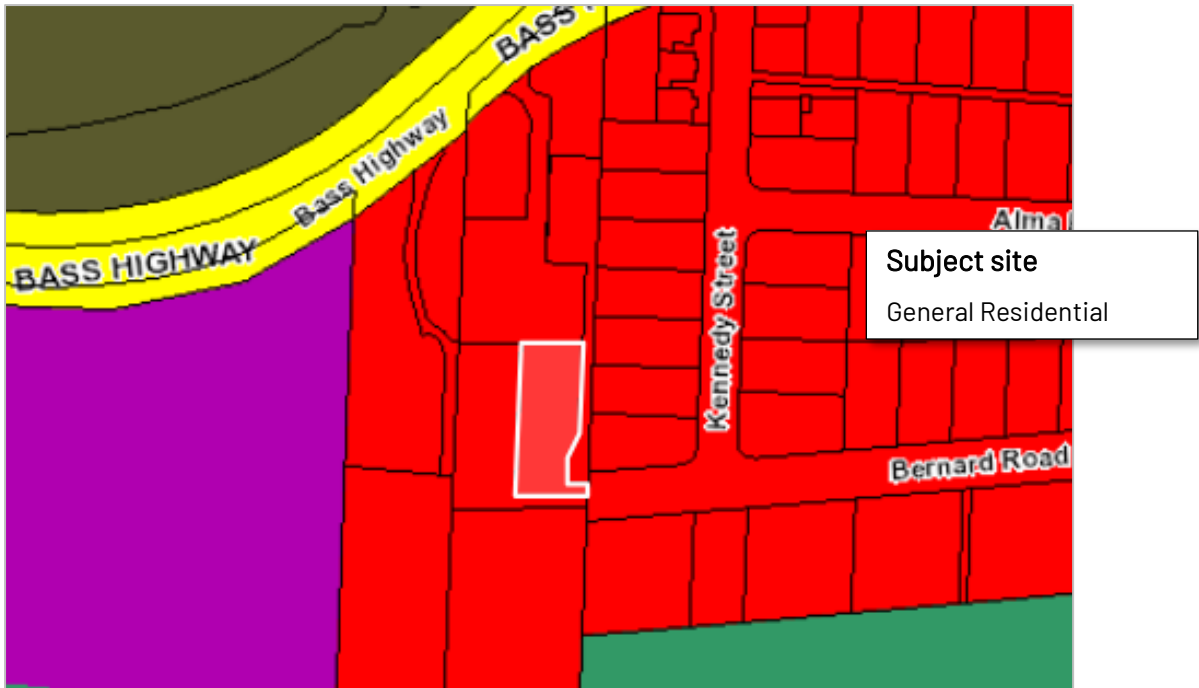


Figure 4 Zoning of the subject site and surrounding area (Source: LIST)

3.2 Overlays

The subject site is subject to the Bushfire prone areas (red hatch) and the Medium landslip hazard area (shaded orange) overlays.



Figure 5 Overlays affecting the subject site (Source: LIST)

4. Planning Scheme Assessment

4.1 Zone assessment

8.0 General Residential Zone

8.1 Zone Purpose

8.1.1	To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
8.1.2	To provide for the efficient utilisation of available social, transport and other service infrastructure.
8.1.3	To provide for non-residential use that: <ul style="list-style-type: none"> a. primarily serves the local community; and b. does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
8.1.4	To provide for Visitor Accommodation that is compatible with residential character.

Response

The proposed residential use and development is in accord with the purpose of the zone.

8.2 Use Table

No Permit Required	
Residential	If for a single dwelling.

Response

The proposed Use is a *No Permit Required Use*.

8.4 Development Standards for Dwellings

8.4.2 Setbacks and building envelope for all dwellings

Objective	
The siting and scale of dwellings: <ul style="list-style-type: none"> a. provides reasonably consistent separation between dwellings and their frontage within a street; b. provides consistency in the apparent scale, bulk, massing and proportion of dwellings; c. provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and d. provides reasonable access to sunlight for existing solar energy installations. 	
Acceptable Solutions	Performance Criteria
A1 Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not	P1 A dwelling must have a setback from a frontage that is compatible with the streetscape, having regard to any

<p>more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, not less than the setback, from the primary frontage, of any existing dwelling on the site; b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level. 	<p>topographical constraints.</p>
---	-----------------------------------

Response

A1 The acceptable solution is achieved. The dwelling is set back more than 4.5m from the frontage.

<p>A2 A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> a) 5.5m, or alternatively 1m behind the building line; b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. 	<p>P2 A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p>
---	--

Response

A2 The acceptable solution is achieved. The car port is set back more than 5.5m.

<p>A3 A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by: 	<p>P3 The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an
---	---

<ul style="list-style-type: none"> i. a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and ii. projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and <p>b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:</p> <ul style="list-style-type: none"> i. does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or ii. (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser). 	<ul style="list-style-type: none"> adjoining property; ii. overshadowing the private open space of a dwelling on an adjoining property; iii. overshadowing of an adjoining vacant property; and iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property; <p>b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</p> <p>c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:</p> <ul style="list-style-type: none"> i. an adjoining property; or ii. another dwelling on the same site.
---	--

Response

P3 The performance criteria are addressed. There is an encroachment at the west elevation from the roofline and from the screening to the door entry area.

a. The minor encroachment is not expected to cause an unreasonable loss of amenity to an adjoining property as:

- (i) Any overshadowing will be restricted to the morning. Overshadowing caused by the encroachment will be minor and will move quickly with the sun movement.
- (ii) Any effect to private open space will be minor, as described at (i).
- (iii) The neighbouring property is vacant at the time of application. The effect will be minor and restricted to the morning.
- (iv) The dwelling is well setback from all boundaries, and, as the building bulk is due to the slope of the land, the visual effect will appear typical for the area. Future boundary fencing will mitigate any effects, which are not unreasonable in context of the whole of the site.

b. The adjoining lot is vacant but the setback to the west boundary is 2.4m which is adequate for separation from a side boundary.

c. There are no solar installations existing, no significant effect is anticipated to any future installation.

8.4.3 Site coverage and private open space for all dwellings

Objective

<p>That dwellings are compatible with the amenity and character of the area and provide:</p> <ul style="list-style-type: none"> a. for outdoor recreation and the operational needs of the residents; b. opportunities for the planting of gardens and landscaping; and c. private open space that is conveniently located and has access to sunlight. 	
Acceptable Solutions	Performance Criteria
<p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> a) a site coverage of not more than 50% (excluding eaves up to 0.6m wide); and b) for multiple dwellings, a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer). 	<p>P1 Dwellings must have:</p> <ul style="list-style-type: none"> a) site coverage consistent with that existing on established properties in the area; b) private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> i. outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and ii. operational needs, such as clothes drying and storage; and c) reasonable space for the planting of gardens and landscaping.

Response

A1 The acceptable solution is achieved. The site coverage is approximately 28 percent including the carport.

<p>A2 A dwelling must have private open space that:</p> <ul style="list-style-type: none"> a) is in one location and is not less than: <ul style="list-style-type: none"> i. 24m²; or ii. 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); b) has a minimum horizontal dimension of not less than: <ul style="list-style-type: none"> i. 4m; or ii. 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); c) is located between the dwelling and the frontage only if the frontage is 	<p>P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <ul style="list-style-type: none"> a) conveniently located in relation to a living area of the dwelling; and b) orientated to take advantage of sunlight
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<p>orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>d) has a gradient not steeper than 1 in 10.</p>	
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Response

A2 The acceptable solution is achieved. The deck included to the dwelling meets the requirement for private open space.

8.4.5 Width of openings for garages and carports for all dwellings

Objective	
To reduce the potential for garage or carport openings to dominate the primary frontage.	
Acceptable Solutions	Performance Criteria
A1 A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).	P1 A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.

Response

A1 The acceptable solution is achieved.

8.4.6 Privacy for all dwellings

Objective	
To provide a reasonable opportunity for privacy for dwellings.	
Acceptable Solutions	Performance Criteria
A1 A balcony, deck, roof terrace, parking space, or carport for a dwelling (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above existing ground level must have a permanently fixed screen to a height of not less than 1.7m above the finished surface or floor level, with a uniform transparency of not more than 25%, along the sides facing a: <ul style="list-style-type: none"> a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 3m from the side boundary; b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of not less than 4m from the rear boundary; and c) dwelling on the same site, unless the balcony, deck, roof terrace, parking 	P1 A balcony, deck, roof terrace, parking space or carport for a dwelling (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above existing ground level, must be screened, or otherwise designed, to minimise overlooking of: <ul style="list-style-type: none"> a) a dwelling on an adjoining property or its private open space; or b) another dwelling on the same site or its private open space.

<p>space, or carport is not less than 6m:</p> <ul style="list-style-type: none"> i. from a window or glazed door, to a habitable room of the other dwelling on the same site; or ii. from a balcony, deck, roof terrace or the private open space of the other dwelling on the same site. 	
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Response

P1 The performance criteria are addressed. The main deck to the dwelling is compliant. There is a small deck on the west elevation within 3m of the boundary that will be more than 1m above existing ground level but will be appropriately screened from the west adjoining lot.

<p>A2 A window or glazed door to a habitable room of a dwelling, that has a floor level more than 1m above existing ground level, must satisfy (a), unless it satisfies (b):</p> <p>a) the window or glazed door:</p> <ul style="list-style-type: none"> i. is to have a setback of not less than 3m from a side boundary; ii. is to have a setback of not less than 4m from a rear boundary; iii. if the dwelling is a multiple dwelling, is to be not less than 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and iv. if the dwelling is a multiple dwelling, is to be not less than 6m from the private open space of another dwelling on the same site. <p>b) the window or glazed door:</p> <ul style="list-style-type: none"> i. is to be offset, in the horizontal plane, not less than 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; ii. is to have a sill height of not less than 1.7m above the floor level or have fixed obscure glazing extending to a height of not less than 1.7m above the floor level; or iii. is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of not less than 1.7m above floor level, with a uniform transparency of not more than 25%. 	<p>P2 A window or glazed door to a habitable room of a dwelling that has a floor level more than 1m above existing ground level, must be screened, or otherwise located or designed, to minimise direct views to:</p> <ul style="list-style-type: none"> a) a window or glazed door, to a habitable room of another dwelling; and b) the private open space of another dwelling.
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Response

P1 The performance criteria are addressed. The windows on the west elevation are within the boundary setback, and the floor level is more than 1m from ground level, however, the adjoining

lot is vacant so there is no opportunity to offset the windows to adjoining windows or doors. Likewise, whether direct views are afforded to private open space is not known until the adjoining site layout is known.

<p>A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of not less than:</p> <p>a) 2.5m; or</p> <p>b) 1m if:</p> <ol style="list-style-type: none"> i. it is separated by a screen of not less than 1.7m in height; or ii. the window, or glazed door, to a habitable room has a sill height of not less than 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of not less than 1.7m above the floor level. 	<p>P3 A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise unreasonable impact of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling</p>
--	---

Response

Not applicable.

8.4.7 Frontage fences for all dwellings

Objective	
<p>The height and transparency of frontage fences:</p> <ol style="list-style-type: none"> a. provides adequate privacy and security for residents; b. allows the potential for mutual passive surveillance between the road and the dwelling; and c. is reasonably consistent with that on adjoining properties. 	
Acceptable Solutions	Performance Criteria
<p>A1 No Acceptable Solution.</p>	<p>P1 A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:</p> <ol style="list-style-type: none"> a) provide for security and privacy while allowing for passive surveillance of the road; and b) be compatible with the height and transparency of fences in the street, having regard to: <ol style="list-style-type: none"> i. the topography of the site; and ii. traffic volumes on the adjoining road.

Response

No front fences are included in this proposal.

4.2 Code Assessment

C2.0 Parking and Sustainable Transport Code

C2.5 Use Standards

Response

- P1 The performance criteria are addressed. One car parking space is provided for as an undercover space. This is reasonable to the needs of a two bedroom dwelling.
- a. The site will have a space for a second car that is not undercover and utilises the driveway space. Tandem parking for residents is acceptable and a visitor may park on the driveway (outside of the right of way).
 - b. The potential for multiple users sharing the space is not a high consideration for this development.
 - c. There is a bus stop at Bass Highway within 325m (approximate).
 - d. Pedestrian infrastructure is provided to the surrounding area.
 - e. The slope on the site creates difficulty in creating additional formal car parking on the site.
 - f. The nature of the nearby roads is residential and local, however, there is no on-street parking available at the lot frontage.
 - g. No effect to the streetscape is anticipated as parking provided is considered reasonable to the use and on-street parking is limited.
 - h. No further assessment has been undertaken.

C2.6 Development standards for buildings and works

C2.6.1 Construction of parking areas

Response

- A1 The acceptable solution is achieved. The driveway will be sealed and the gradient of the parking spaces will be less than 5%. The construction will be suitable for stormwater drainage. Cut and fill for this will be limited to less than 100mm.

C2.6.2 Design and layout of parking areas

Response

- A1 Please refer to plans.

C2.6.3 Number of accesses for vehicles

Response

- A1 The acceptable solution is achieved. The site has an existing single access point (vehicle crossing).

C13.0 Bushfire-Prone Areas Code

C13.2 Application of this Code

C13.2.1 This code applies to:

- (a) subdivision of land that is located within, or partially within, a bushfire-prone area; and
- (b) a use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use.

Response

The code does not apply to this application.

C16.0 Safeguarding of Airports Code

C16.4 Use or Development Exempt from this Code

C16.4.1 The following use or development is exempt from this code:

- (a) development that is not more than the AHD height specified for the site of the development in the relevant airport obstacle limitation area.

Response

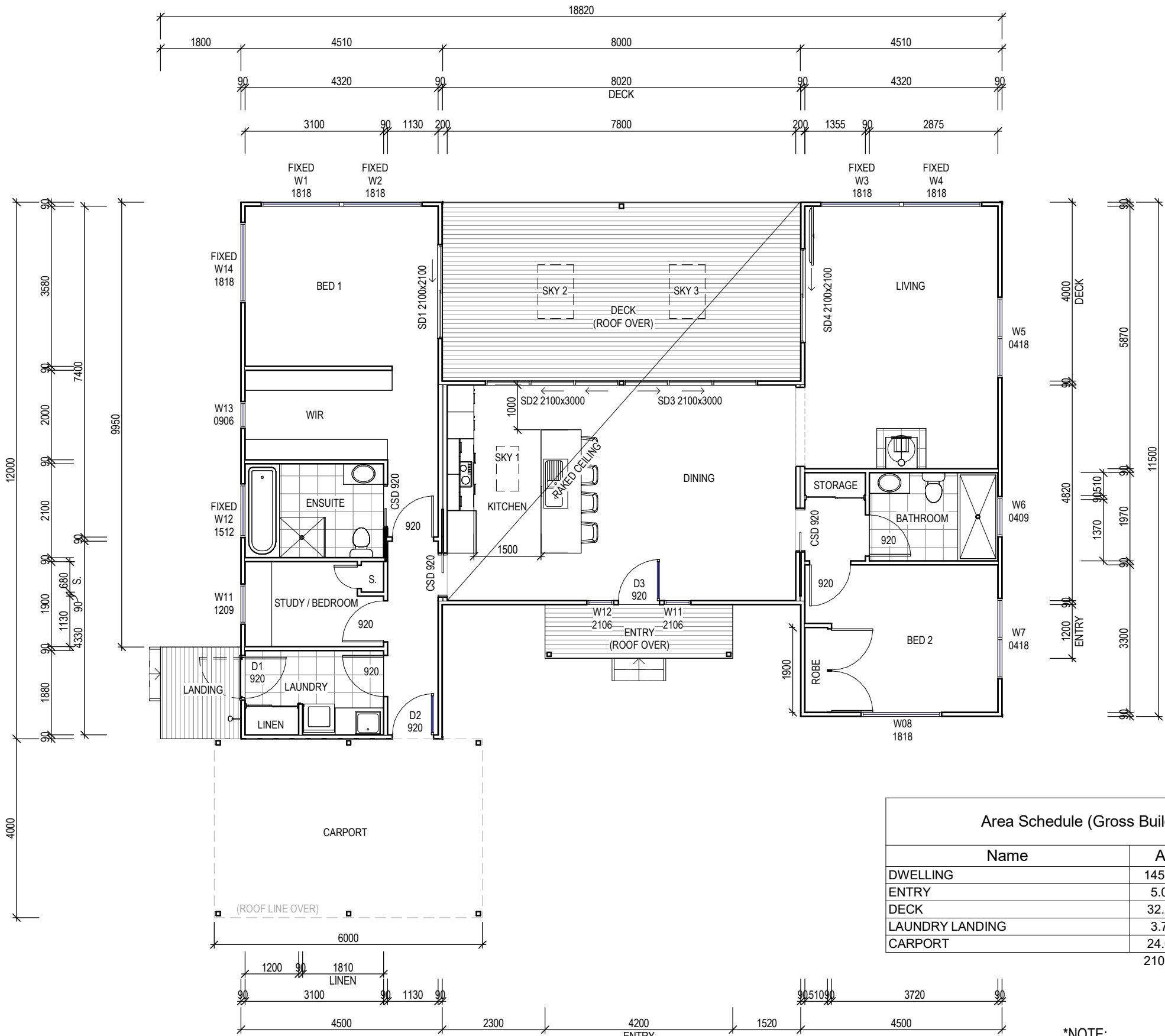
The listed height is 1069.2m. The code does not apply.

3. Conclusion

This application is for the development of a single dwelling with outbuilding. The proposed is in accord with the provisions of the Scheme and a planning permit is sought from Council.

WINDOW SCHEDULE

MARK	HEIGHT	WIDTH	TYPE	U-VALUE	SHGC
W1	1800	1800	DG	2.8	.43
W2	1800	1800	DG	2.8	.43
W3	1800	1800	DG	2.8	.43
W4	1800	1800	DG	2.8	.43
W5	400	1800	DG	2.8	.43
W6	400	900	DG	2.8	.43
W7	400	1800	DG	2.8	.43
W8	1800	1800	DG	2.8	.43
*W9	2100	600	DG	2.8	.43
*W10	2100	600	DG	2.8	.43
W11	1200	900	DG	2.8	.43
W12	1500	1200	DG	2.8	.43
W13	900	600	DG	2.8	.43
W14	1800	1800	DG	2.8	.43
SD1	2100	2100	DG	2.8	.43
SD2	2100	3000	DG	2.8	.43
SD3	2100	3000	DG	2.8	.43
SD4	2100	2100	DG	2.8	.43
D1	2100	920	DG	2.8	.43
D2	2100	920	DG	2.8	.43
D3	2100	920	DG	2.8	.43
SKY1	1000	500	DG	2.8	.43
SKY2	1200	800	DG	2.8	.43
SKY3	1200	800	DG	2.8	.43



Name	Area	Area (sq)
DWELLING	145.63 m ²	15.68
ENTRY	5.04 m ²	0.54
DECK	32.24 m ²	3.47
LAUNDRY LANDING	3.70 m ²	0.40
CARPORT	24.00 m ²	2.58
TOTAL	210.61 m²	22.67

CONSTRUCTION PLAN
SCALE 1:100

*NOTE:
IF HEIGHT TO GROUND IS GREATER THAN 2.0m WINDOW
TO HAVE PERMANENTLY FIXED ROBUST SCREEN
INSTALLED OR HAVE AN OPENING RESTRICTED TO 125mm

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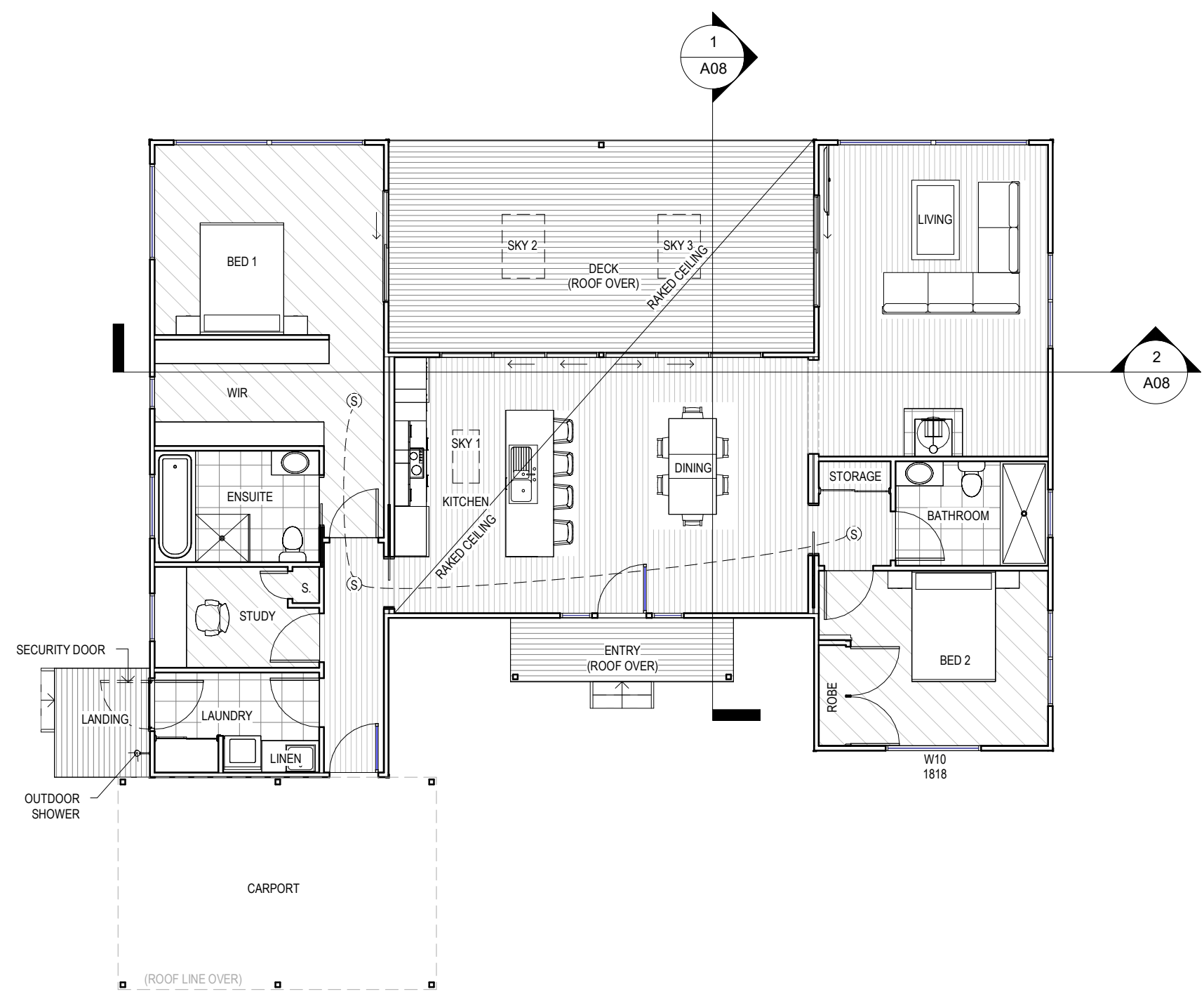
DISCLAIMER:
ALL WINDOWS SHOWN ON PLAN ARE APPROX.
BASED OFF STANDARD MANUFACTURING SIZES. ALL
WINDOW DIMENSIONS TO BE CONFIRMED ON SITE
BY BUILDER PRIOR TO ORDERING AND
MANUFACTURING.

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F	MINOR AMENDMENT	29.09.25	W.T.
E	BLOCK WALL AMENDMENT	26.09.25	W.T.
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Rev:	Amendment:	Date:	Int:

Date Drawn: 04.03.25
Drawn: W. Tan
Checked: C. Lim
Approved: J. Pfeiffer
Scale: As Shown @ A3
Accredited Building Designer
Designer Name: J. Pfeiffer
Accreditation No: CC2211T

Client: R. CLANCY & A. KEIGHTLEY
Project: PROPOSED DWELLING
Address: 2B BERNARD RD
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Drawing No: 2025-142 A02 / A08
Rev: G



FLOOR COVERINGS	
	CARPET
	CONCRETE
	TIMBER DECKING
	TILE
	VINYL TIMBER FLOORING

SMOKE ALARMS
 PROVIDE AND INSTALL SMOKE ALARMS & HARD WIRE TO BUILDING POWER SUPPLY TO AS 3786. CEILING MOUNTED WITH 9VDC ALKALINE BATTERY BACKUP TO LOCATIONS INDICATED ON PLAN AND IN ACCORDANCE WITH ABCB OF H3D6 - PART 9.5.2

(S) - DENOTES INTERCONNECTED SMOKE DETECTORS

FLOOR PLAN
 SCALE 1:100

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Area Schedule (Gross Building)		
Name	Area	Area (sq)
DWELLING	145.63 m ²	15.68
ENTRY	5.04 m ²	0.54
DECK	32.24 m ²	3.47
LAUNDRY LANDING	3.70 m ²	0.40
CARPORT	24.00 m ²	2.58
	210.61 m ²	22.67

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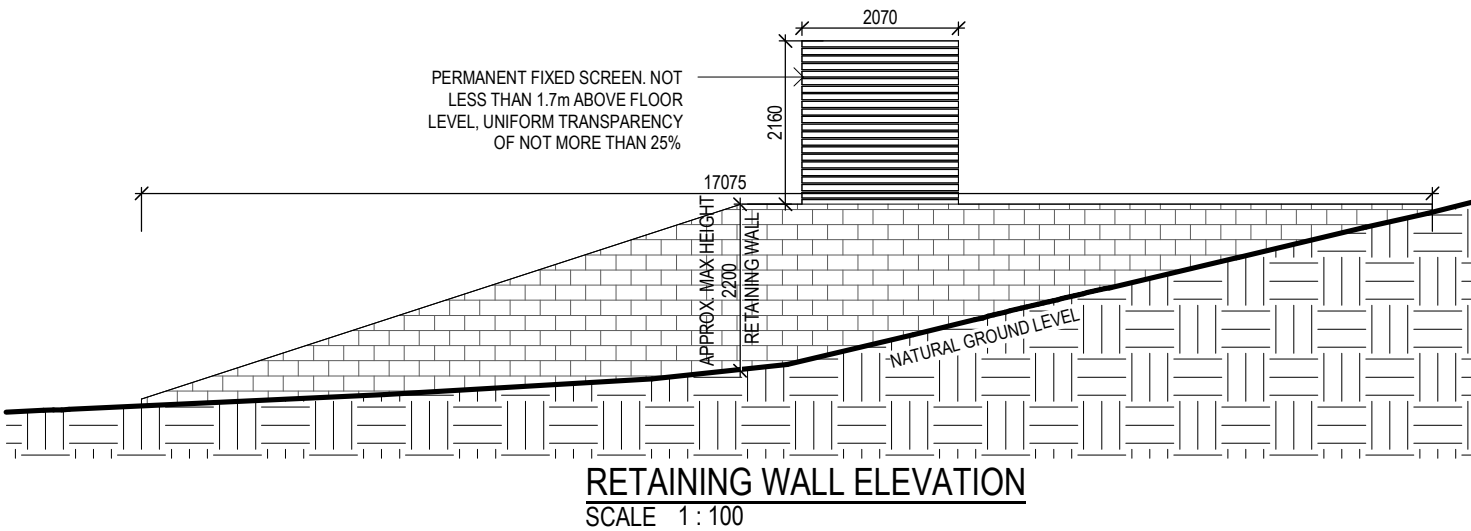
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SUB FLOOR VENTILATION. NCC VOL 2 PART 6.2.1

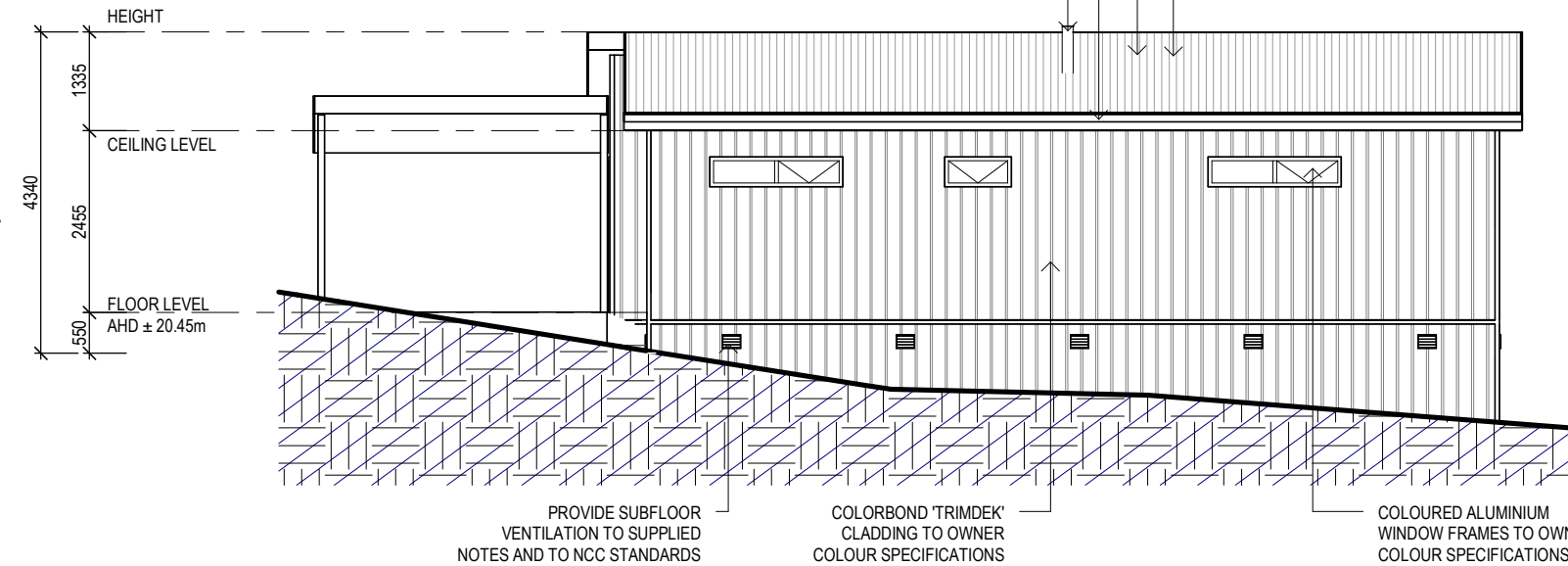
- A MINIMUM OF 150 MM OF SUB FLOOR CLEARANCE IS TO BE PROVIDED BETWEEN FINISHED SURFACE LEVEL & THE UNDERSIDE OF THE FLOOR BEARER.
- A MINIMUM OF 6000 MM² PER METRE OF SUB FLOOR VENTILATION IS TO BE UNIFORMLY DISTRIBUTED AROUND THE EXTERNAL AND INTERNAL WALLS OF THE BUILDING.
- VENTS TO BE LOCATED NO GREATER THAN 600 MM FROM AN INTERNAL OR EXTERNAL CORNER.

PRYDA 230x75 - 52 HOLE VENT MAXIMUM SPACING 1050 MM ALONG WALL OR
 PRYDA 230x165 - 117 HOLE VENT MAXIMUM SPACING 2350 MM ALONG WALL

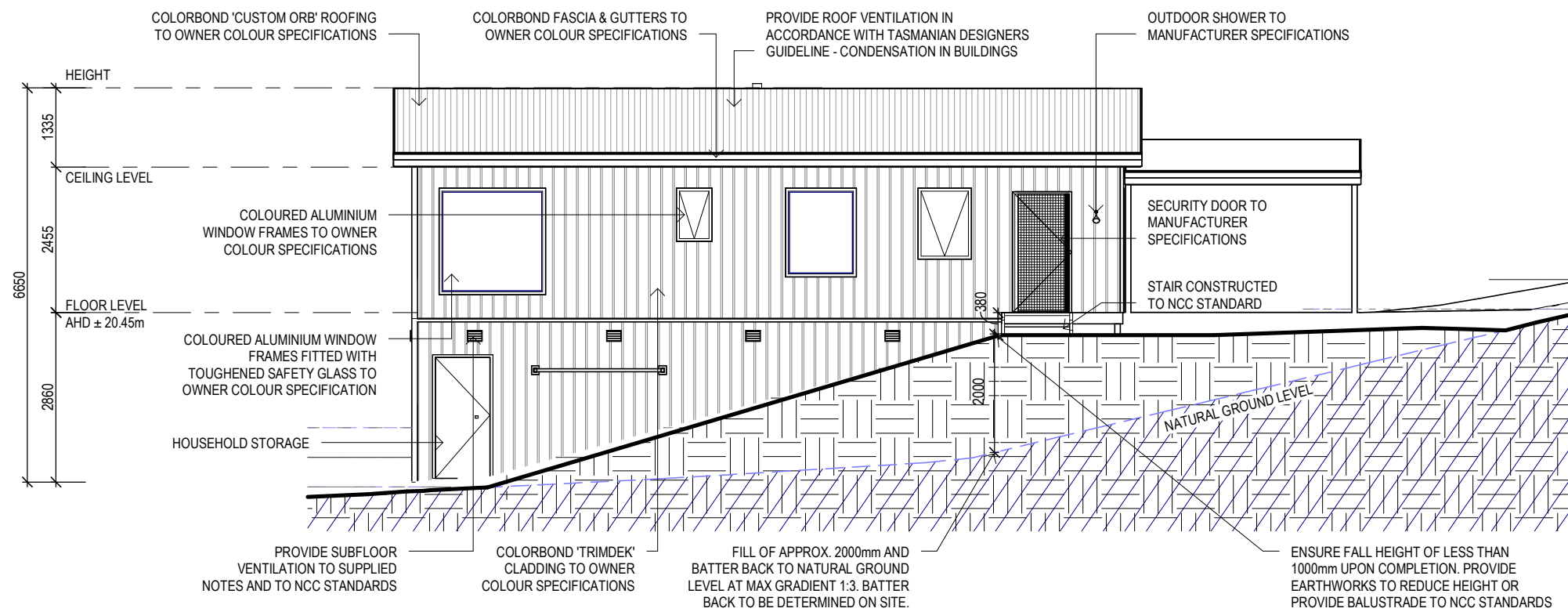
ADDITIONAL VENTILATION PROVISIONS TO BE INSTALLED WHERE OBSTRUCTIONS SUCH AS
 CONCRETE VERANDAH'S, DECKS, PATIOS AND PAVING ARE INSTALLED & OBSTRUCT VENTILATION.



RETAINING WALL ELEVATION
 SCALE 1:100



EAST ELEVATION
 SCALE 1:100



WEST ELEVATION
 SCALE 1:100

STAIR CONSTRUCTION. ABCB VOLUME 2 PART II.2

- TREADS: 240 MM
- RISERS: 180 MM
- TREATED PINE TIMBER STAIR MATERIAL TO ASI684
- TREATMENT LEVELS H4 FOR INGROUND USE & H3 FOR ABOVE GROUND USE.
- ALL FIXINGS FITTING BRACKETS AND CONNECTORS TO BE GALVANISED.
- STRINGER: 300x50 F5 TREATED PINE
- TREADS: 240x45 F5 TREATED PINE MAXIMUM TREAD SPAN 1000

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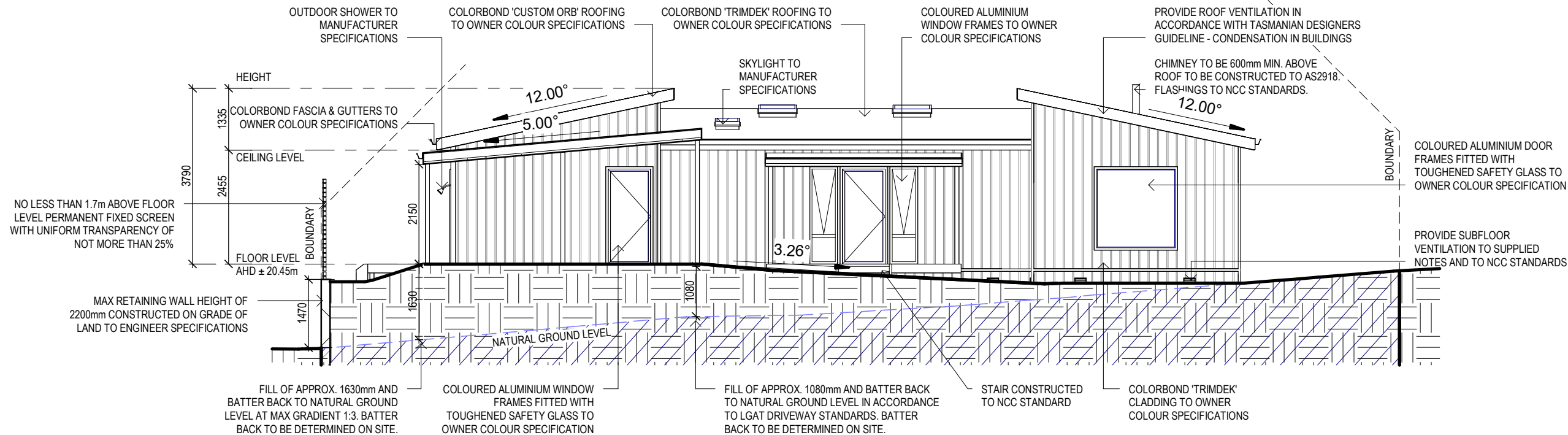
Accredited Building Designer
 Designer Name: **J. Pfeiffer**
 Accreditation No: **CC2211T**

Drawing No: **2025-142 A04 / A08** Rev **G**

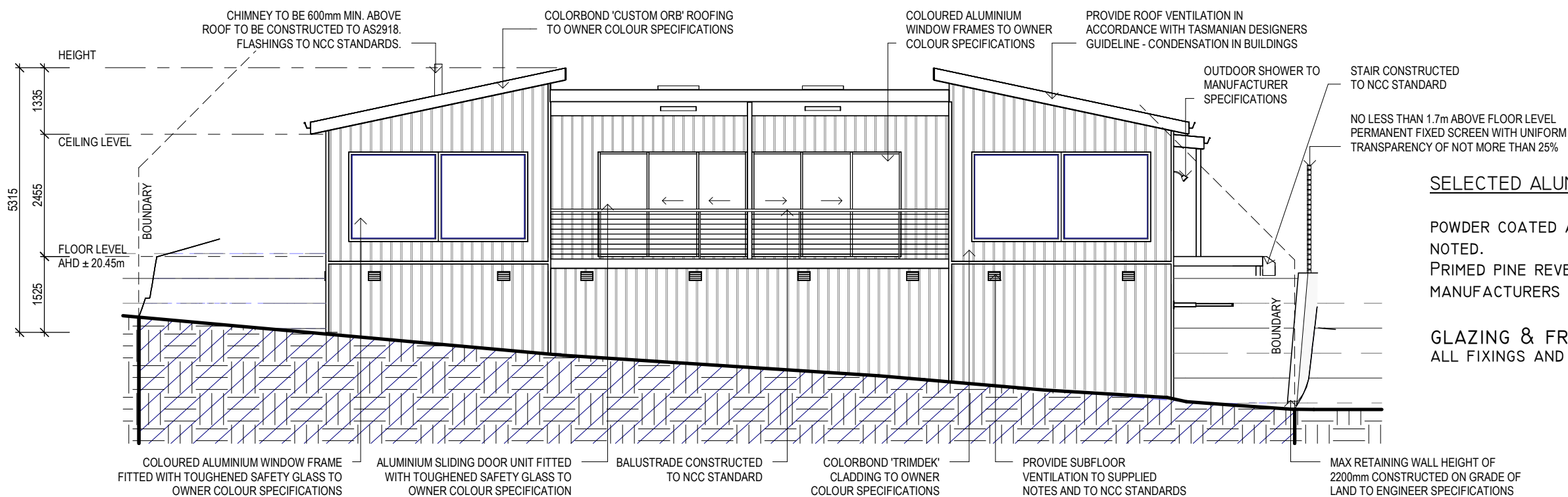
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SOFFIT / EAVE LINED WITH 'HARDIFLEX' CEMENT SHEETING

- TRIMMERS LOCATED WITHIN 1200 MM OF EXTERNAL CORNERS TO BE SPACED @ 500 MM CENTERS, REMAINDER OF SHEET - 700 MM CENTERS
- FASTENER / FIXINGS WITHIN 1200 MM OF EXTERNAL CORNERS @ 200 MM CENTERS, REMAINDER OF SHEET - 300 MM CENTERS



SOUTH ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100

SELECTED ALUMINIUM FRAMED WINDOWS - ABCB VOLUME 2 PART 8.3

POWDER COATED ALUMINIUM WINDOW & DOOR FRAMES, UNLESS OTHERWISE NOTED.
PRIMED PINE REVEALS AND TRIMS. ALL FLASHING AND FIXINGS TO MANUFACTURERS SPECIFICATIONS.

GLAZING & FRAME CONSTRUCTION TO AS 2047 & AS 1288
ALL FIXINGS AND FLASHINGS TO MANUFACTURERS REQUIREMENTS

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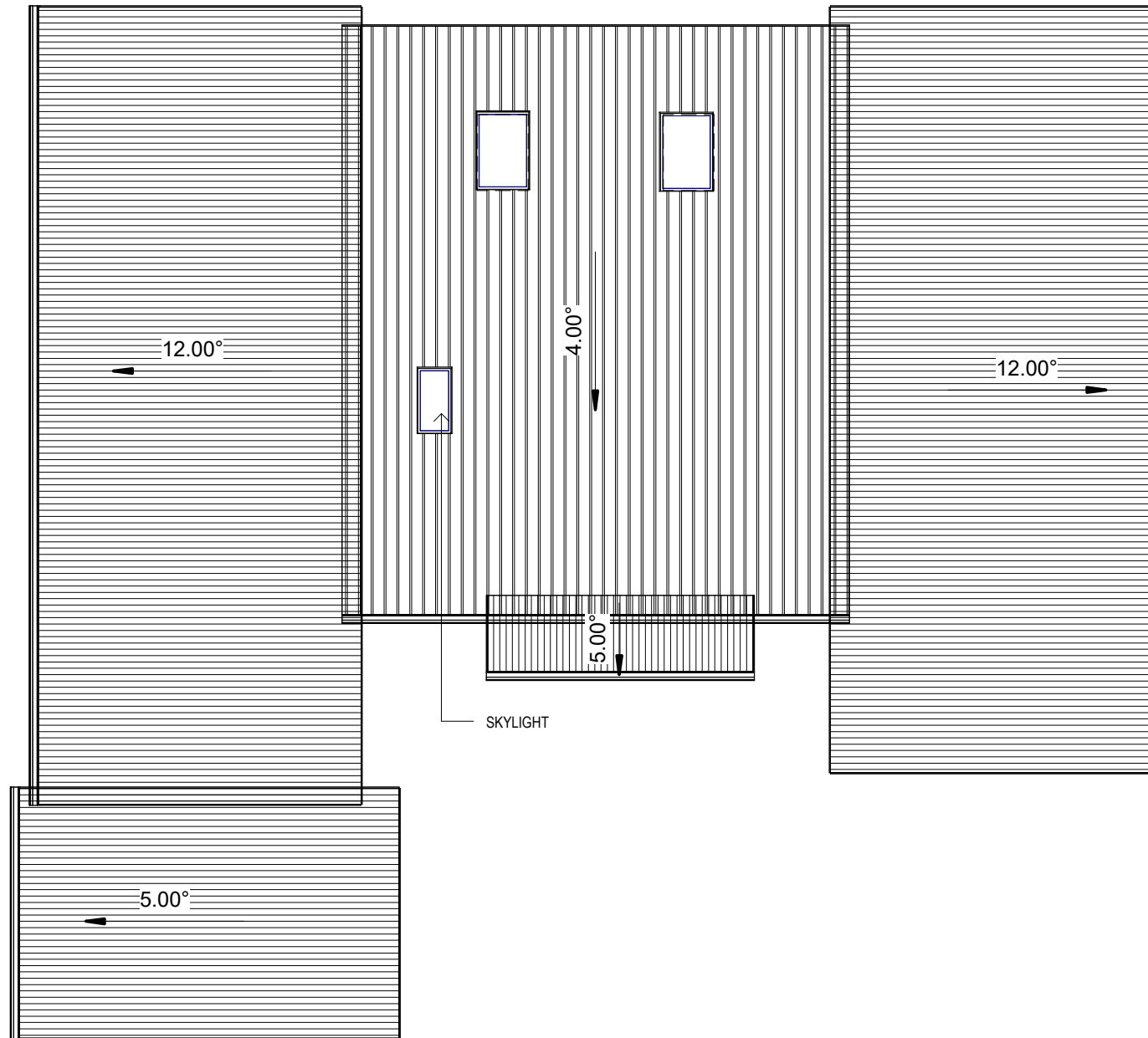
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				Accreditation No: CC2211T

Drawing No: 2025-142 A05 / A08 Rev G



ROOF PLAN
 SCALE 1:100

ROOF CLADDING. NCC PART 7.2 SHEET ROOFING

COLORBOND 'CUSTOM ORB' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

COLORBOND 'TRIMDEK' METAL SHEETING INSTALLED IN ACCORDANCE WITH THIS PART, AS 1562.1 AND MANUFACTURERS RECOMMENDATIONS.

REFER TO LYSAGHT ROOFING & WALLING MANUAL FOR FULL DETAILS ON SHEET INSTALLATION, FIXINGS & FLASHINGS

COLORBOND 'CUSTOM ORB'

- MINIMUM PITCH 5 DEGREES.
- CORROSION PROTECTION IN ACCORDANCE WITH NCC PART 7.2.2.
- END LAP OF SHEETS 5-15 DEGREES - MINIMUM 200MM.

COLORBOND 'TRIMDEK'

- MINIMUM PITCH 2 DEGREES.
- CORROSION PROTECTION IN ACCORDANCE WITH NCC PART 7.2.2.
- END LAP OF SHEETS 2-5 DEGREES - MINIMUM 250MM

ABOVE 15 DEGREES - MINIMUM 150 MM.

- RIDGE LINE VALLEY TO BE TURNED UP (STOP ENDED).
- FASTENERS TO BE MADE OF COMPATIBLE MATERIAL WITH ROOFING MATERIAL.
- CREST FIXINGS OF END SPANS @ EVERY SECOND RIB AND INTERNAL SPANS @ EVERY THIRD RIB.
- WHERE POSSIBLE SHEETS TO BE LAID WITH SIDE LAPS FACING AWAY FROM PREVAILING WEATHER.
- REFLECTIVE FOIL INSULATION TO BE FITTED TO UNDERSIDE OF SHEETS.

R4.0 INSULATION BATTS TO ROOF SPACE ABOVE CEILING LINING.

RECOMMENDED FIXINGS FOR SEVERE EXPOSURE CONDITIONS TO AS 3566

USE CLASS 4 MATERIALS FOR SEVERE EXPOSURE & STAINLESS STEEL FOR VERY SEVERE COASTAL ENVIRONMENTS.

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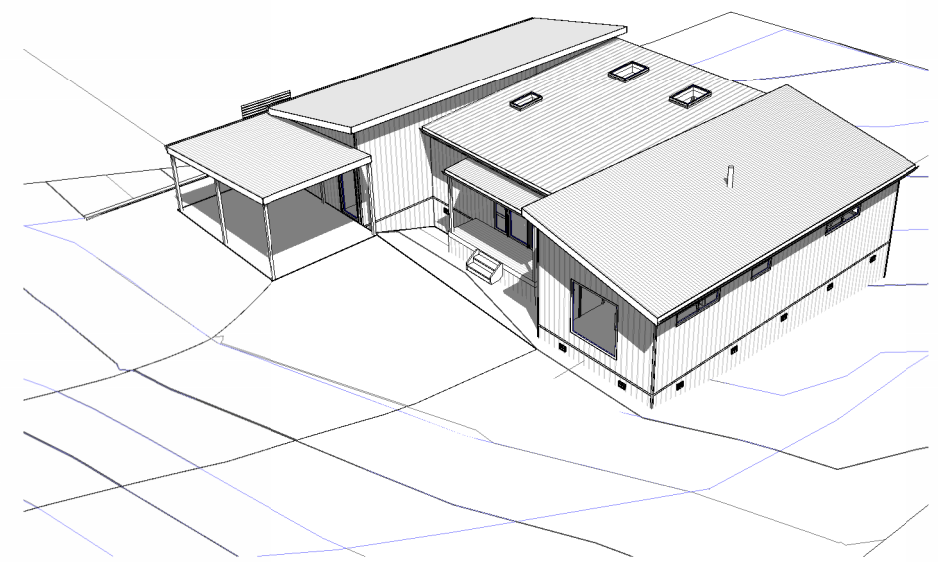
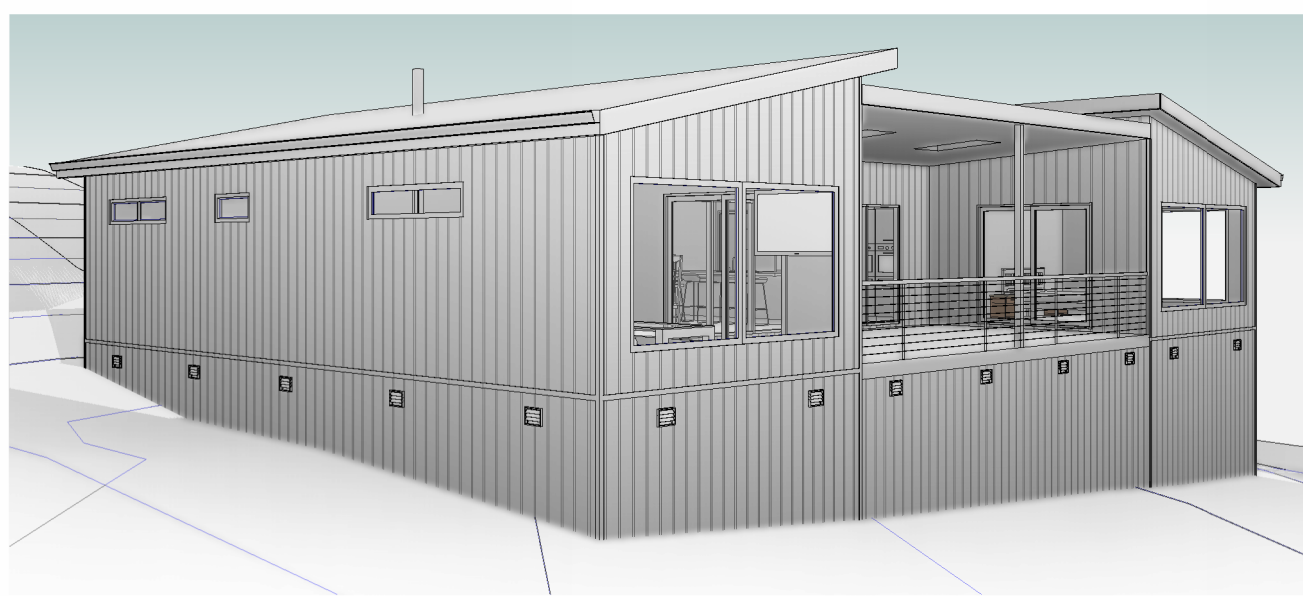
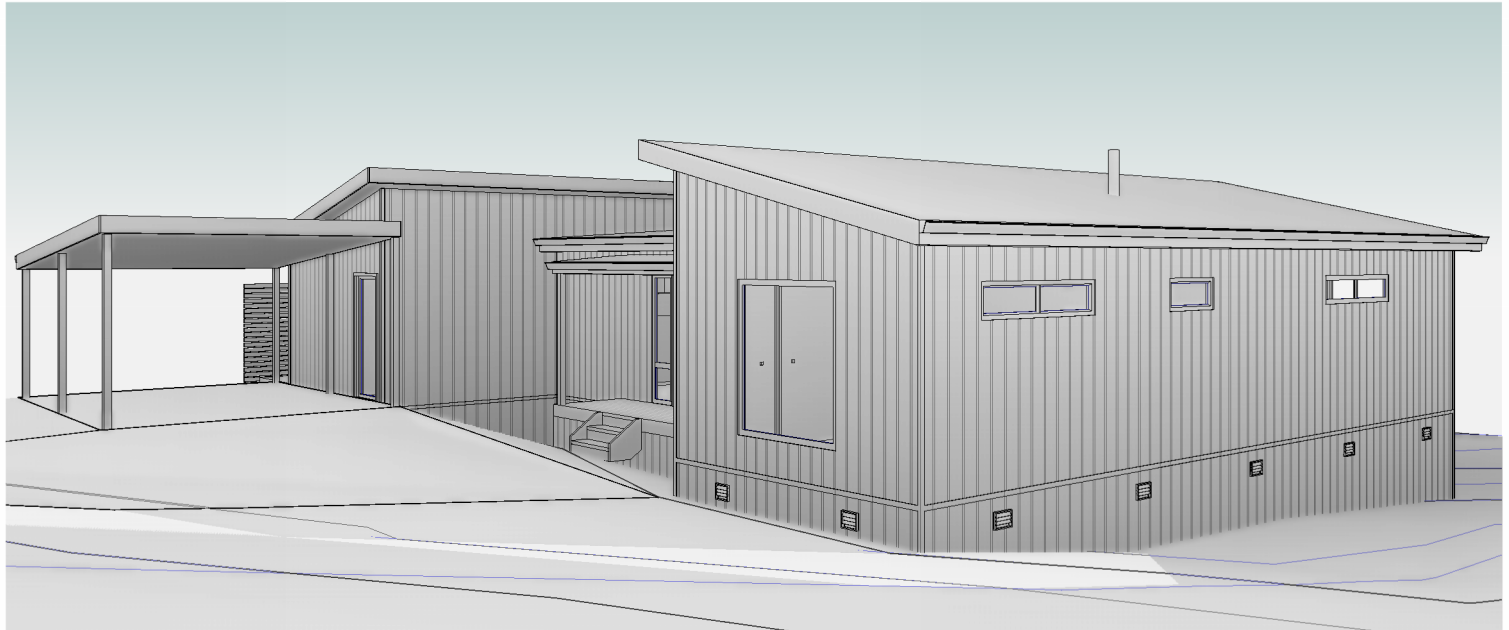
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Drawing No: 2025-142 A07 / A08 Rev G

INSULATION
 PROVIDE THERMAL INSULATION IN ACCORDANCE WITH THE FOLLOWING

CEILING
 R5.0 "ROCKWOOL" BULK INSULATION OR R5.0 GLASSWOOL BATTS BETWEEN CEILING JOISTS UNDER ROOF COMPOSITE FOIL & R1.5 BLANKET

EXTERNAL WALLS
 'TYVEK' HOUSE WRAP (OR SIMILAR) TO EXTERNAL FACE R2.5 GLASSWOOL BATTS BETWEEN STUDS

SUB FLOOR
 85mm R2.5 POLYSTYRENE BETWEEN JOISTS

NOTE: CERTIFICATE OF COMPLIANCE TO BE PROVIDED BY THE PERSON ENGAGED TO INSTALL INSULATION TO WALLS AND CEILING AND COPY OF SAME TO BE FORWARDED TO THE BUILDING SURVEYOR.

WALL FRAMING
 ALL TIMBER FRAMING GENERALLY IS TO COMPLY WITH THE REQUIREMENTS OF AS1684 [RESIDENTIAL TIMBER FRAMED CONSTRUCTION] & THE BCA CODE PART 3.4.3 WALL FRAMING TO BE MGP10 RADIATA PINE. COMMON STUDS - 90x35 @ 450 CRS. NOGGINGS - 90x35 OPEN STUDS - 90x35 TOP & BOTTOM PLATES - 90x35 BRACING TO AS 1684 & NCC CODE

SLABS & FOOTINGS
 ALL CONCRETE PREPARATION INCLUDING EXCAVATIONS & PLACEMENT OF REINFORCEMENT IS TO BE SEEN & APPROVED BY COUNCIL BUILDING INSPECTOR AND/OR ENGINEER PRIOR TO POURING ANY CONCRETE. REFER TO ENGINEERS DRAWINGS FOR FOOTING & CONCRETE SLAB DETAILS. REFER TO SOIL REPORT FOR CLASSIFICATION & SITE MAINTENANCE REQUIREMENTS.

EXTERNAL CLADDING
 EXTERNAL WALL CLADDING REFER ELEVATIONS
 SUB FLOOR REFER ELEVATIONS

WINDOWS
 COLOURED ALUMINIUM WINDOW FRAMES. AWNING & HORIZONTAL SLIDING SASHES, REVEALS AND TRIMS TO OWNERS SPECIFICATIONS ALL FIXINGS AND FLASHING TO MANUFACTURERS RECOMMENDATIONS REFER AS 1288 & CURRENT NCC STANDARDS.

WET AREAS
 WATERPROOFING OF WET AREAS WITHIN THE DWELLING IE: SHOWERS, BATHROOMS WATERPROOFED IN ACCORDANCE WITH BCA PART 3.8.1.1 TO 3.8.1.27 INCLUSIVE AND FIG NOS 3.8.1.5 TO 3.8.1.16 INCLUSIVE. AND TABLE 3.8.1.1

DOWNPIPES:
 DOWNPIPES TO BE DN90 PVC PAINTED TO MATCH GUTTERING. FIX WITH WALL BRACKETS @ 1200CC BEGINNING AT DOWNPIPE ELBOW. MAXIMUM CENTRES FOR GUTTERS TO BE 12000

FASCIA
 COLORBOND PREFORMED METAL FASCIA AND GUTTER INSTALLED IN ACCORDANCE WITH MANUFACTURERS INSTRUCTIONS. COLOUR TO OWNERS SPECIFICATIONS.

ROOF FRAMING
 COLORBOND CUSTOM ORB, COLOUR TO OWNERS SPECIFICATIONS APPROVED ROOF TRUSSES INSTALLED STRICTLY IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS. ALL TRUSS FIXING DETAILS TO BE ADHERED TO. FIX TRUSSES TO TOP PLATES WITH TRIP-L-GRIP CONNECTORS. PROVIDE DIAGONAL BRACING FIXED TO TOP CHORDS AT A MAX ANGLE OF 30° TO RIDGE. ANCHOR STRAP BRACING WITH 6 No 30x1.5 NAILS INTO DOUBLE TOP PLATE. WIND BRACING TO COMPLY WITH NCC

CAPPINGS & FLASHINGS
 ALLOW FOR PREFORMED CAPPINGS & FLASHINGS NECESSARY TO ENSURE THE INTEGRITY OF THE ROOF STRUCTURE AGAINST WATER PENETRATION. INSTALL FLASHINGS TO ROOF VENTS, FLUES ETC. ALTERNATIVELY USE "DEKTITE" OR SIMILAR FITTINGS TO ROOF PENETRATIONS

GUTTERS
 INSTALL SELECTED COLORBOND QUAD GUTTERS OR AS NOMINATED BY THE OWNER, LAP GUTTERS 75MM IN THE DIRECTION OF FLOW, RIVET & SEAL WITH AN APPROVED SILICONE SEALANT. VALLEY GUTTERS TO BE 450 WIDE COLORBOND STEEL TO MATCH ROOF. LAP 150MM UNDER ROOF CLADDING AND TURN UP ON BOTH SIDES. LAP 150MM IN DIRECTION OF FLOW

PLASTER
 LINE WALLS AND CEILINGS INTERNALLY WITH 10mm PLASTERBOARD SHEETING. SQUARE SET MOULDING TO CEILING JUNCTION WITH WALL. PLASTERBOARD LININGS TO WET AREAS TO BE "VILLABOARD", W.R. BOARD OR OTHER APPROVED WATERPROOF LINING

EAVES
 OVERHANG ROOFS 300mm WHERE ROOFS OVERHANG LINE WITH FLEX BOARD SHEETING IN ACCORDANCE WITH AS 1684.2 7.2.24

FIGURE 4 - RIDGE DETAILS : SKILLION & IRON ROOF BUSH FIRE MESH WHEN REQUIRED TO AS3959

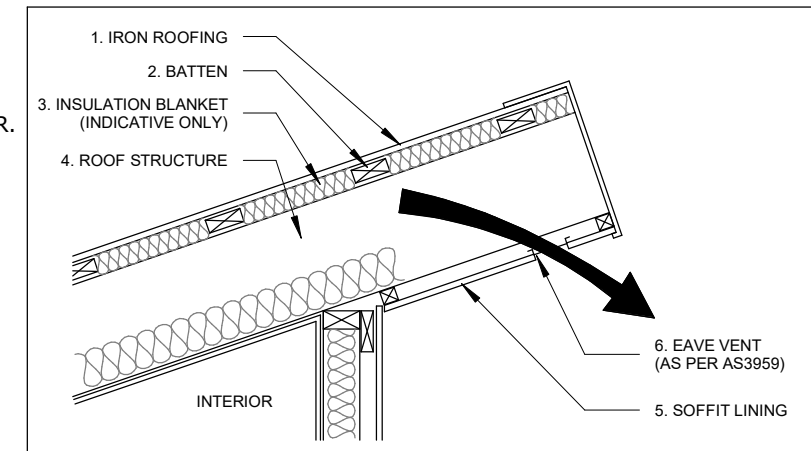


FIGURE 3 - EAVES DETAIL : SKILLION & IRON ROOF BUSH FIRE MESH WHEN REQUIRED TO AS3959

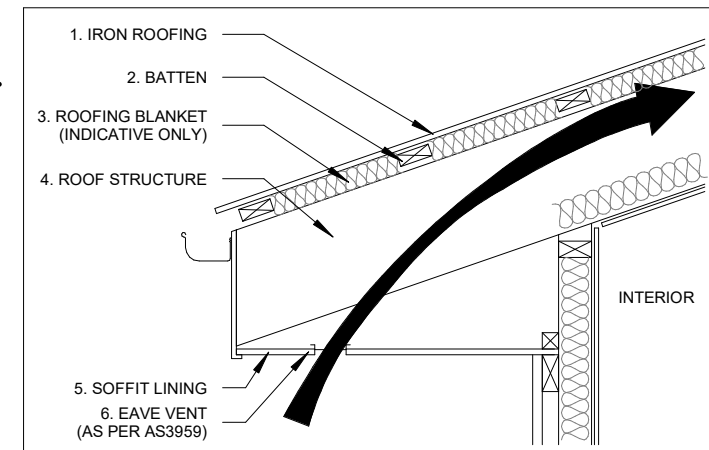
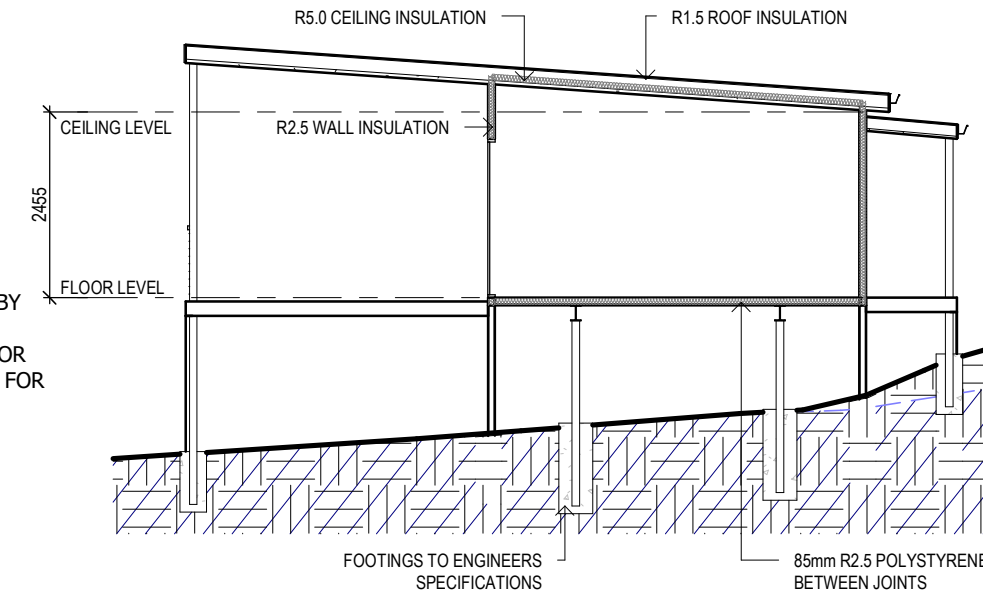
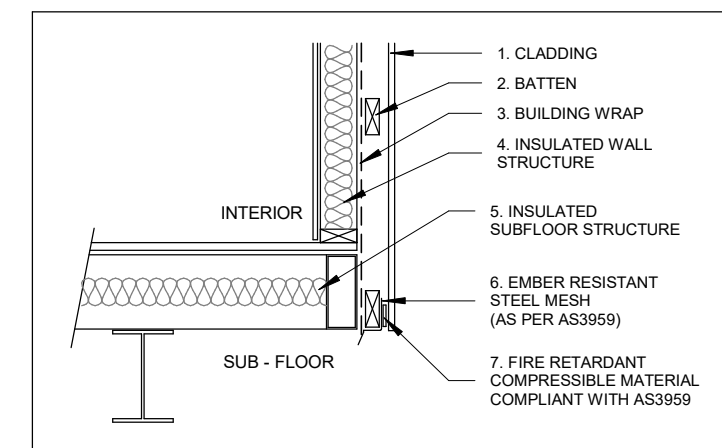
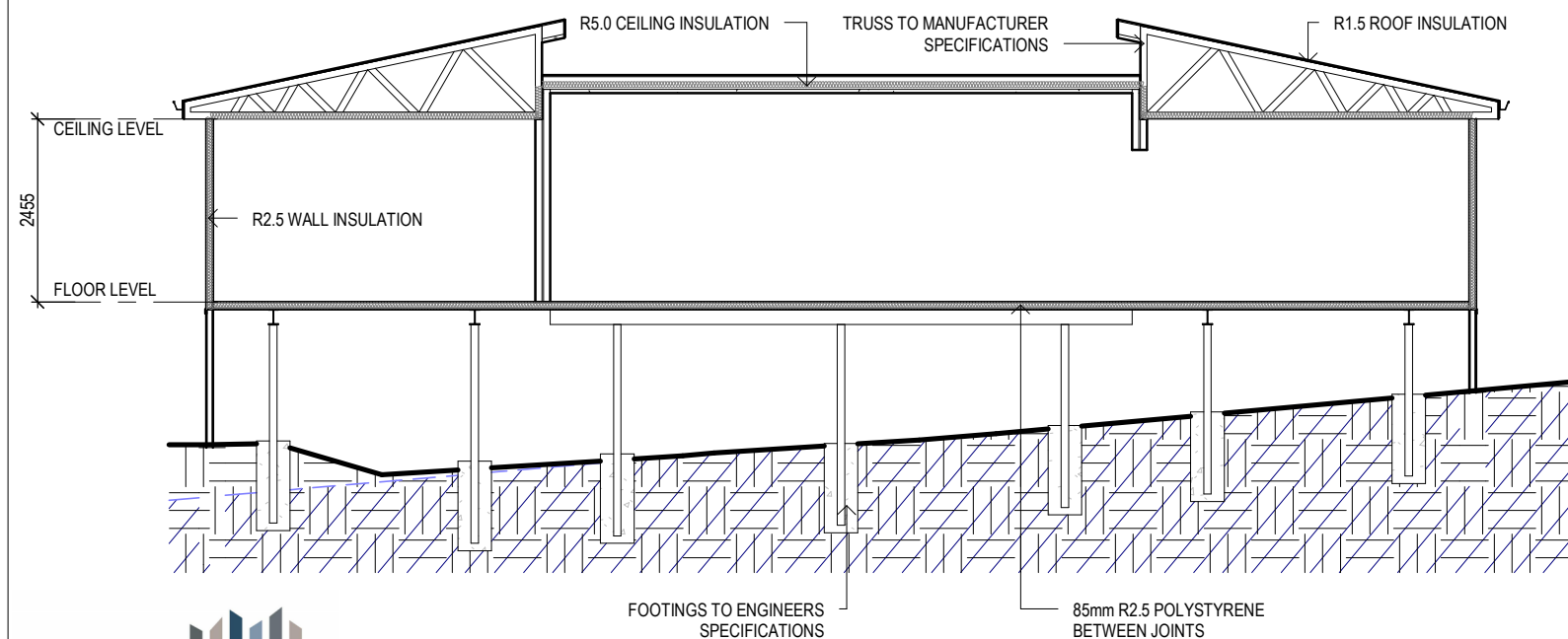
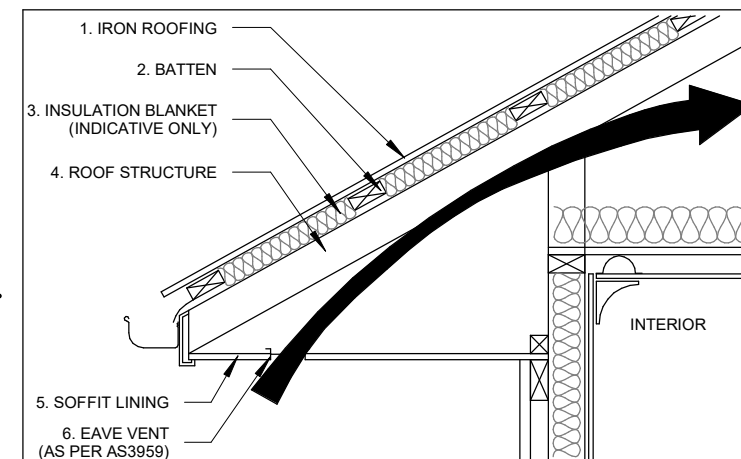


FIGURE 8 - EXTERNAL WALL VENTED CLADDING SYSTEM - SUSPENDED TIMBER FLOOR BUSHFIRE MESH WHEN REQUIRED TO AS3959



SECTION 1
 SCALE 1:100

FIGURE 2 - EAVES DETAILS : TRUSS & IRON ROOF BUSH FIRE MESH WHEN REQUIRED TO AS3959



SECTION 2
 SCALE 1:100

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