

Prior to the commencement of the meeting, the Mayor will make the following declaration:

*“I acknowledge the Tasmanian Aboriginal Community as the traditional custodians of the land on which we meet today, and pay respect to elders, past and present”.*

The Mayor also to advise the Meeting and members of the public that Council Meetings, not including Closed Meeting, are audio-visually recorded and published to Council’s website.

**COUNCIL MEETING**  
**MONDAY 30 JULY 2018**

**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
1.	APOLOGIES .....	4
2.	CONFIRMATION OF MINUTES .....	4
3.	MAYOR’S COMMUNICATION.....	4
4.	COUNCIL WORKSHOPS.....	4
5.	DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE .....	5
6.	TABLING OF PETITIONS .....	6
7.	PUBLIC QUESTION TIME .....	7
7.1	PUBLIC QUESTIONS ON NOTICE .....	7
7.2	ANSWERS TO QUESTIONS ON NOTICE.....	8
7.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....	8
7.4	QUESTIONS WITHOUT NOTICE.....	8
8.	DEPUTATIONS BY MEMBERS OF THE PUBLIC.....	9
9.	MOTIONS ON NOTICE .....	10
9.1	NOTICE OF MOTION - ALD VON BERTOUCHE GENERAL MANAGER’S SIGNATURE AND WRITTEN PERMISSION TO THE MAKING OF HUNTER DEVELOPMENTS LAND USE PLANNING AND APPROVALS ACT 1993 (LUPAA) APPLICATION .....	10
10.	REPORTS FROM OUTSIDE BODIES .....	13
10.1	REPORTS FROM SINGLE AND JOINT AUTHORITIES.....	13
	• SOUTHERN TASMANIAN COUNCILS AUTHORITY	
	• COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY	
	• TASMANIAN WATER CORPORATION	
10.2	REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES ..	14
11.	REPORTS OF OFFICERS .....	40
11.1	WEEKLY BRIEFING REPORTS .....	40
11.2	DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS .....	41

**11.3 PLANNING AUTHORITY MATTERS**

- 11.3.1 DEVELOPMENT APPLICATION D-2018/58 - 2 ALLIANCE DRIVE, CAMBRIDGE - CHANGE OF USE TO DOMESTIC ANIMAL BREEDING, BOARDING OR TRAINING .....43
- 11.3.2 DEVELOPMENT APPLICATION D-2018/299 - 12 DILLON STREET, BELLERIVE – DWELLING ADDITION .....81
- 11.3.3 DEVELOPMENT APPLICATION D-2018/318 - 17 BLIGH STREET, ROSNY PARK (WITH ACCESS OVER 4 BAYFIELD STREET) - MIXED USE DEVELOPMENT INCLUDING MULTIPLE DWELLINGS AND BUILDING ALTERATIONS AND ADDITIONS .....93

**11.4 CUSTOMER SERVICE - NIL ITEMS****11.5 ASSET MANAGEMENT - NIL ITEMS****11.6 FINANCIAL MANAGEMENT - NIL ITEMS****11.7 GOVERNANCE**

- 11.7.1 PETITION – ALLEGED BARKING DOG .....170
- 11.7.2 AMENDMENTS TO THE CONSTITUTION FOR THE BICYCLE ADVISORY COMMITTEE .....173
- 11.7.3 ROSNY HILL DEVELOPMENT PUBLIC MEETING – SUMMARY REPORT .....193
- 11.7.4 APPOINTMENT OF AN ACTING DEPUTY MAYOR .....202
12. ALDERMEN’S QUESTION TIME.....205
- 12.1 QUESTIONS ON NOTICE .....205
- 12.2 ANSWERS TO QUESTIONS ON NOTICE .....205
- 12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....205
- 12.4 QUESTIONS WITHOUT NOTICE.....205
13. CLOSED MEETING.....206
- 13.1 APPLICATIONS FOR LEAVE OF ABSENCE
- 13.2 TENDER T1227-18 – ACTON CREEK DRAINAGE UPGRADE

**BUSINESS TO BE CONDUCTED AT THIS MEETING IS TO BE CONDUCTED IN THE ORDER IN WHICH IT IS SET OUT IN THIS AGENDA UNLESS THE COUNCIL BY ABSOLUTE MAJORITY DETERMINES OTHERWISE**

**COUNCIL MEETINGS, NOT INCLUDING CLOSED MEETING, ARE AUDIO-VISUALLY RECORDED AND PUBLISHED TO COUNCIL’S WEBSITE**

**1. APOLOGIES**

Ald Campbell (Leave of Absence)

**2. CONFIRMATION OF MINUTES**

(File No. 10/03/01)

**RECOMMENDATION:**

That the Minutes of the Council Meeting held on 9 July 2018, as circulated, be taken as read and confirmed.

**3. MAYOR'S COMMUNICATION****4. COUNCIL WORKSHOPS**

In addition to the Aldermen's Meeting Briefing (workshop) conducted on Friday immediately preceding the Council Meeting the following workshops were conducted by Council since its last ordinary Council Meeting:

<b>PURPOSE</b>	<b>DATE</b>
Presentation – Welcoming Cities	
LGAT – Motions for General Meeting	
Public Meeting – Rosny Hill – Process	
Amendment to Local Government (General) Regulations	16 July
Asset Management Plans	
Bayview High School Memorandum of Understanding	
Cambridge Primary School Master Plan	
Southern Tasmanian Councils Authority Briefing	23 July

**RECOMMENDATION:**

That Council notes the workshops conducted.



<b>5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE</b> (File No)
---

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council's adopted Code of Conduct, the Mayor requests Aldermen to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary benefits or pecuniary detriment) or conflict of interest in any item on the Agenda.

**6. TABLING OF PETITIONS**

(File No. 10/03/12)

(Petitions received by Aldermen may be tabled at the next ordinary Meeting of the Council or forwarded to the General Manager within seven (7) days after receiving the petition.

Petitions are not to be tabled if they do not comply with Section 57(2) of the Local Government Act, or are defamatory, or the proposed actions are unlawful.

The General Manager will table the following petition which complies with the Act requirements:

- Received from 12 signatories requesting Council to take action to resolve the excessive barking of a dog at 164 Carella Street as per the Dog Control Act 2000”.

**7. PUBLIC QUESTION TIME**

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request an Alderman or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

**7.1 PUBLIC QUESTIONS ON NOTICE**

(Seven days before an ordinary Meeting, a member of the public may give written notice to the General Manager of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

Questions on notice and their answers will be included in the minutes.

Ms Denise Hoggan of Rosny has given notice of the following question:

**PLANNING SCHEME**

Given that the Clarence Interim planning Scheme 2015 is drawn from Planning Directive Number 1 (PD1), effective 18 June 2014 please identify the specific text in PD1 that mandates that Council must adopt the entire definition and examples of visitor Accommodation in PD1, rather than transferring the existing examples from Council's 2007 Planning Scheme.

Ms Sachie Yasuda of Lindisfarne has given notice of the following questions:

**ALDERMEN ADVERTISING IN RATES NOTICES**

With our rates notices we receive a brochure with comments from individual Aldermen on the back, are Aldermen paying for this obvious political advertising at ratepayer's expense?

**COUNCIL COMMUNICATIONS**

When will Council join the 21<sup>st</sup> century and have proper online forms submission, it's ridiculous to have to print out a form, fill it in by hand, scan it and post/email it in?

Mr WJ Hodgman of Rosny has given notice of the following question:

**TOURIST DEVELOPMENT ROSNY HILL**

To confirm the validity of a Development Application for a tourist development on Rosny Hill, has the application fee been paid?

/ contd on Page 8

**PUBLIC QUESTIONS ON NOTICE /contd...**

Mr John Counsell of Rosny has given notice of the following question:

**TOURIST DEVELOPMENT ROSNY HILL**

If, or when a Development Application for the proposed large tourism complex within the Rosny Hill nature recreation area is advertised for public comment, will the boundary of the proposed sub lease be shown on the plans released for public viewing?

Mr Peter Edwards of Rosny has given notice of the following question:

**TOURIST DEVELOPMENT ROSNY HILL**

Clarence Council has driven its own agenda for Rosny Hill reserve for several years without adequate community consultation. The proposed tourism development has illustrated a “failure to communicate” by Council. Criticism is constantly mounting over this failure. Any continuation will not only cost Council significant money, time and resources, funded by ratepayers, but build the resentment felt by the community and electors towards this non-consultative Council. Therefore, why won’t Council and the State Government move to stop the development?

**7.2 ANSWERS TO QUESTIONS ON NOTICE**

The Mayor may address Questions on Notice submitted by members of the public.

Nil.

**7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil.

**7.4 QUESTIONS WITHOUT NOTICE**

The Chairperson may invite members of the public present to ask questions without notice.

Questions are to relate to the activities of the Council. Questions without notice will be dependent on available time at the meeting.

Council Policy provides that the Chairperson may refuse to allow a question on notice to be listed or refuse to respond to a question put at a meeting without notice that relates to any item listed on the agenda for the Council meeting (note: this ground for refusal is in order to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Council Meeting Agenda.

When dealing with Questions without Notice that require research and a more detailed response the Chairman may require that the question be put on notice and in writing. Wherever possible, answers will be provided at the next ordinary Council Meeting.

**8. DEPUTATIONS BY MEMBERS OF THE PUBLIC**

(File No 10/03/04)

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

**9. MOTIONS ON NOTICE****9.1 NOTICE OF MOTION - ALD VON BERTOUCHE  
GENERAL MANAGER'S SIGNATURE AND WRITTEN PERMISSION TO THE  
MAKING OF HUNTER DEVELOPMENTS LAND USE PLANNING AND  
APPROVALS ACT 1993 (LUPAA) APPLICATION**

(File No 10-03-05)

In accordance with Notice given Ald von Bertouch intends to move the following Motion:

“That the General Manager writes to the Minister for Parks, the Honourable Will Hodgman, seeking an urgent decision from the Crown as to whether the Hunter Developments proposal meets in principle the various statutory provisions detailed in Clause 4.3.5 of the *Rosny Hill Nature Recreation Area Management Strategy August 2011*, and the ‘permitted purpose’ as defined in the *Crown Lease - Rosny Hill Nature Recreation Area*.

That the General Manager takes this action to assist himself in making an informed and reasonable decision as to whether or not he signs the application and provides written permission to the making of the Hunter Developments application, in accordance with Section 52 (1B) of the *Land Use Planning and Approvals Act 1993*. The General Manager’s decision must be based on Council’s obligations as managing authority, the covenants that apply to Council as the lessee of the land, and consideration of the purpose to which the land was reserved”.

**EXPLANATORY NOTES**

- At present Council and the State Department of Primary Industries, Parks, Water and Environment have received conflicting advice as to whether the Minister for Parks, The Honourable Will Hodgman, or his delegate, is required to sign the Hunter Developments application and provide written permission to the making of the application.
- The General Manager Parks and Wildlife Service, in a letter dated 21 June 2018 to Council’s General Manager, has advised the appropriate person to provide landowner consent is Council’s General Manager, due to Council being the Managing Authority for the area on which the development is proposed.
- The letter also notes that the proposed development’s consistency with the existing lease and the purposes for which the Rosny Hill Nature Recreation Area was reserved will be considered by the General Manager Parks and Wildlife Service following the assessment of the development application and the terms of any planning permit that may be issued.

- Regardless of whether or not the Minister signs the application and gives written permission to the making of the application, he, or his delegate, should make an in principle decision before, rather than after, the LUPAA process is undertaken, as to whether the type of development currently proposed meets certain statutory requirements.
- The Minister's advice should consider the proposal's consistency with the various statutory provisions detailed in Clause 4.3.5 of the *Rosny Hill Nature Recreation Area Management Strategy 2011* (Attachment A), and the 'permitted purpose' as defined in the 2013 *Crown Lease - Rosny Hill Nature Recreation Area* (Attachment B), and any further matters that the Minister believes may affect the Council's General Manager's decision to sign the application and provide written permission to the making of the application.
- Whilst a Management Strategy was endorsed by Council in 2011, there is no statutory Management Plan for the land in question, and therefore, in accordance with section 30(1)(b) of the *National Parks and Reserves Management Act 2002*, the managing authority is to manage that land:
  - “(i) *in a manner that is consistent with the purposes for which the land was reserved; and*
  - (ii) *having regard to the management objectives for the class of that reserved land*”.
- It is up to the State Government, not Council, to make an assessment and decision as to whether the current proposal is a type of development that meets the above requirements.
- The Minister's advice is a key component of the General Manager's decision as to whether or not to sign the development application and provide written permission to the making of the application. The Crown's position will not determine the General Manager's decision, but is one of a number of relevant considerations that must be taken into account.

Attachments: 1. Extracts (1)

S von Bertouch  
**ALDERMAN**

***GENERAL MANAGER'S COMMENTS***

*It is appropriate to seek resolution of these issues prior to consideration of whether or not to grant permission to the lodgement of the DA.*

## ATTACHMENT A

### Clause 4.3.5 of the Rosny Hill Nature Recreation Area Management Strategy 2011

Any proposal for the development would need to:

....

meet all other statutory provisions including *State Coastal Policy*, *Nature Conservation Act 2002*, *National Parks and Reserves Act 2002*, *Tasmanian Threatened Species Protection Act 1995*, *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999* and *Aboriginal Relics Act 1975*;

....

## ATTACHMENT B

### 2013 Crown Lease – Rosny Hill Nature Recreation Area

#### 1.1 Definitions

**“Permitted Purpose”** means the use of the Land as managing authority under the Act for the purposes of managing and developing the Land as:

- (a) a nature recreation area in accordance with the *National Parks and Reserves Management Act 2002* and having regard to the management objectives for the nature recreation area;
- (b) in a manner consistent with the purposes for which it was reserved, namely for public recreation and education purposes consistent with the conserving the natural and cultural values of the Land; and
- (c) all reasonably necessary ancillary purposes;



**10. REPORTS FROM OUTSIDE BODIES**

This agenda item is listed to facilitate the receipt of both informal and formal reporting from various outside bodies upon which Council has a representative involvement.

**10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES**

Provision is made for reports from Single and Joint Authorities if required

Council is a participant in the following Single and Joint Authorities. These Authorities are required to provide quarterly reports to participating Councils, and these will be listed under this segment as and when received.

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**  
Representative: Ald Doug Chipman, Mayor or nominee

**Quarterly Reports**

June Quarterly Report pending.

**Representative Reporting**

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**  
Representatives: Ald Jock Campbell  
(Ald James Walker, Deputy Representative)

**Quarterly Reports**

June Quarterly Report pending.

**Representative Reporting**

- **TASWATER CORPORATION**

## 10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

### AUDIT PANEL

(File No 07/02/12)

#### Chairperson's Report 50 – June 2018

The Audit Panel convened on 19 June 2018. A copy of the draft Minutes of the Meeting is attached.

The Audit Panel commenced its proceedings with an in-camera discussion which concluded at 4.18pm. This discussion did not include Council officers or other parties. The meeting then resumed in accordance with the agenda.

The Corporate Treasurer provided an overview of the new IT system and *Go Live 2* which is scheduled for 19 February 2019.

The internal audit programme was discussed and included updates on recent audits:

- **Project 51** - Workforce Planning. A service provider has been identified and the work has already commenced on the development of an Organisational Development plan.
- **Project 52** - Identity Security and Information Protection Management Systems and **Project 54** - Council's actions in response to Climate Change were identified as being potentially resource-intensive and it was considered that a review should be undertaken of all items appearing on the Management Action Plan to determine whether or not Council has the capacity to remediate the identified issues. The outcome of this review will be available at the next Audit Panel meeting.
- **Project 53** - Risks associated with Council's Community Engagement. A draft report has been provided to Council and a meeting has been arranged to discuss the scope and outcomes prior to presenting the findings to the Audit Panel.
- **Project 49** - Management of Strategic Risks. Since the endorsement of the Risk Management Framework Policy by Council in April 2018, a Risk Management Implementation Plan has been completed and approved by the Audit Panel. It is recommended to Council for formal adoption so that implementation can commence as soon as practicable.

An internal review of the Asset Management Plans has been completed and includes: an overarching Asset Management Strategy; and separate Asset Management Plans for Roads and Transport; Storm water; Building; and Public Open Spaces. Management has been requested to provide executive summaries for consideration at the next Audit Panel meeting, to complete the Asset Management Plans package.

The Annual Audit Plan for 2018/2019 was discussed. A comprehensive list of topics is to be developed and provided to the next Audit Panel for consideration in conjunction with the findings of the review of Council capacity in connection with outstanding action items in the Management Action Plan.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

Attachments: 1. Minutes of Audit Panel Meeting 19 June 2018 (9)

John Mazengarb  
**CHAIRPERSON**

**MINUTES OF A MEETING OF THE CLARENCE COUNCIL AUDIT PANEL  
TO BE HELD IN THE COMMITTEE ROOM AT 4.00PM, AT THE COUNCIL  
OFFICES, BLIGH STREET, ROSNY PARK ON TUESDAY, 19 JUNE 2018**

**HOURLY CALLED:** 4.00pm

**PRESENT:** The Meeting commenced at 4.03pm with Mr J Mazengarb in the Chair and Panel Members:  
Mr Richard Easter;  
Mr R Bevan;  
Ald H Chong; and  
Ald P Cusick present.

**IN ATTENDANCE:** Manager Corporate Support | Legal Counsel  
(Mr I Nelson)  
  
Corporate Treasurer  
(Mr F Barta)  
  
Risk Management Coordinator  
(Mr J Ayliffe)  
  
Manager Financial Operations  
(Ms M Coleman)

**APOLOGIES:** General Manager  
(Mr A Paul)  
  
Deputy Auditor General  
(Mr R De Santi)  
  
Principal/Manager Financial Audit, Tasmanian Audit Office  
(Mr A Eiszele)

**ORDER OF BUSINESS:** Items 1 - 13

**IN-CAMERA DISCUSSION** The Audit Panel commenced its proceedings with an in-camera discussion. This discussion did not include Council staff or other parties. The in-camera discussion concluded at 4.18pm, at which time the meeting resumed in accordance with the agenda.

**TABLE OF CONTENTS**

<b>ITEM</b>	<b>SUBJECT</b>	<b>PAGE</b>
1.	ATTENDANCE AND APOLOGIES.....	2
2.	CONFIRMATION OF MINUTES .....	2
3.	DECLARATION OF CONFLICTS OF INTEREST/PECUNARY INTERESTS .....	2
4.	UPDATE ON ANNUAL AUDIT PLAN FOR 2017- 2018.....	3
5.	UPDATE ON PROJECT 35 - EFFECTIVENESS OF COUNCIL’S IT SOLUTIONS .....	4
6.	RISK MANAGEMENT POLICY IMPLEMENTATION PLAN .....	4
7.	CONSIDERATION OF ANNUAL AUDIT PLAN FOR 2018- 2019 .....	5
8.	MANAGEMENT ACTION PLAN .....	5
9.	UPDATE ON PROGRESS OF ASSET MANAGEMENT PLANS REVIEW.....	6
10.	SIGNIFICANT INSURANCE/LEGAL CLAIMS .....	6
11.	ANY FURTHER BUSINESS .....	7
12.	TIME, DATE, PLACE OF NEXT MEETING .....	7
13.	CLOSE .....	8

## MINUTES

### 1. ATTENDANCE AND APOLOGIES

Refer to cover page.

### 2. CONFIRMATION OF MINUTES

The Minutes of the Meeting of the Audit Panel dated 20 March 2018 have been circulated to Panel Members.

#### RECOMMENDATION:

That the Minutes of the Meeting of the Audit Panel dated 20 March 2018, as circulated, be confirmed.

**Decision:** **MOVED** Richard Bevan **SECONDED** Ald Chong

“That the Minutes of the Meeting of the Audit Panel dated 20 March 2018, as circulated, be confirmed”.

**CARRIED**

### 3. DECLARATION OF CONFLICTS OF INTEREST/PECUNARY INTERESTS

Pursuant to the provisions of sections 48 and 48A of the *Local Government Act 1993* (Tas), Audit Panel Members are invited, where applicable, to declare interest in any matter listed on the Agenda, nominating the specific Item(s) in which the member declares interest.

There were no new declarations

#### **4. UPDATE ON ANNUAL AUDIT PLAN FOR 2017- 2018**

The following Projects make up the 2017/2018 Annual Audit Plan programme and have been formally adopted by Council. The current status of each project is as follows.

##### **Project 51: Workforce Planning**

The proposal from Searson Buck was not accepted. Subsequently Council entered into discussions with AIM and Swinburne University (Swinburne Professionals) and signed off on an agreement last week (week ending 1 June 2018) for them to support the development of an Organisational Development ('OD') plan for Council. The OD plan will incorporate an element of workforce planning as specified in the scope of Project 51. The scope provides for Swinburne Professionals to support development of a project management plan and the broad architecture for the plan components. The practical execution and delivery will be an in-house responsibility.

The OD Project will commence during June 2018. Noting the primary resource commitment within HR remains the continued rollout and implementation of OneCouncil, the OD Project will be progressed as time and resources permit.

##### **Project 52: Identity Security and Information Protection Management Systems**

Crowe Horwath Australasia presented their report to the Audit Panel on 20 March 2018. A prioritised action plan has been developed and was attached for consideration by the Audit Panel.

##### **Project 53: Risks Associated with Council's Community Engagement**

Excellent Outcomes, Launceston were appointed to undertake this project and provide a report. A draft report has been presented to Council and management has convened a working group to review the report and provide management comments prior to presentation to the Audit Panel by the principal of Excellent Outcomes in September 2018.

##### **Project 54: Council's Actions and Response to Climate Change**

The audit project outline provided by Donovan Burton of Climate Planning was endorsed by the Panel at its last Meeting. The Climate Change Officer provided a prioritised action plan).

#### **RECOMMENDATION:**

- A. That the update for Project 51 (Workforce Planning) be noted.
- B. That the agreed Management Action Plan for Project 52 [Identity Security and Information Protection Management Systems (otherwise known as Information Security and Privacy)] be endorsed.
- C. That the update to Project 53 (Risks Associated with Council's Community Engagement) be noted and is to be the subject of Audit Panel review in September 2018.

- D. That the prioritised action plan for Project 54 (Council's Actions and Response to Climate Change) be noted.

**Decision:** It was **RESOLVED**

“That the Recommendations be noted, including that ‘B’ and ‘D’ will be subject to discussion further in the Agenda”.

## **5. UPDATE ON PROJECT 35 - EFFECTIVENESS OF COUNCIL'S IT SOLUTIONS**

### **Review of IT Implementation Review**

The Corporate Treasurer and General Manager provided a verbal update to the Audit Panel.

#### **RECOMMENDATION:**

That the update advice be noted.

**Decision:** It was **RESOLVED**

“That the update advice be noted”.

## **6. RISK MANAGEMENT POLICY IMPLEMENTATION PLAN**

At the last meeting, the Risk Management Framework Policy was endorsed by the Audit Panel and subsequently endorsed by Council in April 2018. The Risk Management Policy Implementation Plan (RMPIP) is a companion document to the Risk Management Framework Policy. The RMPIP provides detailed policy and procedural guidance for the management of risk and is designed to assist all workers to integrate risk management in their day-to-day work activities. The plan comprises two sections: Section 1 – *Policy*, and Section 2 – *Process and Procedure*, and contains a time-line for implementation.

The wider intent of this policy and procedure is that it will facilitate an orderly transition from the current ‘Integrating’ risk level to an ‘Effective’ level of the risk maturity model as recommended in the findings of Project 49 *Management of Strategic Risks*.

A copy of the RMPIP was attached.

#### **RECOMMENDATION:**

That the Risk Management Policy Implementation Plan be endorsed.

**Decision:** It was **RESOLVED**

“That the Risk Management Policy Implementation Plan be endorsed”.



## **7. CONSIDERATION OF ANNUAL AUDIT PLAN FOR 2018- 2019**

This item is listed to allow for early consideration and commencement of next year's Audit Programme.

### **Funding Consideration**

It is important to note that payment of the WLF invoice for Project 49 - Management of Strategic Risk, (2016-2017 FY) occurred in the current year and the delay in Project 51 – Workforce Planning has resulted in an underspend of the budget for external audits. This will need to be considered when considering the audit programme for 2018/19, as some of the proposed audits may come at a higher than expected cost.

The following are suggested audit projects for 2018-2019:

1. Workforce Planning (brought forward from 2017-2018)
2. Depot Operations
3. Corporate treasury and investment management
4. Procurement and tendering

The Panel may wish to conduct a workshop to determine the scope of the above projects or may wish to consider other projects.

### **RECOMMENDATION:**

A matter for the Panel to determine.

**Decision:** It was **RESOLVED**

“The Audit Panel will revisit this matter, which can be considered out of session and confirmed via an out of session scoping document before the next meeting”.

## **8. MANAGEMENT ACTION PLAN**

An updated Management Action Plan was provided.

### **RECOMMENDATION:**

That the updated Management Action Plan be noted.

**Decision:** It was **RESOLVED**

“That the updated Management Action Plan be noted”.

## **9. UPDATE ON PROGRESS OF ASSET MANAGEMENT PLANS REVIEW**

At the September 2017 meeting, the Panel discussed and provided input in respect to Council asset management plans.

Consideration has been given to the issues raised by the Audit Panel at its March 2018 meeting and subsequently amendments have been incorporated in the various draft Asset Management Plans. The table, which was attached, provided a summary of the issues raised by the Audit Panel at its March 2018 meeting, together with an outline of the how each matter has been treated.

The Asset Management Strategy together with the Roads and Transport; Stormwater; Building, and Public Open Space Asset Management Plans were submitted as a complete package for consideration by the Panel.

### **RECOMMENDATION:**

That the Asset Management Strategy and the following Asset Management Plans be noted:

- (i) Asset Management Strategy;
- (ii) Asset Management Plan – Roads and Transport;
- (iii) Asset Management Plan – Stormwater;
- (iv) Asset Management Plan – Building;
- (v) Asset Management Plan – Public Open Spaces.

**Decision:** It was **RESOLVED**

“That the Recommendation be noted. The Asset Management Plans are to also include an Executive Summary”.

## **10. SIGNIFICANT INSURANCE/LEGAL CLAIMS**

There have been no new major claim notifications since the last report to the Committee. A copy of the schedule of outstanding matters was attached.

Of the 105 recorded incidents of rain water damage related to the 10/11 May 2018 floods, there are approximately 15 possible claims noted by Council with the following highly likely to realise as claims:

- (i) 111 Blessington Street, South Arm
- (ii) 7 Esplanade, Seven Mile Beach
- (iii) 39 Emmaline Court, Rokeby
- (iv) 13 Spinnaker Crescent, Tranmere

Council continues to monitor the situation following the May 2018 flood event.

**RECOMMENDATION:**

That the advice regarding significant insurance/legal claims be noted.

**Decision:** It was **RESOLVED**

“That the Recommendation be noted”.

**11. ANY FURTHER BUSINESS**

Mr Ian Nelson left the Meeting at this stage, due to a conflict of interest (Mr Nelson is Secretary of the Copping Refuse Disposal Site Joint Authority).

An update was provided on the Copping Refuse Disposal Site Joint Authority Financial Statements issue with the Auditor General.

Mr Nelson returned to the meeting at the conclusion of the above discussion.

The Audit Panel also noted its appreciation to Council’s Corporate Treasurer, Mr Frank Barta, for his service and support to the Panel over many years.

**12. TIME, DATE, PLACE OF NEXT MEETING**

It is practice for the schedule to be updated by the Panel each meeting on a rolling basis to maintain an advanced schedule of meetings.

The updated Forward Work Plan for the Audit Panel was attached.

**Draft Meeting Schedule – 2018 - 2019**

<b>Mtg cycle</b>	<b>Business Items are listed as per Work Plan</b>	<b>Scheduled time of year - Qtr</b>	<b>Proposed Mtg Date</b>
1.	<ul style="list-style-type: none"><li>Electronic sign off of Annual Financial Statements 2017/18</li></ul>	August	7 August 2018 (by email exchange)
2.	<ul style="list-style-type: none"><li>Annual Audit Outcomes</li></ul>	Aug / Sept May require 2 meeting times to deal with these matters and subject to Auditor General availability	Tuesday, 25 September 2018 (4.00pm)
3.	<ul style="list-style-type: none"><li>Endorsement of Audit Project scopes</li></ul>	Nov / Dec	Tuesday, 27 November 2018 (4.00pm)

4.	<ul style="list-style-type: none"><li>• Consideration of Audit Project reports</li><li>• A/General Briefing on External Audit</li></ul>	Feb / Mar	Tuesday 19 March 2019
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**Note 1:** The above schedule has been based on the past practice of the Panel and recent consultation on suitability of meeting dates; however, ongoing meetings of the Audit Panel are open to the Panel taking into consideration its obligations.

**Note 2:** The **Work Plan** is distributed with the agenda. The above meeting schedule will be modified to take into account the adopted Audit Panel Work Plan.

The forward schedule has been updated to include suggested dates for 2018 calendar year. Once considered by the Panel these will be updated in Panel members' diaries. Please indicate any conflict between the schedule and Panel member's commitments.

#### **RECOMMENDATION:**

That the Panel confirm the proposed forward schedule of Audit Panel meetings.

**Decision:** It was **RESOLVED**

“That the proposed forward schedule of Audit Panel meetings be confirmed”.

#### **13. CLOSE**

The Meeting closed at 6.00pm.

**BICYCLE STEERING COMMITTEE – QUARTERLY REPORT**

(File No 04-03-02)

**Chairperson's Report – Alderman S von Bertouch**

Report to Council for the 3 month period 1 April 2018 to 30 June 2018.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's prime objectives are to:

- advise Council on the identification, development and maintenance of cycling routes and infrastructure along roads and other easements throughout the City;
- facilitate and provide guidance for the implementation of Council's adopted Bicycle Strategy;
- be actively involved in providing design advice relating to cycling infrastructure projects undertaken by Council;
- be actively involved in providing advice to Cycling South on matters relating to regional cycling infrastructure; and
- promote information sharing of cycling related matters affecting the City.

In working towards these goals the Committee arranged and implemented a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECTS****Silwood Avenue track upgrade, Howrah**

The Aboriginal Heritage Assessment has been completed and a Permit to Conceal has been issued by Aboriginal Heritage Tasmania. The design can now progress.

**Clarence Foreshore Trail – Marana Ave (Tasman Bridge) to Montagu Bay Park, Montagu Bay**

Construction of the first stage, from the area under the Tasman Bridge, through the ex-SES site and around the Primary School Oval is approaching completion. Design and completion of the next stage is dependent on progress by the Department of Education of the Primary School Masterplan. Officers will continue to liaise with the Department.

**Clarence Foreshore Trail – Simmons Park to Anzac Park, Lindisfarne**

Preliminary design is complete for Stage 1, Simmons Park to Hume Street/Ford Parade. Detail design and stakeholder consultation is progressing. Funding committed for Stage 1 is \$230,000. Council has further committed \$150,000 as part of this year's capital works program for the next stage. The estimated cost for the full project, to Anzac Park, is approximately \$700,000.

**3. RECURRENT INITIATIVES**

Nil.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS****Clarence Street**

Council decided to adopt "Option 1" as its preferred option at its Meeting held 3 July 2017. Plans are being designed for the entire length. While the section between Howrah Road to Wentworth Street was adopted by Council as being Stage 1, Officers are considering the benefits of revising this from Wentworth Street to Beach Street to meet the coming need for road reseal along this section. The Committee has provided comment on the design of the proposed improvements to the Clarence Street/Howrah Road intersection.

**Tasman Highway – Extension from Tasman Bridge to Montagu Bay Road**

Council has been successful in receiving funding of \$70,000 under the Vulnerable Road User Program for this project. With Council's contribution of \$50,000 the total funding available is \$120,000. Negotiations are ongoing with the Department of State Growth (DSG) on the maintenance responsibility for the area between the southern property boundary and the edge of the Tasman Highway. At issue, is DSG's insistence on the application of the Roads and Jetties Act, in relation to Council being responsible for maintaining the State Government road reserve, if a path is constructed.

**Tasman Highway – Tasman Bridge to Mornington**

Cycling South was successful in being awarded funding of \$25,000 for the feasibility and concept design for a multi-user pathway along the Tasman Highway road reservation. Sugden and Gee have prepared a draft report, which also considers a safe walking and cycling crossing at the Mornington Roundabout. The report is being reviewed by Council officers.

**Howrah and Tranmere Roads – Investigation of Bike Infrastructure**

The consultant's report is complete. Staff are working through the list of recommended outcomes.

**Richmond Road Sealed Shoulders Project**

The Committee is concerned at the proposed use of 14/7mm twin coat seal for surfacing of the road shoulder. Representatives from Cycling South and Bicycle Tasmania met with the Minister for Infrastructure to raise concerns about the proposed surface quality and texture. The Minister has asked the Department of State Growth to investigate and provide a response.

**Kangaroo Bay Development**

When the marine slipway is open, it becomes a challenge for cyclists to make their way along Cambridge Road, through the village, and back onto the foreshore path. The Committee has also considered issues relating to the Bellerive Yacht Club development. At its Meeting of 28 May 2018, Council selected "Option 3", which is to retain a ramp from Clarence Street to the Bellerive Yacht Club carpark.

**5. GOVERNANCE MATTERS.****Committee Meeting**

The Committee held 2 meetings during the quarter; on 9 April and 4 June 2018.

It is noted at previous meetings support was provided for the proposed changes to the Committee's Constitution.

**6. EXTERNAL LIAISON**

Liaison with the Department of State Growth (DSG) on the sealing of road shoulders on Richmond Road.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

Attachments: Nil.

Alderman S von Bertouch  
**CHAIRPERSON**



**TRACKS AND TRAILS ADVISORY COMMITTEE**

(File No 07-06-09)

**Chairperson's Report – Alderman R James**

Report to Council for the 3 month period for 1 April 2018 to 30 June 2018.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's prime objectives are to:

- provide advice and make recommendations, including policy, to assist Council in the development of tracks and trails in the City;
- assist in the development and periodic review of Council's Tracks and Trails Strategy;
- develop and maintain a Tracks and Trails Register which captures all existing and possible future trail and track networks (including multi-user pathways) in Clarence;
- develop and review (on a rolling basis) the Tracks and Trails Action Plan for endorsement by Council that articulates the development initiatives prioritised and proposed to be conducted over a 5 year programme, which recognises the access and needs of all users eg: walkers, horse riders, mountain bikers, etc;
- monitor progress and work to address the actions of the plan according to their level of priority;
- as part of internal referral process to provide input and advice on the provision and requirements for trail networks and the provision of trail linkages as part of new subdivisions.

In working towards these goals, the Committee undertook a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECT****Clarence Mountain Bike Park – Skills Park Stage 2**

The Skills Park has been completed as part of the Stage 2 construction projects funded under the Cycle Tourism Grant. Concept designs for a new carpark, signage and shelter with seating have been drafted.

**Brinktop Hill Track at Richmond**

A long unsurfaced section of the Brinktop track has been gravelled.

**Clarence Foreshore Trail in Tranmere – Gully to Starboard Road**

A new track is being constructed from the Gully at 939 Oceana Drive to Starboard Road.

**Risdon Vale Bike Park** – Following consultation with the Risdon Vale Bike Collective, work has started on substantial upgrading of the Risdon Vale Bike Park based on agreed design.

**3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES****Tangara Trail Post and Rail Fencing at Entry Points**

This ongoing program has resulted in additional post and rail fencing being constructed at entry points on the Tangara Trail in the Acton Region.

**Track Maintenance**

Following the torrential downpour in May, which caused significant track erosion; reinstatement work was carried out at Pilchers Hill circuit track, Blessington coastal track, Thoona Reserve track and Natone Hill Track. Additionally, sight lines for horse and bike riders have been improved along the Mortimer Bay coastal track.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS****Ralphs Bay Coastal Track**

Quotes have been received and a Permit to Conceal Aboriginal middens is currently being reconsidered following provision of further information requested by the Aboriginal Heritage Council.

**Blessington Track to Fort Direction Road**

A track alignment has been identified at Fort Direction. The Defence Force has approved a 10 year licence agreement with Council for a track to link the foreshore to Fort Direction Road and Potters Hill Reserve.

**5. GOVERNANCE MATTERS.**

**Committee Meetings**

Committee meetings were held on 26 April 2018 and 21 June 2018.

**6. EXTERNAL LIAISON**

Nil.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

Attachments: Nil.

Alderman R James  
**CHAIRPERSON**

**NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT**

(File No)

**Chairperson's Report – Alderman Kay McFarlane**

Report to Council for the 3 month period 1 April 2018 to 30 June 2018.

**1. PRINCIPAL OBJECTIVES AND GOALS**

The Committee's prime objectives are to:

- advise Council on the strategic planning and management of bushland and coastal reserves and parks throughout the City;
- provide advice on Council's Reserve Activity Plans and Catchment Management Plans in the context of the "Clarence Bushland and Coastal Strategy";
- administer, in conjunction with Council, the Land and Coast Care Grants Program;
- facilitate and provide guidance for the implementation of Council's adopted "Clarence Bushland and Coastal Strategy"; and
- promote information sharing of natural resource related matters affecting the City.

In working towards these goals the Committee, in conjunction with Council's Natural Assets Officer, implemented a range of activities, which are set out below.

**2. CAPITAL WORKS PROJECTS**

Nil.

**3. RECURRENT INITIATIVES****Work for the Dole Programme**

The Work for the Dole Programme has concluded. The 6 month programme with Community Enterprises Australia was extremely productive. Over the 6 months the crew performed brush cutting, weed control, fuel reduction exercises, pruning of fruit trees, erosion control, rock work, track work, rubbish removal, vegetation control (thinning and pruning), planting and general landscaping.

**Development of Reserve Activity Plans (RAP) 2017-18**

**Acton Trails and Reserves Activity Plan** was endorsed at Council's Meeting on 18 June 18.

A well-attended "Walk and Talk" was convened in March for the review and extension of the **Mortimer Bay Coastal Reserve Activity Plan**. Subsequently based on the management issues identified, the Mortimer Bay Coastal Reserve Report Card and the draft Mortimer Bay Coastal RAP have been developed and released for consultation in June 2018.

Another popular "Walk and Talk" was convened in April for the review and extension of the **Seven Mile Beach Coastal Reserve Activity Plan**. The draft plan is currently being undertaken.

Letters have been sent to the Cremorne Community regarding a "walk and talk" as the first consultation stage towards the development of the **Cremorne Coastal Reserve RAP**.

**Implement Natural Area Reserve Activity Plans**

**Tranmere Coastal Reserve** has had landscaping administered around the recently installed rock pitched water access points near Punch's Reef by contractors (see image below). Some minor resurfacing of the track in this area was administered and the track cleared of vegetation along several "pinch points" to allow service vehicle access.



Flat steel 150mm garden edging has been installed at the entrance to Tranmere Coastal Reserve between 47 and 49 Tranmere Road to define landscape plantings from grass areas (see image below).



Conservation Volunteers Australia and a TAFE Migrant group collaborated to plant out a large mulched area of the newly named “Casuarina Park” at the Tranmere Coastal Reserve.

### **Seven Mile Beach Coastal Reserve**

A dry stone retaining wall has been installed at the carpark entrance to Seven Mile Beach Coastal Reserve opposite 68 Surf Road (see image below). Planting and mulching of the carpark entrance was done post wall construction. Other beach entrances were treated for weeds, planted with more native understorey species and



mulch applied where necessary.



**Geilston Bay Coastal Reserve** had extensive landscaping carried out about the reserve area in front of Granville Avenue. Some garden beds were extended, weeds were treated and more plants and woodchips applied.

#### **Kangaroo Bay Track Landscaping**

Contractors were engaged to mulch and plant new sections of landscaping areas above newly installed dry stone rock retaining walls along the new Kangaroo Bay Rivulet Track.

#### **She Oak Point**

Vegetation was cleared and pruned on the bank below Seabird Lane. A large fuel heap was established and burnt by the fire crew. Concrete and rubbish was removed from the nearby swale that runs from Seabird Lane to She Oak Point.

#### **Post Storm Clean Up Works**

The Clarence Municipality experienced several severe storms during the quarter. As a result there were numerous sites that needed rubbish collected, fallen trees removed and tracks reinstated. The work was done mostly by contractors, but some volunteer assistance was provided.

Howrah Beach, Bellerive Beach, She Oak Point, Otago Bay and Ralph's Bay areas were cleaned of debris that was washed up on the shoreline post storm events.

#### **Wetland/Storm Water Retention Basins**

**Lauderdale Created Wetlands** and **Roscommon entrances** received extensive maintenance. Long grass was brush cut, weeds treated and plants pruned/removed where required.

Conservation Volunteers Australia performed saltmarsh monitoring and weed control at **Racecourse Flats** and the **saltmarsh** area at **Doran's Road**.

#### **Drainage Swales**

##### **Thoona Swale Network**

Branches and rubbish were removed from the swale network after heavy rain events. More work is required to slow down flow rates and additional drop structures and basins are planned for the Thoona swale area.

##### **Kangaroo Bay Rivulet**

After heavy rain events, "log jams", plant and rubbish debris had maintenance works undertaken to remove blockages to the rivulet area next to the Council chambers.

##### **Clarence Plains Rivulet**

A large excavator was used to remove silt and debris from the Clarence Plains Rivulet area in front of Bayview Secondary College (see image below). The rivulet now flows more freely and native tubes and plugs were planted on stream bank areas disturbed by the excavator to stabilise these areas and reduce future erosion.





### **Priority Weed Management**

**Mortimer Bay Coastal Reserve** was visited by Conservation Volunteer Australia where they spent several days' hand pulling, cutting and painting Spanish heath, radiata pine, blackberry and briar rose.

**Dorans Road** was treated for African boxthorn along the roadsides from South Arm Highway to the boat ramp at Doran's Road.

### **CCC Land and Coastcare Grants' Programme**

All projects that were funded by the NRM & Grants Committee should be nearing completion. Grant acquittal documents will need to be completed before groups can receive any future funding from the CCC Land & Coastcare Grants' Programme.

### **Maintenance Clarendon Vale Rivulet**

The Clarence Plains Rivulet is in very good condition at the moment due to the work done there by the Work for Dole Team.

The heritage orchard next to Clarendon Vale House located on the rivulet bank was professionally pruned by contractors.

The crew performed extensive fuel reduction about the bushland area of 45/45a Goodwins Road in conjunction with Council's Fire Crew.

### **Schools Landcare Support Program**

Maintenance of the Richmond Primary School Landcare site was undertaken by contractors. The site was extended, mulched and treated for exotic grass and weeds to get the area ready for future working bees with the school.

### **Community Clean Up Programme**

Groups registered for the CCC Clean-up Programme finalised clean up events and submitted overdue invoices to Chris Johns. This programme is now finished for 2017/2018.

### **Prison Programme Project**

#### **Risdon Vale**

Approximately one month or so was spent conducting maintenance about the Risdon Vale Area. Brush cutting, mulching, weed control, rubbish removal and vegetation pruning was completed in this time.

### **Storm Damage Works**

The prison Crew were called upon to help with storm damage after several heavy rain events during the quarter. Various waterways and natural areas received assistance with chainsaw work and vegetation removal.

### **Rosny Golf Course**

The Prison Crew spent several weeks controlling weeds, removing fallen trees and cleaning up after storm damage at Rosny Golf Course. The crew also fell and removed several trees that had fallen into Kangaroo Bay Rivulet.

**Kangaroo Bay Rivulet Track**

The Prison Crew spent several weeks continuing to extend the dry stone wall network along the Kangaroo Bay Rivulet Track from Gordons Hill Road toward the Rosny Barn.

**Prison Programme Five Days A Week**

The Prison Programme has the option to be extended to 5 days-a-week to allow the crew to work Monday to Friday each week. Council is investigating ways to fund this into the future. Current funding allows the programme to operate only on a Thursday and Friday each week.

**4. DESIGN AND INVESTIGATION WORK IN PROGRESS**

Nil.

**5. GOVERNANCE MATTERS.****Committee Meeting**

A committee meeting was held on 31 May 2018. The next committee meeting is scheduled for Wednesday, the 18 July. Agenda items will include: 2018/2019 CCC Annual Budget, Quarterly Report, Climate Change Projects and the 2018/2019 Landcare Grants Programme.

**6. EXTERNAL LIAISON**

Nil.

**RECOMMENDATION:**

That the Chairperson's Report be received by Council.

Attachments: Nil.

Alderman K McFarlane  
**CHAIRPERSON**

## **11. REPORTS OF OFFICERS**

### **11.1 WEEKLY BRIEFING REPORTS**

(File No 10/02/02)

The Weekly Briefing Reports of 9, 16 and 23 July 2018 have been circulated to Aldermen.

#### **RECOMMENDATION:**

That the information contained in the Weekly Briefing Reports of 9, 16 and 23 July 2018 be noted.

**11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**

Nil.

### **11.3 PLANNING AUTHORITY MATTERS**

In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

**11.3.1 DEVELOPMENT APPLICATION D-2018/58 - 2 ALLIANCE DRIVE, CAMBRIDGE - CHANGE OF USE TO DOMESTIC ANIMAL BREEDING, BOARDING OR TRAINING**

(File No D-2018/58)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a change of use to domestic animal breeding, boarding or training (dog day-care/boarding facility) at 2 Alliance Drive, Cambridge.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Rural Living and subject to the Road and Railway Assets Code, Waterway and Coastal Protection Code, Stormwater Management Code and Parking and Access Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 31 July 2018.

**CONSULTATION**

The proposal was originally advertised on 7 March 2018 in accordance with statutory requirements and 5 representations were received. The application was re-advertised on 16 June 2018 to address changes to the application, and a further 3 representations received from authors of the original representations supporting their concerns first raised. The issues raised by the representations received during both advertising periods raised the following:

- noise;
- odour;
- increased traffic;
- damage to road reserve;
- business operating not in accordance with application;
- decreased land value;
- uncertainty of operating hours;

- inadequacy of landscaping;
- enforcement of conditions;
- rezoning of area;
- inconsistency with Dog Control Act and Animal Welfare Regulations 2016; and
- impact upon amenity of Tasman Highway corridor.

**RECOMMENDATION:**

- A. That the Development Application for a change of use to domestic animal breeding, boarding or training (dog day-care/boarding facility) at 2 Alliance Drive, Cambridge (CI Ref D-2018/58) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
  2. GEN AP3 – AMENDED PLAN [a reduction in height of the south-western side boundary fence from 2.4m to 2.1m].
  3. This permit provides only for the following maximum number of dogs to be kept on the property at any one time, and within the hours specified as follows:
    - 8am to 6pm - 30 dogs; and
    - 6pm to 8am - 15 dogs.
  4. This permit provides that no more than 15 dogs are to be within the exercise yard at any one time. The exercise yard may be used only between the hours of 8am to 6pm.
  5. All client dog delivery and collection movements are to be undertaken within the following hours:
    - Monday to Friday – 8am to 6pm; and
    - Saturdays – 9am to 12pm.
  6. A management plan is to be submitted to and approved by Council's Senior Environmental Health Officer demonstrating appropriate methods of disposal of animal waste, prior to the commencement of the use. The approved plan will then be endorsed to become part of the permit, and must be complied with at all times and for the duration of the use.
  7. The dog daycare/boarding complex should at all times be managed and controlled in such a manner as not to cause a nuisance to neighbouring residents either by means of odour, dust or noise, to the satisfaction of Council's Senior Environmental Health Officer.
  8. GEN AM7 – OUTDOOR LIGHTING.
  9. GEN S1- SIGN CONSENT.



10. ADVICE – This is a planning permit only. A Kennel Licence under the provisions of the Dog Control Act 2000 will be required before the use can commence.
  11. ADVICE - Should it be established by Council's Senior Environmental Health Officer that the level of noise generated by the dogs is an unreasonable nuisance, which cannot be resolved by management practices, further sound attenuation work will be required to the satisfaction of Council's Senior Environmental Health Officer, in accordance with the Environmental Management and Pollution Control Act 1994.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

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## **ASSOCIATED REPORT**

### **1. BACKGROUND**

A planning application was originally received in February 2018 for a change of use to domestic animal breeding, boarding or training. The application was advertised in March 2018. Several representations were received informing Council they believed the business would not be operating in accordance with the advertised plans. In response to the representations and a subsequent site visit, the applicant elected to amend their submission.

An amended application was received in May outlining the relevant changes, this included a dedicated parking area, an increase in the number of dogs from 20 to 30 and an increase in vehicle movements per day from clients dropping off and picking up their dogs. The application for the revised proposal was advertised in June 2018.

### **2. STATUTORY IMPLICATIONS**

**2.1.** The land is zoned Rural Living under the Scheme.

**2.2.** The proposal is discretionary because it is a discretionary use within the zone, and does not meet certain Acceptable Solutions under the Scheme.

**2.3.** The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 13.0 – Rural Living Zone;
- Section E5.0 – Road and Railway Assets Code;
- Section E6.0 – Parking and Access Code;
- Section E7.0 – Stormwater Management Code; and
- Section E11.0 – Waterway and Coastal Protection Code.

**2.4.** The Waterway and Coastal Protection Code affects 843m<sup>2</sup> of the site, where adjacent the eastern boundary. No works or use is proposed within this part of the site, meaning that the Development Standards of the Code are not relevant to this assessment.

**2.5.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

### **3. PROPOSAL IN DETAIL**

#### **3.1. The Site**

The site is a 2.5ha lot containing a dwelling and outbuilding. It is bordered by Alliance Drive to the south and the Tasman Highway to the north, and has access from Alliance Drive. The surrounding properties to the south and west are similar in size and have been developed for rural residential purposes.

#### **3.2. The Proposal**

An application is made to partially use an existing Single Dwelling for dog day-care, overnight boarding and a pet taxi service. It is proposed that there would be a maximum of 30 dogs' on-site at any one time, with a maximum of 15 dogs kept on the premises overnight. Dogs would be kept on the property 24 hours, 7 days a week.

The dogs will be contained in an outside fenced courtyard that is approximately 75m<sup>2</sup> in area to the north-east of the dwelling (facing the Tasman Highway), to separate the dogs from the surrounding neighbours to the west and south. During the day the dogs will be both inside the dwelling and in the outside courtyard, while overnight the dogs will be kept inside the dwelling.

A sealed, secure car parking and turning area with 4 parking spaces is proposed to the east of the dwelling, to utilise the existing second access to the property. The applicant proposes that this area would be screened using previously established screen plantings located along the property frontage.

The property will be supervised and managed 24 hours, 7 days a week. It is proposed that dog pickups and drop offs, however, will occur only between 8am and 6pm Monday to Friday, and 9am to 12pm Saturday. Where required on Sundays and public holidays, it is submitted that the Pet Taxi Service would undertake pickups and drop offs.

The application first proposed a 2.4m high Colorbond fence adjacent the south-western property boundary, to screen the parking and dwelling areas from the neighbouring property. It has since been proposed to reduce the height of the fence to 2.1m in order to meet the Limited Exemption at Clause 6.4.2(a) of the Scheme. An appropriate condition has been included above in relation to this element of the proposal.

A flag pole is also proposed as part of the site works to be erected within the property boundaries, at the second property entrance. This pole would show the Australian flag and would be consistent with the Limited Exemption at Clause 6.1.3(a) of the Scheme for a minor structure.

**4. PLANNING ASSESSMENT****4.1. Determining Applications [Section 8.10]**

*“8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by s51(2) of the Act, take into consideration:*

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act;*

*but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised”.*

Reference to these principles is contained in the discussion below.

**4.2. Compliance with Zone and Codes**

The proposal meets the Scheme’s relevant Acceptable Solutions of the Rural Living Zone, the Road and Railway Assets, Parking and Access and Stormwater Management Codes with the exception of the following.

**Rural Living Zone**

<b>Clause</b>	<b>Standard</b>	<b>Acceptable Solution</b>	<b>Proposed</b>
13.3.1 A1	Non-Residential Use	<p>Hours of operation must be within:</p> <ul style="list-style-type: none"> <li>(a) 8.00am to 6.00pm Mondays to Fridays inclusive;</li> <li>(b) 9.00am to 12.00 noon Saturdays;</li> <li>(c) nil Sundays and Public Holidays;</li> </ul> <p>except for office and administrative tasks or visitor accommodation.</p>	<p>does not comply</p> <p>The proposed hours of operation would be 24 hours, 7 days a week.</p>

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 13.3.1 as follows.

Performance Criteria	Proposal
<p><i>“Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent”.</i></p>	<p>The dogs would be contained within a fenced area to the north-east of the dwelling, separated from the 2 nearest dwellings to the west and south-west by distances in excess of 100m. The dogs would additionally be housed indoors during night time hours (6pm to 8am).</p> <p>These measures are reasonable and appropriate to ensure that the proposal does not cause a loss of amenity to neighbouring property owners from barking.</p> <p>A noise assessment has been undertaken in relation to the proposal, which anticipates noise levels consistent with the requirements of the acceptable solution A2 of Clause 13.3.1 in relation to noise. Appropriate conditions limiting the number of dogs within the exercise yard and the total number of dogs on-site at any one time are therefore appropriate to ensure that the noise levels anticipated by the noise assessment are met.</p> <p>Although the business will operate 24 hours per day, 7 days per week, clients would only be able to drop off and collect their dogs between the hours specified in the Acceptable Solutions. To ensure this occurs, an appropriate condition has been included above.</p> <p>The pet taxi service operates 3 vehicles, however, only 2 operate simultaneously. The service will be used primarily within the hours specified in the Acceptable Solutions, except for Sundays and to undertake emergency pick-ups for injured or sick animals. It is submitted that these emergency calls would occur a maximum of 6 times per month.</p>

	In relation to waste management and possible odour emissions, Council's Senior Environmental Health Officer is satisfied that the proposal is unlikely to have an adverse impact on the basis that a management plan for waste disposal be provided to and approved by Council prior to the commencement of use. On this basis and for the reasons above, it is considered that the performance criteria would be met by the proposal.
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### Stormwater Management Code

Clause	Standard	Acceptable Solution	Proposed
E7.7.1 A1	Stormwater drainage and disposal	Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	Does not comply – the site is not serviced by a public stormwater network and a new impervious area of 254m <sup>2</sup> is proposed for parking and access.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E7.7.1 as follows.

Performance Criteria	Proposal
<i>“Stormwater from new impervious surfaces must be managed by any of the following:</i>	see below
<i>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles;</i>	The site is not serviced by public stormwater infrastructure, and Council's Engineers are satisfied that the proposed on-site detention for the parking areas would be an appropriate response to the relevant water sensitive urban design principles.
<i>(b) collected for re-use on the site;</i>	It is not proposed to create additional re-use facilities on-site, beyond the existing tanks in place to collect rainwater.
<i>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council”.</i>	not applicable

## **5. REPRESENTATION ISSUES**

The proposal was advertised in accordance with statutory requirements. Five representations were received during the first advertising period, and a further 3 received during the second advertising period, as further comment in support of representations first received. The following issues were raised by the representors.

### **5.1. Noise**

All representors raised concern about the noise generated by barking dogs.

- **Comment**

The proposed development has been assessed in relation to Clause 13.3.1 (A1) of the Scheme and, as discussed above, it is considered that the proposal satisfies the relevant requirements of the performance criteria. The reasons for this are provided above, and supported by the inclusion of appropriate conditions in relation to the management of the proposed business.

Whilst the concerns of the representors regarding noise are understood, it is noted that the site is adjacent the Tasman Highway which itself contributes to overall noise levels within the area. As such, it is considered that with the inclusion of the proposed conditions that this is not an issue that warrants refusal of the proposal.

### **5.2. Odour**

The representors raised concern about the possibility of odours from dog excrement, associated with the proposal.

- **Comment**

As noted, it is considered that the proposal satisfies the relevant requirements of the performance criteria to Clause 13.3.1 (A1), in relation to emissions.

Specifically and in relation to odour, a condition has been included in the recommended conditions above to require that a management plan demonstrating appropriate methods of disposal of animal waste must be provided to and approved by Council prior to the commencement of the use. This plan must be to the satisfaction of Council's Senior Environmental Health Officer and would form part of the planning permit for the proposal.

This measure, it is considered, is a reasonable and appropriate response to the concerns raised by the representations.

### **5.3. Increased Traffic**

The representations raise concern that there would be an increased number of traffic movements created by the proposal, and that this poses a safety risk to residents of Alliance Drive.

- **Comment**

The proposed development satisfies the relevant requirements of the Scheme in relation to both the Road and Railway Assets and Parking and Access Codes of the Scheme. Specifically, it is noted that the number of parking spaces required by Clause E6.6.1 (A1) is 2, and a total of 4 spaces are provided on-site with sufficient area for further parking if required.

The increased number of movements by up to 35 vehicles per day is consistent with the requirements of the Acceptable Solution (A3) of Clause E5.5.1, and Council's Engineers are satisfied that Alliance Drive has sufficient capacity to cater for the anticipated level of traffic associated with the proposal.

The applicant has additionally proposed that all pickups and drop offs of dogs would occur within the hours specified by the Acceptable Solution (A1) to Clause 13.3.1. However, to ensure that pick up and drop off times are limited to prescribed hours a condition has been included above to ensure this occurs, as proposed.



**5.4. Damage to Road Reserve**

The representations raise concern that damage to the road reserve would occur as a result of dog drop offs and pickups, by customers parking on the grassed verge of Alliance Drive in the vicinity of the site.

- **Comment**

The application proposes to provide the required parking spaces within the boundaries of the site. This satisfies the relevant requirements of the Scheme, and possible damage to the road reserve is not a relevant consideration under the Scheme. Nonetheless, Council's Engineers advise that the proposal is within the capacity of the existing road network.

**5.5. Business Operating not in Accordance with Application**

Concern is raised by the representations that the business may operate beyond the scope of this application.

- **Comment**

Appropriate conditions have been included to address the relevant requirements of the Scheme, in relation to emissions, hours of operation, use, the number of dogs to be housed on-site and the management of the facility. Such conditions are reasonable under the Scheme, and ensure that the relevant acceptable solutions and performance criteria are met.

**5.6. Decreased Land Value**

Two of the representors raised concern that the proposed business would decrease the value of the surrounding properties.

- **Comment**

This matter is not a relevant consideration under the Scheme and therefore does not have determining weight.

**5.7. Uncertainty of Operating Hours**

The representations raise concern that the application is ambiguous in relation to the proposed hours of operation.

- **Comment**

The application clearly describes the proposal as being a dog boarding and care facility 24 hours per day, 7 days per week. The application further specifies restrictions proposed in terms of the number of dogs to be housed on-site and within the exercise area at any one time, and appropriate conditions have been included in relation to these specific details.

**5.8. Inadequacy of Landscaping**

The lack of appropriate and mature landscaping is raised as a concern with resultant adverse impact upon residential amenity.

- **Comment**

The provision of landscaping to assist with screening from neighbouring properties and Alliance Drive is not a relevant consideration under the Scheme. It would not assist in the protection of residential amenity possibly impacted by commercial vehicle movements, noise or other emissions associated with the proposal (as described by the Performance Criteria P1 of Clause 13.3.1).

A fence is proposed where adjacent the south-western boundary of the site, which would screen the site from the neighbouring property to the south-west. It is noted that landscaping (formed of juvenile pines) along the Alliance Drive frontage has already been established and will mature to provide a buffer from users of Alliance Drive.

**5.9. Enforcement of Conditions**

The representations raise concerns that should Council approve the development, that it would be difficult to enforce conditions surrounding the proposal.

- **Comment**

Council is obliged by Section 63 of the Land Use Planning and Approvals Act, 1993 to enforce both its Planning Scheme and any planning permit issued under its Scheme. As such, Council must therefore take all reasonable steps to ensure compliance with the proposed conditions.

#### **5.10. Rezoning of Area**

One representation requests that Council justify the apparent “rezoning of the area from Rural Residential to Rural Living”, in relation to the impact upon land value, and this proposal.

- **Comment**

There has been no rezoning of the subject and surrounding land. The subject and surrounding land was zoned Rural Residential under the previous Planning Scheme, the Clarence Planning Scheme 2007. The equivalent zone within the now effective Clarence Interim Planning Scheme 2015 is the Rural Living Zone. There has been no change to zoning, and the application correctly references the relevant zone.

#### **5.11. Inconsistency with Dog Control Act and Animal Welfare Regulations**

A representation raises concern that the proposed development fails to meet the relevant requirements of both the Dog Control Act and Animal Welfare Regulations, and highlights specific sections of both.

- **Comment**

Both approvals are relevant to any kennel licence granted by Council, as required prior to commencement of use.

#### **5.12. Impact Upon Amenity of Tasman Highway Corridor**

One representation raises concern that the proposal would have a negative impact upon amenity, when viewed from Tasman Highway by visitors to the city.

- **Comment**

The visual impact of the proposal is not a relevant consideration under the Scheme, and this issue is therefore not of determining weight.

## **6. EXTERNAL REFERRALS**

The proposal was referred to the Department of State Growth as part of the assessment of the proposal, and no comment or objection was received.

## **7. STATE POLICIES AND ACT OBJECTIVES**

**7.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.

**7.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

## **8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS**

There are no inconsistencies with Council's adopted Strategic Plan 2016-2026 or any other relevant Council Policy.

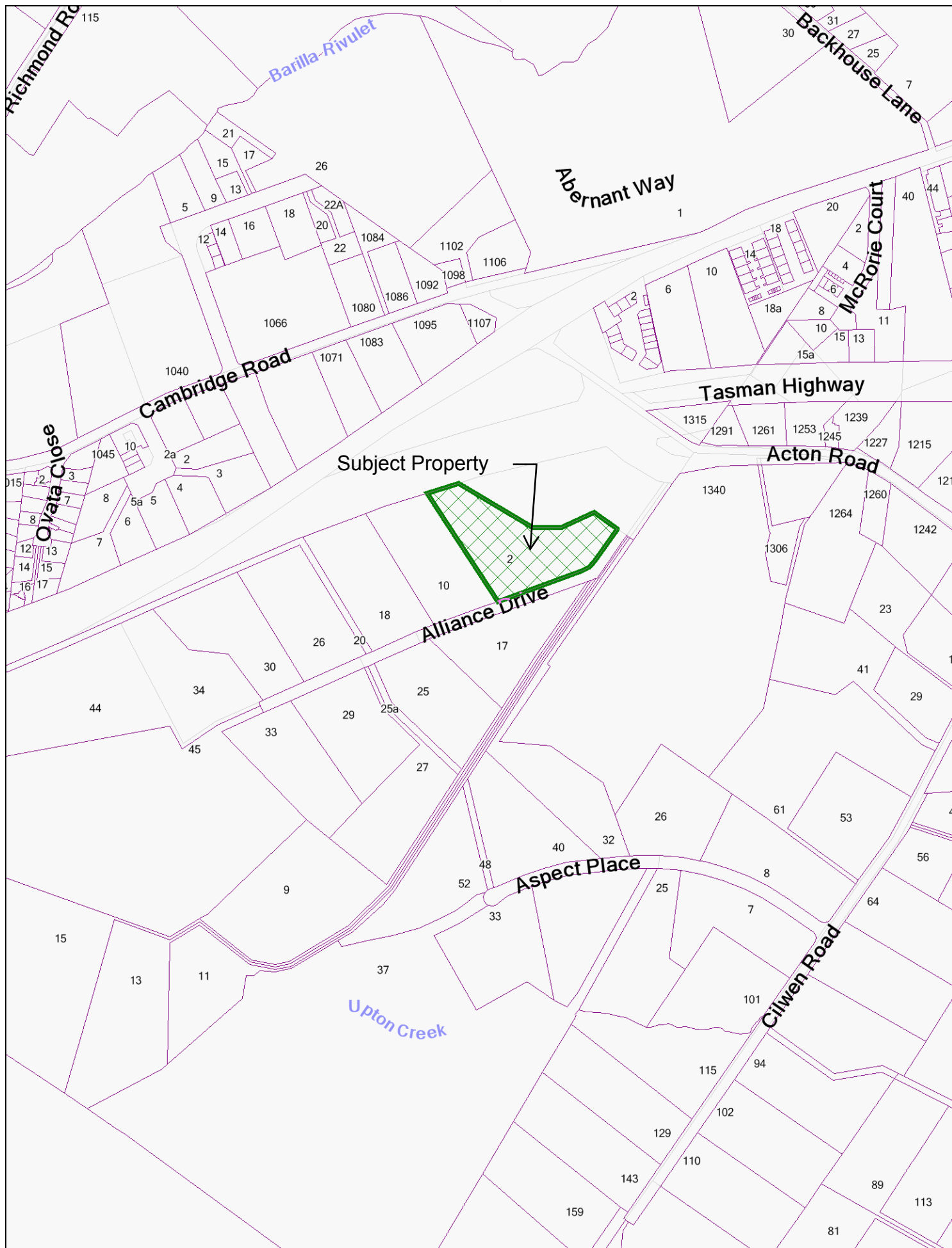
## **9. CONCLUSION**

The proposal is for the change of use to domestic animal breeding, boarding or training (dog daycare/boarding facility) at 2 Alliance Drive, Cambridge. The proposal satisfies the relevant requirements of the Scheme and is therefore recommended for approval subject to a series of appropriate conditions.

Attachments: 1. Location Plan (1)  
2. Proposal Plan (22)  
3. Site Photo (1)

Ross Lovell  
**MANAGER CITY PLANNING**

## Location Plan - 2 Alliance Drive



**Disclaimer:** This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Monday, 25 June 2018 **Scale:** 1:7,473 @A4



2 May 2018

General Manager  
Clarence City Council  
PO Box 96  
ROSNY PARK TAS 7010

By email: [cityplanning@ccc.tas.gov.au](mailto:cityplanning@ccc.tas.gov.au)

Dear Mr Paul

#### PLANNING APPLICATION - 2 ALLIANCE DRIVE, CAMBRIDGE

This submission is provided to accompany a planning application for the subject site at 2 Alliance Drive, Cambridge for the use of a dwelling as a home-based business. The location of the site is described in the following figure:

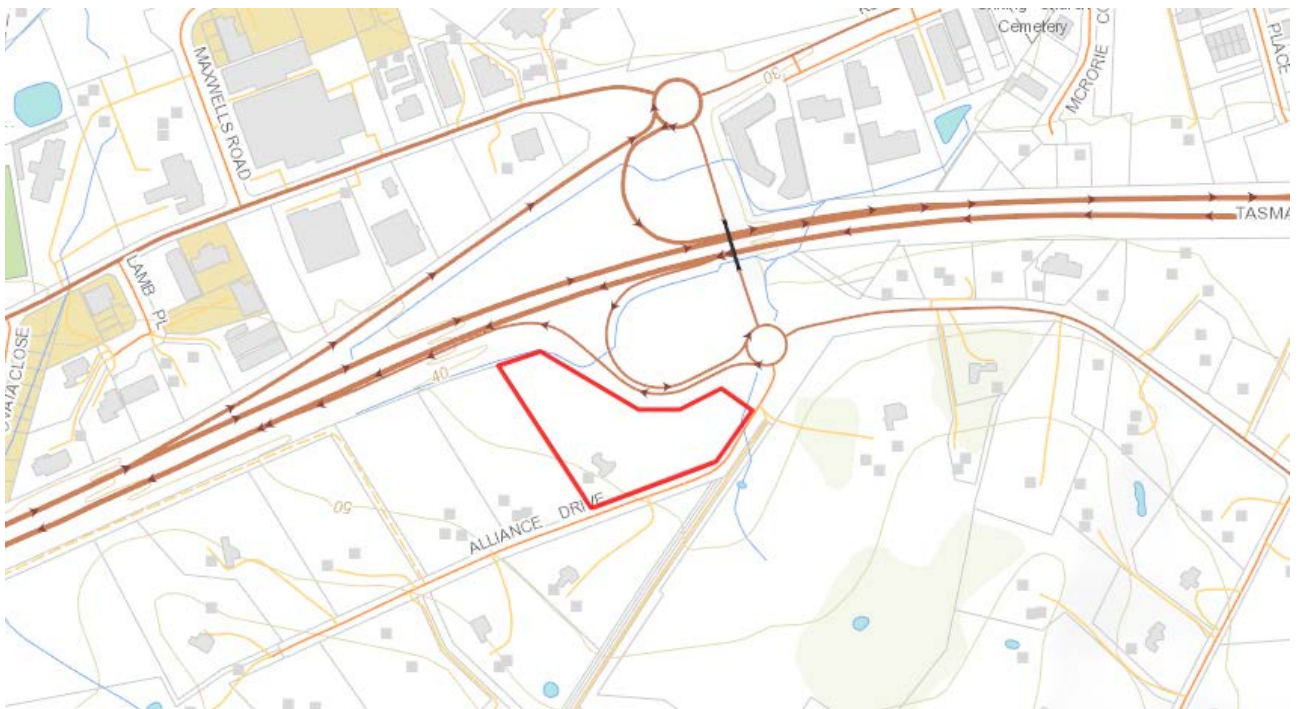


Figure 1: Location (LISTMap)

The site is located in the Rural Living Zone of the CIPS (2015), and is neighboured by Rural Living Zones to the south and west, and is adjacent to the Tasman Highway to the north. It is proposed that part of the **existing single dwelling on the site will be used as a 'doggy daycare'** for 30 dogs during the day and overnight accommodation for 15 dogs. **It is proposed that the clients' existing Pet Taxi Service will conduct pick up and drop offs of dogs from the site, along with occasional client picks ups and drop offs.**

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The maximum number of dogs proposed to be managed on the property will be 30. A maximum of 15 dogs will be kept on the premises overnight, and the property will be manned 24/7 to ensure effective supervision and management of the dogs at all times.

The existing development on the site and surrounds is described in the following figure:



Figure 2: Aerial map (LISTMap)

## PROPOSAL

The use of the existing dwelling on site for the doggy-day care is described in the following figures:

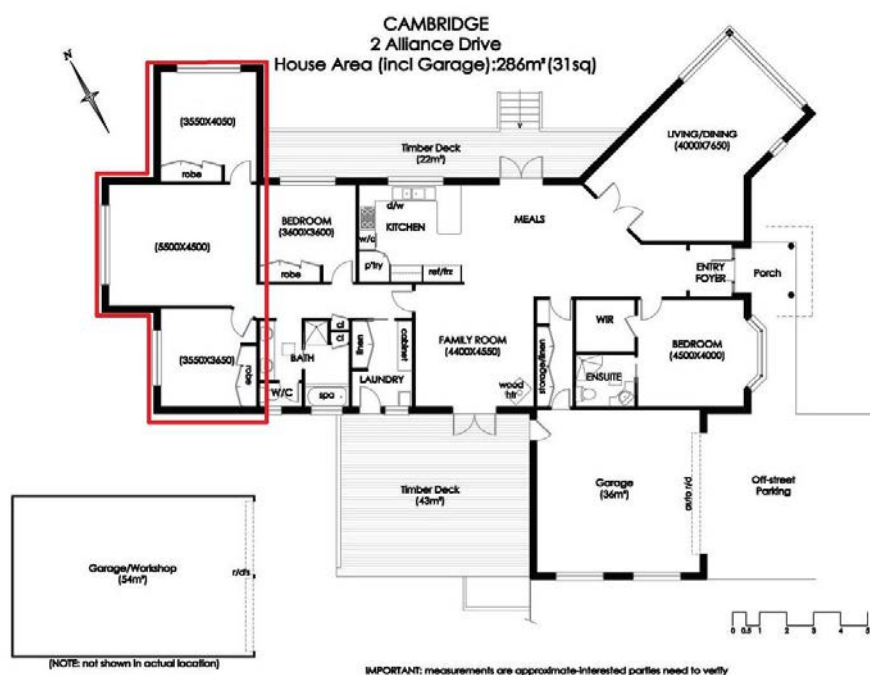


Figure 3: Floor Plan (realestate.com.au)

The highlighted area in the above figure identifies the floor area of the dwelling which will be utilised for the proposed dog boarding/day care. This area is approximately 75m<sup>2</sup>.

The following figure identifies the propose exercise area (blue), this area has been previously fenced, and will serve as the exercise yard for the dogs during the day. This area is screened by the existing dwelling and will not be visible from the neighbouring property to the south-west. Trees have been previously planted along the frontage of the site, to further screen the development from the road and the neighbouring dwelling to the south. Another fenced area is proposed off the western side of the building (orange), for ease of access to the western side of the property. Existing decks on the western aspect and north-western aspect of the building provide dedicated access to the exercise area for the dogs whilst the additional area at the rear of the property, identified in orange below, is an existing private fenced area, which provides **an exercise area for the property owner's 2 private dogs**.

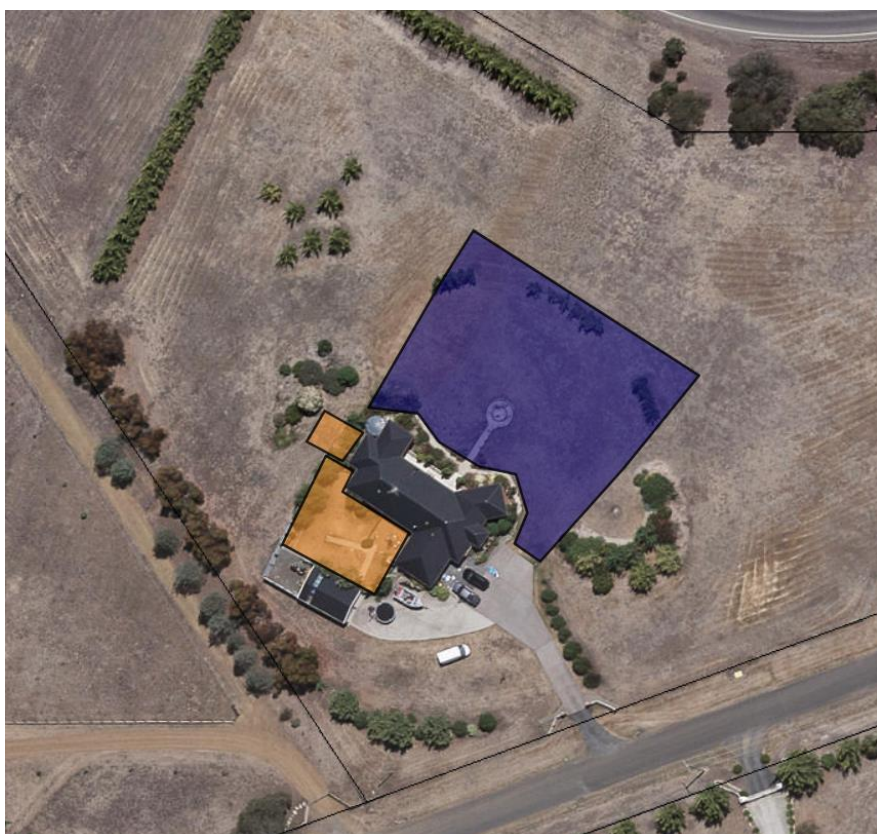


Figure 4: Proposed dog exercise yard (LISTMap)

A car parking area is proposed and detailed on the accompanying site plan. This area has been provided in accordance with scheme requirements, to provide parking and separate entry to the site for clients if required and to minimise any potential traffic impacts on neighbouring dwellings and the street. The proposed access and car parking area will be screened from the road by trees which have previously been planted along the frontage. A flag pole with an Australian Flag will be sited at the entrance to the new parking area, in order to direct clients to the correct parking area when required. This flag will not be considered a business sign and will not be used for any advertisement purposes.

A 2.4m colorbond fence is also proposed, which will run along the south-western boundary of the site (indicated in red in the following figure), to screen the dwelling and parking area, to further reduce any noise emissions and reduce any impacts on residential amenity. This fence will be extended around to the front of the property to provide an additional level of security. This extension will be undertaken at a later date.



The below figure illustrates the approximate location and length of the proposed fence. This fence will be approximately 65m in length, and will be setback 1m from the site boundary.



Figure 5: Proposed fence along south-western boundary (source: LISTMap)

The following provisions of the *Clarence Interim Planning Scheme 2015* are relevant to the property and the proposal.

## ZONING

The subject site and neighbouring properties to the west and south are within the Rural Living Zone (pink), with the adjacent land to the north zoned Utilities, as this area forms part of the Tasman Highway road reservation, as described in the following figure:



Figure 6: Zoning plan (LISTMap)

Under the provisions of the Rural Living Zone the use of a dog boarding facility is classed as *Domestic animal breeding, boarding or training*, and listed as a discretionary use within the zone.

## USE STANDARDS

Under the provisions of the scheme a Non-Residential use must meet the following provisions:

### 13.3.1 Non-Residential Use

*Objective: To ensure that non-residential use does not unreasonably impact residential amenity.*

SCHEME STANDARDS	PROPOSED
<p><i>A1 - Hours of operation must be within:</i>  <i>(a) 8.00 am to 6.00 pm Mondays to Fridays inclusive;</i>  <i>(b) 9.00 am to 12.00 noon Saturdays;</i>  <i>(c) nil Sundays and Public Holidays;</i>  <i>Except for office and administrative tasks or visitor accommodation.</i></p> <p><i>P1 - Hours of operation must not have an unreasonable impact upon the residential amenity through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.</i></p>	<p><b>As part of the proposed use, the 'Pet Taxi' business</b> will collect and drop off the dogs within the times specified under A1 Monday to Friday. However, it is likely that vehicle movements may occur outside of the weekend hours and on Sundays and Public Holidays.</p> <p>Therefore, the performance criteria must be assessed.</p> <p>P1  During the night, the dogs will be housed within the existing residential dwelling on the site and therefore will not impact on residential amenity. On Sundays and Public Holidays, outside the hours specified in A1, the dogs will be located within the proposed exercise yard during the day. The exercise yard is setback over 100m from the nearest residential dwelling and is situated in front of the existing dwelling on the site, which will screen the exercise yard from neighbouring dwellings. Vehicle movements associated with the use will be undertaken by the Pet Taxi Service, with occasional client movements. The proposed car parking area will provide for 4 spaces, and it is unlikely that vehicle movements outside the hours specified in the acceptable solution will result in an unreasonable impact on residential amenity.</p>
<p><i>A2 - Noise emissions measured at the boundary of the site must not exceed the following:</i>  <i>(a) 55dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;</i>  <i>(b) 5dB above the background (LA90) level or 40dB(A) (LAeq), whichever is lower, between the hours of 6.00pm to 8.00am;</i>  <i>(c) 65dB(A) (LAmx) at any time.</i></p> <p><i>P2 - Noise emissions measured at the boundary of the site must not cause environmental harm.</i></p>	<p>As the dogs will be housed within the existing residential dwelling between 6:00 pm and 8:00 am, and otherwise kept within the designated exercise area on the site, the noise emissions measured at the boundary of the site are not anticipated to cause environmental harm. An existing 2.4m fence surrounds the proposed exercise area in order to prevent dogs escaping, and to screen the exercise area from neighbouring residential areas.</p> <p>The exercise area is located in front of the existing dwelling, which acts as screening between the exercise area and the nearest adjoining residential property.</p>

	The proximity of the site to the highway, and the location of the exercise yard will further minimise any noise emissions from the site.
<p>A3 - External lighting must comply with all of the following:</p> <p>(a) be turned off between 6.00pm and 8.00am</p> <p>(b) security lighting must be baffled to ensure they do not cause emission of light into adjoining private land ...</p>	No external lighting is proposed.
<p>A4 - Commercial vehicle movements, (including loading and unloading and garbage removal) to or from the site must be limited to 20 vehicle movements per day and be within the hours of:</p> <p>(a) 7.00am to 5.00pm Mondays to Fridays inclusive;</p> <p>(b) 9.00am to 12 noon Saturdays;</p> <p>(c) nil on Sundays and Public Holidays.</p> <p>P4 - Commercial vehicle movements, (including loading and unloading and garbage removal) must not result in an unreasonable adverse impact upon residential amenity having regard to all of the following:</p> <p>(a) the time and duration of commercial vehicle movements;</p> <p>(b) the number and frequency of commercial vehicle movements;</p> <p>(c) the size of commercial vehicles involved;</p> <p>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</p> <p>(e) noise reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road;</p> <p>(g) the potential for conflicts with other traffic.</p>	<p>The Scheme defines commercial vehicle as follows: <i>means a small rigid vehicle, medium rigid vehicle, heavy rigid vehicle or articulated vehicle described in section 2 “Design Vehicles” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</i></p> <p>Neither the Pet Taxi vehicle and client vehicles are therefore not anticipated to be in this class of vehicle.</p> <p>Notwithstanding the above, the Pet Taxi Service will undertake the majority of drop offs and pickups. Clients are provided with the option to drop off and pickup their own dogs, and as such, a car parking area has been provided.</p> <p>However, it is likely that clients and the Pet Taxi Service will operate outside of these hours, particularly on Sundays when clients may be picking up their dogs after weekends. Therefore, the performance criteria is also considered.</p> <p>(a) The use will provide for 30 dogs at any one time. Only a small portion of these dogs will be picked up or dropped off by clients, as The Pet Taxi Service provides drop off and pick up services for clients, and this service runs in conjunction with the proposed dog boarding. Therefore, client vehicle movements will be occasional, and clients will be advised that any pick ups or drop offs should only occur within normal business hours, Monday to Friday to avoid additional vehicle movements.</p> <p>(b) As per above, the majority of vehicle movements to and from the site will be undertaken by the Pet Taxi Service, and where possible multiple dogs will be picked up and dropped off to minimise unnecessary additional trips to and from the site.</p> <p>(c) The Pet Taxi Service operates a small utility van and washing van for the transportation of dogs and to provide dog-washing services.</p>

(d) The existing driveway to the dwelling is provided for residential use and the Pet Taxi Service. The existing driveway provides ample room for turning on-site, and the Pet Taxi vehicles will not cause reversing noise or any other mechanical emissions associated with larger commercial trucks and medium rigid vehicles. The proposed additional car park will be for client use, and has been designed in accordance with Australian Standards.

(e) A colorbond 2.4m fence is proposed along the south-western property boundary, for a distance of approximately 65m to screen the dwelling from the adjoining residential dwelling. The existing parking area is setback approximately 100m from the neighbouring dwelling to the south-west, and approximately 112m from the dwelling on the opposite side of the street. Therefore, it is not anticipated that commercial vehicle movements will result in unreasonable impact on residential amenity. It is worth noting that the Pet Taxi Service is an existing service which operates from the site, and the proposed dog boarding will not significantly increase the existing vehicle movements undertaken by the Pet Taxi.

(f) Alliance Drive serves 11 properties on the sealed portion of the road, which then becomes unsealed and provides access to a significant number of additional properties with a varying degree of vehicle movements. A Horse Riding business operates on Alliance Drive, and involves commercial vehicle movements 7 days per week. The subject site is the first dwelling on the street, and therefore commercial movements associated with the dog boarding use and the Pet Taxi will not travel past any other dwellings, therefore minimising any unreasonable impacts on adjoining residential amenity.

(g) Considering the above, it is unlikely that the vehicle movements associated with the proposed use will significantly impact on the efficiency of the road, or impact on existing traffic along the road.

### E5.5.1 Existing Road Accesses and Junctions

*Objective: To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.*

SCHEME STANDARDS	PROPOSED
<p>A3 - The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle movements per day, whichever is the greater.</p> <p>...</p>	<p>The access to the new car park is existing, however not currently used.</p> <p>The proposal seeks to upgrade this access point and provide a car parking area for 4 spaces. This area has been provided in order to comply with scheme requirements, and to provide an additional area for clients to park when dropping off or picking up their dogs.</p> <p>The transport of the dogs will be primarily undertaken by the Pet Taxi Service, however parking is required in the event that clients would prefer to transport their dogs to the site in their own vehicle.</p> <p>It is not anticipated that these movements will exceed existing movements by more than 40 per day, considering the site has capacity for a maximum of 30 dogs, although this figure can be revised if necessary.</p> <p>Therefore, the proposal complies with A3.</p>

### E5.6.1 Development Adjacent to Roads and Railways

The site is not adjacent to a category 1 or 2 road and not in proximity to any railways.

### E5.6.2 Road Accesses and Junctions

*Objective: To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.*

SCHEME STANDARDS	PROPOSED
<p>A1 - No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p> <p>...</p>	<p>The proposal will utilise an existing access and therefore no new access is proposed.</p> <p>Therefore, A1 does not apply.</p>
<p>A2 - No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>	<p>The additional access is existing, however as there will be two accesses providing entry and exit, therefore the performance criteria must be assessed.</p>
<p>P2 - For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <p>(a) the nature and frequency of the traffic generated by the use;</p> <p>(b) the nature of the road;</p> <p>(c) the speed limit and traffic flow of the road;</p> <p>(d) any alternative access to a road;</p>	<p>P2</p> <p>The new access will serve only 4 car parking spaces, and has been designed to provide separate car parking for clients in the event that they wish to drop off or pick up their dogs. These movements will be sporadic as the Pet Taxi Service will undertake the majority of dog pick ups and drop offs, as this forms part of the service.</p>

<p>(e) the need for the access or junction;</p> <p>(f) any traffic impact assessment; and</p> <p>(g) any written advice received from the road authority.</p>	<p>Therefore, the frequency of traffic will be low, and nature of the vehicles will be predominantly private residential vehicles.</p> <p>(b) Alliance Drive provides access to significant number of dwellings to the south-west, along with several horse riding businesses. Therefore, the road carries a significant amount of residential and semi-commercial traffic.</p> <p>(c) the speed limit along the road is 50km/hr and considering the location of 2 Alliance Drive, it is unlikely that the use will impact on the efficiency of the road.</p> <p>(d) There is no alternative access to Alliance Drive</p> <p>(e) The access is existing, but will be upgraded to provide for the required car parking area.</p> <p>(f) N/A</p> <p>(g) N/A</p>
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#### E5.6.4 Sight Distance at Accesses, Junctions and Level Crossings

*Objective: To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.*

SCHEME STANDARDS	PROPOSED
<p>A1 - Sight distances at:</p> <p>(a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</p> <p>(b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p> <p>...</p>	<p>Table E5.1 specifies a minimum sight distance of 80m on roads with a speed limit of 50km/hr. The location of the access provides well over 100m to the east toward the Tasman Highway and well over 100m to the west.</p> <p>Upon exiting the new access point, vehicles will be turning onto the left hand side of the road, therefore distances to west are of most importance, and the access provides over 100m sight distance up Alliance Drive.</p> <p>Therefore, the proposal complies with A1.</p>

## PARKING AND ACCESS CODE

A new car parking area is proposed, and therefore the following provisions apply:

#### E6.6.1 Number of Car Parking Spaces

*Objective: To ensure that:*

- (a) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport.
- (b) a use or development does not detract from the amenity of users or the locality by:
  - (i) preventing regular parking overspill;
  - (ii) minimising the impact of car parking on heritage and local character.
- (c) there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account:



- (i) the level of parking available on or outside of the land;
  - (ii) the impact on the demand for and supply of car parking associated with approved but uncompleted uses and developments and the future occupation of vacant premises; and
  - (iii) the access afforded by other modes of transport.
- (d) where car parking cannot be provided for onsite, a cash contribution toward the development of public parking facilities may be required.

SCHEME STANDARDS	PROPOSED
A1 - The number of on-site car parking spaces must be:	The domestic animal breeding, boarding or training use class specifies 1 car parking space per 40m <sup>2</sup> .
(a) no less than the number specified in Table E6.1;	
...	The part of the dwelling to be utilised for the dog boarding is approximately 75m <sup>2</sup> . Therefore, only 2 car parking spaces are required. However, the proposed car parking area will provide 4 spaces to provide space for any occasional additional need. Therefore, the proposal complies with A1.

#### E6.7.1 Number of Vehicle Accesses

*Objective: To ensure that:*

- (a) safe and efficient access is provided to all road network users, including, but not limited to: drivers, passengers, pedestrians, and cyclists, by minimising:
  - (i) the number of vehicle access points; and
  - (ii) loss of on-street car parking spaces;
- (b) vehicle access points do not unreasonably detract from the amenity of adjoining land uses;
- (c) vehicle access points do not have a dominating impact on local streetscape and character.

SCHEME STANDARDS	PROPOSED
A1 - The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	The access to the proposed car parking area is existing, therefore the proposal will not result in any more access points over that which is existing. Therefore, the proposal complies with A1.
...	

#### E6.7.2 Design of Vehicle Accesses

*Objective: To ensure safe and efficient access for all users, including drivers, passengers, pedestrians and cyclists by locating, designing and constructing vehicle access points safely relative to the road network.*

SCHEME STANDARDS	PROPOSED
A1 - Design of vehicle access points must comply with all of the following:	The proposed car parking area will be accessed via an existing access and will serve client vehicles, which are not considered commercial.
(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 - <b>“Access Facilities to Off-street Parking Areas and Queuing Areas”</b> of <b>AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking</b> ;	The access has been designed in accordance with Australian Standards, and therefore complies with A1.
...	

### E6.7.3 Vehicular Passing Areas Along an Access

*Objective: To ensure that:*

- (a) the design and location of access and parking areas creates a safe environment for users by minimising the potential for conflicts involving vehicles, pedestrians and cyclists;*
- (b) use or development does not adversely impact on the safety or efficiency of the road network as a result of delayed turning movements into a site.*

SCHEME STANDARDS	PROPOSED
<p><i>A1 - Vehicular passing areas must:</i></p> <ul style="list-style-type: none"> <li><i>(a) be provided if any of the following applies to an access:</i> <ul style="list-style-type: none"> <li><i>(i) it serves more than 5 car parking spaces;</i></li> <li><i>(ii) is more than 30 m long;</i></li> <li><i>(iii) it meets a road serving more than 6000 vehicles per day;</i></li> </ul> </li> <li><i>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</i></li> <li><i>(c) have the first passing area constructed at the kerb;</i></li> <li><i>(d) be at intervals of no more than 30m along the access.</i></li> </ul> <p><i>P1</i></p> <p><i>Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:</i></p> <ul style="list-style-type: none"> <li><i>(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;</i></li> <li><i>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;</i></li> <li><i>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</i></li> <li><i>(d) ease of accessibility and recognition for users.</i></li> </ul>	<p>A1(a) (i) the proposed access only serves 4 car parking spaces</p> <p>(ii) the access is approximately 30m long.</p> <p>(iii) Alliance Drive would not carry more than 6000 vehicles per day.</p> <p>Therefore, vehicular passing areas are not required.</p> <p>Despite this, considering the use of the site, and the use of the access, the access is considered safe and efficient and has been designed in accordance with Australian Standards. Therefore, the proposal can comply with the performance criteria if necessary.</p>

### E6.7.4 On-site Turning

*Objective: To ensure safe, efficient and convenient access for all users, including drivers, passengers, pedestrians and cyclists, by generally requiring vehicles to enter and exit in a forward direction.*

SCHEME STANDARDS	PROPOSED
<p><i>A1 - On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</i></p> <ul style="list-style-type: none"> <li><i>(a) it serves no more than two dwelling units;</i></li> <li><i>(b) it meets a road carrying less than 6000 vehicles per day.</i></li> </ul>	<p>The proposed parking area provides ample room for vehicles to turn and enter and exit in a forward direction. The access provides for one dwelling, and Alliance drive does not carry more than 6000 vehicles per day.</p> <p>Therefore, the proposal complies with A1.</p>

### E6.7.5 Layout of Parking Areas



*Objective: To ensure that parking areas for cars (including assessable parking spaces), motorcycles and bicycles are located, designed and constructed to enable safe, easy and efficient use.*

SCHEME STANDARDS	PROPOSED
A1 - The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed <b>and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard. ...</b>	As per the attached car parking plan, the layout and design of the car parking spaces are consistent with Australian Standards. Therefore, the proposal complies with A1.

#### E6.7.6 Surface Treatment of Parking Areas

*Objective: To ensure that parking spaces and vehicle circulation roadways do not detract from the amenity of users, adjoining occupiers or the environment by preventing dust, mud and sediment transport.*

SCHEME STANDARDS	PROPOSED
A1 - Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, provided that the standard of paving and drainage complies with the adopted standards of the Council. ...	The proposed car parking area will be sealed and any surface water will be drained via gravity into the stormwater drainage trenches detailed in the accompanying car parking plan. Therefore, the proposal complies with A1.

#### E6.7.7 Lighting of Parking Areas

*Objective: To ensure parking and vehicle circulation roadways and pedestrian paths used outside daylight hours are provided with lighting to a standard which:*

- (a) enables easy and efficient use;
- (b) promotes the safety of users;
- (c) minimises opportunities for crime or anti-social behaviour; and
- (d) prevents unreasonable light overspill impacts.

SCHEME STANDARDS	PROPOSED
A1 - Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause <b>3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.</b>	N/A - the proposed car parking area serves 4 car parking spaces, and therefore, A1 does not apply.

#### E6.7.13 Facilities for Commercial Vehicles

*Objective: To ensure that facilities for commercial vehicles are provided on site, as appropriate. facilities for commercial vehicles are provided on site, as appropriate.*

SCHEME STANDARDS	PROPOSED
<p>A1 - Commercial vehicle facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:</p> <p>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site;</p> <p>(b) the use is not primarily dependent on outward delivery of goods from the site.</p>	<p>N/A - no loading or unloading facilities are required. The proposal is for dog boarding/day care and does not involve the outward delivery of goods.</p>

## STORMWATER MANAGEMENT CODE

### E7.7.1 Stormwater Drainage and Disposal

*Objective: To ensure that stormwater quality and quantity is managed appropriately.*

SCHEME STANDARDS	PROPOSED
<p>A1 - Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p> <p>P1 - Stormwater from new impervious surfaces must be managed by any of the following:</p> <p>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles</p> <p>(b) collected for re-use on the site;</p> <p>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.</p>	<p>The site is not serviced by public stormwater infrastructure, however as per the attached car parking plan, the access and car park will be drained to an on-site detention and drainage trenches.</p> <p>Therefore, the proposal complies with P1(a).</p>
<p>A2 - A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p> <p>(a) the size of new impervious area is more than 600 m<sup>2</sup>;</p> <p>(b) new car parking is provided for more than 6 cars;</p> <p>(c) a subdivision is for more than 5 lots. ...</p>	<p>N/A - the new impervious area does not exceed 600m<sup>2</sup> and the parking area serves 4 car parking spaces, and no subdivision is proposed.</p>
<p>A3 - A minor stormwater drainage system must be designed to comply with all of the following:</p> <p>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned</p>	<p>The proposed detention and drainage trenches have been designed to accommodate a storm with an ARI of 20 years. The run-off from the proposed car park and access will be managed and drained</p>

<i>land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;</i> <i>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</i>	on-site, as the site is not serviced by public stormwater infrastructure. Therefore, the proposal complies with A3.
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## SUMMARY

As outlined above, the proposal is for the use of 75m<sup>2</sup> of the existing property for a Dog day care/boarding use on site, and satisfies all of the relevant Acceptable Solutions and Performance Criteria for the Use Standards for non-residential use.

The proposed exercise area will be adequately screened from public view, and any potential noise emissions or visual impacts will be further minimised by the proposed 2.4m fence which will run approximately 65m along the south-western boundary. The proposed access and car parking area will also be screened by existing trees which have been planted along the frontage. All possible measures have been undertaken to minimise any potential visual and noise impacts, and the proposal complies with the relevant scheme provisions. The proposed exercise areas and existing 75m<sup>2</sup> of the dwelling are the only parts of the property that will be utilised for the proposed use. The existing garage at the rear of the property will only be used to house 1-2 dogs in exceptional circumstances, if issues have arisen with other dogs, and separation is required as part of the businesses duty of care to the animals and clients.

If there is any matter Council wish to discuss, in relation to any of the above or other matters, please contact us on 03 6234 9281 or email [tim@ireneinc.com.au](mailto:tim@ireneinc.com.au).

Yours sincerely



Phil Gartrell  
Graduate Planner  
IRENEINC PLANNING



4 June 2018

Natalie Waters  
Clarence City Council  
PO Box 96  
Rosny Park, TAS 7018

Dear Natalie,

FURTHER INFORMATION RESPONSE - 2 ALLIANCE DRIVE, CAMBRIDGE

I am writing in response to your letter on 14 May 2018 requesting further information for the proposed development at 2 Alliance Drive, Cambridge (DA-2018/58).

Responses to Requested Information

*1. Please provide a noise report in order to demonstrate compliance with 13.3.1 A2/P2 in relation to noise emissions;*

A Noise Impact Assessment has been undertaken by NVC, and is attached with this RFI. The report assessed the likely impacts associated with the proposed Dog Boarding, and has indicated that the noise levels generated on the site will not be above those specified under clause 13.3.1 A2.

*2. In accordance with 13.4.2 A1/P1 the proposed 2.4m front fence is required to have at least a 15m setback from the front boundary. Please provide a site plan showing at least a 15m setback and an elevation plan of the fence;*

*3. In accordance with 13.4.2 A2/P2 the proposed 2.4m side fence is prohibited within 10m or no less than the setback of an existing roofed building (other than an exempt building) from that boundary. Please provide a site plan showing the appropriate setback for the fence and elevation plan of the fence;*

*4. Please provide statements addressing the performance criteria for 13.4.2 P1 and P2 in regards to the front and side fence setbacks;*

The proposed fences have been revised to 2.1m and are therefore exempt in accordance with Part 6.0 of the Scheme - Limited Exemptions, as either a Minor Structure (cl. 6.1) or Fence (cl. 6.4) and clause 13.4.2 A1/P1 or A2/P2 therefore no longer apply. The edge of the fence is also setback over 4.5m from the frontage, and no part of the fence faces the frontage.

*5. In order to determine compliance with E5.5.1 A3 please quantify what is meant by 'occasional client pick-up and drop-off' per day in relation to the dog daycare and dog boarding;*

It is estimated that there will be a total of 35 vehicle movements to and from the site per day. This figure includes client drop offs and pickups and all movements undertaken by the Pet Taxi Service. Therefore,

estimated client pick up and drop offs would equate to an average of approximately 15 client movements per day. This results in slightly less than half of the total vehicle movements to and from the site per day. As detailed in the planning report, all measures have been taken to ensure that these movements will occur during the specified hours, as detailed in P1 of clause 13.3.1, and further detailed in responses to A3 and P4 of the same clause.

*6. Provide the hours clients can drop-off and pick-up for the dog boarding;*

Clients will be instructed to pick up and drop off dogs, where necessary, during the hours specified in 13.3.1 Monday to Friday (8am to 6pm) and Saturday (9am to 12pm). On Sundays and Public Holidays, the Pet Taxi Service will undertake drop offs and pickups as part of the existing Pet Taxi Service.

*7. Provide the operating hours of the dog daycare;*

Dogs will be on the property 24/7, however pick ups and drop offs, both by clients and the Pet Taxi will operate within the hours specified under clause 13.3.1 (8am to 6pm). As detailed in the planning report, dogs will be kept within the existing building at night and in the exercise yard during the day.

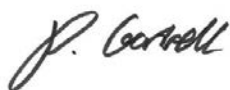
*8. Provide the operating hours of the pet taxi;*

The Pet Taxi service operates Monday to Friday during normal business hours. The service operates 3 vehicles, however only 2 of these vehicles operate simultaneously. The service will conduct dog pick ups and drop offs during normal business hours Monday to Friday, and will undertake drop offs and pickups on behalf of clients on Saturdays and Sundays. The Pet Taxi also undertakes emergency call-outs for injured or sick animals. The client has advised that these movements occur a maximum of 6 times per month, and do not occur on a regular basis.

The Pet Taxi Vehicles are also utilised as primary private residential vehicles, outside of business operating hours. Therefore, any movements outside of business hours should be attributed to private use of these vehicles.

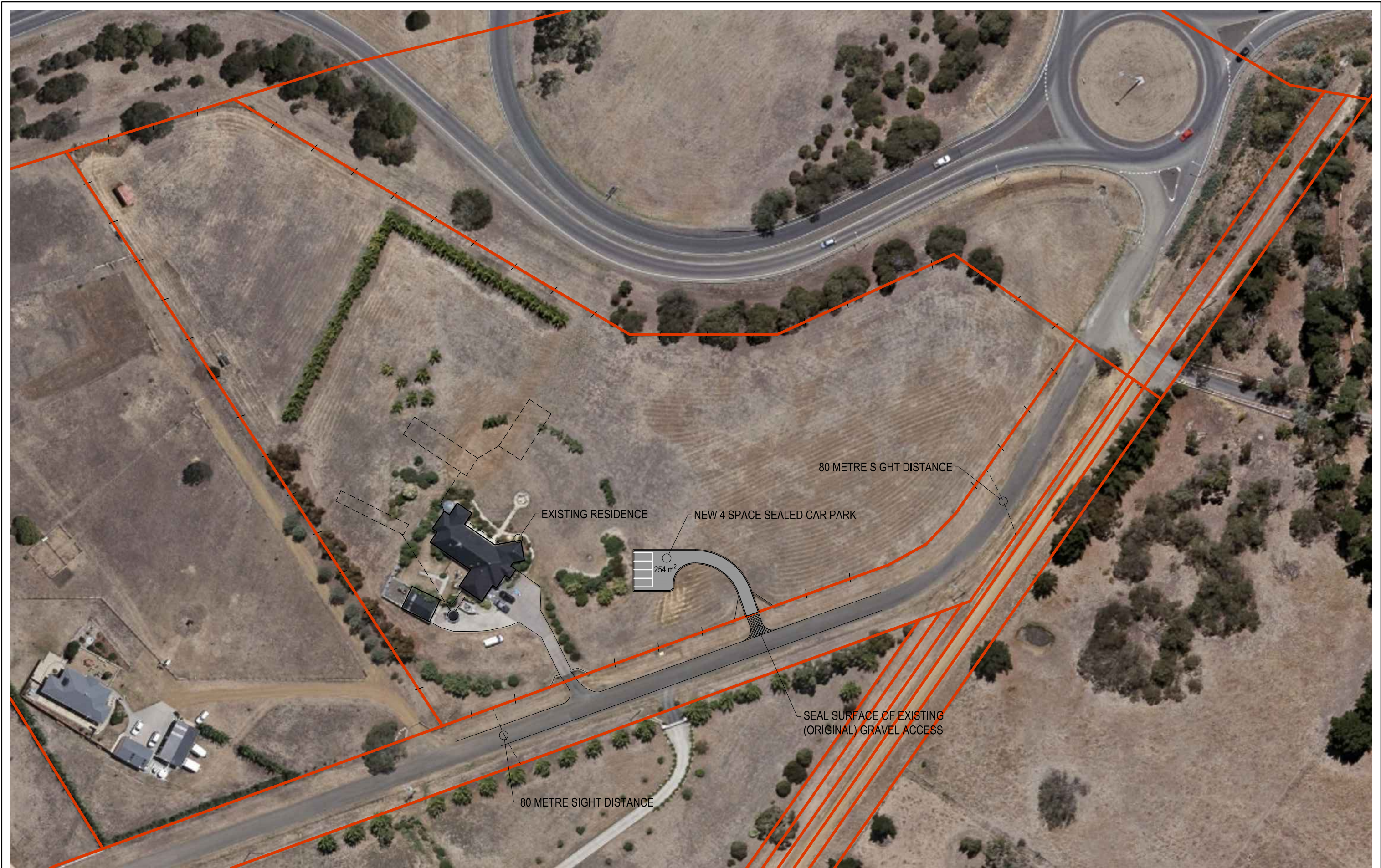
If you have any further queries in relation to any of the above, please contact me on 6234 9281.

Yours sincerely



Phil Gartrell  
Graduate Planner  
IRENEINC PLANNING

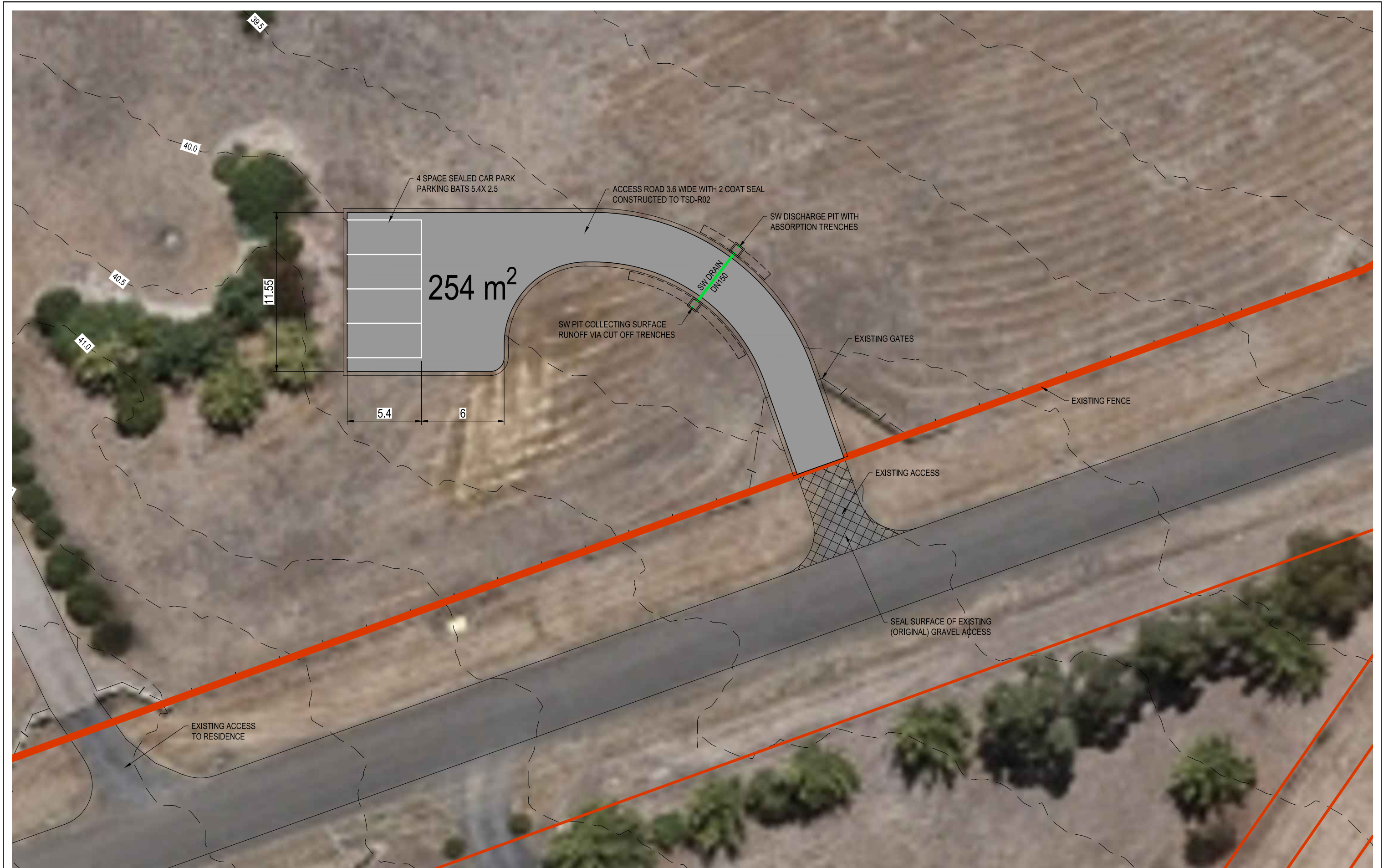




REFERENCE FILES ATTACHED: 1808-X2, 1808-X1

DRAWING REVISION HISTORY		DRAWN	DESIGNED	REVIEWED	DATE	10 0 10 20 30 40 SCALE IN METRES - 1:1000		gibson drafting & design 157 Bayview Road Laurierdale Tasmania 7021 Ph: (03) 62489605 Mob: 0418372746 rgibson@intermode.on.net ABN: 55778962759		CLIENT	KIMBERLY'S PET SERVICES	CLIENT No.	-
REVISION	DESCRIPTION	R. GIBSON	R. GIBSON	R. GIBSON	15/4/2018	STATUS		PROJECT		PROPOSED CLIENT CAR PARK 2 ALLIANCE DRIVE CAMBRIDGE	DRAWING No.		1808-C1
		SIGNED				PRELIMINARY		TITLE		CLIENT CAR PARK SITE PLAN	REVISION		-
		DATE SIGNED			15-4-2018	DATUMS:					SHEET No.		-
						AHD / GDA PLANE					Apr. 17, 18 - 09:24:33 Name: 1808-C1.dwg Updated By: Ross gibson		





REFERENCE FILES ATTACHED: 1808-X2; 1808-X1; 1808-X3

DRAWING REVISION HISTORY		DRAWN	DESIGNED	REVIEWED	DATE	<div>2.50 0 2.5 5 7.5 10</div> <div>SCALE IN METRES - 1:250</div>		<div><div><div>gibson</div><div>drafting &amp; design</div></div><div>157 Bayview Road Lauderdale Tasmania 7021 Ph. (03) 62489605 Mob. 0418372746 rgibson@intermode.on.net ABN 55776362759</div></div>	CLIENT	KIMBERLY'S PET SERVICES		CLIENT No.	-	
REVISION	DESCRIPTION	R. GIBSON	R. GIBSON	R. GIBSON	15/4/2018	STATUS	PROJECT		PROPOSED CLIENT CAR PARK 2 ALLIANCE DRIVE CAMBRIDGE		DRAWING No.	1808-C2 REVISION -		
		SIGNED R. GIBSON					TITLE		CLIENT CAR PARK CAR PARK PLAN		SHEET No.	- VERSION		
		DATE SIGNED 23-4-2018					DATUMS:		AHD / GDA PLANE		Apr. 23, 18 - 14:14:06 Name: 1808-C2.dwg Updated By: Ross gibson			

Kimberly Elford  
 c/o IreneInc  
 49 Tasma Street  
 North Hobart Tasmania 7001  
 Attention: Phil Gartrell

4 June 2018

5729.docx

## D-2018/58 DOG BOARDING FACILITY - 2 ALLIANCE DRIVE, CAMBRIDGE

Clarence Council have requested a noise report in regard to a dog boarding facility at Camberidge in order to assess compliance with condition 13.3.1 of the Interim Planning Scheme. This letter details such a report, conducted by NVC in May 2018.

### SITE DESCRIPTION

The boarding facility is located at 2 Alliance Drive Cambridge, a 2.5 hectare block in a rural living zone. The block and surrounding land is generally level pasture with the Tasman highway forming the northern boundary some 180m from the dwellings in the area.

The dogs are boarded externally within an enclosed yard during the day (8am to 6pm), and inside the house during the evening and night time. The outside enclosure comprises a 2.4m high fence constructed of 15mm ship lapped pine planks. The facility may handle up to 30 dogs at a time.

The nearest dwellings are nominally 110m to the west and 120m to the south west.

The facility and its surroundings are shown in Figure 1.

### CRITERIA

The noise emissions from the boarding facility are assessed against the Clarence City Council Interim Planning Scheme clause 13.3.1 which is reproduced below.

<p><b>A2</b>  <i>Noise emissions measured at the boundary of the site must not exceed the following:</i>            (a) 55 dB(A) (LAeq) between the hours of 8.00 am to 6.00 pm;            (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 6.00 pm to 8.00 am;            (c) 65dB(A) (LAmx) at any time.</p>	<p><b>P2</b>  <i>Noise emissions measured at the boundary of the site must not cause environmental harm.</i></p>
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Measurements of the existing noise levels have been conducted over the period 24<sup>th</sup> to 28<sup>th</sup> May with the results summarised in Table 1. It is noted the night time L90 is 33 dBA implying by the planning scheme night time criteria would be 38 dBA.

The adopted acceptable criteria are then daytime 55 dBA and night time 38 dBA.

		SOUND PRESSURE LEVEL, dBA		
		L10	L90	Leq
Day Time	0800 - 1800	63	54	61
Night Time	1800 - 0800	59	33	58

**Table 1: Summary of Existing Noise Levels**





**Figure 1: Boarding facility and Surrounds**

## NOISE LEVELS

The noise level for a dog barking have been measured by NVC for a single dog that was perceived by two observers to be loud. The determined sound power level was 102 dBA. Data from reports pertaining to kennel noise measurements show barking noise levels in the range 92 to 106 dBA as a sound power level, with an average of 99 dBA. These support the observation that the 102 dBA measurement was a loud dog.

The measured level of 102 dBA has been used for this assessment with a corresponding Lmax sound power of 107 dBA.

The dogs are within an enclosure on the Eastern side of the house, with both the enclosure and house offering some screening of the dogs from the two nearest residences at 10 and 17 Alliance Drive. Predicted noise levels at these residences, calculated to the edge of their outdoor living area, have been made allowing for attenuation with distance and acoustic screening of 8 dB.

The Planning scheme requires an Leq calculated over 10 to 15 minutes. It is assumed that dogs are barking for ½ this time, and further that 20 dogs are barking at once. Table 1 summarises the resulting noise levels and compares them against the Planning Scheme criteria.

The assessment is only performed for daytime as at night the dogs are inside the house.

The assessment shows the dog noise levels meet the acceptable criteria of the planning scheme.

		SOUND PRESSURE LEVEL, dBA	
		No.10	No.17
<b>Leq</b>	1 Dog	39	38
	20 Dogs	52	51
	Plan. Sch. Criteria		55
<b>Lmax</b>		57	57
	Plan. Sch. Criteria		65

**Table 2: Predicted Dog Noise at Neighbouring Residences**

Should you have any queries, please do not hesitate to call this office directly.

Yours faithfully



**Bill Butler**

Kimberly Elford  
c/o IreneInc  
49 Tasma Street  
North Hobart Tasmania 7001  
Attention: Phil Gartrell

27 June 2018

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**D-2018/58 DOG BOARDING FACILITY - 2 ALLIANCE DRIVE, CAMBRIDGE**

Clarence Council have requested clarification of the noise levels presented in a previous report<sup>1</sup> on the expected noise levels from a dog boarding facility at Cambridge.

**MEASUREMENT LOCATIONS**

The two locations were chosen as being the boundary of the living area of the block. For large blocks the actual boundary is not always the relevant location to assess noise levels, as per section 2.6 of the NSW Noise Policy for Industry where it states:

“ For a residence, the project noise trigger level and maximum noise levels are to be assessed at the reasonably most-affected point on or within the residential property boundary or, if that is more than 30 metres from the residence, at the reasonably most-affected point within 30 metres of the residence, ....”

In this instance the most affected point is taken as ~20m from the house at the apparent fence of the living area of the block.

**SITE BOUNDARY NOISE LEVELS**

The actual boundary is some 64m for #10 and 88m for #17, from the kennel centre. The site boundary noise levels are then :

		SOUND PRESSURE LEVEL, dBA	
		No.10	No.17
<b>Leq</b>	1 Dog	43	40
	15 Dogs	55	52
Plan. Sch. Criteria		55	
<b>Lmax</b>		63	60
	Plan. Sch. Criteria	65	

**Table 1: Predicted Dog Noise at Neighbouring Residences**

Previously 20 dogs were used as a number to be barking at one time. This number was based on what was personally thought an extreme case if the total dogs allowed was 30. K Elford has since advised that the management of the home is such that half the dogs would be in the exercise yard at a time, while the other half rest inside the house. The number of dogs in the yard is then a maximum of 15.

The Table shows that *at the site boundary the planning scheme clause 13.3.1 A2 is met.*

Should you have any queries, please do not hesitate to call this office directly.

Yours faithfully

  
**Bill Butler**

<sup>1</sup> “D-2018/58 Dog Boarding Facility - 2 Alliance Drive, Cambridge”, 4 June 2018, Doc No. 5729



## **2 Alliance Drive, CAMBRIDGE**



**Site viewed looking west from Alliance Drive, towards proposed parking area**



**Site viewed from Alliance Drive, looking north towards dwelling**



**Proposed dog exercise yard, viewed from dwelling looking northeast**

**11.3.2 DEVELOPMENT APPLICATION D-2018/299 - 12 DILLON STREET, BELLERIVE - DWELLING ADDITION**  
(File No D-2018/299)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling addition at 12 Dillon Street, Bellerive.

**RELATION TO PLANNING PROVISIONS**

The land is zoned General Residential and subject to the General Residential Zone under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 31 July 2018.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of boundary setback.

**RECOMMENDATION:**

- A. That the Development application for Dwelling addition at 12 Dillon Street, Bellerive (CI Ref D-2018/299) be approved subject to the following conditions and advice.
  - 1. GEN AP1 – ENDORSED PLANS.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

**DEVELOPMENT APPLICATION D-2018/299 - 12 DILLON STREET, BELLERIVE - DWELLING ADDITION /contd...**

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**ASSOCIATED REPORT****1. BACKGROUND**

No relevant background.

**2. STATUTORY IMPLICATIONS**

**2.1.** The land is zoned General Residential under the Scheme.

**2.2.** The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.

**2.3.** The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10 – General Residential Zone.

**2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

**3. PROPOSAL IN DETAIL****3.1. The Site**

The site is an internal residential lot, 679m<sup>2</sup> in area, accessed via an access strip from Dillon Street. The site contains a 2 storey dwelling.

**3.2. The Proposal**

The proposal is for a dwelling addition to contain a workshop/storeroom for domestic use by the occupants of the dwelling. The addition is to be located in the northern corner of the site and is 150mm from the north-east and north-west property boundaries. The addition has a floor area of 26m<sup>2</sup> and will have a maximum height of 3.484m.

**4. PLANNING ASSESSMENT****4.1. Determining Applications [Section 8.10]**

*“8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by s51(2) of the Act, take into consideration:*

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act;*

*but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised”.*

Reference to these principles is contained in the discussion below.

**4.2. Compliance with Zone and Codes**

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Residential Zone with the exception of the following.

**General Residential Zone**

<b>Clause</b>	<b>Standard</b>	<b>Acceptable Solution (Extract)</b>	<b>Proposed</b>
10.4.2 A3	Setbacks and building envelope for all dwellings	A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:	

		<p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>complies</p> <p>Does not comply as the addition is located 150mm from the rear boundary.</p> <p>complies</p>
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The proposed variation must be considered pursuant to the Performance Criteria P3 of the Clause 10.4.2 as follows.

<b>Performance Criteria</b>	<b>Proposal</b>
<p><i>“The siting and scale of a dwelling must:</i></p> <p><i>(a) not cause unreasonable loss of amenity by:</i></p> <p><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></p> <p><i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i></p> <p><i>(iii) overshadowing of an adjoining vacant lot; or</i></p> <p><i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i></p>	<p>The dwellings on the lot to the west (6 Westbrook Street) and east (7 Buchanan Street) are located around 28m and 25m respectively from the proposed addition. Due to this separation, the proposal will not result in overshadowing habitable rooms of dwellings on adjoining lots.</p> <p>Due to its orientation on the site, the proposed addition will not overshadow the private open space of adjoining lots.</p> <p>not applicable</p> <p>The proposal is for a single storey to an existing dwelling and is not considered to have a visual impact when viewed from adjoining lots.</p>
<p><i>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area”.</i></p>	<p>The surrounding contains a number of sites with dwelling and outbuildings located up to the rear boundaries and therefore the rear boundary setback is compatible with the area.</p>

## **5. REPRESENTATION ISSUES**

The proposal was advertised in accordance with statutory requirements and 1 representation was received. The following issues were raised by the representor.

### **5.1. Boundary Setback**

The representor raised concerns that the proposed addition was too close to the shared boundary and also questioned whether the proposal met Council regulations regarding boundary setbacks.

- **Comment**

The proposal requires a discretion to the rear boundary setback, as discussed above. It is considered that the proposal meets the Performance Criteria for 10.4.2 P3 as it will not result in a loss of amenity to the adjoining lots through overshadowing, overlooking, or visual bulk.

**6. EXTERNAL REFERRALS**

No external referrals were required or undertaken as part of this application.

**7. STATE POLICIES AND ACT OBJECTIVES**

**7.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.

**7.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

**8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS**

There are no inconsistencies with Council's adopted Strategic Plan 2016-2026 or any other relevant Council Policy.

**9. CONCLUSION**

The proposal for a dwelling addition is recommended for approval.

Attachments: 1. Location Plan (1)  
2. Proposal Plan (4)  
3. Site Photo (1)

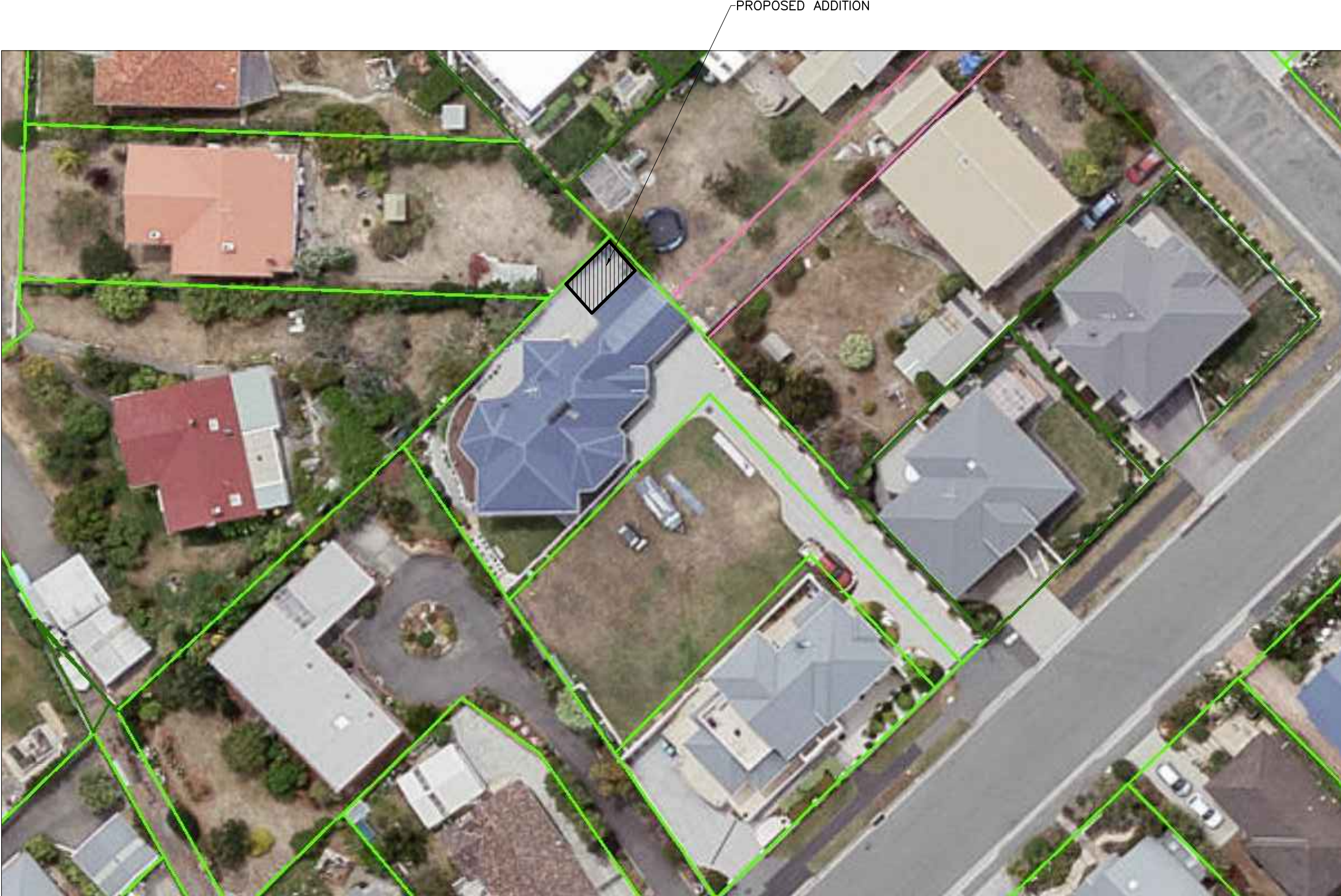
Ross Lovell  
**MANAGER CITY PLANNING**

# Clarence City Council




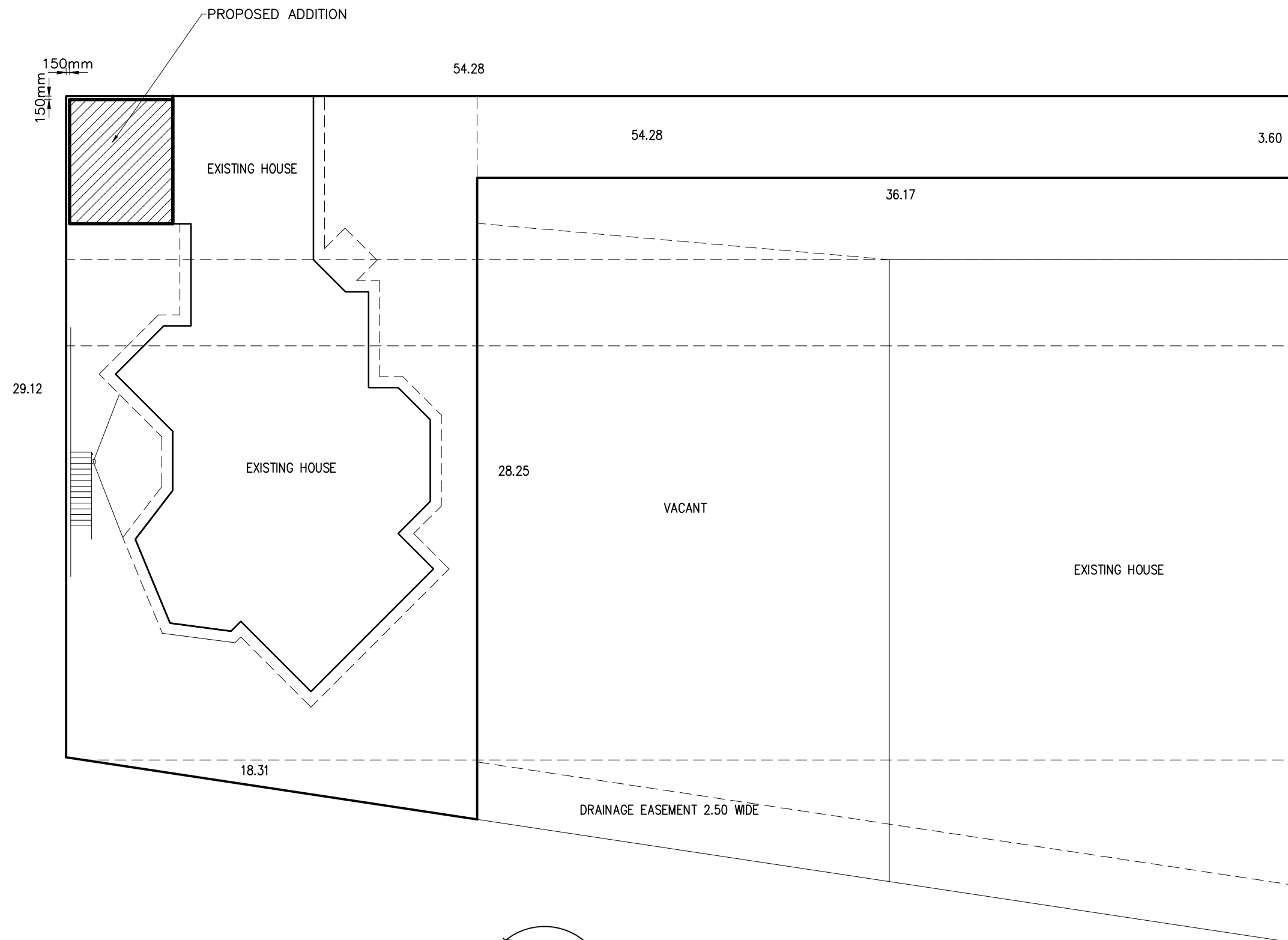
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# PLANNING APPLICATION

 DALLAS WILSON DESIGN DRAFTING	SCALE:	PAGE 1 OF 4 PAGES	PROPOSED ADDITION 12 DILLON ST BELLERIVE For M.WOOLLEY
	DESIGNED: DALLAS WILSON	DRAWN: DALLAS WILSON	
	DATE: 29/5/18	DWG No: WOOL-M-06	
ABN 73 052 274 674 P 03 62283111 F 03 62283133 M 0409310003 E dallaswilson@netspace.net.au PO Box 808 Moonah TAS 7009			



LEVEL DATUM ARBITRARY  
ALL BOUNDARIES & ADJACENT OFFSETS  
ARE SUBJECT TO ON-SITE CONFIRMATION  
BY A LICENCED SURVEYOR

ALL WORK TO BE CONSTRUCTED IN ACCORDANCE  
WITH AUSTRALIAN STANDARDS AND ANY BY-LAWS  
THAT MAY APPLY.

CONTRACTORS TO CONFIRM WITH DESIGNER ALL  
AREAS & DIMENSIONS & LEVELS PRIOR TO  
COMMENCING ANY WORK.

THESE PLANS HAVE BEEN PREPARED FOR THE  
PURPOSE OF OBTAINING APPROVAL FROM THE  
RELEVANT AUTHORITIES AND ARE SUBJECT TO THAT  
APPROVAL.

DO NOT SCALE.

SMOKE ALARMS ARE TO BE INSTALLED IN  
ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA

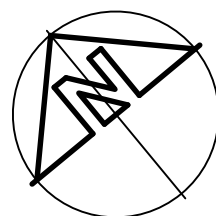
ALL GLAZING TO COMPLY WITH AUSTRALIAN  
STANDARDS. A.S.1288

STAIRS ARE TO CONFORM TO THE B.C.A..


ALL EXTERNAL DOORS & WINDOWS  
TO COMPLY WITH BCA 3.12.3.3

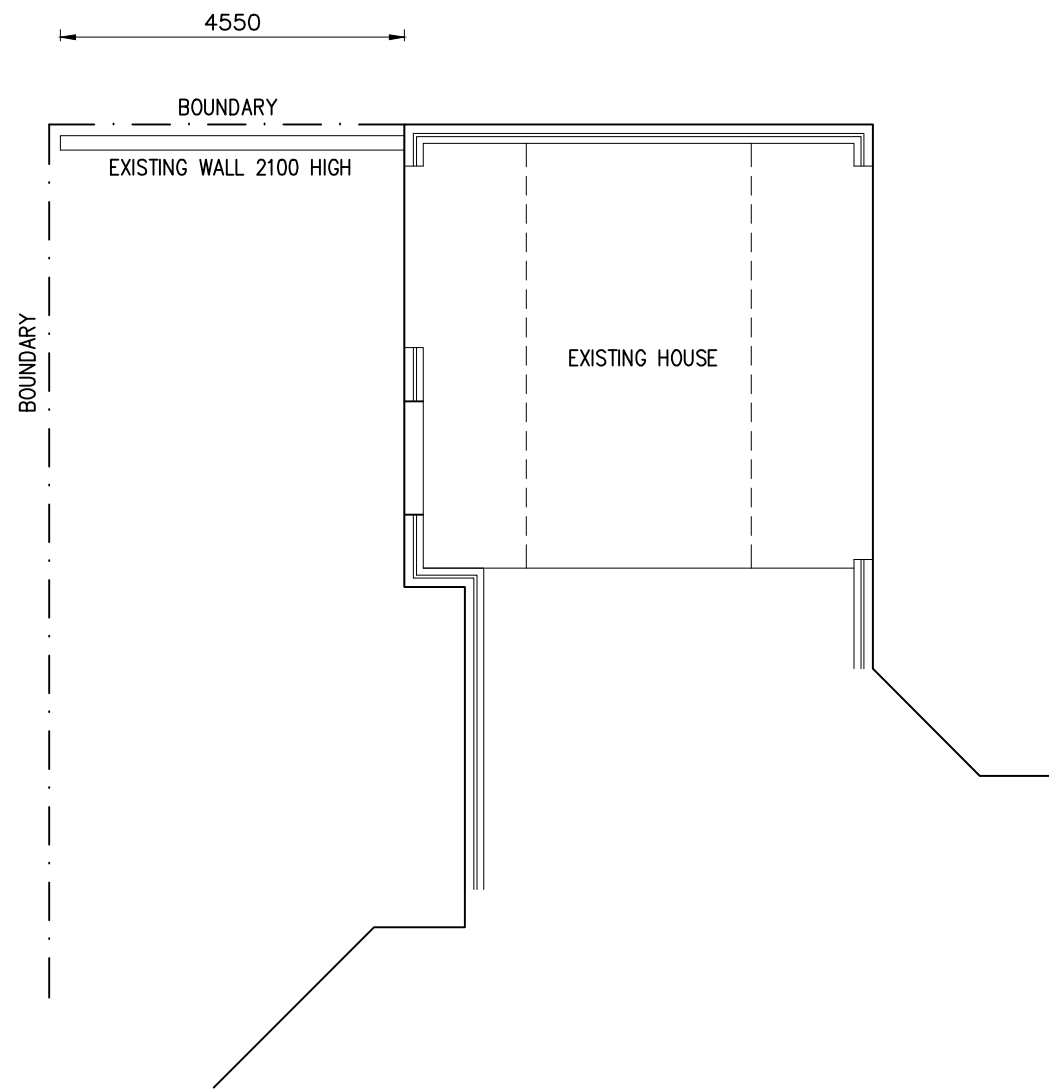
REV	DATE	DETAIL
-	-	-

TOTAL LAND AREA: 679m<sup>2</sup>  
PROPOSED FOOT PRINT: 276m<sup>2</sup> 40%  
EXISTING FOOTPRINT: 251m<sup>2</sup> 37%

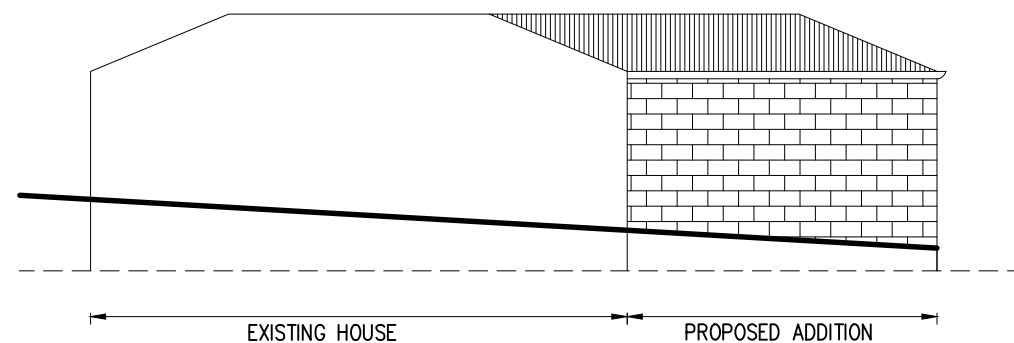


SITE PLAN  
1:200

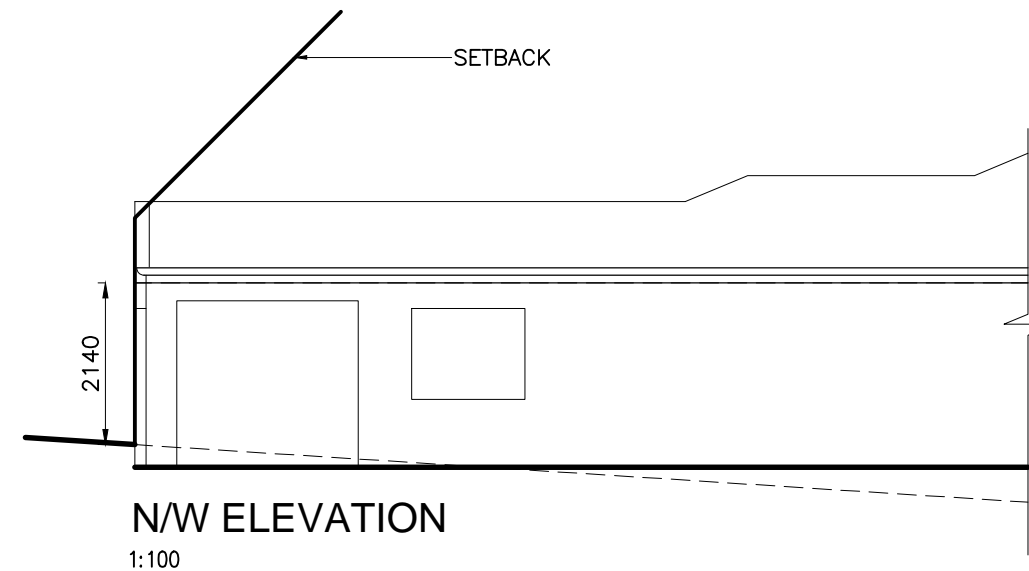
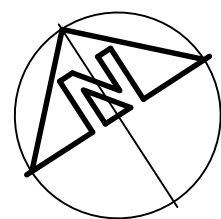
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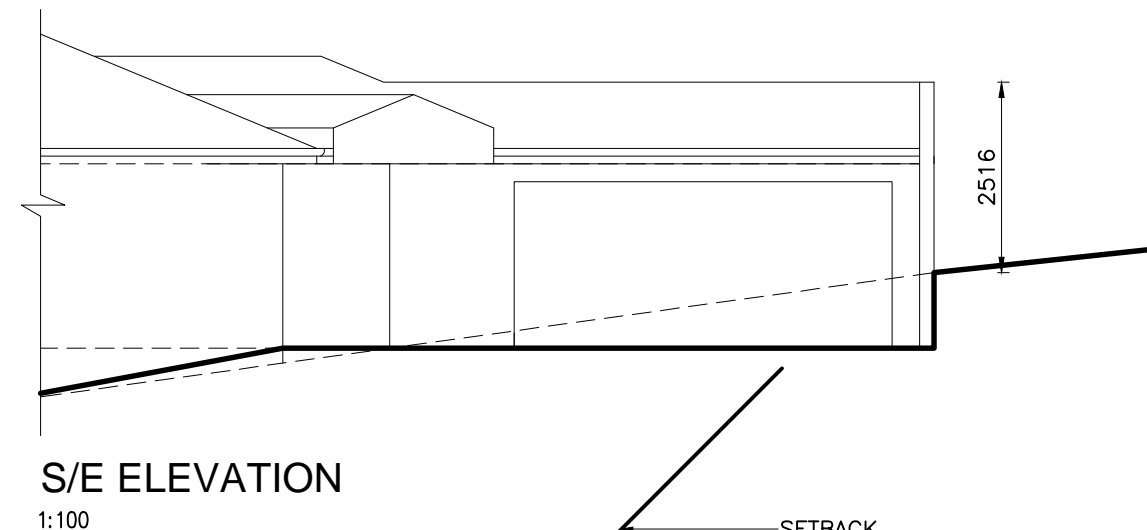
EXISTING FLOOR PLAN  
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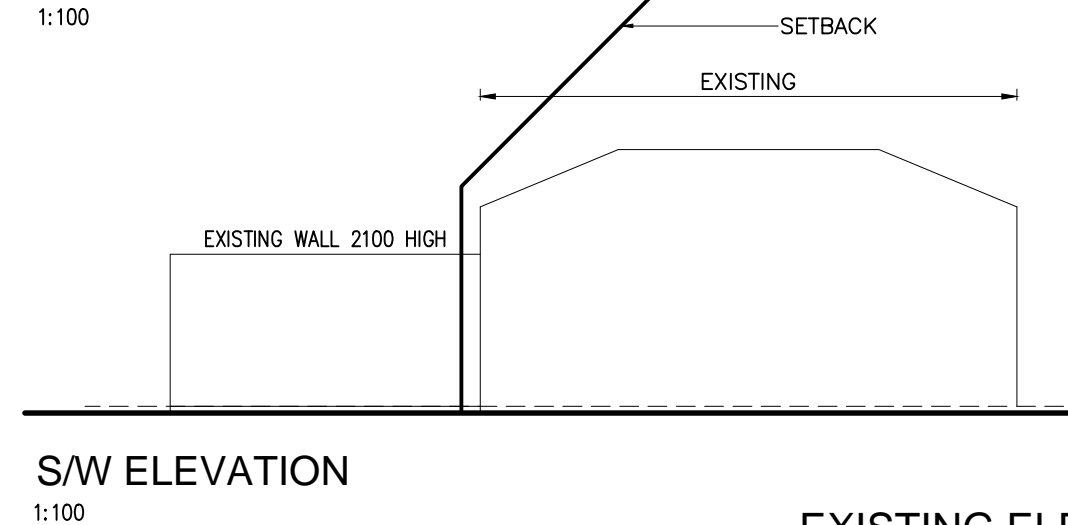
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N/W ELEVATION  
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S/E ELEVATION  
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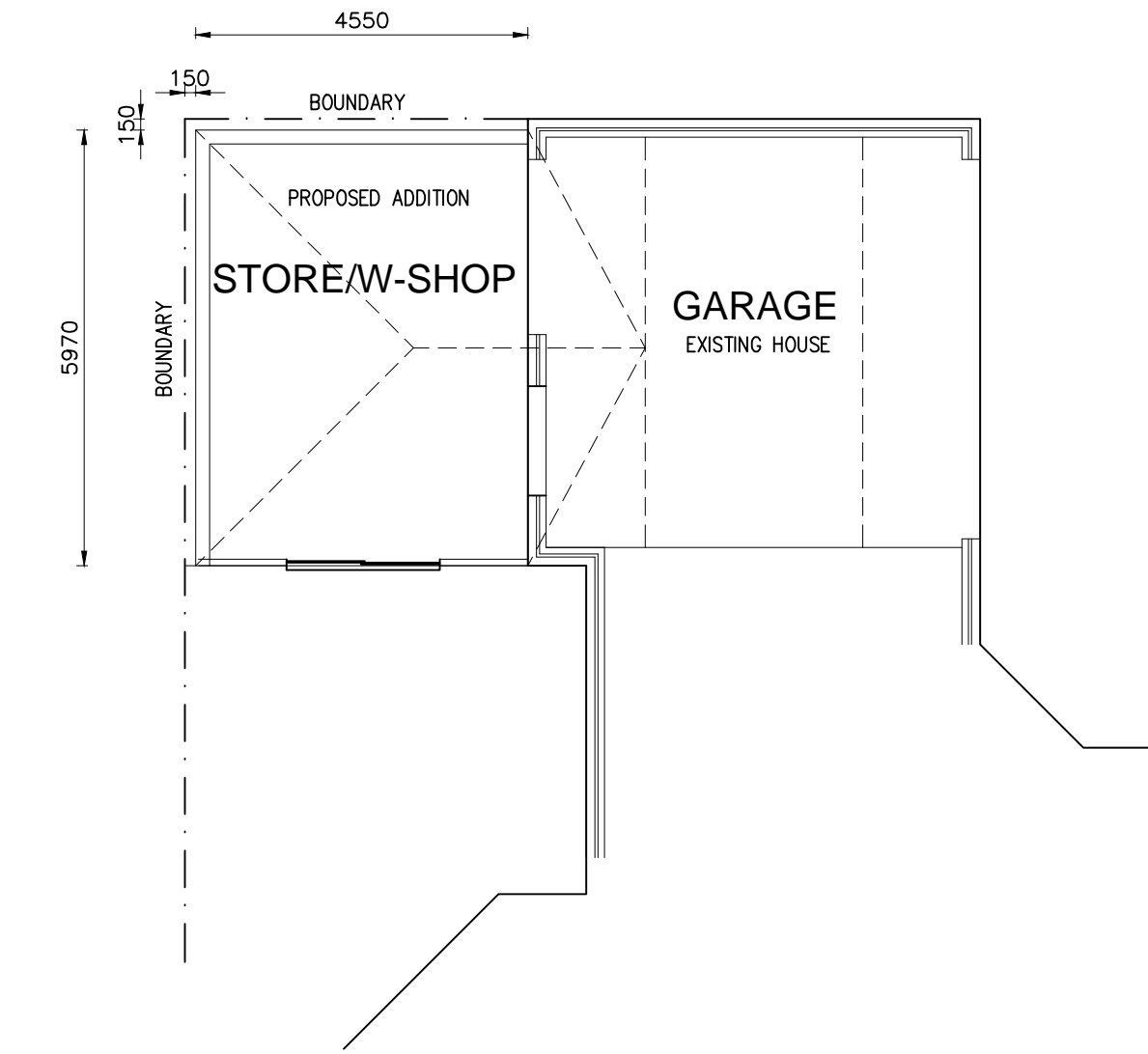


S/W ELEVATION  
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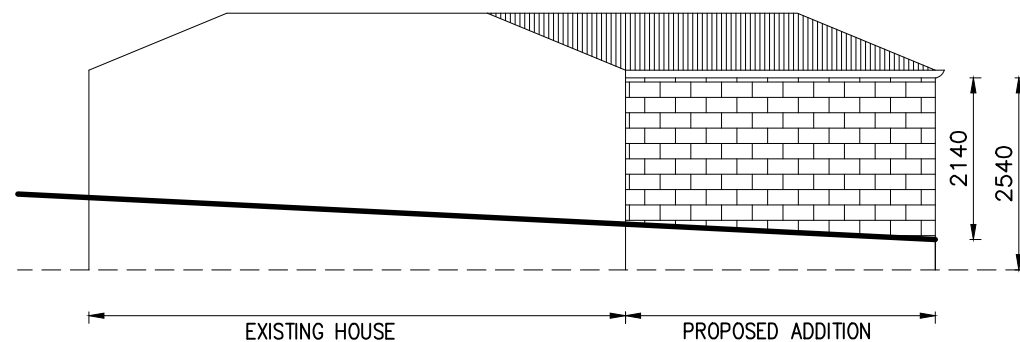
EXISTING ELEVATIONS  
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 DALLAS WILSON DESIGN DRAFTING	SCALE:	PAGE 3 OF 4 PAGES	PROPOSED ADDITION 12 DILLON ST BELLERIVE For M.WOOLLEY
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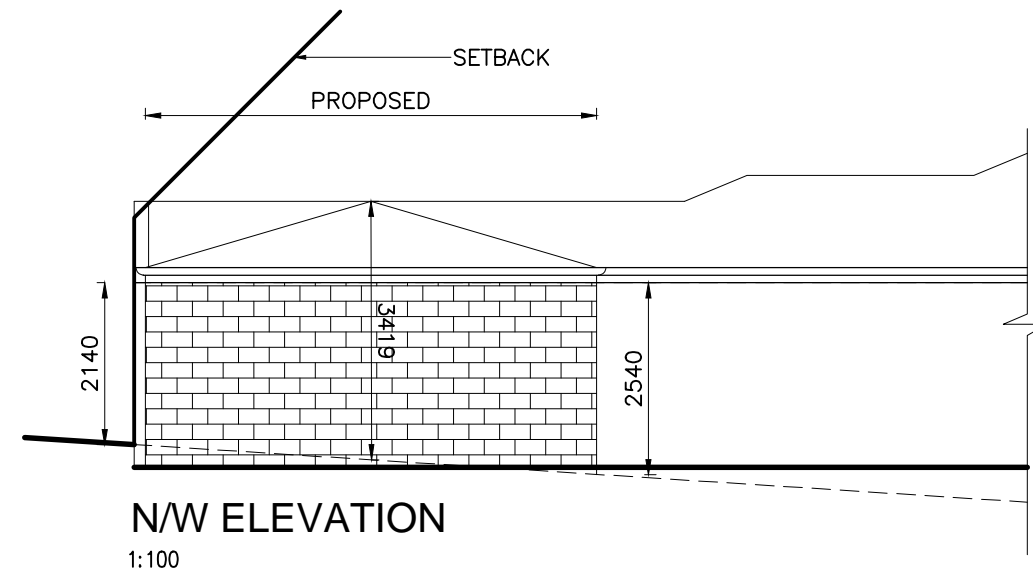
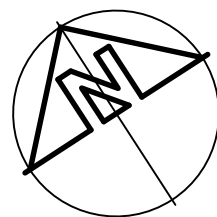




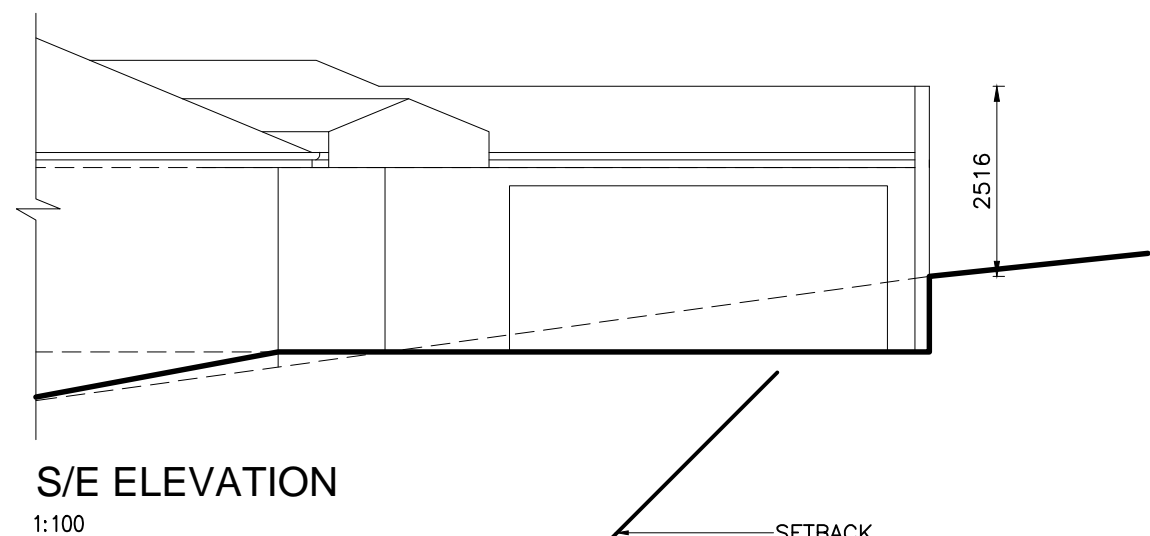
PROPOSED FLOOR PLAN  
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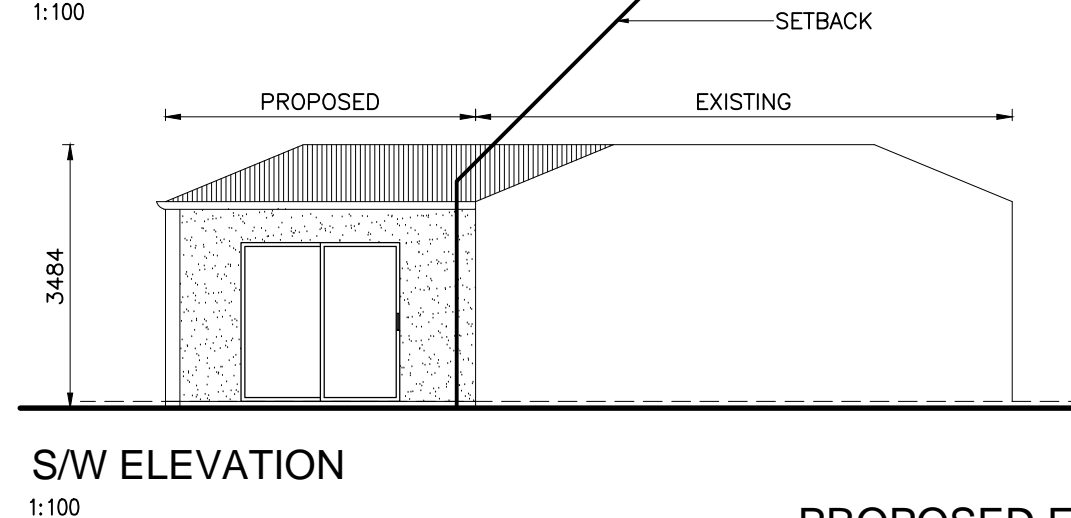
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N/W ELEVATION  
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S/E ELEVATION  
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S/W ELEVATION  
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PROPOSED ELEVATIONS  
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## **12 Dillon Street, BELLERIVE**



**Site viewed from the access off Dillon Street.**



**11.3.3 DEVELOPMENT APPLICATION D-2018/318 - 17 BLIGH STREET, ROSNY PARK (WITH ACCESS OVER 4 BAYFIELD STREET) - MIXED USE DEVELOPMENT INCLUDING MULTIPLE DWELLINGS AND BUILDING ALTERATIONS AND ADDITIONS**

(File No D-2018/318)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a mixed use development including multiple dwellings and building alterations and additions at 17 Bligh Street, Rosny Park (with access over 4 Bayfield Street).

**RELATION TO PLANNING PROVISIONS**

The land is zoned Central Business and is subject to the Road and Rail Assets Code, Parking and Access Code, Stormwater Management Code and Public Art Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

**LEGISLATIVE REQUIREMENTS**

The report on this item details the basis and reasons for the recommendation. Any alternative decision by Council will require a full statement of reasons in order to maintain the integrity of the Planning approval process and to comply with the requirements of the Judicial Review Act and the Local Government (Meeting Procedures) Regulations 2015.

Note: References to provisions of the Land Use Planning and Approvals Act 1993 (the Act) are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015.

Council is required to exercise a discretion within the statutory 42 day period which expires on the 10 August 2018.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and no representations were received.

**RECOMMENDATION:**

- A. That the Development Application for mixed use development including multiple dwellings and building alterations and additions at 17 Bligh Street, Rosny Park (with access over 4 Bayfield Street) (Cl Ref D-2018/318) be refused for the following reason.

1. The proposal does not comply with Clause E6.6.1 P1 of the Clarence Interim Planning Scheme 2015 (the Scheme); in that the number of on-site car parking spaces will not be sufficient to meet the reasonable needs of users having regard to each of the requirements set out in Subparagraphs (a) – (l).

**ADVICE**

That in the event of an appeal, Council would be prepared to consent to a permit with relevant conditions, indicating the payment of cash-in-lieu of 3 deficient car parking spaces to the value of \$36,000 prior to the commencement of the use of Stage 2. The submission of a new development application addressing this issue would also likely result in a recommendation for approval.

- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

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**ASSOCIATED REPORT****1. BACKGROUND**

The relevant planning permits for this site include:

- D-1975/47: Approval for the original building as a furniture showroom whereby 2 car parking spaces were provided on-site and cash-in-lieu was paid for 10 deficient spaces.
- D-1989/58: The building was redeveloped in 1989, which resulted in a 10 space car parking deficiency. Council waived 3 spaces and required cash-in-lieu for the remaining 7.
- D-1993/270: The site was redeveloped to convert the first floor from a showroom to an office. An additional 4 spaces were required and cash-in-lieu was taken for these.
- D-2014/149: Approval was granted to convert part of the ground floor level to consulting rooms (physiotherapy) generating a demand for 10 car parking spaces. A credit of 5 spaces applied and cash-in-lieu was taken for the 5 space deficit.

In summary, 26 spaces have been provided in-lieu to date for the 29 spaces required for the various uses on the site.

## **2. PRELIMINARY PLANNING ASSESSMENT**

Prior to the lodgement of the development application with Council, the applicant requested a preliminary planning assessment for the proposed development. The response advised a discretionary development application was required and that a deficiency of 4 spaces would result for the residential component of the development. The applicant was advised that Council consistently requires a cash-in-lieu payment for the deficient number of car parking spaces for new developments in the Rosny Park area and that the payment of a financial contribution in-lieu of parking towards the cost of parking facilities would be required.

## **3. THE APPLICATION**

The applicant lodged a development application requesting the 3 space parking shortfall be waived. This is a departure from the consideration of previous applications within the Rosny Park area whereby developers have requested consideration of a reduction in the total cash-in-lieu payment. Council's assessment is therefore focused to the consideration of the appropriateness of waiving the parking shortfall created by this development and cannot consider the imposition of a permit condition dealing with a cash-in-lieu payment to offset this shortfall. If Council were to consider imposing a condition requiring a financial contribution in-lieu of the required on-site parking, in doing so this may be deemed an effective refusal exposing it to an appeal under Section 59 of the Act.

As indicated in the advice clause within the recommendation, this issue could be resolved by consent through the RMPAT on the basis the applicant agrees to the payment of a financial contribution and chooses to lodge an appeal. An alternative would be the lodgement of a new development application agreeing to the imposition of a condition requiring cash-in-lieu for the deficient on-site car parking.

#### **4. STATUTORY IMPLICATIONS**

- 4.1.** The land is zoned Central Business under the Scheme.
- 4.2.** The proposal is discretionary because it does not meet the Acceptable Solutions under the Central Business Zone and Parking and Access Code relating to front setback, building design, passive surveillance, number of car parking spaces and on-site turning.
- 4.3.** The relevant parts of the Planning Scheme are:
- Section 8.10 – Determining Applications;
  - Section 21.0 – Central Business Zone;
  - Section E5.0 – Road and Rail Assets Code;
  - Section E6.0 – Parking and Access Code;
  - Section E7.0 – Stormwater Management Code; and
  - Section E24.0 – Public Art Code.
- 4.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

#### **5. PROPOSAL IN DETAIL**

##### **5.1. The Site**

The subject site is a 580m<sup>2</sup> square shaped lot located on the corner of Ross Avenue and Bligh Street. The site is developed with a 2 storey rendered commercial building constructed to the street edge of both Ross Avenue and Bligh Street. The buildings main façade presents to Bligh Street at the northern end of the Rosny Park Bus Mall and forms a prominent landmark site at the northern entrance to the bus mall.

Pedestrian access to the lower and ground floors is provided via a central access off the Bligh Street frontage and access to the upper level offices is provided via a ramp access from the Bayfield Street carpark to the rear. Minimal articulation is presently provided on both levels of the building fronting Ross Avenue. Signage is also inconsistent and unco-ordinated across the façade elevations.

The site has been strata titled vertically across 3 levels. The lower ground floor contains 2 tenancies with one being vacant and the other utilised as a dance studio. The ground floor is divided into 2 tenancies with one being occupied by a physiotherapy business. The first floor contains 3 individual suites utilised as offices and a dance studio.

No on-site car parking is currently provided on-site.

The site directly adjoins a 2 storey commercial building to the south and is separated from the 4 storey commercial building at 18 Ross Avenue, Rosny Park by a public walkway linking Ross Avenue and the Bayfield Street carpark.

A 2m wide landscape strip containing low shrubs separates the northern façade of the building from the Ross Avenue footpath.

## **5.2. The Proposal**

The proposal is for the redevelopment of the existing commercial building to provide for the following.

- Provision of 2 new upper levels containing 4 apartments over 2 levels. The third level apartments would contain 3 bedrooms with the fourth level offering a 3 bedroom and 2 bedroom apartments. The apartments would be arranged to face either west or east so as to ensure each apartment is provided with north facing windows. The additions would be constructed from a mix of concrete panels and cement sheet panelling.

- A 76m<sup>2</sup> addition to the ground floor level consulting rooms fronting Ross Avenue. The addition would have limited visibility from Ross Avenue due in part to the building being located below the new parking deck and being obscured by roadside retaining walls and landscaping.
- Internal modifications across the 3 existing floors and demolition of the rear access ramps to provide for an extension to the rear of the ground floor level and construction of a parking deck above accessed directly from the adjacent Bayfield Street carpark. The parking deck would accommodate the parking of 4 vehicles with the spaces reserved exclusively for the use of the residential apartments.
- Exterior upgrades are proposed to the Ross Avenue and Bligh Street frontages and includes the refinishing of the existing rendered walls and new folding windows.

The development would be staged as follows:

#### **Stage 1**

- internal works excluding installation of lift and fire stair;
- ground floor extension and parking deck at the rear of the property;  
and
- exterior upgrades.

#### **Stage 2**

- addition of 4 apartments over 2 additional floors; and
- installation of an internal lift and fire stair.

Public art is proposed in the form of artistic panelling to be installed on the Ross Avenue and Bligh Street frontages. Council's Arts and Cultural Development Co-ordinator has indicated in principle support for this arrangement.

A total of 8 on-site car parking spaces (2 per residential apartment) are required in order to satisfy the on-site parking requirements of the Parking and Access Code. The site currently does not provide any on-site car parking and the development will involve the creation of a parking deck to accommodate 4 car parking spaces for the use of the residential apartments. A credit of 1 car parking space is available as a result of the reduction of office floor space to facilitate the internal modifications reducing the overall car parking deficit to 3 spaces.

The applicant requests a full waiver of the parking shortfall and any subsequent financial contribution that may be considered necessary. This issue is considered in more detailed further below.

No signage is proposed as part of this application, however, the applicant has agreed to a condition requiring the production of a revised signage strategy for the building.

## **6. PLANNING ASSESSMENT**

### **6.1. Determining Applications [Section 8.10]**

*“8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by s51(2) of the Act, take into consideration:*

- (a) all applicable standards and requirements in this planning scheme; and*
- (b) any representations received pursuant to and in conformity with ss57(5) of the Act;*

*but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised”.*

Reference to these principles is contained in the discussion below.

### **6.2. Compliance with Zone and Codes**

The proposal meets the Scheme’s relevant Acceptable Solutions of the Central Business Zone, Road and Rail Assets Code, Parking and Access Code, Stormwater Management Code and Public Art Code with the exception of the following.

**Central Business Zone**

<b>Clause</b>	<b>Standard</b>	<b>Acceptable Solution (Extract)</b>	<b>Proposed</b>
22.4.2 A1	Setback	<p>Building setback from frontage must be parallel to the frontage and must be no less than:</p> <ul style="list-style-type: none"> <li>• 3m, if facing a Residential zone.</li> <li>• 9m, if fronting Bayfield Street or Ross Avenue.</li> <li>• Nil if fronting any other street.</li> </ul>	<p>Does not comply – in this case a 9m setback is required from Ross Avenue and a zero setback from Bligh Street.</p> <p>The setback of the ground level addition from Ross Avenue would be zero.</p> <p>The setback of the third and fourth level additions would be 0.9m from Ross Avenue.</p> <p>The setback of the third and fourth level additions from Bligh Street would be 1.8m-2.1m.</p>

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 22.4.2 as follows.

<b>Performance Criteria</b>	<b>Proposal</b>
<i>“P1 - Building setback from frontage must satisfy all of the following:</i>	see below assessment
<i>(a) be consistent with any Desired Future Character Statements provided for the area;</i>	<p>The Statement of Desired Future Character Statements for Rosny Park are outlined as follows:</p> <p><i>a) Rosny Park will be a successful integration of a traditional commercial strip centre with a significant regional shopping complex, where the urban design qualities of a well-designed public domain are enhanced by building design, accessible movement opportunities. Parking and community spaces will reinforce the centre’s role as the City’s most important cultural, commercial and employment centre.</i></p>



	<p>b) <i>Buildings will contribute to a higher built form, reinforcing the area as consolidated and separate from the adjacent residential, parkland and earlier Bellerive commercial area. Car parking areas will be located to serve these buildings, and rather than dominating street frontages, will preferably be located in consolidated internal areas.</i></p> <p>c) <i>The role of the centre will be enhanced with the development of useable public spaces: spaces to meet in small or larger groups, to enhance the visual amenity, to safely move through and between buildings.</i></p> <p>The recessed design of the third and fourth floor additions will contribute to a higher built form in a manner that reinforces the corner location. The proposal would also enhance the urban design qualities of the building through retexturing and the inclusion of architectural detail on the street facades.</p> <p>The ground floor addition fronting Ross Avenue is consistent with the horizontal mass of the adjoining commercial building at 18 Ross Avenue. The addition would not impact upon the existing public walkway and roadside landscaping separating the subject site from Ross Avenue providing a key urban design outcome for the Rosny Park area.</p> <p>Lastly, the proposal includes the provision of a new parking deck to the rear rather than dominating the streetscape.</p>
<p>(b) <i>be compatible with the setback of adjoining buildings, generally maintaining a continuous building line if evident in the streetscape;</i></p>	<p>The third and fourth floor additions would offer a recessed setback with the effect of reducing the proportions and scale of the additions. This also has the effect of defining the residential component of the building from the commercial component.</p>

	<p>Articulation is proposed on the 2 new floor levels by projecting balconies, awnings and architectural features.</p> <p>The setback of the upper level additions is consistent with the scale and depth of the fourth floor level of the adjoining building at 18 Ross Avenue.</p> <p>The ground level addition will be consistent with the setback of adjoining buildings and will maintain a continuous building line with the adjoining building.</p> <p>The proposed setbacks will therefore be compatible with the setback of adjoining buildings.</p>
<i>(c) enhance the characteristics of the site, adjoining lots and the streetscape;</i>	<p>The redeveloped building will provide for a building mass that is consistent with the streetscape and will elevate the architectural character of the area.</p> <p>The inclusion of public art on the façade elevations of the building will enhance the appearance of the building and overcome any lack of articulation currently defining the building.</p> <p>The design features are considered to result in a building positively reinforcing its relationship with the street and presentation within the broader Rosny Park Activity Centre.</p>
<i>(d) provide for small variations in building alignment only where appropriate to break up long building facades, provided that no potential concealment or entrapment opportunity is created;</i>	<p>The setback of the ground and upper floor levels of the building would remain unchanged. The third and fourth level additions would be recessed 0.9m behind the building line established by the ground and upper floor levels.</p> <p>The recessed design of the third and fourth level additions would not create any public spaces that could form potential concealment or entrapment opportunity, as these areas would not be publicly accessible.</p>

	<p>The ground level addition and creation of a parking deck will remove the courtyards presenting as possible entrapment spaces at the rear of the building. This is a positive outcome in terms of improving passive surveillance across the site.</p>
<p>(e) <i>provide for large variations in building alignment only where appropriate to provide for a forecourt for space for public use, such as outdoor dining or landscaping, provided the that no potential concealment or entrapment opportunity is created and the forecourt is afforded very good passive surveillance.</i></p>	<p>Not applicable – A large variation in building setback is not proposed.</p>
<p>(f) <i>in the case of properties in Bayfield and Ross Street, where appropriate, providing a forecourt designed to give adequate space for some form of public use, such as outdoor dining, relaxation, landscaping or public art.</i></p>	<p>The construction of the existing building to both street edges inhibits the ability to incorporate space for public forecourts.</p> <p>However, the area between the building and Ross Avenue is currently dedicated as a public walkway connecting Ross Avenue to the Bayfield Street carpark. The proposal would not impact upon this existing allocation of land available for public use within the immediate vicinity of the proposal.</p> <p>Whilst it is not possible to modify the layout of the ground floor to provide for a public forecourt or additional landscaping, it is proposed to include public art on the Ross Avenue frontage of the building which is presently not provided for. The inclusion of public art on the northern façade of the building will result in the building providing a more attractive façade which will enhance the characteristics of the streetscape.</p>
<p>(g) <i>any Desired Future Character Statements provided for the area”.</i></p>	<p>This has been addressed under Clause (a) above.</p>

**Central Business Zone**

<b>Clause</b>	<b>Standard</b>	<b>Acceptable Solution (Extract)</b>	<b>Proposed</b>
22.4.3 A1	Design	<p>Building design must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</li> <li>(b) for new building or alterations to an existing façade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade;</li> <li>(c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 30% of the length of the facade;</li> <li>(d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces;</li> <li>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof;</li> </ul>	<p>Does not comply - the proposal includes an extension to the ground floor of the building fronting Ross Avenue. The proposed addition will not result in compliance with Clause (b) as the glazing component of the northern façade of the ground floor level would amount to 11%.</p> <p>No change is proposed to the glazing component associated with the Bligh Street façade.</p>

		<p>(f) not include security shutters over windows or doors with a frontage to a street or public place;</p> <p>(g) provide awnings over the public footpath if existing on the site or on adjoining lots.</p> <p>(h) not include a vehicle driveway to the frontage;</p> <p>(i) provide compatible footpaths with adjoining footpaths.</p>	
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The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 22.4.3 as follows.

<b>Performance Criteria</b>	<b>Proposal</b>
<i>“P1 - Building design must enhance the streetscape by satisfying all of the following:</i>	see below assessment
<i>(a) provide the main access to the building in a way that addresses the street or other public space boundary;</i>	The main entry point to the building is provided from Bligh Street (Rosny Park bus mall). The secondary access located at the rear of the building would be retained, although re-designed to improve its accessibility and visibility.
<i>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</i>	<p>The majority of the ground level addition will be concealed below the retaining walls constructed within the adjacent road reservation to provide public access from Ross Avenue to the Bayfield Street carpark. A small proportion of the addition will be visible from the street with the visible component mostly comprising glazing as opposed to solid walls.</p> <p>The proposed addition will enhance the overall glazing component of the building and the inclusion of architectural detailing and treatment of the existing ground level façade will contribute to a higher quality urban design outcome.</p>

(c) <i>treat large expanses of blank wall in the front façade and facades facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</i>	The proposal includes the installation of public art along the Ross Avenue building frontage. The inclusion of public art and architectural detail is an appropriate treatment for a currently unarticulated wall and will result in a higher quality urban design outcome.
(d) <i>ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street;</i>	All mechanical plant, miscellaneous equipment and roof-top servicing infrastructure (including solar panels) would be located on the roof and would be concealed from view by the opposing skillion roof design.
(e) <i>ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</i>	as per above
(f) <i>not provide awnings over the public footpath only if there is no benefit to the streetscape or pedestrian amenity or if not possible due to physical constraints;</i>	No awnings are proposed along the Ross Avenue frontage. An existing awning located on the Bayfield Street façade would be retained and improved in appearance through the inclusion of architectural detail and public art.
(g) <i>only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</i>	no shutters are proposed
(h) <i>be consistent with any Desired Future Character Statements provided for the area.</i>	The building additions and upgrading of the external appearance of the existing building will provide for a high quality urban design outcome.
(i) <i>ensure corner sites reinforce the prominence of the location.</i>	The proposed additions and refurbishments to the existing building will reinforce and enhance the prominence of the building which is considered to be a landmark position at the entrance to the Rosny Park Bus Mall.
(j) <i>front setback areas must be designed to enhance the streetscape and public access, through suitable paving, integrated with the public footpath, landscaping, seating or artworks”.</i>	The existing building is constructed to the edge of Ross Avenue therefore there is no opportunity to provide land for public use. Additional landscaping is not desirable given the existing landscaping provision along Ross Avenue.

**Central Business Zone**

<b>Clause</b>	<b>Standard</b>	<b>Acceptable Solution (Extract)</b>	<b>Proposed</b>
22.4.4 A1	Passive surveillance	<p>Building design must comply with all of the following:</p> <ul style="list-style-type: none"> <li>(a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site;</li> <li>(b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 40% of the surface area of the ground floor level facade;</li> <li>(c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a carpark which amount to no less than 30% of the surface area of the ground floor level facade;</li> <li>(d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</li> <li>(e) provide external lighting to illuminate car parking areas and pathways;</li> <li>(f) provide well-lit public access at the ground floor level from any external carpark.</li> </ul>	<p>Does not comply - the proposal includes an extension to the ground floor of the building fronting Ross Avenue. The proposed addition will not result in compliance with Clause (b) in that the glazing component of the northern façade of the ground floor level would amount to 11%.</p>

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 22.4.4 as follows.

<b>Performance Criteria</b>	<b>Proposal</b>
<i>“P1 - Building design must provide for passive surveillance of public spaces by satisfying all of the following:</i>	see below assessment
<i>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</i>	As indicated above, the main entrance to the building is via Bligh Street. The secondary rear access would be redesigned to enhance its accessibility and visibility from the adjoining Bayfield Street carpark. This is a positive outcome in the interests of enhancing public surveillance and safety.
<i>(b) locate windows to adequately overlook the street and adjoining public spaces;</i>	Windows within the ground level addition fronting Ross Avenue will enhance passive surveillance of the adjoining public walkway and the street.
<i>(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;</i>	Windows have been included within the ground floor addition resulting in improved mutual passive surveillance.
<i>(d) locate external lighting to illuminate any entrapment spaces around the building site;</i>	It is proposed to install lighting at the rear of the building to illuminate the new car parking deck and secondary access.
<i>(e) provide external lighting to illuminate car parking areas and pathways;</i>	as above
<i>(f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;</i>	The existing main public access to the building from Bligh Street offers clear line of sight into the bus mall. The modifications to the secondary access located at the rear of the building will also provide for improved line of sight between the entrance and the public car park.
<i>(g) provide for sight lines to other buildings and public spaces”.</i>	The proposed building additions would not impact upon sight lines to other buildings.



**Parking and Access Code**

<b>Clause</b>	<b>Standard</b>	<b>Acceptable Solution (Extract)</b>	<b>Proposed</b>
E6.6.1 A1	Number of Car Parking Space	<p>The number of on-site car parking spaces must be:</p> <p>(a) No less than the number specified in Table E6.1;</p> <p>Except if;</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>	<p>Does not comply – in accordance with Council’s Interim Car Parking Plan, the parking requirement established under the Clarence Planning Scheme 2007 applies.</p> <p>The parking rate under the Clarence Planning Scheme 2007 is 2 per Multiple Dwelling with a floor area in excess of 60m<sup>2</sup>. Therefore, the resultant number of spaces required is 8. The new parking deck will provide for 4 on-site parking spaces.</p> <p>A reduction in office floor space is proposed resulting in an additional car parking credit of 1 space.</p> <p>When applying this credit, a 3 space parking shortfall arises.</p>

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E6.6.1 as follows.

<b>Performance Criteria</b>	<b>Proposal</b>
<i>“P1 - The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</i>	see below assessment
<i>(a) car parking demand;</i>	<p>The applicant has requested that Council waive the 3 space parking variation as an integral part of the application for the following reasons:</p> <ul style="list-style-type: none"> <li>the occupants of the apartments will be able to access local business and government services and shop in the local area without the need for a motor vehicle;</li> </ul>

- the occupants of the apartments will have immediate access to conveniently located taxi ranks and the Rosny bus mall which is a major transport hub that provides bus services to all areas on the eastern shore and the City of Hobart;
- the development includes the provision of a bicycle rack on the rear parking deck which will provide occupants with access to a convenient alternative transport option;
- the apartments will attract buyers seeking a lifestyle choice to be close to services and facilities and will therefore be less reliant on motor vehicles for their transportation needs; and
- the future trend is for lower motor vehicle ownership and acceptance of this will demonstrate a commitment to reducing the footprint on the environment.

Notwithstanding the applicant's submission, the proposed apartments would each contain 3 bedrooms and it is likely the future occupants will own 2 cars. This is founded on 2017 Australian Bureau of Statistics Census Data indicating that Tasmania has reported the strongest growth rate in motor vehicle ownership with vehicle registrations increasing by 2.6%; 2016 Census Data also indicates that 48.7% of the Tasmanian population own at least 2 cars per household.

Access to sustainable public transport options will reduce daily dependency but is unlikely to reduce the dependency on car ownership as walking, cycling and bus service opportunities are not of a sufficiently high standard to provide access to the full range of recreational, social, employment and service needs generally relied upon across Greater Hobart.

	<p>The demand for parking by residents will also be constant as opposed to the short duration parking occupation by those commuting to Rosny Park for shopping and service reasons.</p> <p>The high on-street parking demand, together with the demand for parking generated by the occupants and visitor parking, is likely to be impractical and inconvenient for both occupants and visitors. This will ultimately diminish residential amenity.</p>
<p><i>(b) the availability of on-street and public car parking in the locality;</i></p>	<p>Recent parking surveys conducted by Council's Assessment Management Group, found that the demand for car parking in the Rosny Park activity centre is high and the existing car parking supply is nearing capacity.</p> <p>The most recent survey results indicate that on-street car parking in Bayfield Street is currently operating at approximately 60-70% capacity and 85% within Bligh Street. The Bayfield Street carpark has been determined to be operating at 70% capacity. The survey results are the result of averaged figures between normal business hours. Council's Development Engineers have advised that 75% occupancy results in complaints from the public and an 85% take-up is considered to be at capacity.</p> <p>No parking is available in the Rosny Park bus mall.</p> <p>On-street parking in the area is approaching full capacity and Council is in the process of developing a strategy to address car parking solutions in Rosny Park. The strategy will explore the option of developing a multi-storey carpark within the Rosny Park area. Council has a long standing policy which has consistently been applied to require a financial contribution from developments which contribute to this parking demand to fund the development of new parking facilities.</p>

	<p>Car parking is nearing capacity in the Rosny Park precinct and the introduction of 4 new residential apartments will place additional pressure on the available on-street car parking supply. This will be magnified where an occupant owns cars but chooses to walk, cycle or use public transport to access their work place in recognition of these alternative modes of transport being available.</p> <p>Given Rosny Park is not as well serviced with public transport as the City of Hobart, the need for multiple car ownership for a 3 bedroom dwelling is likely to be high. The demand for vehicle ownership and the ability to utilise public transport during the week to access places of employment will place increased pressure on Council's limited supply of on-street parking in that private vehicles will be parked in the surrounding on-street parking during peak times.</p> <p>There are 26 unrestricted car parking spaces currently available in the Bayfield Street carpark. Given the demand for parking in the area, Council will soon be lifting the unrestricted nature of these parks and imposing time restrictions to match the remainder of the carpark. The remaining Bayfield Street carparks are subject to a 2 hour time restriction. Within Ross Avenue, a no standing zone applies immediately along the frontage of the site and extending around into Bligh Street. The on-street carparks available along Ross Avenue are currently 1 hour restricted.</p> <p>The closest all day parking area is located within the residential streets of Bligh Street, Bruny Street and Balamara Street. These streets are currently experiencing pressure by commuter parkers which will further reduce the potential availability of these streets for reliable on-street parking.</p>
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	<p>It is therefore considered unreasonable to waive the 3 space parking shortfall generated by the proposed development. Council must consider whether it is suitable to offset the loss of the required spaces by requiring a financial contribution in-lieu of parking towards the cost of developing additional parking facilities within the area. This is discussed in further detail below.</p>
<p><i>(c) the availability and frequency of public transport within a 400m walking distance of the site;</i></p>	<p>The site adjoins the Rosny Park bus mall which provides a regular bus service to Hobart. Access to surrounding suburbs by bus generally involves 2 separate bus trips.</p> <p>Whilst the site is provided with convenient access to public transport, the public transport available is limited to a bus service which is not considered to be of a suitable standard to form a sustainable alternative to car ownership given the variety of functions residents expect to be able to access.</p>
<p><i>(d) the availability and likely use of other modes of transport;</i></p>	<p>The other alternative modes of transport available to the site are walking, cycling and taxi services available along Bligh Street. Whilst a reliable taxi service is available, it is unlikely that occupants will rely on this option as sustainable alternative to car ownership or public transport.</p> <p>The Rosny Park area also lacks dedicated cycle lanes and contains busy streets which may reasonably discourage cyclists from relying on this as a reliable alternative means of transport.</p> <p>The distance to recreation facilities and the City of Hobart also precludes walking as a viable alternative.</p>

<p>(e) <i>the availability and suitability of alternative arrangements for car parking provision;</i></p>	<p>There are no alternative car parking options available in the area for the use of the occupants.</p> <p>The applicant has suggested consideration of the leasing of private car parks as an alternative arrangement. No formal arrangements for the identifying and securing of these spaces has been detailed with the application.</p> <p>In any event this does not reduce the problem of lack of parking spaces; it would simply privatize some of those already present.</p>
<p>(f) <i>any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</i></p>	<p>The car parking provided on-site will be designated for the exclusive use of the respective residential apartment. There is therefore no practical opportunity for the new car parks to be shared between residential and commercial users.</p>
<p>(g) <i>any car parking deficiency or surplus associated with the existing use of the land;</i></p>	<p>Not applicable as the site presently does not contain any on-site car parking or an available surplus.</p>
<p>(h) <i>any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</i></p>	<p>A credit of 1 space has been applied given the reduction in floor area attributed to the existing office. The appropriateness of applying the available credit to the residential use is questionable, as it places further increased pressure on the limited parking supply within the area.</p>
<p>(i) <i>the appropriateness of a financial contribution in-lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</i></p>	<p>The applicant has proposed that a financial contribution in-lieu of the parking shortfall be waived in full.</p> <p>Instead, the applicant has requested that Council consider a requirement for a covenant to be registered on the title of each of the residential units requiring each household to have only 1 motor vehicle associated with it, unless the owner makes suitable arrangements for a subsequent vehicle.</p>

	<p>Such arrangements suggested by the applicant include entering into a commercial lease for another carpark in the area for the additional vehicle(s) or the payment of cash-in-lieu to Council for additional carpark(s).</p> <p>The leasing of private parking within the area is not supported as it would then detract from the required number of car parking allocated to those specific businesses. Covenants are private restrictions on titles and are not enforceable by Council.</p> <p>The suggestion to delay the payment of cash-in-lieu is considered inappropriate as the demand is considered to be created at the time of approval, as opposed to some unknown time in the future. The likely demand is a direct result of the size of the apartments and lack of on-site and on-street parking.</p> <p>A cash-in-lieu payment for deficient car parking spaces has been consistently applied for development within Rosny Park, although an application involving a residential parking shortfall has not occurred to date. Any change to Council's approach would not be fair to all those developers who have paid cash-in-lieu.</p> <p>It is also noted that Council does not waive car parking for a Multiple Dwelling development where no on-street car parking is available within a close proximity.</p> <p>Regardless, the proposed residential use is considered to generate additional car parking demand with the demand likely to place additional pressure on the limited supply of on-street parking within Rosny Park. Consistent with previous policy, the developer ought to contribute to the funding of additional parking facilities in the area.</p>
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	<p>Whilst the site is afforded with reasonable access to public transport and alternative modes of transport such as taxi services, footpaths and cycle ways, based on the number of bedrooms, visitor parking needs and unsustainable nature of alternative modes of transport, occupants are likely to place additional demand on the short supply of on-street car parking within the Rosny Park area. It is therefore considered reasonable to require a cash-in-lieu payment of the parking shortfall.</p> <p>It is noted that in accordance with Table E6.3 of the Code, the rate for payment of cash-in-lieu for deficient car parking spaces in Rosny Park is \$12,000 per space. Based on the 3 space shortfall, this results in a total cash-in-lieu payment of \$36,000.</p> <p>Consistent with previous developer incentives offered by Council, the applicant was advised that it would be appropriate for a cash-in-lieu payment to be staged to reflect the proposed staging arrangement that involves the parking demand, which in this case is Stage 2 works. The applicant was also advised that Council could consider able to entertain a request for a payment plan to deal with the payment of the financial contribution over a 2 year period, acknowledging that there will be a delay by Council in providing additional car parking facilities. However, the applicant does not agree to the imposition of a permit condition requiring a financial payment in-lieu of the required number of car parking spaces.</p> <p>Based on the established demand for car parking and the appropriateness to require a cash-in-lieu payment for the parking shortfall, it is considered that the application be refused on the basis inadequate provision is made for the required financial contribution.</p>
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(j) <i>any verified prior payment of a financial contribution in-lieu of parking for the land;</i>	not applicable
(k) <i>any relevant parking plan for the area adopted by Council;</i>	<p>Council's policy is to require on-site car parking in the Rosny Park Activity Centre and where this cannot be provided, a financial contribution in-lieu of the number of the deficient car parking spaces is required. Council has applied this policy consistently on a long-standing basis.</p> <p>The applicant was made aware of this in the preliminary assessment but chose to proceed with the development application.</p>
(l) <i>the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code</i> ".	Not applicable as the site is not listed as a place of heritage significance under the Historic Heritage Code.

<b>Clause</b>	<b>Standard</b>	<b>Acceptable Solution (Extract)</b>	<b>Proposed</b>
E6.7.4 A1	On-Site Turning	<p>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <p>(a) it serves no more than 2 dwelling units;</p> <p>(b) it meets a road carrying less than 6000 vehicles per day.</p>	Does not comply - the proposed parking deck has been designed to require vehicles to exit the site by way of reversing into the adjoining Bayfield Street carpark.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E6.7.4 as follows.

<b>Performance Criteria</b>	<b>Proposal</b>
<p><i>"P1 - On-site turning may not be required if access is safe, efficient and convenient, having regard to all of the following:</i></p> <p>(a) <i>avoidance of conflicts between users including vehicles, cyclists, dwelling occupants and pedestrians;</i></p>	<p>Council's Development Engineer has considered that the access arrangement for the parking deck will be safe, efficient and convenient as access would be off a designated public parking lot where there is currently a significant amount of reversing.</p>

<p>(b) <i>avoidance of unreasonable interference with the flow of traffic on adjoining roads;</i></p> <p>(c) <i>suitability for the type and volume of traffic likely to be generated by the use or development;</i></p> <p>(d) <i>ease of accessibility and recognition for users;</i></p> <p>(e) <i>suitability of the location of the access point and the traffic volumes on the road”.</i></p>	<p>The carpark has a low speed environment and ample sight distance is provided for both oncoming and reversing vehicles. There are also no practical alternatives given the constraints of the existing building.</p> <p>It is therefore considered that on-site turning is not required as the carpark layout, design and access arrangements will provide a safe, efficient and convenient arrangement.</p>
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## **7. REPRESENTATION ISSUES**

The proposal was advertised in accordance with statutory requirements and no representations were received.

## **8. EXTERNAL REFERRALS**

The proposal was referred to TasWater, which has provided a number of conditions to be included on the planning permit if granted.

## **9. STATE POLICIES AND ACT OBJECTIVES**

**9.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.

**9.2.** The proposal is considered inconsistent with Objective 1(B) of the LUPAA in that the inadequate provision of on-site parking will preclude the fair, orderly and sustainable use and development of land.

## **10. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS**

There are no inconsistencies with Council’s adopted Strategic Plan 2016-2026 or any other relevant Council Policy.

## **11. CONCLUSION**

The proposal consists of an additional 2 storeys of additions and alterations to an existing commercial building at 17 Bligh Street, Rosny Park in 2 stages. The proposal requires discretions relating to front setback, urban design, passive surveillance, on-site car parking standards and on-site turning standards.

The proposal provides for a mixed use development (including Multiple Dwellings) in an appropriate location. The design response is considered appropriate within its setting and if constructed, would result in a high quality development that will positively enhance the Bus Mall entrance to Rosny Park. With the exception of the proposed on-site parking variation, the proposed variations are supported.

In this instance the proposed on-site parking variation, discussed in detail with the body of this report, cannot be supported. The proposal would result in a variation that could ordinarily be accommodated through cash-in-lieu of parking contribution. However, the applicant stated that they will not accept a cash-in-lieu contribution as a condition associated with any approval, an integral part of the development application.

The proposal is therefore recommended for refusal on the basis inadequate on-site car parking is provided. However, an approval could be sought through a mediated agreement or the lodgement of a new development application indicating agreement to the payment of a cash contribution.

Attachments: 1. Location Plan (1)  
2. Proposal Plan (41)  
3. Request for Car Parking Waiver (3)  
4. Site Photo (2)

Ross Lovell  
**MANAGER CITY PLANNING**

Council now concludes its deliberations as a Planning Authority under the Land Use Planning and Approvals Act, 1993.

# Attachment 1

## LOCATION PLAN 17 Blich STREET, ROSNY PARK

38

9

7

Ross Avenue

SUBJECT PROPERTY:  
17 Blich Street, Rosny Park

Blich Street

17

18

17a

15a



**Disclaimer:** This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Monday, 23 July 2018 **Scale:** 1:613.3 @A4

Attachment 2

STAGE 1	
SHEET NO	SHEET NAME
100	Cover Sheet
101 - S1	Proposed site plan/site analysis - Stage 1
200 - S1	Existing Basement Floor Plan - Stage 1
201 - S1	Proposed Basement plan - Stage 1
202 - S1	Existing/demo Ground Floor Plan - Stage 1
203 - S1	Proposed Ground Floor - Stage 1
204 - S1	Existing/demo First Floor plan - Stage 1
205 - S1	Proposed First floor plan - Stage 1
300 - S1	Existing/demo Elevations (1) - Stage 1
301 - S1	Proposed Elevations (1) - Stage 1
302 - S1	Existing/demo Elevations (2) - Stage 1
303 - S1	Proposed Elevations (2) - Stage 1
304 - S1	Existing/demo Elevations (3) - Stage 1
305 - S1	Proposed Elevations (3) - Stage 1
306 - S1	Existing/demo Elevations (4) - Stage 1
307 - S1	Proposed Elevations (4) - Stage 1
308 - S1	Proposed Section A -Stage 1
309 - S1	Proposed Section B - Stage 1
703 - S1	3D Views - Stage 1
704 - S1	3D Views - Stage 1
705 - S1	3D views - Stage 1

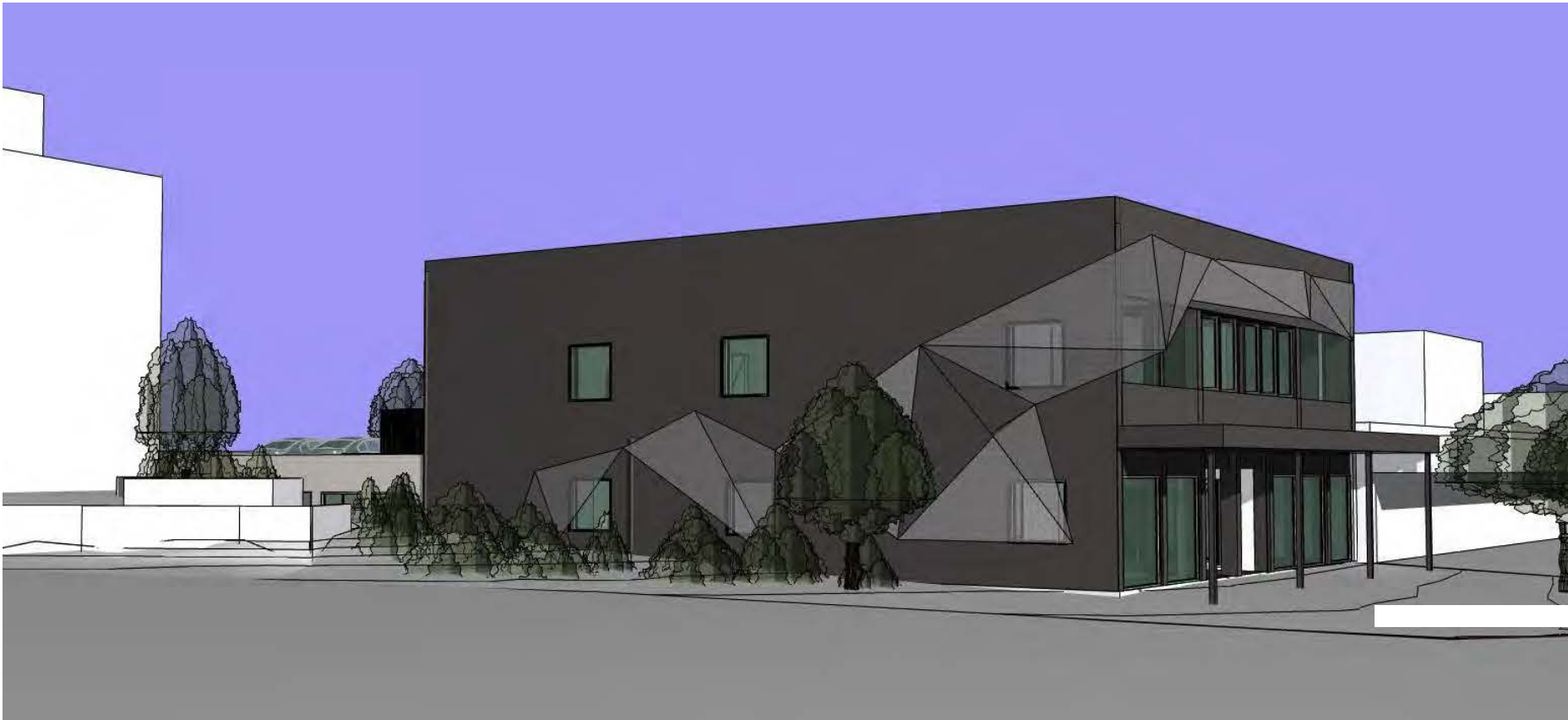
STAGE 2	
SHEET NO	SHEET NAME
100 - S2	Cover sheet - Stage 2
204 - S2	Existing/demo First Floor plan - Stage 2
205 - S2	Proposed First floor plan - Stage 2
206 - S2	Proposed Second floor plan - Stage 2
207 - S2	Proposed Third floor plan - Stage 2
208 - S2	Existing/demo Roof plan - Stage 2
209 - S2	Proposed Roof plan - Stage 2
301 - S2	Existing/demo Elevations (1) - Stage 2
302 - S2	Proposed Elevations (1) - Stage 2
303 - S2	Proposed Elevations (2) - Stage 2
304 - S2	Proposed Elevations (3) - Stage 2
305 - S2	Existing/demo Elevations (3) - Stage 2
306 - S2	Proposed Elevations (4) - Stage 2
307 - S2	Existing/demo Elevations (4) - Stage 2
308 - S2	Proposed Section A - Stage 2
309 - S2	Proposed Section B - Stage 2
703 - S2	3D Views - Stage 2
704 - S2	3D Views - Stage 2
705 - S2	3D Views - Stage 2

AREA SCHEDULE (STAGE 1)
SITE AREA: 580m <sub>2</sub>
EXISTING GROSS FLOOR AREA: Basement Level: 376m <sub>2</sub> Ground Level: 376m <sub>2</sub> First Level: 376m <sub>2</sub> TOTAL GROSS FLOOR AREA: 1128m <sub>2</sub>
EXISTING SITE COVERAGE: 398m <sub>2</sub> (68.6%) EXISTING PERMEABILITY: 15m <sub>2</sub> (2.5%)
PROPOSED GROSS FLOOR AREA: Basement Level: 376m <sub>2</sub> Ground Level: 453.5m <sub>2</sub> (+77.5m <sub>2</sub> ) First Level: 376m <sub>2</sub> New lift shaft & stairwell area: 25.5m <sub>2</sub> TOTAL GROSS FLOOR AREA: 1205.5m <sub>2</sub>
PROPOSED SITE COVERAGE: 398m <sub>2</sub> (68.6%) PROPOSED PERMEABILITY: 15m <sub>2</sub> (2.5%)
TREES REMOVED: 0
EXISTING CAR PARKING SPACES: 0 PROPOSED CAR PARKING SPACES: 4
PROPOSED BIKE RACKS: 4
<i>Note: Floor areas are taken from the inside face of external walls. Total gross floor area includes lift &amp; stairwell space</i>

The Site

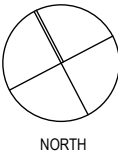


GOOGLE MAP IMAGE



North view

PLANNING APPLICATION

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018	 NORTH	Project Name <b>Alterations &amp; Additions</b>  Address <b>17 Bligh Street Rosny Park Hobart</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>Cover Sheet</b>			<b>t</b> 03 6234 3307 <b>f</b> 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  <small>Menzies &amp; Marshall Pty Ltd trading as m2architecture</small>
			Project No: <b>1725</b>							
			Scale @ A3:							
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited				Status: <b>B</b>	Drawing No.: <b>100</b>	Revision: <b>A1</b>	

M2



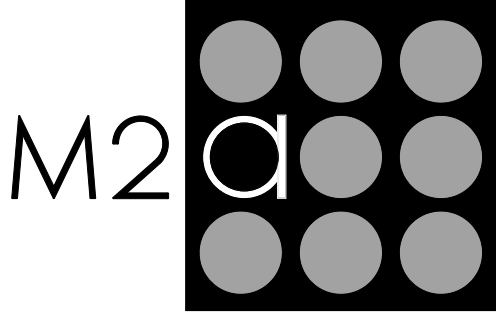
**SITE NOTES:**  
NEW CROSSOVER IS TO BE DESIGNED  
AND CONSTRUCTED IN ACCORDANCE  
WITH (IPWEA) LGAT STANDARD  
DRAWINGS TSD R09v1 URBAN ROADS &  
DRIVEWAYS & TSD R14v1 TYPE KC  
VEHICULAR CROSSING AT DEVELOPERS  
COST  
VEHICLE BARRIERS IN ACCORDANCE  
WITH AS2890.1 2004  
AUSTRALIAN HEIGHT DATUM LEVELS



# PLANNING APPLICATION

1. Proposed site plan/site analysis - Stage 1  
1:500

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018	 NORTH	Project Name  <b>Alterations &amp; Additions</b>	Client  <b>Acutel Property Pty Ltd</b>	Drawing Title:  <b>Proposed site plan/ site analysis - Stage 1</b>			<div><div><div>t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443</div><div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div></div></div>
			Project No: <b>1725</b>							
			Scale @ A3: 1:500							
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited				Status: <b>B</b>	Drawing No.: <b>101 - S1</b>	Revision: <b>A1</b>	
							Address  <b>17 Bligh Street Rosny Park Hobart</b>			

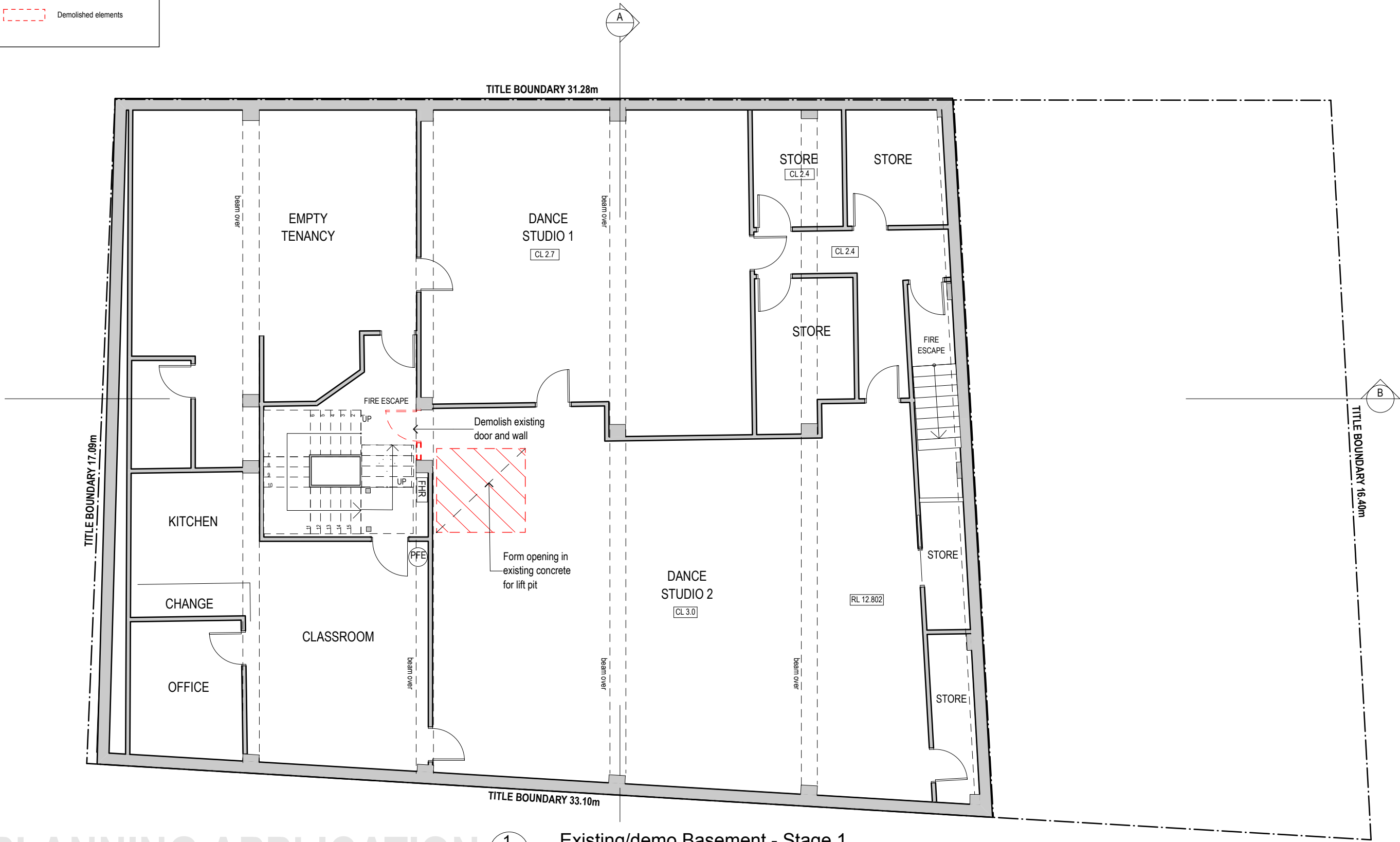




LEGEND

Existing elements

Demolished elements

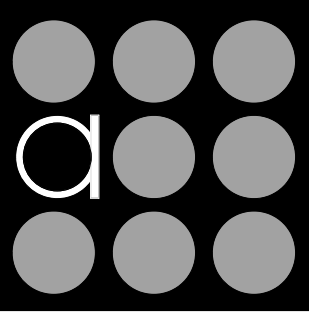


PLANNING APPLICATION

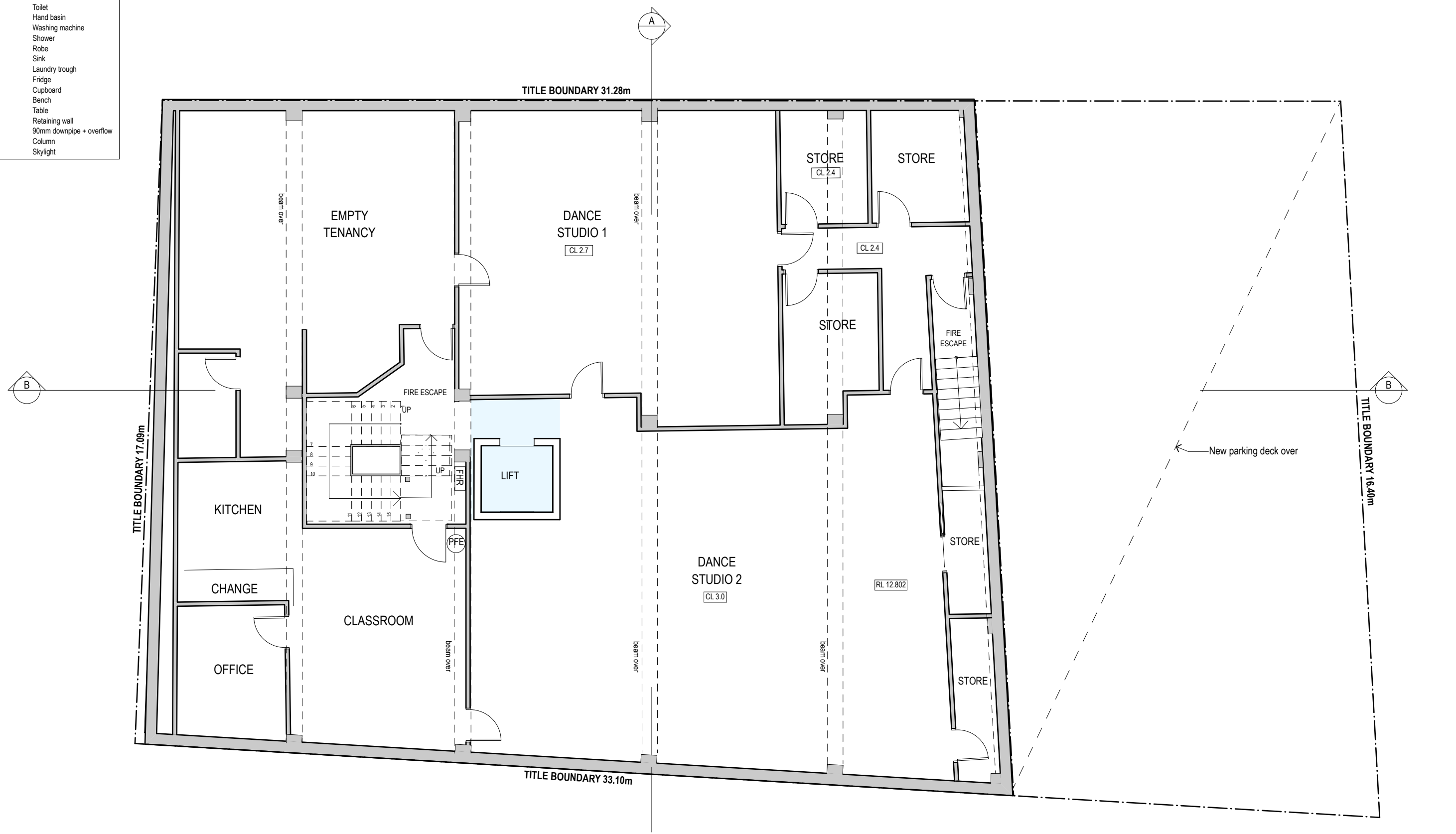
1. Existing/demo Basement - Stage 1  
1:100

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018			Project Name <b>Alterations &amp; Additions</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>Existing Basement Floor Plan - Stage 1</b>			t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  Menzies & Marshall Pty Ltd trading as m2architecture	
			Project No: <b>1725</b>									
			Scale @ A3: 1:100									
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited									
Address <b>17 Bligh Street Rosny Park Hobart</b>						Status: <b>B</b>					Drawing No.: <b>200 - S1</b>	Revision: <b>A1</b>

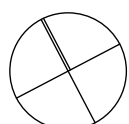
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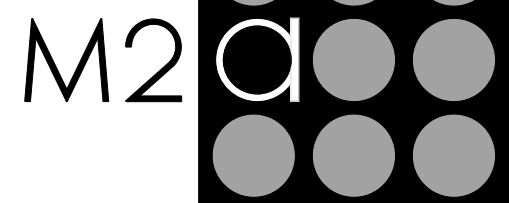


LEGEND	
WC	Toilet
HB	Hand basin
WM	Washing machine
SHR	Shower
R	Robe
S	Sink
TR	Laundry trough
FR	Fridge
CPB	Cupboard
BCH	Bench
TB	Table
RW	Retaining wall
DP	90mm downpipe + overflow
Col	Column
SK	Skylight

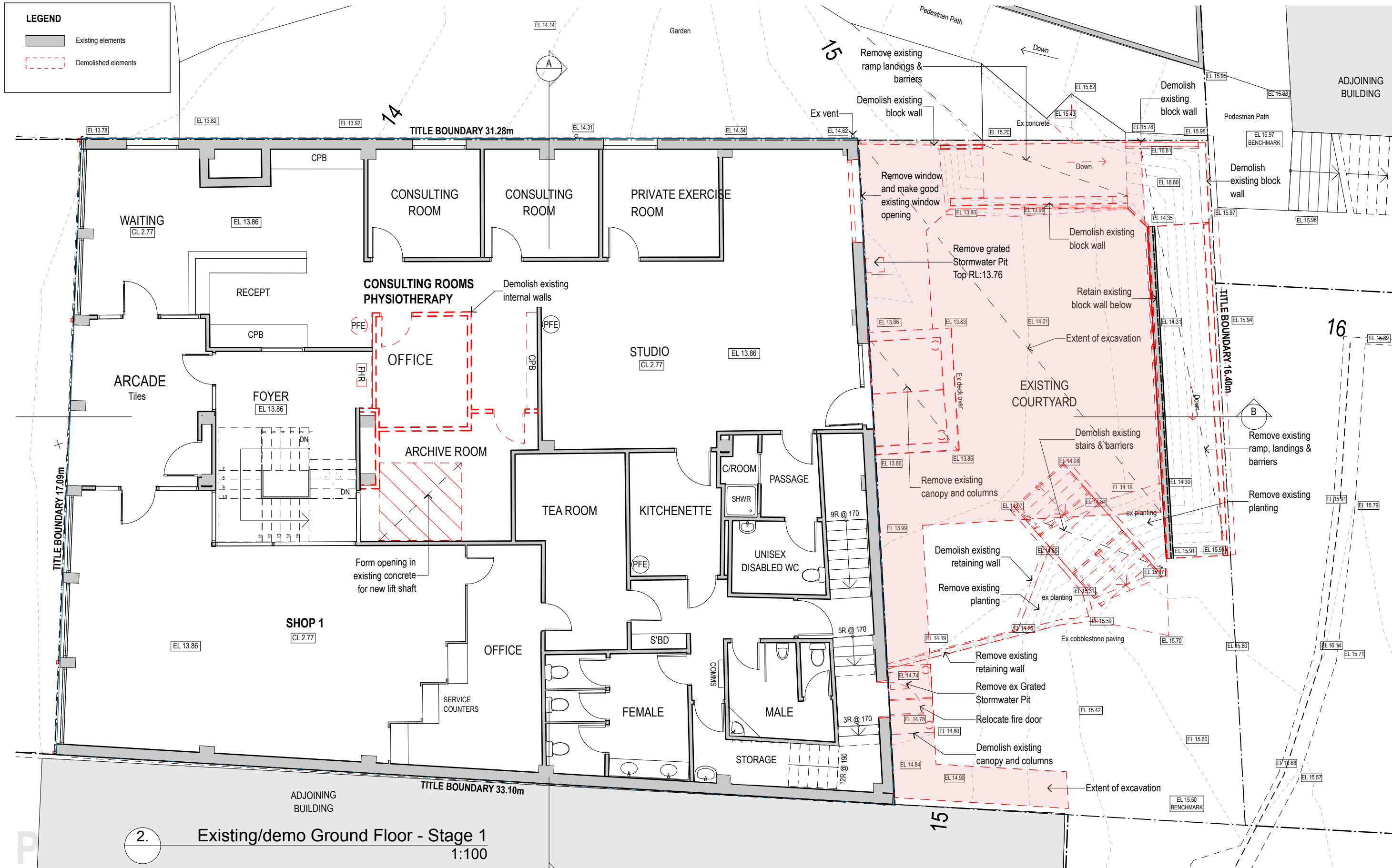


# PLANNING APPLICATION

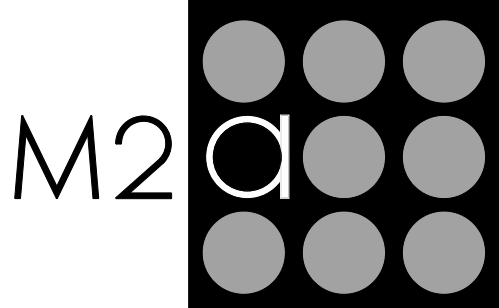
A1	Development Application issue	04.06.18	Plot Date: 7/06/2018		 NORTH	Project Name <b>Alterations &amp; Additions</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>Proposed Basement plan - Stage 1</b>			t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  Menzies & Marshall Pty Ltd trading as m2architecture	
			Project No: <b>1725</b>									
			Scale @ A3: 1:100, 1:500									
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited					Address <b>17 Bligh Street Rosny Park Hobart</b>	Status: <b>B</b>	Drawing No.: <b>201 - S1</b>		Revision: <b>A1</b>

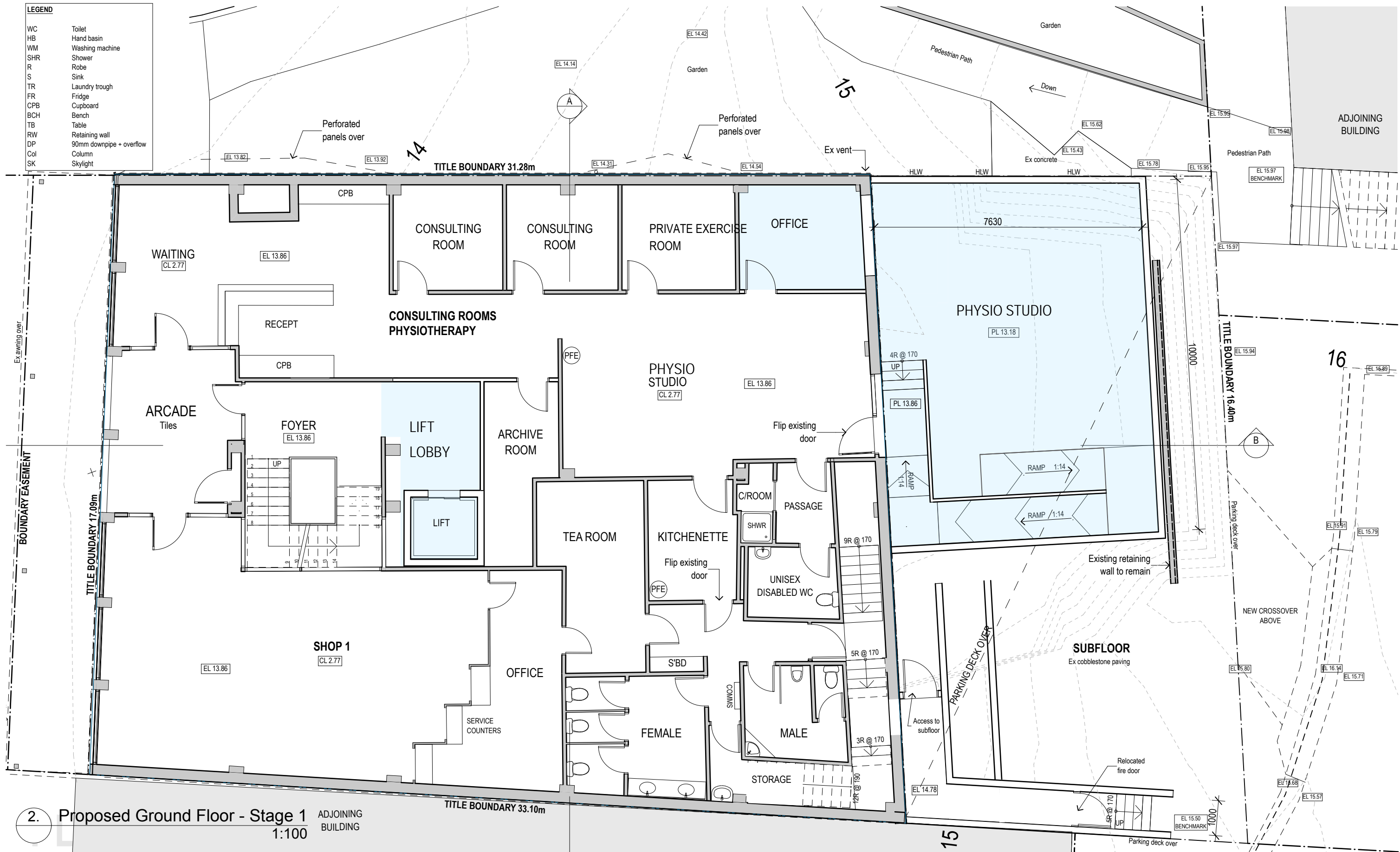


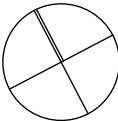


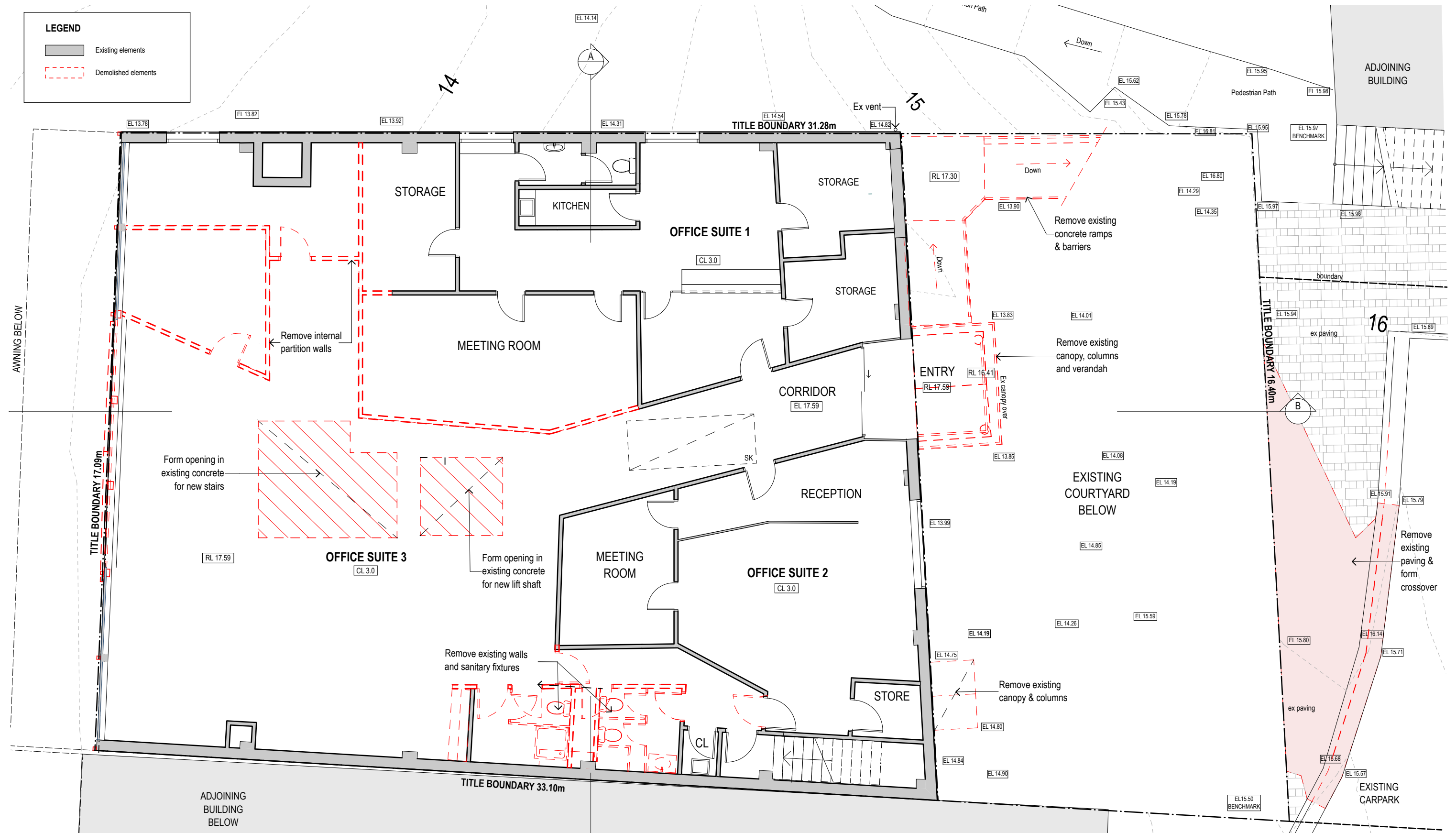


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	A2	Development Application Re-issue							26.06.18	
	- room labels revised									
Status:		Drawing No.:	Revision:							
B		202 - S1	A2							





<div><div>A1</div><div>Development Application issue</div><div>04.06.18</div></div> <div><div>A2</div><div>Development Application Reissue</div><div>26.06.18</div></div> <div><div>- Room labels revised</div></div>	<div><div>Plot Date:</div><div>7/06/2018</div></div> <div><div>Project No:</div><div>1725</div></div> <div><div>Scale @ A3:</div><div>1:100, 1:500</div></div> <div><div>DO NOT SCALE DRAWING</div><div>© M2architecture. Unauthorised copying prohibited</div></div>	<div><div></div><div>NORTH</div></div> <div><div>Project Name</div><div>Alterations &amp; Additions</div></div> <div><div>Address</div><div>17 Bligh Street Rosny Park Hobart</div></div>	<div><div>Client</div><div>Acutel Property Pty Ltd</div></div>	<div><div>Drawing Title:</div><div>Proposed Ground Floor - Stage 1</div></div> <div><div>Status:</div><div>B</div></div> <div><div>Drawing No.:</div><div>203 - S1</div></div> <div><div>Revision:</div><div>A2</div></div>	<div><div>t 03 6234 3307</div><div>f 03 6234 3192</div><div>www.m2a.com.au</div><div>25 Arthur St North Hobart, 7000</div><div>PO Box 114 North Hobart, 7002</div><div>abn. 300474080443</div></div> <div><div>M2a</div></div> <div><div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div></div>
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PLANNING APPLICATION

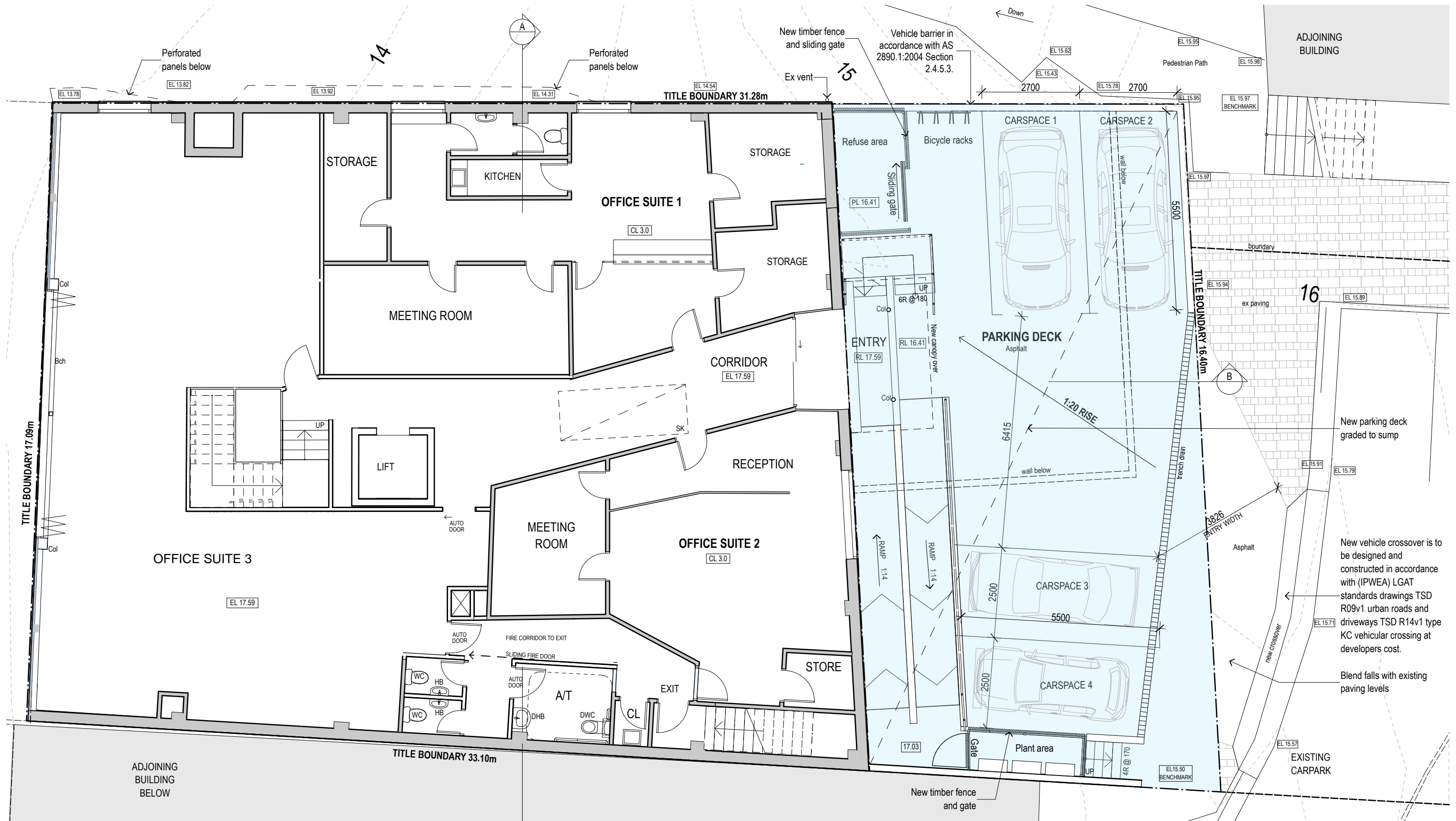
3. Existing/demo First Floor - Stage 1  
1:100

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M2






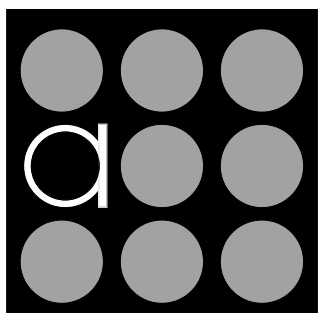


# PLANNING APPLICATION

## 3. Proposed First Floor - Stage 1 1:100

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018	 NORTH	Project Name  <b>Alterations &amp; Additions</b>	Client  <b>Acutel Property Pty Ltd</b>	Drawing Title:  <b>Proposed First floor plan - Stage 1</b>			t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443
A2	Development Application reissue	22.06.18	Project No: <b>1725</b>							
- Cafe/Wine Bar use deleted		Scale @ A3: 1:100								
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited		Address  <b>17 Bligh Street Rosny Park Hobart</b>		Status:  <b>B</b>	Drawing No.:  <b>205 - S1</b>	Revision:  <b>A2</b>	Menzies & Marshall Pty Ltd trading as m2architecture

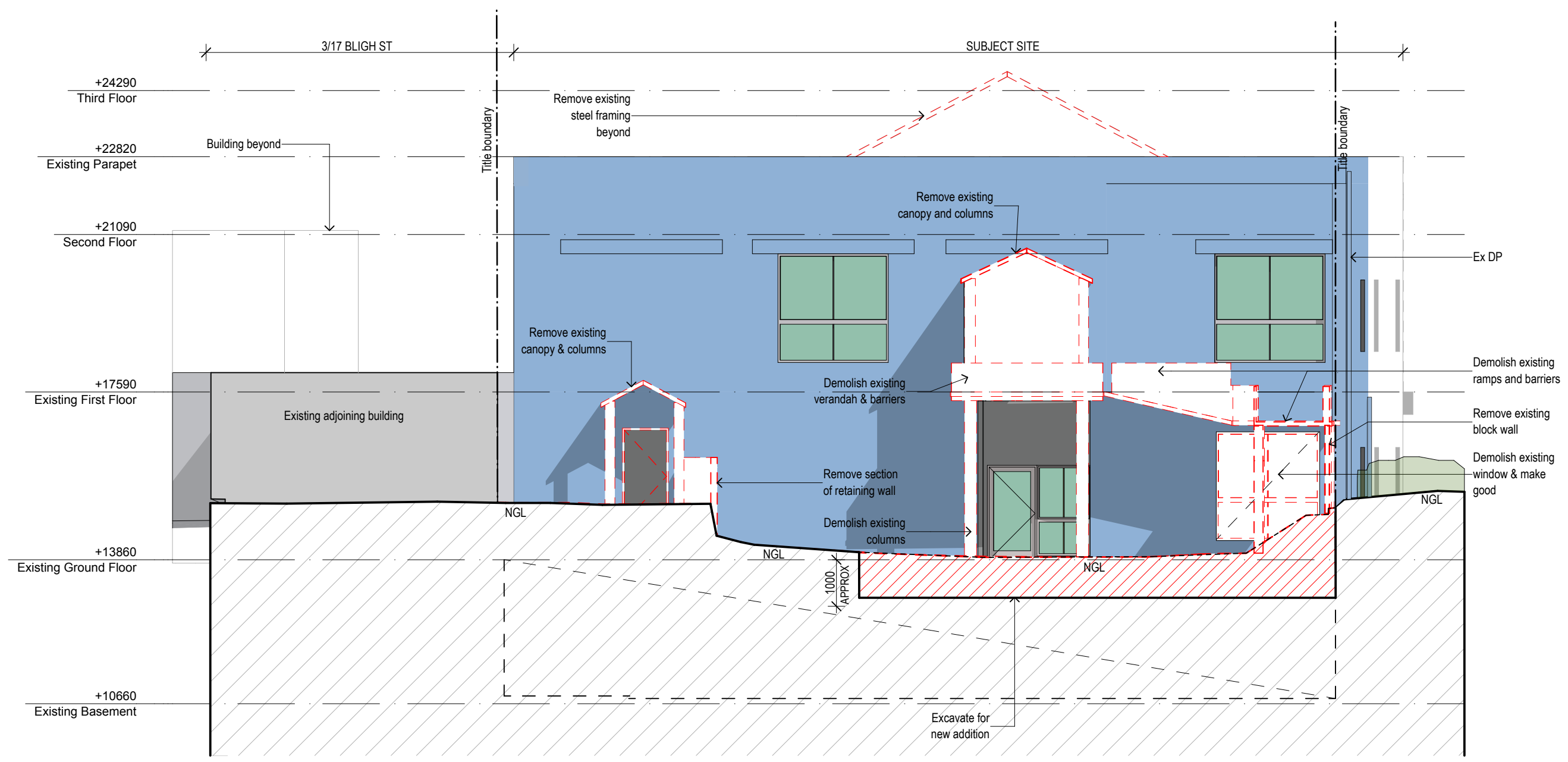
M2



LEGEND

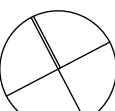
Existing elements

Demolished elements

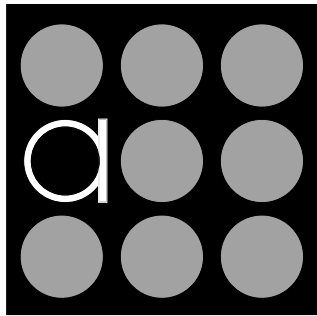


01 Existing/demo East Elevation (rear) - Stage 1  
1:100

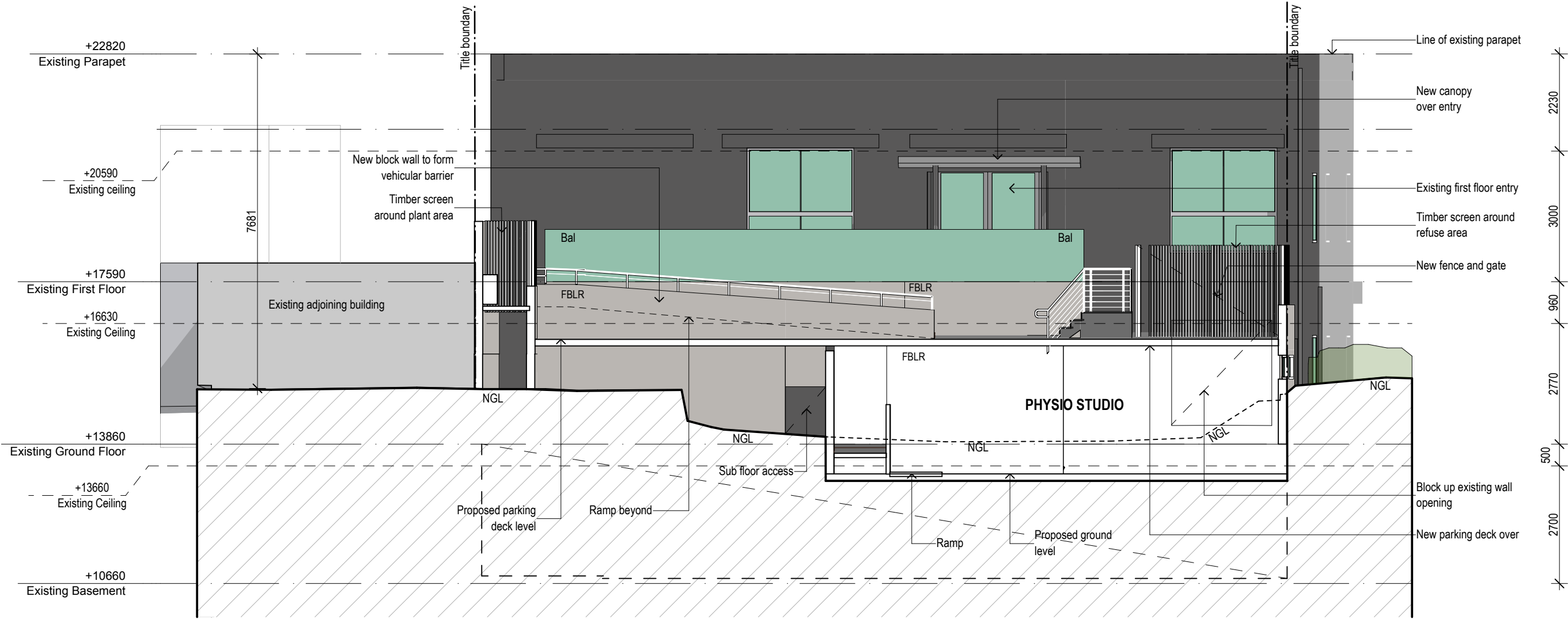
# PLANNING APPLICATION

<div>A1 Development Application issue04.06.18</div> <div>A2 Client issue13.06.18</div> <div>A3 Development Application re-issue18.06.18</div> <div>- natural ground level clarifications</div>	<div>Plot Date:</div> <div>18/06/2018</div>		<div></div> <div>NORTH</div>	<div>Project Name</div> <div>Alterations &amp; Additions</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Existing/demo</div>			<div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St</div> <div>North Hobart, 7000</div> <div>PO Box 114</div> <div>North Hobart, 7002</div> <div>abn. 300474080443</div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
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	<div>Drawing No.:</div> <div>300 - S1</div>								
<div>DO NOT SCALE DRAWING</div> <div>© M2architecture. Unauthorised copying prohibited</div>			<div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>			<div>Revision:</div> <div>A3</div>			

M2

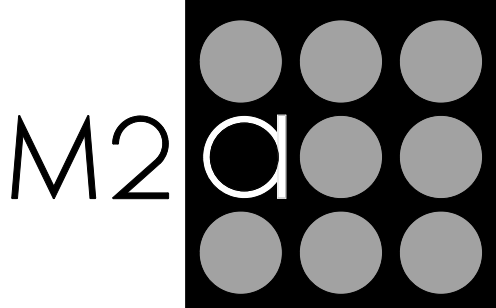


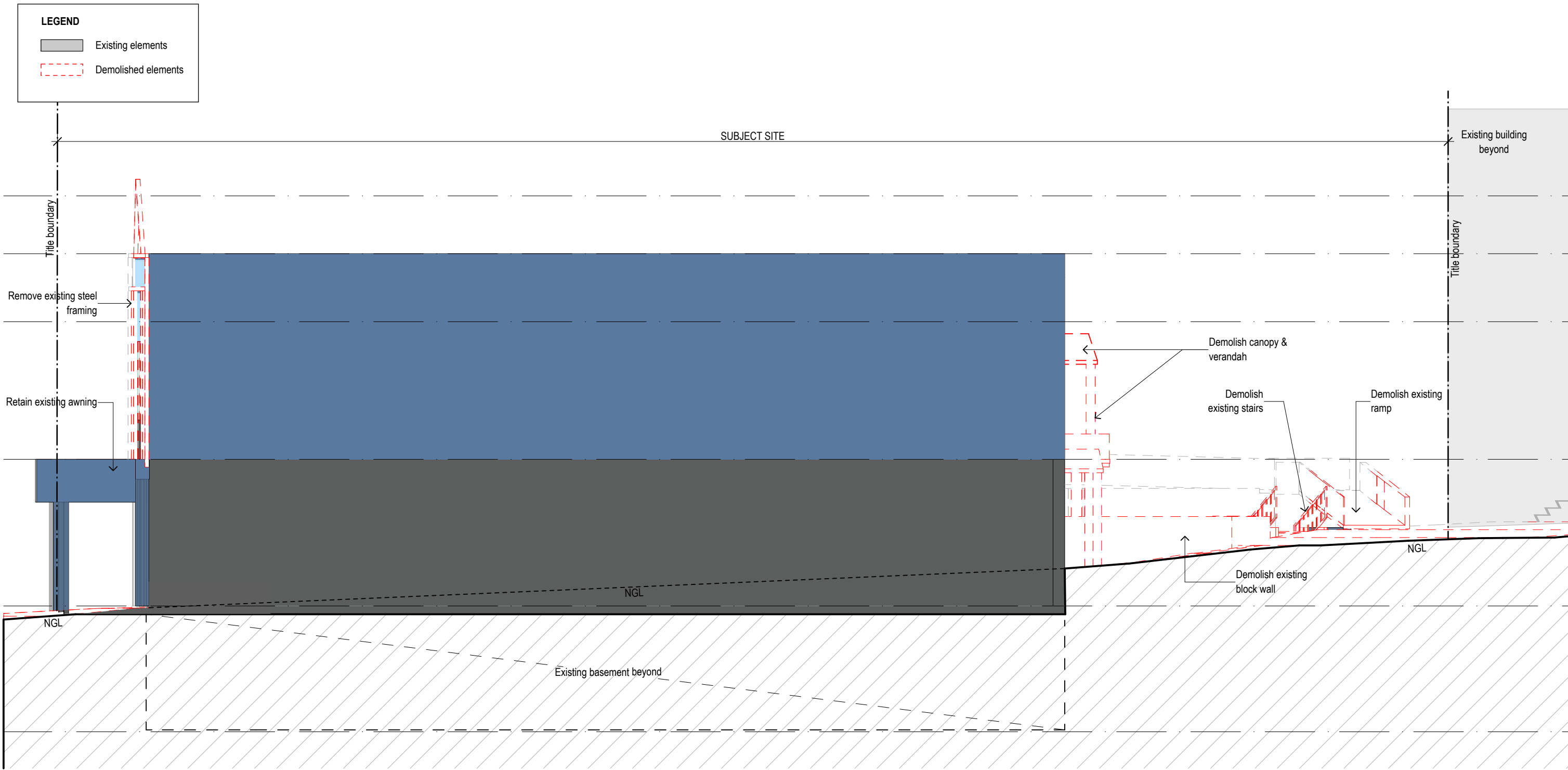
KEY:	
FC	Fibre cement sheet cladding
PM	Perforated metal panels
CB	Colorbond roof/wall sheeting
F	Fixed glazing
S	Sliding window
BW	Bifold window
SP	Solar panel
Bal	Perforated metal balustrade
FBLR	Concrete block wall, render finish
RW	Retaining wall
DP	100mm downpipe
BG.500	500mm wide box gutter
Col	Column
HLW	High level window
NGL	Natural ground level



PLANNING APPLICATION

<div>A1</div> <div>Development Application issue</div> <div>04.06.18</div>	<div>A2</div> <div>Client issue</div> <div>13.06.18</div>	<div>A3</div> <div>Development Application re-issue</div> <div>18.06.18</div> <div>- natural ground level clarifications</div>	<div>Plot Date:</div> <div>18/06/2018</div>		<div></div> <div>NORTH</div>
			<div>Project No:</div> <div>1725</div>		
			<div>Scale @ A3:</div> <div>1:100</div>		
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			<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>		
			<div>Client</div> <div>Acutel Property Pty Ltd</div>		
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			<div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St</div> <div>North Hobart, 7000</div> <div>PO Box 114</div> <div>North Hobart, 7002</div> <div>abn. 300474080443</div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>		

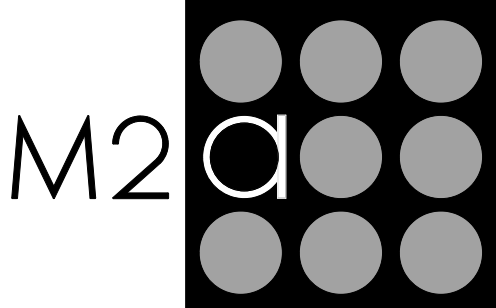




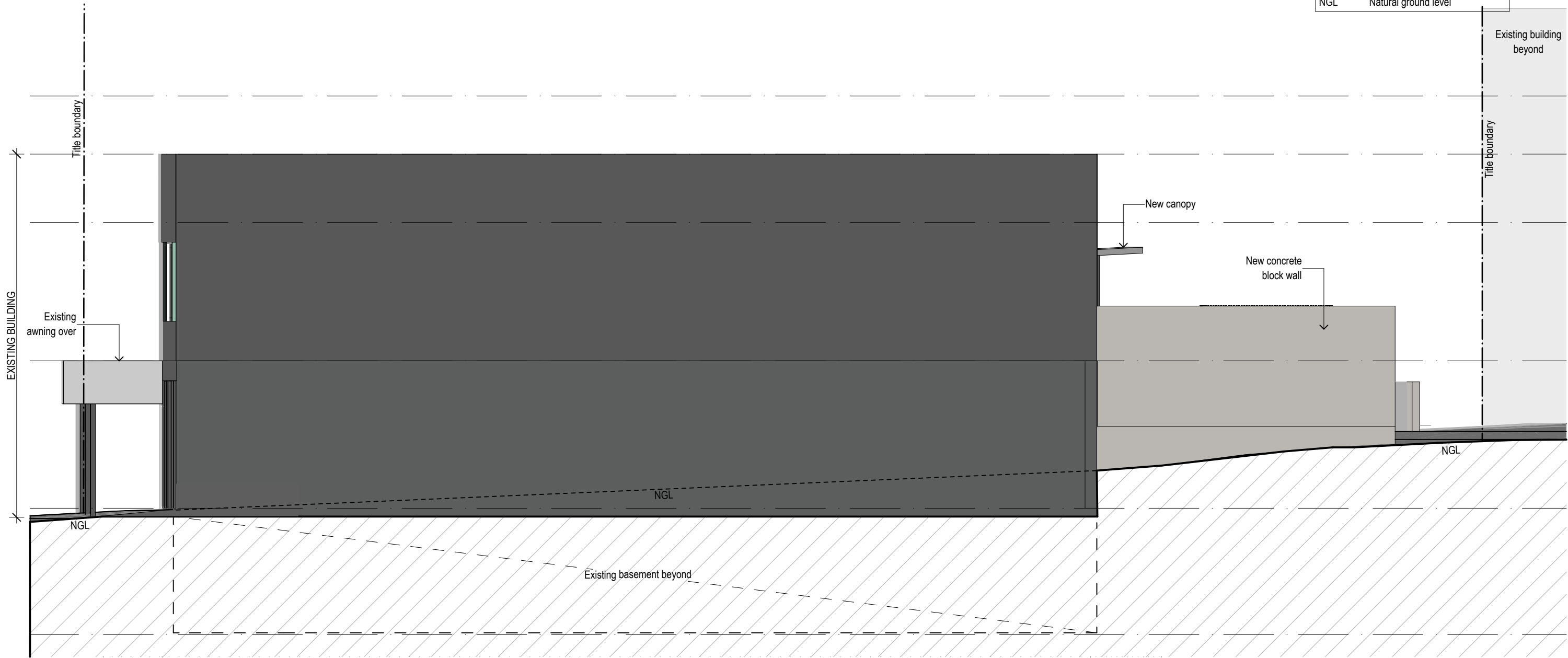
02 Existing/demo South Elevation - Stage 1  
1:100

# PLANNING APPLICATION

A1 Development Application issue A2 Client issue A3 Development Application re-issue - natural ground level clarifications	Plot Date: 18/06/2018	 NORTH	Project Name <b>Alterations &amp; Additions</b>  Address <b>17 Bligh Street Rosny Park Hobart</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>Existing/demo Elevations (2) - Stage 1</b>			<b>t 03 6234 3307 f 03 6234 3192  www.m2a.com.au 25 Arthur St North Hobart, 7000 PO Box 114 North Hobart, 7002 abn. 300474080443 <small>Menzies &amp; Marshall Pty Ltd trading as m2architecture</small></b>						
	Project No: <b>1725</b>													
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	DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited													
			Status: <b>C</b> Drawing No.: <b>302 - S1</b> Revision: <b>A3</b>											



KEY:	
FC	Fibre cement sheet cladding
PM	Perforated metal panels
CB	Colorbond roof/wall sheeting
F	Fixed glazing
S	Sliding window
BW	Bifold window
SP	Solar panel
Bal	Perforated metal balustrade
FBLR	Concrete block wall, render finish
RW	Retaining wall
DP	100mm downpipe
BG.500	500mm wide box gutter
Col	Column
HLW	High level window
NGL	Natural ground level




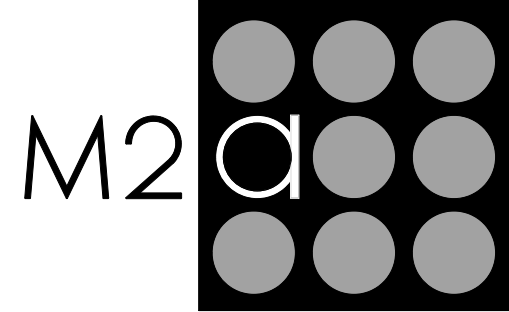
PLANNING APPLICATION

09

Proposed South Elevation - Stage 1

1:100

<div>A1</div> <div>Development Application issue</div> <div>04.06.18</div>	<div>Plot Date:</div> <div>18/06/2018</div>		<div></div> <div>NORTH</div>	<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Proposed Elevations</div> <div>(2) - Stage 1</div>			<div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St</div> <div>North Hobart, 7000</div> <div>PO Box 114</div> <div>North Hobart, 7002</div> <div>abn. 300474080443</div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
	<div>Project No:</div> <div>1725</div>								
	<div>Scale @ A3:</div> <div>1:100</div>								
	<div>DO NOT SCALE DRAWING</div> <div>© M2architecture. Unauthorised copying prohibited</div>								
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<div>A3</div> <div>Development Application re-issue</div> <div>18.06.18</div> <div>- natural ground level clarifications</div>									





This architectural elevation drawing illustrates the proposed facade treatment for a building. The drawing includes the following elements:

- Vertical Levels:**
  - +24290 Third Floor
  - +22820 Existing Parapet
  - +17590 Existing First Floor
  - +13860 Existing Ground Floor
  - +10660 Existing Basement
- Horizontal Context:**
  - SUBJECT SITE:** The central area of the drawing.
  - 3/17 BLIGH ST:** The street to the right of the subject site.
  - Title boundary:** Indicated by vertical dashed lines on either side of the subject site.
- Proposed Changes (Blue and Green):**
  - Remove existing steel framing:** Indicated by red dashed lines and arrows pointing to the existing structure.
  - Form new opening:** Indicated by a dashed line and arrow pointing to a new opening in the upper floor.
  - Remove existing mullions:** Indicated by red dashed lines and arrows pointing to the existing mullions.
- Existing Conditions (Gray):**
  - Existing adjoining building:** Shown to the right of the subject site.
  - Existing basement beyond:** Indicated by a hatched area below the ground floor level.
- Other Details:**
  - NGL:** Natural Ground Level, indicated by a horizontal line.
  - OPEN:** A label for a new opening in the ground floor.

M2d

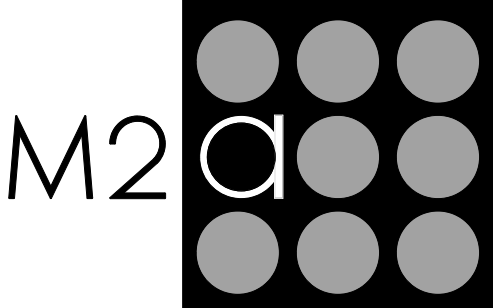
KEY:	
FC	Fibre cement sheet cladding
PM	Perforated metal panels
CB	Colorbond roof/wall sheeting
F	Fixed glazing
S	Sliding window
BW	Bifold window
SP	Solar panel
Bal	Perforated metal balustrade
FBLR	Concrete block wall, render finish
RW	Retaining wall
DP	100mm downpipe
BG.500	500mm wide box gutter
Col	Column
HLW	High level window
NGL	Natural ground level



10 Proposed West Elevation (Front) - Stage 1  
1:100

# PLANNING APPLICATION

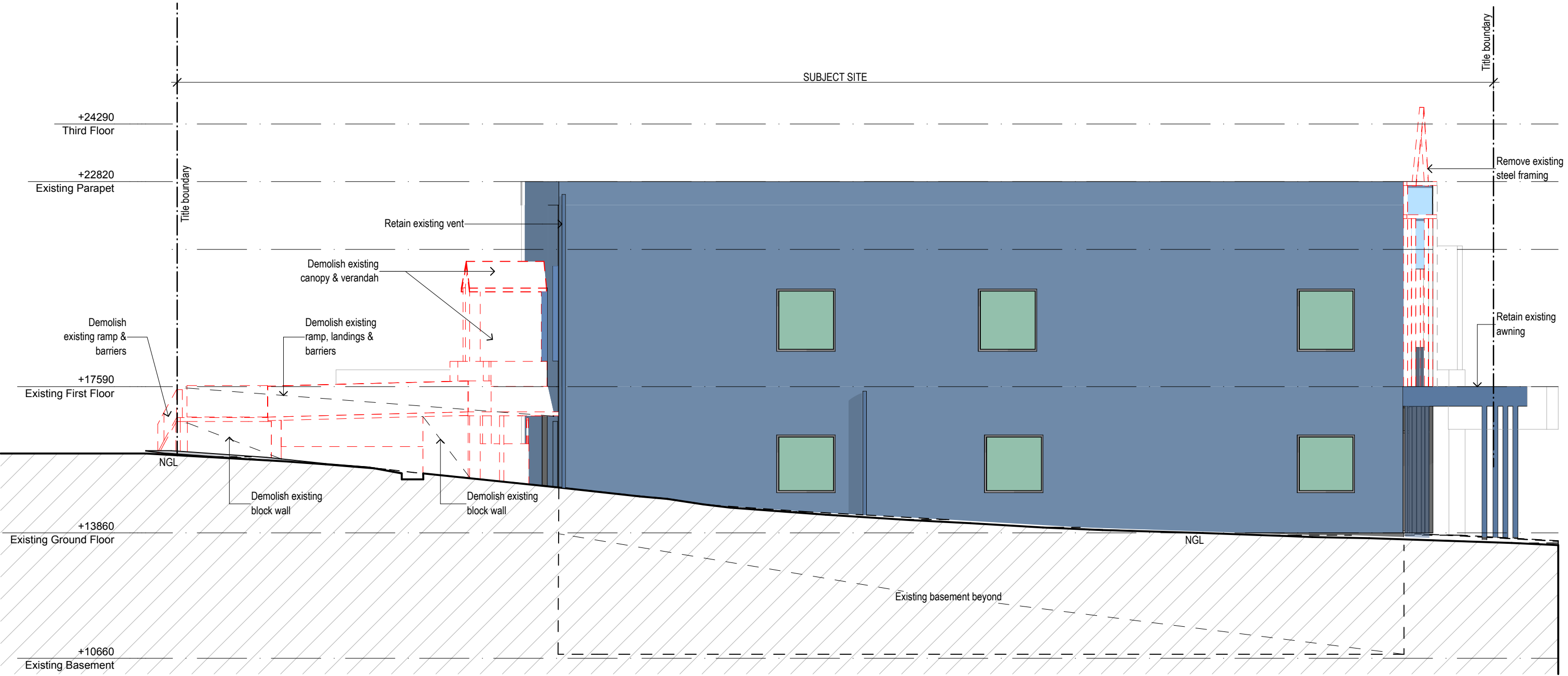
<div>A1Development Application issue04.06.18</div> <div>A2Client issue13.06.18</div> <div>A3Development Application re-issue18.06.18</div> <div>- natural ground level clarifications</div>	Plot Date: 18/06/2018		 NORTH	<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Proposed Elevations</div> <div>(3) - Stage 1</div>			<div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St</div> <div>North Hobart, 7000</div> <div>PO Box 114</div> <div>North Hobart, 7002</div> <div>abn. 300474080443</div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
	Project No: 1725								
	Scale @ A3: 1:100								
	DO NOT SCALE DRAWING								
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						Status:	Drawing No.:	Revision:	
						C	305 - S1	A3	



LEGEND

Existing elements

Demolished elements



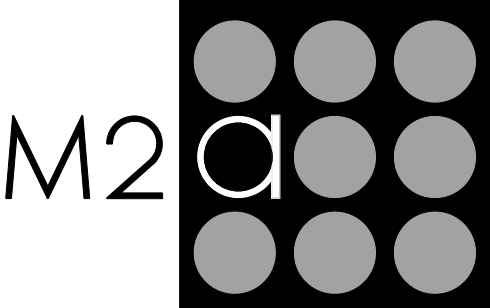
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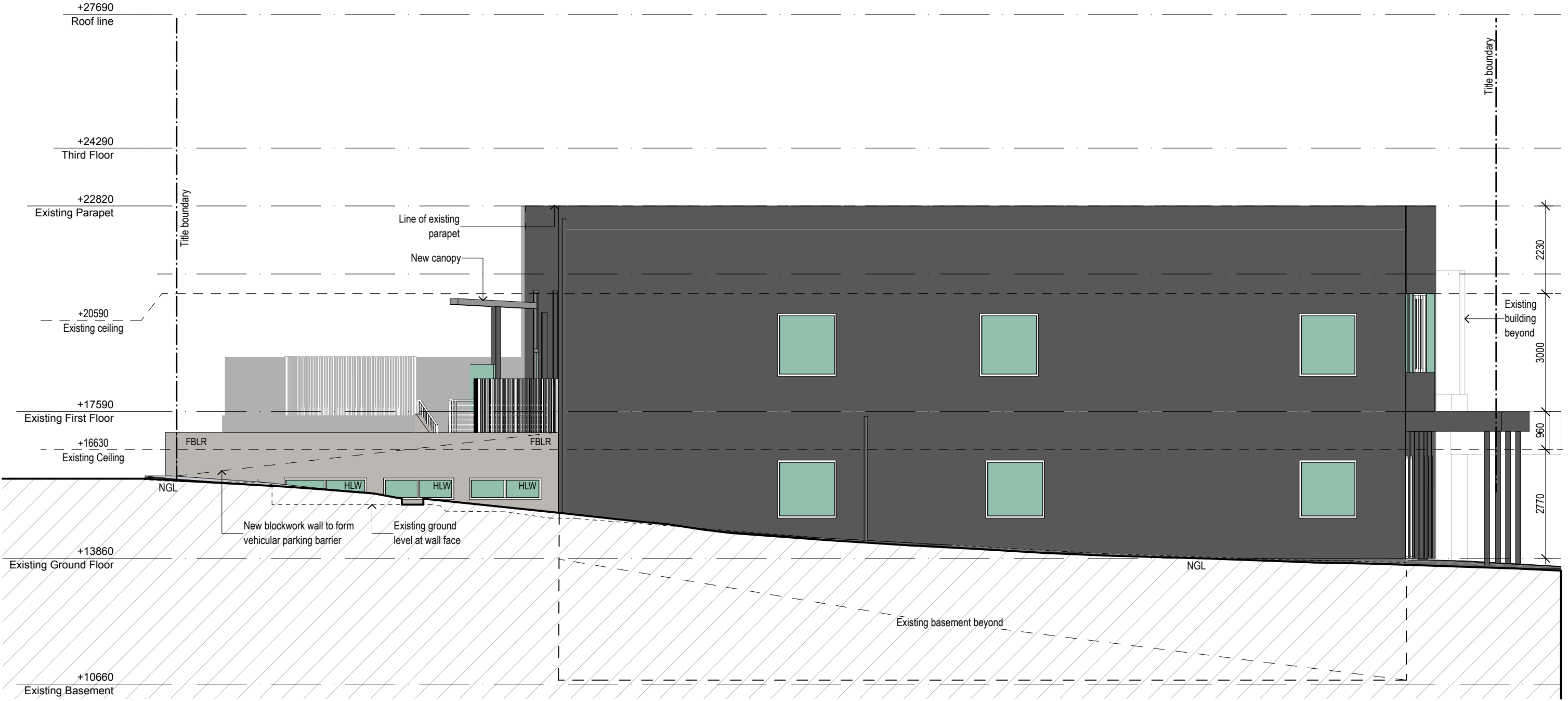
Existing/demo North Elevation - Stage 1

1:100

PLANNING APPLICATION

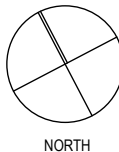
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	A2	Client issue	13.06.18	Project No:						Existing/demo			f 03 6234 3192	
	A3	Development Application re-issue - natural ground level clarifications	18.06.18	Scale @ A3:		1:100	Address	17 Bligh Street Rosny Park Hobart			Elevations (4) - Stage			www.m2a.com.au
				DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited							1			25 Arthur St North Hobart, 7000
									PO Box 114 North Hobart, 7002					
									abn. 300474080443					
									Menzie <span> </span> & Marshall Pty Ltd trading as m2architecture					

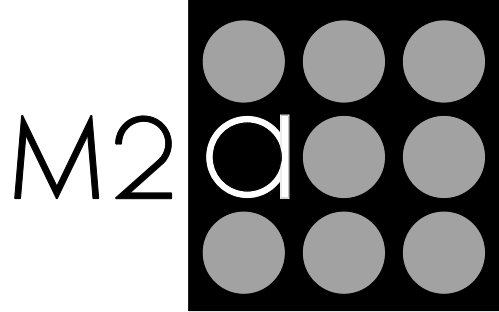


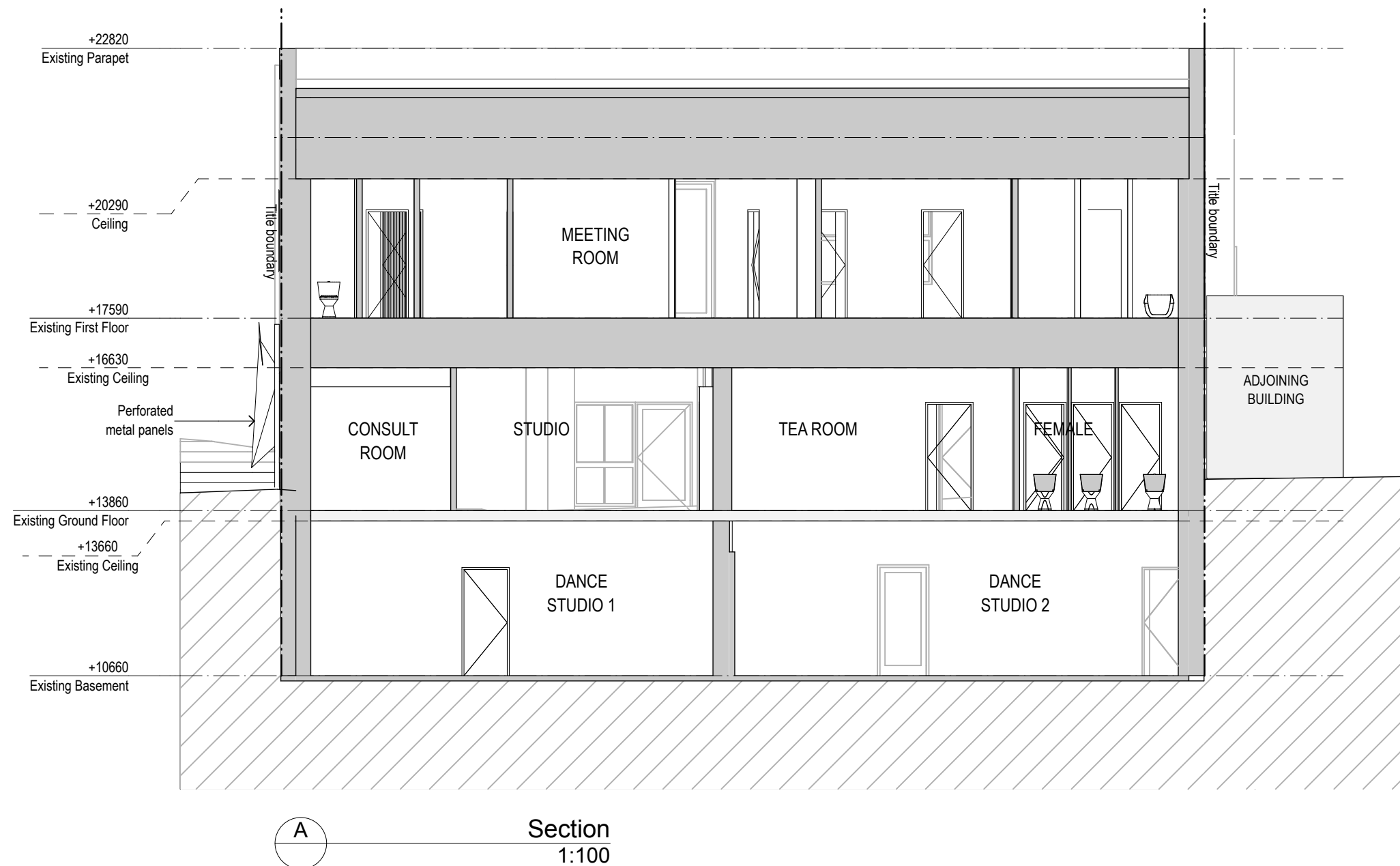


11 Proposed North Elevation (side) - Stage 1  
1:100

PLANNING APPLICATION

A1 Development Application issue A2 Client issue A3 Development Application re-issue - natural ground level clarifications	Plot Date: 18/06/2018		 NORTH	Project Name <b>Alterations &amp; Additions</b>  Address <b>17 Bligh Street Rosny Park Hobart</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>Proposed Elevations (4) - Stage 1</b>			<b>t</b> 03 6234 3307 <b>f</b> 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  Menzies & Marshall Pty Ltd trading as m2architecture
	Project No: <b>1725</b>								
	Scale @ A3: 1:100								
	DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited								

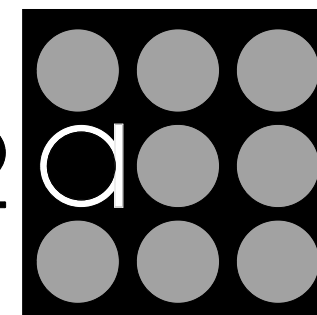


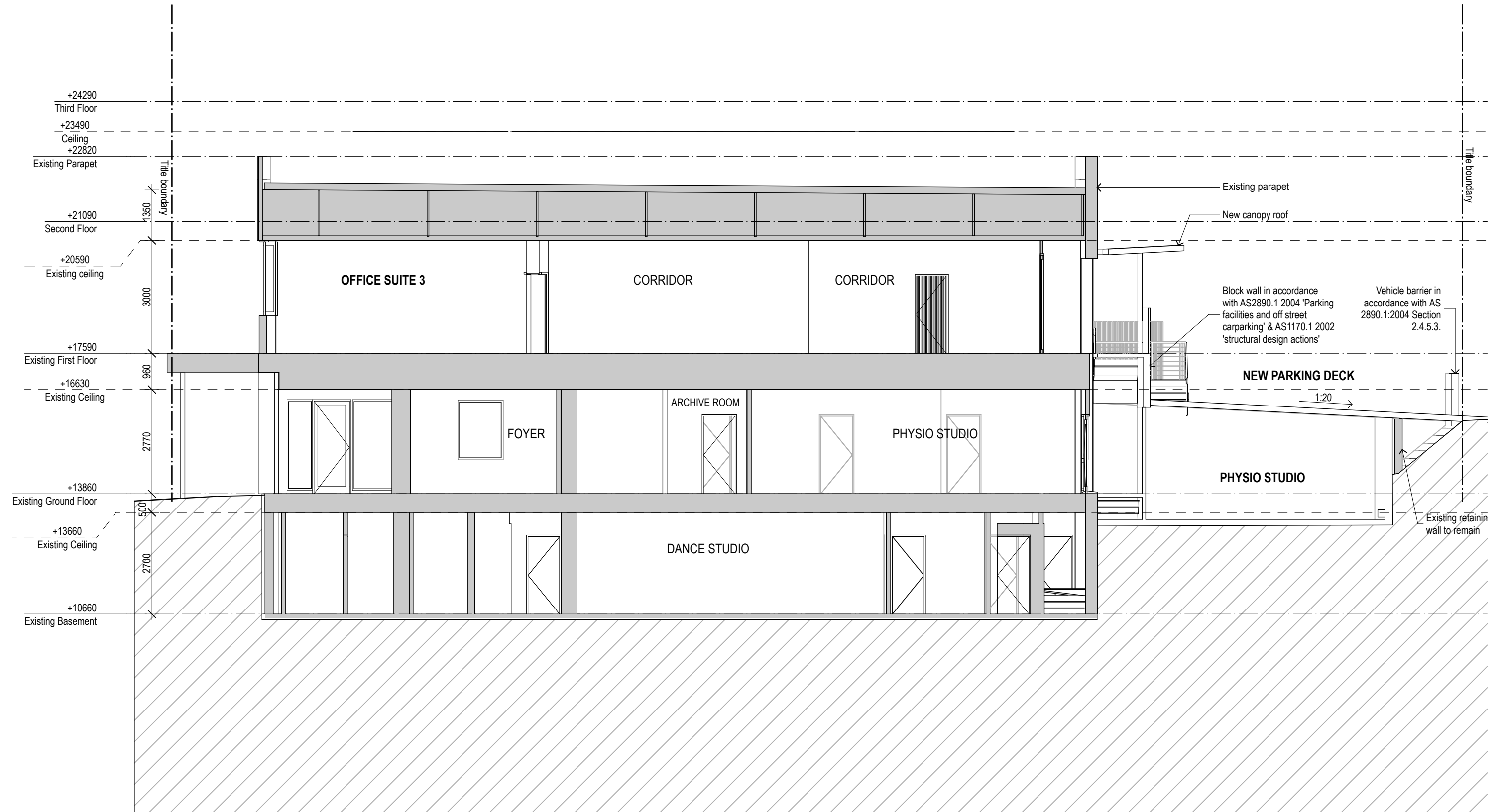


# PLANNING APPLICATION

<div>A1 Development Application issue</div> <div>04.06.18</div>	<div>Plot Date: 7/06/2018</div> <div>Project No: 1725</div> <div>Scale @ A3: 1:100</div> <div>DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited</div>	<div>Project Name <b>Alterations &amp; Additions</b></div> <div>Address <b>17 Bligh Street Rosny Park Hobart</b></div>	<div>Client <b>Acutel Property Pty Ltd</b></div>	<div>Drawing Title: <b>Proposed Section A - Stage 1</b></div> <div>Status: <b>B</b></div> <div>Drawing No.: <b>308 - S1</b></div> <div>Revision: <b>A1</b></div>	<div>t 03 6234 3307 f 03 6234 3192 www.m2a.com.au 25 Arthur St North Hobart, 7000 PO Box 114 North Hobart, 7002 abn. 300474080443 Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
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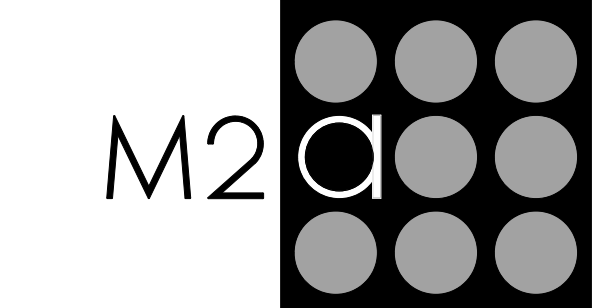
M2

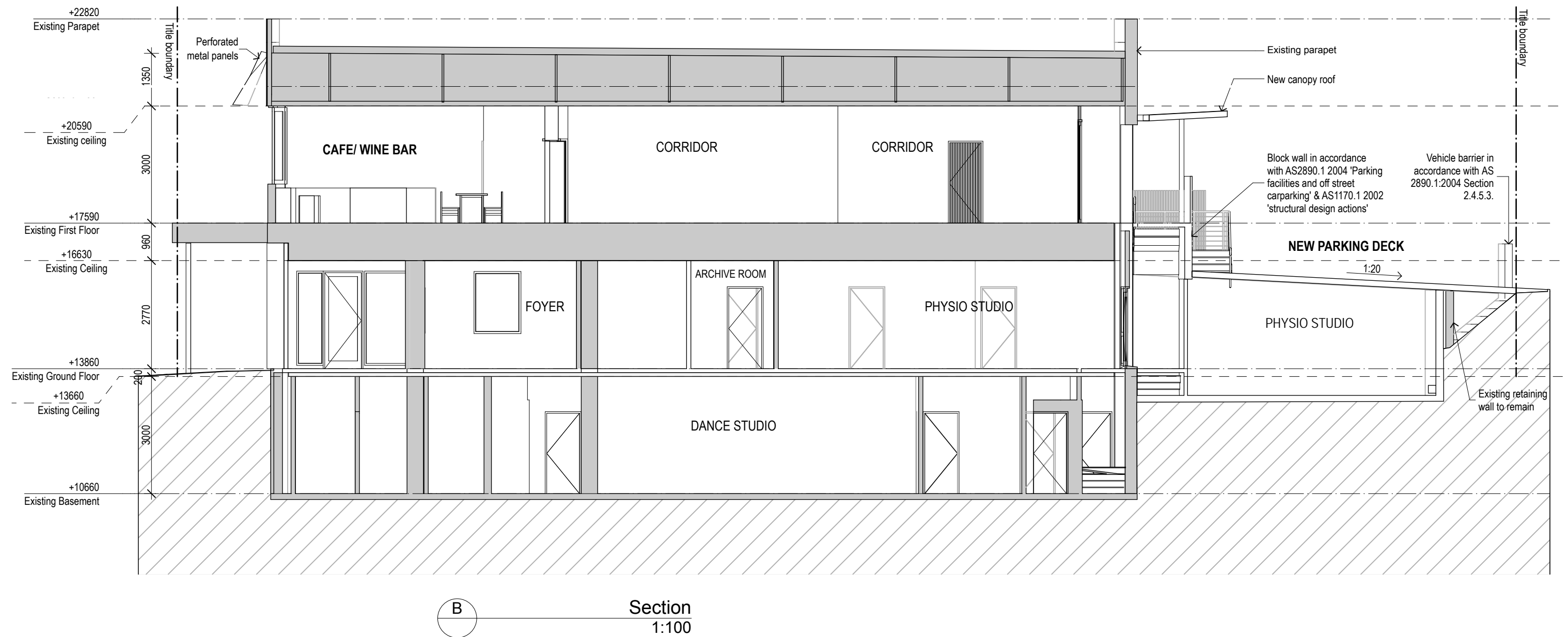




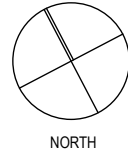
# PLANNING APPLICATION

<div>A1</div> <div>Development Application issue</div> <div>04.06.18</div>	<div>A2</div> <div>Client issue</div> <div>13.06.18</div>	<div>A3</div> <div>Development Application re-issue</div> <div>18.06.18</div> <div>- cafe/ wine bar omitted</div>	<div>Plot Date:</div> <div>18/06/2018</div>	<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Proposed Section B -</div> <div>Stage 1 - Office suite 3</div>	<div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St</div> <div>North Hobart, 7000</div> <div>PO Box 114</div> <div>North Hobart, 7002</div> <div>abn. 300474080443</div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
			<div>Project No:</div> <div>1725</div>				
			<div>Scale @ A3:</div> <div>1:100</div>				
			<div>DO NOT SCALE DRAWING</div> <div>© M2architecture. Unauthorised copying prohibited</div>				
			<div> <div></div> <div>NORTH</div> </div>				





# PLANNING APPLICATION

<div>A1 Development Application issue</div> <div>04.06.18</div>	<div>Plot Date: 7/06/2018</div> <div>Project No: 1725</div> <div>Scale @ A3: 1:100</div> <div>DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited</div> <div>  <div>NORTH</div> </div>	<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street Rosny Park Hobart</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Proposed Section B - Stage 1</div> <div> <div>Status: B</div> <div>Drawing No.: 309 - S1</div> <div>Revision: A1</div> </div>	<div> <div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St North Hobart, 7000</div> <div>PO Box 114 North Hobart, 7002</div> <div>abn. 300474080443</div> </div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
---	--	--	--	--	---

M2





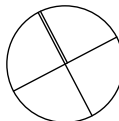
**External Finishes**

External wall colour A - Dulux 'Raku'  
External wall colour B - Dulux 'Clear Concrete'  
External roof colour C - Colorbond 'Windspray'  
Balustrade framing - Black powdercoat aluminium  
Aluminium window & door frames - Powdercoat 'Monument'  
Shade structure - Perforated stainless steel

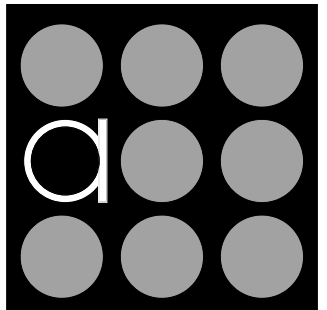


North view

# PLANNING APPLICATION

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018	 NORTH	Project Name  Alterations & Additions	Client  Acutel Property Pty Ltd	Drawing Title:  3D Views - Stage 1			t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  Menzies & Marshall Pty Ltd trading as m2architecture				
			Project No: 1725											
			Scale @ A3: 1:400, 1:100											
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited											
							Address  17 Bligh Street Rosny Park Hobart				Status:  B			Drawing No.:  703 - S1

M2







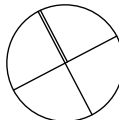
#### External Finishes

External wall colour A - Dulux 'Raku'  
External wall colour B - Dulux 'Clear Concrete'  
External roof colour C - Colorbond 'Windspray'  
Balustrade framing - Black powdercoat aluminium  
Aluminium window & door frames - Powdercoat 'Monument'  
Shade structure - Perforated stainless steel

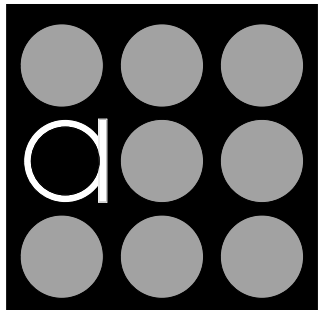


West view

# PLANNING APPLICATION

A1	Development Application issue	04.06.18	Plot Date:	7/06/2018	 NORTH	Project Name	Alterations & Additions	Client	Acutel Property Pty Ltd	Drawing Title:	3D Views - Stage 1	t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443
			Project No:	1725								
			Scale @ A3:	1:400, 1:100								
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited									
						Address	17 Bligh Street Rosny Park Hobart	Status: B    Drawing No.: 704 - S1    Revision: A1			Menzie <span>­</span> s & Marshall Pty Ltd trading as m2architecture	

M2

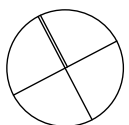


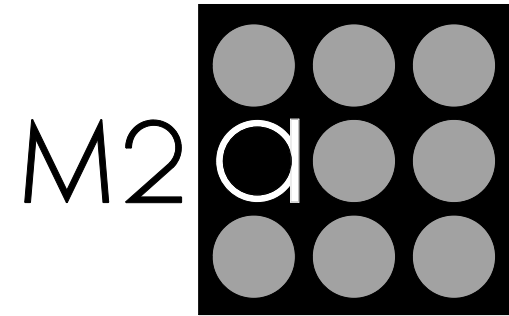


**External Finishes**  
 External wall colour A - Dulux 'Raku'  
 External wall colour B - Dulux 'Clear Concrete'  
 External roof colour C - Colorbond 'Windspray'  
 Balustrade framing - Black powdercoat aluminium  
 Aluminium window & door frames - Powdercoat 'Monument'  
 Shade structure - Perforated stainless steel

East view

# PLANNING APPLICATION

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018	 NORTH	Project Name <b>Alterations &amp; Additions</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>3D views - Stage 1</b>			t 03 6234 3307 f 03 6234 3192 www.m2a.com.au 25 Arthur St North Hobart, 7000 PO Box 114 North Hobart, 7002 abn. 300474080443 <small>Menzies &amp; Marshall Pty Ltd trading as m2architecture</small>
			Project No: <b>1725</b>							
			Scale @ A3: 1:400, 1:100							
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited		Address <b>17 Bligh Street Rosny Park Hobart</b>		Status: <b>B</b>	Drawing No.: <b>705 - S1</b>	Revision: <b>A1</b>	





STAGE 1	
SHEET NO	SHEET NAME
100	Cover Sheet
101 - S1	Proposed site plan/site analysis - Stage 1
200 - S1	Existing Basement Floor Plan - Stage 1
201 - S1	Proposed Basement plan - Stage 1
202 - S1	Existing/demo Ground Floor Plan - Stage 1
203 - S1	Proposed Ground Floor - Stage 1
204 - S1	Existing/demo First Floor plan - Stage 1
205 - S1	Proposed First floor plan - Stage 1
300 - S1	Existing/demo Elevations (1) - Stage 1
301 - S1	Proposed Elevations (1) - Stage 1
302 - S1	Existing/demo Elevations (2) - Stage 1
303 - S1	Proposed Elevations (2) - Stage 1
304 - S1	Existing/demo Elevations (3) - Stage 1
305 - S1	Proposed Elevations (3) - Stage 1
306 - S1	Existing/demo Elevations (4) - Stage 1
307 - S1	Proposed Elevations (4) - Stage 1
308 - S1	Proposed Section A -Stage 1
309 - S1	Proposed Section B - Stage 1
703 - S1	3D Views - Stage 1
704 - S1	3D Views - Stage 1
705 - S1	3D views - Stage 1

STAGE 2	
SHEET NO	SHEET NAME
100 - S2	Cover sheet - Stage 2
204 - S2	Existing/demo First Floor plan - Stage 2
205 - S2	Proposed First floor plan - Stage 2
206 - S2	Proposed Second floor plan - Stage 2
207 - S2	Proposed Third floor plan - Stage 2
208 - S2	Existing/demo Roof plan - Stage 2
209 - S2	Proposed Roof plan - Stage 2
301 - S2	Existing/demo Elevations (1) - Stage 2
302 - S2	Proposed Elevations (1) - Stage 2
303 - S2	Proposed Elevations (2) - Stage 2
304 - S2	Proposed Elevations (3) - Stage 2
305 - S2	Existing/demo Elevations (3) - Stage 2
306 - S2	Proposed Elevations (4) - Stage 2
307 - S2	Existing/demo Elevations (4) - Stage 2
308 - S2	Proposed Section A - Stage 2
309 - S2	Proposed Section B - Stage 2
703 - S2	3D Views - Stage 2
704 - S2	3D Views - Stage 2
705 - S2	3D Views - Stage 2

AREA SCHEDULE - STAGE 2
SITE AREA: 580m <sub>2</sub>
<u>EXISTING FLOOR AREA (STAGE 1):</u> Basement Level: 376m <sub>2</sub> Ground Level: 453.5m <sub>2</sub> First Level: 376m <sub>2</sub> TOTAL FLOOR AREA: 1205.5m <sub>2</sub>
EXISTING SITE COVERAGE: 398m <sub>2</sub> (68.6%) EXISTING PERMEABILITY: 15m <sub>2</sub> (2.5%) EXISTING CAR PARKING SPACES: 4
<u>PROPOSED FLOOR AREA (STAGE 2):</u> Basement Level: 376m <sub>2</sub> Ground Level: 453.5m <sub>2</sub> First Level: 376m <sub>2</sub> Second Level: 297m <sub>2</sub> Third Level: 301m <sub>2</sub> TOTAL FLOOR AREA: 1803.5m <sub>2</sub>
New lift shaft & stairwell area: 39.5m <sub>2</sub> New deck area: 101.5m <sub>2</sub>
PROPOSED SITE COVERAGE: 398m <sub>2</sub> (68.6%) PROPOSED PERMEABILITY: 15m <sub>2</sub> (2.5%)
TREES REMOVED: 0
PROPOSED CAR PARKING SPACES: 0
<i>Note: Floor areas are taken from the inside face of external walls. Total gross floor area includes lift &amp; stairwell space. Total gross floor area excludes deck areas.</i>

The Site



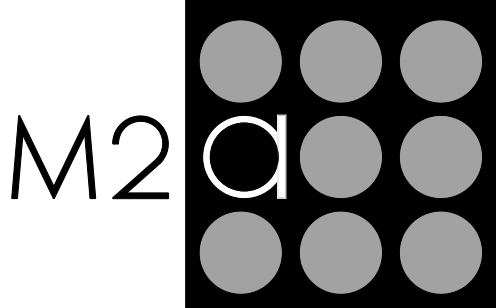
GOOGLE MAP IMAGE

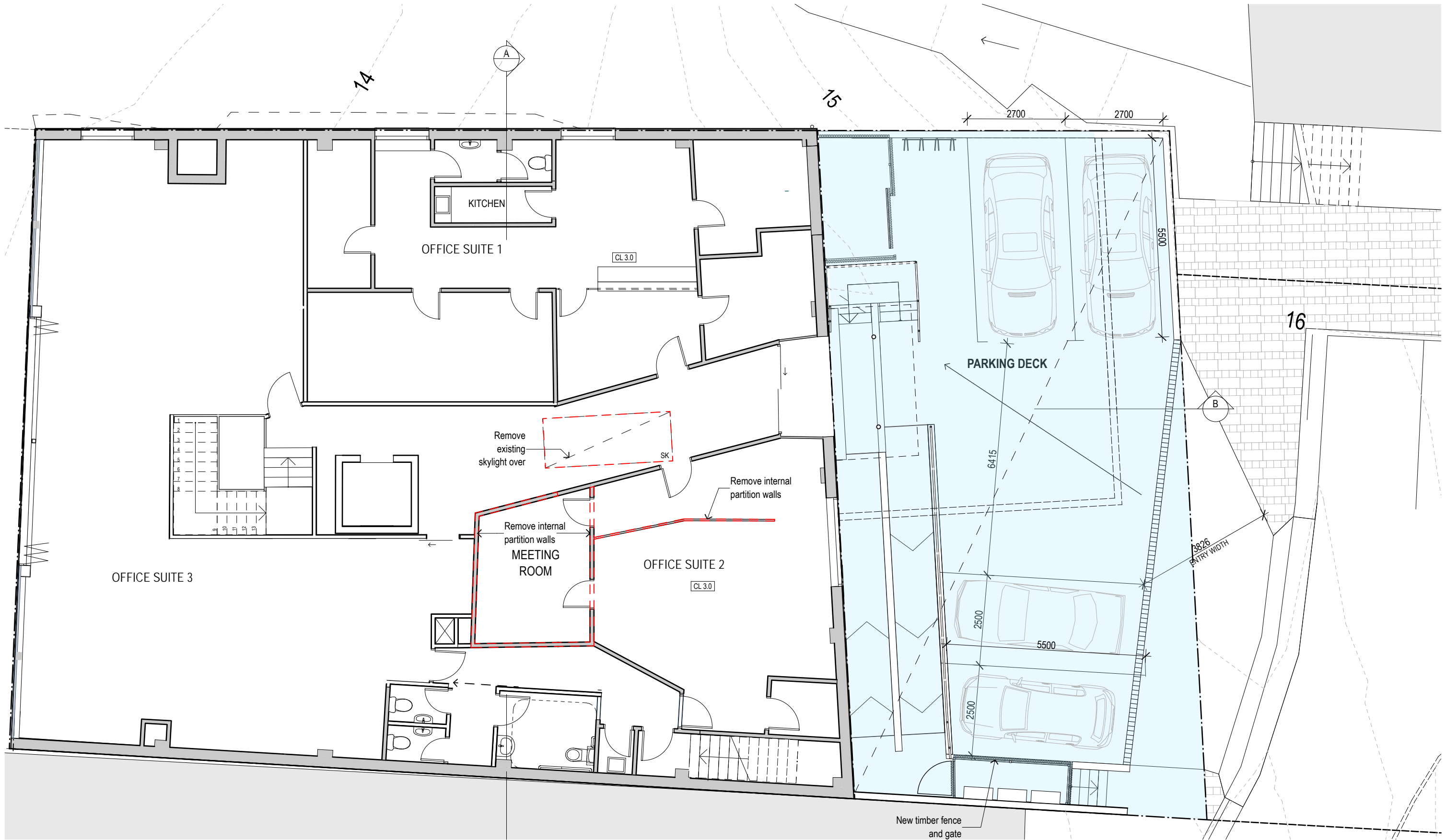


North View - Stage 2

# PLANNING APPLICATION

A1	Development Application issue	04.06.18	Plot Date:	7/06/2018	 NORTH	Project Name	Alterations & Additions	Client	Acutel Property Pty Ltd	Drawing Title:	Cover sheet - Stage 2	t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  Menzies & Marshall Pty Ltd trading as m2architecture
			Project No:	1725								
			Scale @ A3:	1:1, 1:2.24, 1:444.44								
			DO NOT SCALE DRAWING									
			© M2architecture. Unauthorised copying prohibited									
Address						17 Bligh Street Rosny Park Hobart						

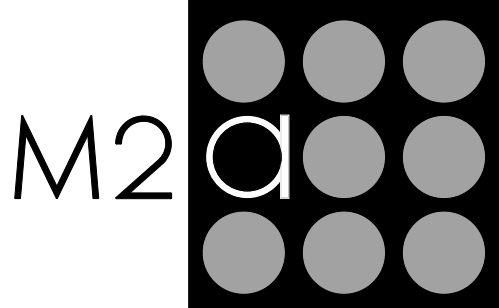




# PLANNING APPLICATION

3. Existing/demo First Floor - Stage 2  
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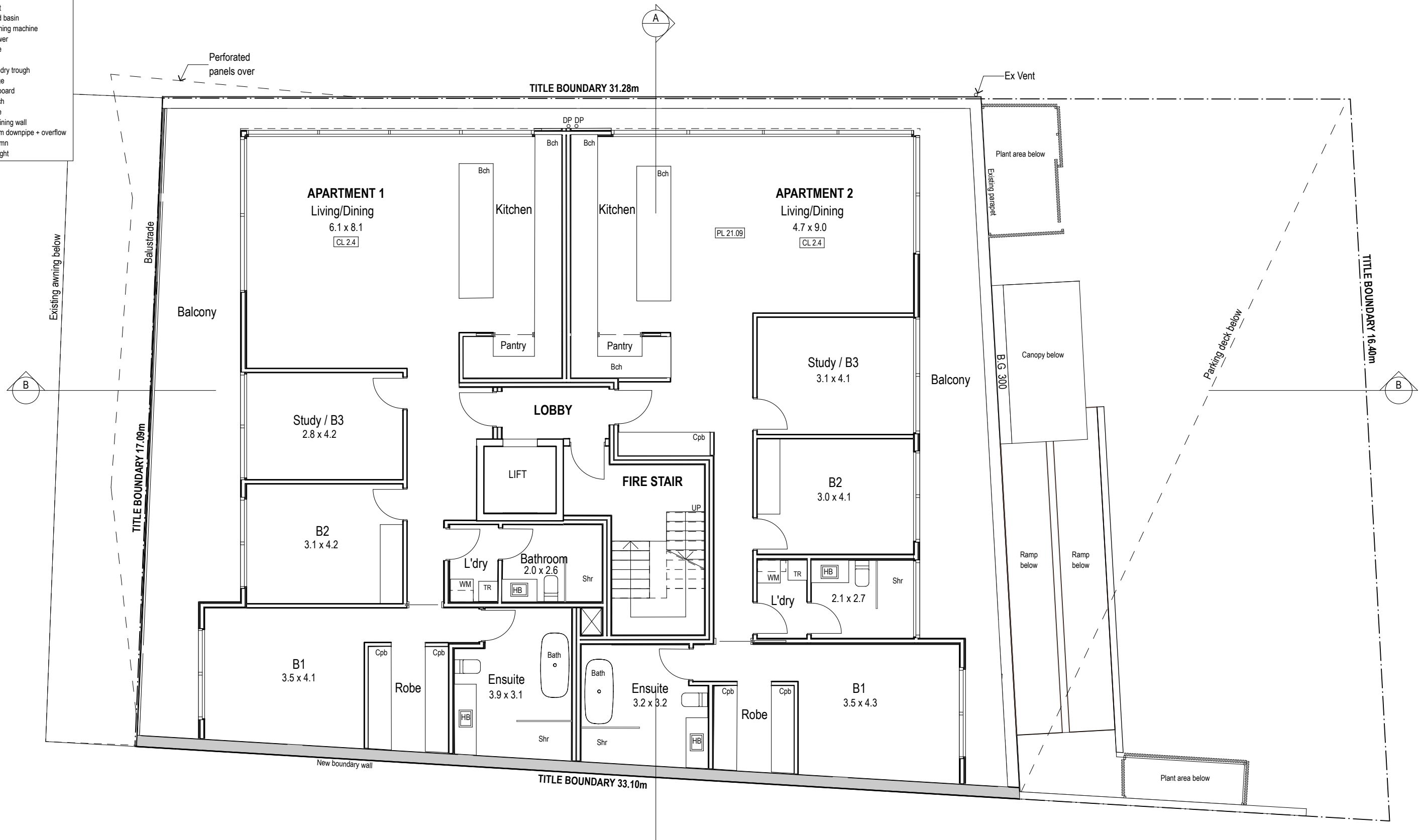
A1	Development Application issue	04.06.18	<div>Plot Date: 7/06/2018</div> <div>Project No: 1725</div> <div>Scale @ A3: 1:100</div> <div><div>DO NOT SCALE DRAWING</div><div>© M2architecture. Unauthorised copying prohibited</div></div>	<div> NORTH</div>	<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Existing/demo First Floor plan - Stage 2</div> <div><div>Status:</div><div>B</div></div> <div><div>Drawing No.:</div><div>204 - S2</div></div> <div><div>Revision:</div><div>A2</div></div>			<div><div>t 03 6234 3307</div><div>f 03 6234 3192</div><div>www.m2a.com.au</div><div>25 Arthur St</div><div>North Hobart, 7000</div><div>PO Box 114</div><div>North Hobart, 7002</div><div>abn. 300474080443</div><div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div></div>		
A2	Development Application Reissue	22.06.18										







LEGEND	
WC	Toilet
HB	Hand basin
WM	Washing machine
SHR	Shower
R	Robe
S	Sink
TR	Laundry trough
FR	Fridge
CPB	Cupboard
BCH	Bench
TB	Table
RW	Retaining wall
DP	90mm downpipe + overflow
Col	Column
SK	Skylight

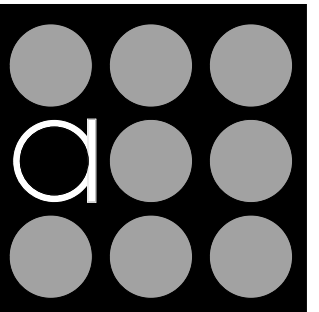


PLANNING APPLICATION

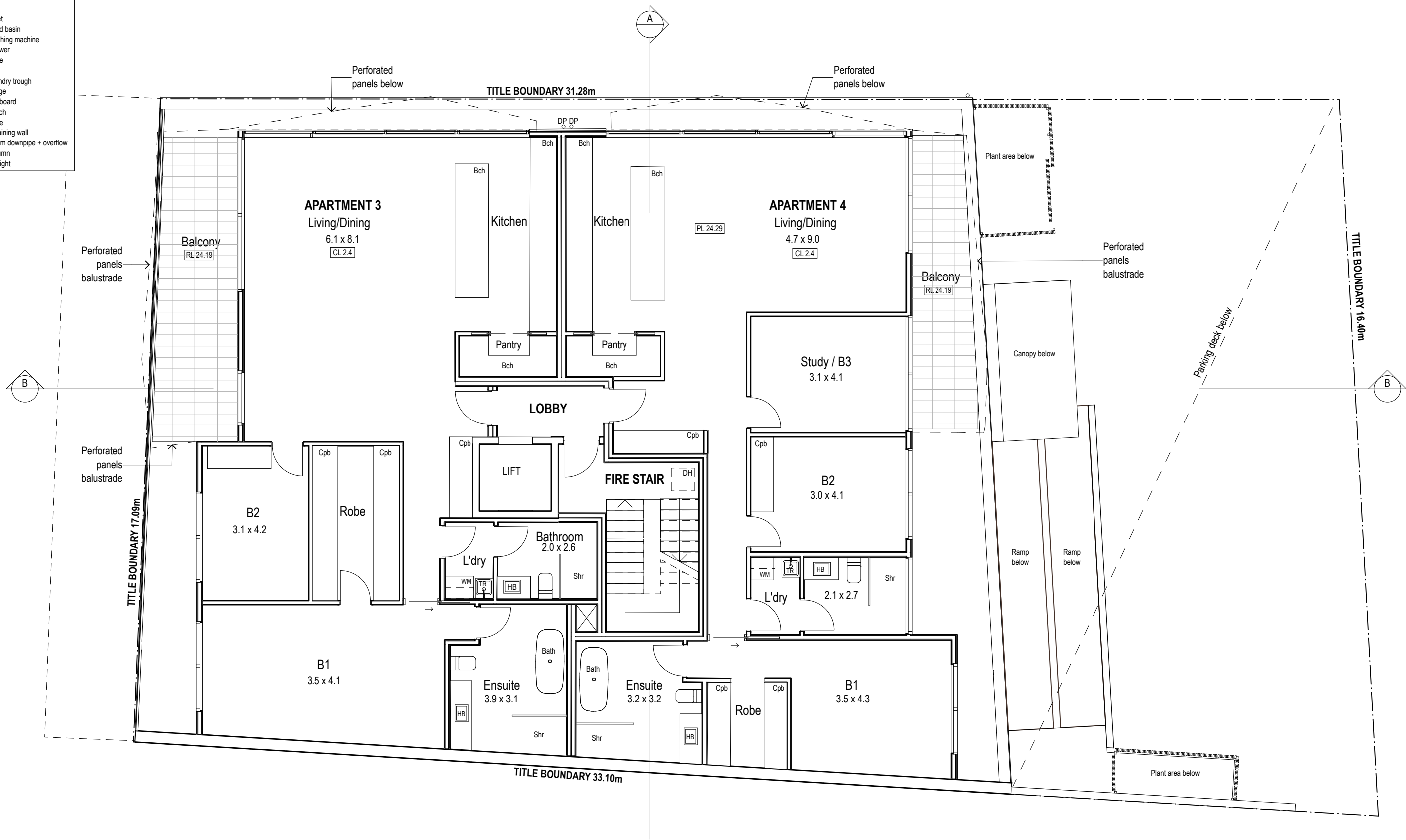
4. Proposed Second Floor - Stage 2  
1:100

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018	 NORTH	Project Name  <b>Alterations &amp; Additions</b>  Address  <b>17 Bligh Street Rosny Park Hobart</b>	Client  <b>Acutel Property Pty Ltd</b>	Drawing Title:  <b>Proposed Second floor plan - Stage 2</b>			<div><div><div>t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443</div><div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div></div></div>		
			Project No: <b>1725</b>									
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			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited									

M2



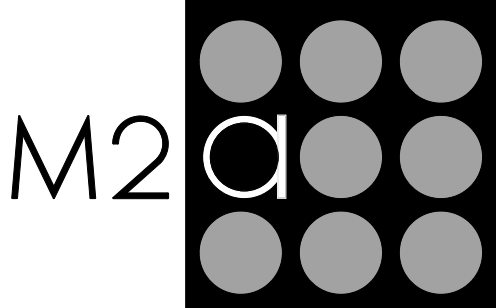
LEGEND	
WC	Toilet
HB	Hand basin
WM	Washing machine
SHR	Shower
R	Robe
S	Sink
TR	Laundry trough
FR	Fridge
CPB	Cupboard
BCH	Bench
TB	Table
RW	Retaining wall
DP	90mm downpipe + overflow
Col	Column
SK	Skylight



PLANNING APPLICATION

6. Proposed Third Floor - Stage 2  
1:100

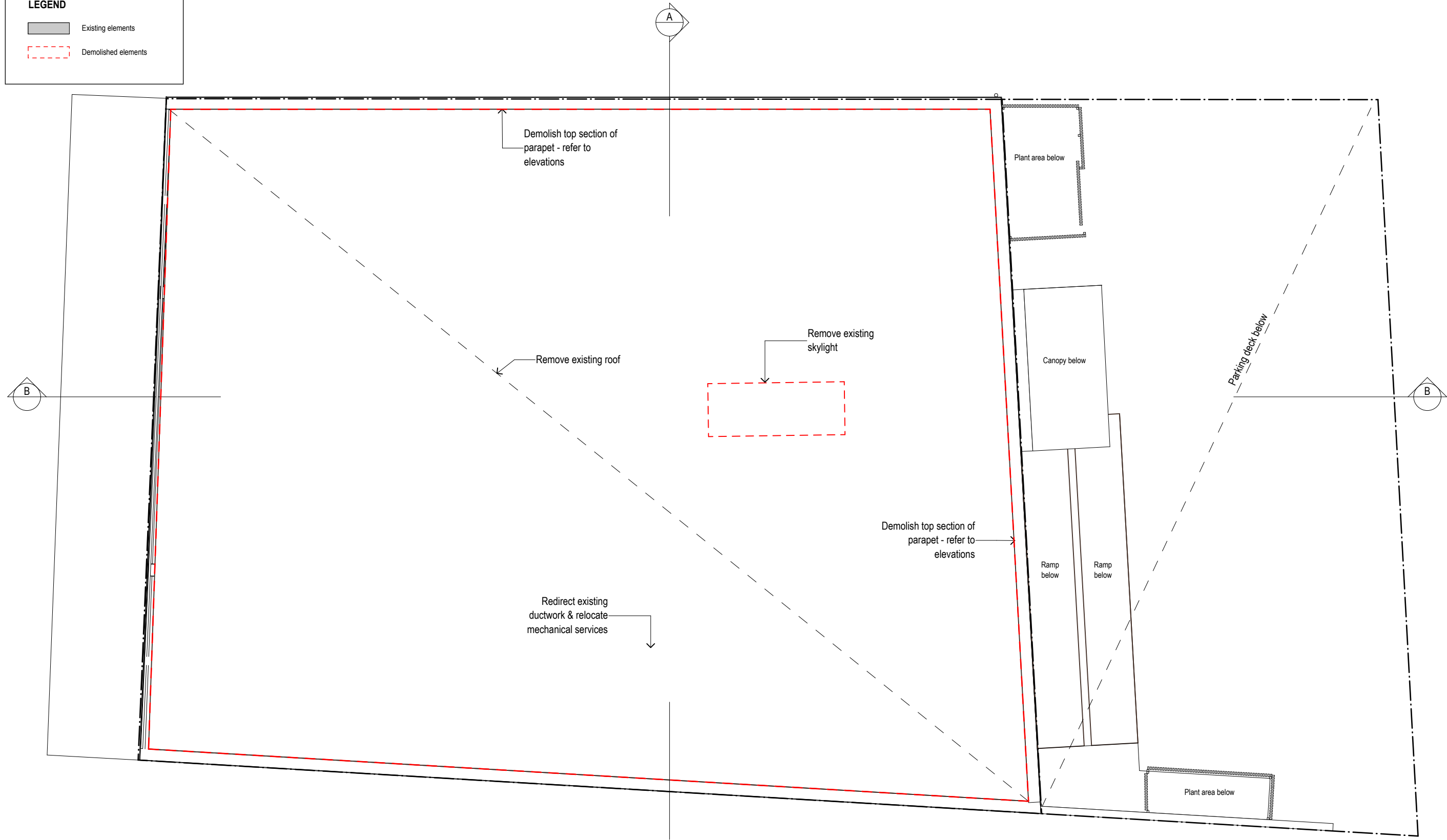
A1	Development Application issue	04.06.18	Plot Date: 7/06/2018		 NORTH	Project Name <b>Alterations &amp; Additions</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>Proposed Third floor plan - Stage 2</b>			t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  Menzies & Marshall Pty Ltd trading as m2architecture
			Project No: <b>1725</b>					Status: <b>B</b>	Drawing No.: <b>207 - S2</b>	Revision: <b>A1</b>	
			Scale @ A3: 1:100, 1:500								
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited								



LEGEND

Existing elements

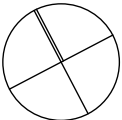
Demolished elements




5.

Existing/demo Roof plan - Stage 2

1:100

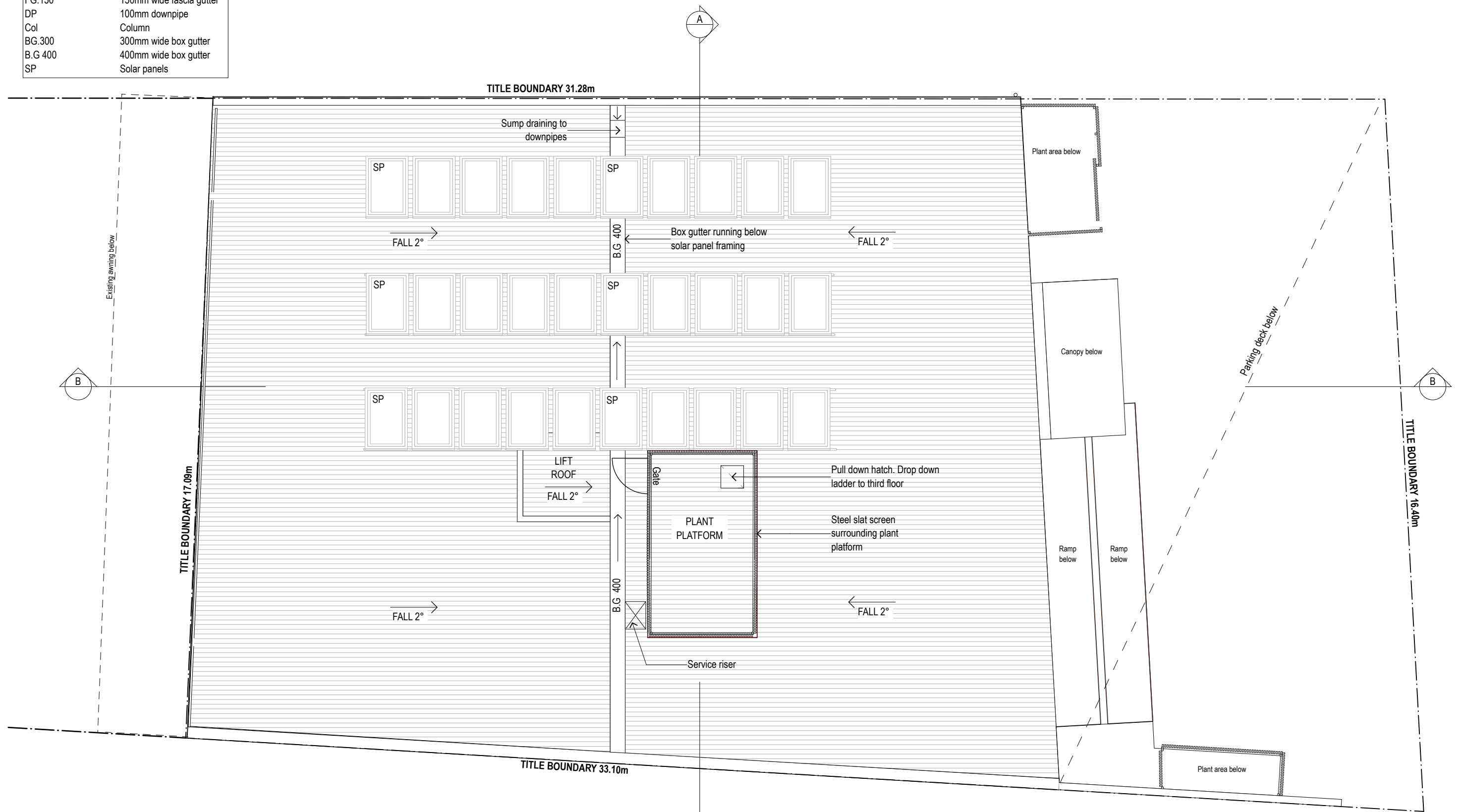
A1	Development Application issue	04.06.18	Plot Date: 7/06/2018	 <div>NORTH</div>	Project Name <b>Alterations &amp; Additions</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>Existing/demo Roof plan - Stage 2</b>			<div> <div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St North Hobart, 7000</div> <div>PO Box 114 North Hobart, 7002</div> <div>abn. 300474080443</div> </div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
			Project No: <b>1725</b>							
			Scale @ A3: 1:100							
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited							
					Address <b>17 Bligh Street Rosny Park Hobart</b>		Status: <b>B</b>	Drawing No.: <b>208 - S2</b>	Revision: <b>A1</b>	

M2






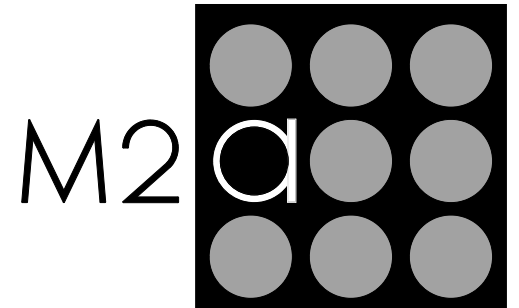
FG.150	150mm wide fascia gutter
DP	100mm downpipe
Col	Column
BG.300	300mm wide box gutter
B.G 400	400mm wide box gutter
SP	Solar panels



7.

Proposed roof plan - Stage 2  
1:100

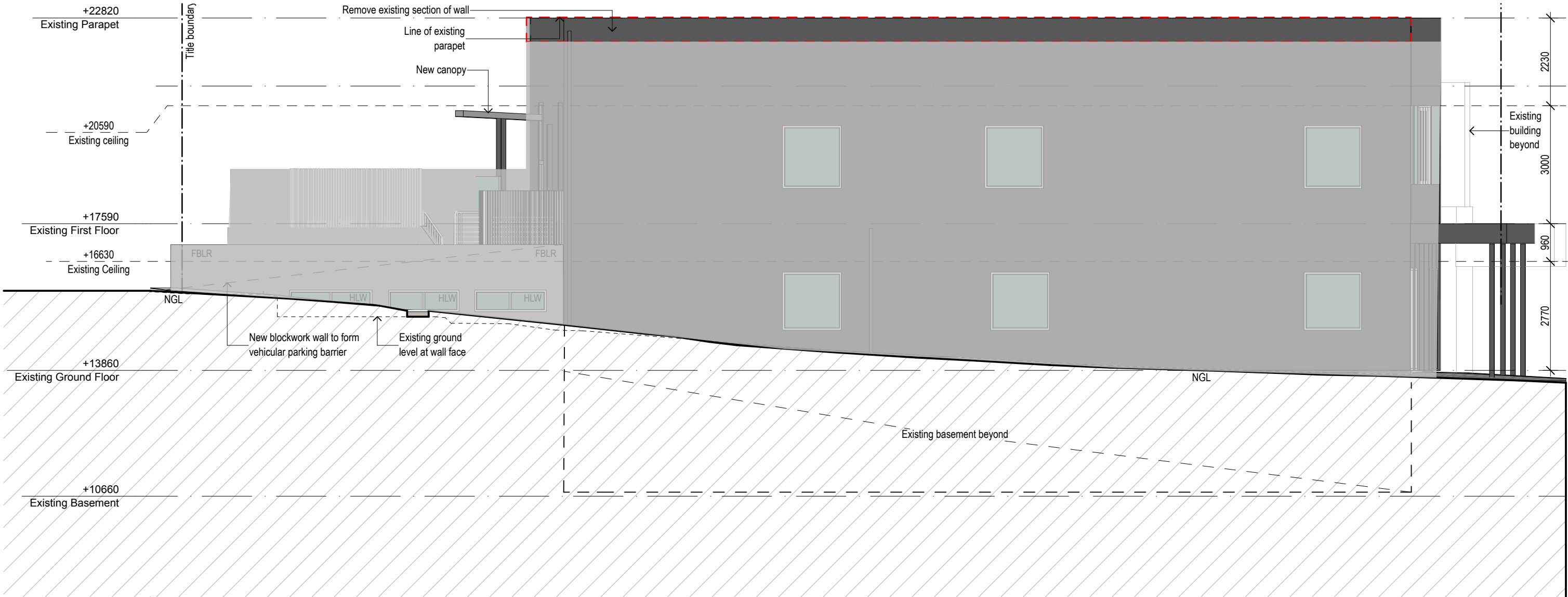
A1	Development Application issue	04.06.18	Plot Date: 7/06/2018		Client  Acutel Property Pty Ltd	Drawing Title:  Proposed Roof plan - Stage 2			t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443	
			Project No: 1725							
			Scale @ A3: 1:100							
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited							
						Project Name  Alterations & Additions  Address  17 Bligh Street Rosny Park Hobart				Status:  B



LEGEND

Existing elements

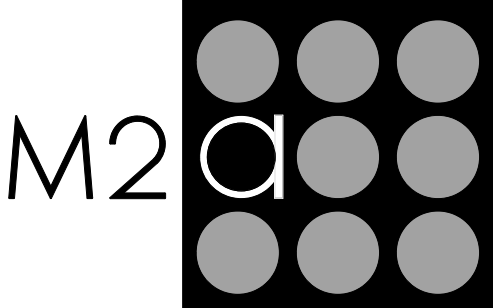
Demolished elements

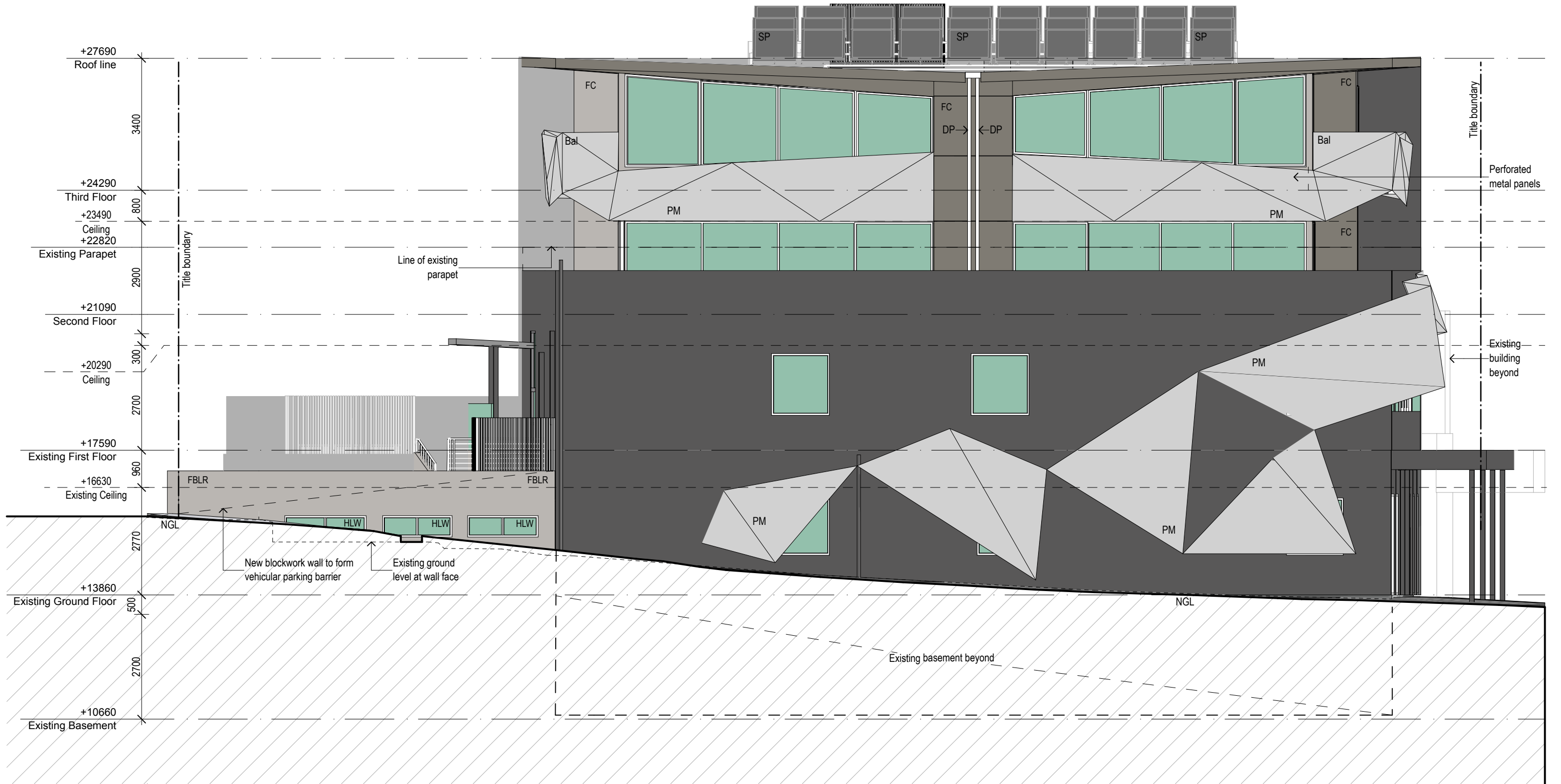


PLANNING APPLICATION


11 Existing/demo North Elevation Stage 2  
1:100

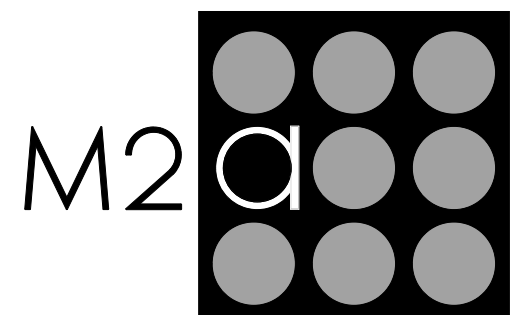
A1 Development Application issue A2 Client issue A3 Development Application re-issue - natural ground level clarifications	Plot Date: 18/06/2018	 NORTH	Project Name <b>Alterations &amp; Additions</b>  Address <b>17 Bligh Street Rosny Park Hobart</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>Existing/demo Elevations (1) - Stage 2</b>			<b>t 03 6234 3307 f 03 6234 3192  www.m2a.com.au 25 Arthur St North Hobart, 7000 PO Box 114 North Hobart, 7002 abn. 300474080443 <small>Menzies &amp; Marshall Pty Ltd trading as m2architecture</small></b>			
	Project No: <b>1725</b>										
	Scale @ A3: 1:100										
	DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited										
					Status: <b>C</b>				Drawing No.: <b>301 - S2</b>	Revision: <b>A3</b>	





# PLANNING APPLICATION

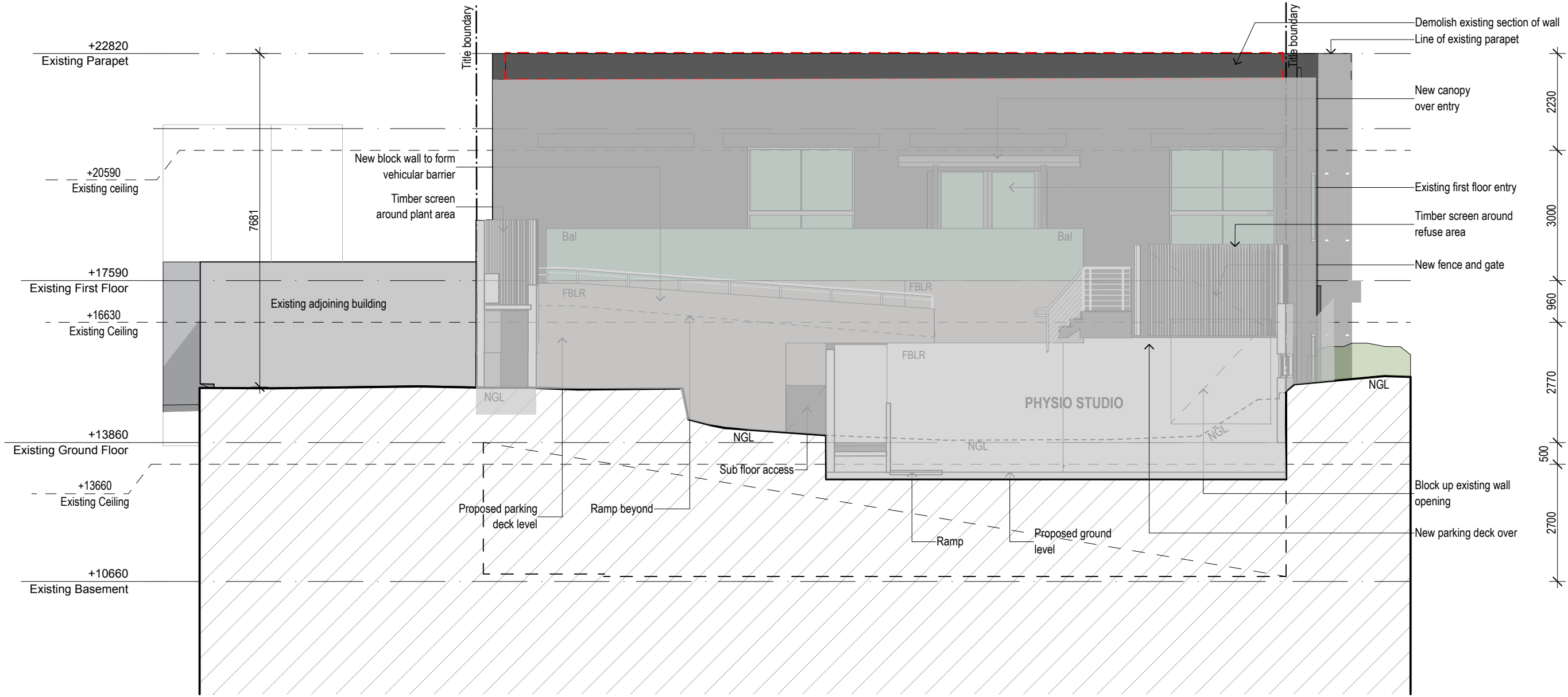
<div>A1Development Application issue04.06.18</div> <div>A2Client issue13.06.18</div> <div>A3Development Application re-issue18.06.18</div> <div>- natural ground level clarifications</div>			<div>Plot Date: 18/06/2018</div> <div>Project No: 1725</div> <div>Scale @ A3: 1:100</div> <div>DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited</div>	<div></div> <div>NORTH</div>	<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Proposed Elevations</div> <div>(4) - Stage 2</div> <div>Status:</div> <div>C</div> <div>Drawing No.:</div> <div>306 - S2</div> <div>Revision:</div> <div>A3</div>	<div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St</div> <div>North Hobart, 7000</div> <div>PO Box 114</div> <div>North Hobart, 7002</div> <div>abn. 300474080443</div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
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LEGEND

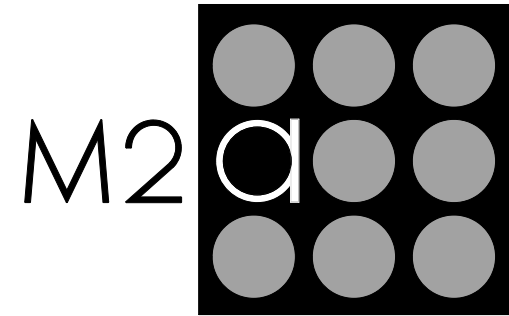
Existing elements

Demolished elements

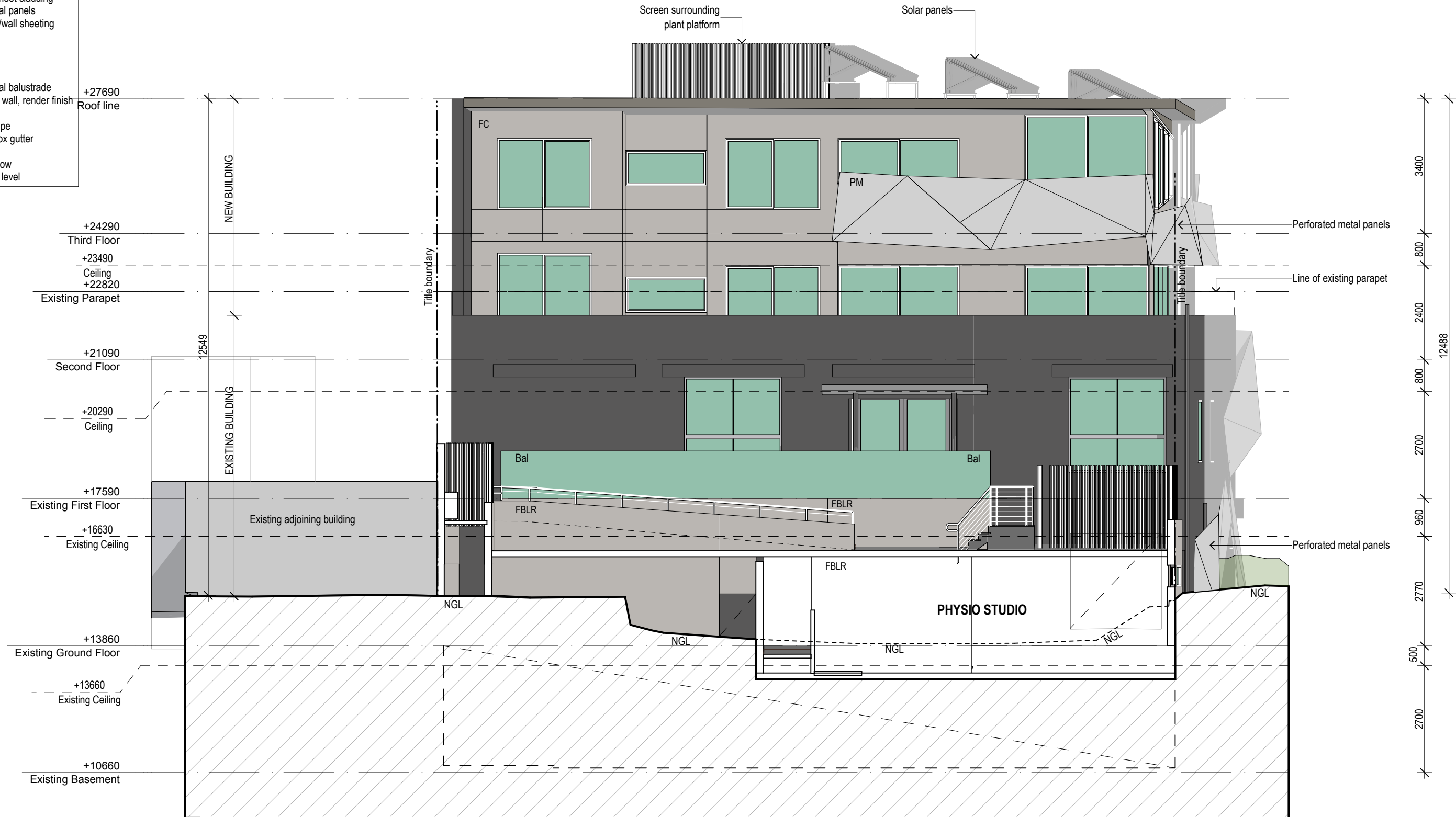


# PLANNING APPLICATION

A1	Development Application issue	04.06.18	<div>Plot Date: 18/06/2018</div> <div>Project No: 1725</div> <div>Scale @ A3: 1:100</div> <div>DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited</div>	<div> NORTH</div>	<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Existing/demo</div> <div>Elevations (3) - Stage</div> <div>2</div>			<div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St</div> <div>North Hobart, 7000</div> <div>PO Box 114</div> <div>North Hobart, 7002</div> <div>abn. 300474080443</div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
A2	Client issue	13.06.18								
A3	Development Application re-issue	18.06.18								



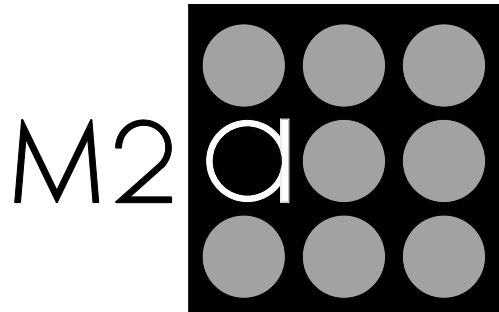
KEY:	
FC	Fibre cement sheet cladding
PM	Perforated metal panels
CB	Colorbond roof/wall sheeting
F	Fixed glazing
S	Sliding window
BW	Bifold window
SP	Solar panel
Bal	Perforated metal balustrade
FBLR	Concrete block wall, render finish
RW	Retaining wall
DP	100mm downpipe
BG.500	500mm wide box gutter
Col	Column
HLW	High level window
NGL	Natural ground level

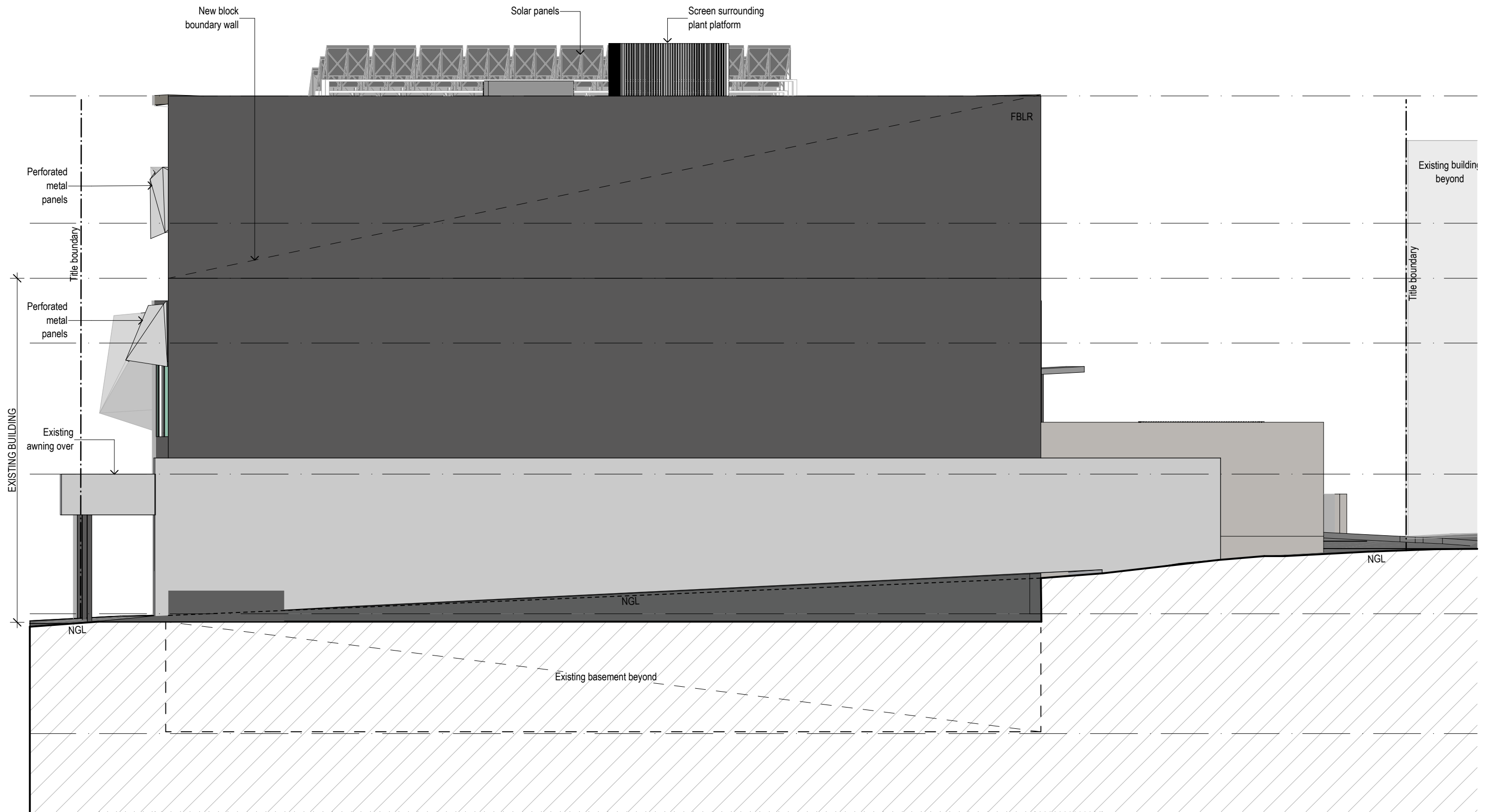


# PLANNING APPLICATION

08 Proposed East Elevation (rear) - Stage 2  
1:100

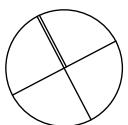
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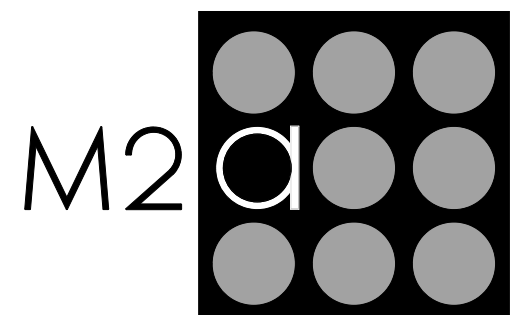





# PLANNING APPLICATION


09 Proposed South Elevation - Stage 2  
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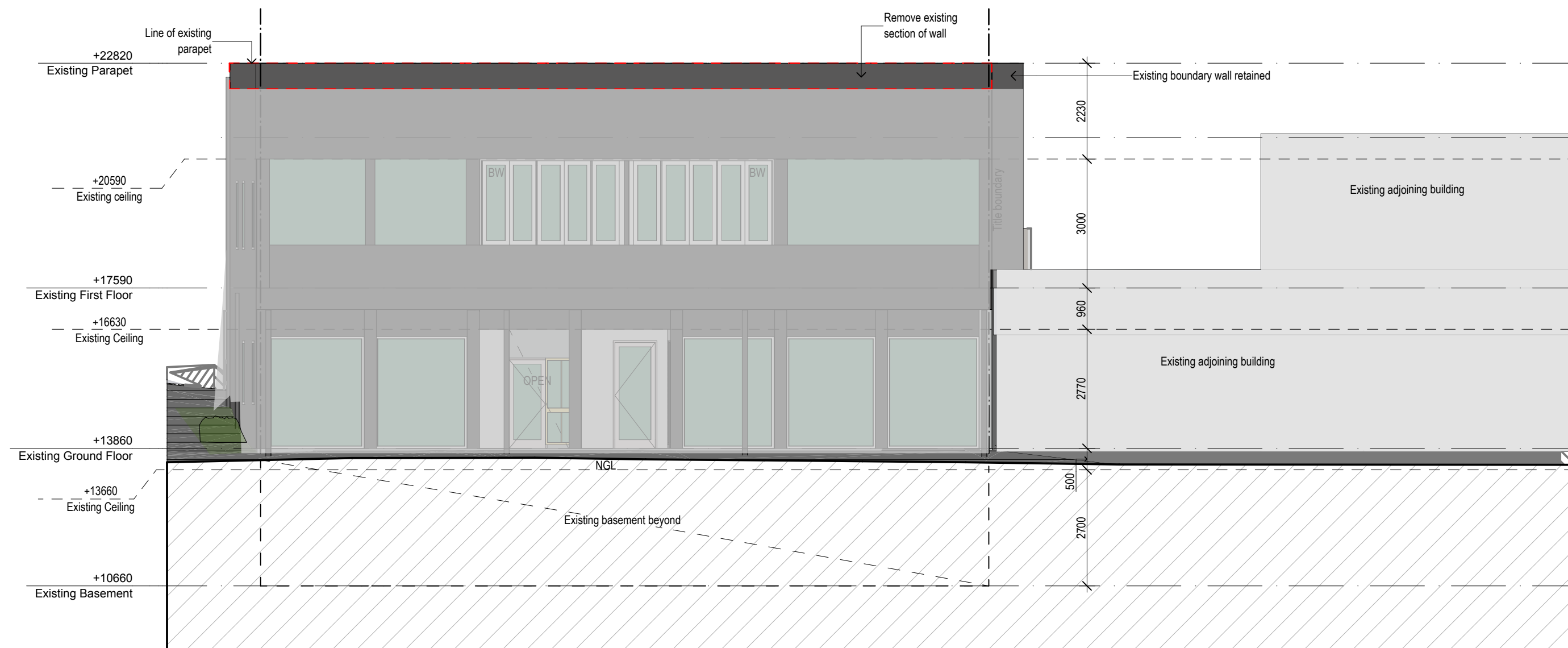
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**LEGEND**

 Existing elements

 Demolished elements



10 Existing/demo West Elevation (Front) Stage 2  
1:100


A1	Development Application issue	04.06.18	Plot Date: 18/06/2018	 NORTH	Project Name  Alterations & Additions	Client  Acutel Property Pty Ltd	Drawing Title:  Existing/demo Elevations (4) - Stage 2	t 03 6234 3307 f 03 6234 3192  www.m2a.com.au 25 Arthur St North Hobart, 7000 PO Box 114 North Hobart, 7002 abn. 300474080443		
A2	Client issue	13.06.18	Project No: 1725							
A3	Development Application re-issue - natural ground level clarifications	18.06.18	Scale @ A3: 1:100							
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited		Address  17 Bligh Street Rosny Park Hobart		Status:  C	Drawing No.:  307 - S2	Revision:  A3	Menzies & Marshall Pty Ltd trading as m2architecture

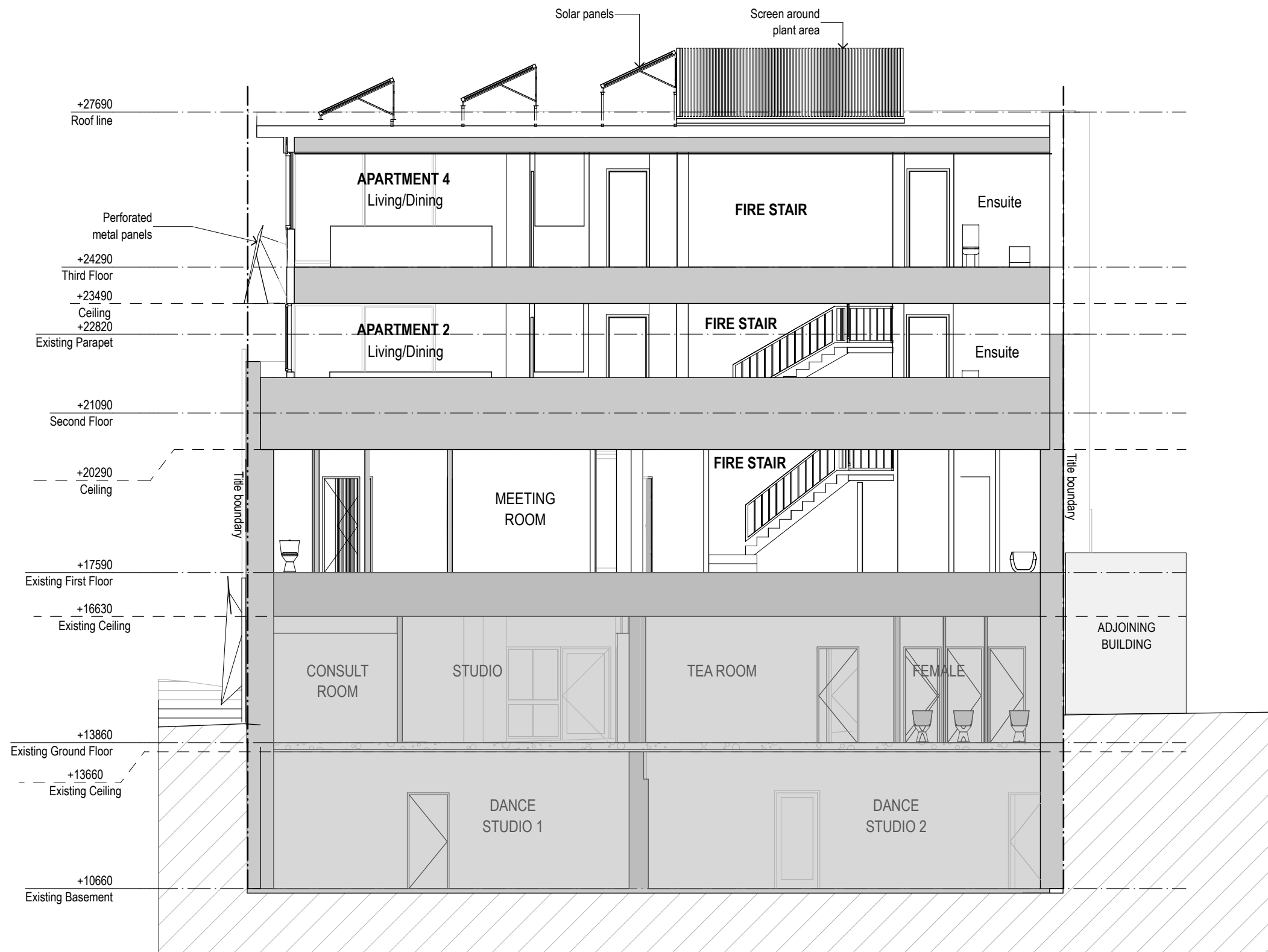


KEY:	
FC	Fibre cement sheet cladding
PM	Perforated metal panels
CB	Colorbond roof/wall sheeting
F	Fixed glazing
S	Sliding window
BW	Bifold window
SP	Solar panel
Bal	Perforated metal balustrade
FBLR	Concrete block wall, render finish
RW	Retaining wall
DP	100mm downpipe
BG.500	500mm wide box gutter
Col	Column
HLW	High level window
NGL	Natural ground level



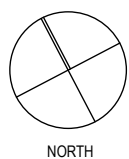
10 Proposed West Elevation (Front) - Stage 2  
1:100

<div>A1Development Application issue04.06.18</div> <div>A2Client issue13.06.18</div> <div>A3Development Application re-issue18.06.18</div> <div>- natural ground level clarifications</div>			<div>Plot Date: 18/06/2018</div> <div>Project No: 1725</div> <div>Scale @ A3: 1:100</div>	<div></div> <div>NORTH</div>	<div>Project Name</div> <div>Alterations &amp; Additions</div> <div>Address</div> <div>17 Bligh Street</div> <div>Rosny Park</div> <div>Hobart</div>	<div>Client</div> <div>Acutel Property Pty Ltd</div>	<div>Drawing Title:</div> <div>Proposed Elevations</div> <div>(3) - Stage 2</div> <div>Status: C</div> <div>Drawing No.: 304 - S2</div> <div>Revision: A3</div>	<div>t 03 6234 3307</div> <div>f 03 6234 3192</div> <div>www.m2a.com.au</div> <div>25 Arthur St</div> <div>North Hobart, 7000</div> <div>PO Box 114</div> <div>North Hobart, 7002</div> <div>abn. 300474080443</div> <div>Menzies &amp; Marshall Pty Ltd trading as m2architecture</div>
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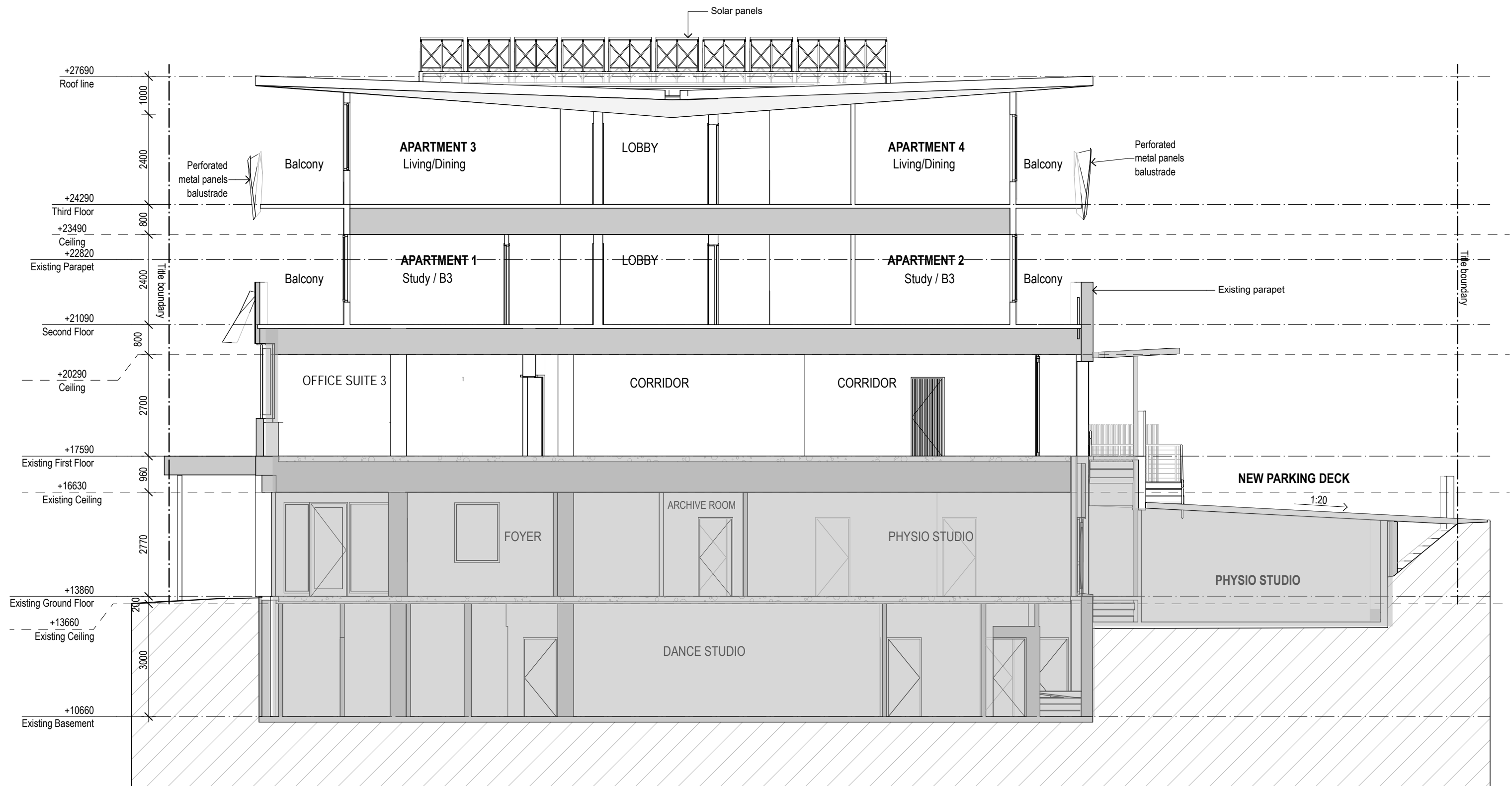
# PLANNING APPLICATION

**A** Section - Stage 2  
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			Project No: 1725							
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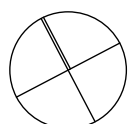
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B
 Section - Stage 2  
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PLANNING APPLICATION

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A2	Development Application Reissue	22.06.18	Project No: 1725							
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			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited					Drawing No.:  309 - S2		
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										Menzies & Marshall Pty Ltd trading as m2architecture

M2

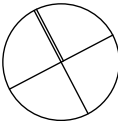


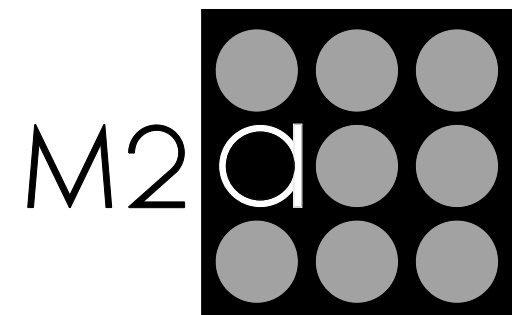


**External Finishes**  
 External wall colour A - Dulux 'Raku'  
 External wall colour B - Dulux 'Clear Concrete'  
 External roof colour C - Colorbond 'Windspray'  
 Balustrade framing - Black powdercoat aluminium  
 Aluminium window & door frames - Powdercoat 'Monument'  
 Shade structure - Perforated stainless steel

○ North View - Stage 2

# PLANNING APPLICATION

A1 Development Application issue		04.06.18		Plot Date: <b>7/06/2018</b>		 NORTH	Project Name <b>Alterations &amp; Additions</b>		Client <b>Acutel Property Pty Ltd</b>		Drawing Title: <b>3D Views - Stage 2</b>		t 03 6234 3307 f 03 6234 3192 www.m2a.com.au 25 Arthur St North Hobart, 7000 PO Box 114 North Hobart, 7002 abn. 300474080443 <small>Menzies &amp; Marshall Pty Ltd trading as m2architecture</small>			
		Project No: <b>1725</b>					Address <b>17 Bligh Street          Rosny Park          Hobart</b>				Status: <b>B</b>		Drawing No.: <b>703 - S2</b>		Revision: <b>A1</b>	
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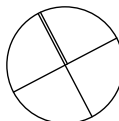


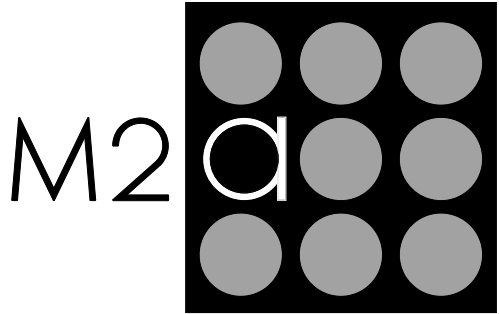
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External roof colour C - Colorbond 'Windspray'  
Balustrade framing - Black powdercoat aluminium  
Aluminium window & door frames - Powdercoat 'Monument'  
Shade structure - Perforated stainless steel



West View - Stage 2

PLANNING APPLICATION

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018	 NORTH	Project Name  <b>Alterations &amp; Additions</b>	Client  <b>Acutel Property Pty Ltd</b>	Drawing Title:  <b>3D Views - Stage 2</b>			t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  Menzies & Marshall Pty Ltd trading as m2architecture
			Project No: <b>1725</b>							
			Scale @ A3: 1:400, 1:100							
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited				Status: <b>B</b>	Drawing No.: <b>704 - S2</b>	Revision: <b>A1</b>	





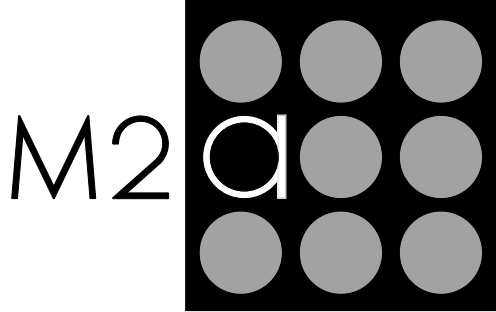
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External wall colour B - Dulux 'Clear Concrete'  
External roof colour C - Colorbond 'Windspray'  
Balustrade framing - Black powdercoat aluminium  
Aluminium window & door frames - Powdercoat 'Monument'  
Shade structure - Perforated stainless steel



East View - Stage 2

# PLANNING APPLICATION

A1	Development Application issue	04.06.18	Plot Date: 7/06/2018		 NORTH	Project Name <b>Alterations &amp; Additions</b>	Client <b>Acutel Property Pty Ltd</b>	Drawing Title: <b>3D Views - Stage 2</b>			t 03 6234 3307 f 03 6234 3192  www.m2a.com.au  25 Arthur St North Hobart, 7000  PO Box 114 North Hobart, 7002  abn. 300474080443  Menzies & Marshall Pty Ltd trading as m2architecture
			Project No: <b>1725</b>								
			Scale @ A3: 1:400, 1:100								
			DO NOT SCALE DRAWING © M2architecture. Unauthorised copying prohibited								
Address <b>17 Bligh Street Rosny Park Hobart</b>						Status: <b>B</b> Drawing No.: <b>705 - S2</b> Revision: <b>A1</b>					







19 July 2018

The General Manager  
Clarence City Council  
38 Bligh Street,  
**ROSNY PARK 7018**

Attention: City Planning Group,  
Ms Amanda Beyer

Dear Amanda,

**Your reference: D-2018/318**

**Re: 17 Bligh Street, Rosny Park**  
Submission to Council

**Project 1725**

I would appreciate it if you would ensure that this submission is put before the Clarence City Council (Council) for consideration at the meeting to be held on 30 July 2018. We are requesting a waiver for the requirement for four additional car parks for our development planned for 17 Bligh St, Rosny Park.

### **Background**

The building at 17 Bligh St (comprising two titles 1/17 Bligh St and 2/17 Bligh St) currently has 24 car parks allocated to it. There is currently a development application (DA) before Council (D-2018/318) to redevelop this building in two stages.

Along with improvements to the appearance and commercial tenancies in the building (including the extension of a stairway and provision of a passenger lift), our proposal for Stage 1 of the re-development of 17 Bligh St includes a vehicle parking deck at the rear of the property, which provides for four car parking spaces. Stage 2 includes the construction of four residential apartments each of which contains up to 3 bedrooms. Once Stage 2 is complete, one of each of the physical car parks constructed during Stage 1 will be allocated to each apartment.

The Clarence Interim Planning Scheme requires two car parks to be allocated to each of these apartments. This means that there is currently a shortfall of four car parks.

### **Purpose of Submission**

The purpose of this submission is to request that Council waive the requirement for cash in lieu for four additional car parks under DA no. D-2018/318, as would be required under the Clarence Interim Planning Scheme.

This development is a mixed use development that includes a number of unique attributes, relating to its position and design. We believe these attributes alleviate the need for the owners of the four residential apartments to own more than one vehicle per household. We also propose that should Council wish to do so, that it place a condition on the approval of our DA, to give it confidence that the car parking requirement will be complied with.



Supporting arguments for our submission are provided below:

1. This development is unique in terms of position and design. Once constructed, we believe it will provide the only residential accommodation in the Rosny Park Central Business Zone.
  - a. The development includes a passenger lift as part of the direct pedestrian link between the apartments, the bus mall and Eastlands Shopping Centre. Accordingly the occupants of the residential apartments:
    - i. will be able to access local business and government services (Service Tasmania, Clarence Council Chambers and Library services, etc), and shop in the local area without the need for a motor vehicle;
    - ii. will have immediate access to conveniently located taxi ranks and the Rosny bus mall which is a major transport hub that provides bus services to all areas of the eastern shore and the City of Hobart;
    - iii. will be located only a short walk from the Kangaroo Bay and educational facilities such as Rosny College, and even Bellerive Quay.
  - b. The development includes a bicycle rack on the rear parking deck to facilitate bicycle parking and storage. This will give the occupants of the residential apartments a convenient transport and lifestyle option that will also minimise the need for additional motor vehicles;
  - c. We believe the development will attract buyers for the residential apartments who are making a lifestyle choice to be close to services and facilities, and therefore will be less reliant on motor vehicles for their transportation needs;
  - d. We believe that the trend over time is for lower motor vehicle ownership density (by population) and that acceptance of this proposal would demonstrate Council's commitment to reducing our environmental footprint.
2. It is our view that the granting of this waiver will not have adverse consequences for Council in terms of setting a precedent for future residential developments in the area.
  - a. As stated earlier, this development is unique because we believe it is currently the only residential accommodation in the Central Business Zone of Rosny Park. Therefore there is no existing precedent to apply to this development;
  - b. The opportunity for future, similar developments in the area would appear to be limited so we believe that granting our request for a waiver would not have adverse impacts for future Council decisions;
  - c. In any case, we believe that if Council chooses to place a condition on the approval of our DA, as detailed in paragraph 3., below, then

this will ensure that the spirit and intent of the Parking and Access Code in the Clarence Interim Planning Scheme 2015 is complied with;

3. Should Council require it, the developer is prepared to place an appropriately worded covenant on the title of each of the residential units which requires each household to have only one motor vehicle associated with it, unless the owner makes suitable arrangements for a subsequent vehicle (or vehicles). Such suitable arrangements could include entering into a commercial lease for another car park in the area for the additional vehicle(s), or paying cash in lieu to the Council for additional car park(s).

### **Conclusion**

Our plan to re-develop the property at 17 Bligh St includes the construction of four residential apartments which will include one physical car park for each apartment. The Clarence Interim Planning Scheme requires two car parks to be allocated to each of these apartments. This submission requests that the Council consider granting a waiver for the requirement for cash in lieu for the four additional car parks. This submission describes the unique attributes of the development that we believe supports the argument for one car park per residential apartment. It also proposes that should Council require it, the Developer would insert a covenant on the title to each property which will ensure that the spirit and intent of the Parking and Access Code is complied with.

Yours sincerely,

**M2architecture**

A handwritten signature in black ink that reads "David Menzies". The signature is written in a cursive, flowing style with a large initial 'D'.

David Menzies  
Director, ARAIA

### **17 Bligh Street, Rosny Park (with access over 4 Bayfield Street)**



**Photo 1:** The site is located on the corner of Ross Avenue and Bligh Street, Rosny Park. The site adjoins a 4 storey building at 18 Ross Avenue with a recessed fourth floor level.



**Photo 2:** The site when viewed from the western side of the Rosny Bus Mall (Bligh Street).





**Photo 3:** The rear of the building when viewed from the Bayfield Street carpark. The existing access ramps are proposed to be removed and replaced with a parking deck and access ramp.



**Photo 4:** The public walkway and landscaping located between the Ross Avenue façade of the building and Ross Avenue. The existing bin storage area and courtyard area visible below the upper ramp is proposed to be filled in with a ground level addition to the existing physiotherapy business.

<b>11.4 CUSTOMER SERVICE</b>
------------------------------

Nil Items.

**11.5 ASSET MANAGEMENT**

Nil Items.

**11.6 FINANCIAL MANAGEMENT**

Nil Items.



**11.7 GOVERNANCE****11.7.1 PETITION – ALLEGED BARKING DOG**

(File No C007-164)

**EXECUTIVE SUMMARY****PURPOSE**

Council has received a petition in relation to an alleged barking dog at 164 Carella Street, Howrah. The petition requests that Council takes action to resolve the matter in accordance with the *Dog Control Act 2000*.

**RELATION TO EXISTING POLICY/PLANS**

Council's Dog Management Policy (November 2015) is relevant.

**LEGISLATIVE REQUIREMENTS**

The *Dog Control Act 2000* (Tas) is relevant.

**CONSULTATION**

Significant discussion and investigation has occurred over a long period.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

That Council refers the petition to the General Manager to action in accordance with the *Dog Control Act 2000* and Council's Dog Management Policy, to the extent of any actions available that have not yet been taken.

---

**ASSOCIATED REPORT****1. BACKGROUND**

Council received a petition on 11 July 2018, seeking action to resolve "the excessive barking of a dog at 164 Carella Street as per the *Dog Control Act 2000*". The issue of the alleged barking dog has been subject to several complaints and investigations since January 2017.

**2. REPORT IN DETAIL**

**2.1.** This matter has been subject to several complaints over the past 18 months. The complaints have been investigated and on each occasion Council officers concluded that there was insufficient evidence to establish that the relevant dog was a nuisance as defined by the *Dog Control Act 2000* (**Act**).

- 2.2.** Section 46(3)(b) of the Act provides that a dog is a nuisance if it creates a noise, by barking or otherwise, that persistently occurs or continues to such an extent that it unreasonably interferes with the peace, comfort or convenience of any person in any premises or public place.
- 2.3.** Section 47 of the Act provides that a person may make a complaint to the General Manager in respect of a dog that is a nuisance. The complaint must be in an approved form, accompanied by an appropriate fee and state the nature of the nuisance.
- 2.4.** Section 48 requires the general manager to investigate the subject matter of the complaint. The General Manager may institute proceedings for an offence (s.48(2)(a)) or issue an abatement notice (s.49A).
- 2.5.** The petition seeks: *“We the undersigned, petition the Mayor and Aldermen of the City of Clarence to: Take action to resolve the excessive barking of a dog at 164 Carella Street as per the Dog Control Act 2000”.*
- 2.6.** Any action taken in accordance with the Dog Control Act must be taken by the General Manager or an authorised person. It is not open to the Mayor or Aldermen to take action in the manner requested by the petitioners.
- 2.7.** In the circumstances, the only action available to Council is to refer the petition to the General Manager and request that he take any action available to him (or his delegate) under the Dog Control Act and Council’s Dog Management Policy, to the extent of any actions available that have not yet been taken.

### **3. CONSULTATION**

#### **3.1. Community Consultation**

Not applicable.

#### **3.2. State/Local Government Protocol**

Not applicable.

**3.3. Other**

Not applicable.

**4. STRATEGIC PLAN/POLICY IMPLICATIONS**

There are no strategic plan or policy implications.

**5. EXTERNAL IMPACTS**

Not applicable.

**6. RISK AND LEGAL IMPLICATIONS**

There are no obvious risk implications.

**7. FINANCIAL IMPLICATIONS**

Not applicable.

**8. ANY OTHER UNIQUE ISSUES**

Not applicable.

**9. CONCLUSION**

Council's do not have a power under the Dog Control Act to take the action requested by the petitioners. However, Council may request that the General Manager take any action available to him (or his delegate) under the Dog Control Act and Council's Dog Management Policy, to the extent of any actions available that have not yet been taken.

Attachments: Nil

Andrew Paul  
**GENERAL MANAGER**

**11.7.2 AMENDMENTS TO THE CONSTITUTION FOR THE BICYCLE ADVISORY COMMITTEE**  
(File No )**EXECUTIVE SUMMARY****PURPOSE**

To consider a revised Constitution for the Committee pertaining to the Bicycle Advisory Committee.

**RELATION TO EXISTING POLICY/PLANS**

The Bicycle Advisory Committee is established to support the delivery of Council's "Bicycle Strategy".

**LEGISLATIVE REQUIREMENTS**

Council has established a number of Management Committees as Special Committees under the provisions of Section 24 of the Local Government Act, 1993 including a Committee to manage Council's Coast and Landcare interests.

**CONSULTATION**

Consultation has occurred between the appointed Representatives, Council officers and the Management Committee in respect to the newly drafted Constitution.

**FINANCIAL IMPLICATIONS**

There are no financial implications as a result of Council adopting the revised Constitution.

**RECOMMENDATION:**

That Council formally adopts the Constitution for the Bicycle Advisory Committee.

---

**ASSOCIATED REPORT****1. BACKGROUND**

- 1.1.** The Bicycle Steering Committee was established by Council at its Meeting of 28 August 1995, in response to the results of a Bicycle Plan for the City of Clarence.
- 1.2.** A draft constitutional framework for the Bicycle Steering Committee was formulated to guide the powers, obligations, membership and procedures of the Committee.

- 1.3.** At its Meeting held on 21 December 2009, Council adopted: *“That Council adopts the constitutional framework for the Bicycle Steering Committee”*.

## **2. REPORT IN DETAIL**

- 2.1.** The Bicycle Committee has undertaken a 5 year review of the constitution and recommends changes to align with the new term of elections for Aldermen positions to 4 years.

- 2.2.** The main proposed changes reflect standardisation of paragraphs to be consistent with other Council Committee constitutions. A copy of the proposed revised Constitution is Attachment 1.

- 2.3.** The following contains a summary of the proposed changes to the Constitution.

- **Functions and Obligations**

Two changes to the Committee’s Functions and Obligations:

Change of name from “Powers and Obligations” to “Functions and Obligations”.

Item 1 has been added to the new Constitution:

*“The Committee has the following functions and obligations:*

- 1. The Committee will monitor progress and work in an advisory capacity to address the actions of the Bicycle Strategy Action Plan”.*

- **Review of Constitution**

This section has been moved to the end of the document.

- **Membership of the Committee**

This now falls under the heading of “Committee Membership and Roles”, including a new sub-heading “Membership” which includes changes to:

- Procedure for determination of Council membership is now referenced under the heading of Appointment.

- In relation to “Other Council Officers” this is now formalised as a request from the “Committee to the General Manager if required”.
- In Item 4, the constitution no longer references “Council for appointment” along with the addition of the following dot points.
  - *Preference will be given to residents of the City.*
  - *Nominees must have a capacity to contribute from their own knowledge and experiences in discussions and providing advice on implementing the Council’s Bicycle Strategy Action Plan.*
  - *Nominees must have a commitment to assisting Council and other organisations to advise on the implementation of the plan by being available to meet 6 times per year for a maximum of 2 hours at a time, and be prepared to be involved in any additional meetings if necessary during business hours.*
  - *Priority will be given to people who are not already members of a special committee of Council.*
- Terms of Office, under the heading of Membership, has now been reworded to read as follows:

*“1. Council will appoint an Aldermen and a proxy as its representative member(s) on the Committee. Appointments are made immediately following the conducting of ordinary Council elections and the appointments are for a term of the Council (currently 4 years)”.*
- Also included under the Terms of Office heading is the “External Organisation Representatives” which sets out the terms of appointment being at the discretion of the organisation they represent and the term of each appointment is determined by the relevant organisation.

- Casual vacancies has been refined to:

*“Should a Community Representative position become vacant before the expiration of that representative’s term then the vacancy will be filled using the method of appointment described at Clause 4.2 above for Community Representatives. A Community Representative who is appointed to fill a casual vacancy will serve for the remainder of the term of the former representative”.*
- Office Bearers is now also included in the constitution:
  - “1. There are two office bearers:*
    - a Chair; and*
    - a Secretary.*
  - 2. It is the established practice of the Council to appoint Aldermen as both its representative member(s) and as Chair of the committee.*
  - 3. The Chair’s term of office is for the term of Council.*
  - 4. The Secretary is to provide the following support:*
    - issuing agendas; and*
    - taking minutes of meetings”.*
- The “Role of Chair” has now been clarified as:
  - “1. The Chair is responsible for:*
    - conducting committee meetings in an efficient, effective and inclusive manner;*
    - public communication on matters arising from the Committee will be communicated by the Chair only and in accordance with Council Policy C1.60 - ‘Policy and Operational Framework for Media Communications by Council “Special” Committees’.*
  - 2. If the Chair or proxy is not present at a meeting of the Committee then a Committee Representative elected by the Representatives present at the meeting is to chair the meeting. If no person is elected to preside at the meeting then the meeting is adjourned to the time and place of the next scheduled meeting as notified by the Secretary”.*



- **Meeting Procedures**

There have been 3 changes to this section.

- Any additional topics must be forwarded to the Secretary no later than 1 week prior to the scheduled meeting date, where as previously it was 2 weeks.
- Guidelines have now been set out for the formation of a Working Party.

*“The Committee may establish working parties to address specific issues or undertake particular activities.*

*Requirements for the conduct of working parties are:*

- 1. The Committee will provide any working party it establishes with specific terms of reference, which may include relevant timeframes;*
- 2. Activities undertaken by appointed working parties will report back to each Committee meeting; and*
- 3. All members of a working party must act in accordance with all Council policies and applicable legislation when carrying out their respective responsibilities on behalf of the Committee”.*

- Public Attendance has now been included which states that public attendance is by invitation only.

- **Quorum**

There has been 3 changes to this item.

- A member of the Committee may not vote in relation to a grant application in which he/she has an interest.
- Changes have been made to members who do not attend 3 consecutive meetings without tendering an apology which now includes:

*“(the Committee may vacate that Representative’s position on the Committee and fill the vacancy as a Casual Vacancy in accordance with the requirements of this Constitution)”.*

- The last item being “Recommendations can be made to the Council by the Committee for amendments to the constitutional framework” has been deleted.

- **Reporting Requirements and Arrangements**

The following items are the proposed changes:

- Objects and Obligations has been removed.
- Community Engagement which has now been replaced with:

*“Provision of information to the community shall occur via:*

- 1. Quarterly Reports and Annual Report;*
- 2. Other means as appropriate throughout the year (for example, via regular updates in the Council rates newsletter, via Council’s website, etc)”.*

- **Communication of Budget Matters**

This item has been removed from the constitution.

- **Resourcing**

The constitution now nominates the role of Group Manager Engineering Services to delegate a Council manager as the Responsible Council Officer to attend the Committee meetings.

### **3. CONSULTATION**

#### **3.1. Community Consultation**

Nil.

#### **3.2. State/Local Government Protocol**

Nil.

#### **3.3. Other**

The current Constitution has been reviewed by Committee Members and Council officers. The Committee supports the changes made to the Constitution.

### **4. STRATEGIC PLAN/POLICY IMPLICATIONS**

Council’s Strategic Plan 2016-2026 under the Strategic Goal Area of *A well-planned liveable city* has the following Strategy to: *“Implement and review a cycle plan and a tracks and trails plan for the City”.*

**5. EXTERNAL IMPACTS**

Nil.

**6. RISK AND LEGAL IMPLICATIONS**

Council has established a number of Management Committees as Committees of Council under the provisions of Section 24 of the Local Government Act, 1993.

**7. FINANCIAL IMPLICATIONS**

Nil.

**8. ANY OTHER UNIQUE ISSUES**

None identified.

**9. CONCLUSION**

The Committee has been closely involved in the development of the revised Constitution and it is now recommended for adoption.

Attachments: 1. Bicycle Advisory Committee Constitution (13)

Ross Graham

**GROUP MANAGER ENGINEERING SERVICES**



Revised: May 2018

## **Constitution of the Clarence City Council Bicycle Advisory Committee**

The Clarence City Council Bicycle Advisory Committee has been established under the provisions of Section 24 of the *Local Government Act 1993* (Tas) as an Advisory Committee. The Committee assists and advises the Council in relation to bicycle related issues within the Clarence Municipality and develops strategies for improved bicycle use and management within the City.

### **1. Interpretation**

Unless the contrary intention indicates otherwise, in this Constitution the following words and expressions have the following meanings:

“**Alderman**” means an elected member of the Clarence City Council.

“**Bicycle**” means a bicycle as defined in the Dictionary section of the Australian Road Rules

“**City**” means municipal area of the City of Clarence

“**Committee**” means the Clarence City Council Bicycle Advisory Committee

“**Council**” means Clarence City Council

“**General Manager**” means the General Manager of the Clarence City Council

### **2. Objectives**

The Committee is to

1. Advise Council on the identification, development and maintenance of cycling routes and infrastructure along roads and other easements throughout the City; and
2. Facilitate, provide guidance, and make recommendations for the implementation of the Council’s adopted Bicycle Strategy.

### **3. Functions and Obligations**

The Committee has the following functions and obligations:

1. The Committee will monitor progress and work in an advisory capacity to address the actions of the Bicycle Strategy Action Plan;
2. To provide advice and make recommendations, including policy, to assist Council in the development of cycling routes and infrastructure along roads and other easements in the City;
3. To assist in the development and periodic review of the Council Bicycle Strategy;
4. To develop and periodically review the Bicycle Strategy Action Plan for endorsement by the Council. The plan is to articulate the development of prioritised initiatives proposed to be conducted over a 5 year program which recognise the transport needs of cyclists to have direct, comfortable and appropriate cycling routes;
5. To monitor progress and work to address the actions of the Plan according to their level of priority, particularly by recommending projects to be included in Council's annual operating plan;
6. To review proposals within proposed subdivisions for bicycle pathways and transport linkages and provide internal recommendations and advice, based on and in accordance with the Council's Bicycle Strategy, Public Open Space Policy and related strategies;
7. To assist with promoting the plan within existing user networks and amongst Clarence residents;
8. To provide additional opportunities for community feedback to, and information from Council;
9. To form working parties of the Committee, if necessary, to address specific issues or activities that will be required to report back to each meeting;
10. To actively be involved in providing advice on matters such as design, access, construction, maintenance, signage and publicity related to cycling infrastructure projects undertaken by Council;
11. To assist other aspects of Council asset planning to ensure that the goals of the Bicycle Strategy can be met;
12. To be actively involved in providing advice to CyclingSouth on matters relating to regional cycling infrastructure and planning;

#### **4. Committee Membership and Roles**

##### **4.1. Membership**

The Committee shall consist of:

##### **Council**

- A Council Alderman who will be the Chair of the Committee;
- A Traffic Engineer and the Manager Environment and Sustainability or any successor position or their nominee (also acting as Secretary);
- A Disability Access Committee member.

##### **Community**

Representation from relevant stakeholders including but not limited to:

- The CyclingSouth executive officer;
- A school aged representative;
- A person who is a member of Bicycle Network Tasmania;
- A person who is a member of a bicycle racing club; and
- Three (3) people who are members of the Clarence community.

##### **State Government**

State Government Representatives (if nominated):

- A representative of the Department of State Growth;
- A representative of Tasmania Police; and
- A representative of Communities, Sport & Recreation Tasmania.

##### **Co-opted**

The Committee may co-opt up to 3 additional members with suitable skills and /or qualifications to participate on the Committee including working parties established by the Committee. Any co-opting of additional members is to be for a maximum period of 2 years and may be renewed at the Committee's discretion.

#### **4.2. Appointment**

The method of appointment shall be as follows:

##### **Council Appointees**

- The Council will appoint its Alderman representation (and a proxy representative);
- Officer representation will be determined by the General Manager;
- Other Council Officers will be invited to attend meetings by request from the Committee to the General Manager if required to assist by providing advice and/or implementing the identified actions of the Plan.

##### **Community Nominees**

Community nominations will be conducted as follows:

1. An advertisement will be placed in the local newspapers, the CyclingSouth newsletter and social media;
2. Direct communication with represented/sourced organisations;
3. Nominations will be received in writing on a completed nomination form (Attachment 1);
4. To be considered, nominees will be required to meet the criteria for nomination:
  - Preference will be given to residents of the City.
  - Nominees must have a capacity to contribute from their own knowledge and experiences in discussions and providing advice on implementing the Council's Bicycle Strategy Action Plan.
  - Nominees must have a commitment to assisting Council and other organisations to advise on the implementation of the plan by being available to meet 6 times per year for a maximum of 2 hours at a time, and be prepared to be involved in any additional meetings if necessary during business hours.
  - Priority will be given to people who are not already members of a special committee of Council.
5. After nomination forms have been received and having regard to the criteria for appointment, the Chair, in consultation with the General Manager (or their representative), shall appoint Committee members.



### **External Organisation Nominees**

1. All State Government representatives will be appointed through nominations submitted by their source organisations (as referred to under “Membership of Committee”).
2. High Schools and Colleges within Clarence will be written to inviting nominations for the school aged representative position.

## **4.3. Terms of Office**

### **Council Representatives**

1. Council will appoint an Aldermen and a proxy as its representative member(s) on the Committee. Appointments are made immediately following the conducting of ordinary Council elections and the appointments are for a term of the Council (currently 4 years).
2. The duration of appointment for Council officer representatives is at the discretion of the General Manager.

### **External Organisation Representatives:**

External Organisation Representatives are appointed at the discretion of the organisation they represent. The term of each appointment is to be determined by the relevant organisation.

### **Community Representatives:**

1. The terms of appointment for community representatives is four years and will be arranged to ensure an orderly rotation and continuity of membership despite changes to Council’s elected representative.
2. Previous members may reapply.
3. Community and School Aged representatives are appointed for a term of four years as follows:
  - All appointments effective from July 2018:
    - A person who is a member of a bicycle racing club;
    - A school aged representative; and
    - 1 member of the Clarence community.

- Appointments effective from July 2020:
  - A person who is a member of Bicycle Network Tasmania;
  - A Disability Access Committee member; and
  - 2 members of the Clarence community.

**Note:** transition, savings provision – any current community representatives on the Committee as at July 2018 who no longer hold an appointed position or co-opted position from that date may continue to serve on the Committee for a period of up to 2 further years from this date.

#### **4.4. Casual vacancies**

Should a Community Representative position become vacant before the expiration of that representative's term then the vacancy will be filled using the method of appointment described at clause 4.2 above for Community Representatives. A Community Representative who is appointed to fill a casual vacancy will serve for the remainder of the term of the former representative.

#### **4.5. Office Bearers**

1. There are two office bearers:
  - A Chair; and
  - A Secretary.
2. It is the established practice of the Council to appoint Aldermen as both its representative member(s) and as Chair of the committee.
3. The Chair's term of office is for the term of Council.
4. The Secretary is to provide the following support:
  - Issuing agendas; and
  - Taking minutes of meetings.

#### **4.6. Role of Chair**

1. The Chair is responsible for:
  - Conducting committee meetings in an efficient, effective and inclusive manner;

- Public communication on matters arising from the Committee will be communicated by the Chair only and in accordance with Council Policy C1.60 – “*Policy and Operational Framework for Media Communications by Council “Special” Committees.*”
2. If the Chair or proxy is not present at a meeting of the Committee then a Committee Representative elected by the Representatives present at the meeting is to chair the meeting. If no person is elected to preside at the meeting then the meeting is adjourned to the time and place of the next scheduled meeting as notified by the Secretary.

## **5. Meeting Procedures**

### **5.1. Committee Meetings**

1. The Secretary will provide a set standard agenda for each meeting (Attachment 2);
2. Any additional topics for each agenda must be forwarded to the Secretary no later than 1 week prior to the scheduled meeting date;
3. A copy of each agenda will be distributed to all representatives at least one week prior to the next meeting;
4. Decisions of the Committee are to be made by a majority vote of members present at the meeting;
5. The Secretary will ensure that Minutes of each Committee and working party meeting are taken. Minutes are to be distributed to all Committee members, Aldermen, relevant Council officers and other relevant Council advisory Committees;
6. Minutes of each meeting are to be recorded and approved by the Committee at a subsequent meeting of the Committee;
7. All members of the Committee must act in accordance with all Council policies and applicable legislation when carrying out their respective responsibilities on behalf of the Committee.

### **5.2. Working Parties**

The Committee may establish working parties to address specific issues or undertake particular activities. Requirements for the conduct of working parties are:

1. The Committee will provide any working party it establishes with specific terms of reference, which may include relevant timeframes;
2. Activities undertaken by appointed working parties will report back to each Committee meeting; and

3. All members of a working party must act in accordance with all Council policies and applicable legislation when carrying out their respective responsibilities on behalf of the Committee.

### **5.3. Public Attendance**

Public attendance at a Committee Meeting is by invitation only.

### **5.4. Frequency of meetings**

#### **Frequency**

Meetings will be held according to the following requirements:

1. The Committee will meet once every two months on the first Monday of the month, unless the Committee agrees otherwise, e.g.:
  - February
  - April
  - June
  - August
  - October
  - December
2. A working party will meet at date(s) and time(s) determined by its members.

#### **Time/Duration/Venue:**

1. Meeting time and duration will be a maximum of 2 hours between 5.00pm and 7.00pm.
2. Meetings will be held at the Council Chambers.

#### **Quorum**

1. A quorum of the Committee shall be 5 members.
2. A member of the Committee may not vote in relation to a grant application in which he/she has an interest.
3. At a meeting where a quorum is not present, the meeting can proceed with recommendations for decisions being carried forward to subsequent meetings where a quorum is present.

4. Representatives who do not attend 3 consecutive meetings without tendering apologies will not be considered as a current representative (the Committee may vacate that Representative's position on the Committee and fill the vacancy as a Casual Vacancy in accordance with the requirements of this Constitution).

#### **Non Member Attendance**

1. The Recreation Planner - Trails and Bikeways will attend each meeting to assist the Committee.
2. Other Council Officers will be invited to attend meetings by request, as required, to assist in implementing the identified actions of the plan.
3. Non-member attendance is to be arranged through the Chair or Secretary.

### **6. Reporting requirements and arrangements**

#### **6.1. Areas of Reporting**

The Committee will report against:

1. Priority projects identified in the Bicycle Strategy Action Plan and the Hobart Regional Arterial Bicycle Network Plan for cycleways and on-road commuter routes;
2. Other matters which come before the Bicycle Steering Committee.

#### **6.2. Nature of Reporting**

1. Minutes will be distributed for all Committee and working party meetings to all committee members, the Council, relevant Council officers, other relevant council advisory committees and relevant organisation associated with the plan.
2. The Committee may, at its discretion, provide reporting to the Council through the Chair of the Committee on matters (non-operational) that the Committee has considered based on the following:
  - Reports are to be presented to the General Manager for inclusion in the "Reports From Council And Special Committees And Other Representative Bodies" section of the Council's meeting agenda;
  - The Committee report may include recommendations to the Council on matters that have been considered by the Committee.

3. The activities of the Committee will also be highlighted in Council's quarterly reports and Annual Report.
4. Any other reports required will be on an as needed basis.

### **6.3. Provision of information to the community**

Provision of information to the community shall occur via:

1. Quarterly Reports and Annual Report;
2. Other means as appropriate throughout the year (for example, via regular updates in the Council rates newsletter, via Council's website, etc).

### **6.4. Communication of budget matters**

The Committee, when forward planning and considering upcoming actions, will communicate recommendations to Council on a timely basis prior to annual budget deliberations.

## **7. Resourcing**

### **7.1. Budget**

The Committee does not have a budget but will be supported by Council as follows:

1. Council administrative support;
2. Paper, postage and stationary requirements;
3. Reimbursement of reasonable out of pocket expenses for committee members (i.e. travel, refreshments); and
4. Any additional committee expenses (i.e. conference fees).

### **7.2. Responsible Council Officer**

The Group Manager Engineering Services shall delegate a Council manager as the Responsible Council Officer.

## **8. Review of Constitution**

1. The Committee may make recommendations to Council on the review of the Committee's responsibilities (Powers and Obligations) and this constitutional framework.

2. Recommendations for amendments to the constitutional framework can be made at any time provided that suggested changes are noted on the agenda (as per the framework), a quorum is present at the meeting, and two-thirds of those present and entitled to vote support the recommendations.
3. Amendments to this constitution must be approved by Council.
4. As a minimum timeframe the Constitution is to be reviewed every 4 years by report to the Council.

DRAFT



## ***Attachment 1***

### **Clarence Bicycle Steering Committee**

#### **Nomination Form**

Name:

Address:

Email:

Phone:

I am nominating for membership on the committee for the following category: (please tick relevant category below)

<input type="checkbox"/>	a member of Bicycle Network Tasmania
<input type="checkbox"/>	a member of a bicycle racing club
<input type="checkbox"/>	a member of the Clarence community
<input type="checkbox"/>	a school aged member of the Clarence community

Please specify the name of the group/organisation which you are a member of (if it is not one detailed above):

Please state why you wish to become a member of the Clarence Bicycle Steering Committee. (You may wish to include skills or knowledge you think you would be able to contribute to the group.):

Signature

Date:

## *Attachment 2*

# **Clarence City Council Bicycle Steering Committee Agenda**

**Monday Date     5.00pm – Council Offices (Library)**

- 1. Present**
- 2. Apologies**
- 3. Confirmation of Previous Minutes**
- 4. Correspondence**
- 5. General Business**
  - 5.1 Status of funded projects (Decision Action Sheet)
  - 1.2 Reports
  - 1.3 Information sharing news items
- 6. Matters Arising**
- 7. Meeting Closed**
- 8. Next Meeting**

**11.7.3 ROSNY HILL DEVELOPMENT PUBLIC MEETING – SUMMARY REPORT**

(File No A008-12A)

**EXECUTIVE SUMMARY****PURPOSE**

To provide a summary of submissions received in respect to the Rosny Hill public meeting held on 17 July 2018 and to record the decisions (motions) made at that meeting.

**RELATION TO EXISTING POLICY/PLANS**

The Rosny Hill Nature Recreation Area is subject to the Rosny Hill Nature Recreation Area Management Strategy (August 2011).

**LEGISLATIVE REQUIREMENTS**

The public meeting was held in accordance with the requirements of Division 1 of Part 6 of the *Local Government Act 1993* (Tas). This report is provided in compliance with s.60A(5) of that Act.

**CONSULTATION**

This report summarises the submissions and motions arising from the public meeting held on 17 July 2018.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

That Council:

- A. Notes the summary of submissions and motions arising from the Rosny Hill development public meeting held on 17 July 2018.
- B. Notes the preliminary comments provided in this report regarding each Motion.
- C. Requests a report be provided to the next meeting of Council detailing any further actions that could be taken in respect to each motion or in respect to the development application more generally.

---

**ASSOCIATED REPORT****1. BACKGROUND**

Council conducted a public meeting in accordance with Division 1 of Part 6 of the *Local Government Act 1993* (Tas) (**Act**). This report provides a summary of submissions received and of motions passed at the meeting.

## **2. REPORT IN DETAIL**

- 2.1.** At its Meeting on 18 June 2018, Council considered a petition seeking a public meeting in relation to the proposed Rosny Hill development. The petition complied with the requirements of the Act.
- 2.2.** The public meeting was advertised in accordance with the Act requirements and was held at 7.00pm on 17 July 2018 at Rosny Bowls Club.
- 2.3.** Public submissions were sought in accordance with the Act requirements. The submissions were summarised and provided to people who attended the meeting. In accordance with s.60A(5) of the Act, the summary of submissions received is attached (Attachment 1).
- 2.4.** The public meeting passed 4 motions. The motions were:
- “1. That the Clarence City Council revokes its preferred development agreement with Hunter Developments.*
  - 2. That Clarence City Council initiates a further tender (EOI) process for potential development on Rosny Hill on a scale and of a size appropriate to the site and its recreation, conservation and community values.*
  - 3. That the Clarence City Council set up an appropriately constituted Community Consultation Unit within the council structure, adequately resourced and supported, so as to return confidence and transparency to relations between the council and its community.*
  - 4. That Council, at its next meeting, advise the General Manager to not give landowner consent to the development application lodged by Hunter Developments”.*
- 2.5.** In respect to Motion 1 above, at its Meeting of 18 June 2018 Council determined:
- “A. That Council notes that its Preferred Developer Agreement with Hunter Developments Pty Ltd for Rosny Hill has no further role to play in respect to that development and is therefore concluded. [emphasis added]”.*

- 2.6.** Consequently, in respect to Motion 1, there is no further action available to Council.
- 2.7.** In respect to Motion 2, a development application has been lodged in respect to the Rosny Hill Nature Recreation Area (**RHNRA**). Until the development application has been dealt with in accordance with the *Land Use Planning and Approvals Act 1993* (Tas) (**LUPAA**), is discontinued or withdrawn, it is not possible for Council to commence a further EOI process in respect to the RHNRA.
- 2.8.** In respect to Motion 3, this is a matter for Council to consider.
- 2.9.** In respect to Motion 4, the motion is inconsistent with the requirements of section 52(1B) of LUPAA. The General Manager, when exercising his function under s.52(1B) is not acting as a delegate of the Council, nor is there any statutory power available to the Council under LUPAA or any other legislation permitting the Council to direct the General Manager. At best, the Council can encourage the General Manager to seek independent advice prior to exercising his discretion and/or making a decision. It is important to note that any attempt by the Council to direct the General Manager would potentially give cause to the subsequent decision of the General Manager to be subject to judicial review. Detailed legal advice in this regard is provided under separate cover to Aldermen.

### **3. CONSULTATION**

#### **3.1. Community Consultation**

The public meeting was held in accordance with Division 1 of Part 6 of the Act. This report concludes that process.

#### **3.2. State/Local Government Protocol**

Not applicable.

#### **3.3. Other**

Nil.

**4. STRATEGIC PLAN/POLICY IMPLICATIONS**

The motions arising from the meeting, and the feedback received more broadly, indicate that a section of the community considers the proposed Rosny Hill development to be inconsistent with the requirements of the Rosny Hill Nature Recreation Area Management Strategy (August 2011) and the relevant legislation governing the status and use of the RHNRA land.

**5. EXTERNAL IMPACTS**

Not applicable.

**6. RISK AND LEGAL IMPLICATIONS**

See legal advice provided under separate cover.

**7. FINANCIAL IMPLICATIONS**

Not applicable.

**8. ANY OTHER UNIQUE ISSUES**

Not applicable.

**9. CONCLUSION**

The public meeting has been held in accordance with the Act requirements. It is a matter for Council to determine what action to take as a consequence of the public meeting, subject to any statutory obligations or restrictions as identified in this report.

Attachments: 1. Summary of Submissions (5)

Ian Nelson

**MANAGER CORPORATE SUPPORT | LEGAL COUNSEL**

**ROSNY HILL DEVELOPMENT – PUBLIC MEETING  
SUMMARY OF SUBMISSIONS**

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**Local Government Act requirement**

The *Local Government Act 1993*, s.60A(4) requires:

*Any submission received is to be summarised by the general manager in a document, copies of which are to be made available to those attending the public meeting.*

This document summarises the submissions received. The summary reflects key issues addressed by respondents but does not provide all of the detail contained in each submission. All submissions have been provided to Aldermen in full, for information.

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**The concerns raised by the petition**

The public meeting is held to discuss the proposed development by Hunter Developments on Rosny Hill, with the following concerns identified:

- Privatising a public reserve
- A history of inadequate community consultation
- Destruction of native vegetation
- Local traffic implications

Submission responses are summarised under each of the above headings.

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**Summary of submissions received**

The following is a high-level summary of submissions received.

- A total of twenty-seven (27) submissions were received.
- Two (2) submissions were received after the closing time for submissions and have been included.
- Three (3) submissions were from community organisations
- Twenty-three (23) submissions were from Clarence residents.
- One (1) submission was from a person who is not a Clarence resident.



## **Privatising a public reserve**

Submission statements are summarised as follows:

- The development is not consistent with Council's 2011 – 2021 Management Strategy, including the development footprint identified within the Strategy.
- It appears that the proposed commercial development does not meet the requirements of the EOI process, and is at odds with the *Rosny Hill Nature Recreation Area Management Strategy* which is the strategic planning document developed in the main to guide decision-making as it relates to the reserve up to 2021.
- The proposed development monopolises the majority of the available space and puts at risk the unique and sensitive environment of the surrounds.
- The development will irrevocably change these values and detrimentally affect all of the local residents and greater Hobart community who draw valuable positive experiences from recreating and viewing this special public green space.
- Public land, zoned as recreational, is being offered for private use. It does not serve the greater public good.
- The intention of a private development of this size will not be for nature recreational use.
- If the development is not an ongoing success over the length of the lease it may become a rundown eyesore. There will be no ability to return it to bushland.
- The proposed development represents inter-generational inequality.
- The development, once completed, may exclude visitors other than guests of the restaurants and motel.
- Rosny Hill offers an unparalleled intimate view of Hobart, Mount Wellington and the Derwent Estuary both upstream and downstream, which may be lost due to the development.
- Development of hotel style accommodation and a convention centre will substantially alter the natural character and use of the reserve as well as adversely impact on the reserves' natural and cultural values.
- The provision of a long-term sub-lease will effectively result in exclusivity and loss of general public access to and through that area.
- A lease for between 50 and 99 years represents a virtual sale of the land for a huge tourism development.
- The proposed development will occupy and degrade more than 40% of the Rosny Hill Nature Recreation Area, when including the area required for buildings and infrastructure and the fire management zone that surrounds them. A development of this size will totally dominate the reserve and alienate most people who currently enjoy using the reserve for passive recreation.
- The proposed development will pervert the ability of the RHNRA to remain a nature recreation area and is inconsistent with the natural and cultural values of the RHNRA.
- A long term lease gives inalienable rights in favour of the lessee. It is akin to a freehold sale of the land.

### **A history of inadequate community consultation**

Submission statements are summarised as follows:

- It appears that the only consultation/engagement would be via the statutory planning process and nothing before that.
- Council has not engaged with the community despite a development proposal estimated as a \$150M project.
- The Council should set up an appropriately qualified and resourced Community Consultation Unit to return confidence and transparency back into all its dealing with its community.
- There has been no opportunity to provide comment on the proposed development prior to the development submission being made earlier this year.
- The Council has neglected to consult the community about this huge development. It did not enact its' own public participation policy.
- The developer has not listened to the people, the second and third design versions would both result in more people using the site at one time compared to the first version.
- Has Council undertaken an objective assessment of the development proposal against the requirements of the National Parks and Reserves Management Act 2002 and Crown lease?
- The Council has not performed its due diligence by consulting appropriately with their community over the last three years.
- The EOI for a proposed development showed two small areas for consideration of a development, in defined and specific areas. The developer's proposal has no resemblance to the two areas, and was at least 10 times the size. Council appears prepared to accept anything, at any location, and of any size. How can the community trust Council's EOI process?
- Council has facilitated a development proposal that is clearly contrary to the Rosny Hill Nature Recreation Area Management Strategy 2011-21 and which has overridden the very thorough and informed community consultation that the strategy was built upon.

## **Destruction of native vegetation**

- A large scale development will result in loss of habitat.
- The development will impact on the threatened species in that area.
- The government note sheet and listing statements for endangered plant species indicates that enrichment or disturbance of the soil will result in increased growth of pasture grass and woody weeds and threaten the survival of threatened species.
- The integrity of the native woodland and grassland as a whole will be threatened.
- Proposed revegetation zones do not replace the bushland.
- Many of the smaller understory species are overlooked and do not thrive in revegetation sites.
- Rosny Hill Nature Recreation Reserve is an integral part of our green skyline and home to a rare and endangered orchid species that could be destroyed by this proposed development. Animal species (including the threatened eastern barred bandicoot) that utilise this space as a permanent home, as space for respite and to forage will lose habitat.
- The permanent removal of, and further fragmentation of, remnant vegetation would considerably compromise the reserve integrity and values.
- The Council failed to commission a thorough botanical survey prior to advertising an Expression of Interest for development on the hill. Consequently, but for the effort of individuals, endangered species could be lost forever.
- The Management Strategy states that Rosny Hill provides habitat for at least six rare and threatened native plant species. All these species would be impacted by clearing of vegetation for buildings, surrounding bushfire hazard reduction zones and carparks. Trees that will be removed contain nesting holes used by birds and other wildlife. Wallabies have been seen in thick bushland in an area which would be within the building envelope.
- The Natural Values report prepared by the developer states the endangered leafy sun orchid will be replanted on the summit of Rosny Hill for an “orchid walk”. Professional advice is that native orchids cannot be planted.
- The development will result in fragmentation of the forest because the accommodation buildings are proposed to be established within a continuous section of *allocasusina* forest; there will be removal of the vegetation within the footprints of the buildings; the area is classed a bushfire prone area so disturbance will extend to clearing around these structures for asset protection; and the establishment of associated facilities (paths etc) and services will have further impact.
- An essential bushfire zone will require the permanent removal of many acres of native vegetation and show a massive scar on the hillsides.
- A small population of the Grassland flax lily (*Dianella amoena*), listed nationally as endangered and in Tasmania as rare, is located in close proximity to the proposed buildings and may also be destroyed.

### **Local traffic implications**

- Access to the hill is already limited. The additional traffic generated by the development can only lead to disruption and delays for residents and significantly increase the number of cars on the roads in the surrounding areas.
- The proposal will greatly increase the traffic which is already considerable during term time at Rosny College. This proposal is much more significant in that the flow would be constant and regular, including at night and during peak tourist season. This is bound to adversely affect residents and their quality of life.
- Traffic generated by such a huge development in a small residential area will create local and wider issues as it moves through the area of Rosny and beyond.
- There are only two access points into the suburb (one which passes a primary school) plus a one way slip road onto Rosny Hill Road. The roads are narrow with many bends and crests. There is a child care centre, hairdresser and funeral chapel on this road and cars are parked on the road when the carpark at the Clarence Pool is full. There is already a significant volume of traffic through key intersections. Motorists may do a “rat run” down other narrow suburban streets in an attempt to bypass traffic bottlenecks.
- Traffic data presented by the developer on 24<sup>th</sup> of April 2018 is arguably inadequate and out of date. It does not appear to take account of pedestrians and cyclists. The Council has not consulted residents regarding likely traffic issues.
- Significant additional traffic, traffic noise (e.g. by uphill acceleration), congestion and “rat running” would impact heavily on narrow residential non-arterial streets and a primary school. The “liveability” of Montagu Bay and Rosny residents would be greatly affected.
- Council and therefore residents may bear the cost of road upgrades.
- Council and the developer have not satisfactorily addressed the potential for additional vehicle movements per day. The developer’s traffic impact assessment does not adequately address how local residents will be impacted, and what mitigation measures will be taken. There has been no commitment from the Council that it will assist the proponent to mitigate effects on residents.

**11.7.4 APPOINTMENT OF AN ACTING DEPUTY MAYOR**

(File No 10-03-03)

**EXECUTIVE SUMMARY****PURPOSE**

The Deputy Mayor, Alderman Jock Campbell, had a leave of absence approved at the Council meeting of 9 July 2018. Additionally, the Mayor, Alderman Doug Chipman, advised that he will be unavailable for the period of one week during the period of Alderman Campbell's absence. This means that both the Mayor and Deputy Mayor will be absent at the same time for a short period. It is desirable to appoint an Alderman to act as Deputy Mayor for the period of Alderman Campbell's absence. The Mayor may then, in writing, appoint that Alderman to act as Mayor for the period of his absence.

**RELATION TO EXISTING POLICY/PLANS**

There are no existing policies or plans to consider.

**LEGISLATIVE REQUIREMENTS**

Sections 27 and 44 of the *Local Government Act 1993* (Tas) are relevant.

**CONSULTATION**

Discussion amongst Alderman is required. No external consultation is necessary.

**FINANCIAL IMPLICATIONS**

Not applicable.

**RECOMMENDATION:**

That Council nominates [insert Alderman name] to act as Deputy Mayor for the period of Alderman Campbell's absence.

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**ASSOCIATED REPORT****1. BACKGROUND**

The Deputy Mayor, Alderman Jock Campbell, had a leave of absence approved at the Council meeting of 9 July 2018. Additionally, the Mayor, Alderman Doug Chipman, advised that he will be unavailable for the period of one week during the period of Alderman Campbell's absence. This means that both the Mayor and Deputy Mayor will be absent at the same time for a short period. It is desirable to appoint an Alderman to act as Deputy Mayor for the period of Alderman Campbell's absence. The Mayor may then, in writing, appoint that Alderman to act as Mayor for the period of his absence.

**2. REPORT IN DETAIL**

**2.1.** At its Meeting on 18 June 2018, both the Mayor and Deputy Mayor indicated that they would both be unavailable for periods in July and August 2018.

**2.2.** In the circumstances it is appropriate to appoint an Alderman to act as Deputy Mayor ('Acting Deputy Mayor') for the period of Alderman Campbell's absence. The appointment will be in accordance with s.44(5) of the *Local Government Act 1993* (Tas) (**Act**) which provides: *"If the deputy mayor is acting as mayor or is temporarily absent for any period, the councillors may appoint one of their number to act as deputy mayor during that period"*.

**2.3.** The Acting Deputy Mayor may be required to act as Mayor for the period of the Mayor's absence. Section 27(2)(b) of the Act provides:

*"The deputy mayor is to act in the position of mayor and exercise the powers and perform the functions of mayor if–*

- (a) the mayor is absent from duty as Mayor or from the State, otherwise unavailable for duty as mayor or unable to perform the functions of mayor; and*
- (b) the mayor or the council, by notice in writing, appoints the deputy mayor to act in the position"*.

**2.4.** In accordance with past practice, the Mayor may appoint the Acting Deputy Mayor to act as Mayor during his absence.

**3. CONSULTATION****3.1. Community Consultation**

Not applicable.

**3.2. State/Local Government Protocol**

Not applicable.

**3.3. Other**

It will be necessary for Alderman to discuss their preferred appointee.

**4. STRATEGIC PLAN/POLICY IMPLICATIONS**

There are no strategic plan or policy implications.

**5. EXTERNAL IMPACTS**

Not applicable.

**6. RISK AND LEGAL IMPLICATIONS**

There are no obvious risk implications.

**7. FINANCIAL IMPLICATIONS**

Not applicable.

**8. ANY OTHER UNIQUE ISSUES**

Not applicable.

**9. CONCLUSION**

Aldermen will be required to nominate and approve an 'Acting Deputy Mayor' for the period of Alderman Campbell's absence. The Mayor may then appoint, in writing, the Acting Deputy Mayor to act in the position of Mayor for the period.

Attachments: Nil

Andrew Paul  
**GENERAL MANAGER**

**12. ALDERMEN'S QUESTION TIME**

An Alderman may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

**12.1 QUESTIONS ON NOTICE**

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Nil.

**12.2 ANSWERS TO QUESTIONS ON NOTICE**

Nil.

**12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil.

**12.4 QUESTIONS WITHOUT NOTICE**

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will not be recorded in the minutes.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.



**13. CLOSED MEETING**

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 TENDER T1227-18 – ACTON CREEK DRAINAGE UPGRADE

These reports have been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulation 2015 as the detail covered in the report relates to:

- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence.

**Note: The decision to move into Closed Meeting requires an absolute majority of Council.**

**The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.**

**PROCEDURAL MOTION**

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.