PLEASE QUOTE
Your Ref:
Our Ref: DA 2025/88

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

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Tell us about it at www.burnie.tas.gov.au/feedback

BURNIE CITY COUNCIL

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 2025/88**
Development Site: -	**37 Queen Street BURNIE** **CT: 177685/2**
Proposal: -	**Dwelling - Single**

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 **16 February 2026.** 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
EXECUTIVE MANAGER – DEVELOPMENT SERVICES
Date of Notice: - **31 January 2026**

BURNIE CITY COUNCIL
PO Box 973, BURNIE, TASMANIA 7320.
Ph : (03) 6430 5700
Email : burnie@burnie.tas.gov.au

BURNIE CITY COUNCIL

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 37 Queen Street, Burnie

Certificate of Title Reference 177685/2

Applicant

First Name Brennan

Second Name Reeves

Surname Own-A-Home (Tas) Pty Ltd

Postal Address: PO Box 83
BURNIE TAS 7320

Phone No:

Mobile:

Email Address:

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 ☐

YES

Applicants Signature:

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

First Name Lyndon

Second Name Neil

Surname Stott

Postal Address:

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 Residential - Single Dwelling

Documents included with the permit application to describe the Use

Certificate of Title
Planning Statement
Detailed Plans

Proposed Development

Use class to which the development applies Residential - Single Dwelling

Documents included with the permit application to describe the Development

Certificate of Title
Planning Statement
Detailed Plans

Provisions and Standards relied upon for grant of a Permit

Clause - 8.4.6 - P1

Value of use and/or development

Notification of Landowner/s
If land is not in applicant's ownership
I, Brennan Reeves , 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 Date 8/12/2025

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, Brennan Reeves 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 Date 8/12/2025

Office use only

RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
177685	2
EDITION	DATE OF ISSUE
2	05-Nov-2020

SEARCH DATE : 03-Dec-2025
SEARCH TIME : 03.17 pm

DESCRIPTION OF LAND

City of BURNIE
Lot 2 on Sealed Plan 177685
Derivation : Part of 50,000 Acres Gtd. to The Van Diemens Land Co.
Prior CTs 225155/1, 122218/1 and 199805/1

SCHEDULE 1

M843723 TRANSFER to RACHEL THELMA ANDERSON Registered 05-Nov-2020 at 12.01 pm

SCHEDULE 2

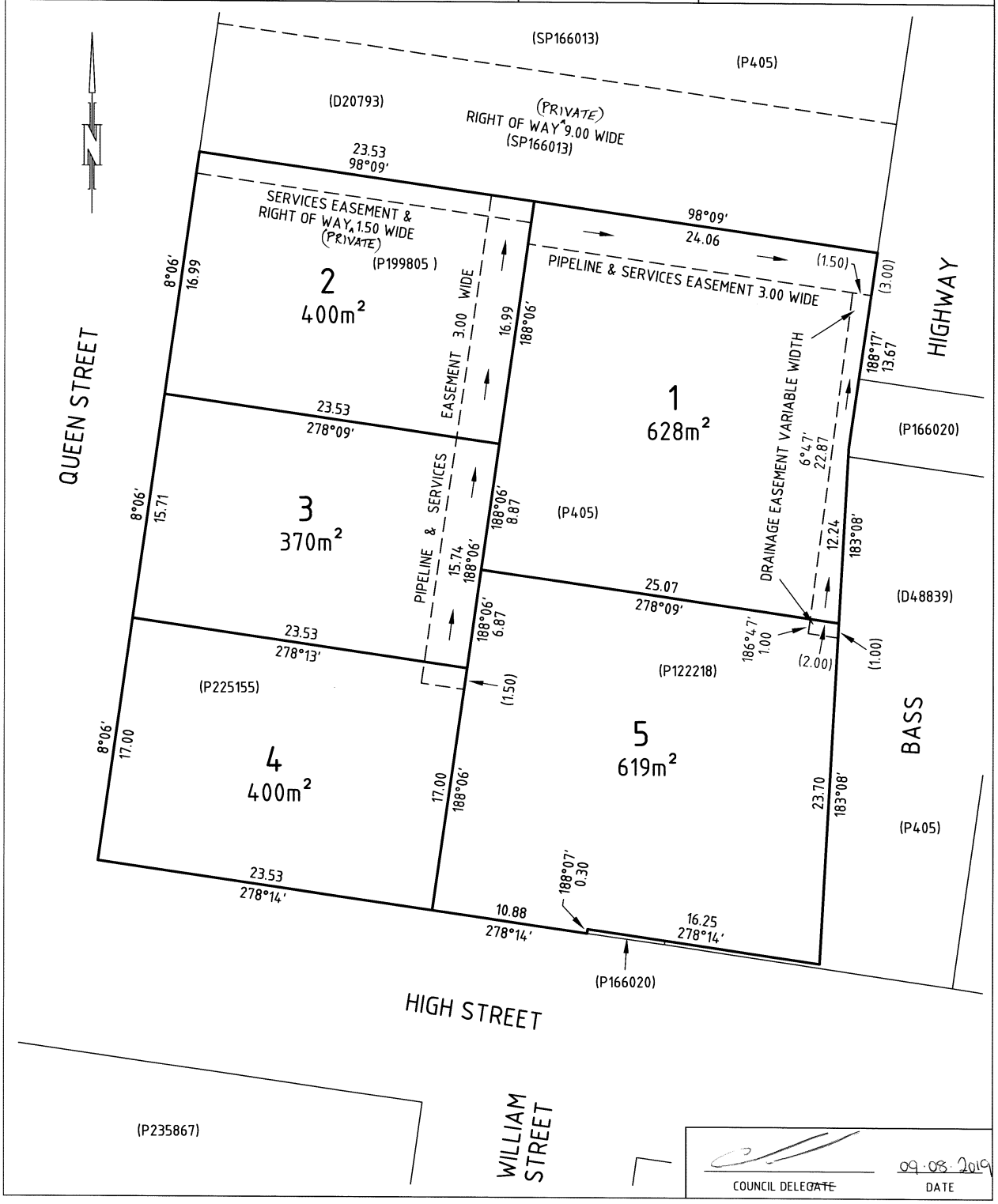
Reservations and conditions in the Crown Grant if any
SP177685 EASEMENTS in Schedule of Easements
SP177685 COVENANTS in Schedule of Easements
SP177685 FENCING COVENANT in Schedule of Easements
B675349 PROCLAMATION under Section 9A and 52A of the Roads and Jetties Act 1935 Registered 25-May-1994 at noon

UNREGISTERED DEALINGS AND NOTATIONS

N300026 PRIORITY NOTICE reserving priority for 90 days
TRANSFER Rachel Thelma Anderson to Lyndon Neil Stott
MORTGAGE Lyndon Neil Stott to Westpac Banking Corporation Lodged by MCGRATH & CO. on 17-Nov-2025 BP: N300026
E435137 MORTGAGE to Westpac Banking Corporation Lodged by DOBSON MITCHELL on 24-Nov-2025 BP: N296570
N296570 TRANSFER to LYNDON NEIL STOTT Lodged by DOBSON MITCHELL on 24-Nov-2025 BP: N296570

Department of Natural Resources and Environment Tasmania
www.thelist.tas.gov.au

OWNER Judith Eileen Weller	PLAN OF SURVEY	REGISTERED NUMBER
FOLIO REFERENCE 122218/1, 199805/1 & 225155/1	BY SURVEYOR John E W Magee of PDA Surveyors 6 Queen Street, Burnie	SP177685
GRANTEE Part of 50,000 Acres Gtd. to The Van Diemens Land	LOCATION CITY OF BURNIE	~~APPROVED~~ EFFECTIVE FROM 29 AUG 2019
	SCALE 1 : 250 / LENGTHS IN METRES / SURVEYORS REF. 40268	Deputy Recorder of Titles
MAPSHEET MUNICIPAL CODE No 103 (4045)	LAST UPI No	LAST PLAN No P122218 P199805 & P225155
		ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 177685

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.

Lots 1 & 2 on the Plan are together with a right of carriageway over the land marked Right of Way (Private) 9.00 wide shown on the Plan.

Lots 1, 2, 3 and 4 on the plan ("the Lots") are subject to a PIPELINE AND SERVICES EASEMENT in gross in favour of the Tasmanian Water and Sewerage Corporation Pty Limited, its successors and assigns ('TasWater") over the land marked PIPELINE AND SERVICES EASEMENT 3.00 WIDE shown on the Plan ("the easement land").

Lots 1, 2, 3 and 4 on the plan ("the Lots") are subject to a Right of a Drainage in favour of the Burnie City Council over the land marked PIPELINE AND SERVICES EASEMENT 3.00 WIDE shown passing through such Lots on the Plan.

Lots 1 and 5 on the Plan are subject to a Right of Drainage in favour of the Burnie City Council over the land marked DRAINAGE EASEMENT VARIABLE WIDTH shown passing through such lot on the plan.

Lot 2 on the plan is subject to a Right of Carriageway over the SERVICES EASEMENT & RIGHT OF WAY (Private) 1.50 wide shown on the plan appurtenant to Lot 1.
Lot 2 on the Plan is subject to a Services Easement over the SERVICES EASEMENT AND RIGHT OF WAY (Private) 1.50 WIDE shown passing through such Lot in favour of Lot 1.
Lot 1 on the Plan is together with a Right of Carriageway over the SERVICES EASEMENT AND RIGHT OF WAY (Private) 1.50 WIDE on the plan ~~in favour of Lot 1~~ passing through Lot 2.
Lot 1 on the Plan is together with a services easement over the Services Easement and Right of Way (Private) 1.50 wide shown passing through Lot 2 on the Plan.

Judith Weller

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Judith Eileen Weller	PLAN SEALED BY: Burnie City Council
FOLIO REF: 122218/1, 199805/1 & 225155/1	DATE: 09·08·2019
SOLICITOR & REFERENCE: Ian Charles Guest 217078	SD 2016/1267 REF NO. ..... Council Delegate

NOTE: The Council Delegate must sign the Certificate for the purposes of identification.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 2 OF 5 PAGE/S	Registered Number SP 177685
SUBDIVIDER: **Judith Eileen Weller** FOLIO REFERENCES: 122218/1, 199805/1 & 225155/1	

PIPELINE AND SERVICES EASEMENT

The Pipeline and Services Easement is defined as follows: -
THE FULL RIGHT AND LIBERTY for the Transferee at all times to:

(1) enter and remain upon the Easement Land with or without employees, contractors, agents and all other persons duly authorised by it and 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 and repair the Infrastructure;
(4) remove and replace the Infrastructure;
(5) run and pass sewage, water and electricity through and along the Infrastructure;
(6) do all works reasonably required in connection with such activities or as may be authorised or required by any law;
    (i) without doing unnecessary damage to the Easement Land; and
    (ii) leaving the Easement Land in a clean and tidy condition; and
(7) 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 all other persons authorised by it, and with or without machinery, vehicles, plant and equipment enter the Lot from the highway at any then existing vehicle entry and cross the Lot to the Easement Land; and
(8) 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.

PROVIDED ALWAYS THAT:

(1) The registered proprietors of the Lot in the folio of the Register ("the Owner") must not without the written consent of TasWater first had and obtained and only in compliance with any conditions which form the consent:
    (a) alter, excavate, plough, drill or otherwise penetrate the ground level of the Easement Land
    (b) install, erect or plant any building, structure, fence, pit, well, footing, pipeline, paving, tree, shrub or other object on or in the Easement Land;
    (c) remove any thing that supports, protects or covers any infrastructure on or in the Easement Land;
    (d) do any thing which will or might damage or contribute to damage to any of the Infrastructure on or in the Easement Land;
    (e) in any way prevent or interfere with the proper exercise and benefit of the Easement Land by TasWater or its employees, contractors, agents and all other persons duly authorised by it; or
    (f) permit or allow any action which the Owner must not do or acquiesce in that action.

Judith Weller

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.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 5 PAGE/S	Registered Number SP 177685
SUBDIVIDER: **Judith Eileen Weller** FOLIO REFERENCES: 122218/1, 199805/1 & 225155/1	

(2) TasWater is not required to fence any part of the Easement Land.
(3) The Owner may erect a fence across the Easement Land at the boundaries of the Lot
(4) The Owner may erect a gate across any part of the Easement Land subject to these conditions;
  (a) the Owner must provide TasWater with a key to any lock which would prevent the opening of the gate; and

  (b) if the Owner does not provide TasWater with that key or the key provided does not fit the lock, TasWater may cut the lock from the gate.
(5) If the Owner causes damage to any of the Infrastructure, the Owner is liable for the actual cost to TasWater of the repair of the Infrastructure damaged.
(6) If the Owner fails to comply with any of the preceding conditions, without forfeiting any right of action damages or otherwise against the Owner, TasWater may:
  (a) reinstate the ground level of the Easement Land; or
  (b) remove from the Easement Land any building, structure, pit, well, footing, pipeline, paving, tree, shrub or other object; or
  (c) replace any thing that supported, protected or covered the Infrastructure.

Interpretation:
"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) power poles and lines, electrical wires, electrical cables and other conducting media (excluding telemetry and monitoring devices);
(e) markers or signs indicating the location of the Easement Land, the Infrastructure or any warnings or restrictions with respect to the Easement Land or the Infrastructure;
(f) any thing reasonably required to support, protect or cover any of the Infrastructure;
(g) any other Infrastructure whether of a similar 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.

Judith Weller

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.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 4 OF 5 PAGE/S	Registered Number SP 177685
SUBDIVIDER: **Judith Eileen Weller** FOLIO REFERENCES: 122218/1, 199805/1 & 225155/1	

SERVICES EASEMENT

"Services Easement" means the right for the registered proprietor for the time being of the said lot to convey the supply of underground water, electricity, Telstra and NBN lines under that portion of the services easement marked SERVICES EASEMENT & RIGHT OF WAY 1.50 WIDE on the plan and in connection therewith to at all times for all purposes in connection with the exercise of such right to enter, inspect, lay, repair, maintain, renew and replace such underground water, electricity, Telstra and NBN lines and pipes as may be reasonably required for such purposes under that portion of the services easement so marked but so that the surface of the land must be re-instated to its original condition, and the costs of laying, cleaning repair, maintenance renewal, replacement and reinstatement of the service being payable by the registered proprietor for the time being of the said lot.

RESTRICTIVE COVENANTS

The Owner or Owners for the time being of each lot shown on the plan covenants with Judith Eileen Weller the owner for the time being of each and every lot shown on the plan to the intent that the burden of these covenants shall run with and bind the covenantors lot and every part thereof and that the benefit thereof shall be annexed to and devolve with each and every part of every other lot shown on the plan to observe the following stipulations

1. Not to erect or construct any dwelling house, garage or garages or the outbuildings or fencing usually appurtenant thereto and normally used in connection with a dwelling house if the dwelling house on any lot;
   (a) is a construction or re-erection of any building which has been pulled down or demolished
   (b) is a relocation of a previously erected building;
   (c) has its exterior walls or roof clad with previously used or second-hand materials
   (d) is a Dutch barn or similar type of construction
2. The said Judith Eileen Weller as a Vendor and/or Transferor shall not be required to fence
3. Not to utilise any second-hand materials or recycled materials in the construction of any structure to be erected on any of the Lots shown on the plan

AND the Vendor/Subdivider/Transferor Judith Eileen Weller at all times reserves the right to vary or release any of the covenants contained herein in respect of any Lot shown on the plan or any part thereof or from selling such Lot freed and exempt from any one or more of the restrictions, covenants or stipulations contained herein or modifying, waiving, releasing or allowing any departure from the said restrictive covenants in relation to any such Lot or portion of such Lots shown on the plan.

Judith Weller

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.

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 5 OF 5 PAGE/S	Registered Number SP 177685
SUBDIVIDER: **Judith Eileen Weller** FOLIO REFERENCES: 122218/1, 199805/1 & 225155/1	

SIGNED by the said JUDITH EILEEN)
WELLER in the presence of:-)

.....

.....
Signature of Witness

Daryn Weller.
Full Name of Witness

111-113 Logis Blvd Dandenong South Vic
Address of Witness

Manager.
Occupation of Witness

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.

12 December 2025

Supporting Planning Statement

37 Queen Street, BURNIE

Sally Pearce
PEARCE PLANNING
VERSION 2

THE PROPOSAL

The applicant proposes to establish a residential use through the development of a single dwelling.

The use is a Residential use class which is a No Permit Required use if for a single dwelling within the General Residential zone.

The proposed dwelling comprises of three (3) bedrooms, open plan kitchen / dining / living area, three (3) bathrooms, rumpus, laundries, roofed deck, internal lift and attached double garage with an internal access door. The dwelling is double storey on a slightly sloping site.

The total height of the building is 7.845m, located 4.5m from the primary frontage, 1.5m from the southern side boundary, 2.23m from the northern side boundary and 4.06m from the rear boundary.

Discretion is invoked on privacy considerations to the northern side boundary.

TITLE DETAILS

Address	Title Reference	Property ID
37 Queen Street, Burnie	177685/2	9935026

INFRASTRUCTURE CONSIDERATIONS

The site has some constraints with two service easements being a 1.0m wide easement on the northern side boundary and a 3.0m wide easement on the rear boundary.

The proposed dwelling has been designed and sited away from the easements.

TASMANIAN PLANNING SCHEME ASSESSMENT

8.4 Development Standards for Dwellings

8.4.2 Setbacks and building envelope for all dwellings

Objective:

The siting and scale of dwellings:

(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.

A1 – Acceptable Solution

Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:

(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.

A1: Complies. The proposed dwelling is setback 4.5m from the primary frontage.

A2 – Acceptable Solution

A garage or carport for a dwelling must have a setback from a primary frontage of not less than:

(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.

A2: Complies. The proposed attached double garage is setback 5.728m from the primary frontage.

A3 – Acceptable Solution

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:

(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:
  (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
(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:
  (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or
  (ii) does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).

A3: Complies. The proposed dwelling is setback 4.5m to the primary frontage, 1.5m from the southern side boundary, 2.23m from the northern side boundary and 4.06m from the rear boundary with an overall height is 7.845m. The dwelling is within the building envelope in accordance with Figure 8.1 as depicted on the elevations, with two protrusions of less than 0.9m on the eastern elevation.

8.4.3 Site coverage and private open space for all dwellings

Objective:

That dwellings are compatible with the amenity and character of the area and provide:

(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.

A1 – Acceptable Solution

Dwellings must have:

(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).

A1: Complies. The site coverage is 183.714m² on a site area of 400m², which equates to 45.97% site coverage, excluding the eaves.

A2 – Acceptable Solution

A dwelling must have private open space that:

(a) is in one location and is not less than:
  (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:
  (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 orientated between 30 degrees west of true north and 30 degrees east of true north; and
(d) has a gradient not steeper than 1 in 10.

A2: Complies. As evidenced on the ground floor plan, dedicated private open space to the north is greater than the required 24m² area, in one location, with a minimum horizontal dimension of not less than 4m and has a gradient of not steeper than 1 in 10.

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.

A1 – Acceptable Solution

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).

A1: Complies. The attached double garage is setback 5.728m from the primary frontage and has an opening of 5.0m.

8.4.6 Privacy for all dwellings

Objective:

To provide a reasonable opportunity for privacy for dwellings.

A1 – Acceptable Solution

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:

(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 space, or carport is not less than 6m:
  (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.

A1: Does not Comply. The proposed first floor has a deck that has a finished floor level of more than 1m above existing ground level and is setback less than 3.0m to the northern side boundary and cannot meet the acceptable solution.

P1 – Performance Criteria

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:

(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.

P1 Assessment: The proposed first floor deck is setback 2.23m from the northern side boundary and has been designed to minimise overlooking taking into consideration-

(a) There is no dwelling on the northern adjoining property at 83 Wilmot Street, which is known as Bass House and operates as a Medical Centre and has done so for many years. The Medical Centre is considerably lower in finished ground level to the proposed dwelling as shown in the photo below.

There is also an established solid colorbond boundary fence and access way separating the two properties. Further, there are no windows visible on its southern elevation. The only overlooking would be to the carpark and roof of the Medical Centre shown in the photo below.

(b) There is no other dwelling on the same site.

The permit application achieves the performance criteria P1.

A2 – Acceptable Solution

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):

(a) the window or glazed door:
  (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.
(b) the window or glazed door:
  (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%.

A2: Complies. The proposed first floor windows to habitable rooms have a finished floor level of more than 1m above existing ground level, but are offset in the horizontal plane, of not less than 1.5m to the building at 83 Wilmot Street.

A3 – Acceptable Solution

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:

(a) 2.5m; or
(b) 1m if:
  (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.

A3: Not Applicable. There is no proposed shared driveway or parking space.

8.4.7 Frontage fences for all dwellings

Objective:

The height and transparency of frontage fences:

(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.

P1 – Performance Criteria

A fence (including a free-standing wall) for a dwelling within 4.5m of a frontage must:

(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:
  (i) the topography of the site; and
  (ii) traffic volumes on the adjoining road.

P1 Not Applicable. There is no frontage fencing proposed as part of this permit application.

C1.0 SIGN CODE

Not applicable – There is no signage proposed.

C2.0 PARKING AND SUSTAINABLE TRANSPORT CODE

C2.5 Use Standards

C2.5.1 Car parking numbers

Objective:

That an appropriate level of car parking spaces are provided to meet the needs of the use.

A1 – Acceptable Solution

The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:

(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;
(b) the site is contained within a parking precinct plan and subject to Clause C2.7;
(c) the site is subject to Clause C2.5.5; or
(d) it relates to an intensification of an existing use or development or a change of use where:
  (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or
  (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:
    a. N = A + (C- B)
    b. N = Number of on-site car parking spaces required
    c. A = Number of existing on site car parking spaces
    d. B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1
    e. C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.

A1: Complies. In accordance with Table C2.1 the proposed single dwelling provides two onsite parking spaces to the serve the dwelling in the attached double garage.

C2.6 Development Standards for Buildings and Works

C2.6.1 Construction of parking areas

Objective:

That parking areas are constructed to an appropriate standard.

A1 – Acceptable Solution

All parking, access ways, manoeuvring and circulation spaces must:

(a) be constructed with a durable all weather pavement;
(b) be drained to the public stormwater system, or contain stormwater on the site; and
(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by

a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.

A1: Complies. All parking, access ways, manoeuvring and circulation spaces are constructed with a durable all weather pavement, which drains to the public stormwater system and is concrete pavement.

C2.6.2 Design and layout of parking areas

Objective:

That parking areas are designed and laid out to provide convenient, safe and efficient parking.

A1.1 – Acceptable Solution

Parking, access ways, manoeuvring and circulation spaces must either:

(a) comply with the following:
  (i) have a gradient in accordance with *Australian Standard AS 2890 - Parking facilities, Parts 1-6*;
  (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;
  (iii) have an access width not less than the requirements in Table C2.2;
  (iv) have car parking space dimensions which satisfy the requirements in Table C2.3;
  (v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;
  (vi) have a vertical clearance of not less than 2.1m above the parking surface level; and
  (vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or
(b) comply with *Australian Standard AS 2890- Parking facilities, Parts 1-6*.

A1.2 – Acceptable Solution

Parking spaces provided for use by persons with a disability must satisfy the following:

(a) be located as close as practicable to the main entry point to the building;
(b) be incorporated into the overall car park design; and
(c) be designed and constructed in accordance with *Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.* [S35]

Footnotes
[S35] Requirements for the number of accessible car parking spaces are specified in part D3 of the National Construction Code 2016.

A1: Complies. All parking, access ways, manoeuvring and circulation spaces comply with *Australian Standards As 2890 – Parking Facilities, Parts 1-6*.

C2.6.3 Number of accesses for vehicles

Objective:

That:

(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;
(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and
(c) the number of accesses minimise impacts on the streetscape.

A1 – Acceptable Solution

The number of accesses provided for each frontage must:

(a) be no more than 1; or
(b) no more than the existing number of accesses,

whichever is the greater.

A1: Complies. There is one (1) existing access provided for the frontage.

C3.0 ROAD AND RAILWAY ASSETS CODE

C3.6 Development Standards for Buildings and Works

C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area

Objective:

To minimise the effects of noise, vibration, light and air emissions on sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.

A1 – Acceptable Solution

Unless within a building area on a sealed plan approved under this planning scheme, habitable buildings for a sensitive use within a road or railway attenuation area, must be:

a) within a row of existing habitable buildings for sensitive uses and no closer to the existing or future major road or rail network than the adjoining habitable building;
b) an extension which extends no closer to the existing or future major road or rail network than:
   (i) the existing habitable building; or
   (ii) an adjoining habitable building for a sensitive use; or
c) located or designed so that external noise levels are not more than the level in Table C3.2 measured in accordance with Part D of the *Noise Measurement Procedures Manual, 2nd edition, July 2008*.

A1: Complies. The proposed dwelling is setback less than 50m to the Bass Highway, but is within a row of existing habitable buildings for sensitive use and is no closer to the Bass Highway than the developed dwellings at 35 and 39 Queen Street, Burnie.

C4.0 ELECTRICITY TRANSMISSION INFRASTRUCTURE PROTECTION CODE

Not Applicable – The site is not on land within an electricity transmission corridor, communication station buffer or substation facility buffer area.

C5.0 TELECOMMUNICATIONS CODE

Not Applicable – The use and development does not involve telecommunications.

C6.0 LOCAL HISTORIC HERITAGE CODE

Not Applicable – The site is not subject to the Local Historic Heritage Code.

C7.0 NATURAL ASSETS CODE

Not Applicable – The site is subject to priority vegetation area, however the land is assigned to the General Residential zone and does not involve subdivision.

C8.0 SCENIC PROTECTION CODE

Not Applicable – The site is not within a scenic protection area or scenic road corridor.

C9.0 ATTENUATION CODE

Not Applicable – The site is not within an activity listed in Table C9.1 and C9.2.

C10.0 COASTAL EROSION HAZARD CODE

Not Applicable – The site is not within a coastal erosion hazard area.

C11.0 COASTAL INUNDATION HAZARD CODE

Not Applicable – The site is not within a coastal inundation hazard area.

C12.0 FLOOD-PRONE AREAS HAZARD CODE

Not Applicable – The site is not within a flood-prone hazard area.

C13.0 BUSHFIRE-PRONE AREAS CODE

Not Applicable – The site is not within a bushfire-prone area.

C14.0 POTENTIALLY CONTAMINATED LAND CODE

Not Applicable – The site is not on potentially contaminated land.

C15.0 LANDSLIP HAZARD CODE

Exempt – The site has identified medium landslip hazard but meets the exemption under clause C15.4.1(d)(ii)a.

C16.0 SAFEGUARDING OF AIRPORTS CODE

Not Applicable – The site is not subject to an airport noise exposure area or land within an airport obstacle limitation area.

LYNDON & JESSICA STOTT | 37 QUEEN ST, BURNIE

PROPOSED RESIDENCE - DA PLAN SET V2

SHEET LIST

SHEET	TITLE
A100	COVER SHEET
A101	SITE PLAN
A102	GROUND FLOOR PLAN
A103	FIRST FLOOR PLAN
A104	ELEVATIONS
A105	ELEVATIONS
A106	WINDOW & DOOR SCHEDULE

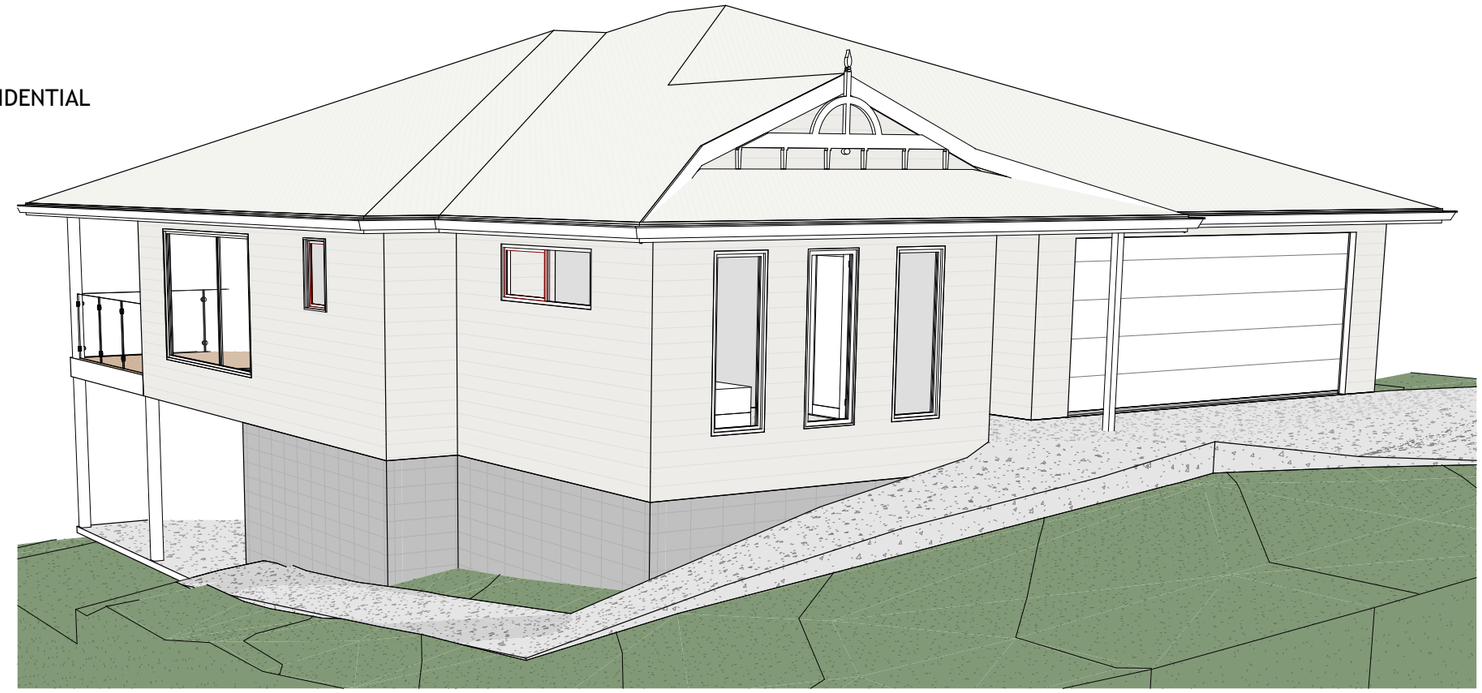
GENERAL SITE INFORMATION

COUNCIL ZONE: GENERAL RESIDENTIAL
LOT PLAN: P199805
TITLE AREA: 400m^2

FLOOR AREAS

GROUND FLOOR AREA: 85.839m^2
FIRST FLOOR AREA: 183.714m^2

TOTAL FLOOR AREA: 269.553m^2



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Licence no. CC6053X

PROJECT:
PROPOSED RESIDENCE DA PLAN SET V2

CLIENT:
LYNDON & JESSICA STOTT

LOCATION:
37 QUEEN ST BURNIE, TAS 7320

SHEET TITLE
COVER SHEET

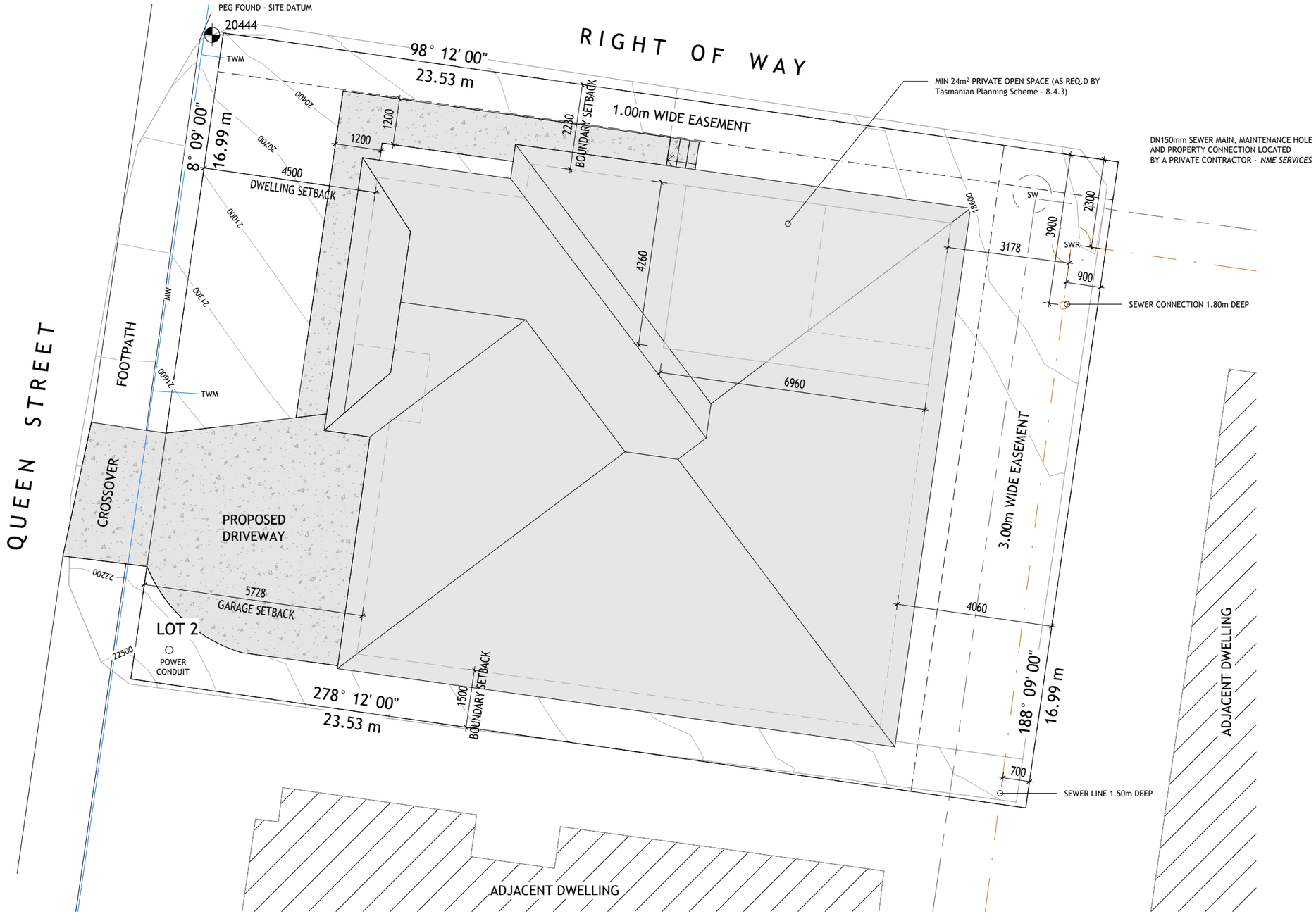
DRAWN
MB

DATE
19/01/2026

PROJECT NO.
P001.8_25

SCALE @ A3

SHEET NO.
A100
/A106



1 Site Plan
1 : 100

REAL PROPERTY DESCRIPTION

Lot Plan:	P199805
Title Area:	400m²

LEGEND

SW	STORM WATER	RL	20.444
SWR	SEWER	GF FFL	18.920
MW	MAIN WATER	FF FFL	21.620
TWM	TOWN WATER MAIN		

0 1250 2500 5000
0 50
1:100
USE SCALE AND RULER AS GUIDE ONLY

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CLIENT:
LYNDON & JESSICA STOTT

LOCATION:
37 QUEEN ST BURNIE, TAS 7320

SHEET TITLE
SITE PLAN

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DATE
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PROJECT NO.
P001.8_25

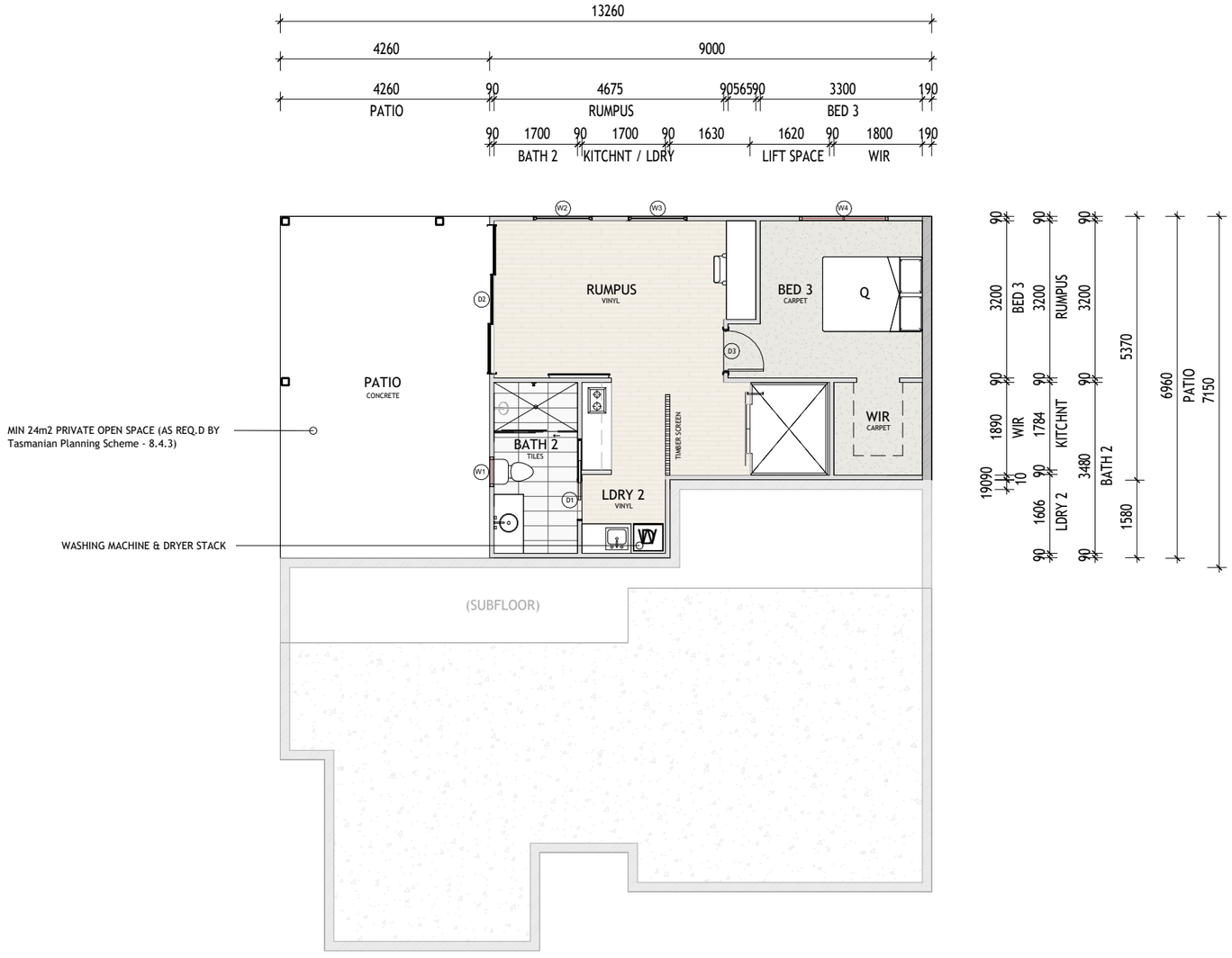
SCALE @ A3
1 : 100

N

SHEET NO.
A101
/A105

GROUND FLOOR AREA

NAME	AREA
LIVING	56.191m²
PATIO	29.648m²
TOTAL	*85.839m²*



1 Ground Floor Plan
1 : 100

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0 50
1:100
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PROJECT:
PROPOSED RESIDENCE DA PLAN SET V2

CLIENT:
LYNDON & JESSICA STOTT

LOCATION:
37 QUEEN ST BURNIE, TAS 7320

SHEET TITLE
GF FLOOR PLAN

DRAWN
MB

DATE
19/01/2026

PROJECT NO.
P001.8_25

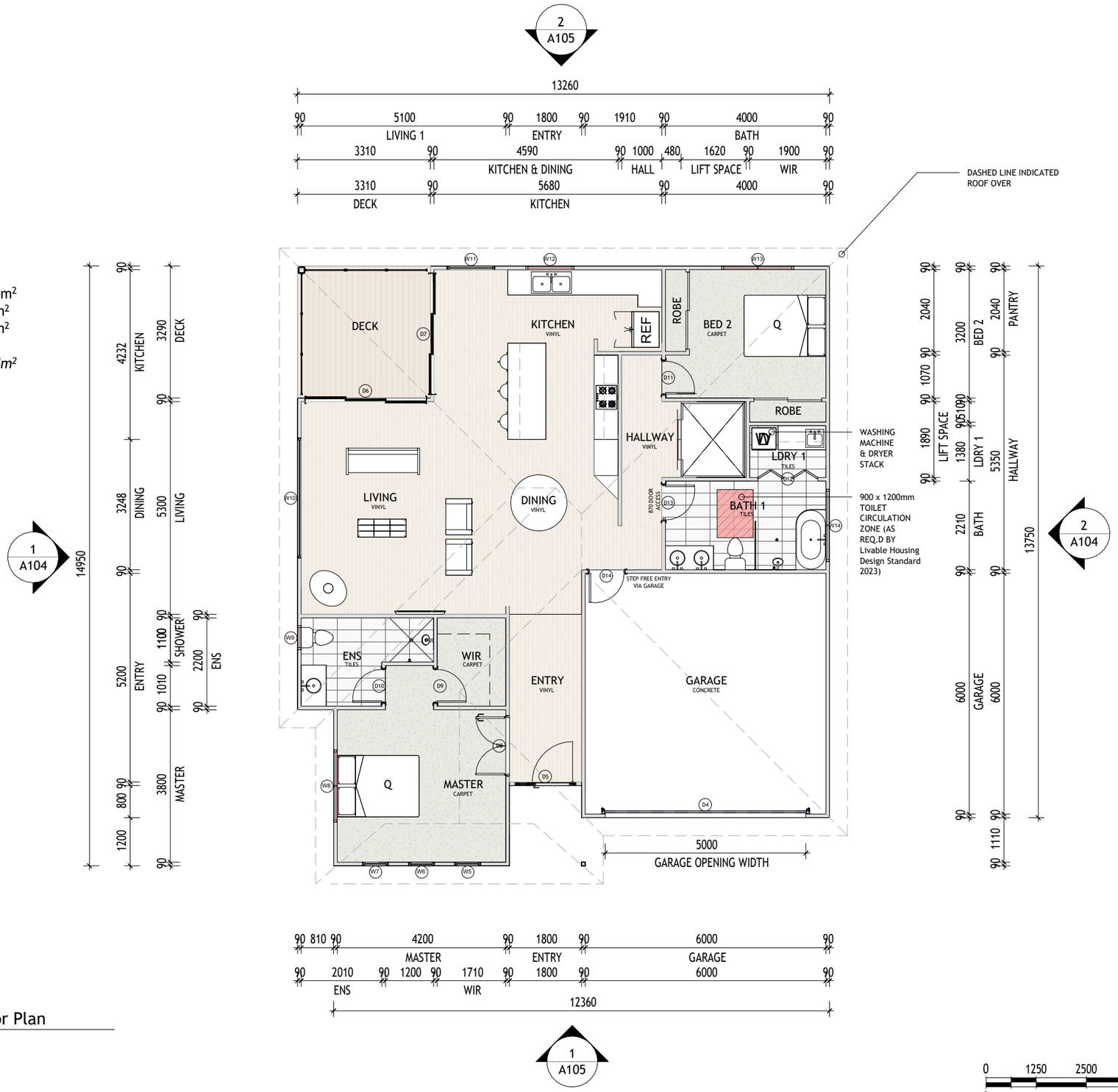
SCALE @ A3
1 : 100

N

SHEET NO.
A102
/A106

FIRST FLOOR AREA

NAME	AREA
LIVING	134.638m²
DECK	10.890m²
GARAGE	38.186m²
TOTAL	*183.714m²*



1 First Floor Plan
1 : 100

0 1250 2500 5000
0 50
1:100
USE SCALE AND RULER AS GUIDE ONLY

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CLIENT:
LYNDON & JESSICA STOTT

LOCATION:
37 QUEEN ST BURNIE, TAS 7320

SHEET TITLE
FF FLOOR PLAN

DRAWN
MB

DATE
19/01/2026

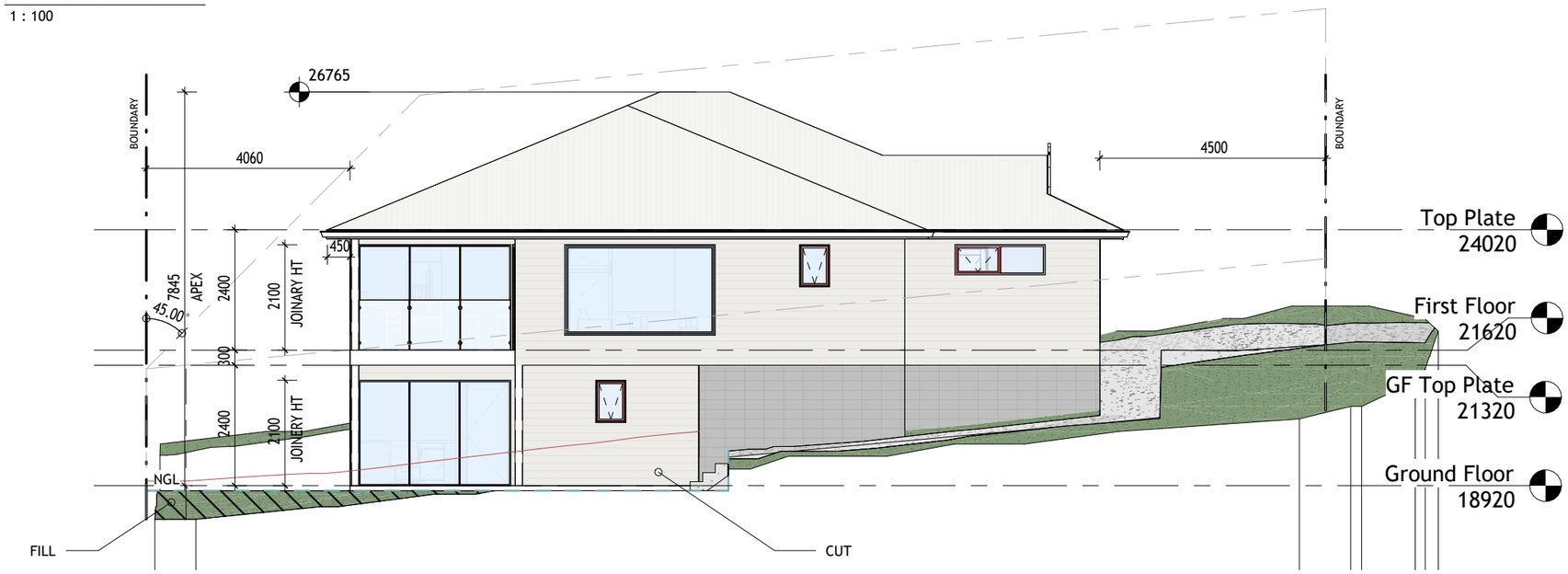
PROJECT NO.
P001.8_25

SCALE @ A3
1 : 100

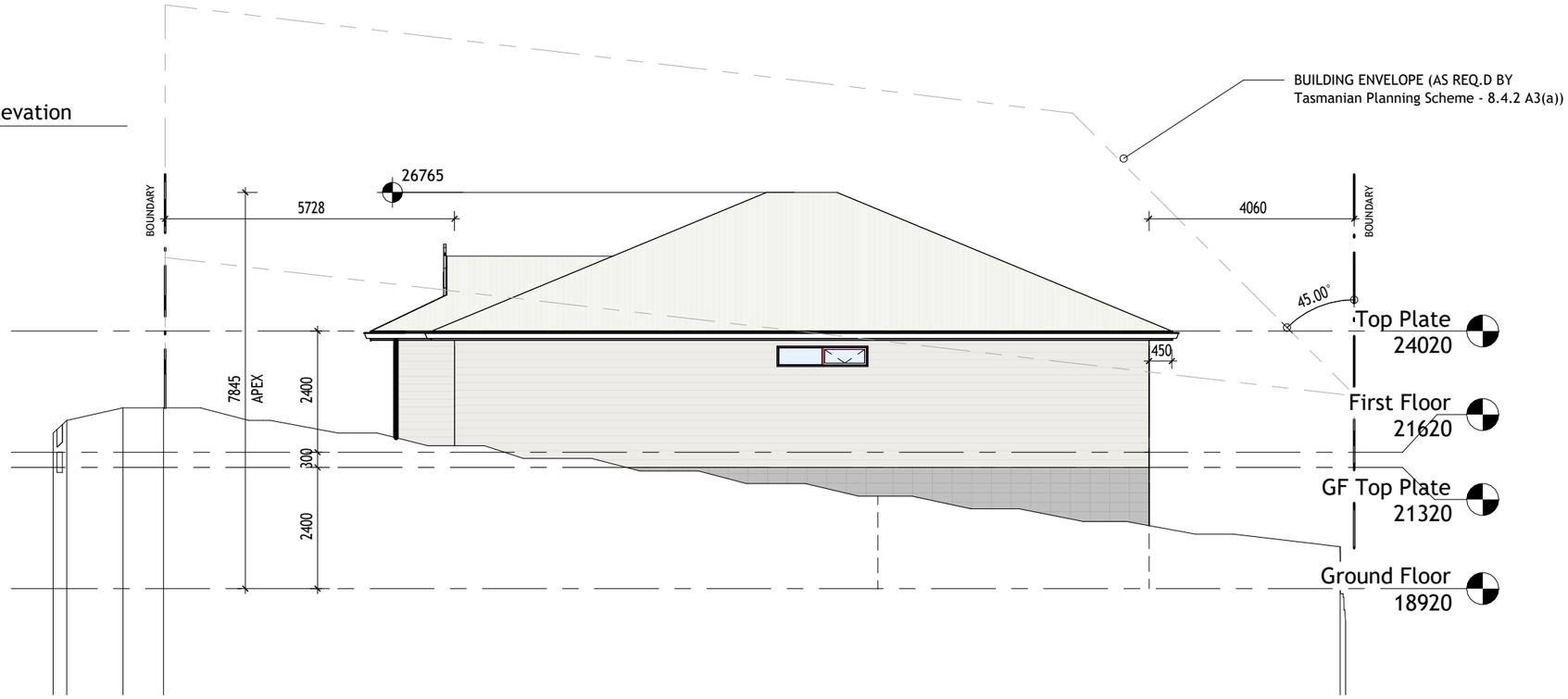
N

SHEET NO.
A103
/A106

1 North Elevation
1 : 100



2 South Elevation
1 : 100



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LOCATION:
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SHEET TITLE
ELEVATIONS

DRAWN
MB

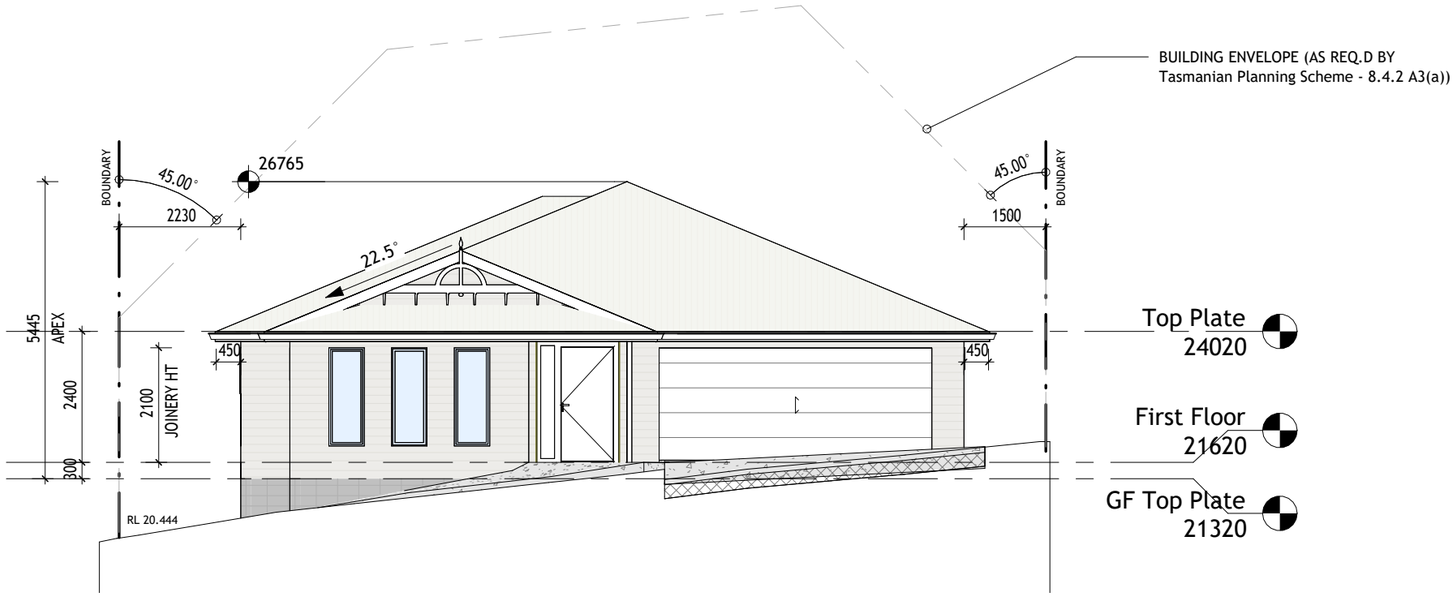
DATE
19/01/2026

PROJECT NO.
P001.8_25

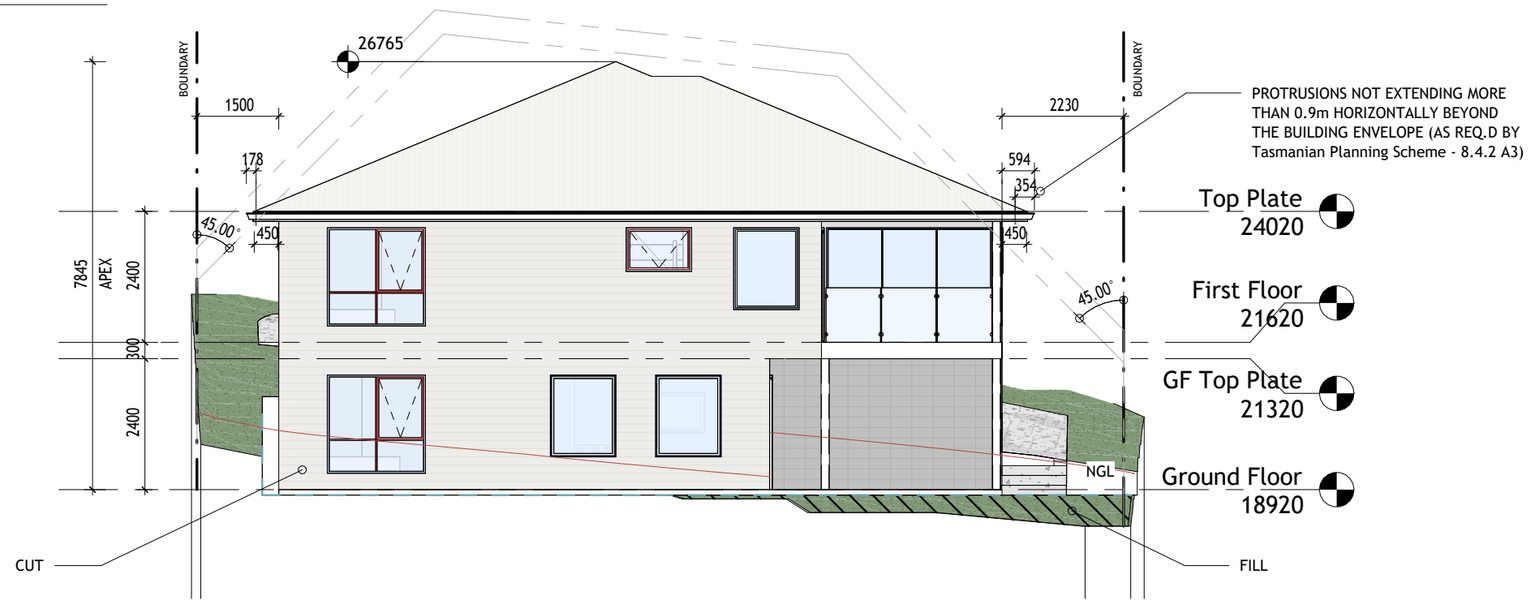
SCALE @ A3
1 : 100

SHEET NO.
A104
/A106

1 West Elevation
1 : 100



2 East Elevation
1 : 100



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ELEVATIONS

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PROJECT NO.
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SCALE @ A3
1 : 100

SHEET NO.
A105
/A106

Door Schedule

Level	Tag	Height	Width	Operation
Ground Floor	D1	2030	820	Cavity Slider
Ground Floor	D2	2100	3035	3 Panel Glazed Sliding Door
Ground Floor	D3	2040	820	Internal Hinged
Ground Floor: 3				
First Floor	D4	2100	5000	Panelift Garage Door
First Floor	D5	2209	1500	Pivot Hinged Door
First Floor	D6	2100	3035	3 Panel Glazed Sliding Door
First Floor	D7	2100	3035	3 Panel Glazed Sliding Door
First Floor	D8	2040	1490	Double Internal Hinged
First Floor	D9	2040	820	Internal Hinged
First Floor	D10	2040	820	Internal Hinged
First Floor	D11	2040	820	Internal Hinged
First Floor	D12	2040	1500	4 Panel Bifold
First Floor	D13	2040	870	NCC/LH Internal Hinged
First Floor	D14	2040	870	NCC/LH Internal Hinged
First Floor: 11				
Grand total: 14				

Window Schedule

Level	Tag	Height	Width	Sill Height	Type
Ground Floor	W1	840	600	1260	Awning - 1L (Frosted)
Ground Floor	W2	1500	1200	600	Fixed 1500 x 1200
Ground Floor	W3	1500	1200	600	Fixed 1500 x 1200
Ground Floor	W4	1800	1800	300	Awning 2LT
Ground Floor: 4					
First Floor	W5	1800	650	300	Fixed 650 X 1800
First Floor	W6	1800	650	300	Fixed 650 X 1800
First Floor	W7	1800	650	300	Fixed 650 X 1800
First Floor	W8	600	1800	1500	Awning 2L
First Floor	W9	840	600	1260	Awning - 1L (Frosted)
First Floor	W10	1800	3000	300	Fixed 3000 x 1800
First Floor	W11	1500	1200	600	Fixed 1500 x 1200
First Floor	W12	800	1200	1300	Awning 1L
First Floor	W13	1800	1800	300	Awning 2LT
First Floor	W14	400	1800	1700	Awning - 2L (Frosted)
First Floor: 10					
Grand total: 14					

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CLIENT:
LYNDON & JESSICA STOTT

LOCATION:
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SHEET TITLE
SCHEDULES

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DATE
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PROJECT NO.
P001.8_25

SCALE @ A3

SHEET NO.
A106
/A106