

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

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

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



**CLARENCE CITY COUNCIL (PLANNING AUTHORITY) MEETING****WEDNESDAY 22 JANUARY 2020****TABLE OF CONTENTS**

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

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



**1. APOLOGIES**

Ald Walker

**2. DECLARATIONS OF INTERESTS OF ALDERMAN OR CLOSE ASSOCIATE**

(File No 10-03-09)

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

**INTEREST DECLARED**

| <b>Alderman</b> | <b>Item No.</b> |
|-----------------|-----------------|
|-----------------|-----------------|

Nil.

**3. REPORTS OF OFFICERS**

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



**3.1 DEVELOPMENT APPLICATION PDPLANPMTD-2019/002428 - 12A AKUNA STREET AND AKUNA STREET ROAD RESERVE, ROSNY - PUBLIC RECREATION FACILITIES, VISITOR ACCOMMODATION AND FOOD SERVICES**

(File No PDPLANPMTD-2019/002428)

**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for Public Recreation Facilities, Visitor Accommodation and Food Services at 12A Akuna Street and Akuna Street Road Reserve, Rosny.

**RELATION TO PLANNING PROVISIONS**

The land is zoned Recreation and subject to the Road and Railways Assets, Natural Assets, Parking and Access, Stormwater Management, and Public Arts 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 written agreement of the applicant to expire on 22 January 2020.

**CONSULTATION**

The proposal was advertised in accordance with statutory requirements and 541 representations were received raising the following issues:

- inappropriate and inconsistent with Nature Conservation Act 2002 and National Parks and Reserves Management Act 2002 and lease to Council (privatisation of a public asset);
- scenic detriment/visual prominence/natural and cultural values;
- loss of native vegetation and fauna;
- threatened vegetation;
- diminish recreational enjoyment;
- traffic generation;
- lack of parking;
- noise;
- stormwater;



- lack of “social or ethical licence” and incompatibility with contemporary social values;
- deterioration of the Reserve;
- precedent;
- contrary to other codes;
- traffic impact assessment is inadequate;
- alternative small-scale development;
- no development;
- property devaluation;
- ugly design;
- firefighting water tanks;
- dedicated bicycle lanes;
- lack of bicycle parking;
- risk appraisal;
- ownership;
- supply of infrastructure;
- privacy;
- Performance Criteria;
- concern about long term management;
- lighting;
- increased fire risk;
- Metro services; and
- support.

The proposal was considered by the Disability Access Advisory Committee (DAAC), the Tracks and Trails Committee (TTC) and Natural Resource and Grants Committee (NRGC) who raised the following issues:

- matters in relation to the Rosny Hill Bushland Reserve Management and Committee structure (NRGC);
- advice for the architects to use the DAAC toolkit and where appropriate to liaise with the Committee (DAAC); and
- support for additional or improved tracks and suggested technical requirements (TTC)

#### **RECOMMENDATION:**

A. That the Development Application for Public Recreation Facilities, Visitor Accommodation and Food Services at 12A Akuna Street and Akuna Street Road Reserve, Rosny (CI Ref PDPLANPMTD-2019/002428) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AM3 – EXTERNAL COLOURS [*add additional sentence* “Walls of buildings facing a residential zone must be coloured using colours with a light reflectance value not greater than 40 percent.”]



3. GEN S1 – SIGN CONSENT.

4. Prior to the issue of a building permit, a plan for the management of construction of the site must be submitted and approved by Council's Manager City Planning. The plan must outline the proposed construction practices for the site in relation to:
- proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on-site);
  - identification of potentially noisy construction phases, such as operation of rock-breakers, explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
  - control of dust and emissions during working hours;
  - construction parking;
  - proposed screening of the site and vehicular access points during work;
  - procedures for washing down vehicles, to prevent soil and debris being carried along Rosny Lookout Road and Akuna Street;
  - traffic/pedestrian management;
  - to prevent inadvertent direct damage during works, orchid locations beyond the direct impact footprint must be clearly marked on construction diagrams and cordoned off as exclusion zones for workers, plant machinery and materials. Programming works during the dormancy period for the species February to May (inclusive) must be achieved where possible to reduce the likelihood of incidental damage to plants, but protection of the locations within exclusion zones would still be necessary to protect soil structure and habitat quality. Construction fencing must be erected to protect other vegetated areas;
  - during construction the potential for the spread of weeds and introduction of *Phytophthora cinnamomi* must be minimised by employing wash down and/or inspection of vehicles, machinery and boots before leaving/entering the site to ensure no viable plant materials or large clods of soil are transported. This must be undertaken in accordance with the Tasmanian Weed and Disease Planning and Hygiene Guidelines (DPIPWE 2015);
  - any material brought onto site is certified clean fill, thereby reducing the potential for weed or pathogen invasion; and
  - avoid stockpiling/storage of materials and machinery in areas of native vegetation.
5. Mechanical plant and miscellaneous equipment such as heat pump, air conditioning units, switchboards, hot water units or similar must be screened from view from the street and other public spaces. Plans showing the method of screening must be submitted for approval by Council's Manager City Planning prior to the issue of a building permit.



6. Bushfire hazard management must be undertaken in accordance with the recommendations of the Bushfire Hazard Assessment Report (BHAR) prepared by Gifford Bushfire Risk Assessment and dated 24 June 2019. Clearance of native vegetation must only be undertaken in accordance with the BHAR and must not be undertaken outside of the identified fire management area. Any alternative bushfire management arrangements which require the removal of additional native vegetation which is not exempt under the planning scheme will require additional planning approval.
7. The café/kiosk and restaurants must cease trading no later than 11pm each day except to provide room service to the Visitor accommodation guests.
8. Commercial vehicle movements (excluding passenger vehicles, but including delivery and associated loading and garbage removal), to or from the site must be within the hours of:
  - a. 7.00am to 9.00pm Mondays to Fridays inclusive;
  - b. 8.00am to 7.00pm Saturdays; and
  - c. 10.00am to 6.00pm Sundays and Public Holidays.
9. Prior to the issue of a building permit a parking plan showing the following must be submitted to and approved by Council's Group Manager Engineering Services:
  - a minimum of 141 car parking spaces generally in accordance with the endorsed plans; and
  - the layout of car parking spaces, access aisles, circulation roadways and ramps designed to comply with Section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking must have sufficient headroom to comply with Clause 5.3 "Headroom" of the same Standard.

The approved parking plan must be implemented prior to the commencement of the use and all the approved car parking spaces must be clearly marked and remain available for the sole use of visitors, patrons and staff.
10. ENG A5 – SEALED CAR PARKING.



11. ENG M1 – DESIGNS DA [add fourth dot point “lighting of parking, pedestrian paths and vehicle circulation roadways (where required) in accordance with Clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.”] [add fifth dot point “The pedestrian crossing at Rosny lookout carpark must be on a raised platform to enhance the low speed environment and pedestrian safety. New information/advisory signage and road markings around the carpark must be provided to help drivers make informed decisions. Appropriate lighting around the carpark must be provided to support carpark users”] [*add after last sentence* “The detailed engineering drawings, submitted for Council approval, must also include full construction detail of all works proposed on the Rosny Lookout Road (localised road widening and safety barrier) and the intersection of Akuna Street and Rosny Lookout Road (improved intersection definition) in accordance with the recommendations of the Rosny Hill Hotel Traffic Impact Assessment prepared by Midson Traffic Pty Ltd and dated August 2019. The works must be completed prior to the commencement of the use.”]
12. ENG M5 – EROSION CONTROL.
13. ENG S1 – INFRASTRUCTURE REPAIR.
14. For the purposes of protecting Council’s stormwater system all stormwater runoff from impervious surfaces within the site must be treated and discharged from the site using Water Sensitive Urban Design principles to achieve stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010 and consistent with the Stormwater System Management Plan for the relevant catchment. Detailed engineering designs accompanied with a report on all stormwater design parameters and assumptions or a model using industry accepted proprietary software, such as MUSIC must be submitted to Council’s Group Manager Engineering Services for approval prior to the issue of a building or plumbing permit. A Maintenance Management Schedule/Regime must also be submitted, and the facility must be maintained in accordance with this schedule.
15. Prior to the issue of a building permit, engineering plans must be submitted and approved by Council’s Group Manager Engineering Services which confirm the number of on-site bicycle parking spaces provided is no less than the number specified in Table E6.2. of the Scheme. The design of bicycle parking facilities must comply with all the following:
  - a. be provided in accordance with the requirements of Table E6.2;
  - b. be located within 30m of the main entrance to the building.



The design of bicycle parking spaces 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. The approved plan must be implemented prior to the commencement of the use and all the approved car parking spaces must be clearly marked and remain available for the sole use of visitors, patrons and staff at all times.

16. Prior to the issue of a building permit, engineering plans must be submitted and approved by Council’s Group Manager Engineering Services which confirms the design of motorcycle parking areas are located, designed and constructed to comply with Section 2.4.7 “Provision for Motorcycles” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and are within 30m of the main entrance to the building. The approved plan must be implemented prior to the commencement of the use and all the approved car parking spaces must be clearly marked and remain available for the sole use of visitors, patrons and staff at all times.
17. Prior to the issue of a building permit, engineering plans must be submitted and approved by Council’s Group Manager Engineering Services which confirm the Commercial vehicle facilities for loading, unloading or manoeuvring are provided on-site in accordance with Australian Standard for Off-street Parking, Part 2: Commercial Vehicle Facilities AS 2890.2:2002. The approved plan must be implemented prior to the commencement of the use and remain available for use at all times.
18. A contribution to public art at a ratio of 1% of the cost of the development, up to a maximum of \$20,000 must be made prior to the commencement of the use. The contribution must be made as a cash payment to the Clarence City Council Public Arts Fund to be allocated to public art on public land within the Rosny Hill reserve.
19. Buildings and structures must be designed and managed to minimise risk of bird strike by the installation of low reflectance glass on external surfaces. Glazing details must be submitted and approved by Council’s Manager City Planning prior to the issue of a Building Permit.
20.
  - (i) The developer/operator must prepare a series of supporting plans to form part of the Rosny Hill Reserve Activity Plan (RHRAP) to be prepared independently by Council as the Management Authority for the Rosny Hill Reserve.
  - (ii) The specific requirements for the supporting plans will be determined by the Council but will include the following:
    - Natural Vegetation Management Plan;
    - Weed/Hygiene Management Plan;



- Interpretation Plan (to include ecology/cultural/education aspects of the reserve);
  - Track upgrade and management plan;
  - Landscape entrance plans (for tracks);
  - Cultural Heritage Plan (Aboriginal and Colonial);
  - Arts in the Landscape Plan; and
  - Review of the Bushfire Hazard Assessment Report and Bushfire Hazard Management Plan (BHMP) prepared by Gifford Bushfire Risk Assessments and dated 24 June 2019 to cover conservation values identified in the above Natural Values Management Plan.
- (iii) The supporting plans must be prepared prior to issue of a building permit or subsequent to the determination of specific requirements by Council referred to in (ii) above, whichever is the latter.
- (iv) The developer/operator is responsible for preparing the RHRAP supporting plans, at its own cost, under the direction of and to the satisfaction of the RHRAP committee.
- (v) The developer/operator must undertake works and on-site management on an ongoing annual basis, at its own cost, as required by the works schedule of the RHRAP. Such works must commence prior to the commencement of the use or subsequent to the Council adopting the RHRAP, whichever is the latter.
21. A landscape plan for works over the building and directly adjacent or associated with the development must be submitted to and approved by Council's Manager City Planning prior to the issue of a building permit. Plantings must be of species appropriate to the Rosny Hill Reserve and must be compatible with works proposed by the Rosny Hill Reserve Activity Plan when adopted by Council. The plan must be to a standard scale, provide the designer's contact details and be legible when reproduced at A3.
- The landscape plan must clearly document the following:
- a north point;
  - existing property information such as building footprints, boundary lines, outdoor structures, garden beds and fences;
  - existing contours, relevant finished floor levels and any proposed rearrangement to ground levels;
  - existing trees identified as to be retained or removed;
  - indirect impacts on the population of *Dianella amoena* (grassland flaxlilly) that sits underneath the proposed cantilevered building must be given consideration in respect of changes to runoff and rainfall;
  - areas of proposed landscape hard work treatments such as driveways, paths, buildings, car parking, retaining walls, edging and fencing;
  - areas of proposed landscape soft work treatments including garden beds and lawns;



- proposed planting design with locations of individual plants at intended spacing and clearly identified species (use of symbols with a legend or direct labelling of plants preferred);
- Any landscaping materials used within the potential indirect impact buffer around orchids must be certified as being weed free and should be as low nutrient as possible, to prevent altering the adjacent soil chemistry to the detriment of the orchids.
- a table listing selected species botanical names, mature height, mature width, pot size and total quantities;
- details of proposed irrigation system (if required);
- details of proposed drainage system (if required); and
- estimate of cost for the installation of landscape works.

All landscaping works must be completed and verified as being completed by Council prior to the commencement of the use.

All landscape works must be maintained:

- in perpetuity by the existing and future owners/occupiers of the property;
- in a healthy state; and
- in accordance with the approved landscape plan

If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died, or which was removed.

Installed landscape works (soft and hard) will be inspected for adherence to the approved landscape plan and for quality of workmanship. In order for a landscape bond to be released the works must be deemed satisfactory by Council's Landscape Design Officer. Trade standard will be the minimum quality benchmark that all landscape works will be assessed against.

## 22. LAND 3 – LANDSCAPE BOND (COMMERCIAL).

23. The development must meet all required Conditions of Approval specified by TasWater notice dated 24 September 2019 (TWDA 2019/01065-CCC).

### **ADVICE**

#### a. **ADVICE 16 – THREATENED SPECIES ADVICE.**

- b. The granting of this permit does not ensure compliance with the provisions of the Commonwealth Disability Discrimination Act 1992, and the applicant will therefore be responsible for any complaints arising under that Act in relation to non-compliance with the provisions of that legislation. Applicants are advised to check the current Australian Standards and seek independent technical advice regarding disability matters.



Applicants are encouraged to complete Clarence City Council's Access and Inclusion Assessment Toolkit as a resource to assist the applicant with general design elements that deliver more accessible and inclusive facilities for people with disability and older members of the community.

Request a copy of the Toolkit at: [www.ccc.tas.gov.au/toolkitrequest](http://www.ccc.tas.gov.au/toolkitrequest)

- c. Works associated with excavations, road construction and other activities, including the use of portable and mobile equipment and machinery, associated with the development must not cause a nuisance and may only occur during the hours specified by the Environmental Management and Pollution Control (Noise) Regulations 2016 unless prior written approval is given by Council's Manager Health and Community Development. Where construction work is proposed outside the hours specified by the Regulations, authority may be given on the following basis:
  - a. The reasons for the construction work are provided to Council's Manager Health and Community Development in writing at least 2 weeks prior to the work.
  - b. The work must not be conducted unless Council's Manager Health and Community Development has provided authority in writing.
  - c. Any residential properties that may be affected by the work are notified by the developer in writing at least 7 days prior to the work. The written notification must include the proposed commencement date and time, reasons for the work and contact details of the person in charge of the work.
- d. The development may require referral to the Australian Government Minister for the Environment if it has, will have or is likely to have a significant impact on any of the matters of national environmental significance under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). It is a matter for the applicant to determine if referral is required under the EPBC Act.

- B. That Council instruct the General Manager to commence preparation of the Rosny Hill Reserve Activity Plan (RHRAP). The RHRAP will be finalised prior to the commencement of the use of the land for Visitor Accommodation and Food Services and provide the operator of the development with an annual schedule of works and on-site management which must be completed by the operator to the satisfaction of the Managing Authority of the Reserve.

That the General Manager be authorised to form the RHRAP committee (the committee) to prepare the strategy and schedule of works. The committee must include at least one representative nominated by the operator. The committee will make recommendations to the General Manager who will finalise the RHRAP for adoption by Council. The full scope of the RHRAP will be determined at the preliminary planning and consultation stages but may include the following supporting plans:

- Natural Vegetation Management Plan (NVMP);
- Weed/Hygiene Management Plan;
- Interpretation Plan (to include ecology/cultural/education);



- Track upgrade and management plan;
- Landscape entrance plans (for tracks);
- Cultural Heritage Plan (Aboriginal and Colonial);
- Arts in the Landscape Plan;
- Review of the BHMP to cover conservation values identified in the NVMP.

The developer/operator is responsible for preparing the above supporting plans, at its own cost and by condition of the recommended planning permit conditions. The supporting plans must be prepared under the direction of the RHRAP committee. The committee will provide advice to the General Manager, who will provide final approval of the supporting plans.

The RHRAP must be reviewed and adopted by Council every 5 years with a continuing works and on-site management programme to be undertaken by the operator which will be formally required under the terms of the sub-lease of the land.

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

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## ASSOCIATED REPORT

### 1. BACKGROUND

Rosny Hill Nature Recreation Area is reserved land under the Nature Conservation Act 2002. The reserve was previously managed by the Parks & Wildlife Service as a State Recreation Area, prior to a Partnership Agreement between the State Government and Clarence City Council. Council is the declared Managing Authority under the National Parks and Reserves Management Act 2002.

While the reserve is managed as part of Council's recreation and open space system, it is a declared public reserve under state legislation, and subject to the statutory management objectives listed in the National Parks and Reserves Act 2002.

Council is responsible for the management of the reserve under a lease from the Tasmanian Parks and Wildlife Service. The following is a chronology leading to the lodgement of the current development application:

- September 2009 – Clarence City Council was made the managing authority for Rosny Hill Nature Recreation Area (RHNRA);
- August 2011 – Council finalised RHNRA Management Plan;



- November 2013 – Council entered into a 99 year lease with the Crown;
- June 2014 – call for Expression of Interest for development proposals closed;
- April 2015 – Council appointed Hunter Developments as the preferred developer for the RHNRA;
- May 2015 – Hunter Developments undertook community consultation on the initial visitor accommodation proposal. The initial project consisted of 120 rooms in pods, convention, space, restaurants, swimming pool. The consultation process resulted in a substantial redesign of the proposal;
- February 2018 – Hunter Developments presented a revised proposal at a Council Workshop which incorporated further community consultation;
- April 2018 – Hunter Developments submitted a development application to Council (D-2018/220);
- April 2018 – Hunter Developments undertook a community information session at the Rosny Library (LINC);
- September 2018 – Hunter Developments withdrew its development application (D-2018/220); and
- July 2019 – Hunter Developments undertook a community information session at the Rosny Library (LINC) and shortly thereafter submitted the current development application.

## **2. STATUTORY IMPLICATIONS**

**2.1.** The land is zoned Recreation under the Scheme.

**2.2.** The proposal is Discretionary because of the proposed Visitor Accommodation and Food Services land uses and because it does not meet certain Acceptable Solutions under the Scheme.

**2.3.** The relevant parts of the Scheme are:

- Section 8.10 – Determining Applications;
- Section 9.6 – Access Across Land In Another Zone;



- Section 18 – Recreation Zone; and
- Part E – Road and Railways Assets, Natural Assets, Parking and Access, Stormwater Management, and Public Arts Codes (the Bushfire Hazard Management Code does not apply to the proposed uses).

**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 Rosny Hill Nature Recreation Area is located within Rosny. The Reserve covers 21.4ha, encompassing the prominent wooded hill to the south-east of the Tasman Bridge and north-west of the commercial centre of Rosny. The reserve is an “island” of remnant vegetation surrounded by established residential development. Access by vehicle is from Akuna Street and a sealed loop road on top of the hill (referred to herein as Rosny Hill Lookout Road). Pedestrian access to the reserve is from the surrounding residential areas via several informal trails which traverse the area. The reserve incorporates the Rosny Hill Lookout, a scenic vantage point providing expansive views to the north and south along the Derwent River and its estuary, and to the western shore, including the Hobart city centre, the Royal Tasmanian Botanical Gardens and Government House, the Tasman Bridge, and Mount Wellington and its foothills. There are also views of the Meehan Range to the east and of the South Arm Peninsula coastline in the south-east can also be seen. The lookout is frequented daily by tourist coaches, as well as by residents. The Rosny Lookout is acknowledged to be one of the best scenic lookouts in the Greater Hobart Area.



### **3.2. The Proposal**

The proposed development involves the construction of visitor accommodation, restaurants, café/kiosk and public viewing deck with new public walking trails, vegetation management and 114 car parking spaces in addition to the existing 27 spaces (a total of 141).

#### **Visitor Accommodation**

The visitor accommodation includes 60 guest suites, including 6 duplex “pods” accessed via a service path along the contour to the north of the hotel and to the west of the car parking. The visitor accommodation includes an ancillary pool and spa for guests. These facilities are only available for the use of the visitor accommodation guests.

#### **Facilities for all Visitors**

The application includes new pavement and lookout structures around the hill to the south and west, built over the top of part of the visitor accommodation and public restaurant. The proponent intends that these structures will improve the facilities for people viewing the City and the river down to Storm Bay by providing at-grade accessibility from the carpark towards the middle of the structure and by steps (leading down from the carpark) towards the northern end (reflecting the topography of the site). These facilities are intended to be available to the public and remain accessible at all times. Other roofed areas will be planted with native grasses and flowering plants appropriate to the location but will not be publicly accessible.

Associated with these public facilities will be public toilets, a restaurant and kiosk/café (with a combined total of 120 seats) which would provide meals both during the day and in the evening. The café/kiosk is located at-grade to the southern end of the viewing deck and comprises 28 seats and the restaurant is located one level below and comprises 92 seats which includes a terrace.

A second public restaurant is located within the visitor accommodation complex at Level 1.



**Hours of Operation**

The lookout itself will be available 24 hours a day as it is now and will remain a public space. The access road and 55 carparks will remain in public ownership and will always be accessible.

The proponent has applied for the restaurants and café to open until 11pm. The number of days a week the public restaurant would operate will depend on the time of year and the operator. In practice, the applicant notes that many restaurants are closed on Mondays and or Sundays/Tuesdays in winter but open for more days when the summer tourist season and during other seasonal events.

The visitor accommodation will naturally operate continuously 24 hours a day, however, the restaurant and bar within it would only be open until 11pm with after-hours use of the kitchen for visitor accommodation room service only.

**Development**

The visitor accommodation is no more than two storeys in height at any point. The buildings are situated generally below the level of the existing loop road except for the reception building roof and the fire stair exits. The development in totality is below the top of the hill and the architect has included a section demonstrating this. The applicant proposes the use of non-reflective glass throughout and will be of materials and colours to fully blend with the colours of the surrounding bushland including a Cor-ten steel roof and cladding with a raw finish to rust naturally. Other areas of the building roofs are to be landscaped green roofs as described in the landscape architect's details. The architect has provided a design statement providing the rationale for the form and design of the building in the landscape (refer to list below).

The proposed building footprint including the lookout, hotel and pods is 4570m<sup>2</sup> (a site coverage of 2.18%). The lookout footprint (public space) will occupy 1920m<sup>2</sup>. A full set of plans is provided in Attachment 2.



In support of the application, the proponent has lodged the following documentation:

- Planning Report;
- Visual Impact Report;
- Traffic Impact Assessment;
- Sun Orchid Assessment;
- Rosny Hill Natural Values Report;
- Landscape Design Plans;
- Habitat Assessment;
- Engineering Report;
- Design Statement;
- Civil Drawings;
- Bushfire Management Report and Plan;
- Architectural Plans;
- Acoustic Report Addendum; and
- Acoustic Report.

### **Infrastructure and Servicing**

The existing public road up to the hill will remain as will the existing car parking which comprises 27 spaces. An additional 28 new public parking spaces will be provided along both sides of the formed road to the east of the existing parking spaces. The application will require some road widening works at the entry to the site where Rosny Hill Lookout Road meets Akuna Street, as described in the Traffic Impact Assessment (TIA) prepared by Midson Traffic Pty Ltd and dated August 2019.

A further 86 new carparking spaces are proposed to the north-east in proximity to the visitor accommodation entrance.



The TIA estimates that the development will generate a total of 400 vehicle movements per day with a peak period of 43 vehicles per hour. This should be read in the context of the existing situation of 194 vehicle movements per day with a peak period of 20 vehicles per hour.

The TIA recommends the development will require localised road widening of Rosny Lookout Road through the bend near the Akuna Street junction. Formalisation of the intersection of Akuna Street/Rosny Lookout Road is also recommended to improve the definition of the junction. These are deficiency issues in the road network but require upgrading given the new uses proposed.

Stormwater and sewer will drain to existing reticulated infrastructure in Kellatie Road to the west and Akuna Street to the north. Reticulated water will also be provided from the existing TasWater main in Akuna Street.

### **Natural Values**

A Natural Values Report prepared by Greening Australia and dated June 2019 has been lodged by the proponent which comprises:

- (a) surveys to inform the development of the plans associated with their proposed development at Rosny Hill, in order to minimise the proposed ecological footprint; and
- (b) a review the potential impact of the proposal on the natural values of the site. Greening Australia and subcontractors conducted botanical surveys, fauna habitat assessments, specialist surveys for endangered species, as well as reviewed landscaping plans, community concerns, bushfire hazard assessments reports, reviewed the footprint of the development and considered downslope impacts of the proposal.

The surveys recorded 62 native and 103 introduced flora species at Rosny Hill. Three native species which are threatened in Tasmania, and six declared weeds were recorded. A total of 23 native and one introduced fauna species (18 birds, 4 mammals and one reptile) were recorded during the site assessment.



Desktop research indicated threatened fauna species are predicted to occur or have previously been recorded in the local area. The endangered Eastern Barred Bandicoot was not directly observed but is likely to intermittently or permanently live at Rosny Hill as evidenced by diggings.

The Rosny Hill Nature Recreation Area supports four distinct vegetation mapping units which have been confirmed on ground. Three of these are native vegetation communities:

- Allocasuarina verticillata forest (Drooping Sheoak); total area 13.8ha
- Lowland Themeda triandra grassland (Kangaroo Grassland); total area 0.8ha
- Eucalyptus viminalis grassy forest and woodland; total area 2.3ha.

None of the vegetation communities are listed as State threatened vegetation communities, but Lowland Themeda triandra grasslands (Kangaroo Grass) are recognised as being nationally threatened ecological communities if they meet minimum area and condition thresholds under the Environmental Protection and Biodiversity Conservation Act 1999. The Lowland Themeda triandra grassland (Kangaroo Grass) at Rosny Hill does not presently meet the criteria to be listed as a nationally threatened ecological community under this Act due to its size being less than one hectare.

The impacts of the development footprint are predominantly contained within the non-native modified vegetation community (0.26 ha) and Allocasuarina verticillata forest (Drooping Sheoak) (0.6 ha) to reduce fragmentation on the grasslands and grassy woodlands and increase restoration opportunities. Roads and other infrastructure are concentrated in the modified vegetation community to minimise impact. The bushfire management zone impacts an additional 3ha of vegetation communities and is associated with clearing of some woody vegetation and replanting with appropriate species.



There is a direct impact of 0.6ha of the building footprint to the *Allocasuarina verticillata* forest (Drooping Sheoak) because of removal of vegetation. Some of this impact is within existing landscaped areas. Greening Australia believes that this presents an opportunity to improve the overall condition of vegetation community through condition assessments and benchmarking and development of appropriate management actions.

There is no decrease in area of the *Eucalyptus viminalis* grassy forest and woodland directly associated with the building footprint. There is already effort to manage weeds in this vegetation community, but the condition of this vegetation community could be further improved with strategic management of weeds and consideration of alternative management techniques, underpinned by a weed management plan, benchmarks and condition monitoring. There is an impact on this vegetation community associated with the bushfire management zone along the roadside, which may be an opportunity to deliver cool ecological burns (cool burning is a practice where the fire burns at a much lower heat intensity than a wildfire or a modern large-scale fuel reduction burn).

Greening Australia identifies there is a 0.01ha impact to the Lowland *Themeda triandra* grassland vegetation community (Kangaroo Grass) associated with the current design. Woody plants are also presently encroaching on this vegetation community but with management of remnant grasslands and woody plants and 0.9ha grassland restoration in adjacent modified land, there is an opportunity to double the size as well as improve the condition of this community. The bushfire management zone extends into this area and may have an impact on the grassland community.

Multiple surveys have been conducted during the period 2009-2018 for the endangered orchid *Thelymitra bracteata* (sun orchids). A morphometric analysis (the study of shape variation of organs and organisms and its covariation with other variables) by North Barker (2018) confirmed that this species is present at Rosny Hill, as well as a closely related and widespread species, *T. arenaria* (forest sun orchid).



The current development footprint has no direct impact on known *Thelymitra bracteata* (sun orchids) but there is potential to impact 8 orchids that were previously observed in 2016 but for which the taxonomy is unknown (considered unlikely by Greening Australia to be *Thelymitra bracteata* (sun orchids)).

Therefore, based on the current understanding of the taxonomy and the past distribution data, the proponent's consultants consider the development to be satisfactory in relation to directly avoiding losses of locations that may support *Thelymitra bracteata* (sun orchids). Nonetheless, they have suggested it may be beneficial to further limit the potential for direct losses by translocating unavoidably impacted individuals to safe locations elsewhere in the reserve, as well as propagating additional plants for supplementing or increasing the local population.

Greening Australia contend there is no direct impact to the threatened plants *Dianella amoena* (grassland flaxlilly) or *Austrostipa scabra* subsp. *falcata* (Rough Spear-grass) that have been identified on-site, but construction works must ensure there is no unintended damage. Further, the Eastern Barred Bandicoot has not been directly observed on-site but may occur, although there is unlikely to be an impact on this species associated with the development footprint. The proponent identifies opportunities to increase habitat provision for native mammals such as Eastern Barred Bandicoots through the strategic addition of structures such as nest boxes and log piles.

Greening Australia makes the following recommendations in its assessment:

- Prepare a long-term Restoration Management Plan to improve the quality of the natural assets in the reserve. Vegetation condition can be benchmarked using TasVeg and other relevant measures.
- Establish vegetation monitoring sites within a comprehensive long-term monitoring program.



- Prepare a long term Weed Management Plan to align with the Vegetation Management Plan. This should include a vegetation quality map to identify locations of highest quality (least weedy) understories and lowest quality (weediest) understories.

This will allow future weed control projects to improve the vegetation quality across the whole reserve focusing on understories of *Eucalyptus viminalis* grassy forest and woodland (DVG) and *Allocasuarina verticillata* forest (NAV).

- Establish a Part 5 Agreement with Clarence City Council to ensure enhancement and on-going active management of the natural values of the whole reserve. A Part 5 Agreement will facilitate the implementation of Vegetation Management, Weed Management and Public Access plans, thereby leading to improvements and the sustainability of ecological values and the public amenity of the reserve.
- A program is established to monitor and control any existing weeds and weed invasions arising from the proposed works and for the whole of the reserve. Any declared environmental weeds (ie gorse, English broom, blackberry, fennel, boneseed, whiteweed) that establish following the works, and that exist in the reserve should be eradicated as a matter of high priority. Follow-up treatment should be employed as necessary following completion of works.
- That glass windows be designed to limit bird strike for all bird species and particularly swift parrot and 40 spotted pardalote which may occasionally visit the site.
- During construction minimise the potential for the spread of weeds and introduction of *Phytophthora cinnamomi* by employing wash down and/or inspection of vehicles, machinery and boots before leaving/entering the site to ensure no viable plant materials or large clods of soil are transported.



This should be undertaken in accordance with the Tasmanian Weed and Disease Planning and Hygiene Guidelines (DPIPWE 2015).

- Ensure any material brought onto site is certified clean fill, thereby reducing the potential for weed or pathogen invasion.
- Avoid stockpiling/storage of materials and machinery in areas of native vegetation.

The proponent's planning consultant has further put forward a concept for the long-term management of Rosny Hill by proposing a condition (instead of a Part 5 Agreement as recommended by Greening Australia) which is intended to *"...provide management of natural values of the balance of the land. This is intended as a transparent and enforceable commitment that applies for the life of the permit"*.

The intent of the condition is to establish:

- (a) A Conservation Management Plan consistent with the recommendations of Greening Australia as set out in their site studies and provide for ongoing maintenance and enhancement of the natural values of the site.
- (b) A committee to oversee activities required to facilitate the Plan. The committee would be comprised of representatives of the facility operator, Greening Australia, the Council and the community.

### **3.3. Council as Managing Authority under the National Parks and Reserves Management Act 2002**

Despite the applicant's initial proposal in respect of managing the conservation values of Rosny Hill, Council, in its capacity of Managing Authority for the Reserve, must determine the most appropriate mechanism to deliver the best outcome for the land. While the applicant seeks to deliver appropriate ecological outcomes, the approach proposed is narrowly focused and does not consider the broader range of issues required or fully acknowledge that ultimately responsibility for reserve management rests solely with Council.



Therefore, it is not compatible with the broader statutory management objectives for Nature Recreation Areas declared under the Nature Conservation Act. The Managing Authority must consider other relevant matters which are not so ecologically focused:

- to conserve sites or areas of cultural significance;
- to encourage tourism, recreational use and enjoyment consistent with the conservation of the nature recreation area's natural and cultural values;
- to encourage education based on the purpose of reservation and the natural and cultural values of the nature recreation area, or both;
- to encourage research, particularly that which furthers the purpose of reservation; and
- to encourage co-operative management programs with Aboriginal people in areas of significance to them in a manner consistent with the purpose of reservation and the other management objectives.

For Council to deliver on its obligations as Managing Authority it is considered more appropriate that it follows a mechanism such as the Reserve Activity Plan format, which is acknowledged as being inclusive and effective in delivering optimum outcomes. Council has delivered 22 Reserve Activity Plans and as such the format could easily be adapted to fit the unique circumstances for Rosny Hill. In the event the proposal is approved, such a mechanism would be known as the Rosny Hill Reserve Activity Plan (RHRAP) and would likely have the following remit:

- ensure the Reserve is sustainably managed to preserve and enhance its natural, cultural and social values;
- identify priority management annual activities to be undertaken within the Reserve by the facility operator as financial resources become available through the operation of the sub-lease; and



- encourage community engagement through raising awareness of the Reserve's values and encourage activities that will minimise threats to these values.

Initial community consultation would be undertaken by Council and include the facility operator as a key stakeholder. Based on the initial consultation, Council would then prepare the draft RHRAP and further consult the community and developer/facility operator before incorporating the results of the consultation into the final RHRAP for approval by Council.

The RHRAP would be a document that is facilitated and endorsed by Council in consultation with the community and developer/facility operator. The latter will be entirely responsible for undertaking the annual works programme which will be audited by Council. Community participation in works programmes could be facilitated under the RHRAP but the primary role of the community will be to identify opportunities and issues through consultation.

The annual financial value of the works to be undertaken would be determined through the terms of the sublease to the developer/facility operator. The RHRAP would be subject to a full review every five years and the annual works programme will be undertaken by the facility operator for the tenure of the sublease.

The notion of the RHRAP has been discussed with the applicant.

### **3.4. Council as Road Authority**

In 2018, GHD was commissioned by Council to undertake a traffic study of Rosny Hill, Rosny (the study). The overall aim of the study was to assess how the traffic network is operating and estimated future conditions. With the lodgement of the subject development application GHD was further commissioned to update its traffic study to include the specifics of the development proposed, which also included a review of the applicant's TIA conclusions and recommendations.



The latter is considered further in the assessment under the Road and Rail Assets Code and Parking and Access Code (below in Section 4.2).

The key objectives of the Study were to identify the current road network performance and condition, assess the road network under future proposed demand, and develop potential traffic management recommendations. The following summarises the findings from this study and the recommendations for Rosny Hill.

*“There is existing parking on Rosny lookout and the proposed future development will supply additional parking to support the anticipated demand for the new hotel and restaurant. Based on the requirements of the Clarence Interim Planning Scheme and an assessment of the parking demand for the uses, the additional 114 spaces is deemed to be sufficient for the new hotel restaurant and should alleviate issues associated with users of the site parking in the adjacent streets.*

*A sight distance assessment for the intersection of Akuna Street and Bastick Street found to the north of Akuna Street, the sight distance meets the safe intersection sight distance criteria. However, between Akuna Street and Bastick Street there is an obstruction at 19 Riawena Road that reduces the sight distance below the required 80 m.*

*An assessment of the operating performance of Rosny Hill Road and Riawena Road intersection indicated that under current traffic conditions it operates at an acceptable level of service. However, under peak traffic demand a queue can develop on Rosny Hill Road (northbound) with queued cars encroaching on upstream intersections. The addition of the estimated proposed development traffic was found to not result in any adverse impacts on the intersection performance however, the development traffic increases right turn demand on Rosny Hill Road (southbound). This additional demand for turning at this location would likely exceed the current capacity of the right turn bay and potentially create safety issues and lane blockage”.*

The conclusions and recommendations of the report have been considered and are supported by Council’s Traffic Engineer and Development Engineer.



## 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”.*

References to these principles are contained in the discussion below.

### 4.2. Compliance with Zone and Codes

The use of the land for the purposes of “Visitor accommodation” and “Food services” form Discretionary uses in the Recreation Zone.

The proposal meets the Scheme’s relevant Acceptable Solutions of the Recreation Zone, Road and Railways Assets, Natural Assets, Parking and Access, Stormwater Management, and Public Arts Codes except for the following.

#### **Recreation Zone**

The proposal does not comply with Clause 18.3.2 A1 for the following reason(s).

The proposed discretionary uses (excluding the No Permit Required uses, particularly Passive recreation, which is an existing use and does not require a permit) are not physically located within 50m of a residential zone. Notwithstanding, the assessment must also consider vehicular noise impacts from traffic entering and leaving the site in relation to the houses grouped around the entry. Specifically, the proposal does not meet 18.3.2 A1(c) 65dB(A) (L<sub>Amax</sub>) at any time during the day or night due to traffic at the exit from the hill.



The proposed Discretion must be considered pursuant to the Performance Criteria P1 of the Clause 18.3.2 as follows:

| <b>Performance Criteria</b>  |
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| <i>“Noise emissions measured at the boundary of a residential zone must not cause environmental harm within the residential zone”.</i>   |
| <b>Proposal</b>  |
| <p>In support of the application, a Noise Assessment was prepared by Noise Vibration Consulting (NVC) and dated 30 August 2019. The noise assessment concludes general noises associated with the development are acceptable but traffic noise between the hours of 9pm and 7am do not meet the acceptable solution. Traffic noise is further considered in Performance Solution Cl.18.3.4(P1). For the hours of 9pm to 7am the predicted traffic noise levels are considered not to cause environmental harm noting that:</p> <ul style="list-style-type: none"> <li>• the bulk of the vehicles are passenger not commercial;</li> <li>• vehicle movements at the development do not impact the levels at the houses due to the large separating distance (&gt;90m), and the access road being a loop so requiring minimal manoeuvring; and</li> <li>• commercial vehicles will only be accessing the site during the hours specified in 18.3.4(A1).</li> </ul> |

### **Recreation Zone**

The proposal does not comply with Clause 18.3.4 A1 for the following reason(s):

While commercial vehicles can be conditioned to comply, patron vehicle movements, to or from a site within 50m of a Residential Zone will not be within the hours of:

- (a) 7.00am to 9.00pm Mondays to Fridays inclusive;
- (b) 8.00am to 7.00pm Saturdays;
- (c) 10.00am to 6.00pm Sundays and Public Holidays.

The proposed Discretion must be considered pursuant to the Performance Criteria P1 of the Clause 18.3.4 as follows:

| <b>Performance Criteria</b>  |
|--|
| <i>“Commercial and patron vehicle movements, (including loading and unloading and garbage removal), to or from a site within 50 m of a residential zone must not result in unreasonable adverse impact upon residential amenity having regard to all of the following:</i> |
| <i>(a) the time and duration of commercial vehicle movements;</i>  |
| <i>(b) the number and frequency of commercial vehicle movements;</i>   |



- (c) *the size of commercial vehicles involved;*
- (d) *the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise);*
- (e) *noise reducing structures between vehicle movement areas and dwellings;*
- (f) *the level of traffic on the road; and*
- (g) *the potential for conflicts with other traffic”.*

#### **Proposal**

The applicant proposes that Commercial vehicle movements (including loading and unloading and garbage removal) be conditioned to comply with the hours specified in the Acceptable Solution. Patron vehicles are considered not to result in an unreasonable adverse impact upon residential amenity having regard to the following:

- (a) most visits to the café and restaurants would be by private vehicle (not commercial vehicles), although some movements will be by taxi. Notwithstanding, these establishments propose to operate no later than 11pm and, as such, the impact of commercial vehicles on residential amenity is considered to be reasonable. The Visitor accommodation, by nature of the use, operates continuously. However, it is assumed that many guests will use commercial transport and would be travelling interstate or from overseas and predominantly utilising air transport with only three late arrivals to Hobart International Airport currently occurring around 9pm and an additional arrival at 10pm. Similarly, there are around three early morning departure flights. Given the relatively small-scale nature of the Visitor accommodation, and therefore the amount of commercial vehicle movements (predominantly taxis) utilising public roads, it is considered that the impact of this mode of transport in the late evenings and early mornings would be intermittent and not have a significant adverse impact on residential amenity. It should also be noted that Rosny Hill Lookout Road is a public road and there are currently unrestricted visitor vehicle movements to and from the site which are not causing an issue for residents. A constant site presence would also reduce or eliminate vehicle based anti-social behaviour such as “burn outs” which currently cause a nuisance;
- (b) as above;
- (c) predominantly taxis – as above;
- (d) the site has sufficient turning and a one-way traffic system;
- (e) there are no noise reducing structures existing or proposed and are not considered necessary;
- (f) the amount of traffic likely to be generated during the evening by the café and restaurants is estimated to be 14 vehicles per hour by the Midson TIA. In conjunction with the Visitor accommodation, it is unlikely to be a significant volume of traffic; Council’s own TIA review suggest that overall vehicle numbers will be almost double the Midson estimates but still within a range that will not cause unreasonable adverse impact upon residential amenity; and
- (g) given the volumes of traffic estimated and the infrastructure proposed, there is unlikely to be any significant conflict with other traffic.

Notwithstanding, the information available (noise report and TIAs), the standard requires examination of uses that have not commenced and therefore is predictive in nature.



Ultimately, once the use commences, and if an issue is identified, Council would have the ability to manage any problem through an Environmental Protection Notice (EPN) under the Environmental Management and Pollution Controls Act (EMPCA). An EPN, should it be deemed necessary, could deal with vehicle management, barriers or other sound attenuation to affected properties. It is noted that this standard is not replicated in the new Tasmanian Planning Scheme as presumably it is a matter more appropriately dealt with under EMPCA.

### **Recreation Zone**

The proposal does not comply with Clause 18.3.4 A2 for the following reason(s):

- no acceptable solution.

The proposed variation must be considered pursuant to the Performance Criteria P2 of the Clause 18.3.4 as follows:

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| <b>Performance Criteria</b>  |
| <i>“A traffic management plan must be provided for any event generating more than 3,000 persons. Such plan must provide for safe and efficient traffic management with local impacts minimised”.</i> |
| <b>Proposal</b>  |
| Not applicable. No event generating more than 3,000 persons is proposed.   |

### **Recreation Zone**

The proposal does not comply with Clause 18.3.5 A1 for the following reason:

- no acceptable solution.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause 18.3.5 as follows:

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| <b>Performance Criteria</b>  |
| <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>  |
| <b>Proposal</b>  |
| The Discretionary uses proposed are Food Services (public restaurant and café) and Visitor Accommodation (hotel rooms and associated, subordinate facilities). The No Permit Required (NPR) uses include Passive Recreation (such as sightseeing, walking, quiet enjoyment) and Natural and cultural values management (protect, conserve or manage ecological systems, habitat, species, cultural sites or landscapes). Therefore firstly, the visitor accommodation, public restaurant and café must complement and enhance the use of the land for recreational purposes. |



Secondly, it must do this by providing for facilities and services that augment and support activities such as sightseeing, walking and managing the natural values of the reserve.

The objective of the Use Standard is to ensure land within the zone is used primarily for purposes consistent with the Zone Purpose, being to provide for a range of active and organised recreational use or development and complementary uses that do not impact adversely on the recreational use of the land and encourage open space networks that are linked through the provision of walking and cycle trails.

To satisfy the performance criteria, the visitor accommodation, public restaurant and café must provide facilities and services that augment and support sightseeing, walking and managing the natural values of the place.

Neither “augment” nor “support” are defined in the Scheme and therefore under Clause 4.1.1 terms are to have their ordinary meaning. In particular, the Macquarie Concise Dictionary defines “augment” as ‘to make or become larger, enlarge in size or extent; increase’ – while the same source defines “support” (in a non-physical sense) as to variously “sustain”, “maintain” or “uphold”.

The proponent in its supporting documentation contends that the development would augment and support the NPR uses. In respect of Passive Recreation and Natural Values, the built infrastructure would create and improve or enhance visitor experience by providing:

- viewing platforms over the visitor accommodation;
- public toilets;
- firefighting facilities;
- public restaurants and café/kiosk (enabling people to enjoy the views for longer periods than the current situation);
- security and curtailment of anti-social behaviour (through a constant on-site presence due to the 24hr operation of the Visitor accommodation);
- a cleaner more attractive area through prevention or clean-up of rubbish by a constant on-site presence (currently a bus or cars arrives, photos are taken, and people leave as there is no genuine opportunity to sit, relax and enjoy);
- upgrade and maintenance of walking trails;
- revegetation of the hill with native species where required;
- remove invasive weeds and grasses; and
- long term management of natural values, including a committee of stakeholders and experts and a revenue stream to finance ongoing works.

Collectively, the development can be said to complement and enhance the use of land for sightseeing, walking, quiet enjoyment while protecting, conserving and managing the identified ecological systems, habitat, and species by providing facilities, infrastructure, care and long-term management structures for ecology. The broad view is that the proposal supports and augments these activities by providing and expanding facilities, infrastructure and management that ensure that such activities are maintained and are enlarged beyond their current state. Ultimately this ensures the objective of the Use Standard which requires the land is used “primarily” for purposes consistent with the Zone Purpose, which seeks to encourage complementary uses that do not have an “adverse” impact on the recreational use of the land. The proposal is also consistent with the other Zone Purpose which is to maintain the open space network and provide for walking trails.



Clearly, the Scheme at Clause 18.2 envisages that the proposed Discretionary uses are appropriate uses in themselves in the zone, that they are not intended to be subordinate or ancillary uses and that there would be NPR uses, such as Natural and cultural values management and Passive recreation, with which such Discretionary uses may enhance and complement either directly or indirectly.

Indeed, there is no suggestion that there must be some “physical” connection between the NPR uses and the Discretionary uses, only that the presence of the latter is consistent with the Purpose of the Zone and that there is a nexus between the uses which enables the augmentation and offers support in some way to the NPR uses.

### **Recreation Zone**

The proposal does not comply with Clause 18.4.1 A1 for the following reason(s):

- building height is greater than 10m.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause 18.3.1 as follows:

| <b>Performance Criteria</b>  |
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| <p><i>“Building height must satisfy all of the following:</i></p> <p><i>(a) be consistent with any Desired Future Character Statements provided for the area;</i></p> <p><i>(b) not unreasonably overshadow adjacent public space”;</i></p>  |
| <b>Proposal</b>  |
| <p>The western most end of the reception building is the only part of the building which exceeds the AS and has a maximum height of 11.7m. Notwithstanding, the whole of the building must be assessed under the PC.</p> <p>There are no Desired Future Character Statements provided for the area and therefore this element of the PC has no relevance.</p> <p>Overshadowing diagrams demonstrate that while there will be an impact at the Winter Solstice, there are no other influences and the overshadowing impact to some areas close to the proposed buildings is not sustained throughout the day. As such, the impact is considered to be reasonable.</p> |

### **Recreation Zone**

The proposal does not comply with Clause 18.4.3 A1 for the following reason(s):

- windows and door openings at ground floor level in the front façade are less than 40% of the surface area of the ground floor level façade.



The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause 18.4.3(b) as follows:

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| <b>Performance Criteria</b>  |
| <i>“provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces”;</i>  |
| <b>Proposal</b>  |
| While the majority of the building is located below Rosny Lookout Road, elements appear also above which are less than the 40% of the façade required by the AS. Notwithstanding, the proposed fenestration and entranceways combined with purpose designed outdoor viewing and dining areas provides for the reasonable passive surveillance of public areas. |

### Recreation Zone

The proposal does not comply with Clause 18.4.4 A1 for the following reason(s):

- windows and door openings at ground floor level in the front façade provide less than 40% of the surface area of the ground floor level façade.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause 18.4.4(b) as follows:

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|---|
| <b>Performance Criteria</b>   |
| <i>“locate windows to adequately overlook the street and adjoining public spaces”.</i>  |
| <b>Proposal</b>   |
| For the reasons provided in the assessment above at Clause 18.4.3(b), the proposal is considered to achieve a reasonable level of passive surveillance. |

### Road and Railway Assets Code

The proposal does not comply with Clause E5.5.1 A1 for the following reason(s):

- the annual average daily traffic (AADT) of vehicle movements, to and from a site, using the existing access, in an area subject to a speed limit of 60km/h or less, increased by more than 20% and 40 vehicle movements per day.



The proposed variation must be considered pursuant to the Performance Criteria P3 of the Clause E5.5.1 as follows:

| <b>Performance Criteria</b>   |
|---|
| <p><i>“Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</i></p> <ul style="list-style-type: none"> <li><i>(a) the increase in traffic caused by the use;</i></li> <li><i>(b) the nature of the traffic generated by the use;</i></li> <li><i>(c) the nature and efficiency of the access or the junction;</i></li> <li><i>(d) the nature and category of the road;</i></li> <li><i>(e) the speed limit and traffic flow of the road;</i></li> <li><i>(f) any alternative access to a road;</i></li> <li><i>(g) the need for the use;</i></li> <li><i>(h) any traffic impact assessment; and</i></li> <li><i>(i) any written advice received from the road authority”.</i> </li></ul>  |
| <b>Proposal</b>   |
| <p>The Objective of the Use Standard is to ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions. The impacts of the junction of the Lookout Road with Akuna Street and Akuna Street with Riawena Road has been considered in the TIA prepared by Midson Consulting, the scope of which includes:</p> <ul style="list-style-type: none"> <li>• review of the existing road environment in the vicinity of the site and the traffic conditions on the road network;</li> <li>• provision of information on the proposed development with regards to traffic movements and activity;</li> <li>• identification of the traffic generation potential of the proposal with respect to the surrounding road network in terms of road network capacity;</li> <li>• traffic implications of the proposal with respect to the external road network in terms of traffic efficiency and road safety.</li> </ul> <p>Notwithstanding the scope of the applicant’s TIA the Resource Management and Planning Appeals Tribunal (RMPAT) has made it clear in <i>South Hobart Progress Association v Hobart City Council and S Giameos</i> [2017] TASRMPAT 5 (20 March 2017) that Clause E5.2.1 of the Code applies to use or development of land that intensifies the use of an existing access (as is the case with this application) and that the definition of access in the Scheme is <i>“land over which a vehicle enters or leaves a road from land adjoining a road”</i>. As such, the application of the code is limited to the consideration of the intensification of 12a Akuna Street (incorporating Rosny Lookout Road) with Akuna Street.</p> <p>The applicant’s TIA addresses the Performance Criteria, noting that it is satisfied based on the following conclusions:</p> <ul style="list-style-type: none"> <li>a) The increased traffic generated by the proposed development is estimated to be 400 vehicles per day with a peak volume of 43 vehicles per hour.</li> <li>b) The current use of the site is recreational, with visitors accessing the viewing area at the top of Rosny Hill. The proposed development builds on this type of traffic by improving the facilities (undercover, amenities, refreshments and restaurant), as well as adding a hotel development.</li> </ul> |



|    |   |
|----|---|
|    | <p>This is an intensification of the existing traffic types already accessing the site.</p>   |
| c) | <p>Notwithstanding the limited scope of the Code, the junction of Akuna Street/ Riawena Road can accommodate the additional traffic generated by the proposal.</p>  |
| d) | <p>Riawena Road is a minor collector road that services a relatively large residential catchment, as well as Rosny College, YMCA Clarence Aquatic Centre and the subject site. Rosny Lookout Road services the subject site almost exclusively and is a local access road. The traffic volume of Riawena Road is much higher between Rosny Hill Road and Bastick Street compared to volumes near the intersection of Akuna Street. The nature and categories of the roads connecting to the development are compatible with the proposed use and estimated traffic generation. However, the bend in Akuna Street near the connection with Rosny Lookout Road should be widened by the applicant to accommodate the additional traffic generated by the development.</p>   |
| e) | <p>The general urban speed limit of 50km/h applies to the roads connecting to the subject site. The speed limit is compatible with the proposed use and estimated traffic generation.</p>   |
| f) | <p>No alternative access is considered to be available based on the surrounding road network.</p>   |
| g) | <p>The need for the use is justified in consideration of Clause 18.3.5(P1) (refer above).</p>   |
| h) | <p>The TIA forms part of the applicant's documentation submission.</p>  |
| i) | <p>No written advice has been made by the road authority (Council) relating to the access.</p> <p>Using the Council commissioned GHD analysis of the proposal it should be noted that the development is expected to generate around 750 vehicle movements per day, with 67 movements per hour in the AM commuter peak and 80 movements per hour in the PM commuter peak. These estimates are significantly higher than the estimates used in the Midson Traffic TIA, representing almost twice as much traffic than the latter assumed.</p> <p>Given the GHD analysis, Council's Development Engineer and Traffic Engineer have considered the Performance Criteria separately, particularly in relation to Clause E5.5.1 P1(a) and (c). Notwithstanding the disparity in the two reports, it is concluded that the impact of the proposal on the junction will be safe and not unreasonably impact on the efficiency of the road, having regard to the increase in traffic caused by the use and the nature and efficiency of the access or the junction.</p> |

### **Parking and Access Code**

There is currently a total of 33 formalised car parking spaces within the viewing areas at the top of Rosny Hill Lookout Road. The applicant is proposing to utilise these car parks and provide a gross total of 141 car parking spaces. The spaces would be located as follows:

- 27 spaces in proximity to the viewing decks at the southern section of the development;



- 86 spaces at the northern section of the development in proximity to the Visitor accommodation entrance; and
- 28 spaces in proximity to the middle/central section of the proposed buildings.

The proposal does not comply with Clause E6.6.1(A1) Number of Car Parking Spaces for the following reason(s):

- the number of on-site car parking spaces is less than the number specified in Table E6.1.

| Use   | Calculation                         | Requirement     | Proposed   |
|---|-------------------------------------|-----------------|--|
| Food services (café/kiosk and x2 restaurants) | 1 carpark per 3 seats (x 240 seats) | 80              | 108 (32 short of the Scheme requirement under the acceptable solution) |
| Visitor accommodation                         | 1 carpark per room (60 rooms)       | 60              |  |
| Passive recreation                            | 0                                   | 0 (33 existing) | 33 existing  |
| Total   |                                     | 173             | 141  |

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

| Performance Criteria   |
|--|
| <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) <i>car parking demand;</i></p> <p>(b) <i>the availability of on-street and public car parking in the locality;</i></p> <p>(c) <i>the availability and frequency of public transport within a 400m walking distance of the site;</i></p> <p>(d) <i>the availability and likely use of other modes of transport;</i></p> <p>(e) <i>the availability and suitability of alternative arrangements for car parking provision;</i></p> <p>(f) <i>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></p> <p>(g) <i>any car parking deficiency or surplus associated with the existing use of the land;</i></p> |



- (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) *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;*
- (j) *any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) *any relevant parking plan for the area adopted by Council;*
- (l) *the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code”.*

#### **Proposal**

- a) Parking demand has been considered in the TIA prepared by Midson Consulting. The TIA estimates that the actual car parking demand is likely to be lower than the Scheme requirements. The empirical parking assessment undertaken in Section 5.2 of the TIA indicates that a more likely parking provision would be 76 spaces based largely on the Roads and Maritime Services NSW, Guide to Traffic Generating Developments, 2002 (RMS Guide). The TIA determines the need generated by the development is broken down as follows:
  - Hotel 60 rooms 1 space per 3 rooms = **20 spaces**
  - Hotel restaurant and bar 160m<sup>2</sup>/ 120 seats Greater of 15 spaces per 100m<sup>2</sup> or 1 per 3 seats, 60% ancillary to hotel = **16 spaces**
  - Public restaurant and kiosk 210m<sup>2</sup> / 120 seats Greater of **15 spaces** per 100m<sup>2</sup> or 1 per 3 seats = 40 spaces
  - Viewing deck - None

This results in a surplus of 10 spaces within the new hotel car parking area. The TIA also noted that a pick-up and drop-off area is provided adjacent to the hotel to accommodate up to 4 cars – this will also reduce the parking demands within the car park (used by taxis etc). While the GHD report differs in its calculation of the car parking requirement generated by each component use, it too concurs that there is sufficient parking proposed.
- b) The existing 33 parking spaces located at the southern end of the proposed development will be subsumed within the gross total of 141 car parking spaces. These existing spaces are currently used exclusively for parking associated with the scenic lookout and are currently underutilised. Although the use will not change, it will be intensified through the provision of improved facilities and amenities. The additional spaces will assist in providing for the potential increased popularity of the lookout. There is no competing demand for on-street car parking by other land uses in the surrounding area.
- c) Metro Tasmania operate regular bus services along Riawena Road near the subject site.



- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>d)</li> <li>e)</li> <li>f)</li> <li>g – i)</li> </ul> | <p>There will be a relatively high proportion of guests arriving by taxi, Uber and possibly small bus (such as shuttle mini buses, etc). This results in a lower overall parking requirement as the parking duration is a very short drop-off and pick-up (noting that a pick-up and drop-off area is provided adjacent to the hotel to accommodate up to 4 cars – this will also reduce the parking demands within the carpark used by taxis, etc). The location of the site and the use of the observation deck will also result in pedestrian access along the existing walking trails in the area.</p> <p>An existing carpark is also located at the lower end of Rosny Lookout Road.</p> <p>Shared parking principles were applied to the empirical parking assessment in Section 5.2 of the TIA. A discount rate was applied to the restaurant as it will be partly ancillary to the Visitor accommodation component of the development.</p> <p>are not applicable.<br/>Council's Development and Traffic Engineers support the findings of the TIA in respect of carparking.</p> |
|--|---|

### Stormwater Code

The proposal does not comply with Clause E7.7.1 A2 for the following reason:

The stormwater system for a new development must incorporate water sensitive urban design principles for the treatment and disposal of stormwater if any of the following apply:

- (a) the size of new impervious area is more than 600m<sup>2</sup>;
- (b) new car parking is provided for more than 6 cars.

The proposed variation must be considered pursuant to the Performance Criteria P2 of the Clause E7.7.1 as follows:

| <b>Performance Criteria</b>  |
|--|
| <i>"A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so".</i> |
| <b>Proposal</b>  |
| The applicant proposes underground on-site detention and underground on-site treatment to be sized and determined at the detailed design stage. The conceptual proposal satisfies the requirements of the Code and Council's Development Engineer.   |



### Natural Assets Code

To assist in the assessment of the proposal, Entura was engaged by Council to provide expert ecological advice and review the documentation submitted by the applicant, particularly in relation to building footprint, ecology and bushfire hazard management. Entura noted that:

*“The natural values report states that the proposed development will directly impact on the following quantity of communities:*

- *0.6 ha of the 13.9 ha of Allocasuarina verticillata forest (NAV);*
- *0.01 ha of the 0.08 ha of lowland Themeda triandra grassland (GTL); and*
- *0.26 ha of the 3.3 ha of modified land (FAG).*

*There is no impact on the 2.4 ha of Eucalyptus viminalis grassy forest and woodland (DVG) in the revised development proposal.*

*The HMA as described in the bushfire hazard assessment however, will result in the modification of an additional 2 ha of vegetation comprising mostly of Allocasuarina verticillata forest, modified / agricultural land, and a small area of the lowland Themeda triandra grassland. Note that none of the native vegetation communities are listed as threatened under the TSP Act or EPBC Act.*

*The natural values report by Greening Australia identifies that the revised development footprint results in no direct impact on known localities of the threatened orchid species Thelymitra (sun orchids) bracteata. However, it does have the potential to impact the location of eight Thelymitra (sun orchids) orchids that were previously recorded by Quarmby (2016). The taxonomic identity of these individuals is unknown; however, they are considered unlikely to be T. bracteata (Greening Australia 2019).*

*The assessment has identified that no fauna species listed as threatened under the EPBC Act or TSP Act are likely to be significantly affected by the proposed development. This is deemed reasonable based on the information provided. No resident threatened fauna species have been recorded at the Rosny Hill Nature Recreation Area”.*

Entura determined that the proposal is likely to be of a “minor impact” under the Natural Assets Code because “(a) *The use or development, including the likely need to clear for bushfire hazard reduction, is likely to only result in a minor impact on priority vegetation*”.



The proposal does not comply with Clause E27.7.1 A1 for a minor impact for the following reason(s):

- the proposed uses are not within a Residential use class.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause E27.8.1 as follows:

|   |
|---|
| <b>Performance Criteria</b>   |
| <i>“For any other use classes, no burning, blasting or construction works involving excavators or multiple truck movements are to occur within 500m (or km if in line-of-sight) of an active raptor nest during the breeding season between July to January inclusive”.</i> |
| <b>Proposal</b>   |
| No raptor nests have been identified within a 1km radius of the proposal footprint.   |

#### Natural Assets Code

The proposal does not comply with Clause E27.8.1 A1 for a minor impact for the following reason(s):

- no acceptable solution.

The proposed variation must be considered pursuant to the Performance Criteria P1 of the Clause E27.8.1 as follows:

|   |
|---|
| <b>Performance Criteria</b>   |
| <i>“(a) The clearance of native vegetation is the minimum extent necessary for the development (including bushfire hazard minimisation)”;</i>   |
| <b>Proposal</b>   |
| (a) The proposal footprint has been revised to minimise vegetation clearing, particularly disturbance of priority habitat.  |
| <b>Performance Criteria</b>   |
| <i>“(b) No burning, blasting or construction works involving excavators or multiple truck movements are to occur within 500m (or 1km if in line-of-sight) of an active raptor nest during the breeding season between July to January inclusive”;</i> |
| <b>Proposal</b>   |
| (b) No raptor nests have been identified within a 1km radius of the proposal footprint.   |
| <b>Performance Criteria</b>   |
| <i>“(c) Additional mitigation measures are proposed to ensure that the development will satisfactorily reduce all remaining impacts on priority vegetation”;</i> and  |



|                             |  |
|-----------------------------|--|
| <b>Proposal</b>             |  |
| (c)                         | <p>A range of mitigation measures have been proposed as part of the development, including:</p> <ul style="list-style-type: none"> <li>• Restoration Management Plan;</li> <li>• Weed Management Plan; and</li> <li>• Vegetation Management Plan.</li> </ul> <p>These management plans (which, if the development is approved, would form part of the RHRAP) provide mitigation and management measures for the proposal post-approval and seeks to improve the quality of the natural assets within the area.</p> <p>Additionally, the RHRAP would provide a mechanism between the proponent and Council to ensure that there is ongoing and active management of the natural values of the Rosny Hill Nature Conservation Reserve. For the development itself, measures such as windows designed to reduce Swift Parrot collision have been considered to minimise impact to biodiversity.</p> |
| <b>Performance Criteria</b> |  |
| “(d)                        | <i>Conservation outcomes and long term security of any offset is consistent with the Guidelines for the use of Biodiversity Offsets in the local planning approval process, Southern Tasmanian Councils Authority 2013”.</i>   |
| <b>Proposal</b>             |  |
| (d)                         | No offsets are required to be obtained.  |

## 5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and was extended for a further week during the period 21 September – 14 October 2019. A total of 541 representations was received of which 12 were duplicates or additional representations from the same persons and six were lodged outside the statutory timeframe. A total of 467 representations used identical or similar summary wording, although a significant proportion of these submissions also raised or elaborated individual concerns. The following issues were raised by the representors.

### 5.1. Inappropriate and Inconsistent with Nature Conservation Act 2002 and National Parks and Reserves Management Act 2002 and lease to Council (privatisation of a public asset)

Representor's (490) raised the following issues in respect of the Rosny Hill reserve being used in a manner considered to be inappropriate to its statutory function.



**Nature Conservation Act 2002**

- *The proposed development, consisting of a hotel, restaurant, café, and large carpark is inconsistent with the area being a Nature Recreation Areas. Under the Nature Conservation Act 2002 the purposes of a Nature Recreation Area are for 'Public recreation and education consistent with conserving the natural and cultural values of the area of land'. The proposal will not conserve natural values but will destroy and degrade them and therefore it is inconsistent with the purpose.*
- *The proposal is inconsistent with the management objectives for a Nature Recreation Area which include '(e) to encourage tourism, recreational use and enjoyment consistent with the conservation of the nature recreation area's natural and cultural values'. The proposed tourism development is not consistent with natural values but will destroy and degrade them.*
- *Inappropriate location and far too large for the reserve. The total building footprint is almost 5000m<sup>2</sup>, with a further 5000+ m<sup>2</sup> allocated for new car parking. Added to this are various ancillary buildings, and new walking trails and this, together with people movements between cars and buildings, will amount to significant disturbance at the prime area of the hilltop.*
- *This proposal plans to destroy 23% of the reserve for large scale buildings, grounds, car parking etc; the developer's claim of 2% is for buildings only.*
- *There is little to occupy residents once they have admired the view and maybe walked round the tracks once or twice. Proximity and connectivity to infrastructure and tourist attractions is poor.*



- *The removal of peri-urban areas like Rosny Hill undermines the purpose of a reserve which is to give refuge to plants and animals and allow flow of genetics and ecological function to play out. They are not for yet more restaurants, carparks, paths and hotels that take from the Reserve and are another load on nature.*
- *The perception of what is meant by ‘reserve’ has enabled people to form deep connections with the land and must be preserved for future generations.*

### **Comment**

Council as the declared Managing Authority under the National Parks and Reserves Management Act 2002 (acting separately and independently to its role as planning authority), must consider whether any application for use or development is acceptable for the Rosny Hill Nature Recreation Area (RHNRA). The RHNRA is reserved land in the class of Nature Recreation Area under the Nature Conservation Act 2002. Council has approved a management strategy consistent with, and having regard to, the management objectives of the RHNRA. Guided by the management strategy Council engaged in a public process and selected a preferred developer for the RHNRA. The current development application (the subject of this assessment) required the consent of Council as managing authority (under s52(1B) of LUPAA). In order to give that consent, the General Manager for Council has been required to determine whether the development proposal is consistent with the purposes for which the land is reserved and has had regard to the statutory management objectives for nature recreation areas. The purpose for the reserved land is identified as being “public recreation and education consistent with conserving the natural and cultural values of the area of land”. Council has taken the view that it may take a broad approach to holistically consider the proposal, that it is not inconsistent or antipathetic to the purpose of the RHNRA. Similarly, the same approach is applied to the management objectives, that it is not necessary that each objective is met as only some will be relevant.



In issuing its consent for lodgement of the development application under s52(1B) of LUPAA, the General Manager for Council has considered that the land uses of Visitor accommodation and Food services are consistent with the purpose and management objectives of the RHNRA. The uses, at the scale proposed, are necessary for financial viability but achieve enhanced tourism and recreational use of the land through improved facilities and infrastructure which would otherwise be at significant risk of being unviable.

The proposal will also make provision to conserve and enhance the natural and cultural values of the site through annual works programmes determined by the RHRAP.

In determining compliance with the purpose and management objectives of the RHNRA, the proposal is considered acceptable under the terms of the lease from the Tasmanian Parks and Wildlife Service which ultimately must make its own determination should a planning permit be granted.

The proposal is designed to ensure that the reserve continues to allow full public access to, over and around the development providing public toilets, viewing platforms, barbeque facilities, café/kiosk, two restaurants and increased car parking, while providing a mechanism to better manage ecological and cultural assets. As such it does not diminish public access to the reserve but enhances it. The notion of privatisation of the reserve is possibly disingenuous when what is actually proposed is a public/private partnership approach.

While the issues raised above are a consideration of Council as Managing Authority of the reserve, they are not legitimate considerations of Council as a planning authority and cannot be afforded any weight under the Scheme or LUPAA.



- **Lease**

*The lease that has been issued to Clarence City Council by the State government requires any commercial development to ‘have regard to the Rosny Hill Nature Recreation Area Management Strategy 2011’. The proposed development fails to have regard to the strategy’s critical requirement that development be limited to two small areas within the reserve.*

**Comment**

Within the Action Plan of the Rosny Hill Nature Recreation Management Strategy 2011, Section 4.3.5 deals with Improved Visitor Infrastructure Quality. Action 8 seeks to implement development zones as a “general guide” to directing where any future development proposals must be located. It has previously been determined, prior to the lodgement of this development application, that the proposal is roughly aligned to these areas.

Notwithstanding, this issue is not a matter for assessment under the Scheme and therefore cannot be afforded any weight by Council in determining the proposal as a Planning Authority.

- **Privatisation**

*Rosny Hill belongs to the people of Tasmania and should be preserved for future generations. The reserve should not be used for private enterprise which is only interested in making money; this is privatisation of a community asset. A hotel development does not work to the benefit of the people. There is no going back once the land is privatised and developed.*

**Comment**

The comments of the representors are noted, however, this not a matter which can be given determining weight under the Scheme.



- **Expression of Interest Process**

*The proposed development does not meet the original criteria set out in the invitation for an EOI that Council advertised at the start of this whole process. This EOI was put together based on community consultation which indicated that the community desired a small development to the top of Rosny Hill with a small footprint and which included a small cafe or restaurant. Council admitted that this proposal, which is now at DA, did not meet the EOI criteria but they chose to disregard the community's desires and give preferred status to Hunter Developments.*

**Comment**

Council invited expressions of interest (EOI) in a document of the same name which had a closing date of 4 June 2014. The original development concept submitted by Hunter Developments was assessed by a panel of Council and deemed to meet the five assessment criteria of Stage 1 of the process to progress.

The EOI outlined the uses permissible under the then Clarence Planning Scheme 2007, being active recreation, community building (conference centre, function rooms), restaurant, takeaway food shop (food and drink kiosk), tourist accommodation and tourist operation (attraction, lookout, activities). The EOI did not specify the scale of development sought. Notwithstanding, the EOI process is not a determining matter for consideration under the Scheme.

**5.2. Inappropriate Scheme Outcomes**

Representors raised the following issues in respect of Part A of the Scheme “Purpose and Objectives”:

*The large-scale proposal, on a publicly owned reserved land does not achieve the desired planning scheme objectives in relation to the natural environment as outlined in Clause 3.0.6. The proposed development will diminish the natural values, principally through removal of native vegetation.*

*The existing 180-degree view will be interrupted by the new structures and the forested foreground will be cleared to reveal a suburban aspect.*



- *Additional protection is required to stop people lodging these type of development applications. Commercial development should be limited to appropriately zoned land.*
- *The DA does not adequately assess the full range of environmental, cultural, social and economic impacts of the development in the Nature Recreation Area. Prior to considering the DA under the Clarence Planning Scheme, a comprehensive environmental impact assessment needs to be completed (similar to the Parks and Wildlife Service RAA) to test compliance with State legislation covering the reserve.*

### **Comment**

Clause 8.10.3 of the Scheme states a planning authority must not take into consideration matters referred to in Clauses 2.0 and 3.0 of the Scheme.

Therefore, Council's assessment must be restricted to any Discretions sought for a Use or Development Standard, but it may consider the purpose and objectives of such a zone or code. The uses applied for are permissible in the Recreation zone and therefore must be assessed according to the applicable Standards.

The proposal has followed a fully legislated assessment process and has addressed all criteria relevant to that process.

### **5.3. Scenic Detriment, Visual Prominence of the Development and Effect on Natural and Cultural Values**

Representor's (521) raised the following issues:

- *Unacceptable impacts on the scenic beauty of the reserve (internally and externally). The proposal would be detrimental to the skyline of Hobart by removing vegetation and constructing buildings. Reserves are what makes Hobart unique.*



*The gently rounded wooded form of the Rosny Hill reserve is of high scenic value when viewed from surrounding suburbs and the western shore. The scenic landscape value will be degraded by the development, including an extensive band of vegetation clearing around the western and northern slopes of the hill. The Clarence Interim Planning Scheme does not use the Scenic Landscape Code against which landscape impacts could be assessed. This is a flaw in the assessment process. There is no assessment of the impact of the proposed development on ambient light levels on the amenity of residents, and the skyline of the east shore.*

- *The Visual impact montages are of little value. They are poorly rendered and there is no justification provided for the photo points selected. The Visual impact montages show that from the Tasman Bridge and the Regatta grounds, the buildings will be dominant features of the hilltop. Viewed from other angles, various corners of the building protrude from the otherwise rounded hillside and destroy the visual harmony that presently exists.*

#### **Comment**

The Scheme has no controls which deal with skyline and scenic landscaping in relation to the subject site. Therefore, representations made in respect of this issue cannot be afforded any determining weight. While the visual montages were provided by the applicant, they form no basis in assessment other than to consider the Discretion sought in height and to assist interested parties in considering the proposal.

#### **5.4. Loss of Native Vegetation and Fauna**

A total of 500 representations were received from people concerned about the loss of native vegetation and fauna caused by the development. In particular, the representors raised the following issues:



- *Climate change will require further removal of additional vegetation for bushfire hazard management purposes in the future. The removal of native vegetation will also discourage native wildlife. Up to 25% of native vegetation in the reserve will be cleared and degraded. The development will result in the direct loss (the development footprint) of an unacceptable area of vegetation including threatened plant species and communities and will result in a much greater area being indirectly lost or degraded over time including potentially threatened plant habitat.*

### **Comment**

The impacts raised by the representors have been discussed with the applicant and its consultants. The applicant notes that the development footprint is predominantly contained within the modified land (0.26ha) and Allocasuarina verticillata forest (0.6ha) in order to reduce fragmentation on the grasslands and grassy woodlands and increase restoration opportunities. The total affected vegetation area of the bushfire hazard management zone is 28,945m<sup>2</sup> (less than 3ha) which includes the building footprint, carpark and road verges. Some of these roads are already managed and hence the newly impacted area associated with the proposed development is 24,470m<sup>2</sup>. The bushfire hazard assessment area actually only covers 13.82% of the site.

- *The proposed development would result in direct disturbance to one of the most prominent parts of the reserve through construction of infrastructure, and subsequent disturbance because of activities associated with the project (eg development and maintenance of Hazard Management Areas). It is doubtful that the proposed restoration works will compensate for the extent of disturbance to the site – especially if the restoration plantings are to include non-local species – which has the potential to add to existing weed problems in the reserve.*



**Comment**

As previously discussed, the building footprint is predominantly located outside the grasslands and grassy woodlands vegetation communities to lessen the ecological impact. The applicant has also recommended that, in order to maintain or improve the condition of vegetation at Rosny Hill over the longer term, special consideration should be given to nutrient addition (eg mulches), water runoff, disease transmission and weed spread. This is predominantly a management issue that is properly dealt with through the proposed RHRAP. The restoration plantings can be conditioned to only include locally native plant species that are already present at Rosny Hill.

- *It has been calculated that 3.6ha of existing vegetation will be removed for buildings and other infrastructure, and a further 3ha will be cleared for bushfire protection, having an adverse effect on both eucalyptus and Allocasuarina woodland. This involves thinning out the standing trees and ensuring no large trees within certain distances of proposed buildings. From our reading of the Natural Assets Assessment it seems that the impact of managing woodland for bushfire protection has not been assessed and this is a serious omission. The BHMP does not assess the extent of tree removal to achieve compliance with the Bushfire Prone Areas Code and instead only considers pruning etc.*

**Comment**

The total affected vegetation area of the bushfire hazard management zone is 28,945m<sup>2</sup> (less than 3ha) which includes the building footprint, carpark and road verges. The BHMP determines the extent of the Hazard Management Area to be managed as “low threat vegetation” as described in Clause 2.2.3.2 of Australian Standard AS-3959 and not the extent of tree removal. Despite this, the applicant’s BHMP and the associated Bushfire Hazard Assessment report provides recommendations on how vegetation retained within the bushfire hazard management zone might achieve “low threat” classification.



The applicant notes that the Bushfire Hazard Assessment report and BHMP does more than just consider “pruning” in Section 5.4 of the Bushfire Hazard Assessment report and the section on Hazard Management Areas/Vegetation Management on the BHMP provides general advice on creating and maintaining the bushfire hazard management zone.

- *The BHMP acknowledges that not all separation distances are compliant and therefore final approval is required from the Tasmanian Fire Service which may ultimately require greater separation distances.*

### **Comment**

Visitor accommodation and Food services are not listed as vulnerable uses under the Bushfire-prone Areas Code. However, in order to assess the removal of native vegetation under the Natural Assets Code, the applicant prepared the proposed BHMP to ensure that it would meet with Tasmania Fire Service approval at the building approval stage. The applicant’s consultants subsequently consulted with the Tasmania Fire Service on several occasions. The report by Gifford Bushfire Risk Assessment acknowledges that not all separation distances were determined using Method 1 of AS3959 and are therefore not all compliant with Table 2.6 of AS3959 but relies on a performance solution being applied to the separation distances for the development under the relevant Australian Standards.

The calculations were prepared by the Tasmania Fire Service, hence there would appear to be no reason why the Tasmania Fire Service may require greater separation distances at the building approval stage. The applicant maintains that the BHMP is consistent with pre-application discussions between Gifford Bushfire Risk Assessment and the Tasmania Fire Service and the Tasmania Fire Service has provided in-principle support for the proposed BHMP.

- *Representors disagreed with the conclusion of the applicant’s planner that the ‘special circumstances’ for a ‘Major Impact’ under the Natural Assets Code apply, and that the extent of the lease area may also call into question the ‘Minor Impact’ classification for the rest of the hill.*



**Comment**

In determining compliance with the Natural Assets Code and to peer review the applicant's natural values assessments, Council engaged the ecological services of Entura Hydro-Electric Corporation. The Entura assessment disagrees with the applicant's assessment that the impact classification is "Major". A Major impact is one that is likely to cause a significant impact upon priority vegetation irrespective of mitigation. Priority vegetation is defined as "*native vegetation that has high biodiversity value because it:*

- (a) forms an integral part of threatened vegetation;*
- (b) is a threatened flora species;*
- (c) provides habitat for a threatened fauna species; or*
- (d) is otherwise identified by the Planning Authority as locally significant".*

The Entura assessment confirmed that none of these criteria are triggered and therefore define the impact as "Minor". As such, the "special circumstances" do not apply to the assessment and the wrong Performance Criteria is being considered by the representors.

- *Some representors expressed the view that the reference to the critical partnership with Greening Australia is simply an attempt to deflect from the fact that the proposed developed will either destroy or compromise over some 25 percent of the area of the Rosny Hill Nature Recreation area and that the claim that the involvement of Greening Australia will be a public demonstration of how to sensitively undertake restoration is misleading.*

**Comment**

Greening Australia contends that it was engaged by the applicant in a genuine effort to reduce the footprint of the buildings and infrastructure on the ecological values of the site. Greening Australia notes that it worked closely with the architects and landscape architects over time to significantly reduce the impacts to ecological values through scaling back the proposal and re-directing the footprint to occur predominantly in the modified land.



Greening Australia believes there is great potential to improve the condition of vegetation at Rosny Hill through co-ordinated management and restoration underpinned with community engagement and scientific evidence.

As described in its Natural Values Report there is potential to improve the condition of the Lowland Native Grasslands in particular. Nevertheless, the recommendation of this report is that the management of the reserve be undertaken through the RHRAP.

- *In the engineering report no assessment is reported on the extent of the land clearing, disturbance to vegetation and ground works required to construct this infrastructure. There is no reference whether the firefighting tanks would be buried or on the surface.*

#### **Comment**

The proponent's consulting engineer has confirmed that any construction activities would be limited to the construction buffer zones proposed by Greening Australia and this would be standard practice on sensitive projects.

The proponent confirms the firefighting water storage tanks would ideally be sited above ground for economy of construction and to reduce the need for rock excavation. In-ground tanks are technically possible but are not considered necessary.

- *This Greening Australia report is of little value, as it makes no assessment of current condition of the vegetation, nor an assessment of the impact of the proposed development on the nature values and the condition of the vegetation post completing of the proposed development and in the longer term. Greening Australia is being used as a tool to deflect criticism of the planned destruction of the site. Any suggestion that Land Care will act as free labour on a private development is off the mark, offensive and dismissive of the Groups previous works.*



**Comment**

Greening Australia contends that it is a national, not for profit organisation that has been around for 37 years. It claims independence and is seeking to support the proponent to understand the natural values of the site and reduce the potential impact on the ecological values present; not deflect criticism. The purpose of the Greening Australia Natural Values report was to document the natural values present at the site and not to undertake vegetation condition assessments, but notes *“There are opportunities to overall improve the condition of the remaining vegetation community through condition assessments and benchmarking, and development of appropriate management actions”*. It recommends that a vegetation condition assessment be undertaken regardless of whether the proposal proceeds. Greening Australia provided the proponent advice on how to minimise the direct footprint of the construction on the ecological values of the site and commented on potential indirect impacts and notes that it was beyond the scope of our involvement to comment on longer term impacts. Greening Australia has stated in response that it *“has a positive and close working relationship with Landcare groups across Australia and would never suggest that Landcare should act as free labour on a private development.”*

Nevertheless, the recommendation of this report is that the management of the reserve be undertaken through the RHRAP.

- *Representors considered the methodology used by the proponent is lacking because of limited fieldwork and incomplete knowledge (assumptions); a more comprehensive report is required to make an assessment. No trappings or camera surveys were detailed fauna field surveys were carried out.*

**Comment**

It should be noted that ecological surveys are always constrained by the time and resources available to undertake the vegetation and fauna surveys, and the time of the year they are undertaken.



Greening Australia explains these limitations were described in the “Limitations” section of the Natural Values Report. Greening Australia says that it commenced with an extensive desktop survey and with consideration of the habitat types recorded, decided that summer was an appropriate time of year to survey for most herbaceous annuals and grass species, as well as undertaking more targeted and multiple surveys for endangered orchids. It concludes that these approaches were comprehensive and suitable, and that it captured most species present across the site. Targeted surveys were also undertaken to detect orchids and ephemeral herbs that only flower in October and November. Greening Australia has expressed confidence that its data collection methods were appropriate. North Barker Ecosystem Services undertook a section of the fauna assessment (for Eastern barred bandicoot and tussock skink) and concluded that additional surveys for these species, such as using cameras, was not necessary. The proponent’s documentation was peer reviewed and found acceptable by Council’s ecology consultant, Entura.

- *Omissions to Vascular Flora list which does not include Chilean Needle Grass or Tetragonia implexicoma.*

#### **Comment**

Greening Australia acknowledges that these species could occur on the site but were not observed during the vegetation surveys, and it is possible that other species were also not observed as described in the “Limitations” section of the Natural Values Report. However, it considers the approach was appropriate and captured the majority of plants, including 62 native and 103 introduced species, and multiple surveys for threatened species. If Chilean Needle Grass is present it recommends rapid management action to eliminate the species, which is likely to displace the remaining grasslands. Notwithstanding, this is a management issue and a detailed weed management plan is a recommended condition of any permit.



- *A representor was concerned what, if any, powers Council will have to deal with issues of incidental damage to the bush eg by guests straying from pathways, littering, digging up plants, casual parking on bushland etc. the representor commented that most urban hotels must face a range of issues stemming largely from human thoughtlessness, and there is no reason to suppose that standards of behaviour will be any different at this site.*

**Comment**

It should be noted these issues are already present across the site, including hot burns in sensitive orchid locations, vandalism and littering. The continual presence and ongoing on-site management is anticipated to help to reduce such behaviours.

- *The removal of peri-urban areas like Rosny Hill undermines the purpose of a reserve which is to give refuge to plants and animals and allow flow of genetics and ecological function to play out. They are NOT for yet more restaurants, car parks, paths and hotels that take from the Reserve and are another load on nature.*

**Comment**

The representor's comments are noted. Peri urban is normally defined as being an area between the suburbs and the countryside, whereas Rosny Hill is clearly situated within the urban area of the Southern Tasmania Regional Land Use Strategy.

- *Trees are the only hope we have in combating even the amount of CO2 being emitted at today's rate without the increases forecast if we don't stop the trend now, Council will be held to account should they contribute to that devastation by allowing the replacement of trees and vegetation with concrete and steel.*



**Comment**

The representor's comments are noted but are of no determining weight under the Scheme or LUPAA.

- *If views are restricted by vegetation will the sub-lease holder be able to remove or trim vegetation to achieve or maintain views?*

**Comment**

Any proposal to clear or disturb native vegetation will be subject to assessment under the Scheme.

- *The small extent of Lowland Themeda triandra grassland in Rosny Hill NRA does not reduce the need to recognise that the community has a high priority for conservation management. The current extent of Themeda triandra grassland, and its location adjacent to the proposed development, means that it is particularly susceptible to edge effects that could result from construction and subsequent management and use of the development. Its small area adds weight to the argument that it has a high priority for conservation management.*

**Comment**

The importance of the Lowland Themeda grassland vegetation community (kangaroo grass) is noted in the proponent's Natural Values Report. To be protected under the Environment Protection and Biodiversity Conservation Act 1999, the area must be greater than 1ha (the community is 0.8ha). The proponent contends that the proposal has sought to minimise the impact on the grassland community, including direct impacts and edge effects. Greening Australia proposes that the size of the Lowland Themeda grassland vegetation community could be doubled through careful management and restoration as described in its report. Ultimately an increase in the vegetation is a matter for the RHRAP to consider.



### 5.5. Threatened Vegetation

A total of 499 representors expressed concern about the impact of the proposal on threatened vegetation. Specifically, representors raised the following issues:

- *Representors object to the ‘destruction’ of threatened native flora species (with specific reference to Map E27.1 Biodiversity Protection Area – High Risk). Representors contend that the relocation of threatened species has no basis in science. Removal of vegetation is also considered to have a detrimental impact of fauna such as diminishing bird populations around Hobart. A representor referred to the development proposal as ‘ecocide’ (defined as destruction of the natural environment). Some representors contended that key impacts have not been assessed including habitat of some threatened plant species.*

#### Comment

North Barker consultants reviewed the potential impact of the proposed construction footprint on *Thelymitra* (sun orchids) (North Barker 2019). This report states that the design has improved markedly on past designs by substantially reducing the number of *Thelymitra bracteata* (sun orchids) locations directly impacted by the footprint (i.e. expected permanent losses). According to their assessment, the proposal does not directly impact *any* of the locations observed. Further there is no direct impact on *Dianella amoena* (grassland flaxlilly), or on *Austrostipa scabra* subsp. *falcata* (Rough Spear-grass) identified on site. The proponent’s consultants recommend that construction management zones be established around these populations to protect them from indirect impacts during construction.

Greening Australia cite evidence-based guidelines for translocation of plants in Australia and believe it has identified an orchid grower who considers it may be possible to grow and/or transplant the orchids, and translocating plants has been demonstrated for other species, however it always carries risks. This issue, however, does not have determining weight in assessing the performance criterion.



The extent to which the proposal will affect bird populations is unclear. Greening Australia recommends the protection of hollow-bearing trees, which fall outside the construction footprint and that tree hollows could be constructed to potentially enhance outcomes for birds on site.

- *A representor contended that the development footprint will impact on the nationally endangered Lowland Themeda triandra (Kangaroo grass) grassland community. Natural Values Assessment by Greening Australia found a small 0.1 hectare of the grassland would be within the direct footprint of the development and would be cleared. There is no assessment by either Greening Australia or North Barker of the indirect impacts on this endangered grassland and this is a serious omission. The Greening Australia report does not specifically identify the huge added risks to retaining and restoring vegetation given the vastly increased number of visitors or how this could be managed. It makes no recommendation regarding the design of the development to limit visitor impacts e.g. most users of the main car park will probably want to take a short cut across the grassland to get to the reception building.*

### **Comment**

Greening Australia did not examine indirect impacts to threatened vegetation but note that currently, visitors to the reserve walk wherever they like across the grassland but notes that it has worked with the consultant's landscape architects to develop appropriate walking tracks to limit where people walk, including boardwalks across the grassland. Notwithstanding, it would ultimately be the responsibility of the RHRAP to develop strategies to address the management of grasslands and to protect areas from visitors.

- *A representor was concerned that an added challenge that is not addressed is the difficulty in using planned burns adjacent to buildings and car parks to assist with management of the grassland.*



**Comment**

As previously discussed, it is now proposed that the management of the Rosny Hill reserve occurs through the RHRAP. It will be up to the RHRAP committee to determine appropriate management.

- *Representors noted that Greening Australia proposes that a long-term restoration management plan and weed management plan (with monitoring programs aligned with both) be developed and claims that through these processes it may be possible to restore the remaining grassland. It is considered by the representors highly unlikely that through these processes that conservation and restoration will occur on the long-term and it depends entirely on the quality of the proposed plans and staff employed to implement them. It also depends on the on-going commitment of the, as yet, unknown developer and operator and vigilance of the Clarence City Council as regulator. It depends on the financial contributions being sufficient for the undoubted challenges of such an exercise.*

**Comment**

As previously discussed, it is now proposed that the management of the Rosny Hill reserve occurs through the RHRAP. All plans, including the vegetation and weed management plans, will be encompassed within this framework. The RHRAP would be adopted by Council and overseen by the General Manager acting as the Managing Authority. While the developer/operator will undertake the works under an annual schedule determined by the RHRAP and be responsible generally for on-site management, Council would retain a direct responsibility as Managing Authority and both determine and ensure the quality of all works. The extent of the financial contribution will be determined under the terms of the sublease but will be of an amount sufficient to undertake the works and therefore not be a cost to Council.



- *Representors wanted an explanation of whether the management committee will also be responsible for natural resource management within the sublease area; who is responsible for fire management; whether there will be a dispute mechanism for the committee; whether there is an expectation that Landcare will volunteer labour to assist a commercial enterprise; clarification of the applicant's submission which says that the Conservation Management Plan does not replace or derogate from Council's responsibility as management authority which could create conflict between it and the Committee.*

### **Comment**

The extent of the sub lease is yet to be fully determined but is likely to closely follow the footprint of the building. The additional carpark to the north of the proposed buildings and the bushfire hazard management area for the buildings will be subject of a licence from Council. The developer/operator will be responsible for management of the sublease area and have responsibilities for the licence areas. The RHRAP will have a role to play within the licence areas but will not be able to affect the safe and efficient operation of those areas. Ultimately Council as Managing Authority will determine how the reserve outside the sublease area will be managed under the RHRAP and there will be no expectations on Landcare to undertake any physical works.

- *A representor was concerned that the Greening Australia report found there would be no direct loss of state-listed threatened species, the rare grassland flaxlily *Dianella amoena* (grassland flaxlily) and the rare spear grass (*Austrostipa nodosa*) and proposes buffer areas to limit potential for impacts during construction activities. The assessment was based on potential impacts on known localities and did not take into account that plants may occur in the future in other areas impacted by the development. There has been no assessment of potential impact on habitat for these species.*



**Comment**

Greening Australia undertook multiple surveys for threatened species and recorded species that were present at the time and current locations. Species migration into new areas is a consequence of many factors, including but not limited to soil type, aspect, plant competition and dispersal. This issue could be further considered under the Natural Vegetation Management Plan which is required to be prepared by the applicant as a condition of approval and for which the scope will be determined by the RHRAP.

- *A representor noted that Greening Australia found only 0.31 hectares of grassland and woodland will be cleared to make way for the development, but it made no assessment of the potential for indirect loss due to degradation to adjacent areas due to construction impact, habitat fragmentation and the impact of visitors trampling the area. Over time there is potential for the entire top of the hill, those areas directly impacted by the development and areas around it to be lost.*

**Comment**

Greening Australia made recommendations related to directing visitor traffic around high value areas to reduce visitor impact. A construction management plan is recommended by condition of any permit to manage and limit the construction impact on the natural values.

- *Representors expressed concern that the ecology documentation was inadequate (mainly because of seasonal surveying) and noted the lack of surveillance cameras to monitor for fauna and discrepancies in recording of *D. amoena* sites which could consequently be cleared. Greening Australia's report identifies 4 sites, which are grid referenced in the report. (There is a total of 43 plants on these sites). However, the map in the Greening Australia report shows only one site, which is located some distance from the proposed development area (see Map 1 below from this report). Two of the unmapped sites listed in the report are close to the proposed development footprint.*



*Notwithstanding, the report by North Barker Ecosystem Services shows 6 sites for Dianella amoena (grassland flaxlilly) within the general development zone. Sites are shown on Map 2 – which indicates that some of these sites are located in areas that will or could be affected by the proposed development.*

### **Comment**

Ecological surveys are constrained by the time and resources and the time of the year they are undertaken. Following on from a desktop survey and with consideration of the habitat types recorded, the applicant's consultant, Greening Australia decided that summer was an appropriate time of year to survey for most herbaceous annuals and grass species, as well as undertaking more targeted and multiple surveys for endangered orchids. Greening Australia is confident that these approaches were comprehensive and that most species present across the site were captured. Targeted surveys to detect orchids and ephemeral herbs that only flower in October/November were also undertaken. North Barker undertook a section of the fauna assessment (for Eastern barred bandicoot and tussock skink) and concluded that additional surveys for these species, such as using cameras, was not necessary.

The discrepancies in recording of D. amoena sites was discussed with the applicant. Greening Australia and North Barker have reviewed the Dianella amoena (grassland flaxlilly) documentation in respect to the discrepancies between maps and note that the North Barker map is correct; it is noted that Dianella amoena (grassland flaxlilly) is present elsewhere in the reserve beyond the area that North Barker mapped, but they were not engaged to survey or assess impacts to Dianella and their mapping is scaled according to the distribution of the values they were engaged to assess.

There are six records of Dianella amoena (grassland flaxlilly) on the map they supplied. The construction footprint changed after this map was produced, so that it does not exactly match the construction footprint in the Greening Australia report.



Greening Australia's figure was missing some populations of *Dianella amoena*, which arose because one of the mapping layers had been turned off and had not been picked up when the construction footprint was updated for which it accepts full responsibility. Greening Australia has updated its figure to align with the North Barker figure and included another population on the western boundary that fell outside the mapped area of the North Barker map, bringing the total number of records of *Dianella amoena* (grassland flaxlilly) at Rosny Hill to seven. Greening Australia has also confirmed these *Dianella amoena* (grassland flaxlilly) populations on site at Rosny Hill more recently. Some populations to the south have multiple records, as a consequence of repeated surveys and different recorders, but probably reflect one larger population.

Notwithstanding Greening Australia has reiterated that there is no direct impact of the construction footprint on the *Dianella amoena* (grassland flaxlilly), but 10m buffers should be established to protect populations during construction. Greening Australia notes that some populations occur within the broader Hazard Management Area for bushfire and should be given special consideration during the creation of a Bushfire Hazard Management Plan.

One population of *Dianella amoena* (grassland flaxlilly) occurs down slope and/or underneath the proposed cantilevered building, around 15-40m downslope of the carpark. While the cantilevered building will protect the population from direct impacts, special consideration should be given to this population to ensure there are no indirect impacts through changed rainfall and runoff.

- *Representors expressed concern that a development that proposes to 'destroy' part of the reserve area would have a huge impact on threatened species.*

### **Comment**

The applicant's ecological surveys and impact predictions suggest that there will be very minimal impact on threatened species. The North Barker (2019) report, states that the design does not directly impact any of the locations.



While in past surveys, locations were observed within the direct footprint of the design, they did not exclude individuals that were *T. arenaria*. Based on their morphometric assessment there is a high likelihood that at least some of these locations do not support actual *T. bracteata*, which is consistent with observations in 2009 and 2016, in which no actual *T. bracteata* were reported at the locations within the footprint. The applicant's submissions identify that there will be no direct impact to the threatened plants *Dianella amoena* (grassland flaxlilly) or *Austrostipa scabra* subsp. *falcata* (Rough Spear-grass) that have been identified on site, but recommends that construction management zones be established around these locations to protect them from indirect impacts, and that populations of *Dianella amoena* (grassland flaxlilly) that fall within the bushfire management area be given special consideration in the development of a Bushfire Hazard Management Plan. Indirect impacts on the population of *Dianella amoena* (grassland flaxlilly) that sits underneath the proposed cantilevered building should be given consideration for changes to runoff and rainfall.

- *A representor wanted to know whether the Bushfire Prone Areas Code allow landscaping around the fire water tanks.*

### **Comment**

The applicant's civil engineer notes that landscaping is not specifically prohibited under the Directors Determination "Requirements for Building in Bushfire-Prone Areas" if all requirements are met.

The booster pump and associated enclosures would also need to be sited appropriately and constructed of appropriate materials.

- *A representor was concerned that the 'Orchid Walk' could cause damage during construction and would not prevent people leaving the path to have a closer look. The benefit of the walk was considered questionable when the species only flower on sunny days for a few weeks each year.*



**Comment**

The applicant notes that there is currently no designated pathway around the orchid populations and people walk in an uncontrolled manner through the area and that it had worked with the landscape architects to develop appropriate walking tracks to limit where people walk. The applicant considers that any construction impacts should be managed through a Construction Management Plan as recommended in the Natural Values Report. Notwithstanding, the location is at the top of Rosny Hill and outside of the proposed sublease area and therefore the appropriateness of such a proposal should be considered through the proposed RHRAP which will consult and consider the most appropriate way to manage the species. Any resulting works will be undertaken by the developer/operator.

- *A representor noted that several threatened plant species that had been previously recorded in the Rosny Hill area were listed in the Greening Australia report and their likelihoods of occurring in the reserve were assessed. These included Rytidosperma indutum (tall wallabygrass) and Vittadinia muelleri (narrow-leaf new-holland daisy) which are both listed as Rare under the Threatened Species Protection Act. The Greening Australia assessment considered that, although they were not recorded in the surveys undertaken, it was possible that both species could occur at the Rosny Hill reserve on the basis of habitat. The same conclusion was made for some other threatened plant species. There still remains some incomplete knowledge or confusion about the occurrence of threatened plant species in the Rosny Hill reserve and the potential effects (direct and indirect) of the proposed development on some of those species.*

**Comment**

Greening Australia has responded to the representation stating that following a desktop survey that identified a suite of possible Threatened Species, multiple surveys were undertaken on-site to detect their presence.



The timing of the ecological surveys in summer was undertaken to maximise the likelihood of detection of all threatened species, including *Rytidosperma indutum* (tall wallabygrass) and *Vittadinia muelleri* (narrow-leaf new-holland daisy).

## **5.6. Diminished Recreational Enjoyment**

A total of 502 representors expressed concern about reduced amenity for the use of Rosny Hill Reserve as a place of tranquil walking, viewing and recreation. Concern was expressed that the increased volume of users to the reserve, increased traffic and reduced size of the park will no longer afford the tranquil relaxing experience that people currently enjoy, effectively changing the current bushland nature of the place.

- *Representors contend that the proposal is not consistent with the purpose of the zone and the Performance Criteria at Clause 18.3.5 (discretionary uses) and Clause 18.1.1 being the Zone Purpose Statement to provide for a range of organised and recreational use or development and complementary uses that do not impact adversely on the recreational use of the land. It is contended that this is contravened by the proposed development of visitor accommodation, restaurant, café and large carpark in the centre of a small nature recreation area. Representors believe that what is in dispute is the type of recreation which is preferable for a small reserve and whether the proposed development and uses are consistent with that or enhance it. Representors contend that a commercial hotel and associated uses do not complement and enhance the use of the land for recreational purposes and the passive recreational uses will be compromised. Further, the proposed uses do not augment and support the permitted uses as they will result in large sections of existing native vegetation being removed, views from the reserve being impacted upon, threatened species being damaged during construction and a significant increase in traffic and associated noise. It is argued that commercial activities of the scale and extent proposed are inconsistent with passive recreation.*



**Comment**

An assessment under the Recreation Zone in relation to Discretionary land uses is presented at Section 4.2 of this report. The assessment of Clause 18.3.5 also considers the purpose of the Zone. The assessment considers the type of development proposed and whether it can complement and enhance the use of the land for recreational purposes by providing for facilities and services that augment and support No Permit Required use.

- *A representor expressed concern that the proponent has not undertaken any assessment of current recreational use of the reserve by the local community, who are most strongly connected to the place, and the impacts on it from the proposed development.*

**Comment**

It is unclear what current recreation activities would be compromised by the proposal, which is situated in proximity to the existing carpark and road network. The type of current recreation activities would include sightseeing, walking and quiet enjoyment (away from the existing car parking area).

- *Representors expressed concern that the proposal consists of public land for private profit and although the development occupies only a small percentage of the area it represents loss of amenity and accessibility for the community.*

*The development is for tourists and not for locals. A person does not need to sleep on the hill to enjoy the views. Two restaurants are unnecessary, especially with one excluding the public. Public land is very often land preserved and looked after by local people and does not require development of the sort proposed to ensure active management. As population and density increases, open public land is becoming vital for the mental and physical health of the population.*



**Comment**

Matters regarding the use of public land and the involvement of the private sector is not a determining factor under the Scheme. The proposal does not exclude the public from the area and arguably enhances that experience. The Visitor accommodation component is obviously aimed at tourists, but the other elements will attract visitors and locals alike. The appropriateness of the development to actively manage the land is discussed elsewhere in this report.

- *A representor observed that under the Scheme, Rosny Hill is zoned Recreation when almost all the other prominently vegetated hillside reserves are zoned Open Space which it is asserted more accurately describes the nature and values hilltop reserves.*

**Comment**

This assessment can only consider matters under the Scheme and issues concerning the most appropriate zoning cannot be agitated. Notwithstanding, the Rosny Hill Reserve differs markedly from other reserves within Clarence because it has a well-used, sealed access road which loops around its apex and sealed car parking to service locals and tourists alike who principally wish to take advantage of the views on offer.

- *A representor thought that rate payers should be compensated for losing their recreation area. Others commented that the 'so-called' public lookout sounds generous but will be a very poor substitute for the current natural outlook and that the argument that it will stop tyre burn outs and graffiti is a poor one, being instead sanctioned vandalism in place of the actions of irresponsible people. Representors stated that the focus from the proponent on the capacity of the development to improve public recreation seems to rely heavily on a new viewing platform, and some re-routed walking trails; these are not significant changes to the existing situation but appear to be used as a justification for commercialisation of a free public resource.*



**Comment**

The proposal does not prevent residents enjoying the reserve and will provide additional amenity in the form of viewing platforms over the proposed building to the south; public toilets; picnic tables; firefighting facilities; food kiosk, café and public restaurants; security and curtailment of anti-social behaviour (through a constant on-site presence); a cleaner more attractive area (through prevention and active on-site management, such as the clean-up of rubbish); upgrade and maintenance of walking trails; improved ecology; removal of invasive weeds and grasses; and long term management of natural values, including a RHRAP which will involve Council, residents, experts and the developer/operator who will be responsible for on-site management and ongoing works.

**5.7. Traffic Generation**

A total of 501 submissions were received regarding increased traffic generated by the visitor accommodation and restaurants, particularly at night:

- *development will most likely increase traffic through the area by 5 to 10 times turning Riawena Road and Akuna Street into busy urban roads;*
- *additional load on the road network and junctions with current infrastructure will be insufficient;*
- *the proposal is contrary to the Road and Railway Assets and Parking and Access Codes;*
- *amenity will be diminished by the impact of car lights;*
- *the traffic impact assessment has only focused on the impact of the development on traffic at one junction, Akuna and Rosny Lookout Road and has not considered the potentially much greater impacts on traffic flow through the broader area, including major arterial routes to the local school and toward the Tasman Bridge and Rosny shopping precinct;*



- *no assessment has been provided on the quality of the roads in question, and their ability to withstand a continuous rate of additional traffic - in particular, heavy vehicles during a construction period. Rosny Hill Lookout Road is narrow, has no marked verges, no drainage, and no lighting. Drivers unfamiliar with the area are likely to experience difficulties and dangers in navigating this without some upgrading.*

**Comment**

The applicant's traffic consultant estimates that the proposed uses will generate 400 vehicles per day. Council's traffic consultant, GHD, estimates that the number is almost double at 749 vehicles per day.

This represents an almost fourfold increase for Rosny Hill Road but only a more modest increase to the current situation of 5871 vehicles per day on Riawena Road. Council's Development Engineer is satisfied that sufficient capacity is present within the existing road network to facilitate the development.

An assessment of the Road and Railway Assets and Parking and Access Codes is contained at Section 3.2 of this report.

There is not considered to be any significant impact on residential amenity from vehicle headlights. Notwithstanding, this is not a determining issue under the Scheme.

The assessment under the Scheme cannot consider off-site impacts on the wider road network. The GHD report discussed in Section 3.2 of this report, considers both on-site (including access) and wider network issues which should be addressed. All on-site requirements are recommended conditions of approval and off-site impacts are existing matters which require Council's attention as the Road Authority.



### 5.8. Lack of Parking

A total of 490 representors expressed concern with the level of parking proposed. Most of those representors contended an increased demand for parking would have a negative impact on visitor enjoyment and increase risk to pedestrians (particularly Clause E6.1(a) and (f)). Other representors commented:

- *the development is deficient under Scheme standards;*
- *no bus parking provided;*
- *lack of parking will cause the viewing areas to become blocked with vehicles and parking on the verges of Rosny Lookout Road; and*
- *the siting of the car parking will result in the use of the public carpark in the scenic viewing area being used by the proposed development.*

#### Comment

The amount of parking has been calculated by the applicant's traffic engineer as being sufficient based largely on RTA guidelines and the characteristics of the proposed and existing uses.

Notwithstanding, Council commissioned GHD consultants to review the TIA and provide analysis of the wider traffic network (refer to Section 3.4 of this report). The GHD report considers that there is sufficient additional car parking capacity within the proposed development (a surplus of 23 parking spaces). The surplus is relatively evenly split between the viewing deck, restaurant and café to the south (13 spaces) and the Visitor accommodation and restaurant to the north (10 spaces).

Bus parking is provided in its current location.



Clause E6.1.1(a) and (f) of the Scheme relates to the Purpose of the Parking and Access Code, being “*to ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;*” and “*ensure that vehicle access and parking areas do not adversely impact on amenity, site characteristics or hazards*”. Both the applicant’s Traffic Engineer and Council’s Consultant Traffic Engineer are satisfied that there is sufficient parking for the proposed use and the circulation and layout of car parking spaces is appropriate.

### **5.9. Noise**

Eleven representors commented specifically on the predicted noise increase. The representors raised the following issues:

- *The noise increase from the hotel, restaurants and significant increase in visitor traffic to the lookout has been estimated by the proponent as going from 32-39dBA to 46dBA. This scale is logarithmic and therefore represents an increase of around 50% over existing noise levels. Rosny Hill is currently a quiet neighbourhood, and this will no longer be the case if this development proceeds.*

#### **Comment**

The applicant’s acoustic consultant notes that the expected noise level (vehicles up at the site, mechanical plant etc) at residences around the site is in the range of 32–39 dBA. This is not the current noise level as inferred by the above comment. Previous monitoring by the applicant’s consultant on the south side shows a background level of 36–43 dBA during the day and evening time. It is expected that the general use of the site will not be audible to residents. Traffic noise only impacts about five properties around the Akuna Street entrance to Rosny Hill.



- *A representor suggests double glazing or sound attenuation fencing for neighbouring properties, limiting patrons to dining inside and the number of guests in pods. The proponent's traffic assessment accepts there will be potential for severe noise and amenity impacts on a small number of residents near the entrance of the Rosny Hill reserve, specifically 8-14 Akuna Street. The increase in traffic including patrons and other non-commercial vehicles accessing 24 hours of the day will be extreme. The proposed response is to undertake a noise study once the development is operating and this is simply unacceptable. If acceptable impacts cannot be guaranteed, then the development should not be allowed to proceed in its current form.*

### **Comment**

The applicant's acoustic consultant report does not state "severe" impact, nor do the predictions indicate "severe" or "extreme" impact. The report, by comparing expected noise levels against relevant criteria indicates reasonable or acceptable impact. The Scheme use standards in this regard can only rely on predictive assessment as the proposed use has not commenced (and it should be noted that these standards do not appear in the corresponding zone of the Tasmanian Planning Scheme). Should there be an unreasonable nuisance to residents when the use commences, Council could consider issuing an Environmental Protection Notice (EPN) under the Environmental Management and Pollution Control Act 1994.

An EPN could ultimately determine if additional management procedures or physical measures are required.

- *The DA Noise Assessment failed to establish a clear and current standard of what was reasonable, to then determine what was unreasonableness. The standard for what was reasonable under Clause 18.3.4 P1 was inadequate. There was no recognition that the current amenity for residents is one based on low noise environment.*



*Our neighbourhood is currently quiet with vehicle movements almost non-existent at night and as such the increase in noise resulting from the traffic visiting the commercial development at night is an unreasonable adverse impact. As such, the increase to 46dBA is not only in breach of the assessment criteria but also a breach of the performance criteria. The question of reasonable must be based on the existing conditions, not conditions that occur along transport routes and areas where amenity has already been lost. It is noteworthy that the author of the DA Noise Assessment reports that 'noise levels for traffic between 9pm and 7am is unreasonable', and casts doubt on the night time prediction and 'recommends further studies'.*

**Comment**

Clause 18.3.4 of the Scheme refers only to traffic noise, and for that source the criteria are considered relevant. Traffic noise is not typically compared against background noise. The applicant's report does not state traffic between 9pm and 7am is unreasonable, it concludes it is reasonable.

- *A representor contends the DA Noise Assessment is qualified by the author and is inadequate.*

**Comment**

It is unclear how the representor feels the report has been qualified. Notwithstanding, it would not be unusual for a predictive assessment to be qualified by its author in some way.

- *What measures will be put in place to reduce the noise from the new 86 space carpark to the north-east of the development and what measures will be put in place to deter hoons?*



**Comment**

The applicant's acoustic consultant acknowledges that the use of the carpark is predicted to cause noise levels that are at or below the background level at residences along the north-eastern boundary. The applicant's acoustic consultant concludes that the parking noise is of a similar nature to the already dominant traffic noise from Tasman Highway at these residences and therefore the parking noise is considered acceptable and no mitigation is recommended. It is considered that the constant staffed presence of the proposed development is likely to be a deterrent to anti-social behaviours.

**5.10. Stormwater**

Seven representors raised concern specifically about stormwater management and run-off impacts. In particular, representors raised the following issues:

- *It is unclear if the proposed detention tank/trickle system will cope with a significant rainfall event given climate change predictions.*
- *Has the impact of spillage been assessed on the reserve and is the current downstream infrastructure sufficient to cope with the proposed development?*
- *The applicant's reports present a case that the provisions of the Clause E7.7.1 are met. This assumes this preliminary plan, once it becomes a final plan, the services will be able to be built. Approval for a development based on this preliminary plan is problematic. There are known problems when attempting excavation on and around the Rosny Hill, that have been ignored.*
- *When the access road was constructed in the 1960s there were foundations washed out on homes in Kellatie Road.*
- *What guarantee can Council give that flooding will not affect properties downhill?*



**Comment**

The applicant's Engineering Report dated 5 September 2019 provides calculations for an ARI of 20 years as in accordance with Scheme provisions at E7.7.1 (A3). The figures in the current report allow for at least a 15-20mm/hour increase in rainfall to account for current predictions for increased rainfall intensity as a result of climate change in an ARI 20-year event.

Flow paths have been considered for an ARI 100-year event. The proposal is designed to capture and detain a portion of runoff that currently flows over the reserve in an uncontrolled manner, therefore the impact of overland flow will be improved from its current condition post development. Stormwater detention is proposed for an ARI of 20 years resulting in peak flow beyond the site being less than the existing current condition.

The applicant's engineer notes that concept services have been designed both to lessen the impact of construction activities, reduce excavation depths as much as practicable and avoid flora protection zones, which is achieved through:

- the grouping of services to improve the utilisation of “shared trenches”; and
- consideration of two possible connection points for stormwater and sanitary drainage that will assist in providing gravity runs at reasonable depths.

Council's Development Engineer is satisfied that the concept proposals can proceed to the detailed design stage should a planning permit be granted.

**5.11. Lack of “Social or Ethical Licence” and Incompatibility with Contemporary Social Values**

Twenty-three representors raised issues concerning the proposal being inconsistent with community values, expectations and aspirations:



- *Council should be more responsive to community concerns and show greater integrity, recognising it is not the owner of the land;*
- *Council is not engaging with its residents/lack of consultation and nor has the proponent;*
- *the Expression of Interest process implied two small areas should be considered for a small development which would enhance the hilltop and local and visitor experience;*
- *it is not 'NIMBYism' driving the objections; the amenity of Rosny Hill is valued by all;*
- *Council ignores the endless submissions with reasons for objections from the local residents responsible for paying rates for many years; and*
- *another 'example of the politically aligned love-fest between Hunter Developments and CCC'.*

### **Comment**

The proposal to undertake some form of development on Rosny Hill has been through a lengthy consultation process as detailed in Section 1 of this report. Since Hunter Developments was awarded preferred developer status in 2015, the original concept has been significantly reduced in scale, proposed uses and development footprint in response to consultation feedback. Indeed, the number of Visitor accommodation rooms has been halved, the proposal for a conference centre abandoned and the overall development footprint is a fraction of the original proposal.

Public access is facilitated over and around the proposal with public facilities, café/restaurants and visitor accommodation. Notwithstanding, this is a matter for Council as reserve Managing Authority and not sitting as the Planning Authority. As Planning Authority, Council is required to consider the proposal against the applicable Scheme standards.



### 5.12. Deterioration of the Reserve

Ten representors contend that the management of the reserve has deteriorated under Council's tenure as Managing Authority, specifically:

- *Council has been negligent in allowing the reserve to deteriorate under its management and is washing its hands of any responsibility;*
- *the proposal does not acknowledge all the work that has previously been done in regenerating the reserve;*
- *the justification that the proposal will deter anti-social behaviour is not accepted and the developer has been disingenuous in using neglect as a justification for development;*
- *the degraded condition of some areas within the reserve (mainly by establishment of exotic species) should not be used as a rationale for a development that could further reduce its natural and cultural values, even if the developers indicate that they will undertake some restoration and education activities in the absence of financial support for such activities from the State Government or Council; and*
- *more can always be done and as with many reserves to combat vandalism and antisocial activity, but this is hardly the reason to hand over a significant section of the reserve for commercial use and development. If that becomes the norm for our reserves, what do we leave for future generations at a time when increasing densification of suburban areas with infill housing etc make our larger green spaces and reserves even more important for passive recreation, biodiversity protection and connecting with nature?*



**Comment**

While Council has managed the reserve since 2009, and acknowledges the work of Landcare and residents, Rosny Hill presents a unique set of circumstances as a reserve not least because of formalised vehicular access via Rosny Hill Lookout Road but also the views it presents over the Derwent River and Hobart. As such, the proposal would provide a constant presence to combat anti-social behaviour and enable safe, continuous 24hr access to the public.

The issue of Council's management of the reserve is ultimately not a matter for assessment under the Scheme and therefore cannot be given determining weight.

**5.13. Precedent**

- *Some representors expressed concern that by permitting this development a dangerous precedent will be generated for the remaining Nature Recreation Areas in Tasmania. Further to that, it defeats the purpose of declaring any area a reserve if it can later be sold for commercial purpose and especially where it provides no benefit to the principle stakeholders (citizens and ratepayers of Clarence Municipality). A representor was concerned that Council is allowing too much public land to be developed.*

**Comment**

The issue of creating a precedent is not one that can be considered under the Scheme or LUPAA. Whether or not the proposal is appropriate within the Rosny Hill reserve when considered outside of the statutory planning process is a matter for Council as the Managing Authority and the Parks & Wildlife Service as the owner of the land and indeed its other properties around the State.

**5.14. Contrary to other Codes**

- *Several representors claimed that the proposal is contrary to the Bushfire-Prone Areas Code and the Hotel Industries Code.*



**Comment**

Neither of these codes apply to the proposal. The Bushfire-Prone Areas Code only applies to vulnerable and hazardous uses which exclude the uses applied for. A Bushfire Hazard Management Plan has been provided with the application only insofar as it is necessary to determine the impacts on native vegetation. The Hotel Industries Code applies to the *use of land to sell liquor for consumption on or off the premises. If the land is so used, the use may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines and gambling. Examples include a hotel, bar, bottle shop, nightclub and tavern.* As the sale of liquor is not the primary purpose of the development and is incidental, the proposal has been classified as Visitor accommodation and Food services.

**5.15. Traffic Impact Assessment is Inadequate**

Seven representors raised concerns generally about the adequacy of the applicant's Traffic Impact Assessment. The issues raised are varied and are presented separately below.

- *The Rosny Lookout Road count is from 2012 and should be updated to 2019.*

**Comment**

Council's Development and Traffic Engineers have confirmed that the data is sufficient for the assessment.

- *Sight distances at the Rosny Lookout Road/Akuna Street junction is much less than the 130m and 115m stated by the TIA.*

**Comment**

While the sight distances maybe disputed, the reality is that Rosny Lookout Road and Akuna Street are effectively the same road and are without traffic conflicts normally associated with site entrances joining a road where traffic movements are against the flow of development traffic. It should also be noted that the junction is an existing situation with upgrades proposed to Akuna Street.



The applicant notes that the TIA incorrectly references the Rosny Lookout Road/Akuna Street junction, whereas the site distances provided are for the Akuna Street/Riawena Road junction.

- *No commentary on the safety performance of the Akuna Street intersection which is configured differently from the Austroads Guidelines.*

#### **Comment**

No crashes were reported in Akuna Street during the analysis period.

- *The claim that the crash data does not indicate there are any specific road safety issues is problematic. The traffic impact assessment failed to consider where an impact is more likely to occur, on entry and exit from the area, not just Rosny Hill Nature Recreation area. The analysis of risk associated with traffic movement due to the proposal is similarly flawed as no data is reported or analysed for the entry and exit points into the area.*

#### **Comment**

The applicant notes that the statement that “the crash data does not indicate there are any specific road safety issues” in Section 2.2 of the TIA relates to the analysis of existing crash data for the network. If the crash data highlighted an intersection or road link that had an unusually high crash rate, then this would indicate that there were pre-existing road safety deficiencies in the network that may need to be remediated prior to the development proceeding. If there is no existing data which indicates an intersection has a safety issue, then it would be pure speculation to determine whether that intersection would be less safe in some way if the proposed development proceeds.

- *Road Widening and geometry will be insufficient and lacking in detail: how, when, costs and who pays, and what is the impact on existing properties and vegetation?*



**Comment**

Road widening is proposed at the corner of Rosny Lookout Road just west of Akuna Street. It is unclear why it is considered to be insufficient and as such no further response can be provided. The widening of Akuna Street will be subject to detailed design. The developer will be responsible for the costs associated with these modifications. It is unlikely that the widening would have any impact on existing properties. Some vegetation may be required to be removed or replaced but is not protected vegetation under the Scheme.

- *The traffic data is insufficient given infill developments and peak periods.*

**Comment**

The TIA has been prepared within accepted parameters (the traffic data was factored up by 10%) and independently peer reviewed by GHD and Council officers.

- *The TIA does not consider staffing for the facility. It is unclear in both the RTA/RMS Guide whether or not the total trip values include trips by employees. No allowances are made in the TIA for staff/service vehicle parking in any of the calculations. Given the lack of transport alternatives this is a serious omission.*

**Comment**

The traffic generation rates provided in the TIA are based on similar developments which include staff and has been independently peer reviewed by GHD and Council officers.

- *The TIA does not consider the suburb as a whole and does not consider access to the suburb from Rosny Road. The current assessment failed to recognise the suburb has two entry exit points and an additional exit point (Riawena Road – entry and exit) and Conara Road (entry -exit) and unnamed one-way slip road off Montague Road to Join the Rosny Hill Road.*



**Comment**

That an assessment is beyond the scope of the applicable standards of the Scheme. Notwithstanding, these issues have been considered by the GHD traffic study of Rosny Hill commissioned by Council and the recommendations are presented at Section 3.4 of this report.

- *There is no consideration of increased risk of traffic accidents and the quality of the local road network.*

**Comment**

The road safety impacts associated with the development proposal are summarised in Section 4.8 of the applicant's TIA.

- *The Traffic Assessment Report has failed to capture all the public and other movements. There is a pool of commuters who drive and park their vehicles near Stop 3 on the Tasman Highway.*

*In addition, a regular school-based service picks up students in the area. The traffic report fails to acknowledge the traffic associated with tourist operators who regularly visit Rosny Hill, and the seasonal based operators who do the same.*

**Comment**

These movements would be captured in the traffic data collection. It is not the purpose of the TIA to micro-analyse all traffic movement types in the network. Tourist operations will continue to visit Rosny Hill when the development has been completed.

- *The value of 3 trips per hotel room is based on outdated (2002) assessments, and as reported in the source material, and there was no data for Hotel Tourist to determine a value for the purposes of calculating traffic, the type of development being proposed.*



*A representor stated that the Visitor accommodation car parking does not reference equivalent developments in Tasmania and other assumptions and claims in justifying reduced car parking under the RTA/RMS guidelines.*

### **Comment**

The value of 3 trips per hotel room is considered by the applicant's traffic consultant to be accurate for the purpose of the TIA. This figure accounts for hotel occupancy and trip modes. This rate has been used by the applicant's traffic consultant in various hotel development proposals in the Greater Hobart region and has been tested in appeal tribunals. The GHD review found that the proposal provides sufficient parking between the proposed uses.

- *The assessment also makes the claim, without evidence that the hotel restaurant will be heavily utilised by Hotel visitors. The estimate of trip generation is based on incomplete information. An assumption was made that 60 percent of restaurant users would be hotel guests, with no supporting evidence or reference to local experience, and the potential impact of a lunch service ignored.*

*It should be noted that the RTA/RMS Guide fails to account for the modern trends, namely breakfast and provision of function related services.*

### **Comment**

The applicant's TIA has been prepared in accordance with accepted parameters and has been peer reviewed. The applicant's traffic engineer contends that modern hotels provide restaurants to cater for the needs of guests and visitors and that the split of 60% guests/40% visitors is considered to be appropriate for a hotel of this type.

- *A representor was concerned that the values derived for the viewing deck is an estimate which is not based on evidence.*



**Comment**

The applicant's TIA has been prepared in accordance with accepted parameters and has been peer reviewed by GHD and Council officers. Rosny Hill currently has a low visitation. There are no comparable sites for the applicant to obtain traffic generation rates of the viewing deck. The traffic generation estimation of the viewing deck provides a moderate increase in traffic compared to existing conditions. It is further noted that hotel guests are also likely to utilise the viewing deck, whose traffic generation is already accounted for.

- *A representor noted that estimates of PM peak trip generation is limited. The estimates for the hotel restaurant and bar and public restaurant fail to account to for the opening hours and services each is to provide.*

**Comment**

The applicant's TIA has been prepared in accordance with accepted parameters and has been peer reviewed. The applicant's traffic engineer selected the PM peak as this corresponds to the network peak period which overlaps with the restaurant peak.

It is noted by the proponent that the restaurant operates at other times, however the traffic volumes in the network are generally lower than the PM peak period (except for the AM peak, which does not correspond to peak operation times of the restaurant).

- *A representor was concerned that the TIA did not properly assess E5.5.1 Existing road accesses and junctions P3(b) the nature of the traffic generated by the use (by referring to the new uses as an intensification of existing uses) and (c) in omitting Riawena Road as a Collector.*

**Comment**

The applicant and the representor have incorrectly identified the access as the Akuna Street/Riawena Street junction whereas the site accesses onto Akuna Street via Rosny Hill Lookout Road (refer to Section 3.2 of this report for the assessment). The former junction does not require consideration under the Scheme because there are no Development Standards with which to assess it.



Notwithstanding, there is sufficient spare capacity in the Akuna Street/ Riawena Street junction to absorb the traffic generation of the development. This is demonstrated by the applicant's SIDRA intersection analysis (a software package used for intersection and network capacity, level of service and performance analysis, and signalised intersection and network timing calculations) analysis provided in the TIA. The applicant's traffic engineer notes that the fact Riawena Road is a minor collector road is important as it means that traffic generated by the development can be absorbed easily in the network.

- *A representor claimed that the TIA is biased and justification that the proposal meets the relevant Use and Development Standards is not made. Council should reject the TIA.*

#### **Comment**

The applicant's TIA has been prepared in accordance with accepted parameters and has been peer reviewed.

- *A representor claimed that the daily number of vehicles should be re-estimated with 1,100vpd (8am-6pm) with a peak 6pm figure of 266vph and that there should be a risk factor of 100% resulting peak hour vehicle movements of a vehicle every 7 seconds.*

#### **Comment**

The representor does not provide any professional justification to substantiate the claim.

Notwithstanding, Council engaged GHD to undertake a peer review of the TIA which estimated vehicle numbers to be significantly more than estimated by the Midson report. As discussed in Section 3.4 the GHD analysis of the proposal determined almost twice as much traffic than estimated by the applicant's TIA. Notwithstanding the disparity in the two reports, it is concluded that the impact of the proposal is acceptable.



**5.16. Alternative Small-scale Development/no Development**

- *Some representors proposed a much smaller development such as a café, restaurant and visitor centre. The appropriate scale would be Mt Nelson Signal Station or a kiosk. A more appropriate development would be a theatre and convention centre with profits going back to Council and provide a mechanism to lower rates. Another representor felt a smaller scale development would be more appropriate on the warmer northern side with the west and south-west being left in its natural state more in keeping with Tasmanian branding. The lower profile hotel would be better suited to Kangaroo Bay. Public facilities could be improved with the provision of rubbish bins, toilets, a small café/restaurant and a boom gate/security camera. A representor felt that no development should be allowed, even a viewing platform, as this would encourage further development.*

*Another representor commented that there was no need for another hotel which will not contribute to the economy of Clarence.*

**Comment**

The representors preferences are noted. Notwithstanding, Council as Planning Authority must determine the application before it under the Scheme.

**5.17. Construction**

*Representors expressed concern about how the proponent plans to build the hotel and restaurants, noting that the plans show the buildings are 'sunken' and require extensive excavation deep into Rosny Hill (Architectural indicate up to 7m deep).*

- *A representor believes the old quarry on Rosny Hill is evidence that the ground is predominantly made up of solid dolerite that begins close to the surface. Rock of this nature requires drilling and blasting to remove and will cause damage to the neighbouring dwellings along with excessive noise and vibration during construction.*



- *A representor requested that Council put a condition on any permit if it is granted, that no drilling and blasting may be undertaken during the construction to protect existing dwellings.*
- *Other representors contended that blasting will pose an unacceptable risk to the environment, property and human life. It will occur over an extended period and risk bushfires.*
- *Another representor was concerned that explosives could be accessed by criminals or terrorist cells. Explosives may cause fracturing of the dolerite and cause greater runoff, seepage, soil erosion, water table and ground water movements.*
- *A representor was concerned that there is no assurance that construction would be practical or affordable.*
- *Others wanted to know if excavation requires a quarrying permit and what restrictions will be put in place for construction times.*

### **Comment**

Construction management practice is not covered by the use and development standards of the Scheme and therefore cannot form part of Council's decision to refuse an application. However, the Scheme at cl.8.11 does provide a mechanism for Council to condition a permit and therefore a construction management plan is recommended as a condition of approval.

Blasting is governed by the Explosives Act 2012 and the Explosives Regulations 2012 and administered by WorkSafe Tasmania.

The applicant's engineers note that risk in controlled blasting is generally negated or reduced to acceptable levels in construction via adoption of the following measures:

- The utilisation of qualified consultants and subject matter professionals.
- Impact and risk assessments by such consultants and professionals.



- Safety and Environmental management plans including provisions for the undertaking of hot works and nomination of agreed acceptable noise and vibration levels.

It should be noted that drilling and blasting is not the only solution for rock removal, particularly in trenching operations and may include; diamond rope saws, rock grinding and sawing heads for earthmoving equipment, as well as rock fracturing via injected expanding materials. Examples of large excavations in rock required to be extremely low impact in very sensitive areas include works recently completed at MONA and the Royal Hobart Hospital.

Schedule 2 of EMPCA has been amended and now only requires a Level 2 referral if the activity is in a state forest or requires a mining lease.

#### **5.18. Property Devaluation**

*A representor expressed concern that property devaluation will occur, and compensation should be paid to all those who will be impacted by the development.*

##### **Comment**

There is no evidence that the proposed development would devalue property in the area. The issue is not a planning consideration and cannot be afforded any determining weight.

#### **5.19. Ugly Design**

*One representor believed the design of the proposal to be ugly and will impact the beauty of the hill.*

##### **Comment**

The representors comment is noted but has no determining weight under the Scheme.



**5.20. Firefighting Water Tanks**

*The size and location of the required firefighting water tanks (approximately half a million litres of water in total) located above the Akuna Street service easement represents a risk of failure for residents living below. Suggests the developer have a report undertaken by an independent expert to inform of potential risks.*

**Comment**

The risk of failure is a valid concern that must be addressed appropriately during the detailed design phase. The applicant's engineers noted that multiple risk mitigation or reduction methods that are available and could include:

- further compartmentalising the storage system (two tanks are currently proposed);
- bunding of the tank area with controlled release points;
- construction of inground concrete tanks whereby sudden water release is not possible; and
- construction of overland flow control barriers with care being taken not to impose on native vegetation.

**5.21. Dedicated Bicycle Lanes**

*Three representors raised issues in respect of cycling infrastructure outside the development, that the developer should introduce dedicated bicycle lanes for Riawena Road. The increased traffic is believed to worsen the safety situation in Riawena Road which should already have separated cycleways. The volume of traffic is already above the qualifying threshold of 5000 cars per day at speed limits of 50km/h according to VicRoads design guidance for important cycling corridors. The developer should be required to contribute to the design and construction of the cycle lanes.*



**Comment**

Sections of Riawena Road contain Council's identified "Principle Bike Route" and alternative options for safer bike usage are currently being considered. Under the provisions of the Scheme, the applicant cannot be asked to solve an existing bicycle safety concern.

The proposed development is not considered to generate sufficient bicycle traffic to warrant specific bike lanes within Council's existing road network.

**5.22. Lack of Bicycle Parking**

*Representors alleged that there is insufficient or bare minimum bicycle parking provided by the developer.*

**Comment**

The proposal is providing bicycle parking and end-of-journey facilities in accordance with Scheme requirements and it is recommended that any permit be conditioned to ensure compliance.

**5.23. Risk Appraisal**

*Representors expressed concern that a risk assessment has not been done by Clarence City Council, leaving it, as Management Authority, liable to litigation from tourists and surrounding residents, should this development, be found to have led to damage to life or property.*

**Comment**

Subject to approval of the development application, any risk management issues will be addressed through normal commercial arrangements (sub-lease and/or other commercial agreements), between the developer/operator and Council.

**5.24. Ownership**

*Who will own the hotel and who are the investors? The representor expressed concern regarding foreign ownership and/or ownership by a petrochemical or fossil fuel company. All monetary benefit will flow from Tasmania.*



**Comment**

Council, sitting as planning authority, must determine the application as lodged. Ownership and environmental credentials are not matters for assessment under the Scheme and can therefore be given no determining weight.

**5.25. Supply of Infrastructure**

*A total of four representors raised issues directly associated with utility infrastructure. A representor wanted to know who will pay for the major sewer and water infrastructure required.*

*A representor commented that the applicants engineering report was not required to address telecommunication services nor provision of power and that no reference has been found in the development application on how such services are to be provided. The representor felt that this is an important issue because the linear nature of pipelines and power cables has a disproportional impact on the nature values of the area and a major impact on landscape values. Another representor was concerned that there will be an extra impact on the already antiquated sewerage treatment plant.*

**Comment**

Although not a matter under the Scheme, the developer must pay for all infrastructure associated with the proposal. The supply of power and telecommunications infrastructure is not a requirement under the Scheme or LUPAA. If such provision will involve the removal of native vegetation a further Scheme assessment may be required. TasWater is the statutory authority for reticulated water and sewerage and has provided conditions of approval should a planning permit be issued.

**5.26. Privacy**

*A representor expressed concern that there was no assessment of the potential for overnight or day visitors to view into the outdoor and indoor space of the surround residents.*



**Comment**

The Scheme does not contain any applicable standards relating to privacy. There is a high degree of physical separation and vegetation between the proposed buildings and existing residences neighbouring the site. While the development would attract more intensive use of tracks by walkers, this is an existing situation and, as such, this issue is not considered to be significant.

**5.27. Performance Criteria should not be used**

*One representor contended that Council should not relax the Scheme by relying on performance criteria.*

**Comment**

The mechanics of the Scheme are clearly set out in Clauses 7.5.1 and 7.5.3. That is, a use or development must comply with each applicable standard in a zone or code which can either be through the acceptable solution or the performance criterion for that standard.

**5.28. Concern about long term Management**

A number of representors expressed concerns about the applicant's proposals for long term management of the Rosny Hill Reserve:

- *long-term ongoing management through a Part 5 Agreement is extremely difficult to manage and enforce and cannot be relied upon as a reason for allowing this proposal to proceed;*
- *the current hotel plan will create problems and Council will be forever addressing resident complaints and will be dependent on the financial bottom line;*
- *the proposed arrangements for future management are inappropriate and will disenfranchise the local community from meaningful involvement in the future management of the reserve;*



- *Rosny Montagu Bay Landcare and Coastcare has been actively involved in the management of the reserve for 26 years and has contributed significantly to the maintenance and improvement of natural values in the reserve. Offering a place to a representative of the Landcare group could easily become a token gesture;*
- *the proposal provides for future management of the Reserve to be placed largely in the hands of Greening Australia, with management actions to be funded at least in part from proceeds of the development. The supporting documents to the DA do not provide evidence of the experience and expertise needed to manage the unique issues that arise with urban bushland reserves;*
- *it is unclear as to whether using a permit to deliver management of a public reserve to a third party is appropriate, as it denies other organisations who might be equally or more qualified to co-ordinate management to compete on the basis of merit;*
- *the RAP process for management of bushland reserves in Clarence is well established and is known to deliver management of natural values to a high standard. There is insufficient evidence in the application of the likelihood of this same standard being delivered under the proposed future arrangements. There is a risk of different standards of management being applied within the municipality. The RAP model provides for a high level of community involvement in management, which means costs of management to Council are reduced and that people in the community are connected and physically active in delivering environmental outcomes; and*
- *future management of the Reserve should remain under Council's RAP process, to which the developer could contribute financially, and that community involvement in the future management of the reserve should be maintained and improved.*



**Comment**

As discussed in Section 3.3 of this report, it is proposed that the management of the reserve would be more appropriately managed through a Reserve Activity Plan. The RHRAP would be facilitated and endorsed by Council in consultation with the community and developer/facility operator. The latter will be entirely responsible for undertaking the annual works programme which will be audited by Council. Community participation in works programmes could be facilitated under the RHRAP but the primary role of the community will be to identify opportunities and issues through consultation.

**5.29. Lighting**

*Three representors were concerned that the impact of lighting at night for the hotel and car parking is unknown, but that security and safety of guests will demand that the site is lit at night. This is likely to impact on residents and local fauna habitat.*

**Comment**

There are no applicable Scheme standards which deal with lighting, however there is significant separation from the proposed development to neighbouring properties and therefore lighting is unlikely to be a significant amenity issue. It is unclear what the impact of lighting would be on local fauna and whether this would create any disturbance.

**5.30. Increased Fire Risk**

*A representor was concerned about increased fire risk and litter from increased vehicular traffic and visitors.*

**Comment**

The proposal, through the Building Permit Application stage, must have a Bushfire Hazard Management Plan endorsed by a certified bushfire practitioner which will manage the site appropriately. It is unclear how the development will create more of a litter problem given the current situation and instances of anti-social behaviour. A continual site presence and attendance to litter collection is likely to improve the situation.



**5.31. Public Transport Services**

*A representor wanted to know if there had been any consultation with Metro or other public transport providers to increase services to reduce the risk of patrons' drink-driving.*

**Comment**

It is unlikely that a public transport service would be a feasible proposition in this location. This issue is not a matter for consideration under the Scheme, although it should be noted that the only uses potentially serving alcohol to people leaving the site at night would be the restaurants. Patrons would have to make their own transport arrangements or use a taxi service.

**5.32. Support**

A total of 11 submissions were in support of the proposal and made the following comments:

- *The development will be a great improvement on what is currently available.*
- *I am in favour on the proviso that the funeral chapel on the corner of Riawena Road and Akuna Street be relocated to allow for ease of access. A new funeral chapel could be built at the end of Akuna Street on the current reserve sharing the hotel car parking spaces during the days when services are held.*
- *Development of Rosny Hill is long overdue. It is such prime location but seriously under-utilised and apart from the fabulous westerly view is unfortunately known primarily for being a dumping ground and unsavoury behaviour and night time activities. I believe it is possible to both retain the natural habitat and have a purpose-built accommodation and restaurant development which would be an asset to the area. I also believe it is highly selfish of the small number of local residents who are opposing this proposal which will create much needed jobs and modern services in the area.*



- *It will enhance the area, restore the bushland that has regularly been trashed and provide much needed visitor services in Clarence. A hotel and cafe etc would be wonderful.*
- *Support as both, 'a local, and one of the silent majority'. I live below the proposed development...The chance to have a quality and sensitive development appeals to both my wife and I, a place to have a meal, some quality tracks to walk, a place for our children to maybe someday gain their first job.*
- *The café and public facilities are welcomed by the representor.*
- *The summit of Rosny Hill is already a spoiled environment due to the public road on the site.*
- *The site is regularly subject to anti-social behaviour and development, with a presence at night, is likely to decrease.*
- *The vehicular movements do not appear to be a substantial detriment to the residents of Riawena Road.*
- *The impact of the development is within tolerances the overall and very careful planning (fire management, visual impact, the work of Greening Australia on long term care of the environment. Protection of native habitats and threatened species) is impressive.*
- *I despair over the amount of opposition and feel that it is about time a decent plan like this was accepted.*
- *The development will continue to allow the general public free access to the park and viewing facilities. In addition, it will provide refreshment facilities and overnight accommodation to visitors to Hobart without detracting from the landscape.*



- *The hotel and restaurant will be keen to establish adequate fire protection in order to maintain and develop the ecological environment so their customers and guests can continue to enjoy their time in the park.*
- *Walking tracks and development is sufficiently far enough away to not be visually intrusive.*
- *Existing tracks feel isolated, require more planting in these areas and better maintenance.*
- *The representor suggests the provision of play equipment and barbeques.*
- *the site is currently underutilised and not befitting the views and values of the area. This project would benefit both the public and private users of the proposed development.*
- *The visual and architectural sensitivities have been considered well.*

#### **Comment**

The comments in support of the development are noted.

## **6. EXTERNAL REFERRALS**

The application was referred to the Conservation Assessment and Wildlife Management Section Policy and Conservation Advice Branch (PCAB), at DPIPWE which provided the following comments:

*“The most recent natural values report prepared for the proposed development at Rosny Hill by Greening Australia in June 2019 observed that the following flora species listed under the Threatened Species Protection Act 1995 (TSPA) have been recorded at the development site; Austrostipa scabra subsp. falcata (sickle speargrass), Dianella amoena (grassland flaxlily), and Thelymitra bracteata (leafy sun-orchid).*



*The report states that there will be no direct impact on Austrostipa scabra subsp. falcata or Dianella amoena from the proposed developments. Austrostipa scabra was delisted from the TSPA in June 2019 and therefore PCAB has no recommendations in relation to this species.*

*PCAB recommends that the locations of individuals of listed plants in close vicinity to the construction works are taped or fenced off by a suitably qualified person to the extent necessary to prevent incursion by machinery, personnel and/or materials.*

*If the hotel construction plans are amended during the development application process and it becomes evident that Dianella amoena or Thelymitra bracteata will be impacted upon by the proposed development, then a permit to take under the TSPA will be required.*

*Thelymitra bracteata is listed as endangered under the TSPA. As such, PCAB recommends it is managed carefully in order to ensure impacts to all known individuals from the development are minimised as much as practicable. The proposed development is likely to result in higher visitor numbers to the Rosny Hill than there are currently which poses a greater risk of trampling and physical disturbance to Thelymitra bracteata. PCAB supports the recommendation in the North Barker 2019 report on management of Thelymitra bracteata to clearly mark locations of individual orchids on construction diagrams and tape or fence the locations off as exclusion zones for personnel, machinery and materials. PCAB also supports the implementation of a weed and hygiene management plan to specifically manage potential impacts to Thelymitra bracteata from landscaping materials and incursion by weed species. PCAB supports the use of a boardwalk around the hotel facility to discourage trampling and disturbance to known locations of orchids, however, it is unclear how drawing visitors' attention to locations of individual orchids with signage is likely to improve protection of the orchids from disturbance.*



*Based on information available, it is unclear how viable controlled burns at this site will be for managing *Thelymitra bracteata*. It is also uncertain how successful the proposal by North Barker to propagate and translocate *Thelymitra bracteata* plants to 'safe locations elsewhere in the reserve' would be, particularly given the specific needs of the orchid, such as mycorrhizal associations etc and is therefore not considered as a mitigating the impacts to the species. PCAB suggests that the controlled burn and translocation proposals could be investigated separately rather than included as part of the management plan for *Thelymitra bracteata* for this development.*

*There are records in the area for Swift parrots (*Lathamus discolor*), listed as endangered under the TSPA and critically endangered under the Environment Protection and Biodiversity Conservation Act 1999 (EPBCA) and the site is within range of known foraging and nesting habitat. A threat to swift parrots is colliding with man-made objects such as windows and chain-link fences. It is recommended that infrastructure is designed to minimise collision risks to Swift parrots.*

*There are a number of plant species that are declared weeds under the Weed Management Act 1999 recorded from the Rosny Hill site, including boneseed, blackberry, English broom, fennel, whiteweed, Cootamundra wattle and gorse. PCAB recommends the proponent develop a weed and hygiene management plan control the spread of weeds and diseases and ensure that any weeds present on the property are properly managed."*

## **7. COUNCIL COMMITTEE RECOMMENDATION**

- 7.1.** Referral responses were received from the Tracks and Trails Committee, Natural Resource and Grants Committee and Disability Access Advisory Committee.



- 7.2.** The Tracks and Trails Committee supported the new tracks proposed (southern link from circuit track, orchid boardwalk at summit and connecting track behind the carpark). The western side track from Hesket Court was considered unnecessary.
- 7.3.** The Tracks and Trails Committee request that the tracks be constructed in gravel to a AS Class 2 walking track standard. The boardwalk should meet DDA requirements with adequate width for wheelchairs and prams to pass (minimum 1.8m).
- 7.4.** Natural Resource and Grants Committee recommended that;
- The Rosny Hill Bushland Reserve be managed in accord with the Clarence Bushland and Coastal Strategy, by development and implementation of a Rosny Hill Bushland Reserve Activity Plan, RHRAP.
  - The RHRAP be applied to the non-leased area of the Reserve.
  - The proponents under the direction of Clarence City Council develop the RHRAP and fund the implementation of the plan directed by Council over the first 5 years.
  - The RHRAP should be informed by and consistent with, the Rosny Hill Natural Values Assessment prepared for the Development Application.
  - The role of the proposed Rosny Hill Conservation Management Committee be to support Council regarding the implementation and funding of the non-leased bushland managed by the RHRAP and direct and fund the sensitive management of the leased area.



- The representation of the proposed Rosny Hill Conservation Management Committee be amended.

**7.5.** The Disability Access Advisory Committee requested an advice to the permit to encourage the proponent to complete Council's Access and Inclusion Assessment Toolkit and where appropriate to liaise with Council's DAAC.

## **8. STATE POLICIES AND ACT OBJECTIVES**

**8.1.** The proposal is consistent with the outcomes of the State Policies.

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

## **9. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS**

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

## **10. CONCLUSION**

The proposal is for Public Recreation Facilities, Visitor Accommodation & Food Services at 12A Akuna Street and Akuna Street Road Reserve, Rosny. The proposed development involves the construction of a 60-room visitor accommodation complex, restaurants, café, kiosk (240 seats in total) and public viewing deck with new public walking trails, vegetation management and 114 car parking spaces in addition to the existing 27 spaces (a total of 141 spaces).

It is proposed that the reserve will be subject to a reserve activity plan (RHRAP) to be administered by Council acting as the Managing Authority for the Reserve which will be founded on a number of management and assessment plans to be prepared by the applicant under the direction of the RHRAP. The applicant would be responsible for on-site management and annual works schedules for the reserve as determined by the RHRAP.



The development proposal is recommended for approval subject to reasonable and relevant conditions (Recommendation A).

It is further recommended that Council resolve to instruct the General Manager to commence preparation of the Rosny Hill Reserve Activity Plan (Recommendation B).

Attachments: 1. Location Plan (1)  
2. Proposal Plan (17)

Ross Lovell  
**MANAGER CITY PLANNING**



# Rosny Hill

public lookout & hotel  
12a Akuna Street Rosny

PLANNING SUMMARY

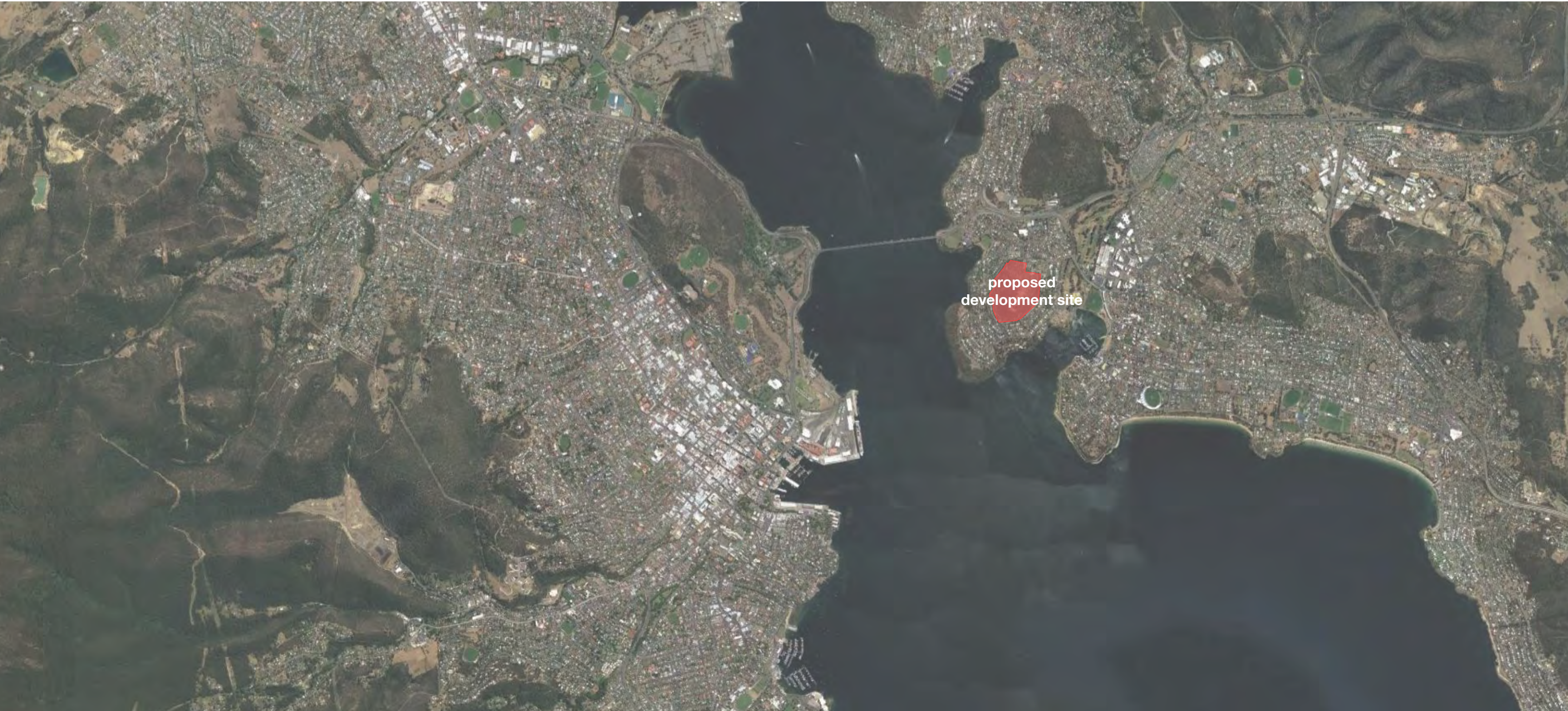
TITLE REFERENCE  
The subject property is currently contained within two contiguous Certificates of Title, as summarised below:

| Volume | Folio | Land area |
|--------|-------|-----------|
| 12799  | 1     | 20.56 ha  |
| 236367 | 1     | 0.4047 ha |

SITE AREA: 209311 m²  
PROPOSED FOOTPRINT: lookout and hotel including pods 4570m²  
SITE COVERAGE %: 2.18  
LOOKOUT FOOTPRINT (PUBLIC OPEN SPACE): 1920m²

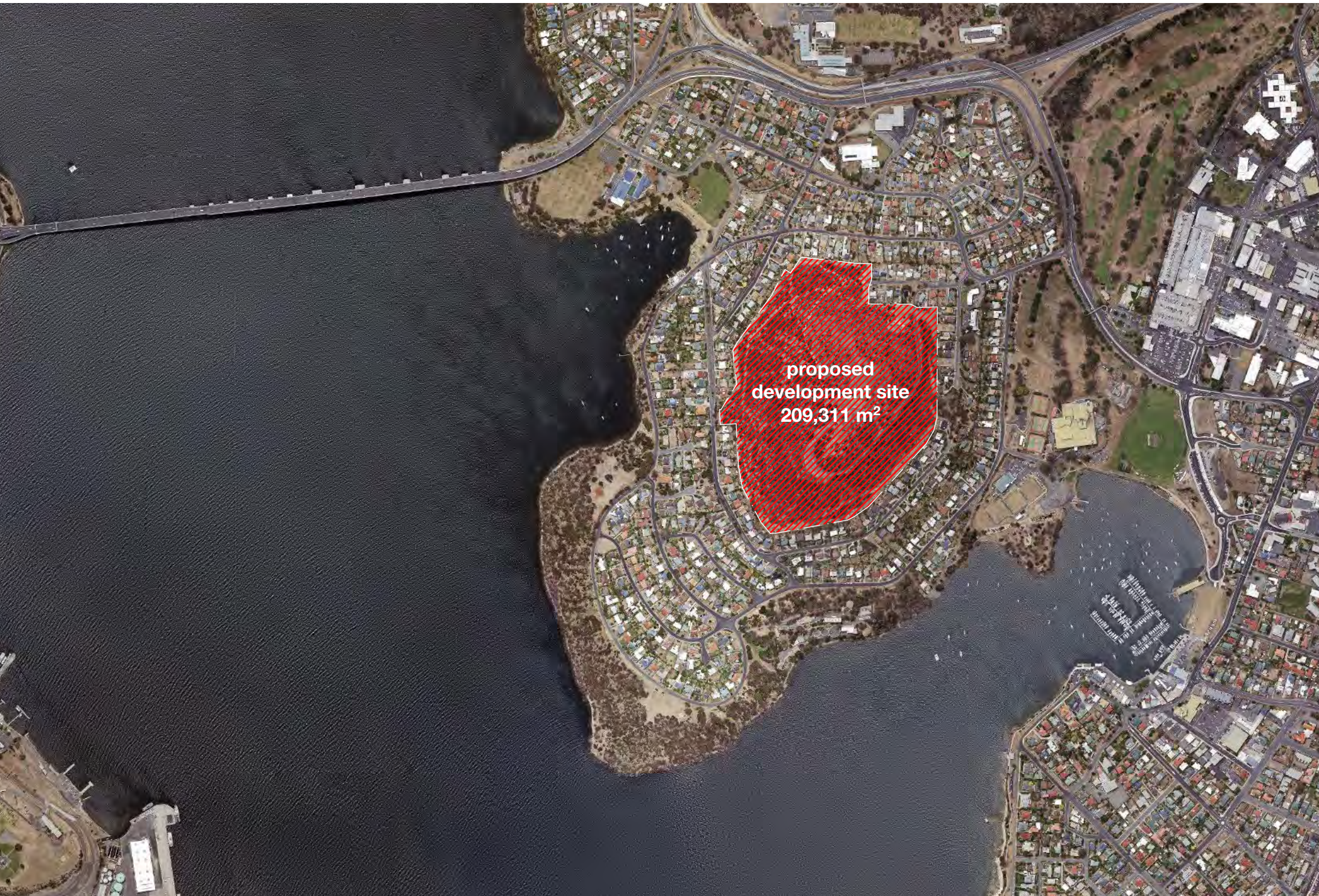
PUBLIC CAR PARKING SPACES INCREASED FROM 33 TO 55  
HOTEL CAR PARKING - 86 INCLUDING 3 ACCESS CAR PARKS AND 4 MOTORCYCLE PARKS  
= SURPLUS OF 10 CARPARKS TO TRAFFIC ENGINEERING ASSESSMENT

| Drawing Register sk |                       |                     |
|---------------------|-----------------------|---------------------|
| Layout No:          | Layout Name           | Current Revision ID |
| DA01                | COVER                 | E                   |
| DA02                | SITE PLAN - LANDSCAPE | E                   |
| DA03                | SITE PLAN             | E                   |
| DA04                | L00 PLAN              | E                   |
| DA05                | -L01 PLAN             | E                   |
| DA06                | -L02 PLAN             | E                   |
| DA07                | -L03 PLAN             | E                   |
| DA08                | -L01 PARTIAL PLAN-A   | E                   |
| DA09                | -L01 PARTIAL PLAN-B   | E                   |
| DA10                | -L02 PARTIAL PLAN-A   | E                   |
| DA11                | -L02 PARTIAL PLAN-B   | E                   |
| DA12                | -L03 PARTIAL PLAN-A   | E                   |
| DA13                | -L03 PARTIAL PLAN-B   | E                   |
| DA14                | ELEVATIONS            | E                   |
| DA15                | ELEVATIONS            | E                   |
| DA16                | ELEVATIONS            | E                   |
| DA17                | SITE SECTION          | E                   |
| DA18                | SECTIONS              | E                   |



1

Context Plan



2

Location Plan

| revisions   |            |                                       |         | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| Revision ID | Issue Date | Issue Name                            | Comment |           |             |
| PRE         | 30/11/17   | Concept                               |         |           |             |
| A           | 20/4/18    | Development Application Issue         |         |           |             |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 29/8/19    | Development Application_RFI           |         |           |             |

## DEVELOPMENT APPLICATION

not for construction

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| original drawing size |  | Rosny Hill |  | circa morris-nunn architects |  | COVER         |  |
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Site Plan - Landscape

○ SURVEYED ORCHID LOCATIONS- REFER TO NATURAL  
VALUES ASSESSMENT, GREENING AUSTRALIA FOR  
FURTHER INFORMATION AND FOOTPRINT IMPACT

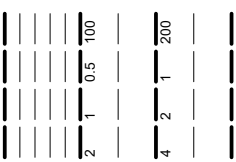
revisions

| Revision ID | Issue Date | Issue Name                    | Comment | Change ID | Change Name |
|-------------|------------|-------------------------------|---------|-----------|-------------|
| PRE         | 30/11/17   | Concept                       |         |           |             |
| A           | 20/4/18    | Development Application Issue |         |           |             |
| B           | 20/6/18    | Development Application Issue | revised |           |             |
| C           | 24/7/19    | Development Application       |         |           |             |
| D           | 25/7/19    | Development Application       |         |           |             |
| E           | 29/8/19    | Development Application_RFI   |         |           |             |

# DEVELOPMENT APPLICATION

not for construction

original drawing size



Rosny Hill

Watum, 27 Hunter Street  
Hobart TAS 7000

These designs show design intent and are suitable as a guide only. The builder shall check and verify all dimensions and verify all errors/omissions to the Architect. Do not scale off the drawings. Drawings are not to be used for construction purposes until issued by the Architect for construction.



circa morris-nunn architects

Contact

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03 6236 9544  
info@circamorrisnunn.com.au

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SITE PLAN - LANDSCAPE

Preliminaries

status

print date

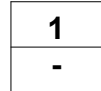
Thursday, 29 August 2019

drawing nr

1421-DA02

E





revisions

**DEVELOPMENT APPLICATION**  
not for construction

---

**A1**

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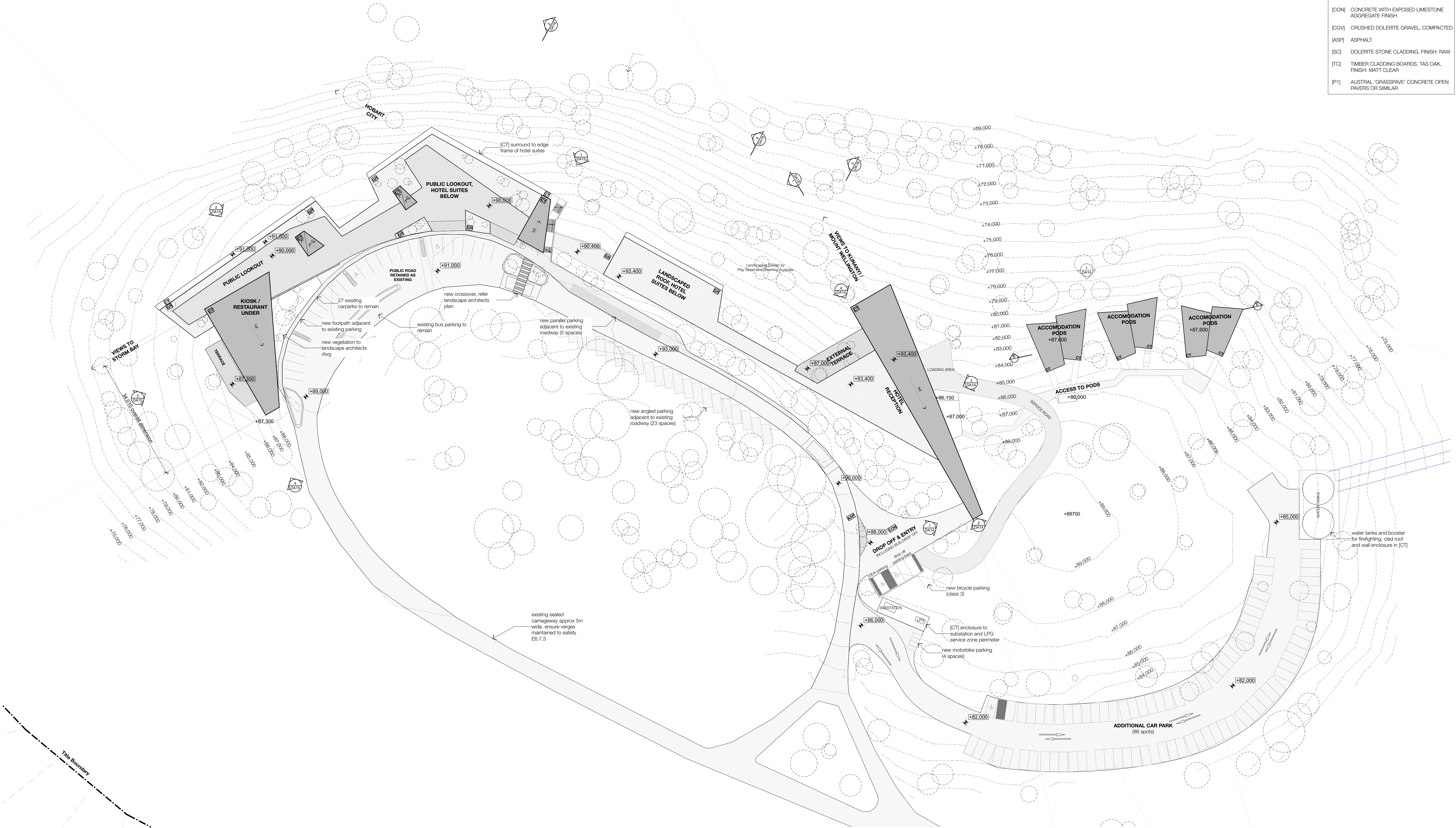


# M



MATERIAL KEY

- [GR] LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING
- [CT] COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)
- [FG] CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK
- [TD] ROUGH SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)
- [CON] CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH
- [CGV] CRUSHED DOLERITE GRAVEL, COMPACTED
- [ASP] ASPHALT
- [SC] DOLERITE STONE CLADDING, FINISH: RAW
- [TC] TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR
- [P1] AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR



1  
-  
L00 Roof + Public Lookout  
scale 1:500

revisions

| Revision ID | Issue Date | Issue Name                            | Comment | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| PRE         | 30/11/17   | Concept                               |         |           |             |
| P1          | 30/11/17   | Concept                               |         |           |             |
| A           | 20/4/18    | Development Application Issue         |         | Ch-1      | Change      |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 28/8/19    | Development Application_RFI           |         |           |             |

DEVELOPMENT APPLICATION

not for construction

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Rosny Hill

Watum, 27 Hunter St | Hobart | Tas | 7000  
hobart TAS 7000

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info@circamorrisnunn.com.au

These drawings show design intent and are suitable as a guide only. The builder shall check and verify all dimensions and verify all errors/omissions to the Architect. Do not scale off the drawings. Drawings are not to be used for construction purposes until issued by the Architect for construction.

L00 PLAN

Plans

status **DA**

print date **Thursday, 29 August 2019**

drawing n° **1421-DA04**

8886 **E**



MATERIAL KEY

- [GR] LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING
- [CT] COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)
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- [P1] AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR



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-L01 Hotel + Public lookout  
scale 1:500

revisions

| Revision ID | Issue Date | Issue Name                    | Comment | Change ID | Change Name |
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| E           | 28/8/19    | Development Application_RFI   |         |           |             |

DEVELOPMENT APPLICATION

not for construction

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Rosny Hill

Watum, 27 Hunter St | Hobart | Tas | 7000  
TAS 7000

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-L01 PLAN

Plans

status  
print date  
drawing n°

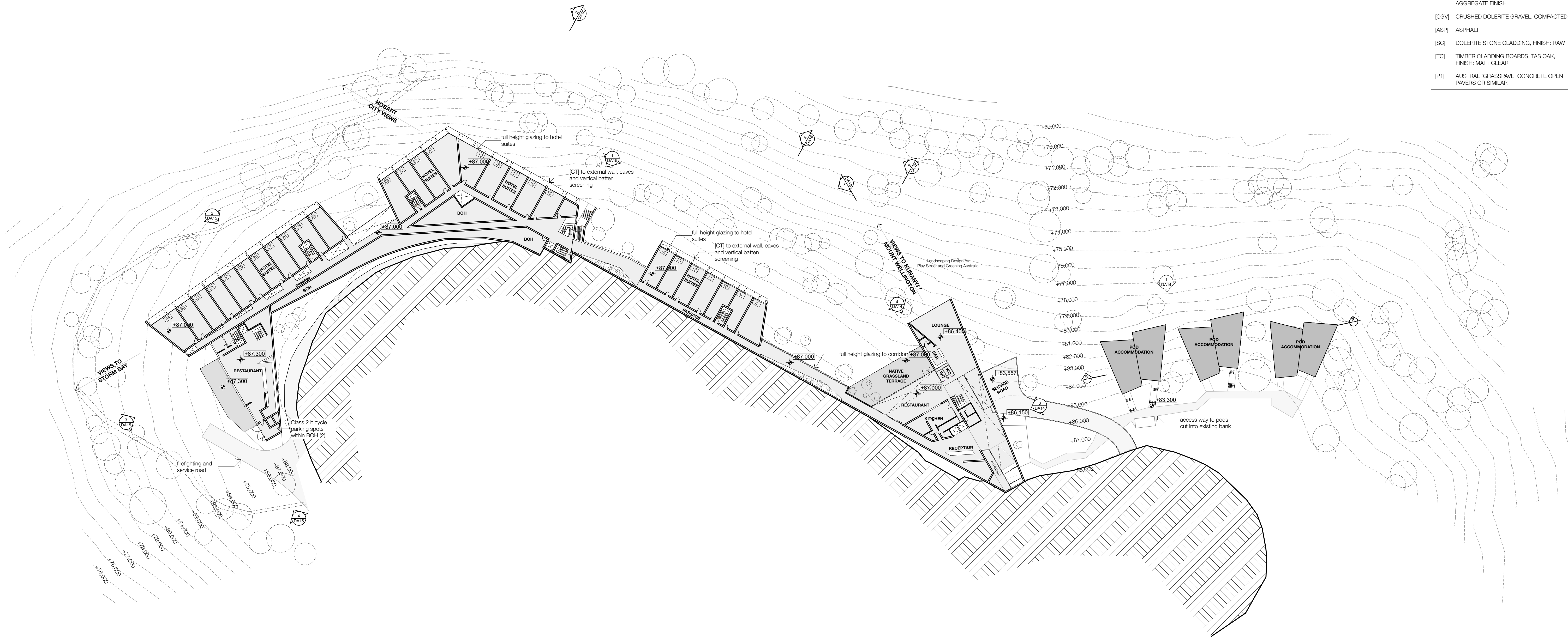
1421-DA05

DA  
Thursday, 29 August 2019  
8886  
E



MATERIAL KEY

- [GR] LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING
- [CT] COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)
- [FG] CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK
- [TD] ROUGH SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)
- [CON] CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH
- [CGV] CRUSHED DOLERITE GRAVEL, COMPACTED
- [ASP] ASPHALT
- [SC] DOLERITE STONE CLADDING, FINISH: RAW
- [TC] TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR
- [P1] AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR



1 -L02 Hotel + Reception + Restaurant + Pod Access  
scale 1:500

| Revision ID | Issue Date | Issue Name                            | Comment | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| A           | 20/4/18    | Development Application Issue         |         |           |             |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 28/8/19    | Development Application_RFI           |         |           |             |

DEVELOPMENT APPLICATION

not for construction

|                       |        |
|-----------------------|--------|
| original drawing size | A1     |
| 1:100                 | 1:100  |
| 1:500                 | 1:500  |
| 1:1000                | 1:1000 |
| 1:2000                | 1:2000 |

Rosny Hill

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hobart  
TAS 7000

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-L02 PLAN

Plans

status DA  
print date Thursday, 29 August 2019

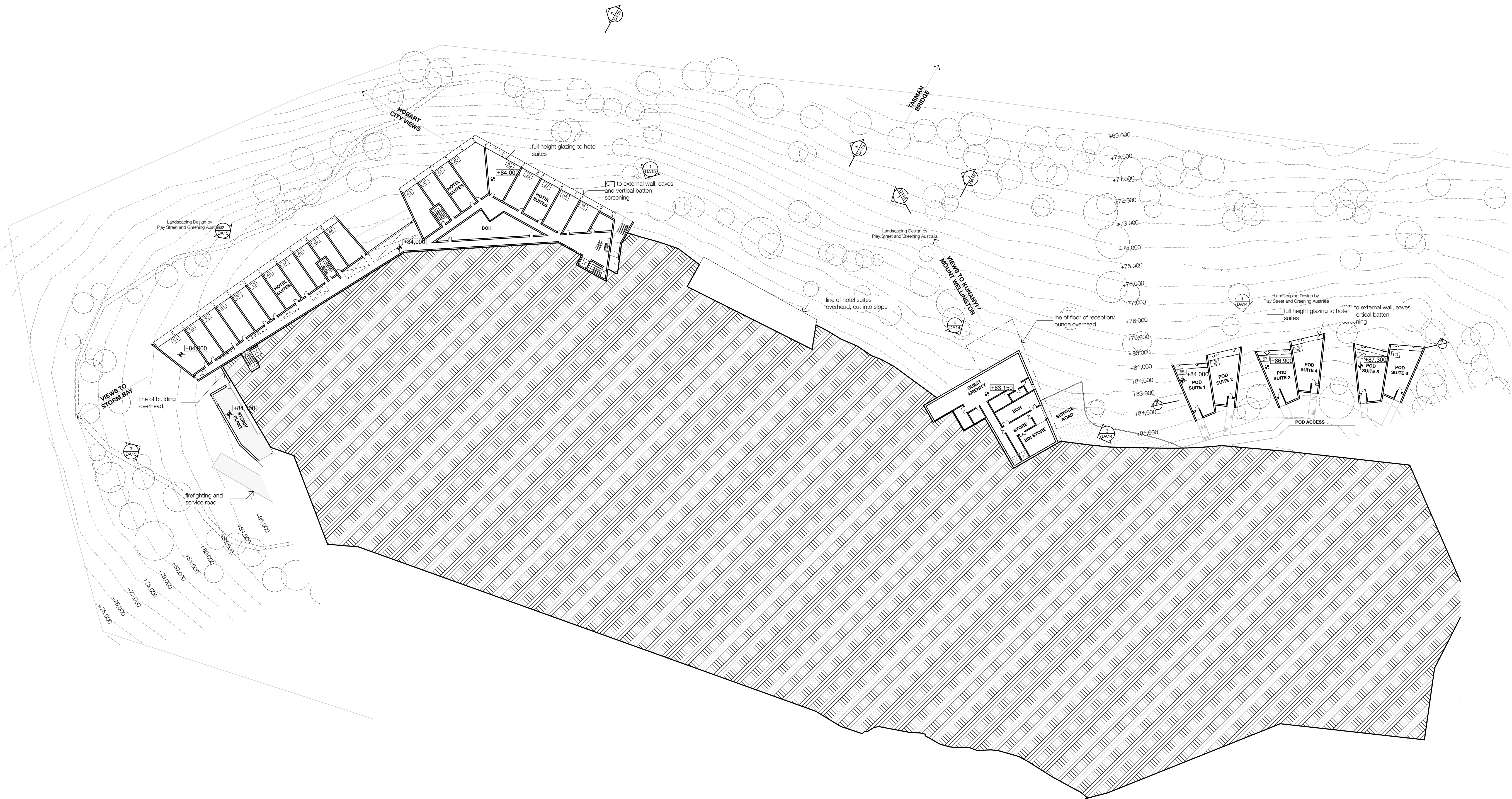
drawing n° 1421-DA06

E



MATERIAL KEY

- [GR] LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING
- [CT] COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)
- [FG] CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK
- [TD] ROUGH SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)
- [CON] CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH
- [CGV] CRUSHED DOLERITE GRAVEL, COMPACTED
- [ASP] ASPHALT
- [SC] DOLERITE STONE CLADDING, FINISH: RAW
- [TC] TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR
- [P1] AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR



1  
-

-L03 Hotel + Basement + Pods  
scale 1:500

revisions

| Revision ID | Issue Date | Issue Name                            | Comment | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| A           | 20/4/18    | Development Application Issue         |         |           |             |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 28/8/19    | Development Application_RFI           |         |           |             |

DEVELOPMENT APPLICATION

not for construction

original drawing size

|      |      |       |       |
|------|------|-------|-------|
| 1:10 | 1:50 | 1:100 | 1:200 |
| 1:10 | 1:50 | 1:100 | 1:200 |
| 1:10 | 1:50 | 1:100 | 1:200 |
| 1:10 | 1:50 | 1:100 | 1:200 |

Rosny Hill

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Hobart TAS 7000



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info@circamorrisnunn.com.au

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-L03 PLAN

Plans

status DA

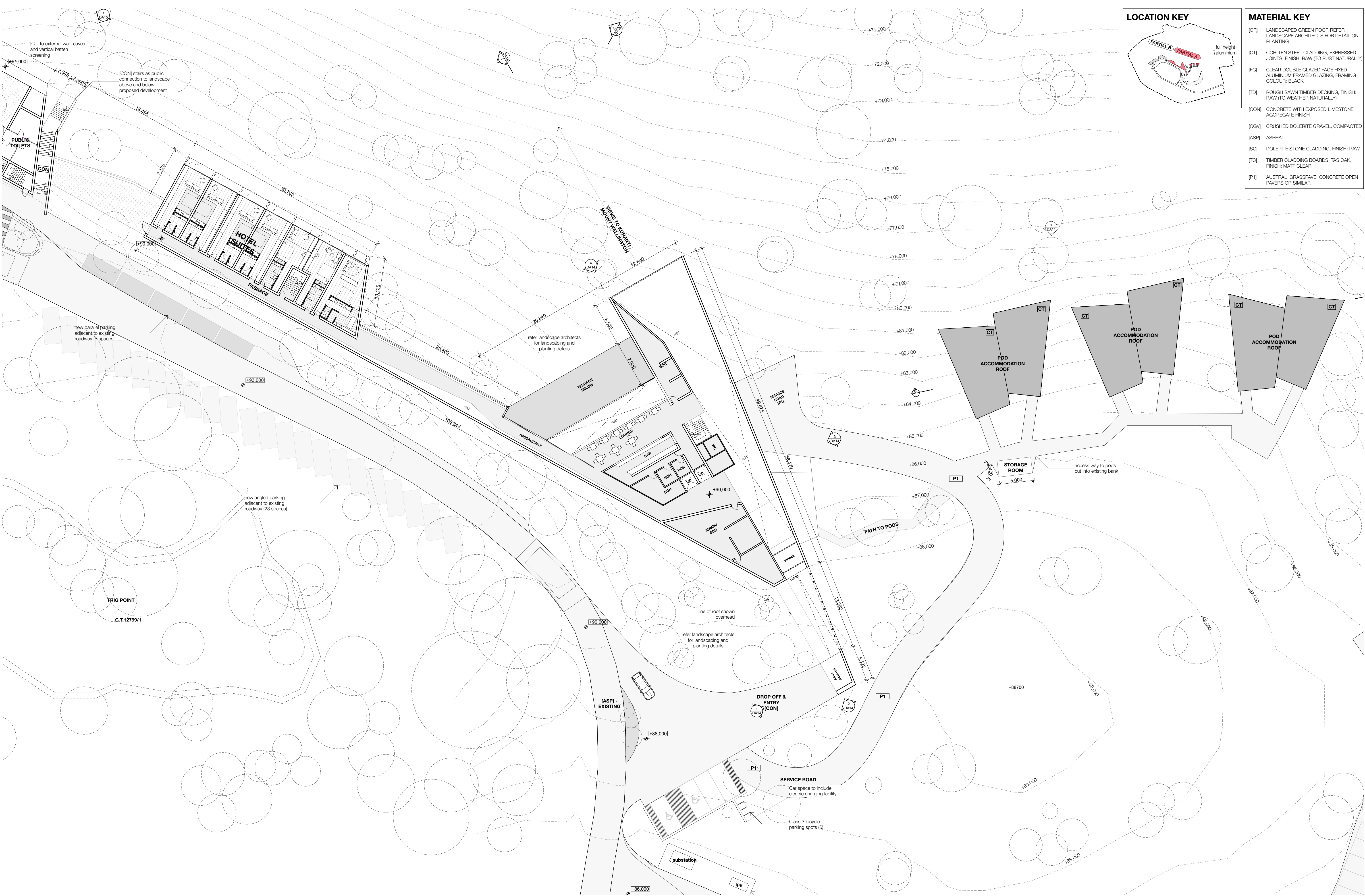
print date Thursday, 29 August 2019

drawing ref 1421-DA07

8886

E





1  
-  
PARTIAL A: -L01 Hotel + Public Lookout  
scale 1:250

| revisions   |            |                               |         |           |
|-------------|------------|-------------------------------|---------|-----------|
| Revision ID | Issue Date | Issue Name                    | Comment | Change ID |
| A           | 20/4/18    | Development Application Issue |         |           |
| B           | 20/6/18    | Development Application Issue |         |           |
| C           | 24/7/19    | Development Application       |         |           |
| D           | 25/7/19    | Development Application       |         |           |
| E           | 28/8/19    | Development Application_RFI   |         |           |

# DEVELOPMENT APPLICATION

not for construction

| original drawing size |        |
|-----------------------|--------|
| 1:100                 | 1:100  |
| 1:500                 | 1:500  |
| 1:1000                | 1:1000 |
| 1:2000                | 1:2000 |

**Rosny Hill**

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TAS 7000

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**-L01 PARTIAL PLAN-A**

**Plans**

status **DA**

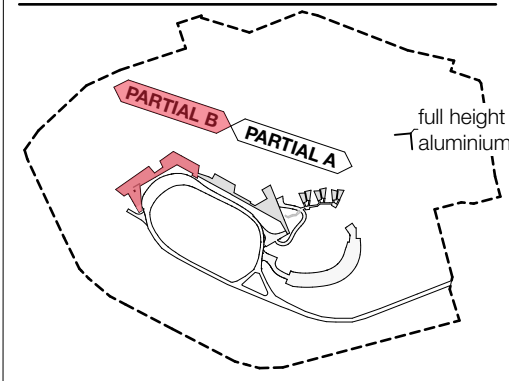
print date **Thursday, 29 August 2019**

drawing ID **1421-DA08**

issue **E**

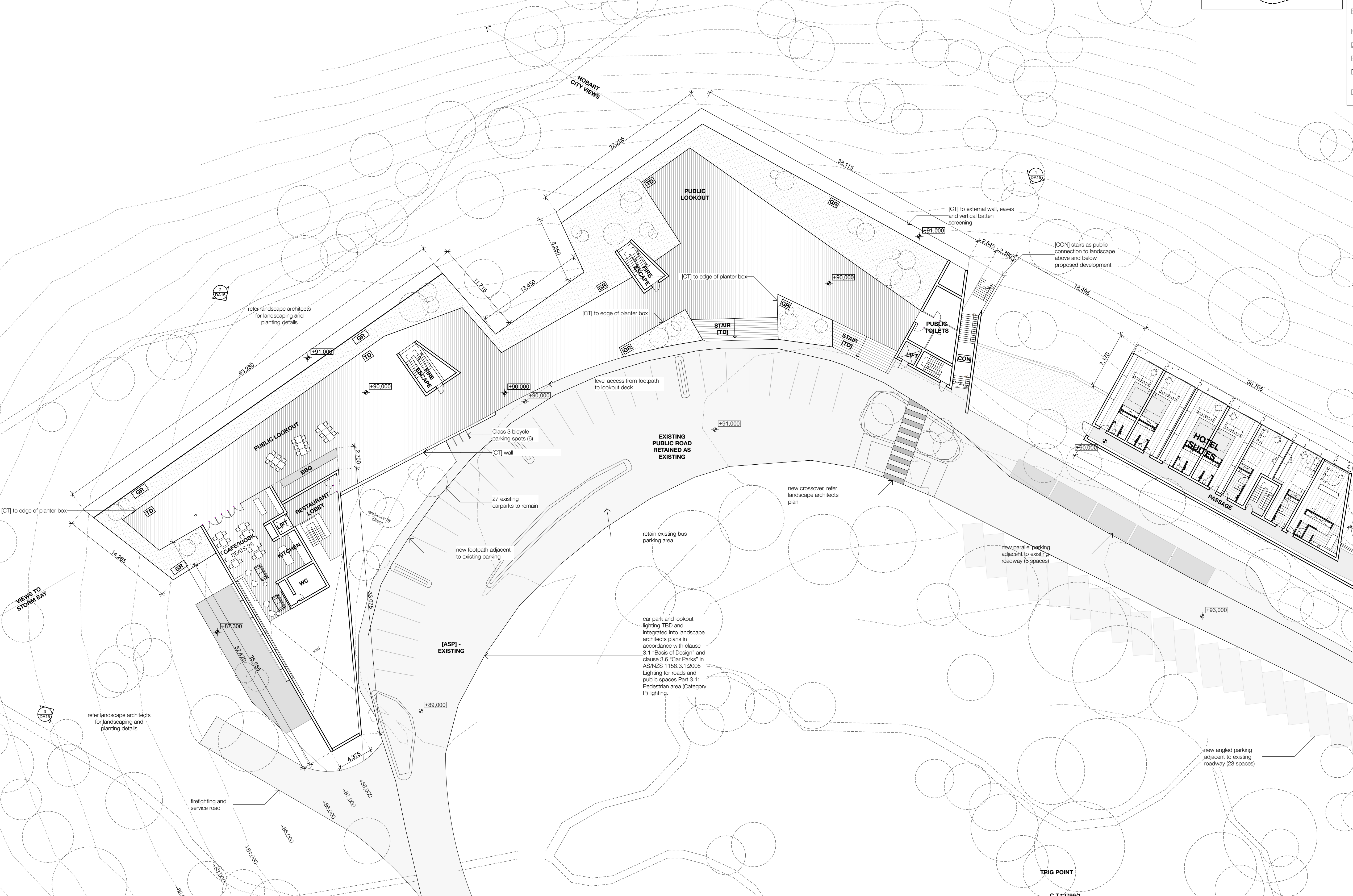


## LOCATION KEY



## MATERIAL KEY

|       |  |
|-------|--|
| [GR]  | LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING       |
| [CT]  | COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)      |
| [FG]  | CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK |
| [TD]  | ROUGH SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)                  |
| [CON] | CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH                               |
| [CGV] | CRUSHED DOLERITE GRAVEL, COMPACTED   |
| [ASP] | ASPHALT  |
| [SC]  | DOLERITE STONE CLADDING, FINISH: RAW   |
| [TC]  | TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR                            |
| [P1]  | AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR                            |



1

PARTIAL B: -L01 Hotel + Public Lookout  
scale 1:250

## revisions

| Revision ID | Issue Date | Issue Name                            | Comment | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| A           | 20/4/18    | Development Application Issue         |         |           |             |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 29/8/19    | Development Application_RP1           |         |           |             |

## DEVELOPMENT APPLICATION

not for construction

original drawing size

|      |      |       |       |
|------|------|-------|-------|
| 1:10 | 1:50 | 1:100 | 1:200 |
|------|------|-------|-------|

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## -L01 PARTIAL PLAN-B

## Plans

|            |                          |
|------------|--------------------------|
| status     | DA                       |
| print date | Thursday, 29 August 2019 |
| drawing nr | 1421-DA09                |

E





|   |   |
|---|---|
| 1 | PARTIAL A: -L02 Hotel + Reception + Restaurant + Pod Access |
| - | scale 1:250   |

revisions

| Revision ID | Issue Date | Issue Name                    | Comment | Change ID | Change Name |
|-------------|------------|-------------------------------|---------|-----------|-------------|
| A           | 20/4/18    | Development Application Issue |         |           |             |
| B           | 20/6/18    | Development Application Issue | revised |           |             |
| C           | 24/7/19    | Development Application       |         |           |             |
| D           | 25/7/19    | Development Application       |         |           |             |
| E           | 29/8/19    | Development Application_RFI   |         |           |             |

# DEVELOPMENT APPLICATION

not for construction

|                       |       |
|-----------------------|-------|
| original drawing size | A1    |
| 1:10                  | 1:10  |
| 1:50                  | 1:50  |
| 1:100                 | 1:100 |
| 1:200                 | 1:200 |

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-L02 PARTIAL PLAN-A

Plans

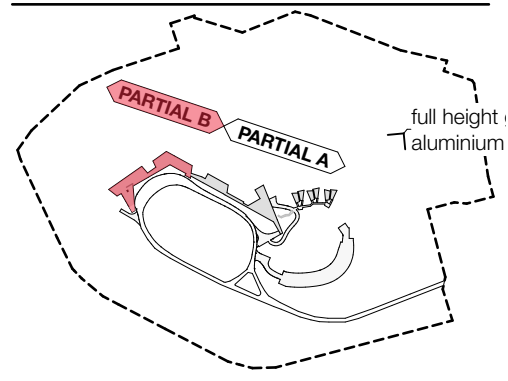
status  
print date  
drawing n°

1421-DA10

E

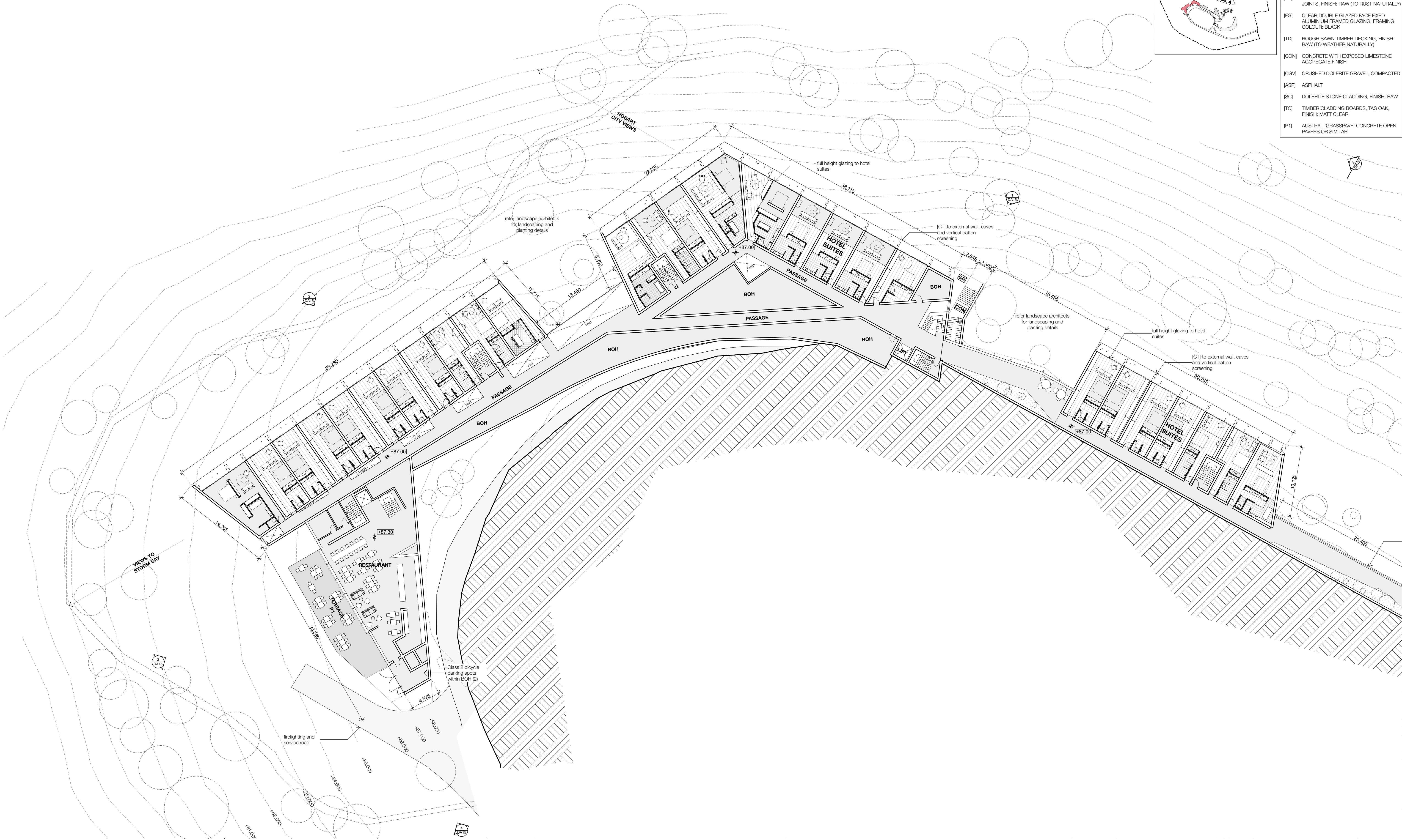


## LOCATION KEY



## MATERIAL KEY

|       |  |
|-------|--|
| [GR]  | LANDSCAPED GREEN ROOF. REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING       |
| [CT]  | COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)      |
| [FG]  | CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK |
| [TD]  | ROUGH SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)                  |
| [CON] | CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH                               |
| [CGV] | CRUSHED DOLERITE GRAVEL, COMPACTED   |
| [ASP] | ASPHALT  |
| [SC]  | DOLERITE STONE CLADDING, FINISH: RAW   |
| [TC]  | TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR                            |
| [P1]  | AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR                            |



1  
-

**PARTIAL B: -L02 Hotel + Reception + Restaurant**  
scale 1:250

## revisions

| Revision ID | Issue Date | Issue Name                            | Comment | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| A           | 20/4/18    | Development Application Issue         |         |           |             |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 28/8/19    | Development Application_RFI           |         |           |             |

**DEVELOPMENT APPLICATION**  
not for construction

original drawing size

|      |      |       |       |
|------|------|-------|-------|
| 1:10 | 1:50 | 1:100 | 1:200 |
| 1:10 | 1:50 | 1:100 | 1:200 |
| 1:10 | 1:50 | 1:100 | 1:200 |
| 1:10 | 1:50 | 1:100 | 1:200 |

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## -L02 PARTIAL PLAN-B

## Plans

status **DA**

print date **Thursday, 29 August 2019**

drawing n°

**1421-DA11****E**





1  
-  
PARTIAL A: -L03 Basement + Pod Access  
scale 1:250

| revisions   |            |                                       |         |           |
|-------------|------------|---------------------------------------|---------|-----------|
| Revision ID | Issue Date | Issue Name                            | Comment | Change ID |
| A           | 20/4/18    | Development Application Issue         |         |           |
| B           | 20/6/18    | Development Application Issue revised |         |           |
| C           | 24/7/19    | Development Application               |         |           |
| D           | 25/7/19    | Development Application               |         |           |
| E           | 28/8/19    | Development Application_RP1           |         |           |

# DEVELOPMENT APPLICATION

not for construction

| original drawing size |       |
|-----------------------|-------|
| 1:10                  | 1:50  |
| 1:100                 | 1:200 |

## Rosny Hill

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hobart  
TAS 7000

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## -L03 PARTIAL PLAN-A

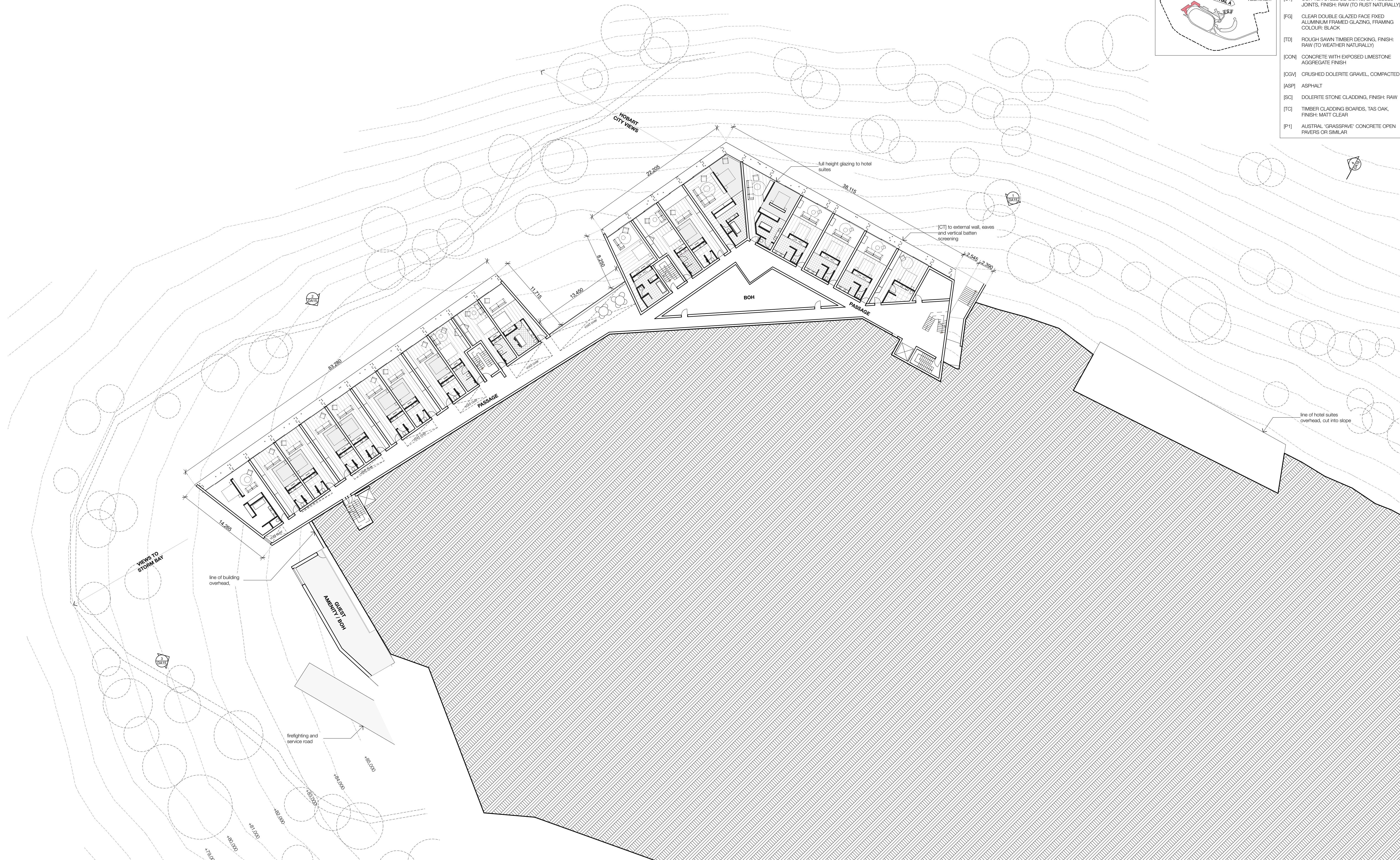
### Plans

status  
print date  
drawing n°

1421-DA12

E

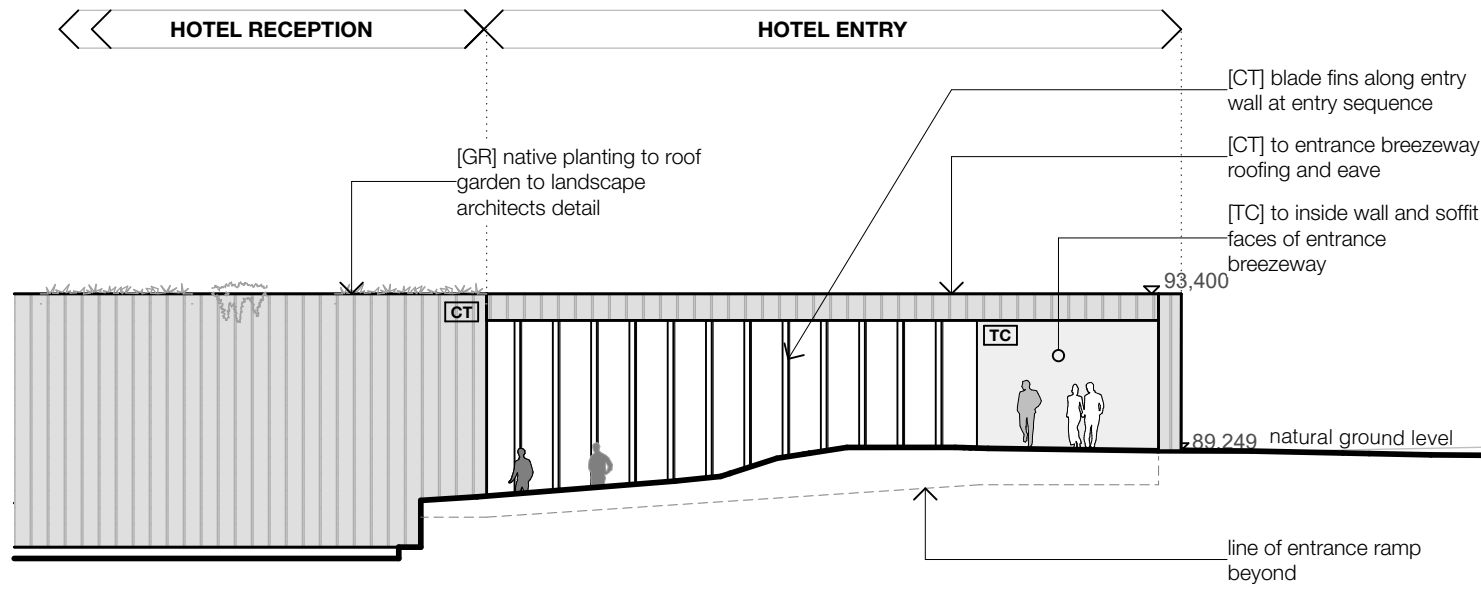




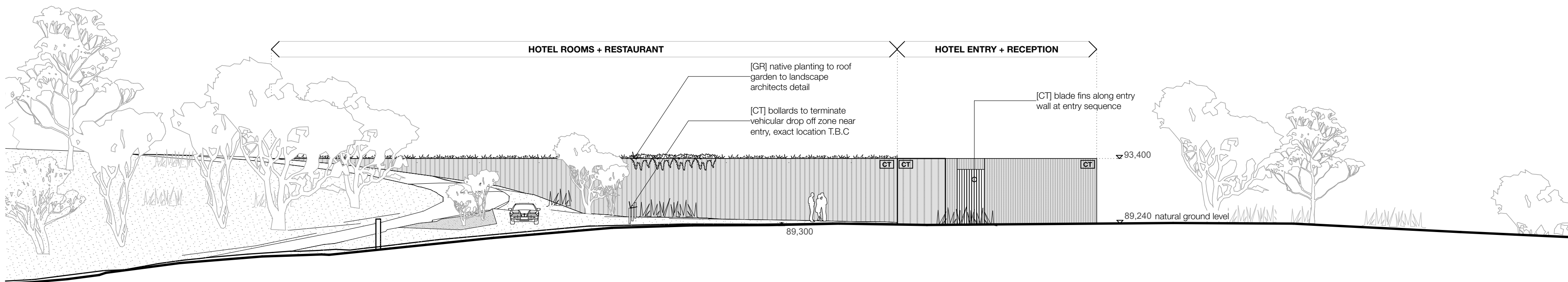


MATERIAL KEY

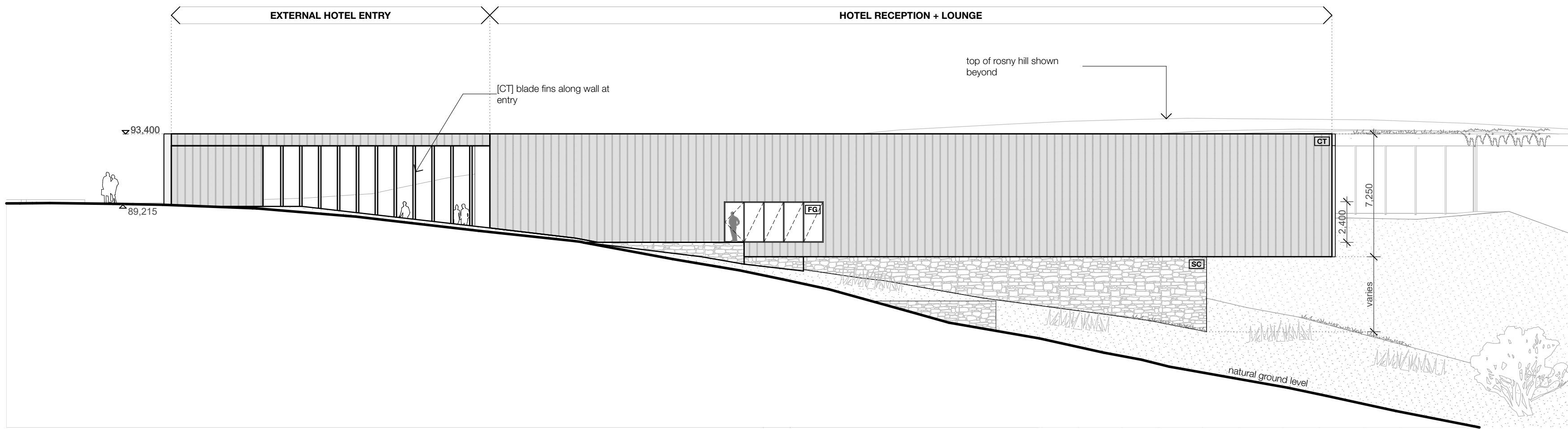
- [GR] LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING
- [CT] COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)
- [FG] CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK
- [TD] HIGH-SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)
- [CON] CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH
- [CGV] CRUSHED DOLERITE GRAVEL, COMPACTED
- [ASP] ASPHALT
- [SC] DOLERITE STONE CLADDING, FINISH: RAW
- [TC] TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR
- [P1] AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR



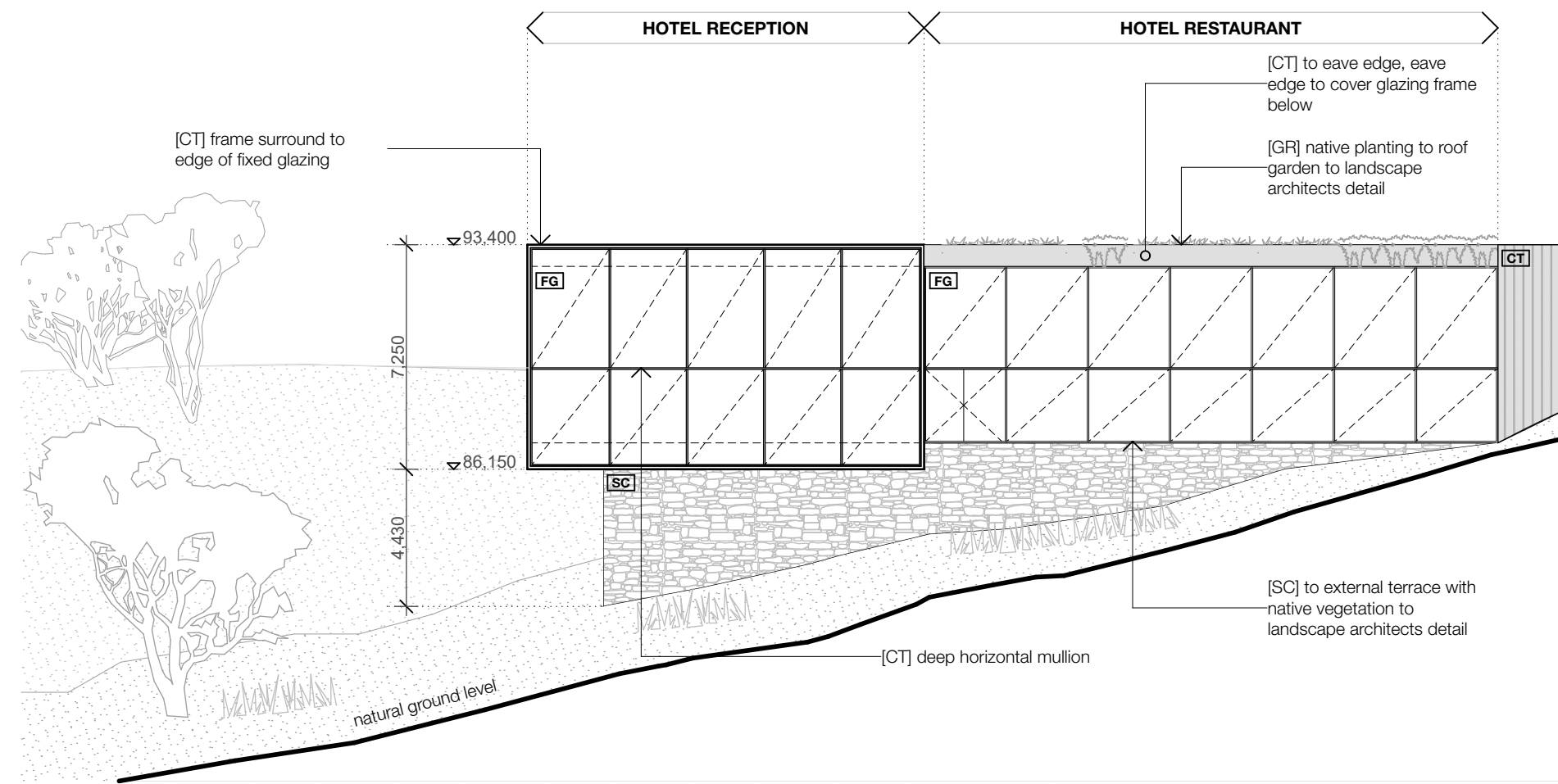
1 Hotel Entry + Reception - South  
- scale 1:200



2 Hotel Entry + Reception - East  
- scale 1:200



3 Hotel Entry + Reception - North  
- scale 1:200



4 Hotel Entry + Reception + Restaurant - West  
- scale 1:200

revisions

| Revision ID | Issue Date | Issue Name                            | Comment | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| A           | 20/4/18    | Development Application Issue         |         |           |             |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 28/8/19    | Development Application_RFI           |         |           |             |

DEVELOPMENT APPLICATION

not for construction

original drawing size

|      |      |       |       |
|------|------|-------|-------|
| 1:10 | 1:50 | 1:100 | 1:200 |
|------|------|-------|-------|

Rosny Hill

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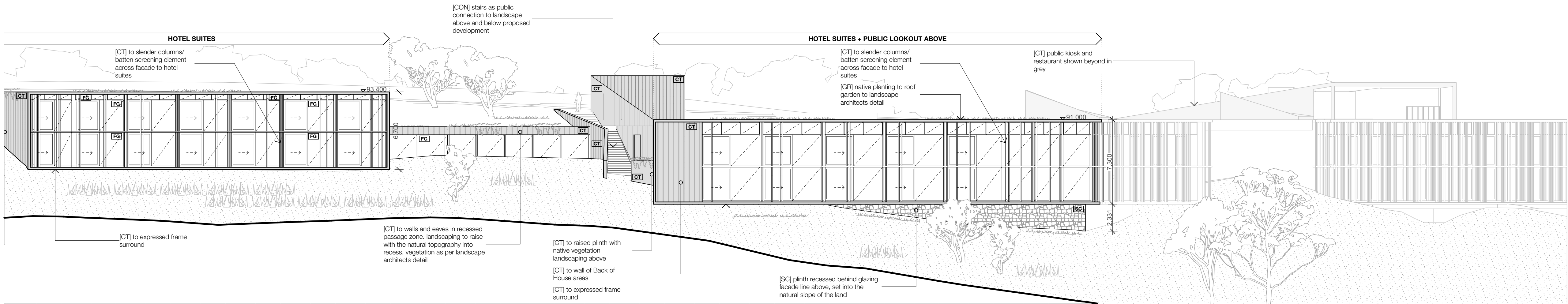
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ELEVATIONS

Elevations and Sections

|            |                          |
|------------|--------------------------|
| status     | DA                       |
| print date | Thursday, 29 August 2019 |
| drawing n° | 1421-DA14                |
| issue      | E                        |

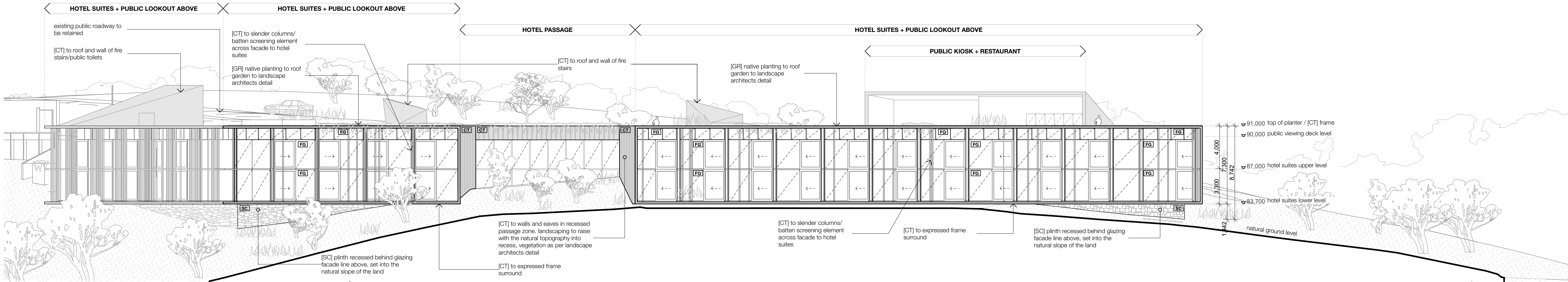




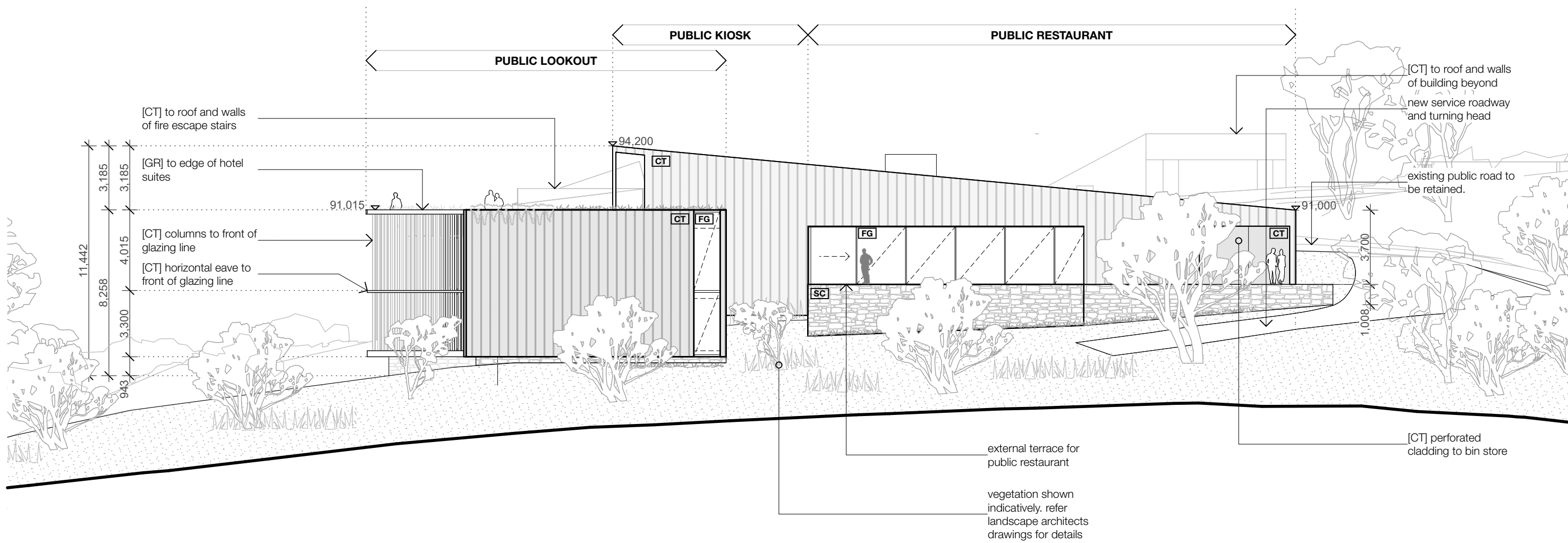
#### MATERIAL KEY

- [GR] LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING
- [CT] COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)
- [FG] CLEAR DOUBLE GLAZED FACE FIXED ALUMINUM FRAMED GLAZING, FRAMING COLOUR: BLACK
- [TD] ROUGH SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)
- [CON] CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH
- [CGV] CRUSHED DOLERITE GRAVEL, COMPACTED
- [ASP] ASPHALT
- [SC] DOLERITE STONE CLADDING, FINISH: RAW
- [TC] TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR
- [P1] AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR

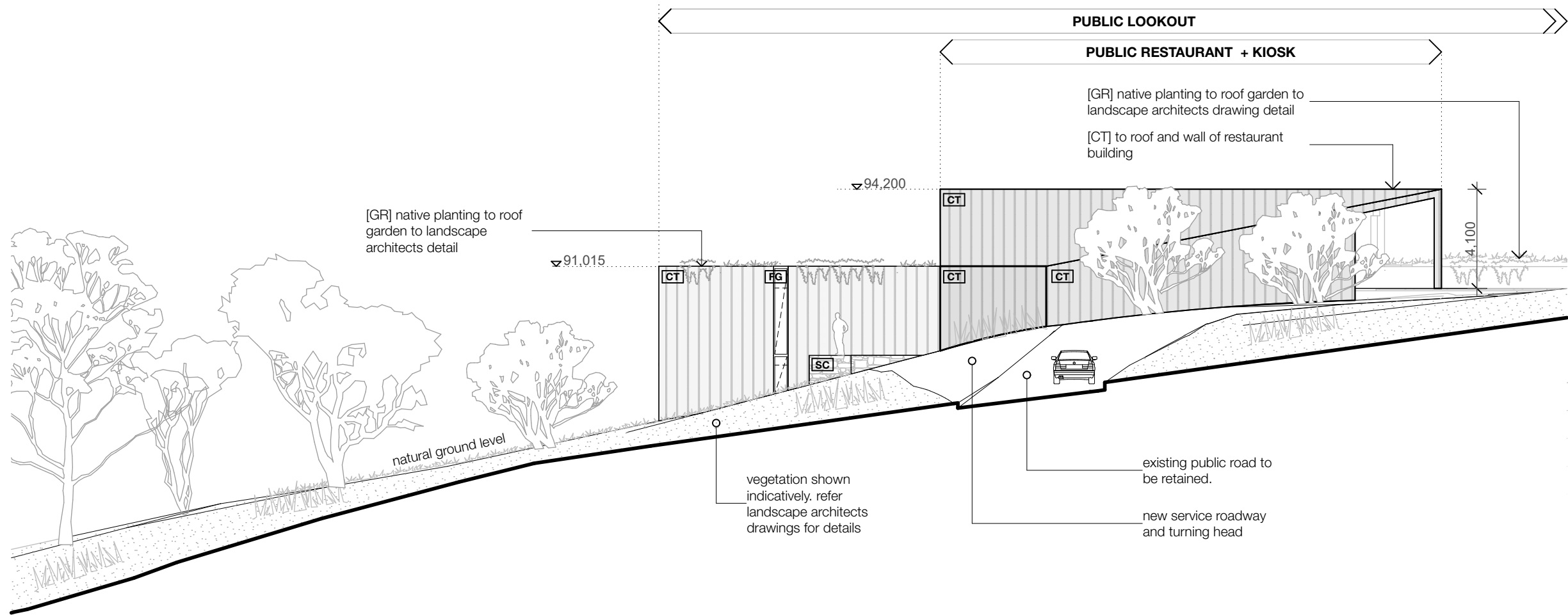
1 Hotel Suites + Public Lookout - North West  
scale 1:200



2 Hotel Suites + Public Lookout - South West  
scale 1:200



3 South: Public Look-Out End  
scale 1:200



4 East: Public Look-Out End  
scale 1:200

#### revisions

| Revision ID | Issue Date | Issue Name                            | Comment | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| A           | 20/4/18    | Development Application Issue         |         |           |             |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 28/8/19    | Development Application_RFI           |         |           |             |

# DEVELOPMENT APPLICATION

not for construction

original drawing size

|       |       |
|-------|-------|
| 1:10  | 1:10  |
| 1:50  | 1:50  |
| 1:100 | 1:100 |
| 1:200 | 1:200 |

#### Rosny Hill

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hobart  
TAS 7000

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#### ELEVATIONS

##### Elevations and Sections

status

DA

print date

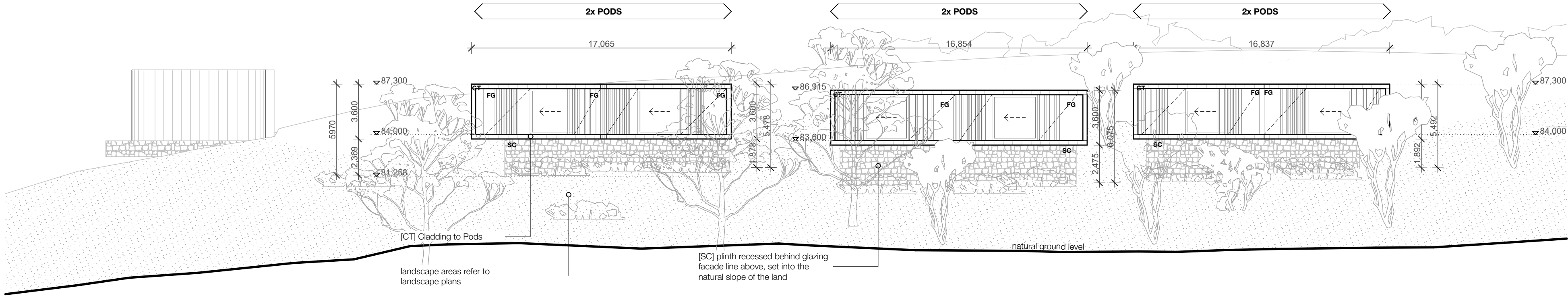
Thursday, 29 August 2019

drawing n°

1421-DA15

E





MATERIAL KEY

- [GR] LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING
- [GT] COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)
- [FG] CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK
- [TD] ROUGH-SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)
- [CON] CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH
- [CGV] CRUSHED DOLERITE GRAVEL, COMPACTED
- [ASP] ASPHALT
- [SC] DOLERITE STONE CLADDING, FINISH: RAW
- [TC] TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR
- [P1] AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR

1 Pods- west elevation  
- scale 1:200

| revisions   |            |                                       |         |           |
|-------------|------------|---------------------------------------|---------|-----------|
| Revision ID | Issue Date | Issue Name                            | Comment | Change ID |
| A           | 20/4/18    | Development Application Issue         |         |           |
| B           | 20/6/18    | Development Application Issue revised |         |           |
| C           | 24/7/19    | Development Application               |         |           |
| D           | 25/7/19    | Development Application               |         |           |
| E           | 28/8/19    | Development Application_RFI           |         |           |

DEVELOPMENT APPLICATION

not for construction

| original drawing size |      |       |       |
|-----------------------|------|-------|-------|
| 1:10                  | 1:50 | 1:100 | 1:200 |

Rosny Hill

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ELEVATIONS

Elevations and Sections

status

print date

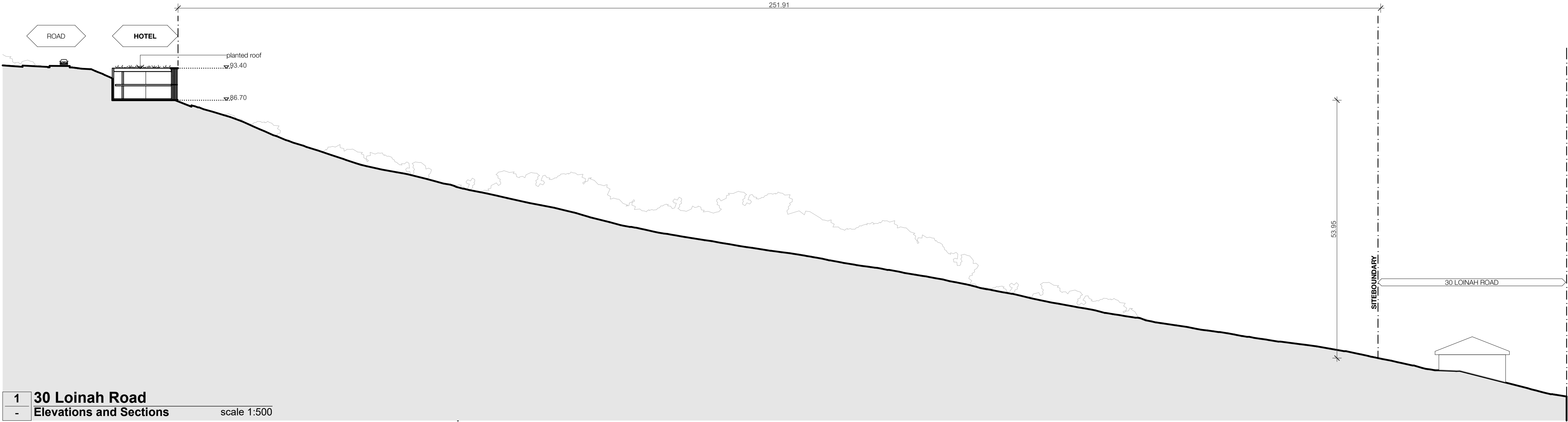
drawing n°

1421-DA16

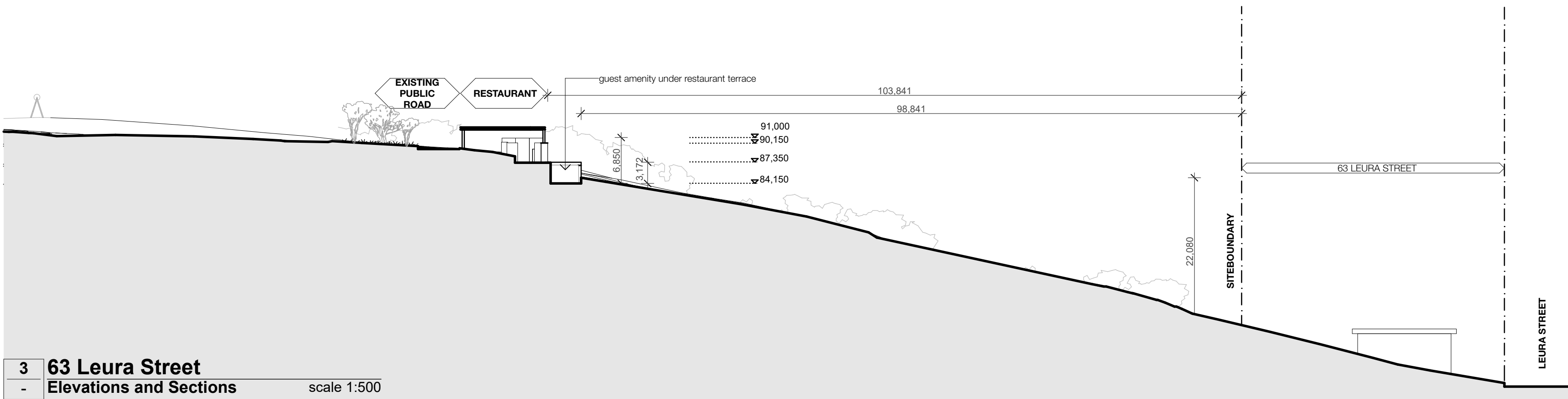
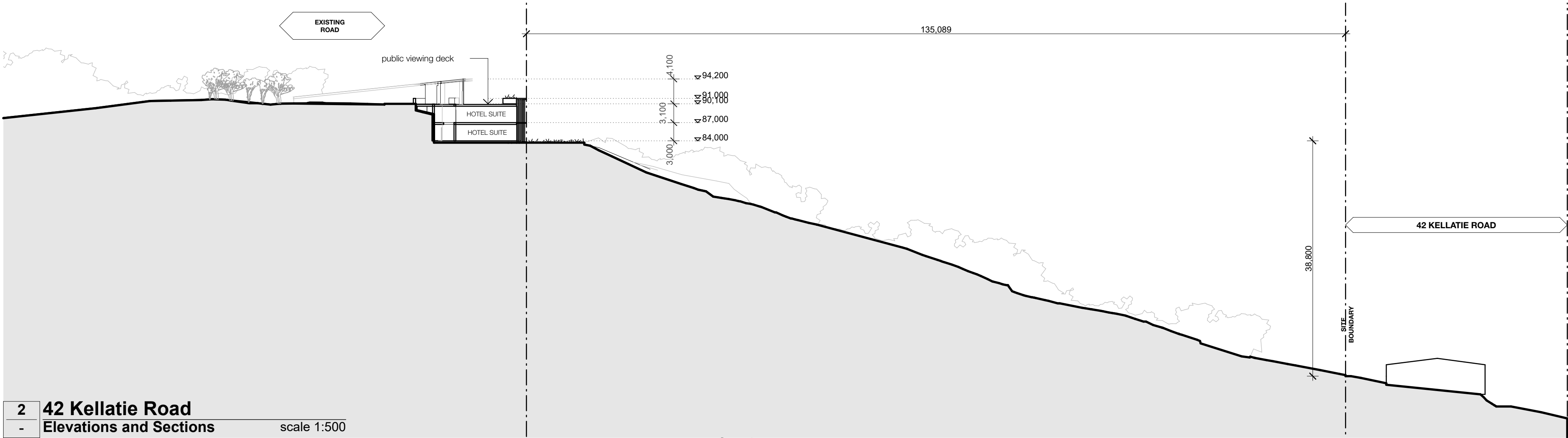
88849

E





| MATERIAL KEY |  |
|--------------|--|
| [GR]         | LANDSCAPED GREEN ROOF, REFER LANDSCAPE ARCHITECTS FOR DETAIL ON PLANTING       |
| [CT]         | COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)      |
| [FG]         | CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK |
| [TD]         | ROUGH SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)                  |
| [CON]        | CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH                               |
| [CGV]        | CRUSHED DOLERITE GRAVEL, COMPACTED   |
| [ASP]        | ASPHALT  |
| [SC]         | DOLERITE STONE CLADDING, FINISH: RAW   |
| [TC]         | TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR                            |
| [P1]         | AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVERS OR SIMILAR                            |



| revisions   |            |                                       |         |           |
|-------------|------------|---------------------------------------|---------|-----------|
| Revision ID | Issue Date | Issue Name                            | Comment | Change ID |
| A           | 20/4/18    | Development Application Issue         |         |           |
| B           | 20/6/18    | Development Application Issue revised |         |           |
| C           | 24/7/19    | Development Application               |         |           |
| D           | 25/7/19    | Development Application               |         |           |
| E           | 28/8/19    | Development Application_RFI           |         |           |

# DEVELOPMENT APPLICATION

not for construction

| original drawing size |       |
|-----------------------|-------|
| 1:10                  | 1:10  |
| 1:50                  | 1:50  |
| 1:100                 | 1:100 |
| 1:200                 | 1:200 |

**Rosny Hill**

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**SITE SECTION**

**Elevations and Sections**

status **DA**

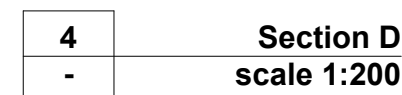
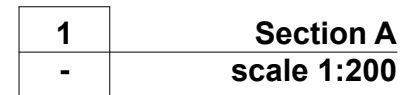
print date **Thursday, 29 August 2019**

drawing n° **1421-DA17**

issue **E**



|       |  |
|-------|--|
| [GR]  | LANDSCAPE GREEN ROOF, REFLECT ON PLANTING                                      |
| [CT]  | COR-TEN STEEL CLADDING, EXPRESSED JOINTS, FINISH: RAW (TO RUST NATURALLY)      |
| [FG]  | CLEAR DOUBLE GLAZED FACE FIXED ALUMINIUM FRAMED GLAZING, FRAMING COLOUR: BLACK |
| [TD]  | ROUGH SAWN TIMBER DECKING, FINISH: RAW (TO WEATHER NATURALLY)                  |
| [CON] | CONCRETE WITH EXPOSED LIMESTONE AGGREGATE FINISH                               |
| [CGV] | CRUSHED DOLERITE GRAVEL, COMPACTED   |
| [ASP] | ASPHALT  |
| [SLP] | DOLERITE STONE CLADDING, FINISH: RAW   |
| [TC]  | TIMBER CLADDING BOARDS, TAS OAK, FINISH: MATT CLEAR                            |
| [IP1] | AUSTRAL 'GRASSPAVE' CONCRETE OPEN PAVES OR SIMILAR                             |



## revisions

| Revision ID | Issue Date | Issue Name                            | Comment | Change ID | Change Name |
|-------------|------------|---------------------------------------|---------|-----------|-------------|
| PRE         | 30/11/17   | Concept                               |         |           |             |
| A           | 20/4/18    | Development Application Issue         |         |           |             |
| B           | 20/6/18    | Development Application Issue revised |         |           |             |
| C           | 24/7/19    | Development Application               |         |           |             |
| D           | 25/7/19    | Development Application               |         |           |             |
| E           | 29/8/19    | Development Application, RFI          |         |           |             |

**DEVELOPMENT APPLICATION**  
not for construction

original drawing size

**A1**

|      |      |
|------|------|
| 1:1  | 1:1  |
| 1:5  | 1:5  |
| 1:10 | 1:10 |
| 1:20 | 1:20 |

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## Elevations and Sections

|               |    |
|---------------|----|
| status        | DA |
| parent status |    |

drawing n°

**1421-DA18**

# E