

COUNCIL MEETING
MONDAY 24 August 2015

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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**2. CONFIRMATION OF MINUTES**

(File No 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 3 August 2015, as circulated, be taken as read and confirmed.

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

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

PURPOSE	DATE
Derwent Street Parking Review	
Arm End Briefing	
Bayfield Streetscape	
Draft Scope of Feasibility Study (voluntary amalgamations)	10 August
Deputation – Golf Course Arm End	
Tree Policy	
Bellerive Fort	
All Abilities Play Space	17 August

RECOMMENDATION:

That Council notes the workshops conducted.

5. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE (File No)

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

6. TABLING OF PETITIONS

(File No 10/03/12)

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

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

The General Manager will table the following 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.

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

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

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

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION – ALD MCFARLANE
RAISING THE NATIONAL ABORIGINAL FLAG**
(File No 10-03-05)

In accordance with Notice given Ald McFarlane intends to move the following Motion

“That Council approve the raising of the National Aboriginal Flag every day along with the Australian Flag and others as necessary”.

EXPLANATORY NOTES

Currently, Council has 4 flag poles, 3 of these are being used for the:

1. National Australian Flag;
2. The Tasmanian Flag; and
3. The Council Flag.

Other Councils, Schools, Government businesses and Australian Companies, raise the Aboriginal Flag daily as a matter of normal daily routines.

There is room for this to be done as on most days 1 pole remains unused.

Council should fly the Aboriginal Flag as a matter of normal routine.

P K McFarlane
ALDERMAN

GENERAL MANAGER’S COMMENTS

A matter for Council determination.

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**

Representative: Ald Doug Chipman, Mayor or nominee

Quarterly Reports

June Quarterly Report pending.

Representative Reporting

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

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

Quarterly Reports

March and June Quarterly Reports pending.

Representative Reporting

- **SOUTHERN WASTE STRATEGY AUTHORITY**

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

Quarterly Reports

June Quarterly Report pending

Representative Reporting

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

11. REPORTS OF OFFICERS

11.1 WEEKLY BRIEFING REPORTS

(File No 10/02/02)

The Weekly Briefing Reports of 3, 10 and 17 August 2015 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 3, 10 and 17 August 2015 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 DEVELOPMENT APPLICATION D-2014/368 - 24 BLESSINGTON STREET,
SOUTH ARM - GARAGE**
(File No D-2014/368)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a garage at 24 Blessington Street, South Arm.

RELATION TO PLANNING PROVISIONS

The land is zoned Village under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development due to a requested variation to the side and front boundary setback requirements of the Scheme.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 26 August 2015 with the written agreement of the applicant.

CONSULTATION

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

- streetscape;
- road safety; and
- loss of views and impact on residential amenity.

RECOMMENDATION:

A. That the Development Application for Garage at 24 Blessington Street, South Arm (CI Ref D-2014/368) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP3 – AMENDED PLAN [garage with a minimum setback of 4.5m from the front boundary and a minimum 2m from the eastern side boundary].
3. ADVICE – Should the development impact the existing waste water disposal area, the area is to be made good to the satisfaction of Council's Senior Environmental Health Officer.

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-2014/368 - 24 BLESSINGTON STREET,
SOUTH ARM – GARAGE /contd...**

ASSOCIATED REPORT**1. BACKGROUND**

No relevant background.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Village under the Scheme.

2.2. The proposal is a Discretionary development, due to proposed variations to the boundary setback requirements of the Scheme.

2.3. The relevant parts of the Planning Scheme are:

- Section 2 – Planning Policy Framework;
- Section 3 – General Provisions; and
- Section 6 – Rural Residential Zone.

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

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

The lot has an area of 653m² and currently contains an existing dwelling. The site has a slope of 10% sloping down towards Blessington Street.

The area surrounding the subject site to the north, south and west is similarly zoned Village and overlooks South Arm Beach/Half Moon Bay.

3.2. The Proposal

The proposal is for a new garage measuring 8m in length and 6m in width (48m²). The garage would be constructed over an existing parking area and accessed via the existing driveway.

The new building works would be setback 2.5m from the frontage boundary and a minimum of 2m from the eastern side boundary and would be located well clear of all other boundaries. The building would have a height of 3.5m at its highest point above natural ground level.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

The relevant elements of the Planning Policy Framework are contained in Section 2.2.3(a)(ii) – Residential Land Use. In particular, the Key Objectives include the following.

- “• *To provide for a wide range of housing types to meet the changing housing needs of the community.*
- *To promote residential consolidation around activity centres and transport nodes to maximise accessibility to services and facilities, and the efficient use of infrastructure.*
- *To improve the quality of the City’s residential environments”.*

Reference to these principles is contained in the discussion below.

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

- “(a) *General requirements:*
 - (v) *The Specific Decision Requirements of the Zone, Overlay or Specific Provision.*
 - (vii) *Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.*
- (b) *Amenity requirements:*
 - (i) *The character of the locality, the existing and future amenities of the neighbourhood.*

- (d) *Design suitability requirements:*
- (ii) *The position and scale of buildings in relation to boundaries or to other buildings, their density, character, height and harmony in design of facades.*
 - (iv) *The existing character of the site and the buildings and vegetation it contains”.*

Reference to these principles is contained in the discussion below.

4.3. Zone

Table 1: Assessment against the Zone use and Development Standards (Variation to a Permitted Standard requires Exercise of Discretion)

	Required	Provided	Compliance
Setbacks			
Front	4.5m	2.5m	does not comply
Rear	2.5m	28m	complies
Side (E)	2.5m	2m	does not comply
Side (W)	2.5m	11m	complies
Height	7.5m	3.5m	complies
Site coverage	maximum of 195.9m ²	180m ²	complies

As detailed in the above table, the proposal fails to comply with the boundary setback requirements for the front boundary and the eastern side boundary. Clause 6.4.3(h)(iii) of the Scheme states that a variation to the setback requirements may be granted where the existing lot is less than 1000m².

It is considered that the proposed 2.5m front setback variation does not meet the following Specific Decision Requirement as the proposed building does not align with other dwellings within the street:

- “(i) Dwellings are the preferred dominant built form in a residential streetscape. The placement and massing of any residential outbuilding should respect this”.*

The placement of the building significantly further forward than the buildings on adjoining lots would act to disrupt the existing alignment of buildings in Blessington Street, therefore having an unreasonable impact on the streetscape.

This concern has been raised with the applicant who has advised that they are prepared to construct the building with a 4.5m front setback, which would meet the Scheme requirement. The proposed 2m setback from the eastern side boundary would still apply.

4.4. Clarence Interim Planning Scheme 2015

It is noted that an amended proposal with a 4.5m front setback and 2m setback from the eastern side boundary would cause the current proposal to be a permitted development under the Clarence Interim Planning Scheme 2015 (CIPS) as the proposal would meet the relevant development standards. These setback standards are now the accepted standards for the Village Zone and are intended to ensure that the amenity of adjoining properties, in terms of privacy, overshadowing and visual impact, are not unreasonably impacted. The applicant's agreement to modify the proposal is positive, as it would ensure that the impact on adjoining properties and streetscape is minimised. A suitable condition requiring an amended plan showing a 4.5m front setback is recommended.

4.5. External Referrals

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

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. Streetscape

The representor is concerned that the building would have an unreasonable impact on the streetscape.

- **Comment**

The applicant has advised that they are prepared to modify the proposed development to meet the front setback requirement of the Scheme, which is designed to ensure that streetscape values are not unreasonably impacted. The applicant would be supportive of the application being approved on this basis.

5.2. Road Safety

The representor is concerned that the placement of the building would result in a loss of sight distance from the driveway of number 22 Blessington Street.

- **Comment**

Council's Development Engineer has advised that the proposed building (even with a setback of 2.5m) would not result in the sight distance for the driveway of number 22 Blessington Street to be reduced below the minimum sight distance requirement for domestic accesses.

5.3. Loss of Views and Impact on Residential Amenity

The representor is concerned that the garage would have an unreasonable impact on the amenity of 22 Blessington Street, in particular causing a loss of view.

- **Comment**

As discussed above, the amended proposal would comply with the requirements of the CIPS, which is now the accepted standard for development in the Village Zone. Notwithstanding this, the proposed side setback variation would satisfy the relevant specific decision requirements of the Clarence Planning Scheme 2007, under which side boundary setback variations are assessed.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

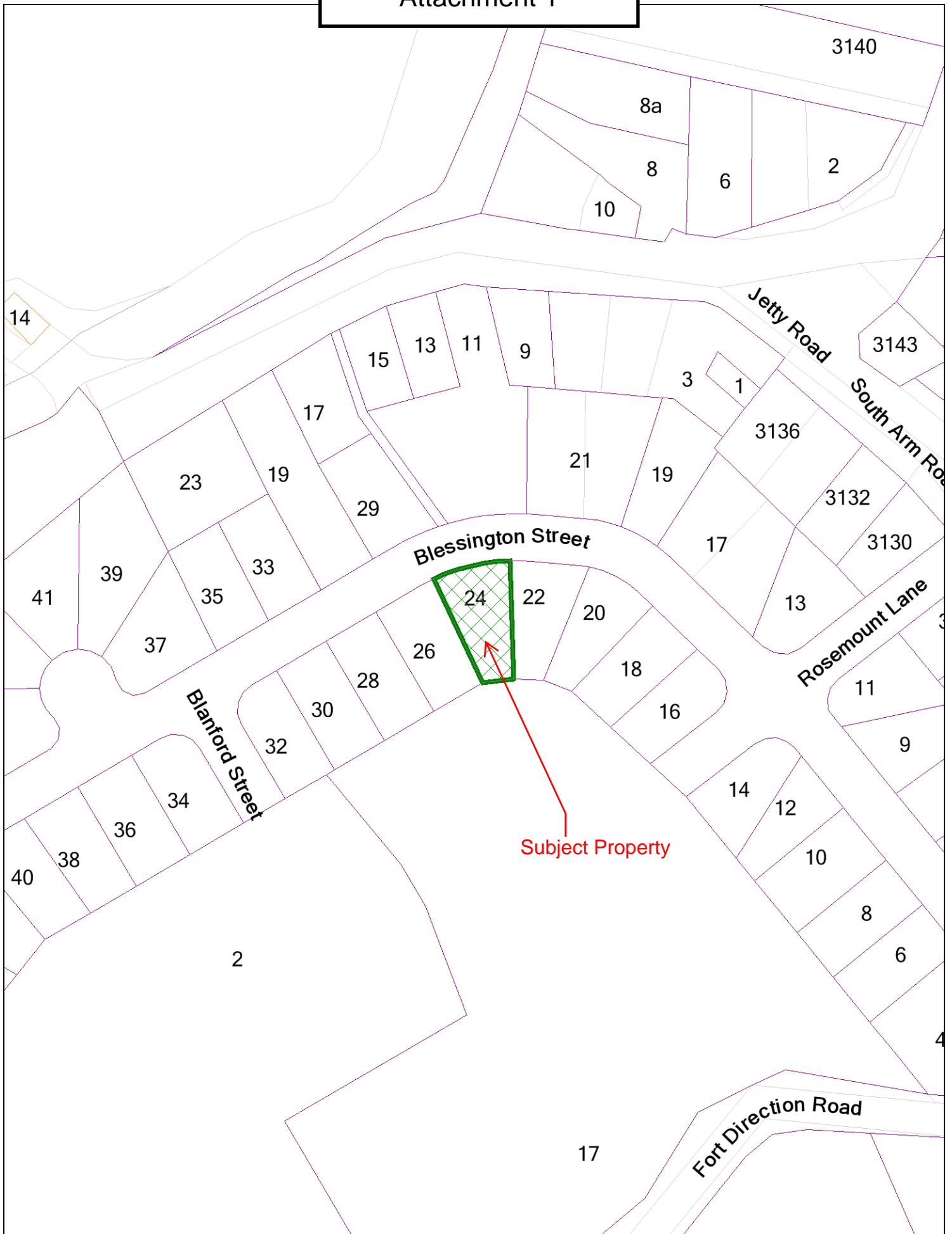
8. CONCLUSION

The proposal seeks approval for a garage at 24 Blessington Street, South Arm. Although the proposal requires a variation to the front and side boundary setback requirements of the Scheme, the applicant has agreed to modify the proposal to meet the permitted development requirements of the CIPS. This would ensure that the impact of the proposal on adjoining properties and streetscape is minimised and demonstrates that the proposal is acceptable. On this basis the proposal is recommended for approval subject to a condition requiring a 4.5m front boundary setback.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1



Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Monday, 17 August 2015 **Scale:** 1:1,526 @A4

Attachment 2

DRAWING SCHEDULE

DA01A SITE PLAN
DA02A PART SITE/PROPOSED PLAN
DA03 PROPOSED ELEVATIONS
DA04A SITE ANALYSIS PLAN

PLANNING SUMMARY

LOT No.39 LOT AREA 652.55m²

EXISTING RESIDENCE GROSS FLOOR AREA = 136.2m²
(INCLUDING UPPER LEVEL DECK)

PROPOSED GARAGE GROSS FLOOR AREA = 48.0m²

TOTAL PROPOSED SITE COVER = 28.22%

ZONE: VILLAGE ZONE

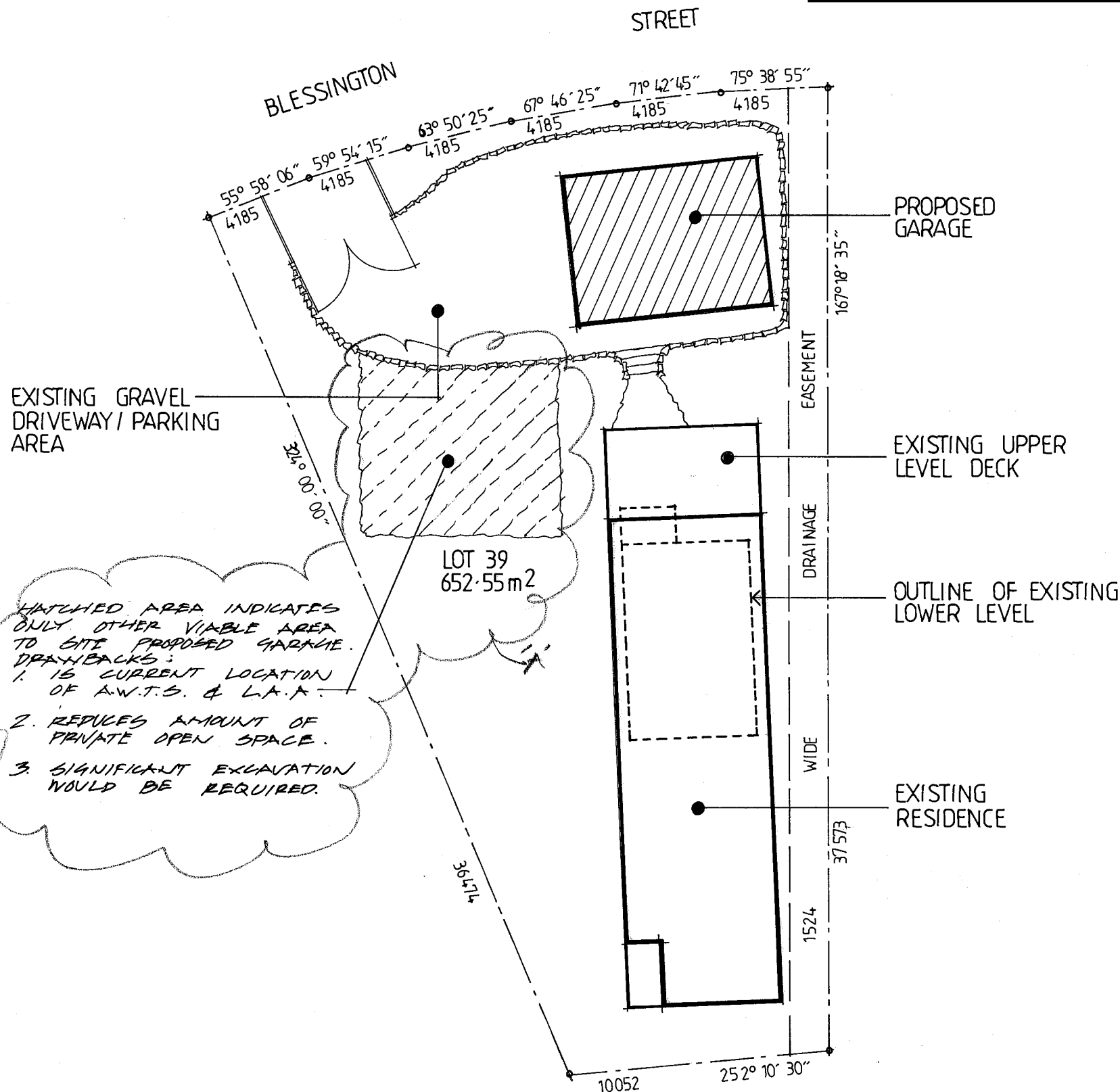
JUSTIFICATION OF PROPOSED BOUNDARY SETBACK VARIATIONS:

1. EXISTING SITE CONSTRAINTS I.E. SHAPE OF BLOCK, LIMITED AREA FOR ALTERNATE SITING OF PROPOSED GARAGE.
 2. SITING OF PROPOSED GARAGE DOES NOT UNDULY AFFECT NEIGHBOURING ADJACENT PROPERTIES, BY WAY OF OVERSHADOWING & BLOCKING OF SUNLIGHT OR VIEW, DUE TO THE FACT BOTH AFFECTED PROPERTIES - No. 22 & No. 26 - ARE WELL SET BACK FROM BLESSINGTON ST, AND THEIR FLOOR LEVELS ARE WELL ABOVE PROPOSED GARAGE LEVEL.
 3. SITING OF PROPOSED GARAGE DOES NOT AFFECT LINE OF SIGHT OF VEHICLES TRAVELLING ON BLESSINGTON STREET.
4. REFER TO SITE ANALYSIS PLAN FOR EXTENT OF OVERSHADOWING OF ADJACENT PROPERTIES.

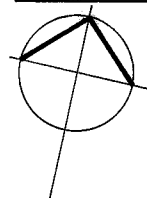
A	ADDITIONAL INFORMATION ADDED - AS PER C.C.C. R.F.I. LETTER	26.6.15
No.	REVISION	DATE

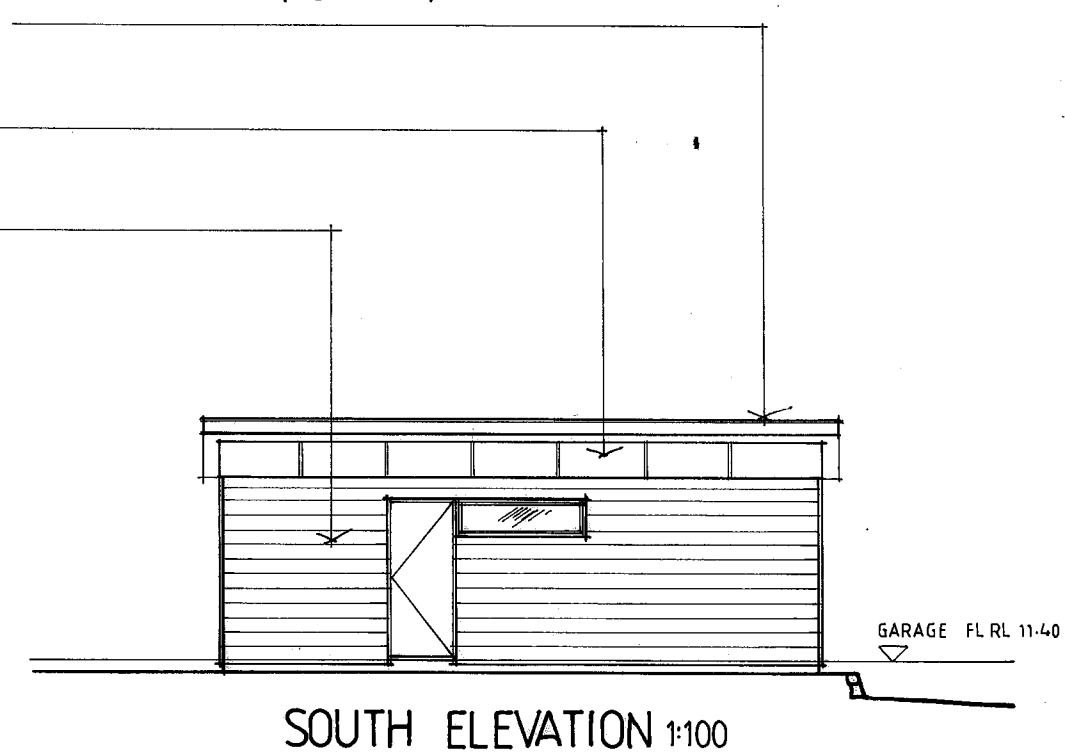
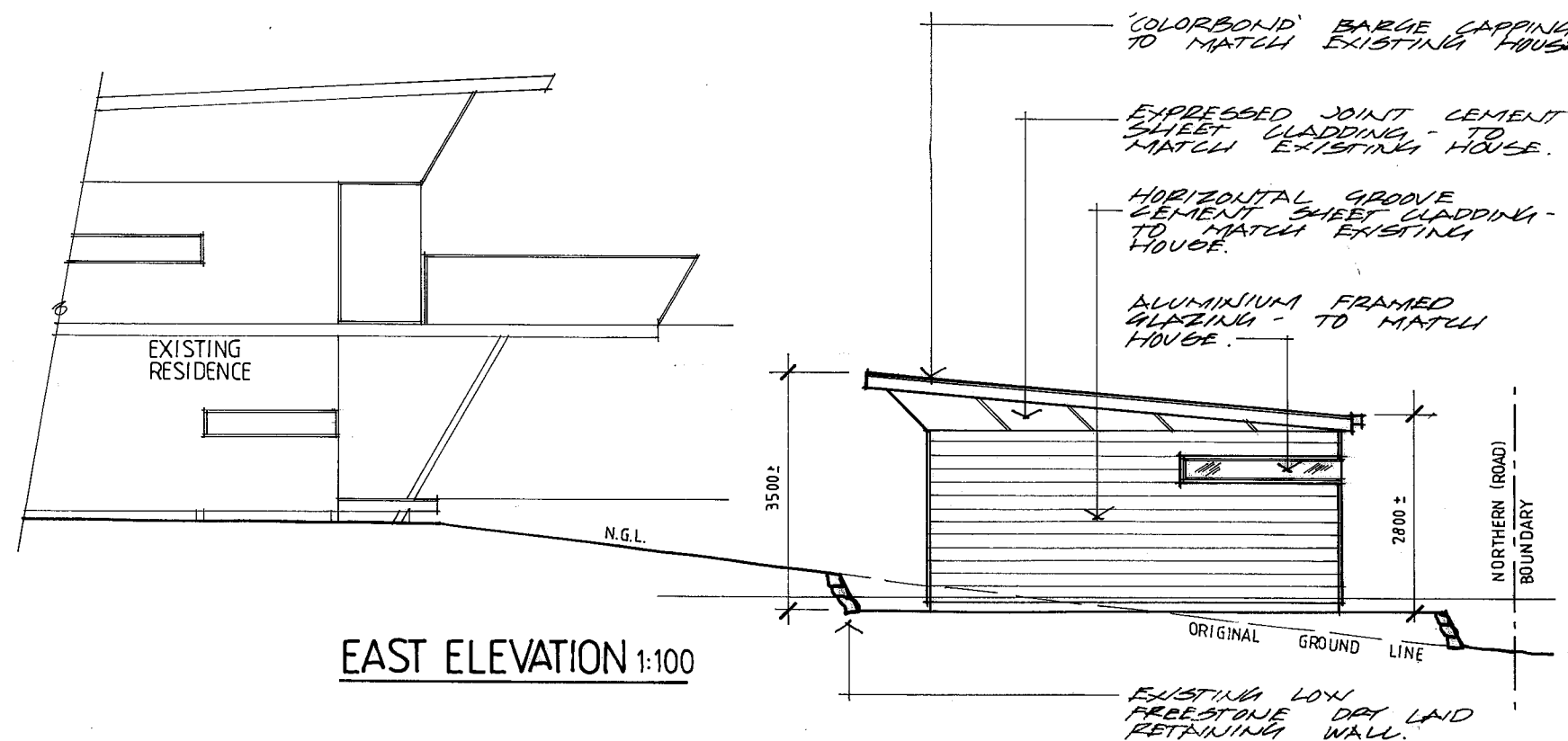
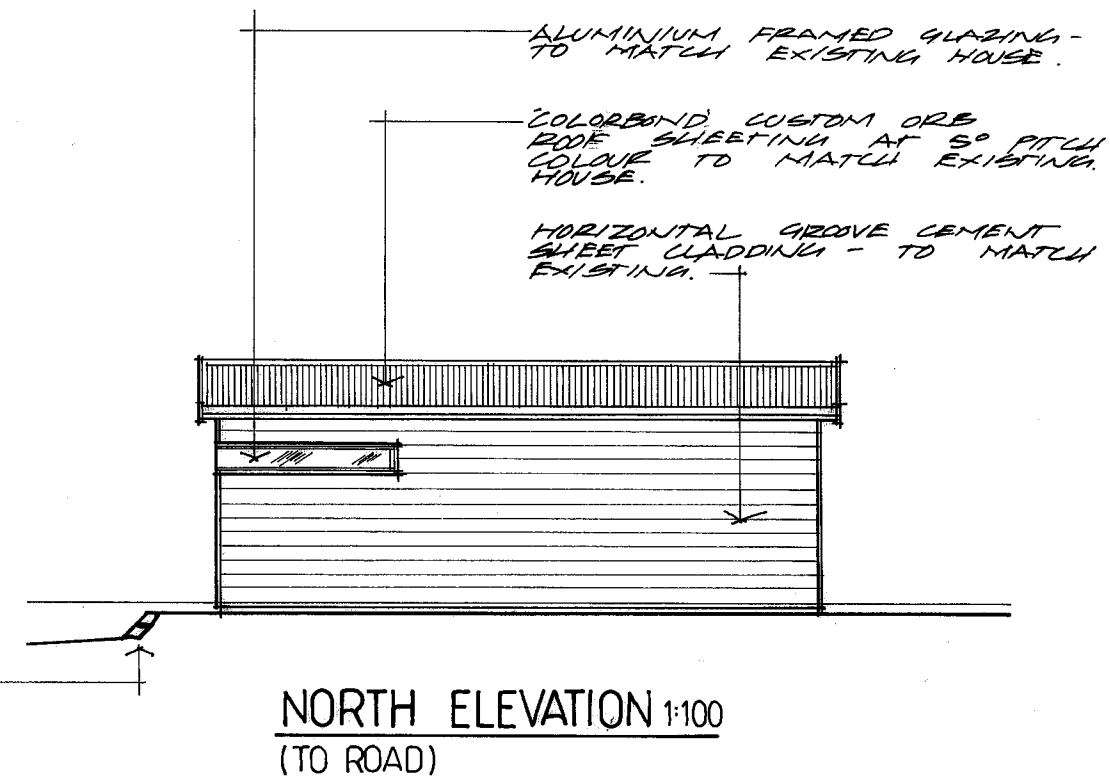
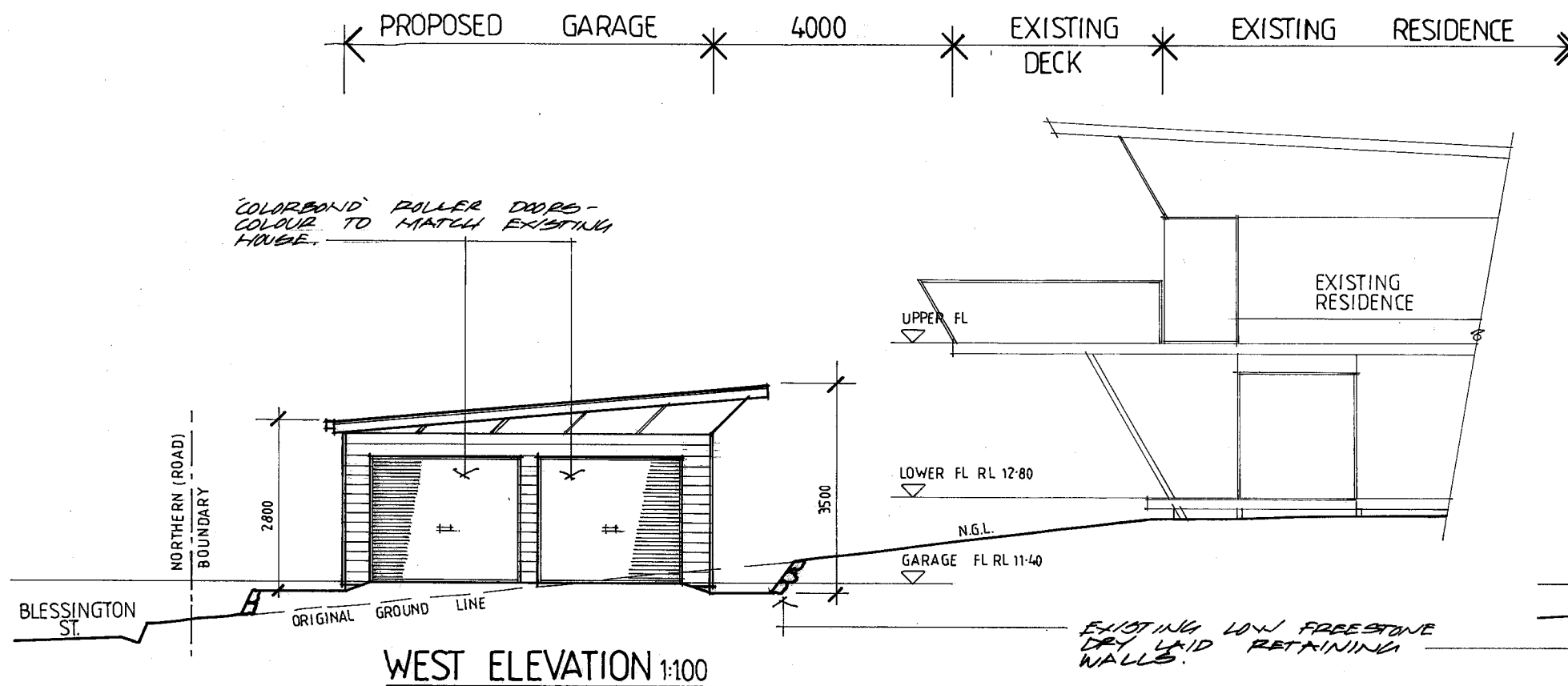
PROPOSED GARAGE ADDITION
TO EXISTING RESIDENCE
24 BLESSINGTON ST,
SOUTH ARM

C. McCONNELL



SITE PLAN 1:200





NOTE:
EXTERNAL FINISHES / COLOURS OF
PROPOSED GARAGE - TO MATCH
EXISTING HOUSE.

PROPOSED GARAGE ADDITION
TO EXISTING RESIDENCE
24 BLESSINGTON ST,
SOUTH ARM

C. Mc CONNELL

Attachment 3

24 Blessington Street, SOUTH ARM



Site viewed from Blessington Street showing proposed building location and existing access



Site viewed from Blessington Street showing proposed building location and adjoining property at 22 Blessington Street



Site viewed from the east in Blessington Street showing frontage of 22 Blessington Street

11.3.2 DEVELOPMENT APPLICATION D-2015/170 - 59 ESPLANADE, LINDISFARNE - 2 MULTIPLE DWELLINGS
(File No D-2015/170)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings at 59 Esplanade, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned Residential under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 25 August 2015.

CONSULTATION

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

- loss of sunlight;
- loss of privacy; and
- loss of view.

RECOMMENDATION:

A. That the Development Application for 2 Multiple Dwellings at 59 Esplanade, Lindisfarne (Cl Ref D-2015/170) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. The development must meet all required Conditions of Approval specified by TasWater notice dated 7 May 2015 (TWDA).
3. LANDSCAPE PLAN.
4. ENG A1 – NEW CROSSOVER [TSD-R09].
5. ENG A2 – CROSSOVER CHANGE [5.5M].
6. ENG A5 – SEALED CAR PARKING.

7. ENG M6 – CONSTRUCTION FENCING.
 8. ENG M1 – DESIGNS DA.
 9. ENG A7 – REDUNDANT CROSSOVER.
 10. ENG A1 – INFRASTRUCTURE REPAIR.
 11. ENG S2 –SERVICES.
- 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 Residential under the Scheme. A small portion of the lot is located within the Coastal Erosion Hazard Overlay, however, the proposed dwellings are not located within this area and therefore it is not relevant to the proposal.

2.2. Multiple Dwellings are a Discretionary use in the Residential Zone.

2.3. The relevant parts of the Planning Scheme are:

- Section 2 – Planning Policy Framework;
- Section 3 – General Provisions;
- Section 6 – Residential Zone; and
- Section 8 – Off Street Loading and Car Parking.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a 832m² vacant residential lot with frontage to the Esplanade and Lindisfarne Bay beyond. The site has an existing vehicular access from the Esplanade.

The area surrounding is residential in nature, typically containing single and double storey dwellings. Specifically, 56 Esplanade and 60 Esplanade contain 2 storey dwellings and 58 Esplanade contains a single storey dwelling.

3.2. The Proposal

The proposal is for 2 Multiple Dwellings. Both dwellings are 2 storey and contain 3 bedrooms. Unit 1 has a double garage attached and Unit 2 has a single garage and second parking space adjacent to the dwelling. Unit 1 also includes a pool located at the front of the building.

A new access located to the south of the lot is proposed from the Esplanade and the existing crossover is to be removed and the footpath replaced.

The proposal also requires a variation to Clause 6.1.3(i)(i) of the Scheme to vary the maximum height allowed on lots fronting the foreshore. The proposal seeks a variation of 0.5m (Unit 2) and 0.85m (Unit 2) above the maximum height of 5m. Due to some excavation of the site, only part of the proposed dwellings will exceed the maximum height above 5m.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

The relevant elements of the Planning Policy Framework are contained in Section 2.2.3(a)(ii) – Residential Land Use. In particular, the Key Objectives include the following.

- “• *To provide for a wide range of housing types to meet the changing housing needs of the community.*
- *To promote residential consolidation around activity centres and transport nodes to maximise accessibility to services and facilities, and the efficient use of infrastructure.*
- *To improve the quality of the City’s residential environments”.*

Reference to these principles is contained in the discussion below.

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

- “(a) *General requirements:*
 - (v) *The Specific Decision Requirements of the Zone, Overlay or Specific Provision.*
 - (vii) *Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.*
- (b) *Amenity requirements:*
 - (i) *The character of the locality, the existing and future amenities of the neighbourhood.*
 - (iii) *Landscaping, illumination and treatment of the site generally.*
- (c) *Infrastructure requirements:*
 - (vi) *The provision of access, loading, parking and manoeuvring of vehicles.*
- (d) *Design suitability requirements:*
 - (ii) *The position and scale of buildings in relation to boundaries or to other buildings, their density, character, height and harmony in design of facades.*
 - (iv) *The existing character of the site and the buildings and vegetation it contains”.*

Reference to these principles is contained in the discussion below.

4.3. Zone

The site is zoned Residential under the Clarence Planning Scheme 2007. The proposal is consistent with the Purpose of the zone in that it would provide for medium density residential living.

Clause 6.1.3 specifies the Use and Development Standards for the zone. The proposal meets the Use and Development Standards of the Residential Zone, apart from the maximum height provisions under Clause 6.1.3(i)(i) of the Scheme, which requires that where a lot fronts a road which if it had not existed would have direct frontage to high water or a coastal reserve, the maximum height is 5m. However, Clause 6.1.3(i)(iv) provides that a variation can be sought to this standard provided that the maximum height does not exceed 7.5m.

Unit 1 and Unit 2 have maximum heights of 5.85m and 5.5m respectively.

4.4. Specific Decision Requirements

The proposal is assessed against the Specific Requirements of the zone as follows.

“(a) A variety of styles, material and colours is encouraged for development within the zone. Architectural expression is preferred to ensure the zone reflects currency with modern design and construction techniques. Multiple Dwelling developments of eight or more dwellings should also include variety in the configuration of dwellings”.

The proposed buildings are considered to satisfy this requirement as the development reflects modern design and the 2 dwellings vary in their floor layout.

“(b) Outdoor Space for residential development should be located and designed to ensure reasonable access to sunlight during winter months and be of a size and shape to allow for limited recreational needs and provide space for service facilities”.

The proposal includes the provision of outdoor space, located to the north east of each dwelling, which complies with the requirements of the Scheme and therefore is considered to provide adequate solar access to each dwelling.

“(h) Appropriate separation should be provided between buildings to ensure adequate solar access and privacy”.

The dwellings are located 5.69m apart and the orientation of living areas facing in a northerly direction will ensure adequate solar access. The layout of each dwelling with windows located on the north-west elevation overlooking the Esplanade and high windows on the south-east elevation of Unit 1 (which faces the living areas of Unit 2) will ensure a reasonable level of privacy for occupants of Unit 1.

“(i) Development should be of domestic scale and maintain existing significant views from the surrounding area”.

The proposed development is domestic in scale and although the immediate area does not typically contain Multiple Dwellings, the proposed dwellings are consistent with the form of dwellings in the area. The site analysis plan shows that significant views from adjoining properties would not be unreasonably affected.

“(j) Dwellings are the preferred dominant built form in a residential streetscape. The placement and massing of any residential outbuilding should respect this”.

The proposal is consistent with these requirements being a residential development. No separate outbuildings are proposed as part of the development.

“(l) Sufficient car parking should be provided on site to meet differing levels of residential, service and recreational needs. Safe and convenient access is to be provided to all parking areas”.

Two car parking spaces are provided for each dwelling which complies with the requirements of the Scheme.

“(n) Development requiring a variation to setback or height or a Multiple Dwelling development is to demonstrate through the site analysis plan, that the design is appropriate to the site and the variation or Multiple Dwelling development does not unreasonably diminish the amenity of adjacent land”.

The applicant has provided a site analysis plan and overshadowing diagrams to demonstrate how the proposal would affect the amenity of surrounding properties. The site analysis includes shadow diagrams, which demonstrates that the adjacent property to the south-west would be subject to overshadowing in the morning, however, it would still receive a minimum of 3 hours sunlight during the hours of 9am and 3pm on 21 June 2015. The site analysis also shows that the majority of views towards Lindisfarne Bay from the adjoining properties at 58 and 60 Esplanade would not be affected.

However, it appears that the privacy of the adjoining property would be impacted as a result of the development. The dwelling at 60 Esplanade has a large deck accessed from the living areas on the second floor which is located on the northern corner of this dwelling. Unit 1 is proposed to have a deck on the upper level which would overlook the deck and living room windows of the adjoining property.

However, the deck is located 3.3m from the boundary and there is approximately 8m separation between the deck on Unit 1 and the deck at 60 Esplanade. The setbacks to boundaries comply with the Scheme requirements and it is only the impact of the height variation that can be considered to be relevant in relation to this issue.

It is considered that although the deck at Unit 1 would overlook 60 Esplanade, the variation to the height would not increase the loss of privacy to the adjoining property and therefore the proposal is consistent with the requirements of the Scheme.

Additionally, if assessed under the Clarence Interim Planning Scheme 2015, the setback to the boundary from the deck would comply with the Acceptable Solution relating to privacy to adjoining properties.

“(o) Development requiring a variation to setback or height or a Multiple Dwelling development should not result in loss of significant water views from adjacent dwellings or public spaces”.

Unit 2 is located further towards the Esplanade than the dwelling on 58 Esplanade which will result in a small portion of views to the south-west being affected. However, as the dwelling still retains significant views to the north and north-west, it is considered that the development does not unreasonably affect the views of the properties at 58 and 60 Esplanade.

The properties located to the rear of the site at 77 and 79 East Derwent Highway contain single storey dwellings which currently have views over the site to Lindisfarne Bay, due to the lot being vacant. The ground level slopes up from the Esplanade by approximately 8m to the East Derwent Highway which elevates the dwellings at 75, 77 and 79 above the ground level of the site.

It is reasonable to assume that the lot would be developed for residential use and that such a development may impact on the view from the dwellings located to the rear of the site. It is likely that as the dwellings located at 77 and 79 are located approximately 4m above the height of the proposed dwellings that a significant portion of the view would be retained.

Additionally, it is worth noting that if assessed against the Interim Planning Scheme provisions, the proposal would meet the Acceptable Solution which allows a maximum height of 8.5m.

“(p) Development requiring a variation to setback or height should not unreasonably overlook or overshadow an adjacent property. In particular, any overshadowing must not result in the living areas of any adjoining dwelling receiving less than 3 hours of sunlight between 9am and 3pm on 21 June”.

The overshadowing diagrams show that the development would cause overshadowing of the north-eastern elevation of the dwelling at 60 Esplanade at 9am, however, there is no overshadowing at 3pm and the direct solar access would not be reduced to less than 3 hours. Therefore, the proposal meets this Specific Requirement.

“(q) Development requiring a variation to height must not dominate public open space or reserves, including foreshores, in a way that detrimentally affects the public use of those areas, particularly by direct overlooking at close proximity. Large windows should be avoided in close proximity to side or rear boundaries abutting public open space or reserves”.

The dwelling would be setback approximately 23m from the foreshore reserve which is reasonably consistent with the setbacks of other dwellings on the Esplanade and is considered sufficient visual separation between Unit 1 and the foreshore.

4.5. External Referrals

The proposal was referred to TasWater, who have provided conditions to be included on a permit.

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. Loss of Sunlight

The representor has raised concerns that the proposed development will result in a loss of sunlight to the adjoining property to the south-west.

- **Comment**

As discussed above, the applicant has submitted shadow diagrams which demonstrate that the buildings would not unreasonably overshadow the adjoining property to the south-west and that this dwelling would receive a minimum of 3 hours sunlight to living areas on 21 June.

In addition, it is noted that a dwelling complying with the Acceptable Solution could have a maximum height of 8.5m which would result in more overshadowing to the adjoining property.

5.2. Loss of Privacy

The representor has raised concerns that the proposed development will result in a loss of privacy to the adjoining property at 60 Esplanade, in particular to their living areas on the ground floor and the front and side verandah.

- **Comment**

As discussed above, it is considered that the proposal would result in a loss of privacy to the adjoining property at 60 Esplanade, as the deck on Unit 1 would overlook the deck and living room of this dwelling. As discussed above, the proposal complies with the setback requirements of the Scheme and separation between the 2 buildings is considered sufficient to ensure that the loss of privacy is not unreasonable.

5.3. Loss of Views

The representors have raised concerns that the proposed development will result in a loss of views from the adjoining properties at 77 and 79 East Derwent Highway.

- **Comment**

As discussed above, it is reasonable to assume that the subject lot would be developed for residential use which would impact on the views from 77 and 79 East Derwent Highway. However, it appears that the loss of views would be minimised due to the elevation of the representor's dwellings.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

8. CONCLUSION

The proposal for 2 Multiple Dwellings is recommended for approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (12)
3. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

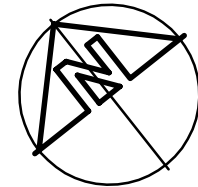
Attachment 1

59 Esplanade, Lindisfarne




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, 14 August 2015 **Scale:** 1:869.2 @A4

Attachment 2



LEGEND

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- 3.78

AREAS (m2)

	<u>UNIT 1</u>	<u>UNIT 2</u>
GROUND FLOOR LIVING AREA	83.0	99.3
GROUND FLOOR DECKS	23.6	NIL
GROUND FLOOR GARAGE	60.8	20.6
FIRST FLOOR LIVING AREA	153.1	119.9
FIRST FLOOR DECKS	31.5	13.0
PRIVATE OPEN SPACE	123.6	50.2
SITE AREA (TOTAL)	832.0	
SITE COVER (TOTAL)	329.3 (39.6%)	

CONTOUR NOTE
CONTOUR LINES HAVE BEEN INTERPOLATED FROM SPOT LEVELS PROVIDED
BY REGISTERED SURVEYOR GRAY KING (MARCH 2015) TO SHOW NATURAL
GROUND LEVELS PRIOR TO CONSTRUCTION OF THE EXISTING TENNIS COURT.

AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15
06.07.15	03	Detail cut to rear boundary
10.07.15	04	Increase private open space

DWA David Wakefield And Associates
122 murray street
po box 4564 bathurst street, hebart 7000
tel : 03 62 348777

PROPOSED UNIT DEVELOPMENT
R. & H. LANE
59A ESPLANADE, LINDISFARNE

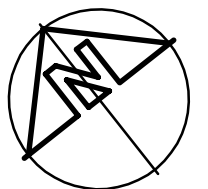
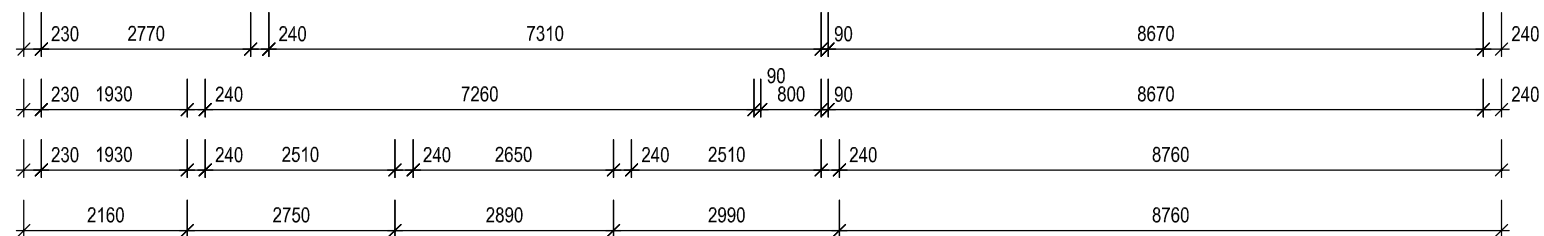
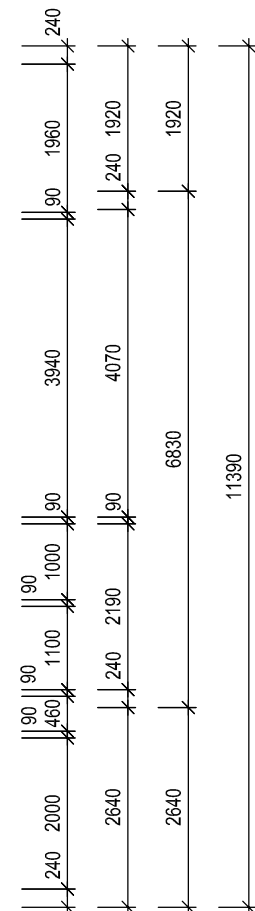
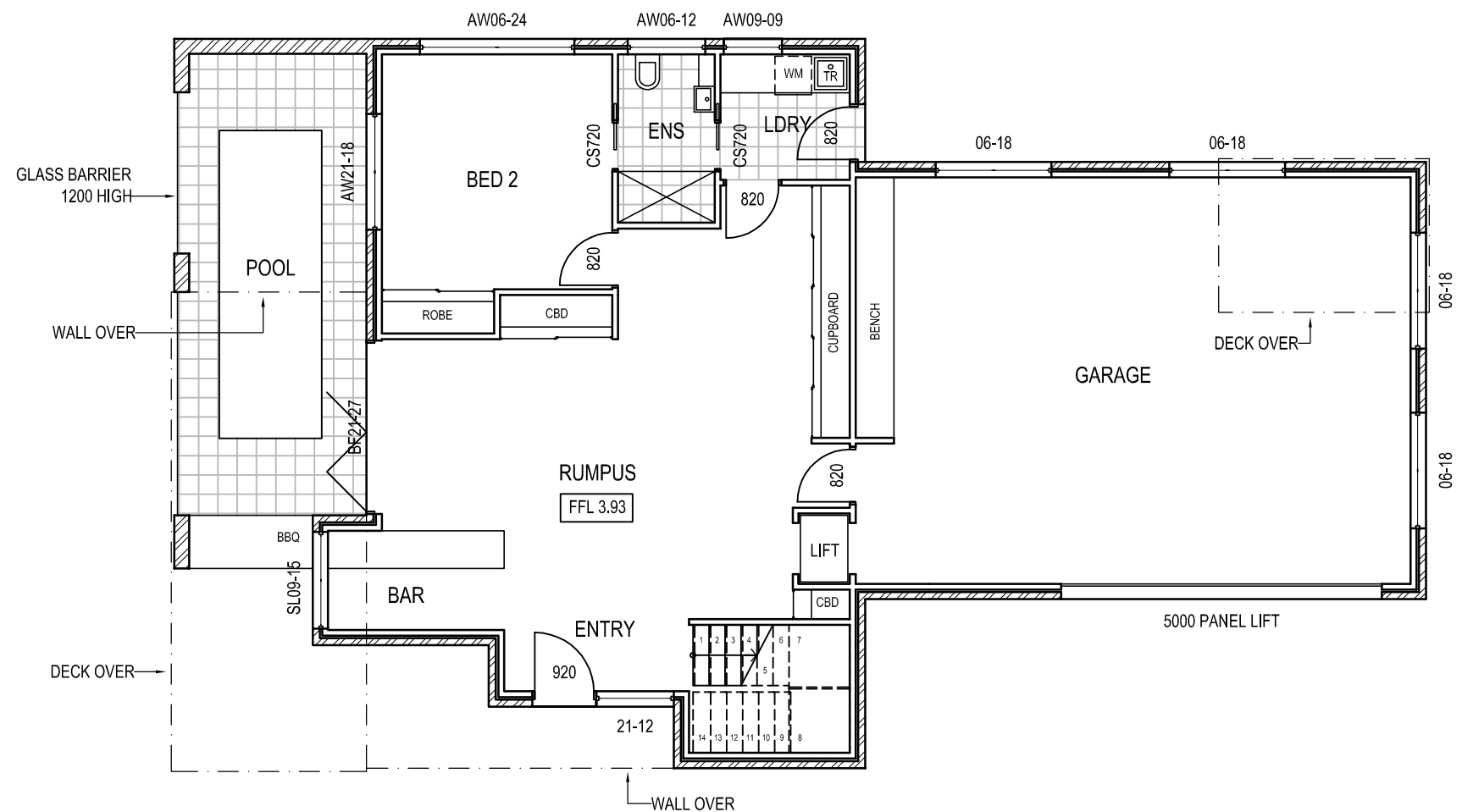
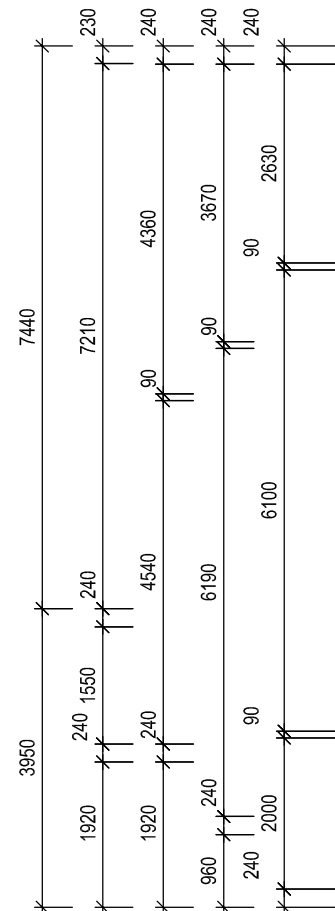
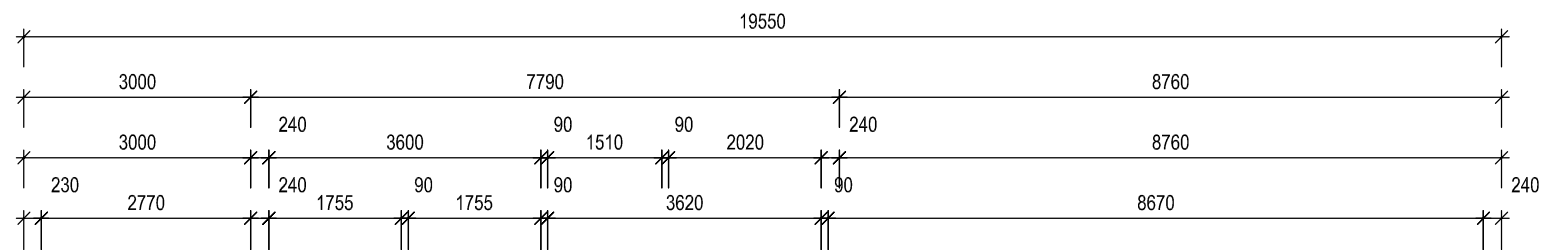
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SITE PLAN

Revision No.: 04
Date: 02.04.15

Designer:
X. Wakefield CC1660
Attachments - D-2015/1

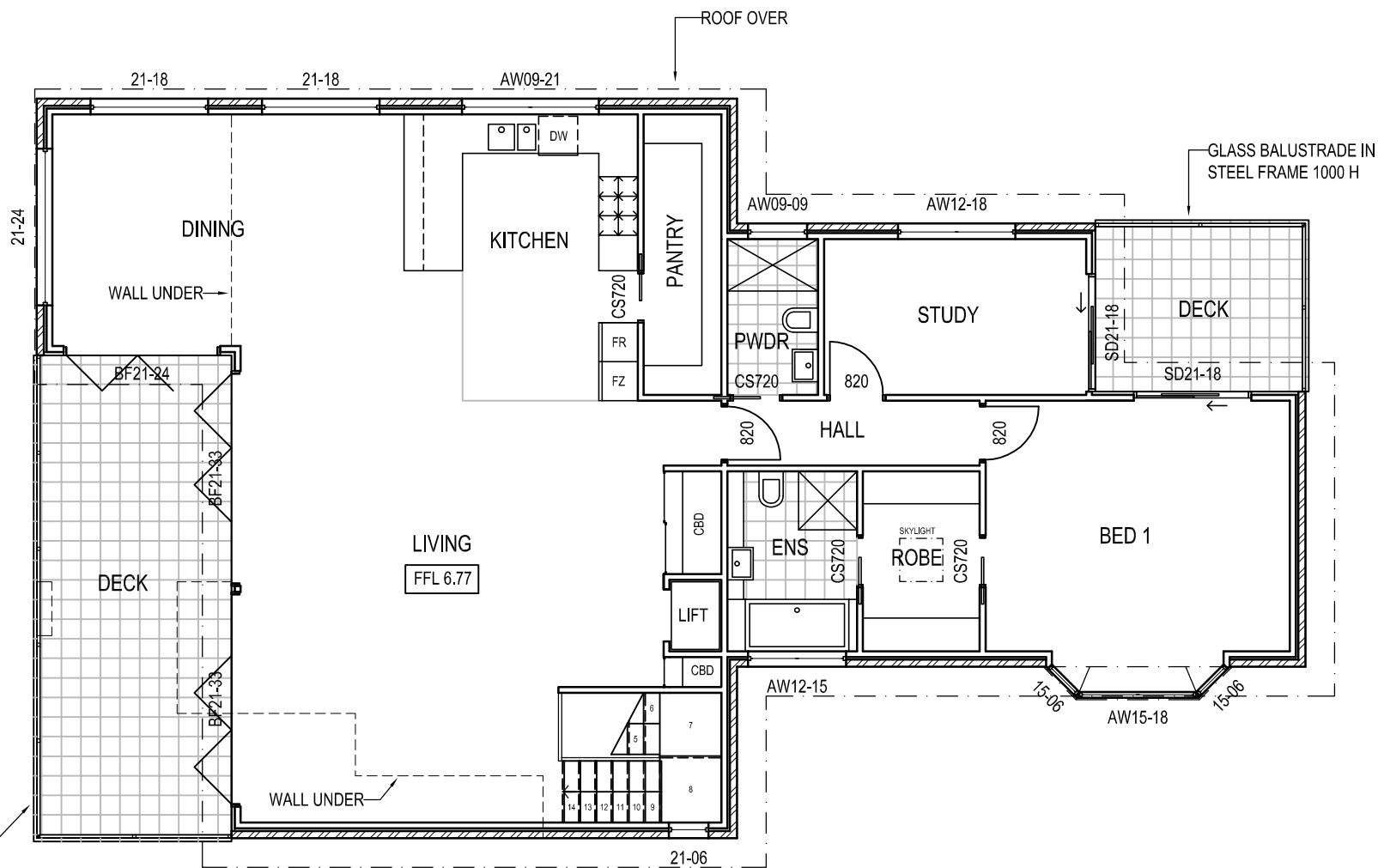
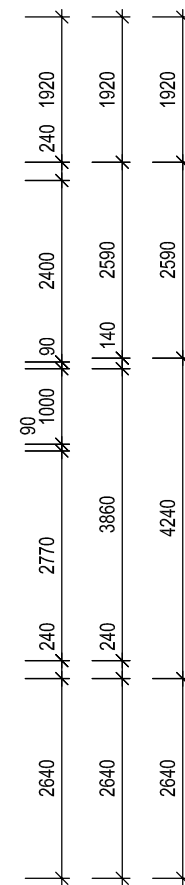
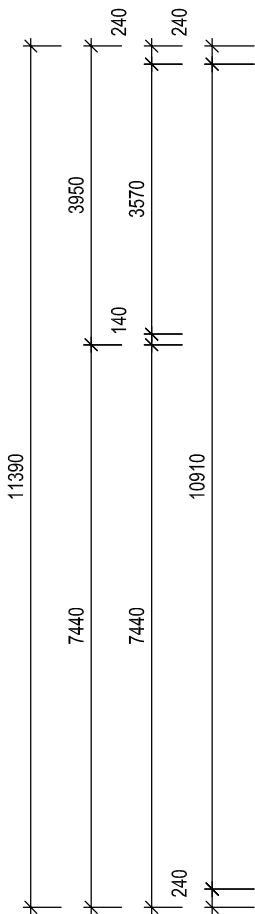
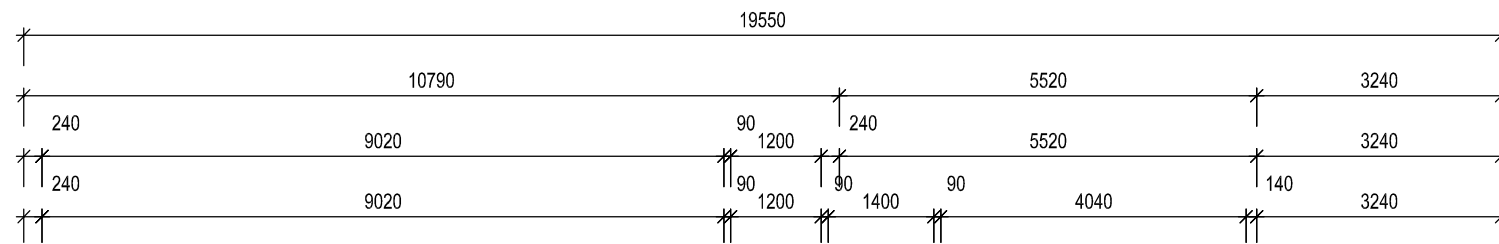
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Dwgs in Set: 13

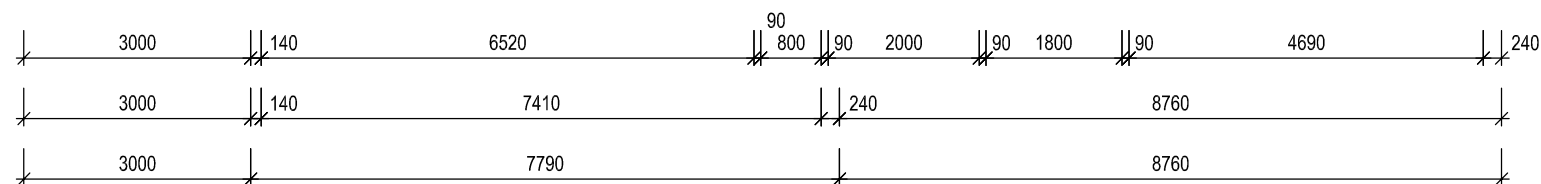


AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

DWA David Wakefield And Associates 122 murray street po box 4564 bathurst street, hebart 7000 tel : 03 62 348777	PROPOSED UNIT DEVELOPMENT R. & H. LANE 59A ESPLANADE, LINDISFARNE		Drawing Title: UNIT 1 GROUND FLOOR PLAN	Revision No.: 02 Date: 02.04.15	Designer: X. Wakefield CC1660	Scale: 1:100 (A3) Attachments - D-2015/170 - 59 Esplanade, Lindisfarne - Page 3 of 14	Drawing No.: 03 Dwgs in Set: 13
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GLASS BALUSTRADE IN STEEL FRAME 1000 HIGH



AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

DWA David Wakefield And Associates
122 murray street
po box 4564 bathurst street, hebart 7000
tel : 03 62 348777

PROPOSED UNIT DEVELOPMENT
R. & H. LANE
59A ESPLANADE, LINDISFARNE

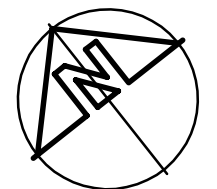
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UNIT 1 FIRST FLOOR PLAN

Revision No.: 02
Date: 02.04.15

Designer:
X. Wakefield CC1660
Attachments - D-2015/170 - 59 Esplanade, Lindisfarne - Page 4 of 14

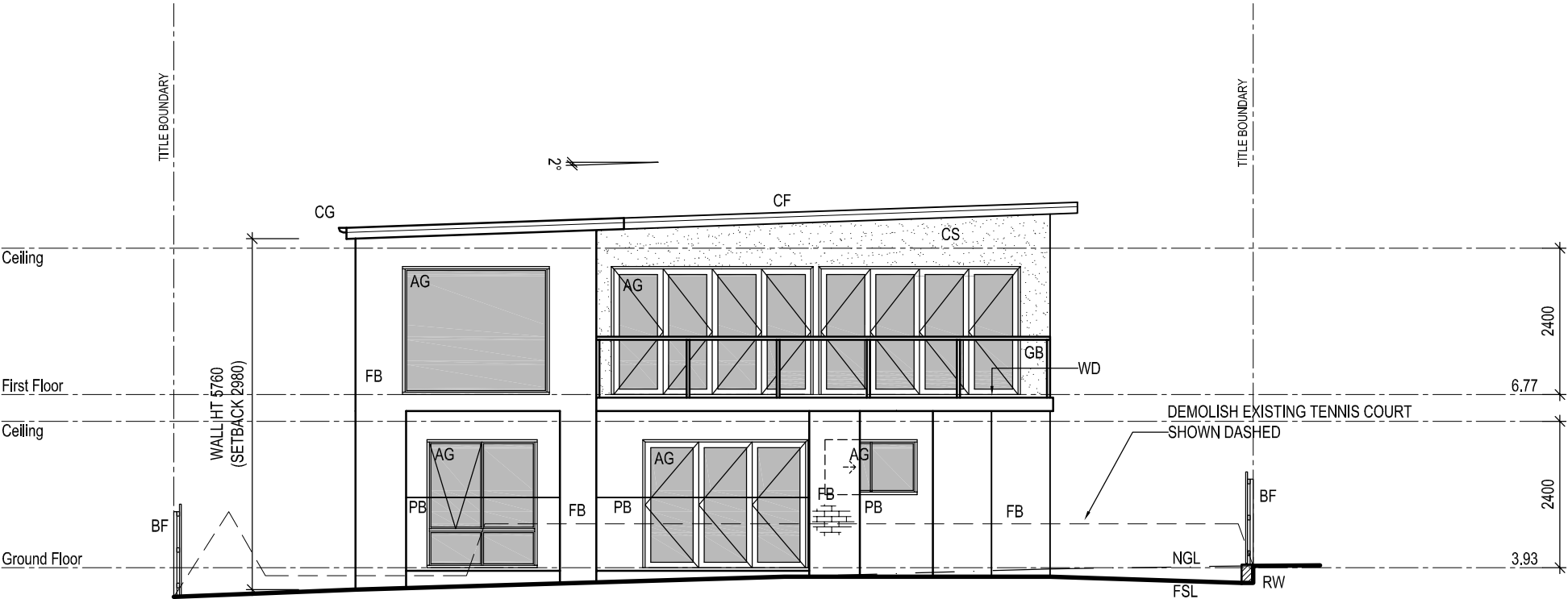
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Drawing No.: 04
Dwgs in Set: 13

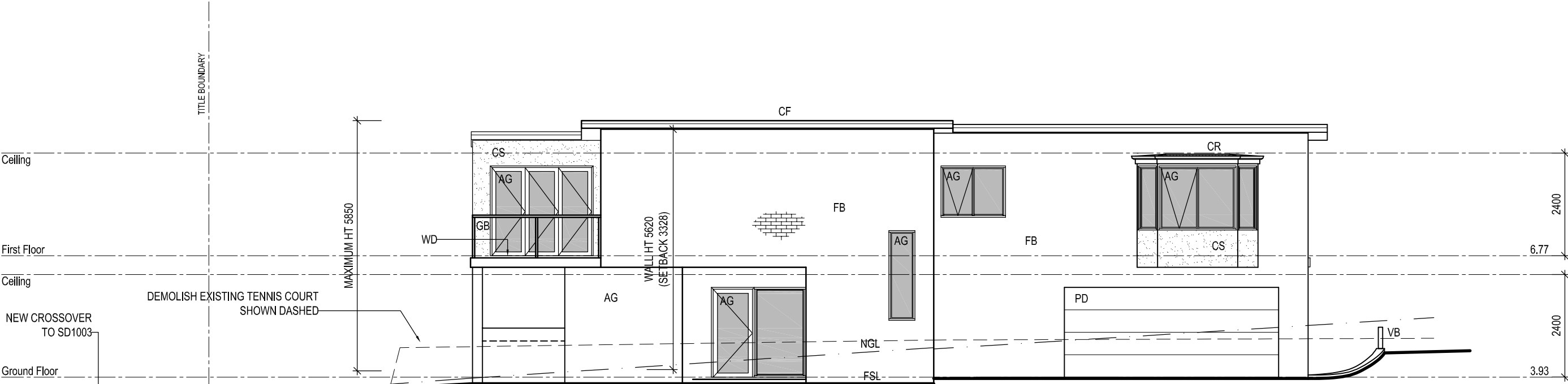


EXTERNAL FINISHES SCHEDULE

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- CF SELECTED COLORBOND FASCIA
- CG SELECTED COLORBOND EAVES GUTTER
- CR COLORBOND ROOF (MEDIUM / DARK GREY)
- CS EPS STYRENE SHEET CLADDING RENDER FINISH
- FB SELECTED FACE BRICK
- FSL FINISHED SURFACE LEVEL
- GB GLASS BALUSTRADE IN SELECTED STEEL FRAME
- NGL NATURAL GROUND LEVEL
- PB GLASS POOL BARRIER 1200 HIGH
- PD COLORBOND PANEL LIFT DOOR
- RW CORE FILLED BLOCK RETAINING WALL
- SC STEEL COLUMN PAINT FINISH
- TD SELECTED HARDWOOD TIMBER DECK
- VB VEHICLE BARRIER / BALUSTRADE
- WD WATERPROOF DECK WITH SELECTED TILE FINISH



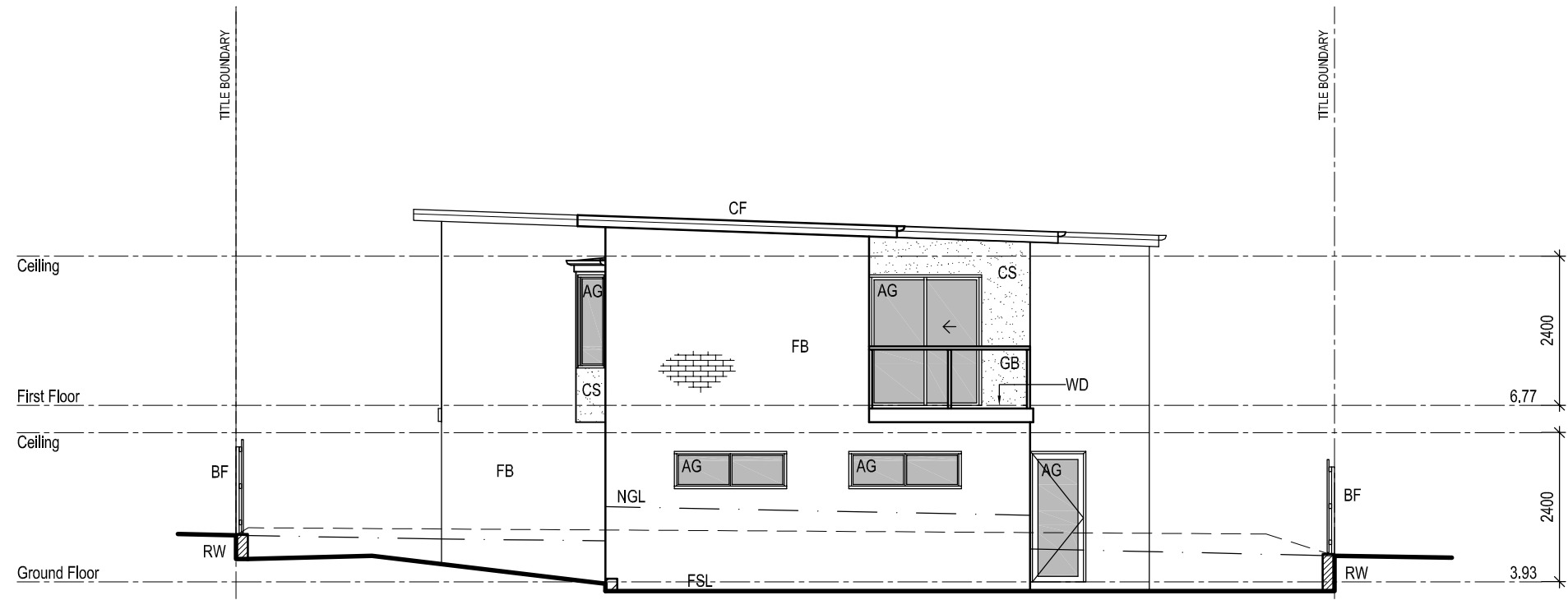
UNIT 1 NORTHWEST ELEVATION



UNIT 1 SOUTHWEST ELEVATION

AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

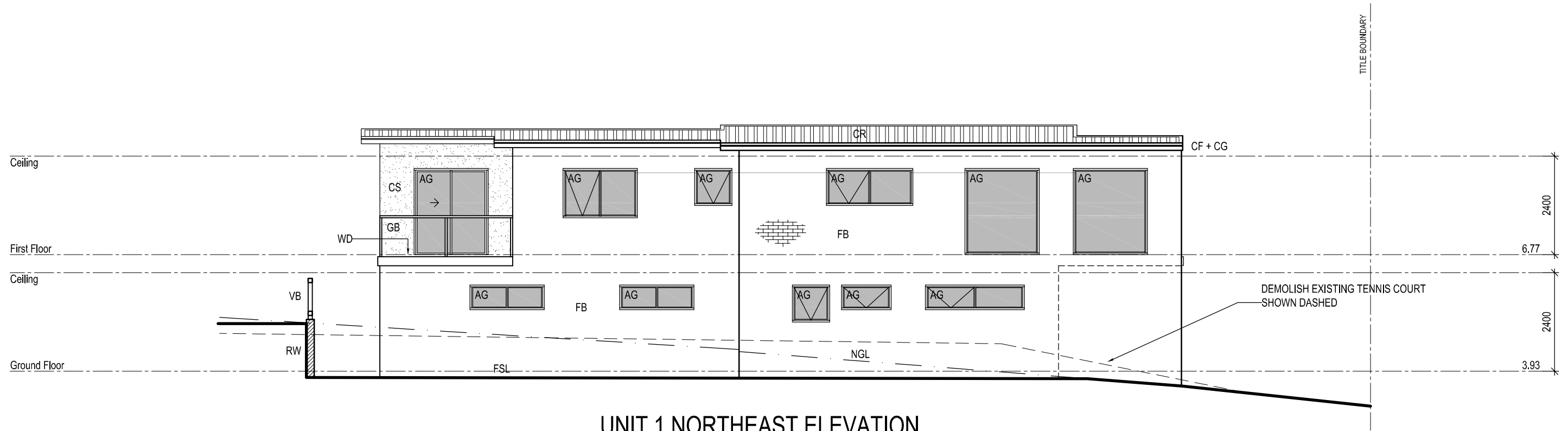
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			Date: 02.04.15	X. Wakefield CC1660	1:100 (A3)	Dwgs in Set: 13



UNIT 1 SOUTHEAST ELEVATION

EXTERNAL FINISHES SCHEDULE

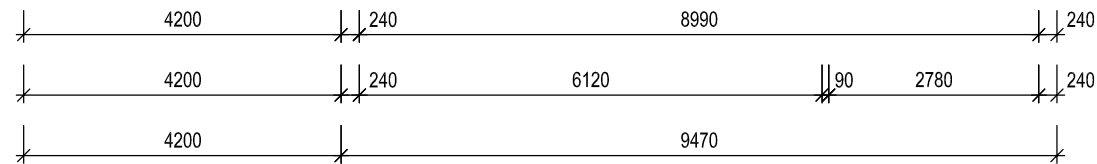
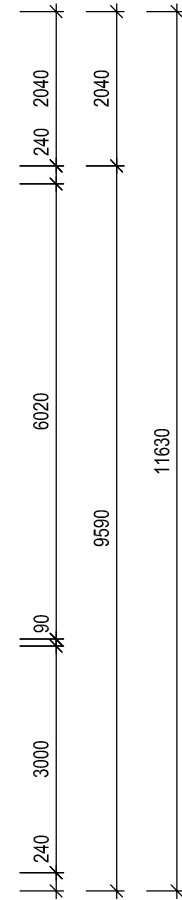
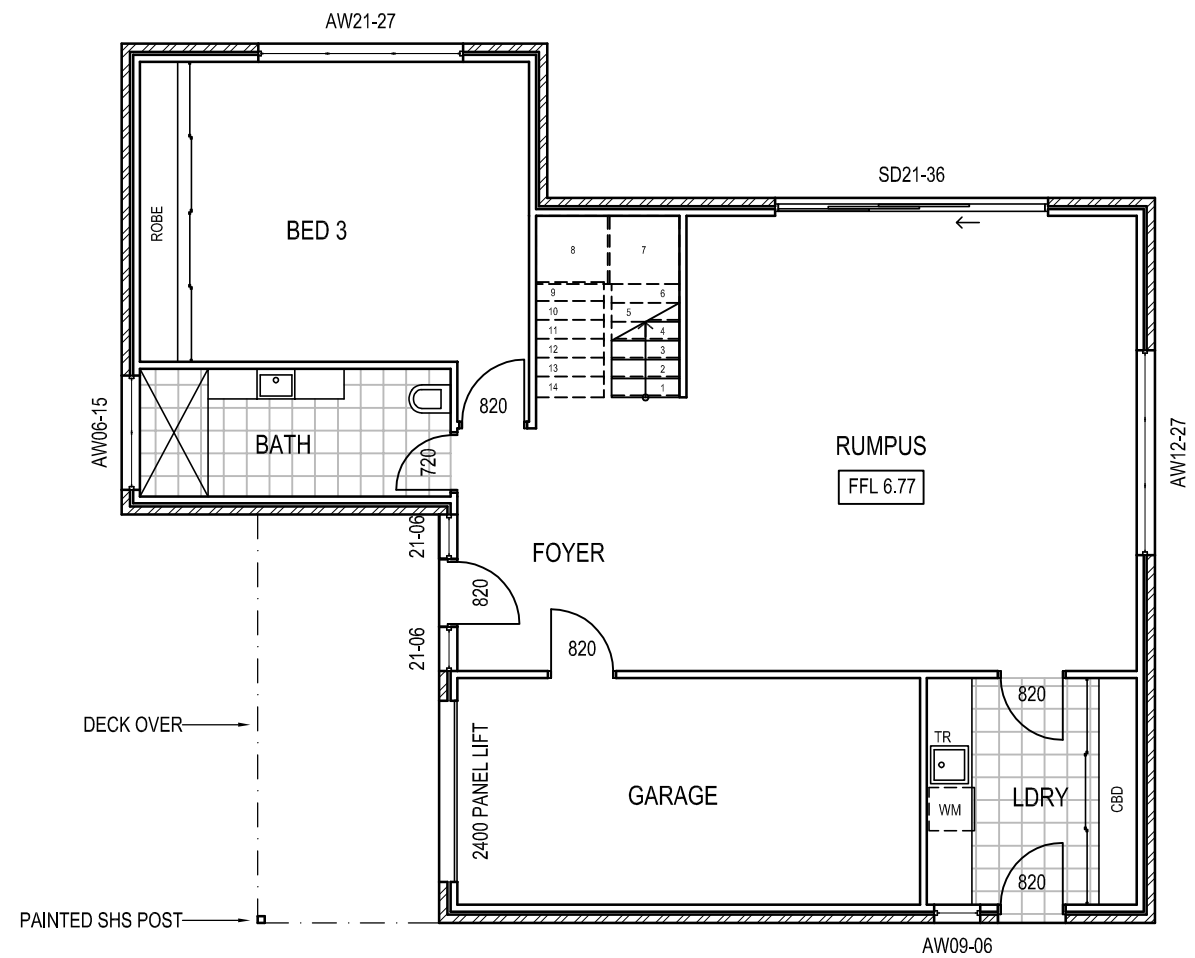
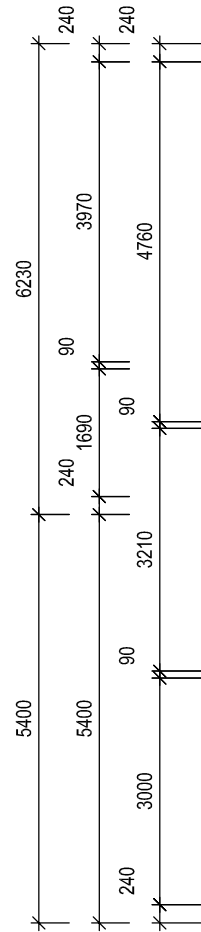
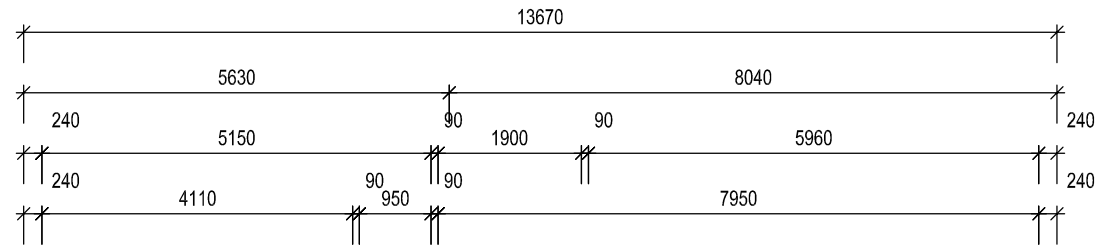
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CF	SELECTED COLORBOND FASCIA
CG	SELECTED COLORBOND EAVES GUTTER
CR	COLORBOND ROOF (MEDIUM / DARK GREY)
CS	EPS STYRENE SHEET CLADDING RENDER FINISH
FB	SELECTED FACE BRICK
FSL	FINISHED SURFACE LEVEL
GB	GLASS BALUSTRADE IN SELECTED STEEL FRAME
NGL	NATURAL GROUND LEVEL
PB	GLASS POOL BARRIER 1200 HIGH
PD	COLORBOND PANEL LIFT DOOR
RW	CORE FILLED BLOCK RETAINING WALL
SC	STEEL COLUMN PAINT FINISH
TD	SELECTED HARDWOOD TIMBER DECK
VB	VEHICLE BARRIER / BALUSTRADE
WD	WATERPROOF DECK WITH SELECTED TILE FINISH



UNIT 1 NORTHEAST ELEVATION

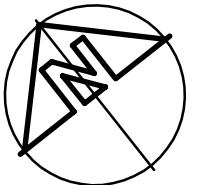
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DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

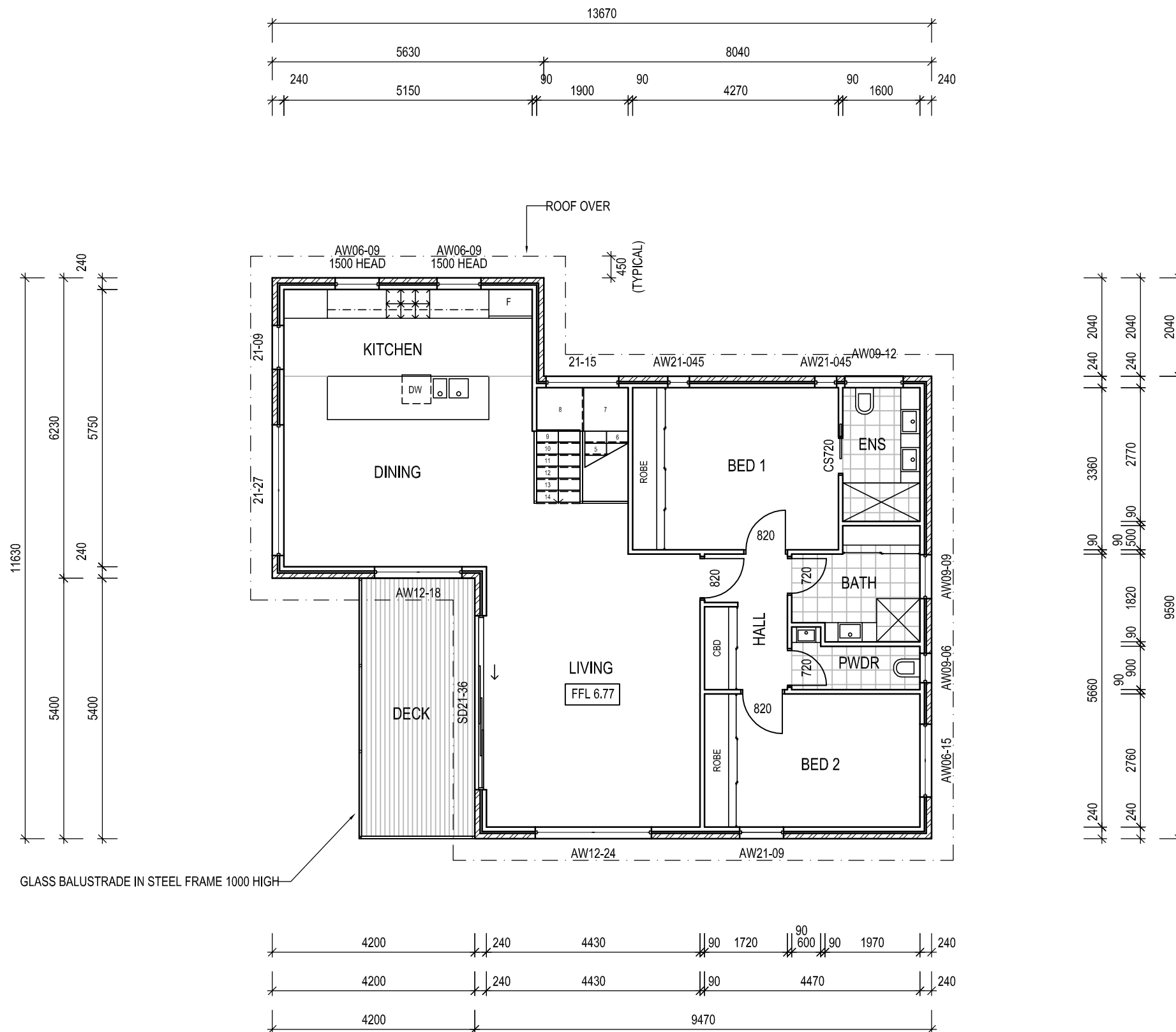
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AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

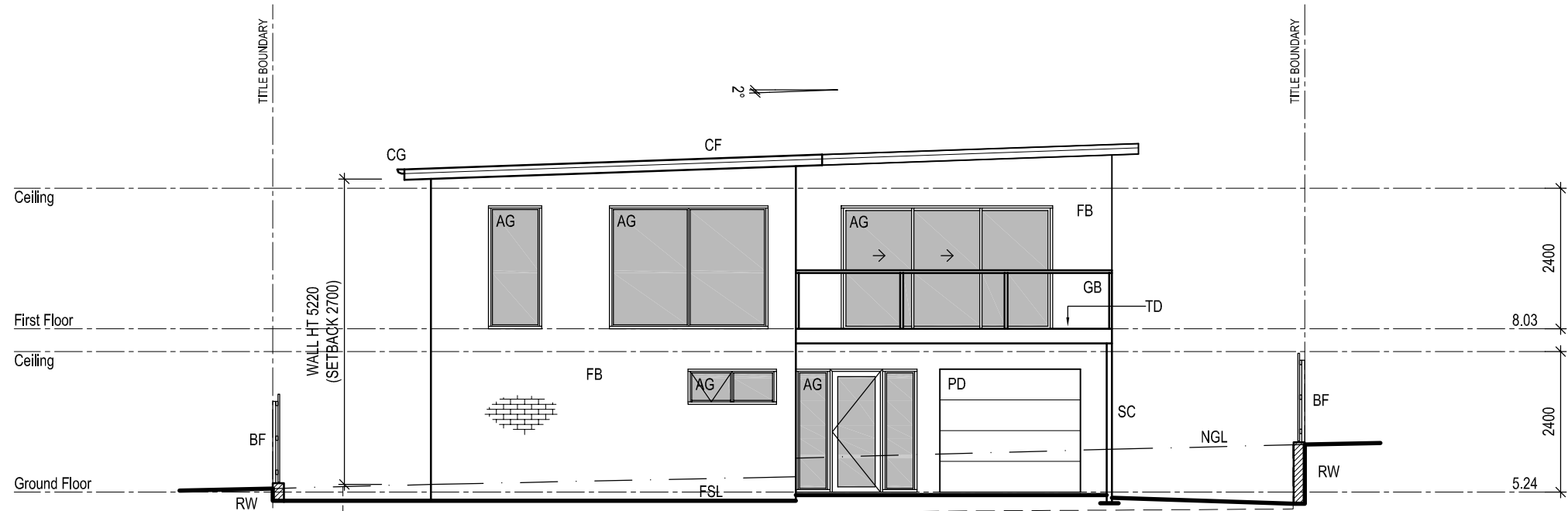
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AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

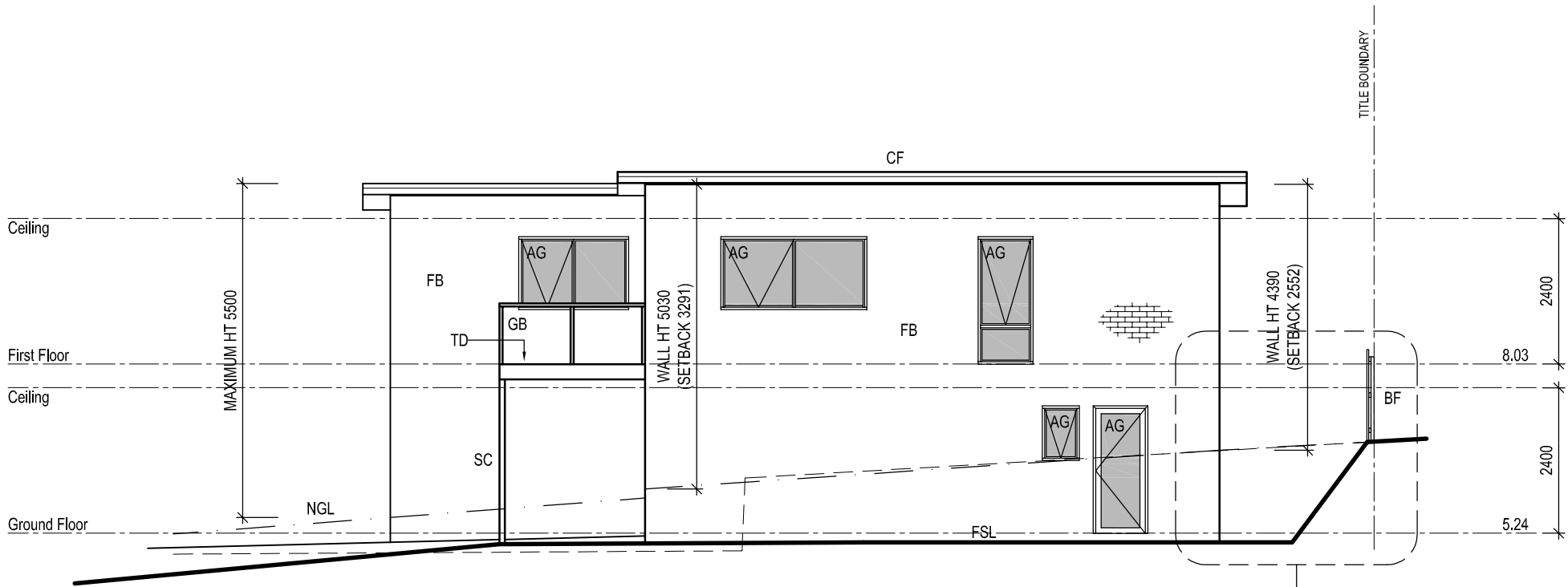
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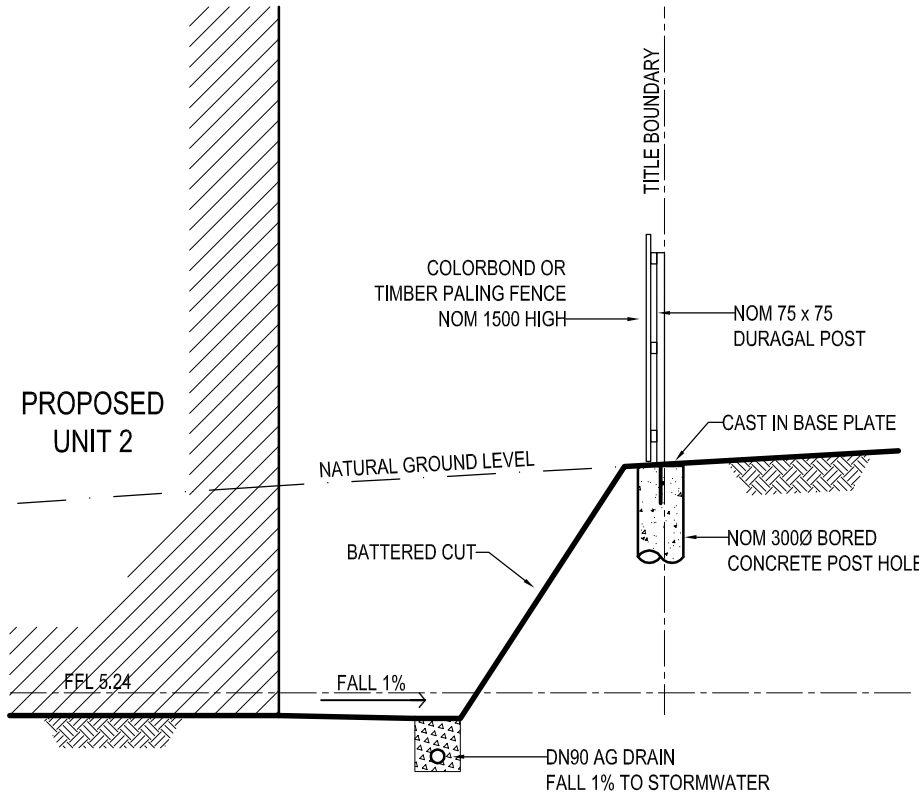
UNIT 2 NORTHWEST ELEVATION

EXTERNAL FINISHES SCHEDULE

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- CG SELECTED COLORBOND EAVES GUTTER
- CR COLORBOND ROOF (MEDIUM / DARK GREY)
- CS EPS STYRENE SHEET CLADDING RENDER FINISH
- FB SELECTED FACE BRICK
- FSL FINISHED SURFACE LEVEL
- GB GLASS BALUSTRADE IN SELECTED STEEL FRAME
- NGL NATURAL GROUND LEVEL
- PB GLASS POOL BARRIER 1200 HIGH
- PD COLORBOND PANEL LIFT DOOR
- RW CORE FILLED BLOCK RETAINING WALL
- SC STEEL COLUMN PAINT FINISH
- TD SELECTED HARDWOOD TIMBER DECK
- VB VEHICLE BARRIER / BALUSTRADE
- WD WATERPROOF DECK WITH SELECTED TILE FINISH



UNIT 2 SOUTHWEST ELEVATION



NOTE: ENGINEER TO CONFIRM ANGLE OF REPOSE

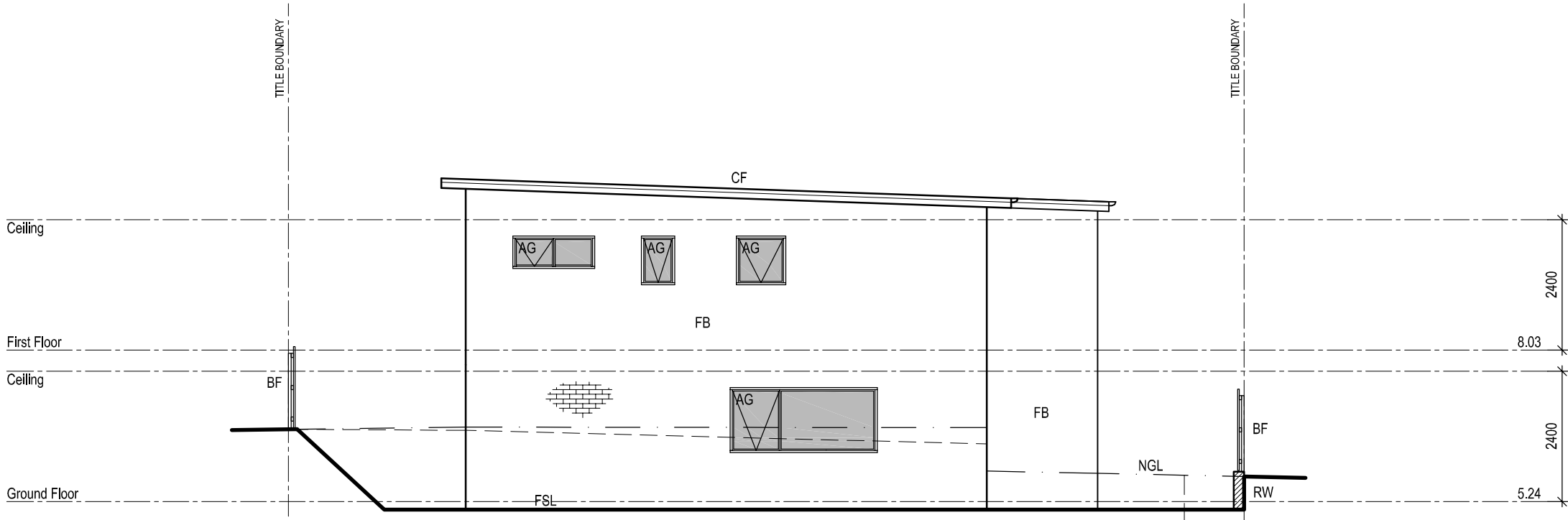
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AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15
06.07.15	03	Detail cut to rear boundary

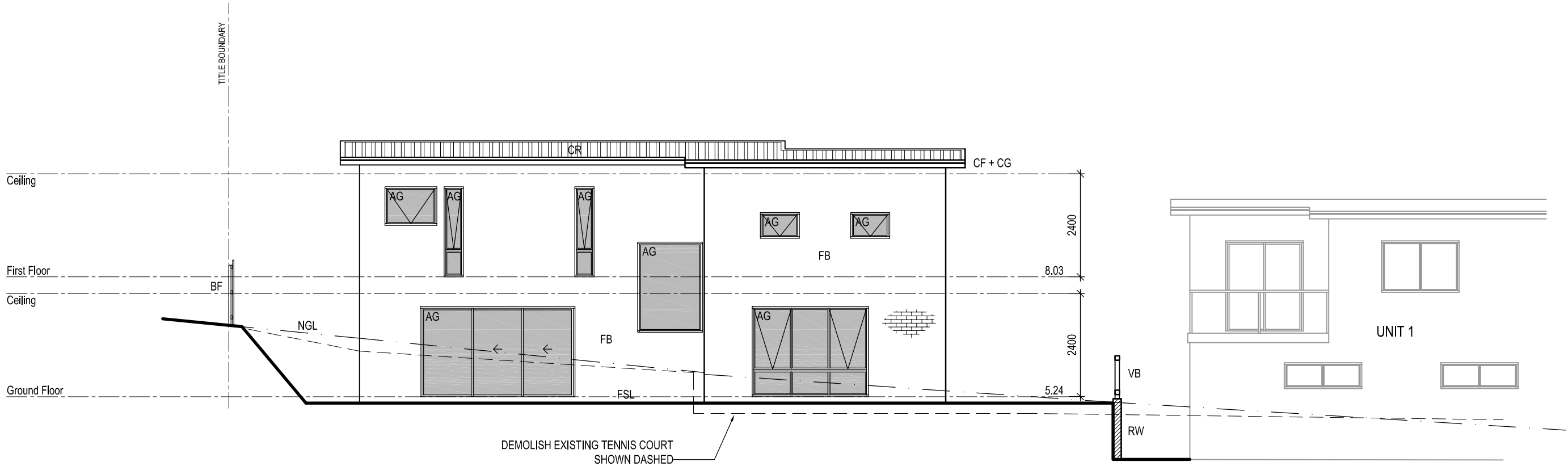
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EXTERNAL FINISHES SCHEDULE

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- CS EPS STYRENE SHEET CLADDING RENDER FINISH
- FB SELECTED FACE BRICK
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- VB VEHICLE BARRIER / BALUSTRADE
- WD WATERPROOF DECK WITH SELECTED TILE FINISH



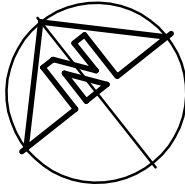
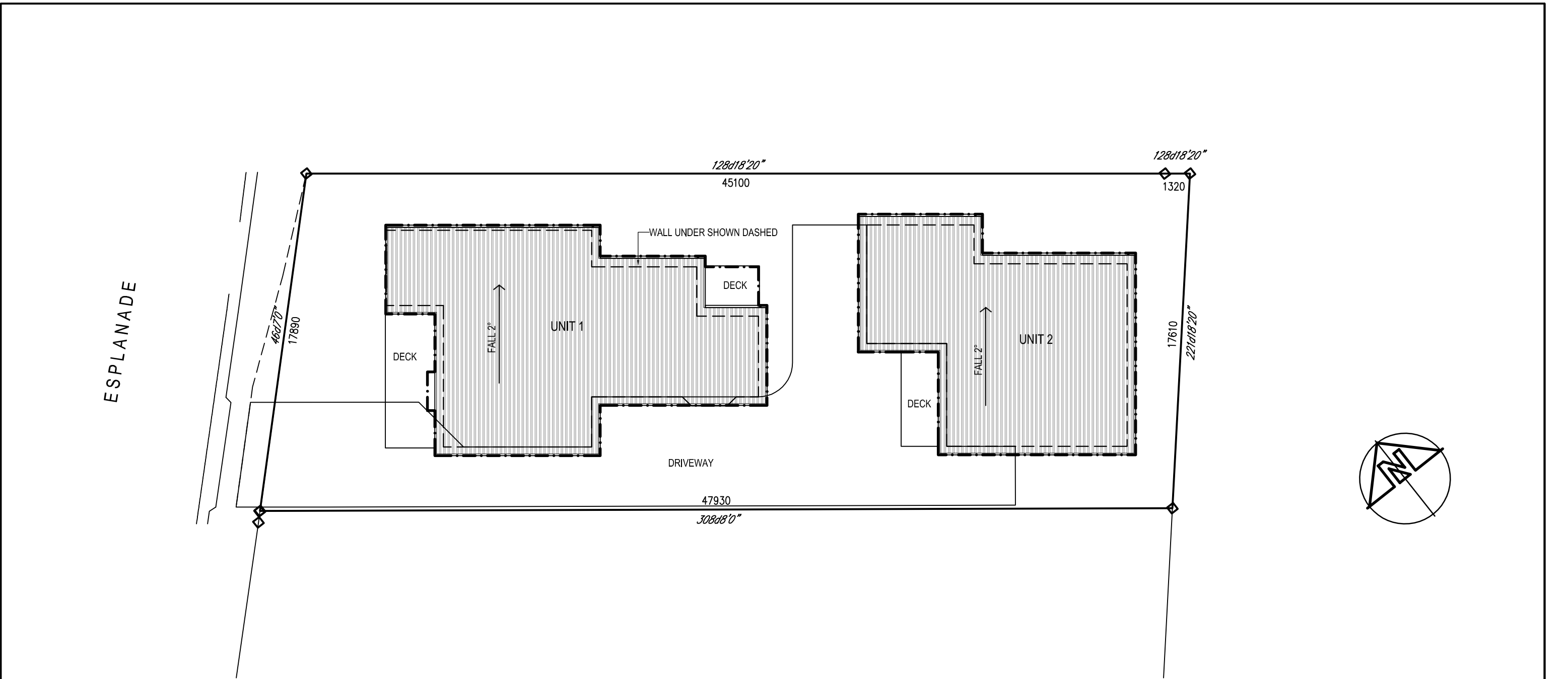
UNIT 2 SOUTHEAST ELEVATION



UNIT 2 NORTHEAST ELEVATION

AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

DWA David Wakefield And Associates 122 murray street pe box 4564 bathurst street, hebart 7000 tel : 03 62 348777	PROPOSED UNIT DEVELOPMENT R. & H. LANE 59A ESPLANADE, LINDISFARNE		Drawing Title: UNIT 2 ELEVATIONS		Revision No.: 02	Designer:	Scale:	Drawing No.: 10
					Date: 02.04.15	X. Wakefield CC1660 Attachments - D-2015/170 - 59 Esplanade, Lindisfarne	1:100 (A3)	Dwgs in Set: 13



LEGEND

--- SITE COVER (AREA COVERED BY ROOFED BUILDINGS)

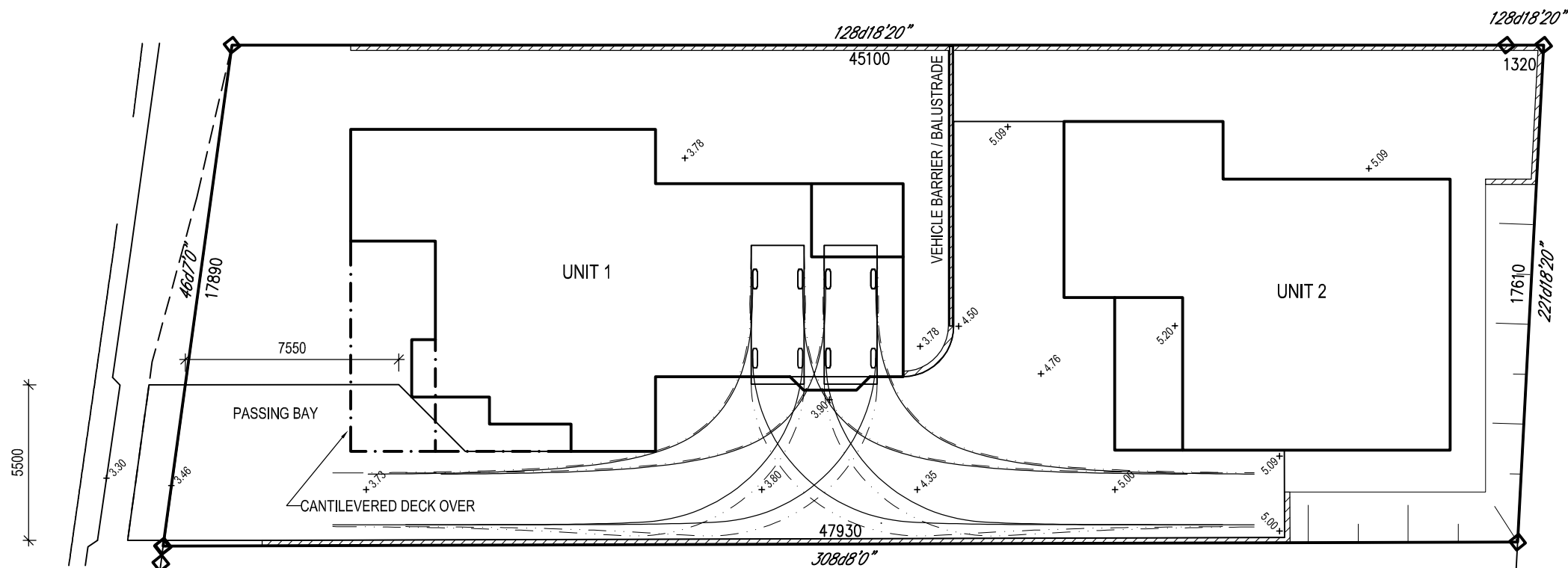
AREAS (m2)

	UNIT 1	UNIT 2
SITE COVER	184.1	145.2
SITE AREA (TOTAL)	832.0	
SITE COVER (TOTAL)	329.3 (39.6%)	

AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

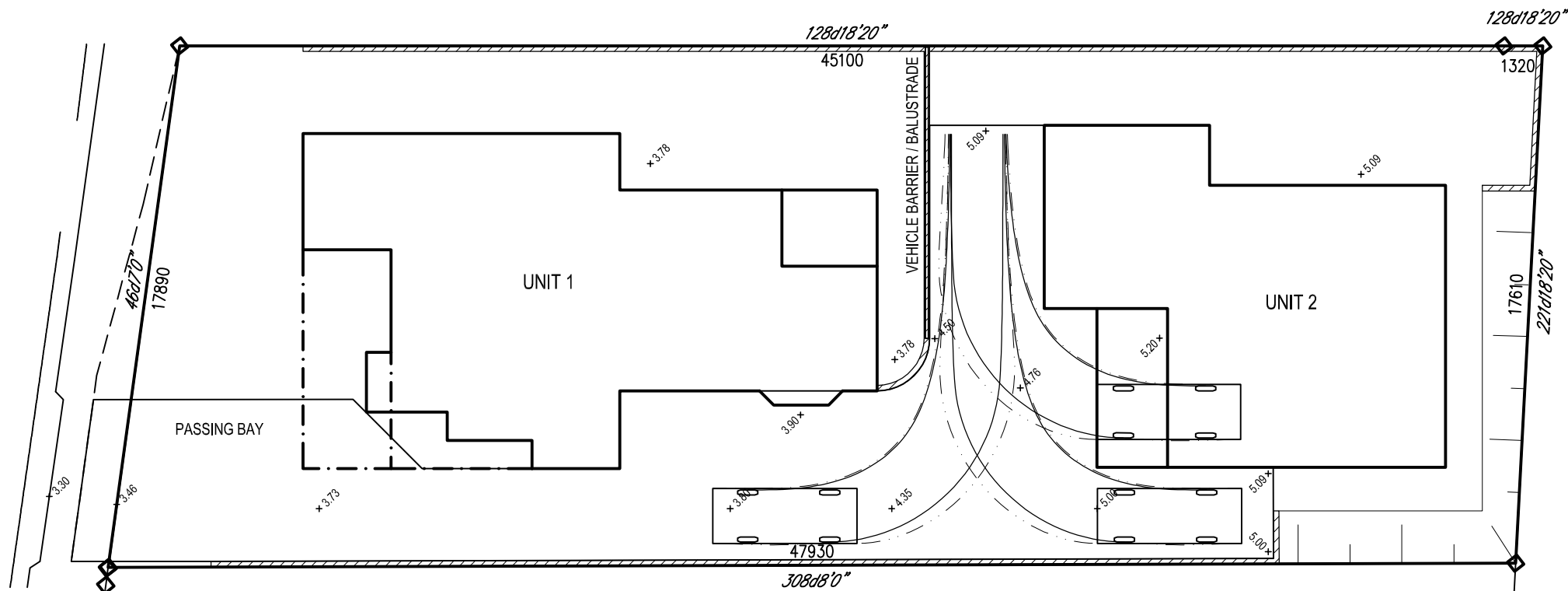
DWA David Wakefield And Associates 122 murray street po box 4564 bathurst street, hebart 7000 tel : 03 62 348777		PROPOSED UNIT DEVELOPMENT R. & H. LANE 59A ESPLANADE, LINDISFARNE	Drawing Title: ROOF PLAN	Revision No.: 02 Date: 02.04.15	Designer: X. Wakefield CC1660 Attachments - D-2015/170 - 59 Esplanade, Lindisfarne	Scale: 1:200 (A3)	Drawing No.: 11 Dwgs in Set: 13
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ESPLANADE



UNIT 1

ESPLANADE

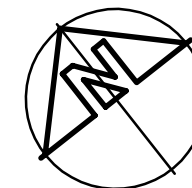


UNIT 2

LEGEND

- PATH OF FRONT WHEEL
- - - SWEEP PATH

NOTE
B85 CAR MANOEUVRING TEMPLATE
AS 2890.1



AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

DWA David Wakefield And Associates
122 murray street
pe box 4564 bathurst street, hebart 7000
tel : 03 62 348777

PROPOSED UNIT DEVELOPMENT
R. & H. LANE
59A ESPLANADE, LINDISFARNE

Drawing Title:
VEHICLE MANOEUVRING PLAN

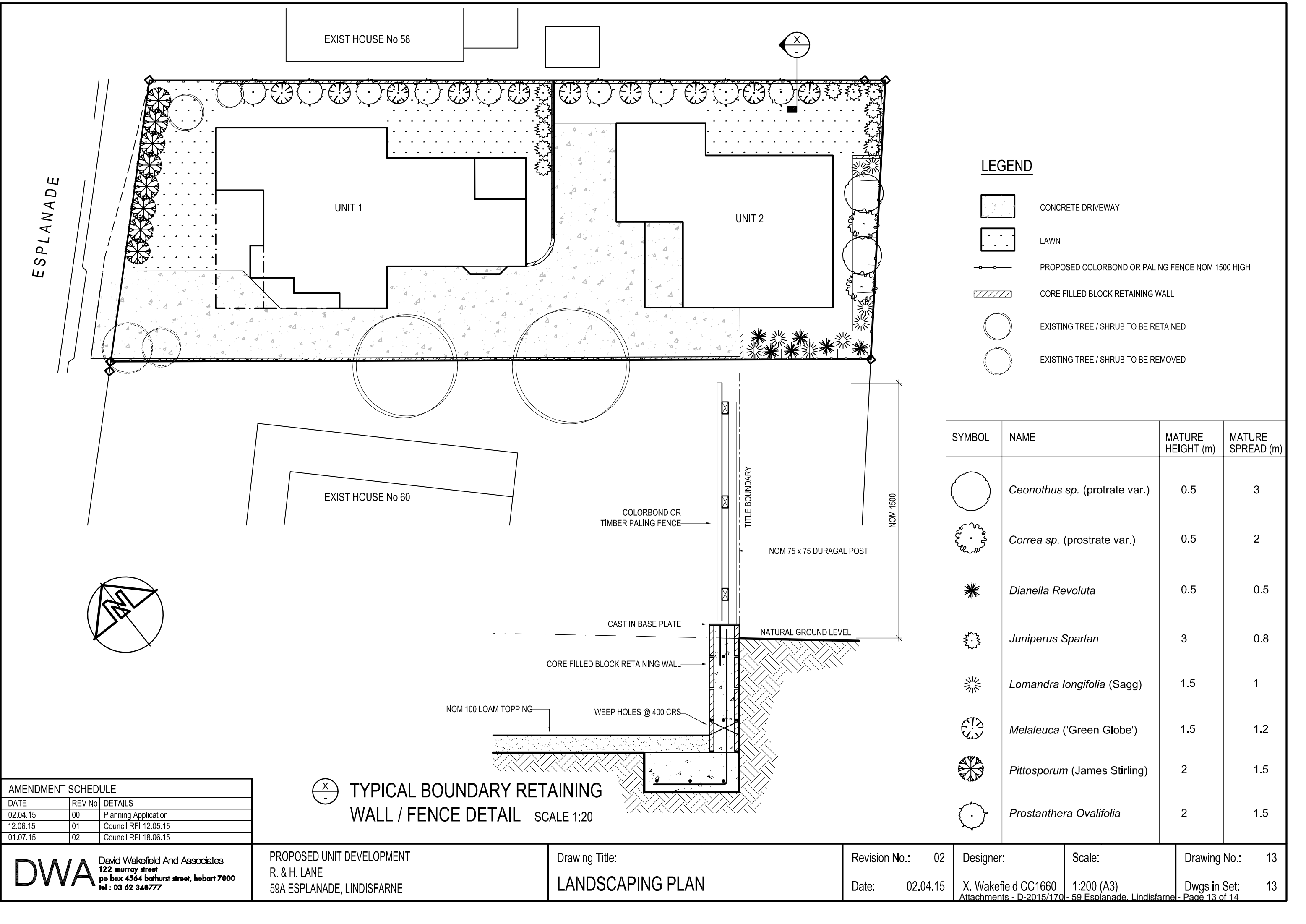
Revision No.: 02
Date: 02.04.15

Designer:
X. Wakefield CC1660
Attachments - D-2015/170 - 59 Esplanade, Lindisfarne

Scale:
1:200 (A3)

Drawing No.: 12
Dwgs in Set: 13

Page 12 of 14



LEGEND

- CONCRETE DRIVEWAY
- LAWN
- PROPOSED COLORBOND OR PALING FENCE NOM 1500 HIGH
- CORE FILLED BLOCK RETAINING WALL
- EXISTING TREE / SHRUB TO BE RETAINED
- EXISTING TREE / SHRUB TO BE REMOVED

SYMBOL	NAME	MATURE HEIGHT (m)	MATURE SPREAD (m)
	Ceonothus sp. (prostrate var.)	0.5	3
	Correa sp. (prostrate var.)	0.5	2
	Dianella Revoluta	0.5	0.5
	Juniperus Spartan	3	0.8
	Lomandra longifolia (Sagg)	1.5	1
	Melaleuca ('Green Globe')	1.5	1.2
	Pittosporum (James Stirling)	2	1.5
	Prostanthera Ovalifolia	2	1.5

AMENDMENT SCHEDULE		
DATE	REV No	DETAILS
02.04.15	00	Planning Application
12.06.15	01	Council RFI 12.05.15
01.07.15	02	Council RFI 18.06.15

TYPICAL BOUNDARY RETAINING WALL / FENCE DETAIL SCALE 1:20

Attachment 3

59 Esplanade, LINDISFARNE



Site viewed from the Esplanade.

11.3.3 DEVELOPMENT APPLICATION D-2015/108 - 30 DUMBARTON DRIVE, GEILSTON BAY (INCLUDING 22, 26, 28A AND 32 DUMBARTON DRIVE, 240 GEILSTON BAY ROAD AND 353 EAST DERWENT HIGHWAY, GEILSTON BAY) - 6 MULTIPLE DWELLINGS
(File No D-2015/108)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 6 Multiple Dwellings at 30 Dumbarton Drive (including 22, 24, 28A and 32 Dumbarton Drive, 240 Geilston Bay Road and 353 East Derwent Highway).

RELATION TO PLANNING PROVISIONS

The land is zoned Residential and subject to the Vegetation Management Overlay under the Clarence Planning Scheme 2007 (the Scheme); 353 East Derwent Highway is zoned Open Space and included only as part of the bushfire management plan. In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 25 August 2015.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of additional traffic caused by more dwellings being developed on the proposed lot adjoining 30 Dumbarton Drive.

RECOMMENDATION:

- A. That the Development Application for 6 Multiple Dwellings at 30 Dumbarton Drive (including 22, 26, 28a and 32 Dumbarton Drive, 240 Geilston Bay Road and 353 East Derwent Highway), Geilston Bay be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ENG A5 – SEALED CAR PARKING.
 3. ENG S1 – INFRASTRUCTURE REPAIR.
 4. ENG M1 –DESIGNS DA.
 5. ENG M6 – CONSTRUCTION FENCING.

6. LAND 1 - LANDSCAPE PLAN.
 7. LAND 2 – LANDSCAPE BOND (RESIDENTIAL).
 8. The development must meet all required Conditions of Approval specified by TasWater notice dated 2 July 2015 (TWDA 2015/00414-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

No 30 Dumbarton Drive was created by a previous stage of a 81 lot subdivision approved on 17 July 2006.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Residential and is subject to the Vegetation Management Overlay under the Scheme.

2.2. Multiple Dwellings are a Discretionary use in the Residential Zone.

2.3. The relevant parts of the Planning Scheme are:

- Section 2 – Planning Policy Framework;
- Section 3 – General Provisions; and
- Section 6 – Residential Zone.

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

3. PROPOSAL IN DETAIL

3.1. The Site

No 30 Dumbarton Drive is a 2784m² vacant residential zoned lot. The lot has 2 accesses, 1 via an access strip located on the southern side of the lot and the other via rights-of-way over 28A and 32 Dumbarton Drive located further north.

The application also includes:

- 240 Geilston Bay Road and 353 East Derwent Highway which is required to provide bushfire management areas for the development;
- 22 and 24 Dumbarton Drive as the titles for these lots include rights-of-way over the access strip in favour of 30 Dumbarton Drive; and
- 28A and 32 Dumbarton Drive which have rights-of-ways over the access strip which is part of the title of 30 Dumbarton Drive.

3.2. The Proposal

The proposal is for 6 Multiple Dwellings, all single storey buildings with a single car port attached. Access and egress to the site is via the existing access strip from Dumbarton Drive and via the existing rights-of-way over 28A and 32 Dumbarton Drive.

The applicant has indicated that he intends to develop the units in stages which would subsequently result in a staged strata scheme.

A fire break is proposed to the north of the site on 240 Geilston Bay Road (also owned by the applicant) and 353 East Derwent Highway, owned by the Crown. The Department of State Growth has agreed to grant the applicant a licence over this land for the purposes of bushfire hazard management.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

The relevant elements of the Planning Policy Framework are contained in Section 2.2.3(a)(ii) – Residential Land Use. In particular, the Key Objectives include the following.

- “• *To provide for a wide range of housing types to meet the changing housing needs of the community.*
- *To promote residential consolidation around activity centres and transport nodes to maximise accessibility to services and facilities, and the efficient use of infrastructure.*
- *To improve the quality of the City’s residential environments”.*

Reference to these principles is contained in the discussion below.

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

- “(a) *General requirements:*
 - (v) *The Specific Decision Requirements of the Zone, Overlay or Specific Provision.*
 - (vii) *Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.*
- (b) *Amenity requirements:*
 - (i) *The character of the locality, the existing and future amenities of the neighbourhood.*
 - (iii) *Landscaping, illumination and treatment of the site generally.*
- (c) *Infrastructure requirements:*
 - (vi) *The provision of access, loading, parking and manoeuvring of vehicles.*
- (d) *Design suitability requirements:*
 - (ii) *The position and scale of buildings in relation to boundaries or to other buildings, their density, character, height and harmony in design of facades.*
 - (iv) *The existing character of the site and the buildings and vegetation it contains”.*

Reference to these principles is contained in the discussion below.

4.3. Zone

The site is zoned Residential under the Clarence Planning Scheme 2007. The proposal is consistent with the Purpose of the zone in that it would provide for medium density residential living.

Clause 6.1.3 specifies the Use and Development Standards for the zone. The proposal meets the Use and Development Standards of the Residential Zone with respect to site cover, height, setbacks and private open space.

4.4. Specific Decision Requirements

The proposal is assessed against the Specific Requirements of the zone as follows.

“(a) A variety of styles, material and colours is encouraged for development within the zone. Architectural expression is preferred to ensure the zone reflects currency with modern design and construction techniques. Multiple Dwelling developments of eight or more dwellings should also include variety in the configuration of dwellings”.

The proposed buildings are considered to satisfy this requirement through the variety in the configuration of dwellings.

“(b) Outdoor Space for residential development should be located and designed to ensure reasonable access to sunlight during winter months and be of a size and shape to allow for limited recreational needs and provide space for service facilities”.

The proposed outdoor space complies with the requirements of the Scheme and therefore is considered to provide adequate solar access.

“(h) Appropriate separation should be provided between buildings to ensure adequate solar access and privacy”.

The dwellings are located approximately 10m apart, apart from Unit 1 and 2 which have carports attached to each dwelling located 3.5m apart. The applicant has provided sun shadow diagrams which demonstrate that each dwelling will achieve a minimum 3 hours of sunlight on 21 June. In addition, each dwelling provides living areas in the northern part of each dwelling.

Therefore, it is considered that the dwellings will achieve adequate solar access.

“(i) Development should be of domestic scale and maintain existing significant views from the surrounding area”.

The proposed development is domestic in scale. As the proposed dwellings are located down slope from the adjoining properties and are single storey, it is considered that the views from adjoining properties would not be significantly affected.

“(j) Dwellings are the preferred dominant built form in a residential streetscape. The placement and massing of any residential outbuilding should respect this”.

The proposal is consistent with this requirements being a residential development.

“(l) Sufficient car parking should be provided on-site to meet differing levels of residential, service and recreational needs. Safe and convenient access is to be provided to all parking areas”.

Two car parking spaces are provided for each dwelling which complies with the requirements of the Scheme. The existing access to the site is over 2 sealed driveways which are considered of adequate width to provide access to the development.

4.5. External Referrals

The application was referred to the Department of State Growth who did not provide comments.

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. Additional Traffic caused by more Units being developed as a result of the Boundary Adjustment being Approved

The representor also referred to the original plan which showed an access strip to the Dumbarton Road extension that did not involve the property at 32 Dumbarton Drive.

- **Comment**

The current proposal is for 6 Multiple Dwellings, however, as the developer has also made an application for a boundary adjustment to increase the size of the lot, it is possible that additional dwellings will be proposed as an extension of the proposed development. The access to any future development would be via the existing access strips.

While approval of the boundary adjustment may result in additional dwellings and therefore increased traffic along the access strips, Council's Engineers are satisfied that the current and proposed access arrangements for D-2015/108 are satisfactory and are adequate for any additional dwellings proposed, however, any application would be subject to further approval from Council.

It is also noted that due to the steepness of the site development of the lots and access as approved by SD-2006/24 would have been difficult to achieve.

It is considered that the issues raised in the representation do not warrant refusal of the application.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

8. CONCLUSION

The proposal for 6 Multiple Dwellings is considered to be consistent with the requirements of the Scheme and is recommended for approval.

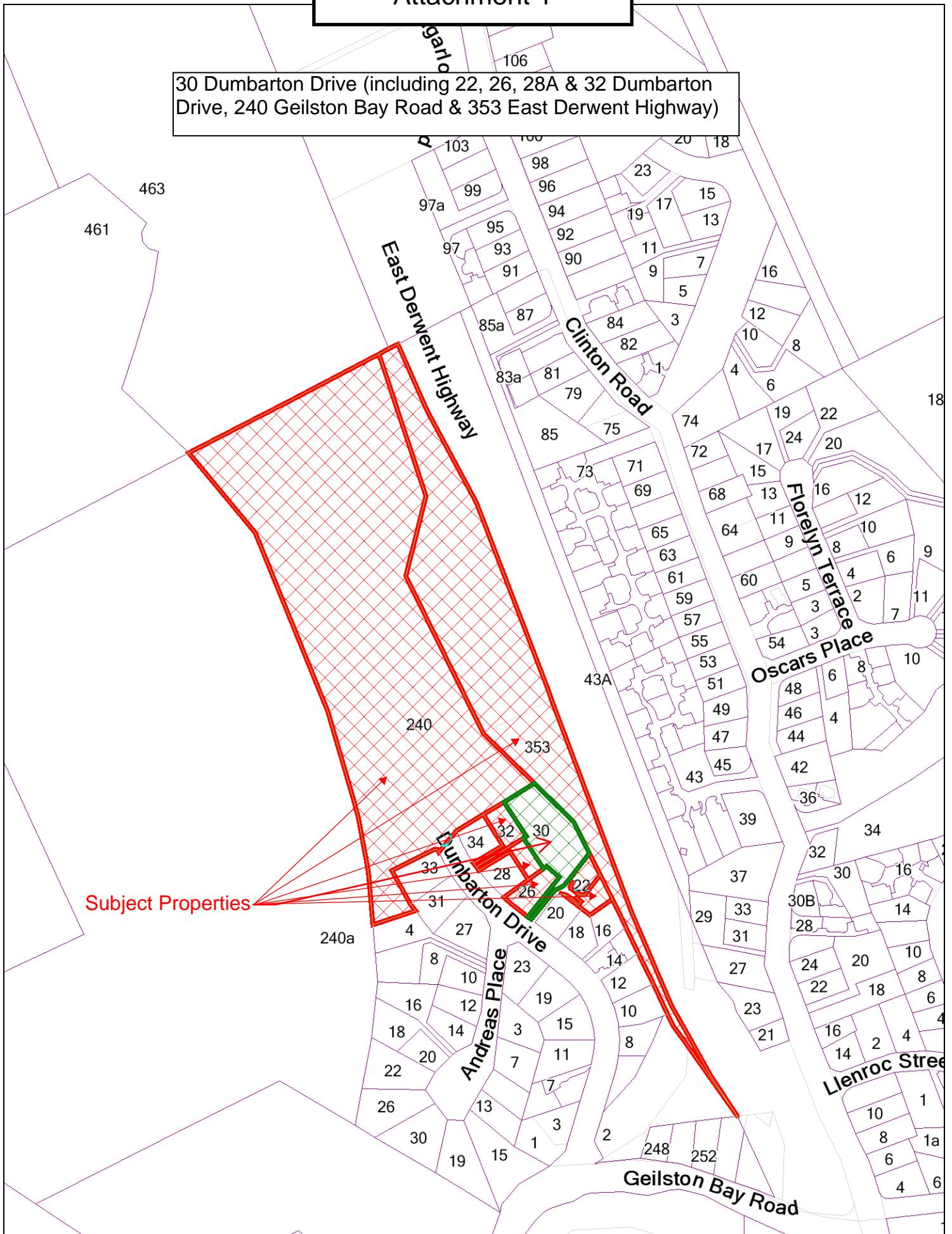
Attachments: 1. Location Plan (1)
2. Proposal Plan (17)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

30 Dumbarton Drive (including 22, 26, 28A & 32 Dumbarton Drive, 240 Geilston Bay Road & 353 East Derwent Highway)

Subject Properties



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, 14 August 2015 **Scale:** 1:3,815 @A4

Attachment 2

PART ONE OF FIVE

DATE 20th March 2015

PROPOSAL (at 30 Dumbarton Drive, Geilston Bay)for a multi staged villa dwelling development in TWO parts.

- 1 The first development is a multi-staged, 5 unit development
- 2 The second is another multi-staged ,5 unit development on land proposed to be subdivided (from the mother title) to add to the existing lot, at 30 Dumbarton

We are required to provide a bush fire solution as part of the proposal. I respectfully request (and after discussion with Bruce Gibbs) that the application is assessed assuming and subject to, a solution being developed for the FIRE BREAK. This is as there is no alternative solution, given all the variables associated with the bushland zone.

I have provided the following in FIVE parts including this, the introduction;

- 1 Introduction
- 2 The plans associated. These include, vehicle turning diagrams, shadow diagrams, and landscaping. I request that I have a chance to further refine the landscaping plans before building please.
- 3 The titles include, the current Lot 11 (which have 5 dwellings proposed), the mother title (which will be subdivided, and an amount of land (which have another proposed 5 units), adhered to the current Lot 11 . This also includes the proposed lot surveyed. It clearly indicates it is too steep to access from anywhere else except continuing North along lot 11 .
- 4 The Fire Report includes Letters to and from DIER and the appropriate signed form from the Clarence Council. In addition the documents demonstrate support for the Fire Break proposed from all the relevant authorities
- 5 The Site Research undertaken was to determine if there were any terrain of aboriginal significance, and any vulnerable species of flora in the Fire Break Zone. The Zone has been deemed applicable for the proposed Fire Break.

We have shown this proposal as a Two Part Proposal. This is as we have a subdivision application currently in council. The Council may therefore deem it more appropriate to assess both proposals at the same time

Kind Regards

Jim Tsiakis

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

GENERAL NOTES:

- CHECK ALL DIMENSIONS AND MEASUREMENTS ON SITE PRIOR TO FABRICATION AND/OR CONSTRUCTION. DIMENSIONS ARE IN METERS. TERMINATE TO FRAME AND DO NOT ALLOW FOR INFLUENCES.
- DO NOT SCALE DRAWINGS. IF IN DOUBT, ASK.
- ALL WORK IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA (BCA) AS AMENDED RELEVANT AUSTRALIAN STANDARDS, AS CODES AND GOOD BUILDING PRACTICES.
- DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS AND SCHEDULES.

ISSUE	DESCRIPTION	DATE

File Number:
DEN/14/25

Title:
Specifications & detailing for certification & permit issue of residential construction

map
modern architecture practice

Registered Architects

Leon Jenkins

34 Silwood Avenue
Howrah Tas 7016
Phone: (03) 6244 4850
Mobile: 0419 894 623
Email: maparch@neispace.net.au

TCC No: 1003
QCC No: 4833

Scale	Project	Drawn	Date
As shown	AL	KL	Dec 11



Proposed Site Plan Stage 01

Scale 1:300

PROJECT DATA

KEY PROPOSAL STATISTICS

TITLE	VOLUME 156955 FOLIO 11
LOCATION	LOT 11, N° 30 DUMBARTON DRIVE, GEILSTON BAY
SITE AREA	2,545m ² (excludes drive)
SITE COVERAGE	34% (roof area)
TOTAL ROOF AREA	850.75m ²
FLOOR AREAS	586.90m ²
NUMBER OF STOREYS	1
PEAK BUILDING HEIGHT	4.5m
VEHICULAR CROSSOVER WIDTH	7.200

DRAWING LIST

- A.01 Site-Setout plan/General
- A.02 Existing Site Conditions (Services)
- A.03 Site Drive Levels
- A.04 Floor Plan/Elevations/Section Unit 01
- A.05 Floor Plan/Elevations/Section Unit 02
- A.06 Floor Plan/Elevations/Section Unit 03
- A.07 Floor Plan/Elevations/Section Unit 04
- A.08 Floor Plan/Elevations/Section Unit 05
- A.09 Floor Plan/Elevations/Section Unit 06
- A.10 Vehicular Movement
- A.11 Cross Sections
- A.12 Open Space
- A.13 Landscape Plan
- A.14 Sun Shadows

Finishes

Roof	- Customorb 'basalt'
Windows	- Aluminium powder coated 'basalt'
Wall residence	- Island brick & paving Pearl-washed finish
Colorbond fence 1.8m high	- Pale Eucalypt

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction Contact: Greg Carpenter
CJA Ph: 6224 4869
C. Johnstone & Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 4 of 20

Jim Tsiakis

**Site
Address:**

30 Dumbarton Drive
Geilston Bay

GENERAL NOTES:

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IF IN DOUBT ASK.

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- **DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS AND SCHEDULES.**

ISSUE	DESCRIPTION	DATE

File
Number:
DEN/14/25

Title:
Specifications & detailing
for certification & permit issue
of residential construction



Registered Architects

Leon Jenkins

34 Silwood Avenue
Howrah Tas 7018
Phone: (03) 6244 4850
Mobile 0419 894 623
Email: maparch@netspace.net.au

TCC No: 1003
QCC No: 4833

Stage 02

Proposed Site Plan

Stage 01

Scale 1:300

PROJECT DATA

KEY PROPOSAL STATISTICS

TITLE	VOLUME 156955 FOLIO 11
LOCATION	LOT 11, N° 30 DUMBARTON DSRIVE, GEILSTON BAY
SITE AREA	2,545m2 (excludes drive)
SITE COVERAGE	34% (roof area)
TOTAL ROOF AREA	850.75m2
FLOOR AREAS	586.90m2
NUMBER OF STOREYS	1
PEAK BUILDING HEIGHT	4.5m
VEHICULAR CROSSEOVER WIDTH	7,200

DRAWING LIST

- A.01 Site-Setout plan/General
- A.02 Existing Site Conditions (Services)
- A.03 Site Drive Levels
- A.04 Floor Plan/Elevations/Section Unit 01
- A.05 Floor Plan/Elevations/Section Unit 02
- A.06 Floor Plan/Elevations/Section Unit 03
- A.07 Floor Plan/Elevations/Section Unit 04
- A.08 Floor Plan/Elevations/Section Unit 05
- A.09 Floor Plan/Elevations/Section Unit 06
- A.10 Vehicular Movement
- A.11 Cross Sections
- A.12 Open Space
- A.13 Landscape Plan
- A.14 Sun Shadows

Finishes

Roof	- Customorb 'basalt'
Windows	- Aluminium powder coated 'basalt'
Wall residence	- Island brick & paving Pearl-washed finish
Colorbond fence 1.8m high	- Pale Eucalypt

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

GENERAL NOTES:

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ISSUE	DESCRIPTION	DATE	

File Number:

DEN/14/25

Title:

Specifications & detailing for certification & permit issue of residential construction

map
modern architecture practice

Registered Architects

Leon Jenkins

34 Silwood Avenue
Howrah Tas 7018
Phone: (03) 6244 4850
Mobile 0419 894 623
Email: maparch@netspace.net.au

TCC No: 1003
QCC No: 4833

Cross Sections

Site/Drive Levels

Scale 1:300

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C.Johnstone& Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 7 of 20

Scale	Paper	Drawn	Date
As shown	A3	LJ	Dec.14
0/15	A3		
2014/25	A-03		ISSUE
PLOT DATE: 01 JUNE 2015			

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

GENERAL NOTES:

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ISSUE	DESCRIPTION	DATE	

File Number:
DEN/14/25

Title:
Specifications & detailing for certification & permit issue of residential construction

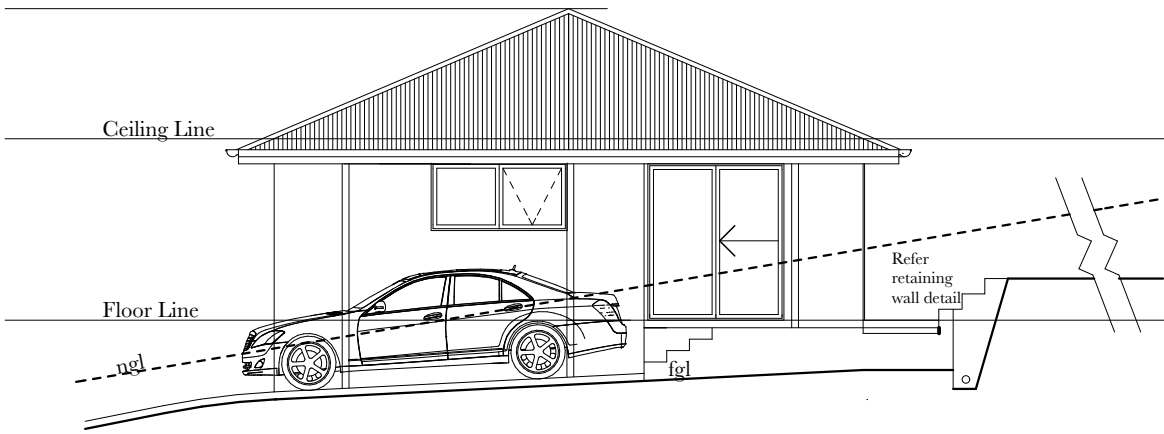
map
modern architecture practice

Registered Architects

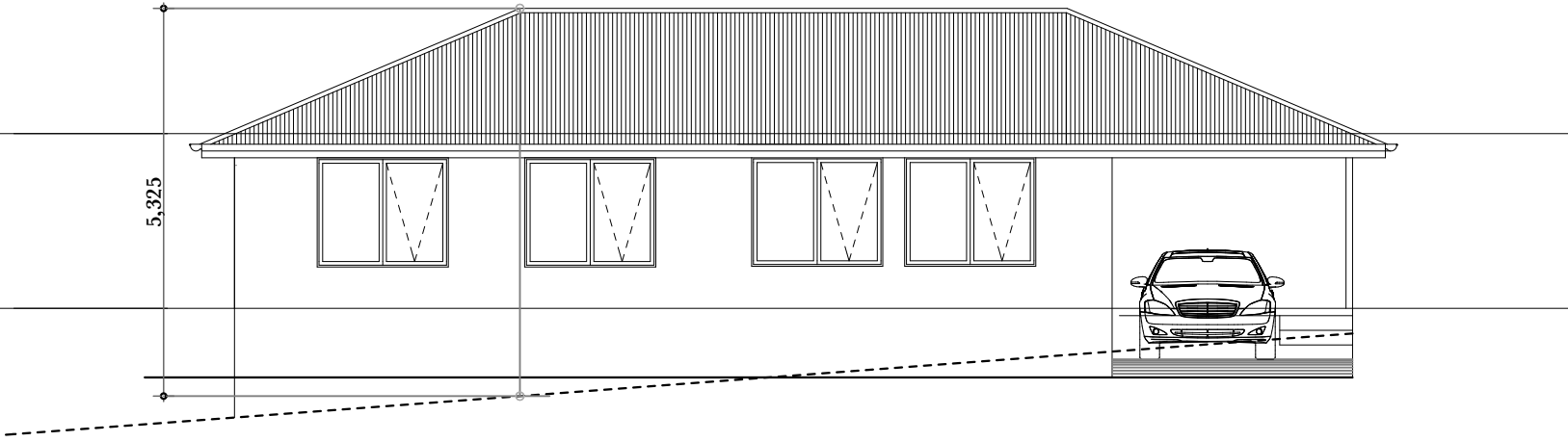
Leon Jenkins

34 Silwood Avenue
Howrah Tas 7018
Phone: (03) 6244 4850
Mobile: 0419 894 623
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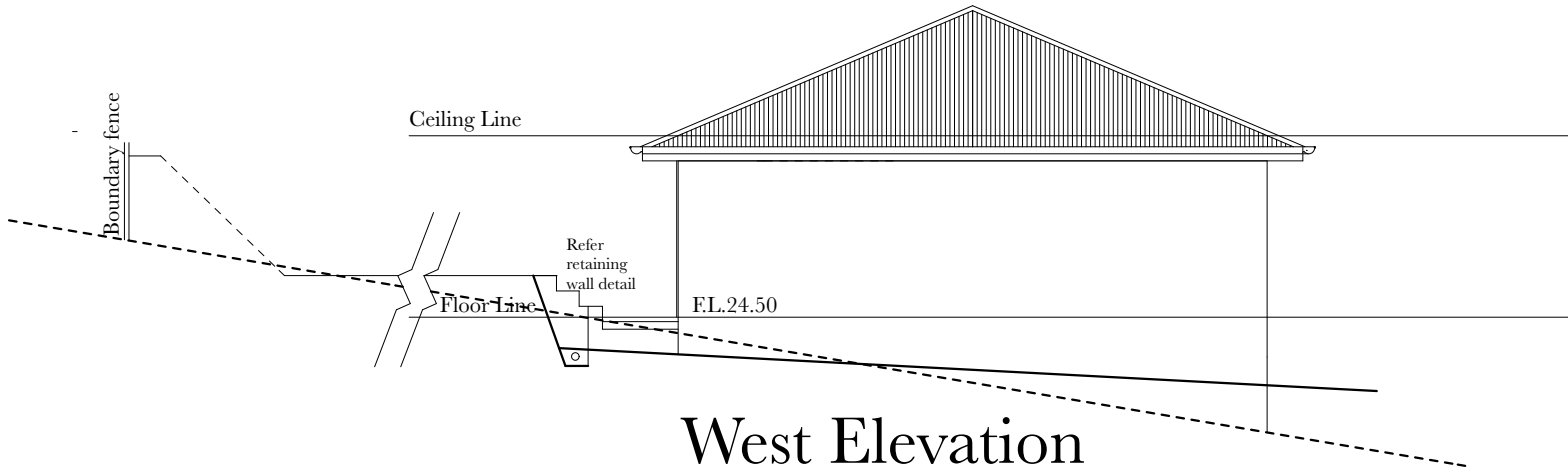
TCC No: 1003
QCC No: 4833



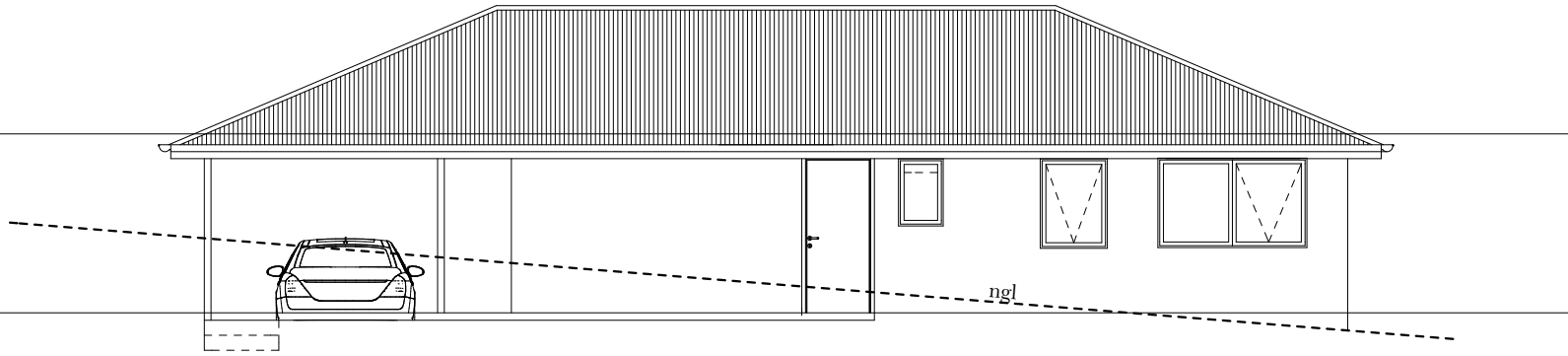
East Elevation



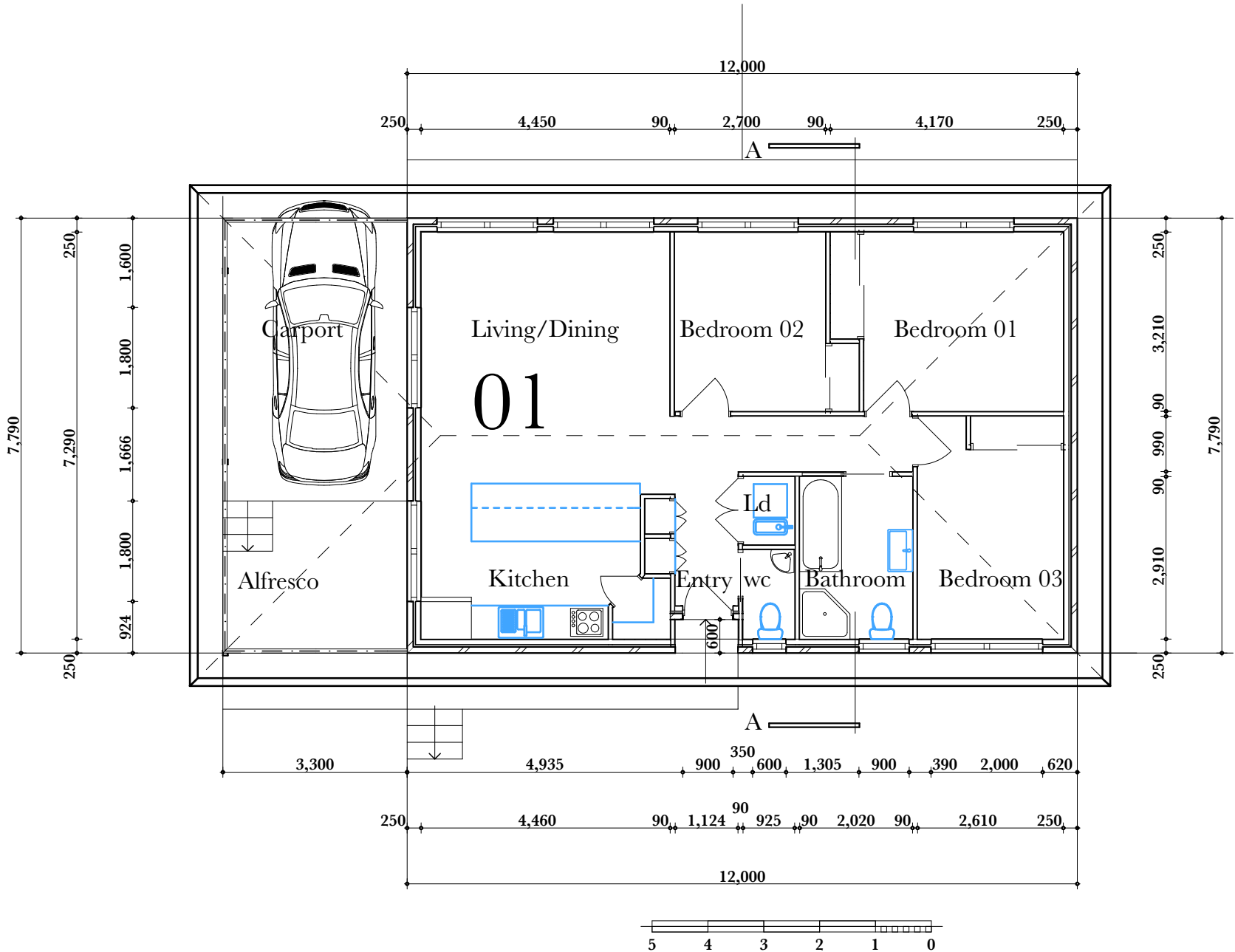
North Elevation



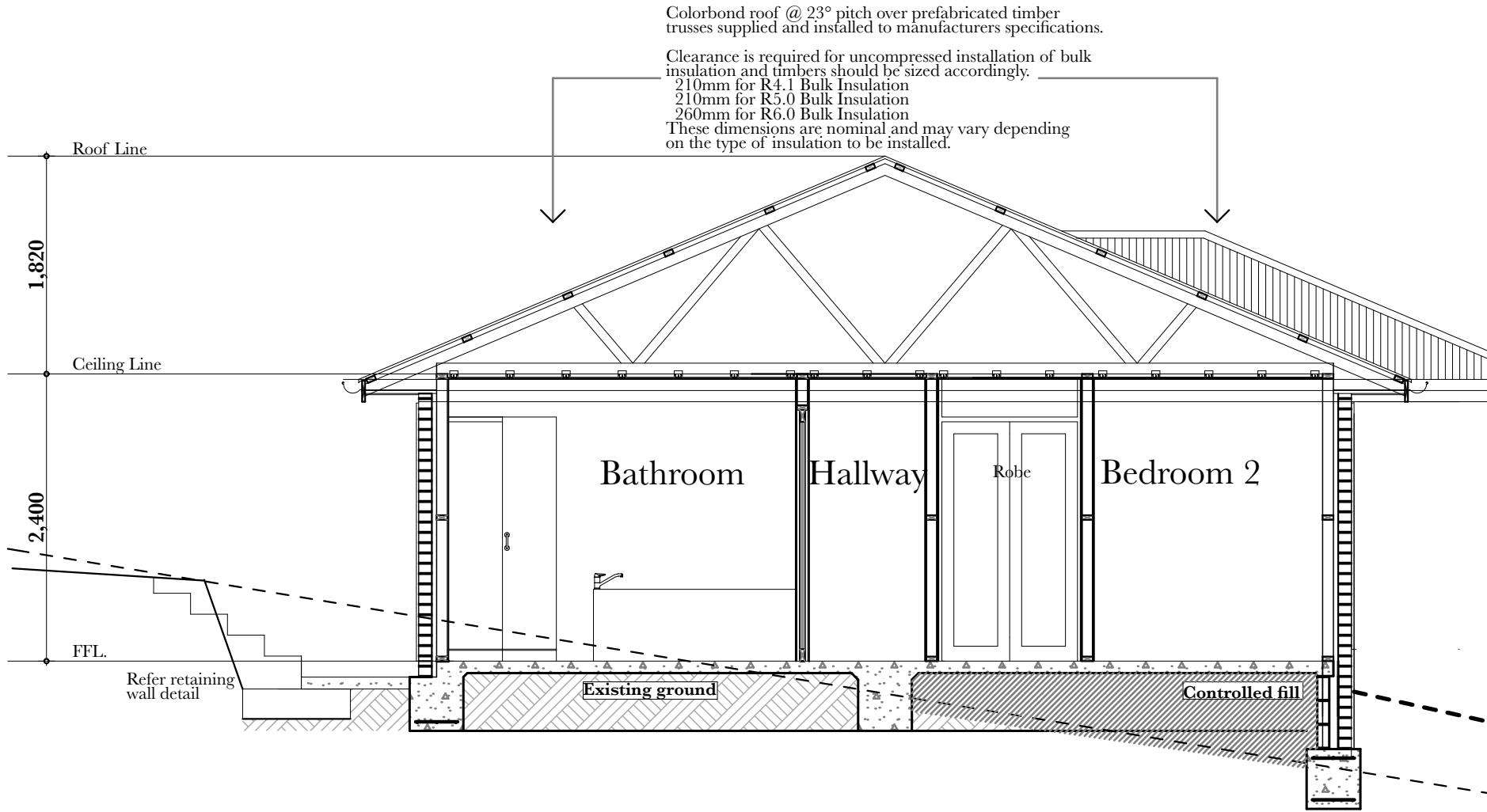
West Elevation



West Elevation



Proposed Floor Plan Unit 01
93.50m2



Section A A

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C. Johnstone & Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 8 of 20

Scale	Paper	Drawn	Date
As shown	A3	LJ	Dec.14
2014/25	A-04		ISSUE
PLOT DATE: 01 JUNE 2015			

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

GENERAL NOTES:

- CHECK ALL DIMENSIONS AND MEASUREMENTS ON SITE PRIOR TO FABRICATION AND OR CONSTRUCTION.
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• DO NOT SCALE DRAWINGS. IF IN DOUDT ASK.

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• DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS AND SCHEDULES.

ISSUE	DESCRIPTION	DATE	

File Number:
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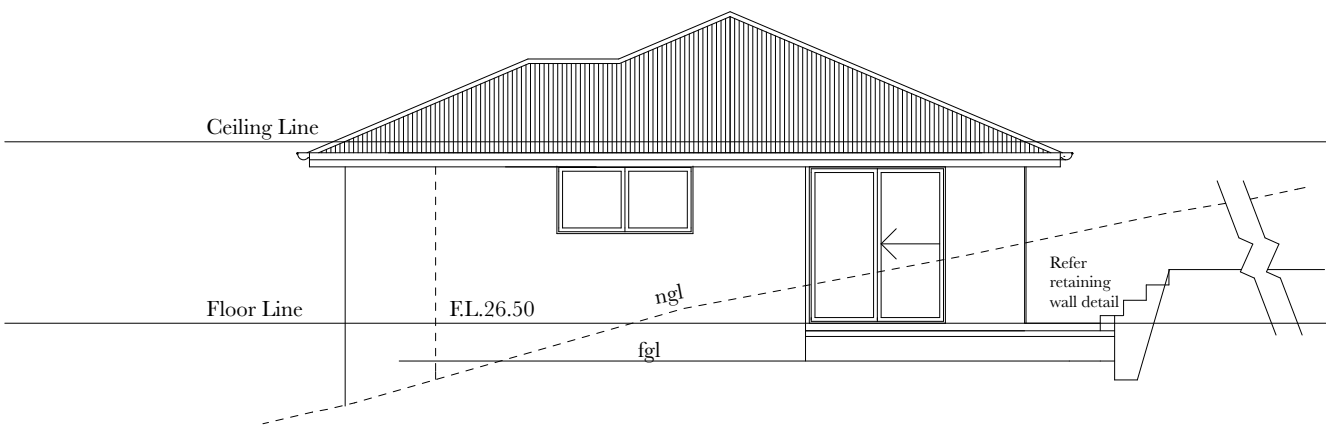


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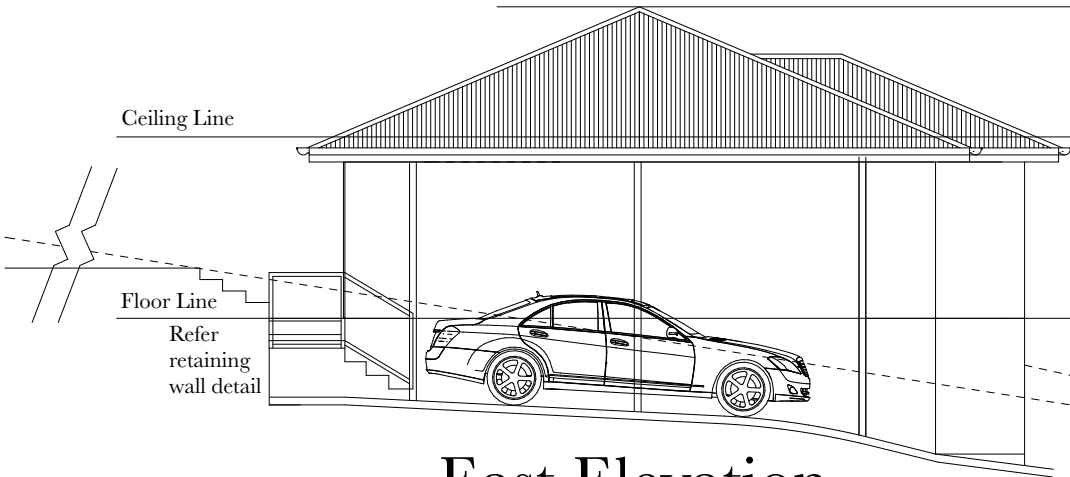
Leon Jenkins

34 Silwood Avenue
Howrah Tas 7018
Phone: (03) 6244 4850
Mobile 0419 894 623
Email: maparch@netspace.net.au

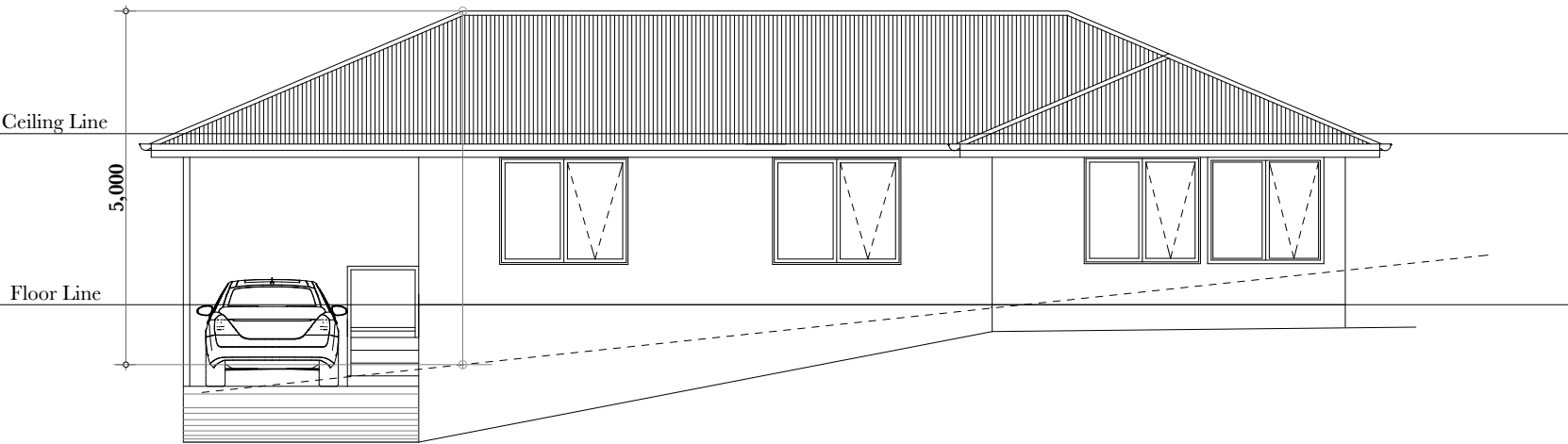
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QCC No: 4833



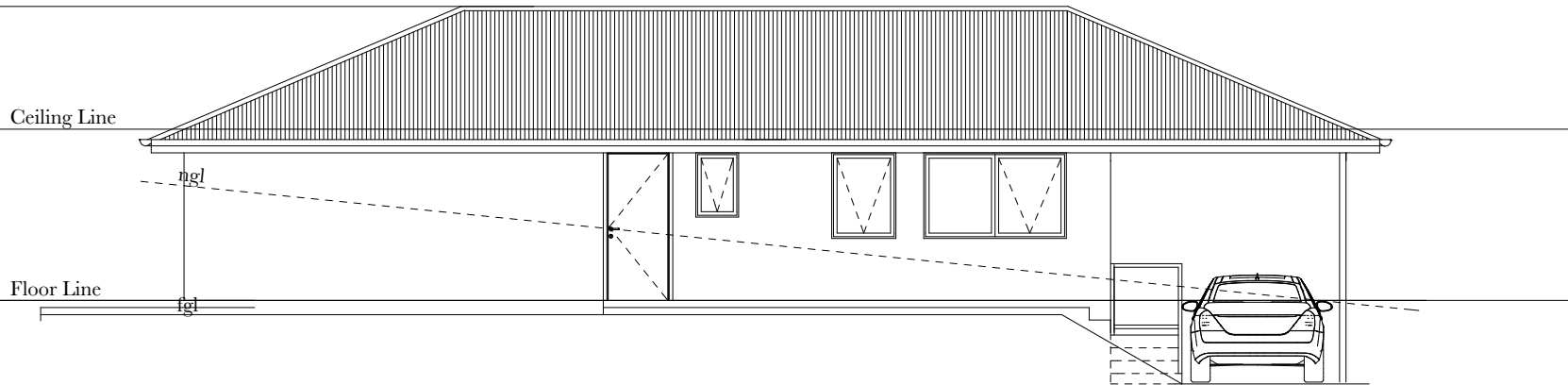
West Elevation



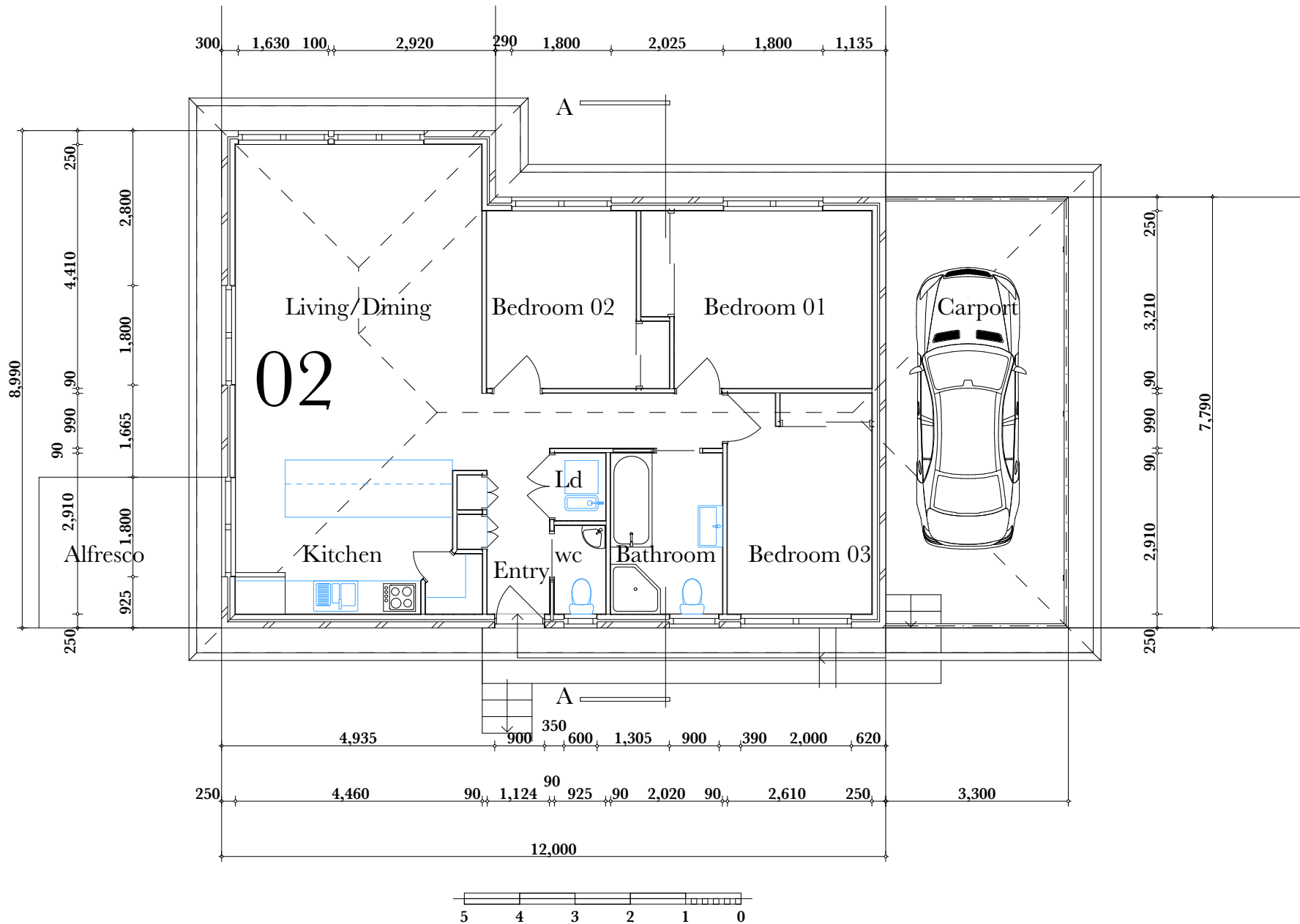
East Elevation



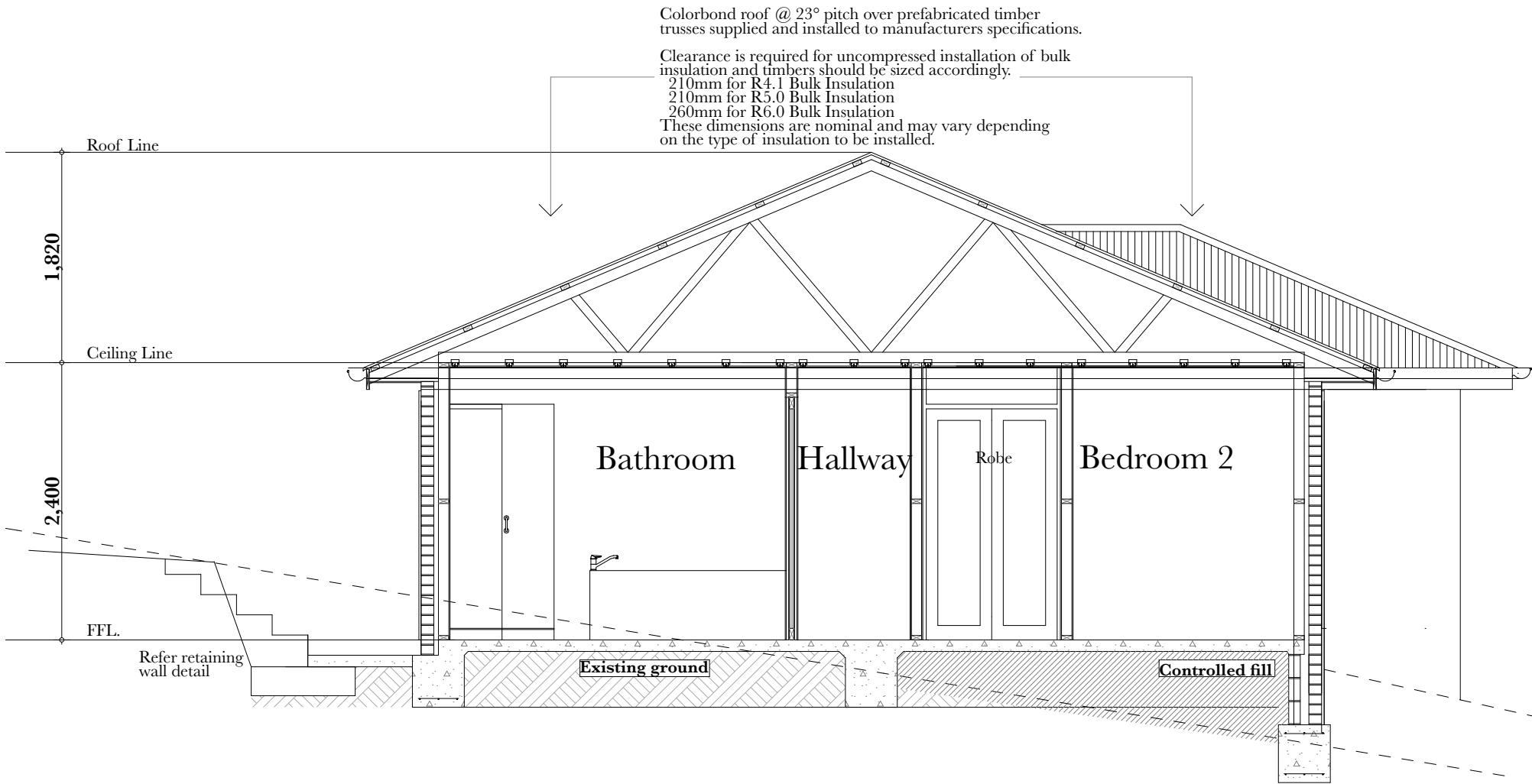
West Elevation



North Elevation



Proposed Floor Plan Unit 02
Scale 1:100
99.50m²



Section A A
Scale 1:50

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C. Johnstone & Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 9 of 20

Scale	Paper	Drawn	Date
As shown	A3	LJ	Dec.14
2014/25	A-05		ISSUE
PLOT DATE: 01 JUNE 2015			

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

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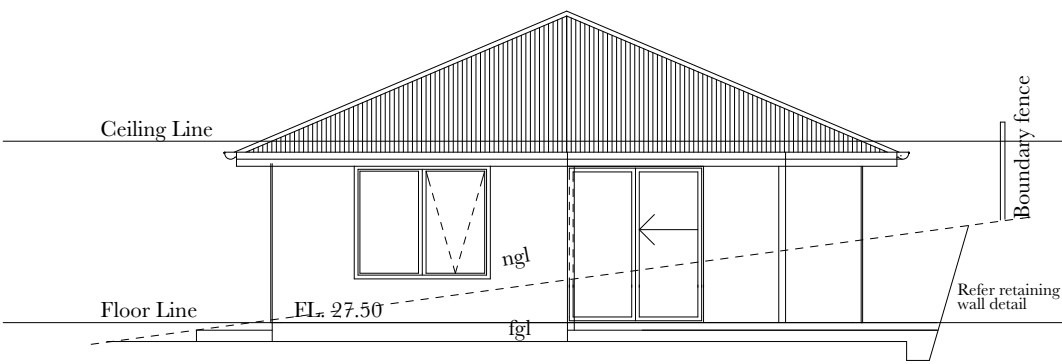
map
modern architecture practice

Registered Architects

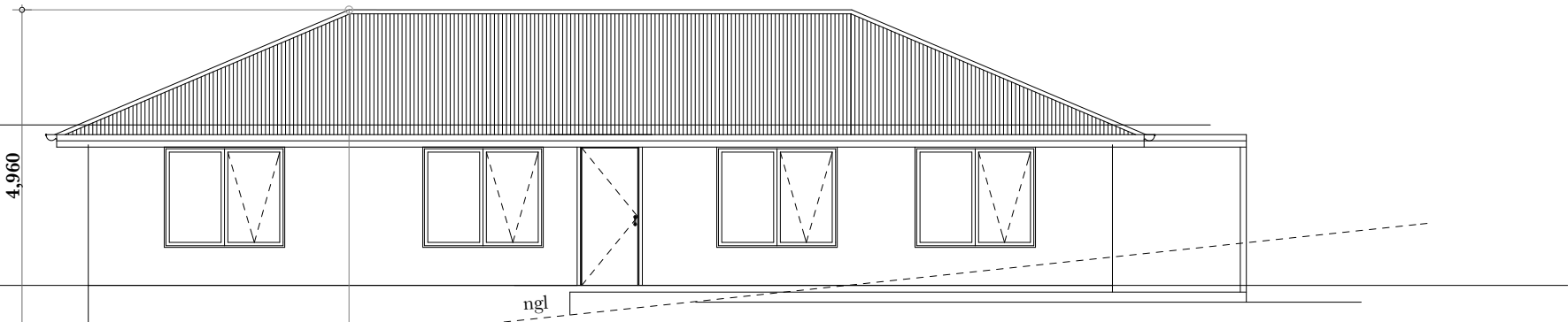
Leon Jenkins

34 Silwood Avenue
Howrah Tas 7018
Phone: (03) 6244 4850
Mobile: 0419 894 623
Email: maparch@netspace.net.au

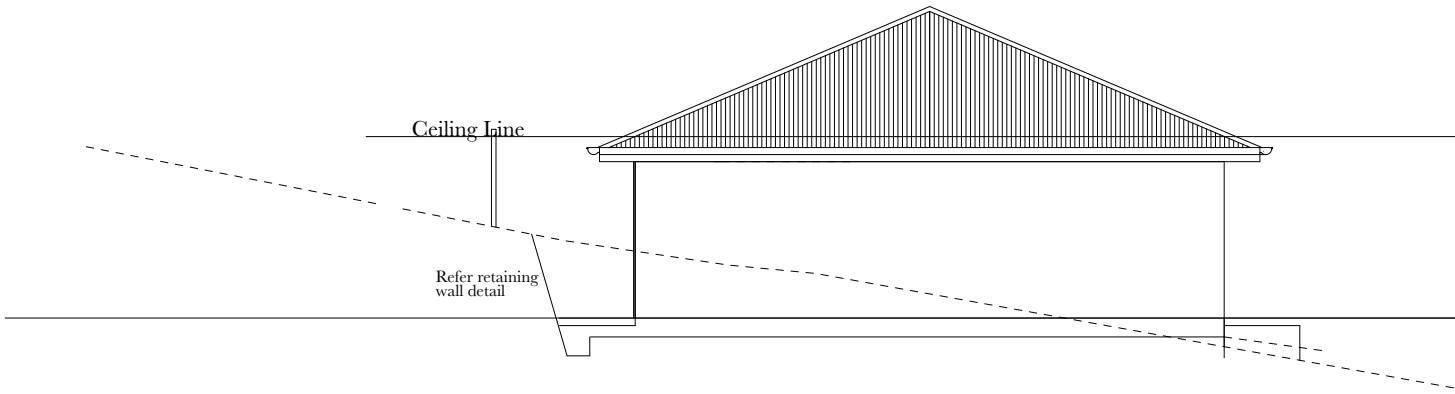
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QCC No: 4833



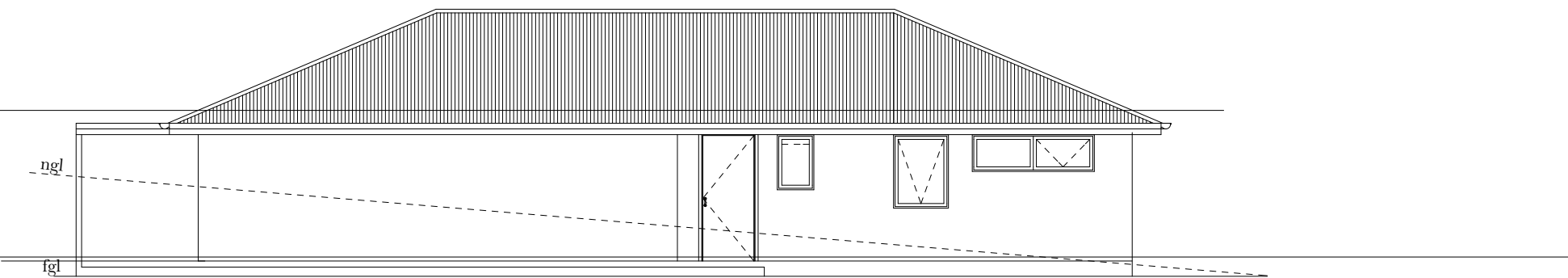
West Elevation



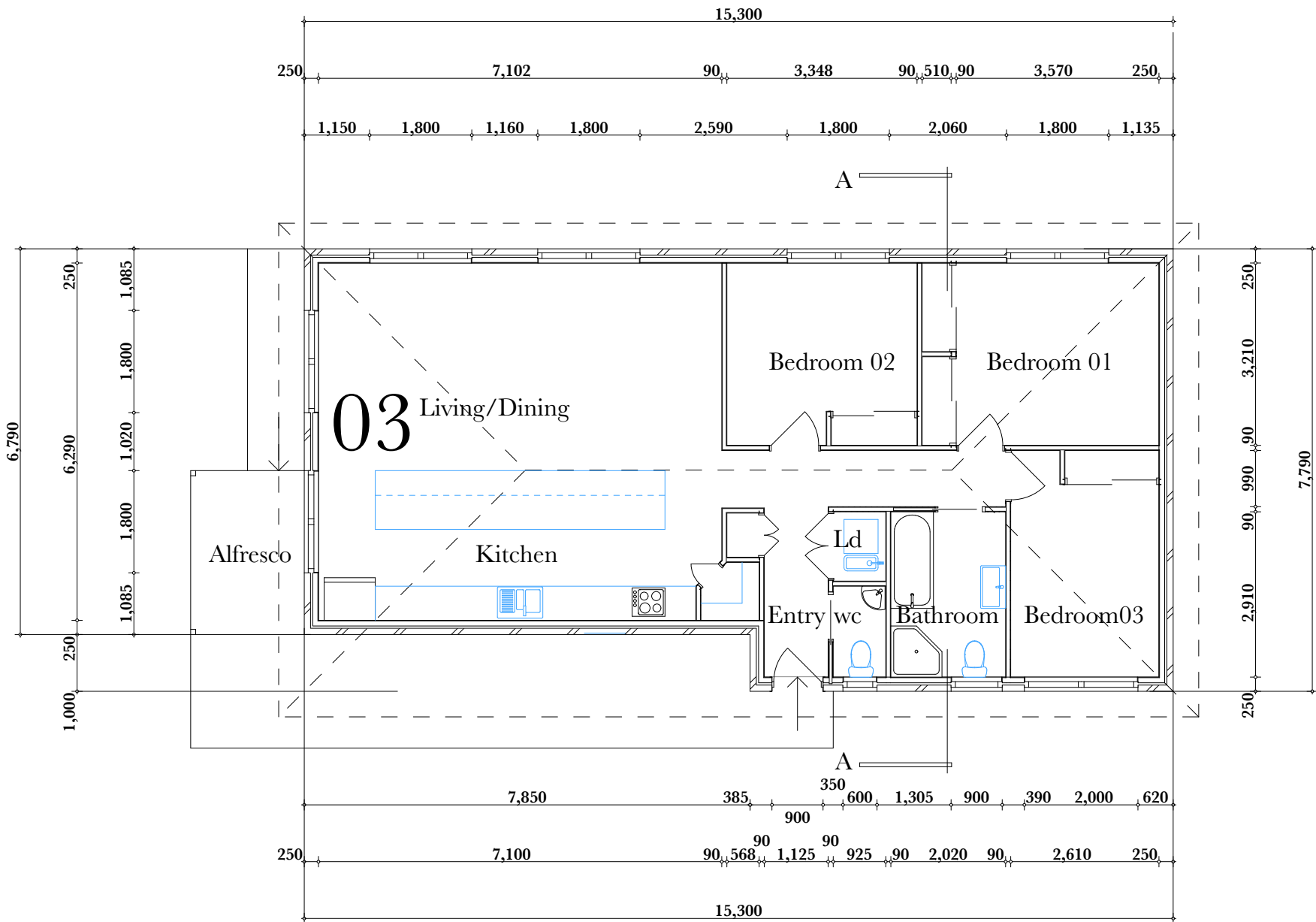
North Elevation



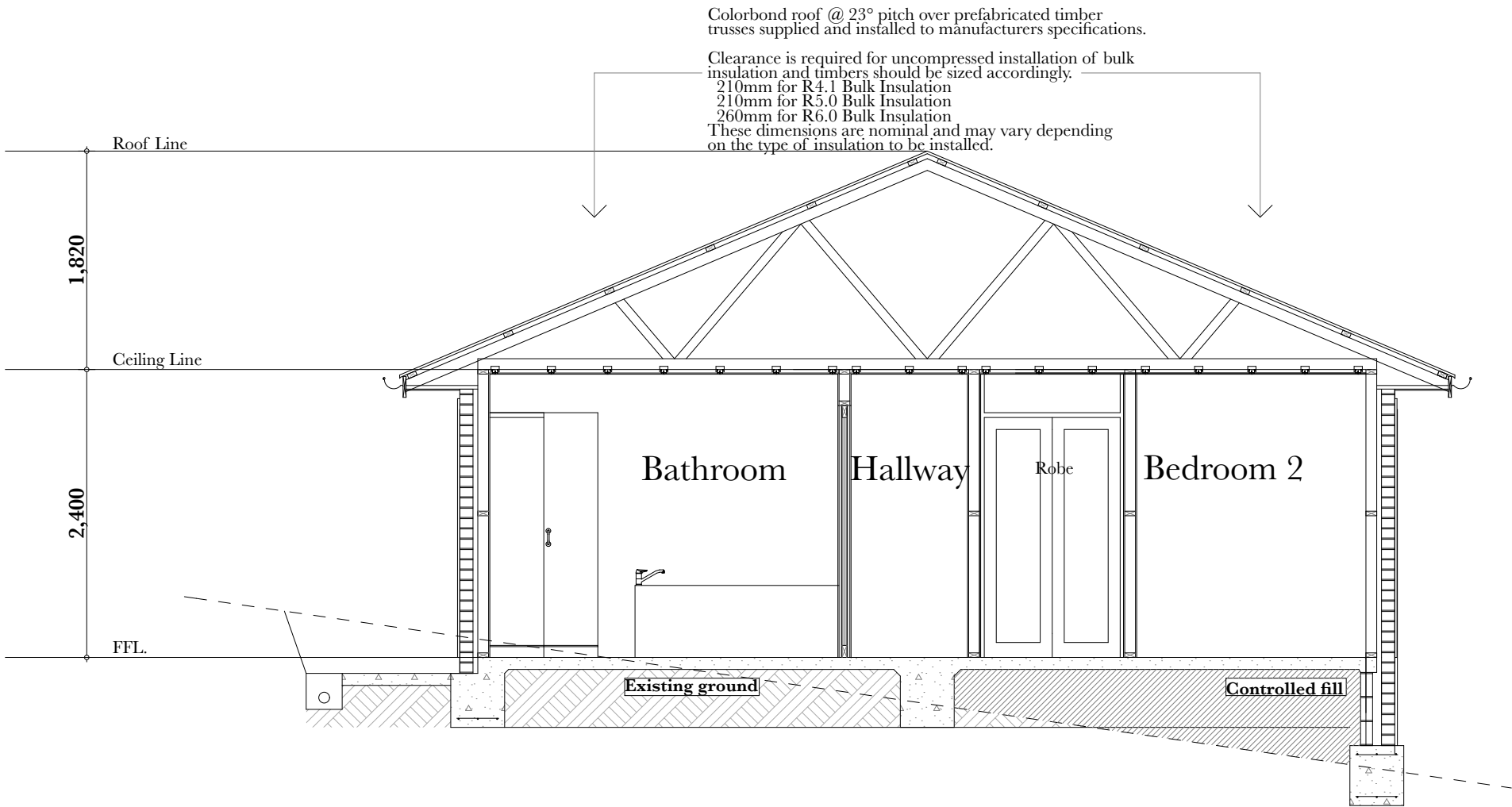
East Elevation



South Elevation



Proposed Floor Plan Unit 03
111.40m2



Section A A
Scale 1:50

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C.Johnstone& Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 10 of 20

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

GENERAL NOTES:

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File Number:
DEN/14/25

Title:
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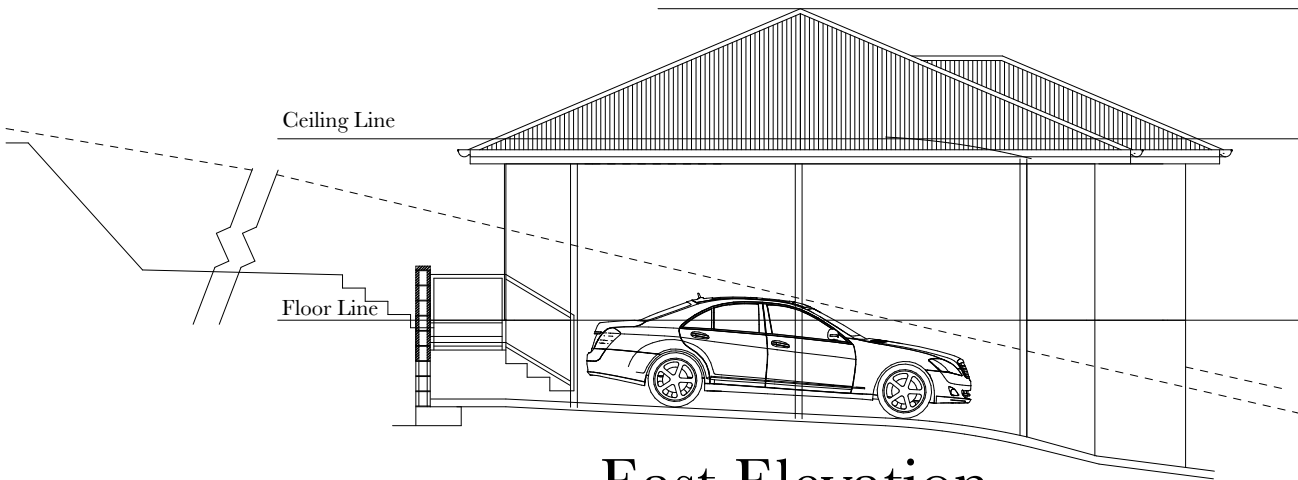
Registered Architects

Leon Jenkins

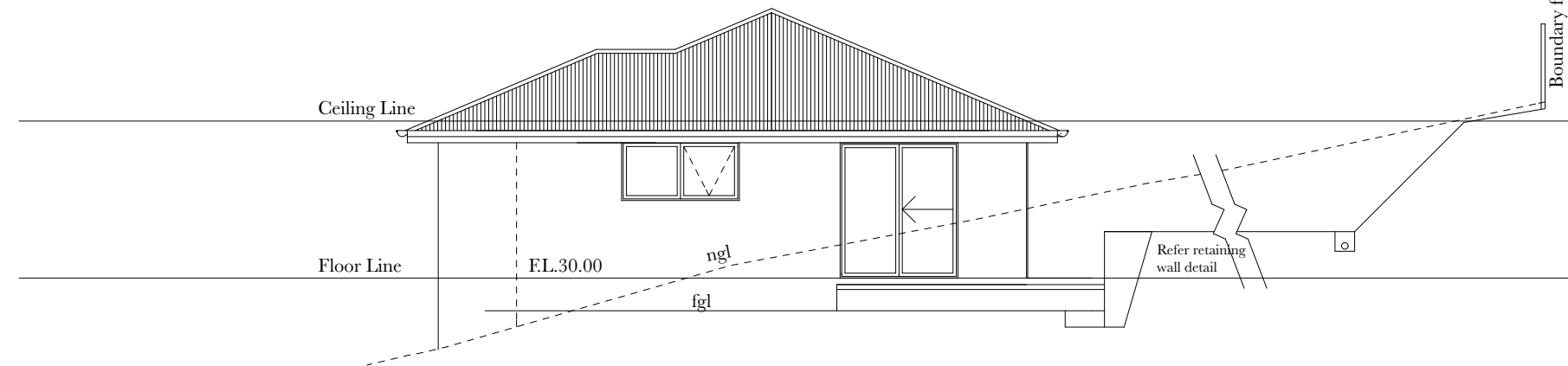
34 Silwood Avenue
Howrah Tas 7018
Phone: (03) 6244 4850
Mobile 0419 894 623
Email: maparch@netspace.net.au

TCC No: 1003
QCC No: 4833

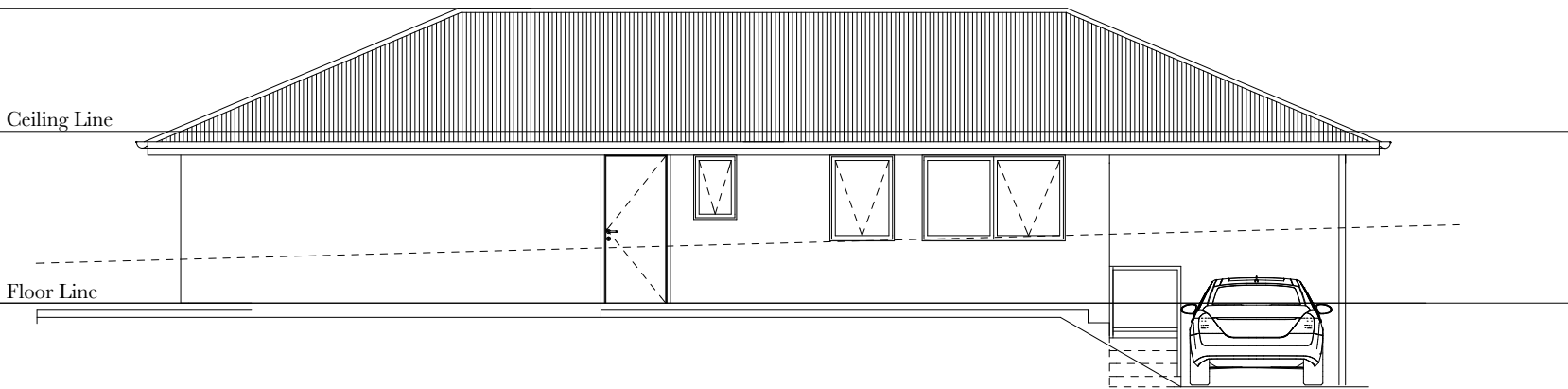
Scale	Paper	Drawn	Date
As shown	A3	LJ	Dec.14
2014/25	A-07		ISSUE
PLOT DATE: 01 JUNE 2015			



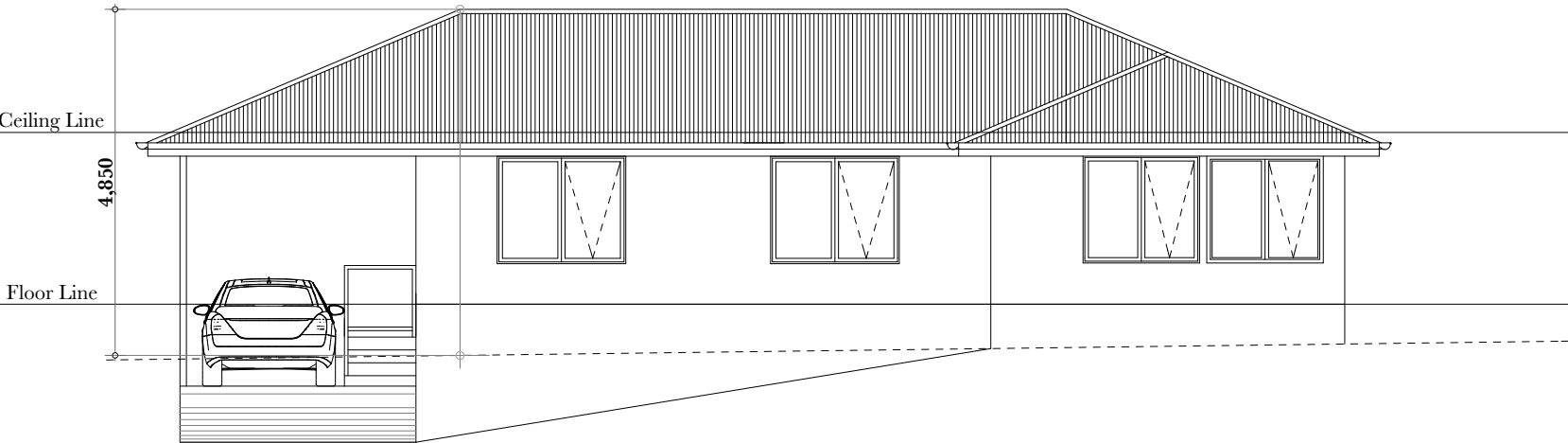
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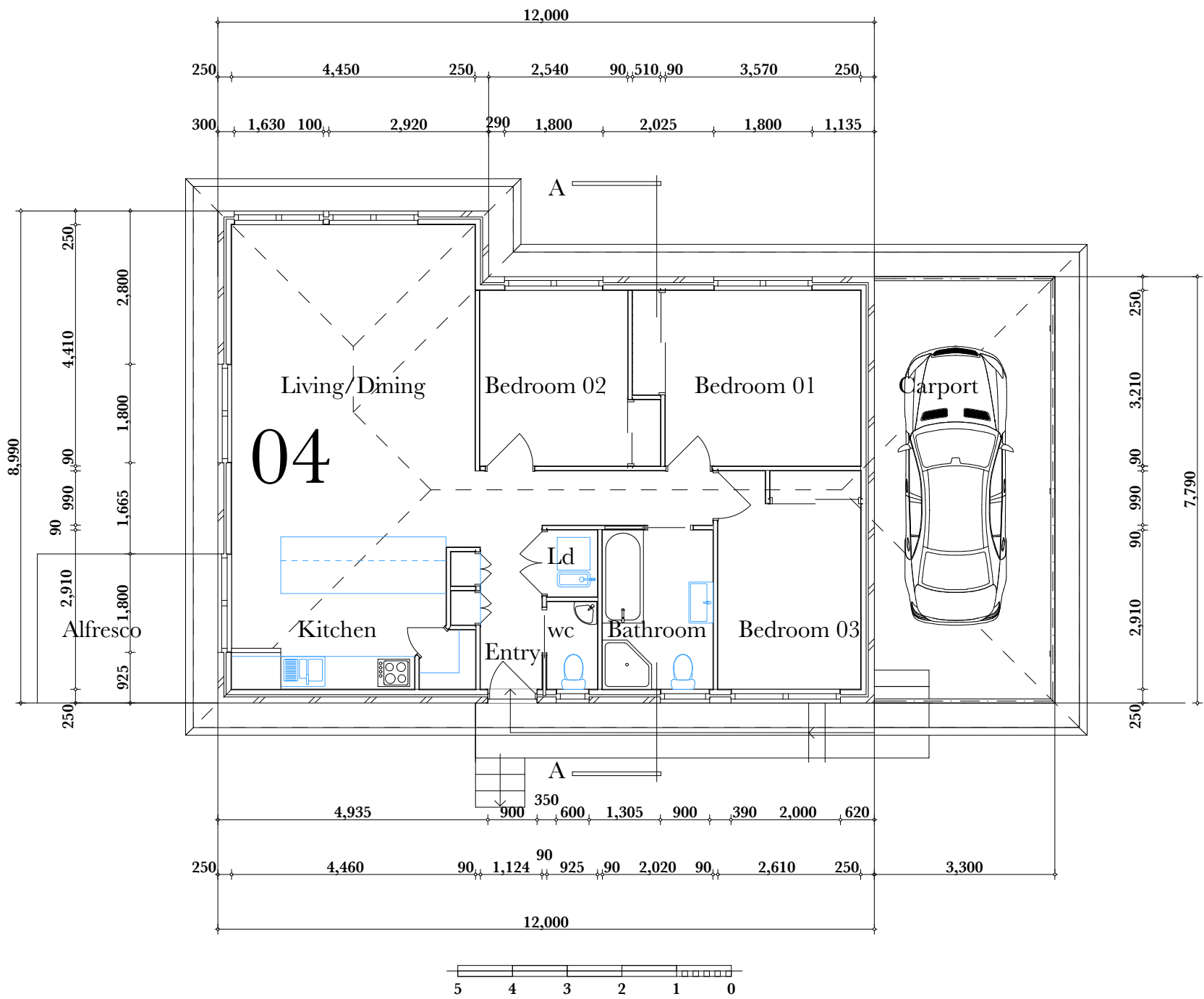
West Elevation



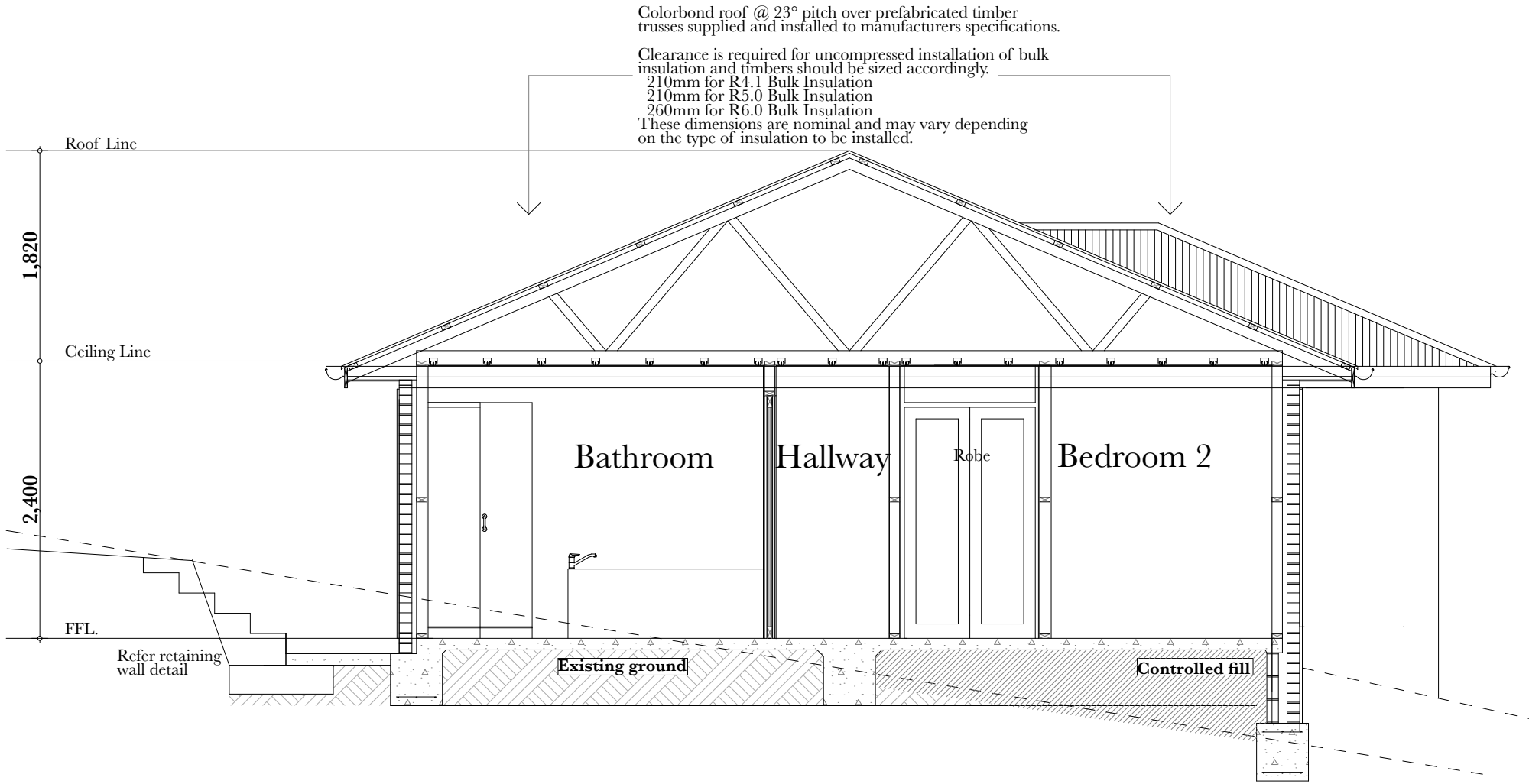
North Elevation



South Elevation



Proposed Floor Plan Unit 04 Scale 1:100
99.50m2



Section A A Scale 1:50

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C.Johnstone& Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 11 of 20

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

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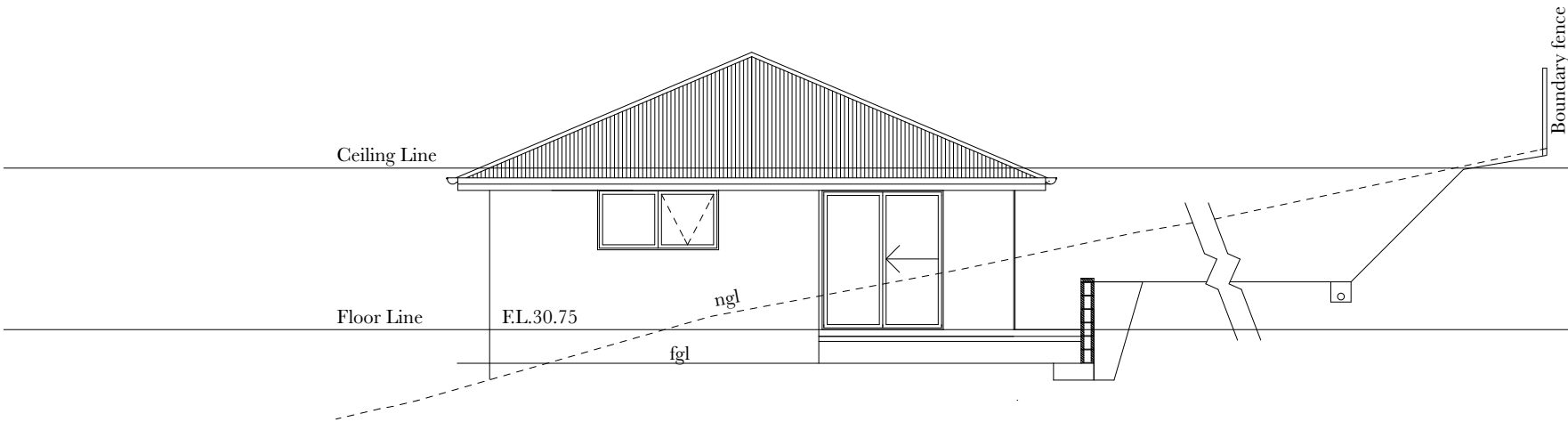
map
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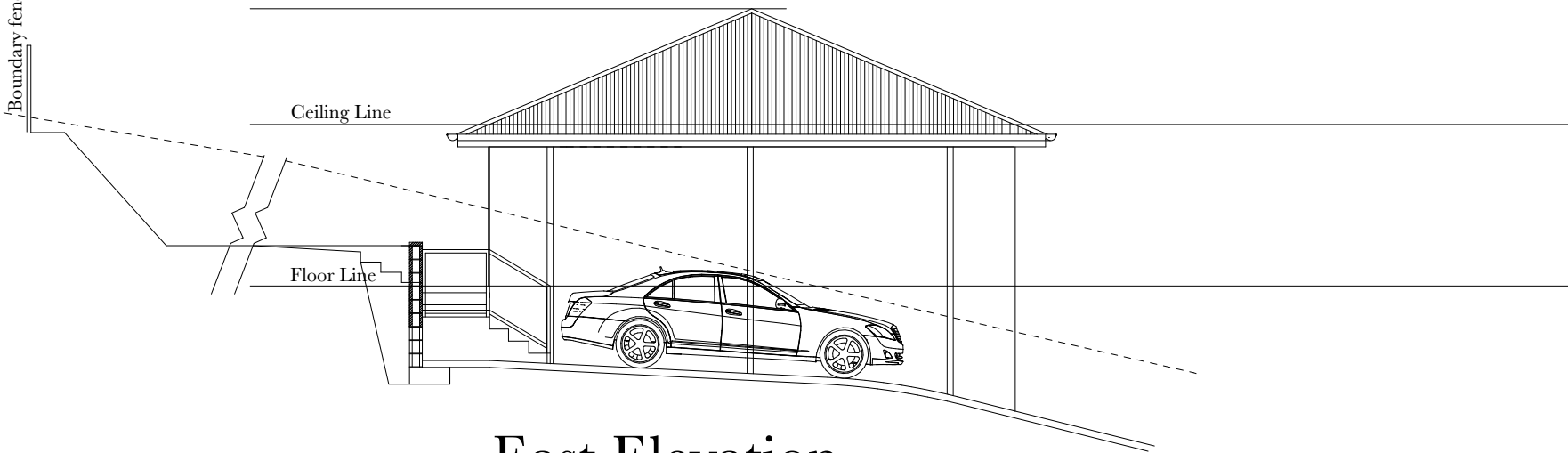
Leon Jenkins

34 Silwood Avenue
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Mobile 0419 894 623
Email: maparch@netspace.net.au

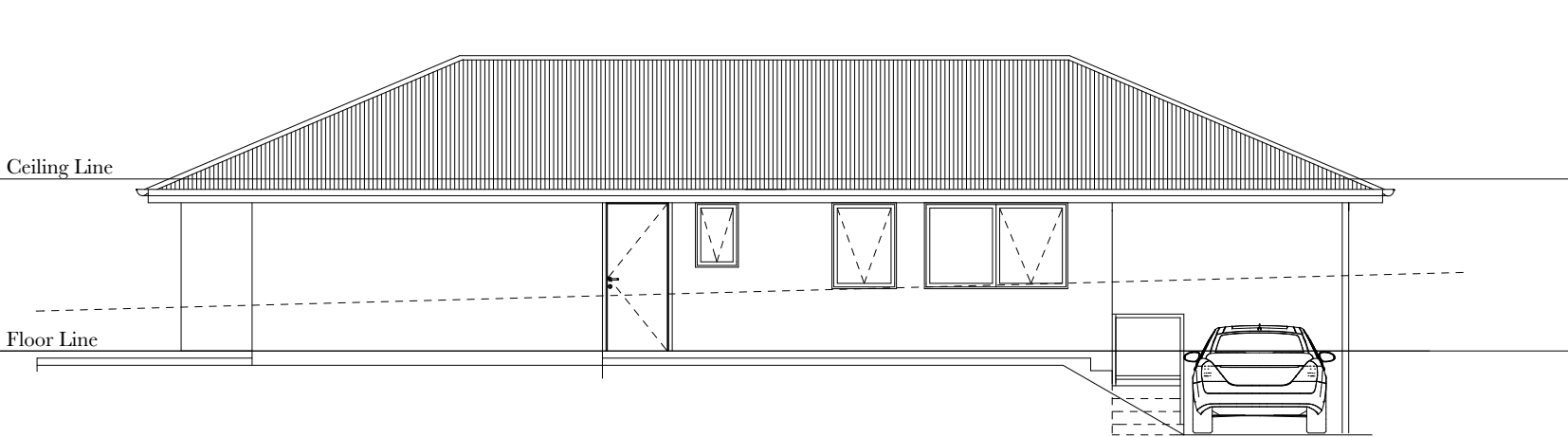
TCC No: 1003
QCC No: 4833



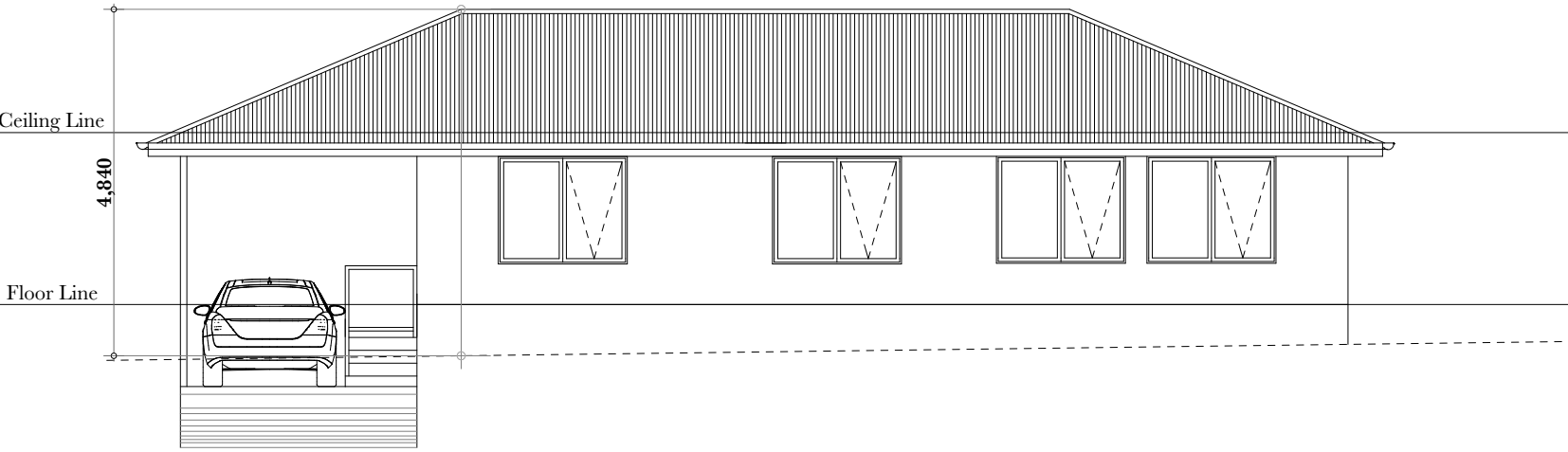
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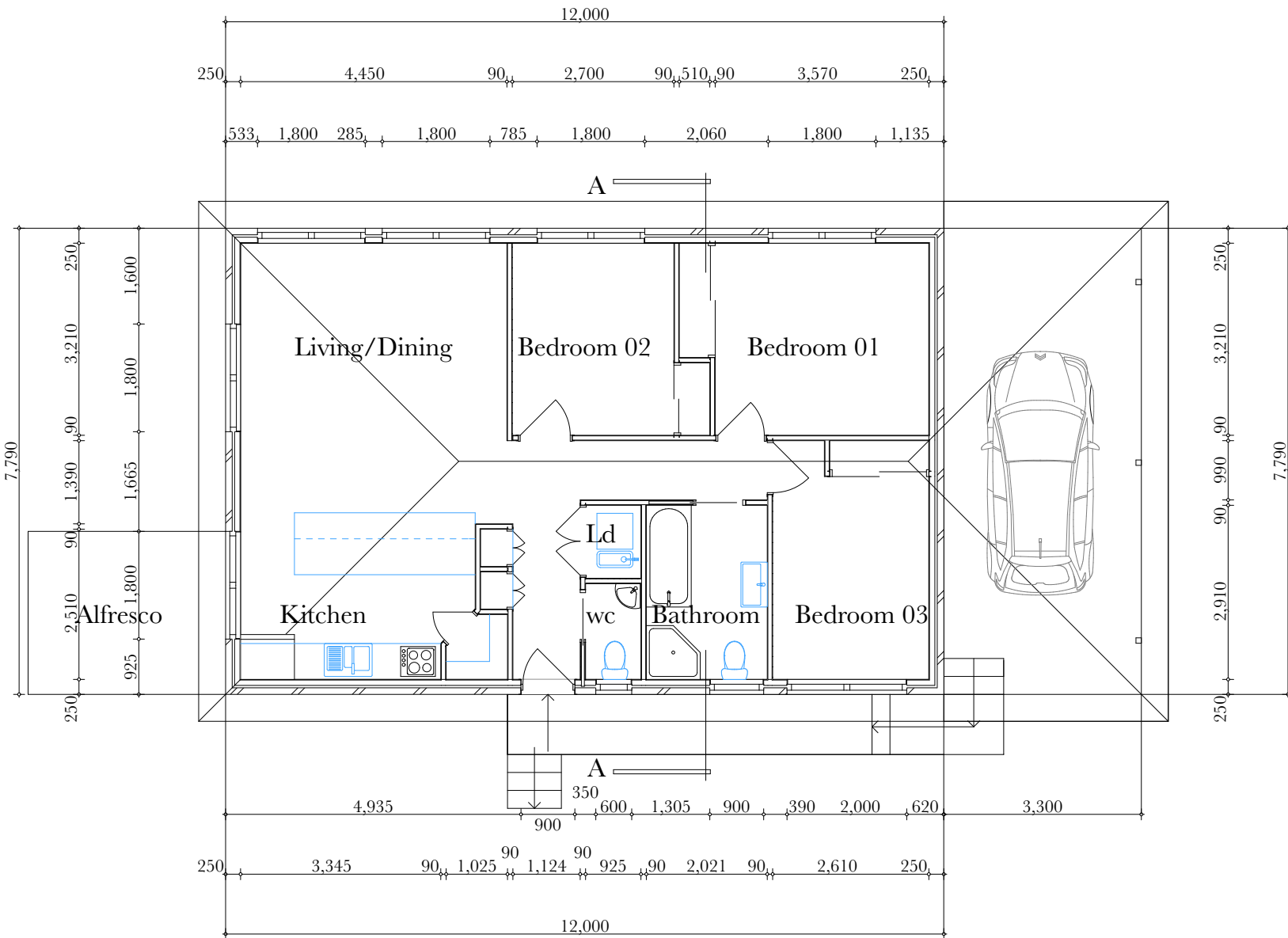
East Elevation



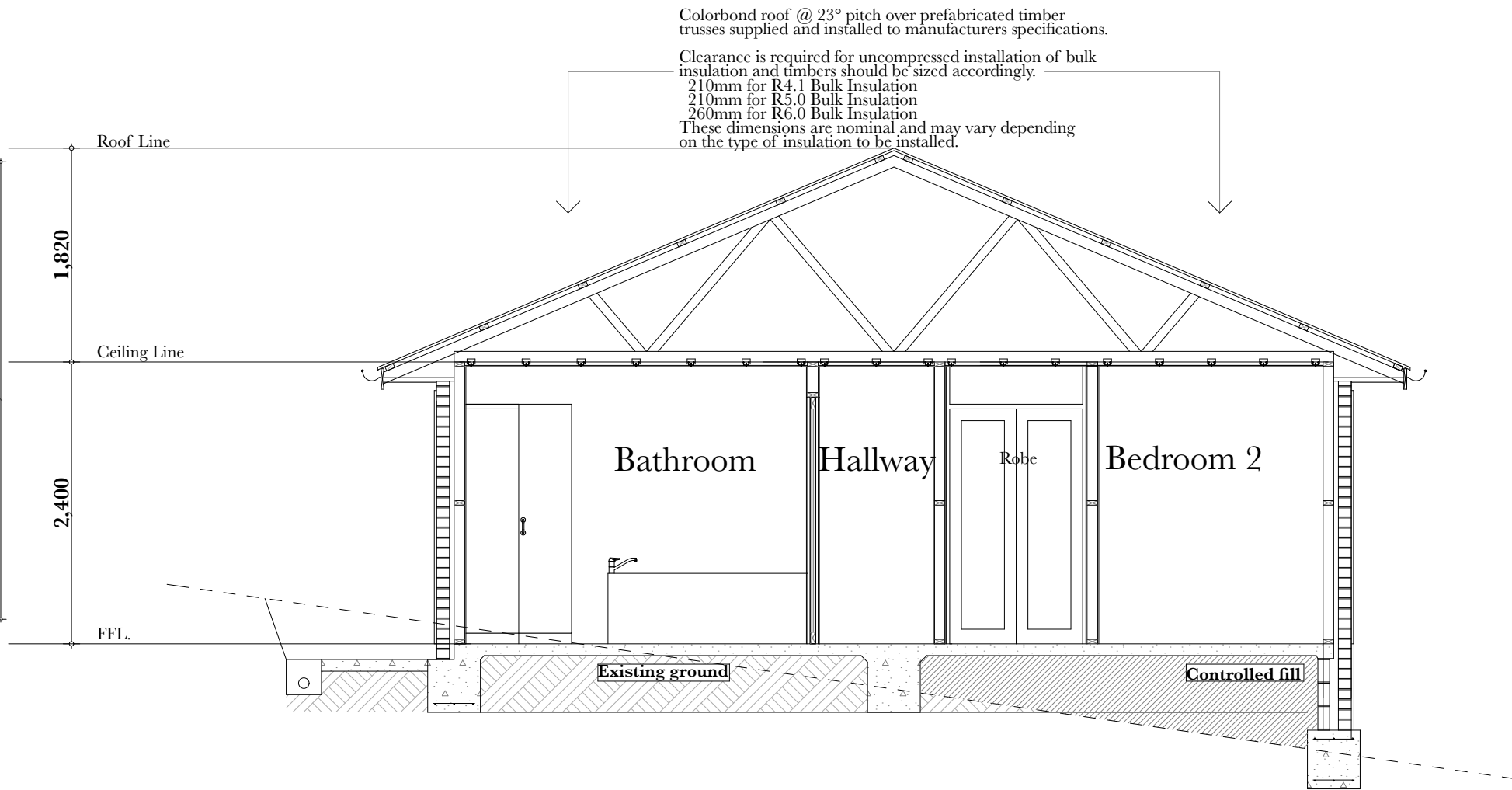
North Elevation



South Elevation



Proposed Floor Plan Unit 05
Scale 1:100
98.50m2



Section A A
Scale 1:50

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C.Johnstone& Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 12 of 20

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

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ISSUE	DESCRIPTION	DATE	

File

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Title:

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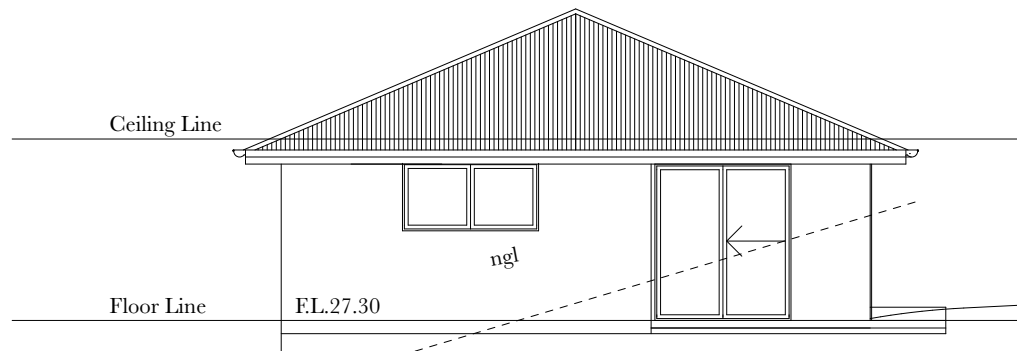
map
modern architecture practice

Registered Architects

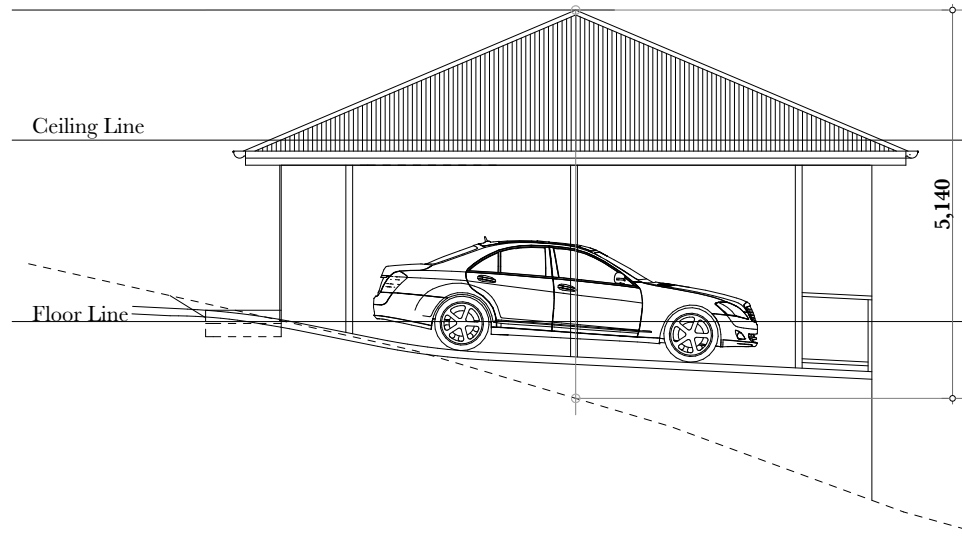
Leon Jenkins

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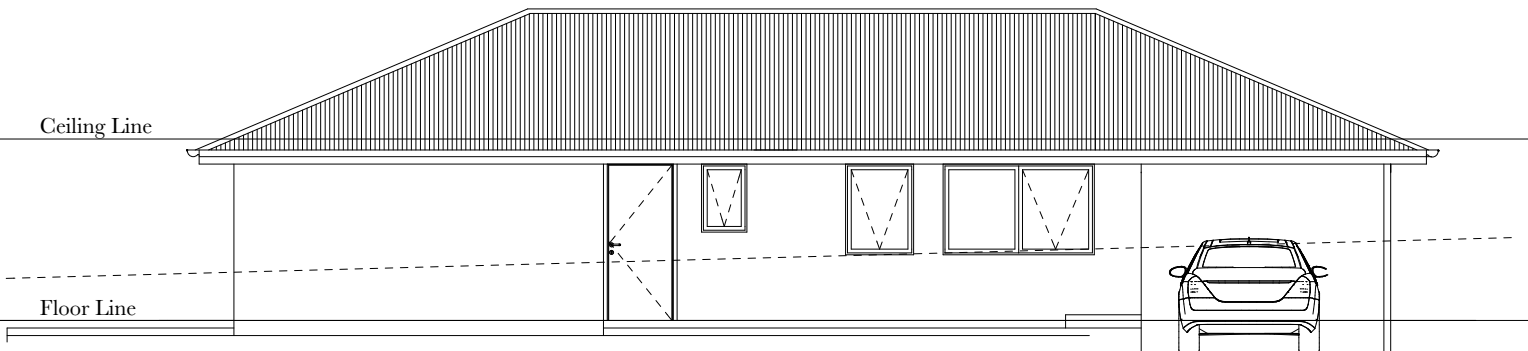
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QCC No: 4833



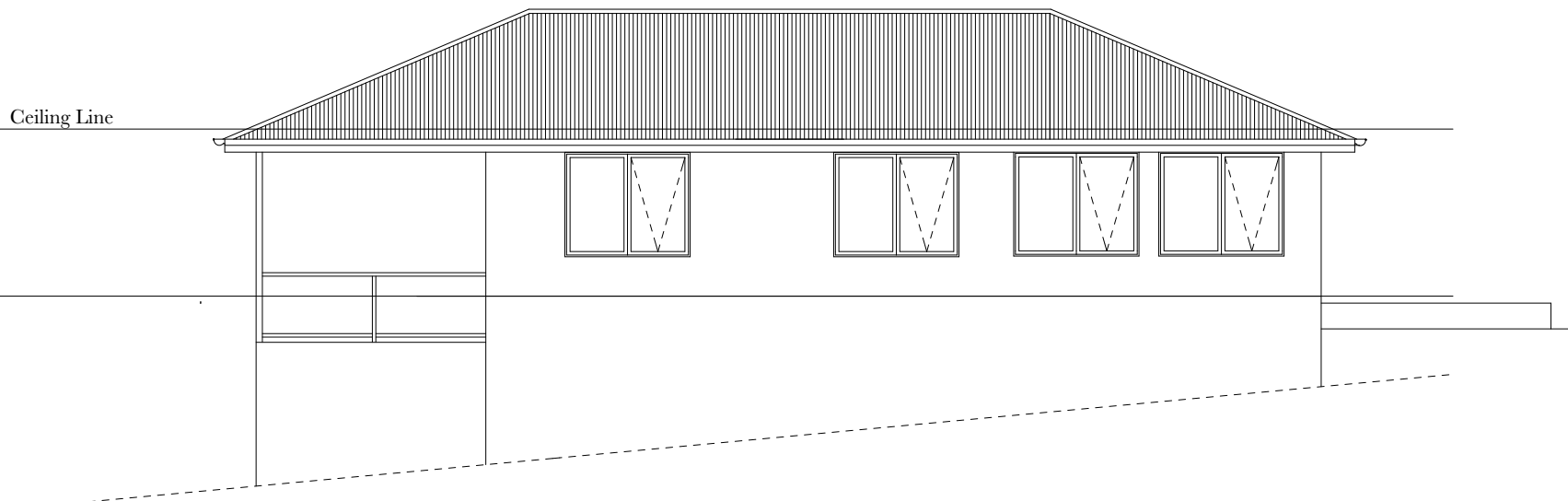
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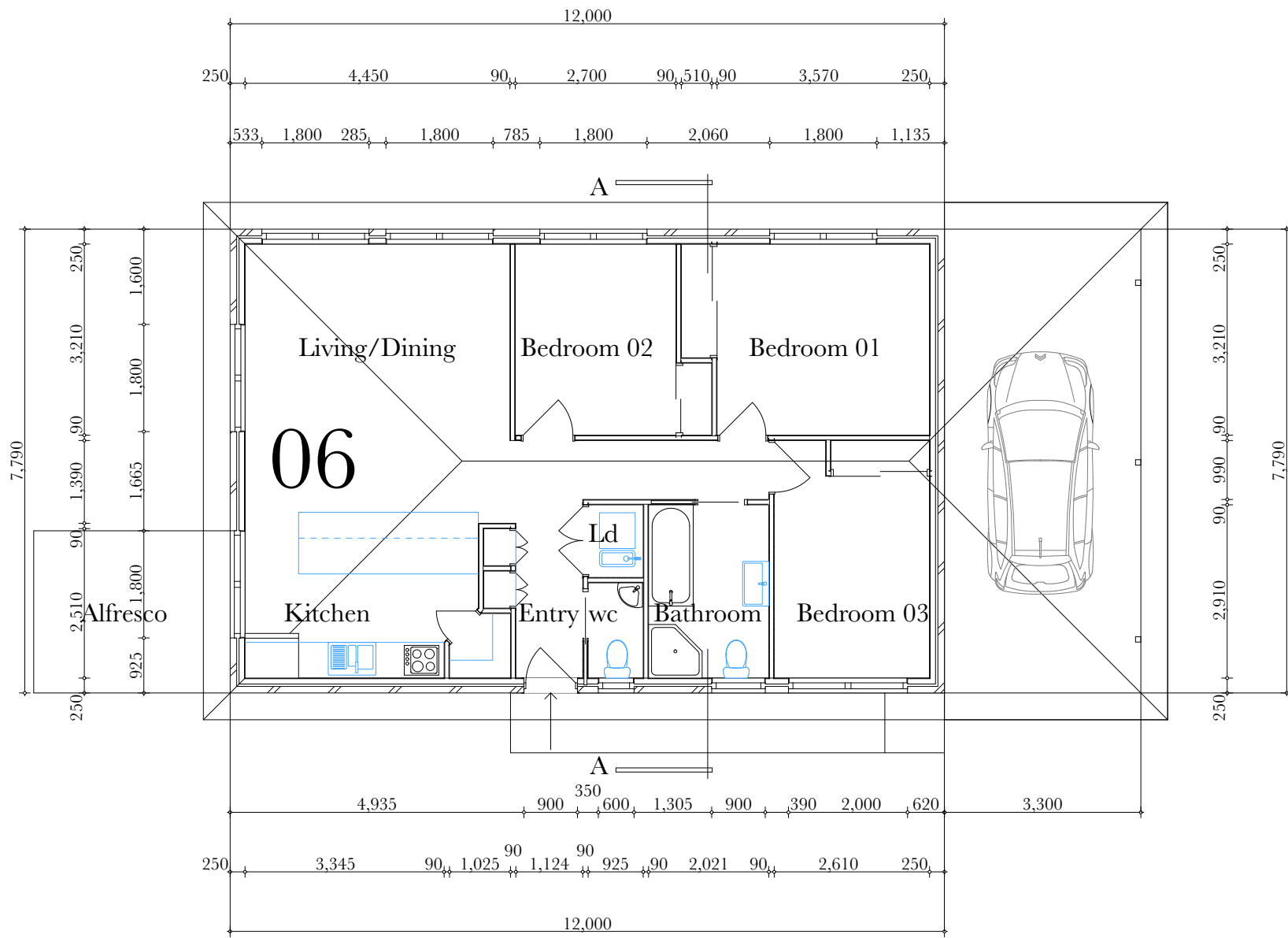
East Elevation



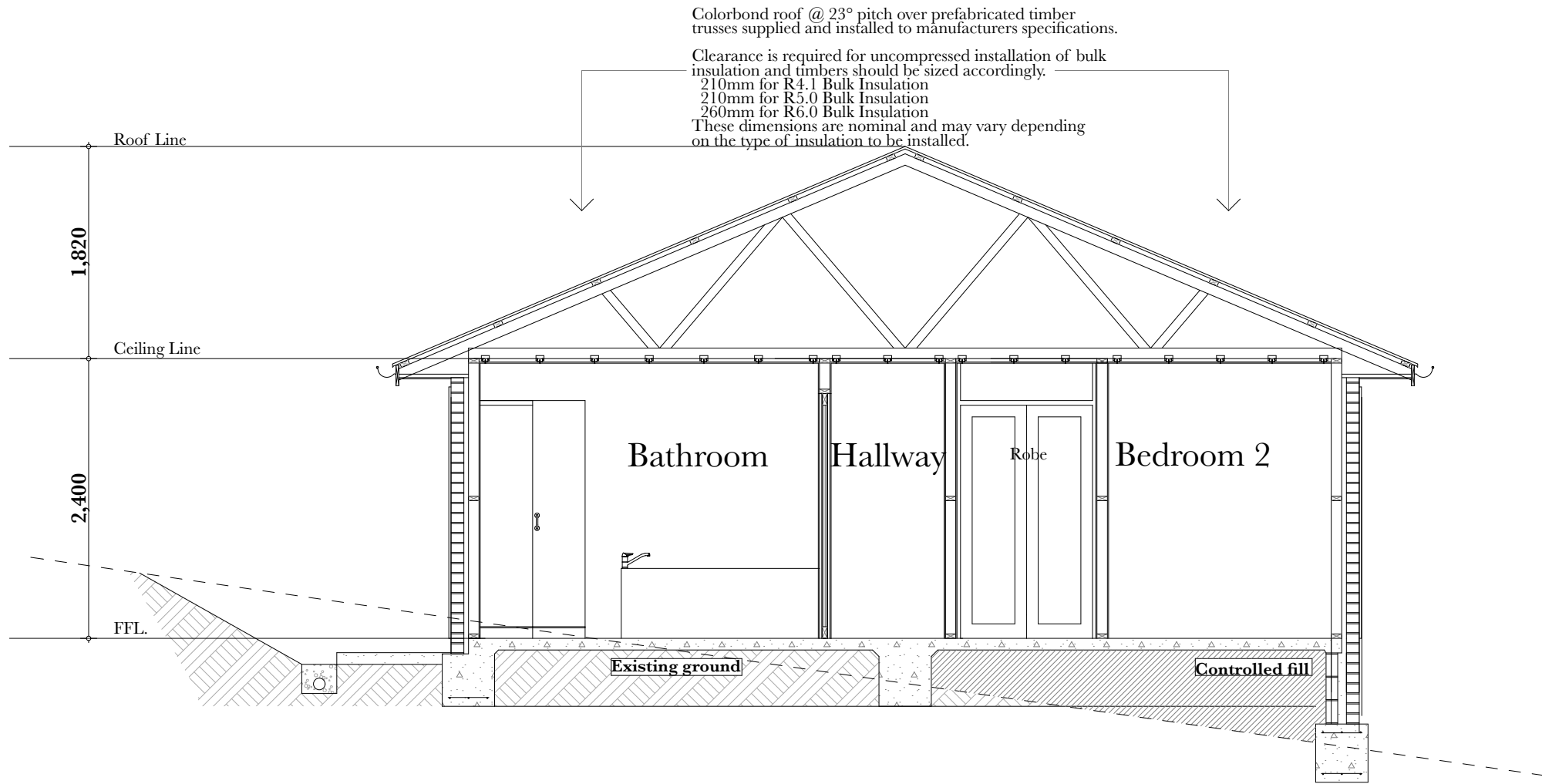
North Elevation



South Elevation



Proposed Floor Plan Unit 06
Scale 1:100
93.50m2



Section A A
Scale 1:50

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C.Johnstone& Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 13 of 20

Scale	Paper	Drawn	Date
As shown	A3	LJ	Dec.14
2014/25	A-09		ISSUE
PLOT DATE: 01 JUNE 2015			

Client:

Jim Tsiakis

Site Address:

30 Dumbarton Drive
Geilston Bay

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File Number:
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Title:
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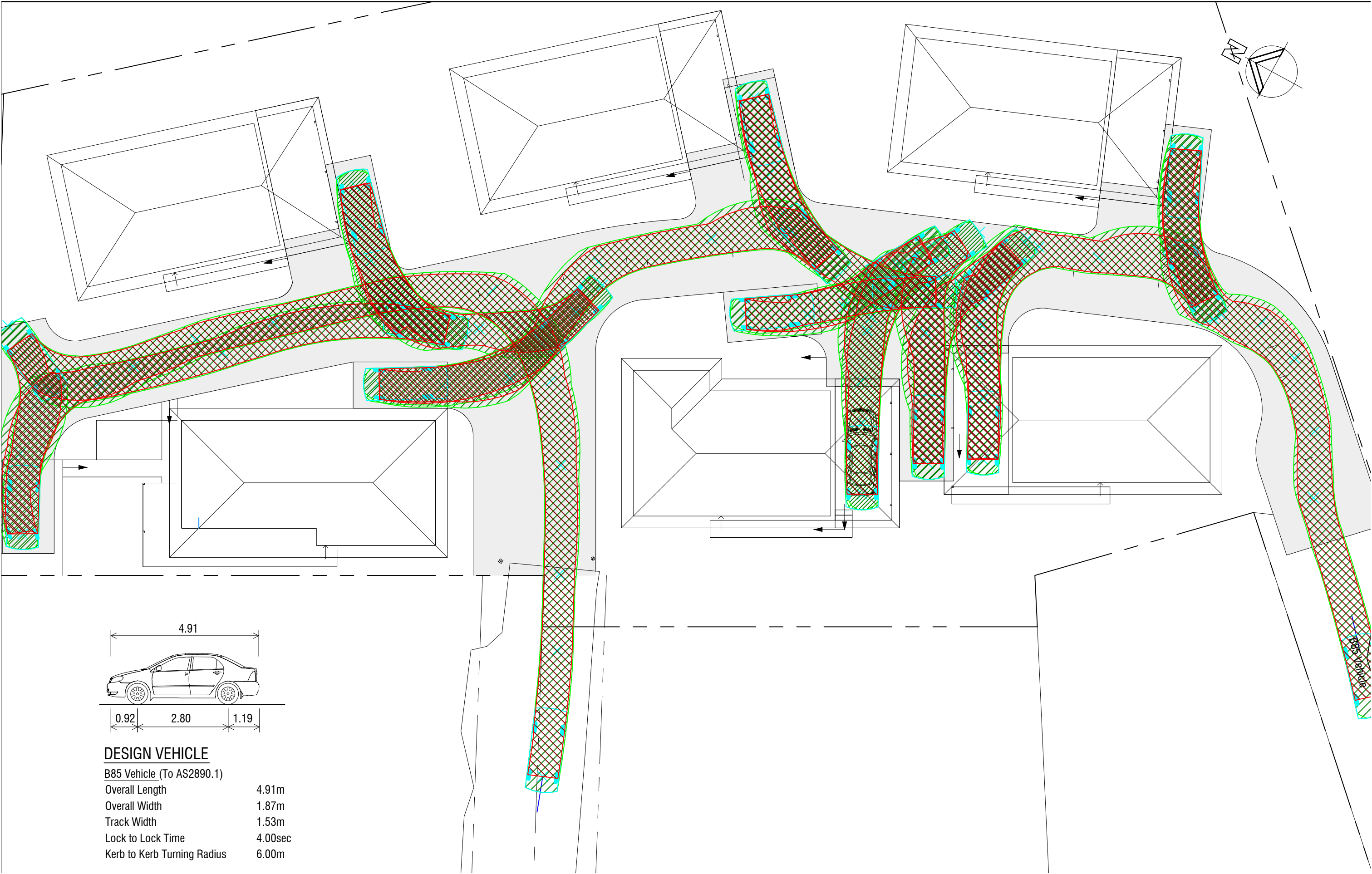


Registered Architects

Leon Jenkins

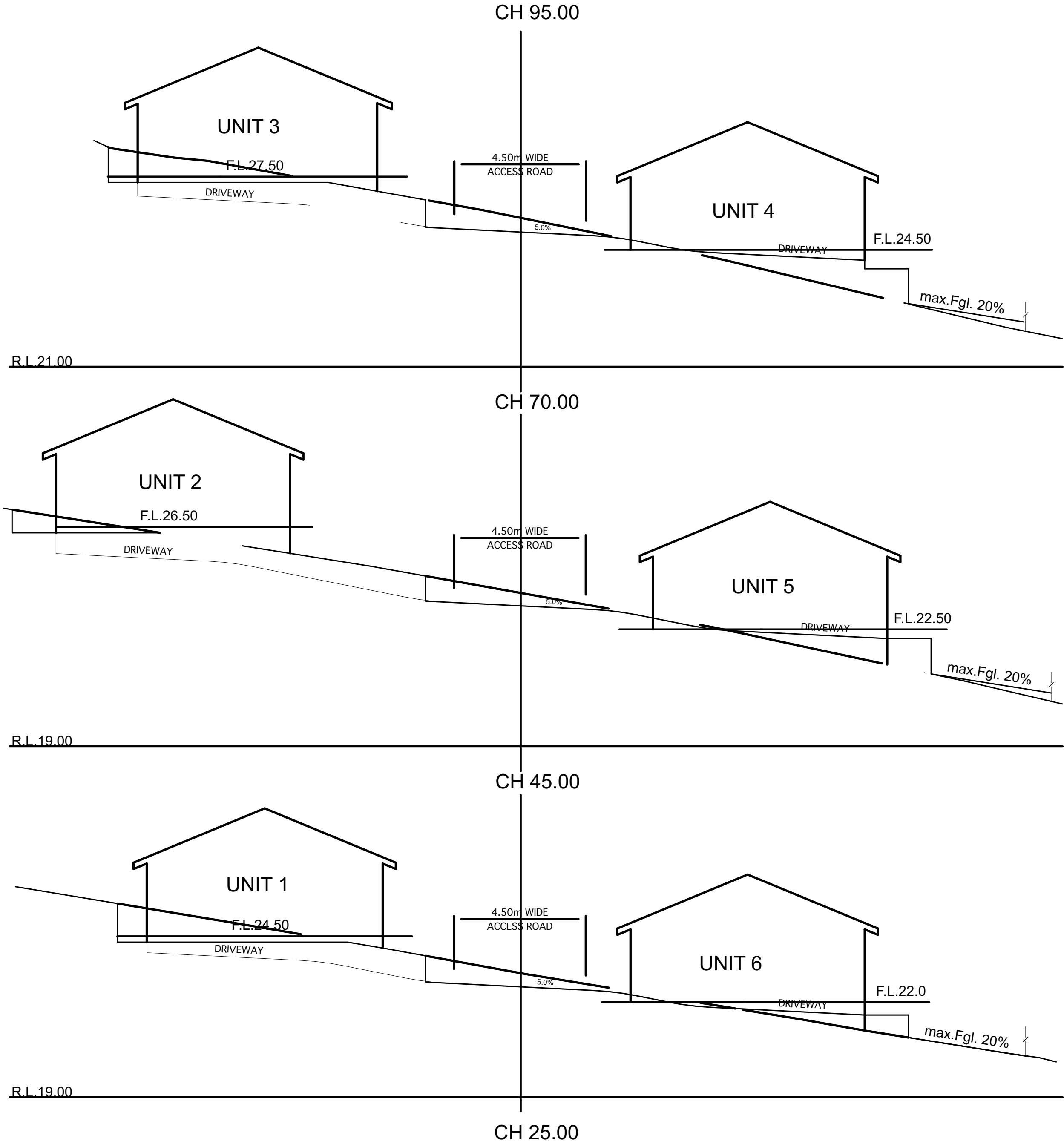
34 Silwood Avenue
Howrah Tas 7018
Phone: (03) 6244 4850
Mobile 0419 894 623
Email: maparch@netspace.net.au

TCC No: 1003
QCC No: 4833



DESIGN VEHICLE	
B85 Vehicle (To AS2890.1)	
Overall Length	4.91m
Overall Width	1.87m
Track Width	1.53m
Lock to Lock Time	4.00sec
Kerb to Kerb Turning Radius	6.00m

Vehicle Manoeuvring Plan Scale 1:300

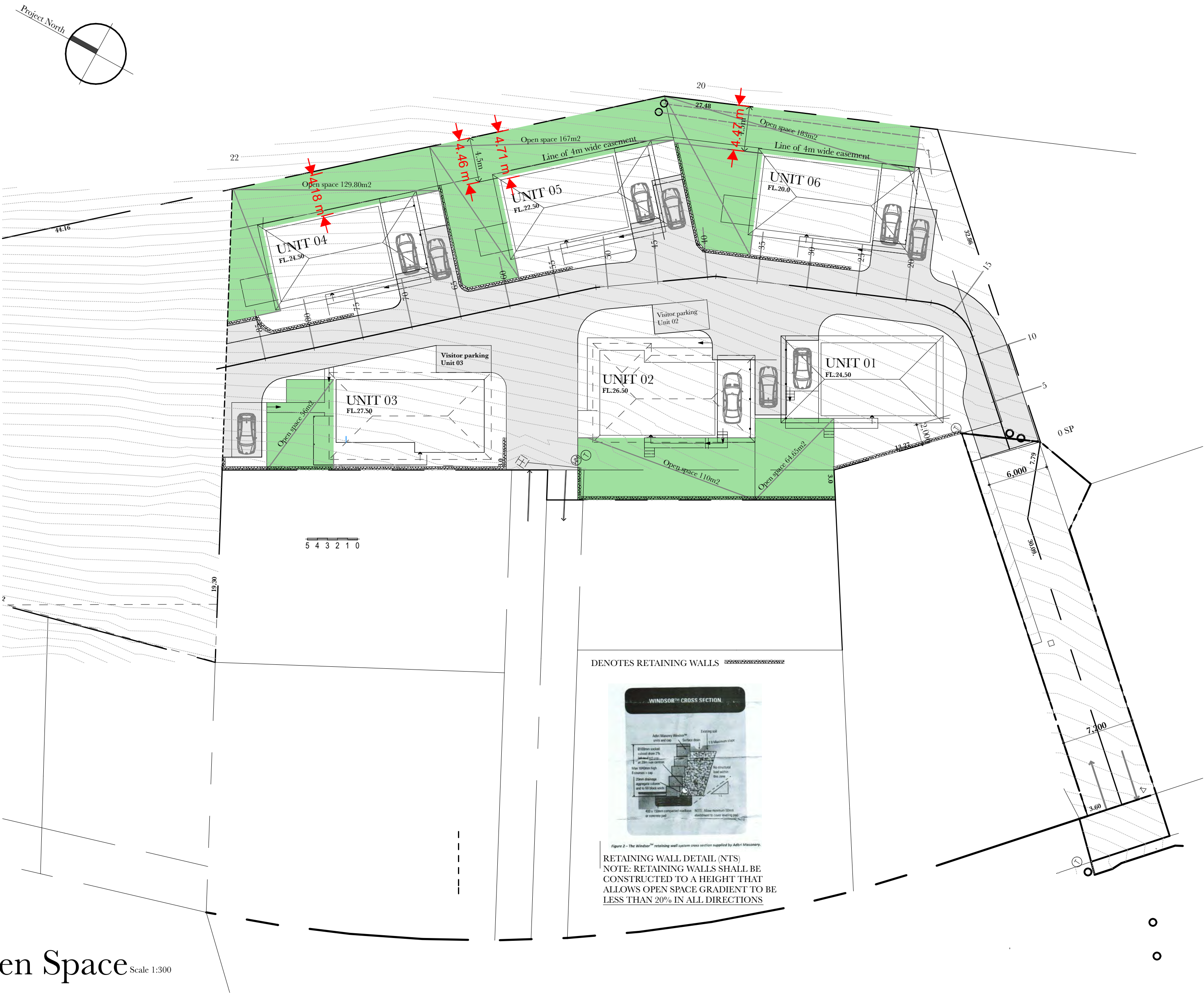


Cross Sections

Scale 1:100

OPEN SPACE

Maximum grade to all open space area 1 in 4



Client:

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QCC No: 4833

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C. Johnstone & Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 16 of 20

Scale	Paper	Drawn	Date
As shown	A3	LJ	Dec.14
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Geilston Bay

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Registered Architects

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Mobile 0419 894 623
Email: maparch@netspace.net.au

TCC No: 1003
QCC No: 4833



PLANTING SCHEDULE

Key	Botanical Name	Common Name	Mature Height	Mature Width	Pot Size	Quantity
Bm	Banksia marginata	Banksia	5m	3m	35L	8
Wjg	Westringia 'Jervis Gem'	Westringia	1m	1m	200mm	75
Mlg	Magnolia 'Little Gem'	Little Gem	5m	3m	45L	8
Chp	Callistemon 'Hot Pink'	Bottlebrush	1.5m	1.5m	200mm	88
Ca	Chysocephalum opiculatum	Common Everlasting				130
As	Acmena smithii 'Moonlight Flame'	Lilly Pilly	1.0m	0.7m	200mm	18

HARDWORKS LEGEND

- Concrete patio/paths
- Black Gumbark 100mm deep
- Lawn Area-Roll turf
- Concrete Unit Pavers
- 1.8m high Colorbond fence(Pale Eucalypt)
- Privacy Screen 1.8m High (Modwood 'Silver Gum)
- Clothes Line

Landscape Plan Scale 1:300

PROJECT CONSULTANTS:

Engineer: Engineering 2 Construction. Contact: Greg Carpenter
CJA Ph: 6224 4869
C,Johnstone& Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 17 of 20

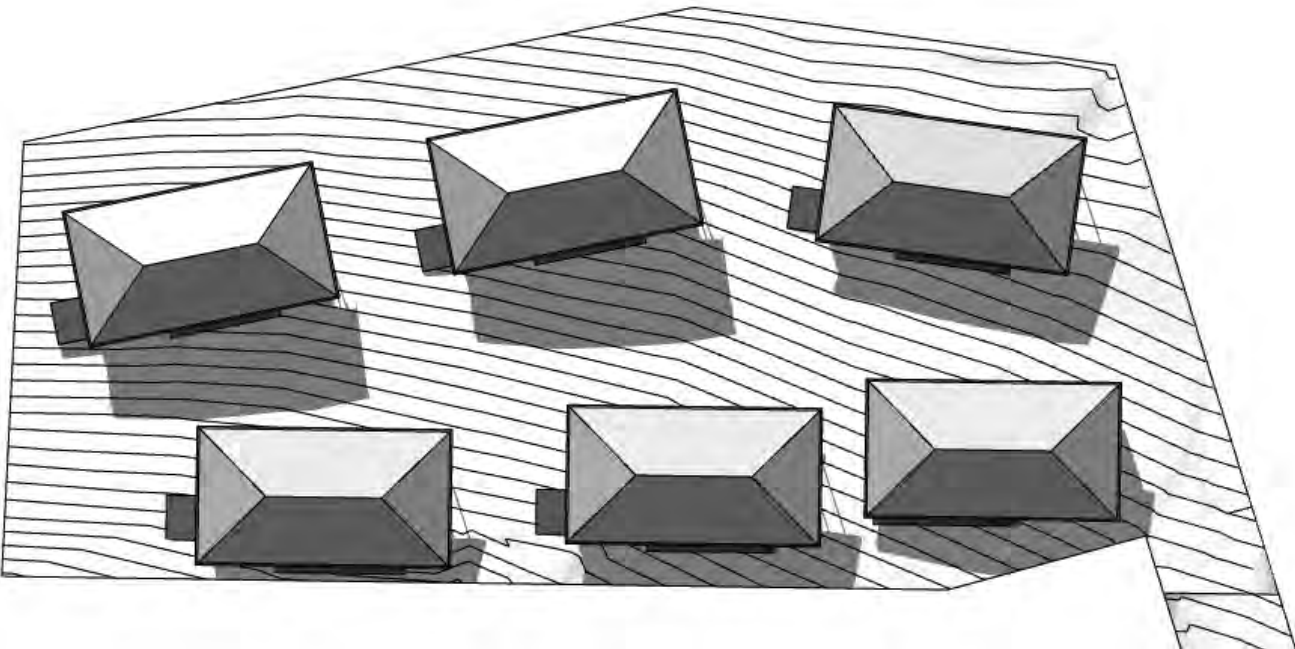
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As shown	A3	LJ	Dec.14
2014/25	A-13	ISSUE	
PLOT DATE: 01 JUNE 2015			

Hobart.010

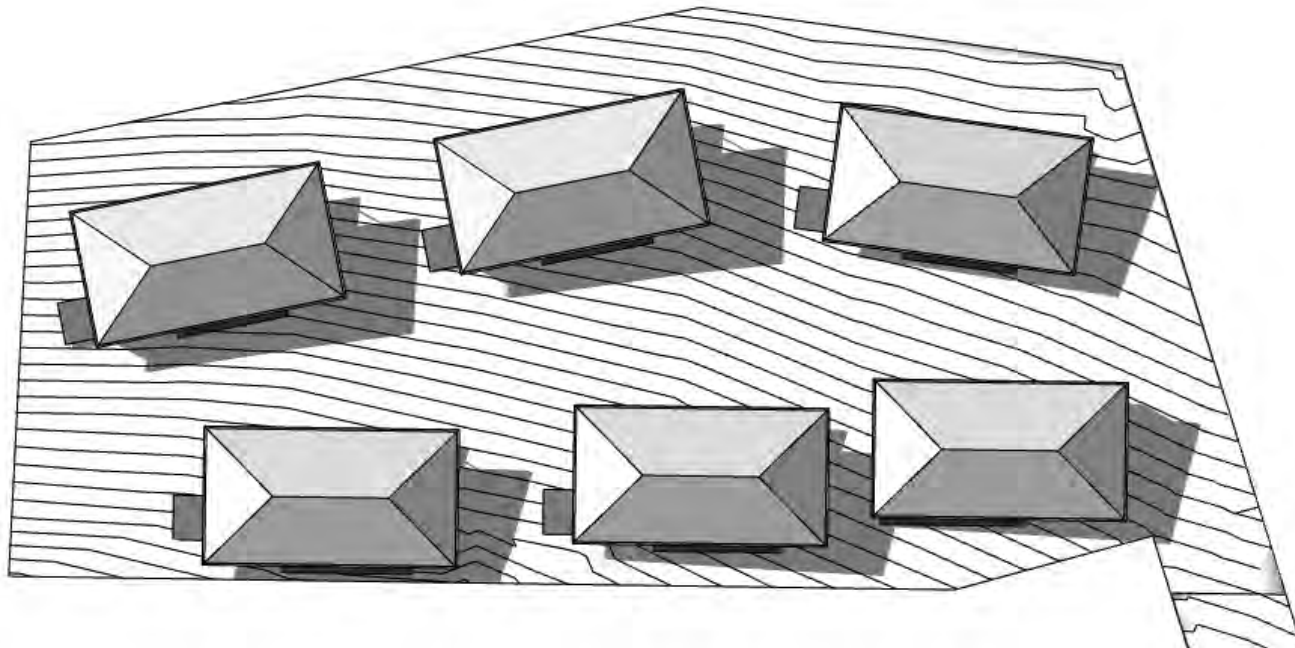
Local time of rise and set

	Sun	Mercury	Venus	Mars	Jupiter	Satin
June 21	7.41 - 16.44	6.56 - 16.01	10.14 - 19.40	11.29 - 22.22	0.20 - 12.32	12.24 - 0.10
December 21	4.28 - 19.51	4.22 - 19.17	2.10 - 15.59	5.14 - 20.39	11.40 - 0.11	0.56 - 13.36

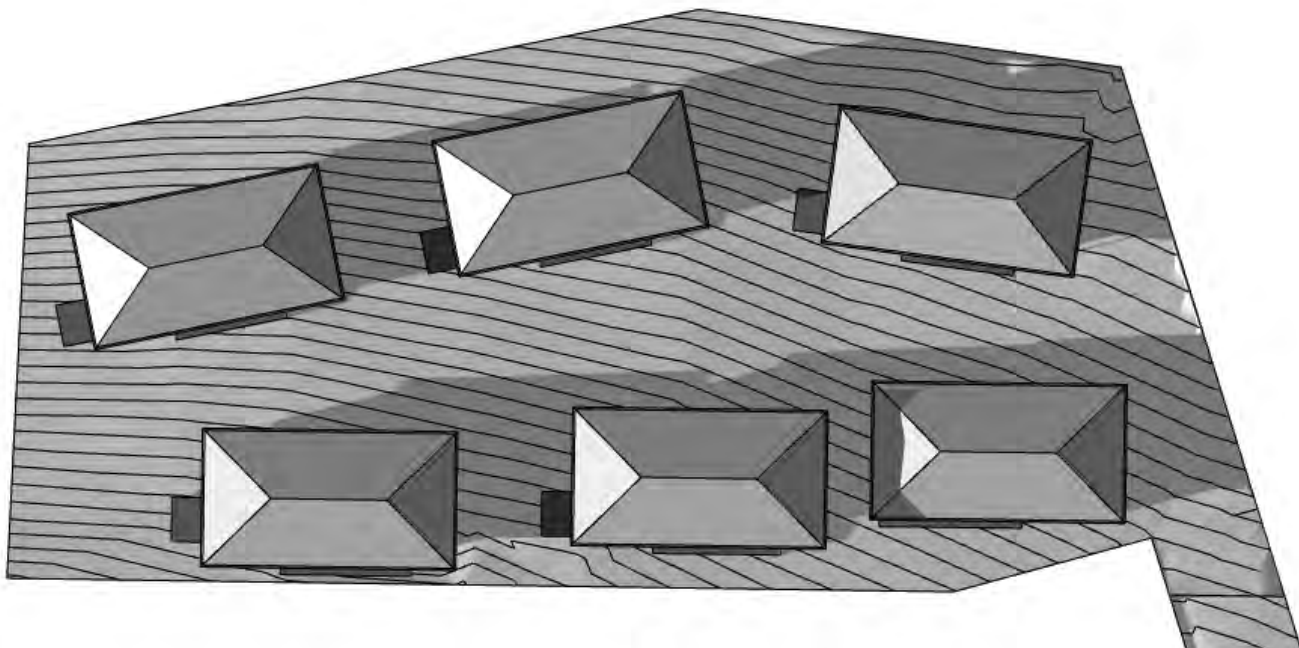
9am June 21



12pm June 21

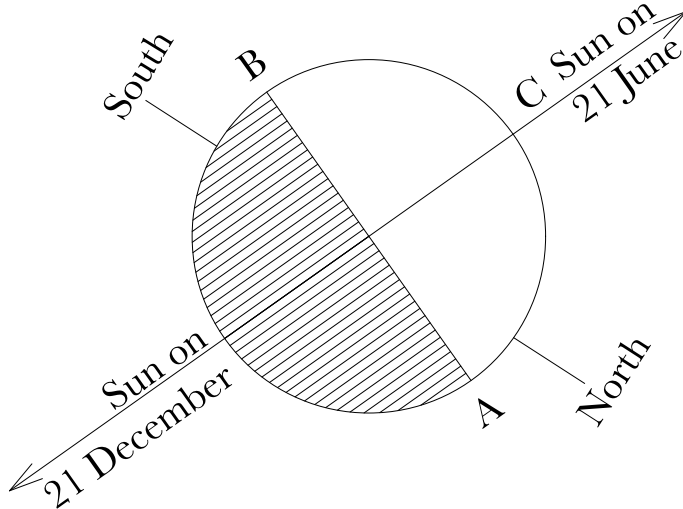
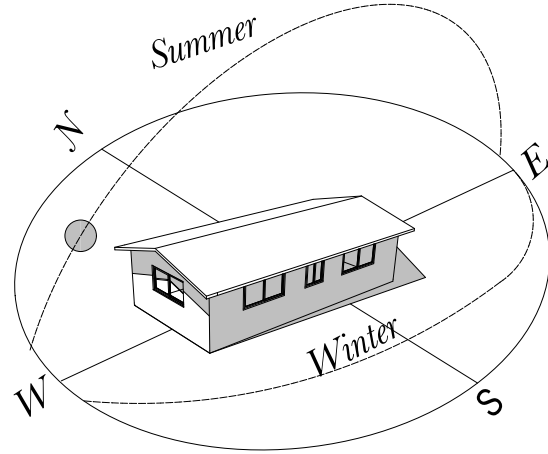


3pm June 21



Shadow Diagrams

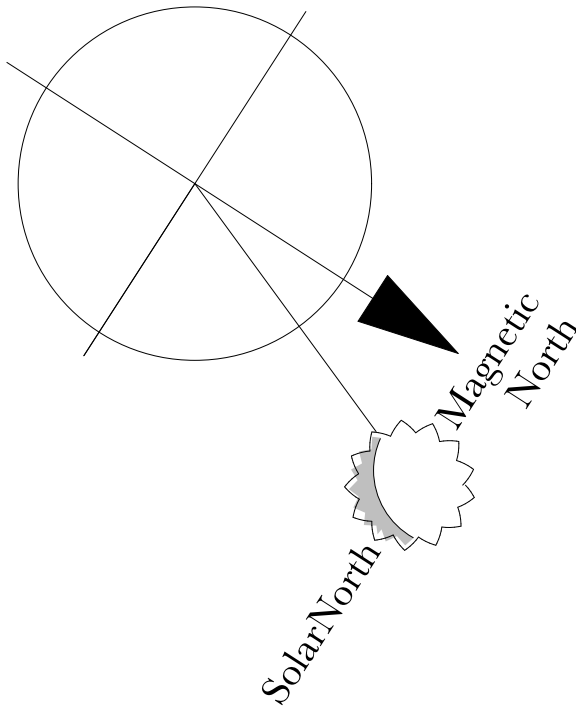
NTS



Summer and Winter

The boundary AB between sunlight and shadow - between day and night - is always perpendicular to the Earth - Sun line,as it was in the example shown at the beginning.

But because of the tilted axis,as each point on Earth is carried on its daily trip around the rotating Earth,,the part of the trip spent in daylight (unshaded part of the drawing) and in the shadow (shaded)are usually not equal.North of the equator, day is longer than night,and when we get close enough to the north pole,there is no night at all.The sun is then always above the horizon and it just makes a 360-degree circuit around it.That part of Earth enjoys summer.



Client:

Jim Tsiakis

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Registered Architects

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Email: maparch@netspace.net.au

TCC No: 1003
QCC No: 4833

PROJECT CONSULTANTS:

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C.Johnstone& Associates M: 0417 506 525

Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 18 of 20

Scale: As shown Paper: A3 Drawn: LJ Date: Dec.14

2014/25 SHEET A-14 ISSUE

PLOT DATE: 01 JUNE 2015

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Surveyor:

Surveyor: Building

Attachments - D-2015/108 - 30 Dumbarton Drive, Geilston Bay - Page 18 of 20

Scale: As shown Paper: A3 Drawn: LJ Date: Dec.14

2014/25 SHEET A-14 ISSUE

PLOT DATE: 01 JUNE 2015

Attachment 3

30 Dumbarton Drive, GEILSTON BAY (including 22, 26, 28a & 32 Dumbarton Drive, 240 Geilston Bay Road & 353 East Derwent Highway, GEILSTON BAY)



View of the site looking down the northern access from Dumbarton Drive.



View of the site looking down the southern access from Dumbarton Drive.



View of the site looking up towards the dwelling on 28A Dumbarton Drive.



View of the site looking up towards the dwelling at 32 Dumbarton Drive.

**11.3.4 SUBDIVISION APPLICATION SD-2015/26 - 87 DELPHIS DRIVE,
SANDFORD - 12 LOT SUBDIVISION**
(File No SD-2015/26)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 12 lot subdivision at 87 Delphis Drive, Sandford.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Residential and subject to the Vegetation Management and Development Plan (DPO 19 - Sandford) Overlays under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 26 August 2015.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of road design to facilitate desirable trail connections.

The proposal was considered by the Tracks and Trails Committee who provided no comment on the proposal.

RECOMMENDATION:

- A. That the application for a 12 lot subdivision at 87 Delphis Drive, Sandford (Cl Ref SD-2015/26) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP2 – STAGING
[Stage 1 – Lots 1 - 9, 100 and 102
Stage 2 – Lots 2, 7, 8 and 101
Stage 3 – Lots 3 - 6
Stage 4 – Lots 10 and 11].

3. GEN AP3 – AMENDED PLAN [the creation of a right-of-way from the southern end of the POS Lot 102 to the western end of Road Lot 100]. Insert “This right-of-way should be contained within the alignment of Road Lot 101 and provide a public right to access between the 2 points. This right-of-way should also be described in the schedule of easements.” after “...the use/development”.
 4. GEN F3 – ENDORSEMENTS.
 5. GEN POS 4 – POS CONTRIBUTION [1.87%] [1-11].
 6. PROP 2 – POS FENCING.
 7. PROP 3 – TRANSFER.
 8. ENG A1 – NEW CROSSOVER [MSD-02].
 9. ENG A3 – COMBINED ACCESSES [MSD-02].
 10. ENG M2 – DESIGNS SD. At the end of the first dot point, add “the road must be off-set within the reservation to ensure that there is adequate width available for a safe trail connection along the road verge. This may require additional road reservation width to be provided”.
 11. ENG M8 – EASEMENTS.
 12. ENG R1 – ROAD NAMES.
 13. ENG R3 – RURAL ROAD.
 14. ENG R5 – ROAD EXTENSION.
 15. ENG R6 – VEHICLE BARRIERS.
 16. ENG S1 – INFRASTRUCTURE REPAIR.
 17. EHO 4 – NO BURNING.
- 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.

SUBDIVISION APPLICATION SD-2015/26 - 87 DELPHIS DRIVE, SANDFORD - 12 LOT SUBDIVISION /contd...

ASSOCIATED REPORT**1. BACKGROUND**

This land was originally the subject of a Section 43a Application which was supported by Council, but ultimately refused by the Tasmania Planning Commission (TPC). This refusal was largely based on an inconsistency with the Southern Tasmanian Regional Land Use Strategy (STRLUS). The STRLUS was subsequently amended.

A second re-zoning application, without the subdivision attached was then re-submitted and again supported through Council. This amendment was approved by the TPC and saw the land re-zoned from Rural to Rural Residential and the Sandford Development Plan (DPO 19) was introduced to the Scheme.

The current application is similar to that originally supported by Council, with the exception of the alignment of the POS trail connection and responds to the specific requirements of DPO 19.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Rural Residential and subject to the Vegetation Management and Development Plan (DPO 19 - Sandford) Overlays under the Scheme.

2.2. The proposal is for the creation of 11 new residential lots, plus a road and a trail (POS) lot, which is Discretionary under the Scheme.

2.3. The relevant parts of the Planning Scheme are:

- Section 2 – Planning Policy Framework;
- Section 3 – General Provisions;

- Section 6 – Rural Residential Zone;
- Section 7 – Vegetation Management and Development Plan Overlays.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is an irregularly shaped lot which has frontage both to the southern end of School Road and the western side of the southern end of Delphis Drive. The property slopes down toward the north and has a large dam located toward the centre of the eastern boundary.

3.2. The Proposal

The proposal is for the subdivision of the existing lot to create 11 rural residential lots ranging in size between 2.0ha and 2.37ha, 2 adjoining road lots with a combined area of 1.1456ha, one 4911m² trail lot and retain a balance lot of 10.62ha. The existing dam on-site is to be retained wholly within Lot 8.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

The relevant elements of the Planning Policy Framework are contained in Section 2.2.3 (a) Settlement (iii) – Rural Residential Land Use.

“Objectives

- *To provide rural residential land as part of ensuring attractive housing choices within the City.*

Strategies

- *Designs respond to the local context and will positively contribute to the character and identity of the neighbourhood.*
- *Development incorporates high standards of community safety, accessibility, amenity, energy efficiency and retention of any native values”.*

Reference to these principles is also contained in the discussion below.

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

- “(a) *General requirements:*
- (v) *The Specific Decision Requirements of the Zone, Overlay or Specific Provision.*
 - (vii) *Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.*
- (f) *Subdivision requirements:*
- (i) *The suitability of the land for subdivision.*
 - (ii) *The existing use and potential for future development of the land and its surrounds.*
 - (iii) *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation, natural drainage paths and significant stormwater catchment areas.*
 - (iv) *The density of the proposed development.*
 - (v) *The size and shape of each lot in the subdivision.*
 - (vi) *The design and siting of existing and future buildings.*
 - (vii) *The availability and provision of utility services”.*

Reference to these principles is also in the discussion below.

4.3. Rural Residential Zone

The purpose of the Rural Residential Zone is to provide for residential use in a rural environment, ensuring that development minimises impacts on adjacent farmland, marine farms or land with important environmental values.

The relevant Use and Development Standards for the Rural Residential Zone are summarised in the table below.

	Required	Provided	Comments
Lot Size	2ha	2.0 – 10.62ha	complies
Lot Dimensions	6m minimum frontage	10.0 – 235.0m	complies

The existing dwelling complies with all other Use and Development Standards for the Rural Residential Zone.

The relevant Decision Requirements of the Rural Residential Zone are as follows.

“(e) Lot sizes should be sufficient to suit differing levels of rural residential, service and recreational needs”.

This requirement is met by the proposal as the proposed new lots will provide ample space for new dwellings and all associated on-site infrastructure.

4.4. Overlays

Vegetation Management

The purpose of the Vegetation Management Overlay is to protect areas of significant and high value vegetation and bushland habitat, ensuring that development is sited to minimise the loss of native vegetation.

It has been demonstrated that all lots are capable of containing a dwelling and all associated bushfire hazard management clearing without disturbing the portions of the site that are covered by the Vegetation Management Overlay.

The only vegetation disturbance is for the creation of the road lot. A flora and fauna assessment for the site has demonstrated that the vegetation in this area is of low conservation significance and as such, its removal will not cause undue damage to the natural values of the area.

Development Plan (DPO 19 - Sandford)

The purpose of the Sandford Development Plan is to provide for the consolidation of existing Rural Residential communities, whilst ensuring that the road and trail networks provide a high level of connectivity, safety and amenity for the community.

“PC 4.1: Roads must be Generally in accordance with the Road Layout Plan in Figure 2, but may be realigned, or additional roads included provided that the objective of this clause is met, including the construction of a road connecting Germain Court to School Road”.

The proposed road entering the site from Delphis Drive is in accordance with that shown in Figure 2 of the DPO. As such, the proposal is considered to satisfy this Performance Criteria.

“PC 5.1: (a) The subdivision must provide for a public open space lot connecting the existing public open space lot between Germain Court and School Road to Delphis Drive, generally in accordance with the future trail connection shown in Figure 2”.

The subdivision as proposed relies upon the created road to achieve this Performance Criterion. As such the connection, including the whole of the proposed road, must be provided to ensure compliance with this Performance Criterion.

Further, it is necessary to ensure that the proposed road is designed in such a way that the reservation can contain both the road and a safe trail for all users which is adequately separated from vehicles. Accordingly, the standard engineering condition should be modified to ensure that this requirement is incorporated in the engineering design.

“PC 6.1: Subdivision of the area may be staged, provided that all of the following are satisfied:
(e) The first stage of any subdivision at the southern end of Delphis Drive must include the trail connection to Germain Court generally in accordance with Figure 2”.

The subdivision as proposed does not meet this Performance Criterion. This is because the trail connection proposed create and provided to Council until the sealing of the lots within Stage 2 of the development. Should the connection not be provided in accordance with the Performance Criterion of the DPO (ie: in the first stage), the application cannot be supported under the code.

As such, it is necessary to condition a modification to the proposed staging to facilitate timing of the trail connection in Stage 1.

The simplest course of action to facilitate this development would be to condition that the whole of the proposed road be constructed, sealed and transferred to Council as part of the first stage of the development. However, it is acknowledged that this would be expensive and has the potential to prevent the development from proceeding.

Therefore, to minimise initial cost for the developer, it is recommended that the POS (Lot 102) be provided in Stage 1 and that the applicant be required to provide a public right-of-way over the “gap” between the Stage 1 road (Lot 100) and the POS (Lot 102). This public right-of-way should generally follow the alignment of the Stage 2 road (Lot 101) so that there is no need to expunge the right-of-way at a later date (as it will be enveloped by the road reservation at the next stage of subdivision), again minimising potential cost for the developer. Notwithstanding this, it has been suggested that the stages involving the road construction may be consolidated. If this were to occur, the need for the right-of-way would disappear.

4.5. Public Open Space

The primary purpose of Council’s Public Open Space Policy (2013) is to ensure the delivery of adequate and appropriate Public Open Space (POS) to serve the needs of the existing and future population in Clarence. The policy is used to assist Council to exercise its discretion and provide a framework to deliver a consistent approach to the consideration of POS, or alternatively the payment of cash-in-lieu of it.

Clarence has developed a comprehensive suite of strategies that either deliver or rely on POS related outcomes including but not limited to:

- Clarence Tracks and Trails Strategy 2012;
- Positive Ageing Plan 2012-2016;
- Clarence Coast and Bushland Strategy (August 2011);
- Community Health and Wellbeing Plan 2013-2018; and
- Draft Sport and Active Recreation Strategy.

Together these strategies assist Council to deliver a range of active and passive recreational opportunities at both local and regional level.

The subdivision plan proposes to provide a trail connection between the newly created road and the existing trail that connects Germain Court to School Road. This connection, albeit in a slightly different location to that shown in Figure 2 of the DPO, achieves the desired outcome of the DPO. This connection will equate to a 2.13% land contribution for the original land area.

Accordingly, consistent with Council's policy, it is appropriate to require a 1.87% cash contribution for Lots 1 - 11, to make up a total contribution equal to 4%.

It is noted that a representative of landowner believes that there was a previous agreement whereby no cash contribution was required to accompany the trail connection provided as part of this application.

This belief is based on previous Section 43a combined re-zoning and subdivision proposal which was supported by Council but ultimately rejected by the TPC.

The question of public open space provision was a matter raised in the Panel Hearing. Unfortunately the TPC did not make a decision on these submissions, because it decided to refuse the rezoning.

While the applicant feels that providing the trail link should be an adequate contribution, subsequent to the TPC decision Council adopted the Public Open Space Policy (2013).

Prior to this policy, it was unclear whether to require Public Open Space for Rural Residential subdivisions and accordingly the requirement was imposed inconsistently. However, the policy now provides a clear direction to require public open space in rural Residential areas.

The current proposal is also configured differently to that previously considered, with a shorter trail connection, offering a smaller portion of the lot as public open space than previously considered.

Accordingly, irrespective of the previous assessment, this application is differently configured and is assessed under the current Public Open Space Policy. As such the full contribution may be required comprising partly the trail link and the balance as a cash contribution.

4.6. External Referrals

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

4.7. Council Committee Recommendations

The application was referred to Council's Tracks and Trails Committee, who have provided no comments on the proposal.

5. REPRESENTATION ISSUES

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

5.1. Trail Connections

The representor has indicated that this subdivision provides a valuable opportunity for a trail connection. They have further requested that any engineering designs for the road take this into consideration, ensuring that there is adequate reservation width to enable a trail within the road reservation as well as all of the road and drainage infrastructure.

- **Comment**

As detailed above, in order to meet the performance criteria of the DPO, there needs to be a trail connection between Delphis drive and the trail between School Road and Germain Court. Whilst this is, in part provided from the proposed new road to the existing trail, there will need to be some provision made for this within the proposed road reservation. As such, engineering designs will need to demonstrate how this can be achieved within the proposed road reservation. If it cannot be achieved within the proposed road reservation, the reservation will need to be widened to accommodate this trail link. Appropriate modification should be made to the standard engineering conditions to ensure that this occurs.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

Developer contributions are required to comply with Council's Public Open Space Policy.

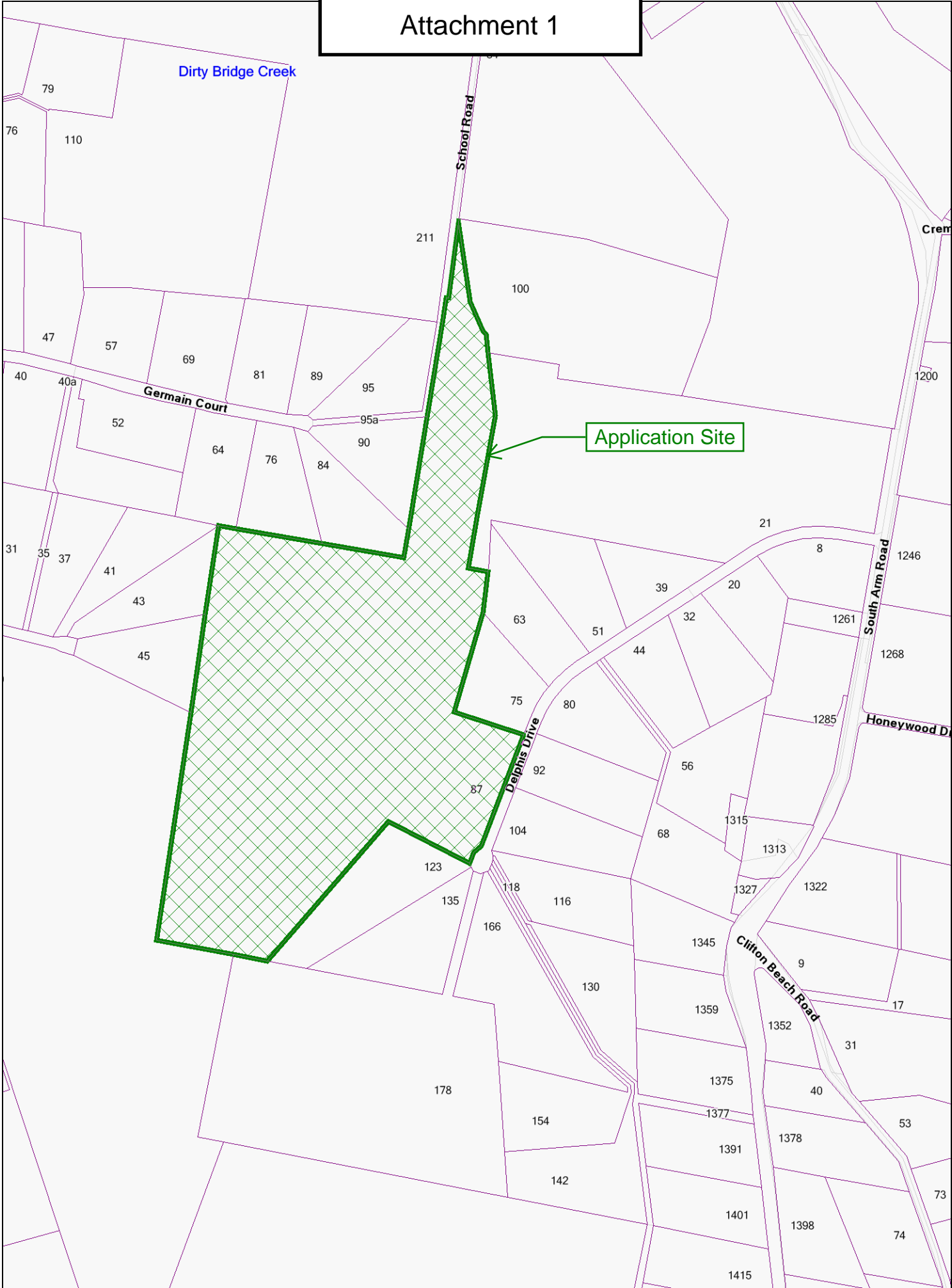
8. CONCLUSION

The proposal is for the creation of 11 new rural residential lots, as well as 2 road lots, a POS trail lot and a balance lot. With the proposed modifications to the staging of the works, the proposal meets all relevant Scheme requirements and is therefore recommended for conditional approval.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1



Printed: Monday, 17 August 2015 **Scale:** 1:8,305 @A4



UNIT 1 - 2
CAMBRIDGE PARK 7170
PHONE: (03)6248 5898
WEB: www.rbsurveyors.com.au
EMAIL: admin@rbsurveyors.com

Attachment 2

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

Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania
Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania

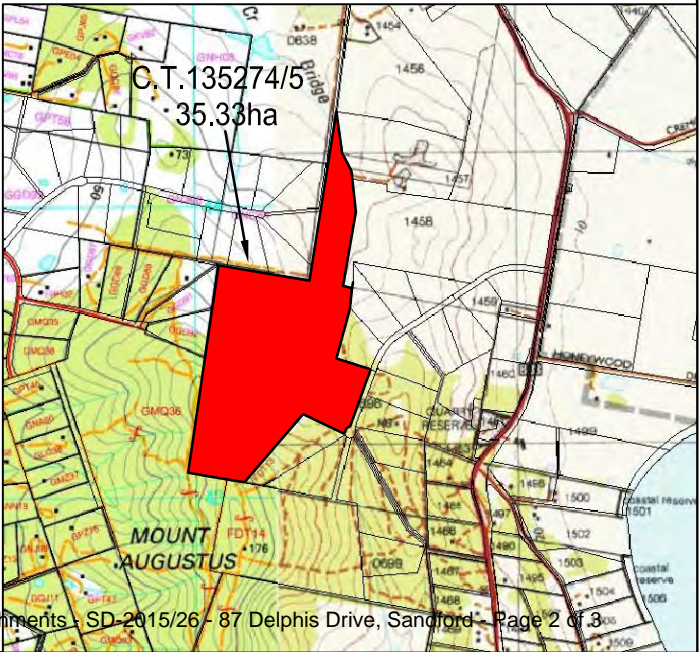
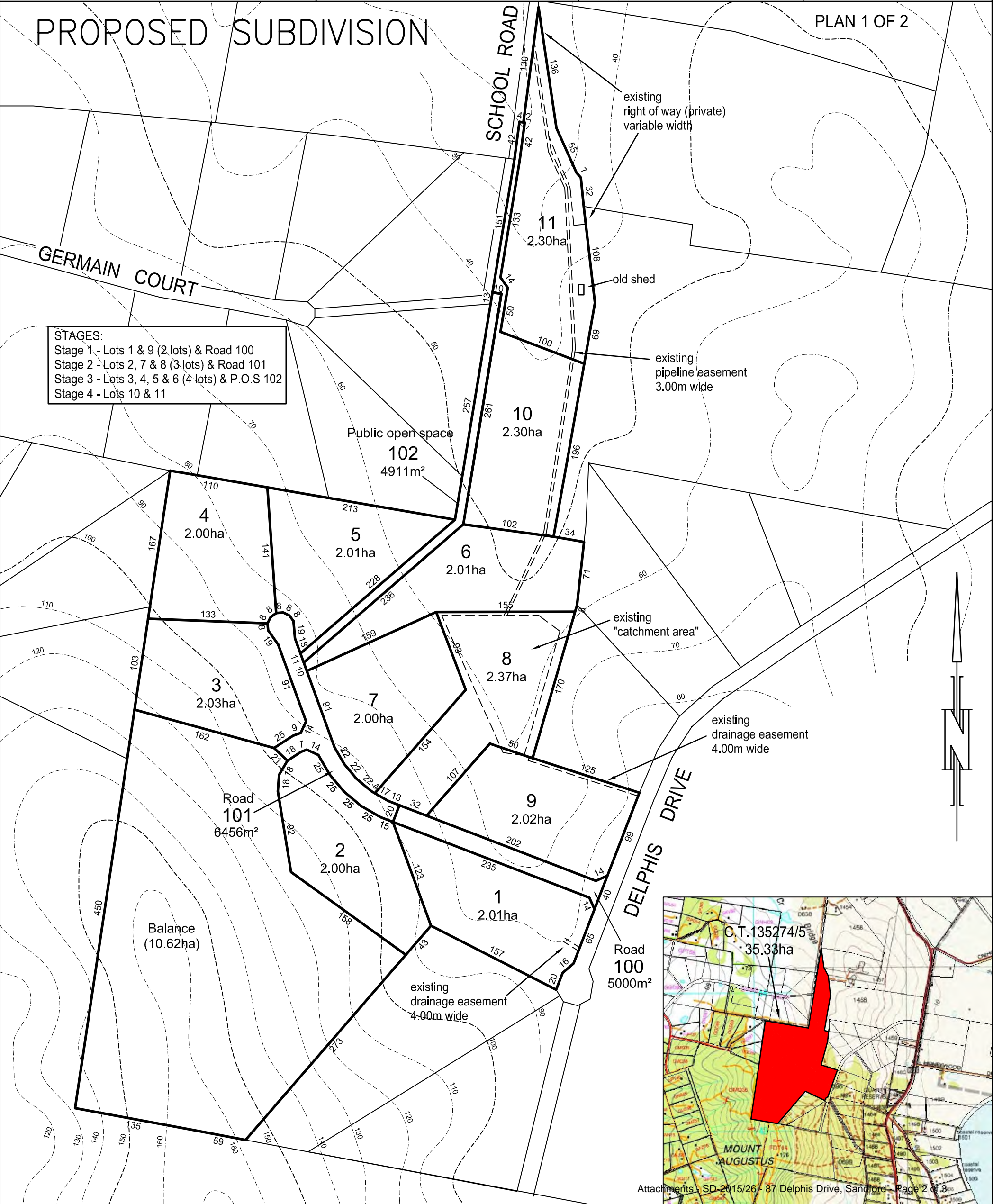
OWNER DOROTHY MARIE MORRISBY
TITLE REFERENCE C.T.135274/5
PROPOSED EASEMENTS AS REQUIRED

LOCATION 87 DELPHIS DRIVE
SANDFORD
GRANTEE SEE TITLE

SCALE 1:4000	DATE 29-6-2015
MUNICIPALITY CLARENCE	REF. NO. MORRP03 906301

PROPOSED SUBDIVISION

PLAN 1 OF 2



Attachment 3

87 Delphis Drive, SANDFORD



Aerial view of site

11.3.5 SUBDIVISION APPLICATION SD-2015/30 - 110 PROSPECT ROAD AND 69 GERMAIN COURT, SANDFORD - 5 LOT SUBDIVISION
(File No SD-2015/30)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 5 lot subdivision at 110 Prospect Road and 69 Germain Court, Sandford.

RELATION TO PLANNING PROVISIONS

The land is zoned Rural Residential and subject to the Vegetation Management and Development Plan Overlays under the Clarence Planning Scheme 2007 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 11 August 2015.

CONSULTATION

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

- building envelopes;
- lot configuration; and
- traffic safety.

RECOMMENDATION:

A. That the application for a 5 lot subdivision at 110 Prospect Road and 69 Germain Court, Sandford (CI Ref SD-2015/30) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN POS4 – POS CONTRIBUTION [4%] [1, 3, 4, 6 and 7].
3. No lots are to be created until such time as the Road lot through CT-30596/4 has been constructed and connected to the proposed Road lot in this subdivision.
4. GEN F3 – ENDORSEMENTS.
5. PROP 3 – TRANSFER.
6. ENG A1 – NEW CROSSOVER [MSD-02].

7. ENG A3 – COMBINED ACCESS [MSD-02].
 8. ENG M2 – DESIGNS SD.
 9. ENG M8 – EASEMENTS.
 10. ENG R1 – ROAD NAMES.
 11. ENG R3 – RURAL ROAD.
 12. ENG R5 – ROAD EXTENSION.
 13. ENG S1 – INFRASTRUCTURE REPAIR.
 14. EHO 4 – NO BURNING.
- 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

This land was originally the subject of a Section 43a Application which was supported by Council, but ultimately refused by the Tasmania Planning Commission (TPC). This refusal was largely based on an inconsistency with the Southern Tasmanian Regional Land Use Strategy (STRLUS). The STRLUS was subsequently amended.

A second re-zoning application, without the subdivision attached was then re-submitted and again supported through Council. This amendment was approved by the TPC and saw the land re-zoned from Rural to Rural Residential and the Sandford Development Plan (DPO 19) was introduced to the Scheme.

The current application is similar to that originally supported by Council and responds to the specific requirements of DPO 19.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Rural Residential and subject to the Vegetation Management and Development Plan Overlays under the Scheme.

2.2. The proposal is for a 5 lot subdivision, which is Discretionary development under the Scheme.

2.3. The relevant parts of the Planning Scheme are:

- Section 2 – Planning Policy Framework;
- Section 3 – General Provisions;
- Section 6 – Rural Residential Zone; and
- Section 7 – Vegetation Management and Development Plan Overlays.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is comprised of 2 existing titles. One is a regularly shaped 2.364ha lot with frontage to the northern side of Germain Court. The other is an irregularly shaped 14.09ha internal lot with access to the north-eastern end of Prospect Road.

There is an existing dwelling located in the south-western portion of the internal, larger lot.

The site has previously been used as grazing land. There are pockets of remnant vegetation, however, this is degraded and of little conservation value in accordance with the Vegetation assessment submitted with the original proposal.

3.2. The Proposal

The proposal is for the subdivision of the 2 existing lots, resulting in 7 residential lots and 2 road lots. The lot areas range in size from 2.0ha to 2.55ha. There will be 2 internal lots as a result of this proposal, 1 utilising the existing internal lot access and the other containing the existing Single Dwelling. The road will run up the eastern boundary of 69 Germain Court into 110 Prospect Road, turning into the body of the lot approximately 177m up the eastern boundary. It will terminate in a cul-de-sac just east of the centre of the current lot, with all created lots accessing off it.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

The relevant elements of the Planning Policy Framework are contained in Section 2.2.3 (a) Settlement (iii) – Rural Residential Land Use.

“Objectives

- *To provide rural residential land as part of ensuring attractive housing choices within the City.*

Strategies

- *Designs respond to the local context and will positively contribute to the character and identity of the neighbourhood.*
- *Development incorporates high standards of community safety, accessibility, amenity, energy efficiency and. retention of any native values”.*

Reference to these principles is also contained in the discussion below.

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

“(a) General requirements:

- (v) The Specific Decision Requirements of the Zone, Overlay or Specific Provision.*
- (vii) Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.*

- (f) *Subdivision requirements:*
- (i) *The suitability of the land for subdivision.*
 - (ii) *The existing use and potential for future development of the land and its surrounds.*
 - (iii) *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation, natural drainage paths and significant stormwater catchment areas.*
 - (iv) *The density of the proposed development.*
 - (v) *The size and shape of each lot in the subdivision.*
 - (vi) *The design and siting of existing and future buildings.*
 - (vii) *The availability and provision of utility services”.*

Reference to these principles is also contained in the discussion below.

4.3. Rural Residential Zone

The purpose of the Rural Residential Zone is to provide for residential use in a rural environment, ensuring that development minimises impacts on adjacent farmland, marine farms or land with important environmental values.

The relevant Use and Development Standards for the Rural Residential Zone are summarised in the table below.

	Required	Provided	Comments
Lot Size	2ha	2.0 – 2.5ha	complies
Lot Dimensions	6m minimum frontage	6.0m – 173m	complies

The existing dwelling complies with all other Use and Development Standards for the Rural Residential Zone.

The relevant Decision Requirements of the Rural Residential Zone are as follows.

- “(e) Lot sizes should be sufficient to suit differing levels of rural residential, service and recreational needs”.*

This is met by this proposal in that the existing dwelling is not negatively impacted by the proposal, whilst the proposed new lots will provide ample space for new dwellings.

4.4. Overlays

Vegetation Management

The purpose of the Vegetation Management Overlay is to protect areas of significant and high value vegetation and bushland habitat, ensuring that development is sited to minimise the loss of native vegetation.

It has been demonstrated that all lots are capable of containing a dwelling and all associated bushfire hazard management clearing without disturbing the portions of the site that are covered by the Vegetation Management Overlay.

The only vegetation disturbance is for the creation of the road lot. A flora and fauna assessment for the site has demonstrated that the vegetation in this area is of low conservation significance and as such its removal will be reasonable.

Development Plan (DPO 19 - Sandford)

The purpose of the Sandford Development Plan is to provide for the consolidation of existing Rural Residential communities, whilst ensuring that the road and trail networks provide a high level of connectivity, safety and amenity for the community.

“PC 4.1: Roads must be Generally in accordance with the Road Layout Plan in Figure 2, but may be realigned, or additional roads included provided that the objective of this clause is met, including the construction of a road connecting Germain Court to School Road”.

The proposed road to connect Germain Court to School Road has been relocated from the western to the eastern side of 69 Germain Court. The amended location from that shown in the DPO does not alter the ability of the road to provide the connection between the 2 lots. As such, the proposal is considered to satisfy this Performance Criteria.

PC 6.1: Subdivision of the area may be staged, provided that all of the following are satisfied:

(c) The only subdivision that can occur to the west of the School Road alignment, prior to the construction of the road and trail connections to Germain Court, generally in accordance with Figure 2 is no more than 12 lots, within the hatched portion of Figure 2.

- (d) *Any subdivision to the west of the School Road alignment which includes the land contained in CT 30596/4 must provide for the construction of the road and trail connections to Germain Court, generally in accordance with Figure 2 before the sealing of any non-road lots”.*

As the land at CT-30596/4 has yet to have the road lot developed, in accordance with Performance Criteria PC 6 (c), no lots can be created in this title until such time as the works on the adjacent lot have occurred. Accordingly, a condition must be included in this permit requiring that no lots be created until the connecting road is constructed through the adjacent title. Whilst it has no bearing on this proposal, it is noted that the adjacent land is currently the subject of a Subdivision application which will include the construction and creation of the required road connection. It appears then that this level of co-ordinated timing between neighbours will avoid undue delay in the sealing of the lots in this application.

4.5. Public Open Space

The primary purpose of Council’s Public Open Space Policy (2013) is to ensure the delivery of adequate and appropriate Public Open Space (POS) to serve the needs of the existing and future population in Clarence. The policy is used to assist Council to exercise its discretion and provide a framework to deliver a consistent approach to the consideration of POS, or alternatively the payment of cash-in-lieu of it.

Clarence has developed a comprehensive suite of strategies that either deliver or rely on POS related outcomes including but not limited to:

- Clarence Tracks and Trails Strategy 2012;
- Positive Ageing Plan 2012-2016;
- Clarence Coast and Bushland Strategy (August 2011);

- Community Health and Wellbeing Plan 2013-2018; and
- Draft Sport and Active Recreation Strategy.

Together these strategies assist Council to deliver a range of active and passive recreational opportunities at both local and regional level.

The subdivision plan proposes to provide no public open space to Council. In accordance with Council's POS Policy it is considered appropriate to require a cash contribution for 4% of the value of the created lots (Lots 3 - 6). This should be conditioned as part of the permit.

The requiring a cash contribution for 4% of the value of the land will reflect the likely increase demand that future development will place on Council's POS local and regional network and associated facilities through the creation of the 3 additional lots.

It is important to note that the provision of cash-in-lieu of public open space, in addition or to supplement the provision of land for Tangara Trail connections, was a matter of submissions in the final stages of the earlier Section 43 Combined Subdivision and Permit. However, as those applications were refused, the matter was unresolved. The recommendation referred to here therefore takes no account of the earlier application. Instead the recommendation to make a positive contribution is made on the basis of the current policy, which was adopted prior to the submission of the current application before Council.

4.6. External Referrals

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

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. Building Envelopes

The representor has expressed a desire to have building envelopes imposed upon the lots. They have indicated their belief that this will ensure buildings are not clustered together near property boundaries. They have further indicated that the proximity of potential houses to both new and existing will “be no different from living in suburbia”.

- **Comment**

There is no requirement under the Rural Residential Zone for building envelopes to be imposed upon new lots. Further, under the provisions of the Rural Living Zone in the Clarence Interim Planning Scheme 2015, there is no capacity to vary setbacks to less than 10m, with the acceptable solution requiring a minimum 20m setback to all side and rear boundaries. It is considered that this provides sufficient separation between buildings to ensure that the lots do not result in overly crowded development. As such, it is not considered necessary or appropriate to impose building envelopes on the created lots.

5.2. Lot Configuration

The representor has indicated their belief that the proposed lot configuration will enable houses to be built in sites that will detract from the views from surrounding existing dwellings.

- **Comment**

The application currently under assessment is for the subdivision of the land only and cannot pre-emptively anticipate the future development of the created lots.

In any event, the lots are of sufficient size that any future development of dwellings will have limited impacts on the views and amenity enjoyed by existing dwellings. As such, this should not impact upon the assessment of this proposal.

5.3. Traffic Safety

The representor has expressed their opinion that there is a rise in Germain Court that currently obstructs the views of drivers. They further suggest that an increase in road users will increase the danger to all road users.

- **Comment**

Extensive assessment of the safety aspects of the proposed road connection were undertaken at the time that the re-zoning of the land occurred. At this time it was determined that the road is acceptable for the likely increase in traffic resulting from the proposed subdivision. As such this should not alter the assessment of the proposal.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

Developer contributions are required to comply with Council's Public Open Space Policy.

8. CONCLUSION

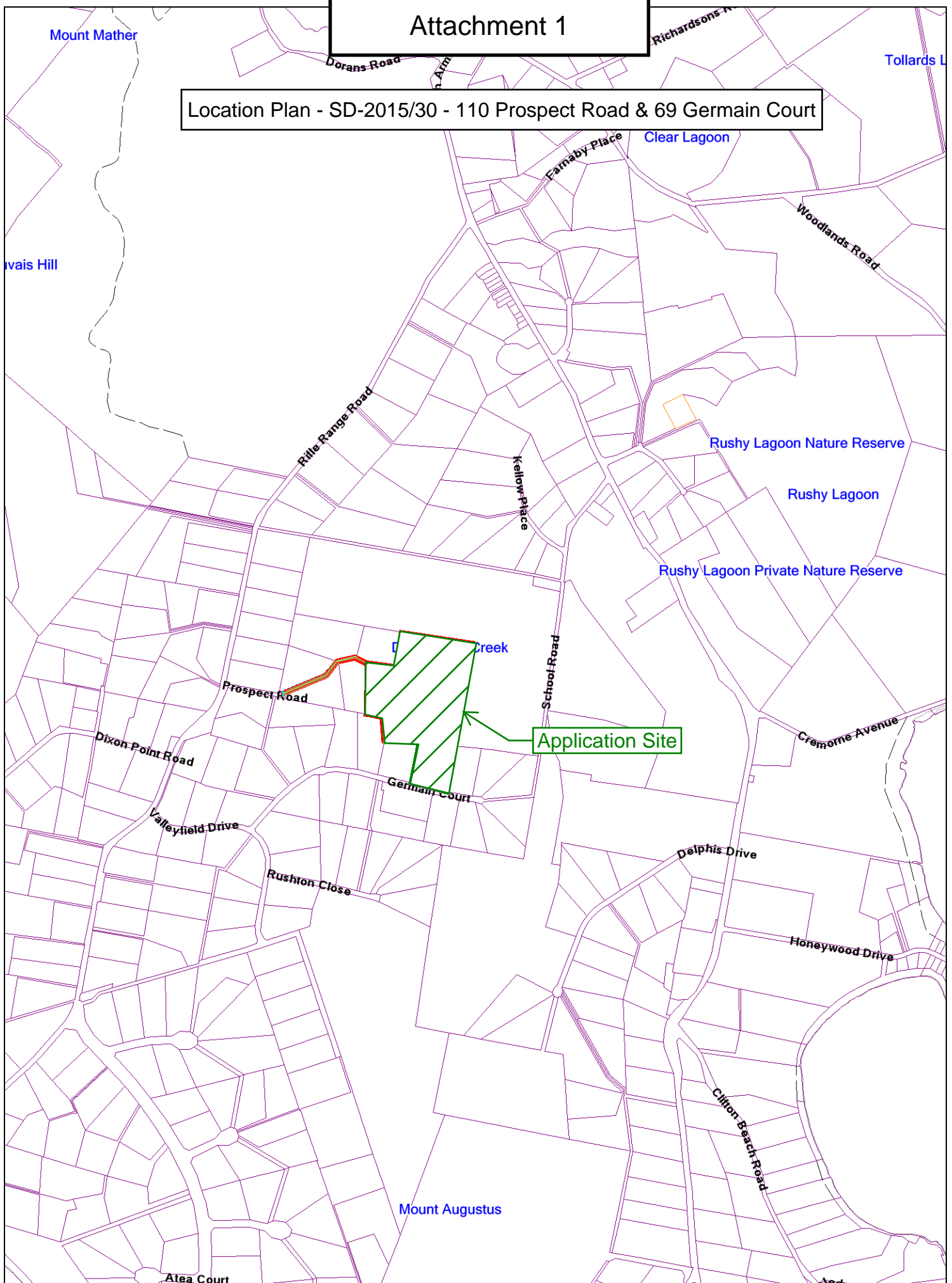
The proposal is for the creation of 5 new residential lots, resulting in 7 residential lots and 2 road lots. The proposal is consistent with all applicable Scheme requirements and is therefore recommended for conditional approval.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

Location Plan - SD-2015/30 - 110 Prospect Road & 69 Germain Court



Printed: Wednesday, 22 July 2015 Scale: 1:18,840 @A4



Attachment 3

110 Prospect Road & 69 Germain Court, SANDFORD



Site viewed from Germain Court

11.3.6 DEVELOPMENT APPLICATION D-2015/253 - 13 OVATA CLOSE, CAMBRIDGE - OUTBUILDING
(File No D-2015/253)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an outbuilding at 13 Ovata Close, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal does not meet the acceptable solution for frontage setback for a garage and proposes a second vehicle access on the frontage boundary.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 26 August 2015 with the written agreement of the applicant.

CONSULTATION

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

RECOMMENDATION:

- A. That the Development Application for Outbuilding at 13 Ovata Close, Cambridge (CI Ref D-2015/253) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. ENG A1 – NEW ACCESS replace “each lot must be provided with a minimum 3.0m” with “The new access must be a minimum 3.6m” [TSD R-09].
 3. The development must meet all required Conditions of Approval specified by TasWater notice dated 30 June 2015 (TWDA 2015/01014-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

**DEVELOPMENT APPLICATION D-2015/253 - 13 OVATA CLOSE, CAMBRIDGE –
OUTBUILDING /contd...**

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 a Discretionary development because it does not meet the Acceptable Solutions prescribed in the General Residential Zone.

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 site has an area of 1197m² and currently contains an existing brick dwelling. The site has a slope of 5% and is irregularly shaped with dual frontage to Ovata Close. A new access (incorrectly shown on the plan as an existing access) is proposed to serve the building.

The area surrounding the subject site to the north, south and west is similarly zoned General Residential. Land to the east is zoned Light Industry.

3.2. The Proposal

The proposal is for a new steel outbuilding (garage) measuring 9m in length and 6m in width (54m²).

The new building works would be setback 4.5m from the frontage boundary, 1m from the northern side boundary and would be located well clear of all other boundaries. The building would have a height of 4.07m at its highest point above natural ground level.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions (zone and codes) with the exception of the following.

Standard	Clause	Acceptable Solution	Proposed	Proposed Variation	Performance Criteria
General Residential Zone - Setbacks	10.4.2 A2	a garage or carport must have a setback from a primary frontage of at least 5.5m	4.5m	1m	a garage or carport must have a setback from a primary frontage that is compatible with the existing garages or carports in the street, taking into account any topographical constraints

The proposed variation can be supported pursuant to the Performance Criteria of Clause 10.4.4 for the following reasons:

- The proposed garage would be located well behind the line of setback from Ovata Close established by other buildings on the eastern side of the street. Most of these buildings feature garages fronting the road.
- The unusual shape of the front boundary of the lot would mean the proposed garage is set well back from the main alignment of the street. The garage is therefore compatible with other existing garages in the street.

Standard	Clause	Acceptable Solution	Proposed	Proposed Variation	Performance Criteria
Parking and Access Code – Number of Vehicle Accesses	E6.7.1 A1	the number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater	2 accesses (1 new and 1 existing)	1 additional access	<p>the number of vehicle access points for each road frontage must be minimised, having regard to all of the following:</p> <p>(a) access points must be positioned to minimise the loss of on-street parking and provide, where possible, whole car parking spaces between access points;</p> <p>(b) whether the additional access points can be provided without compromising any of the following:</p> <p>(i) pedestrian safety, amenity and convenience;</p> <p>(ii) traffic safety;</p> <p>(iii) residential amenity on adjoining land;</p> <p>(iv) streetscape</p>

The proposed variation can be supported pursuant to the Performance Criteria of Clause E6.7.1 P1 for the following reasons.

- Council's Development Engineer has advised that the additional access would not reduce on-street parking (as the turning head is provided for vehicle turning and not car parking) and would not compromise road safety.

- The access would not be located directly alongside other properties, therefore not compromising residential amenity.
- The unusual shape and location of the frontage boundary in the turning head means that the access would be set well back from the main alignment of the street and would not compromise existing streetscape values.

4.3. External Referrals

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

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. Traffic and Access

The representor is concerned that the development would compound existing poor traffic manoeuvrability in the cul-de-sac caused by vehicles being parked in the turning head. The representor has requested the erection of no parking signage in the area outside 12 and 13 Ovata Close.

- **Comment**

As discussed, the proposal satisfies the performance criteria of the Parking and Access Code. As discussed, Clause 8.10.1 provides that the Planning authority must only take into consideration matters relating to the exercise of discretion. According to road rules, vehicles are not permitted to be parked in the turning head anyway, meaning that the issue is not relevant to the assessment of this application.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

8. CONCLUSION

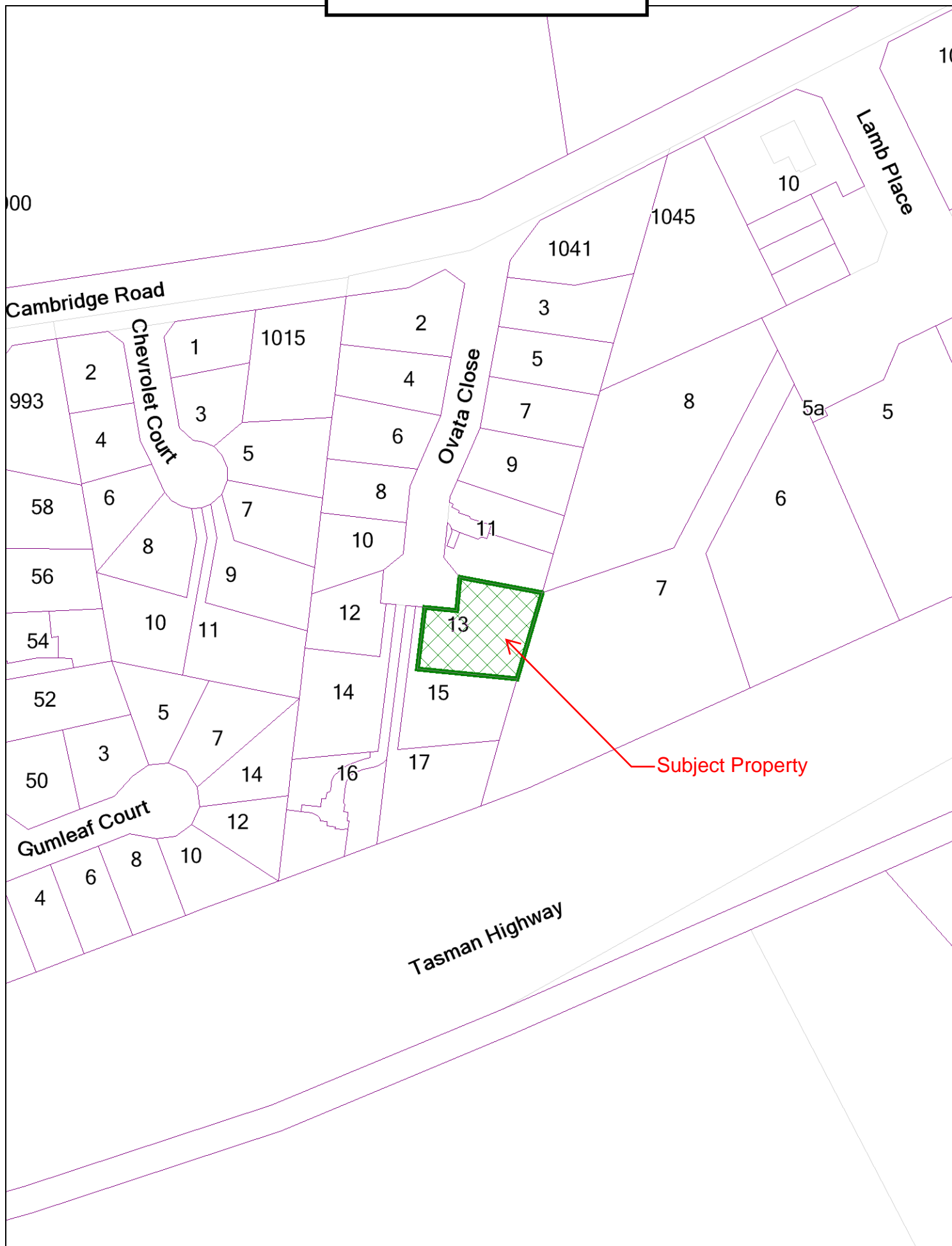
The proposal seeks approval for an outbuilding at 13 Ovata Close, Cambridge. The application meets the relevant acceptable solutions and performance criteria of the Scheme.

The proposal is recommended for approval.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1



Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Monday, 10 August 2015 **Scale:** 1:1,776 @A4



Attachment 2

OVATA PLACE

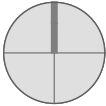
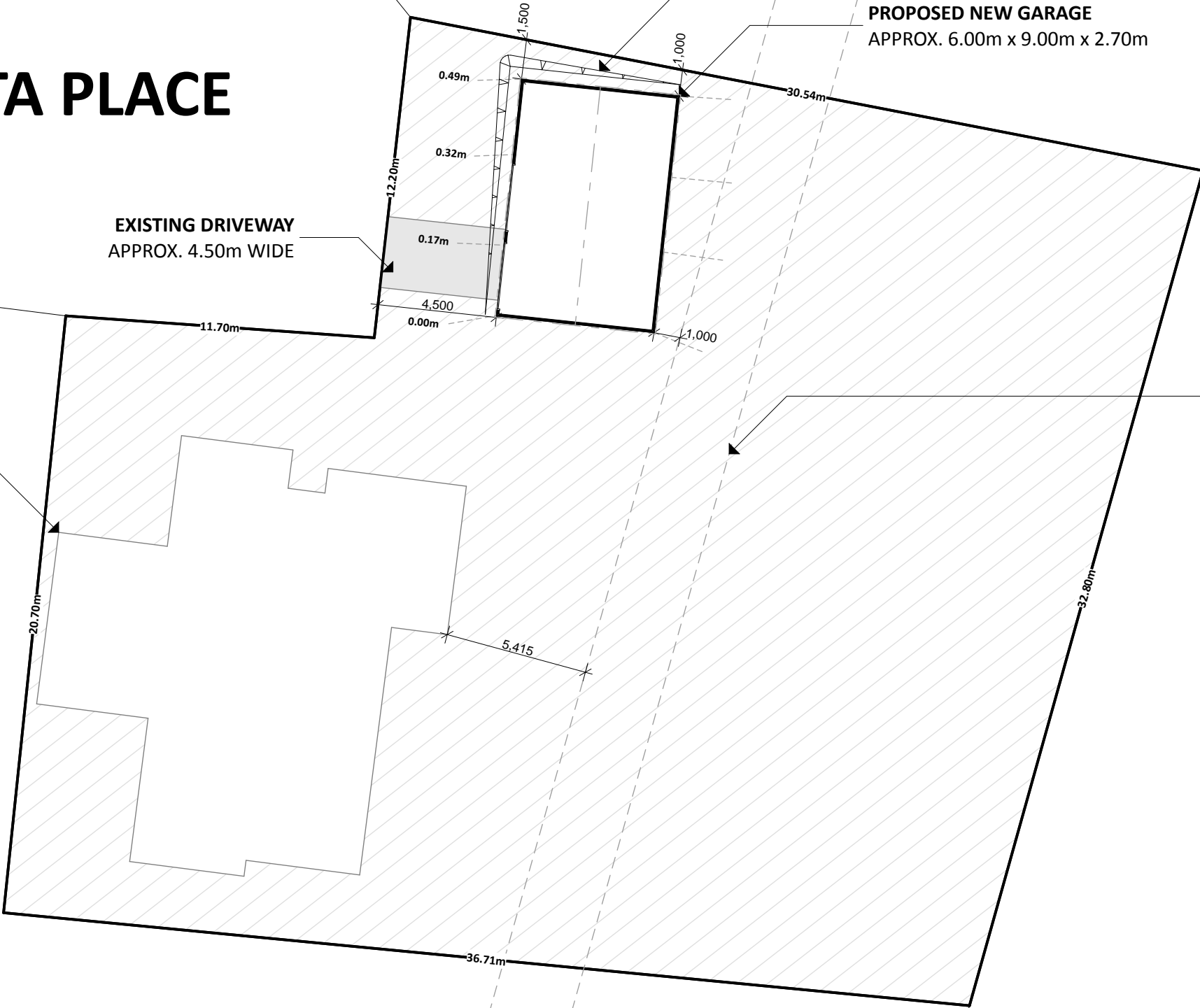
PROPOSED SITE FILL UNDER SLAB
APPROX. 490mm

PROPOSED NEW GARAGE
APPROX. 6.00m x 9.00m x 2.70m

EXISTING DRIVEWAY
APPROX. 4.50m WIDE

EXISTING BURDEN RESIDENCE

EXISTING DRAINAGE EASEMENT
APPROX. 3.00m WIDE



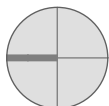
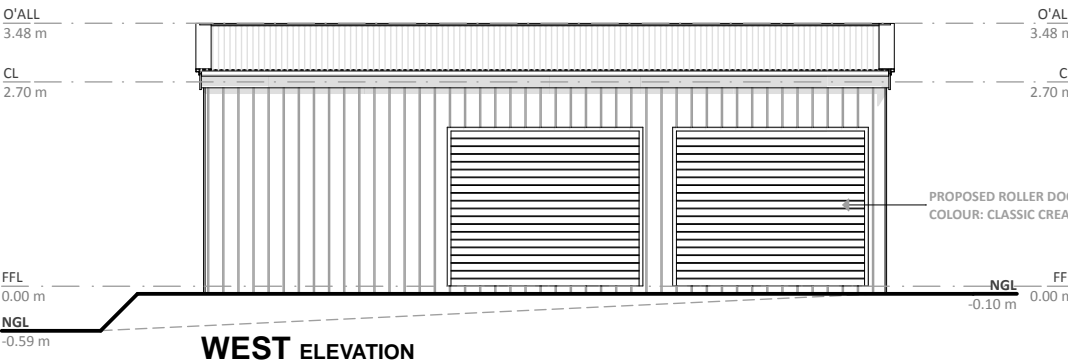
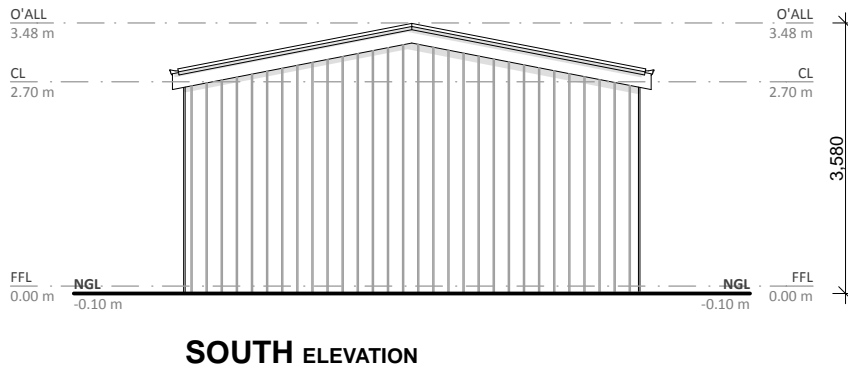
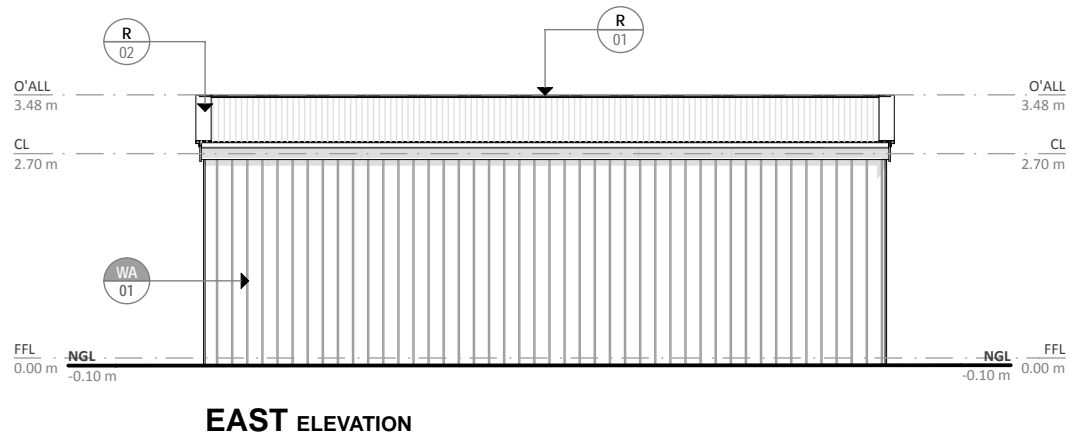
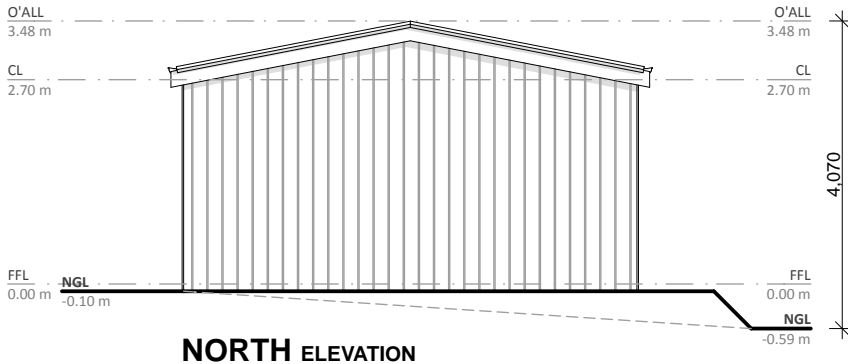
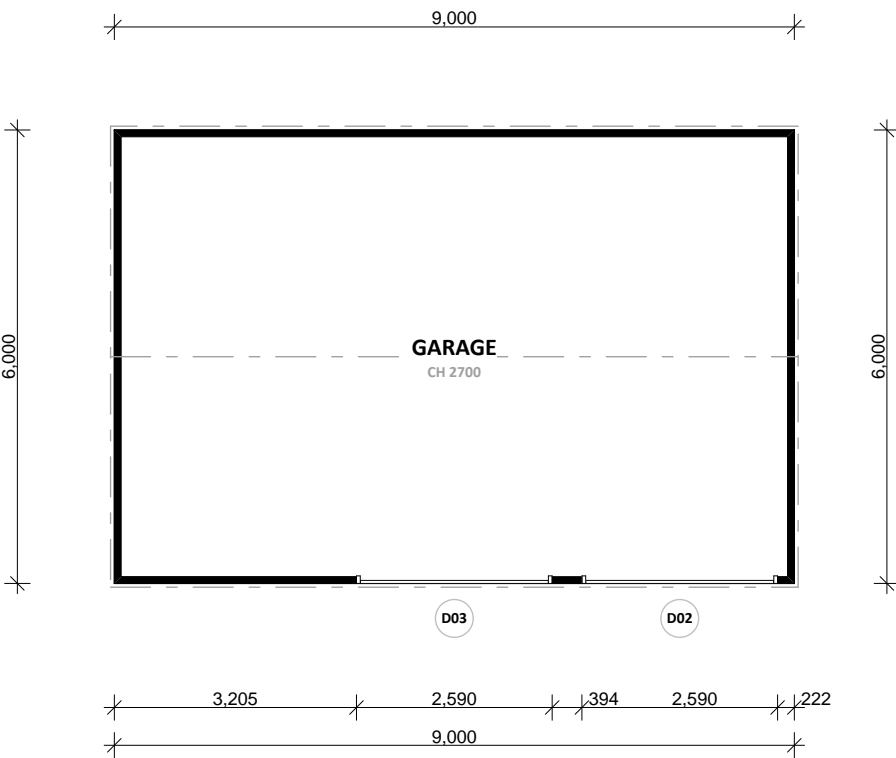
MATERIAL SCHEDULE

- R01

Proposed Roof Cladding: Colorbond® Custom Orb
Roof Pitch: 11 Deg
Proposed Colour: Monument
- WA01

Proposed Wall Cladding: Stramit® K-Panel Vertical Wall Cladding
Proposed Colour: Classic Cream
- R02

Proposed Gutter & Fascia: Colorbond® Steel
Proposed Colour: Classic Cream



13 Ovata Close, CAMBRIDGE



Site viewed from Ovata Close showing existing dwelling and property frontage

11.3.7 DEVELOPMENT APPLICATION D-2015/264 - 277 CLARENCE STREET, HOWRAH - ADDITION TO DWELLING
(File No D-2015/264)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an addition to an existing Single Dwelling at 277 Clarence Street, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal does not meet the acceptable solution for access to sunlight under the zone.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to 26 August 2015 with the written agreement of the applicant.

CONSULTATION

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

RECOMMENDATION:

- A. That the Development Application for an addition to dwelling at 277 Clarence Street, Howrah (CI Ref D-2015/264) be approved subject to the following conditions and advice.
 - 1. GEN AP1 – ENDORSED PLANS.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT**1. BACKGROUND**

No relevant background.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Residential under the Scheme.
- 2.2.** The proposal is a Discretionary development because it does not meet the Acceptable Solutions prescribed in the General Residential Zone.
- 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 site has an area of 723m² and currently contains an existing brick dwelling. The site is generally flat and has frontage and vehicle access to Clarence Street. The property contains an existing studio/flat used as a consulting room (chiropractor) in accordance with previous Council planning approval (permit number 96/0763).

The area surrounding the subject site is similarly zoned General Residential. The Shoreline Shopping Centre is located to the north of the site on the opposing side of Clarence Street.

3.2. The Proposal

The proposal is for a second-storey addition to the existing dwelling. The addition would contain 2 new bedrooms, a bathroom, living area and deck.

The new building works would be setback 10.42m from the frontage boundary 2.775m from the eastern side boundary, 3.653m from the western side boundary and 20m from the rear boundary. The building would have a height of 7.419m at its highest point above natural ground level.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

“8.10.1: In determining an application for any permit the planning authority must, in addition to the matters required by ss51(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.

8.10.2: In determining an application for a permit for a discretionary use the planning authority must, in addition to the matters referred to in sub clause 8.10.1, have regard to:

- (a) the purpose of the applicable zone;*
- (c) the purpose of any applicable code.*

8.10.3: In determining an application for any permit the planning authority must not take into consideration matters referred to in clauses 2.0 and 3.0 of the planning scheme”.

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 (zone and codes) with the exception of the following.

Standard	Clause	Acceptable Solution	Proposed	Proposed Variation	Performance Criteria
Sunlight	10.4.4 A1	a dwelling must have at least 1 <u>habitable room</u> (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north	42 degrees	12 degrees	a dwelling must be sited and designed so as to allow sunlight to enter at least 1 habitable room (other than a bedroom)

The proposed variation can be supported pursuant to the Performance Criteria of the Clause 10.4.4 for the following reasons.

- the lower-storey of the dwelling would maintain existing lounge room windows on the north-east and north-west elevations; and
- the northern side of the site is bordered by Clarence Street, which is an open area ensuring direct sunlight to the northern facades would not be obstructed.

4.3. External Referrals

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

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. Overshadowing

The representor is concerned that the proposed dwelling additions would overshadow the dwelling and garden of the adjacent property at 279 Clarence Street.

- **Comment**

The proposal satisfies the acceptable solution for setbacks and building envelope (Clause 10.4.2 of the Scheme), which is designed to ensure that adjoining properties are not unreasonably overshadowed.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

8. CONCLUSION

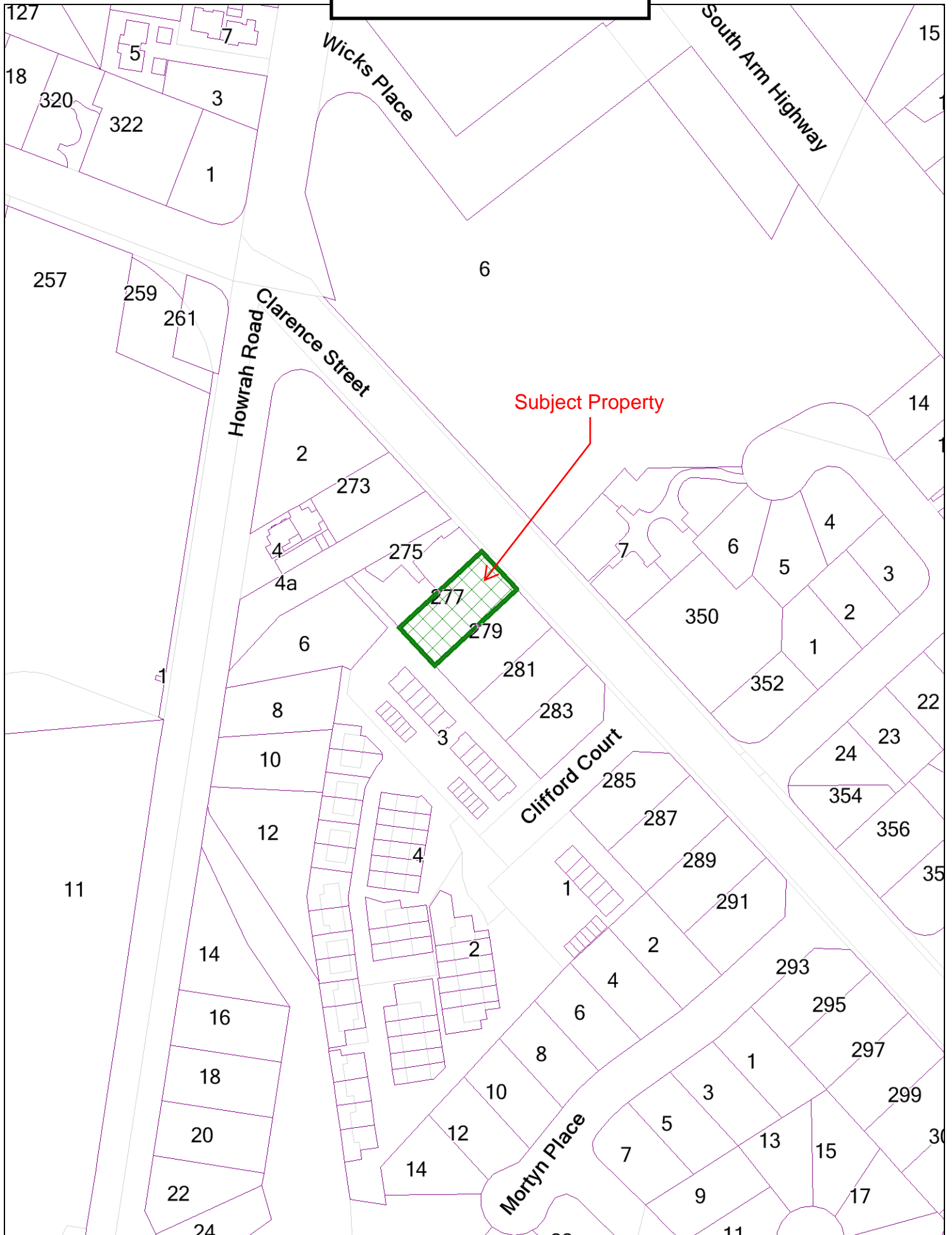
The proposal seeks approval for an addition to existing Single Dwelling at 277 Clarence Street, Howrah. The application meets the relevant acceptable solutions and performance criteria of the Scheme.

The proposal is recommended for approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (3)
3. Applicant Confirmation on Use of Flat (1)
4. Diagram Showing Alignment of Windows (1)
5. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

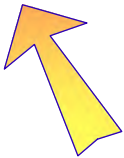
Attachment 1



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Attachment 2

CLARENCE STREET



AREAS	
LOT SIZE	725 m ²
DECK	27
CARPORT	23
STUDIO & FLAT	43
HOUSE	97
ADDITION	65
SITE COVERAGE	23%

PROPOSED GROUND FLOOR SITE PLAN 1:200



CHRIS LUTTRELL
chris.j.luttrell@bigpond.com.au
PO Box 100 Dodges Ferry Tasmania

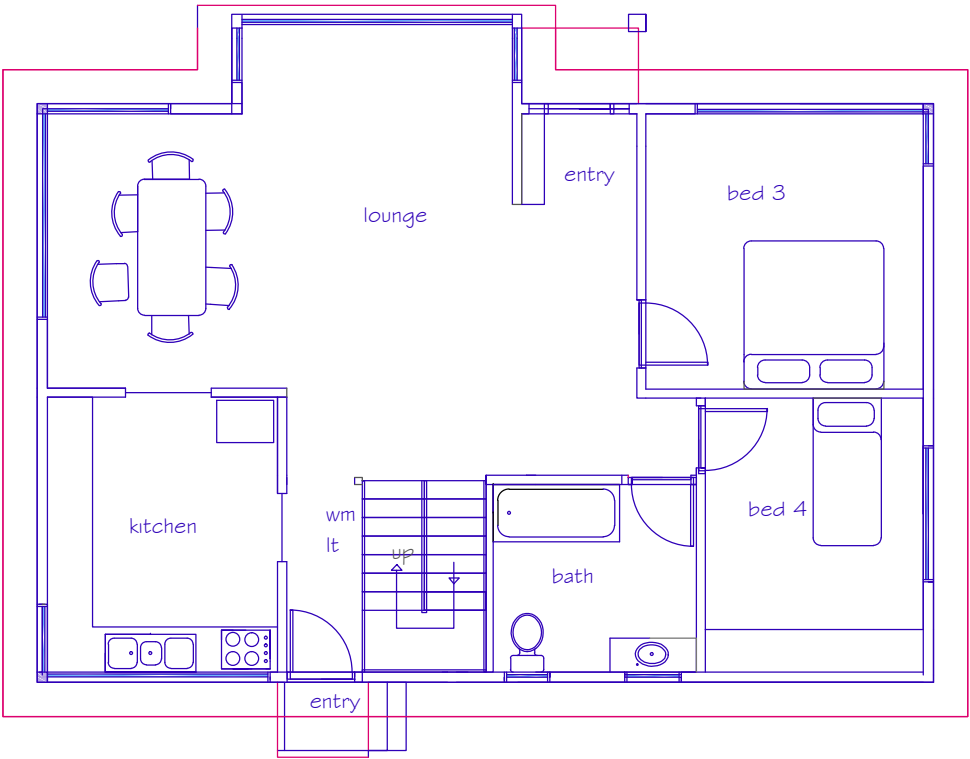
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0417366820
7173

DO NOT SCALE FROM DRAWING - Builder to verify all levels, boundaries, set-outs dimensions before construction. All the building specified in the plans must comply all Council regulations, engineers specification, building surveyors recommendations & all Australian Standards referred to in the drawings and specifications. All work, materials & procedures must comply with the Building Code of Australia

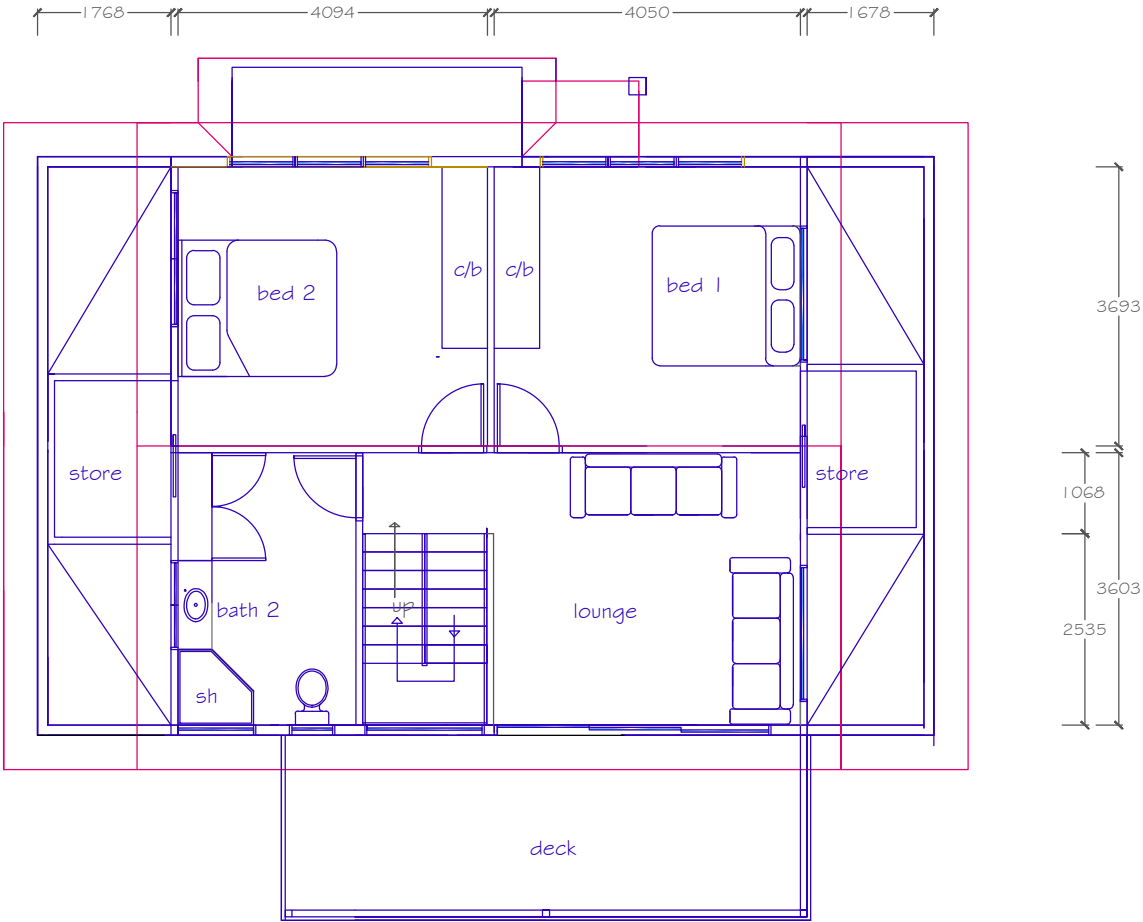
PROJECT ALTERATION & EXTENSION
CLIENT C & J HURD
ADDRESS 277 CLARENCE STREET HOWRAH

DRAWING PROPOSED GROUND FLOOR SITE PLAN
NOTES - PLANNING APPLICATION
NOTES -

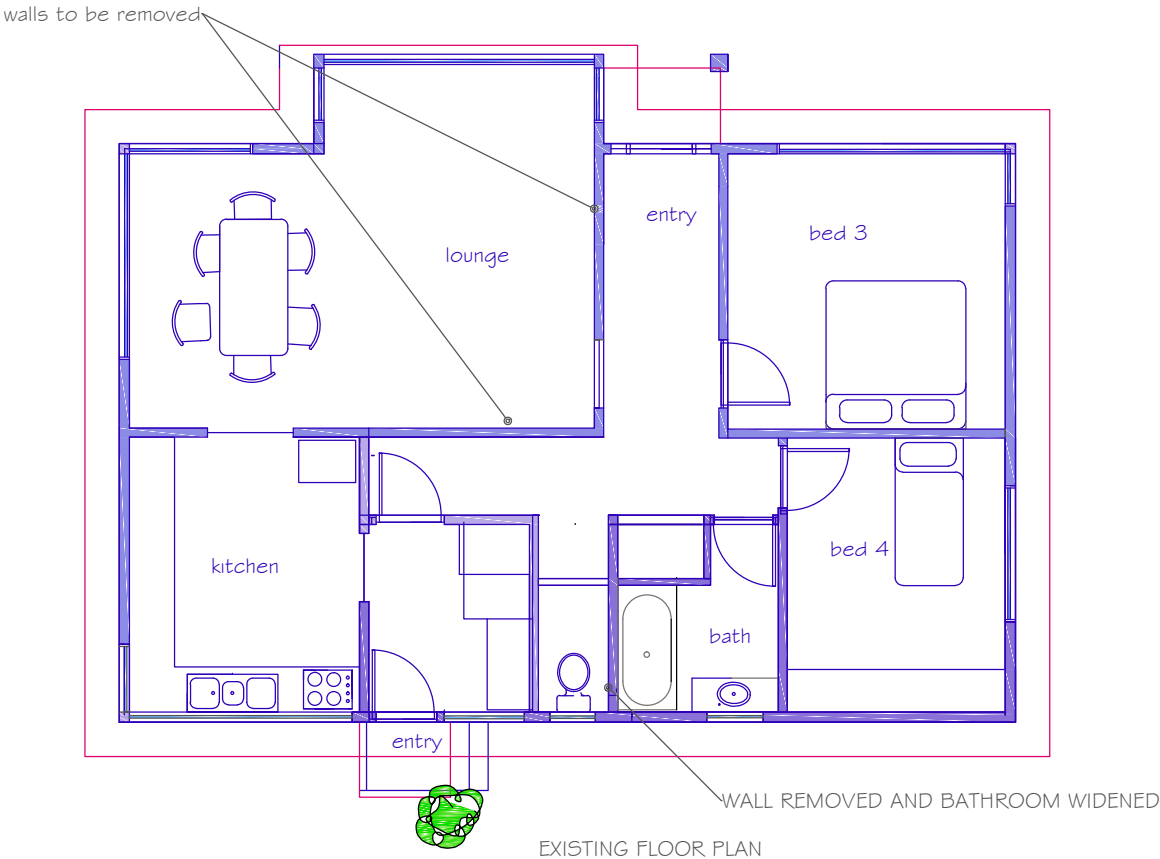
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CHECKED BY
AMENDMENT NO.
SCALE 1:200
DATE 28/8/2013
DRAWING NO. 3



PROPOSED FLOOR PLAN GROUND FLOOR



PROPOSED FLOOR PLAN LEVEL 1



EXISTING FLOOR PLAN

AREAS	
LOT SIZE	725 m/2
DECK	27
CARPORT	23
STUDIO & FLAT	43
HOUSE	97
ADDITION	65
SITE COVERAGE	23%



CHRIS LUTTRELL
chris.j.luttrell@bigpond.com.au
PO Box 100 Dodges Ferry Tasmania 7173

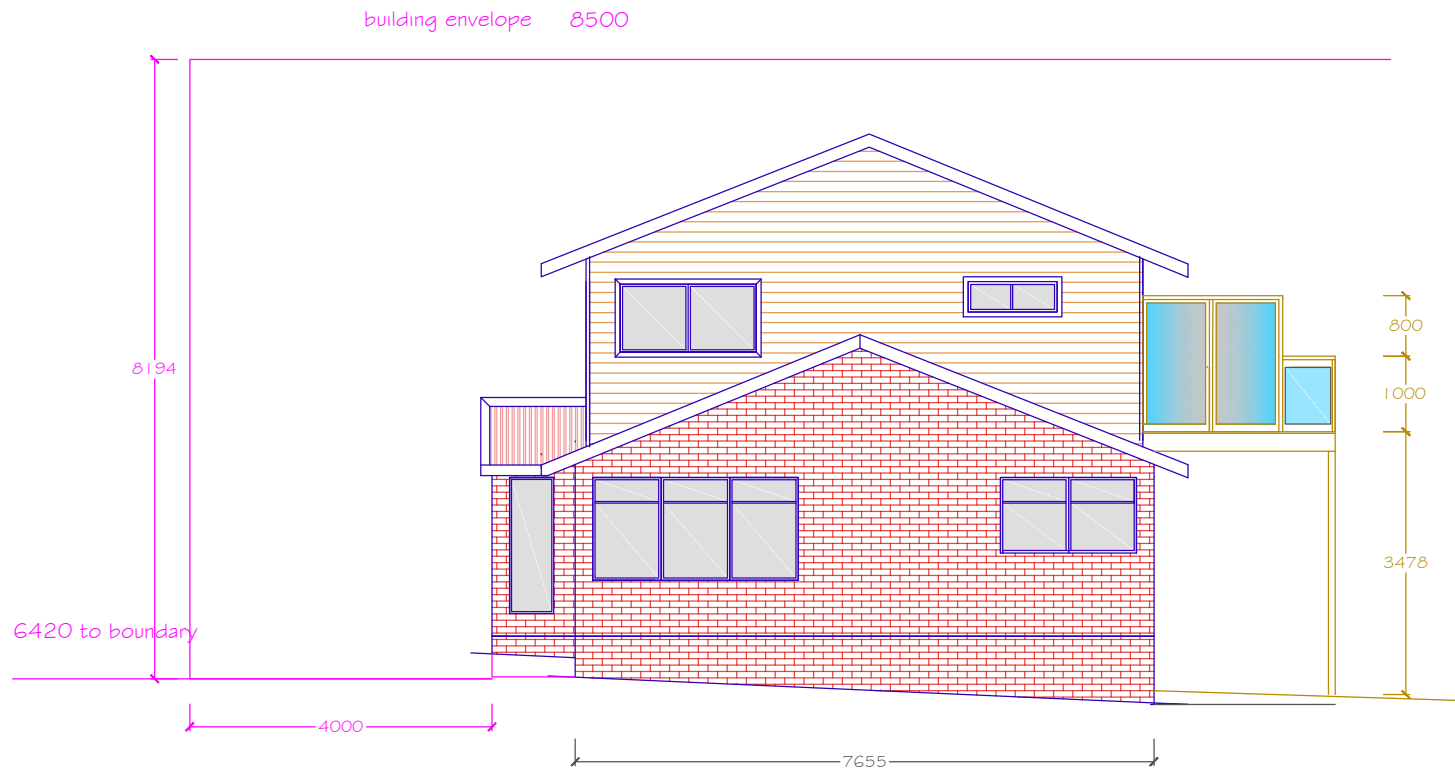
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0417366820

DO NOT SCALE FROM DRAWING - Builder to verify all levels, boundaries, set-outs dimensions before construction. All the building specified in the plans must comply all Council regulations, engineers specification, building surveyors recommendations & all Australian Standards referred to in the drawings and specifications. All work, materials & procedures must comply with the Building Code of Australia

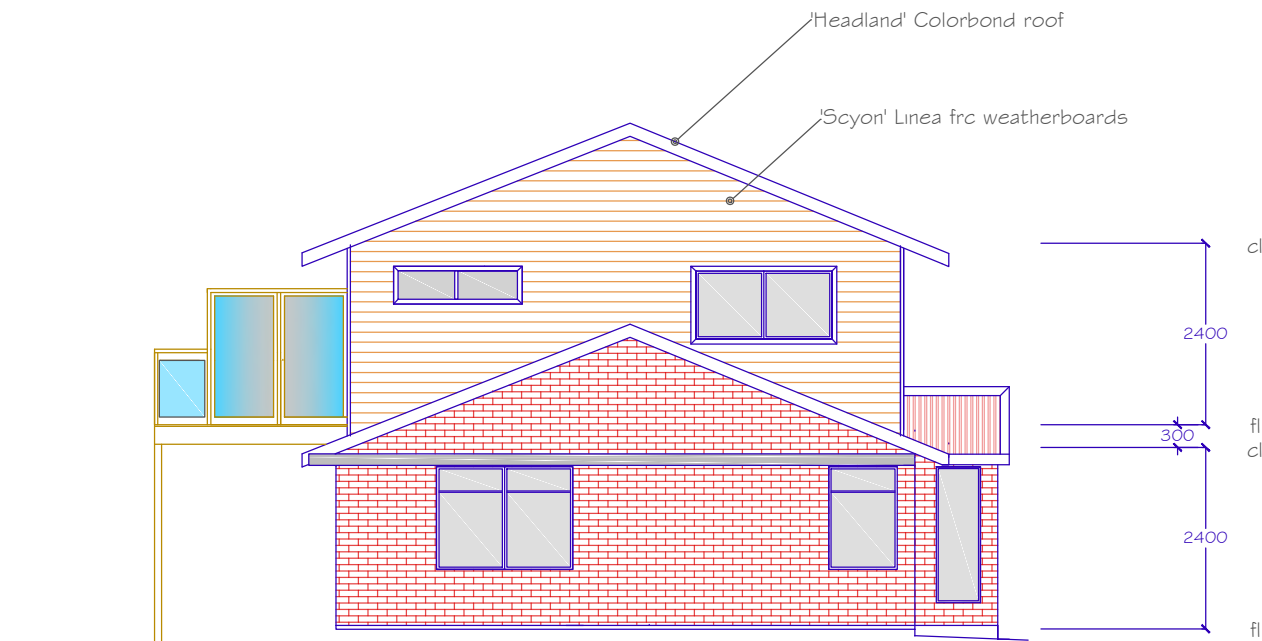
PROJECT ALTERATION & EXTENSION
CLIENT C & J HURD
ADDRESS 277 CLARENCE ROAD HOWRAH

DRAWING FLOOR PLANS
NOTES - PLANNING APPLICATION
NOTES -

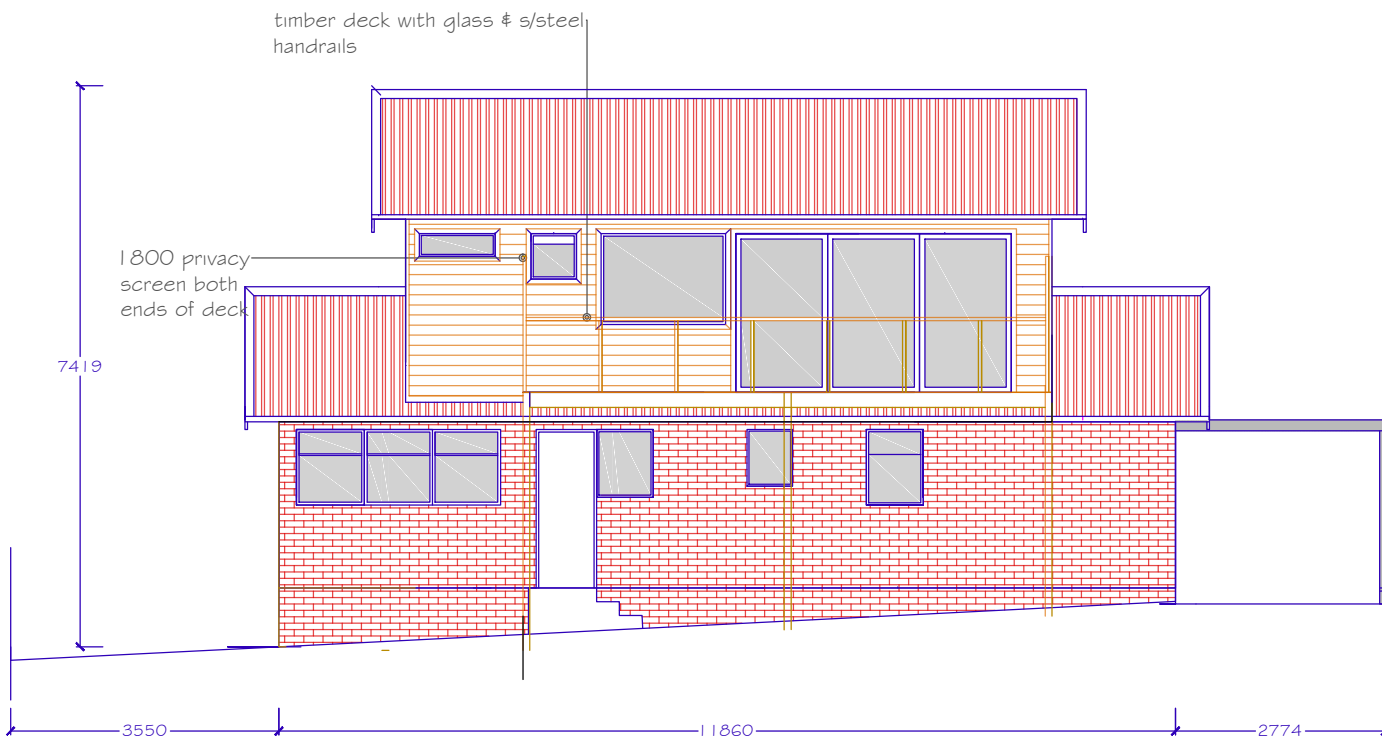
Attachments - D-2015/264 - 277 Clarence Street, Howrah - Page 3 of 7
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CHECKED BY
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SCALE 1:100
DATE 25/6/2015
DRAWING NO. 4



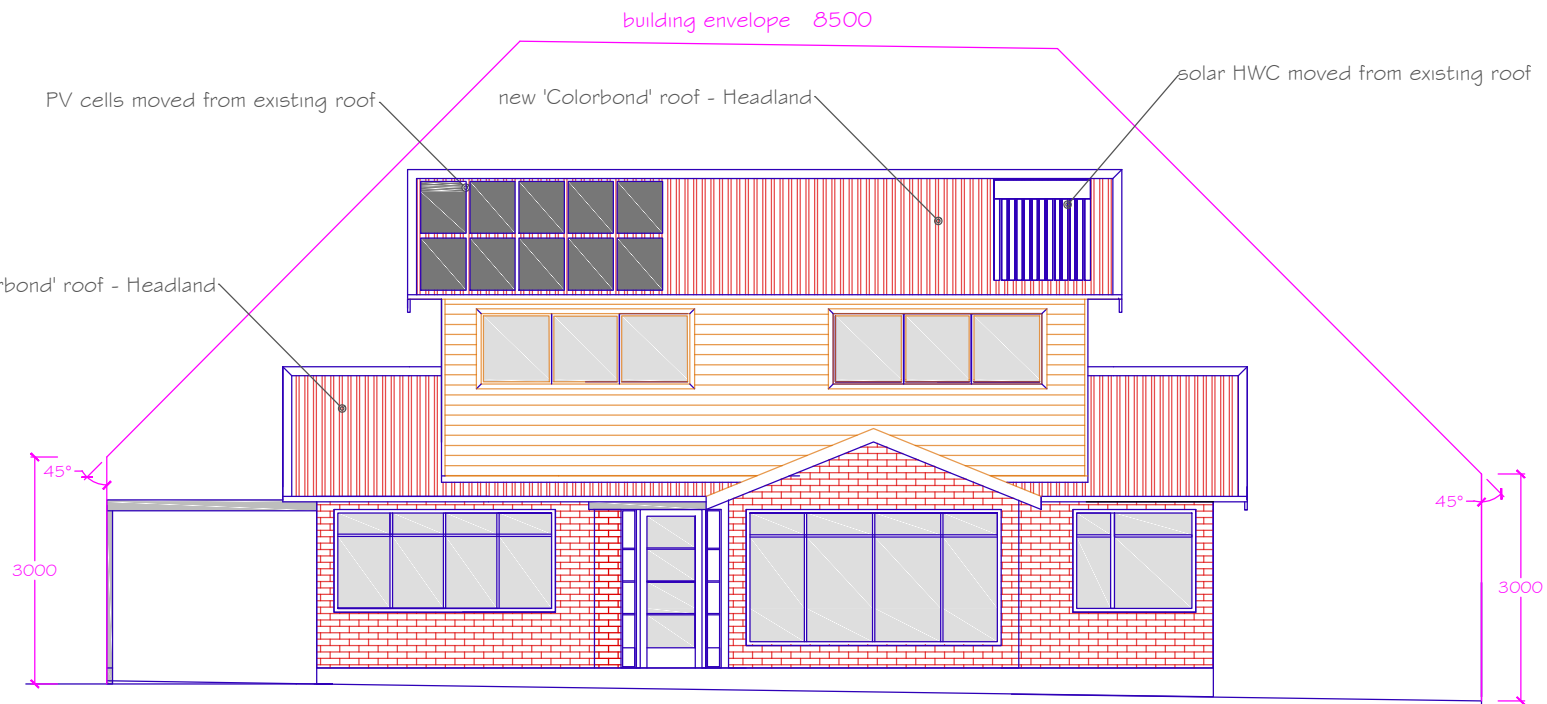
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

Attachment 3

DR. CAROLINE HURD. M.Chiro. B. Sc.
CHIROPRACTOR
Flat 1/277 Clarence Street
HOWRAH. 7018. TAS
Phone No: (03) 62476241

22nd July, 2015.

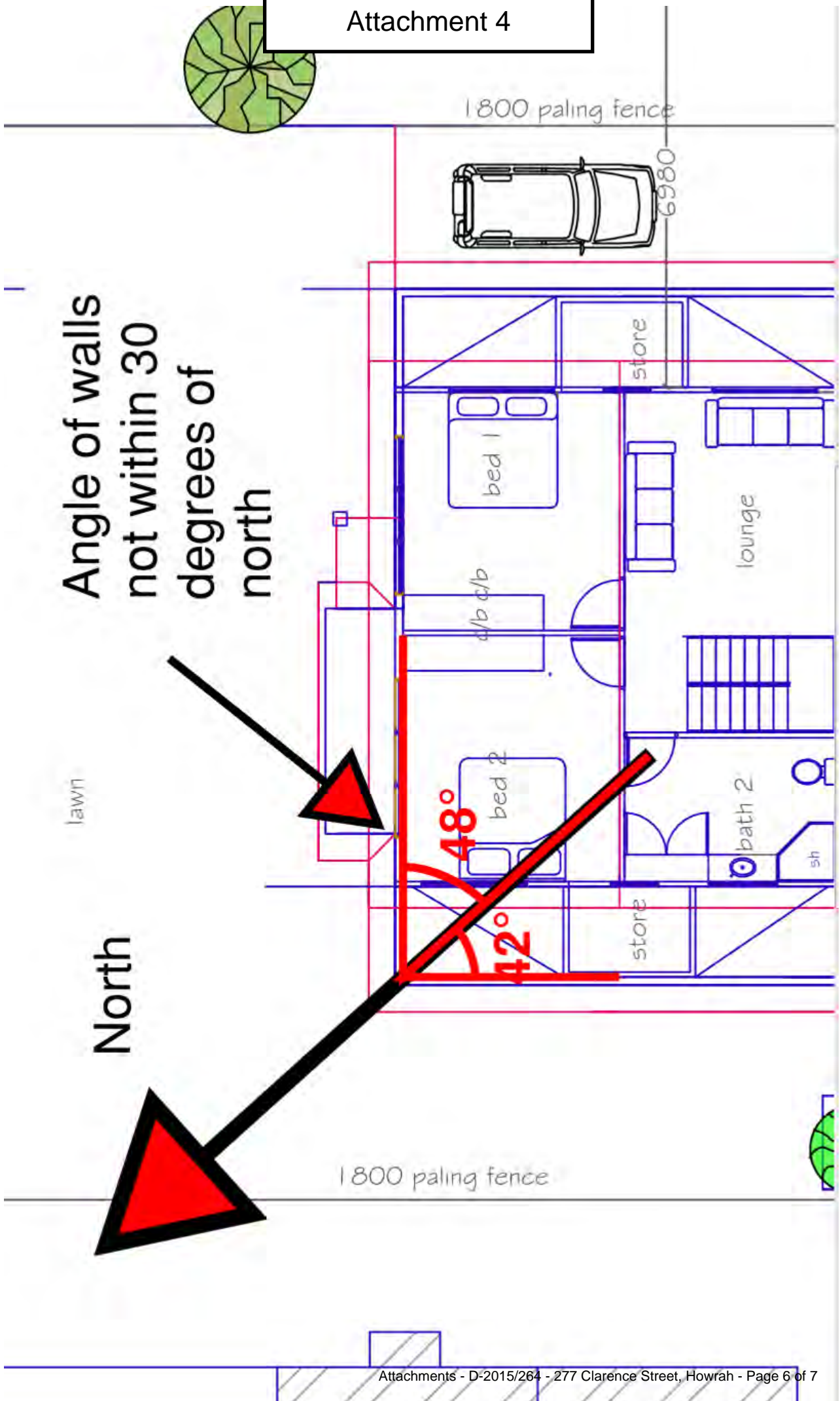
Dear Samuel,

I am writing to confirm that the building marked as studio/flat on the recent plans submitted for approval (D-2015/241) is used for consulting rooms in accordance with my existing planning approval(96/0763).

Yours Sincerely,

Caroline Hurd.

Attachment 4



Attachment 5

277 Clarence Street, HOWRAH



Site viewed from Clarence Street showing existing dwelling



Site viewed from Clarence Street showing existing dwelling and adjacent dwelling at 279 Clarence Street

**11.3.8 SUBDIVISION APPLICATION SD-2015/39 - 69 HOWRAH ROAD, HOWRAH
- 1 LOT SUBDIVISION**
(File No SD-2015/39)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 1 lot subdivision at 69 Howrah Road, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal does not meet the acceptable solutions for the setback of the existing dwelling to the proposed boundary or the shape of the lot and the proposal is for the creation of an internal lot.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 25 August 2015.

CONSULTATION

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

- shape of proposed lot;
- setback distance from dwelling to proposed boundary; and
- residential amenity.

RECOMMENDATION:

A. That the application for a 1 lot subdivision at 69 Howrah Road, Howrah (Cl Ref SD-2015/39) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A1 – NEW CROSSOVER. Delete first paragraph and replace with “Lot 2 must be provided with a minimum 3.6m wide minimum constructed and sealed access from the road carriageway to the property boundary in accordance with Standard Drawing TSDR-09 (copy available from Council). A 3.6m wide minimum sealed driveway must be constructed from the property boundary to the lot proper”.

3. ENG A1 – NEW CROSSOVER. Delete first paragraph and replace with “Lot 1 must be provided with a minimum 3.6m wide minimum constructed and sealed access from the road carriageway to the property boundary in accordance with Standard Drawing TSD R-09 (copy available from Council)”.
4. ENG M2 – DESIGNS SD. Delete the first 2 dot points.
5. ENG M8 – EASEMENTS.
6. ENG S1 – INFRASTRUCTURE REPAIR.
7. ENG S2 – SERVICES.
8. GEN POS1 – POS CONTRIBUTION [5%] and [Lot 2].
9. The development must meet all required Conditions of Approval specified by TasWater notice dated 27 July 2015 (TWDA 2015/01116-CCC).

ADVICE - A Building Surveyor is to verify as part of the Building Permit Application that building materials within 450mm of the proposed site boundary is constructed of non-combustible materials and meets all requirements set out within the Building Code of Australia 2015.

ADVICE - If the existing internal drains require relocating, an application for plumbing permit will be required and a certificate of completion must be issued prior to sealing of the subdivision.

- 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

An application for subdivision was made for the site in November 2014 under SD-2014/37 for the same development, which was prohibited under the Clarence Planning Scheme 2007. The previous application was withdrawn and this application is lodged under the Clarence Interim Planning Scheme 2015.

A Building Permit was granted under BPA 2014/603 on 23 March 2015 for alterations to the existing dwelling and partial demolition. The works have commenced and involve reconfiguration of the internal layout of the dwelling to alter the kitchen, bathroom and shared living dining areas. The works do not alter the footprint of the dwelling.

2. STATUTORY IMPLICATIONS

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

2.2. The proposal is a Discretionary development because it does not meet the Acceptable Solutions prescribed in the General Residential Zone.

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 site is a single lot with an area of 1580m² and 32m frontage to Howrah Road. There is an existing Single Dwelling on the site which would remain as part of this development and is in the process of being renovated in accordance with a Building Permit.

The site is within an area comprised of a series of Multiple Dwelling developments and a range of larger lots supporting Single Dwellings. Vehicular access to the site is from Howrah Road.

3.2. The Proposal

The proposal is for the subdivision of the site into 2 lots, the first of which would comprise the existing dwelling and would have an area of 600.6m² and the second would be a vacant internal lot and would have an area of 679.4m². The lots would have frontages of 25.66m and 6.35m frontage respectively.

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 with the General Residential Scheme’s relevant Acceptable Solutions for residential buildings and subdivision with the exception of the following.

Standard	Clause	Acceptable Solution	Proposed	Proposed Variation
Setbacks	10.4.2 A3	a dwelling must be contained within a building envelope as prescribed by Diagram 10.4.2A, and a distance of 4m from the rear boundary	rear setback of 0.38m.	3.62m
Privacy	10.4.6 A2	a window to a habitable room that has a floor level more than 1m above natural ground level is to be setback at least 4m from the rear boundary	rear setback of 0.38m	3.62m
Lot Design	10.6.1A2	each lot must provide a building area rectangular in shape and is 10m by 15m in size, clear of the frontage, side and rear boundary setbacks	irregular shaped building envelope	required envelope cannot be provided with required dimensions, clear of setbacks and services
Lot Design	10.6.1A4	no lot is an internal lot	1 ordinary, 1 internal lot.	internal lot

The proposed variations can be supported pursuant to the Performance Criteria of Clauses 10.4.2 and 10.4.6 for the following reasons:

- the setback distance of the existing dwelling to the new boundary would not unreasonably overshadow a future dwelling, which would be sited to reflect the location of the existing dwelling for solar access; and
- the lot to be created to the rear (south-west) of the existing dwelling could reasonably be developed for future residential purposes, in a manner that responds to the site constraints and location of the existing dwelling.

The proposed variation to Clause 10.6.1, building envelope, can be supported pursuant to the relevant Performance Criteria, P2, for the following reasons:

- the proposed vacant lot is of a size that will reasonably be able to accommodate residential development, of a scale and size appropriate to an urban environment and giving consideration to the location and orientation of existing neighbouring dwellings;
- reasonable solar access could be achieved by both the future habitable areas of a new dwelling on the proposed vacant lot and by existing dwellings, given the size and orientation of the site; and
- the gradient of the lot would not require substantial earthworks and future residential development would be capable of meeting the applicable standards in the Scheme by a relatively modest dwelling.

The proposed variation to Clause 10.6.1 relates to the creation of an internal lot specifically and can be supported pursuant to the relevant Performance Criteria, P4, for the following reasons:

- both lots would gain access from Howrah Road, which existed prior to the commencement of the Scheme and does not create necessity for a new road;
- the proposal represents infill development, within an area unconstrained and appropriate for such development; and
- residential amenity is unlikely to be compromised, in that the access would not be located directly adjacent other properties and a condition would be included requiring that the access be sealed.

It is noted that the subject property, were it not subdivided, could facilitate Multiple Dwellings (units) which would have a similar impact.

4.3. External Referrals

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

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. Shape of Proposed Lot

The representor is concerned that the minimum lot size requirements of the Scheme are not satisfactorily addressed and that the proposal would create an irregularly shaped lot simply to satisfy the Scheme requirements. The concern is also that the proposal creates a narrow triangle of land that is not useable space for future residents of Lot 2.

- **Comment**

The proposed subdivision is to create 2 lots, the first of which is an ordinary lot with direct road frontage and an area of 600.6m² and an internal lot with a total area of 679.4m².

Table 10.1 requires that the minimum area for an ordinary lot of 450m² be provided and that it not exceed 1000m². Lot 1 satisfies this requirement.

The same table requires that an internal lot must have a minimum area of 550m², exclusive of the access strip to the lot. The proposal satisfies this requirement, confirmed by the calculations provided as part of the proposed plan of subdivision.

The proposal complies with the dimension requirements of the Scheme and does therefore not justify the refusal of the application.

5.2. Setback Distance from Dwelling to Proposed Boundary

Concerns are raised that the proposal is to create a boundary that is very close to the rear of the existing dwelling and would have privacy impacts in terms of a future dwelling on the vacant lot to be created.

- **Comment**

The proposal creates a new boundary that is 380mm from the rear (southern) wall of the existing dwelling on the subject property.

The impact of the reduced setback on surrounding neighbouring residential development and amenity would be low, in that the potential conflict is between residents of Lots 1 and 2 and not between neighbouring lots.

Any future development of the new (vacant) lot would respond to the proximity of the dwelling to the shared boundary and would likely be oriented to the south-west towards the views from the site.

5.3. Residential Amenity

The representor is concerned that a number of subdivisions to create small internal lots in the vicinity of the subject property have occurred and that residential amenity of the neighbourhood has already and would further be compromised by loss of sunlight, privacy and noise.

- **Comment**

Future residential development of Lot 2 may be exempt from development approval of Council, if it can comply with the relevant Acceptable Solutions. A development of that nature would be, by complying with the prescribed standards, a modest dwelling unlikely to conflict with neighbouring residential land use.

Residential development of a larger scale would likely be reliant upon performance criteria under the Scheme, meaning that public notification would be required and there would be an opportunity for public comment regarding any amenity concerns. It is therefore considered that this issue is not of determining weight.

6. STATE POLICIES AND ACT OBJECTIVES

- 6.1.** The proposal is consistent with the outcomes of the State Policies, including those of the State Coastal Policy.
- 6.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other Council Policy.

The application is considered to be consistent with Council's Public Open Space Policy (2013), in that the subject site within an established urban area, will form an extension of an existing urban area and will be afforded the highest level of access to both local and regional recreational opportunities. It is considered that the development resulting from an approval of this application will, or is likely to, increase residential density creating further demand on Council's POS network and associated facilities.

No POS land is proposed to be provided to Council as part of this application and nor is it considered desirable to require it on this occasion. Notwithstanding this, it is appropriate that the proposal contributes to the enhancement of Council's POS network and associated facilities. In this instance there are no discounting factors that ought to be taken into account that would warrant a reduction of the maximum POS contribution.

While Section 117 of the Local Government Building and Miscellaneous Provision Act, 1993 (LGBMP) provides for a maximum of up to 5% of the value the entire site to be taken as cash-in-lieu of POS, it is considered appropriate to limit the contribution only to the additional lot created, representing the increased demand for POS generated by the proposal and not the entire site the subject of the application.

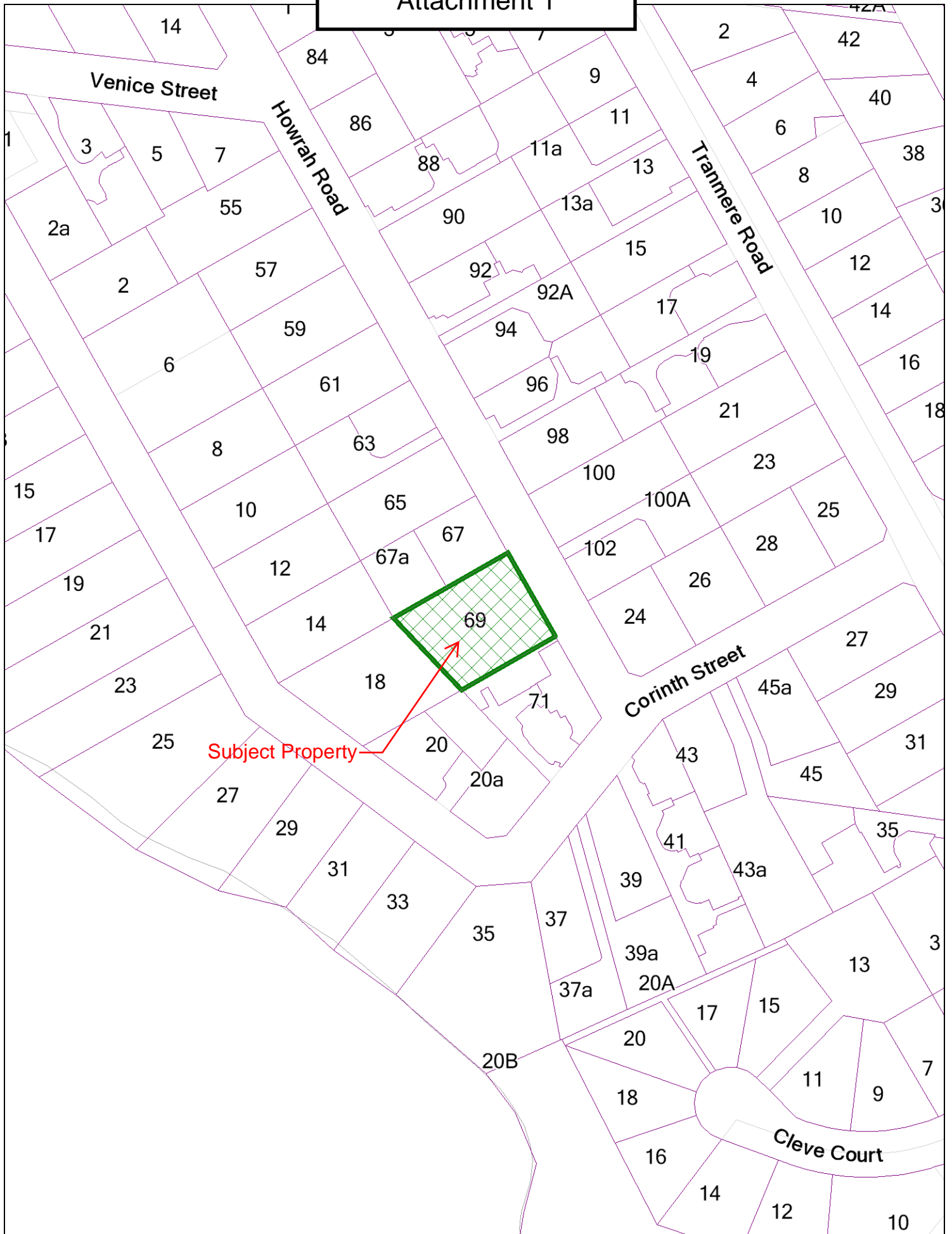
8. CONCLUSION

The proposal seeks approval for a subdivision at 69 Howrah Road, Howrah. The application meets the relevant acceptable solutions and performance criteria of the Scheme and is therefore recommended for approval subject to conditions.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1



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DRAWING SCHEDULE – ARCHITECTURAL		
DRAWING NO.	DRAWING	REVISION
A00-00	Site Plan	A

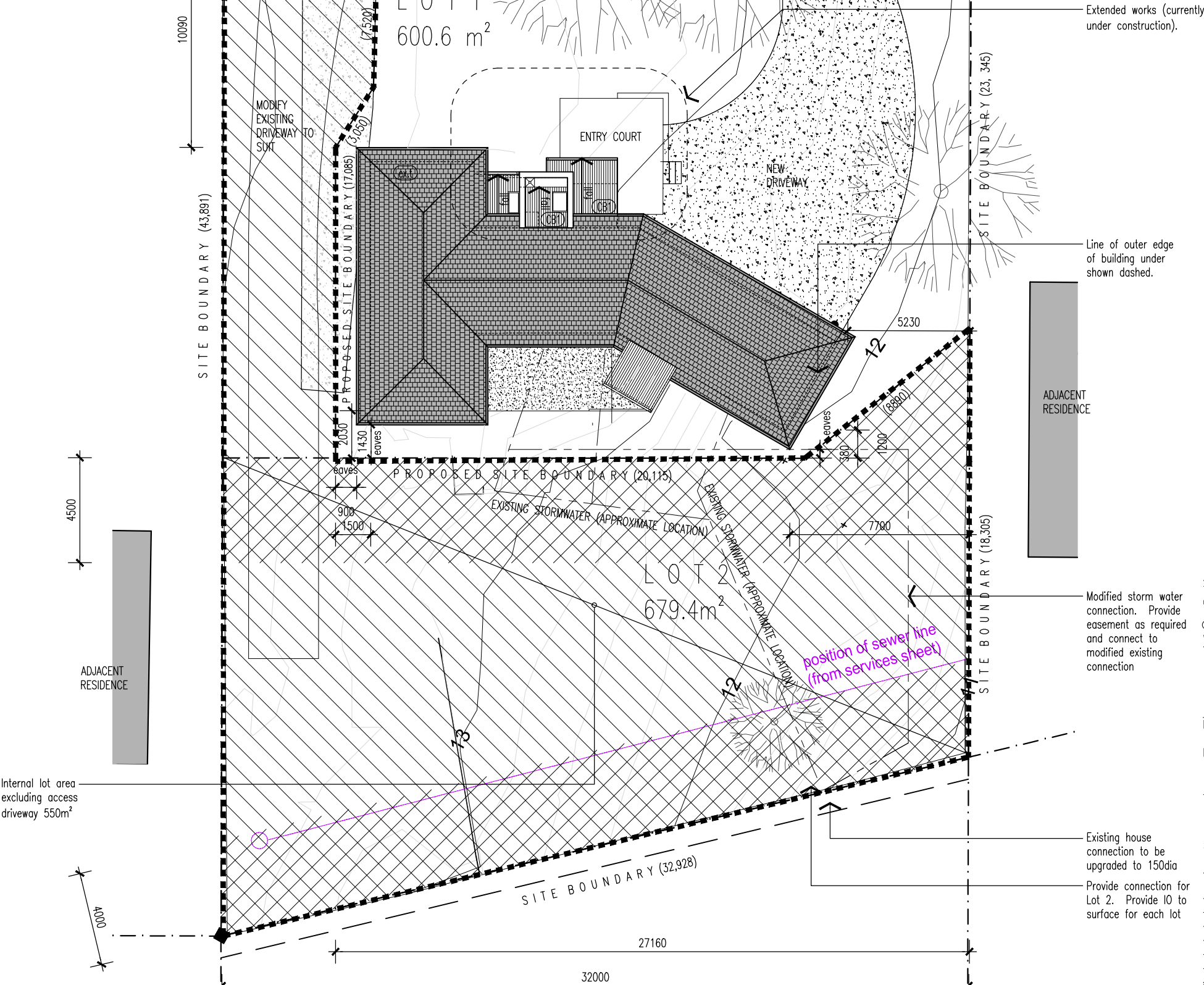
DESIGN DETAILS	
TITLE REFERENCE	
CERTIFICATE FOLIO	13626
VOLUME	33

FLOOR AREAS	
EXISTING SITE AREA	1280 m2
PROPOSED LOT 1	600.6m2
PROPOSED LOT 2	679.4m2
EXISTING GROUND FLOOR	108 m2

BAL RATING	N/A
------------	-----

Utilise existing cross over for altered driveway to new block.

Utilise existing cross over for new driveway.



Hobart
45 Goulburn Street Hobart TAS 7000
T 61 3 6231 2923
AOC CC1017F
Melbourne
3 Tivoli Road South Yarra VIC 3141
T 61 3 9827 8902
info@prestonlane.com.au
prestonlane.com.au

The Builder/Contractor shall verify job dimensions prior to any work commencing. Figured dimensions shall take precedence over scaled work.

No part of this drawing shall be reproduced or otherwise dealt with without the prior written consent of Preston Lane.

Proprietor	ALAN + JANENE DAVIS		
Project	HOUSE ALTERATION 69 HOWRAH ROAD, HOWRAH		
Drawing	SITE PLAN STAGE 2		
Scale	1:200		
Revision			
A	13/07/2015	LOT SUBDIVISION	BV DL
Project No	14068		

Attachment 3

69 Howrah Road, HOWRAH



Site viewed from Howrah Road, looking southwest



Site viewed from access strip of Lot 2, looking south

**11.3.9 DEVELOPMENT APPLICATION D-2015/267 - 15 LUCAS STREET,
HOWRAH - 4 MULTIPLE DWELLINGS**
(File No D-2015/267)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 4 Multiple Dwellings at 15 Lucas Street, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Inundation Prone Areas Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal does not meet the acceptable solutions for front and rear boundary setbacks.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 25 August 2015.

CONSULTATION

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

- capacity of infrastructure;
- increased traffic and single access point;
- lack of on-street parking;
- insufficient area for bin collection;
- visual impact and inconsistency with character of area;
- residential amenity;
- environmental impact;
- lack of consideration of Water Sensitive Urban Design Principles; and
- validity of application.

RECOMMENDATION:

A. That the Development Application for 4 Multiple Dwellings at 15 Lucas Street, Howrah (CI Ref D-2015/267) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A5 – SEALED CAR PARKING.
3. ENG S1 – INFRASTRUCTURE REPAIR.

4. ENG S4 – STORMWATER CONNECTION.
 5. ENG M1 – DESIGNS DA. [Insert additional dot point: •stormwater infrastructure].
 6. ENG M6 – CONSTRUCTION FENCING.
 7. The development must meet all required Conditions of Approval specified by TasWater notice dated 13 July 2015 (TWDA 2015/01091-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

No relevant background.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned General Residential and subject to the Inundation Prone Areas Code (medium and low) under the Scheme.

2.2. The proposal is a permitted use but a Discretionary development because it does not meet the Acceptable Solutions prescribed in the General Residential Zone.

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;
- Section E7.0 – Stormwater Management Code; and
- Section E15.0 – Inundation Prone Areas Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is an internal lot with an area of 1596m² and currently contains an existing single storey dwelling to be demolished. The site slopes gradually down to the south, is irregularly shaped with 6.54m frontage to Lucas Street and is clear of significant vegetation with the exception of landscaping around the existing dwelling.

The area surrounding the subject site to the north, east and west is similarly zoned General Residential. Land to the south is zoned Open Space.

3.2. The Proposal

The proposal is for demolition of an existing Single Dwelling and construction of 4 Multiple Dwelling units with floor areas ranging from 151.9m² to 173.82m². The units would be 3 bedroom, single storey, clad using brick with Colorbond roofing and would be 5.93m at their highest point. Each would incorporate a double-car garage, the typical amenities and shared kitchen/living/dining areas.

The units would be oriented to the north and would be setback in excess of 2.5m from the eastern and southern boundaries, in excess of 1.5m from the northern boundary and 945mm from the rear (western boundary).

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 S57(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 with the Scheme’s relevant Acceptable Solutions for the General Residential Zone for residential buildings with the exception of the following.

Standard	Clause	Acceptable Solution	Proposed	Proposed Variation
Building envelope and setbacks	10.4.2 A3	a dwelling must be contained within the building envelope Diagram 10.4.2D (translates to front and rear setbacks of 4.5m and 4m respectively)	front setback of 3.75m; and rear setback of 0.92m	0.75m 3.58m

The proposed variations can be supported pursuant to the Performance Criteria of Clauses 10.4.2 for the following reasons.

- The proposed dwelling units would not cause a reduction in sunlight to a habitable room of any dwelling on adjoining lots, in that:
 - shadow diagrams were submitted in support of the application, which illustrate the likely impacts and conclude that unreasonable overshadowing of either habitable rooms or outdoor living areas would not occur, in that these areas would have in excess of 3 hours of sunlight at Winter Solstice;

- the existing dwelling on the neighbouring property to the east is located approximately 35m from the proposed dwelling (Unit 4) for which the variation is sought, meaning that no overshadowing of habitable rooms would occur; and
- the rear part of Unit 4, for which the variation to the rear boundary is sought, would be separated by a distance of 7m from the neighbouring dwelling to the west, which would not experience a loss of sunlight;
- The land to the west of the site is a public park with an area of 4.9ha, which would not be adversely affected to any significant extent as a result of the proposal; and
- Appropriate separation would be provided between the proposed dwelling units and dwellings on adjoining lots, in that a distance in excess of 7m separates the nearest dwelling unit from the adjacent dwelling to the south-west; and
- The lot is an internal lot so the development would not be clearly visible from Lucas Street and associated visual impact is therefore likely to be low.

The proposal also complies with the Scheme's Parking and Access Code requirements for Multiple Dwellings.

The proposal meets with the relevant Acceptable Solutions for the construction of Multiple Dwellings affected by the Inundation Prone Areas Code of the Scheme, with the exception of the following.

Standard	Clause	Acceptable Solution	Proposed	Proposed variation
Coastal Inundation Medium Hazard Areas	E15.7.2	for a new habitable building there is no Acceptable Solution	finished floor level of 3.1m AHD	must rely on Performance Criteria

The proposed variations relates to Unit 4 only, which is within the medium hazard area and can be supported pursuant to the Performance Criteria of Clauses E15.7.2 for the following reasons:

- the finished floor level of the affected unit, Unit 4, would be 3.1m AHD which would be in accordance with the minimum level for the Coastal Inundation Low Hazard Area; and
- Council's engineers are satisfied that there would not be an increase in risk to users of the site, adjoining or nearby land and that the risks associated with the location of the site are reasonable given the urban environment in which the property is situated.

4.3. External Referrals

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

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. Capacity of Infrastructure

The representors raised concerns that during heavy rainfall existing infrastructure in the vicinity of the site is not able to meet demand and the proposed development would further exacerbate the situation which (it is submitted) causes frequent flooding.

- **Comment**

Having regard to Clause 8.10.1 of the Scheme, this representation issue is not relevant to the requested discretion and is therefore not relevant to this assessment.

That said, the applicant has been in consultation with both Council and JMG Engineers regarding analysis of the stormwater infrastructure in the vicinity of the site and known issues and it was concluded that modification to the size of the stormwater pipe as part of this development would be a practical solution.

A condition requiring detailed engineering designs should be included on any permit granted by Council to address this issue.

5.2. Increased Traffic and Single Access Point

Concern was raised by several representors that traffic would be substantially increased in Lucas Street as a result of the proposal and that could cause an impact on safety given that the development would rely upon a single access point.

- **Comment**

Having regard to Clause 8.10.1 of the Scheme, this representation issue is also not relevant to the requested discretion and is therefore not relevant.

It is noted, however, that the proposal is for the demolition of a Single Dwelling and construction of 4 new dwelling units, resulting in a net increase of 3 dwellings.

An associated increase in traffic would occur as a result of the additional dwellings, however, the existing road network in the vicinity of the site is considered capable of absorbing the increase.

5.3. Lack of On-Street Parking

Concern was raised by a representor that there is insufficient space to accommodate on-street parking and that the street is too narrow for further on-street parking near to the site.

- **Comment**

Having regard to Clause 8.10.1 of the Scheme, this representation issue is not relevant to the requested discretion and is therefore not relevant to this assessment.

The Scheme requires the provision of 2 parking spaces per dwelling unit and 1 visitor parking space per 4 units. The required spaces are provided by the proposal, meaning that the acceptable solutions have been satisfied and discretion is not required.

5.4. Insufficient Area for Bin Collection

The representations raised concerns that there would be insufficient area on bin collection day for placement of 6 additional bins (2 additional per dwelling unit) for pedestrian and vehicular movement in the cul-de-sac.

- **Comment**

Having regard to Clause 8.10.1 of the Scheme, this representation issue is not relevant to the requested discretion and is therefore not relevant to this assessment.

Whilst this issue was a consideration under the previous Clarence Planning Scheme 2007, there are no relevant provisions under the now effective Clarence Interim Planning Scheme 2015. It is noted that Council raised this issue as a concern as part of the drafting and this concern was disregarded by the Tasmanian Planning Commission which drafted the General Residential Zone provisions.

This is therefore not a relevant consideration under the Scheme.

5.5. Visual Impact and Inconsistency with Character of Area

Concerns were raised by the representations that the units would be out of character with the area, in that it is characterised by Single Dwellings with supporting landscaping. It is submitted that the units would be “ordinary” brick units with minimal landscaping and would be inconsistent with the surrounding properties, thus detracting from the value of the neighbourhood.

- **Comment**

Having regard to Clause 8.10.1 of the Scheme, this representation issue is not relevant to the requested discretion and is therefore not of relevance.

That said, the provisions of the General Residential Zone do not necessitate a particular level or style of landscaping as part of the development. The requested variations do not necessitate landscaping, and given that the subject property is an internal lot and 1.8m high perimeter fencing exists for the subject property.

Whilst the character of the area may be typified by Single Dwellings on lots, the proposal is consistent with the density provisions of the zone and is therefore compliant.

This issue does therefore not justify refusal of the proposal.

5.6. Residential Amenity

A representation raised concern that privacy would be compromised by the proposal, in that existing trees along the property boundary would be removed to allow driveway access and no landscaping is proposed to replace this vegetation. There is also concern that the windows of the proposed dwelling units would be oriented towards neighbouring properties and no screening would be provided, thus compromising privacy.

- **Comment**

Having regard to Clause 8.10.1 of the Scheme, this representation issue is not relevant to the requested discretion and is therefore also not relevant.

The concerns of the representor are noted, however, but the variations sought by the application relate only to the setback of Unit 4, which is separated appropriately from the 2 nearest dwellings by in excess of 8m and divided by existing perimeter fencing of 1.8m in height.

These measures, in conjunction with screening vegetation along the property boundaries, is considered sufficient to ensure privacy and residential amenity are not compromised.

5.7. Environmental Impact

Concern was raised by the representations that removal of existing vegetation on the site would have an adverse environmental impact, in terms of native wildlife habitat and given proximity to the adjacent park.

- **Comment**

Again, having regard to Clause 8.10.1 of the Scheme, this representation issue is not relevant to the requested discretion and is therefore not of relevance to this assessment.

By way of comment, the application proposes landscaping in conjunction with the outdoor living areas and perimeter screening as part of the development. The extent of the landscaping is not specifically required by the General Residential Zone provisions, meaning that this issue is not of determining weight.

5.8. Lack of Consideration of Water Sensitive Urban Design Principles

A representation raised concern that proper consideration has not been given as part of the design to Water Sensitive Urban Design Principles.

- **Comment**

Having regard to Clause 8.10.1 of the Scheme, this representation issue is also not relevant to the requested discretion and is therefore not of relevance.

Stormwater would be discharged to the existing network which, would be subject to a required upgrade by the developer as a condition of approval.

5.9. Validity of Application

One representor raised concern that the application has not been made as a valid application, in that it is submitted the current owner has not been notified as required by the LUPAA and that documentation relevant to the Inundation Prone Areas Code of the Scheme has not been satisfactorily provided.

- **Comment**

Advice was received by Council as part of the application confirming that the current owners of the site have been notified, as required, in accordance with Section 52 of LUPAA. This is the applicant's responsibility.

The documentation required by the Inundation Prone Areas Code is only relevant where the medium risk area has not been spatially identified, which in the case of this site, it has. The mandatory requirement for this information therefore does not apply to this application.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.

8. CONCLUSION

The proposal seeks approval for 4 Multiple Dwelling units at 15 Lucas Street, Howrah. The application meets the relevant acceptable solutions and performance criteria of the Scheme.

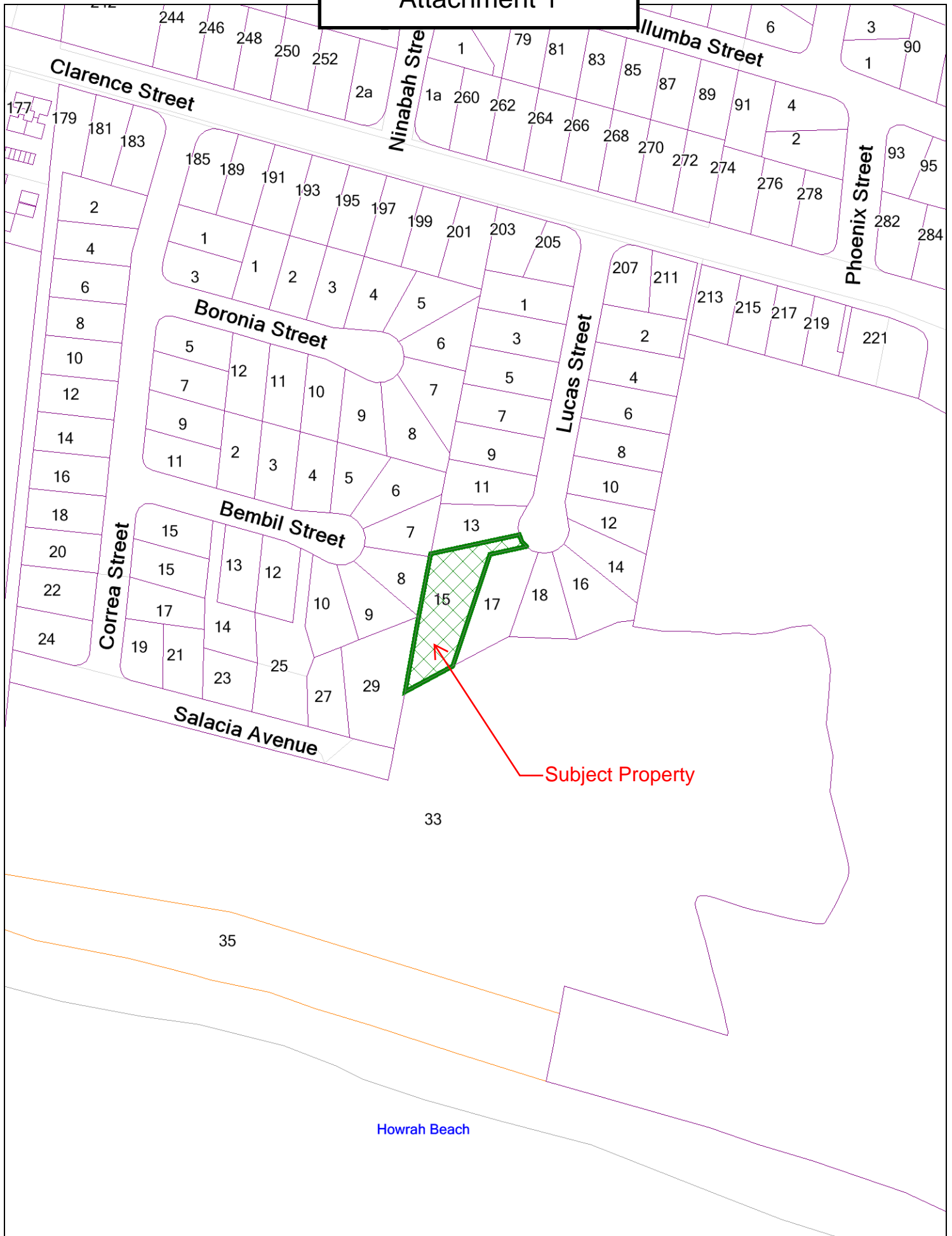
The proposal is recommended for approval based on permit conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (12)
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



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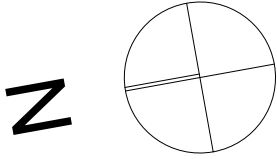
LUCAS STREET

Attachment 2

NOTE
DWELLING AND OUT BUILDINGS TO BE REMOVED AS
PART OF THIS APPLICATION

SW pit
top 2.32
inv 1.51

top 2.30
inv 1.62
SW manhole



Neighbouring
Brick House

17 LUCAS STREET

POS
77.32m²

Unit 1
FFL: 3.900
173.82m²

Unit 2
FFL: 3.325
160.95m²

Unit 3
FFL: 3.100
171.08m²

U4
GARAGE
FFL: 2.928

Unit 4
FFL: 3.100
151.90m²

Existing gate to reserve relocated

CONCRETE STEP FROM DRIVEWAY
TO NATURAL GROUND

Large stop valve

13 LUCAS STREET

54.74 m² P.O.S.

67.75 m² P.O.S.

69.06 m² P.O.S.

60.74 m² P.O.S.

60.18 m²

Outdoor Space Areas

20% of Site area	319.20 sqm
Unit 1	132.06 sqm
Unit 2	67.75 sqm
Unit 3	69.06 sqm
Unit 4	60.74 sqm
Total	326.64 sqm

Site Areas

Site area	1596 sqm
Total Building Area	657.75 sqm
Total Site Coverage	41.21%

7 BEMBIL STREET

Brick
Building

8 BEMBIL STREET

ADDITIONAL OUTDOOR AREA

Amendments

Date	Description
27/07/15	RFI response

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NOT TO BE USED FOR CONSTRUCTION

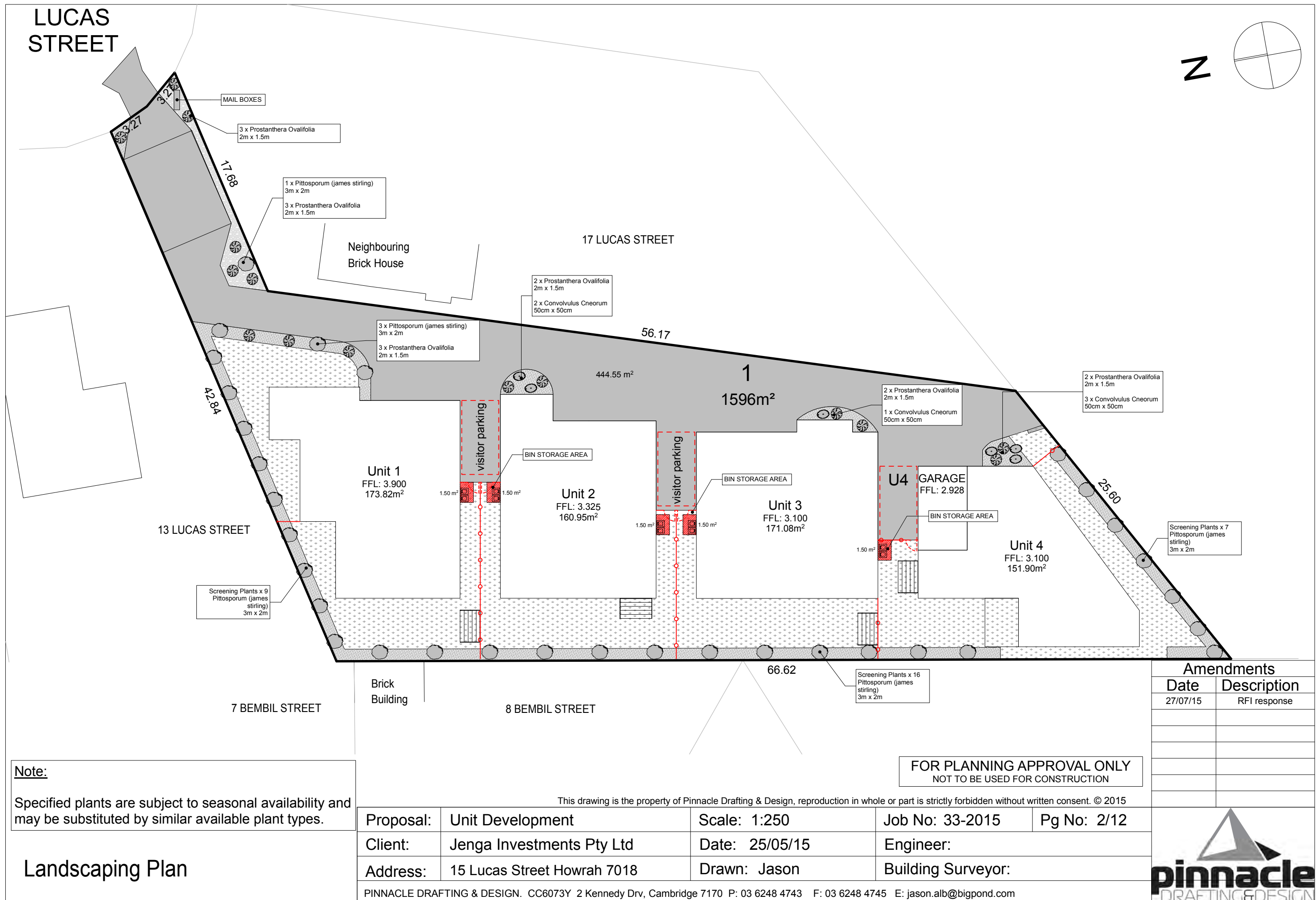
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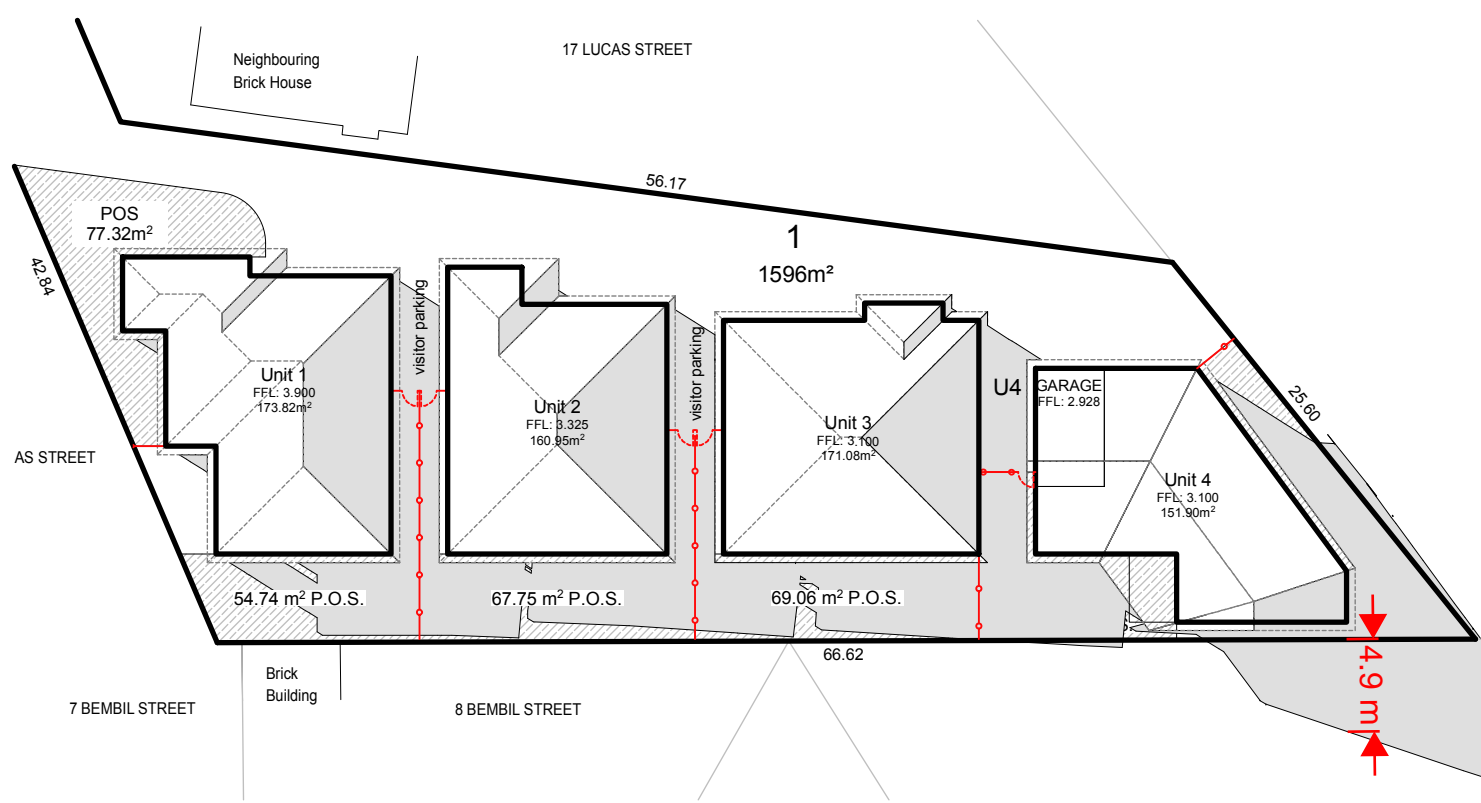
Proposal:	Unit Development	Scale: 1:250	Job No: 33-2015	Pg No: 1/12
Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	

PINNACLE DRAFTING & DESIGN. CC6073Y 2 Kennedy Drv, Cambridge 7170 P: 03 6248 4743 F: 03 6248 4745 E: jason.alb@bigpond.com

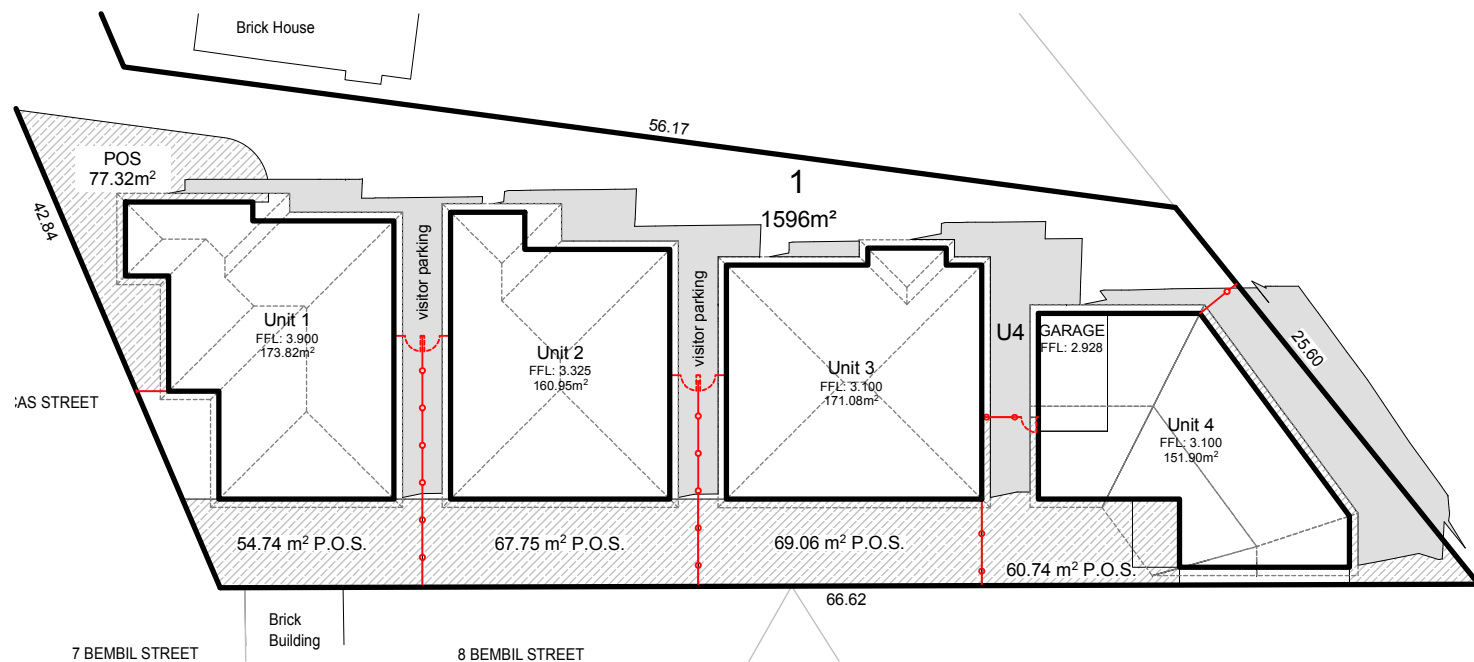


Site Plan

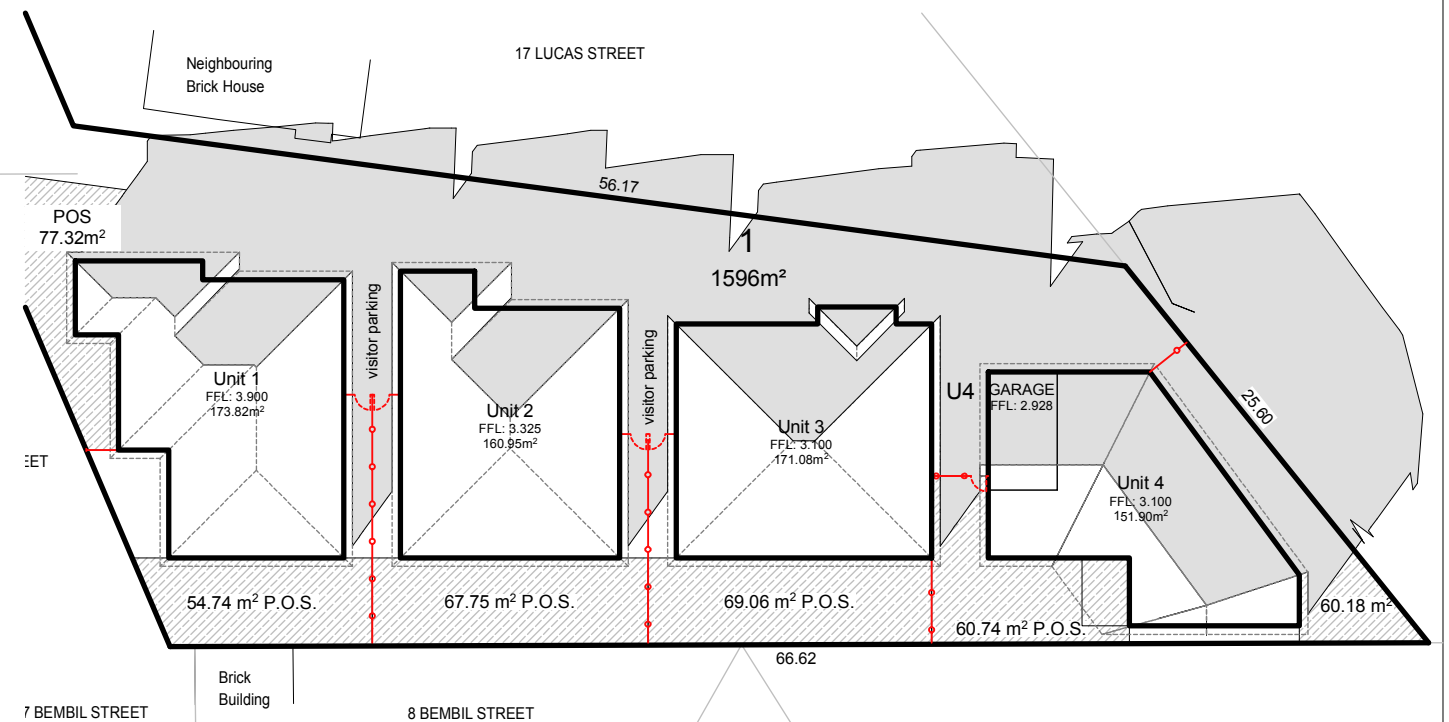




Shadows @ 9am



Shadows @ 12pm



Shadows @ 3pm

Shadow Diagrams

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NOT TO BE USED FOR CONSTRUCTION

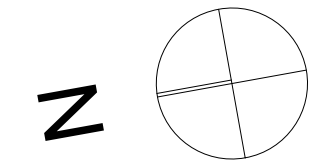
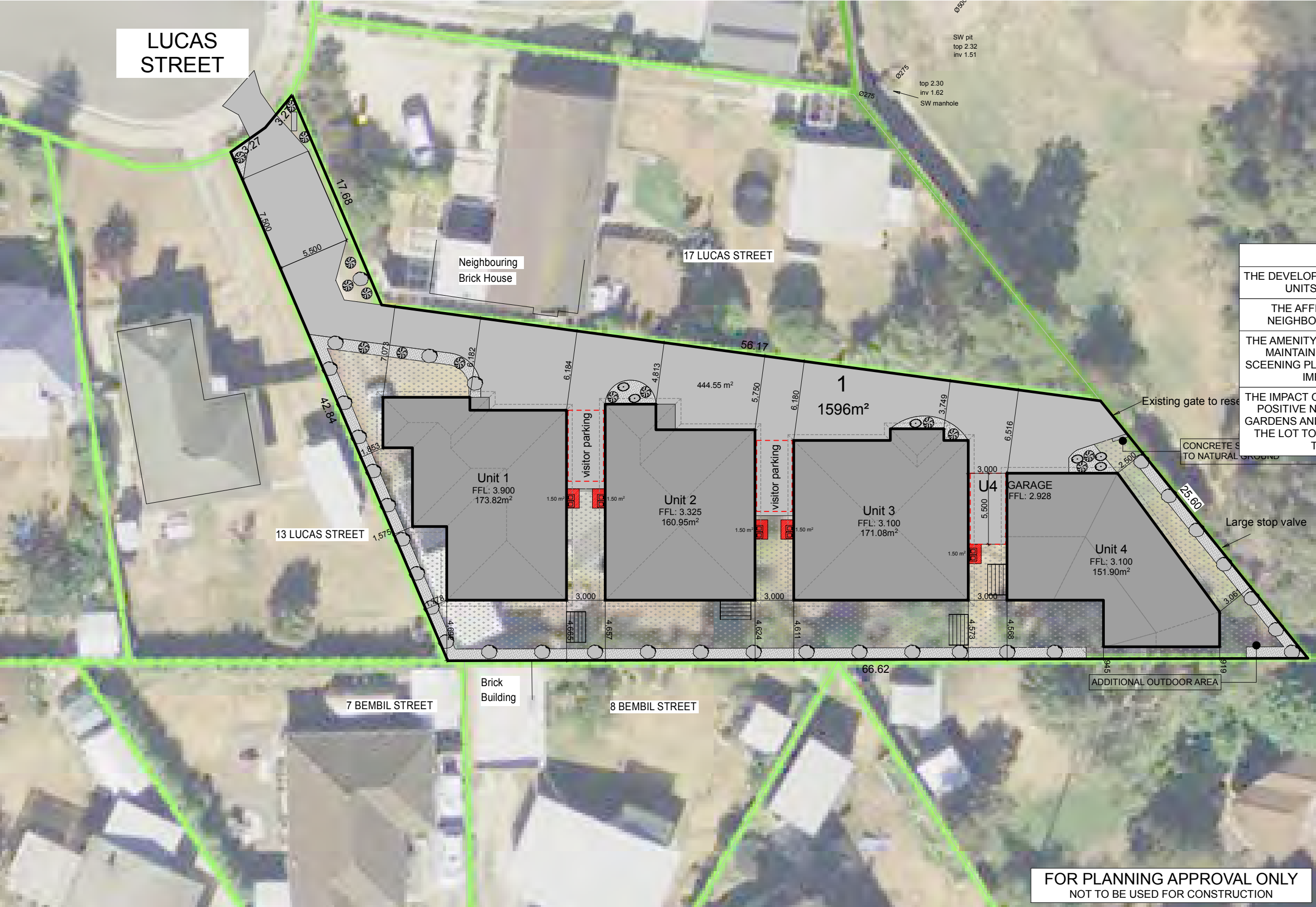
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Proposal:	Unit Development	Scale:	1:400	Job No:	33-2015	Pg No:	3/12
Client:	Jenga Investments Pty Ltd	Date:	25/05/15	Engineer:			
Address:	15 Lucas Street Howrah 7018	Drawn:	Jason	Building Surveyor:			

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Amendments	
Date	Description
27/07/15	RFI response





OVERVIEW

THE DEVELOPMENT CONSISTS OF 4 - 3 BEDROOM UNITS WITH ATTACHED GARAGES.

THE AFFECTS OF OVERSHADOWING TO NEIGHBOURING PROPERTIES IS MINIMAL

THE AMENITY FOR NEIGHBOURING LOTS WILL BE MAINTAINED AS IT IS PROPOSED TO HAVE SCENING PLANTS TO HELP SOFTEN THE VISUAL IMPACT OF THE BUILDINGS.

THE IMPACT ON THE STREETSCAPE WILL BE OF A POSITIVE NATURE WITH FULLY LANDSCAPED GARDENS AND THE BUILDINGS ARE SET BACK ON THE LOT TO HELP MINIMIZE THE IMPACT FROM THE STREET FRONTAGE

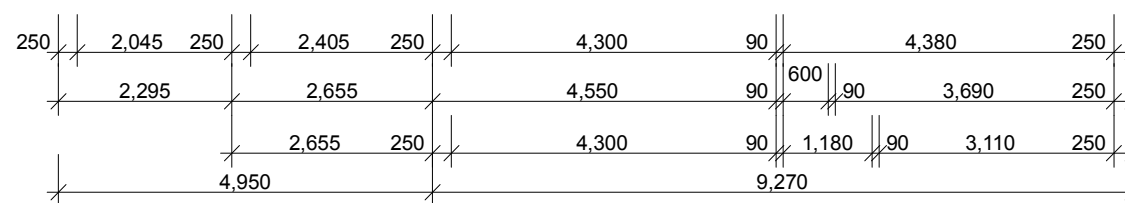
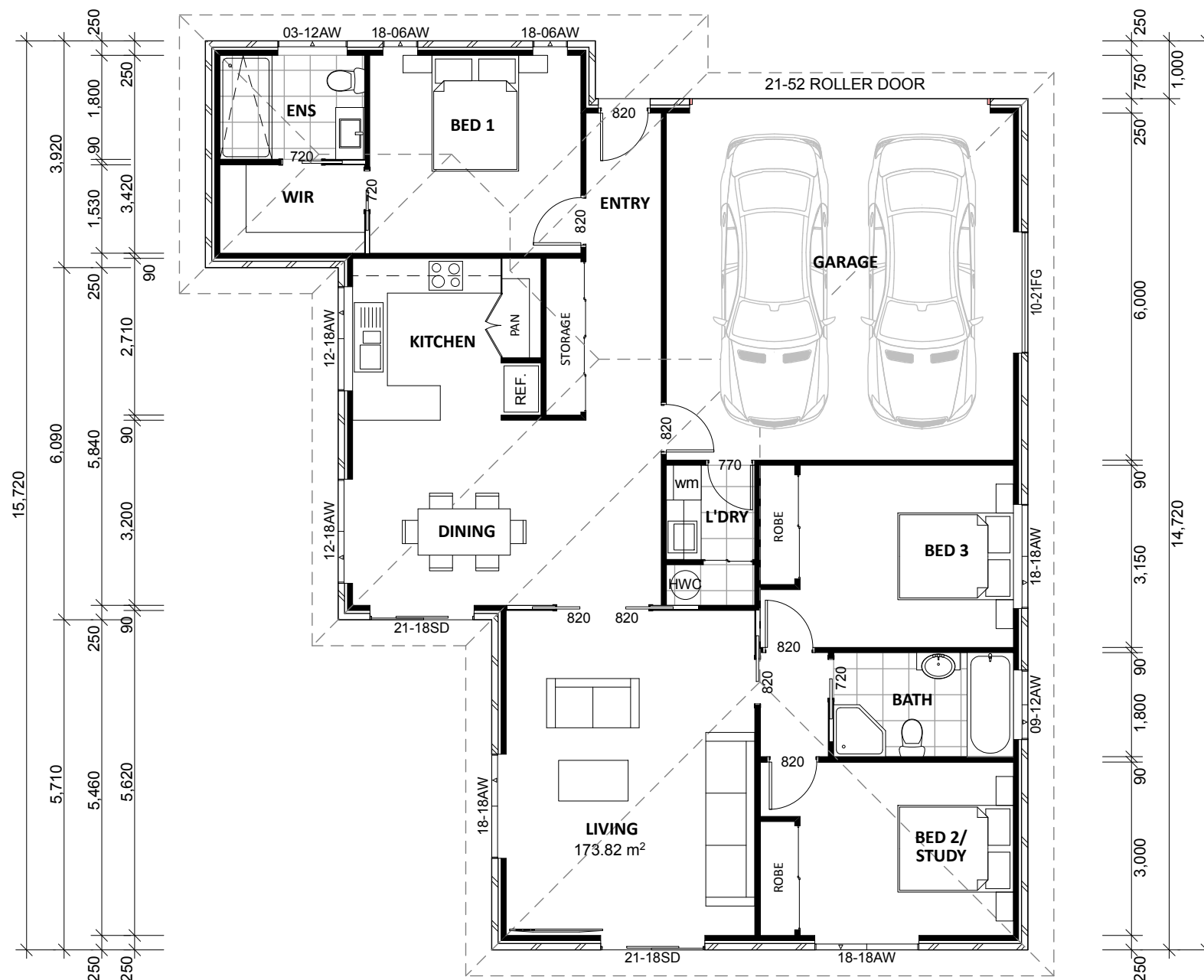
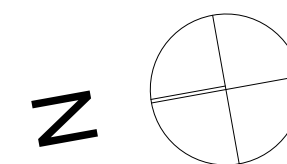
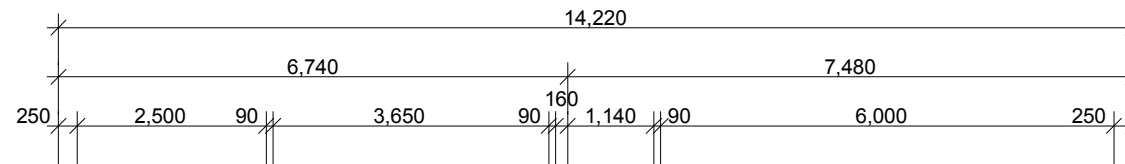
Amendments	
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27/07/15	RFI response

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Site Analysis Plan

Proposal:	Unit Development	Scale: 1:300	Job No: 33-2015	Pg No: 4/12
Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	
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FLOOR AREA	
TOTAL:	173.82m ²

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Amendments	
Date	Description
27/07/15	RFI response

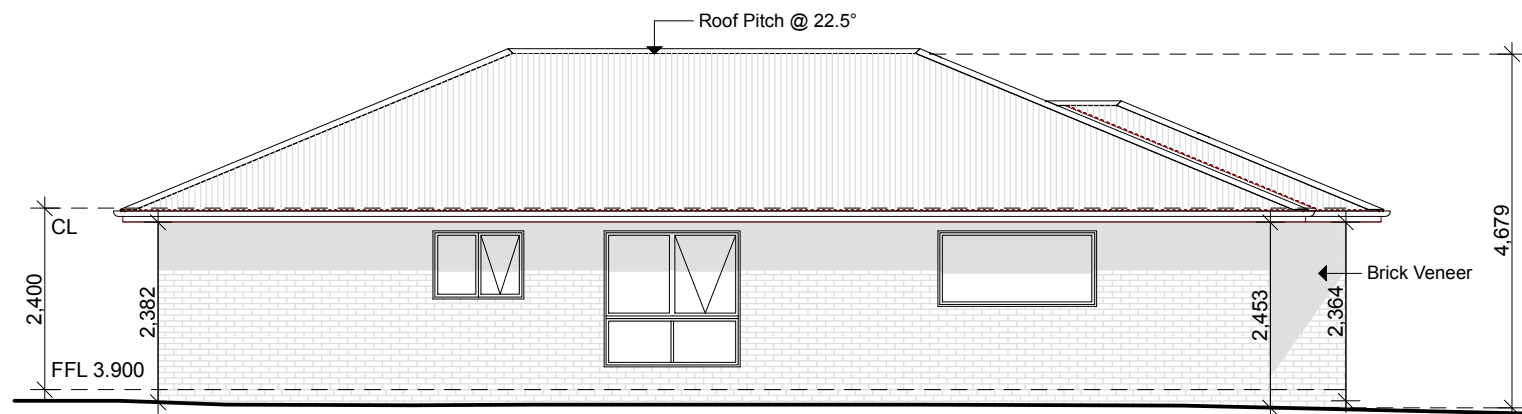
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Proposal:	Unit Development	Scale: 1:100	Job No: 33-2015	Pg No: 5/12
Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	

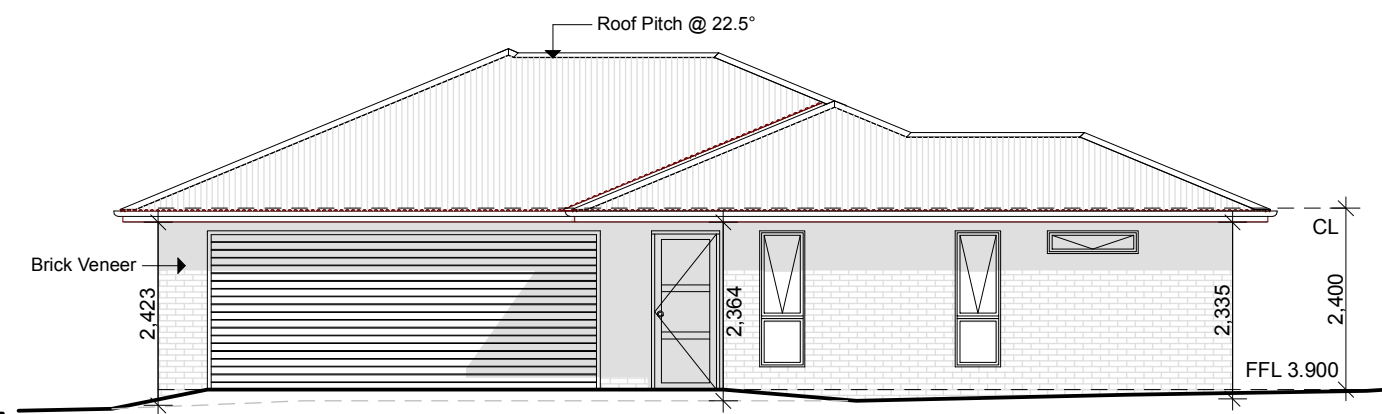
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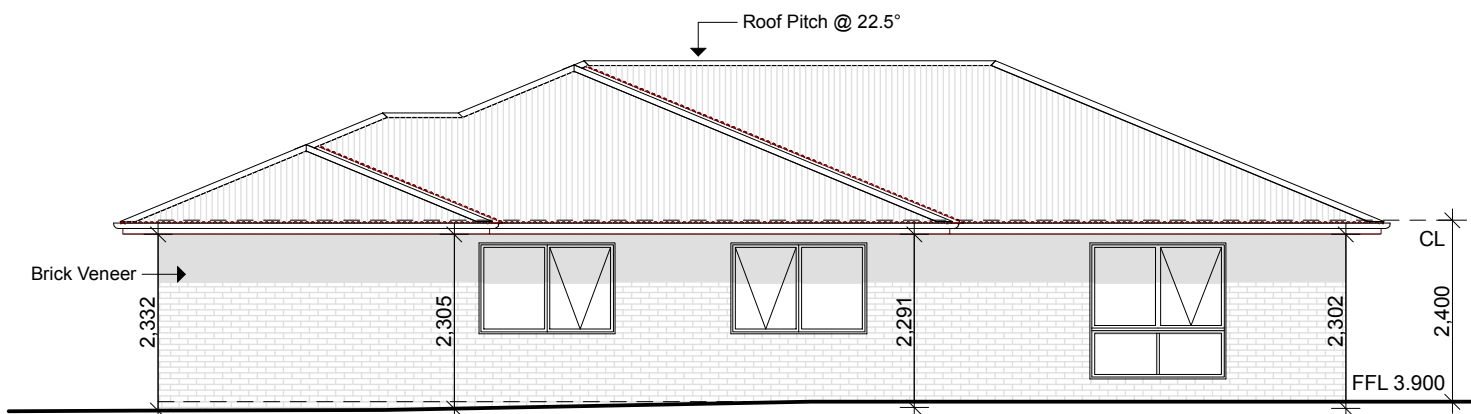
Unit 1 Floor Plan



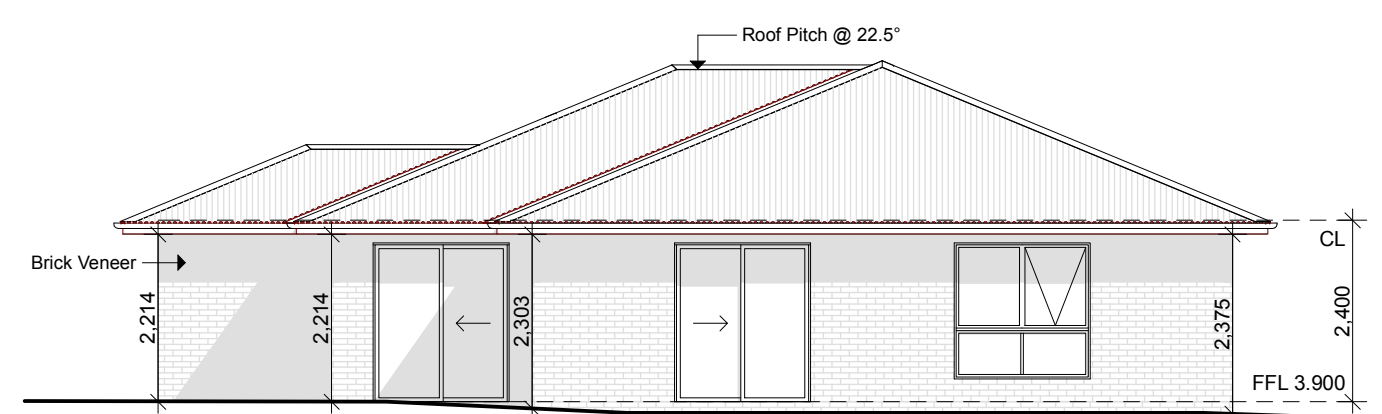
South Elevation



East Elevation



North Elevation



West Elevation

Unit 1 Elevations

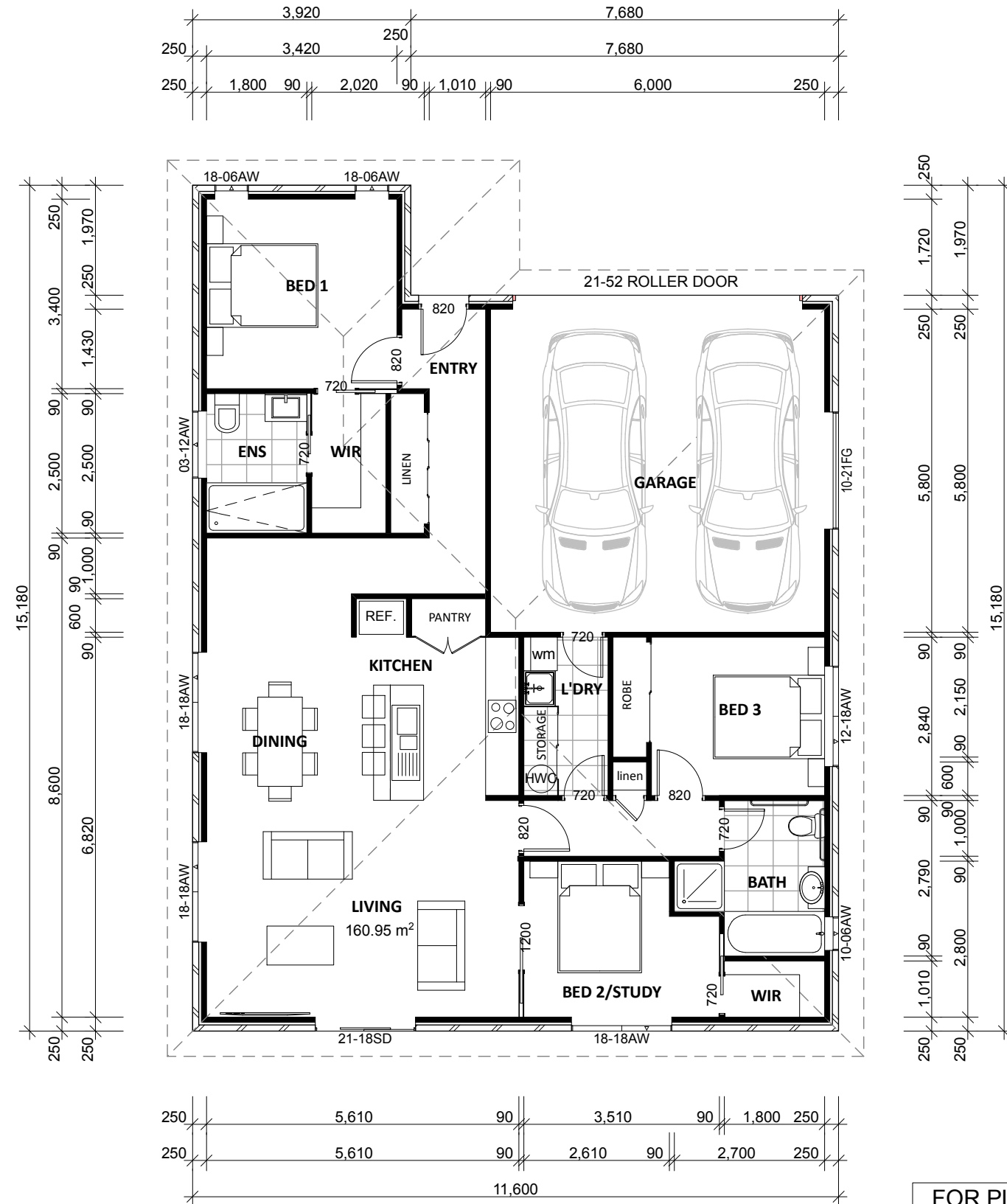
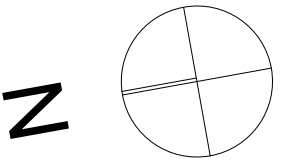
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Proposal:	Unit Development	Scale:	1:100	Job No:	33-2015	Pg No:	6/12
Client:	Jenga Investments Pty Ltd	Date:	25/05/15	Engineer:			
Address:	15 Lucas Street Howrah 7018	Drawn:	Jason	Building Surveyor:			

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Amendments	
Date	Description
27/07/15	RFI response





FLOOR AREA	
TOTAL:	160.95m ²

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Amendments	
Date	Description
27/07/15	RFI response

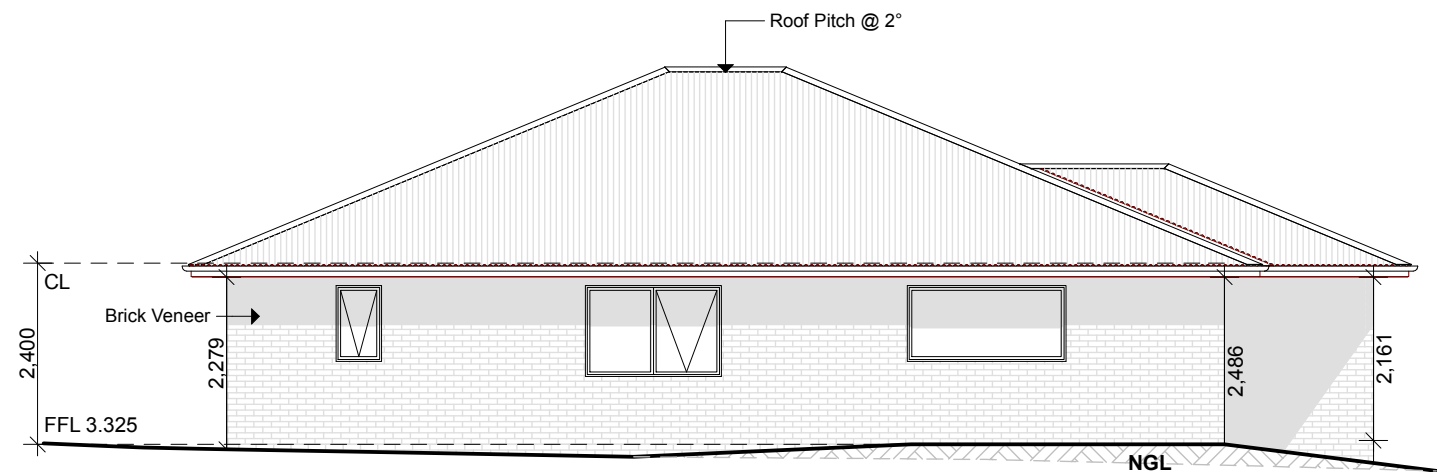
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Proposal:	Unit Development	Scale: 1:100	Job No: 33-2015	Pg No: 7/12
Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	

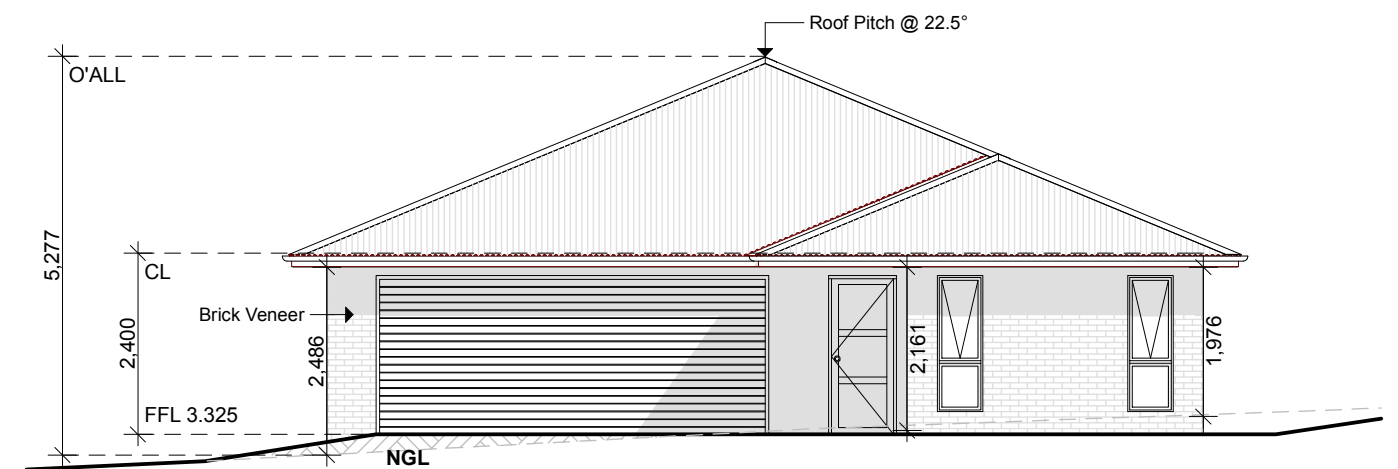
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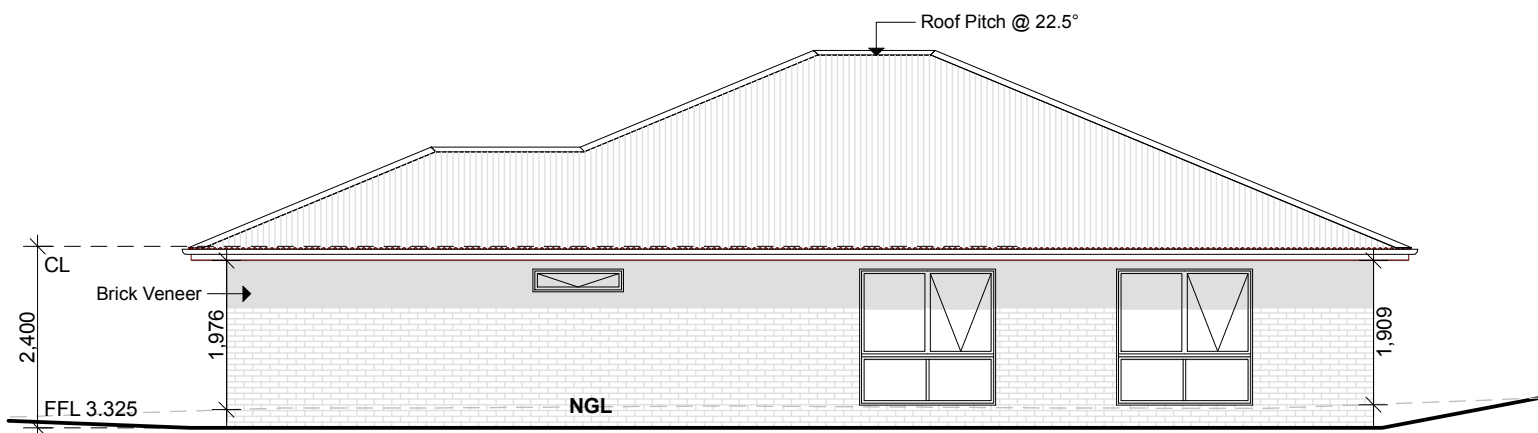
Unit 2 Floor Plan



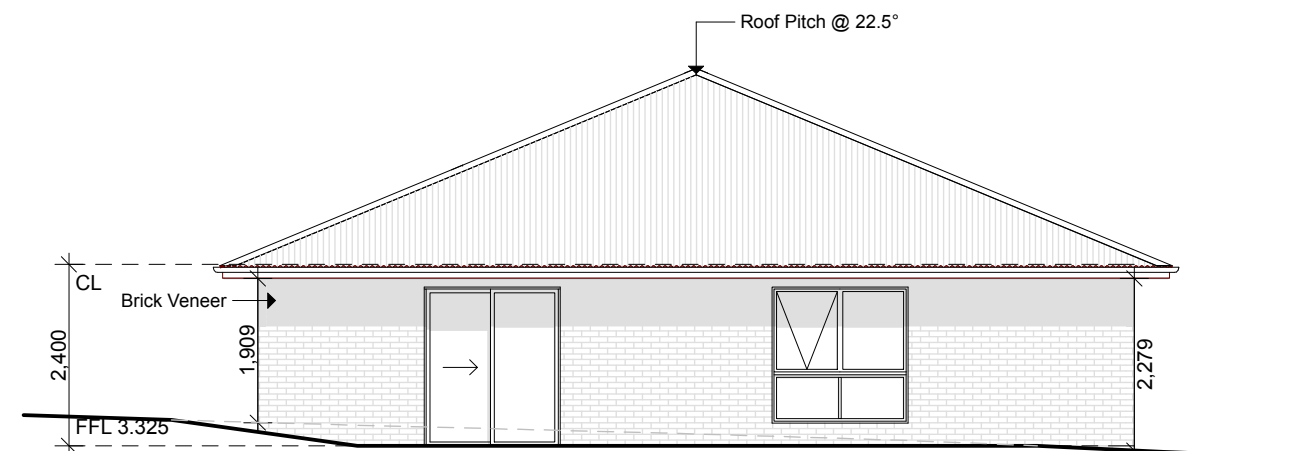
South Elevation



East Elevation



North Elevation



West Elevation

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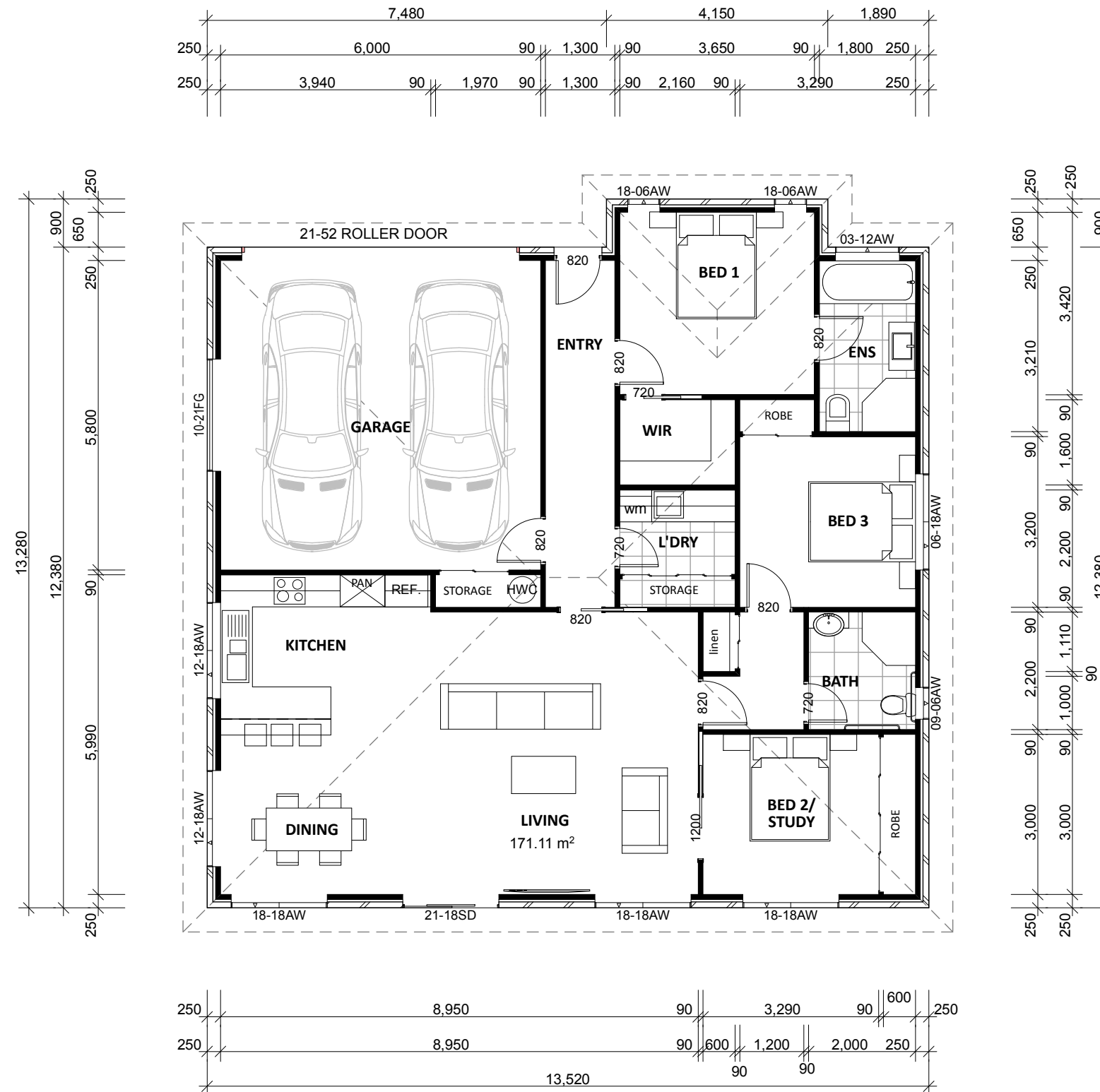
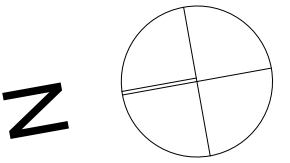
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Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	

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Amendments	
Date	Description
27/07/15	RFI response



Unit 2 Elevations



FLOOR AREA

TOTAL: 171.08m²

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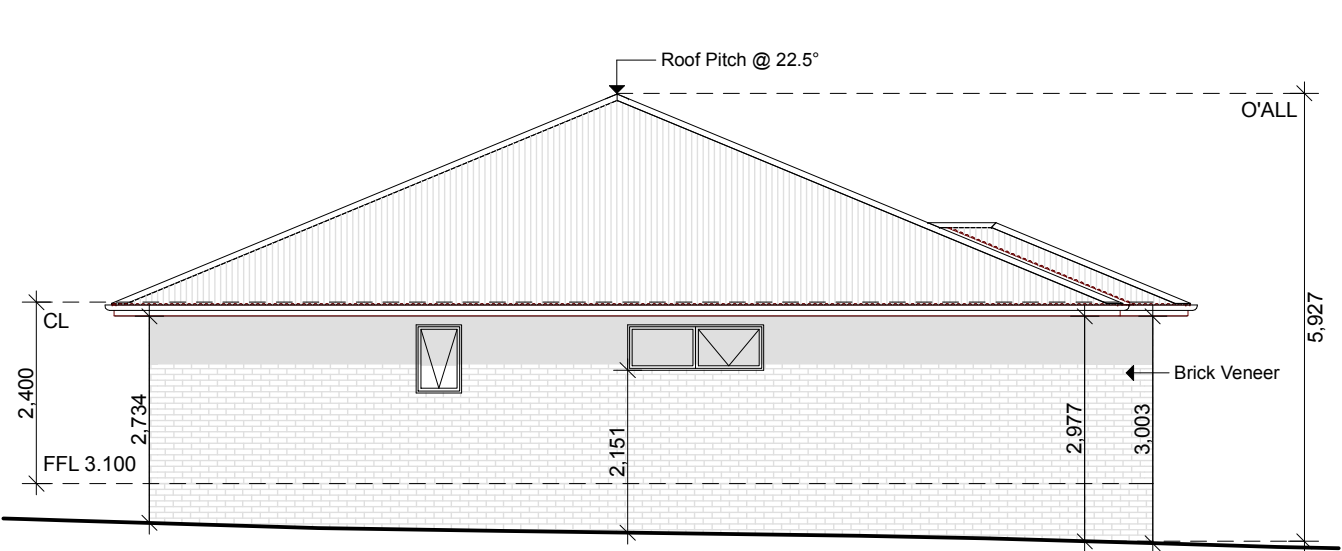
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Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	

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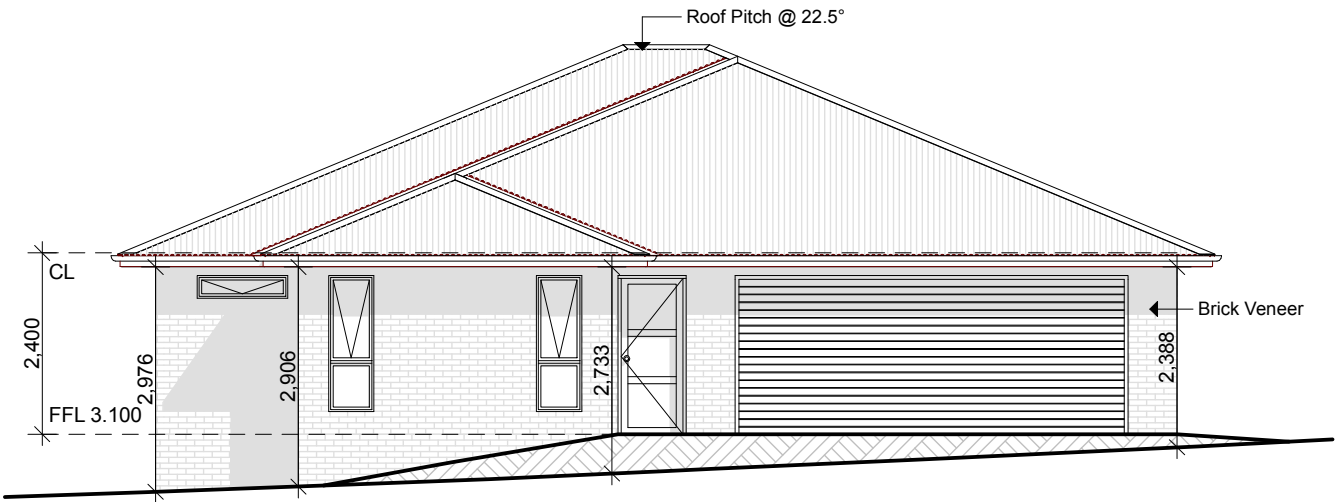
Amendments	
Date	Description
27/07/15	RFI response



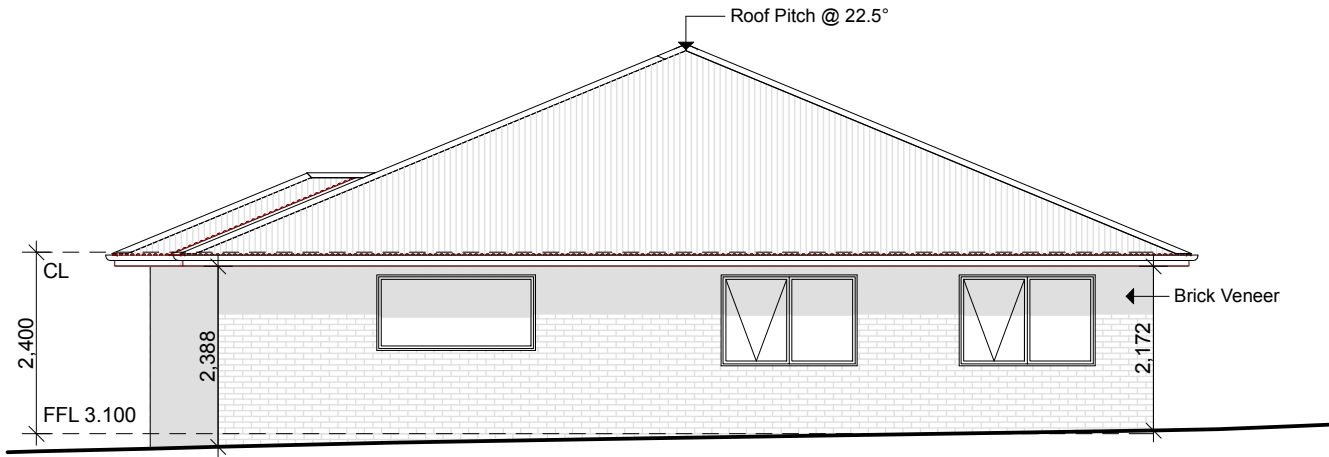
Unit 3 Floor Plan



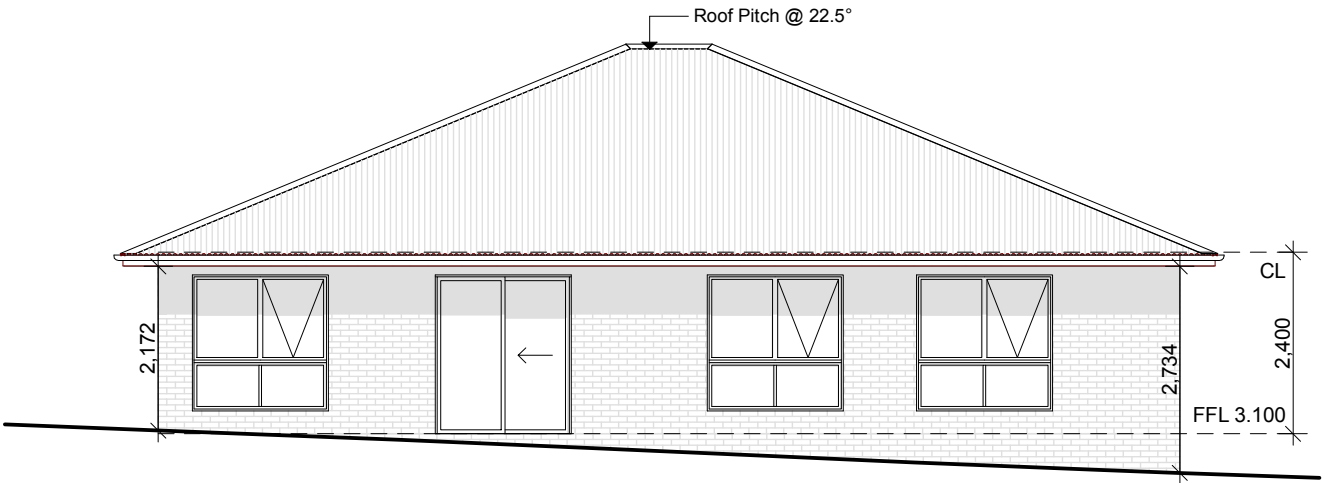
South Elevation



East Elevation



North Elevation



West Elevation

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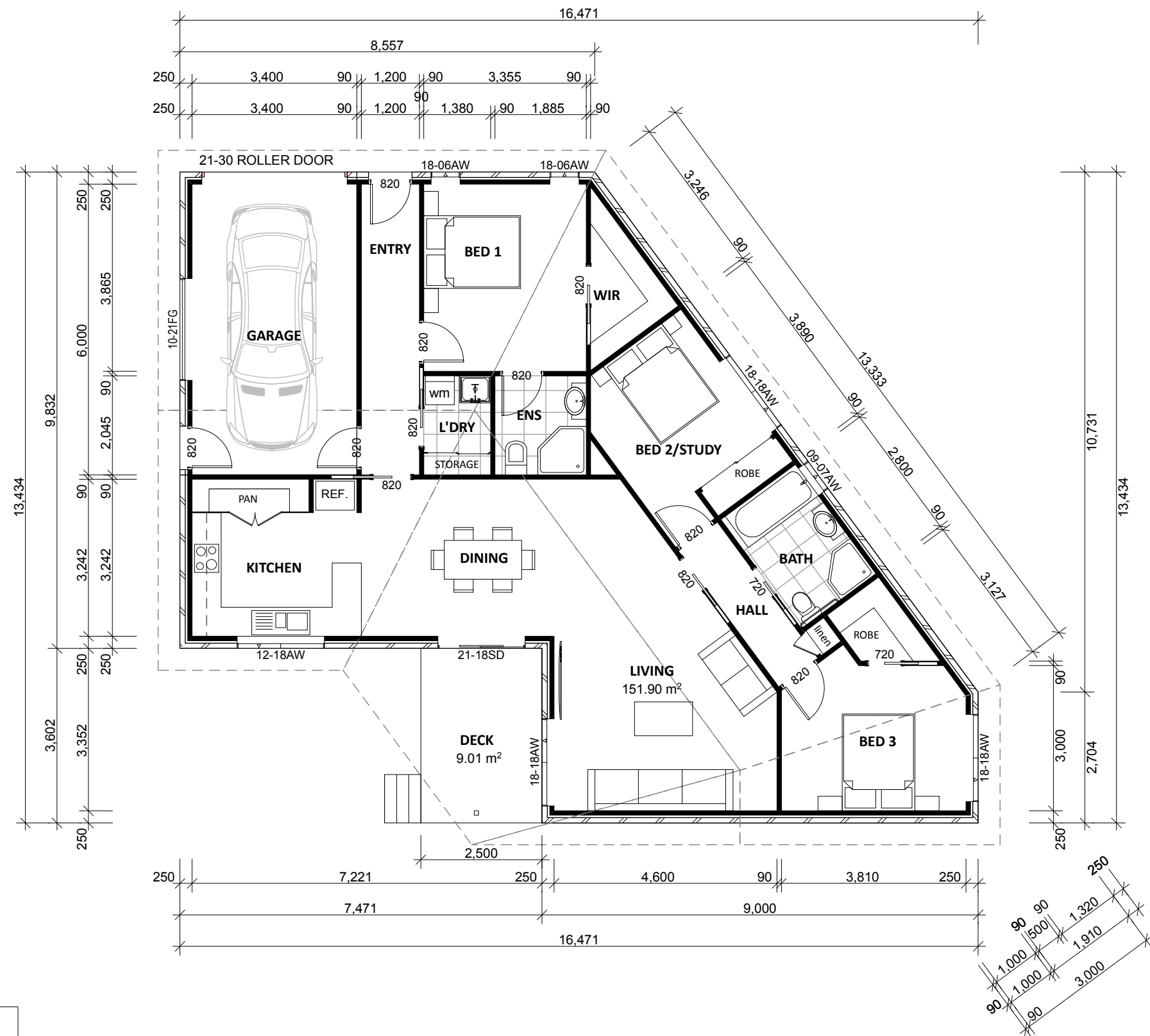
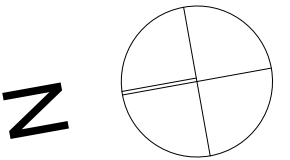
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Proposal:	Unit Development	Scale: 1:100	Job No: 33-2015	Pg No: 10/12
Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	

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Amendments	
Date	Description
27/07/15	RFI response





FLOOR AREA

TOTAL: 151.90m²

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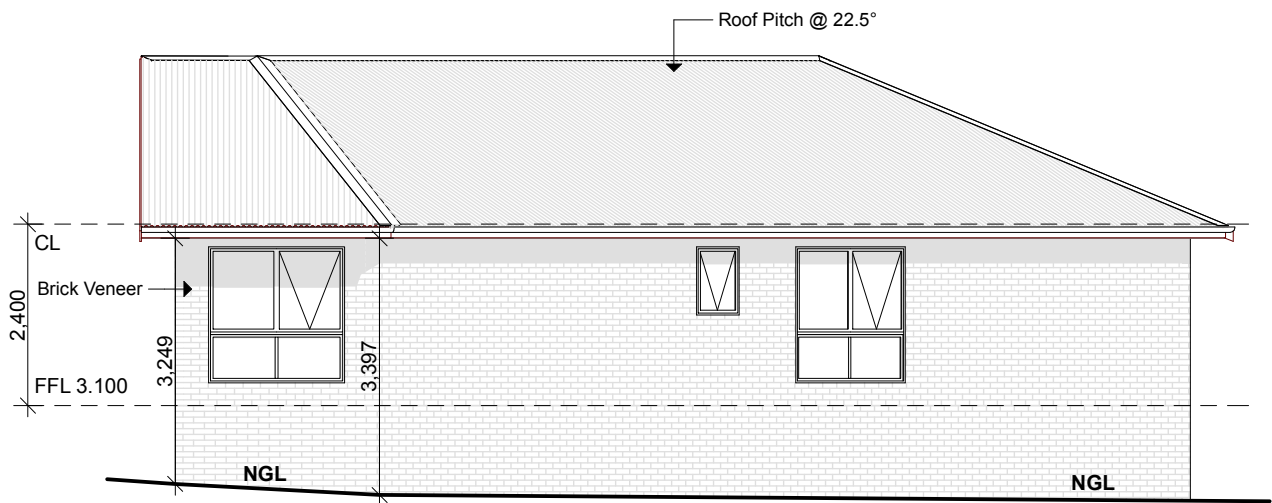
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Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	

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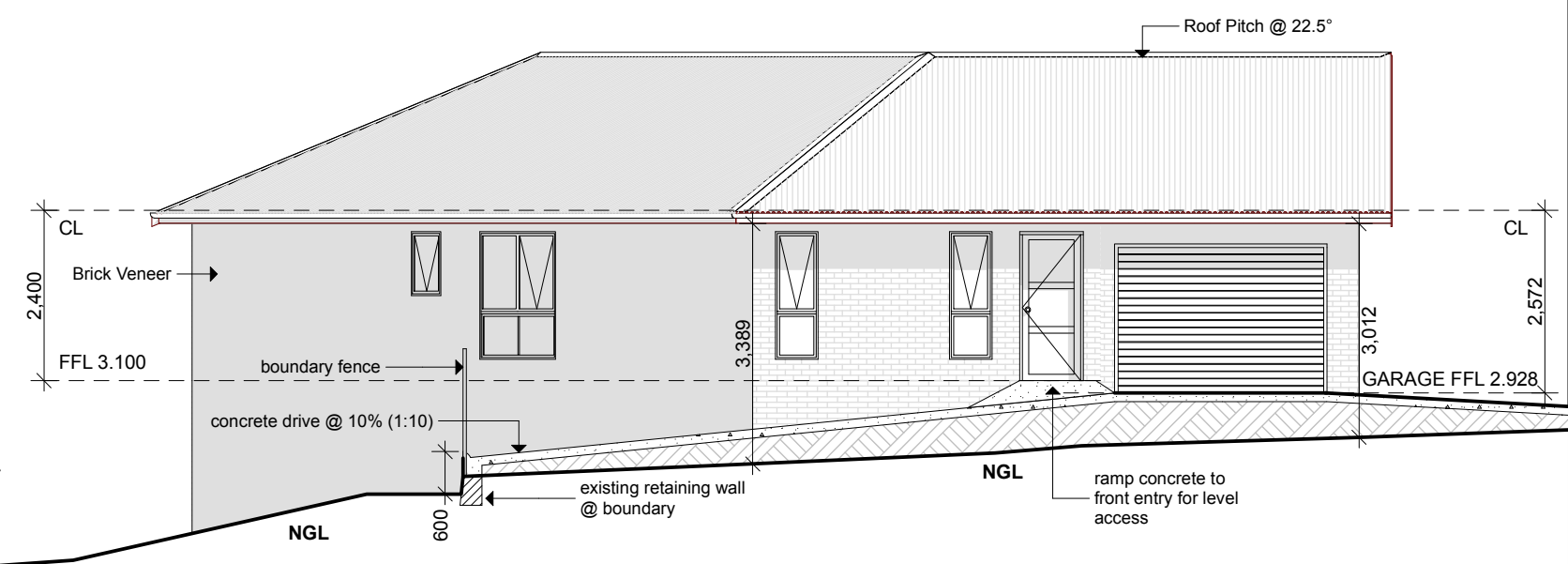
Amendments	
Date	Description
27/07/15	RFI response



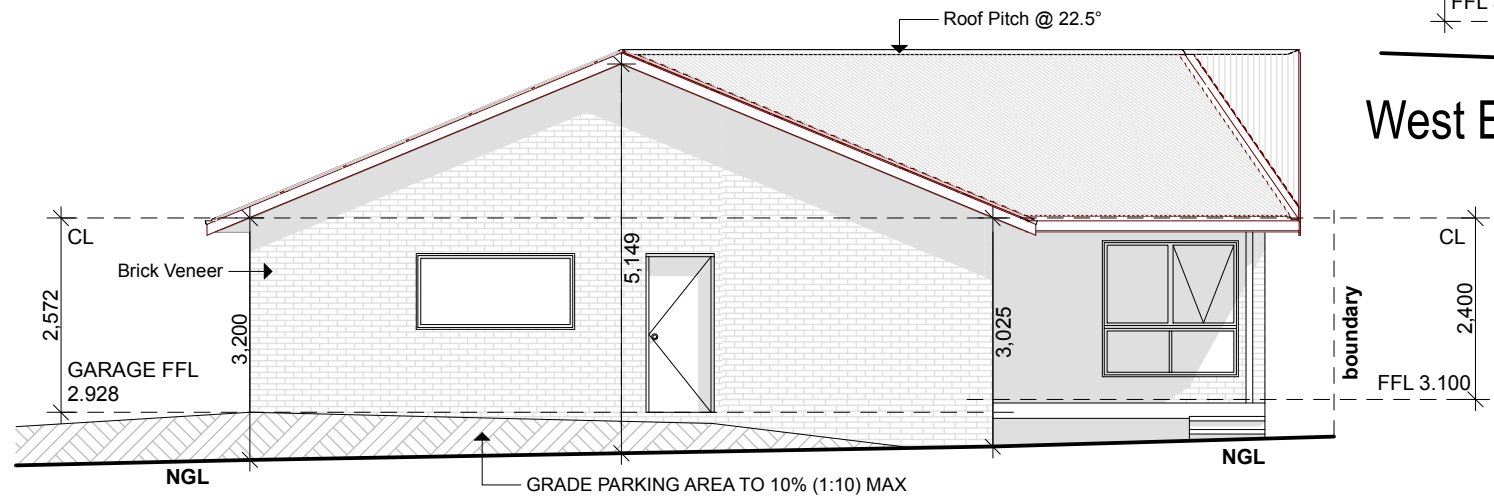
Unit 4 Floor Plan



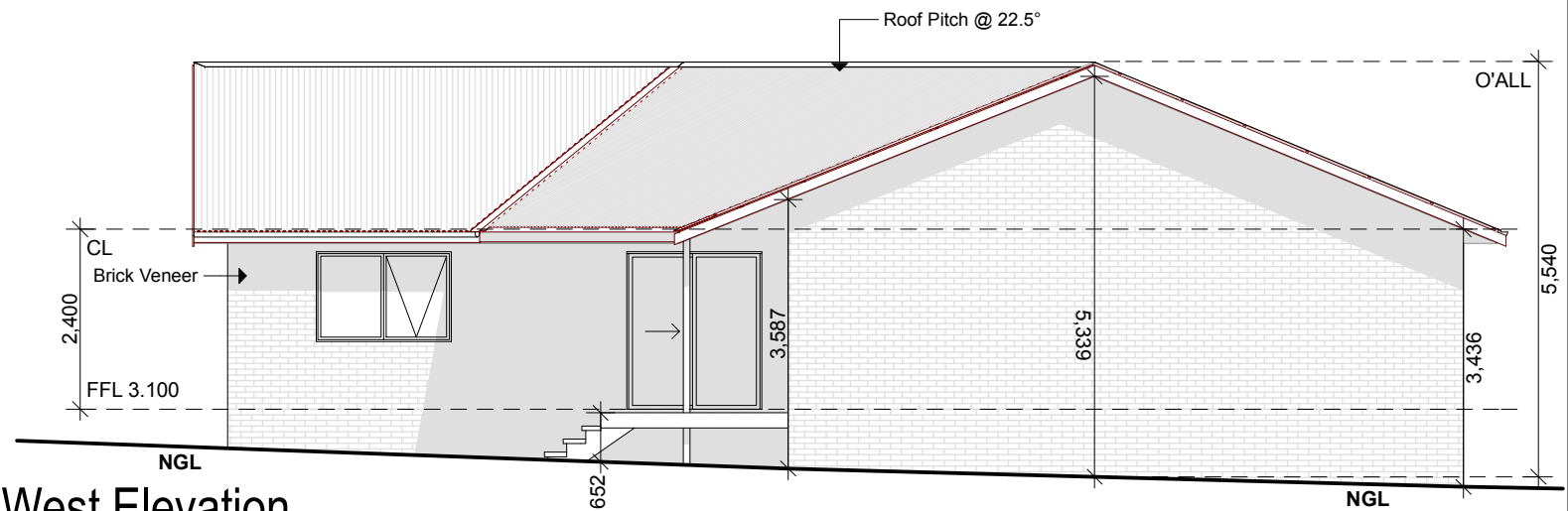
South Elevation



East Elevation



North Elevation



West Elevation

Amendments	
Date	Description
27/07/15	RFI response

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Proposal:	Unit Development	Scale: 1:100	Job No: 33-2015	Pg No: 12/12
Client:	Jenga Investments Pty Ltd	Date: 25/05/15	Engineer:	
Address:	15 Lucas Street Howrah 7018	Drawn: Jason	Building Surveyor:	

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Attachment 3

15 Lucas Street, HOWRAH



Site viewed from Lucas Street, looking west



Site viewed from access strip, looking southwest

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT

Nil Items.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 CREATION OF RIGHT-OF-WAY OVER 4A HOWRAH ROAD, HOWRAH**

(File Nos H023-4a and 6)

EXECUTIVE SUMMARY**PURPOSE**

To consider the creation of a private right-of-way over Council land at 4a Howrah Road, Howrah.

RELATION TO EXISTING POLICY/PLANS

Not applicable.

LEGISLATIVE REQUIREMENTS

Under Section 177 of the Local Government Act, 1993 Council may dispose of Council owned land.

CONSULTATION

Consultation has occurred between Council officers and the property owner of 6 Howrah Road, Howrah.

FINANCIAL IMPLICATIONS

There will not be any financial implications as the owner will be required to pay all costs involved in the creation of the right-of-way.

RECOMMENDATION:

- A. That Council consents to the creation of a right-of-way over its land at 4a Howrah Road, Howrah in favour of the owners of the adjoining property at 6 Howrah Road, Howrah for the sum of \$2,000.
- B. That the owner of 6 Howrah Road be responsible for all costs involved in the creation and registration of the right-of-way on Title including valuation costs, registration fees and officer preparation fees.

NB: A Decision on this Item requires an Absolute Majority of Council.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** Council owns the land at 4a Howrah Road, Howrah (described as a drainage easement on Title) which has been developed into a public car park, walkway connecting Rokeby Road to Howrah Road.

- 1.2. The owner of 6 Howrah Road, Howrah has requested consent to create a right-of-way over a small portion of the Council land comprising approximately 6m² to provide more scope to develop the property in the future.
- 1.3. The Council land the right-of-way is to be created over is currently a grassed area appearing as part of the nature strip and is not being utilised as part of the car park and walkway.

2. REPORT IN DETAIL

- 2.1. Council owns 4a Howrah Road, Howrah and has developed the area into a public car park and is located between Rokeby Road and Howrah Road.
- 2.2. Six Howrah Road, Howrah adjoins the Council land and is a residential property with a single weatherboard house. Attachment 1 shows the Council land in relation to the private property and the right-of-way.
- 2.3. The owner of 6 Howrah Road has requested consent to create a right-of-way over a small section of the Council land, approximately 6m² to provide more scope with future development of the property. Attachment 2 shows the location of the proposed right-of-way.
- 2.4. The area in question is a grass area which appears as part of the grass road verge.
- 2.5. The Council land at 4a Howrah Road is already burdened by a right-of-way in favour of 4 Howrah Road.
- 2.6. A valuation has been obtained for the creation of the right-of-way easement in favour of the property at 6 Howrah Road and the compensation payable to Council has been assessed at \$2,000.00.

2.7. The valuation has taken into consideration that the creation of the right-of-way will increase the road frontage to 6 Howrah Road, which will allow more potential for the owner to develop the property in the future. It will also allow the access to be improved to the property by improving the lines of right for ingress and egress to the any future development.

2.8. A traffic assessment has been undertaken and the proposed right-of-way will not impact the use of the Council land.

3. CONSULTATION

3.1. Community Consultation

Not applicable.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

Consultation has occurred between the property owners and Council officers.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

The creation of the right-of-way will not have any strategic plan or policy implications.

5. EXTERNAL IMPACTS

It is considered that there will be no external impacts in allowing the owners of 6 Howrah Road to have a right-of-way over the Council land.

6. RISK AND LEGAL IMPLICATIONS

Council has the power to allow an easement to be created over its land in accordance with Section 177 of the Local Government Act, 1993.

7. FINANCIAL IMPLICATIONS

There will not be any financial implications as the owner will be required to pay all costs involved in the creation of the right-of-way.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. It is considered that the creation of a right-of-way over Council's land at 4a Howrah Road, Howrah is reasonable and will have no impact on the current use of the area by the public.

9.2. The creation of the right-of-way will provide the owners of 6 Howrah Road, Howrah with more scope to develop the property in the future.

Attachments: 1. Aerial Photograph (1)
2. Plan of Proposed Right-of-Way (1)

Andrew Paul
GENERAL MANAGER

ATTACHMENT 1

CCC land 4A Howrah Rd

Private property 6 Howrah Rd

Proposed right of way



SKETCH PLAN INDICATING REQUESTED RIGHT OF WAY FAVORING 6 HOWRAH ROAD

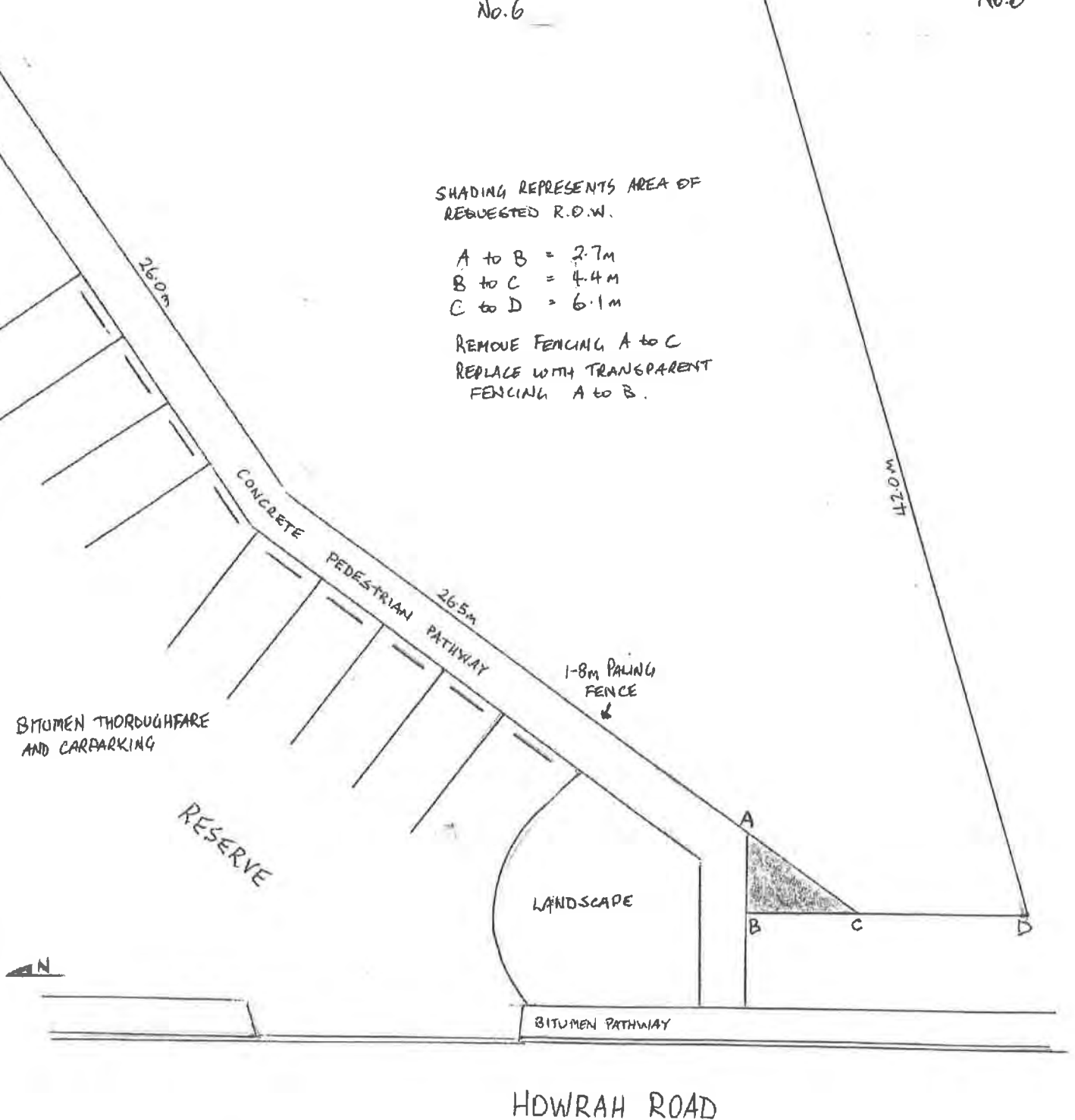
No. 6

No. 8

SHADING REPRESENTS AREA OF
REQUESTED R.O.W.

A to B = 2.7m
B to C = 4.4m
C to D = 6.1m

REMOVE FENCING A to C
REPLACE WITH TRANSPARENT
FENCING A to B.



11.7.2 VOLUNTARY AMALGAMATIONS

(File No 10-13-01)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to enable Council consideration of a draft scope for a feasibility study into the possible voluntary amalgamation of Councils to form a Greater South-Eastern Council or a Greater Metropolitan Hobart Council.

RELATION TO EXISTING POLICY/PLANS

1. Council's Strategic Plan provides as follows (in part):
 - Consider Council's strategic direction in relation to our neighbouring Councils, including resource sharing, opportunities for joint tenders...and other opportunities for mutual benefit; and
2. Council, at its Meeting of 1 June 2015 resolved that it was willing to explore the options of voluntary amalgamation to determine if such an arrangement was in the best interests of our community.

LEGISLATIVE REQUIREMENTS

Nil at this time.

CONSULTATION

- Community Consultation
Prior to undertaking any community consultation it is appropriate to have detailed data available to enable informed community debate to occur.
- State/Local Government Protocol
Not applicable.
- Other
Limited consultation in respect of a possible amalgamation occurred between Clarence and Sorell Councils in late 2012 through to early 2013.

FINANCIAL IMPLICATIONS

Council has allocated funding in the 2015/2016 budget for the purposes of undertaking a feasibility study(ies) into voluntary amalgamation. It is understood that funding is likely to be provided by the State Government on a \$ for \$ basis for approved studies.

RECOMMENDATION:

- A. That Council approve the draft feasibility study scope as attached to the Associated Report.
- B. That Council authorise the General Manager to make minor and incidental amendments to the scope if required for the purposes of ensuring uniformity between the participating Councils.

- C. That the General Manager be authorised to seek quotations and proposals from the consultant parties shortlisted by the Director of Local Government for the purposes of undertaking the feasibility studies, noting that Council reaffirms its earlier decision to reserve the right to appoint a consultant of their own choosing to undertake any feasibility studies.

ASSOCIATED REPORT

1. BACKGROUND

- 1.1. In November 2014, the Minister for Planning and Local Government wrote to all Councils in Tasmania seeking to initiate a conversation around voluntary amalgamations and resource sharing.

- 1.2. Council, at its Meeting of 16 March 2015 resolved:

- “A. The Clarence City Council advises the Minister that Council is willing to explore the option of voluntary amalgamations and/or shared services to determine if such arrangements are in the best interests of Clarence ratepayers.*
- B. That Clarence City Council advises the Minister that Council would consider exploring such options with those neighbouring municipalities which have expressed interest in participating in such a feasibility study.*
- C. That a copy of the letter to the Minister be forwarded to neighbouring Councils.*
- D. That prior to the Minister’s May 2015 timeline for Step 2 of the process and before the commencement of any feasibility study, an independent facilitator conduct a special workshop for the Council to determine the scope and principles for progressing such feasibility investigations”.*

- 1.3. Council held a facilitated workshop to identify a series of guiding principles.

1.4. Council, further at their Meeting of 1 June 2015, resolved:

- “1. That Council adopts the guiding principles, advantages sought and outcomes to be avoided as noted in Clauses 2.5, 2.6 and 2.7 of the Associated Report as the basis for any discussions and feasibility studies to be undertaken with other Councils in exploring the possibility of voluntary amalgamations.*
- 1a. That Council adopts an additional Guiding Principle that Council will not entertain any proposal which would result in the split up of the Clarence municipal district.*
- 2. That Council, based on these adopted principles, invites Hobart City Council to undertake a feasibility study into the establishment of a “Greater Hobart” metropolitan Council.*
- 2a. Subject to Hobart’s acceptance of the invitation, Glenorchy City Council also be invited to participate in the feasibility study.*
- 3. That Council, based on these adopted principles, invites Sorell Council to undertake a feasibility study into the establishment of a “Greater South-East Council”.*
- 3a. Subject to Sorell’s acceptance of the invitation, Tasman and Glamorgan/Spring Bay Councils also be invited to participate in the feasibility study.*
- 4. That subject to the agreement of the Hobart and Sorell Councils to participate in the feasibility studies, Council seeks funding from the State Government to undertake the studies, noting that Council would seek to reserve the right to appoint a consultant of their own choosing to undertake any feasibility studies.*
- 5. That regular reporting is provided to Council in respect of this matter.*
- 6. That Council seeks to undertake the studies in accordance with the timelines as outlined by the Minister.*
- 7. That Council considers further the matter of shared services at a subsequent time.*
- 8. That Council informs the Minister of their decision in regard to voluntary amalgamations”.*

2. REPORT IN DETAIL

- 2.1.** Subsequent to Council's previous resolutions the Mayor and General Manager have held meetings with the respective Mayors and General Managers of neighbouring Councils in relation to undertaking feasibility studies into the establishment of a "Greater Hobart" Council and a 'Greater South-East' Council.
- 2.2.** A draft scope of service for a feasibility study has been agreed in principle between the respective Mayors and General Managers and is included as Attachment 1.
- 2.3.** Should Council agree to the draft scope, and subject to partner Councils also agreeing to the scope, it would be proposed to seek expressions of interest, including price and methodology from identified consultants, to undertake the feasibility study on behalf of the respective Councils.
- 2.4.** The Local Government Division has undertaken an expression of interest process for consultants to undertake the feasibility studies with 4 consulting firms short listed, being:
- Deloittes;
 - KPMG;
 - SGS Economics; and
 - EY (Ernst and Young).
- 2.5.** Council has previously resolved to "reserve the right to appoint a consultant of their own choosing to undertake any feasibility studies".
- 2.6.** In the first instance, however, it is recommended that Council agree to seek pricing and a detailed methodology from each of the nominated consultants prior to making any judgement to appoint a different consultant to undertake the study(ies).

- 2.7.** Specifically, studies proposed following discussions with neighbouring Councils are still to be finalised but could include Greater Hobart - Clarence/Hobart/Glenorchy and possibly Sorell and Greater South-East – Clarence/Sorell/Tasman and possibly Glamorgan/Spring Bay.

The feasibility studies would seek to be undertaken in such manner that differing combinations of the Councils could be modelled or interpreted from the respective reports.

3. CONSULTATION

3.1. Community Consultation

Prior to undertaking any community consultation it is appropriate to have detailed data available to enable informed community debate to occur.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

Limited consultation in respect of a possible amalgamation occurred between Clarence and Sorell Councils in late 2012 through to early 2013.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan provides as follows (in part):

- Consider Council's strategic direction in relation to our neighbouring Councils, including resource sharing, opportunities for joint tenders...and other opportunities for mutual benefit; and

Council, at its Meeting of 1 June 2015 resolved that it was willing to explore the options of voluntary amalgamation to determine if such an arrangement was in the best interests of our community.

5. EXTERNAL IMPACTS

Any discussion by Council to proceed with a feasibility study will be subject to agreement from other participating Councils.

6. RISK AND LEGAL IMPLICATIONS

Nil at this time.

7. FINANCIAL IMPLICATIONS

Discussions with the Minister for Local Government has indicated that the Government will contribute to the studies on a \$ for \$ basis subject to the final agreed cost of an acceptable feasibility study.

Council has allocated funding in the current budget to fund the respective studies.

8. ANY OTHER UNIQUE ISSUES

None apparent.

9. CONCLUSION

9.1. That Council endorse the draft scope of service.

9.2. That Council invite expressions of interest from the nominated consultants noting that Council continues to reserve the right to appoint a consultant of their own choosing.

9.3. That the General Manager be authorised to make any minor or incidental amendments to the scope of service to ensure uniformity between the participating Councils.

Attachments: 1. Draft Scope of Service (3)

Andrew Paul
GENERAL MANAGER

ATTACHMENT 1

Services to be Supplied

A feasibility study (report) into a Local Government voluntary amalgamation proposal between:

and which includes:

- 1a) the current financial sustainability of each Council.
- b) the projected long term (10 years) financial sustainability of each Council including projected growth rates and capital works expenditure.
- c) the projected long term (10) financial sustainability of the voluntarily amalgamated Council.
- 2a) non-financial information, including a service profile of each Council.
- b) non-financial information, including an employment profile of each Council.
- c) non-financial information, including assumed service standards and employment profiles of the voluntarily amalgamated Council.
- d) non financial information, including an analysis of the Strategic Plans of each council and any visioning plans the councils may have.
- 3a) the identification of any expected benefits that cannot be accurately quantified of a voluntary amalgamation including the rationale for assumptions made.
- b) the identification of any expected dis-benefits that cannot be accurately quantified of a voluntary amalgamation, including the rationale for any assumptions made.
4. The identification of the degree of strategic and cultural alignment or community of interest that exists, (or conversely), between the respective Councils and communities.
- 5a) The risk profile of each council.
- b) The identification of any significant risks that:
 - a) exist in each Council; and
 - b) whether those risks would be mitigated or managed under an amalgamated Council.

Such risks may include (but not be limited to) legal actions, contractual commitments, superannuation liabilities and additional operational costs from future capital expenditure.

The feasibility study into this proposal must as a minimum identify the following matters:

- 1 a) assumptions underlying the analysis and any notes associated with these assumptions.
- b) viability of the Councils including:
 - i) an analysis of each Councils long-term financial management and asset management plans;
 - ii) as identified in each Councils long-term financial management and asset management plans, an analysis of the Councils long-term projected asset consumption ratio, asset renewal funding ratio, asset sustainability ratio, underlying surplus (deficit) and underlying surplus ratio (and source of base data relied upon for valuation including asset lives, unit rates and all other assumptions);
 - iii) reliance on grants (grants and contributions revenue as a percentage of total revenue); and
 - iv) impact of an amalgamated body on Financial Assistance Grants and whether it would be more or less likely to secure grants;
- c) measures of operational efficiency including operating costs to operating revenue, employee costs to operating revenue, staff per rateable properties, key service efficiencies (i.e., development applications approvals), proportion of depot operations allocated to undertaking capital works;
- d) demographic profiles of the municipal areas (current and projected to 2025) including age, population, population density and the associated impact on services to be delivered;
- e) savings and efficiency improvements (and the converse) from the amalgamation (both within Council operations, to ratepayers and business);
- f) potential economies of scale (and the converse) through:
 - i. cost savings (population size versus expenditure on general operations);
 - ii. integration of technology systems such as human resources, payroll, financial management and asset management, regulatory and rates;

- g) summary (including costs) of existing major services provided including potential improvements to the quality, cost, range and mode of delivery of services in an amalgamated Council;
 - h) impacts on employment numbers, potential improvements in staff skills and potential impacts from integration of Enterprise Agreements;
 - i) other potential financial and service benefits or impact identified.
2. An evaluation framework which includes baseline data, benchmarks (identified under 1a) and performance indicators for evaluating the success of the amalgamation.
 3. The projected costs of an amalgamation including restructuring costs for human resources, integration of information technology systems and data migration, land and building (including accommodation) rationalisation, plant and equipment rationalisation.
 4. A prospective governance model that provides for the transition to amalgamation and ensures fairness and equity in regard to representation and protecting the interests of local communities.
 5. An analysis of the strategic direction, effectiveness, efficiency and sustainability of the common service model(s) currently in operation. The analysis shall identify any modifications that would improve the operation of the common service model(s) and provide recommendations on the comparative benefits and dis-benefits of the continuation of a common service model(s) against the outcomes of the feasibility study investigating a voluntarily amalgamated Council.

11.7.3 BUSINESS EAST REQUEST FOR FUNDING SUPPORT

(File No 20-21-04)

EXECUTIVE SUMMARY**PURPOSE**

To consider a request from Business East Inc for funding support of their small business advisory service and the Business Excellence Awards.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2010-2015 seeks to provide for the sustainable economic growth of the City and to work in partnership with government and industry groups to identify appropriate commercial and development opportunities within Clarence.

LEGISLATIVE REQUIREMENTS

Not applicable.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

Council's 2015/2016 budget has a budget provision to continue to support Business East services.

RECOMMENDATION:

That Council establish a 2015/2016 Service Agreement with Business East Inc which provides for:

- (i) funding to a maximum of \$24,000 (GST exclusive) towards a local business advisory service that includes a program targeted at youth enterprise development (at no cost to youth clients);
- (ii) Council funding to be remitted quarterly upon lodgement of a report on services provided and associated outcomes; and
- (iii) an amount of \$2,500 for sponsorship of the 2015 Clarence Business Excellence Awards.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** Business East Inc is a not-for-profit incorporated association which was established essentially as a vehicle to provide an enterprise centre service in the Clarence area.

- 1.2.** A letter dated 24 March 2015 was received from Business East Inc requesting funding for 2015/2016 of \$25,000 to be applied towards the costs of a local small business advisory service and a further \$6,000 towards the 2015 Business Excellence Awards so that Council retains sponsorship rights of the function.
- 1.3.** That request was considered by Council at its Meeting held on 11 May 2015, at which it was resolved that:

- “A. That consideration of this item be deferred.*
- B. That representatives of Business East be invited to a Workshop to discuss their funding request.*
- C. That the matter be relisted for consideration at a future Council Meeting following discussions at a Workshop with representatives of Business East”.*

2. REPORT IN DETAIL

2.1. Subsequent to Council’s Meeting of 11 May 2015:

- (i) representatives from Business East Inc made a presentation to an Alderman Workshop held on Tuesday, 9 June 2015;
- (ii) a Business Plan 2015-2016 was submitted, together with a number of client testimonials (previously circulated);
- (iii) the funding request was further discussed at the Alderman Workshop held on 27 July 2015.

2.2. Other recent events include:

- relocation of the Business East office from the Bellerive Quay building to smaller premises at Shop3, 5 Clarence Street, Bellerive in order to reduce rental overheads;
- holding of the Business East Inc Annual General Meeting on 11 August 2015, including election of the following officers:
 - Chairman – John Beattie;
 - Deputy Chairman – Tassie Strafkos;
 - Secretary – Sally Wise;

- Public Officer – Brian Livesey; and
- Committee Members – Graeme West, Andy O’Meagher, John Sargent and Michael Goward.

- 2.3.** An issue identified in relation to the provision of Council funding is the need to differentiate the proposed Business East business advisory service from other government funded advisory services currently available (eg the State government enterprise centre service). To achieve this differentiation it is proposed to adopt a targeted assistance element into the advisory service program.
- 2.4.** Following discussion with Business East it is proposed that the local business advisory service for 2015/2016 include a program targeted at youth enterprise development. This youth service would be provided at no cost to youth clients (persons aged 21 years and under), with the fee for service and membership fee elements of the standard service being waived.
- 2.5.** A Business East strength is in the mentoring of new business ideas and new micro enterprises. This strength aligns well with a youth enterprise focus and the relationships that have been established by Business East Inc with Rosny College, Rokeby High School and TAFE.
- 2.6.** The proposed youth enterprise assistance service will also build upon and provide leverage from the State Government funding to Business East that is to be expended this financial year on a youth enterprise project (\$5000).
- 2.7.** Business advisory services would remain available to all sectors but the proposed youth enterprise assistance service would be a primary focus supported by advertising and liaison with schools and youth organisations.

2.8. In relation to the Business Excellence Awards, this event has become successful and is the only local event that provides an opportunity to recognise business excellence. To retain naming rights sponsorship, a contribution of \$2,500 is proposed for 2015/2016, noting that the State Government grant now supports the awards to the value of \$6,000.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Council funding is being considered in the context of funding allocations by the State Government for enterprise development services.

3.3. Other

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2010-2015 seeks to provide for the sustainable economic growth of the City and to work in partnership with government and industry groups to identify appropriate commercial and development opportunities within Clarence.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

Council's 2015/2016 budget has a budget provision of \$24,000 for the support of Business East Services and \$6,000 for sponsorship of the Clarence Business Excellence Awards.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. Business East Inc has requested that Council's funding support, previously directed towards specific projects, be re-directed to meet the costs of their small business advisory service local and shopfront office. Continued sponsorship by Council of the Business Excellence Awards has also been requested.

9.2. Business East's strength is in the provision of mentoring and advice to new start micro and small businesses. However, it is desirable that a more targeted approach to the delivery of Business East advisory services be established due to (i) the limited resources of the organisation; and (ii) the need to differentiate the service from other government funded advisory services available.

9.3. Youth unemployment remains an on-going issue and there is a need for capacity building in the establishment of youth enterprises. As such the inclusion of a program targeted at youth enterprise development delivered in association with local senior secondary schools is a sound strategic approach.

9.4. Any Council funding should be provided through a Service Agreement including quarterly reporting requirements.

Attachments: Nil.

Andrew Paul
GENERAL MANAGER

12. ALDERMEN'S QUESTION TIME

An Alderman may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

12.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

12.4 QUESTIONS WITHOUT NOTICE

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will not be recorded in the minutes.

The Chairman may refuse to accept a question if it does not relate to Council's activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.

13. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 TENDER T1050-15 – SEASONAL MAINTENANCE OF ROAD RESERVES AND HORSE TRAILS

This report has been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulation 2015 as the detail covered in the report relates to:

- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence.

Note: The decision to move into Closed Meeting requires an absolute majority of Council.

The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.

PROCEDURAL MOTION

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.