

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

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

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

COUNCIL MEETING
MONDAY, 12 NOVEMBER 2018

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

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

1A. CERTIFICATE OF ELECTION – 30 OCTOBER 2018

As provided by Section 304 of the Local Government Act 1993 the Returning Officer for Clarence, Ms Justin Meeker, has completed the Certificate of Election for the Clarence City Council Elections held on 30 October 2018. The General Manager will table the Certificate of Election. A copy of the Certificate is attached.

RECOMMENDATION:

That the advice be noted.

1B. ELECTED MEMBERS' DECLARATIONS

In accordance with the provisions of Section 321 of the Local Government Act 1993, the General Manager will confirm the completion of Declarations by the successful candidates at the 30 October 2018 Elections and the Council is to acknowledge the Declarations at the Meeting.

RECOMMENDATION:

That the General Manager's advice in respect to the completion of Declarations by Aldermen be acknowledged.

1C. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

(File No 10/03/01)

RECOMMENDATION:

That the Minutes of the Council Meeting held on 22 October 2018, as circulated, be taken as read and confirmed.



2018 LOCAL GOVERNMENT ELECTIONS

Certificate of Election

Clarence City Council

In accordance with the Local Government Act 1993 I have declared the following candidates elected to the positions shown below.

12 Councillors (Aldermen)

Elected for a period of 4 years

Doug CHIPMAN

Tony MULDER

Beth WARREN

Richard JAMES

Wendy KENNEDY

Dean EWINGTON

Heather CHONG

Sharyn VON BERTOUCHE

Luke EDMUNDS

James WALKER

John PEERS

Brendan BLOMELEY

Mayor

Elected for a period of 4 years

Doug CHIPMAN

Deputy Mayor

Elected for a period of 4 years

Heather CHONG

Justin Meeker RETURNING OFFICER

Monday 5 November 2018

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

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

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

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

6. TABLING OF PETITIONS

(File No 10/03/12)

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

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

The General Manager will table the following petitions which comply with the Act requirements:

7. PUBLIC QUESTION TIME

Public question time at ordinary Council meetings will not exceed 15 minutes. An individual may ask questions at the meeting. Questions may be submitted to Council in writing on the Friday 10 days before the meeting or may be raised from the Public Gallery during this segment of the meeting.

The Chairman may request an Alderman or Council officer to answer a question. No debate is permitted on any questions or answers. Questions and answers are to be kept as brief as possible.

7.1 PUBLIC QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a member of the public may give written notice to the General Manager of a question to be asked at the meeting). A maximum of two questions may be submitted in writing before the meeting.

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

PUBLIC CONSULTATION

Mr Michael Figg of Lauderdale asked the following question: *“A number of issues regarding an item on the Agenda tonight were raised and in submission that I made there was quite a serious one about the weight of a vehicle in relation to the construction of a ramp and I would have thought that was serious enough and not defamatory and it should have been included in the report, could you please let me know why it was not?”*

ANSWER

Upon review of the representation, no specific reference was made to the ability for the boat ramp to withstand certain weight vehicles. However, it is noted that in Section 3 of your representation raises concern over the proposal’s ability to accommodate emergency service vehicles. A response to this issue was provided in Section 5.3 of the Agenda Report of 22 October 2018 (Agenda Item 11.3.2) which is replicated as follows:

/ contd on Page 10...

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

“Council has consulted with key marine rescue services who have advised they do not intend to launch their rescue vessels from Lauderdale as the facilities

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

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(File No 10/03/04)

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

9. MOTIONS ON NOTICE

Nil

10. REPORTS FROM OUTSIDE BODIES

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

10.1 REPORTS FROM SINGLE AND JOINT AUTHORITIES

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

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

- **SOUTHERN TASMANIAN COUNCILS AUTHORITY**

Representative: Ald Doug Chipman, Mayor or nominee

Quarterly Reports

September Quarterly Report pending.

Representative Reporting

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

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

Quarterly Reports

September Quarterly Report pending.

Representative Reporting

- **TASWATER CORPORATION**

10.2 REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

11. REPORTS OF OFFICERS

11.1 WEEKLY BRIEFING REPORTS

(File No 10/02/02)

The Weekly Briefing Reports of 22 and 29 October and 5 November 2018 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 22 and 29 October and 5 November 2018 be noted.

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

11.3 PLANNING AUTHORITY MATTERS

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

11.3.1 DEVELOPMENT APPLICATION D-2018/556 - 14 BAYSIDE DRIVE, LAUDERDALE - 2 MULTIPLE DWELLINGS
(File No D-2018/556)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 2 Multiple Dwellings at 14 Bayside Drive, Lauderdale.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 13 November 2018.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 3 representations were received raising the following issues:

- impact on traffic movements in area;
- impact upon residential amenity by increased density;
- sharing of sewer connection;
- loss of privacy;
- visual impact;
- access;
- inconsistency with Planning Scheme; and
- urban design and character impacts.

RECOMMENDATION:

- A. That the Development Application for 2 Multiple Dwellings at 14 Bayside Drive, Lauderdale (C1 Ref D-2018/556) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A5 – SEALED CAR PARKING.
3. ENG S1 – INFRASTRUCTURE REPAIR.ENG.
4. ENG M1 – DESIGNS DA, delete “access arrangements”.
5. The development must meet all required Conditions of Approval specified by TasWater notice dated 4 October 2018 (TWDA 2018/01535-CCC).

ADVICE

The proposed works are located within a bushfire prone mapped area and as such a BAL and bushfire assessment must form part of the certified documents for a building permit application.

ADVICE 19 - STREET NUMBERING.

Lot/Unit	Address
Unit 1	1/14 Bayside Drive
Unit 2	2/14 Bayside Drive

- 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 subdivision that created the subject property was approved on 1 June 2015 under SD-2015/10. A boundary adjustment was subsequently approved on 9 November 2017 under SD-2017/32 to increase the size of the site from 768m² to 801m².

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Residential under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet certain Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
 - Section 8.10 – Determining Applications;
 - Section 10.0 – General Residential Zone;

- Section E1.0 – Bushfire Prone Areas Code;
- Section E3.0 – Landslide Code;
- Section E6.0 – Parking and Access Code; and
- Section E7.0 – Stormwater Management Code.

2.4. The site proposal is within a low landslide hazard area and therefore under Clause E3.4(c) exempt from the provisions of the Landslide Code. Similarly, Clause E1.2.1(b) provides that the proposal is exempt from the Bushfire Prone Areas Code as the proposed development is not a vulnerable or hazardous use.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is an 801m² internal lot with frontage to Bayside Drive, at Lauderdale. It is vacant, clear of significant vegetation, is located adjacent to established residential properties to the north, east and west and adjacent land within the Environmental Living Zone to the south. It slopes down moderately to the north-west, vehicular access exists to the site from an existing driveway from Bayside Drive, and a reciprocal right-of-access also provides access to 14A and 14B Bayside Drive.

3.2. The Proposal

The proposal is for the development of 2 Multiple Dwelling units. Each would be 3 bedroom, 2 storey, self-contained dwellings with upper level outdoor deck areas. Each would be provided with 2 vehicular parking spaces, whilst a shared visitor space is proposed in the central space between the units.

The development would be clad using a combination of rendered brick, cement sheet, Easy Lap panelling and Colorbond. The dwelling units would not exceed 7.27m in height at their highest point above natural ground level, would have a total footprint of 240.05m² and would have setbacks ranging from 3.94m to 0m from the property boundaries. Dry stack retaining walls are proposed to support the proposed driveway, and where adjacent the property boundaries.

A copy of the proposal is included in the attachments.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

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

General Residential Zone

Clause	Standard	Acceptable Solution	Proposed
10.4.2 A3	Setbacks and building envelope for all dwellings	<p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p> <p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p> <p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p>	<p>Does not comply – Unit 1 would be setback 3.941m from the internal front boundary.</p> <p>Does not comply – 2.4m protrusion at the western wall of the upper level deck of Unit 1, which itself would be setback 1.5m and therefore within the prescribed 4m rear setback. Unit 2 would have a 3.2m protrusion within the rear setback and a 2.6m protrusion adjacent the northern boundary as illustrated in the attachments.</p>

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

Performance Criteria	Comment
<p><i>“P3 – The siting of a dwelling must:</i></p> <p><i>(a) Not cause any unreasonable loss of amenity by:</i></p>	<p>see below</p>
<p><i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></p>	<p>The proposal plans show the location of the building envelope in relation to the proposed development, and identify the extent of the parts outside the prescribed building envelope. Diagrams illustrating the extent of shadows likely to be cast at Winter Solstice (21 June) were provided with the application and included in the advertised plans.</p> <p>The shadow diagrams demonstrate that the shadow cast by the proposed development would not extend to the north-west or east where the adjoining dwellings are located at 14D Bayside Drive and 12 Bayside Drive. Rather, the shadow would extend in a south-west/south-east direction upslope towards the vacant Environmental Living/Rural Resource zoned land associated with Richardsons Hill.</p> <p>Accordingly, given the orientation of the proposed development in relation to adjoining dwellings, there would be no reduction in sunlight to habitable room windows of a dwelling on an adjoining lot.</p>

<p><i>(ii) overshadowing the private open space of a dwelling on an adjoining lot; or</i></p>	<p>The shadow diagrams demonstrate that the shadow cast by the proposed development would be well clear of the private open space associated with the adjacent dwellings at 14D Bayside Drive and 12 Bayside Drive.</p> <p>Accordingly, given the orientation of the proposal, no overshadowing of the private open space of a dwelling on an adjoining lot would occur.</p>
<p><i>(iii) overshadowing of an adjoining vacant lot; or</i></p>	<p>The adjacent site to the south, 52 Richardsons Road, is a 73ha lot used for grazing of stock. The part of that site to the south of the development site is within the Environmental Living Zone, and there are suitable sites for construction of a dwelling (a permitted use) that would be uncompromised by the relatively minor part of the site affected by overshadowing.</p>
<p><i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i></p>	<p>Given the gradient of the land in the vicinity of the site, the surrounding area generally contains Single Dwellings developed with multiple levels. Neighbouring dwellings are typically oriented to the north/north-west to obtain views of the Roches Beach area.</p> <p>The visual impact of the proposed development is considered reasonable, in that the building height at its highest point would be 7.27m above natural ground level. The designer has attempted to reduce the visual impact of the building by including a 3 degree roof profile and by utilising articulation detail in the form of panelling where adjacent the roof profile. A combination of external cladding types is also proposed. The development of a dwelling at 14D Bayside Drive has recently been approved and designed to ensure that no windows face west towards the proposed development and those that are provided are orientated to the north.</p> <p>The dwelling at 14A Bayside Drive is orientated to the north and down slope of the development site, meaning that the visual impact would be low.</p>

	<p>The dwelling at 12 Bayside Drive is located to the north of the adjacent lot and would have a separation distance in excess of 18m, noting also that established vegetation (including eucalypts) exist within the boundaries of 12 Bayside Drive and act as a substantial screen. Such distance would ensure visual impact is minimised, given existing landscaping and vegetation within the boundaries of that site.</p> <p>The proposed design is considered a reasonable response to reduce the bulk, proportions and scale of the development when viewed from the adjoining properties to the east, north and west of the site.</p>
<p><i>(b) provide separation between dwellings on an adjoining lot that is compatible with that prevailing in the surrounding area.</i></p>	<p>Development within proximity of the subject property is characterised by setbacks consistent with that proposed, in terms of side boundary setbacks.</p> <p>Whilst a 0m setback is proposed to the western boundary for Unit 1, this relates to an upper level deck and lower level carport. The structures are open (in comparison to a closed part of the dwelling unit) and on the basis of their open appearance are considered to be compatible with surrounding development.</p> <p>Given the above considerations, the proposed separation distances are considered to be compatible with the separation distances evident in the surrounding area.</p>

General Residential Zone

Clause	Standard	Acceptable Solution	Proposed
10.4.3 A2	Site coverage and private open for all dwellings	<p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24m²; or</p>	Does not comply – Unit 2 deck does not comply as area of 22m ² .

		<p>(ii) 12m², if the dwelling is a Multiple Dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a Multiple Dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p> <p>(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and</p> <p>(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and</p> <p>(f) has a gradient not steeper than 1 in 10; and</p>	<p>Does not comply – deck width of 3.22m for Unit 2.</p> <p>complies</p> <p>complies</p> <p>complies</p> <p>complies</p>
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		(g) is not used for vehicle access or parking.	complies
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The proposed variation must be considered pursuant to the Performance Criteria (P2) of the Clause 10.4.3 as follows.

Performance Criterion	Comment
<p><i>“P2 - A dwelling must have private open space that:</i></p> <p><i>(a) includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and that is:</i></p> <p><i>(i) conveniently located in relation to a living area of the dwelling; and</i></p>	<p>The provision of an upper level deck area adjacent to the living areas of both units will ensure that both of these spaces are capable of serving as an extension to the living space for outdoor dining, entertaining, relaxation, and children’s play.</p> <p>The design and orientation of the lower level open space areas for each unit would also provide additional opportunity to meet both the recreational and practical needs of the occupants of the dwelling units such as for clothes drying.</p>
<p><i>(ii) oriented to take advantage of sunlight”.</i></p>	<p>The areas of private open space are directly accessible from the northern and western facing living room sliding doors of both dwelling units. The documentation provided confirms that these areas would be capable of receiving sunlight at Winter Solstice.</p> <p>It is considered that the occupants of the dwelling units will have reasonable access to sunlight throughout the day during the Winter Solstice given the various areas of private open space provided across the site and generally to the north/north-west of the development.</p>

General Residential Zone

Clause	Standard	Acceptable Solution	Proposed
10.4.4 A1	Sunlight and overshadowing for all dwellings	A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Does not comply – Unit 2 orientated at 43 degrees west of north.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 10.4.4 as follows.

Performance Criterion	Comment
<i>“P1 - A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom)”.</i>	Each of the proposed dwelling units would be orientated to largely face north, thus providing reasonable and appropriate solar access to the living areas of both. Accordingly and on the basis that sunlight would be able to enter these habitable rooms, the solar access requirements of this criterion are met.

General Residential Zone

Clause	Standard	Acceptable Solution	Proposed
10.4.6 A1	Privacy for all dwellings	<p>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:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and</p>	<p>Does not comply – deck of Unit 1 setback 0m from western (side) boundary and deck of Unit 2 setback 1.52m from eastern (side) boundary.</p> <p>Does not comply – deck of Unit 1 setback 1.5m from southern (rear) boundary.</p>

		<p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m:</p> <ul style="list-style-type: none"> i. from a window or glazed door, to a habitable room of the other dwelling on the same site; or ii. from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site. 	complies
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The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 10.4.6 as follows.

Performance Criterion	Comment
<p><i>“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:</i></p> <p><i>(a) a dwelling on an adjoining lot or its private open space; or</i></p>	<p>In relation to the proposed deck of Unit 1, the property most affected is at 12 Bayside Drive. The proposal is for the erection of a 1.5m solid balustrade where facing the western boundary, and 12 Bayside Drive. The open space areas associated with this neighbouring property are largely within close proximity of that dwelling, and the proposed 1.5m high solid balustrade is a measure considered reasonable to ensure privacy to both the occupants of the proposed unit and the neighbouring dwelling. The established vegetation located within the boundaries of 12 Bayside Drive would act as a substantial screen, further contributing to the privacy of occupants of that dwelling.</p> <p>A separation distance in excess of 18m would exist from the proposed deck to the dwelling to the north-west at 12 Bayside Drive. This distance, in conjunction with both the proposed privacy screening and existing vegetation, would ensure that privacy is not compromised.</p>
<p><i>(b) another dwelling on the same site or its private open space; or</i></p>	<p>The proposed deck areas are screened internally and offset between each of the dwelling units proposed, ensuring the privacy of the open space areas.</p>

<i>(c) an adjoining vacant residential lot”.</i>	not applicable
--	----------------

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 3 representations were received. The following issues were raised by the representors.

5.1. Impact on Traffic Movements in Area

An increase in traffic movements is raised as a concern in relation to the proposal. It is submitted that hazardous driving conditions exist in Bayview Road and that the approval of Multiple Dwellings in the vicinity of the site creates a safety risk to users of Bayview Road. It is submitted that Council should refuse this proposal and future applications for subdivision and Multiple Dwellings on this basis.

- **Comment**

The proposed development meets the relevant requirements of the Parking and Access Code under the Scheme, in relation to the number of parking spaces proposed and the design of the vehicular access to the site. Council's Engineers are satisfied that the access meets the relevant requirements of both the Scheme and the Australian Standards, and that there is sufficient capacity in the road network that provides access to the site to cater for the proposed development.

5.2. Impact upon Residential Amenity by Increased Density

The representations submit that the proposal and reliance upon performance criteria shows a disregard for the planning controls for the site, and for the residential amenity of the area. Noise pollution and close proximity of the development to both each other and to neighbouring dwellings, it is submitted, is evidence of inappropriateness.

- **Comment**

Clause 10.4.1 (A1) of the Scheme provides for the development of Multiple Dwellings at a density of one dwelling unit per 325m² of site area. With a site area of 650.24m² (exclusive of the access strip) the proposal meets this test under the Scheme.

The site is located within an established residential area at Lauderdale. While noise is not a matter relevant to the determination of this application under the Scheme, noise levels should be within normal expectations for the area. It is further noted that the proposed use is residential, which is a permitted use within the zone.

5.3. Sharing of Sewer Connection

The representations raise the sharing of a sewer connection as an issue relevant to Council's assessment of the proposal, though it is not described as being part of the objections specifically. It is submitted that it is unfair that a development can share one connection point.

- **Comment**

While this is not a relevant consideration under the Scheme, TasWater permits the sharing of sewer and water connections as part of the development of Multiple Dwellings. The relevant conditions of TasWater for doing so would be applied to a planning permit if granted.

5.4. Loss of Privacy

Concern is raised by the representations that the proposed development would diminish the privacy of adjacent residential properties. Specific concerns are in relation to the impact of the elevated deck proposed for Unit 1, and that the proposed 1.5m privacy screen on the western elevation would be inadequate for protection of neighbouring privacy.

- **Comment**

The proposed development has been designed to meet the acceptable solutions for privacy of the Scheme in relation to windows and glazed doors to habitable rooms (Clause 10.4.6 A2), and compliance with the Performance Criteria (P2) has been achieved through appropriate use of a solid, non-transparent, 1.5m high, rendered cement sheet privacy screen (as discussed) and separation distances from habitable rooms and outdoor living areas of adjacent properties.

5.5. Visual Impact

The representations raise concern that the proposal would have an adverse impact upon amenity in relation to the visual bulk of the proposal.

- **Comment**

The proposed development meets the relevant performance criteria of Clause 10.4.2 (P3) of the Scheme in relation to building envelope. The detailed reasons are provided above and whilst elements of the design rely upon the performance criteria, the visual impact of the development is considered to be reasonable.

5.6. Access

Concern is raised that the proposed driveway access was intended (in the opinion of the representors) to be associated with and form a part of the neighbouring property to the north at 14A Bayside Drive. How the subject property has a right-of-access is raised as a question.

- **Comment**

The subject property is an internal lot with an access strip to Bayside Drive. A reciprocal right-of-way arrangement exists with the adjacent properties at 14A and 14B Bayside Drive. On the basis that legal access is provided to the subject lot and proposed development, this is not a relevant consideration under the Scheme and does not justify refusal.

5.7. Inconsistency with Planning Scheme

The representations raise concern that the requirements of the Planning Scheme are not met in relation to privacy (Clause 10.4.6) and building envelope and visual impact (Clause 10.4.2). Concerns are also raised that the proposed retaining structures and associated fencing do not meet Council's Planning Scheme in relation to height requirements and as such should not be approved.

- **Comment**

The proposed development meets the relevant tests of the Scheme in relation to the assessment of visual impact, privacy and building envelope as discussed in relation to Clauses 10.4.2, 10.4.3 and 10.4.6, as discussed above.

5.8. Urban Design and Character Impacts

The representations submit that the proposed development would have a negative impact upon the character of the Bayside Drive area, in that the proposal represents an intrusive overdevelopment of the site. One representation raises vegetation loss as a result of the subdivision as an issue, and the resultant impact upon the character of the area. The same representation submits that a Single Dwelling would be an appropriate response to the constraints of the site and would address the concerns raised.

- **Comment**

Whilst it is acknowledged that the surrounding area is characterised by Single Dwellings on larger lots, the Scheme provides for the development at the density proposed. The site is within the General Residential Zone, the articulated Purpose of which includes the provision for “*residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided*”.

The proposal meets the relevant acceptable solutions and performance criteria under the Scheme, and this issue is therefore considered not to justify refusal of the application.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

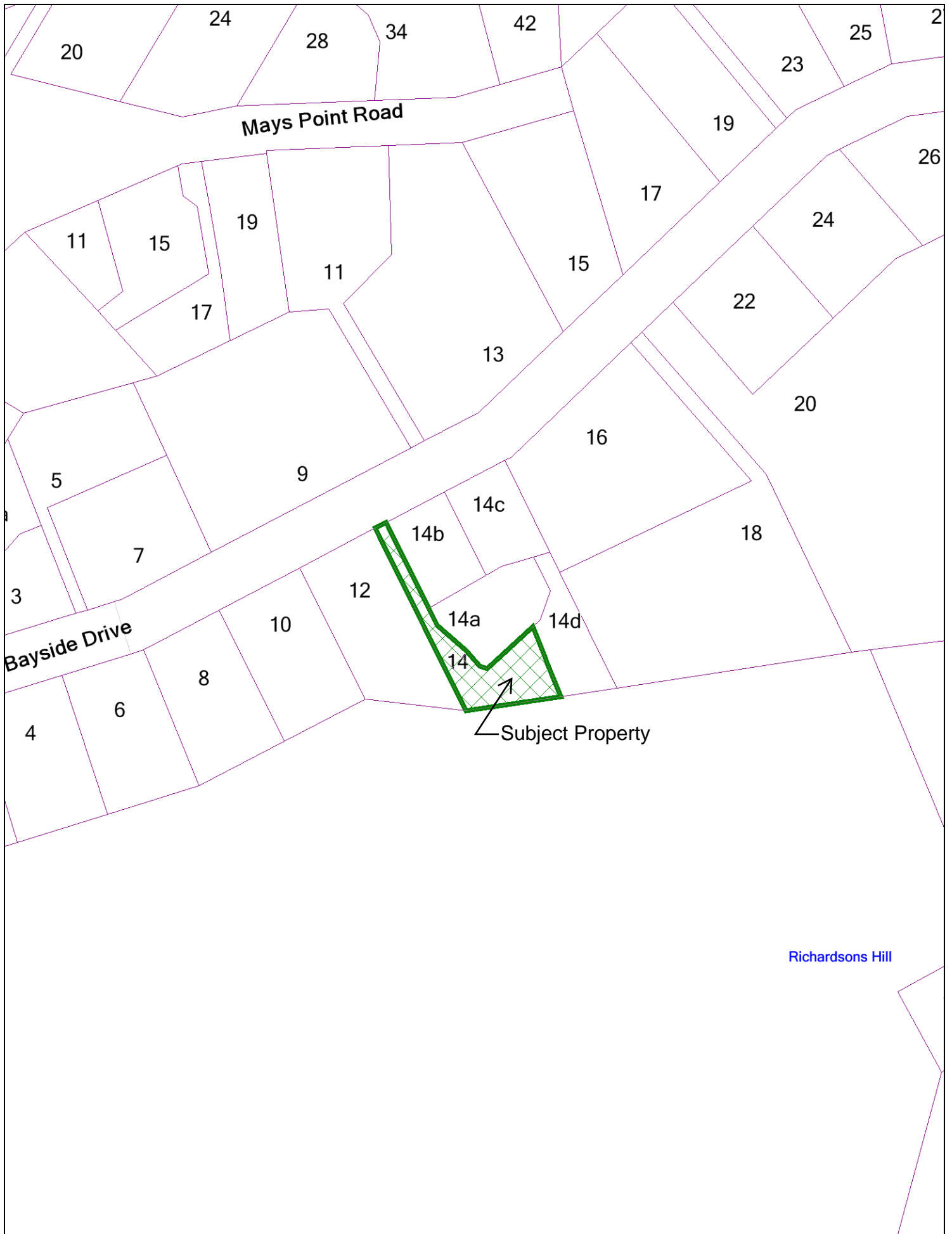
9. CONCLUSION

The proposal for 2 Multiple Dwellings at 14 Bayside Drive, Lauderdale is considered to satisfy all relevant acceptable solutions and performance criteria of the Scheme and is accordingly recommended for conditional approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (11)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

LOCATION PLAN - 14 BAYSIDE DRIVE



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:** Wednesday, 31 October 2018 **Scale:** 1:1,576 @A4

14 Bayside Dr, Lauderdale 7021



Drawing No:	Description
DA.01	Location Plan
DA.02	Site Plan
DA.03	Landscaping Plan
DA.04	Unit 1 Floor Plan
DA.05	Unit 2 Floor Plan
DA.06	Elevations
DA.07	Elevations
DA.08	Shadows
DA.09	Sewer & Water Plan
DA.10	Density Requirement





Amendments	
Date	Description
28.09.18	Planning RFI

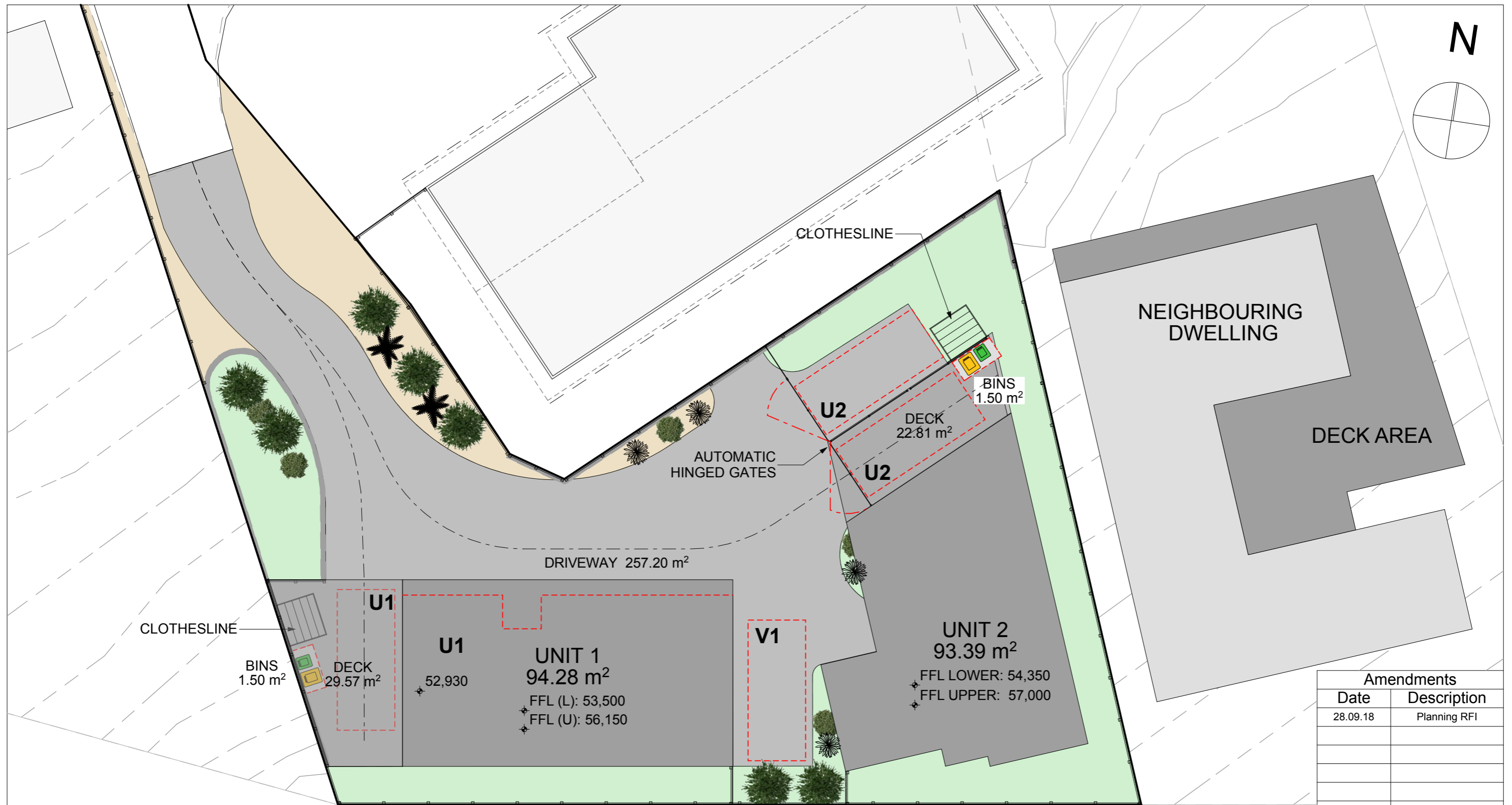


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Location Plan



Proposal:	Unit Development	Scale: 1:400	@ A3	Job No: 166-2018	Pg No: DA.01
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18		Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN		Building Surveyor:	
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Landscaping Plan



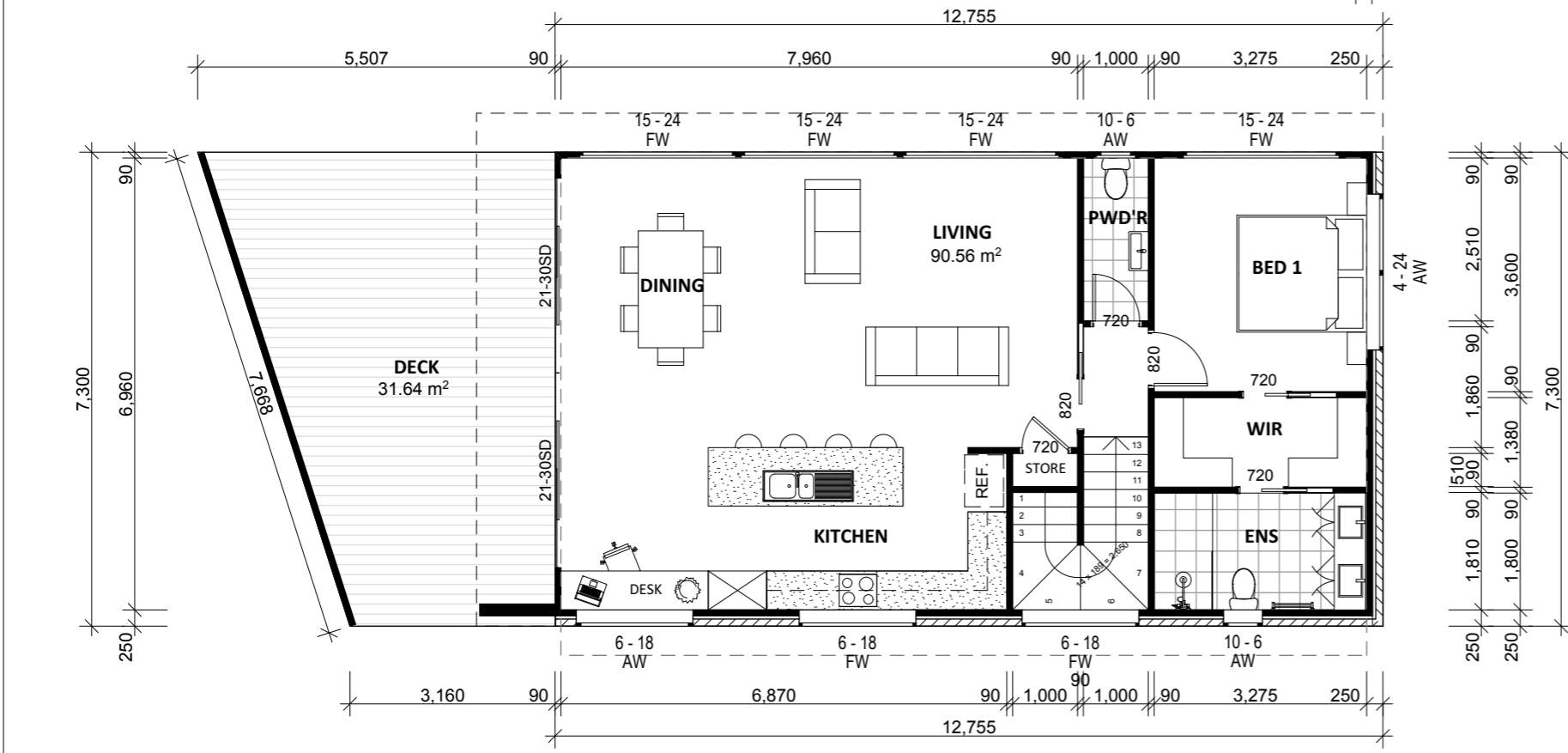
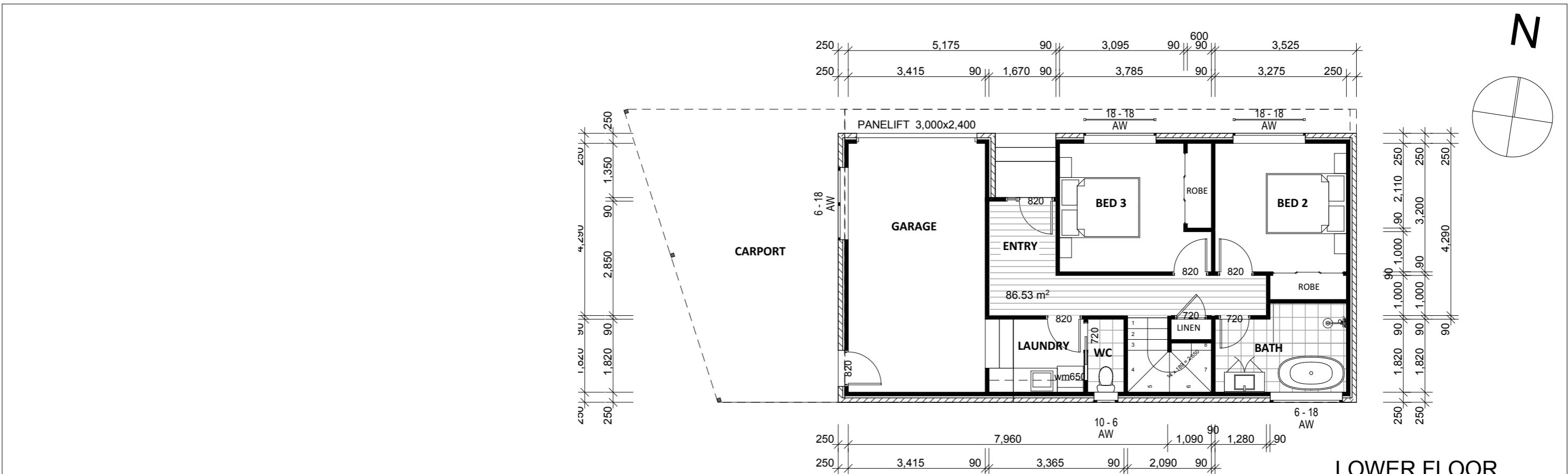
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Proposal:	Unit Development	Scale: 1:150 @ A3	Job No: 166-2018	Pg No: DA.03
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18	Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN	Building Surveyor:	

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Amendments	
Date	Description
28.09.18	Planning RFI





Floor Areas	
Lower Floor	86.53 sqm
Upper Floor	90.56 sqm
Total	177.09 sqm
Deck	31.64 sqm

Amendments	
Date	Description
28.09.18	Planning RFI



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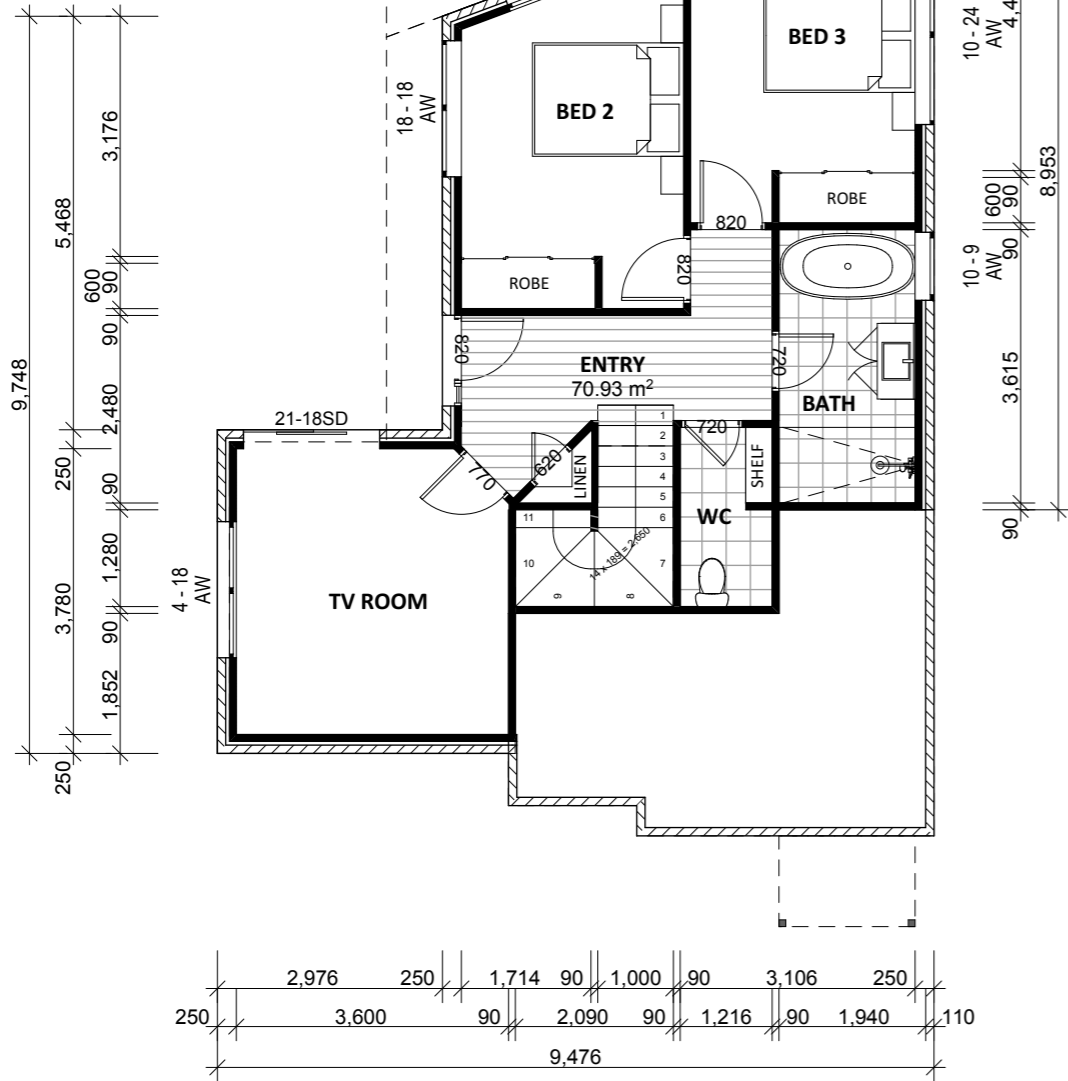
Proposal:	Unit Development	Scale: 1:100 @ A3	Job No: 166-2018	Pg No: DA.04
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18	Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN	Building Surveyor:	

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UPPER FLOOR
Unit 1 Floor Plan



Floor Areas	
Lower Floor	70.93 sqm
Upper Floor	91.79 sqm
Total	162.72 sqm
Deck	22.81 sqm



LOWER FLOOR

Unit 2 Floor Plan

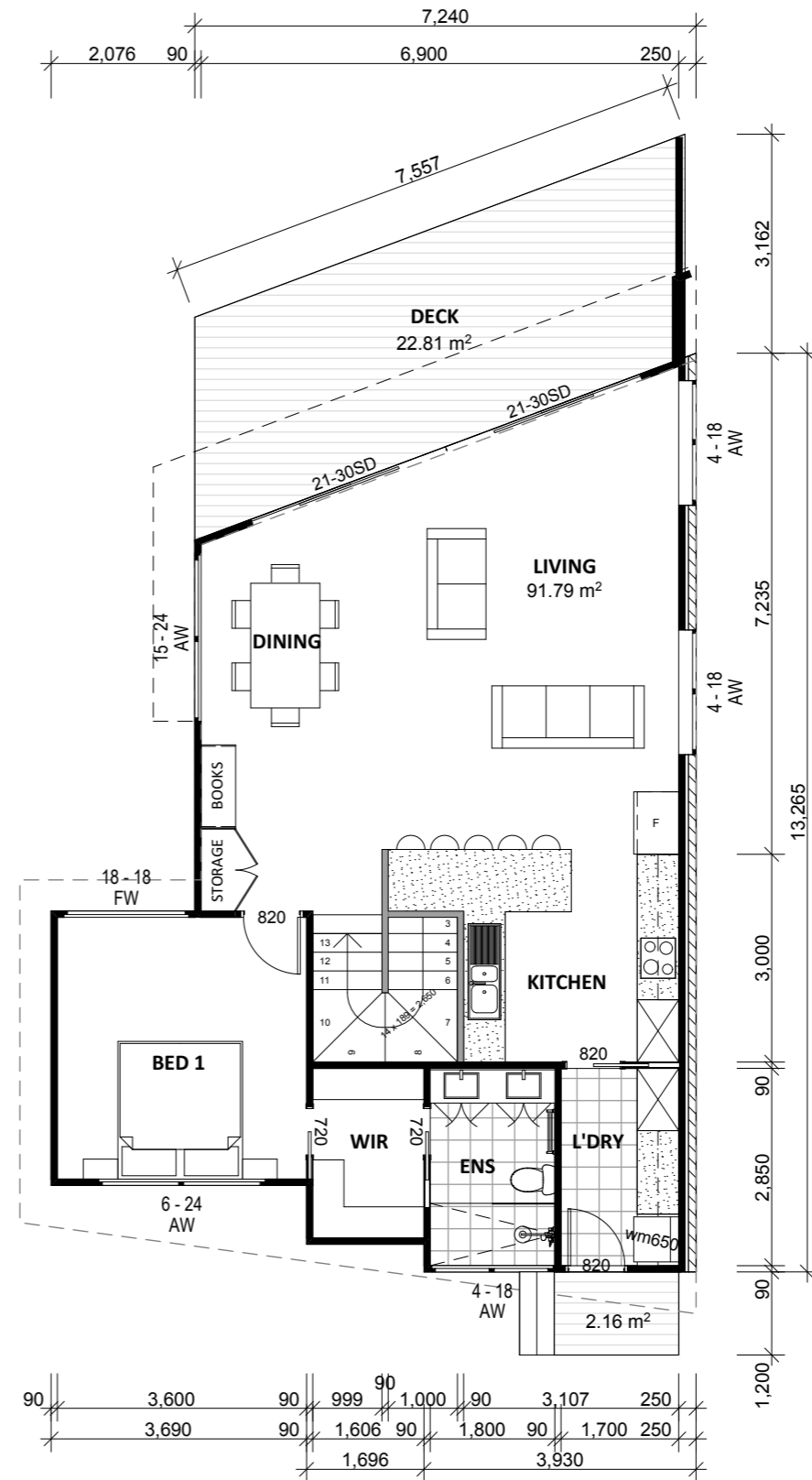


UPPER FLOOR

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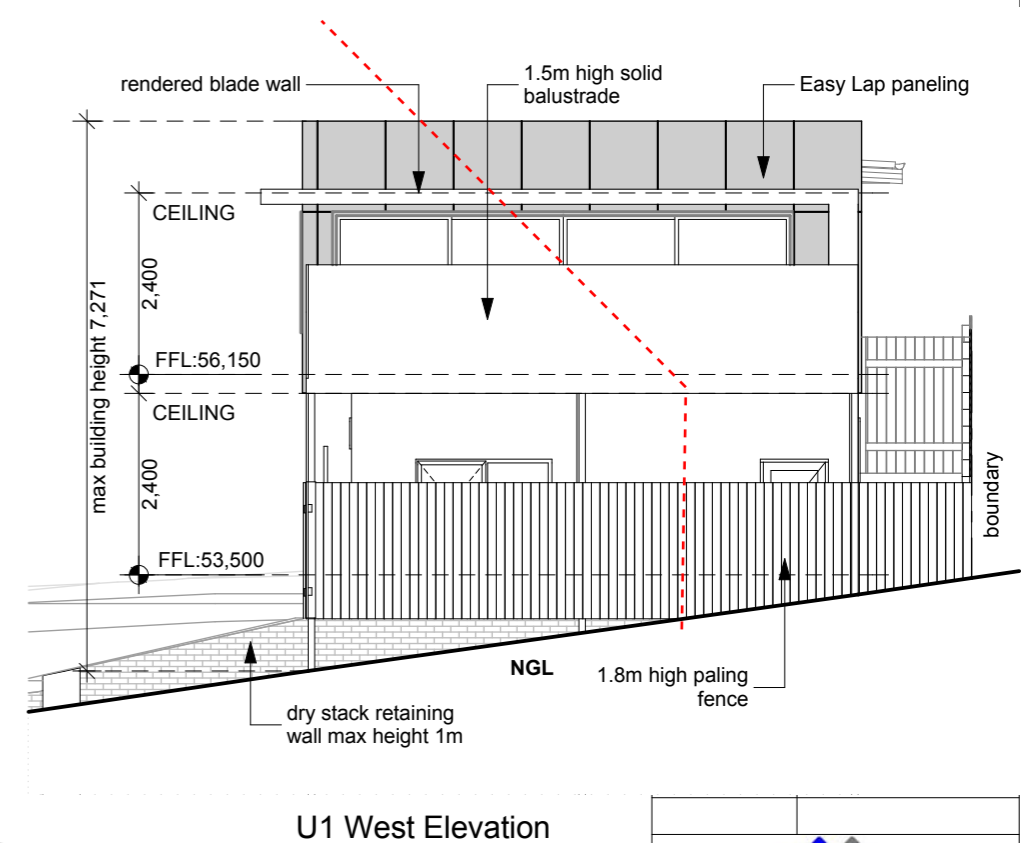
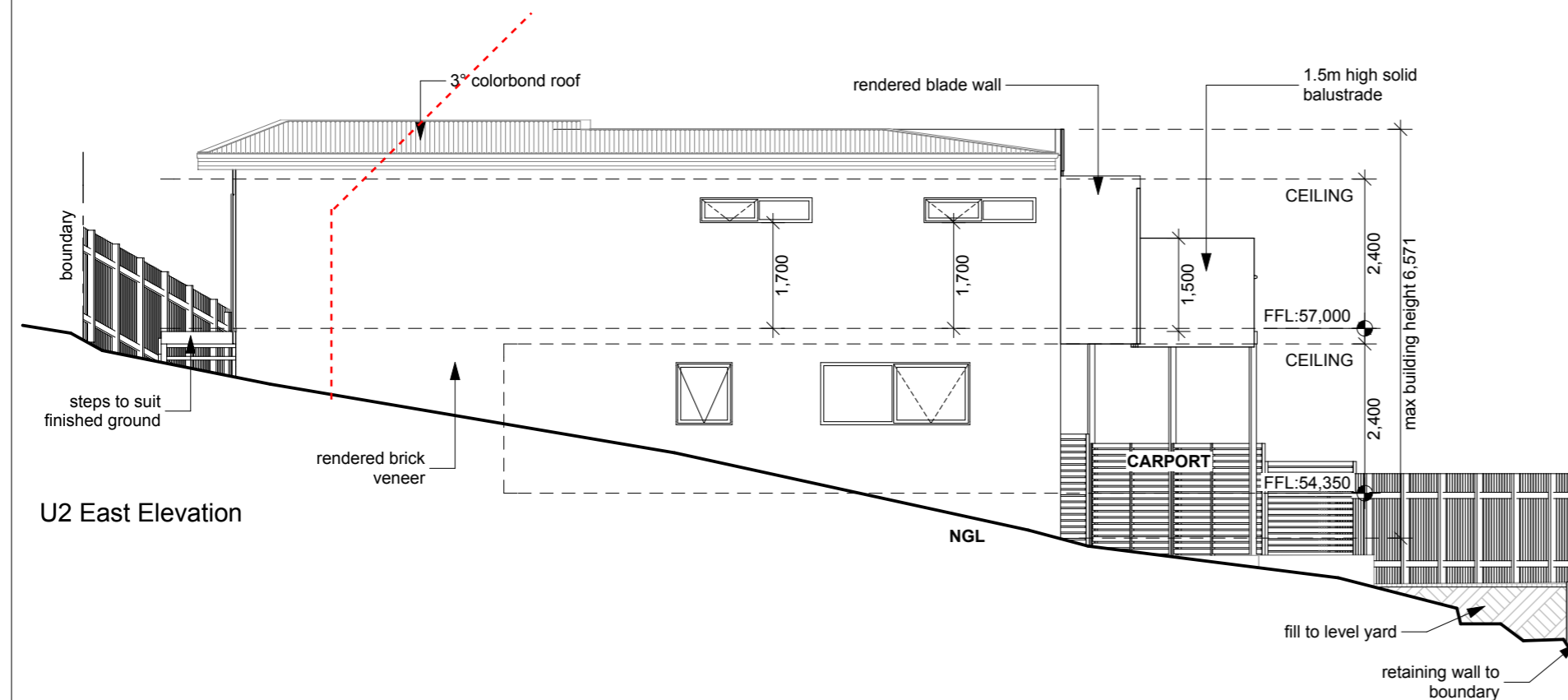
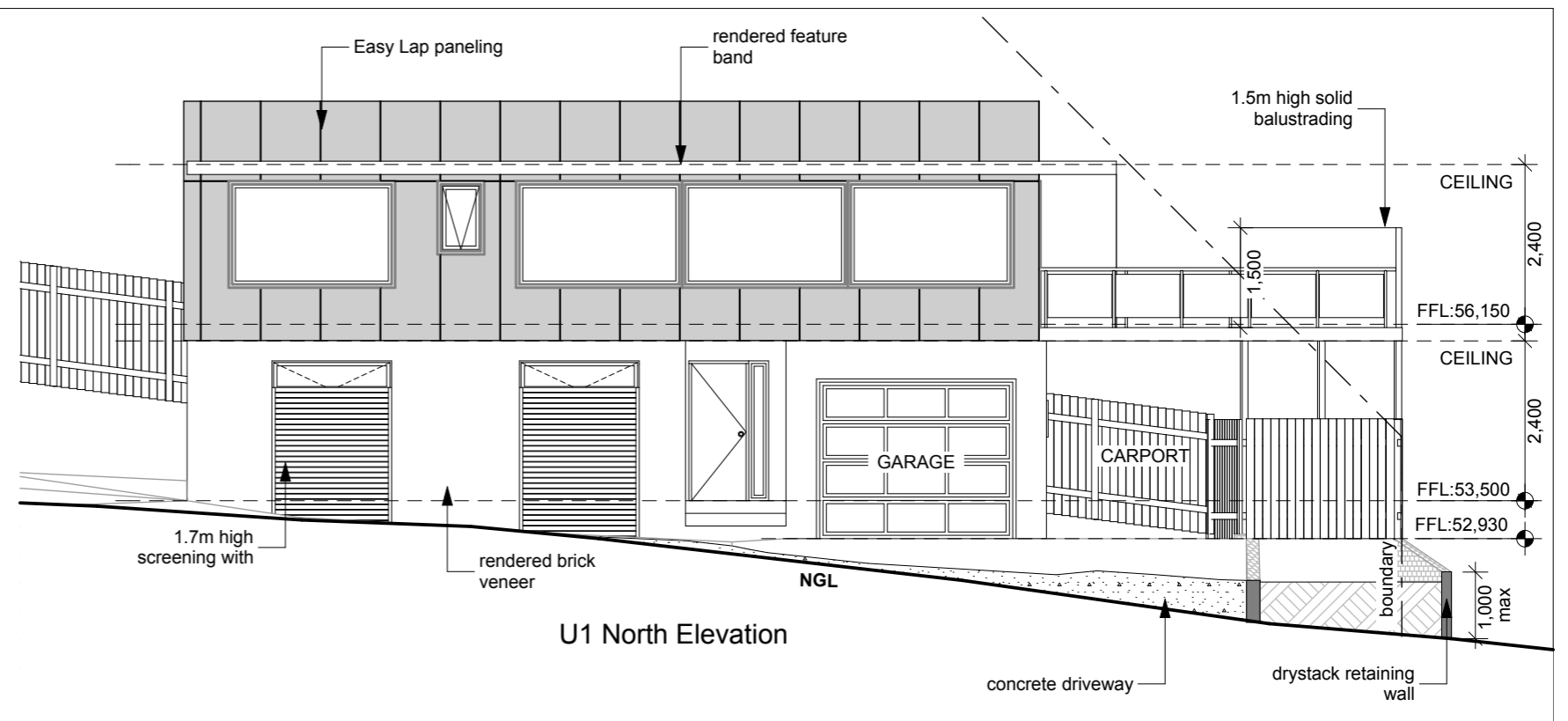
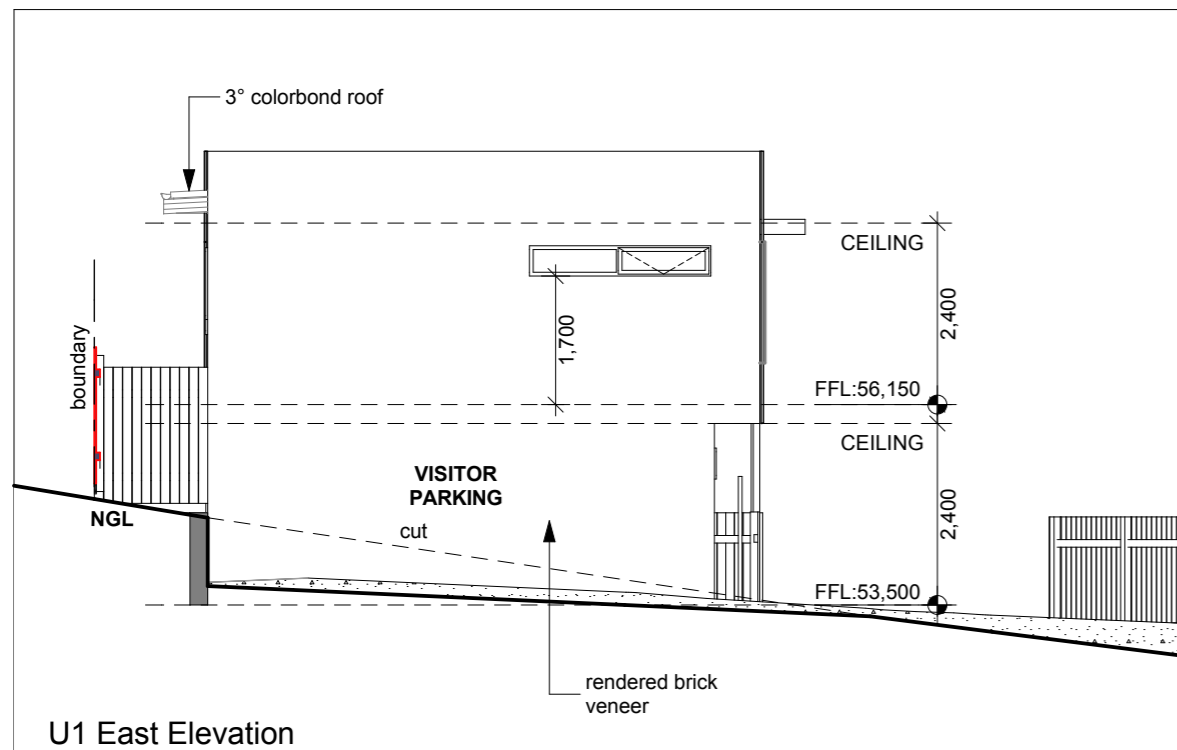
Proposal:	Unit Development	Scale: 1:100 @ A3	Job No: 166-2018	Pg No: DA.05
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18	Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN	Building Surveyor:	

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Amendments	
Date	Description
28.09.18	Planning RFI





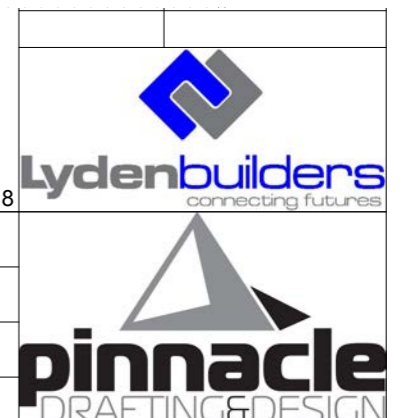
Elevations

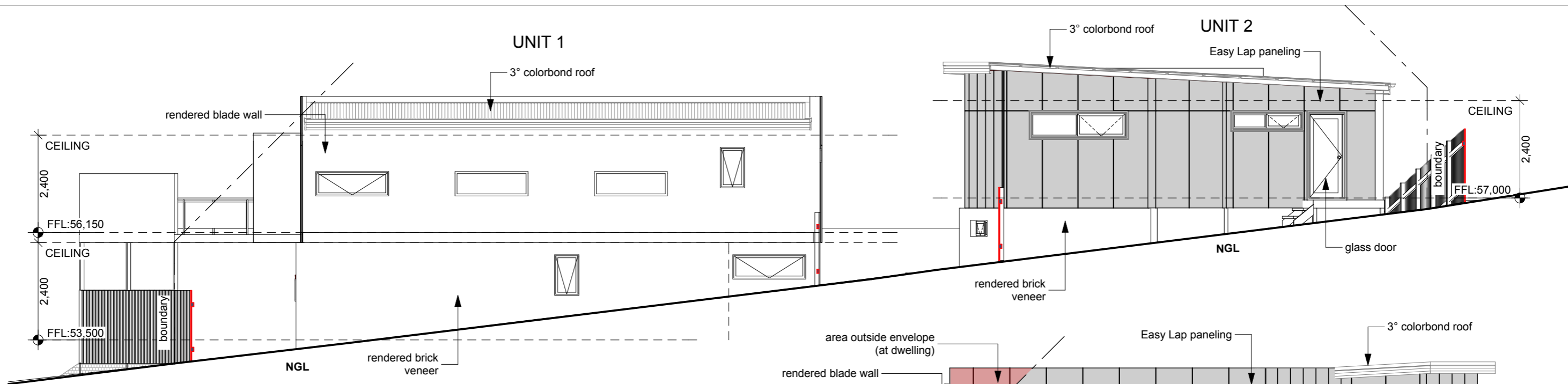


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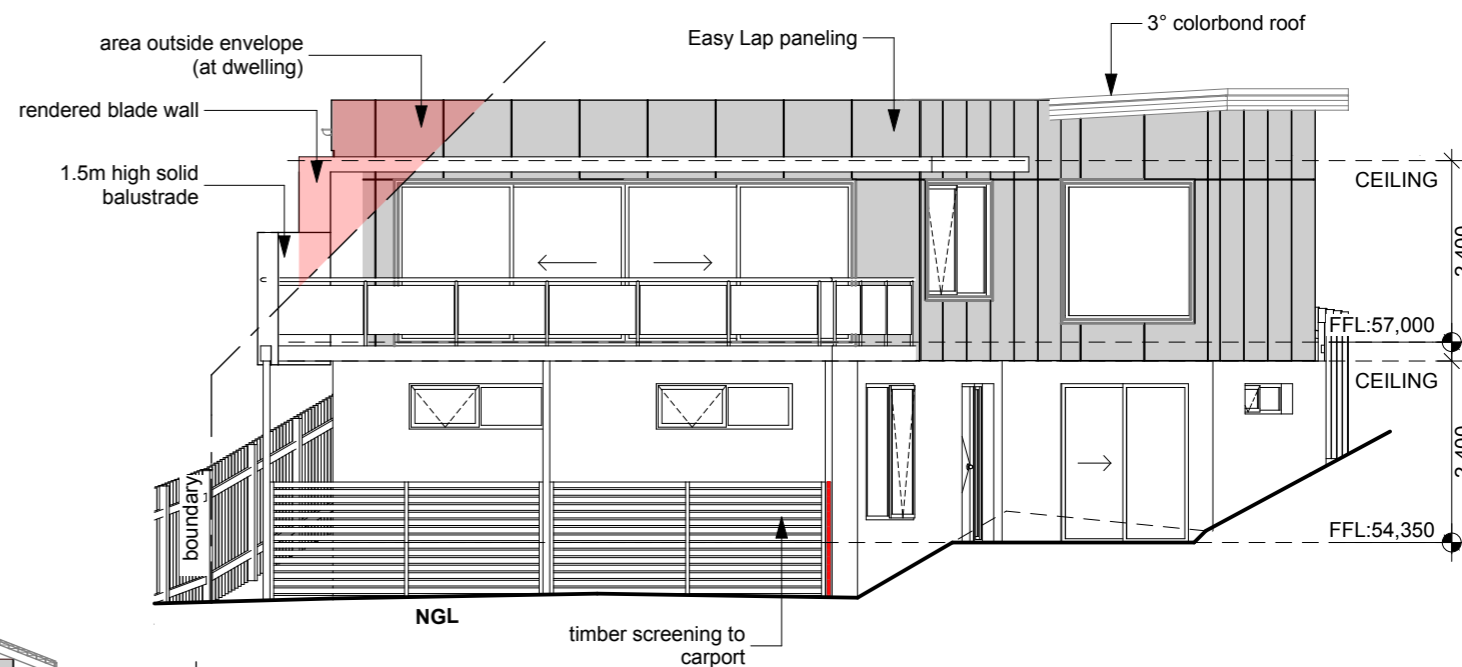
Proposal:	Unit Development	Scale: 1:100 @ A3	Job No: 166-2018	Pg No: DA.06
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18	Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN	Building Surveyor:	

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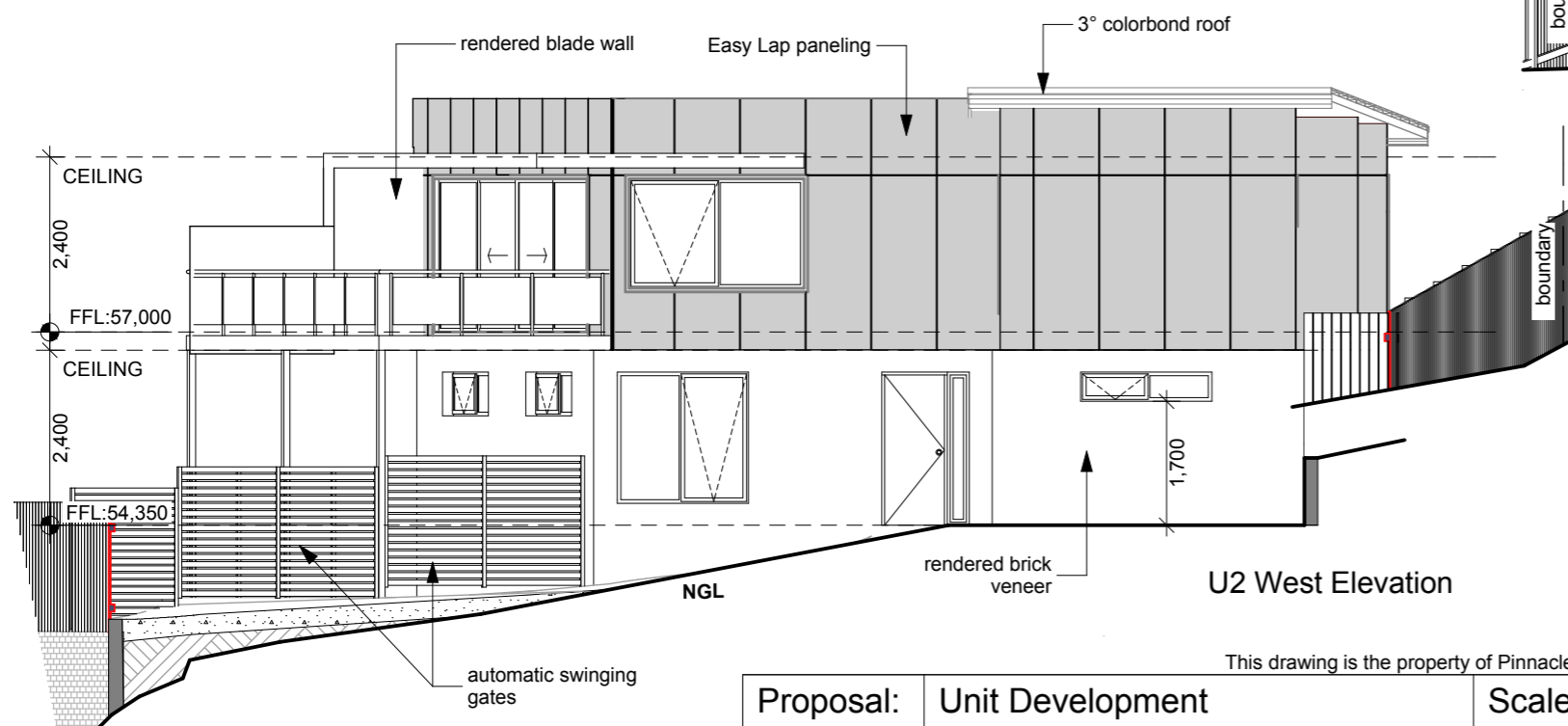




South Elevation



U2 North Elevation



U2 West Elevation

Elevations



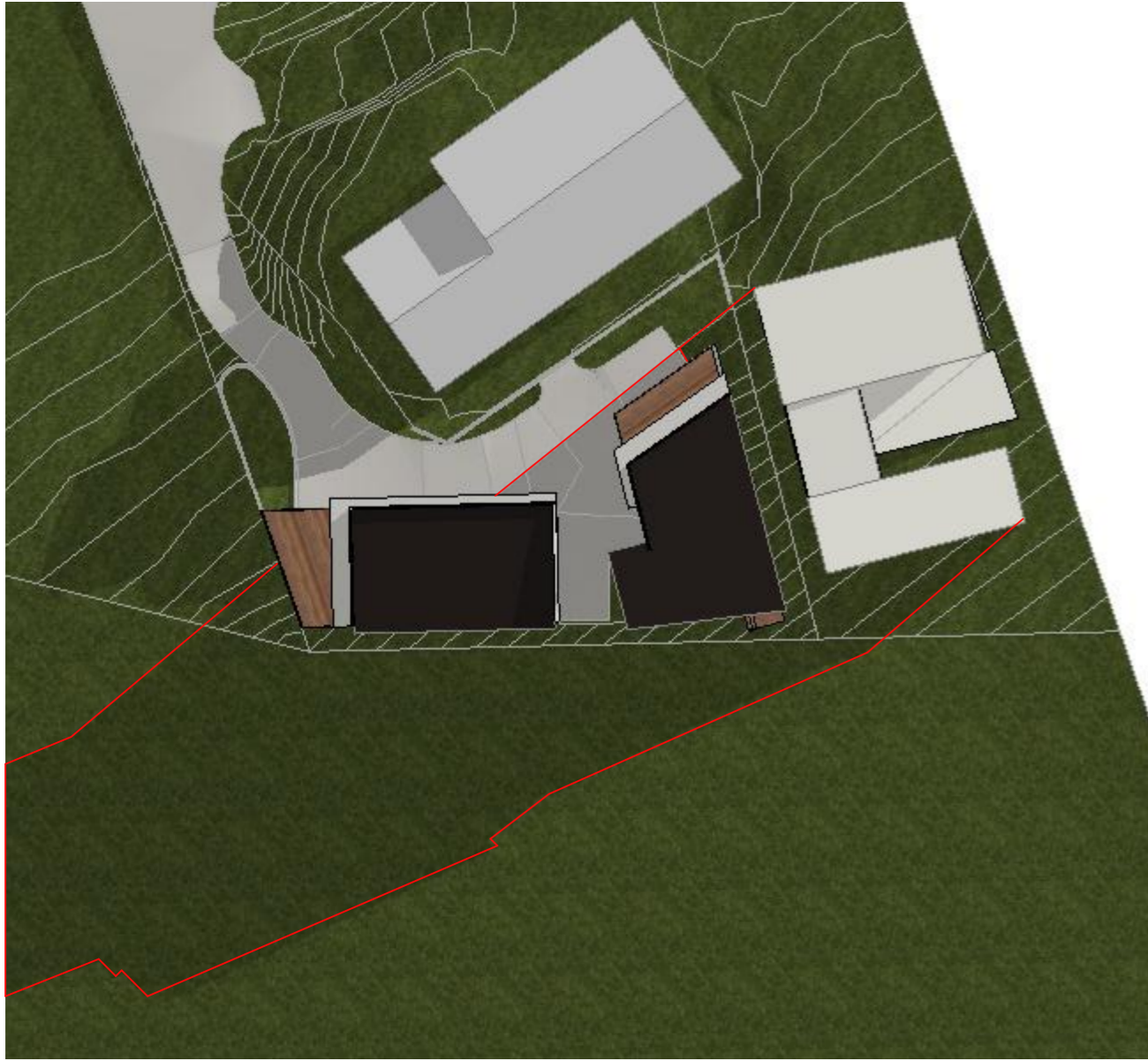
Proposal:	Unit Development	Scale: 1:100 @ A3	Job No: 166-2018	Pg No: DA.07
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18	Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN	Building Surveyor:	

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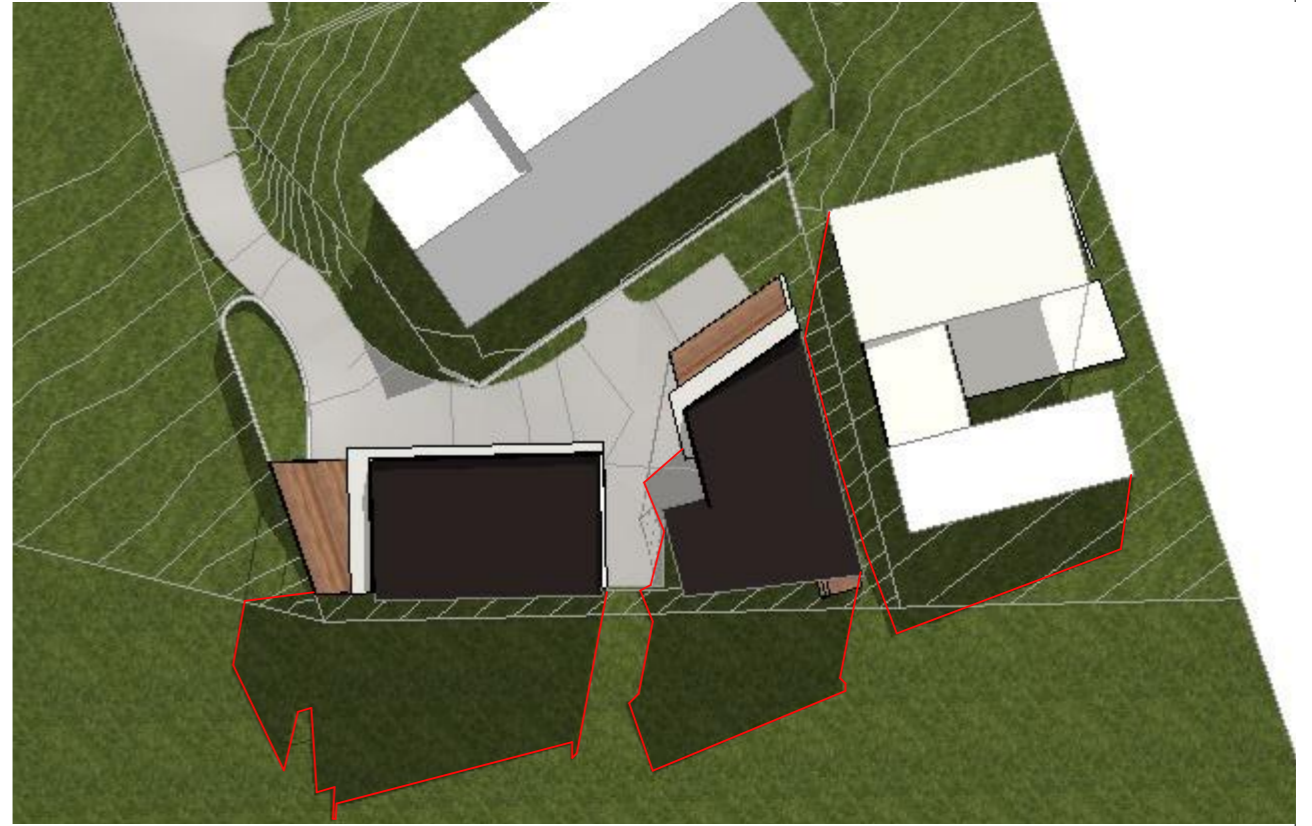
Amendments	
Date	Description
28.09.18	Planning RFI



SHADOWS @ 0900 ON JUNE 21st
NOT TO SCALE



SHADOWS @ 1200 ON JUNE 21st
NOT TO SCALE



SHADOWS @ 1500 ON JUNE 21st
NOT TO SCALE



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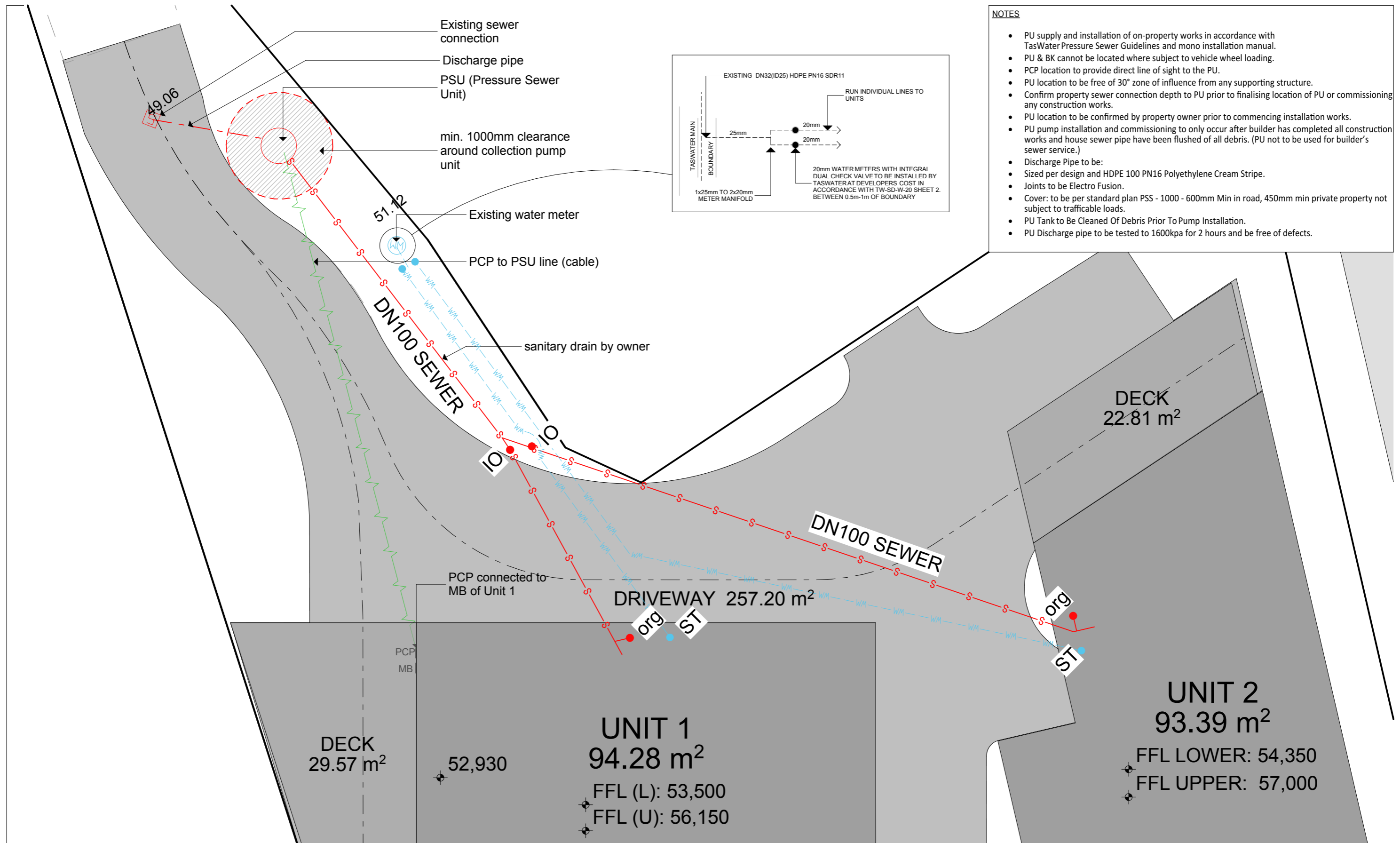
Shadows



Proposal:	Unit Development	Scale: 1:133.33 @ A3	Job No: 166-2018	Pg No: DA.08
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18	Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN	Building Surveyor:	

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Sewer & Water Plan

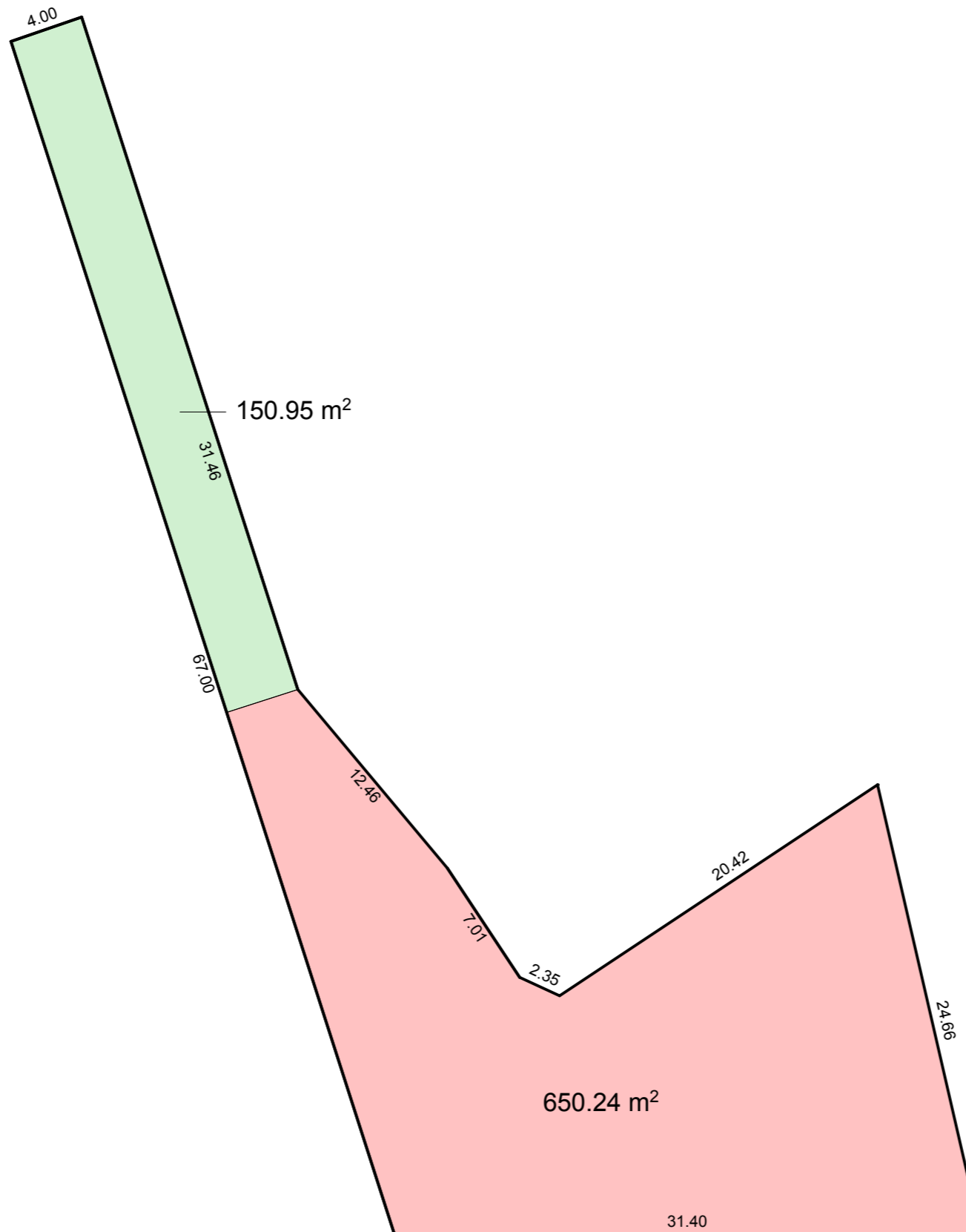


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Proposal:	Unit Development	Scale: 1:100 @ A3	Job No: 166-2018	Pg No: DA.09
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18	Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN	Building Surveyor:	

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Density Requirement



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Proposal:	Unit Development	Scale: 1:300 @ A3	Job No: 166-2018	Pg No: DA.10
Client:	Lyden/Nickerson/Dillon	Date: 15.09.18	Engineer:	
Address:	14 Bayside Dr, Lauderdale 7021	Drawn: JRN	Building Surveyor:	

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Amendments	
Date	Description
28.09.18	Planning RFI



14 Bayside Drive, LAUDERDALE



Site viewed from Bayview Road, looking southeast to access strip



Site viewed from access strip, looking southeast



Site viewed from access strip, looking east over main part of site



Site viewed from rear boundary of site, looking north towards 14A Bayside Drive

11.3.2 DEVELOPMENT APPLICATION D-2018/565 - 90 SHELOMITH DRIVE, ACTON PARK - DWELLING
(File No D-2018/565)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling at 90 Shelomith Drive, Acton Park.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which has been extended with the applicant's consent until 14 November.

CONSULTATION

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

- impact on the surrounding rural environment;
- proposed building setbacks; and
- impact on privacy.

RECOMMENDATION:

A. That the Development Application for dwelling at 90 Shelomith Drive, Acton Park (CI Ref D-2018/565) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

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

DEVELOPMENT APPLICATION D-2018/565 - 90 SHELOMITH DRIVE, ACTON PARK – DWELLING /contd...

ASSOCIATED REPORT**1. BACKGROUND**

No relevant background.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Rural Living 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 – Rural Living Zone; and
- Section E6.0 – Parking and Access and Stormwater Management Codes.

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

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

The site is a 1.58Ha irregular shaped allotment, located in between Acton Road and Shelomith Drive. It is surrounded by rural living land. The site is mildly westwards sloping and predominantly cleared of vegetation. Access would be provided via Shelomith Drive.

3.2. The Proposal

The proposal is to construct a 4 bedroom single storey dwelling. The dwelling would occupy a floor area of 208.56m². It would have a deck of 24.94m² and a porch of 27.44m².

External finishes and elements would include selected cladding, double glazed aluminium windows and a 22.5 degree pitched Colourbond roof. The dwelling would have access to Shelomith Drive through an internal driveway and proposed crossover.

The dwelling would have a 105m front setback from Shelomith Drive and 116m rear setback, 8.82m north side setback, 8.82m south side setback and 33.6m south side setback.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the Rural Living Zone and Parking and Access Codes with the exception of the following.

Clause	Standard	Acceptable Solution (Extract)	Proposed
13.4.2 A2	Setback	Building setback from side and rear boundaries must be no less than 20m.	Does not comply - the north and south side setbacks are 8.82m.

The proposed variation must be considered pursuant to the Performance Criteria P2 of the Clause 13.4.2 as follows.

Performance Criteria	Proposal
<i>“Building setback from side and rear boundaries must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:</i>	Complies - the proposed dwelling is a single storey dwelling that occupies a floor area of 208.56m ² . As the proposed dwelling is aligning with a contour line, its location minimises the need for excavation and fill and consequently reduces visual impacts on the surrounding landscape.
<i>(a) the topography of the site;</i>	
<i>(b) the size and shape of the site;</i>	Complies - the lot has a land area of 1.58Ha and as a sub minimal lot is sufficiently large enough to accommodate the proposed buildings.
<i>(c) the location of existing buildings on the site;</i>	Complies - there are no existing buildings on the site.
<i>(d) the proposed colours and external materials of the building;</i>	Complies - the walls of the dwelling are proposed to cladding and render. The roof is proposed to be a hip style roof pitched at 5 degrees. It is considered that the neutral colour scheme and simple low impact design solutions should blend in with the surrounding landscape.
<i>(e) visual impact on skylines and prominent ridgelines;</i>	Complies - the proposed works are not located on a skyline or prominent ridgeline.
<i>(f) impact on native vegetation;</i>	Complies - the site is cleared of vegetation on the location of the proposed works.
<i>(g) be sufficient to prevent unreasonable impacts on residential amenity on adjoining lots by:</i>	Complies - there is ample separation (28.8m) between the proposed dwelling and the existing dwelling on 143 Shelomith Drive.
<i>(i) overlooking and loss of privacy;</i>	In addition, there will not be any habitable room's windows with a floor level 1m above the natural ground level that would overlook the property at 143 Shelomith Drive.

<p><i>(h) (ii) visual impact, when viewed from adjoining lots, through building bulk and massing;</i></p>	<p>Complies - whilst the proposed buildings will be visible from 143 Shelomith Drive, the proposed dwelling is a single storey dwelling with a maximum height of 4.7m and clad with compatible materials.</p> <p>The dwelling on an adjoining lot is located on a same contour line and orientated towards the south-west. The subject property will therefore not compromise its main view lines.</p>
<p><i>(i) be no less than;</i> <i>(i) 10m; or</i> <i>(ii) 5m for lots below the minimum lot size specified in the acceptable solution ; or</i> <i>(iii) the setback of an existing roofed building (other than exempt building) from that boundary.</i></p> <p><i>(j) unless the lot is narrower than 40m at the location of the proposed building site”.</i></p>	<p>Complies - the lot is below the minimum lot size and the proposed setback is 8.82m which is above the minimum setback specified in the performance criterion.</p>

5. REPRESENTATION ISSUES

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

5.1. Proposed Setback

The representor has stated that the most important characteristic of the landscape in Acton Park and Shelomith Drive is the wide open space as opposed to heavily built up areas of the traditional suburbs. Existing residences in the area are all substantially setback from the boundaries of their land and well away from each other. To maintain this consistency the application should be amended to meet the 20m setback requirement. The representor is concerned that situating a dwelling 8.820m from their boundary would bring it too close to their relaxation area, causing a loss of privacy.

- **Comment**

The subject site is 1.058Ha whilst the minimum lot size Rural Living zone is 2.0Ha. Lots below the size specified in the acceptable solution can be assessed against a performance criterion. Therefore, minimum setback of 5m from the front and side boundaries can be considered for lots less than 2Ha in Acton Park.

The separation to the dwelling on adjoining lot (143 Shelomith Drive) is 28.3m which is considered to be sufficient to provide separation between the dwellings. In addition, the dwellings would not be facing each other as they would be offset, in the horizontal plane, 4.5m from each other. Therefore, the proposed development would not have any negative impacts on privacy or overlooking. In addition, there would be plenty of space for screen planting in between the properties to minimise the impacts on privacy.

The proposed dwelling is a single storey dwelling with a maximum height of 4.7m and a low impact design solutions with cladded walls and a hip style roof pitched at 22.5 degrees. Most of the surrounding dwellings are single storey dwellings with similar maximum heights. In addition, the dwelling on 42 Shelomith Drive has a 5.6m rear setback. Also, the dwelling on 74 Shelomith Drive has 9m side setback and the dwelling on 50 Shelomith Drive has 10m side setback. It is considered that the proposed dwelling is appropriate to the surrounding landscape.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

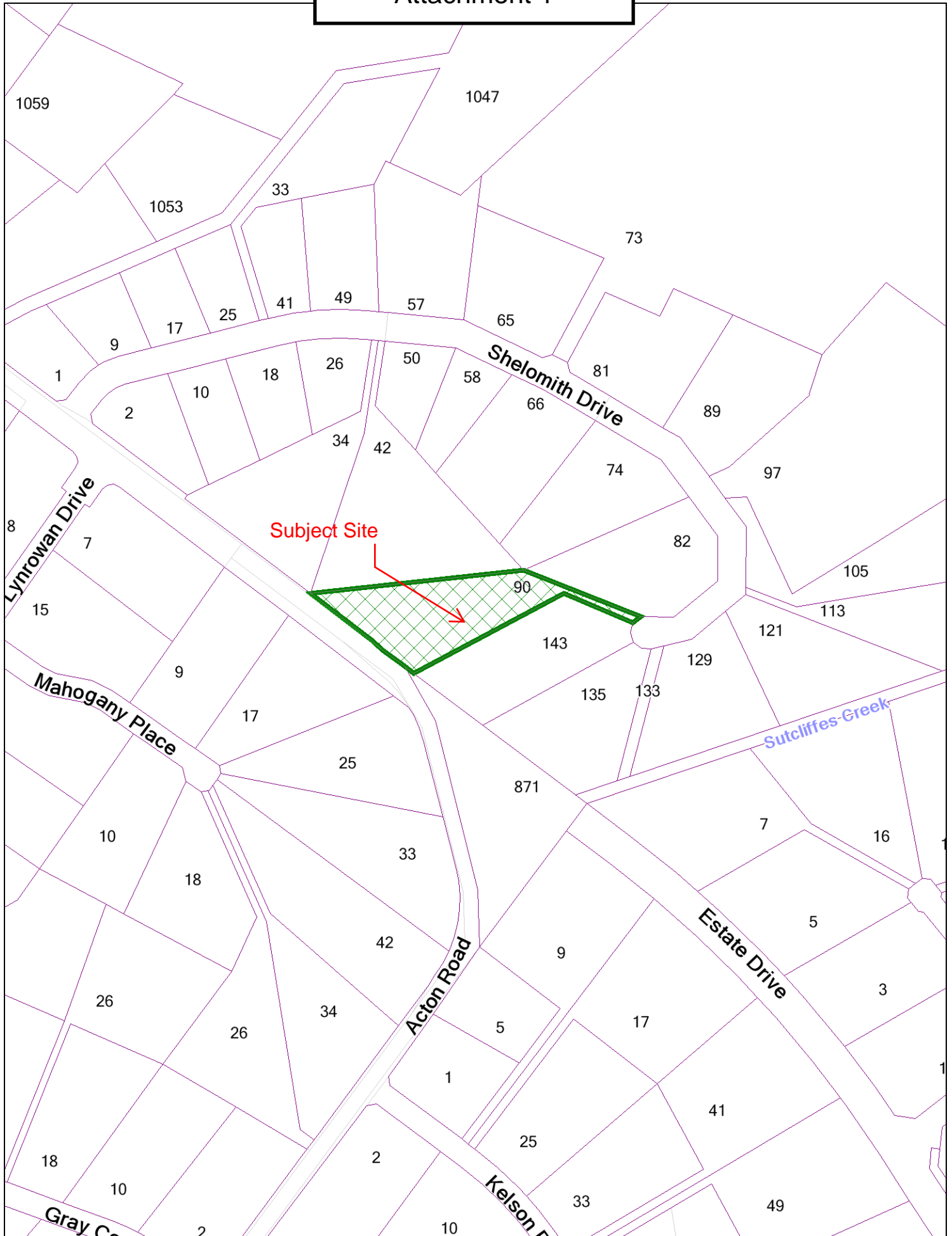
9. CONCLUSION

The proposal is recommended for approval.

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

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

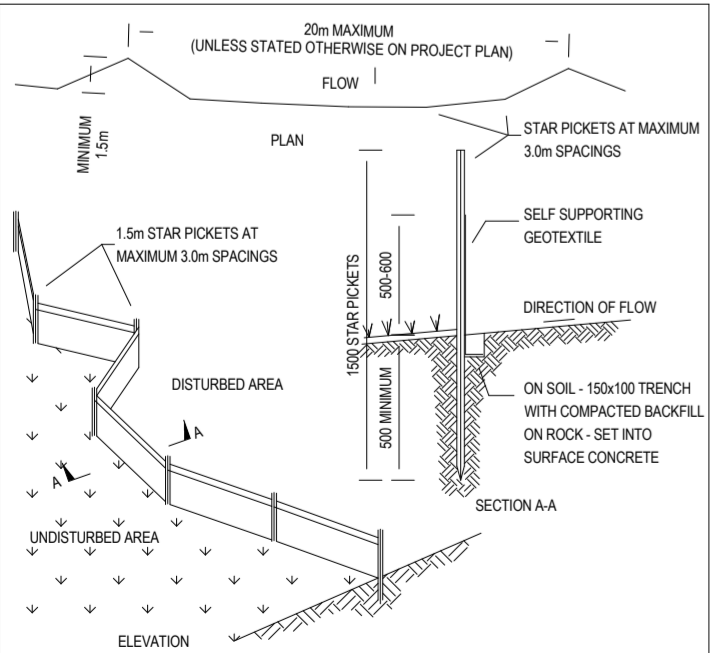


Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Friday, 2 November 2018 **Scale:** 1:4,206 @A4

Site plan- 90 Shelomith Drive, Acton Park

Attachment 2

STANDARD NOTES
1. ALL WRITTEN DIMENSION TAKE PRECEDENCE OVER SCALE.
2. ALL ROOF BEAMS, LINTELS AND BRICKWORK ANGLES TO TRUSS/WALL FRAME MANUFACTURER'S SPECIFICATIONS AND ENGINEERS VERIFICATION.
3. WC DOORS TO COMPLY WITH BCA VOL 2 PT 3.8.3.3.
4. ALL WET AREAS TO BE COMPLETED IN ACCORDANCE WITH BCA VOL 2 PT 3.8.1.
5. ENGINEER DESIGNED - PREFABRICATED TIMBER ROOF TRUSSES AS PER MANUFACTURER'S SPECIFICATIONS. (600 CTS UNLESS NOTED OTHERWISE).
6. CONVENTIONAL FRAMING FRAMES AS PER MANUFACTURER'S SPECIFICATIONS. U.N.O.
7. BUILDER & TRADES ARE TO CONFIRM ALL MEASUREMENTS, DETAILS & SPECIFICATIONS PRIOR TO SET-OUT BE ORDERING OF MATERIALS.
8. REPORT ANY ERRORS FOR CLARIFICATION/CORRECTION AS NO RESPONSIBILITY WILL BE TAKEN AFTER CONSTRUCTION HAS COMMENCED.
9. ALL ELECTRICAL APPLIANCE & PLUMBING SYMBOLS ARE DIAGRAMMATIC ONLY. REFER TO BUILDERS SPECIFICATION FOR DETAILS OF ALL FIXTURES.
10. SIZE AND LOCATION OF DOWNPIPES TO BE CONFIRMED ON SITE BY BUILDER.
11. ALL WORK TO BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AND RELEVANT TRADE AND TECHNICAL MANUALS.



Construction Notes

- Construct sediment fence as close as possible to parallel with the contours of the site.
- Drive 1.5m long star pickets into ground, 3.0m apart.
- Dig a 150mm deep trench along the upslope line of the fence for the bottom of the fabric to be entrenched.
- Backfill trench over base of fabric.
- Fix self-supporting geotextile to upslope side of posts with wire ties or as recommended by geotextile manufacturer.
- Join sections of fabric at support posts with a 150mm overlap.

SEDIMENT FENCE SD6-8

NOTE:
-ALL LEVELS SHOWN ARE NOMINAL
-FINAL LEVELS ARE TO BE DETERMINED ON-SITE TO BEST SUIT GRADE & FALLS

AREAS	
Location	Area (m ²)
HOUSE	208.56
PORCH	27.44
DECK	24.94
260.94 m ²	
ROOF AREAS (COLORBOND)	
AREA [m2 ON THE FLAT]	249.67
AREA [m2 ON THE RAKE]	270.92

Site Area		
Name	Area	Percentage Of Area Used
Built Area (Garage, House, Alfresco & Porch)	260.94 m ²	2.46 %
Site Remaining	10336.39 m ²	97.54 %
Driveway	-	-
Grand total: 2	10,597.33 m ²	100 %

Rev	Amendment	Drawn	Date
D	Amendments	VN-EM	19/09/2018
C	Working Drawings	VN-EM	13/09/2018
B	Amendments	VN-JO	22/08/2018
A	Preliminary Plans	VN-AA	10/08/2018

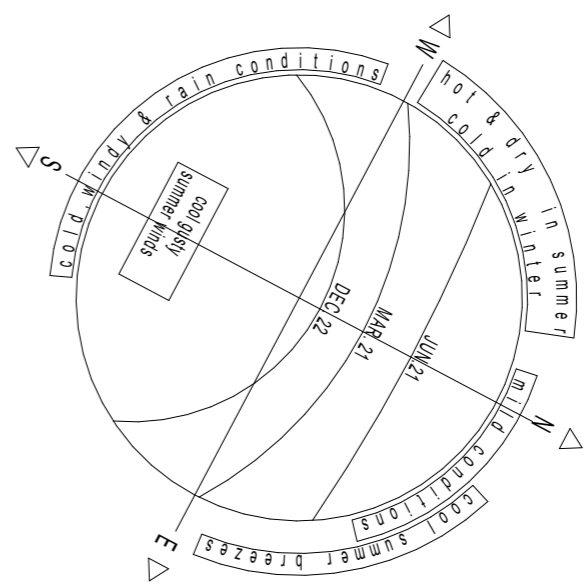
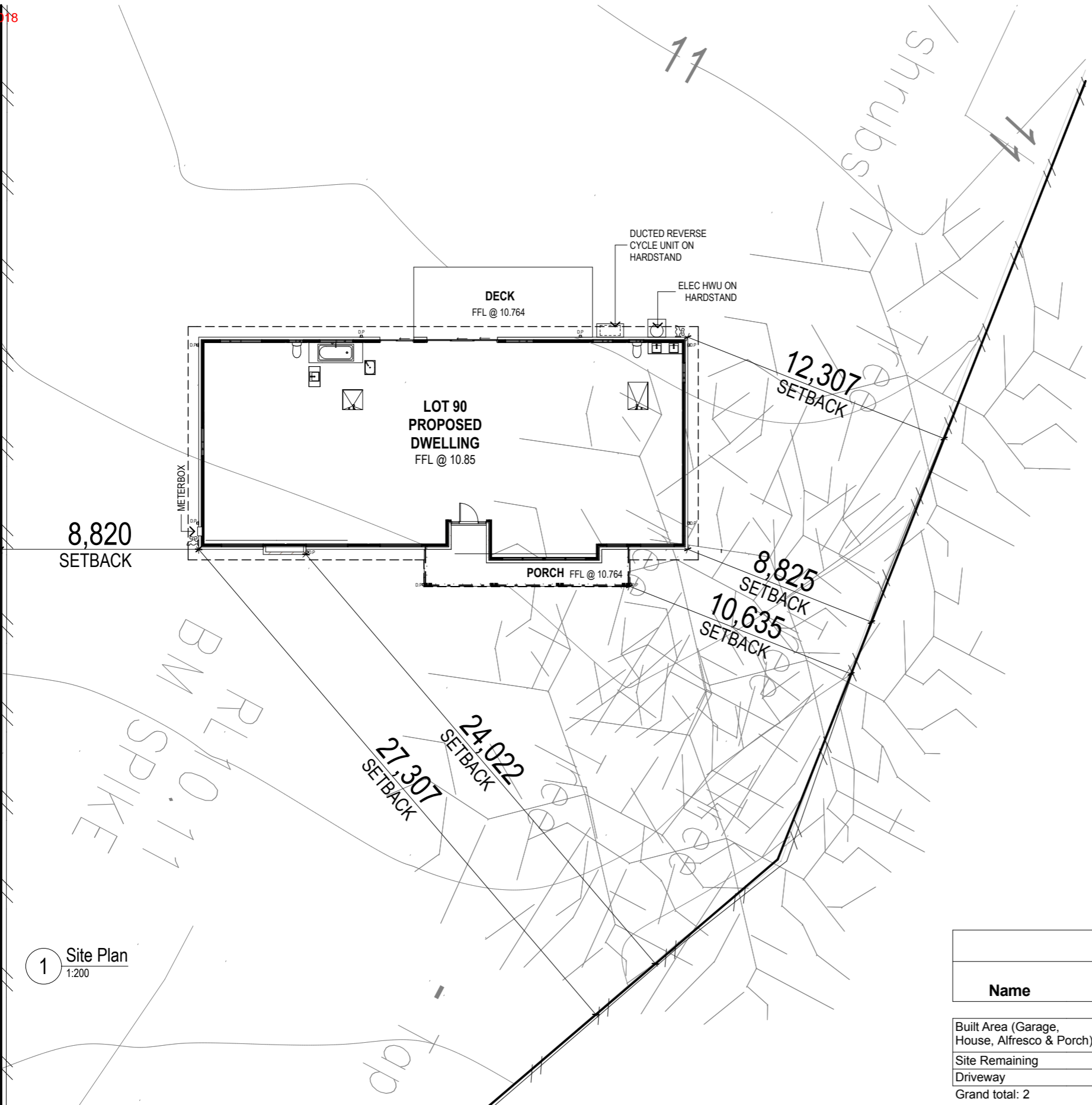


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CLIENT
DATE/...../.....
BUILDER
DATE/...../.....

PROPOSED NEW RESIDENCE FOR
JAMES DEVINE
AT LOT 90 DP
SHELOMITH DRIVE,
ACTON PARK, TAS 7170

PLAN	SCALE	1:750 ON A2
MODIFIED YERING 207	DATE	19/09/2018
TITLE	DRAWN	VN-EM
	CHECKED	
	JOB No.	DWG No.
	HHS025	01-1



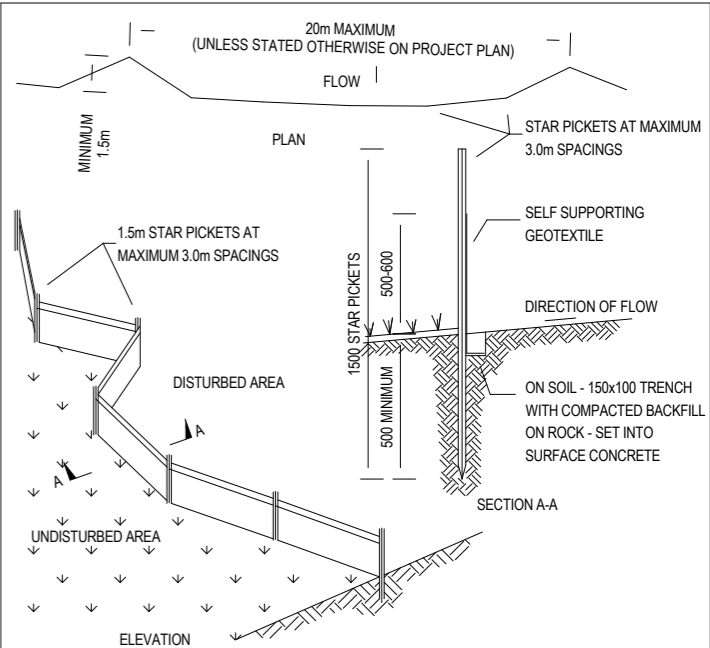
- STANDARD NOTES
1. ALL WRITTEN DIMENSION TAKE PRECEDENCE OVER SCALE.
 2. ALL ROOF BEAMS, LINTELS AND BRICKWORK ANGLES TO TRUSS/WALL FRAME MANUFACTURER'S SPECIFICATIONS AND ENGINEERS VERIFICATION.
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Grand total: 2	10,597.33 m ²	100 %






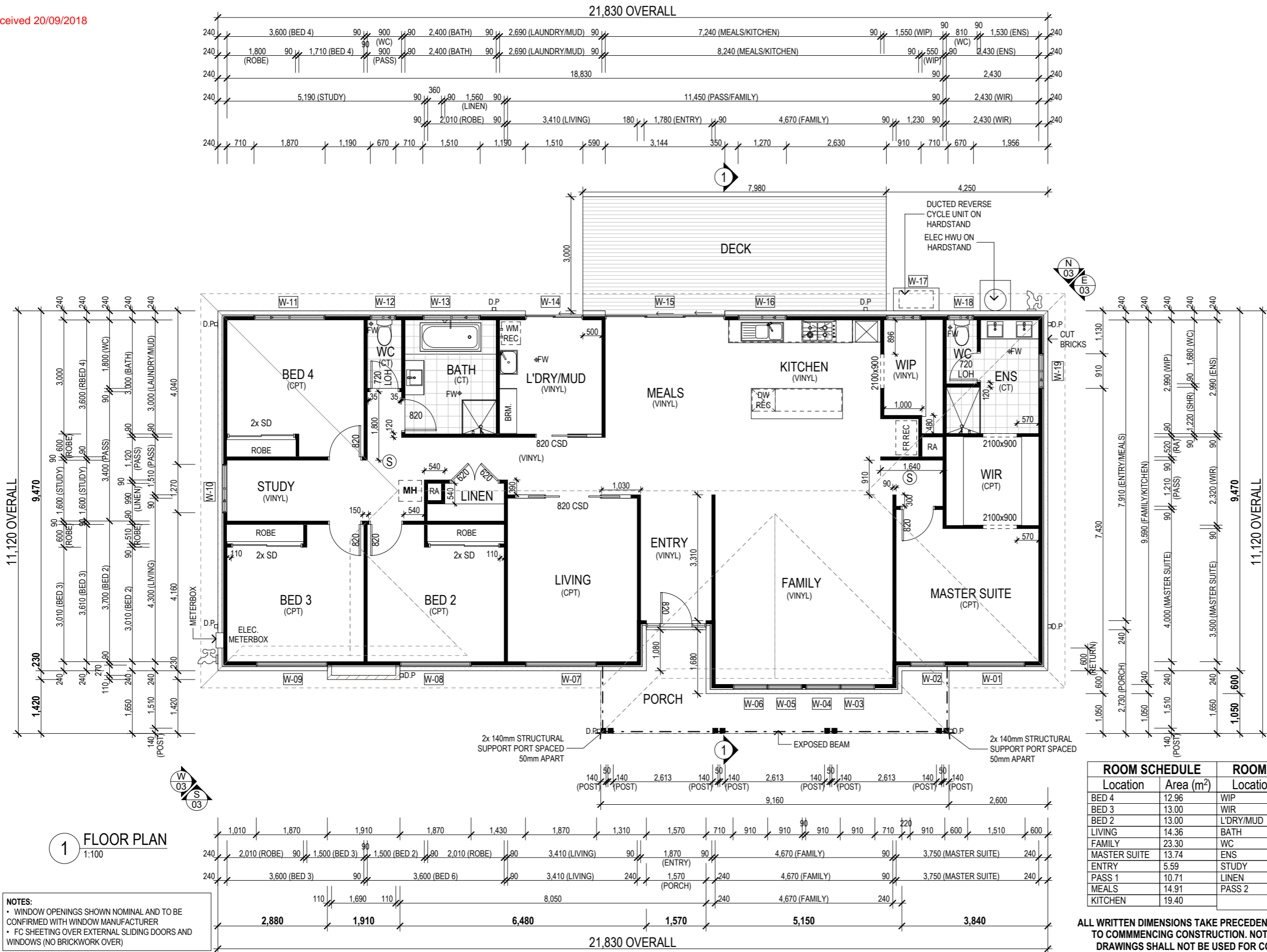
Construction Notes

1. Construct sediment fence as close as possible to parallel with the contours of the site.
2. Drive 1.5m long star pickets into ground, 3.0m apart.
3. Dig a 150mm deep trench along the upslope line of the fence for the bottom of the fabric to be entrenched.
4. Backfill trench over base of fabric.
5. Fix self-supporting geotextile to upslope side of posts with wire ties or as recommended by geotextile manufacturer.
6. Join sections of fabric at support posts with a 150mm overlap.

SEDIMENT FENCE

SD6-8

						CLIENT	PROPOSED NEW RESIDENCE FOR JAMES DEVINE	PLAN MODIFIED YERING 207	SCALE	1:200
					<p>THIS DRAWING REMAINS THE PROPERTY OF HOTONDO PTY LTD AND IS PROVIDED FOR THE USE AS DESCRIBED AND MAY NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT COPYRIGHT HOTONDO PTY LTD</p>	DATE/...../.....	AT LOT 90 DP _____ SHELOMITH DRIVE, ACTON PARK, TAS 7170		DATE	19/09/2018
D	Amendments	VN-EM	19/09/2018			BUILDER	DATE/...../.....		TITLE	DRAWN
C	Working Drawings	VN-EM	13/09/2018						CHECKED	
B	Amendments	VN-JO	22/08/2018						JOB No.	DWG No.
A	Preliminary Plans	VN-AA	10/08/2018						HHS025	01-2
Rev	Amendment	Drawn	Date						SITE PLAN	



Window List				
ID	Height	Width	Description	Area (m²)
W-01	1,457	1,510		2.20
W-02	1,457	910	AWNING WINDOW	1.33
W-03	1,800	910	AWNING WINDOW	1.64
W-04	1,800	910	AWNING WINDOW	1.64
W-05	1,800	910	AWNING WINDOW	1.64
W-06	1,800	910	AWNING WINDOW	1.64
W-07	1,457	1,870	AWNING WINDOW	2.72
W-08	1,457	1,870	AWNING WINDOW	2.72
W-09	1,457	1,870	AWNING WINDOW	2.72
W-10	1,457	1,270	SLIDING WINDOW	1.85
W-11	1,457	1,870	SLIDING WINDOW	2.72
W-12	857	670	SLIDING WINDOW	0.57
W-13	1,029	1,510	SLIDING WINDOW	1.55
W-14	2,143	1,510	SLIDING DOOR	3.24
W-15	2,143	3,144	SLIDING DOOR	6.74
W-16	857	1,270	SLIDING WINDOW	1.09
W-17	857	910	SLIDING WINDOW	0.78
W-18	857	670	SLIDING WINDOW	0.57
W-19	1,457	910	SLIDING WINDOW	1.33
Grand Total : 19				39.25 m²

AREAS	
Location	Area (m²)
HOUSE	208.56
PORCH	27.44
DECK	24.94
260.94 m²	

ROOF AREAS (COLORBOND)	
AREA [m2 ON THE FLAT]	249.67
AREA [m2 ON THE RAKE]	270.92

LEGEND	
CPT	CARPET
CT	CERAMIC TILES
C/T	COOK TOP
DP	DOWNPIPE
DPS	DOWNPIPE & SPREADER
DTR / TR	TOWEL RAIL (DOUBLE) / (SINGLE)
HK	ROBE HOOK @ 1750
FT	LAMINATE FLOORING
FFL	FINISHED FLOOR LEVEL
GFL	GARAGE FLOOR LEVEL
HWD	HARDWOOD DECKING
HWS	SOLAR HOT WATER SYSTEM (GAS BOOST)
MB	RECESSED ELECTRICAL METER BOX
RAIL	700mm SHOWER RAIL
MX	MIXER
O/H	OVERHEAD CUPBOARDS
720 PL	DOOR WITH PRIVACY LOCK
R/H	RANGEHOOD (DUCTED)
S/D	SETDOWN
FW	FLOOR WASTE
ST	SERVICES STACK
S	SPOUT
T	TAP
RT	TOWEL RING @ 1100
Tms	TRANSLUCENT GLASS
TRH	TOILET ROLL HOLDER
WM	WASHING MACHINE
WC	TOILET

	CEILING FAN LIGHT COMBO		CEILING FAN
NOTE: DOWNPIPES TO BUILDING CORNERS ARE TO BE LOCATED 350mm FROM THE CORNER OF THE EXTERNAL WALL TO CENTRE OF THE DOWNPIPE.			

ROOM SCHEDULE		ROOM SCHEDULE	
Location	Area (m²)	Location	Area (m²)
BED 4	12.96	WIP	4.15
BED 3	13.00	WIR	5.64
BED 2	13.00	L'DRY/MUD	8.07
LIVING	14.36	BATH	7.20
FAMILY	23.30	WC	1.62
MASTER SUITE	13.74	ENS	7.27
ENTRY	5.59	STUDY	5.90
PASS 1	10.71	LINEN	1.99
MEALS	14.91	PASS 2	1.83
KITCHEN	19.40		184.64 m²

ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE. BUILDER TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCING CONSTRUCTION. NOTIFY DESIGNER OF ANY DISCREPANCIES BEFORE PROCEEDING. DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL ISSUED FOR CONSTRUCTION.

Rev	Amendment	Drawn	Date
D	Amendments	VN-EM	19/09/2018
C	Working Drawings	VN-EM	13/09/2018
B	Amendments	VN-JO	22/08/2018
A	Preliminary Plans	VN-AA	10/08/2018

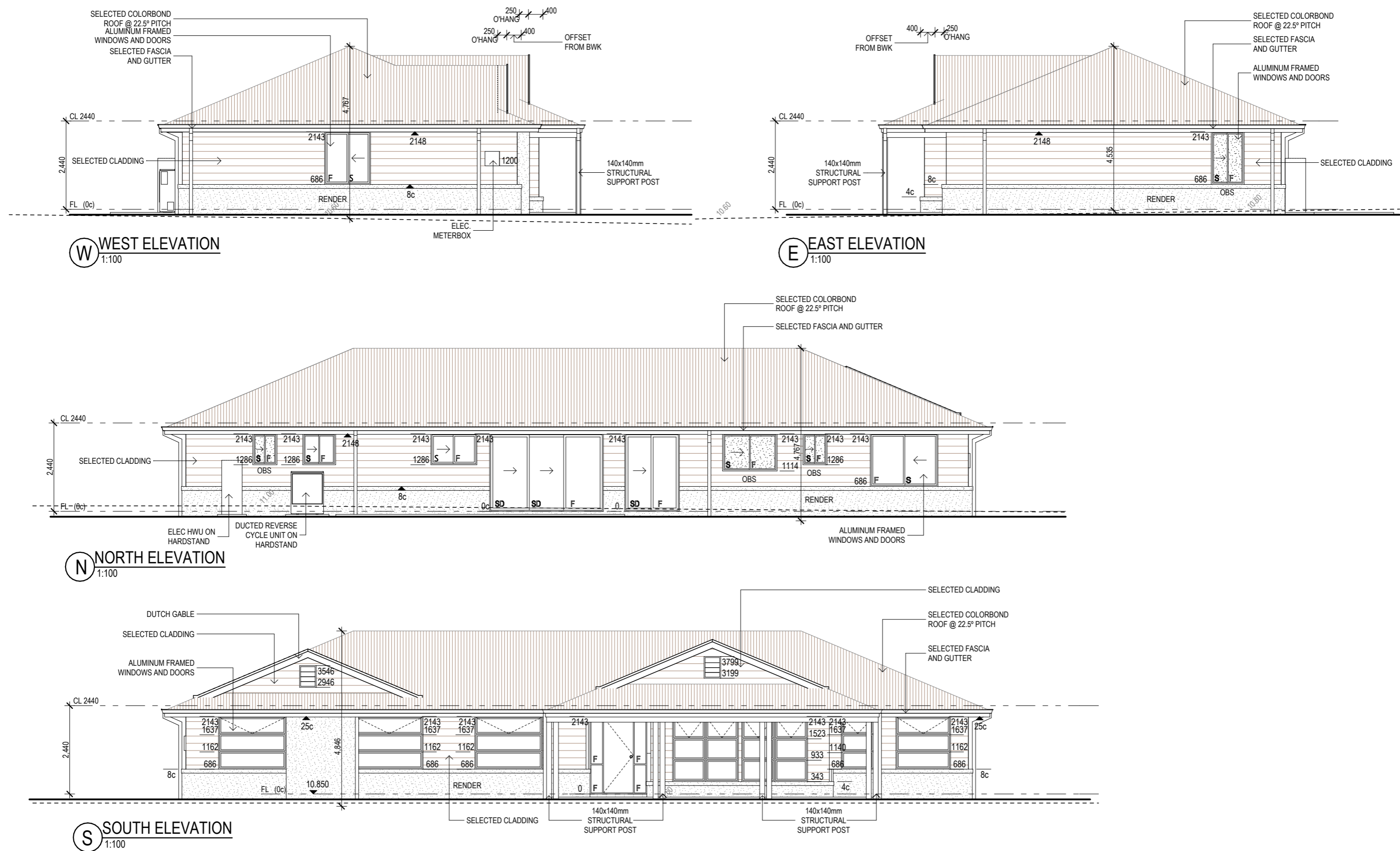
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CLIENT
DATE/...../.....
BUILDER
DATE/...../.....

PROPOSED NEW RESIDENCE FOR
JAMES DEVINE
AT
**LOT 90 DP
SHELOMITH DRIVE,
ACTON PARK, TAS 7170**

PLAN
MODIFIED YERING 207
TITLE
FLOOR PLAN

SCALE	1:100
DATE	19/09/2018
DRAWN	VN-EM
CHECKED	
JOB No. HHS025	DWG No. 02



				 	 <small>THIS DRAWING REMAINS THE PROPERTY OF HOTONDO PTY LTD AND IS PROVIDED FOR THE USE AS DESCRIBED AND MAY NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT</small> COPYRIGHT HOTONDO PTY LTD	CLIENT	PROPOSED NEW RESIDENCE FOR JAMES DEVINE	PLAN MODIFIED YERING 207	SCALE	1:100	
D	Amendments	VN-EM	19/09/2018						DATE	19/09/2018	
	C	Working Drawings	VN-EM						13/09/2018	DRAWN	VN-EM
	B	Amendments	VN-JO						22/08/2018	CHECKED	
	A	Preliminary Plans	VN-AA						10/08/2018	JOB No.	DWG No.
Rev	Amendment	Drawn	Date			DATE/...../.....	AT LOT 90 DP SHELOMITH DRIVE, ACTON PARK, TAS 7170	ELEVATIONS	HHS025	03	

Attachment 3

90 Shelomith Drive, ACTON PARK



Site viewed from Acton Road

11.3.3 DEVELOPMENT APPLICATION D-2018/533 - 74 BASTICK STREET, ROSNY - DWELLING
(File No D-2018/533)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a dwelling at 74 Bastick Street, Rosny.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 14 November 2018 as agreed with the applicant.

CONSULTATION

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

- visual impact;
- overshadowing;
- inadequate private open space; and
- loss of privacy.

RECOMMENDATION:

- A. That the Development Application for a dwelling at 74 Bastick Street, Rosny (CI Ref D-2018/533) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLANS [the deletion of the 3m wide blade wall and feature band roof located at the rear of the dwelling and replacement with the following:

- a permanently fixed screen installed at the eastern end of the north-eastern elevation of the upper and lower level decks for a length of 3m and to a height of 1.7m above the finished surface level; and
- a polycarbonate roof with a height no greater than 2.9m above the finished surface level of the upper level deck to cover the upper level deck.]

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

Following the exhibition of the proposal, the applicant was advised that representations had been received raising visual impact, overshadowing and loss of privacy concerns. In an attempt to address the concerns raised by the representors, the applicant submitted amended plans, a copy of which is included in Attachment 3. The applicant has advised that they agree for the permit to contain a condition requiring amended plans consistent with the amended plans dated 1 November 2018.

2. STATUTORY IMPLICATIONS

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

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

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10 – Parking and Access 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 599m² vacant lot located on the eastern side of Bastick Street, Rosny. The site slopes at around 1 in 4 from generally west down to the east with views over Kangaroo Bay. The site is accessed via Bastick Street and adjoins a Council reserve to the south-west and a 4.5m wide undeveloped Council laneway to the north-east. The site remains in an undeveloped grassed state. The site is elevated above Seabird Lane with the adjoining dwelling to the east obtaining frontage and access from this street.

A location plan is included in Attachment 1.

3.2. The Proposal

The proposal is for a 2 storey dwelling containing 3 bedrooms, living areas and double garage on the first floor and 2 bedrooms and living areas on the lower floor. The dwelling has a total floor area of 385m² and a maximum height of 9.057m above natural ground level. The dwelling would present as a single storey dwelling when viewed from Bastick Street and would increase into a 2 storey building at the midpoint of the building.

The dwelling would be setback 4.65m from the street frontage, 4.058m from the rear (eastern boundary), zero from the south-western side boundary and 1.34m from the north-eastern side boundary.

Upper and lower level decks are proposed part way along the north-eastern and south-western elevations.

Access to the dwelling would be via the existing crossover from Bastick Street.

A copy of the proposal plans is included in Attachment 2.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

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

General Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.2 A3	Building envelope	<p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6m horizontally beyond the building envelope, must:</p> <p>(a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by:</p>	

		<p>(i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a lot with an adjoining frontage; and</p> <p>(ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above natural ground level at the side boundaries and a distance of 4m from the rear boundary to a building height of not more than 8.5m above natural ground level; and</p>	<p>complies</p>
		<p>(b) only have a setback within 1.5m of a side boundary if the dwelling:</p> <p>(i) does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining lot; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p>	<p>As shown on Attachment 2, the building does not comply as the rear portion of the dwelling protrudes out of the building envelope by 5m, the north east elevation of the dwelling extends out of the envelope by 3.94m, and the south-west elevation of the dwelling extends out of the envelope by 2.64m.</p> <p>complies</p>

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

Performance Criteria	Comment
<p><i>“P3 – The siting of a dwelling must:</i> <i>(c) Not cause any unreasonable loss of amenity by:</i></p>	<p>see below assessment</p>
<p><i>(v) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></p>	<p>In relation to the adjoining property at 6 Seabird Lane, the information provided from the owner of the property indicates that the only window located on the north-western elevation of the dwelling (facing the subject site) is a bedroom window. The proposed dwelling would therefore have no impact upon solar access to the habitable room windows (other than bedrooms) of this adjoining dwelling.</p> <p>The adjoining property to the north-east at 72 Bastick Street contains one corner living room window on the south-western elevation facing the subject site. The shadow diagrams demonstrate that no overshadowing of this window would occur on 21 June (Winter Solstice).</p> <p>The proposal is considered to satisfy the performance criteria in that no overshadowing of habitable room windows (other than a bedroom) of an adjoining dwelling would occur.</p>
<p><i>(vi) overshadowing the private open space of a dwelling on an adjoining lot; or</i></p>	<p>The property at 6 Seabird Lane has an upper level deck accessed from the living room on its south-eastern elevation, overlooking the water and a terraced area also on this elevation. The site also contains a courtyard at the rear of the site.</p> <p>The overshadowing diagrams indicate that the proposal will cause partial overshadowing to the private open space (courtyard area to the rear) at 6 Seabird Lane from around 10m in the morning on 21 June and the majority of this area will be overshadowed by 3pm.</p>

	<p>As the majority of the courtyard area is not overshadowed between 9am and 12pm on 21 June, and another area is available for private open space which is not affected, the overshadowing caused by the development is considered reasonable.</p> <p>In relation to 72 Bastick Street, this property is located to the north-east of the subject site and comprises open space (including a deck) to the rear of the dwelling. The shadow diagrams demonstrate that no overshadowing of the private open space to the rear of this dwelling would occur on 21 June (Winter Solstice).</p>
<i>(vii) overshadowing of an adjoining vacant lot; or</i>	<p>The site adjoins a Council recreation reserve to the south-west (86 Rosny Esplanade) which is heavily vegetated along the boundary shared with the subject site. The Clarence Foreshore Trail is located 32m from the boundary with the subject site. The proposed dwelling would not cause unreasonable overshadowing to this adjoining public reserve given any overshadowing impact would be absorbed by the native vegetation located immediately to the south-west of the site.</p> <p>The site also adjoins a vacant Council owned laneway to the north-east. Given the orientation of this adjoining land to the north-east, no overshadowing impact would occur.</p>
<i>(viii) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i>	<p>Given the gradient of the land in the vicinity of the site, the surrounding area generally contains Single Dwellings on multiple levels. Nearby dwellings are typically oriented to the east/south-east to obtain views over Kangaroo Bay and Bellerive Bluff.</p> <p>The dwelling is a 2 storey building and would be larger in scale and bulk to many dwellings in the area.</p>

	<p>The building being located upslope from the adjoining dwelling at 6 Seabird Lane together with the 2 storey design will inevitably result in a significantly altered outlook from this adjoining property. However, the living areas and deck of this adjoining dwelling are located on the opposite (eastern) elevation as these parts of the dwelling have been oriented and designed to maximise water views, as is the case with all other dwellings within Seabird Lane. The scale, bulk and proportions of the proposed dwelling would have no impact upon these important view corridors.</p> <p>A courtyard is located to the rear of this adjoining dwelling which will be impacted visually by the proposed dwelling.</p> <p>The rear building envelope encroachment will result in a significant encroachment, with much of this encroachment associated with the rear feature band roof and feature blade wall serving to cover the upper level deck. It is considered that these features will cause an unreasonable visual impact when viewed from the rear private open space of this adjoining dwelling due to the bulk and proportions.</p> <p>This issue was discussed with the applicant who has provided amended plans (refer to Attachment 3) showing the removal of the blade wall and replacement with privacy screens and the replacement of the roof with a lighter transparent material. It is considered that these changes will lessen the visual bulk and on balance will result in a reasonable visual impact when viewed from this adjoining property.</p>
--	--

	<p>In relation to 72 Bastick Street, the revised plans to remove the solid blade wall discussed above and replacement with timber privacy screens will provide for greater visual permeability and will allow views through the deck structures when viewed from the corner living room window of this adjoining dwelling.</p> <p>Subject to the inclusion of a permit condition implementing the above, the proposal is considered to be of an appropriate scale, bulk and proportions to minimise visual bulk.</p>
<p>(d) <i>Provide separation between dwellings on an adjoining lot that is compatible with that prevailing in the surrounding area.</i></p>	<p>The surrounding area generally displays consistency in separation between dwellings with this being a consequence of the evident uniformity in lot shapes and sizes. The long, narrow design of many of the lots on both sides of Bastick Street results in a situation where many of the houses are constructed to, or partly to, the side boundaries. The proposal to locate a small part of the proposed dwelling along the south-western side boundary and the 1.3m setback maintained from the north-eastern side boundary will remain consistent with the side separation between dwellings evident within the area. The separation is further enhanced by the presence of the 4.5m wide Council laneway to the north-east and the larger expanse of a vegetated Council owned reserve to the south-west.</p> <p>The long, narrow lot configurations typifying the area results in a characteristically large rear boundary separation. This is particularly the case for the north-western (upper) side of Bastick Street. The properties immediately to the north are provided with dual frontage onto Bastick Street and Seabird Lane which effectively precludes these properties of a rear boundary. The adjoining property at 6 Seabird Lane is setback 8m from the rear boundary with the subject site.</p>

	The subject site differs from the properties immediately to the north in that it does not have a frontage extending to Seabird Lane. The proposed dwelling is generally consistent with the rear dwelling separation provided at 6 Seabird Lane with this property having the greatest similarity to the subject site in terms of slope, lot size and configuration.
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General Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.4 A1	Sunlight and overshadowing for all dwellings	A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	The living areas are orientated 43 degrees west of north.

The proposed variation must be considered pursuant to the Performance Criteria (3) of the Clause 10.4.2 as follows.

Performance Criteria	Proposal
A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).	The proposed dwelling has 2 small windows and multiple clear storey windows to the living areas which are orientated generally north and east. The orientation of these windows will receive adequate sunlight at all times of the year. The open plan design of the living space will also allow for light to flow through to the southern section of the living space for enhanced passive solar design.

General Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.3 A2	Private open space	<p>A dwelling must have an area of private open space that:</p> <p>(a) is in one location and is at least:</p> <p>(i) 24m²; or</p> <p>(ii) 12m², if the dwelling is a Multiple Dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(b) has a minimum horizontal dimension of:</p> <p>(i) 4m; or</p> <p>(ii) 2m, if the dwelling is a Multiple Dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and</p> <p>(c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and</p>	<p>complies</p> <p>Does not comply - the private open space allocated to the additional dwelling would have a minimum dimension of 3.275m therefore does not comply with Clause (b).</p> <p>Does not comply – the private open space would be located to the east (rear) of the dwelling and would not be directly accessible from the lower floor rumpus room, in that it is separated by a narrow deck.</p>

		(d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on 21 June; and	complies
		(e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and	complies
		(f) has a gradient not steeper than 1 in 10; and	complies
		(g) is not used for vehicle access or parking.	complies

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

Performance Criteria	Proposal
<p><i>“P2 - A dwelling must have private open space that:</i></p> <p><i>(a) Includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children’s play and that is:</i></p>	see below assessment
<p><i>(i) conveniently located in relation to a living area of the dwelling; and</i></p>	<p>The ground level private open space would be located to the east of the dwelling and would be directly accessible from the ground level rumpus by a decked area. The ground level open space is considered to be of an appropriate location and proportions to facilitate a range of outdoor activities such as relaxation, children’s play and gardening.</p>

	<p>In consideration of the type of recreation likely to be facilitated by the ground level outdoor space, access via the rumpus is considered reasonable. The ground level private open space would also be accessible from the upper level laundry and living room by the upper level deck and stairs extending along the northern elevation of the dwelling.</p> <p>The private open space would be supplemented with lower and upper level decks. The decks have been designed to be accessible from the living space and rumpus room and would provide for an adequate area to facilitate outdoor dining and entertaining that is otherwise not as conducive within the ground level private open space.</p>
<p><i>(ii) oriented to take advantage of sunlight.</i></p>	<p>Due to the easterly orientation of the ground level open space, it would be capable of receiving sunlight during the winter months as demonstrated by the shadow diagrams.</p> <p>The shadow diagrams submitted with the application demonstrate that in excess of 50% of the designated ground level private open space would receive sunlight between 9am and 12pm on 21 June. It is therefore considered that the location and dimensions and orientation of the ground level private open space will facilitate reasonable solar access.</p>

General Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.6 A1	Privacy	<p>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:</p> <p>(a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3m from the side boundary; and</p> <p>(b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4m from the rear boundary; and</p> <p>(c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6m:</p>	<p>Does not comply – the north-eastern elevation of the rear upper level deck would have a finished surface level of 2.9m – 4.8m above natural ground level and would be located 1.4m from the north-eastern side property boundary.</p> <p>The amended plans submitted to address representations show a 3m long section of screening along the eastern end of the deck with the remaining 9m length of deck being unscreened.</p> <p>complies</p> <p>complies</p>

		<p>(i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or</p> <p>(ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.</p>	
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The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 10.4.6 as follows.

Performance Criteria	Proposal
<p><i>“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:</i></p> <p><i>(a) a dwelling on an adjoining lot or its private open space; or</i></p>	<p>see assessment below</p>
	<p>The proposed deck would face directly towards the living room window and rear private open space of the dwelling to the north-east at 72 Bastick Street. The deck allocated to this adjoining dwelling is screened by the existing dwelling located on this neighbouring property.</p> <p>The proposal plans include a 3m long screen at its eastern end to a height of 1.7m above the finished surface level of the deck. The purpose of the screened section is to screen the users of the larger component of the deck located on the eastern elevation of the dwelling.</p> <p>The remaining unscreened section serves as a narrow walkway providing access from the laundry door to the ground level outdoor space. The walkway then widens at the stair landing to access the larger part of the deck on the east elevation.</p>

	Whilst there may be some overlooking impact, it would be limited in that this part of the deck would have limited use because it acts as a walkway rather than a recreational space. Further, the separation from the adjoining property will minimise direct down viewing into the private open space and living room window. On this basis, the proposed screening arrangement is considered acceptable.
(b) <i>another dwelling on the same site or its private open space; or</i>	Not applicable – the proposal is for a Single Dwelling.
(c) <i>an adjoining vacant residential lot”.</i>	The north-eastern boundary of the site is shared with a narrow Council reserve. The reserve does not currently provide formal public access, however, in the longer term Council may seek to formalise a public access from Bastick Street to Seabird Lane. Passive surveillance over the laneway by residential properties is encouraged in this case to enhance the safety of the public. The deck would therefore not cause any unreasonable overlooking of the adjoining Council laneway.

General Residential

Clause	Standard	Acceptable Solution (Extract)	Proposed
10.4.6 A2	Privacy	<p>A window or glazed door, to a habitable room, of a dwelling that has a floor level more than 1m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b):</p> <p>(a) The window or glazed door:</p> <p>(i) is to have a setback of at least 3m from a side boundary; and</p> <p>(ii) is to have a setback of at least 4m from a rear boundary; and</p>	Does not comply – the south-western elevation of the dwelling contains 2 living room windows within 2m of the south-western side property boundary.

		<ul style="list-style-type: none"> (iii) if the dwelling is a Multiple Dwelling, is to be at least 6m from a window or glazed door, to a habitable room of another dwelling on the same site; and (iv) if the dwelling is a Multiple Dwelling, is to be at least 6m from the private open space of another dwelling on the same site. 	
		<p>(b) The window or glazed door:</p> <ul style="list-style-type: none"> (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7m above the floor level or has fixed obscure glazing extending to a height of at least 1.7m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7m above floor level, with a uniform transparency of not more than 25%. 	complies

The proposed variation must be considered pursuant to the Performance Criteria (P2) of the Clause 10.4.6 as follows.

Performance Criteria	Proposal
<i>“P2 - A window or glazed door, to a habitable room of dwelling that has a floor level more than 1m above the natural ground level, must be screened, or otherwise located or designed, to minimise direct views to:</i>	see assessment below
<i>(d) window or glazed door, to a habitable room of another dwelling; and</i>	Not applicable – the adjoining property to the south-west forms a large Council reserve.
<i>(e) the private open space of another dwelling; and</i>	as per above
<i>(f) an adjoining vacant residential lot”.</i>	as per above

5. REPRESENTATION ISSUES

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

5.1. Visual Impact

Concern is raised in relation to the visual impact of the proposal when viewed from the adjoining property at 72 Bastick Street. Specifically, the rear feature band and blade wall encompassing the rear decks would be unreasonably bulky in their proportions and scale.

- **Comment**

This issue has been discussed in detail above under Section 4.2. In response to officer and representor concerns relating to the exacerbated visual bulk arising from the rear deck feature band and blade wall, the applicant has provided amended plans removing this feature and replacing it with a lighter and more open construction, which will allow for views to be obtained through the deck areas from the adjoining dwelling at 72 Bastick Street. This plan will go some way towards addressing the representor’s concerns and should be conditioned to form part of any approval.

5.2. Overshadowing

Concern is raised that the proposed dwelling will cause an unreasonable loss of overshadowing upon the dwelling at 6 Seabird Lane and an unreasonable overshadowing impact upon the rear private open space associated with 72 Bastick Street. The representor has also raised concern that the proposal will cause a loss of sunlight to the backyard in the late afternoon in the summer months when the solar arc continues further to the south-west.

- **Comment**

In relation to overshadowing impact upon 6 Seabird Lane, the western elevation of the dwelling contains a single bedroom window. Where a building envelope variation is sought, the corresponding performance criteria limits consideration of overshadowing impact to habitable rooms other than a bedroom. The proposal is considered to satisfy Clause 10.4.2 P3 with respect to overshadowing impact upon habitable room windows.

The representor also raises concern that the proposed dwelling will shadow the roof of 6 Seabird Lane for the majority of the afternoon, which may impact upon the effectiveness of solar panels should these be installed in the future. Sunlight loss upon solar panels is not a relevant planning consideration.

In relation to the overshadowing impact upon 72 Bastick Street, the shadow diagrams demonstrate that no overshadowing impact would occur upon the habitable room windows or private open space of this adjoining dwelling.

The loss of late afternoon sunlight is not considered unreasonable given much of the backyard (including deck) would be in shadow of the existing dwelling located on the adjoining property.

5.3. Inadequate Private Open Space

Concern is raised that the private open space allocated to the proposed dwelling is inadequate in that south-east facing design and enclosure on 3 sides will preclude reasonable solar access to the deck.

- **Comment**

Shadow diagrams submitted with the application demonstrate that the ground level private open space located in the eastern corner of the property would comply with the solar access requirement of Clause 10.4.3 A2 of the Scheme requiring 50% of the private open space to be capable of receiving at least 3 hours of sunlight to 50% of the area between 9am and 3pm on 21 June. The upper and lower level decks will be compromised in terms of solar access by the presence of the privacy screens, however, the performance criteria is satisfied with respect to solar access.

5.4. Privacy

Concern is raised that the proposal will cause a loss of privacy to the dwelling and associated private open space located at 6 Seabird Lane and 72 Bastick Street.

- **Comment**

The eastern (rear) elevation of the dwelling would maintain a 4m setback from the boundary with 6 Seabird Lane, therefore satisfies Clause 10.4.6 A1 of the Scheme with respect to privacy.

The issue of overlooking upon the adjoining property to the north-east at 72 Bastick Street has been reviewed above and considered that the deck design will prevent unreasonable overlooking impact.

5.5. Landscaping

Concern is raised in relation to the structural integrity of the rock face that supports the courtyard to the rear of the adjoining dwelling to the south at 6 Seabird Lane.

- **Comment**

This is not a relevant planning consideration, however, it will form part of the assessment of a future building permit application.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

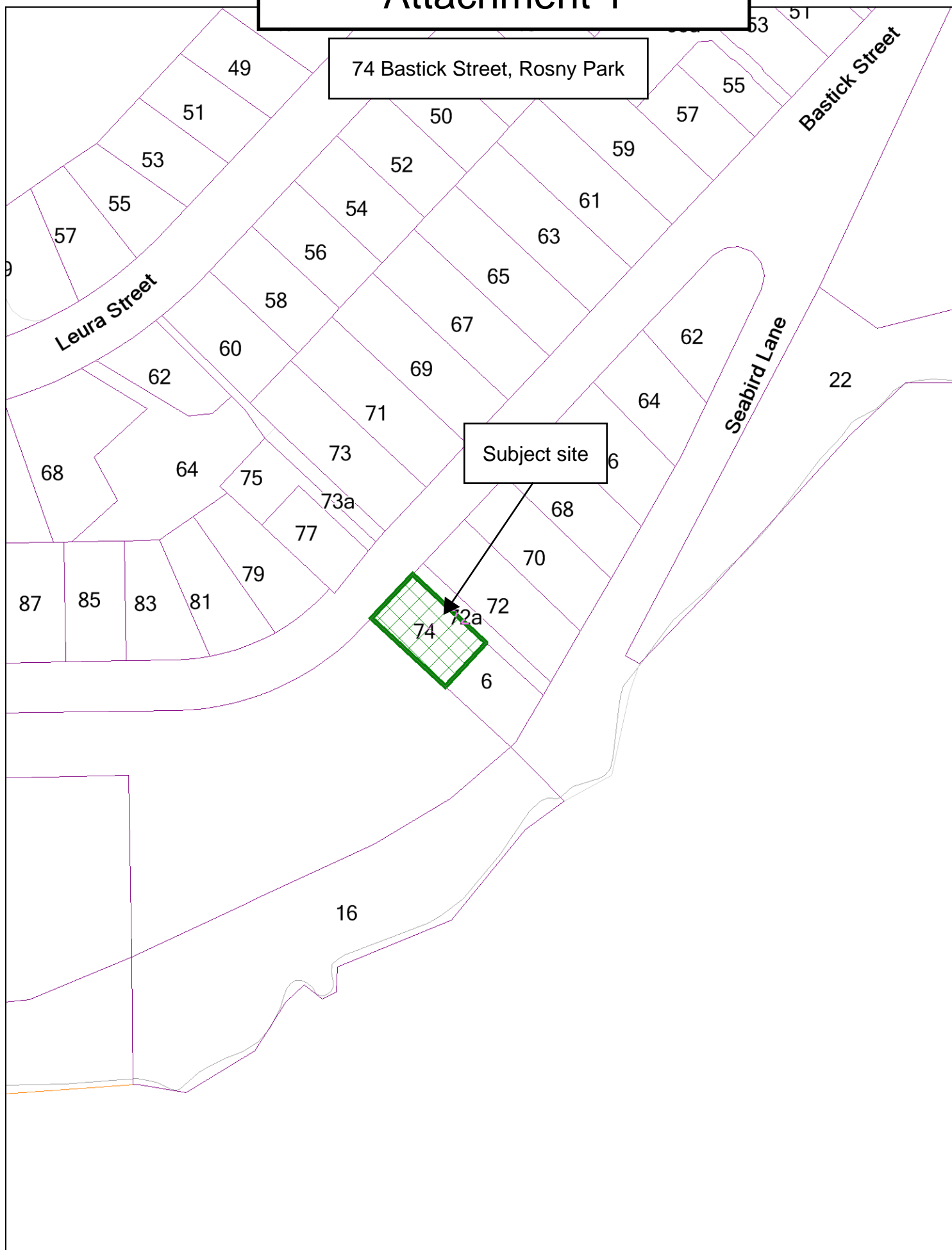
The proposal for a dwelling at 74 Bastick Street, Rosny is considered to satisfy all relevant performance criteria of the Scheme and is accordingly recommended for conditional approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (8)
3. Amended Plans (8)
4. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

74 Bastick Street, Rosny Park



Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Friday, 12 October 2018 **Scale:** 1:1,478 @A4

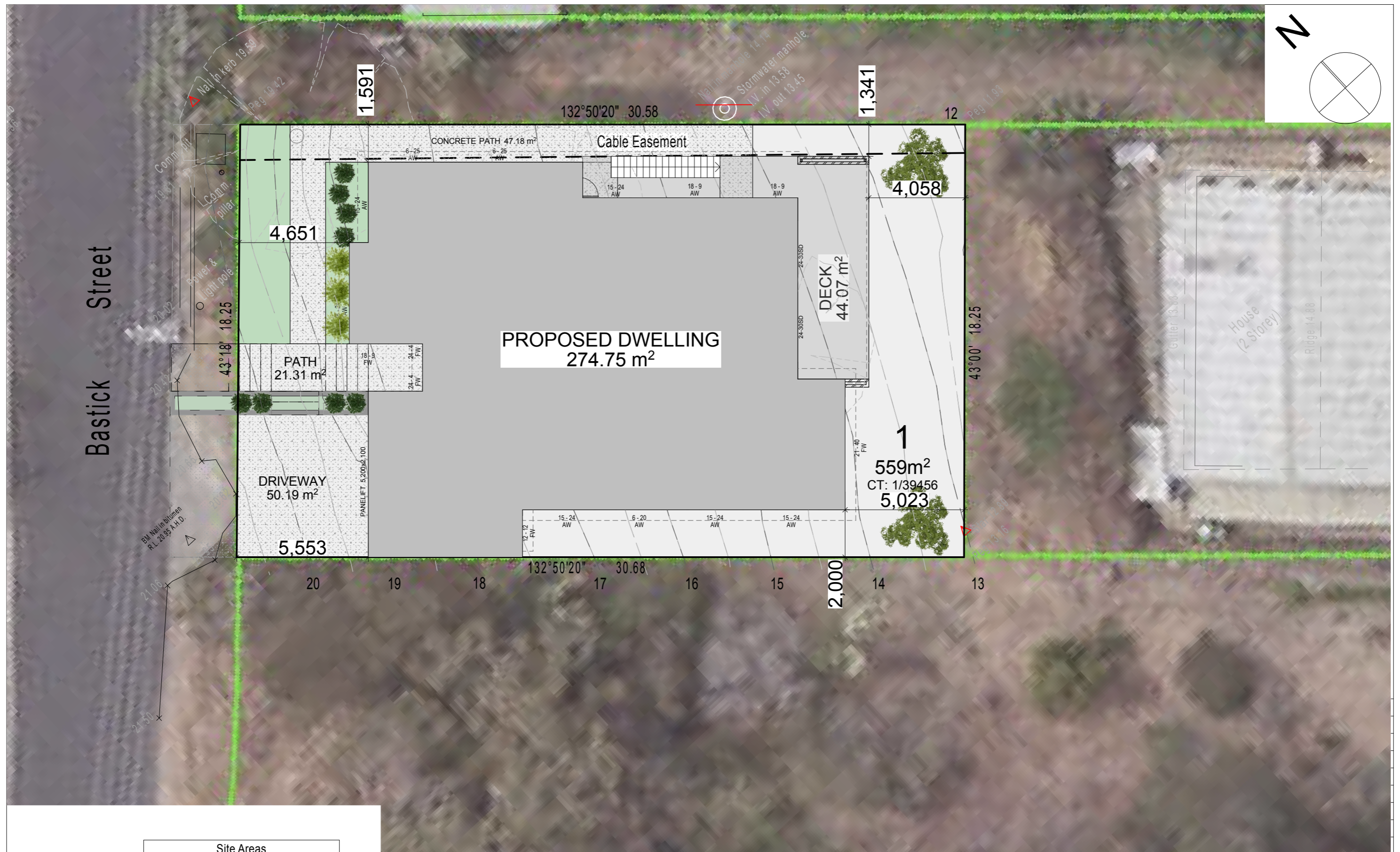
74 Bastick St, Rosny 7018

Drawing No:	Description
1	Site Plan
2	Upper Floor Plan
3	Lower Floor Plan
4	Elevations N-S
5	Elevations E-W
6	Building Envelope
7	Shadows - June 21



General Information	
Designer	Jason Nickerson CC6073Y
Owner(s) or Clients	Dennis & Sally Bordin
Building Classification	1a
Title Reference	1/39456
Design Wind Speed	N2
Soil Classification	S
Climate Zone	7
BAL	LOW
Corrosion Environment	Moderate
Zoning	General Residential





Site Plan



Site Areas	
Site area	559 sqm
Total Building Area	297.69 sqm
Total Site Coverage	53.25%

Proposal:	New Dwelling	Scale: 1:150 @ A3	Job No: 92-2018	Pg No: 1
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

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Floor Areas	
Lower Floor	111.20 sqm
Upper Floor	274.75 sqm
Total	385.95 sqm
Deck	39.01 sqm

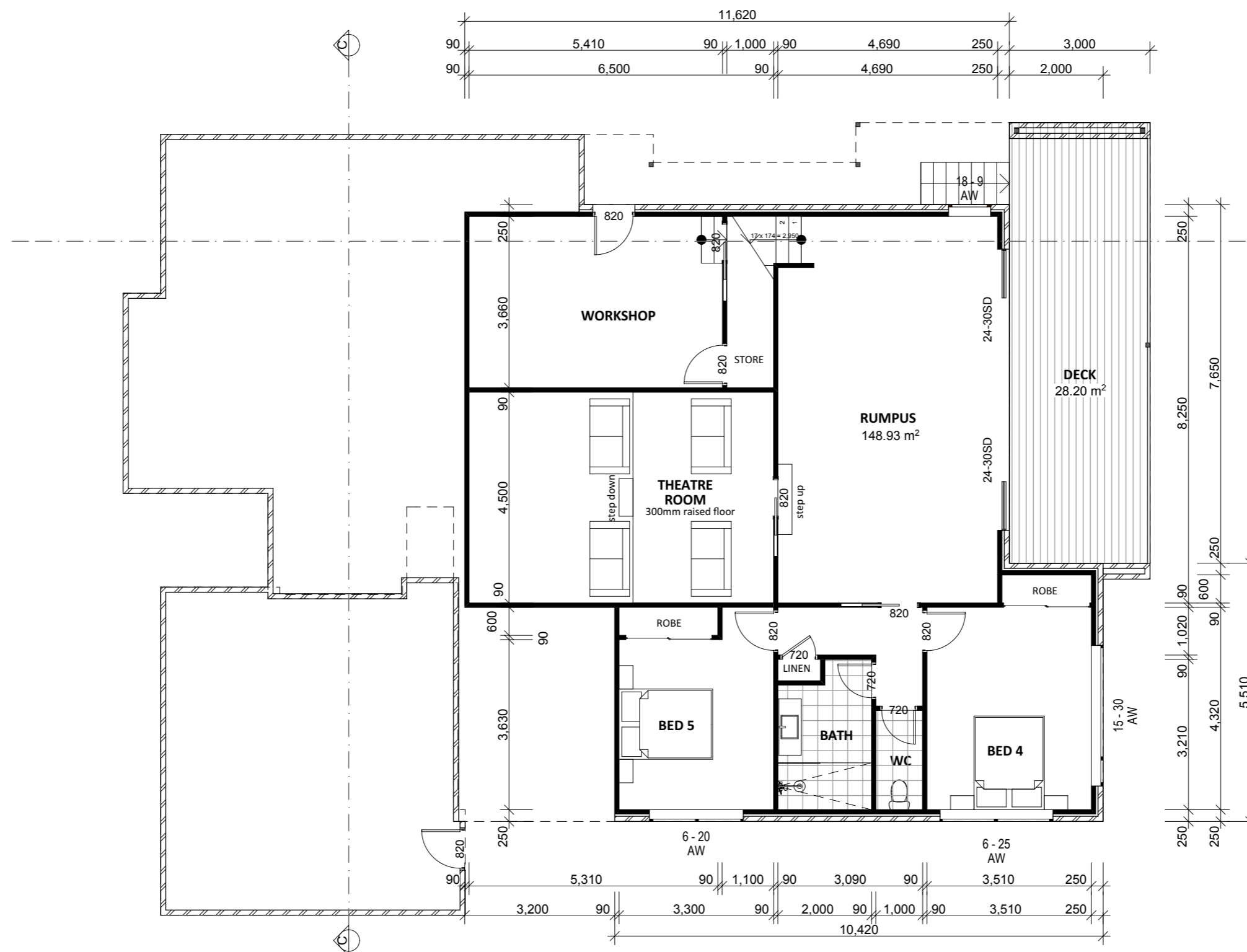
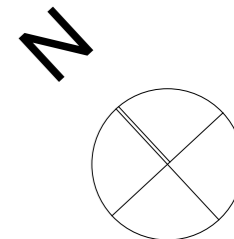
Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows

Upper Floor Plan



Proposal:	New Dwelling	Scale: 1:100	@ A3	Job No: 92-2018	Pg No: 2
Client:	Dennis & Sally Bordin	Date:	29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn:	JRN	Building Surveyor:	L.T.B.S
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Floor Areas	
Lower Floor	148.93 sqm
Upper Floor	274.75 sqm
Total	423.68 sqm
Deck	28.20 sqm

Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows

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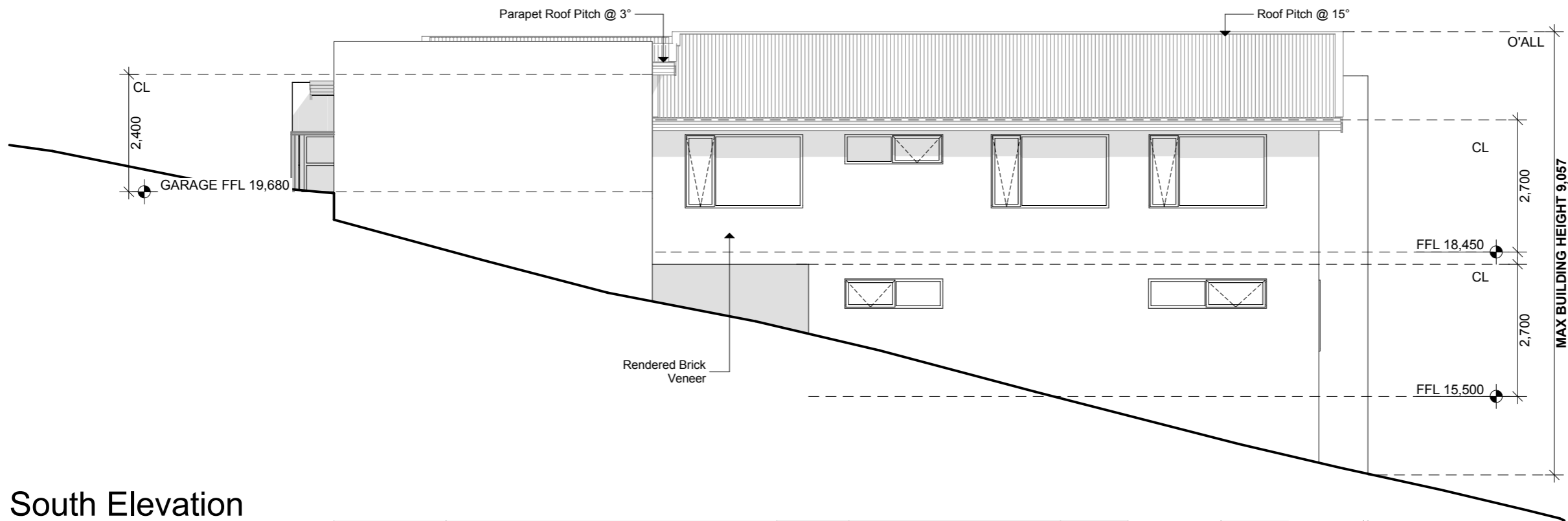
Lower Floor Plan



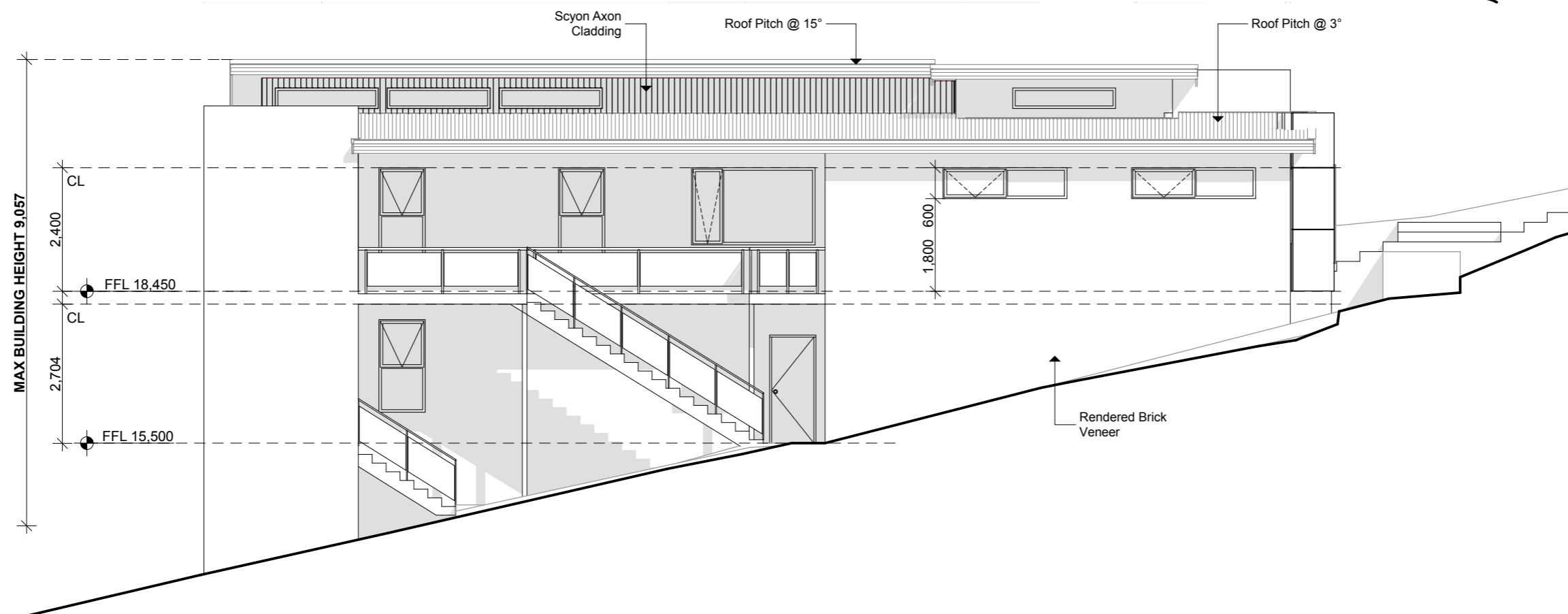
Proposal:	New Dwelling	Scale: 1:100 @ A3	Job No: 92-2018	Pg No: 3
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

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South Elevation



North Elevation

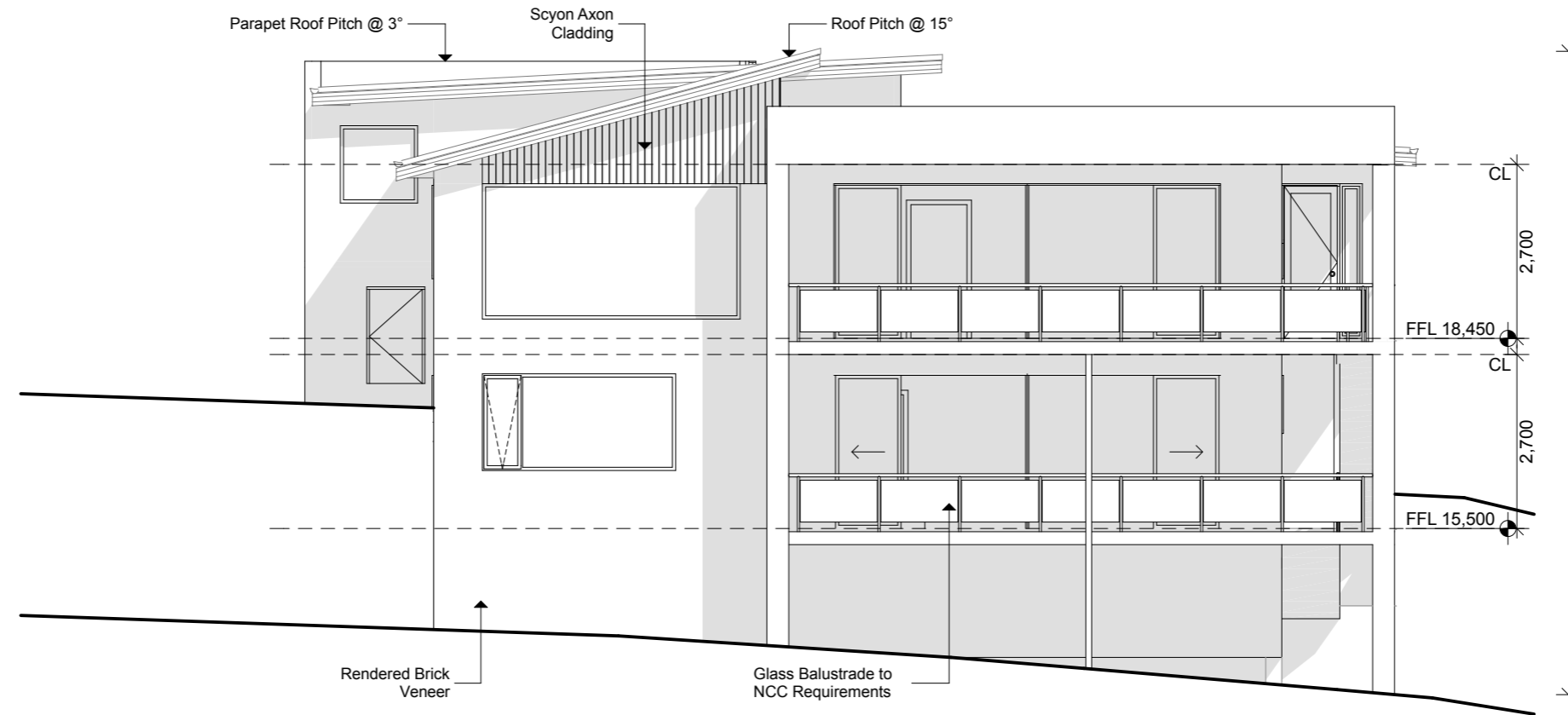
Elevations N-S



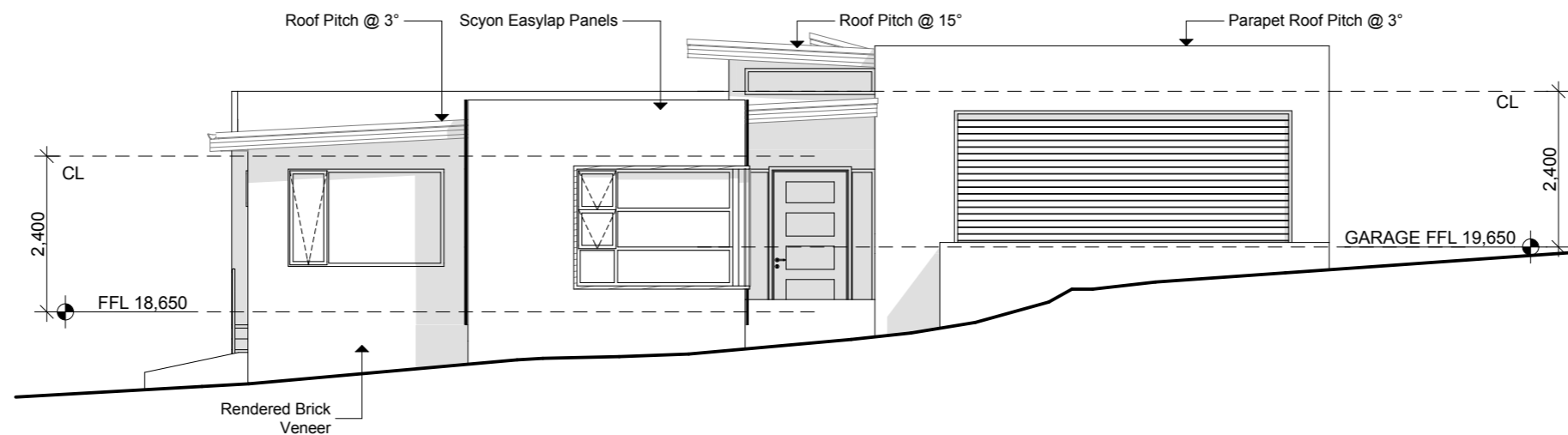
Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows

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Proposal:	New Dwelling	Scale: 1:100	@ A3	Job No: 92-2018	Pg No: 4
Client:	Dennis & Sally Bordin	Date: 29.06.18		Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN		Building Surveyor: L.T.B.S	
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East Elevation



West Elevation

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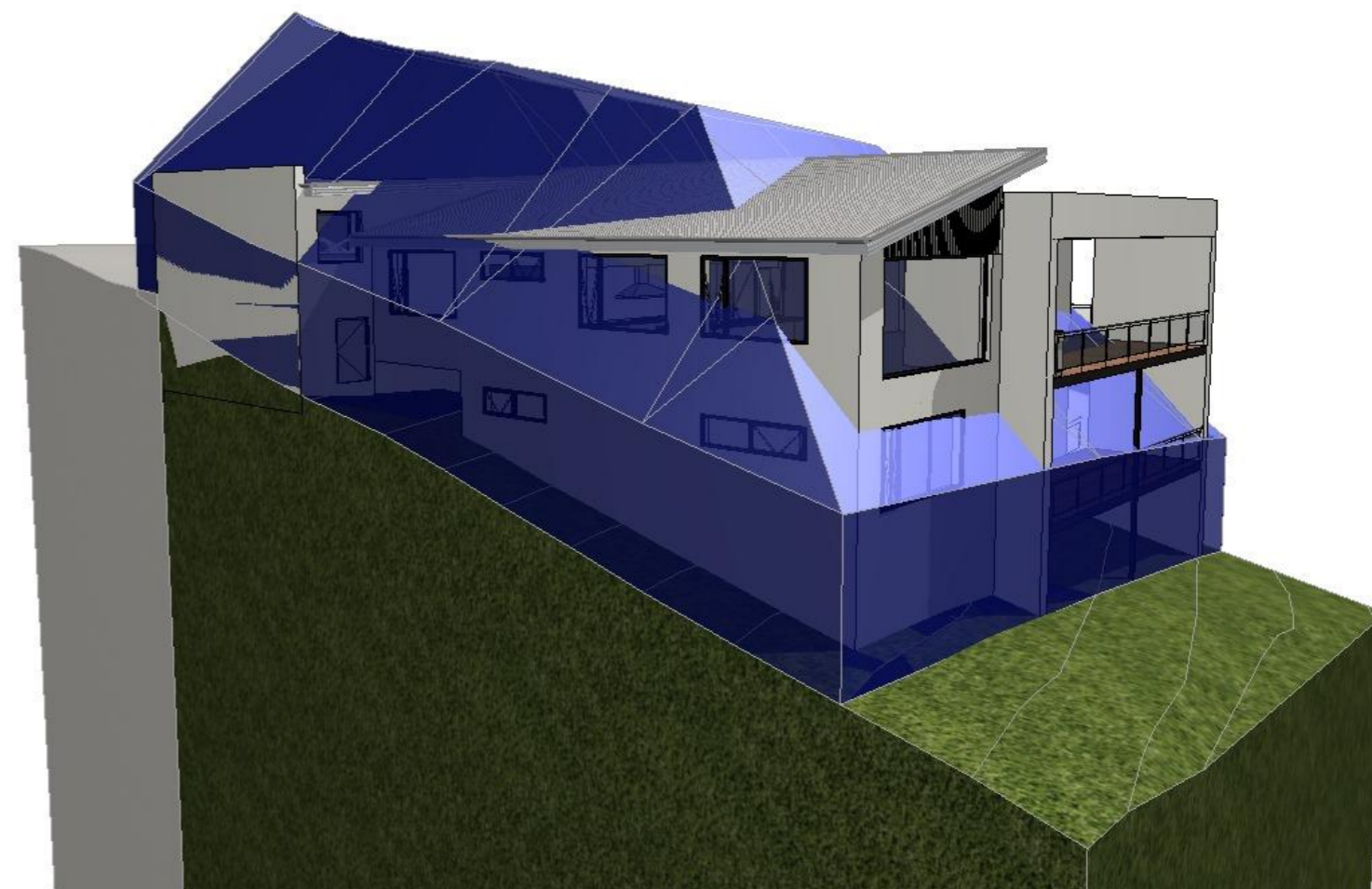
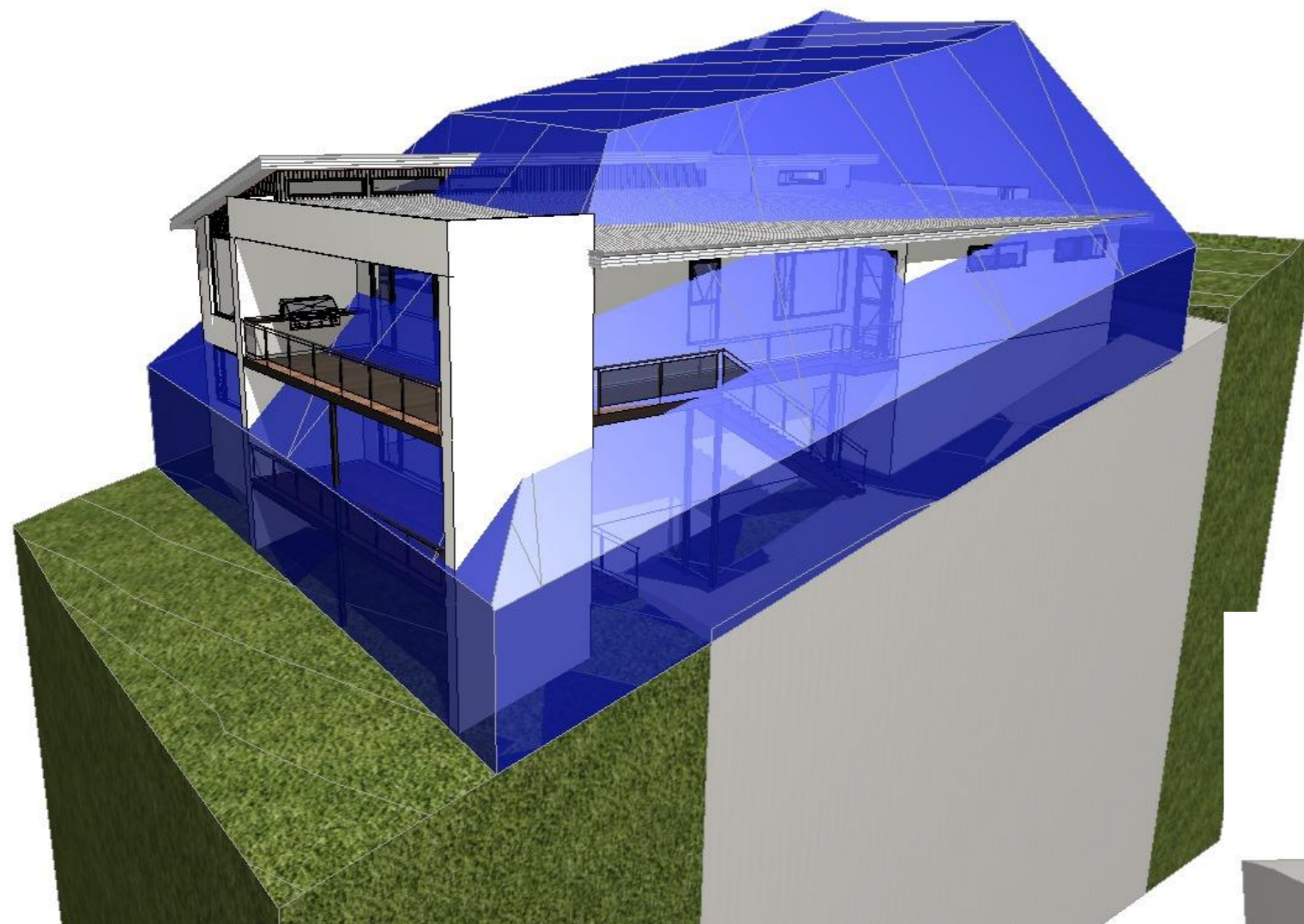
Elevations E-W



Proposal:	New Dwelling	Scale: 1:100 @ A3	Job No: 92-2018	Pg No: 5
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	
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Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows





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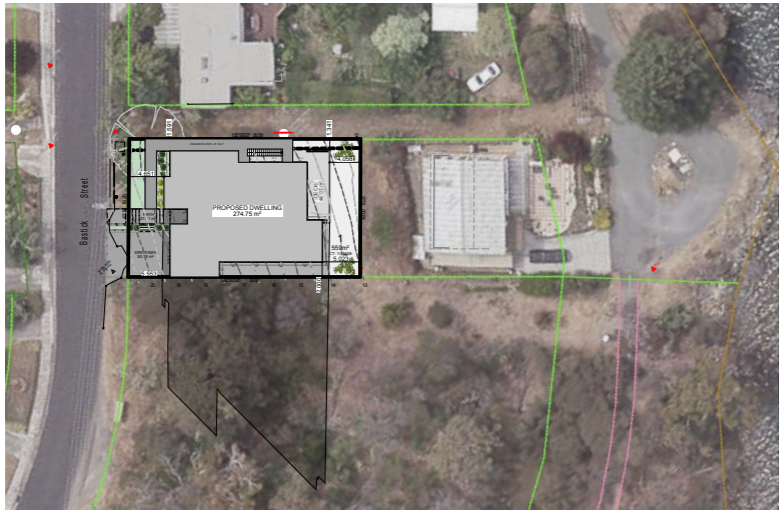
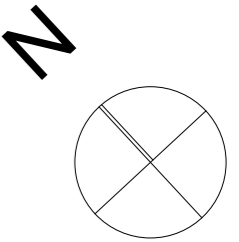
Building Envelope



Proposal:	New Dwelling	Scale: 1:185.25 @ A3	Job No: 92-2018	Pg No: 6
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

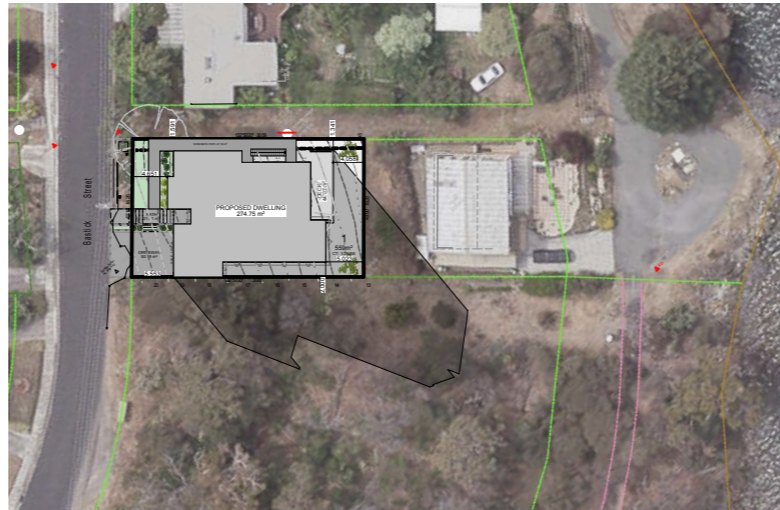
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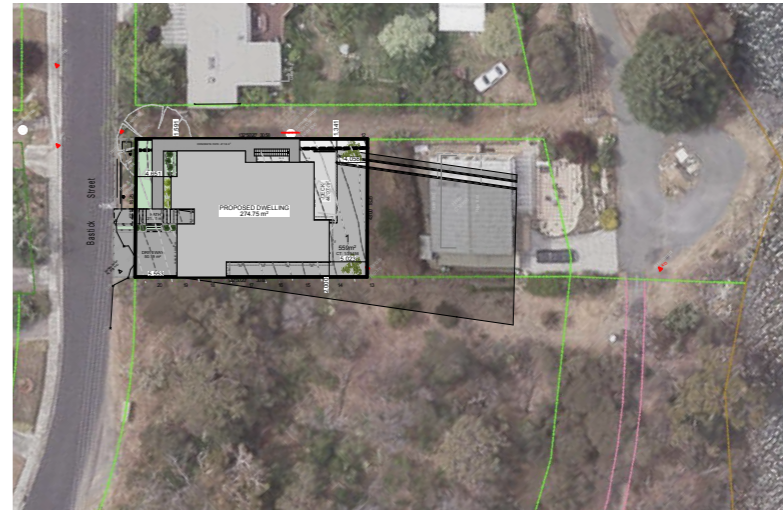
0900

1:1000



1200

1:1000



1500

1:1000

Shadows - June 21



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Proposal:	New Dwelling	Scale: 1:1000 @ A3	Job No: 92-2018	Pg No: 7
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

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Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows

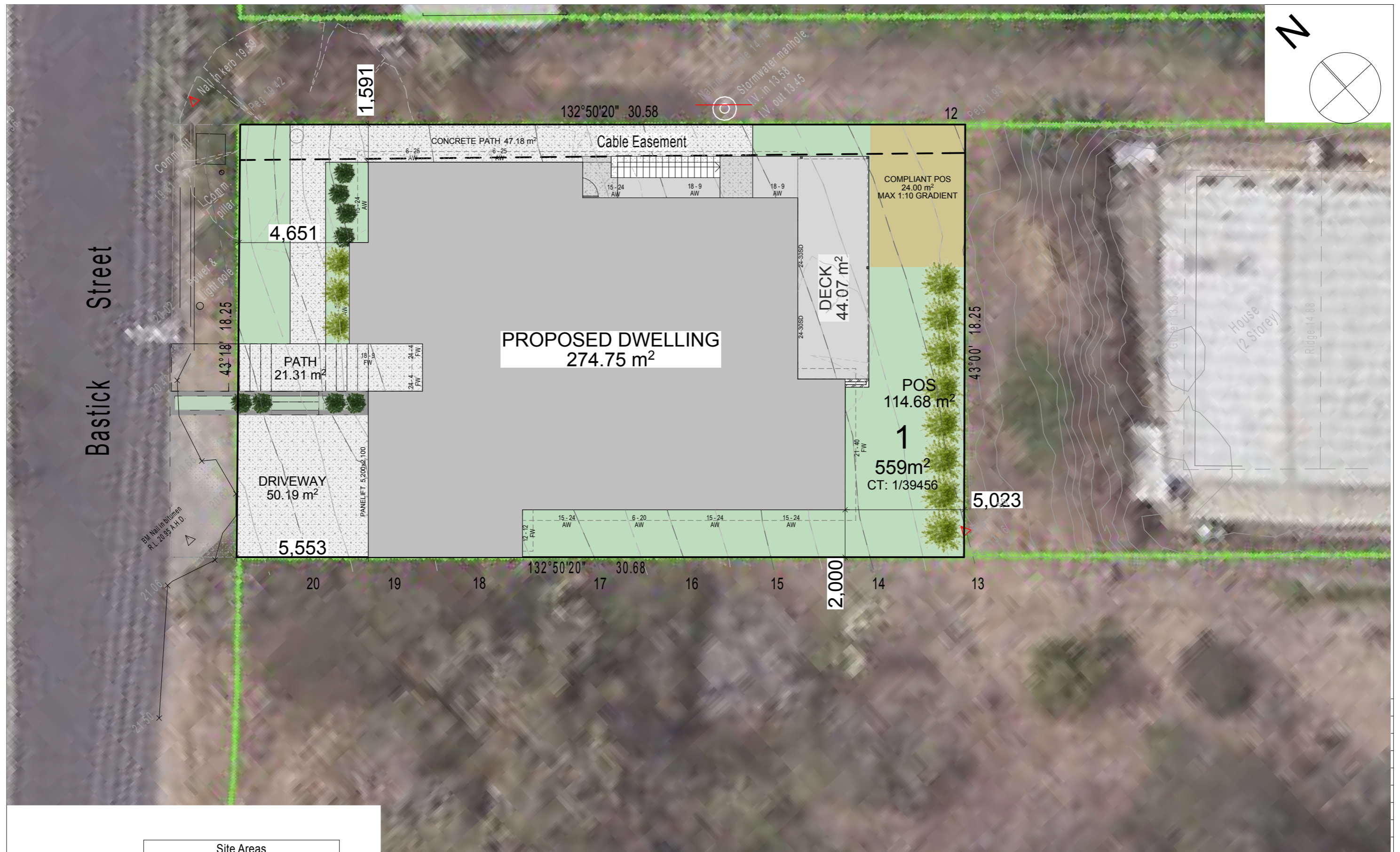


74 Bastick St, Rosny 7018



General Information	
Designer	Jason Nickerson CC6073Y
Owner(s) or Clients	Dennis & Sally Bordin
Building Classification	1a
Title Reference	1/39456
Design Wind Speed	N2
Soil Classification	S
Climate Zone	7
BAL	LOW
Corrosion Environment	Moderate
Zoning	General Residential

Drawing No:	Description
1	Site Plan
2	Upper Floor Plan
3	Lower Floor Plan
4	Elevations N-S
5	Elevations E-W
6	Building Envelope
7	Shadows - June 21
8	Visual Impact



Site Plan

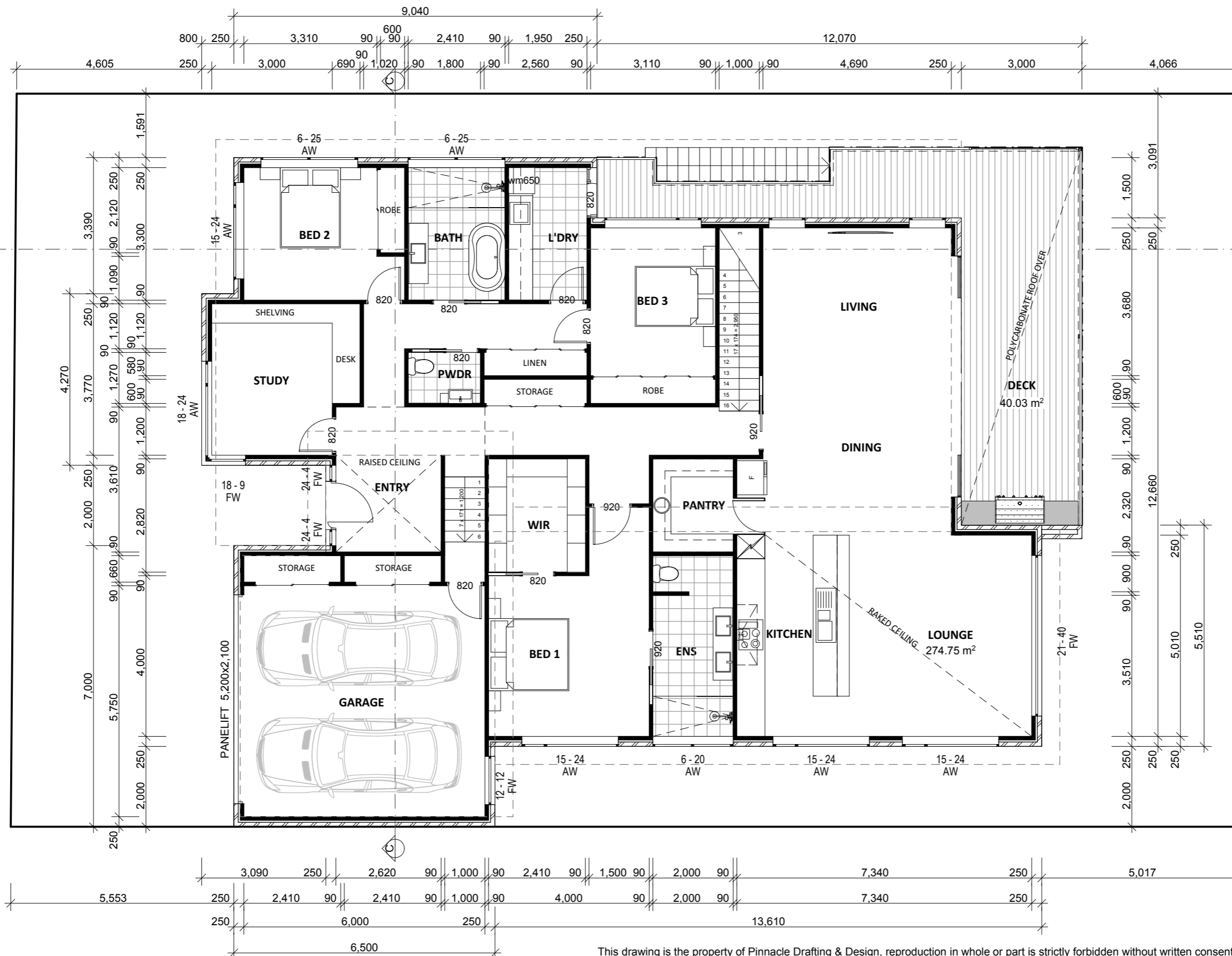
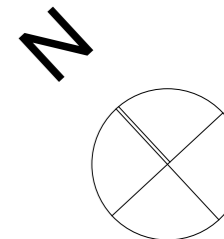


Site Areas	
Site area	559 sqm
Total Building Area	297.69 sqm
Total Site Coverage	53.25%

Proposal:	New Dwelling	Scale: 1:150 @ A3	Job No: 92-2018	Pg No: 1
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

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Floor Areas	
Lower Floor	111.20 sqm
Upper Floor	274.75 sqm
Total	385.95 sqm
Deck	39.01 sqm

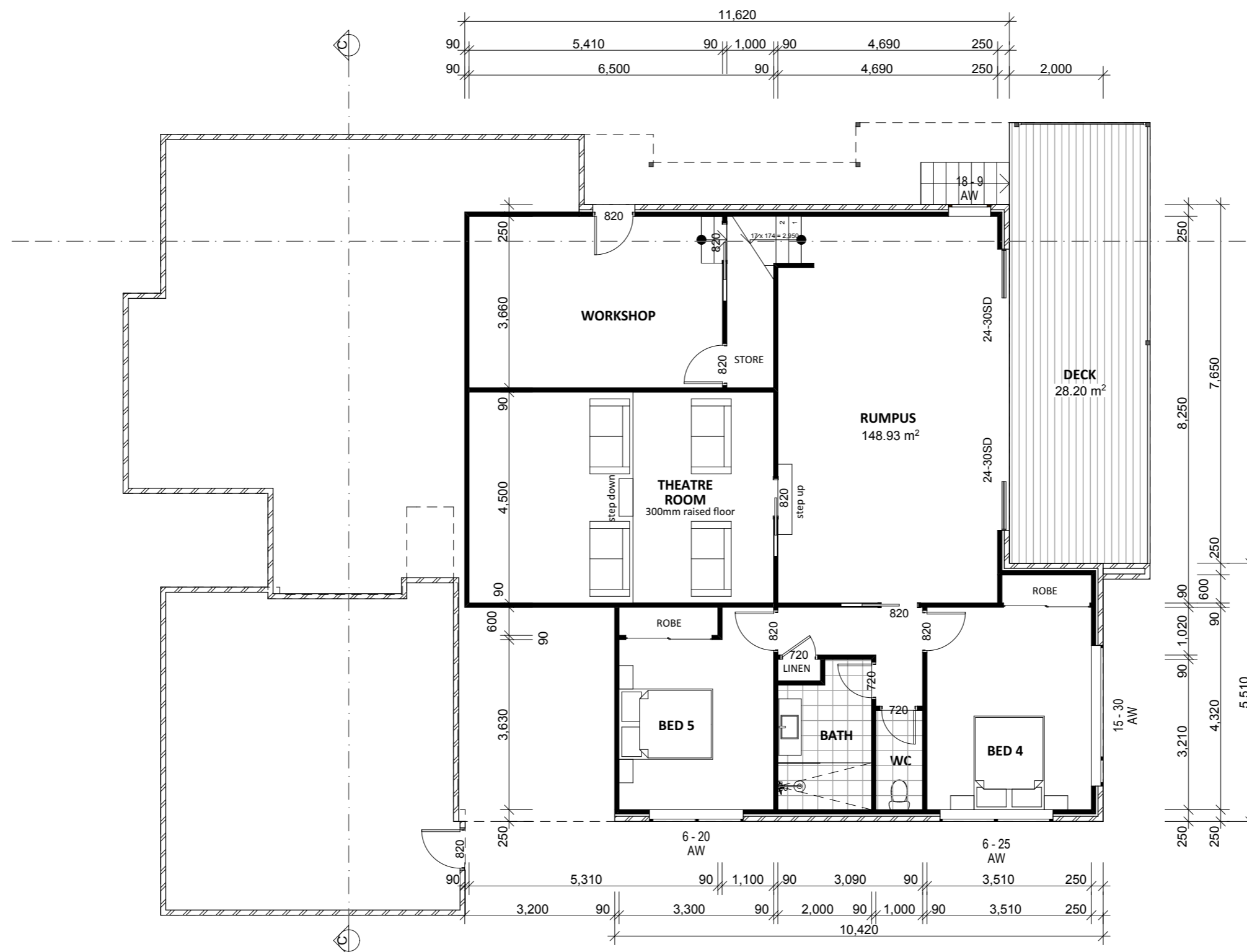
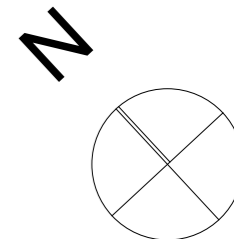
Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows
01.11.18	Changes to roof at rear of Dwelling

Upper Floor Plan



Proposal:	New Dwelling	Scale: 1:100	@ A3	Job No: 92-2018	Pg No: 2
Client:	Dennis & Sally Bordin	Date: 29.06.18		Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN		Building Surveyor: L.T.B.S	
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Floor Areas	
Lower Floor	148.93 sqm
Upper Floor	274.75 sqm
Total	423.68 sqm
Deck	28.20 sqm

Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows
01.11.18	Changes to roof at rear of Dwelling

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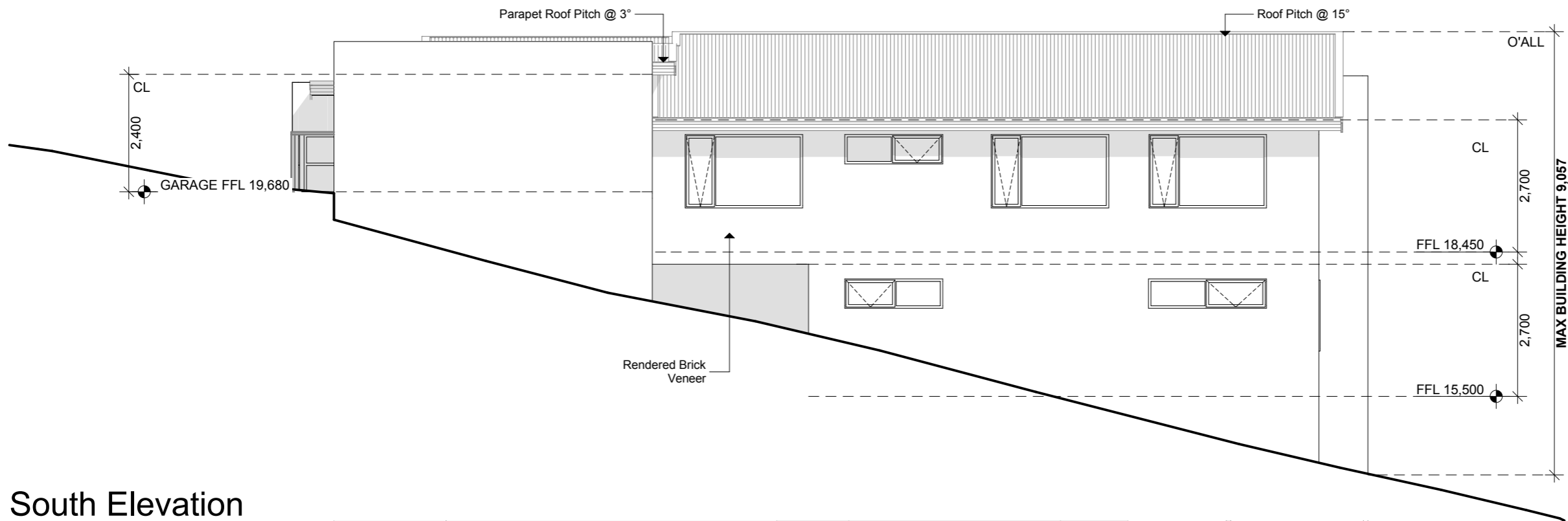
Lower Floor Plan



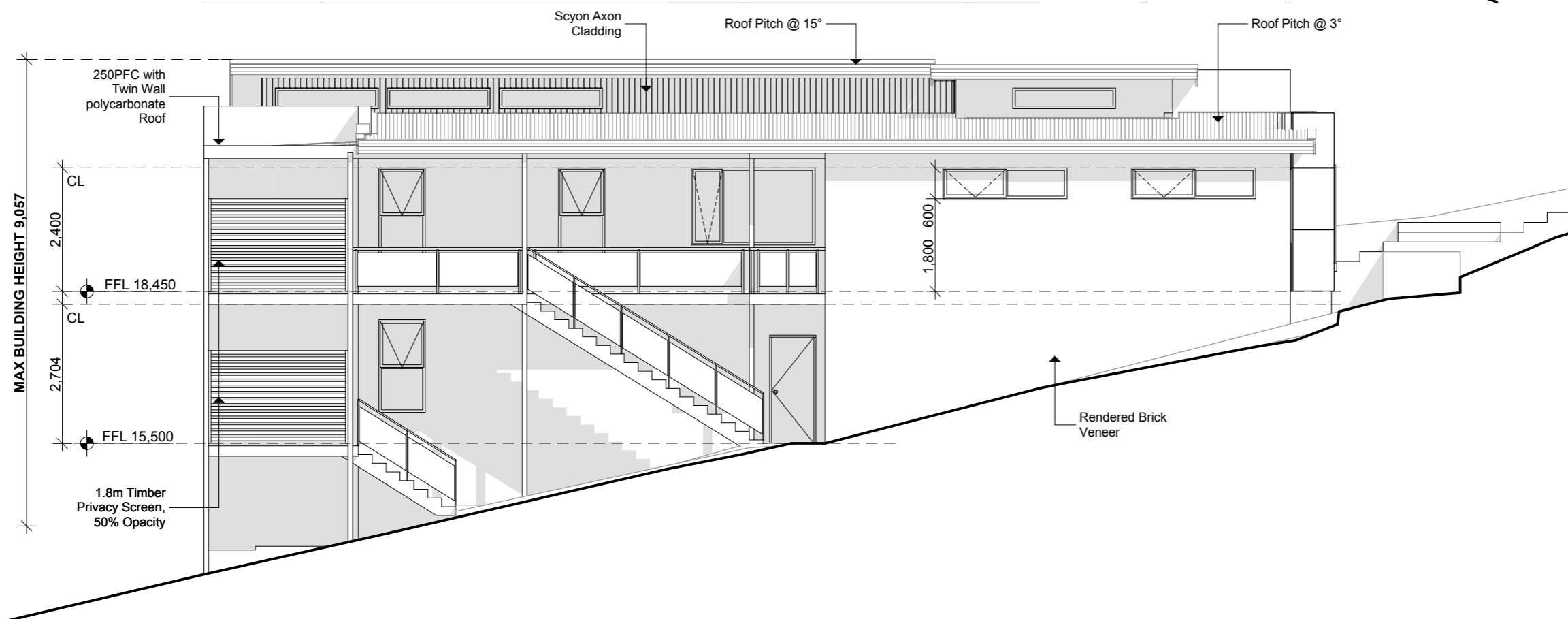
Proposal:	New Dwelling	Scale: 1:100 @ A3	Job No: 92-2018	Pg No: 3
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

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South Elevation



North Elevation

Elevations N-S



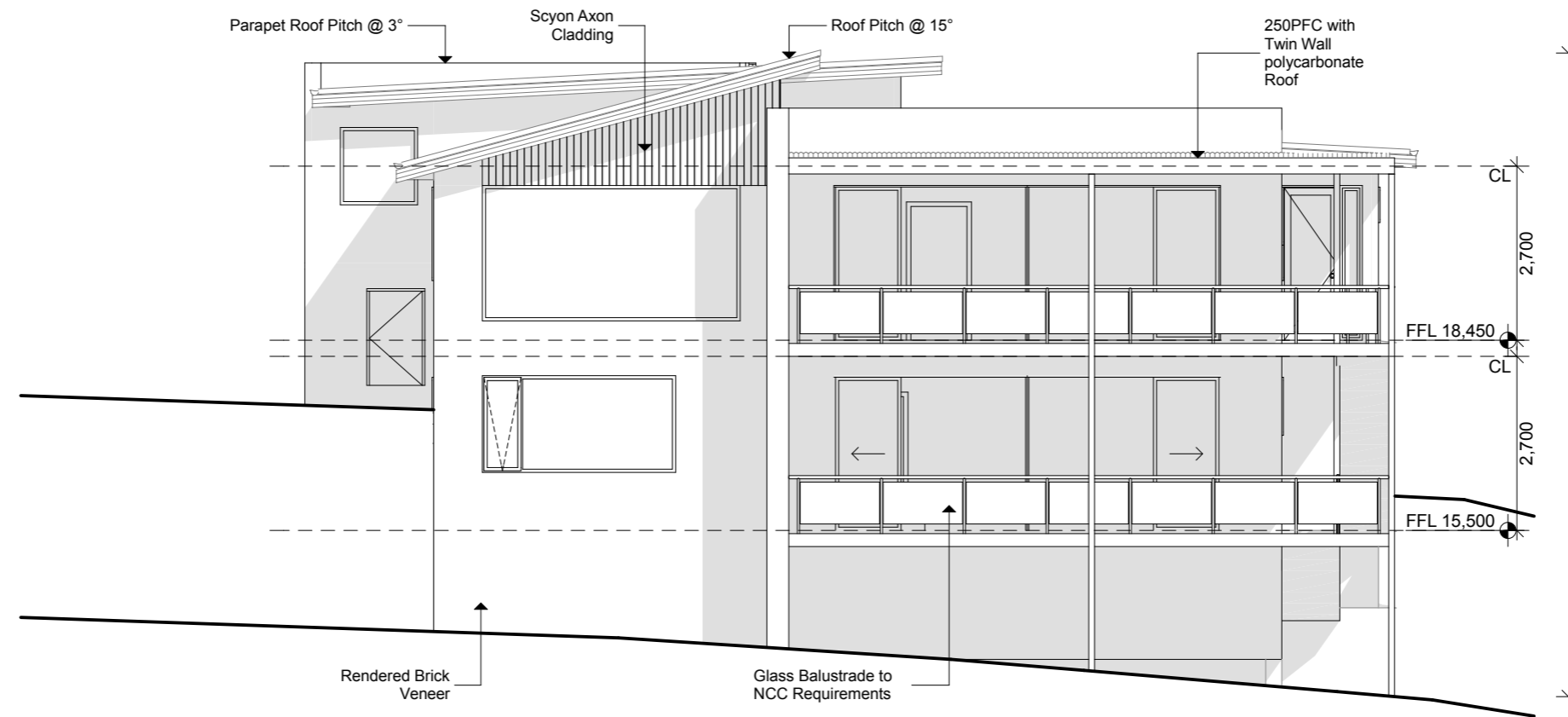
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Proposal:	New Dwelling	Scale: 1:100 @ A3	Job No: 92-2018	Pg No: 4
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

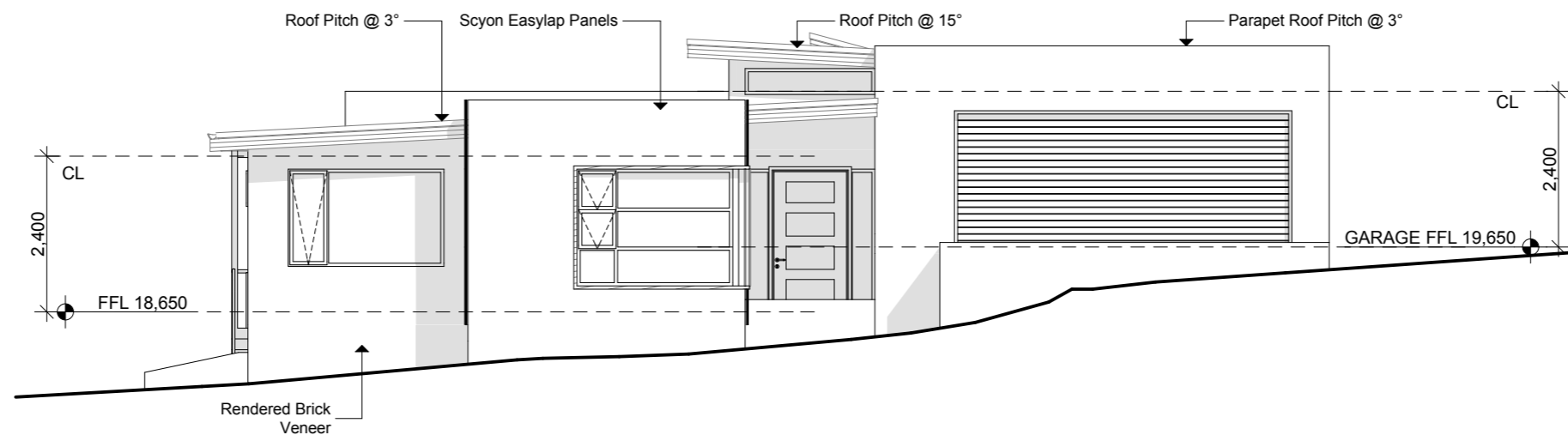
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Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows
01.11.18	Changes to roof at rear of Dwelling





East Elevation



West Elevation

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Elevations E-W

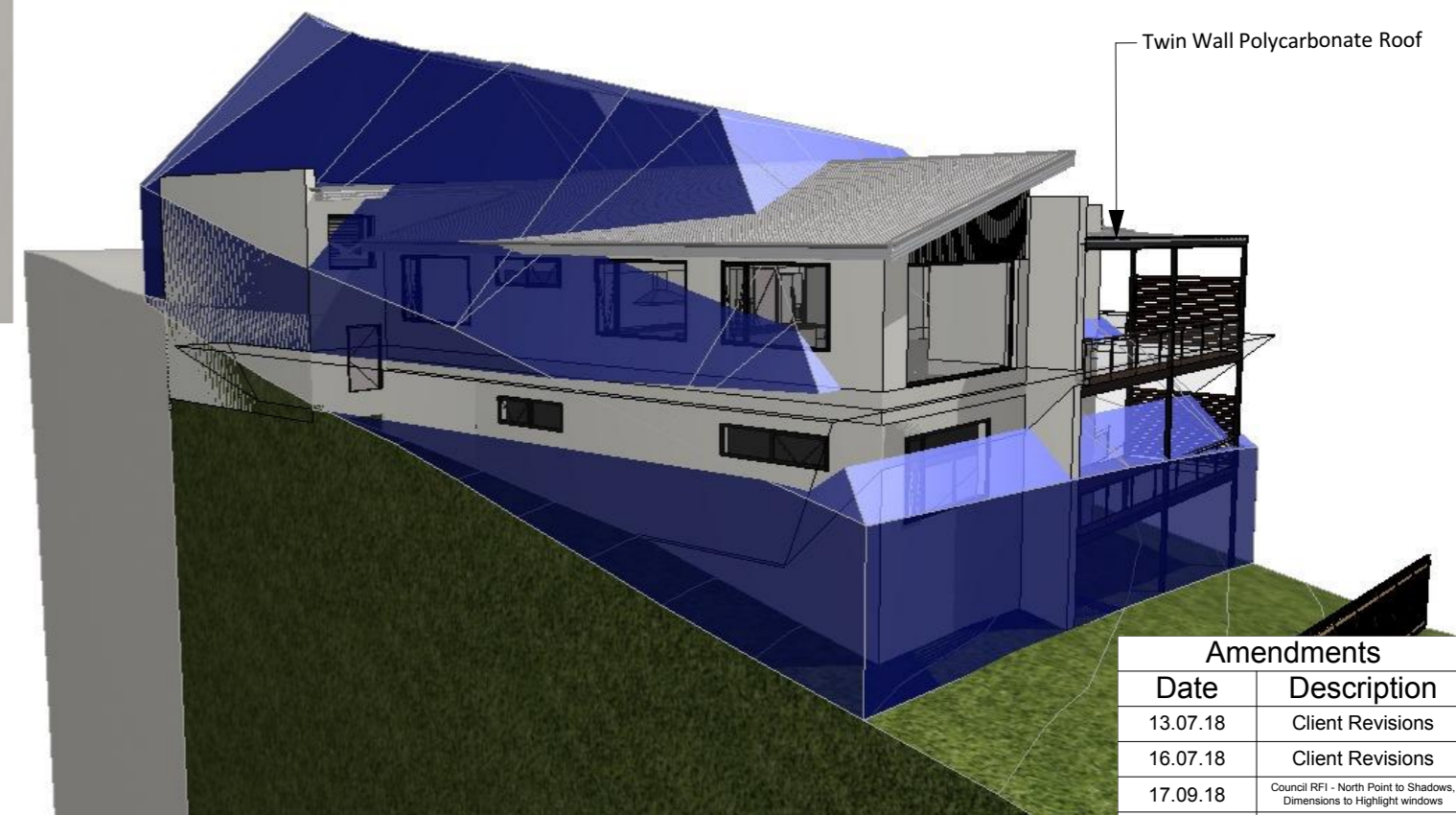


Proposal:	New Dwelling	Scale: 1:100 @ A3	Job No: 92-2018	Pg No: 5
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

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Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows
01.11.18	Changes to roof at rear of Dwelling





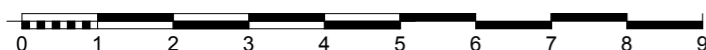
Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows
01.11.18	Changes to roof at rear of Dwelling

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Proposal:	New Dwelling	Scale: 1:183.58, 1:148.23@ A3	Job No: 92-2018	Pg No: 6
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	

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Building Envelope





0900 1:1000



1000 1:1000



1100 1:1000



1200 1:1000



1300 1:1000



1400 1:1000



1500 1:1000

Shadows - June 21



Proposal:	New Dwelling	Scale: 1:1000 @ A3	Job No: 92-2018	Pg No: 7
Client:	Dennis & Sally Bordin	Date: 29.06.18	Engineer:	
Address:	74 Bastick St, Rosny 7018	Drawn: JRN	Building Surveyor: L.T.B.S	
PINNACLE DRAFTING & DESIGN. CC6073Y 2 Kennedy Drv, Cambridge 7170 P: 03 6248 4743 F: 03 6248 4745 E: jnickerson@pinnacledrafting.com.au				

Amendments	
Date	Description
13.07.18	Client Revisions
16.07.18	Client Revisions
17.09.18	Council RFI - North Point to Shadows, Dimensions to Highlight windows
01.11.18	Changes to roof at rear of Dwelling



Attachment 4

74 Bastick Street, ROSNY



Site viewed from Bastick Street.



View of the adjoining dwelling at 72 Bastick Street from Bastick Street.

11.3.4 DEVELOPMENT APPLICATION D-2018/123 - 7A VICTORIA ESPLANADE, BELLERIVE - CHANGE OF USE TO RESTAURANT, ADDITIONS AND ALTERATIONS.

(File No D-2018/123)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a change of use to restaurant, additions and alterations at 7A Victoria Esplanade, Bellerive.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires with the consent of the applicant on 14 November 2018.

CONSULTATION

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

- support for proposal;
- safety;
- traffic impacts;
- size and hours;
- inconsistency with Scheme requirements;
- visual impact of waste/equipment storage area; and
- signage.

RECOMMENDATION:

- A. That the Development Application for a change of use to restaurant, additions and alterations at 7A Victoria Esplanade, Bellerive (C1 Ref D-2018/123) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. A total of 3 car parking spaces at a 90 degree angle must be provided on-site prior to the commencement of use. Each space, including disabled parking, must be clearly marked and used solely for parking purposes. Plans showing the layout of the car parking area must be submitted to and approved by Council's Group Manager Engineering Services prior to the commencement of any works.
 3. GEN C2 – CASH-IN-LIEU [\$85,000] and [17].
 4. A minimum of 2 bicycle spaces are to be provided on-site prior to the commencement of use. The design of the facilities must be to the class specified in Table 1.1 of AS2890.3-1993 Parking Facilities Part 3: Bicycle parking facilities in compliance with Section 2 "Design of Parking Facilities" and Clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard, to the satisfaction of Council's Group Manager Engineering Services.
 5. ENG S1 – INFRASTRUCTURE REPAIR.
 6. ENG M1 – DESIGNS DA.
 7. GEN AM1 – NUISANCE. Insert "to the satisfaction of Council's Senior Environmental Health Officer" after "from the site".
 8. GEN AM5 – TRADING HOURS. Insert:
 - Monday to Saturday inclusive: 8.00am to 6.00pm
 - Sunday and Public Holidays: 10.00am to 4.00pm
 9. Commercial vehicle movements (including loading and unloading and garbage removal), to or from the site must be within the hours of:
 - (a) 7.00am to 5.00pm Mondays to Fridays inclusive;
 - (b) 9.00am to 12.00pm Saturdays;
 - (c) Nil Sundays and Public Holidays.
 10. External lighting must comply with all of the following:
 - (a) be turned on only during the approved trading hours, except for security lighting;
 - (b) security lighting must be baffled to ensure it does not cause emission of light outside the zone.
 11. External amplified loud speakers or music must not be used.

12. GEN S7 – SIGN MAINTENANCE.
 13. GEN S8 – SIGN ILLUMINATION HOURS.
 14. The works are to be constructed and the use undertaken in accordance with the recommendations made within the “Coastal Vulnerability Assessment: 7A Victoria Esplanade, Bellerive” prepared by Geo-Environmental Solutions and dated May 2018.
 15. LAND 1 – LANDSCAPE PLAN.
 16. LAND 3 – LANDSCAPE BOND (COMMERCIAL).
 17. The development must meet all required Conditions of Approval specified by TasWater notice dated 15 March 2018 (TWDA 2018/00343-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

The development site supports the Bellerive Regatta Pavilion, situated on Crown Land and constructed in 1960. Crown Land Services (CLS) holds records associated with the history of the construction, funding, lease details and dates, and previous changes of lease.

A Planning Permit was granted on 6 June 2005 under D-2004/315 for the use of the building as a radio station. A second (and prior) planning permit was granted by Council for the Department of Education to use the site as a temporary education facility for a period of 6 months, until 14 December 2003 under D-2003/197. The site was subsequently utilised by Coastcare as a base for its operations until the present lease agreement was entered into with the proponent.

2. STATUTORY IMPLICATIONS

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

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

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 19.0 – Open Space Zone;
- Section E6.0 – Parking and Access Code;
- Section E11.0 – Waterway and Coastal Protection Code;
- Section E15.0 – Inundation Prone Areas Code; and
- Section E17.0 – Signs Code.

2.4. The site is on land that is connected to and serviced by piped sewerage and stormwater collection systems and therefore, under Clause E11.4.1(p), exempt from the provisions of the Waterway and Coastal Protection Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site has an area of 253m² and is land owned and administered by the Crown, the lease for which is now held by the proponent of the development. It is adjacent the Clarence Foreshore Trail and at the western fringe of the residential area at Bellerive.

The site contains the building known as the Bellerive Regatta Pavilion which has an area of 130m², and associated parking and access way from Victoria Esplanade. It presently contains storerooms and toilets at the lower level and the main area with kitchen facilities upstairs.

The upper level has a verandah off the front of the building facing the water and no internal access exists at present between the 2 levels.

3.2. The Proposal

The proposal is for a change of use to a restaurant and to undertake alterations and additions to the existing building for that purpose.

It is proposed that the upper level of the building would be converted to a restaurant and bar area, and amenities. A new 7m² timber deck is proposed on the northern elevation with a new access door. Replacement of existing windows, repainting of the existing brickwork and recladding of the eastern elevation using vertical timber is also proposed.

The proposal includes the conversion lower level of the building to a take-away and commercial kitchen to service both levels. The take-away would be a kiosk on the northern side of the ground floor, with additional amenities and water fountain facility (both for public use), and storage areas also proposed.

The proposed hours of operation are 8.00am to 6.00pm, Monday to Saturday inclusive, and Sundays and Public Holidays from 10.00am to 4.00pm, except for office and administrative tasks. There would be an estimated 10 staff and 80 customers on-site at any one time.

Landscaping is proposed in the form of 3 planter boxes to the east of the building, adjacent Victoria Esplanade and the 2 parking spaces proposed. External lighting is proposed for the operating hours on the underside of both roof areas associated with the northern and western deck areas, with low watt lighting, as shown in the attachments.

Two advertising signs are proposed on the eastern and northern elevation, as shown in the attachments. The eastern sign would be steel, would have an area of 2.8m² and would be backlit. The northern sign would also be steel, would have an area of 1m² and would not be illuminated.

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 Open Space Zone and Parking and Access, Inundation Prone Areas and Signs Codes with the exception of the following.

Open Space Zone

Clause	Standard	Acceptable Solution	Proposed
19.3.5 A1	Discretionary use	No acceptable solution.	does not comply

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

Performance Criteria	Proposal
<i>“Discretionary use must complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support Permitted use or No Permit Required use”.</i>	<p>The recreational purpose of the land upon which the existing building is situated is largely to encourage the use of the area for informal recreation by locals in the form of dog-walking, walking, running and cycling, in that the Clarence Foreshore Trail adjoins the site.</p> <p>The proposal would complement and enhance these recreational purposes in that both the restaurant and take-away (kiosk) facilities would balance with the recreational use of the surrounding land by providing a facility associated with the predominant land use.</p>

	The addition of a public toilet and water fountain on the lower level of the building further complement the recreational use. Such use is a no permit required use, and the proposal would provide support for that use.
--	---

Open Space Zone

Clause	Standard	Acceptable Solution	Proposed
19.4.3 A1	Landscaping	Landscaping along the frontage of a site must be provided to a depth of no less than 2m.	Does not comply – 3 planter boxes proposed adjacent the building with a total area of 15m ² .

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause 19.4.3 as follows.

Performance Criteria	Proposal
<i>“Landscaping must be provided to satisfy all of the following: (a) enhance the appearance of the development;</i>	There is no landscaping within the boundaries of the site at present, and the addition of the 3 planter boxes would improve and enhance the appearance of the site, as part of the development.
<i>(b) provide a range of plant height and forms to create diversity, interest and amenity;</i>	The use of planter boxes would enable variation to the species to be used for landscaping, to create diversity and interest. Appropriate conditions have been recommended in relation to the details of and undertaking of the landscaping as proposed.
<i>(c) not create concealed entrapment spaces;</i>	The proposed landscaping and planter box layout would not create any entrapment spaces.
<i>(d) be consistent with any Desired Future Character Statements provided for the area”.</i>	There are no Desired Future Character Statements relevant to the zone.

Open Space Zone

Clause	Standard	Acceptable Solution	Proposed
19.4.3 A2	Landscaping	Along a boundary with a residential zone, landscaping must be provided for a depth no less than 2m.	Does not comply – 3 planter boxes proposed adjacent the building with a total area of 15m ² .

The proposed variation must be considered pursuant to the Performance Criteria (P2) of the Clause 19.4.3 as follows.

Performance Criteria	Proposal
<i>“Along a boundary with a residential zone, landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to the characteristics of the site and the characteristics of the adjoining residentially-zones land”.</i>	The proposal relates to an existing building, and is for the change of use to that building and minor alterations (and improvements) to its appearance. The proposed planter boxes would soften the appearance of the site having regard to visual amenity of the area when viewed from the adjoining General Residential land.

Parking and Access Code

Clause	Standard	Acceptable Solution	Proposed
E6.6.1 A1	Number of car parking spaces	<p>The number of on-site car parking spaces must be:</p> <p>(a) no less than the number specified in Table E6.1;</p> <p>except if:</p> <p>(i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p>	<p>Does not comply – 2 parking spaces proposed and 20 spaces required.</p> <p>Not applicable - the site is not subject to an adopted parking plan.</p>

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

Performance Criteria	Proposal
<p><i>“The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:</i></p> <p>(a) car parking demand;</p>	The application submits that the business would focus primarily on breakfast and lunch, with expectations of a high proportion of pedestrian and cycling customers due to the proximity of the adjacent public trail.

	It is further submitted that there is sufficient area for bicycles and prams around the building and within close proximity of the site, and that on-street and public car parking is available within the vicinity of the site for additional customers.
<i>(b) the availability of on-street and public car parking in the locality;</i>	There is capacity for on-street parking in both Victoria Esplanade and nearby King Street, and within the public carpark near the southern boundary of the site.
<i>(c) the availability and frequency of public transport within a 400m walking distance of the site;</i>	The Bellerive Bluff is serviced by a regular bus service, operated by Metro Tasmania – with a walking distance of only 400m from the nearest stops to the development site.
<i>(d) the availability and likely use of other modes of transport;</i>	The subject property is located within an established residential catchment, meaning that many customers would walk and bicycle to and from the site, as discussed it is considered that this is where a proportion of customers would be derived from.
<i>(e) the availability and suitability of alternative arrangements for car parking provision;</i>	The proposed development would be largely reliant upon on-street and public parking areas in the vicinity of the site. The availability of public parking could be taken into account in determining car parking requirements for the business.
<i>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</i>	The proposed development would be adjacent an existing public carpark, upgraded recently to provide parking for users of the foreshore walking trail. On the basis that a proportion of visitors to business would also undertake recreational activity as envisaged within the zone. This would involve sharing of parking spaces for adjacent and nearby uses and this could be taken into account in determining car parking requirements.
<i>(g) any car parking deficiency or surplus associated with the existing use of the land;</i>	The most recent permit granted for the site required the provision of 4 on-site parking spaces. Only 2 are proposed in the application.

<p><i>(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</i></p>	<p>On the above basis, a site credit of 2 parking spaces exists.</p>
<p><i>(i) the appropriateness of a financial contribution in-lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</i></p>	<p>The proposal, as advertised, is deficient 18 parking spaces under the Scheme.</p> <p>Council may waive a financial payment in-lieu of spaces if it feels that demand is satisfied by existing parking spaces in the area. The availability of parking is discussed above.</p> <p>Should Council decide additional parking is required, a permit condition may be imposed requiring a cash contribution in-lieu of the parking shortfall which may be used to construct public car parking areas nearby.</p> <p>The Bellerive Bluff Landscape Plan was adopted in March 2013, which makes a series of recommendations in relation to improvements to the Victoria Esplanade and Kangaroo Bluff area. It incorporated a series of new car parking areas as part of the Plan, and recommendations in relation to the Regatta Pavilion building. These include:</p> <ul style="list-style-type: none"> • formalise path and car parking on-street side of pavilion; • provide conforming balustrade above existing retaining walls; • provide 90 degree parking, paving or planting and opportunities for sitting; and • to reduce the need for fence panels along the pathway and to provide large boulders to replace seawall steps.

	<p>As part of the consideration of this application, Council's Development Engineers have recommended that parking associated with the redevelopment of the site be provided at a 90 degree angle, as per the recommendations of the Plan described above. This has the benefit of providing for up to a total of 3 parking spaces, and would be consistent with the adopted Plan. A permit condition has therefore been recommended requiring that this is to occur through amended plans.</p> <p>As a result of the amended parking layout described above, the proposal would then have a shortfall of 17 car parking spaces under the Scheme.</p> <p>Table E6.3 of the Parking and Access Code specifies a rate for payment of cash-in-lieu for deficient car parking spaces. For the Bellerive area this is defined as \$10,000 per space, whilst "other centres" are to be determined having regard to local car parking development costs. The latter category applies, as the site is outside the Bellerive activity centre.</p> <p>Council's Group Manager Engineering Services advises that the cost of constructing each new parking space would be required to include associated pavement area, drainage and line marking but in this case would exclude the cost of acquiring the land as the land is Council-owned. The estimated construction cost per space and in accordance with the adopted Bellerive Bluff Landscape Plan would be \$5,000 per space.</p> <p>On this basis, a cash contribution totalling \$85,000 is recommended as a permit condition.</p>
<i>(j) any verified prior payment of a financial contribution in-lieu of parking for the land;</i>	not applicable

<i>(k) any relevant parking plan for the area adopted by Council;</i>	not applicable
<i>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code”.</i>	not applicable

Parking and Access Code

Clause	Standard	Acceptable Solution	Proposed
E6.6.3 A1	Number of motorcycle spaces	The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	Does not comply – no dedicated motorcycle parking spaces proposed.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E6.6.3 as follows.

Performance Criteria	Proposal
<i>“The number of on-site motorcycle parking spaces must be sufficient to meet the needs of likely users having regard to all of the following, as appropriate:</i> <i>(a) motorcycle parking demand;</i>	There is potential for the development to generate some motorcycle parking demand, as would be possible with any commercial development of the nature proposed.
<i>(b) the availability of on-street and public motorcycle parking in the locality;</i>	The proposed parking spaces in conjunction with the available on-street parking areas would be sufficient to accommodate motorcycle parking, where required.
<i>(c) the availability and likely use of other modes of transport;</i>	As noted, the existing public transport network services the site of the proposal with only a short walk required.

<i>(d) the availability and suitability of alternative arrangements for motorcycle parking provision”.</i>	not applicable
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Parking and Access Code

Clause	Standard	Acceptable Solution	Proposed
E6.6.4 A1	Number of bicycle parking spaces	The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	Does not comply – no on-site bicycle parking spaces proposed.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E6.6.4 as follows.

Performance Criteria	Proposal
<i>“The number of on-site bicycle parking spaces provided must have regard to all of the following:</i>	The application submits that there is an expectation that a proportion of custom would be generated from users of the adjacent cycle path. On this basis it is considered that there would be demand for formal bicycle parking areas.
<i>(a) the nature of the use and its operations;</i>	
<i>(b) the location of the use and its accessibility by cyclists;</i>	There has been no formal bicycle parking area proposed as part of the development. On the basis of likely demand, it is reasonable to impose a condition that bicycle parking is to be provided on-site for a minimum of 2 bicycles. This would then meet the requirement of Table E6.2
<i>(c) the balance of the potential need of both those working on a site and clients or other visitors coming to the site”.</i>	It is also likely that staff of the business may choose to travel to the site by bicycle. On this basis, the recommended condition is considered necessary to ensure that appropriate provision for formal bicycle parking is provided.

Inundation Prone Areas Code

Clause	Standard	Acceptable Solution	Proposed
E15.7.2 A3	Coastal inundation medium hazard areas	A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 40m ² .	Does not comply – floor area of the building is 130m ² .

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

Performance Criteria	Proposal
<p><i>“A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must satisfy all of the following:</i></p> <p><i>(a) risk to users of the site, adjoining or nearby land is acceptable;</i></p>	<p>A Coastal Vulnerability Assessment prepared by Geo-Environmental Solutions (GES) was submitted in support of the proposal. It concludes, based on a site specific hydrodynamic assessment, that the proposal does not present an unreasonable risk to users of the site or adjoining land subject to certain recommendations being adopted.</p>
<p><i>(b) risk to adjoining or nearby property or public infrastructure is acceptable;</i></p>	<p>The risk to adjoining or nearby property or public infrastructure is considered to be low, subject to the recommendations of the GES assessment being adopted. A condition has been recommended above to ensure this is to occur.</p>
<p><i>(c) risk to buildings and other works arising from wave run-up is adequately mitigated through siting, structural or design methods;</i></p>	<p>Wave run-up has been modelled and estimated to reach 4.0m AHD by 2068, which would extend to reach the base of the existing building. To prevent water ingress at ground floor level, sufficient door sealing is recommended by the assessment, reflected by the condition above.</p>
<p><i>(d) need for future remediation works is minimised;</i></p>	<p>Future remediation works are not anticipated in relation to the proposal.</p>
<p><i>(e) provision of any developer contribution required pursuant to policy adopted by Council for coastal protection works,</i></p> <p><i>except if it is development dependent on a coastal location”.</i></p>	<p>Both Council’s Development Engineers and the GES assessment are satisfied that a developer contribution is that no coastal protection works are required as part of the proposal.</p>

Inundation Prone Areas Code

Clause	Standard	Acceptable Solution	Proposed
E15.7.3 A3	Coastal inundation low hazard areas	A non-habitable building, an outbuilding or a Class 10b building under the Building Code of Australia, must have a floor area no more than 60m ² .	Does not comply – floor area of the building is 130m ² .

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

Performance Criteria	Proposal
<p><i>“A non-habitable building must satisfy all of the following:</i></p> <p><i>(a) risk to users of the site, adjoining or nearby land is acceptable;</i></p>	<p>The GES assessment concludes that the proposal does not present an unreasonable risk to users of the site or adjoining land subject to certain recommendations being adopted, as required by the recommended conditions.</p>
<p><i>(b) risk to adjoining or nearby property or public infrastructure is acceptable;</i></p>	<p>The risk to adjoining or nearby property or public infrastructure is considered to be low, subject to the recommendations of the GES assessment being adopted, as required by the recommended conditions.</p>
<p><i>(c) need for future remediation works is minimised;</i></p>	<p>Future remediation works are not anticipated in relation to the proposal.</p>
<p><i>(d) provision of any developer contribution required pursuant to policy adopted by Council for coastal protection works;</i></p> <p><i>except if it is a building dependent on a coastal location”.</i></p>	<p>Both Council’s Development Engineers and the GES assessment are satisfied that a developer contribution is that no coastal protection works are required as part of the proposal.</p>

Signs Code

Clause	Standard	Acceptable Solution	Proposed
E17.6.1 A1	Use of signs	A sign must be a permitted sign in Table E.17.3.	does not comply

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E17.6.1 as follows.

Performance Criteria	Proposal
<p><i>“A sign must be a discretionary sign in Table E.17.3”.</i></p>	<p>The proposed wall signs are a discretionary sign type.</p>

Signs Code

Clause	Standard	Acceptable Solution	Proposed
E17.6.1 A4	Use of signs	An illuminated sign must not be located within 30m of a residential use, except if a statutory sign.	Does not comply – the eastern wall sign proposed would be backlit and located within 30m of the adjacent residential development to the east.

The proposed variation must be considered pursuant to the Performance Criteria (P4) of the Clause E17.6.1 as follows.

Performance Criteria	Proposal
<i>“An illuminated sign within 30m of a residential use must not have an unreasonable impact upon the residential amenity of that use caused by light shining into windows of habitable rooms”.</i>	The proposed sign would have an area of 2.8m ² and would be backlit, on steel. It is submitted that there would be no light emissions beyond the boundaries of the site, and that all lighting would be during hours of operation only. A condition has been included to ensure this occurs so as not to compromise or interfere with residential amenity.

Signs Code

Clause	Standard	Acceptable Solution	Proposed
E17.7.1 A1	Standards for signs	A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E.17.3	Does not comply – the proposed signs are a discretionary sign type.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of the Clause E17.7.1 as follows.

Performance Criterion	Comment
<i>“A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following: (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;</i>	The proposed wall signs would be developed as a part of the modified eastern and northern elevations of the building, and would thus be integrated into the elevation and not dominate either the building or streetscape. Both would be constructed using steel and therefore dark in colour.

<i>(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</i>	The proposed eastern sign would have an area of 2.8m ² , on an elevation in excess of 10m in length. The northern sign would be of a smaller scale against the proposed kiosk window. On that basis it is considered that the sign would not dominate the streetscape or site when viewed from Victoria Esplanade.
<i>(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;</i>	The proposed signage would be constructed using a steel panelling. An appropriate condition regarding sign maintenance has been included above.
<i>(d) not result in loss of amenity to neighbouring properties;</i>	The proposed signage would be consistent with the scale and design of the existing building, meaning that a loss of residential amenity would not occur.
<i>(e) not involve the repetition of messages or information on the same street frontage;</i>	A single wall sign on both the northern and eastern elevations is proposed. There would therefore not be unreasonable repetition message.
<i>(f) not contribute to or exacerbate visual clutter;</i>	The 2 wall signs proposed are only separate elevations. Visual clutter would therefore not occur as a result.
<i>(g) not cause a safety hazard”.</i>	The proposed signs would be erected as part of the eastern and northern building walls and would therefore not cause any form of safety hazard.

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. Support for Proposal

Three of the representations received were in support of the proposal. This is on the basis that the building has been deteriorating and the business would provide a “well-designed local facility that will enhance this beautiful precinct”.

- **Comment**

This identified support for the proposed development is noted.

5.2. Safety

The representations raise concern that there is potential for conflict between pedestrians and cyclists visiting the site and motorists on Victoria Esplanade and using the adjacent public carpark. Suggestions are made in relation to possible safety measures including the provision of 10 bicycle racks adjacent the main building with physical separation from the main entrance, use of bollards where adjacent the carpark to separate access ways and use of direction signage.

- **Comment**

The proposed development would bring additional vehicle, cyclist and pedestrian interaction, both within the carpark and externally, in relation to the Victoria Esplanade access/egress points.

Council's Development Engineers are satisfied, however, that the risk of conflict is low, in that there is no footpath on the western side of Victoria Esplanade where adjacent the site, and that with appropriate conditions which have been included above in relation to the detailed engineering design of the parking area, which would ensure that appropriate safety and directional signage is provided to meet the relevant Australian Standards, to the satisfaction of Council's Group Manager Engineering Services. A further condition has been included in relation to the provision of bicycle racks, as required by the Parking and Access Code and addressed above.

5.3. Traffic Impacts

Concern is raised that the traffic volume on Victoria Esplanade is increasing, and that the proposal would encroach (by the 2 proposed parking spaces) closer to the roadway and further compromise flows. Further concerns are that Council's Engineers give consideration to the adjacent intersection of King Street and Victoria Esplanade, which 1 representor submits is a dangerous blind spot with a known history of accidents.

- **Comment**

The proposal has been assessed in relation to the parking layout proposed and on the basis that Council's Development Engineers consider the spaces adjacent the building would not compromise flows or safety for the road network, or Victoria Esplanade specifically. Whilst the concerns are noted in relation to the nearby access, it is not a relevant consideration under the Scheme and does not justify refusal of the proposal.

5.4. Size and Hours

Concerns are raised that should the proposal be approved, the hours of operation would remain as defined by the application and limited to daylight hours, with no late night trading. One representor submits that no details of the hours of operation have been provided as part of the application.

- **Comment**

The supporting documentation available as part of the advertised plans did include details of the proposed hours of operation. Conditions have been included above to ensure that hours are limited to those proposed by the application, and it is noted that a new development application would be required if a change to these hours was sought, in the future.

5.5. Inconsistency with Scheme Requirements

The representations raise concern that the proposal is inconsistent with the requirements of the Open Space Zone. It is submitted that Clause 19.3.4, Commercial Vehicle Movements, would not be satisfied by the proposal.

- **Comment**

The application submits that all commercial vehicle movements (including loading and unloading and garbage removal) would occur within the hours prescribed by the acceptable solution of Clause 19.3.4. To ensure this occurs, as proposed, an appropriate condition has been included in the recommended conditions.

5.6. Visual Impact of Waste/Equipment Storage Area

A concern is raised that the storage of bins and gas bottles would occur adjacent the roadside entrance to the site, and that this would have an adverse impact upon visual amenity.

- **Comment**

A 1.8m timber screen is proposed to shield views of the proposed bin and gas bottle storage area, to be adjacent the southern wall of the building. This area meets the relevant acceptable solution at Clause 19.4.4 (A1)(a) in that the fence is not within 1.5m of the frontage. That said, the proposed timber screening would be sufficient to ensure that visual impact of the structure is minimised.

5.7. Signage

Concerns are raised that there has been no information provided within the application in relation to advertising signage, and whether billboard or externally illuminated signage is proposed.

- **Comment**

The supporting documentation available as part of the advertised plans included details of the proposed signage. Conditions have been included above to ensure that signage is appropriately maintained and that its hours of illumination are limited to the hours of operation.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

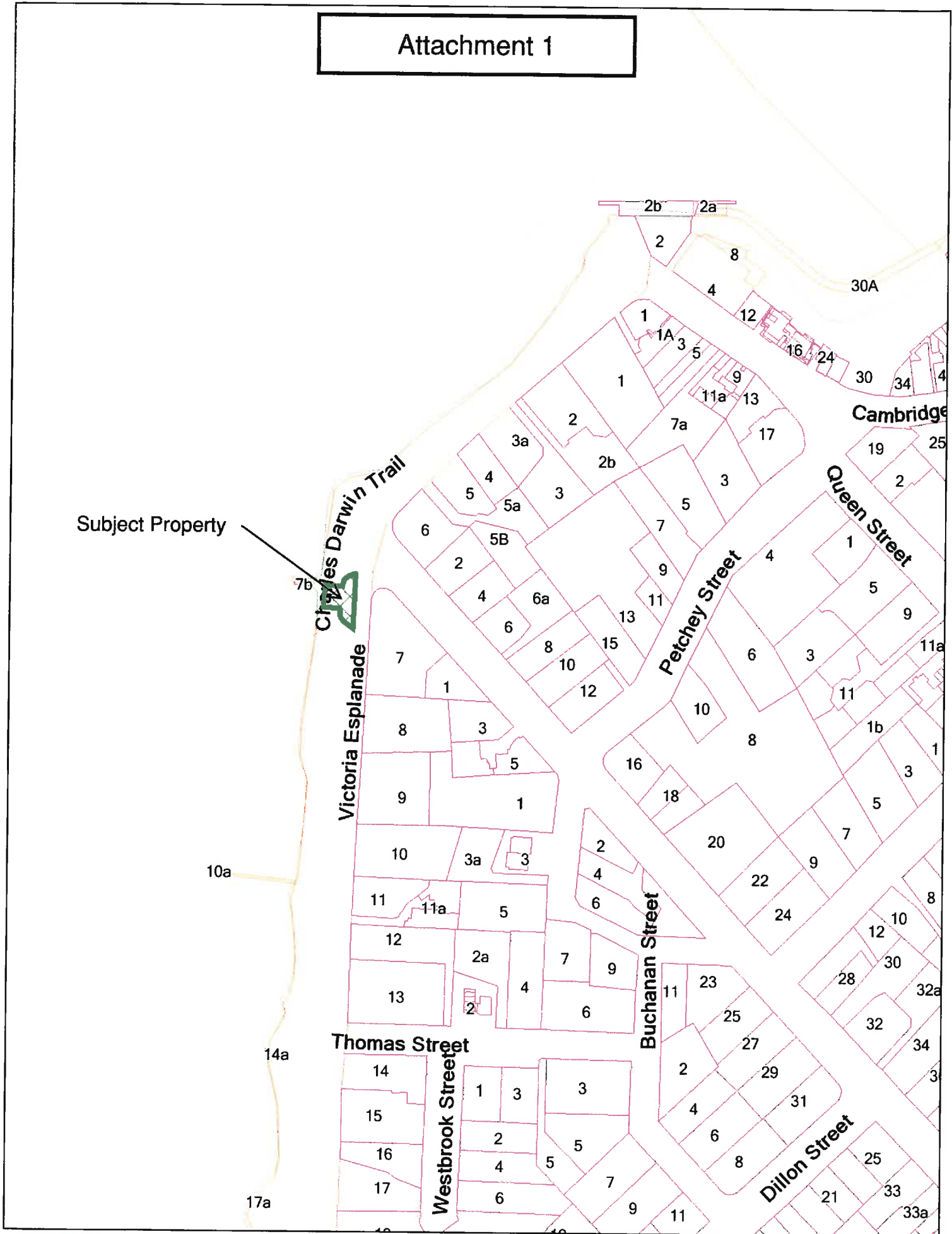
The proposal is for a change of use to restaurant, additions and alterations at 7A Victoria Esplanade, Bellerive. The proposal satisfies the relevant requirements of the Scheme and is therefore recommended for approval subject to a series of appropriate conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (8)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

Subject Property



Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Thursday, 1 November 2018 **Scale:** 1:2,417 @A4

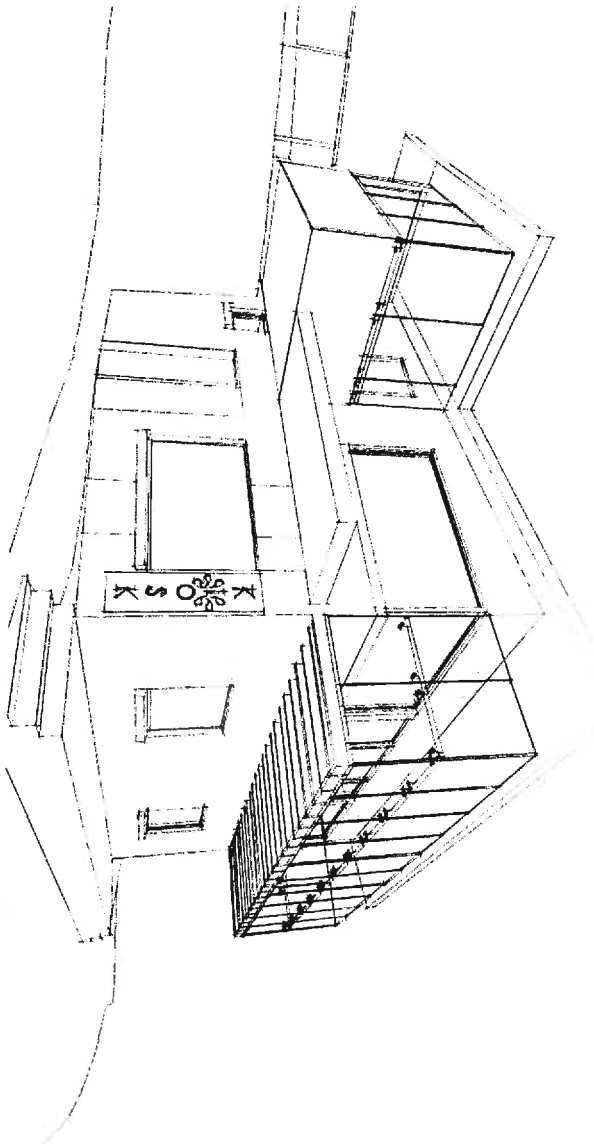
Partial demolition, internal alterations & deck extension
7a Victoria Esplanade, Bellerive

Building Class 6

Attachment 2

AREA SCHEDULE

Existing:	Proposed:
Ground Floor Area: 62m ²	Ground Floor Area: 62m ²
First Floor Area: 63.4m ²	First Floor Area: 76.5m ²
Total Floor Area: 125.4m ² (exl. deck)	Total Floor Area: 138.5m ² (exl. deck)
Deck Area: 18.7m ²	Deck Area: 26m ²



DRAWING SCHEDULE

- SK01 - COVER PAGE
- SK02 - SITE LOCATION PLAN
- SK03 - GROUND FLOOR PLAN
- SK04 - FIRST FLOOR PLAN
- SK05 - ROOF PLAN
- SK06 - ELEVATIONS 01
- SK07 - ELEVATIONS 02
- SK08 - FOOD PREMISES NOTES 01
- SK09 - FOOD PREMISES NOTES 02
- SK10 - LANDSCAPE PLAN

A. Area schedule & 3D revised to change of scope. 30/07/18
Rev. Amendment
Date

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Project:
7a Victoria Esplanade
Bellerive Pavilion

Drawing name:
Cover Page
Issue date:
6/09/2018

Project stage:
Planning

Drawing no:
17.017-SK01
Scale: As Shown - 7a Victoria Esplanade, Bellerive, TAS.

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Page 2 of 11
17/07/18



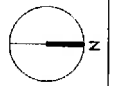
Extract from UStimaps.
Zoning outlines are approximate only.



Rev. Amendment

Date

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Project:
**7a Victoria Esplanade
Bellefleur Pavilion**

Drawing name:
Site Location Plan

Issue date:
14/02/2018

Project stage:
Planning

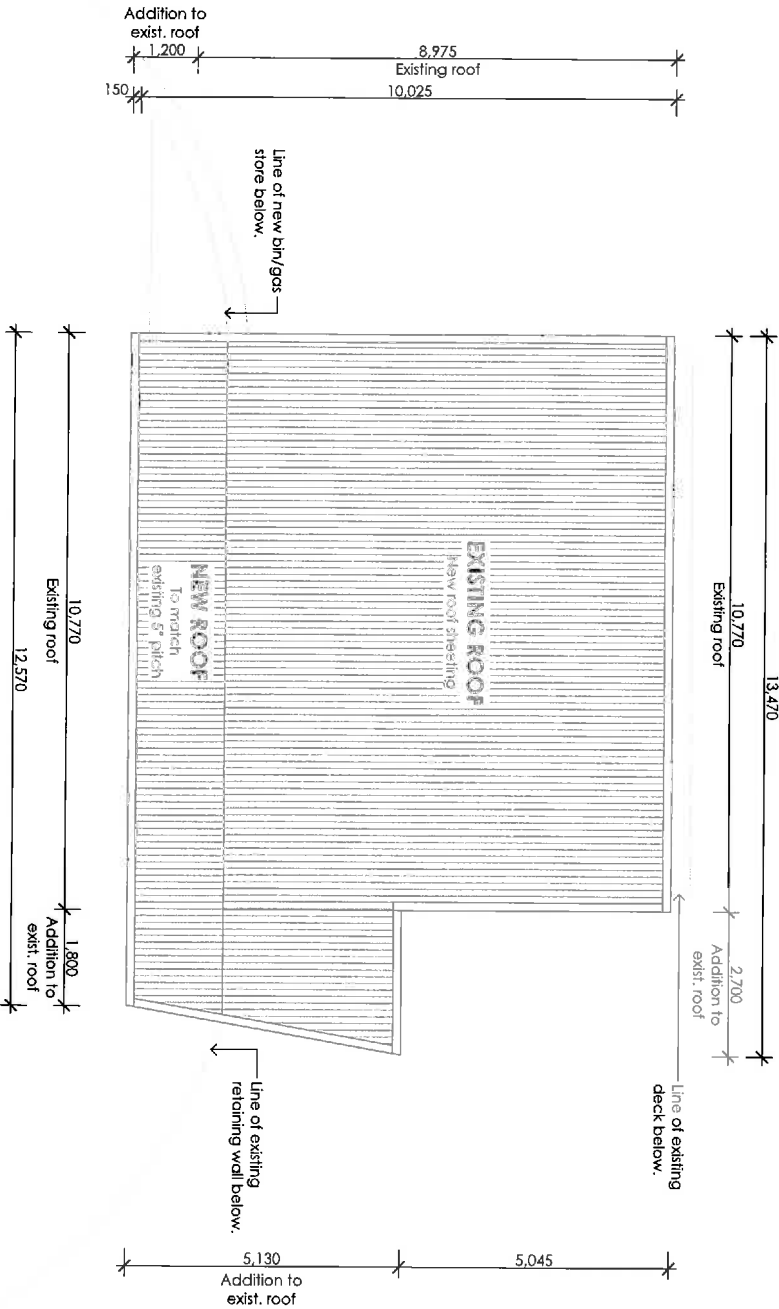
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17.017-SK02

Scale: 1:1000
Agents: 7a Victoria Esplanade
Bellefleur Pavilion

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Page 3 of 11
17/018







Rev. Amendment

A. Change of scope: new gas store & deck revision, 30.07.18



Project: 7a Victoria Esplanade Bellefève Pavilion

Drawing name: Roof Plan

Issue date: 6/09/2018

Project stage: Planning

Agenda: 7a Victoria Esplanade, Bellefève Pavilion

Drawing no: 17.017-SK05



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Project: 7a Victoria Esplanade Bellefève Pavilion

Drawing name: Roof Plan

Issue date: 6/09/2018

Project stage: Planning

Agenda: 7a Victoria Esplanade, Bellefève Pavilion

Drawing no: 17.017-SK05



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Project: 7a Victoria Esplanade Bellefève Pavilion

Drawing name: Roof Plan

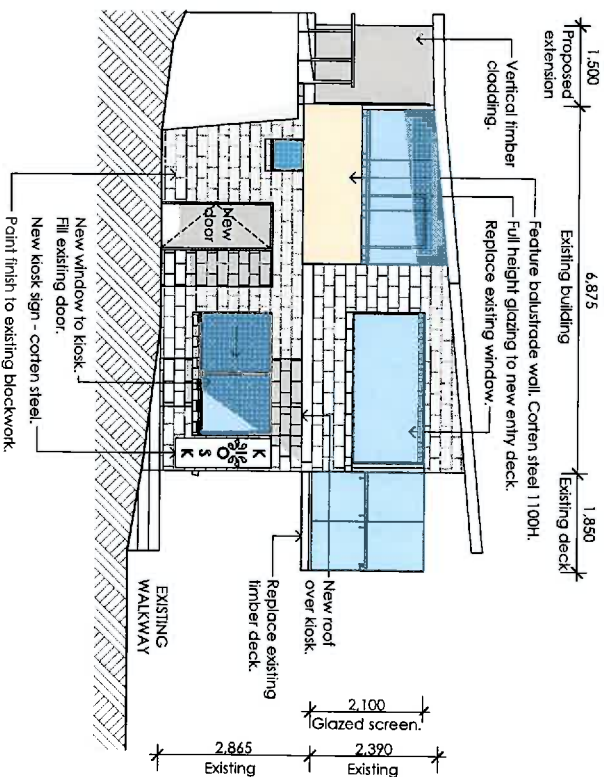
Issue date: 6/09/2018

Project stage: Planning

Agenda: 7a Victoria Esplanade, Bellefève Pavilion

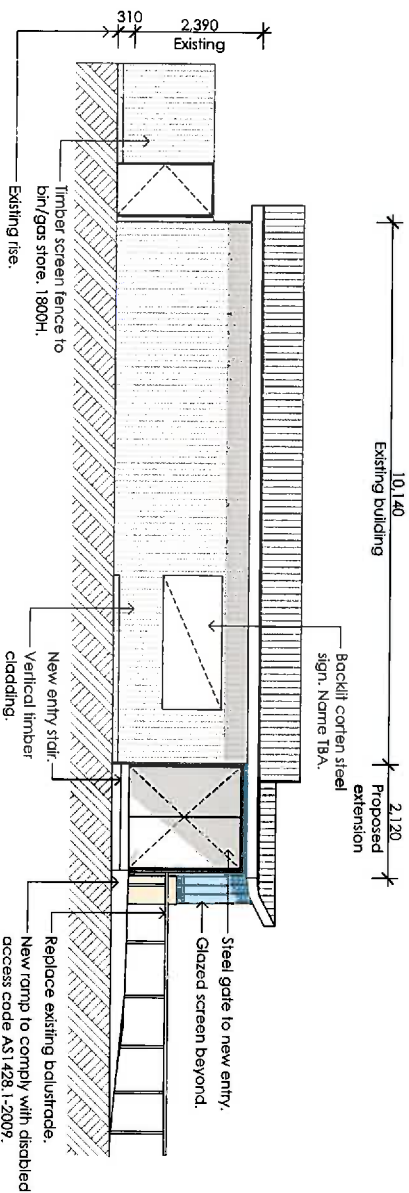
Drawing no: 17.017-SK05





North Elevation

Scale 1:100



East Elevation

Scale 1:100

Rev. Amendment
A. Change of scope: new gas store & deck revision: 30.07.18
Date

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Project:
7a Victoria Esplanade
Belleive Pavilion

Drawing name:
Elevations 01

Issue date:
6/09/2018

Project stage:
Planning

Agency:
1:100

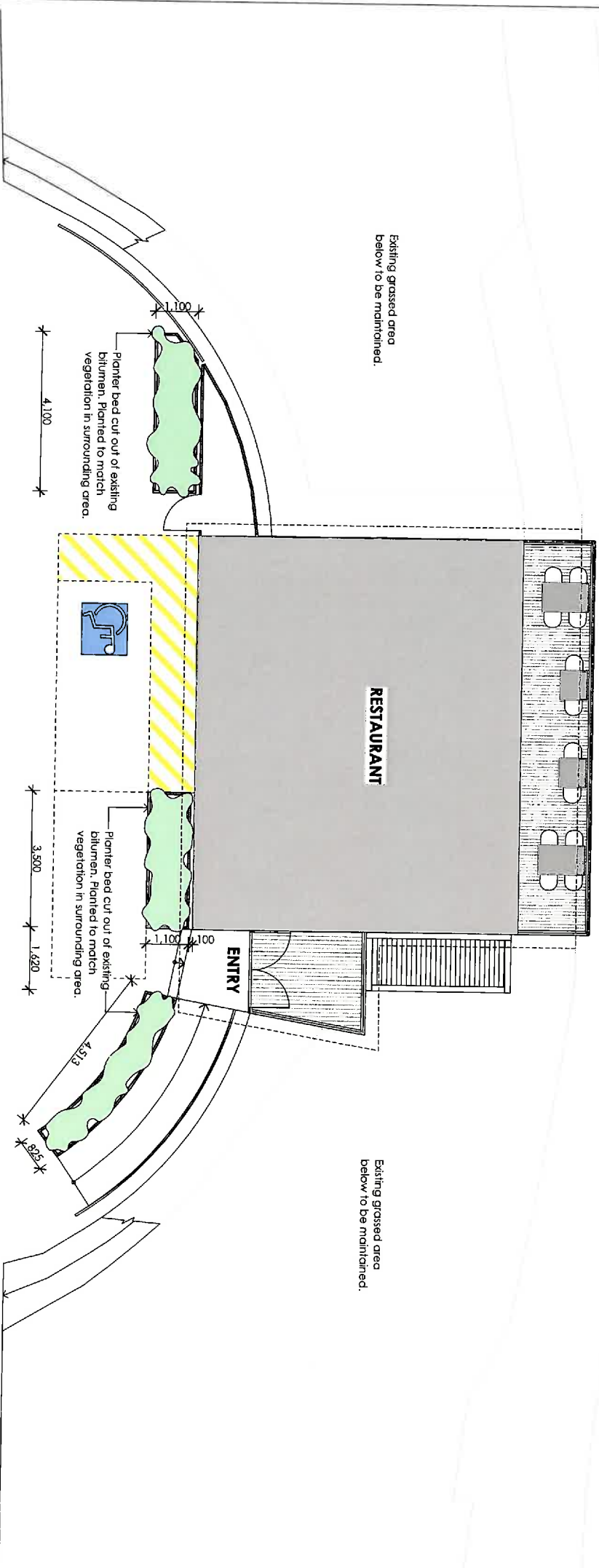
Drawing no:
17.017-SK06

Scale:
1:100

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Pascoe Vale
VIC 3045
Australia



Existing grassed area
below to be maintained.



Existing grassed area
below to be maintained.

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Project:
**Za Victoria Esplanade
Bellerive Pavilion**

Drawing name:
Landscape Plan

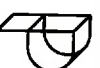
Issue date:
6/09/2018

Project stage:
Planning

Drawing no.:
17.017-SK10

Agenda:
Agenda - 7a Victoria Esplanade, Bellerive Pavilion

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Bellerive Pavilion
17/01/2018



Attachment 3

7A Victoria Esplanade, BELLERIVE



Site viewed from Victoria Esplanade, looking southwest



Site viewed from Victoria Esplanade, looking northwest



Site viewed from public car park to south of site, looking north



Site viewed from adjacent the Clarence Foreshore Trail, looking northeast

11.3.5 DEVELOPMENT APPLICATION D-2017/533 - 99 PIPE CLAY ESPLANADE, CREMORNE (WITH ACCESS OVER 101 PIPE CLAY ESPLANADE) - DWELLING ADDITION

(File No D-2017/533)

EXECUTIVE SUMMARY**PURPOSE**

The purpose of this report is to consider the application made for a dwelling addition at 99 Pipe Clay Esplanade, Cremorne (with access over Council's reserve at 101 Pipe Clay Esplanade).

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 13 November 2018 with the written consent of the applicant.

CONSULTATION

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

RECOMMENDATION:

- A. That the Development Application for a dwelling addition at 99 Pipe Clay Esplanade, Cremorne (with access over 101 Pipe Clay Esplanade) (CI Ref D-2017/533) be refused for the following reasons.
1. The proposal does not satisfy Clause E16.7.1 P1(a), (d) and (e) of the Clarence Interim Planning Scheme 2015 (the Scheme) as the proposal would not satisfy the following:
 - not increase the level of risk to the life of the users of the site;
 - need for future remediation works is minimised; and

- health and safety of people is not placed at risk.

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

Planning approval was granted for a deck under D-2016/234. The deck has been constructed and is shown on the "Existing Plans" included within the attachments.

The application is accompanied by the "Geo-Environmental Solutions Coastal Vulnerability Assessment: 99 Pipe Clay Esplanade, Cremorne". Due to the significance of the projected erosion impact, Council's Engineers obtained an independent peer review. The peer review was undertaken by Pitt and Sherry and is included within Attachment 4.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Village under the Scheme.

2.2. The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme relating to side setback, location within a waterway and coastal protection area and a coastal erosion hazard area.

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 16.0 – Village Zone;
- Section E6.0 – Parking and Access Code;
- Section E7.0 – Stormwater Management Code;
- Section E11.0 – Waterway and Coastal Protection Code;
- Section E15.0 – Inundation Prone Areas Code;

- Section E16.0 – Coastal Erosion Hazard Code; and
- Section E23.0 – On-Site Wastewater Management Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The subject site is a 966m² lot located at the southern (spit) end of Pipe Clay Esplanade. The site is level and is developed with a single storey vertical board dwelling.

The Council maintained section of Pipe Clay Esplanade terminates at the southern end of the sealed section. Access to the site is through Pipe Clay Esplanade via the Pipe Clay sand spit and a right-of-way across Council’s reserve at 101 Pipe Clay Esplanade, Cremorne. Cremorne Beach is located to the east of the site and Pipe Clay Lagoon to the west.

3.2. The Proposal

Application is made for a 68.4m² second storey addition to the existing dwelling. The addition would occupy a lesser footprint than the existing lower level and would contain 2 bedrooms. The addition would be clad with “Scyon Stria” lightweight cladding and “Colorbond” roofing in a low pitched skillion profile. The addition would reach a maximum height of 8.188m above natural ground level. Two covered decks are proposed to extend from the northern and southern elevations of the addition.

4. PLANNING ASSESSMENT

4.1. Determining Applications [Section 8.10]

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

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

Reference to these principles is contained in the discussion below.

4.2. Compliance with Zone and Codes

The proposal meets the Scheme’s relevant Acceptable Solutions of the Village Zone, Parking and Access Code, Stormwater Management Code, Erosion Hazard Code, Inundation Prone Areas Code and On-site Wastewater Management Code with the exception of the following.

Village Zone

Clause	Standard	Acceptable Solution (Extract)	Proposed
16.4.2 A2	Setbacks	Building setback from side and rear boundaries must be no less than: (a) 2m; (b) half the height of the wall, whichever is the greater.	Does not comply – the addition would be setback 1.915m from the north-western side property boundary. A 4.05m setback from the north-western boundary is required based on the wall height of 8.1m.

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

Performance Criteria	Proposal
“P2 - <i>Building setback from side and rear boundaries must satisfy all of the following:</i> (a) <i>be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by:</i>	see below assessment

<p>(i) <i>overlooking and loss of privacy;</i></p>	<p>The north-western elevation of the addition would contain a stairwell and bathroom window. The windows to these rooms are specifically excluded from the definition of a “habitable room” under the Scheme. The design of the upper level addition will therefore not cause any loss of privacy to the adjoining residential property to the north at 98 Pipe Clay Esplanade.</p>
<p>(ii) <i>overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining lots to less than 3 hours between 9.00am and 5.00pm on 21 June or further decrease sunlight hours if already less than 3 hours;</i></p>	<p>As the addition would be located to the south of the adjoining dwelling at 98 Pipe Clay Esplanade, Cremorne no overshadowing would result.</p> <p>Due to the orientation and separation of the proposed dwelling to the south at 100 Pipe Clay Esplanade, no unreasonable overshadowing impact would result.</p>
<p>(iii) <i>visual impact, when viewed from adjoining lots, through building bulk and massing;</i></p>	<p>The addition consists in part of an 8m wall length, 1.95m from the north-western side boundary. The remaining wall length of the addition increases in setback to 4.9m from the north-western side boundary.</p> <p>The 2 storey built form is consistent with the height and scale of the adjoining dwelling to the north. The proposed addition would be located out of the main view corridor to the east and west (water view) and proposed a range of design measures to enhance the aesthetics of the exterior of the dwelling and to reduce the overall mass and bulk of the upper level. Such measures include an articulated wall design, flat roof profile and use of a combination of cladding materials.</p>
<p><i>taking into account aspect and slope”.</i></p>	<p>The existing dwelling is located on the crest of the dune separating Pipe Clay Lagoon and Cremorne Beach. The fall of the dune to the west results in the increased building height at the western elevation of the dwelling (8.4m above natural ground level).</p>

Waterway and Coastal Protection Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E11.7.1 A1	Buildings and Works	No Acceptable Solution.	Does not comply - the proposed upper level addition and associated ground disturbing works (underpinning) would be located within an area covered by the Waterway and Coastal Protection Area.

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

Performance Criteria	Proposal
<i>“P1 - Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:</i>	see below assessment
<i>(a) avoid or mitigate impact on natural values;</i>	<p>The proposed addition would be contained to the upper level of the existing building and would not be located closer to the foreshore than the existing building. The proposed underpinning works would be confined to the existing disturbed footprint of the site.</p> <p>The addition would not cause any additional clearing of the dune environment therefore no loss of natural values is expected to occur.</p>
<i>(b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;</i>	Subject to appropriate management of stormwater run-off, the proposed addition would not cause any increased risk of erosion or sedimentation impacts upon the natural values of the area.
<i>(c) avoid or mitigate impacts on riparian or littoral vegetation;</i>	The location of the addition within the existing developed footprint will ensure no impacts upon coastal vegetation.
<i>(d) maintain natural streambank and streambed condition, (where it exists);</i>	not applicable
<i>(e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i>	not applicable

<i>(f) avoid significantly impeding natural flow and drainage;</i>	The proposed dwelling addition would not impact upon natural flow and drainage of either Pipe Clay Lagoon or Cremorne Beach.
<i>(g) maintain fish passage (where applicable);</i>	not applicable.
<i>(h) avoid landfilling of wetlands;</i>	not applicable
<i>(i) works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and 'Tasmanian Coastal Works Manual' (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided".</i>	It is considered that given the proximity of the dwelling additions to the coast, a permit condition requiring works to be undertaken generally in accordance with "Wetlands and Waterways Works Manual" (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE) should be included should Council approve the application.

Coastal Erosion Hazard Code

Clause	Standard	Acceptable Solution (Extract)	Proposed
E16.7.1 A1	Buildings and Works	No Acceptable Solution.	Does not comply - the proposed addition would be located within an area mapped as being susceptible to a medium risk of coastal erosion hazard.

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

Performance Criteria	Proposal
<i>"P1 - Buildings and works must satisfy all of the following:</i>	Given the presence of the sandy sediments and the location at the southern end of a sandy spit, the site is considered vulnerable to coastal processes on both the Cremorne Beach and Pipe Clay Lagoon side. The Coastal Vulnerability Report supporting the application indicates that Cremorne Beach is exposed to wave energy and in particular longshore drift resulting in erosion and recession vulnerability.

	<p>Given the site is vulnerable to wave run up erosion from storm events and sea level rise recession, erosion modelling was undertaken by the consulting engineer. The applicant's Coastal Vulnerability Report provides a cross section through the site in Figure 18 and 19 (see Attachment 3 demonstrating recession modelling based on worst-case scenario 2068 sea level rise scenario.</p> <p>Based on this modelling, 2068 recession is expected to impose within the building envelope.</p>
<p>(a) <i>not increase the level of risk to the life of the users of the site or of hazard for adjoining or nearby properties or public infrastructure;</i></p>	<p>Section 8 of the Coastal Vulnerability Report includes a risk assessment. The report finds that provided the recommendations made within the risk assessment (including underpinning works to the existing dwelling) are adhered to, the level of risk to users of the proposed addition is acceptable within the lifetime of the development (100 year timeframe) and consequently there are no medium or high risk aspects to the proposed development.</p> <p>Council's Environmental Health Officer has assessed the accompanying Wastewater Report and has advised that the proposal will present an increased hazard for adjoining and nearby properties in that there will be inadequate area available in the future for the disposal of wastewater due to the expected erosion impacts.</p> <p>The Wastewater Report indicates that the absorption trench and 100% reserve area would be located to the west and east of the dwelling respectively, which is identified in Figure 19 of the applicant's Coastal Vulnerability Report as being subject to recession impact by 2068. It is further noted that Figure 18 of the applicant's Coastal Vulnerability Report acknowledges that changes in lagoon tidal prism, water flow velocities and sediment scour are likely to account for an even greater erosion trend.</p>

	<p>Council's peer review report from Pitt and Sherry (Attachment 4) has identified that the predicted changes to the coastline as a result of inundation and subsequent erosion and impact upon the development site will increase the level of risk to the life of the users of the site as access and on-site servicing requirements would be compromised. There would also be increased hazard for adjoining and nearby properties in that inadequate servicing provision (ie compromised wastewater infrastructure) will affect public health and safety.</p> <p>For the above reasons, the proposal is considered to increase the level of risk to the life of the users of the site and will create a hazard for adjoining and nearby properties therefore does not satisfy Clause (a).</p>
<p><i>(b) erosion risk arising from wave run-up, including impact and material suitability, may be mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works;</i></p>	<p>The applicant's Coastal Vulnerability Report indicates that the eastern side of the site is vulnerable to wave run-up erosion from storm events and sea level rise recession. The report indicates that there is a low risk of wave run-up inundating the existing finished floor level as the existing dwelling is above the wave run up level with a FFL of 7.2m AHD.</p> <p>However, the report recommends significant engineering solutions to ensure the structural integrity of the dwelling. The applicant's Coastal Vulnerability Report recommends all structures on the site be founded well into the stable foundation zone below 1.0m AHD. To achieve this, the report recommends that no hard structures built beneath the building foundation other than a limited number of piles to support the existing dwelling and proposed addition. This extends to a requirement to underpin the existing dwelling and removal of existing brick foundations.</p>

	<p>Council's peer review report indicates that significant erosion is a possibility and that piled footings are warranted to avoid damage to, or loss of, the building. Subject to the use of piled footings, the proposal is considered to satisfy Clause (b).</p>
<p>(c) <i>erosion risk is mitigated to an acceptable level through measures to modify the hazard where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering;</i></p>	<p>The applicant's Coastal Vulnerability Report indicates that no hazard modification is required to reduce erosion risk. Council's peer review report supports this finding.</p>
<p>(d) <i>need for future remediation works is minimised;</i></p>	<p>The erosion modelling provided within Figure 18 and 19 of the applicant's Coastal Vulnerability Report indicates that there will be insufficient land available in the future disposal of wastewater. This is because the land around the dwelling would be eroded by 2068.</p> <p>Consequently, the erosion risk is likely to undermine the ability to provide a reasonable level of service to the future occupants of the dwelling and will prevent remediation works from being able to occur as there would be no available land to do so.</p> <p>Given the nature and degree of the hazard, no alternative wastewater arrangements will be capable of being implemented to service the dwelling. Given there would be no remediation options available to the site for the disposal of wastewater, the performance criteria cannot be satisfied.</p>
<p>(e) <i>health and safety of people is not placed at risk;</i></p>	<p>The erosion modelling provided within the applicant's Coastal Vulnerability Report indicates that access to the site will be cut off at the property boundary onto adjoining Council reserve at 101 Pipe Clay Esplanade, which is relied upon to access the southern end of Pipe Clay Esplanade.</p>

	<p>Whilst the sand spit accommodating Pipe Clay Esplanade (public road) is not expected to erode within the next 50 years (as erosion will be most significant from the Cremorne Beach end), access from this road to the dwelling would be lost within the lifetime of the development. The lack of reliable and convenient access will increase the level of risk to the occupants of the dwelling in that emergency service vehicles would not be able to access the property in the event of an emergency (such as when a storm surge event is happening) and the occupants may have difficulty in leaving the site in the event of an emergency.</p> <p>The applicant's Coastal Vulnerability Report asserts that the health and safety of residence will be improved through the recommendation to underpin the existing dwelling. Council's peer review report considers that the underpinning works could occur in isolation of the proposed development to better protect the dwelling in the future. Whilst there is a risk currently to the health and safety of the occupants of the existing dwelling, Council's peer review report indicates that the proposed dwelling addition would intensify the use of the existing dwelling and servicing arrangements by adding an additional 2 bedrooms, therefore Council is required to consider the health and safety implications upon the new development. Council's Development Engineer supports this view.</p> <p>For reasons outlined previously, the health of the occupants would also be placed at increased risk due to the inability to provide wastewater infrastructure within an area that would not be impacted by erosion risk.</p> <p>For the above reasons, the proposal is considered to increase the level of risk to the health and safety of the occupants & accordingly does not satisfy Clause (e).</p>
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<i>(f) important natural features are adequately protected;</i>	<p>The inability to provide for adequate stable land for the disposal of wastewater within a 50 year timeframe and the risk placed to the stability of the location of the proposed wastewater system may have the potential to decrease water quality. It is recognised that the existing wastewater system will be subject to risk of erosion in the future and the installation of an upgraded system will not increase this risk. Pipeclay Lagoon is known as a priority shorebird breeding area. It is considered that the proposal would not impact upon this important natural feature of the lagoon.</p> <p>The applicant's Coastal Vulnerability Report recommends a soil and water management plan be put in place during the development to manage potential off-site impact to natural values. Should the development be approved, a planning permit to this effect ought to be included.</p>
<i>(g) public foreshore access is not obstructed where the managing public authority requires it to continue to exist;</i>	<p>The proposal would not obstruct foreshore access extending around the southern end of the spit although it is acknowledged that this foreshore access will be compromised by coastal processes.</p>
<i>(h) access to the site will not be lost or substantially compromised by expected future erosion whether on the proposed site or off-site;</i>	<p>Based on the erosion modelling outlined within the applicant's Coastal Vulnerability Report, the internal driveway access from the boundary with the right-of-way over 101 Pipe Clay Esplanade would be lost as a result of future erosion risk. However, the access from Pipe Clay Esplanade to the property boundary would not be compromised by expected future erosion (ie by 2068) therefore the performance criteria is satisfied.</p>
<i>(i) provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;</i>	<p>not applicable</p>
<i>(j) not be located on an actively mobile landform".</i>	<p>This issue is discussed under Section 7.1 of the Associated Report below.</p>

5. REPRESENTATION ISSUES

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

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

7.1. Policy 1.4.2 of the State Coastal Policy 1996 specifies: *“Development on actively mobile landforms such as frontal dunes will not be permitted except for works consistent with Outcome 1.4.1”*.

Development on actively mobile landforms such as frontal dunes is not permitted by the Policy. Whilst the requirement is specific, the terms “actively mobile landform” and “frontal dune” are not defined under the Policy or the Act. However, the projected erosion modelling for the site indicates that the site will become an actively mobile landform within the life of the development. The proposal is therefore considered inconsistent with the requirements of the Policy.

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

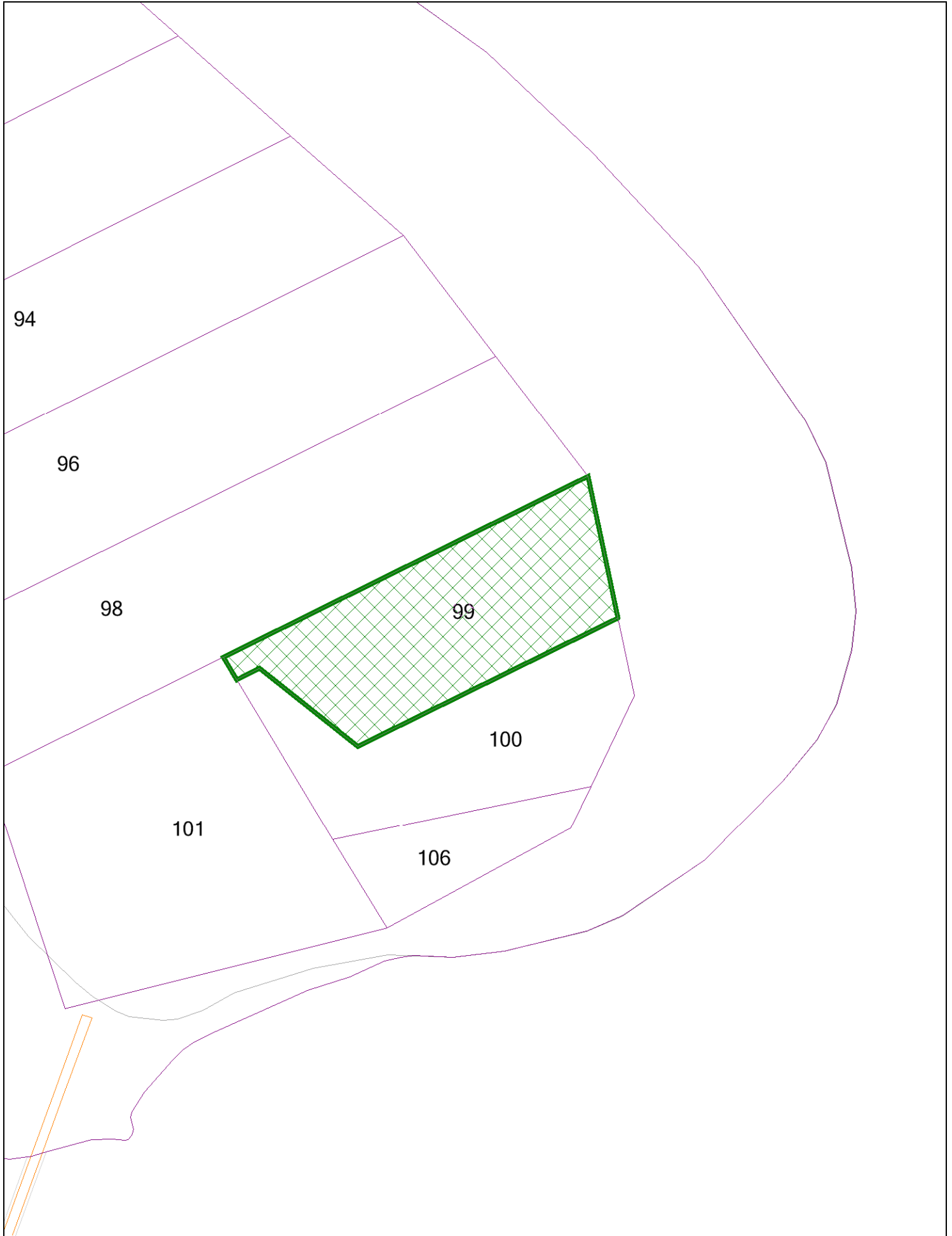
9. CONCLUSION

The proposal for a dwelling addition at 99 Pipe Clay Esplanade, Cremorne (with access over 101 Pipe Clay Esplanade) does not satisfy Clause E16.7.1 P1(a), (d) and (e) of the Scheme and is accordingly recommended for refusal.

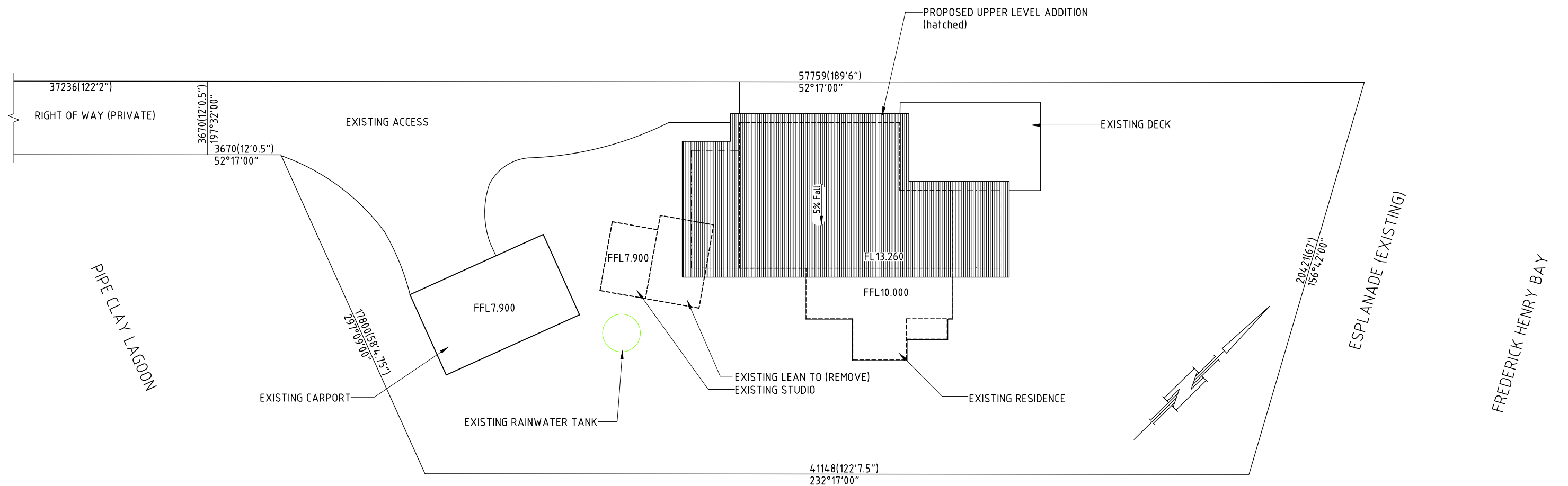
Attachments: 1. Location Plan (1)
2. Proposal Plan (4)
3. Coastal Vulnerability Report (reduced version) (35)
4. Wastewater Report (reduced version) (12)
5. Coastal Vulnerability Report Peer Review (reduced version) (20)
6. Site Photo (2)

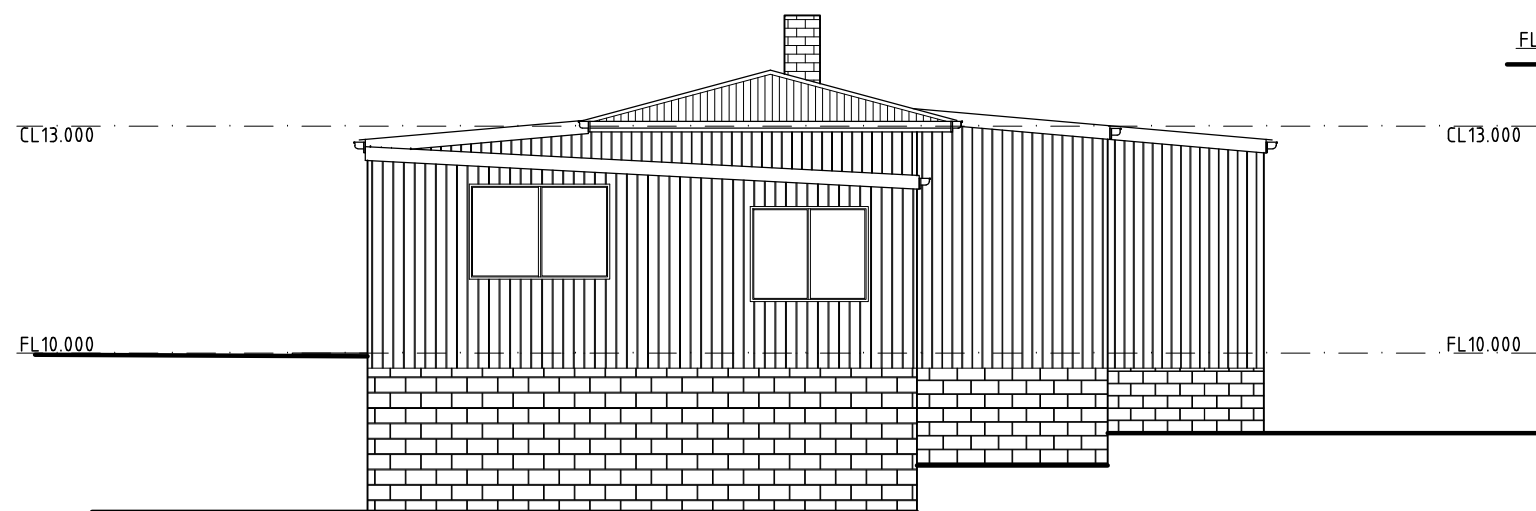
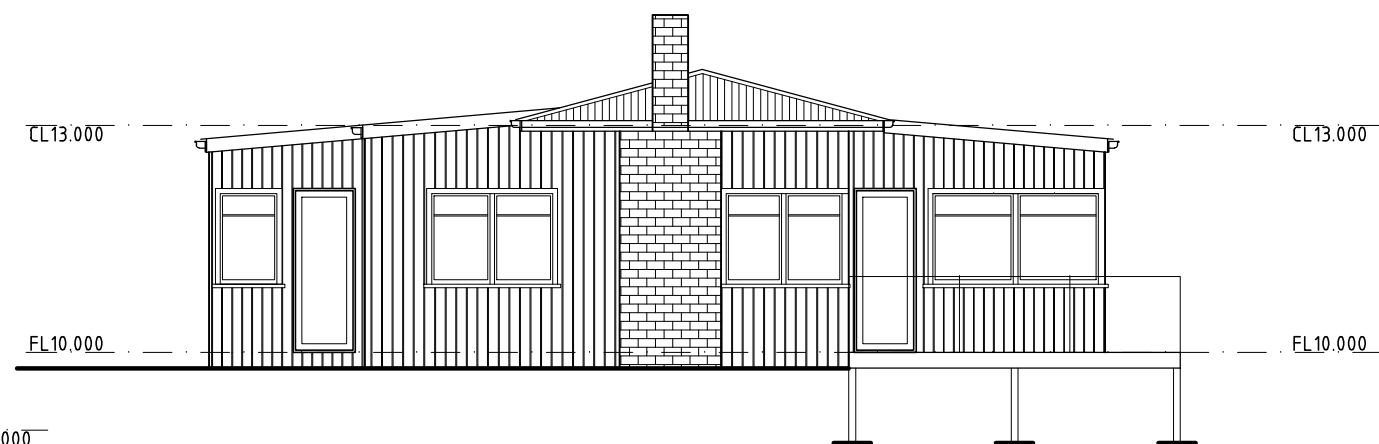
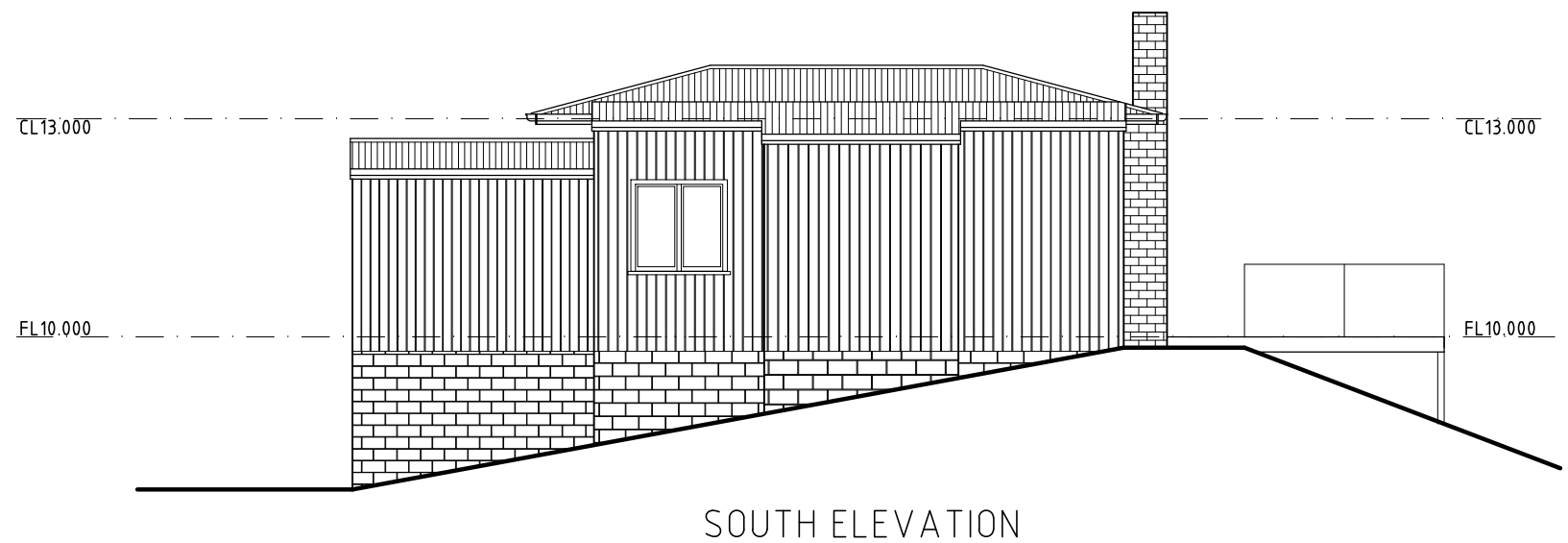
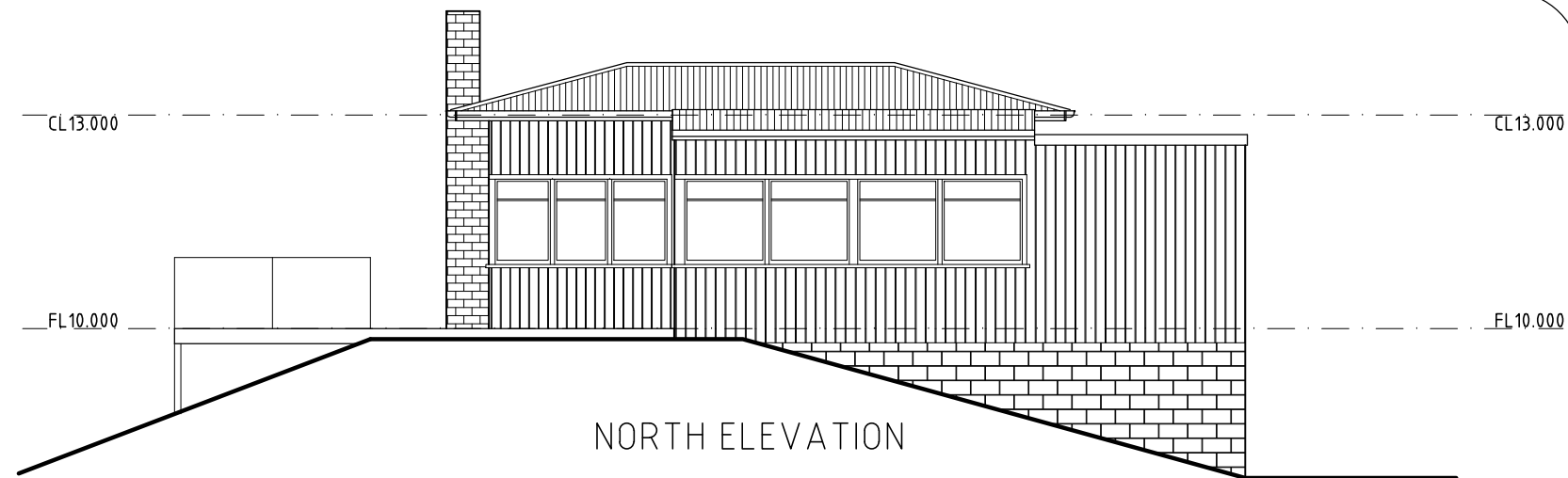
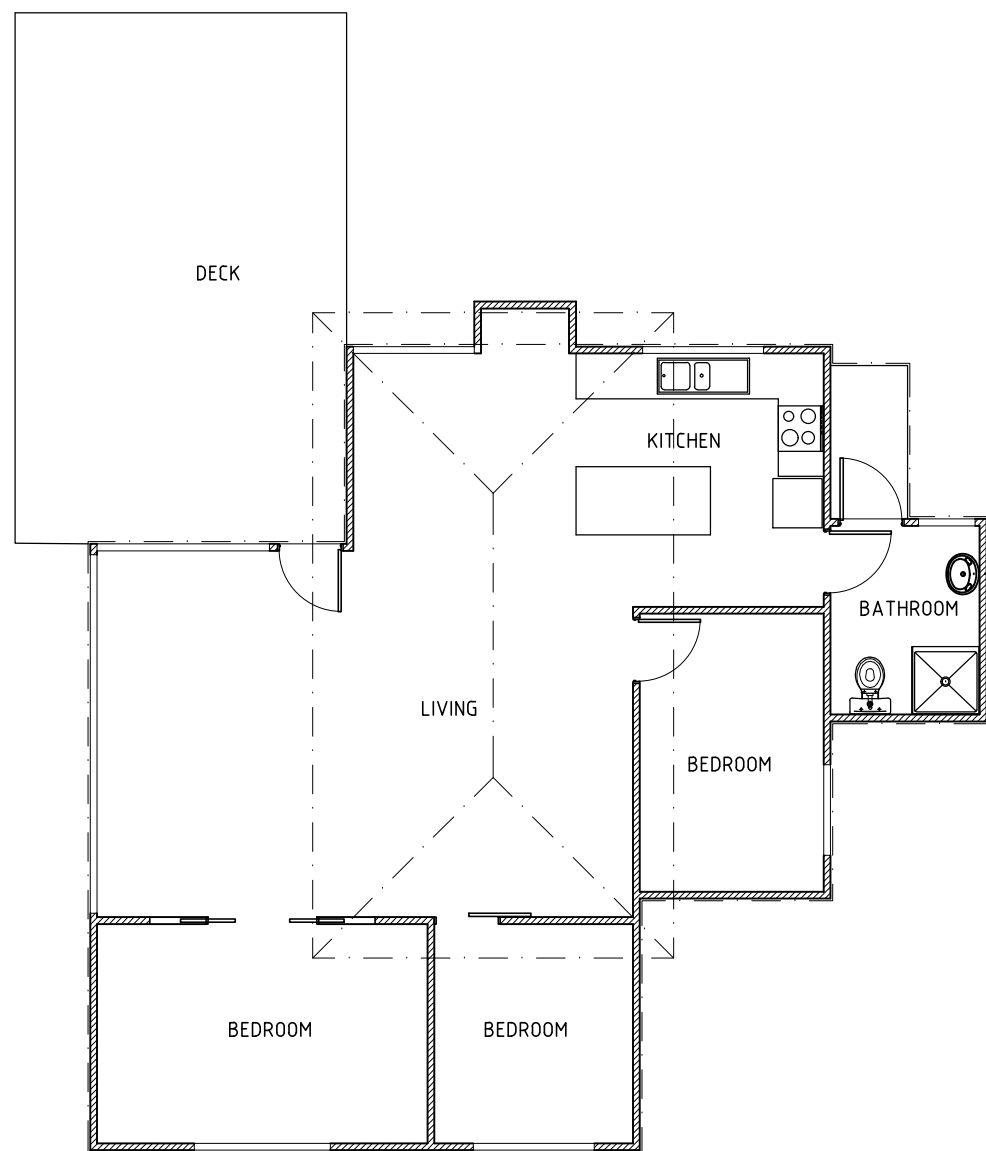
Ross Lovell
MANAGER CITY PLANNING

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



Disclaimer: This map is a representation of the information currently held by Clarence City Council. While every effort has been made to ensure the accuracy of the product, Clarence City Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated. Copying or reproduction, without written consent is prohibited. **Date:** Tuesday, 30 October 2018 **Scale:** 1:682.2 @A4






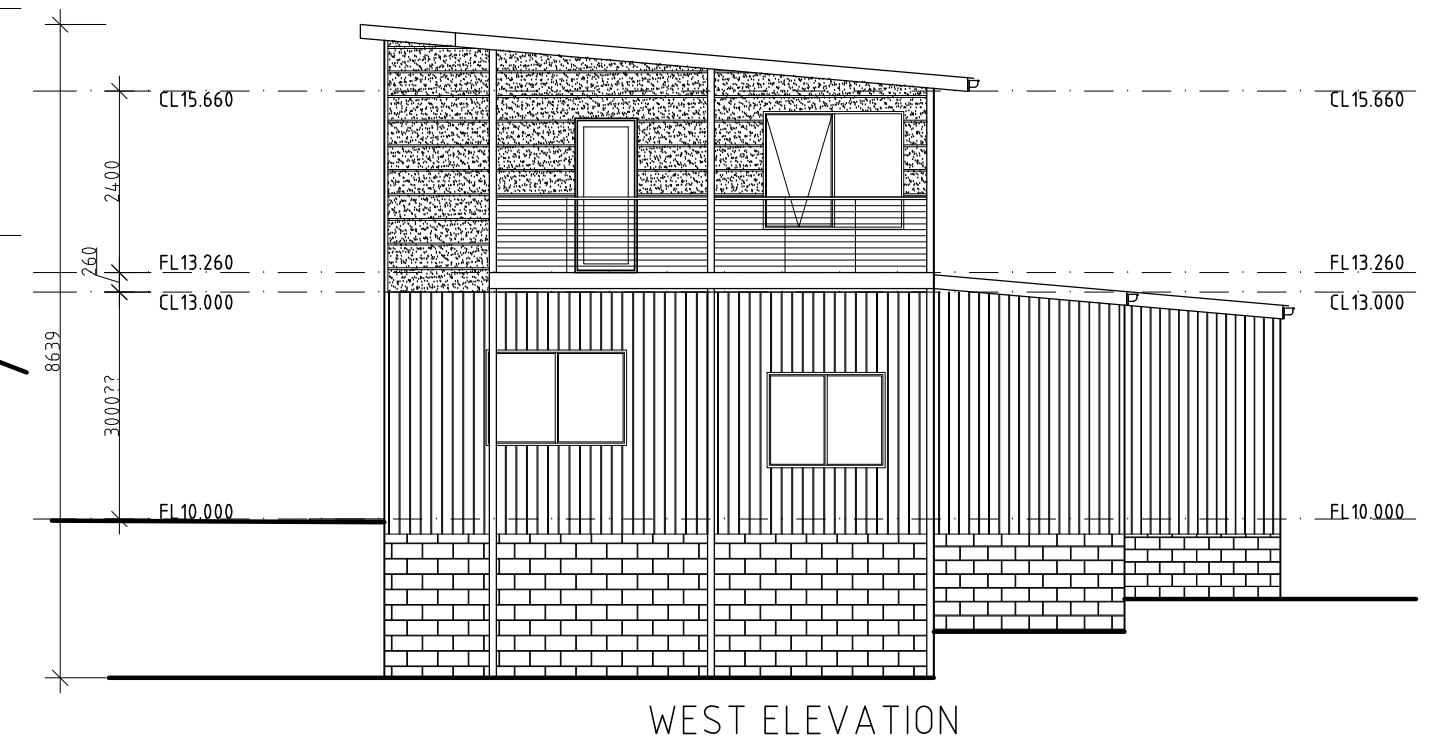
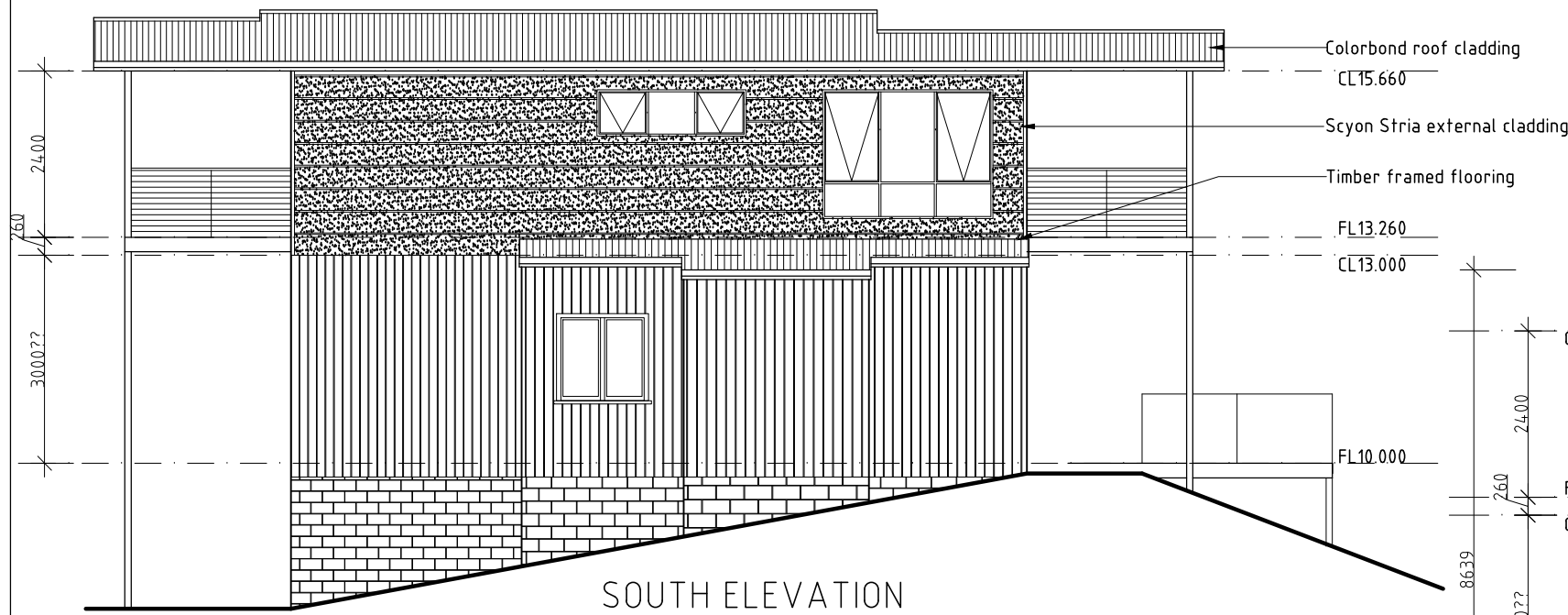
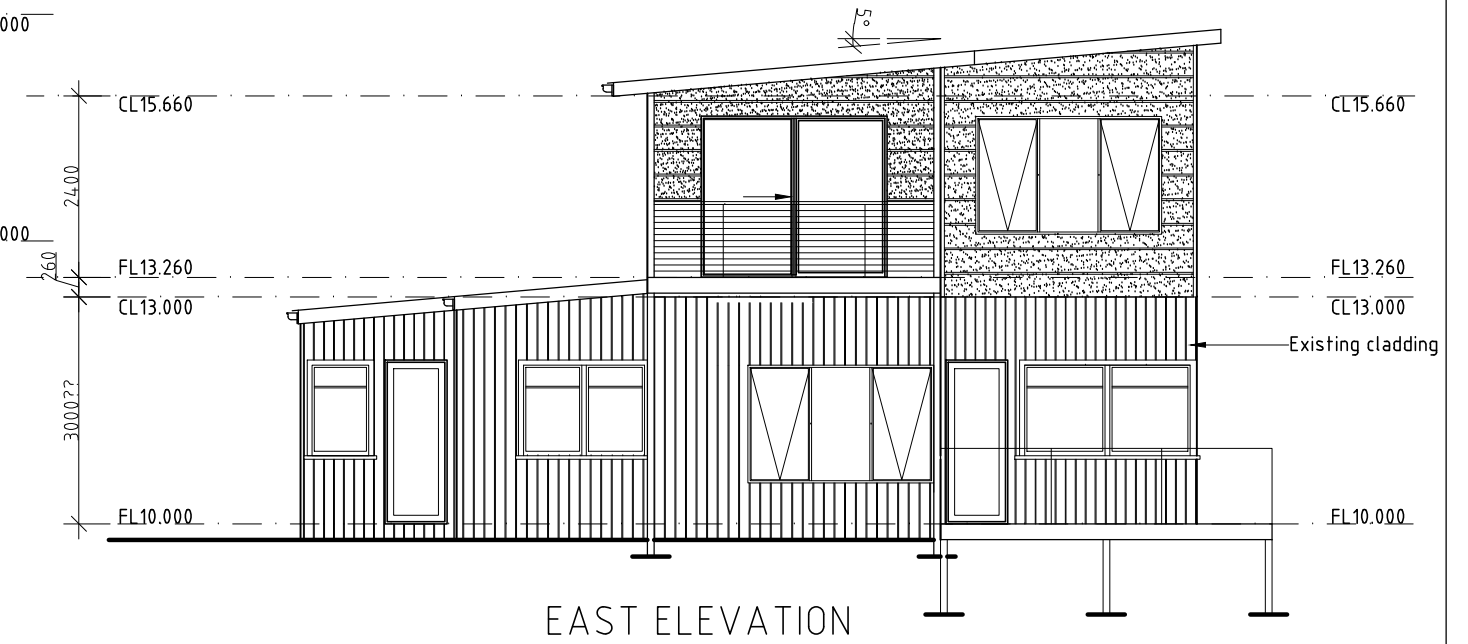
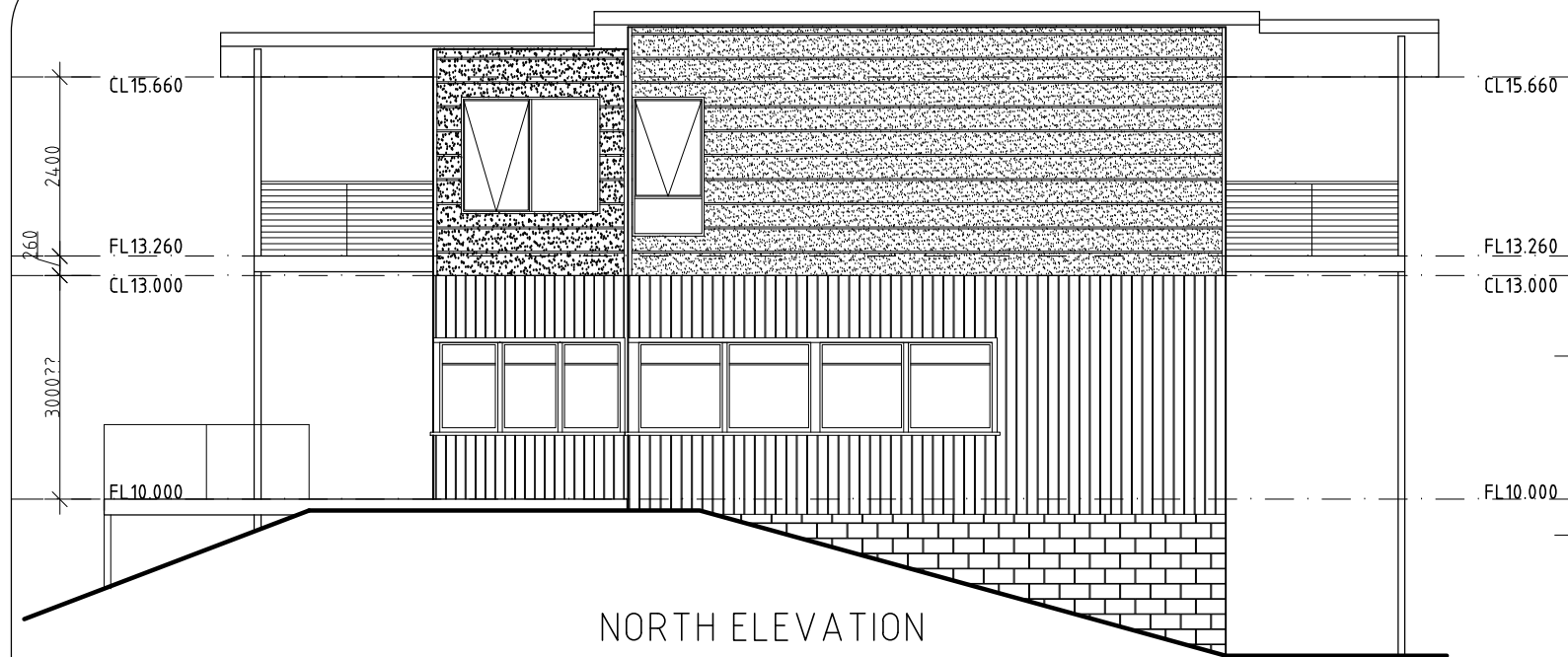


WEST ELEVATION



AREAS	
Proposed addition	68.40m/2
Proposed verandahs	23.40m/2
Existing residence	93.14m/2

 Removed
 Existing
 Proposed



GES

GEO-ENVIRONMENTAL SOLUTIONS

COASTAL VULNERABILITY ASSESSMENT

99 Pipe Clay Esplanade, Cremorne

CLIENT

Building Designers Australia

March 2018



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Executive Summary

Geo-Environmental Solutions (GES) were contracted by Building Designers Australia to prepare a coastal erosion and inundation hazard assessment for a proposed residential building extension at Cremorne Beach. The project area consists of a single cadastral title (CT 63378/1) located at 99 Pipe Clay Esplanade, Cremorne (The Site).

An application to conduct construction works has triggered the assessment in accordance with the Clarence Council Interim Planning Scheme (IPS) 2015. It is proposed that a second story is built onto the existing building structure which is founded onto a brickwork foundation.

A 'first pass assessment' has been conducted for the site area by Sharples (2008) which involved an assessment of coastline geomorphology and vulnerability to inundation and erosion processes. This assessment has been reviewed and built upon in a 'second pass assessment' which involved site specific hydrodynamic modelling to further assess the site inundation and erosion risks.

A detailed costal erosion hazard assessment has been conducted based on remoting sensing data.

The site comprises of soft sediments which are vulnerable to the risk of erosion. *Although thee is no evidence that the existing sand dunes are mobile, there is a risk of shoreline recession on the eastern side of Cremorne Spit due to sea level rise.*

GES have identified that the winter storm events in 2011 caused erosion on the sites coastal frontage, resulting in erosion of part of the dune system. There is physical evidence that sand has renourished the beach 180 m to the north of the site. Remote sensing has indicated that 50m³/m of storm erosion occurred on the sites coastline between 2008 and 2013. The initial storm event causing the erosion in 2011 occurred as the result of a 1 in 40-year storm event.

Modelling has been conducted for the site which indicates up to 17 m of horizontal coastline recession *on the eastern side of the spit*. An inferred storm erosion demand of 100 m³/m has been applied *to the eastern side* of the site cross sections to allow for the projected coastline position for the 50-year design life of the proposed extension to 2068.

Considerable erosion is modelled (based on 2068 recession and 1% AEP storm erosion) *predominantly beneath the eastern side of the site, including beneath the existing dwelling*. Structural foundation design measures are to be put in place to *ensure geotechnical stability of the existing and proposed building works* (and protection of the existing assets). *Specifically, structural underpinning is recommended beneath the existing development. Protection and management of risks associated with the existing development, will facilitate the proposed second storey development.*

GES have conducted a risk assessment of the site by addressing performance criteria. *Erosion and inundation risk to users of the site can be reduced for the design life of the proposed building and works provided recommendations presented within this report are adhered to.*

List of Abbreviations

AHD(83)	Australian Height Datum
AEP	Annual Exceedance Probability
ARI	Average Reoccurrence Interval
CEM	Coastal Engineering Model
CEHC	Coastal Erosion Hazards Code
DCP	Dynamic Cone Penetrometer
DEM	Digital Elevation Model
DPAC	Department of Premier and Cabinet
ERMP	Erosion Risk Management plan
GES	Geo-Environmental Solutions Pty Ltd
GIS	Geographical Information System
IPAC	Inundation Prone Areas Code
IPCC	Intergovernmental Panel on Climate Change
IPS	Interim Planning Scheme
LiDAR	Light Detection And Ranging
LIST	Land and Information System, Tasmania
MRT	Mineral Resources Tasmania
NCCOE	National Committee on Coastal and Ocean Engineering
SB	Soil Bore
SPM	Shoreline Protection Manual
SSP	Surf Similarity Parameter
SWAN	Simulating Waves Nearshore
TAFI	Tasmanian Aquiculture and Fisheries Institute
WRL	Water Research Laboratory (University of New South Wales)

1 Introduction

Geo-Environmental Solutions (GES) were contracted by Building Designers Australia to prepare a coastal erosion and inundation hazard assessment for a proposed residential building extension at Cremorne Beach. The project area consists of a single cadastral title (CT 63378/1) located at 99 Pipe Clay Esplanade, Cremorne (The Site).

An application to conduct construction works has triggered the assessment in accordance with the Clarence Council Interim Planning Scheme (IPS) 2015.

A ‘first pass assessment’ has been conducted for the site area by Sharples (2008) which involved an assessment of coastline geomorphology and vulnerability to inundation and erosion processes. This assessment has been reviewed and built upon in a ‘second pass assessment’ which involved site specific hydrodynamic modelling to further assess the site inundation and erosion risks.

A detailed costal erosion hazard assessment has been conducted based on remoting sensing data.

GES have undertaken this assessment using available scientific literature and datasets. Estimations are determined by approximation with appropriate regional information applied where appropriate to site specific information. Data collection and site specific modelling was undertaken in assessment of the site.

2 Objectives

The objective of the site investigation is to:

- Identify which codes need to be addressed in terms of coastal vulnerability and identify the relevant performance criteria relevant to the project which need addressing;
- Conduct a literature review of all geological, geomorphologic, hydrodynamic information and any ‘First or Second Pass Assessments’ which are relevant to the site;
- Conduct a hydrodynamic assessment of the site to determine projected sea level rise, storm tides and site specific hydrodynamic conditions and where applicable, GES’s site specific soil investigation findings;
- Use the site specific inundation modelling to identify generalised site erosion potential;
- Conduct an assessment of historical erosion processes near the site and developed a detailed erosion model based on long term beach recession and short term storm erosion;
- Conduct a site risk assessment for the proposed development ensuring relevant performance criteria are addressed; and
- Where applicable, provide recommendations on methods and design approach to reduce inundation and erosion impact.

3 Site Details

3.1 *Project Area Land Title*

The land studied in this report is defined by the following title reference:

- CT 63378/1

3.2 Project Area Regional Coastal Setting

The Project Area is located on Cremorne Beach (east) and Pipe Clay Lagoon (west) with residential properties to the north and south (Figure 1 and Figure 2).

The site is exposed to the following coastal processes:

- Coastal erosion from the following hydrodynamic scenarios:
 - Refracted swell directed from Strom Bay to the south;
 - Wind waves from Frederick Henry Bay;
 - Wind waves from Pipe Clay Lagoon;
- Storm tide and sea level rise inundation processes; and
- Tidal currents.

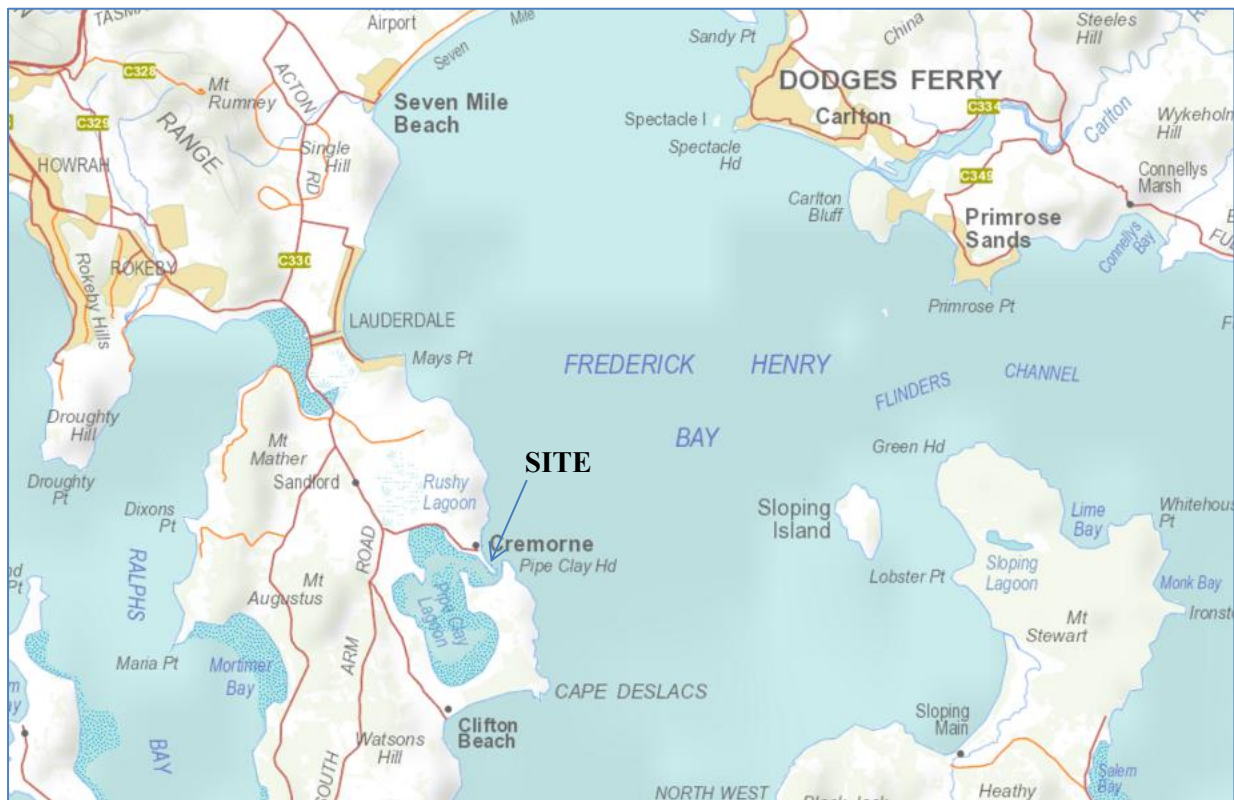


Figure 1 Regional Location of Project Area - The Land and Information System, Tasmania (LIST)

3.3 Project Area Local Setting

The site is located on Cremorne Beach on the southern end of the spit. Access to the site is through Pipe Clay Esplanade via Pipe Clay Beach and is generally only permissible during high tide.



Figure 2 Site Local Setting (The LIST)

4 Planning

4.1 Australian Building Code

This report presents a summary of the overall site risk to coastal erosion and inundation processes. This assessment has been conducted for the year 2068 which is representative of a ‘normal’ 50-year building design life category based on a 2017 baseline (ABCB 2015).

Per the Australian Building Code Board (ABCB 2015), when addressing building minimum design life:

‘The design life of buildings should be taken as ‘Normal’ for all building importance categories unless otherwise stated.’

As per Table 3-1, the building design life is 50 years for a normal building.

Table 3-1 Design life of building and plumbing installations and their components

Building Design Life Category	Building Design Life (years)	Design life for components or sub systems readily accessible and economical to replace or repair (years)	Design life for components or sub systems with moderate ease of access but difficult or costly to replace or repair (years)	Design life for components or sub systems not accessible or not economical to replace or repair (years)
Short	1 < dl < 15	5 or dl (if dl<5)	dl	dl
Normal	50	5	15	50
Long	100 or more	10	25	100

Note: Design Life (dl) in years

4.2 State Coastal Policy

On 16 April 2003 the State Coastal Policy Validation Act 2003 came into effect. This Act replaces the former definition of the Coastal Zone in the State Coastal Policy 1996 and reinstates the Policy. The Act also validates all previous decisions made under the Policy. The following clauses are pertinent to the scope of this report:

1.1. NATURAL RESOURCES AND ECOSYSTEMS

1.1.2. The coastal zone will be managed to protect ecological, geomorphological and geological coastal features and aquatic environments of conservation value.

1.4. COASTAL HAZARDS

1.4.1. Areas subject to significant risk from natural coastal processes and hazards such as flooding, storms, erosion, landslip, littoral drift, dune mobility and sea-level rise will be identified and managed to minimise the need for engineering or remediation works to protect land, property and human life.

1.4.2. Development on actively mobile landforms such as frontal dunes will not be permitted except for works consistent with Outcome 1.4.1.

1.4.3. Policies will be developed to respond to the potential effects of climate change (including sea-level rise) on use and development in the coastal zone.

4.3 The Tasmanian Building Regulations 2016

Division 3 - Coastal inundation. Section 56. Works in coastal inundation hazard areas) states that:

- (1) A person must not perform work in a coastal inundation hazard area unless he or she is authorised to do so under the Act.
- (2) If a person intends to perform work in an investigation area of a coastal inundation hazard area, the person must, before performing the work, ensure the land is classified, in accordance with the coastal inundation determination –(a) as being an acceptable risk;
- (3) "A person must not perform work on a building on land in a coastal inundation hazard area unless the floor level of each habitable room of the building, being erected, re-erected or added as part of the work, is at least 300 millimetres above the defined flood level for the land."
- (4) A responsible person for work being performed in a coastal inundation hazard area must ensure that the work is being performed in accordance with the Act and the coastal inundation determination.
- (5) A person performing work in a coastal inundation hazard area must ensure that the work complies with the Act and the coastal inundation determination.

Division 4 - Coastal erosion. Section 58. Works in coastal erosion hazard areas

- (1) A person must not perform work in a coastal erosion hazard area unless he or she is authorised to do so under the Act.
- (2) If a person intends to perform work in an investigation area of a coastal erosion hazard area, the person must, before performing the work, ensure that the land is classified in accordance with the coastal erosion determination (a) as being an acceptable risk;
- (3) A responsible person for work being performed in a coastal erosion hazard area must ensure that the work is being performed in accordance with the Act and the coastal erosion determination.
- (4) A person performing work in a coastal erosion hazard area must ensure that the work complies with the Act and the coastal erosion determination.

4.4 Interim Planning Scheme Overlays

4.4.1 Waterways & Coastal Protection Areas (WCPA) Overlay

The whole site falls within of the Waterways & Coastal Protection Areas (WCPA) overlay (Figure 3).

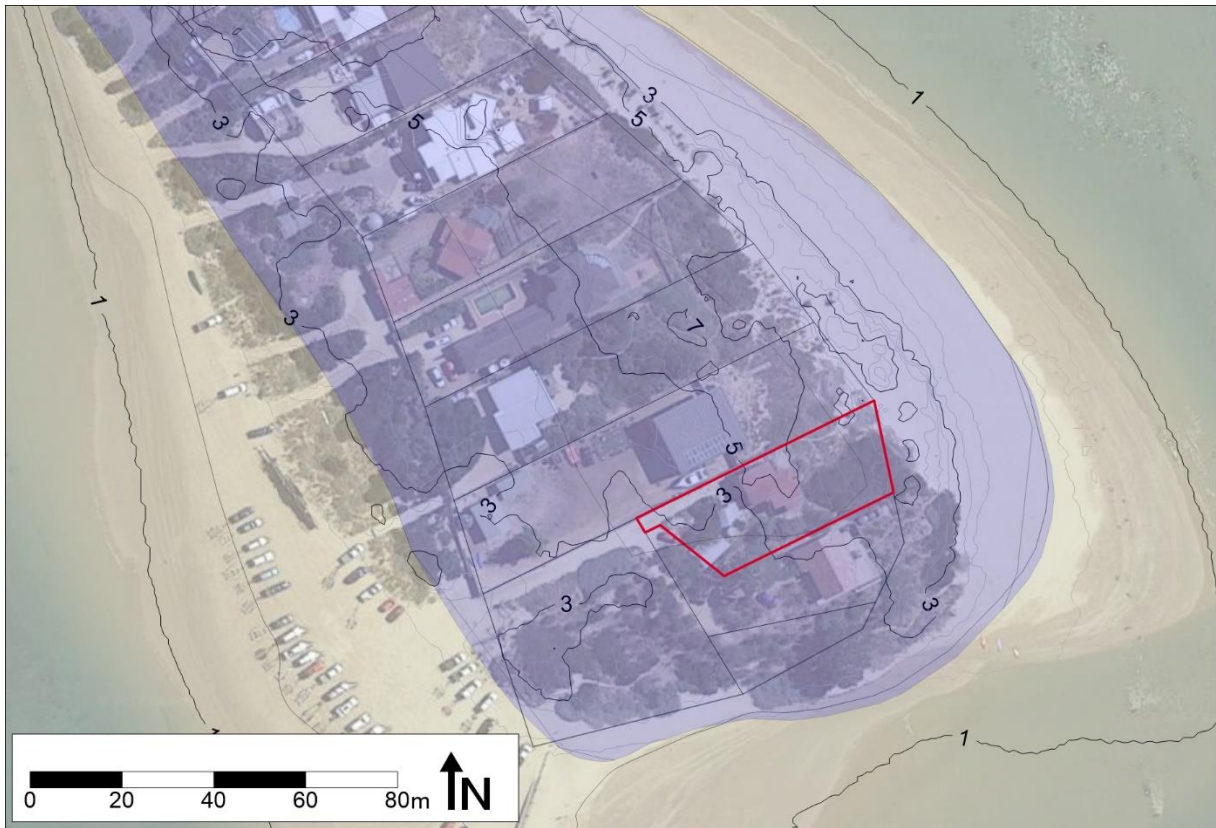


Figure 3 WCPA Overlay (Orange Shading) near the Site (The LIST)

4.4.2 Inundation Prone Areas Code (IPAC) Overlay

None of the site is within the E15 Inundation Prone Areas Code (IPAC) overlay (Figure 4).

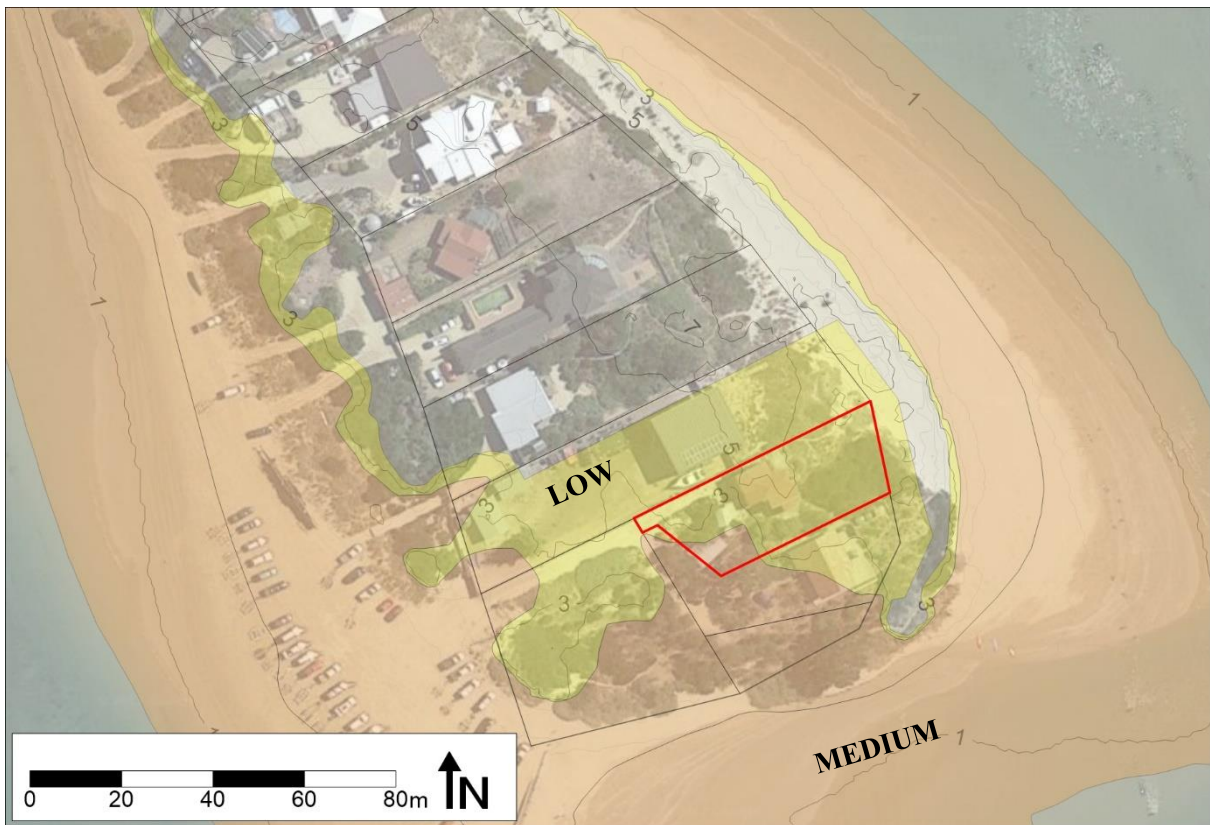


Figure 4 IPAC Low Hazard Band

4.4.3 Coastal Erosion Hazards Code (CEHC) Overlay

The whole site falls within the Coastal Erosion Hazards Code (CEHC) overlay (Figure 5). Unlike the IPAC overlays, the IPS does not differentiate between low and medium hazard CEHC banding and classifies them according to the same acceptable solutions and performance criteria.

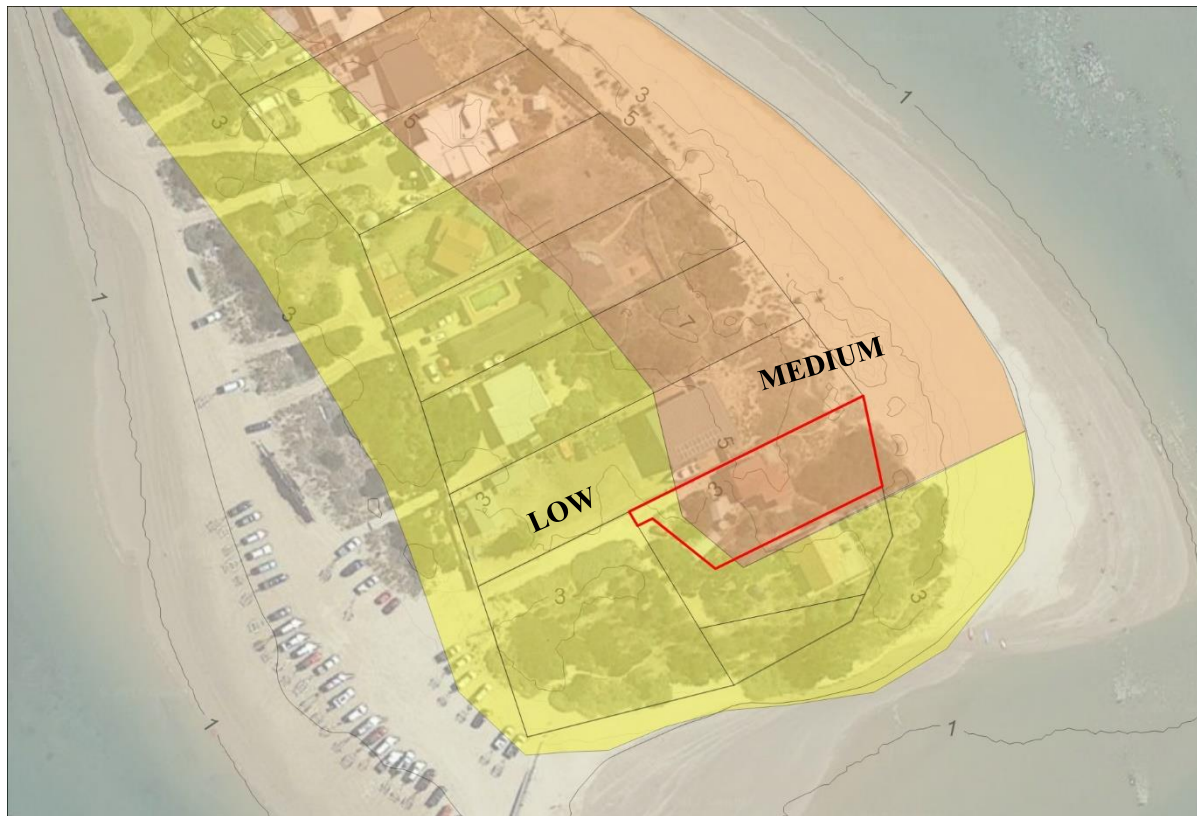


Figure 5 CEHC Overlay

4.5 Proposed Development

The proposed development comprises of:

- A proposed habitable second storey extension of approximately 16 m² with a finished floor level (FFL) of ~7.2 m AHD which covers the entire 1st storey; and
- Proposed second storey verandas are proposed on the eastern and western side of the surrounding the extension with a finished floor level (FFL) of approximately ~7.2 m AHD.

Greater Hobart 2013 LiDAR has been used to generate cross sections and infer site elevations. At this location, the Greater Hobart 2013 LiDAR is considerably more reliable than the 2008 Climate Futures LIDAR. Figure 6 and Table 1 indicate which parts of the site which fall within the various IPS (2015) code overlays.

Table 1 Summary of Site Areas Falling Within Potential Coastal Vulnerability Zones

Site Location	Elevation Range (m AHD)	WCPA (E11) Overlay	IPAC (E15) Overlay Low Risk	IPAC (E15) Overlay Medium Risk	IPAC (E15) Overlay High Risk	CEHC (E16) Overlay
Proposed 2n Storey Extension	~7.2	100%	100%	-	-	100%
Proposed Verandas	~7.2	100%	100%	-	-	100%

- Outside of Overlay

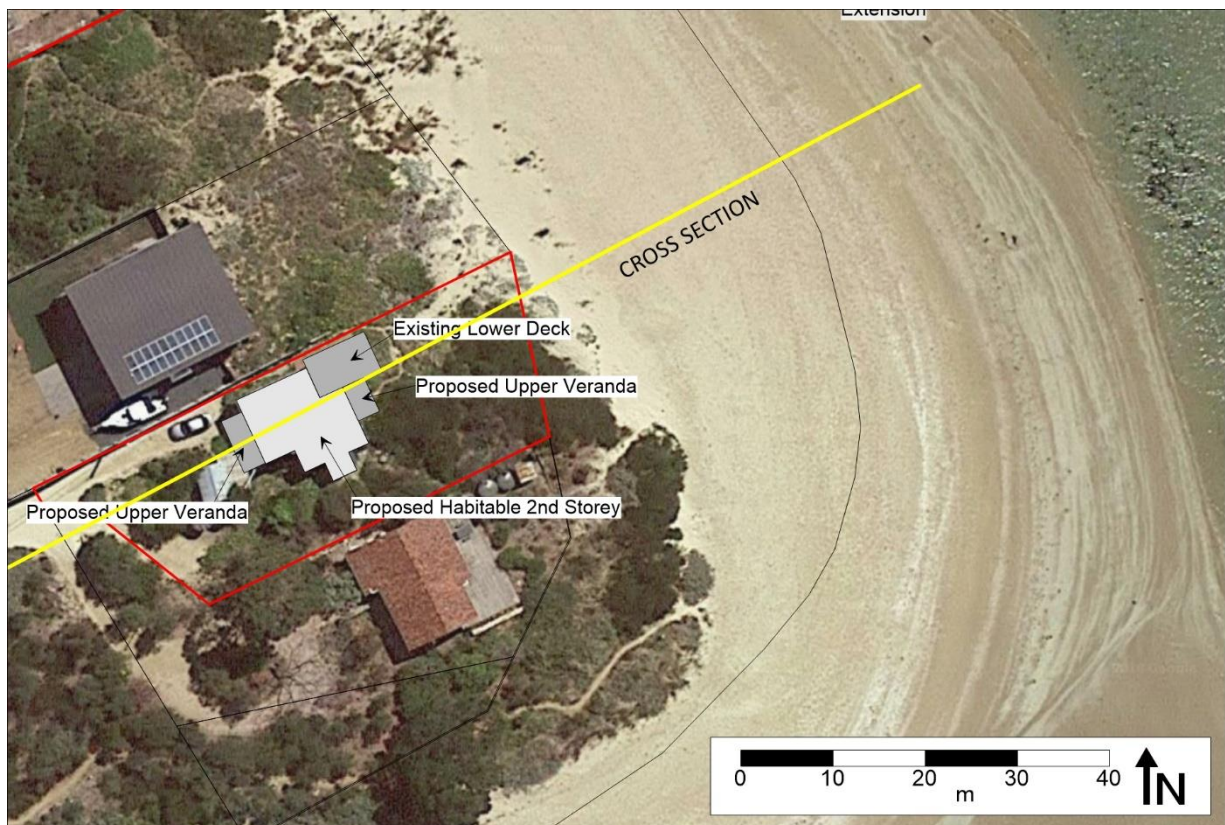


Figure 6 Proposed Development – Site Plan

4.6 Development Acceptable Solutions

Where applicable, the need for further performance criteria compliance is outlined in Appendix 1.

4.6.1 Waterways & Coastal Protection Code (WCPC)

E11.7.1 A1 Building and Works

*As the proposed building and works is within a WCPC area and is not within a building area on a plan of subdivision approved under this planning scheme, the proposed building **does not meet** E11.7.1 A1 acceptable solutions for buildings and works.*

4.6.2 Inundation Prone Areas Code (IPAC)

E15.7.3 A2 Proposed extension to an existing habitable building

Given that the proposed extension to the existing habitable building has a finished floor level of 13.26 m AHD which is above the Low AEP1pct 2100 RU and 300mm FB of 2.5 m AHD for Cremorne, the proposed extension meets the E15.7.3 A2 acceptable solutions.

E15.7.5 A1 Development Landfill or Solid Walls

Given that there is a proposal for solid walls to be developed which are greater than 5 m in length and 0.5 m in height, the proposal does not meet E15.7.5 A1 acceptable solutions for assessing inundation risk.

4.6.3 Coastal Erosion Hazards Code (CEHC)

Given that the entire site resides in the CEHC Area, and there are no acceptable solutions for buildings and works in a CEHC Area, the E16.7.1 P1 performance criteria will need to be addressed.

4.7 Development Performance Criteria

The following performance criteria needs to be assessed:

- E11.7.1 A1; and
- E16.7.1 P1

5 Site Physical Assessment

5.1 Natural Resource Management (NRM) Mapping

The LIST presents a summary of the site natural resources over a 100 m section of the coastline near the site (Appendix 2). Table 2 presents a summary of the relevant site information. The site is considered geomorphologically sensitive and sensitive to natural value pressures.

Table 2 Summary of Natural Resource Management (NRM) Attributes Relevant to the Site (The LIST)

Aspect	Cremorne Beach	Pipe Clay Lagoon Beach
Sandy Vulnerability: Coastal Vulnerability Mapping	Open coast sandy shore backed by low-lying sandy plains. Sandy beach or shoreline - fine to med grainsize. Intertidal or shallow subtidal sand flats.	Re-entrant sandy shore backed by low-lying sandy plain. Sandy beach or shoreline - fine to med grainsize. Intertidal or shallow subtidal sand flats
Backshore Type Coastal Vulnerability	Sediment flats, unconsolidated or unlithified	Sediment flats, unconsolidated or unlithified
Conservation Significance SE Strategy	Area of sufficient significance to warrant highest level of protection	Area of sufficient significance to warrant highest level of protection
Actual Habitat Listed Significant SPP	One or more shorebird or seabird species present (contact Birds Tasmania for further detail)	One or more shorebird or seabird species present (contact Birds Tasmania for further detail)
Geovalue	1	1
Geomorphic Value	2	2
Natural Value Index	1	1

5.2 Site Soil Assessment

The spit comprises deep deposits of fine to medium grained, well sorted sand which is typical of an aeolian (windblown) derived origin. As expected boreholes drilled on the lower lying parts of the spit (on the Pipe Clay Lagoon side) encountered sands to maximum depth of drilling at 2.0 m below ground surface (Table 3).

Soil typically shows little change with depth and is noted to show signs of pedological development (indicating older soil profiles).

The beach sediments comprise fine to coarse grained sands. The deeper beach profiles were noted to contain abundant shell fragments mixed in with coarse grained sand.

Table 3 Typical Soil Profile Details

Horizon	Depth From (m)	Depth To (m)	Description
A1	0	1.3	Pale brown, well sorted sand with a single grain structure, slightly moist with a dense consistency
AC	1.3	1.9	Pale brown, well sorted sand with a single grain structure, very moist to saturated with a dense consistency, abundant shell fragments

5.3 Summary

In summary, the following can be concluded for the site-specific location based on the first pass natural resources information:

- The local area is considered of conservation significance given that it has a Natural Values Index of 1. This indicates that there are significant ecosystem communities or habitat present in the area. The site is adjacent to Pipe Clay Lagoon which is a dedicated formal reserve which has conservation value. there is the potential that onsite activities may influence groundwater quality and ecosystem health;
- Given the presence of the sandy sediments and the setting, the site is considered vulnerable to coastal processes on both the Cremorne Beach and Pipe Clay Lagoon sides of the site.

6 Hydrodynamic Assessment

6.1 Scope of Works

GES have conducted a detailed site hydrodynamic assessment. The following second pass assessment scope of works has been adopted for the site:

- Develop a comprehensive site specific wave model for the site based on methods outlined in the Shoreline Protection Manual SPM (1984) and the Coastal Engineering Model (CEM 2008) which will provide site specific information on actual inundation levels and site erosion potential;
- To identify short term hydrodynamics based on site specific 1% Annual Exceedance Probability (AEP) astronomical tide, barometric low (storm), as well as wave runup, wave setup and wind setup (where applicable) for Cremorne Beach;
- Drawing on localised 1% AEP information made available in the IPS (2015) to understand site still water levels for year 2050 and 2100 and where applicable translate these to time frames to be more relevant to the design life of the proposed site works;
- Assess how changing hydrodynamic conditions including water currents at the site will impact on the proposed development with implications for site stability and flooding for a given time;
- Conduct a detailed erosion assessment to determine site storm erosion and recession risk;
- Provide a comprehensive risk assessment addressing all performance criteria and providing recommendations where applicable.

6.2 Site Baseline Seawater Levels

6.2.1 Storm Tide

Storm tide events may be defined in terms of the culmination of astronomical tide and storm surge events. Maximum storm tide inundation levels have been adopted for the site based on a 1% AEP that an inundation event will occur. Storm tide levels are obtained from the IPS (2015) inundation hazard tables.

The storm tide level adopted for the site is 1.34 m

6.2.2 Sea Level Rise

The IPS (2015) has adopted the following sea level rise estimates based DPAC projections with reference to a 2010 baseline:

- 0.2 m rise by 2050; and
- 0.8 m rise by 2100.

Based on these figures, sea level elevations presented in Table 4 are applied to the site. The 2100 DPAC value is applied to the site models (Table 5).

Table 4 Present Day & Projected Inundation Levels for 2100 based on DPAC (2012) estimates.

DPAC (2012) Sea Levels	2017 DPAC	2068 DPAC	2100 DPAC
Sea Levels (m AHD)	0.12	0.44	0.89

6.2.3 Stillwater Levels

The effects of storm tide may be combined with sea levels projections to provide baseline water levels (reported in m AHD) which are referred to as still water level.

The still-water levels adopted for the site is based on 1% AEP storm tides and 2068 DPAC (2012) estimates (Table 6).

Table 5 Present Day & Projected Inundation Levels for 2100 based on DPAC (2012) estimates.

Year	IPS (2015)	
	2010 Baseline (m)	m AHD83 (1972 Baseline)
1948	-0.13	-0.04
1972	-0.09	0.00
1986	-0.06	0.03
2000	-0.03	0.07
2010	0.00	0.09
2015	0.02	0.11
2018	0.03	0.12
2030	0.09	0.18
2050	0.20	0.29
2065	0.32	0.41
2068	0.35	0.44
2070	0.37	0.46
2080	0.49	0.58
2100	0.80	0.89

Table 6 Summary of Site Stillwater Levels for Present Day & Projected 2100 Inundation Levels based on DPAC (2012) estimates.

Stillwater Elevations	2018 DPAC	2068 DPAC	2100 DPAC
DPAC (2012) Sea Levels (m AHD)	0.12	0.44	0.89
Tidal Influence & Barometric Low Influence (m)	1.35	1.35	1.35
Wind Setup (m)	0.00	0.00	0.00
Summary (m AHD)	1.47	1.79	2.24

6.3 Site Hydrodynamics

Coastal process hydrodynamics were assessed at the site. Information collected is used to assist in interpreting site specific:

- Maximum site inundation levels;
- Effects of storm inundation levels on site erosion;
- Longer term recession trends.

Without consideration of site hydrodynamic wave models, these potential hazards cannot be addressed. Depending on the planning requirements and the level of site risk, this information may or may not have not have been utilised in the site inundation and/or erosion model. It is recognised however, that a site specific coastal processes study is imperative in any coastal vulnerability assessment which seeks to identify the potential hazards and potential risks to assets and life.

6.3.1 Methods

A site coastal process model presented herein is detailed in Appendix 3. Some of the information obtained for the models is extracted directly from the IPS (2015) inundation level tables. Other information has been collected from historical models such as Simulating Waves Nearshore (SWAN) significant offshore swell wave height models (Carley *et. al.* 2008). The wind fetch wave model has been developed based on the CEM (2008) and SPM (1984) formulations which interpret site bathymetry, topography and wind speeds.

Hydrodynamic risks are measured in terms of 1% AEP events. Site specific processes considered in this section include but are not limited to the following (some of which are detailed in Figure 7):

- Wave runoff;
- Wave setup; and
- Wind setup.

A 300 mm freeboard value has been adopted by the IPS (2015) to account to for the Tasmanian Building Act 2000 regulations. Site hydrodynamic factors are included within this 300 mm freeboard zone which

essentially defines any hydrodynamic inundation processes which are above the adopted still water levels. The 300 mm value will tend to overestimate inundation levels at some sites and underestimate inundation levels at other sites.

Given that hydrodynamic processes are largely site specific, GES develop hydrodynamic models for the specific sites of interest which are based on the following information:

- Tasmanian Aquaculture and Fisheries Information (TAFI) bathymetry data,
- Formulations in the CEM (2008), the SPM (1984) and ;
- Local wind conditions (AS/NZS 1170.2:2011).

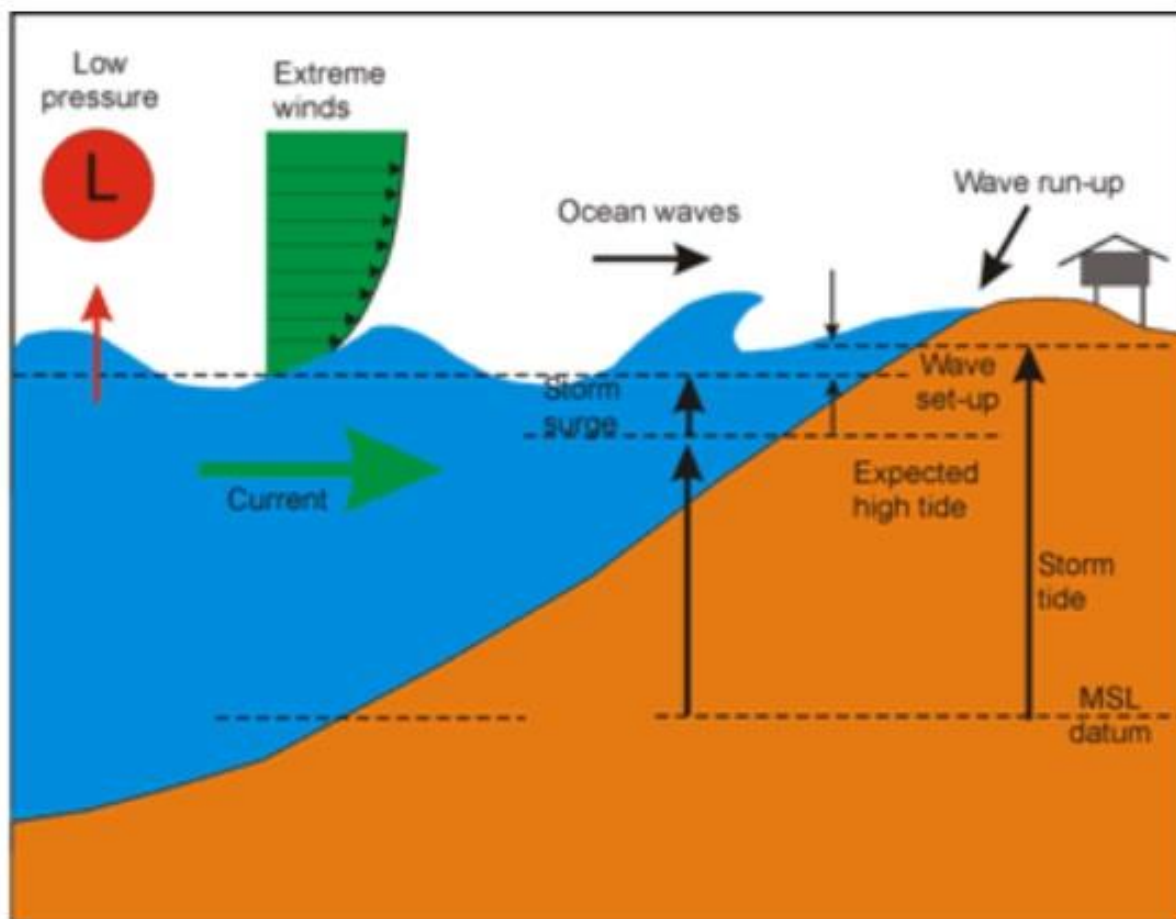


Figure 7 Hydrodynamic Parameters Associated with Storm Surge Events

As wind setup, wave setup and wave runoff normally occur simultaneously during storm surge events, these components are combined with extreme tide and storm surge predictions to provide maximum inundation levels for the site. Wave models have been generated for the site to define the site specific hazards.

6.3.2 Site Wave Conditions

Table 7 provides a summary of the dominant waves intercepting the site. Although wind waves are identified to have considerable influence on the site, the dominant influence is swell waves.

Table 7 Summary of Dominant Waves Intercepting the Site

Wave Details	Swell Wave	Swell Wave
Direction	Southeast	South
Wave Height (m)	0.8	0.8
Period (s)	15.0	15.0
Approach Angle	45	45

6.3.3 Dominant Wave Characteristics

The most dominant wave to intercept the site originates from a southerly to south easterly swell generated from the Southern Ocean (Table 8). The wave will approach the nearshore zone which has a 0.7 % grade bathymetry, breaking at a depth of 1.9 m.

Table 8 Details of the Dominant Wave Intercepting the Site

Wave Position	Parameter	Value	Value
Nearshore	Origin	Swell Wave	Swell Wave
	Direction	Southeast	South
	Approach Angle	45	45
	Nearshore Wave Height (m)	0.8	0.8
	Period (s)	15.0	15.0
Breaking	Breaker Height (m)	1.1	1.1
	Breaking Depth (m)	1.9	1.9
	Breaking Angle	7	7
	Nearshore Gradient (%)	0.7	0.7

6.3.4 Nearshore Hydrodynamics

Hydrodynamic variables calculated for the site based on extreme wave conditions are presented in Table 9. Inundation levels at the site are calculated from these individual components combined with the stillwater levels.

Table 9 Site 1% AEP Wave Hydrodynamics Based on Present Day, 2068 & 2100 Scenarios

Coastal Process	2018 DPAC	2068 DPAC	2100 DPAC
Wave Setup Based on a Southeasterly Swell Wave	0.09	0.09	0.09
R2% Wave Runup Based on a South Easterly Swell (Mase 1989)*	2.59	2.59	2.59
Wind Setup	0.00	0.00	0.00

*Smooth Beach

6.4 Site Inundation Levels

Table 10 presents a summary of the site inundation levels based on 1% AEP still water, wind setup where applicable, wave runup and wave setup inundation levels for present day, 2068 building design life and 2100 DPAC scenarios.

Table 10 Site Coastal Inundation Levels Based on Present Day, 2068 & 2100 1% AEP Scenarios

1% AEP Inundation Levels (m AHD)	2018 DPAC	2068 DPAC	2100 DPAC
Still Water Elevations	1.47	1.79	2.24
Wave Setup Elevations Based on a Southeasterly Swell Wave	1.56	1.88	2.33
R2% Wave Runup Elevations Based on a South Easterly Swell (Mase 1989)*	4.06	4.38	4.83

*Smooth Beach

6.5 Summary

The following can be concluded from the detailed coastal hydrodynamic assessment:

- A sediment analysis has indicated that the site is vulnerable to erosion. GES have not encountered the base of the sandy deposit layers;
- The onsite dunes are vegetated and have a well-developed soil profile indicating steady state conditions and are therefore not classified as mobile;
- Although the site is exposed to larger offshore waves from easterly, north easterly and northerly wind fetch, the swell waves originating from the south and southeast (obtained from SWAN models Carley et. al. 2008) have a larger breaker height due to the longer wave period;
- The refracted swell waves have the potential to break at a height of 1.1 m in a water depth of 1.9 m within the nearshore zone;
- Wave runup conditions have been assessed using Mase (1989) equations for wave runup on a smooth beach profile. The resulting wave runup height is 4.4 m AHD for the design life of the proposed extension to 2068;
- There is a low risk that wave runup will inundate the existing finished floor level;
- The wave runup has the potential to cause beach erosion and beach recession from sea level rise;
- The proposed development is above the wave runup level with a FFL of 7.2 m AHD; and
- A further costal erosion assessment is required to determine the potential for erosion of the sandbar and resulting potential for site erosion.

7 Coastal Erosion Assessment

7.1 Previous Studies

An assessment of the geomorphologic characteristics of the lithologies of the project area and shore environment was documented by Sharples (2006) as part of a “first pass” mapping assessment of Tasmanian shorelines. The project aimed to identify sections of Tasmanian coastlines considered vulnerable to two coastal hazards, namely storm surge erosion and coastal recession attributed to sea level rise. The vulnerability mapping for the project area coastal section is identified as consisting of “open sandy shores backed by low sand plains [with] unconsolidated sandy sediments to a depth below present sea level. Cremorne Beach has exposure to wave energy, and in particular longshore drift, it is also classified as having “erosion + recession vulnerability”.

Vulnerability mapping of Cremorne Beach was also conducted by the University of New South Wales Water Research Lab (WRL) (Carley et al. in 2008) which was later compiled into a risk assessment report for the Clarence City Council (2008). WRL modelled combined storm surge and sea level rise impacts for Cremorne Beach in order to identify vulnerability of the existing allotment's to geotechnical risk. The WRL report identifies that for the entire beach:

- Sea level rise will contribute additional erosion along the shore leading to progressive erosion at faster rates unless some beach protection is provided;
- A storm erosion demand of 80 m³/m is applicable;
- As with Roaches Beach, in excess of 100 m of recession has been applied; and
- Cremorne Spit will have been eroded by 2100 and there is potential site impact.]

The report also identifies that:

- No study comparable to that of Roches Beach has been undertaken to determine if there is long term recession of the beach; and
- Other long term coastal processes may be active at the site other than sea level rise

GES recognise the following generalisations which have been applied in the vulnerability mapping of Cremorne Beach:

- 3.8 m swell wave heights are applied for the entire length of the beach and do not take into consideration wave height reduction from refraction and attenuation around Pipe Clay Head. These specific reduction factors are presented in the WRL report but are not applied. Herein, GES have applied these reduction factors to the 3.8 m swell wave height;
- Pipe Clay Head will limit longshore drift unlike Roaches Beach which has considerable erosion impact from longshore drift
- A storm erosion demand of 80 m³/m has been applied to the full beach length without consideration for sand budgets associated with Pipe Clay Lagoon.
- The hydrodynamics of the environment have been oversimplified with no apparent consideration for currents associated with the tide dominated coastal re-entrant lagoon

7.2 Scope of Works

Table 11 presents a summary of the various methods adopted by GES to identify erosion hazards in vulnerable coastal zones. The methods used in this project to investigate site erosion are highlighted in orange. The methods may have been addressed in previous site investigations in which case are briefly summarised.

Table 11 Summary of Assessment Approaches for Identify Site Erosion Hazards

Investigative Approach	Investigation Details	Typical Application
Site Historical Aerial Imaging	Assess historical long term shoreline position relative to sea levels at the time and how this may translate to future recession trends	Where the proposed development is in a medium to high risk erosion zone and recession models need confirmation or may not apply given the coastal setting
	Assess historical short term shoreline positions relative to known storm events to forward project sediment storm erosion demand.	Used where Tasmarc surveys are not available or there is no previous storm erosion modelling done for the site.
Shoreline Recession Model	Development of a long term shoreline recession model based on projected DPAC (2012) sea level rise scenarios and using calculated closure depths and various Bruun Rule formulations (1988)	Where site is in an inferred to be in an erosion hazard zone and where the proposed development building cannot be founded on a stable foundation.
Sediment Budgets	Conduct a detailed assessment of sediment budgets.	Where the site is inferred to be influenced by water currents or longshore drift processes
Tasmarc Surveys	Investigate historical beach profiles to determine storm erosion demand.	Where the development is on hydrodynamically active beach and more information is required to understand beach storm erosion processes
Storm Erosion Demand	Conduct a detailed assessment of site storm erosion vulnerability due to coastal processes as well as available geological and geomorphological information	Where site is in an inferred to be in an erosion hazard zone and where the proposed development building cannot be founded on a stable foundation.
Stable Foundation Zones	Development of a cross section through the site detailing zone of reduced foundation capacity and the stable foundation zone through Nielsen et. al. (1992) methods	Where site is in an inferred to be in an erosion hazard zone and where the proposed development building cannot be founded on a stable foundation.
Tidal prism erosion assessment	Demining the relative change in tidal prism volume passing through the inlet to determine likely erosion scour at the site.	Where the site is close to a lagoon or tidal dominated re-entrance system, this analysis provides information on tidal scour from sea level rise.

7.3 Historical Shoreline Imaging

Photography and shoreline positions were obtained for the project area based on the following aerial photography:

1948, 1957, 2011, 2012, 2015 & 2018

Assessment of the imagery was undertaken by orthrectifying the 1948 and 1957 aerial photo to a precision of approximately 1 m. The Nearmap (2011) and Google Satellite (2012, 2015 & 2018) imagery has been modified to a precision of 1 m.

The beach sand/vegetation boundary has been compared between all photographic events (Figures 8 to 10). Where the vegetation line is less clear cut, more bias has been drawn towards greater recession over the time period rather than less. Where the vegetation line is irregular (indicating tendency towards progradation) and less clearly defined, the boundary lines have been drawn with a tendency towards less progradation than more.

Figure 8 presents a 1948 aerial photograph of the coastline which shows recession (red) and progradation (green) trends between 1948 and 1957. Erosion is expected to have been occurring within the lagoon prior to the onset of sea level rise. This may be demonstrated in the erosion of the northern banks of the lagoon system. Leading up to 1957, north Cremorne Beach may have been prograding possibly because of an extended period without any major storm events.

It is known that a relatively large storm and high seas event occurred between these dates on Roches Beach but there is little evidence of this impact at Cremorne Beach. The lack of any distinctive erosion on the north of Cremorne Beach may indicate that the storm was generated from strong north easterly winds coupled with storm tide. The rocky point to the north would have offered shelter from north easterly wind wave activity. The eastern parts of the spit are prograding as is the western tip of the spit.

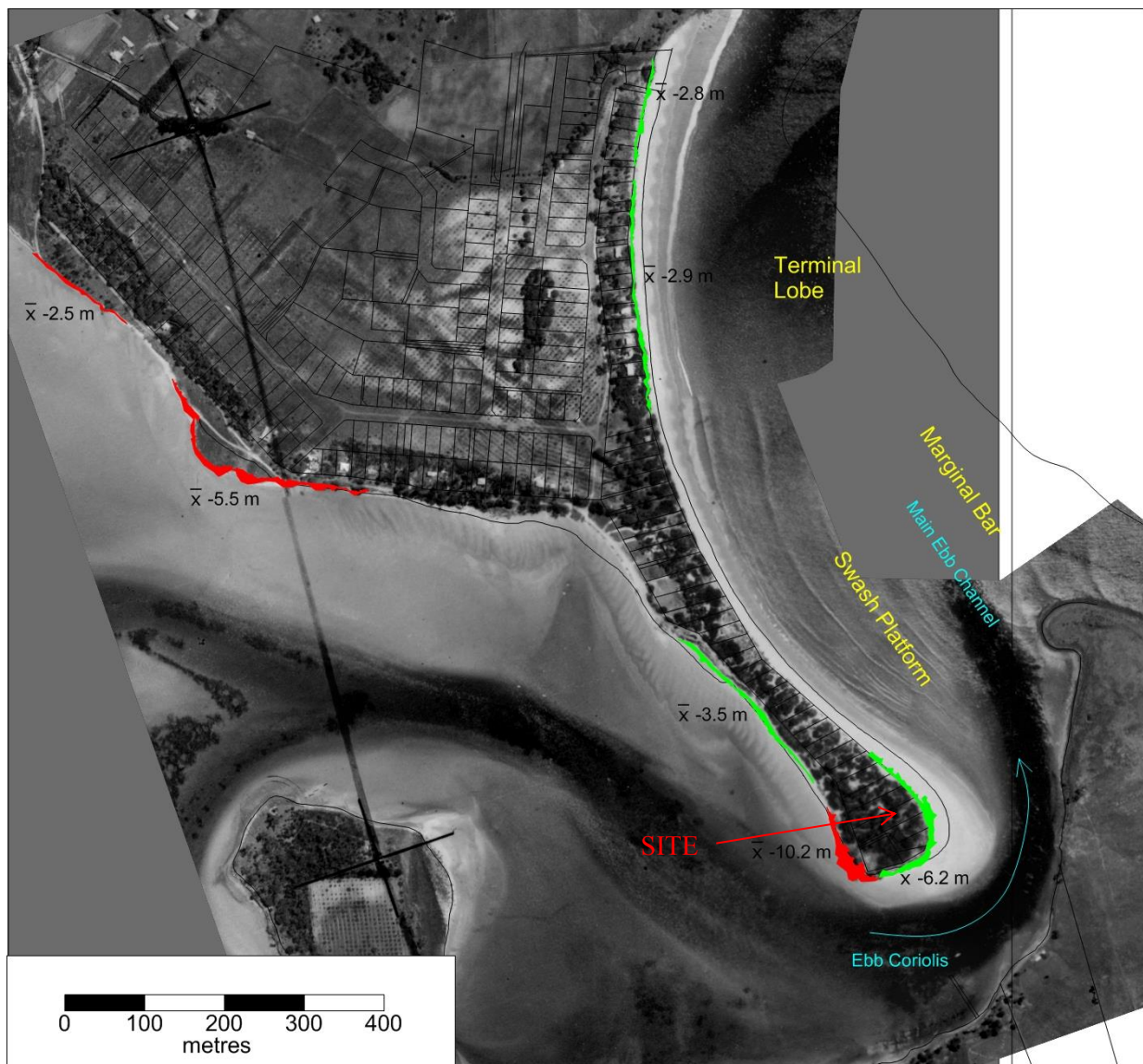


Figure 8 Orthorectified 1948 aerial photograph showing 1948 to 1957 erosion (red) and progradation (green) trends

Figure 9 presents a 2011 aerial photograph of the coastline which shows recession (red) and progradation (green) trends between 1957 and 2011. As indicated in Figure 9 the northern side of the lagoon continues to recede. Areas down-fetch of the predominant wind direction continue to recede. The recession trends visible between these dates are inferred to be partially attributed to a longer-term recession trends as well as the onset of sea level rise.

There is considerable sediment accumulation in sections of the spit on the eastern side and well as along the central part of the spit between the swash bar and the terminal lobe. As inferred in the Pipe Clay Lagoon model, accumulation of sand along these sections may be attributed to an oversupply of sediment within the lagoon which is deposited across the swash platform. The influence of wave action in combination with the ebb tide coriolis is expected to deliver sediment onto the beach as wind action further enforces its placement along the foreshore banks. The entrance to the lagoon is expected to widen in response to an increasing tidal prism due to sea level rise.



Figure 9 Orthorectified 2011 aerial photograph showing 1957 to 2011 erosion (red) and progradation (green) trends

Figure 10 demonstrates the response of Cremorne Beach spit to the large storm event which occurred in the winter of 2011. The storm had a relatively large impact on parts of the coastline which are vulnerable to a strong southerly generated swell, if combined with high seas (tide and/or barometric low).

There are minor effects of littoral drift along Cremorne Beach. Much of the erosion indicated in Figure 10 may be demonstrated in the way that wave action will transport sediments both southward along the swash platform towards the lagoon entrance and marginally northward where it is transported to the north away from Cremorne Beach. The southward directed sediments are anticipated to have been redistributed by the:

- Ebb tide current:
 - eastwards towards and beyond the marginal bar and into the deeper nearshore zone
 - northwards towards and beyond the terminal lobe
- Flood tide current:
 - westwards towards and beyond the flood tile delta

It is expected that in Figure 10, the localised lack of storm erosion around the terminal lobe is attributed to the supply of sediments from Pipe Clay Lagoon which have met the storm erosion demand.

There has been no apparent erosion or prograding along the shoreline since 2012.



Figure 10 Orthorectified 2011 aerial photograph showing 2011 to 2012 erosion (red) and progradation (green) trends

Between 2012 and 2015 there has been slight increase in erosion at the end of the spit and on the more exposed side of the spit. Erosion is likely to be the result of dune slumping adjustments following the winter 2011 storm event (Figure 11).

Between 2015 and present (2018), there has been considerable beach revegetation due to the lack of significant storm erosion events (combined swell wave and high seas) during this period. Revegetation will assist in the accumulation or windblown sand. Revegetation appears to have only occupied approximately 30% of the original pre-winter storm position and expected sand volume return is expected to be substantially less since this event (Figure 12).

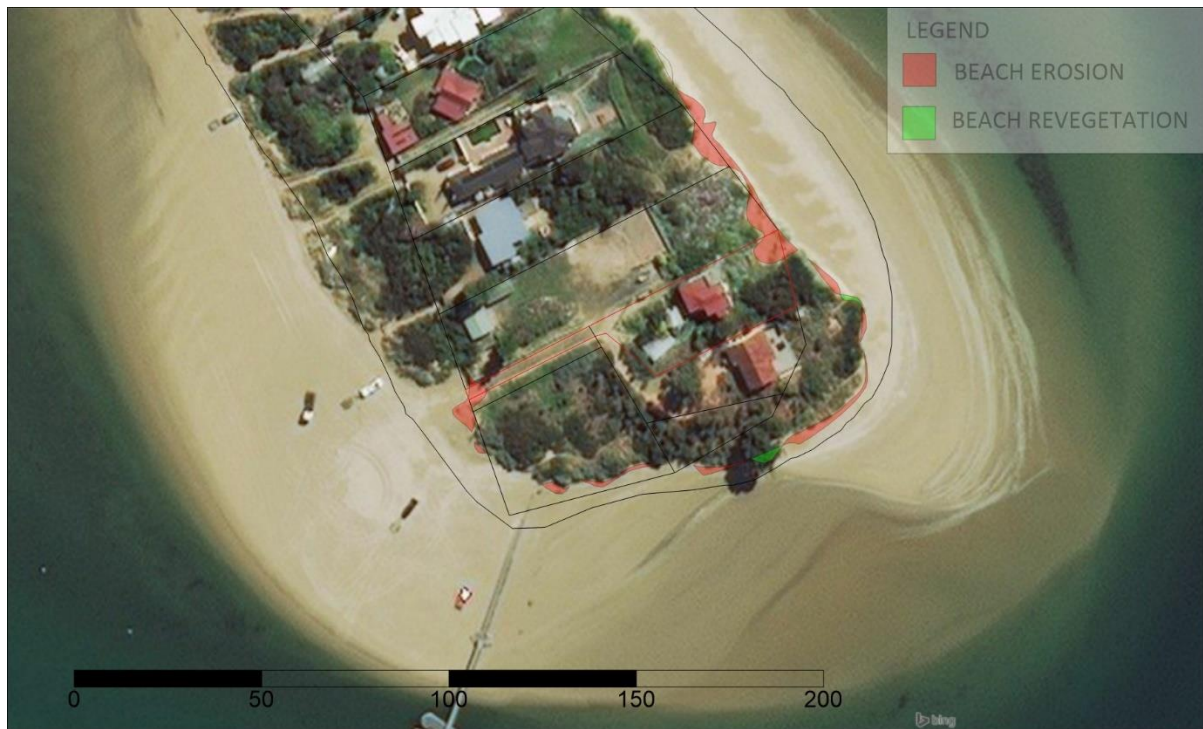


Figure 11 Orthorectified 2011 aerial photograph showing 2012 to 2015 erosion (red) and progradation (green) trends

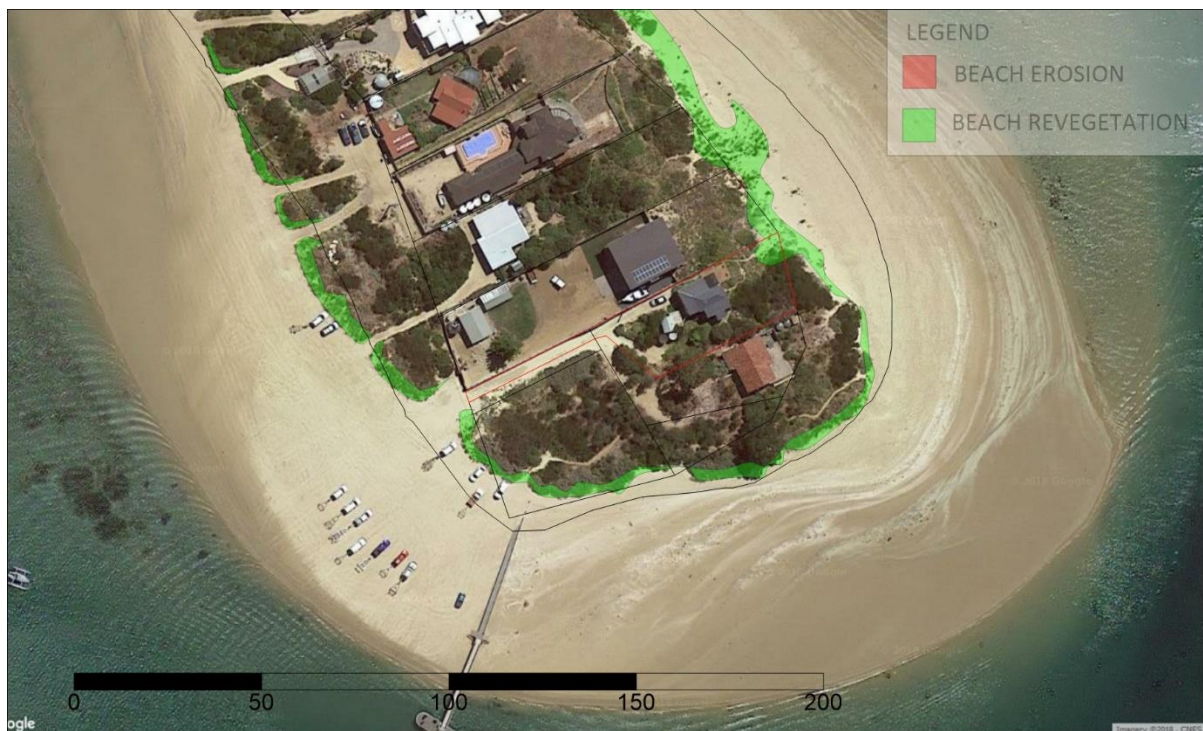


Figure 12 Orthorectified 2011 aerial photograph showing 2015 to 2018 erosion (red) and progradation (green) trends

7.4 Sediment Budgets

A model has been established to account for the recent evolution of Pipe Clay Lagoon to understand erosion hazards which may impact the availability of sand on Cremorne Beach. The following conclusions can be drawn about Pipe Clay Lagoon:

- Pipe Clay Lagoon is determined to have been in a steady state process of expansion over the more recent Holocene period through silt and sand erosion processes;
- The lagoon is likely to be relatively young, and as a result there is ample sediment supply which has been gradually eroding and feeding the ebb tide delta on the southern end of Cremorne Beach;
- The processes which have been driving erosion of lagoon sediments are expected to accelerate as sea levels rise, however much of this sediment is anticipated to be spread throughout the aggrading flood tide delta within the lagoon;
- Sediment budget calculations have determined that it is very unlikely that the lagoon will demand additional sand from the ebb tide delta or Cremorne Beach and Cremorne Spit;
- Some excess sediment may be distributed to the beach, with the extent being determined by the rate of wind driven wave erosion impact and bottom scouring from a deepening lagoon system (see Figure 9);
- The oyster farms are beneficial in the sense that they are buffering the rates of erosion particularly on the northern shores, but are also trapping sediment which may have ordinarily been distributed to the ebb tide delta. GES do not believe that the oyster farming will cause any significant impact to the lagoon sediment budgets.

7.5 Tasmarc Surveys

Approximately 170 m to the northeast of the site, a temporal series of dune cross section profiles have been surveyed by TASMARc (Figure 13) which demonstrate changes in the beach and dune geomorphic habit for the last decade. The profiles provide valuable information on the seasonal and annual beach sand budget trends as well as the longer-term dynamic geomorphic condition of the beach and dune system. The changes in profile largely reflects the response of the beach to storm erosion events and subsequent nourishment.

The following can be summarised from Tasmarc survey:

- 2005 and 2012 profiles illustrate the impact of the 2011 and 2012 storm erosion events on the beach sediment budgets; and
- Since 2012, the beach sand has been redeposited but not just on the front of the eroded dune face but on top of the dune system adding an additional 0.5 to 1.0 m to the height of the dune;

Sea level rise induced recession cannot be accurately determined from this short series however beach erosion as a result of storm events can be.

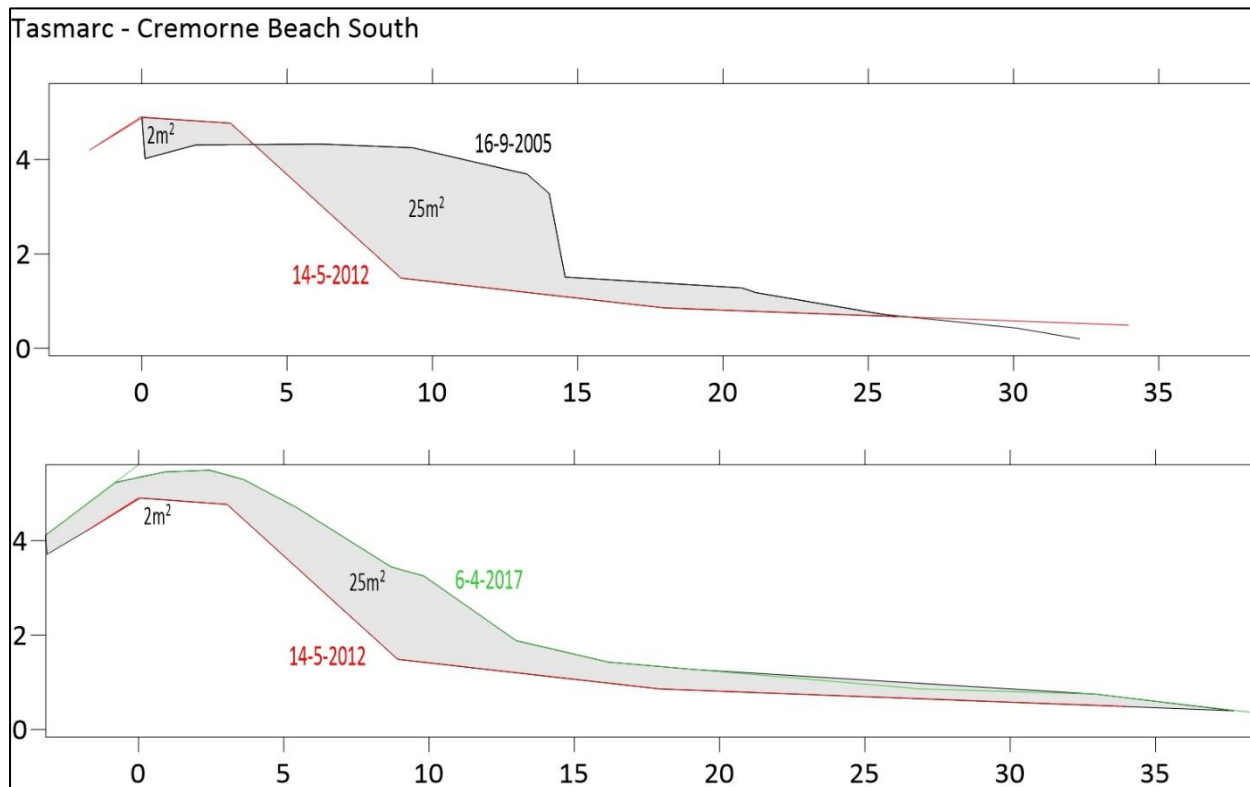


Figure 13 Tasmarc Survey 2005 to 2017

7.6 LIDAR Assessment

Different LIDAR images have been used to reference changes in beach elevations. Before this is done adjustments have been made to the LIDAR through referencing static points across the site.

The 2008 Climate Futures LiDAR has been referenced to the 2013 Greater Hobart LiDAR to calibrate the 2008 Climate Futures LiDAR. It is known the 2013 Greater Hobart LiDAR is within 0.1 m of the site survey and is considered a reliable reference for making the adjustments. 0.7 m elevation has been subtracted from the 2013 Greater Hobart LiDAR (Table 12).

Table 12 Comparison Between LIDAR for Calibration

Reference Datum		LiDAR (m AHD)		
Northing	Easting	2013 Greater Hobart	2008 Climate Futures	Difference
543800.8	5243333	3.06	3.75	0.69
543814.1	5243350	3.13	3.77	0.64
543840.5	5243347	6.15	6.93	0.78
				0.70

Figure 14 and Figure 15 illustrate topographic changes near the site based on 2008 and 2013 LIDAR. Because of the 2011 winter storms, a large portion of the frontal dune has been eroded and the beach has substantially widened near the site.

Although there has been considerable erosion offsite, there is no evidence to suggest that sand dunes at the site are actively mobilising. In fact, soil profiles indicate advanced pedogenic development, and soil across the site is expected to be at least 300 years old.

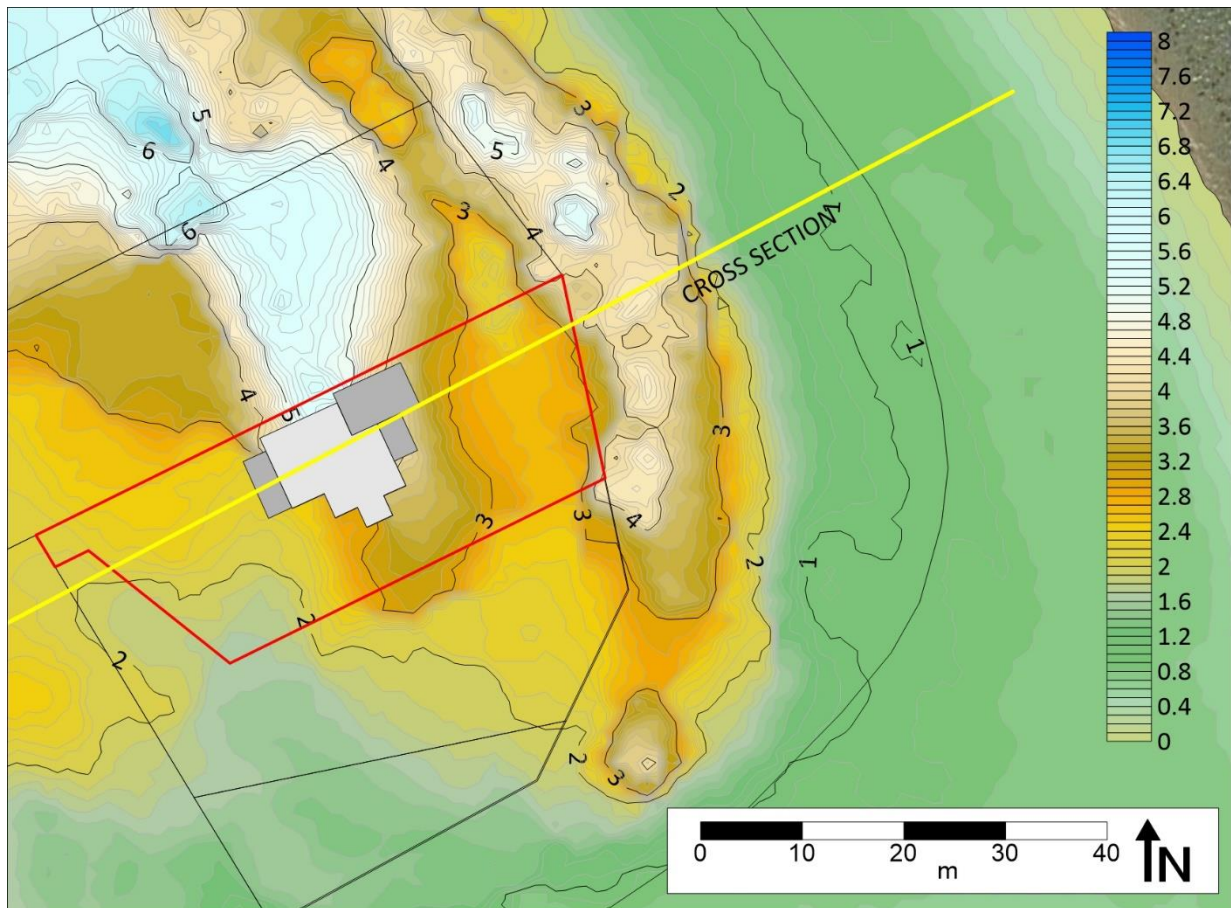


Figure 14 2008 Climate Futures LIDAR

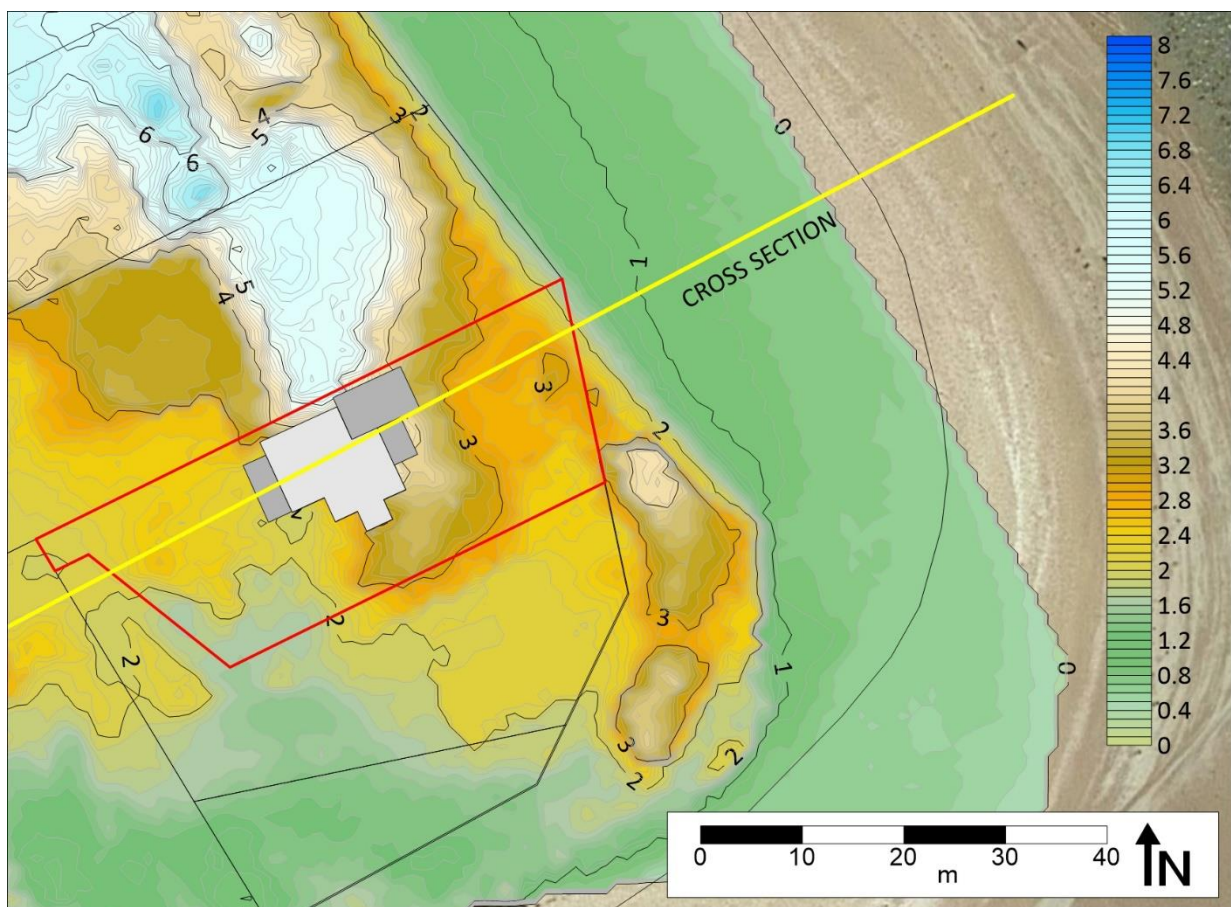


Figure 15 2013 Greater Hobart Geoscience Australia LIDAR

7.7 Channel Erosion from Coastal Flooding

Based on O'Brien's Tidal Prism Area Relationship (Figure 16), there is expected to be a net expansion of the tidal prism volume of 14% by 2068. This 14% increase is expected to occur because of larger water volumes occupied in Pipe Clay Lagoon from 2068 sea levels compared with present (2018) sea levels. The increase in tidal prism (and volume of water moving through the entrance) is not expected to cause additional channel expansion but there may be additional scour at the toe of the escarpment. The beach terrace and swash platform are expected to raise as sea levels rise.

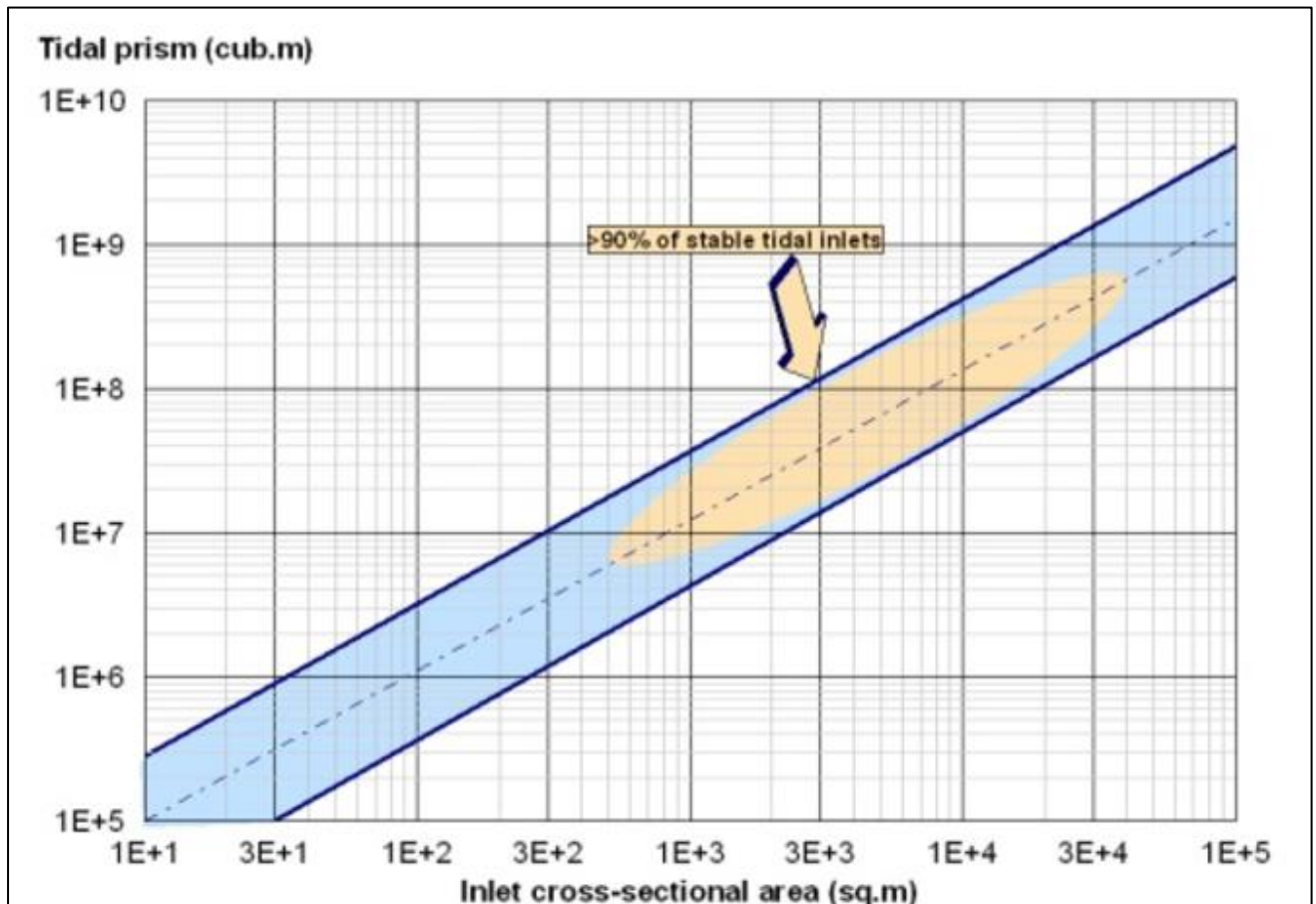


Figure 16 O'Brien's Tidal Prism Area Relationship (CEM 2008)

Compared with a normal mean high tide event, tidal scour because of an astronomical event (for 2018 and 2068) will result in a 28% increase in tidal prism compared with present. An extreme astronomical event coincident with a extreme storm surge event (a 1% AEP storm tide event), will result in a tidal prism increase of 50% for 2018 and 55% for 2068. As sea levels will be higher passing through the channel, this increase is expected to result in an increase in scour around the margins of the spit and will allow swell waves to enter due to depending of water over the marginal bar, terminal lobe and swash platform.

Allowance will be made for storm erosion on all sides of the spit as the result of a 1% AEP storm tide event.

7.8 Shoreline Recession

The Bruun Rule has been applied to the site to estimate the response of the shoreline profile to sea-level rise. The Bruun Rule is widely used by government and non-government bodies to determine recession rates on sandy shores which are at risk of inundation. The Bruun Rule states that a typical concave-upward beach profile erodes sand from the beach face and deposits it offshore to maintain constant water depth. There are a few cases where the Bruun rule cannot be applied, which include where longshore drift is predominant, where there is dominant influence of surrounding headlands and in environments where wave activity is minimal.

3.1.1 Closure Depths

The most contentious variable for the Bruun Rule is the closure depth for which various formulations and methods exist. The closure depth may be defined as the depth offshore of a beach where depths do not change with time. The closure depth has been calculated based on the Hallermeier (1978) breaker wave height method using parameters outlined in Table 13.

Table 13 Variables Selected for Determining Closure Depths at the Site

Variable	Value
Closure Depth (Vellinga 1983)	1.10
Wave Period (s)	15
Average Sand Grain Size	0.12
Closure depth (m)	1.70

3.1.2 Bruun Rule Beach Recession Model

The standard Bruun Rule has been applied to the site to determine sea level rise induced recession from the dominant waves active at the site.

The Standard Bruun Rule is typically expressed as $R = s(L/(D + h))$ and is illustrated in Figure 11

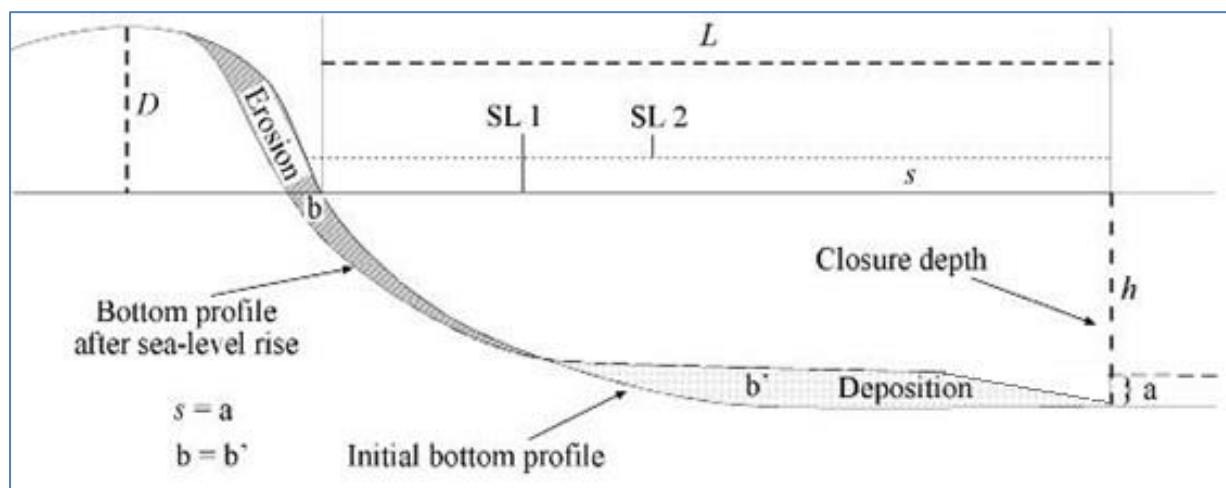


Figure 17 Summary of standard Bruun Rule for Calculating Beach Recession

Table 14 presents a summary of the Bruun Rule variables utilised in the site recession model which have been obtained from the digital elevation models for the site.

Table 14 Summary Bruun Rule Variables Utilised in the Site Recession Model

Variable	Symbol	Value
Length of Active Erosion Zone (m)	L	300
Profile Closure Depth (m)	h	1.70
Active Dune/Berm Height (m)	D	4.00

The recession rate given the various sea level rise scenarios are presented in Table 15.

Table 15 Calculated Bruun Rule Recession Rate at the Site

Variable	Symbol	2068 DPAC	2100 DPAC
Sea Level Rise above 2013 DPAC LiDAR baseline (m)	s	0.32	0.78
Horizontal Recession (m)	R	17	41

A horizontal recession value of 17 m is applicable for the site given 2100 DPAC projection

7.9 Storm Erosion Demand

A cross section has been constructed through the site to indicate recession modelling which is based on worst-case scenario 2068 sea level rise scenarios (Figure 18 & Figure 19). 2068 recession is expected to impose within the building envelope.

On top of the sea level rise induced recession (calculated for 2068), a storm erosion demand needs to be applied to account for consecutive 1 in 100-year storm events (similar to the event responsible for the frontal dune loss).

The Tasmarc surveys indicate that up to 25 m³/m of sand was lost from consecutive storm events in 2011 and 2012 and gained since 2012 through graduated wave and aeolian accretion processes.

Both the 2008 Climate Futures LiDAR and the 2013 Greater Hobart LiDAR have been plotted in a cross section (Figure 18 & Figure 19). Findings indicate that 50m³/m sand was lost from the beach in winter 2011 because of a high seas event, tidal currents and wave impact. The winter 2011 storm event was classified as a 40-year ARI event (Carley & Shand 2011).

Separate from sea level rise induced recession, there is the necessity to account for erosion caused by 1 in 100-year (1% AEP) storm events. Based on the 50m³/m sand loss from a 40-year ARI event and consecutive events, GES recommends that a 100 m³/m storm erosion demand should be applied to account for a 1% AEP (100-year ARI) event.

7.10 Stable Foundation Zone

Following the erosion of 100 m³/m loss of sand from the beach, erosion scour is estimated to cut the entire site level down to 0.3 m AHD. Building structures will therefore need to be founded below this level into the stable foundation zone. As parts of the residual profile may remain unstable for a period following erosion, an underlying stable foundation zone is therefore required to determine a reliable base for building foundations.

A stable foundation zone assessment has therefore been conducted for the site. The basis behind this assessment in part uses Nielsen et. al. (1992) methods for assessing stable foundation zones in sand. The Nielsen et. al. (1992) method uses a 1 in 10 scour gradient, which is considered too conservative for the site and not applicable for the observed swash platform profile. The scour gradient adopted is therefore based on the existing low gradient beach profile.

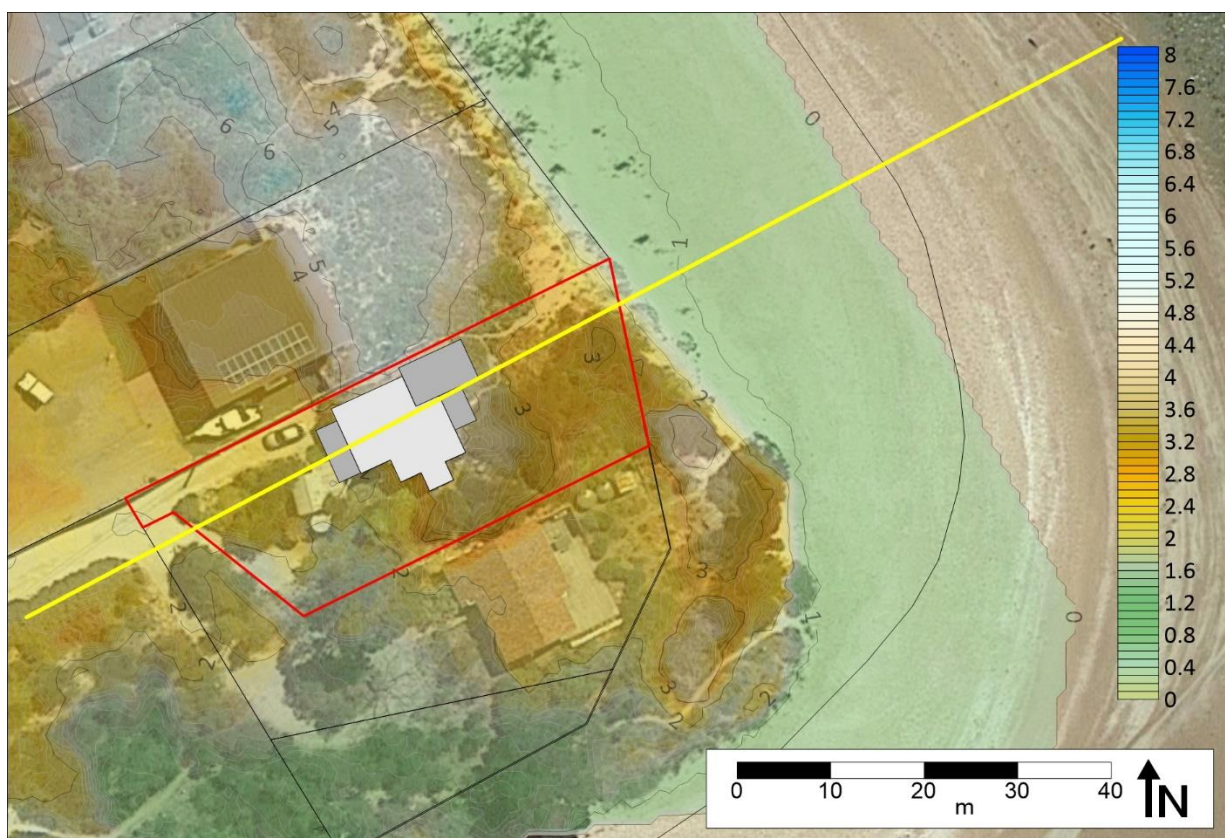


Figure 18 Site Cross Section Delineated by the Yellow Line

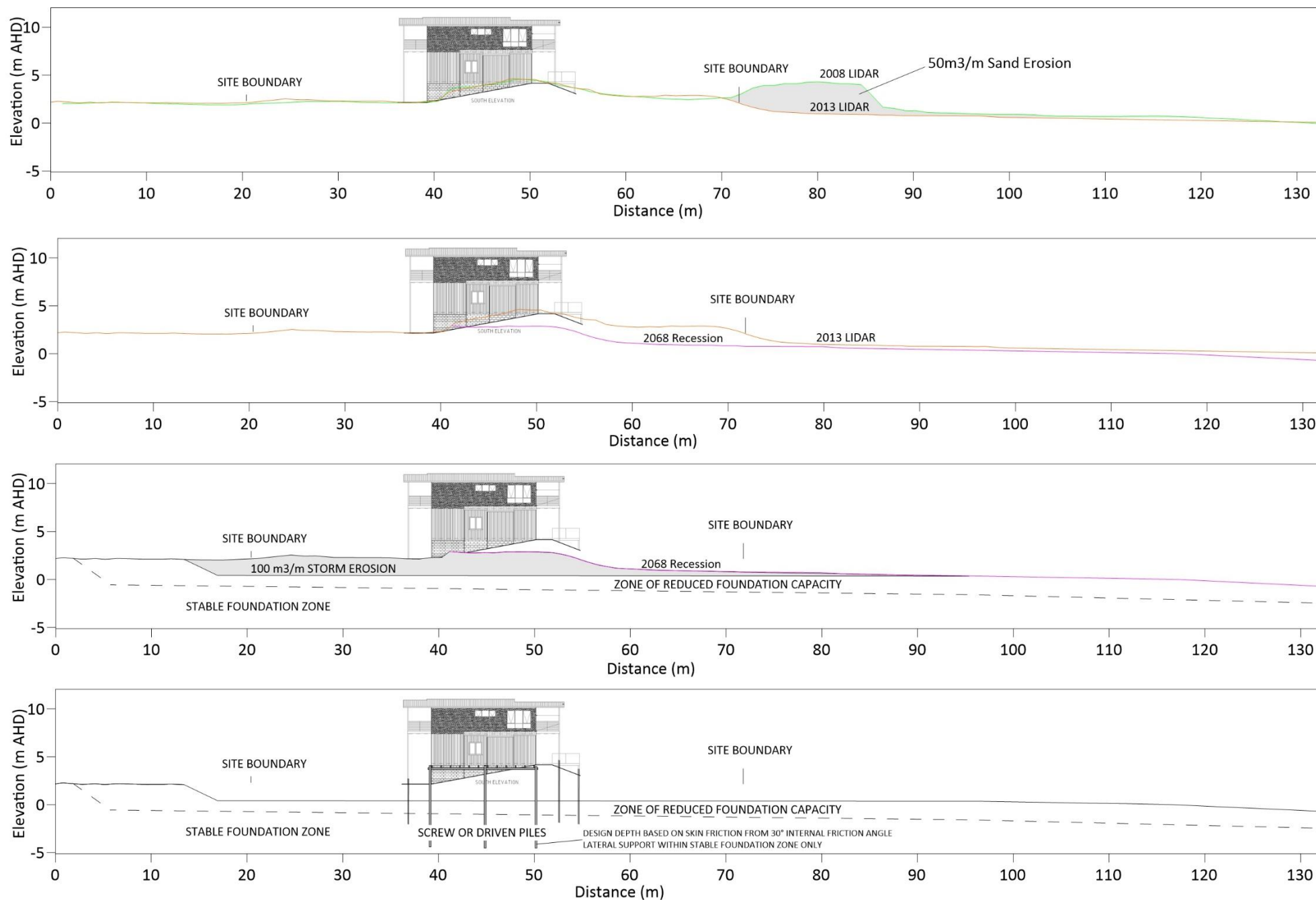


Figure 19 Site Cross Sections Demonstrating 2068 Recession, 100 m³/m Storm Erosion Demand, and Inferred Inundation Levels & Wave Runup Extent

7.11 Summary

The following can be concluded from the coastal erosion assessment:

- *It is established that the eastern side of the site* is vulnerable to wave runup erosion from storm events and sea level rise recession, and therefore erosion modelling has been conducted;
- Based on the aerial photograph review, there is evidence of coastal erosion *on the eastern side of the site* due to storm erosion processes. Shoreline recession is likely to account for some of the erosion, although this is less apparent given the extremity of the storm erosion events;
- Historically there has been erosion on both side of the spit near the site and this is accounted for in the site erosion susceptibility assessment. More recently the *eastern side of the site has revegetated* and likely beach nourishment and due to less incidence of high seas event coincident with swell or wind wave activity. *On average, since 1948, there has been minimal change in shoreline position on the western side of the site.* Regardless the historical storm erosion event provides information for forward storm erosion modelling;
- Storm erosion is apparent in TASMARC surveys 180 m to the north of the site which indicate 25 m³/m coastal erosion because of consecutive storm events in 2011 and 2012. 25 m³/m sand volumes within the TASMARC survey have fully recovered since the storm erosion events. The sand dunes to the north appear to have been largely rebuilt through development of recipient dunes;
- A comparison of calibrated 2008 Climate futures and 2013 Greater Hobart LIDAR imagery at the site has revealed 50m³/m of storm erosion during the winter 2011 storms (double that observed in the TASMARC survey 180 m to the north). As a result, a large dune ridge (the frontal dune) has been eroded on the eastern site of the site. *Although erosion has been observed offsite, there is no evidence to suggest that sand dunes on the site are actively mobilising;*
- A separate tidal prism analysis has been conducted for Pipe Clay Lagoon. This analysis does not take into account for which has revealed that there is expected to be a 12% expansion of the volume of water moving in and out of the dune by 2068. This expansion is likely to have only minor influence on expansion on the channel cross section area given a larger increase in the channel cross sectional area from the associated sea level rise. There is expected to be minor escarpment scour around the margins of the channel as sea levels rise. Storm tide events are expected to have a considerably larger impact on channel scour than sea level rise with between 50% (present day) and 55% (2068) increase in tidal scour (based on a 1% AEP storm tide with an astronomical flood flow) during such events. Such an event (which is not wave dependent) is likely to have been responsible for historical erosion on the inside of the channel (Figure 8 and Figure 9);
- Up to 17 m of coastline recession is modelled *for the eastern side of the spit* based on projected (DPAC 2012) 2068 sea levels which will result in erosion within the building envelope;
- Changes in lagoon tidal prism, water flow velocities, and sediment scour are likely to account for greater erosion trend. As there are limited mechanisms in place which would allow for dune accretion at the site, a storm erosion demand of 100m³/m is a reasonable estimate. The site is modelled to erode to approximately 0.3 m AHD by 2068 given the occurrence of a 1% AEP storm erosion event which is estimated to strip up to 100m³/m of sand from the site;

8 Risk Assessment

The qualitative risk assessment criteria have been developed to identify key risks that may arise from building works in areas that are vulnerable to erosion or inundation hazards. The risk assessment is based on 2068 projected life of the building.

The criteria are based on a risk assessment matrix consistent with Australian Standard AS4360 on Risk Management (AS4360). The qualitative assessment of risk severity and likelihood (Appendix 3) were used to help provide a qualitative risk assessment based upon the coastal vulnerability assessment completed for the site.

A detailed risk assessment addressing the performance criteria is presented in Appendix 4. GES has established from the risk assessment that provided the recommendations are adhered to, the level of risk to the proposed extension and deck is acceptable within the lifetime of the proposed development works. Given the recommended engineering controls are put in place, there are no medium or high-risk aspects to the proposed development.

*The overall conclusion is that risks to onsite and offsite users and infrastructure can be **reduced** through the recommended underpinning development works.*

9 Recommendations

The following are recommended:

- A soil and water management plan is to be put in place during development to manage potential offsite impact to natural values;
- If structures are built such that they do not create a wave runup scenario (including solid vertical walls), and instead allow water to pass beneath (such as pile structures), wave runup inundation can be mitigated;
- Given modelled 2068 recession and storm erosion, it is recommended that all structures are the site are founded well into the stable foundation zone below 1.0 m AHD. The following is recommended:
 - No hard structures are build beneath the building foundation other then a limited number of piles to support the existing building and the proposed second storey;
 - It is recommended that either screw piles or driven piles are used to support the building given bored piles will collapse before concrete could be put in place. Piles may be driven beside the existing building to support the existing building structure;
 - A sand internal friction angle of 30° is recommended for the pile design (for calculating both skin friction and pile end bearing where applicable); and
 - Lateral support must be calculated for the stable foundation zone only with no reliance on the zone of reduced foundation capacity (or areas of identified erosion);
 - No calculations are required for lateral forces from wave impact on the side of the building structure other than on the piles themselves; and
 - No solid structures are recommended below the existing finished floor level. *Existing brick structures **will need to be removed following commissioning of alternative (pile) support.***

The proposed development presents an acceptable solution to managing potential site risks provided the recommendations in this report are adhered to in building and engineering design.



Kris J Taylor BSc (Hons)

Environmental & Engineering Geologist

10 Limitations

The following limitations apply to this report:

- Wave modelling in accordance with the CEM (2008), the SPM (1984) and wind parameters from AS/NZS 1170.2:2011;
- Published SWAN swell modelling information where available;
- Published water current information where applicable;
- Navionics, TAFI, Geoscience Australia and Australia Hydrographic Service bathymetry;
- Light Detection And Ranging (LIDAR) digital elevation model is calibrated or assessed to the closest ground control point for determining relative accuracy;
- Storm surge observations where applicable
- The LIST cadastral information
- Photogrammetric modelling of historic coastal recession and/or progradation for the site was not undertaken. However, historic aerial photographs for the project area were reviewed and incorporated into a geographic information system enabling preliminary measurements of dune variations.
- The values estimated in this report provide an order of magnitude for assessing climate change impacts and in particular climate change induced sea level rise impacts. The information is based on a collation of existing information and data, with some site-specific modelling for planning purposes.

GEO-ENVIRONMENTAL ASSESSMENT

99 Pipe Clay Esplanade

Cremorne

February 2018



GEO-ENVIRONMENTAL

S O L U T I O N S

Disclaimer: The author does not warrant the information contained in this document is free from errors or omissions. The author shall not in any way be liable for any loss, damage or injury suffered by the User consequent upon, or incidental to, the existence of errors in the information.

Introduction

Client: SJM Property Developments
Date of inspection: 12/1/2017
Location: 99 Pipe Clay Esplanade, Cremorne
Land description: Approx 952m² residential lot
Building type: Proposed renovation
Investigation: Hand Auger
Inspected by: G. McDonald

Background information

Map: Mineral Resources Tasmania – Hobart Sheet 1:25 000
Rock type: Quaternary sediments
Soil depth: Approx. 3.0m+
Planning Overlays: Coastal Erosion Hazard Area, Coastal Inundation Hazard Area, Waterway and Coastal Protection Area
Local meteorology: Annual rainfall approx 550 mm
Local services: Tank water with on-site waste water disposal required

Site conditions

Slope and aspect: Undulating dunes
Site drainage: Well drainage
Vegetation: Mixed grass and ornamental species
Weather conditions: Fine, approx. 5 mm rainfall received in preceding 7 days.
Ground surface: Sandy surface conditions

Investigation

A number of auger holes were completed to identify the distribution of, and variation in soil materials on the site. Representative excavations were chosen for testing and classification according to AS2870-2011 & AS1547-2012 (see profile summary).

Profile summary

Depth (m)	Horizon	Description
0 – 0.20	A11	Dark Grey SAND (SP) , single grain, visible fine quartz grains, common fine roots, slightly moist, medium dense consistency, clear smooth boundary to
0.20 – 0.60	A12	Grey SAND (SP) , single grain, medium sand grains, slightly moist medium dense consistency, gradual boundary to
0.60 – 2.0+	A2	Light Grey with lenses of Brown SAND (SW) , massive, medium to coarse sand grains, moist dense consistency, lower boundary undefined

Depth (m)	Horizon	Description
0.0 – 0.10	A1	Light Grey SAND (SP) , single grain, dry loose consistency, gradual boundary to
0.10 – 0.40	A3	Pale Yellow SAND (SP) , single grain, slightly moist medium dense consistency, gradual boundary to
0.40 – 1.2+	C	Pale Yellow SAND (SP) , single grain, slightly moist medium dense consistency, lower boundary undefined

Soil profile notes

The site consists of undulating dunes consisting of deep sandy profiles. No free water was encountered within any investigation within the property.

Site Classification

According to AS2870-2011 for construction the natural soil is classified as **Class S**, and design and construction should be made in accordance with this classification.

Wind Classification

The AS 4055-2012 Wind load for Housing classification of the site is:

Region:	A
Terrain category:	TC2
Shielding Classification:	NS
Topographic Classification:	T1
Wind Classification:	N3
Design Wind Gust Speed ($V_{h,u}$)	50m/sec

Wastewater Classification & Recommendations

According to AS1547-2012 for on-site wastewater management the soil on the property is classified as **SAND (category 1)**. Due to the limited space available onsite and the proximity to nearby surface water a secondary treated system will be required. It is proposed to install an Advanced Enviro-Septic Bed (AES) connected to a dual-purpose septic tank. A Design Loading Rate of 30L/m²/day has therefore been assigned.

The proposed four-bedroom development will have a calculated maximum wastewater output of 720L/day. This is based on a tank water supply and maximum occupancy of 6 people (120L/day/person).

Using the DLR of 30L/m²/day, an absorption area of at least 24m² will be required. This can be accommodated by an AES bed 9.6m x 2.5m x 0.75m connected to a dual-purpose septic tank (min 3000L). A cut-off drain will be required to isolate the absorption area from any surface run-off. A 100% reserve area (i.e. an additional 24m²) must also be retained onsite and kept free from development for any future wastewater requirements.

The following setback distances are required to comply with both E23 of the Clarence Interim Planning Scheme 2015 and Building Act 2016:

Upslope or level buildings:	2m
Upslope or level boundaries:	1.5m
Downslope surface water:	23m

Compliance with Building Act 2016 is shown in the attached table. Compliance with E23 of the Clarence Interim Planning Scheme 2015 is shown below.

To comply with E23.10.1 of the Interim Planning Scheme 2015;

A1 *Horizontal separation distance from a building to a land application area must comply with one of the following:*

(a) be no less than 6m;	Non-compliance
(b) be no less than;	Complies
(i) 2m from an upslope or level building;	
(ii) if primary treated effluent be no less than 4m plus 1m for every degree of average gradient from a downslope building;	N/A
(iii) if secondary treated effluent and subsurface application, no less than 2m plus 0.25m for every degree of average gradient from a down slope building.	N/A

A2 *Horizontal separation distance from downslope surface water to a land application area must comply with any of the following:*

(a) be no less than 100m;	Approx. 30m
(b) if the site is within a high rainfall area or the site soil category is 4, 5 or 6, be no less than the following;	N/A
(i) if primary treated effluent standard or surface application, 50m plus 7m for every degree of average gradient from downslope surface water;	
(ii) if secondary treated effluent standard and subsurface application, 50m plus 2m for every degree of average gradient from down slope surface water.	
(c) if the site is not within a high rainfall area or the site soil category is not 4, 5 or 6, be no less than the following;	
(i) if primary treated effluent 15m plus 7m for every degree of average gradient from downslope surface water;	N/A
(ii) if secondary treated effluent and subsurface application, 15m plus 2m for every degree of average gradient from down slope surface water.	Complies 23m required

A3 *Horizontal separation distance from a property boundary to a land application area must comply with either of the following:*

(a) be no less than 40m from a property boundary;	Non-compliance
(b) be no less than:	Complies
(i) 1.5m from an upslope or level property boundary; and	
(ii) if primary treated effluent 2m for every degree of average gradient from a downslope property boundary; or	
(iii) if secondary treated effluent and subsurface application, 1.5m plus 1m for every degree of average gradient from a downslope property boundary.	Complies

A4

Horizontal separation distance from a downslope bore, well or similar water supply to a land application area must be no less than 50m.	Complies
---	----------

A5

Vertical separation distance between groundwater and a land application area must be no less than 1.5m.	Complies
---	----------

A6

Vertical separation distance between a limiting layer and a land application area must be no less than 1.5m.	Complies
--	----------

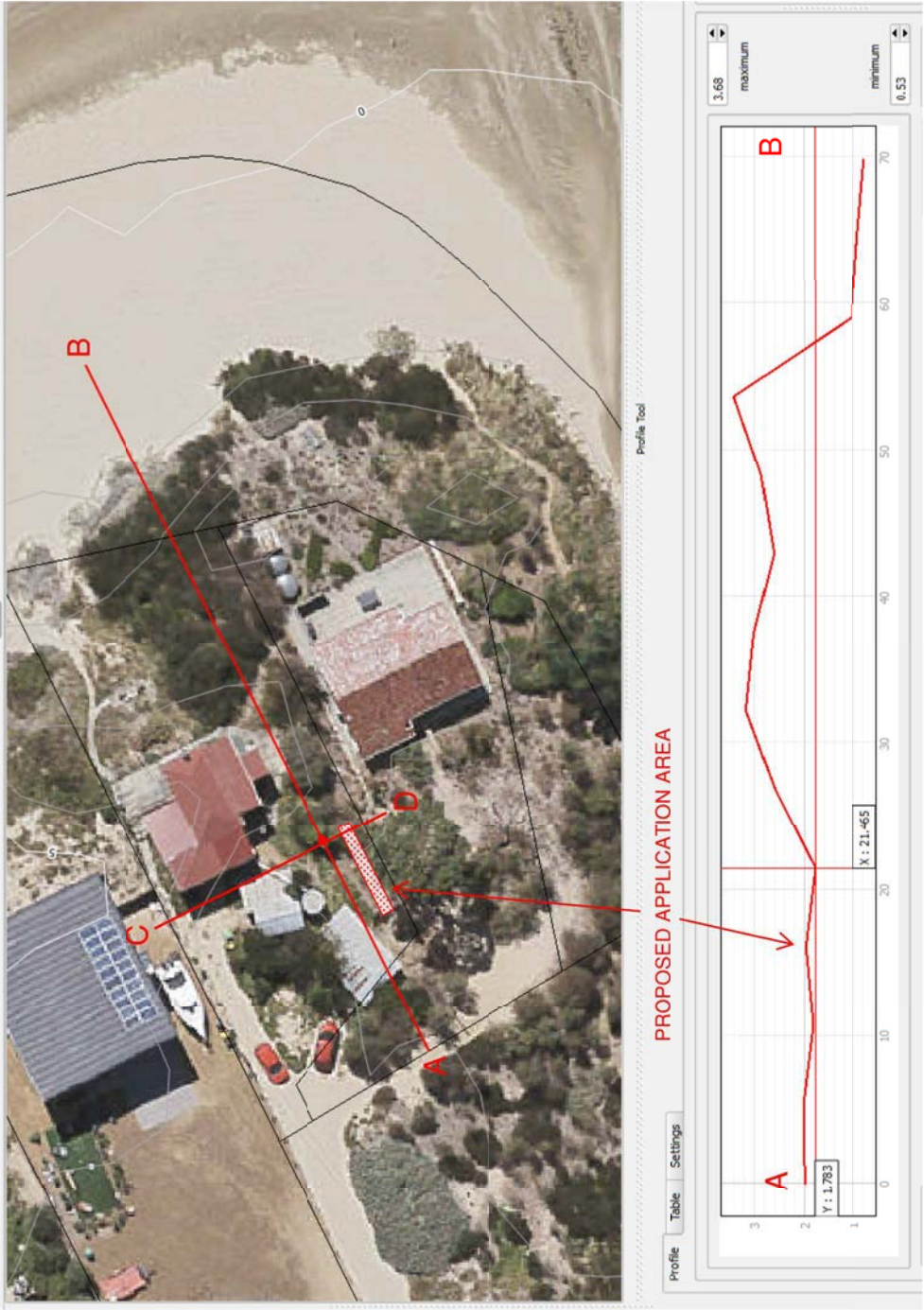
Construction recommendations

The natural soil is classified as **Class S**, which is a slightly reactive soil. All earthworks should comply with AS3978-2012. Consideration should also be given to drainage and landscaping on site during and after construction to minimise the potential for sediment movement.

During construction GES will need to be notified of any major variation to the foundation conditions as predicted in this report.

A handwritten signature in blue ink, consisting of a stylized, overlapping loop structure.

Dr John Paul Cumming B.Agr.Sc (hons) PhD CPSS GAICD
Environmental and Engineering Soil Scientist



High Vent
on House

Dual purpose septic
tank (min 3000L) with
no outlet filter
Venting in accordance
to AS3500

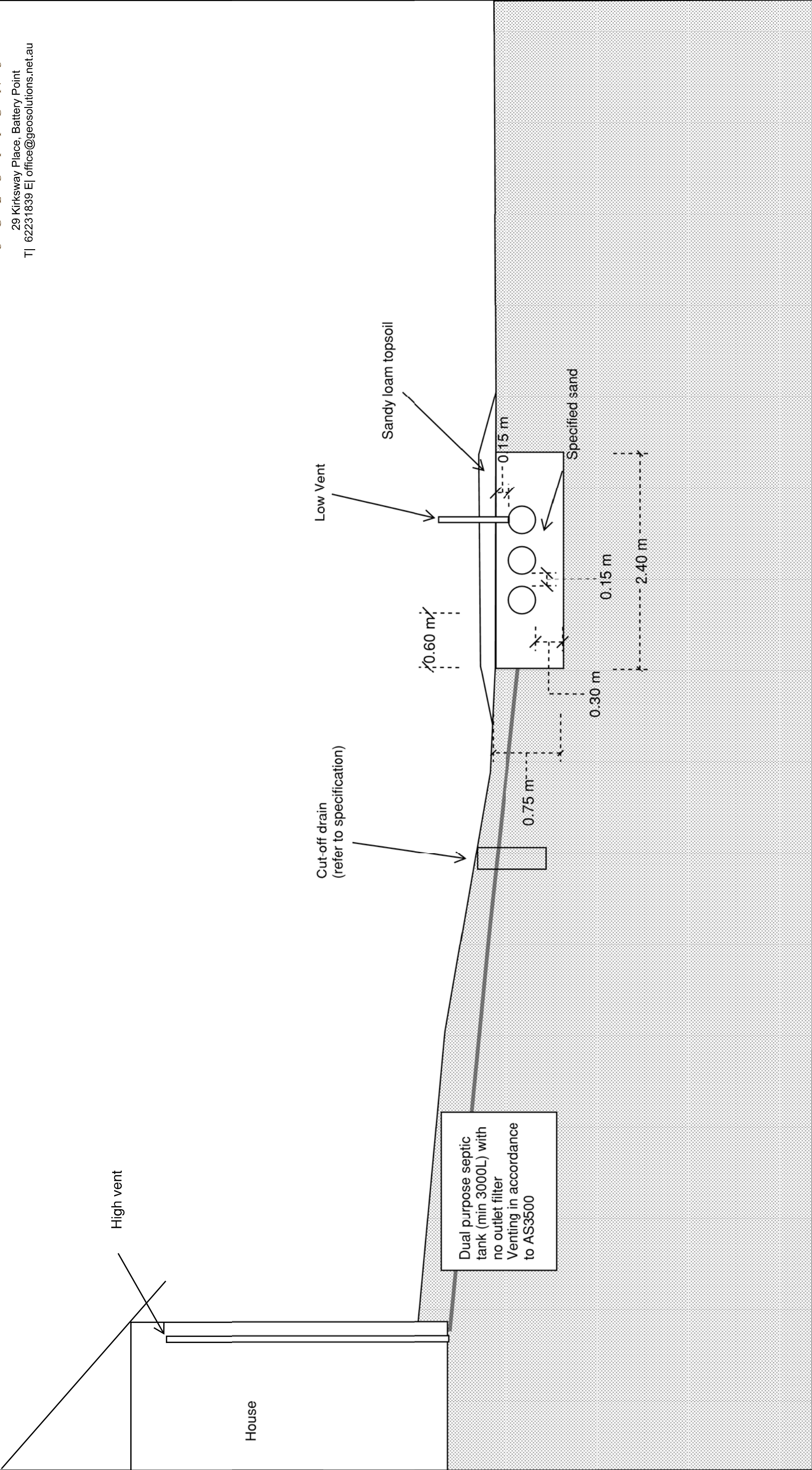
Cut-off drain
(refer to specification)

Sandy loam topsoil

Low Vent

Specified sand

Do not scale from these drawings. Dimensions to take precedence over scale.	AES Design 99 Pipe Clay Esplanade Cremorne	Date: Feb 2018	AES Cross section plan - Transect A-B	Sheet 1 of 3
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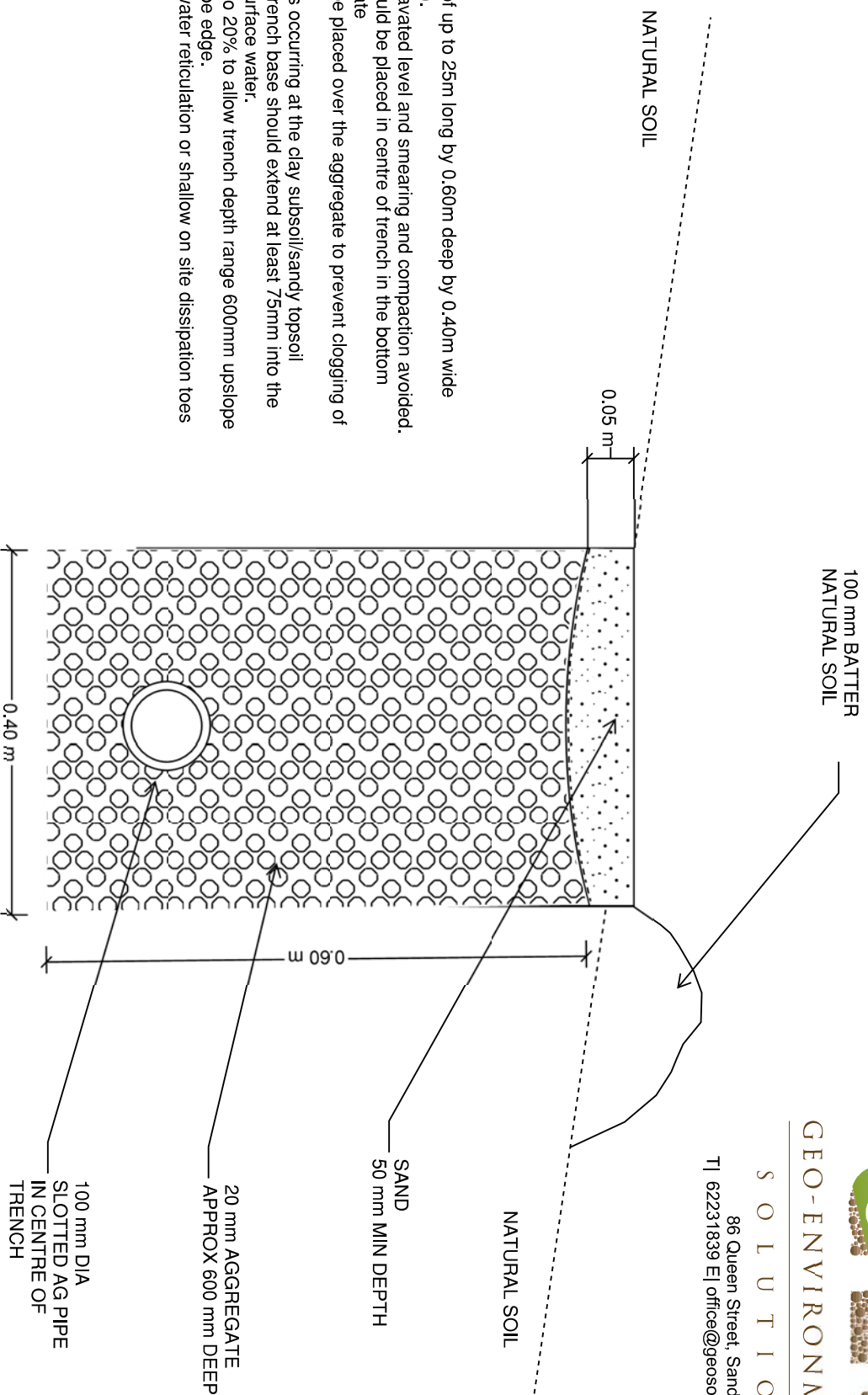


Do not scale from these drawings. Dimensions to take precedence over scale.	AES Design 99 Pipe Clay Esplanade Cremorne	Date: Feb 2018	AES Cross section plan - Transect C-D	Sheet 2 of 3
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Do not scale from these drawings.
Dimensions to take precedence
over scale.

Date: Feb 2018

Sheet 3 of 3



Design notes:

1. Cut-off trench dimensions of up to 25m long by 0.60m deep by 0.40m wide (depths and widths minimum),
2. Base of trenches to be excavated level and smearing and compaction avoided.
3. 100mm slotted ag-pipe should be placed in centre of trench in the bottom 100mm of the 20mm aggregate
4. Geotextile or filter cloth to be placed over the aggregate to prevent clogging of the pipes and aggregate
5. If shallow subsurface flow is occurring at the clay subsoil/sandy topsoil boundary (duplex soils), the trench base should extend at least 75mm into the subsoil clay to capture sub-surface water.
6. Construction on slopes up to 20% to allow trench depth range 600mm upslope edge to 400mm on down slope edge.
7. Trench discharge to stormwater reticulation or shallow on site dissipation toes across the contour.

**Do not scale from these drawings.
Dimensions to take precedence
over scale.**

Geo-Environmental Solutions

Date: 01/05/2017

Cut-Off Drain Detail

Sheet 1 of 1

99 Pipe Clay Esplanade, Cremorne

Peer Review of the Coastal Vulnerability Assessment (Report) for a Proposed Development

transport | community | mining | industrial | food & beverage | energy



Prepared for:

Clarence City Council

Client representative:

Mr Max Melton

Date:

26 July 2018

Rev 00

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Appendices

Appendix A: Drawings from others

Prepared by:  Date: 26 July 2018
Noel Carroll

Reviewed by:  Date: 26 July 2018
Nicky Pollington

Authorised by:  Date: 26 July 2018
Robert Casimaty

Revision History					
Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
A	Preliminary (draft)	N Carroll			13/07/2018
00	Final report Issue	N Carroll	N Pollington	R Casimaty	26/7/2018

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Executive Summary

A development application has been lodged with Clarence City Council relating to the development of land at 99 Pipe Clay Esplanade, Cremorne.

This document describes a peer review of the Coastal Vulnerability Assessment undertaken by Geo-Environmental Solutions this year, (GES, 2018).

This peer review relates to Coastal Engineering matters and requirements of the Interim Planning Scheme 2015 (IPS, 2015) pertaining to coastal conditions. A review about regulatory requirements ought to be undertaken by a qualified planner.

This review evaluates the Design Peak sea level with wave action impinging on the subject property at Pipe Clay Esplanade. It is noted that whilst the Design Peak sea level in 2100 should mostly remain below the 3.4 m AHD level (R₂% runup height is used in the **pitt&sherry** calculation), based upon current knowledge, probability statistics indicate that it may rise higher during the 50 year design life with an encounter probability of about 39%. Also 'white water' spray may rise higher than the finished floor level by being carried on the prevailing wind during prevailing onshore stormy conditions, albeit this would be uncommon.

Accounting for sea level rise, waves are expected to impinge upon the building. Accordingly, the GES (2018) recommendation that the existing external substructure walls should be removed is endorsed by **pitt&sherry**. The proposed resupport structure (piles) shall be designed for the lateral pressure arising from same.

Piled footings are warranted for the proposed development as noted in GES (2018). **pitt&sherry** recommends that the footings for the building be designed by others taking into account the loss of support arising from inundation saturating the ground and potential wave action effects, e.g. scour.

The recommendations noted in Section 9 of GES (2018) are endorsed by **pitt&sherry**, generally. However, in my opinion, additional information ought to be presented by the proponent that demonstrates the practicability of the recommended actions noted by GES, e.g. piling, to a stable foundation depth, within the existing building perimeter for resupport of the existing superstructure.

I am dubious about whether all the performance criteria listed in IPS (2015), relevant to coastal processes/risks, could be satisfied for the proposed development at 99 Pipe Clay Esplanade. In my opinion, accessibility to the property and healthiness of the site (on-site human waste management) are risks that may be quite difficult to overcome.

1. Introduction

A Coastal Vulnerability Assessment has been prepared by Geo-Environmental Solutions on behalf of Building Designers Australia for the proponent for the proposed development at 99 Pipe Clay Esplanade, Cremorne. That assessment was submitted to support the Development Application.

Clarence City Council (CCC) requested **pitt&sherry** to undertake a peer review of the Geo-Environmental Solutions Coastal Vulnerability Assessment (GES, 2018) and report about its findings.

Details of the peer review are recorded further herein. This review does not critique each statement or number in the GES report but examines the salient points from an independent perspective.



Figure 1: Satellite image of Cremorne spit (Adapted from the original, source: Google, 2018)

2. Coastal (Physical) Processes

2.1 Stormwater Runoff

Rainfall on coastal land will mostly infiltrate into the ground unless the near surface geotechnical units are rocky and/or heavy clays are present; otherwise infiltration will tend to continue until the soil type becomes saturated. Sooner or later the rainfall will drain as stormwater by overland flow (runoff) and as subsoil flow through permeable soils if any are present.

The soil types present on the subject site for the development are understood to be sand. No surface watercourse is present on the subject site.

The impact of stormwater discharge from the subject site ought to be considered by others.

2.2 Tides and Storm Surge

Tides vary the sea surface and the sea surface still water levels can be forecast relatively accurately, for any date/time according to the location of a place on the earth's surface, due to the gravitational effects induced by the position of the sun, the moon and many other planets.

Tides in the Derwent River and Frederick Henry Bay near Cremorne are characterised as the semi-diurnal/mixed type.

A tidal anomaly, caused primarily by meteorological effects, is the difference between the forecast tide level based upon astronomical effects and the actual measured tide level (+ or – metres). During 'storm surge' the anomaly is (+) because of low barometric pressure. The anomaly can occur without the presence of strong winds due to the presence of barometric setup, coastal trapped waves, El Niño-Southern Oscillation (ENSO) and other phenomena.

Figure 2 is an illustration of how storm surge and a storm tide may inundate the land.

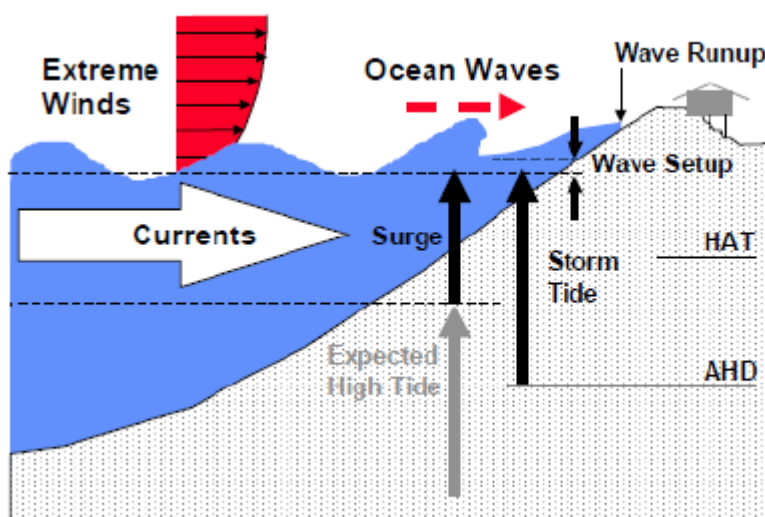


Figure 2: Inundation levels from a storm tide due to storm surge; mean sea level approximates to AHD (source: Storm Tide – Issues for Road Design in Coastal Areas, Dept of Transport and Main Roads, Queensland, January 2014 - after Harper)

Tide Data Definitions

AEP	annual exceedance probability (refer to Section 3 for explanatory information)
AHD	Australian Height Datum
DHW	design high still water (sea) level including storm surge
HAT	highest astronomical tide
PPL	Proposed project design life
MSL	mean sea level
MLW	mean of the low tide sea levels
MHW	mean of the high tide sea levels
MHWS	mean of the high tide sea levels at the springs
HHWSS	highest high-water tide level at the solstice springs
SLR	sea level rise
SWL	still water (sea) level.

Design High Water Still Sea Level – Without Waves

It is expected that anthropogenic activity on the earth will create changes to the environment that are expected to result in sea level rise (SLR). During this century it is forecast that the sea level could rise by over 1.0 metre in parts of Australia although according to studies undertaken by others the expected sea level rise varies.

Based upon the present knowledge regarding climate change, it is assumed that the design high sea SWL will not vary into the future except for the addition of the allowance for SLR.

It is understood that CCC has a Sea Level Rise Policy Statement with a benchmark rise of 0.3 m by the year 2050 and 0.9 m by the year 2100 adopted for the 'high' scenario. The Govt DPAC (2016) benchmarks for the RCP 8.5 (peak) scenario in Clarence are 0.23 m and 0.85 m by 2050 & 2100 respectively.

From Figure 3 it can be deduced that for 1% AEP the DHW still sea level, without the effect of waves, is 1.22 m AHD in the year 2000 (base date) and the 1% AEP combined probability predicts 0.71 m SLR by 2100 as calculated by the on-line software tool 'Canute 2.0'. Others have determined that the 1% AEP present day DHW still sea level is 1.44 m AHD and would be 2.34 m AHD in 2100 including for the 'high' SLR scenario noted above (Table 5.4, Carley et al, 2008). For planning, 2100 is the reference year (IPS,2015).

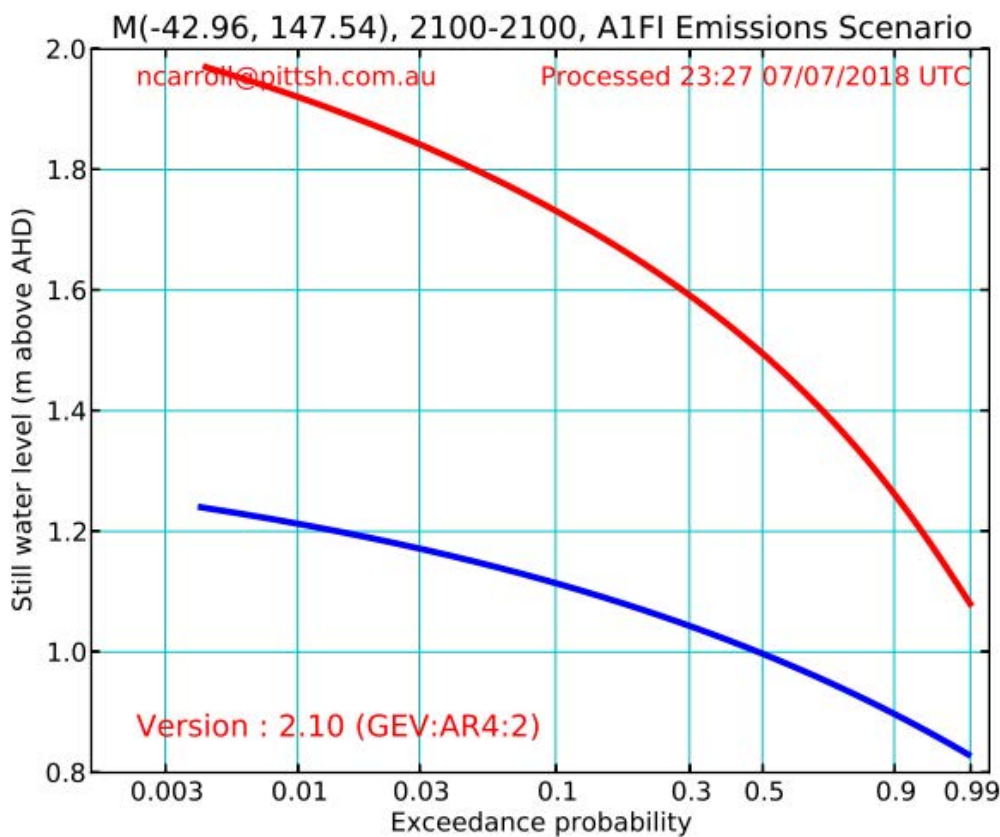
Values of the Design High Water still sea level including storm surge, without the effect of waves, are included in Table 1 for different AEP at certain years and from different sources.

The 1% AEP values of the Design HW still sea level, without waves, from Carley et al (2008) will be adopted for the year 2008 but with the benchmark from DPAC(2016) for RCP 8.5 in the year 2100 added to it; the resulting Design HW still sea level = 2.3 m AHD in 2100 will be adopted for the purposes of this review.

Table 1: Design High Water SWL including storm surge and SLR derived from 'Canute 2.0' and Carley et al (2008)

AEP %	AEP	ARI years	Year				
			2000	2018	2050	2068 PPL	2100
			Design HW, including storm surge, still sea level (m, AHD)				
1.0	0.01	99.5	1.22	1.25	1.40	1.55	1.93
0.5	0.005	199.5	1.24	1.27	1.42	1.58	1.98
1.0	0.01	99.5	1.44*	-	1.74	-	2.34

Carley et al (* denotes the year 2008)



Red curve: exceedance probability for 2100-2100 inclusive under conditions of rising sea level

Blue curve: exceedance probability for 1-year period with mean sea level held constant at 2000 value

Figure 3: Design High Water (sea) SWL including storm surge versus annual exceedance probability. Output from the 'Canute 2.0, The Sea Level Calculator' software for the point at the eastern end of Cremorne (Adapted from the original, source: Hunter et al, 2014)

GES (2018) notes that the present day storm tide level of 1.34 m AHD is derived from IPS (2015) and that the projected inundation levels after sea level rise correspond to the DPAC (2012) estimates or benchmarks. In 2100 GES note that the DPAC (2012) estimate is 0.89 m and thus the Design High Water still sea level would be 2.23 m AHD.

This is about/close to the 2.3 m AHD still sea level in 2100 that has been recorded above, by **pitt&sherry**.

IPS (2015) prescribes in Table 15.1 that a new development shall have a minimum floor level of 2.5 m AHD at Cremorne and 3.0 m AHD at Pipe Clay Lagoon, based on 1% AEP in 2100, but these levels do NOT include any consideration of wave runoff that may cause overtopping.

The proposal complies with Table 15.1 since the lowest floor level is at 4.7 m AHD; acceptable.

Figure 4 shows a plot of the variation in still sea level measured by satellite monitoring over Hobart. The monitoring level reference datum (0.0 m) is nominally mean sea level \approx AHD. It is noted that the reference datum corresponds to the year 2000 level (the 'constant' sea level referred to in 'Canute 2.0').

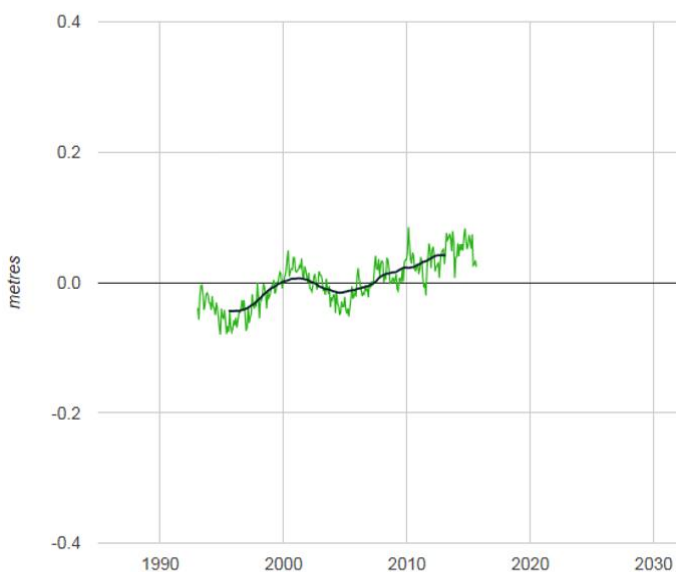


Figure 4: Satellite data showing the variation of still sea level in Hobart (Adapted from the original, source: 'CoastAdapt', 2016)

2.3 Wind Setup

Additional elevation of the sea surface above the Design HW still sea level may be concurrent due to localised wind setup. However, the occurrence of this effect on Frederick Henry Bay at Cremorne is considered to be unlikely.

An allowance of 0.0 m for wind setup will be assumed for this review.

GES (2018) also notes, in Table 6, that wind setup is zero. **Accepted.**

2.4 Waves

Local wind waves offshore in this vicinity are calculated to have a moderate significant wave height approximately 1.9 m with a period of about 5 seconds. This has been derived from Fig 9, BS 6349.1 for a 20 m/s wind speed that is 'duration' averaged over a fetch of 20-24 km. The speed is derived from a 0.2% AEP unfactored gust wind speed of 31 m/s from an easterly direction at the 10 m reference height for terrain category 1.5 per, Australian Standard, AS/NZS 1170.2 (2011). Local wind waves are reported to have a 1.9 m significant wave height (5.1 s) for 1% AEP, (Table 7.3, Carley et al, 2008). In Shand, T. & Carley, J. (2009), additional/refined information was provided and that is referenced to the sections that are shown on Figure 5. At section 1, the most relevant to this review, a 1.2 m (4.7 s) local wind wave has been reported by them in the nearshore zone, at a point near the estuary entrance.

GES (2018) has NOT noted a design local wind wave height.

A 5 second period local wind wave with a significant height of 1.25 metre is assumed for this review.

Swell waves relevant to section 1, Figure 5, are reported to have a 0.7 m significant wave height (15 s) for a 1% AEP (Table 4.3, Shand, T. & Carley, J., 2009).

GES (2018) notes $H_s = 0.8$ m but anecdotally swell waves may be slightly higher.

A 15 second period swell wave with a significant height of 1.0 metre is assumed for this review.



Figure 5: Plan showing reference sections at Cremorne Ocean Beach 'B' (Adapted from the original, source: Shand, T. & Carley, J., Water Research Laboratory Report 2009/31, 2009)

The most energetic waves would be dominated by swell waves. Due to the significantly different periods between the swell waves and local wind waves there will probably be no spectral overlap and hence the latter can be considered in isolation.

Wave Definitions

Significant wave height (H_s)

This is a term commonly utilised when considering wave statistics. ' H_s ' is calculated as the average height of the highest third of all waves in the wave record being considered. ' H_s ' is NOT the maximum wave height. The maximum wave height that might be utilised for the design of an important structure in deep water is approximately 2x significant wave height. Inside the surf zone wave heights become depth limited.

Swell waves

These are waves that are generated by the wind at a location(s) which is very distant from Cremorne Beach. Swell waves, which characteristically have a long period and a long wavelength, travel out of their wind generating area, offshore, into Frederick Henry Bay and transform their height and direction by doing so.

Local wind waves

These are the waves initially formed by the action of the wind blowing over the sea surface in the region near the subject site. Local wind waves are characterised by a range of heights, periods and wavelengths that are less well ordered. Incident waves, of this type, at Cremorne Beach are assumed to be generated over the longest direct fetch of ≤ 24 km across Frederick Henry Bay to the eastern side of Norfolk Bay.

Wave setup and wave runup

Breaking waves result in a rise of the still water level ahead of the wave near the shore; this effect is known as wave setup. The inertia of the rising water causes water to runup onto and over the shore. The runup height is measured above SWL and incorporates the rise due to wave setup at Cremorne.



Figure 6: Aerial photo of Cremorne, 1997 (Adapted from the original, source: HECEC Australia Pty Ltd, Run 8/F383, 10.04.97, 1: 10,000 original scale, 1997)

2.5 Wave Runup

In Table 4.8 of Shand, T. & Carley, J. (2009), wave runup at section 1 has been reported as 0.81 m above the Design High Water still sea level for a 0.7 m swell wave in the 'present day'. For this review, it is assumed that the swell would have a wave height of 1.0 m with a corresponding wave runup height of 1.1 m say (1.06 m) in the year 2100.

GES (2018) notes a wave runup height of 2.59 m based upon a 0.8 m swell wave height.

A wave runup height of 1.1 m, with 2% probability of exceedance, above a SWL is assumed for this review.

2.6 Design Peak Sea Level with Wave Action

The Design Peak sea level (including storm surge) with wind setup, wave setup and wave runup is expected to be as follows:

- In 2100
 - DHW still sea level = 2.3 m AHD for 1% AEP (section 2.2) including projected sea level rise
 - Add wind setup = 0.0 m (section 2.3)
 - Add R2% wave runup = 1.1 m
 - Design Peak sea level with the effects of wave action = 3.4 m AHD.

The finished floor level must be 300 mm minimum above the Design Peak sea level.

Therefore, the design minimum finished floor level is 3.7 m AHD < 4.7 m AHD minimum FFL that is proposed.
Acceptable.

GES (2018) notes runup of the sea to RL 4.83 m AHD in 2100 > the Design Peak sea level noted above.

The GES (2018) runup data is highly conservative and shall not be considered further.

2.7 Currents

Whether strong currents are present in waters around the Cremorne Beach spit is not known to me. However, it is unlikely that currents would result in significant influences upon the subject property.

2.8 Geological Conditions

GES (2018) reports that boreholes were drilled to 2.0 m below the ground surface near Pipe Clay Lagoon to the west/southwest of the subject property. Table 3, GES (2018) notes that the "... beach sediments comprise fine to coarse grained sand". However, the depth of the drilled holes is insufficient to provide meaningful information about the founding strata for piles that GES has recommended.

It is considered likely that piled footings are warranted.

Information in GES (2018) is not adequate to use as a basis for designing piled footings, in my opinion.

2.9 Recession at Cremorne Ocean Beach

Calculation of recession at various beaches within Clarence City has been undertaken by Carley J et al (2008).

The expected recession has been converted to a simplistic 'Bruun Rule' factor whereby the recession, $R = C \times SLR$ (simple equation) and for Cremorne Ocean Beach a value of 50 has been adopted for the coefficient, C. Accordingly for $SLR = 0.83$ m, in the year 2100, the horizontal recession is expected to be about 40 metres.

Figure 7 shows the ground profile from previous mapping by the CCC at Section 1 (refer Figure 5).

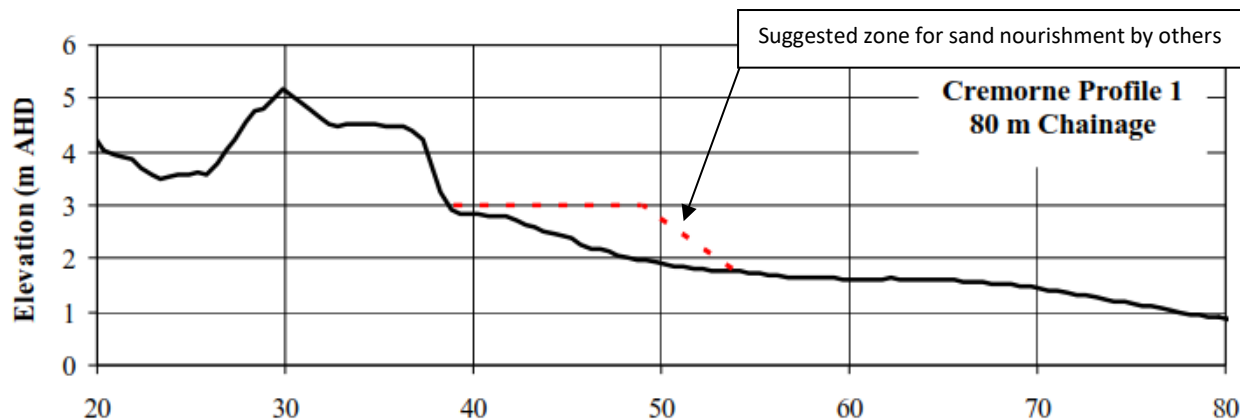


Figure 7: Section 1 Profile at Cremorne Ocean Beach close to 99 Pipe Clay Esplanade (Adapted from the original, source: Shand T. & Carley J., Water Research Laboratory Report 2009/31, 2009)

Figure 8 is a recent view of the dune on Cremorne Beach at the subject property.



Figure 8: Photograph of the house at 99 Pipe Clay Esplanade viewed from Cremorne Beach, 2018 (source: N. Pollington)

It is noted in GES (2018) that recession would occur and diagrams are included therein showing some scenarios for various storm erosion demand through to 2068. Since the planning requirements relate to the year 2100, additional erosion may occur in the subsequent 32 years. Nevertheless, GES (2018) concludes that significant erosion is a possibility and that piled footings are warranted.

GES (2018) is accepted regarding the possible beach recession and the effects of that on the building.

Figure 9 shows the inundation bands and Figure 10 shows the coastal erosion hazard bands relating to the subject property that are derived from 'TheList'. A zone with 'low risk' exposure relates to the year 2100.

Figure 11 shows the boundaries of the subject property that are derived from 'TheList'.

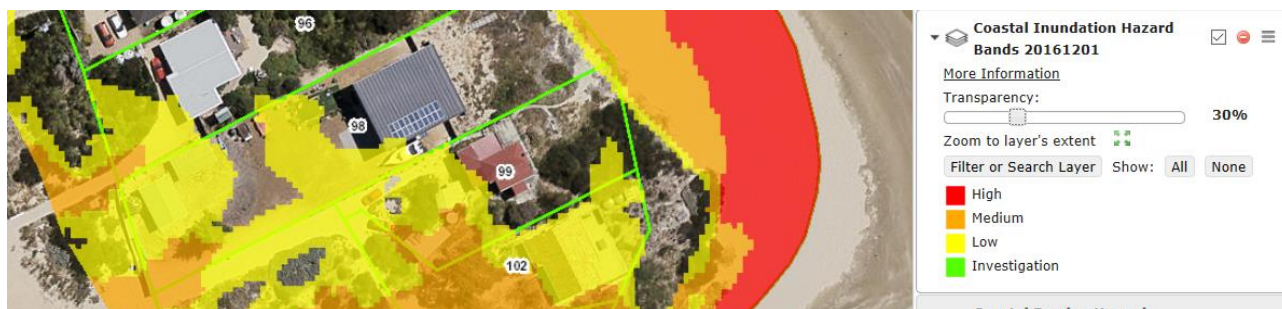


Figure 9: Image of the inundation hazard bands over/around the land at 99 Pipe Clay Esplanade (source: 'TheList', 2018)



Figure 10: Image of the coastal erosion hazard bands over/around the land at 99 Pipe Clay Esplanade (source: 'TheList', 2018)

Geomorphological Definitions

Erosion

"The offshore movement of sand from the sub-aerial beach during storms" (Coastal Management Manual, 1990).

This is a term used to describe the temporary removal of soil (e.g. sand) from the beach and its deposition offshore. During seasonal cycles it is commonly expected that sand will be redeposited onto the beach again (accretion).

The use of the term 'erosion' is recommended for short term coastal change and 'recession' is recommended for long term coastal change.

Accretion

Natural accretion is the build up of land (generally sand) on a beach by the action of waves or wind.

During milder wave conditions between storms, swell waves move sand from offshore back onto the sub-aerial beach resulting in a larger sub-aerial volume. Onshore winds can further enhance dune building above the ambient wave runoff limit.

Accretion is the opposite of erosion. Artificial accretion is a build up of land on the coast caused by a deliberate anthropogenic act.

Recession

This is “.... the progressive landward shift in the average long term position of the coastline (Coastal Management Manual, 1990).

This is a term used to describe the sustained removal of soil (e.g. sand) from the back beach and its deposition offshore; thereafter the sand is not redeposited onto the beach (due to a sand deficit offshore).

Recession represents the long term balance between erosion and accretion, where erosion dominates.



Figure 11: Image of the boundary lines around the property at 99 Pipe Clay Esplanade (source: 'TheList', 2018)

3. Statistical Tools Used to Evaluate Natural Influences

3.1 Average Recurrence Interval (ARI)

Statistics provide important tools to evaluate naturally occurring influences on the coastal zone.

The Average Recurrence Interval (ARI) is preferred by some who describe events arising from natural influences in the Coastal Engineering sector. ARI is expressed in years. The Average Recurrence Interval (ARI) is perceived by many lay persons to imply that if the magnitude of a particular type of event has occurred once (perhaps recently) then the same magnitude cannot reoccur for the remainder of the Interval.

Therefore, AEP is preferred by some researchers because there is no implicit connection to a time frame (at least not beyond one year).

3.2 Annual Exceedance Probability (AEP)

The Annual Exceedance Probability (AEP) is defined as the likelihood (probability) that the magnitude of an event/effect arising from natural influences, e.g. wind speed, will be exceeded once per annum.

AEP may be expressed as a decimal figure or %.

AEP data is included in various Australian Standards, e.g. AS 4997-2005.

The correlation between AEP and ARI (years) is defined by the equation:

$$\text{AEP (\%)} = (1 - \exp(-1/\text{ARI})) \times 100$$

e.g. 0.01 AEP = 1% AEP = 99.5 years ARI \approx 100 years.

3.3 Design Life (DL)

For the purposes of this review, the Design Life (DL) for the proposed development on the subject site is assumed to be 50 years, i.e. until 2068.

A 50 year Design Life is assumed for this review. GES (2018) has adopted the same design life. This is accepted but nevertheless information relating to the year 2100 must be considered per IPS (2015).

3.4 Encounter Probability

The Encounter Probability (EP) describes the probability that the magnitude (M) of some type of event may occur during the Design Life of a project or structure under consideration. Once the event magnitude has an ARI/AEP ascribed to it, EP is calculated from AEP and DL by the relationship $EP (M) = [1 - (1 - AEP)^{DL}] 100 \%$ and this is shown in Table 2 for various ARI/AEP.

3.5 Selected ARI/AEP for this Project

Conventional coastal engineering practice in Australia is to allocate a design ARI that ought to be at least equal to the design life of the project. Also, Australian Standard, AS 4997-2005 *Guidelines for the design of maritime structures* nominates the AEP for design wave events that ought to be considered.

Therefore, it is considered that a $0.01 = 1/100 = 1\%$ AEP, about 100 years ARI, ought to be appropriate but with further consideration about the requirements in AS 4997-2005 where data is available. 1% AEP (about 100 years ARI) is assumed for this review.

Table 2: Encounter probability that an event with magnitude (M) for a nominated ARI may be exceeded during the Design Life

ARI years	AEP	AEP %	Design Life (DL) - years			
			1	10	50	100
			Encounter probability (M) - %			
1	0.63212	63.2	63	100	100	100
10	0.09516	9.5	10	63	99	100
50	0.01980	2.0	2	18	63	86
100	0.00995	1.0	1	10	39	63
200	0.00499	0.5	0.5	5	22	39
500	0.002	0.2	0.2	2	10	18

4. Planning and Legislative Requirements

4.1 Introduction

I am not a planner. However, I have interpreted the requirements in IPS (2015) to the best of my ability and have made comparisons with information that is included in GES (2018).

It is assumed that a qualified planner would assess all the Interim Planning Scheme requirements to finalise the matters raised herein.

4.2 Planning Requirements – Overview re Coastal Zones

Planning within Clarence City Council is based on the Clarence Interim Planning Scheme 2015 (IPS, 2015). Within this scheme different overlays are provided.

Under this scheme, insofar as Coastal Processes are concerned, there are three overlays that must be considered and these are summarised for the purposes of this review, as follows:

- Waterways & Coastal Protection Areas (WCPA) overlay
 - This overlay fully covers the subject property at Cremorne
 - It is understood that the proposed development is NOT exempt from the Waterway and Coastal Protection Code and must comply with all the requirements of Section 11 in the IPS (2015)
 - A soil and water management plan may be required and to be approved
 - The proposed development appears to satisfy the requirements of an Acceptable Solution (Section E11.7.1, A1).

GES (2018) reports that the whole site falls within the WCPA overlay; accepted.

- Inundation Prone Areas Code (IPAC) overlay
 - On this overlay the 'Low Hazard Area' fully covers the site for the proposed building on the subject property at Cremorne and most of the land on the property as shown in Figure 12
 - Approval for development of the subject property must comply with all the requirements of Section 15 in the IPS (2015) generally; it may be subject to the requirements of Section E15.5.2 specifically
 - It is expected that the performance requirements stipulated in Section E15.6 (P1) should apply to the proposed development
 - It is expected that the performance requirements stipulated in Section E15.7.3 (P1 and P2) should apply to the proposed development
 - The development is required to comply with the requirement for a minimum finished floor level at 2.5 m AHD, as nominated in Table E15.1 for a 'Low Hazard Area' (1% AEP in 2100) but an allowance for wave runup must be added.

The proposed minimum floor level is at 4.7 m AHD; acceptable.

GES (2018) reports that NONE of the site falls within the IPS (2015) IPAC overlay; GES' assessment that the property is not vulnerable to inundation is refuted. Note – GES (2018) notes 100% IPAC overlay in Table 1

- Coastal Erosion Hazards Code (CEHC) overlay
 - It is understood that the proposed development is NOT exempt from the Coastal Erosion Hazards Code
 - The overlay for 'Medium Hazard Area' fully covers the site for the proposed building on the subject property at Cremorne and most of the land on the property; it must comply with all the requirements of Section 16 in the IPS (2015) generally
 - Approval for development of the subject property should be subject to the requirements of Section E16.5 specifically
 - It is expected that the performance requirements stipulated in Section E16.6 (P1) and in Section E16.7.1 (P1) should apply to the proposed development.

GES (2018) notes that the IPS (2015) requires all development proposals within a CEHC overlay are to comply with common performance criteria; accepted.

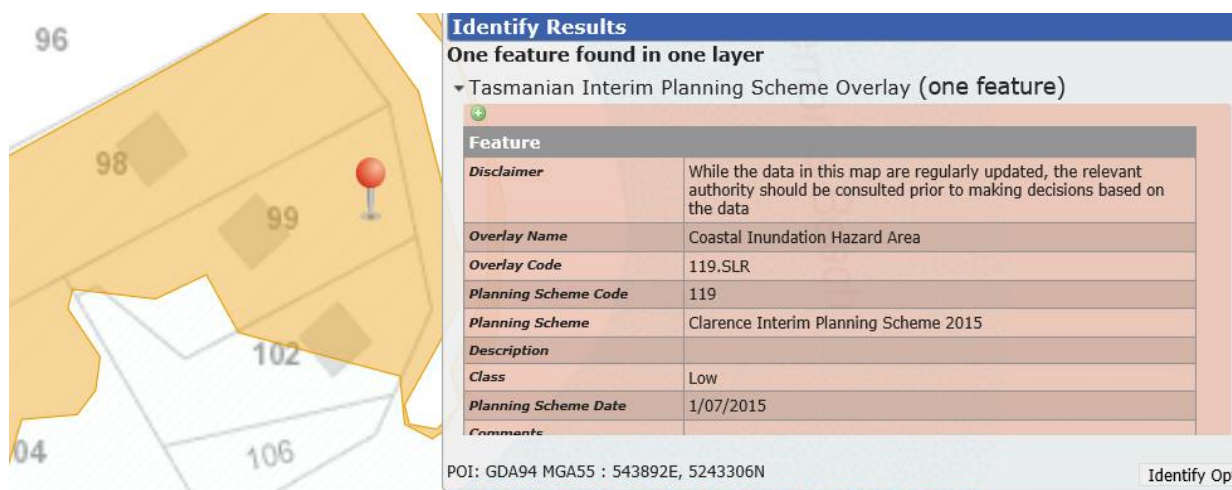


Figure 12: Image of the inundation prone area on/around the land at 99 Pipe Clay Esplanade (source: IPS, 2015)

4.3 Planning Requirements – Other Requirements

Other planning requirements in IPS (2015) may apply to the development proposal, as follows:

- Parking and Access Code (e.g. Section E6.1, etc.)
- Stormwater Management Code (e.g. Section E7).

It appears that the information shown in GES (2018), Section 4.5 is erroneous. Also, it would have been preferable if the Coastal Vulnerability Assessment had utilised the specific site survey information that is shown on the plans submitted with the application for a DA.

4.4 Legislative Requirements – Overview re Coastal Zones

Development on the subject property is subject to the provisions of the State Coastal Policy (1996) as amended in 2003 and 2009.

Development on actively mobile land forms such as frontal dunes is not permitted. However, whilst the requirement is specific the terms ‘actively mobile land form’ and ‘frontal dune’ are not defined in the Act. Hence, the meaning of these terms is subject to professional interpretation and open to being challenged within a legal framework.

5. Other Matters

5.1 Assessments and Approvals

Development of the subdivision should be subject to the customary assessment and approvals.

It is also recommended that soils on the property that is proposed to be redeveloped ought to be tested for the potential to form sulfuric acid (Acid Sulfate Soils).

5.2 Vegetation

It is recommended that all extant mature vegetation should be retained wherever possible.

For this review, it is assumed that native vegetation would be protected.

6. Pressures on Coastal Processes

The proposed development on the subject property is not expected to add significant pressure on physical coastal processes, in my opinion.

7. Managing Risk

In my opinion, development on the subject property may increase the level of risk or hazard for adjoining properties or public infrastructure arising from changes on the coast, e.g. sea level rise. It is expected that accessibility to the property and healthiness of the site (on-site human waste management) are risks that may be quite difficult to overcome.

It is very important to consider what to do and what to avoid during development and maintenance of the subject property and dunes to protect coastal values. "To work successfully in the coastal zone, and to avoid costly problems in the future, land managers will need an understanding of physical coastal processes, and have the wisdom to know when it is better to do nothing, by applying the precautionary principle. It is important to seek specialist advice and consult broadly with other coastal stakeholders and the community." (Page and Thorp, 2010)

8. Conclusions and Recommendations

The recommendations in GES (2018) Section 9 are accepted as being generally appropriate.

However, in my opinion, additional information ought to be presented by the proponent that demonstrates the practicability of the recommended actions noted by GES, e.g. piling, to a stable foundation depth, within the existing building perimeter for resupport of the existing superstructure.

I am also dubious about whether all the performance criteria listed in IPS (2015), relevant to coastal processes/risks, could be satisfied for the proposed development at 99 Pipe Clay Esplanade. In my opinion, accessibility to the property and healthiness of the site (on-site human waste management) are risks that may be quite difficult to overcome.

Accessibility to/from the property for physically challenged persons and emergency services may become problematic in the future. Management of human waste on the site is expected to require special provisions to avoid contaminating the environment, persons inhabiting the site and neighbours, e.g. on-site sealed tanks, that are pumped out periodically, may be warranted.

GES (2018) Appendix 4 notes about performance criteria E16.7.1 P1 that "(h) ... access to the site will not be lost or substantially compromised by expected future erosion...." but the impact of future inundation on access is not addressed in GES (2018). Also, for performance criteria E15.7.3 P2, there is no mention about the potential for an increasing health risk on the subject property. The GES (2018) assessment is not able to be accepted by **pitt&sherry** because it is incomplete.

9. References

AS 1170.2 (2011), *Loading code, wind forces*, Australian Standard, Standards Australia, Sydney, NSW

AS 4997 (2005), *Guidelines for the design of maritime structures*, Australian Standard, Standards Australia, Sydney, NSW

BS 6394-1 (2000), *Maritime structures code-Part 1: Code of practice for general criteria*, British Standard, British Standards Institute, London, UK

Carley et al (2008), "Coastal Processes, Coastal Hazards, Climate Change and Adaptive Responses for Preparation of a Coastal Management Strategy for Clarence City, Tasmania", *WRL Technical Report No 2008/04*, Water Research Laboratory, School of Civil and Environmental Engineering, University of New South Wales October 2008

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99 Pipe Clay Esplanade (with access over 101 Pipe Clay Esplanade), Cremorne



Photo 1: The existing dwelling (right of image) when viewed from the access provided over 101 Pipe Clay Esplanade, Cremorne.



Photo 2: The existing dwelling (left of image) when viewed from Cremorne Beach.



Photo 3: *A closer view of the existing dwelling when viewed from Cremorne Beach.*

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT

Nil Items.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 30 SEPTEMBER 2018**

(File No 10/02/05)

EXECUTIVE SUMMARY**PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 July to 30 September 2018.

RELATION TO EXISTING POLICY/PLANS

The Report uses as its base the Annual Plan adopted by Council and is consistent with Council's previously adopted Strategic Plan 2016-2026.

LEGISLATIVE REQUIREMENTS

There is no specific legislative requirement associated with regular internal reporting.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

The Quarterly Report provides details of Council's financial performance for the period.

RECOMMENDATION

That the Quarterly Report to 30 September 2018 be received.

ASSOCIATED REPORT

The Quarterly Report to 30 September 2018 has been provided under separate cover.

Andrew Paul
GENERAL MANAGER

11.7.2 COMMUNITY SUPPORT GRANTS

(File No 09-17-05A)

EXECUTIVE SUMMARY**PURPOSE**

To consider the Community Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the September 2018 round of Community Support Grants.

RELATION TO EXISTING POLICY/PLANS

Community Grants Policy and social plans including Youth Plan; Cultural Arts Plan; Age Friendly Plan; Community Health and Wellbeing Plan; Cultural History Plan; Community Participation Policy; Clarence Events Plan; Community Safety Plan; Reserve Activity Plans and Recreation Strategies.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is an annual budget of for the Community Grants Program including the bi-annual Community Support Grants.

RECOMMENDATION:

That Council approves financial grants amounting to \$17,459 to community groups and organisations, as detailed in the schedule attached to the Associated Report.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** A funding round for bi-annual Community Support Grants closed on 15 September 2018 and 18 applications were received (refer to Attachment 1).
- 1.2.** The Community Grants Assessment Panel reviewed all applications and has recommended 15 projects be funded to varying amounts.

2. REPORT IN DETAIL

2.1. The Community Support Grants program was advertised in “The Mercury”, the Council Rates News, the Eastern Shore Sun and on Council’s website. An email was sent to all non-profit groups listed in the Community Directory.

2.2. Applications for this round of the Community Support Grants closed on 15 September 2018 and a total of 18 applications were received for funding totalling \$24,819.

2.3. Fifteen applications received have been recommended for approval for the requested funding (10) or partial funding (5) amounting to \$17,459:

- Clarence District Venturers Group \$1,250;
- Lindisfarne Soccer Club \$950;
- Beltana Bowls Club (partial) \$500;
- Grace Christian Church \$1,498;
- Tomatoes Swim Club Inc \$1,050;
- Clarence Country Music \$1,200;
- Eastside Table Tennis League (partial) \$800;
- Hobart Vintage Machinery Society Inc \$1,461;
- Clarence Plains Friendship Group (partial) \$500;
- Lindisfarne Historical Society Inc \$1,500;
- Sandford Scout Group \$1,500;
- Clarence United Basketball League (partial) \$1,500;
- Surf Life Saving Tasmania \$1,500;
- Carlton park Surf Life Saving Club \$1,000; and
- Clifton Beach Surf Life Saving Club (partial) \$1,000.

Refer to Attachment 1 for detailed information.

2.4. One application from the Lauderdale Yacht Club has been put on hold by agreement pending the outcome of their application for a defibrillator through the State Government Community Defibrillator Fund. If unsuccessful their application will be added to the next Community Support Grant round in March 2019.

2.5. Two applications were not recommended for funding as they did not meet the eligibility criteria:

- The Little Help Project Tasmania \$1,500; and
- Tasmanian Fin Swimming \$1,500.

Refer to Attachment 1 for detailed information.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. The Community Support Grants aim to support groups for amounts of up to \$1,500.00 for one-off activities or projects that benefit the Clarence Community.

4.2. The Grants Program is a strategic investment tool, assisting the community to meet and respond to Council's priorities and vision as outlined in the Strategic Plan 2016-2026. It enables Council to contribute to the community by:

- supporting local communities to build on existing capacity and progress their health and well-being;

- supporting local communities to sustainably manage and enhance the natural and built environments of the City;
- supporting local communities to work together for a vibrant, prosperous and sustainable city; and
- encouraging engagement and participation in the community.

4.3. It operates in the context of other related Council policies, Plans and activities, for example: Youth Plan; Cultural Arts Plan; Age Friendly Plan; Cultural History Plan; Community Health and Wellbeing Plan; Community Participation Policy; Clarence Events Plan; Community Safety Plan; Reserve Activity Plans and Recreation Strategies.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

A budget of \$35,000.00 has been approved for the 2018/19 financial year. The Community Support Grant is a bi-annual grant and the total amount recommended by the panel for this round is \$17,459, which will leave a balance of \$17,541 available for the March 2019 round.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The Community Grants Panel has assessed the 18 applications and 15 are recommended to Council for approval for the amounts indicated, 2 applications have not been recommended for approval and 1 application is on hold as per the attached schedule.

Attachments: 1. Community Support Grants September 2018 Schedule (9)

Andrew Paul
GENERAL MANAGER

Community Support Grant Assessment – September 2018

18 applications were submitted to Council in the September 2018 round of Community Support Grants

Applications	Project	Requested Amount
Scouts Australia - Clarence District Venturers Group	Purchase of Camping Equipment	\$1,500
The Little Help Project Tasmania	LHP: Let's Roll	\$1,500
Lauderdale Yacht Club	Defibrillator	\$1,500
Lindisfarne Soccer Club	Coach Training Program	\$950
Beltana Bowls Club	50 Years Anniversary Celebrations	\$1,500
Grace Christian Church Inc.	Grace Centre Leadership Training	\$1,498
Tasmanian Fin Swimming	Elite Sport Equipment	\$1,500
Tomatoes Swim Club Inc.	Shade Shelter Marquee	\$1,050
Clarence Country Music (auspiced by Hobart FM)	Publicity and Equipment	\$1,200
Eastside Table Tennis League Inc.	New Training Robot	\$1,160
Hobart Vintage Machinery Society Inc.	Heritage Farming Expo	\$1,461
Clarence Plains Friendship Group (auspiced by Mission Australia Housing)	Clarence Plains Friendship Group	\$1,500
Lindisfarne Historical Society Inc.	Upgrade of Meeting Room Sound System	\$1,500
Sandford Scout Group	Scouts Life Jacket Upgrade	\$1,500
Clarence United Basketball Association	Aussie Hoops	\$1,500
Surf Life Saving Tasmania	Defibrillator Purchase	\$1,500
Carlton Park Surf Life Saving Club	7MB Ocean Swim Incorporating Banana Boat Swimkids	\$1,000
Clifton Beach Surf Life Saving Club	Environmental Overhaul	\$1,500
Total		\$24,819

Applications Supported for Consideration

Applicant: Clarence District Venturers Group

Project: Purchase of Camping Equipment

Funds Requested: \$1,500.00

Project Description: The project aims to build on their equipment range to reduce the reliance of borrowing equipment from other scout groups. Purchasing the new equipment will mean planning and running more camps so the member numbers that can attend will be increased. Funds are requested to purchase camp ovens, Ice boxes, tranguias, lantern and hiker fly. A quote has been provided.

Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan. This application is supported by the Grants Assessment Panel as there is a social benefit for the community.

Recommendation: The application is supported for the amount of \$1,500.00.

Applicant: Lindisfarne Soccer Club
Project: Coach Training Program
Funds Requested: \$950.00

Project Description: The organisation has approximately 14 coaches. Only 2 coaches are currently accredited by FFT for the Skills Training Certificate in the club. 5 coaches have been identified to put through the Skills Training Certificate run by FFT and the Emergency First Aid Course run by St Johns. Funds are requested to put towards the cost of 5 coaches attending the FFT Skills Course and First Aid Course.

Comments: Meets the criteria and aligns with Council's Health and Wellbeing Plan and Youth Plan by upskilling coaches will provide an organisation and community benefit.

Recommendation: This application is supported for the amount of \$950.00.

Applicant: Beltana Bowls Club
Project: 50 Years Anniversary Celebrations
Funds Requested: \$1,500.00

Project Description: The 50 Years Anniversary celebrations will be held over the last weekend in February. A 'special' luncheon will be held on the Sunday at the Bowls Club and catered by outside caterers. The grant will assist with advertising costs for the celebrations and catering for the lunch to subsidise patrons in attendance. Dignitaries and other special guests will be invited and will be open to the community to attend to encourage participation.

Comments: The Grant Assessment Panel could appreciate the Anniversary weekend but questioned whether community members other than club members would attend the lunch. The Panel was in agreement to assist with the advertising costs for the weekend but not to subsidise the lunch. In summary there was support for the application by the Grants Assessment Panel for partial funds of \$500.

Recommendation: This application is supported for the partial amount of \$500.00.

Applicant: Grace Christian Church
Project: Grace Centre Leadership Training
Funds Requested: \$1,498.00

Project Description: The Church would like to purchase a flat screen TV for use in leadership training and workshop presentations at the Grace Centre. They currently use a projector that is on its last legs. The LCD TV along with an Apple TV unit that they would purchase would enable seamless operation from a laptop computer over our wifi network and high-quality presentations for leadership training and workshops. Workshops hosted include One Community Together and Mission Australia Housing along with smaller groups and residents. Their youth program conducts regular leadership training for up and coming youth leaders. FUTU workshops and practical budgeting courses are available to all members of our community. The aim is to create a high quality training space in the Clarence Plains community that will not only facilitate high-quality community development but also a sense of community pride in the way we do things. We believe a flat screen TV will improve our ability to provide high-quality training. The TV will be permanently mounted in our large back training room. A quote has been provided for the purchase of the TV.

Comments: Meets the criteria and aligns with Council's Health and Wellbeing Plan and Youth Plan as it provides a venue for community benefit.

Recommendation: This application is supported for the amount of \$1,498.00.

Applicant: Tomatoes Swim Club
Project: Shade Shelter Marquee
Funds Requested: \$1,050.00

Project Description: The swim club is based at Clarence Aquatic Centre for swimmers 12-92. The aim of the club is to engage people in healthy lifestyles through swimming in an atmosphere where ability is no handicap. The project is to purchase a marquee to take to events which will provide a gathering place for swimmers and supporters, sun protection for club members and advertising for the club which it is hoped will encourage more people to join.

Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan, Age Friendly Plan, Access Plan and Youth Plan as it provides much needed equipment for events.

Recommendation: This application is supported for the partial amount of \$1,050.00.

Applicant: Clarence Country Music (auspiced by Hobart FM Incorporated)
Project: Publicity and Equipment
Funds Requested: \$1,200.00

Project Description: Clarence Country has been providing music for over 16 years with the musicians, committee and helpers all voluntary and all monies raised are donated to the Hobart FM Radio Station. Funding would greatly assist in publicity and promotion with the aim of attracting new people to the Alma's Activity Centre each Tuesday night as numbers are dwindling. Microphones and music stands are also required.

Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan, Age Friendly Plan and Events Plan. This application supported by the Grants Assessment Panel as it is aimed at encouraging community participation.

Recommendation: This application is supported for the amount of \$1,200.00.

Applicant: Eastside Table Tennis League Inc.
Project: New Training Robot
Funds Requested: \$1,160.00

Project Description: The proposal is to purchase a robot ball machine to replace the existing model which is old and increasingly unreliable. The machine is essential for developing skills. The machine will be set up for all in-house training sessions with members and school groups. It is easily transportable and can be taken off-site for training activities as the current after-school program at Clarence High School. Funds will be used towards the purchase of the machine.

Comments: Although this project aligns with Council's Health & Wellbeing Plan, Positive Ageing Plan, Youth Plan and Access Plan the original machine was purchased through a Community Support Grant. The Grant Guidelines allows for '*new equipment required for an event, activity or project (excluding consumable items, uniforms, **replacements**)*'. However the grant assessment panel agreed to support partial funding for the purchasing of the robot ball machine because of the benefit the organisation is bringing to the community.

Recommendation: This application is supported for the amount of \$800.00.

Applicant: Hobart Vintage Machinery Society Inc.

Project: Heritage Farming Expo

Funds Requested: \$1,461.00

Project Description: The society members welcome the opportunity to show their collections for the enjoyment of the general public. The Society will conduct its bi-annual Heritage Farming Expo on March 2nd & 3rd 2019 with a larger display on Richmond Road Cambridge providing a greater number of exhibits and incorporating working vintage machinery baling hay, chaff cutting sheep shearing, log splitting and steam engines. Chaff and bales of hay processed during the Expo will be distributed to Riding for the Disabled.

Funds are requested for event infrastructure including PA system, hire of portable toilets, bin hire and traffic management.

Comments: Meets the criteria. Aligns with Council's Events Plan, Health and Wellbeing Plan, Cultural History Plan and Age Friendly Plan. This application is supported by the Grant Assessment Panel as it will be a whole of community event sharing experiences of the past to the contemporary generation of today.

Recommendation: This application is supported for the amount of \$1,461.00.

Applicant: Clarence Plains Friendship Group (auspiced by Mission Australia Housing)

Project: Clarence Plains Friendship Group

Funds Requested: \$1,500.00

Project Description: The good health and wellbeing is an integral part of a thriving community. The aim of the Friendship Group is to encourage, engage and support isolated Clarence Plains residents by providing opportunities for quality social interactions and connections with members of the community.

The group will have a particular focus on people of retirement age.

Personal and social contact, local community involvement and engagement in activities were the most important aspects for making older people feel connected in their local community, according to a 2011 report conducted by COTA Tasmania.

The report, 'A Sense of Belonging: Social Inclusion Issues for Older People in Tasmania' also revealed transport limitations were the most common issue for preventing older individuals from feeling connected to their local community.

The Clarence Plains Master Plan developed by service providers and residents identified this need; that developing a positive community culture where people care and welcome others and providing adequate support to community members was an integral aspect to improving community safety and belonging.

Resident Marie Crick identified the need for a Friendship Group to be established in Clarence Plains due to her regular engagement across the community and approached Mission Australia Housing to support her in developing the group.

The group has proposed five activities for the initial stages of the project - two excursions outside of the Clarence Plains area (Royal Tasmanian Botanical Gardens, MONA/TMAG) and three low cost activities at the Neighbourhood Centres which will be determined by the desires of the group (e.g.: Chat and Chew, Soul Food, Pingo, Stay Young Stay Strong, Walking Group, Knopwood Knitters).

As transport has been identified as an issue, we may look at a capacity building exercise using Metro as a transport option for an excursion to the city, or Rosny, to develop confidence and new skills.

Funds are requested for use of the Community Bus, Metro Fares, Catering and Excursion Costs.

Comments: While the Grants Assessment Panel were supportive of the project it questioned the high cost requested for catering when free meals are available through Council's Food Connection Program (Chat and Chew). Maximising the use of the community bus could further minimise the cost of transport. The application is partially supported by the Grants Assessment Panel for the excursion costs of \$500.

Recommendation: This application is supported for the partial amount of \$500.00.

Applicant: Lindisfarne Historical Society Inc.

Project: Upgrade of Meeting Room Sound System

Funds Requested: \$1,500.00

Project Description: Following long term concerns by participants involved in the society's meetings held at the Lindisfarne Community Activities Centre the proposal is to improve the P.A. system available by the provision of roving microphones to enable speakers to be clearly heard, encouraging participation by all persons present and to provide a safer meeting place by the elimination of long cords over the floor. The equipment will be 'self-standing' and with little difficulty may be used off-site for meetings and excursions. Funds have been requested to purchase a wireless microphone system, wireless condenser microphone and speakers. A quote has been provided for the equipment.

Comments: Meets the criteria and aligns with Cultural History Plan and Age Friendly Plan. This application is supported by the Grant Assessment Panel as it provides the equipment required for the meetings at the Centre.

Recommendation: This application is conditionally supported for the amount of \$1,500.00.

Applicant: Sandford Scout Group

Project: Scouts Life Jacket Upgrade

Funds Requested: \$1,500.00

Project Description: The annual scout and guide regatta will occur in March 2019 at Sung. Youth members from the age of 11 will compete in a range of individual and team events that encourage participation and increase skills and confidence. Life jackets (PFDs) are worn in all on-water activities. New life jackets are required to comply with the new Australian Standard AS 4758. Marine and Safety Tasmania has mandated that all life jackets must be compliant by 2021. Although this is some time away, life jackets complying with the new standard offer safety advantages and the group's existing jackets are old, worn and require replacement to ensure the safety of those who need them which is the group's ultimate priority. A preferred product and provider has been selected to optimise the quality and quantity of life jackets to be replaced. The new jackets will be purchased and worn by youth members at the 2019 regatta. A quote has been provided for the life jackets.

Comments: Meets the criteria and aligns with Council's Health and Wellbeing Plan and Youth Plan. The Life jacket replacement voucher scheme will be used to minimise the replacement costs of the jackets. This application is supported by the Grant Assessment Panel as it will increase the health and wellbeing and social outcomes of the Sandford scouting community.

Recommendation: This application is supported for the amount of \$1,500.00.

Applicant: Clarence United Basketball Association

Project: Aussie Hoops

Funds Requested: \$1,500.00

Project Description: The proposal is to purchase the Aussie Hoops Kit and have the equipment to take into schools so that children are able to play basketball games. The hope is to visit a number of schools on the Eastern Shore with activities based around sports and recreation which will encourage a starting point of introduction to basketball. This in turns makes a great sport to play for life. The program aims to skill each child with mateship, playing individually but within a team and handling a ball to gain points for the team. Funds have been requested to purchase the Aussie Hoops Kit.

Comments: Meets the criteria and aligns with Council's Health and Wellbeing Plan and Youth Plan. The group requested \$1,500.00 but the budget expenditure total is a lesser amount. The application is support by the Grant Assessment Panel for the amount of \$1,300.00 which is the budgeted figure

Recommendation: This application is supported for the partial amount of \$1,300.00.

Applicant: Surf Life Saving Tasmania

Project: Defibrillator Purchase

Funds Requested: \$1,500.00

Project Description: Surf Life Saving Tasmania, Tasmanian Fire Service, State Emergency Service and Tasmania Police have partnered to create an all risks, all hazards best proactive approach to volunteering to increase emergency response capability through inter agency training of volunteers, personnel and resources to operate a flood rescue vessels across agencies during localised or state-wide emergencies. These services are delivered across the State by Surf Life Saving Clubs and Surf Life Saving Tasmania within each local government area according to their geographical location. Surf Life Saving Tasmania has recently moved and now located in Mornington and as an emergency responder, are seeking funding to purchase an Automated External Defibrillator to be used for localised emergencies in the City of Clarence. The AED will be registered with Ambulance Tasmania and will be available for use by a range of organisations and purposes. The AED will be made available to other emergency service agencies that hold proper qualifications in its use and safe operation.

Comments: Meets the criteria. Aligns with Council's Health and Wellbeing Plan. This application is supported by the Grant Assessment Panel as it will provide emergency equipment available for the community.

Recommendation: This application is supported for the amount of \$1,500.00.

Applicant: Carlton Park Surf Life Saving Club
Project: 7 Mile Beach Ocean Swim Incorporating Banana Boat Kids
Funds Requested: \$1,000.00

Project Description: Carlton Park Surf Life Saving and Swimming Club are hosting the 7 Mile Beach Ocean Swim in December 2018. The Swim Series provides opportunities for swimmers of all ages and abilities to compete over various distances over the summer period. This event is set to welcome up to 500 swimmers for action in the water and supporting beach activities for the entire community. This event will include an inaugural partnership with Banana Boat Swim Kids, an ocean swim series specifically designed to educate and promote ocean swimming to children aged 7-12 years. This is a new national series with the event at 7MB being the only Tasmanian swim in the series. The event will promote the benefits of ocean swimming and an active lifestyle to the wider community.

Comments: Meets the criteria. Aligns with the Council's Health & Wellbeing Plan, Youth Plan and Age Friendly Plan. The grant assessment panel discussed and agreed to the benefits of the swim event and fully supported this application.

Recommendation: This application is supported for the amount of \$1,000.00.

Applicant: Clifton Beach Surf Life Saving Club
Project: Environmental Overhaul
Funds Requested: \$1,500.00

Project Description: Our project is to set the club on the path to environmental sustainability by reducing the plastic waste and providing more environmentally sustainable practices for our members and guests. Lindisfarne Sailing Club's intention is to use the grant funds to commission the making of covers for the Pacer sail boats to protect them from the elements when not in use. The project has been the brainchild of the club's 13-16 years old members who see the club as setting an example in the local area. The aim is to protect the ocean, the beach and reduce the impact left on the surrounding area. The club wants to overhaul all their practices, including food packaging, power etc. Funds have been requested to engage an environmental consultant for guidance and to purchase compostable materials for the canteen and other materials.

Comments: While the engagement of the consultant meets the criteria the use of funds to purchase consumables does not meet the criteria under the Grant Guidelines. Consumables are not eligible for grant funding and therefore not supported. The grant assessment panel discussed and agreed to support the engagement of the consultant for \$1,000.00.

Recommendation: This application is supported for the amount of \$1,000.00.

Applications Not Supported For Consideration

Applicant: The Little Help Project

Project: LHP: Let's Roll

Funds Requested: \$1,500.00

Project Description: The Little Help Project run a 1 hour self-development program, then a 1.5 hour self-defence class at the Clarence PCYC each Saturday call LHP: Let's Roll. It is open for girls aged 12-16 from the Clarence municipality. Classes, equipment and uniforms are provided at no cost to the participant. LHP: Let's Roll brings a team of girls together to build communication, self-esteem and knowledge about healthy life choices for their mind and body,

Comments: While supportive of the program, this is not a new program but is already in operation. Council supported the Little Help Project with a Community Support Grant in 2017 and the on-going support for a program does not meet the grant criteria and therefore it is not supported by the Grants Assessment Panel.

Recommendation: This application is not supported by the Grants Assessment Panel.

Applicant: Tasmanian Fin Swimming

Project: Elite Sport Equipment

Funds Requested: \$1,500.00

Project Description: Earlier this year 5 Eastern shore residents were selected as part of the 7 member Australian Team to attend the World Master competition in Spain. These 5 members were the only Tasmanian's on the team and it shows what a good place the Clarence area is for a healthy lifestyle.

What we did find was that our sporting equipment is well behind that being used in Europe and we desperately need to ensure that future team members are outfitted to enable them to give their best.

Regardless, Glenn Hoppitt from Howrah won 2 gold and a silver medal in his age group of 65-74 years, Sabina Lane from Lauderdale won 4 Bronze medals in her age group of 45-54 years, Brett Stephenson from Lauderdale won 2 Bronze medals in his age group of 55-64 years and Husband and wife Rob and Jenny Harman from Opossum Bay, both made finals in 3 out of 4 events.

All members are keen to compete at the next world masters event in France but we need better equipment to bring us up to the standard of the other countries.

We are also hosting the Australian Finswimming championships at the Clarence Aquatic Centre on 3-4 November this year.

Funds are requested to purchase competition monfins for the club's elite competitors.

Comments: While the panel was supportive of the benefits of finswimming and the achievements of the competitors, clarification from the group was the funds would go towards the purchase of monfins for the individual participants as they are custom fitted. The old monfins would be passed down to other finswimmers. As this is then more for individual benefit and not a benefit to the community the application did not meet the grant guidelines. However contact will be made to the applicant to seek support through the Quick Response Grant program.

Recommendation: This application is not supported by the Grants Assessment Panel.

Application On Hold

Applicant: Lauderdale Yacht Club

Project: Defibrillator

Funds Requested: \$1,500.00

Project Description: The Lauderdale Yacht Club wishes to purchase a defibrillator for use at club events. The LYC has been steadily growing over the past few years, with more people comes an increased risk one of our members will suffer a sudden cardiac arrest.

Comments: The Lauderdale Yacht Club has agreed to put this application on hold as they have submitted an application to the State Government for a defibrillator through the Community Defibrillator Fund. If that application is unsuccessful this application will be included in the March 2019 round of Community Support Grants.

Recommendation: This application is put on hold awaiting the outcome of the State Government Community Defibrillator Fund and if not successful be included in the March 2019 round of Community Support Grants.

Community Support Grants – Funding Summary

2018-2019 budget allocation for Community Support Grants (September 2018 & March 2019 rounds)	\$35,000.00
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Total funds allocated for the September 2018 round	\$17,459.00
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Balance available for March 2019	\$17,541.00
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11.7.3 EDUCATIONAL MATERIAL – TASMANIA'S PLANNING SYSTEM AND PLANNING SCHEME (RESPONSE TO NOTICE OF MOTION)
(File No 10-03-05)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider options for the development of and/or the dissemination of educational material relating to the Tasmania's planning system and the Tasmanian Planning Scheme as requested by Council.

RELATION TO EXISTING POLICY/PLANS

Not applicable to the consideration of this report.

LEGISLATIVE REQUIREMENTS

There are no legislative requirements applicable to the consideration of this report. However, the development of and/or the dissemination of educational material relating to the Tasmania's planning system and the Tasmanian Planning Scheme would assist public understanding of the current legislative requirements relating to these matters.

CONSULTATION

Not applicable to the consideration of this report. However, the development of and/or the dissemination of appropriate educational material would be a form of future engagement.

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION:

- A. That Council write to both the Local Government Association of Tasmania and the Minister for Planning reiterating the need for the development of suitable material as described in this report.
- B. That Council develop a form to assist people to make a representation on both development applications and planning scheme amendments. The information should be available in hard copy and on Council's website.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** At its Meeting of 10 September 2018, Council considered a Notice of Motion (refer Attachment 1) and resolved:

- “1. Council request the Local Government Association of Tasmania work with the Tasmanian Government to develop educational material to assist residents and ratepayers in understanding Tasmania’s planning system and the Tasmanian Planning Scheme.*
- 2. The General Manager prepare a report for Council on options for making educational material on Tasmania’s planning system available and accessible to Clarence residents and ratepayers”.*

1.2. Consistent with the above, on 11 October 2018 a letter to was sent to the Local Government Association of Tasmania.

1.3. The Explanatory Notes accompanying the Notice of Motion stated:

“Currently, there is a wide range of material available through a number of sources, including the LGAT Website, the TPC Website, the Planning Reform Website and the Environmental Defenders Handbook, but there is a need to bring the material together and present it in a way that is straightforward yet comprehensive.

The General Manager’s report on delivering material in Clarence could canvass options such as online and hard copy print materials, public information sessions or workshops. The report would also outline whether this is achievable through internal resources or whether resourcing should be considered in Council’s deliberations for the preparation of the 2019-20 Council budget”.

2. REPORT IN DETAIL

2.1. Resource Management and Planning System

In 1993, the Tasmanian Government introduced legislation as part of a framework called the Resource Management and Planning System (RMPS). All elements of the RMPS are linked through common objectives, which are listed as a schedule in each relevant Act.

The RMPS is an integrated system, with a number of provisions in these Acts requiring that specific functions must “seek to further the objectives of the Resource Management and Planning System”. While there are others the planning processes in Tasmania is implemented through 3 primary Acts:

- (1) The Land Use Planning and Approvals Act 1993;
- (2) The Local Government (Buildings and Miscellaneous Provisions) Act 1993; and
- (3) The Resource Management and Planning Appeals Tribunal Act 1993.

Each of the above are Acts of Parliament implemented and managed by the State Government.

Council has a role in the planning system through the development and implementation of its Planning Scheme, which in this case is currently the Clarence Interim Planning Scheme 2015.

2.2. Currently Available Information

From a legal perspective relevant information is publically available through the respective Acts and the associated subordinate planning schemes. The Tasmanian Legislation Website (<https://www.legislation.tas.gov.au/>) gives free public access to Tasmanian legislation and all planning schemes are available through the State's Iplan Website (<http://www.iplan.tas.gov.au.aspx>)

However, the Tasmanian Planning System is complex and compounded by various planning reform initiatives. For this reason a number of resources are available to assist understanding of the system. The following Websites provide assistance from government agencies.

The Current Tasmanian Planning System

The Tasmanian Planning Commission Website provides information relating to the current Tasmanian Planning System (https://www.planning.tas.gov.au/how_planning_works/tasmanian_planning_system)

The Commission's Website provides an overview of and further links to:

- Overview (LUPAA);
- Enabling Legislation;
- State Policies;
- Planning Directives;
- Regional Land Use Strategies; and
- Planning Schemes.

The future Tasmanian Planning System

The Tasmanian Planning Reform Website <https://www.planningreform.tas.gov.au/> provides information relating to:

- The Tasmanian Planning Scheme – overview and composition (SPP's & LPS);
- Future Tasmanian Planning Policies;
- Regional Land Use Strategies;
- Facts and Frequently Asked Questions relating to:
 - Major Projects Reforms;
 - Housing Land Supply Reforms;
 - Visitor Accommodation Reforms;
 - Tasmanian Planning Scheme;
 - State Planning Provisions;
 - Local Provisions Schedules; and
 - Regional Land Use Strategies.

Iplan

The State's Iplan Website <http://www.iplan.tas.gov.au.aspx> provides information relating to:

- Planning Schemes (ordinance and maps);
- Planning enquiries (viewing planning scheme zoning and overlay maps for specific property addresses or Property ID's - currently limited to Hobart and Launceston); and
- Tasmanian Planning Commission Assessment and hearings.

Council's Website

Council's Website contains a range of Clarence specific planning documentation including:

- a link to the Clarence Interim Planning Scheme (via Iplan);
- currently exhibited planning applications and amendments;
- the Tasmanian Planning Scheme:
 - brief overview
 - links to the Tasmanian Planning Commission and Tasmanian Planning Reform websites;
 - links to the adopted draft LPS, associated reports and current status;
- information on Council's free Preliminary Planning Assessments and Heritage Advisory Service;
- Planning related forms and information sheets including:
 - application for Development/Use or Subdivision and Minor amendments;
 - applications for Planning Scheme Amendments;
 - application under Strata Titles Act 1998;
 - Council and Crown consent forms;

- electronic lodgement;
- Planning Assessment for Notifiable Works under the Building Act 2016; and
- adopted local policies and strategies.

2.3. Information Gaps

There is currently no information produced by the Tasmanian Planning Commission or the Planning Policy Unit relating to:

- the statutory function and relationship between the Scheme's Acceptable Solutions and Performance Criteria; and
- the ability to make a representation on development applications and how they must be considered.

While the process and limitations is regulated under LUPAA, additional information could be developed and made available to assist people to understand and engage in the planning process.

There are risks in attempting to advise people on scheme interpretation and what matters that they may or may not make a representation about. This is particularly so given that our understanding of the Scheme evolves through appeal decisions/interpretation handed down from the Resource Management an Appeals Tribunal and the Courts.

It is noted that the Hobart City Council has developed an information sheet to assist potential representors and is available on their website: <https://www.hobartcity.com.au/Development/Planning/Planning-guidelines-and-help/Submitting-a-representation-to-a-planning-application>

The link provides information on:

- submitting a representations (limited to timing and addressing);
- process after a representation has been submitted;

- how to make a deputation to the City Planning Committee; and
- officer contact details for any further queries.

A copy of the information developed by the Hobart City Council on submitting a representation to a planning application is included in the attachments.

2.4. Tailored Assistance

While information is available on Council's Website, Clarence's experience is that those unfamiliar with the planning system contact Council Planning officers, through correspondence but more through direct telephone calls and/or face to face assistance over the counter.

A general observation is that the broader community, outside of the planning and development industry, are reluctant to engage with planning system until a matter arises that directly impacts them. This may be as a developer or as representor expressing a concern about a proposed development. It is at this point that the tailored approach is particularly effective.

Officers meet with neighbours and small delegations of interested groups to provide information about advertised development applications and the process for making representations. This approach is well received and an efficient way of responding to enquiries as it allows officers to tailor the given response as required to address the specific query.

In circumstances where people require references to statutory provisions they can be directed to the appropriate source.

2.5. Public Information Sessions

Historically public information sessions have been associated with various projects. While this approach is unsuited to development assessment because of statutory timeframes, it is useful for strategic projects as part of a consultation program such as structure plans and planning schemes or for projects on Council land.

2.6. Development of New Educational Material

Discussions with the Planning Policy Unit indicate they have identified a need to develop an information source that provides a full overview of the Tasmanian Planning System. This will be particularly so as we move out the “planning reform” phase and implement the new planning system.

It is considered that the State Government is best place to develop and disseminate this information for the following reasons:

- they have identified the need for it;
- the information relates to State legislation (and State planning controls);
- it would assist the delivery consistent information and interpretation throughout Tasmania;
- it would reduce duplication of information and administrative resources.

These observations are consistent with Council’s letter to the Local Government Association of Tasmania (LGAT) requesting them to work with the Tasmanian Government to develop educational material to assist residents and ratepayers in understanding Tasmania’s planning system and the Tasmanian Planning Scheme.

It is recommended that Council write to both LGAT and the Minister for Planning reiterating the need for the development of suitable material and provide them with a copy of this report.

In the short term it is recommended that Council develop information on submitting a representation to a planning application similar to that developed by the Hobart City Council. The information should be available in hard copy and on Council’s website.

3. CONSULTATION

No public consultation on this matter has been undertaken and is not necessary for the consideration of this report. However, the development of and/or the dissemination of appropriate educational material would be a form of future engagement.

4. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

5. CONCLUSION

- 5.1.** The Tasmanian Planning System is complex and there are a number of resources available to assist understanding of the system.
- 5.2.** There is a need to develop a single information source that provides a full overview of the Tasmanian Planning System, particularly so as we move out the "planning reform" phase and implement the new planning system.
- 5.3.** It is recommended that Council write to both LGAT and the Minister for Planning reiterating the need for the development of suitable educational material.
- 5.4.** It is recommended that Council develop information on submitting a representation to a planning application.

Attachments: 1. Notice of Motion considered on 10 September 2018 (2)
2. Hobart City Council - Submitting a Representation to a Planning Application (2)

Ross Lovell
MANAGER CITY PLANNING

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION - ALD HULME
LGAT – EDUCATIONAL MATERIAL – TASMANIA'S PLANNING SYSTEM AND
PLANNING SCHEME**
(File No 10-03-05)

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

- “1. Council request the Local Government Association of Tasmania work with the Tasmanian Government to develop educational material to assist residents and ratepayers in understanding Tasmania's planning system and the Tasmanian Planning Scheme.
2. The General Manager prepare a report for Council on options for making educational material on Tasmania's planning system available and accessible to Clarence residents and ratepayers”.

EXPLANATORY NOTES

Tasmania's planning system is not well understood by many people in the community, particularly those who do not deal with it on a day-to-day basis. This is evidenced by some of the representations Aldermen and Planning Officers receive on development applications.

Common misunderstandings include:

- that Council sitting as a planning authority can take any matters into account (Under Section 48 of the Land Use Planning and Approvals Act, 1993 Council must apply the planning scheme — representors may often address issues such as land values which are not relevant planning matters);
- that a development is not compliant with the planning scheme if it fails to comply with an acceptable solution (a development complies with a standard in the scheme if it complies with either the acceptable solution or the related performance criteria); and
- that a “discretionary” application means Council has an unfettered discretion (while Council can either approve or refuse the application, it is still required to interpret and apply the planning scheme).

Planning law and planning schemes are complex and lengthy documents, and while they may be well understood by planning experts they can be highly inaccessible to laypeople.

This lack of accessibility can cause many residents to feel overwhelmed and disempowered when trying to address a planning issue in their neighbourhood.

A public education campaign would help members of the public in addressing relevant planning matters when they prepare representations on planning applications. It would also help the public to understand the responsibility of Aldermen when Council sits as a planning authority and the constraints placed on them by planning law. It would also help members of the public to understand the process planning applications go through, including the appeal process where applicable.

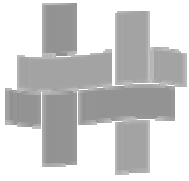
The campaign could also explain some of the legal principles in planning and the implications of some key decisions such as *Henry Design & Consulting v Clarence City Council*.

Currently, there is a wide range of material available through a number of sources, including the LGAT website, the TPC website, the Planning Reform website and the Environmental Defenders Handbook, but there is a need to bring the material together and present it in a way that is straightforward yet comprehensive.

The General Manager's report on delivering material in Clarence could canvass options such as online and hard copy print materials, public information sessions or workshops. The report would also outline whether this is achievable through internal resources or whether resourcing should be considered in Council's deliberations for the preparation of the 2019-20 Council budget.

D Hulme
ALDERMAN

GENERAL MANAGER'S COMMENTS
A matter for Council determination.

**City of HOBART**

Home (<https://www.hobartcity.com.au/Home>) / Development (<https://www.hobartcity.com.au/Development>) / Planning (<https://www.hobartcity.com.au/Development/Planning>) / Planning guidelines and help (<https://www.hobartcity.com.au/Development/Planning/Planning-guidelines-and-help>) / Submitting a representation to a planning application

Submitting a representation to a planning application

You can only object to a planning application if it is a discretionary application.

A discretionary application will be advertised, and you can lodge an objection within 14 days from the day it is advertised (this date will be specified in the ad).

An objection to a planning application is called a representation.

You can submit a representation in writing to the General Manager, GPO Box 503, Hobart 7001 or hand delivered to the Customer Service Centre, 16 Elizabeth Street, Hobart. It must be received no later than 5.15 pm on the day specified in the advertisement.

A representation can also be emailed, and must be received no later than 12 midnight on the day specified in the advertisement. It must be sent to representation@hobartcity.com.au (<mailto:representation@hobartcity.com.au>). Note: Representations to any other email addresses will not be accepted.

Note: a representation may be subject to the provisions of the *Right to Information Act 2009* which may result in its disclosure to a third party.

For more information about representations, see the attached [representation information sheet](#). (PDF, 76KB)
(/files/assets/public/planning/guidelines-and-help/representation_general_info_220515.pdf)



REPRESENTATIONS

What happens after you have submitted a representation?

The issues raised in your representation will be considered in the assessment of the application by the Council officers evaluating the application. Following this assessment, the development application may be determined by the Director of the City Planning Division, referred to the Council's City Planning Committee, or further referred to a meeting of the full Council, for final determination.

As a formal representor to the development application, you will also be advised in writing of the Council's final decision.

Would you like to make a deputation to the City Planning Committee?

In the event that the development application requires consideration by the City Planning Committee, there may be the opportunity for you to address the Committee in regards to your representation. Please contact the Council Support Unit as soon as possible on (03) 6238 2734 or deputations@hobartcity.com.au to enquire further into this possible opportunity, as arrangements are required to be made before the relevant meeting date. Both the City Planning Committee and Council meetings are open to the public and you are welcome to attend.

If you would like to be specifically advised if/when the matter may be referred to the Council's City Planning Committee, please contact the Development Appraisal Planner assessing the application on (03) 6238 2715.

If you have any further questions:

It is strongly recommended you contact the Development Appraisal Planner assessing the application on (03) 6238 2715.

11.7.4 COUNCIL MEETING SCHEDULE

(File No 10/03/03)

EXECUTIVE SUMMARY**PURPOSE**

To consider a proposed Council Meeting Schedule for 2019-2020.

RELATION TO EXISTING POLICY/PLANS

The proposed schedule is consistent with Council's previous endorsement of a 3 weekly meeting cycle for Ordinary Council Meetings.

LEGISLATIVE REQUIREMENTS

Division 1, Clause 4 of the Local Government (Meeting Procedures) Regulations 2015 requires that an ordinary Meeting of Council is held at least once in each month.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

RECOMMENDATION:

That the following Council Meeting Schedule be adopted:

COUNCIL MEETING SCHEDULE 3 DECEMBER 2018 TO 14 DECEMBER 2020

Monday, 3 December 2018
(and *Annual General Meeting*)\

Monday, 17 December 2018
Special Meeting (if required)
For urgent and Planning matters only

2019

Monday, 14 January 2019

Monday, 4 February 2019

Monday, 25 February 2019

Monday, 18 March 2019

Monday, 8 April 2019
[Easter Break 19-23 April]

**COUNCIL MEETING SCHEDULE 3 DECEMBER 2018 TO 14
DECEMBER 2020 /contd...**

Monday, 6 May 2019

Monday, 27 May 2019

Monday, 3 June 2019

Special Meeting (tentative)

(for adoption of the Budget, Annual “Estimates” and Fees and Charges Schedule)

Tuesday, 11 June 2019

[Queen’s Birthday Monday, 10 June 2019]

(Fall back date for adoption of Budget, Annual “Estimates” and Fees and Charges
Schedule)

Monday, 17 June 2019

Monday, 24 June 2019

Special Meeting (tentative)

[fall back date for Striking of Rates]

Monday, 8 July 2019

Monday, 29 July 2019

Monday, 19 August 2019

Monday, 9 September 2019

Monday, 30 September 2019

Monday, 21 October 2019

Monday, 11 November 2019

Monday, 2 December 2019

(and Annual General Meeting)

Monday, 16 December 2019

Special Meeting (if required)

For urgent and Planning matters only

**COUNCIL MEETING SCHEDULE 3 DECEMBER 2018 TO 14
DECEMBER 2020 /contd...**

2020

Monday, 13 January 2020

Monday, 3 February 2020

Monday, 24 February 2020

Monday, 16 March 2020

Monday, 6 April 2020

[Easter Break 10-14 April]

Monday, 27 April 2020

Monday, 18 May 2020

Tuesday, 9 June 2020

[Queen's Birthday, Monday 8 June 2020]

Monday, 15 June 2020

Special Meeting (tentative)

[fall back date for adoption of Budget, Annual "Estimates" and Fees and Charges
Schedule]

Monday, 22 June 2020

Special Meeting (tentative)

[for Striking of Rates]

Monday, 29 June 2020

[fall back date for Striking of Rates]

Monday, 20 July 2020

Monday, 10 August 2020

Monday, 31 August 2020

Monday, 21 September 2020

Monday, 12 October 2020

Monday, 2 November 2020

**COUNCIL MEETING SCHEDULE 3 DECEMBER 2018 TO 14
DECEMBER 2020 /contd...**

Monday, 23 November 2020

Monday, 7 December 2020
Annual General Meeting

Monday, 14 December 2020

ASSOCIATED REPORT

1. BACKGROUND

The current Council Meeting Schedule was adopted by Council at its Meeting held on 17 October 2016 and will expire on 3 December 2018.

2. REPORT IN DETAIL

2.1. As the current Council Meeting Schedule is due to expire on 3 December 2018, it is now necessary to consider the adoption of a further Council Meeting Schedule.

2.2. The determination of a new schedule of meetings will need to enable the effective consideration and determination of forthcoming budget programmes, statutory planning processes and other general administrative matters. It has been past practice to adopt a schedule of meetings for the full term of the Council. Following legislative changes which altered the duration of the Council term to 4 years it is acknowledged that there are numerous factors which can arise which may have an impact on Council budgetary process, meeting purpose, timeframes etc and it may need change to a forward meeting schedule particularly if set for a full 4 year period. For this reason the meeting schedule has been proposed for a 2 year period. In late 2020 a further 2 year meeting schedule will be provided.

2.3. The Annual General Meetings have also been factored into this Schedule. Council has previously decided to hold its Annual General Meeting on the same night as an ordinary Council Meeting. Given the way that the meeting dates fall in 2020, the Council Meeting for December will be 14 December. Given that the Annual General Meeting must be conducted prior to 15 December, it is proposed to hold the Annual General Meeting for 2020 on the night of 7 December. For 2019 the Annual General Meeting can be accommodated on an Ordinary Council Meeting night.

2.4. For December 2019 the proposed Meeting Schedule lists a meeting for 2 December. Given the large gap between this and the first meeting scheduled for 2020, it is proposed to schedule a Special Council Meeting to consider urgent and Planning matters only to ensure compliance with statutory timeframes.

3. CONSULTATION

3.1. Community Consultation

Not applicable.

3.2. State/Local Government Protocol

Not applicable.

3.3. Other

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

It is proposed that a new schedule of meetings be established at this stage to enable forward planning and statutory and other reporting requirements to Council. The new Meeting Schedule may be revised at a later stage at the discretion of Council.

5. EXTERNAL IMPACTS

Not applicable.

6. RISK AND LEGAL IMPLICATIONS

Division 1, Clause 4 of the Local Government (Meeting Procedures) Regulations 2015 requires that an ordinary Meeting of Council is held at least once in each month.

7. FINANCIAL IMPLICATIONS

Not applicable.

8. ANY OTHER UNIQUE ISSUES

Not applicable.

9. CONCLUSION

The Council Meeting Schedule as detailed in the recommendation is based on the existing 3 weekly cycle.

Attachments: Nil

Andrew Paul
GENERAL MANAGER

11.7.5 COPPING REFUSE DISPOSAL SITE – PROPOSED TASNETWORKS EASEMENT
(File No 30-05-00)**EXECUTIVE SUMMARY****PURPOSE**

To consider an easement, proposed by and in favour of TasNetworks, situated on a small area of the Copping Refuse Disposal Site (“CRDS”), Blue Hills Road, Copping, Tasmania 7174.

RELATION TO EXISTING POLICY/PLANS

The Copping Refuse Disposal Site Joint Authority (“Authority”) is finalising negotiations regarding the grant of a sub-lease of a small area of the CRDS to LMS Energy Pty Ltd. The sub-lease is for the purposes of permitting LMS Energy Pty Ltd to harvest methane gas from the landfill, generate electricity and export it from site into the TasNetwork’s grid. To enable this, TasNetworks must install suitable electrical infrastructure which will require an easement to enable access for future maintenance and repairs when necessary.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Tasman and Sorell Councils must also approve the easement. To avoid duplication of effort, this report and its recommendations will be provided to each Council for consideration and approval. Following approval by each Council, the easement will be registered on the Title.

FINANCIAL IMPLICATIONS

The installation of TasNetworks electrical infrastructure will enable LMS Energy Pty Ltd to undertake its proposed methane gas harvesting, electricity generation and exportation to the grid. This will be financially beneficial to the Authority and consequently of benefit to each Participating Council.

RECOMMENDATION:

- A. That Council consents to the easement proposed by TasNetworks, subject to finalisation of the sub-lease between the Authority and LMS Energy Pty Ltd.
- B. That the General Manager is delegated to do all things necessary to execute the Easement Deed including applying the Council seal.
- C. That the General Manager is delegated to do all things necessary to formalise the easement, including to execute and to apply the Council seal to all documentation necessary to enable the registration of the easement on the Title.

**COPPING REFUSE DISPOSAL SITE – PROPOSED TASNETWORKS EASEMENT
/contd...**

ASSOCIATED REPORT**1. BACKGROUND**

Clarence City Council, Tasman Council and Sorell Council (collectively, “Owner Councils”) jointly own the Copping Refuse Disposal Site (‘CRDS’) and are each registered on the property Title as landowners. Council leases the land to the Copping Refuse Disposal Site Joint Authority (“Authority”) on a long term lease. The Authority comprises 4 Participating Councils – the 3 Owner Councils plus Kingborough Council. In addition to the terms of the lease, the Authority operates the CRDS in accordance with the Copping Refuse Disposal Site Joint Authority Rules (“Rules”).

2. REPORT IN DETAIL

- 2.1.** The Authority is currently negotiating with LMS Energy Pty Ltd regarding the grant of a sub-lease to LMS Energy Pty Ltd of a small area of the CRDS, shown in red on the attached Locality Plan Drawing No. 30031-GA-002 Rev A.
- 2.2.** The sub-lease is for the purposes of permitting LMS Energy Pty Ltd to harvest methane gas from the landfill, generate electricity and export it from site into the TasNetworks grid. To enable this, TasNetworks needs to install suitable electrical infrastructure which will require an easement. The easement will provide access to TasNetworks for future maintenance and repairs when necessary.
- 2.3.** The proposed easement is 2m wide, has an approximate length of 30m and is over an underground electrical duct conduit. When the TasNetworks electrical infrastructure is installed, the relevant area and details will be surveyed by a land surveyor, and the easement will formally and permanently be registered on the property Title.

- 2.4.** The Authority Rules permit the Authority to make decisions in regard to the sub-lease; however, it is necessary for the Authority to seek Owner Council consent to any registered dealing in relation to the CRDS land.

3. CONSULTATION

3.1. Community Consultation

Community consultation is not required. This is a commercial matter between the Authority, LMS Energy Pty Ltd and TasNetworks.

3.2. State/Local Government Protocol

Tasman Council and Sorell Council, as Owner Councils, must also consent to the proposed easement. Consent will be sought from each Council at their next scheduled Council Meeting. All other approvals have been sought and granted.

3.3. Other

Asset Management and Corporate Support have internally discussed the proposed easement. It is important to note, Mr Ian Nelson, Manager Corporate Support and Legal Counsel, was excluded from discussion and consideration on the basis that he has a conflict of interest. This is because Mr Nelson also holds the position of Secretary of the Authority.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

The collection and management of general and hazardous waste are part of Council's established long term waste management and investment strategy for the CRDS. The harvesting from site of methane gas, generation of electricity and export of that electricity into the TasNetwork's grid is consistent with Council's general plan for "waste as a resource" and investment in waste and waste management.

5. EXTERNAL IMPACTS

There are no other external impacts to note.

6. RISK AND LEGAL IMPLICATIONS

- 6.1.** Once the Easement Deed is executed, the land will be surveyed and further paperwork will need to be executed (when it becomes available at a later date) to formally register the easement on the Title. TasNetworks will be responsible for installing the required electrical infrastructure, which is likely to occur prior to finalisation of the easement on the Title.
- 6.2.** The standard terms of the Easement Deed are such that Council provides to TasNetworks a power of attorney under the Power of Attorney Act 2000 (Tas) to undertake transfer and grant the easement. This term of the Easement Deed is broad and is considered to be legally burdensome on Council. However, it only becomes activated if Council does not execute the documents which formally register the easement on the Title. The purpose of this appears to be to prevent landowners from withdrawing consent and refusing to formally register the easement on the Title once the electrical infrastructure is installed.
- 6.3.** Realistically, the terms discussed above are commercially necessary terms for TasNetworks. It is considered that Council has little chance of negotiating this term out of the Easement Deed, as it effectively provides a guarantee to TasNetworks that the easement will be formalised on Title. Without such a guarantee, it is likely that TasNetworks will not perform the electrical infrastructure installation.
- 6.4.** The finalised terms of the easement which will be registered on Title are not yet available. TasNetworks has provided a copy of example wording with the Easement Deed. The example wording provides TasNetworks with broad abilities to erect, install and maintain transmission infrastructure, powerlines and substations at their sole discretion. The example wording is considered appropriate and satisfactory.

7. FINANCIAL IMPLICATIONS

- 7.1.** The installation of TasNetworks electrical infrastructure will enable LMS Energy Pty Ltd to undertake its proposed methane gas harvesting, electricity generation and exportation to the grid. This will be financially beneficial to the Authority and consequently of benefit to each Participating Council.
- 7.2.** On the basis that the exportation of the electricity itself will be financially beneficial to the Authority, the proposed sub-lease is for a nominal amount of \$1 per annum. As such, there are no significant financial implications to consider in regard to the proposed easement.

8. ANY OTHER UNIQUE ISSUES

There are no other unique issues to consider.

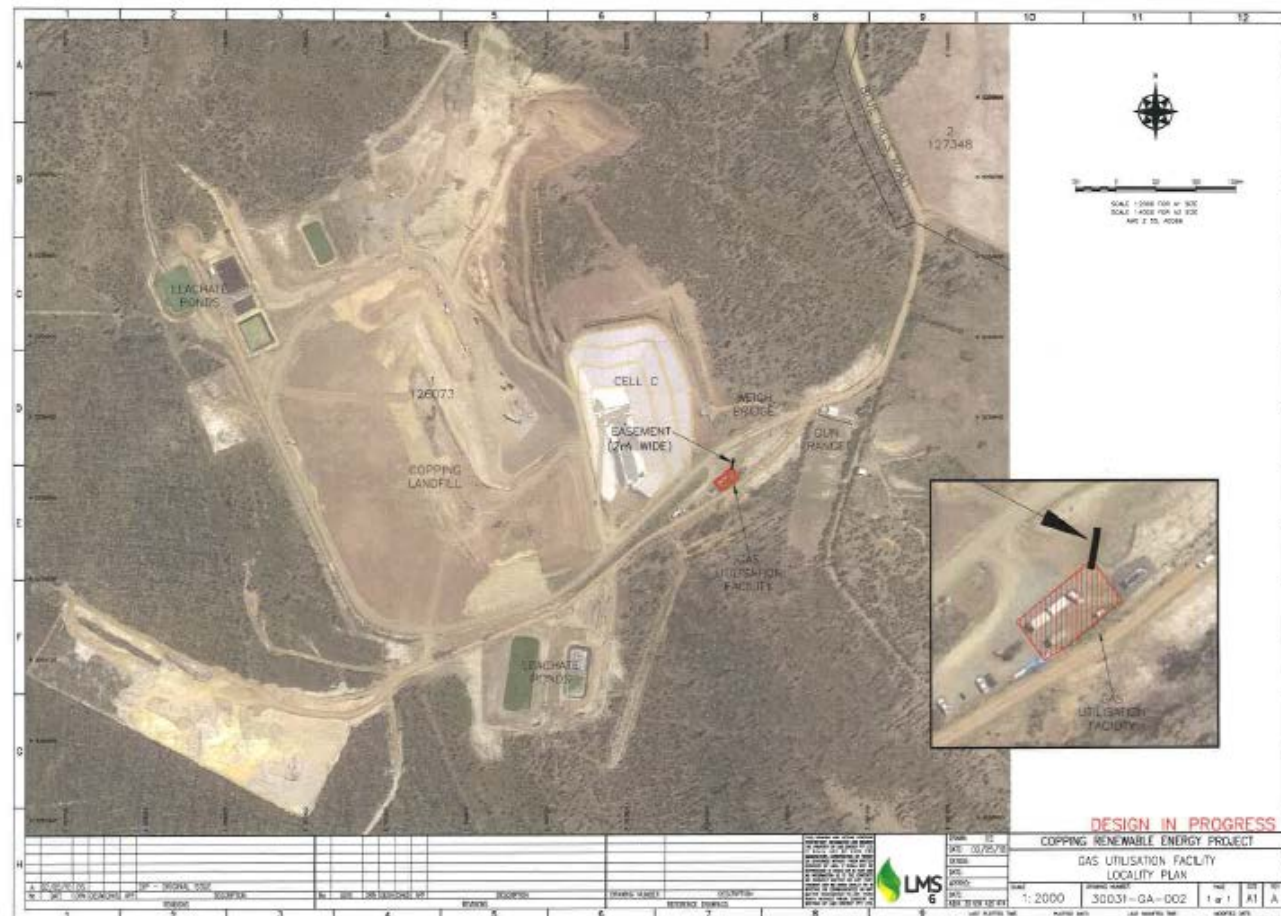
9. CONCLUSION

- 9.1.** Subject to finalisation of the proposed sub-lease by the Authority to LMS Energy Pty Ltd of an area of the CRDS, LMS Energy Pty Ltd will take possession of the area to harvest methane gas, generate electricity and export that electricity into the TasNetwork's grid.
- 9.2.** This project is consistent with Council's long term waste management and investment strategy for the CRDS. To facilitate this it is necessary for TasNetworks to have an easement over electrical infrastructure which will be required for installation by TasNetworks.

Attachments: 1 Locality Plan Drawing No 30031-GA-002 Rev A (1)

Andrew Paul
GENERAL MANAGER

Attachment 1



11.7.6 PARTNERSHIP GRANTS

(File No 09-14-06A)

EXECUTIVE SUMMARY**PURPOSE**

To consider the Partnership Grants Assessment Panel's recommendations for the allocation of financial assistance in respect of the 2018/2019 Partnership Grants.

RELATION TO EXISTING POLICY/PLANS

Community Grants Policy and social plans including Youth Plan; Cultural Arts Plan; Positive Ageing Plan; Health and Wellbeing Plan; Cultural History Plan; Community Participation Policy; Clarence Events Plan; Access Plan; Community Safety Plan and Reserve Plans.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is an annual budget of \$30,000.00 for the Community Partnership Grants.

RECOMMENDATION:

That Council approves financial grants amounting to \$29,520.00 to:

- Hobart Playback Theatre Company – “More Stories From Our Shared Space” - \$14,520; and
- DRILL Performance Company Inc. – “DRILL Junior Company and School Residencies” - \$15,000.

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** The annual Partnership Grants closed on 1 October 2018 and 6 applications were received (refer to Attachment 1).
- 1.2.** The Community Grants Assessment Panel reviewed all applications and has recommended 2 projects to be funded.

2. REPORT IN DETAIL

- 2.1.** The Partnership Grants program was advertised in the Council Rates News, Eastern Shore Sun and on Council's website.
- 2.2.** Applications for this round of the Partnership Grants closed on 1 October 2018 and a total of 6 applications were received for funding totalling \$77,260.00.
- 2.3.** A budget of \$30,000 is available for the 2018/19 financial year for Partnership Grants to fund projects in this round.
- 2.4.** Of the 6 applications received, 2 applications have been recommended for approval and 4 applications were not supported. The details are:
- In respect to the Hobart Playback Theatre Company's application for \$14,520.00 for the "More Stories From Our Shared Space" project, the Grants panel agreed that this project was worth supporting as the project aims to deliver a series of 6 community performances bringing together young and senior members of the Clarence community. Partnerships and collaboration with other organisations for this project include local High Schools; Youth Network Advisory Group (YNAG); Clarence Positive Ageing Advisory Committee (CPAAC); Council of the Ageing (COTA); Youth Network Organisation of Tasmania (YNOT); Mission Australia and the Department of Education. Funds will be used to put towards 6 performances, marketing and administration and catering.

Key points in respect to the assessment criteria:

- young and senior members in the Clarence Community will directly benefit from this project by the opportunity to develop shared experiences between these 2 community groups;
- this project will help to break down barriers by greater collaboration between young and old by considering intergenerational issues such as ageism, fear of others, what people like about living in Clarence and what can be improved;

- the project has the potential to reach a wide dynamic of the community;
- aligns with Council’s Strategic Plan, Youth Plan and Age Friendly Plan; and
- good co-contribution

This project is supported with funding of \$14,520.00.

- In respect to the DRILL Performance Company Inc. application for \$15,000.00 for the “DRILL Junior Company and School Residencies” project, the Grants panel agreed that this project was worth supporting as DRILL offers programs for young people aged 10-14 within Clarence focusing low-cost accessible dance programs for those from low income families, diverse cultures and backgrounds and those with a disability. The company makes a difference by offering a meaningful and constructive way for young people to spend their time, make positive relationships and find a connection with their community. Partnerships include Bayview Secondary College and the Peter Underwood Centre. Funds will be used to hold the school residencies, workshops and Junior Company.

Key points in respect to the assessment criteria:

- creates opportunities that are accessible to young people and to attempt to remove or overcome barriers that limit involvement;
- potential to bring diverse groups of young people together to collaborate on creative projects;
- provide a safe and inclusive community for young people to connect to;
- support local primary and secondary schools with their dance curriculum;
- aligns with Council’s Events Plan, Arts Plan and Youth Plan; and
- Good co-contribution.

This project is supported with funding of \$15,000.00.

- In respect to the Mosaic Support Service's application for \$15,000 for the "Artist in Residence Program" project. The program provides a series of structured workshops for artists living with a disability by local, interstate and hopefully international artists in a range of disciplines. The program will employ up to 4 artists per term over a 10 week period with the aim to increase the skill and self-esteem of artists living with a disability.

Key points in respect to the assessment criteria:

- aligns with Strategic Plan, Access Plan and Arts Plan;
- not entirely clear of the partnerships;
- budget lacks detail; and
- nice idea that does have potential.

This project is not supported on this occasion as it was not as strong as the supported projects; however, they should be encouraged to develop the idea further.

- In respect to Surfing Tasmania's application for \$11,2400 for the "Women in Waves" project, the Grants Panel agreed that this project provides a positive push to increase female participation in sporting activities. The project launches with a day of activities at Clifton Beach on 1 December 2018 for mothers and daughters with activities, motivational speakers, and coaching sessions. The funds will be used to put towards giveaways, promotion and marketing, instructors and coaches, rash vests, food and refreshments and surf coaching qualifications.

Key points in respect to the assessment criteria:

- potential to increase female participation in surfing;
- benefits a select group;
- there are links to Council Plans;
- apart from the day of the event there is little involvement for the community in the lead up to the event;

- application would have been stronger if they included a diversity of people eg people with disabilities; and
- the event would still go ahead with or without Council support.

This project is not supported on this occasion as it was not as strong as the other applications.

- In respect to the Conservation Volunteers Australia’s application for \$13,500 for the “Grueber Road Wetland Rehabilitation” program, the panel discussed the financial status of this national organisation and it would appear that they have the capacity to undertake the project especially in partnership with the Hobart International Airport P/L without the need for a grant. The project aims to rehabilitate the Gruber Road wetland area through weed removal, revegetation to improve the biodiversity and habitat value.

This application is not supported on this occasion as it was not as strong as the other applications.

- In respect of the Australian Youth Climate Coalition’s (AYCC) application for \$8,000 for the “Clarence Switched on Schools” program, the panel discussed the financial status of this national organisation and it would appear that they have the capacity to deliver the project without the need for a grant. The project aims to deliver Climate Justice workshops in 3-5 high schools in Clarence to spark students interest in climate change, climate justice and climate solutions.

This application is not supported on this occasion as it was not as strong as the other applications.

3. CONSULTATION

3.1. Community Consultation

Nil.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. The Partnership Grants aim to support groups for amounts of up to \$15,000.00 for one-off activities or projects that benefit the Clarence community.

4.2. The Grants program is a strategic investment tool, assisting the community to meet and respond to Council's priorities and vision as outlined in the Strategic Plan 2016-2026. It enables Council to contribute to the community by:

- being a city which values diversity and encourages equity and inclusiveness, where people of all ages and abilities have the opportunity to improve their health and quality of life;
- being a city that values its natural environment and seeks to protect, manage and enhance its natural assets for the long term environmental, social and economic benefit of the community;
- becoming a well-planned liveable city with services and supporting infrastructure to meet current and future needs; and
- being a city that fosters creativity, innovation and enterprise.

4.3. It operates in the context of other related Council policies, Plans and activities for example: Youth Plan; Cultural Arts Plan; Positive Ageing Plan; Cultural History Plan; Health and Wellbeing Plan; Community Participation Policy and Clarence Events Plan; Access Plan; the Community Safety Plan and Reserve Activity Plans.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

A budget of \$30,000.00 is available for the 2018/19 financial year to fund projects in this round.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The Partnership Grants Assessment Panel has assessed 6 applications and 2 are recommended to Council for approval for \$29,520.00 as in the attached schedule.

Attachments: 1. Partnership Grants October 2018 Schedule (5)

Andrew Paul
GENERAL MANAGER

ATTACHMENT 1

Partnership Grant Assessment – October 2018

6 applications were submitted to Council in the October 2018 round of Partnership Grants

Applications	Project	Requested Amount
Hobart Playback Theatre	More Stories From Our Shared Space	\$14,520
Conservation Volunteers Australia	Grueber Road Wetland Rehabilitation	\$13,500
DRILL Performance Company	DRILL Junior Company and School Residencies	\$15,000
Surfing Tasmania	Women in Waves	\$11,240
Mosaic Tasmania	Artist in Residence Program	\$15,000
Australian Youth Climate Coalition	Clarence Switched on Schools	\$8,000
Total		\$77,260

Applications Supported for Consideration

Applicant: Hobart Playback Theatre
Project: More Stories From Our Shared Space
Funds Requested: \$14,520.00

Project Description: Listening to each other's stories is a powerful way to break down barriers and increase understanding. Playback Theatre provides a space for people to tell stories and to listen to another's point of view. A series of six performances will be provided, inviting older and younger participants and encourage them to contribute their ideas and experiences of living in the Clarence community, which will be enacted on the spot.

The performances will be presented at High Schools across the Clarence municipality. These will be selected by the project team, which will include members from the Hobart Playback Theatre Company, YNAG and CPAAC committees. They will be during school term time, with two performances presented each year over three years.

The concept for these performances developed from discussions with Julie Andersson from Clarence Council Community Development. Hobart Playback Theatre has previously collaborated with the Council's YNAG and CPAAC committees for 'Generation Jump! the wisdom of all Ages' project. This event was held at Rose Bay High School on Friday 13th May, 2016. Rose Bay High School students attended and members of the general public, in particular from the senior's community, were invited to attend.

Funds of \$14,520.00 are requested 6 performances, marketing & administration for 3 year project including catering for 6 performances.

Comments: The panel considered this application a strong application. Partnerships have already been developing and the company is known to Council through various connections. The company has a strong reputation in Hobart. The project is an interactive program which involves the community with good partnerships with schools, aged care facilities and Council. The panel resolved to recommend this project for a Partnership Grant.

Recommendation: The application is supported for the amount of \$14,520.00.

Applicant: DRILL Performance Company
Project: DRILL Junior Company and School Residencies
Funds Requested: \$15,000.00

Project Description: Since 2012 DRILL has offered opportunities for young local people to engage in high quality dance projects, predominantly within the cities of Hobart and Glenorchy. This application seeks support to offer programs for young people within the City of Clarence, making DRILL offerings more accessible to those on the Eastern Shore.

In 2019 DRILL will begin by building connections with young people, schools and community events in Clarence, laying the groundwork to support future projects and partnerships. With the support of this grant DRILL will offer free two-month residencies for ten primary and secondary schools, employing a choreographer to work with students to create dance performances for the Clarence Plains Festival and World Games Day. DRILL will also offer four public contemporary dance workshops for young people.

DRILL will then lead an Eastern Shore version of its hugely successful Junior Company. This is an eight-week program for young dancers aged 10-14, teaching contemporary technique, improvisation and choreography. During this time professional choreographers and young dancers will collaboratively create and present a new dance work.

DRILL will offer subsidised workshops to primary schools in Clarence (that were not a part of the residencies), encouraging students to join the program. Interested participants will attend the callout day and then begin with a three-day holiday intensive, after which they will work twice a week with the choreographers.

Through a partnership with the Peter Underwood Centre, the program will be an eligible learning destination for Children's University. Participants will also be invited to the Centre's A-Lab, where they will use the cutting-edge technology such as 3D printer and interactive robot as a part of the choreographic work.

The project will culminate in a performance day including free matinees for school groups and an evening performance for the public.

Funds of \$15,000.00 are requested for choreographer fees, technical support, travel allowance, venue hire, costumes, materials, documentation and marketing.

Comments: The panel considered this application a strong application. The company is well managed and has a strong reputation in Hobart and Glenorchy. They have had previous involvement with the Clarence Plains Festival. Partnerships have already been developing in the Clarence Plains area. The project will engage a lot of people and has potential for long term benefits. The panel resolved to recommend this project for a Partnership Grant.

Recommendation: This application is supported for the amount of \$15,000.00.

Applicant: Mosaic Tasmania
Project: Artist in Residence Program
Funds Requested: \$15,000.00

Project Description: Mosaic's Artist in Residency project is a series of structured workshops run for artists living with a disability by local, interstate, and (hopefully) eventually international artists in specific practices or disciplines, who are able to work with artists living with a disability at all levels of ability to enable them to take their art in hitherto unimagined creative directions. The participants of the various programs delivered by Mosaic would greatly benefit from the chance to work with people who have made a career from creating art. These artists would be hired solely to impart new techniques and ideas directly to the participants as opposed to their support workers whose primary function is to support the participants. This form of program would enhance the ideas and capabilities of both the participants and the support workers alike while by extending the range of activities that could be applied within Mosaic's programs long after the workshops are concluded. The individual projects would last approximately 10 weeks to allow the artist and participants time to get to know each other and come an understanding of what the project would be and what each person would expected to contribute toward the final collaborated outcome.

The residencies/workshops could be held at any of the venues Mosaic currently uses for its programs such as those at Mornington, Warrane or Rosny.

An invitation would be extended to selected artists drawn from the commercial and contemporary art world based on their ability or experience in working with people living with a disability and with a demonstrated career in the visual, multi-media and or traditional craft practices. Those artists would be teamed up with a Mosaic group who have already chosen to work with materials or in a discipline correlating to the artist's practice. The artist would then be introduced to the group and with the aid of the course co-ordinator begin to outline what project they might achieve together.

Funds of \$15,000.00 are requested for artist's fees.

Comments: The panel considered this application to be weaker against other applications. Although the project has potential it was not clear on the nature of the partnerships and the budget lacked detail. The panel resolved that this application was not as competitive as other applications and that it is not supported this time around but Mosaic should be encouraged to develop the idea.

Recommendation: This application is not supported by the Grants Assessment Panel.

Applicant: Surfing Tasmania
Project: Women in Waves
Funds Requested: \$11,240.00

Project Description: The 'Women in Waves' program is a day dedicated to all girls and women to celebrate themselves and the beach way of life. It will launch with a day at Clifton Beach on 1 December with 7 x World Champion Surfer Layne Beachley. Promoting fun, healthy living, building confidence and safety in the water, improving surfing and making new friends in a relaxed and supportive environment.

Whether you're new to surfing and want to tick it off your bucket list, looking for something to be part of as mother and daughter, or want to target a specific area of your surfing you'd like to improve steered towards competition, you can expect a day packed with waves and plenty of fun. The program will be led by Surfing Tasmania, delivered by a combination of both paid personnel and volunteers.

The launch day will start at 10am -3pm and will include a yoga session by a local instructor, beach safety and surf awareness session with surf lifesavers, coaching from female surf coaches, healthy lunch and refreshments, guest motivational speaker (Layne Beachley), board and wetsuit hire.

Funds of \$11,240 are requested for giveaway & gifts, promotion & marketing, food & refreshments, instructors, coaches, and surf coaching qualifications.

Comments: While the panel was supportive of the benefits of encouraging female participation in sporting activities the benefits would be for a select group. The application would have been stronger if it included a diversity of people and it had questioned involvement of the local community leading up to the event. It was considered that this event would probably still go ahead with or without Council support. The panel resolved that this project missed out on this occasion as it was not as strong as the other applications.

Recommendation: This application is not supported by the Grants Assessment Panel.

Applicant: Conservation Volunteers Australia
Project: Grueber Road Wetland Rehabilitation
Funds Requested: \$13,500.00

Project Description: This project will take place in the wetland on Grueber Road, which is situated just inside the boundary of the Hobart International Airport (landside) on Grueber Road, Cambridge.

Over the course of the project, we expect that over 120 individual volunteering days will be contributed to the site.

Throughout 2019 and 2020, we will engage local community volunteers to undertake the following activities: WEED REMOVAL; cumbungi, thistle, boneseed (Weed of National Significance), pine and blackberry (Weed of National Significance). This weeding will assist in reducing the risk of weed incursion onto neighbouring state listed threatened vegetation community - Eucalyptus viminalis - Eucalyptus globulus Coastal Forest and Woodland.

There are several mature pine trees on site - these will be systematically removed by Hobart Airport throughout this project and will continue to be removed beyond the life of this project.

REVEGETATION: Planting grasses and sedges early on in the project will provide future nesting habitat for native birds, such as the native hen and ducks, as well as providing basking habitat for native frogs. In the longer term, planting larger trees in place of the pine trees will provide habitat to other bird species.

FROG SURVEYS: Will assist in determining which frogs are present on site. These surveys will complement other surveys being done around the airport to assist in understanding the diversity of species on site and plan management of the site accordingly.

INSTREAM SURVEYS: Will assist in determining what invertebrates are present on site and are acting as food sources for frogs. We will also measure basic physical parameters in relation to water quality. These surveys will complement others being done around the airport site.

Funds of \$13,500.00 are requested for project days (weed removal and planting) and frog and instream surveys.

Comments: The panel discussions began around the financial status of this national organisation and it would appear that they have the capacity to undertake the project in partnership with the Hobart International Airport P/L without the need for a grant. The panel resolved that the Conservation Volunteers Australia application missed out on this occasion as it was not as strong as the other applications.

Applicant: Australian Youth Climate Coalition (AYCC)

Project: Clarence Switched on Schools

Funds Requested: \$8,000.00

Project Description: During terms 1 and 2 Climate Justice Workshops will be delivered in 3-5 high schools in Clarence. The in-school workshops are designed to spark students interest in climate change, climate justice and climate solutions. In term 3 2019, 30-50 high school students from Clarence will be sponsored to attend the Hobart Climate Justice Summit, where they will be joined by 150 students from 8-10 schools across Hobart. Over 2 days students will hear inspiring and educational talks from scientists and local change makers. Students will engage with hands-on workshops to learn how to communicate climate change and lead sustainability projects. During the workshops students will build transferable skills in leadership, public speaking and engaging with decision makers.

Throughout Switch on Schools we will look at climate change through the lens of climate justice because climate change is a social issue as well as an environmental one. Often, communities that have done the least to contribute to climate change are carrying the burden of polluting industries. We find learning about climate justice allows the students to connect with the issue of climate change on a deeper level and they are inspired to take action in their community.

Following the Climate Justice Summit, students will have the opportunity to participate in the Student Climate Action Network (SCAN) where they can continue to exchange idea and build a network of young sustainability advocates. We will provide ongoing support, including mentoring from our highly trained volunteers and campaign challenges and resources through our online hub. Students will be empowered to lead sustainability projects, such as Repower Our Schools campaigns, to transition their high schools to 100% renewable energy. Funds of \$8,000.00 is requested for promotion for summit, recruitment and travel for in-school workshops, curriculum and training, logistics, ongoing support, project management and speaker fees.

Comments: The panel discussions began around the financial status of this national organisation and it would appear that they have the capacity to deliver the project without the need for a grant. The project was considered more about the philosophies of climate change. The panel resolved that the Conservation Volunteers Australia application missed out on this occasion as it was not as strong as the other applications.

Partnership Grants – Funding Summary

2018-2019 budget allocation for Community Support Grants (October 2018 round)	\$30,000.00
Total funds allocated for the October 2018 round	\$29,520.00
Balance available to carry over for October 2019	\$480.00

12. ALDERMEN'S QUESTION TIME

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

12.1 QUESTIONS ON NOTICE

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

Nil.

12.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

12.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

Nil.

12.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

13. CLOSED MEETING

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

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

- 13.1 APPLICATIONS FOR LEAVE OF ABSENCE
- 13.2 TENDER T1255-18 – SOUTH TERRACE ROAD RECONSTRUCTION
- 13.3 TENDER T1251-18 – ANNUAL RESEAL PROGRAM 2018/2019
- 13.4 TENDER T1215-18 – ACTON DRIVE RECONSTRUCTION

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:

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

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

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

PROCEDURAL MOTION

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