

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, 22 OCTOBER 2018

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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

Ald Cusick (Leave of Absence)

2. CONFIRMATION OF MINUTES

(File No. 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 1 October 2018, as circulated, be taken as read and confirmed.

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

An Aldermen's Meeting Briefing (workshop) was conducted on Friday immediately preceding the Council Meeting:

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 petitions which comply with the Act requirements:

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.

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

The General Manager provides the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

STORMWATER SYSTEM - LAUDERDALE

Mr Michael Figg of Lauderdale asked when will Council make the main stormwater system through Lauderdale compliant with the Drains Act?

ANSWER

The pump station at the rear of 490 South Arm Road, Lauderdale is now operational. Additional electronics will be installed in the pump station within the next month to allow for remote monitoring. The pump is set to switch on and off depending on water levels in the channel. The levels for pump operation will be monitored over the coming weeks.

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ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...**ROSNY HILL DEVELOPMENT**

Dr Jo Castillo of Rosny asked as instigator of the Rosny Hill Development, why has Council failed to address the National Parks and Reserve Management Act, 2002 as suggested by the Acting General Manager and what guarantee can the Council provide to ensure that any future proposal does address that Act?

ANSWER

It is incorrect to assert that the Acting General Manager suggested that Council failed to address the National Parks and Reserve Management Act 2002 (NPRMA) as the instigator of the Rosny Hill development. Council acted in accordance with the RHNRA Management Strategy and engaged in a public and transparent EOI process to identify a potential developer for the site. The requirement to address the legislative requirements set out in the NPRMA against a particular proposal only arose at the time a development application was received.

Council will consider any future proposal for a development on Rosny Hill in the same manner. That is, upon lodgement of a development application the General Manager will consider the requirements of the NPRMA as part of any determination regarding consent. Subject to consent being granted, the Council sitting as a Planning Authority will consider the requirements of the NPRMA within the context of the planning scheme requirements when it determines whether to approve or reject an application. Any assessment prior to receiving a development application could be regarded as a presumptive and therefore prejudicial to the proper determination of an application.

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

September Quarterly Report pending.

Representative Reporting

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald Jock Campbell
(Ald James Walker, Deputy Representative)

Quarterly Reports

September Quarterly Report pending.

Representative Reporting

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**TRACKS AND TRAILS ADVISORY COMMITTEE – QUARTERLY REPORT**

(File No 07-06-09)

Chairperson's Report – Alderman R James

Report to Council for the 3 month period for 1 July to 30 September 2018.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

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

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

2. CAPITAL WORKS PROJECT

Clarence Mountain Bike Park

The skills park has been extended and a new entry gateway constructed. Landowner approval is pending from Parks and Wildlife to lodge a Development Application for a new carpark, access road and picnic shelter.

Clarence Foreshore Trail at Tranmere

The coastal track has been extended south from Pindos Park to the reserve off 963A Oceana Drive. Planning work is underway for the next stage to Starboard Road.

Wiena Reserve Track, Lindisfarne

The track has been upgraded and resurfaced between Gordons Hill Road and Radiata Drive.

3. RECURRENT INITIATIVES – MAINTENANCE AND UPGRADES

Mortimer Bay Coastal Track - Sabre Court

Sightlines have been improved.

Forest Hill Road, Sandford – Access Track to Coast

The track was very overgrown and has been cleared.

Brinktop Reserve

There has been illegal dumping of tyres and rubbish at the reserve, which has been cleaned up by Council workers.

Waverly Flora Park

There is a problem with trail bikes entering the park and using the tracks. Council is meeting with Tas Police.

Clarence Plains Rivulet Track

The Clarence Plains track will be repaired where contractors have recently carried out works.

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

An application for a Permit to Conceal Aboriginal middens has been submitted. Work cannot commence until a permit is issued by the Minister.

Blessington Track to Fort Direction Road

A track alignment has been identified at Fort Direction. The Defence Force has approved a 10 year licence agreement with Council for a track to link the foreshore to Fort Direction Road and Potters Hill Reserve. The Aboriginal Heritage Assessment is complete. Waiting on signed licence agreement from Department of Defence.

Clarence Coastal Trail – Mays Point to Cremorne

A survey is required by Parks and Wildlife Service where the coastal track crosses the Calverts Hill Nature Area.

Gregson Track – Springhaven Development

Council's Group Manager Engineering Services wrote to the Board at Springhaven to request a fence be constructed on the inside of the Vegetation Protection Zone in order to increase the width of the green belt alongside the highway and provide more width for the track and vegetation alongside.

Meehan Range Strategic Mountain Bike Plan

A draft is being finalised in consultation with Parks and Wildlife Service.

5. GOVERNANCE MATTERS.**Committee Meetings**

One committee meeting was held on 16 August 2018.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Attachments: Nil

Alderman R James
CHAIRPERSON

NATURAL RESOURCE MANAGEMENT – QUARTERLY REPORT

(File No)

Chairperson's Report – Alderman Kay McFarlane

Report to Council for the 3 month period 1 July 2018 to 30 September 2018.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

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

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

2. CAPITAL WORKS PROJECTS

Nil.

3. RECURRENT INITIATIVES**Development of Reserve Activity Plans (RAP) 2018-19**

The Mortimer Bay Coastal Reserve Activity Plan is in draft form. Council has invited feedback on the draft plan from relevant stakeholders and the local community.

The Seven Mile Beach Coastal Reserve Activity Plan is in draft format at present with feedback being considered by Council.

A draft Cremorne Coastal Reserve RAP is being developed by Council at present.

Implement Natural Area Reserve Activity Plans

Otago Bay Coastal Reserve and Lagoon

Entrance landscaping has been done at Otago Bay Lagoon.

Native tube stock was also planted at Otago Bay Coastal Reserve where the large rocks and timber edging is situated at the start of Otago Bay Road.

Gordons Hill Road Entrance

Additional landscaping has been done at the entrance to the Kangaroo Bay Rivulet Track from Gordon's Hill Road.

Tranmere Coastal Reserve

Basic Maintenance works have been done along Tranmere Coastal Reserve including brush cutting, planting and weed control in landscaped areas.

Limekiln Point Coastal Reserve

Entrance Landscaping has been done at the entrance to Limekiln Point at the end of Palooka Street. Rock furniture was also installed to replace “ugly” boulders previously placed to prevent vehicle thoroughfare.



She Oak Point

The elongated garden bed between the Rosny College Carpark and She Oak Point has been heavily pruned due to anti-social behaviour occurring there predominately by college students. View-lines through the vegetation have been restored and additional mulch applied to prevent weed growth.

Seven Mile Beach Coastal Reserve

Another mudstone wall has been installed and radiata pine seedling removed from the reserve at Seven Mile Beach. Entrance landscaping at access points to the beach have been maintained, re-mulched where required and more plants added.

Several areas about the newly installed bridge at the Esplanade, Seven Mile Beach, have been prepared, mulched and planted out with front-line coastal species.

Thoona Bushland Reserve

Thoona Bushland Reserve has had 3 large single storey boulder retaining walls installed to define already landscaped areas.



The red gravel track that runs parallel with the swale, recently washed out from storm events, has been repaired.

Clarence Plains Rivulet – 45 Goodwin’s Road

The northern end of the rivulet and areas that the previous Work for the Dole Team maintained has been brush cut and vegetation pruned. The mulched garden beds at the entrance to Clarendon Vale Oval have had weeds treated and more plants added to “gap up” previous plantings.

Brinktop Bushland Reserve

Brinktop Bushland Reserve has undergone entrance landscaping. The site was prepared and 80m of woodchips spread to cover previously disturbed ground that was becoming weedy as a result of machinery churning the soil during track construction and barrier rock placement at the entry to the reserve. Hundreds of local species of native stock were planted in the mulched areas.

Wetland/Storm Water Retention Basins**Lauderdale Created Wetlands**

Extensive populations of weedy Flinders’ Island Wattle, *Acacia retinoides*, have been cut down and taken away from the Lauderdale Wetland. Several diseased black she oaks, *Allocasuarina littoralis*, (identified by the local coast care group) have also been pruned and or removed to prevent further spread of disease.

Otago Bay Lagoon

Entrance landscaping has been administered at Otago Bay Lagoon. Weeds have been controlled and cumbungi is limited in the lagoon due to continual control. Saltmarsh species have been planted on the foreshore of the lagoon where it meets the Derwent River. The lagoon is in very good condition at present.

Drainage Swales**Thoona Swale Network**

The swale at Thoona Bushland Reserve has been reshaped to prevent “spilling” of stormwater under extreme events. Several months ago the stormwater left the swale under heavy rain and washed out the nearby track. Two drop structures have been installed to slow down water flows and allow pooling of water in the new basins.

Flagstaff Gully Rivulet

The Flagstaff Gully Rivulet has received recent maintenance, including brush cutting, weed control and vegetation management.

Priority Weed Management

Roscommon Reserve has undergone weed control works. Weeds included blackberry, boneseed, African boxthorn, Spanish heath.

Entrance landscaping was done at the entrance to the Tangara Trail from Equestrian Drive.

Pilchers Hill Reserve has undergone a big sweep for weeds. Weeds controlled included serrated tussock, boneseed, pampas grass, canary broom and Spanish heath.

Rosny-Montagu Bay Coastal Reserve

A sweep for weeds has been done along the linear Rosny-Montagu Bay Coastal Reserve. Weeds included sweet briar, boneseed, gorse, cotoneaster, bridal creeper and African boxthorn.

Otago Bay Coastal Reserve and Otago Roadside Weeds

Declared weeds have received treatment at several Council managed reserves about Otago Bay. Roadside weeds about Otago Bay Road, East Risdon and Direction Drive were controlled.

Serrated tussock has been controlled about roadsides at Sandford. Extensive work was done along Doran's Road. Musks Road also had weed control works done.

The Old Lauderdale Tip site has undergone weed control works, as has the surrounding Racecourse Flats area. Spanish heath and boneseed were the main weeds and a plan is being done to look at controlling Spanish heath, in particular, into the future.

The Tangara Trail network has undergone extensive weed management this quarter.

Mt Rumney, Mt Canopus and Cambridge roadsides have also undergone weed control works.

Needle Grass Project

Winter control (fluproponate) was applied in July at all known Chilean needle grass populations on Council-managed land (reserves, nature strips, Public Open Space) – Montagu Bay, Rosny, Bellerive, Lindisfarne, Rose Bay, Warrane, Otago and Rokeby.

Winter control (fluproponate) was applied in July at all known Texas needle grass populations on Council-managed land in the Glebe Hill area as well as on isolated infestations on private land that adjoins onto a vineyard and current subdivision land. Liaison occurred with the subdivider to ensure management of Texas needle grass has occurred on subdivision land and that best practice hygiene principles are being followed to minimise risk of spread.

A new and quite large population of Chilean needle grass was discovered in the Delphis Drive/School Road part of Sandford, in August, on a mix of land tenure including extensive infestations on Council-managed roadsides. This population was treated within 2-weeks of it being discovered and the surrounding area has been surveyed and surrounding landowners are being engaged for future management to minimise further spread from the core infestation.

CCC Land and Coast Care Grants' Programme

The CCC Land and Coast Care Grants' Programme is open for 2018-19. Applications close on 22 October 2018.

Maintenance Clarendon Vale Rivulet

Some contractor maintenance has been done toward the northern end with more maintenance works in other areas of the rivulet scheduled for next quarter.

Schools Landcare Support Program

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

On 15 August, 2 classes of Richmond Primary School students planted native plants in the prepared areas at Richmond Recreation Ground. The feedback from the school and local community was very positive and plans are underway for another working bee into the future.

Cambridge Primary School performed some planting on a flat section of the stream bank at Barilla Creek on 26 September 2018. The planting area was pre prepared and mulched ready for the students to plant on the day.

Community Clean-up Program

Council's Natural Areas Volunteer Co-ordinator is inviting expressions of interest from local community groups to be involved with the 2018/2019 Clean-up Programme.

Prison Program Project

The Prison Crew are currently installing sandstone retaining walls and borders for the Waverley Flora Park Avenue of Honour Project. They will also undertake erosion control works in the swale that feeds from the top of the hill toward Quarry Road.

Large radiata pine trees have been fallen and are being managed at Seven Mile Beach Coastal Reserve by the Prison Crew.

Two new mudstone rock walls have been installed at the beach access at the Seven Mile Beach Esplanade and Seven Mile Beach Road intersection.



Risdon Vale Natural Areas

The Prison Crew have kept up with maintenance of the various natural areas at Risdon Vale in between other projects.

Kangaroo Bay Rivulet Track

Two new dry stone walls have been created at the entrance to the track at Gordon's Hill Road.

4. DESIGN AND INVESTIGATION WORK IN PROGRESS

Nil.

5. GOVERNANCE MATTERS.

Committee Meeting

A committee meeting is scheduled for Monday, 22 October. Agenda items are being drafted by Council's Natural Areas Volunteer Co-ordinator.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson's Report be received by Council.

Attachments: Nil

Alderman Kay McFarlane

CHAIRPERSON

BICYCLE STEERING COMMITTEE – QUARTERLY REPORT

(File No)

Chairperson's Report – Alderman S von Bertouch

Report to Council for the 3 month period 1 July 2018 to 30 September 2018.

1. PRINCIPAL OBJECTIVES AND GOALS

The Committee's prime objectives are to:

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

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

2. CAPITAL WORKS PROJECTS**Silwood Avenue Track Upgrade, Howrah**

A site meeting occurred to determine the scale of the project. Given Aboriginal Heritage values, it is not practical to realign the track in the area of steep grade. Rather it is intended to provide a concrete path in the area of steep grade, essentially over the existing track. The design and costings will proceed on this basis and there will need to be further work with Council's Aboriginal Heritage Consultant on whether a permit is required for the changed scope of works.

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

Construction of the first stage, from the area under the Tasman Bridge, through the ex-SES site and around the Primary School Oval is complete. Design and completion of the next stage is dependent on progress by the Department of Education of the Primary School Masterplan. Officers will continue to liaise with the Department; however, DoE are still in the early stages of their planning.

Clarence Foreshore Trail –Simmons Park to Anzac Park, Lindisfarne

Design is complete for Stage 1, Simmons Park to Hume Street/Ford Parade and Council's works crew has commenced construction in the Ford Parade area of works. Adjacent residents have been updated on the timing of the works. Funding committed for Stage 1 is \$230,000. Council has further committed \$100,000 as part of this year's capital works program for the next stage. The estimated cost for the full project, to Anzac Park, is approximately \$700,000.

3. RECURRENT INITIATIVES

Nil.

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

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

Tasman Highway – Extension from Tasman Bridge to Montagu Bay Road

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

Tasman Highway – Tasman Bridge to Mornington

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

Howrah and Tranmere Roads – Investigation of Bike Infrastructure

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

Richmond Road Sealed Shoulders Project

The Committee was concerned at the proposed use of 14/7mm twin coat seal for surfacing of the road shoulder. Representatives from Cycling South and Bicycle Tasmania met with the Minister for Infrastructure to raise concerns about the proposed surface quality and texture. The Minister undertook to ask the Department of State Growth to investigate and provide a response. Nonetheless the shoulders have now been finished with a 2 coat seal.

Kangaroo Bay Development

When the marine slipway is open, it becomes a challenge for cyclists to make their way along Cambridge Road, through the village and back onto the foreshore path.

The Committee has also considered issues relating to the Bellerive Yacht Club development. At its Meeting of 28 May 2018, Council selected “Option 3”, which is to retain a ramp from Clarence Street to the Bellerive Yacht Club carpark.

5. GOVERNANCE MATTERS.

Committee Meeting

The Committee held one meeting during the quarter on 6 August 2018.

6. EXTERNAL LIAISON

Nil.

RECOMMENDATION:

That the Chairperson’s Report be received by Council.

Attachments: Nil

Alderman Sharyn von Bertouch
CHAIRPERSON

11. REPORTS OF OFFICERS

11.1 WEEKLY BRIEFING REPORTS

(File No 10/02/02)

The Weekly Briefing Reports of 1, 8 and 15 October 2018 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 1, 8 and 15 October 2018 be noted.

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

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 SECTION 43A AMENDMENT APPLICATION (A-2018/1) AND 30 LOT SUBDIVISION (SD-2018/19) - 22 ATKINS STREET, ROKEBY
(File No A-2018/1)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider:

- i. certification of a modified Amendment (A-2018/1) to the Clarence Interim Planning Scheme 2015 at 22 Atkins Street, Rokeby consistent with Council's decision of 9 July 2018.
- ii. a draft subdivision permit (SD-2018/19) for a 30 lot subdivision at 22 Atkins Street, Rokeby.

RELATION TO PLANNING PROVISIONS

The land is zoned Environmental Living under the provisions of the Clarence Interim Planning Scheme 2015 (the Scheme). It is also subject to the Bushfire Prone Areas, Landslide Hazard Area and Natural Assets codes.

The proposed subdivision is currently Prohibited under the Scheme.

Section 43A(1) of the Land Use Planning and Approvals Act 1993 (LUPAA) provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.

LEGISLATIVE REQUIREMENTS

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

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

CONSULTATION

If certified the draft Amendment and draft Permit will be placed on Public Exhibition and any representations received will then be considered in accordance with Section 39 of LUPAA.

RECOMMENDATION:

- A. That Council resolves that draft Amendment A-2018/1 (as modified) meets the requirements specified in Section 32 of the Land Use Planning and Approvals Act, 1993.

- B. That Council resolves, under Section 35(2) of the Land Use Planning and Approvals Act, 1993 to certify draft Amendment A-2018/1 (as modified) and sign the instrument as required and to forward it to the Tasmanian Planning Commission.
- C. That the 30 lot subdivision (SD-2018/19) at 22 Atkins Street, Rokeby be approved subject to the following conditions and advice.
- (1) GEN AP1 – ENDORSED PLANS.
 - (2) GEN AP2 – STAGING [
 - Stage 1: POS Lots 200 and 201, Lots 1-3 and Lots 16-19;
 - Stage 2: Lots 4-15;
 - Stage 3: POS Lot 202 and Lots 306 and 307;
 - Stage 4: Lots 300 and 301;
 - Stage 5: Lots 302 and 303;
 - Stage 6: Lots 304 and 305;Stages may be developed concurrently.]
 - (3) GEN AP3 – AMENDED PLANS [revised staging in accordance with Condition 2].
 - (4) GEN AM4 – CONSTRUCTION HOURS.
 - (5) PROP 3 – TRANSFER.
 - (6) ENG A1 – NEW CROSSOVER.
 - (7) ENG M2 – DESIGNS SD after “stormwater drainage” add a new dot point “POS track alignment and construction”.
 - (8) ENG M4 – POS ACCESS.
 - (9) ENG M5 – EROSION CONTROL.
 - (10) A weed and hygiene management plan identifying how vehicle and machinery hygiene will be managed and methods to control weeds, must be submitted to and approved by Council’s Group Manager Engineering Services prior to commencement of works. The plan must:
 - reference any Weeds of National Significance and Declared Weeds under the Weed Management Act;
 - address the spread of weed contaminated soil, weed material and soil-based pathogens in accordance with the Tasmanian Washdown Guidelines for Weed and Disease Control;
 - identify the weed species, initial treatment, on-going management and maintenance period thereof. The plan may include manual removal of larger plants and/or chemical control as recommended by the relevant Government department; and

- include a detailed breakdown of estimated costs.

The Final Plan and Schedule of Easements for any stage will not be sealed until the weed and hygiene management plan for that stage has been implemented and maintained to the satisfaction of Council's Group Manager Engineering Services. Alternatively, a bond of 1.5 times the estimated cost of works associated with implementing the weed and hygiene management plan for that stage must be submitted prior to sealing. The bond will be held as security to ensure both development and maintenance of each lot is undertaken in accordance with the approved plan until each of the newly created lots are sold or the management period has expired, whichever comes first. The bond is to be a cash deposit or a bank guarantee.

- (11) ENG M8 – EASEMENTS.
- (12) ENG M9 – FILLING OF LAND.
- (13) ENG R1 – ROAD NAMES.
- (14) ENG R2 – URBAN ROAD.
- (15) ENG R5 – ROAD EXTENSION.
- (16) ENG R6 – VEHICLE BARRIERS.
- (17) ENG S1 – INFRASTRUCTURE REPAIR.
- (18) All stormwater designs for the development must include Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council's Group Manager Engineering Services for approval prior to the issue of the approved engineering drawings. This report is to include the maintenance management regime/ replacement requirements for any treatment facilities.
- (19) Each lot must be provided with a minimum 150mm diameter stormwater drainage connected to Council's main. An extension to Council's stormwater main may be required at the owner's expense.
- (20) ENG S10 – UNDERGROUND SERVICES.
- (21) LAND 5 – SUBDIVISION LANDSCAPING.
- (22) EHO 4 – NO BURNING.

- (23) The development must meet all required Conditions of Approval specified by TasWater notice dated 3 May 2018 (TWDA 2018/00560-CCC).

ADVICE

Following the approval of new street name/s please contact Council's Administration Officer on 62179683 who will be able to assist with the allocation of street numbering to each lot.

- 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.** At its Meeting of 9 July 2018, Council considered an application for a combined planning scheme amendment (A-2018/1) and 30 lot subdivision (SD-2018/19) at 22 Atkins Street, Rokeby submitted under S.43A of the Land Use Planning and Approvals Act, 1993 (LUPAA).
- 1.2.** At its Meeting of 9 July 2018, Council resolved to initiate amendment A-2018/1 and resolved to modify it prior to certification and preparation of a draft subdivision permit SD-2018/19. The details of which are the subject of this report.
- 1.3.** The modified amendment has now been drafted and included in the Attachments.
- 1.4.** Conditions to be included on the draft permit are the subject of this report and form part of this recommendation.

2. STATUTORY IMPLICATIONS

The statutory implications associated with this proposal were documented in Council's agenda report dated 9 July 2018.

3. PROPOSAL IN DETAIL

3.1. The Site

The subject site is 22 Atkins Street, Rokeby, a 8.06Ha vacant lot located directly west of the existing urban settlement in Rokeby and described in detail in Council's agenda report dated 9 July 2018.

3.2. The Amendment (A-2018/1)

The applicant proposed to amend the Scheme by rezoning approximately 75% of the site from "Environmental Living" to "General Residential" and "Open Space" and modify the existing Oceana Drive Residential and Bushland Specific Area Plan (SAP) to include the entire subject site and provide for the proposed subdivision.

A number of concerns were identified with the form of the applicant's proposed amendment and considered by Council at its Meeting on 9 July 2018.

3.3. Modified Amendment

At its Meeting on 9 July 2018, Council resolved to modify the applicant's proposed amendment to:

- “• *Ensure the area of land proposed to be retained within the Environmental Living Zone is consistent with the alignment of proposed lot 303.*
- *On the SAP, include an identified building envelope on the proposed Environmental Living Zoned Lot (lot 303).*
- *Reduce the area of the site to be included in the SAP by removing all the land proposed to be rezoned to General Residential and Open Space.*
- *Rezone the land proposed to be zoned Open Space to General Residential.*
- *Modify the minimum 6.0Ha lot size prescribed in Environmental Living Zone for the area subject to the SAP. The modification should ensure that no further subdivision potential is increased for the area currently subject to the SAP.*

- *Modify F14.8.1 (P1) of the SAP to enable the consideration of an additional bushland residential lot with a minimum area of 2.0Ha (down from 5ha). The modification should ensure that no further subdivision potential is increased for the area currently subject to the SAP”.*

A modified draft Amendment is included in the attachments. The Amendment is consistent with the above requirements and is therefore suitable for certification.

3.4. The Subdivision (SD-2018/19)

The subdivision proposal SD-2018/19 is for the staged creation of 30 lots and previously described in the agenda report dated 9 July 2018.

Following Council’s initiation of the draft Amendment the applicant has worked with Council officers to develop a suitable stormwater solution. The solution has necessitated an amended proposal that has resulted in minor modifications to the size of several lots, the most significant being the alignment of the proposed Public Open Space, adjoining lots and corner truncation of intersection lots.

The proposed subdivision comprises of:

- 19 residential lots (Lots 1-19) ranging from 450m² to 1260m²;
- 7 “super lots” (Lots 300-302 and 304-307) ranging from 2670m²-5981m²;
- 3 Public Open Space lots (Lots 200-202);
- 1 Environmental Living Zoned “Balance lot” (Lot 303 – 2.12Ha); and
- road lot/s.

The subdivision is proposed to be developed in 6 stages. A copy of the proposed subdivision and associated staging plans are included in the attachments.

The proposed POS is comprised of 3 lots (200-202) that form a linear connection linking 2 areas of Council's existing POS network. The lots have a combined area of 4045m² representing 5.1% of the total site area or 6.8% of the area being subdivided (total site area less than the balance lot).

4. PLANNING ASSESSMENT

Subsequent to Council's decision to initiate the Amendment the applicant provided an updated services report with a revised stormwater approach. In summary, the approach comprises of:

- Surface flows upstream of the development being intercepted by a new open cut off drain constructed as close as practicable to the top of the western most lots. The drains divert overland water flow from the north and south into the site's natural drainage lines.
- The existing creek being diverted underground to Council's piped stormwater main. This approach diverts existing flows underground at the headwall while allowing the additional load generated by the proposal to flow overland in the existing draining alignment prior to entering an underground detention chamber.
- The installation of a 428m³ underground stormwater chamber located at the bottom of the POS, Lot 201. Discharge from this detention pond will be limited to ensure flow rates from site will not exceed pre-development levels.
- Stormwater from the site will be treated by installation of a GPT prior to the inlet of the underground stormwater chamber. Downstream of the chamber a variety of proprietary treatments will be utilised to ensure water quality.
- The solution will result in a modified creek bed bisecting approximately half of the proposed POS.

To accommodate the above solution the subdivision layout required minor alterations to the size and alignment of the proposed POS lots. Additionally, the layout was modified to provide for truncated lots adjoining the new intersection.

Council's Engineers advise that the proposed stormwater solution is capable of meeting the relevant standards and that it could be approved subject to suitable conditions.

The proposed stormwater solution would encumber the land to some extent and impact its POS function. However, in this instance it considered that the proposed POS can be supported under Council's POS Policy for the following reasons:

- the POS lots are fit for purpose and provide a suitable link between areas of existing POS;
- the proposed POS is sufficient to meet the increased demand generated by the initial 19 residential lots;
- the additional POS demand generated by any future subdivision of the "super lots" may be assessed at the time of application and may warrant either additional POS land or alternatively a cash contribution in-lieu of it at that time;
- the lots have a combined area of 4045m² representing 5.1% of the total site area or 6.8% of the area being subdivided (total site area less the balance lot). This effectively represents a contribution of 36% greater than the minimum requirement and compensates for the area of POS that is encumbered by the stormwater infrastructure.

Notwithstanding, POS Lot 202 is proposed to be transferred to Council as part of the final stage. This is contrary to Council's POS Policy that requires transfer of POS in the first stage. Council's Engineers advice is that there is no reason based on servicing sequence/constraints that the lot could not be provided at an earlier stage in the development. For this reason it is recommended that a permit condition require an amended staging plan to be submitted ensuring that the lot is transferred as early as possible in the development sequence. Given there is no timeframe to complete the subdivision this condition will ensure that the POS will be available for the benefit of future residents.

5. CONSULTATION

Applications for planning scheme amendments are not formally open for public comment until after Council has resolved to initiate and certify the Amendment. Should Council resolve to certify the draft Amendment (as modified and attached), it along with the associated draft permit will be publicly exhibited in accordance with the statutory requirements.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, who advised that Pursuant to the Water and Sewerage Industry Act, 2008 (TAS) Section 56P(1) they do “ *not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings*”.

They also provided conditions that must form part of any subdivision permit (copy attached).

7. COUNCIL COMMITTEE RECOMMENDATION

The proposal was referred to Council’s Tracks and Trails Committee. A Committee representative met with the applicant on-site and reported that the proposed Public Open Space link was appropriately located subject to the construction of a suitably aligned track. Accordingly the construction of the track should be conditioned as part of any approval.

The proposal was not specifically referred to any other Council committees. Notwithstanding, any committee comments or recommendations received during the public exhibition period may be considered as part of Council’s Section 39 report.

8. STATE POLICIES AND ACT OBJECTIVES

A detailed assessment against the State Policies and the objectives of Schedule 1 of LUPAA was documented in Council’s agenda report dated 9 July 2018. For the reasons articulated in the associated Minutes the modified Amendment is consistent with the relevant State Policies and LUPAA requirements, including Section 32.

9. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

10. CONCLUSION

10.1. The draft Amendment (as modified) reflects Council's decision of 9 July 2018 and on this basis is considered to meet the requirements of Section 32 of LUPAA and is recommended for certification.

10.2. Certification of the proposed draft Amendment (A-2018/1) will allow the Public Exhibition of both the Amendment and the draft subdivision Permit (SD-2018/19) in accordance with the statutory requirements.

Attachments: 1. Draft Amendment (6)
2. Revised Subdivision Plans (4)
3. Proposed POS Landscaping Plan (2)
4. TasWater Notification and Conditions (TWDA 2018/00560-CCC) dated 3 May 2018 (4)

Ross Lovell
MANAGER CITY PLANNING



CLARENCE INTERIM PLANNING SCHEME 2015

AMENDMENT – A-2018/1

AMENDMENT TO PLANNING SCHEME ORDINANCE

To amend the Clarence Interim Planning Scheme 2015 as follows.

- (1) Delete Table 14.1 Minimum Lot Size in the Environmental Living Zone and replace with the following:

Environmental Living Zone Area	Minimum Lot Size	Area defined by Map overlay?
Oceana Drive Residential and Bushland Specific Area Plan.	5.0 ha; or 2.0ha if located on CT 131197/2.	Yes

- (2) Delete the Performance Criteria at F14.8.1P1 relating to Subdivision Layout in the F14.0 Oceana Drive Residential and Bushland Specific Area Plan and replace with the following:

Performance Criteria
<p>P1</p> <p>Notwithstanding the minimum lot size in the Environmental Living Zone, any subdivision must satisfy all of the following:</p> <p>(a) result in a maximum of five (5) bushland residential lots with a minimum lot size of:</p> <p>(i) 5.0 ha; or</p> <p>(ii) 2.0ha if located on CT 131197/2.</p> <p>(b) have a building area with sufficient area for bushfire hazard management in areas with lesser conservation values and:</p> <p>(i) lower visual sensitivity; or</p> <p>(ii) where visual sensitivity can be satisfactorily addressed.</p>

- (3) Delete F14.9 Plans for Oceana Drive Residential and Bushland SAP Figure 1 - Public Open Space and Tracks and replace the following:

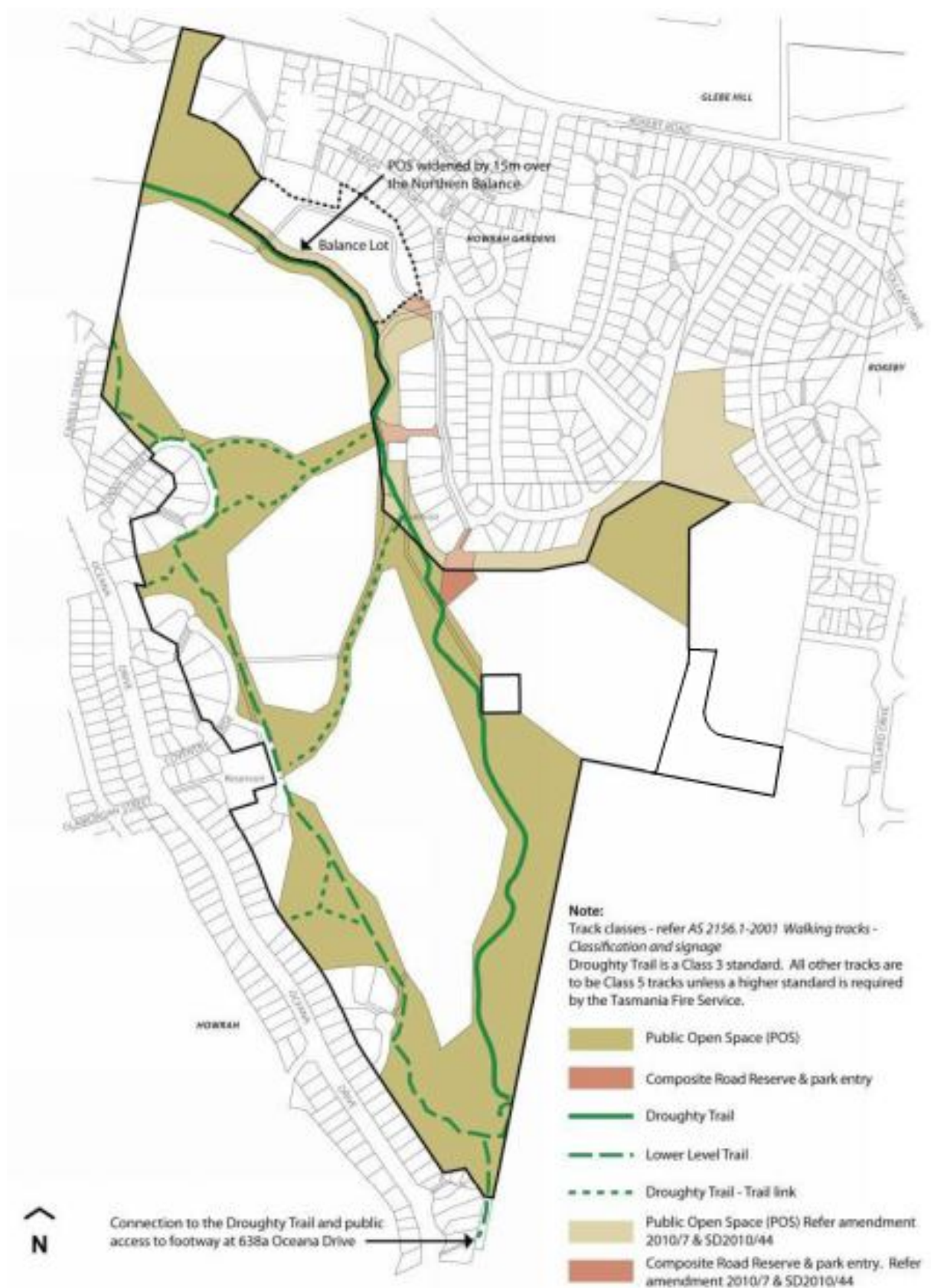


Figure 1 - Public Open Space and Tracks

- (4) Delete F14.9 Plans for Oceana Drive Residential and Bushland SAP Figure 2 - Indicative House Sites on Bushland lots and replace with the following:

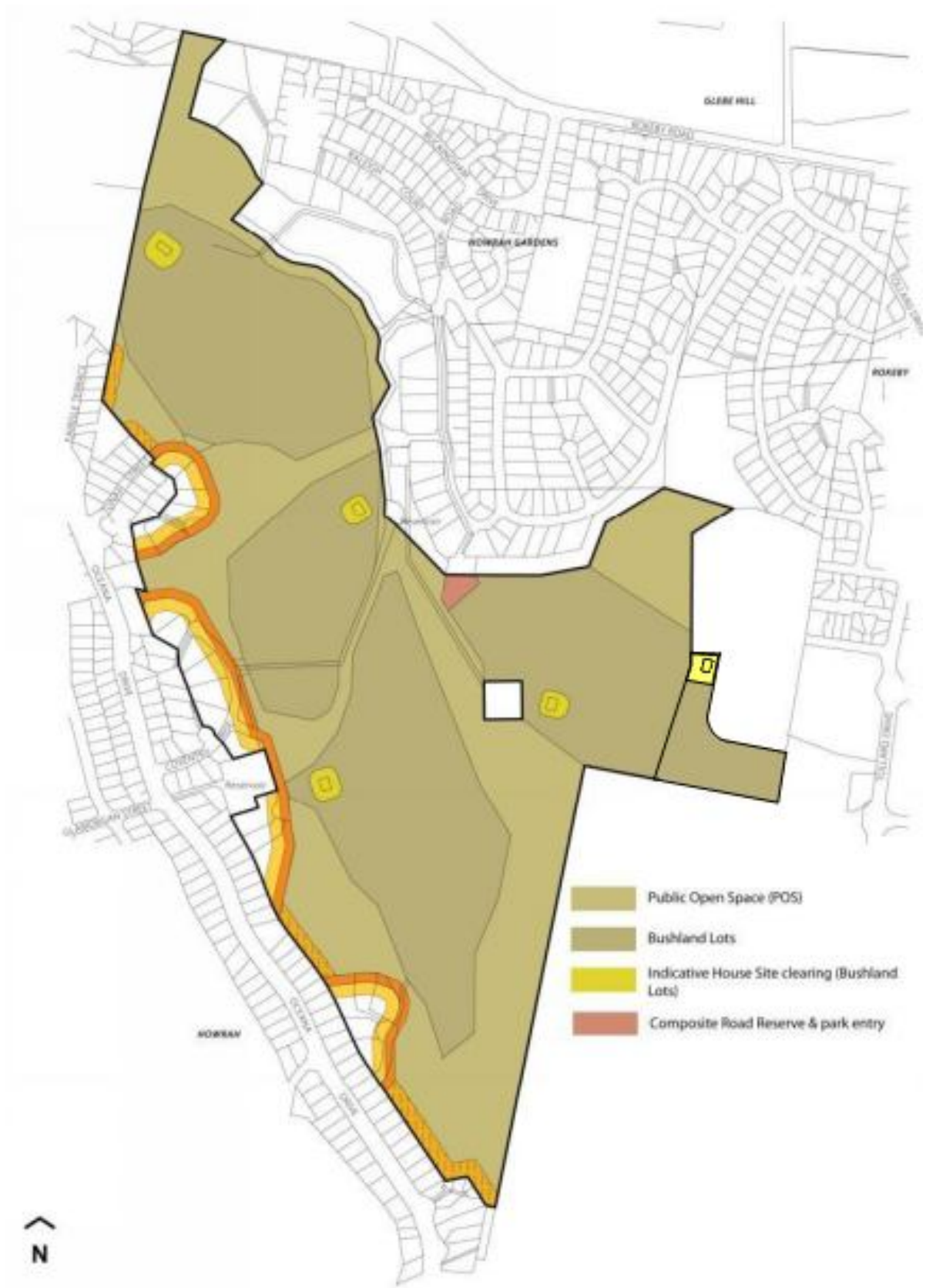
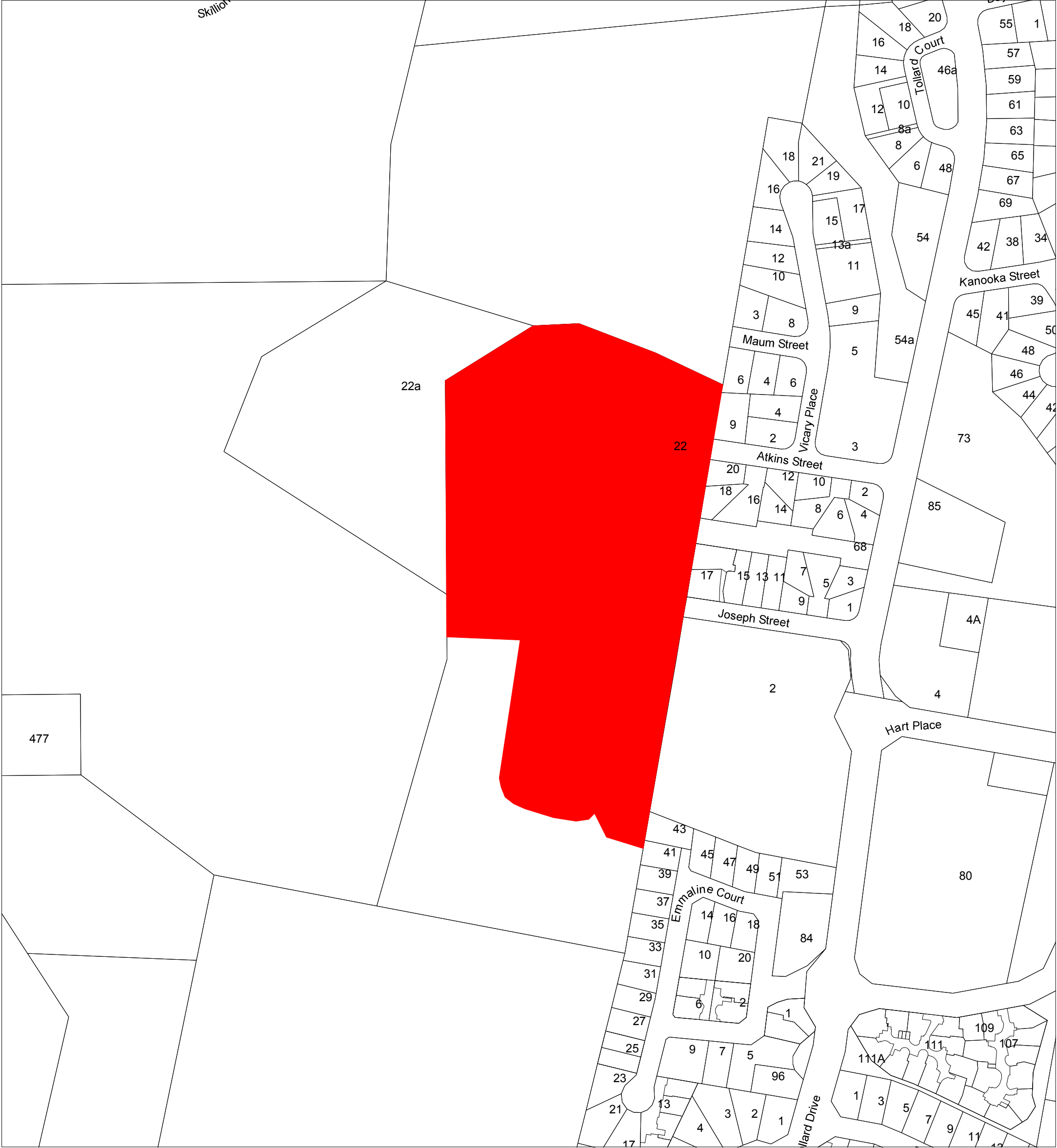


Figure 2 - Indicative House Sites on Bushland lots

THE COMMON SEAL OF THE CLARENCE CITY
COUNCIL HAS BEEN HERE UNTO AFFIXED
THIS XXXX, PURSUANT TO A RESOLUTION OF
THE COUNCIL PASSED THE XXXX, IN THE
PRESENCE OF:

CORPORATE SECRETARY

CLARENCE CITY COUNCIL
CLARENCE INTERIM PLANNING SCHEME 2015
Amendment A-2018/1



Scale 1:2500
Printed @ A3

(c) Clarence City Council

**AMENDMENTS TO PLANNING SCHEME PLAN
Amendment A-2018/1**

To rezone part of 22 Atkins Street, Rokeby from
Environmental Living to General Residential.

 General Residential

THE COMMON SEAL OF THE CLARENCE
CITY COUNCIL HAS BEEN HERE UNTO
AFFIXED THIS XX DAY OF XX 2018
PURSUANT TO A RESOLUTION OF THE
COUNCIL PASSED THE XX DAY OF
XX 2018 IN THE PRESENCE OF:

CORPORATE SECRETARY

CLARENCE CITY COUNCIL
CLARENCE INTERIM PLANNING SCHEME 2015
Amendment A-2018/1 - Specific Area Plan



Scale 1:2500
Printed @ A3

(c) Clarence City Council

AMENDMENTS TO PLANNING SCHEME PLAN
Amendment A-2018/1 - Specific Area Plan

To expand the Oceana Drive Residential and Bushland Specific Area Plan to include part of 22 Atkins Street, Rokeby.



Specific Area Plan

THE COMMON SEAL OF THE CLARENCE CITY COUNCIL HAS BEEN HERE UNTO AFFIXED THIS XX DAY OF XX 2018 PURSUANT TO A RESOLUTION OF THE COUNCIL PASSED THE XX DAY OF XX 2018 IN THE PRESENCE OF:

CORPORATE SECRETARY

This plan has been prepared only for the purpose of obtaining preliminary
subdivisional approval from the local authority and is subject to that approval.
All measurements and areas are subject to the final survey.
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OWNER: MALWOOD PTY LTD

OWNER: CLARENCE CITY COUNCIL

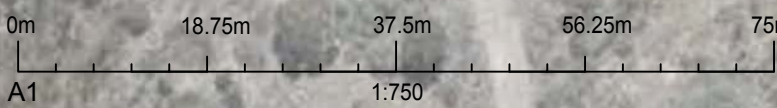
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OWNER: DIRECTOR OF HOUSING

OWNER: DIRECTOR OF HOUSING



J	P.O.S changes	AB	26-9-2018	AB
I	Lot 201 changes (road alignment)	AB	4-9-2018	AB
H	Splays added & Lot 201 changes	AB	30-8-2018	AB
G	CHANGES - Lots 9 to 15	AB	14-2-2018	AB
F	remove internal road	MG	12-1-2018	AB
E	CHANGES - Lot 303	AB	21-12-2017	AB
D	CHANGES - Lots 303 & 304	AB	21-12-2017	AB
C	CHANGES - Lot 303 & Planning line	AB	20-12-2017	AB
B	CHANGES - WESTERN SIDE OF ROAD	AB	24-11-2017	AB
A	EMAILED TO JMG	AB	23-11-2017	AB
REV	AMENDMENTS	DRAWN	DATE	APPR.



UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com

OWNER: THE TRUSTEES OF THE PROPERTY OF THE
PRESBYTERIAN CHURCH OF TASMANIA

TITLE REFERENCE: C.T.243571/1

LOCATION: 22 ATKINS STREET
ROKEBY

Proposed Subdivision

Date:	26-9-2018	Reference:	PAPAA14 10252-06
Scale:	1:750 (A1) 1:1500 (A3)	Municipality	CLARENCE

Lots 300-302 & 304-307 are designated
for multiple dwellings.

Plan 1 of 4 - Overall concept Plan

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subdivisional approval from the local authority and is subject to that approval.
All measurements and areas are subject to the final survey.
Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania
Base data from the LIST (www.theist.tas.gov.au), © State of Tasmania

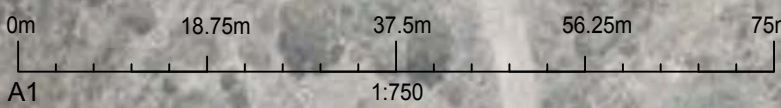
OWNER: MALWOOD PTY LTD

OWNER: CLARENCE CITY COUNCIL

OWNER: MALWOOD PTY LTD

OWNER: DIRECTOR OF HOUSING

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for multiple dwellings.



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Scale:	1:750 (A1) 1:1500 (A3)	Municipality:	CLARENCE

Plan 2 of 4 - Staging Plan

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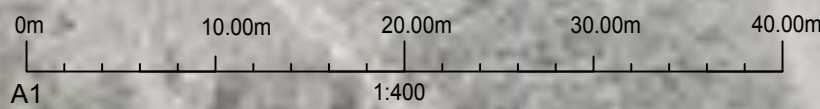
Plan 3 of 4 - Lot Details Plan

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LOCATION: 22 ATKINS STREET
ROKEBY

Proposed Subdivision

Date:	26-9-2018	Reference:	PAPAA14 10252-06
Scale:	1:750 (A1) 1:1500 (A3)	Municipality	CLARENCE

- Lot 303 - Environmental Living Zone
- Extent of Biodiversity Protection Area overlay
- possible 10m x 15m building area (in residential zone)

Lots 300-302 & 304-307 are designated
for multiple dwellings.

Plan 4 of 4 - Lot Details Plan

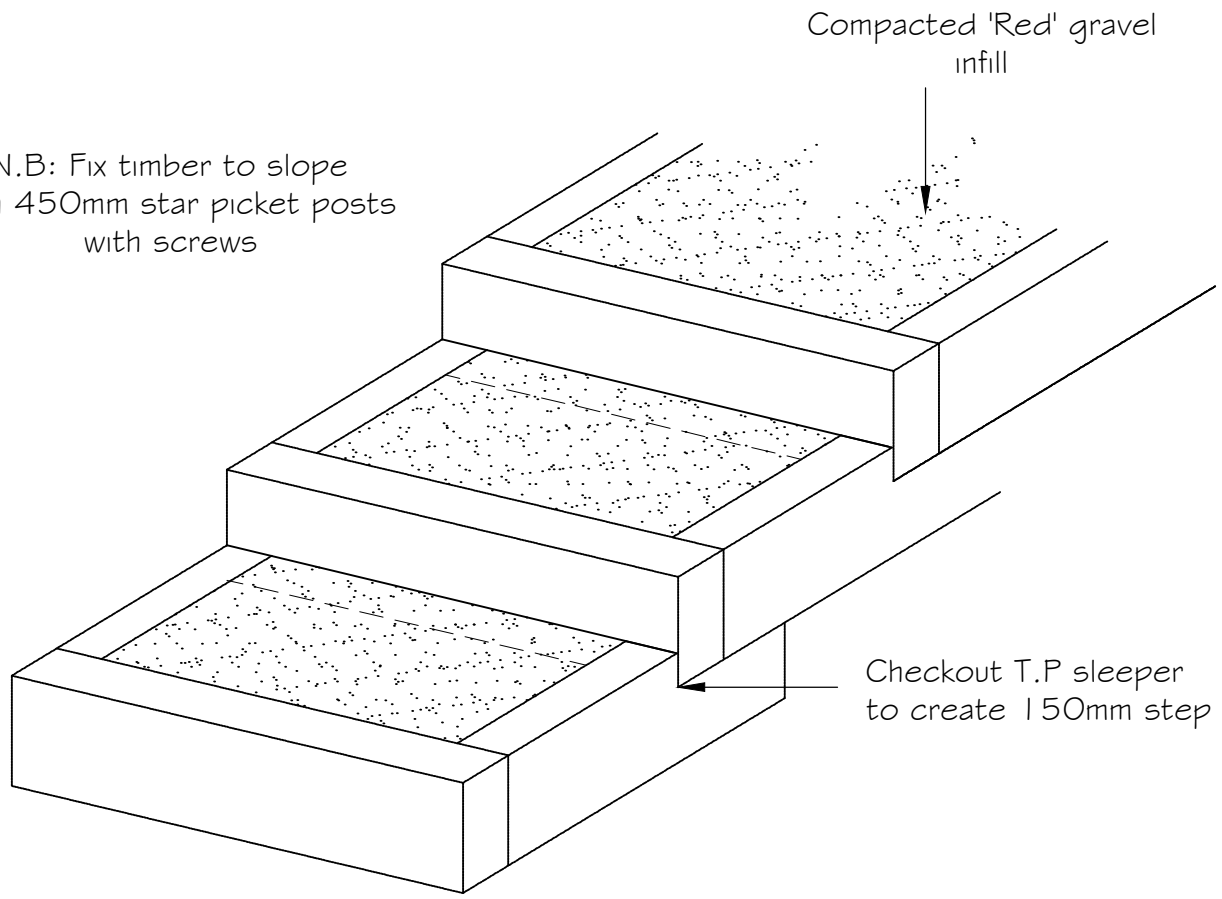
Gravel path 0mm-10mm compacted dolomite aggregate. Concrete path where drainage issues occur over 75mm depth of <40mm compacted road base

45mm x 70mm treated pine edge with stakes at 1m intervals

N.B: Fix timber to slope with 450mm star picket posts with screws

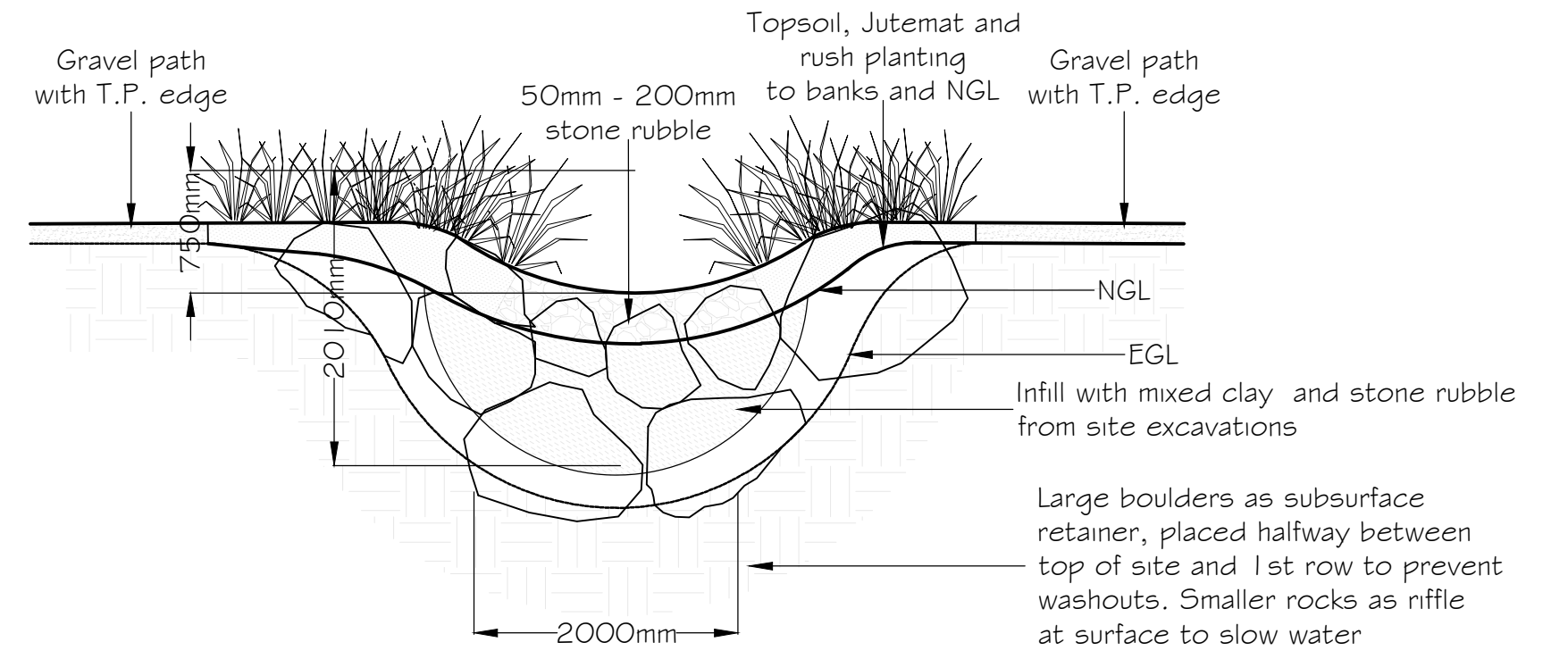
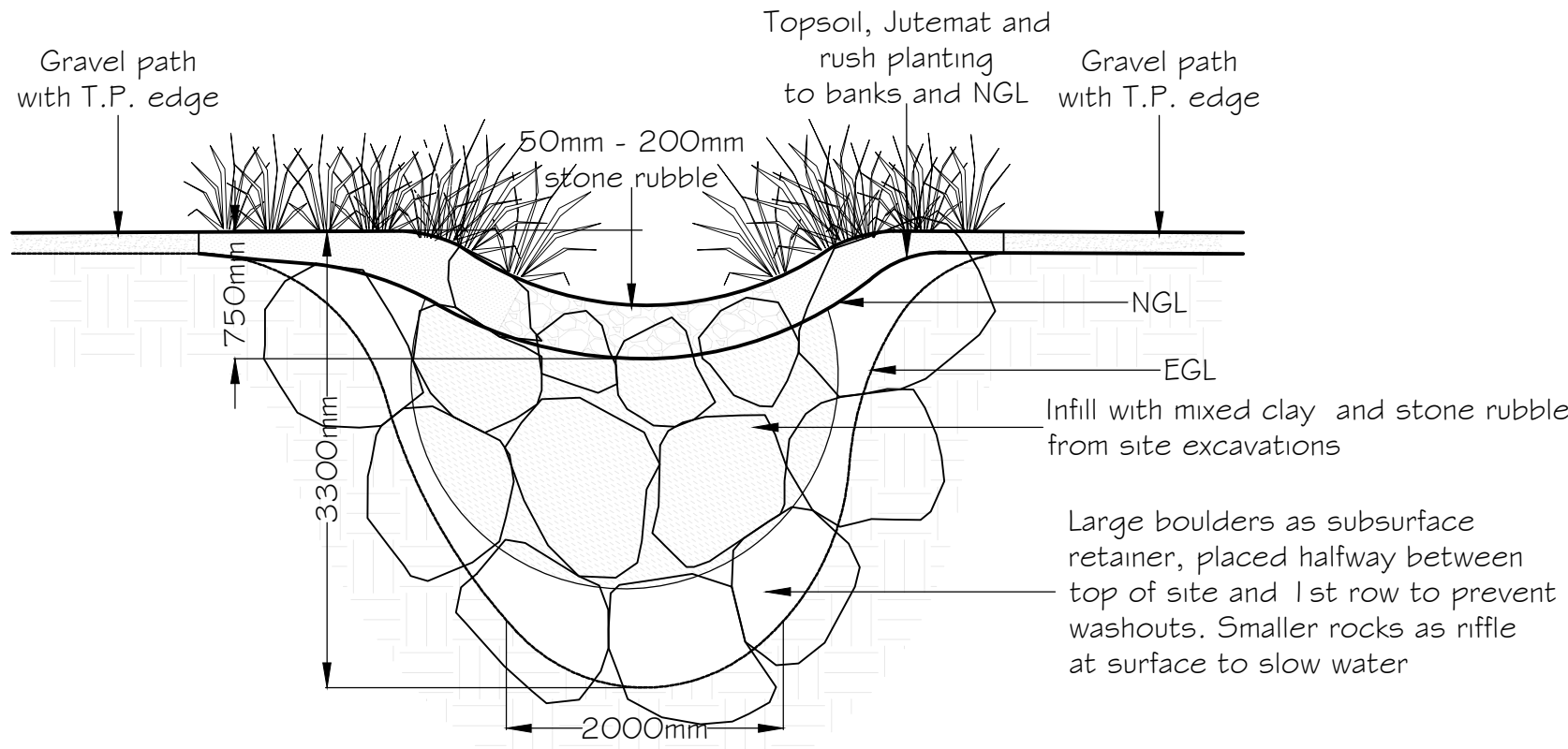
GRAVEL PATH DETAIL SCALE 1:40

2m wide paths to be 150mm depth of compacted dolomite gravel fines, stabilised with Macbond. Edge, flush with ground, with 100 x 25mm T.P. edging, staked at 1m intervals



T.P. SLEEPER STEPS DETAIL SCALE 1:5

CROSS SECTION "AA" SCALE 1:50



CROSS SECTION "BB" SCALE 1:50



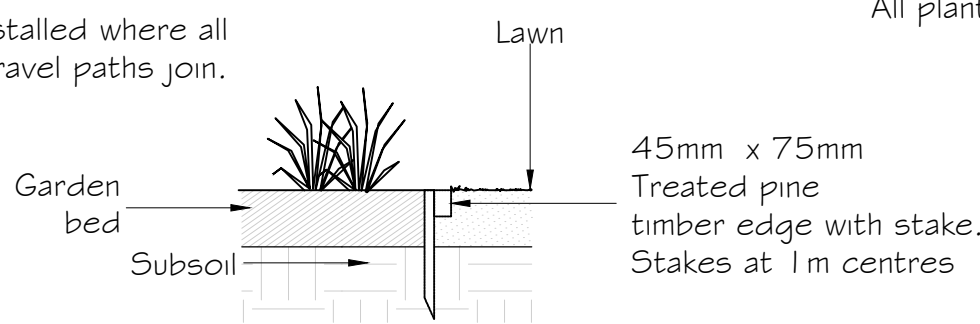
- PS7 Park Seat Specifications:
- Street Furniture Australia – Park Seat – Item # PS7
 - 560mm x 725mm x 1,800mm
 - 85mm x 20mm timber
 - Surface fixed.
 - Frame colour – Deep Ocean
 - 2 arms anodised

PS7 PARK SEAT

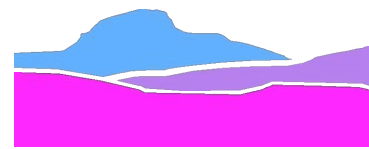
ATKINS STREET SUBDIVISION POS SITE PLAN SCALE 1:250

- N.B:
- Cover all areas between trees, swale, paving e.t.c. with 200mm depth of organic mulch
 - Install and anchor all seats to a 2m x 1m x 125mm deep concrete pad. All seats to be "PS7 Park Seat"
 - Install 4 x Treated pine posts as bollards and 1 x removable bollard in centre of each entrance path where gravel narrows to 2m wide. (to reduce number of bollards required)
 - Areas within POS boundary & not creek base, path, planting or tree saucers to be seeded with a suitable grass seed.

N.B: T.P. Edge to be installed where all garden beds lawns or gravel paths join.



TIMBER EDGE DETAIL SCALE 1:20



LINDSAY CAMPBELL
LANDSCAPE SERVICES

GARDEN DESIGN,
CONSULTATION

CONTRACT TITLE
ATKINS STREET SUB DIVISION

22 ATKINS STREET ROKEBY

DRAWING TITLE
POS LANDSCAPE PLAN

SITE PLAN AND DETAILS

SCALE
AS SHOWN

SIZE
A1

SHEET
1 OF 2

DRAWING
ATKINS STREET

DESIGNED: LRC
DRAWN: LEF

SEPTEMBER 2018
SEPTEMBER 2018

A. CONTRACTOR RESPONSIBILITY

The landscaping contractor/contractors will be responsible for the following:

• GENERAL

- i. All statutory insurance including public liability, workers’ compensation and the relevant equipment insurance
- ii. Compliance with the requirements of any authority having jurisdiction over this project
- iii. Maintenance of all required, relevant qualifications

II. DESIGN

- i. Adherence to provided landscape plans or amendments as suggested by Lindsay Campbell. Where unforeseen amendments may be deemed necessary Lindsay Campbell must first be notified before any work proceeds
- ii. Notifying Lindsay Campbell or other relevant party of any discrepancies in the design drawings and notes
- iii. Accurate interpretation of drawings

NB Where discrepancies appear between Architect’s & Engineer’s plans & the Landscape plan the Architect’s & Engineers plans are to take precedence, but any issues should be discussed & resolved if necessary with Lindsay Campbell.

III. THE WORKS

- i. Onsite safety for workers
- ii. Completion of the works within the agreed period.
- iii. Compliance with all legally required Australian standards
- iv. Adherence to the agreed pre-submitted cost structure

IV. ON-SITE

- i. Locate, mark & protect all services
- ii. Implement a plan to protect the roots of all retained trees
- iii. Work in conjunction with other relevant contractors and subcontractors to provide fair access and conditions for all relevant parties
- iv. Communicate with Lindsay Campbell and/or client and/or other relevant administration regarding stop work events prior to its occurrence
- v. Prevent damage to the existing infrastructure and leave the site in a satisfactory condition on completion
- vi. General notification of a safe site including safety barriers and protective fencing
- vii. Remove all waste generated by the works from the site and maintain the site as a clean and safe workplace
- viii. Reasonable notification for Lindsay Campbell or other relevant party of the required inspections including mark out, plant selection and placement and completion.
- ix. The use of appropriate grade materials
- x. Appropriate work quality

B. LANDSCAPE WORKS

I. OBJECTIVE

- I. To utilise good work practices and with ongoing appropriate maintenance to achieve an attractive and effective landscape that addresses the requirements of the user population.

II. DEFINITIONS

- I. Recycle topsoil – existing on-site topsoil that is to be recycled for use as topsoil in the new works. This soil is to be identified as conforming to normal composition of landscape topsoil including the appropriate percentages of sand silt and clay. Typical samples of this are to be inspected by Lindsay Campbell before it is stripped and stored for re-use

Conform to AS 4419

- i. For general use to be a sandy loam texture or for grass to be a loamy sand texture
- ii. Be of good structure
- iii. Contain normally accepted levels of important elements and trace elements

- iv. Be in the range of 5.5 to 6.5 pH
- v. Meet acceptable electrical conductivity value standards
- vi. Not contain contaminants or pollutants
- vii. Not contain weed seeds or material that will present future problems or infestations

III. MATERIALS

I. PLANTS - All plants to:

- i. Be healthy with healthy to growth
- ii. Have well grown roots but not rootbound
- iii. Be free of damage, weeds, insects & diseases
- iv. Have a shape consistent with the plants habit
- v. The species/variety as specified – any substitutions will need to be determined by Lindsay Campbell before ordering plants

II. FERTILISER & SOIL ADDITIVES

- i. All fertilisers & ameliorants to be as specified.
NB do not add organic matter or unspecified fertilisers or additives without the approval of Lindsay Campbell

III. CONSTRUCTION MATERIALS

- i. All hard landscaping materials to be of appropriate quality

IV. IMPLEMENTATION

I. Preparation & Soil Placement

- i. Control unwanted growth with standard practices, either the relevant translocating herbicide or by manual removal of the soil to the required depth.

- For general weeds this may require a lead in period of 4 to 6 weeks depending on the nature of the plant material to be controlled
- There are some more serious environmental weeds on this site including *Chrysanthemoides monilifera* subsp. *Monilifera* & *Rosa rubiginosa*. These require specific control methods. It will be the responsibility of the developer to eradicate these weeds.

- i. Mark out the works
- ii. Strip the topsoil as required & store
- iii. Construct the subdivision infrastructure required on this site.
- iv. Fill the depression (as suggested in the plan) with recycled subsoil from works carried out on the remainder of the site, mixed 50/50 with 100mm – 300mm dia. rubble.
- v. Contour the subsoil to allow for designed construction & consistent layering of topsoil & other materials as per suggested specification depths. Remove excess from site. NB -Excavation depths must allow for an acceptable depth of topsoil.
That is, topsoil should be spread to a depth of 3000mm to garden areas.
- vi. Excavation & shaping of the subsoil must consider drainage & use patterns
- vii. When filling behind walls to create garden areas be sure to recreate a natural soil profile. That is layering of subsoil & topsoil
- viii. Remove all builders waste though some masonry may be acceptable in the subsoil. (check with Lindsay Campbell)
- ix. Re-distribute existing, recycled, topsoil or import additional sandy loam topsoil if required to 300mm depth for garden beds.

NB It is critical that at the initial excavation stage great care is taken to strip an identifiable topsoil layer from the subsoil & these 2 materials (where & if subsoil is retained) be kept separate. The success of this is not only critical to reducing the cost of the landscape implementation but also to the long-term viability & sustainability of the landscape.

II. Bollards

- i. Insert 1 removable bollard at each path entrance in the centre of the path for maintenance vehicle access
- ii. Insert 90 x 90mm x 2 T.P. bollards either side of each entrance path, where the open space access narrows (to prevent 3rd party vehicle access)

III. Steps

- i. All steps to be 2m wide
- ii. TP sleeper surround with brown gravel infill (stabilised as per paths).

IV. Paths

- i. Brown gravel paths.

- a. All paths to be 2m wide
- b. 150 mm depth of 0 – 10mm dolerite (brown) compacted gravel.
- c. Stabilise with Macbond

- d. 100mm x 25mm TP edge to each side, flush with mulch.

- e. Stakes at 1m intervals.
- f. Slope no greater than 1:14 with a 1: 20 max. cross-fall. Install steps as required.

V. Seating

- i. Seats are to be as specified on the plan
- ii. Seats bases to be a concrete slab 125mm deep x 2m x 1m.

VI. Planting – *This planting has been designed to be sustainable after the 1st summer. It is critical that all plantings are carried out between April & mid-October to take advantage of accumulated ground water. If this is not possible substantial watering will need to be carried out through the 1st 2 summers.*

i. Trees

- g. Tree planting holes are to have sides & base that are rough & loose. I.e. do not provide a smooth, hard surface before backfilling
- h. Fill the hole with water and allow to drain before placing the tree. NB if the water hasn’t drained completely within 4 hours discuss additional drainage methods with Lindsay Campbell
- i. Retain the natural soil profile where possible
- j. Do not apply organic matter more than 100 mm below the surface
- k. Place the plant in the hole and water well to remove any air pockets

ii. Shrubs & monocot species

- a. The soil level in the pot to be equal to the surrounding soil
- b. Cultivate the soil in the planting hole to 100 mm below the plant
- c. Fill the hole with water and allow to drain before placing the tree. NB if the water hasn’t drained completely within 4 hours discuss additional drainage methods with Lindsay Campbell
- d. Retain the soil profile where possible when filling
- e. Do not apply organic matter lower than 100 mm below the surface
- f. Place the plant in the hole and water well to remove any air pockets

iii. Fertilisers & soil additives

- a. Apply Amgrow Wettasoil professional to the manufacturer’s specification

iv. Mulch

- a. Grassland banks & perimeter of creek areas to be covered with - Jute mat Thick 6 slits /m 25m x 1.8m item # TM6S183025. Plant with Poa labillardierei, Lomandra longifolia & Ficinia nodosa. All plants at 6/sq.m.
- b. Grassland area planted on underground storage area – 300mm depth of topsoil with TM6S183025 jute mat covered with 150mm depth of 20 to 150mm dolerite rubble (or similar)
- c. Any existing grassland not affected by the works is to be retained.
- d. Trees – Shredded gum bark or similar, to a depth of 150mm & a diameter of 800mm
Maintain a “free” zone around the plant stem to prevent the plant being suffocated
- e. Any areas not covered in iv a – d, are to be mulched to a depth of 200mm with shredded gum bark.
- f. Do not drive machinery over prepared beds.

v. Stakes, bags and ties

- a. 450mm x 400 black, medium mesh to all trees. Stakes are required for all trees
- b. place three bamboo stakes per plant, 2 stakes vertical, 1 stake on a 600- angle woven through mesh to aid stability.

VII. Rock barrier (sub-surface) -

- i. Recycle on site boulders or, if none available, import approx. 800mm dia. boulders
- ii. Stack as per diagram with clay subsoil as a buffer material.

V. MAINTENANCE

N.B: This maintenance guide is intended for ongoing care. It may be implemented (depending on prior arrangement) by the client, the Landscape contractor or a specialist Maintenance Contractor.

I. Responsibility

- i. The Landscape contractor will be responsible for the general maintenance of the constructed landscape for a period of 36 months from the date of accepted completion (to be determined on the inspection of completed works by Lindsay Campbell). Where problems occur contact Lindsay Campbell for advice.

a. Planting

- Ensure the general appearance and presentation of the landscape and the quality of plant material is maintained through pruning & fertilising.
- Replacements: Replace failed, dead and/or damaged plants at minimum 3-month intervals as necessary.

c. Stakes and ties

- Removal: If plants are robust with well-developed systems and are strong enough to no longer require support, remove stakes and ties. For trees this may not be appropriate for 2 years & will then become the responsibility of the ongoing maintenance staff

d. Weed control

- As required for planted, paved and mulched areas to be kept weed free
- Small areas: By hand.
- Large areas: Glyphosate – to manufacturer’s recommendation

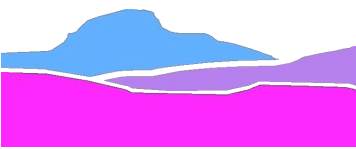
e. Mulched surfaces

- Mulch depth: Maintain 100 mm min cover to shrubberies or min 150mm cover to open areas
- Ensure that mulch is kept clear of the stem throughout the maintenance period.
- Re mulching: Maintain the original ground levels around the base of plants.

NB: The planting design (growing system & plant selection) has been developed to be water efficient. It is critical that the maintenance staff pay close attention to the soil condition of the landscape through the first summer & provide optimum soil moisture for plant growth. If any issues arise contact Lindsay Campbell for advice.

PLANT - TREES	Pot size	% of total #
Eucalyptus pulchella	tube	30
Allocauarina verticillata	tube	25
Banksia marginata	tube	25
Bursaria spinosa	tube	20

PLANT	Pot size	% of total #
Poa labillardierei	Plugs	40
Lomandra longifolia	tube	30
Ficinia nodosa	tube	30



LINDSAY CAMPBELL
LANDSCAPE SERVICES

GARDEN DESIGN,
CONSULTATION

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PO BOX 22
WOODBRIDGE TAS 7162
EMAIL: lindsay.campbell@ipstarmail.com.au

CONTRACT TITLE
ATKINS STREET SUB DIVISION

22 ATKINS STREET ROKEBY

DRAWING TITLE
POS LANDSCAPE PLAN

NOTES AND SPECIFICATIONS

SCALE
1:250

SIZE
A1

SHEET
2 OF 2

DRAWING
ATKINS STREET

DESIGNED: LRC
DRAWN: LEF

SEPTEMBER 2018
SEPTEMBER 2018

Submission to Planning Authority Notice

Council Planning Permit No.	A-2018/1, SD-2018/19 & D-2018/201		Council notice date	19/04/2018
TasWater details				
TasWater Reference No.	TWDA 2018/00560-CCC		Date of response	03/05/2018
TasWater Contact	Phil Papps	Phone No.	(03) 6237 8246	
Response issued to				
Council name	CLARENCE CITY COUNCIL			
Contact details	cityplanning@ccc.tas.gov.au			
Development details				
Address	22 ATKINS ST, ROKEBY		Property ID (PID)	5216505
Description of development	Planning Scheme Amendment & 27 Lot Subdivision (Stage 1)			
Schedule of drawings/documents				
Prepared by	Drawing/document No.		Revision No.	Date of Issue
Rogerson & Birch	Plan of Staged Subdivision / 10252-05 / shts 1-4		G	14/02/2018
JMG	Concept Services – Sewer & Water / C05		P1	17/01/2018
Conditions				
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater makes the following submission(s):</p> <ol style="list-style-type: none"> TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings. <p>Pursuant to the <i>Water and Sewerage Industry Act 2008</i> (TAS) Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> A suitably sized water supply with metered connections / sewerage system and connections to Lots 1 – 19 of the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. Prior to commencing construction of the subdivision, any water connection utilised for construction of the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. <p>ASSET CREATION & INFRASTRUCTURE WORKS</p> <ol style="list-style-type: none"> Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water and sewerage to TasWater's satisfaction. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction. In addition to any other conditions in this permit, all works must be constructed under the 				

supervision of a suitably qualified person in accordance with TasWater's requirements.

7. Prior to the issue of a Consent to Register a Legal Document all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
8. After testing/disinfection, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
9. At practical completion of the water and sewerage works and prior to TasWater issuing a Consent to a Register Legal the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved;
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made;
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee;
 - d. As constructed drawings must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.
10. After the Certificate of Practical Completion has been issued, a 12 month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12 month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". The newly constructed infrastructure will be transferred to TasWater upon issue of this certificate and TasWater will release any security held for the defects liability period.
11. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
12. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.

FINAL PLANS, EASEMENTS & ENDORSEMENTS

13. Prior to the Sealing of the Final Plan of Survey, a Consent to Register a Legal Document must be obtained from TasWater and the certificate must be submitted to the Council as evidence of compliance with these conditions when application for sealing is made.
14. Pipeline easements, to TasWater's satisfaction, must be created over any existing or proposed TasWater infrastructure and be in accordance with TasWater's standard pipeline easement conditions.

DEVELOPMENT ASSESSMENT FEES

15. The applicant or landowner as the case may be, must pay a development assessment and Consent to Register a Legal Document fee to TasWater, as approved by the Economic Regulator and the fees will be indexed, until the date they are paid to TasWater, as follows:

- a. \$1,304.88 for rezoning assessment;
- b. \$1,114.71 for development assessment; and
- c. \$226.94 for Consent to Register a Legal Document

The payment is required within 30 days of the issue of an invoice by TasWater.

16. In the event Council approves a staging plan, a Consent to Register a Legal Document fee for each stage, must be paid commensurate with the number of Equivalent Tenements in each stage, as approved by Council.

Advice

BOUNDARY CONDITIONS

The proposed development is in the Rokeby-Clarendon Vale zone supplied from Rokeby reservoir with TWL of 107m. The following boundary conditions apply.

Stage	Peak Day total head (m) – end of Atkins St	Peak Day total head (m) – end of Joseph St	Peak Day+10 L/s Fire Flow total head (m) – end of Atkins St	Peak Day+10 L/s Fire Flow total head (m) – end of Joseph St
Stage 1 – 27 ET	99	99	98	98
Ultimate development - 87 ET	99	99	98	98

Note: Future stages may require works external upgrades to existing TasWater water mains to connect to the DN525 MSCL pipe in Tollard Drive.

General

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

The location infrastructure as shown on TheList maps is indicative only. TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by



Jason Taylor

Development Assessment Manager			
TasWater Contact Details			
Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

11.3.2 DEVELOPMENT APPLICATION D-2018/478 - 89A SOUTH TERRACE AND 11 NORTH TERRACE, LAUDERDALE - BOAT RAMP, DEMOLITION OF EXISTING TIMBER PEDESTRIAN ACCESS RAMP AND CARPARK REDEVELOPMENT

(File No D-2018/478)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a boat ramp, demolition of existing timber pedestrian access ramp and carpark redevelopment at 89A South Terrace and 11 North Terrace, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is zoned Open Space and subject to the Parking and Access Code, Waterway and Coastal Protection Code, Inundation Prone Areas Code and the Coastal Erosion Hazard Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 24 October 2018 as agreed with the applicant.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 4 representations were received raising the following issues:

- suggested redesign measures;
- funding;
- usability by emergency services;
- historical approval process for existing timber pedestrian access ramp;
- Crown land requirements;
- Council's response to climate change;
- traffic and pedestrian safety impacts;
- strategic integration with the broader foreshore reserve;
- erosion mitigation and ramp design;
- demand for the boat ramp;

- safety concerns in relation to proposed boat ramp surface material;
- impact on beach access; and
- stormwater management.

RECOMMENDATION:

A. That the Development Application for boat ramp, demolition of existing timber pedestrian access ramp and carpark redevelopment at 89A South Terrace and 11 North Terrace, Lauderdale (CI Ref D-2018/478) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The use and development must not cause an environmental nuisance or harm, by way of noise, odour, dust and fumes within the meaning of the Environmental Management and Pollution Control Act, 1994.
3. The development must be constructed in accordance with all recommendations made within the “Lauderdale Access Ramp – Coastal Vulnerability Assessment” prepared by Burbury Consulting and dated 26 June 2018.
4. All works must be conducted in accordance with Environmental Best Practice Guidelines for Undertaking Works in Waterways and Wetlands in Tasmania as outlined in the Department of Primary Industries, Parks, Water and Environment publication “Waterways and Wetlands Works Manual 2003”.
5. A landscape plan must be submitted to and approved by Council’s Manager City Planning prior to the commencement of works. The plan must be to scale and show:
 - a north point;
 - proposed driveways, paths, buildings, car parking, retaining walls and fencing;
 - any proposed rearrangement of ground levels;
 - provision of dune stabilisation and revegetation plantings within the surrounding dune system;
 - details of proposed plantings including botanical names and the height and spread of canopy at maturity; and
 - estimated cost of the landscaping works.

The landscaping works must be completed prior to the commencement of the use.

All landscape works must be maintained:

- in perpetuity by the existing and future owners/occupiers of the property;

- in a healthy state; and
- in accordance with the approved landscape plan.

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

6. ENG M1 – DESIGNS DA [ACCESS ARRANGEMENTS, CARPARK AND DRIVEWAY CONSTRUCTION; SERVICE UPGRADES OR RELOCATIONS]

ADVICE

Use or development which may impact on Aboriginal cultural heritage is subject to the Aboriginal Relics Act, 1975. If Aboriginal relics are uncovered, works are to cease immediately, Aboriginal Heritage Tasmania is to be contacted immediately and an Aboriginal site survey is required to determine the level of impact and the appropriate mitigation procedures. An Unanticipated Discovery Plan is enclosed with this Permit.

- 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

A Planning Permit was issued on 12 July 2017 (D-2016/294) for a public amenities block located at the southern end of the Lauderdale Canal carpark to replace the existing toilet block located at the northern end.

Council, at its Meeting of 12 January 2009 adopted the "Climate Change Impacts on Clarence Coastal Areas – December 2008", which provided guidance to Council to respond to the impacts of climate change, storm events and inundation relevant to 18 vulnerable locations across the Municipality. The highest priority location was identified as being Roches Beach, Lauderdale. Council subsequently engaged the University of New South Wales to perform the necessary assessments to determine a suitable source of sand to nourish the dune systems at both Roches Beach and Cremorne.

The University determined that the dune system at the eastern end of the Lauderdale Canal would be subject to a breakage as a result of future climate related events.

Council, at its Meeting of 23 May 2011 resolved to consider options to close the opening in the dunes at the Roches Beach end of the Lauderdale Canal.

During July 2011, Roches Beach and Cremorne were impacted by a 1 in 40 year storm event which caused significant erosion (7-8m dune eroded) and flooding impacts at both beaches. The dune system at Roches Beach was compromised at several locations, including the Lauderdale Canal. Council responded to the concerns of residents to renourish the dune system, fill the low points and provide access steps to protect the dune system from degradation.

The site at Lauderdale Canal was identified as being at risk of immediate coastal erosion for a present day 1 in 100 years ARI erosion event by Water Resources Laboratory NSW and the extent of erosion was expected to impact upon the existing parking area. Dune reconstruction was recommended as a first priority. Following the 2011 erosion event, Council proceeded to undertake sand renourishment of the dune system in co-operation with Crown Land Services.

Council undertook extensive consultation with the residents of Lauderdale in 2013 regarding options at the eastern end of Lauderdale Canal. The results of the consultation were discussed at a Council Workshop and Council subsequently endorsed the results of the consultation at its Meeting held on 17 March 2014. Council then proceeded to fund the dune reconstruction proposal, engage a coastal engineer to design the dune reconstruction and accessible ramp access onto Roches Beach.

At its Meeting of 16 October 2017, Council resolved to provide beach access at Lauderdale Beach suitable for access for, but not limited to, kayaks, canoes and trailer dinghies.

The application before Council seeks to implement the resolution of 16 October 2017.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Open Space under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme relating to hours of operation, works within the waterway and coastal protection area, works within an inundation hazard area and works within a coastal erosion hazard area.
- 2.3.** The relevant parts of the Planning Scheme are:
- Section 8.10 – Determining Applications;
 - Section 19 – Open Space Zone;
 - Section E11.0 – Waterway and Coastal Protection Code;
 - Section E15.0 – Inundation Prone Areas Code; and
 - Section E16.0 – Coastal Erosion Hazard 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 subject site forms part of the Coastal reserve associated with the eastern end of Lauderdale Canal and includes Roches Beach. The site currently contains an informal gravel carpark, timber pedestrian ramp providing access to the beach from the carpark and a toilet block.

3.2. The Proposal

Application is made by Council to demolish the existing timber pedestrian access ramp providing access from the eastern end of Lauderdale Canal to Roches Beach in order to facilitate the following new works.

- Installation of a new access ramp including earthworks and erosion control. The ramp would be constructed from flexible concrete matting within the footprint of the existing ramp. The ends of the ramp would be buried into the existing sand and backfilled.
- Redevelopment of the existing carpark to raise levels to address regarded ramp and erosion issues.
- Minor stormwater works including installation of new pit and raising of the levels of existing pits to match the new carpark levels.
- Landscaping with native species.

The access ramp and carpark are proposed to be filled to a height of 3m AHD and graded with a 4.85% grade falling back towards North Terrace.

All works would be confined to above high water mark.

No lighting of the carpark is proposed.

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 proposed use fits the use class of “Passive recreation; and Pleasure boat facility” which is a “No permit required” and a “Permitted” use within the Open Space Zone, respectively.

The demolition of the existing pedestrian access ramp is permitted under Clause 9.4.1 of the Scheme, in that it is encompassed as part of another approval.

The proposal meets the Scheme's relevant Acceptable Solutions of the Open Space Zone, Waterway and Coastal Protection Code, Inundation Prone Areas Code and Coastal Erosion Hazard Code with the exception of the following.

Open Space Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
19.3.1 A1	Hours of Operation	<p>Hours of operation of a use within 50m of a residential zone must be within:</p> <ul style="list-style-type: none"> 8.00am to 6.00pm Mondays to Saturdays inclusive; 10.00am to 4.00pm Sundays and Public Holidays. 	<p>Does not comply - the applicant does not propose a restriction of hours of operation.</p> <p>Whilst the proposed access ramp is located in excess of 50m from the nearest residential zoned properties to the north and south, the upgraded carpark would be located within 50m of these nearby residential properties.</p>

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 19.3.1 as follows.

Performance Criteria	Proposal
<i>"P1 - Hours of operation of a use within 50m of a Residential zone must not have an unreasonable impact upon the residential amenity of land in a Residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent".</i>	The proposed access ramp would replace an informal boat ramp which existed prior to the installation of the pedestrian ramp access located at the eastern end of Lauderdale Canal. The former boat ramp existed for many years. The proposed access ramp is intended to service small boats up to 5m in length and non-motorised craft such as kayaks and canoes. It will also allow for pedestrian access to the beach.

	<p>The access ramp would be located approximately 50m from the nearest residence in North Terrace and South Terrace and would be confined to an area providing a longstanding recreational use. Usage is also expected to remain low given larger public boat launching facilities are currently provided within Roches Beach, Cremorne and Honeywood Drive, Sandford.</p> <p>Given recreational boating activities are generally confined to daylight hours, it can be reasonably expected that the launching and retrieval of boats will generally be confined to daylight hours which is considered reasonable for a facility of this nature and will not impact upon residential amenity.</p>
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Waterway and Coastal Protection Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E11.7.1 A1	Buildings and Works	Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	<p>Does not comply – the access ramp and carpark would be located within the Waterway and Coastal Protection Area encompassing Roches Beach and the Lauderdale Canal.</p> <p>The proposal is for new infrastructure on a title which was created prior to the operative date of the Scheme and does not include a building envelope.</p>

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E11.7.1 as follows.

Performance Criteria	Proposal
<i>“P1 - Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:</i>	see below assessment

<p>(a) <i>avoid or mitigate impact on natural values;</i></p>	<p>The proposed access ramp and upgraded carpark would be constructed within an area of the existing coastal reserve where the natural values of the land are significantly altered from their original state due to the development of existing recreation infrastructure.</p> <p>The current shoreline comprises a naturally vegetated dune system and a reconstructed artificial dune system containing pedestrian access infrastructure. The proposed access ramp would be located on the artificially constructed section of the dune. No significant change to the shoreline structures are proposed, other than the installation of rubber matting that is designed to sit on top of the sand and adjust to the natural changes to the beach profile.</p> <p>The proposal would not impact upon coastal vegetation. However, in the interests of improving the appearance of the area and enhancing the stability of the surrounding dune system, a condition has been recommended requiring the production and implementation of a landscape plan focused on revegetation plantings.</p> <p>The siting of the access ramp within an area replacing existing recreational facilities and inclusion of structural and design measures to minimise erosion impact will ensure coastal values are not impacted by the proposal.</p>
<p>(b) <i>mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;</i></p>	<p>The existing carpark is designed to fall towards the dunes with stormwater collected into an existing pit. The pit then directs stormwater into an existing stormwater line ultimately discharging into the Lauderdale Canal.</p> <p>The revised carpark design will result in the carpark levels being modified to fall towards North Terrace with stormwater to be redirected to a revised pit location on an existing stormwater pipe.</p>

	The stormwater pipe discharges into the Lauderdale Canal with no modifications to the point of discharge proposed.
(c) <i>avoid or mitigate impacts on riparian or littoral vegetation;</i>	The proposed access ramp and carpark upgrade have been designed to remain within the footprint of the existing carpark and reconstructed dune system therefore avoiding any impacts upon existing native vegetation coverage within the coastal dune system. It is proposed to revegetate the surrounding dune system with native plantings to assist in dune stabilisation. It is considered reasonable to require a landscape plan to be produced prior to the commencement of works refining the revegetation of the area.
(d) <i>maintain natural streambank and streambed condition, (where it exists);</i>	not applicable
(e) <i>maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i>	as per above
(f) <i>avoid significantly impeding natural flow and drainage;</i>	The proposed access ramp upgrade would be located predominantly within the current disturbed footprint of the existing pedestrian ramp and carpark therefore would not impact upon hydrological flows within Frederick Henry Bay or the Lauderdale Canal.
(g) <i>maintain fish passage (where applicable);</i>	The proposal would not impact upon the passage of fish within either Lauderdale Canal or Roches Beach as the boat ramp would not obstruct either waterway.
(h) <i>avoid landfilling of wetlands;</i>	Roches Beach and the Lauderdale Canal do not contain wetlands.
(i) <i>works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided".</i>	Given the proximity of the works to Roches Beach and Lauderdale Canal and potential impact upon coastal values, it is considered necessary to impose a condition requiring works to be undertaken in accordance with the "Wetlands and Waterways Works" and "Tasmanian Coastal Work's" manuals. A condition is recommended to this effect.

Waterway and Coastal Protection Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E11.7.2	Buildings and Works Dependent on a Coastal Location	An extension to an existing boat ramp, carpark, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Does not comply – the proposal is for a new access ramp facility to replace an existing pedestrian access ramp.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E11.7.2 as follows.

Performance Criteria	Proposal
<i>“P1 - Buildings and works must satisfy all of the following:</i>	see below assessment
<i>(a) need for a coastal location is demonstrated;</i>	<p>Following extensive community consultation in 2013, Council previously determined to reinstate the beach access ramp onto Roches Beach. Council has therefore established the need for the beach access ramp to benefit a broader range of recreational users.</p> <p>A public beach access ramp is dependent upon a coastal location given its intended use as a boat launching/retrieval facility and pedestrian access to the beach.</p> <p>The proposed access ramp will improve public access to Lauderdale Beach for a broader range of recreational users, in particular watercraft users who find the existing pedestrian access ramp prohibitive (ie watercraft users). The access ramp will also provide for unencumbered pedestrian access to the beach therefore will not restrict current usage patterns.</p>

(b) <i>new facilities are grouped with existing facilities, where reasonably practical;</i>	The proposed access ramp would be integrated with a carpark upgrade and new public toilet block. The proposed access ramp would remain in the footprint of the existing carpark and pedestrian access ramp, therefore would be suitably grouped with existing coastal recreating facilities.
(c) <i>native vegetation is retained, replaced or re-established so that overall impact on native vegetation is negligible;</i>	Native vegetation is proposed to be retained along with the provision of revegetation plantings.
(d) <i>building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;</i>	The design of the proposed carpark and access ramp has been designed to minimise cut and fill requirements. The design takes into account the grade requirements of the access ramp to cater for recreational boating and pedestrian needs and the existing dune profile to alleviate the requirement for retaining infrastructure.
(e) <i>impacts to coastal processes, including sand movement and wave action, are minimised and any potential impacts are mitigated so that there are no significant long-term impacts;</i>	<p>The proposed access ramp would be located above the highest high tide zone; however, it may be subject to wave run-up during storm surge events. It can be expected that a degree of erosion impact will result during extreme storm events where either side of the ramp may be affected by wash out.</p> <p>The access ramp has been designed to withstand natural coastal processes as far as practicable through the use of an engineered coastal stabilisation product (Flex matting) and design elements including anchor points, toe and edge stabilisation and sand bags for side stabilisation.</p>
(f) <i>waste, including waste from cleaning and repairs of vessels and other maritime equipment and facilities, is managed in accordance with current best practice so that significant impact on natural values is avoided”.</i>	No boat servicing or maintenance facilities are proposed. Such activities would be prohibited in this location.

Inundation Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E15.7.5 A1	High and Medium Hazard Areas	For landfill, or solid walls greater than 5m in length and 0.5m in height, there is no acceptable solution.	Does not comply – the proposed carpark and access ramp will require 1m of fill to be deposited at the crest of the dune to achieve the required grade. The fill would match the height (3m AHD) of the top of the dune.

The proposed variation must be considered pursuant to the Performance Criteria (P2) of the Clause E15.7.5 as follows.

Performance Criteria	Proposal
<i>“P1 – Landfill, or solid walls greater than 5m in length and 0.5m in height, must satisfy all of the following:</i>	see below assessment
<i>(a) no adverse effect on flood flow over other property through displacement of overland flows;</i>	The proposed carpark upgrade would not result in any displacement of overland flows as the carpark is a discrete stormwater catchment which is not affected by stormwater run-off from adjoining properties.
<i>(b) the rate of stormwater discharge from the property must not increase;</i>	The carpark would not increase in size and the stormwater catchment area and permeability of the carpark surface would remain unchanged, stormwater flows would remain unchanged.
<i>(c) stormwater quality must not be reduced from pre-development levels”.</i>	Given stormwater flows would remain unchanged for the reasons outlined above, no additional stormwater treatment is proposed. The proposal will therefore maintain pre-development stormwater levels.

Inundation Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E15.7.5 A2	High and Medium Hazard Areas	No acceptable solution	Does not comply – the proposed access ramp and carpark upgrade are located within the Inundation High and Medium Hazard Areas.

The proposed variation must be considered pursuant to the Performance Criteria (P2) of the Clause E15.7.5 as follows.

Performance Criteria	Proposal
<i>“P2 - Mitigation measures, if required, must satisfy all of the following:</i>	see below assessment
<i>(a) be sufficient to ensure habitable rooms will be protected from flooding and will be able to adapt as sea levels rise;</i>	Not applicable – no habitable rooms are proposed.
<i>(b) not have a significant effect on flood flow”.</i>	<p>The proposed access ramp has been designed to the level of the existing unsealed carpark and consistent with existing use structures.</p> <p>A Coastal Engineer has been engaged to develop a design for the access ramp that provides for adequate risk aversion from climate related events. “Flexmat” rubber matting is proposed to be imbedded into the beach by at least 1m to minimise the impact of scour around the ramp with the Flexmat product designed to allow for water to pass through the geofabric membrane limiting the risk of localised scour around the concrete.</p> <p>The access ramp has also been designed to provide for an orientation with a 15 degree offset from perpendicular to the shore to reduce wave run up on the ramp. The dune level of 3m AHD has also been retained to limit over topping of waves. The proposed access ramp has therefore been designed to minimise remediation works.</p> <p>The existing carpark is proposed to be improved by raising the carpark level minimally and upgrading stormwater infrastructure which will act to reduce the risks associated with future inundation.</p> <p>The proposal is therefore not expected to change the hydrological dynamics of Frederick Henry Bay or Lauderdale Canal.</p>

Inundation Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E15.7.6 A1	Development Dependent on a Coastal Location	An extension to an existing boat ramp, carpark, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	Does not comply – the proposal is for a new public access ramp within the Inundation High and Medium Hazard Area.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E15.7.6 as follows.

Performance Criteria	Proposal
<i>“P1 – Buildings and works must satisfy all of the following:</i>	see below assessment
<i>(a) need for a coastal location is demonstrated;</i>	This issue has been discussed above under Clause E11.7.2 P1(a).
<i>(b) new facilities are grouped with existing facilities, where reasonably practical;</i>	This issue has been discussed above under Clause E11.7.2 P1(b).
<i>(c) building design responds to the particular size, shape, contours or slope of the land and minimise the extent of cut and fill;</i>	The proposed access ramp would respond to the size, shape and contours and slope of the land and has been designed to minimise the need for cut and fill.
<i>(d) waste, including from cleaning and repairs of vessels and other maritime equipment and facilities, solid waste, is managed to ensure waste is safe from inundation events;</i>	The access ramp would not provide for the cleaning and repairs of vessels and other maritime equipment and facilities therefore waste management procedures are not required to be implemented.
<i>(e) risk from inundation is acceptable, taking into account the nature of the development and its users”.</i>	A Coastal Vulnerability Report has been submitted with the application indicating that the risk from inundation is considered acceptable as the proposed access ramp has been designed to withstand future anticipated sea level risk and storm surge events.

Coastal Erosion Hazard Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E16.7.1 A1	Buildings and Works	No acceptable solution	Does not comply – the proposed access ramp and carpark would be located within a Coastal Erosion Medium Hazard Area.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E16.7.1 as follows.

Performance Criteria	Proposal
<i>“P1 – Buildings and works must satisfy all of the following:</i>	see below assessment
<i>(a) not increase the level of risk to the life of the users of the site or of hazard for adjoining or nearby properties or public infrastructure;</i>	<p>A Coastal Vulnerability Report has been submitted with the application indicating that the proposal would not increase the level of risk to the life of users of the site nor increase the hazard risk to adjoining or nearby properties or public infrastructure, as the risk to users would be comparable to that associated with existing access ramp structures located on the foreshore and the structure has been designed to withstand coastal related hazards.</p> <p>The design incorporates a variety of structural and design methods to mitigate erosion risk to an acceptable level in the interests of ensuring public safety and the longevity of the facility.</p>
<i>(b) erosion risk arising from wave run-up, including impact and material suitability, may be mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works;</i>	The Coastal Vulnerability Report submitted with the application indicates that the proposal responds to erosion risk from wave run-up through the orientation of the access ramp (15 degrees offset from perpendicular to the shore as recommended by wave modelling completed by Water Research Laboratory.

(c) <i>erosion risk is mitigated to an acceptable level through measures to modify the hazard where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering;</i>	The erosion risk mitigation measures proposed for inclusion in the design have been designed by a qualified consulting engineer.
(d) <i>need for future remediation works is minimised;</i>	<p>Given the location of the proposed access ramp above high water mark, the proposal has been designed to withstand ordinary tidal influences.</p> <p>Whilst the access ramp has been designed in accordance with best practice guidelines to withstand erosion events, extreme coastal erosion events may result in structural damage. This is a known risk of locating public infrastructure within an area susceptible to coastal processes. Council is aware of this risk and intends to manage any affected areas to reduce risk to both the construction and public safety. Council has allocated funding on a reoccurring basis for dune stabilisation works to be undertaken at Lauderdale Beach.</p>
(e) <i>health and safety of people is not placed at risk;</i>	The health and safety of the public would not be placed at increased risk as the development has been designed to withstand erosion and inundation events and is comparable to the existing structures providing formalised public access to the beach. Council has also committed funds to undertake dune destabilisation works where necessary within the area to protect public safety.
(f) <i>important natural features are adequately protected;</i>	Council has undertaken extensive dune stabilisation works within the area and these works, including sand bags and revegetation, are proposed to be retained and increased with geofabric matting to assist with scour and erosion control on areas exposed to wave run up action. These measures will ensure that the natural features of the coast are adequately protected.

(g) <i>public foreshore access is not obstructed where the managing public authority requires it to continue to exist;</i>	The proposed access ramp aims to improve access to the foreshore for a broader range of users, including pedestrians and recreational watercraft. As a result, public access to the foreshore would be enhanced. The access ramp will also provide a more reliable means of access to the coast than the existing timber structure should erosion impacts occur.
(h) <i>access to the site will not be lost or substantially compromised by expected future erosion whether on the proposed site or off-site;</i>	Access to the site is not expected to be lost or substantially compromised as a result of expected future erosion, as the access ramp has been designed to incorporate measures to mitigate future erosion risk.
(i) <i>provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;</i>	A developer contribution is not considered necessary in this case.
(j) <i>not be located on an actively mobile landform”.</i>	The existing dune system has been subject to stabilisation works to reduce the risk of movement of sand. The proposal would therefore not be located on an actively mobile landform.

Coastal Erosion Hazard Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E16.7.2 A1	Development Dependent on a Coastal Location	No acceptable solution	Does not comply – the proposal is for a new boat ramp facility within the Inundation High and Medium Hazard Area.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E16.7.2 as follows.

Performance Criteria	Proposal
<i>“P1 – Buildings and works must satisfy all of the following:</i>	see below assessment
(a) <i>need for a coastal location is demonstrated;</i>	This issue has been discussed above under Clause E11.7.2 P1(a).
(b) <i>new facilities are grouped with existing facilities, where reasonably practical;</i>	This issue has been discussed above under Clause E11.7.2 P1(b).

(c) <i>native vegetation is retained, replaced or re-established so that overall impact on erosion potential resulting from removal of native vegetation is negligible;</i>	Native vegetation is proposed to be retained along with the provision of revegetation plantings.
(d) <i>potential for erosion is minimised generally;</i>	This issue has been discussed above under Clause E16.7.1 P1(b) and (c).
(e) <i>building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;</i>	This issue has been discussed above under Clause E15.7.6 P1(c).
(f) <i>impacts on coastal processes, including sand movement and wave action, are minimised and any potential impacts on erosion potential are mitigated so that there are no unreasonable adverse long-term effects;</i>	The access ramp has been designed by a suitably qualified coastal engineer to reduce the risk of erosion to the proposed access ramp in the interests of minimising long term effects.
(g) <i>not be located on an actively mobile landform”.</i>	The existing dune system has had stabilisation works completed to reduce the risk of sand movement.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 4 representations were received. The following issues were raised by the representors.

5.1. Suggested Redesign Measures

Concern has been raised in relation to the susceptibility of the boat ramp to coastal erosion impacts and that Council should consider relocating the boat ramp to the southern end of the beach where there is a stable entry point, improved road access and greater space for vehicle parking. Various other design improvements have been recommended for public safety reasons and are listed as follows.

- a) Installation of bollards (traffic calming measures) at the entry to the ramp and along its length of the carpark to protect parked cars from boat ramp users.
- b) Installation of sight poles to allow drivers to locate the line of the ramp when a trailer crosses the hump in the ramp and when the ramp surface is not visible from the driver's seat.

- c) Relocation of the grate to the low point in the carpark to offer greater run off collection.
- d) Relocation of the toilets on the canal side of the road as this area gets more regular use than the boat ramp. If this cannot be achieved, consideration of inclusion of a designated zebra crossing and appropriate signage between the boat ramp/beach/carpark and canal.
- e) Consideration of recycling the timber pedestrian ramp and reuse to extend the boardwalk around the canal or to use at the Lauderdale Football Club.
- f) Inclusion of a coin operated wash down facility.
- g) Extension of the boat ramp below high watermark so that it is accessible all year round.
- h) Shower facilities.
- i) Removal of dead trees/shrubs in the area and rejuvenation and plating of dunes.
- j) Installation of signage to ensure pedestrians and cars do not collide.
- k) Signage to prevent inappropriate parking around the canal.
- l) Suitability of flex matting on boat ramp for heavy vehicle use required for dune renourishment activities.

- **Comment**

With respect to the consideration of an alternative location, Council is required to consider the appropriateness of the application before it and cannot speculate about possible alternative sites unless it decides to withdraw this application and undertake a new investigation and consultation process. However, the location of the beach access was confirmed through extensive community consultation and endorsed by Council at its Meeting of 26 February 2018.

Whilst not relevant planning considerations, with respect to the suggested modifications listed under a) to l), the following response has been provided from Council's Asset Management Department.

- a) Council officers will consider the installation of bollards following an audit of the use of the facility once operational.
- b) Council officers will consider the installation of sight poles following an audit of the use of the facility once operational. The ramp has been designed as a beach access structure for vehicles with small craft and emergency vehicles. The ramp would terminate above high watermark and as such is not suitable for launching larger craft.
- c) Stormwater design will be addressed as part of a detailed design prior to construction. A vee drain is proposed adjacent to the sealed road with associated new grated pit. Re-grading of the carpark will further improve run off into the carpark.
- d) The location of the toilet block has been considered by Council officers and it has been determined that the proposed location is most suitable. Council officers will consider the need for pedestrian measures and controls following an audit of the use of the facility once in operation.
- e) Council officers intend to reuse the pedestrian ramp and will consider how best to utilise the redundant materials.
- f) This is not within the scope of the project, however, may be considered if future use warrants provision of this type of facility.
- g) Independent qualified engineers have designed the ramp to best practice, meeting all Australian standards. Climate change consultants have provided advice on the recommended RL level for the Flex mat.
- h) Shower facilities are included within the public toilet block project.
- i) This is not within the scope of the project. Council's reserves maintenance staff will assess dune rejuvenation at completion of the project.
- j) Council officers will consider the installation of signage following an audit of the use of the facility once in operation.
- k) Council officers will consider the installation of signage following an audit of the use of the facility once in operation.

- l) The beach access is not intended for heavy vehicle users and is designed for launching small craft under 5m long (canoe, dingy etc).

5.2. Funding

Concern has been raised in relation to the viability of the project and whether funding has been secured for the construction of the boat ramp and associated on-going management.

- **Comment**

Whilst not a relevant planning consideration, funds have been allocated in the 2018/19 budget for the public access ramp to be constructed.

5.3. Usability by Emergency Services

Concern has been raised that the design of the access ramp will not suit the needs of emergency services.

- **Comment**

Council has consulted with key marine rescue services who have advised they do not intend to launch their rescue vessels from Lauderdale as the facilities are inadequate and prefer to launch from either Cremorne or Dodges Ferry, where they have a permanent rescue vessel stationed, to undertake marine rescues in Fredrick Henry Bay including Lauderdale beaches. The area has not been flagged as a high incident blackspot location by Surf Life Saving Tasmania through their Aquatic Risk and Safety Audit. However, the beach access will be available for emergency services to use.

5.4. Historical Approval Process for Existing Timber Pedestrian Access Ramp

Concern has been raised in relation to Council's approval process for the existing timber pedestrian access ramp and specifically why planning approvals were not obtained.

- **Comment**

Whilst this is not a matter relevant to the consideration of the application before Council, for the purposes of clarification planning approval was not required for the existing timber pedestrian access ramp under the Scheme as it was deemed to form a “No Permit Required” development having regard to the use status in the zone and relevant standards of the Scheme.

5.5. Crown Land Requirements

Concern has been raised over the lack of documentation submitted with the application in relation to Crown land requirements.

- **Comment**

Where land is owned or administered by the Crown, Section 52(1B) of the Land Use Planning and Approvals Act, 1993 requires written authorisation from the Crown consenting to the lodgement of the development application. Crown consent has been provided with the application. The consent does not constitute, nor imply, any approval to undertake works, or that any other approvals required under the Crown Lands Act, 1976 have been granted. If planning approval is granted, the applicant will be required to obtain separate consent from the Crown before commencing works. Therefore, there is no requirement for additional approvals to be sought from the Crown at this stage.

5.6. Council’s Response to Climate Change

Concern has been raised that Council has failed to act in relation to extensive climate change advice that has been sought in response to expected climate change impacts at Lauderdale Beach.

- **Comment**

Whilst not relevant to the assessment of this application, for the purposes of clarification, Council is developing a Coastal Adaption Policy to be followed by a Coastal Adaption Strategy. Public consultation will be undertaken during the development of this policy.

The consulting engineers have implemented the actions from the “Climate Change Impacts on Clarence Coastal Areas - Final Report” in formulating an appropriate design for the access ramp.

5.7. Traffic and Pedestrian Safety Impacts

Concern has been raised that the inclusion of a boat ramp within a public foreshore access area and public carpark will impact upon the safety of pedestrians. The representors have queried the safety measures proposed to be implemented to reduce conflict between various users.

- **Comment**

The proposal will provide access to the beach for vehicles with small dinghies only. This in many ways replicates the previous situation. Council will consider the installation of signage and similar following an audit of the use of the facility once in operation.

5.8. Strategic Integration with the broader Foreshore Reserve

Concern has been raised in relation to how the proposed boat ramp will be capable of integrating with the broader recreation strategy for Lauderdale beach in the interests of ensuring proper planning of new infrastructure.

- **Comment**

Whilst not a relevant planning consideration, the community has shown a strong desire to have the beach access reinstated at the canal location and Council has endorsed this approach.

5.9. Erosion Mitigation and Ramp Design

Concern has been raised in relation to the appropriateness of the use of rubber flexible matting in the surface material and anchorage arrangements for the access ramp in terms of its ability to withstand erosion impacts and the on-going maintenance obligations.

- **Comment**

A coastal engineer has been engaged to design the access ramp to withstand current and predicated coastal processes. A small number of existing sand bags will be replaced by flexible concrete mattresses within the footprint of the ramp. Existing sandbags beyond the extent of the new ramp will be retained. The Flex mat product is an engineered coastal stabilisation product, and is designed to provide stabilisation in excess of the capacity of the existing sand bags. The flex mat would be installed over the existing dune with the toe of the ramp terminating approximately 155mm above Highest Astronomical Tide (0.86AHD). The end of the ramp will be buried into the existing sand and backfilled.

Further erosion considerations incorporated into the design include anchor pins, toe stabilisation (by burial) and edge stabilisation (by sandbags). Sandbags (rather than rock) have been nominated for the side stabilisation of the concrete mattress to anchor the Flex mat skirts. The mattress type and size (ie weight of concrete elements) has been specified in consultation with the manufacturer, considering typical wave events for the site. Rocks have not been nominated in the toe stabilisation due to the potential risk to beach walkers should erosion occur.

Section 3.5 of the Coastal Vulnerability Report responds to the risk of wave run up to the proposed access ramp. The access ramp orientation has been chosen to be 15 degree offset from perpendicular to the shore to reduce wave run up on the ramp, as recommended by wave modelling completed by Water Research Laboratory (WRL).

In terms of future remediation, Council would have to manage any affected eroded areas to reduce risk to both the construction and public safety. The design has considered the fluidity of the existing beach and dune system.

Flex matting is specifically designed to be retrievable and re-deployable such that in an event of significant erosion from a major storm, cost effective remedial work can be performed.

Subject to implementation of the above design responses, the proposed design incorporates suitable structural and design measures to mitigate against damage to the proposed access ramp.

5.10. Demand for the Boat Ramp

Concern has been raised in relation to the lack of information demonstrating the need for a new boat ramp in this location. It has been observed that the former boat ramp had limited use and the new boat ramp will benefit a small number of users as opposed to the broader range of users currently utilising the pedestrian access ramp.

- **Comment**

The location and need for the beach access was established through extensive community consultation and adopted by Council at its Meeting of 26 February 2018.

5.11. Safety Concerns in Relation to Proposed Boat Ramp Surface Material

Concern has been raised that the use of rubber matting for the boat ramp surface will present a public health and safety concern as the matting will twist, drop and erode in time causing a significant risk of injury to users.

- **Comment**

Whilst not a relevant planning consideration, independent qualified engineers have designed the ramp to best practice, meeting all relevant Scheme requirements and relevant Australian Standards.

5.12. Impact on Beach Access

Concern has been raised that when the boat ramp is in use by recreational boaters this will effectively obstruct public access to the beach from the carpark.

- **Comment**

The location and need for the beach access was established through extensive community consultation and moved by Council at its Meeting of 26 February 2018. Pedestrian access will be provided on either side of the ramp. The ramp will end above high tide level and pedestrians will be able to use the intertidal area to pass in front of the ramp.

5.13. Stormwater Management

Concern is raised in relation to the completion of the drain outlet into the Lauderdale canal. It has been suggested that the outlet should be extended and enter the canal under the northern ramp walkway as the current location poses a hazard and is currently eroding away.

- **Comment**

The new stormwater infrastructure will use the existing outfall which passes under South Terrace and discharges to the Lauderdale canal.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, who have indicated that they do not object to the proposed development and no conditions are imposed.

Aboriginal Heritage Tasmania (AHT) has advised that they have completed a search of the Aboriginal Heritage Register (AHR) and can advise that there are no Aboriginal heritage sites recorded within or close to the works area. However, given the proposal is by the coast which increases the potential for Aboriginal heritage to be present, AHT advises that if Aboriginal heritage is detected during the works, all works must cease immediately and AHT contacted for advice. An advice clause is recommended to this effect.

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

Council's Strategic Plan 2016-2026 under the Liveability section provides the following Strategy to: *"Enhance the liveability of activity centres, community hubs and villages through streetscape and urban design projects and local area master plans"*.

Further, Council's Strategic Plan 2016-2026 under the Promoting Health section offers the following Strategy to: *"Promote active and healthy lifestyles through provision and support for active and passive recreation programs and activities"*.

Lastly, Council's Strategic Plan 2016-2026 under Parks and Recreation Facility's section offer the following Strategy to: *"Planning for and providing new sporting and recreation facilities to meet community demand"*.

9. CONCLUSION

The proposal for a boat ramp, demolition of existing timber pedestrian access ramp and carpark redevelopment at 89A South Terrace and 11 North Terrace, Lauderdale is considered to satisfy all relevant Acceptable Solutions and Performance Criteria of the Scheme and is accordingly recommended for conditional approval.

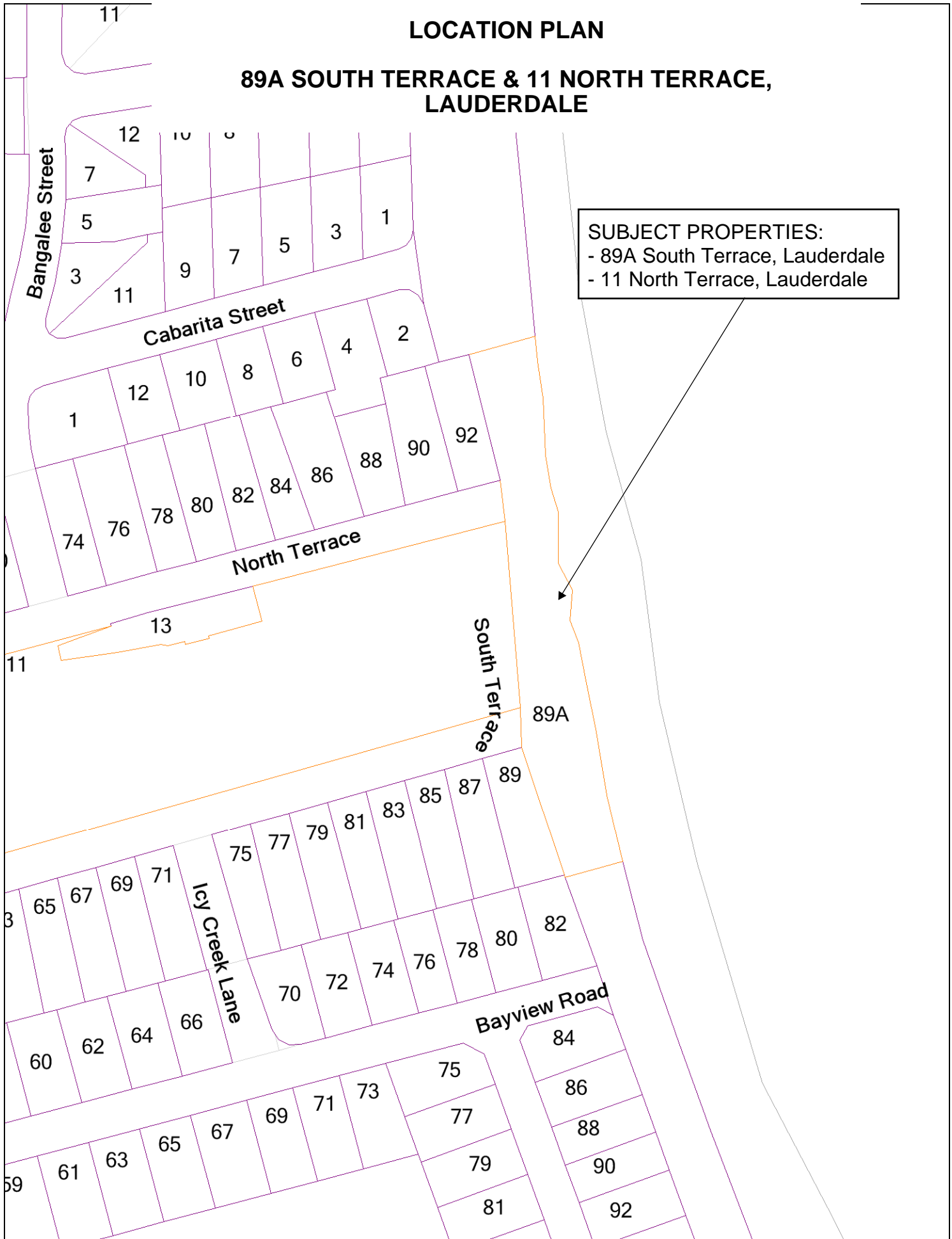
Attachments: 1. Location Plan (1)
2. Proposal Plan (3)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

ATTACHMENT 1

LOCATION PLAN

89A SOUTH TERRACE & 11 NORTH TERRACE, LAUDERDALE



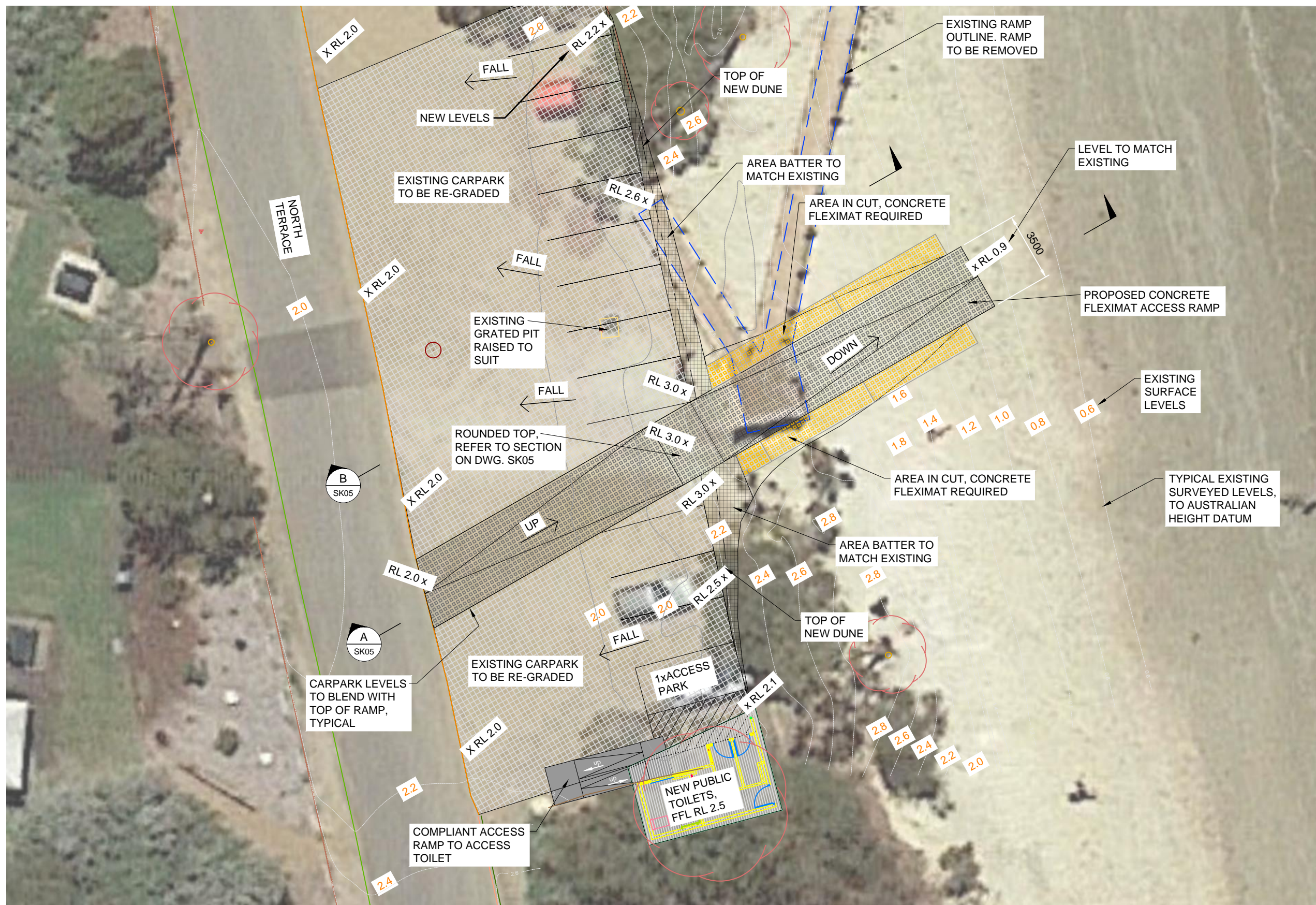
Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Friday, 12 October 2018 **Scale:** 1:1,836 @A4

Attachment 2

Lauderdale Access Ramp

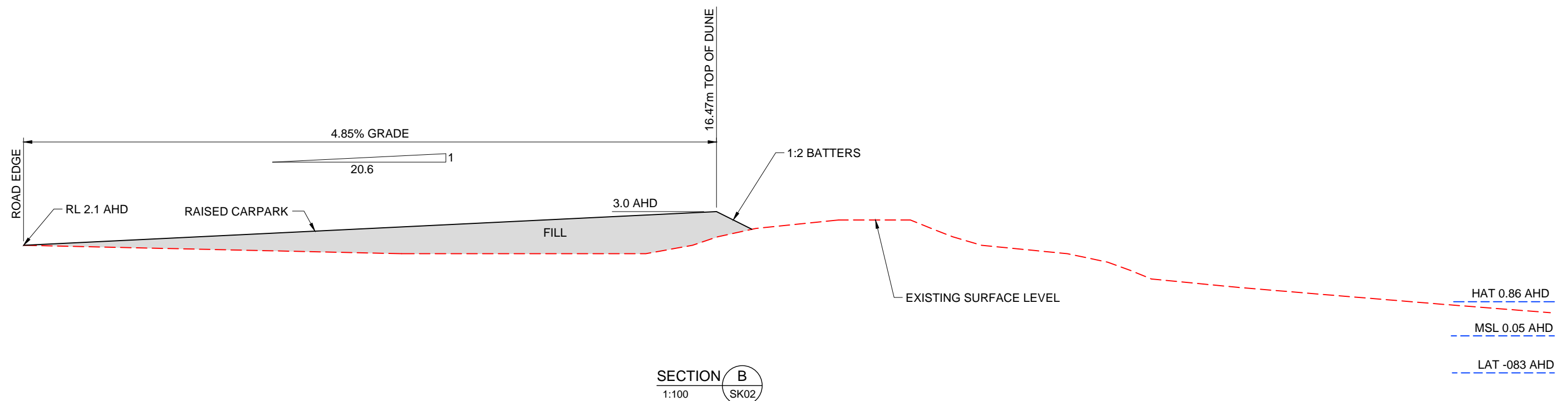
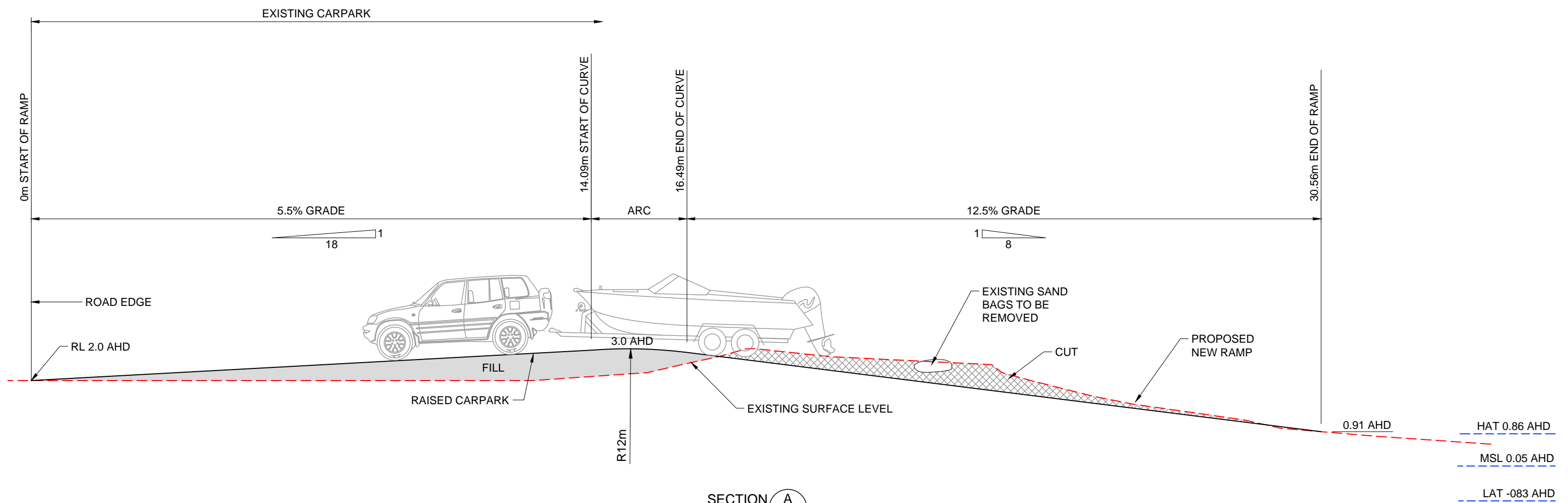
Address: 89A South Terrace, Lauderdale PID:1664175





PRELIMINARY
NOT FOR CONSTRUCTION

[illegible]



PRELIMINARY
NOT FOR CONSTRUCTION

REVISIONS	Rev No	Revision note	Date	Checked	Approved	 BURBURYCONSULTING Engineering & Project Management Civil & Structural & Marine	ABN 75 146 719 959 P.O. BOX 354 SOUTH HOBART, TAS 7004 P: (03) 6223 8007 F: (03) 6223 1143 E: admin@burburyconsulting.com.au	COPYRIGHT © "This document is and shall remain the property of Burbury Consulting Pty Ltd. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission. Unauthorised use of this document in any way is prohibited"	Drawn By:	Date:	Client:
	A	FOR CLIENT REVIEW	22/06/18	JB	AM				R.PARKER	MAY 2018	CLARENCE CITY COUNCIL
									Designed By:	Date:	Project:
									JB	MAY 2018	LAUDERDALE ACCESS RAMP
									Checked By:	Date:	Title:
									AM	MAY 2018	OPTION 2 - LONG SECTION
									Approved By:	Date:	Scale:
									JB	MAY 2018	AS SHOWN
											A3
											Drawing No:
											1507 - SK05
											Rev
											A

89A South Terrace and 11 North Terrace, Lauderdale



Photo 1: The existing car park and pedestrian access ramp located at the eastern end of Lauderdale Canal (Roches Beach).



Photo 2: The existing pedestrian ramp, dune system and car park located at the eastern end of Lauderdale Canal.



Photo 3: South Terrace and the existing car park proposed for upgrade.

11.3.3 DEVELOPMENT APPLICATION D-2015/343 - 17 ANCHORAGE COURT, TRANMERE (LOCATED ADJACENT TO STARBOARD ROAD) - JETTY
(File No D-2015/343)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Jetty at 17 Anchorage Court, Tranmere (located adjacent to Starboard Road).

RELATION TO PLANNING PROVISIONS

The land is zoned Open Space and subject to the Parking and Access, Waterways and Coastal Protection, Inundation Prone Areas, Coastal Erosion Hazard and Natural Assets 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.

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 24 October 2018.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 5 representations were received (including 2 State Government departments) raising the following issues:

- private ownership of the jetty;
- impact on spotted handfish;
- impact on aboriginal heritage site;
- extent of the prescribed land use (Port and shipping) and lack of clarity about proposed use;
- traffic and parking;
- outdated application submission;
- location of DA advertising signage;
- boat noise; and
- the jetty is an eyesore and too large.

RECOMMENDATION:

- A. That the Development Application for a jetty at 17 Anchorage Court, Tranmere (located adjacent to Starboard Road) (CI Ref D-2015/343) be refused for the following reasons.
1. The proposal is contrary to Development Standard E11.7.1 of the Waterway and Coastal Protection Code as it does not avoid or mitigate impact on natural values or maintain fish passage in relation to the critically endangered spotted handfish.
 2. The proposal is contrary to Schedule 1 of the LUPAA – Objectives “Part 1 – Objectives of the Resource Management and Planning System of Tasmania” (a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and (b) to provide for the fair, orderly and sustainable use and development of air, land and water. Specifically the proposal has not sufficiently demonstrated that it will not endanger the habitat of the critically endangered spotted handfish.
- 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**

A jetty was originally proposed in this location in 2010 (A-2010/15) as part of a S43a application for rezoning to Local Business and the construction of a Restaurant and Single Dwelling. The jetty was subsequently not approved because it was deemed premature in the absence of an adopted masterplan. The current application was lodged in August 2015 but was delayed when further information was sought as the land, then owned by the Carr Estate, was due to be transferred to Council as part of the foreshore Public Open Space requirement under subdivision approval SD-2010/63. The subject land was subsequently transferred to Council and required Council, as well as Crown consent to lodge the development application under S52 of the LUPAA.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Open Space under the Scheme.

- 2.2.** The proposal is defined as Pleasure boat facility (private boating) and Port and shipping (river taxis) which are Discretionary uses in the zone. The jetty is also a Discretionary development because it does not meet the Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Scheme are:
- Section 8.10 – Determining Applications;
 - Section 10 – Open Space Zone; and
 - Section E6.0 – Parking and Access, Waterways and Coastal Protection, Inundation Prone Areas, Coastal Erosion Hazard and Natural Assets Codes.
- 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).
- 2.5.** In addition to the above assessment, Clause 9.9 of the Scheme “Accretions” states that unless excluded by S.20 of the Act, use or development of an existing or proposed accretion of land from the sea, whether natural or unnatural, located either partially or wholly outside the planning scheme area and including structures and use and development of the type referred to in S.7 (c) and S.7 (d) of the Act may be approved at the discretion of the planning authority having regard to all of the following:
- (a) the provisions of the Environmental Management Zone;
 - (b) the purpose and any relevant standards of all Codes;
 - (c) the compliance with the planning scheme standards of any related use or development wholly contained within the planning scheme area; and
 - (d) the provisions of the Open Space Zone.

- 2.6.** In line with previous legal advice and Tribunal decisions the jetty is considered to be an accretion that extends outside Council's Municipal boundary. In *M&R Loughead v Hobart City Council and Hobart City Council (Applicant)*(101/14P) s98, the Tribunal held on this issue:

“The relevant considerations must be determined by reference to any statutory provisions within and under the LUPA Act which deal with that issue and general planning principles applicable to the assessment of any development”.

As such, the proposal should be considered under the relevant Objectives of the LUPAA where it protrudes from the Municipal boundary.

3. PROPOSAL IN DETAIL

3.1. The Site

The site is described as Lot 102 on CT170742 and addressed as 17 Anchorage Court as it is directly to the south of another parcel of public open space (POS) of the same address which is accessed from Anchorage Court. The subject site abuts Starboard Road and is adjacent to lots zoned Local Business, General Residential (to the east), Particular Purpose (to the south), Open Space (foreshore to the west) and Open Space (POS to the north).

3.2. The Proposal

The proposal is for a 42m long x 1.8m wide jetty in 2 sections. It is accessed from Starboard Road over a distance of 34m of POS by steps and a ramp.

The jetty will be constructed partly with recycled plastic enduroplank, partly with fibreglass recycled plank and treated hardwood piles. The walkway ramp will be constructed with concrete.

The jetty will be built and privately owned by the AJ Carr Estate. The AJ Carr Estate would be required to maintain the jetty and the access ramp as one of their assets. Residents of the subdivision will be allowed access to the private jetty.

This may take the form of a security gate and key card access as part of land packages. The jetty will require connection for power and power facilities.

The applicant's preference is for general public access, but access onto the jetty would be at the discretion of the AJ Carr Estate as the owner. Both the jetty and the ramp will be owned and maintained by the AJ Carr Estate which will ensure the appropriate insurances are in place. The assets would be maintained in perpetuity by whoever owned the asset. AJ Carr as owner would be required to maintain the asset for public liability insurance purposes. If Council covered public liability insurance then an agreement would need to be in place to ensure appropriate maintenance was being carried out by the owner of the asset. If the jetty was used for commercial operations, Marine and Safety Tasmania would also have a role in ensuring the jetty was operating to appropriate safety standards. The maintenance would be undertaken by suitably qualified personnel working to a maintenance program.

The proposal is accompanied by a planning report which includes an Inundation Prone Areas Report, Construction Environmental Management Plan, Aboriginal Heritage Report and Ecological Assessment.

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 has been considered under Clause 9.9 of the Scheme as an “accretion” as well as all the applicable zone and code controls applied to the land. It meets all of the relevant Acceptable Solutions of the Open Space and the Environmental Management Zones and Parking and Access, Waterways and Coastal Protection, Inundation Prone Areas, Coastal Erosion Hazard and Natural Assets Codes with the exception of the following.

Open Space Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
19.3.1	Hours of Operation	Hours of operation of a use within 50m of a residential zone must be within: (a) 8.00am to 6.00pm Mondays to Saturdays inclusive; (b) 10.00am to 4.00pm Sundays and Public Holidays; except for office and administrative tasks.	The jetty will be made available 24 hours a day, every day.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause 19.3.1 as follows.

Performance Criteria	Proposal
<i>“Hours of operation of a use within 50m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent”.</i>	Notwithstanding the lack of restriction for hours of operation, it is expected that it will only be utilised during daylight hours and the impact on residential amenity will be consequentially minimal.

Open Space Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
19.3.5	Discretionary Use	No Acceptable Solution	The use is defined as Pleasure boat facility (private boating) and Port and shipping (river taxis) which are Discretionary use classes in the zone.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause 19.3.5 as follows.

Performance Criteria	Proposal
<i>“Discretionary use must complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support Permitted use or No Permit Required use”.</i>	The applicant proposes that the use of the facility will be limited to use by private recreational vessels and potentially water taxis. These activities are wholly compatible with the No Permit Required Passive Recreation use of the land.

Parking and Access Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E6.6	Number of Car Parking Spaces	<p>The number of on-site car parking spaces must be:</p> <p>(a) no less than the number specified in Table E6.1;</p> <p>except if:</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>	<p>There are no on-site car parking spaces proposed for the development. Both uses (Pleasure boat facility and Port and Shipping) require a traffic and parking impact assessment to determine the on-site parking requirement. The applicant has addressed this in the planning report stating <i>“Some traffic generation is likely in future by Tranmere residents not within walking distance who will drive to the waterfront prior to commuting via water taxi. The proposed subdivision includes provision of 20 parking spaces in the road reserve adjacent to the jetty location to cater for this”.</i></p>

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

Performance Criteria	Proposal
<p><i>“The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</i></p> <p>(a) <i>car parking demand;</i></p> <p>(b) <i>the availability of on-street and public car parking in the locality;</i></p> <p>(c) <i>the availability and frequency of public transport within a 400m walking distance of the site;</i></p> <p>(d) <i>the availability and likely use of other modes of transport;</i></p> <p>(e) <i>the availability and suitability of alternative arrangements for car parking provision;</i></p> <p>(f) <i>any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</i></p> <p>(g) <i>any car parking deficiency or surplus associated with the existing use of the land;</i></p> <p>(h) <i>any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</i></p>	<p>Car parking demand by local residents for recreational vessels and potential water taxis is considered to be at a minimum.</p> <p>There is considered to be an abundance of on-street car parking available on the adjacent road reserve.</p> <p>The extended Metro bus route for Tranmere has been extended to run within 200m of the proposal.</p> <p>The proposed jetty potentially provides other modes of transport.</p> <p>not applicable</p> <p>not applicable</p> <p>not applicable</p> <p>not applicable</p>

(i) <i>the appropriateness of a financial contribution in-lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</i>	not applicable
(j) <i>any verified prior payment of a financial contribution in-lieu of parking for the land;</i>	not applicable
(k) <i>any relevant parking plan for the area adopted by Council;</i>	not applicable
(l) <i>the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code”.</i>	not applicable For the above reasons, the proposal is considered to comply with this Performance Criteria.

Waterways and Coastal Protection Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E11.7.1	Building and Works	Building and works within a Waterway and Coastal Protection Area must be within a building area on a plan of subdivision approved under this planning scheme.	There is no approved building area.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause E11.7.1 as follows.

Performance Criteria	Proposal
<p><i>“Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:</i></p> <p>(a) <i>avoid or mitigate impact on natural values;</i></p> <p>(b) <i>mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;</i></p> <p>(c) <i>avoid or mitigate impacts on riparian or littoral vegetation;</i></p>	<p>The applicant has provided both a Construction Environmental Management Plan and an Ecology Assessment in support of the proposal. Despite the comprehensive nature of this information, the original assessment (which included a dive survey) of the endangered spotted handfish was undertaken eight years ago in 2010.</p>

<p>(d) <i>maintain natural streambank and streambed condition, (where it exists);</i></p> <p>(e) <i>maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i></p> <p>(f) <i>avoid significantly impeding natural flow and drainage;</i></p> <p>(g) <i>maintain fish passage (where applicable);</i></p> <p>(h) <i>avoid landfilling of wetlands;</i></p> <p>(i) <i>works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and 'Tasmanian Coastal Works Manual' (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided".</i></p>	<p>The species is listed as endangered on the Threatened Species Protection Act 1995, and Critically Endangered on the Environment Protection and Biodiversity Conservation Act 1999.</p> <p>There is concern around the location of the jetty, which is located at one of the sites being activity managed for the species (refer to Attachment 3).</p> <p>Information from scientists involved in spotted handfish recovery confirms that the location has been dived annually since 2015, with fish always present. Over the past year artificial spawning habitat (ASH) has been located in the vicinity of the site to facilitate handfish breeding and surveying of this site will be undertaken to assess the use of the ASH in the near future. Having regard to this, the CSIRO also advised there are concerns with the construction and the infrastructure itself and the effect of vessels manoeuvring across the area, especially from propeller wash. The CSIRO was also concerned that the infrastructure would provide habitat for north pacific sea stars, which would destroy critical handfish habitat.</p> <p>The proposed jetty appears to be adjacent to the mapped spotted handfish location but is unfortunately within their local distribution. The mapped area "sampling box" is slightly offset from the shore because the researchers do not commence sampling that close to land due to safety and logistical constraints with diving, boating and weather. The researchers are concerned that construction, the presence of the infrastructure itself and also the effect of vessels manoeuvring across this area (specifically with propeller wash) will have a detrimental impact on the species. The infrastructure will also provide potential habitat for north pacific sea stars which would destroy the spotted handfish critical habitat.</p>
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	The applicant declined a request made by Council officers to update the survey and report in the light of these concerns.
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Waterways and Coastal Protection Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E11.7.2	Buildings and Works Dependant on a Coastal Location	An extension to an existing boat ramp, carpark, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	The proposal is for a new facility.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause E11.7.2 as follows.

Performance Criteria	Proposal
<p><i>“Buildings and works must satisfy all of the following:</i></p> <p><i>(a) need for a coastal location is demonstrated;</i></p> <p><i>(b) new facilities are grouped with existing facilities, where reasonably practical;</i></p> <p><i>(c) native vegetation is retained, replaced or re-established so that overall impact on native vegetation is negligible;</i></p> <p><i>(d) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;</i></p> <p><i>(e) impacts to coastal processes, including sand movement and wave action, are minimised and any potential impacts are mitigated so that there are no significant long-term impacts;</i></p>	<p>The proposal requires a coastal location.</p> <p>There is no existing facility with which to group.</p> <p>It is unclear what the impact will be on native vegetation on the seabed but the proposal will potentially impact spotted handfish habitat.</p> <p>Complies, is designed for the topography of the foreshore.</p> <p>Complies, is unlikely to contribute to coastal processes.</p>

(f) <i>waste, including waste from cleaning and repairs of vessels and other maritime equipment and facilities, is managed in accordance with current best practice so that significant impact on natural values is avoided</i> ".	Complies, no maintenance is proposed.
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Inundation Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E15.7.2 (A3)	Coastal Inundation Medium Hazard Areas	A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40m ² .	The floor area is approximately 75.6m ² .

The proposed variation must be considered pursuant to the Performance Criteria P3 of the Clause E15.7.2 as follows.

Performance Criteria	Proposal
<p><i>"A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must satisfy all of the following:</i></p> <ul style="list-style-type: none"> <i>(a) risk to users of the site, adjoining or nearby land is acceptable;</i> <i>(b) risk to adjoining or nearby property or public infrastructure is acceptable;</i> <i>(c) risk to buildings and other works arising from wave run-up is adequately mitigated through siting, structural or design methods;</i> <i>(d) need for future remediation works is minimised;</i> <i>(e) provision of any developer contribution required pursuant to policy adopted by Council for coastal protection works,</i> <p><i>except if it is development dependent on a coastal location</i>".</p>	<p>Given the nature of the facility, there is minimal risk to users of the site, adjoining properties, risk to buildings, coastal processes have been considered and future remedial works are not necessary. The proposal is considered to comply with each criterion.</p>

Inundation Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E15.7.3 (A3)	Coastal Inundation Low Hazard Areas	A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60m ² .	The floor area is approximately 75.6m ² .

The proposed variation must be considered pursuant to the Performance Criteria P3 of the Clause E15.7.3 as follows.

Performance Criteria	Proposal
<p><i>“A non-habitable building must satisfy all of the following:</i></p> <ul style="list-style-type: none"> <i>(a) risk to users of the site, adjoining or nearby land is acceptable;</i> <i>(b) risk to adjoining or nearby property or public infrastructure is acceptable;</i> <i>(c) need for future remediation works is minimised;</i> <i>(d) provision of any developer contribution required pursuant to policy adopted by Council for coastal protection works;</i> <p><i>except if it is a building dependent on a coastal locationR1”.</i></p>	<p>Given the nature of the facility, there is minimal risk to users of the site, adjoining properties, risk to buildings, coastal processes have been considered and future remedial works are not necessary.</p>

Inundation Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E15.7.6	Development Dependent on a Coastal Location	An extension to an existing boat ramp, carpark, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	The jetty is a new structure.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause E15.7.6 as follows.

Performance Criteria	Proposal
<p><i>“Buildings and works must satisfy all of the following:</i></p> <p><i>(a) need for a coastal location is demonstrated;</i></p> <p><i>(b) new facilities are grouped with existing facilities, where reasonably practical;</i></p> <p><i>(c) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;</i></p> <p><i>(d) waste, including from cleaning and repairs of vessels and other maritime equipment and facilities, solid waste, is managed to ensure waste is safe from inundation events;</i></p> <p><i>(e) risk from inundation is acceptable, taking into account the nature of the development and its users”.</i></p>	<p>The proposal requires a coastal location.</p> <p>There is no existing facility with which to group.</p> <p>Complies, is designed for the topography.</p> <p>No maintenance or otherwise proposed.</p> <p>Complies, it is a jetty.</p>

Coastal Erosion Hazard Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E16.7.1 (A1)	Buildings and Works	No acceptable solution	jetty

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause E16.7.1 as follows.

Performance Criteria	Proposal
<p><i>“Buildings and works must satisfy all of the following:</i></p> <p><i>(a) not increase the level of risk to the life of the users of the site or of hazard for adjoining or nearby properties or public infrastructure;</i></p>	<p>complies</p>

(b) <i>erosion risk arising from wave run-up, including impact and material suitability, may be mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works;</i>	complies
(c) <i>erosion risk is mitigated to an acceptable level through measures to modify the hazard where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering;</i>	complies
(d) <i>need for future remediation works is minimised;</i>	complies
(e) <i>health and safety of people is not placed at risk;</i>	
(f) <i>important natural features are adequately protected;</i>	The structure will impact on handfish habitat as discussed above. However, in terms of the physical structure, there will be some impact on the sea bed, although not significant.
(g) <i>public foreshore access is not obstructed where the managing public authority requires it to continue to exist;</i>	complies
(h) <i>access to the site will not be lost or substantially compromised by expected future erosion whether on the proposed site or off-site;</i>	complies
(i) <i>provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;</i>	not required
(j) <i>not be located on an actively mobile landform”.</i>	complies

Coastal Erosion Hazard Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E16.7.2	Development Dependent on a Coastal Location	An extension to an existing boat ramp, carpark, jetty, marina, marine farming shore facility or slipway must be no more than 20% of the size of the facility existing at the effective date.	new facility

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause E16.7.2 as follows.

Performance Criteria	Proposal
<p><i>“Buildings and works must satisfy all of the following:</i></p> <p><i>(a) need for a coastal location is demonstrated;</i></p> <p><i>(b) new facilities are grouped with existing facilities, where reasonably practical;</i></p> <p><i>(c) native vegetation is retained, replaced or re-established so that overall impact on erosion potential resulting from removal of native vegetation is negligible;</i></p> <p><i>(d) potential for erosion is minimised generally;</i></p> <p><i>(e) building design responds to the particular size, shape, contours or slope of the land and minimises the extent of cut and fill;</i></p> <p><i>(f) impacts on coastal processes, including sand movement and wave action, are minimised and any potential impacts on erosion potential are mitigated so that there are no unreasonable adverse long-term effects;</i></p> <p><i>(g) not be located on an actively mobile landform”.</i></p>	<p>The proposal requires a coastal location.</p> <p>There is no existing facility with which to group.</p> <p>Is unlikely to occur.</p> <p>Is unlikely to contribute to erosion.</p> <p>Complies. Is designed for the seabed topography.</p> <p>Is unlikely to contribute to erosion.</p> <p>Is not located on an actively mobile landform.</p>

4.4. Compliance with Schedule 1 of LUPAA

As discussed above, the jetty is located outside of the current Clarence Municipal boundaries and, as such, requires assessment under the LUPAA. Notwithstanding the above assessment under the Scheme, which is itself a product of the LUPAA and subject to rigorous examination under the provisions of the Act, a brief consideration is contained below under Part 1 - Objectives of the Resource Management and Planning System of Tasmania.

Standard	Objectives	Proposed
Objectives of the Resource Management and Planning System of Tasmania	<p>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</p> <p>(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and</p> <p>(c) to encourage public involvement in resource management and planning; and</p> <p>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a) , (b) and (c) ; and</p> <p>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</p>	<ul style="list-style-type: none"> the issues around the assessment of Development Standard E11.7.1 of the Waterway and Coastal Protection Code demonstrates that the proposal does not avoid or mitigate impacts on natural values or maintain fish passage in relation to the critically endangered spotted handfish; accordingly, development is not considered to provide for the fair, orderly and sustainable use and development of the water; the application has been publically advertised and open to public comment; the proposal will contribute to the development of this urbanised area of Tranmere; the rezoning and subsequent development of the area is a process which has engaged the State, Council, stakeholders and the community.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 5 representations were received. The following issues were raised by the representors.

5.1. Private Ownership of Jetty

The representor is concerned that the applicant is proposing public service through a water taxi but wishes for the jetty to remain in private ownership. A representor expressed concern that a commercial operator, exercising restricted access to the jetty, over public land which has unrestricted access. It is a commercial operation on public land.

- **Comment**

The application is clearly for a private jetty. Notwithstanding, if a river taxi service could be operated from the jetty, general public access would need to be provided. Council has consented to the lodgement of the application. The jetty would not restrict public access over public land but would restrict access to the jetty itself.

5.2. Impact on Spotted Handfish

The location of the jetty appears to be near or on one of the sites being actively managed for the spotted handfish. The comments of scientists involved in the handfish recovery program and the CSIRO have been discussed above. DPIPW has also made this representation clear.

- **Comment**

It is noted in the assessment above that the jetty is located in proximity to a spotted handfish location. The species is listed as endangered on the Threatened Species Protection Act 1995, and Critically Endangered on the Environment Protection and Biodiversity Conservation Act 1999. The applicant declined a request made by Council officers to update the survey and report in light of these concerns. As such the location of the jetty is considered inappropriate and approval cannot be recommended.

5.3. Impact on Aboriginal Heritage Site

Aboriginal Heritage Tasmania (AHT) advises that an Aboriginal heritage site is recorded at the location of the proposed jetty. Reviewing the design plans within the development application, it appears that the stairs and/or ramp are likely to impact the site.

- **Comment**

The representation is noted and the applicant has been informed that if the impact cannot be avoided, the proponent must apply for a permit under the Aboriginal Heritage Act, 1975 prior to works commencing. If Council is minded to approve the application, an advice should record the same.

5.4. Extent of the Prescribed Land Use (Port and Shipping) and Lack of Clarity about Proposed Use

The representor notes that the applicant has defined the proposal as “Port and shipping” but that this use class includes cargo handling, passenger terminals and dredging.

- **Comment**

Whilst the use class is broad ranging the applicant has proposed recreational boating and a potential water taxi service, indeed the lack of parking necessitates that the extent of the use should be limited. Should Council be minded to approve the application a condition should specify that activity is limited to a water taxi service.

5.5. Traffic and Parking

A representor was concerned with the lack of car parking and impact of traffic in a residential area.

- **Comment**

The amount of car parking and traffic generated by a jetty catering for a few pleasure boats and a potential river taxi service would be minimal. Sufficient car parking is provided on-street within the subdivision.

5.6. Outdated Application Submission

Several representors noted that at the time of advertising the submission was outdated by at least 3 years.

- **Comment**

Whilst in the 3 years since the original submission was lodged the surrounding area has been progressively developed, the application documentation clearly describes the proposed location. The only documentation which was clearly outdated was that dealing with the spotted handfish (discussed above).

5.7. Location of DA Advertising Signage

The DA was originally advertised with signage in Anchorage Court.

- **Comment**

No 17 Anchorage Court is an address given to 2 separate titles on the foreshore. It was agreed that greater clarity was required as signage was erected at the boundary of Starboard Road and the location was better described in the application description. The application was further advertised for a period of 14 days with this clarification.

5.8. Boat Noise

The representor was concerned about the noise of boats being carried over water.

- **Comment**

Whilst some increase in noise from boats might be generated, essentially this will be generally infrequent and limited to daylight hours. It will also be subject to local weather impacts such as wind and is unlikely to have a significant impact on residential amenity.

5.9. The Jetty is an Eyesore and too Large

The jetty is considered not to be in keeping with the character of the shoreline and extends too far into the water.

- **Comment**

The issue is not one of determining weight.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, which did not object and did not require conditions.

Crown Land Services (CLS) reviewed the application when it was advertised and noted that the Crown consent to lodge the DA was issued quite some time prior to Council's assessment being finalised. If planning approval is issued for the proposed jetty, CLS advises that it will undertake a further assessment due to the lapse in time since the Crown consent letter to lodge the development application was issued. The proponent will also be required to apply for a Crown lease or licence. Approval of any lease or licence agreement is at the Crown's discretion.

Representations were also made by DPIPW and by Aboriginal Heritage Tasmania, whose concerns have been discussed in Section 5.

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 not consistent with the objectives of Schedule 1 of LUPAA.

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

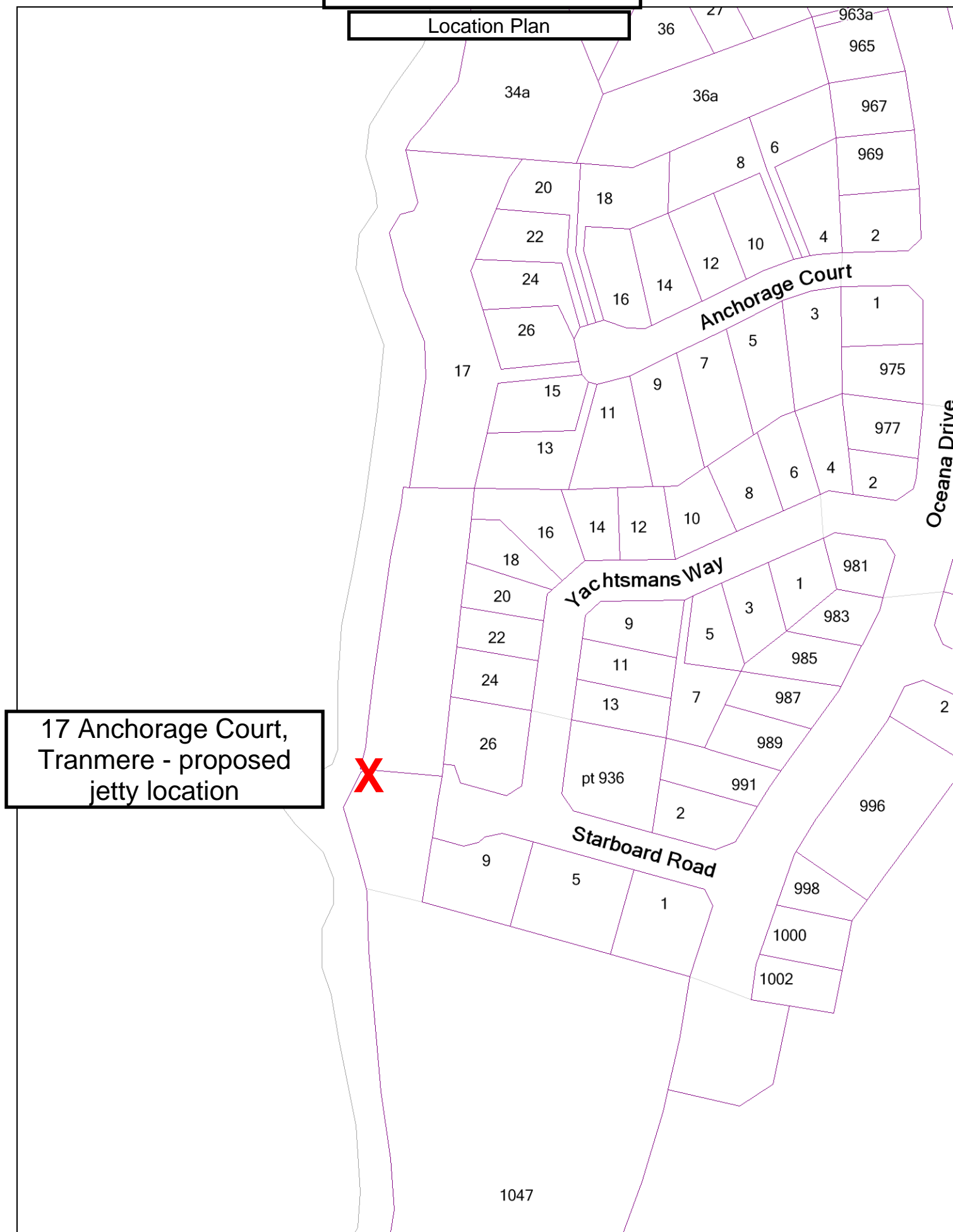
The issues around the assessment of Development Standard E11.7.1 of the Waterway and Coastal Protection Code and the Objectives of the LUPAA demonstrates that the proposal does not avoid or mitigate impact on natural values or maintain fish passage in relation to the critically endangered spotted handfish. Accordingly, the proposal for a jetty at 17 Anchorage Court, Tranmere (located adjacent to Starboard Road) is recommended for refusal.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

Location Plan



17 Anchorage Court,
Tranmere - proposed
jetty location



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LOCALITY PLAN

N.T.S

REV DATE REMARK



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incorporating **Dale P Luck & Associates**
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PROJECT
DROUGHTY POINT JETTY

TITLE
SITE PLANE AND GENERAL ARRANGEMENTS

Accepted GLA (Discipline Head)	Date
Accepted MSC (Team Leader)	Date
Approved MSC (Group Manager)	Date

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	SHL	SHL
	PLOT DATE	10/06/2015

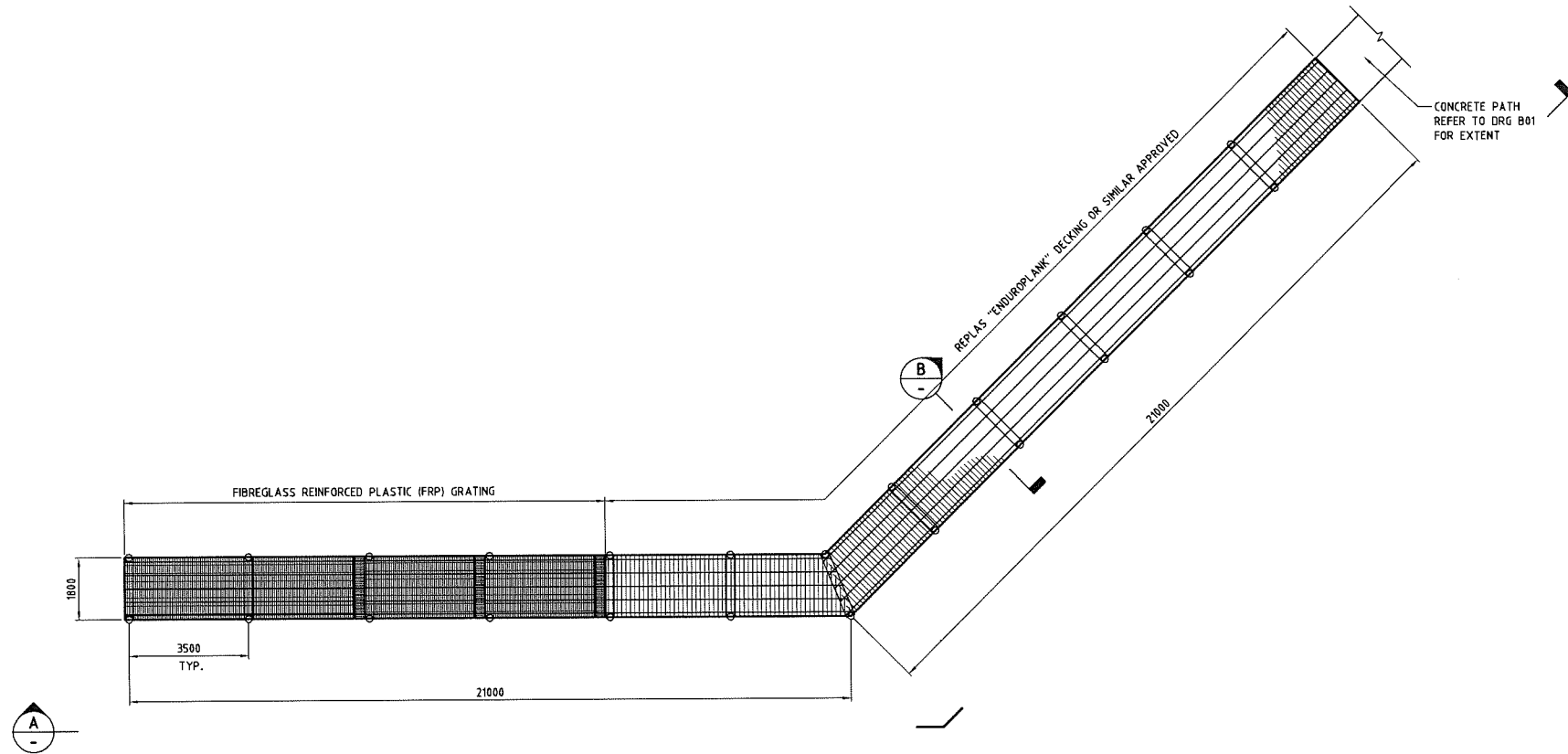
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PLOT DETAILS J103035PH - PEDESTRIAN RAMP.DWG

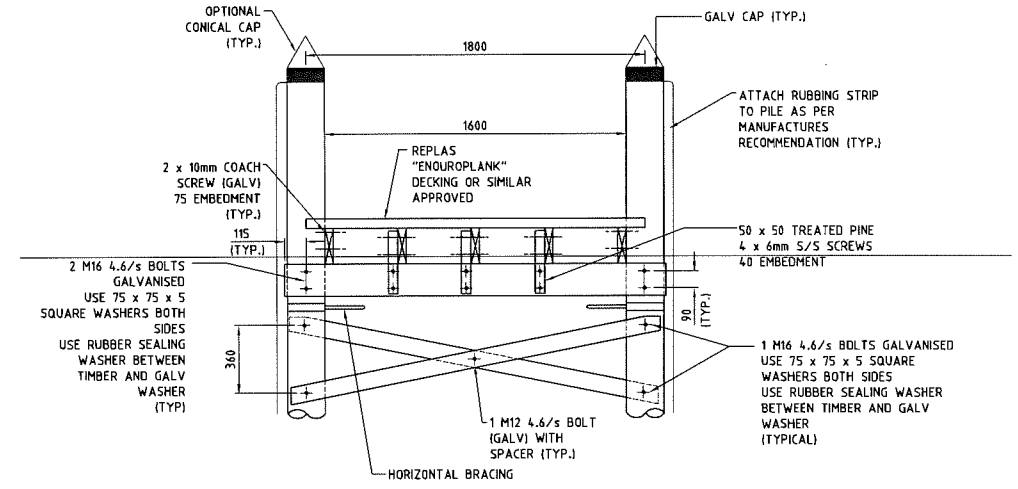
PROJECT NO. **J103035PH**

DWG NO.	REVISION
B01	

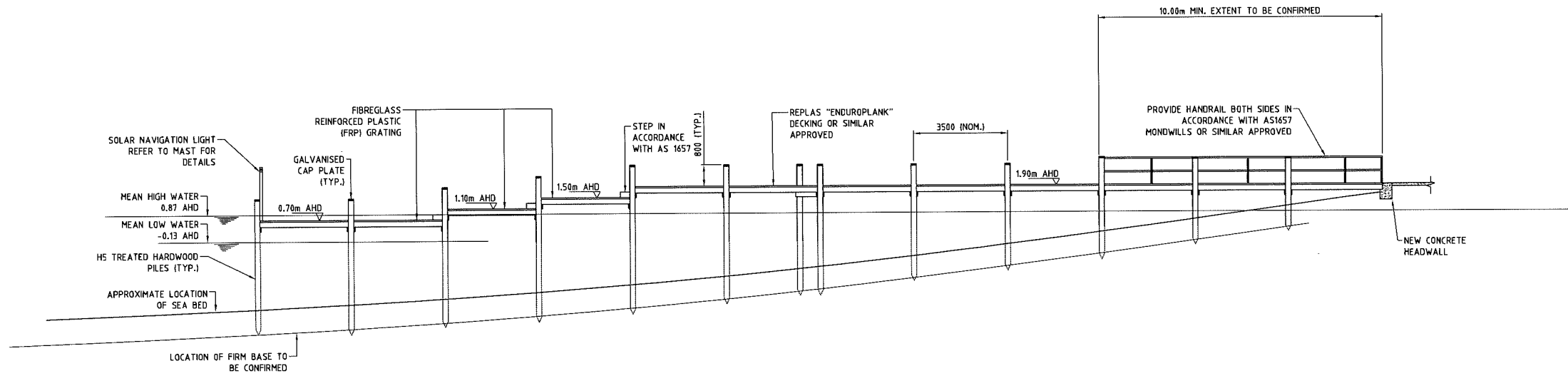
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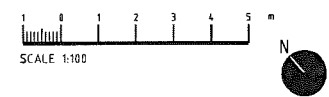
JETTY PLAN
SCALE 1:100



SECTION B
SCALE 1:20



ELEVATION A
SCALE 1:100



DA 3.9.2010 ISSUED FOR DEVELOPMENT
APPROVAL
REV DATE REMARK

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PROJECT
DROUGHTY POINT JETTY

TITLE
PLAN, ELEVATION
AND SECTION

Accepted GUA (Project Lead)	Date
Accepted MSC (Team Leader)	Date
Approved MSC (Group Manager)	Date

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1:100	RAJC	FLB
1:20	PLOT DATE	03/06/2010

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PROJECT NO. J103035PH




DWG NO.	REVISION
B02	DA

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Attachment 3

Revised 25/9/2015

LEGEND

-  Spotted Hand Fish
-  Parcels
-  LGA



17 Anchorage Court, TRANMERE



Site viewed from Anchorage Court, looking west



Site viewed from foreshore adjacent development site, looking north



Site viewed from foreshore looking northwest over the development site

11.3.4 DEVELOPMENT APPLICATION D-2018/520 - 9 GUNNING STREET, RICHMOND - DWELLING ALTERATIONS AND ADDITIONS
(File No D-2018/520)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for dwelling alterations and additions at 9 Gunning Street, Richmond.

RELATION TO PLANNING PROVISIONS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 24 October 2018.

CONSULTATION

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

- inaccuracy of plans;
- inconsistency with character of area and site;
- removal of chimney to compromise the place; and
- lack of appropriate consideration of heritage value of place and area.

RECOMMENDATION:

A. That the development application for dwelling alterations & additions at 9 Gunning Street, Richmond (CI Ref D-2018/520) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

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

DEVELOPMENT APPLICATION D-2018/520 - 9 GUNNING STREET, RICHMOND - DWELLING ALTERATIONS AND ADDITIONS /contd...

ASSOCIATED REPORT**1. BACKGROUND**

The most recent approval granted for the subject property is for internal and external building alterations (for the purposes of visitor accommodation) to the existing stable building, approved by Council under D-2017/580 in February 2018. The previous permit was for additions to the heritage-listed dwelling, approved by Council under D-2000/241 in November 2000 and the associated building permit B-2000/584.

2. STATUTORY IMPLICATIONS

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

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

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10 – General Residential Zone;
- Section E6.0 – Parking and Access Code; and
- Section E13.0 – Historic Heritage 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 has an area of 2605m² and has 43.89m frontage and vehicular access onto Gunning Street. The site is generally level and supports 2 heritage listed buildings, being the Former Sawyers Arms and associated stable building. Established landscaped gardens surround both structures.

The surrounding area is similarly zoned General Residential and is characterised by single detached dwellings located within the established residential area at Richmond.

A carport/outbuilding structure exists to the rear (west) of the dwelling, which the applicant advises was erected in early 2018, on the basis that it was intended as replacement of an original timber structure which was in a state of disrepair. Approval is required for this structure and a development application seeking retrospective approval was lodged with Council on 12 October 2018.

3.2. The Proposal

The proposal is for alterations and additions to the existing dwelling on the subject property. The proposed works are to replace the roof structure and external (wall end) cladding to provide for the replacement of the existing structure that joins both the main part of the dwelling and the rear building, and would have have a resultant height of 3.32m at its highest point and cover an area of 32m². The subject area is presently used as a living area associated with the dwelling and this use would be retained.

The building alterations proposed are summarised (by the proposal plans in the attachments) as follows:

- removal of the existing end walls to make way for new works;
- demolition of roof to the extent shown to make way for replacement works;
- existing heritage brick walls to be retained and protected for duration of works;

- demolition of floor finishes to existing concrete slab to make way for new floor coverings;
- cladding of replacement end walls using vertical timber battens and Colorbond (dark grey); and
- use of Colorbond roofing (dark grey) with box gutter, to replace existing and skylight as shown.

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 and Historic Heritage Codes with the exception of the following.

Historic Heritage Code

Clause	Standard	Acceptable Solution	Proposed
E13.7.1 A1	Demolition	No acceptable solution	as previously described

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E13.7.1 as follows.

Performance Criteria	Proposal
<p><i>“Demolition must not result in the loss of significant fabric, form, items, outbuildings or landscape elements that contribute to the historic cultural heritage significance of the place unless all of the following are satisfied;</i></p> <p><i>(a) there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;</i></p> <p><i>(b) there are no prudent and feasible alternatives;</i></p> <p><i>(c) important structural or façade elements that can feasibly be retained and reused in a new structure, are to be retained;</i></p> <p><i>(d) significant fabric is documented before demolition”.</i></p>	<p>Both Council’s Heritage Advisor and Heritage Tasmania have assessed the application and an exemption certificate has been granted for the work by Heritage Tasmania.</p> <p>Both are of the opinion that there would be no loss of elements that contribute to the historic cultural heritage of the place. Despite the proposals obscurity from public view, the proposed linkage is considered be complimentary to the heritage fabric of the site and existing buildings.</p>

Historic Heritage Code

Clause	Standard	Acceptable Solution	Proposed
E13.7.2 A1, A2, A3 and A4	Building and Works other than Demolition	No acceptable solution	as previously described

The proposed variation must be considered pursuant to the Performance Criteria (P1, P2, P3 and P4) of the Clause E13.7.2 as follows.

Performance Criteria	Proposal
<p><i>“P1</i> <i>Development must not result in any of the following:</i></p> <p>(a) <i>loss of historic cultural heritage significance to the place through incompatible design, including in height, scale, bulk, form, fenestration, siting, materials, colours and finishes;</i></p> <p>(b) <i>substantial diminution of the historic cultural heritage significance of the place through loss of significant streetscape elements including plants, trees, fences, walls, paths, outbuildings and other items that contribute to the significance of the place.</i></p>	<p>Council’s Heritage Advisor has assessed the application and considers that the proposed works would not result in a loss of the cultural heritage values of the subject property.</p> <p>The proposal is considered to be of appropriate scale and form against the existing brick structure and building features, and as documented, would have minor impact upon existing heritage fabric. Council’s Heritage Advisor supports the proposal on the basis that it is an appropriate contemporary response to adaptive re-use of an existing heritage place and does not attempt to replicate period detail.</p> <p>The proposal would not necessitate removal of any vegetation that surrounds and contributes to the dwelling and/or site.</p> <p>The proposal would not be publicly visible from Gunning Street and would not affect or impact upon the appearance of the site from the street frontage. There would therefore be no significant impact or conflict with the heritage significance of the place or environs.</p>
<p><i>P2</i> <i>Development must be designed to be subservient and complementary to the place through characteristics including:</i></p> <p>(a) <i>scale and bulk, materials, built form and fenestration;</i></p> <p>(b) <i>setback from frontage;</i></p> <p>(c) <i>siting with respect to buildings, structures and listed elements;</i></p> <p>(d) <i>using less dominant materials and colours.</i></p>	<p>This proposal is considered complimentary to the cultural heritage values of the subject property by virtue of its perceived anonymity. The proposed alterations and additions are considered an appropriate subservient response to the heritage characteristics of the site in terms of the minimalistic changes proposed in addition to considered selection of form and material.</p>

<p><i>P3</i> <i>Materials, built form and fenestration must respond to the dominant heritage characteristics of the place, but any new fabric should be readily identifiable as such”.</i></p>	<p>This proposal has adopted a unique and appropriate methodology of inserting a simplistic and significantly transparent form within a heritage environment that can easily be recognised as a contemporary response without significant harm to or replication of period building stock.</p>
---	--

Historic Heritage Code

Clause	Standard	Acceptable Solution	Proposed
E13.8.1 A1	Demolition	No acceptable solution	as previously described

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E13.8.1 as follows.

Performance Criteria	Proposal
<p><i>“P1</i> <i>Demolition must not result in the loss of any of the following:</i></p> <p><i>(a) buildings or works that contribute to the historic cultural heritage significance of the precinct;</i></p> <p><i>(b) fabric or landscape elements, including plants, trees, fences, paths, outbuildings and other items, that contribute to the historic cultural heritage significance of the precinct;</i></p> <p><i>unless all of the following apply;</i></p> <p><i>i. there are, environmental, social, economic or safety reasons of greater value to the community than the historic cultural heritage values of the place;</i></p> <p><i>ii. there are no prudent or feasible alternatives;</i></p> <p><i>iii. opportunity is created for a replacement building that will be more complementary to the heritage values of the precinct”.</i></p>	<p>Both Council’s Heritage Advisor and Heritage Tasmania have assessed the application and an exemption certificate has been granted for the work by Heritage Tasmania.</p> <p>As noted above, Council’s Heritage Advisor is of the opinion that there would be no loss of elements that contribute to the historic cultural heritage of the place. The proposed works are not visible to public view and are complimentary to existing heritage fabric of existing buildings.</p>

Historic Heritage Code

Clause	Standard	Acceptable Solution	Proposed
E13.8.2 A1, A2, A3	Building and Works other than Demolition	No acceptable solution	as previously described

The proposed variation must be considered pursuant to the Performance Criteria (P1, P2 and P3) of the Clause E13.7.2 as follows.

Performance Criteria	Proposal
<i>P1 Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.</i>	The proposed works are internally located between 2 existing heritage forms and are obscured from public view. The design of the proposal, however, is considered an appropriate response to the requirements of this code and would be equally endorsed if it were located within view from public space.
<i>P2 Design and siting of buildings and works must comply with any relevant design criteria/conservation policy listed in Table E13.2, except if a heritage place of an architectural style different from that characterising the precinct.</i>	This proposal is not considered to impact upon the provisions of Table E13.2. Furthermore, the distinctive “Georgian” character of the subject site and environs are retained and enhanced by this proposal.
<i>P3 Extensions to existing buildings must not detract from the historic cultural heritage significance of the precinct”.</i>	The proposed extension to the subject property provides an appropriate, contemporary translucent link between existing heritage forms whilst respecting the characteristics of same without poor replication of period detail.

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. Inaccuracy of Plans

The representor raises the inaccuracy of the proposal plans as a concern. It is submitted that the title of the plans is inaccurate because it refers to the “Gunning Street Stable” but that the subject building/s have never been used as a stable, which is misleading.

Also, the plans do not show the carport/outbuilding structure (discussed above), the brick storage room and concrete deck on the eastern part of the site and changes to the stable building itself have been shown that have not yet been undertaken.

- **Comment**

The title of the proposal plans (and naming of the property) is not a relevant consideration under the Scheme. That said a stable building exists on the southern part of the site which is identified as part of the Heritage place identified by the Tasmanian Heritage Register.

Both the details of the stable building itself and the brick storage structure are not relevant considerations in relation to the extent of the proposed works, and do not alter the assessment of the proposal under the relevant requirements of the Historic Heritage Code, addressed above.

As discussed above, an inspection of the property as part of the assessment of this application identified a carport/outbuilding structure on-site, to the rear (west) of the dwelling. The location of the original structure is shown in outline by the proposal plans.

The applicant advises the structure was erected in early 2018 on the basis that it was intended as replacement of an original timber structure, which was in a state of disrepair. Approval is required for this structure and a development application seeking retrospective approval was lodged with Council on 12 October 2018.

5.2. Inconsistency with Character of Area and Site

The representor submits that the proposal is inconsistent with the character of the area, and that the angled roof proposed is incompatible with the existing gabled roof and that the vertical timbers and proposed door design would conflict with the red brick and windows of the existing buildings to be retained.

- **Comment**

The proposal has been assessed in relation to the relevant requirements of the Scheme and Council's Heritage Advisor is satisfied that the relevant tests of the Historic Heritage Code (in relation to both the site being an identified Heritage Place and within the Heritage Precinct) are met.

The advice is that the proposal is considered complimentary to the cultural heritage values of the subject property by virtue of its perceived anonymity, and that the proposed alterations and additions are considered an appropriate subservient response to the heritage characteristics of the site in terms of the minimalistic changes proposed in addition to considered selection of form and material.

This issue is therefore not of determining weight in relation to the application.

5.3. Removal of Chimney to Compromise the Place

Concern is raised that the plans show the removal of a red brick chimney that formed part of the original kitchen, which has only recently been restored and forms a significant part of the heritage value of the place.

- **Comment**

The proposal plans do not show the removal of the chimney. This has been confirmed with the applicant, who confirmed that the chimney is to remain as part of the proposed works.

5.4. Lack of Appropriate Consideration of Heritage Value of Place and Area

The representor is concerned that should Council and Heritage Tasmania form the view that approval of this proposal is appropriate, that it would indicate both are of the opinion that the property has no heritage significance within Richmond.

- **Comment**

The Tasmanian Heritage Council issued a Certificate of Exemption for the proposal on the basis of the advice that: “given the low impact of the proposed changes during the rebuilding process and the specification of appropriate materials, that the works can be exempted under the Heritage Council’s Works Guidelines”.

The view of Council’s Heritage Advisor supports this position, in that the proposal meets the relevant tests of the performance criteria of the Historic Heritage Code. This issue is therefore not of determining weight in relation to the approval of the proposal.

6. EXTERNAL REFERRALS

The proposal was referred to the Tasmanian Heritage Council (THC) which, on the basis of the documentation received, issued a Certificate of Exemption for the proposal. Assessment under the Historic Cultural Heritage Act, 1995 was therefore not required. The exemption is included in the attachments.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

The proposal seeks approval for alterations and additions to the existing dwelling on the subject property at 9 Gunning Street, Richmond. The application meets the relevant acceptable solutions and performance criteria of the Scheme.

The proposal is recommended for approval subject to conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (5)
3. Certificate of Exemption from Heritage Tasmania (1)
4. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

Clarence City Council



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General Notes

PROJECT

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Certified Architect: Peter Walker
Accreditation N°: CC2143E
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Hobart
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LOCATION
Project N°: T17357
Project Name: Gunning St Stable
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Richmond
Tasmania

SITE DETAILS
BAL: TBC @ BA
CLIMATE ZONE: Zone 7
WIND SPEED: Refer Eng
SOIL CLASS: Refer Eng
ALPINE AREA: No
CORROSION: <BCA Vol2 3.5.1.3>

GENERAL

These drawings show design intent and are suitable as a guide only. Do not scale off the drawings. All dimensions in millimetres. Dimensions of existing building are indicative only and should not be relied on - verify all dimensions on site before commencing any work. All documents shall be read in conjunction with specifications and any consultants detail.

Any discrepancies, errors or omissions shall be referred to the Architects. Drawings are not to be used for construction purposes until issued by the Architect for construction.

All work carried out shall be in accordance with relevant Australian Standards, NCCS, Building Code of Australia, Specifications and any local authority by-laws and regulations.

Drawing List

Set	N°	Drawing Name	Rev	Scales
da plan	da01	Cover Page	A	-
da plan	da02	Site Plan	A	1:200
da plan	da03	Demolition Plans	A	1:100
da plan	da04	Proposed Plans	A	1:100
da elevations	da05	North + South Elevation + Section 01	A	1:50

PERSPECTIVE



rev	date	purpose	rev	date	purpose
A	29.08.18	ISSUE FOR DA			

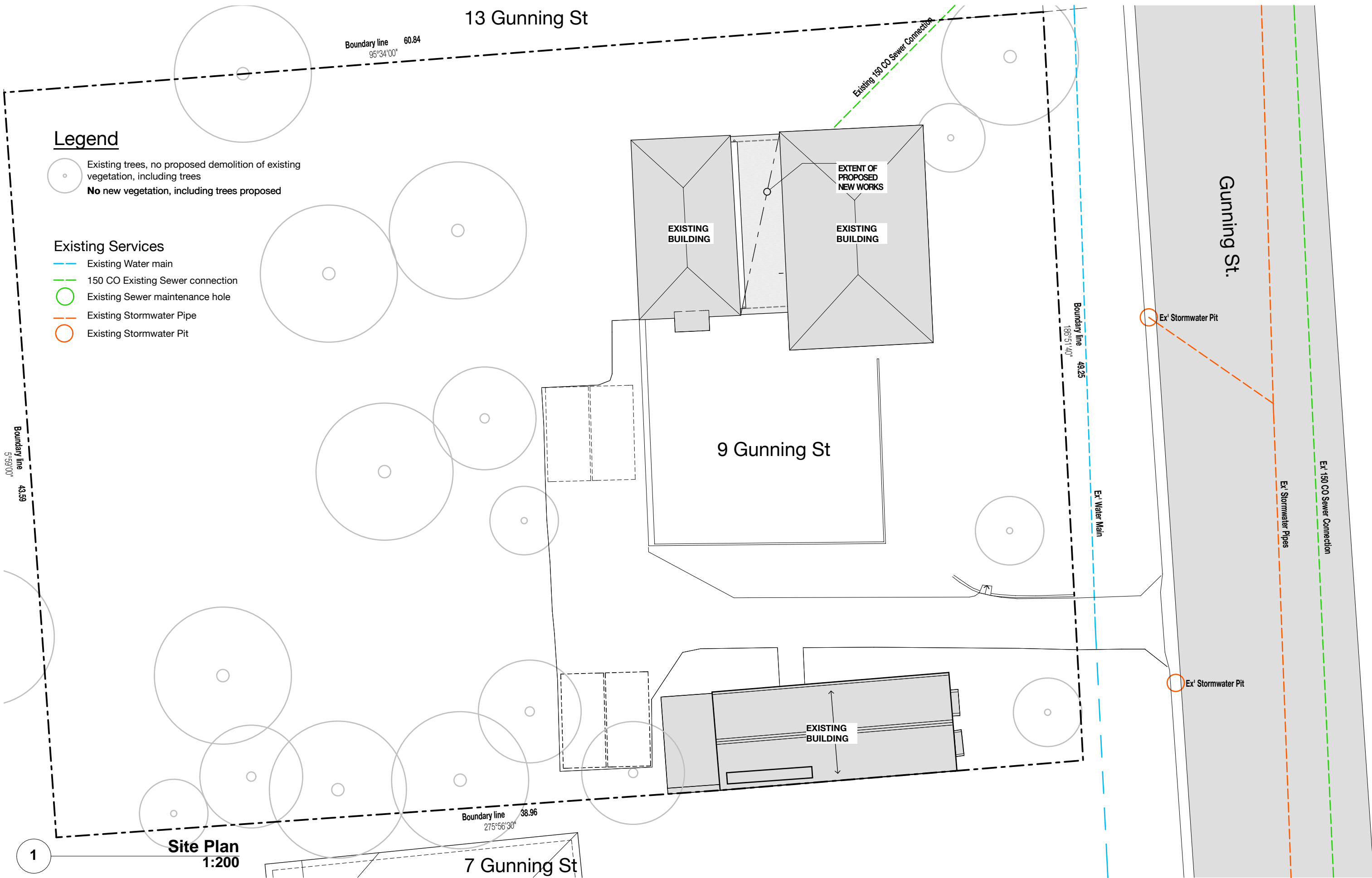
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Tasmania 7000
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accredited designer:
Cumulus Studio
Peter Walker, CC2143E
drawn by
SUN
checked by
TH & PA
reason of issue
Development Application

client
Stuart & Sara Whatling
9 Gunning St
Richmond
Tasmania, 3121
project
Gunning St Stable

drawing title
Cover Page
(plan)
print date
31/08/2018
drawing n°
T17357-da01
original size
A3
issue
A



rev	date	purpose	rev	date	purpose
A	29.08.18	ISSUE FOR DA			

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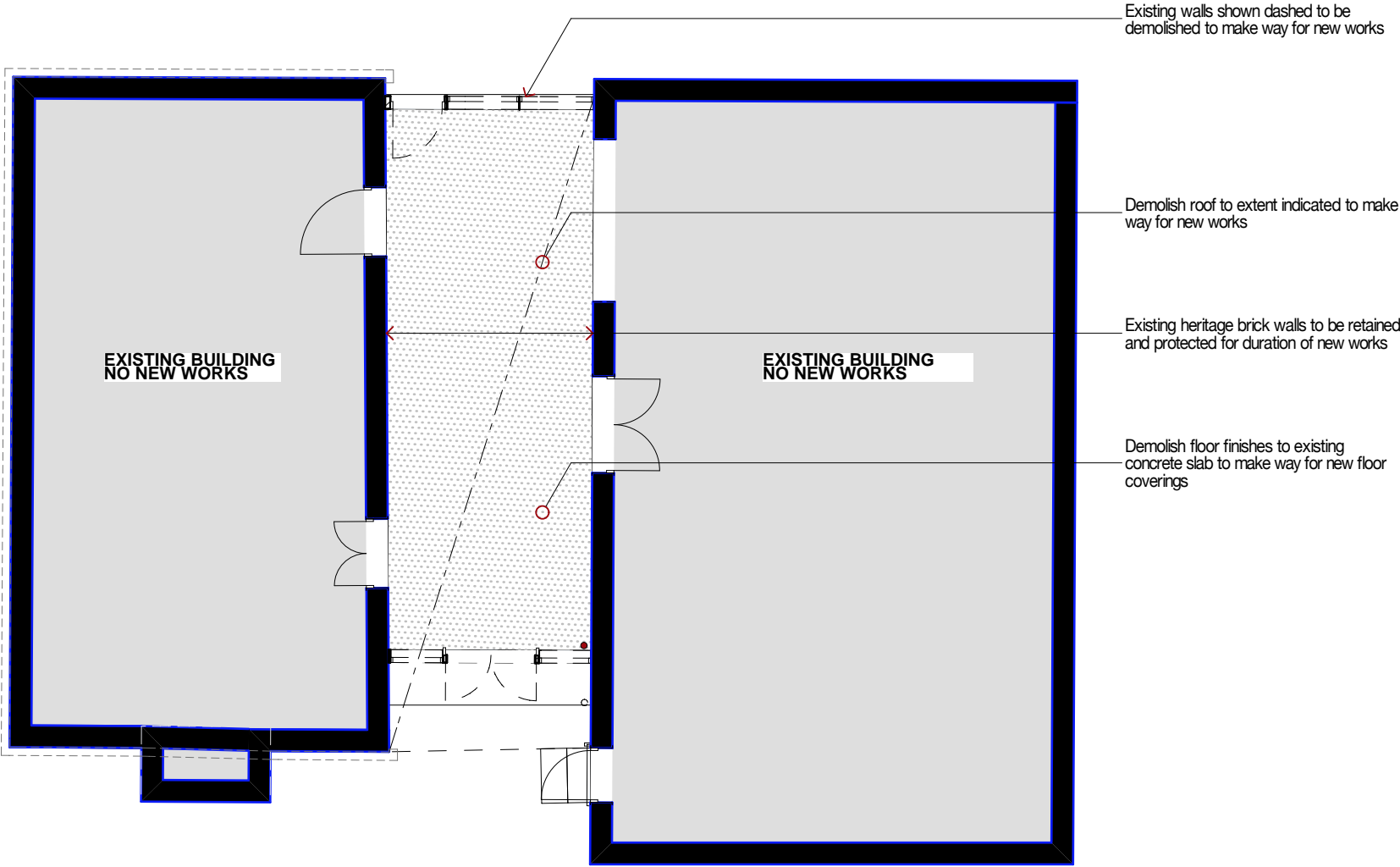
client
Stuart & Sara Whatling
9 Gunning St
Richmond
Tasmania, 3121
project
Gunning St Stable

drawing title
Site Plan
(plan)
print date
31/08/2018
drawing n°
T17357-da02
original size
A3
issue
A

DEMOLITION NOTES:

ALL REDUNDANT PIPEWORK, ELECTRICAL CONDUITS ETC TO BE REMOVED AS PART OF THE DEMOLITION SCOPE OF WORKS

ALL WALLS, CEILINGS, FLOORS ETC TO BE MADE GOOD WHERE INTERRUPTED BY DEMOLITION WORKS



1 Ground Floor Demolition Plan
1:100

rev	date	purpose	rev	date	purpose
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checked by
TH & PA

reason of issue
Development Application

client
Stuart & Sara Whatling
9 Gunning St
Richmond
Tasmania, 3121

project
Gunning St Stable

drawing title
Demolition Plans
(plan)

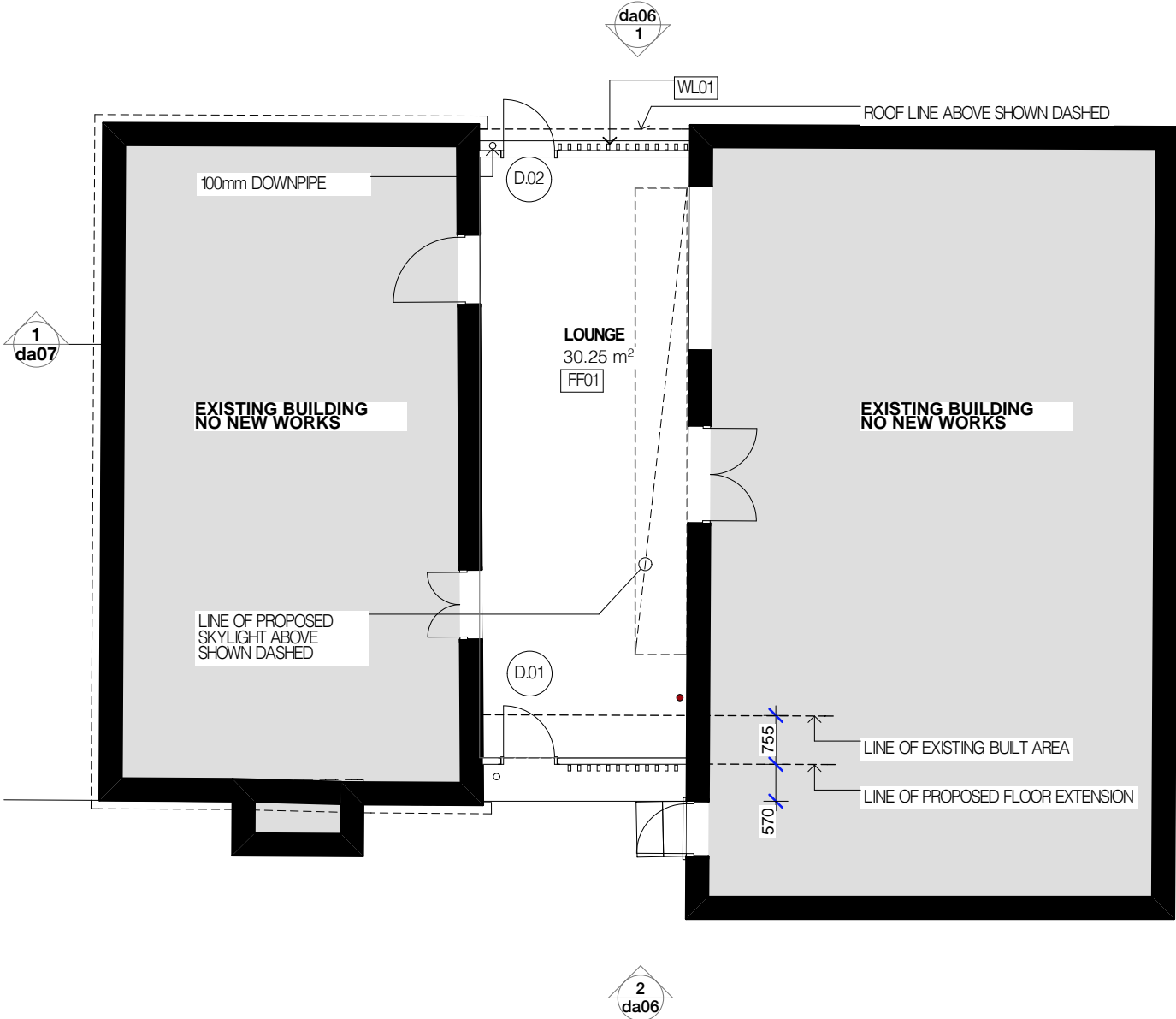
print date
31/08/2018

drawing n^o
T17357-da03

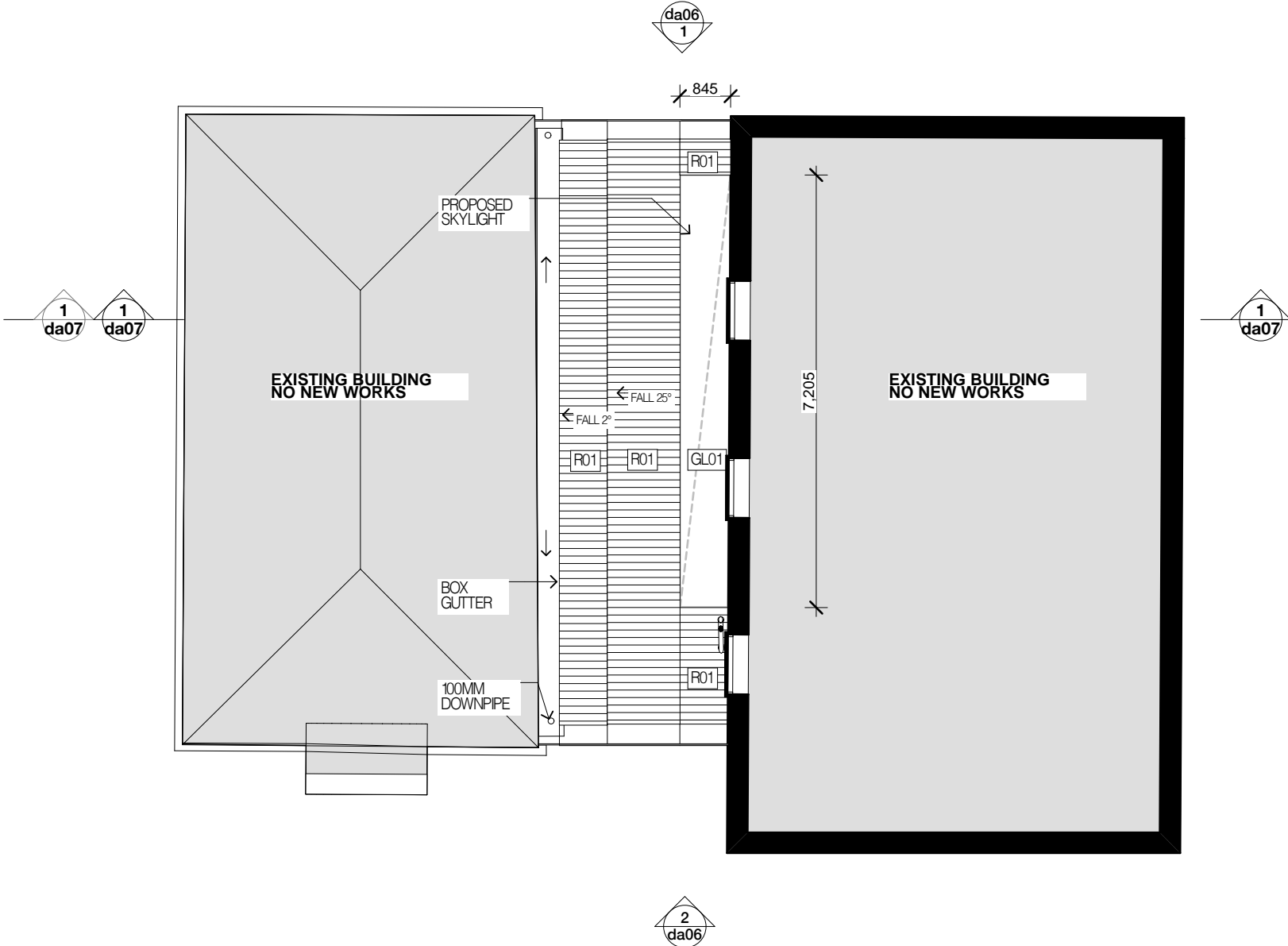
original size
A3

issue
A

MATERIAL LEGEND	
FF01-	CONCRETE TILES
WL01-	90x45 VERTICAL TIMBER BATTENS SPECIES AND EXACT PROFILE TO BE ADVISED
R01-	LYSAGHT CUSTOM ORB ROOF SHEETING COLORBOND MONUMENT®
CS01-	CEMENT SHEET FASCIA COLORBOND MONUMENT IN COLOUR



1 Ground Floor Plan
1:100



2 Roof Plan
1:100

rev	date	purpose	rev	date	purpose
A	29.08.18	ISSUE FOR DA			

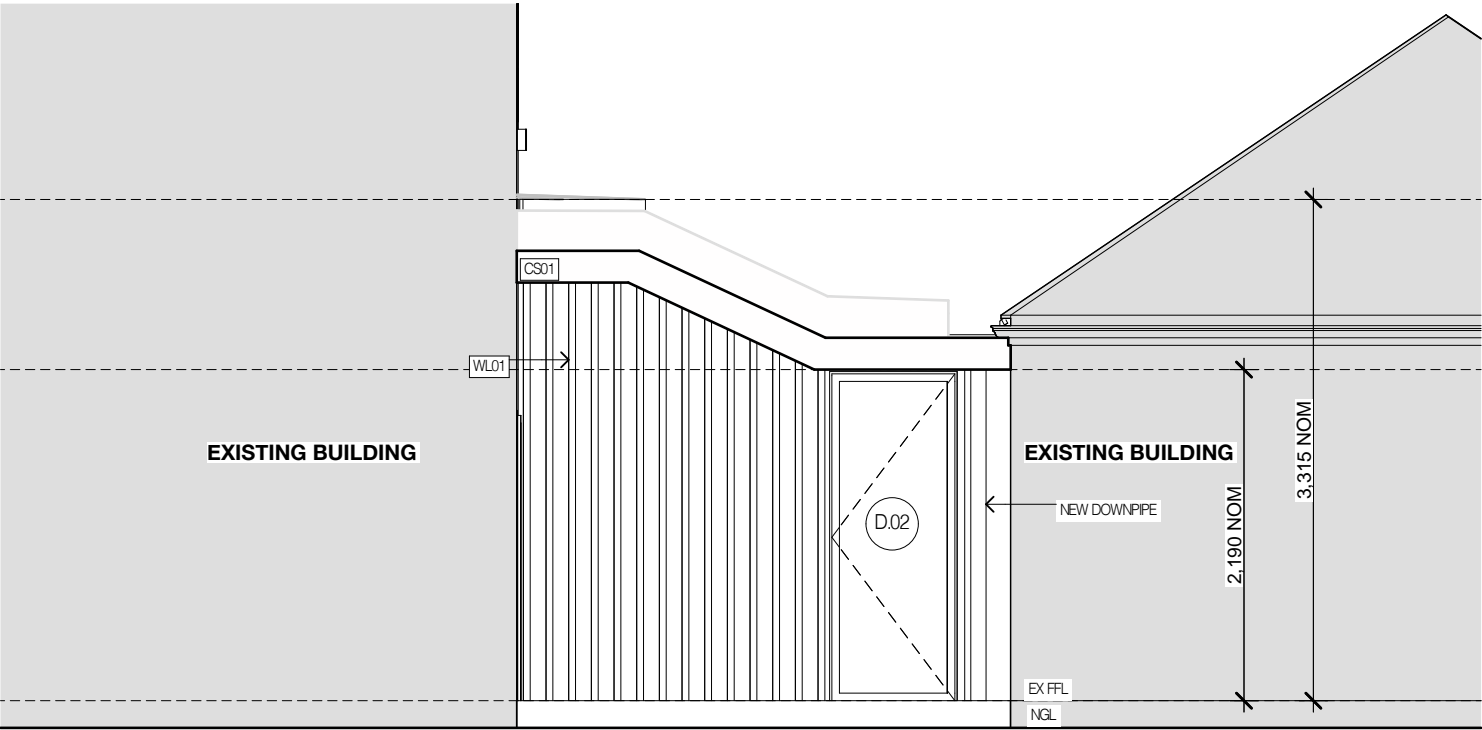
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Development Application

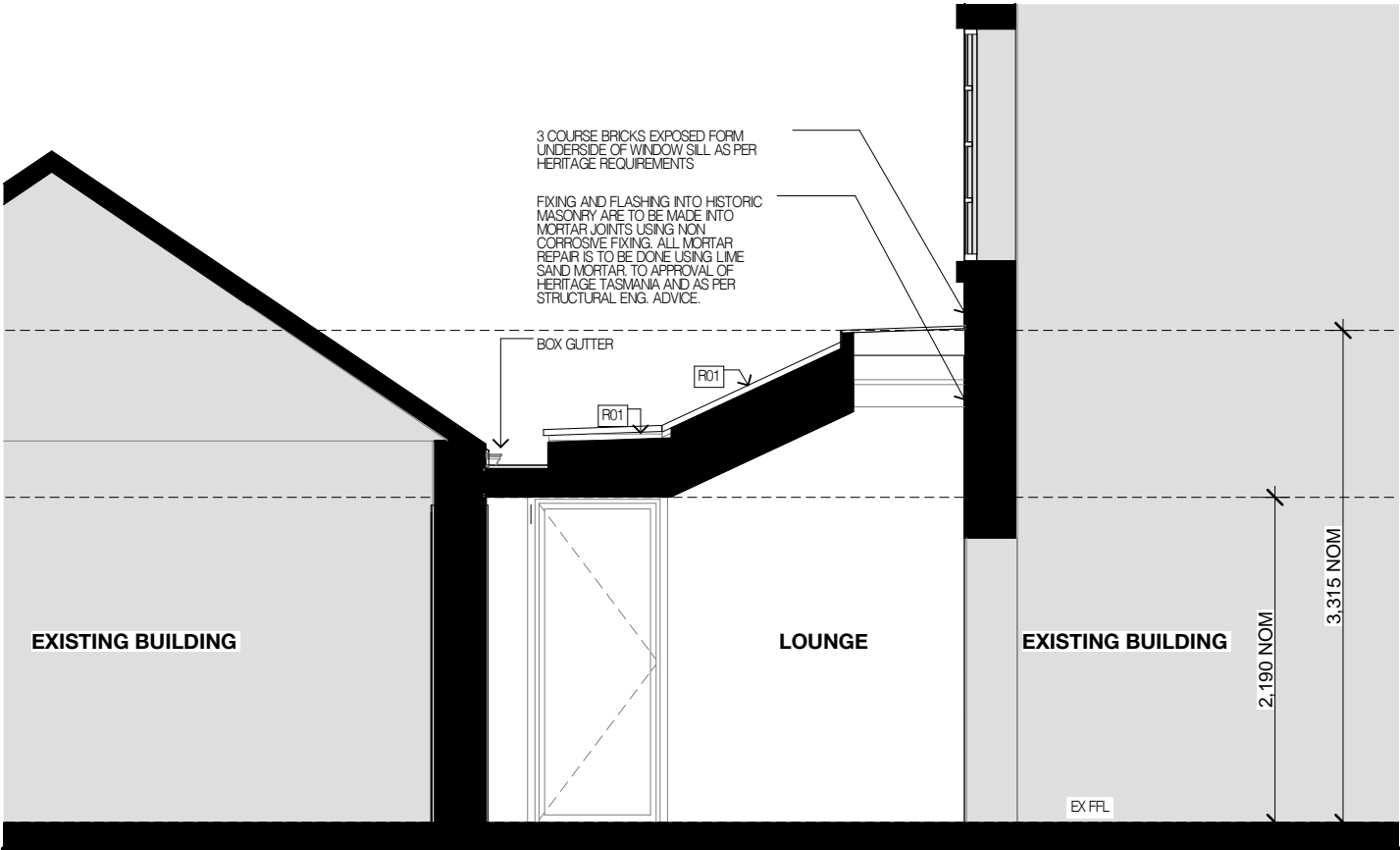
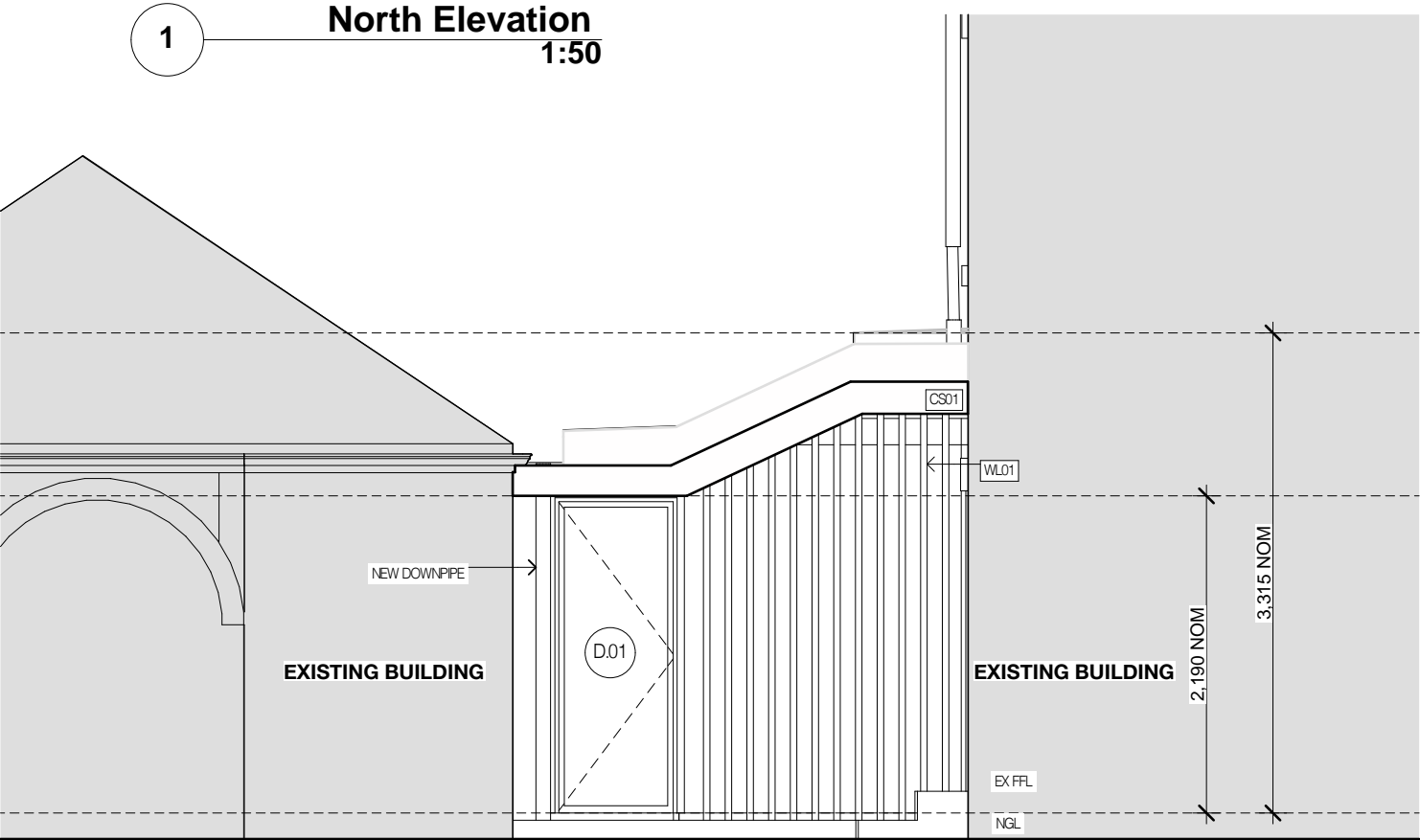
client
Stuart & Sara Whatling
 9 Gunning St
 Richmond
 Tasmania, 3121
 project
Gunning St Stable

drawing title
Proposed Plans
 (plan)
 print date
 31/08/2018
 drawing n°
T17357-da04
 original size
 A3
 issue
 A



MATERIAL LEGEND	
FF01-	CONCRETE TILES
WL01-	90x45 VERTICAL TIMBER BATTENS SPECIES AND EXACT PROFILE TO BE ADVISED
R01-	LYSAGHT CUSTOM ORB ROOF SHEETING COLORBOND MONUMENT®
CS01-	CEMENT SHEET FASCIA COLORBOND MONUMENT IN COLOUR

HERITAGE CONDITION
REFER TO SECTION 01 FOR NEW CONNECTION NOTES TO EXISTING BRICKWORK



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reason of issue
Development Application

client
Stuart & Sara Whatling
9 Gunning St
Richmond
Tasmania, 3121
project
Gunning St Stable

drawing title
North + South Elevation + Section 01
print date
31/08/2018
drawing n°
T17357-da05
original size
A3
issue
A

Tasmanian Heritage Council
GPO Box 618 Hobart Tasmania 7000
103 Macquarie St, Hobart Tasmania 7000
Tel: 1300 850 332
enquiries@heritage.tas.gov.au
www.heritage.tas.gov.au

PLANNING REF: N/A
EXEMPTION NO: 2169
REGISTERED PLACE NO: 1116
FILE NO: 07-66-41 THC
APPLICANT: Stuart Whatling
DATE: 10 September 2018

CERTIFICATE OF EXEMPTION

(Historic Cultural Heritage Act 1995)

The Place: Former Sawyers Arms, 9 Gunning Street, Richmond

Thank you for your application for a Certificate of Exemption for works to the above place. Your application has been approved by the Heritage Council under section 42(3)(a) of the *Historic Cultural Heritage Act 1995* for the following works:

Works: Demolition and rebuilding of a modern addition linking the historic inn and kitchen.

Documents: Drawing nos. da01 - da05 (all rev. A) prepared by Cumulus Studio.

Comments: The proposed works are consistent with sections 6.2 and 9.5 of the Tasmanian Heritage Council's Works Guidelines and are eligible for a certificate of exemption.

A copy of this certificate will be forwarded to the local planning authority for their information. Please note, this certificate of exemption is an approval under the *Historic Cultural Heritage Act 1995* only. This certificate is not an approval under any other Act. Further approvals such as planning, building or plumbing may be required. For information regarding these or any other approval, contact your local Council.

Information on the types of work that may be eligible for a certificate of exemption is available in the Tasmanian Heritage Council's *Works Guidelines for Historic Heritage Places* (Nov. 2015). The Works Guidelines can be downloaded from www.heritage.tas.gov.au

Please contact the undersigned on 6165 3708 or 1300 850 332 if you require further information.



Russell Dobie

Regional Heritage Advisor – Heritage Tasmania

Under delegation of the Tasmanian Heritage Council

9 Gunning Street, RICHMOND



Site viewed from Gunning Street, looking west



Site of proposal viewed from adjacent dwelling, looking north



Site of proposal viewed from adjacent dwelling, looking south

11.3.5 DEVELOPMENT APPLICATION D-2018/528 - 9 RIVER STREET, BELLERIVE - 2 MULTIPLE DWELLINGS (1 EXISTING + 1 NEW)
(File No D-2018/528)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 2 Multiple Dwellings (1 existing + 1 new) at 9 River Street, Bellerive.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on the 26 October 2018.

CONSULTATION

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

- visual impact;
- overshadowing; and
- dwelling density.

RECOMMENDATION:

A. That the Development Application for 2 Multiple Dwellings (1 existing + 1 new) at 9 River Street, Bellerive (CI Ref D-2018/528) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLANS [inclusion of fixed obscure glazing extending to a height of at least 1.7m above the floor level of the west facing kitchen and dining room windows associated with the additional dwelling].
 3. ENG A2 – CROSSOVER CHANGE.
 4. ENG A5 – SEALED CAR PARKING.
 5. ENG S1 – INFRASTRUCTURE REPAIR.
 6. ENG M1 – DESIGNS DA [ACCESS, CARPARK AND DRIVEWAYS, SERVICE UPGRADES OR RELOCATIONS].
 7. The development must meet all required Conditions of Approval specified by TasWater notice dated TWDA 2018/01468-CCC (12 October 2018).
- 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 Solutions under the Scheme relating to building envelope, private open space and privacy.

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10 – General Residential Zone;
- Section E6.0 – Parking and Access Code; and
- Section E7.0 – Stormwater Management 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 subject site is described in Certificate of Title 219052/7 and contains a land area of 716m². The site is located on the eastern side of River Street and to the south of the intersection with Dossiter Street. The site has a gentle south facing slope and is developed with a single storey brick veneer dwelling and garage to the rear. The site is located within an established residential area within Bellerive.

3.2. The Proposal

Application is made to construct an additional dwelling to the rear of the existing dwelling. The additional dwelling would consist of a 2 storey contemporary design setback 3.275m from the rear boundary and 1.825m setback from the northern side property boundary. The ground floor of the additional dwelling would occupy a floor area of 90.6m² and would contain 2 bedrooms, bathroom, laundry and double car garage. The proposed upper floor would occupy a floor area of 98.2m² and would contain a master bedroom, study, bathroom and open plan living room.

The additional dwelling would be clad with a combination of rendered brick, cement sheeting and vertical board timber and would have a low pitched skillion roof profile with a maximum height of 6.47m above natural ground level.

A 6.3m long by 3m wide upper level deck is proposed to extend from the southern elevation of the additional dwelling.

The existing garage is proposed to be demolished in order to make way for the proposed dwelling.

Access is proposed via a shared driveway extending alongside the southern side property boundary. Two car parking spaces located between the existing dwelling and the street for the existing dwelling and 2 car garage is to be incorporated into the additional dwelling. A visitor park would be provided on the west of the additional dwelling.

Waste storage areas are proposed for each dwelling in an area to the rear of the dwelling and for the exclusive use of each dwelling.

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, Parking and Access Code and Stormwater Management Code with the exception of the following.

General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A3	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 0.6 m horizontally beyond the building envelope, must:	Does not comply – the eastern (rear) elevation of the additional dwelling would be setback 3.275m setback from the rear property boundary.

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

Performance Criteria	Comment
<p><i>“P3 – The siting of a dwelling must:</i> <i>(a) not cause any unreasonable loss of amenity by:</i></p>	<p>see below assessment</p>
<p><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></p>	<p>Shadow diagrams have been submitted with the application demonstrating that the proposed additional dwelling would not cause a reduction in sunlight to the habitable room windows of the adjoining property to the east at 1 Dossiter Street.</p> <p>In terms of the adjoining dwelling to the south at 7 River Street, a review of the house plans shows the presence of a kitchen window on the northern elevation of the dwelling. No habitable room windows are located on the eastern elevation.</p> <p>The shadow diagrams submitted with the application, along with Council’s internal assessment, indicates that the additional dwelling will overshadow the kitchen window of the dwelling to the south from 9am to 9.30am on 21 June. The kitchen window currently receives full sun from 9am-12pm and 2pm-3pm on 21 June, which amounts to 4 hours of full sun. The overshadowing impact caused by the additional dwelling would reduce direct sunlight to this window to 3.5 hours on 21 June, which amounts to a 12.5% reduction. The half hour sunlight loss is considered reasonable.</p> <p>Based on the above assessment, it is considered that the additional dwelling would not cause any unreasonable reduction in sunlight to a habitable room window of a dwelling on an adjoining lot.</p>

<p>(ii) <i>overshadowing the private open space of a dwelling on an adjoining lot; or</i></p>	<p>The shadow diagrams submitted with the application demonstrate that the proposed dwelling would cause late afternoon (ie 2pm onwards) sunlight loss to the southern half of the backyard attributed to the adjoining dwelling to the east at 1 Dossiter Street. The approved deck and private open space located within the immediate curtilage of the dwelling would not be subject to sunlight loss as a result of the additional dwelling.</p> <p>Turning to the adjoining dwelling located to the south at 7 River Street, the private open space to the rear of the existing dwelling at 7 River Street currently receives full sun to at least 75% of the private open space from 9.30am to 2.30pm on 21 June.</p> <p>The proposed additional dwelling will cause a significant loss of sunlight to the private open space of the adjoining dwelling at 7 River Street in that a 50% reduction in sunlight would result. Currently, an average of 68% of the private open space receives sunlight between the hours of 9am to 3pm. The overshadowing impact arising from the proposed development would reduce average solar access between these hours to 34%.</p> <p>Given the expansive nature of the private open space, it is considered of more relevance to take into account the overshadowing impact upon the areas of the site that would be valued during the winter months. This area is generally confined immediately to the rear of the dwelling which contains a paved area, outdoor furniture, landscaping and a clothes line. This area currently receives full sun between 9am – 12pm on the Winter Solstice before shading caused by the existing dwellings located at 7 and 9 River Street starts to marginally encroach on this space.</p>
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	<p>The shadowing impact arising from the development would result in sunlight loss between 9am-10.30am. The shadow then retracts and moves to the east resulting in full sun to the majority of this space from 10.30am to 2pm. Given in excess of 3 hours of sun would be achieved to this space during the middle of the day the overshadowing impact would not be unreasonable.</p> <p>It is further noted that no representations were received from 7 River Street.</p>
(iii) <i>overshadowing of an adjoining vacant lot; or</i>	Not relevant – the subject site does not adjoin a vacant property.
(iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i>	<p>Dwellings within River Street are exclusively single storey buildings with built form being single storey and relatively consistent in terms of the use of traditional roof forms and building materials. In contrast, Dossiter Street displays a steeper topography which results in the prevailing dwelling form being 2 storey buildings. Dwelling design is also varied in terms of roof forms and building materials. The result is an evident absence of consistency in built form. The adjoining dwelling to the east of the site at 1 Dossiter Street forms a 2 storey building.</p> <p>It is considered that the accommodation of a 2 storey building within the rear of 9 Dossiter Street will provide a transition in building height between the 2 streets. Further, the additional dwelling maintains a low height profile (6.47m above natural ground level) and includes a flat roof design with visual articulation provided through the use of various external materials, finishes, windows and door openings.</p>

	<p>In terms of expected visual impact when viewed from the adjoining property to the east at 1 Dossiter Street, the eastern elevation of the additional dwelling would have a relatively short wall length (6.9m) and would maintain a comparable setback from the rear boundary as the adjoining dwelling to the north at 11 River Street. The 11m separation provided between the 2 buildings together with the siting and proportions of the additional dwelling will allow for view lines to be retained above and around the proposed dwelling. The proposed fenestration and use of different building materials is considered to further reduce the developments visual impact.</p> <p>The adjoining dwelling to the south at 7 River Street is offset to the south-west of the additional dwelling with a 15m separation provided between the 2 dwellings. This adjoining dwelling has been designed to take advantage of the westerly and southerly outlook which is in the opposite direction to the proposed dwelling. The adjoining dwelling has few windows facing the subject site with the view from these windows limited by a large shed contained within the backyard. This shed will also limit views to the proposed development from the main private open space area associated with the adjoining property. It is therefore considered that the separation and relative position of the dwelling and shed on the adjoining property will ensure no unreasonable visual impact when viewed from the west.</p> <p>For the above reasons, the proposal is considered to be consistent with Clause (a)(iv) in that it would provide reasonable consistency in the apparent scale, bulk, massing and proportions of dwellings within the street.</p>
--	--

<p>(b) <i>provide separation between dwellings on an adjoining lot that is compatible with that prevailing in the surrounding area”.</i></p>	<p>The Performance Criteria requires dwelling separation from an adjoining lot to be compatible with the setback prevailing within a 100m radius.</p> <p>The surrounding area has a mixture of separation between dwellings, ranging from single dwellings with generous separation to the Multiple Dwelling developments at 126 Clarence Street, 2 and 6 Dossiter Street which provide for non-compliant rear setbacks (ie reduced setbacks). The section of River Street (bound by Clarence Street to the south and Dossiter Street displays limited uniformity in terms of lot sizes, shapes and orientation and from this follows even less uniformity in the siting of dwellings. This is due to the relatively short length of the street and that the properties at the northern and southern ends obtain frontage and access onto Dossiter Street and Clarence Street.</p> <p>The proposed additional dwelling would retain an average side setback of 1.825m from the northern side property boundary and an above average setback from the southern side property boundary being 6.96m. The proposed rear setback of 3.27m is comparable to the rear separation on other single and multiple dwelling developments in the street.</p>
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General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.3 A2	Private open space	<p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least: (i) 24m²; or (ii) 12m², if the dwelling is a Multiple Dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of: (i) 4m; or (ii) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p>	<p>complies</p> <p>Does not comply - the private open space allocated to the additional dwelling would have a minimum dimension of 3.275m therefore does not comply with Clause (b).</p> <p>Does not comply – the private open space for the additional dwelling would be located to the east (rear) of the dwelling and would be accessible from the ground floor laundry.</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	complies
		(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and	complies
		(f) has a gradient not steeper than 1 in 10; and	complies
		(g) is not used for vehicle access or parking.	complies

The proposed variation must be considered pursuant to the Performance Criteria (P2) of the Clause 10.4.3 as follows.

Performance Criteria	Proposal
<p><i>“P2 - A dwelling must have private open space that:</i></p> <p><i>(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></p>	see below assessment

<p>(i) <i>conveniently located in relation to a living area of the dwelling; and</i></p>	<p>The ground level private open space would be located to the east of the dwelling and would be directly accessible from the ground level laundry. The ground level open space is considered to be of an appropriate location and proportions to facilitate a range of outdoor activities such as relaxation, children's play and gardening. In consideration of the type of recreation likely to be facilitated by the ground level outdoor space, access via the laundry is considered reasonable.</p> <p>The private open space would be supplemented with an upper level south facing deck. The deck would have an area of 19.8m² with a minimum horizontal dimension of 3m. The deck would be directly accessible from the living room and would be of appropriate proportions to facilitate outdoor dining and entertaining that is otherwise not as conducive within the ground level private open space.</p>
<p>(ii) <i>oriented to take advantage of sunlight</i>".</p>	<p>Due to the southerly orientation of the upper level deck, it would not be capable of receiving sunlight during the winter months. The shadow diagrams submitted with the application demonstrate that in excess of 50% of the designated ground level private open space would receive sunlight between 10am and 3pm on 21 June. It is therefore considered that the location and dimensions and orientation of the ground level private open space will facilitate reasonable solar access.</p>

General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.6 A2	Privacy	<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> <p>(i) is to have a setback of at least m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4m from a rear boundary; and</p> <p>(iii) if the dwelling is a multiple dwelling, is to be at least 6m from a window or glazed door, to a habitable room, of another dwelling on the same site; and</p> <p>(iv) if the dwelling is a multiple dwelling, is to be at least 6m from the private open space of another dwelling on the same site.</p> <p>(b) The window or glazed door:</p> <p>(i) is to be offset, 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</p>	<p>Does not comply – the proposal includes a kitchen and 2 living room windows with elevated floor levels on the western elevation of the additional dwelling that would have windows less than 6m from the private open space of the existing dwelling located on the same site. A 3.2m separation is proposed.</p> <p>complies</p>

		<p>(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</p> <p>(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 proposed variation must be considered pursuant to the Performance Criteria (P2) of the Clause 10.4.6 as follows.

Performance Criteria	Proposal
<i>“P2 - 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:</i>	see assessment below
<i>(a) window or glazed door, to a habitable room of another dwelling; and</i>	not applicable
<i>(b) the private open space of another dwelling; and</i>	<p>It is considered that the elevated position of the kitchen and living room windows, orientation directly towards the private open space allocated to the existing dwelling on the same site and lack of physical separation will result in the potential for direct overlooking of the private open space allocated to the existing dwelling.</p> <p>Given this area forms the only private open space allocated to the existing dwelling, it is necessary to ensure the additional dwelling does not cause an unreasonable loss of privacy.</p>

	<p>Whilst 2 of the windows are of a narrow design, the location of the kitchen bench and dining table would mean it would be possible for people to be seated near to these windows for extended periods thereby counteracting the effectiveness of the narrow design.</p> <p>This issue has been discussed with the applicant who has agreed to include a condition requiring the west facing upper level windows to be screened with fixed obscure glazing extending to a height of at least 1.7m above the floor area of these windows.</p>
<i>(c) an adjoining vacant residential lot”.</i>	Not applicable – the subject site does not adjoin a vacant residential lot.

General Residential Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.6 A3	Privacy	<p>A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:</p> <p>(a) 2.5m; or</p> <p>(b) 1m if:</p> <p>(i) it is separated by a screen of at least 1.7m in height; or the window, or glazed door, to a habitable room has a sill height of at least 1.7m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7m above the floor level.</p>	Does not comply – the existing dwelling contains 2 south facing bedroom windows with a zero setback from the shared driveway.

The proposed variation must be considered pursuant to the Performance Criteria (P3) of the Clause 10.4.6 as follows.

Performance Criteria	Proposal
<i>“P3 - A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling”.</i>	<p>The proposed shared driveway would be located directly adjacent to the existing dwelling due to inadequate width between the dwelling and the side boundary fence to maintain the required 1m offset.</p> <p>Despite the proximity of the shared driveway to the two bedroom windows, the windows would each maintain a sill height in excess of 2.3 – 2.5m above the shared driveway. The windows would be elevated above the shared driveway and would be located perpendicular to the driveway ensuring the amenity of the room is not compromised by vehicle light intrusion and noise associated with the use of the shared driveway. On this basis it is considered that the performance criterion is satisfied.</p>

5. REPRESENTATION ISSUES

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

5.1. Visual Impact

The representor has raised concern that the additional dwelling would be visually obtrusive when viewed from the proposed dwelling additions located to the east at 1 Dossiter Street, Bellerive. No further detail has been provided in terms of how the proposal will cause an unreasonable visual impact (ie visual bulk, appearance or scale).

- **Comment**

Firstly, the dwelling addition referred to above has received the required Council approvals, however, works are yet to commence. The representor has indicated works are to progress in the near future.

The proposed development relies upon a variation to the rear boundary setback which, as discussed in relation to Clause 10.4.2 (P3) above, is considered to satisfy the related performance criteria.

5.2. Overshadowing

Concern is raised that the development will result in a loss of sunlight to the rear deck and west facing living room windows associated with a recently approved extension to the adjoining dwelling to the east at 1 Dossiter Street, Bellerive.

- **Comment**

The rear elevation of the proposed additional dwelling seeks a variation to the building envelope standard at Clause 10.4.2 A3 of the General Residential Zone. Shadow diagrams taking into account the location of the approved extension to 1 Dossiter Street have been submitted with the application. The shadow diagrams demonstrate that the proposed additional dwelling would cause no loss of sunlight to the existing dwelling or approved additions and deck located on 1 Dossiter Street. The proposal would therefore comply with Clause 10.4.2 P3(a)(i) and (iii) of the Scheme.

5.3. Dwelling Density

Concern has been raised that the proposal would be inconsistent with the established pattern and character of development within the area. No specific detail has been provided in terms of how the proposal would result in an inconsistent development character (ie density, height, visual appearance).

- **Comment**

In terms of density, Clause 10.4.1 A1 of the General Residential Zone provides that multiple dwellings must have a site area per dwelling of not less than 325m². The proposed site area of 358m² per dwelling is greater than the minimum allowed by this standard. Accordingly, this issue cannot have any determining weight.

In terms of height and visual appearance, the Scheme allows the maximum height of buildings in the zone to be 8.5m from natural ground level. The maximum height of the additional dwelling is 6.47m which is well under the maximum height allowed by the Scheme. Development surrounding the subject site comprises a combination of Single Dwelling and Multiple Dwelling developments of varying heights, roof forms and materials. Given the evident lack of consistency in building heights and form, the proposal is therefore consistent with the character of development within the area.

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 2016-2026 or any other relevant Council Policy.

9. CONCLUSION

The proposal seeks approval for 2 Multiple Dwellings (1 existing + 1 new) at 9 River Street, Bellerive. The application satisfies all relevant Acceptable Solutions and Performance Criteria of the Scheme and is accordingly recommended for conditional approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (9)
3. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

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

ATTACHMENT 1

LOCATION PLAN

9 RIVER STREET, BELLERIVE



SUBJECT SITE:
- 9 River Street, Bellerive



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, 9 October 2018 **Scale:** 1:779.2 @A4

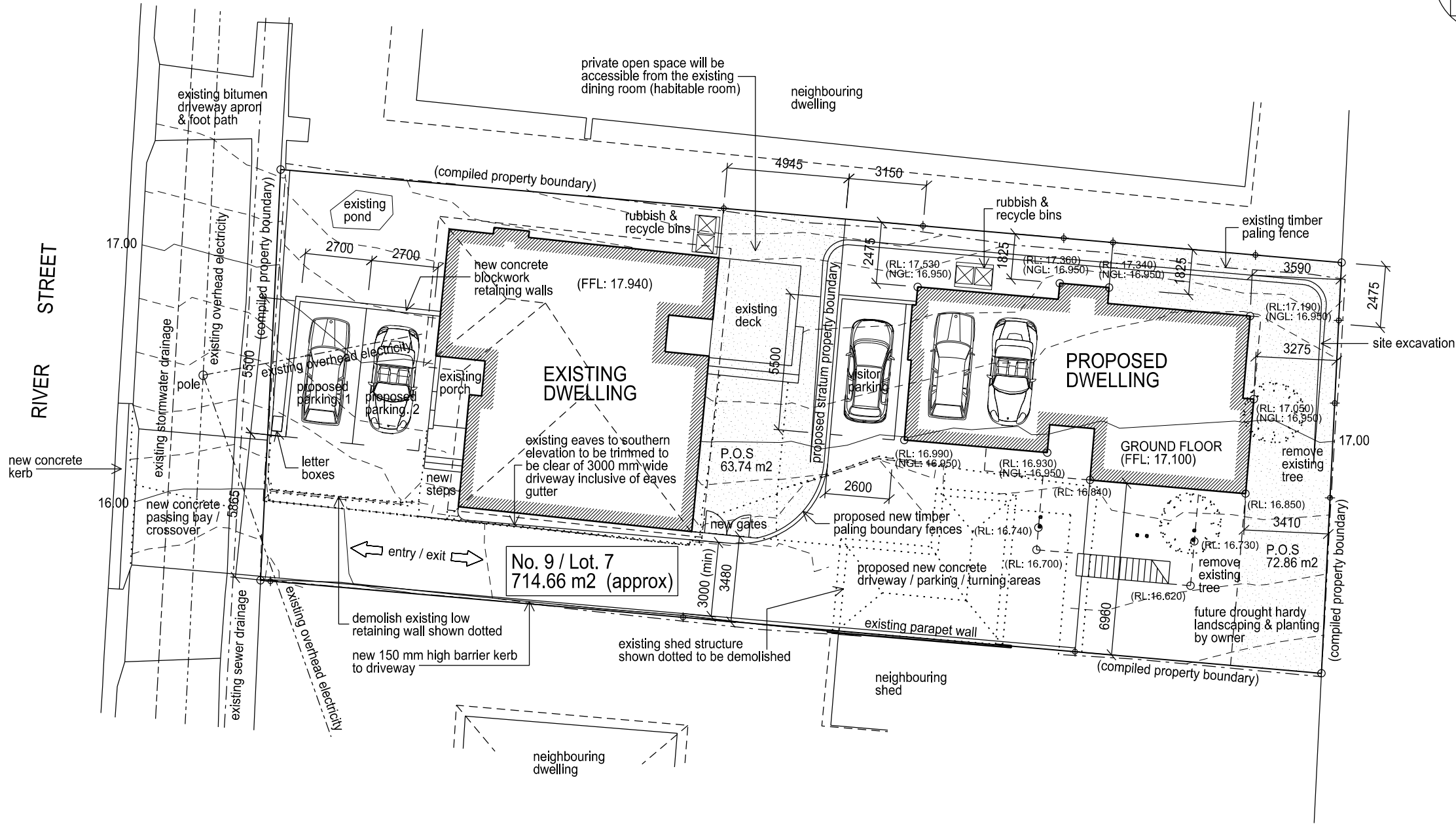
SITE COVERAGE:

Existing Dwelling: 112.71 m2
Proposed Dwelling: 98.20 m2
TOTAL: 210.91 m2
Land: 714.66 m2

SITE COVERAGE = 29.51 %

ENGINEERING NOTE:

Refer to development approval plans prepared by Aldanmark Engineers for driveway, access, parking & drainage details.



SITE PLAN
scale 1:200

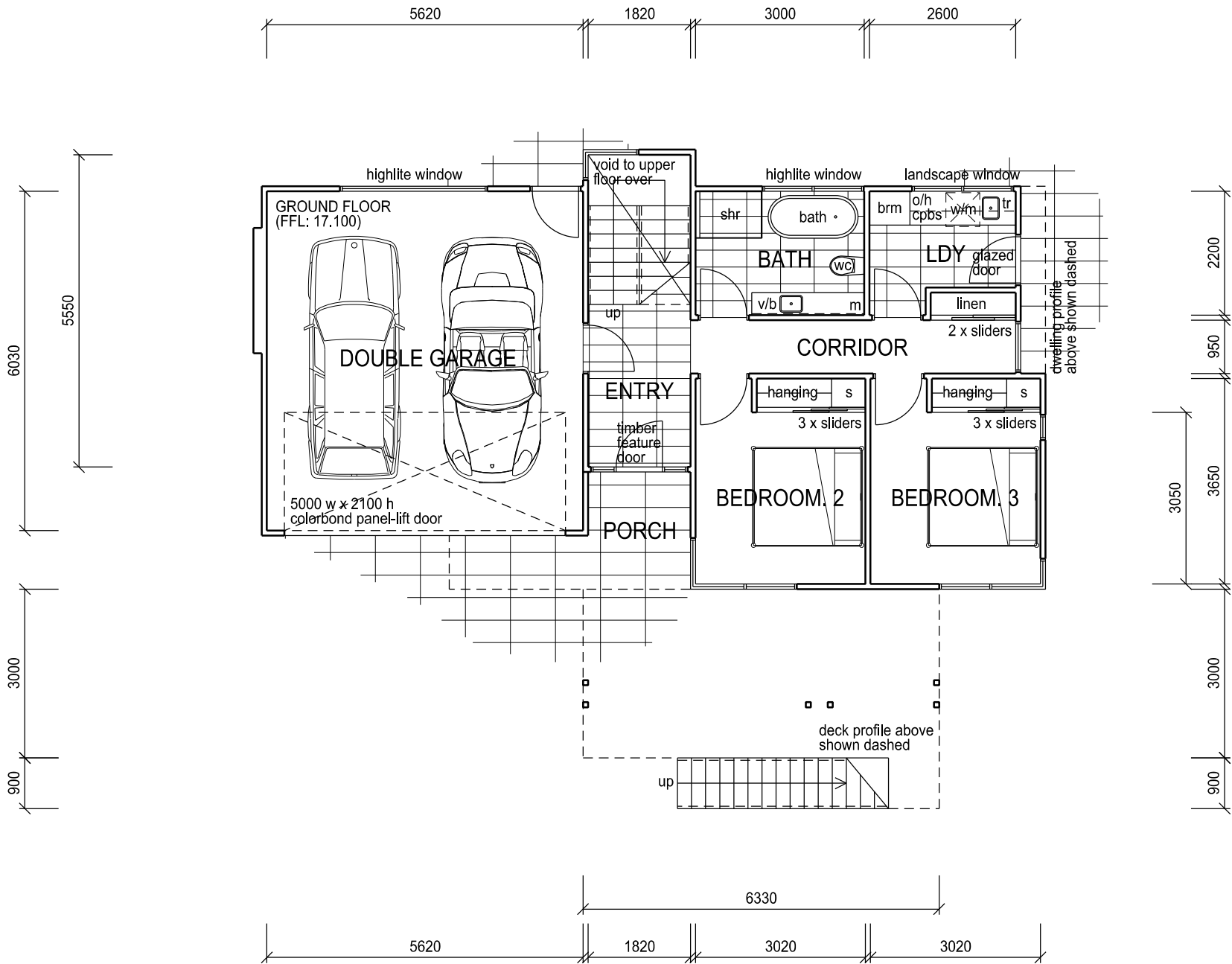
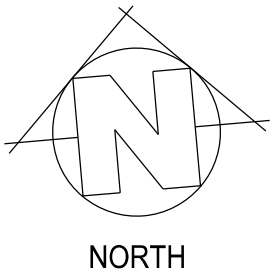
PLANNING APPLICATION SET

John Weston
Architectural Design
210 Elizabeth Street
Hobart 7000 Tasmania
p: 0427 040 343
e: johnwestonarchitecturaldesign@gmail.com

DRAWING: Site Plan		
CLIENT: Matthew Wade	DRAWN: JW	DRAWING NUMBER: A01 A
PROJECT ADDRESS: 9 River Street, Bellerive Tasmania	DATE: Aug 2018	

PROPOSED FLOOR AREAS:	
Ground Floor (measured from external face of external walls) -	54.71 m2
Upper Floor (measured from external face of external walls) -	98.20 m2
Garage (measured from external face of external walls) -	35.89 m2
Deck -	19.80 m2
TOTAL (Ground Floor & Upper Floor) -	152.91 m2 (16.45 squares)

NOTE:
Structural framed walls shown. No cladding or internal lining dimensioned.



GROUND FLOOR PLAN
scale 1:100

PLANNING APPLICATION SET

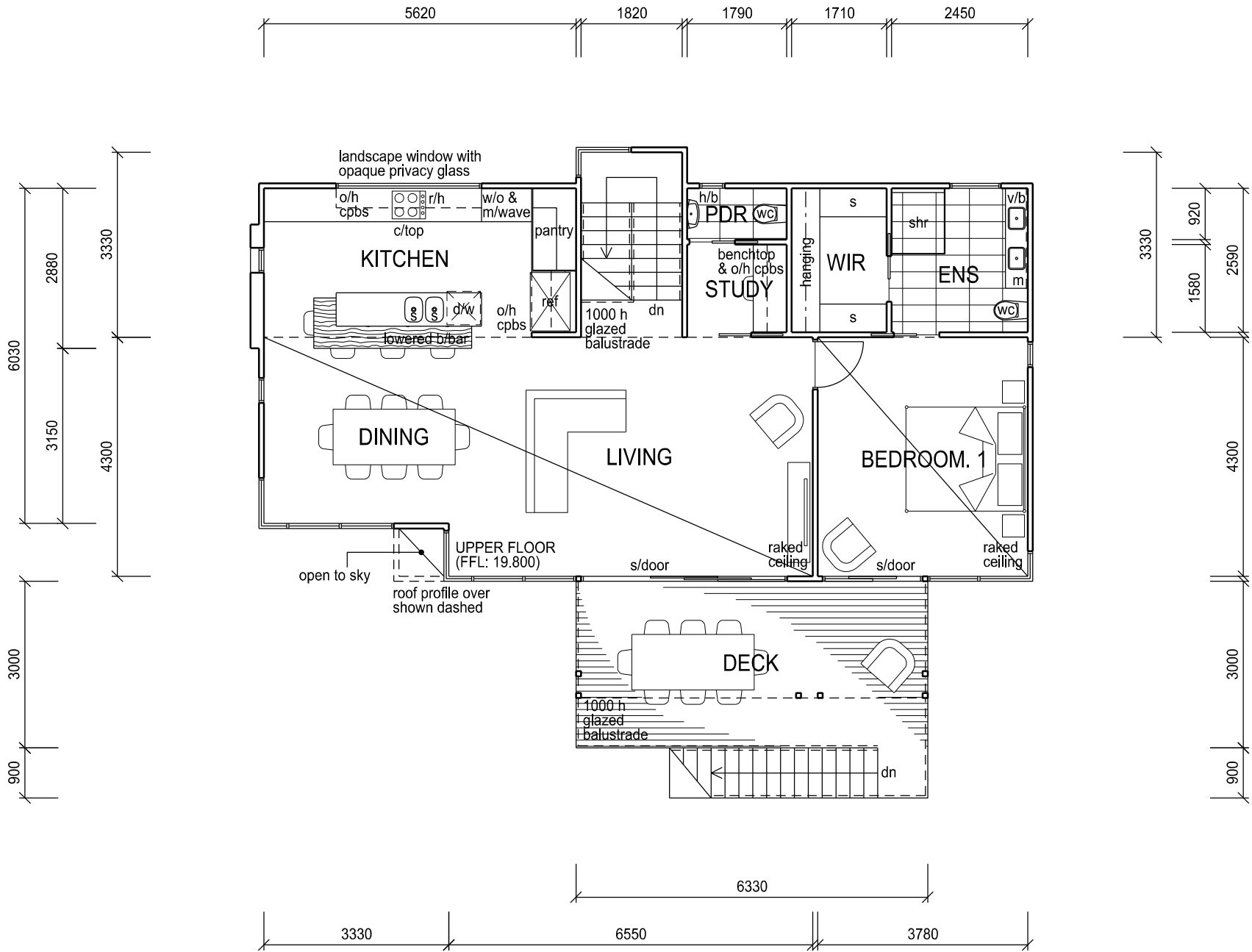
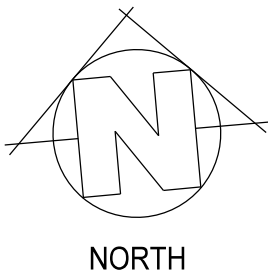
John Weston
Architectural Design
 210 Elizabeth Street
 Hobart 7000 Tasmania
 P: 0427 040 343
 E: johnwestonarchitecturaldesign@gmail.com

DRAWING: Ground Floor Plan		
CLIENT: Matthew Wade	DRAWN: JW	DRAWING NUMBER: A02 A
PROJECT ADDRESS: 9 River Street, Bellerive Tasmania	DATE: Aug 2018	

PROPOSED FLOOR AREAS:	
Ground Floor (measured from external face of external walls) -	54.71 m2
Upper Floor (measured from external face of external walls) -	98.20 m2
Garage (measured from external face of external walls) -	35.89 m2
Deck -	19.80 m2
TOTAL (Ground Floor & Upper Floor) -	152.91 m2 (16.45 squares)

NOTE:

Structural framed walls shown. No cladding or internal lining dimensioned.



UPPER FLOOR PLAN
scale 1:100

PLANNING APPLICATION SET

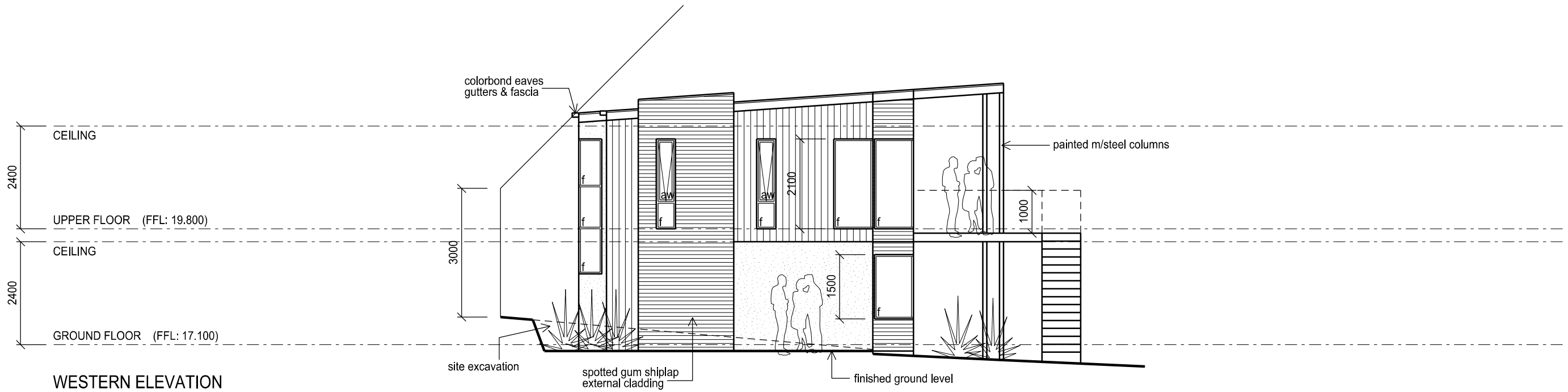
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 210 Elizabeth Street
 Hobart 7000 Tasmania
 P: 0427 040 343
 E: johnwestonarchitecturaldesign@gmail.com

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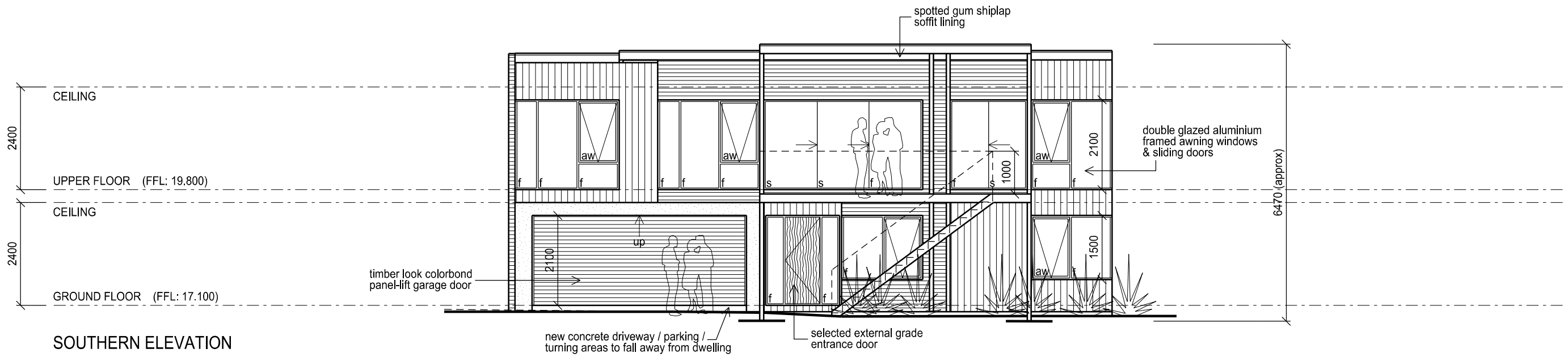
DRAWING: Upper Floor Plan		
CLIENT: Matthew Wade	DRAWN: JW	DRAWING NUMBER: A03 A
PROJECT ADDRESS: 9 River Street, Bellerive Tasmania	DATE: Aug 2018	

www.jwadesign.com.au

CC 4971 U



WESTERN ELEVATION



SOUTHERN ELEVATION

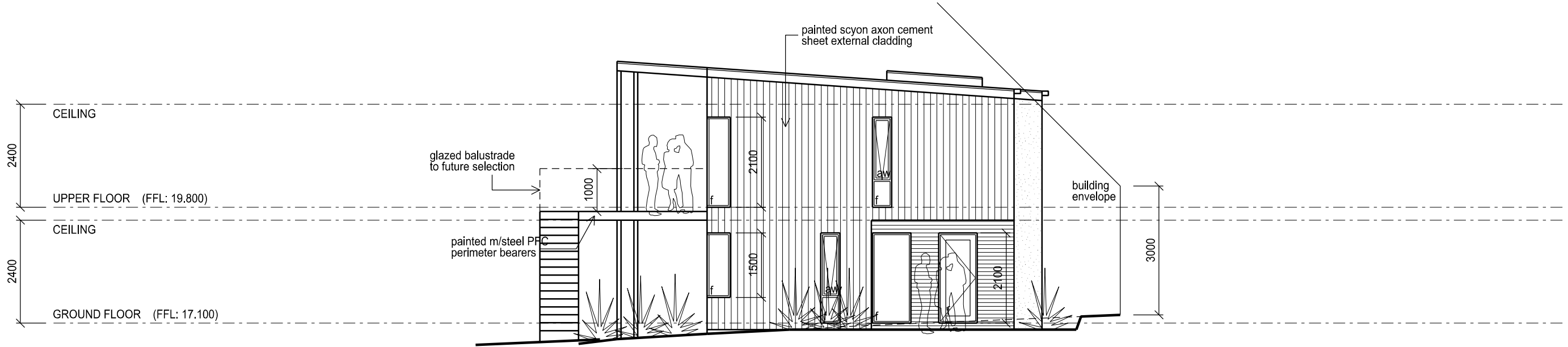
EXTERNAL ELEVATIONS. 1
scale 1:100

PLANNING APPLICATION SET

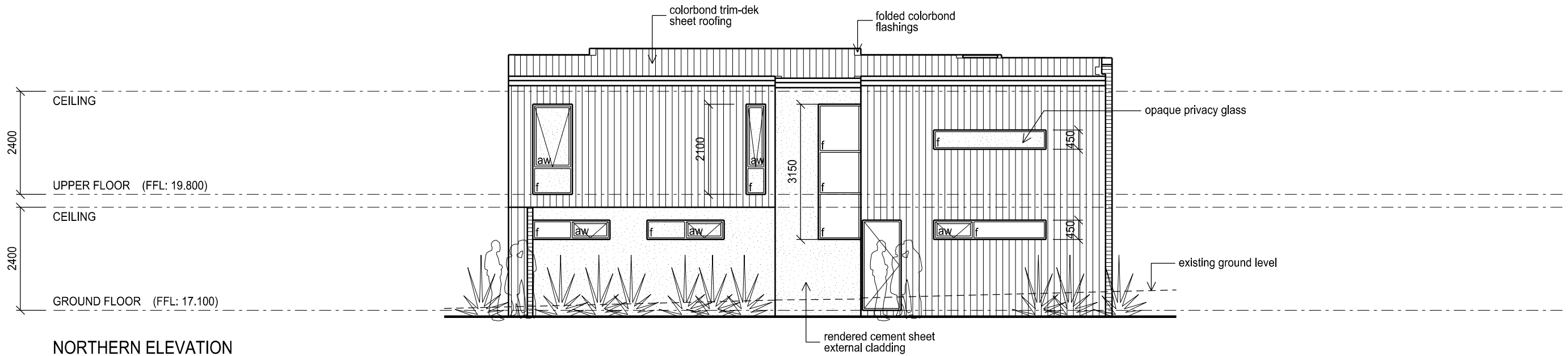
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Architectural Design
210 Elizabeth Street
Hobart 7000 Tasmania
P: 0427 040 343
E: johnwestonarchitecturaldesign@gmail.com

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DRAWING:		
External Elevations. 1		
CLIENT:	DRAWN:	DRAWING NUMBER:
Matthew Wade	JW	A04 A
PROJECT ADDRESS:	DATE:	
9 River Street, Bellerive Tasmania	Aug 2018	



EASTERN ELEVATION



NORTHERN ELEVATION

EXTERNAL ELEVATIONS. 2

scale 1:100

PLANNING APPLICATION SET

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 E: johnwestonarchitecturaldesign@gmail.com

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DRAWING: External Elevations. 2		
CLIENT: Matthew Wade	DRAWN: JW	DRAWING NUMBER: A05 _A
PROJECT ADDRESS: 9 River Street, Bellerive Tasmania	DATE: Aug 2018	

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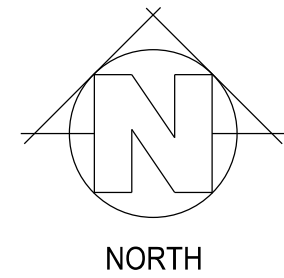
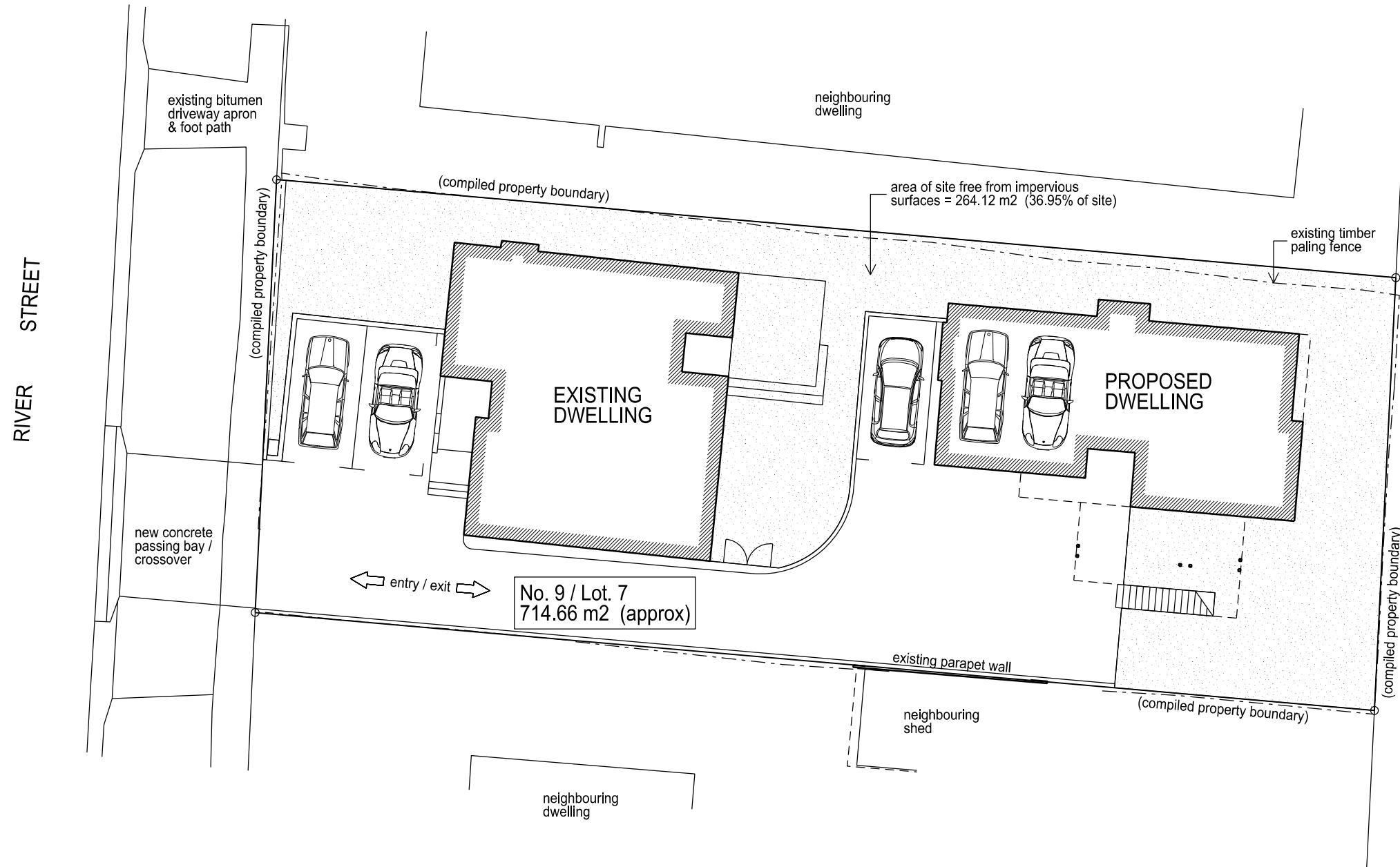
CC 4971 U

SITE COVERAGE:

Existing Dwelling: 112.71 m2
 Proposed Dwelling: 98.20 m2
 TOTAL: 210.91 m2
 Land: 714.66 m2
 SITE COVERAGE = 29.51 %

ENGINEERING NOTE:

Refer to development approval plans prepared by Aldanmark Engineers for driveway, access, parking & drainage details.



IMPERVIOUS SURFACES PLAN
 scale 1:200

John Weston
Architectural Design
 210 Elizabeth Street
 Hobart 7000 Tasmania
 p: 0427 040 343
 e: johnwestonarchitecturaldesign@gmail.com

DRAWING: Impervious Surfaces Plan		
CLIENT: Matthew Wade	DRAWN: JW	DRAWING NUMBER: A06 A
PROJECT ADDRESS: 9 River Street, Bellerive Tasmania	DATE: Aug 2018	

PLANNING APPLICATION SET

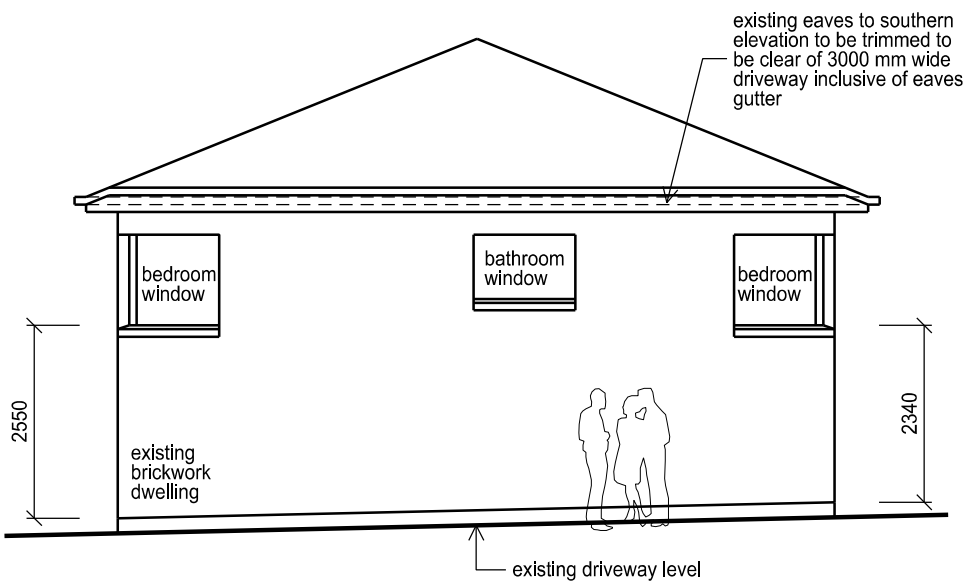
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EXISTING DWELLING FLOOR PLAN



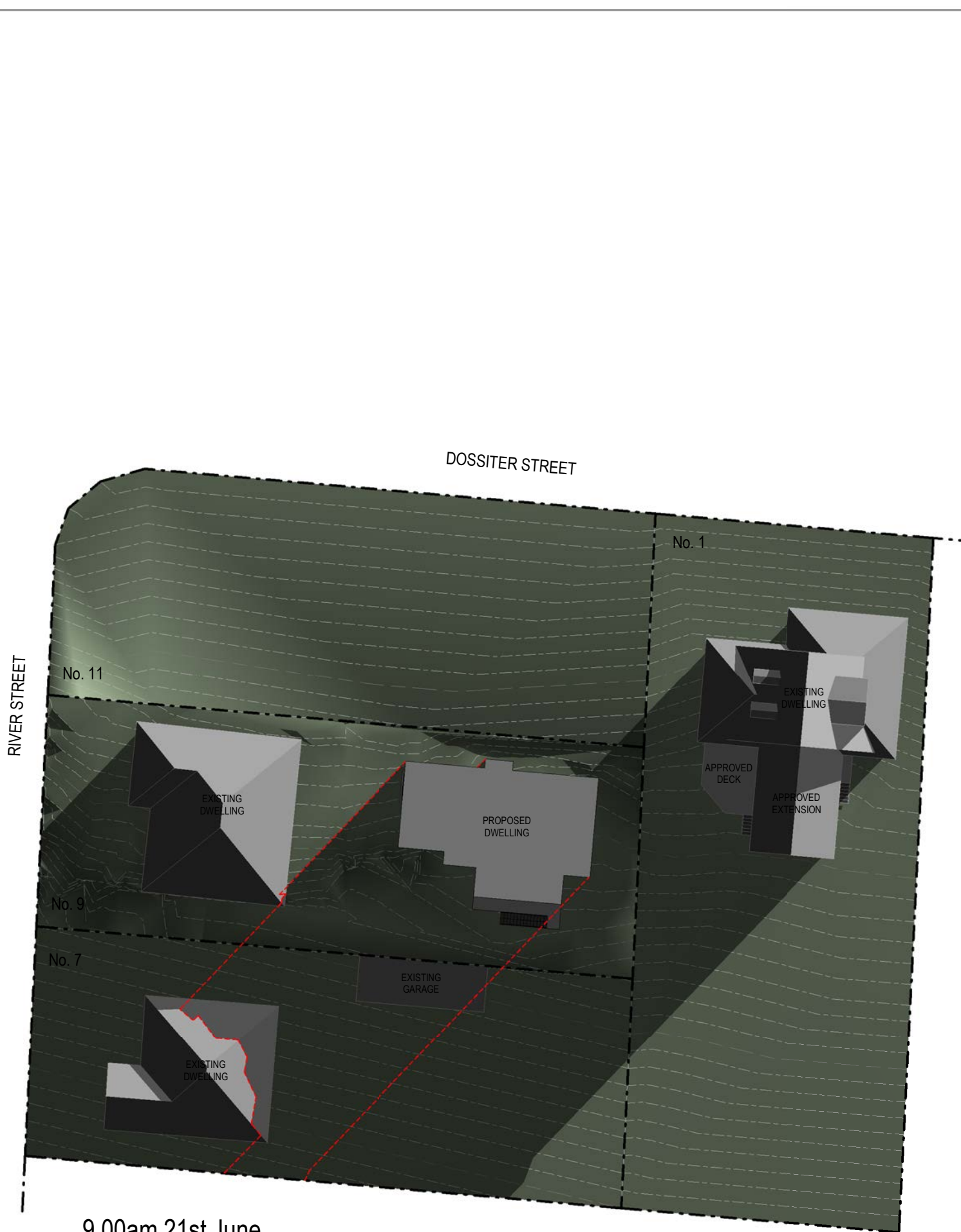
SOUTHERN EXTERNAL ELEVATION
scale 1:100

PLANNING APPLICATION SET

John Weston
Architectural Design
 210 Elizabeth Street
 Hobart 7000 Tasmania
 P: 0427 040 343
 E: johnwestonarchitecturaldesign@gmail.com

DRAWING: Existing Dwelling Floor Plan & Southern External Elevation		
CLIENT: Matthew Wade	DRAWN: JW	DRAWING NUMBER: A07 A
PROJECT ADDRESS: 9 River Street, Bellerive Tasmania	DATE: Aug 2018	

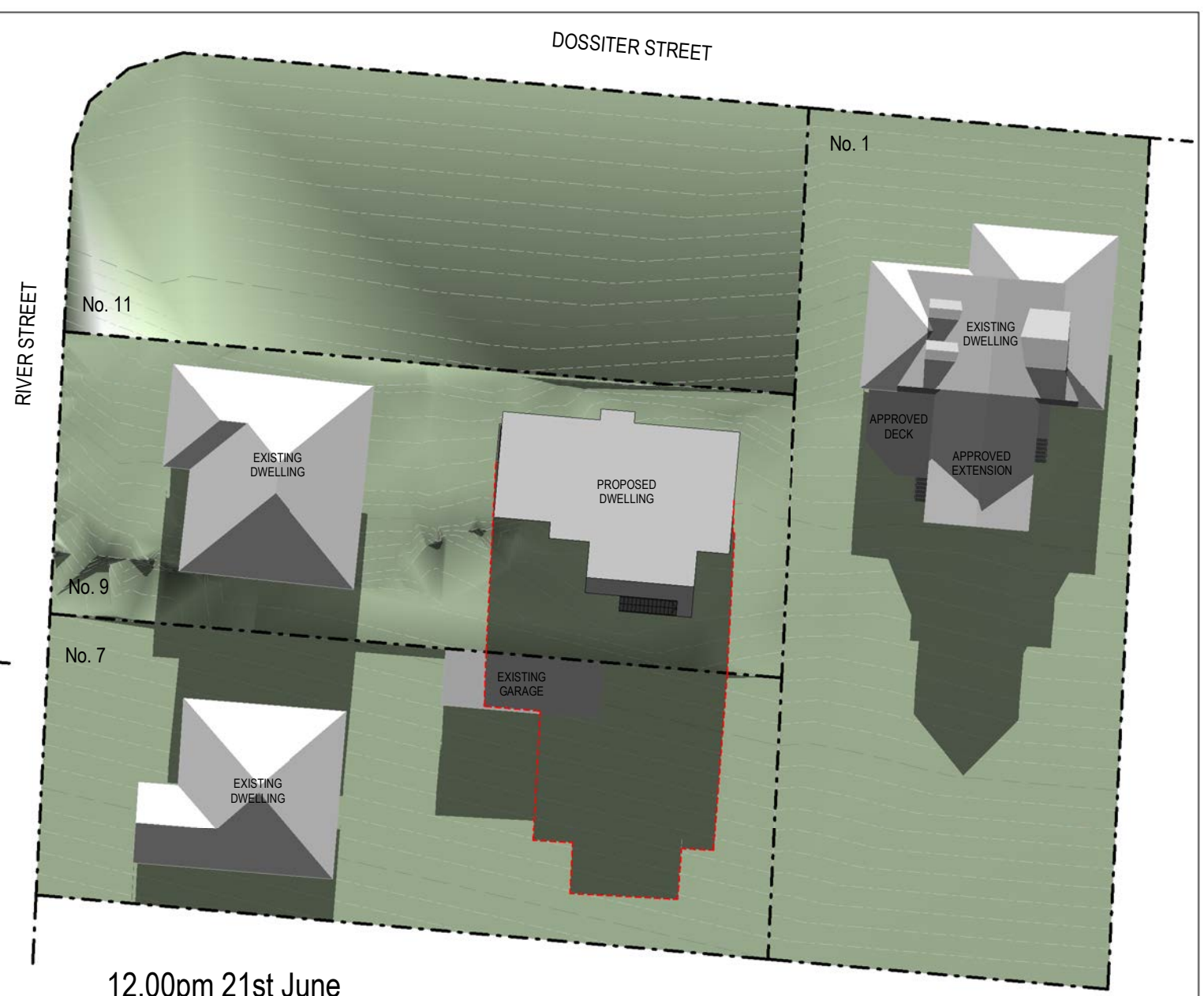
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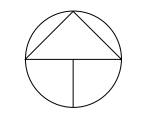
9.00am 21st June

PLANNING APPLICATION

----- RED DASHED LINE DENOTES EXTENT OF
SHADOW CAST FROM PROPOSED DWELLING



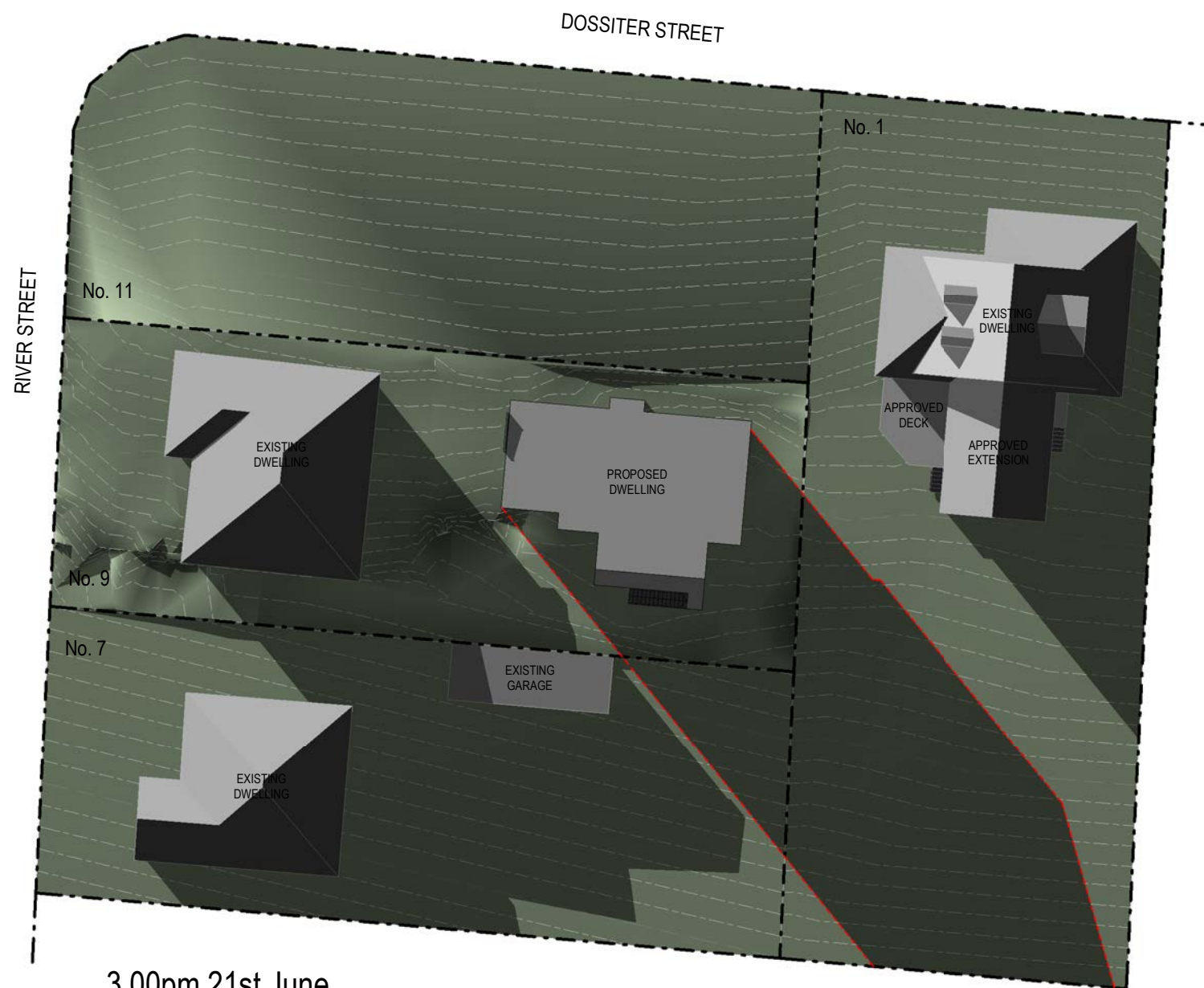
12.00pm 21st June



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John Weston
Architectural Design
 Level 2, 121 Macquarie Street
 Hobart 7000 Tasmania
 p: 0427 040 343
 e: johnwestonarchitecturaldesign@gmail.com

DRAWING: SHADOW STUDY - WINTER SOLSTICE - SHEET 1			
CLIENT:	MATTHEW WADE	DRAWN:	TH
PROJECT ADDRESS:	9 RIVER STREET, BELLERIVE, TAS	DATE:	9-10-18
			DRAWING NUMBER: SD5

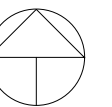


3.00pm 21st June

PLANNING APPLICATION

----- RED DASHED LINE DENOTES EXTENT OF
SHADOW CAST FROM PROPOSED DWELLING

John Weston
Architectural Design
 Level 2, 121 Macquarie Street
 Hobart 7000 Tasmania
 P: 0427 040 343
 E: johnwestonarchitecturaldesign@gmail.com



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DRAWING: SHADOW STUDY - WINTER SOLSTICE - SHEET 2			
CLIENT:	MATTHEW WADE	DRAWN:	TH
PROJECT ADDRESS:	9 RIVER STREET, BELLERIVE, TAS	DATE:	9-10-18
			DRAWING NUMBER: SD6

9 River Street, Bellerive



Photo 1: The site when viewed from River Street.

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT

Nil Items.

11.6 FINANCIAL MANAGEMENT

The General Manager will table the Audit Report and Financial Statements for the year ended 30 June 2018.

11.7 GOVERNANCE

Nil Items.

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 ANNUAL REVIEW – GENERAL MANAGER

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:

- information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;
- 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”.