



DEVELOPMENT APPLICATION

PDPLANPMTD-2025/055060

PROPOSAL: Two Lot Subdivision (one existing + one new)

LOCATION: 5 Mildura Street, Bellerive

RELEVANT PLANNING SCHEME: Tasmanian Planning Scheme - Clarence

ADVERTISING EXPIRY DATE: 22 September 2025

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 22 September 2025. In addition to legislative requirements, plans and documents can also be viewed at www.ccc.tas.gov.au during these times.

Any person may make representations about the application to the Chief Executive Officer, by writing to PO Box 96, Rosny Park, 7018 or by electronic mail to clarence@ccc.tas.gov.au. Representations must be received by Council on or before 22 September 2025.

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

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

Application for Development / Use or Subdivision

Use this form to obtain planning approval for developing or using land, including subdividing it into smaller lots or lot consolidation.

Proposal: Subdivision one additional lot

Location: 5 Midura Street, Bellerive 7018

Personal Information Removed



Is the property on the Tasmanian Heritage Register?

Yes ☐ No ☐

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

If you had pre-application discussions with City of Clarence, please provide planner's name:

Current use of site: **Residential**

Does the proposal involve land administered or owned by the Crown or Council? Yes ☐ No ☐

Declaration

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

Acknowledgement

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

Applicant's signature:

**Personal
Information
Removed**

Date:

Please refer to the development/use and subdivision checklist on the following pages to determine what documentation must be submitted with your application.



SEARCH OF TORRENS TITLE

VOLUME 71052	FOLIO 7
EDITION 10	DATE OF ISSUE 19-Jun-2021

SEARCH DATE : 11-Aug-2025

SEARCH TIME : 08.59 AM

DESCRIPTION OF LAND

City of CLARENCE

Lot 7 on Diagram 71052 (formerly being 344-19D)

Derivation : Part of 181 Acres Gtd to G Mercer

Prior CT 2963/55

SCHEDULE 1

M886125 TRANSFER to PELALEAN PTY LTD Registered 19-Jun-2021
at 12.02 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

BURDENING EASEMENT: Right of Drainage [appurtenant to Lots 8
to 14 on D 71052] over the Drainage Easement passing
through the said Lot 7.

BURDENING EASEMENT: Right of Carriageway [appurtenant to Lots
1, 2, 8, 12, 13 & 14 on D 71052] over the land marked
Right of Way passing through the said Lot 7.

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

D 344
19

The Common Seal of the Clarence Municipal Council has been hereunto affixed in the presence of us this 9th day of March one thousand nine hundred and fifty six pursuant to an authorisation given at a meeting of the said Council held on the day of March 1956

R. J. Pearsall Warden
Alfred... Councillor
... Council Clerk

FROM ACTU

REGISTERED NUMBER
71052

TOWN OF BELLERIVE

Part of 181 acres Granted to Geo Mercer

No. OF APPLICATION

I. E. Pearsall
17/3/98

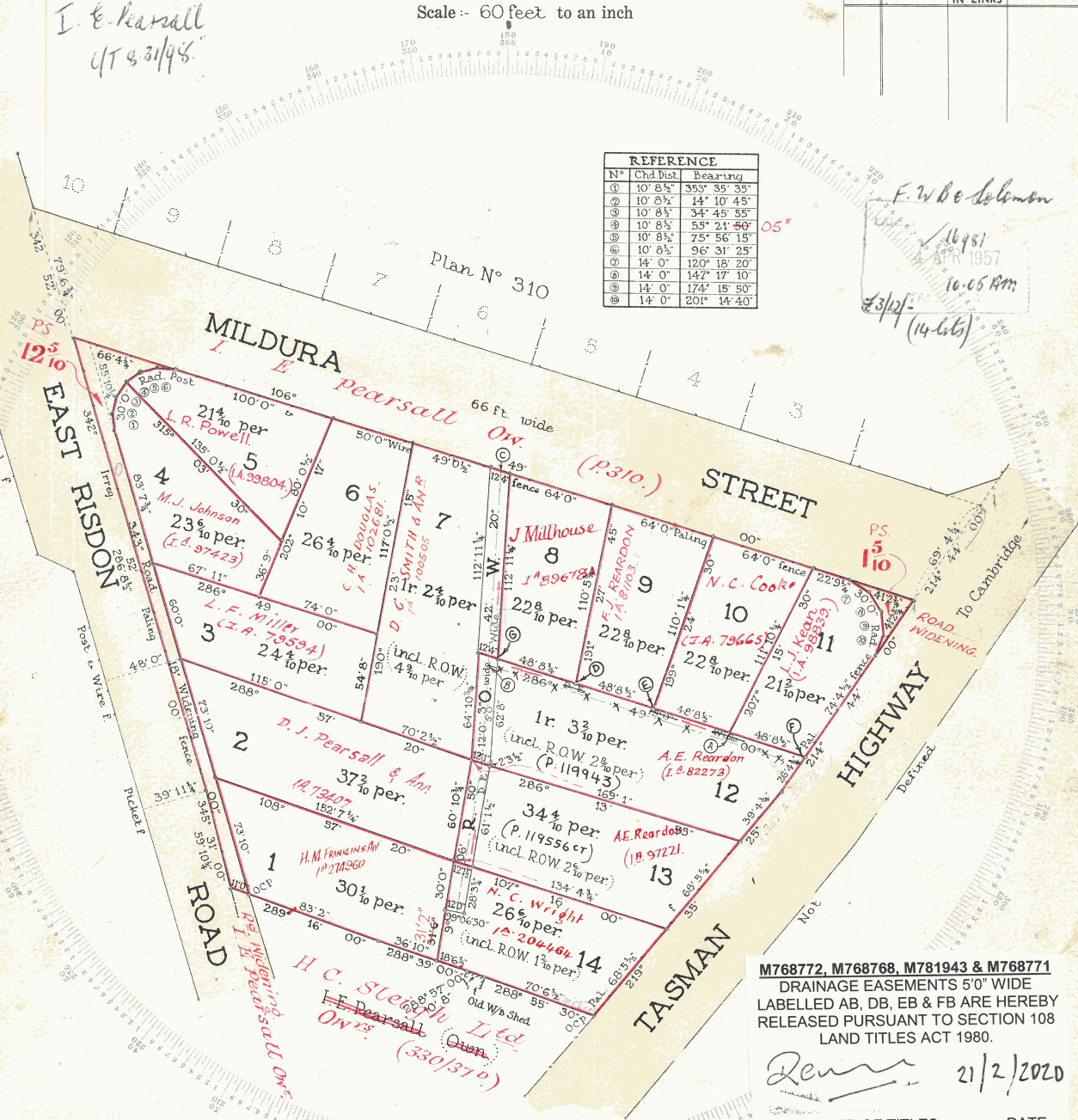
Scale:- 60 feet to an inch

REFERENCE TO CORNERS

COR.	BEARING	DISTANCE IN LINKS	FROM

N°	Chd Dist	Bearing
①	10' 8 1/2"	35° 35' 35"
②	10' 8 1/2"	14° 10' 45"
③	10' 8 1/2"	34° 45' 55"
④	10' 8 1/2"	55° 21' 50"
⑤	10' 8 1/2"	75° 56' 15"
⑥	10' 8 1/2"	96° 31' 25"
⑦	14' 0"	120° 18' 20"
⑧	14' 0"	147° 17' 10"
⑨	14' 0"	174° 15' 50"
⑩	14' 0"	201° 14' 40"

F. W. de Salomon
16/4/81
10.05 AM
23/12/14-16/5



M768772, M768768, M781943 & M768771
DRAINAGE EASEMENTS 5'0" WIDE
LABELLED AB, DB, EB & FB ARE HEREBY
RELEASED PURSUANT TO SECTION 108
LAND TITLES ACT 1980.

Den... 21/2/2020
RECORDER OF TITLES DATE

LETTERS ADDED 'A,B,C' 6-10-94.

To be filled in by Surveyor
Date of Instructions 30-9-55
Survey commenced 12-12-55
Survey finished 14-12-55
Error of close 1 in 43722
Plot 11

PURCHASER'S NAME	ACT	DATE OF CONTRACT	GRANTED
I, Ross Dymock Cassell, of Warrane, Registered Surveyor of Tasmania, do hereby certify that this plan has been made from surveys executed by me, and that both plan and survey are correct, and have been made in accordance			

No. OF APPLICATION

I. E. Kearsall
17/8/1948

Scale:- 60 feet to an inch

REFERENCE TO CORNERS

COR.	BEARING	DISTANCE IN LINKS	FROM

N°	Chd Dist	Bearing
①	10' 8 1/2"	353° 35' 35"
②	10' 8 1/2"	14° 10' 45"
③	10' 8 1/2"	34° 45' 55"
④	10' 8 1/2"	55° 21' 46"
⑤	10' 8 1/2"	75° 56' 13"
⑥	10' 8 1/2"	96° 31' 25"
⑦	14' 0"	120° 18' 20"
⑧	14' 0"	147° 17' 10"
⑨	14' 0"	174° 15' 50"
⑩	14' 0"	201° 14' 40"

F. W. De Salomon
16/9/81
10.05 AM
23/12/77
(14.6.6)



M768772, M768768, M781943 & M768771
DRAINAGE EASEMENTS 5'0" WIDE
LABELLED AB, DB, EB & FB ARE HEREBY
RELEASED PURSUANT TO SECTION 108
LAND TITLES ACT 1980.

21/2/2020
RECORDED OF TITLES DATE

LETTERS ADDED 'AB&C' 6-10-94.

Report

To be filled in
by Surveyor

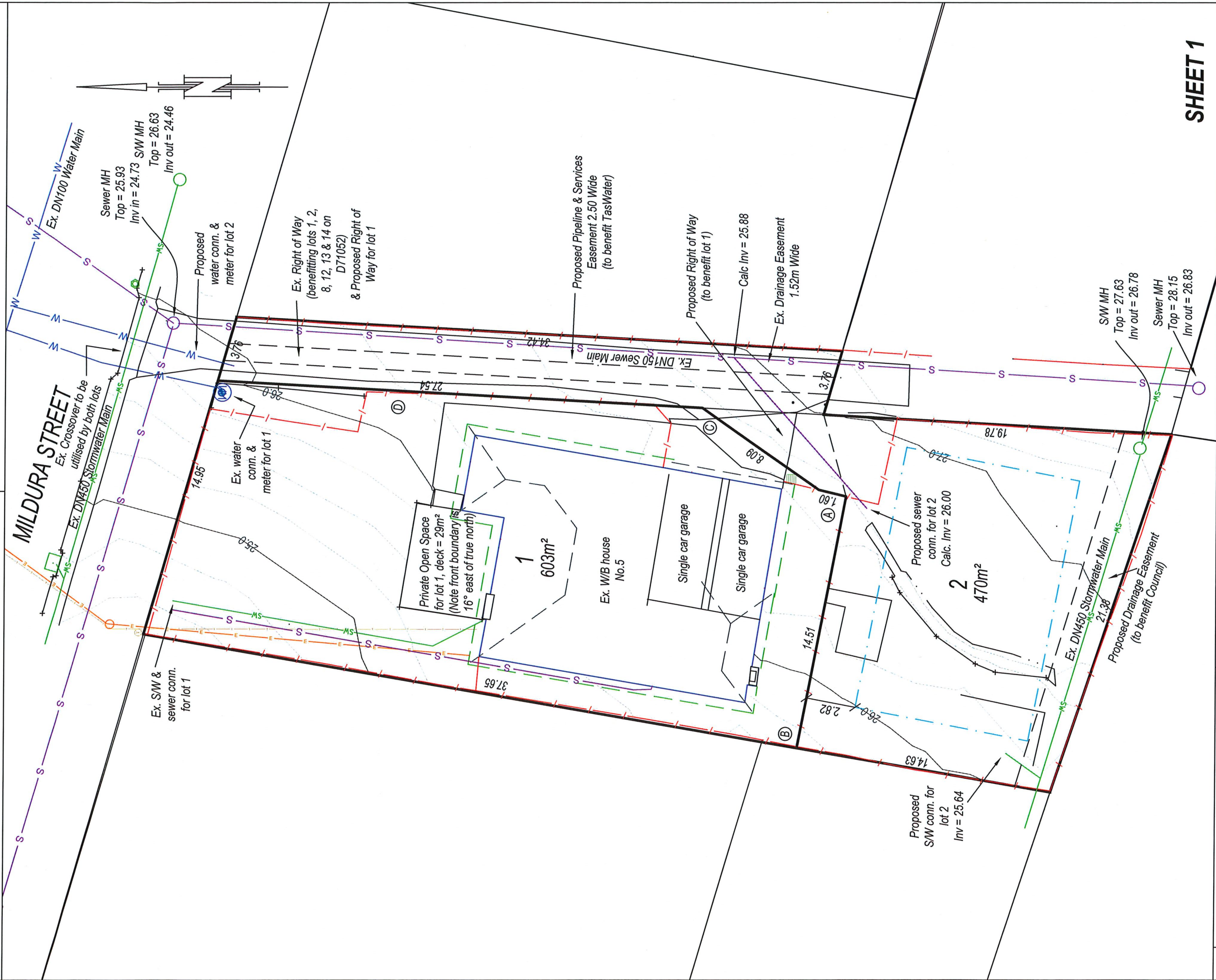
Date of Instructions 30-9-55
Survey commenced 12-12-55
Survey finished 14-12-55
Error of close 1 in 43722

Plot
Regulations Checked
Computations Checked
Examination as to Boundaries
Entered on Diagrams
Entered on General Plan
State Permanent Marks
Finally examined

May be acted upon
Acted upon

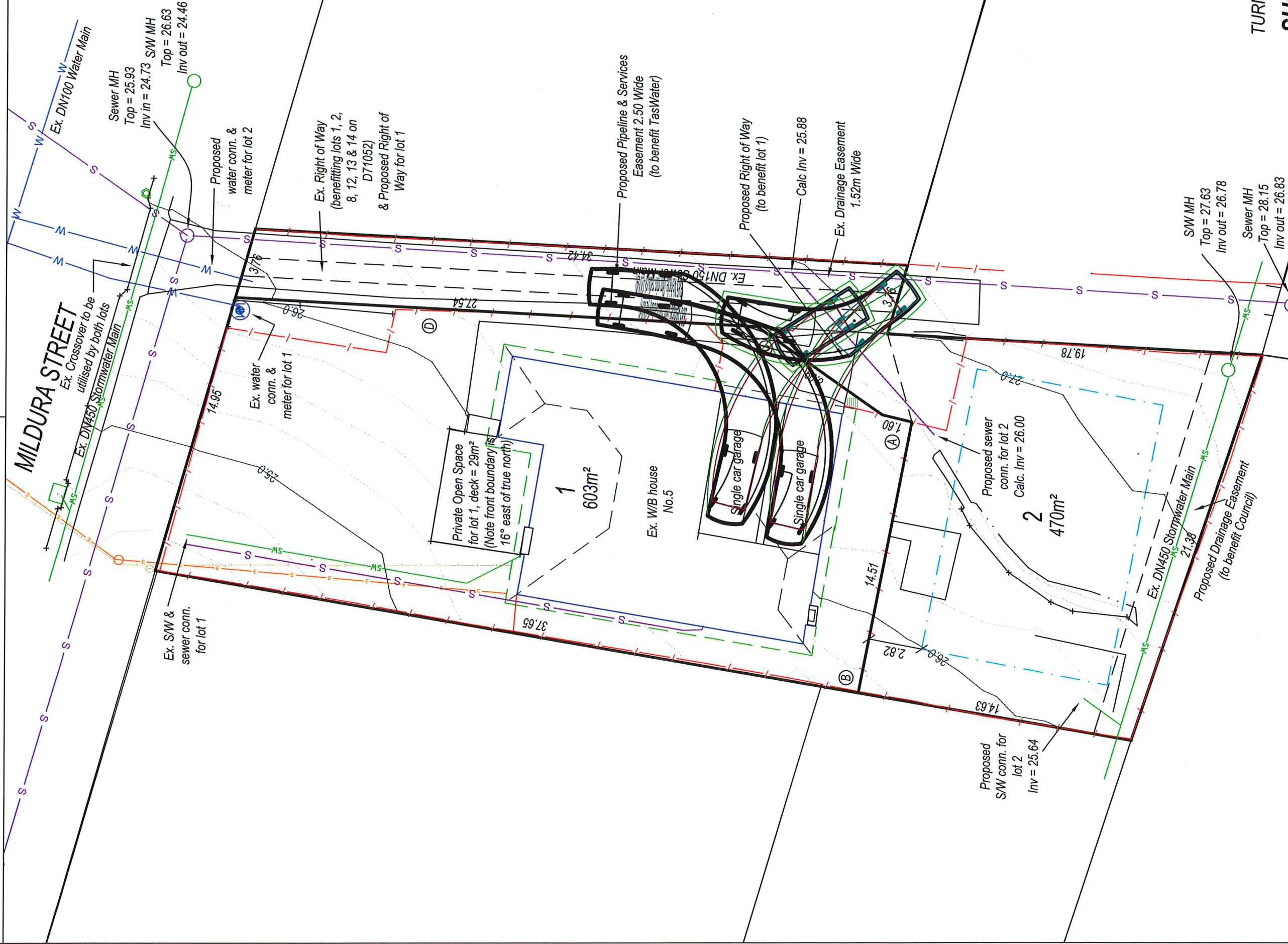
PURCHASER'S NAME	ACT	DATE OF CONTRACT	GRANTED
I, Ross Dymock Cassell, of Warrane, Registered Surveyor of Tasmania, do hereby certify that this plan has been made from surveys executed by me, and that both plan and survey are correct, and have been made in accordance with the Land Surveyors' By-Law N° 2. Dated 3 rd July 1946			
Dated this 14 th day of December 1955			

Authorised Surveyor.



SHEET 1

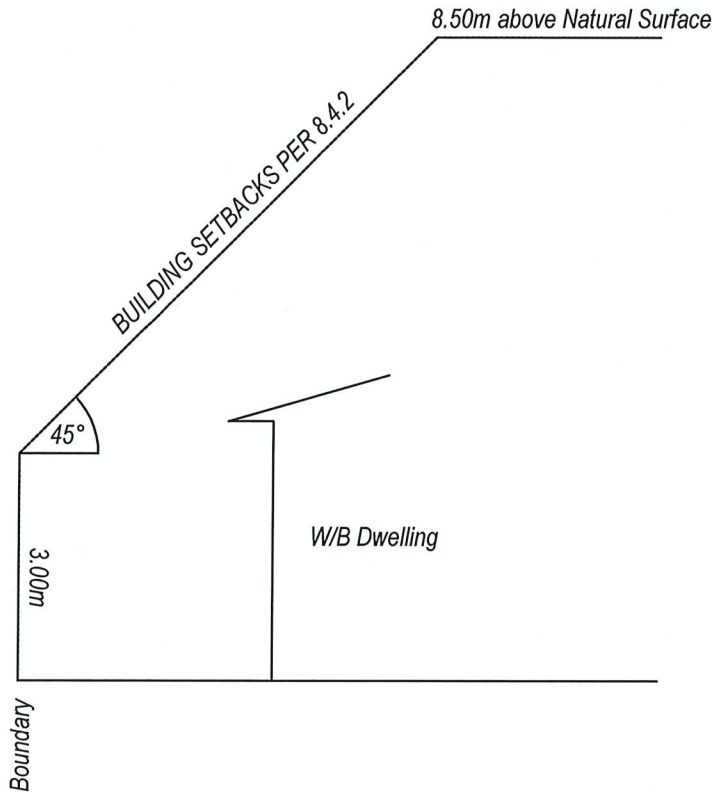
Proposed Subdivision				
OWNER: PELALEAN PTY LTD				
TITLE REFERENCE: 71052/7				
LOCATION: 5 MILDURA STREET, BELLERIVE				
Date: 24/07/2025		Reference: MUISE01 16298-01		
Scale: 1:200 (A3)		Municipality: CLARENCE CITY		
REV	AMENDMENTS	DRAWN	DATE	APPR.
E				
D				
C				
B				
A				



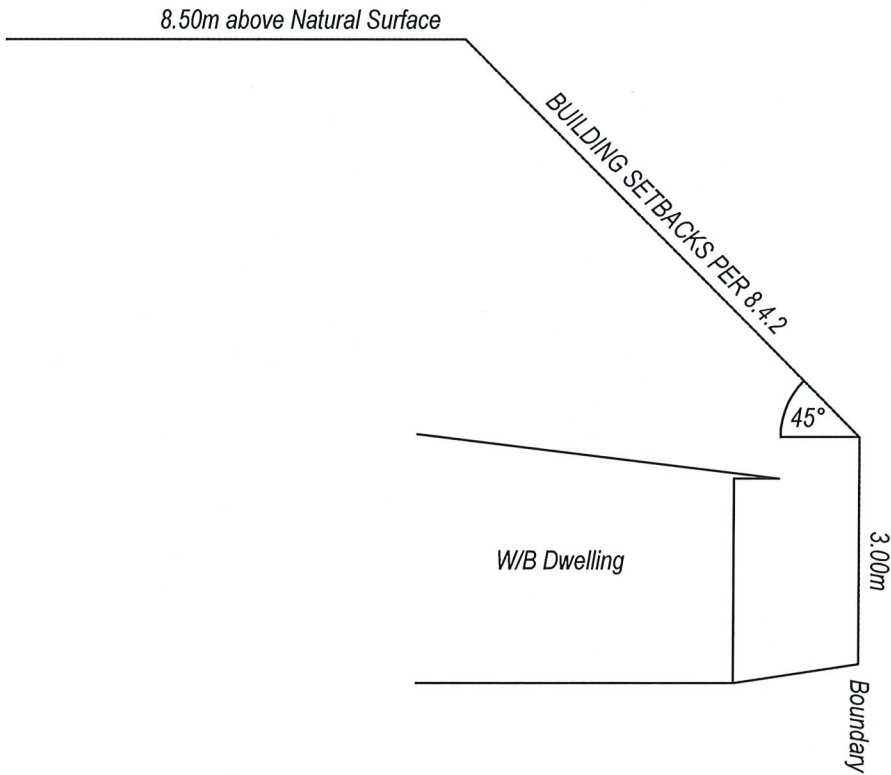
TURN PATHS
SHEET 2

Proposed Subdivision									
PELALEAN PTY LTD									
710527									
5 MILDURA STREET,									
BELLERIVE									
Reference: MUJSE01 16298-01									
Date: 24/07/2025									
Scale: 1:200 (A3)									
Municipality: CLARENCE CITY									
OWNER:									
TITLE REFERENCE:									
LOCATION:									
E									
D									
C									
B									
A									
REV									

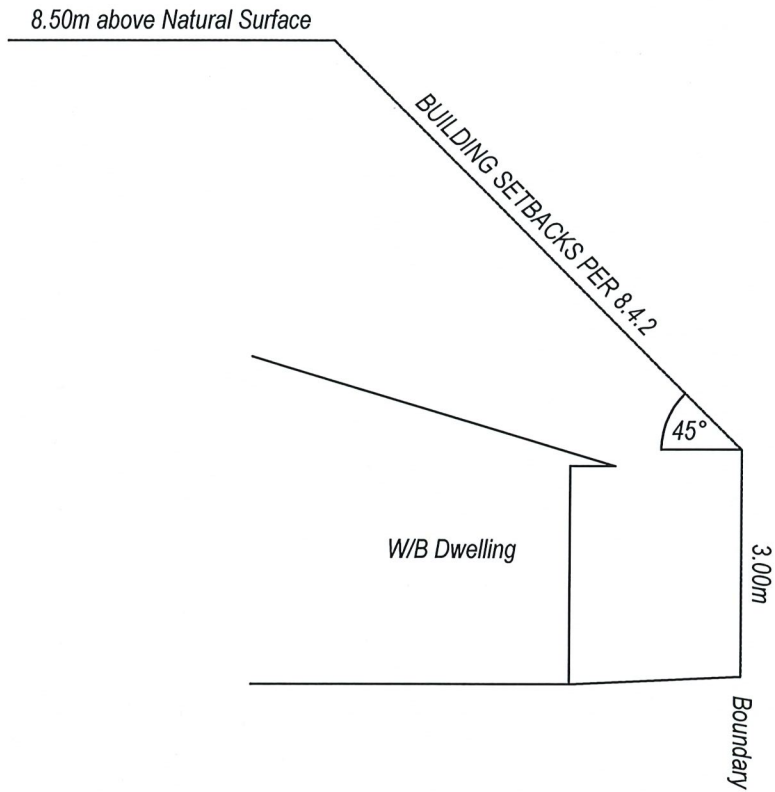
SETBACK ELEVATIONS TO NEW BOUNDARIES



ELEVATION (A) TO (B)



ELEVATION (A) TO (C)



ELEVATION (C) TO (D)

HORIZONTAL SCALE 1:100 & VERTICAL SCALE 1:100

E					 ROGERSON & BIRCH SURVEYORS	UNIT 1, 2 KENNEDY DRIVE CAMBRIDGE 7170 PHONE: (03)6248 5898 EMAIL: admin@rbsurveyors.com WEB: www.rbsurveyors.com	OWNER: TITLE REFERENCE: LOCATION:	PELALEAN PTY LTD 71052/7 5 MILDURA STREET, BELLERIVE	Proposed Subdivision	
D									Date:	Reference:
C									24/07/2025	MUISE01 16298-01
B									Scale:	Municipality:
A									1:100 (A3)	CLARENCE CITY
REV	AMENDMENTS	DRAWN	DATE	APPR.						

Our Ref: MUISE01
dm
26th August 2025

Clarence City Council
PO BOX 96
ROSNY PARK TAS 7018

Dear Sir/Madam

RE: PROPOSED SUBDIVISION – 5 MILDURA STREET, BELLERIVE.

Further to our client's instructions, please find enclosed:

1. A copy of the above-named proposed Plan of Subdivision.
2. A copy of the relevant title.
3. Clarence City Council's Development Application form.

Your advice and tax invoice in relation to the necessary Council fees is requested.

We advise that on receipt of Council's invoice, we will forward same to our client for payment.

This application proposes to subdivide the property as shown on the Plan of Subdivision enclosed.

The land is zoned General Residential under the Tasmanian Planning Scheme, and we make the following comments with respect to the relevant clauses:

8.6.1

A1

Lot 1 complies. See elevations that demonstrate the existing building setback to new boundaries complies with the scheme.

Lot 2 does not comply in that a 10m x 15m building area cannot be located within the lot that is both clear of easements and setbacks. Note the 10m x 15m building area as shown on the Plan of Subdivision complies with all requirements except for the frontage setback. See comments under P1.

P1

(a) & (b) The proposed lot is regular in shape (almost square for the lot proper) allowing for flexibility in design. The building area is likely to be central and slightly to the eastern side of the lot to ensure gravity reticulation for sewer to the proposed sewer connection. This area is setback from all neighbouring dwellings, in particular the living areas of the dwelling on lot 1. The closest portion of that dwelling to lot 2 is a garage. The site allows for good solar access being located close to the bottom of a west facing hillside, and distant from other surrounding hills that do not prevent solar access. The building area is oriented to allow for good solar access and as mentioned is sufficiently setback from surrounding dwellings.

(c) The site is very level particularly if future building is located in the central eastern portion of the lot as is expected.

Craig Rogerson B.Surv., L.S., M.I.S.

Andrew Birch B.Surv., L.S., M.I.S.

David Miller B.Surv., L.S., M.I.S.

- (d) No natural hazards are present.
- (e) If as expected the future building on the site is located centrally and to the east of the lot, then there will be ample room on the western side of the lot for private open space.
- (f) If the pattern of development in this context is considered to be building areas behind houses served by an access strip, then there are nearby examples. See numbers 2, 4, 12 & 14 Midura Street and No.132 Cambridge Road. A dwelling built on lot 2 will achieve similar or greater setbacks to neighbouring dwellings to those on the above-mentioned sites.

A2

Lot 1 complies.

Lot 2 does not comply see comments under P2.

P2

- (a) The proposal is for lots 1 and 2 to share the existing access. Lot 2 will have the fee simple for the access strip which is a minimum of 3.66m wide, and lot 1 is proposed to have a benefitting right of way, and has separate legal frontage.
- (b) The properties at No's 3 & 5 Gordons Hill Road, No. 7 Midura Street and No's 128, 130 & 132 have the benefit of a right of way over the access strip. All of these lots have their own separate legal frontage and all have separate access arrangements from those frontages.
- (c) The driveway is almost flat, with just a gentle slope toward the road frontage allowing surface water to drain to the existing kerb and channel in Mildura Street. There is no requirement for any major earthworks associated with the access.
- (d) The access is existing and has a compliant crossover and transitions. The access affords good sight distance for the low-speed environment of the street. Mildura Street is not a through road, and there are limited vehicle movements beyond the site to the east.
- (e) Vehicles can enter and leave lot 1 in a forward direction, see turn paths shown on the plan. It is possible for Council to condition any future development on lot 2 that vehicles enter and leave in a forward direction.
- (f) The arrangement for internal lots and those with shared driveways is evident as a pattern of development of properties in the area. We refer to the properties named in P1 (f) above.

A3

Both lots will have an access that has a compliant crossover and the driveway will have compliant grade and width.

A4

Not applicable as there is no new road.

We consider the objectives of 8.6.1 have been met with the proposal as follows:

- (a) The plan demonstrates that residential use and development can be achieved on the lots.
- (b) The lots have appropriate access to a road.
- (c) Lots have areas for development unaffected by natural hazards.
- (d) Lots are orientated to maximise solar access.

8.6.2

A1

Complies. no new roads are proposed.

8.6.3

A1

Complies, see existing and proposed service connections on Plan of Subdivision.

A2

Complies, see existing and proposed service connections on Plan of Subdivision.

A3

Complies, see existing and proposed service connections on Plan of Subdivision.

The land is subject codes under the scheme we make the following comments in relation to the codes;

Parking and Sustainable Transport Code C2.0

C2.5.1

A1 Complies lot 1 has 2 existing car spaces.

C2.6.3

A1 Complies, the number of accesses provided for each frontage is no more than 1.

Road and Railway Assets Code C3.0

C3.7.1

A1 Complies, to our knowledge there is no road or railway attenuation area impacting this site.

Safeguarding of Airports Code C16.0

C16.7.1

A1

Not applicable as the site is not within an airport noise exposure area.

Should you have any queries or require any further information, please do not hesitate to contact our office.

We now await your further advice.

Yours faithfully,

 fr: David Miller.