

## **Development Applications**

Notice is hereby given under Section 57(3) of the *Land Use Planning & Approvals Act 1993* that an application has been made to the Break O' Day Council for a permit for the use or development of land as follows:

<b>DA Number</b>	DA 2025 / 00040
<b>Applicant</b>	S W Terry
<b>Proposal</b>	Residential - Retrospective Approvals of Dwelling Additions, Front Fence and Associated Works AND Construction of a New Garage
<b>Location</b>	7409 Esk Main Road, St Marys

Plans and documents can be inspected at the Council Office by appointment, 32 – 34 Georges Bay Esplanade, St Helens during normal office hours or online at [www.bodc.tas.gov.au](http://www.bodc.tas.gov.au).

Representations must be submitted in writing to the General Manager, Break O'Day Council, 32 -34 Georges Bay Esplanade, St Helens 7216 or emailed to [admin@bodc.tas.gov.au](mailto:admin@bodc.tas.gov.au), and referenced with the Application Number in accordance with section 57(5) of the abovementioned Act during the fourteen (14) day advertised period commencing on Saturday 21<sup>st</sup> June, 2025 **until 5pm Friday 4<sup>th</sup> July, 2025.**

**John Brown**  
**GENERAL MANAGER**


DRAWING LIST

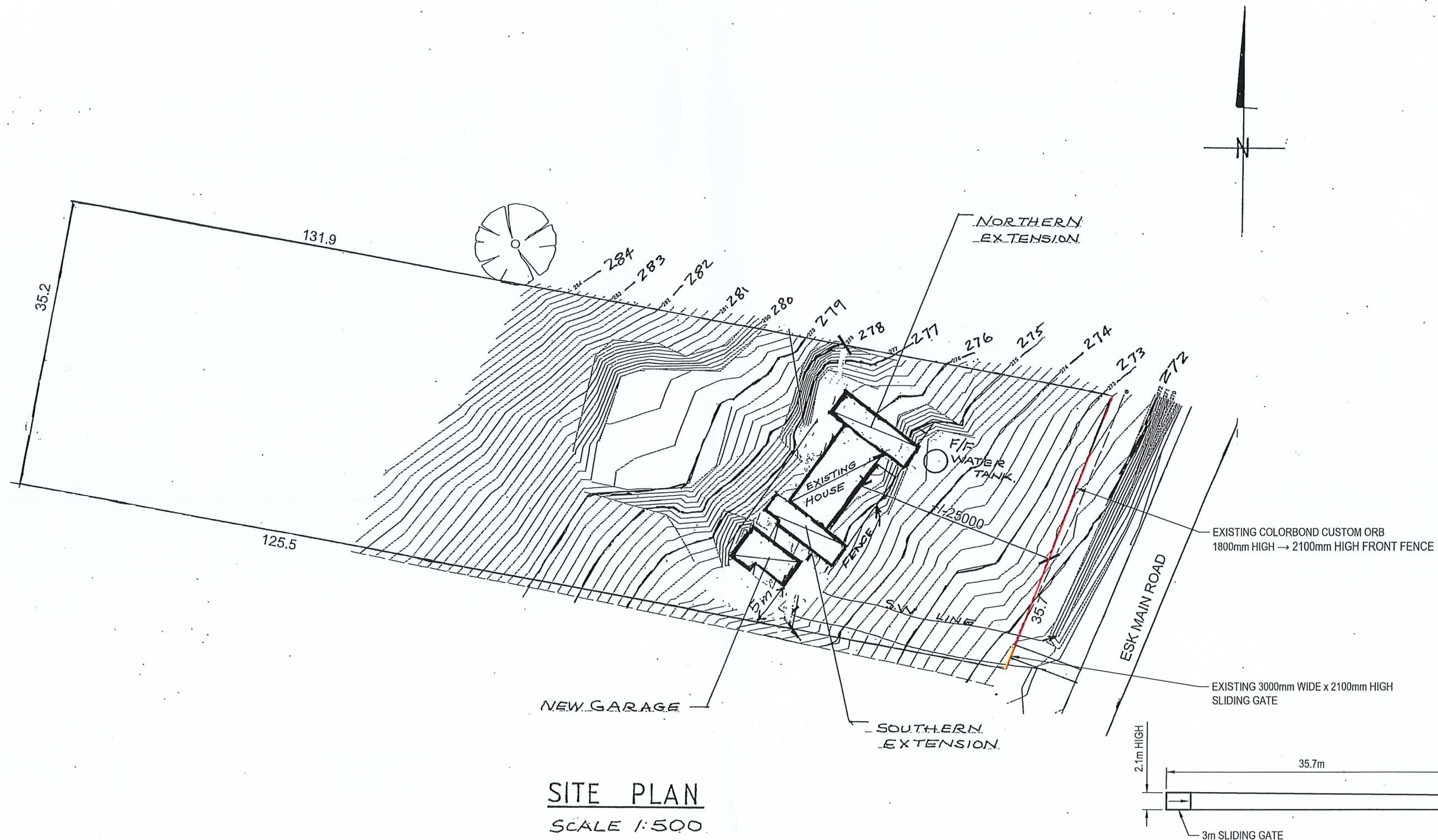
- S01 COVER SHEET
- S02 SITE PLAN
- S03 FLOOR PLANS HOUSE AND GARAGE
- S04 ELEVATIONS
- S05 ROOF PLAN
- S06 SLAB PLAN

SCHEDULE ONE INFORMATION.

SITE INFORMATION

Owner S W Terry  
Address 7409 Esk Main Road St Marys TAS 7215  
Land Title Reference Volume 231161 Folio 5  
Land Area 0.42 hectare  
Original floor area 69.57m2  
Additional floor area 56.76m2  
New garage 31.8m2  
Wind Classification N2  
Soil Classification H1  
Climate Zone 7  
Alpine Area N/A  
Other Hazards N/A  
BAL 12.5 Report by GES dated 2/11/2016

 49-51 Elizabeth Street, Launceston P: 6334 5548 E: info@jmg.net.au	<u>AS CONSTRUCTED</u> <u>PLANS</u>	7409 ESK MAIN ROAD ST MARYS TAS 7215	COVER SHEET	DRAWN R.J.GOWLAND	SCALE
				LICENCE CC1590Y	DATE NOV. 23.
				JMG PROJECT	2308/3LO
				DRAWING NUMBER	S01 REV B



**JMG**

49-51 Elizabeth Street, Launceston  
P: 6334 5548 E: info@jmg.net.au

AS CONSTRUCTED  
PLANS

7409 ESK MAIN ROAD  
ST MARYS TAS 7215

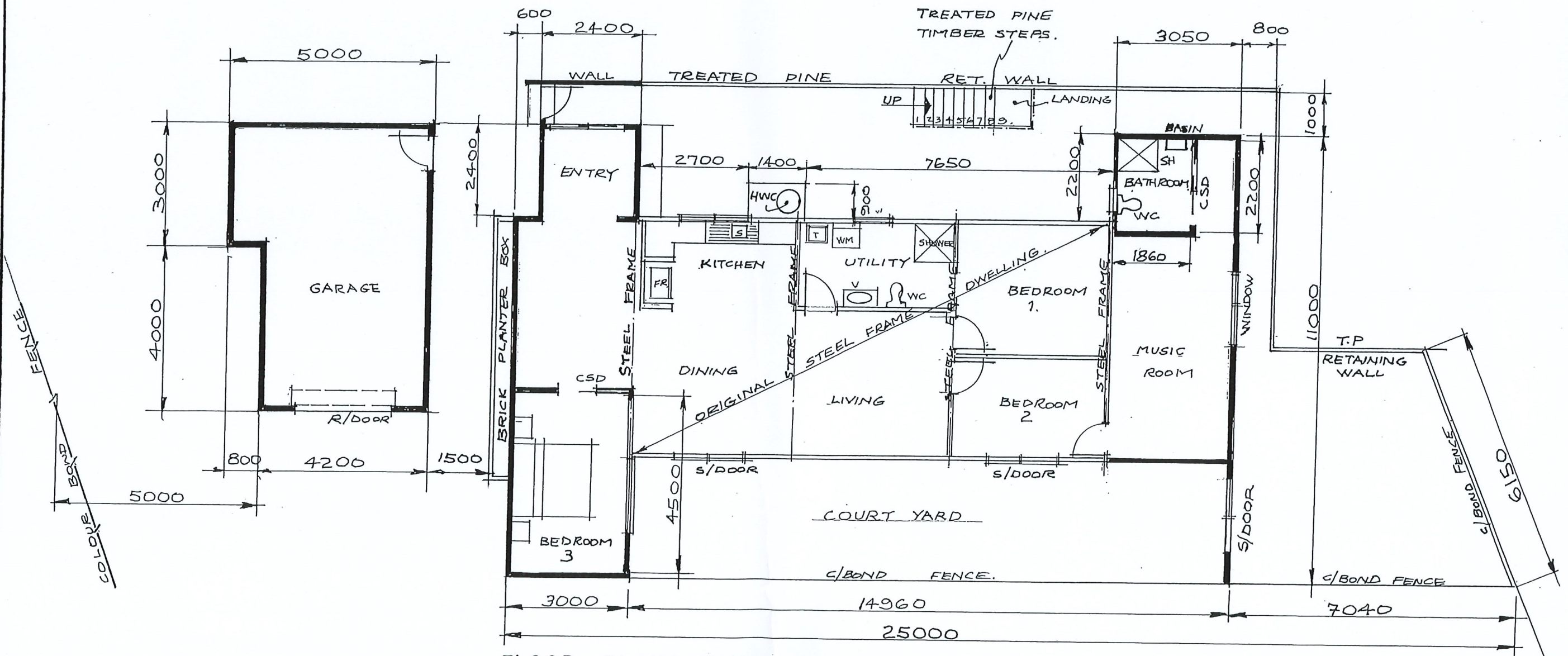
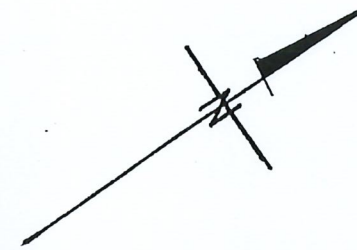
SITE PLAN

DRAWN R.J.GOWLAND	SCALE 1:500
LICENCE CC1590Y	DATE NOV. 23
JMG PROJECT	2308/3LO
DRAWING NUMBER	S02 REV B



# WALL LEGEND

- ORIGINAL WALLS
- ADDITIONAL WALLS



FLOOR PLANS HOUSE AND GARAGE

**JMG**

49-51 Elizabeth Street, Launceston  
P: 6334 5548 E: info@jmg.net.au

AS CONSTRUCTED  
PLANS

74-09 ESK MAIN ROAD  
ST MARYS TAS 7215

FLOOR PLANS  
HOUSE & GARAGE

DRAWN R.J.GOWLAND

SCALE 1:100

LICENCE CC1590Y

DATE NOV. 23

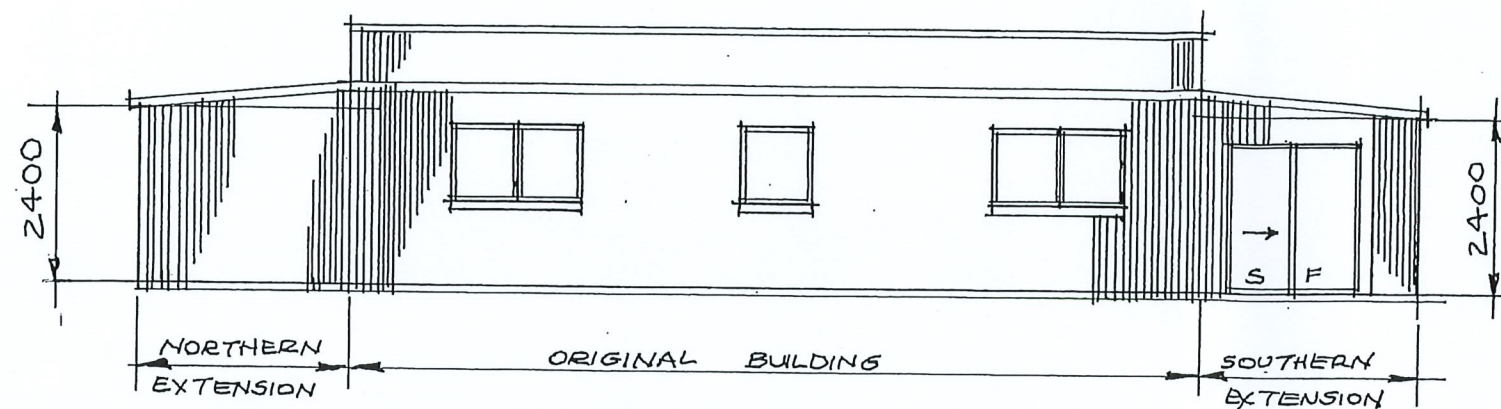
JMG PROJECT

2308/3LO

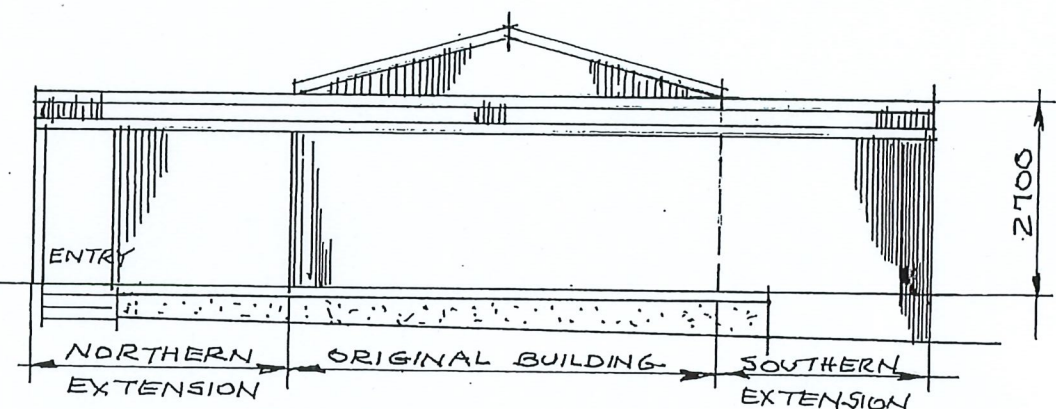
DRAWING NUMBER

S03 REV B

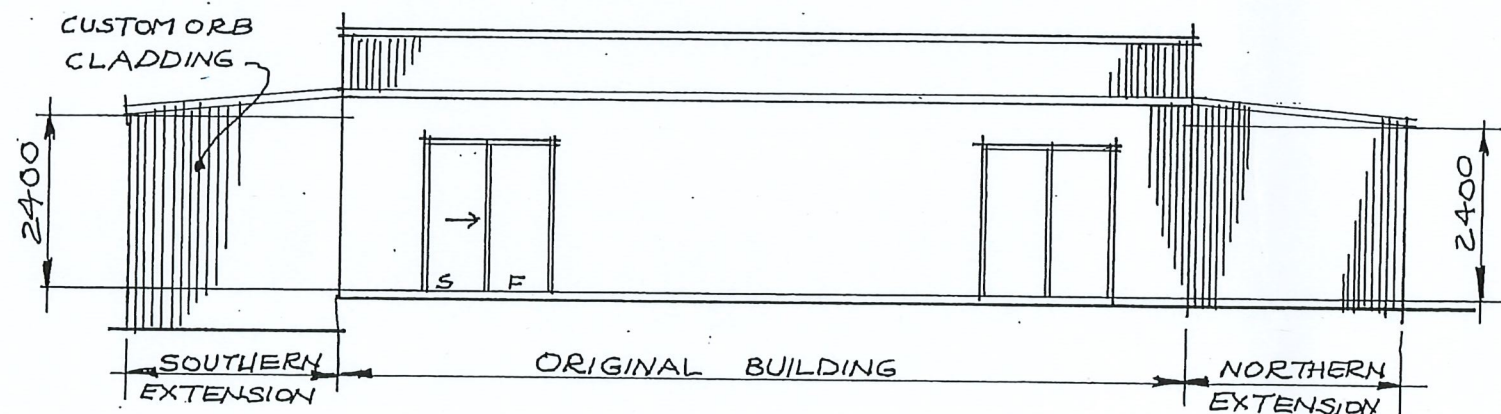




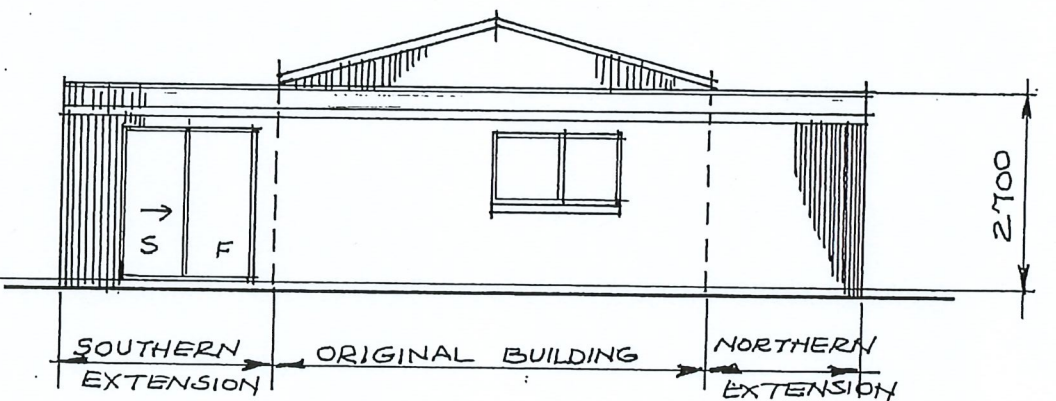
NORTH WESTERN ELEVATION



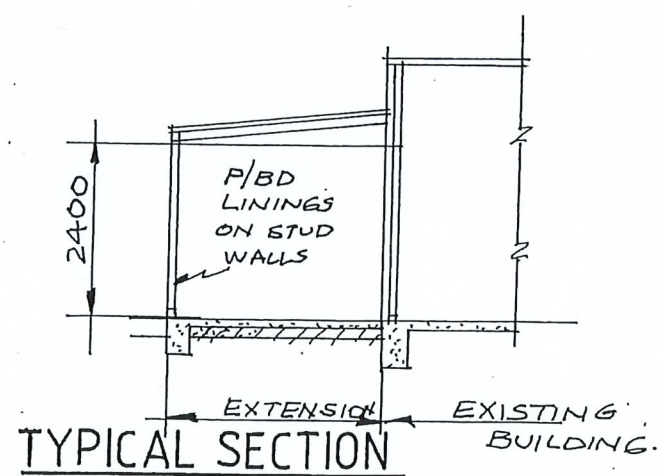
SOUTH WESTERN ELEVATION



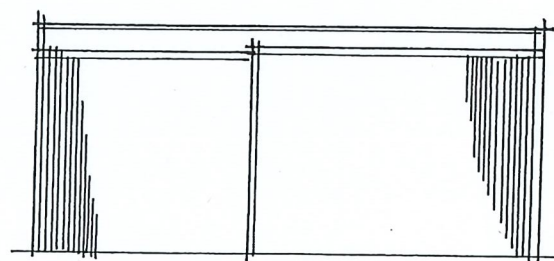
SOUTH EASTERN ELEVATION



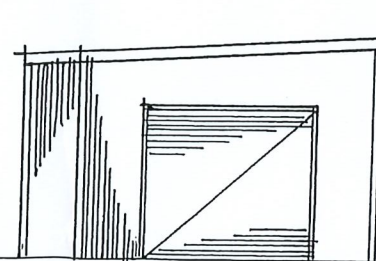
NORTH EASTERN ELEVATION



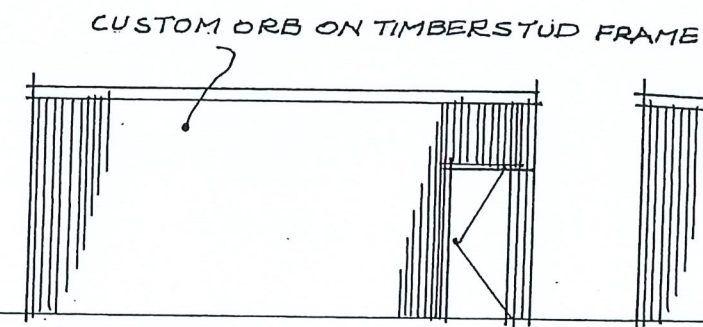
TYPICAL SECTION



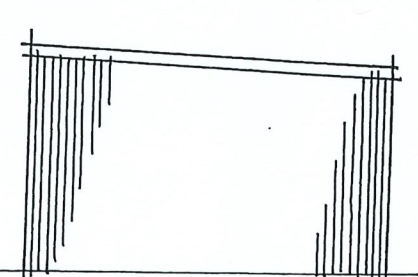
SW ELEV



SE ELEV



NE ELEV



NW ELEV

GARAGE ELEVATIONS

**JMC**  
49-51 Elizabeth Street, Launceston  
P: 6334 5548 E: info@jmc.net.au

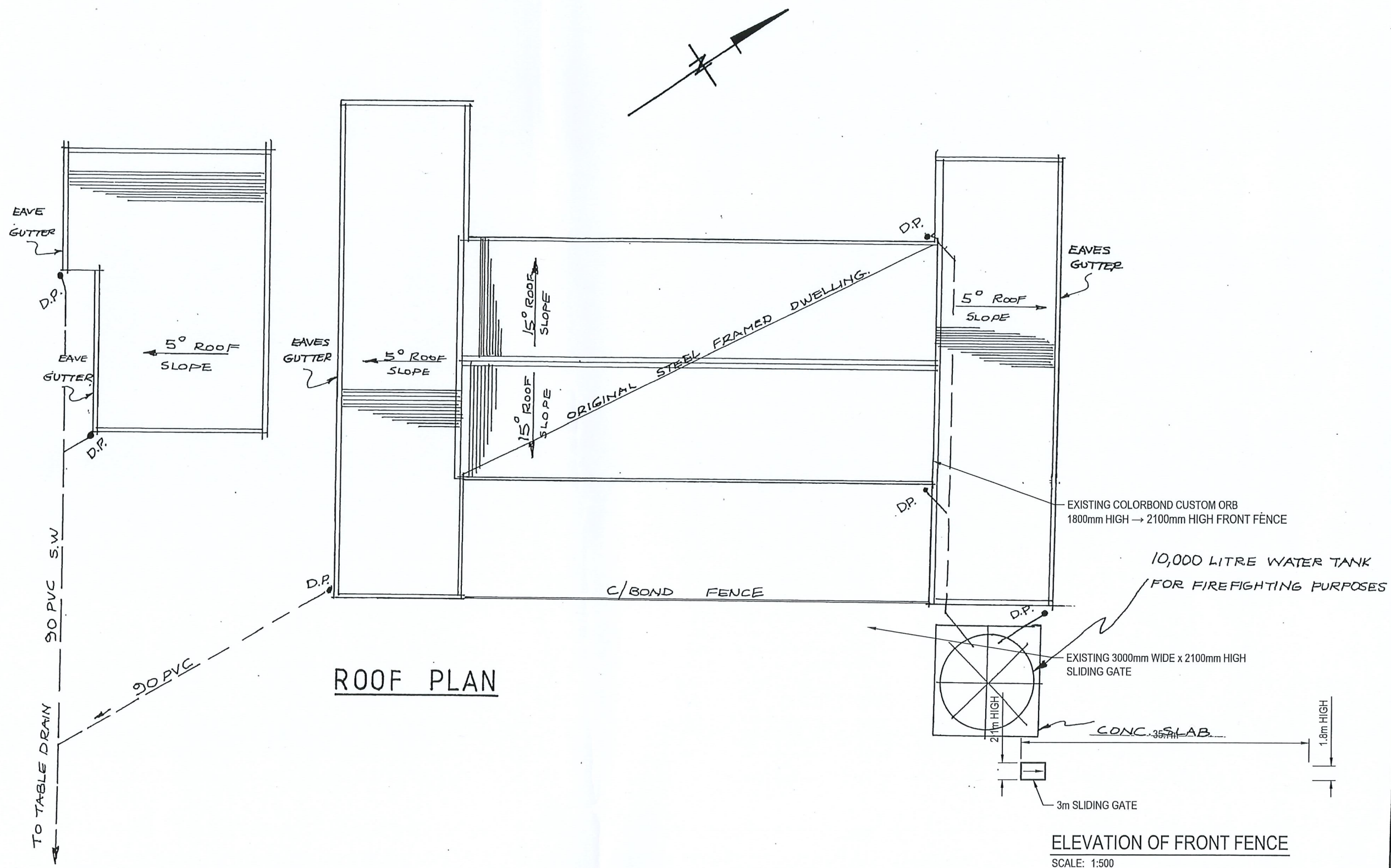
AS CONSTRUCTED  
PLANS

7409 ESK MAIN ROAD  
ST MARYS TAS 7215

ELEVATIONS &  
TYPICAL SECTION

DRAWN R.J.GOWLAND	SCALE 1:100
LICENCE CC1590Y	DATE NOV. 23.
JMG PROJECT	2308/3LO
DRAWING NUMBER	S04 REV B





**JMC**

49-51 Elizabeth Street, Launceston  
P: 6334 5548 E: info@jmc.net.au

AS CONSTRUCTED  
PLANS

7409 ESK MAIN ROAD  
ST MARYS TAS 7215

ROOF PLAN

DRAWN R.J. GOWLAND

LICENCE CC/590Y

JMC PROJECT

DRAWING NUMBER

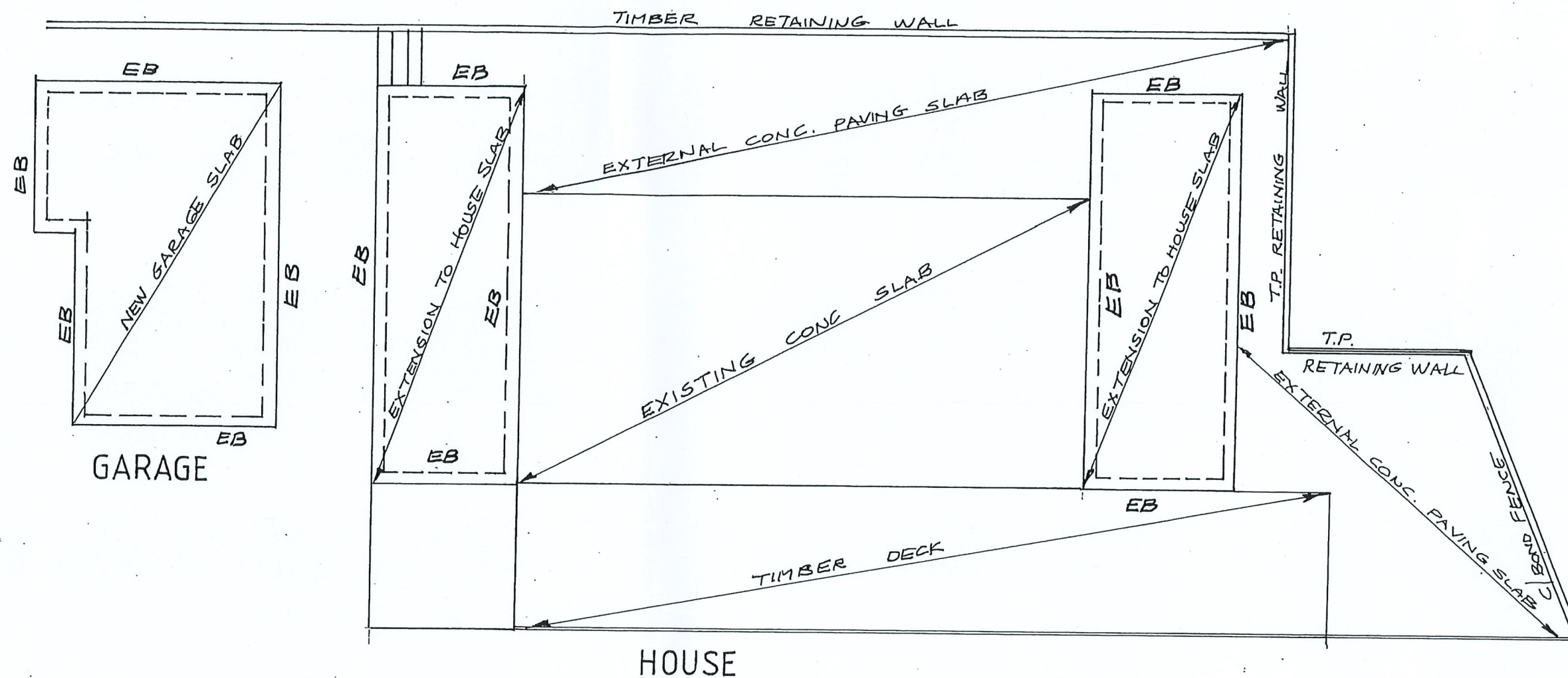
SCALE 1:100

DATE NOV. 23

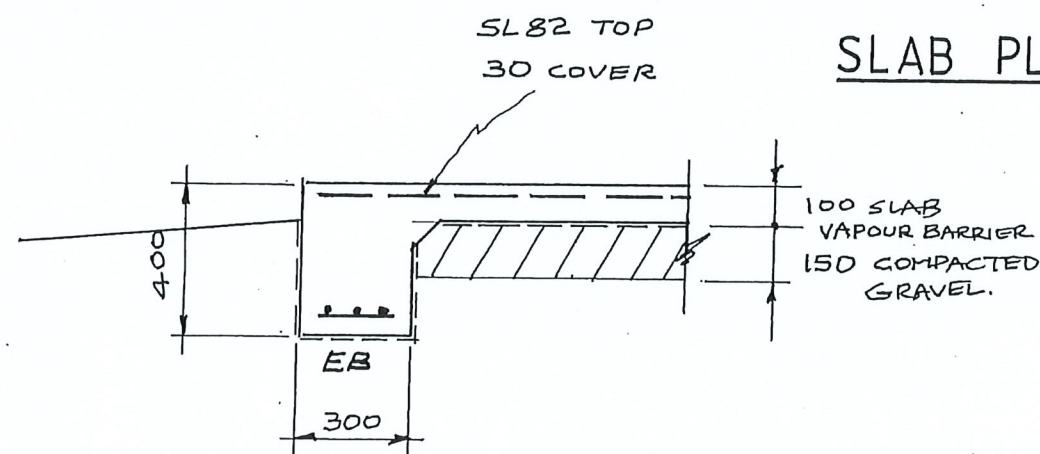
230813 LO

S05 REV B





SLAB PLAN



TYPICAL EDGE BEAM DETAIL

**JMG**

49-51 Elizabeth Street, Launceston  
P: 6334 5548 E: info@jmg.net.au

AS CONSTRUCTED  
PLANS

7409 ESK MAIN ROAD  
ST MARYS TAS 7215

SLAB PLAN  
AND DETAILS

DRAWN R.J. GOWLAND

SCALE 1:100

LICENCE CC1590Y

DATE NOV. 23

JMG PROJECT

2308/3LO

DRAWING NUMBER

S06 REV B

To whom concern

The following is my response to documents that are required by me for the legalisation of my property at St Marys, specifically 7409 Esk Main Rd St Marys

At this point in time I'm referring to the Document State Planning Provisions and addressing section 22.4.2

I'm addressing these in no particular order but will identify to which clause I'm addressing at each stage.

Firstly beginning with 22.4.2 A5 and then the associated clause of P5. In the overarching statement of 'must not cause an unreasonable loss of amenity to occupiers of adjoining properties I believe there is no detracting from landscape, value etc, and in fact my property design and the fencing erected for privacy and security from wild life and pests only adds to the value of both properties either side of my property.

The appearance of the building is in accordance with modern design values and its neutrality to the environment blends totally within it. From roadside it's inoffensive and again is mentioned neutral. The finish is modern, clean and neutral and does not cause interference or attention from those who drive past or who walk past. Further the exterior finish is once again neutral and matt and offers zero reflection or light pollution to passing traffic.

At this point I can say categorically that I have turned a total eye saw of property and land into something that contributes to the overall aesthetic value of St Marys and therefore Break of Day Region.

Referring to A4 the dwelling does not have any applicability to Sensitive Use. Rather the use of the property is for private use either for a family or



single dweller.

Addressing 22.4.3 it is clear that my property probably St Marys newest and best vehicular access which has been recently completed in accordance with Tas State Growth Requirements.

In terms of 22.4.2 A2 P2 can I offer the the fence line on the front fence is consistent with the original fence line, which was dysfunctional when I arrived at the property and overgrown with wild blackberries. It is equally consistent with all other fence lines on properties either side of my premise and on other properties that line Esk Main Road in the St Marys area. The Height of the front fence was designed to allow privacy and neutrality, referring here to my right for privacy on my own property alongside neutrality and avoidance of distraction for passing motorists. Indeed every component of the front of my property has been done in accordance with safety of road users, be they motorists or cyclists. The fence in fact offers protection for motorists might accidentally slip off the road, though it must be said it's in a straight flat section of the road and the immediate concern would be the Tas Roads culvert which to a great extent renders the likelihood of motorists in emergency confronting my fence, unlikely. When viewed from the road the fence is an attractive addition to the roadside landscape; non reflective, neutral and epitomising safety.

Returning to 22.4.2 P4 and Sensitive Use, I can say that no building on my property conflicts or interferes with either Rural and Agricultural use. Equally there is no conflict with any adjoining properties. The structure is modern, new, developed and reflects completion and harmony within the eco system of this part of the Esk Highway.

At this point in time I believe I have addressed the points that I've been requested to address, but with this said I'm entering a component of building that

I'm not hitherto experienced with so if there are omissions or indeed detail that is irrelevant then please direct me to a tighter fit with the document from the Tasmanian Planning Scheme.

Thus, I'm submitting this document for consideration in application for the legalisation of my property build at 7409 Esk Main Road St Marys,.

Amendment post Fri May 9

Addressing clause 222.4.2 Building height siting and exterior finish with reference Performance Criteria P3.

In addressing this component I forward the following. Initially all building meet the required minimum side and rear boundaries of 20 meters to south west and eastern aspect. The block in and of itself is less than 40 meters so it's impossible on the north boundary to have a premise 20 meters from the boundary, but with respect the neighbours the house meets all criteria.

The topography and this is outlined on all documentation that has been submitted is sloping north west to south east and the orientation of the site is predominately south to north at its widest and east to west on the narrow. The only adjacent building is the garage and it's set roughly 1.8 meters on the south edge of the main dwelling.

The height and build and form of the house is comprised in all documentation submitted from JMG Engineering.

The house has long been built and initially approved and there is no need for the removal of vegetation. In fact the property (land) is deplorable and was wild with the Tasmanian accredited weed of Gorse and through significant effort I've been able to control this, unlike the property on my north boundary, where Gorse both runs wild and is a significant fire risk.



The appearance of the property when viewed from the road is pleasing, modern, refreshing and when completed will be a positive addition to the environment of St Marys

My property development has single handedly raised the value of properties and land on this strip of Esk Highway. Looking at this point in another way the development on this property places the house as a new and stylish build in excess of other property values on this strip of the highway.

Referring now to 24.4.2 specifically Performance Criteria P5 I submit the following. There is no reflectance value that in anyway approaches anywhere near 40%

. As stated previously referring point a), the appearance of the dwelling is positive to highly positive when viewed either from the road, or from the rear of the adjoining properties and indeed from my own property. Going one stage further if I address the overarching preamble of P5, it simply adds to the landscape values and that there is no unreasonable loss of amenity to any property either adjoining or opposite. additionally unlike my neighbours house, there is no screening vegetation that inhibits any aspect of normal rural living in any property, again either adjoining or opposite. (Point b). Referring finally to point c), the nature of the exterior finish is modern, long lasting, safe in terms of fires, and unlike other materials will not age and show declining value, at least for 20 years. The colour scheme is an offset of red (clay) black, (bitumen roads) and green, for flora. The finish in no way, detracts from value, or demeans the view of the passing eye.

The final point for submission relates to the Scenic Protection Code, development within a scenic road corridor, specifically Performance Criteria P2 of Clause C8.6.2. related this I offer the following. The overarching sub clause of A2 states, Buildings or works within a scenic road corridor must not be

visible from the scenic road. Principally this is not a scenic road, rather a highway, and if it were to be assessed as a scenic road then every house along the esk highway would have to be removed. That said and if I can refer to P2 overarching preamble, then it is impossible that my premise can cause an unreasonable reduction of the scenic value of the road corridor. Elaborating, the topography of the site, bought for and commissioned as residential has not been changed from the original north west to south east sloping downwards elevation. As clearly stated there is no reflectance from the property. The design and location of the building have long been approved. There is no cut or fill to be undertaken and that any land work completed has been simply to make the property manageable from its previously unkempt and unmanageable state. Pursuant to point e) there will be no proposed screening. A fence has been built for security and privacy, in line with other highway located properties and payment has been issued for advertising of said fence, in accordance with BODC regulations. Discussing post f) and as said there is absolutely no negative impact from roadside, and in fact as a regular motorist for many years I'd simply say ''what an interesting build as I passed by'', eyes fixed to the road but simply noticing from the corner of my eye. I hardly believe anyone could have any other emotion than positive. Point g) relies on the element of this strip of the highway being part of a scenic protected area, which this part of the Esk Highway is far from. It's a functional highway that facilitates the movement of commerce. The very speed limits on this stretch of the highway which sit at 80kph without warning that you're entering a scenically protected area, preclude from my perspective the apportioning of this stretch of the highway as subject to further management objectives. I've now been here 5 years and nothing has changed or been amended.

I submit this document as a resubmit of my earlier document the difference now being that I have fulfilled the answers for every criterion.



Steve Blaque  
Stephen Terry