

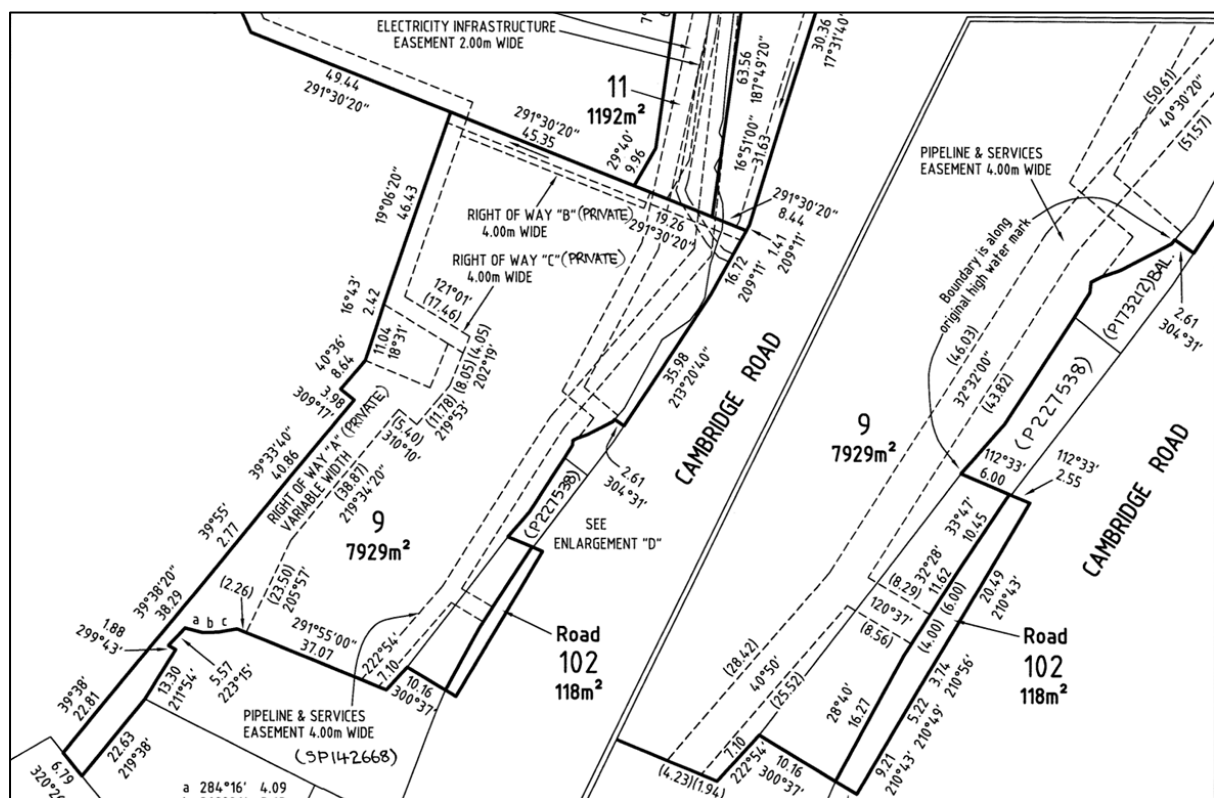
Current lease/licencing arrangements – 64A Cambridge Road

Prepared by Daniel Marr – Head of City Planning, City of Clarence - 5 August 2026

The purpose of this information is to provide the Development Assessment Panel for the Kangaroo Bay hotel Major Project and understanding of the current lease arrangements and obligations for Council in relation to the land at 64A Cambridge Road, which is currently generally used for parking for the Bellerive Yacht Club.

Current leases and licences

The current site is described as Lot 9 on SP173171 (enlargement of CT shown below) and is subject to a number of easements and right of ways. The land is currently owned by the Crown and the southern portion of the site is leased to the Bellerive Yacht Club.



Notably, with regard to Council, Lot 9 is subject to a Right of Access in favour of Clarence City Council over the Right of Ways marked A, B & C.

The associated Schedule of Easements identify a Right of Access as:

“Right of Access means the full and free right in gross in favour of Council for any member, employee, agent or contractor of Council and every person authorized by it including members of the public, to go, pass and repass at all times and for all purposes on foot or by riding bicycles, wheelchairs, baby-carriages or similar conveyances which are not powered other than by electricity.

For the avoidance of doubt it is the intention of Council to authorise members of the public to use any land which is subject of the Right of Access as part of its shared use tracks and trails and pedestrian walkways networks.”

Notwithstanding these rights, the land is subject to a Carpark Lease agreement to the Clarence City Council (shown in yellow in the figure below) and an Access Licence area (shown in green). Not that this plan is for illustration purposes only and the boundaries are approximate. The site is also subject to a Boardwalk Lease to Clarence City Council (shown in blue) and a Pedestrian Access Licence to Clarence City Council (shown in orange).



The carpark lease currently expires in 2040 with a further 10 year option. The boardwalk lease expires in 2028 with a further 10 year option.

The carpark lease is for the purpose of providing short-term carparking to the public and short-term boat and/or yacht trailer parking. Council is also required to enter into a sublicense with the Bellerive Yacht Club (which has not yet occurred).

Discussions are currently being held with the Bellerive Yacht Club as to lease/licence boundaries and any changes to the head lease will require the approval of the crown. In interim, the site is used for informal unrestricted parking.

While a preliminary concept plan for the public carpark area was identified through a planning permit for the Bellerive Yacht Club (D-2018/469), this layout requires review to incorporate any changes to the lease as well as to better align to the right of way marked E on Lot 11 of SP173171.

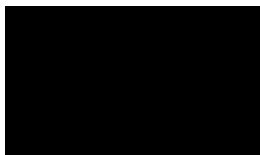
This work is currently unfunded. There is no current timeframe identified to complete these works.

Bellerive Yacht Club Permits

The Bellerive Yacht Club is currently subject to two active permits:

- D-2018/489 (Marina redevelopment including dinghy storage building, car park and associated facilities)
- PDPLANPMTD-2024/042893 (Additions to marina)

The relevant permits and extracts of approved plans are attached in Attachments 1 & 2 respectively. Both of these permits have been substantially commenced and remain active. Both permits contemplate the redesign of the carpark to remove the Cambridge Road access and rely solely on Council's Right of Access across the right of way marked E on Lot 11 of SP173171.



Daniel Marr

HEAD of CITY PLANNING

Attachment 1 – D-2018/489



PLANNING PERMIT

LAND USE PLANNING AND APPROVALS ACT 1993

Development No: D-2018/469

Approval Date: 17 June 2019

Amendment Ref No: PDPPAMEND-2021/021411

Date of Amendment: 4 November 2021

Description: Marina redevelopment including dinghy storage building, car park and associated facilities

Address: 30A, 64, 64A, 64B, 64C, 74A and 78 Cambridge Road, BELLERIVE, adjacent Crown foreshore (including public boardwalk) with access over 78 Cambridge Road from Kangaroo Bay Drive

This permit is granted, subject to the following conditions:

1. The use or development must only be undertaken in accordance with the endorsed plans and any permit conditions and must not be altered without the consent of Council.
2. An amended Staging Plan must be submitted to and approved by Council's Manager City Planning prior to the commencement of works. The plans must provide for the upgrade of the public car park and public open space landscaping to be completed as part of Stage 2.
3. Construction works associated with Stage 4 of the marina redevelopment (the western outer end of the marina structure) must not occur until such time that the planning permit for the public pier (D-2016/439) has been substantially commenced.
4. Given Stage 4 of the marina redevelopment is dependent on the completion of the planning permit for the public pier (D-2016, 439), Stage 5 works may occur prior to or concurrently with Stage 5 works.
5. Signs must not to be displayed on the site without further approval from Council.

6. Noise monitoring by a suitably qualified person must be undertaken within 30 days of the commencement of the use of the dinghy storage building. The noise monitoring must be undertaken as far as possible to the nearest General Residential Zone boundary along Cambridge Road.

A report from the suitably qualified person verifying the noise levels for each stage must be submitted to Council within 14 days of undertaking the noise monitoring.

Measurements are must in accordance with the methods of the *Noise Measurements Procedures Manual* issued by the Director or Environmental Management and are to be averaged over a 15 minute time interval.

If the noise levels exceed the mean Lmax of 65 dB(A) and an Leq of 55 dB(A) then noise attenuation measures to reduce emissions to achieve compliance with the above threshold are to be determined by the suitably qualified person and implemented to the satisfaction of the Council's Senior Environmental Health Officer within a reasonable period of time, having regard to the nature of the proposed noise attenuation measures.

7. External lighting for the marina, dinghy storage shed, refuelling pontoon and public and private car parking areas must comply with all of the following:
 - (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; and
 - (b) security lighting must be baffled to ensure it does not cause emission of light outside the site.
8. Commercial vehicle movements, (including load & unloading and garbage removal) to or from any area of the site within 50 m of a residential zone must be within the hours of:
 - (a) 7.00 am to 6.00 pm Mondays to Fridays inclusive;
 - (b) 9.00 am to 5.00 pm Saturdays; and
 - (c) 10.00 am to 12.00 noon Sundays and Public Holidays.
9. Unless otherwise provided for in writing by Council on a case by case basis, refuelling activities must be entirely contained within the area subject to the Bellerive Yacht Club Lease and must not impede the effective use of the adjoining Council carpark at 30 Cambridge Road.
10. All external surfaces for the marina redevelopment, dinghy storage shed and refuelling pontoon must be coloured using colours with a light reflectance value not greater than 40 percent. Details of the colour schedule must be submitted and approved prior to the commencement of the use of each stage.
11. Public art works valued at not less than \$20,000 must be provided in a form and location in accordance with Council's documented guidelines, procedure and criteria

to the satisfaction of Council's Manager City Planning. The form and location must be agreed prior to the commencement of works associated with Stage 2 and installation of the art works must occur prior to the completion of Stage 2 works (marina upgrade and extension and public car park upgrade). Alternatively, a cash contribution of \$20,0000 may be provided to Council to provide for, or contribute towards, public artworks in accordance with Council's Public Art Policy.

12. Prior to the installation of the sewerage pump out facility as shown on Drawing No.1141-DA13 Rev.G prepared by Burbury Consulting dated 29 January 2019, detailed engineering designs for the installation and operational procedures must be submitted to and approved by Council's Senior Environmental Health Officer.
13. The sewerage pump out facility shown on Drawing No.1141-DA13 Rev.G prepared by Burbury Consulting dated 29 January 2019 must be installed to the satisfaction of Council's Senior Environmental Health Officer prior to or in conjunction with the completion of Stage 1 works.
14. A protective structure must be installed between the fuel storage tank and existing slipway prior to the completion of Stage 1 works to prevent potential damage to the fuel storage tank as a result of slip yard activities. Engineering designs for this structure must be submitted to and approved by Council's Senior Environmental Health Officer prior to the commencement of the use of Stage 1 works.
15. A plan for the management of construction must be submitted and approved by Council's Group Manager Engineering Services prior to the commencement of each stage. The plan must outline the proposed demolition and construction practices in relation to:
 - proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken onsite);
 - proposed hours of construction not exceeding the *Environmental Management and Pollution Control Act (Noise Regulations) 2016*;
 - identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - construction parking and temporary displacement of public carparks;
 - alternative arrangements for pedestrian and cycling along the Boardwalk;
 - procedures to washdown vehicles, to prevent soil and debris being carried onto the street;
 - control of dust and emissions during working hours;
 - proposed screening of the site and vehicular access points during work; and
 - Soil sampling procedures as per the recommendations made within the *Limited Scope Environmental Site Assessment* prepared by Geo-Environmental Solutions dated October 2018. If contaminants in the soil exceed IB105, disposal is to occur in accordance with the *Environmental Protection Authority Information Bulletin No. 105 – Classification and Management of Contaminated Soil for Disposal*.

16. In addition to the requirements of Condition 15, a Construction Environmental Management Plan in accordance with the recommendations of *Marine Solutions, Ecological Assessment at the Site of the Proposed Development of Bellerive Yacht Club Marina, Kangaroo Bay, Tasmania* dated March 2018, *Marine Solutions, Letter of Memorandum* dated 12 April 2021 and the comments of the Policy and Conservation Advice Branch of DPIPWE is required to address the following points relevant to the marine environment:
- identification, storage and disposal measures for treated timber removed from within the existing marina infrastructure;
 - translocation of marine pests by machinery working on site including thorough cleaning protocol for any marine equipment sourced from outside south-east Tasmania;
 - management of silt disturbance during construction;
 - methodology to prevent debris from entering the bay during construction;
 - installation and maintenance of silt fencing (land) on the shoreline prior to construction and earthworks to control sediment discharge into the adjacent river during earthworks and protection of the construction area;
 - minimisation of seabed sediments including cutting of piles at the seabed as opposed to extraction;
 - methodology to prevent debris from entering the bay during construction;
 - water quality monitoring to be undertaken during piling or other construction within the water beyond the area of the silt curtain directed to monitor any resuspension of sediments;
 - marine spill kit and methodology to employ it;
 - piling (if required), and appropriate cetacean/pinniped management;
 - construction must be confined to calm weather conditions to minimise sediment plume dispersion;
 - prior to each day of marine construction works, the immediate area should be scanned for the presence of cetaceans, pinnipeds, turtles, and/or penguins;
 - construction activities must not occur, or must cease, if any listed cetacean and pinniped/turtle/penguin species are known to be present within 500m of construction activities;
 - a 'soft start technique (a slow start ramping up to full capacity over a 30 minute period) should also be used at the beginning of each pile installation day to allow any cetaceans, pinnipeds, turtles and/or penguins that may be in the immediate area to avoid the area before impact piling reaches full capacity;
 - the Wildlife Management Branch within DPIPWE is to be consulted immediately prior to construction activities, to determine whether there have been any recent marine mammal sightings in the proposed work area (24hr Whale Hotline on 0427 WHALES (0427 942 537);
 - occurrences of cetaceans, pinnipeds, turtles, and/or penguins should be reported to DPIPWE within 90 days of collection. Reference data should include species name, location-GPS (grid reference GDA94), observer name, date, number of individuals and area;

- undertake excavation above tidal levels to reduce disturbance of sediments from plant movement;
- no placement of excavated material into the adjacent river during construction;
- locate footings on stable and sound material (to engineer recommendations) for formation of retaining wall structures and aboveground fuel storage tank;
- Prefabrication of elements off site and delivered to site to minimise site construction times and potential impacts of construction works occurring within the river;
- utilisation of building materials that will tolerate marine exposure including-
 - Concrete – high strength, 70mm cover and corrosion inhibitors;
 - Steel – protective coatings;
 - Aluminium – marine grade and management of dissimilar metals; and
- control of stormwater discharge during construction and access to proposed new works for ongoing maintenance and future works (i.e. sediment and debris collection, one-way valve controls for future sea level rise, etc).

(Condition 16 amended pursuant to Section 56 of the Land Use Planning and Approvals Act 1993, 4 November 2021).

17. A landscape plan for the public car park and must be submitted to and approved by Council's Manager City Planning prior to the commencement of works in that stage. The plan must be to scale and show:

- a north point;
- location of existing / proposed paths, buildings, car parking, retaining walls and fencing;
- any proposed rearrangement of ground levels;
- the landscaping of the car parking and circulation areas to an amount of no less than 5% of the area of the car parking area;
- details of proposed planting's including botanical names, and the height and spread of canopy at maturity; and
- estimated cost of the landscaping works.

All landscaping works must be completed and verified as being completed by Council prior to the commencement of the use. All landscape works must be maintained:

- in perpetuity by the existing and future owners/occupiers of the property;
- in a healthy state; and
- in accordance with the approved landscape plan

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or which was removed.

18. A bond 1.5 times the estimated cost of the landscape works required by Condition 17 must be submitted with the landscape plan. The bond will be held as security to

ensure both development and maintenance of the landscape work is undertaken in accordance with the approved plans.

The bond may be a cash deposit or a bank guarantee. The work is to be completed prior to the commencement of the use of the upgraded carpark. If the works are not completed prior to use, Council may have the landscape work undertaken and may recover those costs incurred from the bonded amount.

19. The marina structures must be designed and constructed in accordance with MAST requirements and maintained in accordance with the recommendations of the *Development and Engineering Assessment* prepared by Burbury Consulting Revision 2 dated 30 January 2019.
20. One hundred and fifty two car parking spaces and four motorcycle parking spaces must be provided on-site prior to the commencement of works associated with Stage 3. Each space including disabled parking, must be clearly marked and used solely for parking purposes. Plans showing the layout of the car parking areas, designed with suitable manoeuvring areas in accordance with the Parking and Access Code of the *Clarence Interim Planning Scheme 2015*, must be submitted to and approved by Council's Manager City Planning prior to the commencement of Stage 2 works.
21. Driveways, parking areas and other areas accessible to vehicles must be constructed in bituminous concrete or concrete, providing for adequate stormwater drainage, prior to the commencement of the use. Details of the construction must be submitted to and approved by Council's Group Manager Asset Management prior to the commencement of any works.
22. Engineering designs, prepared by a suitably qualified person, are required for:
 - access arrangements;
 - carpark and driveways construction;
 - service upgrades or relocations

and must show the extent of any vegetation removal proposed for these works. Such designs must be submitted to and approved by Council's Group Manager Asset Management

A 'start of works' permit must be obtained prior to the commencement of any works.

A Works in Road Reservation Permit must also be obtained if any proposed works are to be conducted within the road reservation or Council land.

Works for all stages shown on the design plans must be commenced within 2 years of the date of their approval or the engineering designs will be required to be resubmitted.

23. Special provisions are to be made for the cycleway / multiuser paths that travel around and through the site. The detailed designs must be submitted to and approved by Council's Group Manager Asset Management prior to the commencement of works associated with Stage 2 and include:
- A public multiuser path with a clear width of 4m (unencumbered with street furniture) around the water side of the development with an appropriate surface and no sharp bends;
 - A clearly defined cycle path / multiuser path adjacent to the access lane utilising appropriate smooth surface materials with contrasting colour to other pedestrian surface areas with the use of symbolic inlays within the pavement being encouraged;
 - Special provisions within the access laneway / public thoroughfare are to be made which may include surface treatments and channelisation techniques to make provision for the interaction of cyclist, pedestrian and vehicle movements;
 - Installation of bollards or other physical barriers between the 2.5m shared walkway and access laneway; and
 - The works must be completed prior to the commencement of any of the use of Stage 2. .
24. Stormwater reticulation must be designed in accordance with the requirements of *Council's Local Highways Standard Requirements By- Law* and the *State Stormwater Strategy* to the satisfaction of Council's Group Manager Engineering Services. The design must identify and design overland flow paths and run-off handling systems for 1% AEP events. These systems shall ensure that no concentrated flow or overflow from street drainage and stormwater reticulation is directed across or through proposed lots (unless dedicated as an overland flow path with easements in favour of Council). Designs shall ensure that net discharge of stormwater does not exceed predevelopment levels and water quality characteristics of receiving waters are maintained or improved. The design must incorporate *Water Sensitive Urban Design principles* and be submitted for approval by Council's Group Manager Engineering Services prior to the commencement of Stage 2 works (public car park upgrade).
25. The owner must, at their expense, repair any Council services (eg pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.
- If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.
26. The development must meet all required Conditions of Approval specified by TasWater notice, dated 16 May 2019 (*TWDA 2018/01314-CCC*).

ADVICE

- A. This permit is valid for a period of 2 years and will lapse on 17 June 2021 unless the use / development has been substantially commenced, to the satisfaction of Council's Manager City Planning.

Note: An extension of time to this period under Section 42 (5A) of the *Land Use Planning and Approvals Act 1993* may only be granted if a request is received prior to the expiry of the above time period.

- B. This is a Development Permit only. An application for a Building Permit, including any demolition work, must be submitted and approved prior to the commencement of works.
- C. The granting of this permit does not ensure compliance with the provisions of the Commonwealth Disability Discrimination Act 1992, and the applicant will therefore be responsible for any complaints arising under that Act in relation to non compliance with the provisions of that legislation. Applicants are advised to check the current Australian Standards and seek independent technical advice regarding disability matters.
- D. MAST have advised that the Bellerive Yacht Club are responsible for either relocating or coming to a mutual agreement with the mooring permit holders to enable the moorings within Kangaroo Bay to be removed for the marina redevelopment to proceed. Any new mooring position must be to the satisfaction of the mooring owner and MAST. Any costs associated with mooring relocations is at the developer's expense.
- E. MAST have advised that the berths on the outside arms of the marina (20m berths) close to the clearway may be affected by wash from trailer boats from the Rosny Public Boat Ramp and from ferry wash should a ferry terminal be established in the future. Owners of vessels on these berths should be advised that they are berthed there at their own risk.
- F. It is advised that Council understands that the Bellerive Yacht Club will be required by the Crown to upgrade the slip yard infrastructure. Please be advised that Council also reserves the right to issue an Environmental Protection Notice under the Environmental Management and Pollution Control Act 1994 to bring the slip yard in line with the EPA's *Environmental Guidelines for Boat Repair and Maintenance*.
- G. It is advised that the storage of greater than 10,000 litres of diesel on site triggers the requirement for compliance with the *Work Health and Safety Regulations 2012* and associated documents.
- H. Non-compliance with this permit is an offence under Section 63 of the *Land Use Planning and Approvals Act 1993* and may result in enforcement action under

Division 4A of the *Land Use Planning and Approvals Act 1993* which provides for substantial fines and daily penalties.



ROSS LOVELL

MANAGER CITY PLANNING

This approval is given under delegation granted by Council on 14 DECEMBER 2020

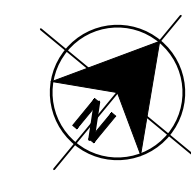
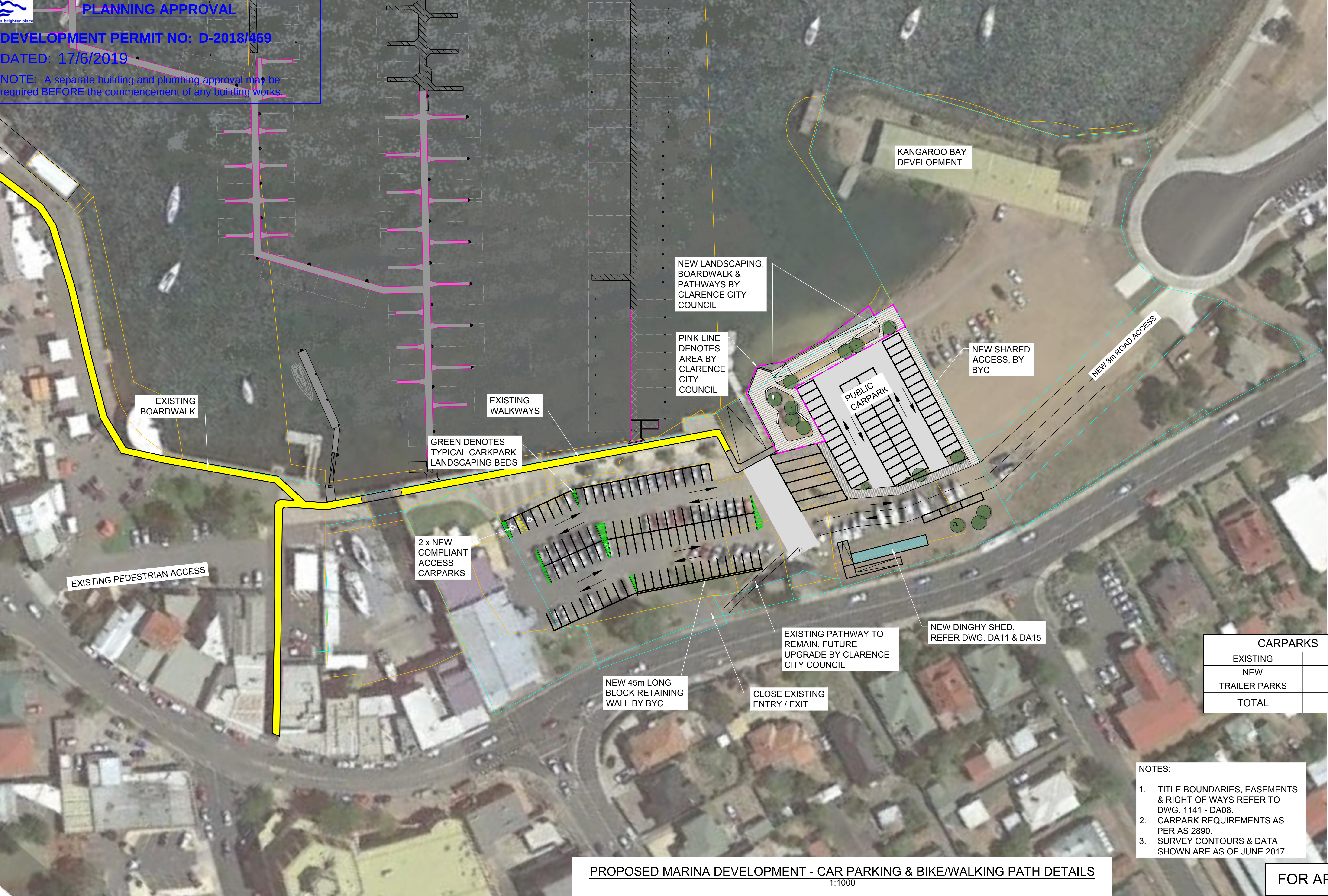


CITY OF CLARENCE
PLANNING APPROVAL

DEVELOPMENT PERMIT NO: D-2018/469

DATED: 17/6/2019

NOTE: A separate building and plumbing approval may be required BEFORE the commencement of any building works.



CARPARKS	
EXISTING	72
NEW	80
TRAILER PARKS	6
TOTAL	158

- NOTES:
1.

TITLE BOUNDARIES, EASEMENTS & RIGHT OF WAYS REFER TO DWG. 1141 - DA08.
2.

CARPARK REQUIREMENTS AS PER AS 2890.
3.

SURVEY CONTOURS & DATA SHOWN ARE AS OF JUNE 2017.

PROPOSED MARINA DEVELOPMENT - CAR PARKING & BIKE/WALKING PATH DETAILS

1:1000

FOR APPROVAL

REVISIONS	Rev No	Revision note	Date	Checked	Approved	REFERENCES	Dwg No	Reference	 BURBURYCONSULTING Engineering & Project Management Civil Structural Maritime ABN 75 146 719 959 345 DAVEY STREET, SOUTH HOBART, TAS 7004 P: (03) 6223 8007 F: (03) 6223 1143 E: admin@burburyconsulting.com.au COPYRIGHT © "This document is and shall remain the property of Burbury Consulting Pty Ltd. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission. Unauthorised use of this document it any way is prohibited"	Drawn By: R.PARKER	Date 20/12/12	Client BELLERIVE YACHT CLUB
	E	FOR DA APPROVAL	07/08/18	JB	JB					Designed By: J.BURBURY	Date 20/12/12	Project BELLERIVE YACHT CLUB REDEVELOPMENT
	F	REVISED FOR DA APPROVAL	07/11/18	NP	JB					Checked By:	Date	Title PROPOSED CAR PARKING & BIKE/WALKING PATH DETAILS
	G	REVISED FOR DA APPROVAL	29/01/19	NP	JB					Approved By:	Date	Scale 1:1000
												A1

PLOTTED: 13 May, 2019 - 9:14 AM

Attachment 2 – PDPLANPMTD-2024/042893



Clarence... a brighter place

Clarence City Council

PLANNING PERMIT

LAND USE PLANNING AND APPROVALS ACT 1993

Development No: PDPLANPMTD-2024/042893 **Approval Date:** 27 November 2024

Description: Marina Expansion (Pleasure Boat Facility)

Address: 64A Cambridge Road, Bellerive (with access over 78 Cambridge Road, Bellerive)

This permit is granted, subject to the following conditions:

General Conditions:

1. The use or development must only be undertaken in accordance with the endorsed plans and any permit conditions and must not be altered without the consent of Council.
2. Prior to the commencement of works on the 13 new of the berths (not including the 13 berths to be relocated) in this new pier (Arm C), plans showing the reconfiguration of existing BYC car park at 64A Cambridge Road, Bellerive, more particularly described in Certificate of Title Volume 173171 folio 0, must be submitted to and approved by Council's CEO or delegate. The plan(s) must:
 - a) provide a minimum of 92 parking spaces and 4 motor cycle spaces and landscaping (as referenced under D-2018/469);
 - b) show the layout of the parking area, designed with suitable manoeuvring areas in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;
 - c) provide the suitable provision of pedestrian and bicycle access ways;
 - d) show each parking space, including disabled parking, to be clearly marked and used solely for parking purposes;
 - e) provide for the closure of the access to Cambridge Road access and reliance on a new access from Kangaroo Bay Drive (except as provided in (f) below)
 - f) enable those parking spaces located in the area necessary for the continuation of access to Cambridge Road to remain unconstructed until the alternative access to the Site from Kangaroo Bay Drive is constructed and available and the Cambridge Road access is closed. Once the work for the alternative access to the Site is completed, within 120 days of written notice being given by the Council's CEO or

delegate, all the works associated with the construction of the balance of the required 92 parking spaces must be completed.

Once approved the plan will form part of the permit and the work must be completed prior to the use of the 13 new berths in this new pier (Arm C).

3. External lighting for the marina must comply with all the following:
 - be turned off between 11:00 pm and 6:00 am, except for security lighting; and
 - security lighting must be baffled to ensure it does not cause emission of light outside the site.
4. Commercial vehicle movements, (including load & unloading and garbage removal) to or from any area of the site within 50m of a residential zone must be within the hours of:
 - 7.00 am to 6.00 pm Mondays to Fridays inclusive;
 - 9.00 am to 5.00 pm Saturdays; and
 - 10.00 am to 12.00 noon Sundays and Public Holidays.
- 4A. Driveways, parking areas and other areas accessible to vehicles must be constructed in bituminous concrete or concrete, providing for adequate stormwater drainage, prior to the commencement of the use. Details of the construction must be submitted to and approved by Council's Group Manager Asset Management prior to the commencement of any works.
5. Engineering designs, prepared by a suitably qualified person, are required for:
 - road design (including line marking);
 - road stormwater drainage;
 - car park, driveway(s) and crossover construction;
 - lot accesses;
 - stormwater drainage;

and must show the extent of any vegetation removal proposed for these works. Such engineering designs must be compliant with all council By-Laws and adopted standards applicable at the time of lodgement of the drawings. These engineering designs, together with the safety in design report, must be submitted and approved by council's Group Manager Engineering Services prior to the issue of a certificate of likely compliance (CLC) for building works.

An engineering assessment fee, in accordance with Council's adopted fee schedule, must be paid prior to the approval of the engineering designs. A 'Start of Works' permit must be obtained prior to the commencement of any works and all works must be completed prior to the commencement of the use.

A Works in Road Reservation Permit must also be obtained if any proposed works are to be conducted within the road reservation or council land.

Works for all stages shown on the engineering designs must be commenced within 2 years of the date of the approval or the engineering designs will be required to be resubmitted. The works must be completed prior to the commencement of the use / prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works.

6. The owner must, at their expense, repair any Council services (e.g., pipes, drains) and any road, crossover, footpath or other Council infrastructure that is damaged as a result of any works carried out by the developer, or their contractors or agents pursuant to this permit. These repairs are to be in accordance with any directions given by the Council.

If the owner does not undertake the required repair works within the timeframe specified by Council, the Council may arrange for the works to be carried out at the owner's expense.

7. A landscape plan must be submitted to and approved by council's Chief Executive Officer or delegate prior to the commencement of the use / prior to the issue of a certificate of likely compliance (CLC) for building works, (whichever occurs first). The landscape plan must be to a standard scale, provide the designer's contact details and be legible when reproduced at A3 size. The landscape plan must clearly document the following:

- a north point/arrow;
- existing property information such as building footprints, location of underground and overhead services, boundary lines, outdoor structures, garden beds and fences;
- existing trees identified, marked clearly as 'retained' or 'for removal'. An outline of tree protection measures - inclusive of calculated Tree Protection Zones in line with AS 4970-2009 - is required for all 'retained' trees;
- existing contours, relevant finished floor levels and any proposed alterations to ground levels;
- areas of proposed landscape hard work treatments such as driveways, paths, buildings, car parks, retaining walls, edging and fencing;
- areas of proposed landscape soft work treatments including garden beds and lawns;
- proposed planting design with locations of individual plants at intended spacing and clearly identified species (use of symbols with a legend or direct labelling of plants preferred);
- a table listing selected species' botanical names, mature height, mature width, pot size and total quantities;
- details of proposed ongoing maintenance schedule (e.g. watering, weeding); and
- estimated cost for the installation of landscape works.

All landscaping works must be completed, then verified by council as being completed, prior to a landscape bond being released. Installed landscape works (soft and hard) will be inspected for adherence to the approved landscape plan. Trade

standard will be the minimum quality benchmark that all landscape works will be assessed against.

All landscape works must be maintained:

- in perpetuity by the existing and future owners/occupiers of the property;
- in a healthy state; and
- in accordance with the approved landscape plan.

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died, or which was removed.

Installed landscape works (soft and hard) will be inspected for adherence to the approved landscape plan and for quality of workmanship. In order for a landscape bond to be released the works must be deemed satisfactory by Council. Trade standard will be the minimum quality benchmark that all landscape works will be assessed against.

8. A bond of 1.5 times the estimated cost of landscape works must be submitted with the landscape plan. The bond will be held as security to ensure both development and maintenance of the landscape work is undertaken in accordance with the approved plan.

The bond may be a cash deposit or a bank guarantee. The work is to be completed prior to commencement of the use. If the works are not completed within this time, Council may have the landscaping work undertaken and may recover those costs incurred from the bonded amount.

9. A plan for the management of construction must be submitted and approved by Council's CEO or Delegate prior to the commencement of each stage. The plan must outline the proposed demolition and construction practices in relation to:
 - proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken onsite);
 - proposed hours of construction not exceeding the *Environmental Management and Pollution Control Act (Noise Regulations) 2016*;
 - identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - construction parking and temporary displacement of public carparks;
 - alternative arrangements for pedestrian and cycling along the Boardwalk;
 - procedures to washdown vehicles, to prevent soil and debris being carried onto the street;
 - control of dust and emissions during working hours;
 - proposed screening of the site and vehicular access points during work; and

- if contaminants in the soil exceed IB105, disposal is to occur in accordance with the *Environmental Protection Authority Information Bulletin No. 105 – Classification and Management of Contaminated Soil for Disposal*.

10. An Environmental Management Plan must be submitted to Council's Group Manager Engineering Services in addition to the Construction Management Plan. The Plan must in accordance with the recommendations of the report prepared by *Marine Solutions Tasmania*, 'Marine Environmental Impact Assessment for a Jetty Replacement at Bellerive Yacht Club, Kangaroo Bay, Tasmania, dated June 2022; as well as the advice provided by the Conservation Assessments Services Group at the Department of Natural Resources Tasmania. At minimum, the Plan must address or incorporate the following:

- Translocation of marine pests by machinery working on site including thorough cleaning protocol for any marine equipment sourced from outside south-east Tasmania;
- Management of silt disturbance during construction;
- Methodology to prevent debris from entering the bay during construction;
- Installation and maintenance of silt fencing (land) on the shoreline prior to construction and earthworks to control sediment discharge into the adjacent river during earthworks and protection of the construction area;
- Minimisation of seabed sediments including cutting of piles at the seabed as opposed to extraction;
- Methodology to prevent debris from entering the bay during construction;
- Water quality monitoring to be undertaken during piling or other construction within the water beyond the area of the silt curtain directed to monitor any resuspension of sediments;
- Methodology detailing suitable measures to avoid and/or manage the potential for disturbance of ASS and monitor for impact according to the ASS Guidelines before work commences. The management plan should clearly describe and detail construction techniques, include a risk assessment and describe management and monitoring activities. Specialised ASS dredging guidance is available at: <https://www.waterquality.gov.au/issues/acid-sulfate-soils/dredge-spoil-management>
- Marine spill kit and methodology to employ it.
- Control of stormwater discharge during construction and access to proposed new works for ongoing maintenance and future works (i.e. sediment and debris collection, one-way valve controls for future sea level rise, etc).
- Construction must be confined to calm weather conditions to minimise sediment plume dispersion;
- No placement of excavated material into the adjacent river during construction.

Mitigating acoustic disturbance prior to and during any heavy marine activities (such as pile driving and any activities impacting the seabed):

- All construction activities involving contact with the seabed (pile-driving, mooring removal, and installation) are to be conducted outside of the spotted

handfish breeding season unless follow-up surveys of the development footprint close to the start of the breeding season in 2024 (i.e. prior to but as close as possible to mid-July 2024) do not observe any suitable breeding substrate.

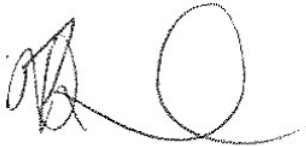
- Each day the immediate area should be scanned for the presence of cetaceans, pinnipeds, turtles, and/or penguins – both on land and in the water. Construction activities must not occur, or must cease, if any listed cetacean and pinniped/turtle/penguin species are known to be present within 500 m of construction activities.
- A 'soft start' technique should also be used at the beginning of each pile installation day to allow any cetaceans, pinniped, turtle, and/or penguin that may be in the immediate area to avoid the area before noise levels reach full capacity (employing a soft start technique would also benefit other mobile animals (e.g. birds, fish, sharks) which can move away). A slow start should ramp up to full capacity over a 30-minute period.
- The Marine Conservation Program within NRE Tas should be consulted immediately prior to construction activities to determine whether there have been any recent marine mammal sightings in the proposed work area (24hr Whale Hotline on 0427 WHALES (0427 942 537)).
- Occurrences of cetaceans, pinnipeds, turtles, and/or penguins observed during and within 500 m of construction activities must be reported to NRE Tas within 24 hours. Reference data should include species name, location-GPS (grid reference GDA94), observer name, date, number of individuals and area occupied.
- To mitigate disturbance to potential resident cetaceans, construction activities such as pile driving, installation of concrete screens and concrete groyne activities be conducted in accordance with marine mammal observers and appropriate shut down procedures for these activities (see SA guidelines at: https://www.dit.sa.gov.au/data/assets/pdf_file/0004/88591/DOCS_AND_FILES-7139711-v2-DIT_2012_Underwater_Piling_Noise_Guidelines.pdf).
- Prefabrication of elements off site and delivered to site to minimise site construction times and potential impacts of construction works occurring within the river.

11. The development must meet all required Conditions of Approval specified by TasWater notice, dated 16 June 2024 (TWDA 2024/00661-CCC).
-

The following advice is also provided:

- a. This Permit will lapse after 2 years from the date on which it is granted unless the development / use has been substantially commenced. Upon request, under Section 53(5A) of the *Land Use Planning and Approvals Act 1993* Council may grant an extension of time for a further 2 years. A further 2 years may be granted upon request under Section 53(5B) of the *Land Use Planning and Approvals Act 1993*. Any such requests must be made in writing and within 6 months of the day on which the permit has lapsed.

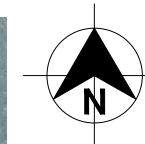
- b. This is a town planning permit only. Please be aware that a building permit and / or a plumbing certificate of likely compliance or plumbing permit may be required before the development can proceed. It is recommended that you contact Council's Building Department on (03) 6217 9580 to discuss the requirement for any additional permits or certification.
- c. Non-compliance with this permit is an offence under Section 63 of the *Land Use Planning and Approvals Act 1993* and may result in enforcement action under Division 4A of the *Land Use Planning and Approvals Act 1993* which provides for substantial fines and daily penalties.
- d. The granting of this permit does not ensure compliance with the provisions of the *Disability Discrimination Act 1992* (Cth), and the applicant will therefore be responsible for any complaints arising under that Act in relation to non-compliance with the provisions of that legislation. Applicants are advised to check the current Australian Standards and seek independent technical advice regarding disability matters.



Vanessa Tomlin

MANAGER CITY PLANNING

THIS APPROVAL IS GIVEN UNDER DELEGATION GRANTED BY COUNCIL



EXTENDED CROWN LEASE
CADASTRAL ID: 1523820
AGREEMENT ID: 127722
PROPERTY ID: 5103308
AREA: 38586m²



**CITY OF CLARENCE
PLANNING APPROVAL**

DEVELOPMENT PERMIT NO: PDPLANPMTD-2024/042893

DATED: 27/11/2024

NOTE: A separate building and plumbing approval may be required BEFORE the commencement of any building works.

LEASE EXTENSION NOTES:

- NEW LEASE EXTENSION ALLOWS FOR ADJUSTMENT TO REVISED MARINA LAYOUT AND ARM C.
- ALLOWANCE MADE FOR EXTENSION AROUND ARM END BERTHS AS PREVIOUSLY REQUESTED BY CROWN.
- FINAL LEASE BOUNDARY TO BE COMPLETED THROUGH REGISTERED SURVEY AT COMPLETION OF WORKS COVERING EXTENT OF STRUCTURES AND OUTER EXTENTS OF BERTHING AREAS AS NOTED IN THE DRAWING AND SUBMITTED TO CROWN.

KEY

- EXISTING MARINA CROWN LEASE
- EXISTING CROWN LEASE
- EXISTING CROWN LICENCE
- PROPOSED NEW MARINA LEASE BOUNDARY

NOTE:
FOR GENERAL NOTES REFER
TO DRAWING 1685 - 101.

FOR APPROVAL

LEASE EXTENSION PLAN

1:1000

REVISIONS	Rev No	Revision note	Date	Checked	Approved
	F	REVISED TO SUIT NEW MOORING ARRANGEMENTS	19/04/23	MS	JB
	G	REVISED LEASE TO SUIT NEW ABUTMENT LOCATION	17/01/24	KM	JB



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Drawn By: R.PARKER	Date: MAY 2022
Designed By: J.BURBURY	Date: MAY 2022
Checked By:	Date:
Approved By:	Date:

Client: BELLERIVE YACHT CLUB INC.	Project: BELLERIVE YACHT CLUB - ARM C PROPOSAL
Title: LEASE EXTENSION PLAN	Scale: 1:1000
Sheet: A3	Drawing No.: 1685 - 105
Rev: G	

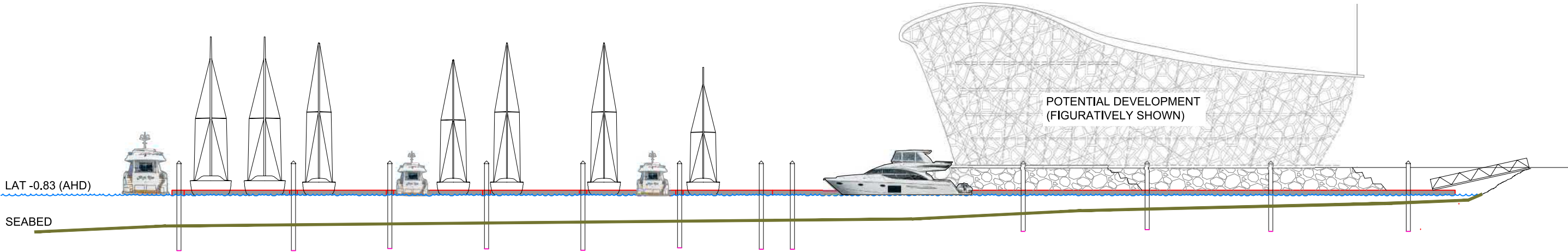


CITY OF CLARENCE
PLANNING APPROVAL

DEVELOPMENT PERMIT NO: PDPLANPMTD-2024/042893

DATED: 27/11/2024

NOTE: A separate building and plumbing approval may be required BEFORE the commencement of any building works.



SECTION A
1:500 103

SHOWN AT LAT (LOWEST
ASTRONOMICAL TIDE)

PILES DRIVEN INTO SEABED
NOMIANLLY 2-3M TYPICAL

NOTES:

- FOR GENERAL NOTES REFER TO DRAWING 1685 - 101.
- PILES AND BOATS SHOWN ARE INDICATIVE ONLY.

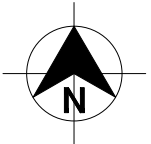
FOR APPROVAL

REVISIONS	Rev No	Revision note	Date	Checked	Approved	100000 1
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CITY OF CLARENCE
PLANNING APPROVAL
DEVELOPMENT PERMIT NO: PDPLANPMTD-2024/042893
DATED: 27/11/2024
NOTE: A separate building and plumbing approval may be required BEFORE the commencement of any building works.



MOORINGS TO BE REMOVED / RELOCATED	
	10679
	7822
	D072
	D107
	D135
	D155
	D189
	D189
	D385
	D609
	D612
	D872
	D900
	D924
	E101
	E160

KEY

 MOORINGS TO BE REMOVED OR RELOCATED (TO BE CONFIRMED BY MAST).

NOTE:
FOR GENERAL NOTES REFER
TO DRAWING 1685 - 101.

FOR APPROVAL

REVISIONS	Rev No	Revision note	Date	Checked	Approved
	F	FUTURE GANGWAY REMOVED AND CAR PARKING ADDED	24/06/24	JB	JB
	E	REVISED TO SUIT NEW MOORING ARRANGEMENTS	19/04/23	MS	JB



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Designed By: J.BURBURY	Date: MAY 2022
Checked By:	Date:
Approved By:	Date:

Client: BELLERIVE YACHT CLUB INC.	Project: BELLERIVE YACHT CLUB - ARM C PROPOSAL
Title: NAVIGATION ASSESSMENT	Scale: 1:2000
A3	Drawing No.: 1685 - 107
Rev F	





CITY OF CLARENCE
PLANNING APPROVAL

DEVELOPMENT PERMIT NO: PDPLANPMTD-2024/042893
DATED: 27/11/2024
NOTE: A separate building and plumbing approval may be required BEFORE the commencement of any building works.



CAR PARK & ACCESS GENERAL ARRANGEMENT PLAN
1:500

NOTE:
FOR GENERAL NOTES REFER
TO DRAWING 1685 - 101.

FOR APPROVAL

REVISIONS	Rev No	Revision note	Date	Checked	Approved
	F	REVISED FOR NEW ABUTMENT	17/01/24	JB	JB
	G	PARKING & LANDSIDE CONFIRMED TO PERMIT D-2018/469	24/06/24	JB	JB



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Drawn By: R.PARKER	Date: MAY 2022
Designed By: J.BURBURY	Date: MAY 2022
Checked By:	Date:
Approved By:	Date:

Client: BELLERIVE YACHT CLUB INC.	Project: BELLERIVE YACHT CLUB - ARM C PROPOSAL
Title: CAR PARK & ACCESS GENERAL ARRANGEMENT PLAN	Scale: 1:500
A3	Drawing No. 1685 - 108
Rev G	