



DEVELOPMENT APPLICATION

PDPLANPMTD-2026/064404

PROPOSAL: Shade Structures (Educational & Occasional Care)
(Retrospective)

LOCATION: 21 Commerce Drive, Howrah

RELEVANT PLANNING SCHEME: Tasmanian Planning Scheme - Clarence

ADVERTISING EXPIRY DATE: 16/11/2026

The relevant plans and documents can be inspected at the Council offices, 38 Bligh Street, Rosny Park, during normal office hours until 16/11/2026. 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 16/11/2026.

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: **Shade Structures at an existing Childcare Centre**

Location: **21 Commerce Drive, Howrah**

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: **Educational and Occasional Care**

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 181634	FOLIO 705
EDITION 4	DATE OF ISSUE 20-Sept-2025

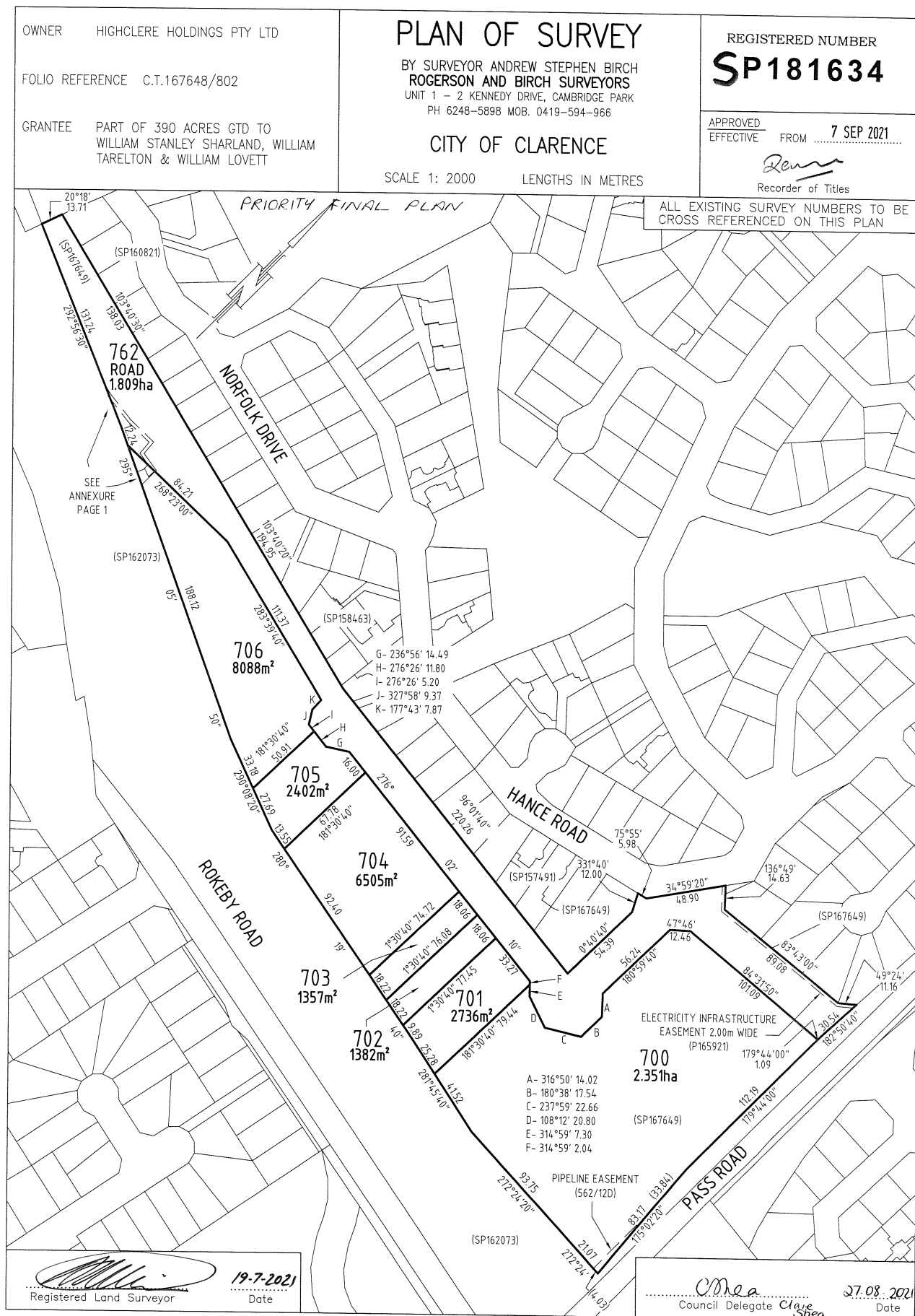
SEARCH DATE : 25-Sept-2026

SEARCH TIME : 01.16 pm

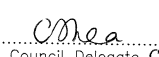
DESCRIPTION OF LAND

City of CLARENCE

Lot 705 on Sealed Plan [181634](#)Derivation : Part of 390 Acres Gtd. to William Stanley
Sharland, William Tarleton and William LovettPrior CT [167648/802](#)SCHEDULE 1[N170093](#) TRANSFER to TIPALEA PRIVATE NO.28 PTY LTD
Registered 16-Feb-2024 at noonSCHEDULE 2[D17327](#) & [D27051](#) Land is limited in depth to 15 metres,
excludes minerals and is subject to reservations
relating to drains sewers and waterways in favour of
the Crown[SP181634](#) EASEMENTS in Schedule of Easements[SP181634](#) COVENANTS in Schedule of Easements[SP181634](#) FENCING PROVISION in Schedule of Easements[SP167488](#) & [SP167648](#) FENCING PROVISION in Schedule of Easements[D17327](#) & [D27051](#) FENCING PROVISION in Transfer[B330343](#) PROCLAMATION under Section 9A and 52A of the Roads
and Jetties Act 1935[E423745](#) MORTGAGE to Commonwealth Bank of Australia
Registered 20-Sept-2025 at noonUNREGISTERED DEALINGS AND NOTATIONSNOTICE: This folio is affected as to amended easements
pursuant to Request to Amend No. E295630 made under
Section 103 of the Local Government (Building and
Miscellaneous Provisions) Act 1993. Search Sealed
Plan No. [181634](#) Lodged by PAGE SEAGER on
03-July-2024 BP: E295630




Registered Land Surveyor
19-7-2021
Date


Council Delegate
27-08-2021
Date

<p>PLAN OF SURVEY ANNEXURE SHEET</p> <p>SHEET 1 OF 1 SHEETS</p>	<p>OWNER: HIGHCLERE HOLDINGS PTY LTD</p> <p>FOLIO REFERENCE: C.T.167648/802</p> <p>SCALE 1:250 LENGTH IN METRES</p>	<p>Registered Number</p> <p>SP181634</p>
<p>SIGNED FOR IDENTIFICATION PURPOSES</p> <p><i>C. Mea</i> 27.08.2021 Council Delegate Date</p>	<p>THIS ANNEXURE SHEET FORMS PART OF THE ATTACHED INDEX PLAN.</p> <p><i>[Signature]</i> 19.7.2021 Registered Land Surveyor Date</p>	<p>APPROVED EFFECTIVE FROM</p> <p><i>[Signature]</i> Recorder of Titles</p>

The map shows a survey area with several roads and easements. Key features include:

- 762 ROAD** (1.809ha) running diagonally across the center.
- 706** (8088m²) located at the bottom right.
- ROKEBY ROAD** running vertically on the left side.
- Private Cable Easement 'C'** (2.00m wide) shown as a dashed line.
- Pylon Easement 'A'** and **Pylon Easement 'B'** shown as dashed lines with variable widths.
- Various bearings and distances are marked along the boundaries, such as $239^{\circ}55'30''$, 131.24 , $103^{\circ}41'0''30''$, 158.03 , $128^{\circ}15'11''$, 16.331 , $129^{\circ}55'30''$, 18.94 , 110.912 , $129^{\circ}55'30''$, 117.51 , $129^{\circ}55'30''$, 10.715 , $129^{\circ}55'30''$, 19.60 , $268^{\circ}14'3''$, $354^{\circ}23'11''$, 9.000 , 17.00 , 17.00 , $178^{\circ}22'1''$, 3.00 , 1.04 , $188^{\circ}01'1''$, 5.00 , 10.50 , $0^{\circ}00'1''$, 1.07 , $268^{\circ}23'00''$, 84.21 , $295^{\circ}05'30''$, 138.12 , and 10.39 .
- Adjacent folios are labeled: (SP167649), (SP160821), and (SP162073).

SCHEDULE OF EASEMENTS	Registered Number SP 181634
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	

PAGE 1 OF 8 PAGES

EASEMENTS AND PROFITS

Each lot on the plan is together with:

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits a prendre described hereunder.

Each lot on the plan is subject to:

- (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits a prendre described hereunder.

The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EASEMENTS

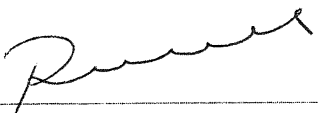
Lot 762 on the plan is subject to an Electricity Infrastructure Easement (created by and more particularly defined in D90506) in gross in favour of Aurora Energy Pty Ltd over the land shown on the plan as **ELECTRICITY INFRASTRUCTURE EASEMENT 2.00m WIDE (P165921)**.

Lot 700 on the plan is subject to a Pipeline Easement (created by and more particularly defined in SP163394) in gross in favour of the Tasmanian Water and Sewerage Corporation (Southern Region) Pty Limited over the land marked PIPELINE EASEMENT on SP163394 and shown on the plan as **PIPELINE EASEMENT (562/12D)**.

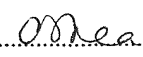
Lot 700 on the plan is together with a Private Signage Easement A (as defined) over that part of Lot 706 marked **PYLON EASEMENT 'A' VARIABLE WIDTH** on the plan.

Lot 706 on the plan is subject to a Private Signage Easement A (as defined) over the land marked **PYLON EASEMENT 'A' VARIABLE WIDTH** on the plan (appurtenant to Lot 700 on the plan).

Lot 700 on the plan is together with a Private Electricity Infrastructure Easement A (as defined) over that part of Lot 762 marked **PRIVATE CABLE EASEMENT 'C' 2.00m WIDE** on the plan.

 Director	 Director
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(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Highclere Holdings Pty Ltd FOLIO REF: 167648/802 SOLICITOR & REFERENCE: Page Seager (DAS 060985)	PLAN SEALED BY: DATE: 27 August 2021 SD-2016/12  REF NO. CLAVE SHEAR Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 2 OF 8 PAGES II</p>	<p align="center">Registered Number</p> <p align="center">SP 181634</p>
<p>SUBDIVIDER: Highclere Holdings Pty Ltd</p> <p>FOLIO REFERENCE: 167648/802</p>	

Lot 762 on the plan is subject to a Private Electricity Infrastructure Easement A (as defined) over the land marked **PRIVATE CABLE EASEMENT 'C' 2.00mWIDE** on the plan (appurtenant to Lot 700 on the plan).

Lots 701, 702, 703, 704, and 705 on the plan are each together with a Private Signage Easement B (as defined) over that part of Lot 706 marked **PYLON EASEMENT 'B' VARIABLE WIDTH** on the plan.

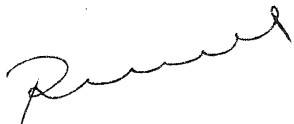
Lot 706 on the plan is subject to a Private Signage Easement B (as defined) over the land marked **PYLON EASEMENT 'B' VARIABLE WIDTH** on the plan (appurtenant to Lots 701, 702, 703, 704, and 705 on the plan).

Lots 701, 702, 703, 704, 705 and 706 on the plan are each together with the Private Electricity Infrastructure Easement B (as defined) over that part of Lot 762 marked **PRIVATE CABLE EASEMENT 'C' 2.00m WIDE** on the plan.

Lot 762 on the plan is subject to the Private Electricity Infrastructure Easement B (as defined) over the land marked **PRIVATE CABLE EASEMENT 'C' 2.00mWIDE** on the plan (appurtenant to Lots 701, 702, 703, 704, 705 and 706 on the plan).

COVENANTS

The owners of lots 701 to 706 (inclusive) on the plan covenant with the Vendor (Highclere Holdings Pty Ltd) and the owners for the time being of every other lot shown on the Plan to the intent that the burden of these covenants may run with and bind the covenantors' lot and every part thereof and that the benefit thereof may be annexed to and devolve with each and every part of every other lot shown on the Plan to observe the following stipulations:-



 Director



 Director

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ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 3 OF 8 PAGES 11	Registered Number SP 181634
SUBDIVIDER: Highclere Holdings Pty Ltd FOLIO REFERENCE: 167648/802	

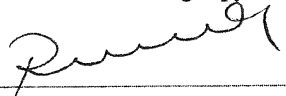
1. Not to construct, or allow to be constructed, on such lot any improvements above a height as may be approved for one storey buildings under the Clarence Interim Planning Scheme 2015 or such planning scheme as replaces it; except:
 - (i) in respect of lot 701 on the plan, this covenant does not restrict a service station canopy being constructed above that height limit as is customary for service stations; and
 - (ii) in respect of lot 706 on the plan, this covenant does not restrict an indoor children's slide and covering structure being constructed above that height limit.
2. The owners of all lots on the plan (excepting lot 762) covenant with the Clarence City Council to the intent that the burden of these covenants may run with and bind the covenantors' lot and every part thereof and that the benefit thereof may be annexed to and devolve with each and every part of every other lot shown on the Plan to observe the following stipulations:-
 - (i) not to discharge any stormwater from such lot other than in a manner consistent with the State Stormwater Strategy 2010 (or its successor).

FENCING PROVISION

In respect of the lots shown on the Plan, the Vendor (Highclere Holdings Pty Ltd) shall not be required to fence.

DEFINITIONS

"Private Signage Easement A" means the full and free right of every person (**Dominant Owner**) who is entitled to an estate or interest in possession indicated as the dominant tenement, or any part of it, with which that right will be capable of enjoyment in common with the owner of the servient tenement to erect, construct, place, inspect, alter, add, repair, renew, maintain and use in, upon, over and along and remove from the servient land a single pylon sign together with such poles, wires, cables, apparatus, appliances,

 Director	 Director
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<p>ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p>PAGE 4 OF 8 PAGES 11</p>	<p>Registered Number</p> <p>SP 181634</p>
<p>SUBDIVIDER: Highclere Holdings Pty Ltd</p> <p>FOLIO REFERENCE: 167648/802</p>	

signage (including illuminated signage) and other ancillary work for the benefit of such single pylon sign (all of which are hereinafter collectively referred to as "the infrastructure") and for the transmission and distribution of electrical energy to such signage in the land shown on the plan and marked **PYLON EASEMENT 'A' VARIABLE WIDTH (Servient Land)** and for the Dominant Owner and their employees, agents and contractors from time to time and at all times to enter into and upon the Servient Land or any part of it bringing upon the Servient Land such material, machinery and other things as it considers fit and proper to inspect the condition of the infrastructure and to repair, alter and amend **HOWEVER** that any damage occasioned in doing so will be made good **AND** together to the benefit of a restriction on the owner of the servient tenement from constructing, or allowing the construction of, any structure, landscaping or obstruction on the Servient Land which would at any time restrict or hinder the visibility of the pylon signage installed by the Dominant Owner.

~~"Private Signage Easement B" means the full and free right of every person (Dominant Owner) who is entitled to an estate or interest in possession indicated as the dominant tenement, or any part of it, with which that right will be capable of enjoyment in common with the owner of the servient tenement to erect, construct, place, inspect, alter, add, repair, renew, maintain and use in, upon, over and along and remove from the servient land a single pylon sign together with such poles, wires, cables, apparatus, appliances, signage (including illuminated signage) and other ancillary work for the benefit of such single pylon sign (all of which are hereinafter collectively referred to as "the infrastructure") and for the transmission and distribution of electrical energy to such signage in the land shown on the plan and marked **PYLON EASEMENT 'B' VARIABLE WIDTH (Servient Land)** and for the Dominant Owner and their employees, agents and contractors from time to time and at all times to enter into and upon the Servient Land or any part of it bringing upon the Servient Land such material, machinery and other things as it considers fit and proper to inspect the condition of the infrastructure and to repair, alter and amend **HOWEVER** that any damage occasioned in doing so will be made good **AND** such right being:~~

- ~~1. together to the benefit of a restriction on the owner of the servient tenement from constructing, or allowing the construction of, any structure, landscaping or obstruction on the Servient Land which~~

Director

Director

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Private Signage Easement 'B' & Private Electricity Infrastructure Easement 'B' definition deleted and new definition provided and words Private Cable Easement 'C' variable width replaced with Private Cable Easement 'C' 2.00 wide by me pursuant to Request to Amend No. E295630 made under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993

7 AUG 2024

Recorder of Titles

ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 5 OF 8 PAGES 11	Registered Number SP 181634
SUBDIVIDER: Highclere Holdings Pty Ltd FOLIO REFERENCE: 167648/802	

- ~~would at any time restrict or hinder the visibility of the pylon signage installed by the Dominant Owner;~~
- subject to an obligation to properly maintain, repair and replace such signage and infrastructure;
 - subject to the further proportionate rights, restrictions and contributions (including the reservation to the owner of the servient tenement of use of pylon signage in the Servient Land) as follows:

Lot No.	% of total signage area on pylon sign available for use	Cost of installation of own signage (%)	Cost of maintenance, repair and replacement of the infrastructure (%)
Lot 701	5	100	5
Lot 702	5	100	5
Lot 703	5	100	5
Lot 704	50	100	50
Lot 705	10	100	10
Lot 706	25	100	25

“Private Electricity Infrastructure Easement A” means the full and free right of every person (Dominant Owner) who is entitled to an estate or interest in possession indicated as the dominant tenement, or any part of it, with which that right will be capable of enjoyment in common with the owner of the servient tenement to erect, construct, place, inspect, alter, add, repair, renew, maintain and use in, upon,

Director

Director

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<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 6 OF 8 PAGES 11</p>	<p align="center">Registered Number</p> <p align="center">SP 181634</p>
<p>SUBDIVIDER: Highclere Holdings Pty Ltd</p> <p>FOLIO REFERENCE: 167648/802</p>	

over and along and remove from the servient land towers, poles, wires, cables, apparatus, appliances and other ancillary work (all of which are hereinafter collectively referred to as "the infrastructure") for the transmission and distribution of electrical energy and for purposes incidental thereto in the strip of land shown on the plan and marked **PRIVATE CABLE EASEMENT 'C' VARIABLE WIDTH (Servient Land)** and for the Dominant Owner and their employees, agents and contractors from time to time and at all times to enter into and upon the Servient Land or any part of it bringing upon the Servient Land such material, machinery and other things as it considers fit and proper to inspect the condition of the infrastructure and to repair, alter and amend HOWEVER that any damage occasioned in doing so will be made good, and

~~"Private Electricity Infrastructure Easement B" means the full and free right of every person (Dominant Owner) who is entitled to an estate or interest in possession indicated as the dominant tenement, or any part of it, with which that right will be capable of enjoyment in common with the owner of the servient tenement to erect, construct, place, inspect, alter, add, repair, renew, maintain and use in, upon, over and along and remove from the servient land towers, poles, wires, cables, apparatus, appliances, and other ancillary work (all of which are hereinafter collectively referred to as "the infrastructure") for the transmission and distribution of electrical energy and for purposes incidental thereto in the strip of land shown on the plan and marked **PRIVATE CABLE EASEMENT 'C' VARIABLE WIDTH (Servient Land)** and for the Dominant Owner and their employees, agents and contractors from time to time and at all times to enter into and upon the Servient Land or any part of it bringing upon the Servient Land such material, machinery and other things as it considers fit and proper to inspect the condition of the infrastructure and to repair, alter and amend HOWEVER that any damage occasioned in doing so will be made good AND such right being:~~

1. subject to an obligation to properly maintain, repair and replace such infrastructure;
2. subject to the further obligation to pay the proportionate contributions to properly maintain, repair and replace such infrastructure as follows:

Director

Director

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Recorder of Titles

<p align="center">ANNEXURE TO SCHEDULE OF EASEMENTS</p> <p align="center">PAGE 7 OF 8 PAGES 11</p>	<p align="center">Registered Number</p> <p align="center">SP 181634</p>
<p>SUBDIVIDER: Highclere Holdings Pty Ltd</p> <p>FOLIO REFERENCE: 167648/802</p>	

Lot No.	Cost of maintenance, repair and replacement of the infrastructure (%)
Lot 701	5
Lot 702	5
Lot 703	5
Lot 704	50
Lot 705	10
Lot 706	25

Private Signage Easement 'B' & Private Electricity Infrastructure Easement 'B' definition deleted and new definition provided and words Private Cable Easement 'C' variable width replaced with Private Cable Easement 'C' 2.00 wide by me pursuant to Request to Amend No. E295630 made under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993


Recorder of Titles

7 AUG 2024

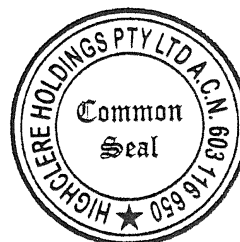
Director

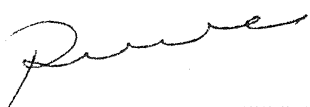
Director

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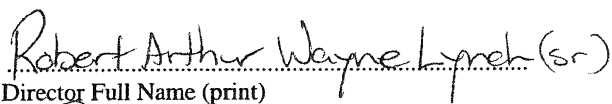
ANNEXURE TO SCHEDULE OF EASEMENTS PAGE 8 OF 8 PAGES	Registered Number SP 181634
SUBDIVIDER: Highclere Holdings Pty Ltd FOLIO REFERENCE: 167648/802	

EXECUTED by HIGHCLERE HOLDINGS PTY LTD)
(ACN 603 116 650) as registered proprietor of the land)
 comprised in Folio of the Register Volume 167648)
 Folio 802 pursuant to section 127 of the *Corporations Act*)
 2001 (Cth) by:)

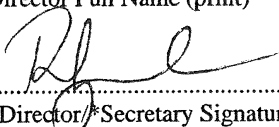




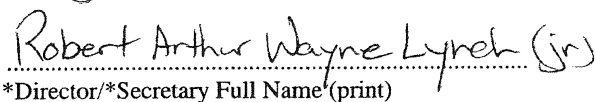
 Director Signature



 Director Full Name (print)



 *Director/*Secretary Signature



 *Director/*Secretary Full Name (print)

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ANNEXURE TO
SCHEDULE OF EASEMENTS

PAGE 10 OF 11 PAGES

Registered Number

SP 181634

SUBDIVIDER: Highclere Holdings Pty Ltd
FOLIO REFERENCE: 167648/802

2. together to the benefit of a restriction on the owner of the servient tenement from constructing, or allowing the construction of, any structure, landscaping or obstruction on the Servient Land which would at any time restrict or hinder the visibility of the pylon signage installed by the Dominant Owner;
3. subject to an obligation to properly maintain, repair and replace such signage and infrastructure;
4. subject to the further proportionate rights, restrictions and contributions (including the reservation to the owner of the servient tenement of use of pylon signage in the Servient Land) as follows:

Lot No.	% of total signage area on pylon sign available for use	Cost of installation of own signage (%)	Cost of maintenance, repair and replacement of the infrastructure (%)
Lot 701	8	100	8
Lot 702	8	100	8
Lot 703	8	100	8
Lot 704	48	100	48
Lot 705	8	100	8
Lot 706	20	100	20

Private Signage Easement 'B' & Private Electricity Infrastructure Easement 'B' definition deleted and new definition provided and words Private Cable Easement 'C' variable width replaced with Private Cable Easement 'C' 2.00 wide by me pursuant to Request to Amend No. E295630 made under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993

7 AUG 2024



Recorder of Titles

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 11 OF 11 PAGES

Registered Number

SP 181634

SUBDIVIDER: Highclere Holdings Pty Ltd
FOLIO REFERENCE: 167648/802

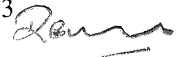
“Private Electricity Infrastructure Easement B” means the full and free right of every person (**Dominant Owner**) who is entitled to an estate or interest in possession indicated as the dominant tenement, or any part of it, with which that right will be capable of enjoyment in common with the owner of the servient tenement to erect, construct, place, inspect, alter, add, repair, renew, maintain and use in, upon, over and along and remove from the servient land towers, poles, wires, cables, apparatus, appliances, and other ancillary work (all of which are hereinafter collectively referred to as “the infrastructure”) for the transmission and distribution of electrical energy and for purposes incidental thereto in the strip of land shown on the plan and marked **PRIVATE CABLE EASEMENT ‘C’ 2.00m WIDE (Servient Land)** and for the Dominant Owner and their employees, agents and contractors from time to time and at all times to enter into and upon the Servient Land or any part of it bringing upon the Servient Land such material, machinery and other things as it considers fit and proper to inspect the condition of the infrastructure and to repair, alter and amend **HOWEVER** that any damage occasioned in doing so will be made good **AND** such right being:

1. subject to an obligation to properly maintain, repair and replace such infrastructure;
2. subject to the further obligation to pay the proportionate contributions to properly maintain, repair and replace such infrastructure as follows:

Lot No.	Cost of maintenance, repair and replacement of the infrastructure (%)
Lot 701	8
Lot 702	8
Lot 703	8
Lot 704	48
Lot 705	8
Lot 706	20

Private Signage Easement ‘B’ & Private Electricity Infrastructure Easement ‘B’ definition deleted and new definition provided and words Private Cable Easement ‘C’ variable width replaced with Private Cable Easement ‘C’ 2.00 wide by me pursuant to Request to Amend No. E295630 made under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993

7 AUG 2024

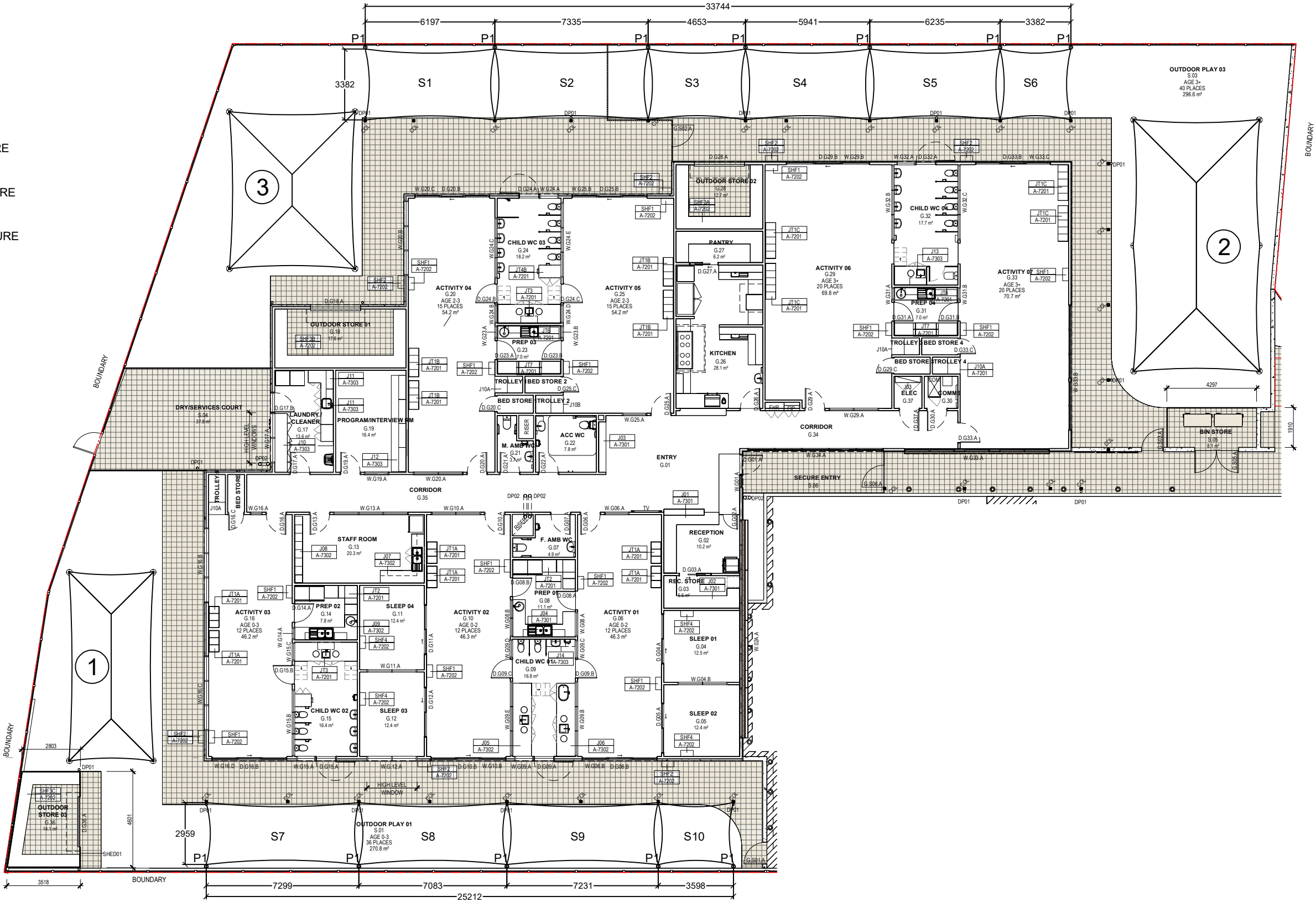

Recorder of Titles

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P1 = SHADE SAIL POST

- S1 = SHADE SAIL 1
S2 = SHADE SAIL 2
S3 = SHADE SAIL 3
S4 = SHADE SAIL 4
S5 = SHADE SAIL 5
S6 = SHADE SAIL 6
S7 = SHADE SAIL 7
S8 = SHADE SAIL 8
S9 = SHADE SAIL 9
S10 = SHADE SAIL 10

- 1 = 9x4 HIP AND RIDGE STRUCTURE
2 = 12x6 HIP AND RIDGE STRUCTURE
3 = 7.5x6 HIP AND RIDGE STRUCTURE



SITE PLAN
SCALE 1:200



Kings Outdoor Living

M: 1300 912 195
A: 39 Gordon Street, Sorell, Tasmania, Australia, 7172
W: <http://www.kingsoutdoorliving.com.au>
E: admin@kingsoutdoorliving.com.au

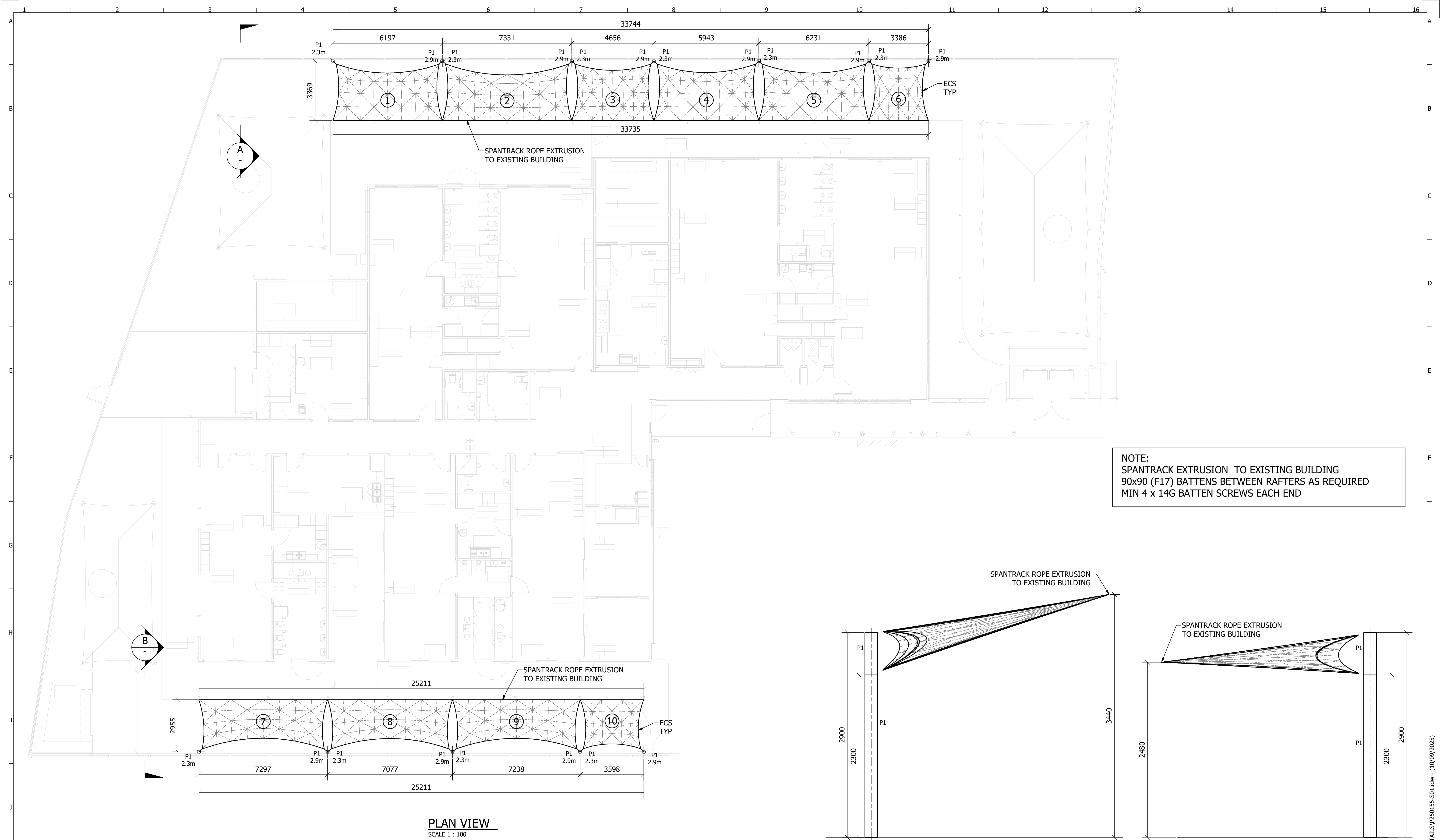
ABN: 83 145 735 333

Outdoor Shade Sails, Awnings, Umbrellas, Sun Rooms, Blinds, Screens, Glass Balustrades and Decks

PROJECT NAME PROPOSED AWNING
LOCATION 21 Commerce Drive, Howrah, TAS, 7018
DRAWING TITLE SITE PLAN

Rev	Date	Drawn	Checked / Approved	Remarks

DRAWN BY	Joshua Wing
SCALE	1:200
DRAWING STATUS	Planning Approval
DATE	11/10/2024
DRAWING NO.	KOL-J-6752-00



MEMBER SCHEDULE				
MARK	DESCRIPTION	MATERIAL	MEMBER SIZE	Ø450 PIER DEPTH
P1	COLUMN	6082 ALU	Ø180 x 6 CHS	Ø450 x 1750
ECS	EDGE CABLES	-	Ø4 7x19 Gr316 SS CABLE	
FABRIC	ROOF SHEET	SHADE CLOTH		



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REVISION HISTORY			
REV	DATE	DESCRIPTION	BY
1	10.09.25	For Approval	R.H. G.M.

Project Title:
ENGINEERING DRAWINGS
GENERAL ARRANGEMENT

Project Name:
GLEBE HILL CHILDCARE
21 COMMERCE DR
HOWRAH, TAS, 7018

Figured dimensions take precedence - DO NOT SCALE. All drawings and details are copyright and remain the property of Design Intension. The design and specification must not be copied or shown to authorized persons without the consent of Design Intension			
Project Number: 25063	Client: DESIGN INTENSION	Scale @ A1 AS SHOWN	EST MASS 865.1 kg
Drawn By: R.H.	Designed By: G.M.	Approved By: G.M.	Checked By: G.M.
Drawing Number: P250155-S01			Sheet: 1 of 1
			Revision 1

23 September 2026
Reference: 2324-030

Vanessa Tomlin
Manager Statutory Planning
Clarence City Council

Dear Vanessa,

21 Commerce Drive, Howrah
Retrospective Planning Application – Shade Structures

Era Advisory have been engaged by Tipalea Partners Pty Ltd. to submit a retrospective planning application for shade structures in relation to the approved development at 21 Commerce Drive, Howrah (PDPLANPMTD-2024/046788).

1 Background

This application relates to a Childcare Centre (Educational and Occasional Care) at 21 Commerce Drive, Howrah approved on the 15 January 2025 (PDPLANPMTD-2024/046788).

A planning permit for the substantive use and development on the site was issued on the 20 March 2024 (PDPLANPMTD-2024/041321). Two minor amendments to this planning permit have been approved as follows:

- Amendment Ref: PDPPAMEND-2025/052539 Date of Amendment: 22 May 2025 (roof over bin storage area).
- Amendment Ref: PDPPAMEND-2026/059387 Date of Amendment: 05 March 2026 (Shade sails).

In seeking approval for the minor amendment approved on 5 March 2026, Council identifies that the shade sails between the building on the site and the side boundaries could not be approved under the provisions of the Glebe Hill Neighbourhood Centre Specific Area Plan as there was no performance criteria pathway for the side boundary setback standard under Clause CLA-S13.7.2 Siting and scale.

To address this, Council initiated and certified an amendment to the Clarence Local Provisions Schedule (LPS) to include a performance criteria pathway.

Effective 24 August 2026, the Tasmanian Planning Commission approved amendment PDPSPAMEND-2026-059266 to modify CLA-S13.7.2 of the Clarence LPS. These new provisions apply to this current application.

2 Development proposal

This application seeks the approval of 10 shade sails on the eastern and western side boundaries of the site.

Four shade structures would be located on the eastern side boundary with a total length of 25.21 m and a total width of 2.95 m. Each individual sail would range in width from 3569 mm to 7297 mm. Each sail would be anchored by two poles located on the eastern side boundary with 17 Commerce Drive. One pole would be 2300 mm high and the other would be 2900 mm high. The sails would be attached to the existing building.

Six shade structures would be located on the western side boundary with a total length of 33.74 m and a total width of 33.69 m. Each individual sail would range in width from 3386 mm to 7331 mm. Each sail would be anchored by two poles located on the western side boundary with 27 Commerce Drive. One pole would be 2300 mm high and the other would be 2900 mm high. The sails would be attached to the existing building.

There is no change or intensification of use (including opening hours) proposed as already approved by the planning authority.

3 Planning scheme requirements

The site is located in the General Business Zone under the *Tasmanian Planning Scheme – Clarence* (the planning scheme) and located in Precinct 3 of the Glebe Hill Neighbourhood Centre Specific Area Plan (CLA-S13.0).

3.1 General Business Zone

The only applicable standard to the proposal in the General Business Zone is Clause 15.4.2 which is addressed below.

Clause 15.4.2 Setbacks

Acceptable Solutions	Performance Criteria
A1 Buildings must be: (a) built to the frontage at ground level; or (b) have a setback of not more or less than the maximum and minimum setbacks of the buildings on adjoining properties	P1 Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to: (a) providing small variations in building alignment to break up long façades; (b) providing variations in building alignment appropriate to provide a forecourt or space for public use, such as outdoor dining or landscaping; (c) the avoidance of concealment spaces; (d) the ability to achieve passive surveillance; and (e) the availability of lighting.

Planner Response

The proposed shade structures would not be built to the frontage of the subject site. There are currently no buildings on the adjoining properties. The proposal would therefore not comply with the acceptable solution.

The shade structures would be located on the eastern and western side boundaries of the site. Structure six and ten would be flush with the frontage of the Child care centre building. The shade structures do not have walls and therefore do not the length of the front façade. It is considered that the proposal would be compatible with the existing streetscape and would not provide opportunities for crime or anti-social behaviour.

The performance criteria (P1) are satisfied.

3.2 Glebe Hill Neighbourhood Centre Specific Area Plan

All development standards within the Glebe Hill Neighbourhood Specific Area Plan are applicable to the proposed development and are addressed below.

In relation to the use standard, it is noted that Clause 7.2.1 of the planning scheme applies which states:

Notwithstanding clause 6.8.1 of this planning scheme, proposals for development (excluding subdivision), associated with a Use Class specified in an applicable Use Table, as a Discretionary use, must be considered as if that Use Class had Permitted status in that Use Table, where the proposal for development does not establish a new use, or substantially intensify the existing use.

Use standard Clause CLA-S13.6.1 is therefore not applicable.

Clause CLA-S13.7.1 Materials and design

Acceptable Solutions

A1

Development does not involve:

- (a) the construction of a new building; or
- (b) external alterations to an existing building.

Performance Criteria

P1

- (a) external finishes of buildings (walls, roofing and windows) are to be compatible with existing residential development within the vicinity;
- (b) walls constructed of face brick, rendered masonry or similar, should borrow texture and colours from existing residential development in the vicinity;
- (c) tilt-up concrete slabs and similar large scale wall construction must include sufficient detail and relief to enable a scale of structure that is compatible with residential development in the vicinity;
- (d) to provide for domestic scale elements within its residential setting, roof form must:
 - (i) be low pitched gable, hipped, skillion or a combination of such forms; and
 - (ii) large expanses of planar roof forms in view from adjacent residential areas must be mitigated through suitable architectural design and building elements, building orientation, or landscaping; and
- (e) roof top infrastructure is to be suitably screened, details of which are to be included on the relevant elevations.

Planner Response

The proposal would involve external alterations to an existing building and therefore does not meet the acceptable solution.

The shade structures are open to the side and will have minimal visual impact compared to already approved development; the proposal will complement the approved development on site and neighbouring residential development.

The performance criteria (P1) are satisfied.

A2

A landscaping treatment must be provided and incorporate the following features as applicable to development in Precinct 1, 2 and 3:

- (a) an evergreen tree screen between the rear of property boundaries in Hance Road and Norfolk Drive, and the proposed new slip lane off Rokeby Road/South Arm Highway;
- (b) an avenue of evergreen street trees within the road reserve on the southern side of the proposed new slip lane;
- (c) an avenue of deciduous street trees and lower non-deciduous understorey;
- (d) plantings within the 15m setback from boundaries to Rokeby Road/South Arm Highway;
- (e) street trees are to be protected with metal guards until maturity; and
- (f) on-site parking for individual developments must include shade trees which are to be protected by metal guards. Such details are to be provided as part of a landscape plan for individual developments.

P2

For new development a landscaping treatment must be provided that:

- (a) enhances the appearance of development and provide for a high quality streetscape and visual amenity within the Glebe Hill Neighbourhood Centre;
- (b) enhances amenity and interest having regard to species, diversity, a range of plant height, forms, density and maintenance requirements;
- (c) seeks to establish avenue type plantings adjacent to the road boundaries; and
- (d) does not create concealed entrapment spaces.

Planner Response

A Landscaping plan was submitted and approved with the original proposal. The current proposal would not have any impact on the existing, approved landscaping and therefore additional landscaping is not required. The acceptable solution (A1) is met.

Clause CLA-S13.7.2 Siting and scale

A1

Development must have a setback from boundaries to Rokeby Road/South Arm Highway of not less than 15m.

P1

Development is set back sufficiently to provide and maintain a continuous avenue of trees and screen plantings between Rokeby Road/South Arm Highway and development.

Planner Response

The shade structures would be setback more than 15m from Rokeby Road. The acceptable solution (A1) is met.

A2

- (a) Development must have a setback from side boundaries of not less than 4m; and
- (b) Development must have a setback to Commerce Road, of not less than 9m.

P2

Development must be sited a sufficient distance from side boundaries to ensure the residential amenity of nearby dwellings is not unreasonably impacted, provides adequate space for vehicle access, parking, landscaping, external activity areas (including shade and support structures) and helps to attenuate site impacts, having regard to:

P2.1

- (a) the dimensions of the site and the nature of the proposed use;

-
- (b) the visual impacts caused by the apparent scale, bulk or proportions of the development when viewed from an adjacent property;
 - (c) the setbacks of other commercial development in the streetscape; and
 - (d) the separation between buildings on adjoining properties and established properties in the area.

P2.2

- (a) the setback from Commerce Drive that is compatible with the streetscape, having regard to any topographical constraints; and
 - (b) the setback from Commerce Drive to provide and maintain a continuous avenue of trees between the development and Commerce Drive
-

Planner Response

The proposed shade structures would have a setback in excess of 9 m to Commerce Drive, however the proposal does not meet the acceptable solution with regards to the side boundary setbacks.

The adjoining properties are currently not developed and are similarly zoned General Business. The closest dwellings are located on the opposite side of Commerce Drive, ensuring that any impact on nearby dwellings would be minimal. The proposed structures would complement the existing approved development on the site and would not interfere with adequate space for vehicle access, parking, landscaping or external activity areas.

The visual impact of the shade sails when viewed from adjacent properties would be minimal given the shade structures have no sides and a maximum height of 3.44 m.

The performance criteria (P1) are satisfied.

A3

Building height and signage must be not more than 8.5m.

P3

Building height must:

- (a) be consistent with the purpose and objectives of this specific area plan;
 - (b) be compatible with the scale of adjoining residential development within proximity to the site;
 - (c) not unreasonably overshadow public spaces; and
 - (d) provide a transition in height between adjoining buildings, if appropriate.
-

Planner Response

The proposed structures all have a maximum height of 3.44 m.

The acceptable solution (A1) is met.

Clause CLA-S13.7.3 Staging

Acceptable Solutions

A1

- (a) Development is associated with Precinct 1; or
- (b) development in Precinct 2 provided that construction works associated with the development of the supermarket in Precinct 1 has commenced; or
- (c) development in Precinct 3 provided that construction works associated with the development of Precinct 2 has commenced.

Performance Criteria

P1

Precincts 2 and 3 may be developed in the reverse order where it can be demonstrated that the proposal is consistent with the Purpose of this specific area plan.

Planner Response

The proposed development is in Precinct 3 of the Glebe Hill Neighbourhood Centre Specific Area Plan.
Construction works associated with the development of Precinct 2 have commenced.
The acceptable solution (A1) is met.

3.3 Code requirements

C2.0 Parking and Sustainable Transport Code

The Parking and Sustainable Transport Code applies to all proposed use and development.

The proposed additions have no impact on the approved traffic and parking arrangements for the approved use of the site.

C3.0 Road and railway assets code

The majority of the site and all proposed shade structures are located within a road or railway attenuation area (Rokeby Road: CLA-Table C3.1).

The Road and Railway Assets Code does not apply to the proposal as the proposed development will not increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m, will not require a new vehicle crossing, junction or level crossing, and does not involve a subdivision or habitable building (C3.2.1).

C12.0 Flood-Prone Areas Hazard Code

There is a very small portion of the shade structures that would be located within the flood-prone hazard area. A Flood Hazard Report prepared by Flussig was submitted with the previous development application (PDPLANPMTD-2024/046788). Whilst this report does not specifically include the proposed shade structures it maintains that the subject site is classified as a low hazard rating (H1 – Generally safe for people, vehicles and buildings) and that implementation of the report recommendations, the retaining wall and landscaping, would ensure compliance with the Flood Prone Areas Code. The shade structures are not habitable buildings nor would they affect the free flow of water in a flood event.

C16.0 Safeguarding of airports code

The Safeguarding of Airports Code applies to the proposal because the site is located within an airport obstacle limitation area. The proposed development is exempt from the requirements of the code as the maximum height of the development is below the specified 147 m AHD height for the obstacle limitation area.

4 Conclusion

The shade structures subject to this application satisfy the requirements of the planning scheme. I trust that this is sufficient information to progress the planning application. Should you have any queries please do not hesitate to contact me on 03 6165 0443 or at georgina@era-advisory.com.au.

Yours sincerely,

Georgina Young
Planner

Attachments

Certificates of title

Architectural plans