

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 2 MAY 2016

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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

Nil.

2. CONFIRMATION OF MINUTES

(File No 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 11 April 2016, 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:

PURPOSE

Budget – Asset Management
Bayfield Street Streetscape

DATE

18 April

Review of Draft Capital Budget
Presentation – State Planning Scheme Provisions
Code of Conduct

26 April

RECOMMENDATION:

That Council notes the workshops conducted.

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE (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 73 signatories supporting the immediate restoration of the public access walkway through the Carella/Toorittya Bushland Reserve from Oceana Drive to Carella Street.

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.

Nil.

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

Nil.

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

March Quarterly Report pending.

Representative Reporting

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald Jock Campbell
(Ald Peter Cusick, Deputy Representative)

Quarterly Reports

March Quarterly Report pending.

Representative Reporting

- **SOUTHERN WASTE STRATEGY AUTHORITY**

Representative: Ald Richard James
(Ald Sharyn von Bertouch, Proxy)

Quarterly Reports

September and March Quarterly Reports pending.

Representative Reporting

- **TASWATER CORPORATION**

The TasWater Corporation has distributed its Quarterly Report to 31 March 2016 (refer Attachment 1).

RECOMMENDATION:

That the TasWater Corporation Quarterly Report to Owners' Representatives to 31 March 2016 be received.

Quarterly Report to Owners' Representatives

Progress update to 31 March 2016



Document Approval and Issue Notice

This is a managed document. For identification of amendments each page contains a release number and a page number.

Changes will only be issued as a complete replacement document. Recipients should remove superseded versions from circulation. This document is authorised for release once all signatures have been obtained.

PREPARED:

(for release) Jason Browne, Department Manager Business Performance Date: 21/04/2016

ENDORSED:

(for release) Dean Page, General Manager Finance and Commercial Services Date: 21/04/2016

APPROVED:

(for acceptance) Michael Brewster, Chief Executive Officer Date: 21/04/2016

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1. Introduction

We are pleased to present our third quarter (Q3) FY2015–16 Quarterly Report to Owners' Representatives in accordance with the requirements of the Shareholder's Letter of Expectations.

Outlined below are reports on the key aspects of our performance over the past quarter and year-to-date. These are followed by scorecards reflecting the status of our performance against key performance indicators outlined in our FY2016–18 Corporate Plan, and our financial performance compared to the FY2015–16 Budget.

We have also shortened the main body to reflect earlier feedback from owners.

2. Key matters for noting

2.1 Sourcing external funding

The Chairman and CEO have had a number of discussions with State and Federal Government representatives during the quarter. The Chairman will provide a verbal update on progress at the owners briefing.

2.2 Regulatory framework

A separate paper is provided under the agenda of the Owners' Representatives Group General Meeting.

2.3 Resolving Launceston City Council dispute

During the quarter the arbitrator initiated his consultation with relevant parties (specifically the Office of the Tasmanian Economic Regulator, the secretary of the Department of Primary Industries, Parks, Water and Environment, and the Auditor General) as required under the Urban Drainage Act 2013 (UDA). Subject to the responses from each of these parties, it is anticipated that there will be an opportunity to make further submissions in relation to a number of matters, including any transition period, the timing of future reviews, etc. prior to the finalisation of the arbitrator's award.

2.4 Productivity program

The Productivity Improvement Project commenced on 6 January 2016. To date, we have identified 316 potential opportunities for productivity improvement. The opportunities are being reviewed against TasWater's strategic objectives, values and the results from our recent benchmarking study through Water Services Association of Australia (WSAA) to ensure we are prioritising the right opportunities.

By 30 June 2016 the program will have identified and validated the FY2015–16 productivity benefits (target \$0.5 million) and finalised the FY2016–17 program of work to deliver \$3.5 million in productivity benefits.

2.5 Water restrictions

Water restrictions continued through most of the third quarter; however, when cooler weather arrived and catchment conditions improved giving greater surety of water supply late in the quarter, restrictions were lifted in all towns except Colebrook which has seen their restriction level lifted from Stage 2 to Stage 3.

2.6 Temporary boil water alerts

Three temporary boil water alerts (BWA) were issued and removed in the quarter being for Wynyard (31 December 2016 to 11 January 2016), Irishtown (22 to 27 January 2016) and Strahan (28 February to 2 March 2016).

2.7 Lauderdale caveats

On 17 March 2016 the State Government and TasWater announced that the State Government has agreed to introduce suitable legislative amendments to address the unintended consequences that some Lauderdale residents have experienced. These amendments will see service introduction charges being levied on properties rather than individual customers.

For Lauderdale customers, caveats that were already in place have been withdrawn following the announcement, and those customers who were to have caveats lodged have been advised that this will not proceed in anticipation that the legislative amendments will be finalised in the medium term.

2.8 Value engineering assessment

A Request for Tender document has been prepared for independent review of three of our most recent major infrastructure projects. The purpose of the review is to consider the extent to which the projects provided value for money for the community. The key findings of this report will be provided to owners at a subsequent owners' representative group meeting.

2.9 Pioneer Service Replacement

With regard to the negative media relating to the Macquarie University research into Pioneer's water supply, we stand by the decision to commission an independent review of university research.

TasWater rejects any suggestion of a conflict of interest or inadequacy in processes that would compromise the independence of the study commissioned through Water Research Australia.

All customers in Pioneer that have signed their agreement under the service replacement rollout have a water tank.

3. Operating performance

3.1 Financial and commercial performance

Performance against our financial and commercial scorecard year to date (YTD) is tracking to targets with the exception of the percentage of water customers (20 millimetres) and overdue debtors.

Total overdue debt remains static at \$13.4 million, or 5.2 per cent of revenue YTD. Nonetheless, we expect to achieve the 30 June 2016 target of 4.5 per cent.

The Net Profit after Tax at the end of the third quarter was \$19.3 million compared to a budgeted result of \$16.9 million. The primary reason for this is a \$6.5 million above budget contributed asset revenue and \$2.1 million above water use, partially offset by higher labour costs resulting from accelerated internal projects aimed at improving our service delivery, project quality and efficiency.

Loans and Borrowings were \$410.9 million at 31 March 2016, an increase of \$45.2 million from 1 July 2015.

3.2 Customer and community value

Performance is tracking to target with the exception of the First Point Resolution and Complaints indicators that are trending negatively to target. The complaints result is primarily due to a higher number of concerns on water quality issues early in the quarter and the introduction of the Lauderdale customer caveats in the prior quarter.

3.3 Business systems and processes

Progress under business systems and process is consistent with agreed scope, budget and time parameters, including strong progress against the introduction of tools and systems that will drive continuous performance improvement.

3.4 Quality of product and service

We continue to fall short in the achievement of a number of key product and service performance targets. Investment in additional wastewater testing is planned to commence in the next quarter aimed at isolating the causes for the low levels of compliance which will enable targeted remediation initiatives.

The number of trade waste customers on contemporary contracts is below target; however, we expect the FY2015–16 target will be met.

3.5 People and culture

Performance against our people and culture scorecard is tracking to target.

4. Strategic risks

The Board and management team undertook a review of strategic risks during the quarter, resulting in a number of changes that are reflected in the Corporate Plan FY2017–19.

5. Capital expenditure projects and programs

Our capital projects and programs continue to remain ahead of budget with spending of \$99.0 million versus a budget of \$85.9 million as at 31 March 2016. Expenditure in the remaining quarter is forecast to exceed target as we continue momentum for our larger projects into FY2016–17 in order to meet project completion deadlines.

The following projects have been deferred due to the need to slow our capital program and remain within the regulated capital expenditure program limit. We are currently reviewing the program to assess any further changes that may be required:

- Triabunna Water Supply Reticulation and Reservoir Upgrade
- Orford Sewage Pump Station Network Upgrade
- Bridport Sewage Treatment Plant (STP) Improvement Program
- Brighton STP Rationalisation
- Old Beach No 1 – Green Point Strategy.

Appendices:

Scorecards

Table 1: Financial and commercial performance scorecard

GOAL		KPI	FY2015–16			FY2014–15 ACTUAL
			Q3*	YTD*	TARGET	
1	Transition to equitable pricing for customers	% on target tariff – water 20mm	79.8	79.8	89.5%	89.5%
		% on target tariff for sewage (1ET)	87.4	87.4	81.4%	81.4%
		PSP regulatory non-compliances	0	0	0	0
2	Meet financial capacity and performance targets	Net Profit After Tax (\$M)	\$9.5	\$19.3	\$19.0	\$33.2
		Sustainable cost savings (\$M)	\$0.0	\$0.0	\$0.5	Not recorded
		Owner distributions (\$M)	\$9.7	\$15.5	\$30.0	\$30.0
		Interest cover ratio (times)	2.74	2.74	2.35	3.43
		Gearing ratio	26.05	26.05	26.9%	22.8%
		Total overdue debtors as a percentage of revenue	5.2%	5.2%	4.8%	4.2%
3	Meet capital expenditure targets with optimum efficiency	Capital expenditure (\$M)	\$24.6	\$98.9	\$110	\$102
		Research and innovation activities delivering tangible benefit	1	1	2	Not recorded
4	Promote economic development on an equitable and sustainable basis	Regional employment ratio (S%:N%:NW%)	50:29:21	50:30:20	50:30:20	50:30:20
		Prepare for implementation of recommended Headworks charging regime in PSP3	In progress	In progress	In progress	Not recorded
		Reduce the cost of regulatory compliance and speed up timeframes for approvals	In progress	In progress	In progress	Not recorded

*Note scores rounded to nearest whole number where target has no decimal places

GREEN = on or better than target

AMBER = within 20% of target

RED = greater than 20% outside target

Table 2: Customer and community value scorecard

Goal		KPI	FY2015–16			FY2014–15 Actual
			Q3*	YTD*	Target	
1	Ensure customers receive consistent services in a timely and effective manner	Customer satisfaction+	91%	88%	60%	49%
		First point resolution	64%	60%	67%	52%
		Customer effort score	1.4	1.3	<2.5	Not recorded
2	Meet customer service processing targets set by the Economic Regulator (OTTER) for PSP2	Calls answered in the first 30 seconds (%)	79%	88%	85%	89%
		Complaints (per 1,000 properties)	4	11	9	12
		Development applications processed in 10 business days (%)	100%	100%	98%	98%
		Building and plumbing applications processed in 10 business days (%)	100%	100%	98%	98%
		Customer code regulatory non-compliances	0	0	0	0
3	Meet regulatory targets for service interruptions and response times for PSP2	Time taken to attend Priority 1 bursts and leaks	37	35	60	37
		Time to attend sewage spills, breaks and chokes	54	56	60	50
		Unplanned water supply interruptions (per 100km of main)	4	35	71	97
		Sewer breaks and chokes (and spills) (per 100km of main)	6	47	104	57
4	Increase public awareness of community benefits of TasWater's operations and capital program	Number of favourable articles	51	55	140	177
		Number of unfavourable articles	3	67	190	177

*Note scores rounded to nearest whole number where target has no decimal places

+Actual result is monthly internal pulse survey through the Customer Service Centre

GREEN = on or better than target

AMBER = within 20% of target

RED = greater than 20% outside target

Table 3: Business systems and processes scorecard

Goal		Strategic Initiatives	Completion Due
1	Enhance project and business process control	Map all key processes and develop appropriate tools and systems to drive continuous performance improvement	2015–16
		Develop a project management solution to match our scale of operations	2016–17
		National performance benchmarking and reporting (continued from FY2014–15)	2017–18
2	Increase security and reliability of key systems	Consolidate the SCADA solution	2016–17
		Review and enhance reliability and security of key systems	2017–18
3	Improve sharing of business critical information	Implement a business intelligence framework to improve corporate service, responsiveness and operational reporting	2017–18
		Improve data acquisition, modelling, analysis and reporting capability	2017–18
4	Improve customer relationship and service management systems	Implement Customer Relationship Management solution	2017–18
5	Develop Asset Management System	Develop detailed comprehensive Asset Management Plan	2017–18
		Procure critical fit for purpose asset management tools and systems	2017–18
		Develop annual statewide preventative maintenance program	2017–18
6	Enhance our emergency and incident management capability	Build emergency and incident management process and practices suited to our operational state	2016–17

GREEN = On target for agreed scope, budget and time

AMBER = At risk of not meeting agreed scope, budget or time

RED = Outside of agreed scope, budget or time

Table 4: Quality of product and service scorecard

	Goal	KPI	FY2015–16			FY2014–15 Actual
			Q3*	YTD*	Target	
1	Meet wastewater compliance targets	Percentage of treated volume fully compliant with EPA requirements*	34%	39%	52%	46%
		Number of environmental non-compliances rated serious	0	0	0	0
		Trade waste customers with current consents/contracts	67%	67%	80%	51%
2	Meet water quality compliance targets	Percentage of potable systems compliant with ADWG microbiological guidelines* %	91%	96%	97%	98%
		Percentage of systems compliant with average fluoride concentration within target range*	95%	98%	96%	95%
		Towns on long term boil water alerts or public health alerts	23	23	11	26
		Towns with regular summer water restrictions	1	1	1	1
		Number of public health non-compliances rated serious	3	3	0	6
3	Reduce the number of non-compliant dams	Number of dams that plot above ANCOLD limit of tolerability for societal risk	13	13	13	12
		Number of dam safety non-compliances rated serious	0	0	0	0
4	Reduce number of sewage spills and impact on industry	Dry weather sewage spills	20	80	110	94
		Spills to sensitive receiving waters for rainfall events of less than 1 in 5 year recurrence interval	1	2	35	Not recorded
		Oyster farm shutdowns arising from rainfall events of less than 1 in 5 year recurrence interval	0	1	5	Not recorded
5	Review recycled water compliance	Compliance targets met	Under review	Under review	Under review	Not recorded
6	Review biosolids quality and reduce volume going to landfill	Percentage of biosolids taken to landfill	<1%	<1%	10%	<1%
7	Reduce water taste and odour complaints	Number of systems receiving greater than 20 complaints per annum	Under review	Under review	5	4
8	Develop infrastructure technical standards	Standards in place	Underway	Underway	Underway	Not recorded

*Note scores rounded to nearest whole number where target has no decimal places

GREEN = on or better than target

AMBER = within 20% of target

RED = greater than 20% outside target

Table 5: People and culture scorecard

Goal	KPI	FY2015–16			FY2014–15 Actual
		Q3*	YTD*	Target	
1 Reduce workplace injuries and the risk of fatalities	Lost time injury frequency rate (LTIFR)	Not applicable	4.5	5.5	5.9
	Safety interactions	70	236	250	338
	Notifiable incidents	1	5	10	12
2 Increase the capability and productivity of the workforce	Under development	On track	On track	Framework defined	Not recorded
3 Develop a culture that supports delivery of our strategic plan	Under development	On track	On track	Framework defined	Not recorded

*Note scores rounded to nearest whole number where target has no decimal places

GREEN = on or better than target

AMBER = within 20% of target

RED = greater than 20% outside target

Financial results

Table 1: Financial statements – Balance Sheet

As at 31 March 2016	Closing Position at 31 March 16	Opening Position at 1 July 15	FY2015–16 Corporate Plan
	\$ '000	\$ '000	\$ '000
CURRENT ASSETS			
Cash and cash equivalents	2,211	12,148	2,506
Trade receivables	34,270	30,112	39,752
Other receivables	10,423	16,209	9,675
Inventories	5,480	5,181	5,637
Prepayments	4,368	1,893	2,285
Current tax assets	4,075	(0)	5
TOTAL CURRENT ASSETS	60,827	65,544	59,860
NON-CURRENT ASSETS			
Property, plant and equipment	1,946,903	1,887,642	1,819,632
Net deferred tax assets	58,183	58,183	85,592
TOTAL NON-CURRENT ASSETS	2,005,086	1,945,825	1,905,224
TOTAL ASSETS	2,065,913	2,011,369	1,965,084
CURRENT LIABILITIES			
Loans and borrowings	(74,200)	(117,220)	(108,733)
Employee benefits	(13,355)	(14,728)	(15,584)
Payables	(18,329)	(26,469)	(20,855)
Unearned income	(5,629)	(4,410)	(1,398)
Current tax liability	-	(2,666)	(5,628)
Other	(1,539)	(1,576)	(1,294)
TOTAL CURRENT LIABILITIES	(113,051)	(167,069)	(153,492)
NON-CURRENT LIABILITIES			
Loans and borrowings	(336,701)	(248,521)	(288,468)
Employee benefits	(9,928)	(8,707)	(10,598)
Unearned income	(33,836)	(34,923)	(33,204)
Other	(3,792)	(3,793)	(4,785)
TOTAL NON-CURRENT LIABILITIES	(384,257)	(295,944)	(337,055)
TOTAL LIABILITIES	(497,309)	(463,013)	(490,547)
NET ASSETS	1,568,604	1,548,356	1,474,537
MEMBERS FUNDS			
Retained profits	40,790	20,542	(53,277)
Contributed equity	1,527,814	1,527,814	1,527,814
TOTAL MEMBERS FUNDS	1,568,604	1,548,356	1,474,537

Table 2: Financial statements – Income Statement

1 July 2015 to 31 March 2016	Year to Date Actual	Year to Date Budget	FY2015–16 Corporate Plan
	\$ '000	\$ '000	\$ '000
Revenue			
Service and usage charges	198,117	195,432	259,322
Grants and contributions	17,914	11,410	15,213
Irrigation	1,016	718	920
Other revenue	5,402	4,840	6,454
TOTAL REVENUE	222,449	212,401	281,909
Expenses			
Operations and maintenance cost - water	(18,910)	(18,159)	(23,968)
Operations and maintenance cost - sewerage	(23,830)	(23,537)	(31,810)
Operations and maintenance cost - other	137	(38)	(50)
Employee costs	(62,110)	(56,040)	(75,119)
Administration costs	(6,309)	(6,642)	(8,923)
Governance	(802)	(889)	(1,186)
Other expenses	(17,552)	(16,318)	(24,812)
TOTAL EXPENDITURE	(129,375)	(121,622)	(165,870)
EARNINGS BEFORE INTEREST, TAXES AND DEPRECIATION	93,074	90,779	116,039
Depreciation	(51,645)	(51,629)	(68,838)
EARNINGS BEFORE INTEREST AND TAXES	41,429	39,150	47,200
Interest expense	(12,014)	(13,134)	(17,591)
Loan guarantee fees	(1,825)	(1,852)	(2,481)
PROFIT BEFORE INCOME TAX EQUIVALENT	27,950	24,164	27,128
Income tax equivalent expense	(8,277)	(7,249)	(8,138)
NET PROFIT	19,313	16,915	18,990

Table 3: Financial statements – Cash Flow Statement

1 July 2015 to 31 March 2016	Year to Date Actual	Year to Date Budget	FY2015–16 Corporate Plan
	\$ '000	\$ '000	\$ '000
Cash flows from operating activities			
<i>Inflow</i>			
Receipts	195,982	190,553	256,700
Grants and contributions	13,326	13,623	13,623
Interest received	45	52	69
Other	16,831	15,229	19,850
<i>Outflow</i>			
Payments to suppliers and employees	(155,950)	(137,970)	(180,619)
Interest expense	(11,122)	(12,711)	(17,591)
Loan guarantee fees	(1,407)	(1,400)	(2,400)
Income tax equivalents	(6,742)	(4,998)	(6,664)
NET CASH FROM OPERATING ACTIVITIES	50,965	62,378	82,968
Cash flows from investing activity			
<i>Inflow</i>			
Sales – property, plant and equipment	250	600	800
Government grants			
<i>Outflow</i>			
Payments – property, plant and equipment	(98,969)	(85,328)	(110,000)
NET CASH FROM INVESTING ACTIVITIES	(98,719)	(84,728)	(109,200)
Cash flows from financing activities			
<i>Inflow</i>			
New Loans	115,500	82,327	108,717
<i>Outflow</i>			
Loan repayments	(70,341)	(51,214)	(61,508)
Dividend payment	(7,342)	(8,723)	(20,936)
NET CASH FROM FINANCING ACTIVITIES	37,817	22,390	26,273
Net increase (decrease) in cash held	(9,937)	40	40
Cash at the beginning of the reporting period	12,148	2,466	2,466
CASH AT THE END OF THE REPORTING PERIOD	2,211	2,506	2,506

Capital programs

Table 1: Major water projects >\$5 million

Project Title	Driver	Current Project Stage	Completion Due
Winnaleah Treated Water Supply	Compliance	Tender	June 2017
Ringarooma Valley Treated Water Supply	Compliance	Construction	June 2016
Flinders Island Treated Water Supply	Compliance	Construction	June 2016
Mole Creek Treated Water Supply	Compliance	Construction	June 2016
Triabunna Water Supply Reticulation and Reservoir Upgrade	Improvement	Planning	Deferred
Conglomerate Dam Safety Upgrade	Compliance	Design	June 2017
King Island Treated Water Supply	Compliance	Design	June 2017
Rosebery Water Treatment Plant	Compliance	Construction	June 2016
Lake Mikany Dam Safety Upgrade	Compliance	Plan	June 2017
Margate Water Main Upgrade Stage 2	Growth	Construction	Dec 2016
Tolosa Dam Replacement - new storage reservoirs	Compliance	Design and construction	June 2017

GREEN = On target for agreed scope, budget and time

ORANGE = At risk of not meeting agreed scope, budget or time

RED = Outside of agreed scope, budget or time

GREY = Deferred as part of review of capital works program

Table 2: Major sewerage projects >\$5 million

Project Title	Driver	Current Project Stage	Completion Due
Ti Tree Bend STP Biosolids - stage 1 digester upgrades.	Compliance	Design	June 2017
Orford SPS Network Upgrade	Compliance	Plan	Deferred
Bridport STP Improvement Program	Compliance	Plan	Deferred
Rosebery STP – new plant	Compliance	Completed	Dec 2015
Burnie Sewerage Network and Plant Upgrades	Compliance	Construction	Dec 2017
Pardoe (Devonport), Ulverstone and Burnie STP's Sludge Processing Upgrades	Compliance	Construction	June 2016
Kingborough Sewerage Strategy – treatment	Compliance	Tender	2018-19
Kingborough Sewerage Strategy – network	Compliance	Tender	2018-19
Brighton STP Rationalisation	Compliance	Planning	Deferred
Old Beach No 1 – Green Point Strategy	Compliance	Design	Deferred
STP Inlet works upgrades (11 plants)	Compliance	Construction	May 2016

GREEN = On target for agreed scope, budget and time
AMBER = At risk of not meeting agreed scope, budget or time
RED = Outside of agreed scope, budget or time
GREY = Deferred as part of review of capital works program

Table 3: Major programs >\$3 million

Project Title	Completion Due
Asset Management Information System (AMIS)	February 2017
SCADA	Annual program
Minor projects	Annual program
Sewage pumpstation renewals	Annual program
Electrical safety upgrade	Annual program
Fleet	Annual program
Business systems	Annual program
Minor works	Annual program
Sewer renewals	Annual program
Water meter replacement	Annual program

GREEN = On target for agreed scope, budget and time

AMBER = At risk of not meeting agreed scope, budget or time

RED = Outside of agreed scope, budget or time



10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**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 January 2016 to 31 March 2016.

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 CyclingSouth 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**2.1. Cambridge Road – Cambridge Village to Roundabout Painted Bike Lanes**

Parking survey has been completed recording a 15% parking density along this section of Cambridge Road. Awaiting the outcome of community consultation for the Cambridge Master Plan.

2.2. Cambridge Road, Mornington – Painted Bike Lines

Currently being designed. Kerb & gutter to be installed along road to capture stormwater from roadway before flowing onto subdivision land. Parking survey revealed 10% parking density along Cambridge Road.

2.3. Clarence Foreshore Trail – Camelot Park to Pindos Park

Construction of the concrete path is complete, waiting determination of fencing requirements arising from the road safety audit of the site.

2.4 Clarence Foreshore Trail – Ronnie Street to Tasman Bridge

Construction has commenced on upgrading of existing hotmix path to a 2.5m concrete path that is more fitted into the landscape.

2.5 Clarence Foreshore Trail – Anzac Park to Natone Street

Construction has commenced to upgrade path.

2.6 Mornington Roundabout Pedestrian/Cycling Underpass

Pitt and Sherry have submitted a report for this project which requires further investigation and assessment before proceeding.

3. RECURRENT INITIATIVES

Further locations for bike parking facilities are being investigated.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS**Clarence Street Safety Assessment Report**

Funding request submitted for Council's consideration in the 2016/2017 Capital Works Program to implement Council decision of 7 December 2015.

5. GOVERNANCE MATTERS.**Committee Meeting**

The Committee held 1 meeting during the quarter held on 1 February 2016.

6. EXTERNAL LIAISON

CyclingSouth Meeting held on 17 February 2016.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Attachments: Nil.

Alderman Sharyn 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 January 2016 to 31 March 2016.

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**Meehan Range - Caves Hill Track**

A new track has been constructed from the top of Stringy Bark Gully to a fire trail near Caves Hill. The work was donated by Dirt Art and the track grooming was carried out by the volunteer Meehan Range Trail Groomers.

Kangaroo Bay Rivulet Track

Fencing is being designed for the section of track located on the Rosny Farm site.

Glebe Hill Reserve

A new track has been constructed to link the Watton Fire Trail to the Glebe Hill Track.

Howrah Beach to Little Howrah Beach Intertidal Track

An elevated stone wall track has been constructed to provide a walking link across the rocks separating Howrah Beach and Little Howrah Beach. This track links to the toilet block at Little Howrah Beach.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES**Tangara Trail**

Work was carried out to improve the link between the Gellibrand East Track and the Storm Bay View Track adjacent to South Arm Highway.

Split post log gateways are being installed at track entrances in Acton Park on the Lynrowan Track, Acton Creek Track, Horseshoe Track and Crossroads Track.

Charles Darwin Trail

An audit was carried out on the Charles Darwin Trail and new signage will be installed.

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

As per Council's decision of 21 October 2013, a contractor has consulted with residents adjoining the track to discuss the proposed track alignment. At the request of Aboriginal Heritage Tasmania the track corridor has been cleared in preparation for the Aboriginal Heritage assessment.

Once the Aboriginal Heritage assessment is completed Council will be further advised in relation to this project.

Anulka Street Walkway

This is being considered as part of the Reserve Activity Plan for the Howrah bushland reserves. The walkway is a strategic link through Carella Bushland Reserve to a relocated bus stop on Oceana Drive.

5. GOVERNANCE MATTERS.**Committee Meeting**

The Committee held 1 General Meeting during the quarter on 11 February 2016 and 1 Special Meeting on 10 March 2016.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Attachments: Nil.

Alderman R James

CHAIRPERSON

11. REPORTS OF OFFICERS

11.1 WEEKLY BRIEFING REPORTS

(File No 10/02/02)

The Weekly Briefing Reports of 11, 18 and 25 April 2016 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 11, 18 and 25 April 2016 be noted.

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**11.2.1 PETITION - REZONING ROSNY HILL**

(File No 10-03-12)

EXECUTIVE SUMMARY**PURPOSE**

To consider the petition presented at Council's Meeting on 11 April 2016 from 231 signatories requesting a Planning Scheme Amendment to change the zoning of Rosny Hill Nature Recreation Area (currently zoned Recreation) to the Environmental Management Zone.

RELATION TO EXISTING POLICY/PLANS

Not applicable.

LEGISLATIVE REQUIREMENTS

Section 60 of the Local Government Act, 1993 requires Council to formally consider petitions within 42 days of receipt.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

RECOMMENDATION:

That the petitioners be advised that:

- A. Council does not support the rezoning of Rosny Hill Nature Recreation Area to Environmental Management Zone.
- B. Questions in relation to the potential future use and development of the site are appropriately addressed in accordance with the existing zoning, the statutory processes under the Land Use Planning and Approvals Act 1993, and the status of the site as a Nature Recreation Area under the Nature Conservation Act 2002, should a development application be made to develop the site.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1. At Council's Meeting of 11 April 2016, a petition from 231 signatories was received seeking rezoning of the Rosny Hill Nature Recreation Area (currently zoned Recreation) to the Environmental Management Zone.

- 1.2.** The Rosny Hill Nature Recreation Area is reserved Crown land under the Nature Conservation Act, 2002.
- 1.3.** Council became the Managing Authority for the Rosny Hill Nature Recreation Area (RHNRA) in September 2009.
- 1.4.** At the time of Council becoming the Managing Authority the RHNRA was zoned Recreation under the Clarence Planning Scheme 2007.
- 1.5.** On 25 July 2011, Council adopted the Rosny Hill Nature Recreation Area Management Strategy 2011 incorporating the following actions:

 - (i) Council to explore the market potential for development consistent with Council's Planning Scheme and the site's status under the National Parks and Reserve Management Act 2002; and
 - (ii) the General Manager to pursue any identified developments in consultation with the State Government.
- 1.6.** Council called for expressions of interest in March 2014 for the establishment of commercial leasehold development that would enhance and complement the public use of the area and be consistent with the use of the property for nature conservation and recreation.
- 1.7.** Subsequently Hunter Developments has been awarded preferred development status for a concept proposal (an eco-resort comprising accommodation, restaurants, conference centre and public lookout/viewing platforms) subject to an agreement being established providing for: the granting of permission to lodge a development application; the proposed site lease terms and conditions; Ministerial approvals; and development timeframes that will apply in the event that the proposal obtains the required statutory approvals.
- 1.8.** On 4 January 2016 the Minister advised that he had given consent to Hunter Developments to make a development application for the site.

2. REPORT IN DETAIL

- 2.1.** A submission accompanying the petition sets out as reasoning for the requested rezoning: *“The proposed rezoning will ensure that the admirable intentions of the Parliament of Tasmania in reserving the Rosny Hill Nature Recreation Area and the State Government in transferring it to the Clarence City Council in 2009 are upheld and secured”*.
- 2.2.** As noted above, prior to Council becoming the Managing Authority in 2009 the RHNRA was zoned Recreation under the planning scheme. The introduction of the current Clarence Interim Planning Scheme 2015 involved a process of “translation” of zoning across to the new model scheme format on a like for like basis, hence the current Recreation zoning.
- 2.3.** The petition does not identify any specific concerns with the current zoning and it is interesting to note that the Environmental Management Zone allows for the same range of uses and developments as the current zone (Recreation), although different use and development standards.
- 2.4.** Given the resources put into the current process over several years, it is considered appropriate to allow the foreshadowed development application to be made under the current planning controls, without further undue delay and for the relevant statutory processes to be exercised to determine the outcome.
- 2.5.** In that context it should be noted there is no proposal by the Council or Crown to remove the Nature Recreation Area status of the site.

3. CONSULTATION

Community Consultation

In respect to the development concept for the site, the development proponent has undertaken community and stakeholder consultation. Further public consultation will occur if the development proposal proceeds to assessment under the Land Use Planning and Approvals Act, 1993.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

- 4.1.** Council has prepared and adopted in 2011 a Rosny Hill Nature Recreation Area Management Strategy (a non-statutory document).
- 4.2.** A management objective for Nature Recreation Areas under the National Parks and Reserves Management Act, 2002 is: “to encourage tourism, recreational use and enjoyment consistent with the conservation of the nature recreation area’s natural and cultural values”.
- 4.3.** When adopting the management strategy Council resolved to explore the market potential for new development or activities at the site which could complement and enhance the public’s use of the area.

5. EXTERNAL IMPACTS

Due to the Crown land tenure of the site the Minister for Environment, Parks and Heritage will be advised in regard to any development of the site.

6. RISK AND LEGAL IMPLICATIONS

Any development and lease of Rosny Hill Nature Recreation Area land must be in accordance with the requirements of the Local Government Act 1993, the National Parks and Reserves Management Act, 2002 and the Crown Lands Act, 1976.

To facilitate suitable development, Council secured a 99 year lease of the site from the Crown. Under the Crown lease the Lessee (Council) may enter into a sublease or subleases for the purposes of developing the site, including for commercial development. The granting of a site sub-lease is at the discretion of the Minister.

7. FINANCIAL IMPLICATIONS

Revenue to Council from any future site lease can be re-invested into reserve enhancement projects identified in the reserve management strategy and off-set reserve management costs.

8. ANY OTHER UNIQUE ISSUES

Not applicable.

9. CONCLUSION

- 9.1.** The Rosny Hill Nature Recreation Area is regulated by both the land use planning scheme (Recreation zoning) and through the site's status as a Nature Recreation Area.
- 9.2.** Potential future use and development of the site is appropriately addressed in accordance with the existing zoning, the statutory processes under the Land Use Planning and Approvals Act 1993, and the status of the site as a Nature Recreation Area under the Nature Conservation Act 2002, should a development application be made to develop the site.

Attachments: Nil.

Andrew Paul
GENERAL MANAGER

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-2016/94 - 1 HOWLEY COURT,
HOWRAH - ADDITIONS TO DWELLING**
(File No D-2016/94)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for additions to an existing dwelling at 1 Howley Court, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 4 May 2016 with the written agreement of the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising privacy as an issue.

RECOMMENDATION:

- A. That the Development Application for additions to dwelling at 1 Howley Court, Howrah (CI Ref D-2016/94) 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.

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 Solution for building envelope (rear setback) 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 property has an area of 930m² and currently contains an existing brick dwelling. The lot has a slope of approximately 1 in 9 towards the south-west boundary. Frontage and vehicle access to the site is from Howley Court. The area surrounding the subject site is similarly zoned General Residential featuring lots predominantly containing Single Dwellings.

3.2. The Proposal

The proposal is for an addition, including a new roof, to an existing upper-storey balcony at the rear of the dwelling. The existing balcony has a floor area of 20m², while the proposed addition would have a floor area of 17m² (a total of 37m²). The proposed balcony addition would have a minimum setback of 4.3m from the rear boundary of the site and a minimum setback of 5.89m from the south-west boundary of the site. The structure would have a maximum height of 5.76m above natural ground level.

The proposal plans also detail a number of internal alterations and an addition to the front of the dwelling, which meet the Acceptable Solutions of the Scheme.

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

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A3	Building Envelope (rear setback)	Buildings/structures must be contained within a building envelope determined by projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level (required setback of 6.3m in this case).	4.3m rear boundary setback (variation of 2m)

The proposed variation can be supported pursuant to the following Performance Criteria.

P3 - The siting and scale of a dwelling must:

- (a) not cause unreasonable loss of amenity by:*
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or*

- (iii) overshadowing of an adjoining vacant lot; or*
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*
 - (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area”.*
- The proposed balcony roof would be located on the southern side of the rear boundary of the site and would therefore cause no overshadowing of the northern walls or private open spaces of dwellings adjoining the rear boundary at 20 Bingley Street and 42 Mortyn Place.
- The size and bulk of the proposed balcony, which does not include solid walls, is of a scale commensurate with other residential buildings in the area.
- A level of separation (approximately 10-20m to nearby dwellings) would be provided between the balcony and buildings on adjacent lots, which is compatible with that prevailing in the surrounding area, which is typically as low as 4m on some lots.

5. REPRESENTATION ISSUES

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

5.1. Privacy

The representor has raised concern that the proposed balcony would cause a loss of privacy in the backyard and dwelling at 22 Bingley Street. The representor has suggested that these concerns could be alleviated if the applicant agreed to reduce the width of the balcony addition to 1.5m (from 2.65m) and erected privacy screening on the south-western side of the balcony.

- **Comment**

The proposal satisfies the Acceptable Solutions for building envelope and privacy relating to the south-west boundary of the site shared with 22 Bingley Street. The proposal also satisfies the Performance Criteria of the building envelope standard relating to the rear boundary setback. In other words, the proposal satisfies the privacy standards of the Scheme and as such there is no discretion to consider the impact on the privacy of 22 Bingley Street. Nevertheless, the representor's concerns were relayed to the applicant, who has advised that they do not wish to alter the proposal.

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 2010-2015 or any other relevant Council Policy.

9. CONCLUSION

The proposal seeks approval for additions to an existing dwelling at 1 Howley Court, Howrah. The application meets the relevant Acceptable Solutions and Performance Criteria of the Scheme and is recommended for approval subject to conditions.

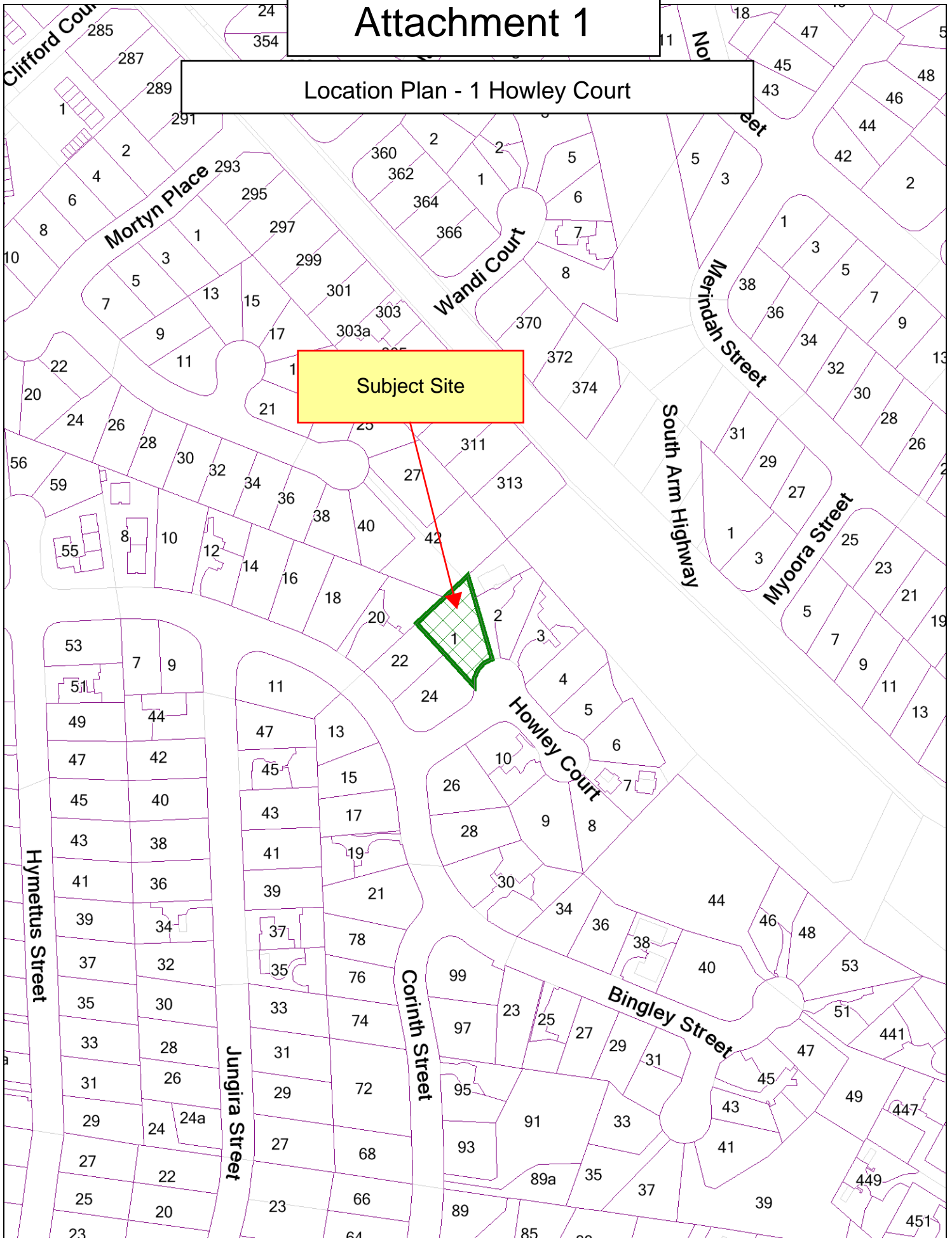
Attachments: 1. Location Plan (1)
2. Proposal Plan (7)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

Location Plan - 1 Howley Court

Subject Site



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:** Tuesday, 12 April 2016 **Scale:** 1:2,327 @A4

IMPORTANT

1. USE WRITTEN DIMENSIONS ONLY.
2. DO NOT SCALE DRAWINGS.
3. THE CONTRACTOR IS TO CHECK ALL LEVELS, DATUMS, AND DIMENSIONS IN RELATION TO THE DRAWINGS AND THE SITE BEFORE PROCEEDING WITH THE WORK OR SHOP DRAWINGS.
4. ENSURE THAT THIS DRAWING AND ANY ACCOMPANYING DETAILS AND/OR SPECIFICATIONS HAVE BEEN STAMPED AS 'APPROVED' BY THE RELEVANT LOCAL AUTHORITY.
5. THE PROPRIETOR IS TO ENSURE THAT ANY "CONDITIONS OF APPROVAL" ISSUED BY THE BUILDING SURVEYOR, RELEVANT COUNCIL AND OTHER STATUTORY AUTHORITIES ARE PASSED ONTO THE CONTRACTOR BEFORE CONSTRUCTION BEGINS.
6. MATERIALS AND WORKMANSHIP SHALL CONFORM WITH RELEVANT STANDARDS, BUILDING CODE OF AUSTRALIA AND PRODUCT MANUFACTURERS WRITTEN INSTRUCTIONS.
7. ANY ALTERATION TO THE CONSTRUCTION AND/OR MATERIALS INDICATED IN THESE DRAWINGS IS TO BE APPROVED BY THE DESIGNER, THE ENGINEER, THE BUILDING SURVEYOR, AND THE PROPRIETOR BEFORE PROCEEDING WITH THE WORK.
8. **IF IN DOUBT:- ASK!! CONTACT THE BUILDING DESIGNER AND/OR RELEVANT CONSULTANT.**

SITE COVERAGE (as per clarence interim planning scheme 2015)

EXISTING RESIDENCE - 133.53m²

EXTENSIONS - 42.83m²

FRONT PORCH - 15.33m²

ROOF OVER EXISTING BALCONY - 19.69m²

BALCONY EXTENSION - 20.95m²

TOTAL ROOFED AREA - 232.33m²

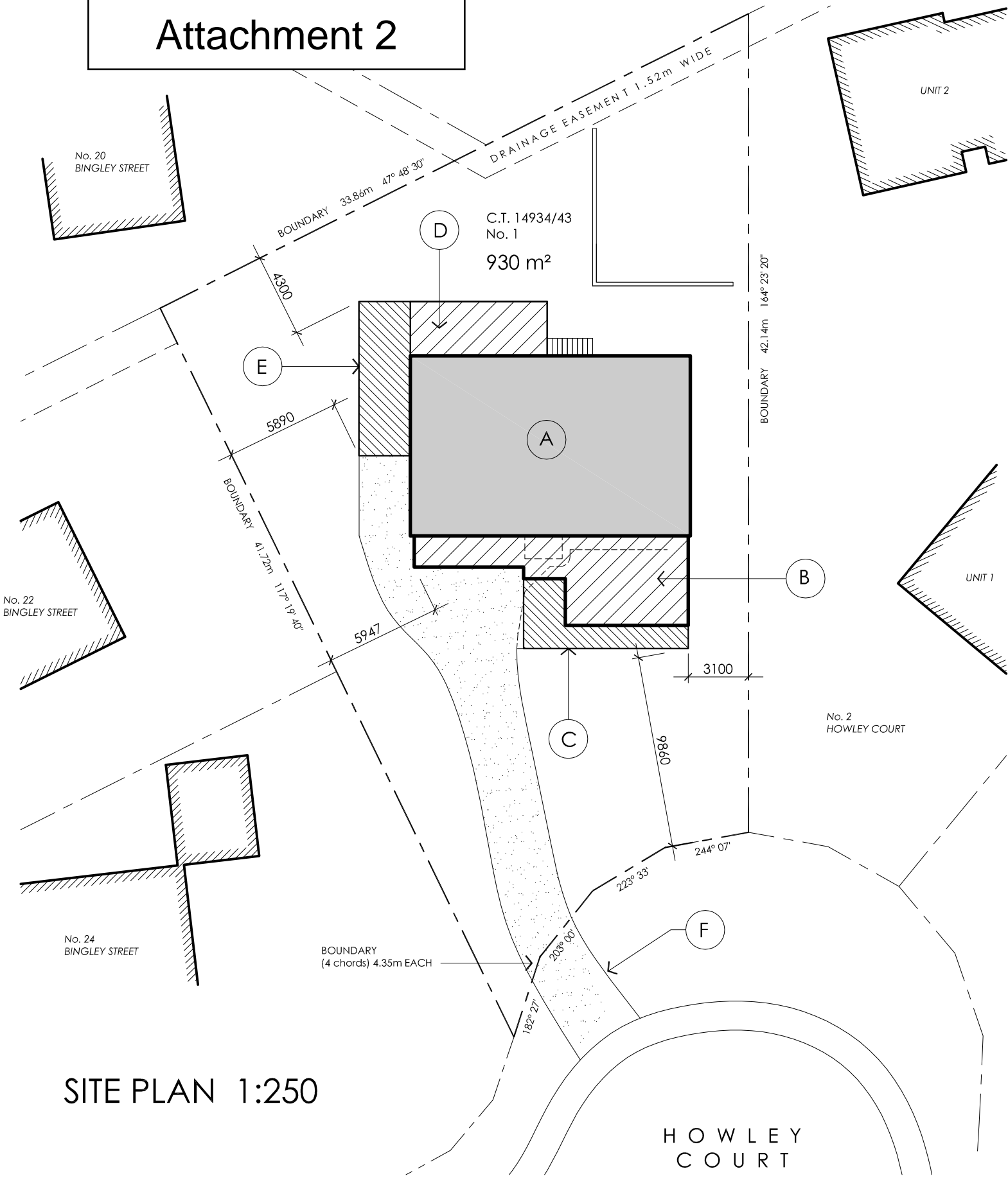
SITE AREA - 930m²

TOTAL SITE COVERAGE - 24.98%

SITE KEY

- A** EXISTING TWO-STOREY BRICK RESIDENCE.
- B** GROUND FLOOR EXTENSION (garage, entry, bedroom).
- C** PROPOSED FRONT PORCH/VERANDAH.
- D** EXISTING CONCRETE BALCONY - NEW ROOF OVER.
- E** ROOF OVER EXTENSION TO EXISTING CONCRETE BALCONY.
- F** EXISTING CONCRETE DRIVEWAY.

Attachment 2

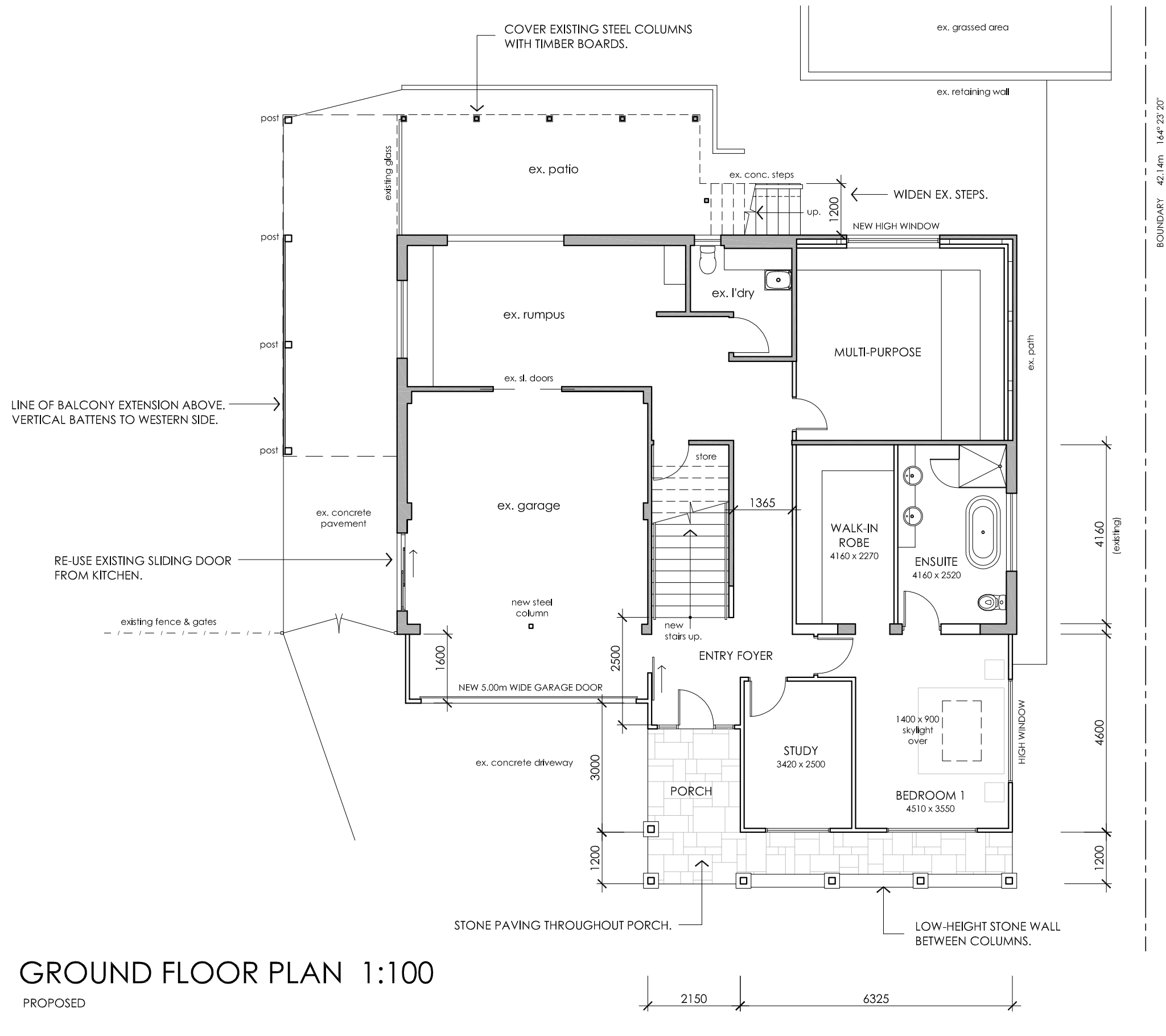


MATT GILLEY | building designer

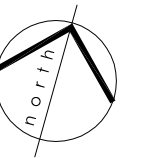
issue	description	date

project	PROPOSED ADDITIONS 1 HOWLEY COURT HOWRAH
proprietor	B. & E. ROSE

drawing SITE PLAN		
scale	project no.	drawing no.
1:250	1266	
date	drawn	Agenda Attachments - 1 Howley Court
FEB 2016	MG	



GROUND FLOOR PLAN 1:100
PROPOSED



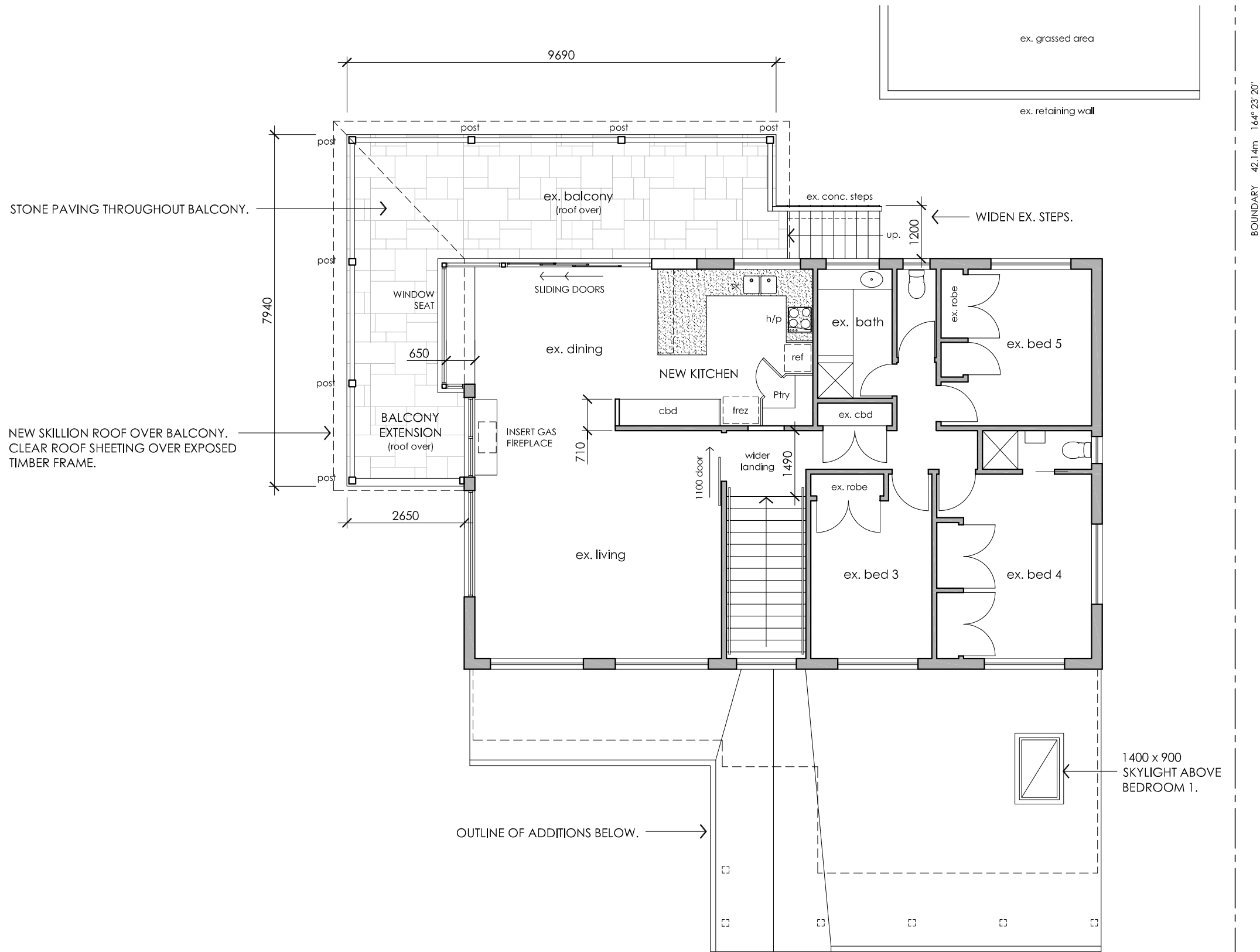
MATT GILLEY | building designer

P.O. BOX 224 LINDISFARNE TASMANIA 7015 p: 0437499238 e: matt.gilley@bigpond.com

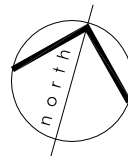
issue	description	date

project	PROPOSED ADDITIONS 1 HOWLEY COURT HOWRAH
proprietor	B. & E. ROSE

drawing	GROUND FLOOR PLAN	
scale	1:100	project no. 1266
date	FEB 2016	drawing no. A04



FIRST FLOOR PLAN 1:100
PROPOSED



MATT GILLEY | building designer

P.O. BOX 224 LINDISFARNE TASMANIA 7015 p: 0437499238 e: matt.gilley@bigpond.com

issue	description	date

project

PROPOSED ADDITIONS
1 HOWLEY COURT
HOWRAH

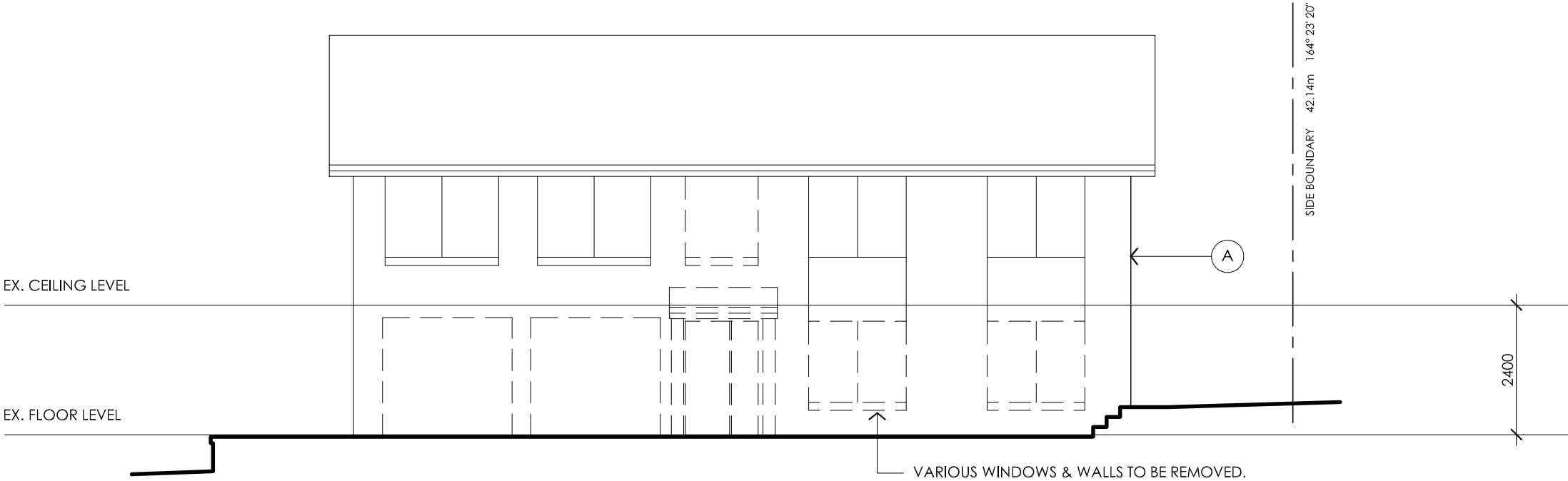
proprietor

B. & E. ROSE

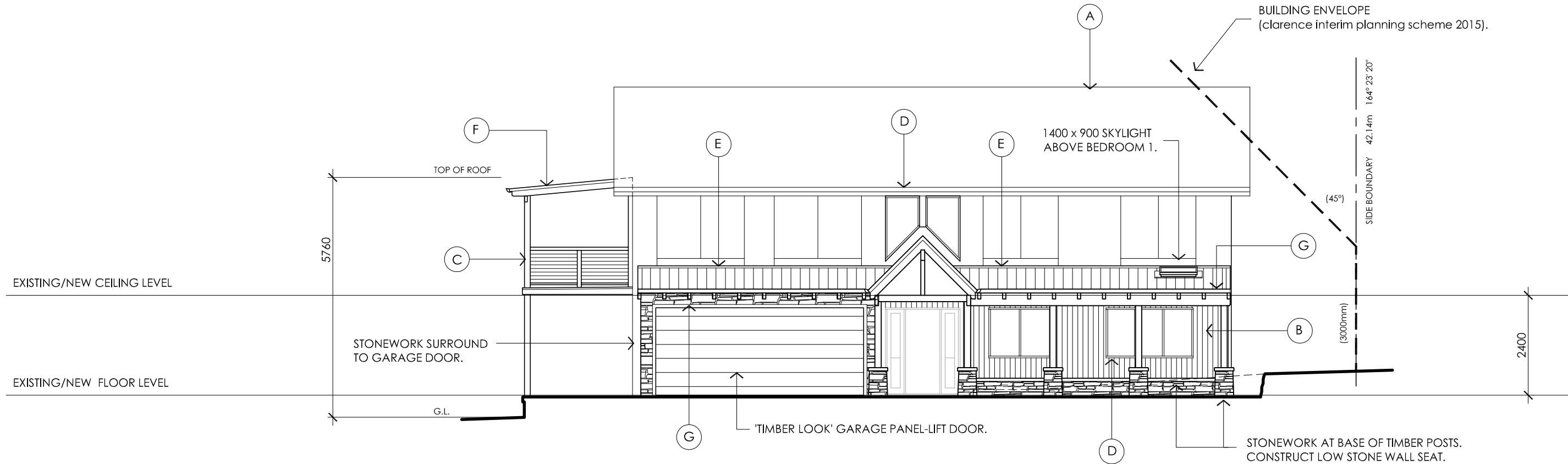
drawing			FIRST FLOOR PLAN
scale	project no.	drawing no.	
1:100	1266		
date	drawn		
FEB 2016	MG		

EXTERNAL MATERIALS & FINISHES

- A OUTLINE OF EXISTING BRICK & TILE RESIDENCE.
- B 'HARDIES SYON AXON' SHEETING. VERTICALLY GROOVED (grained surface). PAINTED.
- C HORIZONTAL S/S WIRE BALUSTRADING.
- D TIMBER WINDOW & DOOR FRAMES. DOUBLE GLAZED.
- E COLORBOND ROOF SHEETING.
- F CONCRETE BALCONY EXTENSION. SAND STONE PAVING. TIMBER ROOF FRAMING CLEAR FINISH. CLEAR ROOF SHEETING OVER.
- G EXPOSED TIMBER ROOF FRAMING. CLEAR FINISH.



SOUTH ELEVATION 1:100
EXISTING



SOUTH ELEVATION 1:100
PROPOSED

MATT GILLEY | building designer

P.O. BOX 224 LINDISFARNE TASMANIA 7015 p: 0437499238 e: matt.gilley@bigpond.com

issue	description	date
A.	HEIGHT OF ADDITIONS ADDED.	10.3.16

project

PROPOSED ADDITIONS
1 HOWLEY COURT
HOWRAH

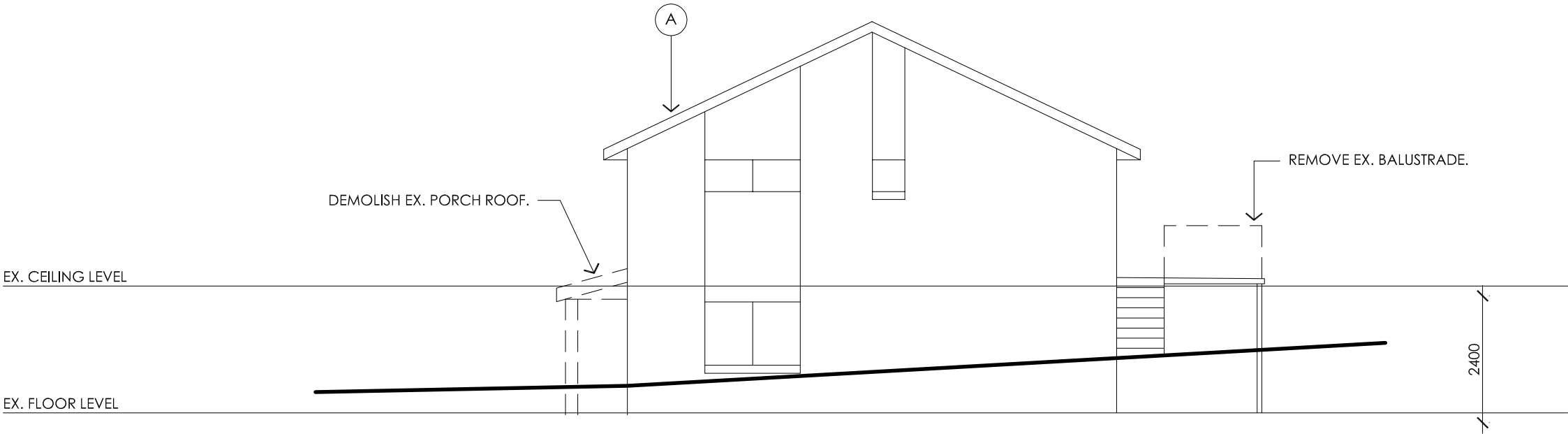
proprietor

B. & E. ROSE

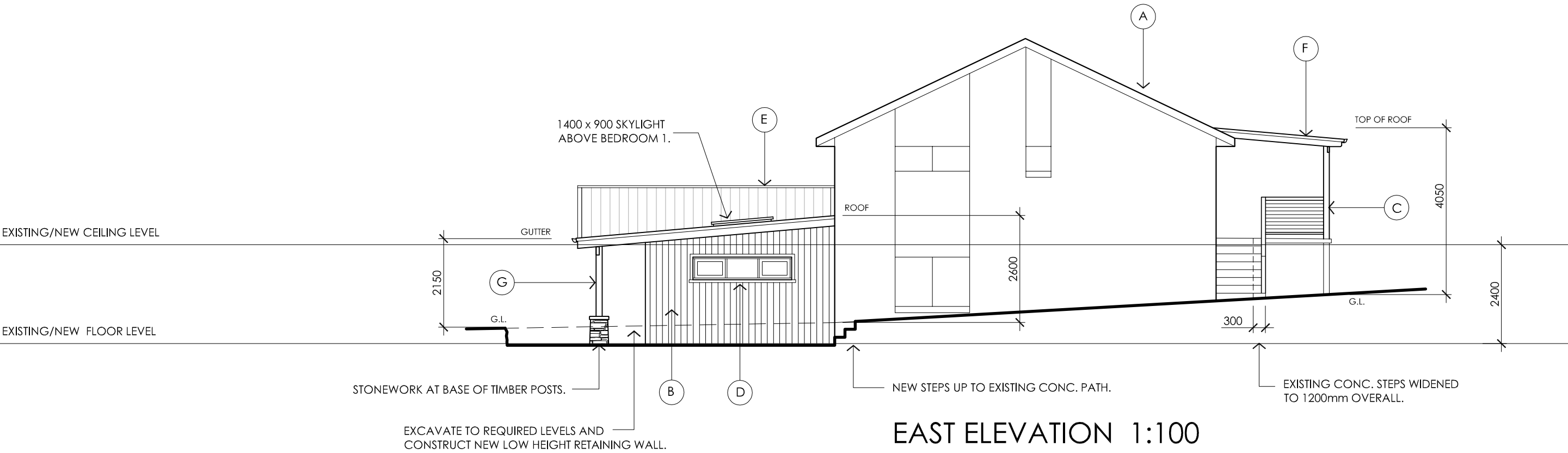
drawing SOUTH ELEVATIONS		
scale	project no.	drawing no.
1:100	1266	
date	drawn	Agenda Attachments - 1 Howley Court MG
FEB 2016		

EXTERNAL MATERIALS & FINISHES

- A OUTLINE OF EXISTING BRICK & TILE RESIDENCE.
- B 'HARDIES SYON AXON' SHEETING. VERTICALLY GROOVED (grained surface). PAINTED.
- C HORIZONTAL S/S WIRE BALUSTRADING.
- D TIMBER WINDOW & DOOR FRAMES. DOUBLE GLAZED.
- E COLORBOND ROOF SHEETING.
- F CONCRETE BALCONY EXTENSION. SAND STONE PAVING. TIMBER ROOF FRAMING CLEAR FINISH. CLEAR ROOF SHEETING OVER.
- G EXPOSED TIMBER ROOF FRAMING. CLEAR FINISH.



EAST ELEVATION 1:100
EXISTING



EAST ELEVATION 1:100
PROPOSED

MATT GILLEY | building designer

P.O. BOX 224 LINDISFARNE TASMANIA 7015 p: 0437499238 e: matt.gilley@bigpond.com

issue	description	date
A.	HEIGHT OF ADDITIONS ADDED.	10.3.16

project

PROPOSED ADDITIONS
1 HOWLEY COURT
HOWRAH

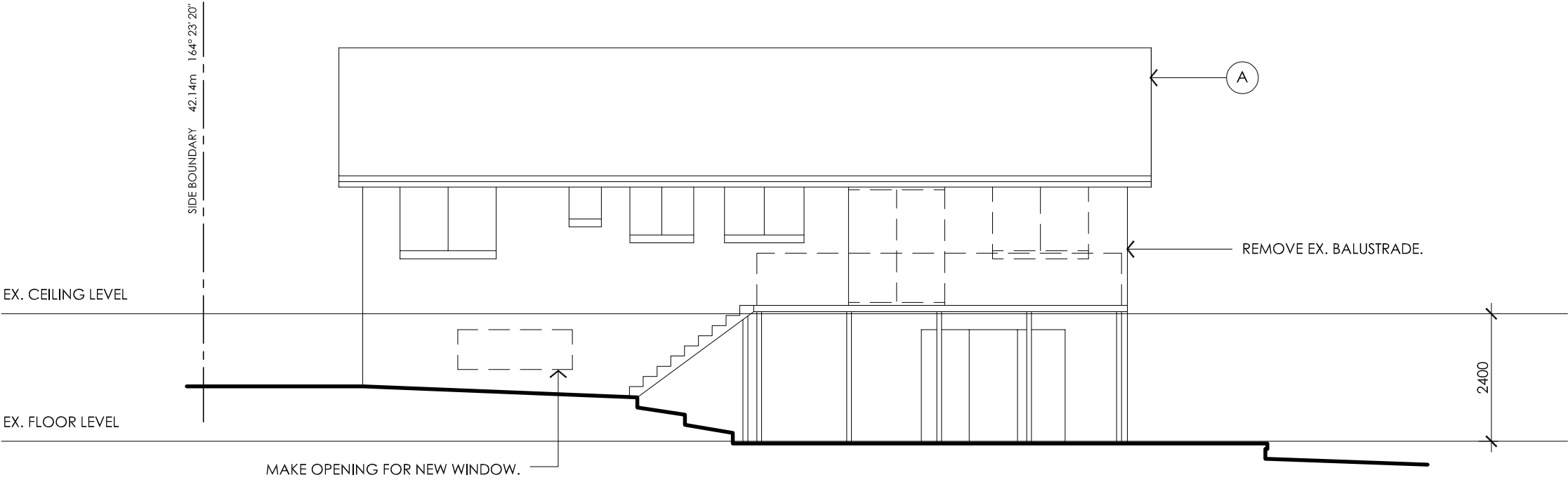
proprietor

B. & E. ROSE

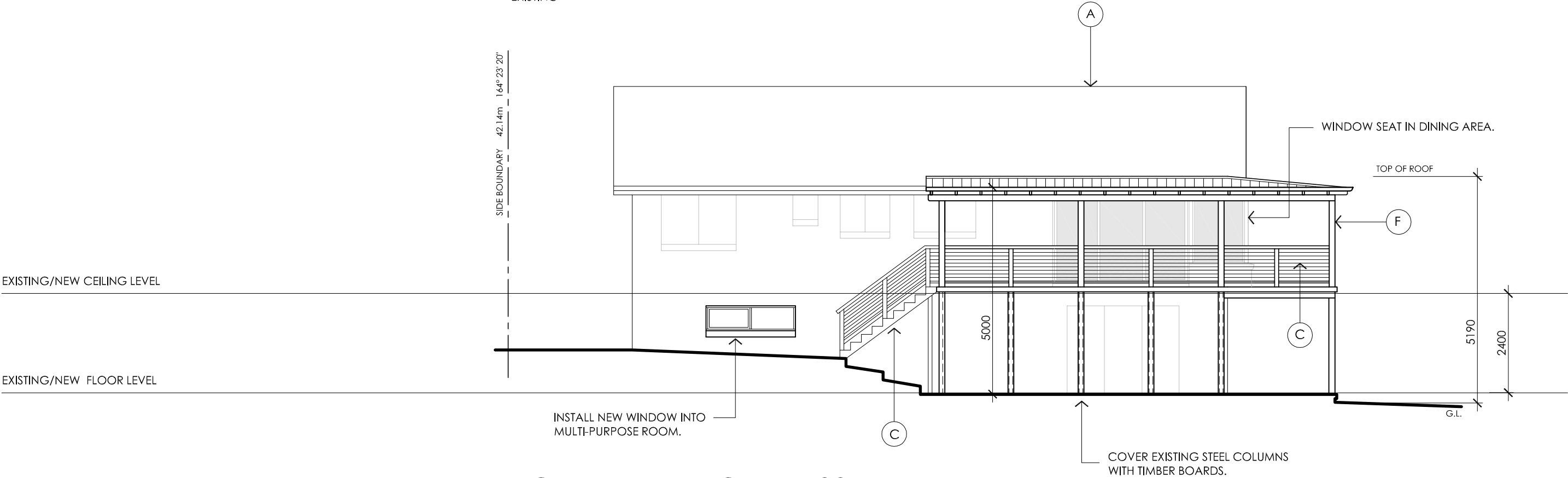
drawing EAST ELEVATIONS		
scale	project no.	drawing no.
1:100	1266	
date	drawn	Agenda Attachments - 1 Howley Court Page 6 of 10
FEB 2016	MG	

EXTERNAL MATERIALS & FINISHES

- A OUTLINE OF EXISTING BRICK & TILE RESIDENCE.
- B 'HARDIES SYON AXON' SHEETING. VERTICALLY GROOVED (grained surface). PAINTED.
- C HORIZONTAL S/S WIRE BALUSTRADING.
- D TIMBER WINDOW & DOOR FRAMES. DOUBLE GLAZED.
- E COLORBOND ROOF SHEETING.
- F CONCRETE BALCONY EXTENSION. SAND STONE PAVING. TIMBER ROOF FRAMING CLEAR FINISH. CLEAR ROOF SHEETING OVER.
- G EXPOSED TIMBER ROOF FRAMING. CLEAR FINISH.



NORTH ELEVATION 1:100
EXISTING



NORTH ELEVATION 1:100
PROPOSED

MATT GILLEY | building designer

P.O. BOX 224 LINDISFARNE TASMANIA 7015 p: 0437499238 e: matt.gilley@bigpond.com

issue	description	date
A.	HEIGHT OF ADDITIONS ADDED.	10.3.16

project

PROPOSED ADDITIONS
1 HOWLEY COURT
HOWRAH

proprietor

B. & E. ROSE

drawing NORTH ELEVATIONS		
scale	project no.	drawing no.
1:100	1266	
date	drawn	Agenda Attachments - 1 Howley Court Page 7 of 10
FEB 2016	MG	

A OUTLINE OF EXISTING BRICK & TILE RESIDENCE.

- (C) HORIZONTAL S/S WIRE BALUSTRADING.

- D** TIMBER WINDOW & DOOR FRAMES.
DOUBLE GLAZED.

- E** COLORBOND ROOF SHEETING.

- F CONCRETE BALCONY EXTENSION. SAND STONE PAVING. TIMBER ROOF FRAMING CLEAR FINISH. CLEAR ROOF SHEETING OVER.

- G** EXPOSED TIMBER ROOF FRAMING. CLEAR FINISH.



REMOVE EX. BALUSTRADE.

— DEMOLISH EX. PORCH ROOF.

EX. CEILING LEVEL

EX. FLOOR LEVEL

2400

— MAKE OPENING TO RE-USE EXISTING SLIDING DOOR.

EXISTING



EXISTING/NEW FLOOR LEVEL

REAR BOUNDARY 33.86m 47° 48' 30"

WINDOW SEAT IN DINING AREA.

 (45°)

G.L.

(2000mm)

TOP OF ROOF

TOP OF
ROOF

USE SLIDING DOOR
FROM KITCHEN.

B

E

TOP OF ROOF



TONETWORK AT BASE OF TIMBER POSTS.


2400

2400

PROPOSED

issue	description	date
A.	HEIGHT OF ADDITIONS ADDED.	10.3.16

project:	PROPOSED ADDITIONS 1 HOWLEY COURT HOWRAH
proprietor:	B. & E. ROSE

drawing			WEST ELEVATIONS		
scale	project no.	drawing no.			
1:100	1266				
date	drawn				
FEB 2016	MG				

Attachment 3

1 Howley Court, HOWRAH



Site viewed from Howley Court showing existing dwelling



View of west elevation of existing dwelling showing location of proposed balcony addition



View of west elevation of existing dwelling showing location of proposed balcony addition and relationship to property at 22 Bingley Street

11.3.2 DEVELOPMENT APPLICATION D-2016/89 - 3 AYRES COURT, CAMBRIDGE - CARPORT
(File No D-2016/89)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a carport at 3 Ayres Court, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and is subject to the Bushfire Prone Areas, Attenuation, Parking and Access, On-site Wastewater Management and Stormwater Management Codes 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended until 4 May 2016 with the applicant's consent.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the following issues:

- floor area of the outbuildings;
- setback;
- stormwater;
- potential damage to trees;
- inconsistent with other front setbacks in the street;
- site plan is incorrect and misleading; and
- loss of amenity.

RECOMMENDATION:

- A. That the Development Application for a carport at 3 Ayres Court, Cambridge (CI Ref D-2016/89) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ADVICE - This approval is for the carport only and does not include the “pergola” structure.
- 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-2016/89 - 3 AYRES COURT, CAMBRIDGE – CARPORT /contd...

ASSOCIATED REPORT**1. BACKGROUND**

No relevant background.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Low Density Residential under the Scheme.

2.2. The proposal is Discretionary because it 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 10 – Low Density Residential Zone;
- Section E6.0 – Parking and Access Code;
- Section E7.0 - Stormwater Management Code; and
- Section E9.0 – Attenuation Code.

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 a 2050m² lot on the northern side of Cambridge Road, Cambridge and is accessed via a right-of-way and internal driveway from Ayres Court. The site contains an existing dwelling, garage and pergola building.

3.2. The Proposal

The proposal is for a 7.8m x 6m “Surfmist” colorbond carport which is to be erected in front of the existing garage and setback 0.825m from the western boundary at its closest point. The carport will have a maximum height of 2.7m above natural ground level and be located over an existing concrete car parking area.

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 Low Density Residential Zone and the Parking and Access, Attenuation and Stormwater Management Codes with the exception of the following.

Low Density Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
12.4.2 A3	Setbacks and Building Envelope	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:	0.825m setback to the western boundary at the closest point and total wall length of existing and proposed buildings along this boundary exceeds 9m.

		<p>(a) be contained within a building envelope 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>	
--	--	--	--

The Performance Criteria P3 of Clause 12.4.2 is as follows.

“The siting and scale of a dwelling must:

- (a) *not cause unreasonable loss of amenity by:*
- (i) *reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
 - (ii) *overshadowing the private open space of a dwelling on an adjoining lot; or*

- (iii) *overshadowing of an adjoining vacant lot; or*
- (iv) *visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot”.*

The nearest dwelling is to the west of the proposed carport and is located approximately 5.8m away. There are no habitable room windows along this elevation which may be affected by overshadowing and the property has substantial areas of private open space located to the rear of the dwelling which will not be affected by this proposal.

The carport has a maximum height of 2.7m and is of similar scale and proportion to other buildings in the area and it is therefore considered it will not cause any visual impacts when viewed from adjoining lots.

“(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area”.

The separation between the carport and neighbouring dwelling is consistent with that of surrounding properties, in particular those on the southern side of Cambridge Road.

Low Density Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
12.4.9 A1	Outbuildings	<p>Outbuildings (including garages and carports not incorporated within the dwelling) must comply with all of the following:</p> <ul style="list-style-type: none"> (a) have a combined floor area no more than 80m²; (b) have a wall height no more than 3.5m and a building height not more than 4.5m; (c) have setback from frontage no less than that of the existing or proposed dwelling on the site. 	<p>Outbuildings (including the garage, pergola and proposed carport) have a combined floor area of approximately 134m².</p> <p>Carport is setback from the frontage less than that of the existing dwelling.</p>

The Performance Criteria P1 of Clause 12.4.9 is as follows.

“Outbuildings (including garages and carports not incorporated within the dwelling) must be designed and located to satisfy all of the following:

(a) be less visually prominent than the existing or proposed dwelling on the site”.

The carport has a maximum height of 2.7m and will sit in front of the existing garage, adjacent the eave line of the existing dwelling. The proposal is considered to be in keeping with the existing buildings and appropriate for a residential setting.

“(b) be consistent with the scale of outbuildings on the site or in close visual proximity”.

The carport is consistent in scale with the existing garage on-site and those in the immediate vicinity.

“(c) be consistent with any Desired Future Character Statements provided for the area or, if no such statements are provided, have regard to the landscape”.

The proposal is within an established residential area and will have no adverse impacts on the landscape.

“(d) must not exceed 8.5m in height”.

The carport has a maximum height of 2.7m above natural ground level.

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. Floor Area of the Outbuildings

The representor has expressed concern that the gross floor area of the outbuildings exceeds the amount allowable under the Scheme.

- **Comment**

It is considered the carport meets the relevant performance criteria in relation to this clause of the Scheme, as discussed in more detail above. The site is a large allotment and total site cover will be approximately 18%. The combined size of the outbuildings is consistent with other sites in the immediate area.

5.2. Setback

The representor is concerned about the proposed setback from the western boundary.

- **Comment**

It is considered the carport meets the relevant performance criteria in relation to this clause of the Scheme, as discussed in more detail above. The carport is approximately 5.8m from the neighbouring dwelling and there are no windows on the eastern elevation of this dwelling. It is therefore considered the carport will not impact on amenity of adjoining sites, even with the reduced setback.

5.3. Stormwater

The representor has expressed concern regarding stormwater run-off and the potential increase in water entering their property, with the possibility for increased mosquito populations. They are also concerned that the plumbing plan provided does not show where water will be directed when the water tank is full.

- **Comment**

Stormwater from the carport is to be directed into an existing water tank located between the garage and side boundary as shown on the application document titled “Location Plan”. Building and plumbing permits will be required and these will ensure that appropriate measures are undertaken to direct stormwater and any overflow from the water tank, without run-off entering the neighbouring properties, or pooling on the ground and becoming breeding areas for mosquitos.

5.4. Potential Damage to Trees

The representor has raised concern that the proposal could cause damage to trees currently located on the eastern boundary of the adjoining lot. Concern has also been raised that with the reduced setback these trees may cause damage to the development.

- **Comment**

Whether or not the trees would be affected is not addressed by the zones standards.

5.5. Inconsistent with other Front Setbacks in the Street

Concern has been raised that the carport is inconsistent with other front setbacks in the street and will therefore dominate the streetscape.

- **Comment**

The carport meets the acceptable solutions in regards to the front setback requirement under the Scheme.

5.6. Site Plan is Incorrect and Misleading

The representor has raised concerns that the site plan is incorrect and misleading ie the “pergola” building has been converted to an entertainment room.

- **Comment**

The site plan does show a “pergola” building, which upon further investigation has been found to have been converted to an entertainment room. This has been undertaken without the necessary approvals from Council, therefore action has commenced to bring this structure into compliance. A Building Notice has been issued to the property owner advising that the structure does not have the required permits. The owner has responded in writing that he intends to apply for the relevant permits to legalise the building.

5.7. Loss of Amenity

Concern has been raised that the proposal will cause loss of amenity through noise from music/parties, odour from chimney smoke and storage of garbage and light directed into the neighbouring bedroom window.

- **Comment**

The carport is an open structure and covers an existing parking area. The chimney referenced in the representation is within the structure shown as “existing pergola” and does not form part of this application. As discussed above, this structure is subject to current enforcement action and will be the subject of a separate application.

There are no lights shown on the proposal plans. Also, the bedroom window of the adjoining dwelling faces south; therefore it is considered there will be no impact from any lighting from within the carport.

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 2010-2015 or any other relevant Council Policy.

9. CONCLUSION

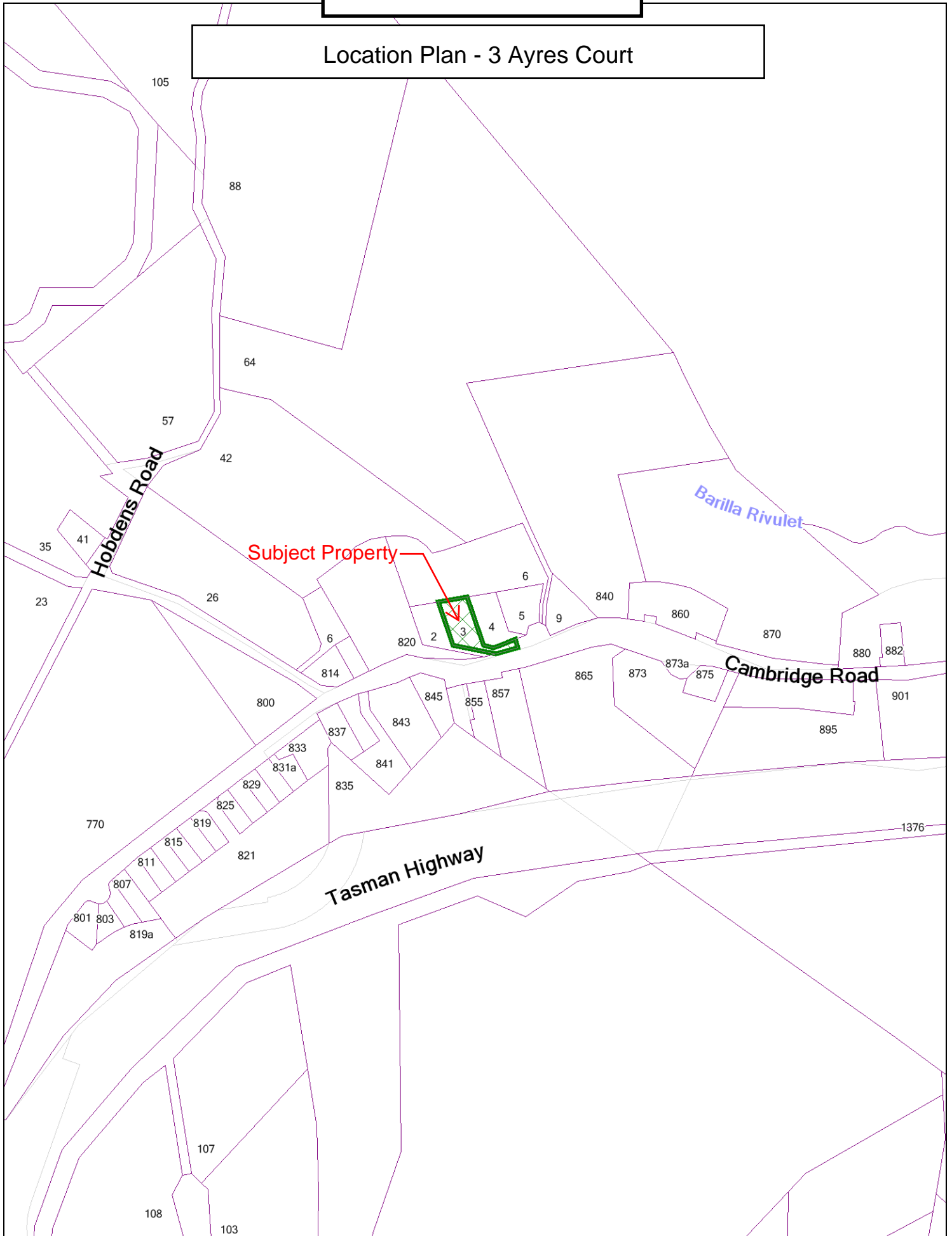
The proposal is for a carport at 3 Ayres Court, Cambridge. The application either meets the relevant acceptable solutions or applicable performance criteria and is therefore recommended for approval subject to conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (5)
3. Site Photo (1)

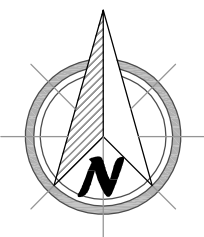
Ross Lovell
MANAGER CITY PLANNING

Attachment 1

Location Plan - 3 Ayres Court



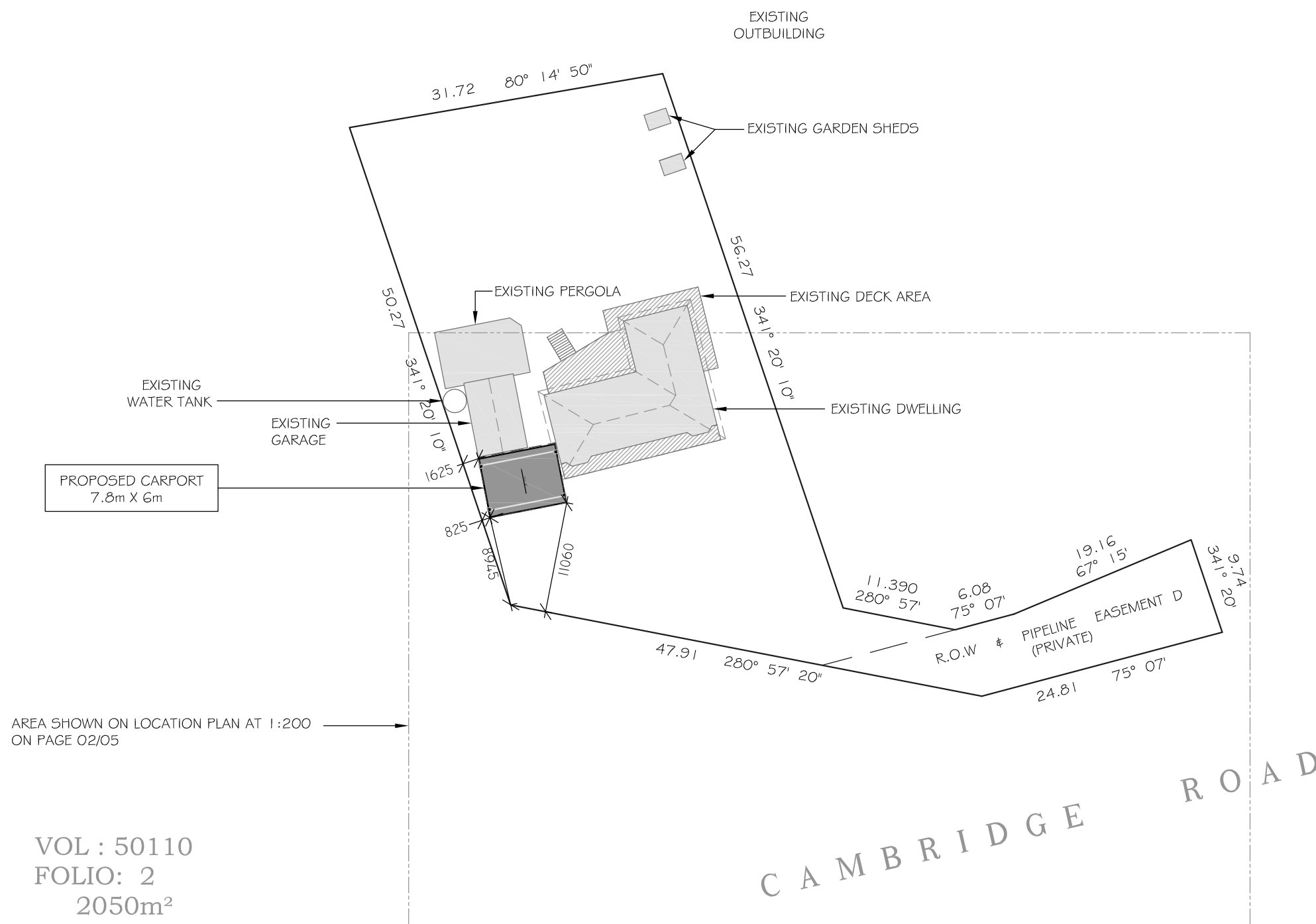
Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Wednesday, 20 April 2016 **Scale:** 1:5,283 @A4



Attachment 2

LOT AREA: 2050m²

EXISTING DWELLING AREA: 149.8m²
 EXISTING VERANDAH / DECK AREAS: 80.6m²
 EXISTING OUTBUILDINGS: 92.86m²

PROPOSED CARPORT AREA: 48m²

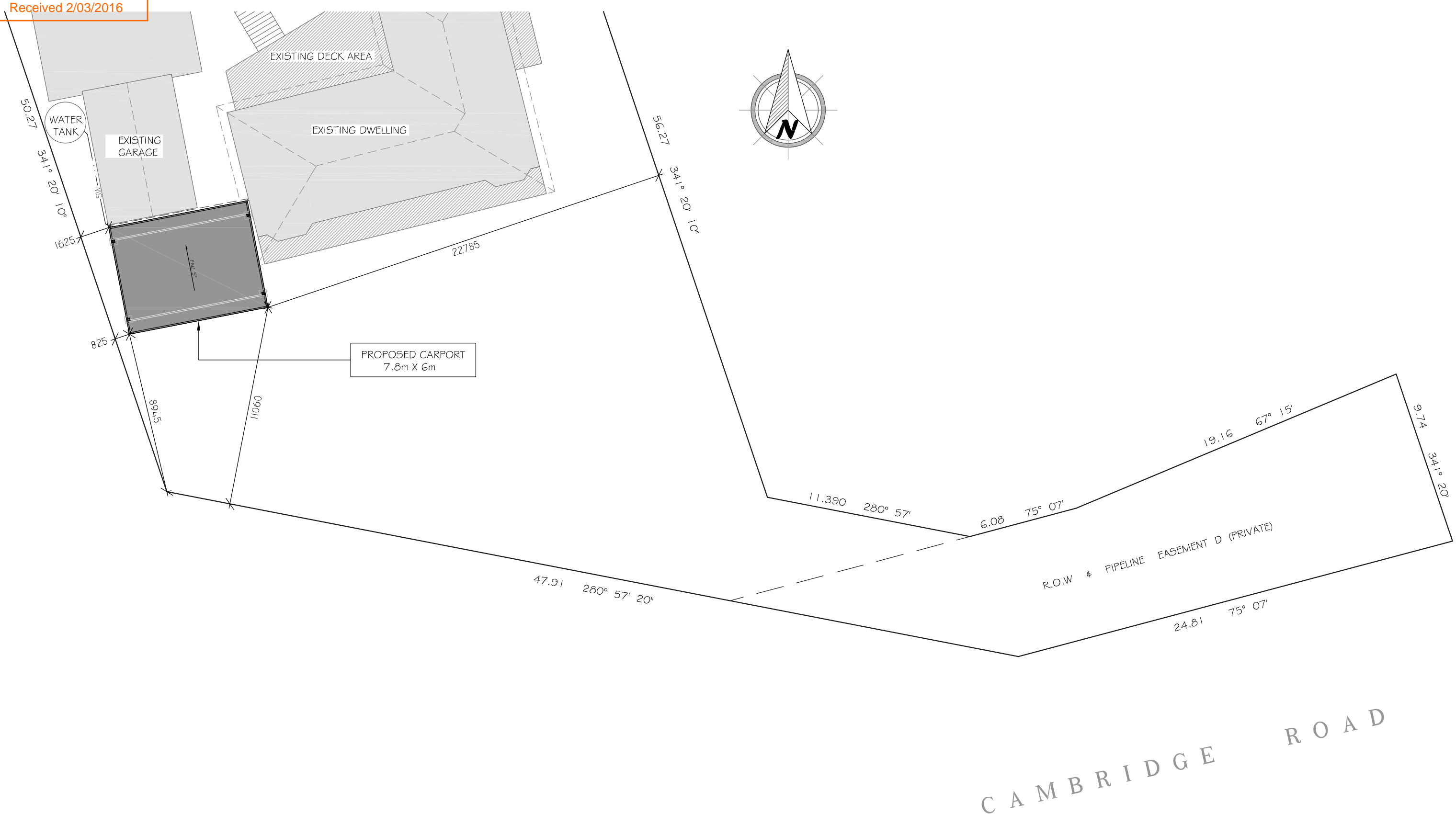
VOL : 50110
 FOLIO: 2
 2050m²

SITE PLAN PREPARED FROM CERTIFICATE OF TITLE INFORMATION AND MEASUREMENTS TAKEN ON SITE. CONFIRMATION OF BOUNDARY LOCATION BY REGISTERED SURVEYOR IS ALWAYS RECOMMENDED PRIOR TO CONSTRUCTION AND IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

SITE PLAN 1:500

PROPOSAL : NEW CARPORT
 OWNER : N. & J. O'BRIEN
 ADDRESS: 3 AYRES COURT, CAMBRIDGE, 7170
 SCALE: 1:500
 DATE: 1st MARCH 2016
 AMENDED:
 DRAWN BY: ADRIAN BROWN CC6003R
 PAGE: 01/05
 JOB NO : 52623





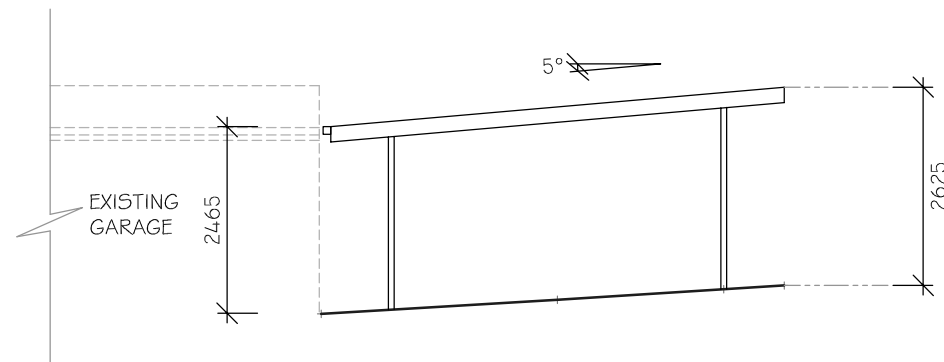
VOL : 50110
FOLIO: 2
2050m²

SITE PLAN PREPARED FROM CERTIFICATE OF TITLE
INFORMATION AND MEASUREMENTS TAKEN ON SITE.
CONFIRMATION OF BOUNDARY LOCATION BY
REGISTERED SURVEYOR IS ALWAYS RECOMMENDED
PRIOR TO CONSTRUCTION AND IS THE RESPONSIBILITY
OF THE PROPERTY OWNER.

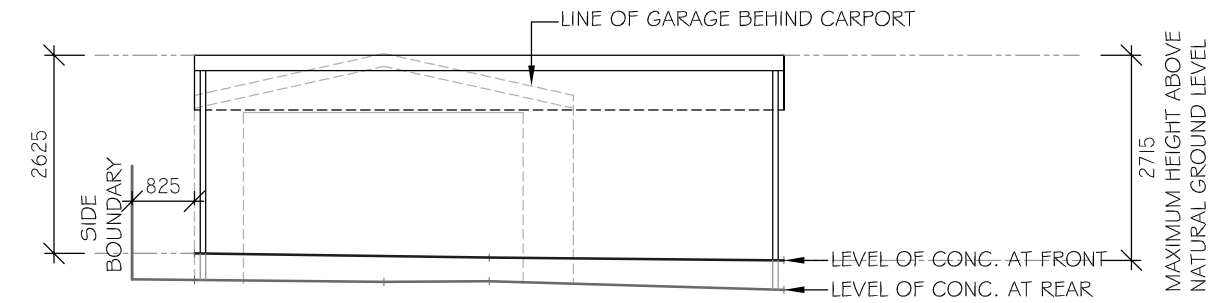
LOCATION PLAN 1:200

PROPOSAL : NEW CARPORT
OWNER : N. & J. O'BRIEN
ADDRESS: 3 AYRES COURT, CAMBRIDGE, 7170
SCALE: 1:200
DATE: 1st MARCH 2016
AMENDED:
DRAWN BY: ADRIAN BROWN CC6003R
PAGE: 02/05
JOB NO : 52623



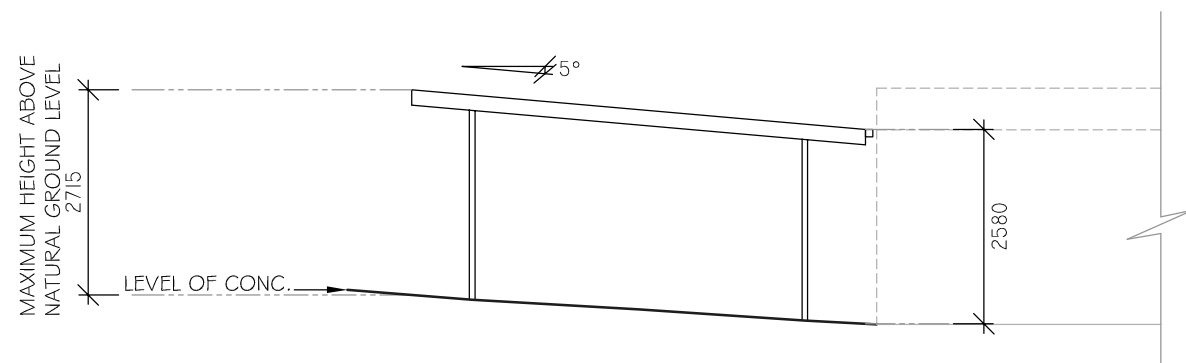


EAST ELEVATION

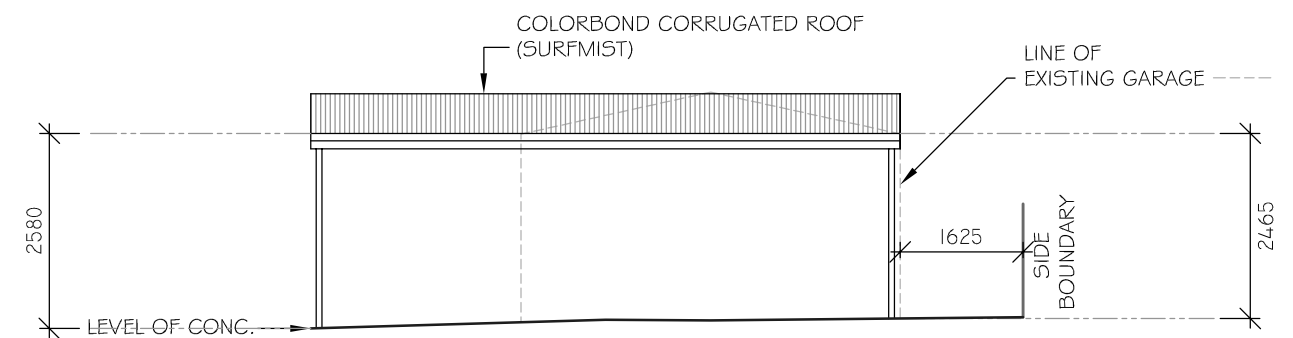


SOUTH ELEVATION

COLOURS (COLORBOND®):
 ROOF - SURFMIST
 GUTTER - SURFMIST
 BARGE FLASHING - SURFMIST



WEST ELEVATION

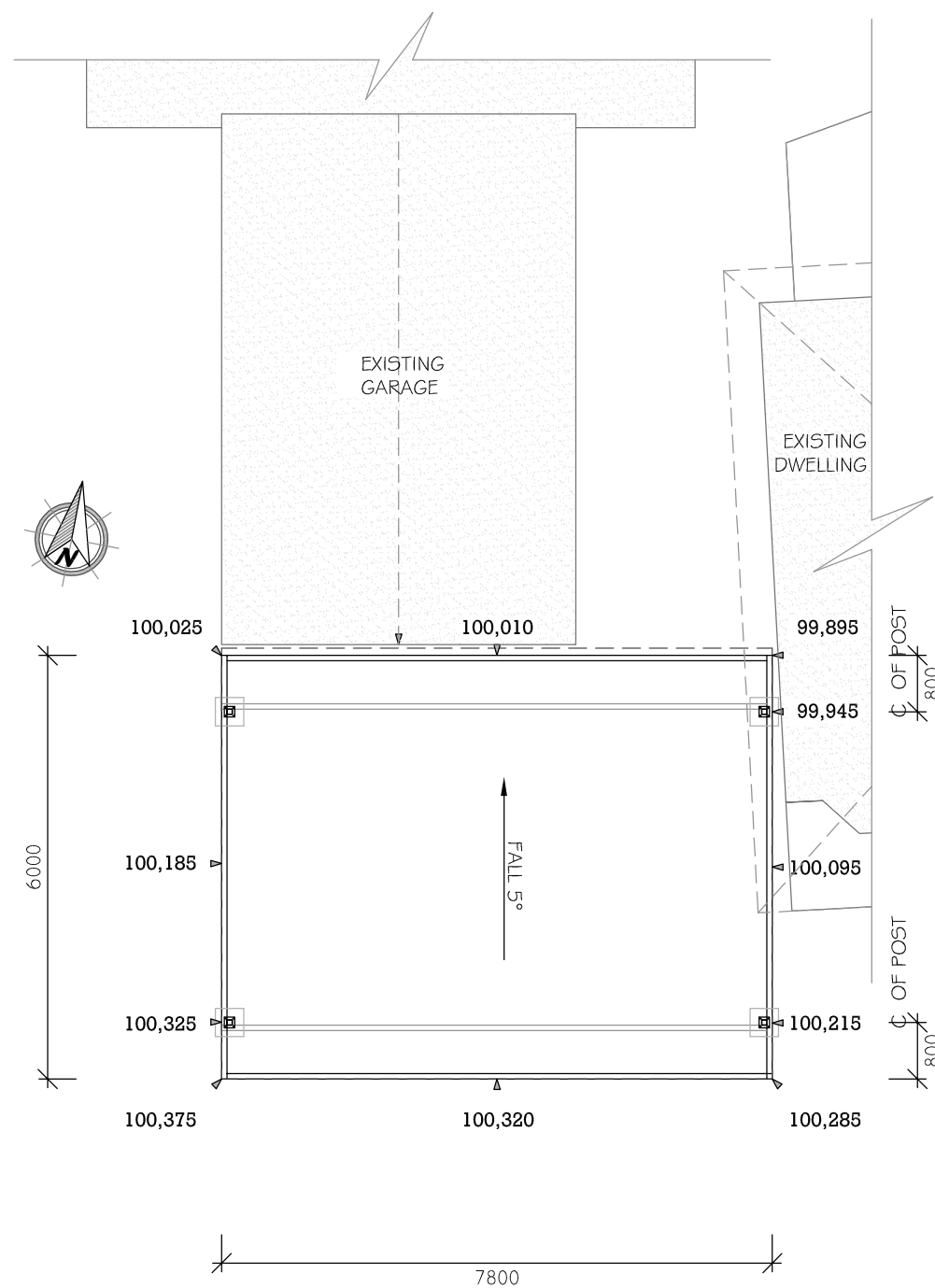
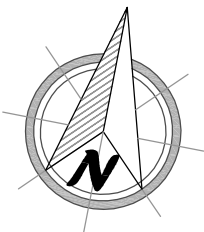


NORTH ELEVATION

ELEVATIONS 1:100

PROPOSAL : NEW CARPORT
 OWNER : N. & J. O'BRIEN
 ADDRESS: 3 AYRES COURT, CAMBRIDGE, 7170
 SCALE: 1:100
 DATE: 1st MARCH 2016
 AMENDED:
 DRAWN BY: ADRIAN BROWN CC6003R
 PAGE: 03/05
 JOB NO : 52623

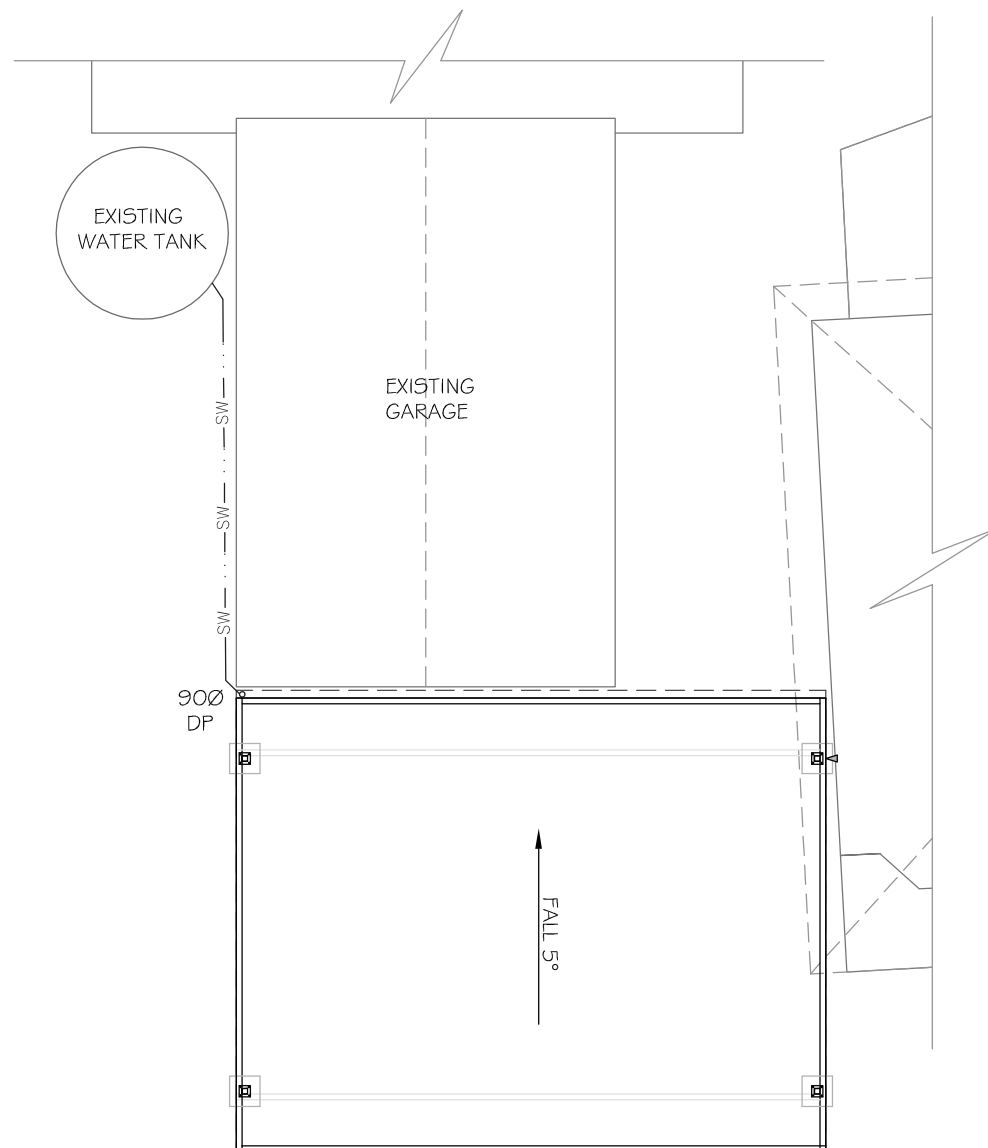




FLOOR PLAN 1:100

PROPOSAL : NEW CARPORT
 OWNER : N. & J. O'BRIEN
 ADDRESS: 3 AYRES COURT, CAMBRIDGE, 7170
 SCALE: 1:100
 DATE: 1st MARCH 2016
 AMENDED:
 DRAWN BY: ADRIAN BROWN CC6003R
 PAGE: 04/05
 JOB NO : 52623





CONSTRUCTION GENERALLY:
ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CURRENT BUILDING REGULATIONS, BUILDING CODE OF AUSTRALIA (B.C.A.), RELEVANT AUSTRALIAN STANDARDS AND LOCAL AUTHORITY REQUIREMENTS.

SITE PREPARATION AND EXCAVATION TO COUNCIL AND B.C.A REQUIREMENTS.

CONCRETE FOOTINGS TO AS 2870.1 AND ENGINEER SPECIFICATIONS.
UNLESS OTHERWISE SPECIFIED, FOOTINGS 20MPA / SLAB 25MPA.

GARAGE STRUCTURAL: DETAILS AND CERTIFICATION AS PER 'FAIR DINKUM SHEDS' DOCUMENTATION.

BUILDER TO VERIFY ALL DIMENSIONS AND DETAILS ON THIS SET OF PLANS PRIOR TO COMMENCEMENT OF WORK ON SITE.

USE WRITTEN DIMENSIONS IN PREFERENCE TO MEASURING OFF THE PLAN.

COUNCIL / CONTRACTOR TO CONTACT P&J SHEDS IF NECESSARY INFORMATION IS NOT PROVIDED ON THIS SET OF PLANS.

PLUMBING GENERALLY:
ALL PLUMBING TO BE IN ACCORDANCE WITH AS 3500.
TAS PLUMBING CODE AND LOCAL AUTHORITY REQUIREMENTS.

90dia PVC STORM WATER TO EXISTING STORM WATER CONNECTION.
PLUMBER TO VERIFY CONNECTION LOCATION WITH OWNER.

PLUMBING PLAN 1:100

PROPOSAL : NEW CARPORT
OWNER : N. & J. O'BRIEN
ADDRESS: 3 AYRES COURT, CAMBRIDGE, 7170
SCALE: 1:100
DATE: 1st MARCH 2016
AMENDED:
DRAWN BY: ADRIAN BROWN CC6003R
PAGE: 05/05
JOB NO : 52623



Attachment 3

3 Ayres Court, CAMBRIDGE



Site viewed from Ayres Court.

11.3.3 DEVELOPMENT APPLICATION D-2016/76 - 48 MARIAH CRESCENT, OAKDOWNS - 2 ADDITIONAL MULTIPLE DWELLINGS
(File No D-2016/76)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 additional Multiple Dwellings at 48 Mariah Crescent, Oakdowns.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Bushfire Prone Areas and Parking and Access Codes 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 4 May 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the following issues:

- loss of sunlight/overshadowing; and
- property value.

RECOMMENDATION:

A. That the Development Application for 2 additional Multiple Dwellings at 48 Mariah Crescent, Oakdowns (CI Ref D-2016/76) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A5 – SEALED CAR PARKING.
3. ENG S1 – INFRASTRUCTURE REPAIR.
4. ENG M1 – DESIGNS DA. Delete first and last dot point.
5. ENG M3 – GARBAGE FACILITIES.
6. The development must meet all required Conditions of Approval specified by TasWater notice dated 29/02/2016 (TWDA 2016/00229-CCC).

- 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.

ASSOCIATED REPORT

1. BACKGROUND

Six Multiple Dwellings were approved on the site under D-2014/222 on 1 October 2014. These dwellings have since been constructed and nearing completion.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned General Residential and subject to the Bushfire Prone Areas and Parking and Access codes under the Scheme.

2.2. The proposal is Discretionary because it does not meet all of the Acceptable Solutions under the Scheme.

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Part D – General Residential Zone; and
- Part E – Parking and Access Code.

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 property is a 2622m² parcel with 23m frontage to Mariah Crescent. The lot slopes gradually down to the south-east, is clear of significant vegetation and is located at the fringe of the residential area at Oakdowns. There are 6 substantially completed dwellings already on the site.

3.2. The Proposal

The proposal is for the construction of 2 additional dwellings, resulting in a total of 8 dwellings on the site.

The new dwellings are to be located toward the front of the property, 1 to the south-east and 1 to the south of the existing dwellings on the site.

The new dwellings are both of the same design. They are 2-storey, with a single car garage, 2 bedrooms and a bathroom, laundry and study on the lower level and a master bedroom with ensuite and open living/dining/kitchen area on the upper level.

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 and the Bushfire Prone Areas and Parking and Access Codes with the exception of the following.

General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.3 A2	Site coverage and private open space for all dwellings	<p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24m²; or</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4m; or</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30° west of north and 30° east of north, excluding any dwelling located behind another on the same site.</p>	<p>The private open space for Unit 8 does not meet sub-clauses (d) and (e).</p> <p>This is because a portion of the outdoor space will achieve solar access, but is in the front setback and the front boundary runs south-east to north-west.</p> <p>The remainder is behind the dwelling (against the side property boundary).</p>

The proposed variation can be supported pursuant to the following Performance Criteria.

“A dwelling must have private open space that:

- (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and that is:*
- (i) conveniently located in relation to a living area of the dwelling; and*
- (ii) orientated to take advantage of sunlight”.*

The outdoor space for Unit 8 is accessed directly through the study on the ground level. It is oriented to achieve early morning and early to mid-afternoon solar access at the Winter Solstice.

General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.4 A1	Sunlight and overshadowing for all dwellings	A dwelling must have at least 1 habitable room (other than a bedroom) in which there is a window that faces between 30° west of north and 30° east of north (see Diagram 10.4.4A).	Unit 8 is proposed to have the habitable rooms oriented 36° east of north.

The proposed variation can be supported pursuant to the following Performance Criteria.

“A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom)”.

Dwelling 8 is oriented to achieve solar access to the living room, having windows facing generally east, north and west.

5. REPRESENTATION ISSUES

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

5.1. Loss of Sunlight/Overshadowing

The representor feels that the new dwellings being 2-storey will encroach on their dwelling, blocking sunlight to, and overshadowing it. They are concerned that the shadowing will have a negative impact on their front yard.

- **Comment**

The new dwellings comply with the building envelope for the site. Accordingly, there is no capacity to consider issues such as overshadowing under the Scheme. In any event, sun shadow diagrams were provided as part of the application which shows that the adjacent dwelling to the south achieves sufficient solar access to meet the Tascord recommendations of a minimum of 3 hours at the Winter Solstice.

5.2. Property Value

The representor feels that the increased density associated with the new dwellings will reduce the value of their property.

- **Comment**

Property values are not considered under the Planning Scheme and as such are not relevant to the assessment of this proposal.

6. EXTERNAL REFERRALS

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

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 2010-2015 or any other relevant Council Policy. Developer contributions are not required to comply with any Council policies.

9. CONCLUSION

The proposal is for the construction of 2 additional units at 48 Mariah Crescent, Oakdowns, resulting in 8 dwellings on the site. The proposal meets the Acceptable Solutions and Performance Criteria of the Scheme and as such is recommended for conditional approval.

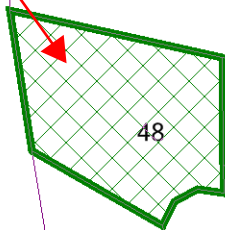
Attachments: 1. Location Plan (1)
2. Proposal Plan (11)
3. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

Location Plan - 48 Mariah Crescent

Subject Site



Printed: Monday, 18 April 2016 Scale: 1:2,199 @A4

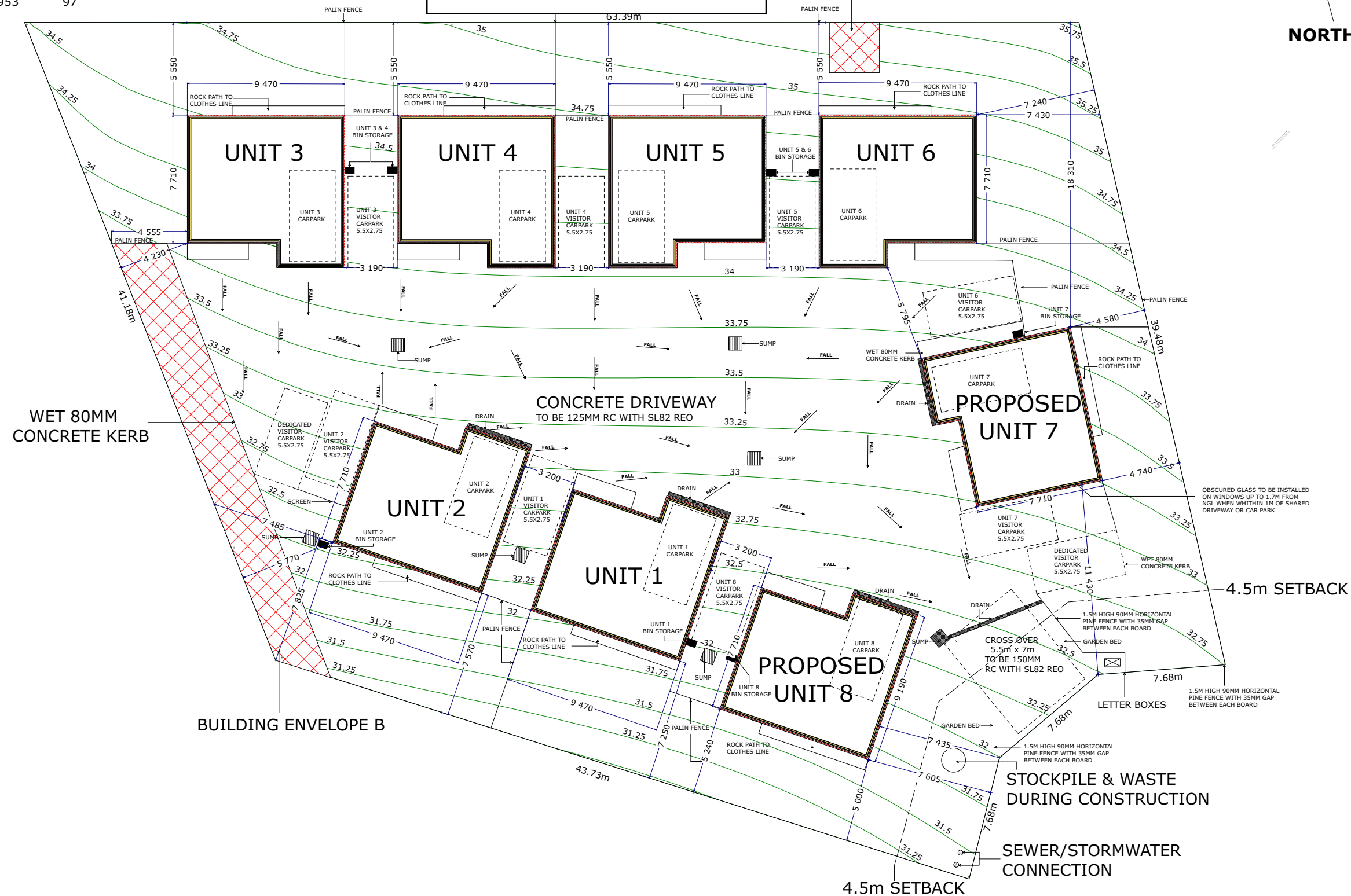
TITLE REFERENCE.
VOLUME FOLIO
163953 97

Attachment 2

BUILDING ENVELOPE B

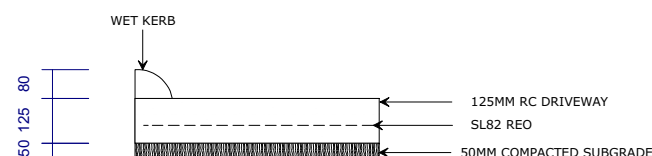
NORTH

BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

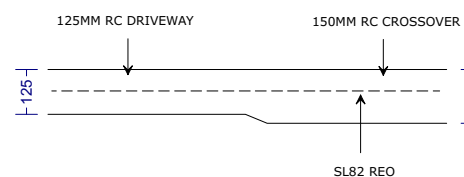


AREA
LAND AREA: 2622sqm
SITE COVERAGE 784.1sqm= 29.9%

FLOOR AREAS
FLOOR AREA LOWER: 69.3 sqm
FLOOR AREA UPPER: 48.0 sqm
GARAGE: 25.6 sqm
TOTAL: 142.9 sqm



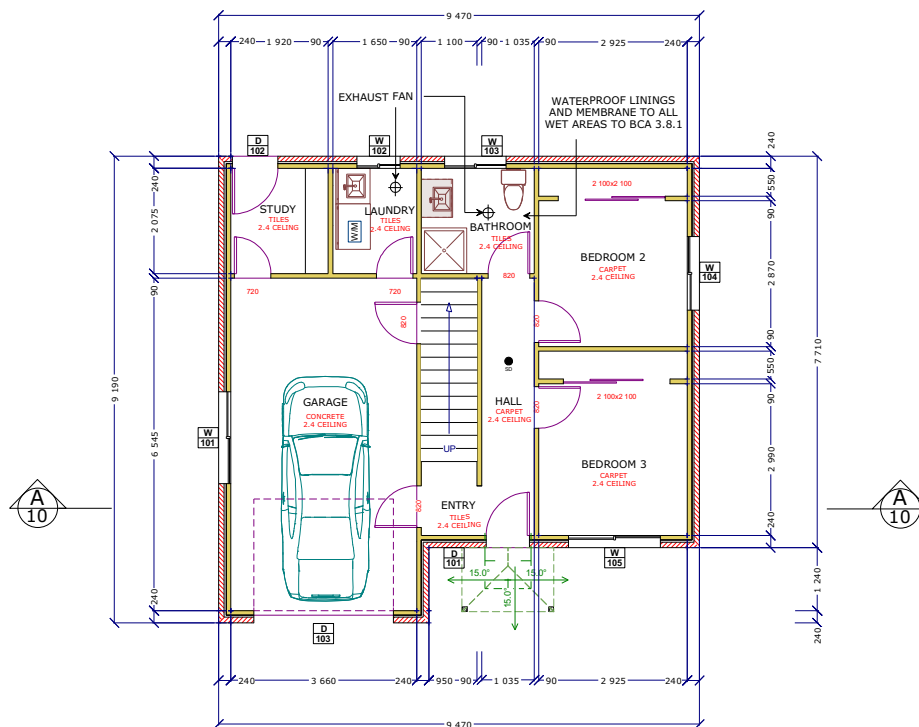
DRIVEWAY SECTION
1:20



CROSS OVER SECTION
1:20

DESCRIPTION
CONSTRUCT TWO ADDITIONAL DWELLINGS
UNITS 7 & 8 AT 48 MARIAH CRES, OAKDOWNS
7019
REFER TO GENERAL NOTES AND SITE
ANALYSIS PLAN FOR FURTHER DETAIL

No.	REVISION
PROJECT PROPOSED DWELLINGS FOR D&D CHANDLER 48 MARIAH CRES OAKDOWNS 7019	
SCALE 1:250	
DRAWN DC	CHECKED SB
DATE: MAY 2015	
SITE PLAN	
DRG No 2015-05-WD503	REV
	A3



 NORTH

WALLS:
LOWER FLOOR EXTERNAL:
RED FACEBRICK

UPPER FLOOR EXTERNAL:
RED FACEBRICK

10mm PLASTERBOARD LINING ON
90X35mm MGP10 STUDWORK
@450mm CTS,1 ROW NOGGIN
90X45,MGP10 TOP AND BOTTOM
PLATES.LINTELS AND PLATES
WHERE SHOWN ON DETAIL PLANS.

10mm WATER RESISTANT LININGS
AND SUBSTRATES TO WET AREAS
IN ACCORDANCE WITH B.C.A 3.8.1

COLORBOND FLASHINGS AS
REQUIRED
COLOUR TO BE WOODLAND GREY

WINDOWS:
DOWELL WINDOWS
OR SIMILAR,SELECTED
POWDER COATING TO
WINDOWS AND DOORS
COLORBOND FLASHINGS
AROUND WINDOWS AND
DOORS

GLAZING:
SINGLE GLAZED
FOR LOWER AND UPPER FLOOR
REFER TO WINDOW SCHEDULE

COLORBOND CORRUGATED IRON
COLOUR TO BE WOODLAND GREY

CORNICE AND REVEALS:
SQAURE SET PLASTERBOARD

10mm PLASTERBOARD FITTED TO
FURRING CHANNELS @450mm
CTS AND/OR UNDERSIDE OF
450mm FLOOR JOISTS.

FLOOR:
SELECTED 10mm TILES AND
CARPET WHERE SHOWN.

ARCHITRAVE & SKIRTING
67X18mm BEVELLED PAINTED
ARCHITRAVES AND 110X18mm
SOAURE PAINTED SKIRTS.

INSULATION:
R4.1 PINK BATTS TO CEILINGS
AND R2.5 BATTS TO EXTERNAL
WALLS.

KEY

- SMOKE DETECTOR HARD WIRED

LAND AREA: 2622sqm
SITE COVERAGE 784.1sqm= 29.9%

FLOOR AREAS
FLOOR AREA LOWER: 69.3 sqm
FLOOR AREA UPPER: 48.0 sqm
GARAGE: 25.6 sqm
TOTAL: 142.9 sqm

BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

No.	REVISION

PROJECT

**PROPOSED DWELLINGS
FOR D & D CHANDLER
48 MARAIH CRESENT
OAKDOWNS
7019**

SCALE

1:100

DRAWN
DC

	CHECKED SB
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DATE:

MAY 2015

LOWER FLOOR PLAN
UNIT 7

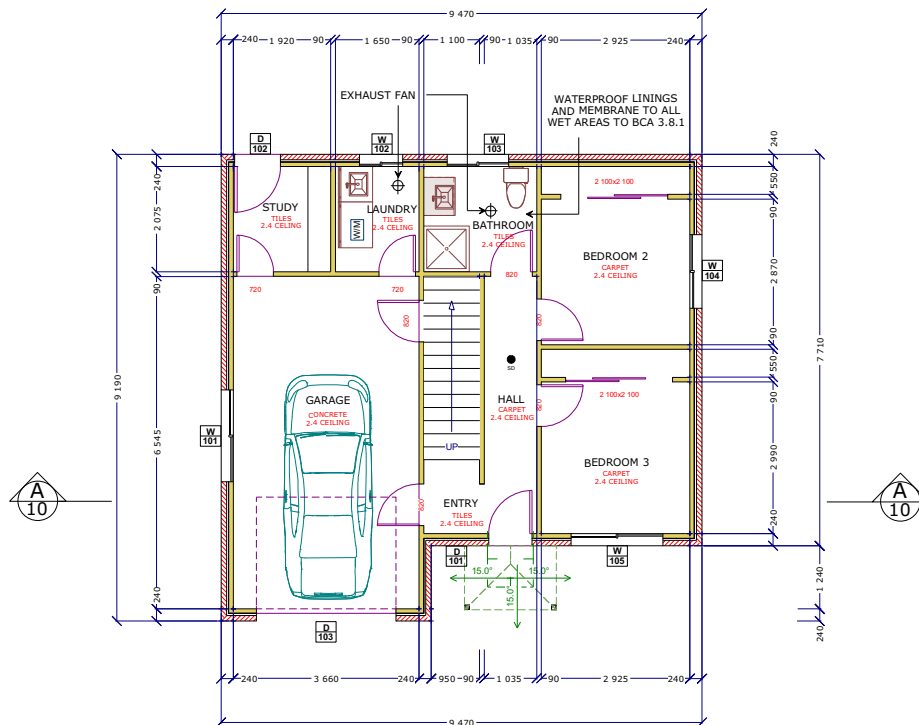
DRG No

2015-05-WD504

	REV
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	A3
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TITLE REFERENCE.
VOLUME FOLIO
163953 97



NORTH

CONSTRUCTION NOTES

WALLS:
LOWER FLOOR EXTERNAL:
RED FACEBRICK

UPPER FLOOR EXTERNAL:
RED FACEBRICK

INTERNAL WALLS:
10mm PLASTERBOARD LINING ON
90X35mm MGP10 STUDWORK
@450mm CTS, 1 ROW NOGGIN
90X45, MGP10 TOP AND BOTTOM
PLATES, LINTELS AND PLATES
WHERE SHOWN ON DETAIL PLANS.

WET AREAS:
10mm WATER RESISTANT LININGS
AND SUBSTRATES TO WET AREAS
IN ACCORDANCE WITH B.C.A 3.8.1

FLASHINGS:
COLORBOND FLASHINGS AS
REQUIRED
COLOUR TO BE WOODLAND GREY

WINDOWS:
DOWELL WINDOWS
OR SIMILAR, SELECTED
POWDER COATING TO
WINDOWS AND DOORS
COLORBOND FLASHINGS
AROUND WINDOWS AND
DOORS

GLAZING:
SINGLE GLAZED
FOR LOWER AND UPPER FLOOR
REFER TO WINDOW SCHEDULE

ROOF:
COLORBOND CORRUGATED IRON
COLOUR TO BE WOODLAND GREY

CORNICE AND REVEALS:
SQAURE SET PLASTERBOARD

CEILINGS:
10mm PLASTERBOARD FITTED TO
FURRING CHANNELS @450mm
CTS AND/OR UNDERSIDE OF
450mm FLOOR JOISTS.

FLOOR:
SELECTED 10mm TILES AND
CARPET WHERE SHOWN.

ARCHITRAVE & SKIRTING
67X18mm BEVELLED PAINTED
ARCHITRAVES AND 110X18mm
SQAURE PAINTED SKIRTS.

INSULATION:
R4.1 PINK BATTS TO CEILINGS
AND R2.5 BATTS TO EXTERNAL
WALLS.

NOTES

KEY

- SMOKE DETECTOR HARD WIRED

BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

No.	REVISION

PROJECT

PROPOSED DWELLINGS
FOR D & D CHANDLER
48 MARIAH CRESENT
OAKDOWNS
7019

SCALE

1:100

DRAWN
DC

CHECKED
SB

DATE:

MAY 2015

LOWER FLOOR PLAN UNIT 8

DRG No

2015-05-WD505

REV

A3

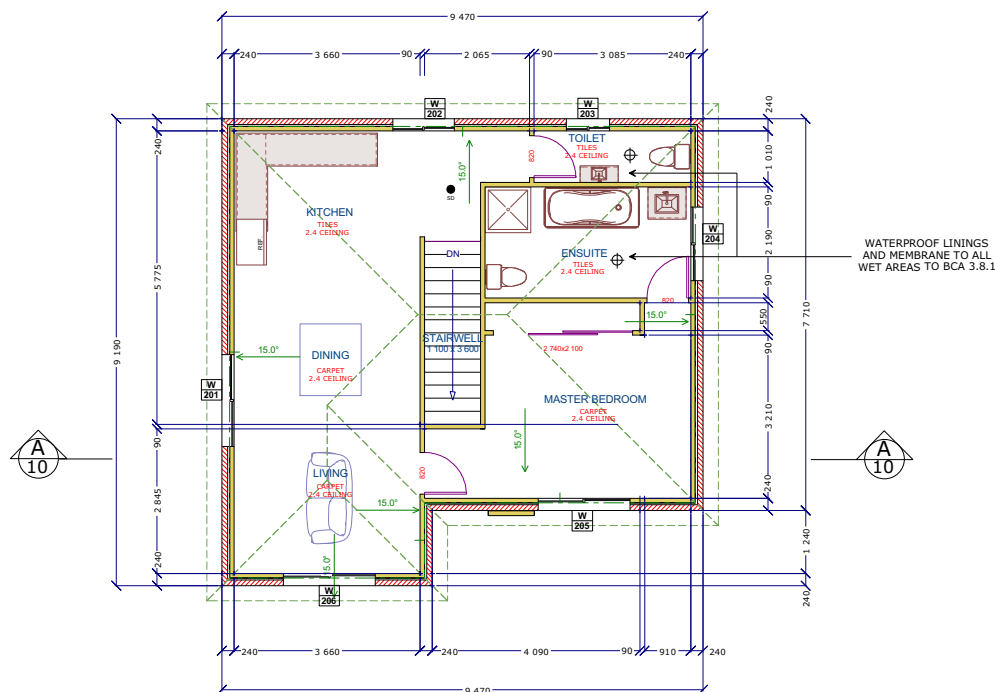
AREA

LAND AREA: 2622sqm
SITE COVERAGE 784.1sqm = 29.9%

FLOOR AREAS

FLOOR AREA LOWER: 69.3 sqm
FLOOR AREA UPPER: 48.0 sqm
GARAGE: 25.6 sqm
TOTAL: 142.9 sqm

TITLE REFERENCE.
VOLUME FOLIO
163953 97



←
NORTH

CONSTRUCTION NOTES

WALLS:
LOWER FLOOR EXTERNAL:
RED FACEBRICK

UPPER FLOOR EXTERNAL:
RED FACEBRICK

INTERNAL WALLS:

10mm PLASTERBOARD LINING ON
90X35mm MGP10 STUDWORK
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90X45, MGP10 TOP AND BOTTOM
PLATES, LINTELS AND PLATES
WHERE SHOWN ON DETAIL PLANS.

WET AREAS:

10mm WATER RESISTANT LININGS
AND SUBSTRATES TO WET AREAS
IN ACCORDANCE WITH B.C.A 3.8.1

FLASHINGS:

COLORBOND FLASHINGS AS
REQUIRED
COLOUR TO BE WOODLAND GREY

WINDOWS:

DOWELL WINDOWS
OR SIMILAR, SELECTED
POWDER COATING TO
WINDOWS AND DOORS
COLORBOND FLASHINGS
AROUND WINDOWS AND
DOORS

GLAZING:

SINGLE GLAZED
FOR LOWER AND UPPER FLOOR
REFER TO WINDOW SCHEDULE

ROOF:

COLORBOND CORRUGATED IRON
COLOUR TO BE WOODLAND GREY

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FURRING CHANNELS @450mm
CTS AND/OR UNDERSIDE OF
450mm FLOOR JOISTS.

FLOOR:

SELECTED 10mm TILES AND
CARPET WHERE SHOWN.

ARCHITRAVE & SKIRTING

67X18mm BEVELLED PAINTED
ARCHITRAVES AND 110X18mm
SQAURE PAINTED SKIRTS.

INSULATION:

R4.1 PINK BATTS TO CEILINGS
AND R2.5 BATTS TO EXTERNAL
WALLS.

NOTES

KEY

- SMOKE DETECTOR HARD WIRED

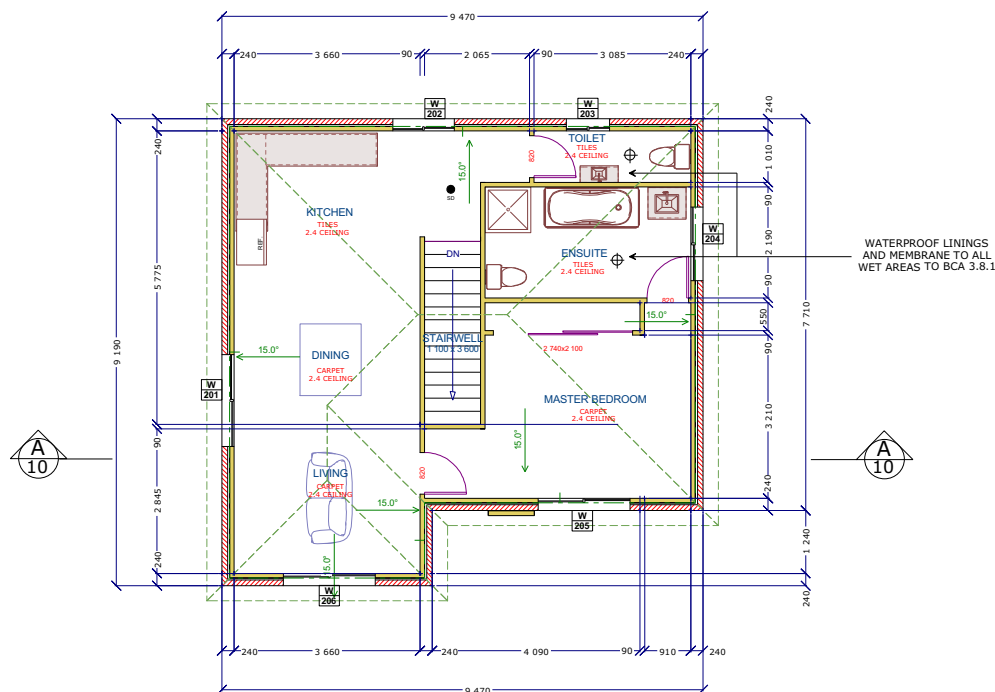
BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

No.	REVISION
PROJECT PROPOSED DWELLINGS FOR D&D CHANDLER 48 MARIAH CRESENT OAKDOWNS 7019	
SCALE 1:100	
DRAWN DC	CHECKED SB
DATE: MAY 2015	
UPPER FLOOR PLAN UNIT 7	
DRG No 2015-05-WD506	REV
	A3

AREA
LAND AREA: 2622sqm
SITE COVERAGE 784.1sqm= 29.9%

FLOOR AREAS
FLOOR AREA LOWER: 69.3 sqm
FLOOR AREA UPPER: 48.0 sqm
GARAGE: 25.6 sqm
TOTAL: 142.9 sqm

TITLE REFERENCE.
VOLUME FOLIO
163953 97



NORTH

CONSTRUCTION NOTES

WALLS:
LOWER FLOOR EXTERNAL:
RED FACEBRICK

UPPER FLOOR EXTERNAL:
RED FACEBRICK

INTERNAL WALLS:
10mm PLASTERBOARD LINING ON
90X35mm MGP10 STUDWORK
@450mm CTS, 1 ROW NOGGIN
90X45, MGP10 TOP AND BOTTOM
PLATES, LINTELS AND PLATES
WHERE SHOWN ON DETAIL PLANS.

WET AREAS:
10mm WATER RESISTANT LININGS
AND SUBSTRATES TO WET AREAS
IN ACCORDANCE WITH B.C.A 3.8.1

FLASHINGS:
COLORBOND FLASHINGS AS
REQUIRED
COLOUR TO BE WOODLAND GREY

WINDOWS:
DOWELL WINDOWS
OR SIMILAR, SELECTED
POWDER COATING TO
WINDOWS AND DOORS
COLORBOND FLASHINGS
AROUND WINDOWS AND
DOORS

GLAZING:
SINGLE GLAZED
FOR LOWER AND UPPER FLOOR
REFER TO WINDOW SCHEDULE

ROOF:
COLORBOND CORRUGATED IRON
COLOUR TO BE WOODLAND GREY

CORNICE AND REVEALS:
SQAURE SET PLASTERBOARD

CEILINGS:
10mm PLASTERBOARD FITTED TO
FURRING CHANNELS @450mm
CTS AND/OR UNDERSIDE OF
450mm FLOOR JOISTS.

FLOOR:
SELECTED 10mm TILES AND
CARPET WHERE SHOWN.

ARCHITRAVE & SKIRTING
67X18mm BEVELLED PAINTED
ARCHITRAVES AND 110X18mm
SQAURE PAINTED SKIRTS.

INSULATION:
R4.1 PINK BATTS TO CEILINGS
AND R2.5 BATTS TO EXTERNAL
WALLS.

NOTES

KEY

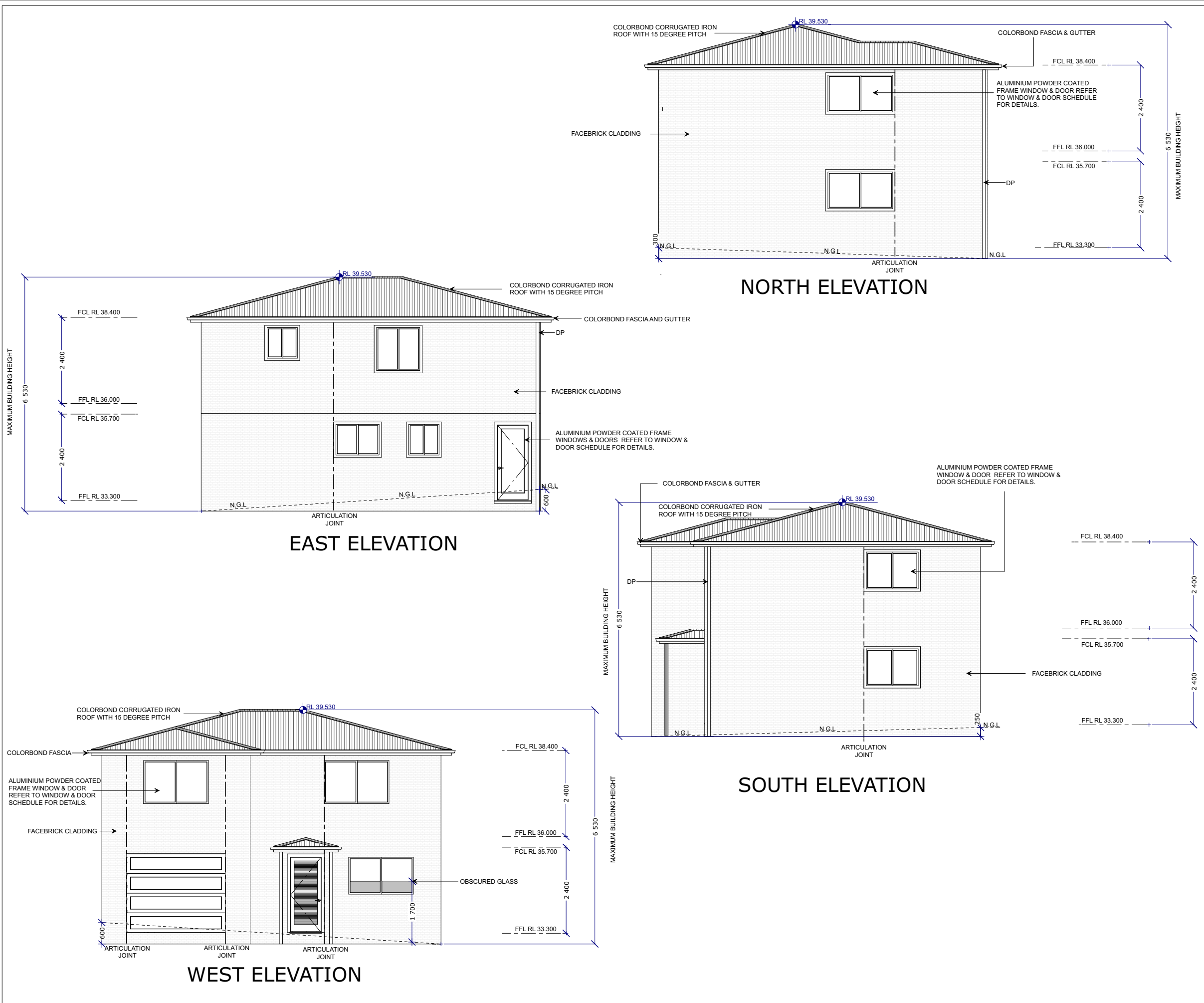
- SMOKE DETECTOR HARD WIRED

BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

No.	REVISION
PROJECT PROPOSED DWELLINGS FOR D&D CHANDLER 48 MARIAH CRESENT OAKDOWNS 7019	
SCALE 1:100	
DRAWN DC	CHECKED SB
DATE: MAY 2015	
UPPER FLOOR PLAN UNIT 8	
DRG No 2015-05-WD507	REV
	A3

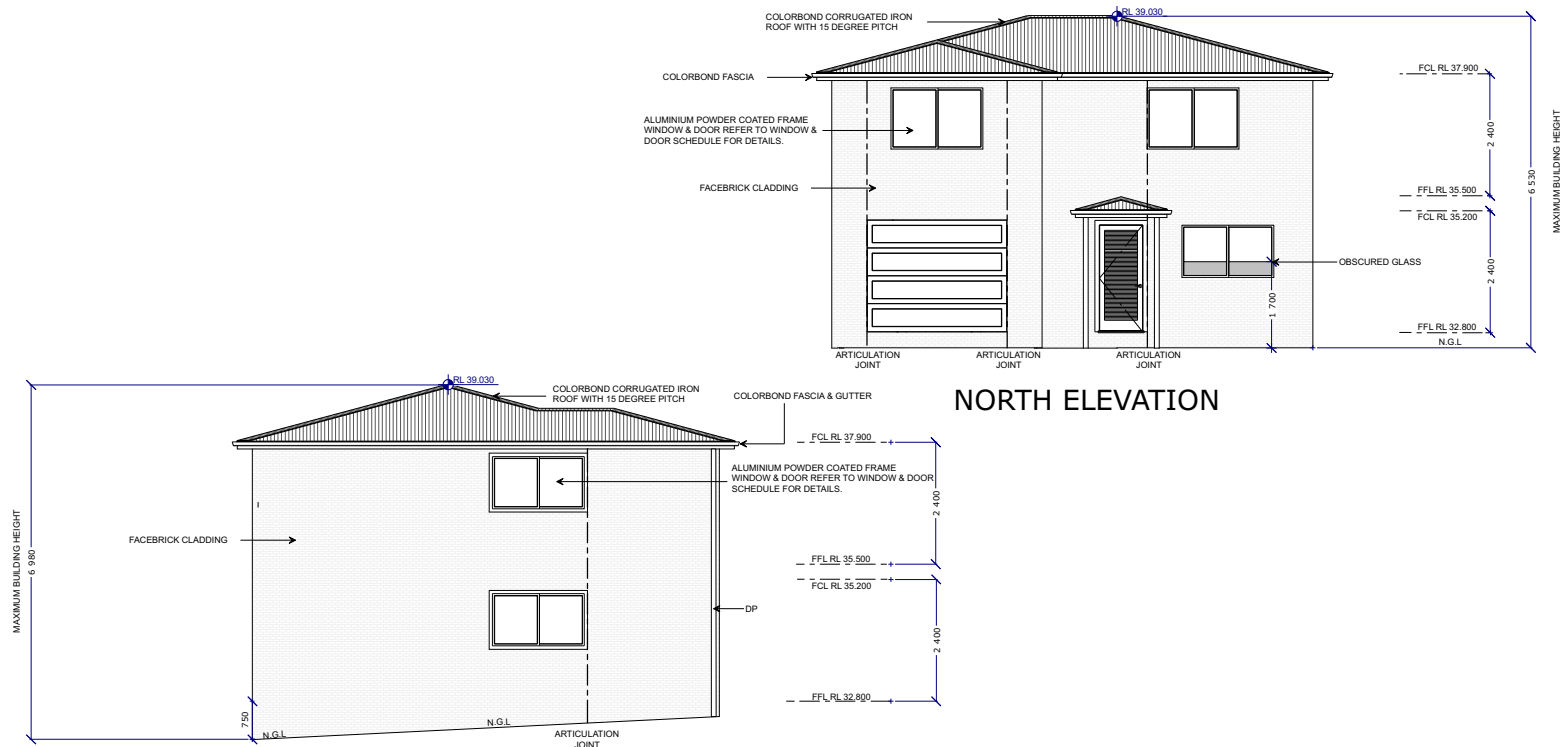
AREA
LAND AREA: 2622sqm
SITE COVERAGE 784.1sqm= 29.9%

FLOOR AREAS
FLOOR AREA LOWER: 69.3 sqm
FLOOR AREA UPPER: 48.0 sqm
GARAGE: 25.6 sqm
TOTAL: 142.9 sqm



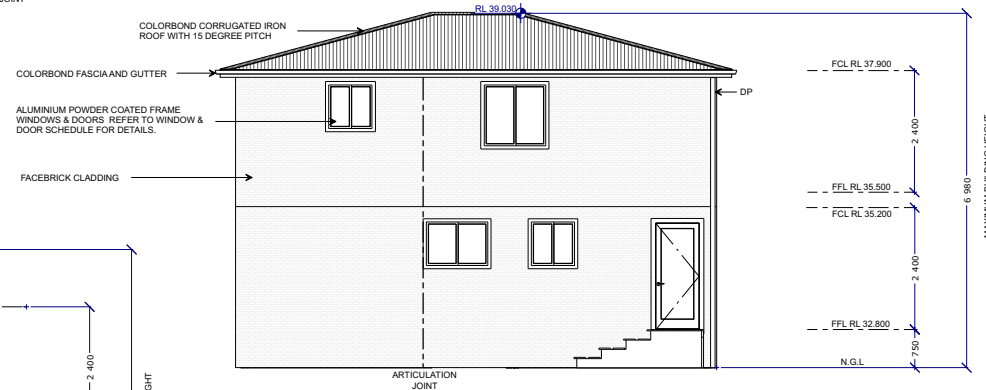
BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

No.	REVISION
PROJECT PROPOSED DWELLINGS FOR D&D CHANDLER 48 MARIAH CRESENT OAKDOWNS 7019	
SCALE 1:100	
DRAWN DC	CHECKED SB
DATE: MAY 2015	
UNIT 7 ELEVATIONS	
DRG No 2015-05-WD508	REV
	A3

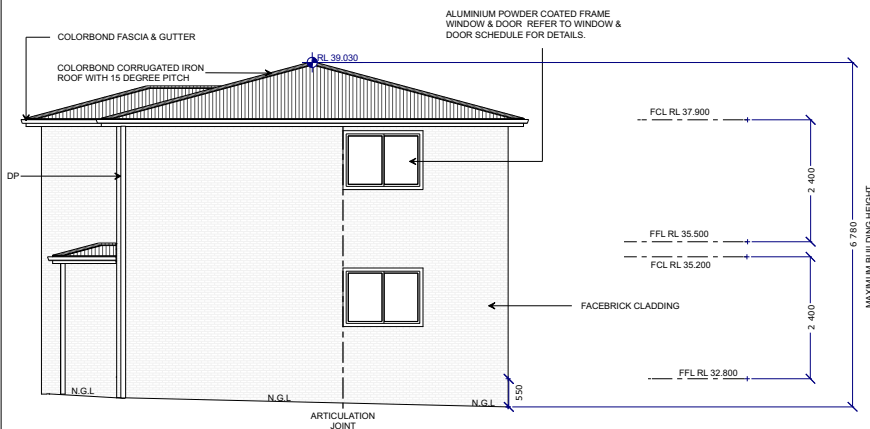


NORTH ELEVATION

EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

No.	REVISION

PROJECT

PROPOSED DWELLINGS
FOR D&D CHANDLER
48 MARIAH CRESENT
OAKDOWNS
7019

SCALE

1:100

DRAWN
DCCHECKED
SB

DATE:

MAY 2015

UNIT 8 ELEVATIONS

DRG No
2015-05-WD509

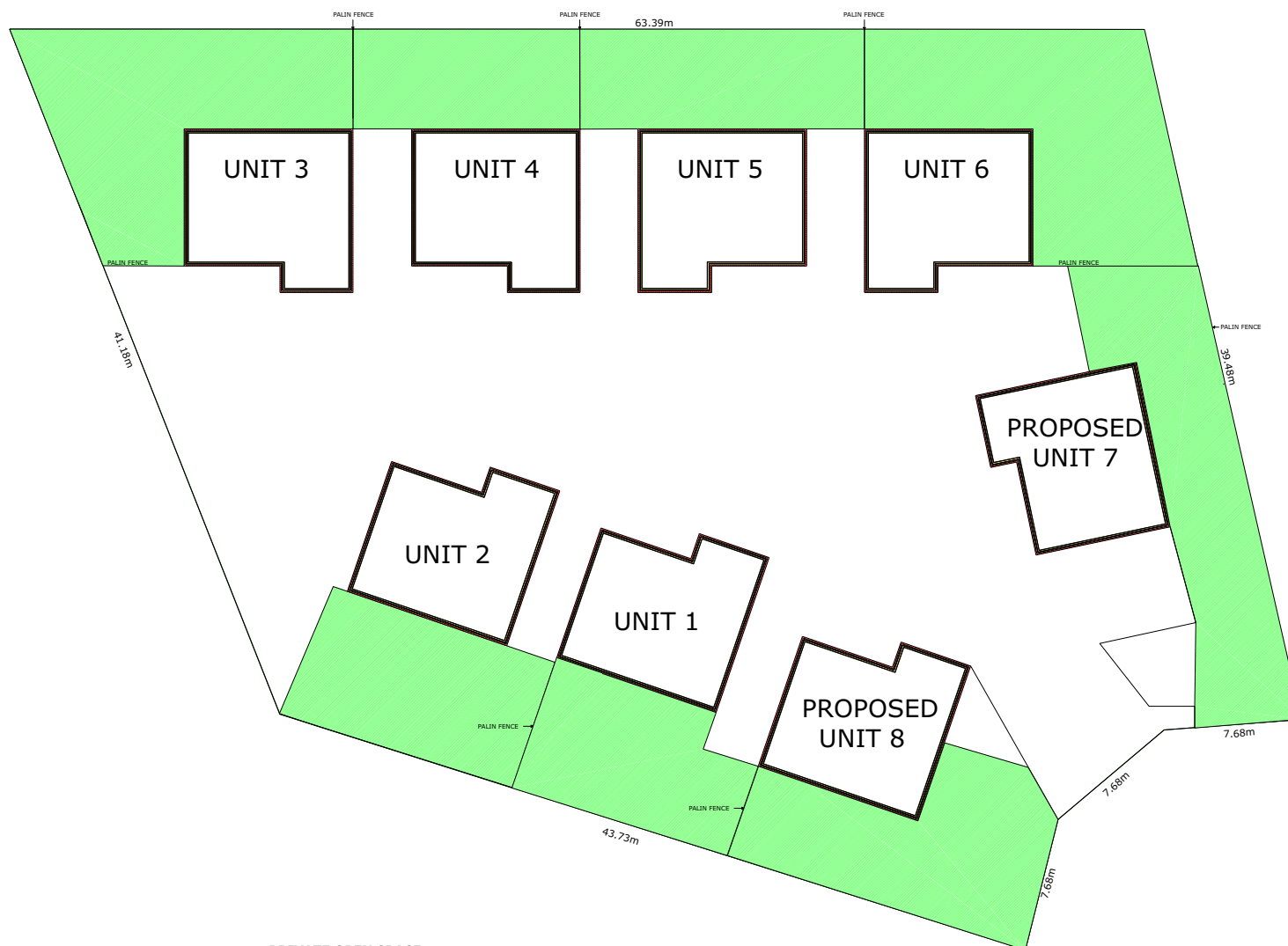
REV

A3

TITLE REFERENCE.
VOLUME FOLIO
163953 97

BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

NORTH



AREA
LAND AREA: 2622sqm
SITE COVERAGE 784.1sqm= 29.9%

FLOOR AREAS
FLOOR AREA LOWER: 69.3 sqm
FLOOR AREA UPPER: 48.0 sqm
GARAGE: 25.6 sqm
TOTAL: 142.9 sqm

PRIVATE OPEN SPACE

UNIT 1 88.3sqm
UNIT 2 101.2sqm
UNIT 3 147.1sqm
UNIT 4 70.8sqm
UNIT 5 88.5sqm
UNIT 6 154.1sqm
UNIT 7 140.4sqm
UNIT 8 116.8sqm

TOTAL = 907.2sqm - 34.5%

No.	REVISION

PROJECT

PROPOSED MULTIPLE DWELLINGS
FOR D&D CHANDLER
48 MARIAH CRESENT
OAKDOWNS
7019

SCALE

1:250

DRAWN
DC

CHECKED
SB

DATE:

MAY 2015

P.O.S PLAN

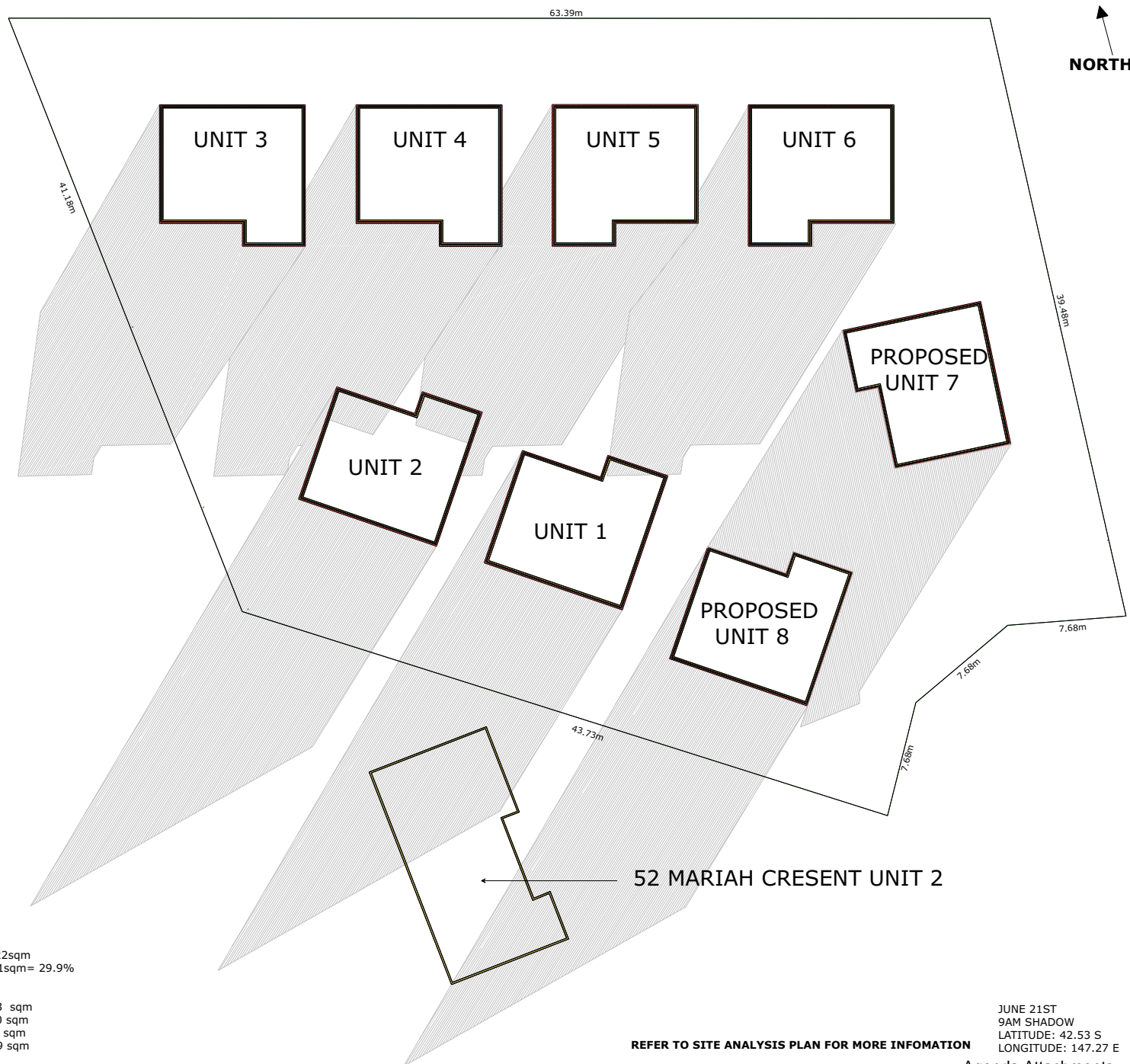
DRG No

2015-05-WD517

REV

A3

TITLE REFERENCE.
VOLUME FOLIO
163953 97



AREA
LAND AREA: 2622sqm
SITE COVERAGE 784.1sqm= 29.9%

FLOOR AREAS
FLOOR AREA LOWER: 69.3 sqm
FLOOR AREA UPPER: 48.0 sqm
GARAGE: 25.6 sqm
TOTAL: 142.9 sqm

REFER TO SITE ANALYSIS PLAN FOR MORE INFORMATION

JUNE 21ST
9AM SHADOW
LATITUDE: 42.53 S
LONGITUDE: 147.27 E

BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609

No.	REVISION

PROJECT

PROPOSED MULTIPLE DWELLINGS
FOR D&D CHANDLER
48 MARIAH CRESENT
OAKDOWNS
7019

SCALE
1:400

DRAWN
DC

CHECKED
SB

DATE:
MAY 2015

**9AM SHADOW
PLAN**

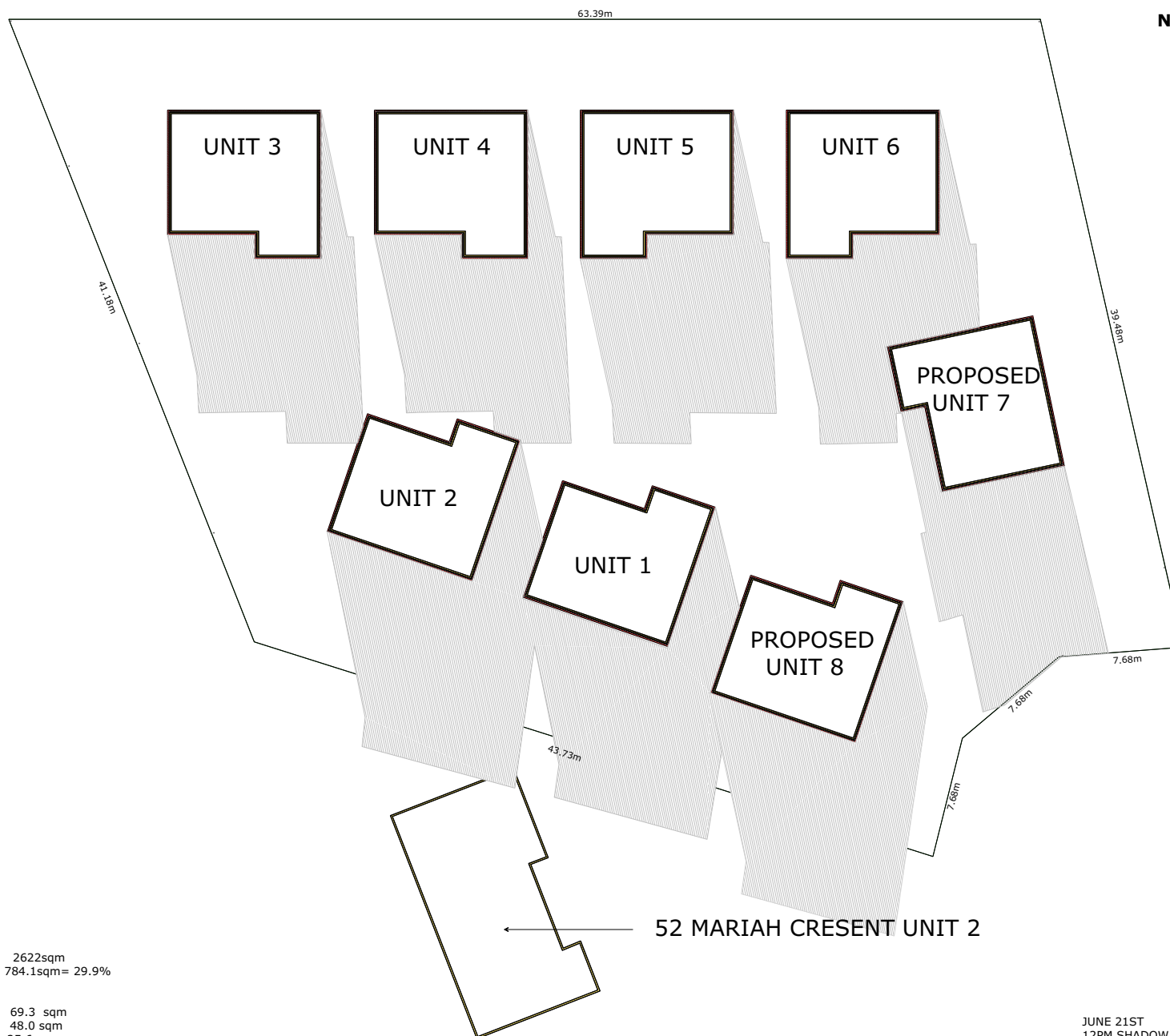
DRG No
2015-05-WD519

REV

A3



NORTH



REFER TO SITE ANALYSIS PLAN FOR MORE INFORMATION

JUNE 21ST
12PM SHADOW
LATITUDE: 42.53 S
LONGITUDE: 147.27 E

**PROPOSED MULTIPLE DWELLINGS
FOR D&D CHANDLER
48 MARIAH CRESENT
OAKDOWNS
7019**

1:400

	CHECKED SB
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DATE: MAY 2015

12PM SHADOW PLAN

DRG No
2015-05-WD520

	REV
--	-----

A3

TITLE REFERENCE.
VOLUME FOLIO
163953 97



BUILDING DESIGNER: Sam Burnett
ACCREDITATION No: CC6609



AREA
LAND AREA: 2622sqm
SITE COVERAGE 784.1sqm= 29.9%

FLOOR AREAS
FLOOR AREA LOWER: 69.3 sqm
FLOOR AREA UPPER: 48.0 sqm
GARAGE: 25.6 sqm
TOTAL: 142.9 sqm

REFER TO SITE ANALYSIS PLAN FOR MORE INFORMATION

JUNE 21ST
3PM SHADOW
LATITUDE: 42.53 S
LONGITUDE: 147.27 E

No.	REVISION

PROJECT

PROPOSED MULTIPLE DWELLINGS
FOR D&D CHANDLER
48 MARIAH CRESENT
OAKDOWNS
7019

SCALE
1:350

DRAWN DC	CHECKED SB
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DATE:
MAY 2015

3PM SHADOW PLAN

DRG No 2015-05-WD521	REV A3
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Attachment 3

48 Mariah Crescent, OAKDOWNS



Site viewed from Mariah Crescent

11.3.4 DEVELOPMENT APPLICATION D-2015/561 - 4 MARANA AVENUE, ROSE BAY - 2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW)
(File No D-2015/561)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings (1 existing + 1 new) at 4 Marana Avenue, Rose Bay.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and is subject to the 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.

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 4 May 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and one representation was received raising privacy as an issue.

RECOMMENDATION:

- A. That the Development Application for 2 Multiple Dwellings (1 existing + 1 new) at 4 Marana Avenue, Rose Bay (CI Ref D-2015/561) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ENG A5 – SEALED CAR PARKING.
 3. ENG S1 – INFRASTRUCTURE REPAIR.
 4. ENG S4 – STORMWATER CONNECTION.
 5. The development must meet all required Conditions of Approval specified by TasWater notice dated 17-12-2015 (TWDA 2015-02009-CCC).
- 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-2015/561 - 4 MARANA AVENUE, ROSE BAY -
2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW) /contd...**

ASSOCIATED REPORT**1. BACKGROUND**

An application for a second dwelling, very similar to that which is proposed, was approved through a RMPAT appeal and subsequent mediation process with the decision dated 23 September 2010. This permit required certain privacy protection measures for the adjacent property to the north of the development site. The previous permit has expired and as such the proponent is required to reapply for what is substantially the same development, although under different planning controls.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned General Residential and is subject to the Parking and Access code under the Scheme.

2.2. The proposal is Discretionary because it does not meet all of the Acceptable Solutions under the Scheme.

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Part D – General Residential Zone; and
- Part E – Parking and Access Code.

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 a regularly shaped 857m² lot on the corner of Marana Avenue and Topham Street, Rose Bay. The land slopes moderately down toward the south-west. There is an existing 3-storey dwelling centrally located toward the north-eastern end of the site.

3.2. The Proposal

The proposal is for the construction of a second dwelling in the south-western portion of the site. The new dwelling will be 2-storey, with a maximum height of 5.6m at the south-western corner. It has a 2 car garage, laundry and toilet on the lower level and 3 bedrooms, 2 bathrooms and an open living/dining/kitchen area, with a deck facing toward the south-west on the upper level.

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 and Parking and Access Code with the exception of the following.

General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A3	Setback and building envelope for all dwellings	<p>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> <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.</p>	The south-western corner of the new dwelling is 33cm outside the building envelope, reducing down to complying with the building envelope over approximately 4.8m.

The proposed variation can be supported pursuant to the following Performance Criteria.

“The siting and scale of a dwelling must:

- (a) not cause unreasonable loss of amenity by:*
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or*
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or*
 - (iii) overshadowing of an adjoining vacant lot; or*
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and*
- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area”.*

- The orientation of the properties and the fact that the adjacent property to the south-west has an outbuilding and an approximately 5.5m wide car parking area ensures that there is not unreasonable loss of solar access to or overshadowing of the private open space of the property adjacent to the building envelope discretion.
- The portion of the building which is outside the building envelope has a maximum height of 5.7m at a setback of 3m (which would comply with the building envelope on a level block). This, coupled with the setback to the adjacent property and the differing elements of the façade, is sufficient to consider that the visual impacts on the adjacent property are acceptable.
- The setback of 3m for the bulk of the building is sufficient to be consistent with the surrounding properties in the area.

General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.3 A2	Site coverage and private open space for all dwellings	<p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24m²; and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4m; and</p> <p>(c) is directly accessible from and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30° west of north and 30° east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p> <p>(g) is not used for vehicle access or parking.</p>	<p>For the existing (3-storey) dwelling, 3 areas of Private open space are provided. The northern area meets the dimensions for private open space and solar orientation, but is not directly accessed from or adjacent to a habitable room. The southern area meets the required dimensions and is adjacent to a habitable room, but is not directly accessible from the room, and does not achieve appropriate solar access, being on the southern side of the dwelling. There is also a 17m balcony provided off the main living room, but this is not externally accessible.</p>

The proposed variation can be supported pursuant to the following Performance Criteria.

“A dwelling must have private open space that:

- (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and that is:*
 - (i) conveniently located in relation to a living area of the dwelling; and*
 - (ii) orientated to take advantage of sunlight”.*

- The combination of the 2 areas, as well as the connectivity between the 2 areas provided to the west of the dwelling and the inclusion of the balcony provides ample opportunity for the residents of the dwelling to relax, play and entertain outside, in areas conveniently located adjacent to living areas, with access to sunlight and views.

General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.6 A2	Privacy for all dwellings	<p>A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to have a setback of at least 3m from a side boundary; and <p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be off-set, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%. 	<p>The window of bedroom 1 is setback 3m at the closest point to the northern boundary, with the angle of the window resulting in the setback increasing to 3m over 1m.</p> <p>The window has a sill height of approximately 0.7m above the finished floor level.</p>

The proposed variation can be supported pursuant to the following Performance Criteria.

“A window or glazed door, to a habitable room of dwelling, that has a floor level more than 1m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:

- (a) window or glazed door, to a habitable room of another dwelling; and*
- (b) the private open space of another dwelling; and*
- (c) an adjoining vacant residential lot”.*

- The window is sufficiently off-set from the adjacent dwelling as it is more than 6.4m from the rear wall of the dwelling.
- The rear yard of the adjacent dwelling is sufficiently screened with substantial existing plantings that the window will have little or no view of it.

Further, the inclusion of the window seat and corner window has occurred to provide views of the river, which will reduce any possibility of glimpses of the adjacent property through the existing established trees.

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. Privacy

The representor has raised the potential loss of privacy for their dwelling as a concern in this proposal. They have further referenced a number of measures required through the previous approval for the site as means to protect this. Namely, they have requested that the screen on the deck be extended to include the landing as well as the bulk of the deck. They have further requested that the master bedroom window have a screen fitted. Finally, they have requested that plantings adjacent to the boundary be retained to further protect the privacy of the adjacent property.

- **Comment**

The previous approval was granted under the Clarence Planning Scheme 2007, which has now been superseded by the Clarence Interim Planning Scheme 2015. As such, the provisions against which the proposal is being assessed have changed since the previous approval.

The deck is setback more than 3m from the northern property boundary. As such, no screen is required under the applicable standards. Accordingly, no further screening can be required by permit condition beyond that which has already been proposed (which is more than is needed under the Scheme).

The window is setback 2.5m from the northern boundary at the closest point, angled back to 3.5m at the furthest point from the boundary. As such, a section of approximately 1m of window is within the setback. The assessment of the performance criteria for this variation is discussed in more detail above, but no modification to the plan is necessary to achieve this.

There is no significant vegetation on the site in the area of the discretion that is sought (significant vegetation being on the adjacent property in this area) and as such none can be required to be retained as part of the assessment of the proposal. In any event, the relevant controls do not provide for Council to consider landscaping or require any additional plantings to alleviate representor concerns.

Accordingly, the overall development is considered to meet the Performance Criteria applicable to the discretions sought and as such no modification to the plans is considered necessary.

6. EXTERNAL REFERRALS

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

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 2010-2015 or any other relevant Council Policy. Developer contributions are not required to comply with any Council policies.

9. CONCLUSION

The proposal is for the construction of an additional dwelling at 4 Marana Avenue, Rose Bay. The proposal meets the Acceptable Solutions or applicable Performance Criteria of the Scheme and as such is recommended for conditional approval.

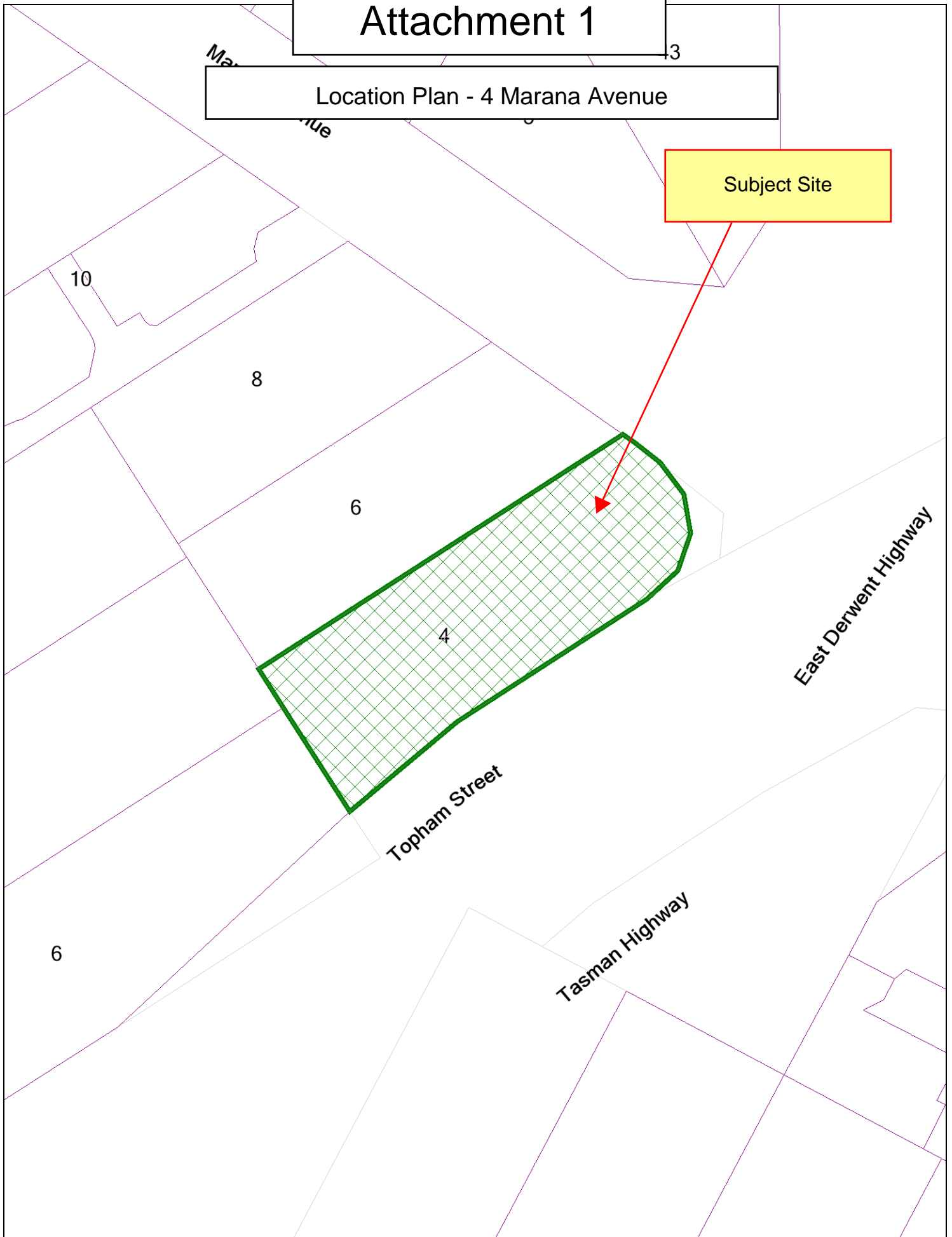
Attachments: 1. Location Plan (1)
2. Proposal Plan (13)
3. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

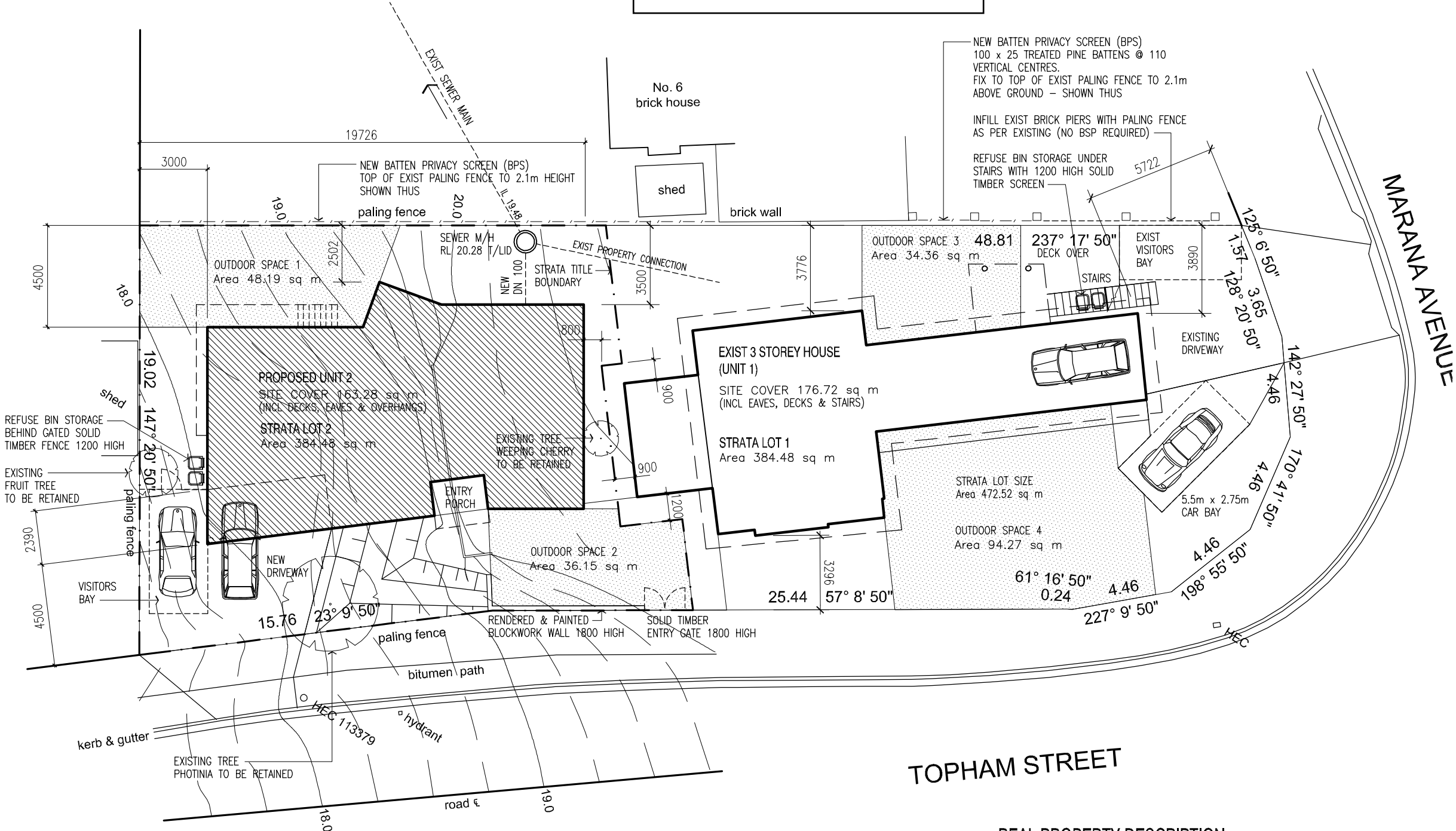
Location Plan - 4 Marana Avenue

Subject Site



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, 18 April 2016 **Scale:** 1:542.2 @A4

Attachment 2



ALLOTMENT SIZE

LOT 19 ON PLAN 247925	857.0 SQ.M.
STRATA TITLE 1	472.52 SQ.M.
STRATA TITLE 2	384.48 SQ.M.

OUTDOOR SPACE

OUTDOOR SPACE 1	48.19 SQ.M.
OUTDOOR SPACE 2	36.15 SQ.M.
OUTDOOR SPACE 3	34.36 SQ.M.
OUTDOOR SPACE 4	94.27 SQ.M.

TOTAL OUTDOOR SPACE	212.97 SQ.M.
---------------------	--------------

SITE COVER

PROPOSED UNIT SITE COVER	163.28 SQ.M.
EXISTING HOUSE SITE COVER	176.72 SQ.M.

TOTAL SITE COVER	340.0 SQ.M.
PERCENTAGE SITE COVER	39.67% (40% MAX)

TOPHAM STREET

REAL PROPERTY DESCRIPTION

LOT 19 ON PLAN 247925
4 MARANA AVENUE
ROSE BAY

SITE + CONTOUR PLAN

SCALE 1:200



SITE & CONTOUR SURVEY AS SUPPLIED BY
C.L. ANDREWS & ASSOCIATES
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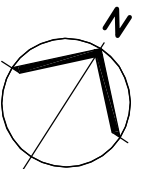
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14.12.2015 DEVELOPMENT APPLICATION

18.03.2016 REVISED DEVELOPMENT APPLICATION



• JEFF LEE + ASSOCIATES •

BUILDING CONSULTANTS + DESIGNERS
203B CARLTON BEACH ROAD, CARLTON TAS 7173
PH: (03) 6265 7888 EMAIL: mail@jeffleedesigns.com

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STUART OLDFIELD

PROJECT

PROPOSED STRATA TITLE UNIT
AT 4 MARANA AVENUE
ROSE BAY

DRAWING

DEVELOPMENT APPLICATION SITE + CONTOUR PLAN

DRAWN JAL

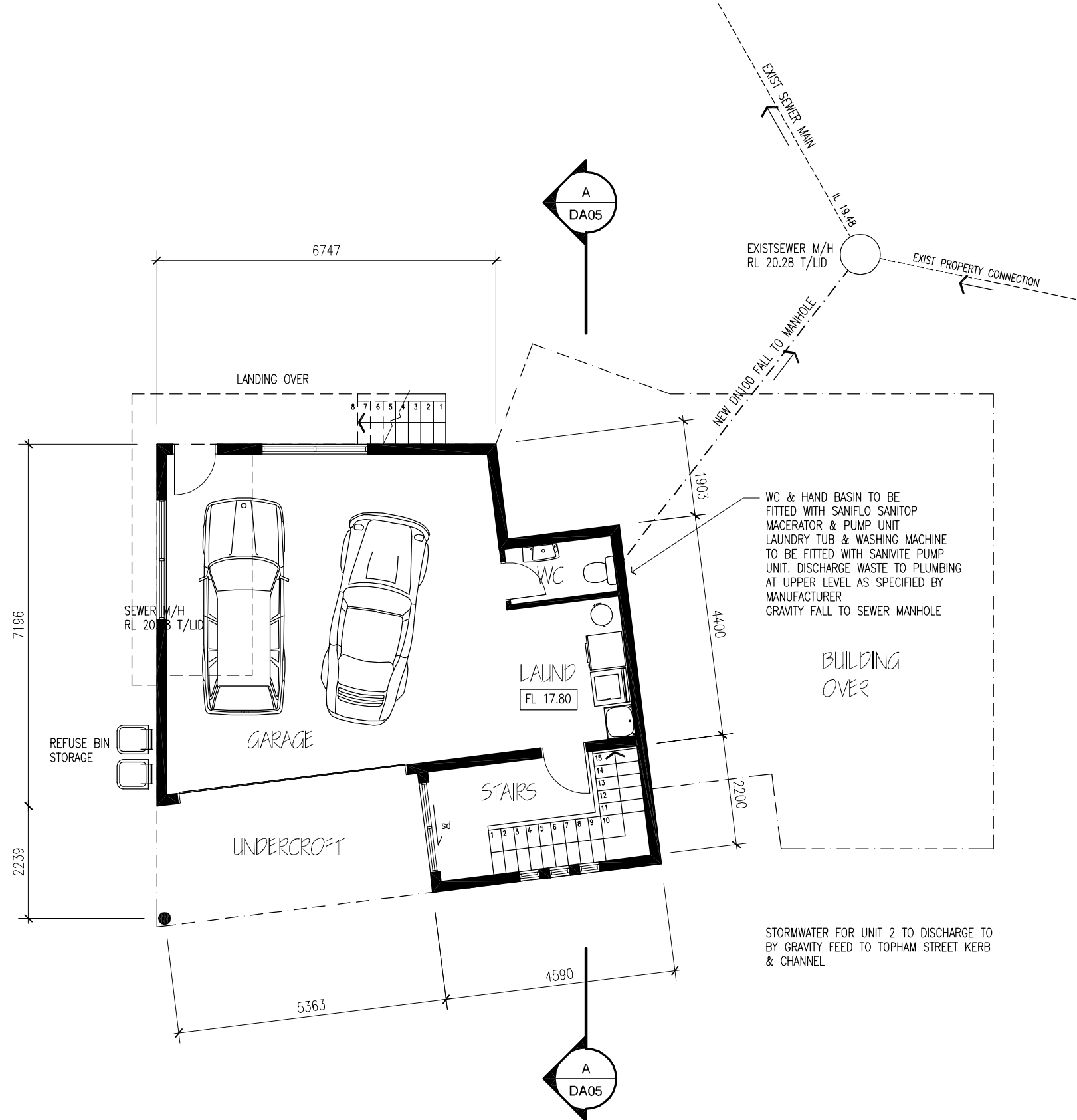
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SHEET 2 OF 14

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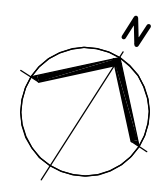
LOWER FLOOR PLAN

SCALE 1:100
FLOOR AREA 69.00 SQ.M.

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PROPOSED STRATA TITLE UNIT
AT 4 MARANA AVENUE
ROSE BAY

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LOWER FLOOR PLAN

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DWG NO.	1151-DA03
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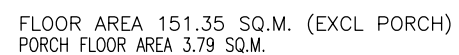
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SHEET 4 OF 14

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building design
member



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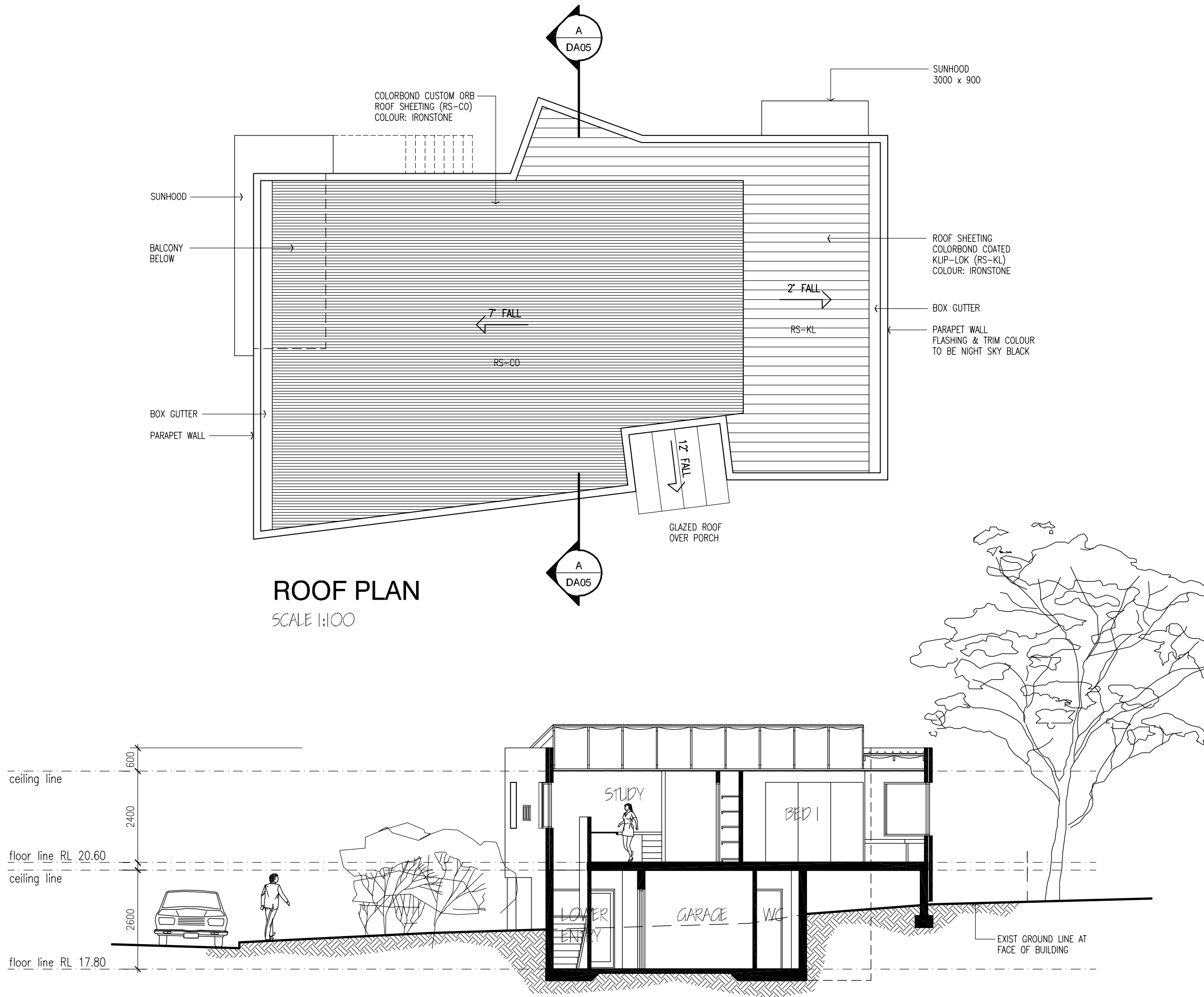
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ROSE BAY

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ROOF PLAN + CROSS SECTION

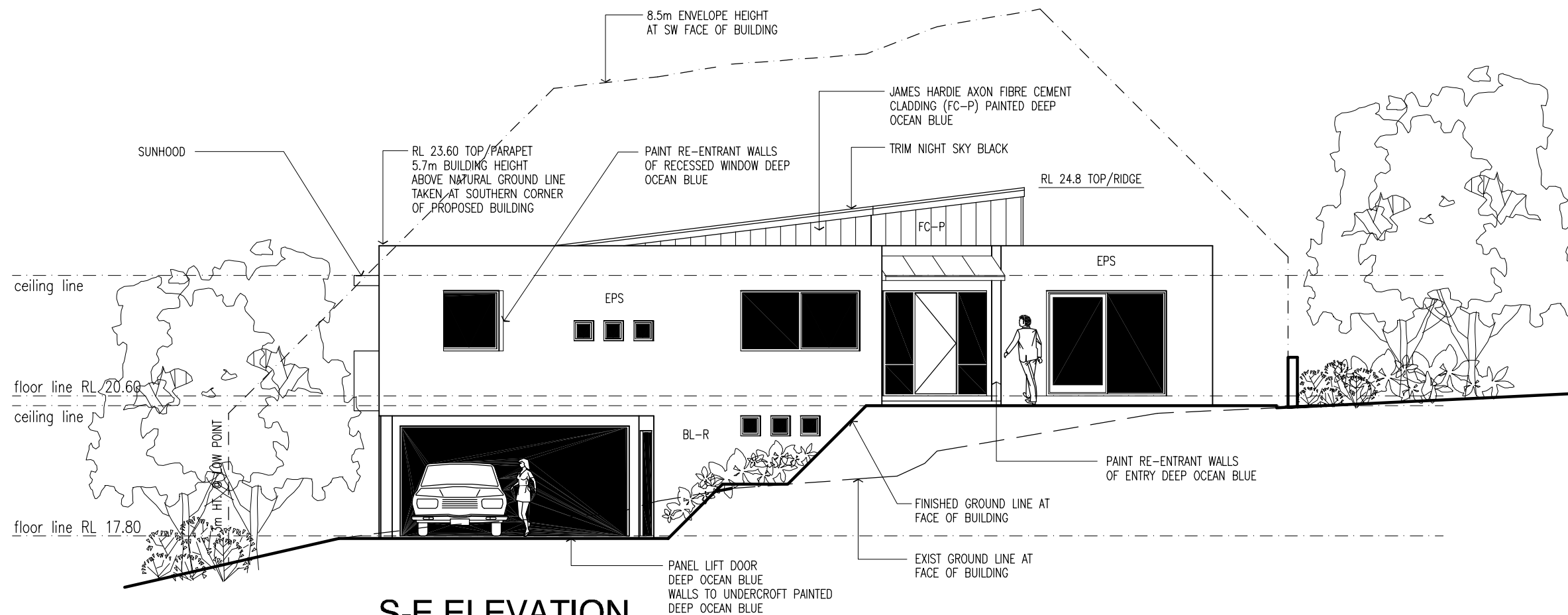
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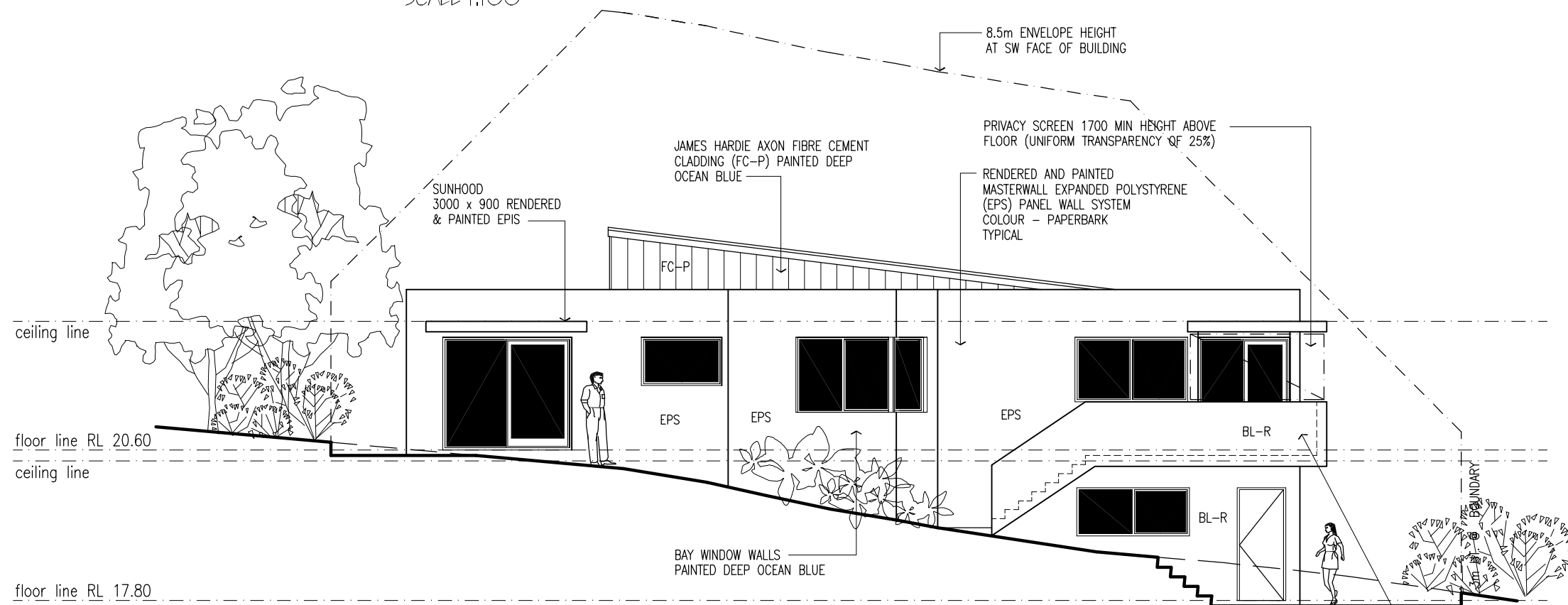
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SCALE 1:100

SECTION A-A
SCALE 1:100



S-E ELEVATION

SCALE 1:100



N-W ELEVATION

SCALE 1:100

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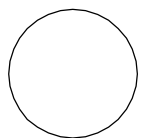
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203B CARLTON BEACH ROAD, CARLTON TAS 7173
PH: (03) 6265 7888 EMAIL: mail@jeffleedesigns.com

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DEVELOPMENT APPLICATION
ELEVATIONS SHEET 1

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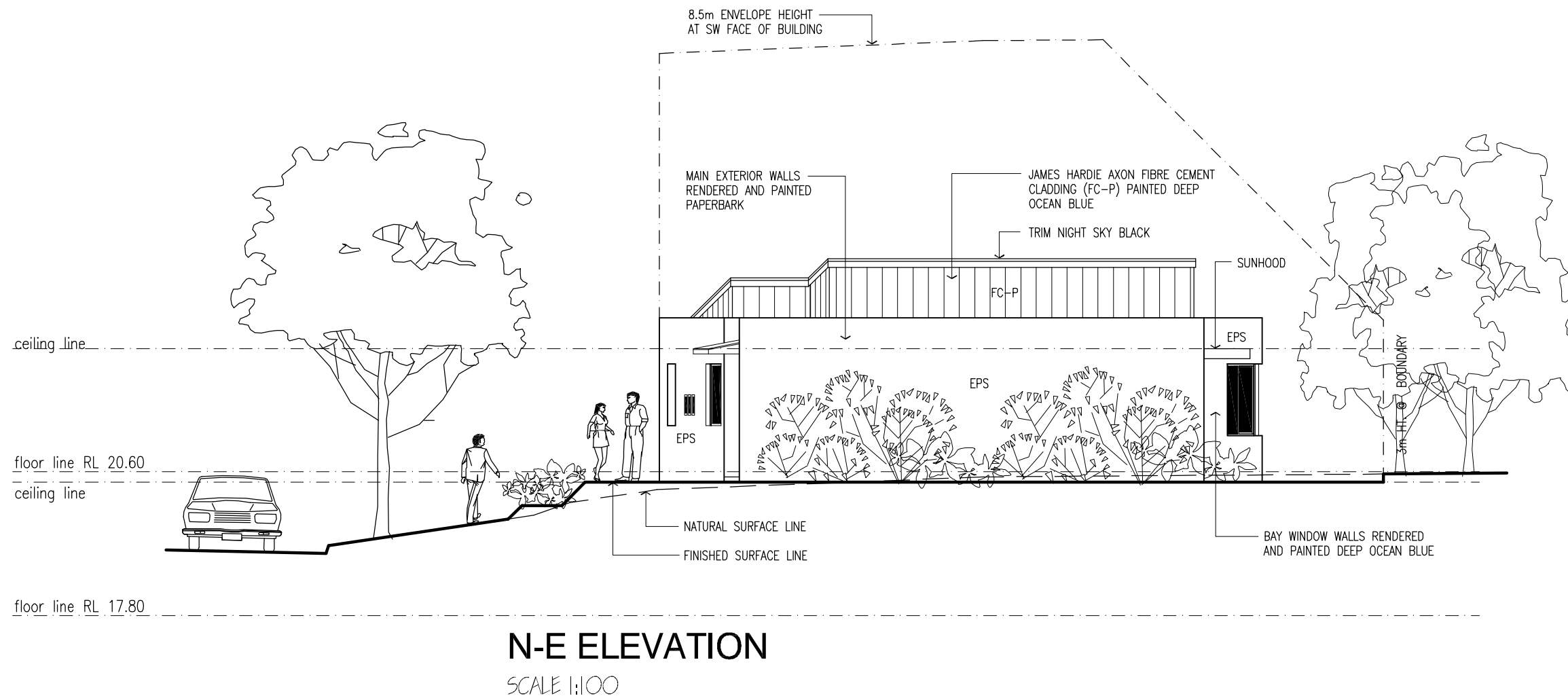
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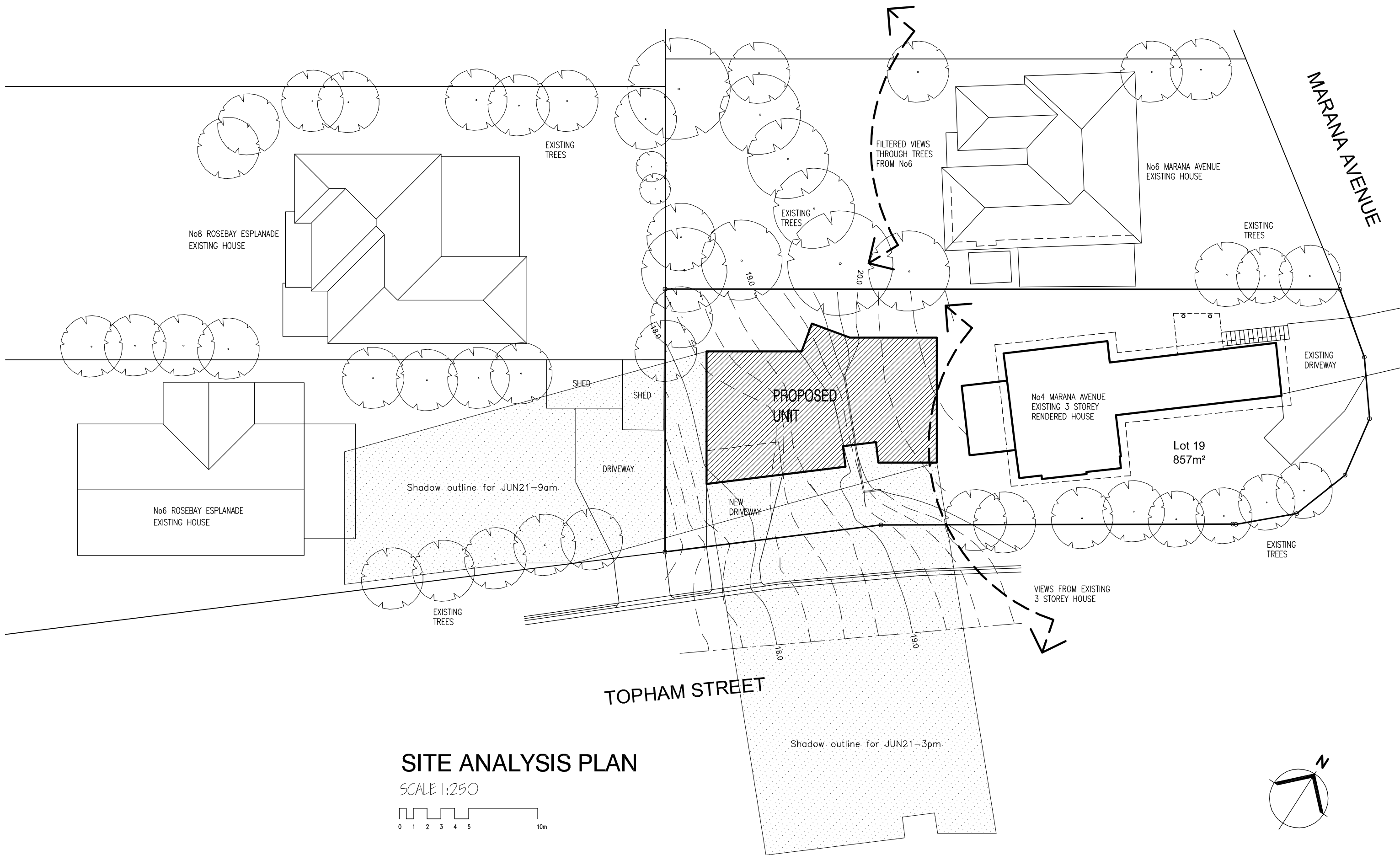
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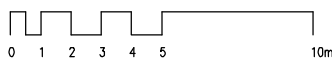
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association
member





SITE ANALYSIS PLAN

SCALE 1:250



• JEFF LEE + ASSOCIATES •

BUILDING CONSULTANTS + DESIGNERS
203B CARLTON BEACH ROAD, CARLTON TAS 7173
PHONE (03) 6265 7888 FAX (03) 6265 7888

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PROPOSED STRATA TITLE UNIT
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ROSE BAY

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SITE ANALYSIS PLAN

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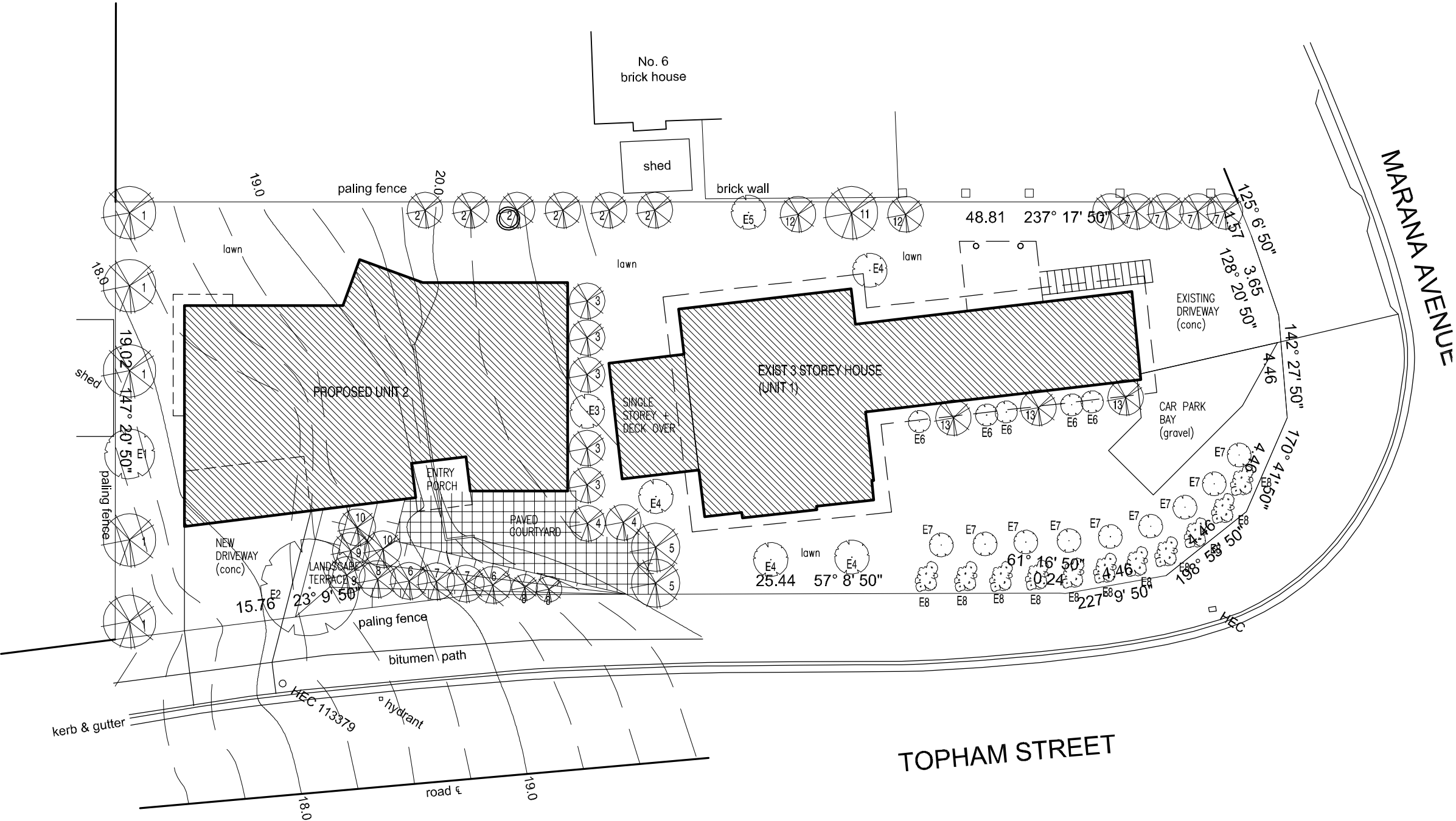
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SHEET 8 OF 14



PLANTING LEGEND

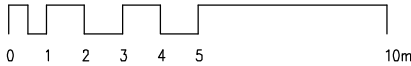
1	FLOWERING FRUIT TREES (PEACHES, NECTARINES, APPLES & CHERRY) – 5No	300mm POT
2	BANKSIA LEMANNIANA (YELLOW LATERN BANKSIA) – 6No	200mm POT
3	PROTEA CYNAROIDES (KING PROTEA) – 5No	150mm POT
4	LAGERSTROEMIA SIOUX (CREPE MYRTLE) – 2No	200mm POT
5	CRATAEGUS LAEVIGATA (DOUBLE PINK HAWTHORN) – 2No	200mm POT
6	ACMENA SMITHII (LILLY PILLY) – 2No	150mm POT
7	WESTRINGIA FRUTICOSA (WESTRINGIA MORNING LIGHT) – 2No	150mm POT
8	HEBE – 3No	150mm POT
9	EREMOPHILA POLYCLADA (LIGNUM FUSHIA) – 2No	200mm POT
10	ERIOSTEMON MYOPOROIDES (NATIVE DAPHNE) – 2No	200mm POT
11	MALUS IOENSIS PLENA (CRAB APPLE) – 1No	300mm POT
12	PRUNUS KOJO NO MAI (FLOWERING CHERRY) – 2No	400mm BAG
13	PRUNUS SNOFOZAM (SNOW FOUNTAINS WEeping CHERRY) – 3No	400mm BAG

LEGEND - EXISTING PLANTS

E1	FRUIT TREE (UNIDENTIFIED)
E2	PHOTINIA ROBUSTA (6m height)
E3	WEeping CHERRY
E4	UNIDENTIFIED SMALL TREE
E5	UNIDENTIFIED WEeping TREE
E6	FEDERATION DAISY
E7	POPLAR
E8	LAVENDAR

LANDSCAPE PLAN

SCALE 1:200



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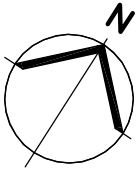
NOTES

Notes section with multiple lines for text entry.

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Additional notes section with multiple lines for text entry.



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BUILDING CONSULTANTS + DESIGNERS
203B CARLTON BEACH ROAD, CARLTON TAS 7173
PH: (03) 6265 7888 EMAIL: mail@jeffleedesigns.com

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PROPOSED STRATA TITLE UNIT
AT 4 MARANA AVENUE
ROSE BAY

DRAWING

DEVELOPMENT APPLICATION
LANDSCAPE PLAN

DRAWN JAL

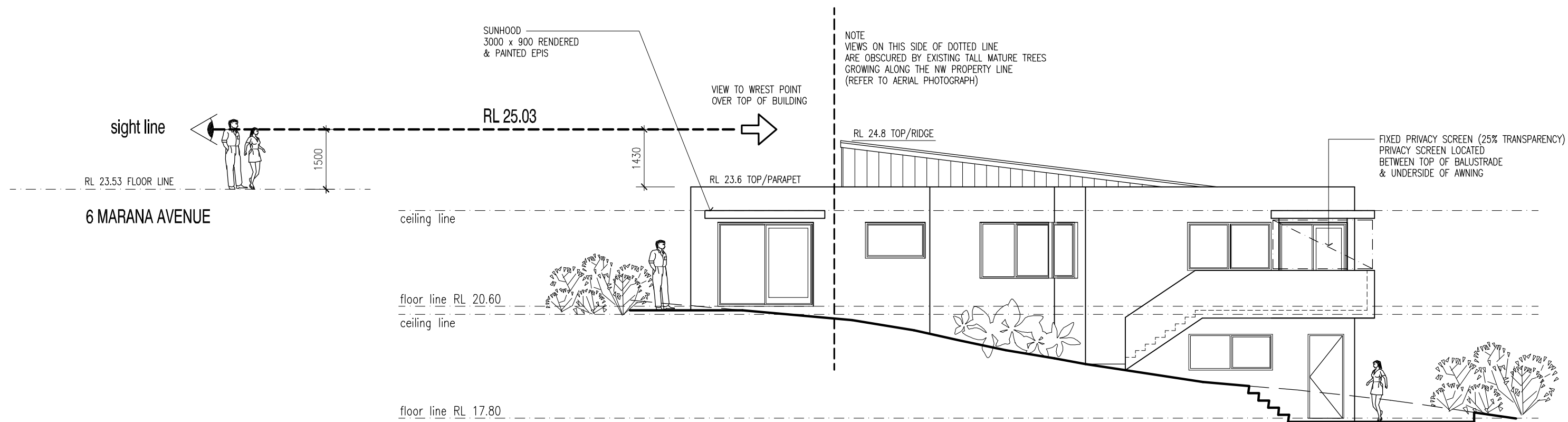
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N-W ELEVATION - VIEW ANALYSIS

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BUILDING CONSULTANTS + DESIGNERS
203B CARLTON BEACH ROAD, CARLTON TAS 7173
PHONE (03) 6265 7888 FAX (03) 6265 7688

JEFF LEE ACCREDITED BUILDING DESIGNER CC730 N
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CLIENT

STUART OLDFIELD

PROJECT

PROPOSED STRATA TITLE UNIT
AT 4 MARANA AVENUE
ROSE BAY

DRAWING

DEVELOPMENT APPLICATION
VIEW ANALYSIS

DRAWN JAL

DATE DEC 2015

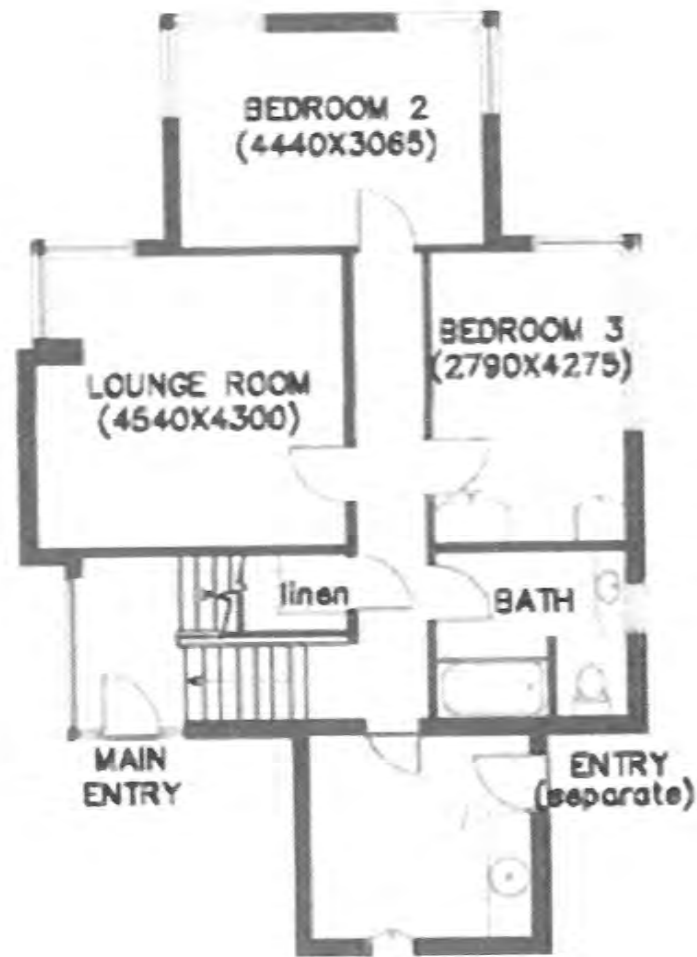
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DWG NO. 1151-DA10

ISSUE NO. 18.03.2016 REVISED DA

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SHEET 10 OF 14



LOWER
GROUND FLOOR



GROUND
FLOOR



FIRST
FLOOR

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JEFF LEE + ASSOCIATES

BUILDING CONSULTANTS + DESIGNERS
203B CARLTON BEACH ROAD, CARLTON TAS 7173
PH: (03) 6265 7888 EMAIL: mail@jeffleedesigns.com

CLIENT

STUART OLDFIELD

PROJECT

PROPOSED STRATA TITLE UNIT
AT 4 MARANA AVENUE
ROSE BAY

DRAWING

DEVELOPMENT APPLICATION
EXISTING BUILDING - FLOOR PLANS

DRAWN JAL

DATE MARCH 2016

SCALE AS NOTED

DWG NO. 1151-DA11

SHEET 11 OF 14

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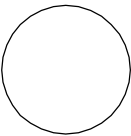
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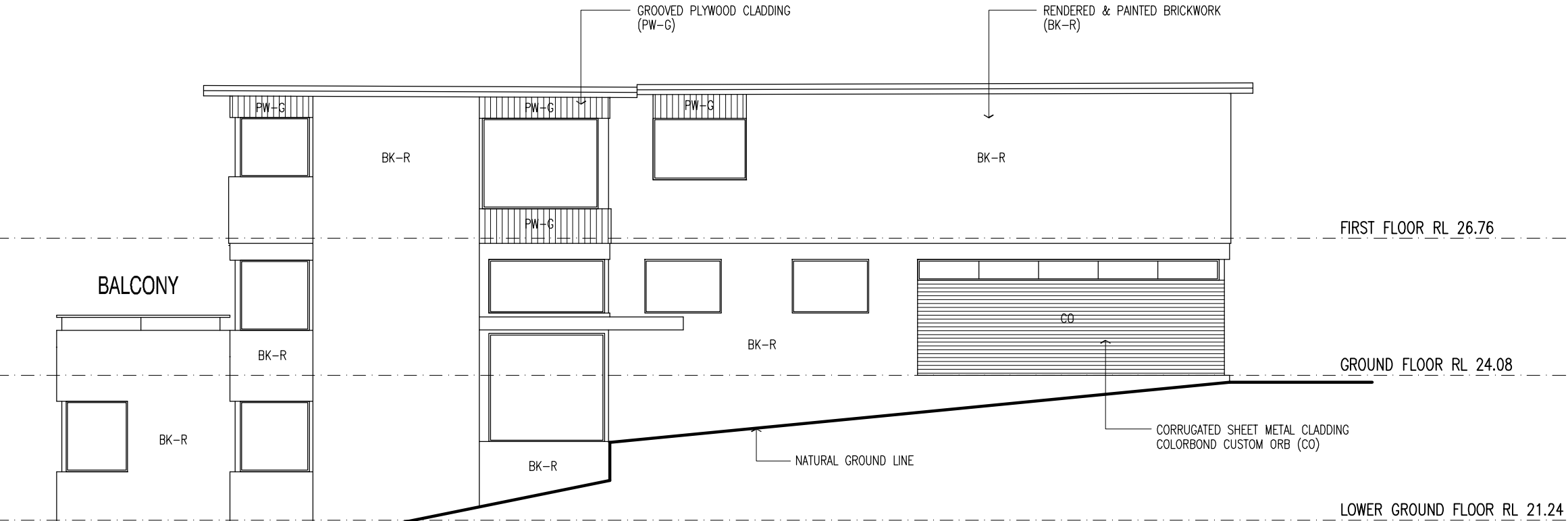
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AT 4 MARANA AVENUE
ROSE BAY

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SHEET 1

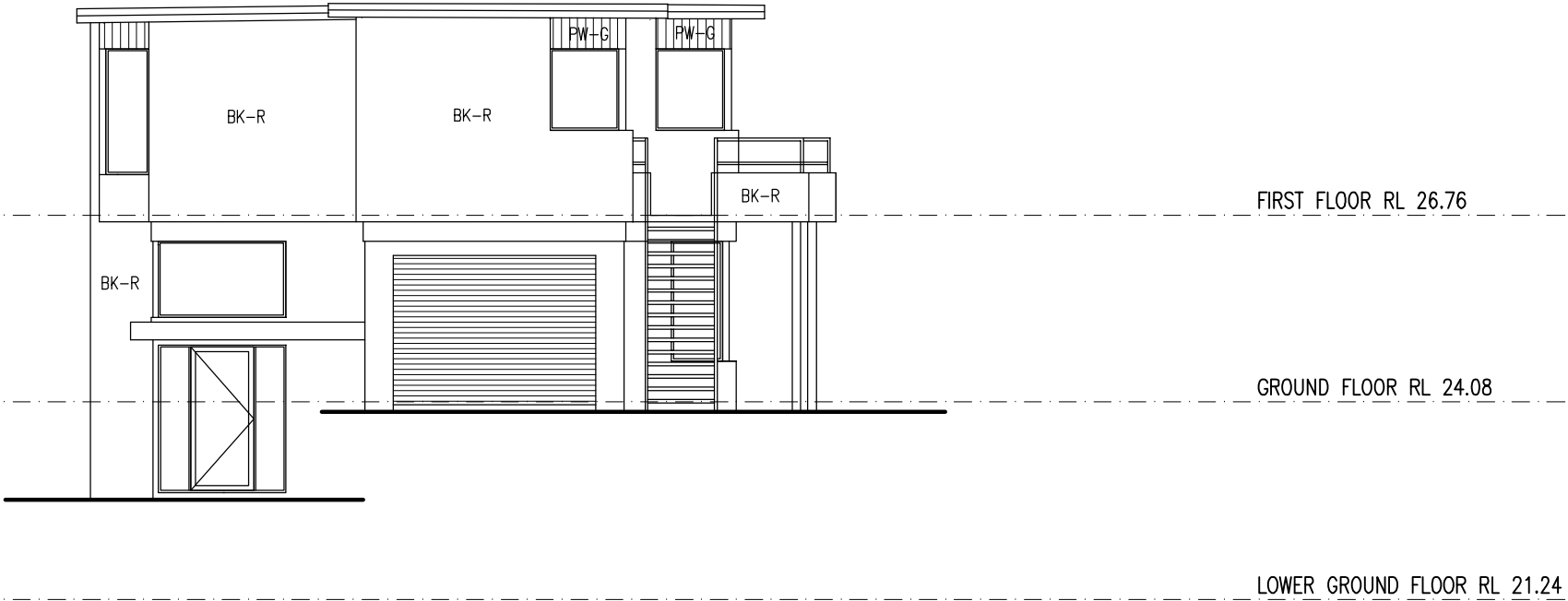
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DWG NO. 1151-DA02 SHEET 12 OF 14

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S-E ELEVATION - EXISTING BUILDING

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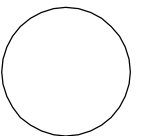


N-E ELEVATION - EXISTING BUILDING

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AT 4 MARANA AVENUE
ROSE BAY

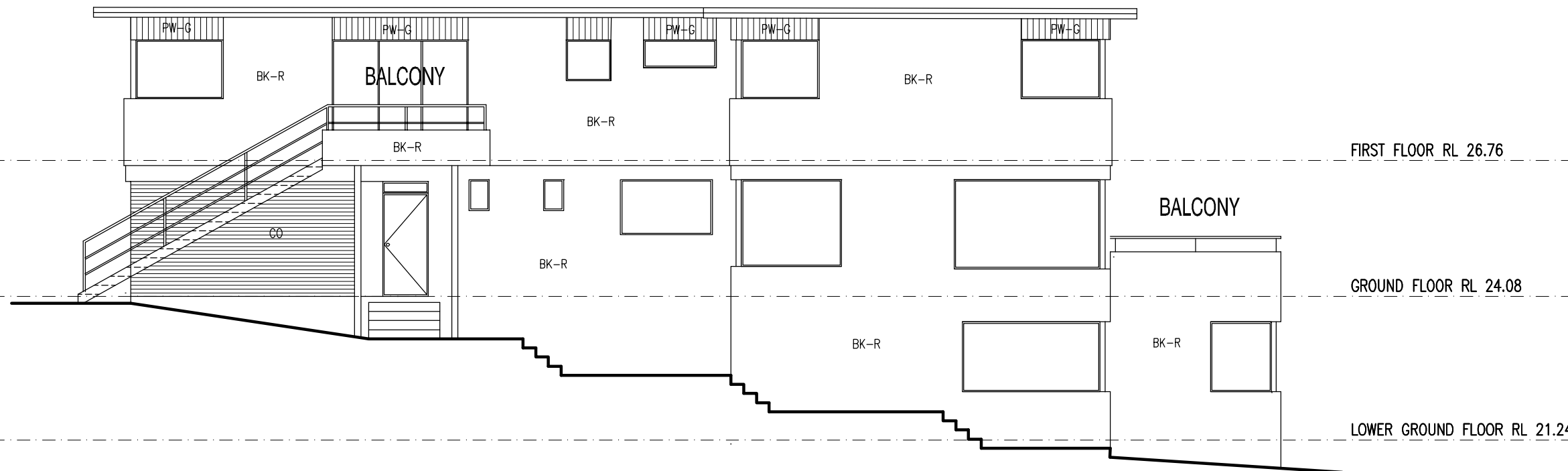
DEVELOPMENT APPLICATION
EXISTING BUILDING ELEVATIONS
SHEET 2

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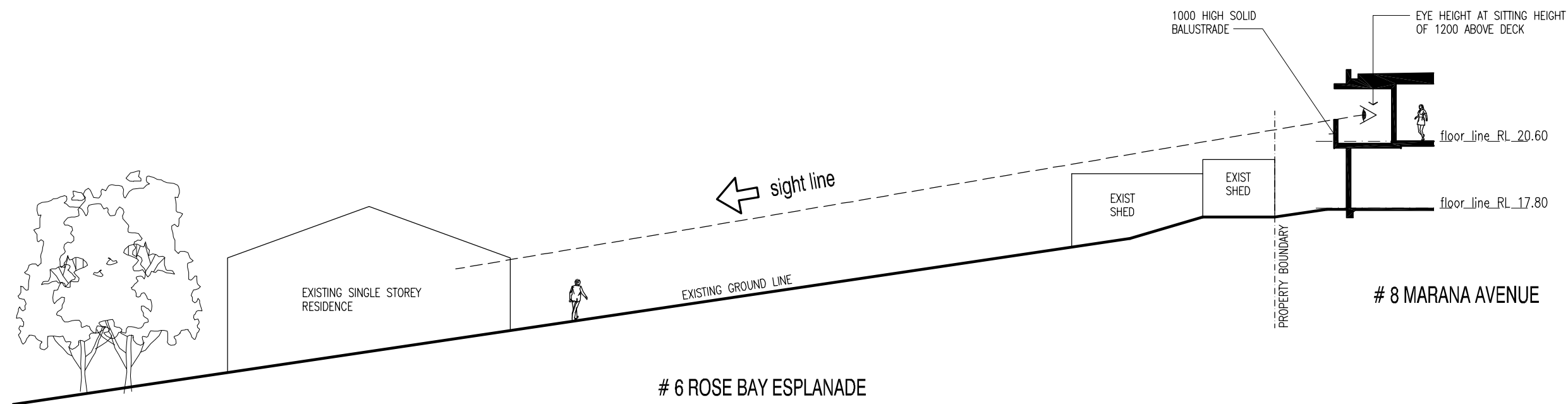
Agenda Attachments 4 Marana Avenue



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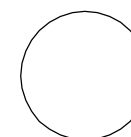
LONGITUDINAL SECTION PARALLEL TO TOPHAM STREET

SCALE 1:200

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PROPOSED STRATA TITLE UNIT
AT 4 MARANA AVENUE
ROSE BAY

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DEVELOPMENT APPLICATION
PRIVACY + OVERLOOKING ANALYSIS
UNIT 2 DECK TOWARDS 6 ROSE BAY ESP

DRAWN	JAL
DATE	MARCH 2016
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DWG NO.	1151-DA014

SHEET 14 OF 14

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Attachment 3

4 Marana Avenue, ROSE BAY



Site viewed from the corner of Marana Avenue and Topham Street



Site of new dwelling viewed from the Tasman Bridge

11.3.5 TASMANIAN PLANNING SCHEME SPP'S – PUBLIC EXHIBITION

(File No 20-10-22)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the draft Tasmanian Planning Scheme (TPS) State Planning Provisions (SPP's).

RELATION TO EXISTING POLICY/PLANS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015.

LEGISLATIVE REQUIREMENTS

In accordance with Section 21 of the Land Use Planning and Approvals Act, 1993 (LUPAA), the Minister for Planning and Local Government approved the SPPs for public exhibition.

CONSULTATION

Pursuant to Section 22(4) the Tasmanian Planning Commission (TPC) commenced exhibition of the SPP's on Tuesday, 15 March 2016 for a period of 60 days closing on 18 May 2016.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the exhibition of the SPP's. However, there are budgetary implications for the development, assessment and future implementation of a new scheme.

RECOMMENDATION:

- A. That Council endorses the Attachment to this report as Council's representation to the exhibition of the Tasmanian Planning Scheme – Final State Planning Provisions and exhibited documentation.
- 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.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1** In a letter received on 23 December 2015, the Minister for Planning and Local Government advised the process and consultation arrangements for the Tasmanian Planning Scheme (TPS) and provided a preliminary draft version of the TPS State Planning Provisions (SPP's) via Dropbox.

1.2 At its Meeting on 1 February 2016, Council considered a report on the draft TPS and resolved to thank the Minister for the opportunity to review the draft TPS, provided a preliminary response and advised that it would make a more detailed submission during the future public advertising stage.

1.3 In a letter dated 11 March 2016, the Minister for Planning and Local Government advised that the draft State Planning Provisions (SPPs) had been approved for exhibition under Section 21 of the Land Use Planning and Approvals Act, 1993 (LUPAA). The exhibition commenced on Tuesday, 15 March 2016 and exhibited the following documents on the Commission's website:

- Tasmanian Planning Scheme Final Draft State Planning Provisions (429 pages);
- Explanatory Document for the Draft State Planning Provisions of the Tasmanian Planning Scheme (245 pages) including:
 - the Terms of Reference for the Draft State Planning Provisions;
 - Drafting Conventions for the Tasmanian Planning Scheme;
 - Legislation Considered; and
 - Tasmanian Activity Centre Network, Hill PDA, February 2014.
- Incorporated documents including relevant Australian Standards and industry guidelines.

1.4 In accordance with LUPPA the exhibition period will run for a period of 60 days closing on 18 May 2016.

2. STATUTORY IMPLICATIONS

Ultimately, the final TPS will comprise of 2 parts:

1. SPP's (the subject of this report) which includes the purpose and objectives, the administrative requirements and processes including exemptions from the planning scheme and general provisions that apply to all use and development irrespective of the zone, the zones with standard use and development provisions and the Codes with standard provisions; and

2. Local Provisions Schedules (LPS) comprising Local Planning Provisions (LPP) that apply to each local Council area, which includes zone and overlay maps, Local Area Objectives, lists to relevant Codes, Particular Purpose Zones, Specific Area Plans and any Site Specific Qualifications.

Until such time that the Clarence LPS is developed and approved by the Minister for Planning the Clarence Interim Planning Scheme 2015 (CIPS2105) will continue to have effect. Once approved, the TPS will supersede the current CIPS2105.

3. REPORT IN DETAIL

The development of a single state-wide planning scheme was intended to deliver the Government's commitment to improve the planning process in accordance with industry expectations. While commonality in the structure and drafting of general provisions that apply across the State is a positive outcome, the model is complex with a high degree of subjectivity and it remains to be demonstrated that it will be more efficient and provide better outcomes.

The format of the TPS and drafting of the SPP's is substantially similar to the CIPS2015 (and indeed all Southern Regional Model Planning Schemes). Experience with the CIPS2015 is that the scheme is significantly more complex than the former CPS2007 and post declaration it has resulted in an increased number of development applications.

The main deviation between the TPS and the CIPS2015 format is that "local issues" are pulled out of the body of the scheme and inserted into a new LPS that will exist separately to the state provisions. This format will make the interpretation of the Scheme more difficult.

At this time it is not known how much scope there will be for the incorporation of local considerations. This introduces an additional layer of complexity to the assessment of the SPP's in that it is not possible to understand the real impact of the planning scheme until it is fully populated.

Notwithstanding this, when approved the LPS will over-ride the SPP's to the point of any inconstancy.

The Explanatory Document accompanying the Draft SPP's contained commentary on:

- zones, the zone application framework and zone standards; and
- codes to be incorporate in to the SPP's and those codes constrain in various Interim Planning Scheme that would not be carried through in to the SPP's.

With respect to the zones the following tables (from the Explanatory Document) provide a useful overview of the proposed controls. It should be noted that these are Acceptable Solutions and that performance criteria allow them to be varied as appropriate.

Table 9.1: Summary of Numerical Standards for the Residential Zones (Acceptable Solutions)

Standard	General Residential Zone	Inner Residential Zone	Low Density Residential Zone	Rural Living Zone
Building Height	8.5m	9.5m	8.5m	8.5m
Front Setback	4.5m for primary frontage, 3.0m for secondary frontage	3m for primary frontage, 2m for secondary	8m	20m
Side and Rear Setback	PD4.1 building envelope	PD4.1 building envelope	5m from side and rear boundary, unless a non-residential use where it is 10m from rear boundary	10m
Setback for Mechanical Plant	10m from a boundary with a sensitive use	10m from a boundary with a sensitive use	10m from a boundary with a sensitive use	nil
Site Coverage	50%	65%	30%	400m ²
Minimum Lot Size	450m ²	200m ²	1500m ²	Rural Living A 1ha Rural Living B 2ha
Minimum Building Area	10m x 15m	10m x 12m	10m x 15m	15m x 20m
Minimum Frontage	12m	3.6m	20m	40m

Table 10.1: Summary of Numerical Standards for Business, Commercial, Mixed Use and Village Zones Standard (Acceptable Solutions)

	Central Business Zone	General Business Zone	Local Business Zone	Commercial Zone	Urban Mixed Use Zone	Village Zone
Building Height	20m	12m	9m	12m	10m	8.5m
Front Setback	0m or consistent with existing or adjoining	0m or consistent with existing or adjoining	0m or consistent with existing or adjoining	5.5m or consistent with existing or adjoining	3m or consistent with existing or adjoining	4.5m
Side and Rear Setback	6m or half wall height if adjoining Residential Zone	5m or half wall height if adjoining Residential Zone	4m or half wall height if adjoining Residential Zone	4m or half wall height if adjoining Residential Zone	3m or half wall height if adjoining Residential Zone	3m or half the wall height
Setback for Mechanical Plant	10m if adjoining Residential Zone	10m if adjoining Residential Zone	10m if adjoining Residential Zone	10m if adjoining Residential Zone	10m if adjoining Residential Zone	10m from a boundary with a sensitive use
Site coverage	nil	nil	nil	nil	nil	50 percent
Min. Lot Size	45m ²	100m ²	200m ²	1000m ²	300m ²	600m ²
Minimum Building Area	nil	nil	nil	15m x 20m	nil	10m x 15m
Minimum Frontage	3.6m	3.6m	3.6m	20m	3.6m	10m

Table 11.1: Summary of Numerical Standards for Industrial, Port and Marine and Utilities Zones Standard (Acceptable Solutions)

	Light Industrial Zone	General Industrial Zone	Port and Marine Zone	Utilities Zone
Building Height	10m	20m	20m unless for Port and Shipping or structures	10m or 15m for structures
Front Setback	5.5m or consistent with existing or adjoining	10m or consistent with existing or adjoining	nil	5m unless for structures
Side and Rear Setback	4m or half wall height if adjoining Residential Zone	nil	nil	nil
Setback for Mechanical Plant	10m if adjoining Residential Zone	nil	nil	10m if adjoining Residential Zone
Minimum Lot Size	1000m ²	2000m ²	1000m ² unless for Port and Shipping	nil
Minimum Building Area	15m x 20m	20m x 40m	nil	nil
Minimum Frontage	20m	20m	6m	3.6m

The Explanatory Document stated that the following Codes would not form part of the SPP's.

The Deleted Codes	Explanation Provided/Comment
Public Art Code	Not considered appropriate to be regulated through a planning scheme
Hotel Industries Code	Relevant issues to be reflected in the suite of Business Zones
Acid Sulphate and Dispersive Soils Codes	Not used in Clarence currently
On-site Waste Water and Storm water Codes	Regulated by Tasmanian Plumbing Regulations 2014

The Draft SPP's contain the following codes:

- C1.0 Signs Code;
- C2.0 Parking and Sustainable Transport Code;
- C3.0 Road and Railway Assets Code;
- C4.0 Electricity Transmission Infrastructure Protection Code;
- C5.0 Telecommunications Code;
- C6.0 Local Historical Heritage Code;
- C7.0 Natural Assets Code;
- C8.0 Scenic Protection Code;
- C9.0 Attenuation Code;
- C10.0 Coastal Hazard Code;
- C11.0 Coastal Inundation Code;
- C12.0 Riverine Hazard Code;
- C13.0 Bushfire – Prone Areas Code;
- C14.0 Potentially Contaminated Land Code;
- C15.0 Landslip Hazard Code.

Specific matters of concern are identified in the attachments and categorised as follows:

- General Observations;
- Zone Application Framework;
- Content of Local Schedule;
- Administration;
- Zones; and
- Codes.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015. However, depending on the extent of change provided through the development of the LPS the implementation of the TPS will impact Council's ability to implement previously adopted policy.

5. EXTERNAL IMPACTS

No known significant impacts.

6. FINANCIAL IMPLICATIONS

There are no financial implications associated with the exhibition of the SPP's. However, there are financial implications for the development, assessment and future implementation of a new scheme. The scale is yet to be determined.

7. CONCLUSION

The Tasmanian Planning Scheme will comprise of 2 parts, the State Planning Provisions and the Local Planning Schedule. The State Planning Provisions are currently out for public exhibition closing on 18 May 2016 and were the subject of this report. The attachment to this report identifies a number of concerns relating to the formatting and content of the State Planning Provisions. It is recommended that Council endorse the attachment as its representation to the Tasmanian Planning Commission.

Attachments: 1. Clarence City Council Representation: Tasmanian Planning Scheme – Final Draft State Planning Provisions (37)

Ross Lovell

MANAGER CITY PLANNING

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

**Tasmanian Planning Scheme –
Final Draft State Planning Provisions**

Clarence City Council Representation
(2 May 2016)

Clarence City Council Representation

Tasmanian Planning Scheme – Final Draft State Planning Provisions

General Observations	
Issue	Recommendation
<p><i>Commonality.</i></p> <p>While commonality of scheme content and expression is supported, the Government's desire for homogeneity across schemes fails to recognise that places are intrinsically different for a range of historical, topographical and demographic reasons.</p> <p>Uniqueness and differences between settlement responses is one of the reasons why we enjoy them, they contribute to what makes them special and provides a sense of place that communities can identify with and embrace.</p> <p>The instruments which manage their future use and development should reflect these differences rather than attempt to make everything uniform and the same.</p>	<p>Consistency between format, expression and matters of consideration is readily achievable across the State. The actual standards should be able to be developed or at least altered at the local level.</p> <p>Should this position be accepted, in terms of transparency and ease of implementation, it would be more appropriate to develop a template that recognised that it would be populated with local standards rather than having a specified State Provision only to be trumped by a Local Provision Schedule lying outside the State Provisions.</p> <p>The approach taken through the development of the Southern Interim Planning Schemes with State provisions, regional mandatory, regional optional and local provisions could readily be adapted through a Tasmanian Scheme providing a very high level of consistency of format, expression and matters of consideration between councils.</p> <p>I.e. State mandatory, State optional and Local</p>
<p><i>Determining Discretionary Uses.</i></p> <p>Fundamentally a discretionary use is one that ought to be able to be approved or alternatively refused depending on context, scale and impact.</p> <p>To manage land use conflict effectively it is vital that the scheme provides the</p>	<p>Either introduce General Considerations applicable for all discretionary uses or alternatively add additional controls that enable more rigorous and holistic assessment of discretionary uses.</p>

<p>tools/assessment criteria to adequately assess the appropriateness of a proposed use and ultimately be able to defend the refusal of an “inappropriate” discretionary use. A weakness of the scheme is that there is very little capacity to assess the real impact and appropriateness of virtually all of the discretionary uses within the relevant use tables for each zone.</p> <p>Accordingly, there appears to be no grounds within the scheme upon which Council could base a refusal for virtually all of the discretionary uses within the relevant use tables for each zone. This stems from two facts:</p> <ol style="list-style-type: none"> 1. The range of considerations is very limited (Hours of Operation, External Lighting and Commercial Vehicle Movements). 2. The listed criteria are readily achievable. <p>There are no relevant standards which would give rise to any consideration of potential impacts upon amenity, neighbourhood character nor community expectation. Take for instance a proposal for shop, a gym or a medical centre within the General Residential Zone, if the above (limited) Use Standards are met then Council would have no basis for refusal, this is a major weakness.</p> <p>While it is acknowledged that the purpose of the zone and any relevant codes must be regarded pursuant to cl.6.10.2 the respective zone purposes do not generally provide any useful guidance on individual merit and on that basis not sufficient to determine a discretionary use. Further, the appropriateness of a discretionary use such as a medical centre in the General Residential zone would vary significantly depending on the site’s location and exposure in the zone i.e. abutting a busy arterial road v’s a cul-de-sac in central suburbia. The standards do not enable this differentiation.</p> <p>It is submitted that a weakness with the template is the need to identify every matter that may be considered as part of an assessment up front. This format is deficient for two reasons:</p>	<p>Other relevant matters are likely to include:</p> <ul style="list-style-type: none"> • Anticipated impacts associated with noise, dust, smells, emissions • Impacts on local roads in terms of both capacity and anticipated local service levels (i.e. residential streets vs a highway) • Management and storage of waste • Screening/landscaping • Delivery hours, rubbish collection, after hours clean up • Onsite waste water treatment • Anticipated activity generated by staff and customers as well as commercial traffic. • Impact on existing/anticipated amenity (which of course would differ from residential environments right through to industrial estates). <p>While there may be scope to address some of these matters through the Local Provision Schedule (to a more or lesser degree), they are matters that will be common to many Councils. Accordingly accommodating the concerns within the SPP’s will assist with Government’s desire for state-wide commonality.</p>
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<ol style="list-style-type: none"> 1. The provisions are developed in isolation and prior to the consideration of a particular development. Accordingly they may not capture all those elements that are required to properly assess the impact of a proposal. 2. The performance criteria may not capture all the considerations that demonstrate that the standard's objective is attempting to capture. This can lead to undesirable outcomes including land use conflict and an erosion of community expectation. <p>In its current form, the inability to defend the refusal of an inappropriate use is inefficient and does not meet community and industry expectations. If the intent is to provide a pathway to a 'guaranteed' approval there a more efficient ways of providing for it. Requiring a discretionary development application increases the time required to access an application (compounded by any potentially appeal processes), increases the cost to prepare the application (again compounded with potentially appeal costs) and frustrates a community who have been 'consulted' within a system that does not allow genuine concerns or opposition to be afforded sufficient weight to influence the determination of the proposal.</p> <p>On the contrary, if the intent is to provide an ability to exercise discretion then the considerations and associated planning provisions need to be expanded to enable this to occur. General considerations relating to amenity (noise, dust, smells, and emissions), land use conflict, character, impact on local traffic etc. that formed part of many earlier schemes would address this.</p>	
<p><i>Determining Discretionary Development.</i></p> <p>Although to a far lesser extent, the concerns associated with Determining Discretionary Uses outlined above are also applicable to Determining</p>	<p>Cl.6.10.2 should be amended to apply to discretionary development as well as use.</p>

<p>Discretionary Development.</p> <p>The format and provisions within the scheme are such that it is difficult to defend the refusal of an otherwise inappropriate development. This is due to three reasons:</p> <ol style="list-style-type: none"> 1. Discretions must be considered in isolation. That is a proposal must be dissected into those components necessary to assess it against an identified standard and each component is assessed in isolation. 2. The provisions have to be developed in isolation and prior to the consideration of a particular development and may not capture all those elements that are required to properly assess the impact of a proposal. 3. The performance criteria may not capture all the considerations that demonstrate that the standard's objective is attempting to capture. <p>Consequence is that a proposal that, on a subjective first pass assessment, maybe inappropriate yet meets the more rigorous technical requirements of a planning assessment cannot be refused – it does not make the proposal any better.</p> <p>A good example is a proposal that in terms of its general bulk and scale may be 'inappropriate' and may require variations to the height, setback, site cover and private open space standards. Given each of the standards must be assessed in isolation and while technically supportable based on the respective performance criterion there is no capacity to refuse (and defend) the proposal based on the actual impact of the development (bulk and scale in this instance).</p> <p>It is noted that cl.6.10.2 only applies to use and <u>not</u> to development and on this basis the purpose of the zone/code is not a consideration when determining a</p>	<p>Additional considerations should be applicable to all discretionary development. This could be achieved through any one or a combination of the following methods:</p> <ul style="list-style-type: none"> • Introduce General Considerations applicable for all discretionary development. • Introduce additional controls that enable more rigorous and holistic assessment of discretionary development. • Introduce minimum/maximum threshold variations to the respective Performance Criterion. • Enable the aggregate impact of multiple discretions to be a valid consideration.
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<p>discretionary development. While this should be corrected the respective zone purposes do not generally provide any useful guidance to assist with the assessment of individual merit.</p> <p>For the same reasons outlined above, the inability to defend the refusal of an inappropriate development is inefficient and does not meet community and industry expectations. If the intent is to provide a pathway to a 'guaranteed' approval there are more efficient ways of providing for it. Requiring a discretionary development application increases the time required to access an application (compounded by any potentially appeal processes), increases the cost to prepare the application (again compounded with potentially appeal costs) and frustrates a community who have been 'consulted' within a system that does not allow genuine concerns or opposition to afforded sufficient weight to influence the determination of the proposal.</p>	
<p>Subdivision.</p> <p>Subdivision standards typically do not provide enough standards relating to urban design criteria specifically connectivity and Public Open Space.</p> <p>Many of the subdivision performance must have 'regard' to 'intended uses' i.e. a lot or a frontage must be of a sufficient size or width to provide for an intended use. This is problematic for two reasons:</p> <ol style="list-style-type: none"> 1. Tying intended use with subdivision is fraught with awkwardness for numerous reasons not the least of which is the difficulty of ensuring that the intended use is tied somehow to the subdivision approval. A lot could be proposed for an intended future use and when created developed for an entirely different use. <p>While the intended use issue could potentially be tied to subdivision approval via a Part 5 Agreement, this arrangement would be</p>	<p>Public Open Space (POS) criteria should be developed and be a relevant consideration of every subdivision assessment. Provisions should be discretionary and incorporate the relevant considerations provided for under the Local Government Building and Miscellaneous Provisions Act relating to:</p> <ol style="list-style-type: none"> 1. The need for POS; 2. Whether any proposed POS is fit for purpose; 3. The capacity to refuse a proposal based on the provision of, or lack of POS; and 4. The capacity to take cash payment in lieu of POS either not provided or not required. <p>Additionally, POS considerations should extend to any matters contained within an adopted POS policy or related Council strategy such as recreation or tracks and trails.</p> <p>The subdivision performance criterion that currently specify that must</p>

<p>unsatisfactory.</p> <p>2. Having 'regard' does not provide any guidance on how much weight should be/can be placed on each the considerations.</p>	<p>have 'regard to intended uses' would more appropriate specify an absolute minimum standard that must be able to provide for the range of permitted uses specified in the respective zone.</p>
<p>Demolition.</p> <p>Demolition is not well managed under the scheme.</p> <p>The definition of Demolition refers to the removal in whole or in part. Accordingly its application is wide ranging applying to a development that involves:</p> <ul style="list-style-type: none"> • the removal of a wall to construct an ensuite on the side of an existing bedroom; • the removal of a roof for a second story addition; and • the removal of a multi-storey building in the CBD. <p>It follows then that unless otherwise stated, demolition is a form of development that requires a permit.</p> <p>The exemptions at Section 4.0 (Table 4.1) specify that the demolition of buildings that are exempt to construct (i.e. 3x3 shed) are also exempt to remove (interestingly the issue should be whether or not it is appropriate to the demolish a particular building not whether the building required a permit to be constructed in the first place).</p> <p>Clause 7.9.1 specifies that unless approved as part of another development (or prohibited) then demolition requires a Permitted application.</p> <p>The issue is that demolition associated with a No Permit Required solution i.e. the development envisaged under the State's PD4.1 controls still require a permitted application – not for the final redevelopment of a building but for the partial (or complete) demolition of the existing building. This is clearly</p>	<p>It is recommended that the provisions relating to demolition at 4.0 and 7.9.1 are consolidated into the one provision for clarity and ease of interpretation. However, as a minimum, 7.9.1 should be modified to so that demolition associated with a no permit required development does not require the submission and approval of an unnecessary development application for demolition or partial demolition of a building.</p>

contrary to the intent of PD4.1.	
<p><i>Mandatory Application Requirements.</i></p> <p>Several Code provisions require the submission of an expert report to demonstrate compliance with the Performance Criteria. It is considered that:</p> <ul style="list-style-type: none"> • This approach can be unnecessarily onerous for small scale/modest development such as additions to an existing building on the opposite side of the building to the hazard. • This format introduces uncertainty as to what information is required to constitute a valid application under LUPPA. I.e. a Coastal Hazard Erosion Report is not explicitly required, but needed for PC. 	<p>It is recommended that:</p> <ol style="list-style-type: none"> 1. Each code include a new Application Requirements section; and 2. Clause 6.1.2 (Application Requirements) be updated to include a specific reference to the Application Requirements specified in any applicable Code.
<p><i>Planning Directive No 4.1 (PD4 & PD4.1).</i></p> <p>The incorporation of PD4/PD4.1 provisions is complicated. The Acceptable Solutions required to assess whether (or not) a proposal actually requires a permit is too onerous. Experience at Clarence is that many building designers/industry professionals do not understand them very well and often submit a development application in case it is required. This is inefficient and does not meet community and industry expectations and is an area that should be reconsidered. It is submitted that there are far simpler ways to determine where a proposal requires a permit, simpler ways of expressing the standards and more effective ways to ensure the objective of each standard is met.</p>	<p>Simplify the format and standards (particularly the respective Acceptable Solutions) required to assess a proposal in the General Residential Zone.</p>
<p><i>Part 5 Agreements.</i></p> <p>The provisions tend to rely too heavily on Council entering Part 5 Agreements that it may or may not wish to be party to. This has additional administrative</p>	<p>Remove the requirement for Council to enter a Part 5 Agreement. This should be left as a mechanism available to Council should it wish to</p>

<p>and financial costs (more red tape). Standards that require Part 5 Agreements to be entered into prior to DA to satisfy PC are not appropriate. Council should not have to commit to a Part 5 Agreement prior the submission and determinations of a proposal.</p> <p>An example is Clause 20.4.3 relating to access across 3rd party land in the Rural Zone. Arguably it is not possible to condition a proposal to meet a Performance Criteria.</p>	<p>pursue it.</p>
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Zone Application Framework	
Issue	Recommendation
<p>Gaps in Application Guidelines</p> <p>A weakness of the draft application guidelines is that the zone frameworks appear to have been developed in isolation independently of the other zones. Consequence is that there are gaps between zone requirements which will leave Planning Authorities floundering as to what zone to apply to some existing areas. This will leave them open to unnecessary challenge/criticism by both land owners and ultimately the TPC.</p> <p>A good example of this is highlighted in trying to establish the appropriate zone to apply to the un-serviced coastal settlements in Clarence (and no doubt elsewhere) such as Cremorne and Opossum Bay. To provide context, historically these areas were coastal holiday/shack destinations on typically smaller lots (500 -1000m² in Cremorne and 250m² – 800m² in Opossum Bay) that over time have been renovated/rebuilt and are now occupied primarily by permanent residents.</p> <p>Under the draft application framework these coastal settlements are not accommodated by the zone application framework for the following reasons: <i>General Residential</i> – because they are not serviced and there is no commitment to service them within 10years (if at all). Additionally these areas</p>	<p>The coastal settlements example provided highlights the need for either expanded guidelines for each of the zones, or a more flexible application to enable an appropriate zone to be applied to existing areas.</p> <p>A degree of overlap between zones would be preferable than gaps. Additionally consideration should be given to the development of a new additional residential zone applicable to isolated and un-serviced coastal settlements.</p>

<p>are known to be subject to coast hazards including erosion and inundation. <i>Low Density Residential</i> – because the majority of the existing lots are substantially less than the “large lots” envisaged by the application framework and the zone does not provide for the limited commercial opportunities previously accommodated (and desired) in the zone for the establishment of a local shop. <i>Village</i> – because a “genuine mix” of uses does not exist (the local shop in Cremorne has closed down in recent times and Opossum Bay has only the one General Store).</p> <p>As currently drafted the guidelines do not provide the necessary guidance required to assign an appropriate zone to un-serviced coastal settlements.</p>	
<p>General Residential</p> <p>The framework ought to provide stronger guidance articulating where the zone should not be applied i.e. land subject to hazards.</p>	<p>The last paragraph could be improved by explicitly stating examples of constraining hazards that should be avoided. i.e.</p> <p><i>“Avoid land highly constrained by hazards (<u>i.e. inundation, erosion and landslip</u>), natural values (i.e. threatened vegetation communities) or other impediments to developing the land to suburban densities, except where those issues have been taken into account and appropriate management put into place during the rezoning process.”</i></p> <p>While this may be seen as unnecessary it is consistent with the “(i.e. threatened vegetation communities)” example provided and reinforces a precautionary approach consistent with the State’s position and expectations.</p>

<p>Low Density Residential</p> <p>Application does not recognise the LDR zone as a transitional zone between urban and non-urban environments such as the transition from General Residential to Skyline/hill tops i.e. Rural Living, Environmental Management and Landscape Conservation zones, which is typically how it is used for urban design and environmental management.</p>	<p>An additional dot point ought to be added recognising the legitimate application of the LDR zone as a transitional zone between urban and non-urban environments.</p>
<p>Landscape Conservation</p> <p>There are examples of barren/sparsely vegetated landscapes that have an intrinsic scenic value such as Droughty Point and parts of Single Hill (Acton/Seven Mile Beach) that may not meet the application criteria specified as currently drafted.</p>	<p>Recognition of landscapes should be specifically listed independently of whether or not a particular area contains native vegetation (which may or may not contribute to biodiversity).</p>
<p>Village</p> <p>The application criteria for the Village zone may be an issue for southern Clarence particularly the statement <i>“The zone should not be applied to settlements where a genuine mix of uses does not exist or is not desired.”</i></p>	<p>Cremorne, South Arm and Opossum Bay have traditionally been zoned Village under the last 3 planning schemes (if not by name only), characterised by beach side residential dwellings on typically small un-serviced lots there is not a strong mix of uses. While there are some commercial uses in South Arm and Opossum Bay the shop/service station in Cremorne has closed in recent years.</p> <p>The General Residential zone is not appropriate for these areas due to their lack of services and being outside the Urban Growth Boundary. Low Density Residential would be equally inappropriate due to the typical lot sizes and a desire to provide for a range of limited commercial uses as the market will support.</p> <p>Clarence will not be the only Council with this dilemma and suggest the breadth of the Village zone application be expanded to cater for these gentrified shack settlements. The alternative is that stronger guidance needs to be provided in the alternative zones to clearly articulate what</p>

	zoning is intended to apply these areas.
<p>Agriculture</p> <p>The reference to the word “commercial” in the zone application criteria.... <i>“Apply to land identified for <u>commercial</u> agricultural production. This zone is to capture the agricultural land subject to the State Policy on the Protection of Agricultural Land 2009”</i> should be avoided.</p> <p>It does not matter whether the land is being used “commercially” as long as the land is identified for agricultural production. However the use of the word “commercial” will inevitably lead to “viability” arguments and therefore form part of any justification to rezone productive agricultural land that is not making suitably profitable returns. Viability is a term that has been dismissed many years ago as a valid consideration in rural planning. It is extremely dangerous and inappropriate to resurrect it now.</p> <p>Either the land is productive or it is not. Often poor returns are an indication that new/different farming practices are required or that an alternative crop needs to be considered rather than provide an opportunity to rezone and subdivide the farm to grow houses. Justification whether or not to apply the zone ought to be based on agricultural land capability/capacity rather than financial returns.</p>	<p>Delete the word “commercial” in the zone application criteria</p>
<p>Environmental Management (Coastal Planning)</p> <p>Historically the majority of coastal titles extend to the high water mark rather than the low water mark hence no guidance is provided for the land within the tidal zone.</p>	<p>Reference should be made to high water mark rather than the low water mark.</p> <p>Additionally the other zones referred to as being suitable for coastal planning (i.e. Port and Shipping and Open Space) should be recognised within their respective application frame works – as drafted they are not.</p>
Specific Area Plans & Particular Purpose Zones	

<p>Guidance is required as to when it would be acceptable to depart from the standard suite of zones and their respective application frameworks and apply either a Specific Area Plan or Particular Purpose Zone.</p> <p>For example, as part of Technical Reference Group meetings with the Taskforce several concerns were raised with the application of the Commercial Zone in Cambridge Park. For the most part the concerns related to the Commercial Zone's prohibition of certain uses within the draft Table of Uses. The end result was that Clarence's expectations for Cambridge Park did not fit well with the purpose of the Commercial Zone and the prescribed Table of Uses. It was indicated that the way forward would be for Clarence to develop a Specific Area Plan or Particular Purpose Zone tailored specifically for Cambridge Park. This approach is acceptable; however, the draft Zone Application Framework does not flag it as a suitable alternate to the application of the Commercial Zone as there are no indicators as to when this approach ought to be pursued.</p>	<p>To ensure local strategy can be implemented effectively through site specific controls stronger guidance needs to be provided outlining:</p> <ol style="list-style-type: none"> 1. When it is appropriate to pursue a Specific Area Plan; 2. When it is appropriate to pursue a Particular Purpose Zones; 3. The range of controls that may be considered to assist with the implementation of local considerations; 4. The extent that local controls may override SPP's
<p><i>Hobart Airport - Commonwealth land</i></p> <p>Section 8.2 (p31) of the explanatory document specifies that all land in the TPS are must be zoned. This is potentially problematic for Commonwealth owned land such as the Hobart Airport. As submitted as part of the assessment of the former Clarence Planning Scheme 2007 and current Clarence Interim Planning Scheme 2015 it is not possible to impose planning controls over this land.</p>	<p>Either the TPS area must exclude Commonwealth land (specifically the Hobart Airport) or alternatively the application framework should allow for this land to remain unzoned.</p>

Code Application Framework	
Issue	Recommendation
<i>Coastal Erosion & Inundation</i>	

<p>It is noted that the Code Application Framework exhibited with the TPS provides that Council's may depart from the DPAC Coastal Erosion and Inundation Mapping pursuant to Clause LP3.8.2 and LP3.9.2 respectively.</p> <p>This approach is supported where local modelling is superior to the DPAC modelling.</p> <p>Additionally, this is consistent with advice from Council's insurer MAV who advised that at the risk of voiding a claim planning agencies are obligated to incorporate the most reliable information into its planning controls.</p>	<p>Locally justified variation to the DPAC Coastal Erosion and Inundation modelling is supported.</p>
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CONTENT OF LOCAL SCHEDULE	
Issue	Recommendation
<p>Public Art Code</p> <p>Concern that the Public Arts Code is deemed by the Explanatory report to be not allowed.</p> <p>Public Art contributions are for a planning purpose, just in the same way as car parking or design controls are. New developments in commercial areas have an urban design and public amenity responsibility: they are not exclusively inwards focussed but are part of a complex commercial and social system.</p> <p>Public art is an essential element of commercial centres and the way they create their own sense of place. This has been the case throughout civilised history. And today, many cities throughout the world require new commercial development to make a contribution to the public art as part of their development approval process.</p>	<p>That provision is made for public art contributions as part of new developments in business zones.</p>
<p>Stormwater Management Code</p> <p>The Southern Interim Model Schemes currently contain a Code to manage the</p>	<p>It is recommended that a suitable Code is incorporated into the SPP's to</p>

impact of Stormwater. There is concern that the plumbing regulations do not sufficiently manage the issue as indicated in the explanatory document.	manage Stormwater. While this matter could potentially be addressed through the respective LPS's a state wide approach would be preferable to ensure consistency with requirements and expression.
Onsite Wastewater Code The Southern Interim Model Schemes currently contain a Code to manage the impacts of Onsite Wastewater. There is concern that the plumbing regulations do not sufficiently manage the issue as indicated in the explanatory document. Further, the development of a suitable code would assist with assessing the suitability of a subdivision proposal.	It is recommended that a suitable Code is incorporated into the SPP's to manage Onsite Wastewater. While this matter could potentially be addressed through the respective LPS's a state wide approach would be preferable to ensure consistency with requirements and expression.

ADMINISTRATION		
Section	Issue	Recommendation
PART 3.0 – INTERPRETATION		
Definition for 'access strip'	The definition for 'access strip' should be revised to include reference to 'vehicular' to prevent an access strip being formed which cannot be practically utilised for access purposes.	Replace the definition for an 'access strip' with the following: 'Means the narrowest part of an internal lot to provide vehicular access to a road.'
Definition for 'building height'	The definition for 'building height' refers to the distance from 'existing ground level' as opposed to 'natural ground level'. This may be problematic in that earthworks (land fill) could be conducted independently of a development meaning when a future development application is lodged the resultant building height would be greater than that accounted for on developed lots. This could result in variations to established building heights within an area.	Replace the definition for 'building height' with the following: 'Means the vertical distance from natural ground level at any point to the uppermost part of a building directly above that point, excluding protrusions such as aerials, antennae, solar panels, chimneys and vents.'
Definition for 'dwelling'	The definition of dwelling contains specified mandatory requirements/components that that a building must have in order to be a 'dwelling'. The	Replace the definition for 'dwelling' with the following: 'Means a building or part of building used as a self-contained residence

	<p>concern is that a building that does not contain one of these components i.e. a laundry is no longer a dwelling – it's just a habitable building.</p> <p>Under this definition it would be possible to have a several (maybe 20 or more at the extreme end) buildings on a site with a shared common laundry that meets the requirements of a 'single dwelling'.</p> <p>Experience is that this is an issue with ancillary dwellings that are too big to meet specified size limits slip through as part of the main dwelling on the basis that they do not have a laundry. Even so, laundry facilities are often installed without the required permits in any event (it does not take much to install at a washing machine to a kitchen sink).</p>	<p><u>typically containing or having access to food preparation.....'</u></p>
PART 4.0 - EXEMPTIONS		
Visitor Accommodation	<p>The exemption relating to dwelling being able to be used for visitor accommodation for up to 42 days per annum is problematic.</p> <p>A situation can clearly be envisaged where a dwelling is offered on Airbnb for instance without any approval from Council and the subject of neighbouring complaint/s.</p> <p>After being let for 42 days in a year is a visitor accommodation business can no longer be let and will be effectively impossible to regulate/enforce.</p>	<p>The issue of 'temporary' visitor accommodation has not been addressed in any meaningful way.</p> <p>Suggested solutions include:</p> <ol style="list-style-type: none"> 1. Make Visitor Accommodation exempt subject to other more readily assessable/enforceable criteria which could include maximum area, number of bedrooms, number of accommodation units per site, off street parking requirements etc. 2. Remove the exemption and make Visitor Accommodation subject to the permissibility within the respective table of uses (which may include a NPR pathway).

PART 6.0 – ASSESSMENT OF AN APPLICATION FOR USE OR DEVELOPMENT		
6.2.6	The inclusion of a category of development that does not have to be categorised into a use class is supported. The list of “useless” development is also appropriate. However there are likely to be several other forms of development that ought to be included.	For clarity it is recommended that clause 6.2.6 be renumbered to 6.2.2 inserted immediately below 6.2.1 and the remaining clauses renumbered accordingly.
Clause 6.2/ Table 6.2 Use Classes (Miscellaneous/undefined Use)	<p>Despite clause 6.2 some uses will be very difficult to classify leaving some use classification (and any decision relating to the use) vulnerable to challenge at the tribunal. Accordingly use classification can be uncertain and costly - the tribunal is better utilised for resolution of merits based development/use rather than arguments around use classification.</p> <p>It is recommended that an additional Miscellaneous/undefined Use Class be provided for and listed as a discretionary use in all but perhaps the sensitive (residential) zones.</p> <p>While there may be risks associated with the inclusion or exclusion of miscellaneous/undefined uses it is important to reflect on what these risks are in the real world.</p> <p>Risks associated with <u>not providing</u> for a miscellaneous/undefined uses include:</p> <ul style="list-style-type: none"> • Difficulties with use classification (uncertainty and costly) • Potentially prohibiting otherwise reasonable/desirable uses (economic development opportunities lost) • Additional planning scheme amendments to “correct” table of uses that would not otherwise be required (time consuming, uncertain and costly). 	It is recommended that an additional Miscellaneous/undefined Use Class be provided for and listed as a discretionary use in all zones and that additional standards/considerations be developed for all discretionary uses (as discussed elsewhere).

	<p>The only risk associated with providing for miscellaneous/undefined uses is that the provision could potentially be exploited. While this risk is real, the appeal system can adequately manage any inappropriate decisions should it be necessary.</p> <p>With such rigid classification requirements applied consistently across all schemes there is potential for a new use to emerge that cannot be provided for anywhere in Tasmania. In the 1980's call centres emerged and there was a rush by councils competing throughout the Australia to attract these new employment centres. Those whose planning schemes did not allow call centres were really in trouble and many sought scheme amendments – many were too late and lost out to those who could offer a permit without delay.</p> <p>By allowing for an undefined use as discretionary in at least the business and industrial zones, Tasmania won't be caught out if a new use emerges that we cannot yet imagine and therefore have no relevant definition and the 'most appropriate' one is prohibited in the 'most appropriate' zone for it. Risks are minimised where the use and development standards of the zone provide suitable protections (more on this elsewhere).</p>	
Table 6.2 Use Classes (Residential Use)	The concern is that the scheme does not cater, or at least does not cater very well, for those people who want to build an outbuilding on a vacant site prior to developing a dwelling.	<p>The issue could potentially be addressed by one of three ways:</p> <ol style="list-style-type: none"> 1. Provide an additional exemption for shed (not associated with a dwelling). 2. Modify the definition of the Residential Use Class to include or

	<p>Outbuildings are readily considered part a dwelling development when a dwelling either exists or is proposed concurrently. However, in the circumstance where it is proposed to build a shed prior to the construction of a house the use must be assessed in isolation independently of the dwelling. Not only is this difficult, it usually defaults to some kind of Storage use which is prohibited in the residential areas.</p> <p>While this could be an issue anywhere it is reasonably common in coastal 'shack' settlements where owners want to store their boats, associated beach toys and sometimes future building materials.</p> <p>In essence this kind of development is a form "domestic storage" rather than a commercial one with very different impacts and associated level of community acceptance.</p> <p>While this form of development may or not suit an exemption/no permit required pathway it ought to be able to be legitimately apply for.</p>	<p>recognise that an outbuilding in advance is a form of residential development and managed through the respective table of uses (which probably ought to be discretionary in each of the zone).</p> <p>3. Provide for a miscellaneous/undefined use class as discussed above.</p>
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ZONES		
Section	Issue	Recommendation
10.0 LOW DENSITY RESIDENTIAL ZONE		
10.1.1 Zone Purpose Statements	The revised Village zone (with greater emphasis on commercial use) will potentially mean that the coastal settlement areas including South Arm, Cremorne, Clifton Beach and Seven Mile Beach will need to be incorporated into the LDR Zone due to the lack of services and land hazards. Even so the LDR zone is not a good fit for these areas (see earlier comments on zone	<p>See other comments relating to zone application framework. Should the zone be intended to be applied to coastal settlements consideration should be given to broadening the scope of the zone and revising purpose to recognise this function. Reference to 'larger' lots may need to be removed from the purpose statement.</p> <p>The zone purpose should recognise the zone application as a transition zone from</p>

	<p>application framework).</p> <p>The Zone Purpose Statement 10.1.1 and the Zone Application Frameworks detail that the zone is to apply to ‘larger’ lots in residential areas where there are infrastructure, environmental or aesthetic constraints and does not readily suit the coastal settlements listed above.</p> <p>The Zone Purpose Statement for the LDR Zone does not take account of areas that will be covered by this zoning that may be effected by land hazards (such as inundation, erosion, flooding hazard) and will likely cover lots which are not necessary ‘large’ (i.e. many lots will be less than 1,000 square metres).</p> <p>The zone purpose does not recognise the zone application as a transition zone from urban to non-urban environments.</p>	urban to non-urban environments.
10.1.1 Zone Purpose Statements	Zone Purpose Statement 10.1.3 deals with displacement of residential use however there are no standards within the Use Table or Use Standards indicating how this is to be achieved.	Consider the inclusion of use standards in Section 10.3 to address residential displacement given the range of discretionary commercial uses has been expanded than that provided for within SIPS’s.
10.3.1 A2 External lighting	Spelling error for correction within Clause 10.3.1 A2.	Replace the word ‘extent’ with ‘extend’.
10.4 Development Standards for Dwellings	<p>Zone Purpose Statement 10.1.1 acknowledges that the LDR Zone is intended to be applied to residential areas which may be constrained for environmental or aesthetic reasons. Whilst not specifically an issue for Clarence, the application of the LDR Zone to areas where tree cover forms an important characteristic of the area (such as Abeles Bay, Randall’s Bay, Highland Lakes) means there should be development standards which provide assessment criteria for tree preservation, landscaping and external appearance.</p> <p>With the loss of the EL Zone and more stringent criteria concerning the use of the Landscape Conservation Zone, there may be some properties lost to the LDR and RL Zones with little regard to environmental and landscape value. The LDR and RL Zone therefore may have a wider application than that provided for under IPS’s.</p>	
10.2	In the case of Clarence, the replacement of the Village zoning	Remove the permitted ‘Residential’ use class within Table 10.2 and reinstate as a

Use Table	within the South Arm coastal settlements with the LDR Zone will result in a multiple dwelling development being permitted use as opposed to a discretionary use. Is this appropriate for areas which are traditionally developed with single detached dwellings within areas which are constrained?	discretionary use.
10.3.2 Objective statement for Visitor accommodation	The Objective statement for visitor accommodation refers to the retention of privacy. The standards of 10.3.2 relate to use as opposed to built form therefore would be better addressed under the non-dwelling development standards within 10.5.	Remove objective clause (b) and P1(a) relating to the protection of privacy.
10.4.1 P1.1 and P1.2 Residential density for multiple dwellings	P1.1(a) and P1.2(a) requires consideration of dwelling density to be taken in the context of the properties in the area. This is a broad concept and could be used to draw comparison with a property located at the opposite end of the street.	Replace P1.1(a) and P1.2(a) of Clause 10.4.1 with the following: (a) Is not out of character with the pattern of development existing on established properties within the immediate area;
10.4.3 P1 Setback	The PC fails to account for the retention of native vegetation within the front setback where such vegetation makes a significant contribution to the landscape as viewed from the road (i.e. areas such as Clifton Beach – Thompson Way).	Insert P1(f) to read as follows: (f) Minimise loss of native vegetation within the front setback where such vegetation makes a significant contribution to the landscape as viewed from the road.
10.4.3 P2 Setback	The PC provides that the only impact resulting from a side setback dispensation is that relating to neighbouring amenity. This is not necessary the case for lots which are constrained and the PC should be broadened to consider the impact of the setback dispensation upon natural vegetation cover, land hazards and servicing constraints.	It is recommended that Clause 10.4.3 P2 is replaced with the following: The siting of a dwelling must have regard to: (a) The topography of the site; (b) The size, shape and orientation of the site, (c) The setbacks of surrounding buildings; (d) The height bulk and form of existing and proposed buildings; (e) The existing buildings and private open space areas on the site; (f) Sunlight to private open space and windows of habitable rooms on adjoining properties; (g) The character of development existing on established properties in the area; and (h) Minimisation of impact on natural values and vegetation cover and identified land hazards.

General comment	The LDR Zone in SIPS's included a regional optional provision for ancillary dwelling to ensure they are located within the curtilage to minimise the appearance of two separate residences on a single title and overall vegetation loss. These standards should be included within the TPS as reliance on the definition of a 'secondary dwelling' does not adequately address this issue.	The insertion of a new development standard addressing ancillary dwelling provisions contained within the SRMPS's is recommended.
General comment	It is suggested that private open space requirements for multiple dwellings be considered for inclusion within Section 10.4 in order to ensure an adequate level of residential amenity. Given the General Residential Zone and Village Zone will not suit un-serviced residential settlements such as South Arm.	Investigate the inclusion of private open space requirements specific to multiple dwelling developments.
10.5.1 P1 Height for non-dwelling development	The PC requires modification to clarify that residential amenity is to be given priority.	Reword P1 of 10.5.1 to read: The height of a building that is not a dwelling must be compatible with the streetscape and not cause an unreasonable loss of <u>residential</u> amenity having regard to: ...
10.5.1 A3 Setback for non-residential development	The AS refers to a building envelope however there are no building envelope requirements for this zone.	Revise A3 of Clause 10.5.1 to read as follows: A building that is not a dwelling, excluding outbuildings with a building height of not more than 2.4 m, must have a setback: (a) From side boundaries of not less than 5m; and (b) From rear boundaries of not less than 5m.
10.6.1 P1 Lot design	Subclause (d) requires expanding to also consider the presence of natural values. Punctuation (full stop) required at the end of subclause (f).	Revise P1(d) and (f) to read: (c) The presence of any natural hazards and natural values. (f) The pattern of development existing on established properties in the area.
11.0 RURAL LIVING ZONE		
General comments	Given the EL Zone is intended to be replaced with the LC Zone, there will be some existing areas of Environmental Living zoned land that will not be suitable for inclusion within the LC Zone as the environmental and conservation value may not be of a 'significant' scale as required by the Zone Purpose Statement. This may result in an increase in the use of the RL Zone and subsequently an increase in the number of RL zoned properties	Consider reviewing the Zone Purpose Statements to allow for consideration of environmental and landscape values.

	with natural or landscape value. The Zone Purpose Statements and Development Standards fail to recognise that RL zoned land can also have valuable natural and landscape values which form part of the overall rural character.	
11.2 Use Table	The unqualified discretionary 'Food services' use class allows for a drive-through take-away shop which has the potential to undermine the Activity Centre hierarchy through encouraging out-of-centre development.	Insert a qualification for the discretionary 'Food services' use class to read: If not for a drive-through take-away shop.
11.2 Use Table	The qualified discretionary 'Manufacturing and Processing' use class is unnecessary as an extension to a non-conforming use is better dealt with under the provisions contained within Clause 7.1 (extension to non-conforming use provisions).	Remove the discretionary 'Manufacturing and Processing' use class and associated qualification from the Use Table.
11.3.2 A1 Visitor accommodation	Revisions suggested for drafting consistency.	Replace Clause 11.3.2 A1 with the following: Visitor Accommodation: (a) Must be accommodated within existing buildings; and (b) Must not have a gross floor area more than 160m ² .
11.4.2 A4 Building height, setback and siting	The AS does not consider the impact of a new sensitive use upon Rural zoned land which may have considerable agricultural potential and contains most of the state's productive forests. The recalibrated rural zones may also result in areas of existing SA zoned land being lost to the Rural Zone.	Replace Clause 11.4.2 A4 with the following: Building setback for buildings for sensitive use (including residential use) must comply with all of the following: (a) Be sufficient to provide a separation distance from land zoned Rural of no less than 100m; and (b) Be sufficient to provide a separation distance from land zoned Agriculture of no less than 200m.
11.4.2 P4(d) Building height, setback and siting	The PC presently drafted does not take account the presence of natural buffers (such as shelter belts) which are recognised as effective attenuation buffers.	Replace Clause 11.4.2 P4(d) to read as follows: (d) Any buffers created by natural or other features.
14.0 LOCAL BUSINESS ZONE		
Explanatory Doc	The explanatory Report states that in most instances this zone will be surrounded by Residential zones. If that is true, then a careful approach to maintaining amenity should be taken. In these circumstances restaurant/ take away food chains, which	The no permit required uses in 14.2 should be reviewed having regard to their potential amenity impacts on surrounding residential areas.

	typically attract high customer and vehicle numbers and include corporate signage and architecture, would be inappropriate as no permit required uses in this zone.	
14.3.1 A2 (b)	14.3.1 A2 (b) allows security lighting provided it is baffled to ensure direct light does not enter the adjoining property. But how does one define “direct light”? That is, if a light can be seen from the adjoining property – is it direct? Test like this should be measurable, by reference for example to an Australian Standard.	All Acceptable Solutions should be reviewed to ensure they are certain and measurable.
14.3.3 A1	14.3.3 A1 unreasonably requires general retail and hire uses which are consistent with the primary purpose of the zone, to provide potentially expensive and uncertain level economic justification, which opens up the possibility of competitors in nearby centres objecting on the grounds of impacts on their businesses. In particular, small supermarket proposals within local shopping strips and centres have the potential of being bullied out of obtaining approvals by larger competitors in other centres.	All Acceptable Solutions should be reviewed to ensure they are certain and measurable.
15.0 GENERAL BUSINESS ZONE		
	<p>The controls should be reviewed to verify that all Acceptable Solutions are certain and measurable. For example A15.4.3 A1 (h) says that the design buildings must “provide external lighting to illuminate external car parking area and pathways”. What can this mean though? How can a council determine whether there is enough or too much or whether it is inappropriately located without exercising discretion?</p> <p>In the above example, Councils will be reluctant not to accept any lighting solution offered, given the threat of a \$59 appeal. This highlights the point of having uncertain controls at all.</p>	All Acceptable Solutions should be reviewed to ensure they are certain and measurable.
	Zero setbacks to frontages are usually appropriate to ensure that a hard edge to the street is achieved in major centres. However there are occasions that particular streets require alternative design standards to ensure important streetscape, urban design or community objectives are met. For example Rosny park’s Bayfield Street has for many years been subject to a frontage setback to facilitate forecourt uses, such as outdoor table service	Council expects to be able to develop local provisions to implement major local strategies that are intended to enhance centres in this zone.

	<p>and meeting spaces and to enhance the appearance of buildings.</p> <p>There will be a range of urban design projects in cities that will rely on unique planning controls to help deliver design goals for the economic, visual and social enhancement of the centre. The use of local provisions must be allowed in order to facilitate these important plans.</p>	
17.0 COMMERCIAL ZONE		
	<p>There are numerous conflicts between this zone's provisions and the nature – and future anticipated form – of the Homemaker Centre Precinct. However, the Minsters' Explanatory Report says <i>"Clarence City Council apply the Commercial Zone to the Cambridge Park area with a Permitted building height of 15m. Cambridge Park is a specialist centre and differs to most of the other areas covered by the Commercial Zone in the State. There may be opportunities for Clarence to justify some specific controls for the Cambridge Park area through their Local Provisions Schedule."</i></p> <p>The nature of the intended uses and the particular building, illumination and site design requirements for this site, within its Hobart gateway setting will require a local provision and it is expected that the Commission will ultimately agree to this, given the above quote.</p>	<p>Typically the standards do not reflect that Cambridge park as visually prominent from the surrounding area and a gateway to Hobart. The urban design in Cambridge Park is typically of a high standard and ought to be promoted, in this context the height standards are too low, setbacks not big enough and there is no requirement for landscaping.</p> <p>Council seeks acknowledgment of the need for local provisions will be required to provide for the unique use and development of the Cambridge commercial precinct and its important setting in the Hobart gateway.</p>
17.2 Table of Use	<p>The Commercial zone is scarce resource and it is important this be protected for commercial use and does not get taken up with industrial uses that ought to be directed to the light and general industrial zones. Use qualifications should be utilised to prevent Commercial zones becoming a shopping centres or industrial hubs. This would compromise retail hierarchy and the industrial strategy at the same time as preventing other core Commercial uses from establishing i.e. Bulky goods and DFO's.</p>	<p>Business and professional services should be subject to a qualification that it is a Campus Style Office.</p> <p>Schools, Manufacturing and Transport depots should be prohibited or more tightly controlled through qualifications such as "must be contained within an existing building" as they would be better located in alternative zones.</p>

18.0 LIGHT INDUSTRIAL ZONE												
18.4.2	<p>Clause 18.4.2 has a significant omission in that it does not require landscaped setbacks (it only infers they may have one under P1 – but if the corresponding AS is met- no landscaping is required).</p> <p>Landscaping is an important component of good industrial estates – providing appropriate amenity and building enhancement as well as in attracting new investment. Industrial estates will not attract major new investment if they cannot guarantee protection of property investments and a high standard of streetscape to showcase businesses.</p> <p>For decades, industrial landscape requirements have been reasonably and successfully imposed throughout Australia. It is therefore of great concern that the proposed controls do not include landscaping controls.</p>	<p>The following Acceptable Solution/ Performance Criteria should be inserted:</p> <p>18.4.5 Landscaping</p> <table><tr><td>Objective</td><td colspan="2">To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.</td></tr><tr><td colspan="2">Acceptable Solutions</td><td>Performance Criteria</td></tr><tr><td colspan="2">A1 A 5.5m landscaped area must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage. The landscaped area must contain a mixture of plant types able to enhance the site; filter views of activities; and break up building mass.</td><td>P1 Landscaping must be provided to satisfy all of the following: enhance the appearance of the development provide a range of plant height and forms to filter views of activities; break up building mass; and create interest and amenity; not create concealed entrapment spaces; the area within 4.5 m of the frontage, excluding site entry or exit and buildings, must be landscaped or on a corner lot, where a frontage to a minor road, where the landscaping must be a minimum of 3m deep excluding site entry or exit and buildings.</td></tr></table>		Objective	To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.		Acceptable Solutions		Performance Criteria	A1 A 5.5m landscaped area must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage. The landscaped area must contain a mixture of plant types able to enhance the site; filter views of activities; and break up building mass.		P1 Landscaping must be provided to satisfy all of the following: enhance the appearance of the development provide a range of plant height and forms to filter views of activities; break up building mass; and create interest and amenity; not create concealed entrapment spaces; the area within 4.5 m of the frontage, excluding site entry or exit and buildings, must be landscaped or on a corner lot, where a frontage to a minor road, where the landscaping must be a minimum of 3m deep excluding site entry or exit and buildings.
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18.5.1	<p>Clause 18.5.1 sets a significantly too small minimum lots size for permitted subdivision (1000m²). This is too small to accommodate a typical light industrial building, within Acceptable Solution setbacks with adequate space for access, car parking, storage and especially truck access and on-site manoeuvring.</p> <p>Experience in Clarence's Cambridge industrial area is that purchasers of small industrial lots are aggrieved when the lot they have purchased is too small to accommodate appropriate the parking, access etc. – and especially on site turning for industrial vehicles (which is usually necessary when fronting a main road) and they and Council are therefore faced with a compromise solution for the site.</p> <p>It follows that small lots should be discretionary and subject to meeting appropriate performance criteria to ensure they are capable of the type of industrial development envisaged for the particular area.</p>	18.5.1 A1 (a) should be amended to "2000m ² " and a new 18.5.1 (i) c. inserted "space necessary to accommodate on site access, car parking and truck manoeuvring".									
19.0 GENERAL INDUSTRIAL ZONE											
19.4 & 19.5	The same issues exist here as they do the Light Industrial zone (excluding minimum subdivision lot size)	<p>The following Acceptable Solution/ Performance Criteria should be inserted:</p> <p>19.4.4 Landscaping</p> <table border="1"> <tr> <td>Objective</td><td colspan="2">To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.</td></tr> <tr> <td colspan="2">Acceptable Solutions</td><td>Performance Criteria</td></tr> <tr> <td colspan="2">A1 A 5.5m landscaped area must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.</td><td>P1 Landscaping must be provided to satisfy all of the following: enhance the appearance of the development</td></tr> </table>	Objective	To ensure that a safe and attractive landscaping treatment enhances the appearance of the site and if relevant provides a visual break from land in a residential zone.		Acceptable Solutions		Performance Criteria	A1 A 5.5m landscaped area must be provided along the frontage of a site (except where access is provided) unless the building has nil setback to frontage.		P1 Landscaping must be provided to satisfy all of the following: enhance the appearance of the development
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19.5.1 A1 (a) should be amended to include a new (i) c. “space necessary to accommodate on site access, car parking and truck manoeuvring”.		
20.0 RURAL ZONE		
20.4.1 A1	The Acceptable Solution for building height permits a maximum building height of 12 metres. The permitted height is considered excessive for a residential use (effectively encourages 4 storey dwellings) and should be reduced to 8.5 metres.	<div>Revise Clause 20.4.1 A1 to read as follows:</div> <div>Building height must be not more than:</div> <div>12 metres for a non-residential use; and 8.5 metres for a residential use.</div>
20.4.2 A2 Setbacks for sensitive use	The sensitive use setback standards do not include provisions relating to building setback from private timber reserves, plantation forest and State Forest. This requirement was included within SIPS’s and should be translated into the TPS Rural Zone to minimise the potential for conflict between sensitive use and forestry operations.	<div>Revise Clause 20.4.2 A2 to read as follows:</div> <div>Buildings for sensitive use must comply with all of the following:</div> <div>(a) Be separated not less than 200m from an Agriculture Zone; and (b) Be separated not less than 100m from plantation forest, Private Timber Reserve or State Forest.</div>
20.5.1 P1 Lot design	In order to demonstrate compliance with P1(b)(i) it should be specified that an Agricultural Report prepared by a suitably qualified agricultural consultant is required to demonstrate the	<div>Revise Clause 20.5.1 P1 (b)(i) to read as follows:</div> <div>(i) It is demonstrated by a report prepared by an agricultural consultant that</div>

	<p>agricultural productivity of the balance lot. P1(b) (ii) prohibits the eventual construction of a dwelling on the balance lot if it is presently a vacant lot. The Use Table allows for a single dwelling on discretionary basis therefore it is not understood why this limitation needs to apply to Rural zoned land. Lastly, P1(c) does not stipulate an absolute minimum right-of-way / frontage dimension for access / frontage purposes.</p>	<p>the balance lot provides for the sustainable operation of a Resource Development use, having regard to:</p> <p>...</p> <p>Remove Clause 20.5.1 P1(b)(ii) and renumber remainder of Clause accordingly.</p> <p>Revise Clause 20.5.1 (c) to include a new clause as follows:</p> <p>And is not less than 3.6m wide.</p>
21.0 AGRICULTURE ZONE		
Table of Use	<p>The Use Table inappropriately provides discretion for Educational and Occasional Care, Food Services and General Retail and Hire – without qualification.</p> <p>This means that quality farmland could be fragmented for uses like a child care centre; a café – including a “McDonalds”; retail shops; or a department store.</p> <p>While there is a case for some forms of the uses to exist in agricultural areas, there should be appropriate limitations. For example:</p> <ul style="list-style-type: none"> • Educational and Occasional Care should be limited to education associated with the agricultural use – such as a university farm or, agricultural college. • Food Services and General Retail and Hire should similarly be limited to formats that are associated with the agricultural use – such as a gift shop at a vineyard or a restaurant at a vineyard, winery. 	The Tables of Use should be modified as discussed opposite.
21.4.1 A1 Building Height	The Acceptable Solution for building height permits a maximum building height of 12 metres. The permitted height is considered excessive for a residential use (effectively encourages 4 storey dwellings) and should be reduced to 8.5 metres.	<p>Revise Clause 21.4.1 A1 to read as follows:</p> <p>Building height must be not more than:</p> <p>12 metres for a non-residential use; and 8.5 metres for a residential use.</p>
21.4.2 A1 Setbacks	21.4.2 A1 provides an inappropriate 5m setback. Given the size of agricultural lots, there is no reason why a deeper setback	21.4.2 A1 should provide a 20m setback.

	<p>cannot be achieved – say 20m, without impacting on the agricultural use of the land. While small setbacks may be satisfactory on minor roads, in many cases, this zone abuts major roads where the impact of large industrial buildings will have an adverse impact on the rural landscape. For example, the impact of farm buildings with an industrial appearance on the visual response s to Richmond Road as it passes through the Coal River Valley.</p> <p>If the response to this concern is that Councils should develop local provisions schedules for the particular roads of concern, it is submitted that this would result in the sort of unnecessary complexity and regional differences that the State Scheme project intended to avoid. It would be much simpler for all if the permitted standard was 20m and the performance criteria included tests to allow for reduced setbacks.</p>	
21.4.2 A2 Setbacks for sensitive use	A2 requires a 200 metre setback from all boundaries regardless of the adjoining zoning. A lesser setback of 100 metres from Rural zoned land would be more reasonable.	<p>Revise Clause 21.4.2 A2 to read as follows:</p> <p>Buildings for sensitive use must have a setback from all boundaries of:</p> <ul style="list-style-type: none"> (a) Not less than 200m from Significant Agriculture zoned land unless where the setback of an existing building for a sensitive use on the site is within 200 metres of that boundary, not less than the existing building; and (b) Not less than 100 metres from Rural zoned land unless where the setback of an existing building for a sensitive use on the site is within 100 metres of that boundary, not less than the existing building.
21.5.1 Lot design	A minimum access width ought to be included within Clause 21.4.3 P1 (b).	<p>Revise Clause 21.4.3 P1 (b) to include a new clause as follows:</p> <p>And is not less than 3.6m wide.</p>
21.5.1 Lot Size	It is a serious and unnecessary risk that a minimum subdivision lot size is not set. Even though controls are proposed that will reduce the likelihood of farmland fragmentation for non-farm use, without a minimum size there remains an important risk that new lots will ultimately not be used effectively or efficiently. A minimum size that is more likely to see lots farmed and less likely to risk non-agricultural or inefficient rural living uses.	21.5.1 P1 should introduce a new (a) “all new lots must be not less than 10ha in area”. The existing controls should be renumbered accordingly

21.5.1 excision of an existing use	<p>21.5.1 P1 (c) although well intentioned to allow the excision of an existing use, creates further risk, unless it is amendment to refer to use or development that existed at scheme approval date.</p> <p>Some years ago, a similar provision in some interstate rural council planning schemes was used as a loophole to allow progressive subdivision of farms contrary to the primary subdivision controls. There are examples, particularly in the north east where valuable dairy and cattle growing land was substantially and permanently fragmented - including several whole dairy farms as the owners subdivided a house lot, built another house, subdivided that, built another house, subdivided and so on.</p> <p>Reliance on an agreement as proposed in (c) (ii) is noted as the intended method to prevent the above example. However, it is questioned whether the agreement has the power to prevent residential use on the balance, in that agreements can be changed or removed with consent of the parties. Accordingly it is recommended that subdivisions for such purposes should be restricted to only those uses and developments that existed at the scheme approval date. It follows that uses / developments begun after this date would be entered into in the knowledge that no subdivision capacity would exist for them in the future – and hence no hardship would be involved.</p>	21.5.1 P1 (c) should be amended to “it is for the excision of a use or development that existed at planning scheme approval date that satisfies all of the following:”
22.0 LANDSCAPE CONSERVATION ZONE		
22.2 Use Table	<p>The unqualified discretionary ‘Food services’ use class allows for a drive-through take-away shop which is not only inappropriate in a sensitive zone but also has the potential to undermine the Activity Centre hierarchy through encouraging out-of-centre development.</p> <p>Community Meeting and Entertainment and General Retail and Hire are also uses that are inappropriate in a sensitive zone.</p>	Food services, Community Meeting and Entertainment and General Retail should be a prohibited use classes in the zone.

22.3.1 A1 Hours of operation	The hours specified within the AS allow for 7 day trading between the hours of 8.00am to 6.00pm. Given the zone will cater principally for residential use within environmentally or aesthetically sensitive areas, the hours of operation should be reduced on weekends and public holidays to ensure residential amenity is maintained.	Replace A1 of Clause 22.3.1 with the following: Hours of operation for Community Meeting and Entertainment, Education and Occasional Care, Food Services, and General Retail and Hire, must be within the hours of: (a) 8.00am to 6.00pm Monday to Friday; (b) 9.00am to 12.00 noon Saturday; and (c) Nil on Sunday and public holidays.
22.3 Use standard	The Zone Application Framework indicates that the additional amenity focused use standards are not required as the zone would be applied to large lots. However, the zone will likely cover smaller existing EL Zone lots and this assumption fails to account for existing development patterns which may have resulted in clustering of residential use.	Introduce the same discretionary use standards contained within the proposed Rural Living Zone.
22.4.2 A4 Building setback	The AS does not consider the impact of a new sensitive use upon Rural zoned land which may have considerable agricultural potential and contains most of the state's productive forests. The recalibrated rural zones may also result in areas of existing SA zoned land being lost to the Rural Zone.	Replace Clause 22.4.2 A4 with the following: Building setback for buildings for sensitive use (including residential use) must comply with all of the following: (c) Be sufficient to provide a separation distance from land zoned Rural no less than 100m; and (d) Be sufficient to provide a separation distance from land zoned Agriculture no less than 200m.
22.4.2 P4(d) Building setback	The PC presently drafted does not take account the presence of natural buffers (such as shelter belts) which are recognised as being effective attenuation buffers.	Replace Clause 11.4.2 P4(d) to read as follows: (d) Any buffers created by natural or other features.
22.4.2 A5 Exterior finishes	The Acceptable Solution has been drafted in a manner which is difficult to quantify with most building material suppliers. Consideration should also be had to the consideration of colours within the Acceptable Solution as this will assist in minimising the visual impact of new buildings.	Replace Clause 22.4.2 A5 with the following: External building surfaces must utilise low reflectivity materials (light reflectance value less than 40%) and colours which are predominantly neutral, mid-toned colours that minimise contrast with the background landscape colours.
General comment	The development standards do not include any additional setback standards from Environmental Management zoned land (i.e. reserved areas) unlike the IPS's. An additional setback from the WWHA and National Parks should be included as a minimum	Investigate the inclusion of additional setback standards within the Landscape and Conservation Zone and Rural Zone to protect the WWHA and National Parks.

	and it is reasonable for this requirement to form a state-wide requirement.	
General comment	The development standards contained within Section 22.4 should be revised to include secondary dwelling standards to control the placement of secondary dwellings within the landscape by encouraging such buildings to be sited within the curtilage of the primary dwelling.	Include ancillary dwelling standards consistent with those contained within the regional optional content of the SRMPS.
General comment	Given this zone is intended to apply to areas of significant natural or landscape value, consideration should be had to the inclusion of bird strike provisions similar to those included within the EL Zone of the HVIPS or the Single Hill SAP within the CIPS.	Investigate the inclusion of minimisation of bird strike provisions similar to those contained within the SIPS's.

CODES		
Section	Issue	Recommendation
C6.0 – Local Historic Heritage Code		
C6.1 Code Purpose	Use of word 'their' to describe places and things	Rephrase – replace 'their' with 'significant heritage'
C6.1 Definition of Terms	Tree Protection Zone Calculations may be confusing for the public	Could a simple diagram be appropriate?
C6.2.2 Application of this Code	Clause does not provide a reference to Clause 7.4 of Scheme – Change of Use of a Local Heritage Place – Without reference Clause 7.4 may be overlooked	Add '(See Clause 7.4)'
C6.6.1 - Demolition	Objective does not fully reflect the performance criteria i.e. does not reflect the special circumstances that may be relevant	Suggest – 'To ensure that demolition in whole or part of a heritage place does not result in the unnecessary loss of local historic heritage values of local heritage places unless there are exceptional circumstances.'
C6.6.1 - Demolition	No provision for recording significant fabric or ensuring that important structural or façade elements that can be feasibly retained or reused in a new structure are retained.	Add new criteria: - important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained; - Significant fabric is documented before demolition.
C6.6.6 - Fencing	Standard not clear or prescriptive enough. Not clear how 'original' used in acceptable solution could be interpreted. Performance Criteria could provide more references to architectural requirements i.e. height, form, scale and materials.	Rephrase Acceptable Solution - New fences on local heritage places must be designed and constructed to accord with original design, based on photographic, archaeological or other historical evidence.

	This would be useful for the public when interpreting the Scheme	Add into Performance Criteria fencing considerations must regard to 'design, height, form, scale and materials.' Could just align Clause with C6.7.2 A2/P2
C6.6.6 - Fencing	Code controls side and rear fencing for all local heritage places – permit would be required.	Not necessary to control side and rear boundary fencing over and above exemptions in Table 4.1
C6.6.7 – Roof Form and Material	Acceptable Solution appears the same as exemption in Table 4.1	Delete Acceptable Solution
C6.10.1 – Lot Design For a Heritage Precinct or a Historic Landscape Precinct	Performance Criteria does not provide for consideration of broader view lines which are significant in villages such as Richmond.	Add a new criterion stating that the subdivision must have regard to 'potential loss view lines through urban areas to non-urban areas as identified in any adopted study' (i.e. the Richmond Cultural Resource Management Plan).
C7.0 NATURAL ASSETS CODE		
C7.0 Purpose	The General exemptions at the section 4.0 of the scheme have the potential to compromise the purpose of the code. I.e. road construction, solid perimeter fencing and retaining walls impact future refugia areas and their capacity to progressively migrate landwards with rising sea levels.	Include qualifications similar to those used in the land filling exemption.
C7.2.2 Code not applying to use	The exemptions for provided for under Clause C7.2.2 do not capture changes of use that involve the conversion of non-habitable buildings to habitable buildings i.e. an outbuilding converted to a dwelling. It is submitted that it ought to as the standard of construction and bushfire mitigation requirements are usually different from one to the other; it may not necessary to clear vegetation for a non-habitable building, but its conversion (which may or may not be discretionary) could potentially result in the need to clear priority vegetation to protect the building for habitable purposes. In this circumstance the need for or extent of	Given that the scheme contains a definition of habitable buildings a solution would be to modify Clause C7.2.2 to read: <i>"The Code does not apply to changes of use that do not involve the conversion of an existing non-habitable building to a habitable building"</i> A new use standard would need to be introduced with and AS specifying no clearing required and a corresponding PC considering the impacts of clearing required as part of the conversion.

	clearing required to protect the building ought to be considered as part of the decision whether or not it is appropriate to allow the conversion.	
C7.3 definition for 'priority vegetation'	The definition of 'priority vegetation' should provide for locally significant vegetation.	The definition of 'priority vegetation' should include an additional point (d) to provide for vegetation identified by the Planning Authority as locally significant.
C8.0 SENIC PROTECTION CODE		
C8.2.2 Code not applying to use	As per Natural Assets Code, the exemptions for provided for under Clause C8.2.2 do not capture changes of use that involve the conversion of non-habitable buildings to habitable building i.e. an outbuilding converted to a dwelling. It is submitted that it ought to as the standard of construction and bushfire mitigation requirements are usually different from one to the other; it may not necessary to clear vegetation for a non-habitable building, but its conversion (which may or may not be discretionary) could potentially result in the need to clear vegetation 9in this case with potentially scenic value) to protect the building for habitable purposes. In this circumstance the need for or extent of clearing required to protect the building ought to be considered as part of the decision whether or not it is appropriate to allow the conversion.	<p>Given that the scheme contains a definition of habitable buildings a solution would be to modify Clause C8.2.2 to read:</p> <p><i>"The Code does not apply to changes of use that do not involve the conversion of an existing non-habitable building to a habitable building"</i></p> <p>A new use standard would need to be introduced with and AS specifying no clearing required and a corresponding PC considering the scenic impacts associated with clearing required as part of the conversion.</p>
C8.4.1 (b) Use or development	'Private garden' is not defined under the scheme so there is no control over the extent of the clearing that a landowner might try to apply this exemption to.	The exemption should be reworded to provide more certainty and to ensure that clearing is not unlimited. This could be spatially defined such as 'private garden within 20m of the existing dwelling at scheme date'.

exempt from this code		
C8.4.1 (e) Use or development exempt from this code	Subdivision being exempt from the code does not provide opportunity to consider whether any development will be possible until after the lot has been created.	Remove subdivision from the exemptions and any future building areas on the respective lots should be identified as and considered as part of the assessment.
C8.6.1 & C8.6.2	These clauses refer to an 'unreasonable visual impact' and an 'unreasonable reduction of the scenic values'. This is unquantifiable and leads to a high level of subjectivity and uncertainty in the assessment. That is to say, there may be no benchmark of reasonable and therefore all clearing can occur.	Unreasonable should be defined or removed and replaced with something less subjective.
C10.0 COASTAL EROSION HAZARD CODE		
C10.1 Code Purpose	A purpose of this Code should be to implement the State Coastal Policy (if not this code which one/s?). This may have been conveniently missed? As the State Coastal Policy prescribes that no development is permitted within mobile land formations which of course should be reflected in the relevant standards. The Commission has been very strong in enforcing this in the previous Clarence Planning Scheme 2007.	Recognise the State Coastal Policy in the purpose and manage suitable development through appropriate exemptions. Failure to do so may prohibit otherwise reasonable development (sometimes necessary development).
C10.3 Definitions	The reference to low, medium and high hazards bands in the Definition of Hazard bands and the subsequent definitions is, perhaps unnecessary but more importantly and does not clarify what they actually mean i.e. a mapped threshold modelling a 1:100 year storm event based on current day, 2050, 2100 forecast horizons.	Suggest defining each of the bands separately (a) Hazard Band – Acceptable, (b) Hazard Band – Low, (c) Hazard Band – Medium and (d) Hazard Band – High. This will give meaning to each of the bands and clarify differentiation between each.

	<p>Definition of hazard should not reference Landslide?</p> <p>Definitions of hazardous use, non-urban zones & urban zones and vulnerable use could potentially be relocated at the front end of the scheme.</p>	<p>Consider moving definitions of hazardous use, non-urban zones & urban zones and vulnerable use to the front end of the scheme.</p>
<p>C10.4 <i>Exemptions</i></p>	<p>A new exemption needs to be added for :</p> <ul style="list-style-type: none"> • Rehabilitation and conservation activities such as Landcare (the use class Natural and cultural values management does not specifically include planting, weeding, mulching etc. – potentially Landcare could be listed as an example within the use class definition?). • Potentially construction of public infrastructure such as roads, bridges not covered under the general exemptions as these may be required to be constructed on “actively mobile land formations” (see comments re State Coastal Policy/Purpose above). • Potentially coastal protection structures by or on behalf of a Council - again may be required to be constructed on “actively mobile land formations” (see comments re State Coastal Policy/Purpose above). 	<p>Consider introducing additional exceptions and/or modification to the definition of Natural and cultural values management as described opposite.</p>

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT**11.5.1 BAYFIELD STREET STREETSCAPE RENEWAL**

(File No 20-09-37)

EXECUTIVE SUMMARY**PURPOSE**

This report provides for the consideration of funding for this project.

RELATION TO EXISTING POLICY/PLANS

Undertaking plans and strategies to guide the future planning and economic development of the City is consistent with Council's adopted Strategic Plan 2010-2015.

LEGISLATIVE REQUIREMENTS

There is no legislative requirement associated with consideration of this matter.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

Funding has been set aside for the development of the redevelopment of the streetscape; however, this report concerns future budget funding to complete the project.

RECOMMENDATION:

That Council adopts the approach described in the Associated Report as Option 4 and consider funding the estimated cost over the 2016/17 and 2017/18 budgets.

ASSOCIATED REPORT**1. BACKGROUND**

1.1. Council has recognised that Bayfield Street is in a poor state and therefore commissioned this project to develop a plan for providing safe access and a level of amenity that can attract people and business to the precinct.

1.2. The design process began with the premise that look and feel of streetscapes in commercial centres are very important determinants of the success of traditional centres, because they:

- provide for a place for public activity, meeting and enjoyment;

- encourage building owners to improve the quality of buildings - when framed by good paving, landscaping, public furniture and art;
- enhance property values and the profitability of businesses by creating exposure in a place that people are attracted to;
- ensure the orderly, efficient and safe movement of people, goods and services;
- provide for personal safety, through good lighting, clearer sight lines and slower or separated traffic;
- promote less reliance on cars when people are encouraged to walk more; and
- reduce amenity problems associated with the night time business.

1.3. Council has considered the progress of this project through workshops and appointed a tender for the design of the streetscape works.

2. STATUTORY IMPLICATIONS

Not Applicable.

3. REPORT IN DETAIL

3.1. A detailed quantity survey associated with the design tender stage has identified the projected cost of completing the redevelopment.

3.2. The projected cost is \$2,370,000 (including the traffic lights/intersection construction at the intersection of the street with Winkleigh Place and the Superclinic car park.

3.3. Currently previous budgets have set aside \$800,000 – hence an additional \$1,570,000 is required. The draft 2016/17 budget proposes \$1,000,000 for Council's consideration. However, if that were adopted, the balance would be allocated in the subsequent budget.

- 3.4.** While the project can be completed over 2 financial years (by beginning the works in early 2017), options for reducing the total cost have been examined with the consultants.
- 3.5.** There are 4 optional approaches, which are outlined in the attachments. These have been examined in a recent Council Workshop.
- 3.6.** Option 4 was highlighted in a recent workshop as the preferred option as it offered a combination of savings plus consistency with the adopted concept plan.
- 3.7.** This preferred option offers a 6% saving from the concept plan design but nevertheless retains the key elements of that design, so that it will continue to meet the original objectives of the project. The key aspects involve:
- Replacing the patterned paving and feature banding with an exposed aggregate paving, similar to the footpath recently installed in Kangaroo Bay Drive. The Landscape Architect engaged for the design tender advises that although there is a reduced level of appearance, however, this can be minimised by specifying some colour improvements. He also advises using this form of paving will allow a thematic connection between Rosny Park and Kangaroo Bay, particularly if other pavements in Rosny Park are ultimately replaced with this finish.
 - Retention of landscaped traffic medians, which provide for important traffic management controls to manage where vehicles can safely turn in front of oncoming traffic to access adjacent properties; to reduced traffic speeds by creating a lower speed environment; and introducing greater pedestrian safety for people of all abilities - while also providing a significantly enhanced streetscape. These were critical elements of the adopted concept plan.

3.8. The costs have been compared to the 2011/12 streetscape works in Lindisfarne in the attachments. While both are large projects (Franklin Street - \$1,775,819 and Bayfield Street Option 4 - \$2,185,422) it is difficult to draw direct comparisons, given the timing and the physical nature of the streetscape including the slope, level changes and infrastructure constraints.

4. CONSULTATION

There has been substantial consultation with relevant agencies, businesses, landowners, interest groups and the community generally leading up to the adoption of the concept plan in a previous stage.

5. STRATEGIC PLAN/POLICY IMPLICATIONS

Improving the quality of this streetscape is consistent with the Strategic Plan 2010-2015.

6. EXTERNAL IMPACTS

No significant impacts.

7. FINANCIAL IMPLICATIONS

Selection of a preferred option for the redevelopment of the streetscape will determine the required budget allocation over the next 2 financial years.

8. ANY OTHER UNIQUE ISSUES

No other relevant issues.

9. CONCLUSION

The estimated cost of works in the adopted concept plan has been established in the quantity survey undertaken as part of the design tender. The consulting landscape Architect has identified changes to the paving which would reduce the estimated cost by 6% and yet the fundamental values of the concept plan could be retained. It is recommended that this approach be adopted and funding considered.

Attachments: 1. Options 1, 2 3 and 4 (4)
2. Comparison of Costs (2)

Ross Lovell
MANAGER CITY PLANNING

Option 1

Option 1	Criteria		Savings	Percent Savings
	Key elements	Appearance/ Outcomes		
Implement the concept design	<ul style="list-style-type: none"> • New street furniture • Re-grading of footpaths and forecourts to facilitate universal access – good transition between levels • Replacing failing pavement, gutter and kerbs • Integration of existing services/facilities into streetscape design • Greening of street through street trees and WSUD initiatives • Rationalisation of car parking and movement • Integration of public art and CCC branding opportunities • Upgrade in utilities and services • Slower speed environment for vehicles • Reduction in conflict points at the Winkleigh Place and Super Clinic intersection • High quality landscaping and public spaces 	<ul style="list-style-type: none"> • Quality place for public activity • High level of safe access –cars and pedestrians • Promotion of commercial activity • Revitalised street aesthetics through materiality, plantings and street furniture • Safe pedestrian movement • Quality infrastructure 	\$ 0	0%

Option 2 - Staging

Description	Criteria		Cost Savings	Percent Savings
	Key Elements	Appearance/ Outcomes		
Stage Construction – Stage 1 Bligh Street to Winkleigh Place Stage 2 – Winkleigh Place to Cambridge Road	<ul style="list-style-type: none"> • Same as above • Ongoing construction works and disturbance may reduce business activities and pedestrian access. 	<ul style="list-style-type: none"> • Increase in cost (Site Establishment, Traffic/Pedestrian Control, Service Locations...etc) 	\$ 42,078 (Extra)	-1.80% (Increase)

Option 3 – Remove Medians

Description	Criteria		Cost Savings	Percent Savings
	Key Elements	Appearance/ Outcomes		
Remove central median strip only	<ul style="list-style-type: none"> Remove landscaped medians. Small increase footpath widths and scope to facilitate reduced cross fall. 	<ul style="list-style-type: none"> Small increase in footpath width - although forecourts offset the effect. Reduced vehicular and pedestrian safety – existing conflicts remain. Reduced streetscape presentation and connections between businesses and spaces. 	\$ 78,779	3%

Option 4 - Paving

Description	Criteria		Cost Savings	Percent Savings
	Key Elements	Appearance/ Outcomes		
Reduce Quality of finish of footpath	<p>Replace patterned paving and feature banding with exposed aggregate paving featuring natural grey concrete with light brown/quartz colour aggregate.</p> <p>Similar to Kangaroo Bay Drive (A) – but with improved aggregate quality combines aesthetics with structural design qualities (B). K Bay approach to planting also recommended (C).</p>	<ul style="list-style-type: none"> • Damage risk from new services or maintenance • Overall quality of finish is reduced slightly • Consistency in the street scape. • No decrease in safety or accessibility. • Thematic link to K Bay 	\$ 150,499	6%

A



B



C



COMPARISON OF COSTS – FRANKLIN STREET (2011/12) AND BAYFIELD STREET

Cost Of Franklin Street - Exc GST			Criteria Of Franklin Street	
Streetscape	\$	1,582,190.20	Area	5499.2m2
Electrical Connection	\$	61,064.00	Length	292.4m
Aurora Energy	\$	132,565.32	Number of Building frontages	23
			Number of Building frontages (Business)	21
Total Cost	\$	1,775,819.52	Gradient of Street	2%
Cost of Bayfield Street			Criteria Of Bayfield Street	
Streetscape - Cost to Adopt concept design with no savings	\$	2,335,920.90	Area	6105m2
Streetscape - Cost with the reduction is quality of pavement	\$	2,185,422.00	Length	260.3m
			Number of Building frontages	24
			Number of Building frontages (Business)	19
			Gradient of Street	6%
Comparison			General Comments	
Franklin Street				
Franklin Street Dollars per m	\$	6,073.25	\$/m	
Franklin Street Dollars per Area	\$	322.92	\$/m2	
Bayfield Street				
Bayfield is	10%	larger than Franklin Street		
Bayfield has	4%	more building Frontages		
Bayfield Street has a gradient of	6%	While Franklin Street has a 2% gradient		The mixed levels along Bayfield Street results in a more complex design and build

Bayfield Streetscape - Cost to Adopt concept design with no savings			
Bayfield Street Dollars per m	\$	\$/m	
	8,973.96		
Bayfield Street Dollars per Area	\$	\$/m2	
	382.62		
Bayfield Costs	24%	More than Franklin Street	The level of finishes and quality are higher and physical constraints are more difficult than the Franklin Street project. In addition, the location of Bayfield Street requires construction to take place after business hours to avoid conflict with business and movement.
Bayfield Streetscape - Reduce Quality of finish on footpath			
Bayfield Street Dollars per m	\$	\$/m	
	8,395.78		
Bayfield Street Dollars per Area	\$	\$/m2	
	357.97		
Bayfield Costs	19%	More than Franklin Street	A cost saving of 6% can be achieved by reducing the level of finishes to the concrete and paved footpath

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 31 MARCH 2016**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 January 2016 to 31 March 2016.

RELATION TO EXISTING POLICY/PLANS

The Report uses as its base the Annual Plan adopted by Council and is consistent with Council's previously adopted Strategic Plan 2010-2015.

LEGISLATIVE REQUIREMENTS

There is no specific legislative requirement associated with regular internal reporting.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

The Quarterly Report provides details of Council's financial performance for the period.

RECOMMENDATION

That the Quarterly Report to 31 March 2016 be received.

ASSOCIATED REPORT

The Quarterly Report to 31 March 2016 has been provided under separate cover.

Andrew Paul
GENERAL MANAGER

11.7.2 STCA REGIONAL WASTE GROUP

(File No 30-08-00)

EXECUTIVE SUMMARY**PURPOSE**

To consider Council's position on the establishment of a Regional Waste Group aligned with the Southern Tasmanian Councils Authority (STCA).

RELATION TO EXISTING POLICY/PLANS

Council is currently a member of the Southern Waste Strategy Authority (SWSA) and has previously expressed a desire to transition association from SWSA to a Regional Waste Group co-ordinated under the banner of the STCA.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Mayor Kerry Vincent of Sorrel Council has consulted with the elected members of Council in his capacity as the Chair of the STCA Regional Waste Group and he was supported by Mr Brenton West in his capacity as the STCA CEO.

FINANCIAL IMPLICATIONS

Under the STCA Regional Waste Group proposal Council would pay a levy of \$30,240.00 in Financial Year 2016/2017 which is based on the size of each council, in the same way and breakdown of subscription fees that are paid to the STCA.

RECOMMENDATION:

- A. That in response to the request received from the STCA on the proposal to join the STCA Waste Management Strategy Group, Council advises that it supports the establishment of the STCA Waste Management Strategy Group and endorses the draft Terms of Reference as circulated.
- B. That a provision for support funding required for the new STCA Waste Management Strategy Group be listed for budget consideration in the 2016/17 Annual Plan.
- C. That Council advise the Board of SWSA that in the event that the proposed STCA Waste Management Strategy Group is supported by a majority of STCA member Councils that Clarence City Council pursuant to Section 37 of the Local Government Act, 1993 formally supports the winding up of SWSA and the transfer of any remaining surpluses to be distributed to the current participating Council members of SWSA, as provided for under the Rules.
- D. That Council considers who is to be its representative on the proposed STCA "Waste Management Strategy Group".

STCA REGIONAL WASTE GROUP /contd...**ASSOCIATED REPORT****1. BACKGROUND**

1.1. In November 2000, Council committed to the establishment of a Joint Authority representing Southern Tasmanian Councils under the provisions of the Local Government Act, 1993 to deal with strategic waste management on a regional basis. In April 2001, Council approved the Joint Authority Rules. Specifically the Authority's purpose was to "*facilitate integrated regional strategic planning and implementation of the Southern Waste Strategy*" (a then 5 year strategy).

1.2. In April 2015, Council considered future options presented by the Board of Southern Waste Strategy Authority at which time Council decided:

"That in response to the request received from the Board of southern Waste Strategy Authority (SWSA) for Council to determine its preferred future option for a southern regional waste group Council authorises the General Manager to advise the Board of the SWSA that:

- 1. Council's preferred option is the Board's second option. That is: 'Transfer the operations of SWSA to STCA and wind SWSA up and transfer remaining moneys to either STCA or current members'.*
- 2. In the event that a majority of member Councils support the Board's third option, Clarence Council expresses an interest in being the host Council".*

1.3. In October 2015, Council appointed Alderman von Bertouch as its representative on the STCA Region Waste Management Group. This Group has been active in the preparation and refinement of the Draft Terms of Reference for the proposed STCA Waste Management Strategy Group.

- 1.4.** On 25 March 2016, Council received a letter from the Chair of the STCA, Alderman Sue Hickey, (refer Attachment 1) with a proposal to formalise the establishment of the STCA Regional Waste Group. This letter was supported by an additional document that outlined the Terms of Reference, Budget and Activities for the proposed STCA “Waste Management Strategy Group”, (refer Attachment 2).

2. REPORT IN DETAIL

- 2.1.** Sorell Mayor Kerry Vincent and the STCA CEO Mr Brenton West have met with Council to outline the proposal for the establishment of a STCA Waste Management Strategy Group to replace the functions of SWSA.
- 2.2.** While SWSA has achieved a great deal and there is a lot of good intent in the group it appears they are no longer providing the advocacy required to address some of the big issues facing the southern region (ie what is the solution and action plan to address the disposal of tyres). It is acknowledged this may just be reflective of the current situation.
- 2.3.** Without Hobart City Council being involved in SWSA the legitimacy and influence of SWSA is eroded. It is not practical or strategically desirable for SWSA to operate effectively without one of the largest Councils in the southern area not being a participant.
- 2.4.** The STCA Regional Waste Group was established by the STCA in April 2015 and was assigned the task of preparing draft terms of reference for consideration by member Councils.
- 2.5.** The terms of reference are now submitted and include:
- a new entity being formed as a formal Committee under the STCA named “Waste Management Strategy Group”;
 - similar and expanded functional responsibilities;
 - similar representation structure to that of SWSA; and
 - clearly articulated performance and reporting obligations.

- 2.6.** Each Southern Tasmanian Council will be represented on the new Waste Management Strategy Group by direct appointment with a Chairperson appointed directly from the STCA.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

There has been continual dialogue between Councils STCA and SWSA within the southern local government region on this matter.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. Council's Strategic Plan has as 1 of its Governance Objectives:

"To provide leadership in representing the interests of the City".

and within this Objective the Strategies:

"Actively engage Government and other organisations in the pursuit of community priorities.

Develop strategic alliances and partnerships to best represent Clarence.

Participate in regional, local and State representative bodies".

4.2. Council has previously considered its involvement in SWSA and determined its preference to:

- transfer the operations of SWSA to STCA; and
- wind SWSA up and transfer remaining moneys to either the STCA or current members of SWSA.

5. EXTERNAL IMPACTS

The Southern Councils will always continue to be responsible for regional waste management in the future. Southern Councils need to engage with the Waste Management Industry in discussion on the future of waste management in Southern Tasmania when considering the issues; this is reflected in the draft terms of reference.

6. RISK AND LEGAL IMPLICATIONS

6.1. Winding up of SWSA is dealt with under Section 37 of the Local Government Act, 1993 which provides that the decision to do so is to be made by a majority of the participating Councils. Assuming that Hobart City Councils withdrawal from SWSA has previously been formalised, a total of 6 of the remaining 11 Councils would need to vote in support of a winding up of the SWSA Authority.

6.2. The Joint Authority Rules for SWSA has a specific provision for dealing with the surpluses and shortfalls on winding up of SWSA. The rules assume that an administrator is appointed to overview the distribution of assets and the proceeds to member Councils based on the same proportions as the contributions from members over the preceding 3 years.

7. FINANCIAL IMPLICATIONS

7.1. Council had previously provided a levy payment of \$48,346 in Financial Year 2014/2015 which was based on the amount of waste assigned to Land Fill. No levy was sought in Financial Year 2015/2016 as the future of SWSA was uncertain and it was determined there was sufficient funds accumulated for SWSA to continue operating until a decision could be made.

7.2. Under the STCA Waste Management Strategy Group, Council would pay a levy of \$30,240.00 in Financial Year 2016/2017 which is based on the size of each Council, in the same way and breakdown of subscription fees that are paid to the STCA. However, this is expected to increase once the STCA Waste Management Strategy Group matures into its role, although it is not expected to exceed any commitment beyond what might be incurred as a member of SWSA.

Recommitments to providing this funding as part of the 2016/2017 Annual Plan will be required should Council now formally commit its involvement with the new STCA Waste Management Strategy Group.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. The Chair of the STCA has presented Council with a proposal to establish the STCA Waste Management Strategy Group and given the proposed composition/structure and the draft terms of reference proposed, it should be supported.

9.2. In the event that general support is obtained from STCA member Councils for the establishment and funding for the new STCA Waste Management Strategy Group, then processes for the winding up of SWSA should then proceed. It is recommended that Council also now determine its position on this matter.

Attachments: 1. Letter from the Chair of the STCA (2)
2. STCA Regional Waste Group - Terms of Reference, Budget and Activities (8)

John Stevens
GROUP MANAGER ASSET MANAGEMENT



25 March 2016

12/6/16
Mutt Brocklehurst

Ald. Doug Chipman
Mayor
Clarence City Council
PO Box 96
ROSNY PARK TAS 7018

Dear Mayor Chipman

Regional Waste Group

Waste mitigation and collection remains and will continue to remain a major responsibility for local government in the future. That is why it is extremely important that we have a strong united regional waste group to provide regional leadership on waste management issues. The STCA believes it is critical that there is an opportunity for elected and officer representatives of the 12 southern councils to meet and develop strategies and programs that deliver benefits to member councils in the area of waste management.

As part of this process the Southern Tasmanian Councils Authority (STCA) resolved to establish a Regional Waste Group to guide the process of marrying the roles and responsibilities of Southern Waste Strategy Authority (SWSA) into the STCA. This group was Chaired by STCA Board member, Mayor Kerry Vincent from the Sorell Council and each member council was invited to provide an elected member and officer representative.

The Regional Waste Group met a number of times and developed a set of Terms of Reference to guide the governance of the Group, a draft budget and council subscription fees and an associated set of activities to take place during 2016/17.

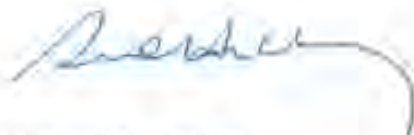
Following this process the STCA Board unanimously endorsed the documents developed by the Regional Waste Group and we are now seeking a decision by the 12 southern councils on the future of a regional waste group in the region.

In the coming weeks Mayor Kerry Vincent and the STCA CEO Brenton West will be visiting member councils to speak in more detail about the proposal and to answer any questions.

There are a number of key challenges and opportunities facing the region and the State over the coming years in the area of waste, but through a strong Regional Waste Group the 12 southern councils can take collective action to address these issues.

The STCA Board looks forward to your Council's response to the regional waste group proposal.

Kind regards

A handwritten signature in blue ink, appearing to read 'Sue Hickey', with a long, sweeping horizontal line extending to the right.

Alderman Sue Hickey
Chair
Southern Tasmanian Councils Authority (STCA)

Terms of Reference – Waste Management Strategy Group

Overview

The Waste Management Strategy Group is a committee of the STCA Board, responsible to the Board.

The Waste Management Strategy Group is a standing committee of the STCA Board.

The Waste Management Strategy Group is established to facilitate strategic planning for waste management in southern Tasmania, and to implement operational activities outlined in the Southern Waste Management Strategy and the Regional Action Plan.

The functions of the Waste Management Strategy Group shall include:

- advocacy and engagement with the government, community and other organisations on waste management issues
- municipal waste minimisation programs
- waste stream control and performance monitoring
- establishment of a non-municipal waste minimisation program
- monitoring of residual waste treatment technologies
- infrastructure developments
- outlining regional landfill risk and resourcing issues
- education and marketing programs
- identifying opportunities to reduce greenhouse gas emissions
- represent the southern councils' views in the implementation of waste management processes at both a state and local level
- seek funding, resources and partnership opportunities with external sources including government and other organisations
- Other functions as determined by the STCA Board

Membership

The Chairman of the Committee shall be appointed by the STCA Board, once every two years. The remaining members of the committee shall be appointed by the Board based upon the nominations received from member councils.

The membership of the Waste Management Strategy Group should reflect the diversity of the member councils of the STCA Board and be constituted as follows:

- Chair (Board member of the STCA)
- A nominated elected level representative from member councils
- Relevant officers from member councils are also invited to attend

Each elected member representative on the Group is entitled to one vote on matters presented before the Committee for decision.

Landfill operators, including Copping, can be invited to attend the meetings as observers.

Private industry representatives are also invited to attend meetings for discussion on particular items as determined by the Group.

Other experts, guests or relevant stakeholders be invited to attend meetings on the request of the Group.

Secretarial support

The STCA will provide secretariat support to the Waste Management Strategy Group.

Quorum

The quorum necessary for the transaction of business shall be [7] members. A duly convened meeting of the committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the committee.

Frequency of meetings

The Waste Management Strategy Group shall meet at least quarterly during the year at appropriate times in the reporting, planning and budget cycle.

Other meetings can be called as required.

Notice of meetings

Meetings of the Waste Management Strategy Group shall be called by the secretary

Unless otherwise agreed, notice of each meeting confirming the venue, time and date together with an agenda of items to be discussed, shall be forwarded to each member of the committee and any other person invited to attend no later than [5] working days before the date of the meeting. Supporting papers shall be sent to committee members and to other attendees with the Notice of Meeting or on another day before the day of meeting, as appropriate.

Minutes

The secretary shall minute the proceedings and resolutions of all meetings of the Waste Management Strategy Group.

The Chair shall ascertain, at the beginning of each meeting, the existence of any conflicts of interest and have them minuted accordingly.

Minutes of committee meetings shall be circulated promptly to all members of the committee and, tabled at the next STCA Board Meeting , unless a conflict of interest exists.

Conflict of Interest

If a member of the committee has declared a conflict of interest it is the

responsibility of the Chair to ensure that appropriate actions are taken to ensure that the conflict of interest does not bring into question the propriety of decisions made by the committee.

Duties

The committee shall provide the most cost effective management and facilitation of:

- advocacy and engagement with the government, community and other organisations on waste management issues
- municipal waste minimisation programs
- waste stream control and performance monitoring
- establishment of a non-municipal waste minimisation program
- monitoring of residual waste treatment technologies
- infrastructure developments
- outlining regional landfill risk and resourcing issues
- education and marketing programs
- identifying opportunities to reduce greenhouse gas emissions
- represent the southern councils' views in the implementation of waste management processes at both a state and local level
- seek funding, resources and partnership opportunities with external sources including government and other organisations

Reporting responsibilities

Following each meeting of the Committee, the Chairman shall report formally to the STCA Board on the proceedings of the Committee at the next available opportunity.

The Committee may make whatever recommendation to the STCA Board it deems appropriate on any matter within its remit where action or improvement is needed.

The Committee shall recommend a budget and set of activities to be undertaken each year for endorsement by the Board and then be charged with the implementation of this budget and associated activities.

Public comment

While the Chair of the Southern Tasmanian Councils Authority (STCA) remains the spokesperson for the Authority, the Chair may delegate that responsibility to the Chair of the Waste Management Strategy Group for matters related to the duties of the Waste Management Strategy Group.

Draft 2016/17 Regional Waste Group Budget

The following is a budget of \$150,000, this is funded through pro-rata levies derived from council subscriptions based on the size of each council, in the same way and breakdown of subscription fees that are paid to the STCA. However, it doesn't rule out opportunities to seek funding from government or other sources to run projects.

This budget provides the new Group with sufficient funding to undertake waste management and mitigation activities as well as starting to look at larger strategic issues, whilst also allowing it to build its credibility with member councils. It is anticipated that over time as the Group delivers results the budget can be increased and further activities and projects undertaken.

It is also worth noting that this budget represents some savings from previous SWSA budgets as the duplication of items such as rent, CEO costs, auditor general fees, accountancy fees etc are only being paid once through the STCA Budget.

evenue	
Council Contributions	\$150,000
Total Revenue	\$150,000
Expenditure	
School Education Program	\$50,000
Communications/Promotion	\$25,000
Garage Sail Trail	\$15,000
Grants/Sponsorship	\$10,000
Administration Costs	\$10,000
- Meeting expenses	
- Printing	
- Stationery	
- Postage	
Projects	
Agriculture Hazardous Waste Collection	\$7,500
Household Hazardous Waste Collection	\$7,500
Development of Regional Waste Group Action Plan	\$2,500
Recycling bin contamination stickers	\$5,000
Study/Report into solution for major regional waste issue	\$15,000
Total Expenditure	\$147,500
Result (surplus)	\$2,500

Council	Contribution	% Ammount
Central Highlands	\$2,400	1.60%
Glamorgan/Spring Bay	\$2,400	1.60%
Southern Midlands	\$2,400	1.60%
Tasman	\$2,400	1.60%
Brighton	\$7,700	5.18%
Derwent Valley	\$7,700	5.18%
Huon Valley	\$7,700	5.18%
Sorell	\$7,700	5.18%
Kingborough	\$18,600	12.40%
Clarence	\$30,240	20.16%
Glenorchy	\$30,240	20.16%
Hobart	\$30,240	20.16%
	\$150,000	100%

Proposed Regional Waste Group Activities

The following are a list of activities to be undertaken by the Regional Waste Strategy Group in 2016/17, some of these have an associated budget amount others will be provided through the secretariat support of the STCA CEO.

Of course this doesn't preclude the Group focusing on other activities as they arise throughout the year, or other items the CEO or smaller officer working groups may be tasked to investigate.

The activities are designed to strike a balance between practical regional projects and starting to look at longer-term strategic waste management issues.

Advocacy

There is strong support for the Waste Management Strategy Group to develop a strong advocacy program. This is extremely important as it ensures engagement with policy makers and political decision makers across all tiers of government. The advocacy program would include the new EPA Director attending two Waste Strategy Group meetings per year and the Minister for Environment, Matthew Groom MP also attending a meeting to outline the State Government's waste policy. Other opportunities for engagement and advocacy would arise throughout the year including membership on the State Government's Waste Advisory Committee, media activities and the CEO and representatives from the Group meeting with departmental staff and ministerial advisers.

School Education Program

The School Education Program has long been a successful activity of the regional waste group in southern Tasmania. This program has waste education officers conduct school visits to speak about a range of topics the importance of reducing and correctly disposing of waste, recycling and the impacts of littering. Over the past nine months this program has been delivered by officers from Glenorchy and Clarence Councils. This has been an effective model and the new body should look to continue this method of operation. An expression of interest would be opened to all councils to gauge capacity and interest in helping provide this service. School visits would be allocated around the region to ensure coverage across southern Tasmania.

Communications Program

A key role of the Regional Waste Group is to undertake communications and promotion of key waste minimisation messages. There is an opportunity to partner with the Northern and Cradle Coast waste bodies to partake in innovative cost effective communication programs. Preliminary discussions have taken place between the three bodies and the Cradle Coast Authority have identified an internal officer resource that will take the lead on many of the communication activities.

Garage Sale Trail

The Garage Sale Trail is a national program that promotes reuse, waste education and community building. All of the southern councils have participated in the Garage Sale Trail in recent years through the regional waste body. It is recommended that this commitment for 2016/17 continue, with the regional waste group providing half of the entrance fee. The Garage Sale Trail has also helped generate significant publicity for member councils and the region.

Grants/Sponsorship

The Regional Waste Body has traditionally set aside a small amount of funding each year to sponsor community events or provide grants for programs that are aligned with its core functions. The sponsorship and grants are another way to promote the regional waste groups message as well as acting as a promotional tool.

Household and Agricultural Hazardous Chemical Waste Collection

Previously the State Government and a product stewardship scheme provided funding for a household hazardous waste collection program. This was highly regarded by councils and the local community. In recent years the funding for this program has finished. Whilst there is a limited product stewardship program to accept more recently purchased agricultural products that need disposal, there is a very limited legacy waste collection program, unless the owner is prepared to pay a significant price. There is an opportunity for the regional waste group to partner with the state government and the proponents of this product stewardship program to ensure there is a household and agricultural hazardous waste collection program. This could also be extended to the north and north west waste group as well as external organisations with an interest in this area such as Taswater. The collection program would operate on a number of specified days per year at different landfills across the region. Community members would need to register to drop off items and a limit would be placed on the amount that could be collected. But this is a vital service that would deal with legacy household and agricultural hazardous waste.

Development of Regional Waste Group Action Plan

It is important that the Regional Waste Strategy Group has a clearly defined set of priorities and associated actions to help deliver results. Whilst the Blue Environment Report, completed a number of years ago acts as the key strategy document for the regional waste group, a more focused Action Plan needs to be developed to drive the Group's agenda. It is anticipated that this would mostly be completed by the STCA CEO, with the possibility of some assistance from an external resource. This Action Plan would start to focus the group on the key strategic waste and landfill issues in southern Tasmania and how the region can work together to deliver viable solutions for member councils.

Recycling Bin Contamination Stickers

The Group has identified that recycling bin contamination remains a major issue throughout the region. Through the development and production of some regionally consistent contamination stickers councils could start to communicate with property owners about appropriate contents of a recycling bin. With councils having greater capacity to quickly examine recycling bins, these stickers would be provided by the regional waste group and could be easily attached by council staff to a bin, encouraging a resident to reduce recycling bin contamination. An associated information flyer/leaflet could also be placed in the letter box to better educate and inform the resident.

Study/Report into Solution for Major Regional Impact Issues

There seems to be a number of similar major waste management issues facing each council across the region, these include stockpiling of scrap metal, E-waste disposal, large amounts of green waste, tyres etc. The group should identify the most prominent of these problems and have some external work undertaken to try and identify a cost effective regional solution. There are also opportunities through the regional waste group to look at regional issues such as joint tendering, procurement and collection.

Northern and North West Waste Group Cooperation

With regional waste bodies present in the north and north west of Tasmania, opportunities exist for far greater collaboration and working relationships. The Regional Waste Group should provide opportunities for elected representatives and council staff from each of these groups to gain knowledge and expertise from each other as well as looking at strategic issues that could benefit from collaboration and cooperation.

11.7.3 COMMUNITY SUPPORT GRANTS

(File No 09-17-05A)

EXECUTIVE SUMMARY**PURPOSE**

To consider the Community Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the March 2016 round of Community Support Grants.

RELATION TO EXISTING POLICY/PLANS

Community Grants Policy and social plans including Youth Plan, Cultural Arts Plan, Positive Ageing Plan, Health and Wellbeing Plan, Cultural History Plan, Community Participation Policy, Clarence Events Plan.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is an annual budget for the Community Grants Program including the bi-annual Community Support Grants.

RECOMMENDATION:

That Council approves financial grants amounting to \$14,750.00 to community groups and organisations, as detailed in the schedule attached to the Associate Report.

ASSOCIATED REPORT**1. BACKGROUND**

1.1. A funding round for bi-annual Community Support Grants closed on 15 March 2016 and 14 applications were received (refer Attachment 1).

1.2. The Community Grants Assessment Panel reviewed all applications and has recommended 10 projects be funded for varying amounts.

2. REPORT IN DETAIL

2.1. The Community Support Grants program was advertised in "The Mercury", the Council Rates News, the Eastern Shore Sun and on Council's website. An email was sent to all non-profit groups listed in the Community Directory.

2.2. Applications for this round of the Community Support Grants closed on 15 March 2016 and a total of 14 applications were received for funding totalling \$19,511.67.

2.3. Of the 14 applications received, 10 applications have been recommended for approval and 4 applications were not supported; the details are as follows.

- In respect to the Scouts Australia – Clarence Venturer Group’s application for \$1,461.67.00 for the purchase of camping equipment, this Venturer Group were successful in receiving a Community Support Grant in the September 2015 round and are therefore ineligible in this round. The Guidelines state that groups and organisations are only eligible for one grant per financial year. Therefore this application is not supported.
- In respect to the Howrah Mens’ Shed Inc application for \$600.00 for external taps, this is considered permanent fittings to Council infrastructure which is not eligible under the Grant Guidelines. Therefore this request is not supported but the request will be referred to Council’s facilities management group for consideration.
- In respect to the Bellerive Junior Soccer Club’s application for \$1,500.00 for a Junior Development Squad, the Grants panel agreed that to run a soccer program every Saturday at the Edgeworth Street grounds is what sports groups would normally do as part of their normal operations and activities. The group’s budget request for funds to cover insurance premiums is not eligible under the Guidelines. Therefore this application is not supported.
- In respect to the OHA Football Club’s application for \$1,200.00 for the purchase of goal post covers, the Grants panel agreed not to support this application as:
 - clubs are obligated to have goal post covers as part of Council’s ground lease agreement;

- the request is to replace existing equipment which is not eligible under the Guidelines;
- if approved, this may prompt other clubs to apply to replace their covers.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. The Community Support Grants aim to support groups for amounts of up to \$1,500.00 for one-off activities or projects that benefit the Clarence Community.

4.2. The Grants Program is a strategic investment tool, assisting the community to meet and respond to Council's priorities and vision as outlined in the Strategic Plan 2010-2015. It enables Council to contribute to the community by:

- supporting local communities to build on existing capacity and progress their health and well-being;
- supporting local communities to sustainably manage and enhance the natural and built environments of the City;
- supporting local communities to work together for a vibrant, prosperous and sustainable city; and
- encouraging engagement and participation in the community.

- 4.3.** It operates in the context of other related Council Policies, Plans and activities, for example: Youth Plan, Cultural Arts Plan, Positive Ageing Plan, Cultural History Plan, Health and Wellbeing Plan, Community Participation Policy and Clarence Events Plan.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

A budget of \$35,000.00 has been approved for the 2015/16 financial year and \$16,060 is available for distribution in this round. The Community Support Grant is a bi-annual grant and the total amount recommended by the panel for this round is \$14,750.00.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The Community Grants Panel has assessed 14 applications and 10 are recommended to Council for approval for the amounts indicated as per the attached schedule.

Attachments: 1. Community Support Grants March 2016 Schedule (7)

Andrew Paul
GENERAL MANAGER

Community Support Grants – March 2016	
Applications Supported For Consideration	
Applicant: Warrane Mornington Neighbourhood Centre Project: Defibrillator Purchase Funds Requested: \$1,500.00 Project Description: The Warrane Mornington Neighbourhood Centre hopes to purchase a defibrillator and have it installed at the centre. Centre staff and some volunteers have been instructed on how to use this device and would include it on the Tas Ambulance AED locator site so it can be accessed if required by others in the area. Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan. This application is supported by the Grants Assessment Panel as there is a benefit for the community. A quote for the defibrillator has been provided. Recommendation: The application is supported for the amount of \$1,500.00.	
Applicant: Lindisfarne North Primary School Association (auspiced by the Warrane Mornington Neighbourhood Centre) Project: Breakfast Club Toaster purchase Funds Requested: \$1,500.00 Project Description: The Breakfast Club is continuing this year after a trial last year following a good response to the program from the children/school community with volunteers providing support and the school providing food items and spreads. Borrowed toasters were used last year and because of the success of the trial there is a need for the purchase of a conveyor toaster. The funds requested through the grant application are to purchase a conveyor toaster. Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan. A quote for the conveyor toaster has been provided. As the school association is not incorporated, the application is being auspiced by the Warrane Mornington Neighbourhood Centre. This application supported by the Grants Assessment Panel as there is a benefit for young people in the school community. Recommendation: This application is supported for the amount of \$1,500.00.	
Applicant: Clarence Plains Community Shed Project: Building Clever Communities Funds Requested: \$1,300.00 Project Description: "Building Better Communities" involves the development of woodwork based enterprising projects with teams of participants or individuals under the direct guidance and support of a positive mentor. The funds requested through the grant application are to purchase a specialised edge sander. Through the use of specialised sander, students (primary and High school), men's groups or senior citizens can learn to develop quality woodcraft that can either be sold directly to the community (fostering a local community marketplace) or provide a means to develop skills that will generate further employment (self-created or re-entering the job market). The Clarence Plains Community Shed believes that the sander will enhance the quality of the products being produced at the workshop and also enhance the skills of those operating the specialised machinery (further developing employability skills). Comments: Meets the criteria. Aligns with Council's Youth Plan, Health and Wellbeing Plan, Access Plan and Positive Ageing Plan. This application is fully supported by the Grants Assessment Panel as there is a benefit of developing woodwork skills. A quote for the specialised edge sander has been provided. Recommendation: This application is supported for the amount of \$1,300.00.	

Applicant:	South Arm Board Riders (SABR)
Project:	South Arm Board Riders Community Surfing Project
Funds Requested:	\$1,500.00
<p>Project Description: SABR is a not-for-profit organisation dedicated to introducing the sport of surfing to promote a healthy lifestyle, encourage environmental stewardship of the ocean and beaches, and build community spirit. Through a dedicated and strong base of volunteers who provide education, training and development skills, this project aims to fulfil the following goals:</p> <ol style="list-style-type: none"> 1. Increase levels of community participation in training and development through the continuation and expansion of the SABR surf grom (young surfers) program. 2. Ensure that SABR is positioned to provide for increasing levels of participation. 3. Increase community participation events in areas that do not usually have access to sporting events (creation of the Southern Surf Classic). 4. To continue to promote the mental and physical health advantages that surfing can provide as well as fostering a feeling of community in coastal areas of Southern Tasmania. <p>To meet these objectives the SABR Community Surfing Project proposes a 3 stage approach with the first stage to increase SABR members qualifications as level 1 and 2 surf coaches, first aid, bronze swimming medallions and qualified judges to ensure Work, Health & Safety (WHS) are fulfilled and community participants are not put at risk. Priority for training to be given to younger members wishing to take a stronger role in helping their club and community.</p> <p>The funds requested through the grant application are for training of coaching staff, project management and promotions.</p> <p>Comments: Meets the criteria. Aligns with Council's Youth Plan, Events Plan and Health & Wellbeing Plan. This application fully supported by the Grants Assessment Panel as it increases the number of qualified coaches which in turn is used to increase the levels of participation for young people.</p> <p>Recommendation: This application is supported for the amount of \$1,500.00.</p>	

Applicant:	South Arm Primary School Association (Auspiced by (SAPRA) South Arm Peninsula Residents Association)
Project:	South Arm – History in the Making
Funds Requested:	\$1,500.00
<p>Project Description: The project involves the upper primary grades at the South Arm Primary school which will investigate the children's place in the evolving history of the South Arm Peninsula. The project will culminate in the production of a book featuring the children's interpretation of this concept as written and visual work.</p> <p>The project will run during Terms 2, 3 and 4 and the children will work together in collaboration and liaise with the wider South Arm community, in order to create a picture of life in the Peninsula.</p> <p>A "story box" placed in local venues will invite other members of the community to share their written memories of places within the Peninsula and interviews will be arranged with community members in order to determine those places that have been special in the lives and the stories that are associated with these places</p> <p>Part of the project will include a 2 day writing/visual arts workshop run by renowned children's author/illustrator, Carol Tulloch. Carol has worked with children in schools and in the broader community both in Australia and overseas and has provided ideas on construction and execution of concepts for similar projects. This project has been discussed in some detail with Coral who has expressed excitement about the opportunities that such a theme will present. The workshop will culminate in the production of a book which through fiction and non-fictional perspectives of life in South Arm.</p> <p>The funds requested through the grant application are for the costs of the 2 day workshop and materials.</p> <p>Comments: Meets the criteria. Aligns with the Council's Cultural History Plan. The Grant Assessment Panel agreed that this project will provide a valuable learning opportunity for the children.</p> <p>Recommendation: This application is supported for the amount of \$1,500.00.</p>	
Applicant:	Second Bite Partnership
Project:	Fruit and Vegetables for Emergency Relief
Funds Requested:	\$1,500.00
<p>Project Description: The project seeks to purchase seed, irrigation equipment and hand tools to produce fresh fruit and vegetable for SecondBite emergency food relief and for distribution to Community Food Programs within the Clarence community. The main focus of this program is to produce for neighbouring Community Food Programs in Clarence with the excess being distributed via the southern warehouse.</p> <p>Partners in this project include Tasmania Prison Service (prisoners) who will grow and harvest the produce, the Christian Family Centre who is a neighbour of the prison and the community partner who has made the land available at no cost.</p> <p>The project will take place in Norms Paddock which is adjoining the prison property at Risdon Vale and use watering equipment sourcing rain water from the tank and adjacent dam. No spray chemicals will be used and only natural fertilisers will be used.</p> <p>Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan. The grants Assessment Panel agreed this project will assist with food security, offering nutritious food for those less fortunate in the Clarence area.</p> <p>Recommendation: This application is supported for the amount of \$1,500.00.</p>	

Applicant:	Clifton Beach Surf Life Saving Club Inc.
Project:	Expansion of Nipper Program at Clifton Beach Surf Life Saving Club
Funds Requested:	\$1,500.00
<p>Project Description: The Nipper Development program is aimed at increasing participation in surf life-saving and Surf Sports for community members aged 5 to 13 years who are either existing or future members of the club.</p> <p>The number of nippers in the club has grown by 12% over the past year and there are currently 85 nippers who train every Sunday morning and some attend additional sessions during the week. Nipper boards are regularly used to teach valuable surf safety skills and techniques. Due to the significant increase in Nipper members there is now a lack of boards on which to train causing wait times to use the equipment. The funds requested through the grant application will be used to purchase 6 additional nipper 'foamie' boards. The purchase of the additional boards would enable the club to continue to increase the number of participants involved in the training programs as well as improve the quality of the program by having more equipment available for program activities.</p> <p>Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan and Youth Plan. This application supported by the Grants Assessment Panel as it encourages children to participate in learning new skills and then use those skills to provide future support to their community. A quote for the nipper boards has been provided.</p> <p>Recommendation: This application is supported for the amount of \$1,500.00.</p>	
Applicant:	Grace Youth (Grace Christian Church Inc.)
Project:	Crash Mats for Rokeby Youth Group
Funds Requested:	\$1,450.00
<p>Project Description: Grace Youth in Rokeby provides numerous wholesome and fun activities for high-school age youth on Friday nights. We have plenty of space indoors and outdoors at the Grace Centre in Ralph Terrace and would like to increase the scope of the activities and games we run. Some games require crash mats to protect the children from injury, and the proposal is to use the grant funds requested through the grant application to purchase two large crash mats. Once the mats are purchased, they will be stored at the Grace Centre and used at for youth group meetings/activities.</p> <p>Comments: Aligns with Council's Health and Wellbeing Plan and Youth Plan. This application is supported by the Grants Assessment Panel. A quote for the crash mats has been provided.</p> <p>Recommendation: This application is supported for the amount of \$1,450.00</p>	

Applicant:	Meals on Wheels Association of Tasmania Inc.
Project:	Client Social Program
Funds Requested:	\$1,500.00
<p>Project Description: Meals on Wheels helps make the community stronger by providing a service that contributes to the health, well-being and independence of our clients. Meals on Wheels aim to expand the current service to encourage healthier lifestyle choices and social interaction between clients, volunteers and their community. A social program has been planned which includes visits to the “Sit and Be Fit” exercise class at the Bellerive Quay Health Hub.</p> <p>The aim is to form a collaboration with The Bellerive Quay Health Hub to provide clients with gentle exercise classes in a fun social environment with a view to clients forming a social group which will participate in ongoing and sustainable health and lifestyle programs.</p> <p>The funds requested through the grant application is to pay for a series of “Sit and Be Fit” exercise classes.</p> <p>Comments: Meets the criteria. Aligns with Council’s Health and Wellbeing Plan and Positive Ageing Plan. A quote has been provided for the series of classes. This application is support by the Grant Assessment Panel as it will increase the health and wellbeing of socially isolated older members of the Clarence community.</p> <p>Recommendation: This application is supported for the amount of \$1,500.00.</p>	
Applicant:	Montagu Bay Primary School Parents and Friends Committee
Project:	Purchase of 4 Eskis
Funds Requested:	\$1,500.00
<p>Project Description: The Parents and Friends Association have requested funds through their grant application to purchase 2 x 105 Litre and 2 x 70 litre dry ice eskis for use at various fundraising and community events throughout the year. One such event planned is the “Great Trivia Challenge’ quiz night. Funds raised from the quiz night will be used for school activities, projects and equipment. The eskis will be used to keep beverages cold.</p> <p>Comments: Meets the criteria. This application is supported by the Grants Assessment Panel. A quote for the eskis has been provided.</p> <p>Recommendation: This application is supported for the amount of \$1,500.00.</p>	
14 Applications Supported	Total \$14,750.00

Community Support Grants – March 2016	
Applications Not Supported For Consideration	
Applicant: Scouts Australia – Tasmania Branch – Clarence District Venturer Group Project: Purchase of Camping Equipment Funds Requested: \$1,461.67 Project Description: A relatively new Venturer Group that does not own a lot of camping equipment which means they are dependent on borrowing from Scout Groups within the Clarence district. This means the opportunities available to take the youth camping is dependent of the availability to borrow. The funds requested through the grant application is for the purchase camping equipment. With this equipment will provide greater opportunities not only for venturer members but create opportunities for other youth which may result in an increase in our membership. Comments: The Clarence District Venturer Group was successful in receiving a Community Support Grant in the September 2015 round. Groups and organisations are only eligible for 1 Grant submission per financial year therefore they are ineligible to apply in this round. Recommendation: As the Clarence District Venturer group is not eligible to submit an application in this round, this application is not supported by the Grants Assessment Group.	
Applicant: Howrah Mens Shed Inc. Project: Plumbing External Taps Funds Requested: \$600.00 Project Description: No project description provided. The funds requested through the grant application are for the purchase taps and fittings. Comments: This grant application relates to the installation of permanent fittings to Council owned infrastructure which is not eligible under the Guidelines. Recommendation: This application is not supported by the Grants Assessment Group but will be referred to Council's Facilities Management Group for consideration.	
Applicant: Bellerive Junior Soccer Club Inc. Project: Junior Development Squad Funds Requested: \$1,500.00 Project Description: The club would provide a free of charge, fully insured, Football Federation Tasmania approved program that provides children of Clarence a safe (working with children certified) environment to develop their football skills and establish friendships with children they otherwise had no common interests with from other schools. This will be at Edgeworth Street every Saturday 1pm-2pm. All equipment provided with a healthy fresh fruit buffet at half time. The group's budget request through the grant application is for funds to cover insurance premiums, fresh fruit and a family fun day. Comments: The Grants panel had difficulty in assessing this application as to whether this was a new program or if it is what a sporting group would normally do as part of their normal operations and activities to run a soccer program every Saturday at the Edgeworth Street grounds. Requesting funds for insurance premiums is not eligible under the Guidelines. Recommendation: This application is not supported by the Grants Assessment Group as it was considered normal operations of the group.	

Applicant: OHA Football Club Project: Australian Standard Goal Post Covers Funds Requested: \$1,200.00 Project Description: The OHA Football Club wish to purchase a new set of goal post covers for use at Geilston Bay oval. The current set does not fit properly anymore since the goal posts were upgraded. The funds requested through the grant application is to purchase the goat post covers. Comments: The Grants Assessment Panel agreed that this request is to replace existing equipment which is not eligible under the Grants Guidelines. As part of the ground lease agreement set by Council for the club hiring the football ground is that they must supply their own goal post covers so it was considered it is part of the club's normal operations and this is also not eligible under the Grant Guidelines. Agreeing to fund one football club the funds to purchase goal post cover may encourage many other clubs to apply for grant funding for covers. Recommendation: This application is not supported by the Grants Assessment Group as it was considered normal operations of the group and the replacement of existing equipment.	
3 Applications not supported	Total \$4,761.67

Community Support Grants – March 2016	
Funding Summary	
2015-2016 budget allocation for Community Support Grants (September 2015 & March 2016 rounds)	\$35,000.00
Funding allocated in the September 2015 round	\$18,940.00
Funding available for the March 2016 round	\$16,060.00
Total	\$35,000.00
10 Applications are supported at a total of \$14,750.00	\$14,750.00
Total funds allocated for 2015/2016 (if recommendation is approved)	\$33,690.00
Balance Unallocated	\$1,310.00

11.7.4 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA – 2016 BY-ELECTION (SOUTHERN ELECTORAL DISTRICT)

(File No 24-03-03)

EXECUTIVE SUMMARY**PURPOSE**

An extraordinary vacancy has occurred in Council's "representative" position on the General Management Committee of the Local Government Association of Tasmania (LGAT). The purpose of this report is for Council to consider whether it wishes to nominate an eligible elected member to represent the Southern Electoral District (population 20,000+) on the General Management Committee for the balance term which is to conclude July 2017.

RELATION TO EXISTING POLICY/PLANS

The General Management Committee representation has been determined on a non-contest basis with the 3 Councils involved reaching agreement to hold the term of office for this appointment "in turn". To date these appointments within this particular electoral category have been held by the person holding the position of Mayor of the Council holding the "in turn" term (currently held by Glenorchy).

The arrangement is recognised in Council's "Council Authorities, Boards and Committee - Structure and Appointments" Policy.

LEGISLATIVE REQUIREMENTS

There are no express legislative provisions in respect to this matter as the representative structure and electoral process for appointments to the LGAT is governed by the Association's rules. Elected members of the Clarence City, Glenorchy City and Kingborough Councils are eligible to be nominated. A nominee must "accept" their nomination.

To avoid any ambiguity in the nomination process the Electoral Commission has expressly required that any nominations submitted in the By-election are to be endorsed through a decision at a Council Meeting.

CONSULTATION

The LGAT has engaged the Tasmanian Electoral Commission to preside over the conduct of this election. The formal notification of election and details of the nomination process are provided as attachments to the item (3 pages).

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

A matter for Council to determine if it wishes to put forward an elected member nomination for the position as the representative of the Southern Electoral District on the LGAT General Management Committee for the balance term.



**Tasmanian
Electoral Commission**

Level 2 Telstra Centre
70 Collins Street
Hobart Tasmania 7000

GPO Box 300
Hobart Tas 7001

Phone (03) 6208 8700
Fax (03) 6208 8791
ballot.box@tec.tas.gov.au
www.tec.tas.gov.au

Reference F 84.88

Mayor Doug Chipman
Clarence City Council
PO Box 96
ROSNY PARK TAS 7018

Dear Mayor Chipman

**Local Government Association of Tasmania (LGAT)
2016 by-election (Southern Electoral District)**

The LGAT has asked the Tasmanian Electoral Commission to conduct a by-election for one member from the *Southern Electoral District having a population of 20,000 or more* councils to fill a casual vacancy.

Only the Clarence City, Glenorchy City and Kingborough Councils are eligible to participate in the nomination process. Any elected member from these three councils can be nominated.

Election timetable

Nominations open	Thursday 21 April 2016
Nominations close	5 pm Wednesday 18 May 2016
Ballot material posted (if a ballot is required).....	Tuesday 24 May 2016
Close of postal ballot	10 am Friday 1 July 2016
Declaration of result	Friday 1 July 2016

Please note that for a nomination to be valid it must be endorsed through a decision at a Council meeting as described in the *Local Government (Meeting Procedures) Regulations 2015*. Further nomination requirements can be found on the nomination form enclosed.

If a ballot is required, all councils of the Southern Electoral District are entitled to vote.

If you have any queries please call Rod Huskins of this office on 6208 8716.

Yours sincerely

Andrew Hawkey
ELECTORAL COMMISSIONER

21 April 2016

Cc: Member councils within electoral district with a population less than 20,000
Chief Executive Officer, LGAT

Nomination Form

Local Government Association of Tasmania

Nomination of a candidate for election as Local Government Association of Tasmania General Management Committee (GMC) member.

Nominations are invited and must be lodged, posted, sent by facsimile or emailed so as to be received by the Returning Officer at the address shown below, **before 5 pm on Wednesday 18 May 2016**. The candidate and nominator will be notified of receipt of their nomination by this office.

It is the responsibility of the nominator to ensure that the nomination form is received by the Returning Officer before the close of nominations. Late nominations cannot be accepted.

Each Member Council is entitled to nominate one elected member of a Member Council for the position of Committee Member of the GMC. Member Councils can only nominate an elected member within their electoral district and population category. Please see reverse.

A valid nomination is one which has been endorsed through a decision at a Council meeting as described in the *Local Government (Meeting Procedures) Regulations 2015*.

Candidate details			Please print
Nomination for the position of Committee Member (from a Member Council of the Southern Electoral District having a population of 20,000 or more)			
Title Mr Ms Mrs	Surname	Given names	Member Council
Residential address		Postal address (if different from residential)	
Contact phone numbers Home Mobile Work		Given names for ballot paper (if different from above)	
		Email address	
<input type="checkbox"/> I accept the nomination as a candidate for election to the position shown above.			
Signature		Date	

Nominator	
Name of Member Council hereby nominates the above named candidate for election.	Date of Council Meeting at which the nomination was endorsed
Name of Authorised Person	Postal address
Contact phone numbers Home Mobile Work	Email address
Signature of Authorised Person	Date

The address for lodgement at the Tasmanian Electoral Commission is:

Level 2, Telstra Centre, 70 Collins Street, Hobart.
 Phone: 1800 801 701 or 6208 8700
 Email: byelection@tec.tas.gov.au

Postal address: GPO Box 300, Hobart TAS 7001,
 Fax: 6208 8791

Electoral Districts

(for the purpose of electing members to the General Management Committee)

NORTH WEST & WEST COAST ELECTORAL DISTRICT

Members within the electoral district having a population less than 20,000 – *no election*

Burnie City Council

Circular Head Council

King Island Council

Waratah-Wynyard Council

Kentish Council

Latrobe Council

West Coast Council

Members within the electoral district having a population of 20,000 or more – *no election*

Devonport City Council

Central Coast Council

NORTHERN ELECTORAL DISTRICT

Members within the electoral district having a population less than 20,000 – *no election*

Break O'Day Council

Flinders Council

Meander Valley Council

Dorset Council

George Town Council

Northern Midlands Council

Members within the electoral district having a population of 20,000 or more – *no election*

Launceston City Council

West Tamar Council

SOUTHERN ELECTORAL DISTRICT

Members within the electoral district having a population less than 20,000 – *no positions*

Brighton Council

Glamorgan-Spring Bay Council

Derwent Valley Council

Southern Midlands Council

Central Highlands Council

Huon Valley Council

Sorell Council

Tasman Council

Members within the electoral district having a population of 20,000 or more – *one position*

Clarence City Council

Glenorchy City Council

Kingborough Council

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 T1097-16 – ASPHALT RESURFACING WORKS 2015/16

13.3 T1095-16 – CULVERT UPGRADE AND DOWNSTREAM CHANNEL WORKS – BRIDGE STREET, RICHMOND

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”.