

DISCRETIONARY APPLICATION

For Public Display

Applicant:

J McShane

Location:

289 Rotherwood Road & CT 167018/1 Rotherwood Road, Lower Marshes

Proposal:

Reorganisation of Boundary

DA Number:

DA 2020 / 00095

Date Advertised:

15 December 2020

Date Representation Period Closes:

11 January 2021

Responsible Officer:

Louisa Brown (Planning Officer)

Viewing Documents:

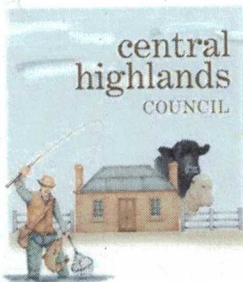
The relevant documents may be viewed at Council's website www.centralhighlands.tas.gov.au or at Council's Offices 19 Alexander Street, Bothwell & 6 Tarleton Street, Hamilton during normal office hours.

Representations to:

General Manager
19 Alexander Street
BOTHWELL TAS 7030

Email:

development@centralhighlands.tas.gov.au



Development & Environmental Services
19 Alexander Street
BOTHWELL TAS 7030

Phone (03) 6259 5503
Fax (03) 6259 5722

www.centralhighlands.tas.gov.au

For office use only:

Date Received:	
DA Number:	
PID:	

Application for Planning Approval – Subdivision & Strata Division

Use this form to apply for subdivision approval in accordance with section 81 of the Local Government (Building & Miscellaneous Provisions) Act 1993 and section 57 and 58 of the Land Use Planning and Approvals Act 1993 (the Act).

Tick ☒ if there has been a pre-application meeting with a Council officer:

Yes: ☐ No: ☐

Officer's name

Date:

Applicant, Owner & Contact Details:

Provide details of the Applicant and Owner of the land. (Please print)

Applicant: James M'Shane
Address: 749 Rotherwood Rd
Lower Marshes 7030
Email: jrumsbane@gmail.com

Phone No: 03 62544139
Fax: No:
Mobile: No: 0438 653052

Owner: M'Shane Rotherwood Pty Ltd
Address: 749 Rotherwood Rd, Lower Marshes

Phone No:
Fax: No:

Land Details:

Provide details of the land, including street address, title details and the existing use.

Address: 289 Rotherwood Rd
Lower Marshes

Volume: 167 018
Folio: 1

Existing Use: Grazing

Please use definitions in planning scheme

Proposed Development Details:

Provide details of the proposed subdivision development.

Development: We wish to do a boundary adjustment as I'm selling 63ha to my neighbour. Both blocks will continue under current use (grazing).

Tick ☒ if proposed developed is to be staged:

Yes ☐ No ☒

Tick ☒ Is the proposed development located on land previously used as a tip site?

Yes ☐ No ☒

Provide an estimate of the completed value of the proposed development works, including the value of all site works and any labour contributions by the Applicant or the Owner.

Est. value: \$ Nil Write 'Nil' if no works are proposed, e.g. boundary adjustment

Declaration:

I/we hereby apply for planning approval to carry out the subdivision development described in this application and the accompanying documents and declare that: -

- The information in this application is true and correct.
- In relation to this application, I/we agree to allow Council employees or consultants to enter the site in order to assess the application.
- I/we authorise Council to provide a copy of any documents relating to this application to any person for the purpose of assessment or public consultation and agree to arrange for the permission of the copyright owner of any part of this application to be obtained.

Council will only use the information provided to consider and determine the application for planning approval. Information provided may be made available for public inspection in accordance with section 57 of the Act.

- I/We declare that the Owner has been notified of the intention to make this application in accordance with section 52(1) of the Land Use Planning and Approvals Act 1993.

Applies where the applicant is not the Owner and the land is not Crown land or owned by a council, and is not land administered by the Crown or a council.

Signature:

The Applicant must sign and date this form.

Date: 19/11/2020

Refer to application checklist over page for additional information requirements

Supporting document for Boundary Adjustment Application.

We seek to adjust a boundary between two existing farming parcels of land. The owners are Sam Woodward (Volume 167017-1) and McShane Rotherwood Pty Ltd > J and T McShane Property Trust (Volume 167018-1).

A sale agreement has been signed by both parties and a deposit paid subject to the approval and completion of this boundary adjustment.

The land use on both titles are livestock grazing and small scale farming as are all adjoining properties except to the west where title 167018-1 shares a boundary with Crown land (The Ironpot Gully Reserve, Volume 22004-20).

There are no easements and the proposed sale area does not have any buildings, structures or public infrastructure on it. The title owned by Sam Woodward (V 167017-1) has a farm house and outbuildings, a bore and Tas Networks power poles.

The title owned by McShane Rotherwood Pty Ltd (V 167018-1) has private timber reserves, a road giving Parks and Wildlife access to the reserve (V22004-20), a bore (100m from proposed new boundary). This title (V 167018-1) also has Tas Networks power poles. It does not have any buildings on it.

Both titles have frontage to Rotherwood Road. Sam Woodward's Title (V 167017-1) has 493M of frontage and McShane Rotherwood's title (V 167018-1) has 2011M of frontage. After the boundary adjustment, 237M will be deducted from McShane Rotherwood and added to Sam Woodward's.

The new boundary will follow existing fencing infrastructure so there will be no earthworks or construction of new infrastructure.

SEARCH OF TORRENS TITLE

VOLUME 167017	FOLIO 1
EDITION 3	DATE OF ISSUE 01-May-2018

SEARCH DATE : 02-Dec-2020

SEARCH TIME : 05.53 PM

DESCRIPTION OF LAND

Parish of RUTLAND Land District of MONMOUTH

Lot 1 on Sealed Plan 167017

Derivation : Part of 1200 Acres Located to Thomas Bell

Prior CTs 154494/1 and 154495/1

SCHEDULE 1

M690379 TRANSFER to SAMUEL ERIC WOODWARD Registered
01-May-2018 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

SP167017 FENCING PROVISION in Schedule of Easements

SP167017 WATER SUPPLY RESTRICTION

SP167017 SEWERAGE AND/OR DRAINAGE RESTRICTION

SP154494 FENCING COVENANT in Schedule of Easements

SP154494 WATER SUPPLY RESTRICTION

SP154494 SEWERAGE AND/OR DRAINAGE RESTRICTION

B841391 Private Timber Reserve pursuant to section 15(1) of
the Forest Practices Act 1985 affecting part of the
land within described Registered 09-Oct-1995 at noon

E132610 MORTGAGE to Commonwealth Bank of Australia
Registered 01-May-2018 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OWNER Mcshane Rotherwood Pty Ltd; Prudence Louise Barr & Robert George Barr FOLIO REFERENCE C. T. 154495-1; C. T. 154494-1 GRANTEE Part of 1200 acres located to Thomas Bell; part of tot 56, 1000 acres, Thomas Bell pur.		PLAN OF SURVEY BY SURVEYOR S. Roberts of PDA SURVEYORS 127 BATHURST STREET, HOBART LOCATION Land District of MONMOUTH Parish of RUTLAND SCALE: 1:3000 LENGTHS IN METRES SURVEYORS REF: P636M-3		REGISTERED NUMBER SP167017 APPROVED 4 FEB 2014 EFFECTIVE FROM <i>Alice Kava</i> Recorder of Titles
MAPSHEET MUNICIPAL 105 CODE No. (5031)	LAST UPI No 1100469	LAST PLAN No. P154495 SP154494	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

Diagram details: The plan shows a large central parcel of 20.49ha (labeled '1'). To its north are parcels (P120100), (P132390), (P154495), and (P124 MON)LO. To its east is (SP154494). To its south are (D40401), (P167018), (SP146055), and (SP22004). Further south is (D52573). To the east of the central parcel is a road labeled 'ROTHERWOOD ROAD' with parcels (P115296) and (P160439) adjacent to it. The plan includes numerous bearings and distances for all boundaries, such as 82°07'40" 155.00, 176°06' 3.67, 128.57, 180°11'40", 125.32, 180°36'20", 659.95, 234°36'50", 25°55'30" 939.01, 25°00' 324.24, 100.48, 182°31'40", 52.32, 182°06'20", 11.35, 181°43', 19.68, 182°10', 62.81, 182°29'00", 176°06' 3.67, 128.57, 180°11'40", 125.32, 180°36'20", 659.95, 234°36'50", 25°55'30" 939.01, 25°00' 324.24, 100.48, 182°31'40", 52.32, 182°06'20", 11.35, 181°43', 19.68, 182°10', 62.81, 182°29'00". A north arrow is located in the upper left quadrant.

[Signature] 25/11/13
 COUNCIL DELEGATE DATE

CERTIFICATE OF TITLE

LAND TITLES ACT 1980



TASMANIA

TORRENS TITLE

VOLUME		FOLIO
167018		1
EDITION	DATE OF ISSUE	
1	04-Feb-2014	
Page 1		of 1

I certify that the person described in Schedule 1 is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries specified in Schedule 2 and to any additional entries in the Folio of the Register.

Alice Kawa

Recorder of Titles.



DESCRIPTION OF LAND

Parish of RUTLAND Land District of MONMOUTH
Lot 1 on Plan 167018
Being in part the land described in Conveyance No. 64/5287
Excepting thereout Lot 1, 20.49ha (SP167017)
Derivation : Part of 1200 Acres Located to Thomas Bell and
Part of Lot 56, 1000 Acres Thomas Bell pur.
Prior CTs 154495/1 and 154494/1

SCHEDULE 1

D54970 & D112082 TRANSFER to MCSHANE ROTHERWOOD PTY LTD

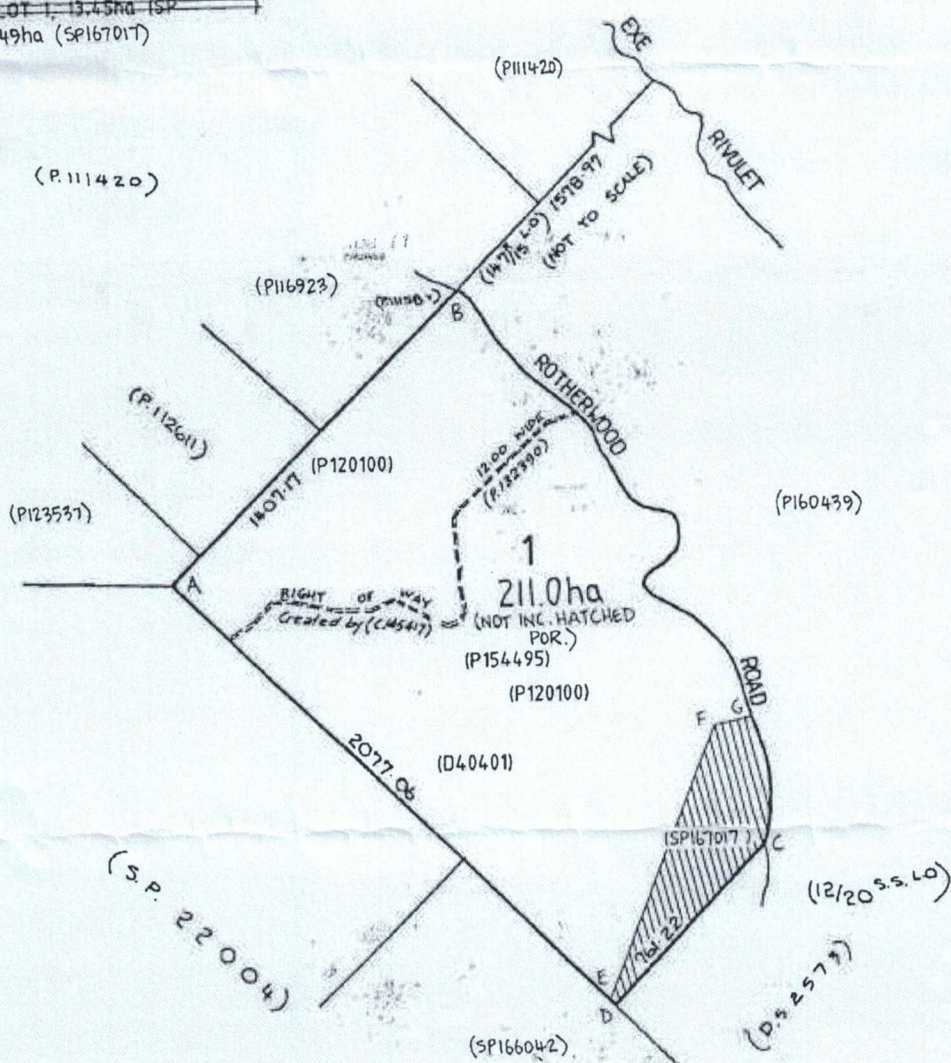
SCHEDULE 2

Reservations and conditions in the Crown Grant if any
C145417 BURDENING EASEMENT: Right of carriageway in favour of
the Crown over the Right of Way 12.00 wide on P167018
Registered 06-Apr-2000 at 12.06 PM
SP154494 FENCING COVENANT in Schedule of Easements
SP154494 WATER SUPPLY RESTRICTION
SP154494 SEWERAGE AND/OR DRAINAGE RESTRICTION
D87406 ADHESION ORDER under Section 110 of the Local
Government (Building and Miscellaneous Provisions)
Act 1993 Registered 04-Feb-2014 at 12.05 PM

OWNER AO D87406		PLAN OF TITLE LOCATION Land District of MONMOUTH Parish of RUTLAND CONVERTED BY FIRST SURVEY PLAN No. D40401 COMPILED BY LDRB		REGISTERED NUMBER P167018
FOLIO REFERENCE C. T. 154495-1 C. T. 154494-1		APPROVED 4 FEB 2014 EFFECTIVE FROM <i>Steve Latta</i> Recorder of Titles		
GRANTEE Part of 1200 acres located to Thomas Bell; part of lot 56, 1000 acres, Thomas Bell pur.		SCALE: NOT TO SCALE	LENGTHS IN METRES	SURVEYORS REF. P636M-3
MAPSHEET MUNICIPAL CODE No. (5031) 105	LAST UPI No 1100469	LAST PLAN No. SP154494	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

SKETCH BY WAY OF ILLUSTRATION ONLY AS RELATES TO THE LAND MARKED ABCD
EXCEPTED LANDS

~~LOT 1, 20.52ha (SP154494)~~
~~PART OF LOT 1, 13.45ha (SP154494)~~
 LOT 1, 20.49ha (SP167017)



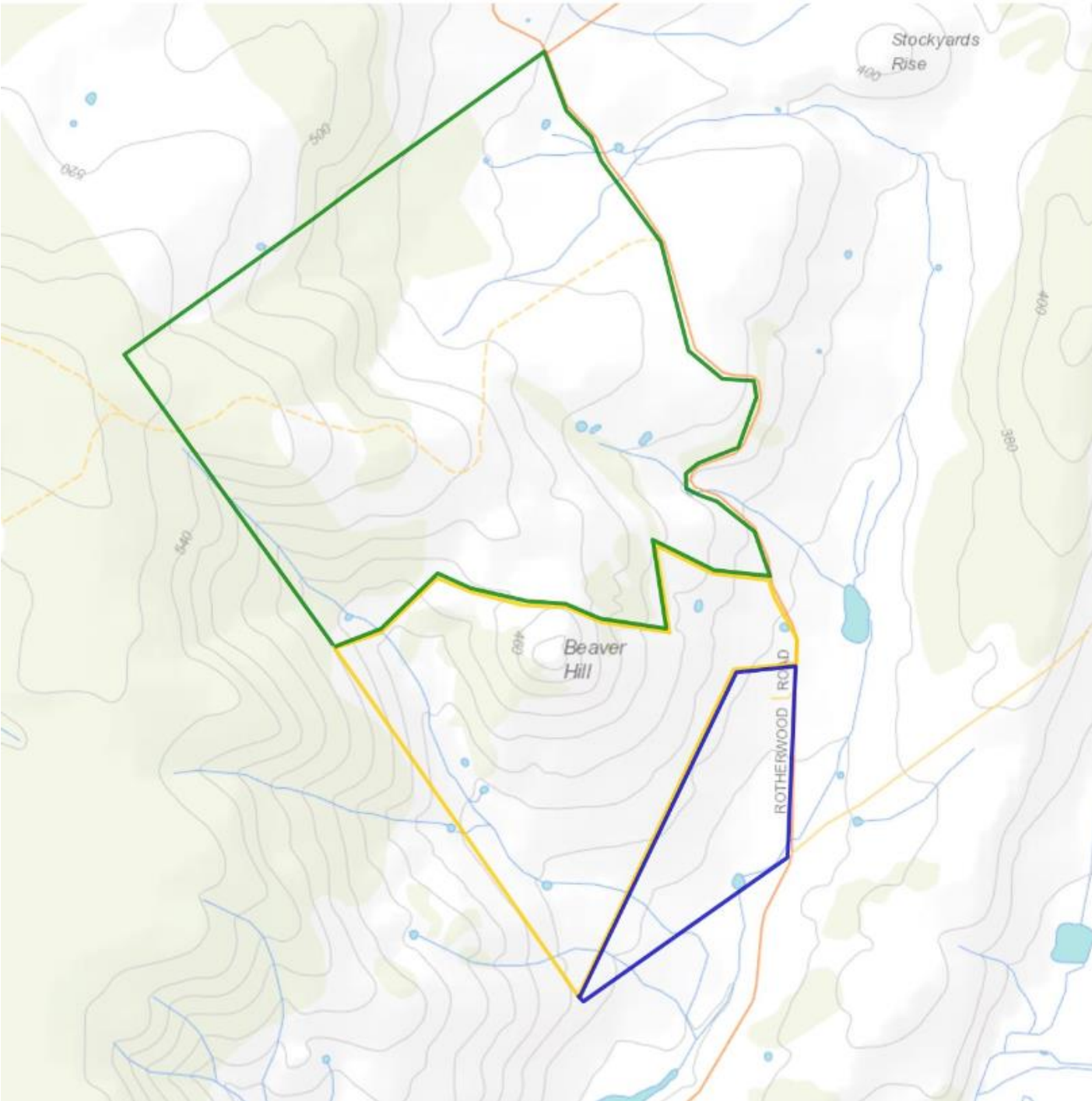
LAND MARKED EFGCD COMPILED FROM SP154494 & SP167017.



Remaining Title owned by McShane Rotherwood

Sale area to be added to Sam Woodward's title

Current title owned by Sam Woodward



Blue circles show water holes. No creeks or waterways

