

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

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

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

COUNCIL MEETING
MONDAY 9 JULY 2018

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

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

1. APOLOGIES

Ald Chong (Leave of Absence)
Ald Doust (Leave of Absence)

2. CONFIRMATION OF MINUTES

(File No. 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 18 June 2018 and the Special Council Meeting held on 21 June 2018, as circulated, be taken as read and confirmed.

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

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

PURPOSE DATE

Blundstone Arena Smoke Free Zone

Tasman Highway Amenity

State Government Aboriginal and Dual Naming Policy

25 June

Recreational Needs Analysis

Southern Tasmanian Councils' Association

Sporting Club Premises

Delegation for sign-off on Deeds of Settlement

2 July

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.

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

At Council's Meeting of 18 June 2018 Ms Denise Hoggan of Rosny asked the following question:

Interim Planning Scheme 2015

With reference to the Clarence City Council's Interim Planning Scheme 2015, please justify the inclusion of the discretionary use, "visitor accommodation" in Zone 18, Recreation, when no other southern Region Council has done so, except for No 1393 Channel Highway Margate in Kingborough.

ANSWER

As part of the development of the Interim Scheme, the Tasmanian Planning Commission provided drafting guidelines to assist Council in translating the former Planning Scheme to the Interim Scheme.

/ contd on Page 9...

ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE /contd...

As the former Clarence Planning Scheme 2007 provided for tourist accommodation as a discretionary use within the use table for the Recreation Zone, the use was translated as visitor accommodation into the Interim Scheme on a like for like basis, in accordance with the drafting guidelines.

In general terms, the translation of former planning schemes into the current interim schemes has resulted in numerous inconsistencies between the planning schemes across the Southern Region. This is because the schemes, while consistent in terms of format and many of the controls, still retain controls that are unique to the particular municipality.

At Council's Meeting of 18 June 2018 Mr Peter Edwards of the Rosny Hill Friends Network asked the following question:

Rosny Hill - EOI

In relation to a statement by the Mayor of 26 March 2014: "Why Council has ignored its vision of a development the size and scale of the café/restaurant at Mt Nelson and the description on the original Expression of Interest, to now accept something like a huge tourism complex that bears no resemblance to the original Expression of Interest. It's actually 10 times bigger than the vision the Mayor had 3 years ago: The original vision projected in the Expression of Interest; why is that being ignored"?

ANSWER

The EOI does not put a limitation on the size or scale of proposals only to say that: "*the site offers significant opportunities for the establishment of commercial leasehold development that enhances and complements the public use of the area and is consistent with the use of the property for nature conservation and recreation*".

The above EOI excerpt is obviously open to interpretation and the preferred developer considers its proposal meets this requirement.

The EOI states that accommodation, conference centres and restaurants are all acceptable opportunities to pursue, which does provide some indication of size and scale of potential development proposals.

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

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

9. MOTIONS ON NOTICE

Nil

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**

Representative: Ald Doug Chipman, Mayor or nominee

Quarterly Reports

Not required.

Representative Reporting

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

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

Quarterly Reports

Not required.

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 18 and 25 June and 2 July 2018 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 18 and 25 June and 2 July 2018 be noted.

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS**11.2.1 PETITION – INVESTIGATE AND IMPLEMENT STREET WORKS TO MINIMISE TRAFFIC HAZARDS IN NORMA STREET, HOWRAH**

(File Nos 10-03-12; N014)

EXECUTIVE SUMMARY**PURPOSE**

To consider the petition tabled at Council's Meeting of 28 May 2018 requesting Council to investigate and implement works to minimise traffic hazards at the crest of Norma Street, Howrah.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2016-2026 is relevant.

LEGISLATIVE REQUIREMENTS

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

CONSULTATION

No consultation has been undertaken with the local community in regards to any further works.

FINANCIAL IMPLICATIONS

No funds have been allocated within the 2018/2019 Annual Plan for any specific works within this location.

RECOMMENDATION:

- A. That Council notes the intent of the petition.
- B. That Council requests the General Manager to co-ordinate with Council Officers to investigate the issues raised by the petition and the outcomes be reported to Council at a future Meeting.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1** A petition containing 45 signatories was tabled at Council's Meeting held on Monday, 28 May 2018 requesting: *"Investigate and implement street works and other improvements that will minimise traffic hazards at the crest of Norma Street, Howrah, between Eden Place and Medika Court"*.

A copy of the covering letter, location map, background information and photo showing the concerned hazards is Attachment 1.

1.2 The petition information explains the situation and historical issues with traffic and parking. Suggestions are presented to Council for investigation.

- Restrict street parking on this section of Norma Street. Houses in this area have driveways that can accommodate vehicles.
- Install speed humps on Norma Street on approaches to the crest. This is to slow traffic as motorists approach the crest. The behaviour of some motorists is to increase speed as they approach the crest, which we believe is increasing the risk of a collision occurring.
- Install convex mirrors at suitable locations on Norma Street to improve the visibility of oncoming traffic for motorists at this crest.
- However, we do not want any changes to the Metro service.

2. REPORT IN DETAIL

2.1. Council has a responsibility for the management of approximately 450km of road network within the municipality and it is important Council adopts a consistent approach when responding to public concerns on road safety matters.

2.2. Council received a directive under Section 59 of the Traffic Act from the Transport Commission in November 2014 that Council is no longer required to seek Department approval for speed traffic devices and Council is to set up a process in dealing with such devices and should adopt relevant standards and guidelines when approving and installing such devices. However, the Transport Commission is still the only approving authority for:

- traffic signals;
- speed humps; and
- speed limits.

2.3. In response Council has established an internal traffic working group comprising of experienced engineers and technical officers to investigate, review and recommend outcomes on road safety issues.

2.4. For road safety enquiries, the group reviews the available evidence and takes a risk based approach in considering and implementing a consistent response to whether traffic safety controls or parking restrictions are warranted. Investigations include considering:

- a review of the reported crash data;
- obtain traffic data on vehicle numbers and speed, if needed;
- monitor the site over time and observe vehicle movements, motorist behaviour and parking frequency;
- measure sight line distances for motorists; and
- take into account the operating speed limit, road use and the local environment.

2.5. In relation to the concerned hazards raised in this petition, it is appropriate for Council Officers to investigate the issues and report the outcomes back to Council.

3. CONSULTATION

3.1. Community Consultation

No consultation has been undertaken with the wider or any directly affected community members in regards to any traffic devices or parking restrictions.

Local consultation may be required depending on the outcome of the traffic investigation.

3.2 State/Local Government Protocol

Nil.

3.3. Other

Consultation with Metro may be required.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. Council's Strategic Plan 2016/2026 within the Goal Area "Social Inclusion" contains the following Community Safety and Well-being Strategy to: *"Provide essential infrastructure to support, sustain and enhance community safety and social well-being"*.

4.2. Council's Community Safety Plan 2016-2021 under the Strategy 10-Road safety has the following Action to: *"Monitor, review and respond to the road safety Issues"*.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

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

7. FINANCE

No funds have been allocated within the 2018/2019 Annual Plan to implement any specific road works within Norma Street.

8. ANY OTHER UNIQUE ISSUES

Not applicable.

9. CONCLUSION

9.1 Council notes the intent of the Petition.

- 9.2** It is appropriate for the traffic hazards raised in the petition be investigated by Council Officers and the outcomes be reported back to Council.

Attachments: 1. Covering Letter, Background Information and Photo (4)

Ross Graham

GROUP MANAGER ENGINEERING SERVICES

Attachment 1

Subject: Crest of Norma Street, Howrah, between Eden Place and Medika Court

10-03-12

N14 A/AS

RECEIVED

28 JUN 2018

BY: RECORD

19 May 2018

LODGEMENT FORM FOR PETITIONS

To the Mayor and Aldermen of the City of Clarence

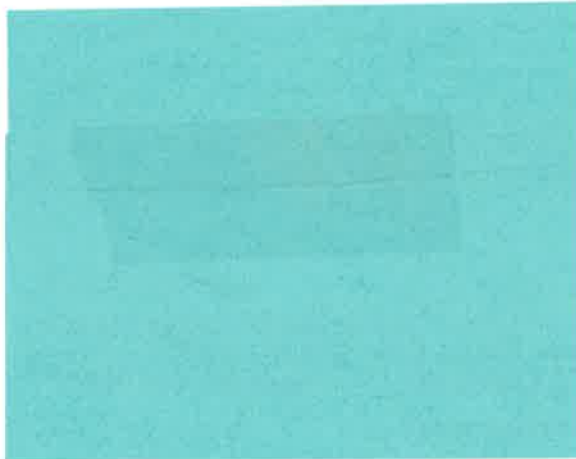
Subject: Crest of Norma Street, between Eden Place and Medika Court.

Investigate and implement street works and other improvements that will minimise traffic hazards at the crest of Norma Street, Howrah, between Eden Place and Medika Court.

See pages 2 to 3 for further information.

Please find attached a petition addressed to the Mayor and Aldermen of the City of Clarence in respect of the above subject.

The petition is signed by 45 Signatories



Privacy Statement

The personal information on this form is required by Council for receipt of petitions under the Local Government Act, 1993. We will only use your personal information for this and related purposes. If this information is not provided, we may not be able to deal with this matter. You may access and/or amend your personal information at any time. How we use this information is explained in our Privacy Policy, which is available at www.ccc.tas.gov.au or at Council offices.

Attachment 1

Subject: Crest of Norma Street, Howrah, between Eden Place and Medika Court

We petition the Mayor and Alderman of the City of Clarence to:

Find a solution to the traffic hazard at the crest of Norma Street Howrah between Eden Place and Medika Court particularly between Norma Street numbers 37 through to 47. See image below for the location on Norma Street.



The traffic on this section of Norma Street includes cars, motor bikes, delivery trucks, earthmoving equipment transport and Metro buses, as this street is on a bus route.

Our main concern is that traffic approaching the crest cannot see traffic coming from the opposite direction until you are on the crest of the hill. When cars are parked on either side of the street at this crest, it creates a limited view of the road ahead, and a restricted and unsafe passageway for traffic. We have experienced very close encounters with oncoming traffic, especially Metro buses, trucks and cars and have needed to take evasive action to avoid a collision.

We believe the current situation is unsafe.

Historically, there were Metro bus stops located on either side of Norma Street at this crest. These bus stops have been removed to improve traffic and pedestrian safety. There have been long-standing concerns about this location.

Traffic flow is in either direction from the Shoreline roundabout, on the South Arm Highway, along Shoreline Drive and into Norma Street. Therefore, this safety issue effects

Attachment 1

Subject: Crest of Norma Street, Howrah, between Eden Place and Medika Court

residents and visitors of the southern side of Norma Street from the crest, leading to the residential area of North Howrah. This new suburb location has increased the amount of traffic in Norma Street because of intersection design at Merindah Street and Vienne Drive.

While there have been no fatalities at this location this current situation CANNOT continue as we believe it will contribute to a collision that will result in serious injury or even death.

Here are some suggestions we want the Clarence City Council to investigate:

- Restrict street parking on this section of Norma Street. Houses in this area have driveways that can accommodate vehicles.
- Install speed humps on Norma Street on approaches to the crest. This is to slow traffic as motorists approach the crest. The behaviour of some motorists is to increase speed as they approach the crest, which we believe is increasing the risk of a collision occurring.
- Install convex mirrors at suitable locations on Norma Street to improve the visibility of oncoming traffic for motorists at this crest.
- However we do not want any change to the Metro service.

Attachments

2 x Petition Signatures

2 x Photos illustrating our concerns

Attachment 1



11.3 PLANNING AUTHORITY MATTERS

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

**11.3.1 DEVELOPMENT APPLICATION D-2018/172 - 6 MORGAN STREET,
RICHMOND - OUTBUILDING**
(File No D-2018/172)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for an outbuilding at 6 Morgan Street, Richmond.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the consent of the applicant and expires on 1 August 2018.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 2 representations were received raising the following issues:

- setback;
- overshadowing;
- visual impact; and
- inconsistency with heritage values of Richmond.

RECOMMENDATION:

A. That the Development Application for an outbuilding at 6 Morgan Street, Richmond (Cl Ref D-2018/172) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AP3 – AMENDED PLAN [a reduced height of the outbuilding to 3.705m above natural ground level at its highest point and an increase in setback from the southern property boundary to 1.0m].
 3. GEN AM3 – EXTERNAL COLOURS. Insert “to match the existing dwelling and” after “muted colours”.
 4. The development must meet all required Conditions of Approval specified by TasWater notice dated 30 May 2018 (TWDA 2018/00489-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 under the Scheme.
- 2.2. The proposal is discretionary because it does not meet certain Acceptable Solutions under the Scheme.
- 2.3. The relevant parts of the Planning Scheme are:
 - Section 8.10 – Determining Applications;
 - Section 10.0 – General Residential Zone;
 - Section E6.0 – Parking and Access Code; and
 - Section E13.0 – Historic Heritage Code.
- 2.4. Council’s assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the *Land Use Planning and Approvals Act, 1993* (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a level 759m² lot with 18.2m frontage to Morgan Street and within an established residential area at Richmond. The site supports an existing dwelling and associated outbuildings and has an existing vehicular access to the site adjacent the southern property boundary.

There are no easements encumbering the subject property. There is, however, a sewer line located to the west of the site that has been referenced by the proposal plans.

3.2. The Proposal

The proposal is for the development of an outbuilding to the south-west (rear) of the existing dwelling on the site.

The proposed outbuilding would be setback 300mm from the southern (side) boundary and 1.34m from the western (rear) boundary, would have a wall height of 3.6m and would be 4.305m in height at its highest point above natural ground level. The outbuilding would be accessed from 2 roller doors on the eastern elevation of the building via the proposed internal driveway, would be clad using Colorbond and would be coloured to match the existing dwelling.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme's relevant Acceptable Solutions of the General Residential Zone and Parking and Access and Historic Heritage Codes with the exception of the following.

General Residential Zone

Clause	Standard	Acceptable Solution	Proposed
10.4.2 A3	Setbacks and building envelope for all dwellings	<p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <ul style="list-style-type: none"> i. a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and ii. projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <ul style="list-style-type: none"> i. does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or ii. does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser). 	<p>complies</p> <p>does not comply – 1.34m rear setback proposed</p> <p>not applicable</p> <p>complies</p>

The proposed variation must be considered pursuant to the Performance Criteria P3 of the Clause 10.4.2 as follows.

Performance Criteria	Proposal
<i>“The siting and scale of a dwelling must:</i>	see below
<i>(a) not cause unreasonable loss of amenity by:</i> <i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i>	The proposed outbuilding would be separated from the nearest dwellings to the west and south-east by 14.5m and 10m respectively. The proposal plans include diagrams that illustrate the extent of shadows likely to be caused by the proposed development, and these conclude that both neighbouring dwellings would not be affected at Winter Solstice.
<i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i>	The neighbouring lot at 8 Morgan Street has an area of approximately 819m ² and many areas of private open space compliant with the minimum provisions under the Scheme that surround the neighbouring dwelling, which would be unaffected by overshadowing as a result of the proposal. The same situation exists for the property to the west, at 24 Wellington Street.
<i>(iii) overshadowing of an adjoining vacant lot; or</i>	There are no vacant lots adjacent the subject property.
<i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i>	The proposed building would have a wall height of 3.6m where closest the boundary, to a ridge height at its centre of 4.305m. The applicant has proposed that building would be clad using Colorbond to match the existing dwelling, which is cream with a tan-coloured roof. These colours, it is considered, would ensure that the visual impact of the proposed structure would have a reasonable impact upon amenity in that it would be consistent with that existing. To ensure the specific colours selected are satisfactory an appropriate condition has been included above.

(b) <i>provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area</i> ".	A range of separation distances exist between both nearby dwellings and outbuildings. In relation to outbuildings specifically, it is noted that 6 properties within a 100m radius of the site have outbuildings located in the rear corners of the respective lot/s, with similar setback distances that range from 300mm (consistent with that proposed) to 2.5m setback distance. This comparison is considered to demonstrate compatibility with that in the prevailing area.
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Historic Heritage Code

Clause	Standard	Acceptable Solution	Proposed
E13.8.2 A1, A2 and A5	Buildings and works other than demolition	No acceptable solution.	does not comply

The proposed variation must be considered pursuant to the Performance Criteria P1, P2 and P5 of the Clause E13.8.2 as follows.

Performance Criteria	Proposal
<i>P1 - Design and siting of buildings and works must not result in detriment to the historic cultural heritage significance of the precinct, as listed in Table E13.2.</i>	Council's Heritage Advisor has considered the proposal and is satisfied that it would not have a detrimental impact upon the significance of the precinct noting that the site is at the perimeter of the precinct, and given that it would not have a significant visual impact when viewed from Morgan Street.
<i>P2 - Design and siting of buildings and works must comply with any relevant design criteria/conservation policy listed in Table E13.2, except if a heritage place of an architectural style different from that characterising the precinct.</i>	It is considered that the proposal would be compliant with the design criteria identified by Table E13.2, in that it would (a) not be sited within close proximity of any heritage places or streetscapes; (b) it would not detract from the character of Richmond in that it would not be highly visible from Morgan Street; and (c) there would be no impact upon significant views or the surrounding rural countryside.

<p><i>P5 - The design of new development must be sympathetic to the heritage locality in terms of bulk, setbacks, materials, colour scheme, form, and character of the place, streetscape and surrounding area. It therefore must:</i></p> <p><i>(a) not be confused with the original historic fabric associated with nearby historic places in the locality;</i></p>	<p>Council's Heritage Advisor has provided feedback that the visual impact of the proposed building would be minimised by the use of colours to match the existing dwelling to assist with the "visual dilution" of the proposal. The applicant has reflected this on the proposal plans, and it should be reiterated as a condition of approval. With such a condition it is considered to not detract from the streetscape at this location.</p>
<p><i>(b) be compatible with the architectural design, colour and aesthetic characteristics of the historic places in the area;</i></p>	<p>The site is located at the perimeter of the heritage precinct and with the colour control proposed above, it is considered to be compatible with the area.</p>
<p><i>(c) not visually dominate an existing heritage place or street in terms of size, height and bulk when viewed from the street frontage or frontages;</i></p>	<p>Whilst it is noted that the proposed outbuilding would be 4.305m at its highest point, Council's Heritage Advisor is satisfied that the building (with appropriate colour selection, to match the dwelling) would not dominate the streetscape at this location.</p>
<p><i>(d) adopt a contemporary architectural character of an understated appearance to minimise the visual dominance over adjacent contributory buildings, the heritage place or historic places in the locality, in terms of size, height or bulk;</i></p>	<p>not applicable</p>
<p><i>(e) repeats the particular rhythm, spatial characteristics and character of historic places and other contributory buildings in the area;</i></p>	<p>The proposed separation distances are consistent with nearby outbuilding, and on this basis this criteria is considered to be met.</p>
<p><i>(f) relates to and uses as reference points the materials, front and side setbacks, roof form, colours and details of adjacent buildings and the surrounding precinct;</i></p>	<p>The proposed building would be largely screened from Morgan Street by the dwelling, and the colours proposed (and reinforced by an appropriate condition) would ensure consistency with this requirement.</p>
<p><i>(g) avoid blank walls at ground and upper floor levels when viewed from surrounding streets;</i></p>	<p>The wall facing Morgan Street would incorporate the roller door access.</p>

(h) <i>utilise landscaping, fencing or other techniques to enhance the property and to reduce conflict with historic streetscapes”.</i>	Landscaping is not considered necessary in this circumstance, in that the proposed structure would largely be screened by the existing dwelling and therefore have limited impact upon the streetscape.
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5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 2 representations were received. The following issues were raised by the representors.

5.1. Setback

The representations express concern in relation to the proposed 300mm setback from the southern (side) boundary, in that this distance would be inadequate for maintenance and weed control.

- **Comment**

The width of the proposed setback in relation to maintenance is not a relevant consideration under the Scheme.

That said, the applicant has advised Council that in response to the concern raised by the representor in relation to the 300mm setback proposed, that it is now proposed to increase the southern (side) boundary setback to 1.0m. Further plans have been provided to Council as part of this assessment to show how this would occur. On the basis that this is proposed by the applicant and would reduce the extent (and impact) of the discretions sought by the proposal under the Scheme, a condition has been included above to reflect that amended plans are to be provided, to increase the setback to 1.0m as proposed.

5.2. Overshadowing

The impact of the proposed outbuilding on sunlight available to outdoor living areas of an adjacent property is raised as a concern.

- **Comment**

The proposed development satisfies the relevant performance criteria in relation to overshadowing at Clause 10.4.2 P3 of the Scheme, in that the outbuilding would not overshadow either the outdoor or indoor living areas associated with neighbouring dwellings. This issue therefore does not justify the refusal of the proposal, under the Scheme.

5.3. Visual Impact

The representations raise the appearance of the proposed outbuilding as being a concern in that Zinalume is apparently proposed, and that this would have an impact on nearby residential properties.

- **Comment**

The proposal plans show the outbuilding as being constructed using Colorbond, with colours to match the existing dwelling. This is shown by the proposal plans and Council's Heritage Advisor is satisfied that such colours would address and satisfy the relevant requirements of Clause 10.4.2 P3, and Clause E13.8.2 P1, P2 and P5 of the Scheme.

5.4. Inconsistency with Heritage Values of Richmond

Concern is raised by the representations that the proposed outbuilding would be incompatible with the historic/heritage values of Richmond, and that this largely is related to the proposed height (at 4.1m) of the building. Specifically, the proposed height of the structure is the concern.

It is submitted that the existing shed/garage structures tend to be an overall height of approximately 3.1m in Richmond, and that the proposed outbuilding should therefore be reduced to this height to be consistent with surrounding buildings.

- **Comment**

The relevant requirements at Clause E13.8.2 of the Scheme are met, for the reasons discussed above. Council's Heritage Advisor is satisfied that with the inclusion of a condition relevant to colour selection that the impact of the proposed building upon the heritage precinct would be low.

That said, the applicant has advised Council that in response to the representor's concerns regarding the 4.305m height first proposed (and reflected by the advertised plans), that it is now proposed to decrease the overall height of the structure to 3.705m. Further plans have been provided to Council as part of this assessment to reflect this. On the basis that this is proposed by the applicant and would reduce the extent (and impact) of the discretions sought by the proposal under the Scheme, a condition has been included above to reflect that amended plans are to be provided, to decrease the height to 3.705m.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

The proposal seeks approval for an outbuilding at 6 Morgan Street, Richmond. The application meets the relevant acceptable solutions and performance criteria of the Scheme.

The proposal is recommended for approval subject to conditions.

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

Ross Lovell
MANAGER CITY PLANNING

Clarence City Council




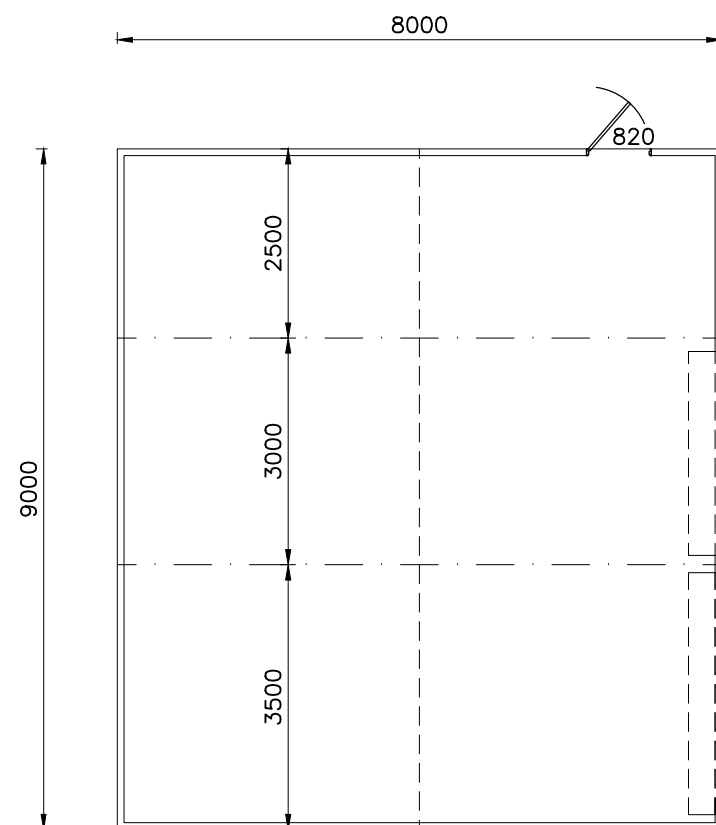
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PLANNING APPLICATION

1:500

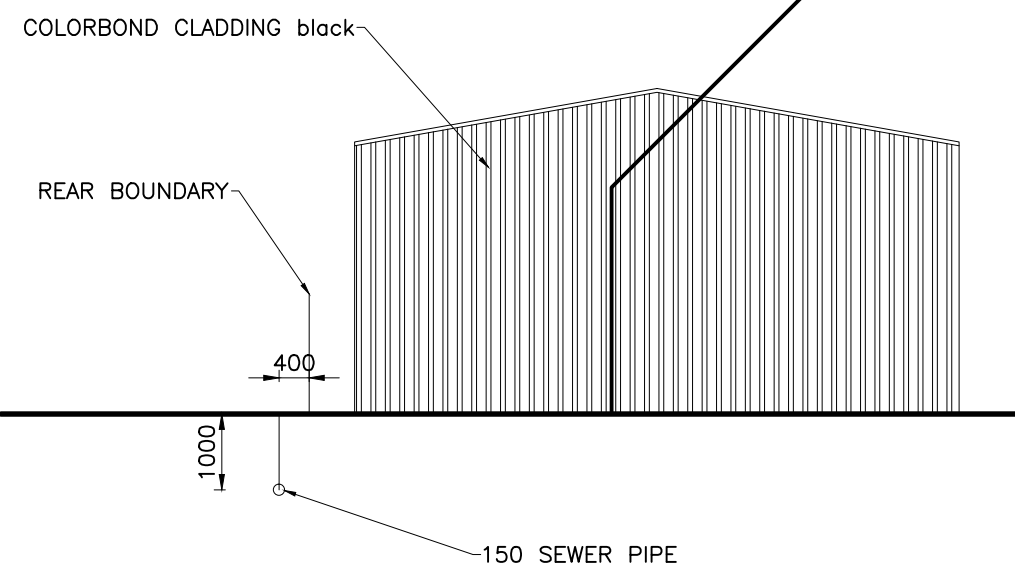
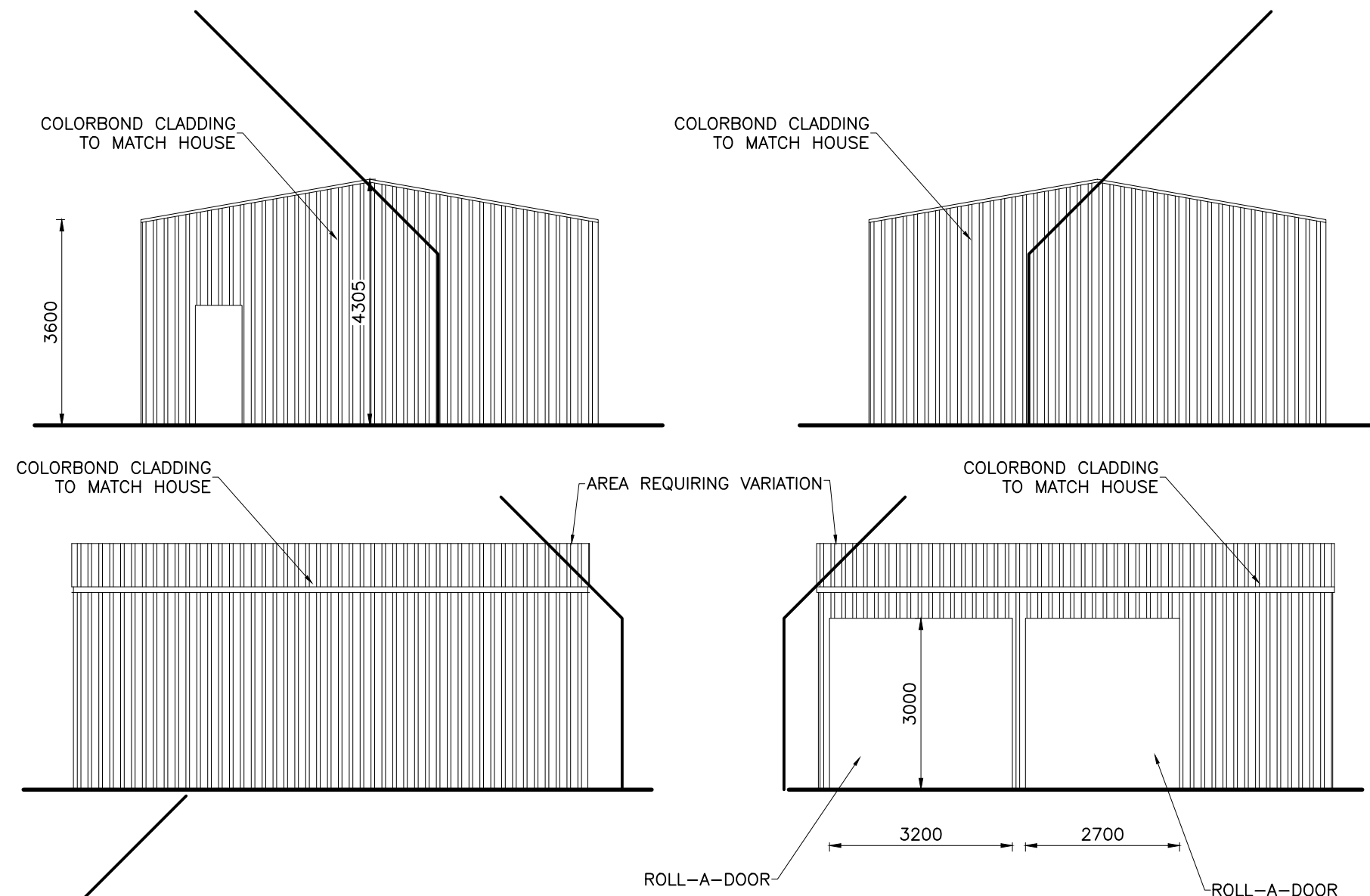
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	DATE: 28/05/18	DWG No: PALM-W-01	
ABN 73 052 274 674 P 03 62283111 F 03 62283133 M 0409310003 E dallaswilson@netspace.net.au PO Box 808 Moonah TAS 7009			




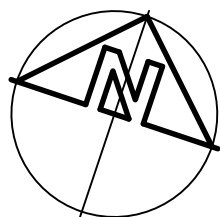
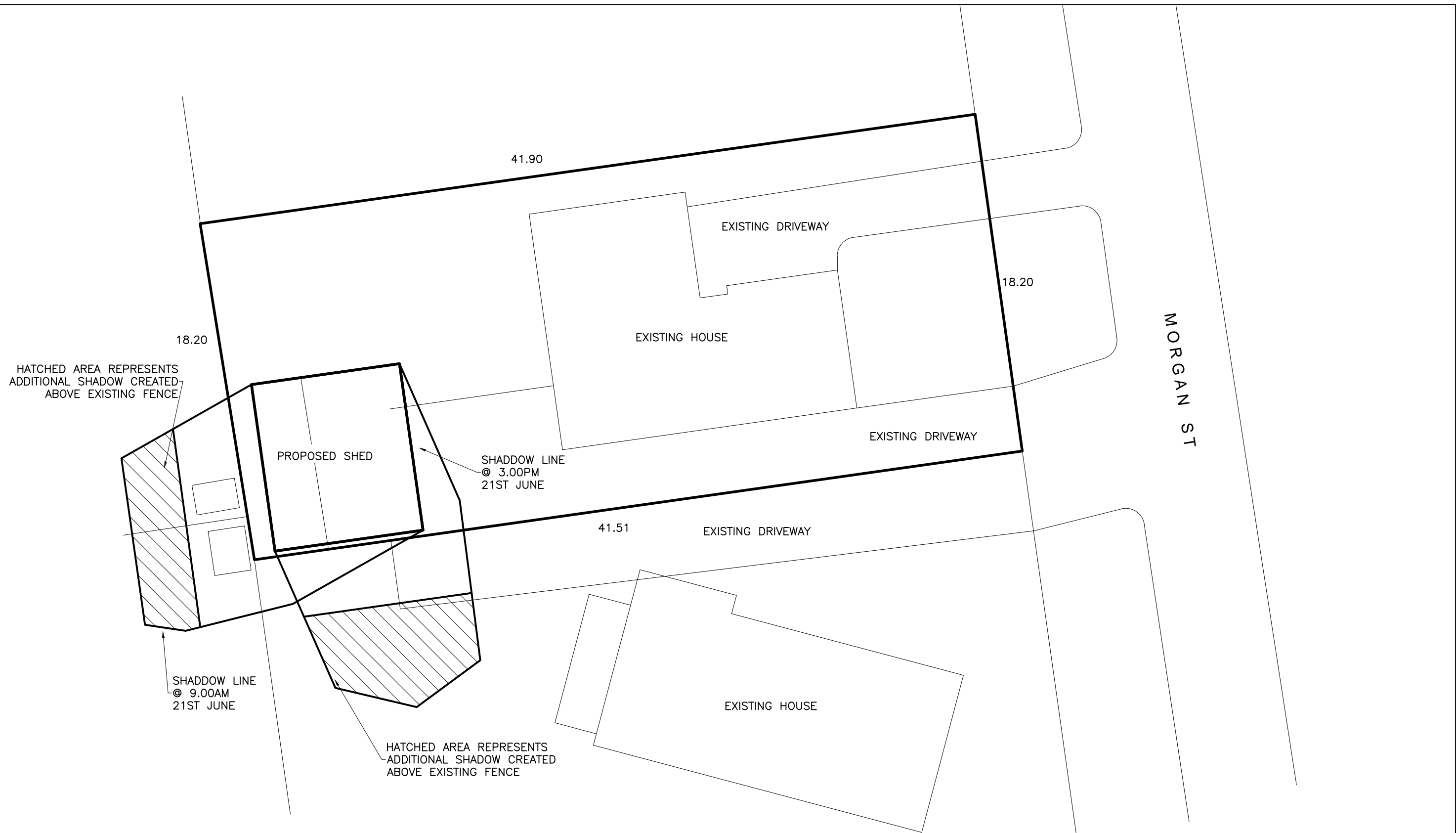
FLOOR PLAN

1:100


AREA: 72m²



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	DATE: 28/05/18	DWG No: PALM-W-01	
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SHADDOW DIAGRAM
1:200

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ABN 73 052 274 674 P 03 62283111 F 03 62283133 M 0409310003 E dallaswilson@netspace.net.au PO Box 808 Moonah TAS 7009			

6 Morgan Street, RICHMOND



Site viewed from Morgan Street, looking southwest



Site of proposed outbuilding viewed from driveway to subject property, looking west

11.3.2 DEVELOPMENT APPLICATION D-2018/169 - 153 BLESSINGTON STREET, SOUTH ARM - SHED AND CARPORT (RETROSPECTIVE)
(File No D-2018/169)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for retrospective approval for a shed and carport at 153 Blessington Street, South Arm.

RELATION TO PLANNING PROVISIONS

The land is zoned Village and subject to the Waterway and Coastal Protection Code under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

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

CONSULTATION

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

- height of carport;
- cladding of carport; and
- property de-valuation.

RECOMMENDATION:

A. That the Development Application for shed and carport at 153 Blessington Street, South Arm (Cl Ref D-2018/169) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

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

DEVELOPMENT APPLICATION D-2018/169 - 153 BLESSINGTON STREET, SOUTH ARM - SHED AND CARPORT (RETROSPECTIVE) /contd...

ASSOCIATED REPORT**1. BACKGROUND**

In 2018 it came to Council's attention that a carport and shed were being constructed in the site without Council approval. Following discussions with the property owner, a retrospective development application was lodged for both the carport and shed.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Village under the Scheme.

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

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10 – Village Zones; and
- Section E6.0 – Waterway and Coastal Protection 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 718m² residential lot containing a Single Dwelling with access from Blessington Street. The surrounding properties have been developed for residential use.

3.2. The Proposal

The proposal is for retrospective approval for a carport and shed. The carport has maximum height of 3.16m and is located 4.7m from the front boundary and 1.9m from the side boundary setback. The shed has a maximum height of 2.17m and is located 0.2m from the side boundary and at the rear of the carport.

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

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

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the Village Zone and Waterway and Coastal Protection Code with the exception of the following.

Village

Clause	Standard	Acceptable Solution (Extract)	Proposed
16.4.2 A2	Setback	Building setback from side and rear boundaries must be no less than: (a) 2m; (b) half the height of the wall, whichever is the greater.	Setback from the carport to the southern boundary is 1.9m. Setback from the shed to the southern boundary is 0.9m.

The proposed variation must be considered pursuant to the Performance Criteria P2 of the Clause 16.4.2 as follows.

Performance Criteria	Proposal
<p><i>“Building setback from side and rear boundaries must satisfy all of the following:</i></p> <p><i>(a) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:</i></p> <p><i>(i) overlooking and loss of privacy;</i></p> <p><i>(ii) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00am and 5.00pm on 21 June or further decrease sunlight hours if already less than 3 hours;</i></p> <p><i>(iii) visual impact, when viewed from adjoining lots, through building bulk and massing;</i></p> <p><i>taking into account aspect and slope”.</i></p>	<p>The adjoining lot at 155 Blessington Street contains a caravan located in the western part of the site and has vegetation located along the shared boundary between this property and the site. There are no approvals for a dwelling on this property.</p> <p>Due to the location of the caravan and the existing vegetation on the northern boundary at 155 Blessington Street, the proposal is not considered to have an adverse impact on the amenity of the adjoining property from overshadowing, loss of privacy or visual impact.</p>

5. REPRESENTATION ISSUES

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

5.1. Height of Carport

The representor was concerned that the height of the carport was excessive for the use and would like to see the height lowered.

- **Comment**

The carport has a maximum height of 3.16m which complies with the Acceptable Solution for the zone.

5.2. Cladding of Carport

The representor requested that the carport not be enclosed with solid cream walls, or other Colorbond material as it is in a prominent location.

- **Comment**

The carport is not proposed to be enclosed, however, if the applicant wished to do so in the future, these works would not require planning approval. Therefore, this concern does not have relevant planning consideration and cannot have determining weight.

5.3. Issue

The representor is concerned that the carport will devalue the representor's property.

- **Comment**

De-valuation of property is not a relevant planning consideration and therefore does not have determining weight.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

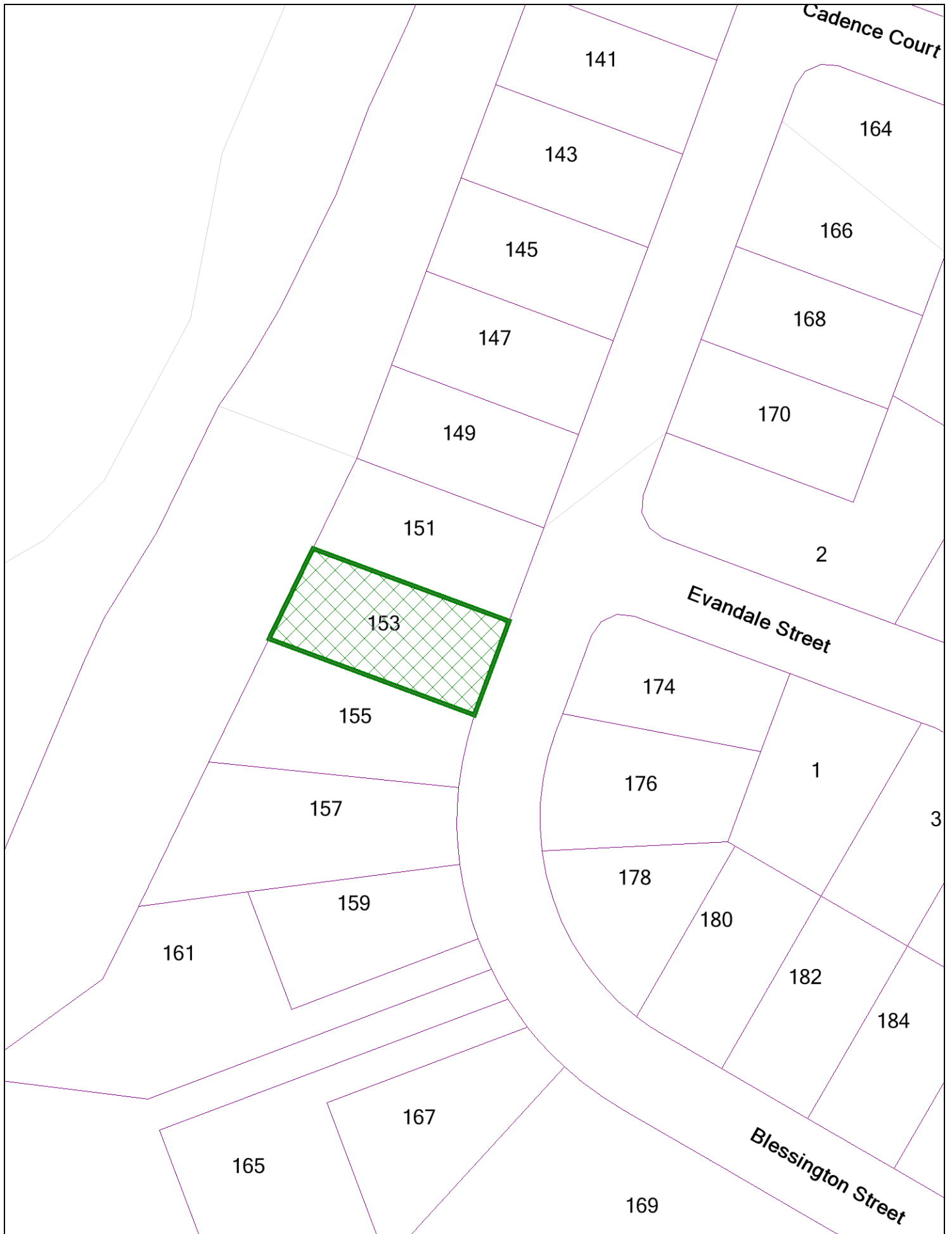
9. CONCLUSION

The proposal is for retrospective approval for a carport and shed at 153 Blessington Street, South Arm. The proposal is considered to meet the development standards of the Scheme and is recommended for approval.

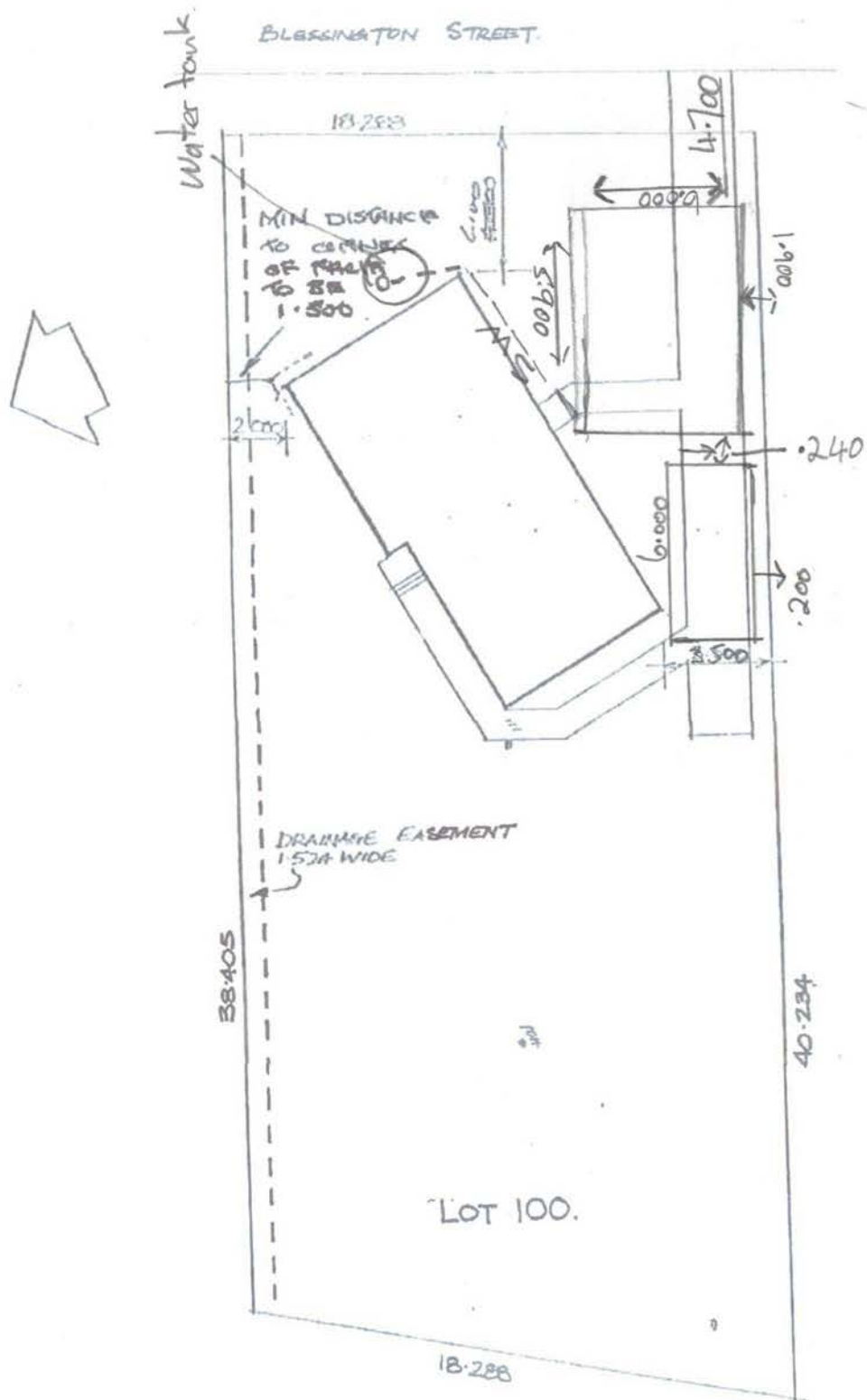
Attachments: 1. Location Plan (1)
2. Proposal Plan (4)
3. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

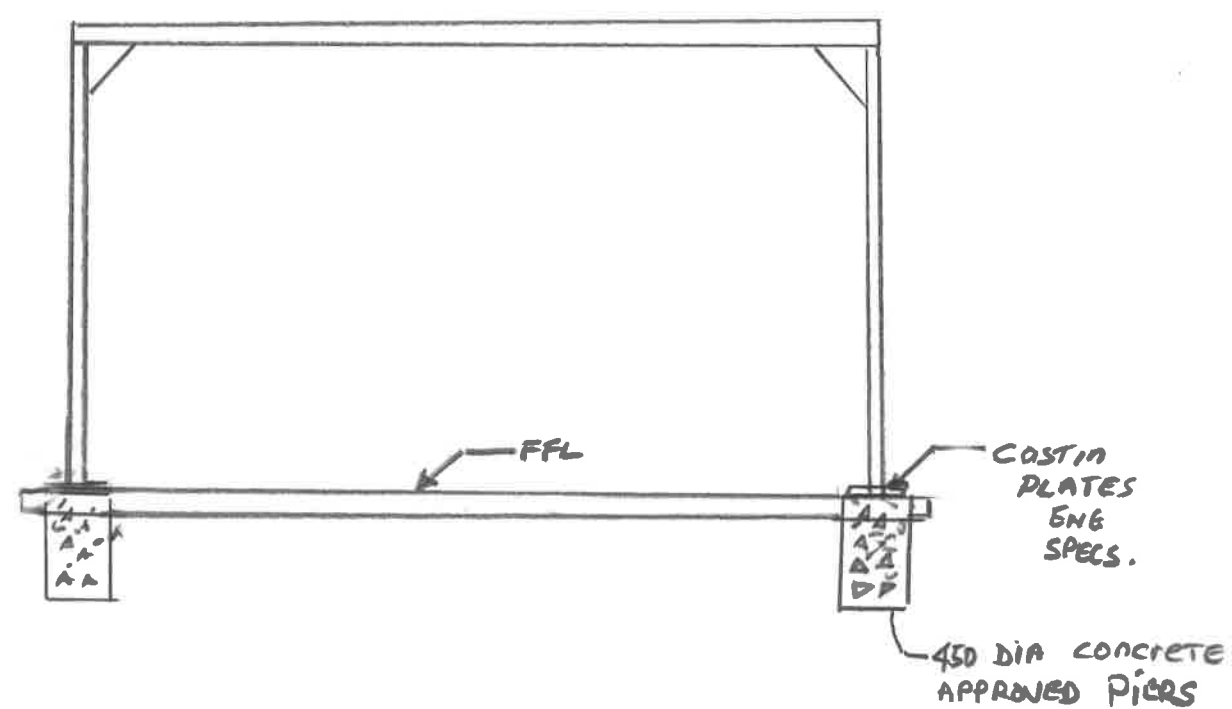
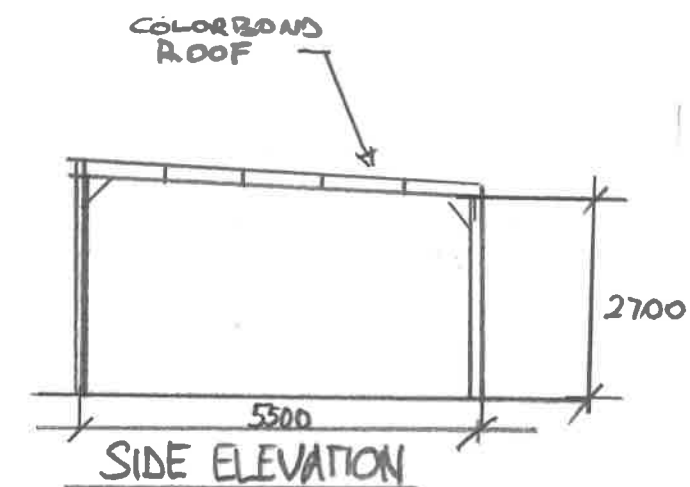
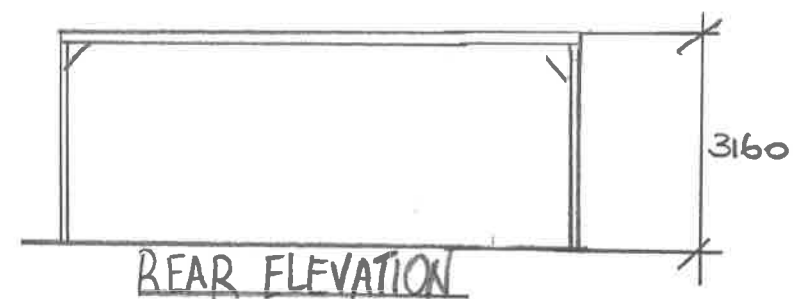
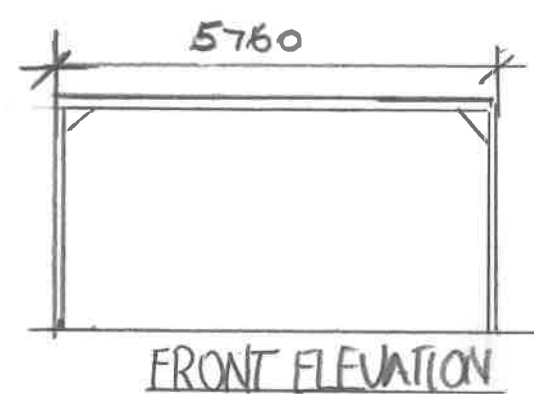
Clarence City Council



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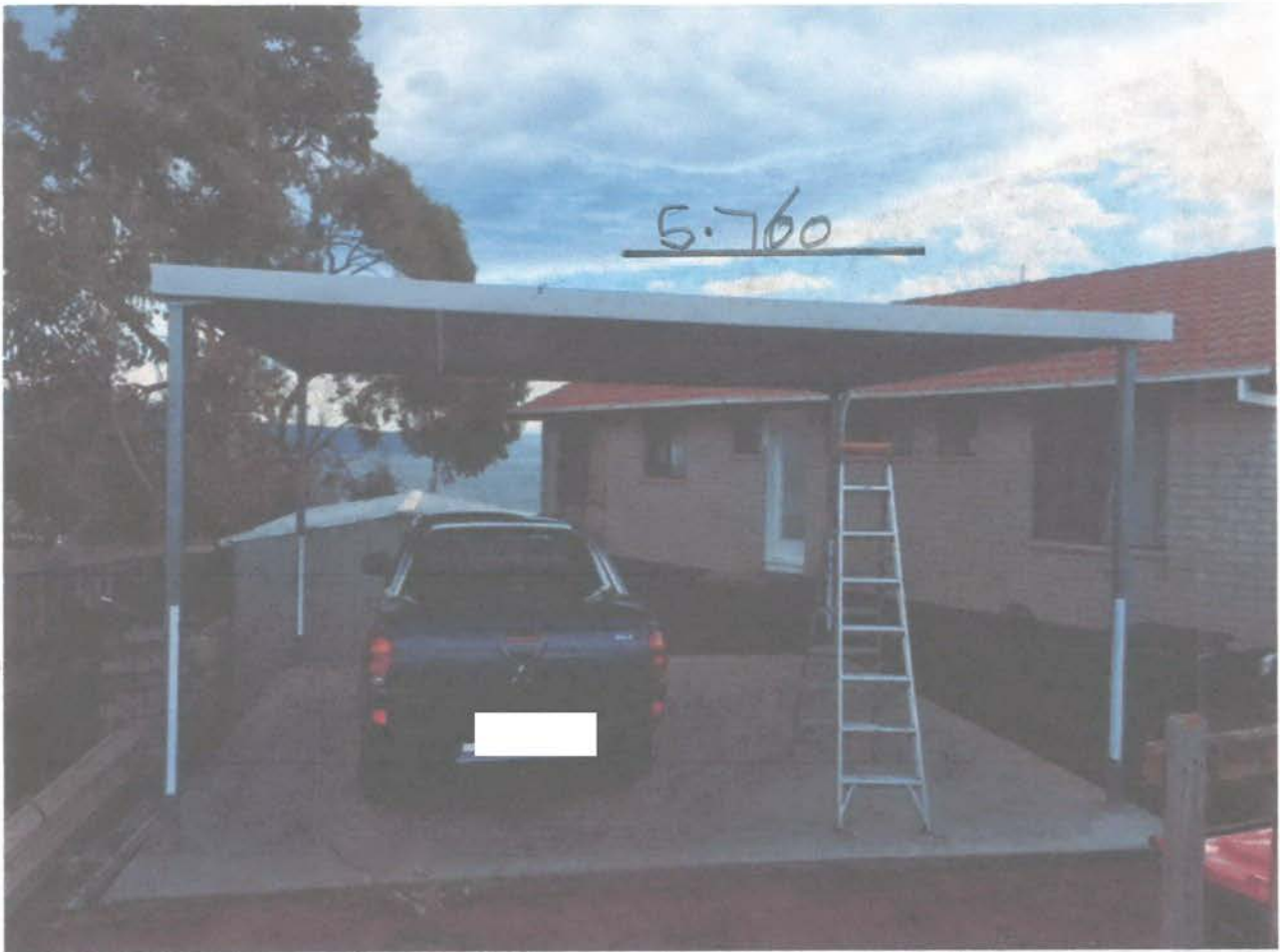


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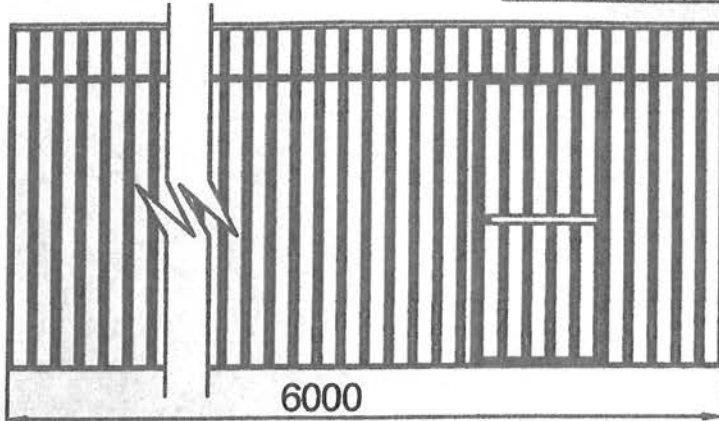


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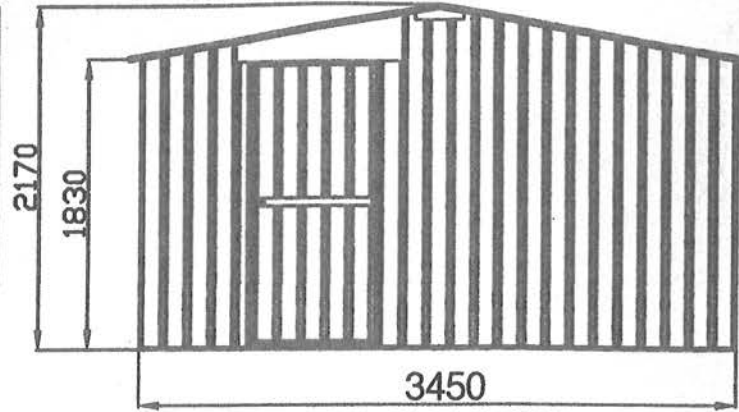
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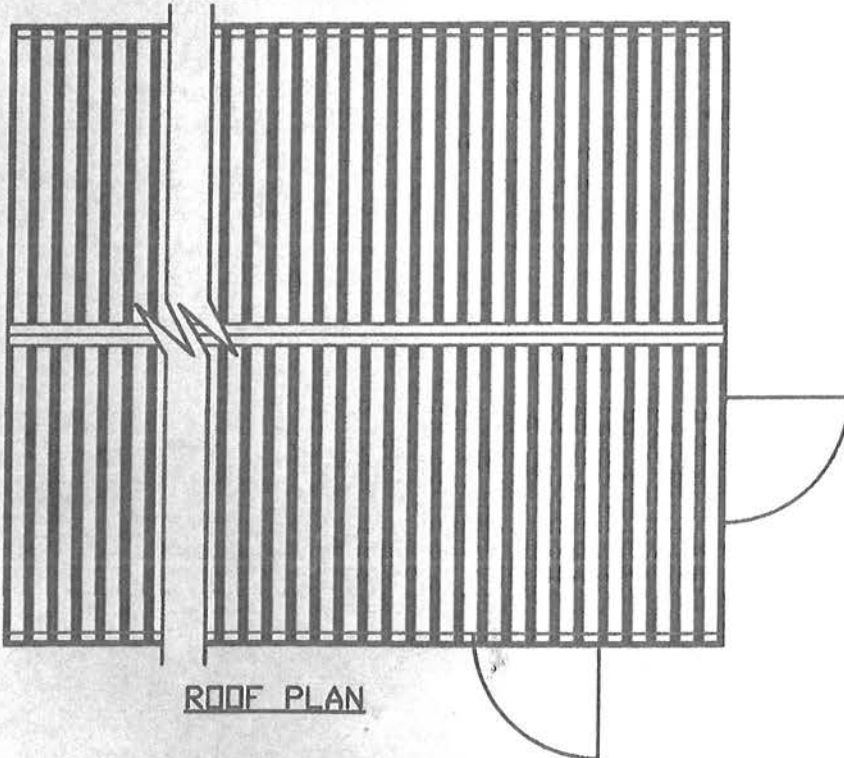
BUILDING APPROVAL APPLICATION



SIDE ELEVATION



END ELEVATION



ROOF PLAN

ALTERNATIVE DOOR POSITION
(GABLE END)

SPECIFICATIONS:

FRAMING: ROLLED GALVANISED STEEL CHANNEL SECTION.
WALLING: ROLLED 0.4mm TCT HI-TEN ZINCALUME-CLAD STEEL PANELS.
ROOFING: ROLLED 0.4mm TCT HI-TEN ZINCALUME-CLAD STEEL PANELS.
ROOF RIDGE
BEAM: COMPOSITE 1.6mm AND 1.0mm SECTION, GALVANISED STEEL.
ROOF TRUSS: FABRICATED ROOF TRUSS (25 x 25 RHS) AT MIDPOINT.

GARDENSTAR

DRAWING:

Gable Truss Shed
6.0 x 3.45m

DRAWING NO:

GS 012

DATE: 23.03.2018

DRAWN: JMC

SCALE: A4 1:50

153 Blessington Street, SOUTH ARM



Site viewed from Blessington Street, South Arm.

11.3.3 DEVELOPMENT APPLICATION D-2018/192 - 7 AND 9 WAVERLEY STREET, BELLERIVE - DEMOLITION AND DWELLING
(File No D-2018/192)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a demolition of 2 dwellings and the construction of a Single Dwelling at 7 and 9 Waverley Street, Bellerive.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 10 July 2018.

CONSULTATION

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

- impact on amenity during construction; and
- demolition of carport.

RECOMMENDATION:

A. That the Development Application for demolition and dwelling at 7 and 9 Waverley Street, Bellerive (CI Ref D-2018/192) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. An application to adhere the titles for 7 and 9 Waverley Street must be sealed by Council and lodged with the Land Titles Office prior to the issue of a Building Permit.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

D-2013/173 for additions and alterations to the dwelling at 7 Waverley Street was approved on 19 August 2013.

D-2015/212 for demolition and the construction of a new dwelling at 7 and 9 Waverly Street was approved on 24 September 2015 and a 2 year extension to the permit was subsequently granted.

2. STATUTORY IMPLICATIONS

- 2.1. The land is zoned General Residential under the Scheme.
- 2.2. The proposal is discretionary because it does not meet certain Acceptable Solutions under the Scheme.
- 2.3. The relevant parts of the Planning Scheme are:
 - Section 8.10 – Determining Applications;
 - Section 10 – General Residential Zone;
 - Section E6.0 – Parking and Access Code; and
 - Section 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 consists of 2 titles with a combined land area of 2807m². Both lots are internal lots with an existing access from Waverley Street. Each title currently contains a Single Dwelling and outbuildings which are proposed to be demolished as part of the application.

3.2. The Proposal

The proposal is to demolish the existing buildings on the site and construct a new dwelling. The dwelling will be 2 storey and contain a swimming pool, gym, rumpus room and bedrooms on the lower ground floor and living areas, bedroom and carport on the ground floor. A separate bedroom is located to the north of the dwelling.

The dwelling has a total floor area of around 640m² and a maximum height of 7.7m.

The existing driveway will be utilised for access to the dwelling. The applicant has proposed to adhere the titles and it is recommended that a condition be included in the permit requiring that the adhesion be sealed by Council and lodged with the Land Titles Office prior to the issue of a Building Permit.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme's relevant Acceptable Solutions of the General Residential Zone and Parking and Access and Stormwater Management Codes with the exception of the following.

General Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A3	Setbacks and building envelopes for all dwellings	<p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p>	<p>Does not comply as the building shown as "external bedroom" on the proposal plans is located 0.9m from the internal front boundary (northern boundary).</p> <p>complies</p>

		<p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>	complies
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The proposed variation must be considered pursuant to the Performance Criteria P3 of the Clause 10.4.2 as follows.

Performance Criteria	Proposal
<p><i>“The siting and scale of a dwelling must:</i></p> <p><i>(a) not cause unreasonable loss of amenity by:</i></p> <p><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></p> <p><i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i></p> <p><i>(iii) overshadowing of an adjoining vacant lot; or</i></p>	<p>The nearest adjoining dwellings are around 13m to the north and around 20m to the west and this separation combined with the relatively low height of the building of 2.8m results in the building not causing a loss of sunlight to habitable rooms to the adjoining dwellings.</p> <p>Due to its relatively low height of 2.8m from natural ground level and its location replacing an existing carport, the proposal is not considered to result in an increase in overshadowing to the adjoining lots.</p>

(iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i>	Due to its relatively low height, the variation to the front boundary is not considered to result in a unreasonable visual impact when viewed from an adjoining lot.
(b) <i>provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area”.</i>	The building is replacing an existing carport in a similar location. There are a number of examples of dwellings and outbuildings located up to the rear boundary of properties and accordingly, the separation is considered to be compatible with that prevailing in the surrounding area.

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. Impact on Amenity during Construction

Concern was raised that the proposed works will result in noise and dust which the representor is expecting that this is kept at a minimum.

- **Comment**

The issue of noise and dust during construction is not a relevant planning consideration therefore should not have determining weight. Notwithstanding, *the Environmental Management and Pollution Control (Noise) Regulations 2016* provides that machinery used in the construction works can only operate between 7am and 8pm weekdays, 9am to 8pm Saturdays, and 10am to 8pm on Sundays and Public Holidays.

5.2. Demolition of Carport

The representor wanted to clarify that there will not be any damage to the representor's fences or garden during the demolition of the carport which is located on the shared boundary.

- **Comment**

These are not planning matters. However, all works must be contained within the property boundaries and the Building Surveyor is responsible that the works are undertaken in accordance with the requirements of the Building Code of Australia and that they will not affect adjoining properties.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

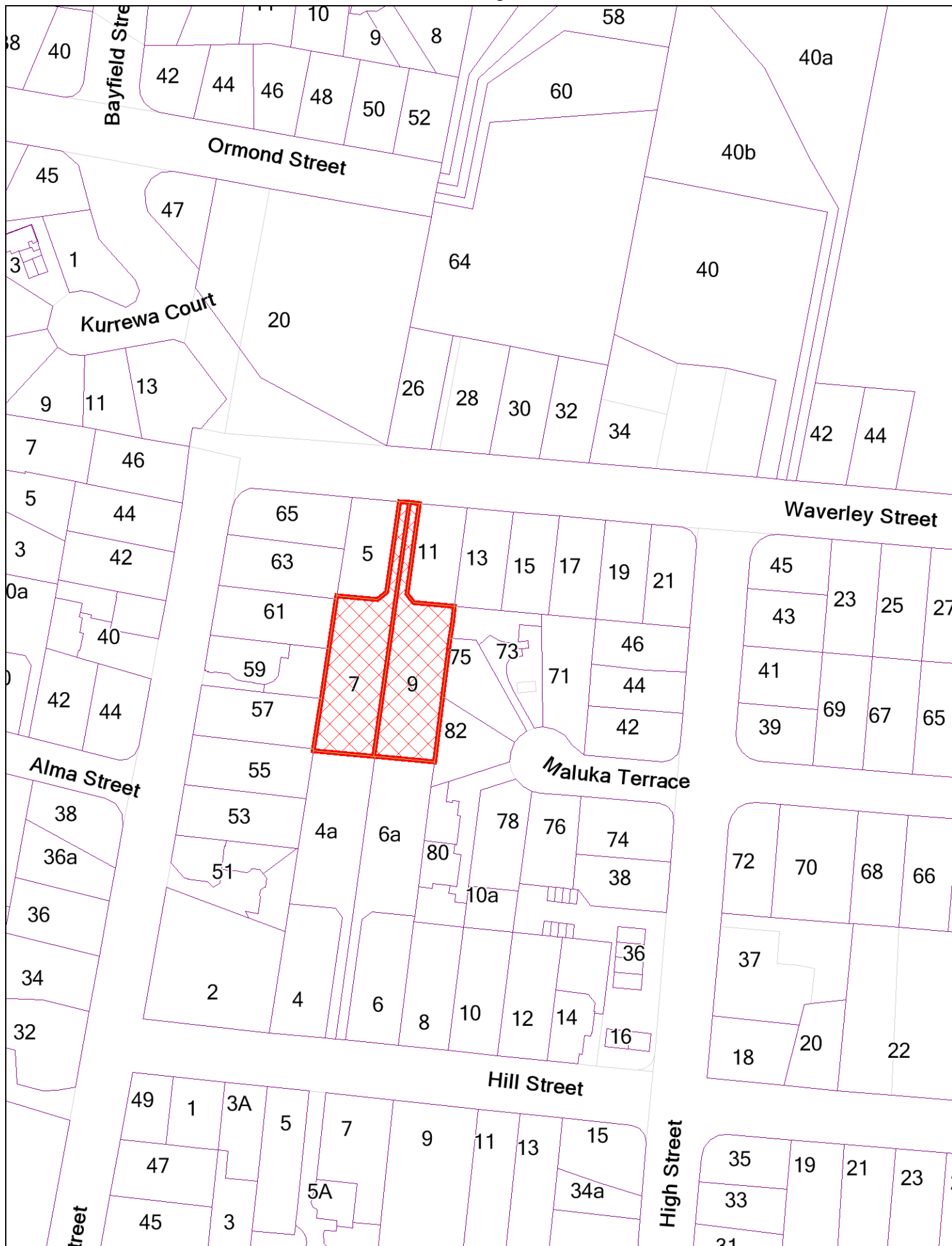
9. CONCLUSION

The proposal is for the demolition of the existing dwellings and construction of a Single Dwelling at 7 – 9 Waverley Street, Bellerive. The proposal is considered to meet the standards in the Scheme and is recommended for approval.

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

Ross Lovell
MANAGER CITY PLANNING

Clarence City Council



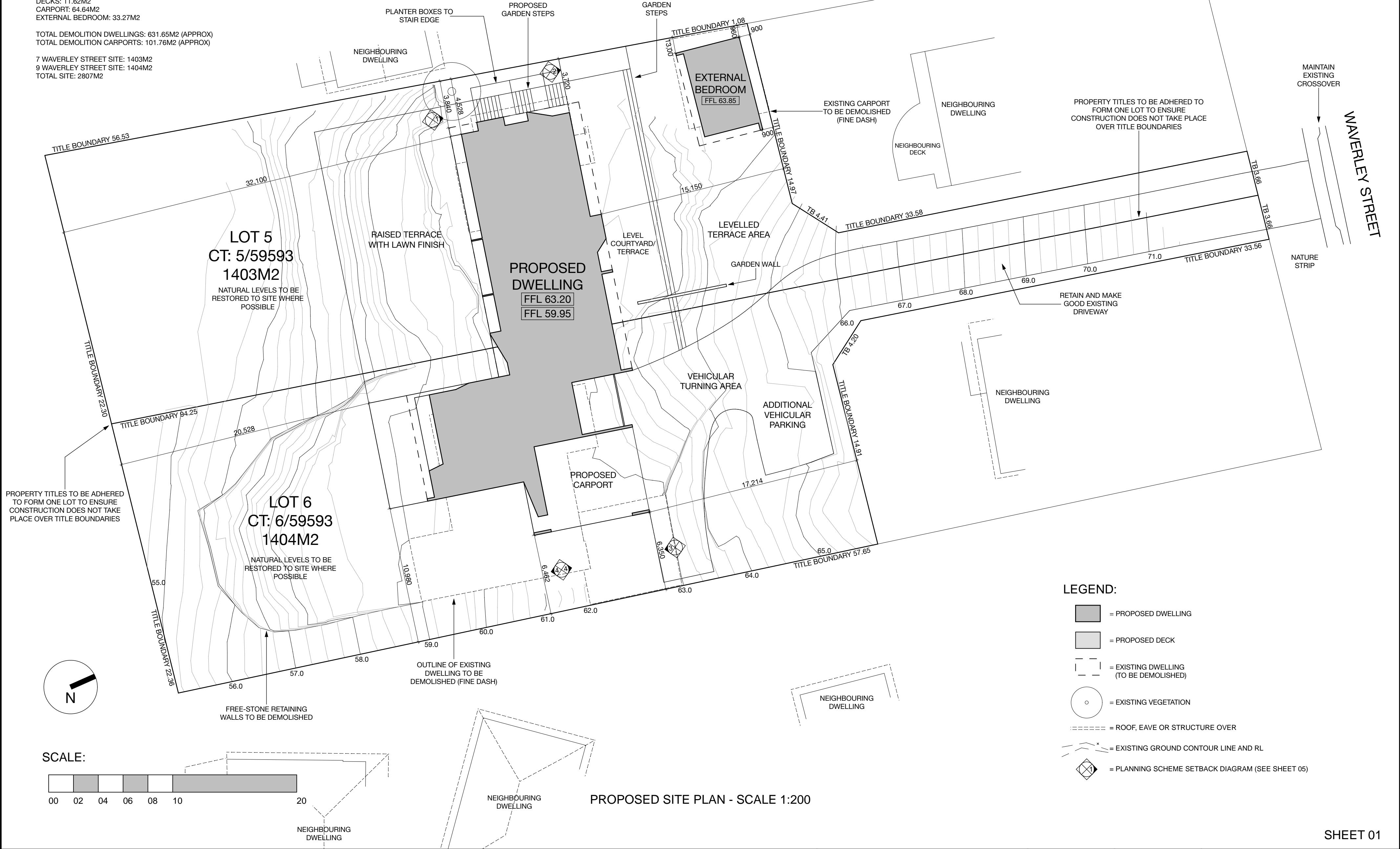
Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Thursday, 28 June 2018 **Scale:** 1:1,780 @A4

AREAS:

GROUND FLOOR LIVING: 279.23M2
LOWER FLOOR LIVING: 328.12M2
DECKS: 11.62M2
CARPORT: 64.64M2
EXTERNAL BEDROOM: 33.27M2

TOTAL DEMOLITION DWELLINGS: 631.65M2 (APPROX)
TOTAL DEMOLITION CARPORTS: 101.76M2 (APPROX)

7 WAVERLEY STREET SITE: 1403M2
9 WAVERLEY STREET SITE: 1404M2
TOTAL SITE: 2807M2



- LEGEND:
- [Solid Grey Box] = PROPOSED DWELLING
 - [Light Grey Box] = PROPOSED DECK
 - [Dashed Line Box] = EXISTING DWELLING (TO BE DEMOLISHED)
 - [Circle with Dot] = EXISTING VEGETATION
 - [Dashed Line] = ROOF, EAVE OR STRUCTURE OVER
 - [Line with 'x'] = EXISTING GROUND CONTOUR LINE AND RL
 - [Diamond with 'X'] = PLANNING SCHEME SETBACK DIAGRAM (SEE SHEET 05)

PROPOSED SITE PLAN - SCALE 1:200

SHEET 01

PROPOSED DWELLING
7-9 WAVERLEY STREET, BELLERIVE

SITE PLAN

Drawn XW CC:1660
Date: MARCH 2018

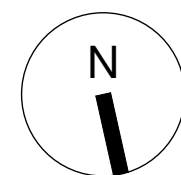
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Checked

DW+A
David Wakefield + Assoc
Emerging + Inspiring
Architectural Designers

PO Box 4564, Bathurst Street
Hobart, TAS 7000
P: 0362 348777 F: 0362 348988
info@dwadesign.com.au

GROUND FLOOR LIVING: 279.23M2
LOWER FLOOR LIVING: 328.12M2
DECKS: 11.62M2
CARPORT: 64.64M2
EXTERNAL BEDROOM: 33.27M2

7 WAVERLEY STREET SITE: 1403M2
9 WAVERLEY STREET SITE: 1404M2
TOTAL SITE: 2807M2



SHEET 02

PROPOSED PLANS LOWER FLOOR

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Hobart, TAS 7000
P: 0362 348777 F: 0362 348988
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AREAS:

GROUND FLOOR LIVING: 279.23M2
LOWER FLOOR LIVING: 328.12M2
DECKS: 11.62M2
CARPORT: 64.64M2
EXTERNAL BEDROOM: 33.27M2

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TOTAL DEMOLITION CARPORTS: 101.76M2 (APPROX)

7 WAVERLEY STREET SITE: 1403M2
9 WAVERLEY STREET SITE: 1404M2
TOTAL SITE: 2807M2



GROUND FLOOR PLAN - SCALE 1:100

SCALE:



PROPOSED DWELLING
7-9 WAVERLEY STREET, BELLERIVE

PROPOSED PLANS
GROUND FLOOR

Drawn XW CC:1660
Date: MARCH 2018

Scale - 1:100 (A2)
Checked

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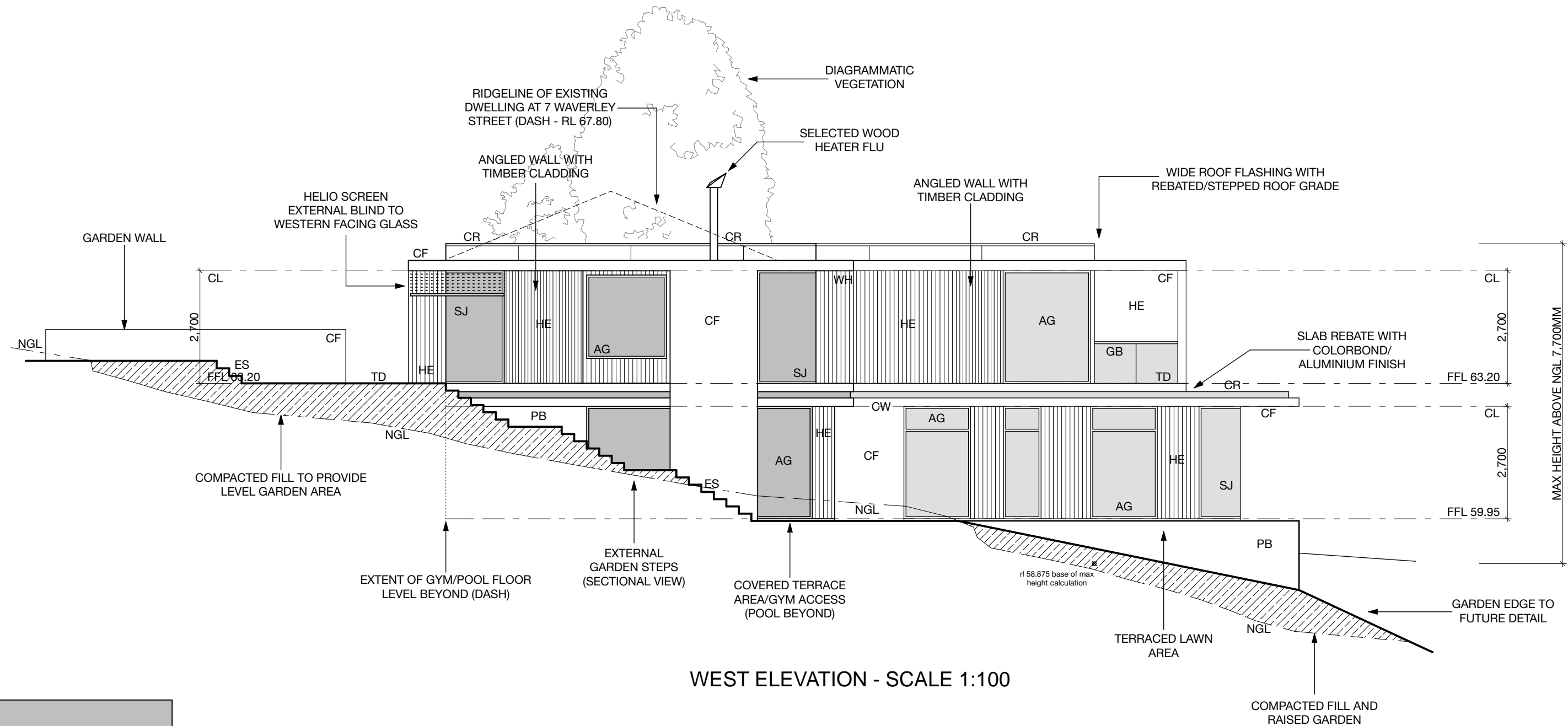
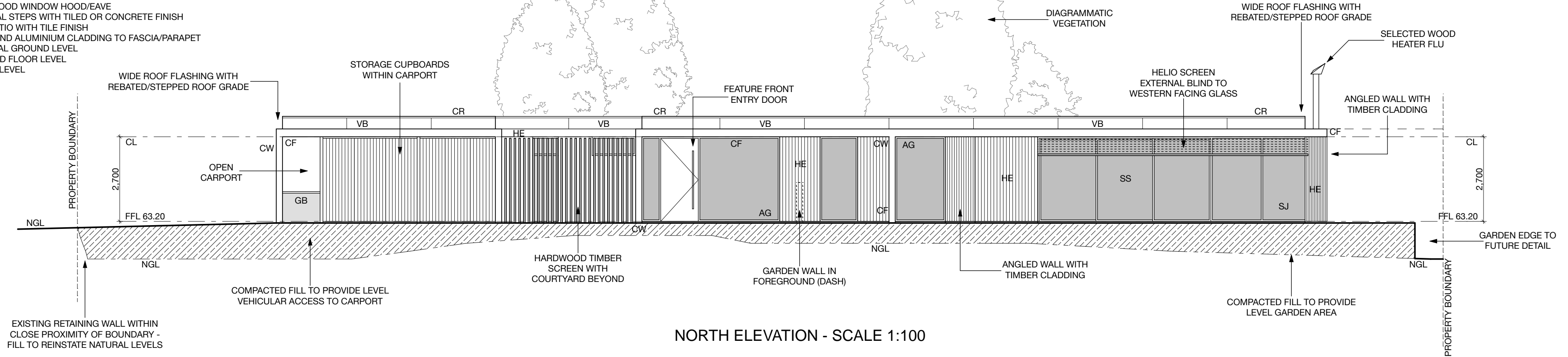
SHEET 03

HE: HARDWOOD TIMBER CLADDING/SCREEN
CF: FORMED CONCRETE/DOUBLE CLADDING
AG: ALUMINUM FRAMED DOUBLE GLAZING
SS: STACK SLIDER GLASS DOORS
CW: CONCRETE FASCIA/END WALL
CR: COLORBOND ROOF SHEETING
GB: FRAMELESS GLASS BALUSTRADE
SJ: SILICON BUTT-JOIN GLASS CORNER
PB: CONCRETE PLANTER BOX OR RETAINING WALL
WH: HARDWOOD WINDOW HOOD/EAVE
ES: EXTERNAL STEPS WITH TILED OR CONCRETE FINISH
TD: DECK/PATIO WITH TILE FINISH
VB: VITRABOND ALUMINUM CLADDING TO FASCIA/PARAPET
NGL: NATURAL GROUND LEVEL
FFL: FINISHED FLOOR LEVEL
CL: CEILING LEVEL



LEGEND:

HE: HARDWOOD TIMBER CLADDING/SCREEN
CF: FORMED CONCRETE/CONCRETE CLADDING
AG: ALUMINUM FRAMED DOUBLE GLAZING
SS: STACK SLIDER GLASS DOORS
CW: CONCRETE FASCIA/END WALL
CR: COLORBOND ROOF SHEETING
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PB: CONCRETE PLANTER BOX OR RETAINING WALL
WH: HARDWOOD WINDOW HOOD/EAVE
ES: EXTERNAL STEPS WITH TILED OR CONCRETE FINISH
TD: DECK/PATIO WITH TILE FINISH
VB: VITRABOND ALUMINIUM CLADDING TO FASCIA/PARAPET
NGL: NATURAL GROUND LEVEL
FFL: FINISHED FLOOR LEVEL
CL: CEILING LEVEL



SCALE:



SHEET 05

PROPOSED DWELLING
7-9 WAVERLEY STREET, BELLERIVE

ELEVATIONS

Drawn XW CC:1660

Scale - 1:100 (A2)

Date: MARCH 2018

Checked

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AREAS:

GROUND FLOOR LIVING: 279.23M2
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TOTAL DEMOLITION CARPORTS: 101.76M2 (APPROX)

7 WAVERLEY STREET SITE: 1403M2
9 WAVERLEY STREET SITE: 1404M2
TOTAL SITE: 2807M2

LEGEND:

[Grey Box] = EXISTING DWELLING AND OUTBUILDINGS TO BE DEMOLISHED



DEMOLITION SITE PLAN - SCALE 1:200

SHEET 06

PROPOSED DWELLING
7-9 WAVERLEY STREET, BELLERIVE

DEMOLITION/EXISTING
SITE PLAN

Drawn XW CC:1660
Date: MARCH 2018

Scale - 1:200 (A2)
Checked

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AREAS:

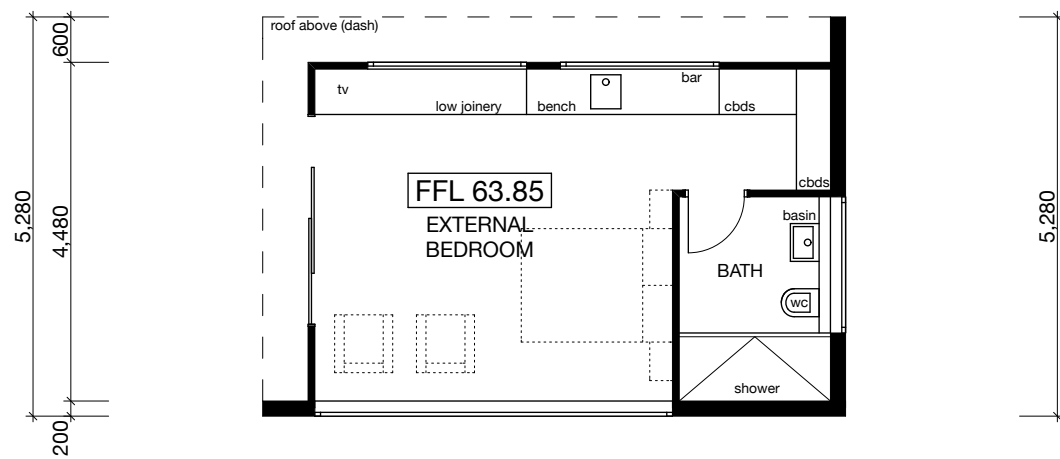
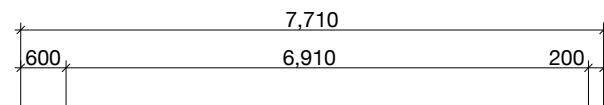
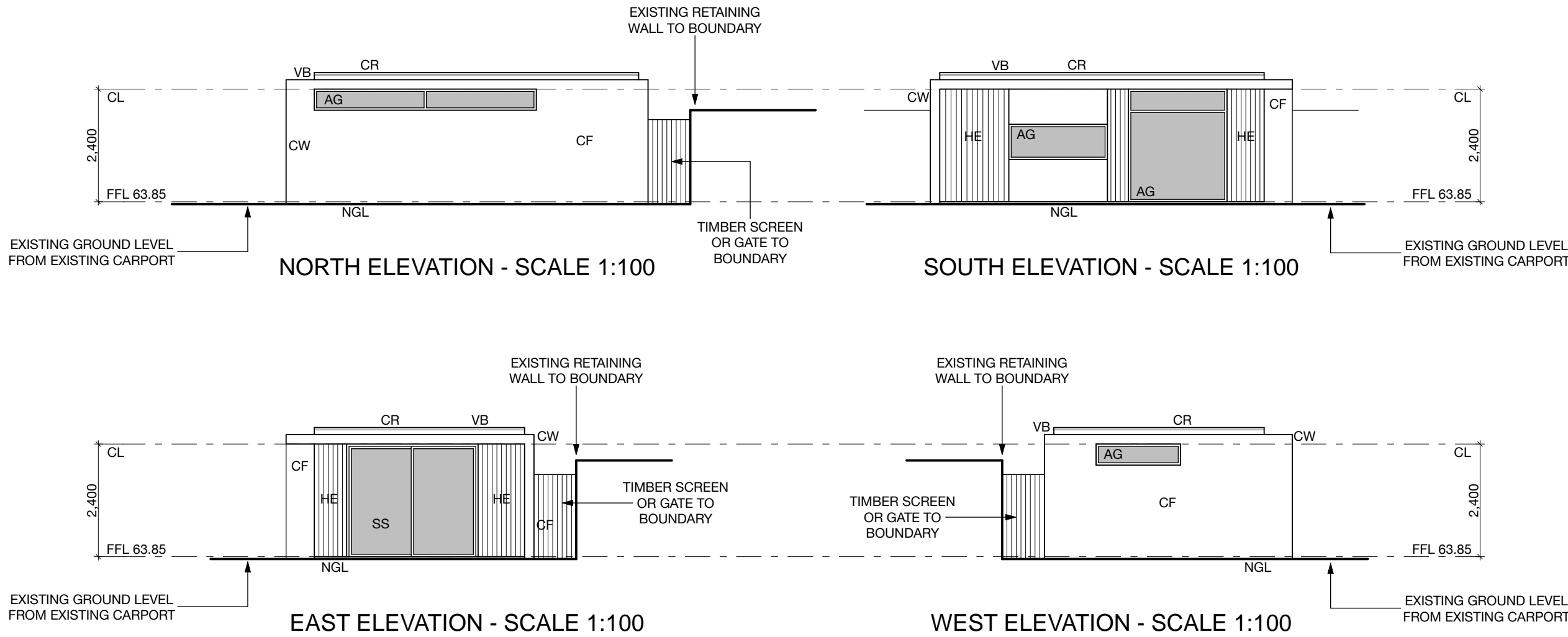
GROUND FLOOR LIVING: 279.23M2
LOWER FLOOR LIVING: 328.12M2
DECKS: 11.62M2
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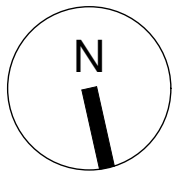
7 WAVERLEY STREET SITE: 1403M2
9 WAVERLEY STREET SITE: 1404M2
TOTAL SITE: 2807M2

LEGEND:

HE: HARDWOOD TIMBER CLADDING/SCREEN
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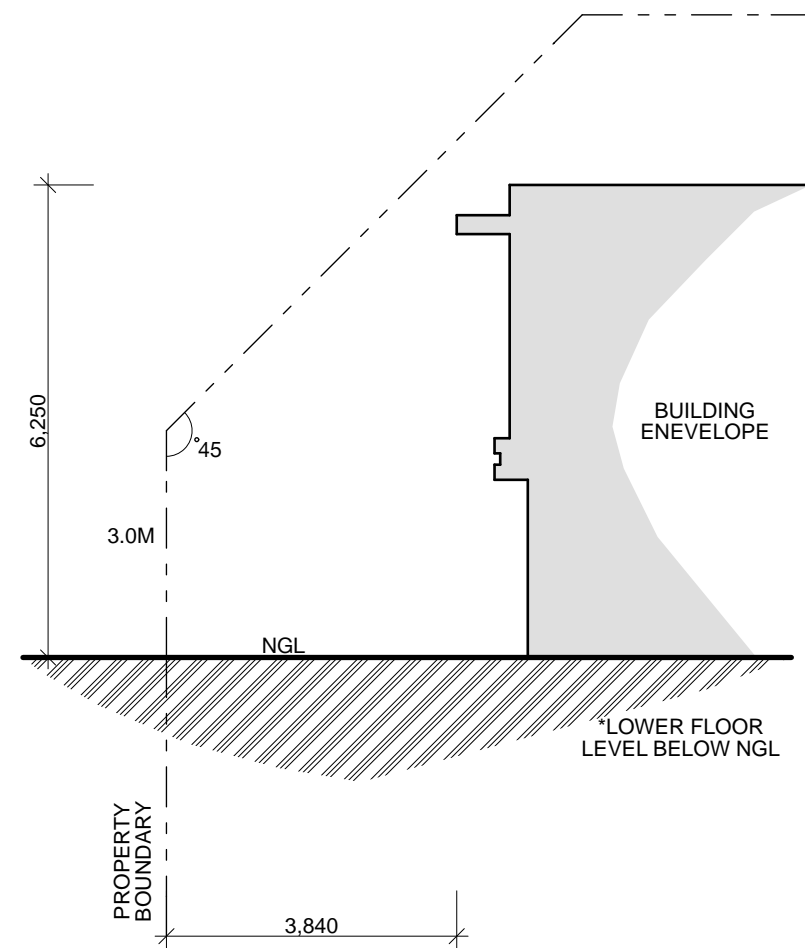


FLOOR PLAN - SCALE 1:100

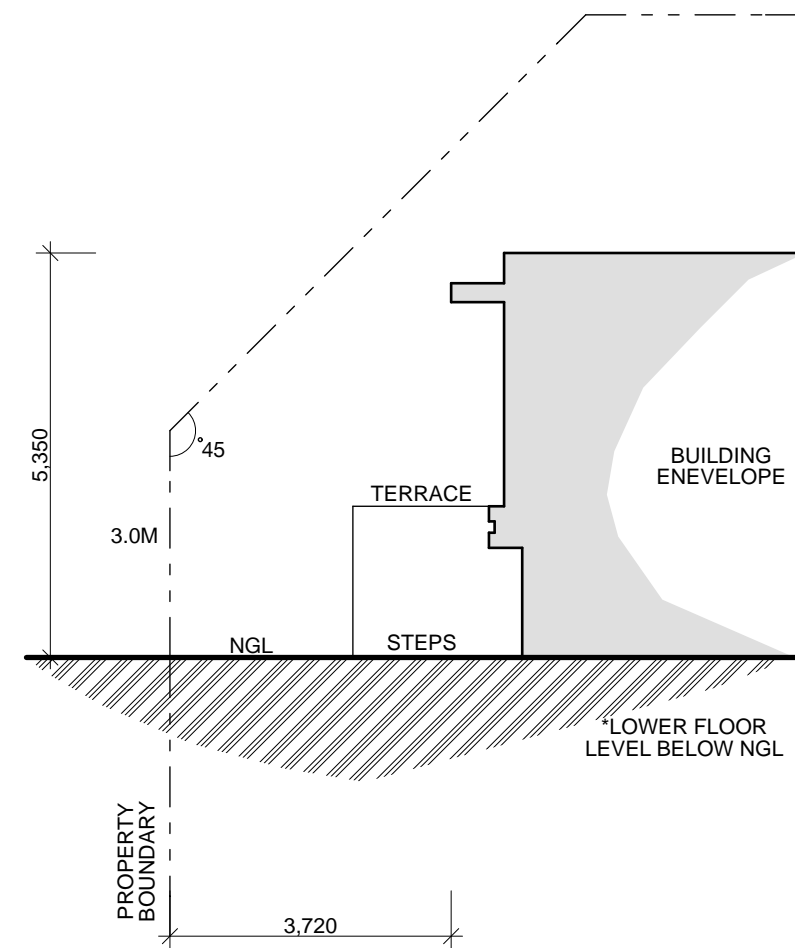


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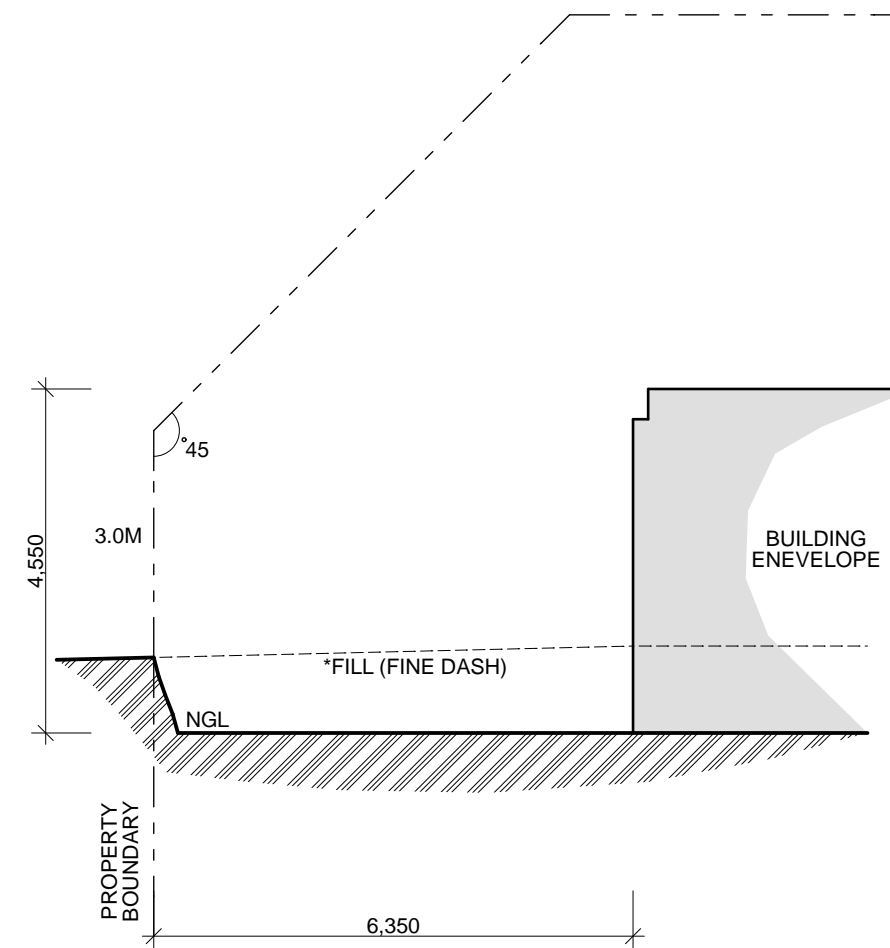




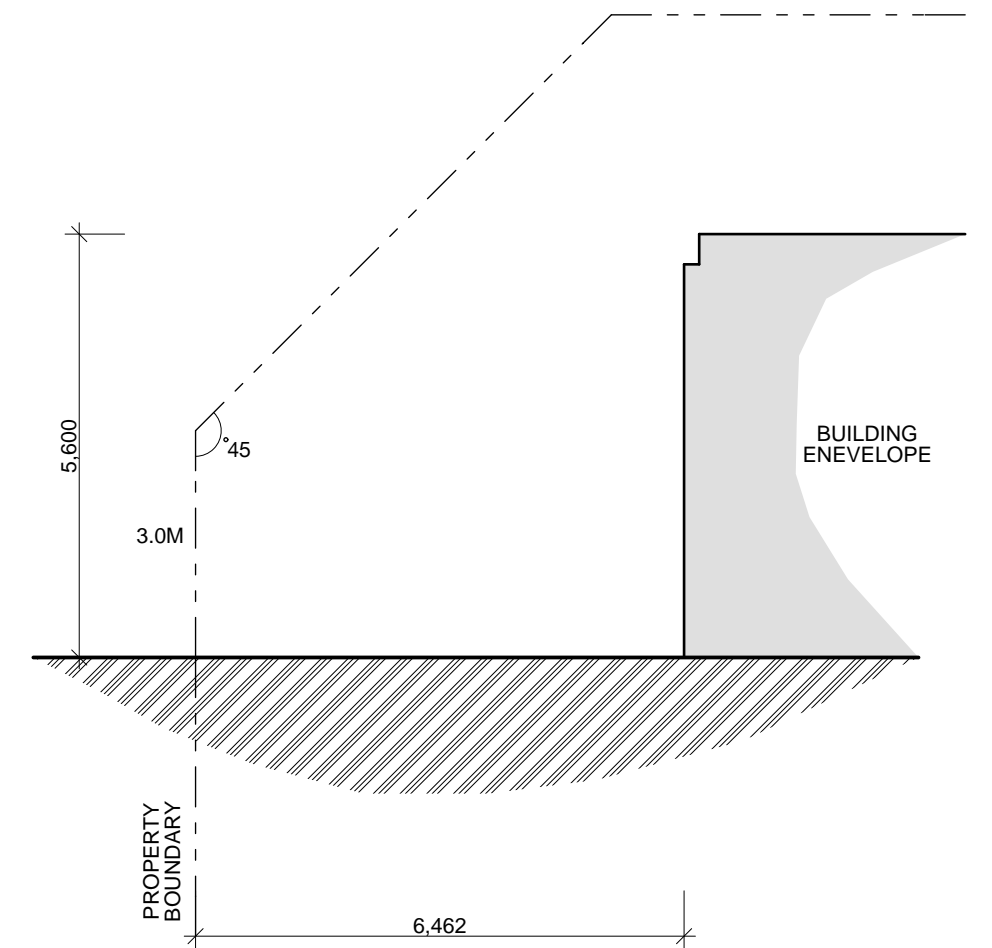
SETBACK #1 - 3,840MM



SETBACK #2 - 3,720MM



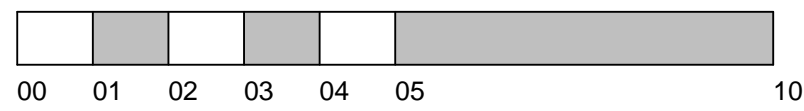
SETBACK #3 - 6,350MM



SETBACK #4 - 6,462MM

SITE SETBACK DIAGRAMS

SCALE:



SHEET 08

PROPOSED DWELLING
7-9 WAVERLEY STREET, BELLERIVE

SETBACK DIAGRAMS

Drawn XW CC:1660

Scale - 1:100 (A2)

Date: MARCH 2018

Checked

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info@dwadesign.com.au



EXTERNAL PERSPECTIVE #1
VIEW FROM NORTH-EAST LOOKING TOWARDS PROPOSED CARPORT, COURTYARD, ENTRY AND LIVING SPACE (FROM L TO R)



EXTERNAL PERSPECTIVE #2
VIEW FROM NORTH LOOKING TOWARDS PROPOSED CARPORT, COURTYARD, ENTRY AND LIVING SPACE (FROM L TO R)



EXTERNAL PERSPECTIVE #3
VIEW FROM NORTH-WEST LOOKING TOWARDS PROPOSED CARPORT, COURTYARD, ENTRY AND LIVING SPACE (FROM L TO R)



EXTERNAL PERSPECTIVE #4
VIEW FROM WEST LOOKING TOWARDS LIVING AREA AND POOL IN FOREGROUND, WITH BEDROOM WING IN BACKGROUND (RIGHT)



EXTERNAL PERSPECTIVE #5
VIEW FROM SOUTH WEST LOOKING TOWARDS LIVING AREAS AND POOL ON LEFT, WITH BEDROOM WING ON RIGHT



EXTERNAL PERSPECTIVE #6
VIEW FROM SOUTH-EAST LOOKING TOWARDS BEDROOMS AND COVERED DECK AREA IN FOREGROUND, CARPORT AND RUMPUS ON RIGHT

NOTE:
EXTERNAL PERSPECTIVES ARE DIAGRAMMATIC, FOR ILLUSTRATION PURPOSES ONLY AND INDICATIVE OF EVENTUAL PROJECT OUTCOME - REFER TO FUTURE STRUCTURAL DOCUMENTATION FOR SPECIFIC MEASUREMENTS, MATERIALS, FORMS AND DETAILS

PROPOSED DWELLING
7-9 WAVERLEY STREET, BELLERIVE

PERSPECTIVE IMAGES

Drawn XW CC:1660	Scale - NTS (A2)
Date: MARCH 2018	Checked

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SHEET 09

7 & 9 Waverley Street, BELLERIVE



Site viewed from the access from Waverley Street, Bellerive.

11.3.4 DEVELOPMENT APPLICATION D-2018/292 - 1A LOWELLY ROAD, LINDISFARNE - DWELLING
(File No D-2018/292)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 1A Lowelly Road, Lindisfarne.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 16 July 2018.

CONSULTATION

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

- setbacks; and
- overshadowing.

RECOMMENDATION:

- A. That the Development Application for dwelling at 1A Lowelly Road, Lindisfarne (Cl Ref D-2018/292) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

DEVELOPMENT APPLICATION D-2018/292 - 1A LOWELLY ROAD, LINDISFARNE – DWELLING /contd...

ASSOCIATED REPORT**1. BACKGROUND**

Created by subdivision SD-2016/40.

2. STATUTORY IMPLICATIONS

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

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

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10 – General Residential Zone; and
- Section E6.0 – Parking and Access and Stormwater Management Codes.

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

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

The site has an area of 500m² and is currently a vacant lot of land. The site has a slight slope of 1 in 13 grading towards the south-west boundary. The site has frontage to Lowelly Road to the north and existing Single Dwelling to the south. Vehicle access to the site is from Lowelly Road via an existing unsealed vehicle crossover.

The area surrounding the subject site is similarly zoned General Residential featuring lots predominantly containing Single and Multiple Dwellings.

3.2. The Proposal

The proposal is to construct a 3 bedroom single storey dwelling. The dwelling would occupy a floor area of 106.40m². It would have a maximum height of 5.1m above natural ground level. The dwelling would have an area of private open in excess of 337m² to the north and south of the dwelling. The dwelling would have an open plan kitchen/dining room, separate bathroom, an ensuite, sitting room, outdoor deck and open carport. The proposed carport would occupy a floor area of 15.1m². The footprint of the dwelling would be 23.9% of the lot area.

External finishes and elements include a painted concrete block wall, vertical timber cladding, metal roof sheeting and timber framed pergola. The dwelling would have access to Lowelly Road via an existing driveway.

The dwelling would have a 6.2m front setback, 4.25m rear setback, 6.25m west side setback and 0.15m east side setback. The open carport would be 3.4m wide and 4.2m long and have a 2.8m front setback.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme's relevant Acceptable Solutions of the General Residential Zone and Parking and Access and Stormwater Management Codes with the exception of the following.

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A2	Setbacks and building envelope for all dwellings	<p>A garage or carport must have a setback from a primary frontage of at least:</p> <p>(a) 5.5m, or alternatively 1m behind the façade of the dwelling; or</p> <p>(b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or</p> <p>(c) 1m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage.</p>	The proposed carport is set backed 2.9m from a primary frontage.

The proposed variation must be considered pursuant to the Performance Criteria P3 of the Clause 10.4.2 as follows.

Performance Criteria	Proposal
<i>"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".</i>	The location of the carport is considered compatible with the location of other carports in the street, as carports on the adjacent properties to the east (5 Lowelly Road) and west (1 Lowelly Road) have similar setbacks. The carport would occupy a small percentage of the overall property frontage (16.5%) and would be an open structure partially screened by fence. The maximum height would be 2.8m. Due to a slight fall in the land from Lowelly Road towards the dwelling, the road is elevated above the site, which has the effect of reducing the perception of height associated with the new structure.

	The proposed carport would reach a maximum height of 2.8m and would be located on a lower contour than the road. These factors together with boundary plantings will effectively eliminate any possible view lines from the road to this structure.
--	---

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A3	Setbacks and building envelope for all dwellings	<p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p>	The rear and east side of the dwelling would cut through the building envelope.

		(b) Only have a setback within 1.5m of a side boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser). 	
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The proposed variation must be considered pursuant to the Performance Criteria P3 of the Clause 10.4.2 as follows.

Performance Criteria	Proposal
<i>“The siting and scale of a dwelling must:</i> <i>a. not cause unreasonable loss of amenity by:</i> <i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i>	The encroachment is associated with the east side setback. The degree of encroachment is illustrated on the elevation plans. Shadow diagrams were submitted as a part of the application, demonstrating that the proposal will not cause an unreasonable reduction in sunlight to a habitable room of a dwelling on an adjoining lot. The overshadowing diagram shows that the development would not cast any shadows on a habitable room of 3 Lowelly Road from 9am to 12pm. As the overshadowing diagram demonstrates, the shadows caused by the proposed development will reach 3 Lowelly Road’s western corner after 12pm, thereby overshadowing a habitable room of 3 Lowelly Road for less than 3 hours between 9am and 3pm on 21 June.
<i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i>	The overshadowing diagram demonstrates that the development would not cast any shadows to 3 Lowelly Road’s private open space from 9am to 12pm. The shadows would reach the private open space of 3 Lowelly Road after 12pm and would overshadow over half of it at 3pm.

(iii) <i>overshadowing of an adjoining vacant lot; or</i>	not applicable
(iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i>	<p>The proposed dwelling is single storey, with a maximum height of 4.8m. The eastern wall cutting through the building envelope would be sited 3.85m above natural ground level and therefore would not create any negative visual impacts caused by scale or proportions. The dwelling, being a single storey dwelling with a floor area of 106m², would maintain a scale and proportions that are sympathetic to the area.</p> <p>The size and bulk of the proposed garage is commensurate with other residential buildings in the area, in that it would maintain a relatively low height profile and would occupy a small percentage of the primary frontage. The proposed garage is unlikely to be highly visible from within the adjoining dwelling due to land grading downwards towards the south.</p>
(v) <i>provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area”.</i>	<p>The separation and siting of dwellings is compatible with the surrounding area. The area is surrounded by a medium density suburban living setting, where single storey dwellings are located in relative proximity to each other. For instance, dwellings on 18 and 16 Lowelly Road have similar side setbacks.</p> <p>The proposed carport would maintain an identical setback to the carport on the adjoining property to the east therefore is commensurate with the established setback of carports within the street.</p>

5. REPRESENTATION ISSUES

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

5.1. Setbacks

The placement of the dwelling on 1A Lowelly Road on the eastern boundary line would not provide consistent separation from 3 Lowelly Road compared to the rest of the streetscape.

The south-east boundary side of the building exceeds the building envelope requirements for this development. Building envelope diagram shows that the building at its highest point has a height of 4.282m above natural ground level – 1.282m above the allowed building envelope. The proposed dwelling would cause “visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot”.

- **Comment**

The surrounding area is a suburban living setting, in which dwellings are located in relative proximity to one another. Similar separations between dwellings occur on 14, 18 and 16 Lowelly Road. The proposed dwelling is a single storey dwelling with a maximum height of 4.8m. The height of the eastern wall cutting through the building envelope is 3.85m above natural ground level. The height and the setbacks of the proposed development are compatible with the surrounding area.

5.2. Overshadowing

The height and proximity of the proposed development to 3 Lowelly Road would cause a reduction in sunlight to the living room, dining room and kitchen of 3 Lowelly Road. In particular, the proposed development would cause a reduction in sunlight and warmth to this habitable area of the dwelling during lunchtime (one of its main usage times). Therefore, this overshadowing would have a significant impact on the natural light and warmth provided to these rooms. It would result in reduced use of these rooms and increase heating and lighting costs. In addition, the proposed development would overshadow 3 Lowelly Road’s private open space. The proposed development would lead to a significant reduction in the use of this area due to the area not receiving natural sunlight.

- **Comment**

Shadow diagrams submitted with the application indicate that the most significant overshadowing impact arising from the proposed dwelling would occur between 12pm and 3pm on 21 June (Winter Solstice). The shadowing impact would reach the private open space of 3 Lowelly Road after 12pm and overshadow over 50% of it at around 3pm and is therefore not considered to be an unreasonable reduction in sunlight.

As indicated earlier in this report, the overshadowing caused by the proposed development will reach 3 Lowelly Road's habitable room windows at around 1pm, therefore allowing them to receive more than 3 hours of sunlight between 9am and 3pm.

With respect to solar access into the existing north facing living room window of the dwelling at 3 Lowelly Road, the shadow diagrams submitted with the application demonstrate that there would be late afternoon sunlight loss to the habitable rooms during the Winter Solstice, which is not considered unreasonable as the effectiveness of sunlight at this time of the day and year is questionable and would be barely discernible from current late afternoon shading levels.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

7.1. The proposal is consistent with the outcomes of the State Policies.

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan 2016-2025 or any other relevant Council Policy.

9. CONCLUSION

The proposal is recommended for approval.

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

Ross Lovell
MANAGER CITY PLANNING

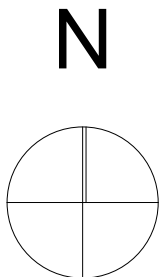
This is a detailed street map of a residential area in Perth, Western Australia. The map shows a grid of streets including Lincoln Street, Bay Road, Esplanade, Beatta Road, Lowelly Road, Beach Road, Nietta Road, and East Derwent Highway. Numerous residential lots are outlined in purple and labeled with numbers. A large area on the left is labeled 'Matthew Simmons Park' in blue. A specific lot, 16a, is highlighted with an orange border. The map also shows some industrial or commercial buildings, such as the one labeled 148. The map is oriented with North at the top.



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length in millimeters at full size

FOR APPROVAL

SITE PLAN PROPOSED
SCALE 1:300



DATE	REVISION	NO.
29.04.2018	SITE PLAN UPDATED WITH CARPORT SET BACK	A

SITE PLAN PROPOSED

DRAWING TITLE

1611

PROJECT NO.

PROPOSED SINGLE DWELLING

PROJECT

1A LOWELLY RD, LINDISFARNE

SITE ADDRESS



MAGUIRE + DEVINE
ARCHITECTS

Maguire + Devine Architects Pty Ltd
(03) 6292 0911
mail@maguiredevine.com.au
L1,148B Elizabeth St. Hobart
GPO Box 1066 Hobart TAS 7001
ABN 13 606 322 089

DA 1.02	A	DA
DRAWING NO.	REVISION	STATUS

AS SHOWN @ A3 29/5/18

SCALE	DATE
Molly Fuller	Hugh Maguire
DRAWN	CHECKED
CC 5941 D	ACCREDITATION NO.

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No reproduction without consent.

Do not scale from these drawings.

Contractor to confirm on site existing conditions,
levels and dimensions prior to commencement of works.

All levels pertain to finished levels, not structural unless
otherwise indicated.

All discrepancies to be reported to the architect for instruction.

Materials and work practices shall comply with the BCA
and other relevant codes referred in the BCA.

This drawing to be read in conjunction with all other contract
documents, specifications and drawings.

LOWELLY ROAD

3 BAY ROAD

3 LOWELLY ROAD

22 THE
ESPLANADE

EXISTING CROSSOVER

DRIVEWAY
INSTALLED AS
CONDITION OF
SUBDIVISION

PROPOSED
CARPORT ROOF
LINE

EXISTING
DRIVEWAY

PROPOSED CONCRETE PATH

PROPOSED FRONT GATE IN EXISTING FENCE

GRASS NATURE STRIP
TITLE BOUNDARY

GARDEN

EXISTING
TREE

TITLE BOUNDARY

ROOF LINE

EXISTING
WOOD
SHED

1400mm HIGH FENCE
TITLE BOUNDARY

LOT 2

TITLE BOUNDARY

LOT 1

3M EASEMENT

AA

ROOF LINE

AA

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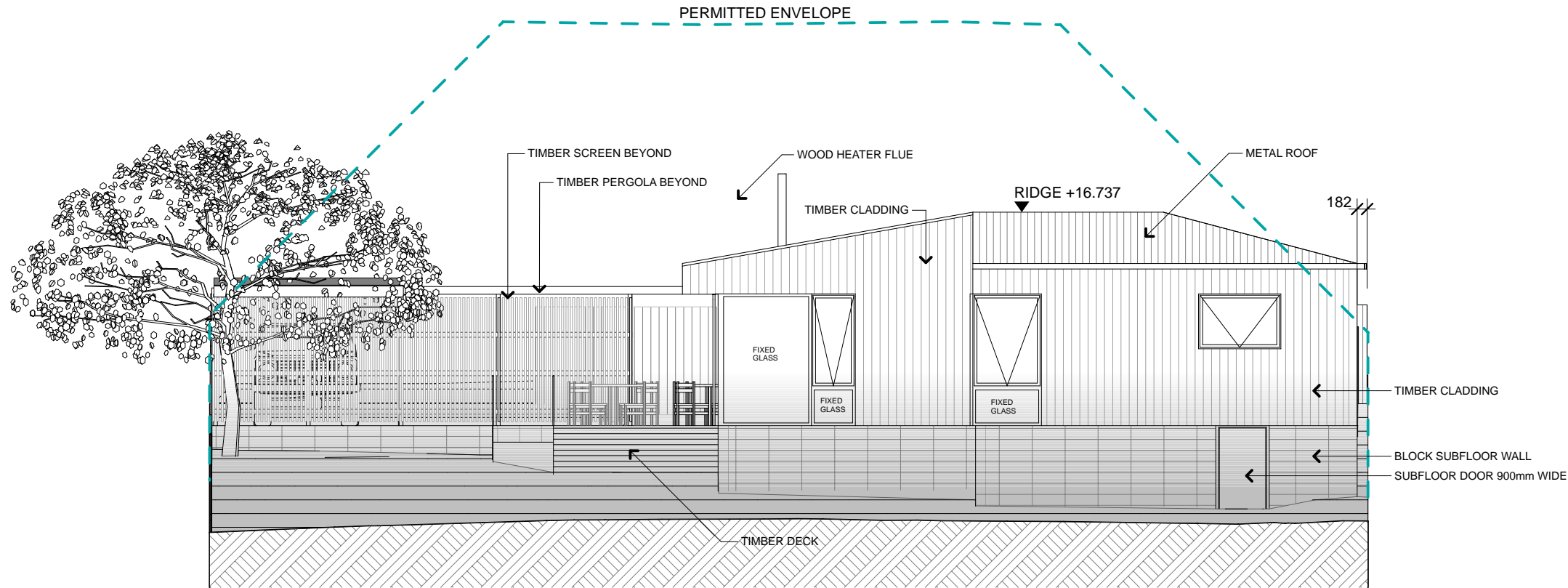
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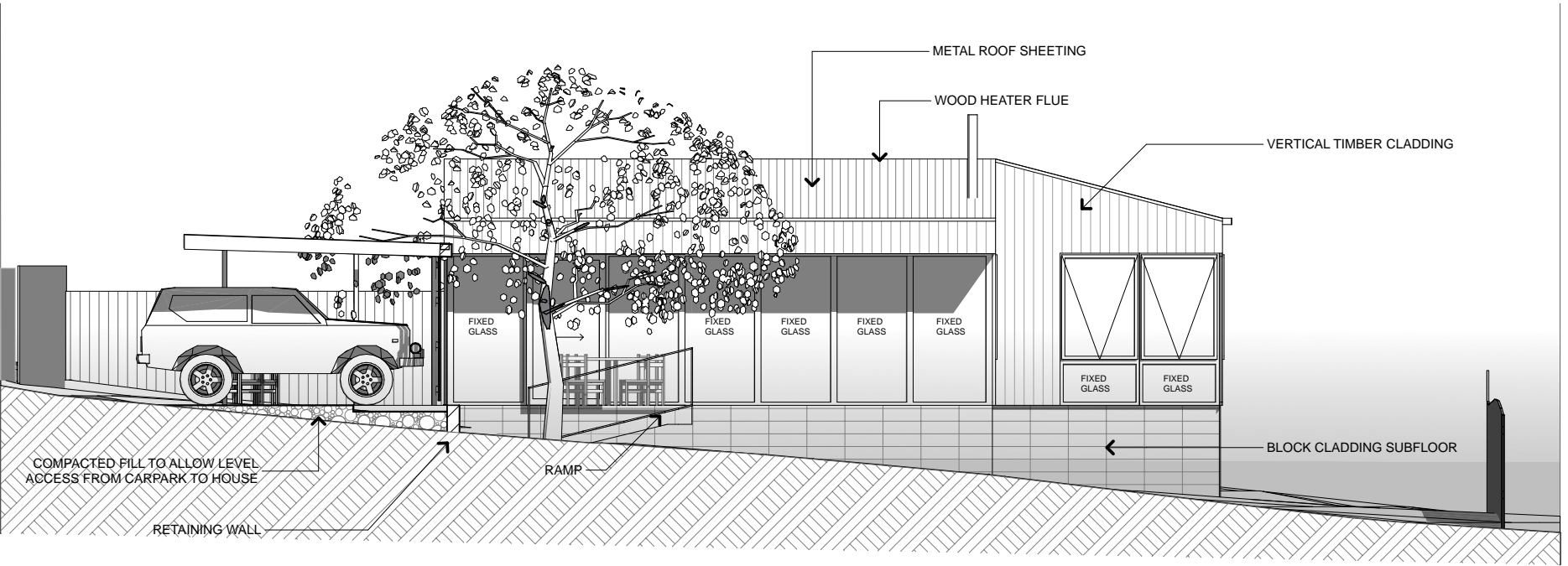
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length in millimeters at full size

FOR APPROVAL



SOUTH ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100

DATE	REVISION	NO.
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SOUTH + WEST ELEVATIONS

DRAWING TITLE

1611	PROPOSED SINGLE DWELLING
PROJECT NO.	PROJECT

1A LOWELLY RD, LINDISFARNE
SITE ADDRESS



MAGUIRE + DEVINE
ARCHITECTS

Maguire + Devine Architects Pty Ltd
(03) 6292 0911
mail@maguiredevine.com.au
L1,148B Elizabeth St. Hobart
GPO Box 1066 Hobart TAS 7001
ABN 13 606 322 089

DA 3.02	DA	
DRAWING NO.	REVISION	STATUS
AS SHOWN @ A3	29/5/18	
SCALE	DATE	
Molly Fuller	Hugh Maguire	CC 5941 D
DRAWN	CHECKED	ACCREDITATION NO.

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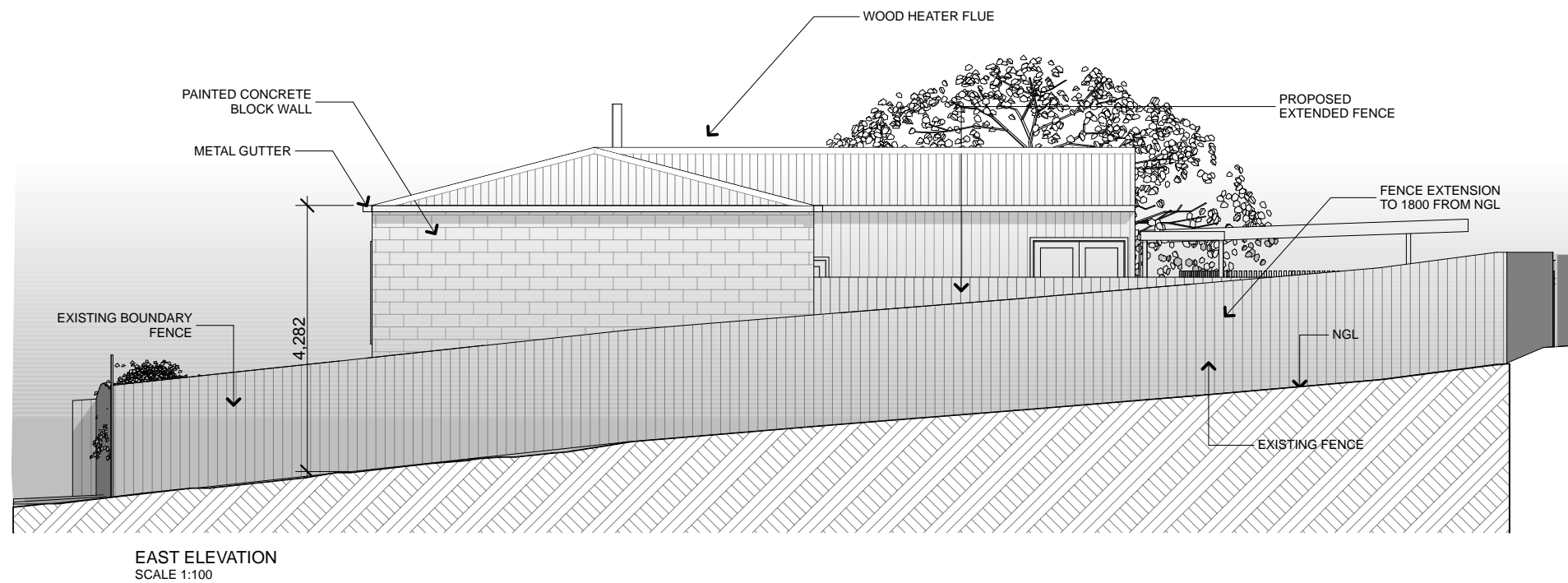
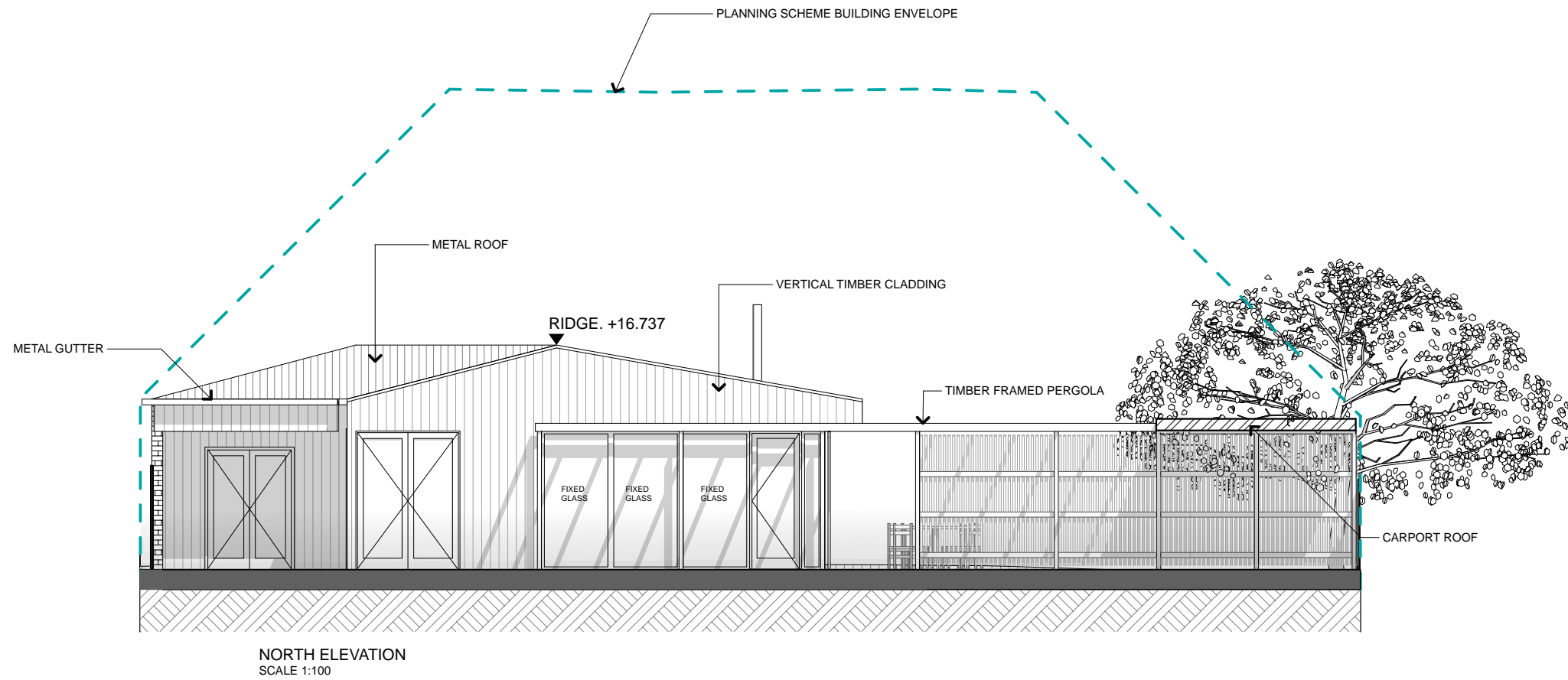
Materials and work practices shall comply with the BCA
and other relevant codes referred in the BCA.

This drawing to be read in conjunction with all other contract
documents, specifications and drawings.

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length in millimeters at full size

FOR APPROVAL



DATE	REVISION	NO.

NORTH + EAST ELEVATIONS	
DRAWING TITLE	
1611	PROPOSED SINGLE DWELLING
PROJECT NO.	PROJECT
KENNEDY	LOT 2, 22 ESPLANADE, LINDISFARNE
CLIENT	SITE ADDRESS



MAGUIRE + DEVINE
ARCHITECTS

Maguire + Devine Architects Pty Ltd
(03) 6292 0911
mail@maguiredevine.com.au
L1, 148B Elizabeth St. Hobart
GPO Box 1066 Hobart TAS 7001
ABN 13 606 322 089

DA 3.01	DA
DRAWING NO.	REVISION STATUS
AS SHOWN @ A3	24/5/18
SCALE	DATE
Molly Fuller	Hugh Maguire
DRAWN	CHECKED
CC 5941 D	ACCREDITATION NO.

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Contractor to confirm on site existing conditions, levels and dimensions prior to commencement of works.

All levels pertain to finished levels, not structural unless otherwise indicated.

All discrepancies to be reported to the architect for instruction.

Materials and work practices shall comply with the BCA and other relevant codes referred in the BCA.

This drawing to be read in conjunction with all other contract documents, specifications and drawings.



11.3.5 DEVELOPMENT APPLICATION D-2018/245 - 314 AND 318 EAST DERWENT HIGHWAY, GEILSTON BAY - CHANGE OF USE (HOURS)
(File No D-2018/245)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Change of Use (Hours) at 314 and 318 East Derwent Highway, Geilston Bay.

RELATION TO PLANNING PROVISIONS

The land is zoned Local Business and subject to the Bushfire Prone Area, Road & Rail Assets, Signs, Stormwater Management and Parking & Access codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 12 July 2018.

CONSULTATION

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

- noise and amenity in a residential area;
- Araluen Street traffic;
- operating hours;
- road services classification; and
- access and parking compliance.

RECOMMENDATION:

A. That the Development Application for Change of Use (Hours) at 314 and 318 East Derwent Highway, Geilston Bay (Cl Ref D-2018/245) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AM5 – TRADING HOURS – Monday to Saturday 12am to 5pm, excluding Public Holidays.
 3. To prevent vehicles entering the site from Araluen Street, a “No Entry” sign is to be installed on the property at 314 East Derwent Highway adjacent the Araluen Street driveway, prior to the commencement of use.
 4. To minimise noise levels, only one work vehicle may leave the carpark and exit onto Araluen Street before 7am Monday to Friday or before 9am on Saturday.
- 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

The site has a long history and originally a house, workshop and hardware and joinery shop. Planning approval for a restaurant was granted under D-1980/3. More recent approvals are as follows.

D-2010/124 – (314 and 318 East Derwent Highway) Change of Use to restaurant requiring a variation to car parking of 12 spaces.

D-2016/43 – (318 East Derwent Highway) Change of Use to takeaway shop (Food Services) and signage on 314 East Derwent Highway requiring a variation to parking of 3 spaces.

D-2017/463 – (318 East Derwent Highway) Change of Use (Hours) for Food Services (sushi production). The approved hours of operation were: Monday to Saturday 3am to 5pm. The approval included a condition that no vehicles are to access or park at 314 East Derwent Highway without the prior consent of Council, as this property did not form part of the application.

D-2018/106 – (314 and 318 East Derwent Highway) further to D-2017/463, application was made to amend access and car parking arrangements to allow vehicles associated with sushi production to utilize the carpark on 314 East Derwent Highway. The permit included a condition that no delivery vehicles are to leave the carpark and exit onto Araluen Street before 7am Monday to Friday or before 9am on Saturday.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Local Business under the Scheme.

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

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10 – Local Business Zone; and
- Section E1.0 – Bushfire Prone Areas Code, Section E5.0 Road & Railway Assets Code, Section E6.0 Parking & Access Code and E17.0 Signs 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 at 314 East Derwent Highway abuts 318 East Derwent Highway on the eastern side of the East Derwent Highway. The site contains an existing commercial building located across both properties which provides 3 tenancies and has frontage to the East Derwent Highway.

No 314 East Derwent Highway is an “L shaped” lot located on the corner of Araluen Street and the East Derwent Highway and contains an Italian restaurant (previously 2 tenancies – Shops 1 and 2), a carpark and a dwelling; 318 East Derwent Highway is a regular shaped lot containing a sushi production business and a hairdresser (Shops 3 and 4).

Car parking is available on-site with access over 314 East Derwent Highway required for the tenancies at 318 East Derwent Highway to manoeuvre into the spaces. As the lots are held in the same ownership, access and car parking arrangements have been historically shared with the tenancies being treated as one property. Any shortfall in the number of spaces required for tenancies have been waived.

Parking is also available along the East Derwent Highway from Araluen Street to Golf Links Road. Whilst staff have been utilising the informal gravel car parking area on the East Derwent Highway opposite the site, DSG have since provided comments to say that as a result of impending upgrades, this area will not exist when the East Derwent Highway is upgraded to 4 lanes. However, given that there is parking available around the site and the proposed extension of operating hours is outside normal business hours, the earlier start time of 12am is unlikely to result in any increased traffic conflict. In addition, 318 East Derwent Highway has a parking credit of 6.54 spaces available as part of previous food services approval D-2016/43.

Both properties are located within 50m of the General Residential Zone.

3.2. The Proposal

The proposal is for a Change of Use (Hours). The use class Food Services (sushi manufacturing) has an existing approval.

The proposed hours of operation are 12am to 5pm, Monday to Saturday. Previously approved hours for the business are 3am to 5pm Monday to Saturday.

In addition, it is proposed that a work delivery van would leave the site at 4am. It was previously proposed and approved that the work delivery van would leave the site at 6am, exiting onto the East Derwent Highway, rather than Araluen Street. The work vans are light delivery vehicles, a VW Caddy and Hyundai iLoad.

The proposal seeks discretion under the Local Business Zone Use Standards for an extension to the hours of operation and earlier commercial vehicle movement.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the Local Business Zone and relevant Codes with the exception of the following.

Local Business Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
20.3.1 A1	Hours of Operation	Hours of operation of a use within 50m of a residential zone must be within: (a) 7.00am to 9.00pm Mondays to Saturdays inclusive;	does not comply The proposed hours of operation would be 12am to 5pm Monday to Saturday, excluding public holidays.

			<p>Up to 6 staff members would arrive on-site at 12am to cook sushi ingredients and rice.</p> <p>Vehicle movements on-site between 3am and 6.30am would be 2 work vans arriving and parking on-site in the carpark. One work van would leave the carpark for deliveries at 4am.</p> <p>Therefore the business would operate 3 hours earlier than what has been previously approved.</p>
		<p>(b) 9.00am to 5.00pm Sundays and Public Holidays.</p> <p>except for office and administrative tasks.</p>	not applicable

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause 20.3.1 as follows.

Performance Criteria	Proposal
<p><i>“Hours of operation of a use within 50m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent”.</i></p>	<p>The proposed hours of operation would potentially cause noise through staff and vehicle movements and the use of exhaust fans for the cooking process.</p> <p>Council’s Environmental Health Officers are satisfied that the proposed hours would generally have a low impact in terms of noise and emissions and have advised that noise level from sushi manufacturing would be below the ambient traffic noise from the East Derwent Highway.</p> <p>To mitigate against unreasonable impacts upon residential amenity, it is recommended that any approval be conditioned to ensure only one work vehicle can leave the carpark and exit onto Araluen Street. In addition, it is recommended that approval be conditioned to ensure that vehicles do not enter the carpark via Araluen Street.</p>

Local Business Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
20.3.4 A1	Commercial Vehicle Movements	Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50m of a residential zone must be within the hours of:	does not comply It is proposed that one work van (VW Caddy or Hyundai iLoad) would leave for deliveries at 4am Monday to Friday, 2 hours earlier than what has been previously approved.
		(a) 7.00am to 5.00pm Mondays to Fridays inclusive;	Commercial vehicle movements involving work vehicles arriving and parking on-site between 3am and 7am has been approved previously.
		(b) 9.00am to 5.00pm Saturdays;	does not comply As above, commercial vehicles arriving and parking between 3am and 7am has been previously approved. Similar to above, one work van would leave 2 hours earlier on Saturday than what has been previously approved.
		(c) 10.00am to 12 noon Sundays and public holidays.	not applicable

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause 20.3.4 as follows.

Performance Criteria	Proposal
<p><i>“Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</i></p> <p><i>(a) the time and duration of commercial vehicle movements;</i></p>	<p>The proposed hours of operation mean that a work van will leave the carpark for deliveries at 4am Monday to Saturday. As the work vans are both light delivery vehicles, one work van leaving the site is not expected to have an unreasonable adverse impact upon residential amenity. One vehicle movement would be fleeting and in comparison to traffic levels on the East Derwent Highway, unlikely to cause a significant amount of noise.</p>

	Other commercial vehicle movements including supplier deliveries and customer collections, involving 2-5 deliveries a day (depending on the day) and 1-2 customer collections would occur during the times specified in the Acceptable Solution.
<i>(b) the number and frequency of commercial vehicle movements;</i>	As mentioned above, only one work van would leave the carpark at 4am to undertake deliveries.
<i>(c) the size of commercial vehicles involved;</i>	No change to the size of commercial vehicles involved is proposed and therefore subject to an approval.
<i>(d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);</i>	<p>Whilst the carpark is located on a separate Title to the sushi manufacturing business, as the properties have the same owner; directional traffic signs have been installed to facilitate traffic flow, thus reducing the need for reversing on-site.</p> <p>However, as the work van is a light delivery vehicle that will be loaded in the carpark, the site is able to accommodate any required turning movements.</p>
<i>(e) noise reducing structures between vehicle movement areas and dwellings;</i>	<p>No noise reducing structures are proposed.</p> <p>It is also recommended that a no entry sign be installed at the site facing Araluen Street to aid in reducing noise between vehicle movement areas and nearby dwellings. This requirement should be a condition of any permit.</p>
<i>(f) the level of traffic on the road;</i>	Whilst the proposal is for an extension to operating hours and application made for the work van to leave at 4am instead of 6am, this will not have an impact on the level of traffic on the East Derwent Highway or Araluen Street as the business operation is otherwise the same.

(g) <i>the potential for conflicts with other traffic</i> ".	<p>Potential for conflict can be reduced through the recommended condition including the installation of a "no entry" sign at 314 East Derwent Highway.</p> <p>Owing to this, there is no increased potential for conflict with other traffic resulting from the proposed earlier leaving time for the work van.</p>
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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. Noise and Amenity in a Residential Area

Concern was raised that proposed increase in operating hours will have an unreasonable impact on the residential amenity in Araluen Street in terms of headlights and noise, as the egress for the carpark at 314 East Derwent Highway is opposite a residential dwelling.

- **Comment**

Whilst it is proposed that one work van would leave at 4am, one commercial vehicle movement occurring 2 hours earlier than what has previously been approved is unlikely to have an unreasonable adverse impact on the residential amenity in Araluen Street given the proximity of some of the residences to the 3 lane, soon to become 4 lane East Derwent Highway.

5.2. Araluen Street Traffic

The representor raised concern in relation to the increase in parking and general traffic activity in Araluen Street, associated with the food services use. The representor has stated that the sushi production employees are parking in Araluen Street which is causing unreasonable congestion, safety issues and increased vehicle movements throughout the site. The representor is also concerned about delivery vehicles blocking access within Araluen Street.

- **Comment**

Concern relating to the location of staff parking has been raised previously with the applicant who has reminded staff to avoid parking in Araluen Street. That being said, whilst planning approval has been granted taking into account advice that staff would park off-site and opposite the commercial tenancies across the road, as DSG have advised that this area will be removed as part of an upgrade to the East Derwent Highway, staff will have to seek alternative parking.

Council's Engineers have advised that there is adequate parking in the area and on-site. Given that the extension to operating hours is outside normal business hours, there would be no conflict if staff utilise the on-site carpark until the times set out under the Acceptable Solution. Despite the representor's concern, it should be noted that staff can also lawfully park in Araluen Street.

In relation to large delivery vehicles blocking access within Araluen Street, the only discretion currently being sought for commercial vehicle movements is for the work van to leave at 4am, 2 hours earlier than under the previous approval.

Commercial vehicle movements have otherwise been previously assessed and whilst inhibiting access to a property is not a matter requiring assessment under the Scheme, offending vehicles can be infringed by Council's Rangers during office hours and TasPolice after hours.

5.3. Operating Hours

The representor is concerned that the operating hours will have an unreasonable impact upon residential amenity with deliveries beginning at 4am and staff accessing and parking in Araluen Street from 12am 6 days a week.

The representor draws a comparison with the proposed hours and the operating hours allowed under the Acceptable Solution, stating that the increase is unreasonable and consequently the site will operate almost 24 hours a day.

- **Comment**

Whilst the extension of operating hours would mean that the site can operate from 12am to 11pm (due to the approved trading hours for the adjacent Italian restaurant), it is not anticipated that the extension of operating hours will have an unreasonable impact upon the residents living in Araluen Street, as one work van only would leave 2 hours earlier than what has previously been approved.

5.4. Food Services Classification

The representor has advised that the use food services classification applied to sushi production is not appropriate. The representor has advised that wholesale sushi production is more closely aligned with the manufacturing and processing use class as the business does not have an active street frontage or serve the local community.

- **Comment**

The definition in the Scheme for food services states “use of land for preparing or selling food or drink for consumption on or off the premises”. Food services is a Permitted use class in the Local Business Zone. Manufacturing and processing is a prohibited use in the Local Business Zone. The definition of manufacturing and processing refers to use of land for manufacturing, assembling or processing products other than resource processing with examples including boat building, brick making, cement works, furniture making, glass manufacturing, metal and wood fabrication, mineral processing and textile manufacturing. Owing to this the food services use class has been deemed the best fit for sushi production.

Whilst the business is currently wholesale, it is within the scope of previous approvals and the current proposal for sushi to be available for general retail. The definition in the Scheme for food services states use of land for preparing or selling food or drink for consumption on or off the premises.

5.5. Access and Parking Compliance

The representor has advised that they would appreciate existing issues relating to access and parking to be followed up through an enforcement process.

- **Comment**

The representor has brought it to Council's attention that previous approvals D-2010//124 and D-2018/106 showed on the site plan that a no entry sign would be installed near the 314 East Derwent Highway driveway onto Araluen Street. Whilst the approved plan showed that the sign would be outside the property boundary and the sign was not installed, any further approval should require the installation of the sign in a prescribed timeframe within the 314 East Derwent Highway property boundary. Accordingly, such a condition is recommended for this proposal. Compliance action will be undertaken if the sign is not installed.

6. EXTERNAL REFERRALS

The proposal was referred to the Department of State Growth and comments regarding the future of available parking on the opposite side of the East Derwent Highway were received. The implications of the comments have been addressed within this Report.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

The proposal is for an extension to operating hours for food services (sushi production), amending previous permits D-2017/463 and D-2018/105 lodged by the applicant. The proposal is recommended for approval subject to conditions.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1



Agenda Attachments - 314 & 318 East Derwent Highway, Geilston Bay Page 1 of 6

Sush Holdings Pty Ltd
ABN 16 109 023 396
Shop 2A Bank Arcade
64-68 Liverpool Street
Hobart TAS 7000
Ph 03 6234 6650
Email sushi@sush.com.au

3 May 2018

To Clarence City Council Planning Department

**RE: Change of Use Application, 314 and 318 East Derwent Highway,
Geilston Bay**

This letter should be read as an attachment providing further information to the Application for Change of Use on 314 and 318 East Derwent Highway, Geilston Bay TAS 7015.

Relevant Information:

- An existing permit is held to operate on 318 East Derwent Highway from 3am.
- An application is in progress to use 314 East Derwent Highway (the carpark) from 3am.
- The general operation is wholesale sushi production, and cooking of sushi ingredients, cooking of rice
- The hours of operation are to change to production starting from 12am through to 5pm Monday to Saturday. Currently closed Sundays
- The number of staff to start as early as 12am would not exceed 6.
- Vehicle movements on site between 3am and 6.30am would be our two work vans (VW Caddy and Hyundai iLoad) arriving and parking on site. And one work van leaving for deliveries at 4am.
- All staff will park offsite, across the East Derwent Highway adjacent to an oval (opposite Araluen St).
- No suppliers deliver before 7am
- No customers collect before 7am



Shop 2A Bank Arcade, Hobart Tasmania
PO Box 1695, Hobart, Tas 7001
P (+61) 03 6234 6650
sushi@sush.com.au
sush.com.au
ABN 16 109 023 396

- The waste generation will not change. The grease trap in place is appropriate to our needs and we will arrange our own supplier to pump the grease trap regularly
- Equipment used – normal food production equipment
- There will be no unusual pollution such as fumes, noise, smoke or vibration
- The business has HACCP Food Safety accreditation
- Certificate of Title attached

If you have any further questions please contact Emma Robertson at the Sush Office on 6234 6650.

Yours Sincerely



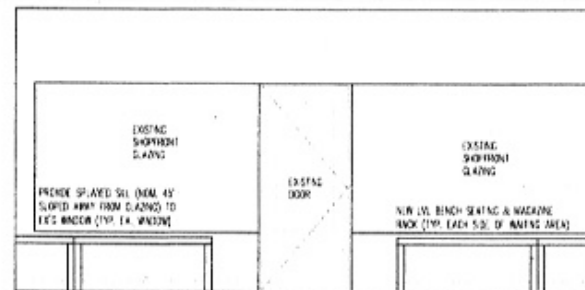
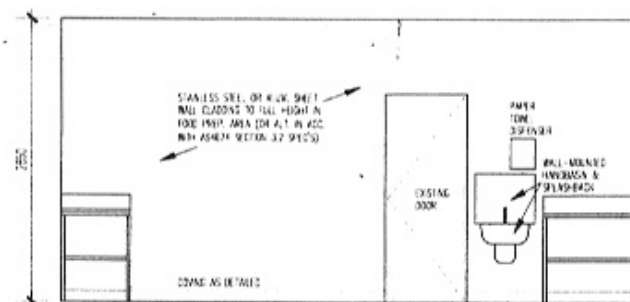
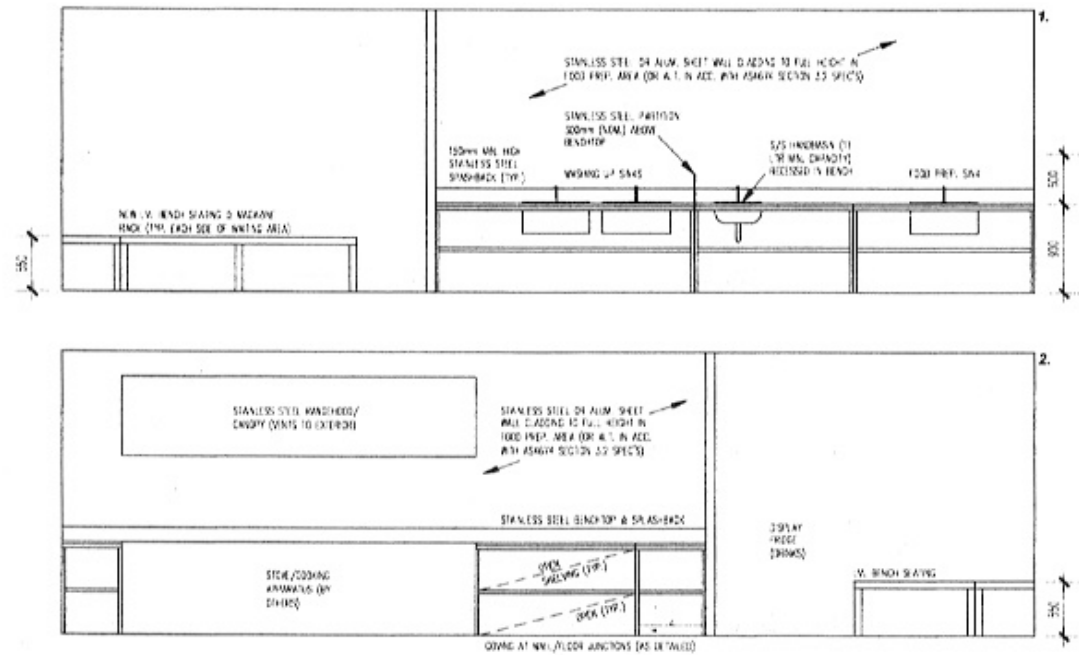
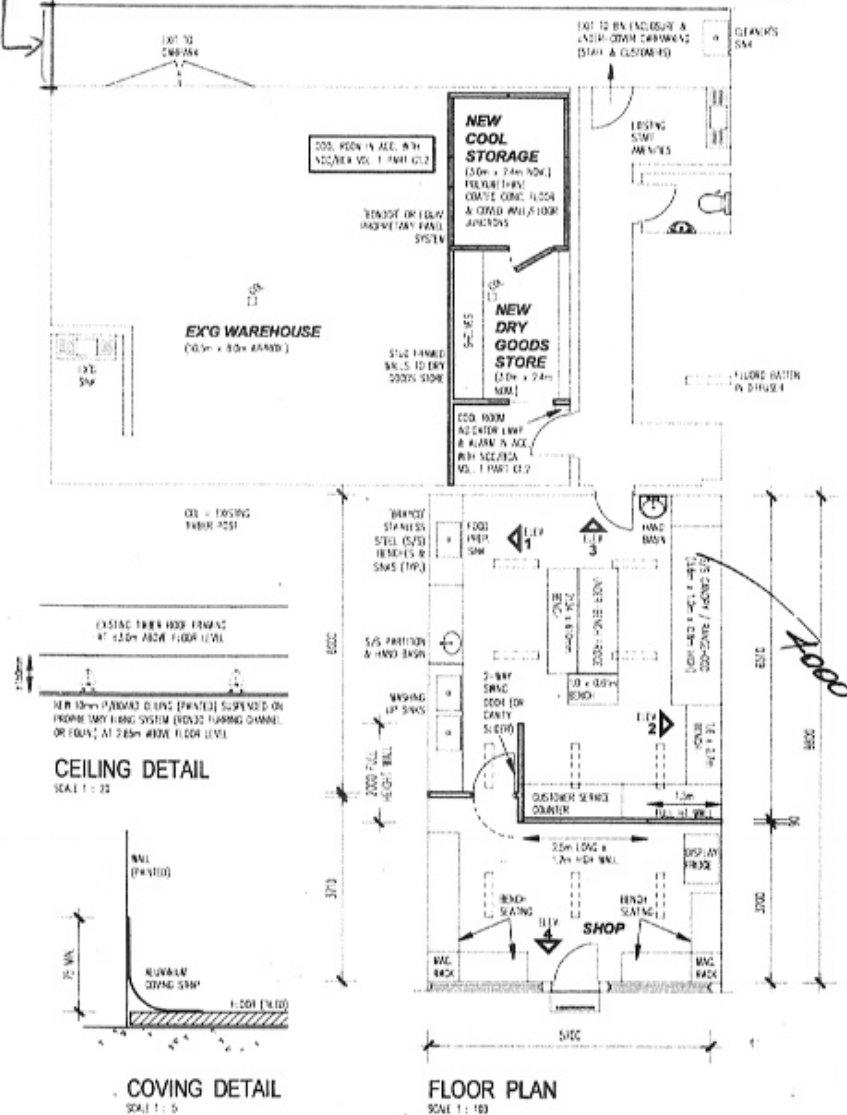
David Painter
Director
Sush Holdings Pty Ltd



Shop 2A Bank Arcade, Hobart Tasmania
PO Box 1095, Hobart, Tas 7001
P (+61) 03 6234 6650
sushi@sush.com.au
sush.com.au
ABN: 16 108 023 790

NOTES

- 1) HIGHS IN THE VICINITY OF HOGGERS RD. IN THE 4000-2000 HOURS
- 2) ALL SURVEY PLANS, ELEVATIONS, AND SURVEY RESULTS TO BE CORRECTED TO REFLECT THE SURFACE OF THE FLOOD PLAINS OF HOGGS IN ACCORDANCE WITH TSS 405.40(3)
- 3) CORRECTED 2004 TO BE SURVEYED AND FIRST DETERMINATION TO BE IMPLEMENTED TO FACILITATE FIRST LEAKAGE IN ACCORDANCE WITH TSS 405.40(4)
- 4) ALL RESULTS TO CORRELATE WITH TSS 405.40(5) RESULTS 100% (2)
- 5) HOGGERS IN THE VICINITY OF HOGGERS RD. CAPACITY 25000 YD³ DISTANCE BETWEEN THE POINTS OF THE FLOOD PLAINS ACCORDING TO TSS 405.40(6)
- 6) SURVEY RESULTS TO BE USED WITH CORRELATION WITH SURVEY RESULTS (TSS 405.40(7) AND TSS 405.40(8) AND TSS 405.40(9) AND TSS 405.40(10) AND TSS 405.40(11) AND TSS 405.40(12) AND TSS 405.40(13) AND TSS 405.40(14) AND TSS 405.40(15) AND TSS 405.40(16) AND TSS 405.40(17) AND TSS 405.40(18) AND TSS 405.40(19) AND TSS 405.40(20) AND TSS 405.40(21) AND TSS 405.40(22) AND TSS 405.40(23) AND TSS 405.40(24) AND TSS 405.40(25) AND TSS 405.40(26) AND TSS 405.40(27) AND TSS 405.40(28) AND TSS 405.40(29) AND TSS 405.40(30) AND TSS 405.40(31) AND TSS 405.40(32) AND TSS 405.40(33) AND TSS 405.40(34) AND TSS 405.40(35) AND TSS 405.40(36) AND TSS 405.40(37) AND TSS 405.40(38) AND TSS 405.40(39) AND TSS 405.40(40) AND TSS 405.40(41) AND TSS 405.40(42) AND TSS 405.40(43) AND TSS 405.40(44) AND TSS 405.40(45) AND TSS 405.40(46) AND TSS 405.40(47) AND TSS 405.40(48) AND TSS 405.40(49) AND TSS 405.40(50) AND TSS 405.40(51) AND TSS 405.40(52) AND TSS 405.40(53) AND TSS 405.40(54) AND TSS 405.40(55) AND TSS 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ELEVATIONS
SCALE 1 : 50



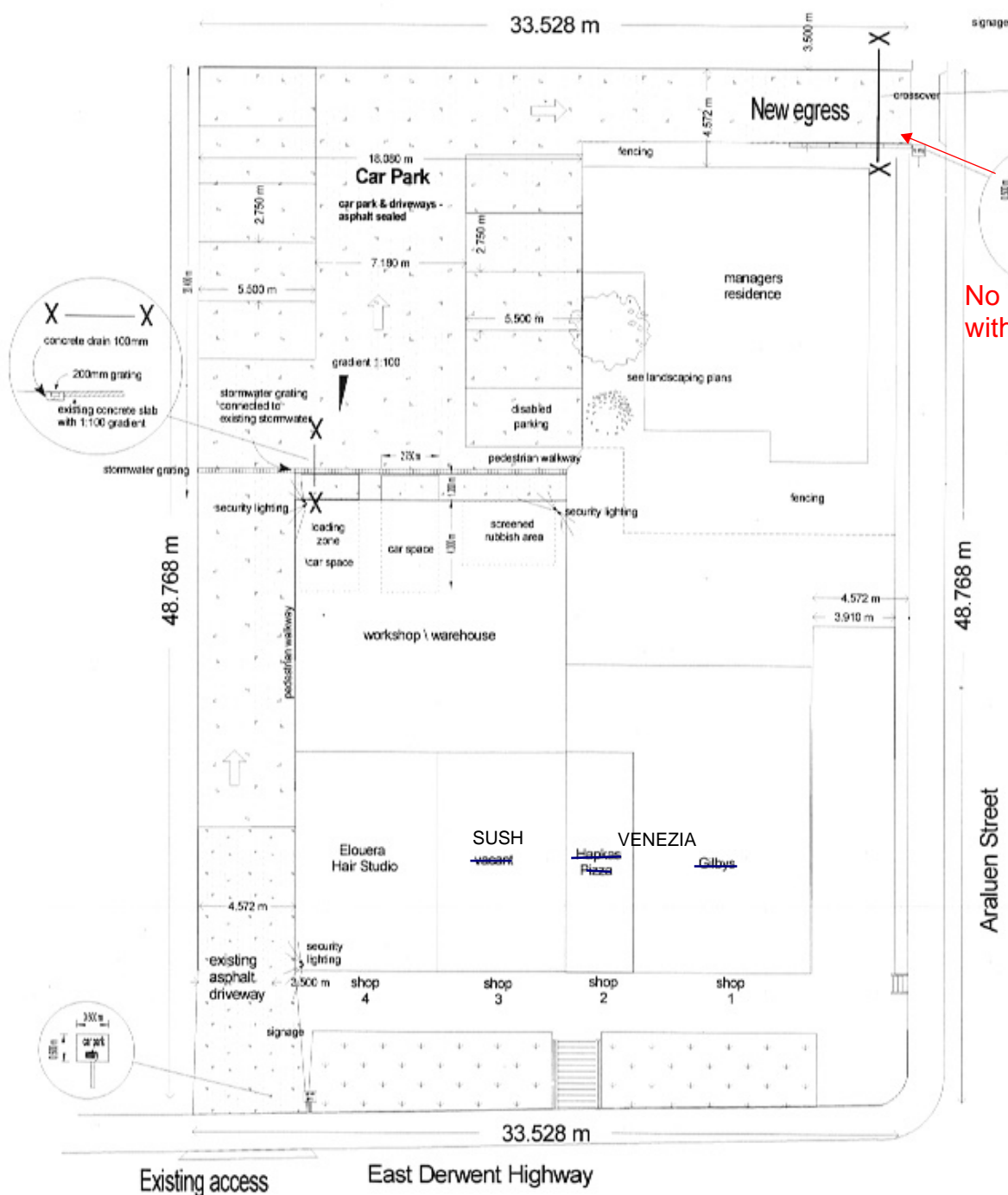
LOCALITY PLAN
NOT TO SCALE

Chris L. Potter
CONSULTING ENGINEER
M.E. Australia C.P. Engineer CC 2570 R
c/o SL HOBART TAS 7000 Aust. (03) 6231 4143
lapotterengineering.com.au Fax: (03) 6234 3360

**PROPOSED 'CHANGE OF USE'
('SHOP' TO 'TAKEAWAY SHOP')
at 1 / 318 EAST DERWENT HWY
GEILSTON BAY
for S. & E. RYAN**

Date : 22/12/2015	Job No. : RYAMSE1501
Scale : Shown at A3	Sheet : 1 of 1
Drawn : DA	Issue : C.C./BA

Check all dimensions on site before commencing work.
Do not scale from drawing. © Copyright Chris L. Potter.



No Entry signed to be installed within the property boundary

~~GILBYS~~ VENEZIA ITALIAN RESTAURANT
The Geilston Bay Cafe & Restaurant

Shop 1
314 to 316 & 318-320 East Derwent Highway
Geilston Bay

CAR PARK

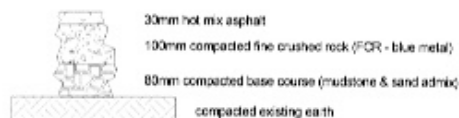
PLAN 1 OF 2

12 Car Spaces

Developers: AUSTALIA PTY LTD

SCALE 1:200

Asphalt sealing



314 & 318 East Derwent Highway, GEILSTON BAY



Subject tenancy

Site viewed from East Derwent Highway, looking east



Subject tenancy

Site viewed from footpath of East Derwent Highway, looking southeast



Site access viewed from East Derwent Highway, looking east along property boundary

11.3.6 DEVELOPMENT APPLICATION D-2018/298 - 172 BAYVIEW ROAD, LAUDERDALE - DWELLING
(File No D-2018/298)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Single Dwelling at 172 Bayview Road, Lauderdale.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 17 July 2018.

CONSULTATION

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

- height of the top level of the building;
- loss of view; and
- potential to look into bedrooms/privacy.

RECOMMENDATION:

- A. That the Development Application for a Single Dwelling at 172 Bayview Road, Lauderdale (CI Ref D-2018/298) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 - AMENDED PLANS [showing the deck size reduced so that the roof is within the prescribed building envelope].

3. ENG A1 – NEW CROSSOVER, replace “3.0m” with “3.6m”, [TSD-R09].
4. ENG A7 – REDUNDANT CROSSOVER.
5. ENG S1 – INFRASTRUCTURE REPAIR.

NON-STANDARD ADVICE – due to the size of the lot it is understood that the dwelling will be connected to sewer.

- 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

The property was created through subdivision SD-2013/37, approved on 31 January 2014.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Residential under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
 - Section 8.10 – Determining Applications;
 - Section 10 – General Residential Zone;
 - Section E6.0 – Parking and Access Code; and
 - Section 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 548m² irregularly shaped lot on the eastern side of Bayview Road, Lauderdale. The site is currently vacant and slopes downwards to the north-west, with an average gradient of 1:5. The site has been cleared of any significant vegetation and is restricted by a 3m wide drainage easement which runs along the inside of the north-eastern boundary of the property.

3.2. The Proposal

The proposal is for the construction of a Single Dwelling on the subject site. The dwelling has been designed to take into consideration the slope of the site and will span over 3 levels. The lower level is to include a double garage and utility room with access to the lower level of the backyard. The mid-level will include open plan living, kitchen and dining areas, 2 timber decks, 2 bedrooms, bathroom and laundry with access to the upper level of the backyard. The upper floor consists of the main bedroom, ensuite and study.

The dwelling is to be parallel with Bayview Road, with a setback of 4.5m from this frontage, 2.0m from the southern boundary, 4.1m from the south-eastern boundary and 3.0m from the north-eastern boundary. The dwelling is largely rectangular in shape with a site cover of 22%, not including the timber decks. The maximum height of the dwelling is 7.8m from natural ground level.

In response to the representation received, the applicant has decided to amend the application by reducing the size of the “Deck 1” and increasing its setback to the northern boundary. This will result in the deck roof meeting the relevant acceptable solution, A3 of Section 10.4.2 of the Scheme, in relation to the building envelope.

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 advertised proposal meets the Scheme’s relevant Acceptable Solutions of the General Residential Zone and Parking and Access, and Stormwater Management Codes with the exception of the following.

General Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2	A3	<p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and 	The proposal meets the required building envelope, with the exception of a very small portion of the roof above “Deck 1” that sits outside of the envelope.

		<p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>	
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The proposed variation must be considered pursuant to the Performance Criteria P2 of the Clause 10.4.3 as follows.

Performance Criteria	Proposal
<p><i>“The siting and scale of a dwelling must:</i></p> <p><i>(a) not cause unreasonable loss of amenity by:</i></p> <p><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></p> <p><i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i></p> <p><i>(iii) overshadowing of an adjoining vacant lot; or</i></p>	<p>In response to the representation received, the applicant has decided to reduce the size of the deck shown as “Deck 1” on the plan, and increase its setback to the northern boundary, therefore meeting the acceptable solution in regards to the building envelope.</p> <p>An amended plans condition is proposed to ensure the development proceeds in accordance with this amendment, and to ensure the development is contained within the permitted building envelope.</p>

<p>(iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i></p> <p>(b) <i>provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area”.</i></p>	
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General Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.3	A2	<p>A dwelling must have an area of private open space that:</p> <p>(c) is in one location and is at least:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling is a Multiple Dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(d) has a minimum horizontal dimension of:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a Multiple Dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p>	<p>complies – in excess of 54m²</p> <p>complies</p>

		(e) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and	Does not comply – access is from a utility room on the lower level and laundry on the mid-level.
		(f) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and	Complies – area is to the east of the proposed dwelling.
		(g) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and	not applicable
		(h) has a gradient not steeper than 1 in 10; and	complies
		(i) is not used for vehicle access or parking.	complies

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

Performance Criteria	Proposal
<p><i>“A dwelling must have private open space that:</i></p> <p><i>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and that is:</i></p> <p><i>(i) conveniently located in relation to a living area of the dwelling; and</i></p> <p><i>(ii) orientated to take advantage of sunlight.</i></p>	<p>The proposal provides for an area of private open space immediately adjacent the dwelling which is approximately 54m² in size, and is readily accessible from the laundry on the mid-level floor.</p> <p>Despite the area not having direct access from a habitable room, it is considered appropriately located and capable of providing an area for outdoor relaxation and children’s play.</p>

	In addition to this area, the proposal provides 2 timber decks of a combined area of approximately 39m ² , which are both accessed from the open plan living areas on the mid-level and will provide additional area for outdoor relaxation, dining and entertaining.
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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. Height of the Top Level of the Building

The representor has expressed concern with the height of the upper level portion of the building.

- **Comment**

The proposal meets the acceptable solution of Section 10.4.2 A3 in relation to setbacks and height and is contained within the required building envelope under the Scheme. As the proposal complies with the building envelope requirements, this is not considered a relevant consideration.

5.2. Loss of Views

The representor has expressed concern that the upper level portion of the building will block their view to the north.

- **Comment**

The proposal meets the acceptable solution of Section 10.4.2 A3 in relation to the bulk and proportions of the dwelling when viewed from an adjoining lot. As the proposal complies with these requirements, this is not considered a relevant consideration.

5.3. Potential to Look into Bedrooms of Proposed Dwelling/Privacy

The representor is concerned that they will be looking into the bedrooms on the southern side of the proposed dwelling from their courtyard area.

- **Comment**

The proposal includes bedrooms on the southern side of the dwelling however, there are no windows to these bedrooms on the southern elevation. The windows on the eastern elevation of the upper level meet the acceptable solution A2 of Section 10.4.6 - Privacy for all Dwellings, which requires a minimum setback of 3m for windows of habitable rooms with a floor level above 1m above natural ground level, therefore this is not considered a relevant consideration.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

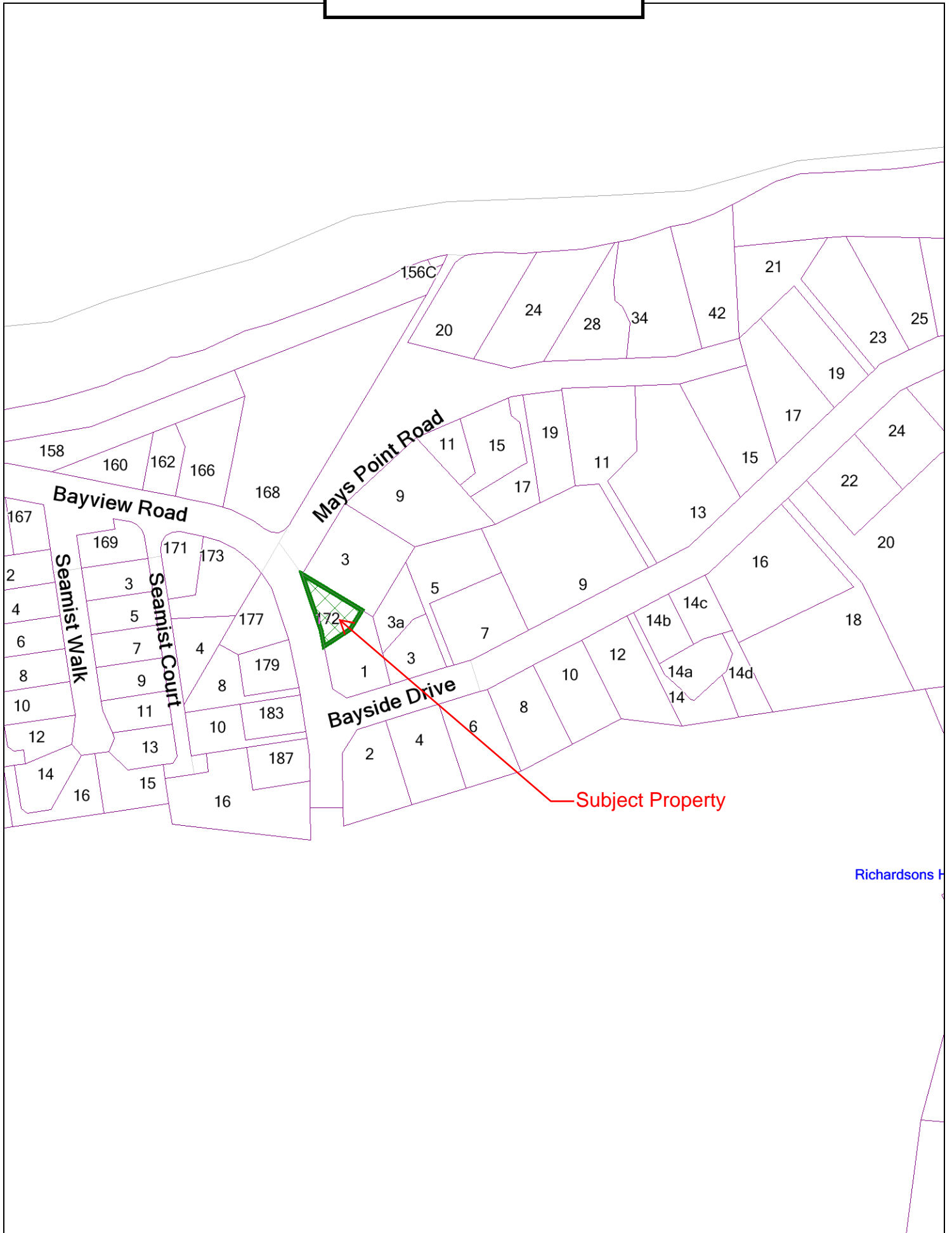
The proposal seeks approval for a Single Dwelling at 172 Bayview Road, Lauderdale. The application meets the relevant acceptable solutions and performance criteria of the Scheme.

The proposal is recommended for approval subject to conditions.

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

Ross Lovell
MANAGER CITY PLANNING

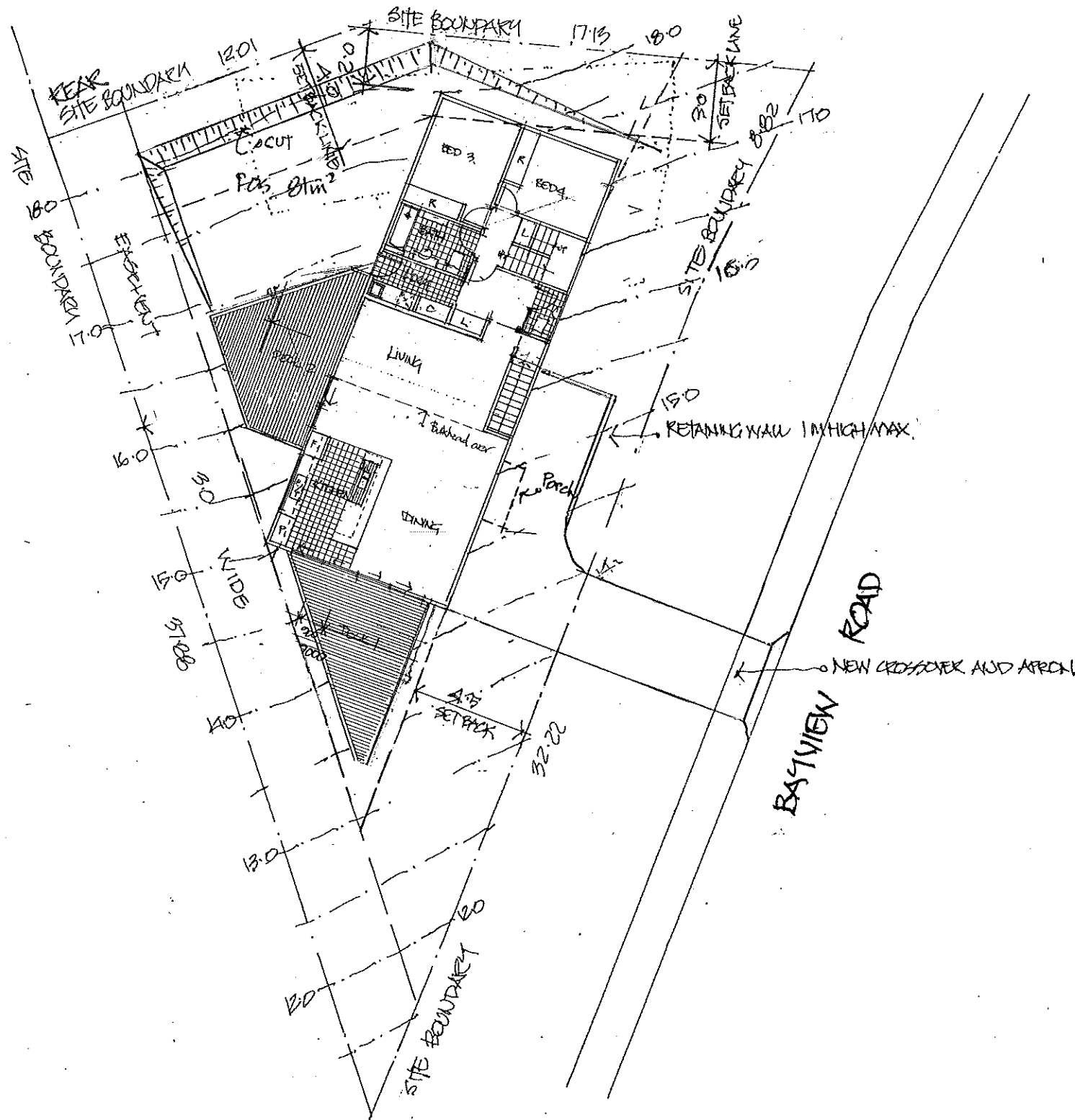
Attachment 1



Richardsons H



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, 29 June 2018 **Scale:** 1:2,618 @A4



gary reed building design

103 Bayview Road, Lauderdale
tasmania 7021

residential, commercial and industrial building design,
plumbing and drainage design, construction management,
housing energy rating, thermal performance efficiency
accreditation no. CC841f

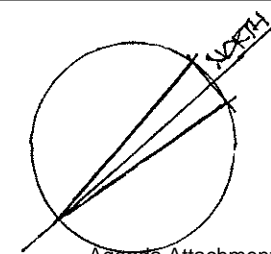
abn 56 498 752021

mob 0418526785

greedesign@bigpond.com

Hoult House
172 Bayview Road
Lauderdale. TAS

DRAWN: G.Reed DATE: March 2018 SCALE: 1:200 at A3 PROJECT NO:17.043



Site Plan

DRAWING NO: **Sk.01 of 4**

Agenda Attachments - 172 Bayview Road, Lauderdale - Page 2 of 6

UPPER FLOOR PLAN

LOWER FLOOR PLAN

MID LEVEL FLOOR PLAN

gary reed building design

residential, commercial and industrial building design,
plumbing and drainage design, construction management,
housing energy rating, thermal performance efficiency
accreditation no. CC841f

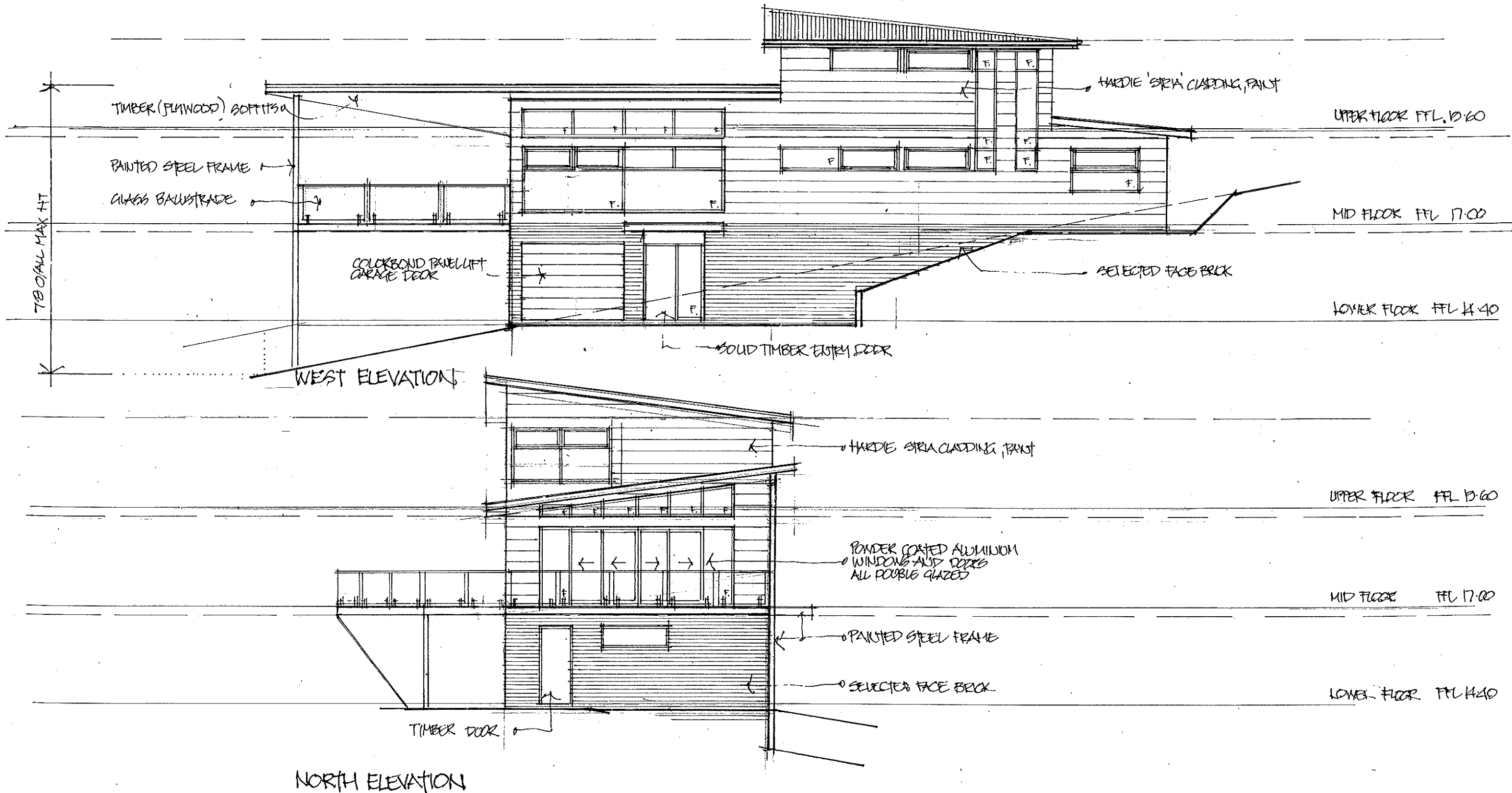
**Hoult House
172 Bayview Road
Lauderdale. TAS**

DRAWN: G.Reed DATE: March 2018 SCALE: 1:200 at A3 PROJECT NO:17.043

Floor Plans

Sk.02 of 4

DRAWING NO: 172 Bayview Road, Lauderdale - Page 3 of 6



gary reed building design

residential, commercial and industrial building design,
plumbing and drainage design, construction management,
housing energy rating, thermal performance efficiency
accreditation no. CC841f

103 Bayview Road, Lauderdale
tasmania 7021

abn 56 498 752021

mob 0418526785

greedesign@bigpond.com

Hoult House
172 Bayview Road
Lauderdale. TAS

DRAWN: G.Reed DATE: March 2018 SCALE: 1:100 at A3 PROJECT NO:17.043

Elevations 1

DRAWING NO: **Sk.03 of 4**

BUILDING ENVELOPE AT CORNER OF HOUSE

HARDIE 'STRIA' CLADDING PAINT FINISH

COLORBOND CORRUGATED ROOFING CAPPING FLASHINGS FASCIA'S AND GUTTERS

PAINTED STEEL COLUMN AND DECK BEAMER

GLASS BALUSTRADE

SELECTED FACE BRICK

EAST ELEVATION

COLORBOND ROOFING FASCIA'S GUTTERS ETC

HARDIE 'STRIA' CLADDING PAINTED

FACE BRICK FOUNDATION WALL

SOUTH ELEVATION

gary reed building design

103 Bayview Road, Lauderdale
tasmania 7021

residential, commercial and industrial building design,
plumbing and drainage design, construction management,
housing energy rating, thermal performance efficiency
accreditation no. CC841f

abn 56 498 752021

mob 0418526785

greedesign@bigpond.com

Hoult House
172 Bayview Road
Lauderdale. TAS

DRAWN: G.Reed DATE: March 2018 SCALE: 1:100 at A3 PROJECT NO:17.043

Elevations 2

DRAWING NO: **Sk.04 of 4**

Attachment 3



Site viewed from Bayview Road.

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

The purpose of this report is to consider the application made for a combined Section 43A application for a planning scheme amendment and 30 lot subdivision at 22 Attkins Street, Rokeby.

RELATION TO PLANNING PROVISIONS

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

The proposed subdivision is currently Prohibited under the Scheme.

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

Essentially, the savings and transitional provisions apply to existing planning schemes in force prior to the approval of the Tasmanian Planning Scheme Local Provisions Schedule and includes the Clarence Interim Planning Scheme 2015.

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

LEGISLATIVE REQUIREMENTS

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

CONSULTATION

Applications made under Section 43A are not formally open for public comment until after Council has agreed to certify the Amendment and it has been publicly advertised. Draft Permit conditions would also be advertised for public comment as part of the public consultation process for the combined amendment (rezoning and Specific Area Plan) and development of the site.

RECOMMENDATION:

- A. That Council resolves not to initiate draft Amendment A-2018/1 at 22 Atkins Street, Rokeby (CI Ref A-2018/1) under Section 34 of the Land Use Planning and Approvals Act 1993 respectively.
- B. That Council urges the Minister to urgently undertake a comprehensive review of the Southern Tasmanian Regional Land Use Strategy and provide an appropriate structure to ensure its ongoing maintenance and review.
- C. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1** The Southern Tasmanian Regional Land Use Strategy 2010-2035 (STRLUS) was approved by the Minister for Planning on 27 October 2011. The STRLUS was amended as part of a “housekeeping” review on 1 October 2013 and again on 14 September 2016, resulting in minor expansion of the Urban Growth Boundary (UGB) following the Tasmanian Planning Commission's (TPC) assessment of the Hobart and Clarence Interim Planning Schemes.
- 1.2** Under Section 5A of LUPAA, the Minister must undertake regular and periodic reviews of regional strategies. In a letter addressed to the Mayor received 5 January 2018, the Minister confirmed a commitment to a broad review of the STRLUS following the implementation of the future Tasmanian Planning Schemes Local Provision Schedules (LPS) and future Tasmanian Planning Policies.
- 1.3** At its Meeting on February 2018, Council considered a report on the several proposed changes to the STRLUS to:
 - correct anomalies;
 - correctly reflect State Policies;
 - make necessary modifications to enable the introduction of the future Tasmanian Planning Scheme; and
 - changes to the STRLUS UGB Sorrel and Lenah Valley.

Council resolved to advise the Minister that it: *“is concerned that continued ad hoc expansion of the Urban Growth Boundary has potential to prejudice the implementation of the Strategy, with significant impacts on current and future planning for a sustainable and affordable city”*. Further: *“That Council urges the Minister to create an appropriate structure to urgently undertake a major review of the Strategy Plan and to provide ongoing monitoring of the STRLUS”*.

- 1.4** Despite Council’s concerns, the Minister approved a further amendment to the STRLUS on 9 May 2018.

The Amendments:

- inserted an Addendum to assist with the implementation of the future Tasmanian Planning Scheme and respective Local Provisions Schedules; and
- modified the UGB in Map 10 to include 56-62 Forcett Street, Sorell and 369 (or 353) Lenah Valley Road, Lenah Valley.

- 1.5** Although it has now been amended several times, the STRLUS is fundamentally unchanged despite important changing trends in population, housing, transportation and traffic management, infrastructure and other planning issues since that time.

- 1.6** The subject site is outside the STRLUS’s identified UGB.

- 1.7** There is no statutory mechanism for either individuals or Planning Authorities to apply to amend the STRLUS.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Environmental Living under the Scheme.

- 2.2.** The proposed subdivision is currently prohibited under the Scheme.

- 2.3.** The Savings and transitional provisions of LUPAA (Schedule 6) specifies that the former Act applies to existing planning schemes in force prior to the approval of the Tasmanian Planning Scheme Local Provisions Schedule ie the Clarence Interim Planning Scheme 2015. Section 43A(1) of the former Act provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.
- 2.4.** The proposal is submitted under Section 43A the LUPAA and seeking a combined planning scheme amendment and development approval for a 30 lot subdivision.
- 2.5.** If certified, the application will then be advertised for public comment and subject to further review on the basis of any representations received by Council, prior to it being forwarded to the TPC for final consideration. In addition, should it be considered appropriate, under Section 35 Council has the power to direct that the amendment be modified.
- 2.6.** The relevant parts of the Planning Scheme are:
- Section 8.10 – Determining Applications;
 - Section 8.11 – Conditions and Restrictions on a Permit;
 - Section 10.0 – General Residential Zone;
 - Section 14.0 – Environmental Living Zone;
 - Section 19.0 – Open Space Zone;
 - Section E1.0 – Bushfire-Prone Areas Code;
 - Section E3.0 – Landslide Code;
 - Section E5.0 – Road and Railway Assets Code;
 - Section E6.0 – Parking and Access Code;
 - Section E7.0 – Stormwater Management Code;
 - Section E27.0 – Natural Asset Code; and
 - F14.0 – Oceana Drive Residential and Bushland Specific Area Plan.

3. PROPOSAL IN DETAIL

In addition to the applicant's Planning Report (JMG – April 2018, a copy of which is included in the attachments), the applicant submitted the following documents to accompany the proposal:

- Natural Values Report (North Barker - 15 January 2018);
- Aboriginal Heritage Assessment (Cultural Heritage Australia - 27 November 2017);
- Bushfire Assessment (JMG - January 2018);
- Geotechnical Site Investigation (GES Geo-Environmental Solutions – undated based on 22 November 2018 site inspection);
- Traffic Impact Assessment (Milan Prodanovic – June 2018); and
- Concept Services Report (JMG - January 2018).

3.1. The Site

The subject site is 22 Atkins Street, Rokeby (CT 131197/2), an 8.06ha vacant lot located directly west of the existing urban settlement in Rokeby. The land has varying topography generally sloping up from east-west and continues 2 overland drainages lines trisecting the land at the north and south of the site. The land forms part of the Rokeby Hills area which has been protected by planning controls for many years.

The property is surrounded by bushland to the west (up slope) and south and cleared land (General Residential) to the north. A large portion of the site is cleared with bushland remaining on the western boundary and the south. The natural values assessment submitted with the application described the site as containing: *“previously cleared land which has resulted in a large infestation of boneseed combined with wattle regrowth and some intact bushland on the margins and south. To the south remains some blue gum forest (DGL) which is a State threatened vegetation community and also foraging habitat for the endangered swift parrot. Two threatened flora species were recorded, gentle rush Juncus amabilis and Risdon peppermint Eucalyptus risdonii”*. (p26)

Access to the site is uncontrolled and the site, particularly the lower area, has become an illegal dumping ground for cars and household waste.

A plan showing the location of the site is included in the attachments as are several site photographs.

3.2. The Amendment (A-2018/1)

It is proposed to amend the Scheme in the following manner.

- **Rezoning**

It is proposed to rezone approximately 75% of the site from “Environmental Living” to “General Residential” (5.8Ha) and “Open Space” (3141m²). The remaining balance is proposed to be retained as “Environmental Living”. A copy of the applicant’s proposed Zone Plan is included in the attachments (Figure 6, p10 of the JMG Planning Report).

- **Specific Area Plan**

It is proposed to modify the existing Oceana Drive Residential and Bushland Specific Area Plan (SAP) to include the entire subject site. A copy of the applicant’s proposed modifications to the existing SAP is included in the attachments (Figure 7 and 8, p11 and 12 of the JMG Planning Report).

3.3. Modified Amendment

Should Council resolve to initiate an amendment, Section 35 of LUPAA specifies that after preparing a draft amendment, Council must determine whether (or not) the draft amendment meets the requirements of Section 32. Should Council be satisfied that the amendment is in order it may certify the Amendment as meeting S.35. However, pursuant to S.35(b), if Council is not satisfied that the amendment meets the requirements of S.32, then it should proceed to modify the amendment until it does.

In this instance the proposed amendment raises the following concerns:

1. Creation of Dual Zones

The area proposed to be retained in the Environmental Living Zone does not align with the proposed “Balance” lot (Lot 303) cadastre. Hence, should both the Amendment and proposed subdivision be approved, lot 303 would be subject to both the General Residential Zone and Environmental Living Zone provisions. The proposed dual zoning is both avoidable and undesirable and a matter that ought to be addressed.

2. Complexity

It is considered that modifying the SAP to include the entire site would be inconsistent with the purpose of the SAP outlined at F14.1, which identifies the need for conservation and protection of natural and landscape values (primarily above Oceana Drive on the Tranmere side). For the General Residential zoned lots this would unnecessarily result in an additional layer of complexity in the assessment of subdivision and future development.

3. Open Space Zone

As discussed in further detail at Section 10.0 of this report rezoning the land proposed to be transferred to Council as Public Open Space (lots 200-202) would be inconsistent with Council’s Public Open Space Policy 2013, which states at Section 4.1 that: *“Isolated pocket parks, civic spaces and POS primarily used for permeability and connectivity are to be zoned consistently with the surrounding area”*. In this instance Lots 200-202 is proposed to be zoned Open Space. The land connects to Council’s land at 22a Atkins Street which is zoned Environmental Living, Council’s land at 68 Tollard Drive which is zoned General Residential and abuts adjoining land proposed to be zoned General Residential.

4. Environmental Living Lot Size

The proposed 2.12ha balance lot does not meet the minimum 6.0ha lot size prescribed Environmental Living Zone (for the area covered by the SAP) and there is no corresponding Performance Criterion. This issue is discussed in further detail at Section 4.1 of this report and would introduce an anomaly that is unnecessary and avoidable.

5. Oceana Drive Residential and Bushland Specific Area Plan

As discussed in further detail at Section 4.3 of this report the proposed 2.12ha balance lot would represent an additional bushland residential lot beyond that provided for under the Performance Criterion at F14.8.1 (P1) and does not meet the minimum 5.0ha lot size prescribed F14.8.1 (P1)(a). There is no capacity to vary either of the standards beyond that prescribed. Accordingly, without further modification the proposed submission could not be approved.

Required Modifications

For the above reasons it is considered that the proposed draft amendment would conflict with Section 32(e) and (f) of LUPPA. Accordingly, should Council resolve to initiate the amendment the draft amendment would need to be modified prior to certification to:

- Ensure the area of land proposed to be retained within the Environmental Living Zone is consistent with the alignment of proposed Lot 303.
- On the SAP, include an identified building envelope on the proposed Environmental Living Zoned Lot (Lot 303).
- Reduce the area of the site to be included in the SAP by removing all the land proposed to be rezoned to General Residential and Open Space.
- Rezone the land proposed to be zoned Open Space to General Residential.

- Modify the minimum 6.0ha lot size prescribed in Environmental Living Zone for the area subject to the SAP. The modification should ensure that no further subdivision potential is increased for the area currently subject to the SAP.
- Modify F14.8.1 (P1) of the SAP to enable the consideration of an additional bushland residential lot with a minimum area of 2.0ha (down from 5ha). The modification should ensure that no further subdivision potential is increased for the area currently subject to the SAP.

Should Council resolve to initiate this amendment, following the development of a modified amendment, a subsequent report will be prepared for Council's consideration prior to certification and exhibition.

3.4. The Subdivision (SD-2018/19)

The subdivision proposal SD-2018/19 is for the staged creation of 30 lots comprising of:

- 19 residential lots (Lots 1-19) ranging from 450m² to 1278m²;
- 7 “super lots” (Lots 300-302 and 304-307) ranging from 2670m²-6087m²;
- 3 Public Open Space lots (Lots 200-202);
- 1 Environmental Living Zoned “Balance lot” (Lot 303 – 2.12ha); and
- Road lot/s.

The subdivision is proposed to be developed in 5 stages and a copy of the proposed subdivision and associated staging plan is included in the attachments (JMG Planning Report - Appendix B).

The applicant submits that 3 of the residential lots (Lots 1, 2 and 16) and all 7 “super lots” are intended to be designated Multiple Dwelling lots. While not proposed at this time, the applicant's reports indicate that the 7 “super lots” could provide for approximately 50 Multiple Dwellings when fully developed.

Access to the site will be via an extension of Atkins Street and Joseph Street which will connect to a proposed internal circular road network with a cul-de-sac at the northern termination of the western road corridor.

A 3141m² Public Open Space (POS) corridor is proposed providing a linear connection between Council's existing POS at 22a Atkins Street and 68 Tollard Drive. The proposed POS represents 3.9% of the entire site area, or 5.2% of the site excluding the area of the balance lot.

The proposed Lot 303 is generally covered with existing vegetation and subject to the Natural Asset Code. No works are proposed on this lot, however, an indicative building envelope location has been provided on the plan of subdivision (Plan 4 of 4 - Lot Detail Plan included in the attachments: JMG Planning Report - Appendix B). The building envelope is outside of the Natural Asset Codes Biodiversity Protection Area and clear of the required bushfire hazard management area setback.

4. PLANNING ASSESSMENT

An Assessment of the proposed subdivision is as follows.

4.1. Zones

As previously stated, the subject land is currently zoned Environmental Living. The Environmental Living Zone specifies a minimum lot size of 20ha and the proposed subdivision is currently prohibited and the reason behind the draft amendment.

Should the amendment (as modified) be approved, the site would be subject to the provisions of the General Residential Zone and the Environmental Living Zone.

- **General Residential Zone**

A copy of the applicant's Planning Report is included in the attachments. The report contains a detailed assessment of the proposal against the relevant zone provisions, which in the case of General Residential Zone are accepted and discussed below.

Provided that the 7 proposed “super lots” are designated for the future development as Multiple Dwellings (as proposed), the proposed subdivision meets all relevant Acceptable Solutions of the General Residential Zone with the exception of the following.

Standard	Comment
10.6.1 Lot Design	The proposal does not meet: <ul style="list-style-type: none"> • A2 due to lots being subject to the Bushfire-Prone Areas overlay; and • A5 as the proposal is for more than 3 lots.
10.6.2 Roads	The proposal does not meet A1 as the proposal involves the construction of new roads.
10.6.3 Ways and Public Open Space	The provision provides no Acceptable Solution.
10.6.4 Services	The proposal does not meet A1 as the proposal involves the construction of new roads.

The proposed cadastre and associated urban design provides for a range of housing types at a density envisaged for the zone. The lots are provided with suitable road frontages; the proposed road network is legible and provides sufficient connectivity. It is considered that the proposed POS is appropriately located and would provide suitable connectivity to other POS. For these reasons it is considered that the proposal meets the relevant performance criteria and could be satisfactorily developed subject to standard conditions relating to engineering designs, drainage, construction management, property transfers and weed management.

- **Environmental Living Zone**

A draft amendment modified as described would result in one 2.12ha balance lot (Lot 303) entirely within the Environmental Living Zone. No development on this lot is proposed as part of this proposal. The applicant’s Planning Report does not include an assessment against the Environmental Living Zone. The proposed subdivision meets all relevant Acceptable Solutions of the Environmental Living Zone with the exception of the following.

Standard	Comment
14.6.1 Lot Design	The proposal does not meet: <ul style="list-style-type: none"> • A1 which prescribes a minimum lots size of 20ha across the zone or 6.0ha if subject to the SAP overlay; and • A2 due to lots being subject to the Bushfire-Prone Areas overlay.
14.5.2 Roads	The proposal does not meet A1 as the proposal involves the construction of new roads.
14.5.4 Services	The proposal does not meet A2 as there is no Acceptable Solution.

The proposed road network adequately services the balance lot and the lot is likely to be sufficient size to accommodate an on-site water system adequate for the intended use.

Notwithstanding, the proposed 2.12ha balance lot does not meet the prescribed minimum 6.0ha and there is no corresponding Performance Criterion. On the face of it, this would prevent the approval of the subdivision. However, provided that the SAP is in order (which it is not - discussed below) Clause 7.4.2 states “*Where there is a conflict between a provision in a specific area plan and a provision in a zone or a code, the specific area plan provision prevails*”. That is, despite the minimum lot size provided for in the zone, the applicable minimum lots size is that prescribed in SAP.

Should Council resolved to initiate this amendment; it would have to be on the basis that it also modifies the amendment to amend the minimum lot size controls in the Environmental Living Zone. Any modification should be sufficient to provide for the consideration of the 2.12ha balance lot without providing for additional development potential for the lots currently subject to the SAP provisions.

4.2. Codes

- **Bushfire-Prone Areas Code**

The subject property is identified as being bushfire prone under the Scheme's Bushfire Prone Code and the proposal was accompanied by a Bushfire Assessment Report. The proposed Bushfire Hazard Management Plan outlines the required protection measures including hazard management areas, building siting and construction, access and water supply standards. The protection measures reduce bushfire risk to future residents, developments and to firefighters and has been certified by an accredited practitioner as compliant with the Bushfire-Prone Areas Code.

The report demonstrates the site is capable of being developed consistently with the proposed zone purposes without the need for bushfire management beyond the boundaries of the site.

At this time it is not proposed to amend the extent of the Scheme's Bushfire Prone Areas Code overlay. However, should this proposal ultimately be approved by the TPC, following the subsequent development of the proposed lots it is likely the overlay will require an amendment in the future to reflect the bushfire risk at that time.

- **Landslide Code**

Approximately 22% of the site is subject to the Scheme's Landslide Code ("Low" hazard area). The Code applies to all development, subdivision or use of land within an identified landslide hazard area. While there are no Acceptable Solutions, as required by the Code, the proposal was accompanied by a landslide risk management report which demonstrated that there are no building areas, access or services proposed within a "High" landslide hazard and that the proposal is consistent with the relevant performance criteria.

The geotechnical investigation report concluded *“that ground conditions over the proposed areas of development show limited geotechnical impediments to construction. Conventional foundation designs are likely to be suitable for residential construction founded in the natural subsoils with adequate bearing capacity”*.

The investigation reported that the site is suitable for residential development and the geotechnical risk is generally rated as low. A range of recommendations were identified, the most significant being the requirement for soils and water management plans, and associated infrastructure must be in place for all construction activities. Accordingly, this should form a condition of any approval.

- **Road and Railway Assets Code and Parking and Access Code**

The Road and Railway Assets Code applies to all use and development that require new or intensification of existing intersections. The Parking and Access Code apply to all use and development.

To address these codes the proposal was accompanied by a Traffic Impact Assessment (TIA) which estimated that the proposed subdivision and subsequent development across Stages 1A and 1B will generate approximately 157 vehicle movements per day and around 16 vehicle movements per hour during peak traffic periods. The report indicated that when fully developed and occupied, the proposal could be expected to generate some 660 vehicles/day and around 66 vehicles/hour during peak traffic periods.

The proposal meets the relevant standards but requires discretion because new intersections are proposed and the existing access to the site is intensified. In terms of these codes, the proposal could be approved subjected to relatively standard conditions including:

- (i) the construction of a roundabout to be constructed as part of stage 1A at the crossing intersection; and

- (ii) a revised lot layout showing chamfer/radius with all the corner lots (Lots 1, 2, 16, 17, 5 and 6) to allow sufficient sight distance at the intersections.

- **Stormwater Management Code**

The Stormwater Code applies to all use and development that requires management of stormwater. The applicant's services report addresses stormwater capacity and design, which in this case is problematic. Council Engineers advise that the information provided is not adequate and in some cases inaccurate. The servicing report provided has erroneously assumed the presence of Council stormwater pipes and requires modification before a detailed assessment can be completed. Ideally a revised report should have been received prior to the completion of this report. However, given the timing of Council's agenda cycle, the officer recommendation not to initiate this amendment and the applicant's desire to progress the application, the assessment is based on the information currently available.

Given the circumstances Council Engineers advise that: *"it would be possible for the developer to provide the necessary stormwater detention and treatment on site but significantly more detail and hydraulic assessment would be needed to enable the sizing and location of such facilities to be determined. There is significant limitation of the existing stormwater system downstream which would need to be incorporated in the development assessment for a sustainable solution to stormwater provision for this proposal"*. Further: *"If this development were to be supported there would need to be significant changes to stormwater and some lots will need to be reshaped"*.

Accordingly, it is considered that the site could be serviced sufficiently to support the draft amendment but further work would need to be undertaken to determine the impact on and the appropriateness of the proposed subdivision.

The applicant has advised that they are currently working on resolving this matter, but at the time of this report remains outstanding. Given the uncertainties it is considered that this work would be beyond the scope of what could reasonably be conditioned. Accordingly, the work would need to be completed prior to the consideration of any draft subdivision permit or alternately refused.

- **Natural Asset Code**

Approximately 22% of the site is subject to the Scheme's Natural Assets Code ("high" hazard area). The Code applies to all use or development, including subdivision and the clearance or disturbance of vegetation, on land wholly or partially within a Biodiversity Protection Area (BPA) shown on the planning scheme maps. In this instance the area of site subject to the code is limited to the 2.12ha balance lot (Lot 303).

The Natural Values Report accompanying the proposal identified an area of blue gum forest (which is a State threatened vegetation community) with foraging habitat for the endangered swift parrot. The report also found 2 threatened flora species, the gentle rush *Juncus amabilis* and the Risdon peppermint *Eucalyptus risdonii*, with the former being impacted by the proposal. The Risdon peppermint occurs in the blue gum forest and will be retained.

No works are proposed within Lot 303 as part of this application and on that basis meets the relevant Performance Criteria. The report supported the proposed building envelope on Lot 303 as it is outside of the biodiversity protection area and generates minimal impact to blue gum forest and existing vegetation. It is recommended that any initiation of this proposal include a modification to the amendment to ensure that building envelope is reflected in the SAP.

The report also noted that the site contains a significant amount of dumped car bodies and is infested by various noxious weeds. As such, any approval should include suitable conditions to remove waste, improve the waterway for POS and control weeds.

4.3. Specific Area Plans

- **Oceana Drive Residential and Bushland Specific Area Plan**

The proposed 2.12ha balance lot does not meet the prescribed minimum lot size in the underlying Environmental Living Zone and hence the reason it proposed to amend the SAP to include the subject site. Should the SAP be extended to include the proposed 2.12ha balance lot, it is noted that Under F14.8.1 Subdivision Layout there is no minimum lot size acceptable solution and the corresponding performance criteria states:

“Notwithstanding the minimum lot size in the Environmental Living Zone, any subdivision must provide a maximum of four (4) bushland residential lots which must satisfy all of the following:

- (a) have a minimum lot size of 5ha.*
- (b) have a building area with sufficient area for bushfire hazard management in areas with lesser conservation values and:*
 - (i) lower visual sensitivity; or*
 - (ii) where visual sensitivity can be satisfactorily addressed”.*

The proposed 2.12ha balance lot would represent the fifth bushland residential lot and would not satisfy the minimum lot size of 5ha. Neither of these standards can be varied and on that basis the proposed subdivision cannot be approved without further modification to the amendment. Accordingly, should Council resolve to initiate the draft amendment it would have to be modified as required to enable the consideration of the balance lot.

Any modification should be sufficient to provide for the consideration of the balance lot without providing for additional development potential for the lots currently subject to the SAP provisions.

5. CONSULTATION

Applications for planning scheme amendments are not formally open for public comment until after Council has resolved to initiate and certify the Amendment. Should this be the case, the draft amendment and associated draft permit (if supported) will be publicly exhibited in accordance with the statutory requirements.

6. EXTERNAL REFERRALS

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

They also provided conditions that must form part of an approved subdivision Permit.

7. COUNCIL COMMITTEE RECOMMENDATION

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

8. STATE POLICIES AND ACT OBJECTIVES

An amendment is to further the objectives of LUPAA. The objectives of Schedule 1 of LUPAA are:

PART 1 - Objectives of the Resource Management and Planning System of Tasmania

“(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity”;

Development is generally considered sustainable when there are no demonstrable adverse effects upon natural resources, ecological processes or genetic diversity.

Additional information relating to stormwater design would be required to be submitted prior to the final consideration of the proposed subdivision. However, the applicant's Natural Values Assessment found that the majority of the site is predominantly cleared of significant vegetation, with the exception of the area to the south which is limited to the Environmental Living Zoned Balance lot. While no development is proposed as part of this amendment, a building envelope has been identified on the Balance lot outside of the Scheme's Natural Asset Code's Biodiversity Protection Area.

Based on the information accompanying the proposal, the draft amendment would enable the consideration of a subdivision and appropriate services with negligible impact on ecological processes and genetic diversity of significance. The proposal would result in the removal of rubbish and weed management.

“(b) to provide for the fair, orderly and sustainable use and development of air, land and water”;

Within the local context the modified draft amendment and staged approach to subdivision are consistent with the above. However, as discussed in detail later within this report the amendment represents an ad hoc residential expansion outside of the STRLUS UGB. Accordingly, it is considered that the draft amendment does not further this objective.

“(c) to encourage public involvement in resource management and planning”;

Should Council resolve to initiate and certify the amendment, it (along with any draft permit conditions) will be advertised for public comment.

“(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c)”;

If initiated and certified by Council, and ultimately approved by the Tasmanian Planning Commission, the proposal could facilitate economic development through construction works, ongoing infrastructure maintenance, subsequent residential construction and associated ongoing servicing.

Following construction, the increase in local population will benefit the economic development of Rokeby and the broader area in the long term.

“(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State”.

Development achieved through the amendment requires co-operative planning between the developers, Council and to a degree, the general community.

PART 2 - Objectives of the Planning Process Established by this Act

“(a) to require sound strategic planning and co-ordinated action by State and local government”;

The STRLUS is most relevant to strategic consideration. As mentioned above and discussed in detail later within this report the amendment represents an ad hoc residential expansion outside of the STRLUS UGB. Notwithstanding, should Council resolve to initiate and certify the amendment, it will need to make its case to the Tasmanian Planning Commission prior to determination.

“(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land”;

Initiation of this amendment requires demonstration that the proposal is consistent with the STRLUS and adopted State Policies. While this would need to be demonstrated, approving the amendment would introduce new planning controls to regulate the uses and developments that may occur on the site. It should be noted the amendment would involve a major reduction in the minimum lot size in the Environmental Living Zone.

“(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land”;

The proposal was accompanied by a range of reports including a Natural Values Assessment, a Geotechnical Assessment, Bushfire Assessment and Services report.

The reports demonstrate that the site could be developed subject to suitable conditions (Note: a revised stormwater assessment/design would be required and is discussed below).

The proposed subdivision would provide both social and economic benefits. This would be realised in the shorter term through the creation of jobs during the development phase. In the longer term, the increased population would support community development and result in more effective utilisation of existing infrastructure, including public open space and service roads.

“(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels”;

The proposal provides for a residential expansion in an area outside of the STRLUS UGB discussed in detail below.

“(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals”;

The amendment has been submitted under the provisions of Section 43A of LUPAA and linked to a subdivision proposal and is consistent with this requirement. However, as previously discussed the amendment (as proposed) requires modification to ensure that the proposal could be considered.

“(f) to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania”;

The amendment and the subsequent development of the site will contribute to the viability and expansion of community facilities, shops and public transport. The subdivision would assist the delivery of housing and the expansion of Council’s POS network.

“(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”;

The proposed amendment and associated subdivision will not impact any significant building or place. Additionally, the applicant’s Aboriginal Heritage Report found no evidence of aboriginal sites on the subject site.

“(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community”;

The proposed subdivision proposal extends Council’s POS network providing suitable connection between 2 existing POS areas.

The proposal was accompanied by Traffic Impact Assessment (TIA) and a Services Report demonstrating the capability of existing infrastructure and concept design.

TasWater advised that they did not object to the draft amendment and provided a range of conditions to ensure the proposal could be adequately serviced with water and sewerage.

The TIA demonstrated that the surrounding road network and proposed extension to it could service the subdivision subject to conditions relating to engineering design and the construction of an internal roundabout.

As previously discussed the provision of appropriate stormwater services is problematic and further information would be required to enable a thorough assessment. While Council Engineers advise that while it would be possible to provide the necessary stormwater detention and treatment on-site, there would need to be significant changes to the stormwater design and some lots will need to be reshaped.

This work would need to be completed prior to the consideration of any draft subdivision permit.

“(i) to provide a planning framework which fully considers land capability”.

Subject to appropriate conditions (and a revised stormwater assessment/design previously discussed) the land is capable of supporting the proposal as previously discussed and demonstrated through the accompanying reports.

While the proposal furthers the majority of the stated objectives, or would do subject to a revised stormwater assessment/design, the amendment represents an ad hoc residential expansion outside of the STRLUS UGB. Accordingly it is considered the objectives of Schedule 1 of LUPAA are not met and it is recommended that Council does not initiate and certify the amendment.

9. STRATEGIC PLAN/POLICY IMPLICATIONS

9.1. State Coastal Policy

The State Coastal Policy 1996 is not applicable to the proposal.

9.2. State Policy on the Protection of Agricultural Land 2009

The land is not agricultural land.

9.3. State Policy on Water Quality Management 1997

The purpose of the State Policy on Water Quality Management 1997 is: *“To achieve the sustainable management of Tasmania's surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania's Resource Management and Planning System”.*

Given that the site is proposed to be serviced by reticulated water, sewerage and stormwater the most relevant sections of the policy are 17.2 and 33.1 relating to waste discharge, erosion and stormwater management and can be addressed through conditions.

9.4. Section 32 - Requirements for Preparation of Amendments

Section 32(1) of LUPPA specifies that amendments to planning schemes must:

- “(e) must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area; and*
- (ea) must not conflict with the requirements of section 30O; and*
- (f) must have regard to the impact that the use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms”.*

In this context the proposal represents an expansion of the existing Rokeby settlement. The proposed amendment and associated subdivision would be unlikely to introduce any land use conflict with the adjoining land zoned General Residential to the north and east and the Environmental Living zoned land to the south and west. In terms of the potential introduction of land use conflict, the amendment represents a shift in the General Residential/Environmental Living zone delineation rather than a substantive change.

The requirements of Section 30O are addressed below.

Section 32(2) of LUPAA specifies those elements of Section 20 - What can a planning scheme provide for also apply to amendments to planning schemes. In this instance it is considered that the proposed amendment is consistent with the relevant requirements.

9.5. Section 30O - Amendment of Interim Planning Schemes

Section 30O(1) of LUPAA provides that an amendment to an Interim Planning Scheme may only be made to a *“local provision of a planning scheme, or to insert a local provision into, or remove a local provision from, such a scheme, if the amendment is, as far as is, in the opinion of the relevant decision-maker within the meaning of section 20(2A), practicable, consistent with the regional land use strategy”.*

The proposed amendment relates to local application of zones and modifications to an existing SAP and on this basis relates to a “local provision”.

Whether or not the proposal is consistent with the regional strategy requires discussion. It is considered that Council’s position on this matter should determine whether or not the amendment ought to be initiated.

9.6. Southern Tasmanian Regional Land Use Strategy

The STRLUS is a broad policy document, prepared to manage future growth and development over the next 25 years. It is a regional level policy document adopted by the Minister and is the relevant regional land use strategy referred to at S.30(O) of LUPAA above.

Council is familiar with the STRLUS’s UGB which is used to guide the growth and development within the “Metropolitan area of Greater Hobart”. In this instance the subject site is outside of the UGB. The site abuts and is to west of the established UGB shown on Map 10 of the STRLUS.

The applicant provided a submission addressing requirements of the STRLUS a copy of which is included in the attachments (p18 – p27 of the JMG Planning Report).

The applicant’s submission acknowledges that all amendments to interim planning schemes must be consistent with and likely to further the objectives and outcomes of the applicable regional land use strategy. They also acknowledge that the subject site is outside of the UGB and for this reason the applicant submits (p20) that:

“For a rezoning of the study area to be acceptable under Part 19 of STRLUS (SRD 1.1), it would be necessary first to amend the Urban Growth Boundary of the Strategy. Clause 34(2)(e) of LUPAA requires that a Local Provisions Schedule be consistent with the Regional Land Use Strategy. Justification for an amendment to the Urban Growth Boundary would require examining the assumptions underpinning it, in the context of current population trends.

The following analysis provides an assessment of the yield capacity and vacancy of existing zoned land, in the context of current population, building and housing trends”.

In summary the Planning Report outlines that:

- the STRLUS is in need of review;
- the STRLUS provides long term goals yet (it is submitted) that the existing housing stock may not meet the current and thus future, demand;
- while outside the UGB, the proposal is consistent with the general aims of the housing strategy;
- the proposal will provide an increased supply of affordable housing at higher densities;
- the site is more appropriately located at other Greenfield precincts within the UGB;
- the site is well located maximising the use of existing infrastructure and services;
- the site will be connected to reticulated sewage eliminating environmental issues associated with on-site wastewater treatment;
- the site is not at risk from natural hazards such as sea – level rise an flooding and bush fire risk can be appropriately managed; and
- the site is set back from the coast and will not compromise landscape character.

Despite the above, there is no capacity for either Council or an applicant to apply to amend a regional strategy. In isolation and without the benefit of a regional review the proposal is an ad hoc proposal without strategic foundation.

Amongst other things a comprehensive review the STRLUS would need to consider:

- population growth in conjunction with supply and demand time horizons;
- all available land within Greater Hobart;
- existing supply of zoned land and current approvals;
- infill/greenfield take up rates and future strategy;
- existing and planning infrastructure and servicing capacity;
- the desired future forms of the Greater Hobart Urban Area; and
- Government sector, infrastructure providers and public submissions.

Any modification to the STRLUS that did not take into account these matters is not strategic.

Should Council resolve to initiate this amendment (or a modified version of it) it will have to present its case to the TPC who will ultimately determine the matter.

9.7. Clarence Land Bank

The STRLUS recognises that residential land supply will be provided through a mix of both green field (broad acre) and infill development sites. Land supply attributed to potential infill development is difficult to quantify accurately, as it involves a significant range in scale from larger parcels capable up 100 lots or more down to one lot subdivisions of backyards in established residential areas. The latter of which have more uncertainties associated with servicing capacity, land suitability and landowners desire to subdivide.

Even so, an understanding of the current land supply/availability can be achieved through an analysis of existing subdivision approvals, release of lots, area of residentially zoned land and green field site identified in the STRLUS.

A breakdown of the more significant sites/subdivision permits was compiled in April 2017 and is now 15 months out of date. The analysis revealed that there was at that time in the vicinity of 3000 residential lots that are either approved but yet to be sealed or could be approved on suitably zoned land.

Beyond the currently General Residential Zoned land there was in excess of 2200 additional potential lots identified within the STRLUS UGB Green Field Precincts (being Droughty Point and Risdon Vale).

In order to establish whether this supply is sufficient to meet projected demand several assumptions relating to other infill potential and take up rates require consideration. An analysis of the number building approvals for new dwellings, the number of newly created parcels on Council's property data base and the increase number of rateable residential properties indicated an average annual demand of between 260 and 300 new residential builds.

There are uncertainties introduced between the time of application and completion dates as well as the figures representing residential builds across all zones and infill/green field scenarios. However, for projection purposes it is considered that an average of between approximately 180 and 250 newly created residential blocks could be used as an annual take up rate within the identified significant sites/subdivision areas. Without consideration of varying take up rates across market segments these figures indicate that there is approximately 12-16 years of residential land supply within the existing zoned area, the majority of which have current subdivision permits. Including the green field sites identified within the established STRLUS Urban Growth Boundary there is approximately 20-30 years supply. Therefore there is no urgency in creating additional residential areas.

9.8. 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 & Trails Strategy 2012;
- Positive Ageing Plan 2012-2016;
- Clarence Coast & 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.

Rezoning the land proposed the transferred to Council as Public Open Space (lots 200-202) would be inconsistent with Council's Public Open Space Policy 2013, which states at Section 4.1 that: *"Isolated pocket parks, civic spaces and POS primarily used for permeability and connectivity are to be zoned consistently with the surrounding area"*. In this instance Lots 200-202, connect to Council's land at 22a Atkins Street which is zoned Environmental Living, Council's land at 68 Tollard Drive which is zoned General Residential and abuts adjoining land proposed to be zoned General Residential. Accordingly, should Council initiate the amendment this land ought to be zoned General Residential.

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. A 3141m² Public Open Space (POS) corridor is proposed providing a linear connection between Council's existing POS at 22a Atkins Street and 68 Tollard Drive. The proposed POS represents 3.9% of the entire site area, or 5.2% of the site excluding the area of the balance lot.

It is considered that the proposed POS is appropriately located, would provide suitable connectivity to other POS and consistent with Council's Policy.

10. STRATEGIC OVERVIEW

The proposal represents an urban expansion that:

- Is outside the STRLUS UGB. Urban expansion beyond the UGB is not only contrary to LUPAA but has broader implications for the strategic planning of Greater Hobart and the future desired urban form.
- Does not satisfy the requirements of Section 30O(1) and Section 32 of LUPAA or meet the objectives of Schedule 1 of LUPAA. Council must be satisfied that the amendment is in fact consistent with all of these requirements prior to any initiation and certification.
- Relies on Council to form the view that the proposal is consistent with the STRLUS. This is clearly not the case and recognised in the applicants report.
- Is ad hoc without strategic foundation. Amendments are a strategic planning exercise. It is impossible to make rational strategic land use planning decisions without knowledge of the overall impacts. Decisions outside of adopted strategy are ad hoc and irrational and have the potential to adversely impact the rational supply of land, services and development of Greater Hobart region.
- Council has previously supported the protection of the UGB even while advocating for an urgent review. Council's decision of February 2018 where by Council resolved to advise the Minister that it *"is concerned that continued ad hoc expansion of the Urban Growth Boundary has potential to prejudice the implementation of the Strategy, with significant impacts on current and future planning for a sustainable and affordable city"*.

- There is a case that there is land supply issue. As at April last year there were approximately 3000 residential lots that were either approved but yet to be sealed, or could be approved on suitably zoned land. Additionally, there are in excess of 2200 additional potential lots identified within the STRLUS Urban Growth Boundary Green Field Precincts. This represents 20-30 years supply.
- Would create a bad precedent signalling to developers a pathway to apply for ad hoc out of sequence development. This has negative implications for those owners/developers who have land set aside in existing residential zones and designated growth areas and would therefore impact on the orderly planned release of residential development.
- The precedent would also apply to adjacent land, which in turn could result in ad hoc eating away at the landscape values of the Rokeby Hills and potentially beyond.

11. CONCLUSION

The proposed subdivision at 22 Atkins Street Rokeby is currently prohibited under the provisions of the Scheme. For this reason the applicant has lodged an application under Section 43A of LUPAA, which provides for the concurrent consideration of a Planning Scheme Amendment and associated Development Application for a use/development that would otherwise be prohibited.

The amendment (as proposed by the applicant) is not sufficient to enable the consideration and potential approval of the proposed subdivision. Additionally, the amendment raises several implementation issues discussed with the body of this report. These issues would need to be addressed through a modified draft amendment prior to any initiation. Accordingly the modified draft amendment described at section 3.3 of this report is the amendment that should be considered for any potential initiation.

The proposal is outside the STRLUS UGB and represents an ad hoc proposal without strategic foundation. An urban expansion beyond the UGB is not only contrary to LUPAA but has broader implications for the strategic planning of Greater Hobart.

For these reasons and those detailed within the body of this report it is recommended that Council does not initiate the draft amendment.

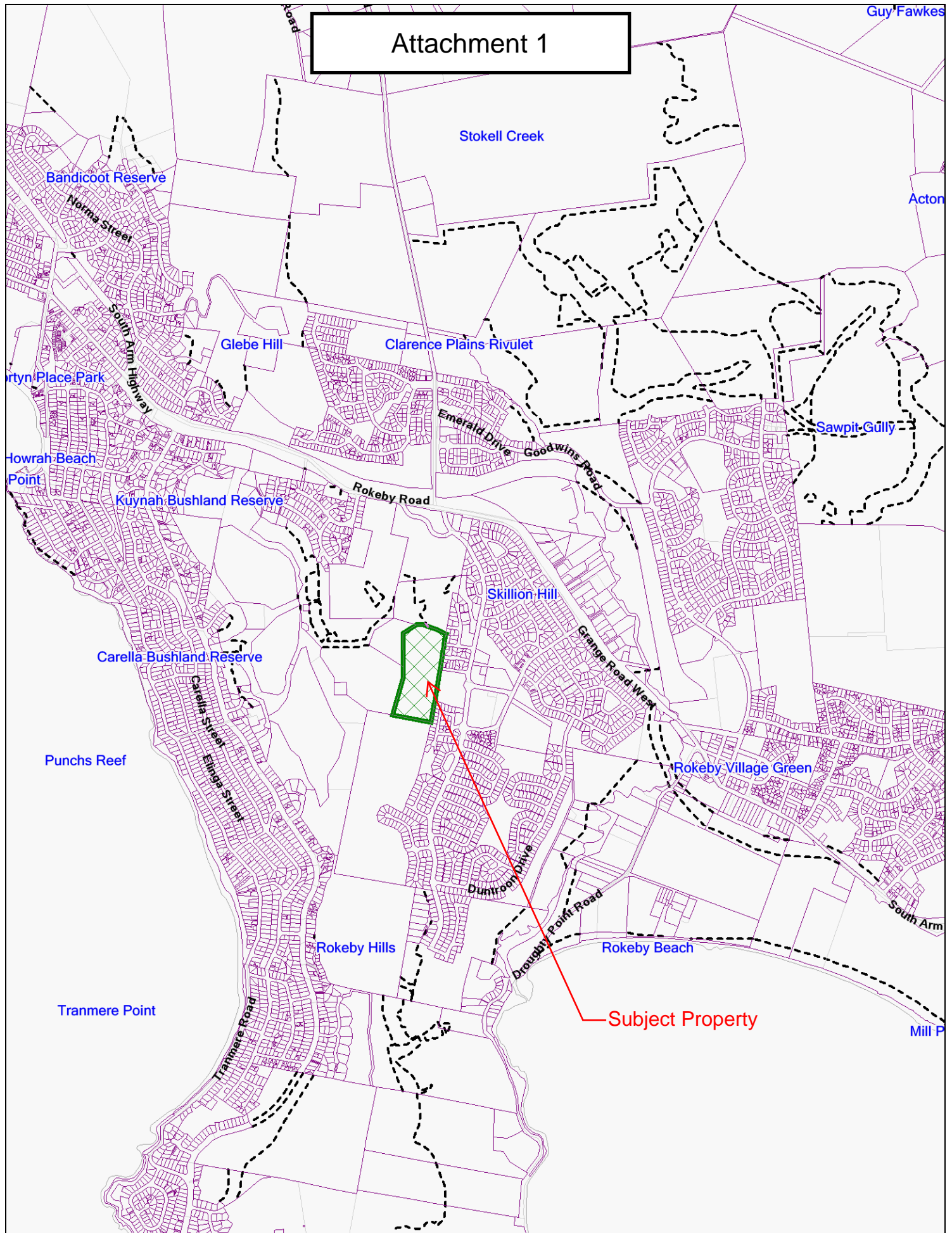
Given that the proposed subdivision is currently prohibited, should Council resolve not to initiate and certify the amendment Council is not required to refuse the subdivision.

- Attachments:
1. Location Plan (1)
 2. Site Photographs (2)
 3. Applicant's JMG Planning Report (56)
 - Proposed Zoning Plan (Figure 6, p10)
 - Proposed Oceana Drive Residential and Bushland Specific Area Plan (Figure 7 & 8, p11 & 12)
 - STRLUS assessment & submission (p18 – p27)
 - Proposed Subdivision Plan (Appendix B)
 4. Bushfire Hazard Management Plan (1)

Ross Lovell
MANAGER CITY PLANNING

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

22 Atkins St, Rokeby Location Plan



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, 2 July 2018 **Scale:** 1:23,030 @A4

Attachment 2





PLANNING REPORT

FOR PRESBYTERIAN CHURCH OF TASMANIA

22 Atkins Street, Rokeby



April 2018

Issuing Office: 117 Harrington Street, Hobart 7000
JMG Project No. 163091PH

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Appendix A - Certificate of Title

Appendix B - Proposed Subdivision Plans

Appendix C - Natural Values Report

Appendix D - Aboriginal Heritage Assessment

Appendix E - Bushfire Assessment

Appendix F - Geotechnical Assessment Report

Appendix G - Traffic Impact Assessment

Appendix H - Concept Services Report

Executive Summary

This report has been prepared in support of a Section 43A application for a proposed rezoning, subdivision and development of land at 22 Atkins Street, Rokeby. The application is to be lodged with the Clarence City Council for assessment.

Schedule 6(7) of the Land Use Planning and Assessment Act (LUPAA) allows for a request to be made to a planning authority to amend the zoning or use or development of one or more parcels of land specified in a Local Planning Scheme.

It is submitted that the proposed amendment ought to be considered under Section 43A of the Land Use Planning and Approvals Act 1993 on the basis that it is consistent with the objectives of LUPAA.

The proposed scheme amendment involves rezoning 5.8 ha of the site to 'General Residential' and 3141 m² to 'Public Open Space' with 1.86 ha remaining as 'Environmental Living' zone.

The proposal also seeks the subdivision of 1 existing allotment into 27 residential allotments including 1 balance lot (lot 303), 3 public open space lots and 5 road lots. The proposal has been considered against the subdivision requirements of the zone and the following discretions have been triggered:

- 10.6.1 (P2) - Does not meet A2 due to Bushfire-Prone Areas overlay;
- 10.6.1 (P5) - Does not meet A5 due to there being more than 3 lots proposed;
- 10.6.2 (P1) - Does not meet A1 as new roads are proposed;
- 10.6.3 (P1) - There are no Acceptable Solutions under A1; and
- 10.6.4 (P4) - Does not meeting A4 as new roads are proposed.

The proposal has been assessed against all relevant objectives and is found to be acceptable with respect to the Planning Scheme requirements for the reasons outlined in this report.

Introduction

JMG Engineers and Planners have been engaged by the Presbyterian Church of Tasmania to prepare an application on their behalf. This report has been prepared in support of a proposed rezoning and subdivision application to be lodged with the Clarence City Council for assessment. The proposed rezoning component includes rezoning portions of the subject site from 'Environmental Living' to 'General Residential' and 'Public Open Space'.

1. Site Location & Context

The subject site is located at 22 Atkins Street, Tranmere (CT 131197/2) (Figure 1). The site is located directly west of the existing urban settlement in Rokeby. The total area subject to the rezoning is approximately 8 ha.



Figure 1 - Subject Site

The site benefits from the proximity to existing services and infrastructure within the settlement of Rokeby as well as proximity to adjoining local centres including Rosny Park and Mornington to the northwest and Lauderdale to the southeast. The site is within a commutable distance to central Hobart and other major employment locations on Hobarts eastern shore.

Title information is included as Appendix A.

2.1 The Local Area

Surrounding land use and development includes urban residential, the Clarence Plains Community Health Centre, Rokeby Community Hall, Child Care Centre, Rokeby Primary School, Emmanuel Christian School and Neilson Park (public open space). Rokeby is situated within the Clarence City Council municipality with a population of approximately 5,938 residents.



Figure 2 - Surrounding area

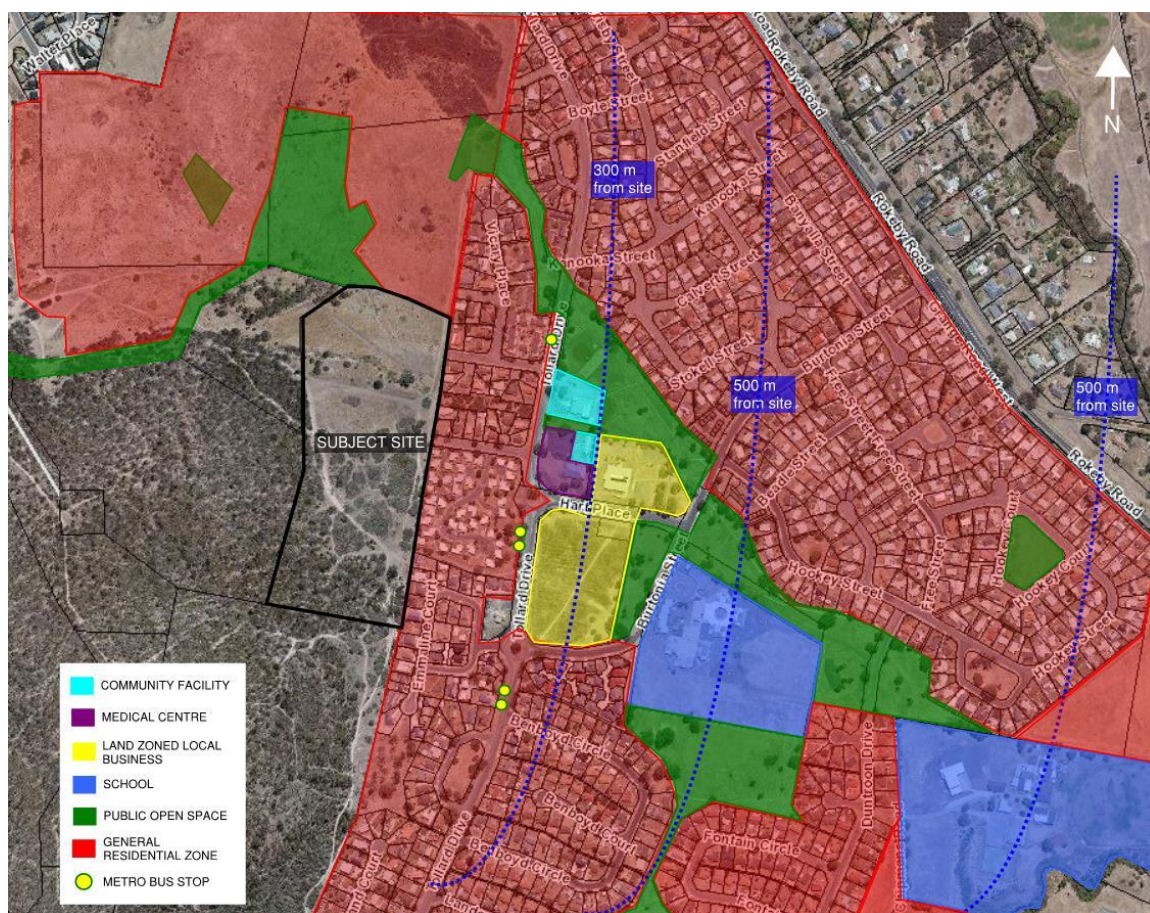


Figure 3 - Site context and surrounding facilities

The proposed rezoning will allow for additional dwellings on the periphery of the established urban area, catering for approximately 66 new residents within the first stage of subdivision. The site is also within close proximity to local services and facilities including the Shoreline Plaza which is approximately 5 m drive from the site.

2.2 Social Services and Facilities

‘Social infrastructure’ is defined under the *Southern Tasmania Regional Land Use Strategy* as all services, facilities and structures that are intended to support the well-being and amenity of the community. This includes not only educational and health facilities, but social housing and other community facilities (such as online access centres). (pg. 46)

The social infrastructure of Rokeby is dependent on nearby activity centres and networks that form part of the regional landscape. The *Southern Tasmania Regional Land Use Strategy* defines different activity centres based on their size and function.

Rokeby is defined as a ‘Minor or Neighbourhood Centre’ (Figure 3).

MINOR OR NEIGHBOURHOOD CENTRE		
Role	To serve daily needs of surrounding community and provide a focus for day-to-day life within a community.	To be determined at the local level, (examples include Claremont, Howrah (Shoreline), Lauderdale, Margate, Sandy Bay Shopping Centre, Triabunna)
Employment	Includes a mix of retail, community, and health services (such as GP) and small scale office-based employment servicing the local area.	
Commercial including retail	Should offer at least one supermarket, a range of speciality shops and secondary retailing. Should be mix of convenience and range. May include discount department store. In rural context, often includes tourism related businesses.	
Government Services & Community infrastructure	Local community services, including community health facilities.	
Residential	Some residential may be interspersed, although there is no emphasis on residential amenity.	
Entertainment	May include some night time activities focussed on dining or a local Hotel.	
Access	In an urban context ideally located on a public transport corridor with at good bus services. Should be highly accessible by cycling or walking from surrounding area to enhance local access.	
Catchment	Serves a number of suburbs but may attract people from a wider catchment on an occasional basis.	

Figure 4 - Excerpt from Southern Tasmania Regional Land Use Strategy

The site is within close proximity to community services and facilities, ensuring good support for the future community. The site is within 300 m of the Rokeby primary school, 700 m from the Emmanuel Christian School and 200 m from the Clarence Plains Community Health centre and Community Hall. Rokeby High School is approximately 1.2 km northeast of the site and is accessible via the public transport route along Tollard Drive. Employment areas are located within a 30-minute commute from the subject site.

There are significant social benefits in providing additional residential land within the existing Rokeby township. The additional land will ensure long term affordability in the area, providing mixed housing choice and establish a strong community base for future residents.

In the short term the development of the site will create jobs and will stimulate the local economy. In the long term, the increase in population is expected to have a positive economic effect on local service providers, businesses and demand for a regular public transport service.

The proposed rezoning is considered to have positive economic and social impacts with minimal environmental impacts. The proposal is therefore considered to further Objective (c) of Part 2.

2.2.1 Sports and Recreation

Rokeby has a number of good public open space assets and recreation opportunities. There are a number of public open space corridors and linkages which increase connectivity of residential areas with points of interest such as local schools and health care facilities. There is an existing outdoor gym facility provided in Neilson Park, approximately 160 m from the site. Bicycle trails and well maintained pedestrian footpaths encourage walking and cycling.

The proposed subdivision layout strengthens these linkages through the provision of a public open space corridor which follows the natural alignment of a watercourse traversing east west across the site. The public open space corridor will connect in with the existing public open space provided between Atkins Street and Joseph Street.

Councils Public Open Space policy incorporates a Tracks and Trails plan which highlights the importance of maintaining good pedestrian and cycleway access between neighbourhood centres. The plan also identifies the 'Droughty Trail' which will provided public access and recreation opportunities in Rokeby Hills. The proposal will further this Policy by improving public access to the bushland to the west of the site where informal trails and dirt bike tracks are currently degrading the natural qualities of the land and affecting watercourses.

2.2.3 Employment and local business

Based on the above the site has good access to services, but it is likely that some facilities would need to be augmented or created if the development proceeded in full. The need for services is generally determined through a community needs assessment, which audits the capability and user rates of existing facilities, uses population data to predict future trends and tests these aspirations through community consultation. Whilst this is beyond the brief of this study the following conclusions can be reasonably drawn.

It is likely any employment created would be accommodated in existing employment areas. There is unlikely to be any additional requirement for retail facilities, but the increased local population may trigger the need for a local supermarket and small-scale businesses within the existing local business area. The proposed general residential zoning allows for general retail and business services uses such as a local shop, consulting room of medical centre.

The development is unlikely to require further community or sporting facilities, but if there were there is opportunity for passive recreation within the public open space areas in the proposal plan.

2.2.4 Public Transport

The site is well serviced by the H624 and H625 bus routes travelling to the Hobart CBD and Clarendon Vale. There are 4 bus stops within close proximity to the site along Tollard Drive. Whilst it is unlikely the development will trigger the need for additional bus routes, it is likely there will be an increased demand for peak time services to the Hobart CBD and neighbouring employment areas in Mornington and Rosny Park.

2.3 Prior Approvals & Applications

There have been no known prior approvals for development on the site.

2. The Proposal

3.1 Scheme Amendment

The proposed amendment involves rezoning 5.8 ha of the site to **'General Residential'**, 3141 m² to **'Public Open Space'** and 1.86 ha remaining as **'Environmental Living' zone** (Figure 6).

The amendment will affect the Clarence Planning Scheme zoning map.

The zoning will allow for approximately 80 dwellings overall with 20 dwellings across Stages 1A and 1B. The residential land will primarily be for the purposes of providing affordable housing run by the Presbyterian Care Tasmania. The rezoned land will immediately adjoin existing residential-zoned land within the western edge of the suburb of Rokeby. The site is ideally located in terms of proximity to existing services, primary and secondary schools as well as the existing public transport network connecting with greater Hobart.

Proposed plans are attached under Appendix B.

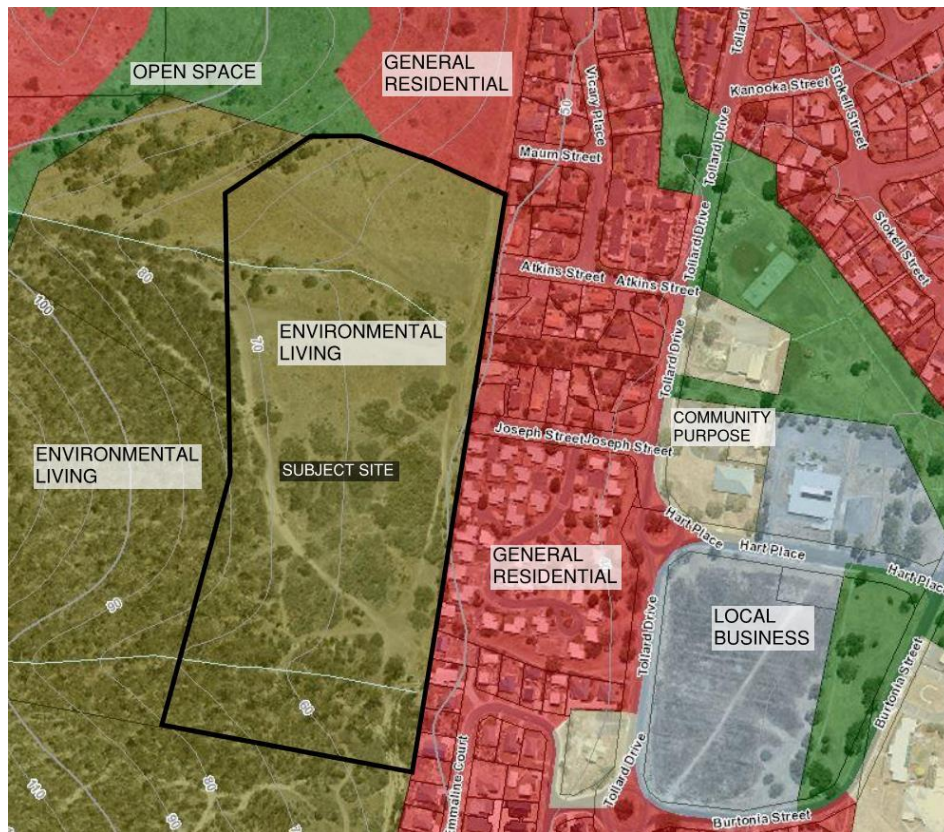


Figure 5 - Current zoning

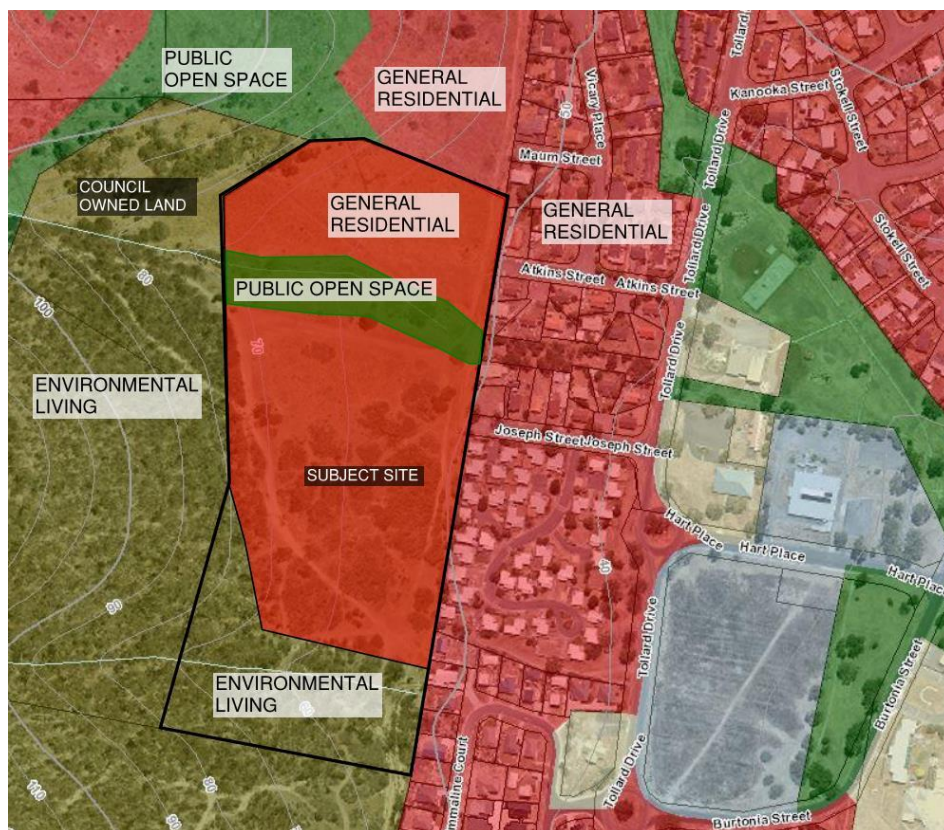


Figure 6 - Proposed zoning

The amendment will also affect the Ocean Drive Residential and Bushland Specific Area Plan mapping provided under section F14.9. The proposed amendment will extend the area of public open space (POS) identified within the plan to reflect the proposed POS link to be provided on the subject site. It is also recommended that the Droughty Trail be extended further east and through the site following the alignment of the public open space lots.

The Bushland Lots identified under Figure 2 should also incorporate proposed lot 303. Proposed amendment to the Figures under section F14.9 is illustrated in Figures 7 & 8.

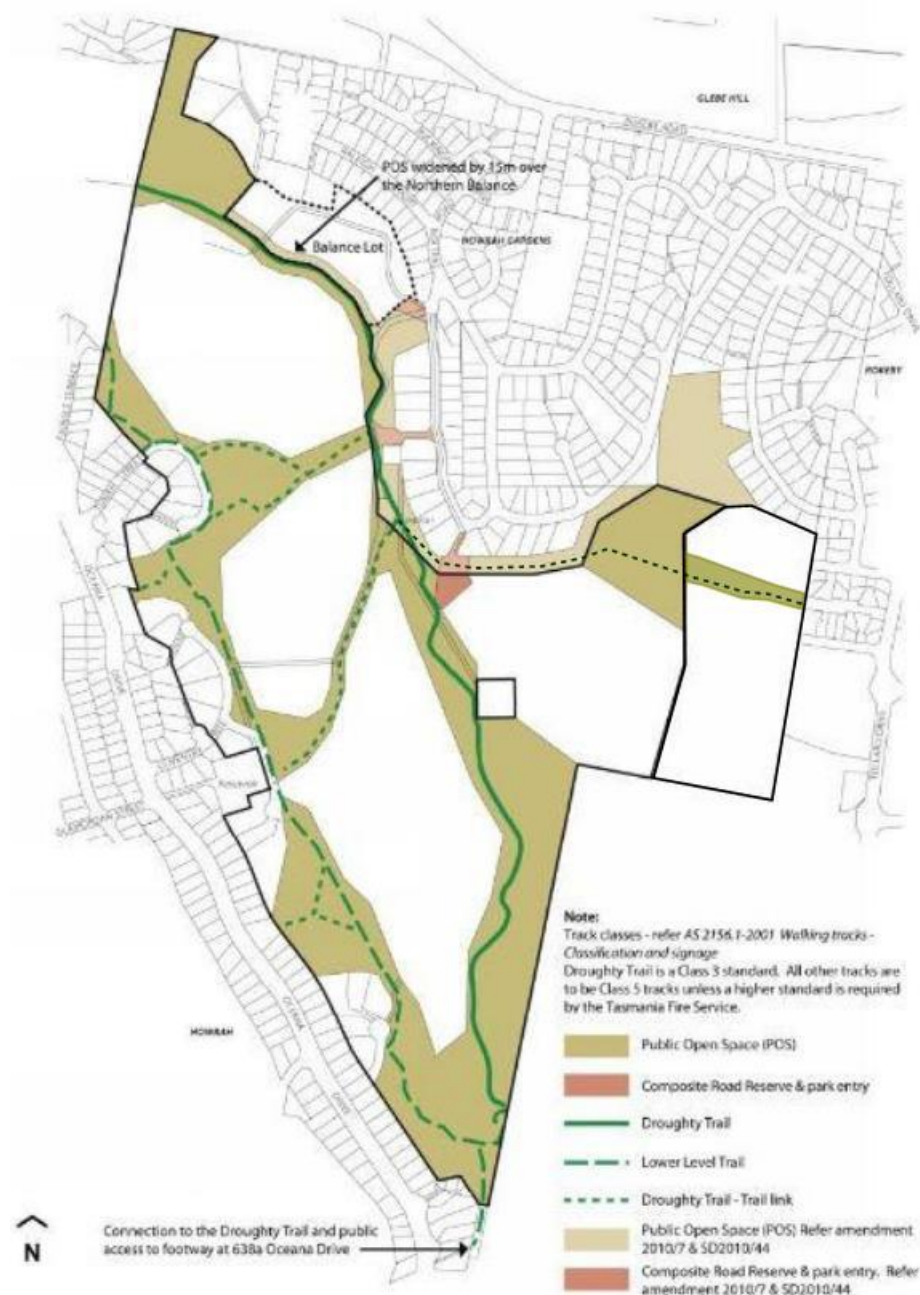


Figure 1 - Public Open Space and Tracks

Figure 7 - Indicative location of amended POS and Droughty Trail link

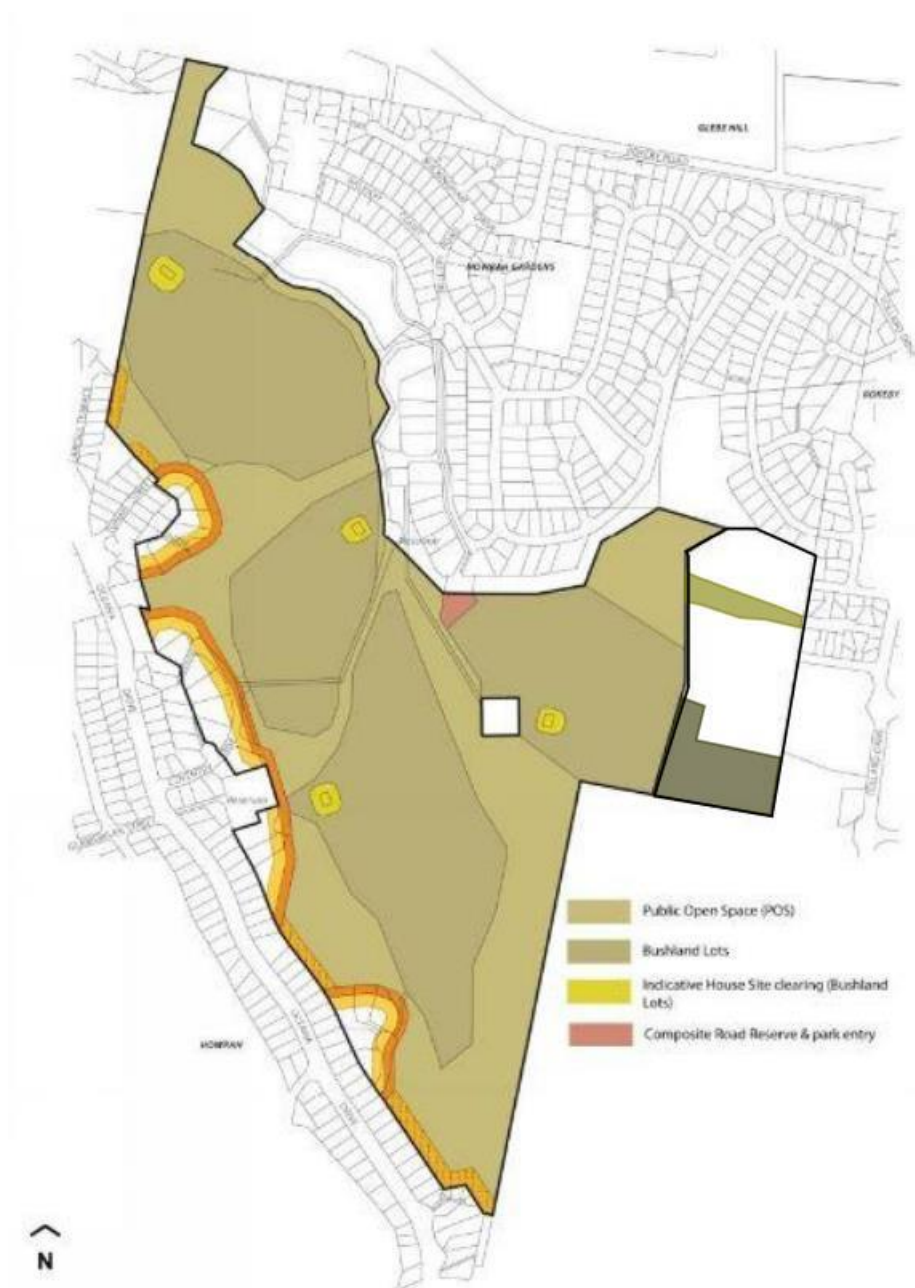


Figure 2 - Indicative House Sites on Bushland lots

Figure 8 - Indicative location of amended 'House Sites on Bushland lots' map

3.1.1 Consideration of Alternative Forms of Amendment

An alternative form of amendment would be to rezone the site to 'Low Density Residential'.

Rezoning to 'Low Density Residential' would allow for single dwelling development and community meeting and entertainment uses. This form of amendment was not preferred as the zone prohibits multi-dwelling development which would limit opportunity to provide affordable, multi-dwelling housing on the site.

Rezoning the land to PPZ - Urban Growth Area was also explored however it was not considered appropriate as the PPZ zoning is suitable for sites that are likely to be developed in the long, rather than short term.

The portion of the site affected by the biodiversity protection overlay is proposed to maintain the current Environmental Living zoning. However, rezoning this portion of the site to Public Open Space was explored but deemed unsuitable due to the proximity to existing areas of bushland and the likely maintenance issue it would generate for Council.

The amendment chosen will contribute to delivering affordable housing and continuing the urban pattern of development within Rokeby with careful consideration for preserving the natural assets on the site.

3.1.2 Consideration of Potential Land Use Implications

The proposed rezoning will have implications for the use of the site in two ways. Firstly, by allowing for the physical redevelopment of the site, it will guide the use of space for a higher level of residential density than permitted under the current Environmental Living zoning. The site can accommodate approximately 80 dwellings once fully developed across all stages.

Secondly, the amendment will modify the use classes and residential density that is permissible on the site by virtue of the zoning.

A comparison of use classes that could occur on the site under the current zoning versus the proposed zoning is presented in Table 1.

Table 1 - Current versus proposed zone uses

Status	Environmental Living (current)	General Residential Zone (proposed)
No Permit Required	<i>Education and occasional care</i> <i>Natural and cultural values management</i> <i>Passive recreation</i> <i>Residential</i> <i>Utilities</i>	<i>Education and occasional care</i> <i>Natural and cultural values management</i> <i>Passive recreation</i> <i>Residential</i> <i>Utilities</i>
Permitted	<i>Residential</i> <i>Visitor accommodation</i> <i>Resource development</i>	<i>Residential</i> <i>Visitor accommodation</i>
Discretionary	<i>Community meeting and entertainment</i> <i>Emergency services</i> <i>Resource Development</i> <i>Sports and recreation</i> <i>Utilities</i>	<i>Business and professional services</i> <i>Community meeting and entertainment</i> <i>Educational and occasional care</i> <i>Emergency services</i> <i>Food services</i> <i>General retail and hire</i> <i>Residential</i> <i>Sports and recreation</i> <i>Utilities</i>
Prohibited	<i>All other uses</i>	<i>All other uses</i>

Essentially, the scheme amendment will primarily facilitate higher density residential use and development on the site and prohibit agricultural uses under the Resource Development use class. The site is not located within a Rural Resource Zone, therefore it is considered that the conversion of the land is not of local or regional significance in terms of agricultural land.

There will be 5 additional discretionary uses classes under the proposed zoning, including **‘business and professional services’, ‘educational and occasional care’, food services’, ‘general retail and hire’ and ‘residential’**. These uses will support the everyday needs of the growing community.

The use of the site for residential purposes is consistent with the use of land to the north and east. The need to minimise impacts on the biodiversity protection area to the south and west of the site has also been considered and incorporated into the proposed subdivision layout and initial development proposal.

Use and development on the site will be subject to the provisions of the General Residential zone. Development of particular lots will be subject to additional requirements under the following overlays:

- Bushfire-Prone Areas Code;
- Landslide Code; and
- Biodiversity Code.

10.4 Development Standards for Buildings and Works

Development on General Residential zoned land will be subject to the development controls of Clause 10.4 of the Planning Scheme. These controls are as follows:

- *Residential density for multiple dwellings* - 325 m² site area per dwelling;
- *Building Height* - the maximum permitted building height for development within 8.5 m. Council can approve higher at a discretion;
- *Setback* - 4.5 m front setback, 4 m rear setback and 1.5 side setback;
- *Site coverage* - Site coverage of not more than 50%;
- *Private open space* - a dwelling must have an area of private open space that is 24 m² with a minimum horizontal dimension of 4 m and receive a minimum of 3 hours of sunlight to 50% of the area between 9 am and 3 pm in mid winter;
- *Privacy* - Provide adequate separation and appropriate location of windows and doors to maintain privacy between neighbouring dwellings; and
- *Fencing* - No higher than 1.2 m if the fence is solid, or 1.8 m if the fence has openings above a height of 1.2 m with a uniform transparency of not less than 30%.

10.3 Use Standards

Use standards of Clause 20.3 would also apply to the following uses:

- *Non-residential use;*
- *Visitor Accommodation; and*
- *Local shop.*

Part E Codes

Development on the site will also be subject to the following codes:

- *Bushfire-Prone Areas Code;*
- *Landslide Code; and*
- *Biodiversity Code.*

The site can accommodate approximately 80 dwellings and is intended primarily for providing affordable housing to be run by Presbyterian Care Tasmania. The initial proposal includes residential subdivision. A full assessment of the proposal against the applicable development controls, use standards and relevant codes is provided under section 7 of this report.

Part F Specific Area Plans

The site currently adjoins the western extent of the Oceana Drive Residential and Bushland Specific Area Plan boundary. As part of this proposal, it is requested that the subject site be incorporated into the boundary of this Specific Area Plan as detailed in section 3.1 of this report.

3. Proposed Development

The development application aspect of the s43A application involves the subdivision of 1 allotment into 16 ordinary residential lots, 10 multi-dwelling lots, 3 public open space lots, 5 road lots and 1 balance lot (lot 303). Access to the site will be via an extension of Atkins Street and Joseph Street which will connect to a proposed internal circular road network with a cul-de-sac at the northern termination of the western road corridor.

A Bushfire Hazard Management Plan has been incorporated into the subdivision design and provides minimum setback distances from adjoining bushfire prone vegetation. All lots will have sufficient separation for BAL-19 construction.

The standard residential lots (i.e. lots 3 - 19) vary in size from 450 m² to 1278 m². Lots 1, 2 & 16 are proposed to be multi-dwelling lots.

Drainage will be designed **in accordance with Clarence City Council's design standards and Water Sensitive Urban Design Principles**. Peak flows from the site following urban development will not exceed the existing peak flows which require significant retardation of flows (Appendix H).

Proposed lot 303 is affected by the Biodiversity Protection Area overlay. No works are proposed on this lot however an indicative building envelope location has been provided on the plan of subdivision (Plan 4 under Appendix B). The building envelope is outside of the Biodiversity Protection Area and clear of the required bushfire hazard management area setback.

4. Policy Assessment

5.1 Land Use Planning and Approvals Act 1993

The *Land Use Planning and Approvals Act 1993 (LUPAA)* is the principle planning Act and forms a component of the Resource Management and Planning System (RMPS).

The objectives of Schedule 1 of the Act are considered in the following table:

Table 2 - Schedule 1, Part 1 Objectives

Part 1	Amendment Response
(a) <i>To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	<p>The Natural Values Assessment (Appendix C) found that the majority of the site is predominantly cleared of significant vegetation with the exception of the area to the south. This section of the site contains blue gum forest which is a State threatened vegetation community.</p> <p>The report also found two threatened flora species, the gentle rush <i>Juncus amabilis</i> and the Risdon peppermint <i>Eucalyptus risdonii</i>, with the former being impacted by the proposal. The Risdon peppermint occurs in the blue gum forest and will be retained.</p> <p>The report also noted that the site contains a significant amount of dumped car bodies and is infested by various noxious weeds. As such, the proposal represents an opportunity to remove waste on site, improve the waterway for Public Open Space and control the weed source.</p> <p>The amendment and proposed subdivision has been designed so to limit potential impact on ecological processes and genetic diversity and accordingly satisfies Objective (a) of Part 1.</p>
(b) <i>To provide for the fair, orderly and sustainable use and development of air, land and water; and</i>	<p>ABS Statistics demonstrate that the area is experiencing significant growth and that more land is required to provide a broad range of affordable housing options.</p> <p>The subject site is identified as being within a Bushfire Prone Area, Landslide Hazard Area and Biodiversity Protection Area. Potential hazards are discussed further in Section 4.4.5.</p> <p>The site is connected to mains sewer and water infrastructure at the eastern boundary.</p> <p>The amendment will provide for residential uses that will allow low density residential development to support the growing population. The subdivision has been designed so to minimise potential conflict with adjoining land uses and services. The amendment is accordingly is considered to satisfy Objective (b) of Part 1.</p>
(c) <i>to encourage public involvement in resource management and planning; and</i>	A public notification period will be conducted in accordance with the requirements of the <i>Land Use Planning and Approvals Act 1993</i> .
(d) <i>to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i>	The increase in local population that will follow the amendment and the site's vicinity to the activity centre of Rokeby will benefit the economic development of the area in the long term. Furthermore, the construction of the subdivision will create employment and economic stimulation in the local community in the long term. It is considered that this will be undertaken in accordance with objectives set out in (a), (b) and (c).
(e) <i>to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i>	n/a

Table 3 - Schedule 1, Part 2 Objectives

Part 2	Amendment Response
<i>(a) to require sound strategic planning and coordinated action by State and local government; and</i>	<p>The proposal has been considered against the Southern Tasmania Regional Land Use Strategy and whilst the site is located outside the defined Urban Growth Boundary, the proximity of the site to existing services, the strong level of housing demand and the lack of housing supply (particularly in the affordable end of the market) give merit to the proposal.</p> <p>The proposed rezoning has also been considered against the relevant strategic documents for the Clarence municipality under Section 4.3 of this report.</p>
<i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and</i>	<p>The amendment will modify what uses and developments may occur on an approximately 8 ha site that adjoins general residential land in two directions. The implications of this have been addressed in Section 3.1 of this report and are considered to be acceptable.</p> <p>The proposed amendment is considered to achieve Objective (b) of Part 2.</p>
<i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and</i>	<p>The site has been subject to a Natural Values Assessment, a Geotechnical Assessment and a Geotechnical Assessment. It was found that the environmental values of the land can be preserved and maintained with the proposed subdivision and with proper management of future development of land within the Biodiversity Protection overlay area.</p> <p>The social benefits of providing additional residential land adjoining the existing Rokeby township are considered to be significant. The additional land will ensure long term affordability in the area, providing mixed housing choice and a strong community base for future residents.</p> <p>In the short term the development of the site will create jobs and will stimulate the local economy. In the long term, the increase in population is expected to have a positive economic effect on local service providers and businesses.</p> <p>The proposed rezoning is considered to have positive economic and social impacts with minimal environmental impacts. The proposal is therefore considered to further Objective (c) of Part 2.</p>
<i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and</i>	<p>The amendment is consistent with State Policies and municipal policy as well as legislation surrounding flora and fauna and heritage conservation. The amendment will not conflict with neighbouring planning schemes.</p> <p>The amendment is consistent with Objective (d) of Part 2.</p>
<i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and</i>	<p>The amendment is linked with a development application for a residential subdivision and development of lots 1 to 19 through Section 43A of the <i>Land Use Planning and Approvals Act</i>.</p>

Part 2	Amendment Response
(f) <i>to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and</i>	The development of the site will contribute to the viability and expansion of community facilities, shops and public transport. The site lends itself to an area for residential development that will provide for affordable housing. The rezoning will also contribute to the recreational environment by providing new public open space for causal recreation.
(g) <i>to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and</i>	The site is vacant of any significant buildings. Similarly, the Aboriginal Heritage Report undertaken for the site found no aboriginal sites on the subject site. It is considered that the proposal is consistent with objective (f) of Part 2.
(h) <i>to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and</i>	As detailed in the Concept Services Report (Appendix H), the existing network will be sufficient to provide the maximum head and service flows required for the proposed subdivision. The existing sewer main is sufficient to accommodate the proposed subdivision however it is likely the water main will need to be upgraded for a length of approximately 130 m along Tollard Avenue. As detailed under section 2.2 of this report the subsequent increase in population will assist in the viability of public transport, schools and the like, whilst providing opportunity for quality affordable housing. The rezoning is considered to have an overall benefit for the community. The proposal is therefore considered to be consistent with objective (h) of Part 2.
(i) <i>to provide a planning framework which fully considers land capability.</i>	The area has been subject to a number of assessments, including Flora and Fauna, Geo-Technical and Aboriginal Heritage and found that the development of the land for residential is acceptable. Further, the site has no agricultural value given its size and isolation from agricultural areas. The rezoning proposed is considered to be consistent with objective (i) of Part 2.

5.2 State Policies

5.2.1 Southern Tasmania Regional Land Use Strategy 2010-2035

The *Southern Tasmania Regional Land Use Strategy 2010-2035* (**‘the Strategy’**) is a regional level policy document providing policies and strategies to guide future land use and development of Southern Tasmania. The document principally is intended to inform the development of interim planning schemes within the region. Any future amendments to local planning schemes will be required to be consistent with the Strategy.

Section 34(2)(e) of LUPAA requires that all interim planning schemes be consistent with and likely to further the objectives and outcomes of the applicable regional land use strategy. The relevant part of the Strategy is Part 19 - Settlement and Residential Development.

The Settlement Network divides settlements into 2 categories and illustrates the necessary services, population and characteristics that form part of each settlement sub-type. The suburb of Rokeby is within **‘Greater Hobart’** due to it providing for significant housing and employment opportunities for the broader region.

The key strategic considerations under the Strategy with respect to the current proposal are discussed in this section of the report.

Managing Risks & Hazards

Part 8.4 (MRH2) seeks to protect life and property from flooding through early consideration in the land use planning process. For this purpose, it would be necessary to ensure an acceptable level of residual risk is achieved for future residents and development.

Part 8.4 (MRH5) seeks to avoid further subdivision or development in areas containing sodic soils unless the potential risk can be mitigated. A portion of the site is mapped as having a low landslide hazard risk. A Geotechnical investigation was undertaken for the site and concluded that the site was suitable for residential development subject to appropriate foundation construction and management of potential acid sulphate soils where they occur.

The site is also bushfire prone land and a bushfire assessment and hazard management plan has been prepared for the proposed subdivision layout. With the appropriate management of onsite vegetation, and the ongoing maintenance of prescribed hazard management areas, future development on the site can be constructed at an acceptable level to achieve compliance with the bushfire requirements.

Social Infrastructure

Part 11.5 (SI 1) requires consideration of social infrastructure needs as part of land releases and the need to protect sites for this purpose. For the proposed rezoning, future social infrastructure demands would be in the form of increased frequency of bus services in the short term and provision of a local supermarket in the long term.

Physical Infrastructure

Part 12.5 (PI 1) requires a strategic approach to infrastructure be adopted, including efficient use of existing infrastructure and planning new infrastructure with consideration of projected future demand.

Physical infrastructure required to service the site and future development is considered in section 7 of this report.

Land Use and Transport Integration

Part 13.5 (LUTI 1) requires consideration be given to the integration of transport infrastructure with land use. The proposed rezoning of the subject site is consistent with this strategy as it provides additional residential area adjoining an existing settlement which will in turn support the viability and diversity of local business and social infrastructure in Rokeby, thereby reducing the need to travel to larger centres.

Activity Centres

Part 18.6 (AC 1) aims to protect and enhance the role and function of the Activity Centre network. Rokeby **is classified as a 'Minor or Neighbourhood Centre', meaning it functions** primarily to serve the daily needs of the local community with a mix of retail, community and health services.

The proposed rezoning will support the ongoing viability of the local centre and stimulate additional local businesses.

Settlement and Residential Development

Part 19 outlines a range of policies aimed at regulating the physical growth of settlements and **establishes the 'Greater Hobart Residential Strategy'**. Rokeby is located outside of the Urban Growth Boundary and on the periphery of the Greenfield Development Precinct for Droughty Point as identified in Figure 9 below.

The *Southern Tasmania Regional Land Use Strategy 2010-2035* (**'the Strategy'**) is a **regional** level policy document providing policies and strategies to guide future land use and development of Southern Tasmania. The document principally is intended to inform the development of interim planning schemes within the region. Any future amendments to local planning schemes will be required to be consistent with the Strategy.

Section 34(2)(e) of LUPAA requires that all interim planning schemes be consistent with and likely to further the objectives and outcomes of the applicable regional land use strategy. The relevant part of the Strategy is Part 19 - Settlement and Residential Development.

It is important that any development of residential land is consistent with relevant regional policy to ensure it does not occur in an ad hoc fashion. Major issues with ad hoc development is the lack of physical, social and community infrastructure. The site in question exists on the edge of an established residential area and is well-located to physical, social and community infrastructure.

The Settlement Network divides settlements into 2 categories and illustrates the necessary services, population and characteristics that form part of each settlement sub-type. The suburb of Rokeby is within an area classified as **'Greater Hobart'** due to it providing for significant housing and employment opportunities for the broader region.

For a rezoning of the study area to be acceptable under Part 19 of STRLUS (SRD 1.1), it would be necessary first to amend the Urban Growth Boundary of the Strategy. Clause 34(2)(e) of LUPAA requires that a Local Provisions Schedule be consistent with the Regional Land Use Strategy. Justification for an amendment to the Urban Growth Boundary would require examining the assumptions underpinning it, in the context of current population trends. The following analysis provides an assessment of the yield capacity and vacancy of existing zoned land, in the context of current population, building and housing trends.

Importantly, it is noted in Part 19 of the Strategy that *expansion of the residential zone may be required dependent upon an assessment of the yield capacity and vacancy of existing zoned land*.

The key strategic considerations under the Strategy with respect to the current proposal are discussed in this section of the report.

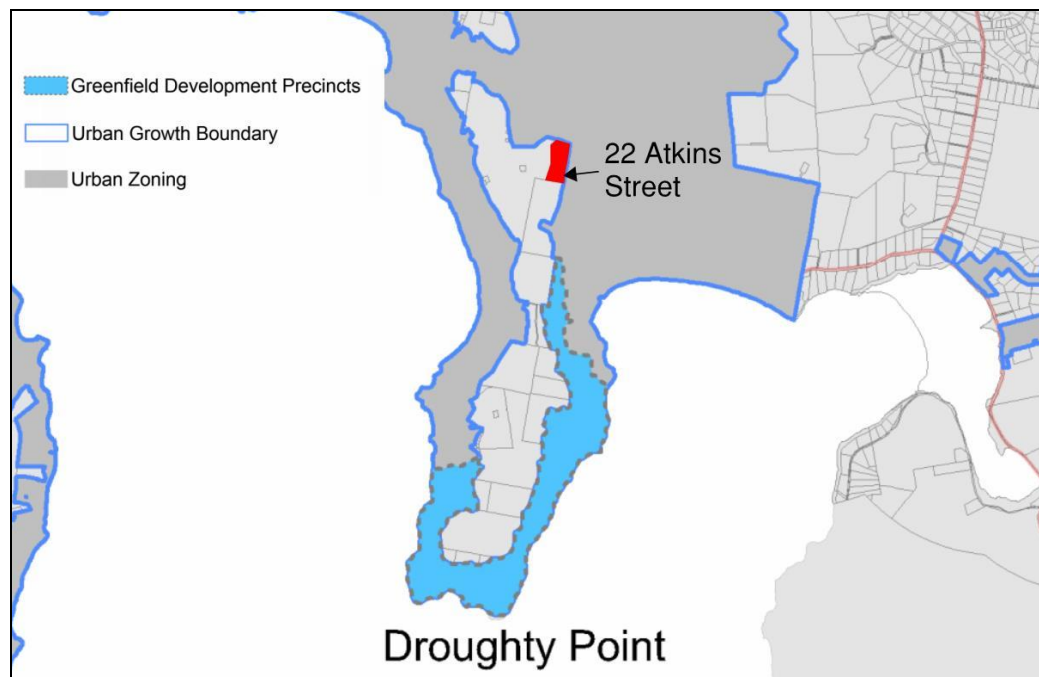


Figure 9 - Extract from Map 10 of the STRLUS

Greater Hobart

The Urban Growth Boundary was established by the Greater Hobart¹ Settlement Strategy and sets a 20-year supply limit from 2015 to 2035. The Greater Hobart Settlement Strategy was based on a forecast demand of 26,500² additional dwellings aspiring to 50% Greenfield development greatly reducing the existing rate of 85% Greenfield development³. *Background Report No. 2 The Regional Profile* (**'Background Report No. 2'**) utilised information and analysis on population trends from the Demographic Change Advisory Council (DCAC) projections using the **'medium growth scenario'**.

Background Report No. 14, Providing for Housing Needs (**'Background Report No. 14'**) sets out the basis for the dwelling forecast utilising population and household projections prepared by the ABS using the **'medium growth scenario'**, and the dwelling approval trends outlined in Background Report No. 2 (also based on ABS data). However, the dwelling demand was only forecast to 2032.

Background Report No. 2 (pg. 81) states that population growth was not the predominant driver of dwelling growth for the period 2000-2008 (with the exception of Brighton, Derwent Valley and Southern Midlands). It is indicated that demographic change was a key driver of dwelling growth.

The Greater Hobart Settlement Strategy states that to meet the projected demand approximately 710 ha of further residential land would be required (using net density). This land was allocated to Greenfield Development Precincts in the Strategy and is generally zoned **either 'General Residential' or 'Particular Purpose-Urban Growth' under the Interim Planning Schemes**.

Section 3 of the Strategy states that Greater Hobart accounts for nearly 86% of the Southern Tasmanian population. The forecast population for Southern Tasmania to 2035 was stated in Section 3 as being 327,036. It can therefore be deduced that Greater Hobart has a forecast population of 281,250.96 (86% of 327,036).

The Department of Treasury and Finance ('DTF') released updated population projections for Tasmania in 2014. Under the DTF projections the population of Greater Hobart in 2035 under the 'Medium Growth' series is 254,366⁴.

Clarence

The population of Clarence is estimated to have grown from 52,396 in 2010 to 55,085 in 2016⁵. This is growth of 9.4% from 2006 to 2016. The Department of Treasury and Finance released the 2014 Population Projections Tasmania and Local Government Areas paper which predicts a maximum population increase of 16,658 persons within the Clarence local government area by 2037. At the medium growth rate, the Clarence LGA is predicted to grow by an additional 9369 persons by 2037. The DTF projections set the population of Clarence for 2016 at 54,906 people **under the 'medium' growth scenario, and 55,753 persons under the 'high' growth scenario.**

The DTF predicts that the population of Clarence will grow to 61,886 in 2035 if growth continues at the medium rate of 0.7%. If growth is high (1.1%) the predicted population for

¹ Defined in the Strategy as the land contained within the Statistical Local Areas (ABS statistical data unit) of Brighton, Clarence, Glenorchy, Hobart Inner, Hobart Outer, Kingborough Part A and Sorell Part A. It includes the metropolitan area and dormitory suburbs.

² NB: This forecast was actually to 2032 as outlined in Background Report No. 14.

³ *Background Report No. 14 Providing for Housing Needs* (pg. 15)

⁴ Total projected population to 2035 for Brighton, Clarence, Glenorchy, Hobart, Kingborough, and Sorell municipalities using the medium growth scenario (DTF, 2014).

⁵ ABS (2016) Regional Statistics by LGA, 2010-2016, Annual - Clarence C 61410

Clarence is 68,421, and 56,344 if growth is low (0.2%). Given these projections, Clarence can be expected to grow by 4,492-16,569 people from 2011 to 2035, depending on growth rate.

ABS Census data from 2016 demonstrates that Clarence is currently estimated to have a population of 54,819. This means the population is currently tracking the medium growth scenario. The Census data also recorded an average of 2.4 persons per household, equal to that used in Background Report No. 2.

Based on ABS and DTF predictions, the population of Clarence is anticipated to continuing growing at a medium to high growth rate.

Building Approvals

It is also relevant to note that the number of building approvals in Greater Hobart from July 2010 to July 2017 was 7,558⁶, or approximately 28% of the forecast additional dwellings (26,500) for Greater Hobart to 2035. A total of 274 dwellings were approved in Clarence (LGA) between 2016-2017⁷.

Greenfield Precincts

The actual area of land zoned Particular Purpose-Urban Growth or General Residential located within the Greenfield Precincts is approximately 883 ha⁸. Of this land, approximately 273 ha (approximately 30%) has development approval for subdivision, leaving 610 ha for future subdivision. The total number of lots approved within these greenfield sites is approximately 1,345⁹, at a rate of approximately 5.5 dwellings per hectare. During the minor review of the Strategy in 2013, the Greenfield Precincts located in Brighton and Rokeby (Pass Road) were **remapped as 'Urban Zoning' and have now been rezoned**.

At this point it is noted that SRD 2.5 was to:

SRD 2.5 Implement a Residential Land Release Program that follows a land release hierarchy planning processes as follows:

1. Strategy (greenfield targets within urban growth boundary);
2. Conceptual Sequencing Plan;
3. Precinct Structure Plans (for each Greenfield Development Precinct);
4. Subdivision Permit; and
5. Use and Development Permit

A Conceptual Sequencing Plan has not yet been established. However, several areas of land within the Greenfield Precincts were already the subject of Section 43A (combined permit and planning scheme amendment) applications under LUPAA prior to the gazettal of the Strategy.

Property Market

Background Report No. 13 - Dwelling Yield Analysis of the Strategy found that the greatest potential for growth is land located in the middle lower market segment within the urban and urban fringe. The market segments are determined by the median price for the suburb relative to the sale price of other suburbs in the study area. In 2009, Rokeby was defined as being in **'lower' band with a median sale value**¹⁰ of \$203,000.

⁶ ABS 8731.0 Building Approvals, Australia, October 2017

⁷ ABS 8731.0 - Building Approvals, Australia, Oct 2017

⁸ Calculated using zoning maps on LISTmap.

⁹ Based on Planning Approvals to date.

¹⁰ It is not specified whether median sale price is for land, house and land or a combination. Result from Australian Property Monitors.

The property market in Greater Hobart has been steadily increasing over recent years and is currently anticipated to lead the country in housing sales in 2018. Over the last year property prices in Hobart have increased by 13.8%¹¹. In the current housing market, housing experts consider there to be a supply shortage of housing, given the demand¹². While the STRLUS deals with long term goals for sustainable development, the existing housing stock may not meet the current and thus future, demand. This site meets the general aims of the housing strategy, with the exception of its zoning and location on the border of the Urban Growth Boundary. Given the current increase in housing prices, it is not clear if the middle lower market segment is still likely to yield the greatest potential for growth. It is also reasonable to assume that a site with lower barriers to development in the lower market segment would provide more reliable options for future housing than a middle lower site with a reduced ability to provide ideal density.

The dwelling yield analysis methodology states that due to random sampling, the sampling may over select parcels which cannot be developed further or under select parcels which cannot be developed further.

In determining the dwelling yield capacity of existing zoned land, the assessment recommended further work be completed to better understand additional factors including subdivision and take up patterns, character and demographics of the suburb and zones, access to services, demographic trends, and potential for multiple dwellings.

Australian Bureau of Statistics – Current Population Trends

From 217,000 people at 30 June 2012, Hobart's population is projected to increase to between 228,700 and 339,300 in 2061¹³.

The population of Greater Hobart has grown from 204,753 to 224,462 persons in the decade from 2006-2016¹⁴. This is a total growth of 19,709 persons, or 9.6%. This area increased at a rate of 0.75% over the period 2011-2016, increasing to 0.91% over the period 2015-2016.

Adherence to Regional Settlement Strategy

The proposed rezoning furthers the following aims of the Regional Settlement Strategy due to its location:

- *Minimising inappropriate residential development in areas at risk from hazards such as sea-level rise, flooding and bushfire;*

The site is set back over one kilometre from the coast and would not be subject to the effects of sea level rise or flooding due to its elevations. The site is located adjacent to bushfire-prone vegetation. However, it has been demonstrated that the proposed subdivision can achieve compliant separation from the hazard in section 8.3 of this report. A significant number of residential lots in Greater Hobart are located in a bushfire-prone area due to the character of the surrounding landscape. This should not be a deciding factor in whether or not to rezone as the risk is able to mitigate to an acceptable level.

- *Maximising use of existing infrastructure;*

¹¹ ABS, 6416.0 - Residential Property Price Indexes: Eight Capital Cities, Sep 2017

¹² <https://www.realestate.com.au/news/hobart-housing-price-growth-forecast-to-lead-australia-in-2018/>

¹³ ABS, 3222.0 - Population Projections, Australia, 2012 (base) to 2101

¹⁴ ABS, 3218.0 - Regional Population Growth, Australia, 2016

The location of the site will enable the subdivision to connect to existing services within the area. It will also facilitate the orderly development of the road network, creating connections to existing no-through roads.

- *Avoiding the creation of any further environmental issues caused by on-site wastewater disposal;*

The site is located in a serviced area for sewerage and will not require onsite wastewater disposal.

- *Preventing linear development in coastal areas;*

The site is not located on the coastline. It consolidates an existing residential area.

- *Protecting distinct landscape character.*

The natural landscape will be improved through the retention of vegetation, revegetation of the existing eroded creekline and removal of weeds and rubbish currently on the site.

- *A mixed growth scenario indicates that residential growth should come from a mix of both greenfield and infill circumstances, and that expansion of the residential zone may be required dependent upon an assessment of the yield capacity and vacancy of existing zoned land.*

The subject site provides greenfield development of land with a high yield capacity. The assessment of yield capacity underlying the STRLUS could not guarantee that the land selected was capable of being developed. The subject site is able to be developed with limited barriers. An expansion of the residential zone will be required to facilitate the development of the site as proposed.

This Strategy proceeds on the basis of a 50/50 ratio of greenfield to infill scenario, with a minimum net residential density of 15 dwellings per hectare. Residential growth will be primarily managed through an Urban Growth Boundary that will set the physical extent for a 20 year supply of residential land for the metropolitan area.

The site requires greenfield development and is able to provide a minimum net residential density of 15 dwellings per hectare based on the lot yield of Stage 1.

The Urban Growth Boundary is shown in Map 10 and has been mapped on the basis of known constraints, values and opportunities including infrastructure capacity, environmental, landscape and heritage values and land hazards. It has also taken into account well established expectations of development rights that to remove at this point in time would deny natural justice. For example, there is already an urban growth boundary established in the Clarence area under their planning scheme

The subject site makes more sense as a General Residential area than some other land designated as Greenfield Precincts, due to the immediate proximity to existing services and infrastructure. It will require the extension of roads and infrastructure, including sewer and water, and necessitate servicing with new public transport routes, new shops and social and community services. Consistent with the STRLUS, the rezoning of the site will promote the consolidation of existing settlements and the minimisation of urban sprawl. This consolidation will have a range of economic, social and environmental benefits, clearly demonstrated by the location and character of the subject site.

The following facilities are located within 500 m of the centre of the site:

- Metro bus route along Tollard Drive;
- Neilson Park;
- Rokeby Community Hall;
- Rokeby Child Care Centre;
- Rokeby Neighbourhood Centre;

- IGA Supermarket;
- Clarence Plains Health Centre;
- Clarence Plains (Rokeby) Online Access Centre;
- Rokeby Primary School; and
- Rokeby Presbyterian Church.

Additionally, Rokeby Fire Station is within 800 m driving distance of the site.

The site supports the following aspects of the strategy:

It is recognised that the success of this strategy will also require:

• Control of low density, rural and environmental living opportunities outside of the Urban Growth Boundary, particularly where within ‘commutable’ distance.

This site will provide higher density residential development within commutable distance to activity and specialist centres, including Hobart CBD, Rosny Park, Sorell and Cambridge Park.

• Reduction in regulatory barriers to multiple dwellings and higher density development within planning schemes (subject to heritage constraints);

The site has limited barriers to multiple dwellings and higher density development by virtue of its proximity to existing infrastructure and services, as well as the limited impact of natural hazards and physical limitations on the site. There are no heritage constraints on the site.

• Identification of high density residential opportunities, particularly on greyfield and brownfield sites.

The site has the ability to provide a higher density of residential development than other sites designated as greenfield precincts with current development approval.

• Specific government initiatives to assist in increasing the stock of affordable housing;

The site is located in a lower market segment suburb, allowing lower income earners to afford their own home.

• Provision of high quality open spaces and urban environments to support the amenity of higher density living;

The proposal includes the development of public open spaces to form a continuous greenbelt within the urban environment, benefiting the surrounding residential area. The provision of high quality open space will enable a high level of amenity to residents.

Relevant Regional Policies

SRD 2.1 Ensure residential growth for Greater Hobart occurs through 50% infill development and 50% greenfield development.

The proposal will contribute to residential growth through greenfield development.

SRD 2.2 Manage greenfield growth through an Urban Growth Boundary, which sets a 20 year supply limit with associated growth limits on dormitory suburbs.

The site would require an amendment to the Urban Growth Boundary in order to facilitate development of the site at a higher density. Rokeby is considered to be part of Greater Hobart and is therefore not a dormitory suburb.

SRD 2.3 Provide greenfield land for residential purposes across the following Greenfield Development Precincts:

- *Bridgewater North*
- *Brighton South*
- *Droughty Point Corridor*
- *Gagebrook/Old Beach*
- *Granton (Upper Hilton Road up to and including Black Snake Village)*
- *Midway Point North*
- *Risdon Vale to Geilston Bay*
- *Sorell Township East*
- *Spring Farm/Huntingfield South*

Subdivision of the subject site will provide an immediate area for housing to be developed.

SRD 2.8 Aim for the residential zone in planning schemes to encompass a 10 to 15 year supply of greenfield residential land when calculated on a whole of settlement basis for Greater Hobart.

The amendment will not affect the requirements of the residential zone.

SRD 2.11 Increase the supply of affordable housing.

Rokeby is included in the Greater Hobart area, which is currently experiencing major growth in housing prices. Rokeby is one of the cheaper suburbs of Greater Hobart, thus able to provide more affordable housing despite market growth.

Due to the proximity of the site to existing activity centres and employment hubs it is considered unlikely that the primary occupation of future dwellings would be for seasonal use, such as holiday homes.

Southern Tasmania Regional Land Use Strategy Review

The Strategy was declared under clause 30C of the *Land Use Planning and Approvals Act 1993* ('LUPAA'). Sub-clause (4) requires that the Minister keep all regional land use strategies under "regular and periodic review". For the pending Tasmanian Planning Scheme, clause 34 of LUPAA requires the Local Provisions Schedules be consistent with the regional land use strategy, if any, for the regional area in which the land is situated.

The Strategy was reviewed to address 'house-keeping' and update data in Background Report No.2 following the release of 2011 Census data. A minor review was completed in 2013 at which point the current version of the Strategy was adopted. Further reviews are to take place at least every five years unless an earlier review is triggered through monitoring indicators¹⁵. Therefore, the next review is due in approximately 2018.

Ideally, the next review will examine the rate of greenfield to brownfield development, as well as the ability for the designated greenfield site to deliver the density desired under the STRLUS.

Summary

The Greater Hobart Residential Strategy provides a dwelling demand forecast for the Hobart area to 2035. The population basis for this estimate is somewhat unclear, with the dwelling demand forecast based on ABS projections for populations, whilst the Regional Profile utilises

¹⁵ It is noted that the monitoring indicators have not been defined under the Strategy or its supporting documentation. An example of the indicators is provided in *The Process Forward: Implementing and Monitoring the Regional Land Use Strategy for Southern Tasmania (FINAL DRAFT)* (Southern Tasmania Councils Authority, October 2011).

DCAC projections. The population of Clarence as estimated by the ABS is currently tracking the DTF Medium Growth Scenario.

The Land Release Program for Greenfield Precincts is yet to be established, and the monitoring indicators for the Strategy are undefined. As it stands, dwelling densities for approved subdivisions within designated greenfield precincts fall well below the desired 15 dwellings per hectare. It is also not clear whether the desired ratio of 50/50 greenfield to brownfield sites is being achieved.

Considering that amendment to the residential zone is to be dependent on the yield capacity and vacancy of existing zoned land, the site will improve the yield capacity overall by providing 16.8 net dwellings per hectare based on stage one.

The STRLUS provided a strategy to achieve ideal residential growth and development within the Greater Hobart area from 2010 to 2035. The subject site provides an area ready for development with minimal barriers, that is able to achieve a higher density than other approved greenfield subdivisions, and is located within commutable distance to multiple activity centres. The site is also located adjacent to existing infrastructure and transport networks, as well as existing services. These factors support the amendment of the Urban Growth Boundary to include this site as residential land.

Building approvals for Greater Hobart since the Strategy was gazetted accounts for 28% of the forecast dwelling demand. Hobart is currently experiencing rapid growth in housing sales with the current supply not considered to meet the demand. The growth in the property market is expected to continue. The demand for housing in the Greater Hobart area is at an all time high.

Additional residential land rezoning depends on a rationalisation of residential land supply in the Southern Tasmania Regional Land Use Strategy as a whole. Based on the consideration of relevant aspects of the STRLUS as outlined above, the amendment of the Urban Growth Boundary to include the site at 22 Atkins Street is considered reasonable to meet the aims of the STRLUS and current housing demand.

5.3 Clarence Interim Planning Scheme 2015

The *Clarence Interim Planning Scheme 2015* is the relevant planning instrument at present. It is anticipated that it will be superseded by the *Tasmanian Planning Scheme* within the next 12-24 months.

The site is currently **zoned 'Environmental Living'** (see Figure 3) and is subject to the following overlays:

- Bushfire-Prone Areas;
- Biodiversity Protection Areas; and
- Landslide Hazard Area.

The **'Planning Scheme Purpose and Objectives'** under Part A of the Scheme are addressed in the next subsection of this report.

5.3.1 Planning Scheme Purpose and Objectives

The Planning Scheme's **'Purpose and Objectives'** are set out in Part A of the Scheme. The following extracts are considered relevant to the current application.

2.1 Planning Scheme Purpose

- (a) To further the Objectives of the Resource Management and Planning System and of the Planning Process as set out in Parts 1 and 2 of Schedule 1 of the Act; and

(b) To achieve the planning scheme objectives set out in clause 3.0 by regulating or prohibiting the use or development of land in the planning scheme area.

The application and proposed amendment are consistent with the objectives of the Planning System and Planning Processes as set out in Schedule 1 of the Act. The proposal is consistent with the objectives of the Planning Scheme as discussed in part 4.4.

3.0 Planning Scheme Objectives - Residential Growth

The objectives relevant to the proposal are as follows:

Residential Growth: Regional Objectives

To manage residential growth holistically.

The proposed amendment will support the growth of the area of Rokeby by providing affordable housing within close proximity to the Rokeby residential area community infrastructure such as schools, health care services, churches, community hall facilities and public open space.

The site is well positioned in terms of its connectivity to existing public open space and public transport network which connects with the major centres and services.

The proposal will allow for the growth of the Rokeby residential area, incorporating greater housing choice and affordability, thus furthering the objectives of the planning scheme. The rezoning and proposed development will allow for the redevelopment of an existing rural residential area to support higher densities close to the existing urban periphery and community infrastructure. The supply of affordable housing will be increased.

5.3.2 Zoning

The site is proposed to be zoned 'General Residential'.

The purpose of the General Residential Zone pursuant to 10.1.1 of the Planning Scheme, is stated as follows:

10.1.1 Zone Purpose Statements

10.1.1.1 To provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided.

10.1.1.2 To provide for compatible non-residential uses that primarily serve the local community.

20.1.1.3 To provide for the efficient utilisation of services.

The proposed rezoning will allow the site to be developed for residential purposes. The smaller lot sizes prescribed under the proposed zoning will provide flexibility in lot layout and diversity in housing choice. The rezoning will also allow the continued pattern of residential land use as is established directly west of the site.

The proposal is considered to further the Zone Purposes Statements for the General Residential Zone.

5.3.3 Overlay Requirements

The site is affected by three overlays, the Bushfire-Prone Areas, Landslide Hazard Area and Biodiversity Area (Figure 10).

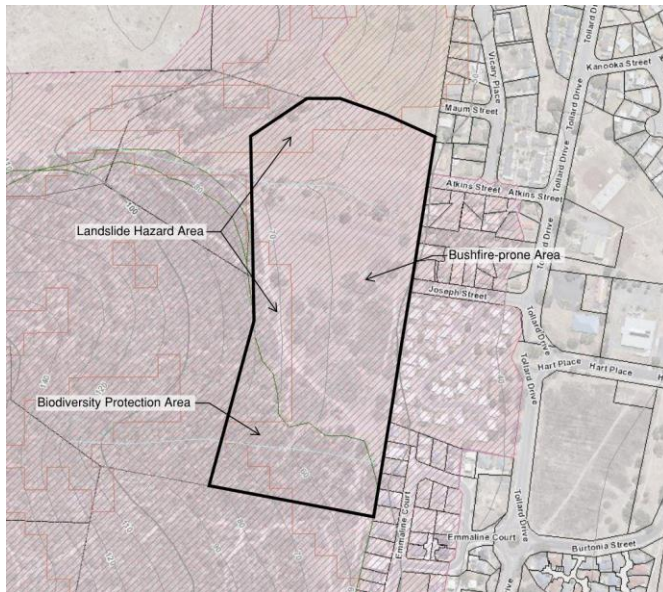


Figure 10 - Overlays

Bushfire-Prone Area Overlay

The site is identified as being within a Bushfire-Prone area. The purpose of the Bushfire-prone areas code is to ensure that use and development is appropriately designed, located, serviced, and constructed to reduce the risk to human life and property, and the cost to the community caused by bushfires.

Development within a bushfire-prone area requires an assessment against the Bushfire-Prone Areas Code. A bushfire assessment has been undertaken for the proposed subdivision and is provided under Appendix E.

Landslide Hazard Area Overlay

A portion of the site along the western and northern boundaries, is affected by the Landslide Hazard Area overlay. A Geotechnical investigation of the site has been undertaken and found that ground conditions over the proposed development show limited geotechnical impediments to construction and that the site is suitable for residential development. The report concluded that the geotechnical risk associated with the site and future development was low. It was also recommended that conventional foundation designs were suitable for residential development on the site provided the foundations were constructed at a suitable depth or onto weathered gravels/rock.

The Geotechnical report is provided under Appendix F.

Biodiversity Area Overlay

An area of the southernmost portion of the site is affected by the Biodiversity Area overlay. The subdivision has been designed so to minimise impact to the threatened vegetation community present on the site.

A Natural Values Report has been prepared which investigated the natural characteristics of the site. The report found an area of blue gum forest with foraging habitat for the endangered swift parrot to the south of the site within the biodiversity protection overlay area.

The Natural Values Report, provided under Appendix C, supports the proposed building envelope location to the north of proposed lot 303 as it is outside of the biodiversity protection area and generates minimal impact to blue gum forest and existing vegetation.

No works are proposed as part of this application within proposed lot 303 and the recommendations made in relation to this lot under the Natural Values Report will be

incorporated into the future design and application for development on this lot. Further, the current Environmental Living zoning is proposed to be maintained across the portion of the site affected by the biodiversity protection area.

5.4 *Tasmanian Planning Scheme - State Planning Provisions (SPP's)*

The State Planning Provisions will eventually replace the Interim Planning Scheme. Whilst the **SPP's have been in effect since March 2017, they will have no practical effect until the Local Provision Schedule is in effect for the respective municipal area.**

The proposed 'General Residential' Zone has a similar purpose under the SPP to that under the Interim Planning Scheme. The 'Planning Scheme Purpose and Objectives' under Part A of the Scheme are addressed in the next subsection of this report.

5.4.1 *Planning Scheme Purpose*

The purpose of the planning scheme is to further the objectives of the Resource Management and Planning System and the planning process set out in Parts 1 and 2 of Schedule 1 of the Act and be consistent with State Policies in force under the *State Policies and Projects Act 1993* by:

- (a) *Regulating or prohibiting the use or development of land; and*
- (b) *Making provisions for the use, development, protection and conservation of land.*

The proposed rezoning will allow for uses on the site that are compatible with the future residential character of the local area and regulating or prohibiting incompatible uses. The proposal is considered for further the objectives of the planning scheme.

5.4.2 *General Residential Zone*

The purpose of the General Residential Zone pursuant to 8.1 of the State Planning Provisions, is stated as follows:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.
8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
8.1.3 To provide for non-residential use that: <ul style="list-style-type: none">(a) primarily serves the local community; and(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off-site impacts.
8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

The proposed zoning will allow for low density residential development as well as small scale non-residential uses such as local shops and home businesses. The amendment will provide for activities that will support the growth of the Rokeby residential area and provide affordable housing options for the growing community within close proximity to an established public transport network and local services.

The proposal is considered to further the purpose and objectives of the General Residential Zone under the State Planning Provisions.

6. Proposed Subdivision

The proposed development component includes the subdivision of 1 lot into 16 single residential lots, 10 multiple dwelling lots, 3 public open space lots, 1 balance lot (lot 303) and 5 road lots. The proposed subdivision has been assessed against the applicable standards.

Residential use is permitted in the General Residential zone under clause 10.2.

6.1.1 Lot Design

10.6.1 Lot Design	
<p>A1</p> <p><i>The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, riparian or littoral reserve or utilities.</i></p>	<p>P1</p> <p>***</p>

The subdivision is proposed to be development over 6 stages. Stages 1A & 1B are to be subdivided first and developed for single and multiple dwelling housing.

Stages 1A & 1B

Proposed lots 3, 4, 7 - 15, 18 & 19 are **'ordinary' lots** designated for single dwellings and range in size from 450 m² to 650 m², consistent with the lot size requirements specified in Table 10.1.

Proposed lots 1 - 2, 5 - 6, 16 & 17 are **'corner' lots and achieve the minimum lot size** requirement of 550 m², consistent with Table 10.1.

Proposed lots 1, 2 & 16 are lots designated for multiple dwellings and achieve the minimum lot size requirement. There is no maximum lot size that applies to lots designated for multiple dwellings.

Proposed lots 200 - 202 are to be dedicated as Public Open Space lots, therefore no minimum or maximum lot size requirements apply.

Stages 2 - 5

Proposed lots 300 - 302 & 304 - 307 are located across stages 2 - 5 and are **'super' lots** designated for **multiple dwelling development and proposed lot 303 is a 'balance' lot**. As per Table 10.1, no maximum lot size applies to balance lots or lots designated for multiple dwellings.

As discussed above, all lots within the proposed subdivision meet the minimum and maximum lot size requirements specified under Table 10.1, consistent with A1.

<p>A2</p> <p><i>The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities:</i></p> <ul style="list-style-type: none"> (a) <i>Clear of the frontage, side and rear boundary setbacks;</i> (b) <i>Not subject to any codes in this planning scheme;</i> 	<p>P2</p> <p><i>The design of each lot must contain a building area able to satisfy all of the following:</i></p> <ul style="list-style-type: none"> (a) <i>Be reasonably capable of accommodating residential use and development;</i> (b) <i>Meets any applicable standards in codes in this planning scheme;</i> (c) <i>Enables future development to achieve maximum solar access, given</i>
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<p>(c) Clear of title restrictions such as easements and restrictive covenants;</p> <p>(d) Has an average slope of no more than 1 in 5;</p> <p>(e) The long axis of the building area faces north or within 20 degrees west or 30 degrees east of north;</p> <p>(f) Is 10 m x 15 m in size.</p>	<p>the slope and aspect of the land;</p> <p>(d) Minimizes the need for earth works, retaining walls, and fill and excavation associated with future development;</p> <p>(e) Provides for sufficient useable area on the lot for both of the following:</p> <p>i) On-site parking and maneuvering;</p> <p>ii) Adequate private open space.</p>
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All proposed lots achieve a 10 x 15 m building envelope that is clear of required boundary setbacks however, the lots are subject to the Bushfire-prone areas code and therefore the performance criteria must be addressed.

Each lot can support a 10 m x 15 m building area that is capable of accommodating residential use and development as demonstrated on Plan 3 of 4 - Lot Details Plan under Appendix B (a).

All applicable standards from Codes at the subdivision level have been addressed in this report. There are no impediments to compliance with applicable standards (b).

The layout of the subdivision does not impede future development from obtaining reasonable solar access. Further, all proposed lots have an east to north-west orientation and will achieve good solar access (c).

The proposed subdivision has a standard grid pattern layout, with lot alignment that follows the contour and thus minimising the need for earth works and excavation associated with future development (d).

Each lot within the subdivision has sufficient useable area to provide on-site parking and manoeuvring as well as adequate private open space with a northerly aspect (e).

The proposal is acceptable when considered against P2.

<p>A3</p> <p><i>The frontage of each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</i></p>	<p>P3</p> <p>***</p>
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Corner lots must have a minimum width of 15 m on both frontages. Lots adjoining a public open space (i.e. lots 3, 4, 15 & 16) can have a minimum 12 m frontage width. All other lots must have a minimum 15 m frontage. All lots achieve the minimum frontage lot width required under A3.

<p>A4</p> <p><i>No lot is an internal lot.</i></p>	<p>P4</p> <p>***</p>
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No lot is an internal lot, consistent with A4.

<p>A5</p> <p><i>Subdivision is for no more than 3 lots.</i></p>	<p>P5</p> <p>Arrangement and provision of lots must satisfy all of the following;</p> <p>(a) Have regard to providing a higher net density of dwellings</p>
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	<p>along;</p> <p>(i) Public transport corridors;</p> <p>(ii) Adjoining or opposite public open space, except where the public open space presents a hazard risk such as bushfire;</p> <p>(iii) Within 200 m of business zones and local shops;</p> <p>(b) Will not compromise the future subdivision of the entirety of the parent lot to the densities envisaged for the zone;</p> <p>(c) Staging, if any, provides for the efficient and ordered provision of new infrastructure;</p> <p>(d) Opportunity is optimized for passive surveillance between future residential development on the lots and public spaces;</p> <p>(e) Is consistent with any applicable Local Area Objectives or Desired Future Character Statements.</p>
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The proposed subdivision is for a total of 27 residential lots and 3 public open space lots, therefore the Performance Criteria must be addressed.

There are 4 bus stops within 200 m of the subdivision which are serviced by metro bus route H624 and H625 to Hobart City and Clarendon Vale respectively (a)(i).

A total of 3 public open space lots are proposed within the subdivision, with each proposed residential lot being within 100 m of an area of public open space, ensuring good amenity to residents and encouraging a sense of community within the subdivision. The proposed public open space lots are a maximum of 1493 m² in area and will not present a bushfire hazard risk (a)(ii).

The site is within 200 m of a business zone and the Clarence Plains Community Health centre (a)(iii).

The entirety of the parent lot is proposed to be subdivided as part of this application. Therefore, (b) does not apply.

The subdivision is proposed to be constructed across 6 stages. As the subdivision is for the development of 19 new residential lots and 9 ‘**super**’ lots, staging the construction works will allow for the efficient and ordered provision of new infrastructure, consistent with (c).

Frontages are sufficient to enable passive surveillance of public areas (d).

There are no Local Area Objectives or Desired Future Character Statements (e).

Based on the above compliance with P5 is achieved.

6.1.2 Roads

10.6.2 Roads	
<p>A1</p> <p><i>The subdivision includes no new road.</i></p>	<p>P1</p> <p><i>The arrangement and construction of roads within a subdivision must satisfy all of the following:</i></p> <p><i>(a) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</i></p> <p><i>(b) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</i></p> <p><i>(c) the subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;</i></p>

	<p>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</p> <p>(e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum;</p> <p>(f) connectivity with the neighbourhood road network is maximised;</p> <p>(g) the travel distance between key destinations such as shops and services is minimised;</p> <p>(h) walking, cycling and the efficient movement of public transport is facilitated;</p> <p>(i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A;</p> <p>(j) multiple escape routes are provided if in a bushfire prone area.</p>
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New roads are proposed therefore the performance criteria have been addressed.

The proposed ‘super’ lots, lots 300 - 308, will be accessible from a new internal loop road which has connections to both Joseph Street and Atkins Street. Therefore, the future subdivision of the balance lots are not compromised, consistent with (a).

The roads will be constructed in accordance with the Clarence City Council road network requirements (b).

The land to the north, 473 Rokeby Road, has subdivision potential and provision for a connector road to the common boundary has been made (c).

The road design includes an efficient grid layout which is easily legible for pedestrians and drivers (d).

Only 1 cul-de-sac head is proposed at the northern termination of the west road, adjoining lots 306 and 307. The number of cul-de-sac heads have been kept to a minimum, consistent with (e).

The subdivision has two access points connecting with the existing road network at the current termination of Atkins Street and Joseph Street, consistent with (f).

The maximum travel distance from the subdivision to a local business or community purpose zone is approximately 200 m (g).

Continuing the existing public open space corridor, establishing new public road connections with the existing road network and the close proximity to a public transport network encourages residents to walk and cycle between points of interest (e.g. parks, schools and local facilities) and encourages the use of public transport (h).

No arterial or collector roads are proposed (i).

The proposed road network provides 3 potential escape routes in the case of a bushfire emergency (j).

The proposal is consistent with P1.

6.1.3 Ways and Public Open Space

10.6.3 Ways and Public Open Space	
A1 No Acceptable Solution.	P1 The arrangement of ways and public open space within a subdivision must satisfy all of the following:

	<p><i>(a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;</i></p> <p><i>(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;</i></p> <p><i>(c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;</i></p> <p><i>(d) convenient access to local shops, community facilities, public open space and public transport routes is provided;</i></p> <p><i>(e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;</i></p> <p><i>(f) provides for a legible movement network;</i></p> <p><i>(g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;</i></p> <p><i>(h) Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy;</i></p> <p><i>(i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:</i></p> <ul style="list-style-type: none"> <i>(j) the width of the way;</i> <i>(ii) the length of the way;</i> <i>(iii) landscaping within the way;</i> <i>(iv) lighting;</i> <i>(v) provision of opportunities for 'loitering';</i> <i>(vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).</i>
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The proposed subdivision connects with Atkins Street and Joseph Street and provisions are made to continue the pedestrian way to the common boundary (a).

A new way will be provided to 473 Rokeby Road to the north via a new pedestrian footpath. Pedestrian access will also be maintained between the proposed public open space lots and the existing public open space between Atkins Street and Joseph Street, consistent with (b).

New pedestrian ways through the proposed public open space lots will connect in with the neighbourhood road network on Tollard Drive, consistent with (c).

The site is within 200 m from the Clarence Plains Community Health centre, Rokeby Child Care & Creche, Rokeby community hall and land zoned for Local Business, providing convenience for residents. In addition, the site is within 200 m of 4 bus stopes which are serviced by 2 bus routes, allowing easy access for future residents to the public transport network (d).

The area of public open space on proposed lots 200 - 202 will be provided with a pedestrian way, connecting the subdivision with Tollard Drive and the suburb of Rokeby to the east. The areas of public open space share immediate boundaries with proposed lots 3, 4, 15 and 16, encouraging passive surveillance of this area (e).

The pedestrian network will align with the proposed road network which is a simple grid pattern layout, ensuring good legibility and ease of movement for pedestrians (f).

No pedestrian, cycle way or public open space plan has been adopted by Council for the site (g).

3 public open space lots are proposed within the subdivision and are to be handed over to Council at the completion of works (h).

The new way to be constructed across proposed public open space lots will be provided with sufficient width, length and lighting to ensure the safe movement of pedestrians (i)(ii)(iv). Landscaping will be kept low, to maintain site lines and pedestrian paths will avoid corners and bends to minimise the opportunity for concealment. Further, proposed lots 3, 4, 15 and 16 have side boundaries that adjoin the areas of public open space, thus further improving the opportunity for passive surveillance of this area (i).

The proposal is consistent with P1.

6.1.4 Services

10.6.4 Services	
<p>A1</p> <p><i>Each lot must be connected to a reticulated potable water supply.</i></p>	<p>P1</p> <p><i>No Performance Criteria.</i></p>

Each proposed lot will be connected to a reticulated water supply, compliant with A1.

<p>A2</p> <p><i>Each lot must be connected to a reticulated sewerage system.</i></p>	<p>P2</p> <p><i>No Performance Criteria.</i></p>
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Each proposed lot will be connected to a reticulated sewerage system, compliant with A2.

<p>A3</p> <p><i>Each lot must be connected to a Stormwater system able to service the building area by gravity.</i></p>	<p>P3</p> <p><i>***</i></p>
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Each lot will be connected to the Council stormwater system via gravity reticulation, compliant with A3.

<p>A4</p> <p><i>The subdivision includes no new road.</i></p>	<p>P4</p> <p><i>The subdivision provides for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.</i></p>
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The subdivision includes new roads therefore the Performance Criteria must be addressed. Allowance will be made for the installation of fibre ready facilities and the provision of underground electricity supply, consistent with P4.

8. Codes

The proposal is subject to the Parking and Access, Stormwater Management, Landslide, Bushfire-prone Areas and Natural Assets Codes. The proposed subdivision has been assessed against the relevant clauses.

8.1 Parking and Access Code

The Parking and Access Code applies to all use and development as per clause E6.2. No use or development is exempt from the Code (E6.4.1). A Traffic Impact Assessment (TIA) has been prepared and is provided under Appendix G. It is estimated that the proposed subdivision and subsequent development across Stages 1A and 1B will generate approximately 157 vehicle movements per day and around 16 vehicle movements per hour during peak traffic periods.

The applicable standards have therefore been addressed.

E6.7.1 Number of Vehicular Accesses	
A1 <i>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.</i>	P1 ***

The proposed road layout will utilise the existing road connections with Atkins Street and Joseph Street. As such, no new vehicular access points are proposed consistent with A1.

However, each new lot within the subdivision will be provided with an access point onto the proposed internal loop road network. The proposal is consistent with A1.

E6.7.2 Design of Vehicular Accesses	
A1 <i>Design of vehicle access points must comply with all of the following:</i> <i>(a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 - “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</i> <i>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</i>	P1 ***

The proposed internal subdivision access road has been assessed in the TIA (Appendix G). The proposed grid pattern road layout will allow free streets to generally intersect with one another to form T-junctions and will have the basic function of a minor local access street providing only direct frontage access to the residential lots.

The TIA confirms that the street widths should align with the maximum width provided for Atkins Street and Joseph Street and have an absolute maximum width between kerb faces of 7.2 m which is similar across other Council jurisdictions.

The recommendations of the TIA have been incorporated into the subdivision design so to achieve compliance with AS/NZS 2890.1:2004.

No commercial vehicle access is proposed therefore (b) is not applicable.

The proposal is consistent with A1.

E6.7.3 Vehicular Passing Areas Along an Access	
A1	P1

<p><i>Vehicular passing areas must:</i></p> <p><i>(a) be provided if any of the following applies to an access:</i></p> <p><i>(i) it serves more than 5 car parking spaces;</i></p> <p><i>(ii) is more than 30 m long;</i></p> <p><i>(iii) it meets a road serving more than 6000 vehicles per day;</i></p> <p><i>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</i></p> <p><i>(c) have the first passing area constructed at the kerb;</i></p> <p><i>(d) be at intervals of no more than 30 m along the access.</i></p>	***
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None of the criteria listed under (a)(i)-(iii) apply to the proposal therefore A1 is not applicable.

E6.7.4 On-Site Turning	
<p>A1</p> <p><i>On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</i></p> <p><i>(a) it serves no more than two dwelling units;</i></p> <p><i>(b) it meets a road carrying less than 6000 vehicles per day.</i></p>	<p>P1</p> <p>***</p>

The proposed subdivision includes no access that serves more than two dwelling units or meets a road carrying less than 6000 vehicles per day. A1 does not apply.

E6.7.14 Access to a Road	
<p>A1</p> <p><i>Access to a road must be in accordance with the requirements of the road authority.</i></p>	<p>P1</p> <p>No performance criteria.</p>

Access to the road will be provided in accordance with the requirements of the local Council, compliant with A1.

8.2 Landslide Code

The Landslide Code applies to all development, subdivision or use of land within a Landslide Hazard Area. The applicable standards of this code have been addressed.

E3.7 Development Standards for Buildings and Works

E3.7.1 Buildings and Works, other than Minor Extensions	
<p>A1</p> <p><i>No acceptable solution</i></p>	<p>P1</p> <p>Buildings and works must satisfy all of the following:</p> <p>(a) No part of the buildings and works is in a High Landslide Hazard Area;</p> <p>(b) The landslide hazard risk associated with the buildings and works is</p>

	<p>either:</p> <p>(i) acceptable risk; or</p> <p>(ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.</p>
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The landslide hazard area affecting a portion of proposed lots 303 and 304 **is classified as ‘Low’** risk.

No works are proposed in a high landslide hazard area, consistent with (a).

A Geotechnical site investigation was undertaken by GEO-Environmental Solutions (Appendix F). The site analysis and core sampling found that the site is suitable for development subject to the application of appropriate foundation construction methods (b).

The proposal does not include minor extensions, therefore E3.7.2 is not applicable.

The proposal does not include works that constitute ‘major works’, therefore the provisions of E3.7.3 are not applicable.

E3.8 Development Standards for Subdivision

E3.8.1 Buildings and Works, other than Minor Extensions	
<p>A1</p> <p><i>No acceptable solution</i></p>	<p>P1</p> <p>Subdivision of a lot, all or part of which is within a Landslide Hazard Area must be for the purpose of one of the following:</p> <p>(a) Separation of existing dwellings;</p> <p>(b) Creation of a lot for the purposes of public open space, public reserve or utilities;</p> <p>(c) creation of a lot in which the building area, access and services are outside the High Landslide Hazard Area and the landslide risk associated with the subdivision is either:</p> <p>(i) acceptable risk, or</p> <p>(ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.</p>

The landslide hazard area affecting a portion of proposed lots 303 and 304 **is classified as ‘Low’** risk. **There are no building areas, access or services proposed within a ‘High’** landslide hazard area. The proposal is consistent with P1(c) as P1 (a) and (b) do not apply.

8.3 Bushfire-Prone Areas Code

The proposed subdivision is within the Bushfire Prone Areas Overlay and therefore triggers section E1.0 of the Planning Scheme.

A Bushfire Assessment and Bushfire Hazard Management Plan has been prepared and is provided under Appendix E.

Subdivision: Provision of hazard management areas

<p>E1.6.1.1 Subdivision: Provision of hazard management areas</p> <p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p>

- (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivisions;
- (ii) shows the building area for each lot;
- (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas; and
- (iv) is accompanied by a bushfire hazard management plan for each individual lot, certified by the TFS or accredited person, showing hazard management areas greater than the separation distances required for BAL 19 in Table 2.4.4 of AS 3959 - 2009 Construction of Buildings in Bushfire Prone Areas; and
- (v) applications for subdivision requiring hazard management areas to be located on land that is external to the proposed subdivision must be accompanied by the written consent of the owner of that land to enter into a Part 5 agreement that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.

A Bushfire Hazard Management plan has been prepared and is provided under Appendix E.

The hazard management areas (HMA) provided under the bushfire hazard management plan (BHMP) provide sufficient separation from bushfire-prone vegetation to construct to a BAL-19 construction standard under AS3959-2009.

No external land is required for a hazard management area.

The proposal complies with A1(b).

Subdivision: Public and firefighting access

E1.6.1.2 Subdivision: Public and fire fighting access

A1

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or
- (b) A proposed plan of subdivision showing the layout of roads and fire trails, and the location of property access to building areas, and which complies to the extent necessary with Tables E3, E4 & E5, is included in a bushfire hazard management plan certified by the TFS or accredited person.

All roads within the proposed subdivision are capable of complying with Tables E3, E4 & E5, consistent with A1(b).

Subdivision: Provision of water supply for firefighting purposes

E1.6.1.3 Subdivision: Provision of water supply for fire fighting purposes

A1

In areas serviced with reticulated water by the water corporation:

- (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes; or
- (b) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire; or
- (c) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E6.

The enclosed BHMP prescribes that fire hydrants be installed to ensure all habitable buildings are located within 120 m of a fire hydrant measured as a hose lay. The proposal is consistent with A1(c).

8.4 Natural Assets Code

The Natural Assets Code applies to all use or development on land wholly or partially within a Biodiversity Protection Area (BPA) shown on the planning scheme maps. The applicable standards of this code have been addressed.

A Natural Values assessment has been undertaken for the site and is provided under Appendix C.

E27.8 Development Standards

No development works are proposed within the Biodiversity Protection Area therefore the provisions of E27.8.1 do not apply.

E27.9 Subdivision Standards

E27.9.1 Subdivision	
For a Negligible impact	
<i>A1</i> <i>No Acceptable Solution</i>	<i>P1</i> (a) Subdivision works, including accesses, fences and service locations are designed to minimise the clearance of native vegetation; and (b) Lots must be designed to contain a building envelope which reduces clearance of native vegetation to the minimum extent necessary to contain the anticipated use and any clearance required for bushfire management.

No works are proposed as part of this application within the Biodiversity Protection Area (a).

Proposed lot 303 is partially affected by the Biodiversity Protection Area overlay and the subdivision has been designed so to maintain sufficient lot area to allow for a future building envelope located outside of the overlay area. An indicative building envelope has been shown on the proposed plan of subdivision and is located wholly outside of the overlay area so to minimise impact on native vegetation.

The proposal is consistent with P1.

8.5 Stormwater Management Code

The Stormwater Management Code applies to all development requiring management of stormwater in accordance with clause E7.2.1. No development is exempt from this code (E7.4.1). The applicable standards of this code have been addressed.

E7.7.1 Stormwater Drainage and Disposal	
<i>A1</i> <i>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</i>	<i>P1</i> ***

Stormwater from new impervious surfaces will be disposed of by gravity to the two existing open drains before being discharged to the downstream network, compliant with A1.

<p>A2</p> <p><i>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</i></p> <p><i>(a) the size of new impervious area is more than 600 m²;</i></p> <p><i>(b) new car parking is provided for more than 6 cars;</i></p> <p><i>(c) a subdivision is for more than 5 lots.</i></p>	<p>P2</p> <p>***</p>
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The size of new impervious area, once the site is fully developed, will be more than 600 m² therefore the stormwater system must incorporate water sensitive urban design principles. Two gross pollutant traps, proprietary side entry pit treatments and a large bio-retention pond have been incorporated into the design and is discussed in the Concept Services Report (Appendix H). The proposal is consistent with A2.

<p>A3</p> <p><i>A minor stormwater drainage system must be designed to comply with all of the following:</i></p> <p><i>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;</i></p> <p><i>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</i></p>	<p>P3</p> <p><i>No Performance Criteria.</i></p>
--	--

The proposed stormwater drainage system will be designed to accommodate a 5% AEP event (ARI of 20 years) as detailed in the Concept Services Plan (Appendix H) complying with (a) and the post-development flows will be maintained to no greater than pre-development flows through a combination of rainwater tanks and a large detention pond.

Therefore, the proposal complies with A3.

<p>A4</p> <p><i>A major Stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.</i></p>	<p>P4</p> <p><i>No Performance Criteria.</i></p>
--	--

The existing open drains will be re-sized during detailed design to handle flows for up to an event of AEP 1%, consistent with A4.

9. Relevant Issues

9.1 Context, Setting and Visual Impact

The site is located within the context of the existing urban settlement of Rokeby. Land immediately adjoining the sites east and northern boundaries is similarly zoned General Residential. Future residential development on the site will be required to comply with the General Residential zone standards, consistent with the surrounding area.

It is noted that the site contains a significant amount of dumped car bodies and is infested by various noxious weeds. As such, the proposal represents an opportunity to remove waste on the site, improve the quality and appearance of the waterway which will be located within the area of Public Open Space. The proposal also presents an opportunity to manage the weed infestation present on site.

The visual impacts of the proposed subdivision have been considered with particular regard to the view corridor from the foreshore of Droughty Point.

The site is a large block with an existing rural bushland appearance including a combination of dense bushland on the upper slopes and cleared grassland on the lower areas adjoining the existing residential boundary. The site has a gentle gradient and slopes up towards the west. The subdivision layout will introduce 27 residential lots and 1 balance lot. Lots 1-19 & 303 have an east-west orientation and lots 16, 300 - 302 & 304 - 308 have a north-south orientation.

The proposed subdivision will have an impact on the appearance of the site due to the new road layout and additional residential allotments. The subdivision will be visible from the neighbouring area of Rokeby due to the exposed sloped position. The subdivision is expected to be followed by incremental residential development and vegetation of public and private open spaces.

Proposed lots 1, 2, 16, 300 - 302 & 304 - 308 are lots designated for multiple dwellings, with lot 303 being the Balance lot. These lots will be developed at a later stage, and subject to further Council approval.

The existing public open space network will be continued west through the site and will follow the alignment of the existing watercourse that runs east west through the site and in between Joseph and Atkins streets. Stages 1A and 1B will see the development of public open space lots 200 and 201 and the improvement and restoration of vegetation and habitat within this area.

On balance, the proposal will have some visual impact on the area however it will be read within the landscape as the natural continuation of the existing residential area of Rokeby without impacting upon the established bushland character of the Droughty Point hilltop. Therefore, the visual impact of the proposed rezoning, subdivision and future development of the site is considered acceptable in the context of the proposal and character of the surrounding area.

9.2 Traffic and Transport Networks

The estimated increase in vehicle movements from proposed stages 1A & 1B is anticipated to be 157 vehicles per day and 16 vehicles per hour during peak traffic periods.

As confirmed in the TIA (Appendix G) the proposed subdivision road layout and anticipated increase in traffic movements will generate minimal impact on the operation of the existing road network or at the connection points with Atkins Street and Joseph Street. The TIA made the following recommendation:

- New roads within the proposed subdivision have a maximum width between kerb faces of 7.2 m so to remain consistent with the existing width of adjoining Atkins Street and Joseph Street.

Vehicular and pedestrian access to the site will improve as a result of the proposed new subdivision road and continuation of the existing public open space corridor. Transport services will also benefit from additional passengers generating greater demand for regular services.

9.3 Water Quality

A MUSIC (Model for Urban Stormwater Improvement Conceptualisation) model was constructed for the existing site using input parameters defined in the **'Draft NSW MUSIC Modelling Guidelines: August 2010'** and **6min interval rainfall data for Hobart for the period 1990 to 2010**.

For quality analysis the maximum number of developed lots, 87, was used when calculating site run off and quality. It is proposed that the sites stormwater be treated via a combination of a large bio-retention basin located in the most downstream section of public open space & proprietary StormSack filters at each road side entry pit. The outlet of Onsite Catchment 2 & the entrance to the bio-retention pond are both filtered through a GPT to ensure no deleterious material enters the downstream network. The MUSIC model for the site can be seen below in Figure 11.

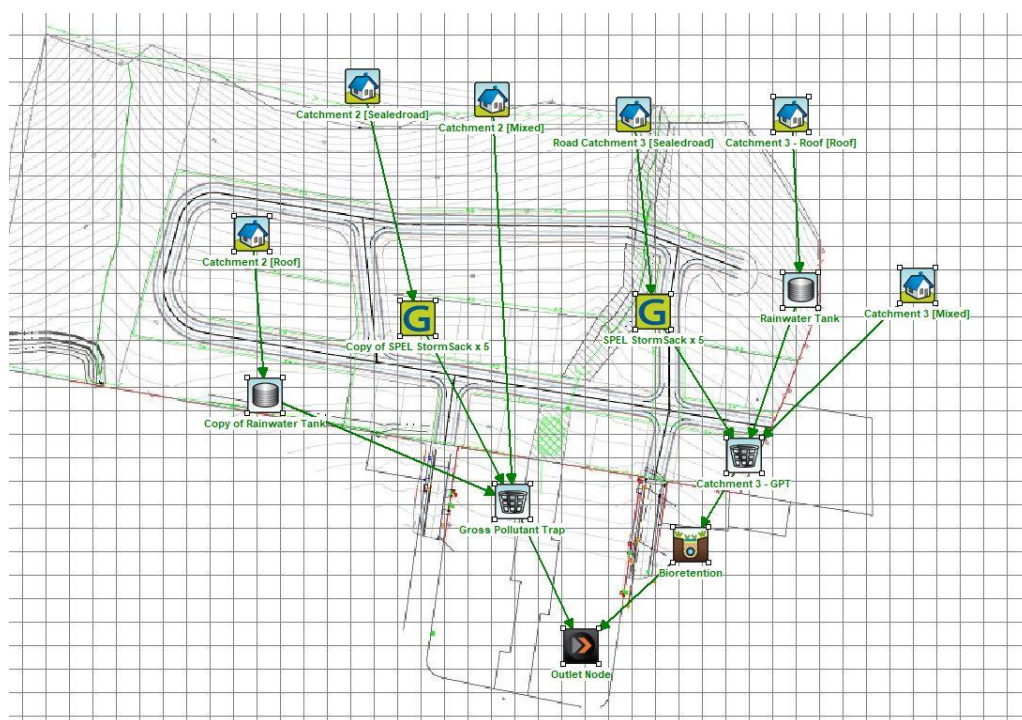


Figure 11 - Stormwater treatment MUSIC model

Table 4 - Treatment Train Effectiveness

The results from the MUSIC modelling are tabulated below.

	Sources	Residual load	% Reduction
Flow (ML/yr)	18.2	17.5	3.6
Total Suspended Solids (kg/yr)	3400	797	76.5
Total Phosphorus (kg/yr)	6.94	3.11	55.1
Total Nitrogen (kg/yr)	44.3	21.6	51.2
Gross Pollutants (kg/yr)	693	52	92.5

The interim planning scheme implies that a stormwater system for a new development must meet water quality targets as detailed in the State Stormwater Strategy, 2010 and as follows (unless it is not feasible to do so):

- 80% reduction in the annual average load of total suspended solids
- 45% reduction in the annual average load of total phosphorus
- 45% reduction in the annual average load of total nitrogen

The proposed system meets best practice for the key pollutant indicators of Total Phosphorous, Total Nitrogen while falling just short of the minimum recommended removal of Total Suspended Solids.

The sites steep grades are unsuitable for the use of vegetated swales and place significant size demands on the construction of weirs or similar treatment. To achieve best practice for the

site a sizeable investment in additional infrastructure is required, either proprietary or not, and a commitment to long-term maintenance. It is proposed that these measures would offer limited real-world benefit to the downstream water quality while resulting in significant immediate and future costs.

9.4 Noise

The development will generate some noise during the construction of civil works and subsequent development of the lots. The noise impact will be limited to a short term period during construction. In the longer term ambient noise levels are expected to be typical of a low density **residential area and consistent with the site's land use context.**

9.5 Natural Hazards

The site located within a potential landslide hazard area and is within a bushfire prone area. Both of these site constraints have been addressed through the Bushfire Report (Appendix E) and Geotechnical Investigation (Appendix F).

Landslide Hazard

A Geotechnical Investigation has been undertaken and addresses potential risk factors to future occupants and property. The report concluded that the subject site is suitable for residential development provided that sufficient foundation depth is provided during construction of dwellings. Specifically, the following construction recommendations have been made:

- All construction areas have complete AS2870 testing including dispersive soils assessment prior to design and construction. For areas of proposed shallow foundations all foundations must penetrate through the topsoils and into the residual soil below approximately 0.5 m depth or onto weathered gravels/rock.
- Conventional pad footings are likely to be suitable only if excavated to sufficient depth and bearing.
- Dependent upon the final foundation design chosen and the loads supported, pile foundations may be required, and all piles should be driven or bored into underlying well consolidated natural soil or gravels/rock at depth-pile foundation parameters should then be calculated once likely pile dimensions have been determined.
- Levelling and compaction of footprints with either natural rock fill or imported Class 1 fill should follow AS 1289 5.1.1
- All earthworks onsite be compliant with AS3798-2007 ***“Guidelines for Earthworks on commercial and residential subdivision”***
- Stormwater be connected as soon as any roofing is sealed.
- Drainage of the ground surface and pavements be designed to flow away from footing areas and towards stormwater discharge points.
- Soil and water management plans and infrastructure must be in place for all construction activities.

Bushfire Hazard

A Bushfire Report and Hazard Management Plan has been prepared and all lots within the proposed subdivision can accommodate a dwelling constructed to BAL-19 standards subject to the implementation of Hazard Management Areas. The proposed road network and additional connector points to Atkins Street and Joseph Street will ensure the safe access and egress of future residents and fire fighting vehicles. Fire hydrants are also required and must be provided within 120 m of all building areas.

The natural hazards affecting the site can therefore be adequately mitigated so to minimise the level of risk to life and property.

9.6 Heritage

The site is not listed on the Tasmanian Heritage Register or under the Planning Scheme for historic heritage values. An Aboriginal Heritage Assessment (Appendix D) has been undertaken and no Aboriginal heritage sites were identified nor are there any sites registered under the Aboriginal Heritage Register.

The overall assessment, including onsite surveys, confirmed that the site and artefact densities within the study area were likely to be low or very low, reflecting sporadic Aboriginal activity with more intensive activity likely to be focused along the River Derwent, approximately 1 km west of the site.

As a precautionary measure, an Unanticipated Discovery Plan must be in place at the time of construction should an item of Aboriginal archaeological significance be discovered.

Based on the findings of the Aboriginal Heritage Assessment, the proposal will have no impacts on any identified Aboriginal heritage sites.

9.7 Flora and Fauna

The Natural Values Assessment (Appendix C) found that the majority of the site is predominantly cleared of significant vegetation with the exception of the southern portion of the site. This section of the site contains blue gum forest which is a State threatened vegetation community and also foraging habitat for the endangered swift parrot.

The report also found two threatened flora species, the gentle rush *Juncus amabilis* and the Risdon peppermint *Eucalyptus risdonii*, with the former being impacted by the proposal however it is a species common on agricultural land in the south of the state, so no concern was raised in relation to its removal. The Risdon peppermint occurs in the blue gum forest and will be retained. The proposed isolation of significant vegetation to a single lot within the subdivision will ensure that the sensitive vegetation including the Blue Gum forest will be protected and maintained in perpetuity.

The report also noted that the site is infested by various noxious weeds. As such, the proposal represents an opportunity to improve the waterway for Public Open Space and control the weed source through a Weed Management Plan.

The report made the following recommendations:

- The balance of the blue gum forest on Lot 303 is to be formally protected via a Part 5 agreement with Council. A Conservation Management Plan over the Part 5 may also be warranted in order to direct management of the bushland into the future and provide descriptions to direct subdivision and development near the boundary;
- Sediment and erosion management measures will need to be shown for stream flows within the minor waterway;
- Remove existing waste including dumped car bodies and improve the waterway proposed for Public Open Space;
- Control the large weed source via a Weed Management Plan;

The proposal has been designed so to cause minimal impact on ecological processes and genetic diversity present on the site and will remain consistent with the recommendations of the Natural Values Assessment report.

9.8 Safety, Security and Crime Prevention

The proposed subdivision layout has been designed so to maximise passive surveillance to areas of public open space by locating residential allotments adjacent to areas of Public Open Space. Good quality public open space encourages a sense of place and community for local residents. Cycleways and pedestrian pathways connecting existing areas of public open space with the proposed areas encourages passive recreation and use of community assets.

9.9 Social Impacts & Economic Impacts

The proposal will create employment opportunities during the construction of the subdivision. The subdivision will provide a choice of new housing opportunities within a low density residential suburb, close to local facilities and a public transport network and will support the ongoing viability of local businesses and social infrastructure provided in the local area.

10. Conclusion

The proposed rezoning will provide land for residential development on the edge of an existing urban settlement. The additional residential land will support the growing population of the Clarence local government area and in particular, provide affordable housing that is accessible and close to services and public transport.

The Greater Hobart Residential Strategy provides a dwelling demand forecast for the Hobart area to 2035. The population basis for this estimate is somewhat unclear, with the dwelling demand forecast based on ABS projections for populations, whilst the Regional Profile utilises DCAC projections. The population of Clarence as estimated by the ABS is currently tracking the DTF Medium Growth Scenario.

The Land Release Program for Greenfield Precincts is yet to be established, and the monitoring indicators for the Strategy are undefined. As it stands, dwelling densities for approved subdivisions within designated greenfield precincts fall well below the desired 15 dwellings per hectare. It is also not clear whether the desired ratio of 50/50 greenfield to brownfield sites is being achieved.

Considering that amendment to the residential zone is to be dependent on the yield capacity and vacancy of existing zoned land, the site will improve the yield capacity overall by providing 16.8 net dwellings per hectare based on stage one.

The STRLUS provided a strategy to achieve ideal residential growth and development within the Greater Hobart area from 2010 to 2035. The subject site provides an area ready for development with minimal barriers, that is able to achieve a higher density than other approved greenfield subdivisions, and is located within commutable distance to multiple activity centres. The site is also located adjacent to existing infrastructure and transport networks, as well as existing services. These factors support the amendment of the Urban Growth Boundary to include this site as residential land.

The proposed scheme amendments have been prepared in accordance with s.34A of the *Land Use Planning and Approvals Act 1993* which states the requirements to be considered in assessing a scheme amendment. The proposed scheme amendment is considered to be in accordance with all statutory requirements.

The proposal seeks the subdivision of 1 existing allotment into 27 residential allotments including 1 balance lot (lot 303), 3 public open space lots and 5 road lots. The proposal has been considered against the subdivision requirements of the zone and the following discretions have been triggered:

- 10.6.1 (P2) - Does not meet A2 due to Bushfire-Prone Areas overlay;
- 10.6.1 (P5) - Does not meet A5 due to there being more than 3 lots proposed;
- 10.6.2 (P1) - Does not meet A1 as new roads are proposed;
- 10.6.3 (P1) - There are no Acceptable Solutions under A1; and
- 10.6.4 (P4) - Does not meeting A4 as new roads are proposed.

The proposal has been assessed against all relevant objectives and is found to be acceptable with respect to the Planning Scheme requirements.

APPENDIX A

Certificate of Title

SEARCH OF TORRENS TITLE

VOLUME 131197	FOLIO 2
EDITION 1	DATE OF ISSUE 14-Jul-1999

SEARCH DATE : 08-Jan-2018

SEARCH TIME : 12.02 PM

DESCRIPTION OF LAND

City of CLARENCE

Lot 2 on Sealed Plan 131197

Derivation : Part of 730 Acres Gtd to F. Butler & Anor

Prior CTs 6039/3 and 131396/1

SCHEDULE 1


C162865 TRANSFER to THE TRUSTEES OF THE PROPERTY OF THE
PRESBYTERIAN CHURCH OF TASMANIA Registered
14-Jul-1999 at 12.01 PM

SCHEDULE 2

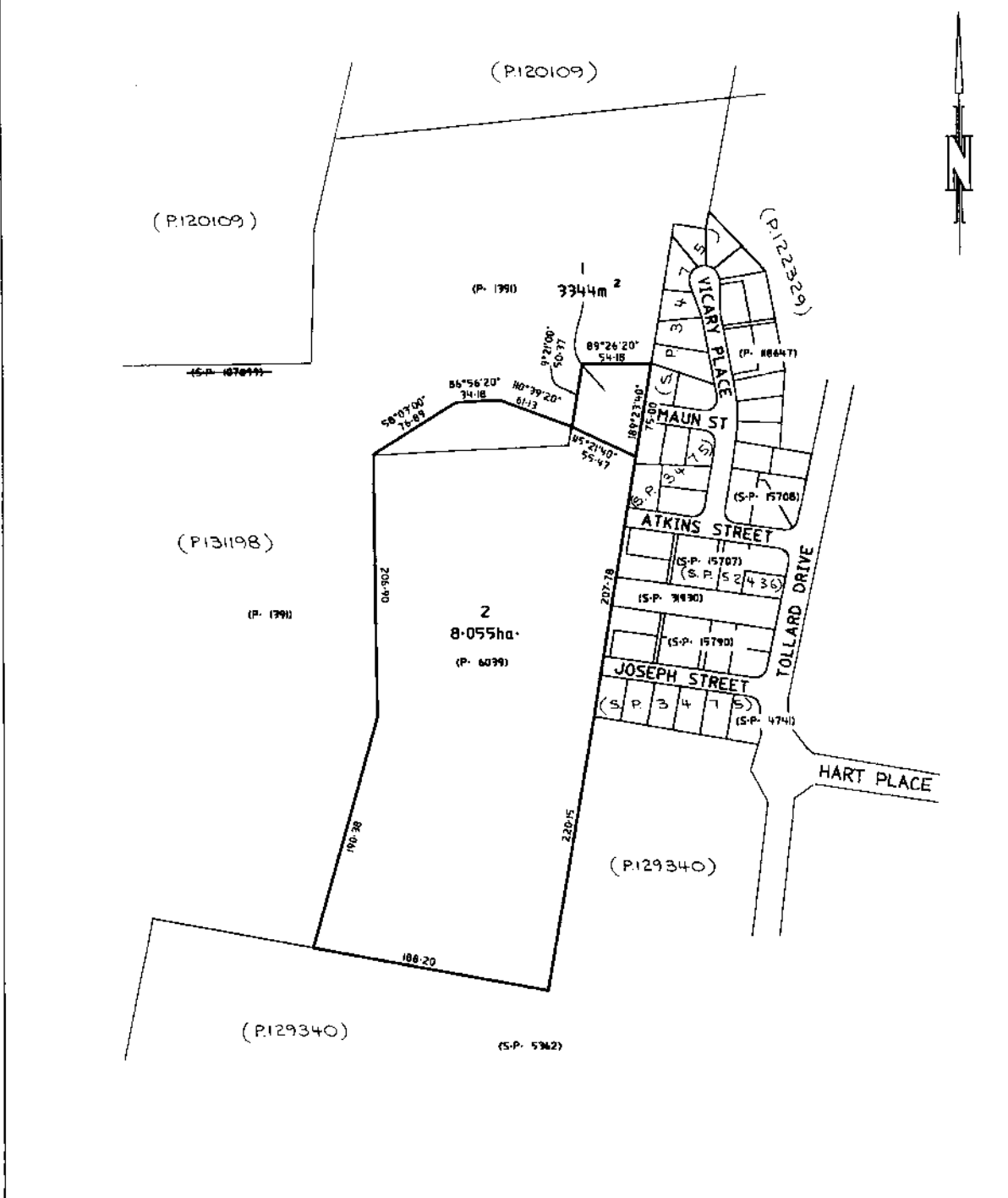
Reservations and conditions in the Crown Grant if any
SP 131197 FENCING PROVISION in Schedule of Easements

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OWNER TRUSTEES OF THE PROPERTY OF THE PRESBYTERIAN CHURCH OF TASMANIA AND MALWOOD PTY. LTD. FOLIO REFERENCE C.T. 6039/3 AND C.T. 125752/1 131396/1 GRANTEE PART OF 730 ACRES GTD. TO F. BUTLER AND ANOR.		PLAN OF SURVEY BY SURVEYOR IERENCE SCOTT CHOMER 4 BAYFIELD STREET, ROSBY PARK A DIVISION OF C&C PTY. LTD. ACN 009529989 LOCATION CITY OF CLARENCE SCALE 1: 300 LENGTHS IN METRES		REGISTERED NUMBER SP 131197 APPROVED EFFECTIVE FROM 14 JUL 2018  Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 107 (5225-54)	LAST UPI No. 1423362-GEE34 1411670	LAST PLAN P131396 No. S.P. 125751-P.6039	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

LOT 2 IS COMPILED FROM C.T. 6039/3 AND THIS SURVEY.



APPENDIX B

Proposed Subdivision Plans

This plan has been prepared only for the purpose of obtaining preliminary
subdivisional approval from the local authority and is subject to that approval.
All measurements and areas are subject to the final survey.
Base image by TASMAP (www.tasmap.tas.gov.au). © State of Tasmania
Base data from the LIST (www.theist.tas.gov.au). © State of Tasmania

OWNER: MALWOOD PTY LTD

OWNER: CLARENCE CITY COUNCIL

OWNER: MALWOOD PTY LTD

OWNER: DIRECTOR OF HOUSING

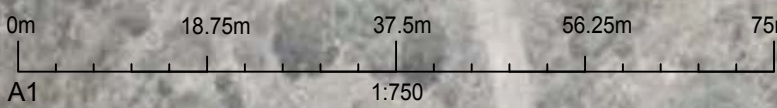
OWNER: DIRECTOR OF HOUSING

Stages 1A & 1B

Future layout (concept)

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

Plan 1 of 4 - Overall concept Plan



G	CHANGES - Lots 9 to 15	AB	14-2-2018	AB
F	remove internal road	MG	12-1-2018	AB
E	CHANGES - Lot 303	AB	21-12-2017	AB
D	CHANGES - Lots 303 & 304	AB	21-12-2017	AB
C	CHANGES - Lot 303 & Planning line	AB	20-12-2017	AB
B	CHANGES - WESTERN SIDE OF ROAD	AB	24-11-2017	AB
A	EMAILED TO JMG	AB	23-11-2017	AB
REV	AMENDMENTS	DRAWN	DATE	APPR.



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

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

TITLE REFERENCE: C.T.243571/1

LOCATION: 22 ATKINS STREET
ROKEBY

Proposed Subdivision

Date:	14-02-2018	Reference:	PAPAA14 10252-05
Scale:	1:750 (A1) 1:1500 (A3)	Municipality	CLARENCE

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subdivisional approval from the local authority and is subject to that approval.
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Base data from the LIST (www.theist.tas.gov.au), © State of Tasmania

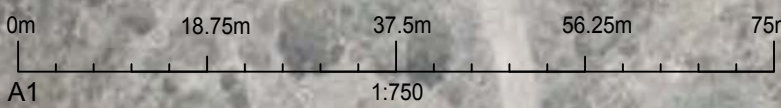
OWNER: MALWOOD PTY LTD

OWNER: CLARENCE CITY COUNCIL

OWNER: MALWOOD PTY LTD

OWNER: DIRECTOR OF HOUSING

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



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E	CHANGES - Lot 303	AB	21-12-2017	AB
D	CHANGES - Lots 303 & 304	AB	21-12-2017	AB
C	CHANGES - Lot 303 & Planning line	AB	20-12-2017	AB
B	CHANGES - WESTERN SIDE OF ROAD	AB	24-11-2017	AB
A	EMAILED TO JMG	AB	23-11-2017	AB
REV	AMENDMENTS	DRAWN	DATE	APPR.



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

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

TITLE REFERENCE: C.T.243571/1

LOCATION: 22 ATKINS STREET
ROKEBY

Proposed Subdivision

Date:	14-02-2018	Reference:	PAPAA14 10252-05
Scale:	1:750 (A1) 1:1500 (A3)	Municipality:	CLARENCE

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Base data from the LIST (www.theist.tas.gov.au), © State of Tasmania



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E	CHANGES - Lot 303	AB	21-12-2017	AB
D	CHANGES - Lots 303 & 304	AB	21-12-2017	AB
C	CHANGES - Lot 303 & Planning line	AB	20-12-2017	AB
B	CHANGES - WESTERN SIDE OF ROAD	AB	24-11-2017	AB
A	EMAILED TO JMG	AB	23-11-2017	AB
REV	AMENDMENTS	DRAWN	DATE	APPR.



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

OWNER: THE TRUSTEES OF THE PROPERTY OF THE PRESBYTERIAN CHURCH OF TASMANIA
TITLE REFERENCE: C.T.243571/1
LOCATION: 22 ATKINS STREET
ROKEBY

Proposed Subdivision

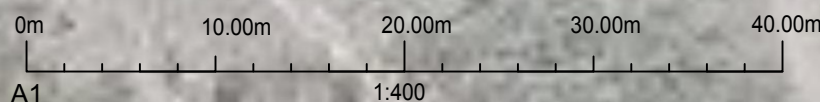
Date:	14-02-2018	Reference:	PAPAA14 10252-05
Scale:	1:750 (A1) 1:1500 (A3)	Municipality:	CLARENCE

Plan 3 of 4 - Lot Details Plan

This plan has been prepared only for the purpose of obtaining preliminary
subdivisional approval from the local authority and is subject to that approval.
All measurements and areas are subject to the final survey.
Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania
Base data from the LIST (www.theist.tas.gov.au), © State of Tasmania



OWNER: DIRECTOR OF HOUSING



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

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

Plan 4 of 4 - Lot Details Plan

G	CHANGES - Lots 9 to 15	AB	14-2-2018	AB
F	remove internal road	MG	12-1-2018	AB
E	CHANGES - Lot 303	AB	21-12-2017	AB
D	CHANGES - Lots 303 & 304	AB	21-12-2017	AB
C	CHANGES - Lot 303 & Planning line	AB	20-12-2017	AB
B	CHANGES - WESTERN SIDE OF ROAD	AB	24-11-2017	AB
A	EMAILED TO JMG	AB	23-11-2017	AB
REV	AMENDMENTS	DRAWN	DATE	APPR.



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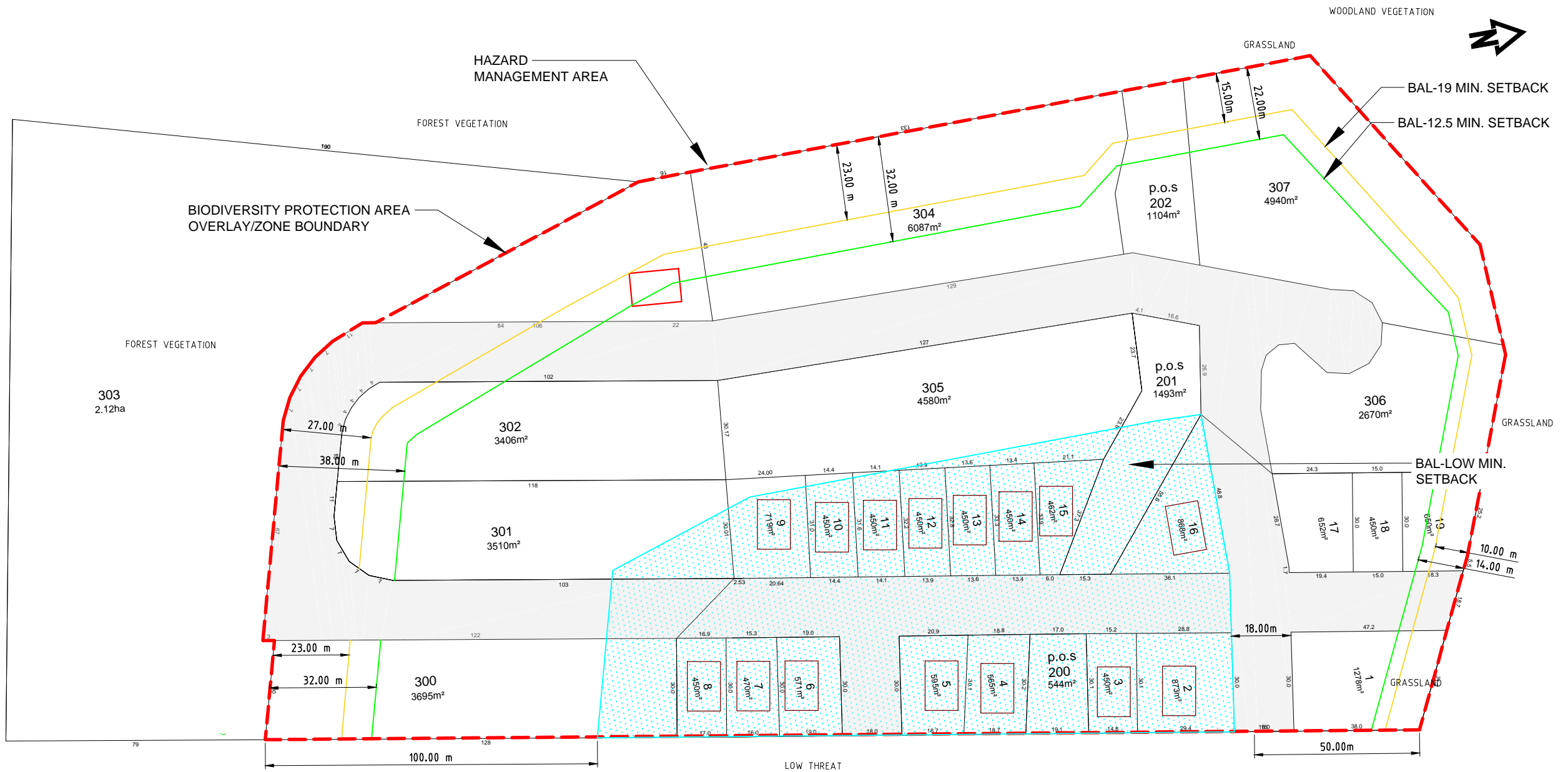
Attachment 4

HAZARD
MANAGEMENT
AREA

BAL-LOW
HABITABLE
BUILDING AREA

BAL-12.5 MIN.
SETBACK FOR
HABITABLE
BUILDING AREA

BAL-19 MIN.
SETBACK FOR
HABITABLE
BUILDING AREA



1. **HAZARD MANAGEMENT AREAS**
HAZARD MANAGEMENT AREAS MUST BE ESTABLISHED UPON CREATION OF TITLES AND MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS SPECIFIED IN SECTION 5.1 OF THE BUSHFIRE REPORT IN ORDER TO MITIGATE THE SPREAD OF FIRE TO BUILDINGS AND PROVIDE DEFENDABLE SPACE.

2. **BUILDING AREAS & AS 3959-2009 CONSTRUCTION STANDARDS**
THE FUTURE HABITABLE BUILDINGS ON LOTS 2-16 MAY BE CONSTRUCTED TO BAL-LOW IF LOCATED IN THE AREA DEMONSTRATED ON THIS PLAN.

FUTURE HABITABLE BUILDINGS ON LOTS 1 AND 17-19 MAY BE CONSTRUCTED TO A MINIMUM STANDARD OF BAL-12.5 OR BAL-19 AS INDICATED BY THE MINIMUM SETBACKS DEMONSTRATED ON THIS PLAN.

FUTURE HABITABLE BUILDINGS ON LOT 303 MAY BE CONSTRUCTED TO A MINIMUM STANDARD OF BAL-12.5 OR BAL-19 AS INDICATED BY THE MINIMUM SETBACKS DEMONSTRATED ON THIS PLAN.

NB NON-HABITABLE BUILDINGS (CLASS 10 STRUCTURES) MAY BE LOCATED OUTSIDE OF THE HABITABLE BUILDING AREAS AND ARE NOT REQUIRED TO BE CONSTRUCTED TO AS 3959-2009 UNLESS WITHIN 6.0 M OF A HABITABLE BUILDING.

NB ALL LOTS WITHIN THE SUBDIVISION MUST BE MANAGED AS A HAZARD MANAGEMENT AREA AS DEMONSTRATED BY THE HAZARD MANAGEMENT AREA LINE.

3. **ACCESS**
ACCESS MUST COMPLY WITH THE MINIMUM SPECIFICATIONS IN SECTION 5.3 OF THE BUSHFIRE REPORT.

4. **FIREFIGHTING WATER SUPPLIES**
FIRE HYDRANT PROVISION MUST COMPLY WITH SECTION 5.4 OF THE BUSHFIRE REPORT

NOTES

- DEVELOPMENT SITE IS 22 ATKINS STREET, ROKEBY (CT 131197/2, PID 5216505).
- CERTIFYING BUSHFIRE HAZARD PRACTITIONER IS DANA ELPHINSTONE (BFP-146, SCOPE 1, 2, 3A).
- THIS PLAN SHOULD BE READ IN CONJUNCTION WITH JMG BUSHFIRE REPORT (PROJECT NO. 163091PH, JANUARY 2018).
- THIS PLAN HAS BEEN PREPARED TO DEMONSTRATE COMPLIANCE WITH THE BUILDING ACT 2000 & BUILDING REGULATIONS 2014 AND SECTION E1.0 OF THE CLARENCE INTERIM PLANNING SCHEME 2015.

REV	DATE	REMARK
A	16/01/18	Revised layout

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Accepted M. CLARK (Discipline Head)	Date
Accepted M. CLARK (Team Leader)	Date
Approved M. CLARK (Group Manager)	Date

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SCALES @ A3	DESIGNED BY	DRAWN BY
1:1500	D. ELPHINSTONE	D. ELPHINSTONE
	PLOT DATE	16/01/2018

DO NOT SCALE. Use only figured dimensions. Locations of structure, fittings, services etc on this drawing are indicative only. CONTRACTOR to check Architects & other project drawings for co-ordination between structure, fabric, fixtures, fittings, services etc. CONTRACTOR to site check all dimensions and exact locations of all items. JMG accepts no responsibility for dimensional information scaled or digitally derived from this document.



Johnstone McGee & Gandy Pty. Ltd.
Incorporating **Dale P Luck & Associates**
ACN 009 547 139 ABN 76 473 834 852
117 Harrington Street, Hobart, Tas (03) 6231 2555
49-51 Elizabeth Street, Launceston, Tas (03) 6334 5548
www.jmg.net.au infohbt@jmg.net.au infofn@jmg.net.au

PROJECT
**22 ATKINS STREET
ROKEBY
SUBDIVISION**

TITLE
**BUSHFIRE HAZARD
MANAGEMENT PLAN**

PROJECT NO.	163091PH
DWG NO.	B01
REVISION	A
PLOT DETAILS	BHMP 02 - 15.1.18.DWG

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT

Nil Items.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 YOUTH PLAN 2018-2022**

(File No 09-06-01)

EXECUTIVE SUMMARY**PURPOSE**

To adopt the “Youth Plan 2018-2022”.

RELATION TO EXISTING POLICY/PLANS

The Youth Plan is related to:

- Strategic Plan 2016-2026;
- Access and Inclusion Plan 2014-2018;
- Bicycle Strategy and Action Plan 2013-2017;
- Community Grants Policy and Program;
- Community Health and Wellbeing Plan 2013-2018;
- Community Participation Policy (in review);
- Community Safety Plan 2016-2021;
- Cultural Arts Plan 2012-2016 (in review);
- DRAFT Community Planning and Development Framework;
- Economic Development Plan 2016-2021;
- Emergency Management Plan 2015;
- Events Plan 2014-2018;
- Planning Scheme;
- Public Open Space Strategy 2013; and
- Sport and Active Recreation Strategy (in development).

LEGISLATIVE REQUIREMENTS

Not applicable.

CONSULTATION

An extensive and innovative consultation process included surveys and focus groups held within local schools (primary, high and college) and the community.

FINANCIAL IMPLICATIONS

Priorities will be identified annually in the plan and any strategies requiring funding will be considered by Council as a part of its budgeting consideration in developing the Annual Plan, including the capital works program.

RECOMMENDATION:

That Council endorse and adopt the “Youth Plan 2018-2022”.

YOUTH PLAN 2018-2022 /contd...

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** Consultations were completed within schools and the community in the form of surveys and follow up focus groups. Information derived from the consultation as well as local, State and National data have contributed to the development of the draft Youth Plan.
- 1.2.** The Draft Youth Plan 2018-2022 went out to public exhibition and comment in May 2018. Five written submissions were received, all with positive feedback.
- 1.3.** The Youth Plan provides a strategic direction for the provision of services and an opportunity for enhanced engagement in working with young people and their families in the school and community settings.

2. REPORT IN DETAIL

- 2.1.** Continuing to address and meet the needs and aspirations of young people and their families is a continued focus of Council's Youth Plan.
- 2.2.** Continuing to work collaboratively with others and build successful partnerships remains a priority.
- 2.3.** The Plan outlines 5 key areas for action:
 - Working Together;
 - Giving Young People a Voice;
 - Getting Help;
 - Feeling Safe; and
 - Employment, Education and Training.

2.4. The overarching themes of the Plan will guide Council in providing young people with the opportunity to achieve positive well-being, build capacity for resilience, positive self-esteem and make meaningful connections with others in their world as they move toward their future.

2.5. There were 5 responses to the exhibition of the draft plan; the responses are summarised as follows.

- An amazing report – this is brilliant and so helpful. Thanks to all those who put so much hard work into putting together the document.

Response: Noted. No change to Plan.

- Great public document. A lot of work has gone into it. Surprising to see that no-one mentioned education or employment as a concern for young people, even though it is part of the youth plan. It definitely needs to be included.

Response: Noted. No change to Plan.

- Of particular interest the education and employment area, as a young person will be volunteering from the Colony 47 Project 47 Youth Employment program next term at our group meetings.

Response: Noted. No change to Plan.

- Well done, looks great.

Response: Noted. No change to Plan.

- Your categories of mental health issues, depression and suicide being your stand out issue could be included under one general heading of mental health and well-being; or a comment in the document drawing attention to this huge area gaining so much feedback from all your respondents.

Response: Noted. No change to Plan.

3. CONSULTATION**3.1. Community Consultation**

Youth Services worked closely with local schools (primary, high and college) as well as parents/carers and service providers, collecting baseline data from 718 surveys. Youth Services again engaged with local schools to run focus groups to flesh out the baseline data into the current strategies and actions. The Youth Plan 2018-2022 went to public exhibition and comment in May 2018. Five written submissions were received, with positive feedback and no changes required to the Plan.

3.2. State/Local Government Protocol

The Youth Plan was also influenced by data from local, State and National issues which impact on young people and their families.

3.3. Other

Workshops were held with Aldermen in the development of this Plan.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

The ongoing implementation of the Youth Plan 2018-2022 is consistent with Council's Strategic Plan 2016-2026 and associated supporting plans.

5. EXTERNAL IMPACTS

Implementation of the Plan will involve ongoing collaboration with established and new networks. The Plan includes the delivery of current and new programs with the Youth Network Advisory Group having a stronger role in working with Council.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

Priorities will be identified annually from the plan and any strategies requiring funding will be considered by Council as part of its budgeting consideration in developing the Annual Plan, including the Capital Works program.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. The plan was developed through extensive consultation and research. The exhibition of the Plan resulted in 5 written submissions which were all supportive.

9.2. The Youth Plan provides a strategic direction for the provision of services and an opportunity for enhanced engagement in working with young people and their families in the school and community settings.

Attachments: 1. Youth Plan 2018-2022 (28)

Andrew Paul
GENERAL MANAGER

Youth Plan

2018–2022



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Clarence City Council has a long and proud history of supporting and empowering young people who live, work, study or spend time in the City, which can be seen by the extensive array of programs and events it provides.



Overview

Clarence City Council has a long and proud history of supporting and empowering young people who live, work, study or spend time in the City. This can be seen by the extensive array of programs and events it provides.

To build on this strong foundation the 2018-2022 Youth Plan outlines current services for young people aged between 12 to 24 years, and identifies future services required to support the growth and development of young people across the City.

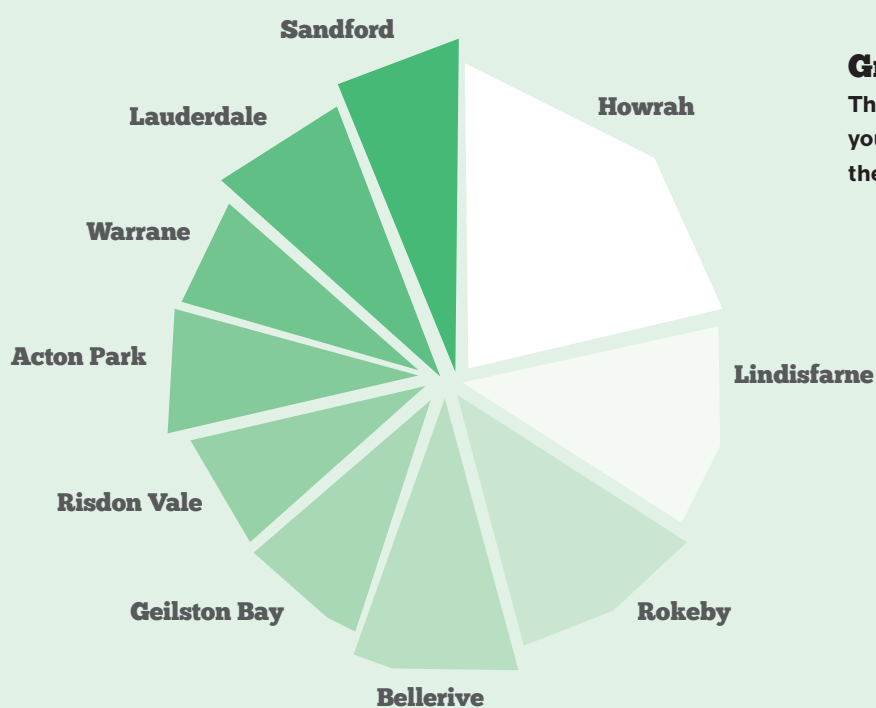
Key themes were identified through extensive consultation with young people, parents/carers and service providers. These priorities are also indicated in local, state and national priorities.

Council recognises young people as valuable contributors to our community and are committed assisting them to achieve wellbeing, build a capacity for resilience, develop positive self-esteem and make meaningful connections with others in their world through these themes:

- **Working together** – taking a co-ordinated approach to the support and development of young people through improved communication, engagement and participation
- **Giving young people a voice** – providing opportunities that allow young people to be more connected, engaged and active within their respective and collective communities
- **Getting help** – providing timely and easy access to information and services for young people and parents
- **Feeling safe** – assisting young people to feel safe in their relationships, home, community and public spaces
- **Employment, education and training** – providing support, encouragement and opportunities for young people to develop the necessary skills to work in the area of their choice

Young People in Clarence

The Youth Plan applies to all young people between the ages of 12 and 24 who live, study, work in and visit Clarence.



Graph 1.

The population density of young people (0-19) across the Clarence Municipality

Table 1.

Top 10 Suburbs where young people live

SUBURB	#	%
ACTON PARK	675	5.29
BELLERIVE	847	6.64
GEILSTON BAY	759	5.95
HOWRAH	1891	14.82
LAUDERDALE	625	4.9
LINDISFARNE	1149	9.01
RISDON VALE	694	5.44
ROKEBY	1003	7.86
SANDFORD	542	4.25
WARRANE	657	5.15

The Consultation Process

Opinions and ideas were collected from more than 718 young people, parents/carers, community members and service providers in Clarence through written and online surveys, focus groups, and casual conversations. These opinions informed the development of the 2018-2022 Youth Plan and provided the information base from which the most important issues for young people in Clarence were identified.

Numbers surveyed:

Young People	637
Parents	59
Service Providers	22

The results from the three groups revealed some similarities which were developed into the five key themes of this Youth Plan.

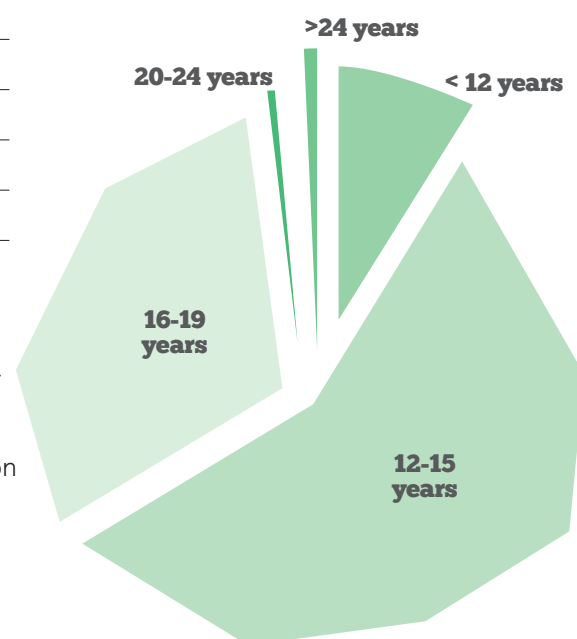
Table 2.

Age of young people who completed the survey

AGE	#	%
Under 12 years	58	9.11
12-15 years	368	57.77
16-19 years	204	32.03
20-24 years	2	0.31
Older than 24 years	5	0.78

The Clarence City Council classifies young people as those between the ages of 12 and 24. As **Graph 1** shows, the 12-15 and 16-19 year age groups had the largest number of survey respondents, while the older age group had significantly less respondents.

Through the Youth Plan, Youth Services aim to improve communication and engagement with the 19+ age group in the future.



Graph 2.

Age of young people who completed the survey

Priorities for Young People in Clarence

	BEING ABLE TO GET HELP WHEN YOU NEED IT
	PERSONAL SAFETY
	MENTAL HEALTH
	SCHOOL AND STUDY
	DEPRESSION
	HOMELESSNESS
	SUICIDE
	SELF HARM
	BULLYING
	PHYSICAL / SEXUAL ABUSE
	DRUGS
	FAMILY CONFLICT
	ALCOHOL
	SELF WORTH
	RELATIONSHIPS AND FRIENDS
	CYBER BULLYING

The issues raised by young people, parents/carers and service providers are listed to the left.

All three groups identified being able to get help, mental health, suicide and bullying, and physical and sexual abuse as issues. It is also interesting to note that parents/carers and service providers indicated alcohol, drugs, self worth and cyber bullying as priority areas but not by young people.

Parents/carers and service providers also highlighted youth participation, networks and partnerships and connectedness as important for young people.

Once identified, issues were further expanded through a series of forums held at local high schools during which young people identified potential strategies and actions.

Surveys and consultations were not the sole sources used to identify the issues and strategies put forward in this Youth Plan.

Some issues and strategies identified arose from consideration of information presented in local, state and national research and reports.

An example of this is 'Employment, Education and Training' which was not identified as an important issue by young people but is recognised as a significant factor in other research and data.

Other Key Local and State Issues

Other key local and state issues have been identified through community and youth forums, service network groups, and Government statistics and research. These issues include:

- Health and wellbeing (including self/body image, relationships, sexual health)
- Recreation and entertainment
- Truancy and disengagement from school
- Access to affordable housing and crisis accommodation
- Education, training and employment opportunities
- Families and young people with complex needs
- Community safety (including bullying, family violence, trail bikes, car theft, graffiti)
- Homelessness
- Unemployment

Top 10 issues in Clarence

Ranked in order of priority for each surveyed group

Young people...

TOP 10	ISSUE	NUMBER OF RESPONDENTS
1	BEING ABLE TO GET HELP WHEN YOU NEED IT	628
2	PERSONAL SAFETY	626
3	MENTAL HEALTH	621
4	SCHOOL AND STUDY	611
5	DEPRESSION	594
6	HOMELESSNESS	591
7	SUICIDE	558
8	SELF HARM	586
9	BULLYING	583
10	PHYSICAL / SEXUAL ABUSE	578

Parents and Carers...

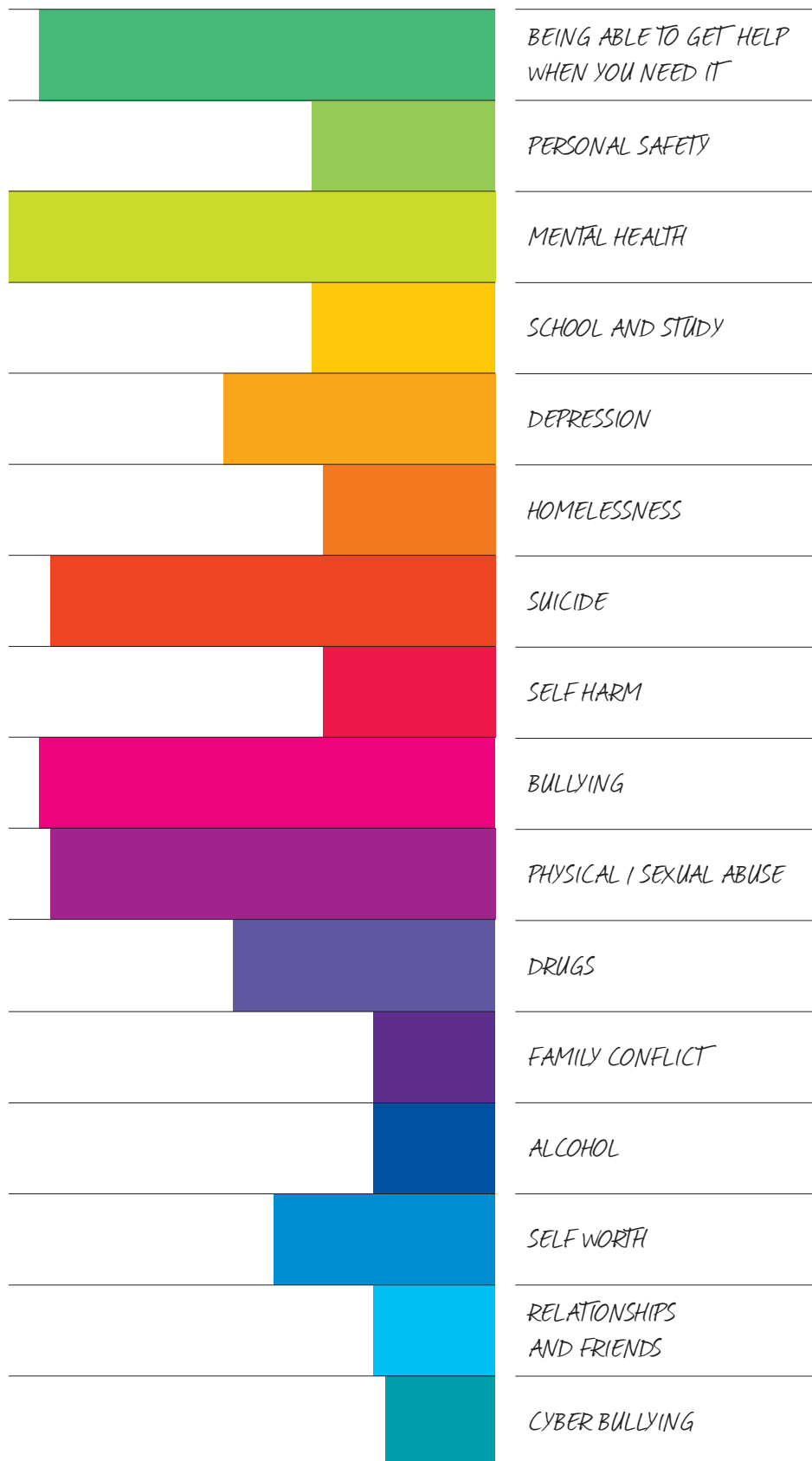
TOP 10	ISSUE	NUMBER OF RESPONDENTS
1	DRUGS	32
2	MENTAL HEALTH	32
3	BULLYING	32
4	PHYSICAL / SEXUAL ABUSE	27
5	DEPRESSION	26
6	BEING ABLE TO GET HELP WHEN YOU NEED IT	26
7	SUICIDE	26
8	FAMILY CONFLICT	25
9	ALCOHOL	25
10	SELF WORTH	24

Services...

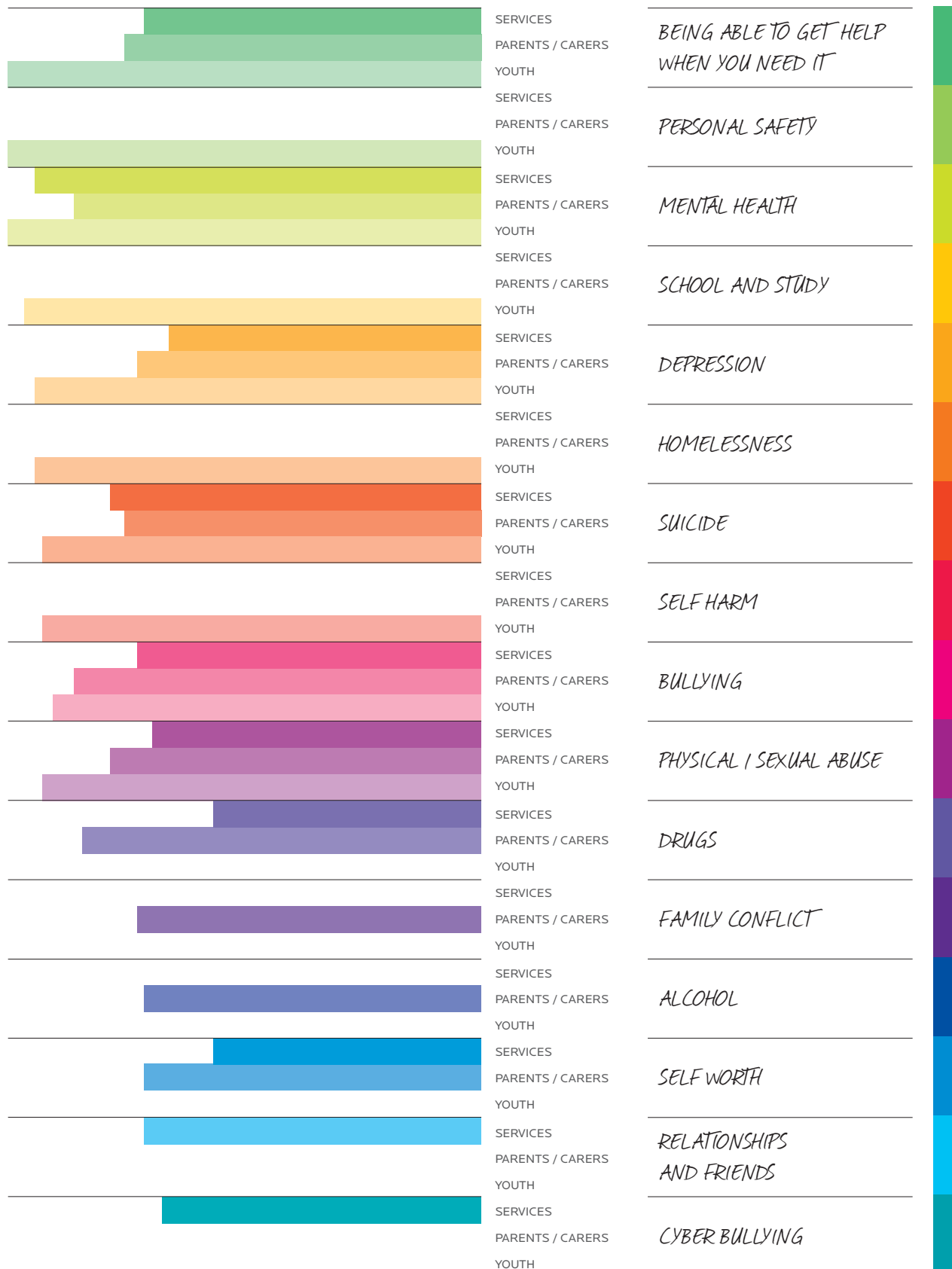
TOP 10	ISSUE	NUMBER OF RESPONDENTS
1	MENTAL HEALTH	20
2	SUICIDE	17
3	BULLYING	16
4	PHYSICAL / SEXUAL ABUSE	15
5	RELATIONSHIPS AND FRIENDS	15
6	BEING ABLE TO GET HELP WHEN YOU NEED IT	15
7	CYBER-BULLYING	14
8	DEPRESSION	14
9	SELF-WORTH	13
10	DRUGS	12

Combined Priorities for Young People in Clarence

Combined priorities



Comparison of priorities between survey groups



The role of Clarence City Council

Clarence City Council has an important role in planning for the future social, economic and environmental needs of young people who live, work, study or visit Clarence:

Governance and Leadership

Council will provide leadership with accessible, responsive, transparent and accountable governance of the City

Planning

Council has a role in responding to current and future needs of the community through the provision of services and support infrastructure

Advocacy

Council will take an active role in supporting or recommending a particular cause or action

Lobbying

Council will take an active role in influencing for changes in legislation or the provision of a service or facility through other tiers of government

Provider

Council has a direct role in providing this service, facility or infrastructure within the limits of Council's resources

In carrying out these roles Council has various organised groups with responsibility for supporting the delivery of the Youth Plan including Health and Community Development, Communication and Marketing, Asset Management, and City Planning. Other Council groups include Operations (Depot), Corporate Support and Financial management.

Included in the Council's key roles is a responsibility to build community knowledge and awareness of issues that impact young people, to promote youth participation, and to bring relevant stakeholders together. Where it is appropriate, Council will link in with campaigns and use resources provided at the state and national level by government and non-government organisations.

The **Youth Network Advisory Group (YNAG)** is one way through which Clarence City Council fulfils these roles. The Council is committed to supporting the YNAG as an important link with Council and young people. The YNAG provides opportunities for young people to express their ideas and concerns, and participate in decision making processes regarding issues that affect them.

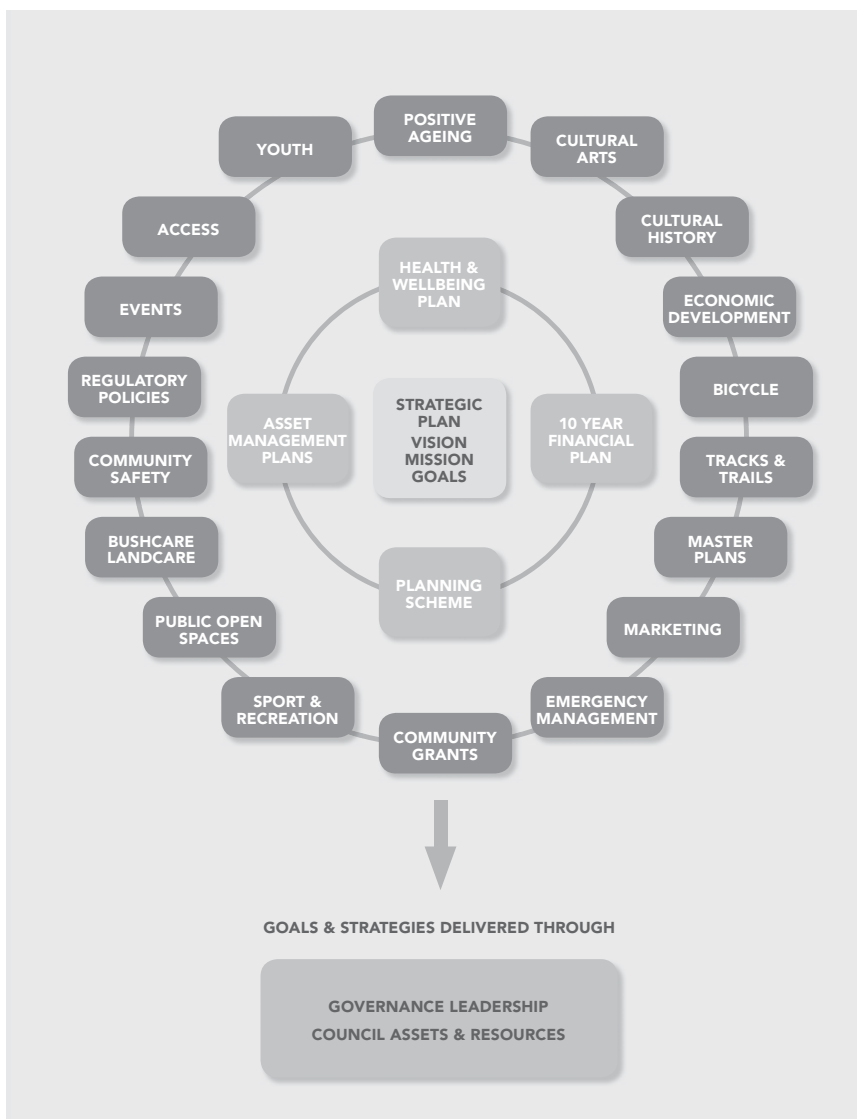
Political and Legislative context

Clarence City Council is engaged in many plans and activities that are interconnected with young people.

The 2018-2022 Youth Plan has been developed within the broader context of the Clarence City Council Strategic Plan (2016-2025), other Council Plans (see diagram below). Additionally, the Youth Plan considers State and National Legislative Frameworks.

Other major research, reports and plans relating to young people including data from the Australian Research Alliance for Children and Youth, Australia Clearinghouse for Youth Studies, Mission Australia and Anglicare has also informed the Youth Plan.

Clarence City Council Strategic Framework



What Clarence City Council Youth Services are currently doing to support young people

- Providing information, support, referral and advocacy
- Collaborative programs with schools and other service providers around health, arts, employment, accommodation, alcohol and drugs, recreational activities and events
- Computer and internet access at Clarence City Council
- Youth Assist in the Rosny Integrated Care Centre
- Outreach recreation programs at Skate Parks, Clarence Plains, Risdon Vale Sports Hall, Warrane Mornington Neighbourhood Centre
- Participating in intergenerational activities such as Our Shared Space
- Alternative learning programs at schools, Neighbourhood Centres, the Youth Centre in Clarence Plains (homework support, workshop, resilience, girls group, bike program)
- Pop-up health and wellbeing events/activities within schools and across Clarence
- Graffiti reduction education and community based programs
- Support other Council, school and community events across Clarence
- School Holiday Programs
- Youth participation programs such as the Youth Network Advisory Group
- Encourage youth participation in local, State and National forums and research

Clarence City Council Youth Services utilises a strength based and community development focused approach when working with young people. Youth Services recognises the potential and power young people can develop as they grow into adults and aims to guide them along their journey. While the service's primary focus is young people, its role also includes enabling families and other supporters to access the necessary resources to assist young people.

*Strategies for addressing
the Key Themes*

What we plan to do



Youth Plan - Resource Requirements

The ongoing success of Clarence City Council Youth Services is underpinned by a fantastic team with a complementary collection of skills and experiences which ensures we achieve well with our existing resources.

Youth Services have been building on existing programs around youth health, crime prevention, work readiness and developing young leaders. To better meet the needs of young people and to progress this work, additional resources are needed in some areas.

Resources required from Clarence City Council include a well balanced mix of permanent and casual staff needed to adequately plan and facilitate ongoing and additional programs as well as appropriate infrastructure and facilities to support these programs.

Working Together

GOAL For partners and networks to work together with young people in planning and implementing youth focussed activities, events and programs

Strategies	Actions
Continue working with current partnerships and networks	Continue to attend local and regional network meetings
	Support and facilitate health promotion events led by students within schools
	Continue to work with youth agencies across Tasmania to share information, opportunities and resources
	Continued sharing of resources
	Support the Youth Network of Tasmania (YNOT) by promoting and encouraging young people from Clarence to participate in forums, conferences and surveys relating to young people
	Promote and contribute to research and resources undertaken by other services and organisations
	Support and encourage Youth Network Advisory Group membership activities
	Explore opportunities with services who work with minority groups such as young people who have a disability or come from a culturally diverse background
	Continue working collaboratively with other Council committees on projects of mutual significance e.g. Age Friendly Cities and Communities, Access and Inclusion, Health and Wellbeing

Working Together

<i>Seek out new connections when working on existing and new campaigns that aim to address issues relating to young people</i>	Approach appropriate Local and State Government organisations about relevant issues
	Continue to work with schools and youth health services to explore the possibilities of further collaboration
	Contact the University of Tasmania, Beacon Foundation and other relevant service providers to explore opportunities for research, program development and implementation of activities
	Continue to attend local and regional network meetings
	Continue to engage with headspace (as a member of the headspace Consortium and through health promotion programs)
<i>Work closely with other agencies and organisations who work with at risk young people, young people who are disengaged from school, or young people in the Youth Justice System</i>	Continue to explore partnerships and program opportunities with Tasmania Police, Youth Justice, schools and other services to develop and implement strategies to address disengagement and crime prevention
	Explore opportunities in partnership with Tasmania Police and the Youth Justice system for working with young offenders from Clarence e.g. Community Conferences, Community Service/Work Orders,
<i>Seek opportunities to work in partnership with young people and other services through external funding</i>	Continue to partner with other organisations when applying for Grants
	Seek grants which will enhance programs provided by Youth Services in meeting the needs of young people

Giving Young People a Voice

GOAL To enable young people to ‘have a voice’ and become more connected, engaged and active within their respective and collective communities

Strategies	Actions
Develop and expand the role and capacity of the Youth Network Advisory Group (YNAG)	Develop a framework that provides identified pathways for skill development through participation in Youth Network Advisory Group activities
	Explore opportunities with local schools to expand youth participation to include and address the needs of young migrant people and young people with a disability
	Develop formal processes that enable the Youth Network Advisory Group to communicate with, advise and advocate for young people within Council and other lead agencies
	In partnership with schools, develop processes which will enable the Youth Network Advisory Group to consult more effectively within schools
Make sure Council has a continuing focus on and commitment to youth participation and leadership	Identify Council committees or groups that would benefit from youth representation and recruit young people to participate (using Youth Network Advisory Group as a resource)
	Develop pathways to ensure youth representation on Council and other committees or groups relevant to young people (using Youth Network Advisory Group as a resource)
	Provide training and learning opportunities for members of the Youth Network Advisory Group and other young leaders in Clarence
	Support membership and activities run by the Youth Network Advisory Group by providing opportunities for the development of advisory and leadership skills

Giving Young People a Voice

<i>Improve access to and awareness of programs for all young people</i>	Continue to run outreach programs at Clarence Plains, Risdon Vale and Warrane
	Continue to promote use of the Youth Centre at Clarence Plains for outreach and other programs
	Continue to promote and support other services programs
	Work in partnership with local schools, Warrane Mornington Neighbourhood Centre and local migrant groups to establish and facilitate a peer support young migrant literacy program
	Continue to work with and encourage young people of all age groups backgrounds to be included as a part of Council and other services youth events and activities
	Continue to promote Youth Services programs through events, displays, newsletters, social media and attending meetings and assemblies
	Continue to support school programs and events
<i>Provide opportunities for young people to be involved in developing programs and organising activities</i>	Continue to engage the Youth Network Advisory Group in Youth Services as well as local activities and events
	Continue to work with secondary schools on health promotion events
	Run focus groups with young people as required
<i>Promote the contribution young people make in Clarence and establish a positive image for young people</i>	Investigate ways to promote a positive image of young people and acknowledge the contributions they make in the life of the City
	Acknowledge the collaborations that young people have with people of all ages and abilities across Clarence e.g. Our Shared Space activities; Living Well in Clarence, Volunteering
	Form a special committee of Council to facilitate the exchange of ideas, information, knowledge and skills between young people and Council

Getting Help

GOAL To provide timely and easy access to information and services for young people and parents –healthy body, healthy mind

<i>Strategies</i>	<i>Actions</i>
<i>Develop a communication plan with creative options for communication with young people, parents and carers, Council, schools and other services</i>	<p>Provide information to young people, parents/carers, teachers and schools through activities and events, displays, newsletters and social media</p> <hr/> <p>Create links to existing health campaigns through promotion and education sessions within schools and public engagement</p>
<i>Explore methods and opportunities to improve access to services and information (Youth Assist)</i>	<p>Continue to provide a drop-in youth health space at the Integrated Care Centre</p> <hr/> <p>Encourage and manage the use of the Youth Assist room by other youth service providers e.g. headspace, Colony 47, Anglicare, Family Planning</p> <hr/> <p>Continue providing education around how to communicate and work with young people effectively about their health and well being</p> <hr/> <p>Work in partnership with the local secondary schools to facilitate health and wellbeing advisory groups for young people within the school setting</p> <hr/> <p>Develop and distribute youth friendly resources through snapshot education sessions in the school setting or casual engagement and outreach within the community (in partnership with schools and other youth services)</p> <hr/> <p>Distribute information and resources on existing campaigns relating to young people</p> <hr/> <p>In partnership with the school, facilitate Parent Information sessions at each of the local public secondary schools</p>

Getting Help

	Continue to outreach to local secondary schools during lunch times
	Continue to outreach to local areas within Clarence e.g. Skate Parks, local parks and events
	Meet with services to discuss opportunities and ways to mutually promote services and resources
	Work with other services to find gaps in the system and develop stronger pathways for youth health services to better meet the needs of young people
<i>Improve knowledge and awareness around health and wellbeing issues that impact young people</i>	Continue to run personal development programs with primary and secondary students e.g. Resilience Program, Girls and Boys Groups
	Explore ways for young people and their parents/carers to access the services and information they need e.g. Parent Advisory Groups, snapshot/pop-up 15 minute education sessions, school assembly
	Run focus groups with young people to develop strategies and ideas
	Continue to work with students from local secondary schools in setting up and running youth health promotion events within the school setting
<i>Increase parent and carer awareness of what young people experience, feel and need</i>	Explore possible partnerships with service providers to enable better support for parents
	Explore partnerships with local Parent Associations
	Run focus groups with young people to develop strategies and ideas around communicating effectively within the family
<i>Create community awareness around health issues which impact on young people</i>	Speak on behalf of young people to make sure their needs are being met
	Support and lead activities and campaigns within public spaces
	Partner with other services and Local and State Government on existing and new campaigns around youth health issues
	Support, plan and lead activities with other Clarence City Council services as outlined in other Council Plans e.g. Community Safety Plan, Health and Well Being Plan

Feeling Safe

GOAL To assist young people to feel safe in their relationships, home, community and public spaces

<i>Strategies</i>	<i>Actions</i>
<i>Raise awareness about how young people feel about personal safety</i>	Continue to attend local and regional meetings e.g. One Community Together, Trail Bikes Working Group
	Continue to consult with young people from across Clarence around feeling safe (Youth Network Advisory Group)
	Provide information to parents and carers, teachers and schools through activities and events, displays, newsletters and social media
	Continue to have input into Council plans and activities which address safety e.g. Community Safety Plan, Open Spaces
<i>Engage with and seek input from young people to develop plans around personal safety at home, in the community and public spaces</i>	Work with young people and other services to address graffiti, vandalism and family violence issues
	Involve young people in consultations around Council plans which impact on them e.g. public facilities, street scaping etc
	When possible, involve young people in local and regional meetings to address safety issues and concerns e.g. school based health and wellbeing groups, Facing Up To It, One Community Together

Feeling Safe

<i>Develop connections and programs with other services that deal with the safety concerns and needs of young people</i>	Continue to work on educating young people about law designed to keep people safe, especially the legislation around graffiti and (safe) use of motorised and pedal bikes
	Continue to develop the Graffiti Reduction Education Program to include a more structured and comprehensive educational component for the school setting
	Work with others to source funding and develop programs around community education and early intervention, especially around graffiti and safe use of motorised and pedal bikes
	When possible, involve young people in local and regional meetings to address safety issues and concerns e.g. Clarence Stronger Communities Partnership, Clarence Council Community Safety Plan, FUTI, One Community Together
<i>Support and defend the safety needs of young people</i>	Continue to work with other service providers including Tasmania Police, Youth Justice, Crime Stoppers and primary and secondary schools
	Provide information about existing campaigns and up to date research through social media, activities and events, displays
	Run focus groups with young people to develop strategies and ideas

Employment, Education and Training

GOAL To provide support, encouragement and opportunity for young people to develop the necessary skills to work in their area of choice – without judgement

<i>Strategies</i>	<i>Actions</i>
Support young people to access skills, training and employment opportunities in the field of their choice	Provide opportunities for young people to develop the skills they need to work in their area of choice through participating in the Youth Services Young Leader Program, Workshop and Bike Programs
	Promote current programs and pathways to young people and their parents
	Research and develop pathways for young people to experience work, training and employment opportunities both within Council and local industry including tours and site visits to prospective work locations
	Work with schools, service providers and local industry to find ways to promote information about education pathways and employment opportunities
	Partner with other services such as Neighbourhood Centres and Community/Men's Sheds on programs which will enhance a young person's employability skills
	Provide referrals to service providers who offer support, information and advice to job seekers
	Provide youth employment opportunities through promoting Council's Traineeships

Employment, Education and Training

<i>Provide access to alternative education programs for at risk, disengaging or disengaged students</i>	Continue to operate and resource the Workshop Program as a community and school based program
	Develop a program structure for the Workshop Program and Vocational Education and Training courses in line with the National Curriculum
	Continue the school and community based Graffiti Reduction Programs e.g. educational and skill development, Free Spray
	Continue to work with Rose Bay High School students from Risdon Vale on the Resilience Program (in collaboration with other service providers)
	Continue to facilitate and resource the girls and boys personal development program that also highlights the importance of life skills such as financial independence
	Work with young people to support them in considering their options for staying in school and alternatives to truancy (in partnership with schools)
<i>Create and lead opportunities for employability skill building</i>	Develop a young leaders program based on employability criteria (soft skills) and information sourced from Curriculum and local industry partners
	Engage young leaders through graded leadership opportunities on the Recreation Program, Workshop, Resilience and Bike Programs (young leaders program)
	Provide opportunities for young people to volunteer on the Homework and Literacy Programs
	Develop a graded Young Leaders Program where young people can transition from participant to Leader on outreach and recreational programs
<i>Provide mentoring and support programs that assist young people to find and pursue employment pathways</i>	Talk to young people in schools about creating programs that can help them identify pathways to employment
	Explore partnerships with local industry and businesses
	Explore partnership programs with students and staff from primary and secondary schools

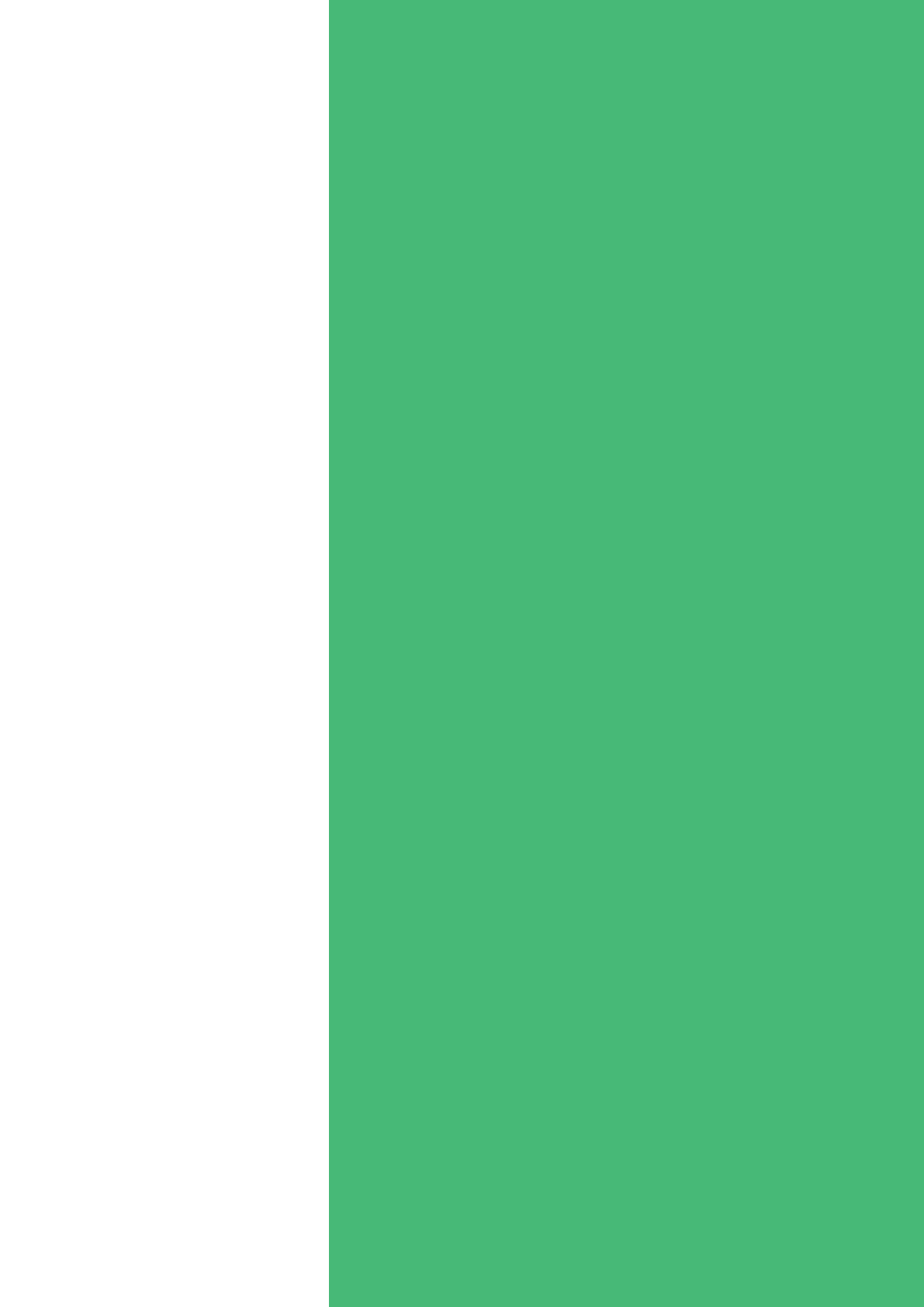


Acknowledgements

Many hands, minds and hearts contributed to the development of this Youth Plan. Council would like to thank the young people who contributed to the development of the Youth Plan, as well as the parents/carers, community members, schools, service providers and Council staff who took the time to provide feedback and input.

In particular, Youth Services would like to thank the staff at Rosny College, Bayview Secondary College, Clarence and Rose Bay High Schools for allowing us to pick the brains of your students during class time and also local Primary Schools who participated in our consultations. Without these schools' assistance, flexibility and perseverance we would not had access to the insights and rich source of information provided by your students.

We especially thank the young people who have worked alongside Youth Services on our various programs and projects, including the development of this strategy. Without your voice, our work and this Youth Plan would not be possible.





11.7.2 AMENDMENTS TO THE CONSTITUTION FOR THE LAND AND COAST CARE RESOURCE MANAGEMENT AND COMMITTEE

(File No)

EXECUTIVE SUMMARY**PURPOSE**

To consider a revised Constitution for the Committee pertaining to the Land and Coast Care Resource Management Committee, including a name change to the Natural Resource Management and Grants Committee.

RELATION TO EXISTING POLICY/PLANS

The Land and Coast Care Resource Management Committee is established to support the delivery of Councils “Clarence Bushland and Coastal Strategy”.

LEGISLATIVE REQUIREMENTS

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

CONSULTATION

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

FINANCIAL IMPLICATIONS

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

RECOMMENDATION:

- A. The name of the Land and Coast Care Resource Management Committee be changed to the Natural Resource Management and Grants Committee.
- B. That Council formally adopts the Constitution for the Natural Resource Management and Grants Committee.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** At Council’s Meeting held on 27 February 2012 the following Notice of Motion was considered by Council:

“1. That Clarence City Council notes the request of the Tracks and Trails Committee for Council to establish a Natural Resource Management Committee in accordance with the Clarence Bushland and Coastal Strategy recommendations.

2. *That Council establish a Natural Resource Management Committee and the General Manager be requested to prepare Terms of Reference for the Committee and submit them to a subsequent meeting for consideration”.*

1.2. The original Motion was amended as follows:

- “1. That Clarence City Council notes the request of the Tracks and Trails Committee for Council to establish a Natural Resource Management Committee in accordance with the Clarence Bushland and Coastal Strategy recommendations.*
- 2. That Council requests the General Manager to prepare a revised Terms of Reference for the Clarence Land and Coastcare Grants Committee to work with land, bush and coastcare groups to enhance resources and capacity to implement plans and initiatives”.*

1.3. Council considered a revised Terms of Reference for the Committee at ITS Council meeting of 19 November 2012. Council unanimously adopted the following decision:

- “A. That the report and draft ‘Land and Coast Care Resource Management Committee Constitution’ be received.*
- B That Council formally adopts the Land and Coast Care Resource Management Committee Constitution.*
- C. That the Land and Coast Care Grants Committee be formally disbanded and that all positions on the newly formed Committee be open for appointment.*
- D. That Council appoints an Alderman as Chairperson (and a second Alderman as Alternative Chairperson) to the Land and Coast Care Resource Management Committee.*
- E. That in respect to the positions of community members on the new Committee:*
 - 1. these positions be advertised in accordance with the procedures set out in the new Constitution;*
 - 2. the current community members of the Land and Coast Care Grants Committee be invited to apply to become members of the inaugural Land and Coast Care Resource Management Committee; and*

3. *the community member appointments be in accordance with the casual vacancies procedures outlined in the Constitution; the term for which concludes to coincide with the next Council ordinary election of 2013”.*

2. REPORT IN DETAIL

- 2.1. The Land and Coast Care Resource Management Committee has undertaken a 5 year review of the needs of the constitution and recommend changes to align with the new term of elections for Aldermen positions to 4 years. In addition, the membership of the Committee is proposed to be broadened to include representation from the Tasmanian Aboriginal community and someone with expertise in climate change.
- 2.2. The Committee has recommended a name change from the “Land and Coast Care Resource Management Committee” to the “Natural Resource Management and Grants Committee” to reflect the broader issues faced by the committee. The administration of Land and Coast Care Grants program has been an objective role of the Committee in both the 19 November 2012 revised Terms of Reference and within the 2018 amended Terms of Reference.
- 2.3. The main proposed changes reflect standardisation of paragraphs to be consistent with other Council Committee constitutions, the inclusion of Council’s Climate Change Strategy and Action Plan, adding a climate change representative and a representative from the aboriginal community, terms of office increasing to 4 years, increase in the number of meetings and additional areas of reporting. A copy of the proposed revised Constitution is attached (refer Attachment 1).
- 2.4. The proposed changes were presented to the Aldermen at a Council Workshop held on 13 March 2018.

2.5. The following contains a summary of the proposed changes to the Constitution.

- **Change of Name**

Change the name from the “Land and Coast Care Resource Management Committee” to the “Natural Resource Management and Grants Committee” to reflect the broader issues faced by the committee.

- **Objectives**

In addition to the existing objectives, provide advice and input to the Council on its programmed natural environment management initiatives in accordance with the strategies outlined in Council’s Strategic Plan; namely:

- advise Council on the development and implementation of Climate Change Strategy and Action Plan;
- advise Council on natural area management issues arising from new subdivision development;
- be actively involved in providing advice to NRM South on matters relating to regional natural resource management issues; and
- promote information sharing and partnerships in relation to NRM and land and coast care related matters affecting both the city and the southern region.

- **Powers and Obligations**

Three changes to the Committee’s Powers and Obligations:

Developing the requirements for grant applications that are consistent with and support the objectives of Council’s Clarence Bushland and Coastal Strategy; and the Climate Change Adaptation Strategy.

Reporting recommendations to Council for the disposition of grants money in association with Reserve Activity Plans and Catchment Management Plans to be allocated from the Annual Operating Budget prior to July 31 each year.

To provide feedback and input to Council's Climate Change strategies and plans.

- **Review of Constitution**

The Committee will conduct a review of the Committee's responsibilities (Powers and Obligations) and constitution to coincide with the periodic review of Council's Clarence Bushland and Coastal Strategy and report to Council on the outcome of this review approximately every 5 years.

- **Membership of the Committee**

The Committee shall additionally consist of:

- Council - a Climate Change Officer; and
- Community - a representative of the Aboriginal Community.

The Committee is to no longer have a representation from the Southern Coastcare Association of Tasmania (SCAT) as this association is no longer functioning.

- **Procedure for Determination of Committee Membership**

The community and aboriginal community representatives will nominate through the invitation of public advertising.

- **Terms of Office**

The term of office is proposed to change from 2 to 4 years. Needs to include a rotational membership model.

- **Determination of Office Bearers and Meeting Working Party Administration**

There are 2 (formerly 1) office bearers required for the committee in the role of a Chairperson and a Secretary (additional role).

- **Working Parties**

The Committee will monitor progress and work in an advisory capacity to address the actions of the Clarence Bushland and Coastal Strategy; and Climate Change Strategy and Action Plan.

- **Frequency of Meetings**

The Committee will meet at least 4 times each year. The Committee will meet each quarter to review Council's NRM Quarterly report. The Committee will discuss considerations for the Annual Budget Process prior to the Council Budget Programme and following the appropriation of the annual budget funding for the Landcare Grant Programme in order to invite and assess grant applications. The Committee may meet on other occasions when required.

- **Reporting Requirements and Arrangements**

It is proposed for the Committee to report on 2 additional items:

- administration of the Council Clarence Bushland and Coastal Grants Programme; and
- key inputs and advice provided by the Committee into the delivery of Council's Strategic Plan commitments in respect to the management of natural environment.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Nil.

3.3. Other

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

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2016-2026 under the Strategic Goal Area of an environmentally responsible city has the following Natural Area Management Strategies:

“Protect natural assets within Council managed land through development and review of Strategies in relation to bushfire, weed, land and coastal management”.

“Work collaboratively with relevant agencies to enhance and protect the natural environment e.g. Derwent Estuary Program, Natural Resource Management South, Tasmania Fire Service”.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

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

7. FINANCIAL IMPLICATIONS

Nil.

8. ANY OTHER UNIQUE ISSUES

None identified.

9. CONCLUSION

The Committee has been closely involved in the development of the revised Constitution and it is now recommended for adoption as well as the Committee's name change to the Natural Resource Management and Grants Committee.

Attachments: 1. Natural Resource Management and Grants Committee Constitution (12)

Ross Graham

GROUP MANAGER ENGINEERING SERVICES



Revised: May 2018

CONSTITUTION OF THE NATURAL RESOURCE MANAGEMENT AND GRANTS COMMITTEE

The Natural Resource Management and Grants Committee has been established under the provisions of Section 24 of the *Local Government Act 1993* (Tas) as an Advisory Committee. The Committee assists and advises the Council in relation to natural resource management issues within the Clarence Municipality and develops strategies for natural resource management.

The Committee, through this Constitution, complements and supports the delivery of Council's 'Clarence Bushland and Coastal Strategy'.

1. Interpretation

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

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

“**Committee**” means the Clarence City Council Natural Resource Management and Grants Committee.

“**Committee Member**” means a person duly appointed to the Centre Committee under the provisions of this constitution.

“**Council**” means Clarence City Council

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

“**NRM**” means ‘natural resource management’.

2. Objectives

The Committee is to:

- Provide advice and input to the Council on its programmed natural environment management initiatives in accordance with the strategies outlined in the Council Strategic Plan; namely:

- On the strategic planning and management of bushland and coastal reserves throughout the City;
 - On the review and implementation of the ‘Clarence Bushland and Coastal Strategy’;
 - Into the review and implementation of Council’s Reserve Activity Plans and Catchment Management Plans in the context of the ‘Clarence Bushland and Coastal Strategy’; and
 - On the development and implementation of a Climate Change Strategy and Action Plan.
- Advise the Council on natural area management issues arising from new subdivision development;
 - Administer the annual Land and Coast Care Grants Programme and make recommendations to Council in respect to those grants;
 - Be actively involved in providing advice to NRM South on matters relating to natural resource management issues within the Clarence Municipality and the Southern Region of Tasmania more generally; and
 - Promote information sharing and partnerships in relation to NRM and land and coast care related matters affecting both the Clarence Municipality and the Southern Region of Tasmania more generally.

3. Functions and Obligations

The Committee has the following functions and obligations:

1. To be actively involved in providing advice to NRM South on matters relating to regional natural resource management issues within both the Clarence Municipality and the Southern Region of Tasmania;
2. To facilitate communication between the Council and Land and Coast Care Groups on the Council’s ‘Clarence Bushland and Coastal Strategy’ including the implementation of Council approved projects and initiatives;
3. Be actively involved in providing advice and recommendations on suitable land and coast care projects for consideration by the Council in the achievement of Council’s adopted ‘Clarence Bushland and Coastal Strategy’;
4. To oversee Council’s Land and Coast Care Grants Programme by:
 - Developing the requirements for grant applications that are consistent with and support the objectives of the Council’s ‘Clarence Bushland and Coastal Strategy’; and the Climate Change Adaptation Strategy;
 - Determining eligibility requirements for groups receiving grants;

- Determining the methodology to be used in prioritising allocation of grants;
 - Ensuring that projects for consideration are Council approved activities;
 - Reporting recommendations to Council for the disposition of grants money in association with Reserve Activity Plans and Catchment Management Plans to be allocated from the Annual Operating Budget prior to July 31 each year; and
 - Ensuring the financial accountability of the grants allocation process.
5. To form working parties of the Committee, if necessary, to address specific issues or activities;
 6. To periodically review Committee processes, including rule changes, if necessary;
 7. To work with land and coast care groups to enhance resources and capacity to implement plans and initiatives; and
 8. To provide feedback and input to the Council Climate Change strategies and plans.

4. Committee Membership and Roles

4.1 Membership

The Committee shall consist of:

Council

- A Council Alderman who will be the Chairperson of the Committee;
- A Council Officer with expertise in natural area management;
- A Council Officer to act as secretary; and
- A Council Climate Change Officer.

Community

Representation from relevant stakeholders may include but not limited to:

- Three (3) members of the Clarence community drawn from the membership of the Clarence Land and Coast Care Groups;
- A community representative of the aboriginal community;
- A representative of NRM South;
- A representative of Derwent Estuary Program (DEP); and
- A representative of Parks & Wildlife Service.

Proxy representatives may be appointed for each Committee position.

Co-opted

The Committee may co-opt up to 2 additional members with suitable skills and/or qualifications to participate in working parties established by the Committee.

4.2 Appointment

The method of appointment shall be as follows:

Council Appointees

- The Council will appoint its Alderman representation (and a proxy representative);
- Officer representation will be determined by the General Manager.

Community Nominees

Community nominations will be conducted as follows:

1. Vacancies will be advertised via online medial, Land and Coastcare Networks, Committee Member networks and/or local newspapers;
2. Nominations by Clarence land and coast care members will be received in writing on a completed nomination form (Attachment 1) and must be approved by the Chairperson, other nominated Aldermen and Council Officers of the Committee;
3. The aboriginal community representative position will be based on an open advertised nomination process.
4. To be considered, nominees will be required to meet the following criteria for nomination:
 - Preference will be given to residents of the Clarence Municipality.
 - Nominees must have knowledge of 'Council's Bushland and Coastal Strategy' and a capacity to contribute from their own knowledge and experiences in discussions and providing advice on implementing the strategy.
 - Nominees must have a commitment to assisting Council and other organisations to advise on the implementation of the 'Clarence Bushland and Coastal Strategy' by being available to meet when required for a maximum of 2 hours at a time, and be prepared to be involved in any additional meetings if necessary during business hours.

- Priority will be given to people who are not already members of a special committee of Council.

External Organisation Nominees

The following organisations may nominate one representative to the Committee:

- NRM South;
- DEP; and
- Parks & Wildlife Service.

4.3 Terms of Office

Council Representatives

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

Community Representatives

Community Representatives are appointed for the term of Council to coincide with the Council's current term of office. Existing committee members are welcome to re-nominate for further terms.

External Organisation Representatives

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

4.4 Casual Vacancies

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

4.5 Office Bearers

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

4.6 Role of Chairperson

1. The Chairperson is responsible for:
 - Conducting committee meetings in an efficient, effective and inclusive manner;
 - Public communication on matters arising from the Committee will be communicated by the Chairperson only and in accordance with Council Policy C1.60 – *“Policy and Operational Framework for Media Communications by Council “Special” Committees.”*
2. If the Chairperson or proxy is not present at a meeting of the Committee then a Committee Representative elected by the Representatives present at the meeting is to chair the meeting. If no person is elected to preside at the meeting then the meeting is adjourned to the time and place of the next scheduled meeting as notified by the Secretary.

5. Meeting Procedures

5.1 Committee meetings

The following meeting procedures apply:

1. The Secretary will provide a set standard agenda for each meeting (Attachment 2);
2. Any additional topics for each agenda must be forwarded to the Secretary no later than 1 week prior to the scheduled meeting date;
3. A copy of each agenda will be distributed to all representatives at least one week prior to the next meeting;

4. Decisions of the Committee are to be made by a majority vote of members present at the meeting;
5. The Secretary will ensure that Minutes of each Committee and working party meeting are taken. Minutes are to be distributed to all Committee members, Aldermen, relevant Council officers and other relevant Council advisory Committees;
6. Minutes of each meeting are to be recorded and approved by the Committee at a subsequent meeting of the Committee;
7. All members of the Committee must act in accordance with all Council policies and applicable legislation when carrying out their respective responsibilities on behalf of the Committee.

5.2 Working Parties

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

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

5.3 Public Attendance

Public attendance at a Committee Meeting is by invitation only.

5.4 Frequency of meetings

Meetings will be held according to the following requirements:

Frequency

1. The Committee will meet at least four times each year. The Committee will, as a minimum:
 - Review Council's NRM Quarterly report;
 - Discuss considerations for the Annual Budget Process prior to the Council Budget Programme; and

- Following the appropriation of the annual budget funding for the Landcare Grant Programme to invite and assess grant applications.
2. The Committee may meet on other occasions when required.
 3. A working party will meet at date(s) and time(s) determined by its members and as required by the Committee.

Time/Duration/Venue

1. Meetings will be up to two hours in duration unless extended by agreement of Committee Members. The Committee will determine meeting start times.
2. Meetings will be held at the Council Offices.

Quorum

1. A quorum of the Committee shall be 5 representatives.
2. A member of the Committee may not vote in relation to a grant application in which he/she has an interest.
3. At a meeting where a quorum is not present, the meeting can proceed with recommendations for decisions being carried forward to subsequent meetings where a quorum is present.
4. Representatives who do not attend 3 consecutive meetings without tendering apologies will not be considered as a current representative (the Committee may vacate that Representative's position on the Committee and fill the vacancy as a Casual Vacancy in accordance with the requirements of this Constitution).

6. Reporting Requirements and Arrangements

6.1 Areas of Reporting

The Committee will report against:

1. Priority projects identified in the 'Clarence Bushland and Coastal Strategy';
2. Administration of the Council Clarence Bushland and Coastal Grants Programme;
3. Key inputs and advice provided by the Committee into the delivery of the Council's Strategic Plan commitments in respect to the management of natural environment; and
4. Other matters which come before the Committee.

6.2 Nature of Reporting

1. Minutes will be distributed for all Committee and working party meetings to all Committee Representatives, the Council, relevant Council officers, other relevant Council advisory Committees and relevant organisations associated with the plan.
2. The Committee may, at its discretion, provide reporting to the Council through the Chairperson of the Committee on matters (non-operational) that the Committee has considered based on the following:
 - Reports are to be presented to the General Manager for inclusion in the 'Reports From Council And Special Committees And Other Representative Bodies' section of the Council's meeting agenda;
 - The Committee report may include recommendations to the Council on matters that have been considered by the Committee.
3. The activities of the Committee will also be highlighted in Council's quarterly reports and Annual Report.
4. Any other reports required will be on an as needed basis.

6.3 Provision of information to the community

Provision of information to the community shall occur via:

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

6.4 Communication of budget matters

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

7. Resourcing

7.1 Budget

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

1. Council administrative support;
2. Paper, postage and stationary requirements;

3. Reimbursement of reasonable out of pocket expenses for committee members (i.e. travel, refreshments); and
4. Any additional committee expenses (i.e. conference fees).

7.2 Responsible Council Officer

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

8. Review of Constitution

1. The Committee may make recommendations to Council on the review of the Committee's responsibilities (Powers and Obligations) and this constitutional framework.
2. Recommendations for amendments to the constitutional framework can be made at any time provided that suggested changes are noted on the agenda (as per the framework), a quorum is present at the meeting, and two-thirds of those present and entitled to vote support the recommendations.
3. Amendments to this constitution must be approved by Council.
4. As a minimum timeframe the Constitution is to be reviewed every 5 years by report to the Council.

Attachment 1

Clarence Natural Resource Management and Grants Committee

Nomination Form

Name:

Address:

Email:

Phone:

Please specify the name of the Land or Coast Care Group which you are a member of :

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

Signature

Date:

Attachment 2

Clarence City Council

Natural Resource Management and Grants Committee

Agenda

Monday Date 4:00pm – Council Offices

- 1. Present**
- 2. Apologies**
- 3. Confirmation of Previous Minutes**
- 4. Correspondence**
- 5. General Business**
 - 5.1 Status of funded projects
 - 5.2 Reports
 - 5.3 Information sharing news items
- 6. Matters Arising**
- 7. Meeting Closed**
- 8. Next Meeting**

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 CONTRACTUAL MATTER

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

- commercial information of a confidential nature;
- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence;
- matters relating to actual or possible litigation taken, or to be taken, by or involving the council.

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”.