



DEVELOPMENT APPLICATION

PDPLANPMTD-2026/061548

PROPOSAL: Additions and Alterations (Single Dwelling)

LOCATION: 52 Spitfarm Road, Opossum Bay

RELEVANT PLANNING SCHEME: Tasmanian Planning Scheme - Clarence

ADVERTISING EXPIRY DATE: 29/06/2026

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 29/06/2026. 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 29/06/2026.

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.

Planning Application

Use this form to obtain planning approval for the use and development of land, including change of use, subdividing land into smaller lots, lot consolidation, or signage.

Please refer to the Planning Application checklist on the following pages to determine what documentation must be submitted with your application.

Proposal: **Proposed Alterations and Additions**

Location: **52 Spitfarm Rd., Opposum Bay 7023**

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:

Yes previous approval DA 2024-044553

Current use of site: **Existing Dwelling**

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.

Personal Information Removed



Planning Application checklist

Mandatory Documents

This information is required for the application to be valid. We are unable to proceed with an application without these documents.

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

Application fees (please phone 03 6217 9550 to determine what fees apply). An invoice will be emailed upon lodgement.

Additional Documents

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

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



- Main utility service connection points and easements.
 - Proposed subdivision lot boundaries.
- Where it is proposed to erect buildings, detailed plans with dimensions at a scale of 1:100 or 1:200 showing:
- Internal layout of each building on the site.
 - Private open space for each dwelling.
 - External storage spaces.
 - Car parking space location and layout.
 - Major elevations of every building to be erected.
 - Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites.
 - Relationship of the elevations to natural ground level, showing any proposed cut or fill.
 - Materials and colours to be used on rooves and external walls.
- Where it is proposed to erect buildings, a plan of the proposed landscaping showing:
- Planting concepts.
 - Paving materials and drainage treatments and lighting for vehicle areas and footpaths.
 - Plantings proposed for screening from adjacent sites or public places.
- Any additional reports, plans or other information required by the relevant zone or code.
-

This list is not comprehensive for all possible situations. If you require further information about what may be required as part of your application documentation, please contact City of Clarence Planning team on (03) 6217 9550.



SEARCH OF TORRENS TITLE

VOLUME 220127	FOLIO 2
EDITION 5	DATE OF ISSUE 18-Mar-2020

SEARCH DATE : 14-Feb-2023

SEARCH TIME : 10.38 AM

DESCRIPTION OF LAND

City of CLARENCE
 Lot 2 on Plan 220127
 Derivation : Part of 3900 Acres Gtd to G H B Gellibrand
 Prior CT 2713/47

SCHEDULE 1

M802324 TRANSFER to ADAM PRISMALL and NIKKI-LEE PRISMALL
 Registered 18-Mar-2020 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 E209464 MORTGAGE to MyState Bank Limited Registered
 18-Mar-2020 at 12.01 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

ORIGINAL - NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 1469
TASMANIA
REAL PROPERTY ACT, 1862, as amended
NOTE—REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE



CERTIFICATE OF TITLE

Register Book
Vol. Fol.
2713 47

Cert. of Title. Vol.450.Fol.128.

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

M. Hutchinson

Recorder of Titles.



DESCRIPTION OF LAND

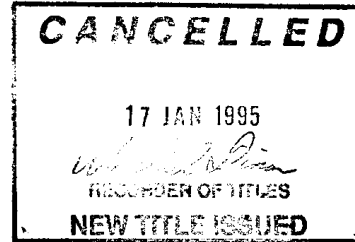
PARISH OF RALPHS BAY LAND DISTRICT OF MONMOUTH
FIFTEEN PERCHES AND FOUR TENTHS OF A PERCH on the Plan hereon

FIRST SCHEDULE (continued overleaf)

ADELAIDE MAY DAVIDSON of Hobart, Married Woman.

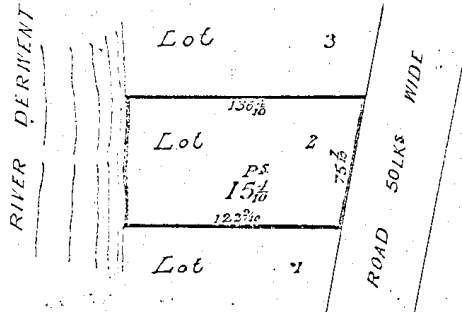
SECOND SCHEDULE (continued overleaf)

NIL.



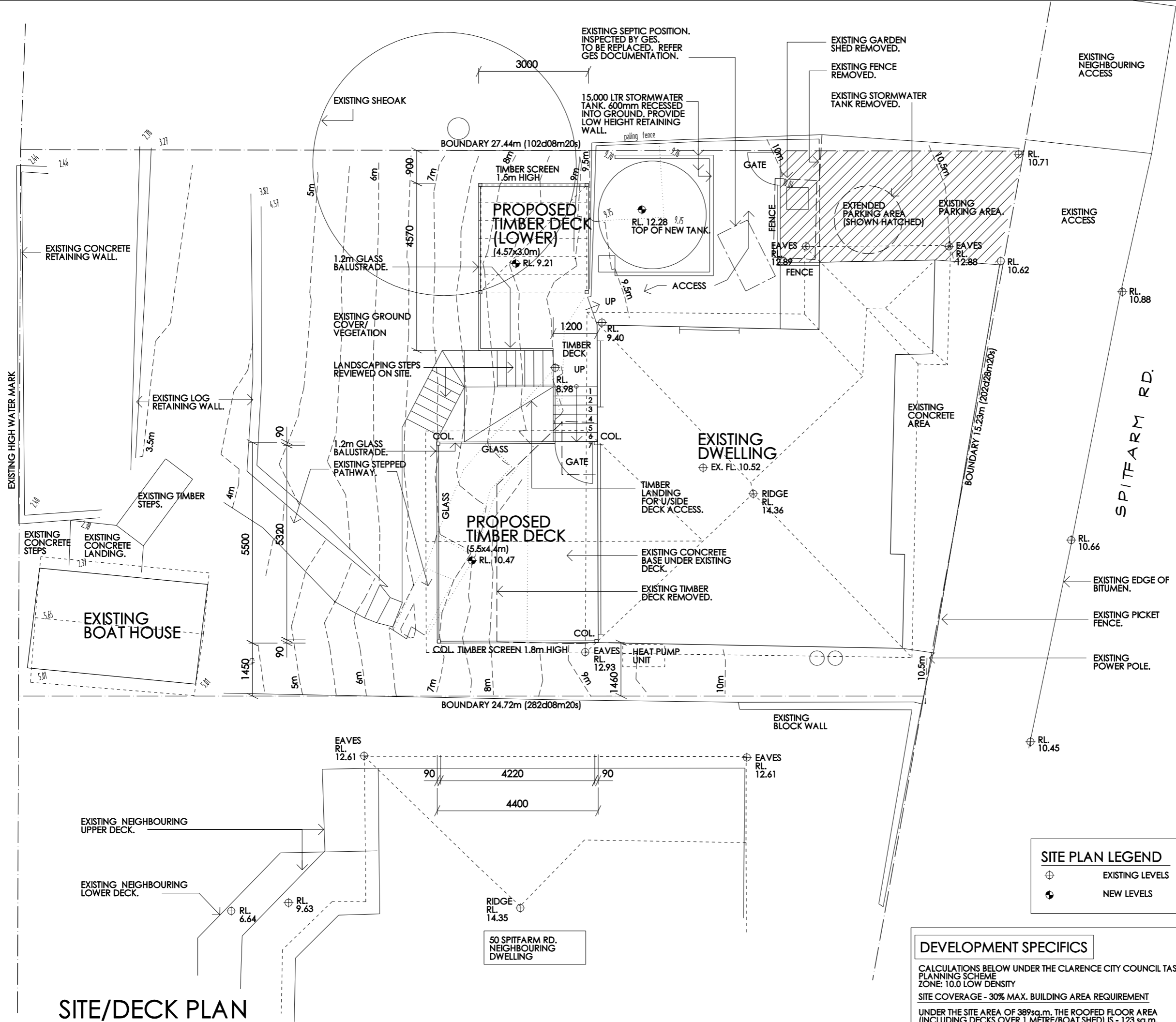
Lot 2 of this plan consists of all the land comprised in the above-mentioned THE RECORDER OF TITLES ARE NO LONGER SUBSISTING. cancelled folio of the Register.

REGISTERED NUMBER
220127



Part of 3,900 Acres. - Gtd. to G.H.B. Gellibrand - Meas. in
FIRST Edition. Registered 8 JUL 1970 Links.. 134/10D.

Derived from C.T. Vol.450.Fol.128. Transfer 97613 G.A. Barber & Anr.



SITE/DECK PLAN
SCALE 1:100 @ A3

SITE PLAN LEGEND

⊕	EXISTING LEVELS
⊕	NEW LEVELS

DEVELOPMENT SPECIFICS

CALCULATIONS BELOW UNDER THE CLARENCE CITY COUNCIL TAS PLANNING SCHEME
ZONE: 10.0 LOW DENSITY
SITE COVERAGE - 30% MAX. BUILDING AREA REQUIREMENT
UNDER THE SITE AREA OF 389sq.m, THE ROOFED FLOOR AREA (INCLUDING DECKS OVER 1 METRE/BOAT SHED) IS - 123 sq.m.
THEREFORE THE CALCULATION IS: - 31.6 % (JUST OVER THE 30% REQUIREMENT)

creative practical design solutions

TAS BUILDING DESIGN Pty. Ltd.

Kevin J. Roberts

m. 0408 882283
a. p.o. box 2018 howrah 7018
e. tas.buildingdesign@bigpond.com

cc 652

residential commercial

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NOTE:
-REFER ALL GENERAL NOTES ON COVER PAGE.

Project and Address:
Proposed Deck at 52 Spittfarm Rd., Opposum Bay

Client:
Mr. A. & Mrs. N. Prismall

Drawing Title:
Site/Deck Plan

Please note: - Verify all dimensions on site. Figured dimensions take precedence over scale readings.

Plot Date: 21/05/2026	Drawn: KJR
Approval: planning	Scale: 1:100 @ A3

Project No.:	22.18
	Drawing No.: sk01 Rev. -



15,000 LTR STORMWATER TANK
 PROVIDE CONCRETE
 OR 7mm CLEAN GRAVEL
 WITH TIMBER BORDER
 TO BASE OF TANK.
 RECESSED 600mm INTO
 GROUND. PROVIDE LOW
 HEIGHT RETAINING WALL.

450x450
 STORMWATER PIT.

100 DIA. UPVC
 STORMWATER
 PIPE TO BELOW
 GROUND LEVEL.

STORMWATER OVERFLOW
 RUN-OFF DRAIN. PROVIDE
 UNDER GROUND ARCH BAR
 WITH SILT BARRIER WITH
 20mm FCR COVER.

100 DIA. UPVC
 STORMWATER
 PIPE TO U/SIDE
 OF NEW DECK.

100 DIA. UPVC
 STORMWATER
 PIPE TO U/SIDE OF
 DWELLING - WHERE
 POSSIBLE.

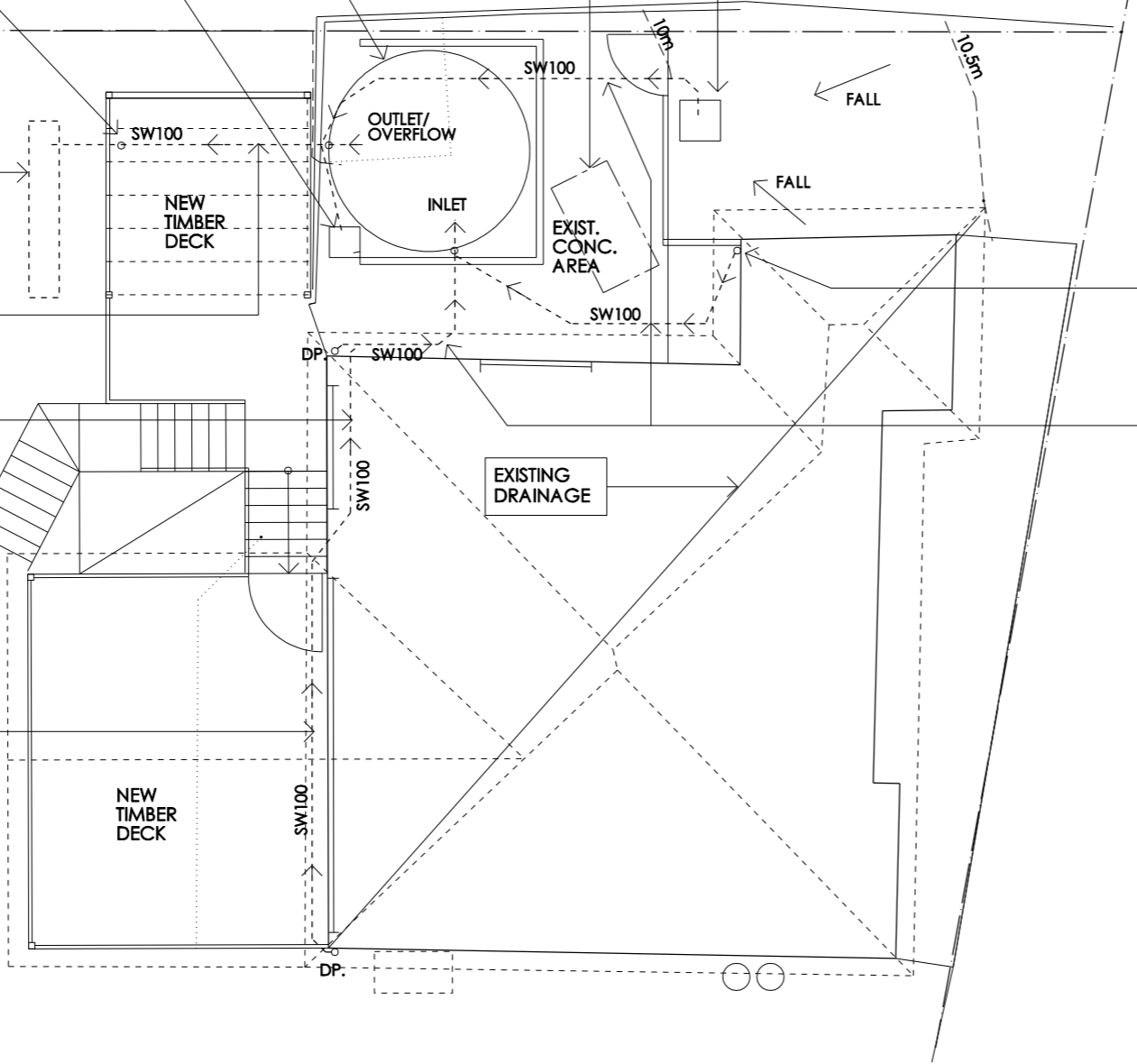
100 DIA. UPVC
 STORMWATER
 PIPE TO U/SIDE
 OF NEW DECK.

EXISTING SEPTIC POSITION.
 INSPECTED BY GES.
 TO BE REPLACED. REFER
 GES DOCUMENTATION.

600x600
 STORMWATER
 PIT.

EXISTING
 DP. REPLACED.

100 DIA. UPVC
 STORMWATER
 PIPE.



DRAINAGE PLAN

SCALE 1:100 @ A3

DRAINAGE PLAN LEGEND

----- STORMWATER LINE

NOTE:
 - STORMWATER -
 100 DIA. UPVC MIN. GRADE 1:100

NOTE:
 - ALL PLUMBING & DRAINAGE TO BE IN
 ACCORDANCE WITH THE LOCAL COUNCIL
 REQUIREMENTS.
 - CONFIRM STORMWATER
 CONNECTION POINTS WITH LOCAL
 COUNCIL PRIOR TO
 COMMENCEMENT OF WORKS.

creative practical design solutions

TAS BUILDING DESIGN Pty. Ltd.

Kevin J. Roberts

m. 0408 882283
 a. p.o.box 2018
 howrah 7018
 e. tas.buildingdesign@bigpond.com

cc 652

residential
 commercial

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 strictly prohibited.

Project and Address:
**Proposed Deck at
 52 Spittfarm Rd.,
 Opposum Bay**

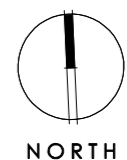
Client:
Mr. A. & Mrs. N. Prismall

Drawing Title:
Drainage Plan

Please note: - Verify all dimensions on site. Figured
 dimensions take precedence over scale readings.

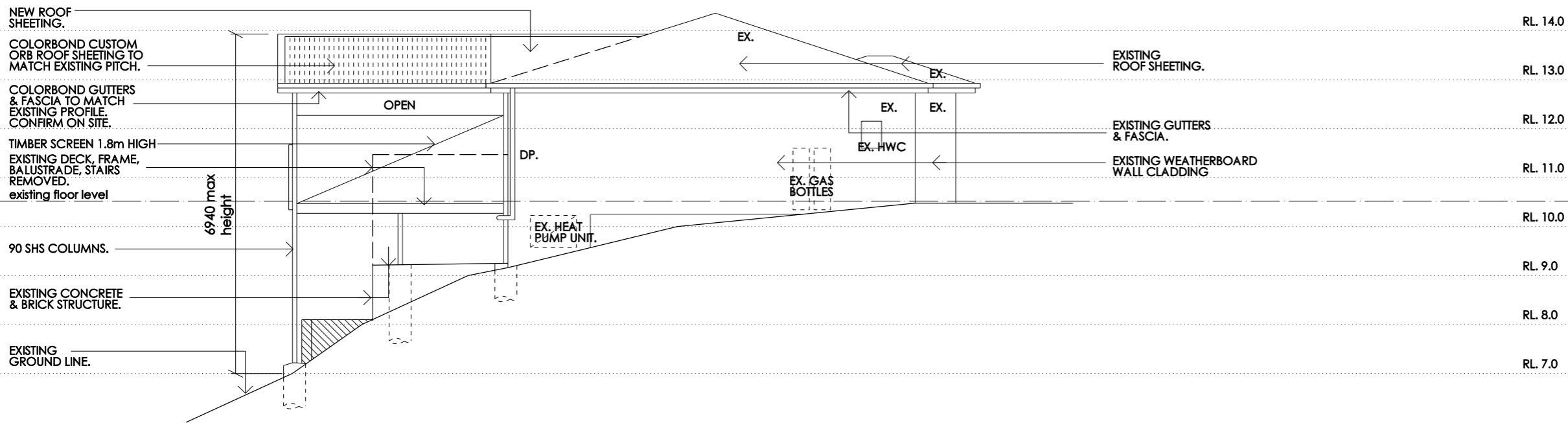
Plot Date: 21/05/2026 Drawn: KJR

Approval: planning Scale: 1:100 @ A3

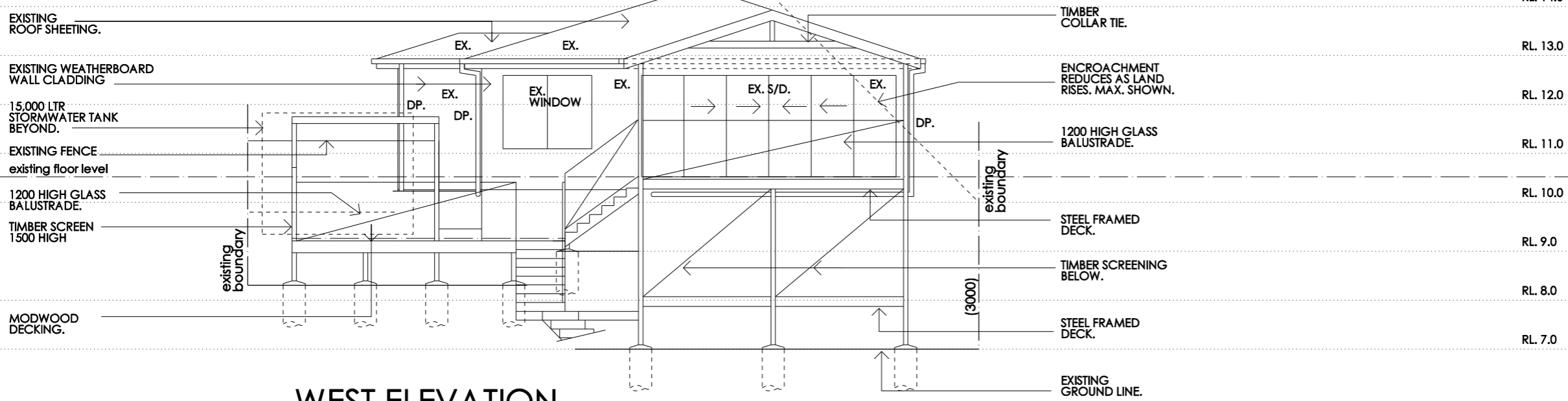


Project No.:
22.18

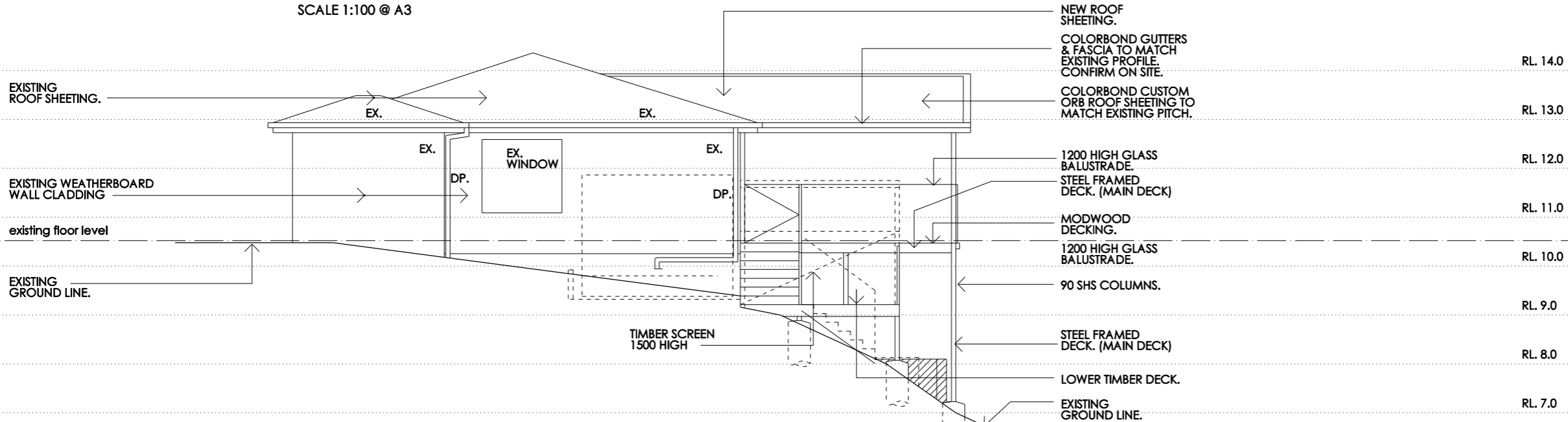
Drawing No.: **sk02** Rev. -



SOUTH ELEVATION
SCALE 1:100 @ A3



WEST ELEVATION
SCALE 1:100 @ A3



NORTH ELEVATION
SCALE 1:100 @ A3

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NOTE:
-REFER ALL GENERAL NOTES ON COVER PAGE.

Project and Address:
Proposed Deck at 52 Spitfarm Rd., Opposum Bay

Client:
Mr. A. & Mrs. N. Prismall

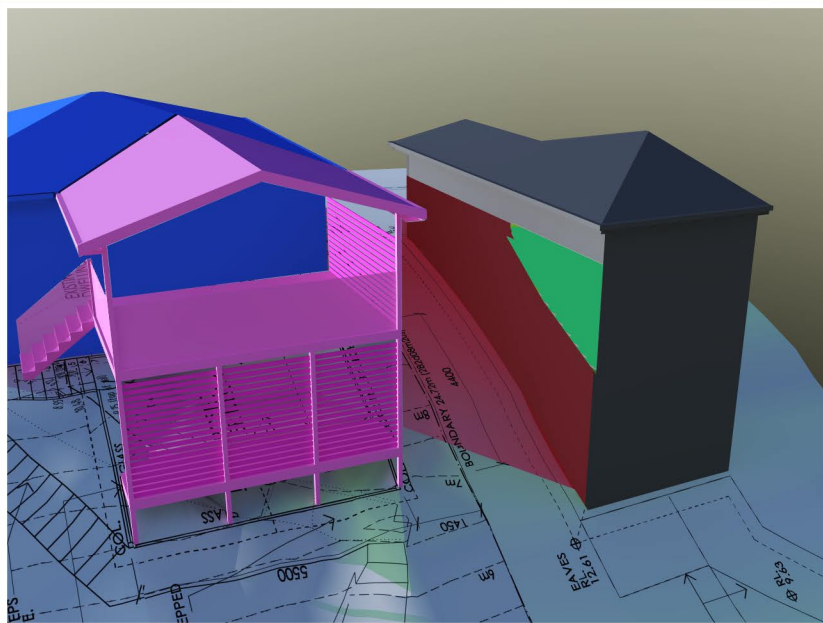
Drawing Title:
Elevations

Please note: - Verify all dimensions on site. Figured dimensions take precedence over scale readings.

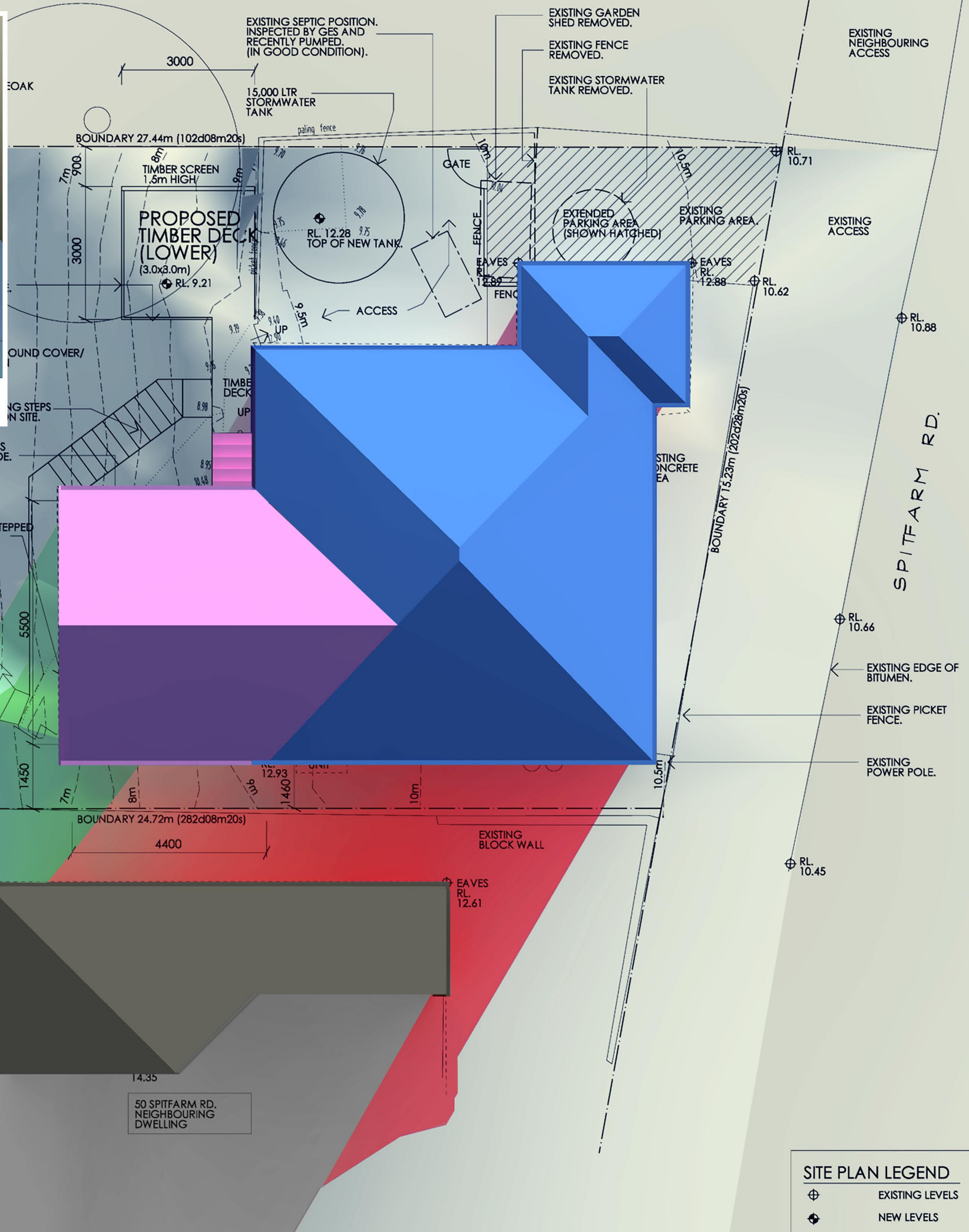
Plot Date: 21/05/2026 Drawn: KJR

Approval: planning Scale: 1:100 @ A3

Project No.:
22.18
Drawing No.: sk03 Rev. -



PERSPECTIVE VIEW



SHADOW DIAGRAMS

52 Spitfarm Rd.,
Opposum Bay


Coordinates:
-42.99, 147.40

Diagram date:
June 22, 2023

Diagram time:
1000 hrs

LEGEND

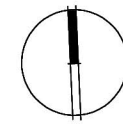
EXISTING DWELLING 

- CAST SHADOW 

PROPOSED TIMBER DECK 

- CAST SHADOW 

NEIGHBOURING DWELLING 




NORTH

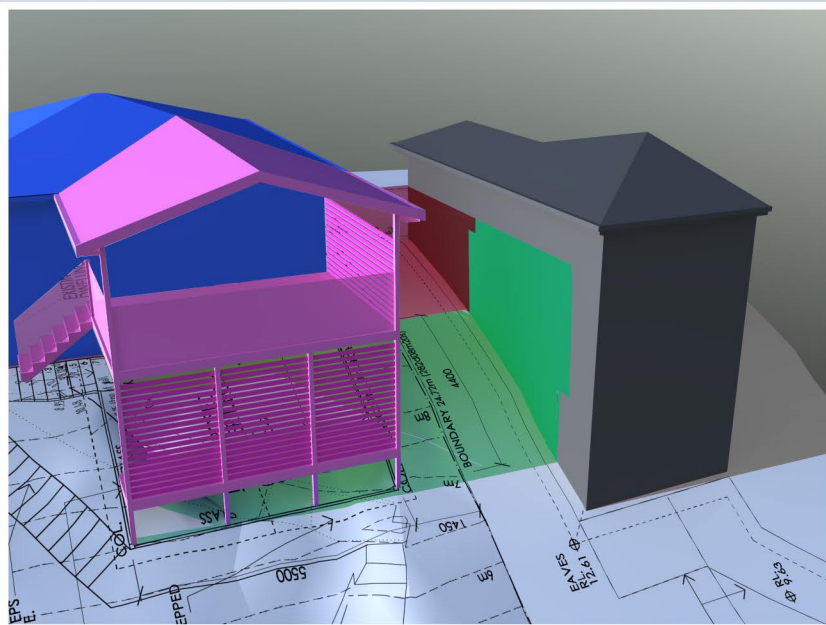
1/100 @A3

Diagrams drawn by Matt Gunn
(M.Arch)
Calculated with Sky Tracer
Approximate Only

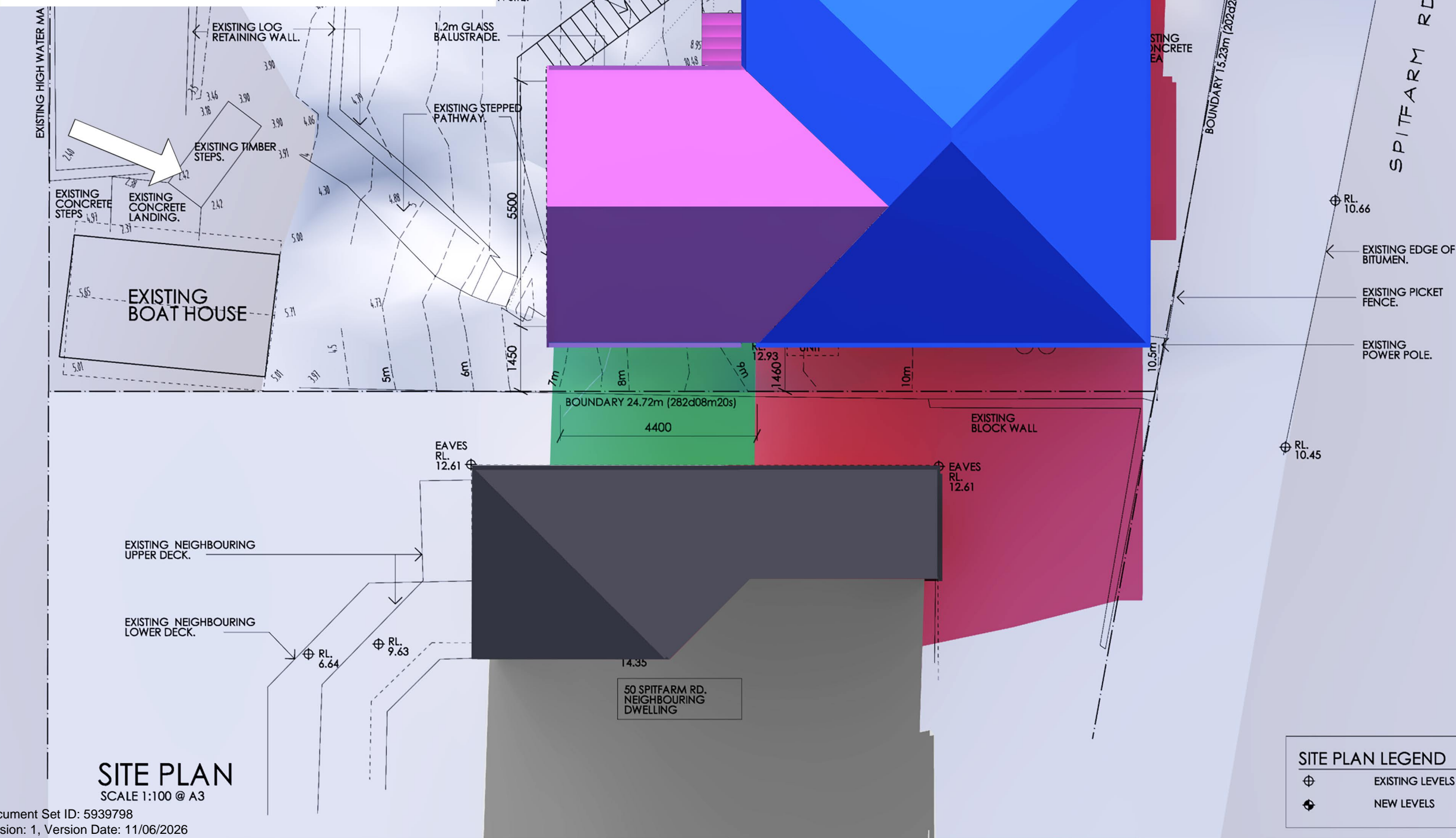
SITE PLAN LEGEND

-  EXISTING LEVELS
-  NEW LEVELS

SITE PLAN
SCALE 1:100 @ A3



PERSPECTIVE VIEW



SITE PLAN
SCALE 1:100 @ A3

SITE PLAN LEGEND	
⊕	EXISTING LEVELS
⊙	NEW LEVELS

SHADOW DIAGRAMS

52 Spitfarm Rd.,
Opposum Bay

Coordinates:
-42.99, 147.40

Diagram date:
June 22, 2023

Diagram time:
1200 hrs

LEGEND

- EXISTING DWELLING ■
- CAST SHADOW ■
- PROPOSED TIMBER DECK ■
- CAST SHADOW ■
- NEIGHBOURING DWELLING ■



1/100 @A3

Diagrams drawn by Matt Gunn
(M.Arch)
Calculated with Sky Tracer
Approximate Only

SHADOW DIAGRAMS

52 Spitfarm Rd.,
Opposum Bay

Coordinates:
-42.99, 147.40

Diagram date:
June 22, 2023

Diagram time:
1500 hrs

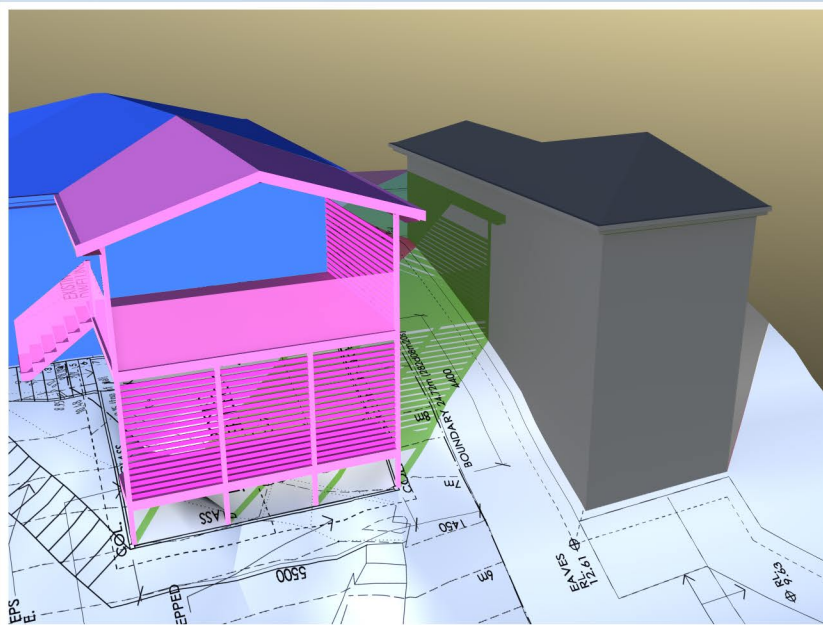
LEGEND

- EXISTING DWELLING ■
- CAST SHADOW ■
- PROPOSED TIMBER DECK ■
- CAST SHADOW ■
- NEIGHBOURING DWELLING ■

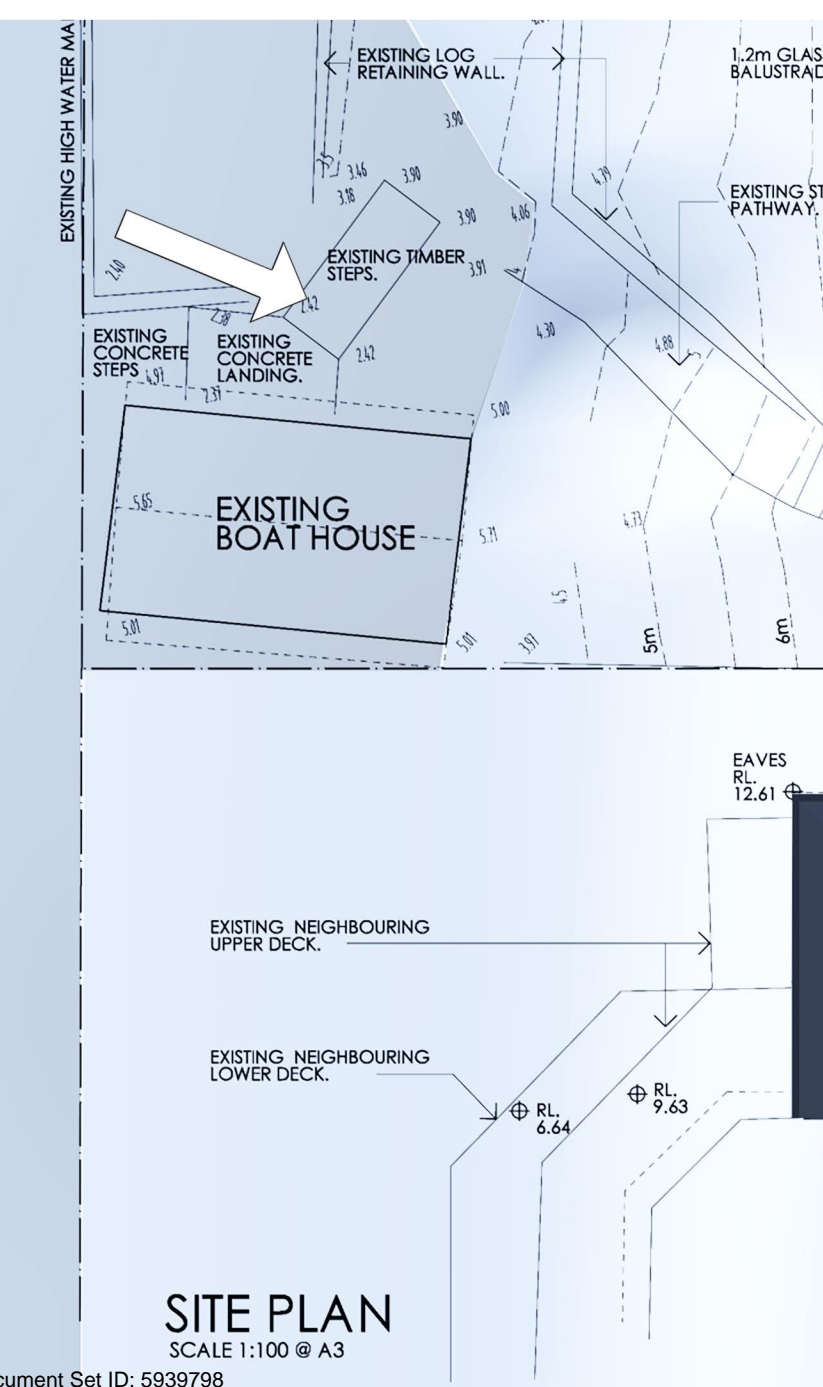
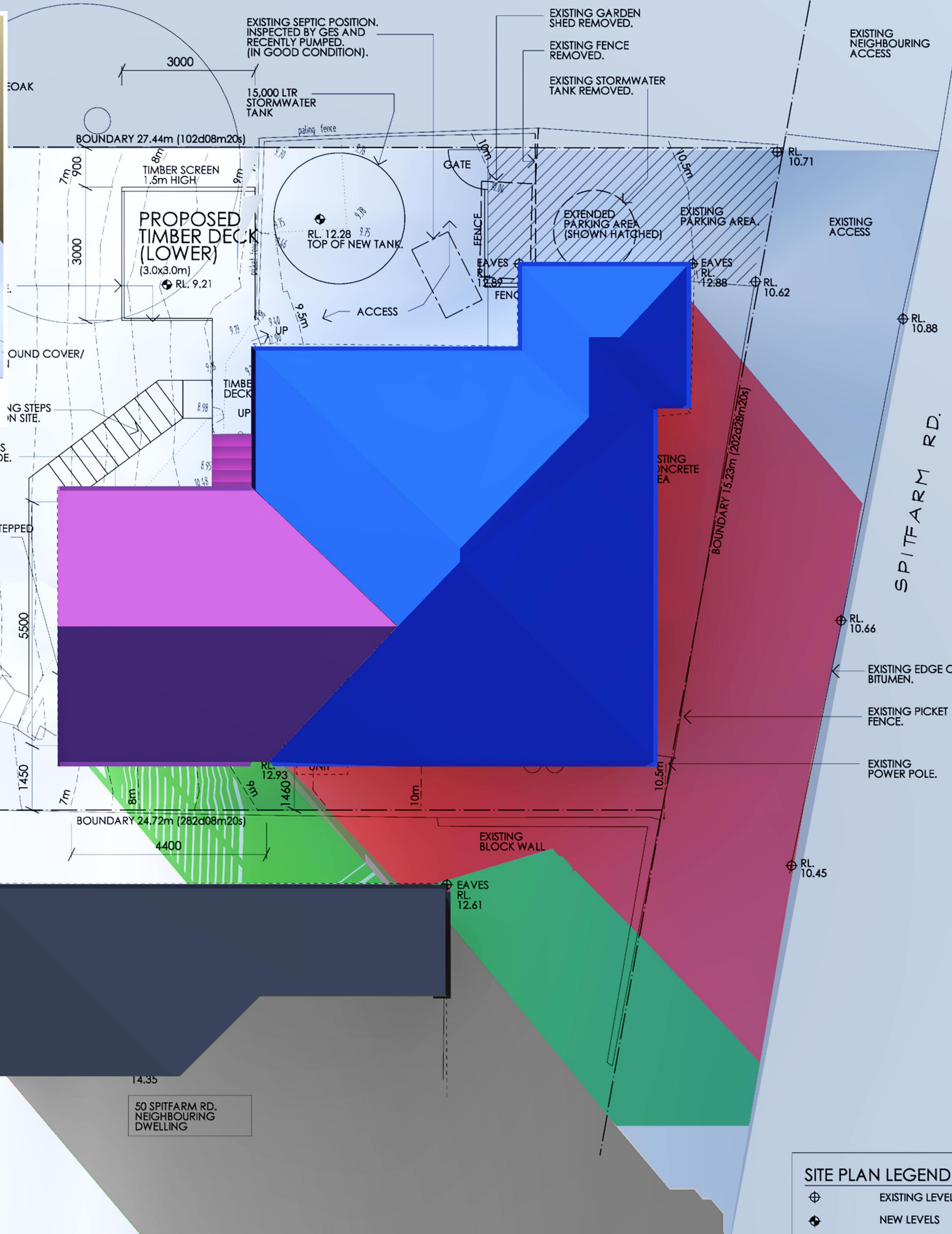


1/100 @A3

Diagrams drawn by Matt Gunn
(M.Arch)
Calculated with Sky Tracer
Approximate Only



PERSPECTIVE VIEW



SITE PLAN

SCALE 1:100 @ A3

SITE PLAN LEGEND

- ⊕ EXISTING LEVELS
- ⊙ NEW LEVELS

SHADOW DIAGRAMS

52 Spitfarm Rd.,
Opposum Bay

Coordinates:
-42.99, 147.40

Diagram date:
June 22, 2023

Diagram time:
1000 hrs

LEGEND

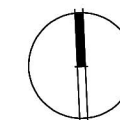
EXISTING DWELLING ■

- CAST SHADOW ■

PROPOSED TIMBER DECK ■

- CAST SHADOW ■

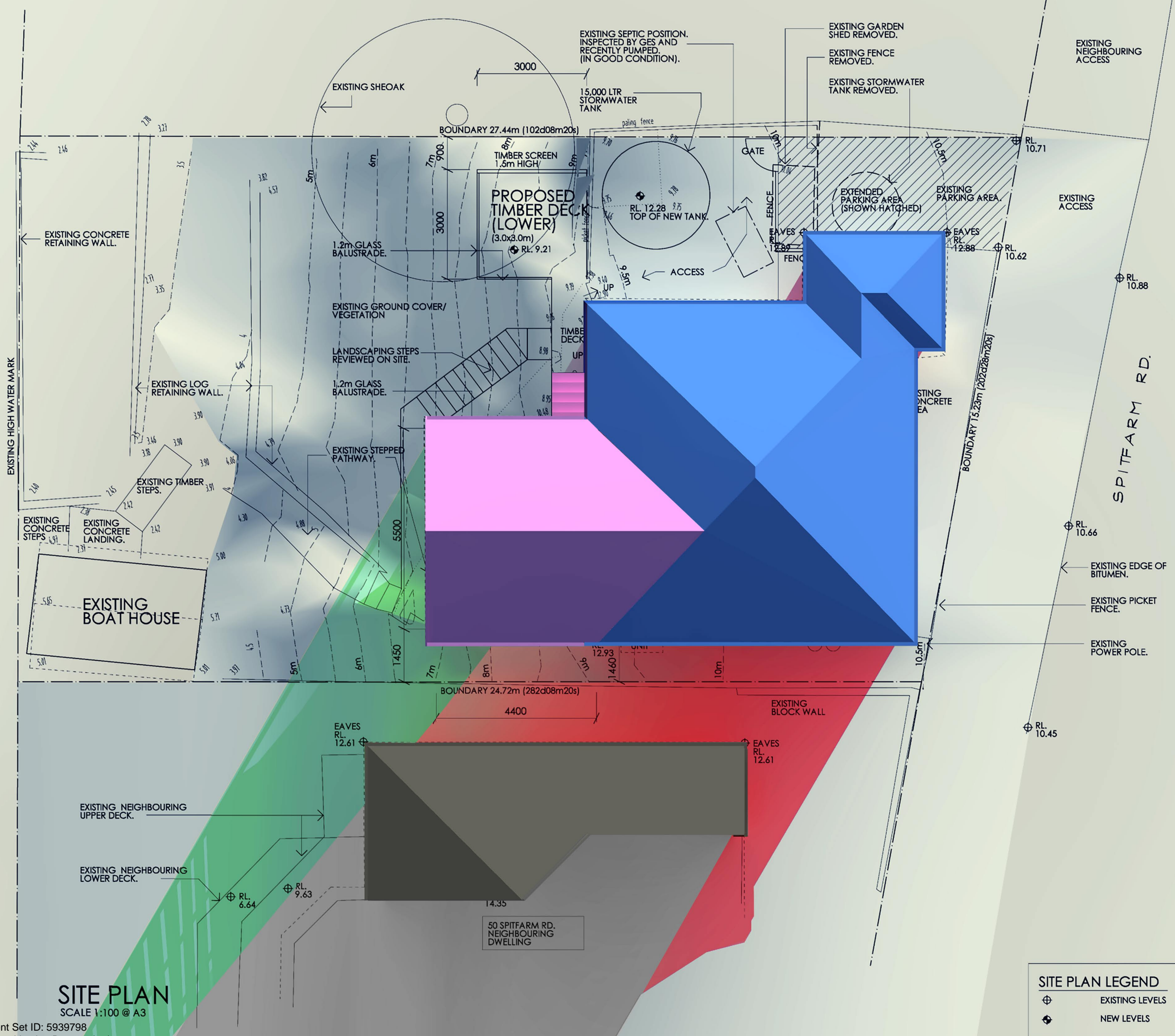
NEIGHBOURING DWELLING ■



NORTH

1/100 @A3

Diagrams drawn by Matt Gunn
(M.Arch)
Calculated with Sky Tracer
Approximate Only



SITE PLAN

SCALE 1:100 @ A3

SITE PLAN LEGEND	
⊕	EXISTING LEVELS
⊙	NEW LEVELS

SHADOW DIAGRAMS

52 Spitfarm Rd.,
Opposum Bay

Coordinates:
-42.99, 147.40

Diagram date:
June 22, 2023

Diagram time:
1200 hrs

LEGEND

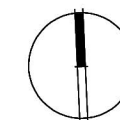
EXISTING DWELLING ■

- CAST SHADOW ■

PROPOSED TIMBER DECK ■

- CAST SHADOW ■

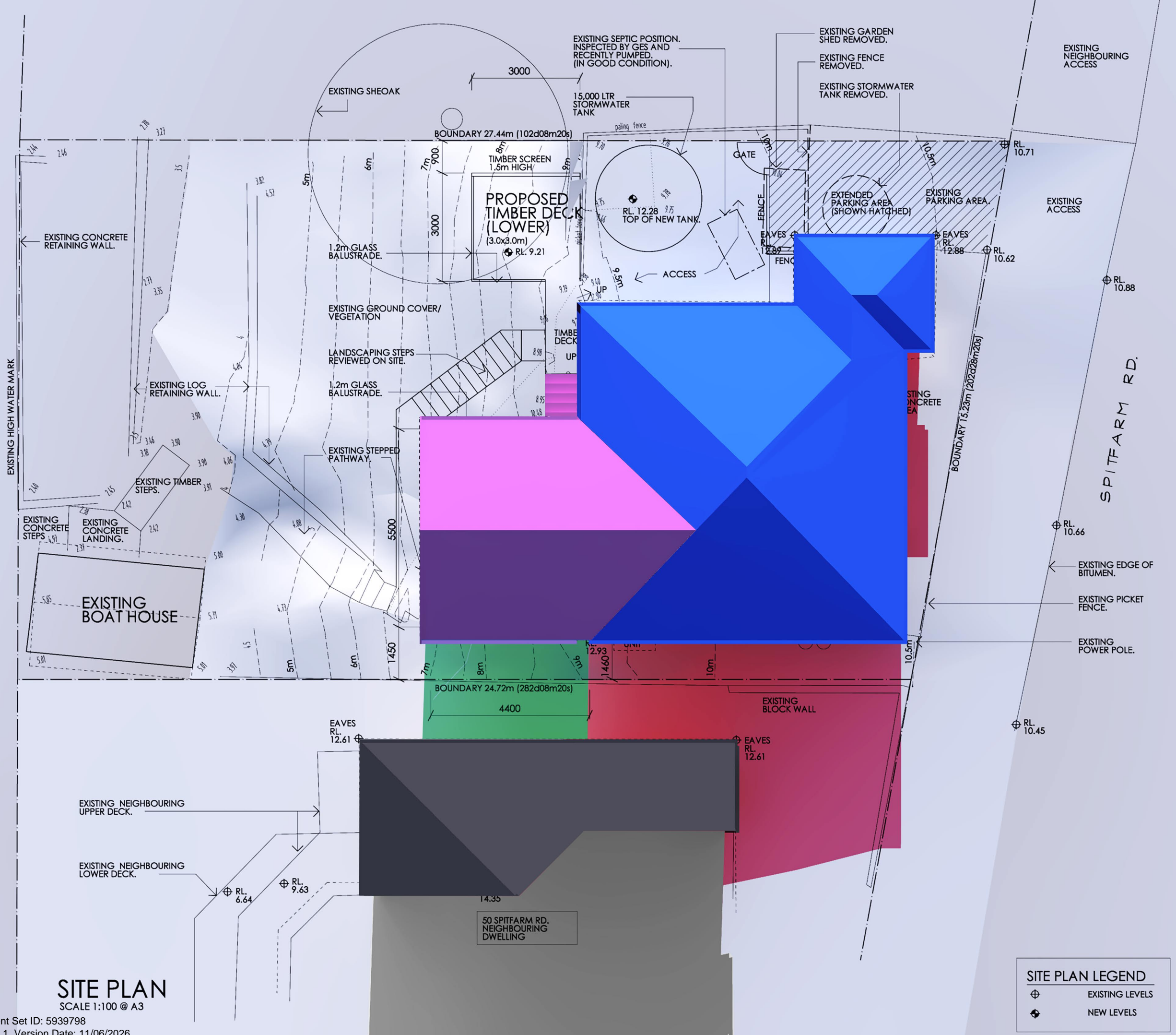
NEIGHBOURING DWELLING ■



NORTH

1/100 @A3

Diagrams drawn by Matt Gunn
(M.Arch)
Calculated with Sky Tracer
Approximate Only



SITE PLAN

SCALE 1:100 @ A3

SITE PLAN LEGEND	
⊕	EXISTING LEVELS
⊙	NEW LEVELS

SHADOW DIAGRAMS

52 Spitfarm Rd.,
Opposum Bay

Coordinates:
-42.99, 147.40

Diagram date:
June 22, 2023

Diagram time:
1500 hrs

LEGEND

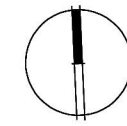
EXISTING DWELLING ■

- CAST SHADOW ■

PROPOSED TIMBER DECK ■

- CAST SHADOW ■

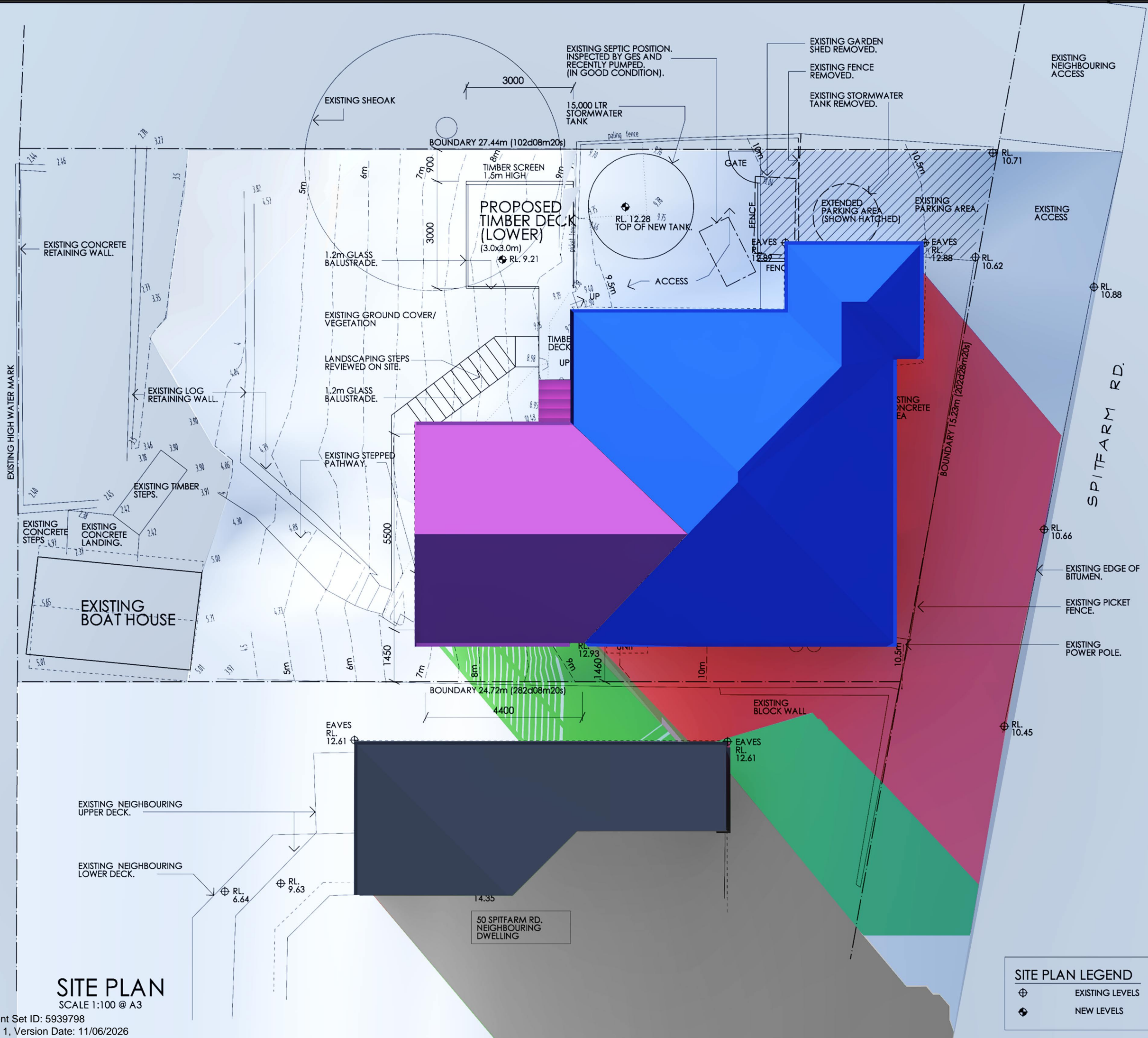
NEIGHBOURING DWELLING ■



NORTH

1/100 @A3

Diagrams drawn by Matt Gunn
(M.Arch)
Calculated with Sky Tracer
Approximate Only



SITE PLAN

SCALE 1:100 @ A3

SITE PLAN LEGEND

- ⊕ EXISTING LEVELS
- ⊙ NEW LEVELS



28 Suncrest Avenue
Lenah Valley, TAS 7008
mark@ecotas.com.au
www.ecotas.com.au
(03) 62 283 220
0407 008 685
ABN 83 464 107 291

Tas Building Design

ATTENTION: Kevin Roberts
PO Box 2018
Howrah TAS 7018

20 March 2023

Dear Kevin

RE: 52 Spitfarm Road, Opossum Bay
Proposed Development/Use – Modifications to Existing Dwelling (Replacing an Existing Deck with a Larger Deck and Roof Structure)
PDPLANPMTD-2023/034030

Preamble

I refer to engagement to assess the natural values of 52 Spitfarm Road, Opossum Bay, specifically to address matters raised in correspondence from Clarence City Council dated 8 Mar. 2023 in relation to the application now known as PDPLANPMTD-2023/034030, which noted:

Please provide information to demonstrate that the proposal satisfies *C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area – P1.1.*

The following statement is intended to address this item.

Site details

Address: 52 Spitfarm Road, Opossum Bay

PID: 5236266; C.T.: 220127/2

Zone: Low Density Residential

Overlays (relevant to the present assessment): Waterway and Coastal Protection Area (Natural Assets Code) – based on high water mark (covers whole title)

Current land use: wholly modified residential title with existing residential dwelling, various other structures and access to beach with seawall (Plates 1-3)

Proposed land use: replacing an existing deck with a larger deck and roof structure (see supplied site and design plans and Plates 1-3)



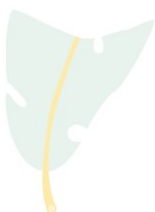


Plates 1-3. Views of current status of site and parts of dwelling proposed for modification

Assessment

LISTmap was examined to determine existing vegetation mapping and known sites for threatened flora and fauna.

ECOtas...providing options in environmental consulting



Findings

Vegetation types

All versions of TASVEG (3.0, 4.0 & Live) indicate the subject title is mapped as urban areas (TASVEG code: FUR), correctly reflecting the extent of development and residential occupation. A revised vegetation map is not provided for the title because in no manner can any part be construed as "native vegetation" within the intent of the *Tasmanian Planning Scheme – Clarence* (refer to Plates 1-4).

Threatened flora

Database information indicates that the subject title does not support known populations of flora listed as threatened on either the Tasmanian *Threatened Species Protection Act 1995* or the Commonwealth *Environment Protection and Biodiversity Protection Act 1999*.

Threatened fauna

Database information indicates that the subject title does not support known populations of fauna listed as threatened on either the Tasmanian *Threatened Species Protection Act 1995* or the Commonwealth *Environment Protection and Biodiversity Protection Act 1999*.

Consideration of planning scheme requirements

Correspondence from Clarence City Council dated 8 Mar. 2023 in relation to the application now known as PDPLANPMTD-2023/034030, requested further information addressing the Natural Assets Code, specifically related to the Waterway and Coastal Protection Area.

The Purpose of the Natural Assets Code is stated as:

C7.0 Natural Assets Code

C7.1 Code Purpose

The purpose of the Natural Assets Code is:

C7.1.1 To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.

C7.1.2 To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.

C7.1.3 To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.

C7.1.4 To minimise impacts on identified priority vegetation.

C7.1.5 To manage impacts on threatened fauna species by minimising clearance of significant habitat.

RESPONSE: Of these purpose statements, C7.1.2 has application as the overlay is directly related to the coastal fringe.



The Code has the following application:

C7.2 Application of this Code

C7.2.1 This code applies to development on land within the following areas:

(a) a waterway and coastal protection area;

C7.2.2 This code does not apply to use.

RESPONSE: C7.2.1(a) is applicable.

The Development Standards for Buildings and Works (C7.6) and specifically those for Buildings and Works within a Waterway and Coastal Protection Area or Future Coastal Refugia Area (last not relevant) are stated below:

C7.6 Development Standards for Buildings and Works

C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area

Objective: That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.

RESPONSE: While there will be works within the technical overlay (because it is based on the high water mark) it is very difficult to anticipate a scenario in which such works would "have an unnecessary or unacceptable impact on natural assets" given that the wholly modified status of the title. That is, I do not find the intent of the objective statement will be compromised.

The Acceptable Solution A1 of C7.6.1 is stated as:

A1

Buildings and works within a waterway and coastal protection area must:

- (a) be within a building area on a sealed plan approved under this planning scheme;
- (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5 m in width; or
- (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.

RESPONSE: In my interpretation, these provisions are either not met or are not applicable, noting that A1(a) refers to "this planning scheme" and so I presume any approval of the now older subdivision and obviously any subsequent development under the previous scheme is no longer applicable.

The Performance Criteria P1.1 of C7.6.1 is stated as:

P1.1

Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to:

RESPONSE: Under the Code, "natural assets" are taken to mean "biodiversity, environmental flows, natural stream bank and stream bed condition, riparian vegetation, littoral vegetation, water quality, wetlands, river condition and waterway and/or coastal values" i.e. they have broad definition and potential application. That said, in this case the wholly modified status of the title is reiterated.

As a starting point, the opening phrase of P1.1 refers to "...must avoid or minimise adverse impacts on natural assets...". The use of the term "minimise" contemplates a level of acceptable impact, although this is not defined anywhere. On the basis the proposal is for minor modification to an existing structure, without any direct impacts to the coast (existing seawall,



boat shed, paths, etc.), combined with the absence of “natural assets” per se within the title (existing wholly modified land), in my opinion, the project achieves the objective to “minimise adverse impacts” as far as practicable.

With respect to the phrase “...having regard to...”, this is considered in the manner referred to in *S and S McElwaine and A Hamilton v West Tamar Council and Growth Developments Pty Ltd [2021] TASCAT 4 (17 November 2021)*, where TASCAT stated: “the requirement to ‘have regard to’ does not elevate P2.1(a) to (f) to mandatory requirements that the proposal must satisfy. The tribunal need only consider those subparagraphs in ascertaining whether the proposal complies with clause E8.6.1 P2.1”.

Below the sub-criteria of P1.1 are addressed in turn.

- (a) impacts caused by erosion, siltation, sedimentation and runoff;

RESPONSE: To my interpretation, this provision is either not applicable or met by default because there should be no impacts caused by erosion, siltation, sedimentation and runoff because works are based wholly within title on the existing structure (deck works), noting P1.1 requires impacts to be “avoided **or** minimised”.

- (b) impacts on riparian or littoral vegetation;

RESPONSE: Not applicable because there is no proposal to impact on littoral vegetation with all works intended to be wholly within the existing modified title.

- (c) maintaining natural streambank and streambed condition, where it exists;

RESPONSE: Not applicable (site does not support any watercourses).

- (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;

RESPONSE: Not applicable (site does not support any watercourses).

- (e) the need to avoid significantly impeding natural flow and drainage;

RESPONSE: Not applicable (site does not support any watercourses).

- (f) the need to maintain fish passage, where known to exist;

RESPONSE: Not applicable (site does not support any watercourses).

- (g) the need to avoid land filling of wetlands;

RESPONSE: Not applicable (no wetlands present).

- (h) the need to group new facilities with existing facilities, where reasonably practical;

RESPONSE: To my interpretation, this provision is not applicable.

- (i) minimising cut and fill;

RESPONSE: To my interpretation, this provision is not applicable as there will no cut and fill (see site plans).

- (j) building design that responds to the particular size, shape, contours or slope of the land;

RESPONSE: To my interpretation, this provision is satisfied (or not applicable) as the project is for minor modifications to an existing dwelling.

- (k) minimising impacts on coastal processes, including sand movement and wave action;

RESPONSE: In my opinion, provided works are restricted to the title itself, there should be no impact on coastal processes because the site is well above the high water mark and set well back from this mark.

- (l) minimising the need for future works for the protection of natural assets, infrastructure and property;

RESPONSE: In my opinion, this provision has little practical application to a very small title where works will be wholly contained within the title and restricted to minor modifications to an existing dwelling.



- (m) the environmental best practice guidelines in the *Wetlands and Waterways Works Manual*; and

RESPONSE: Not applicable (there will be no works that will manifestly impact on wetlands or waterways).

- (n) the guidelines in the *Tasmanian Coastal Works Manual*.

RESPONSE: In my opinion, this provision has little practical application to a very small title where works will be wholly contained within the title and restricted to minor modifications to an existing dwelling.

Based on the above review of P1.1 of C7.6.1, the proposal will fully satisfy all relevant provisions without the need for specific mitigation conditions.

Note that this statement does not constitute legal advice, and provides my interpretation of the provisions of the *Tasmanian Planning Scheme - Clarence*, which may not represent the views of City of Clarence. It is recommended that formal advice be sought from the relevant agency prior to acting on any aspect of this report.

Please do not hesitate to contact me further if additional information is required.

Kind regards



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