

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.

CLARENCE CITY COUNCIL SPECIAL MEETING**MONDAY 21 DECEMBER 2015****TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
1.	APOLOGIES	3
2.	DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE	3
3.	DEPUTATIONS BY MEMBERS OF THE PUBLIC	3
4	PLANNING AUTHORITY MATTERS	
4.1	DEVELOPMENT APPLICATION D-2015/365 - 26 BAYFIELD STREET, ROSNY PARK – MULTI-USE DEVELOPMENT	5
4.2	DEVELOPMENT APPLICATION D-2015/464 - 6 BRITANNIA PLACE, BELLERIVE – ADDITIONS TO DWELLING	26
4.3	DEVELOPMENT APPLICATION D-2015/379 - UNITS 2, 4 AND 5 OF 5 CLARENCE STREET AND 2 PERCY STREET, BELLERIVE - PARTIAL CHANGE OF USE	38
4.4	SUBDIVISION APPLICATION SD-2015/38 - 150 HOUSTON DRIVE, CAMBRIDGE - 16 LOT SUBDIVISION.....	47
5.	CLOSED MEETING.....	63
5.1	PROPERTY MATTER – ROSNY PARK	
5.2	REPORT – ASSESSMENT OF QUOTATIONS AND CONTRACTS FOR VOLUNTARY AMALGAMATIONS/ SHARED SERVICES, SOUTH-EAST COUNCILS FEASIBILITY STUDY	

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 Thurley (Leave of Absence)

2. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE

(File No)

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2005 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.

3. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2005 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

4 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:

4.1 DEVELOPMENT APPLICATION D-2015/365 - 26 BAYFIELD STREET, ROSNY PARK – MULTI-USE DEVELOPMENT
(File No D-2015/365)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Multi-use Development at 26 Bayfield Street, Rosny Park.

RELATION TO PLANNING PROVISIONS

The land is zoned Central Business under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development and does not provide car parking on-site.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 13 January 2016.

CONSULTATION

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

RECOMMENDATION:

- A. That the Development Application for a Multi-use Development at 26 Bayfield Street, Rosny Park (Cl Ref D-2015/365) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. External lighting must be provided to illuminate the public access areas and pathways, prior to the commencement of the use.
 3. GEN C2 – CASH-IN-LIEU [\$252,000] [21]. Add an additional sentence “The amount of cash-in-lieu may be reduced at the rate of \$12,000 per space for any car parking spaces able to be provided on-site, to the satisfaction of Council’s Group Manager Asset Management and in accordance with a revised plan”.
 4. GEN S7 – SIGN MAINTENANCE.
 5. ENG A1 – NEW CROSSOVER [TSD-R09].
 6. ENG A5 – SEALED CAR PARKING.

7. ENG S1 – INFRASTRUCTURE REPAIR.
 8. ENG S4 – STORMWATER CONNECTION.
 9. ENG M1 – DESIGNS DA.
 10. The development must meet all required Conditions of Approval specified by TasWater notice dated 3 November 2015 (TWDA 2015/01411-CCC).
 11. ADVICE – The applicant be advised that a payment plan for the payment of the cash-in-lieu contribution would be considered, on the basis of payment in suitable installations not exceeding 2½ years.
 12. ADVICE – The applicant be advised that the Part 5 Agreement requires a payment of \$9,000 to Council as the vehicle access to the lot from the road results in a loss of 2 parking spaces.
- 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 lot was created through Subdivision Permit 98005 which was approved by Council on 25 March 1998.

A Development Application (D-2014/244) for Consulting Rooms/Health Centre was approved on 30 October 2014, however, the permit has not yet been enacted upon. The approval was for a single storey and significantly smaller building, which provided 3 car parking spaces on-site and \$105,000 for the remaining spaces that could not be provided on-site.

2. STATUTORY IMPLICATIONS

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

2.2. The proposal is Discretionary because it does not meet the Acceptable Solutions under the Scheme as there is no car parking provided on-site.

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10 – Central Business Zones;
- Section E6.0 – Parking and Access Codes; and
- Section 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 is a vacant site, 585m² in area and is currently used as an informal gravelled overflow car parking area. It features a large tree located in the centre of the site. The site has frontage to Council’s car park accessed via Bayfield Street.

When the title was approved in 1998, the approval was subject to a Part 5 Agreement requiring the payment of \$9,000 to Council in the event that vehicle access to the lot from the road results in a loss of 2 parking spaces. It further provides that the agreement will be cancelled if a building approved under a development and building application is constructed on the lot without any requirement to obtain access.

3.2. The Proposal

The proposal is for a 2 storey building comprising of a medical centre and office/retail space on the upper floor and office/retail space on the ground floor. It is proposed that 2 dentists will operate from the site with 4 additional support staff. The proposal includes the provision of a “shared green space” to be located in the southern part of the site.

Hours of operation are generally proposed to be 8.00am to 6.00pm, however, as there are no fixed tenants for the office/retail tenancies, hours of operation are included as a guide only.

The building has a maximum height of 8.5m above natural ground level and 0m to the northern and western boundary, 18m to the southern boundary and 0.5m to the eastern boundary.

Signage is proposed as follows:

Western elevation: 2 illuminated signs - 5.4m² in size;
2 non-illuminated signs – 0.87m² and 1.4m² in size; and
Southern elevation: 1 x 1.6m² illuminated sign.

The signs are proposed to be illuminated from dusk to dawn, 7 days a week.

Two of Council's car parking spaces located along the western boundary of the site are proposed to be removed to provide for a loading bay access.

The applicant is not proposing to provide any on-site car parking and accepts that cash-in-lieu will be applied to the development. However, the applicant has applied for a reduction of the total amount of cash-in-lieu required by the Scheme and is proposing a reduction in the contribution, on the basis that the "shared green space" will improve the amenity of the area and provide a green space in which local office workers could utilise in their breaks.

The applicant proposes *"a sliding scale of the current contributions over a ten (10) year period should they ever wish to proceed with, and council approve, further development on the site that will require the removal of the green space. This will ensure Council be able to recover proportionally the cash-in-lieu costs if in the future our client wishes to increase the intensity of the site"*.

Further clarification was sought as to how the sliding scale would be applied and it is understood from discussions with the applicant that if the green space was maintained by the developer for a period of 10 years, then there would be no requirement for a cash-in-lieu payment.

Car parking is assessed in more detail further in the Associated Report, however, this proposal is not considered acceptable as the proposal does not compensate for the deficit of car parking need generated by the development and the benefit from maintaining a garden space is not a comparable alternative to car parking requirements.

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 Central Business zone, Parking and Access and Signs Codes, with the exception of the following.

Central Business Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
22.4.3 A1	Design	building design must comply with the following: (g) provide awnings over the public footpath if existing on the site or on adjoining lots; (h) not include a vehicle driveway to the frontage	awnings not proposed access to service bay proposed

The proposed variation can be supported pursuant to Performance Criteria P1 of Clause 22.4.3 for the following reasons.

- The upper floor of the building overhangs the majority of the ground floor facing the road by approximately 1.5m. Whilst this is contained within the property boundary and does not protrude over the footpath, it effectively provides an awning over the entrances to the building and an increase in pedestrian amenity.
- The site does not present as a traditional shopping street and therefore the design criteria is not appropriate.
- The proposal includes an access to the service bay located on-site which is considered reasonable.

Clause	Standard	Acceptable Solution (Extract)	Proposed
22.4.5 A1	Passive Surveillance	building design must comply with following: (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground level from any external car park	external lighting not shown external lighting not shown

The proposed variation can be supported pursuant to Performance Criteria P1 of Clause 22.4.5 for the following reason.

- External lighting has not been shown on the proposal plans. However, a permit condition can be included to require external lighting to be provided prior to the commencement of the use, which will ensure the public access areas are well-lit.

Parking and Access Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E6.6.1 A1	Number of car parking spaces	21 spaces required: Medical centre: 10 (5 per practitioner) Office/Retail: 11 (1 space per 35m ² based on 369m ² (excluding common areas))	no on-site car parking

The proposed variation can be supported pursuant to Performance Criteria P1 of Clause E6.6.1 for the following reason.

- The Parking and Access Code requires that parking is provided at a rate of 1 space per practitioner (10 spaces) and 1 space per 30m² for both “Office” and “General Retail and Hire”, making a total of 23 spaces (based on 369m² floor area, excluding common areas). However, Council has recently adopted the Clarence Interim Car Parking Plan which applies to the Central Business zone and provides that despite the car parking rate specified for a particular use in the Scheme, the maximum number of spaces required shall be not more than would have been required for that use under the Clarence Planning Scheme 2007.

- The parking rate under the Clarence Planning Scheme 2007 was 1 space per 35m² for “Shop”, 1 space per 45m² for “Office” and 5 spaces per practitioner. As the ground floor Tenancies 1 and 2 and Tenancy 3 is intended to be used for either retail or office space, it is appropriate to apply the highest rate to the development. Therefore, the resultant number of spaces required is 21 and this rate should be applied to the development in accordance with the Clarence Interim Car Parking Plan.
- The Scheme requires that \$12,000 per space be paid for the spaces that cannot be provided on-site, which makes a total of \$252 000.
- The applicant has applied for a reduction of the cash-in-lieu to be paid for the development based on the assumption that the “shared green space” is of benefit to the public. The space remains a private space and whilst it may improve the amenity of the area, the fact remains that the development is not providing any parking on-site and cash-in-lieu is appropriate to apply to the development to develop additional car parking in the area.
- It is noted that it would be possible to provide 2 spaces within the area shown as “green space” which would reduce the amount of cash-in-lieu required for the development and assist in reducing the impact on car parking created by the development.
- It is also worth noting that Council recently approved an application for Consulting Rooms (D-2015/98), which required a cash-in-lieu contribution for some of the spaces that could not be provided on-site. Council agreed to a payment plan for the contribution to be paid over 2 years.

- In addition, the title is subject to a Part 5 Agreement requiring the payment of \$9,000 to Council in the event that vehicle access to the lot from the road results in a loss of 2 parking spaces. Advice should be included on any permit issued, notifying the applicant that the conditions of the Part 5 Agreement apply to the proposed development.

Signs Code:

Clause	Standard	Acceptable Solution (Extract)	Proposed
E17.7.1	Development Standards		
A1		a sign must comply with the standards listed in Table E17.2	the 2 x 5.4m ² signs on the western elevation exceed the acceptable size of 2m ²
A2		(a) a maximum of 1 of each sign type	4 wall signs are proposed on the western elevation

The proposed variation can be supported pursuant to Performance Criteria P1 and P2 of Clause E17.7.1 for the following reason.

- The size of the proposed signs is considered appropriate dimensions for the size of the building and will not dominate the streetscape or increase the visual clutter in the streetscape.

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. Increase for Car Parking in the Area

The representor is concerned that the development will result in an increase for car parking in the area due to removal of the 2 existing car parking spaces and the increase in parking generated by the proposed development.

- **Comment**

As discussed above, cash-in-lieu contributions can be taken in accordance with Council's policy when parking cannot be provided on-site. These contributions will be used in the future to provide additional car parking to the area. The loss of car parking created by the access is dealt with separately by the Part 5 Agreement.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

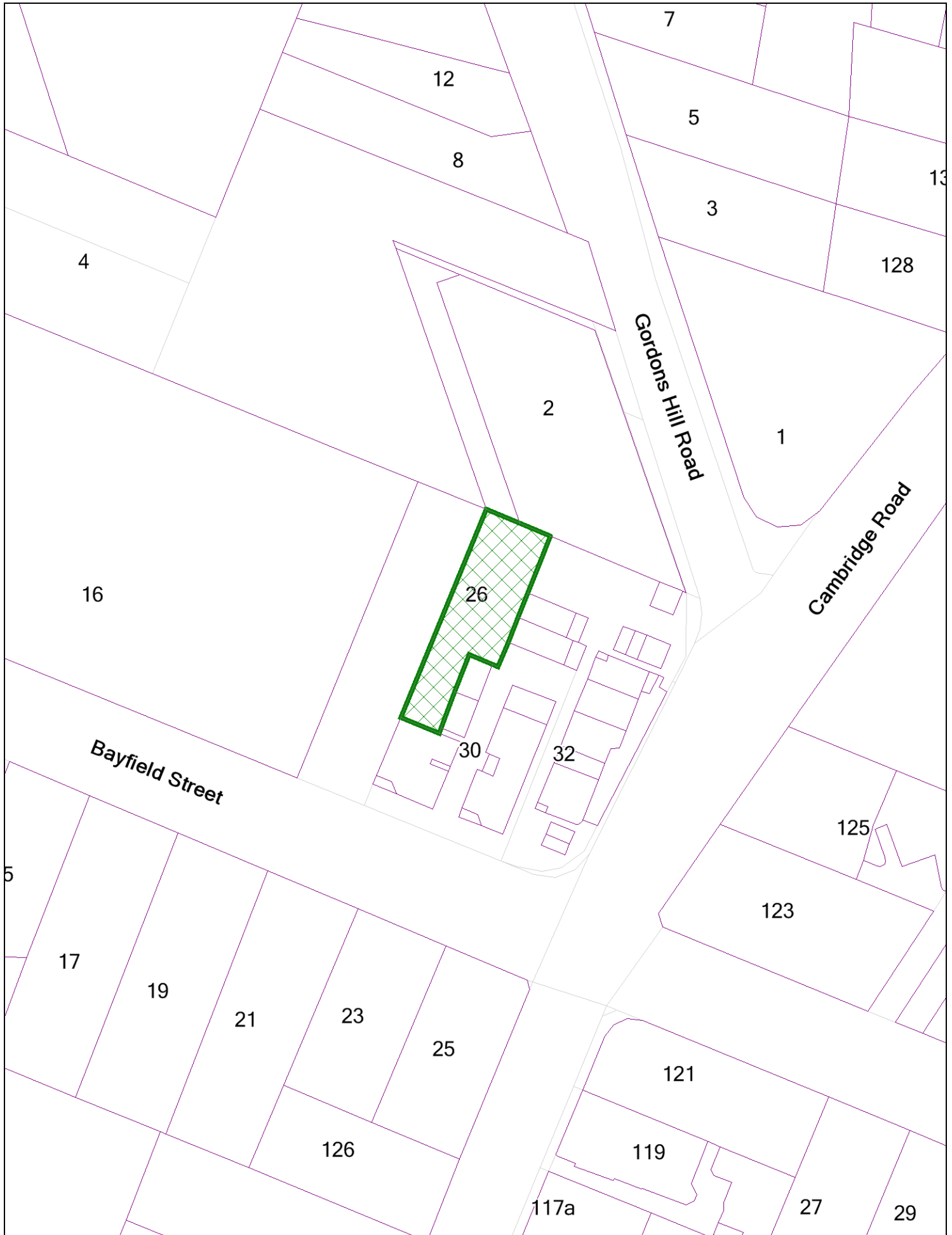
9. CONCLUSION

The proposal for a 2 storey multi-use building containing a medical centre and office/retail space be approved subject to the relevant and reasonable conditions recommended.

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:** Friday, 11 December 2015 **Scale:** 1:1,010 @A4

PROPOSED COMMERCIAL DEVELOPMENT
BAYFIELD STREET, ROSNY PARK 7018

DRAWING LIST:

DWG NO.	DWG NAME	REV
DD 000	LOCALITY PLAN	C
DD 001	EXISTING SITE PLAN	A
DD 100	SITE PLAN	C
DD 110	GROUND FLOOR PLAN	C
DD 111	FIRST FLOOR PLAN	B
DD 120	ROOF PLAN	A
DD 200	BUILDING ELEVATIONS	B
DD 201	BUILDING ELEVATIONS	B
DD 210	STREET ELEVATIONS	B
DD 300	AERIAL VIEW	C
DD 301	PERSPECTIVES	C

DEVELOPMENT SCHEDULE:

SITE	
TOTAL SITE AREA	585m ²
IMPERVIOUS SITE AREA <i>(including building footprint)</i>	475m ² <i>(81%)</i>
OPEN SPACE	204m ²
LANDSCAPING	109m ²
GROSS FLOOR AREA	746m ²
NET LEASABLE AREA	609m ²



1 | LOCALITY PLAN
1 : 200

C	Landscaping Amendments	TF	29.09.15
B	Revised DA Issue	TF	31.08.15
A	DA Issue	TF	10.08.15

do not scale off this drawing - all dimensions are subject to site measurement and verification

Inside Out Architecture Pty LtdACN 141 589 826

51 Laurel Street Enoggera Q 4051m4603 430 957
marcos@insideoutarchitecture.com.auwww.insideoutarchitecture.com.au

client	Dr J. Chau
project	BAYFIELD STREET COMMERCIAL
address	26 BAYFIELD STREET, ROSNY PARK, TAS 7018

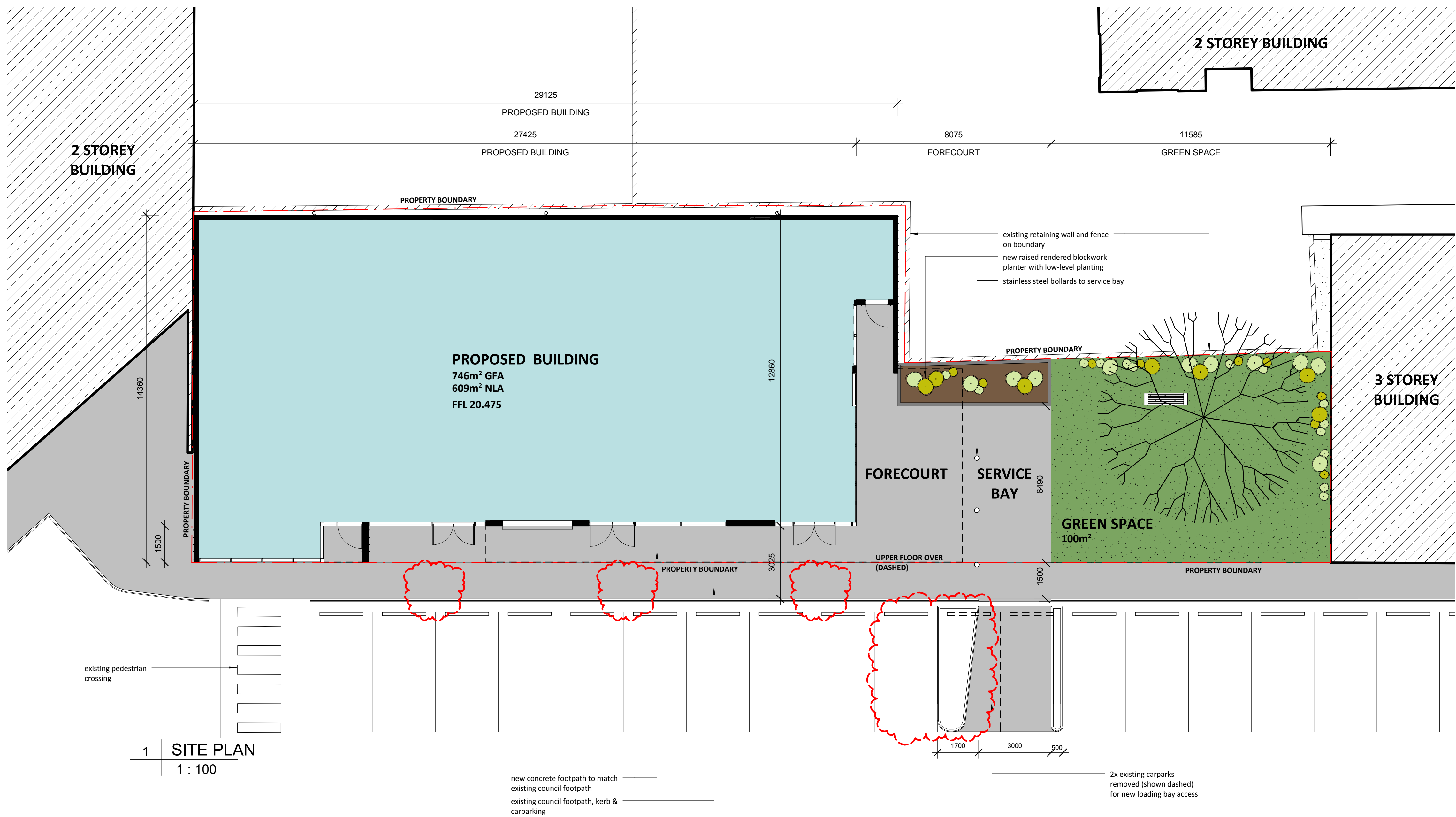
drawing title LOCALITY PLAN

drawn:	TF
date:	30.09.15
scale:	1 : 200 @A1

drawing number1406-DD-000

issueC

Agenda Attachments - 26 Bayfield Street - Page 2 of 11



C	Landscaping Amendments	TF	29.09.15
B	Revised DA Issue	TF	31.08.15
A	DA Issue	TF	10.08.15

issue	revision	initials	date
do not scale off this drawing - all dimensions are subject to site measurement and verification			

Inside Out Architecture Pty Ltd ACN 141 589 826

insideout Architecture

81 Laurel Street Enoggera Q 4051 m4603 430 957
marcos@insideoutarchitecture.com.au www.insideoutarchitecture.com.au

client **Dr J. Chau**

project **BAYFIELD STREET COMMERCIAL**

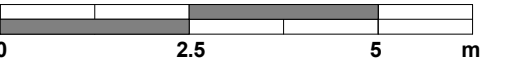
address **26 BAYFIELD STREET, ROSNY PARK, TAS 7018**

drawing title **SITE PLAN**

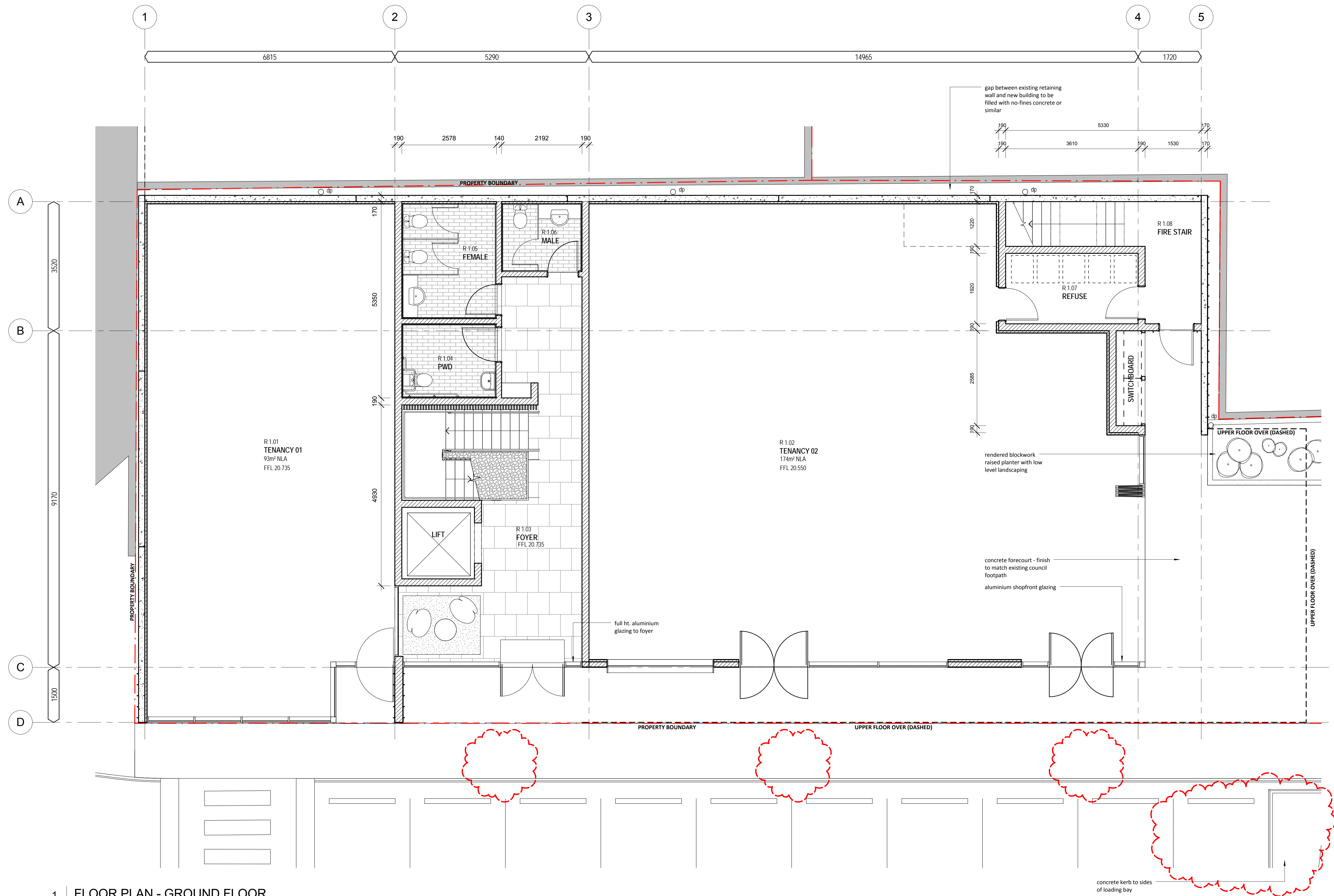
drawn: **TF**

date: **30.09.15**

scale: **1 : 100 @A1**



drawing number **1406-DD-100** issue **C**



1 FLOOR PLAN - GROUND FLOOR
1 : 50

C	Landscaping Amendments	TF	29.09.15
B	Revised DA Issue	TF	31.08.15
A	DA Issue	TF	10.08.15

issue	revision	initials	date
do not scale off this drawing - all dimensions are subject to site measurement and verification			

Inside Out Architecture Pty Ltd ACN 141 589 826

insideout
81 Laurel Street Enoggera Q 4051 m0463 430 957
marcos@insideoutarchitecture.com.au www.insideoutarchitecture.com.au

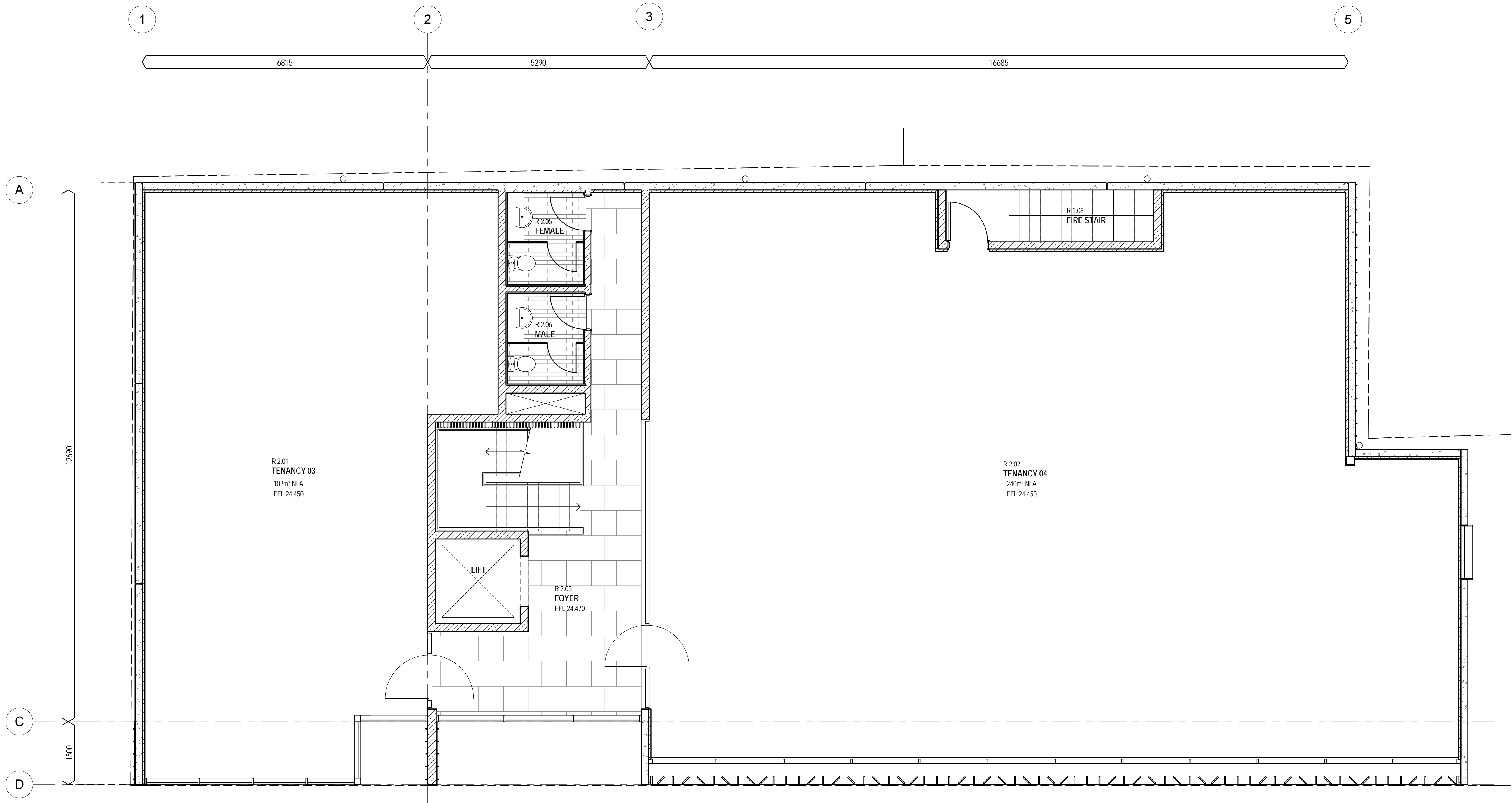
client **Dr J. Chau**
project **BAYFIELD STREET COMMERCIAL**
address **26 BAYFIELD STREET, ROSNY PARK, TAS 7018**

drawing title **FLOOR PLAN - GROUND FLOOR**

drawn: **TF**
date: **30.09.15**
scale: **1 : 50 @A1**

0 1 2 3 m

drawing number **1406-DD-110** issue **C**



1 FLOOR PLAN - FIRST FLOOR
1 : 50

B	Revised DA Issue	TF	31.08.15
A	DA Issue	TF	10.08.15
issue	revision	initials	date
do not scale off this drawing - all dimensions are subject to site measurement and verification			

Inside Out Architecture Pty LtdACN 141 589 826



81 Laurel Street Enoggera Q 4051m4603 430 957
marcos@insideoutarchitecture.com.auwww.insideoutarchitecture.com.au

client **Dr J. Chau**

project **BAYFIELD STREET COMMERCIAL**

address **26 BAYFIELD STREET, ROSNY PARK, TAS 7018**

drawing title **FLOOR PLAN- FIRST FLOOR**

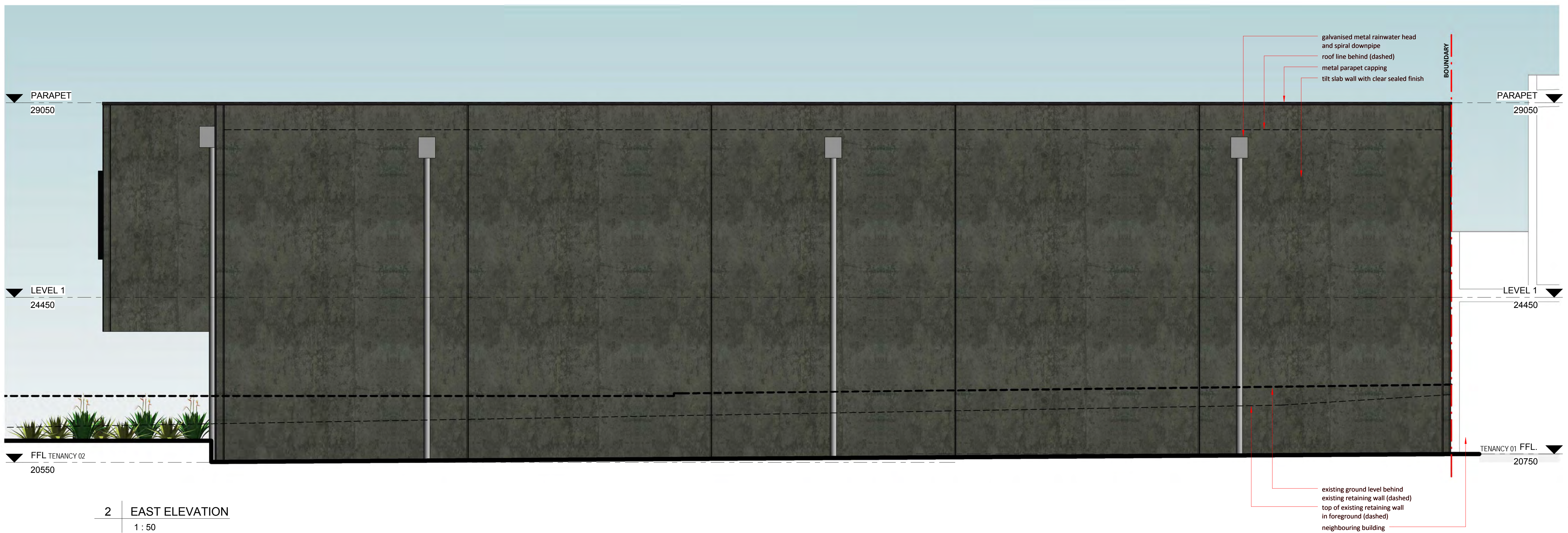
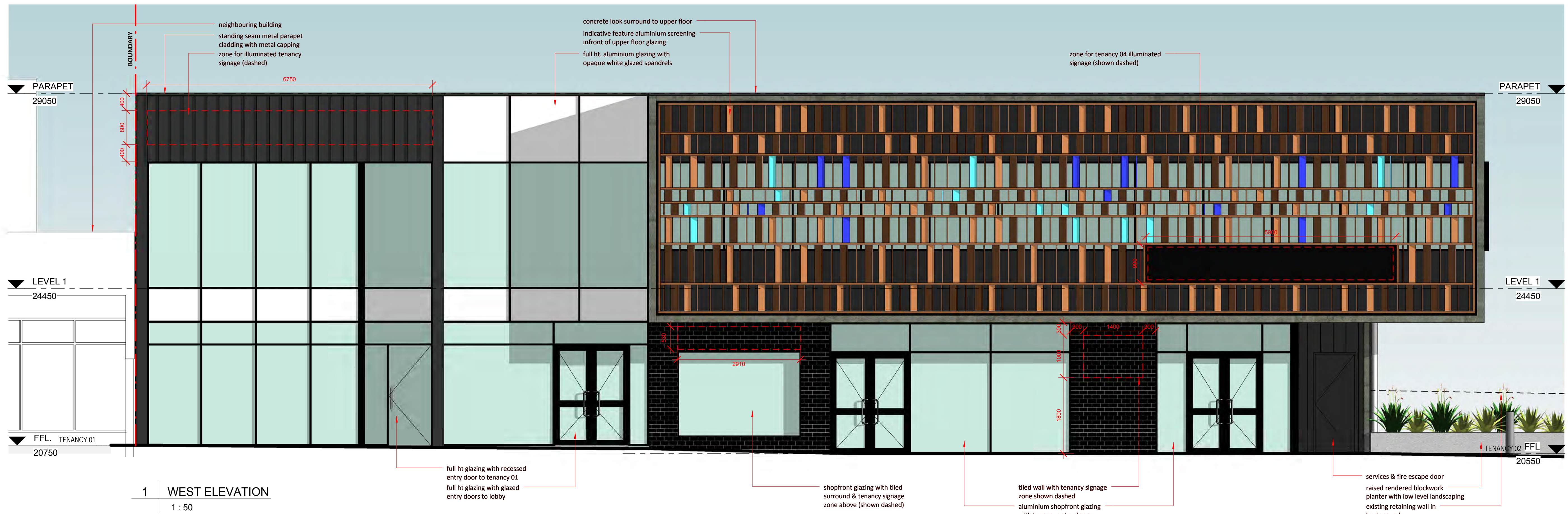
drawn: **TF**

date: **10.08.15**

scale: **1 : 50 @A1**



drawing number **1406-DD-111** issue **B**



B	Landscaping Amendments	TF	29.09.15
A	DA Issue	TF	10.08.15
issue	revision	initials	date
do not scale off this drawing - all dimensions are subject to site measurement and verification			

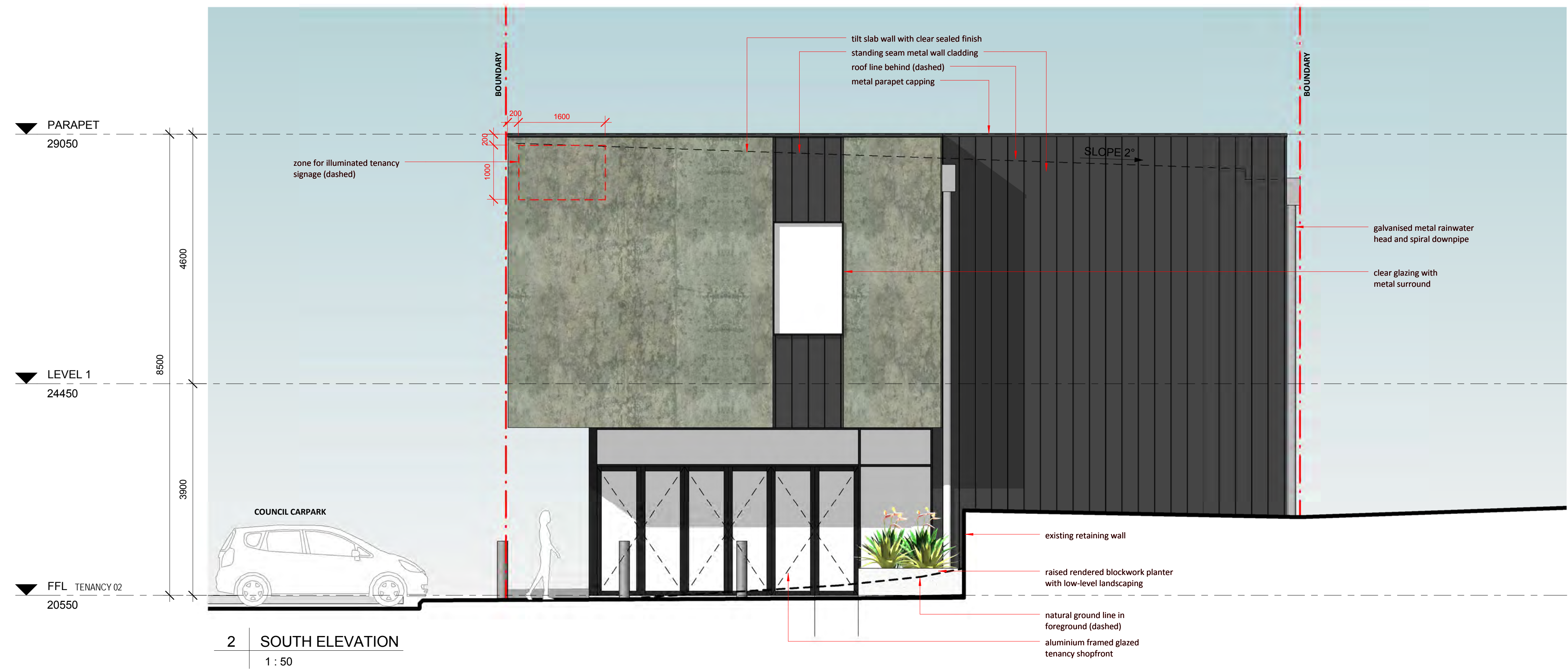
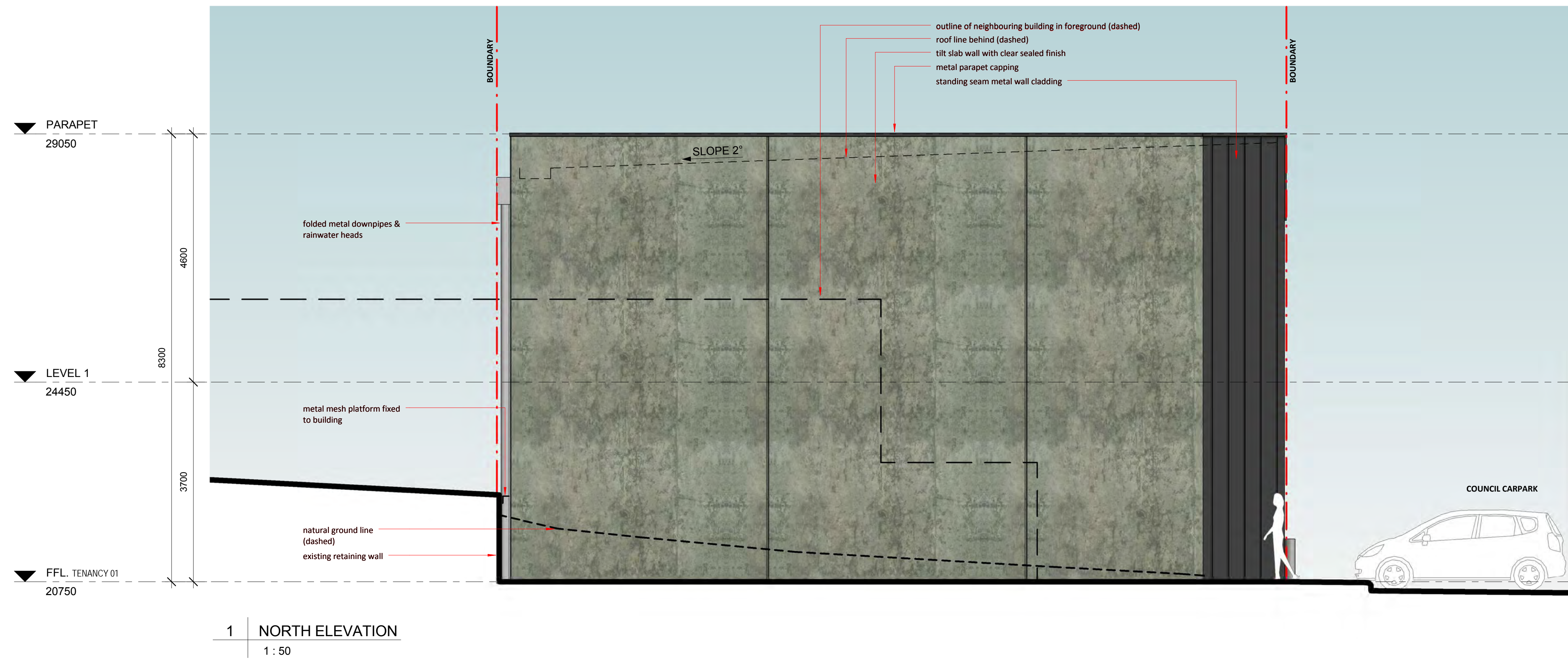
Inside Out Architecture Pty Ltd ACN 141 589 826
insideout
81 Laurel Street Enoggera Q 4051 m4603 430 957
marcos@insideoutarchitecture.com.au www.insideoutarchitecture.com.au

client **Dr J. Chau**
project **BAYFIELD STREET
COMMERCIAL**
address **26 BAYFIELD STREET,
ROSNY PARK, TAS 7018**

drawing title **BUILDING ELEVATIONS**

drawn: **TF**
date: **30.09.15**
scale: **1 : 50 @A1**

drawing number **1406-DD-200** issue **B**



B	Landscaping Amendments	TF	29.09.15
A	DA Issue	TF	10.08.15
issue	revision	initials	date
do not scale off this drawing - all dimensions are subject to site measurement and verification			

Inside Out Architecture Pty Ltd ACN 141 589 826
insideout
81 Laurel Street Enoggera Q 4051 m0463 430 957
marcos@insideoutarchitecture.com.au www.insideoutarchitecture.com.au

client **Dr J. Chau**
project **BAYFIELD STREET COMMERCIAL**
address **26 BAYFIELD STREET, ROSNY PARK, TAS 7018**

drawing title **BUILDING ELEVATIONS**

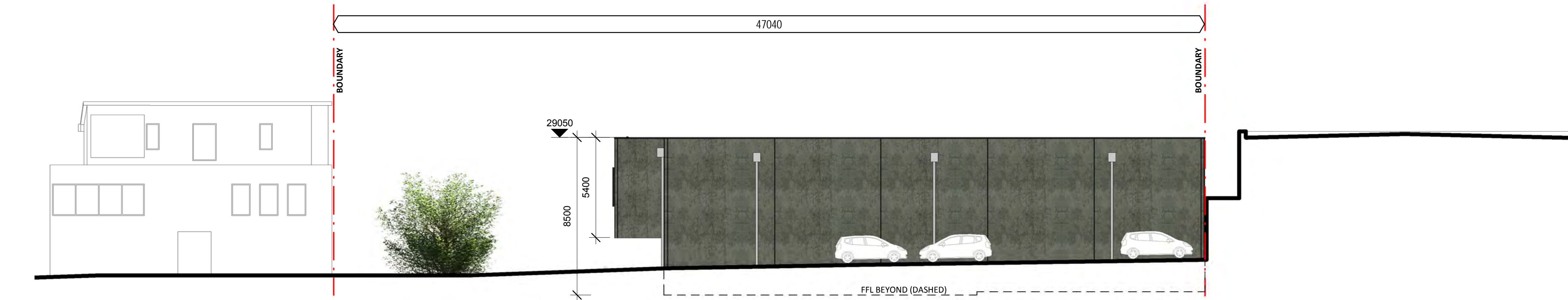
drawn: **TF**
date: **30.09.15**
scale: **1 : 50 @A1**

0 1 2 3 m

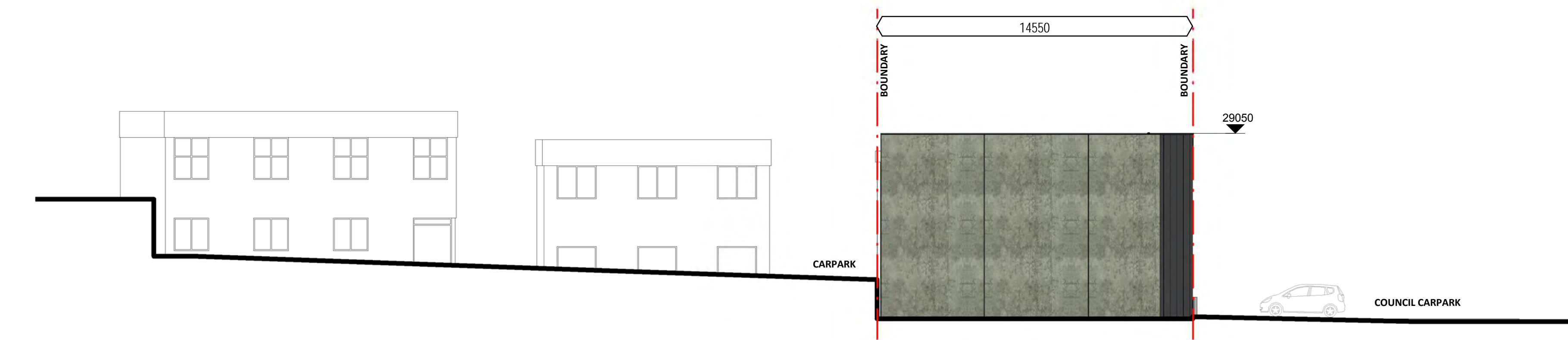
drawing number **1406-DD-201** issue **B**



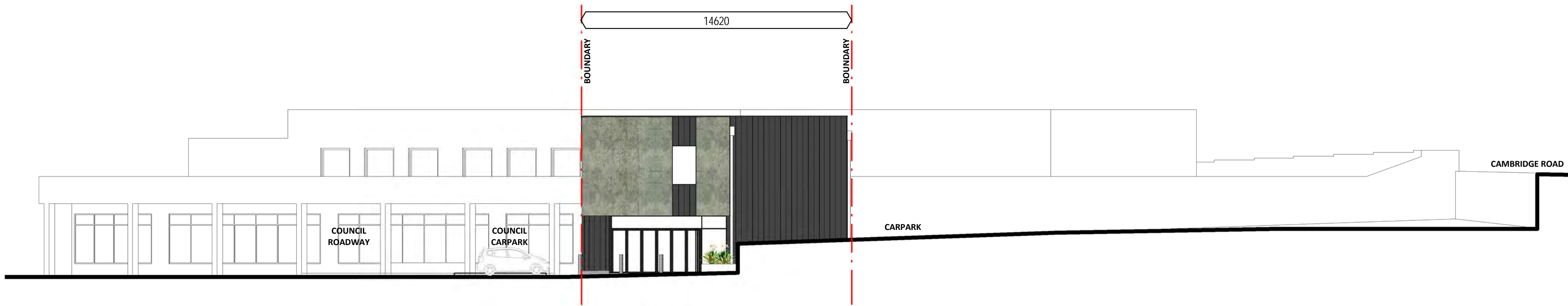
1 STREET ELEVATION
1 : 150 WEST



2 STREET ELEVATION
1 : 150 EAST



3 STREET ELEVATION
1 : 150 NORTH



4 STREET ELEVATION
1 : 150 SOUTH

B	Landscaping Amendments	TF	29.09.15
A	DA Issue	TF	10.08.15
issue	revision	initials	date
do not scale off this drawing - all dimensions are subject to site measurement and verification			

Inside Out Architecture Pty Ltd ACN 141 589 826
insideout
81 Laurel Street Enoggera Q 4051 m4603 430 957
marcos@insideoutarchitecture.com.au www.insideoutarchitecture.com.au

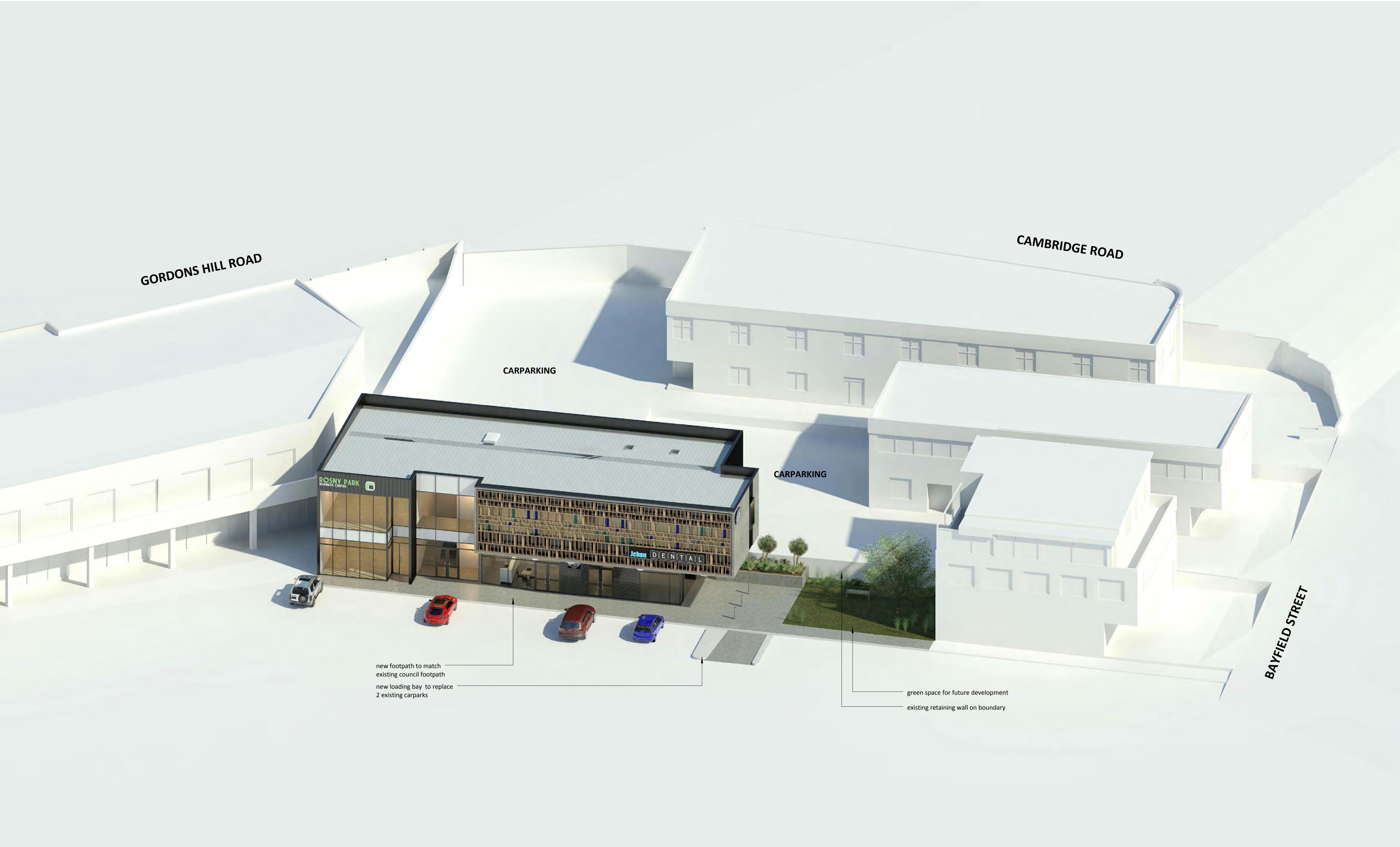
client **Dr J. Chau**
project **BAYFIELD STREET COMMERCIAL**
address **26 BAYFIELD STREET, ROSNY PARK, TAS 7018**

drawing title **STREET ELEVATIONS**

drawn: **TF**
date: **30.09.15**
scale: **1 : 150 @A1**

0 1 2 3 m

drawing number **1406-DD-210** issue **B**



1 | AERIAL VIEW

D	Outdoor Dining Removed	TF	06.11.15
C	Landscaping Amendments	TF	29.09.15
B	Revised DA Issue	TF	31.08.15
A	DA Issue	TF	10.08.15

issue

revision

initials

date

do not scale off this drawing - all dimensions are subject to site measurement and verification

Inside Out Architecture Pty Ltd

ACN 141 589 826

insideout

Architecture

81 Laurel Street Enoggera Q 4051

m0463 430 957

marcos@insideoutarchitecture.com.au | www.insideoutarchitecture.com.au

client **Dr J. Chau**

project **BAYFIELD STREET COMMERCIAL**

address **26 BAYFIELD STREET, ROSNY PARK, TAS 7018**

drawing title **AERIAL VIEW**

drawn: **TF**

date: **30.09.15**

scale: **1 : 100 @A1**



1

PERSPECTIVE 1
SOUTH-WEST CORNER



2

PERSPECTIVE 2
SOUTH-WEST CORNER

D	Outdoor Dining Removed	TF	06.11.15
C	Landscaping Amendments	TF	29.09.15
B	Revised DA Issue	TF	31.08.15
A	DA Issue	TF	10.08.15

issue	revision	initials	date
do not scale off this drawing - all dimensions are subject to site measurement and verification			

Inside Out Architecture Pty Ltd

ACN 141 589 826

insideout

81 Laurel Street Enoggera Q 4051
manios@insideoutarchitecture.com.au www.insideoutarchitecture.com.au

m4603 430 957

client **Dr J. Chau**

project **BAYFIELD STREET COMMERCIAL**

address **26 BAYFIELD STREET, ROSNY PARK, TAS 7018**

drawing title **PERSPECTIVES**

drawn: **TF**

date: **30.09.15**

scale: **1 : 20 @A1**

26 Bayfield Street, ROSNY PARK



Site of proposed building, viewed looking south



Subject property and location of proposed building

4.2 DEVELOPMENT APPLICATION D-2015/464 - 6 BRITANNIA PLACE, BELLERIVE - ADDITIONS TO DWELLING
(File No D-2015/464)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for dwelling additions at 6 Britannia Place, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development as the proposal does not meet the development standards for the front boundary setback.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the consent of the applicant until 23 December 2015.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 1 representation was received raising the issue of proposed wall cladding is inappropriate for the surrounding area.

RECOMMENDATION:

- A. That the Development Application for additions to dwelling at 6 Britannia Place, Bellerive (CI Ref D-2015/464) be approved subject to the following conditions and advice.
 - 1. GEN AP1 – ENDORSED PLANS.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT**1. BACKGROUND**

No relevant background.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Residential under the Scheme.
- 2.2.** The proposal is Discretionary because it does not meet the Acceptable 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 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 537m² corner lot located in Britannia Place. The site contains a single storey, weatherboard dwelling and outbuilding. A parking area is located along the eastern boundary of the site.

3.2. The Proposal

The proposal is for dwelling additions, approximately 122m² in area, consisting of new living and kitchen areas. The existing dwellings will have internal modifications to convert existing living/kitchen areas to one bedroom/ensuite and sunroom/storage room.

Part of the proposed addition containing a playroom will be located 1.48m from the front boundary, with the remaining addition containing the kitchen/living areas located 2.34m from the front boundary.

The proposal includes the demolition of an existing outbuilding located in close proximity to the front boundary and a small portion of the dwelling located on the southern elevation.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

- (a) all applicable standards and requirements in this planning scheme; and*
 - (b) any representations received pursuant to and in conformity with ss57(5) of the Act;*
- but in the case of the exercise of discretion, only insofar as each such matter is relevant to the particular discretion being exercised”.*

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Residential zone and the Parking and Access Code, with the exception of the following.

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A1 and A3	Setbacks and building envelopes for all dwellings	3.0m for a secondary frontage a dwelling to be contained with the prescribed building envelope	1.482m to southern boundary (playroom) 2.338m to southern boundary (living/kitchen)

The proposed variation can be supported pursuant to Performance Criteria P1 and P3 of Clause 10.4.2 for the following reasons.

- The additions replace an existing part of the dwelling and an outbuilding which is located closer to the boundary than the proposed additions.

- The proposal is consistent with other dwellings in the street in Britannia Place, which are located closer to the front boundary than provided by the Acceptable Solutions under the Scheme.
- The variation to the front boundary setback will not have a detrimental effect on the amenity of the adjoining properties by way of overshadowing or loss of privacy.

5. REPRESENTATION ISSUES

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

5.1. Proposed Wall Cladding Inappropriate for the Surrounding Area

- **Comment**

The addition is to be constructed with a combination of vertical timber cladding and concrete panels. However, the development standards in the General Residential zone do not have specific controls regarding the material and design of developments and therefore this concern 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 2010-2015 or any other relevant Council Policy.

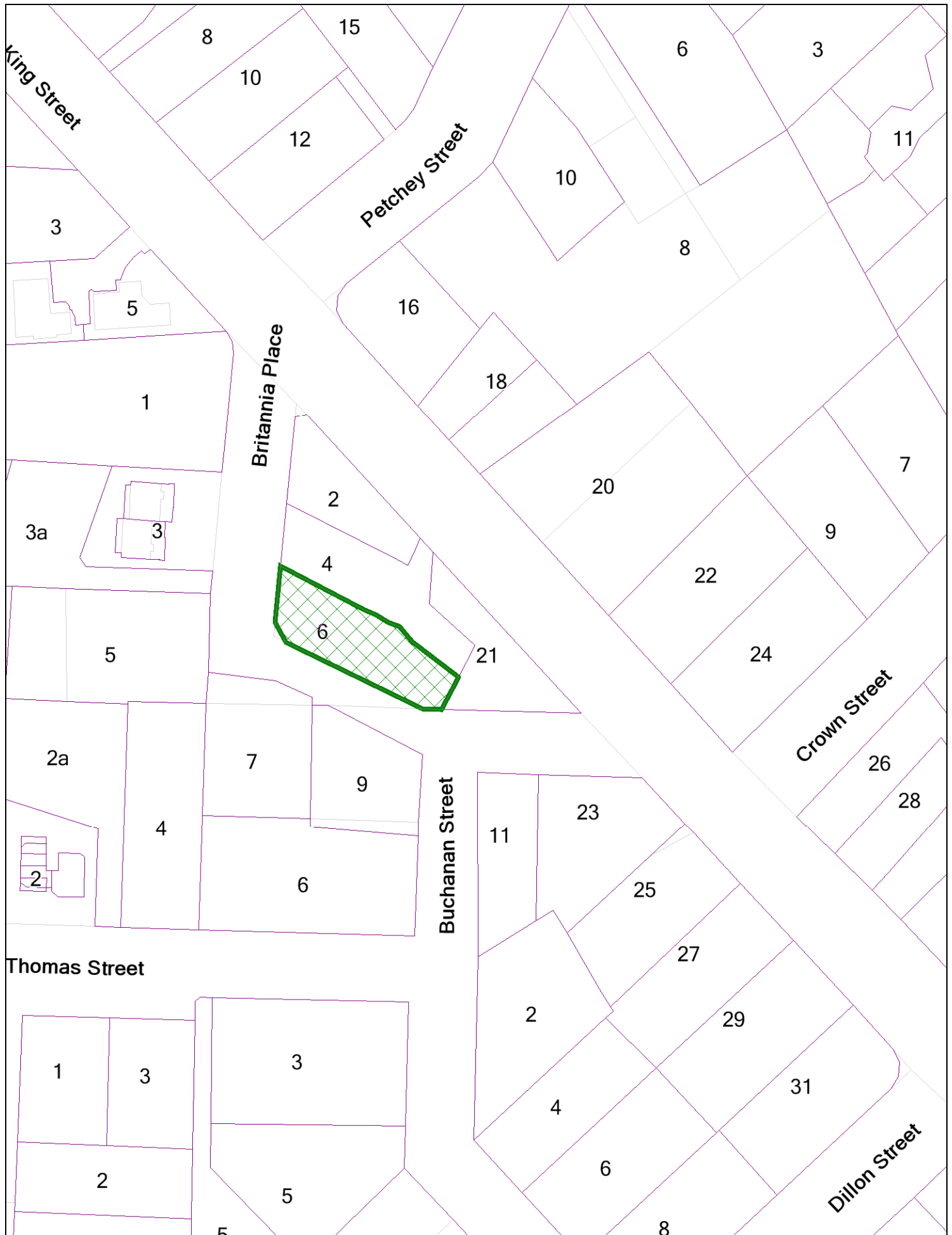
9. CONCLUSION

The proposal for dwelling additions is recommended for approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (5)
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:** Friday, 11 December 2015 **Scale:** 1:1,046 @A4

AREAS:

EXISTING DWELLING = 116.71M²
 EXISTING OUTBUILDING = 9.61M²




DEMOLITION DWELLING = 11.15M²
 DEMOLITION OUTBUILDING = -9.61M²

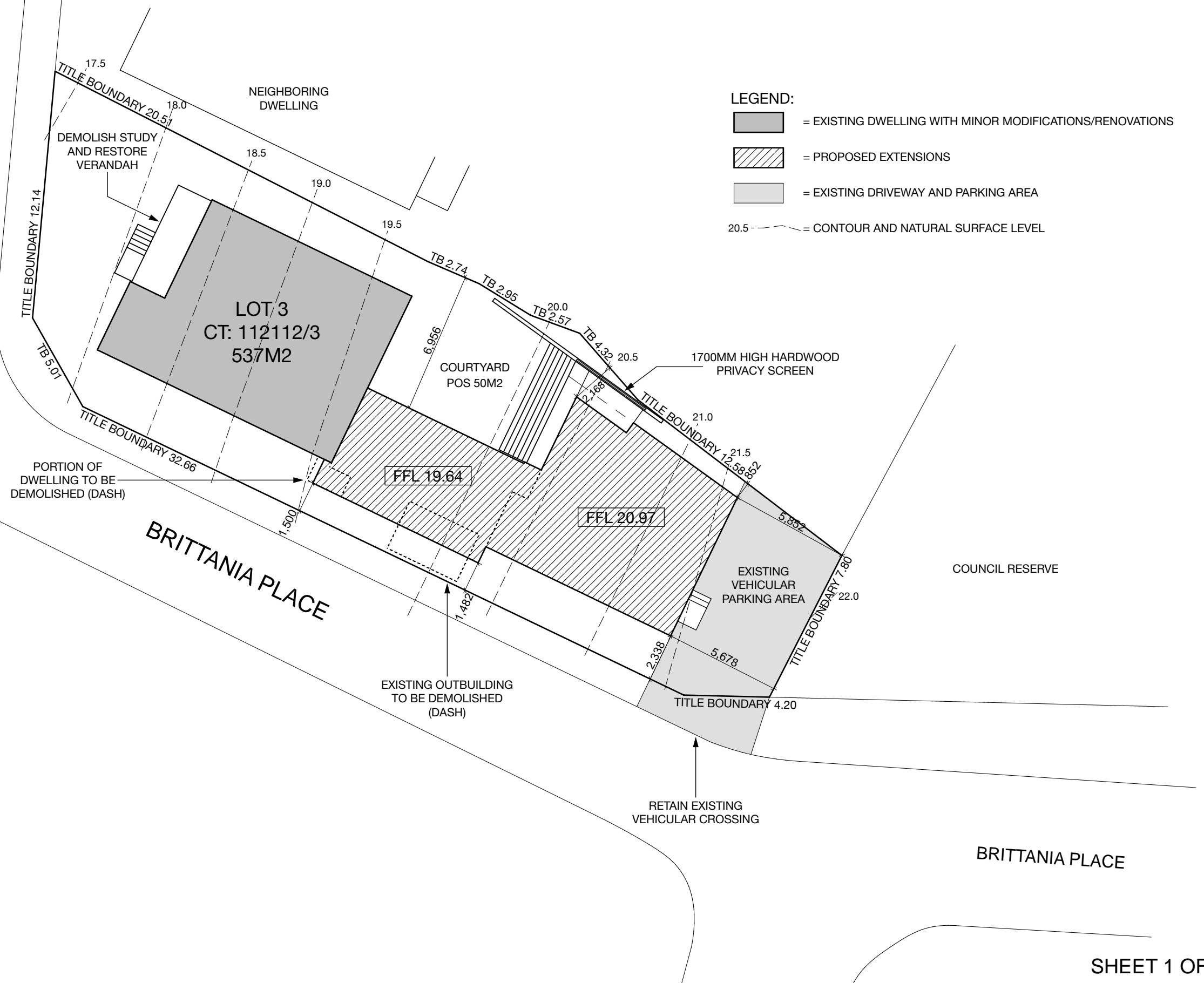
PROPOSED EXTENSION = 125.22M²
 PROPOSED VERANDAH = 9.24M²

TOTAL DWELLING AREA = 230.78M²

SITE AREA = 537.00M²

LEGEND:

-  = EXISTING DWELLING WITH MINOR MODIFICATIONS/RENOVATIONS
 = PROPOSED EXTENSIONS
 = EXISTING DRIVEWAY AND PARKING AREA
 20.5 - - - = CONTOUR AND NATURAL SURFACE LEVEL



SHEET 1 OF 5

PROPOSED RENOVATIONS AND EXTENSIONS,
 6 BRITANNIA PLACE, BELLERIVE

Drawn XW CC:1660

Scale: 1:100

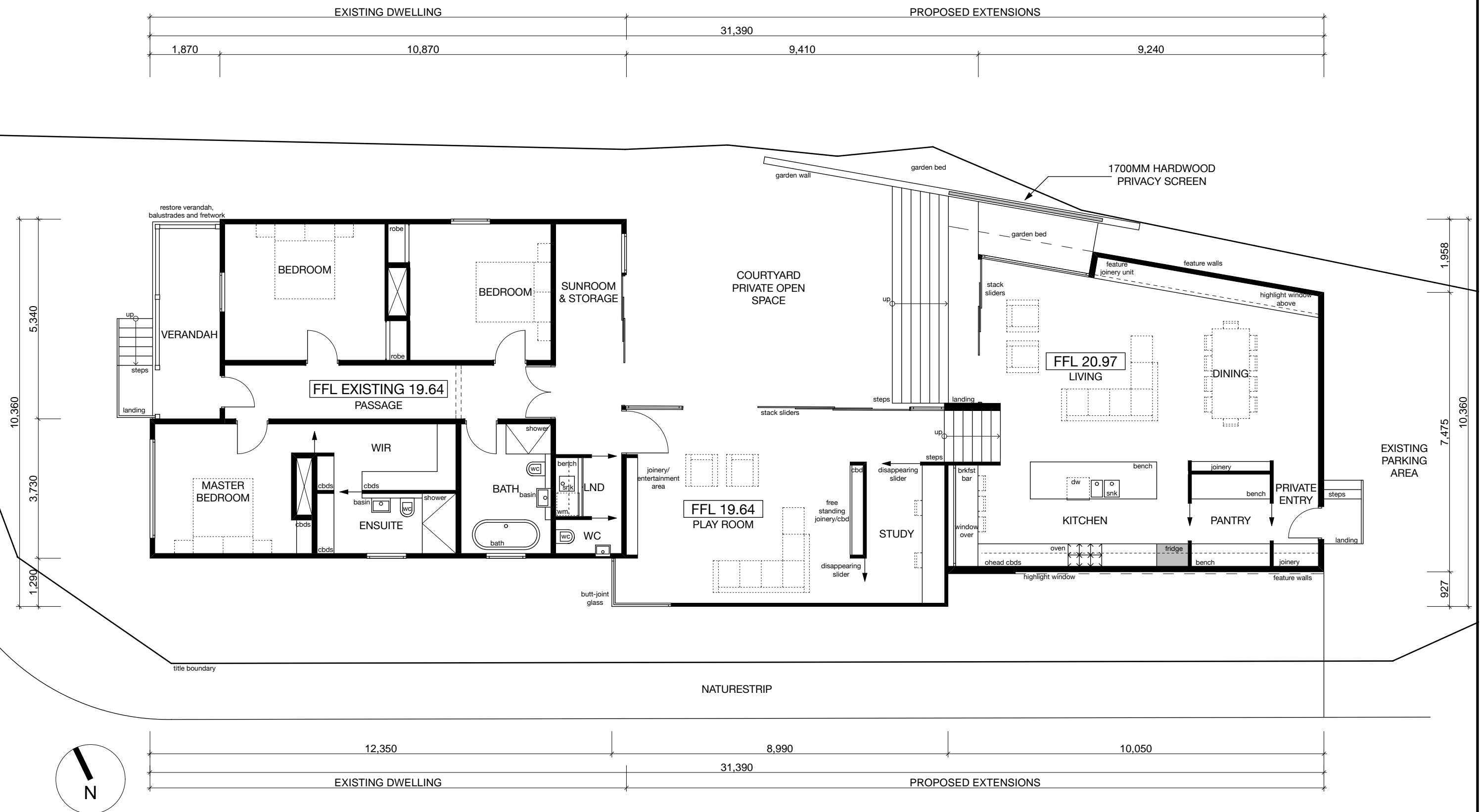
Date: OCT 2015

Checked

PROPOSED
 FLOOR PLAN

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



SHEET 2 OF 5

PROPOSED RENOVATIONS AND EXTENSIONS,
6 BRITANNIA PLACE, BELLERIVE

Drawn XW CC:1660

Scale: 1:100

Date: OCT 2015

Checked

PROPOSED
FLOOR PLAN

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

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



EXTERNAL PERSPECTIVE

VIEW FROM COURTYARD TOWARDS PLAYROOM AND STUDY



EXTERNAL PERSPECTIVE

VIEW OF NORTH EAST FACADE AND COURTYARD
PRIVACY SCREEN NOT SHOWN FOR CLARITY



EXTERNAL PERSPECTIVE

VIEW FROM COURTYARD TOWARDS LIVING AND DINING WING

SHEET 4 OF 5

PROPOSED RENOVATIONS AND EXTENSIONS,
6 BRITTANIA PLACE, BELLERIVE

Drawn XW CC:1660

Scale: NA

Date: OCT 2015

Checked

PERSPECTIVE
IMAGES

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

AREAS:

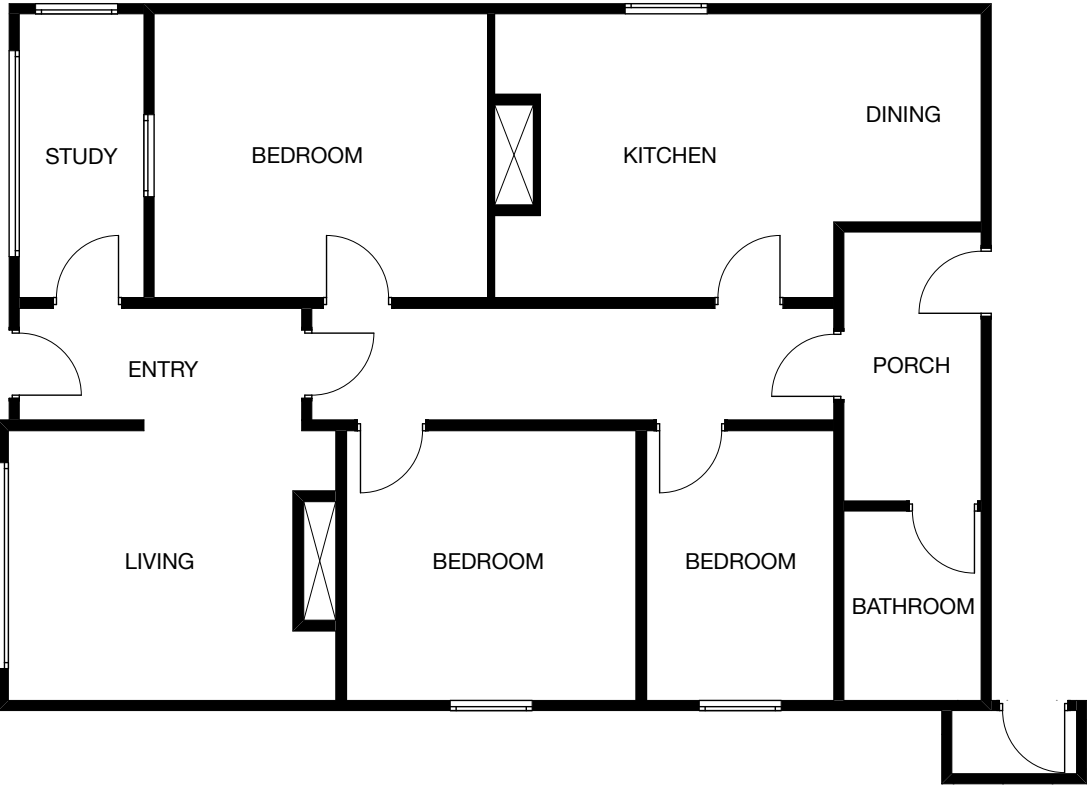
EXISTING DWELLING = 116.71M2
EXISTING OUTBUILDING = 9.61M2

DEMOLITION DWELLING = 11.15M2
DEMOLITION OUTBUILDING = -9.61M2

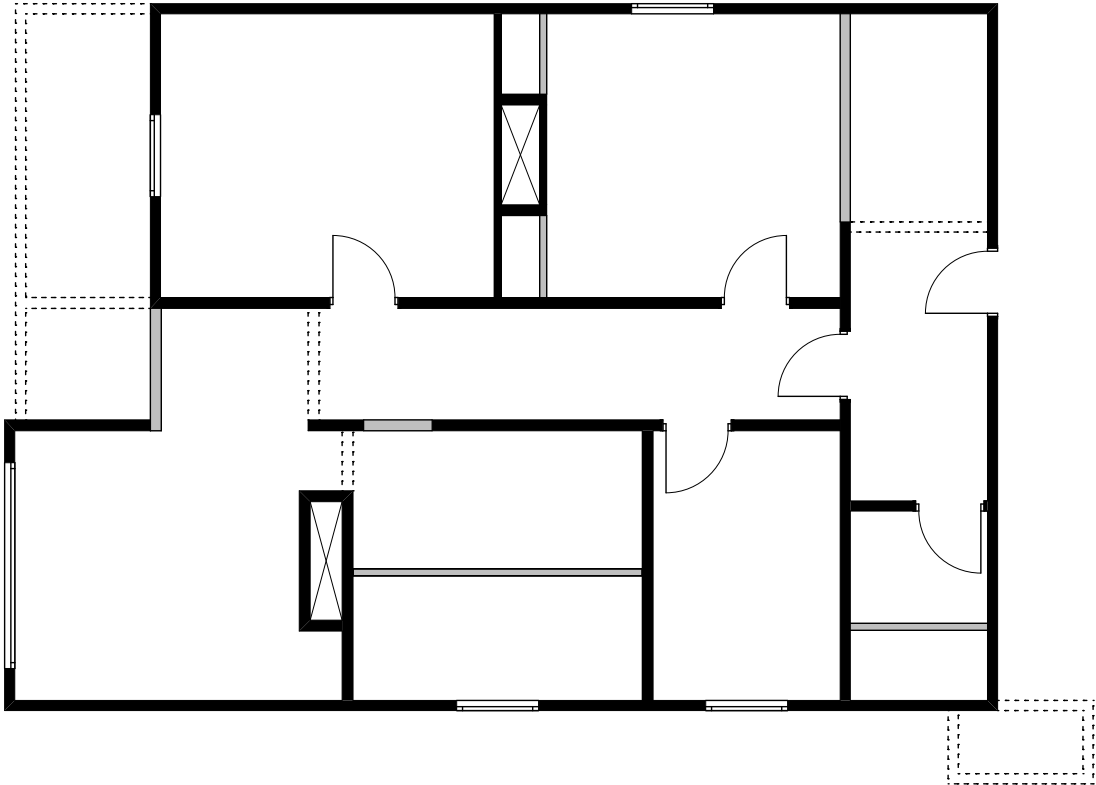
PROPOSED EXTENSION = 125.22M2
PROPOSED VERANDAH = 9.24M2

TOTAL DWELLING AREA = 230.78M2

SITE AREA = 537.00M2

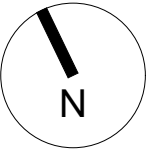


EXISTING FLOOR PLAN



DEMOLITION PLAN

- LEGEND:
- = WALLS TO BE RETAINED/MODIFIED
 - = WALLS TO BE DEMOLISHED ENTIRELY
 - = PROPOSED INFILL WALLS



6 Britannia Place, BELLERIVE



Site viewed from Britannia Place, Bellerive

4.3 DEVELOPMENT APPLICATION D-2015/379 - UNITS 2, 4 AND 5 OF 5 CLARENCE STREET AND 2 PERCY STREET, BELLERIVE - PARTIAL CHANGE OF USE

(File No D-2015/379)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a partial Change of Use at Units 2, 4 and 5 of 5 Clarence Street and 2 Percy Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Business under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended to expire on 13 January 2016.

CONSULTATION

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

- car parking; and
- BCA compliance.

RECOMMENDATION:

A. That the Development Application for partial Change of Use at Units 2, 4 and 5 of 5 Clarence Street and 2 Percy Street, Bellerive (CI Ref D-2015/379) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. Any mechanical plant and miscellaneous equipment must be screened from view from the street and other public/common spaces.
3. Security shutters must not be fitted over windows and/or doors facing the Clarence Street frontage.
4. ADVICE - All relevant BCA standards must be met in the building permit application and subsequent works undertaken on-site for this change of use prior to the commencement of the use.

5. ADVICE - This approval is only for the modifications to Units 2, 4 and 5 of 5 Clarence Street and does not cover any of the structural elements of the plans which are not associated with these specified tenancies.
- 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

It has recently been found there may be several structural issues affecting the building and its layout. These are being addressed separately. As this application was only made for specific tenancies within the site, the separate matters do not impact on the decision making process for the application.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Business under the Scheme.
- 2.2.** The proposal is Discretionary because Residential use is Discretionary on the ground floor under the Use Table for the General Business zone of the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
- Section 8.10 – Determining Applications; and
 - Section 10 – General Business Zone.
- 2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is located on the ground level of a mixed use development comprising 28 apartments and 5 commercial tenancies at 3 and 5 Clarence Street, Bellerive. The tenancies in question have approval for use as Business and Professional Services/General Retail and Hire. Car parking for the existing mixed use development is located at the rear of the existing building.

The surrounding area includes a mixture of residential and commercial developments. On the opposite side of Clarence Street are a number of existing dwellings. The area to the west and south of the site contains a range of commercial uses, including shops, offices, restaurants, take-away food shops and an indoor sports venue.

3.2. The Proposal

The proposal is for a partial change of use of 3 of the ground floor tenancies at 3 and 5 Clarence Street, Bellerive from Business and Professional Services/General Retail and Hire to part Residential (Multiple Dwelling) and part Business and Professional Services/General Retail and Hire.

The tenancies will not be subsequently divided (via Strata Title); rather they will remain single tenancies with multiple uses. Minor external works are proposed to the Clarence Street frontage of the tenancies to provide increased privacy and amenity for future occupants.

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 Business zone and the Parking and Access Code. However, as the application is silent on whether any mechanical plant, such as air conditioning units or hot water cylinders/heaters will be provided external to the building, it is considered appropriate to condition the approval to require their screening should they be installed at a later date. Similarly, there is no security shuttering proposed for the tenancies and so the proposal meets the acceptable solution, however, it is considered appropriate to condition that this must not occur to ensure on-going compliance with this Acceptable Solution.

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. Car Parking

The representor has requested that there be no conditions imposed upon the permit requiring additional car parking or modification of the existing car parking on-site.

- **Comment**

The existing use of the tenancies generates a car parking requirement of 2 spaces per tenancy. The proposed use also generates a car parking requirement of 2 spaces per tenancy. As such, there is no change in the car parking requirement for the tenancies associated with this proposed change of use. Accordingly, there will be no changes required for the car parking numbers or configuration on the site.

5.2. BCA Compliance

The representor has requested that Council ensure that fire separation and sound insulation measures be provided for the tenancies in accordance with BCA requirements.

- **Comment**

This is not a relevant planning consideration. However, as it is something that will be addressed through the building permit process for the change of use, it is considered appropriate to include advice on the permit that all relevant BCA standards must be met in the building permit application and subsequent works.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, who have consented to the application without requesting the inclusion of any conditions should a permit be granted.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

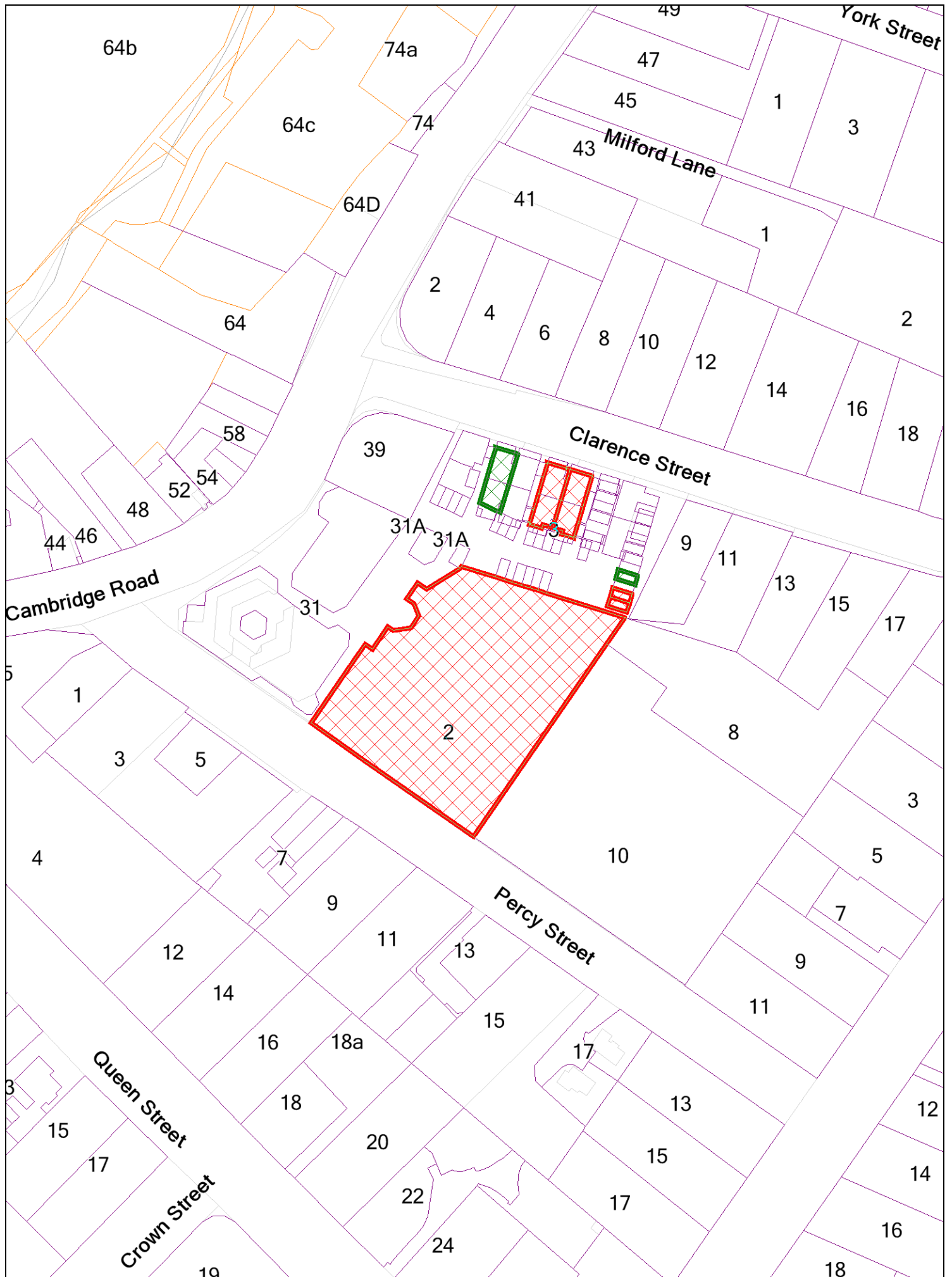
There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy. Developer contributions are not required to comply with any Council policies.

9. CONCLUSION

The proposal is recommended for conditional approval for the reasons detailed above.

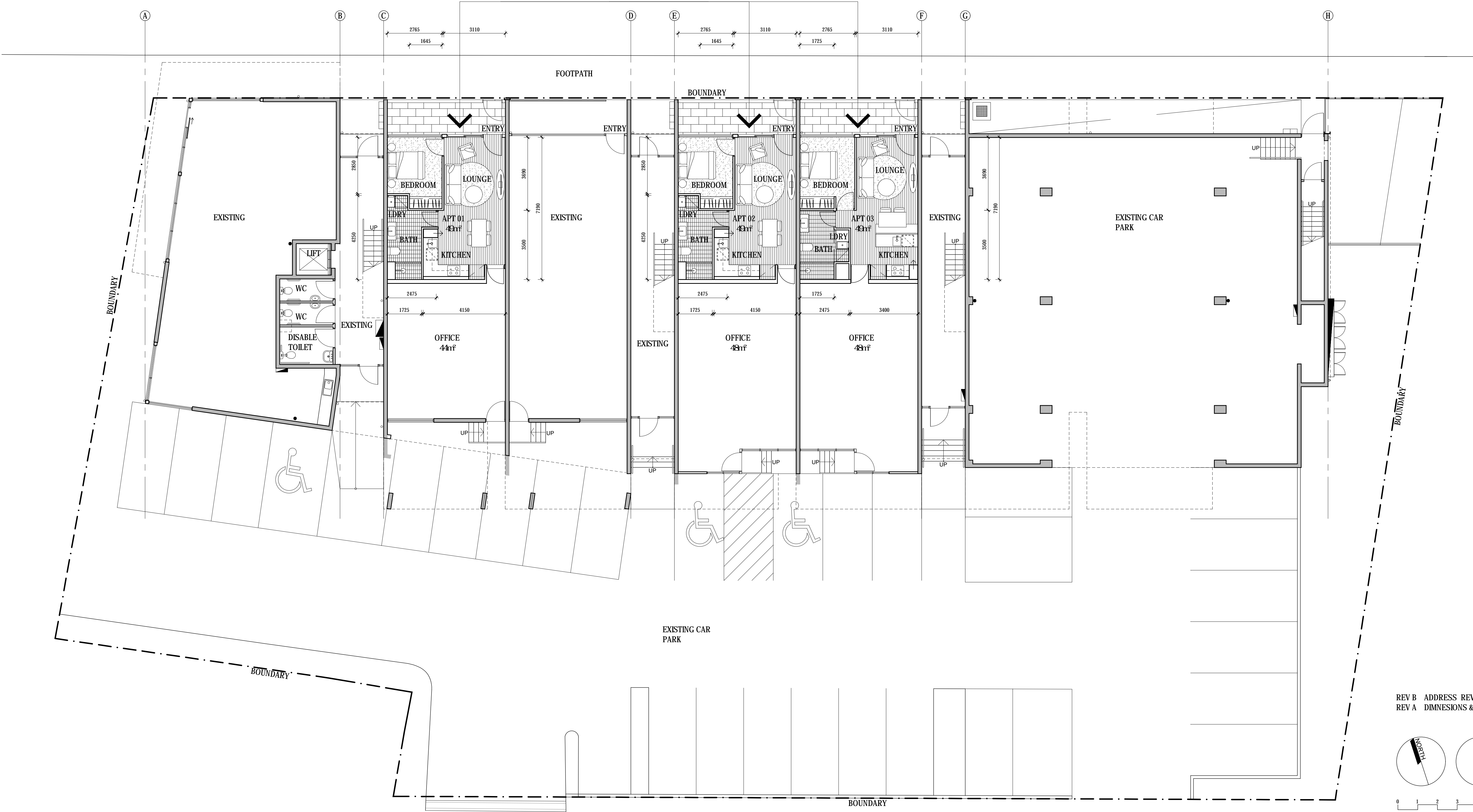
Attachments: 1. Location Plan (1)
2. Proposal Plan (2)
3. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

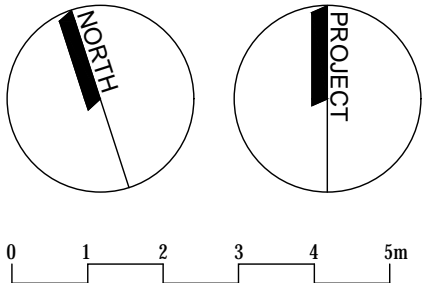


CLARENCE STREET

CONVERT TENANCIES TO ACCOMMODATION / OFFICE AS SHOWN



REV B ADDRESS REVISED MS 13/10/15
REV A DIMENSIONS & ADDRESS MS 02/10/15



PhilpLighton Architects

49 SANDY BAY ROAD, TASMANIA 7004
T +61 (3) 6223 2333 F +61 (3) 6223 2433
hobart @philplighton.com.au
HOBART / LAUNCESTON / BURNIE

94 FEET PTY LTD
GROUND FLOOR UNITS FITOUT
5 CLARENCE STREET & 2 PERCY STREET
BELLERIVE TAS

SITE / FLOOR PLAN

Scale 1:100 @ A1 Date 10.09.15 Project 035.15151
1:200 @ A3
Drawing No DA02 Rev B

Units 2, 4 & 5 of 5 Clarence Street & 2 Percy Street, BELLERIVE



Site viewed from Clarence Street

4.4 SUBDIVISION APPLICATION SD-2015/38 - 150 HOUSTON DRIVE, CAMBRIDGE - 16 LOT SUBDIVISION
(File No SD-2015/38)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a 16 lot subdivision at 150 Houston Drive, Cambridge.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42 day period which was extended with the consent of the applicant until 13 January 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 5 representations were received raising the following issues:

- issues with use of the existing access strips and potential conflict with users of the existing right-of-way;
- driveway to adjacent lots not wholly contained within the right-of-way as shown on the title;
- potential to use the access strips for public access ways;
- suggested changes to the location of access strips to Lots 9 and 10; and
- building envelopes.

RECOMMENDATION:

A. That the application for a 16 lot Subdivision at 150 Houston Drive, Cambridge (C1 Ref SD-2015/38) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN POS 3 – AMENDED PLANS - remove second and third dot point, delete the first dot point and replace with “the provision of public open space with a minimum width of 10m from the eastern most access points on Mount Rumney Road to Houston Drive to be located along the eastern boundary of Lot 8 and the south-eastern boundary of Lot 8”.
3. GEN POS 4 – POS CONTRIBUTION [2%] [1-16].

4. PROP 3 – TRANSFER.
 5. PROP 2 – POS FENCING.
 6. ENG A1 – NEW CROSSOVER - Replace “3.0m” with “3.6m” [MSD-02].
 7. ENG A3 - COMBINED ACCESSES [MSD-02].
 8. ENG S1 – INFRASTRUCTURE REPAIR.
 9. ENG S2 – SERVICES.
 10. ENG M2 – DESIGNS SD.
 11. ENG M5 – EROSION CONTROL.
 12. ENG M7 – WEED MANAGEMENT PLAN.
 13. ENG M8 – EASEMENTS.
 14. ENG R3 - RURAL ROAD.
 15. ENG R5 – ROAD EXTENSION.
 16. EHO 4 – NO BURNING.
- ADVICE 16 – THREATENED SPECIES ADVICE.

- 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 Rural Residential and subject to the Mount Canopus and Vegetation Management Overlays.
- 2.2.** The proposal is for subdivision which is Discretionary within the zone.

2.3. The relevant parts of the Scheme are:

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

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a 37.83ha vacant rural residential lot. The site has access from Houston Drive and also contains 2 access strips from Mount Rumney Road. The title contains rights-of-ways in favour of the adjacent titles at 7, 13, 15 and 57 Mount Rumney Road over the western most access strip. A driveway leading to 7, 13 and 15 is located partially within the access strip.

The majority of the site contains cleared land previously used for grazing with bushland located in the western part of the site. The title contains a 30m wide drainage easement located in the west of the site located over a creek.

The surrounding area is rural residential in character.

3.2. The Proposal

The proposal is for a 16 lot subdivision with lots ranging between 2ha and 4.8ha. The proposal includes an extension to Houston Drive which ends in a cul-de-sac. All lots are proposed to have vehicular access from Houston Drive.

4. PLANNING ASSESSMENT

4.1. Planning Policy Framework [Section 2]

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

- “• *Promote good urban design for new residential areas, ensuring:*
 - *Higher densities can be supported where the character and amenity of the neighbourhood is not prejudiced and where the capacity of existing infrastructure allows.*
 - *Ensure only appropriate forms of residential development in coastal areas that may be affected by climate change”.*

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

4.2. General Decision Requirements [Section 3.3.1]

The relevant General Decision Requirements of this part are:

- “(a) *General Requirements:*
 - (iv) *The Purposes of the Zone.*
 - (v) *The Specific Decision Requirements of the Zone, Overlay or Specific Provision.*
 - (vii) *Any representation made in accordance with Section 43F(5) or Section 57(5) of the Act.*
- (d) *Design suitability requirements:*
 - (i) *The size and shape of the parcel of land and whether it is subject to potential hazards.*
- (f) *Subdivision requirements:*
 - (i) *The suitability of the land for subdivision.*
 - (ii) *The existing use and potential for future development of the land and its surrounds.*
 - (iii) *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation, natural drainage paths and significant stormwater catchment areas.*
 - (iv) *The density of the proposed development.*
 - (v) *The size and shape of each lot in the subdivision.*
 - (vi) *The layout of roads having regard to their function and relationship to existing roads.*

- (vii) *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*
- (xi) *The availability and provision of utility services”.*

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

4.3. Zone

Section 6.3 provides Use and Development Standards for subdivision in the Rural Residential zone. Assessment of the proposal indicates that the development complies with all relevant standards as summarised in the table below.

	Required	Proposed	Comments
Lot size	minimum lot size of 2ha	lots between 2ha and 4.8ha	complies
Dimensions of lots	all lots including the balance must have a minimum frontage of 6m	all lots have a minimum frontage of 6m	complies
Services	all lots must be connected to reticulated services, or capable of providing on-site treatment for waste water	all lots capable of providing on-site waste water treatment	complies

In summary, the proposal complies with the Use and Development Standards and the relevant Specific Decision Requirements for the zone.

4.4. Overlays

- **Mount Canopus Overlay**

The site is located within the Mount Canopus Overlay. In accordance with Part 7.9.5 of the Scheme, the application was referred to the University of Tasmania which responded that it did not object to the subdivision.

- **Vegetation Management Overlay**

Part of the site is located within the Vegetation Management Overlay. The applicant has provided an assessment of the existing vegetation on the site (North Barker Ecosystems, 2 June 2015) which shows that some of the vegetation is listed as High priority in Council's Natural Assets Inventory Manual. The proposed subdivision plan shows the indicative building envelopes located generally within the existing cleared area of the site. The more densely vegetated area of the site in the western part of the site is generally contained within Lot 13, which contains the Clarence Plains Rivulet. Due to the site constraints it is likely that any development would occur in the eastern side of the creek and drainage easement which is already cleared.

The report also notes that the weed, Spanish Heath, is present on the property which will be able to be managed via a permit condition to require a weed management plan to be submitted.

The application and associated reports were referred to the State Government Policy and Conservation Advice Branch (PCAB) who commented that proposed Lot 13 contains *Ranunculus sessiliflorus* var. *sessiliflorus*, which is listed as rare under the Threatened Species Act, 1995 (TSPA). A permit is required to remove any individuals of this species. However, given its location on the western side of the drainage easement and located well clear of identified buildings area, it would be unlikely that the threatened species would be affected.

The vegetation mapping also shows the presence of *Eucalyptus Ovata* forest and woodland which is recognised as a key feed for the Swift Parrot, which is listed as endangered under the Australian Government Environment Protection and Biodiversity Conservation Act, 1999. The landowner has an obligation to ensure to retain any trees which have the potential to provide nesting habitat for Swift Parrot. It is recommended that the advice provided by PCAB be attached to the permit if approved.

Future development of the lots will be subject to the controls under the Rural Living Zone and the Natural Assets Code of the Clarence Interim Planning Scheme 2015, which provides that a planning application is required for the clearing of native vegetation. These controls will ensure that the high priority vegetation is protected when future developments are proposed. However, it is recommended the advice provided by PCAB be included in any permit issued.

4.5. Specific Provision

- **Bushfire**

The applicant has submitted a Bushfire Report and Hazard Management Plan (North Barker Ecosystems, 20 October 2015) which demonstrates that the proposed design complies with Planning Directive No 5. Building envelopes are shown on the attached plan to demonstrate that the lots can be development in accordance with the bushfire provisions of PD5. However, it is not considered necessary to require building envelopes on the title as any application for a dwelling on the lots will need to provide a Bushfire Hazard Management Plan and BAL assessment that is relevant to the specific building design and which complies with PD5.

4.6. External Referrals

The application was referred to the University of Tasmania and the State Government Policy and Conservation Branch who provided comment as discussed above.

5. REPRESENTATION ISSUES

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

5.1. Issues with use of the Existing Access Strips and Potential Conflict with Users of the Existing Right-of-Way

The adjoining properties at 7, 13, 15 and 57 Mount Rumney Road have rights-of-ways over the western most access strip from Mount Rumney Road.

The representors were concerned that the subdivision would potentially cause conflict with the users of the rights-of-way.

- **Comment**

Nos 13, 15, 17 and 57 Mount Rumney Road all have rights-of-way over the western most access strip. The existing driveway is partially located within the rights-of-way and partially within the property boundaries at 7, 15 and 17 Mount Rumney Road. All lots are proposed to have vehicular access from Houston Drive and therefore the amount of vehicular traffic along the access strip is not changing as a result on the development.

5.2. Driveway to Adjacent Lots not Wholly Contained within the Right-of-Way as Shown on the Title

The representors raised concerns regarding the location of the existing driveway to Nos 13, 15 and 17 which is not wholly located within the right-of-way shown on the title.

- **Comment**

As discussed above, there will be no change to the use of the western most access strip and therefore no effect on the properties benefitting from the right-of-way. The location of the driveway is not a matter that can be addressed in this planning application and is a matter for the landowners to obtain their own legal advice if they wish to do so.

5.3. Potential to Use the Access Strips for Public Access Ways

A suggestion by a representor was that that public access ways could be incorporated in the design to provide linkages from Mount Rumney Road to Houston Drive.

- **Comment**

Discussion with the applicant has resulted in agreement to provide a public access way which will provide a link from Mount Rumney Road to Houston Drive.

5.4. Suggested Changes to the Location of Access Strips to Lots 9 and 10

A suggestion was made by a representor that that access strips to Lots 9 and 10 would be better relocated eastwards to run centrally between Lots 8 and 11 and Lots 9 and 10, due to the steepness of the lower part of Lot 11.

- **Comment**

Discussions with the applicant have resulted in agreement to provide public open space from Mount Rumney Road to Houston Drive. It was considered that the public access ways would be best provided to the east of Lots 8 and 9. A centrally located public access way, as suggested by the representor, was not considered appropriate as it may result in conflict between vehicular traffic and users of the public access ways.

5.5. Building Envelopes

Concern has been raised that including building envelopes on the title would be too restrictive for future developers of the lots.

- **Comment**

The building envelopes shown in the Bushfire Report and Bushfire Management Plan are to demonstrate compliance with PD5 and are not intended to be shown on the titles for each lot.

6. STATE POLICIES AND ACT OBJECTIVES

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

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

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

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

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

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

The subject land is not identified in Council's Tracks and Trails Strategy as containing land required for Public Open Space and advertised plan did not show any provision for public open space. However, following comments made by Council's Tracks and Trails Officer, it is considered that it would be appropriate for the development to provide a public access way from Mount Rumney Road through the site to Houston Drive. This issue was discussed with the applicant who agreed that part or all of the access strips to Mount Rumney Road could be utilised for a public access way which would link to Houston Drive.

Given that there is a number of existing rights-of-way and an existing driveway over the western most access strip, it is considered that the eastern most access strip would be preferable for a public access way to link to Houston Drive along the eastern boundaries of Lots 8 and 9. The amount of land is calculated at approximately 2% of the land area. Given that there is a need for POS in this location and the proposed POS represents an area less than 4% of the site, an additional cash contribution of 2% of the land area in-lieu of POS should be considered.

In accordance with Council's POS Policy it is considered appropriate to also require a cash contribution for 2% of the value of the created lots (Lots 1 - 16), bringing the POS contribution to a total of 4%. This should be conditioned as part of the permit.

The requiring a cash contribution for 2% of the value of the land will reflect the likely increase demand that future development will place on Council's POS local and regional network and associated facilities through the creation of the 16 additional lots.

8. CONCLUSION

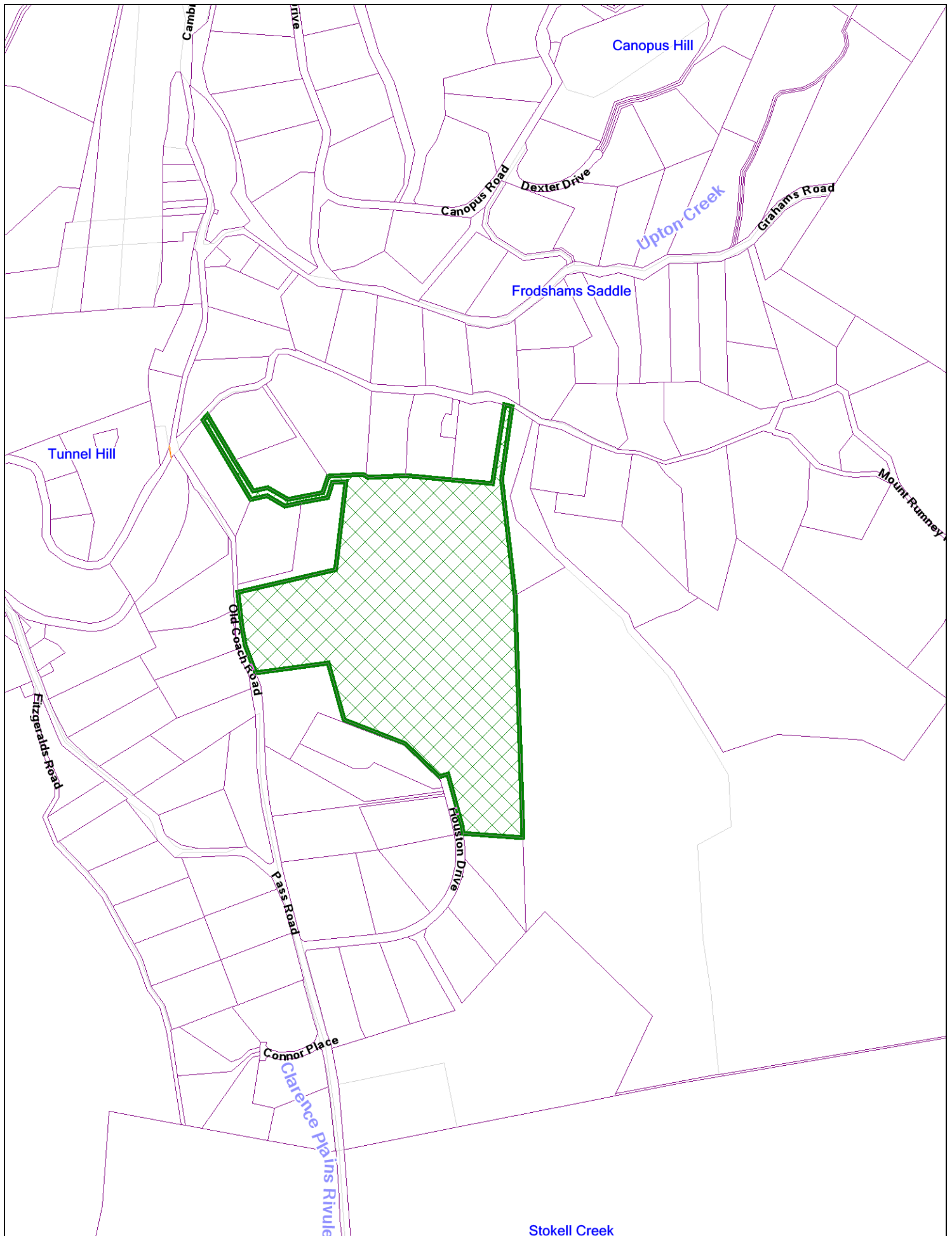
The proposal is for a 16 lot subdivision at 150 Houston Drive. The proposal is recommended for approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (2)
3. Amended Lot Layout and POS Plan (1)
4. Site Photo (1)

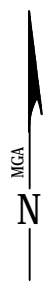
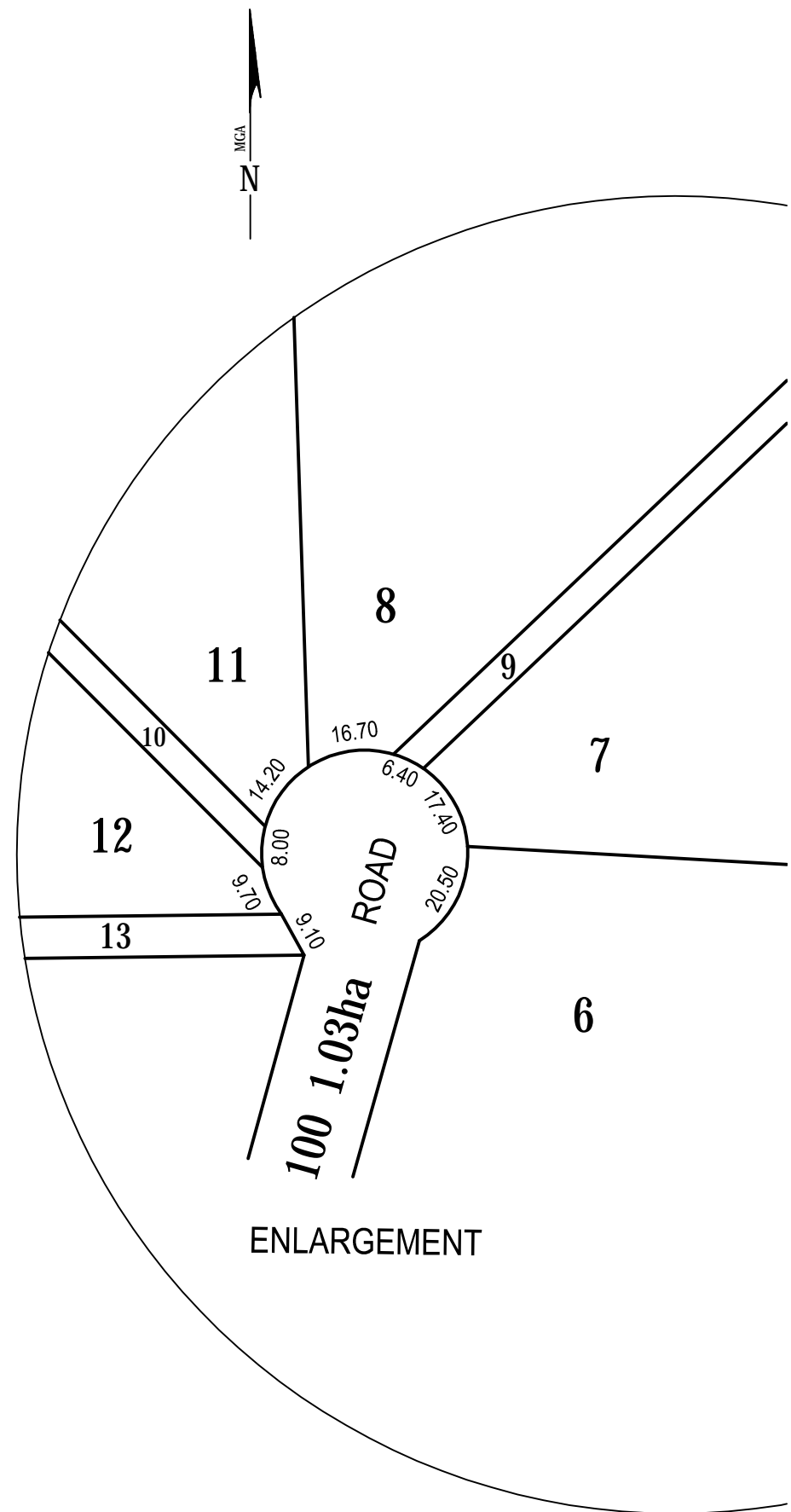
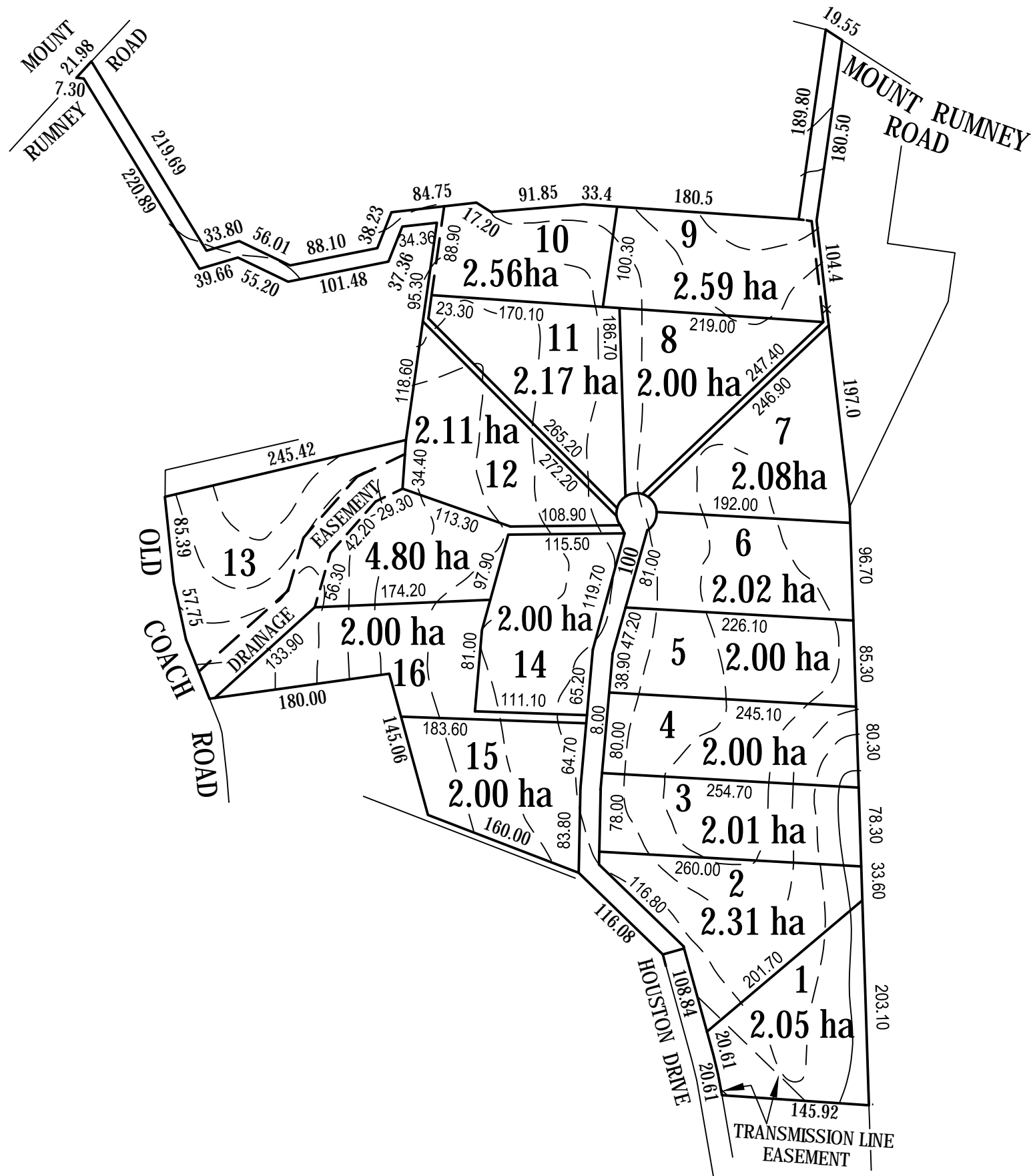
Ross Lovell
MANAGER CITY PLANNING

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

Clarence City Council



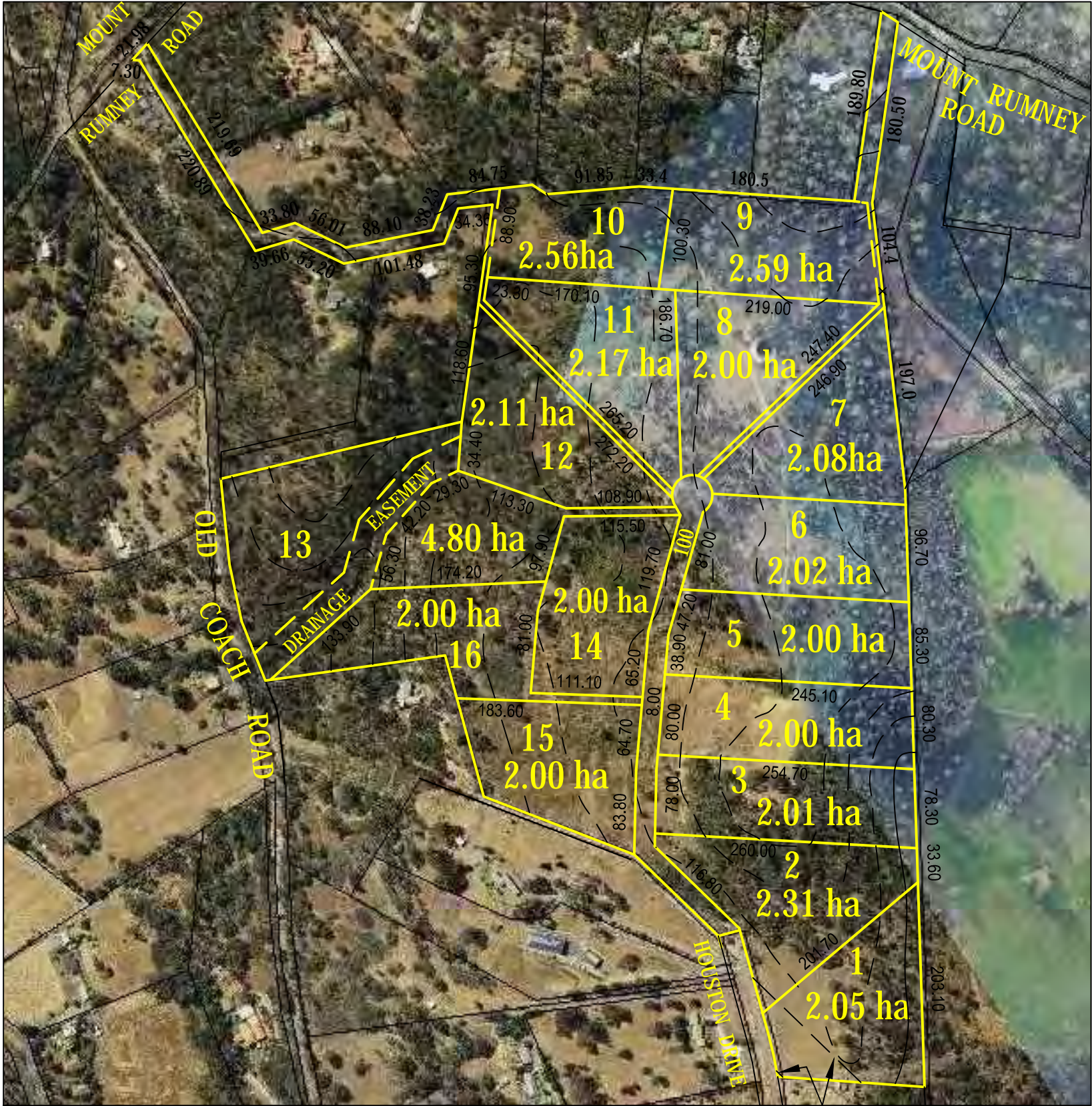
Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Friday, 11 December 2015 **Scale:** 1:11,770 @A4



AMENDMENTS			Project Name and Address		Drawing Title		SCALE		Contour Interval		FILE REF:	
No.	Revision/Issue	Date	150 HOUSTON DRIVE MOUNT RUMNEY		PLAN OF SUBDIVISION		0 50 100 150 200 1:5000 at A3		10 m		8734	
									Date	5 / 11 / 15		
			WESTWOOD PROPERTIES PTY LTD		CT 33225 - 1		THIS DOCUMENT IS, AND SHALL REMAIN, THE PROPERTY OF NOEL LEARY & ASSOCIATES, LAND & ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSION. UNAUTHORISED REPRODUCTION OR USE OF THIS DOCUMENT IN ANY WAY IS PROHIBITED.		SHEET		2 of 2	
									CHND	NL	Page 2 of 5	



LEARY & COX
132 Davey Street, HOBART TAS 7000
P 03 6220 0299 F 03 6220 0290
E nleary@learyandcox.com



AMENDMENTS		
No.	Revision/Issue	Date



LEARY & Cox
132 Davey Street, HOBART TAS 7000
P 03 6220 0299 F 03 6220 0290
E nleary@learyandcox.com

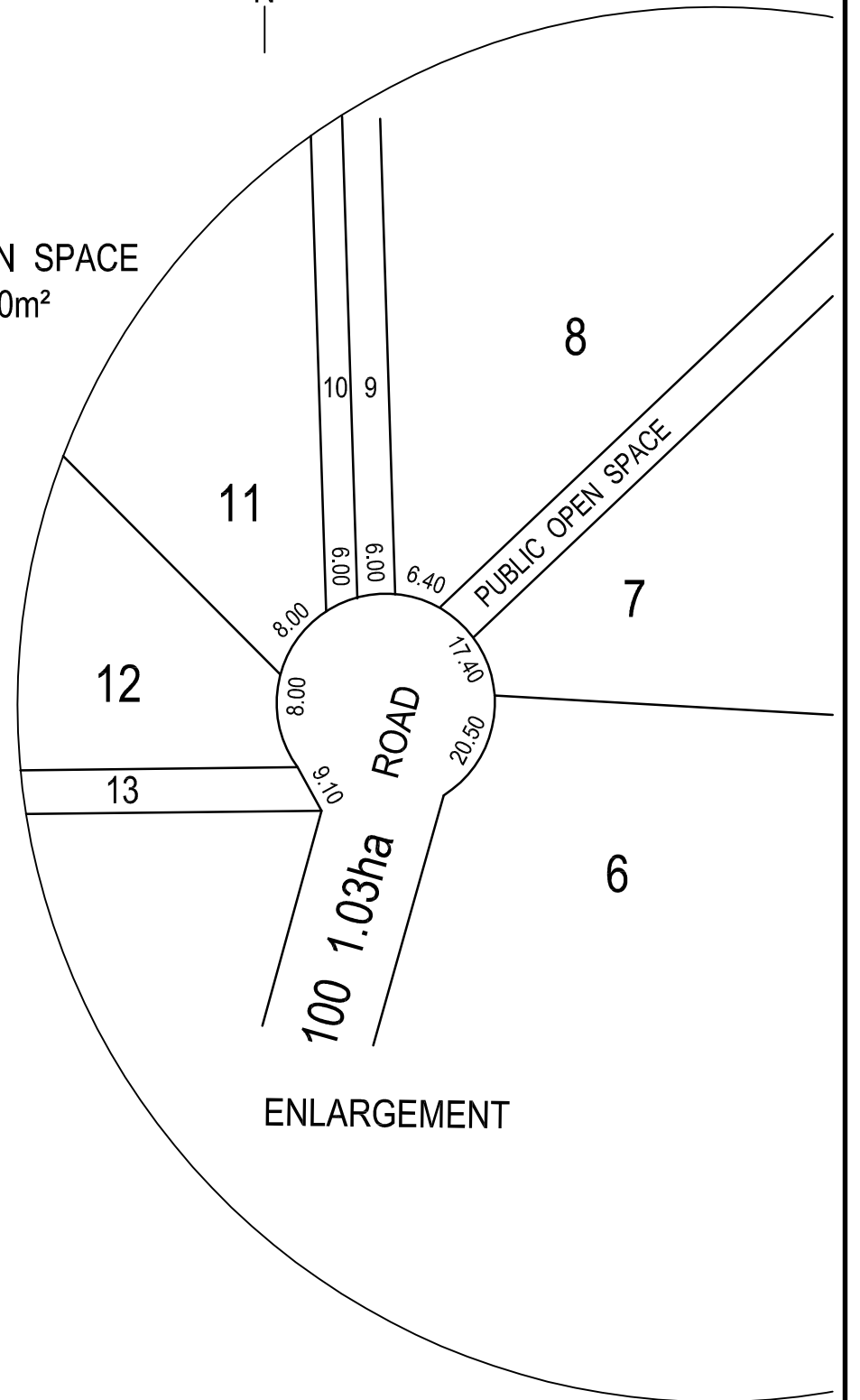
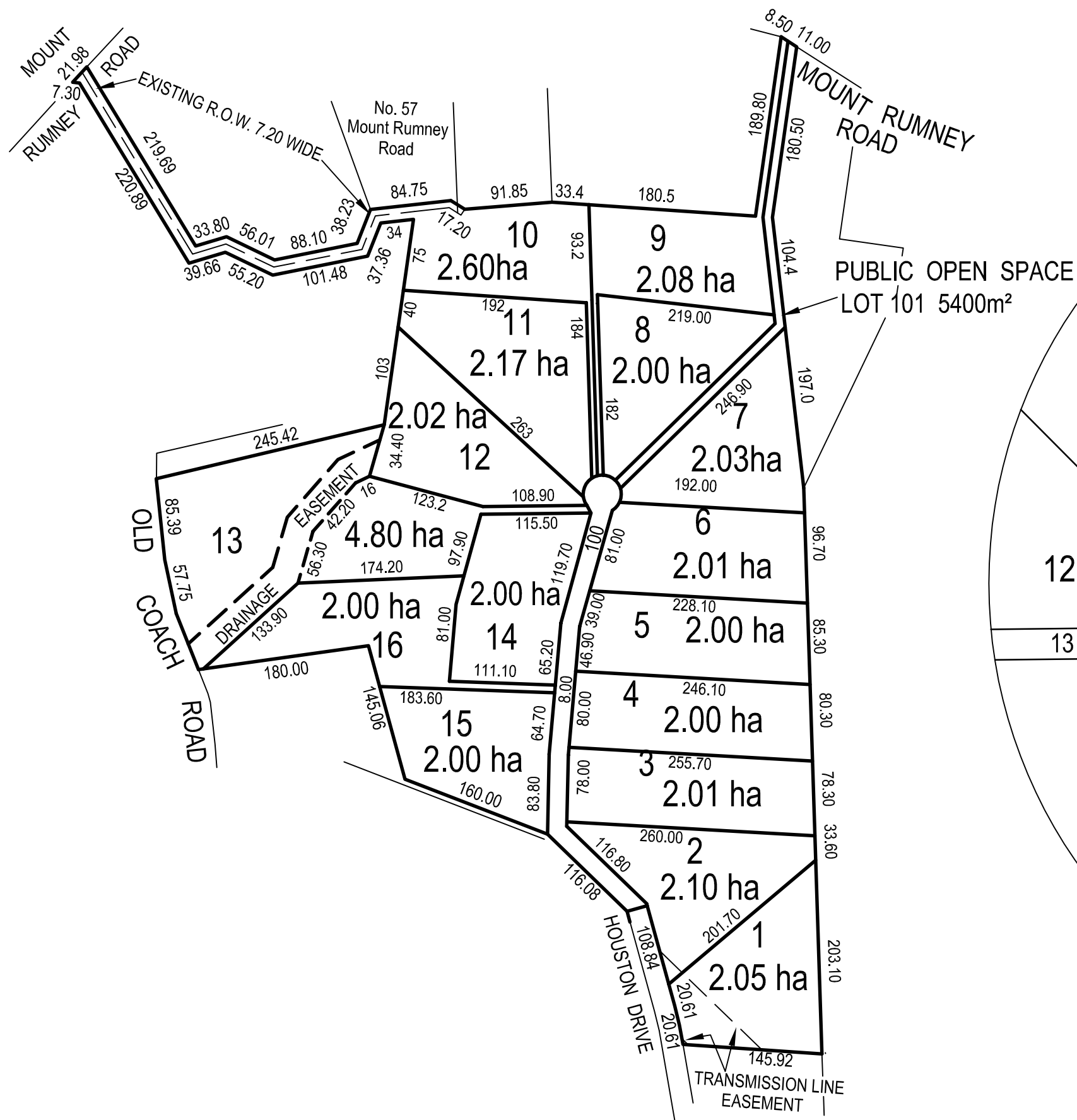
Project Name and Address
150 HOUSTON DRIVE MOUNT RUMNEY

Drawing Title
PLAN OF SUBDIVISION
Client WESTWOOD PROPERTIES PTY LTD CT 33225 - 1

SCALE
0 50 100 150 200 1:5000 at A3
THIS DOCUMENT IS, AND SHALL REMAIN, THE PROPERTY OF NOEL LEARY & ASSOCIATES, LAND & ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSION. UNAUTHORISED REPRODUCTION OF THIS DOCUMENT IN ANY WAY IS PROHIBITED.

Contour Interval
10 m
Date 5 / 11 / 15
SHEET 1 of 2
Agenda Attachments - 150 Houston Drive
CHKD ML

FILE REF:
8734
Geocomp Ref XXXXXX AutoCAD Ref XXXXXX
Page 3 of 5



AMENDMENTS		
No.	Revision/Issue	Date



LEARY & COX
LAND & ENGINEERING SURVEYORS

132 Davey Street, HOBART TAS 7000
P 03 6220 0299 F 03 6220 0290
E nleary@learyandcox.com

Project Name and Address
150 HOUSTON DRIVE MOUNT RUMNEY

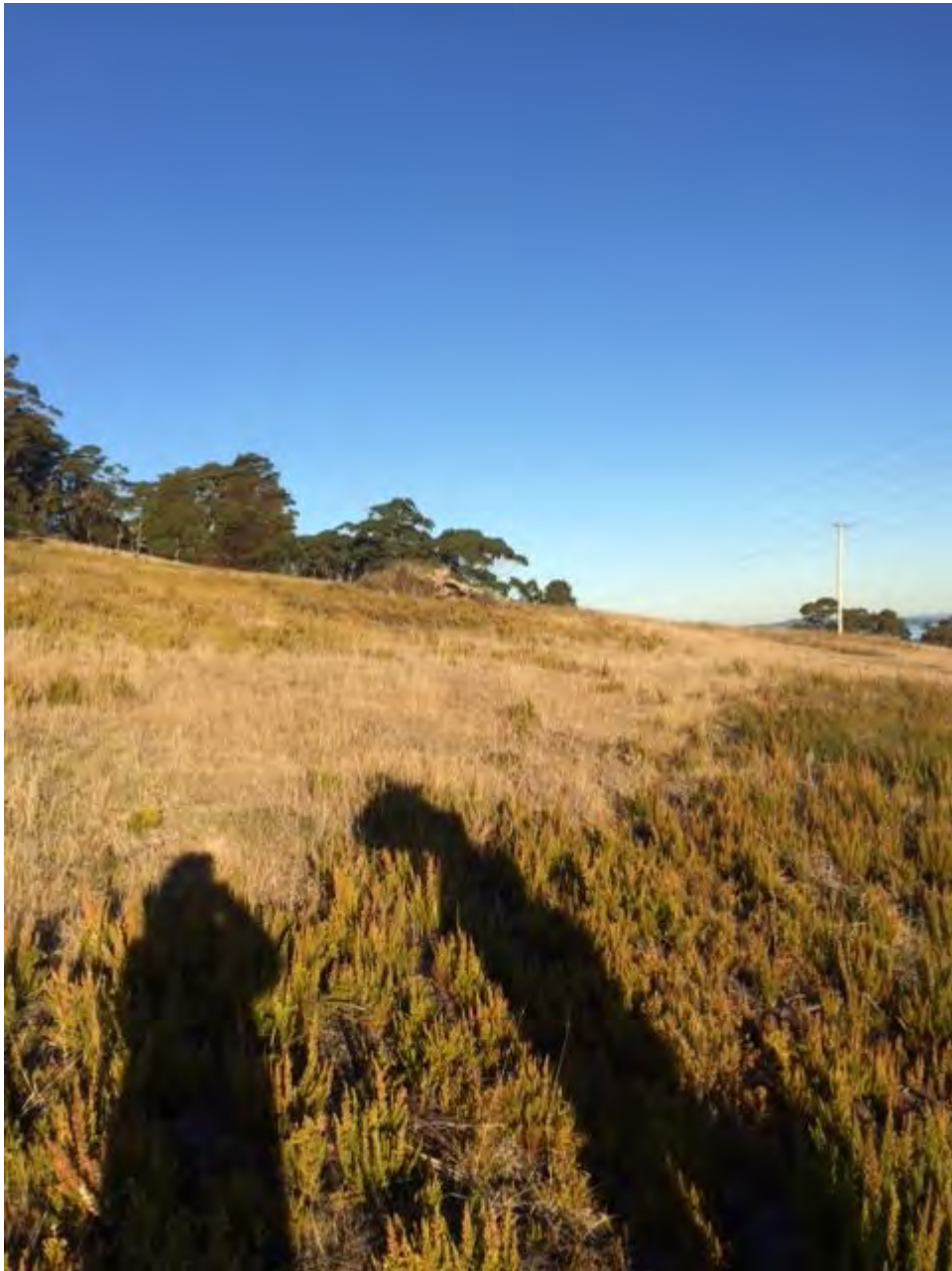
Drawing Title
PLAN OF SUBDIVISION
Client
WESTWOOD PROPERTIES PTY LTD CT 33225 - 1

SCALE
0 50 100 150 200
1:5000 at A3

"THIS DOCUMENT IS, AND SHALL REMAIN, THE PROPERTY OF NOEL LEARY & ASSOCIATES, LAND & ENGINEERING SURVEYORS. THE DOCUMENT MAY ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED AND IN ACCORDANCE WITH THE TERMS OF ENGAGEMENT FOR THE COMMISSION. UNAUTHORISED USE OF THE DOCUMENT IN ANY WAY IS PROHIBITED."

Contour Interval	10 m	FILE REF:	8734
Date	11 / 12 / 15	Geocomp Ref	xxxxxx
SHEET	2 of 2	AutoCAD Ref	xxxxxx
Attachments	150 Houston Drive - Page 4 of 5	DRAWN	NL
		CHKD	NL
		DATUM	Horz: xxxxxx Vert: xxxxxx

150 Houston Drive, CAMBRIDGE



View looking south across the site.

5. 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.

5.1 PROPERTY MATTER – ROSNY PARK

5.2 REPORT – ASSESSMENT OF QUOTATIONS AND CONTRACTS FOR VOLUNTARY AMALGAMATIONS/SHARED SERVICES, SOUTH-EAST COUNCILS FEASIBILITY STUDY

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 that, if disclosed, is likely to prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the council; or reveal a trade secret;
- contracts and tenders for the supply of goods and services;
- proposals to acquire land or an interest in land or for the disposal of land.

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”.