



DEVELOPMENT APPLICATION

PDPLANPMTD-2026/061053

PROPOSAL: Frontage Fence (Single Dwelling)

LOCATION: 38 East Derwent Highway, Rose Bay

RELEVANT PLANNING SCHEME: Tasmanian Planning Scheme - Clarence

ADVERTISING EXPIRY DATE: 17/08/2026 00:00:00

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 17/08/2026 00:00:00. 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 17/08/2026 00:00:00.

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: Replace existing property front fence

Location: front fence boundary

Personal Information Removed



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:

I have spoken with 3 Planners over past 4 weeks however I do not know all names. 1 male was John (spoke with twice) ; plus another male and 1 female

Current use of site: existing 1180 high paling front fence with manual inward opening drive way gates

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 138434	FOLIO 4
EDITION 12	DATE OF ISSUE 26-Apr-2025

SEARCH DATE : 30-Apr-2026

SEARCH TIME : 10.20 am

DESCRIPTION OF LAND

City of CLARENCE

Lot 4 on Plan 138434

Derivation : Part of 232 acres Gtd to A Montagu

Prior CT 60582/4

SCHEDULE 1

N245605 TRANSFER to KARYN ANN LEE and TOREY LOUISE LEE as
tenants in common in equal shares Registered
26-Apr-2025 at 12.01 pm

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
BURDENING EASEMENT: the right of drainage including the right
of construction of drains for the owner of owners for
the time being of Lot 105 on Plan No. 685 over or
under the strip of land marked Drainage Easement 0.91
wide on Plan 138434 and through all sewers or drains
which may hereafter made or passing under through or
along the said strip of land and with the right for
the said owner or owners and his and their agents
surveyors and workmen from time to time and at all
times hereafter if he she or they shall think fit to
enter into and upon the said strip of land and to
inspect repair cleanse and amend any such sewer or
drain without doing unnecessary damage to the owners
or occupiers of the said land within described
Provided always that in the event of the said owner
or owners of the said Lot 105 exercising the said
rights of drainage they he or she shall pay their his
or her proper proportional part of the costs charges
and expense which may be incurred in the making or
repairing of any such sewer or drain

A6925 FENCING CONDITION in Transfer

UNREGISTERED DEALINGS AND NOTATIONS

N154193 PRIORITY NOTICE reserving priority for 90 days
TRANSFER Karyn Ann Lee and Torey Louise Lee to
Deborah Lee Mellor Lodged by ADVOCATE LAWYERS on
27-Feb-2026 BP: N154193

N149408 TRANSFER to DEBORAH LEE MELLOR Lodged by ADVOCATE
LAWYERS on 16-Mar-2026 BP: N149408

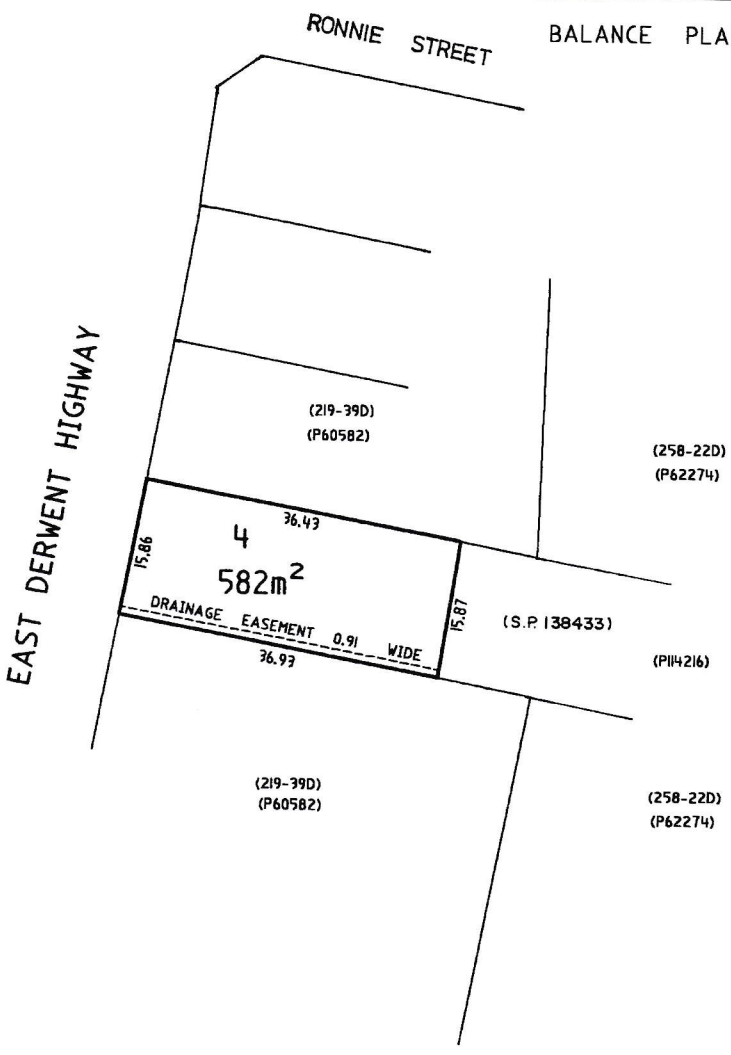
OWNER G.F. & V.M. THORNTON FOLIO REFERENCE C.T. 60582-4 GRANTEE PART OF 232 ACRES GTD TO ALGERNON MONTAGU	PLAN OF TITLE BY SURVEYOR N.D.LEARY of GRIGGS LEARY & CO P/L, 295 ELIZABETH STREET, NORTH HOBART. LOCATION CITY OF CLARENCE SCALE 1: 500 LENGTHS IN METRES	REGISTERED NUMBER P 138434 APPROVED EFFECTIVE FROM -8 NOV 2002 <i>Alice Kawa</i> Recorder of Titles	
MAPSHEET MUNICIPAL CODE No. 107 (5225-33)	LAST UPI No. 1403891	LAST PLAN P60582	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

BALANCE PLAN



IN

RONNIE STREET

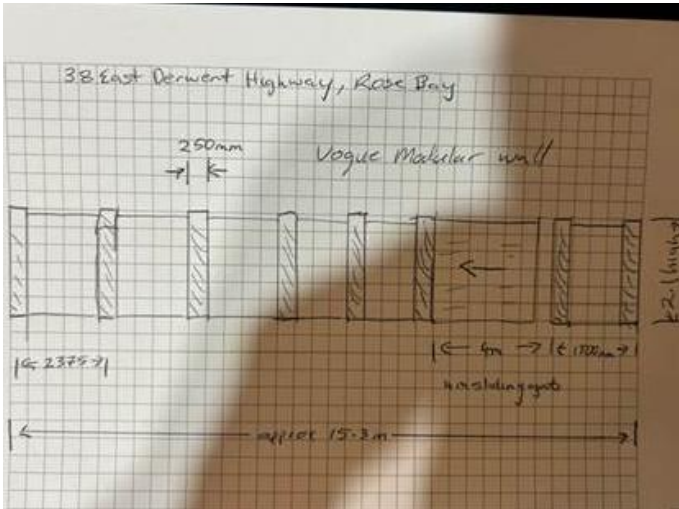


1. Proposed Investment

I have recently purchased the property 38 East Derwent Highway Rose Bay – settlement occurred on 10 March 2026. I have contacted both my Lawyer and also the Land Titles office seeking the Title transfer. I am told that they are behind schedule in this work. I have obtained a ‘Recorder of Titles’ search of the address through theList. (attachment 1) The rationale for this proposed investment is specifically noise pollution reduction and personal wellbeing. My plan is to replace the existing property front fence as below.



This would be replaced with 15.3m of 1.8m high noise reduction gap free Vogue modular wall including 6m wide galvanised steel framed sliding gate (modular wall panels inside frame). Pic 1



Pic 1:

Pic 2: New Fence specifications:

Specifications:

Panel Types	Standard - AcoustiMax® 75mm Density: 15.49 kg/m ² Retaining - TerraFirm® 75mm Density: 25.88 kg/m ²
Panel Height (mm)	600 / 900 / 1200
Panel Length (mm)	2400 / 3000
Panel Thickness (mm)	75
Wall Height	Up to 3.0m without retaining
Retaining Height	750mm (2.5 kPa surcharge live loads)
Post (mm)	250x150 - Galvanised Steel
Post Centres (mm)	2600 - 3200 With retaining: 2800
Post Top	Flush / External - Galvanised Steel
Wall Capping	Flush / External - Galvanised Steel
Joining Profile	Standard / Express
Wind Regions	A, B & C

Write Your Specification:
Wall Style: VogueWall® with (Standard / Express) joints, (Flush / External) post tops and (Flush / External) wall capping.
Post centres: 2600 - 3200mm.
Wall to have a minimum density of 15.49kg/m² with Rw 28 dB.
Refer to ModularWalls installation guidelines.

VogueWall® Exploded View:

- End Post (left)
- Post Top
- VogueWall® Panel
- Support Bracket
- Wall Capping
- VogueWall® Panel
- Joining Profile
- VogueWall® Panel / TerraFirm® Retaining Panel
- Bottom Capping

VogueWall® Post and Panel Capping Options:

Panel Joining Options:

Standard Joint Express Joint

Pic 3: Proposed new fence at boundary of property:



A Tousek Pull T15 Z24 sliding gate and motor with remote control will provide access.

2. Health & Safety

The gate and fence will provide ease of access onto the property and will deliver a secure environment in which to live. The foremost resolve is to reduce noise pollution inside my home.

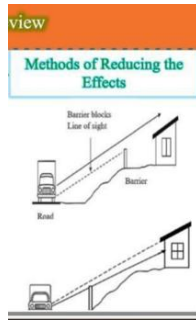
I have removed an internal garden bed at front of house:

- a. to provide parking for the fencing contractor to park inside the property whilst undertaking the job; and
- b. enabling a 3 point turn in the front yard of property so that vehicles can exit safely onto the highway.

There is an existing concrete driveway which I will extend over to the currently grassed area adjacent to the removed garden bed in front yard.

3. Structure of a noise reduction fence

Effectiveness of a noise reduction barrier is largely determined by its proportioned relationship both to the sound source ie vehicles and the receiver ie my home. The most important design element is height because a taller barrier forces sound waves to travel a greater distance to diffract over the top edge. A greater reduction in noise levels at the receiver location correlates to a larger acoustic shadow zone. Secondly, placing the structure closer to the noise source is mostly more effective than placing it closer to the receiver. The rationale for the gap free modular panels is that sound energy travels through any openings such as unsealed joints between panels, the entire acoustic envelope. Even small gaps can negate the benefit of an otherwise solid wall. [How Noise Barriers Work: The Engineering Behind Sound Walls - Engineer Fix](#)



Picture download - [Noise and vibration as environmental impacts of transportation: comprehensive review - ScienceDirect](#)

4. Passive surveillance

The 2.1 M structure will allow Passive Surveillance of EDH. To further strengthen this Application, if required, I would commit to installation of two x cameras on the top of the new fence enabling viewing of EDH via an App on my iPhone to ensure that I fully comply with Research Data Australia's definition of Passive Surveillance of road. Refer to the following download Research Data Australia which informed my proposal of AI support– [what is passive surveillance of road](#)



Drawing to scale of line of sight from the house across the double lane highway.



To scale 38 EDH.pdf

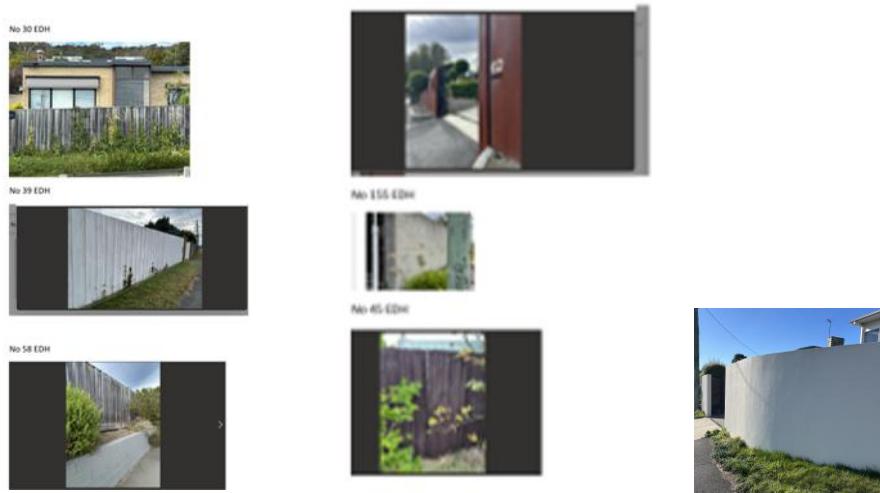


Line of site 2.jpg

5. Precedence and compatibility of Fence structure

I have viewed and measured fences/barriers along EDH that are of a similar height to what I propose. Precedence for higher front fences has been set at the following addresses ranging from the beginning of East Derwent Highway up to the Gordons Hill Road turn off.

Photos of precedencies on EDH – measuring from 2.1M up to 2.5M



West Cnr Ronnie Street/EDH

The benefits of well-designed Noise Barriers are:

- *Reduces Noise Pollution:* Helps create quieter and more liveable spaces by blocking unwanted noise.
- *Improves Health and Well-being:* Minimises stress, sleep disturbances, and other health issues linked to prolonged noise exposure.
- *Enhances Property Value:* Homes and businesses located near noise barriers often experience increased property values.
- *Promotes Aesthetic Appeal:* Many noise barriers are designed to complement the surrounding environment. [What are Noise Barriers? Types, Benefits, and Limitations](#)

6. Soundscape and health

“In heavily urbanized world saturated with environmental pollutants, road traffic noise stands out as a significant factor contributing to widespread public health issues. It contributes in the development of a diverse range of non-communicable diseases, such as cardiovascular diseases, metabolic dysregulation, cognitive impairment, and neurodegenerative disorders.”¹ The article states that day-evening-night noise levels above 55 dB(A) as harmful, with road traffic noise as the predominant source. A well-engineered noise reduction fence typically achieves an audible noise reduction ranging from 5 to 10 decibels (dB).

The Noise Reduction Barriers constructed along South Arm Highway are an excellent example of how to mitigate issues of noise pollution for those communities equal to what I am working to accomplish.

7. Data on traffic volume on adjoining roads

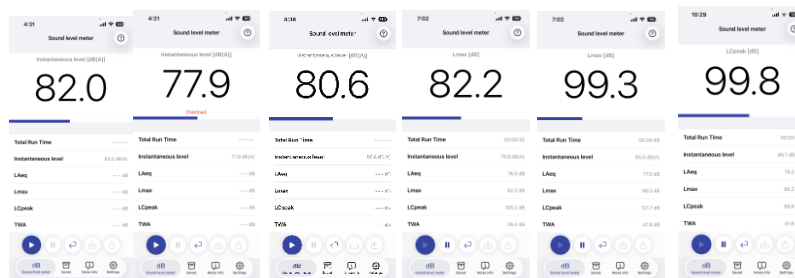
Traffic Management Centre Operator, Dept of State Growth has provided traffic volume data report from the controlled intersection at EDH/Ronnie St. This data

¹ Arregi, A., Vegas, O., Lertxundi, A. et al. Road traffic noise exposure and its impact on health: evidence from animal and human studies—chronic stress, inflammation, and oxidative stress as key components of the complex downstream pathway underlying noise-induced non-auditory health effects. *Environ Sci Pollut Res* 31, 46820–46839 (2024). <https://doi.org/10.1007/s11356-024-33973-9>

evidences that on a 24-hour cycle M-F there is in the vicinity of 25,000+ vehicles proximal to my property. Weekends the usage is slightly lower at 17,000+ vehicles. Refer Attachment 2

Using a NIOSH Sound level meter during the two daily peak hour traffic cycles outside my property I am recording astonishing levels of commotion such as the following:

NIOSH SLM random Reading samples over 48 hours



TMC image of controlled intersection



Double glaze and Comfort glass windows plus noise filtering ear plugs do little to reduce the daily horror of this pandemonium during the two daily peak hours.

8. Residential noise regulations

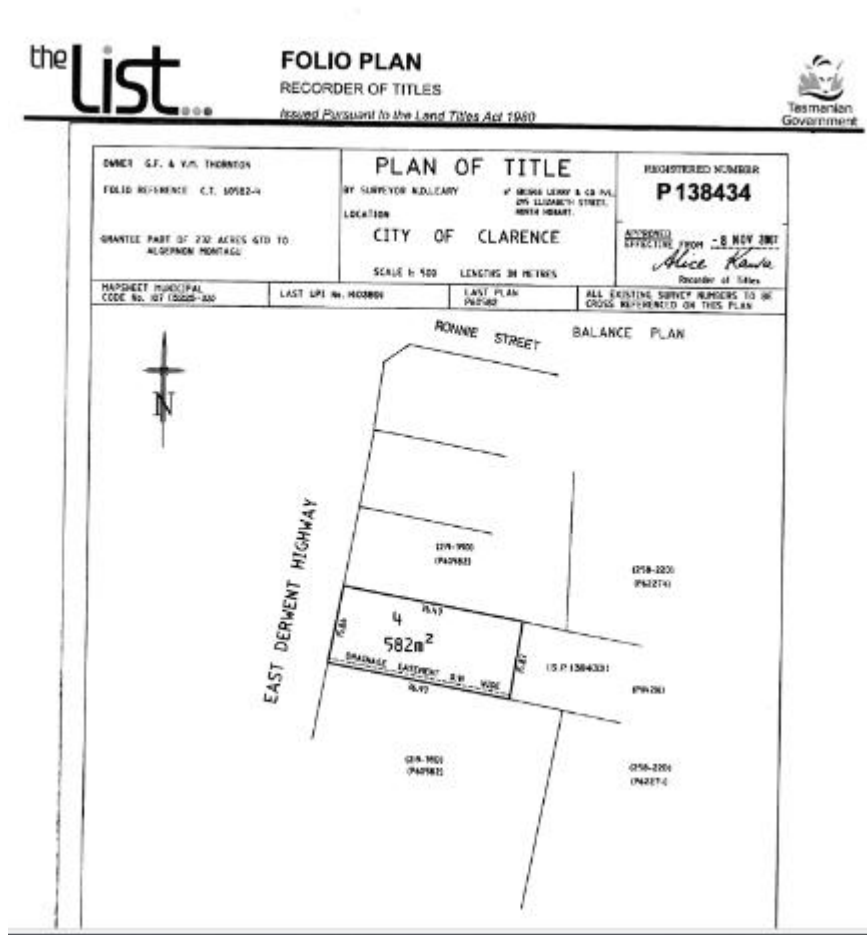
These Australian regulations are a subcategory of the broader noise regulations that specifically address noise issues within residential areas. The proposed Tasmanian Regulations which will replace the Environmental Management and Pollution Control (Noise) Regulations 2016 and unfortunately does not apply to traffic noise pollution which my property is experiencing.

In residential areas the acceptable noise levels are generally lower than Industry. The [Tasmanian State Traffic Noise Management Guidelines](#) state the key noise level that these guidelines use is 63 dB(A), which means 63 decibels (dB) measured on an A-weighted scale, a scale that matches the way a human ear perceives noise. The Guidelines state that the measurement point is outside the house, 1 metre from the most exposed façade. Usually, this will be the front façade, so the measurement point will be on a verandah or in the front yard immediately outside the house.

The front verandah at my property, from which I took measurements using a NIOSH Sound level meter (sub heading 7), is 9.219 M from the sound source. Due to the noise

pollution, the front yard of my property adjoining EDH is unusable except as for somewhere to park my vehicle.

Attachment 1



Attachment 2 (double click on object below to open) As advised by TCM there are detector faults (BAD) within the stats data, resulting in no data recorded for that detector for that time period.



Attach 1 TCS 9432 (EDH & Ronnie St) 23Feb-26Apr26.txt

From: "Phoenix Park Hickey Mellor" <Phoenixparkangus@outlook.com>
Sent: Fri, 26 Jun 2026 12:52:47 +1000
To: "City Planning" <cityplanning@ccc.tas.gov.au>; "dom@ccc.tas.gov.au" <dom@ccc.tas.gov.au>
Subject: Fw: Marked up drawings
Attachments: 38 East Derwent Highway marked up for fence locations.pdf
Categories: Kellie

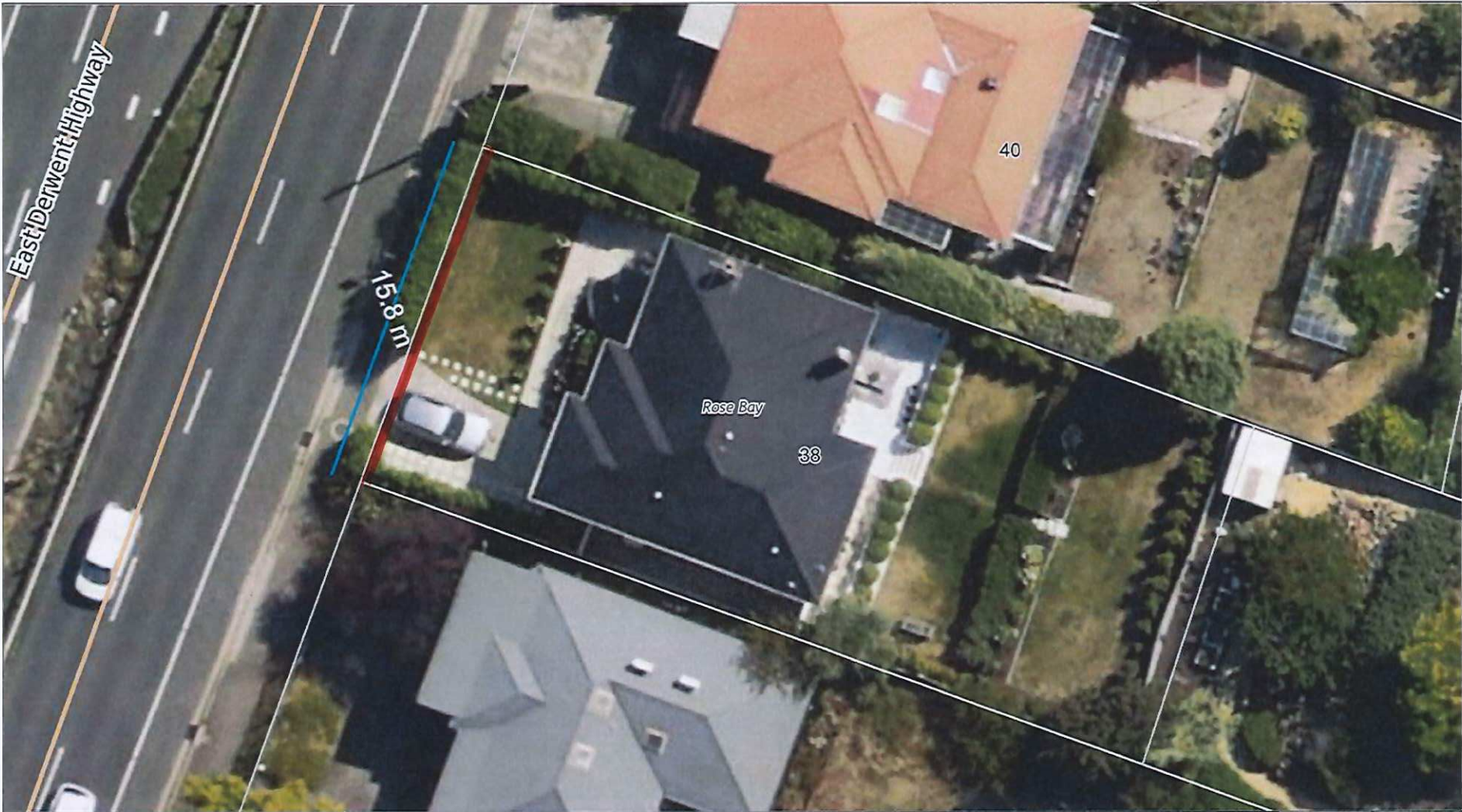
This Message Is From an External Sender

This message came from outside your organization.

C







This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

— LOCATION ON BOUNDARY

26/06/2026

1:250



