CLARENCE CITY COUNCIL (PLANNING AUTHORITY) MEETING MONDAY 29 FEBRUARY 2016

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

1. APOLOGIES

Nil.

2. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE (File No 10-03-09)

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.

3. REPORTS OF OFFICERS

NB: Requests for Deputations will be finalised on the Friday prior to the Meeting

3.1 DEVELOPMENT APPLICATION D-2015/459 - 170 SUGARLOAF ROAD AND 1 ELAIA DRIVE, RISDON VALE - AGED CARE FACILITY

(File No D-2015/459)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for an Aged Care Facility at 170 Sugarloaf Road and 1 Elaia Drive, Risdon Vale.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential, is subject to the Bushfire Prone Areas, Parking and Access and Stormwater Management Codes, and the Olive Grove Specific Area Plan 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 expires on 10 March 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and no representations were received.

RECOMMENDATION:

- A. That the Development Application for an Aged Care Facility at 170 Sugarloaf Road and 1 Elaia Drive, Risdon Vale (Cl Ref D-2015/459) be approved subject to the following conditions and advice.
 - 1. GEN AP1 ENDORSED PLANS.
 - 2. GEN F5 PART 5 AGREEMENT (BUSHFIRE).
 - 3. The developer of the site is to implement the measures prescribed in the Bushfire Hazard Management Plan prior to the commencement of the use of the site. The operators of the site are to then maintain the prescribed measures for the duration of the use of the site in accordance with the approved permit.
 - 4. Emergency evacuation plans, including designated emergency meeting points, which provide protection to fire fighters and evacuees must be developed and endorsed by a suitably qualified person. These plans must be submitted to Council's Manager City Planning prior to the commencement of the use of the site.

Information to staff, occupants and visitors on bushfire safety and evacuation procedures must also be clearly displayed in publicly accessible areas of the site at all times.

- 5. No works are to commence on-site prior to the creation of the lot as a separate title with completed road access.
- 6. GEN C1 ON-SITE CAR PARKING [28] Delete last sentence.
- 7. GEN V8 BICYCLE STORAGE [16].
- 8. GEN M14 STORAGE AREAS.
- 9. GEN S1 SIGN CONSENT.
- 10. ENG A5 SEALED CAR PARKING.
- 11. ENG S1 INFRASTRUCTURE REPAIR.
- 12. ENG S5 STORMWATER PRINCIPLES.
- 13. ENG S10 UNDERGROUND SERVICES.
- 14. ENG M1 DESIGNS DA.
- 15. ENG M5 EROSION CONTROL.
- 16. ENG R5 ROAD EXTENSION.
- 17. All stormwater run-off from impervious surfaces within the site must be treated and discharged from site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council's Group Manager Asset Management for approval prior to the issue of a building or plumbing permit. This report is to include the maintenance management regime/replacement requirements for the treatment facility.
- 18. Prior to the commencement of the use, the landowner must enter into an agreement with Council under Part 5 of the Land Use Planning and Approvals Act, 1993 in such form as Council may require and which provides for the following:
 - the Maintenance Management Schedule/Regime obligations for the stormwater treatment facility and a requirement to report to Council on an annual basis stating that all maintenance requirements for the facility have been met.

The agreement will be prepared and registered by Council. The landowner is responsible for all Council and Land Titles Office fees and charges. Upon written request from the landowner and payment of relevant fees, Council will prepare the Part 5 Agreement.

- 19. LAND 1A LANDSCAPE PLAN.
- 20. LAND 3 LANDSCAPE BOND (COMMERCIAL).
- 21. LAND 7 WATERING.
- 22. The development must meet all required Conditions of Approval specified by TasWater notice dated 9/11/2015 (TWDA D-2015/459).
- 23. ADVICE 5 FOOD SPECIFICATIONS ADVICE.
- 24. ADVICE 6 FOOD REGISTRATION 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

Previously, a retirement village and aged care facility was approved over a portion of the parent lot at 170 Sugarloaf Road (now 1 Elaia Drive). This development has not progressed beyond site works. The previous approval included an aged care facility with only 78 beds which was incorporated into the cluster of the buildings of a retirement village. A new retirement village is now being considered under separate application for the 1 Elaia Drive site.

2. STATUTORY IMPLICATIONS

- **2.1.** The land is zoned General Residential, is subject to the Bushfire Prone Areas, Parking & Access and Stormwater Management Codes, and the Olive Grove Specific Area Plan 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;
 - Part D General Residential Zone;
 - Part E Bushfire Prone Areas, Parking & Access and Stormwater
 Management Codes; and
 - Part F Olive Grove Specific Area Plan.
- **2.4.** Council's assessment of this proposal should also consider the issues raised in any representations received, the outcomes of the State Policies and the objectives of Schedule 1 of the Land Use Planning and Approvals Act, 1993 (LUPAA).

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a regularly shaped 2.193ha lot which has been approved through SD-2015/49, but has yet to be created. The lot slopes moderately down toward the north-western corner. The site has previously been cleared and has a few trees along the northern boundary, but is otherwise covered in low-lying grasses.

3.2. The Proposal

The proposal is for the construction of a new, 90 bed, aged care facility at 170 Sugarloaf Road, Risdon Vale. The building will have a central hub, with 6 wings radiating out from this at approximately 30° angles to the central hub, as shown on the attachments. Each room will have its own ensuite near the central corridor, and a small, screened deck facing out into the gardens. The central hub includes kitchen facilities, dining rooms, consultant's rooms, library, staff work stations, reception and a number of varying sized lounge and sitting room areas.

The building will all be on one level, with no utilisation of the under croft area for storage or such. The site will be retained with a combination of retaining walls and batter to ensure that all actual development associated with this use is contained on the future lot.

Bushfire management is proposed to extend into the future road reservation and into the adjacent property at 1 Elaia Drive, Risdon Vale.

The building will have a maximum height of 8.09m. It will be setback 4m from the western boundary, 3.6m from the future eastern road boundary, 26m from the northern boundary and 46m from the future southern property boundary. There will be landscaping and gazeebos in the courtyard areas between the wings of the building to provide outdoor recreation space for the residents and staff of the facility.

Parking will be provided at the southern side of the building to accommodate 32 cars, 16 bicycles and 3 motorbikes. This is designed for one way traffic to circulate through the car parking area. There will be landscaping on the central area between the car parking spaces.

The adjacent property at 1 Elaia Drive is included in this application because it is relied upon to achieve compliance with the stormwater code. This is because stormwater detention ponds for the treatment of stormwater from this site are located on 1 Elaia Drive.

The building is over 40m from the nearest dwelling to the north and there is established screening vegetation on that adjacent property, ensuring that there will be no undue impact on existing residential amenity in the area.

Stormwater from the site is to be channelled onto the adjacent property to the west at 1 Elaia Drive and treated in detention ponds on this site in order to satisfy the Stormwater Management Code of the Scheme.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

- "8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by s51(2) of the Act, take into consideration:
 - (a) all applicable standards and requirements in this planning scheme; and
 - (b) any representations received pursuant to and in conformity with ss57(5) of the Act;

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal is a permitted use and meets the Scheme's relevant Acceptable Solutions of the General Residential Zone (which are limited by Clause 10.5.1 A1 to Clauses 10.4.2 A1 and A3; 10.4.3 A1 (a) and (c); and 10.4.7 A1) and Bushfire Prone Areas, Parking & Access and Stormwater Management Codes with the exception of the following.

Bushfire Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E1.5.1.1 A1	Standards for vulnerable uses	No acceptable solution	Aged care facility

- "P1 Vulnerable uses, other than visitor accommodation, must demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site".
- The applicant has submitted that there is no such facility available in the immediate area and that, given the aging population, there is a growing need for such a facility in close proximity to the families of the likely residents.

 Notably, the proposal replaces a previously approved but undeveloped similar facility on the adjacent property.

Bushfire Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E1.5.1.1	Standards for	Vulnerable uses must demonstrate	No emergency evacuation
A2	vulnerable	bushfire protection measures,	plan was submitted with the
	uses	addressing the characteristic,	application
		nature and scale of the vulnerable	
		use, the characteristics of its	
		occupants and the bushfire-prone	
		vegetation, which are	
		incorporated into a bushfire	
		hazard management plan, certified	
		by an accredited person or the	
		TFS, that any risks associated	
		with the use are tolerable, and that	
		the plan provides for:	
		(a) emergency evacuation plans.	
		including designated	
		emergency meeting points,	
		which provide protection to	
		fire fighters and evacuees; and	
		(b) information to staff, occupants	
		and visitors on bushfire safety	
		and evacuation procedures	

There are no performance criteria for this standard, which means that the acceptable solution must be met.

No emergency evacuation plan was submitted with the application as the applicant contested that this was not necessary at this stage of the development and would be developed with the operator of the site at the time the use is to commence.

As such, it is necessary to include a condition in the permit requiring an emergency evacuation plan be provided prior to the commencement of the use.

Clause	Standard	Acceptable Solution (Extract)	Proposed
E7.7.1	Stormwater	A stormwater system for a new	Stormwater from the site is
A2	Drainage and	development must incorporate	proposed to be channelled
	Disposal	water sensitive urban design	onto the adjacent property,
		principles R1 for the treatment	where it will be held in
		and disposal of stormwater if any	detention ponds prior to
		of the following apply:	entering the Council's
		(a) the size of new impervious	stormwater Main.
		area is more than 600m ² ;	
		(b) new car parking is provided	
		for more than 6 cars;	

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

- "P2 A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so".
- Council engineers have assessed the proposal and found that, through the use of detention areas on the adjacent property at 1 Elaia Drive, there is sufficient capacity in the stormwater system to cope with the additional loading created by the development of the site.

5. EXTERNAL REFERRALS

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

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

7.1. There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy, including Council's Positive Ageing Plan, the development in fact is supported by both of these policy documents.

7.2. Developer contributions are not required to comply with any Council policies.

8. CONCLUSION

The proposal is for an aged care facility with capacity for 90 beds at 170 Sugarloaf Road, Risdon Vale, which relies upon 1 Elaia Drive, Risdon Vale for stormwater management. It meets the relevant Scheme requirements, and is therefore recommended for conditional approval.

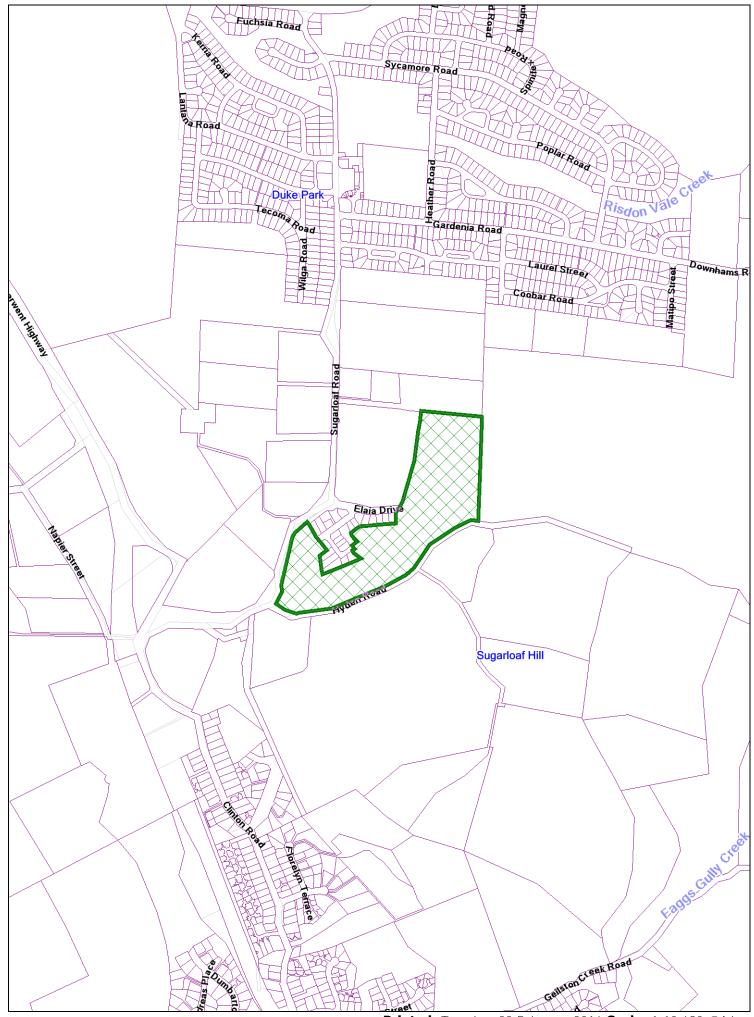
Attachments: 1. Location Plan (1)

2. Proposal Plan (6)

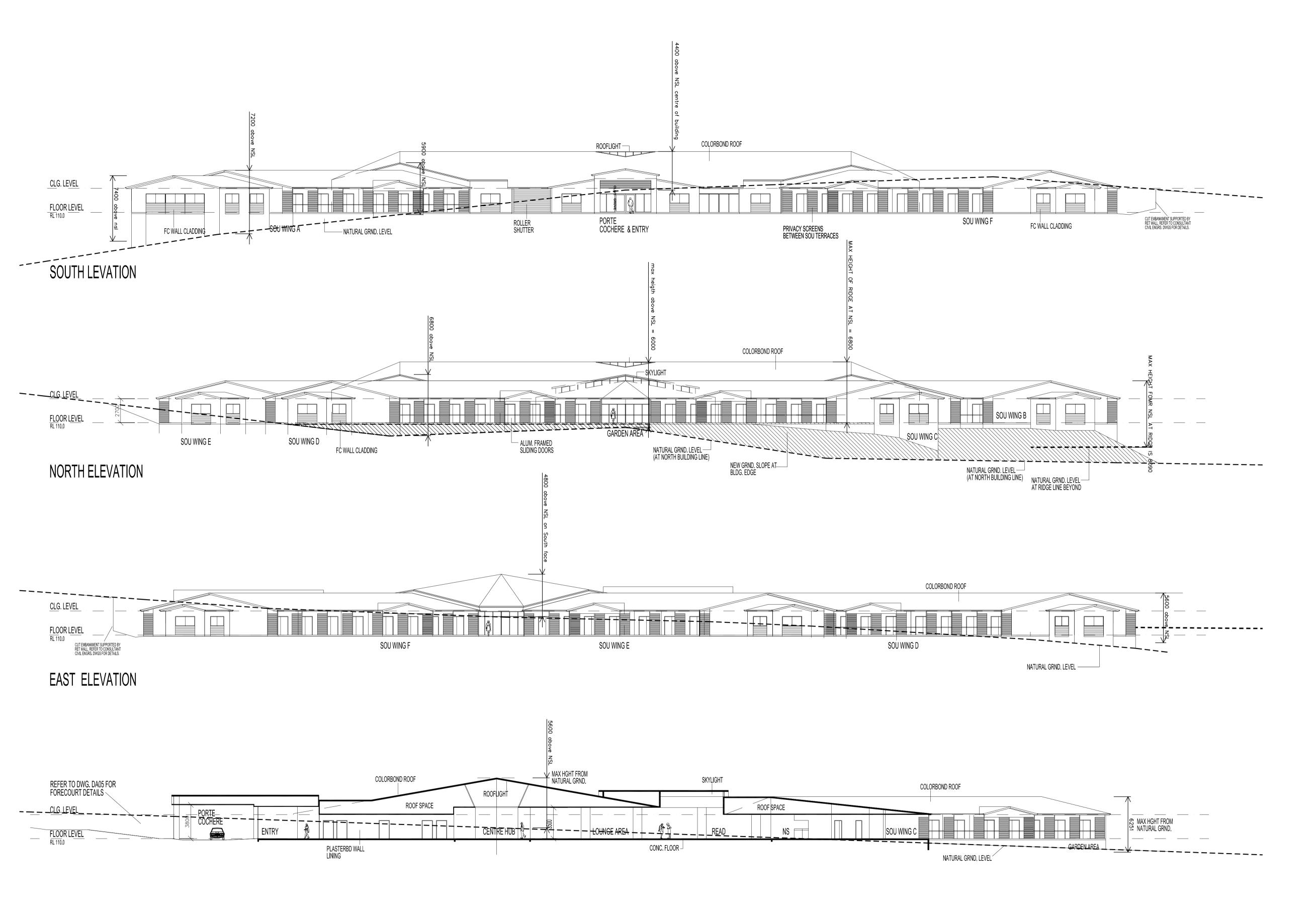
3. Site Photo (1)

Bruce Gibbs

ACTING MANAGER CITY PLANNING



Printed: Tuesday, 23 February 2016 Scale: 1:10,690 @A4



PROPOSED RISDON VALE 90 BED AGED CARE FACILITY - OLIVE GROVE

PRELIMINARY PRINT

P1 21.01.15 ISSUE FOR APPROVAL REV DATE REMARK

SAFETY IN DESIGN REPORT

In accordance with the Workplace Health & Safety Acts and Regulations JMG have considered the potential hazards and risks that are specific to this design.

The following risks which are unique to this design have been identified:

This report does not relieve contractors from their responsibilities under the Act to identify report, mitigate and manage all aspects of risk and safety.



Ingineers & Planners

Johnstone McGee & Gandy Pty. Ltd.

incorporating **Dale P Luck & Associates**ACN 009 547 139 ABN 76 473 834 852

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PROJECT

SUGARLOAF ROAD REDEVELOPMENT

BUILDING ELEVATIONS

Accepted (Discipline Head)		Date
Accepted R. BESSE (Team Leader)	ELL	Date
Approved R. BESSE (Group Manager)	ELL	Date
This document must be signature accept no liability w	gned "Approved" by JMG t hatsoever for unauthorise	
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SCALES @ A2 DESIGNED BY DRAWN BY

RB KJH

1:100 PLOT DATE 21/01/2016

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PLOT DETAILS J153071 JMG ELEVATIONS.DWG

ROJECT NO.

J153071PH

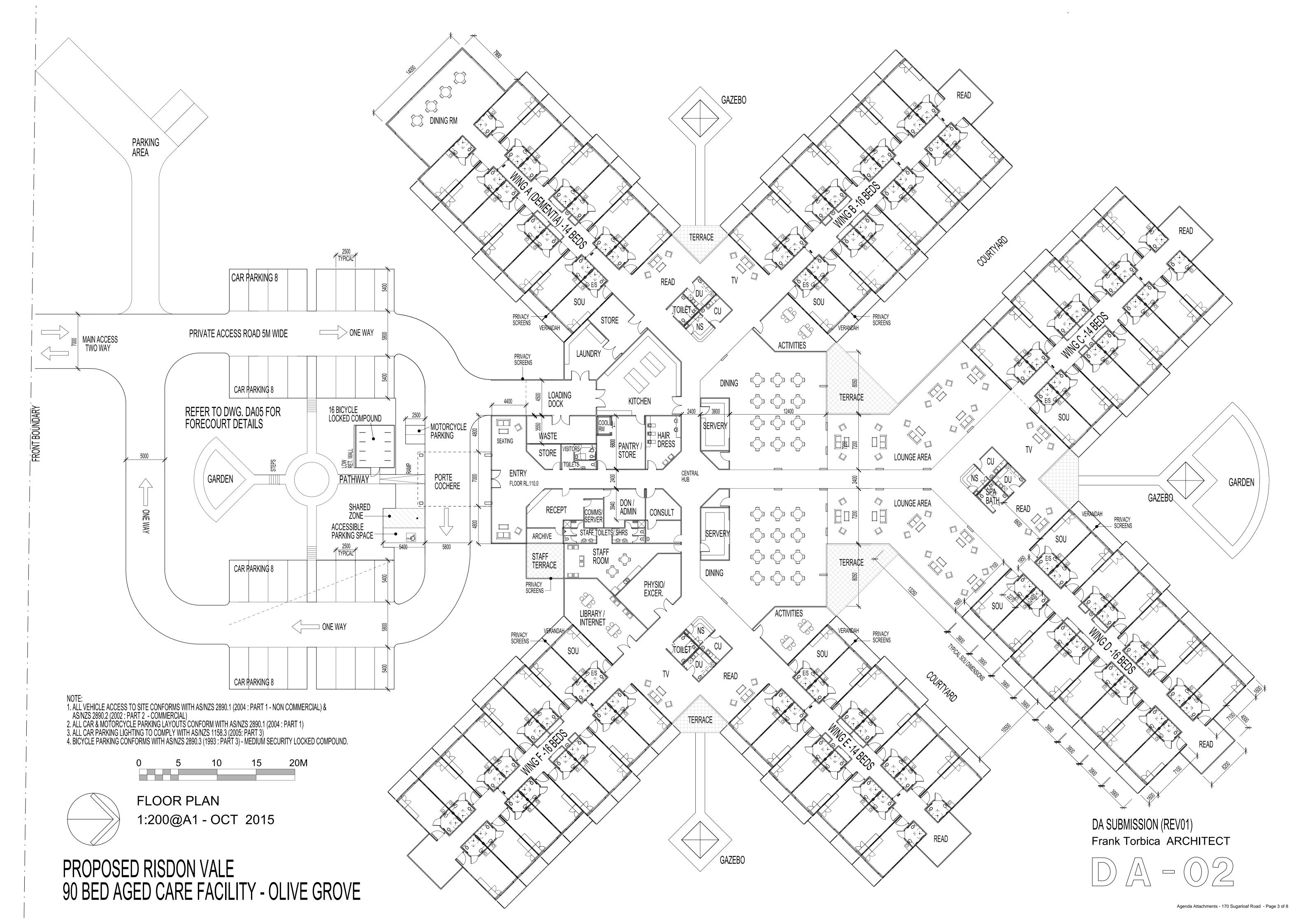
P04

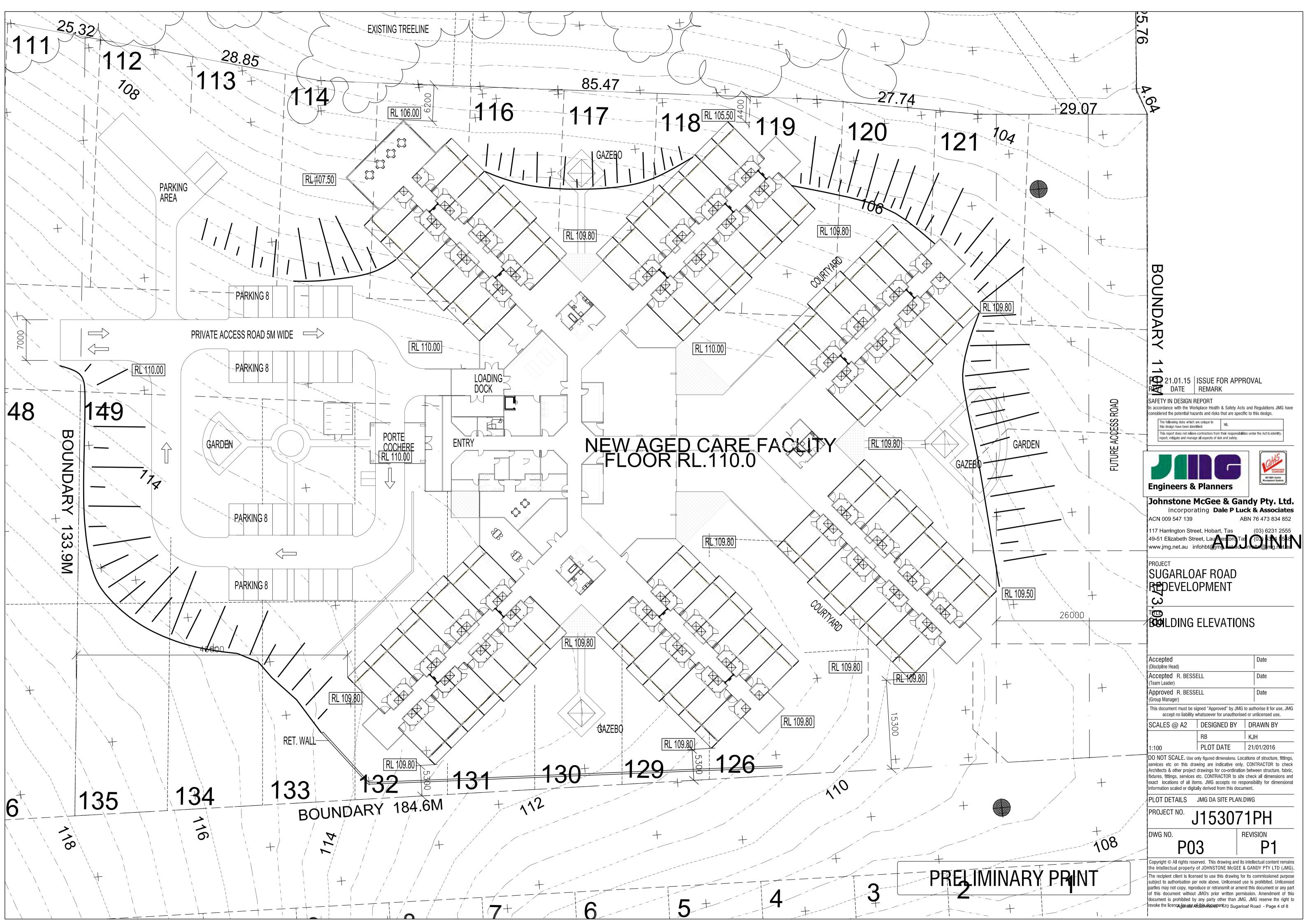
REVISION P1

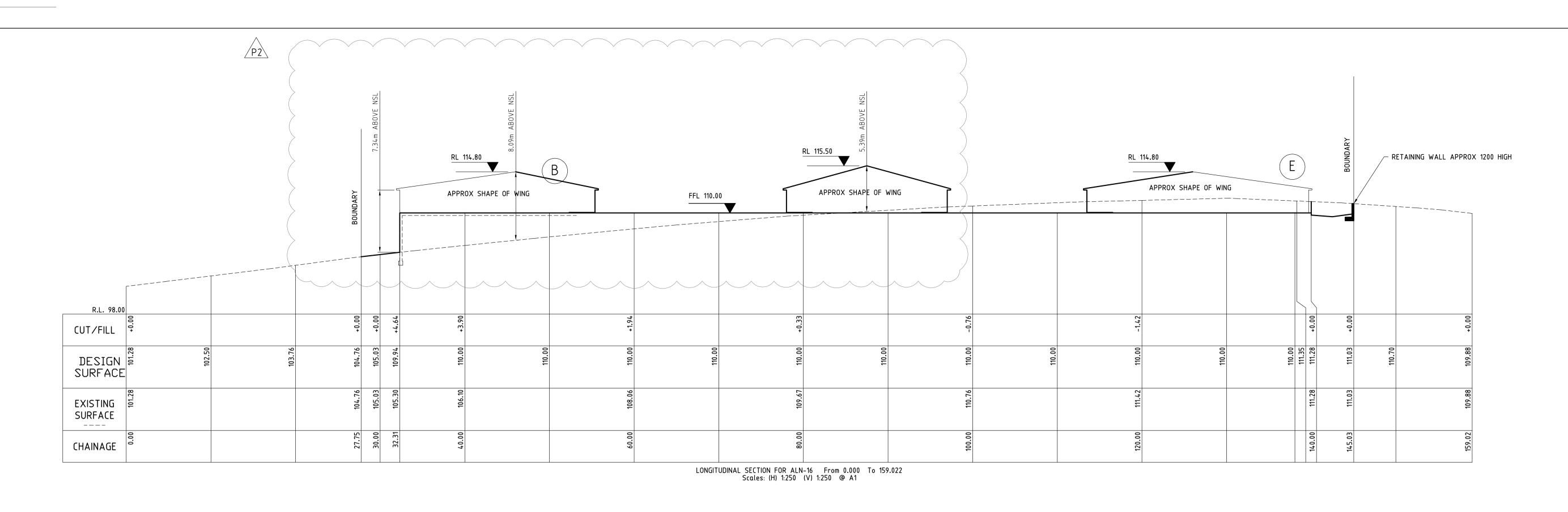
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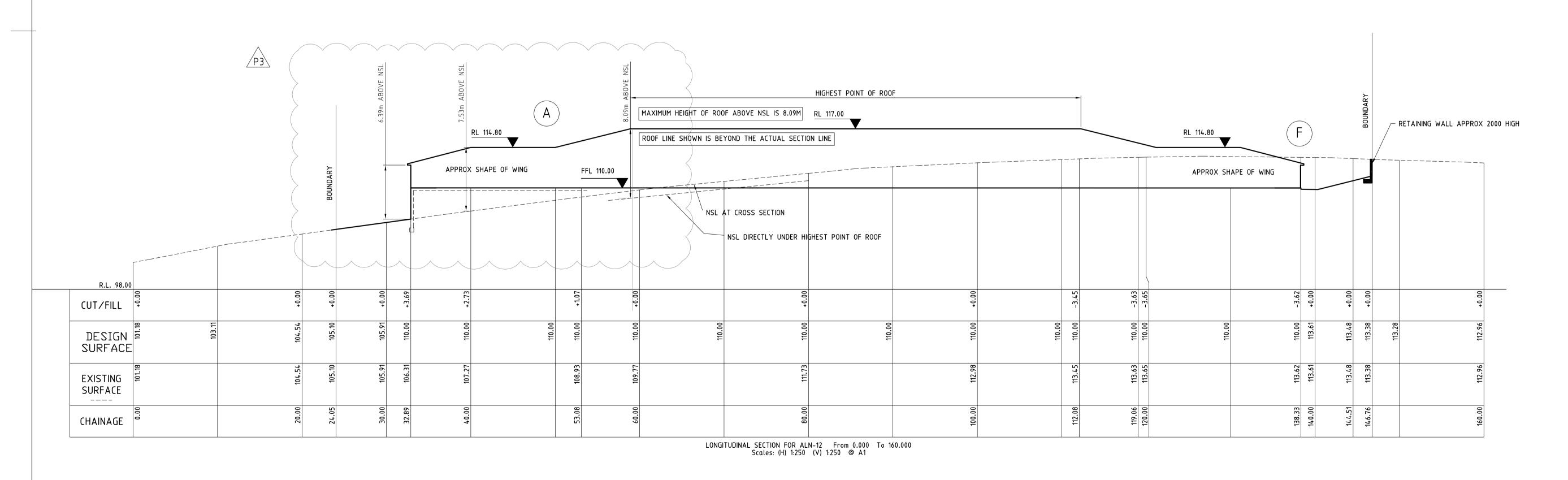
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CALE P01

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PRELIMINARY PRINT

P3 21.01.16 CLARIFICATION OF ROOF HEIGHT
P2 05.01.15 HEIGHTS ADDED
P1 PRELIMINARY - FOR COMMENT
REV DATE REMARK

SAFETY IN DESIGN REPORT
In accordance with the Workplace Health & Safety Acts and Regulations JMG have considered the potential hazards and risks that are specific to this design.

The following risks which are unique to

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This report does not relieve contractors from their responsibilities under the Act to Identify, report, miligate and manage all aspects of risk and safety.

Engineers & Planners

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ABN 76 473 834 852

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SUGARLOAF ROAD DEVELOPMENT

TITLE

LONGITUDINAL SECTION

Accepted G. ATHERTON (Discipline Head)

Accepted T. O'CONNER (Team Leader)

Approved R. BESSELL (Group Manager)

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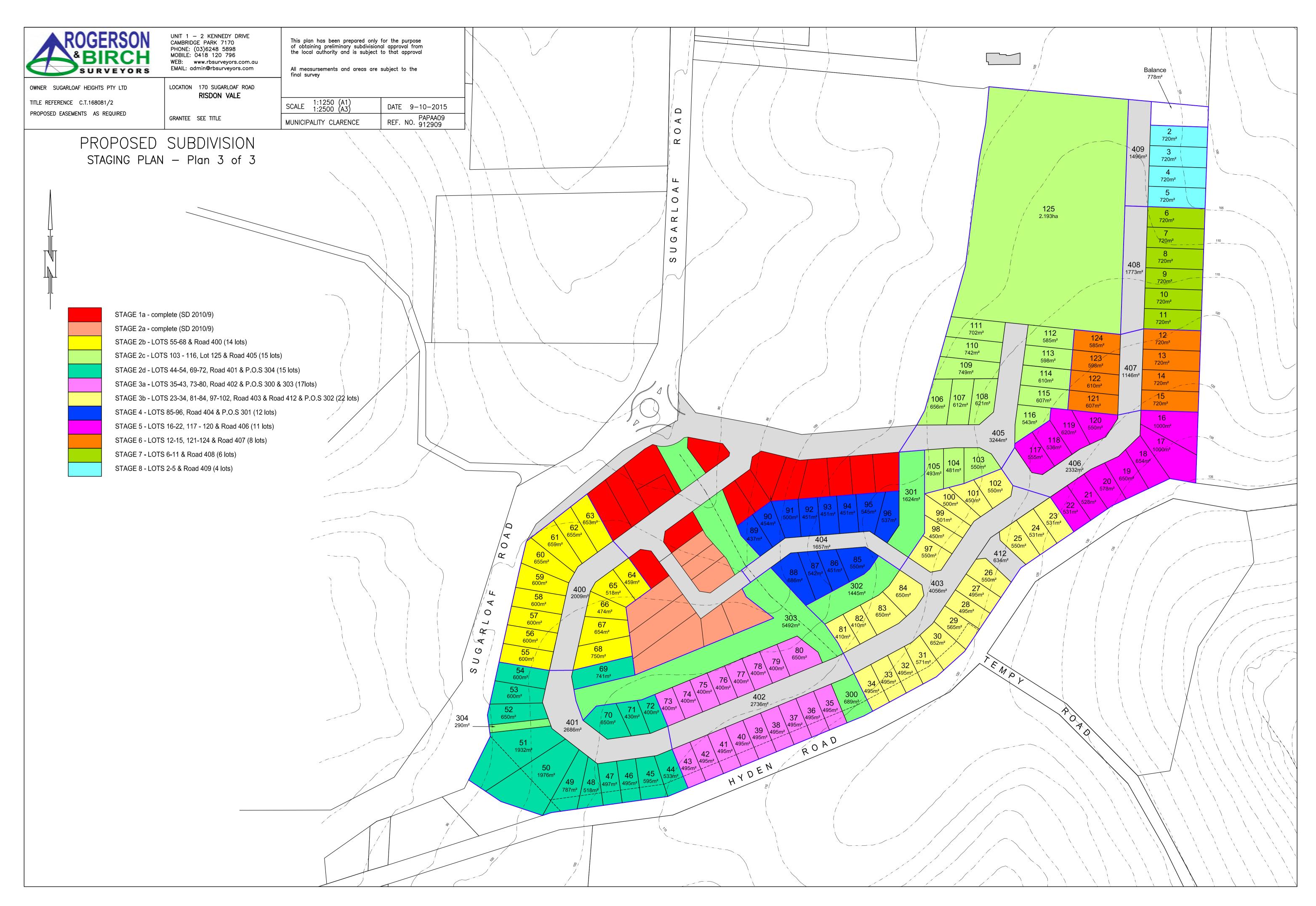
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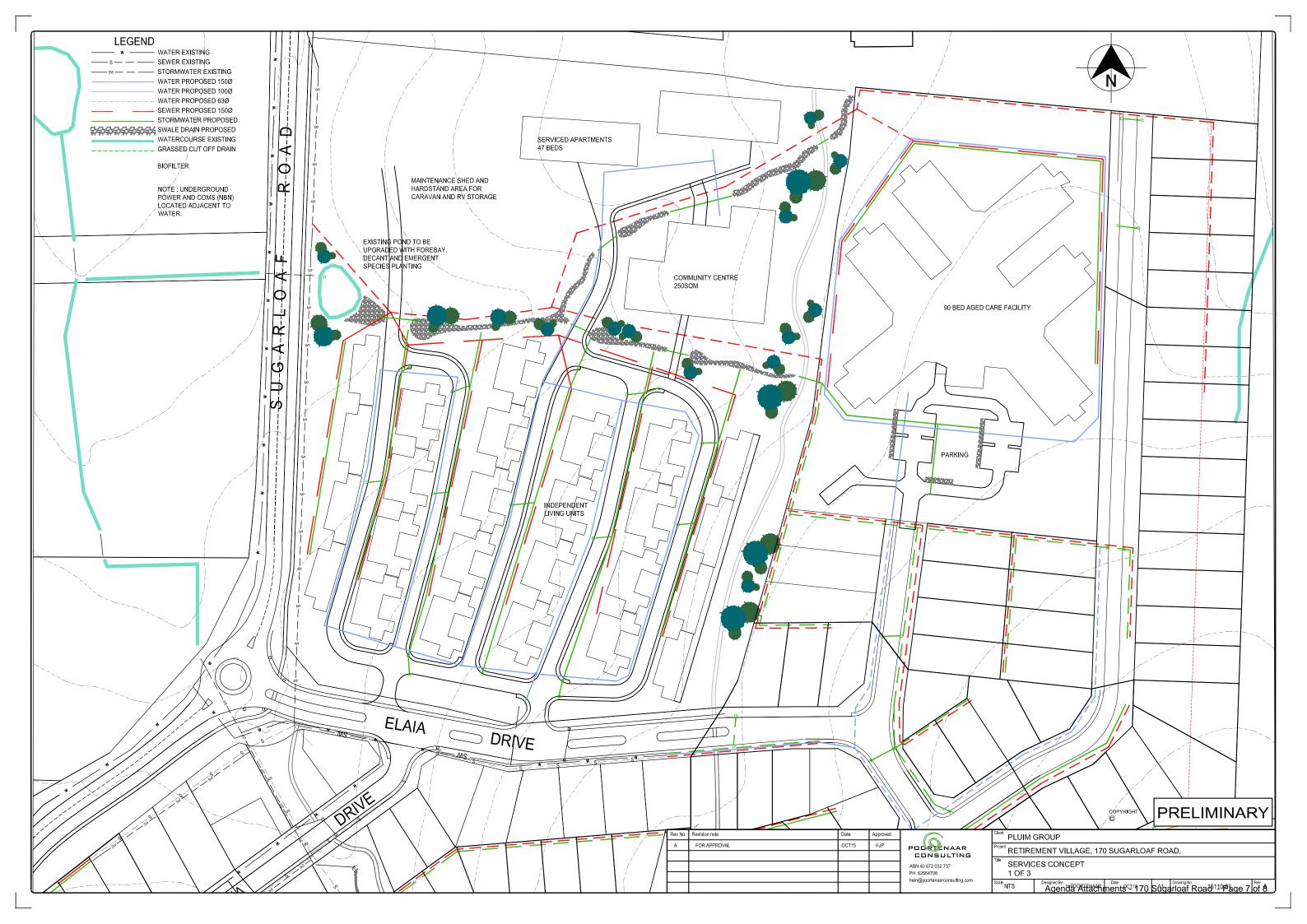
PROJECT NO. J153071PH

DWG NO.

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REVISION





170 Sugarloaf Road & 1 Elaia Drive, RISDON VALE



Site viewed from future lot access (new road to be created off Elaia Drive, Risdon Vale)

3.2 DEVELOPMENT APPLICATION D-2015/532 - 1 ELAIA DRIVE, RISDON VALE - RETIREMENT VILLAGE

(File No D-2015/532)

EXECUTIVE SUMMARY

PURPOSE

The purpose of this report is to consider the application made for a Retirement Village at 1 Elaia Drive, Risdon Vale.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential, is subject to the Bushfire Prone Areas and Parking & Access codes, and the Olive Grove Specific Area Plan 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 expires on 17 March 2016.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and no representations were received.

RECOMMENDATION:

- A. That the Development Application for Retirement Village at 1 Elaia Drive, Risdon Vale (Cl Ref D-2015/532) be approved subject to the following conditions and advice.
 - 1. GEN AP1 ENDORSED PLANS.
 - 2. GEN AP3 AMENDED PLANS
 - [• clarifying the number of dwellings proposed for the site. An updated site plan showing the correct unit numbers, identifying a total of 82 dwellings for the proposal.
 - an amended site plan, including no less than 10 car parking spaces adjacent to the eastern side of the community building;
 - the southern side of all decks with a finished floor level greater than 1m above natural ground level must be screened to a height of 1.6m with a transparency no greater than 25%].

- 3. The "community centre" is approved as part of the retirement village use of the site. As such, it must be available for use by residents at all times and is not to be made available for use or hire by non-residents of the village.
- 4. GEN F5 PART 5 AGREEMENT (BUSHFIRE).
- 5. The developer of the site is to implement the measures prescribed in the bushfire hazard management plan prior to the commencement of the use of the site. The operators of the site are to then maintain the prescribed measures for the duration of the use of the site in accordance with the approved permit.
- 6. Emergency evacuation plans including designated emergency meeting points, which provide protection to fire fighters and evacuees must be developed and endorsed by a suitably qualified person. These plans must be submitted to Council's Manager City Planning prior to the commencement of the use of the site.

Information to staff, occupants and visitors on bushfire safety and evacuation procedures must also be clearly displayed in publicly accessible areas of the site at all times.

- 7. GEN C1 ON-SITE CAR PARKING [113] delete last 2 sentences. Add: "A minimum of 92 of these must be provided as per Conditions 1 and 2, with the balance able to be provided informally throughout the site" after the first sentence.
- 8. GEN M14 STORAGE AREAS.
- 9. GEN S1 SIGN CONSENT.
- 10. LAND 1A LANDSCAPE PLAN [add dot points as follows:
 - landscaping of the "future reserve" and "20m wide reserve", consistent with any bushfire management that may be required for the site, must be included in the landscape plan;
 - rehabilitation and landscaping of the excavated area at the northern end of the Sugarloaf Road frontage is to be included in the landscape plan.
- 11. LAND 3 LANDSCAPE BOND (COMMERCIAL).
- 12. LAND 7 WATERING.
- 13. ENG A5 SEALED CAR PARKING.
- 14. ENS S1 –INFRASTRUCTURE REPAIR.
- 15. ENG S5 STORMWATER PRINCIPLES.

16. ENG S10 – UNDERGROUND SERVICES

- 17. ENG M1 DESIGNS DA. After "Such designs must be" add "compliant with all current Council By-Laws and adopted standards. These designs, together with the safety in design report".
- 18. All stormwater run-off from impervious surfaces within the site must be treated and discharged from site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions (or the MUSIC model) must be submitted to Council's Group Manager Asset Management for approval prior to the issue of a building or plumbing permit. This report is to include the maintenance management regime/replacement requirements for the treatment facility.
- 19. Prior to the commencement of the use, the landowner must enter into an agreement with Council under Part 5 of the Land Use Planning and Approvals Act, 1993 in such form as Council may require and which provides for the Maintenance Management Schedule/Regime obligations for the stormwater treatment facility and a requirement to report to Council on an annual basis stating that all maintenance requirements for the facility have been met.

The agreement will be prepared and registered by Council. The landowner is responsible for all Council and Land Titles Office fees and charges. Upon written request from the landowner and payment of relevant fees, Council will prepare the Part 5 Agreement.

- 20. The development must meet all required Conditions of Approval specified by TasWater notice dated 16/02/2016 (TWDA 2015/01937-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

DEVELOPMENT APPLICATION D-2015/532 - 1 ELAIA DRIVE, RISDON VALE - RETIREMENT VILLAGE /contd...

ASSOCIATED REPORT

1. BACKGROUND

Previously, a 176 dwelling Retirement Village and a 78 bed Aged Care Facility were approved, under permit D-2009/76, over a portion of the parent lot at 170 Sugarloaf Road (now 1 Elaia Drive). This development has not progressed beyond site works. The previous approval included an aged care facility which was incorporated into the cluster of the buildings of a retirement village. A new aged care facility is now being considered through D-2015/459 on the parent property at 170 Sugarloaf Road, on a future lot adjacent and to the east of this application site.

2. STATUTORY IMPLICATIONS

- **2.1.** The land is zoned General Residential, is subject to the Bushfire Prone Areas Parking & Access and Stormwater Management codes, and the Olive Grove Specific Area Plan 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;
 - Part D General Residential Zone;
 - Part E Bushfire Prone Areas, Parking & Access and Stormwater
 Management Codes; and
 - Part F Olive Grove Specific Area Plan.

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 generally regularly shaped 5.969ha lot on the eastern side of Sugarloaf Road, north of the corner of Elaia Drive and Sugarloaf Road, Risdon Vale. The land slopes moderately down toward a gully near the centre of the site which runs down to the western boundary. There are a number of trees remaining to the north of the gully and as such to the north of the area to be developed (predominantly to the south of the gully).

There has been some benching of the site in accordance with the previous approval, D-2009/76, which will need to be ameliorated in places where development is no longer proposed, to minimise the visual impacts. This will include grading to achieve a more natural finish. Landscaping and/or replacement plantings will also be required in such areas of the site.

3.2. The Proposal

The proposal is for the construction of 82 independent living, retirement village dwellings, a community centre and an associated maintenance shed at 1 Elaia Drive, Risdon Vale.

The dwellings will be constructed in 6 co-joined rows, with between 6 and 20 units per row. The 2 outside rows will be single storey with hipped roofs. The middle 4 rows will be 2 storeys with skillion roofs and completely separate residences above and below (as shown in the 3D rendering provided in the attachments).

The community centre will be a large open space, with the capacity to split it into 2 sections through the use of folding doors. There will be an office, small kitchen and some toilets along the southern end of the building, with storage on the southern end of the eastern side of the building.

Additionally, a 12m x 12m maintenance shed is proposed in the north-western corner of the site. This shed will be shaped like a "Quaker barn", with a significantly higher central section than the sides.

Stormwater from the site will be channelled to a detention area near the centre of the western, Sugarloaf Road, boundary.

The application was submitted with supporting documentation, including a Traffic Impact Assessment, which demonstrated that the road network is capable of supporting the proposed development with the access to public roads and on-site manoeuvring as shown on the advertised plans.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

- "8.10.1 In determining an application for any permit the planning authority must, in addition to the matters required by s51(2) of the Act, take into consideration:
 - (a) all applicable standards and requirements in this planning scheme; and
 - (b) any representations received pursuant to and in conformity with ss57(5) of the Act;

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme's relevant Acceptable Solutions of the General Residential Zone and the Bushfire Prone Areas and Parking & Access Codes with the exception of the following.

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A3	Setbacks and building envelope for all dwellings	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: (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: (ii) projecting a line at an angle of 45° 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;	The dwellings labelled 39 and 40 on the site plan are proposed to have a maximum building height of 8.93m above natural ground level (a variation of up to 0.43m).

- "P3 The siting and scale of a dwelling must:
- (a) not cause unreasonable loss of amenity by:
 - (i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or
 - (ii) overshadowing the private open space of a dwelling on an adjoining lot; or
 - (iii) overshadowing of an adjoining vacant lot; or
 - (iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and
- (b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area".
- 0.43m is a relatively minor variation and is limited to a relatively small portion of the site.
- The dwellings which exceed the maximum permissible height of the building envelope are centrally located in the development, so will not have an adverse impact on any properties external to the development site in terms of overshadowing or loss of privacy.

- Due to the scale of the development, and their location within the development, the height of the buildings will not have a significant visual impact on surrounding properties, with them blending into the overall development of the site.
- As the property is a corner lot, with a 22m setback to the eastern side boundary and 38m from the nearest building, but in excess of 100m from the dwellings to the northern boundary, there is ample separation between the buildings on the site and those on adjacent properties to maintain consistency with the surrounds.

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.3	Site coverage	A dwelling must have an area of	Dwellings1-6, 41-48, and
A2	and private	private open space that:	the lower level dwellings
	open space for	(a) is in one location and is at least:	do not have outdoor space
	all dwellings	(i) 24m ² ;	which meets this standard.
		(b) has a minimum horizontal	
		dimension of:	The upper level
		(i) 4m;	dwellings, shown in
		(c) is directly accessible from, and	locations 7-40 all have
		adjacent to, a habitable room	decks which meet the
		(other than a bedroom); and	acceptable solution.
		(e) is located between the dwelling	
		and the frontage, only if the	Therefore, discretion is
		frontage is orientated between	sought for 48 of the 82
		30° west of north and 30° east of	dwellings.
		north, excluding any dwelling	
		located behind another on the	
		same site; and	
		(f) has a gradient not steeper than 1	
		in 10.	

- "P2 A dwelling must have private open space that:
- (a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is:
 - (i) conveniently located in relation to a living area of the dwelling; and
 - (ii) orientated to take advantage of sunlight".

- All of the proposed dwellings will have an outdoor area dedicated for the use of the occupants. These will comprise a small access deck which can act as an extension to the living room, as well as some outdoor area for the ground level and single storey residences.
- These outdoor areas will receive some sunlight in the mornings and afternoons, with limited or no direct sunlight through the middle of the day.
- Given that this development is a retirement village, the number of people residing in each dwelling and the mobility of its inhabitants is likely to be less than a typical Multiple Dwelling. For this reason the need for private open space is likely to be less than that specified for a typical dwelling. As such, it is considered that the proposed outdoor areas are sufficient for the future residents in terms of need and maintenance.

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.4 A1	Sunlight and overshadowin	A dwelling must have at least one habitable room (other than a	Only 4 dwellings on the northern end of the upper
	g for all dwellings	bedroom) in which there is a window that faces between 30° west of north and 30° east of north.	level satisfy this standard. No other dwellings on the site have north facing living rooms.

- "P1 A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom)".
- All dwellings have been designed and located on-site to ensure that
 they will receive sunlight to habitable rooms in the mornings and the
 afternoons, providing sufficient sunlight to enter the dwellings.

Standard	Acceptable Solution (Extract)	Proposed
Privacy for all dwellings	A balcony, deck, roof terrace, parking space, or carport (whether	All upper level dwellings, shown on the site plan as
	freestanding or part of the	7-40, have side by side
	G. 1	deck areas for private
		open space which have no
		screening provided between them.
	•	between them.
	finished surface or floor level, with	
	a uniform transparency of no more	
	than 25%, along the sides facing a:	
	(c) dwelling on the same site,	
	_	
	•	
	· ·	
	•	
	Privacy for all	Privacy for all dwellings A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a:

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

- "P1 A balcony, deck, roof terrace, parking space or carport (whether freestanding or part of the dwelling) that has a finished surface or floor level more than 1m above natural ground level, must be screened, or otherwise designed, to minimise overlooking of:
- (a) a dwelling on an adjoining lot or its private open space; or
- (b) another dwelling on the same site or its private open space; or
- (c) an adjoining vacant residential lot".

Nothing has been done to achieve the performance criteria. Accordingly, it is considered appropriate to require screening to the southern side of all decks with a finished floor level of greater than 1m above natural ground level. This screen should be 1.8m high and have a maximum transparency of 25%.

If this is provided, there is no need for screening of the northern side of the adjacent decks, as privacy will be achieved. This will also provide increased opportunity for sunlight to enter these decks as the screen will be setback to allow more sunlight to penetrate.

Bushfire Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E1.5.1.1 A1	Standards for vulnerable	No acceptable solution.	Aged care facility.
	uses		

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

"P1 - Vulnerable uses, other than visitor accommodation, must demonstrate that they are of an overriding benefit to the community and that there is no suitable alternative site".

The proposal replaces a previously approved but undeveloped facility on this site. As such, the matter of need for the development has been previously established.

Bushfire Prone Areas Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E1.5.1.1 A2	Standards for vulnerable uses	Vulnerable uses must demonstrate bushfire protection measures, addressing the characteristic, nature and scale of the vulnerable use, the characteristics of its occupants and the bushfire-prone vegetation, which are incorporated into a bushfire hazard management plan, certified by an accredited person or the TFS, that any risks associated with the use are tolerable, and that the plan provides for: (a) emergency evacuation plans. including designated emergency meeting points, which provide protection to fire fighters and evacuees; and (b) information to staff, occupants and visitors on bushfire safety and evacuation procedures.	No emergency evacuation plan was submitted with the application.

There are no performance criteria for this standard, which means that the acceptable solution must be met.

No emergency evacuation plan was submitted with the application as the applicant contested that this was not necessary at this stage of the development and would be developed with the operator of the site at the time the use was to commence.

As such, it is necessary to include a condition in the permit requiring an emergency evacuation plan, endorsed by a suitably qualified person, be provided prior to the commencement of the use.

Parking and Loading

Clause	Standard	Acceptable Solution (Extract)	Proposed
E6.7.1	Number of Vehicular Accesses	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.	Two accesses are proposed to Elaia Drive.

- "P1 The number of vehicle access points for each road frontage must be minimised, having regard to all of the following:
- (a) access points must be positioned to minimise the loss of onstreet parking and provide, where possible, whole car parking spaces between access points;
- (b) whether the additional access points can be provided without compromising any of the following:
 - (i) pedestrian safety, amenity and convenience;
 - (ii) traffic safety;
 - (iii) residential amenity on adjoining land;
 - (iv) streetscape;
 - (v) cultural heritage values if the site is subject to the Local Historic Heritage Code;
 - (vi) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity".

Given the size of the frontage, it is considered appropriate to have a second access. This is because, given the General Residential zoning, it is possible for there to be many more driveways along the same expanse of road were it not for the intended use of the lot. There will be ample on-street parking available and the additional driveway will not impact upon any cultural, heritage, pedestrian and vehicle safety, or streetscape values for the site or surrounds.

Parking and Loading

Clause	Standard	Acceptable Solution (Extract)	Proposed
E6.6.1 A1	Number of car parking spaces	The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1.	82 parking spaces are provided, one for each dwelling as an attached carport.
		Table E6.1 requires 1 space per dwelling, plus 1 visitor space for every 4 dwellings.	The applicant proposes that the remainder of the required spaces be provided 'on-street' or as
		Therefore, 82 spaces are required for the dwellings, with a further 21 spaces required for visitors to the site.	jockey parking at the residences.
		Therefore, a total of 113 spaces are required.	

- "P1 The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:
- (a) car parking demand;
- (b) the availability of on-street and public car parking in the locality;
- (c) the availability and frequency of public transport within a 400m walking distance of the site;
- (d) the availability and likely use of other modes of transport;
- (e) the availability and suitability of alternative arrangements for car parking provision".

The applicant has proposed that jockey parking and parking in the internal road network will provide for the deficit in car parking spaces provided onsite. As the spaces are to be shared by all visitors to the site, and not all residences have the capacity for jockey parking, it is not appropriate to provide them as jockey car parking in the driveways of the individual residences where they can be accommodated.

Further, the internal road network does not have sufficient width for parking directly outside the residences without it impacting the manoeuvring of vehicles on-site. As such, this is also not a desirable outcome.

Notwithstanding this, the variation can be supported for the following reasons.

- There is sufficient space at the ends of the internal roads for the parking of 11-12 vehicles, which is considered appropriate to allow visitors to park near the residences and walk up or down the internal roads.
- Given the likely need for a community bus to service the resident's needs, as well as the decreased demand for multiple vehicles per dwelling in such environments, the reduction in formal car parking for the site is considered appropriate.

However, this leaves a deficit of 10 vehicle spaces. Given the use of the community building and the likely need for visitors such as doctors, hairdressers, caterers and the like to park vehicles for prolonged periods in its vicinity, it is considered appropriate to condition that the deficit spaces be provided adjacent to the driveway servicing the building.

Stormwater	Management	Code
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Clause	Standard	Acceptable Solution (Extract)	Proposed
E7.7.1 A2	Stormwater Drainage and Disposal	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: (a) the size of new impervious area is more than 600m ² ; (b) new car parking is provided for more than 6 cars;	Stormwater from the site is proposed to be channelled into detention ponds prior to entering the Council's stormwater Main.

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

"P2 - A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so".

Council engineers have assessed the proposal and found that, through the use of detention areas on-site, there is sufficient capacity in the stormwater system to cope with the additional loading created by the development of the site.

5. EXTERNAL REFERRALS

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

6. STATE POLICIES AND ACT OBJECTIVES

- **6.1.** The proposal is consistent with the outcomes of the State Policies.
- **6.2.** The proposal is consistent with the objectives of Schedule 1 of LUPAA.

7. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

- **7.1.** There are no inconsistencies with Council's adopted Strategic Plan 2010-2015 or any other relevant Council Policy.
- **7.2.** No developer contributions are required to comply with any Council policies.

8. CONCLUSION

The proposal is for the development of an 82 dwelling retirement village, with community building and storage shed, at 1 Elaia Drive, Risdon Vale. The proposal meets all of the relevant requirements of the Planning Scheme and as such is recommended for conditional approval as detailed above.

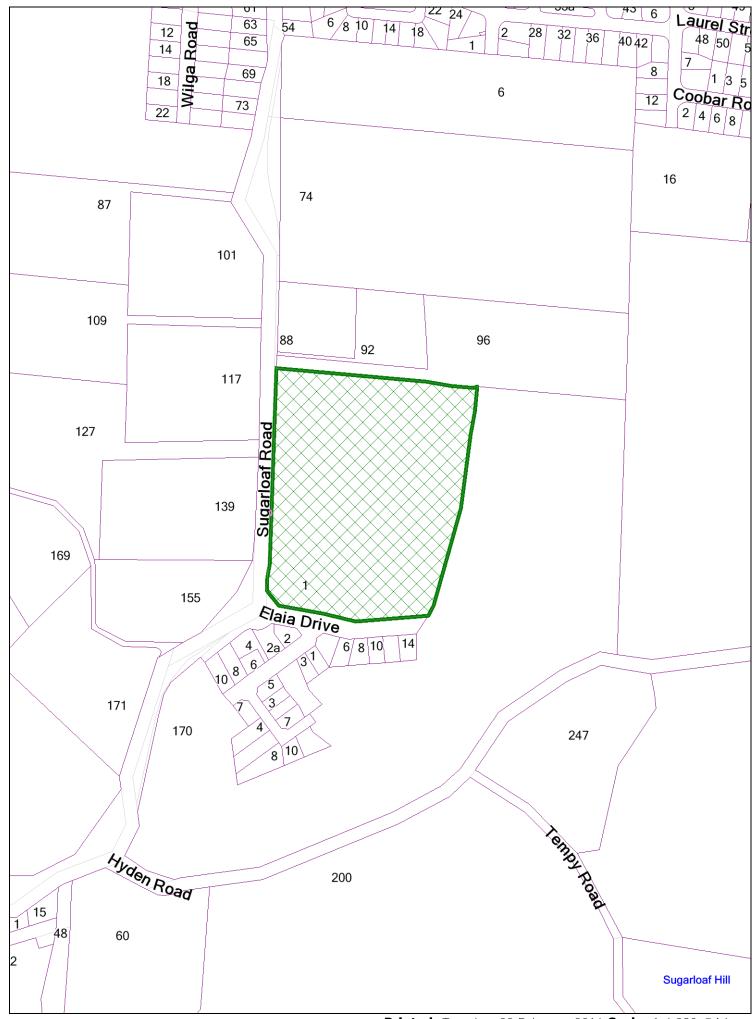
Attachments: 1. Location Plan (1)

2. Proposal Plan (19)

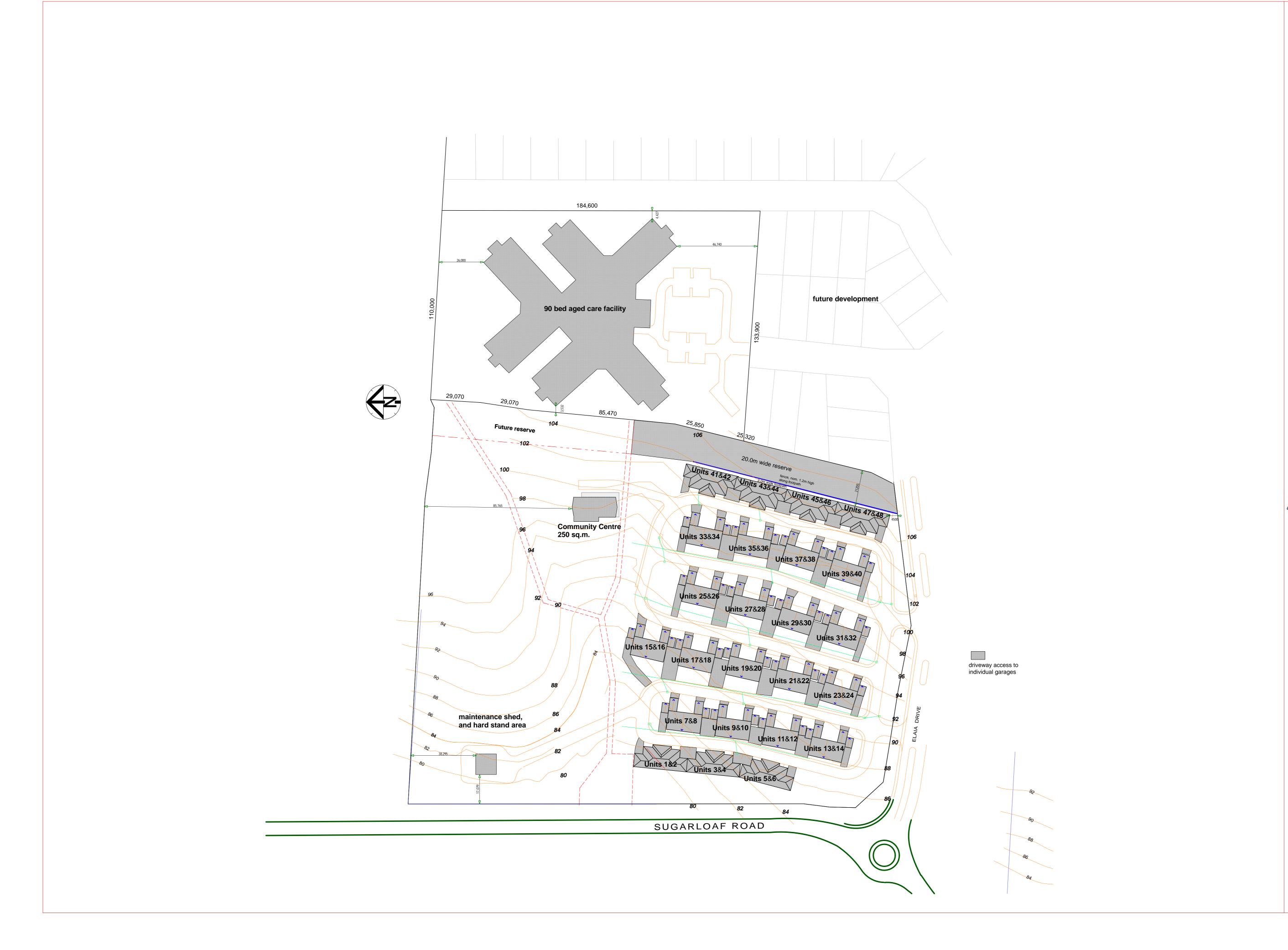
3. Site Photo (1)

Bruce Gibbs

ACTING MANAGER CITY PLANNING



Printed: Tuesday, 23 February 2016 Scale: 1:4,390 @A4



Phillip Stary
Acc. No. CC1035 T

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Ph 0419 363 489
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Project Title

Retirement Village
170 Sugarloaf Rd.
RISDON VALE

Cilent

Pluim Group

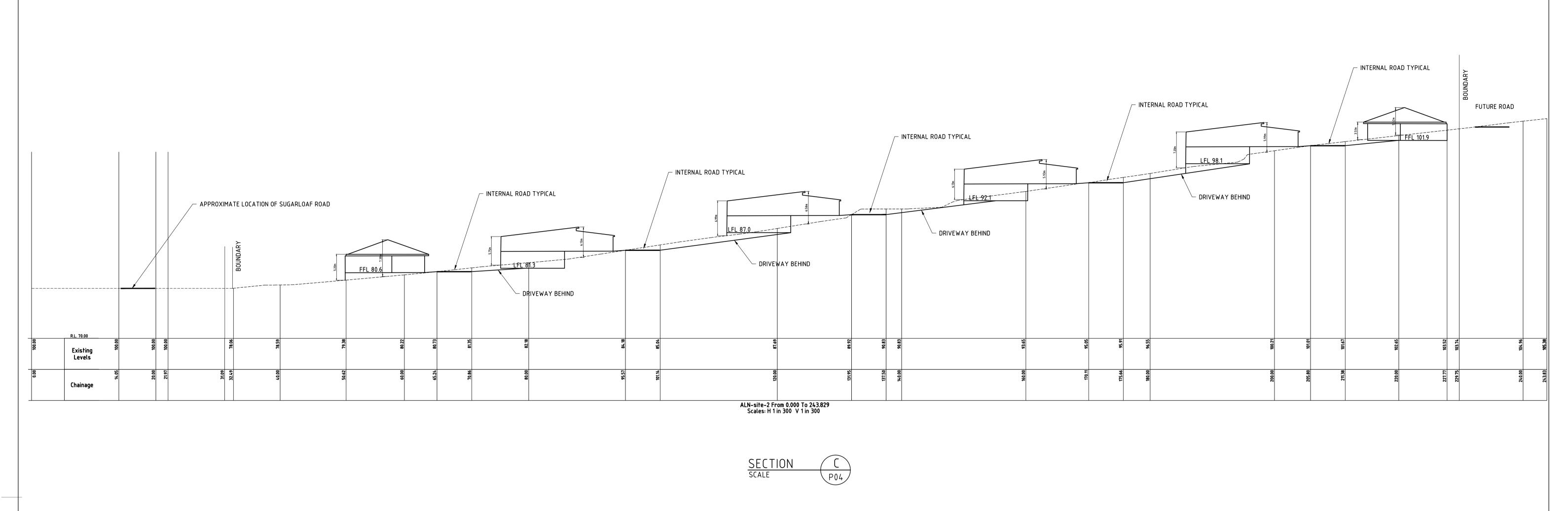
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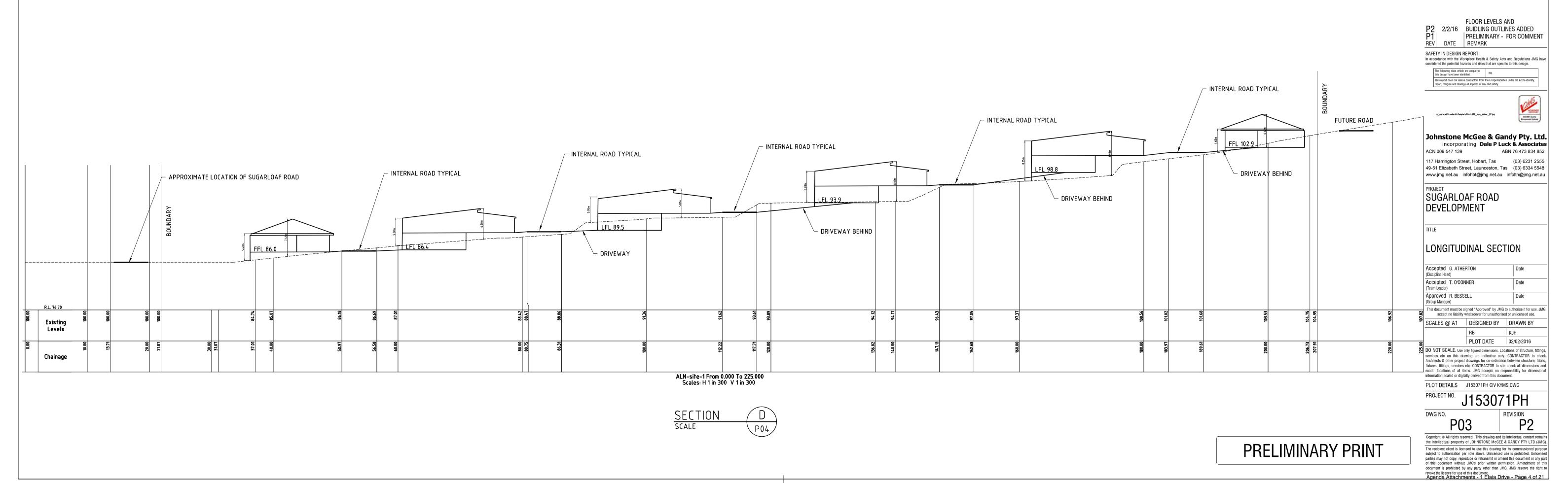
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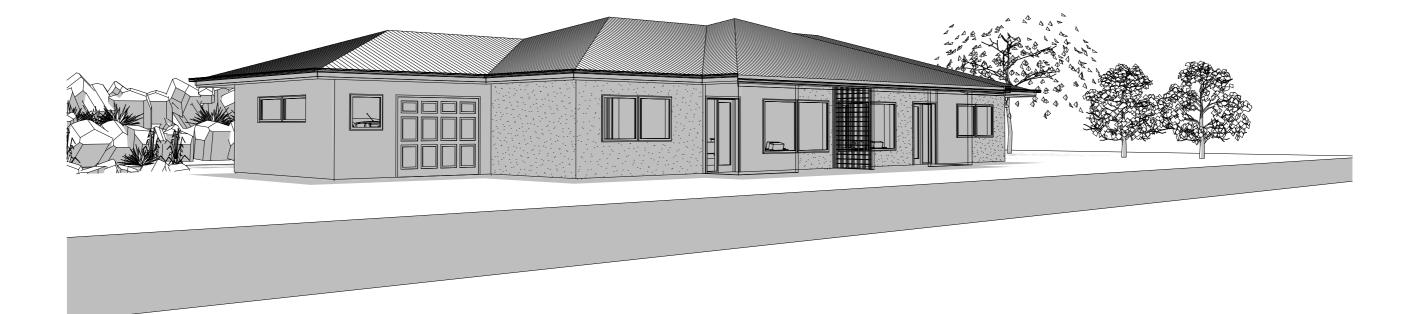
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Revision









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Layout ID	Layout Name	Revision	Issued
	Cover Sheet		
A.01	Ground Floor		
A.02	Elevations S&W		
A.03	Elevations N&E		

Revision		Date
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Retirement Village T1P 170 Sugarloaf Road Risdon Vale

Client
Pluim Group

Phillip Stary

Architect

ph. 0419 363 489

ph 0419 363 489 email:architect@netspace.net.au 11 Glover Drive Sandy Bay 7005

Drawing Title	Drawn	Checked
Cover Sheet	Scale 1:100 @ A	13
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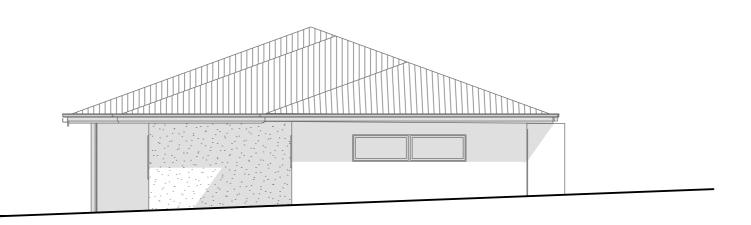
East Elevation \triangle

WOLLOW SON CONSTRUCTION Drawing Title Checked **Phillip Stary** Retirement Village T1P 170 Sugarloaf Road **Ground Floor** 1:100 @ A3 SEPTEMBER 2009 TYPE 1 Risdon Vale 1518 GENERAL NOTES

DO NOT SCALE DRAWINGS

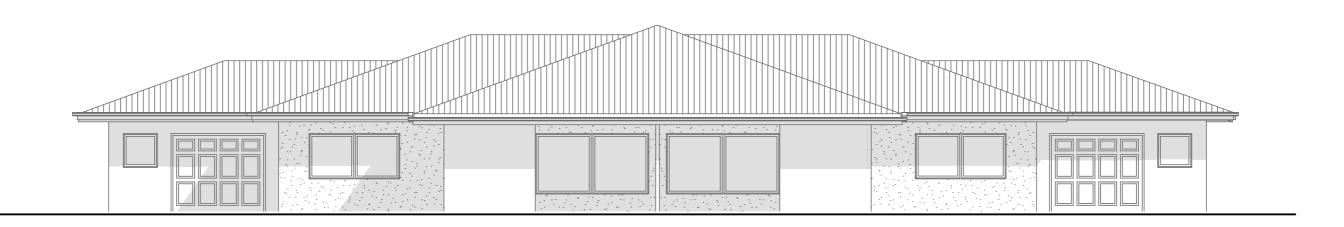
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North Elevation



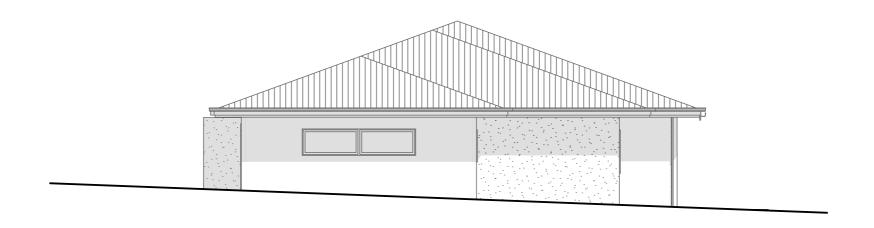
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South Elevation

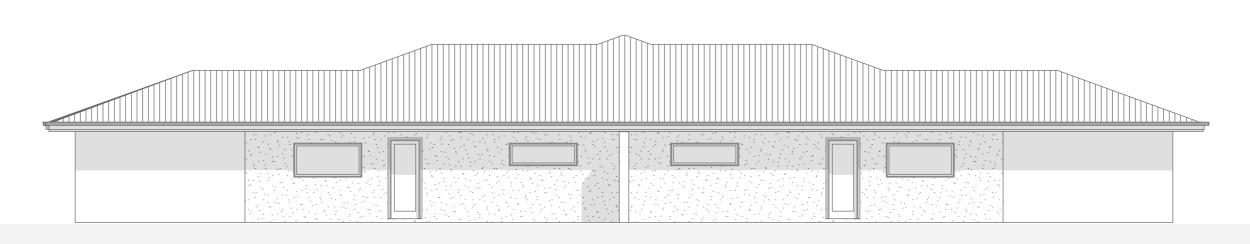


3 West Elevation Scale 1:100

Revision		Date	Project Title	Phillip Stary	Drawing Title	Drawn	Checked
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North Elevation Scale 1:100



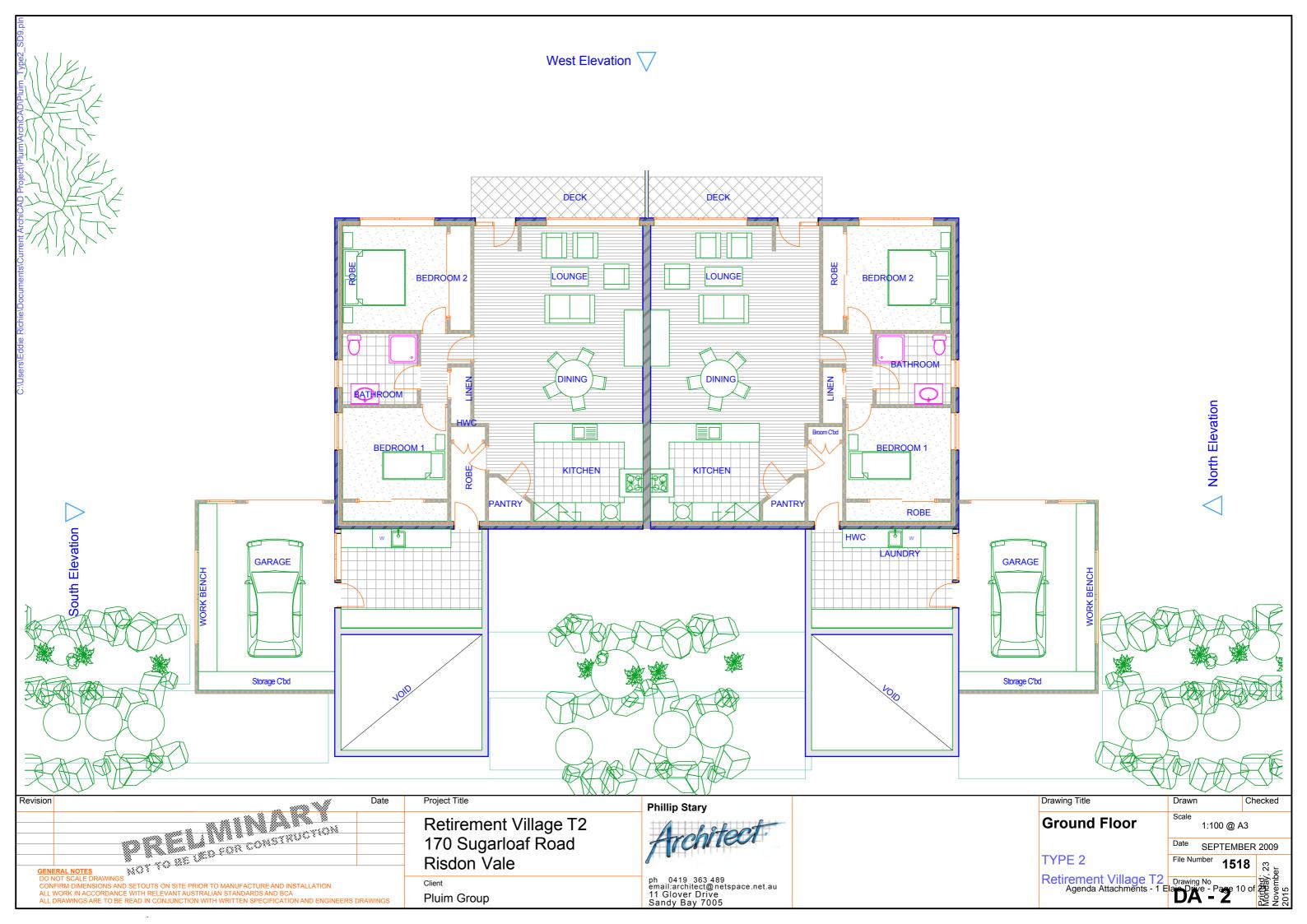
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Sheet Index			
Layout ID	Layout Name	Revision	Issued
	Cover Sheet		
A.01	Ground Floor		
A.02	Upper Level		
A.03	Elevations S&W		
A 04	Flevations N&F		

Revision	Date	Project Title	Phillip Stary	Drawing Title	Drawn	Checked
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EXTERNAL FINISHES

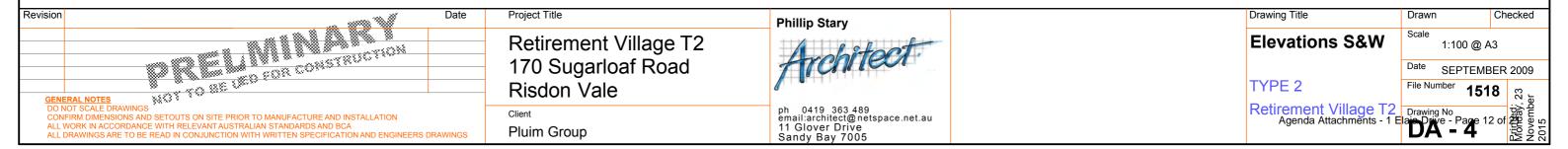
Rendered masonry to lower levels, with combination of rendered panels or horizontal weather boards to upper levels.

Roofs to be corrugated colourbond.

South Elevation Scale 1:100



3 West Elevation Scale 1:100





North Elevation Scale 1:100

EXTERNAL FINISHES

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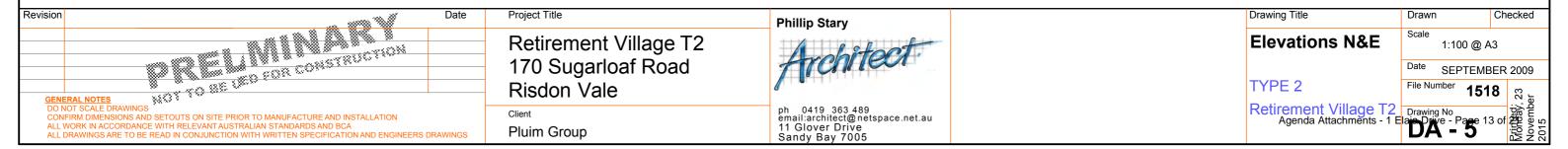
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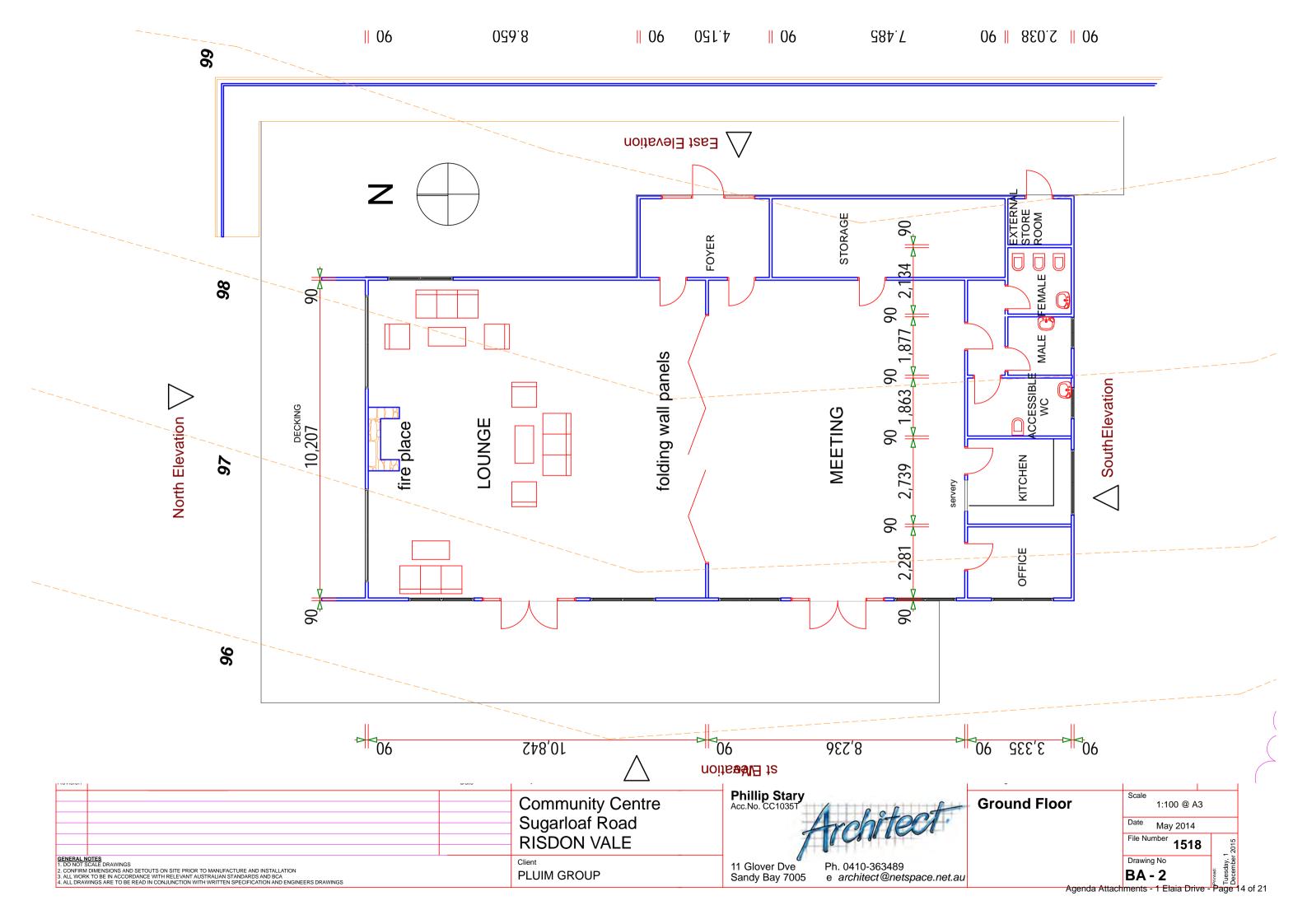
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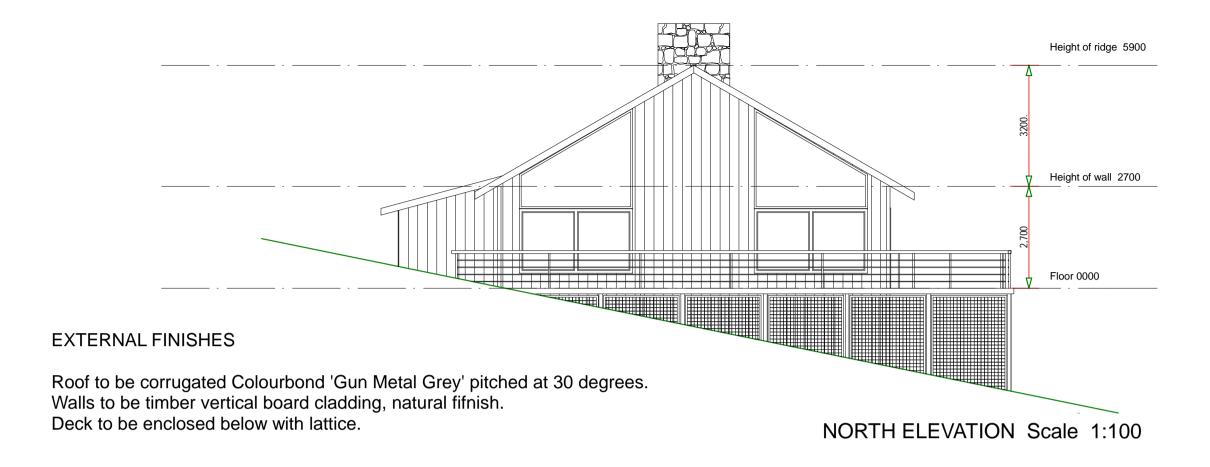
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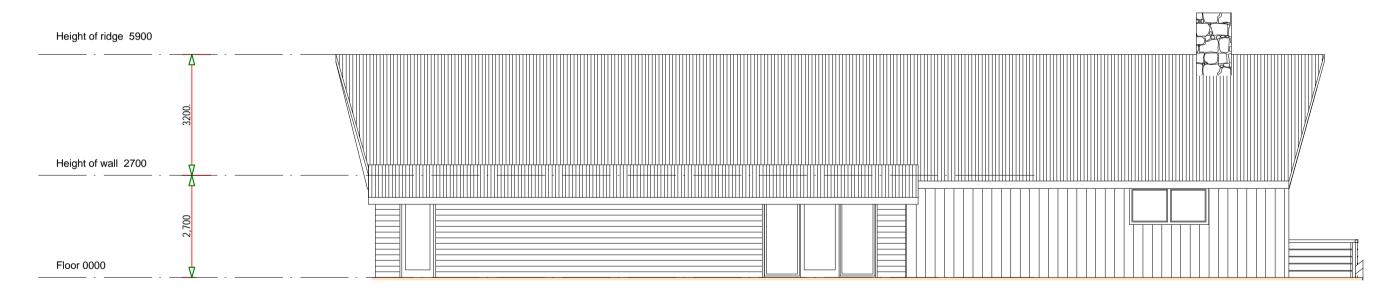
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East Elevation Scale 1:100



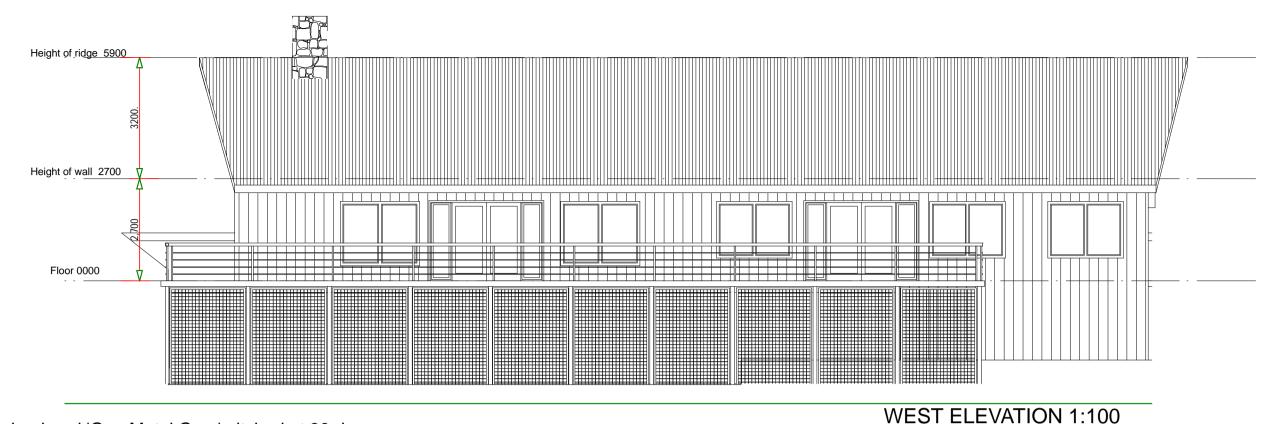






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Revision	Date	Project Title		Drawing Title	Drawn	Checked
		Community Centre	Phillip Stary Acc.No. CC1035T	Elevations	Scale 1:100 @ A	/ 3
		Sugarloaf Road RISDON VALE	Architect		Date May 2014 File Number 151	
GENERAL NOTES 1. DO NOT SCALE DRAWINGS 2. CONFIRM DIMENSIONS AND SETOUTS ON SITE PRIOR TO MANUFACTURE AND INSTALLATION 3. ALL WORK TO BE IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AND BE OF READ IN CONJUNCTION WITH WRITTEN SPECIFICATION AND ENGINEERS DRAWINGS 4. ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH WRITTEN SPECIFICATION AND ENGINEERS DRAWINGS		Client PLUIM GROUP	11 Glover Dve Ph. 0410-363489 Sandy Bay 7005 e architect@netspace.net.au		Drawing No BA - 3 chments - 1 Elaia Dri	rinted: Fuesday, 1 December 2

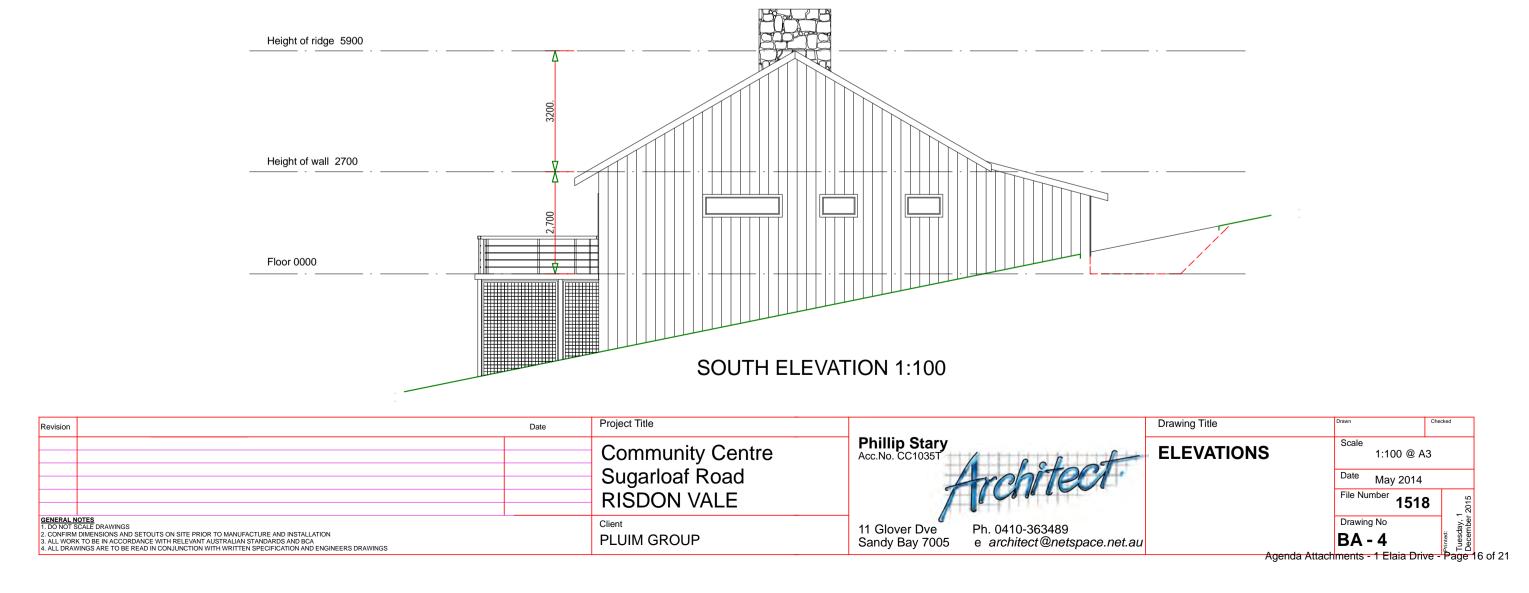


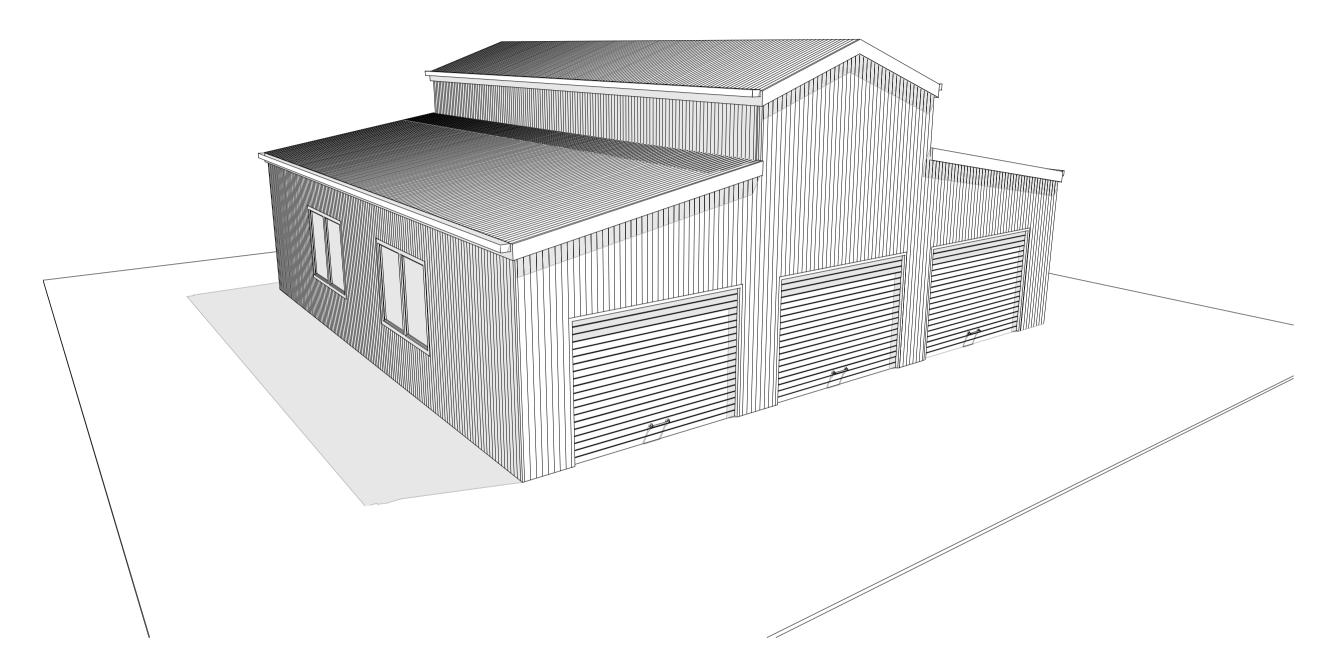
Roof to be corrugated Colourbond 'Gun Metal Grey' pitched at 30 degrees.

Walls to be timber vertical board cladding, natural fifnish.

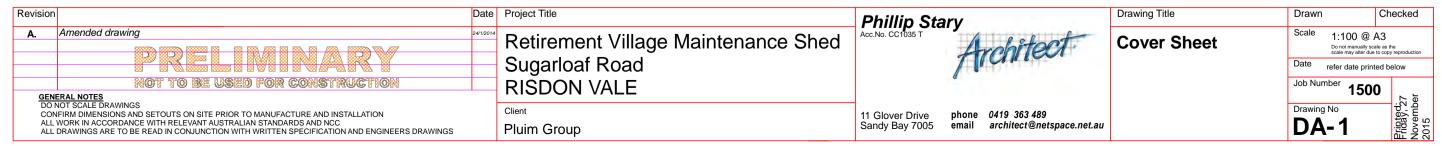
Deck to be enclosed below with lattice.

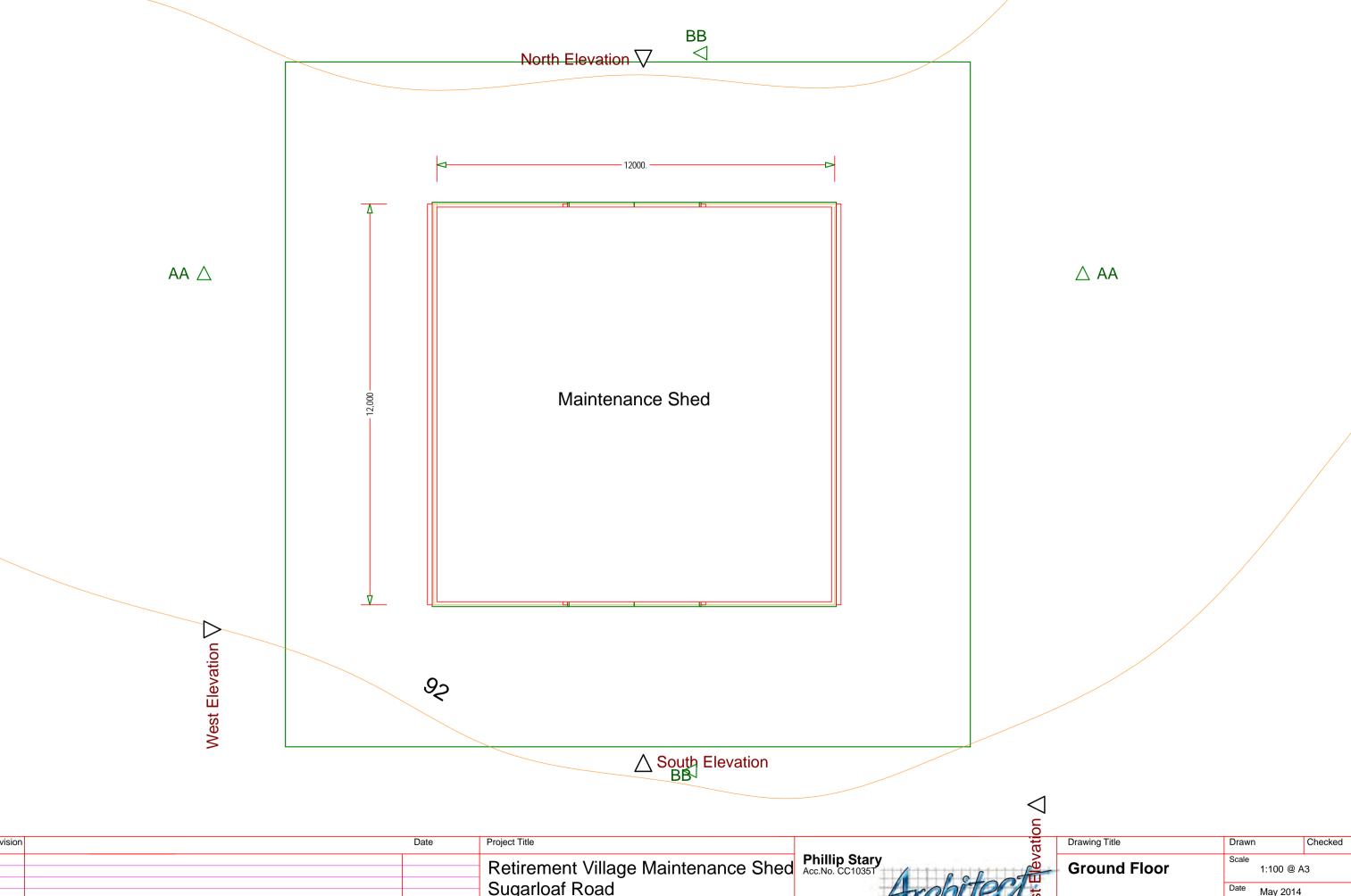
EXTERNAL FINISHES



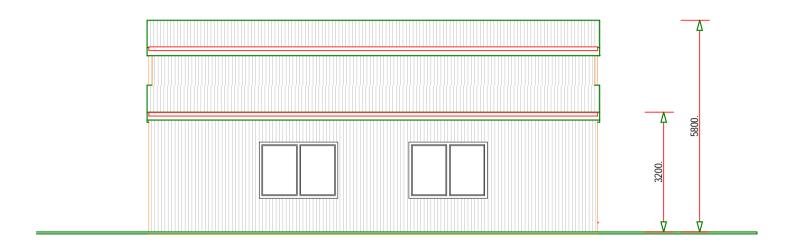


1 3D View 1:25





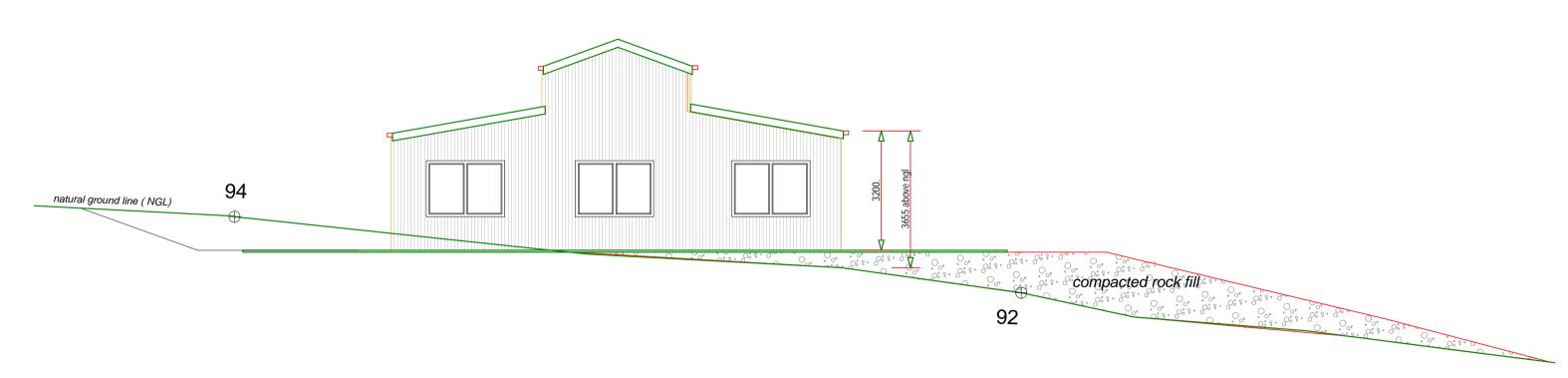
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			Retirement Village Maintenance Shed	Phillip Stary Acc.No. CC1035T		Ground Floor	Scale 1:100	@ A3
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NOTE

All external walls and roofing to be corrugated colourbond cladding, 'Pale Eucalypt' colour

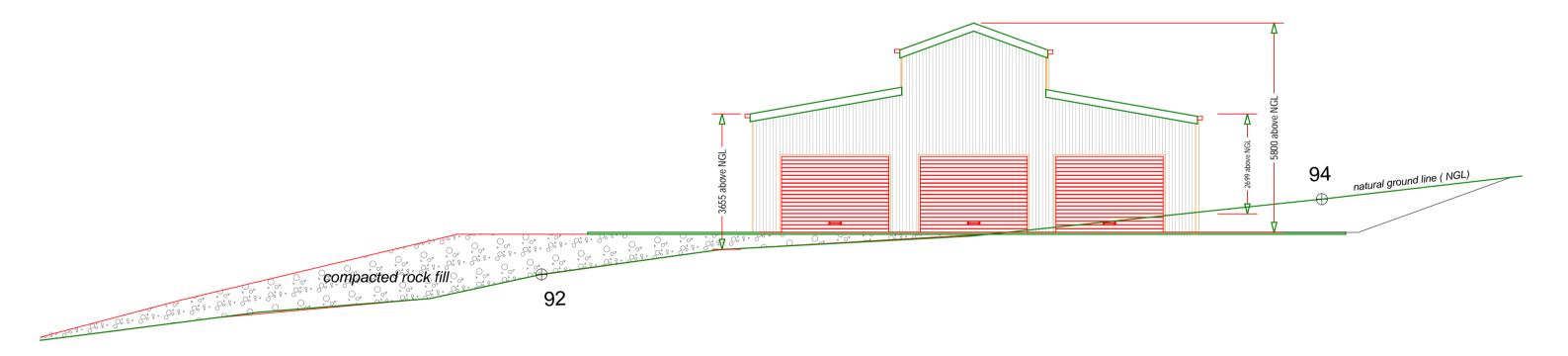
West Elevation 1:100



North Elevation 1:100

Revision	Date	Project Title		Drawing Title	Drawn	Checked
		Retirement Village Maintenance Shed	Phillip Stary Acc.No. CC1035T	Elevations	Scale 1:100 @ /	A3
		Sugarloaf Road Risdon Vale Tasmania	Architect		Date May 2014 File Number 132	
GENERAL NOTES 1. DO NOT SCALE DRAWINGS 2. CONFIRM DIMENSIONS AND SETOUTS ON SITE PRIOR TO MANUFACTURE AND INSTALLATION 3. ALL WORK TO BE IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AND BATE 4. ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH WRITTEN SPECIFICATION AND ENGINEERS DRAWINGS	<u> </u>	Client Pluim Group	11 Glover Dve Ph. 0410-363489 Sandy Bay 7005 e architect@netspace.net.au	Agenda Attachments -	Drawing No 1 El B Aive - Page	Frigited: Novemb





South Elevation 1:100

Revision		Date	Project Title		Drawing Title	Drawn	Checked
			Retirement Village Maintenance Shed	Phillip Stary Acc.No. CC1035T	Elevations	Scale 1:100 @	2 A3
			Sugarloaf RoadRisdon Vale Tasmania	Architect		Date May 201 File Number 13	
2. CONFIRM 3. ALL WOR	DTES CALE DRAWINGS CIALE DRAWINGS CHENGEN STORM STEEPRIOR TO MANUFACTURE AND INSTALLATION CHENGEN SAND SETOUTS ON SITE PRIOR TO MANUFACTURE AND INSTALLATION CHENGEN SAND SOLD STORM STANDARDS AND BCA CHENGEN STANDARDS STANDARDS STANDARDS AND BCA CHENGEN STANDARD STANDARDS STANDARDS STANDARDS STANDARDS STANDARDS CHENGEN STANDARDS STANDA		Client Pluim Group	11 Glover Dve Ph. 0410-363489 Sandy Bay 7005 e <i>architect@netspace.net.au</i>	Agenda Attachments - 1	Drawing No	e o o o o o o o o o o o o o o o o o o o

1 Elaia Drive, RISDON VALE



Site viewed from Elaia Drive, Risdon Vale