

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

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

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

COUNCIL MEETING
MONDAY 1 MARCH 2021

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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

Nil.

2. *CONFIRMATION OF MINUTES****RECOMMENDATION:**

That the Minutes of the Council Meeting held on 9 February 2021, as circulated, be taken as read and confirmed.

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

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

PURPOSE**DATE**

Budget Items

LGAT Motions – Meeting 12 March

15 February

South Arm Men's Shed

Bellerive Village Traffic and Pedestrian Safety Consultation

Begonia Street

22 February

RECOMMENDATION:

That Council notes the workshops conducted.

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

6. ***TABLING OF PETITIONS

(Note: Petitions received by Aldermen are to be forwarded to the General Manager within seven days after receiving the petition).

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

7. PUBLIC QUESTION TIME

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

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

7.1 PUBLIC QUESTIONS ON NOTICE

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

Nil.

7.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

7.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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

At Council's Meeting of 9 February 2021 Mrs Kirstie Judd asked the following question:

PLAY SPACE SOUTH ARM

Given the play space at South Arm is approved and funded, will the council reconsider their proposal to delay commencement of its construction, given that it will likely result in noise generation with use, for which the berm will offer no mitigation? Would it not be better to complete all construction in the area and then consider the need for noise mitigation and the best solution across the whole area?

ANSWER

The play space at South Arm Oval was approved as part of the South Arm Oval Master Plan (council decision, 12 October 2020). The play space is not yet funded by council. Council will consider funding for the Master Plan as part of its FY2021/22 budget considerations. Subject to funding, detailed design and construction will then be programmed. Detailed design will consider all relevant issues, including noise.

7.4 QUESTIONS WITHOUT NOTICE

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

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

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

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

8. DEPUTATIONS BY MEMBERS OF THE PUBLIC
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(In accordance with Regulation 38 of the Local Government (Meeting Procedures) Regulations 2015 and in accordance with Council Policy, deputation requests are invited to address the Meeting and make statements or deliver reports to Council)

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION - ALD MULDER
REPLACEMENT OF FENCE – 179/181 CLARENCE STREET**

In accordance with Notice given Ald Mulder intends to move the following Motion:

“Council replaces the dilapidated fence rails and palings on the boundary between Council land at 179 Clarence Street and the private residence at 181 Clarence Street, Howrah.”

EXPLANATORY NOTES

- The Council land is public open space that is used by children and adults from the adjoining flats that have little private or public open space.
- Although the Boundary Fences Act does not apply to local authorities, Council has constructed boundary fences where other public open space and play areas abut residential land.
- Damage to the fence was caused by overgrown vegetation that council has since cleared without repairing the fence.
- The steel posts of the fence appear to be sound, substantially reducing the cost of the project.

T Mulder
ALDERMAN

Attachments: 1. Photos (2)

GENERAL MANAGER'S COMMENTS

Council officers have corresponded extensively with the property owner about this matter and have not supported the request to contribute to the cost of replacing the fence.

By way of background, Council does not contribute to replacement of boundary fences because the cost across the community would be unaffordable. This is recognised by the exclusions provided by the Boundary Fences Act 1908.

As a matter of practice council may contribute to replacement of a fence where it provides a boundary to a formal play park and is a matter of community safety in respect to the use of park equipment. The council property at 179 Clarence Street is not a play park. It is vacant council-owned land and does not contain any infrastructure to provide for use as a community park or similar.

A decision to contribute to the cost of replacement of the fence may set a precedent with significant cost implications for council.





**9.2 NOTICE OF MOTION - ALD JAMES
ACCESS INTO MURTONS ROAD FROM EAST DERWENT HIGHWAY**

In accordance with Notice given Ald James intends to move the following Motion:

“That Council writes to the Department of State Growth requesting consideration be given for the provision of safe access into Murtons Road off East Derwent Highway Otago.”

EXPLANATORY NOTES

This section of the East Derwent Highway and adjacent to Murtons Road, Otago carries very high volumes of traffic which include commercial trucks, public buses, large transport vehicles and private vehicles.

Murtons Road is situated at the bottom of two substantial hills from both inbound and outbound directions. Residents in Murtons Road find the situation extremely hazardous when turning into Murtons Road from either direction.

It is requested Council write to Department of State Growth to consider installation of safe turning of vehicles inbound/outbound into Murtons Road Otago Bay.

RH James
ALDERMAN

GENERAL MANAGER'S COMMENTS

A matter for Council.

**9.3 NOTICE OF MOTION - ALD VON BERTOUCHE
52 RICHARDSONS ROAD**

In accordance with Notice given Ald von Bertouch intends to move the following Motion:

“A. That Council rescinds the decision made at its 9 February 2021 meeting:

‘That Council resolves to support the proposed expansion of the UGB to include the land at 52 Richardsons Road, Sandford and requests the Minister for Planning to approve the necessary amendment to the Southern Tasmanian Regional Land Use Strategy.’

B. That prior to reconsidering the proposal to request the Minister for Planning to extend the Urban Growth Boundary (UGB) within the Southern Tasmanian Regional Land Use Strategy (STRLUS) to include the land at 52 Richardsons Road, Sandford, Council undertakes broad consultation within the Lauderdale and Sandford communities to ascertain community views in relation to the proposed extension of the UGB.”

NB: Part A of the Motion will require an Absolute Majority decision of Council.

EXPLANATORY NOTES

1. Council’s 9 February 2021 decision was taken in response to the proponent seeking support from Council, without any up-front community consultation. Public consultation is a cornerstone of Council’s operation and should be guaranteed in this situation. Council’s Community Engagement Policy 2020, which was approved by Council in February 2020, notes that the purpose of community engagement is to assist Council in its decision making. The policy highlights that Council’s community engagement practices will demonstrate accountability and transparency; create confidence in Council decisions; and enable Council to make appropriate decisions by considering the impacts on its communities and stakeholders. From a good governance and fairness perspective, the Lauderdale and Sandford communities should be given an opportunity to express to Council their views as to the effect an UGB extension will have on them, before Council determines whether a request is to be made to the Minister. The results of the consultation should form part of the report to Council on this matter.

2. Council's decision to request the Minister to extend the UGB was solely an administrative decision, i.e. it was not a statutory decision of Council acting as a Planning Authority, and therefore is able to be rescinded. As a non-statutory decision there is no legislative guidance or requirement for dealing with such requests. As such, Council would be well within its rights to determine how the matter should be dealt with on this occasion, and in relation to any further requests.
3. The INFORMATION SHEET RLUS 1 – REVIEWING AND AMENDING THE REGIONAL LAND USE STRATEGIES notes that "For amendments seeking to incorporate broader strategic changes to a regional land use strategy, the Minister for Planning is also likely to seek public input through a formal public exhibition process during this 5 week consultation period. Broader strategic changes have the potential to affect property rights and the community should be afforded natural justice before the Minister declares an amended strategy." However, there is no definition given as to "broader strategic changes", and therefore it appears it would be at the Minister's discretion as to whether this requested amendment would include public consultation.
4. No rights of the proponent would be affected at this time, as no such statutory rights currently exist.
5. A policy should be developed by Council to ensure public consultation is an integral part of any further situations where a proponent seeks a Council administrative decision to request the Minister to amend the UGB.

S von Bertouch
ALDERMAN

GENERAL MANAGER'S COMMENTS

A matter for Council.

10. *REPORTS FROM OUTSIDE BODIES**

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

10.1 *REPORTS FROM SINGLE AND JOINT AUTHORITIES**

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

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

- **COPPING REFUSE DISPOSAL SITE JOINT AUTHORITY**

Representatives: Ald James Walker
(Ald Luke Edmunds, Deputy Representative)

Quarterly Reports

December Quarterly Report pending.

Representative Reporting

- **TASWATER CORPORATION**

- **GREATER HOBART COMMITTEE**

A meeting of the Greater Hobart Committee was held on 16 February 2021. The Meeting communique is attached (refer Attachment 1).

10.2 *REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES**

Meeting of the Greater Hobart Committee

Communiqué – 16 February 2021

The Greater Hobart Committee met on Tuesday to approve the inaugural Work Program and draft shared Vision for Greater Hobart prepared by the Advisory Group.

The **Work Program** is a key legislative deliverable under the *Greater Hobart Act 2019*. The agreed priority areas for the first Work Program are to:

- develop an overarching Shared Vision for the Greater Hobart area
- progress an update of the Southern Tasmania Regional Land Use Strategy
- support the implementation of the Hobart City Deal
- support a collaborative approach to waste management
- ensure commitment to delivery of the Work Program with a consistent delivery mechanism.

The draft shared **Vision** has been collaboratively developed to guide growth and development in Greater Hobart over the next 30 years to 2050. The draft will be released for a period of public consultation over coming weeks, seeking input from the community and other interested stakeholders. The following high level vision statement and draft six themes have been identified.

Vision

We will live in the world's best small capital city; a city built for people that is connected, friendly and safe.

Greater Hobart is thriving and an inspiring place to live, where we all work together to make a positive contribution to our extraordinary environment.

Themes

As a result of our work together, in 2050 Greater Hobart will:

- be greater for our people
- have greater interconnection, but distinct communities
- have greater resilience
- be well planned
- have greater connection
- plan for growth and change

Work is also underway on the development of a **MetroPlan** for Greater Hobart, which is intended to provide a combined strategic plan for the four councils and Tasmanian Government and better integrate strategic land use and infrastructure planning across Greater Hobart. The proposed key components include a Settlement Strategy; a Services and Physical Infrastructure Strategy; an Economic Development Strategy and an Implementation Plan.

Background

The Committee was established by the *Greater Hobart Act 2019* as part of an enduring framework to facilitate engagement between the four central Hobart councils (Clarence, Glenorchy, Hobart and Kingborough) and the Tasmanian Government. This provides a framework to support collaboration and to better coordinate the efficient use of infrastructure and strategic land use planning in central Hobart.

Membership

The Hon Michael Ferguson MP, Minister for State Growth and Minister for Infrastructure and Transport

The Hon Roger Jaensch MP, Minister for Housing

The Hon Jeremy Rockliff MP, Minister for Disability Services and Community Development

Lord Mayor Councillor Anna Reynolds, City of Hobart

Mayor Alderman Doug Chipman, City of Clarence

Mayor Alderman Kristie Johnston, City of Glenorchy

Mayor Councillor Dean Winter, Kingborough Council

11. REPORTS OF OFFICERS

11.1 *WEEKLY BRIEFING REPORTS**

The Weekly Briefing Reports of 8, 15 and 22 February 2021 have been circulated to Aldermen.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 8, 15 and 22 February 2021 be noted.

11.2 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil.

11.3 PLANNING AUTHORITY MATTERS

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

11.3.1 DEVELOPMENT APPLICATION PDPLANPMTD-2020/008501 – 3176A SOUTH ARM ROAD, SOUTH ARM - DWELLING AND GARAGE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Dwelling and Garage at 3176A South Arm Road, South Arm.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42-day period which expires on 3 March 2021.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 22 representations were received raising the following issues:

- Directors determination regarding construction in coastal areas;
- privacy of beachgoers;
- visual impact and visual amenity;
- date of lodgement;
- lodgement of the application;
- village atmosphere;
- precedent for building close to the beach;
- climate change;
- density of development;
- flora and fauna impacts;
- building line;
- front boundary setback;
- decrease in property value;
- plan of subdivision building area;
- development height;

- loss of views;
- Coastal Erosion Hazard Code;
- State Coastal Policy;
- method of advertising;
- a full set of reports was not provided for the application;
- Waterway and Coastal Protection Code; and
- qualifications of the author of the coastal erosion documentation.

RECOMMENDATION:

A. That the Development Application for Dwelling and Garage at 3176A South Arm Road, South Arm (CI Ref PDPLANPMTD-2020/008501) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. STRUCTURE FOUNDATION REQUIREMENTS

The foundations associated with the structure (dwelling) must be designed and constructed in accordance with all recommendations of the Coastal Vulnerability Report prepared by Geo-Environmental Solutions dated July 2020, taking into account the additional measures noted in the peer review by Pitt & Sherry of the Coastal Vulnerability Report. Foundations must be engineered to compensate for lateral and vertical forces and be founded within the stable foundation layer (below - 1.0mAHD).

3. SOIL MANAGEMENT PLAN

A Site Soil and Water Management Plan must be prepared by a suitably qualified person for the development. This must be provided prior to the issue of a building permit or a certificate of likely compliance (CLC) for building works and be to the satisfaction of Council's Group Manager Engineering Services.

4. The works must be undertaken generally in accordance with "Wetlands and Waterways Works Manual" (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and avoid unnecessary use of machinery within watercourses or wetlands.

ADVICE

a. The peer review authored by Pitt & Sherry has been provided to the applicant and suggests additional measures may be required to ensure the sustainable structural stability of the dwelling.

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

DEVELOPMENT APPLICATION PDPLANPMTD-2020/008501 - 3176A SOUTH ARM ROAD, SOUTH ARM - DWELLING AND GARAGE /contd...

ASSOCIATED REPORT**1. BACKGROUND**

The site was created as part of subdivision, Council application No. SD-2019/7. This created four new lots. As part of this subdivision application, Council took ownership of a portion of land along the beachfront as a public open space contribution. This allowed Council to protect and conserve the foredune system. This area contains two small boat sheds that were in situ at the time of subdivision. The owners of the site that is the subject of this application have a current lease agreement with council for the use of these boat sheds. The lease agreement was a condition of the permit issued for the original subdivision.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Village under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
- Section 8.10 – Determining Applications;
 - Section 16 – Village Zone;
 - Section E6.0 – Parking and Access Code;
 - Section E7.0 – Stormwater Management Code;
 - Section E11.0 – Waterway and Coastal Protection Code;
 - Section E16.0 – Coastal Erosion Hazard Code; and
 - Section E23.0 – On-Site Wastewater Management Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a 2835m² vacant block that is situated on South Arm Road. The property is bound by private land to the north, south and east and a Council owned lot to the west which lies between the subject site and South Arm Beach. The site is serviced via an access strip. It is not encumbered by any easements. The location of the site is shown in Attachment 1.

3.2. The Proposal

The proposal is for the development of a single dwelling with attached garage on the property.

The proposed dwelling would be a single storey 3-bedroom house. The maximum height from natural ground level would be 3.8m. It would be set back 48.2m from the internal front boundary, 4.4m from the northern side boundary, 2m from the southern side boundary and 4.6m from the rear boundary.

The dwelling also incorporates a double garage and encloses an open alfresco/courtyard area.

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 proposal meets the Scheme’s relevant Acceptable Solutions of the Village Zone and Parking and Access, On-site Wastewater Management, Coastal Erosion Hazard, Waterway and Coastal Protection, and Stormwater Management Codes with the exception of the following.

Waterway and Coastal Protection Code

- **Clause E11.7.1 A1 (buildings and works to be within a building area on a Title)** – there is no building area on the Certificate of Title.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause E11.7.1 as follows.

Clause	Performance Criteria	Assessment
E11.7.1	<i>“Building and works within a Waterway and Coastal Protection Area must satisfy all of the following:</i>	
	<i>(a) avoid or mitigate impact on natural values;</i>	<p>The site is not mapped within the Natural Assets overlay, indicating that it is not a high conservation value area with respect to flora or fauna.</p> <p>The site is largely modified with introduced flora. The application proposes to take appropriate measures to protect South Arm Beach and Halfmoon Bay from potential impacts caused by sedimentation run-off which includes the drafting and provision of a Site Soil and Water Management Plan for both during and after construction, the use of piles for the dwelling support structure and the retention of the majority of the established vegetation on the site.</p>

	<i>(b) mitigate and manage adverse erosion, sedimentation and runoff impacts on natural values;</i>	<p>The application includes a recommendation for a Site Soil and Water Management Plan to be drafted prior to works taking place. This includes erosion and sediment management during and after the construction phase of the dwelling to ensure potential impacts are mitigated.</p> <p>A condition has been recommended on any permit issued to require this management plan to be provided to the satisfaction of Council's Group Manager Engineering Services.</p>
	<i>(c) avoid or mitigate impacts on riparian or littoral vegetation;</i>	The dwelling would not impact riparian vegetation or littoral vegetation as it would not be within a littoral zone or riparian zone.
	<i>(d) maintain natural streambank and streambed condition, (where it exists);</i>	The proposal would not impact upon a stream.
	<i>(e) maintain in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</i>	The proposal would not impact upon a stream.
	<i>(f) avoid significantly impeding natural flow and drainage;</i>	The proposal would not result in a significant impediment upon natural flow or drainage as there are no existing overland flow or drainage paths across the site. This is because of the soil type and topography of the property.
	<i>(g) maintain fish passage (where applicable);</i>	The proposal would not impact upon fish passage.
	<i>(h) avoid landfilling of wetlands;</i>	The proposal does not involve landfill in a wetland.

	(i) <i>works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and the unnecessary use of machinery within watercourses or wetlands is avoided."</i>	A condition is recommended for inclusion on any permit issued requiring that the works are undertaken generally in accordance with 'Wetlands and Waterways Works Manual' (DPIWE, 2003) and "Tasmanian Coastal Works Manual" (DPIPWE, Page and Thorp, 2010), and avoids unnecessary use of machinery within watercourses or wetlands.
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Stormwater Management Code

- **Clause E7.7.1 A1 (disposal of stormwater)**– the proposal is not able to dispose of stormwater from new impervious surfaces by gravity to public stormwater infrastructure.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause E7.7.1 as follows.

Clause	Performance Criteria	Assessment
E7.7.1	<i>"Stormwater from new impervious surfaces must be managed by any of the following:</i>	The proposal is considered to comply as follows:
	<i>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles;</i>	not applicable
	<i>(b) collected for re-use on the site;</i>	The application proposes to collect the rainwater on-site for re-use in stormwater tanks. This complies with the requirements of this Performance Criteria.
	<i>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council."</i>	Not applicable. No public infrastructure available in this area.

Coastal Erosion Hazard Code

- **Clause E16.7.1 A1 (location of buildings and works)**– there is no “Acceptable Solution” for buildings within the mapped overlay area for this code.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause E16.7.1 as follows.

Clause	Performance Criteria	Assessment
E16.7.1	<i>“Buildings and works must satisfy all of the following:</i>	
	<i>(a) not increase the level of risk to the life of the users of the site or of hazard for adjoining or nearby properties or public infrastructure;</i>	<p>A detailed risk assessment was undertaken and provided within the information provided by Geo-Environmental Solutions.</p> <p>Provided the recommendations in the assessment supplied by Geo-Environmental Solutions (GES) are followed, the risk level is considered low for the lifetime of the proposed dwelling. These measures would result in no increase to the risk of life for users of the site, hazard to adjoining properties, or public infrastructure.</p> <p>A condition is recommended for inclusion on any permit issued that requires all recommendations within the report are adhered to.</p> <p>In instances such as this application, Council’s Asset Group engages an independent suitably qualified person to review geo-technical documentation on its behalf. In this instance Pitt & Sherry reviewed the supplied documentation for council.</p>

		Council's Development Engineer and the independent reviewing Engineer concur with this finding.
	<i>(b) erosion risk arising from wave run-up, including impact and material suitability, may be mitigated to an acceptable level through structural or design methods used to avoid damage to, or loss of, buildings or works;</i>	<p>The modelling provided takes wave run-up into account, including storm surge events.</p> <p>Provided the recommendations in the assessment supplied by Geo-Environmental Solutions are followed, the risk level is considered low for the lifetime of the proposed dwelling.</p> <p>The independent reviewing Engineer from Pitt & Sherry generally agreed with the supplied GES report, but did have their own view with respect to storm erosion demands. A condition and advice clause have been recommended for inclusion on any permit issued to reflect this.</p>
	<i>(c) erosion risk is mitigated to an acceptable level through measures to modify the hazard where these measures are designed and certified by an engineer with suitable experience in coastal, civil and/or hydraulic engineering;</i>	The application does not propose measures to modify the hazard (the hazard being the coastline and dunes).
	<i>(d) need for future remediation works is minimised;</i>	<p>The supplied assessment did not identify any foreseeable erosion remediation required up to 2070. This is based on the recommendations in the assessment supplied by Geo-Environmental Solutions being followed.</p> <p>The independent reviewing Engineer from Pitt & Sherry generally agreed with the supplied GES report, but did have their own view with respect to storm erosion demands.</p>

		A condition and advice clause have been recommended for inclusion on any permit issued to reflect this.
	<i>(e) health and safety of people is not placed at risk;</i>	<p>The proposal was found to present a low risk based on the recommendations in the assessment supplied by Geo-Environmental Solutions being followed.</p> <p>Council's Development Engineer and the independent reviewing Engineer concur with this finding.</p>
	<i>(f) important natural features are adequately protected;</i>	<p>The application includes a recommendation within the Geo-Environmental Solutions report for a Site Soil and Water Management Plan to be drafted prior to works taking place. This includes erosion and sediment management during and after the construction phase of the dwelling to ensure potential impacts are mitigated.</p> <p>A condition is recommended for inclusion on any permit issued that all recommendations within the supplied report are followed, including the provision of the above-mentioned management plan.</p> <p>Council's Development Engineer and the independent reviewing Engineer concur with this finding.</p>
	<i>(g) public foreshore access is not obstructed where the managing public authority requires it to continue to exist;</i>	<p>The proposal only relates to private land. As such, public foreshore access will not be impacted.</p> <p>The owners of 3176A have a current lease agreement with council for use of the two boat sheds on the council land abutting South Arm Beach, this arrangement is not proposed to be altered.</p>

	<i>(h) access to the site will not be lost or substantially compromised by expected future erosion whether on the proposed site or off-site;</i>	Access to the subject property would not be substantially compromised or lost as a result of the proposed dwelling.
	<i>(i) provision of a developer contribution for required mitigation works consistent with any adopted Council Policy, prior to commencement of works;</i>	Council's Development Engineer has advised that a developer contribution is not appropriate for this application.
	<i>(j) not be located on an actively mobile landform."</i>	The proposal would not be located on an actively mobile landform.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 22 representations were received. The following issues were raised by the representors.

5.1. A Full Set of Reports was not provided for the Application

Concern was raised by five representors that an assessment of the Coastal Erosion Hazard Code, Stormwater Management Code and On-Site Wastewater Management Code was not provided by the applicant.

- **Comment**

An assessment of each code's standards, authored by Geo-Environmental Solutions, was provided with the application. The application was re-advertised and the full set of documentation was available to the public. The application is considered to comply with all relevant Acceptable Solutions and/or Performance Criteria of the abovementioned Codes.

5.2. Waterway and Coastal Protection Code

Concern was raised by six representors that the application should not be approved as it was located within the Waterway and Coastal Protection Code mapped overlay.

- **Comment**

The Scheme does not prohibit development within the mapped code area. There are at least 12 existing dwellings nearby within this mapped overlay area that extends along South Arm Beach. The Application is considered to comply with all relevant Acceptable Solutions and/or Performance Criteria of the Waterway and Coastal Protection Code.

5.3. Method of Advertising

Concern was raised by three representors that they did not receive letters advising them of the application, or that the site notices were incorrectly placed.

- **Comment**

In accordance with the Act, site notices were erected on or as close as practicable to the site boundaries. Specifically, these were placed at both the South Arm Road boundary and the South Arm Beach boundary. Additionally, as required by the legislation adjoining property owner/occupiers were sent a letter advising them of the application. The application was therefore correctly advertised.

5.4. State Coastal Policy

Concern was raised by one representor that the application is not in accordance with the State Coastal Policy.

- **Comment**

The Interim Planning Schemes were drafted to be in accordance with all relevant State Policies, including the State Coastal Policy. The Scheme is therefore, considered to be consistent with the Policy. The Application is considered to be in accordance with the State Coastal Policy.

5.5. Coastal Erosion Hazard Code

Concern was raised by 12 representors that the application should not be approved as it was located within the Coastal Erosion Hazard Code mapped overlay which could lead to unstable foundations and impacts to the dune system.

- **Comment**

The Scheme does not prohibit development within the mapped code area. There are at least 12 existing dwellings nearby the subject site within the mapped code overlay area that extends along the properties adjacent to South Arm Beach. This includes dwellings at 1380 South Arm Road, 3184 South Arm Road and 3186 South Arm Road which are within 70m of the subject property. The suitably qualified engineer from Pitt & Sherry that reviewed the application considers it to comply with the relevant Acceptable Solutions and/or Performance Criteria of the Coastal Erosion Hazard Code.

5.6. Loss of Views

Concern was raised by one representor with respect to the proposal causing a loss of views for the representor from their property.

- **Comment**

There is no relevant Clause in the Scheme related to the loss of views for council to consider. Therefore, this matter has no determining weight.

5.7. Development Height

Concern was raised by two representors with respect to the proposed dwelling being too tall.

- **Comment**

The proposal is for a single storey dwelling with a maximum height from natural ground level of 3.8m. The Village zone has an “Acceptable Solution” for buildings being up to 8.5m. Therefore, the application complies with the zone standard related to height.

5.8. Plan of Subdivision Building Area

Concern was raised by five representors with respect to the proposed dwelling not being located within the building area that was shown on the property at the time of the subdivision application being processed.

- **Comment**

A building area is required to be shown on new lots in a subdivision application to demonstrate that the site is capable of accommodating development. The Certificate of Title for this property does not have a building area specified to restrict the location of development. This issue therefore has no determining weight.

5.9. Decrease in Property Value

Concern was raised by one representor with respect to the representor's property being devalued due to the proposed development.

- **Comment**

There is no relevant Clause in the Scheme related to the potential devaluation of nearby properties for council to consider. This issue therefore has no determining weight.

5.10. Front boundary Setback

Concern was raised by one representor with respect to the proposed development not complying with the front boundary setback.

- **Comment**

The site is an internal lot. The dwelling is proposed at a setback from the internal frontage of 48.2m. The Village zone has an "Acceptable Solution" for buildings being setback 6m from South Arm Road. Therefore, the application complies with the zone standard related to front setback.

5.11. Building Line

Concern was raised by 13 representors with respect to the proposed development not being consistent with the established building line.

- **Comment**

There is no relevant Clause in the Scheme related to building lines for council to consider in this instance. This issue therefore has no determining weight.

5.12. Flora and Fauna Impacts

Concern was raised by two representors with respect to the potential impact upon flora and fauna.

- **Comment**

The site is not within a mapped Natural Assets overlay. As such, there is no relevant Clause in the Scheme related to flora and fauna for council to consider. This issue therefore has no determining weight.

5.13. Climate Change

Concern was raised by 12 representors with respect to the potential risk of the development due to sea level rise, global warming and climate change.

- **Comment**

The application is considered to be consistent with all relevant Acceptable Solutions and/or Performance Criteria of the Coastal Erosion Hazard Code which assesses the erosion risk, accounting for climate change and storm surge events. Council has commissioned and undertaken climate change research which informed the mapping of several code overlays. This includes the application of the Coastal Erosion Hazard overlay and the Inundation Prone Areas overlay. In addressing the relevant clauses within the applicable codes, an application can account for the projected implications of climate change within the Clarence municipality.

5.14. Precedent for Building Close to the Beach

Concern was raised by eight representors with respect to the building location setting a new precedent for building close to the beach.

- **Comment**

The Village zone has an “Acceptable Solution” for buildings being setback 2m from a rear boundary, or half the height of the buildings wall, whichever is the greater. As the maximum height of the building would be 3.8m, the required setback is 2m. The dwelling has been proposed to be setback from the rear boundary 4.6m.

Therefore, the application complies with the zone standard related to rear setback. As the application complies with the acceptable solution, no precedent is set with respect to setbacks.

5.15. Density of Development

One representor raised concern that the application would result in dense development that was not in keeping with the area.

- **Comment**

Density is calculated by site area per dwelling. Notwithstanding the above, there is no relevant clause in the Scheme related to density for Council to consider in this instance. This issue therefore has no determining weight.

5.16. Village Atmosphere

One representor raised concern that the proposed single dwelling would “ruin the village atmosphere”.

- **Comment**

There is no relevant Clause in the Scheme related to the atmosphere or feeling of an area for council to consider. This issue therefore has no determining weight.

5.17. Lodgement of the Application

Concern was raised by three representors that council should not have allowed this application to be lodged.

- **Comment**

Section 51 (1AB) of the *Land Use Planning and Approvals Act 1993* states:

“A planning authority must not refuse to accept a valid application for a permit, unless the application does not include a declaration that the applicant has –
(a) notified the owner of the intention to make the application; or
(b) obtained the written permission of the owner under section 52.”

As the application included a declaration that the owner was notified by the applicant (who was acting on their behalf), the application was required to be accepted by council for assessment.

5.18. Date of Lodgement

Concern was raised by two representors that the application should not have been allowed to be lodged the week before Christmas.

- **Comment**

The application was advertised as required by the Act. It was originally advertised during the Christmas period, with additional days added to account for the public holidays. However, it was readvertised in January. It is considered that ample opportunity has been given to consider the application.

5.19. Visual Impact and Visual Amenity

Concern was raised by 11 representors regarding the visual impacts caused by the proposed dwelling from the beach.

- **Comment**

The proposed dwelling has been determined to comply with all relevant Acceptable Solutions of the Village zone with respect to setbacks from boundaries and building height. As the application has been deemed to comply, there is no relevant clause in the Scheme that relates to the assessment of visual amenity.

5.20. Privacy of Beachgoers

Two representors raised concern that the proposed dwelling would result in an unreasonable encroachment upon the privacy of beachgoers.

- **Comment**

There is no relevant Clause in the Scheme related to the privacy of persons on public land for council to consider. This issue therefore has no determining weight.

5.21. Director's Determination regarding Construction in Coastal Areas

Concern was raised by one representor that the application did not comply with the Director's Determination for buildings in coastal areas.

- **Comment**

This matter relates directly to the *Building Act 2016*. This matter is considered at the building application stage and is not able to be assessed under the Scheme. This issue therefore has no determining weight.

5.22. Qualifications of the Author of the Coastal Erosion Documentation

Concern was raised by one representor that the information supplied assessing the coastal erosion hazard overlay was not written by an appropriate person.

- **Comment**

In accordance with E16.5.2 (e) of the code, the applicant provided evidence that the proposal is either appropriately located and/or any building or works will be designed and constructed to withstand coastal forces from wave run-up and/or erosion events.

Additionally, the information provided (authored by Geo-Environmental Solutions) confirms that the proposed dwelling and foundations will be designed and certified by a structural engineer, as required by the *Building Act 2016* for Class P soils. Furthermore, the submission provided by the applicant was reviewed at the request of Council's Development Engineer.

This was undertaken by a Structural & Coastal Engineer from Pitt & Sherry who is suitably qualified and holds relevant experience. The review concluded that the submission and recommendations from Geo-Environmental Solutions were satisfactory.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

The proposal is recommended for approval, subject to conditions.

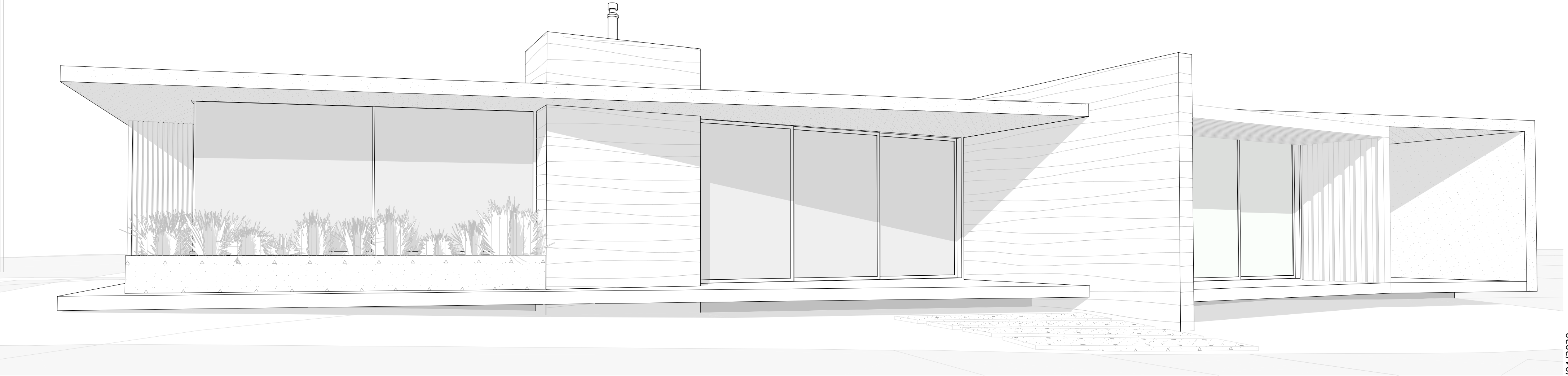
Attachments: 1. Location Plan (1)
2. Proposal Plan (4)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

SHEET INDEX DA:

- 01 COVER PAGE
- 02 PROPOSED LOCATION PLAN
- 03 PROPOSED SITE PLAN
- 04 SITE SERVICES PLAN
- 05 FLOOR PLAN
- 06 ELEVATIONS

Attachment 2
Application Plans
3176A South Arm Road, South Arm



PRINT DATE: 2/04/2020

SITE STATISTICS:

Lot 4, 3178 South Arm Road, South Arm. TAS. 7022

Land Title: Vol: 178124 Fol: 4.
Planning Zone: Clarence Interim Planning Scheme 2015 - Village

Lot Area: 2880m²

Proposed Areas:

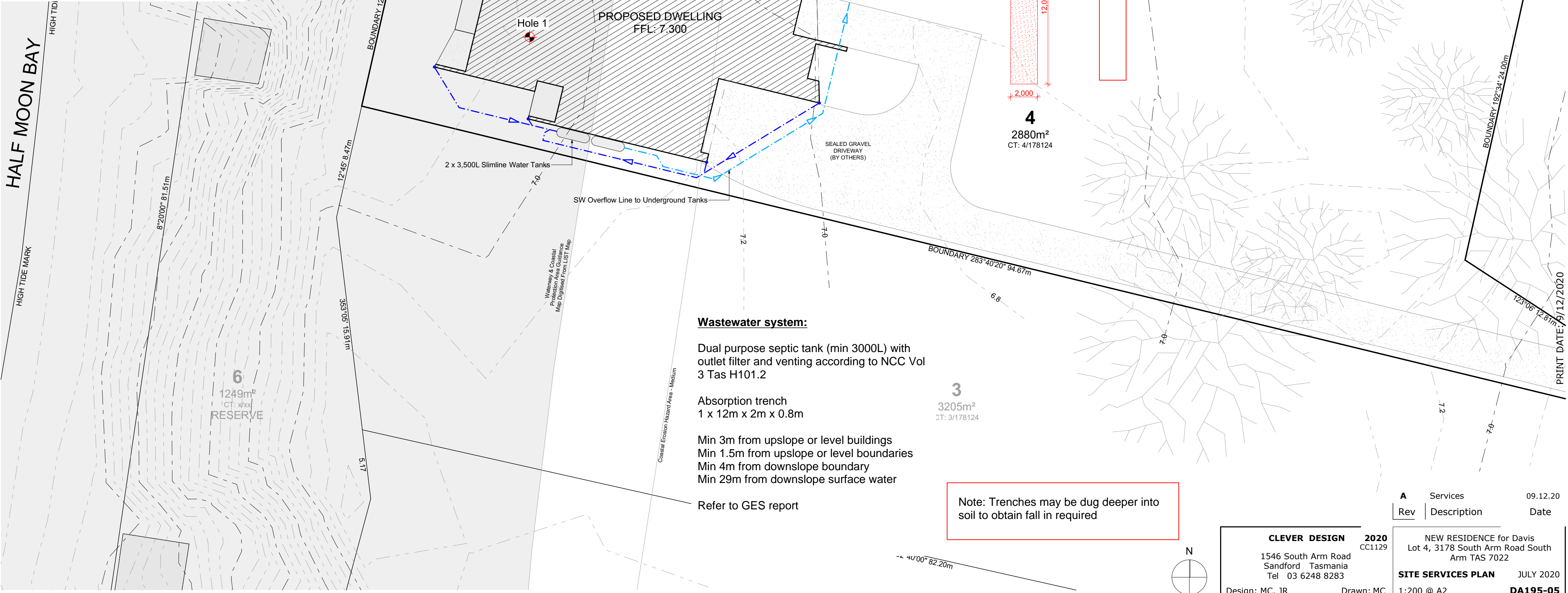
Ground Floor:	302.6m²	(32.5 SQ)
Garage:	52.2m²	(5.9 SQ)
Alfresco:	45.1m²	(4.8 SQ)
Fire Pit:	33.5m²	(3.6 SQ)
Spa:	10.7m²	(1.1 SQ)
Decks / Patio:	55.3m²	(5.9 SQ)
PV Array:	7.5kW System	

Site Classification: **TBA** (AS 2870 - 2011)
Wind Classification: **TBA** (AS 4055 - 2012)
Design Wind Gust Speed: (V h,u) TBA
Topographic Classification: **TBA**
Shielding: **TBA**
Terrain Category: **TBA**
Geographic Region: **TBA**
Climate Zone: **7**
B.A.L. Assessment: B.A.L. **N/A**
Other Site Hazards: WCPA

NOTES:

Detail Land Survey by 'Rogerson & Birch' 12.09.2019
Vertical Datum is AHD.

On-Site Waste Water Assessment to AS/NZS 1547 2012
by 'GES Pty Ltd' Dec 2020



Wastewater system:

Dual purpose septic tank (min 3000L) with outlet filter and venting according to NCC Vol 3 Tas H101.2

Absorption trench
1 x 12m x 2m x 0.8m

Min 3m from upslope or level buildings
Min 1.5m from upslope or level boundaries
Min 4m from downslope boundary
Min 29m from downslope surface water

Refer to GES report

Note: Trenches may be dug deeper into soil to obtain fall in required

A	Services	09.12.20
Rev	Description	Date

CLEVER DESIGN 2020
CC1129
1546 South Arm Road
Sandford Tasmania
Tel 03 6248 8283
Design: MC, JR Drawn: MC

NEW RESIDENCE for Davis
Lot 4, 3178 South Arm Road South
Arm TAS 7022
SITE SERVICES PLAN JULY 2020
1:200 @ A2 **DA195-05**

LEGEND:

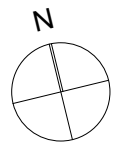
- A ALCOVE
- B BENCHTOP
- BBQ BARBEQUE
- CD COOL DRAWER
- DK DESK
- DR DRYER
- DW DISHWASHER
- F FRIDGE
- FZ FREEZER
- FP FIRE PLACE
- GB GLASS BARRIER
- GT GATE - SLIDING
- J JOINERY
- PO PIZZA OVEN
- PL PLANTS / L'SCAPE
- RE RAMMED EARTH-CUSTOM MIX (THERMAL MASS)
- SC SCREEN
- SHR SHOWER
- SL SKYLIGHT
- SPV SKYLIGHT PV
- ST STORE
- SV SERVERY WINDOW
- WC WATER CLOSET
- WF BEER / WINE FRIDGE
- WM WASHING MACHINE
- WS WINDOW SEAT (THERMAL MASS)
- WT WATER TANK
- + REFERENCE SITE STAKES

AREAS:

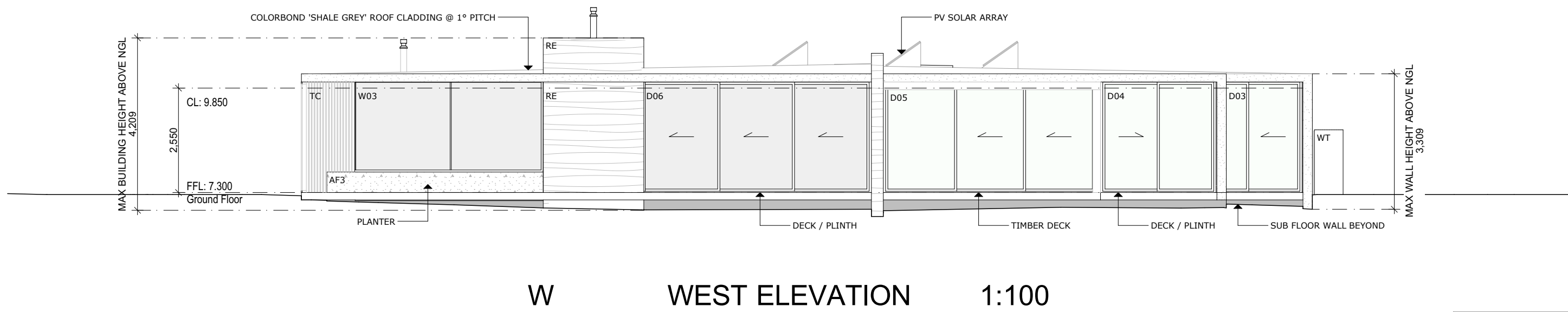
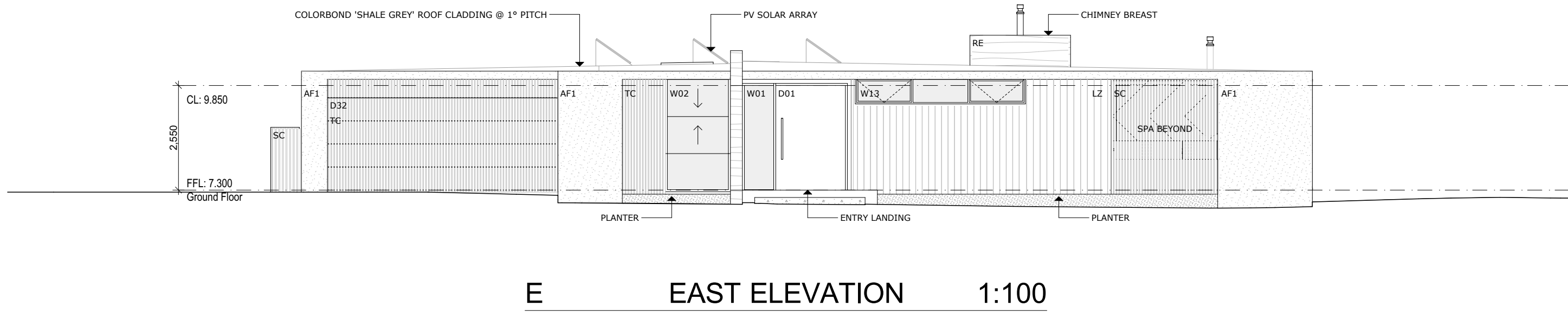
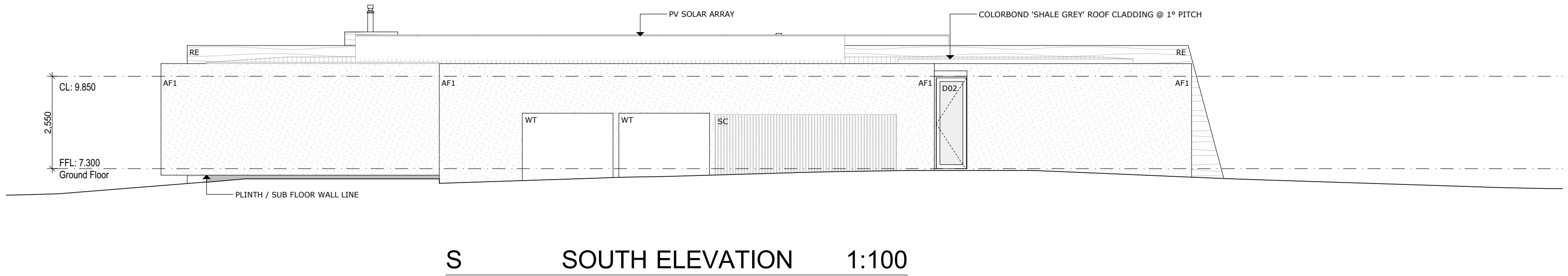
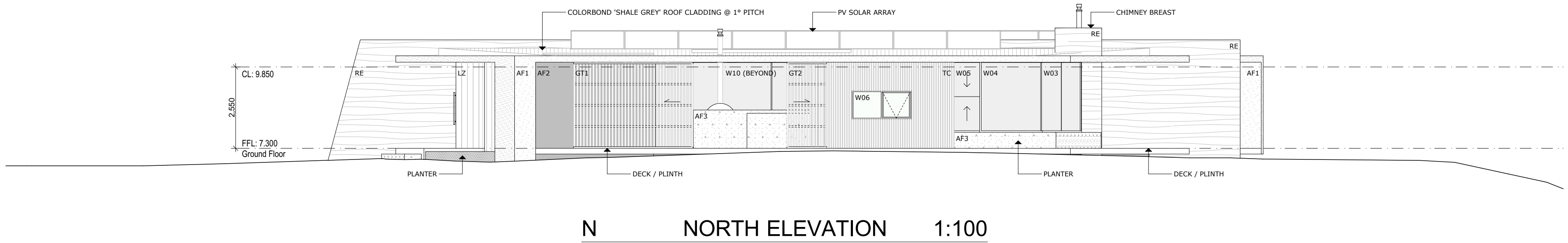
FLOOR	302.6M ²	(32.5SQ)
ALFRESCO	45.1M ²	(4.8SQ)
FIREPIT	33.5M ²	(3.6SQ)
SPA	10.7M ²	(1.1SQ)
GARAGE	52.2M ²	(5.6SQ)
EXT./DECK/ PLINTH/PATIO	55.3M ²	(5.9SQ)

PV ARRAY 7.5 KW SYSTEM

Document: SLD-3785219
Version: 1, Version Date: 08/04/2020



CLEVER DESIGN 1546 South Arm Road Sandford Tasmania Tel 03 6248 8283	2020 CC1129	NEW RESIDENCE for Davis Lot 4, 3178 South Arm Road South Arm TAS 7022
Design: MC, JR	Drawn: JR	FLOOR PLAN 1:100 @ A2
		APR 2020 DA195-05



ELEVATION LEGEND:

- AF1 Applied Finish - Dulux AcraTex 951 Tuscany Coarse over 110mm Brick Veneer. Dulux 'White on White'
- AF2 Applied Finish - Dulux AcraTex 951 Tuscany Coarse over 110mm Brick Veneer. Dulux 'Monument'
- AF3 Applied Finish - Dulux AcraTex 951 Tuscany Coarse over 140mm Blockwork. Dulux 'Monument'
- RE Rammed Earth
- TC Select Timber Battens over Cement Sheet
- LZ Lysaght Zenith Longline 305 Wall Cladding Monument Matt
- SC Select Timber Screen
- GT Select Timber Screen / Sliding Gate

Document: DA195-06
Version: 1, Version Date: 08/04/2020

CLEVER DESIGN 1546 South Arm Road Sandford Tasmania Tel 03 6248 8283 Design: MC, JR	2020 CC1129 NEW RESIDENCE for Davis Lot 4, 3178 South Arm Road South Arm TAS 7022 ELEVATIONS APR 2020 1:100 @ A2 DA195-06
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Attachment 3
Site Photos
3176A South Arm Road, South Arm



Photo 1

View towards Halfmoon Bay. Council owned land abutting beach can be seen with boat shed along the western boundary.



Photo 2

View of site to the west



Photo 3

View along access strip
towards Halfmoon Bay



Photo 4

View on the site looking
northwest

11.3.2 DEVELOPMENT APPLICATION PDPLANPMTD-2020/015068 – 39 MALUKA STREET, BELLERIVE – DWELLING ADDITIONS AND ALTERATIONS**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for dwelling additions and alterations at 39 Maluka Street, Bellerive.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires with the written consent of the applicant on 3 March 2021.

CONSULTATION

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

- stormwater runoff and site drainage;
- necessity for a geotechnical report; and
- building envelope and setback.

RECOMMENDATION:

A. That the development application for dwelling additions and alterations at 39 Maluka Street, Bellerive (CI Ref PDPLANPMTD-2020/015068) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

ADVICE

Any existing drains affected by the new additions are to be relocated to ensure all overflow gullies are clear and are to be constructed using PVC. This work (if required) is to be addressed by the Building/Plumbing Permit applications when lodged.

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

ASSOCIATED REPORT**1. BACKGROUND**

The site supports an existing dwelling constructed in 1951.

2. STATUTORY IMPLICATIONS

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

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

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 10.0 – General Residential Zone;
- Section E3.0 – Landslide Code;
- Section E5.0 – Road and Railway Assets Code;
- Section E6.0 – Parking and Access Code; and
- Section E7.0 – Stormwater Management Code.

2.4. While the Landslide Code applies to the site, the site is identified as a low risk area and therefore Clause E3.4(c) provides that the proposal is exempt from the provisions of the Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a 718m² irregularly shaped lot with access and frontage to Maluka Street and is located within an established residential area at Bellerive. The site is serviced, slopes down to the south-east and is developed with a dwelling, associated gardens and parking areas at the southern part of the site. The location of the site is shown in the Attachments.

3.2. The Proposal

The proposal is for additions and alterations to the existing dwelling on the site. The proposed additions would be a deck addition to the south-east of the dwelling, additions to the north-east and north-west, and an outbuilding addition under the same roofline to the north of the dwelling. It is also proposed to create two terraced, level outdoor living areas to the north-west of the dwelling, described as patio spaces by the plans.

The proposed dwelling additions would, together with the existing dwelling, have a site coverage of 217.5m², would be 5.2m in height above natural ground level and would be clad using Colorbond and weatherboard cladding to match existing. The building additions would be setback 2.2m from the western (side) boundary; 914mm from the north-eastern (side) boundary; and in excess of 15m from the rear boundary.

Frontage fencing is also proposed, to a maximum height of 1.8m, with 1.2m solid fencing and the upper 600mm being comprised of slats of similar, with a minimum of 30 percent transparency. The proposal plans are included in the Attachments.

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

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

(a) all applicable standards and requirements in this planning scheme; and

(b) any representations received pursuant to and in conformity with ss57(5) of the Act,

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

References to these principles are contained in the discussion below.

4.2. Compliance with Zone and Codes

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

General Residential Zone

- **Clause 10.4.2 (A3) setbacks and building envelope for all dwellings**
– it is proposed that the building additions would be setback 914mm from the north-eastern (side) boundary with a wall length in excess of 9m, and would protrude beyond the building envelope prescribed by the acceptable solution by 1.6m at the north-western wall. It is noted that the patio spaces are within the building envelope, and do not require development approval.

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

Performance Criteria	Proposal
<p><i>“P3 - The siting and scale of a dwelling must:</i></p> <p><i>(a) not cause unreasonable loss of amenity by:</i></p>	See below.

<p>(i) <i>reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i></p> <p>(ii) <i>overshadowing the private open space of a dwelling on an adjoining lot; or</i></p> <p>(iii) <i>overshadowing of an adjoining vacant lot; or</i></p> <p>(iv) <i>visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i></p> <p>(b) <i>provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area."</i></p>	<p>The adjoining sites at 29, 31 and 37 Maluka Street are located to the north-east, north-west and west north-west of the development site.</p> <p>The shadow diagrams provided by the applicant (included in the Attachments) show that the development would have only minimal impact upon solar access to the site at 29 Maluka Street, and no impact upon the sites at 31 and 37 Maluka Street at Winter Solstice. The overshadowing impacts are largely confined to Maluka Street and the road reserve. All neighbouring dwellings and open space areas would achieve in excess of three hours at Winter Solstice. The impact is therefore not considered unreasonable and meets this test of the performance criteria.</p> <p>On the basis that the proposal will not cause an unreasonable loss of sunlight to the adjoining dwellings or private open space, the requirements of this test are met.</p> <p>Not relevant.</p> <p>The dwelling is single-storey and together with the proposed additions would have a maximum height above natural ground level that would not exceed 5.1m at its highest point. The bulk, scale and separation of the proposed dwellings are compatible with the surrounding area and on this basis, the development is not considered to have an unreasonable visual impact on the adjoining properties.</p> <p>There are many examples in the surrounding area where dwellings are located in proximity to the rear and side boundaries of lots and on this basis, the separation between the proposed dwellings is considered compatible with that prevailing in the surrounding area.</p>
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5. REPRESENTATION ISSUES

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

5.1. Stormwater Runoff and Site Drainage

Concerns are raised by the representations that there are stormwater and drainage issues in the area, and that the proposed development would further exacerbate them. It is a concern that the proposed additions and site works would increase stormwater runoff from the site, and that there may be a need for easements on neighbouring land to provide for stormwater drainage from the site.

- **Comment**

The proposal complies with the relevant acceptable solutions of the Stormwater Management Code in that stormwater from the proposal would be disposed of by gravity to existing public stormwater infrastructure located within the Maluka Street road reservation, and that the resultant impervious area would be less than the 600m² impervious area prescribed by the code. The proposal has been assessed by council's engineers, and it is considered that the existing stormwater infrastructure has capacity to absorb the minimal increase in stormwater runoff from the proposal. This issue is therefore not of determining weight.

5.2. Necessity for a Geotechnical Report

The representations submit that a geotechnical report should have been required as part of the development application, to confirm that the soil type has capacity to accommodate the proposed additions and site works.

- **Comment**

The Scheme does not require a geotechnical assessment to enable the assessment of the application, and while the site is identified as being at low risk of landslide, the proposal is exempt from the provisions of the Landslide Code by Clause E3.4(c).

Structural information in relation to the design of footings for the proposed additions would be required as part of a future building permit application. This issue is therefore not of determining weight.

5.3. Building Envelope and Setback

The controls pertaining to the setback of the “proposed new building and deck now falling under 1200mm” is queried in the representations.

- **Comment**

The proposed additions would be setback 914mm from the north-eastern (side) boundary with a wall length in excess of 9m and would protrude beyond the building envelope prescribed by the acceptable solution by 1.6m at the north-western wall. This is shown by the proposal plans in the Attachments. The proposal is considered to meet the requirements of the performance criteria, P3, of Clause 10.4.2, in that the impacts associated with overshadowing and visual impact are considered to be minimal. On that basis, this issue is not considered to be of determining weight.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

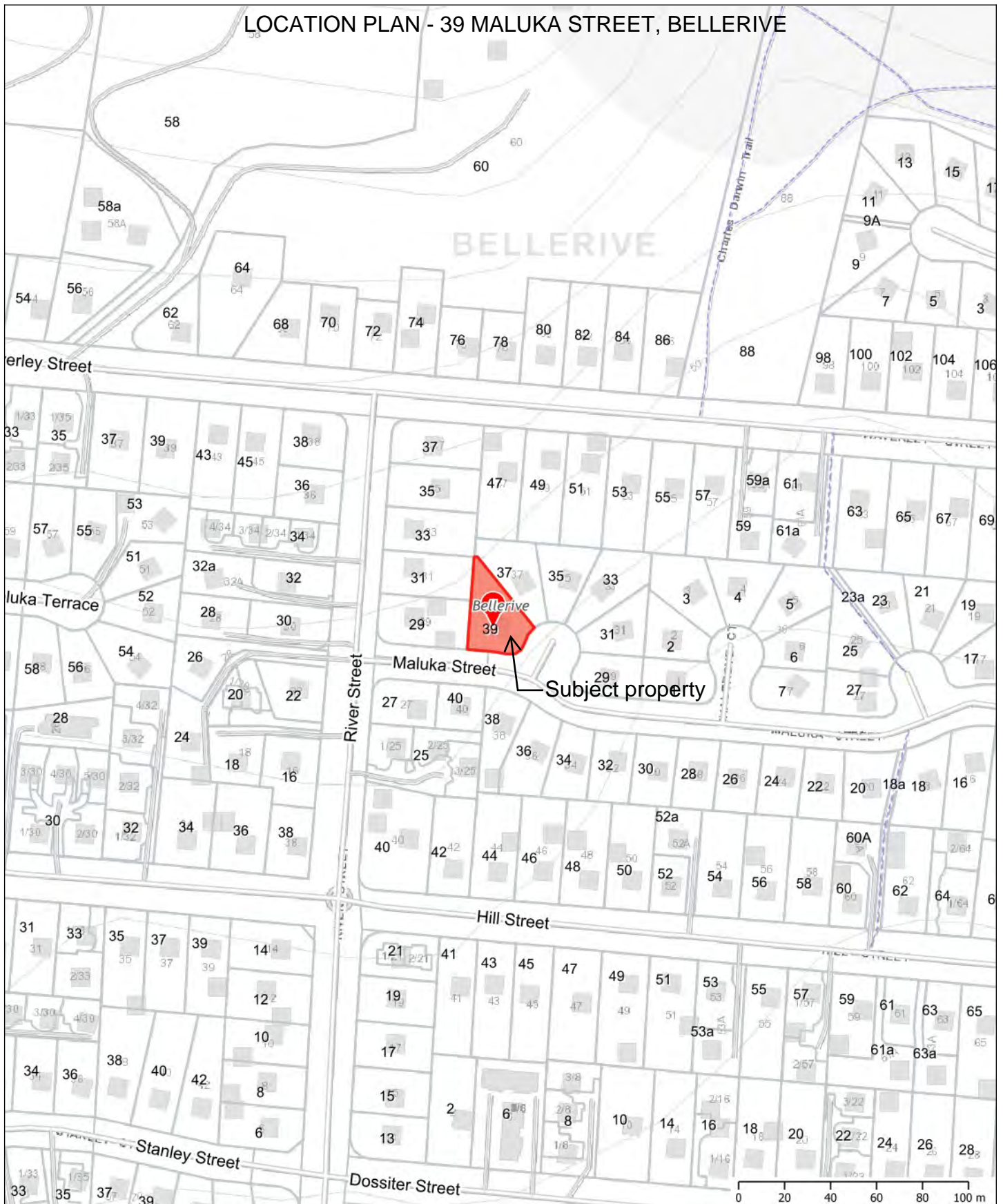
The proposal is for the development of dwelling additions and alterations at 39 Maluka Street, Bellerive. The proposal satisfies the relevant requirements of the Scheme and is recommended for approval subject to conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (10)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

LOCATION PLAN - 39 MALUKA STREET, BELLERIVE



This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

2/16/2021

1:2257



GENERAL INFORMATION:

CLIENT SAM LAMBERT
SITE 39 MALUKA ST BELLERIVE
TITLE 12283/1
PLANNING ZONE GENERAL RESIDENTIAL
LOT AREA 720.42m²

DRAWING SCHEDULE:

DA211 - EXISTING DRAWINGS:

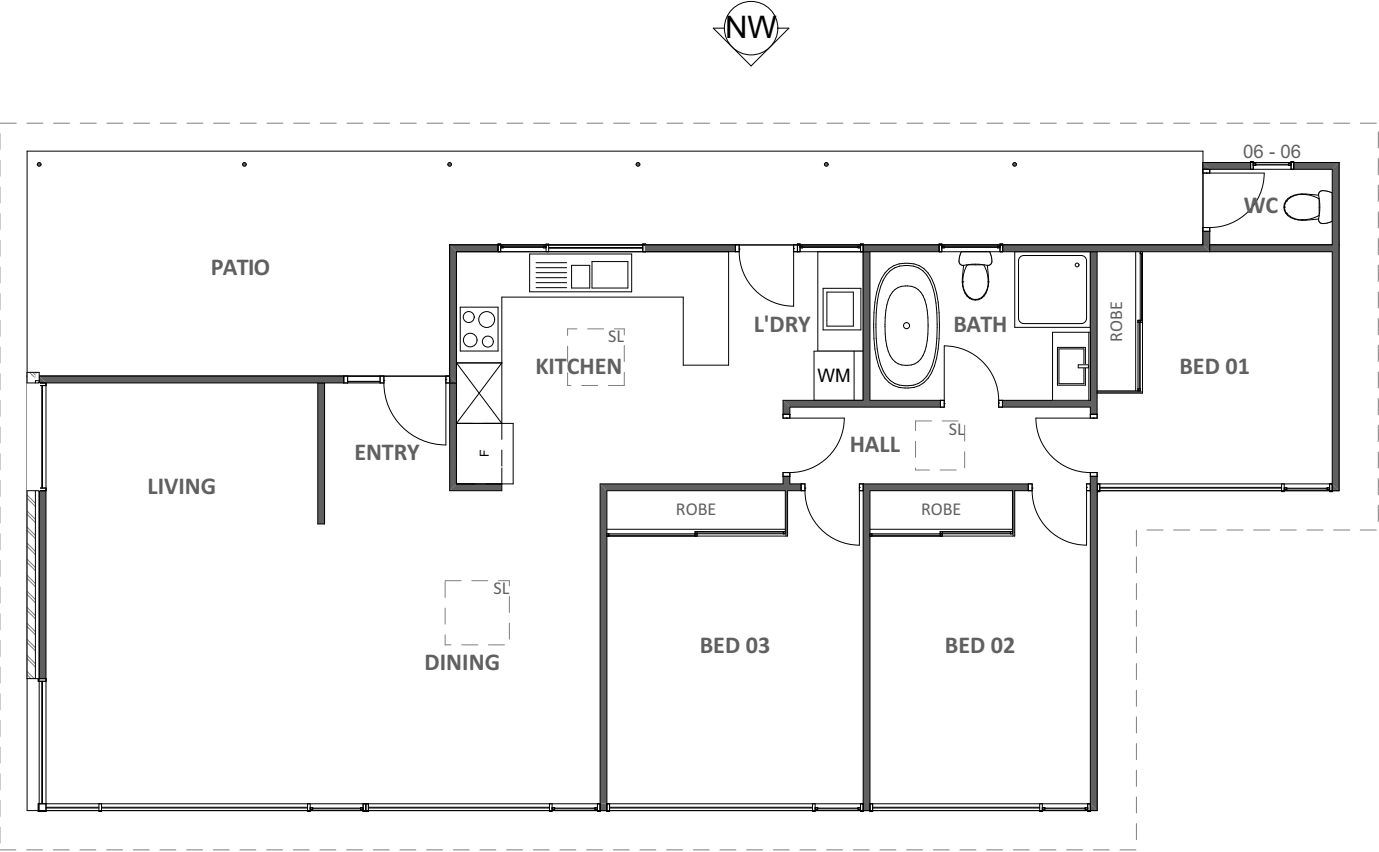
- 1.1 EXISTING SITE PLAN
- 1.2 EXISTING FLOOR PLAN
- 1.3 EXISTING ELEVATIONS
- 1.4 EXISTING ELEVATIONS
- 1.5 DEMOLITION PLAN

DA211 - PROPOSED DRAWINGS:

- 2.1 PROPOSED SITE PLAN
- 2.2 PROPOSED FLOOR PLAN
- 2.3 PROPOSED ELEVATIONS
- 2.4 PROPOSED ELEVATIONS
- 2.5 SHADOWS JUNE 21ST







Existing Floor Areas	
House	108.54 sqm
Patio	28.99 sqm

ADDITIONS & ALTERATIONS
39 MALUKA ST BELLERIVE

Drawn: JR
Date: 11/12/2020

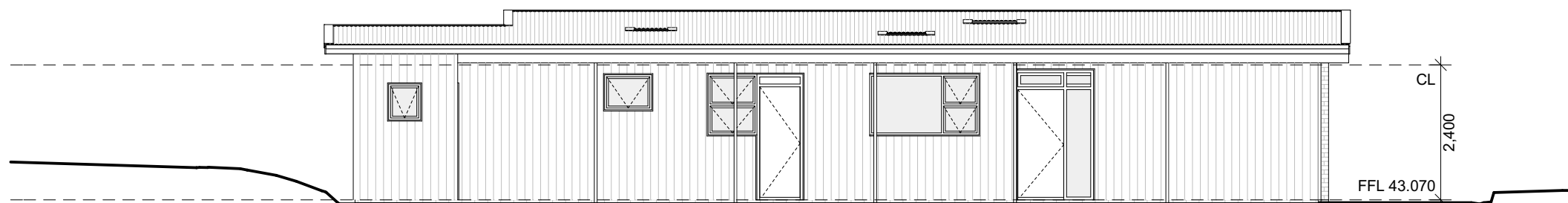
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Job No: 211

EXISTING FLOOR PLAN
DA211-1.2

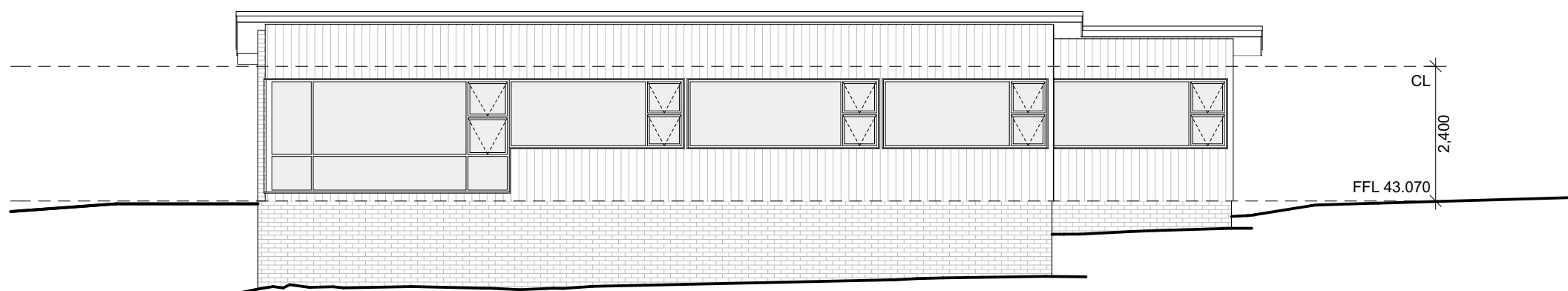
Revision		Date
A	COUNCIL RFI	12/01/21

STUDIO
jr.

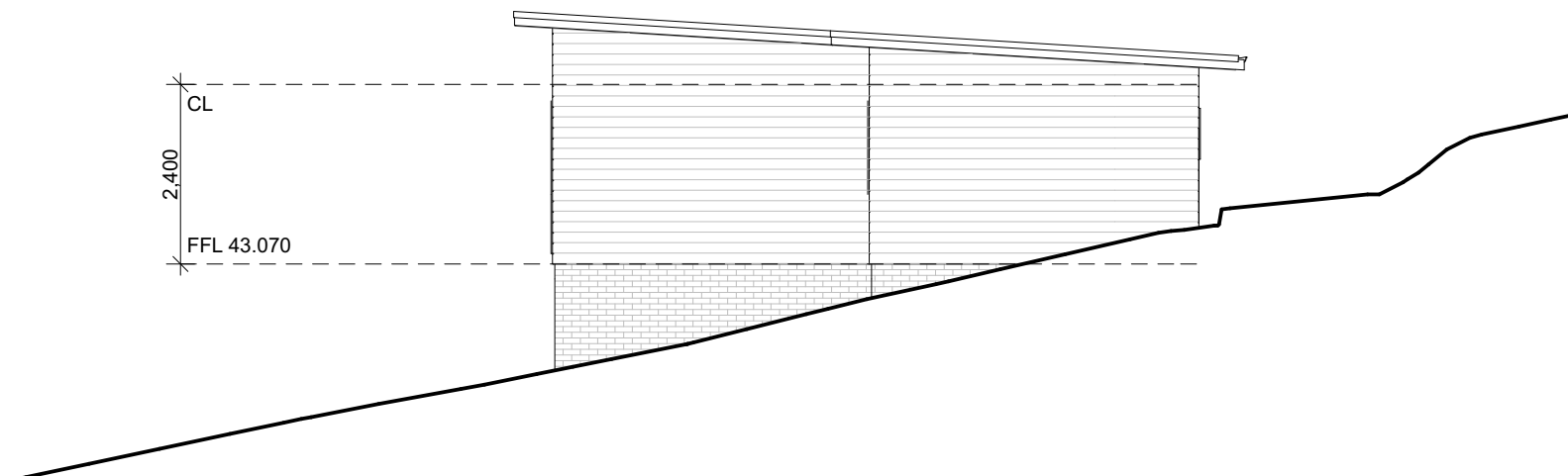
NEW HOMES
RENOVATIONS
UNIT DEVELOPMENTS
info@studiojr.com.au



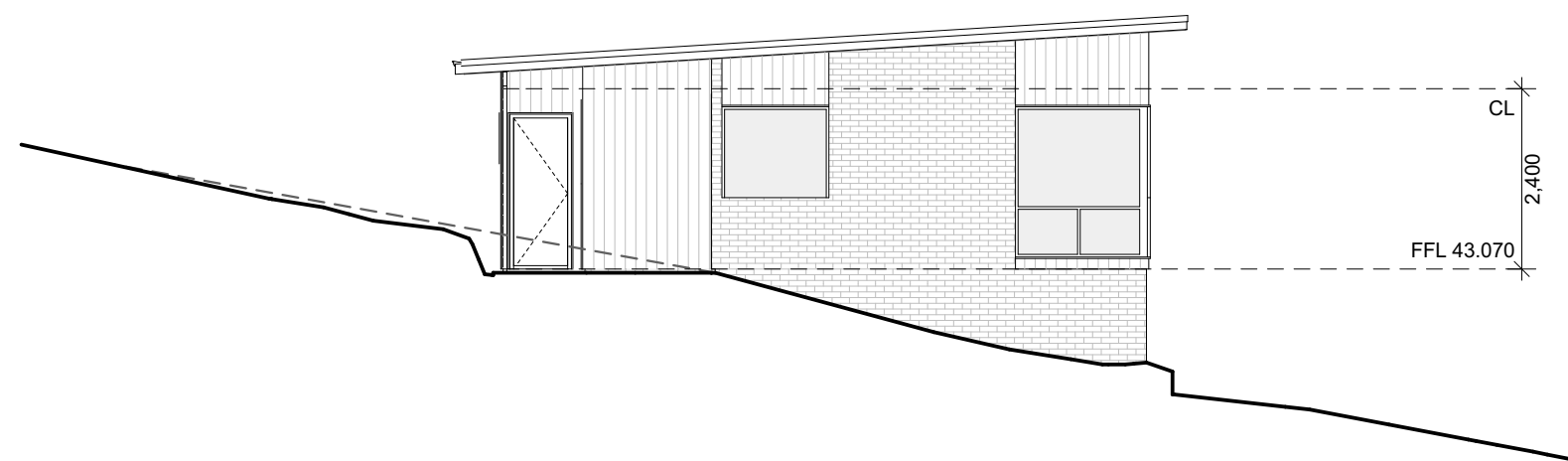
NORTH WEST ELEVATION



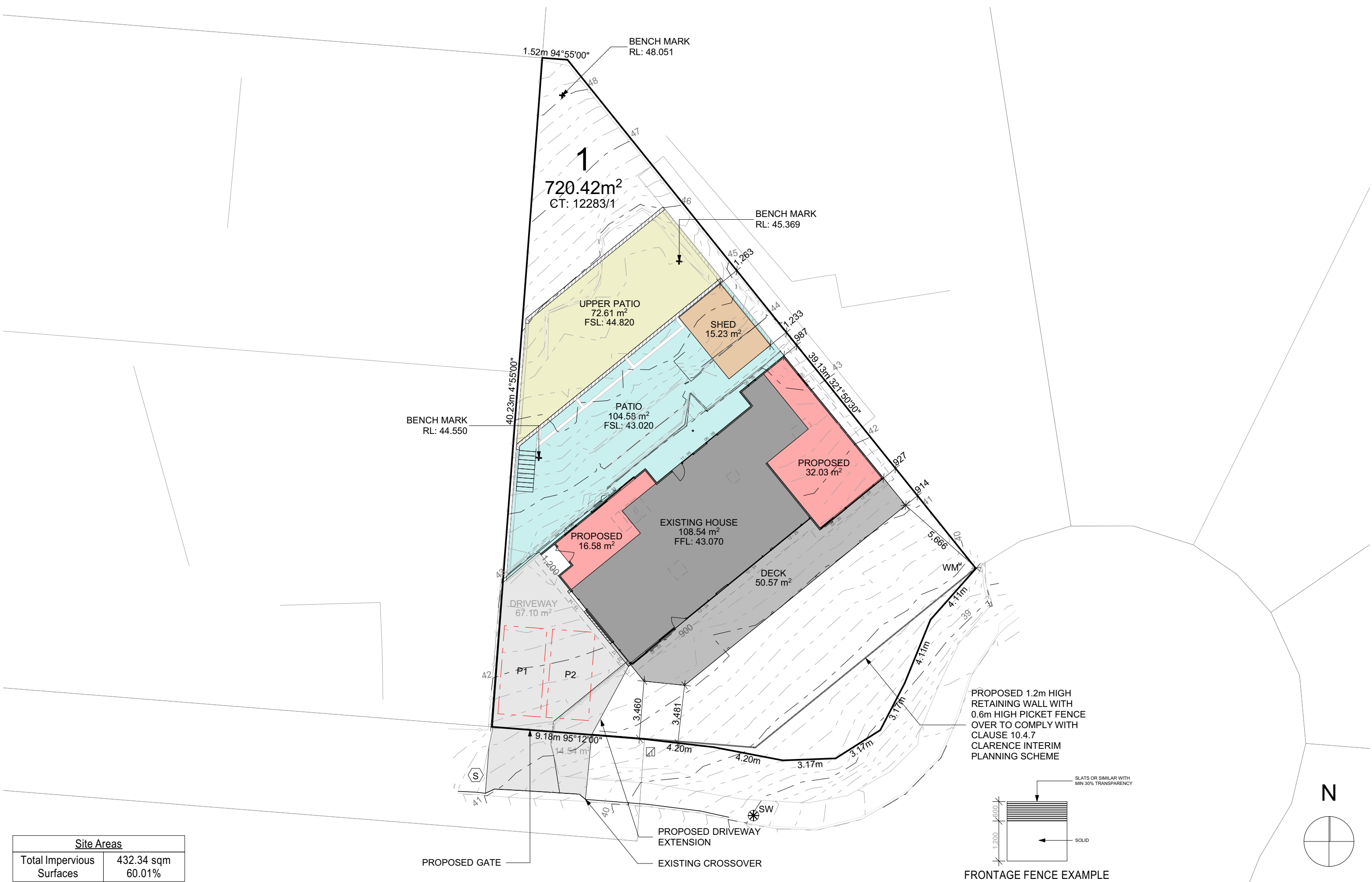
SOUTH EAST ELEVATION



NORTH EAST ELEVATION



SOUTH WEST ELEVATION



Site Areas	
Total Impervious Surfaces	432.34 sqm 60.01%

LEGEND

- F

FRIDGE
- J

JOINERY
- PL

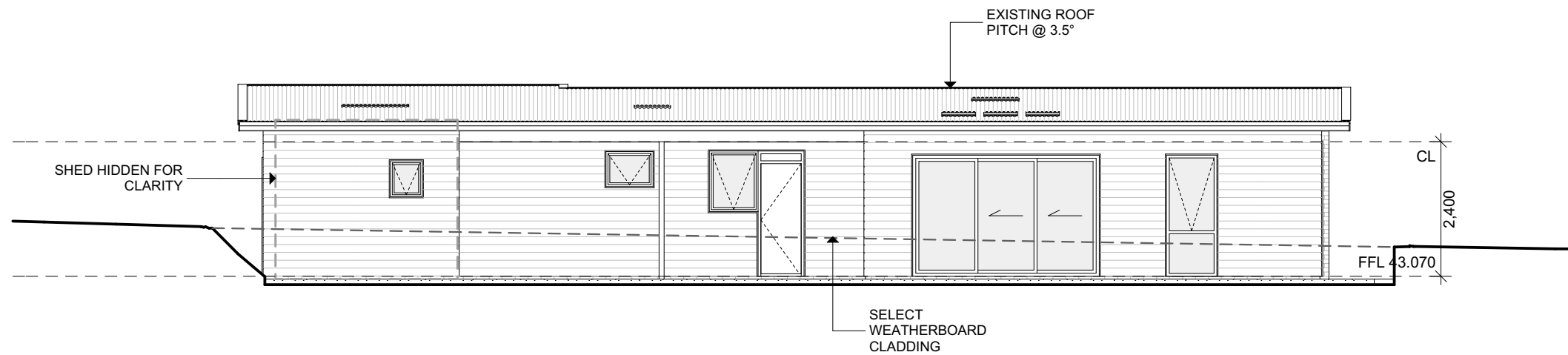
PLANTER
- SL

SKYLIGHT
- WN

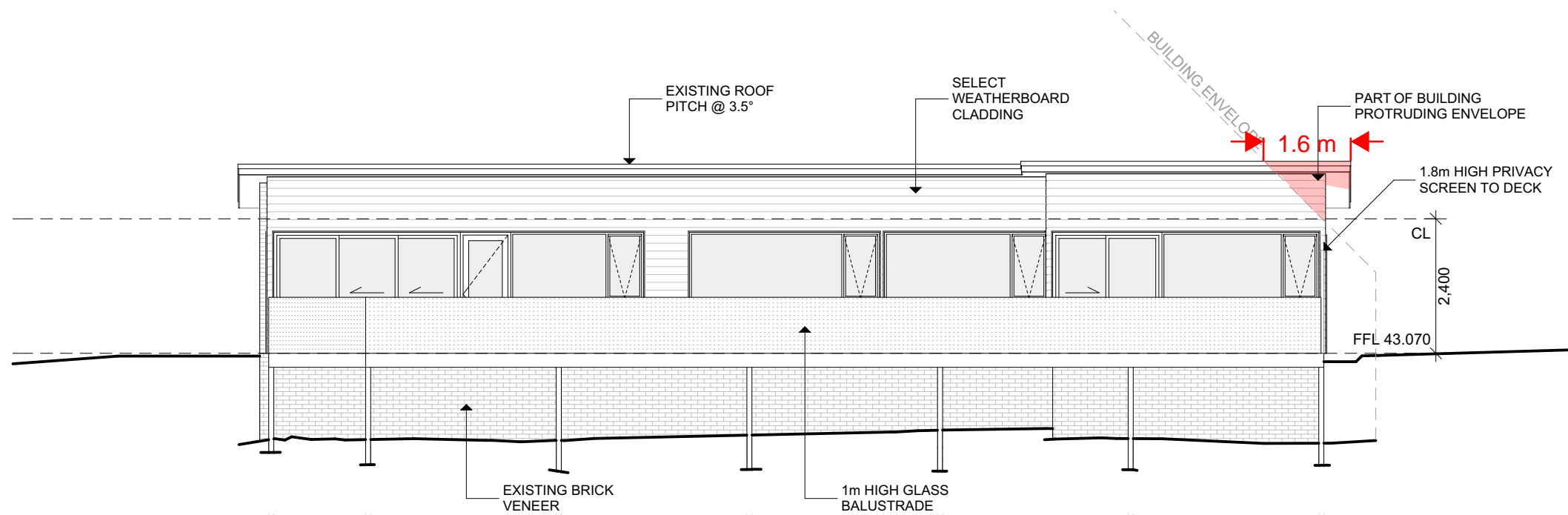
WALL NICHE
- NEW 90mm TIMBER
FRAMED WALLS



Floor Areas	
Existing	108.54 sqm
Addition	48.61 sqm
Total	157.15 sqm
Deck (Addition)	50.57 sqm
Shed	15.23 sqm
Patio	104.58 sqm
Upper Patio	72.61 sqm



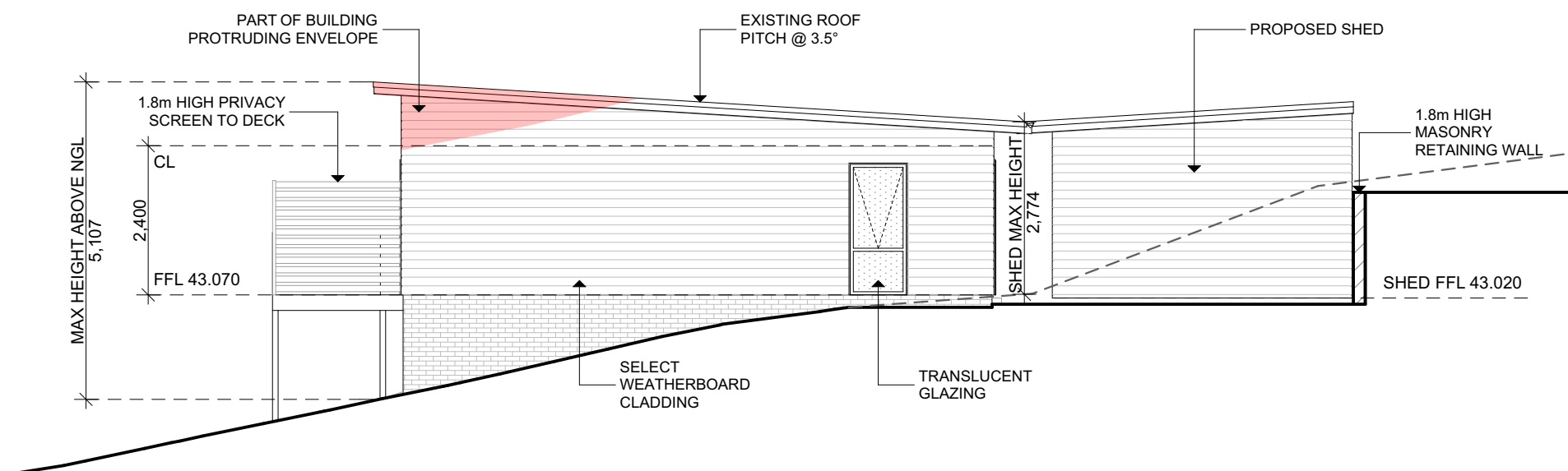
NORTH WEST ELEVATION



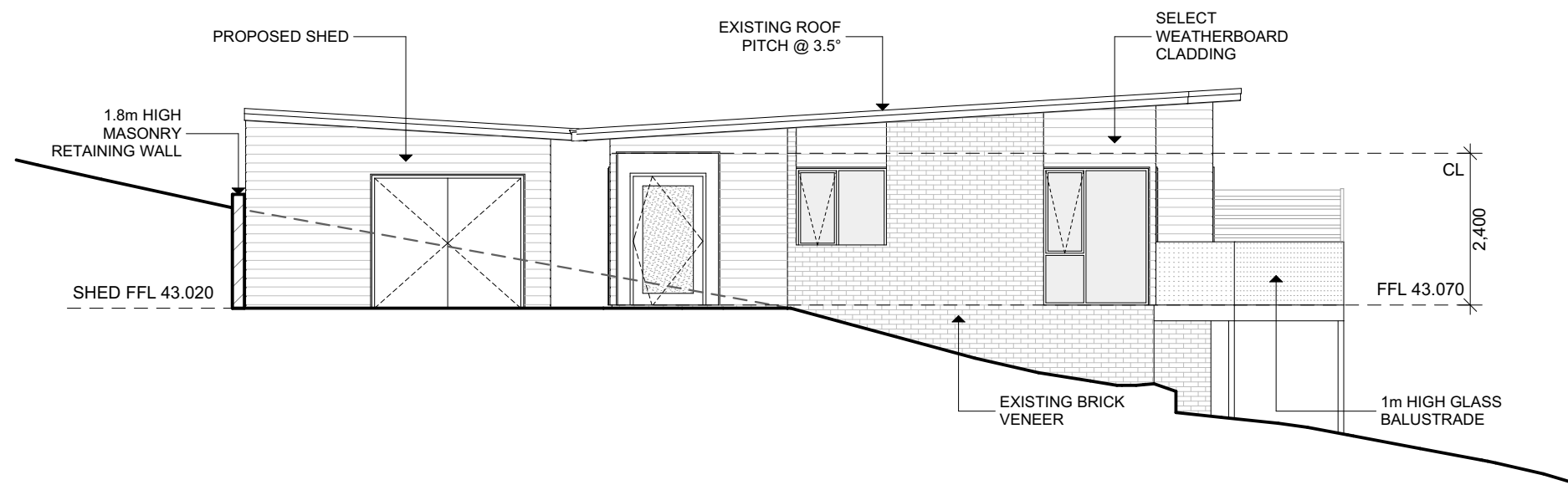
SOUTH EAST ELEVATION

ADDITIONS & ALTERATIONS 39 MALUKA ST BELLERIVE	Drawn: JR	Scale: 1:100 @ A3	PROPOSED ELEVATIONS	DA211-2.3	Revision	Date	STUDIO jr. NEW HOMES RENOVATIONS UNIT DEVELOPMENTS info@studiojr.com.au
	Date: 11/12/2020	Job No: 211			A COUNCIL RFI	12/01/21	

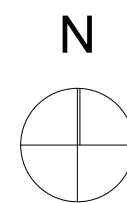
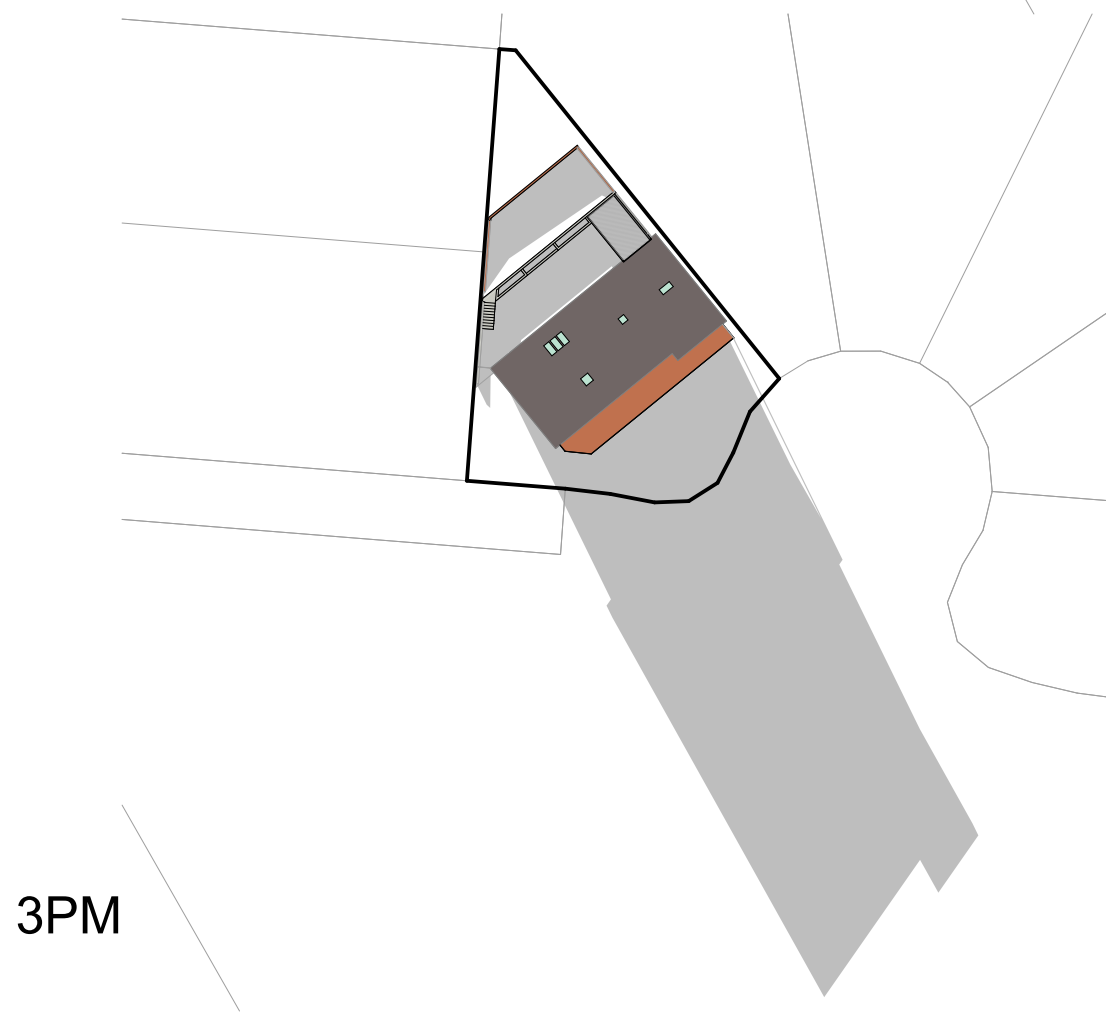
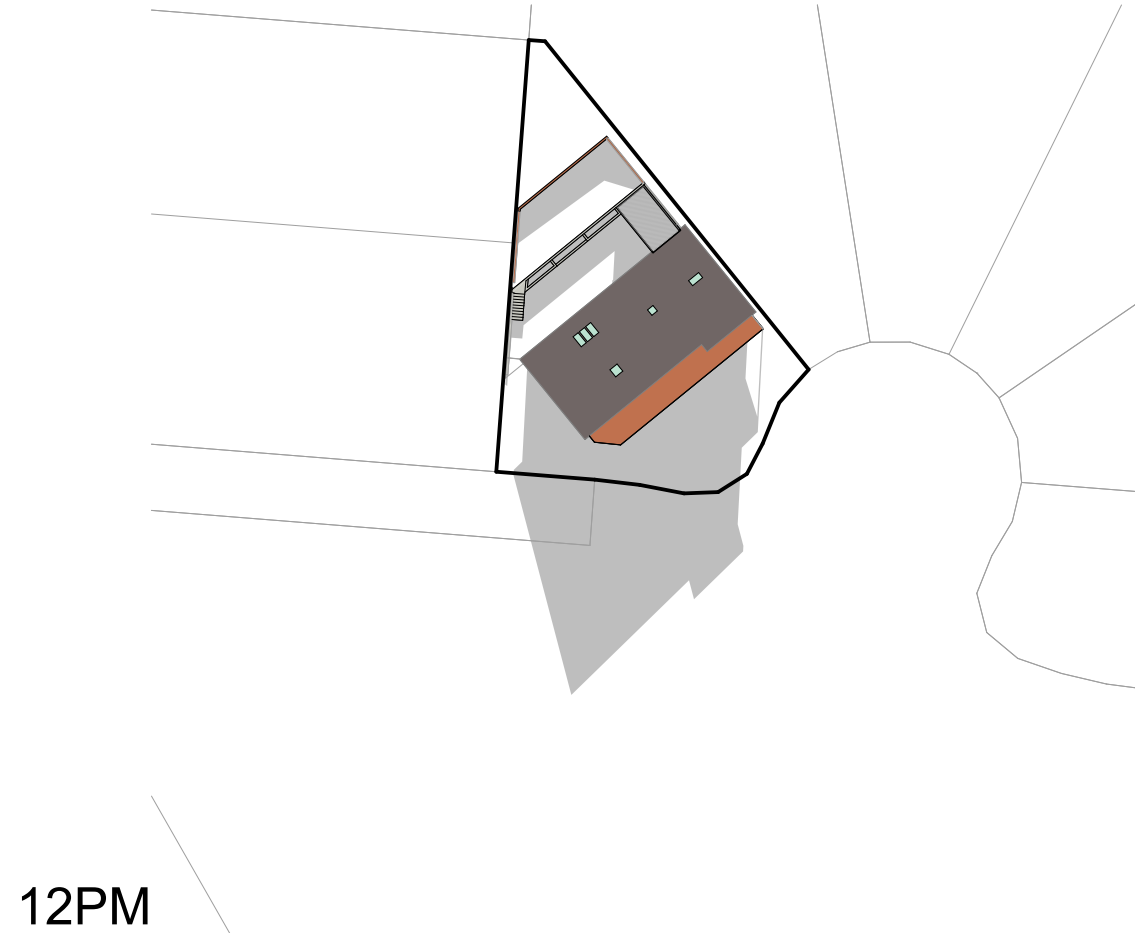
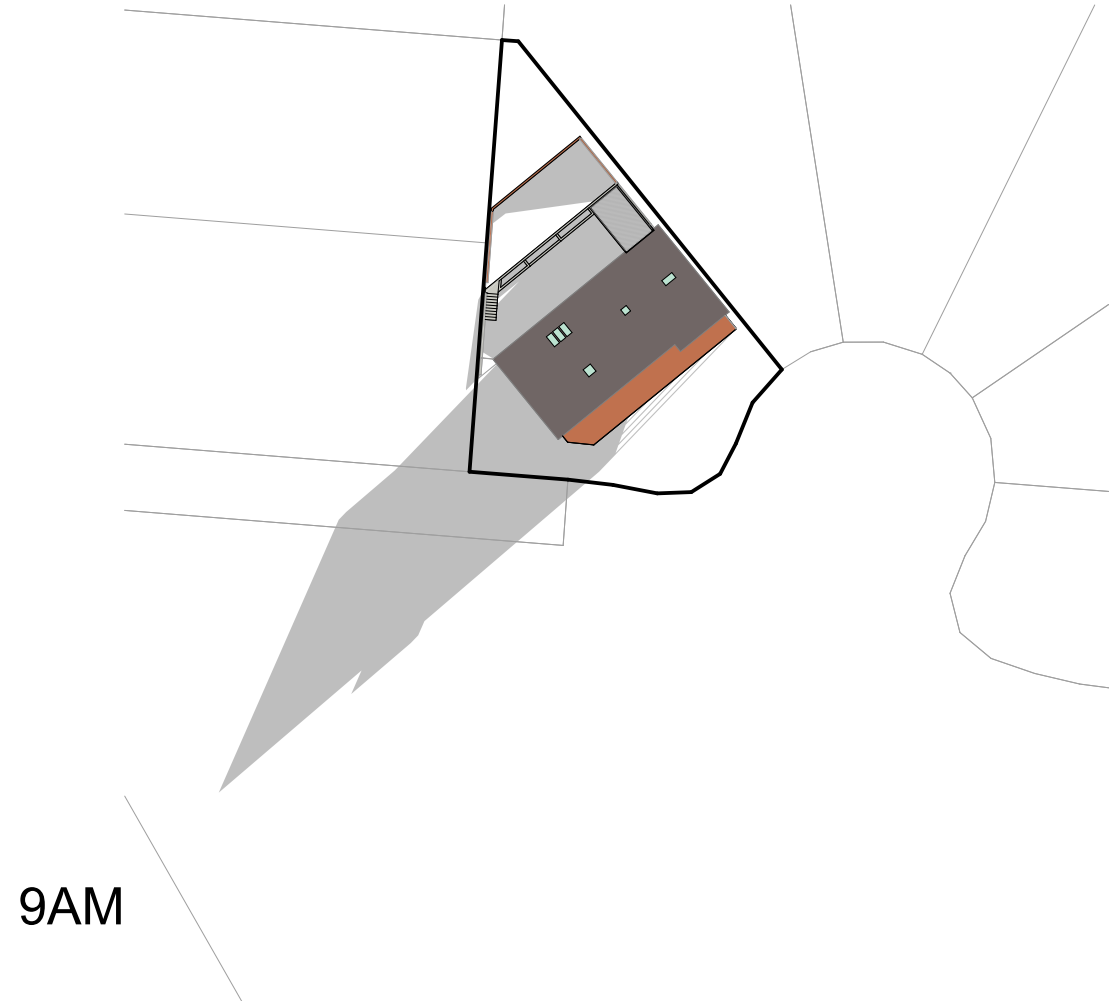
PRINT DATE: 12/01/2021



NORTH EAST ELEVATION



SOUTH WEST ELEVATION



Attachment 3

39 MALUKA STREET, BELLERIVE



Photo 1: Site viewed from Maluka Street, looking west.



Photo 2: Site viewed from Maluka Street, looking north.



Photo 3: Site viewed from adjacent the existing dwelling, looking north along the western site boundary.

11.3.3 DEVELOPMENT APPLICATION PDPLANPMTD-2021/015376 – 39 SOUTH ARM ROAD, ROKEBY - WAREHOUSE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Warehouse at 39 South Arm Road, Rokeby.

RELATION TO PLANNING PROVISIONS

The land is zoned Light Industrial and subject to the Parking and Access, Stormwater Management and Waterway and Coastal Protection Codes under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 3 March 2021.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and three representations were received (two from the same property) raising the following issues:

- drainage;
- colours;
- landscaping;
- construction hours;
- use of 3 Droughty Point Road during construction; and
- previous history of non-compliance;

RECOMMENDATION:

A. That the Development Application for Warehouse at 39 South Arm Road, Rokeby (CI Ref PDPLANPMTD-2021/015376) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. GEN AM3 – EXTERNAL COLOURS - Replace first sentence with “All external surfaces must be finished in muted tones to the satisfaction of Council’s Manager City Planning.”
 3. GEN AM7 – OUTDOOR LIGHTING.
 4. GEN C1 – ON-SITE CAR PARKING [71].
 5. ENG A5 – SEALED CAR PARKING.
 6. ENG M1 – DESIGNS DA.
 7. ENG S1 – INFRASTRUCTURE REPAIR.
 8. 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.
 9. The development must meet all required Conditions of Approval specified by TasWater notice dated 12 January 2021 (TWDA 2021/00024).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

In 1999 a warehouse development was approved through D-1998/235 for 39 South Arm Highway.

Additions to the warehouse have subsequently been approved through planning permits D-2004/448, D-2005/49, D-2005/207 and D-2007/360 and PDPLANPMTD-2019/005841. Approval was also granted for a fence under D-2008/110.

A change of use of one of the tenancies for Manufacturing and Processing was approved by D-2017/508. A permit to use the site for storage was approved by D-2018/66.

An application was made for a warehouse in this same location early in 2010 under D-2010/109. This application was refused at council's meeting of 5 July 2010, on grounds of adjoining residential amenity and as a result of representations received.

A further application for a warehouse on this site was made under D-2010/275 with amended designs (which were similar to the current proposal). This application was approved, appealed to the RMPAT, and subsequently approved by the RMPAT with conditions on 2 September 2011. This approval included consideration of a similar car parking deficit to the current application, and the RMPAT determined that it was appropriate for the site. The developer did not commence works and the application has now lapsed.

Another application for a warehouse in the same location was approved in 2016 by Permit D-2014/104. The permit was not substantially commenced and therefore lapsed.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Light Industrial and Particular Purpose under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet certain Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
 - Section 8.10 – Determining Applications;
 - Section 10 – Light Industrial Zone;
 - Section E6.0 – Parking and Access Code;
 - Section E7.0 – Stormwater Management Code; and
 - Section E11.0 – Waterway and Coastal Protection Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is an industrial site in Rokeby and contains warehouses and a manufacturing business. Access to the site is from South Arm Road.

3.2. The Proposal

The proposal is for a 1765m² warehouse located in the rear of the site which is currently used for storage. The warehouse is similar to a previously approved warehouse (Permit D-2014/104), which expired as substantial commencement on this permit had not occurred.

A total of 71 car parking spaces is provided on-site. A Traffic Impact Assessment (Milan Prodanovic, February 2020) was provided with the application which assessed the car parking requirements for the existing and proposed uses. While the TIA was originally submitted with the previous application for a warehouse addition (PDPLANPMTD-2019/005841) it is applicable to this application as it assessed the existing and proposed uses on the site, including the previously approved warehouse.

In comparison to the warehouse approved by D-2014/104, the height of the warehouse has been decreased from 8.9m to 8m and the gross floor area has increased from 1574m² to 1756m². The setbacks to the western and northern boundaries at 3m are the same as previously approved.

Operating hours are proposed to be consistent with the previous approval D-2014/104 which are 7am – 6pm, Monday to Friday and 9am – 5pm, Saturday.

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 proposal meets the Scheme’s relevant Acceptable Solutions of the Light Industrial Zone and Parking and Access, Stormwater Management and Waterway and Coastal Protection Codes with the exception of the following.

Light Industrial Zone

- **Clause 24.4.3 A1** – as the proposal does not include a minimum of 40% windows and door openings in the front façade and colours have not been specified.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 24.4.3 as follows.

Clause	Performance Criteria	Assessment
24.4.3 P1	<p><i>“Building design must enhance the streetscape by satisfying all of the following:</i></p> <p><i>(a) provide the main access to the building in a way that is visible from the street or other public space boundary;</i></p>	<p>Although located around 70m from the South Arm Road access, the entrance to the building is located to the north and therefore offers direct views to the car parking area and access located on the northern boundary of the site.</p>

	<i>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</i>	The building is located in the western portion of the site and does not present to the street. The windows and door openings do provide for passive surveillance to the entry and car parking areas accessed by users of the building.
	<i>(c) treat very large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space;</i>	not applicable
	<i>(d) ensure the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is limited when viewed from the street;</i>	not applicable
	<i>(e) ensure roof-top service infrastructure, including service plants and lift structures, is screened so as to have limited visual impact</i>	not applicable
	<i>(f) only provide shutters where essential for the security of the premises and other alternatives for ensuring security are not feasible;</i>	not applicable
	<i>(g) be consistent with any Desired Future Character Statements provided for the area.</i>	The proposal is for a building that is to be used for storage and includes features such as loading docks and roll up doors to ensure that the site can be used efficiently for industrial businesses. The site has existing landscaping along the street frontage to ensure that the amenity of the area is not detrimentally impacted by the development.

	<i>(h) walls are clad in muted tones unless they cannot be seen from a street or another public place.”</i>	Colours were not specified by the applicant. The proposed building will be visible from South Arm Road and Droughty Point Road and therefore the colours will be required to be muted tones to comply with the standard. It is recommended that a permit condition be included to this effect.
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Light Industrial Zone

- **Clause 24.4.4 A1** – as the proposal does not include a minimum of 20% windows and door openings in the front façade.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 24.4.4 as follows.

Clause	Performance Criteria	Assessment
24.4.4 P1	<i>“Building design must provide for passive surveillance of public spaces by satisfying all of the following:</i>	
	<i>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</i>	The main entrance to the proposed building is visible from the South Arm Road access and are clearly visible from the accesses to existing buildings on the site.
	<i>(b) locate windows to adequately overlook the street and adjoining public spaces;</i>	The building is located in the western portion of the site and does not present to the street.
	<i>(c) incorporate windows and doors for ground floor offices to look upon public access to the building;</i>	The windows and door openings do provide for passive surveillance to the entry and car parking areas accessed by users of the building.
	<i>(d) locate external lighting to illuminate any entrainment spaces around the building site;</i>	Lighting is not proposed, therefore it is recommended that lighting be provided to ensure the safety of users. It is noted that the existing warehouse development provides external lighting.

	<i>(e) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces;</i>	The warehouse is located in the western portion of the site and its main access is visible from the entrance to the site off South Arm Road.
	<i>(f) provide for sight lines to other buildings and public spaces.”</i>	The doors and openings provide opportunity to overlook the car parking area and accesses to the other buildings on the site.

Parking and Access Code

- **Clause E6.6.1 A1** – as the proposal requires a variation in the number of car parking spaces required by the Code. The existing car parking requirement for the site is 71 spaces as the most recent Permit (PDPLANPMTD-2019/005841). This calculation took into consideration the warehouse approved by D-2014/104. However, as a new application has been lodged for the warehouse, the car parking report must be reassessed afresh.

“Storage” requires 1 car parking space per 100m² and 1 per 40m² of ancillary office area. Based on a total floor area of 1756m², which includes 85m² of ancillary office area, car parking is calculated as follows:

Warehouse (1671m ²):	16.7 spaces
Office (85m ²):	2.1 spaces
TOTAL:	19 spaces (rounded up from 18.8)

Permit D-2018/508, which approved the change of use of one of the tenancies to Manufacturing and Processing, required a total number of car parking spaces for the site of 69. Therefore, the current application requires a total of 88 spaces. As 71 spaces are proposed to be provided, a variation of 18 spaces is proposed.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 24.4.4 as follows.

Clause	Performance Criteria	Assessment
E6.6.1 P1	<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><i>(a) car parking demand;</i></p>	<p>The applicant has provided a TIA which states that the additional floor area is for storage and no additional staff will be employed as a result.</p> <p>The TIA also assesses the existing and approved development, taking into account the warehouse approved by D-2014/104 and concludes that the existing and approved developments would generate a demand for 52 spaces which is less than the 71 spaces proposed on-site. Based on the conclusions of the TIA, Council’s Engineer is satisfied that no additional car parking is required to be provided on-site and that the proposed car parking is adequate for the site.</p>
	<i>(b) the availability of on-street and public car parking in the locality;</i>	On-street parking in the area is limited.
	<i>(c) the availability and frequency of public transport within a 400m walking distance of the site;</i>	Public buses run along South Arm Road which is within 20m of the site.
	<i>(d) the availability and likely use of other modes of transport;</i>	Other modes of transport are unlikely.
	<i>(e) the availability and suitability of alternative arrangements for car parking provision;</i>	None proposed.

	<i>(f) any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;</i>	The site contains a number of different businesses which share a common car parking area and therefore it is likely to result in a reduction in demand for the site as a whole.
	<i>(g) any car parking deficiency or surplus associated with the existing use of the land;</i>	Parking was waived under the previous permits based on the same TIA submitted with the current application.
	<i>(h) any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;</i>	not applicable
	<i>(i) the appropriateness of a financial contribution in-lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</i>	It would not be appropriate to require a cash-in-lieu contribution for this proposal as there are no plans to provide public car parking in the vicinity of the site and it is considered that there will be adequate car parking On-site.
	<i>(j) any verified prior payment of a financial contribution in-lieu of parking for the land;</i>	not applicable
	<i>(k) any relevant parking plan for the area adopted by Council;</i>	not applicable
	<i>(l) the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;"</i>	not applicable

Parking and Access Code

- **Clause E6.6.7 A1** – as the proposal does not show lighting of the car parking areas.

Clause	Performance Criteria	Assessment
E6.6.7.P1	<p><i>“Parking and vehicle circulation roadways and pedestrian paths used outside daylight hours must be provided with lighting to a standard which satisfies all of the following:</i></p> <p><i>(a) enables easy and efficient use of the area;</i></p>	It is recommended that lighting be provided within the car parking area to ensure easy and efficient access to the area, to minimise conflicts on the site, and provide adequate passive surveillance.
	<p><i>(b) minimises potential for conflicts involving pedestrians, cyclists and vehicles;</i></p>	as above
	<p><i>(c) reduces opportunities for crime or anti-social behaviour by supporting passive surveillance and clear sight lines and treating the risk from concealment or entrapment points;</i></p>	as above
	<p><i>(d) prevents unreasonable impact on the amenity of adjoining users through light overspill;</i></p>	It is recommended that a condition be included that requires that lights be designed and baffled so that the amenity of the neighbouring properties is not detrimentally affected.
	<p><i>(e) is appropriate to the hours of operation of the use.”</i></p>	The hours of operation are daytime and therefore only security lighting will be required at night.

5. REPRESENTATION ISSUES

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

5.1. Drainage

Concern has been raised that there is an ongoing issue with stormwater drainage from the site to adjoining properties.

- **Comment**

Council Engineers have assessed the proposal and are satisfied that it will be possible to design a water sensitive stormwater management system for the site, which will also address any run-off and resolve any drainage issues which may result from the development. A condition to this effect should be included in any approval granted.

5.2. Colours

Concern was raised that the colour scheme of the existing warehouse reduces the residential amenity of the area.

- **Comment**

Colours have not been specified and as discussed above, a permit condition requiring a colour scheme to be submitted to Council is recommended. A continuation of existing blue colour would be acceptable, however, the white on the existing building would not be accepted as it is not a muted tone.

5.3. Landscaping

Concern was raised that any landscaping along the northern boundary may encroach onto their property.

- **Comment**

The applicant has not proposed landscaping between the northern wall of the building and the boundary, and it is not required by the Scheme.

5.4. Construction Hours

A representor has requested that they be advised of the allowable construction hours.

- **Comment**

Construction hours are controlled by the *Environmental Management and Pollution Control (Noise) Regulations 2016* which specify that Noise from mobile machinery, a forklift truck and portable equipment such as power tools and cement mixers, is prohibited during the times listed:

- Monday to Friday: before 7.00am and after 6.00pm;
- Saturday: before 8.00am and after 6.00pm; and
- Sunday and all Statutory Public Holidays: before 10.00am and after 6.00pm.

5.5. Use of 3 Droughty Point Road During Construction

Concern was raised that the property at 3 Droughty Point Road will be used for entry to the site and for storage for construction needs, storage for building panels or any car parking.

- **Comment**

The use of 3 Droughty Point Road does not form part of the development application and therefore cannot be used without Council approval. However, it is noted that 3 Droughty Point Road is in the same ownership as the subject site and therefore is legally entitled to access this lot.

5.6. Lighting

Concern was raised that there is no detail provided for what lighting may be installed and that the development may result in a loss of amenity to adjacent properties through light spill from the site.

- **Comment**

No lighting is proposed as part of the application. However, a certain amount of security lighting is required by the Scheme. As such, it is considered appropriate to condition that suitable lighting adjacent to building entrances and car parking areas be provided. This lighting should further be required to be baffled to ensure that there is no direct light spill onto adjacent properties.

5.7. Previous History of Non-compliance

Concern was raised that if approved, the development complies with all council requirements.

- **Comment**

Council will ensure that prior to an issue of Certificate of Completion all permit conditions have been satisfied.

6. EXTERNAL REFERRALS

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

The application was also referred to the Department of State Growth who provided comments.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION



The proposal is for a warehouse and is recommended for approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (7)
3. Site Photo (1)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1



	This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.	2/17/2021	
		1:2257	



SITE LOCATION PLAN

SCALE 1 : 500



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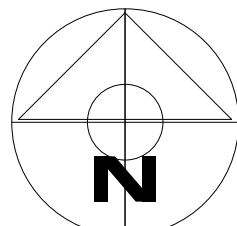
6ty Pty Ltd
ABN 27 014 609 900

Architectural
ABP No. CC4874f
Structural / Civil
ABP No. CC1633f

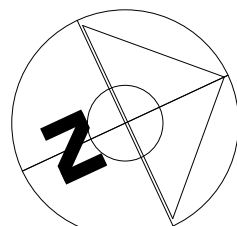


PLANNING DOCUMENT

ISSUE	DATE	ISSUED FOR	REV.
1	12.01.21	PLANNING APPROVAL	-



PROJECT NORTH



TRUE NORTH

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PROJECT: WAREHOUSE DEVELOPMENT

AT: 39-41 SOUTH ARM ROAD,
ROKEBY

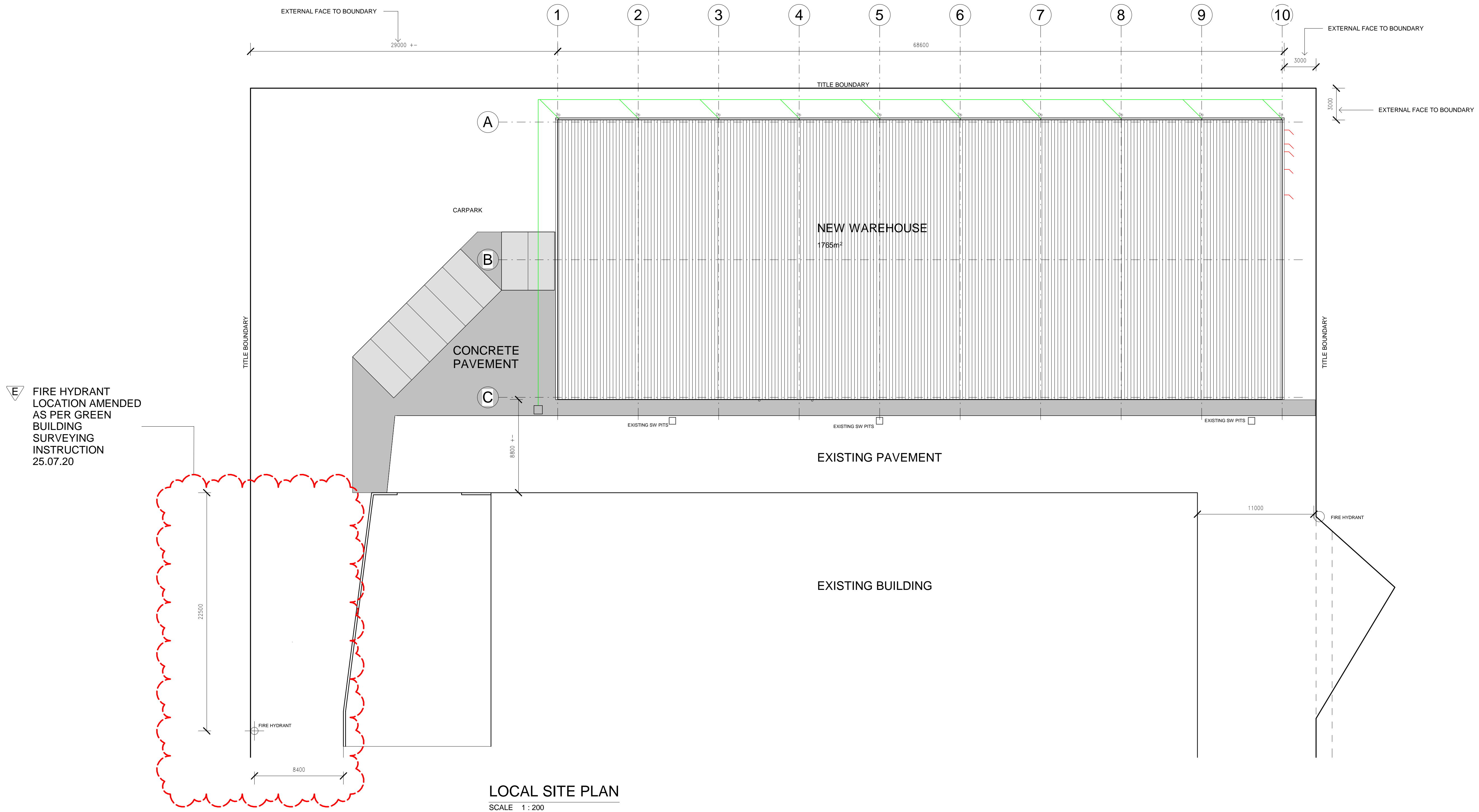
FOR: A & E PAPASTAMATIS & SONS
PTY LTD

DRAWING: SITE LOCATION PLAN

DESIGNED: CGB DRAWN: CTK CHECKED: DSD

SCALES: 1 : 500 AT A1 SIZE DRAWING SHEET

PROJECT No. 19.275 DRAWING No. A01 REV. -



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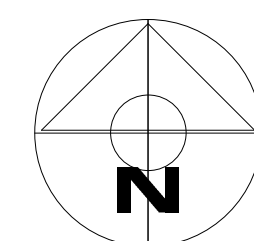
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ABN 27 014 609 900

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Structural / Civil
ABP No. CC1633i

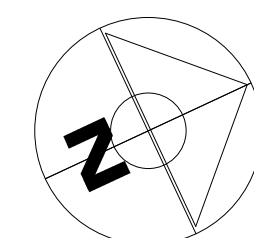


CONTROLLED DOCUMENT

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3	26-06-20	DEVELOPMENT APPROVAL	C
4	03-07-20	BUILDING APPROVAL	D
5	27-07-20	SEE REVISION NOTES	E



PROJECT NORTH



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PROJECT: WAREHOUSE DEVELOPMENT

AT: 39-41 SOUTH ARM ROAD,
ROKEBY

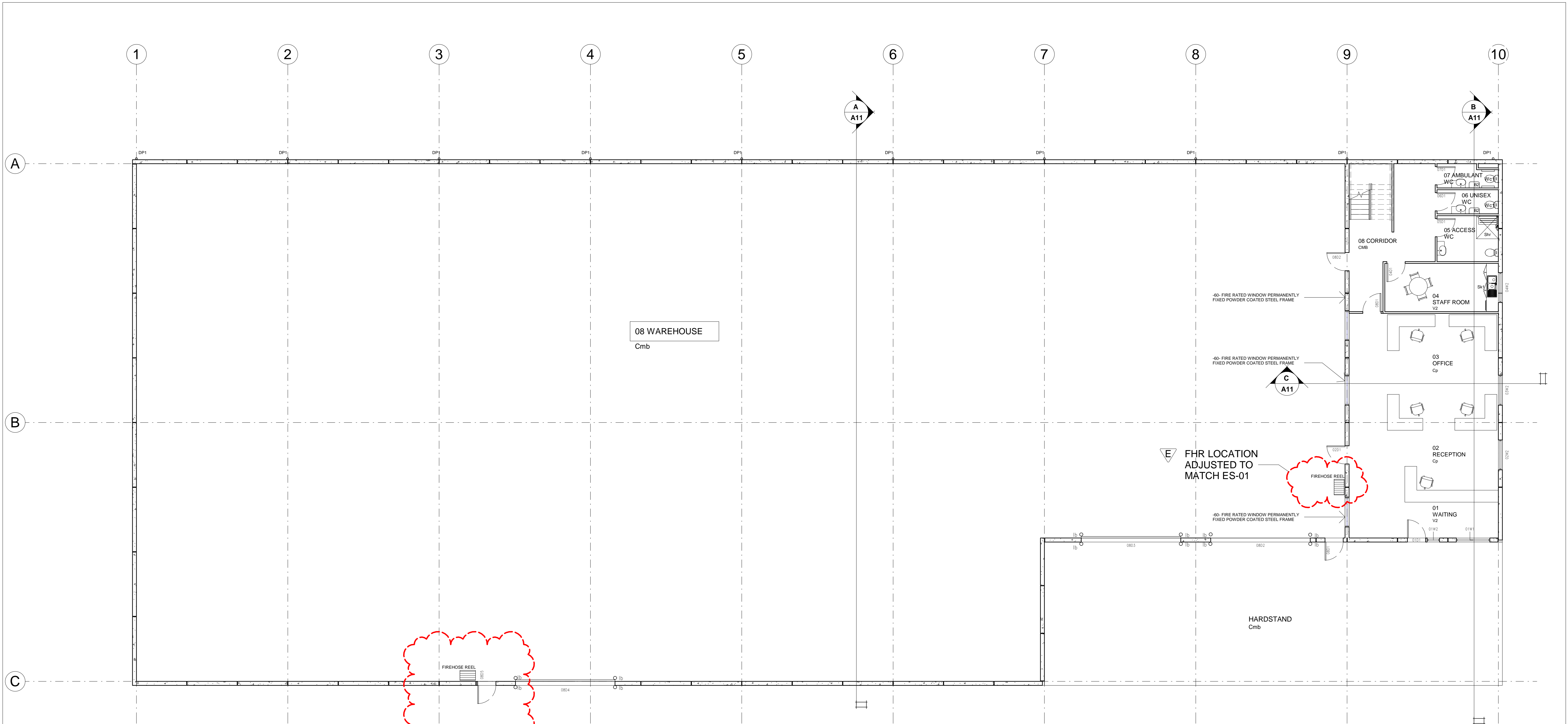
FOR: A & E PAPASTAMATIS & SONS
PTY LTD

DRAWING: LOCAL SITE PLAN

DESIGNED: CGB DRAWN: CTK CHECKED: DSD

SCALES: 1 : 200 AT A1 SIZE DRAWING SHEET

PROJECT No. 19.275 DRAWING No. A02 REV. E



GROUND FLOOR PLAN NOTATION

SCALE 1 : 100

LEGEND

90mm THICK STUD FRAMING	
200mm THICK PRECAST REINFORCED WALL PANELS	
IMPACT BOLLARD	
Cmb	CONCRETE MONOLITHIC BURNISHED
Cp	CARPET
V#	VINYL # TYPE
B	BASIN # TYPE
FHR	FIRE HOSE REEL
ORG	OVERFLOW RELIEF GULLY
DP#	150mm DIA DOWN PIPE uPVC, PAINT FINISH
RH#	COLORBOND RAINHEAD 400mm x 300mm x 250mm
Sk#	SINK # TYPE
Shr	SHOWER
Wc#	WATER CLOSET PAN # TYPE
V	VENT PIPE
#D#	DOOR (DOOR NUMBER # DOOR TYPE)
#W#	WINDOW (ROOM NUMBER # WINDOW TYPE)
Fw	FLOOR WASTE
T	25mm STRUCTURAL PLYWOOD

FHR LOCATION
ADJUSTED TO
MATCH ES-01

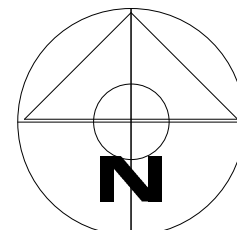
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3	26-06-20	DEVELOPMENT APPROVAL	C
4	03-07-20	BUILDING APPROVAL	D
5	27-07-20	SEE REVISION NOTES	E

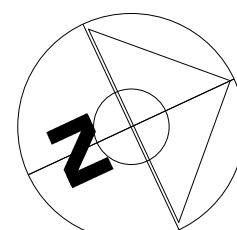


Document referenced on
Certificate of Likely Compliance
Cert No:0023/2020 Date 11/09/2020

Greg Green CC264V - Signed



PROJECT NORTH



TRUE NORTH

Door Schedule			
TYPE	WIDTH	HEIGHT	Comments
01D1	915	2024	
02D1	915	2024	-90-30 FIRE RATED DOOR
04D1	915	2024	
05D1	915	2024	
06D1	915	2024	
07D1	915	2024	
08D1	915	2024	
08D2	915	2024	-90-30 FIRE RATED DOOR
08D3	5000	6000	
08D4	5000	6000	
08D5	915	2100	

Window Schedule		
TYPE	WIDTH	Head Height
01W1	1685	2100
01W2	625	2100
02W2	1500	2100
02W2	1500	2100
03W2	1500	2100
03W2	1500	2100
04W2	1500	2100
04W2	1500	2100

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PROJECT: WAREHOUSE DEVELOPMENT

AT: 39-41 SOUTH ARM ROAD, ROKEBY

FOR: A & E PAPASTAMATIS & SONS PTY LTD

DRAWING: GROUND FLOOR PLAN NOTATION

DESIGNED: CGB DRAWN: CTK CHECKED: DSD

SCALES: 1 : 100 AT A1 SIZE DRAWING SHEET

PROJECT No. 19.275 DRAWING No. A05 REV. E



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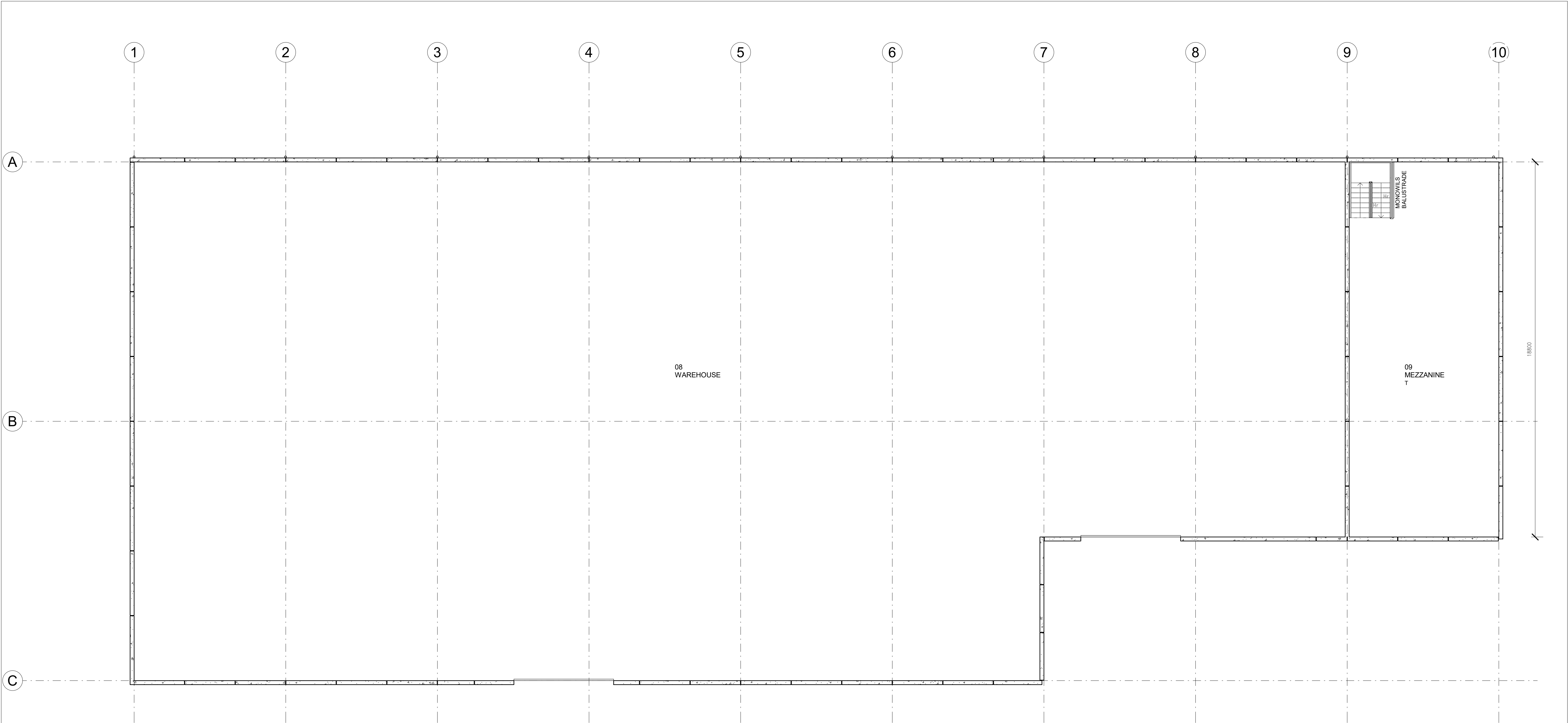
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6ty Pty Ltd
ABN 27 014 609 900

Architectural
ABP No. CC4874f
Structural / Civil
ABP No. CC1633i





MEZZANINE FLOOR PLAN

SCALE 1 : 100

LEGEND

- 90mm THICK STUD FRAMING
- 200mm THICK PRECAST REINFORCED WALL PANELS
- IMPACT BOLLARD
- CONCRETE MONOLITHIC BURNISHED
- CARPET
- VINYL & TYPE
- BASIN & TYPE
- FIRE HOSE REEL
- OVERFLOW RELIEF GULLY
- 150mm DIA DOWN PIPE uPVC, PAINT FINISH
- COLORBOND RAINHEAD 400mm x 300mm x 250mm
- SINK & TYPE
- SHOWER
- WATER CLOSET PAN & TYPE
- VENT PIPE
- DOOR (DOOR NUMBER & DOOR TYPE)
- WINDOW (ROOM NUMBER & WINDOW TYPE)
- FLOOR WASTE
- 25mm STRUCTURAL PLYWOOD



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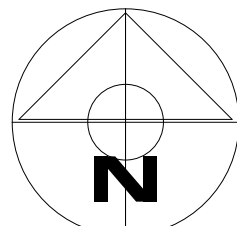
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3	26-06-20	DEVELOPMENT APPROVAL	C
4	03-07-20	BUILDING APPROVAL	D



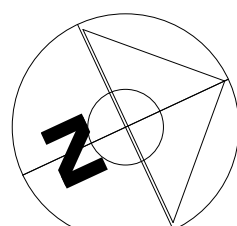
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Cert No:0023/2020 Date 11/09/2020

Greg Green CC264V - Signed



PROJECT NORTH



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PROJECT: WAREHOUSE DEVELOPMENT

AT: 39-41 SOUTH ARM ROAD,
ROKEBY

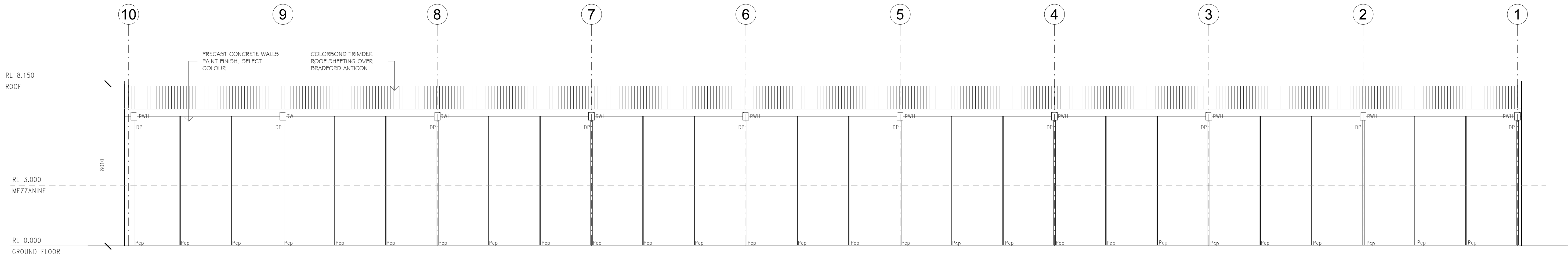
FOR: A & E PAPASTAMATIS & SONS
PTY LTD

DRAWING: MEZZANINE FLOOR PLAN

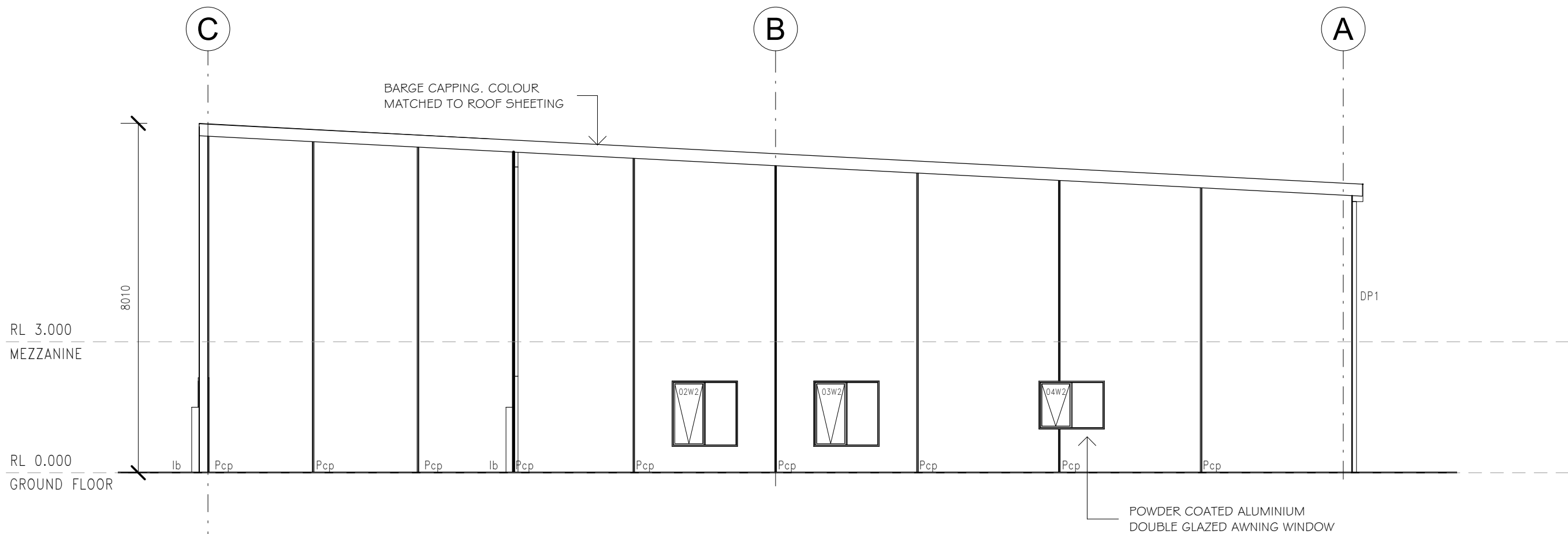
DESIGNED: CGB DRAWN: CTK CHECKED: DSD

SCALES: 1 : 100 AT A1 SIZE DRAWING SHEET

PROJECT No. 19.275 DRAWING No. A06 REV. D



NORTH ELEVATION
SCALE 1 : 100



EAST ELEVATION
SCALE 1 : 100

LEGEND

Pcp	PRECAST CONCRETE PANEL
Smc	COLORBOND CUSTOM ORB WALL CLADDING
lb	IMPACT BOLLARD REFER DETAILS
DP#	DOWN PIPE # TYPE
RWH	RAINWATER HEAD # TYPE
##D#	DOOR (ROOM NUMBER / DOOR NUMBER)
##W#	WINDOW (ROOM NUMBER / WINDOW NUMBER)
a	AWNING WINDOW SASH
f	FIXED WINDOW SASH



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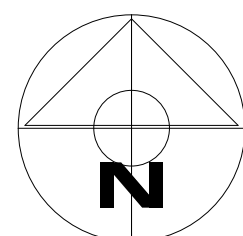
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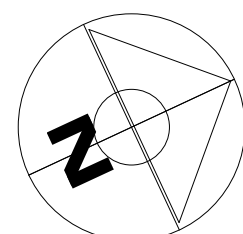


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Cert No:0023/2020 Date 11/09/2020

Greg Green CC264V - Signed



PROJECT NORTH



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PROJECT: **WAREHOUSE DEVELOPMENT**

AT: **39-41 SOUTH ARM ROAD, ROKEBY**

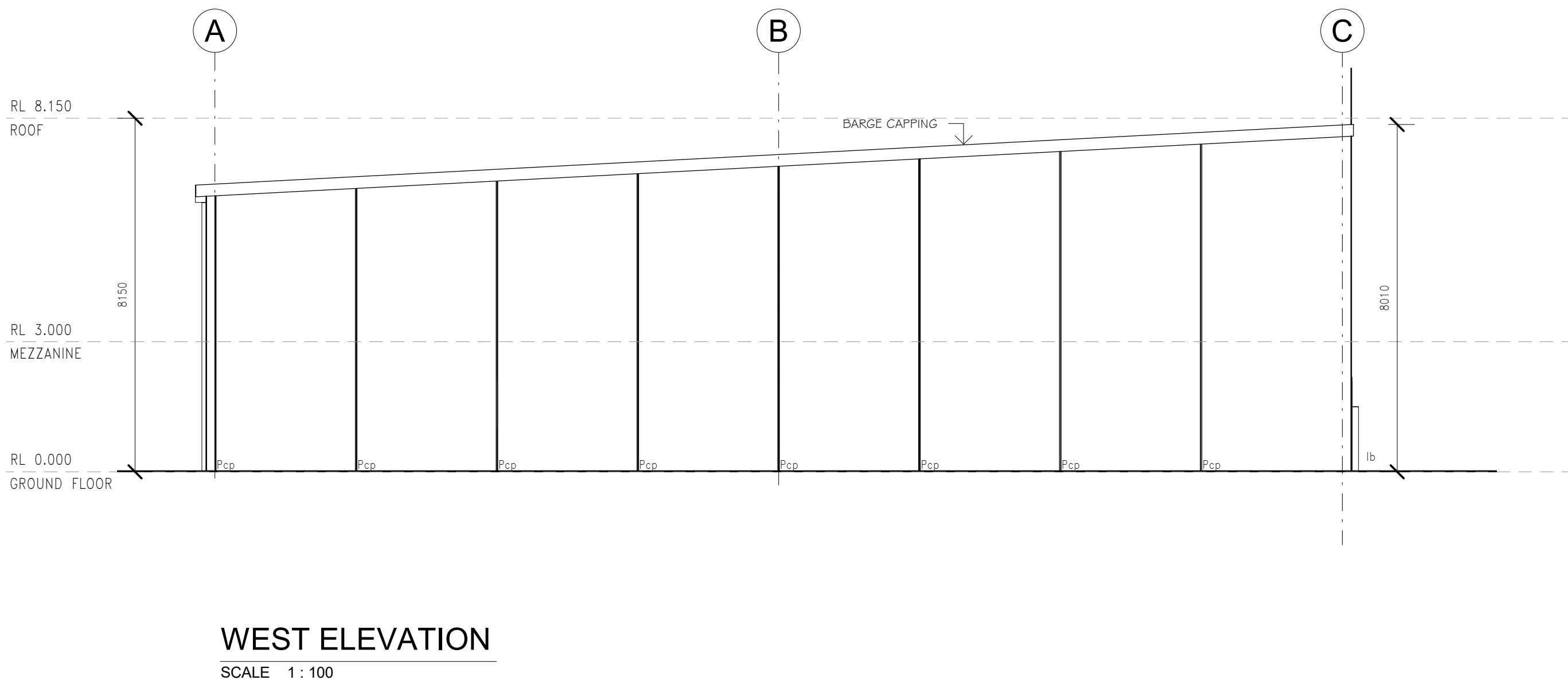
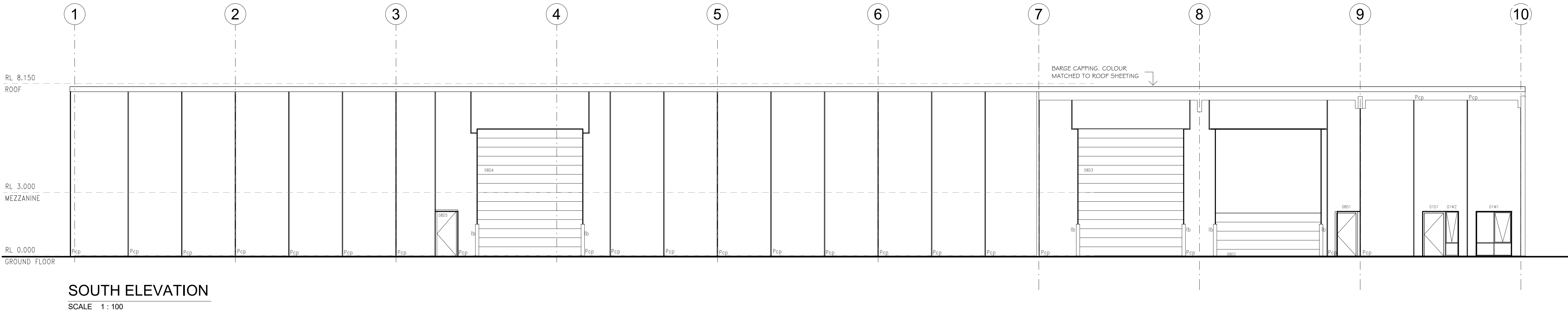
FOR: **A & E PAPASTAMATIS & SONS PTY LTD**

DRAWING: **ELEVATIONS SHEET 1 OF 2**

DESIGNED: CGB DRAWN: CTK CHECKED: DSD

SCALES: 1 : 100 AT A1 SIZE DRAWING SHEET

PROJECT No. **19.275** DRAWING No. **A09** REV. **D**



LEGEND

Pcp PRECAST CONCRETE PANEL
Smc COLORBOND CUSTOM ORB WALL CLADDING
lb IMPACT BOLLARD REFER DETAILS
DP# DOWN PIPE & TYPE
RWH RAINWATER HEAD & TYPE
##D# DOOR (ROOM NUMBER / DOOR NUMBER)
##W# WINDOW (ROOM NUMBER / WINDOW NUMBER)
a AWNING WINDOW SASH
f FIXED WINDOW SASH



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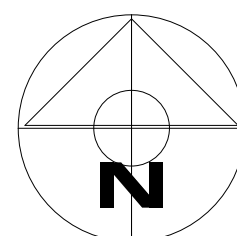


CONTROLLED DOCUMENT

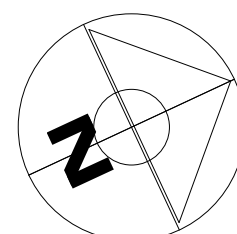
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Cert No:0023/2020 Date 11/09/2020
Greg Green CC264V - Signed *Greg Green*



PROJECT NORTH



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PROJECT: WAREHOUSE DEVELOPMENT

AT: 39-41 SOUTH ARM ROAD,
ROKEBY
FOR: A & E PAPASTAMATIS & SONS
PTY LTD

DRAWING: ELEAVTIONS SHEET 2 OF 2

DESIGNED: CGB DRAWN: CTK CHECKED: DSD

SCALES: 1 : 100 AT A1 SIZE DRAWING SHEET

PROJECT No. 19.275 DRAWING No. A10 REV. D

Attachment 3

39 South Arm Road, Rokeby Photos



Aerial image of site (Google)



View of site from South Arm Road (Google Streetview) with site of warehouse shown.

11.3.4 DEVELOPMENT APPLICATION PDPLANPMTD-2020/012606 – 84 EAST DERWENT HIGHWAY, LINDISFARNE - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider a consent agreement to resolve an appeal against council's decision to refuse the development application made for 3 Multiple Dwellings (1 existing + 2 new) at 84 East Derwent Highway, Lindisfarne.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the parking and Access and Stormwater Management Codes under the Clarence Interim Planning Scheme 2015 (the Scheme).

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.

RECOMMENDATION:

- A. That Council resolves to enter into a Consent Agreement to grant a permit in accordance with the draft Agreement contained in Attachment 2 of the Associated Report.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

DEVELOPMENT APPLICATION PDPLANPMTD-2020/012606 – 84 EAST DERWENT HIGHWAY, LINDISFARNE - 3 MULTIPLE DWELLINGS (1 EXISTING + 2 NEW) /contd...

ASSOCIATED REPORT

1. BACKGROUND

Development Application PDPLANPMTD-2020/012606 for 3 Multiple Dwellings (1 existing, 2 new) was considered at Council's Meeting of 23 November 2020. The proposal was refused as it was considered that the proposal would cause an unreasonable impact on the residential amenity of the adjoining properties at 82 East Derwent Highway, 80a East Derwent Highway and 28a Loatta Road from overshadowing, and additionally to 28a Loatta Road from visual impact.

The applicants subsequently appealed Council's decision to the Resource Management and Planning Appeals Tribunal (Appeal 110/20P) on the grounds that the proposal met Clause 10.4.2(P1).

On 18 December 2020, Council was directed by the Tribunal to file revised grounds of refusal to comply with the Tribunal's requirements. Those revised grounds of refusal were provided on 5 January 2021 and are included in the Attachments.

The property owners of 28a Loatta Road and 80a East Derwent Highway joined as parties to the appeal and were involved in on-site mediation on 13 January 2021.

2. ISSUES

The appellants challenged the grounds of refusal on the basis that it is the existing dwelling on the site, rather than the proposed dwellings that causes a reduction in sunlight to habitable room windows at 82 East Derwent Highway.

The appellants further challenged the second and third grounds of refusal in that overshadowing impacts are not unreasonable in relation to 28A Loatta Road, and there would not be an unreasonable loss of amenity in terms of siting and scale to residents of 28A Loatta Road.

Revised plans were provided by the appellants following on-site mediation and discussions, which incorporate a series of changes to the proposal plans refused by Council. These changes are summarised as follows:

- reduction in ceiling height of the ground floor from 2700mm to 2400mm (300mm);
- introduction of a step between Units 2 and 3 of 250mm;
- ground floor of Unit 2 to be excavated a further 250mm into natural ground level;
- reduction in height of north-eastern corner of Unit 2 from 5.5m to 4.95m (500mm);
- reduction in height of the south-eastern corner of Unit 3 by 300mm, together with a reduction in ceiling height from 2700mm to 2400mm;
- reduction in overall width of the two units by 320mm; and
- the addition of a screen on the deck of Unit 3 to face the side boundary.

The amended plans have been agreed upon by the appellants and both joined parties, with the inclusion of two additional permit conditions which have been proposed in relation to a change to the wall cladding, guttering and for the roof to use a lighter colour than first proposed. A landscaping plan condition is also proposed for inclusion in relation to the rear boundary of the site, to require suitable plantings that reach a mature height of no more than 3m along the rear boundary of the site. The amended development plans are included as part of the draft consent agreement, provided in the Attachments.

The solicitor for the appellants has advised that they are willing to enter into a consent agreement to resolve the appeal on the basis of the amended plans and conditions described above.

Should a consent agreement to resolve the appeal not be entered into, the solicitor for the appellants has advised that they intend proceeding on the basis of the original proposal without the described changes.

Council retained expert planning and legal advice for the appeal. Based upon advice, it has been recommended that Council approve the consent agreement as agreed by the applicant and the joined parties.

3. CONCLUSION

It is recommended that based on the revised plans provided during the appeal, together with the additional conditions proposed and the confirmation of the other parties, that Council reverse its decision to refuse the development and agrees to a Consent Agreement which approves the development with conditions.

Attachments: 1. Revised Grounds of Refusal (1)
2. Draft Consent Agreement (18)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL

No. 110/20P

PETER & SALLY LILLEY

Appellants

CLARENCE CITY COUNCIL

Respondent

DIANA & STEPHEN FORSYTH

First Joined Party

ANNABEL & GEOFF CARLE

Second Joined Party

COUNCIL'S REVISED GROUNDS OF REFUSAL

1. The proposal does not meet the acceptable solution with respect to clause 10.4.2 A3(a) of the *Clarence Interim Planning Scheme 2015* ("**Scheme**") as the proposed multiple dwellings are not contained within the building envelope depicted in Diagram 10.4.2A. The proposal does not meet the performance criterion with respect to clause 10.4.2 P3(a)(i) of the Scheme as the siting and scale of the proposed multiple dwellings will cause an unreasonable loss of amenity by reduction in sunlight to habitable rooms of a dwelling on an adjoining lot.

Particulars

The proposal will cause a reduction in sunlight to habitable room windows, other than a bedroom, of the existing dwelling on the adjoining lot at 82 East Derwent Highway, Lindisfarne.

2. The proposal does not meet the acceptable solution with respect to clause 10.4.2 A3(a) of the Scheme as the proposed multiple dwellings are not contained within the building envelope depicted in Diagram 10.4.2A. The proposal does not meet the performance criterion with respect to clause 10.4.2 P3(a)(ii) of the Scheme as the siting and scale of the proposed multiple dwellings will cause an unreasonable loss of amenity by overshadowing the private open spaces of dwellings on adjoining lots.

Particulars

The proposal will cause overshadowing of the private open spaces situated to the west of the existing dwellings on the adjoining lots at Unit 2/28A Loatta Road, Lindisfarne, and Unit 3/28A Loatta Road, Lindisfarne and the private open space situated north of the existing dwelling at 80A East Derwent Highway, Lindisfarne.

3. The proposal does not meet the acceptable solution with respect to clause 10.4.2 A3(a) of the Scheme as the proposed multiple dwellings are not contained within the building envelope depicted in Diagram 10.4.2A. The proposal does not meet the performance criterion with respect to clause 10.4.2 P3(a)(iv) of the Scheme as the siting and scale of the proposed multiple dwellings will cause an unreasonable loss of amenity by visual impacts when viewed from an adjoining lot.

Particulars

The visual impacts caused by the apparent scale, bulk and proportions of the multiple dwellings will cause an unreasonable loss of amenity when viewed from Unit 3/28A Loatta Road, Lindisfarne.

DATED: 5 January 2021

Filed on behalf of the Clarence City Council

Simmons Wolfhagen
Lawyers
Level 4, 99 Bathurst Street
HOBART TAS 7000

DX 114, Hobart
Tel: 03 6226 1200
Fax: 03 6226 1292
Ref: DJM:RJH - 204621

Attachment 2

IN THE RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL

Tribunal reference number: 110/20P

Appellant: Peter & Sally Lilley

Respondent: Clarence City Council

First Joined Party: Diana & Stephen Forsyth

Second Joined Party: Annabel & Geoff Carle

CONSENT AGREEMENT

1. The Parties to this appeal agree that the appeal be resolved in the following terms:

- (a) THAT the Development Application PDPLANPMTD 2020/012606 dated 25.09.2020 be amended by substituting the plans therein with amended plans annexed to this agreement and marked "**Attachment 1**" which is a set of plans prepared by Pinnacle Drafting and Design amended 21 January 2021 and identified with the following plan references: Artistic Impression, DA.01, DA.02, DA.03, DA.04, DA.05, DA.06, DA.07, DA.08, DA.09, DA.10, DA.11 and DA.12 (13 pages).
- (b) THAT the decision of the Clarence City Council to refuse the Development Application PDPLANPMTD 2020/012606 be set aside.
- (c) THAT the Clarence City Council be directed to issue a permit for the Development Application PDPLANPMTD 2020/012606 as amended in accordance with 1(a) above containing the conditions and advice annexed hereto and marked "**Attachment 2**".
- (d) THAT each party bear their own costs of and incidental to this appeal.

Signed (Simmons Wolfhagen):
on behalf of Clarence City Council

Signed (Jacqui Blowfield):
on behalf of Peter & Sally Lilley

.....
Date:

.....
Date:

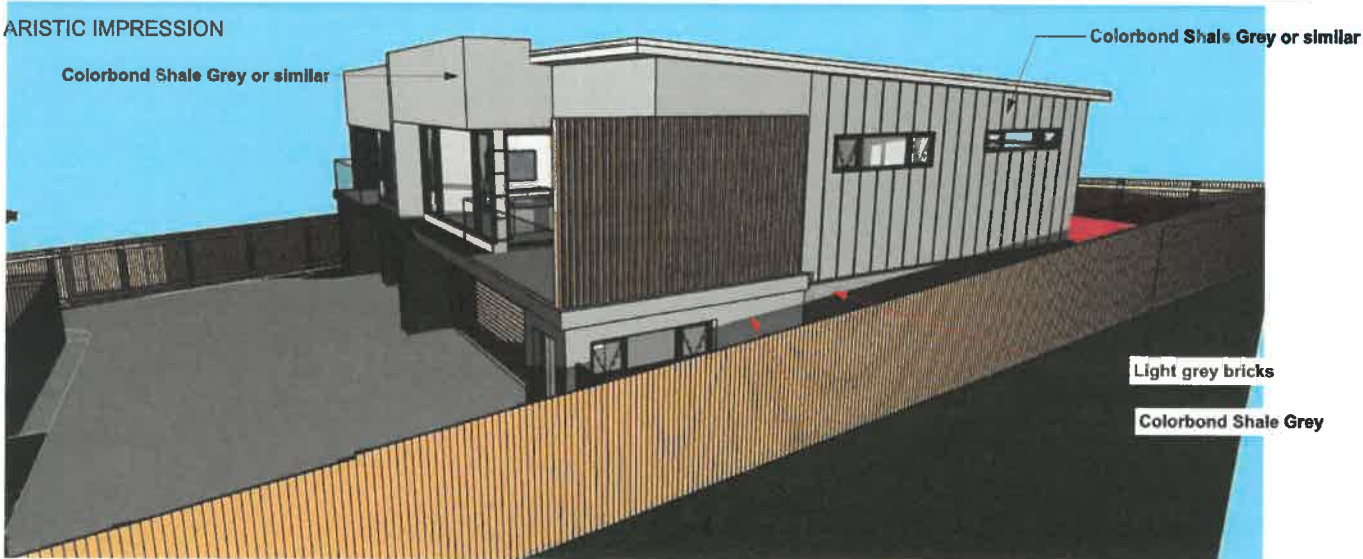
Signed (Danielle Gray):
on behalf of Diana & Stephen Forsyth

Signed (Danielle Gray):
on behalf of Annabel & Geoff Carle

.....
Date:

.....
Date:

84 East Derwent Highway, Lindisfarne 7015



ARISTIC IMPRESSION

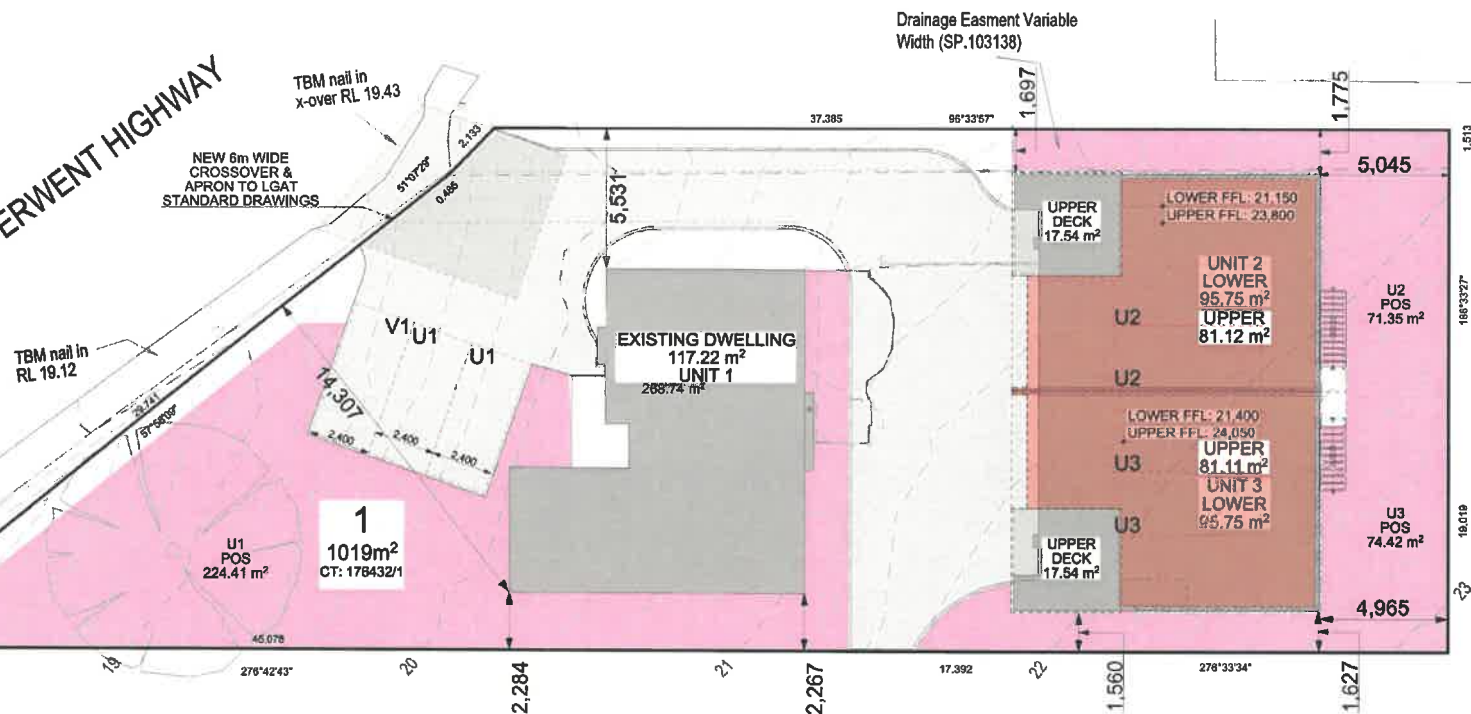


General Information	
Designer	Jason Nickerson CC6073Y
Owner(s) or Clients	Nathan Lilley
Building Classification	1a
Title Reference	176432/1
Climate Zone	7
BAL	LOW
Corrosion Environment	MODERATE
Zoning	General Residential

Drawing No:	Description
DA.01	Site Plan
DA.02	Landscaping Plan
DA.03	Engineering Plan
DA.04	Floor Plan - Existing
DA.05	Floor Plan - Lower (U2 & U3)
DA.06	Floor Plan - Upper (U2 & U3)
DA.07	Elevations
DA.08	Elevations
DA.09	Elevations
DA.10	Shadows - June 21st
DA.11	Shadows - June 21st
DA.12	Building Envelope Protrusion

Attachment 1

- N
- 



Site Plan



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Proposal:	Multiple Dwellings	Scale: 1:200 @ A3	Job No: 11-2020	Pg. No: DA.01
Client:	Nathan Lilley	Date: 18.09.20	Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:	

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WATER METER



EAST DERWENT HIGHWAY

NEW 6m WIDE CROSSOVER & APRON TO LGAT STANDARD DRAWINGS

TBM nail in x-over RL 19.43

TBM nail in RL 19.12

U1 BINS
1.50 m²

CONCRETE DRIVEWAY
268.74 m²

Drainage Easment Variable Width (SP.103138)

U2 BINS
1.50 m²
U3 BINS
1.50 m²

	Concrete Area
	Mulched Garden Bed
	Seeded Lawn

Landscaping Plan



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Proposal:	Multiple Dwellings	Scale: 1:200 @ A3	Job No: 11-2020	Pg. No: DA.02
Client:	Nathan Lilley	Date: 18.09.20	Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:	

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Amendments	
Date	Description
21.01.21	Tribunal Revisions

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NOT FOR CONSTRUCTION

NOTE
ALL DRIVEWAY PITS AND GRATE DRAINS TO BE CLASS B.

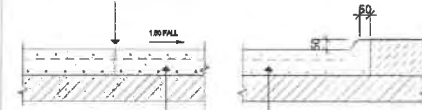
STORMWATER PITS ARE INDICATIVE. LOCATION MAY VARY DEPENDING ON SITE CONDITIONS

GENERAL NOTES:

1. REMOVE ALL TOPSOIL AND ORGANIC MATTER FROM BENEATH CONCRETE DRIVEWAY AREAS AND PROVIDE 100M DEEP COMPACTED FCR BASECOURSE LAYER.
2. CONCRETE STRENGTH SHALL BE 32 MPa MIN.
3. PROVIDE CONTROL JOINTS AT 6.0 M CENTRES- REFER DETAIL.
4. COMPACT CONCRETE USING MECHANICAL VIBRATORS.
5. CURE ALL EXPOSED CONCRETE SURFACES BY KEEPING MOIST FOR 7 DAYS, I.E COVER WITH PLASTIC SHEETS.
6. CONNECT NEW SERVICE CONNECTIONS INTO EXISTING. LIAISE WITH COUNCIL'S PLUMBING SURVEYOR FOR LOCATION OF EXISTING CONNECTIONS.
7. ALL NEW AND/OR ALTERED SERVICE CONNECTIONS SHALL BE UNDERTAKEN BY COUNCIL AT THE DEVELOPERS EXPENSE.
8. PROVIDE 65 dia AGRICULTURAL DRAINS AT BASE OF CUT AND CONNECT TO STORMWATER AT LOWEST POINT
9. DRIVEWAY TO BE MIN 100mm THICK 32MPa CONCRETE WITH SL82 @ 40mm COVER OVER 100mm COMPACTED FCR. PROVIDE DEEP TOOLED JOINTS @ MAX. 6m CTRS.
10. DRIVEWAY TO BE SLOPED TO INTEGRATED KERB AND GUTTER SYSTEM ON LOW SIDE OF DRIVEWAY
11. RAINWATER PIPES TO BE PVC OR COLORBOND FINISH METAL.

TYPICAL PAVEMENT DETAIL

40 DEEP WEATHERED OR SAWCUT CONTROL JOINT FILLED WITH NEOPRENE COMPRESSION BEADANT OR EQUIVALENT.

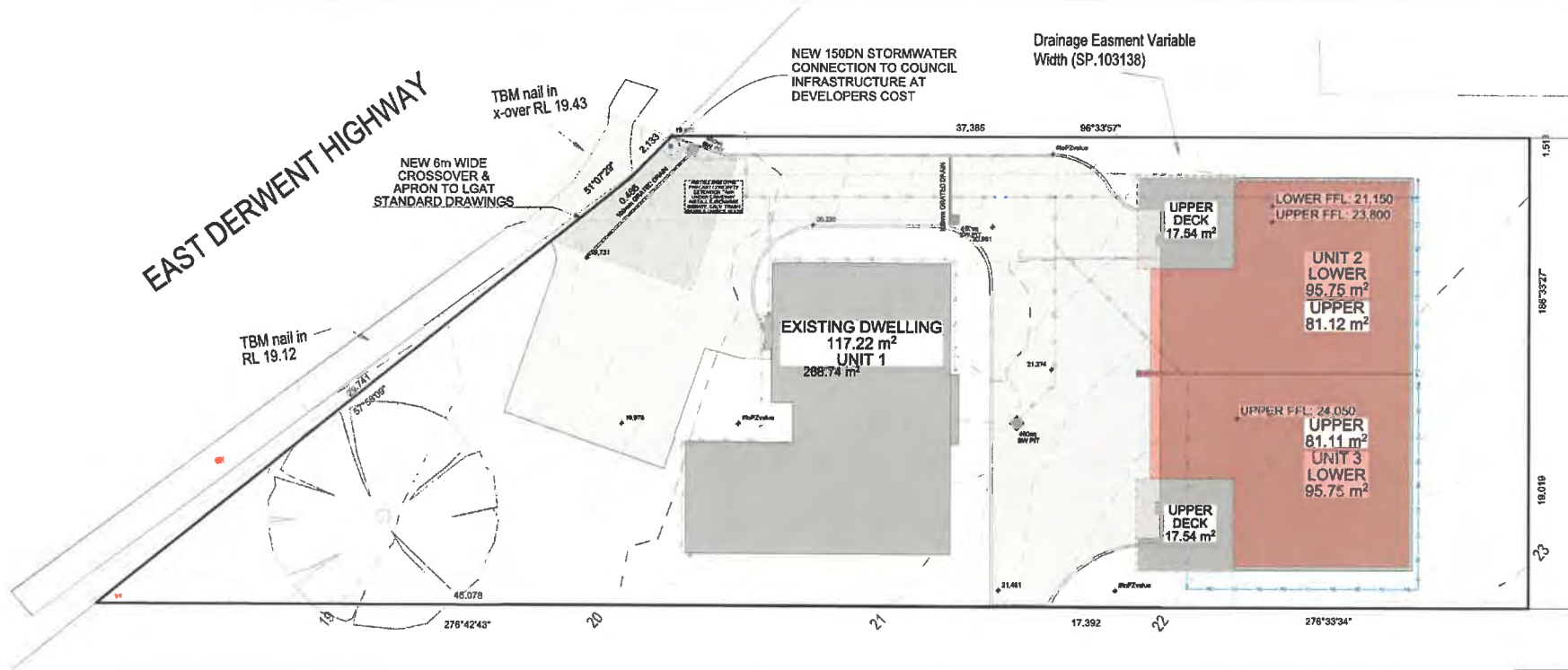


100 THICK X 32 MPa CONCRETE PAVEMENT, RL 82.883M (1) ON DEEP COMPACTED FCR BASECOURSE.

N



EAST DERWENT HIGHWAY



Amendments

Date	Description
21.01.21	Tribunal Revisions

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Engineering Plan

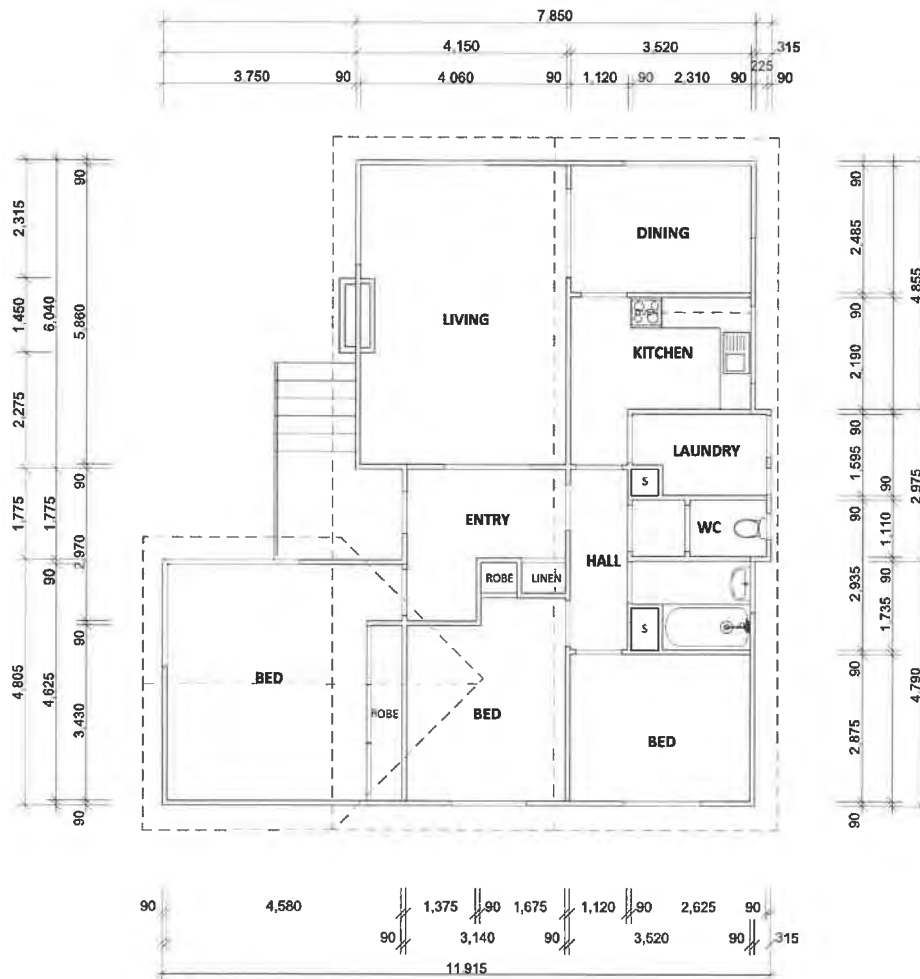


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Proposal:	Multiple Dwellings	Scale: 1:200	@ A3	Job No: 11-2020	Pg. No: DA.03
Client:	Nathan Lilley	Date: 18.09.20	Engineer:		
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:		

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N



Floor Plan - Existing

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Amendments	
Date	Description
25.03.2020	Version 2
09.04.2020	Version 3
11.06.2020	RFI amendments
01.07.2020	RFI amendments

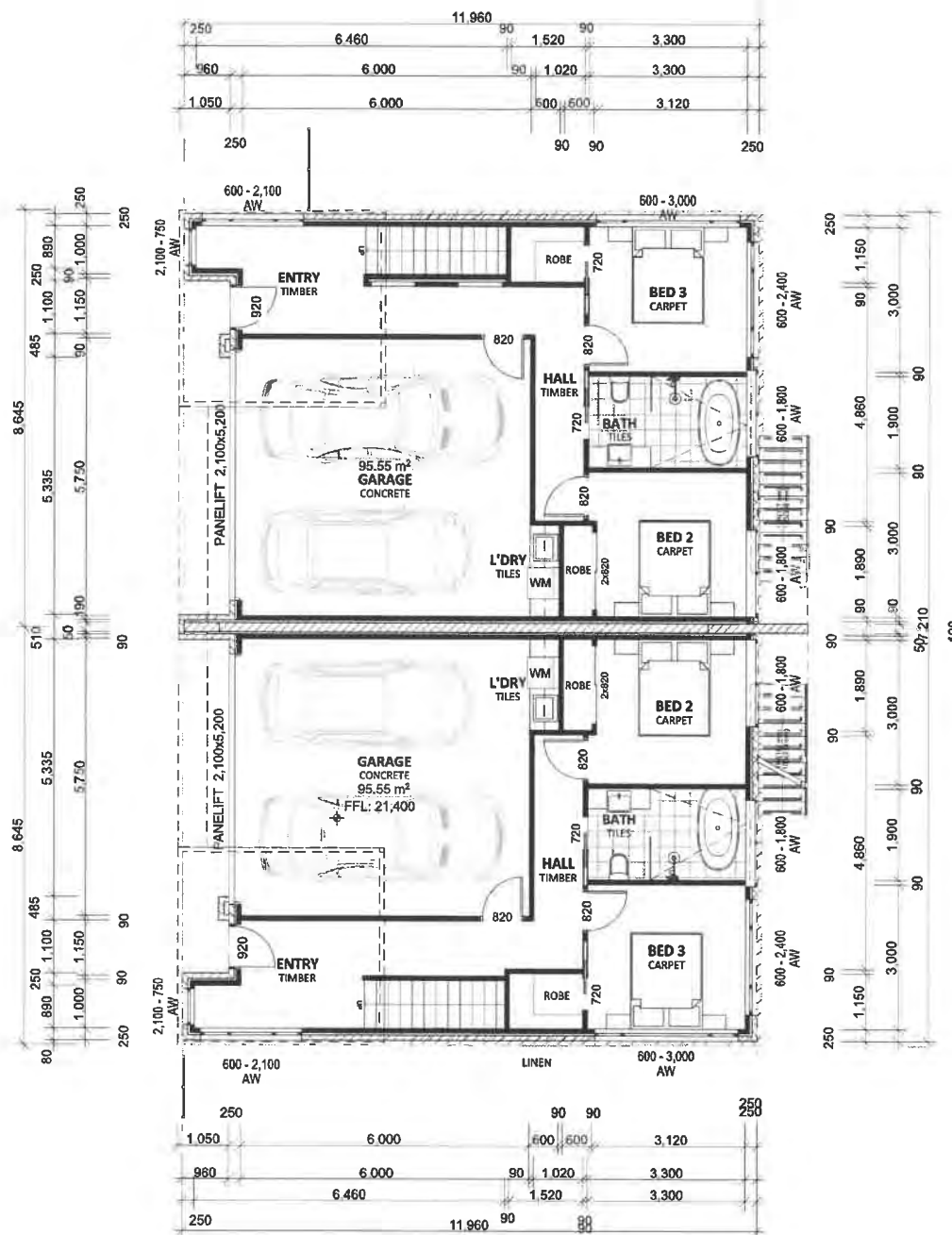
bdas
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Proposal:	New Dwelling	Scale: 1:100	Job No: 11-2020	Pg. No: DA.04
Client:	Nathan Lilley	Date: 16/03/20	Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:	

PINNACLE DRAFTING & DESIGN. CC6073Y 2 Kennedy Drv, Cambridge 7170 P: 03 6248 4218 F: 03 6248 4745 E: jnickerson@pinnacledrafting.com.au

N



Floor Areas (Per unit)	
Lower Floor	97.31 sqm
Upper Floor	80.29 sqm
Total	177.60 sqm
Deck	17.54 sqm

Amendments	
Date	Description
25.03.2020	Version 2
09.04.2020	Version 3
11.06.2020	RFI amendments
01.07.2020	RFI amendments

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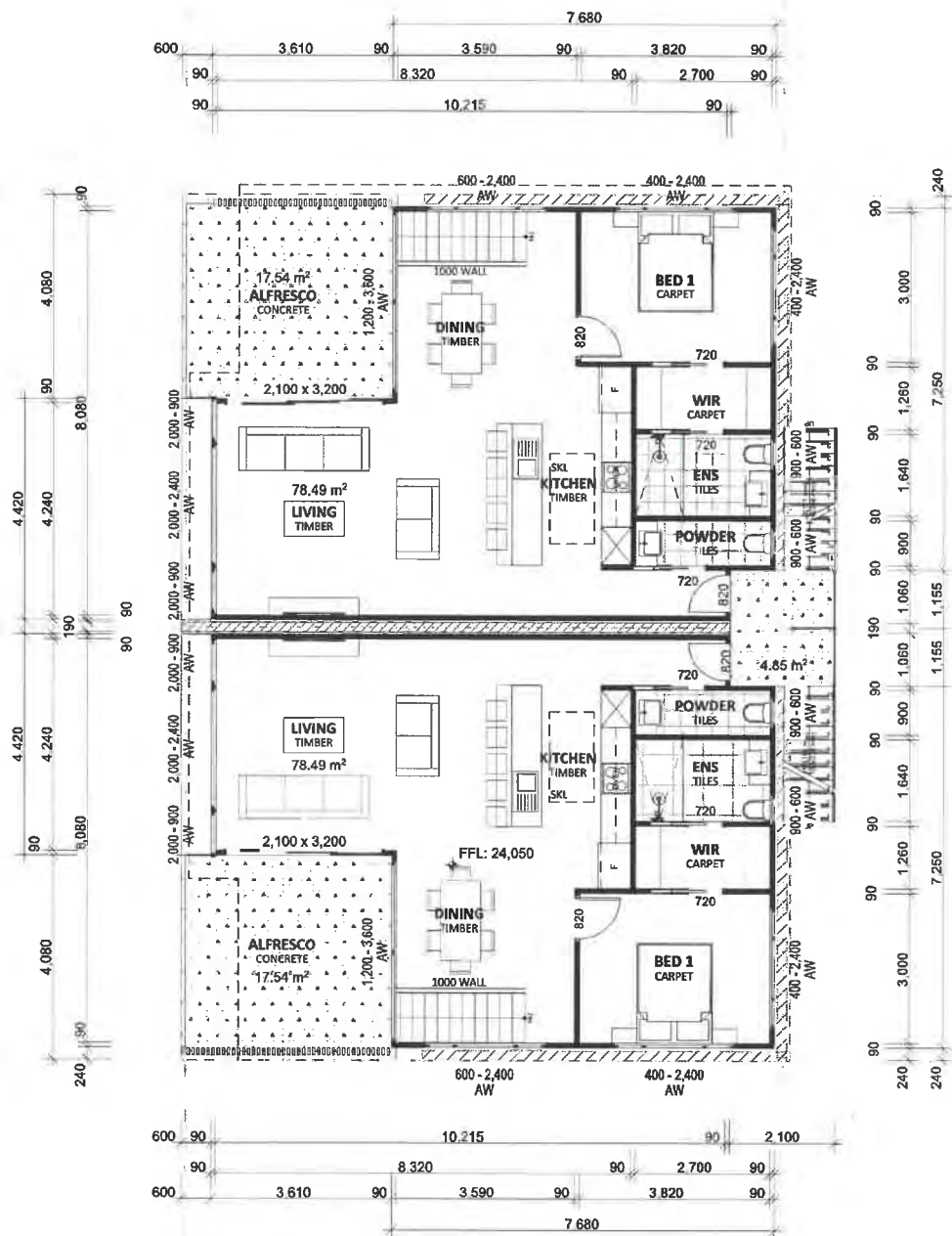
Floor Plan - Lower (U2 & U3)

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Proposal:	New Dwelling	Scale: 1:100	Job No: 11-2020	Pg. No: DA.05
Client:	Nathan Lilley	Date: 16/03/20	Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:	

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N



Floor Areas (Per unit)	
Lower Floor	97.31 sqm
Upper Floor	80.29 sqm
Total	177.60 sqm
Deck	17.54 sqm

Amendments	
Date	Description
25.03.2020	Version 2
09.04.2020	Version 3
11.06.2020	RFI amendments
01.07.2020	RFI amendments

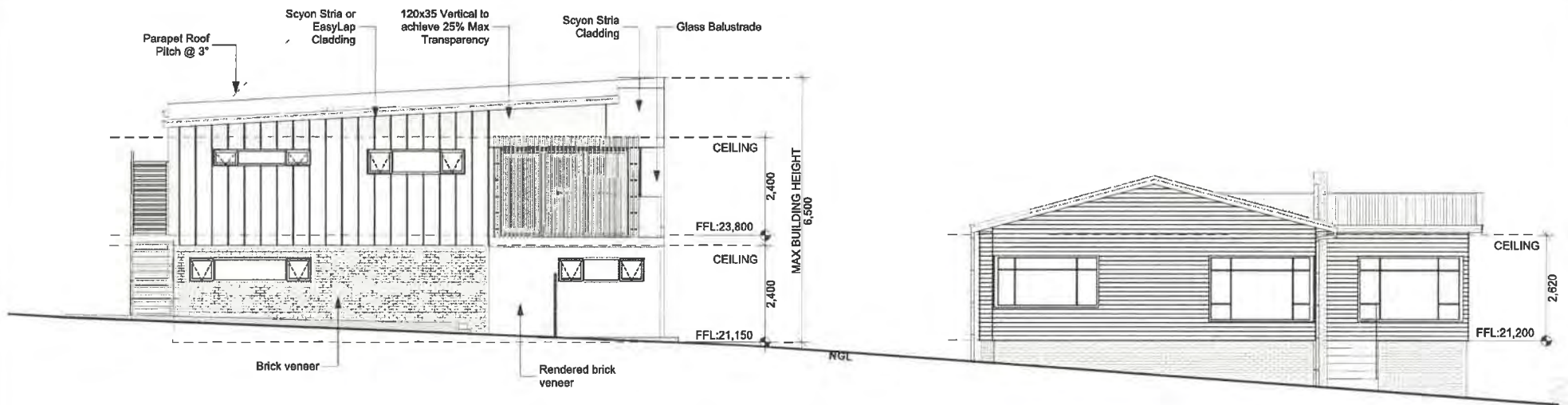


Floor Plan - Upper (U2 & U3)

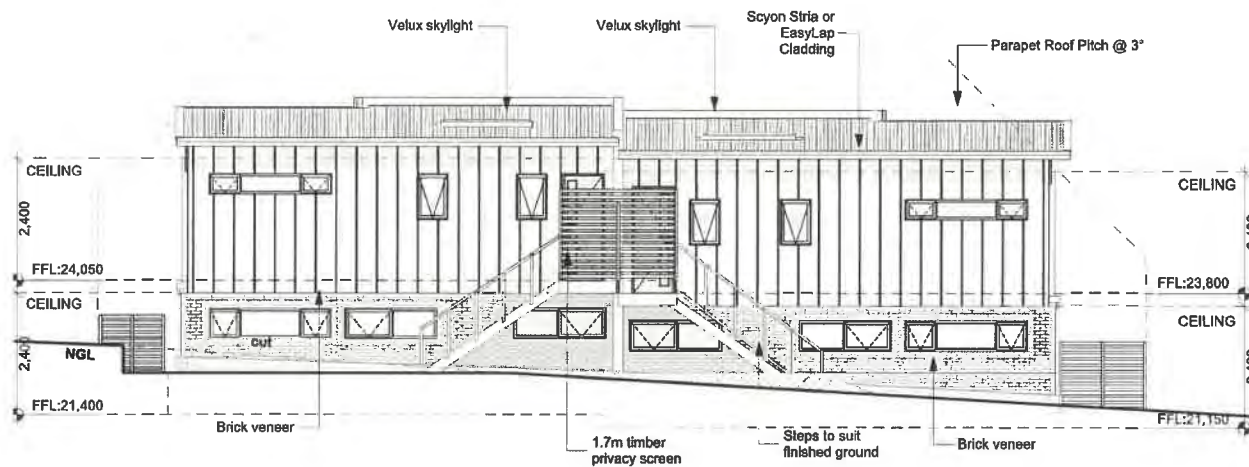
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Proposal:	New Dwelling	Scale: 1:100	Job No: 11-2020	Pg. No: DA.06
Client:	Nathan Lilley	Date: 16/03/20	Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:	

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North Elevation - Units 2 & 1



East Elevation - Units 3 & 2

Amendments	
Date	Description
21.01.21	Tribunal Revisions

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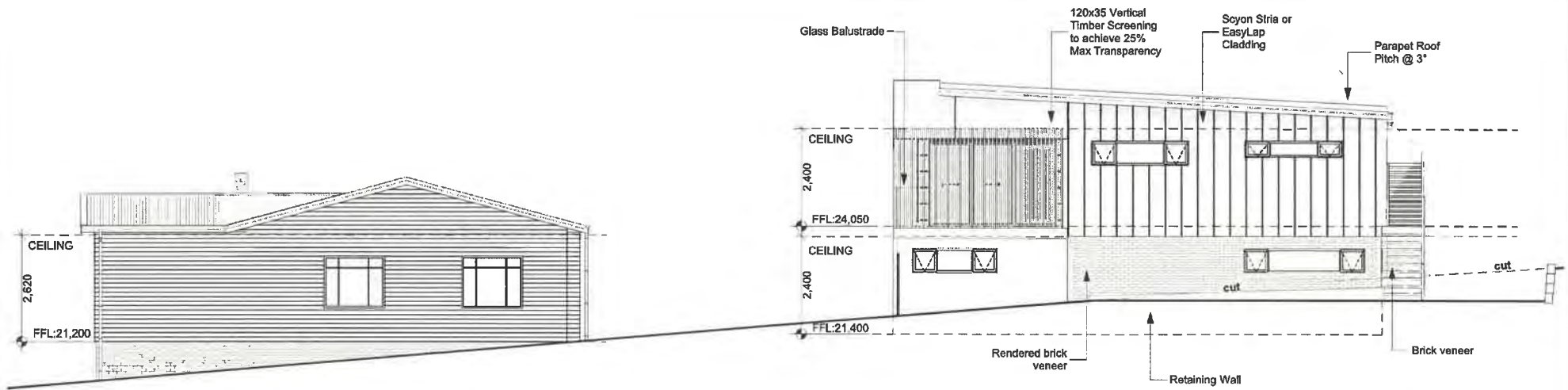
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Proposal:	Multiple Dwellings	Scale: 1:100 @ A3	Job No: 11-2020	Pg. No: DA.07
Client:	Nathan Lilley	Date: 18.09.20	Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:	

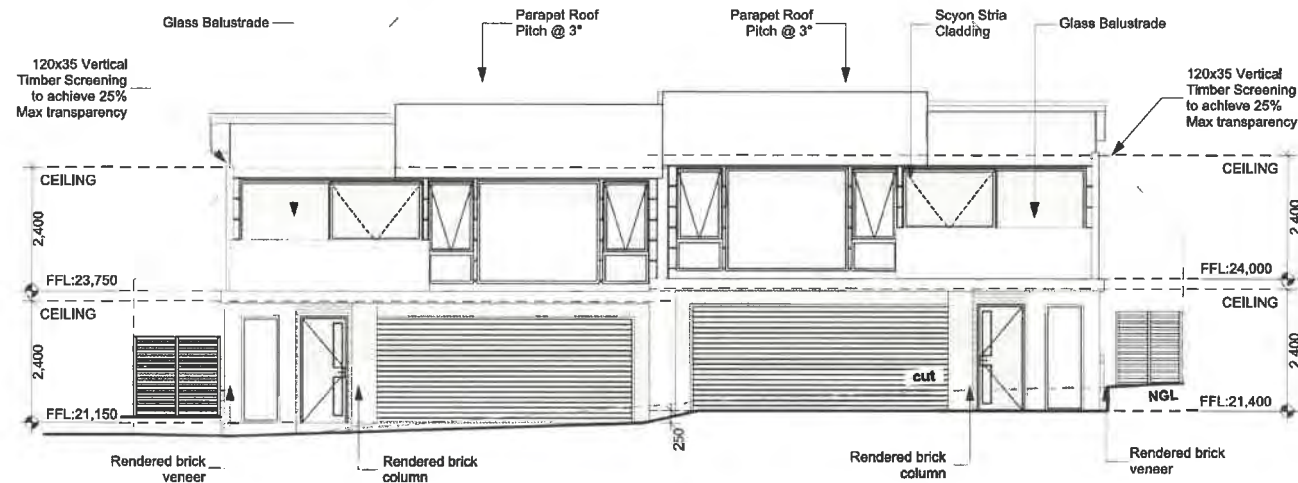
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Elevations





South Elevation - Units 1 & 3 (1)



West Elevation - Units 2 & 3

Elevations



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Proposal:	Multiple Dwellings	Scale: 1:100	@ A3	Job No: 11-2020	Pg. No: DA.08
Client:	Nathan Lilley	Date: 18.09.20		Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN		Building Surveyor:	

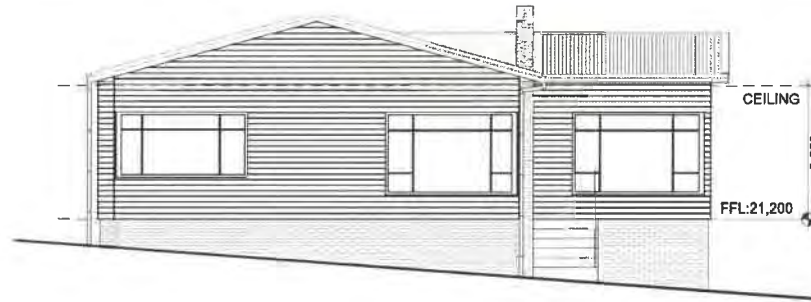
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Amendments

Date	Description
21.01.21	Tribunal Revisions

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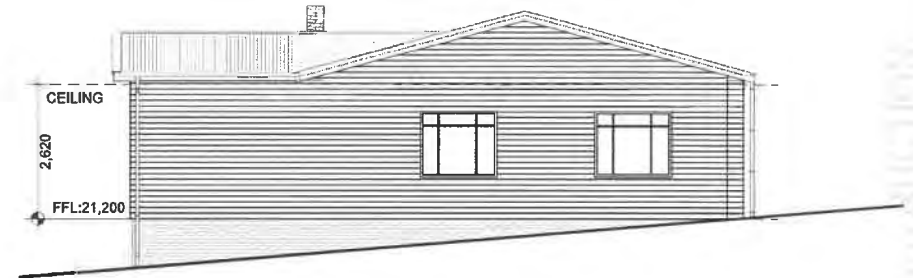
pinnacle
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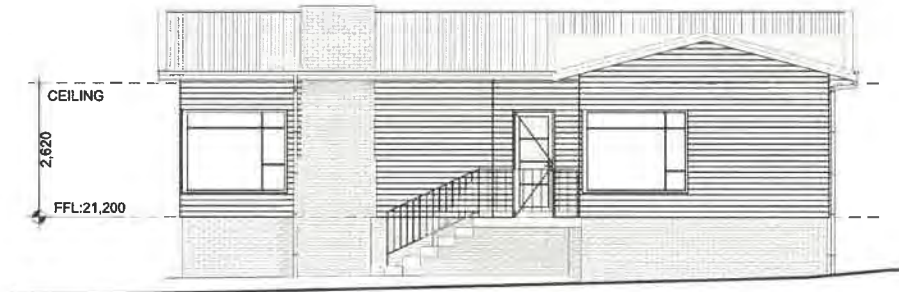
North Elevation - Unit 1 (Existing)



East Elevation - Unit 1(Existing)



South Elevation - Unit 1 (Existing)



West Elevation - Unit 1 (Existing)

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Elevations



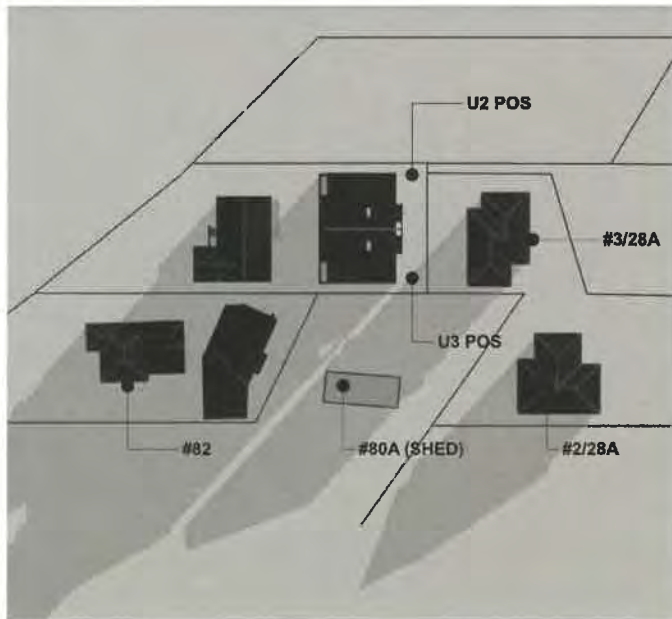
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Client:	Nathan Lilley	Date: 18.09.20		Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN		Building Surveyor:	

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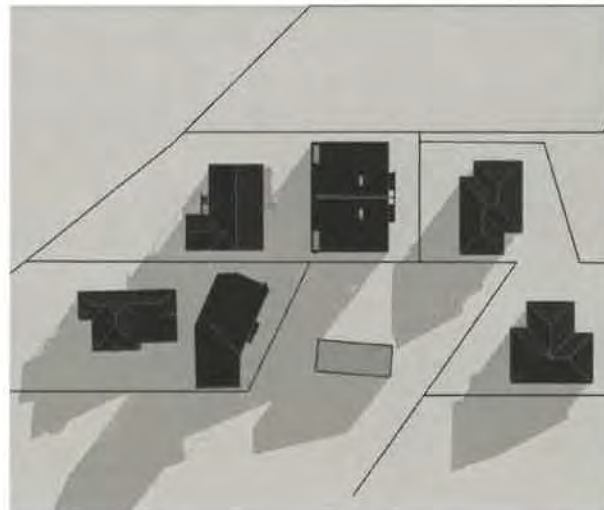
Amendments	
Date	Description
21.01.21	Tribunal Revisions

bdea
BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

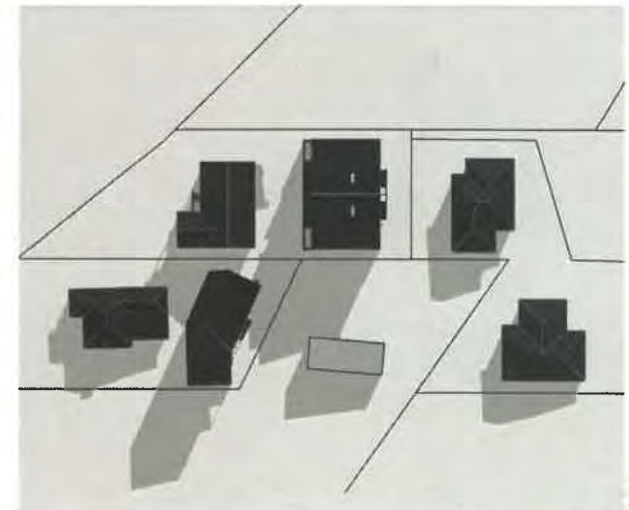
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0900



1000



1100

Shadows - June 21st



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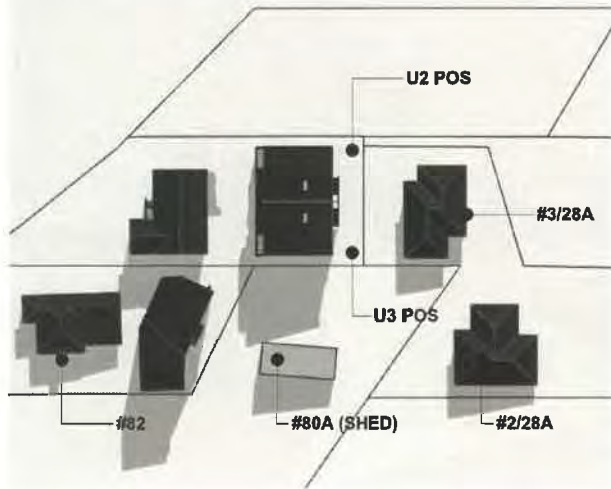
Proposal:	Multiple Dwellings	Scale: 1:200 @ A3	Job No: 11-2020	Pg. No: DA.10
Client:	Nathan Lilley	Date: 18.09.20	Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:	

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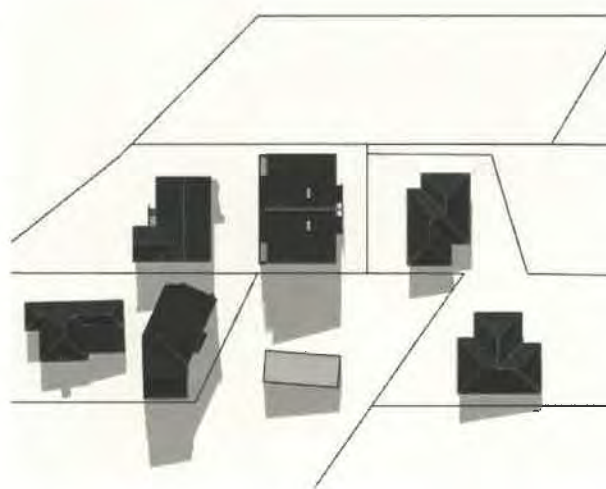
Amendments	
Date	Description
21.01.21	Tribunal Revisions

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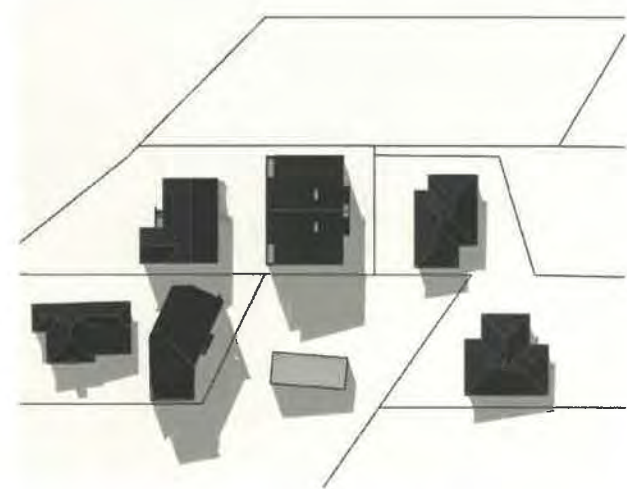
pinnacle
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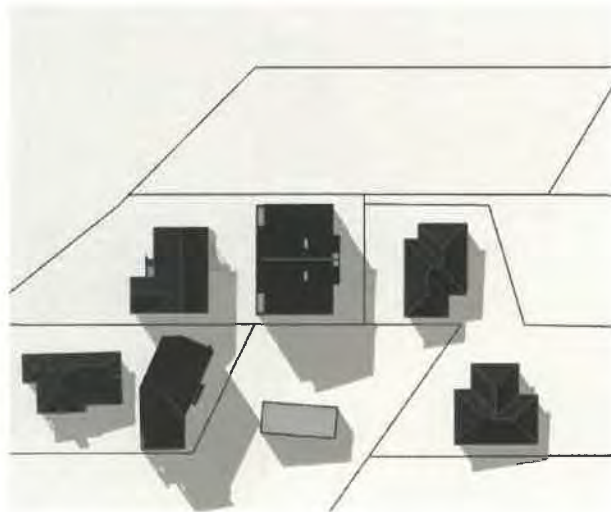
1200



1300



1400



1500

Shadows - June 21st



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Proposal:	Multiple Dwellings	Scale: 1:200 @ A3	Job No: 11-2020	Pg. No: DA.11
Client:	Nathan Lilley	Date: 18.09.20	Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN	Building Surveyor:	

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Amendments	
Date	Description
21.01.21	Tribunal Revisions

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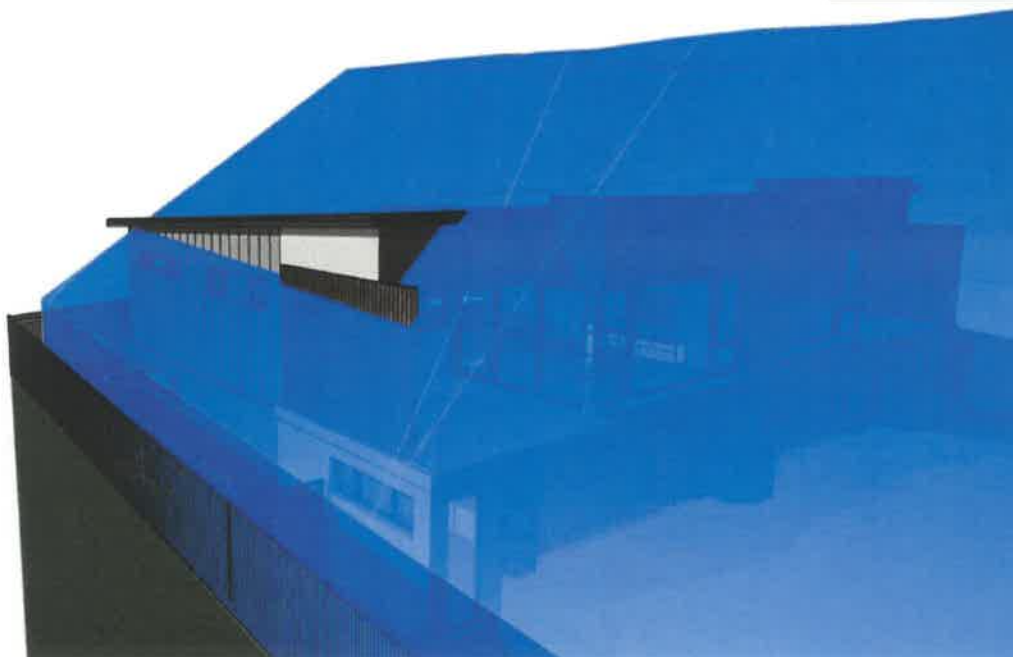
NOT FOR CONSTRUCTION



before



after



after



before



Building Envelope Protrusion

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Proposal:	Multiple Dwellings	Scale: 1:200	@ A3	Job No: 11-2020	Pg. No: DA.12
Client:	Nathan Lilley	Date: 18.09.20		Engineer:	
Address:	84 East Derwent Highway, Lindisfarne	Drawn: JRN		Building Surveyor:	

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Amendments	
Date	Description
21.01.21	Tribunal Revisions



NOT FOR CONSTRUCTION

Attachment 2

1. The use or development must only be undertaken in accordance with the endorsed plans prepared by Pinnacle Drafting & Design and amended 21 January 2021, plan references Artistic Impression, DA.01, DA.02, DA.03, DA.04, DA.05, DA.06, DA.07, DA.08, DA.09, DA.10, DA.11 and DA.12 and any permit conditions, and must not be altered without the consent of Council.
2. Engineering designs, prepared by a suitably qualified person, are required for:
 - access arrangements;
 - carpark and driveways construction;
 - service upgrades or relocations;
 - and must show the extent of any vegetation removal proposed for these works. Such designs must be submitted to and approved by Council's Group Manager Engineering Services.

A 'start of works' permit must be obtained prior to the commencement of any works.

A Works in Road Reservation Permit must also be obtained if any proposed works are to be conducted within the road reservation or Council land.

Works for all stages shown on the design plans must be commenced within 2 years of the date of their approval or the engineering designs will be required to be resubmitted.

3. Each lot must be provided with a minimum 5.5m wide constructed and sealed access from the road carriageway to the property boundary in accordance with Standard Drawing TSD-R09 (Urban) (copy available from Council). This access must be inspected by Council's Development Works Officer prior to sealing or pouring new concrete.

Following construction, the crossover must be maintained or repaired by the owner at the owner's expense in accordance with any directions given by Council to the owner.

4. Driveways, parking areas and other areas accessible to vehicles must be constructed in bituminous concrete or concrete, providing for adequate stormwater drainage, prior to the commencement of the use. Details of the construction must be submitted to and approved by Council's Group Manager Engineering Services prior to the commencement of any works.
5. A landscape plan must be submitted to and approved by Council's Manager City Planning prior to the commencement of works. The plan must be to scale and include:
 - proposed driveways, paths, buildings, carparking, retaining walls and fencing;
 - any proposed rearrangement of ground levels;
 - evergreen screen planting with an anticipated mature height of 3m along the rear boundary shared with 28A Loatta Road; and
 - details of proposed plantings, including botanical names, and the height and spread of canopy at maturity.

The landscaping works must be completed, including the boundary screening plants used being 50cm or greater in height, prior to completion of the development.

Attachment 2

6. Any change to the colour of external surfaces, from those described on the endorsed plans must be similar light to mid tones, to the satisfaction of Council's Manager City Planning. Any change to external colours must be submitted and approved prior to construction.
7. The development must meet all required Conditions of Approval specified by TasWater notice, dated 5 Oct 2020 (TWDA 2020/01566-CCC).

Submission to Planning Authority Notice

Council Planning Permit No.	PDPLANPMTD-2020/0012606	Council notice date	01/10/2020
TasWater details			
TasWater Reference No.	TWDA 2020/01566-CCC	Date of response	05/10/2020
TasWater Contact	Amanda Craig	Phone No.	0448 469 386
Response issued to			
Council name	CLARENCE CITY COUNCIL		
Contact details	cityplanning@ccc.tas.gov.au		
Development details			
Address	84 EAST DERWENT HWY, LINDISFARNE	Property ID (PID)	9060723
Description of development	Multiple dwellings x 3 (1 ex + 2 new)		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Pinnacle Drafting & Design	11-2020 DA.01 Site Plan	--	18/09/2020
Conditions			
<p>Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56P(1) TasWater imposes the following conditions on the permit for this application:</p> <p>CONNECTIONS, METERING & BACKFLOW</p> <ol style="list-style-type: none"> 1. A suitably sized water supply with metered connection and sewerage system and connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit. 2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost. 3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater. <p>DEVELOPMENT ASSESSMENT FEES</p> <ol style="list-style-type: none"> 4. The applicant or landowner as the case may be, must pay a development assessment fee of \$351.28, to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater. <p>The payment is required within 30 days of the issue of an invoice by TasWater.</p>			

Advice

General

For information on TasWater development standards, please visit <http://www.taswater.com.au/Development/Development-Standards>

For application forms please visit <http://www.taswater.com.au/Development/Forms>

Water Connection

The property water service shall be located at a point where the meter assembly is preferably located 500mm inside the front boundary and 500mm from the edge of the driveway towards the centre of the lot.

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- (a) A permit is required to work within TasWater's easements or in the vicinity of its infrastructure.
Further information can be obtained from TasWater
- (b) TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit www.taswater.com.au/Development/Service-location for a list of companies
- (c) TasWater will locate residential water stop taps free of charge
- (d) Sewer drainage plans or Inspection Openings (IO) for residential properties are available from your local council.

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.

Authorised by



Jason Taylor
Development Assessment Manager

TasWater Contact Details

Phone	13 6992	Email	development@taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001	Web	www.taswater.com.au

11.3.5 DEVELOPMENT APPLICATION PDPLANPMTD-2020/015128 – 19 KELLATIE ROAD, ROSNY - 3 MULTIPLE DWELLINGS**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 3 Multiple Dwellings at 19 Kellatie Road, Rosny.

RELATION TO PLANNING PROVISIONS

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

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42-day period which expires on 3 March 2021.

CONSULTATION

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

- overshadowing;
- visual impacts;
- privacy;
- streetscape; and
- property values.

RECOMMENDATION:

A. That the Development Application for 3 Multiple Dwellings at 19 Kellatie Road, Rosny (CI Ref PDPLANPMTD-2020/015128) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. ENG A5 – SEALED CAR PARKING.
3. ENG M1 – DESIGNS DA.

4. ENG S1 – INFRASTRUCTURE REPAIR.
5. ENG A2 – CROSSOVER CHANGE.
6. ENG S3A – WATER SENSITIVE URBAN DESIGN PRINCIPLES.
7. The development must meet all required Conditions of Approval specified by TasWater notice dated 23/12/2020 (TWDA 2020/02194-CCC).

ADVICE

The proposed works are located within a mapped overland flow path and therefore prone to flood. As such, as part of the building permit application it is required to demonstrate that the finished floor level of all habitable rooms is 300mm or more above the designated flood level for that land. The Building Surveyor must consider this as part of their assessment and certification of the documents.

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

ASSOCIATED REPORT

1. BACKGROUND

No relevant background.

2. STATUTORY IMPLICATIONS

- 2.1. The land is zoned General Residential under the Scheme.
- 2.2. The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.
- 2.3. The relevant parts of the Planning Scheme are:
 - Section 8.10 – Determining Applications;
 - Section 10.0 – General Residential Zone;
 - Section E5.0 – Road and Railway Assets Code;
 - Section E6.0 – Parking and Access Code; and
 - Section E7.0 – Stormwater Management Code.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is a 1234m² property with 1 existing dwelling. The site has frontage and access to Kellatie Road. The site is below the level of the road and slopes to the west with a slope of approximately 7 degrees.

A 0.91m drainage easement runs along the western rear property boundary.

3.2. The Proposal

The proposal is to demolish the existing dwelling and build three 2 storey dwelling units, each comprising of 4 bedrooms, 3 bathrooms, a downstairs rumpus room and double car garage. A visitor parking space is provided between Units “B2” and “B3”.

The proposed development will have a front setback of 4m, southern side boundary setback of 3m, rear boundary setback of 4.5m and northern side boundary setback of 5.7m. The maximum height would be 7.3m.

The proposed dwelling units are stepped down the slope, with retaining walls, ranging in height from 1.6m to 2.4m, providing level areas immediately adjacent to the downstairs rumpus rooms (which appear incorrectly labelled as “kitchen” spaces in the application plans). Each unit is also provided with a west facing first floor balcony that extends the width of each dwelling.

Waste storage and clothes drying facilities are provided for the exclusive use of each dwelling.

The proposal includes associated works for a wider property access and crossover, new driveway and internal vehicle manoeuvring areas, stormwater management connections and landscaping.

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

General Residential Zone

- **Clause 10.4.2 A1 (Front setback)** – the proposal would have a front setback of 4m.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 10.4.2 as follows.

Clause	Performance Criteria	Assessment
10.4.2 P1	<i>“A dwelling must:</i>	The application is considered to satisfy the Performance Criteria P1 as:
	<i>(a) have a setback from a frontage that is compatible with the existing dwellings in the street, taking into account any topographical constraints; and</i>	Several RMPAT decisions define “Compatible” as “ <i>capable of existing together in harmony</i> ”. This definition was adopted as part of this assessment. The proposed setback is less than the prevailing existing setbacks along this section of Kellatie Road, which vary between 5m and 10m along the lower side of the road.

		<p>The subject site has steep topography which falls towards the rear of the site in a westerly direction. The proposal would be set into the slope, so that the upper storey of Unit B1 has a similar visual impact as the existing adjoining dwellings, 17 Kellatie Road to the north and 1/21 Kellatie Road to the south [refer advertised plan DA200 East Elevation (Streetscape)]. This shows that the front unit would present as a single storey dwelling when viewed from the street.</p> <p>The proposed frontage landscaping will further reduce the visual impact of the proposal by providing visual softening and it is considered that the proposed development is likely to be less prominent than dwellings on the eastern (higher) side of Kellatie Road which vary in their setback as itemised below: 14 Kellatie Road -> 5.2m 16 Kellatie Road -> 7.4m 18 Kellatie Road -> 8.7m.</p> <p>The front dwelling Unit “B1” will have a height comparable with the adjoining existing dwellings and will be less visually prominent than the existing dwellings on the higher side of Kellatie Road, some of which present as 3 storey dwellings to the streetscape. The unit will maintain the rhythm of rooflines and built form when viewed from the streetscape and would not be inharmonious with the current built form along the road.</p>
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		<p>There are some examples of dwellings in the street with compatible setbacks to that proposed, such as 8 Kellatie Road. These, however, are not within view of the subject property, so are not considered sufficient for the consideration of this application.</p> <p>The proposal is therefore considered to be compatible with the existing streetscape and thus consistent with the performance criteria.</p>
	<i>(b) if abutting a road identified in Table 10.4.2, include additional design elements that assist in attenuating traffic noise or any other detrimental impacts associated with proximity to the road."</i>	Not Applicable – the property does not abut any of the roads in Table 10.4.2.

- **Clause 10.4.2 A3 (Building Envelope)** – the proposal would project beyond the prescribed 3D envelope.

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

Clause	Performance Criteria	Assessment
10.4.2 P3	<i>"The siting and scale of a dwelling must:</i>	
	<i>(a) not cause unreasonable loss of amenity by:</i>	The proposal is considered to satisfy the Performance Criteria as:
	<i>(i) reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or</i>	<p>The shadow diagrams provided show that the development would impact upon 1/21 and 2/21 Kellatie Road.</p> <p>Council officers undertook additional shadow modelling to confirm the information supplied with the application. Using the collective information, it was found that:</p>

		<p>Unit 1/21 Kellatie Road would receive sunlight to more than 50% of its dining and living room windows between 9am and noon on the Winter Solstice. These windows would be free of any overshadowing from noon onwards; and</p> <p>Unit 2/21 Kellatie Road would receive sunlight to over 50% of the north facing living room windows between 9am to noon and 80% sunlight from noon to 3pm on the Winter Solstice.</p> <p>Therefore, it is considered that the proposed development would not cause an unreasonable impact upon neighbouring dwellings by reducing sunlight to habitable rooms.</p>
	<p>(ii) <i>overshadowing the private open space of a dwelling on an adjoining lot; or</i></p>	<p>The proposed development would cast some shadows upon the private open space of dwellings on three adjoining lots during the hours of 9am to 3pm on the Winter Solstice. These properties are 29 Rosny Esplanade, and 1/21 and 2/21 Kellatie Road.</p> <p>The property at 29 Rosny Esplanade is a large (approximately 1460m²) lot located due west of the subject site. The lot has large areas of private open space including 670m² in the rear yard and 162m² in the front yard. This property would be minimally impacted by overshadowing to private open space areas on the Winter Solstice. There would be sunlight maintained to approximately 96% of the backyard. Accordingly, the proposal is considered to not have an unreasonable impact on amenity of this property.</p>

		<p>Unit 2/21 Kellatie Road is a stratum titled lot. The dwellings approved building plans (March 2011) identify the private open space to be 99m² on the western section of the lot (inclusive of the 1st floor deck) and a 49m² central north facing courtyard (a portion of this private open space is the now concreted driveway area). Of the identified 148m² of private open space, it is noted that the existing dwelling casts its own shadow on a portion of these areas.</p> <p>The shadow diagrams provided, and additional Council officer modelling indicate that the western portion of private open space would be free of overshadowing between noon and 3pm. The central courtyard on this property is more overshadowed by its own dwelling – rather than the proposed development. Accordingly, the proposal is not considered to have an unreasonable impact on the amenity of 2/21 Kellatie Road.</p> <p>Unit 1/21 Kellatie Road is a stratum titled lot with a site area of approximately 361m². The approved building plans identify the private open space for 1/21 Kellatie Road to be located between the dwelling and the frontage, an area of 100m² located to the east, south-east of the dwelling.</p> <p>The shadow diagrams indicate that the proposed development would cast shadow onto less than 40% of the private open space of 1/21 Kellatie Road between noon and 3pm on the Winter Solstice.</p>
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		<p>Therefore, from 9am to 12 noon (three hours) it would be free from overshadowing.</p> <p>Accordingly, the proposal is not considered to have an unreasonable impact on the amenity of Unit 1/21 Kellatie Road.</p>
	<p><i>(iii) overshadowing of an adjoining vacant lot; or</i></p>	<p>The proposed development would cast shadows on one adjoining vacant lot, namely 30 Rosny Esplanade, during the hours of 9am to 3pm on the Winter Solstice.</p> <p>The property at 30 Rosny Esplanade is an internal lot of approximately 583m², located south-west of the subject site. The property is vacant except for a shed in its south-west corner at the end of the access strip.</p> <p>The proposal overshadows an area of approximately 115m² in the north-east corner of the lot at 9am reducing to 0m² at noon. Any future development on 30 Rosny Esplanade would therefore retain all of its northern section of land free from overshadowing for at least three hours at the Winter Solstice. Hence, the proposal is considered to not have an unreasonable impact on amenity.</p>
	<p><i>(iv) visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and</i></p>	<p>The maximum height of the proposed development would be 7.3m from natural ground level.</p> <p>As shown in the elevation plans and the photomontages provided in the application plans, the multiple dwelling “step down” the slope, with approximately 5m setbacks between the buildings, which would be landscaped.</p>

		<p>The southern elevations towards 21 Kellatie Road incorporate vertical and horizontal window designs to break up the visual bulk of the façade.</p> <p>The proposed height; stepped down design and setbacks between the multiple dwelling is considered to provide articulation to minimise the bulkiness and mass of the proposed development.</p> <p>The 3D image in the advertised plans (DA616) shows that the proposal is not out of keeping with the mass and bulk of the existing dwellings on adjoining lots.</p> <p>The proposed multiple dwellings are suburban scale structures with a maximum height of 7.3m and building footprints of 102m². Nearby dwellings, including 17, 14, 16 and 18 Kellatie Road, are double storey with similar maximum heights optimising the panoramic views towards the Derwent River.</p> <p>The proposed development would not be unreasonable and is consistent with the mass and scale of residential buildings in the surrounding area.</p>
	<p><i>(b) provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area."</i></p>	<p>The side boundary setbacks are compliant with the acceptable solution, 3m to the south and 5.6m to the north.</p> <p>Dwellings in the surrounding area reflect these setbacks.</p> <p>The proposal is therefore consistent with the separation of dwellings in the area and considered compatible in the streetscape.</p>

- **Clause 10.4.4 A1 (Sunlight and overshadowing)** – the proposal would not provide any of the multiple dwellings with habitable room (other than a bedroom) windows that face between 30 degrees west of north and 30 degrees east of north.

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

Clause	Performance Criteria	Assessment
10.4.4 P1	<i>“A dwelling must be sited and designed so as to allow sunlight to enter at least one habitable room (other than a bedroom).”</i>	<p>The proposed multiple dwellings are oriented to take advantage of the western views to the Derwent River. The design provides each dwelling with large first floor living room windows that face north-north-west, which will allow sunlight to enter.</p> <p>The proposal is considered to satisfy Performance Criterion P1.</p>

- **Clause 10.4.6 A3 (Privacy)** – the shared driveway is not setback a minimum of 2.5m from the ground floor habitable rooms (bedrooms) windows, and these windows do not have sill heights of at least 1.7m above the shared driveway, nor do they have fixed obscure glazing extending to at least 1.7m above the floor level.

The proposed variation must be considered pursuant to the Performance Criteria (P3) of Clause 10.4.6 as follows.

Clause	Performance Criteria	Assessment
10.4.6 P3	<i>“A shared driveway or parking space (excluding a parking space allocated to that dwelling), must be screened, or otherwise located or designed, to minimise detrimental impacts of vehicle noise or vehicle light intrusion to a habitable room of a multiple dwelling.”</i>	<p>All windows along the northern façade, which faces onto the shared driveway, are oriented to face north-north west.</p> <p>This 45-degree angle to the driveway, minimises the impact of light from vehicle headlights and noise into the ground floor bedroom 3 windows in each dwelling.</p>

		<p>In addition to the orientation, the first storey living room and bedroom 1 windows are protected by being more than 1.7m above the driveway.</p> <p>Accordingly, it is considered that the proposal satisfies Performance Criterion P3.</p>
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- Clause 10.4.8 A1 (Waste storage)** – the bin storage area for B1 is located between the multiple dwelling and the frontage, thereby the proposal does not comply with Acceptable Solution A1 (a) and as there is no communal waste storage area the proposal does not comply with Acceptable Solution A1 (b).

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 10.4.8 as follows.

Clause	Performance Criteria	Assessment
10.4.8 P1	<i>“A multiple dwelling development must provide storage, for waste and recycling bins, that is:</i>	
	<i>(a) capable of storing the number of bins required for the site; and</i>	Each multiple dwelling is provided with a dedicated area to the east of the garage, 1.5m ² and sufficiently large to store three recycling bins, consistent with P1 (a).
	<i>(b) screened from the frontage and dwellings; and</i>	The individual bin storage areas are screened from the common driveway areas and for B1 there is a solid block wall providing screening to the street frontage, consistent with P1 (b).
	<i>(c) if the storage area is a communal storage area, separated from dwellings on the site to minimise impacts caused by odours and noise.”</i>	This sub-clause is not applicable as the proposal does not provide a communal storage area.

- **Clause E6.7.7 A1 (Lighting of Parking Areas)** – the proposal plans did not include a lighting plan showing that the driveway and common areas would be safe for use outside daylight hours.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause E6.7.7 as follows.

Clause	Performance Criteria	Assessment
E6.7.7 P1	<i>“Parking and vehicle circulation roadways and pedestrian paths used outside daylight hours must be provided with lighting to a standard which satisfies all of the following:</i>	The proposal is for a domestic level of use with users being residents or their visitors using the driveway and vehicle circulation roadways and pedestrian paths. A condition has been recommended to require these areas to be constructed to AS/NZS 1158.3.1:2005 Lighting for road and public spaces Part 3.1: Pedestrian area (Category P) lighting, to ensure the proposal satisfies the relevant Performance Criteria.
	<i>(a) enables easy and efficient use of the area;</i>	The application was referred to Council’s Development Engineer who was satisfied with the proposed layout. A condition has been recommended for inclusion on any permit granted to require these areas to be constructed to Australian Standards for driveways.
	<i>(b) minimises potential for conflicts involving pedestrians, cyclists and vehicles;</i>	The application was referred to Council’s Development Engineer who was satisfied with the proposed access and egress for the site arrangement. A condition has been recommended for inclusion on any permit granted to require these areas to be constructed to Australian Standards for driveways.

	<i>(c) reduces opportunities for crime or anti-social behaviour by supporting passive surveillance and clear sight lines and treating the risk from concealment or entrapment points;</i>	<p>The application was referred to Council's Development Engineer who was satisfied with the proposed access and egress for the site arrangement.</p> <p>A condition has been recommended for inclusion on any permit granted to require these areas to be constructed to Australian Standards for lighting of driveways and circulation areas.</p>
	<i>(d) prevents unreasonable impact on the amenity of adjoining users through light overspill;</i>	<p>The application was referred to Council's Development Engineer who was satisfied with the proposed access and egress for the site arrangement.</p> <p>A condition has been recommended for inclusion on any permit granted to require these areas to be constructed to Australian Standards. The engineering plans required for submission as part of this condition will be made to be appropriately baffled to minimise light spill.</p>
	<i>(e) is appropriate to the hours of operation of the use."</i>	The proposal is a residential use, consistent with the surrounding area.

Parking and Access Code

- **Clause E7.7.1 A2 (Water sensitive urban design)** – the proposal creates new impervious areas more than 60mm² in area, but the drainage plans do not incorporate water sensitive urban design principles and do not comply with Acceptable Solution A2 (a).

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

Clause	Performance Criteria	Assessment
E7.7.1 P2	<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>	<p>The driveway slopes to the west with the low point connecting into the stormwater main in the south-west corner of the property. Dwelling stormwater drains into the same location.</p> <p>A planning permit condition requiring the implementation of water sensitive urban design solutions for the discharge of stormwater is proposed.</p> <p>It is considered that adherence to the planning permit condition will satisfy Performance Criteria P2.</p>

5. REPRESENTATION ISSUES

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

5.1. Setbacks and Building Envelope - Streetscape

Concerns were raised by two representors regarding the impact of the reduced setback and height to the streetscape.

- Comment**

Streetscape impacts have been considered in assessment of Clause 10.4.2 P1 above and have been found to be harmonious with existing dwellings based on the steep topography of the site, and the development being sited below the street level so as to minimise visual intrusion. The front dwelling unit “B1” will have a height comparable with the adjoining existing dwellings and will be less visually prominent than the existing dwellings on the upper side of Kellatie Road, some of which present as 3 storey dwellings to the streetscape.

The application is considered to satisfy the Performance Criteria for this clause. Therefore, the application is considered to satisfy the relevant clause.

5.2. Setbacks and Building Envelope - Overshadowing

Concerns were raised by two representors regarding the overshadowing that would be caused by the proposed development with respect to the habitable rooms and private open space of their dwelling.

- **Comment**

Overshadowing has been discussed in further detail in assessment of Clause 10.4.2 P3 above and has been found to not unreasonably impact upon adjoining lots based on quantitative assessment. The application is considered to satisfy the Performance Criteria for this clause. Both the habitable room windows and private open space will receive at least three hours of unimpeded sunlight at the Winter Solstice.

5.3. Setbacks and Building Envelope – Visual Impact

Concerns were raised by three representors with respect to the visual bulk and impact of the proposed development.

- **Comment**

The issue has been discussed in the assessment of Clause 10.4.2 P3 earlier in this report. There are examples of several double storey residential developments in the surrounding area. It is worth noting that the proposal complies with the Acceptable Solution side and rear boundary setbacks and would not cause unreasonable impact on amenity due to bulk, height or mass for reasons discussed earlier.

The application is considered to comply with the Performance Criteria for this clause.

5.4. Privacy

Concerns were raised by three representors with respect to the potential for overlooking from the upper storey western decks, ground floor open space areas, and windows in the southern façade of the multiple dwellings.

- **Comment**

The upper storey western deck of B3 is setback 4m from the rear boundary compliant with Acceptable Solution A1 (b).

The decks associated with each of the proposed dwellings units would be setback 3m from the southern side boundary and screened by a solid wall compliant with Acceptable Solution A1 (a).

All windows in the western elevation of “B3” are setback more than 4m from the rear boundary compliant with Acceptable Solution A2 (a) (i).

All windows on the southern elevation are setback 3m from the side boundary compliant with Acceptable Solution A2 (a) (ii).

The application is considered compliant with the applicable Acceptable Solutions of Clause 10.4.6 related to privacy for all dwellings.

5.5. Property Devaluation

Concerns were raised by one representor as to the impact of the multiple dwelling development on their property value.

- **Comment**

There is no relevant Clause in the Scheme related to the devaluation of adjoining properties. This issue therefore has no determining weight.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

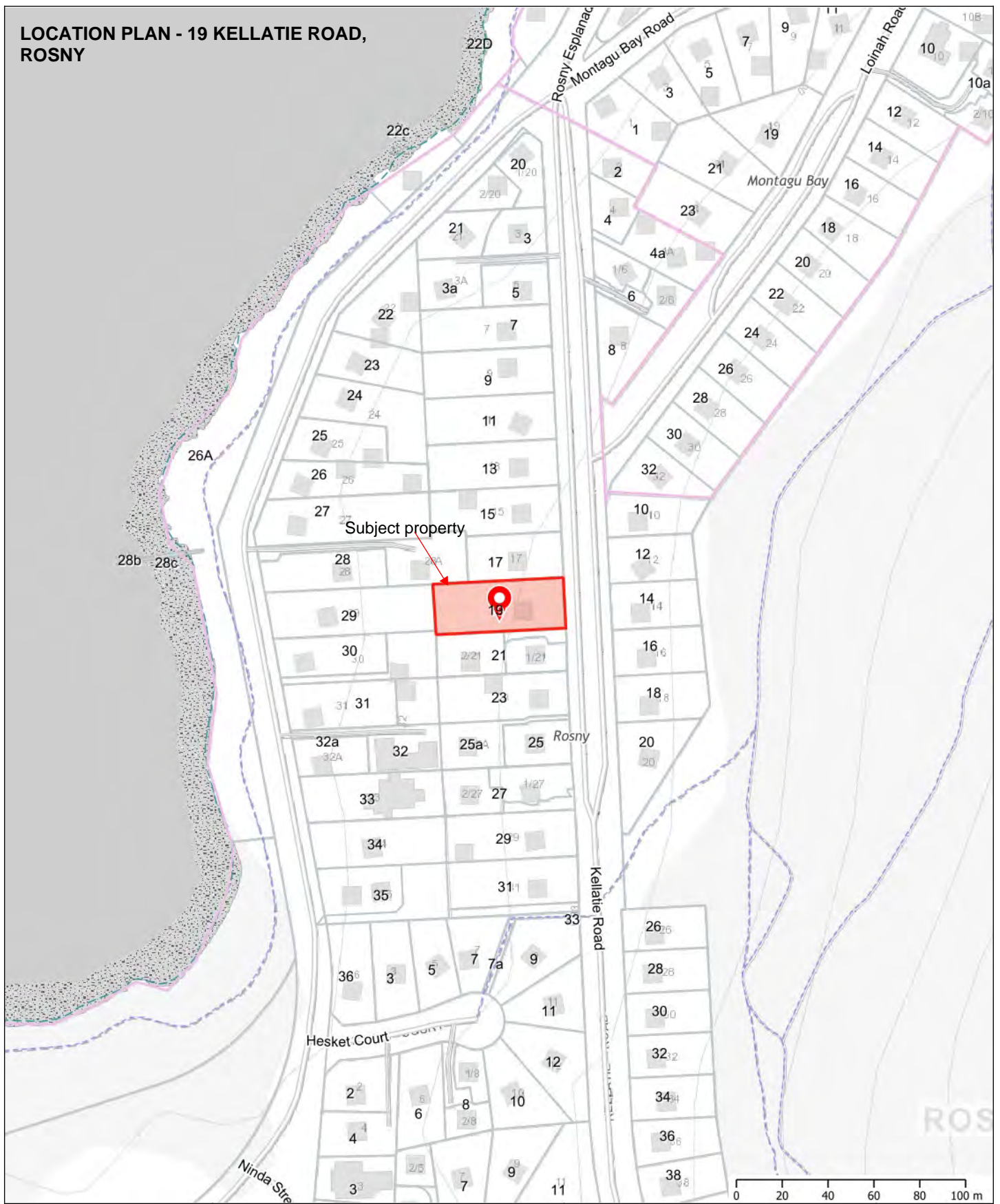
The proposal is recommended for conditional approval.

Attachments: 1. Location Plan (1)
2. Proposal Plan (13)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

Attachment 1

LOCATION PLAN - 19 KELLATIE ROAD, ROSNY



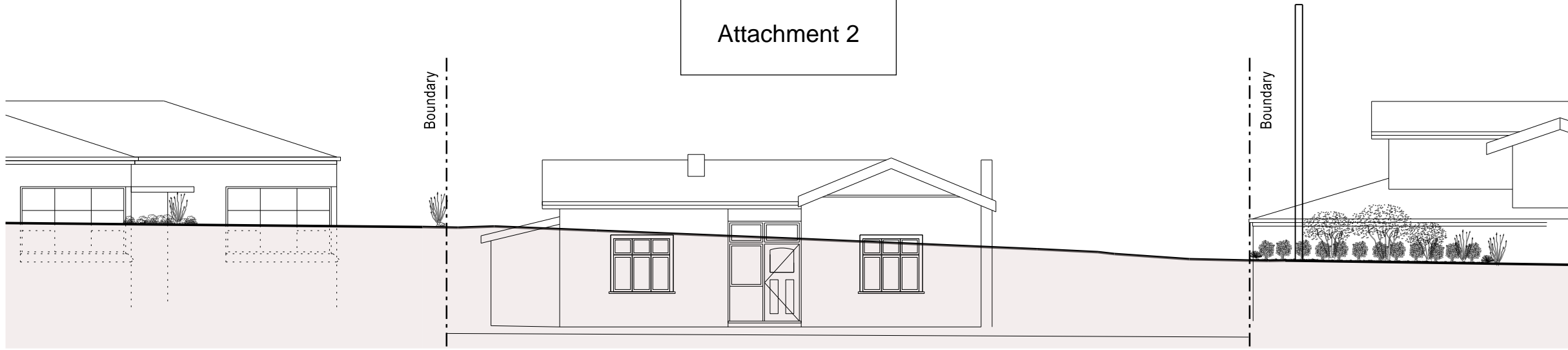
This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

2/18/2021

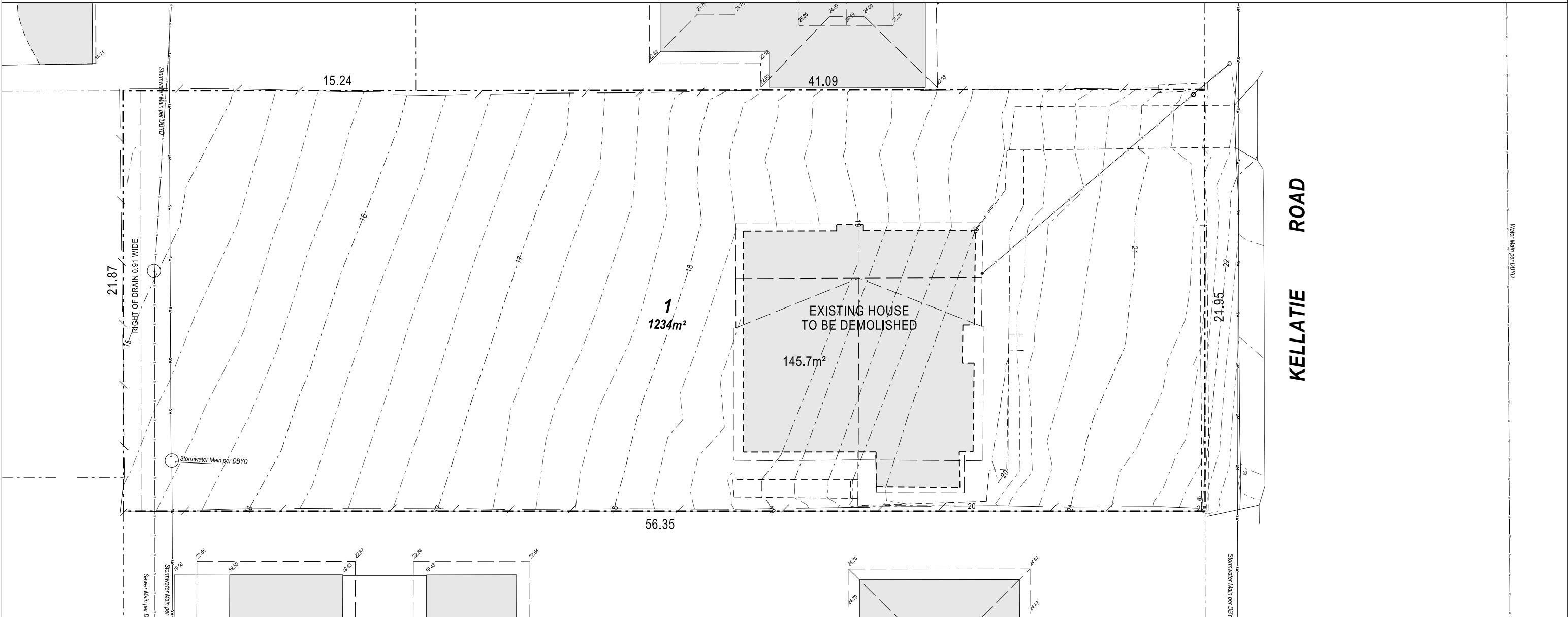
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Attachment 2



○ Street Elevation



Rev.	Issue For	Date
B	Driveway amendments, B3 FFL raised 200mm	20.01.21
A	DA Submission	04.12.20

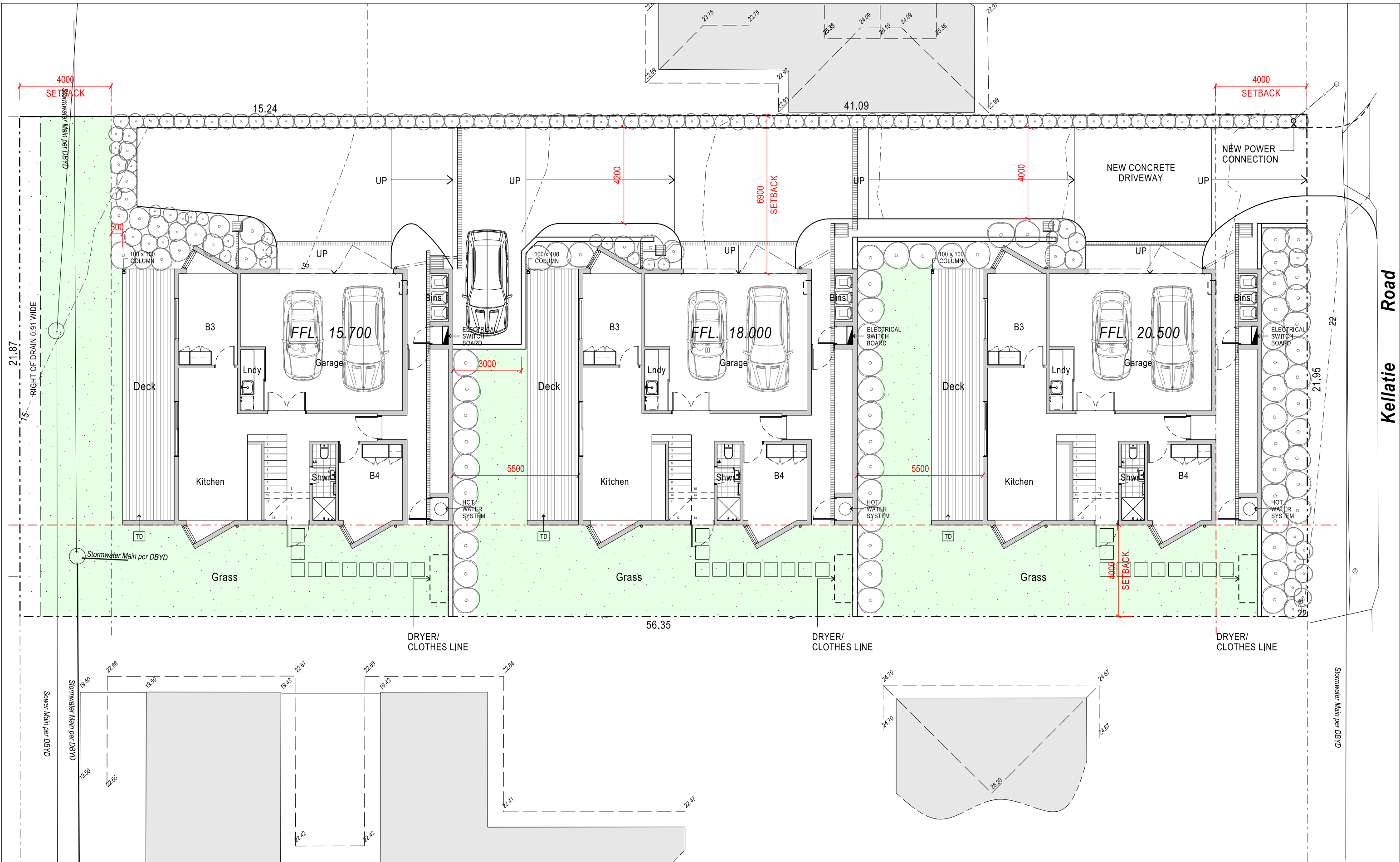
Client	Mr David Hurd
Project	19 Kellatie Road, Rosny Tasmania

Architect / Interior Designers
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Existing Site Plan

1 2 6 14m

Date December 2020
Scale 1:200 @ A3
Job No 20-610
Number DA 101
Issue B



B	Driveway amendments, B3 FFL raised 200mm	20.01.21
A	DA Submission	04.12.20
Rev. Issue For		Date

Client	Mr David Hurd
Project	19 Kellatie Road, Rosny Tasmania

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New Landscape Plan

1.5 3 6 9 12 15m

	Date	December 2020	
	Scale	1:150 @ A3	
Job No	Number	Issue	
20-610	DA 105	B	

- GB

1400mm TOUGHENED GLASS BALUSTRADE TO FIRST FLOOR BALCONY
- RD

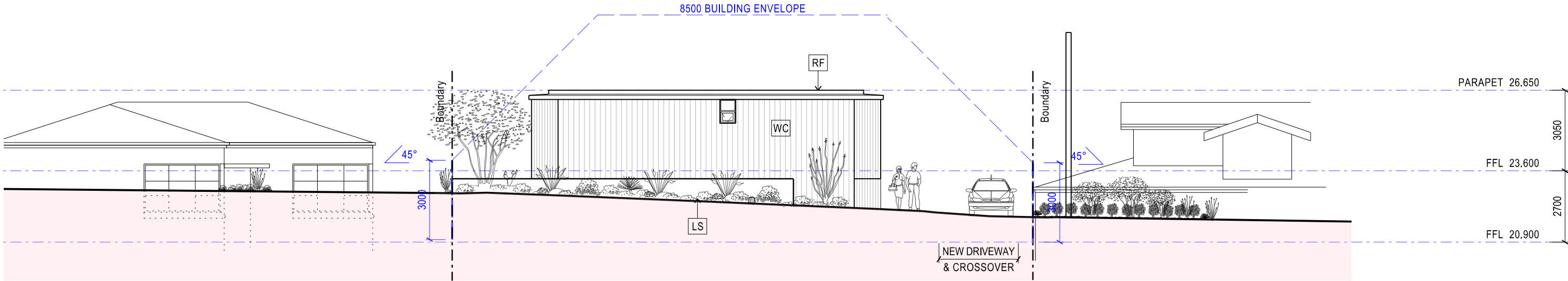
NEW PANEL LIFT ELECTRIC GARAGE DOOR IN MATT BLACK COLOUR BOND FINISH.
- RF

NEW METAL DECKING ROOFING IN MATT BLACK WITH SOLAR PANELS LYING FLAT ON THE ROOF. NEW LARGE GUTTERS AND DOWNPIPES IN MATT BLACK COLOURBOND FINISH.
- RW

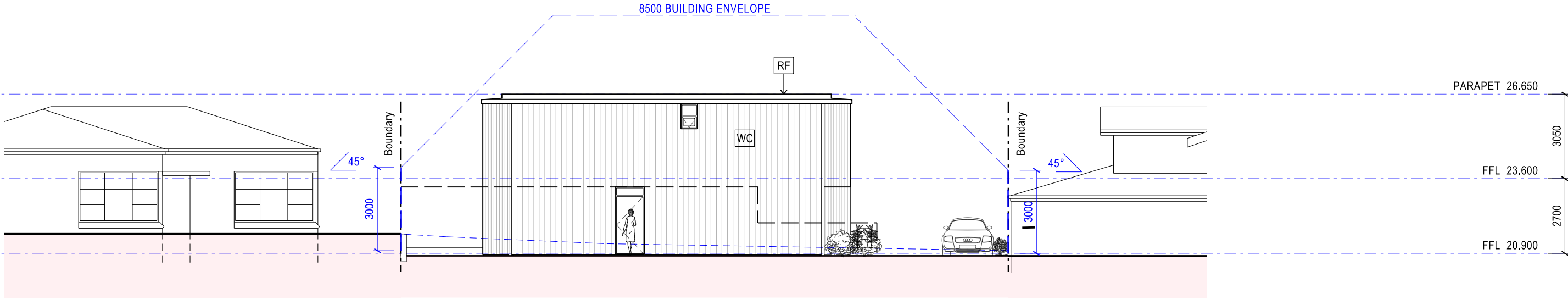
NEW CORE FILLED CONCRETE BLOCK WALL WITH CEMENT RENDER TO EXPOSED SURFACES IN SELECTED COLOUR.
- TD

TIMBER DECK TO BALCONIES.
- WC

NEW VERTICAL WALL CLADDING IN METAL AND TIMBER FINISH IN MATT BLACK.



East Elevation (Streetscape)



East Elevation

			Client Mr David Hurd		Architect / Interior Designers MISHO+ASSOCIATES		Street Elevations		Date December 2020		
					ARCHITECTURE AND INTERIOR DESIGN GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au WEB www.misho.com.au Skype mishojames				Scale 1:150 @ A3		
B	Driveway amendments, B3 FFL raised 200mm	20.01.21	Project						Job No	Number	Issue
A	DA Submission	04.12.20	19 Kellatie Road, Rosny Tasmania						20-610	DA 200	B
Rev. Issue For		Date									

1.5

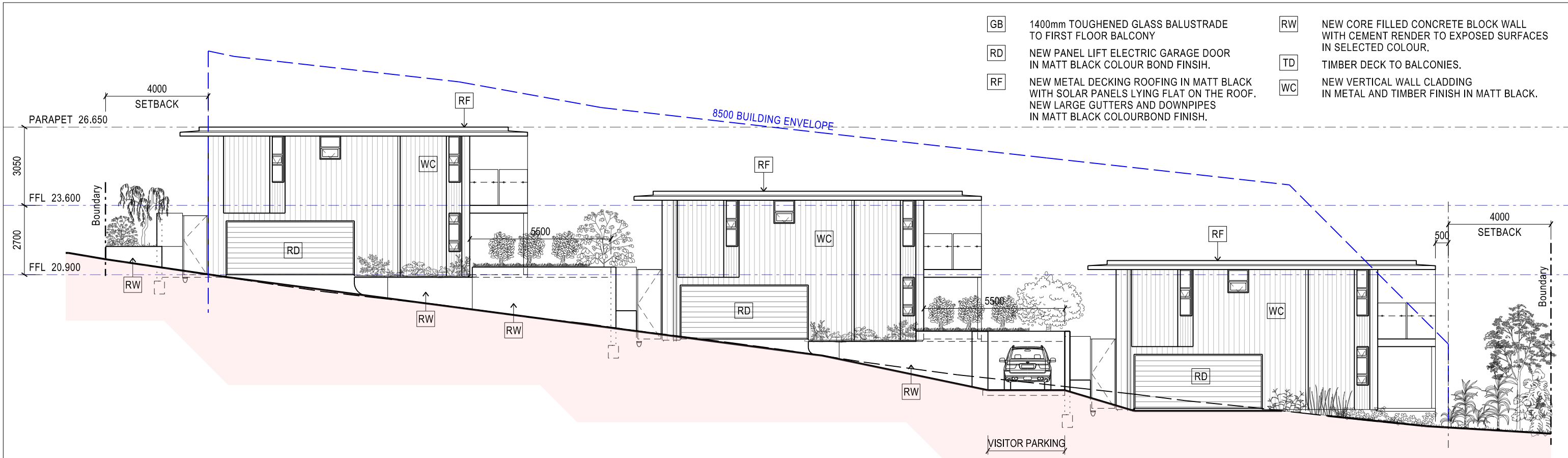
3

6

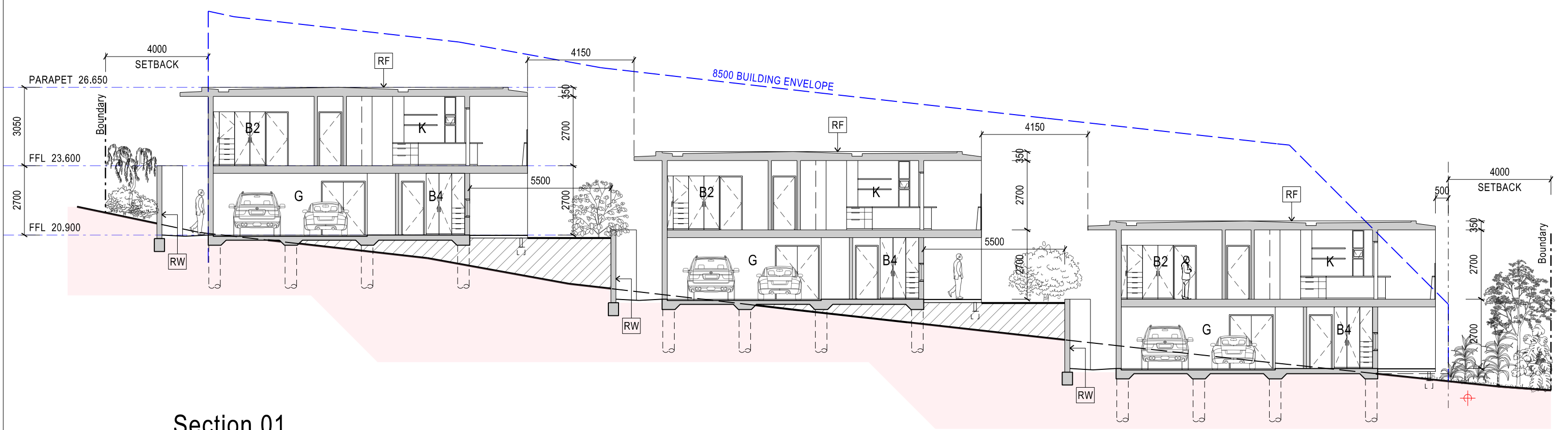
9

12

15m

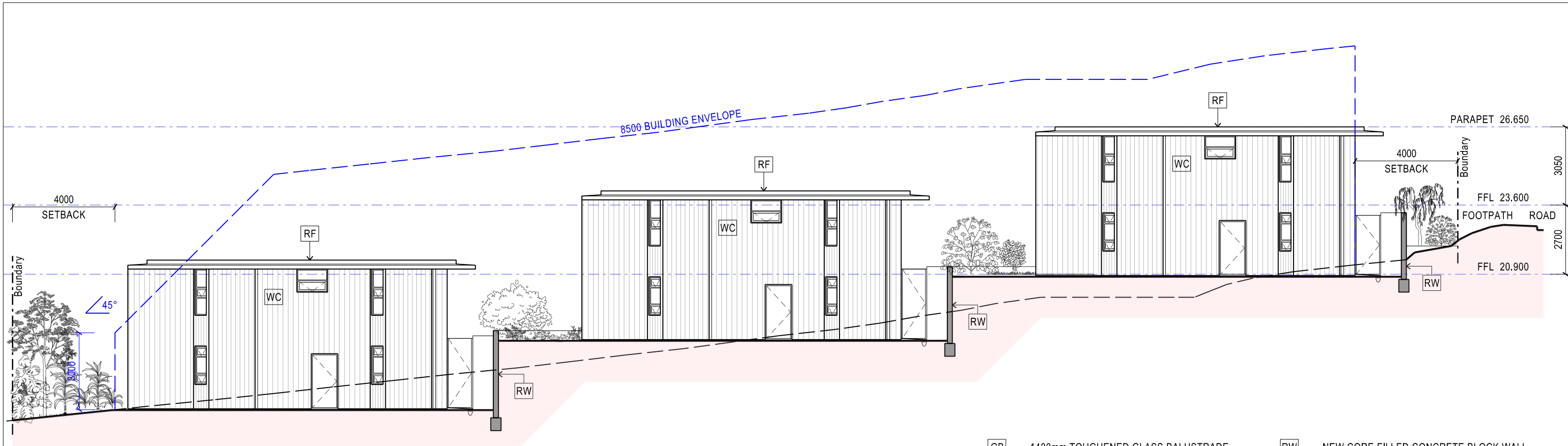


North Elevation



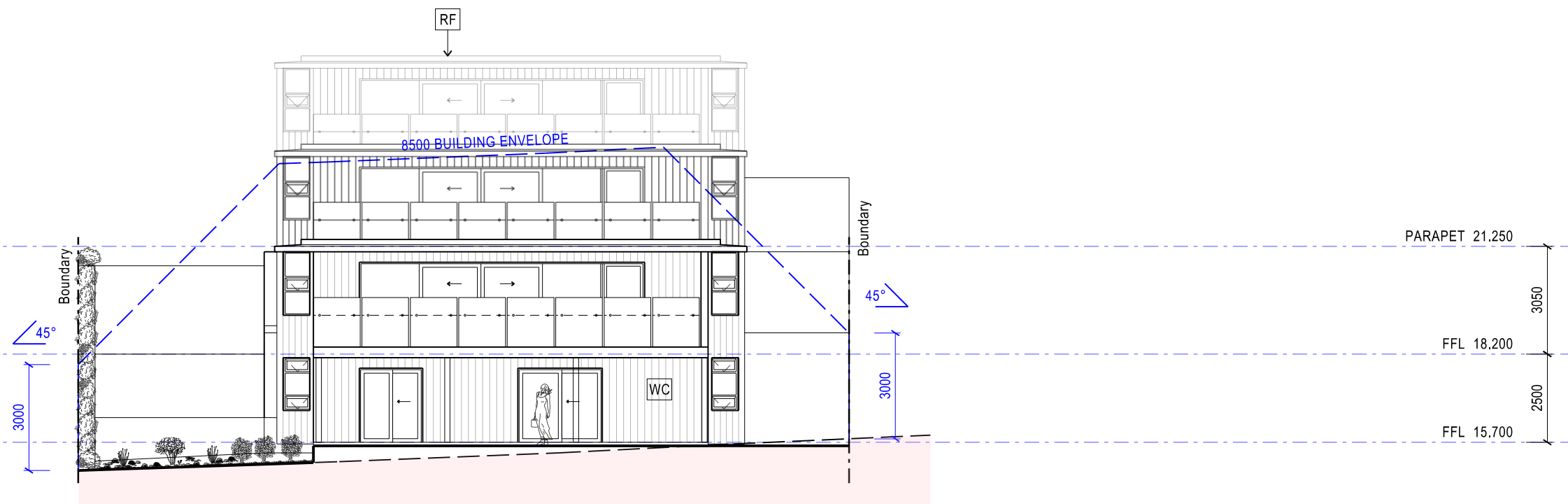
Section 01

			Client Mr David Hurd		Architect / Interior Designers MISHO+ASSOCIATES ARCHITECTURE AND INTERIOR DESIGN GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au WEB www.misho.com.au Skype mishojames	North Elevation & Section 1					Date December 2020					
											Scale 1:150 @ A3					
B	Driveway amendments, B3 FFL raised 200mm	20.01.21	Project								Job No		Number		Issue	
A	DA Submission	04.12.20	19 Kellatie Road, Rosny Tasmania								20-610		DA 201		B	
Rev. Issue For		Date														



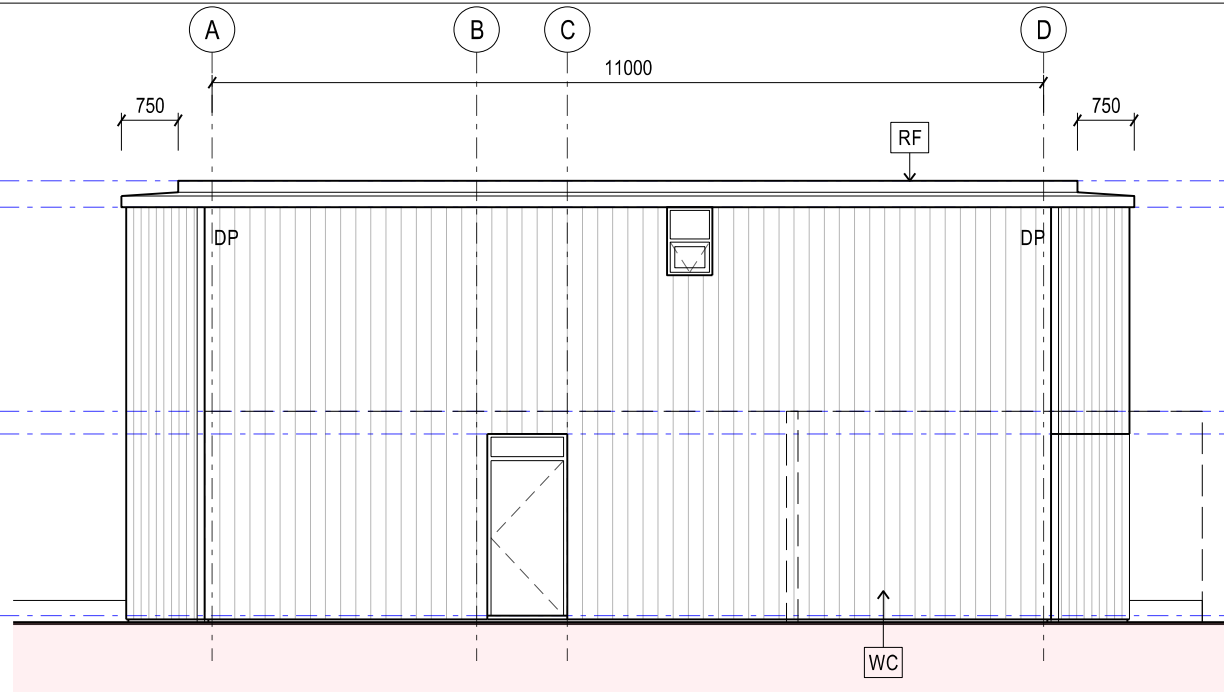
South Elevation

- GB 1400mm TOUGHENED GLASS BALUSTRADE TO FIRST FLOOR BALCONY
- RD NEW PANEL LIFT ELECTRIC GARAGE DOOR IN MATT BLACK COLOUR BOND FINISH.
- RF NEW METAL DECKING ROOFING IN MATT BLACK WITH SOLAR PANELS LYING FLAT ON THE ROOF. NEW LARGE GUTTERS AND DOWNPIPES IN MATT BLACK COLOURBOND FINISH.
- RW NEW CORE FILLED CONCRETE BLOCK WALL WITH CEMENT RENDER TO EXPOSED SURFACES IN SELECTED COLOUR.
- TD TIMBER DECK TO BALCONIES.
- WC NEW VERTICAL WALL CLADDING IN METAL AND TIMBER FINISH IN MATT BLACK.

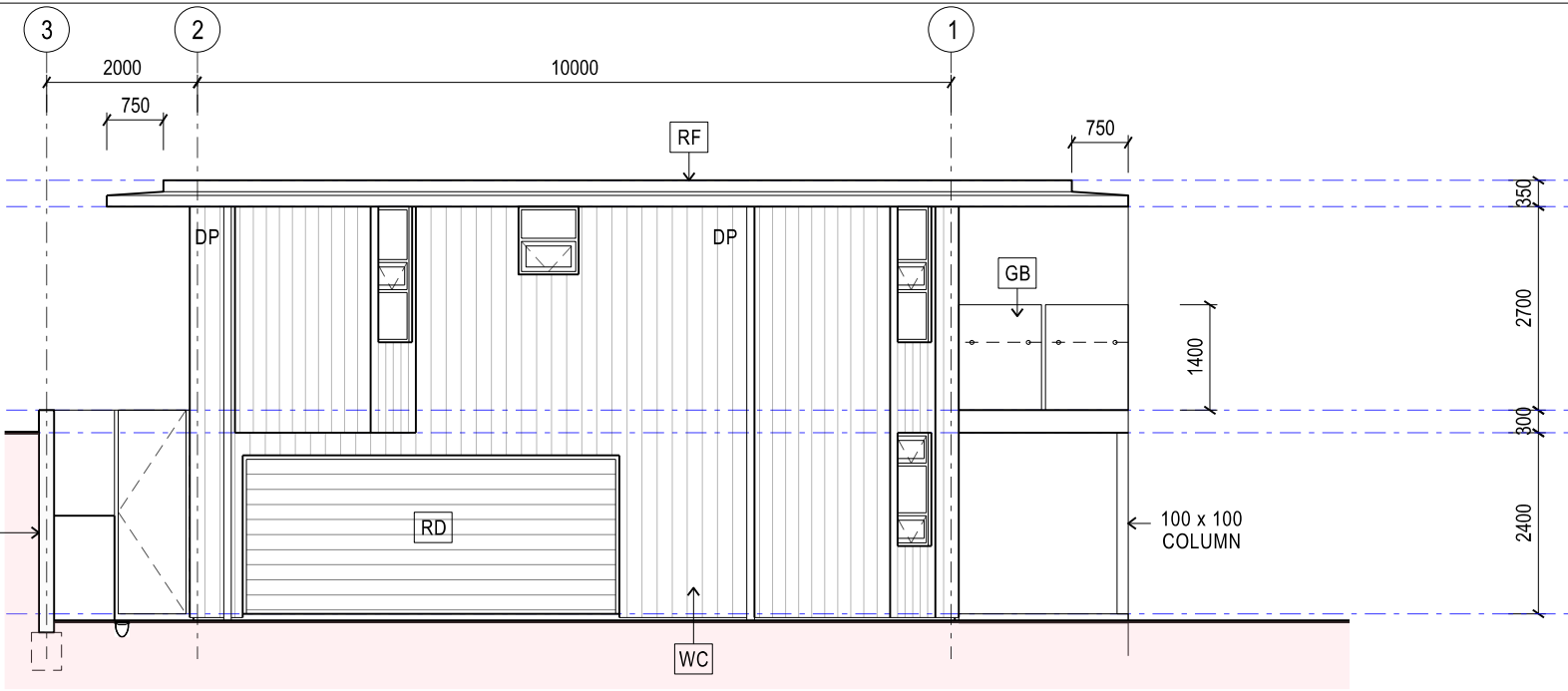


West Elevation

			Client Mr David Hurd		Architect / Interior Designers MISHO+ASSOCIATES		South & West Elevations		Date December 2020		
									Scale 1:150 @ A3		
B	Driveway amendments, B3 FFL raised 200mm	20.01.21	Project		ARCHITECTURE AND INTERIOR DESIGN GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au WEB www.misho.com.au				Job No	Number	Issue
A	DA Submission	04.12.20	19 Kellatie Road, Rosny Tasmania		misho™ Skype mishojames				20-610	DA 202	B
Rev. Issue For		Date									

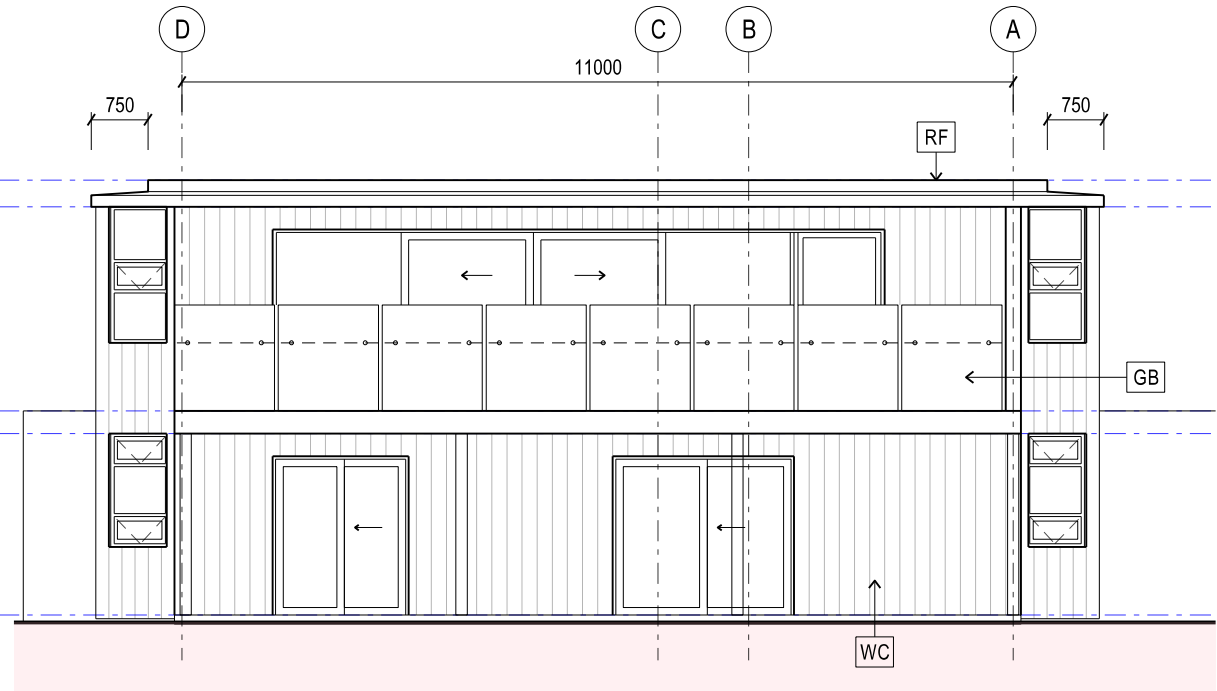


Typical North Elevation

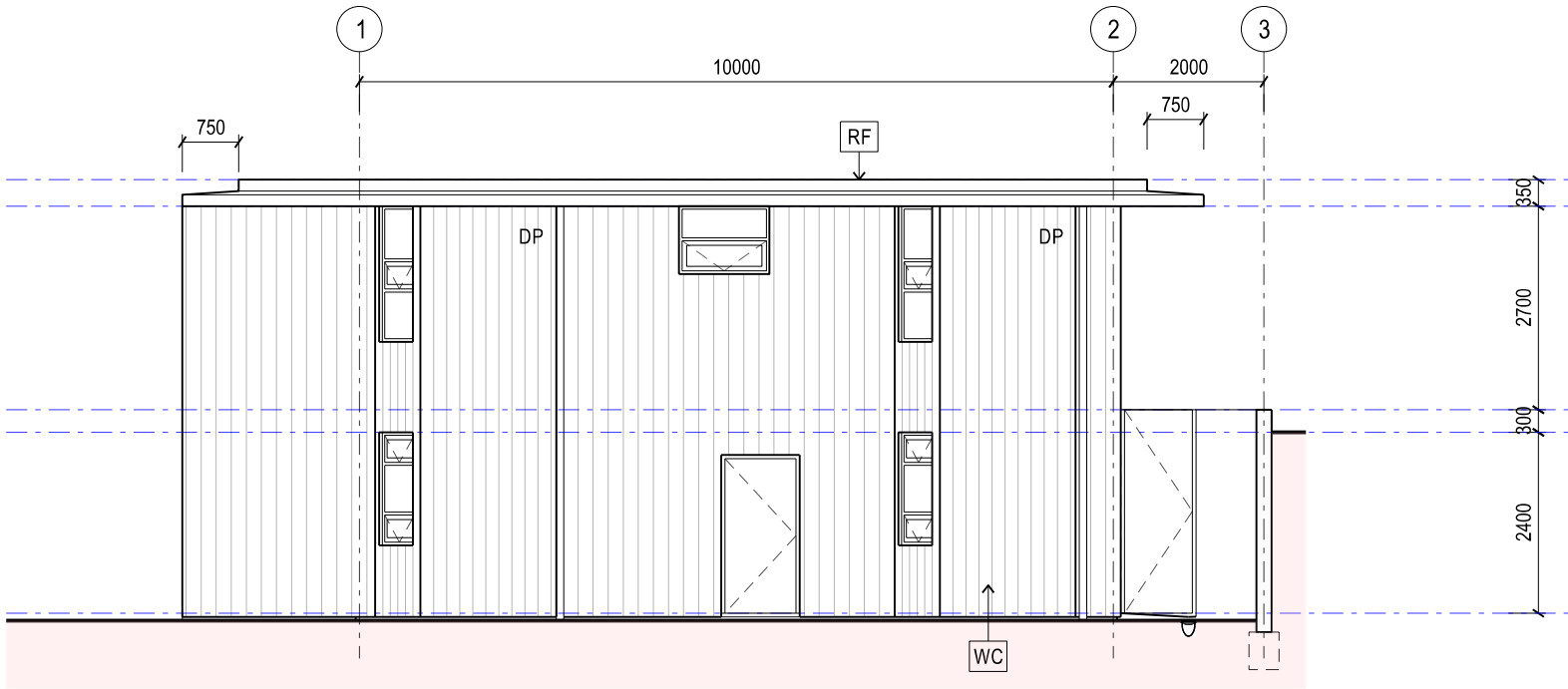


Typical East Elevation

- GB** 1400mm TOUGHENED GLASS BALUSTRADE TO FIRST FLOOR BALCONY
- RD** NEW PANEL LIFT ELECTRIC GARAGE DOOR IN MATT BLACK COLOUR BOND FINISH.
- RF** NEW METAL DECKING ROOFING IN MATT BLACK WITH SOLAR PANELS LYING FLAT ON THE ROOF. NEW LARGE GUTTERS AND DOWNPIPES IN MATT BLACK COLOURBOND FINISH.
- RW** NEW CORE FILLED CONCRETE BLOCK WALL WITH CEMENT RENDER TO EXPOSED SURFACES IN SELECTED COLOUR.
- TD** TIMBER DECK TO BALCONIES.
- WC** NEW VERTICAL WALL CLADDING IN METAL AND TIMBER FINISH IN MATT BLACK.

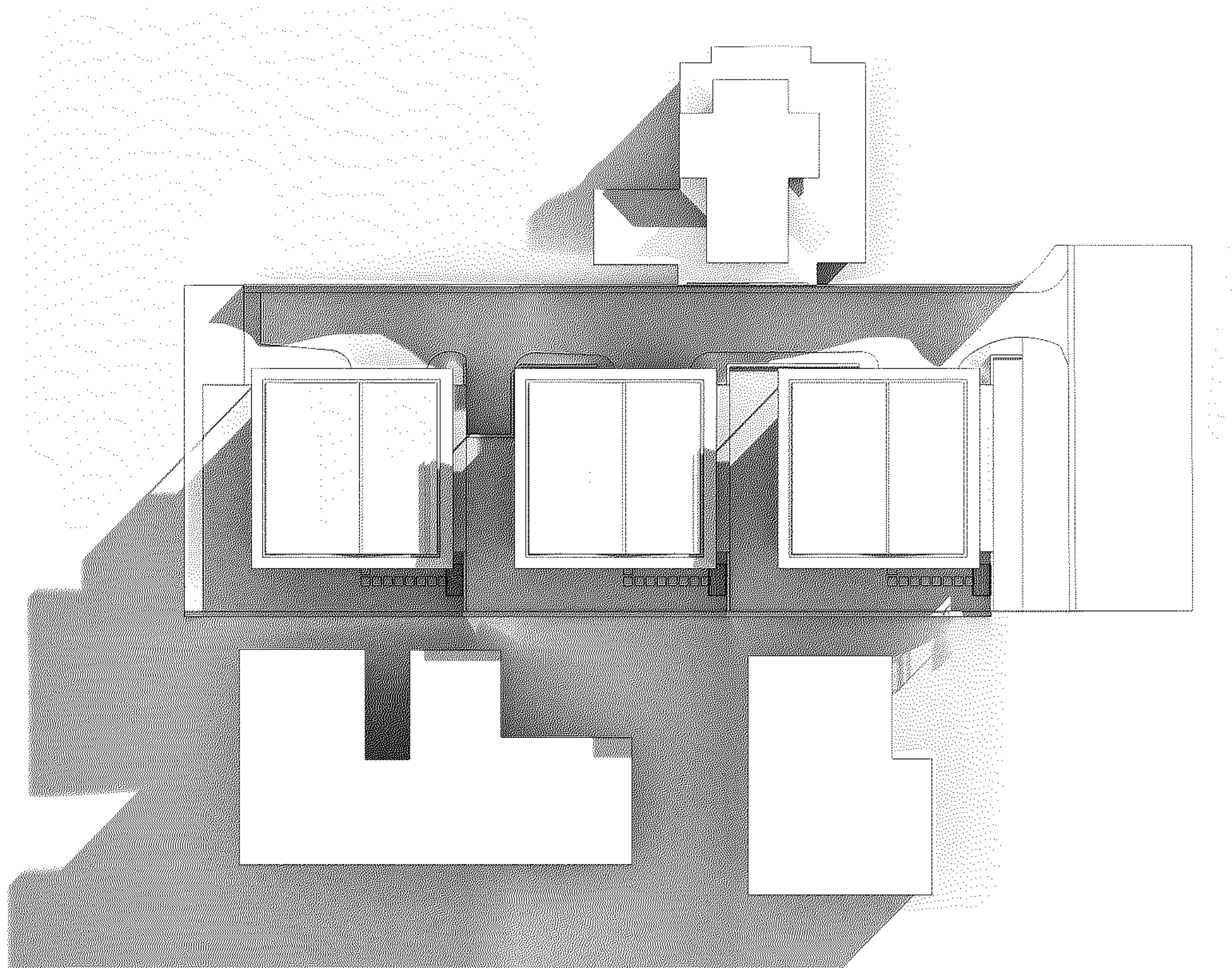


Typical South Elevation



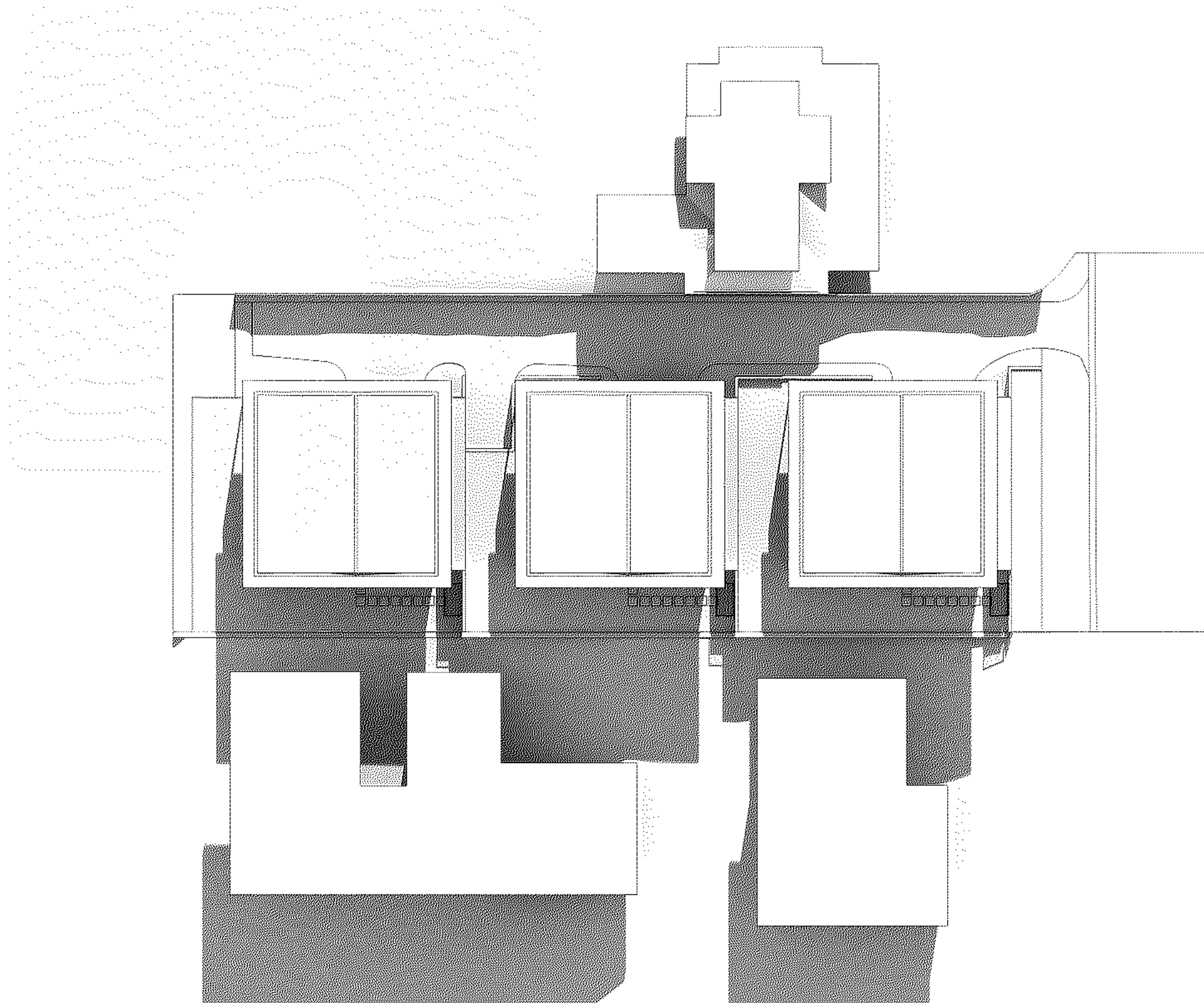
Typical West Elevation

			Client Mr David Hurd		Architect / Interior Designers MISHO+ASSOCIATES		Typical Elevations				Date December 2020			
									Scale 1:100 @ A3					
B	Driveway amendments, B3 FFL raised 200mm		20.01.21		Project				Job No		Number		Issue	
A	DA Submission		04.12.20		19 Kellatie Road, Rosny Tasmania				20-610		DA 502		B	
Rev. Issue For			Date											



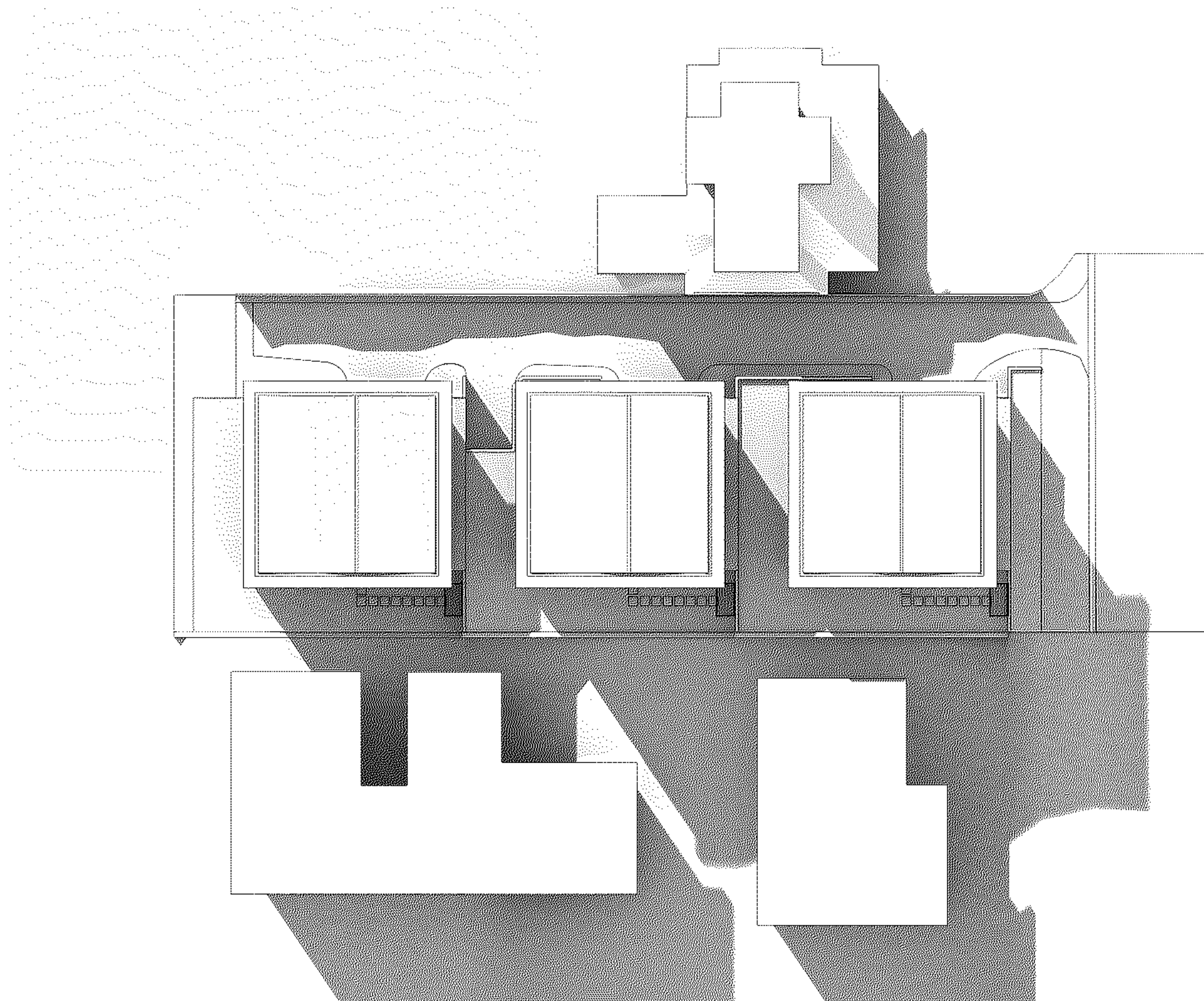
SHADOW DIAGRAM WINTER_21ST JUNE @ 9AM

			Client Mr David Hurd	Architect / Interior Designers MISHO+ASSOCIATES ARCHITECTURE AND INTERIOR DESIGN GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au www.misho.com.au Skype mishojames	Shadow Diagrams 21 June @ 9.00am		Date December 2020	
							Scale	
B	ISSUED FOR DEVELOPMENT APPLICATION	11.1.21	Project 19 Kellatie Road, Rosny Tasmania			Job No 20-610	Number DA 506	Issue B
A	ISSUED FOR DEVELOPMENT APPLICATION	4.12.20						
Rev.	Issue For	Date						



SHADOW DIAGRAM WINTER_21ST JUNE @ 12NOON

			Client	Architect / Interior Designers	Shadow Diagrams		Date	December 2020	
			Mr David Hurd	MISHO+ASSOCIATES			Scale		
			Project	ARCHITECTURE AND INTERIOR DESIGN	21 June @ 12.00 NOON		Job No	Number	Issue
B	ISSUED FOR DEVELOPMENT APPLICATION		11.1.21	GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au www.misho.com.au Skype mishojames			20-610	DA 509	B
Rev. Issue For			Date						



SHADOW DIAGRAM WINTER_21ST JUNE @ 3.00 PM

			Client	Architect / Interior Designers	Shadow Diagrams		Date	December 2020	
			Mr David Hurd	MISHO+ASSOCIATES			Scale		
			Project	ARCHITECTURE AND INTERIOR DESIGN GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au WEB www.misho.com.au Skype mishojames	21 June @ 3.00pm		Job No	Number	Issue
B	ISSUED FOR DEVELOPMENT APPLICATION		19 Kellatie Road, Rosny Tasmania				20-610	DA 512	B
Rev. Issue For			Date						



PHOTOMONTAGE WITH SITE SURROUNDS

			Client	Architect / Interior Designers	Photomontage with the Site Surrounds		Date December 2020		
			Mr David Hurd	MISHO+ASSOCIATES			Scale		
B	ISSUED FOR DEVELOPMENT APPLICATION	11.1.21	Project	ARCHITECTURE AND INTERIOR DESIGN GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au www.misho.com.au Skype mishojames			Job No	Number	Issue
A	FIRST ISSUE FOR DEVELOPMENT APPLICATION	001/11/20	19 Kellatie Road, Rosny Tasmania				20-610	DA 600	B
Rev. Issue For			Date						



VIEW LOOKING SOUTH EAST

			Client Mr David Hurd	Architect / Interior Designers MISHO+ASSOCIATES ARCHITECTURE AND INTERIOR DESIGN GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au WEB www.misho.com.au Skype mishojames	3D Image			
						Date December 2020		
			Project 19 Kellatie Road, Rosny Tasmania			Scale		
B	ISSUED FOR DEVELOPMENT APPLICATION	11.1.21				Job No	Number	Issue
A	ISSUED FOR DEVELOPMENT APPLICATION	4.12.20				20-610	DA 601	B
Rev. Issue For		Date						



VIEW LOOKING SOUTH EAST
WITH NEIGHBORING BUILDINGS

			Client	Mr David Hurd	Architect / Interior Designers	3D Image		Date	December 2020		
					MISHO+ASSOCIATES			Scale			
B	ISSUED FOR DEVELOPMENT APPLICATION	11.1.21	Project	19 Kellatie Road, Rosny Tasmania	ARCHITECTURE AND INTERIOR DESIGN GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001 T. +61 3 6264 2333 M. +61 411 875 696 EMAIL misho@misho.com.au www.misho.com.au Skype mishojames			Job No	Number	Issue	
A	ISSUED FOR DEVELOPMENT APPLICATION	4.12.20							20-610	DA 617	B
Rev. Issue For			Date								



VIEW LOOKING NORTH EAST FROM LOW LEVEL
WITH NEIGHBORING BUILDINGS

			Client	Mr David Hurd	Architect / Interior Designers	MISHO+ASSOCIATES	3D Image		Date	December 2020	
									Scale		
B	ISSUED FOR DEVELOPMENT APPLICATION	11.1.21	Project		ARCHITECTURE AND INTERIOR DESIGN				Job No	Number	Issue
A	ISSUED FOR DEVELOPMENT APPLICATION	4.12.20	19 Kellatie Road, Rosny	Tasmania	GPO BOX 274 HOBART, TASMANIA AUSTRALIA 7001				20-610	DA 621	B
Rev. Issue For		Date	T. +61 3 6264 2333 M. +61 411 875 696			MISHO					
			EMAIL misho@misho.com.au www.misho.com.au								
			Skype mishojames								

Attachment 3



Photo 1: Site viewed from Kellatie Road.



Photo 2: Site viewed from the rear (eastern) boundary.

11.3.6 DEVELOPMENT APPLICATION PDPLANPMTD-2020/014184 – 30 PASS ROAD, HOWRAH - RESTAURANT AND TAKEAWAY WITH DRIVE THROUGH FACILITY**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a restaurant and takeaway with drive through facility at 30 Pass Road, Howrah.

RELATION TO PLANNING PROVISIONS

The land is zoned General Business and is subject to the Road and Railway Assets Code, Parking and Access Code, Stormwater Management Code, Signs Code, Public Art Code and the Glebe Hill Neighbourhood Centre Specific Area Plan under the Clarence Interim Planning Scheme 2015 (the Scheme). In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

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

Council is required to exercise a discretion within the statutory 42 day period which expires on 3 March 2021.

CONSULTATION

The proposal was advertised in accordance with statutory requirements and 30 representations were received within the statutory timeframe and one submission received outside of the statutory timeframe. The representors have raised the following issues:

- hours of operation;
- traffic and access impacts;
- location of development;
- noise impact;
- anti-social behaviour;
- policing pressures;
- loss of privacy;
- structural integrity of road design;
- landscaping;
- littering;
- impact upon nearby medical centre;
- external lighting impacts;

- odour management;
- community health;
- delivery vehicle arrangements; and
- support.

RECOMMENDATION:

A. That the Development Application for restaurant and takeaway with drive through facility at 30 Pass Road, Howrah (Cl Ref PDPLANPMTD-2020/014184) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AM7 – OUTDOOR LIGHTING.
3. GEN C1 – ON-SITE CAR PARKING [262] [delete last sentence].
4. The approved signage is referenced as A1, S13B, A2 and S13A on the endorsed plans, but does not include S13A.
5. GEN S7 – SIGN MAINTENANCE.
6. Prior to the commencement of the use, a Security and Operational Management Plan (the Plan) must be submitted to and approved by Council's Manager City Planning. The plan must set out the management aspects such as security patrols, operation of CCTV, vehicle licence plate recognition, duress/alarm buttons in toilets, location and servicing of rubbish receptacles. The Plan must set out a process for the operator to review requirements on an annual basis and respond to any reasonable community concerns raised by Council.
7. A plan for the management of construction must be submitted and approved by Council's Group Manager Engineering Services prior to the issue of a Building or Plumbing Permit. The plan must outline the proposed demolition and construction practices in relation to:
 - proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on-site);
 - proposed hours of construction;
 - identification of potentially noisy construction phases, such as operation of rockbreakers;
 - explosives or pile drivers, and proposed means to minimise impact on the amenity of neighbouring buildings;
 - spread of pathogens which may include noxious weeds such as Texas needle grass;
 - control of dust and emissions during working hours;
 - construction parking;
 - proposed screening of the site and vehicular access points during work; and

- procedures for washing down vehicles, to prevent soil and debris being carried onto the street.

8. ENG A5 – SEALED CAR PARKING.
9. ENG M1 – DESIGNS DA.
10. ENG S1 – INFRASTRUCTURE REPAIR.
11. ENG S3A – WATER SENSITIVE URBAN DESIGN PRINCIPLES – PART 5.
12. The footpath connection between the carpark and the multi-use path on Pass Road must be designed and constructed at a minimum width of 2.5m to the satisfaction of Council's Group Manager Engineering Services.
13. Noise emissions measured at the boundary of a residential zone must not exceed the following:
 - (a) 55dB(A) (LAeq) between the hours of 7.00am to 7.00pm;
 - (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00pm to 7.00am;
 - (c) 65dB(A) (LAm_{ax}) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15-minute time interval.

A report from a suitably qualified person verifying the noise levels do not exceed this requirement must be submitted to Council within 30 days of the commencement of the use and 12 months thereafter. Should levels exceed this requirement, suitable mitigation must be undertaken to the satisfaction of Council's Senior Environmental Health Officer.

14. Commercial vehicle movements, (including loading and unloading and garbage removal) to or from the Restaurant must be within the hours of:
 - (a) 6.00am to 10.00pm Mondays to Saturdays inclusive; and
 - (b) 7.00am to 9.00pm Sundays and public holidays.
15. LAND 1A – LANDSCAPE PLAN.
16. LAND 3 – LANDSCAPE BOND (COMMERCIAL).

17. Public art works valued not less than \$20,000 must be provided in a form and location in accordance with Council's documented guidelines, procedure and criteria to the satisfaction of Council's Manager City Planning. The form and location must be agreed prior to the issue of a Building Permit and installation of the art works must occur prior to the commencement of any uses hereby approved.
 18. The development must meet all required Conditions of Approval specified by TasWater notice dated 27 November 2020 (TWDA 2020-01962-CCC).
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

ASSOCIATED REPORT

1. BACKGROUND

Planning approval D-2016/417 for a neighbourhood shopping centre was granted on 21 November 2016. The approved proposal is for a Neighbourhood Centre (described by the applicant as Glebe Hill Village), parking, landscape planting, loading areas and signage at 30 Pass Road, Howrah. The approved proposal comprises:

- Supermarket (General Retail and Hire) – 3,545m² (excludes plant located on a mezzanine floor/roof space);
- Retail outlets (General Retail and Hire) – 980m²;
- Food outlets (Food Services) – 835m²;
- Bottle Shop (Hotel Industry) – 161m²;
- Bank (Business and Professional Services) – 172m²; and
- Mall circulation, inclusive of kiosks and amenities/storage areas (General Retail and Hire) – 1047m².

A minor amendment for the application was approved on 8 February 2017, which provided greater operational flexibility for tenancy changes within the approved land uses.

A minor amendment for the application was approved on 19 June 2020, to increase the number of constructed car parking spaces from 300 spaces to 314 spaces, and associated reconfiguration of pedestrian walkways; and for a reduction in the retail footprint from 6501m² to 6330m².

An extension to the planning permit was granted on 14 July 2020, which now has an expiry date of 21 November 2022.

A further minor amendment for the application was approved on 8 December 2020 for modifications to the existing car parking layout in anticipation of the McDonald's Restaurant on the site (which is the subject of this report).

2. STATUTORY IMPLICATIONS

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

2.2. The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme. It is also a Discretionary use under sF13.6.1 of the Scheme and a subdivision (a lease of a term exceeding 10 years) in accordance with s80 of Local Government (Building and Miscellaneous Provisions) Act 1993.

2.3. The relevant parts of the Planning Scheme are:

- Section 8.10 – Determining Applications;
- Section 21.0 – General Business Zone;
- Section E5.0 – Road and Railway Assets Code;
- Section E6.0 – Parking and Access Code;
- Section E7.0 – Stormwater Management Code;
- Section E17.0 – Signs Code;
- Section E24.0 – Public Art Code; and
- Section F13.0 – Glebe Hill Neighbourhood Centre Specific Area Plan.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site is part of Certificate of Title 167648/802, the subdivision of which was approved by Council on 23 May 2016. The proposed development relates to Lot 700 of the approved subdivision, which will have an area of 2.35ha with frontage to both South Arm Highway and Pass Road.

The land slopes gradually down from the south to the north-eastern corner of the site, is clear of significant vegetation and is fully serviced.

3.2. The Proposal

The proposal is for a McDonalds takeaway and restaurant in proximity to the north-east corner of the above site (adjacent to Pass Road and a new road currently under construction).

The development comprises the following elements:

- McDonald's building structure 427m² area with height of 6m;
- two parallel drive-through lanes with associated "car queuing" capacity;
- seven on-site car parking spaces (which includes 4 x car parking spaces, 1 x disabled space and 2 x drive-through waiting bays) and 1 motorcycle space;
- reduction of Glebe Hill Village carpark from 314 to 262 spaces; and
- operate 24 hours per day, 7 days per week consistent with the approved supermarket.

The application is supported by architectural drawings, an Urban Design Context Report, a Traffic Impact Assessment, a Stormwater Management Plan as well as an Environmental Noise Assessment.

The proposal includes two new signs and modification to one approved sign.

The Shopping Centre Entry Signage Sign S13B and the McDonald's Signage A are proposed facing parallel to Pass Road and are 14m in height. The applicant notes that the Shopping Centre Entry Sign associated with the original approval for the Glebe Hill Village is approved at 12m in height. An increase of 2m to 14m is proposed along with the McDonald's Sign. This increase in height is sought to improve view lines from Rokeby Road due to the topographic constraints associated with the site, with the finished height above Rokeby Road being less than 8.5m. These constraints are visually depicted in plan 22/44 Signage Sight Line Sections.

A further new sign (s13A), which is 8.5m in height, is proposed at the junction of the slip road with the South Arm Highway (Rokeby Road). This new sign is positioned to face parallel to the South Arm Highway and is at the same height as the adjacent approved shopping centre sign in this location. The purpose of this sign is to provide identification for the future businesses to be located on Lots 701-706 of the approved plan of subdivision (SD-2016/12). A parallel proposal for a McDonald's sign in this location has been abandoned by the applicant (in writing) after discussions with the subdivider and Council officers, in order to reduce visual clutter and achieve compliance with the Scheme. Therefore, the McDonald's sign S13A on drawing number A805B no longer forms part of this proposal. McDonalds signage will be included within the previously approved sign for the shopping centre (refer to BDA drawing 33/59).

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 Food services associated with a supermarket is a Discretionary use in accordance with the Glebe Hill Neighbourhood Centre Specific Area Plan.

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Business Zone and Road and Railway Assets Code, Parking and Access Code, Stormwater Management Code, Signs Code, Public Art Code and Glebe Hill Neighbourhood Centre Specific Area Plan with the exception of the following.

General Business Zone

- **Clause 21.3.1 A1 (Hours of operation)** – the restaurant and take-away are located within 50m of residential zoned land and are proposed to operate 24 hours a day/7 days a week.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.3.1 as follows.

Clause	Performance Criteria	Assessment
21.3.1 P1	<i>“Hours of operation of a use within 50m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone through commercial vehicle movements, noise or other emissions that are unreasonable in their timing, duration or extent.”</i>	<p>The proposed restaurant is located approximately 47m to the boundary of the nearest residential properties along Pass Road and 30m to the boundary of properties adjacent to the new road under construction.</p> <p>Commercial Vehicle Movements: Deliveries to the site are proposed to be restricted to 7.00am to 9.00pm and therefore considered to be reasonable. A condition requiring adherence to these hours is proposed.</p> <p>Noise: The entrance to the restaurant is located to the south of the building and in the opposite direction of the nearest residential properties.</p>

		<p>An acoustic fence is proposed along the northern and part of the western boundaries. The proposed 2.2m high acoustic fence stops just before the drive thru speaker location, and sound emitted from these speakers will travel in a westerly direction across the driveway servicing the restaurant, the shopping centre carpark and finally the medical centre before it reaches any residences. As such, unreasonable impacts on residential amenity will not occur. The proponent's acoustic engineers conclude that the extension of the acoustic fencing beyond that shown is not warranted and would present a safety in design issue creating potential for people to loiter or hide.</p> <p>It should be further noted that the proponent's noise assessment demonstrates compliance with Cl.21.3.2(A1) which provides standards for noise emissions measured at the boundary of a residential zone. Notwithstanding, the predictive nature of the assessment warrants a condition of approval requiring a report demonstrating compliance is practically achieved once the use commences.</p> <p>Other Emissions: While the types of emission are not specified, it is reasonable to assume that food and preparation odour may be considered. The proponent notes that it is not possible to accurately test for odour emission, there is not a standard and therefore it is very subjective.</p>
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		<p>The proponent asserts that the exhaust systems that McDonald's utilises are some of the best in the industry and are installed to meet or exceed all relevant Australian Standards.</p> <p>McDonald's Mechanical Services Master Specification of 2020 notes that special kitchen exhaust fans have been developed for McDonald's incorporating an adjustable relief air damper for the adjustment of exhaust air flow rates and a grease/water separator which plumbs water away from the unit while retaining the oil in a reservoir for later removal. The exhausts are GE Fantech CGD354M-MM which have an exhaust flow rate of at least 430 litres per second.</p> <p>The potential for light emissions are considered in the use standard below.</p>
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General Business Zone

- **Clause 21.3.3 A1 (External lighting)** – external lighting is proposed within 50m of residential zoned land to the north of the subject site. The external lighting would operate during the night and would be located on the drive through awnings.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.3.3 as follows.

Clause	Performance Criteria	Assessment
21.3.3 P1	<i>“External lighting within 50m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to all of the following:</i>	A Lighting Plan which identifies all the external lights on the McDonald’s facility has been submitted with the development application demonstrating that, apart from some downlights on the drive thru awnings, there are no external facing lights on any of the McDonald’s façade (only their illuminated signage which is shown on the façade elevations). As such the low intensity of the lighting will not adversely affect the amenity of the adjoining residential areas.
	(a) level of illumination and duration of lighting;	The documentation demonstrates that the northern elevation comprises only downlights on the drive thru awning and a single sign and includes an acoustic fence which also acts as a light barrier preventing headlights and building lights shining in the direction of residences. It is considered that amenity is not unreasonably impacted.
	(b) distance to habitable rooms in an adjacent dwelling.”	The nearest habitable room is approximately 35m away from the proposed restaurant. The road currently under construction, which separates the houses from McDonald’s, will have street lighting and tree planting which will baffle light emission from the site. It is considered that amenity is not unreasonably impacted.

General Business Zone

- **Clause 21.4.1 A1 (Building height)** – the proposed illuminated shopping centre entry and McDonalds signs have a maximum height of 14m.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.4.1 as follows.

Clause	Performance Criteria	Assessment
21.4.1 P1	<i>“Building height must satisfy all of the following:</i>	
	<i>(a) be consistent with any Desired Future Character Statements provided for the area;</i>	The Desired Future Character Statement for Glebe Hill requires retention of a domestic form, with low line roof structures and signage, so that it remains unobtrusive on the visual outlook of the surrounding residential areas. The 14m pole signs are in proximity to the junction of Rokeby Road (South Arm Highway) and Pass Road. Due to a significant change in topography, the signs are justified as the actual height above the carriageway is modest.
	<i>(b) be compatible with the scale of nearby buildings;</i>	There are no existing nearby buildings.
	<i>(c) not unreasonably overshadow adjacent public space;</i>	The signs, by their nature, will not unreasonably overshadow the road reserve.
	<i>(d) allow for a transition in height between adjoining buildings, where appropriate;”</i>	There are no adjoining buildings.

General Business Zone

- **Clause 21.4.5 A1 (Landscaping)** – the proposed building does not extend across the width of the frontage and is setback greater than 1m.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.4.5 as follows.

Clause	Performance Criteria	Assessment
21.4.5 P1	<i>“Landscaping must be provided to satisfy all of the following:</i>	
	<i>(a) enhance the appearance of the development;</i>	Conceptual landscape designs and cross section have been submitted that there is both sufficient width and opportunity to provide a detailed landscaping design which enhances the development. It is recommended that a condition be included which requires the approval of a detailed landscaping design.
	<i>(b) provide a range of plant height and forms to create diversity, interest and amenity;</i>	Sufficient information has been provided which demonstrates that there is a range of plant height and forms to create diversity, interest, and amenity.
	<i>(c) not create concealed entrapment spaces;</i>	The block wall proposed will not create entrapment spaces.
	<i>(d) be consistent with any Desired Future Character Statements provided for the area.”</i>	The Desired Future Character Statement for Glebe Hill requires that a domestic form is retained with low line roof structures and signage, so that it remains unobtrusive on the visual outlook of the surrounding residential areas. The landscaping is considered to be harmonious with the general area.

General Business Zone

- **Clause 21.4.7 A1 (Fencing)** – the proposed acoustic fence is located within 4.5m of the front boundary.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause 21.4.7 as follows.

Clause	Performance Criteria	Assessment
21.4.7 P1	<i>“Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a site, having regard to all of the following:</i>	The acoustic fence will positively contribute to the streetscape and will not denigrate residential amenity for the following reasons:
	<i>(a) the height of the fence;</i>	The height of the acoustic fence is between 1.9m and 2.1m. The fence would be partially obscured from view by the proposed landscaping.
	<i>(b) the degree of transparency of the fence;</i>	Being an acoustic fence, the structure is purposefully solid and sits above a retaining wall.
	<i>(c) the location and extent of the fence;</i>	The fence is setback from the site boundary and extends only as far as required to attenuate noise.
	<i>(d) the design of the fence;</i>	The design of the fence is to facilitate its purpose. Notwithstanding, the proposed landscaping will soften its impact.
	<i>(e) the fence materials and construction;</i>	The fence is proposed to be constructed of lapped and capped timber.
	<i>(f) the nature of the use;</i>	The proposed use requires the fence to protect the amenity of nearby residential properties.
	<i>(g) the characteristics of the site, the streetscape and the locality, including fences;</i>	The streetscape is that of an emerging commercial neighbourhood precinct adjacent to residences. As such, it is considered appropriate in terms of the emerging land uses.
	<i>(h) any Desired Future Character Statements provided for the area.”</i>	While servicing a commercial function, the fence and proposed landscaping is considered to respect the residential amenity of the area.

General Business Zone

- Clause 21.5.1 A4 (Subdivision)**

There is no acceptable solution and therefore the subdivision (lease) must be considered pursuant to the Performance Criteria (P4) of Clause 21.5.1 as follows.

Clause	Performance Criteria	Assessment
21.5.1 P4	<i>“The arrangement of roads within a subdivision must satisfy all of the following:</i>	complies
	<i>(a) the subdivision will not compromise appropriate and reasonable future subdivision of the entirety of the parent lot;</i>	There is no further subdivision envisaged for this lot.
	<i>(b) accords with any relevant road network plan adopted by the Planning Authority;</i>	The proposal does not constrain the road network.
	<i>(c) facilitates the subdivision of neighbouring land with subdivision potential through the provision of connector roads, where appropriate, to the common boundary;</i>	There is no further subdivision envisaged for this lot.
	<i>(d) provides for acceptable levels of access, safety, convenience and legibility through a consistent road function hierarchy.”</i>	The site is capable of meeting traffic requirements whether a lease is created or not.

General Business Zone

- Clause 21.5.1 A4 (Subdivision)**

There is no acceptable solution and therefore the subdivision (lease) must be considered pursuant to the Performance Criteria (P4) of Clause 21.5.1 as follows.

Clause	Performance Criteria	Assessment
21.5.1 P6	<i>“Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.”</i>	The proposal is for a subdivision (a lease of a term exceeding 10 years) in accordance with s80 of the Local Government (Building and Miscellaneous Provisions) Act 1993. Council’s Public Open Space Policy is clearly concerned with the creation of freehold titles and therefore is not applicable in this circumstance.

Glebe Hill Neighbourhood Specific Area Plan

- **Clause F13.7.1 A1 (External finishes)** – given there is no acceptable solution, consideration is required against the corresponding performance criteria.

The proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause F13.7.1 as follows.

Clause	Performance Criteria	Assessment
F13.7.1 P1	<i>“(a) external finishes of buildings (walls, roofing and windows) are to be compatible with existing residential development within the vicinity;</i>	The external finishes of the buildings are considered to be compatible with the surrounding residential development and include a mix of cladding in light oak colour and corrugated steel in a woodland grey colour.
	<i>(b) walls constructed of face brick, rendered masonry or similar, should borrow texture and colours from existing residential development in the vicinity;</i>	Not applicable – these materials are not proposed.

	<p>(c) <i>tilt-up concrete slabs and similar large scale wall construction should include sufficient detail and relief to enable a scale of structure that is compatible with residential development in the vicinity;</i></p>	<p>Not applicable – these materials are not proposed.</p>
	<p>(d) <i>to provide for domestic scale elements within its residential setting, roof form should:</i></p> <p>(i) <i>be low pitched gable, hipped, skillion or a combination of such forms; and</i></p> <p>(ii) <i>large expanses of planar roof forms in view from adjacent residential areas must be mitigated through suitable architectural design and building elements, building orientation, and/or landscaping.</i></p>	<p>The roof is low pitched skillion, hidden from view by parapet walls.</p>
	<p><i>Roof top infrastructure is to be suitably screened, details of which are to be included on the relevant elevations.”</i></p>	<p>Roof top infrastructure is hidden from view by parapet walls.</p>

Glebe Hill Neighbourhood Specific Area Plan

- **Clause F13.7.2 A3 (Siting and scale – Building height)** – The height of the proposed McDonald’s building is 6.1m. The Shopping Centre Entry Signage Sign A1 and the associated McDonald’s Signage Sign S13B are located parallel to Pass Road and are 14m in height. As such, these signs are assessed against the performance criteria to meet the applicable standard.

The proposed variation must be considered pursuant to the Performance Criteria (P3) of Clause F13.7.2 as follows.

Clause	Performance Criteria	Assessment
F13.7.2 P3	<i>“Building height must satisfy all of the following:</i>	
	<i>(a) is consistent with the purpose and objectives of this Specific Area Plan;</i>	The relevant purpose of the GHNSAP is to provide for a Neighbourhood Centre that is of a scale consistent with surrounding residential development that does not adversely impact the visual and general amenity. The relevant objective is to ensure the commercial development complements its domestic setting. The proposed height of the 14m signs is required to improve view lines from Rokeby Road due to the topographic constraints associated with the site, with the finished height above Rokeby Road being less than 8.5m. As such, the scale and impact on residential amenity is considered to be acceptable.
	<i>(b) is consistent with any Desired Future Character Statements for the area;</i>	There are no Desired Future Character Statements for the area.
	<i>(c) is compatible with the scale of adjoining residential development within proximity to the site;</i>	For the reasons given at [(a) – above], the proposal is considered to be compatible.

	(d) <i>does not unreasonably overshadow public spaces; and</i>	The signs will not unreasonably overshadow the road reserve.
	(e) <i>provides for a transition in height between adjoining buildings, where appropriate.”</i>	There are no adjoining buildings.

Road and Railway Assets Code

- Clause E5.5.1 A3 (Existing accesses and junctions)**

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

The site will be accessed from a new subdivision road which is currently under construction and still forms part of 30 Pass Road (the application site). As such, the access could be deemed to be directly onto Pass Road. Notwithstanding, the proposed variation is considered pursuant to the Performance Criteria (P3) of Clause E5.5.1 for both the new road under construction and Pass Road as follows.

Clause	Performance Criteria	Assessment
E5.5.1 P3	<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>	complies
	(a) <i>the increase in traffic caused by the use;</i>	The applicant’s TIA calculates traffic generation at the access associated with the development is 136 vehicles per hour during the evening peak. This is 80% of the peak generation of 170 vehicles per hour (noting the balance of 20% will utilise other accesses to the shopping centre site).

		The new subdivision road has been designed to accommodate this amount of traffic both from Pass Road and to the development site (when that lot is created).
	(b) <i>the nature of the traffic generated by the use;</i>	The traffic generated will be predominantly private car which can be accommodated by the accesses.
	(c) <i>the nature and efficiency of the access or the junction;</i>	The accesses associated with the site have been designed to accommodate the traffic generation of the approved shopping centre. The northern access can accommodate the traffic generation of the development and maintain a high level of efficiency. The applicant notes that if excessive delays occur at the northern access for whatever reason, the alternative access of the two roundabouts on the western side of the site provide a high level of efficiency
	(d) <i>the nature and category of the road;</i>	The new subdivision road will be a high standard road that will provide access to a relatively large residential catchment as well as the Glebe Hill Village. It has the capacity to cater for the traffic generated by the proposed development.
	(e) <i>the speed limit and traffic flow of the road;</i>	The urban speed limit of 50-km/h will be applied to the new subdivision road. Traffic volumes are estimated to be in the order of 5,000 vehicles per day. This is compatible with the access arrangements and estimated traffic generation associated with the proposed development.
	(f) <i>any alternative access to a road;</i>	Access is available to the north or at the western boundary of the site, via a roundabout that provides a key access to the shopping centre. Both accesses will be utilised by traffic generated by the development.

	(g) <i>the need for the use;</i>	The use is permissible in the zone and indicated by the Special Area Plan.
	(h) <i>any traffic impact assessment; and</i>	A TIA was submitted by the applicant and accepted by Council's Development Engineer.
	(i) <i>any written advice received from the road authority."</i>	Council, as road authority, has not provided written advice.

Parking and Access Code

- **Clause E6.6.1 A1 (Number of car parking spaces)**

The previously approved shopping centre provided a total of 314 car parking spaces (this parking provision was a surplus of 89 spaces). The total number of car parks now proposed is 262 spaces. The reduction of spaces as a result of the restaurant footprint maintains compliance with Acceptable Solution A1 of Clause E6.6.1 of the Scheme for the shopping centre.

The parking requirements for the proposed development are set out in Table E6.1 of the Scheme which requires 15 spaces for each 100m² of floor area as well as queuing for 5 to 12 cars within the drive-through facility. This is a requirement for 64 spaces as well as drive-through queuing for 5 to 12 cars.

The total requirement for the shopping centre and the restaurant is 289 spaces and creates a deficit of 27 spaces under the Scheme which does not satisfy the requirements of Acceptable Solution A1 of Clause E6.6.1.

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

Clause	Performance Criteria	Assessment
E6.6.1 P1	<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>	complies

	(a) <i>car parking demand;</i>	The applicant's TIA calculates the overall peak parking demand associated with the shopping centre is likely to be 255 spaces. The total parking provision of 262 spaces exceeds this amount and therefore the site as a whole has sufficient parking supply to cater for demands.
	(b) <i>the availability of on-street and public car parking in the locality;</i>	The availability of on-street parking in the locality is limited given the residential nature of the area and narrow road widths. Notwithstanding, it is considered that there is sufficient on-site car parking available.
	(c) <i>the availability and frequency of public transport within a 400m walking distance of the site;</i>	The site is serviced by regular public transport.
	(d) <i>the availability and likely use of other modes of transport;</i>	The surrounding road network caters for the safe and efficient movement of pedestrians and cyclists. Given the residential nature of the locality it is likely that the surrounding residential catchment will utilise these modes to some extent.
	(e) <i>the availability and suitability of alternative arrangements for car parking provision;</i>	not applicable
	(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>	Shopping centres operate with strong linkages to shared parking where customers may visit multiple sites within the Centre in one parking trip. It is considered likely with the proposed development, where customers may purchase food as well as other goods from shops within the facility.

	(g) <i>any car parking deficiency or surplus associated with the existing use of the land;</i>	not applicable
	(h) <i>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>	not applicable
	(i) <i>the appropriateness of a financial contribution in-lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;</i>	not applicable
	(j) <i>any verified prior payment of a financial contribution in-lieu of parking for the land;</i>	not applicable
	(k) <i>any relevant parking plan for the area adopted by Council;</i>	not applicable
	(l) <i>the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;</i>	not applicable

Signs Code

- Clause E17.7.1 A1 (Standards for signs)**

The signage is Permitted under E17.3 but exceeds the standards for a Pole or Pylon Sign in Table 17.2. Therefore, the proposed variation must be considered pursuant to the Performance Criteria (P1) of Clause E17.7.1 as follows.

Clause	Performance Criteria	Assessment
E17.7.1 P1	<i>“A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:</i>	complies
	<i>(a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;</i>	The applicant notes that the design and siting of the signage is required to inform the public of the restaurant and shopping centre. The height of the proposed signage is considered to be reasonable and required due to the topographic constraints of the site, as Rokeby Road is considerably higher in elevation than the site. The signage does not overshadow the road reserve or compromise residential amenity. As such, the signage does not dominate the streetscape.
	<i>(b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;</i>	As discussed above, the height of the proposed signage is required due to the topographic constraints and will therefore not dominate the streetscape.
	<i>(c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;</i>	The proposed materials and construction of the signage is low maintenance and will be in the commercial interest of the operator to present well to patrons.
	<i>(d) not result in loss of amenity to neighbouring properties;</i>	Neighbouring properties are located some distance away, which will not denigrate amenity.

	(e) <i>not involve the repetition of messages or information on the same street frontage;</i>	The proposed shopping centre and restaurant signs are grouped a considerable distance apart and will not create repetition.
	(f) <i>not contribute to or exacerbate visual clutter;</i>	The separation distance of the signage will ensure that there is no visual clutter.
	(g) <i>not cause a safety hazard.”</i>	DSG and Council, as the responsible road authorities, have not raised this as an issue of concern.

5. REPRESENTATION ISSUES

The proposal was advertised in accordance with statutory requirements and 30 representations were received within the statutory timeframe and one representation was received outside of the statutory timeframe. The following issues were raised by the representors.

5.1. Hours of Operation

The representors are concerned about the impact of 24 hour operation on residential amenity in terms of noise, anti-social behaviour and traffic movements. Many of the representors have suggested the hours of operation be reduced to daytime and evening only.

- **Comment**

The proposal meets the requirements of the Scheme in relation to hours of operation, as articulated by Clause 21.3.1 (P1) of the Scheme and addressed above. It is considered that the proposal to incorporate acoustic barriers will mitigate risks associated with noise impacts to adjacent residential development to the north of the development site. This issue is therefore not of determining weight.

Notwithstanding, the proponent has put forward a range of operational features for the shopping centre and restaurant that could form the basis of a Security and Operational Management Plan to be approved by Council and subject to annual review.

The plan would set out the management aspects proposed such as security patrols, operation of CCTV and vehicle licence plate recognition, duress alarm buttons in toilets, location and servicing of rubbish receptacles and the like. While such a plan may deal with some issues which are normally considered outside the remit of land use planning, it is acknowledged that the 24 hour operation of the restaurant warrants such consideration and there is a clear nexus with the operation of the use and the Scheme standard. It is recommended that the Security and Operational Management Plan be a condition of approval.

5.2. Traffic and Access Impacts

Many representors have suggested alternative access (exit) be provided from the site from South Arm Road as opposed to Pass Road and residential streets to reduce noise and traffic congestion on the Glebe Hill residential streets.

- **Comment**

Council's Engineers are satisfied that there is capacity in the approved road network to absorb and cater for the additional traffic likely as a result of the proposal without compromise to efficiency and the subdivision has been designed to accommodate such volumes. The proposal satisfies the relevant standards of the Scheme in relation to the Road and Railway Assets and Parking and Access Codes, addressed above. Council's Engineers are satisfied that the available sight distances for vehicles entering the site from the access road are adequate for the proposed development, and that the available sight distances comply with the minimum sight distance requirements of the Australian Standards as required by Acceptable Solution E6.7.2 (A1) of the Parking and Access Code which provides for safe intersection sight distances for accesses.

The proposal is compliant with Clause E5.5.1 (P3) of the Road and Railway Assets Code in relation to the likely increase in vehicular movements for the reasons discussed above.

The development provides for on-site parking in compliance with Clause E6.6.1 (P1). Council's Engineers are satisfied that there would be no demand for additional on-street parking given the location of the site. The impact on traffic flows associated with the Pass Road corridor would therefore be minimal.

A number of conditions have been included in the recommended conditions to reflect the engineering requirements associated with the proposal.

5.3. Location of Development

Concern has been raised that the development is not suitable for a residential area and should be relocated to a commercial area to reduce impacts upon neighbouring residential amenity. The representors suggest the development be relocated within other parts of the site that are further away from residential properties.

- **Comment**

The proposed development is defined as being within the Food Services Use Class under the Scheme, which is a permissible use within the Glebe Hill Neighbourhood Centre Specific Area Plan on the site. Through the rezoning process, the local community has been made aware of such development. The proposal satisfies the use and development standards relevant to both the Specific Area Plan and General Business Zone, as discussed above, which include considerations associated with proximity to residential land use. This issue is therefore not of determining weight.

5.4. Noise Impact

The representors have suggested the installation of a noise barrier wall along the boundary of the new service road with residential properties to reduce noise and light emission impacts.

- **Comment**

Acoustic barriers are proposed as part of the development, to mitigate possible noise impacts associated with the proposal. The barriers would range in height from 1.9m to 2.2m and would be located along the northern boundary of the development site, where facing the internal access road and for part of the western boundary where facing the internal carpark associated with the site. The construction materials are described above, and Council's Environmental Health Officers are satisfied that the design of the barriers are an appropriate response to mitigation of risk associated with noise. Due to the predictive nature of the Scheme noise standard, it is recommended that a condition of approval require noise monitoring on commencement of the use to ensure that compliance with the acceptable solution is achieved. Should this not be the case, the proponent must undertake further mitigation to achieve compliance.

5.5. Anti-social Behaviour

The representors are concerned the proposal will increase the potential for anti-social behaviour including littering, graffiti, drug trafficking and vandalism. Concerns surrounding pedestrian safety are also raised.

- **Comment**

The behaviour of future customers or others that might be attracted by the development is not a relevant consideration under the Scheme, and therefore of no relevance to the determination of this application. Notwithstanding, the proponent has proposed a Security and Operational Management Plan which would address some of these concerns.

In relation to pedestrian safety more broadly, Council's Engineers are satisfied that there is capacity within the existing/approved road layout to cater for the proposed development. Sight distances comply with the relevant Australian Standards, and as such the safety of pedestrians utilising footpaths in the vicinity of the site would not be compromised. This issue is therefore not of determining weight.

5.6. Policing Pressure

The representors are concerned the proposal will place increased pressure on policing resources to manage anti-social behaviour associated with night time operating hours.

- **Comment**

The capacity of law enforcement to manage possible anti-social behaviour associated with the proposed development is not a relevant consideration under the Scheme, and therefore not of determining weight.

5.7. Loss of Privacy

The representors are concerned the new service road will impact upon the privacy of the backyards of adjoining residential properties within Hance Road and Wise Circle due to its elevated design.

- **Comment**

The service road referred to by the representations was approved under SD-2016/12 in May 2016, as part of an application for a 6 lot subdivision of the parent lot, 30 Pass Road. Considerations associated with privacy created by the approved road are not relevant considerations under the Scheme, and therefore of no relevance to this assessment.

5.8. Structural Integrity of Road Design

Concern has been raised in relation to the structural integrity of the proposed raised service road and impact it may have on boundary fencing associated with properties along Wise Circle and Hance Road.

- **Comment**

The subdivision permit granted for SD-2016/12 incorporated conditions requiring engineering designs for the approved service road. These plans were provided and approved, and construction of the road is underway. Council's Engineers are satisfied that the road will be constructed in accordance with the approved engineering plans.

It is the responsibility of the developer to ensure that there is no impact on the adjacent properties during the construction. This issue is therefore not of determining weight.

5.9. Landscaping

Suggestion has been made for screening plants to be included along the boundary with residential properties to protect the privacy of the backyards to these properties.

- **Comment**

The proposal incorporates the provision of landscaping and meets the test of Clause F13.7.1 (A2) in relation to design. The submitted landscaping plan shows use of a combination of species and would satisfactorily screen residential development along Pass Road and the service road. Conditions associated with landscaping are included in the recommended conditions to manage the development and bonding of landscaping, required to comply with the above-mentioned clause.

5.10. Littering

Concern has been raised in relation to the impact of litter generation with a request for litter patrol within the area to be extended to include the area surrounding the bus stop and the fence associated with the Glebe Hill Medical Centre. A suggestion has also been made to install bins between the McDonalds and the bus stop with a frequent emptying schedule to minimise litter dissemination to the local community.

- **Comment**

Management of litter is a matter for the developers and future operators of both the proposed development, and the shopping centre as a whole. The waste management strategy for the proponent is included in the attachments and details the Australia-wide waste management approach for the proposed tenant. Management of litter is not, however, a matter relevant under the Scheme and is therefore not of determining weight. Notwithstanding this, the proposed Security and Operational Management Plan would go some way to addressing this issue on-site.

5.11. Impact Upon Nearby Medical Centre

Concern has been raised in relation to the proposed extended operating hours upon the security and general amenity of the Glebe Hill Medical Centre. Suggestion for shorter operating hours and more frequent security patrols to assist in lessening the likely impact on the medical centre.

- **Comment**

The proposed development satisfies the use and development standards for both the Glebe Hill Neighbourhood Centre Specific Area Plan and the General Business Zone in relation to the proposed use, and those relevant development standards which include consideration of impacts upon amenity. The impact of the proposed use upon security for the nearby medical centre is not a relevant consideration under the Scheme and is therefore not of determining weight.

5.12. External Lighting Impacts

Concern has been raised in relation to the impact of the proposed external lighting upon nearby properties in particular the proposed 'M' sign.

- **Comment**

A lighting plan was provided as part of the application to detail the proposed site lighting, and illumination of signage associated with the proposal. The proposal meets the requirements relevant at Clauses 21.3.3 (A1/P1) and E17.6.1 (A4) in relation to external lighting and lighting of signage. Associated conditions have been included in relation to the management of lighting associated with the proposal in the recommended conditions. This issue is therefore considered not to be of determining weight.

5.13. Odour Management

Concern has been raised in relation to the impact of restaurant odour emissions upon nearby residential properties and how such impacts are intended to be managed.

- **Comment**

The applicant submits that the proposal would incorporate use of specialised kitchen extraction fans combined with a grease/water separator, which has been specifically designed to manage impacts associated with odour from cooking.

The issues regarding odour have been addressed in the assessment and should there be issues arising these are appropriately addressed by Council's Environmental Health Officers under the relevant provisions of the *Environmental Management and Pollution Control Act 1994* as part of the operation of the site.

5.14. Community Health

Concern has been raised in relation to the impact of the introduction of a fast food outlet upon the health and wellbeing of the community and the approval will place increased pressure on government health care services.

- **Comment**

The proposed development is a permissible use, being within the Food Services Use Class, within the Glebe Hill Neighbourhood Centre Specific Area Plan for the site. The nature of the specific provider and associated impacts upon community health is not a consideration relevant under the Scheme.

5.15. Delivery Vehicle Arrangements

Concern has been raised in relation to the proposal for delivery vehicles to travel the entire carpark and intersect three crossings on the inbound entry to the site. The concern relates to customer and pedestrian safety. Suggestion for consideration of a separate commercial delivery access.

- **Comment**

Council's Engineers are satisfied that there is capacity in the approved road network to provide for the proposal without compromise to the efficiency of the road network. Council's Engineers are additionally satisfied that the delivery movements of heavy vehicles can be accommodated within the boundaries of the site without compromise to safety, of either other vehicles or pedestrian movements. This issue is therefore not of determining weight.

5.16. Support

Five representors expressed support for the proposal.

- **Comment**

The support is noted.

6. EXTERNAL REFERRALS

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

The application was referred to the Department of State Growth (DSG) which advised it did not object to the proposed development on the basis Rokeby Road and the nearest intersection to the development have been upgraded in recent years to cater for the proposed development.

7. STATE POLICIES AND ACT OBJECTIVES

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

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

9. CONCLUSION

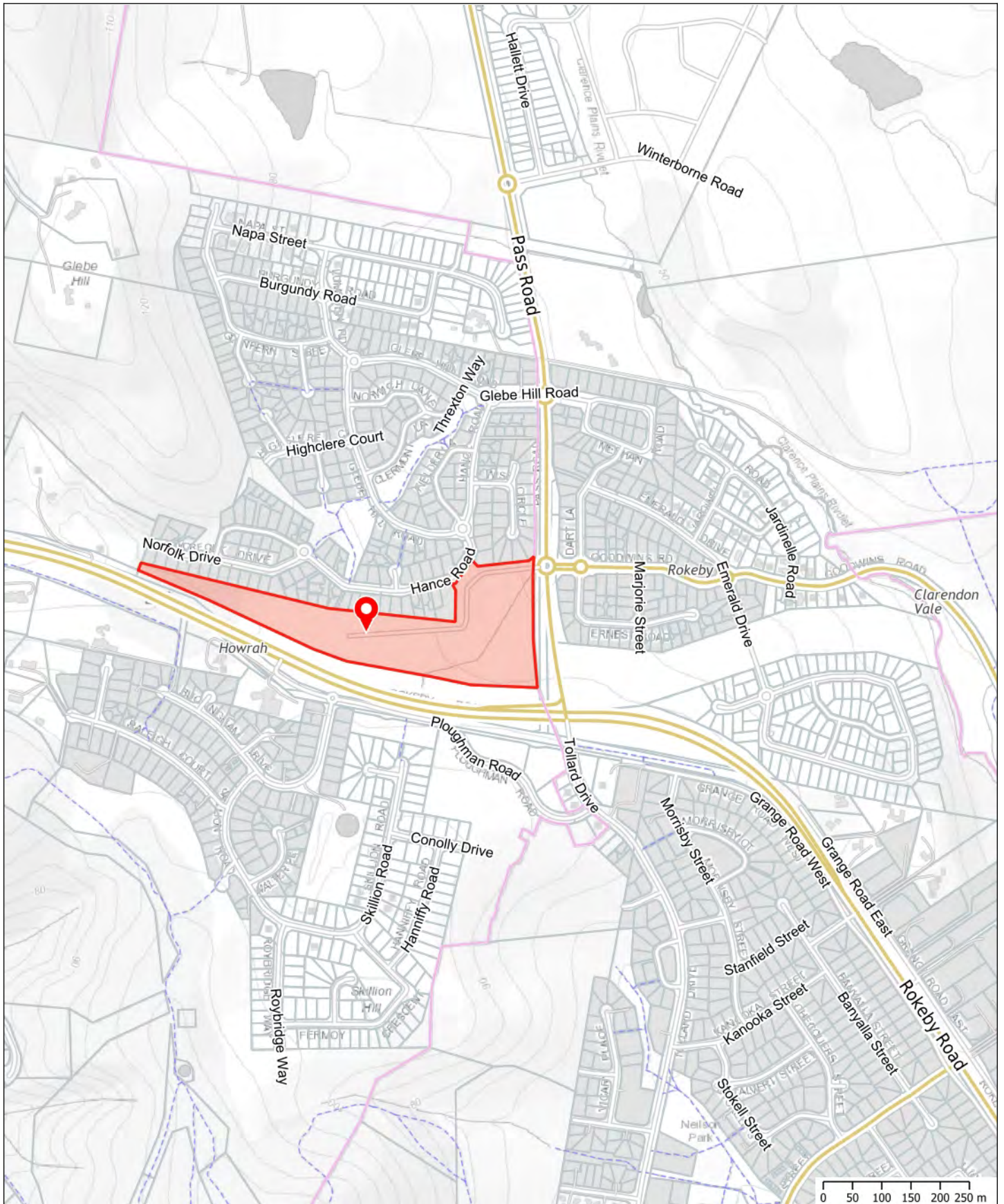
The proposal for a restaurant and takeaway with drive through facility at 30 Pass Road, Howrah is recommended for approval with reasonable and relevant conditions.

Attachments: 1. Location Plan (1)
2. Proposal Plan (68)
3. Site Photo (2)

Ross Lovell
MANAGER CITY PLANNING

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

ATTACHMENT 1



This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.

2/18/2021

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GLEBE HILL VILLAGE

M c D o n a l d s - d e v e l o p m e n t a p p l i c a t i o n

18 December 2020
Issue E
for Tipalea Partners Pty Ltd



APPLICATION DETAILS & CONSULTANTS

- 1.1

APPLICANT:

Tipalea Partners Pty Ltd

Scott Spanton

Ph - (02) 8866 2300
- 1.2

SITE:

Lot 802 Hance Road, Howrah

2.35ha
- 1.3

ARCHITECTS:

BDA Architecture Pty Ltd

Contact: Chris Cumming

Ph - (07) 5555 2600
- 1.4

TOWN PLANNER:

GHD

Contact: Alex Brownlie

Odin Kelly

Ph - (03) 6210 0701
- 1.5

CIVIL ENGINEERING

AD Design + Consulting

Contact: Alan Darwin

Ph - 0419 391 743

Ph - (03) 6144 7652
- 1.6

TRAFFIC

Midson Traffic Pty Ltd

Contact: Keith Midson

Ph - 0437 366 040

- 1.0

URBAN DESIGN & PLANNING CONTEXT

1.1bCONTEXT PLAN

1.2bSURVEY PLAN

1.3bEXISTING SITE ANALYSIS

1.4bEXISTING PHOTOS
- 2.0

ARCHITECTURAL DESIGN INTENT

2.1bMASTER PLAN

2.2cSITE PLAN

2.2dSITE PLAN - APPROVED OVERLAY

2.3bACCESS & MOVEMENT

2.4bGROUND FLOOR PLAN

2.5bROOF PLAN

2.6bCAR PARKING

2.7bPERSPECTIVE VIEW 1

2.8bPERSPECTIVE VIEW 2

2.9bPERSPECTIVE VIEW 3

2.10PERSPECTIVE VIEW 4

2.11BUILDING COLOURS AND MATERIALS

2.12EAST ELEVATION

2.13WEST ELEVATION

2.14NORTH ELEVATION

2.15SOUTH ELEVATION

2.16SECTIONS A + B

2.17SECTION C

2.18STREETSCAPE SECTIONS D & E
- 3.0

PROPOSED SIGNAGE

3.1SIGNAGE SITE PLAN

3.2SIGNAGE DISPLAY AREA OF SIGNAGES

3.3SIGNAGE SIGHT LINES

3.4SIGNAGE PYLONS
- 4.0

LANDSCAPE INTENT

4.1bPROPOSED LANDSCAPE PLAN

4.2bLANDSCAPE PALETTE

4.3bLANDSCAPE SECTIONS
- 5.0

MCDONALDS DRAWINGS

A000COVER PAGE

A041OVERALL SITE PLAN

A062SITE PLAN

AT01-01SWEEP PATH ASSESSMENT

AT01-02SWEEP PATH ASSESSMENT

AT01-03SWEEP PATH ASSESSMENT

AT01-04SWEEP PATH ASSESSMENT

AT01-05SWEEP PATH ASSESSMENT

AT01-06SWEEP PATH ASSESSMENT

A067CAR SWEPT PATH

A068TRUCK SWEPT PATH

A069GARBAGE TRUCK SWEPT PATH

A082COD UNIT DETAILS

A101PROPOSED FLOOR PLAN

A201FRONT & SIDE BUILDING ELEVATIONS

A202DRIVE THRU & REAR ELEVATIONS

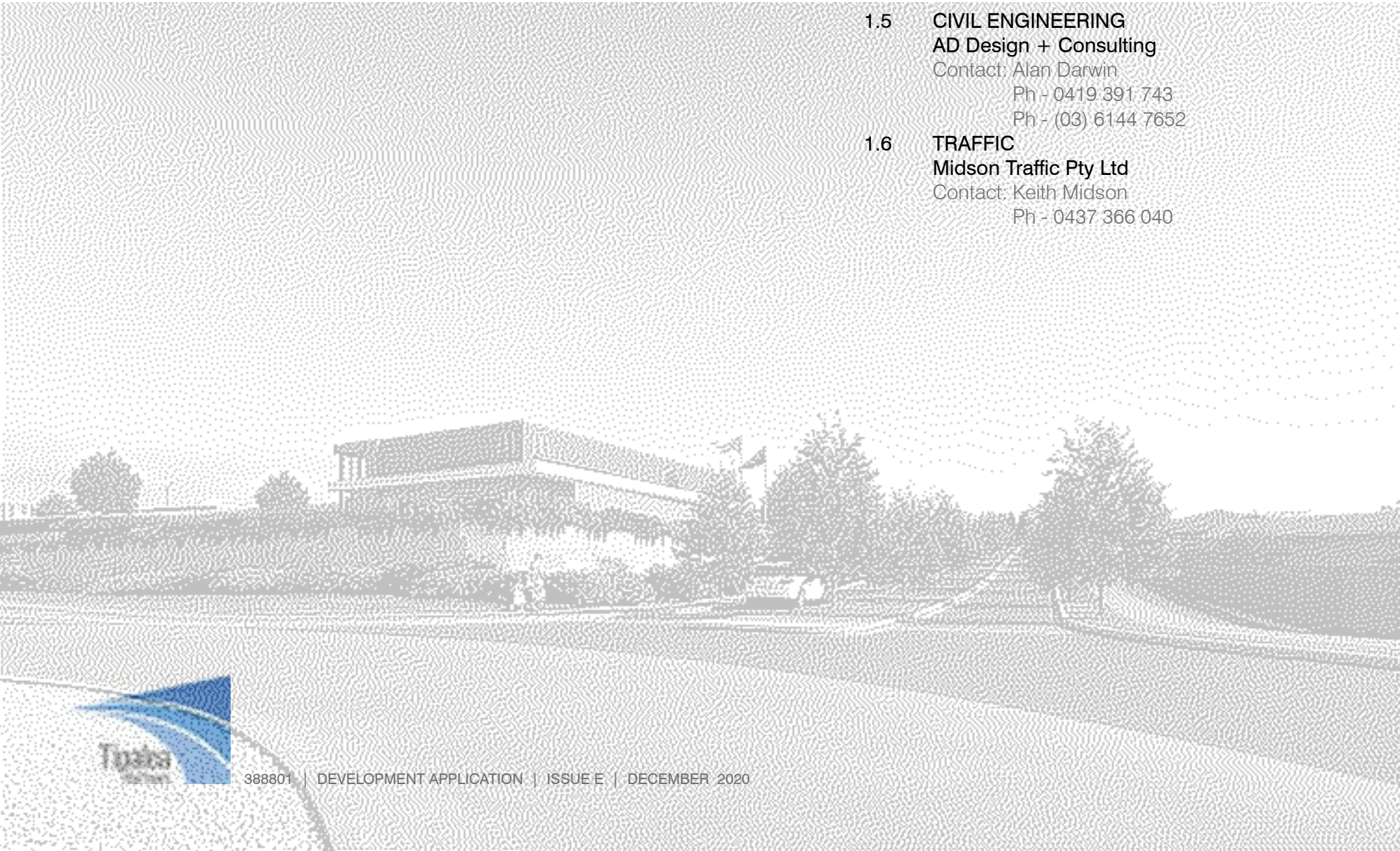
A205FINISHES SCHEDULE

A801.1OVERALL SITE SIGNAGE

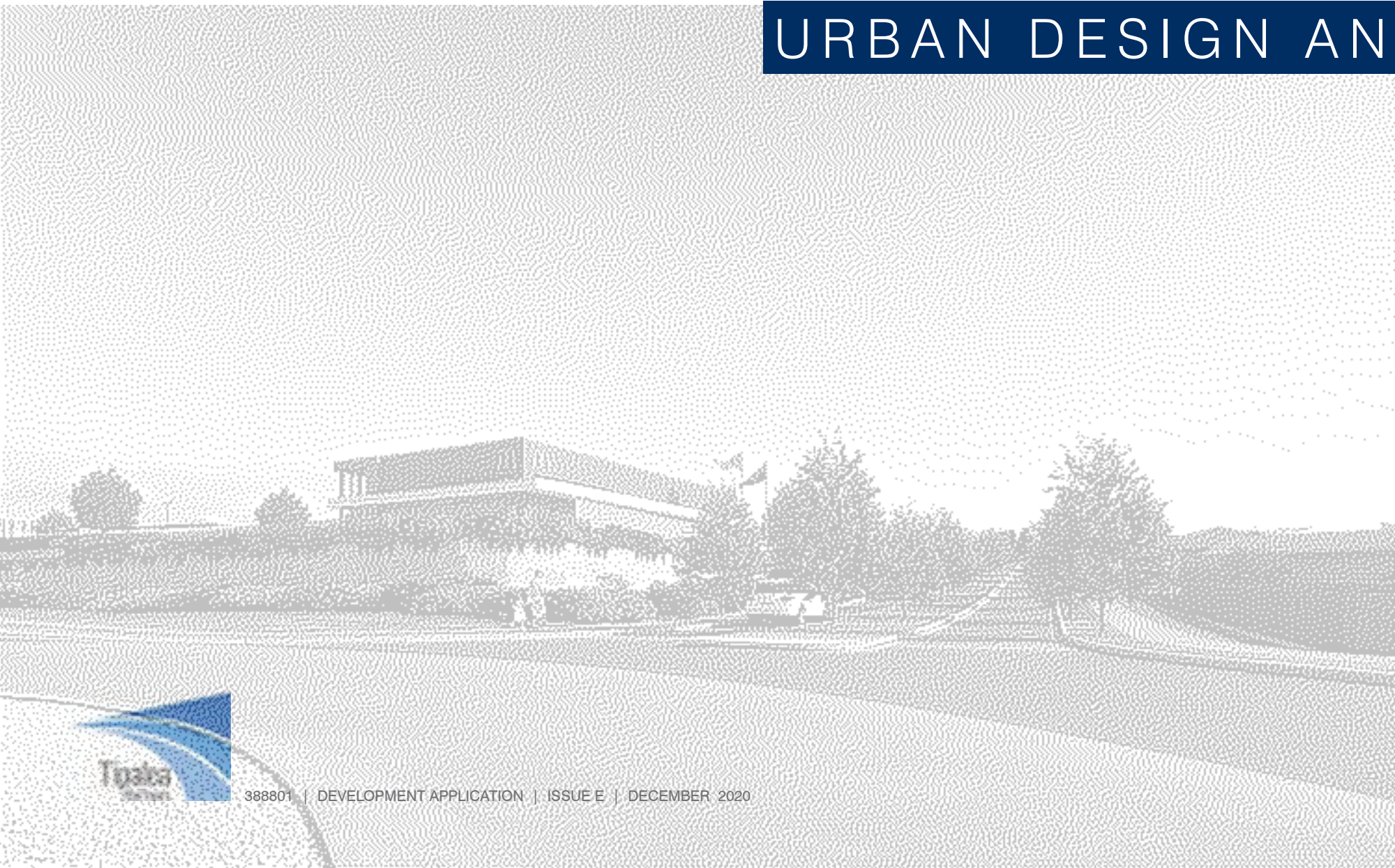
A801.2SITE SIGNAGE PLAN

A805SIGNAGE DETAILS

A806SIGNAGE DETAILS



URBAN DESIGN AND PLANNING CONTEXT



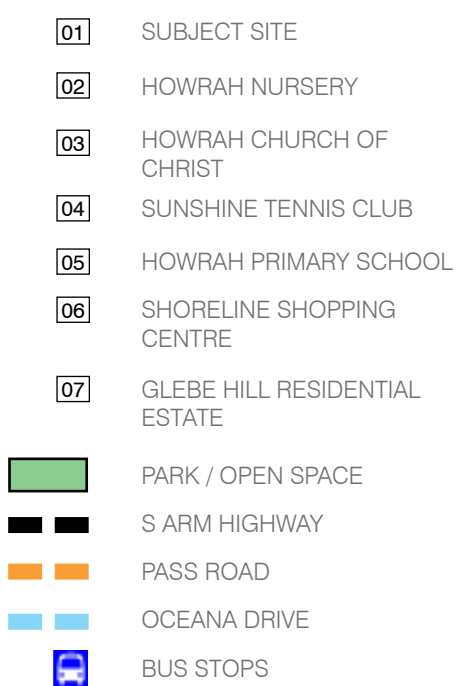








IMAGE 1.



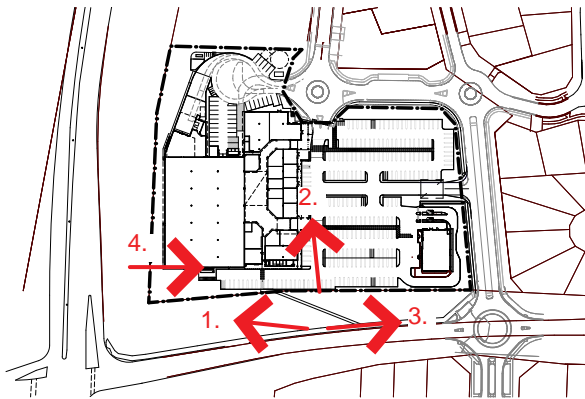
IMAGE 2.



IMAGE 3.



IMAGE 4.



2.0

ARCHITECTURAL DESIGN INTENT





- 1. SUPERMARKET
- 2. RETAIL
- 3. MALL
- 4. PHARMACY
- 5. STAFF PARKING
- 6. TRUCK MANOEUVRING AREA
- 7. SUPERMARKET DOCK
- 8. RETAIL LOADING
- 9. ENTRY
- 10. OUTDOOR DINING AREA
- 11. POSSIBLE PADMOUNT
- 12. AMENITIES
- 13. FOOTPATH CONCOURSE
- 14. STORAGE/SERVICES/OFFICE
- 15. TROLLEY STORE
- 16. HYDRANT BOOSTER
- 17. POSSIBLE FIRE SERVICE
- 18. EXISTING MEDICAL CENTRE
- 19. POSSIBLE SERVICE STATION
- 20. RESIDENTIAL
- 21. NEW PUBLIC ROADS NOT PART OF THIS APPLICATION
- 22. STORMWATER
- 23. BUS STOP
- 24. FENCE AT BACK OF EXISTING HOMES
- 25. FOOD SERVICES

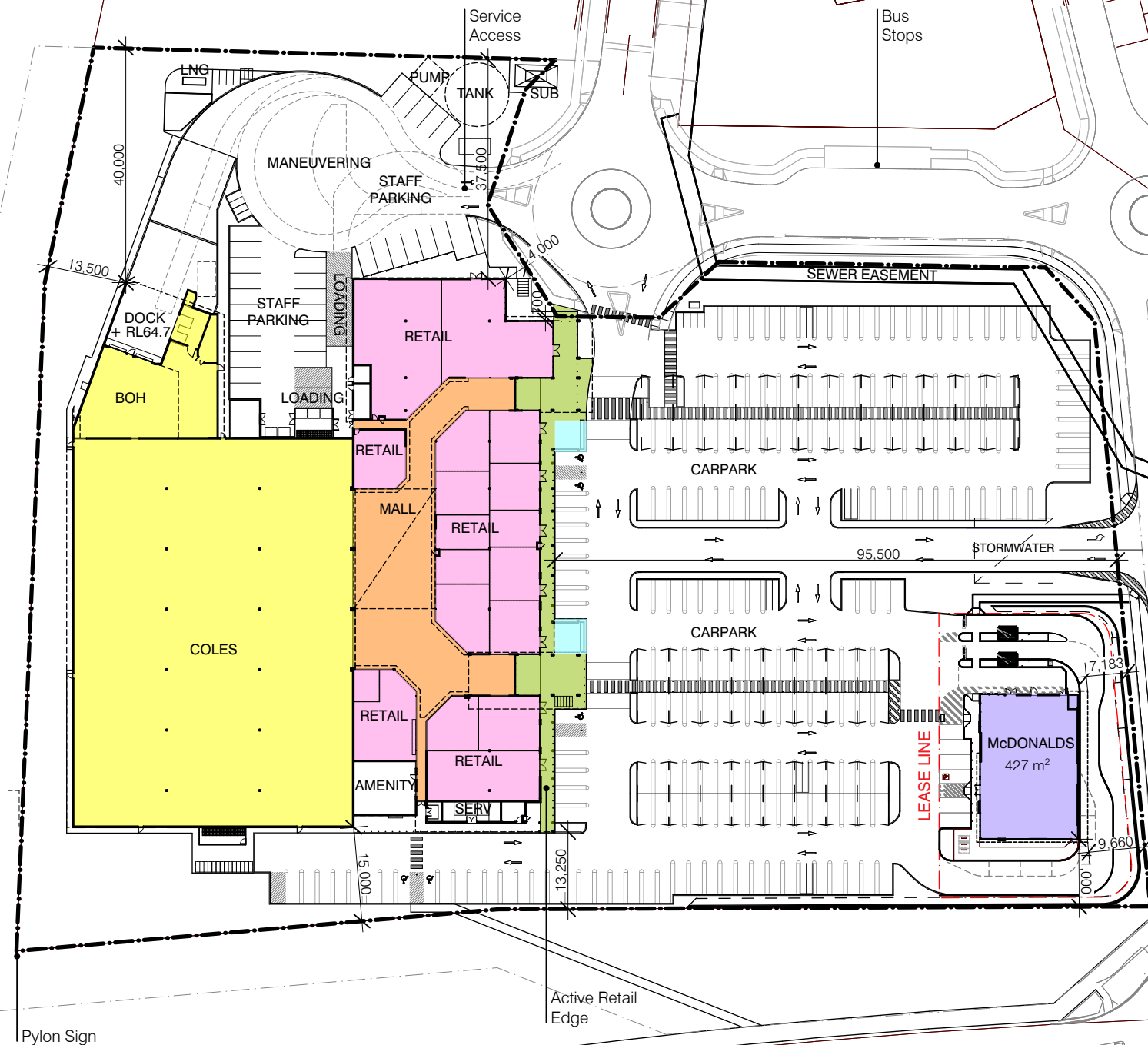


2.2c SITE PLAN







<div></div>	SUPERMARKET	3,610m ²
<div></div>	SPECIALTY RETAIL	1,921m ²
<div></div>	FOOD SERVICE	427m ²
<div></div>	INTERNAL MALL	798m ²
<div></div>	OUTDOOR DINING	
<div></div>	ACTIVE RETAIL EDGE	
CAR PARKS		256
ACCESSIBLE CAR PARKS		6
TOTAL		262
MOTORBIKE PARKS		13
BICYCLE PARKS		29

NOTES:
ALL AREAS (GLFA) ARE CALCULATED TO THE CENTRELINE
OF EXTERNAL WALLS AND INTER-TENANCY WALL.

Public Roads are part of
a separate application



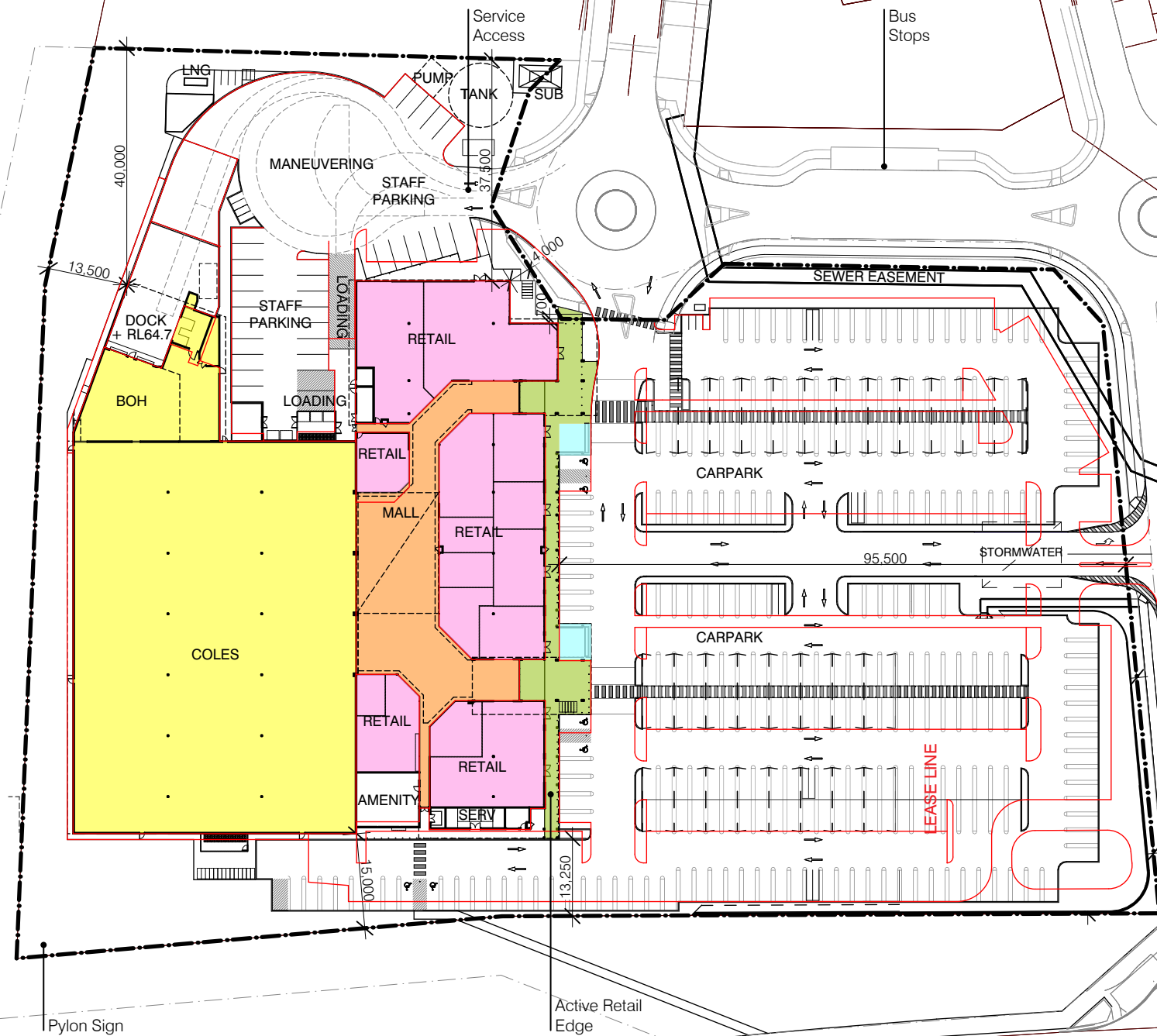
2.2d SITE PLAN - APPROVED OVERLAY

	SUPERMARKET	PROPOSED 3,610m ²	APPROVED 3,902m ²
	SPECIALTY RETAIL	1,921m ²	1,921m ²
	FOOD SERVICE	427m ²	0m ²
	INTERNAL MALL	797m ²	797m ²
	OUTDOOR DINING		
	ACTIVE RETAIL EDGE		
CAR PARKS		256	308
ACCESSIBLE CAR PARKS		6	6
TOTAL		262	314
MOTORBIKE PARKS		13	
BICYCLE PARKS		29	

NOTES:
ALL AREAS (GLFA) ARE CALCULATED TO THE CENTRELINE OF EXTERNAL WALLS AND INTER-TENANCY WALL.

JUNE 2020 MINOR AMENDED APPROVAL SHOWN IN RED OVER

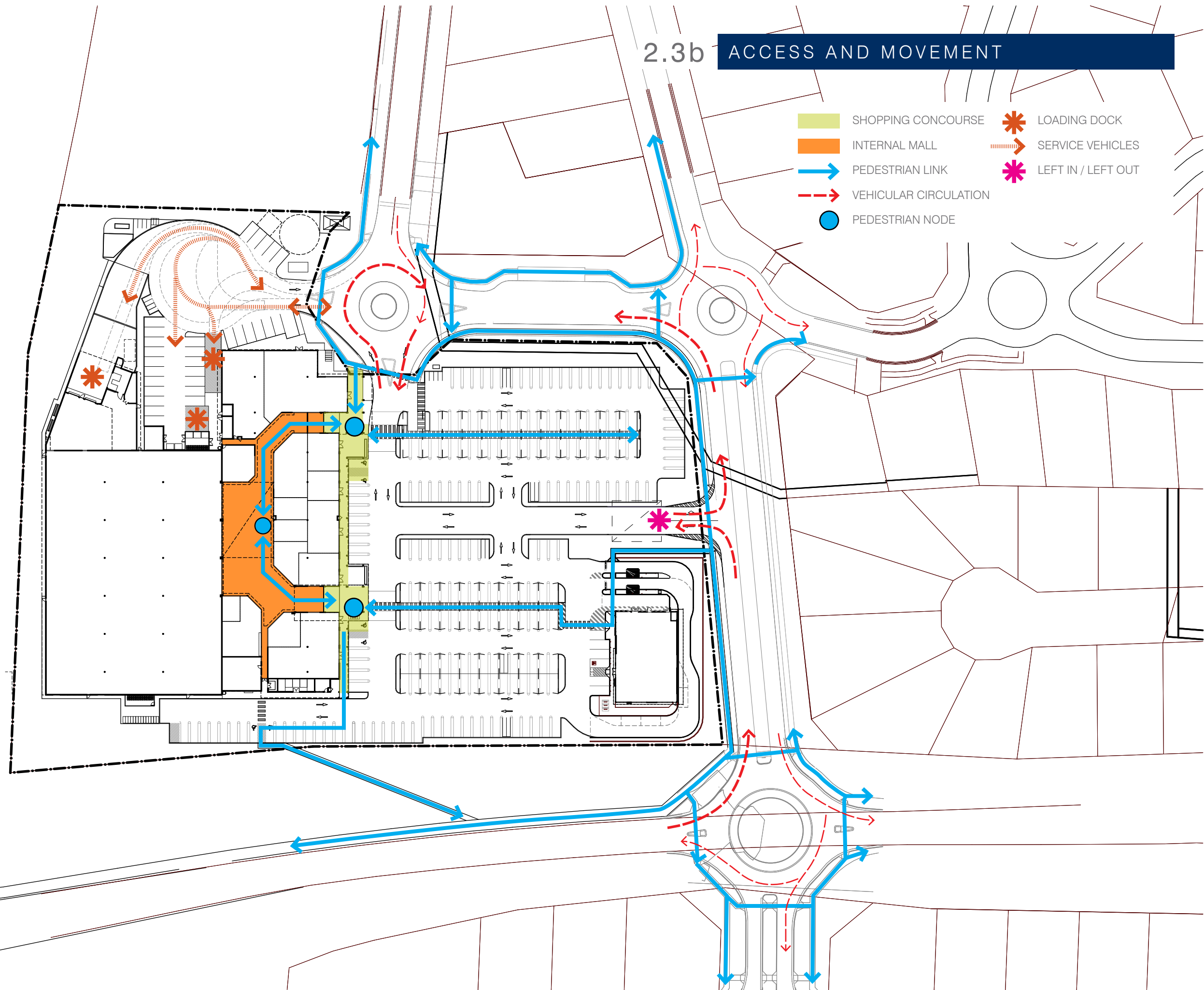
Public Roads are part of
a separate application



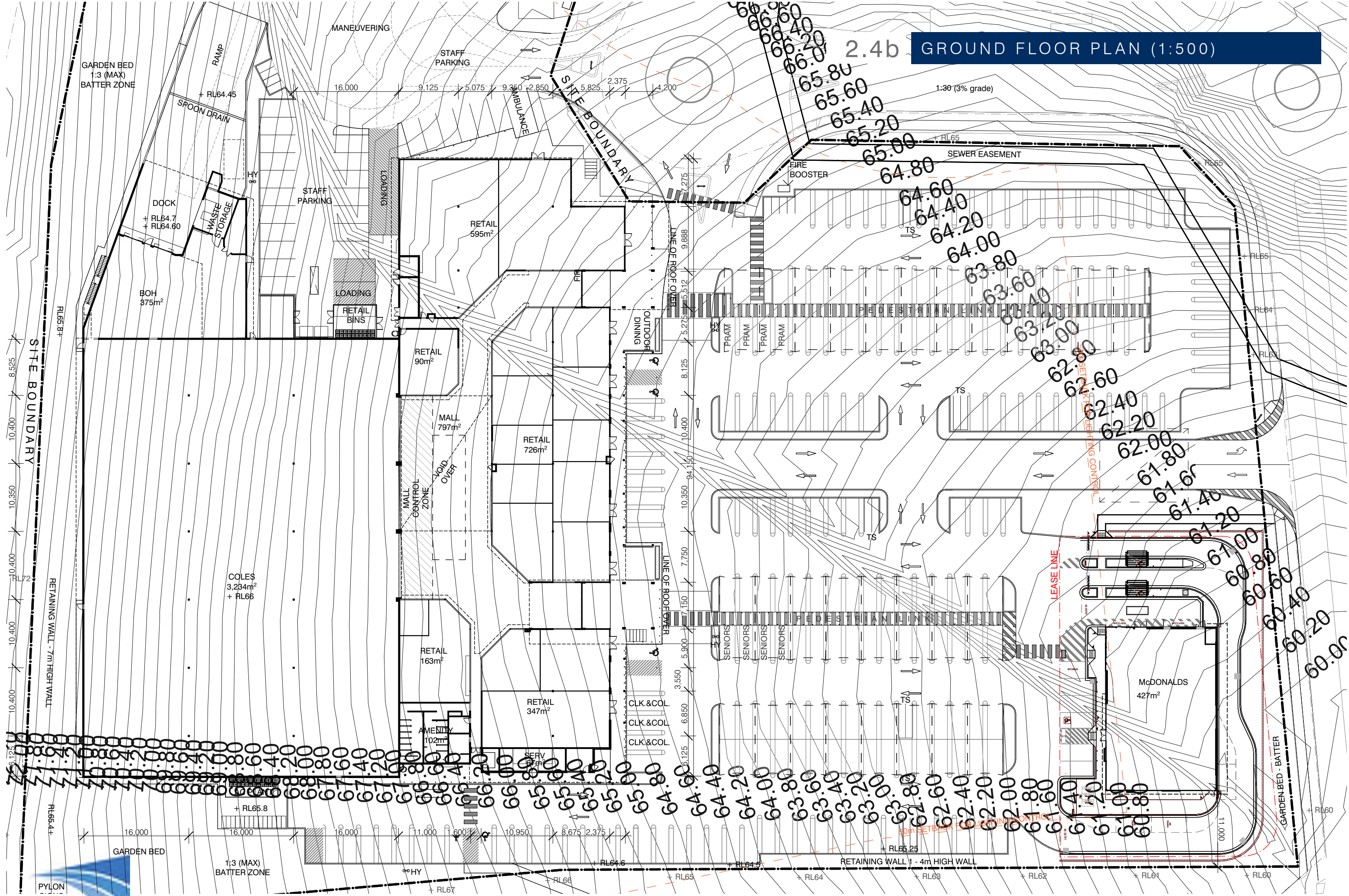
2.3b

ACCESS AND MOVEMENT

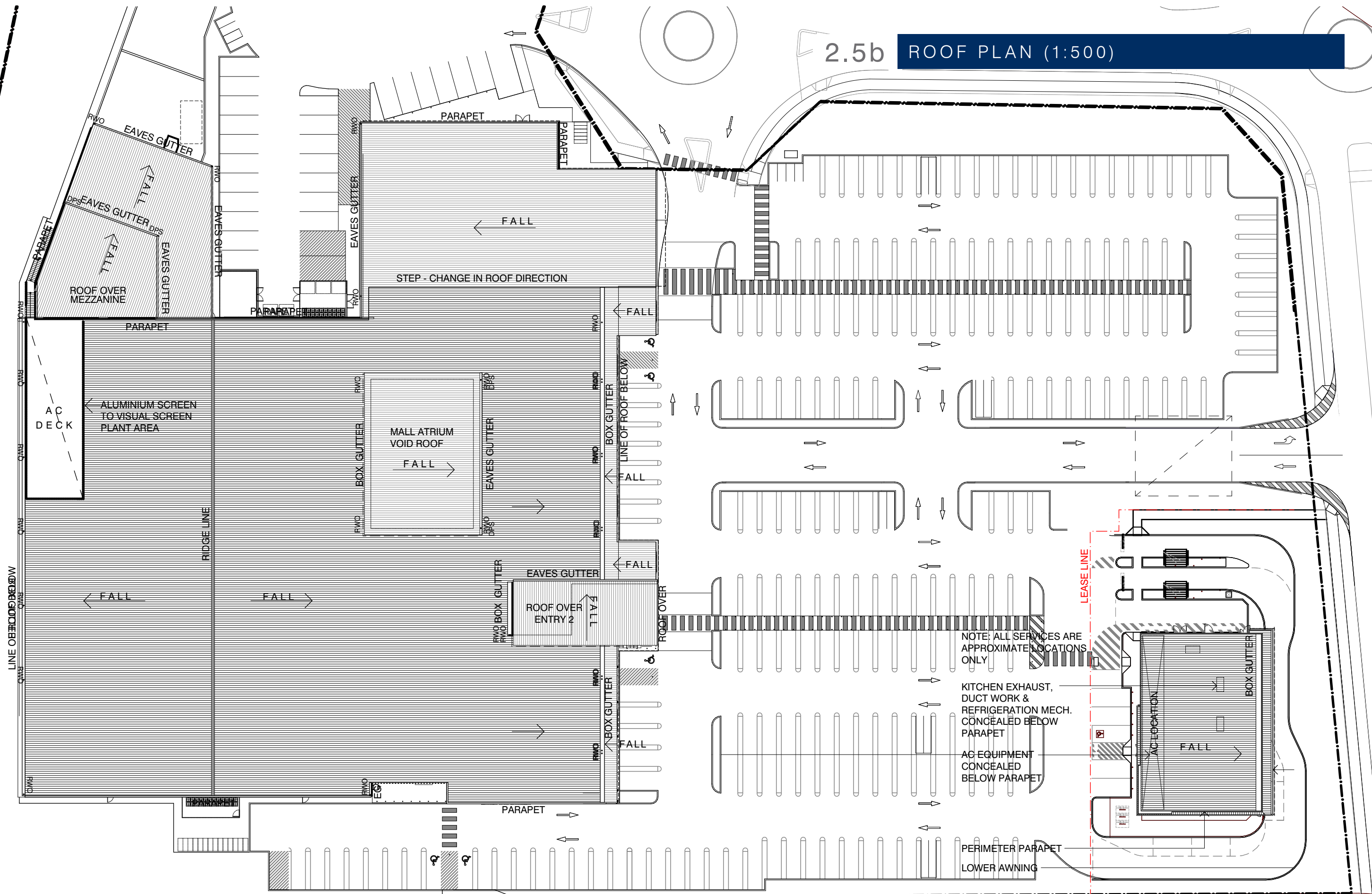
- SHOPPING CONCOURSE
- INTERNAL MALL
- PEDESTRIAN LINK
- VEHICULAR CIRCULATION
- PEDESTRIAN NODE
- LOADING DOCK
- SERVICE VEHICLES
- LEFT IN / LEFT OUT

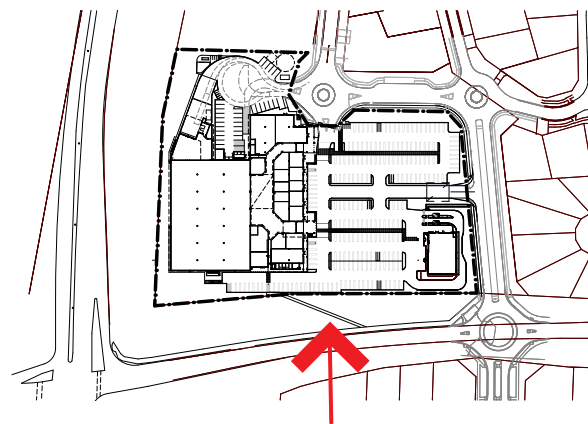


GROUND FLOOR PLAN (1:500)



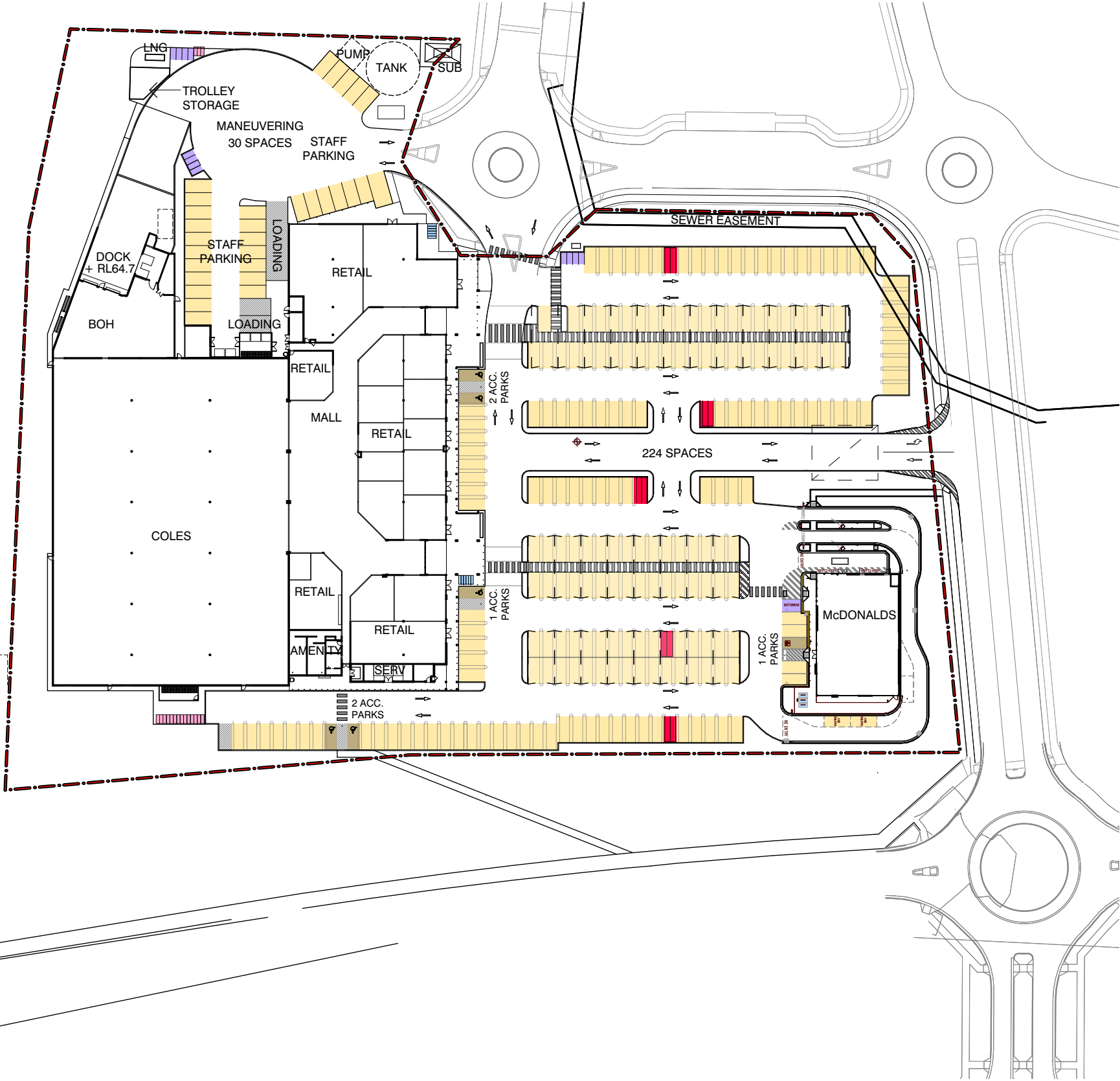
2.5b ROOF PLAN (1:500)

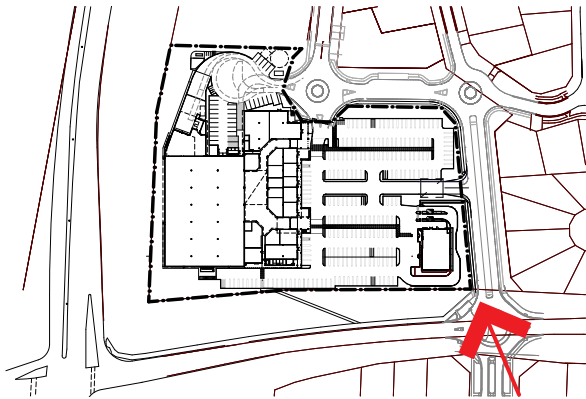
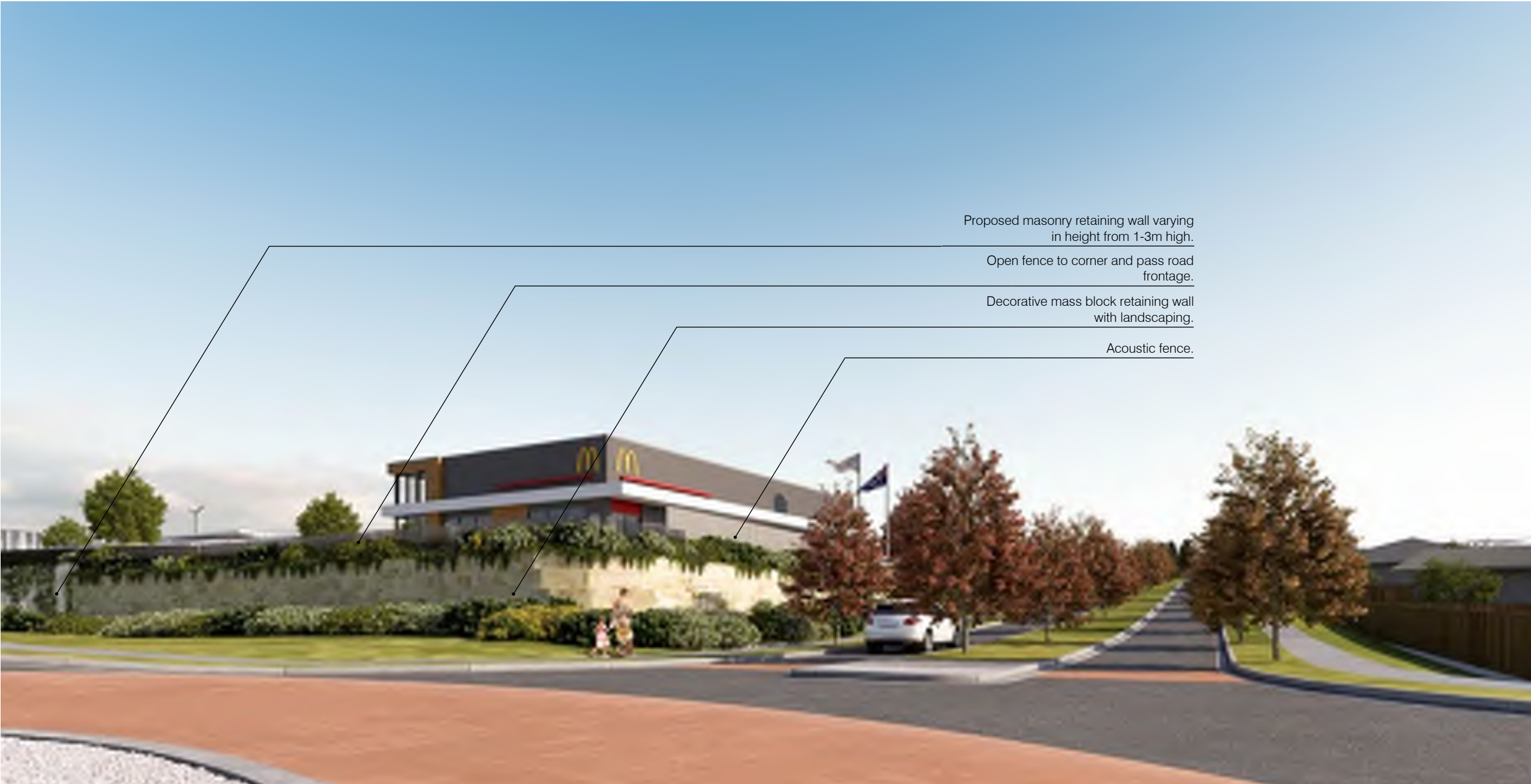


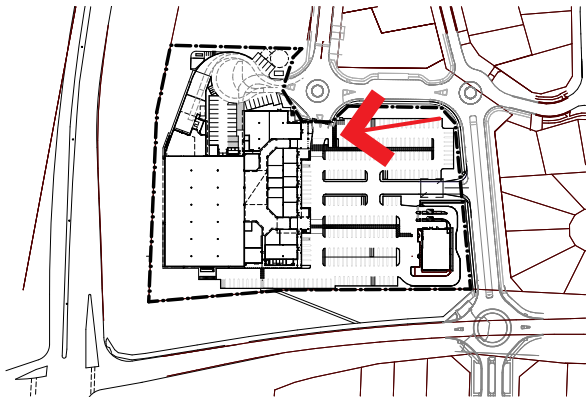


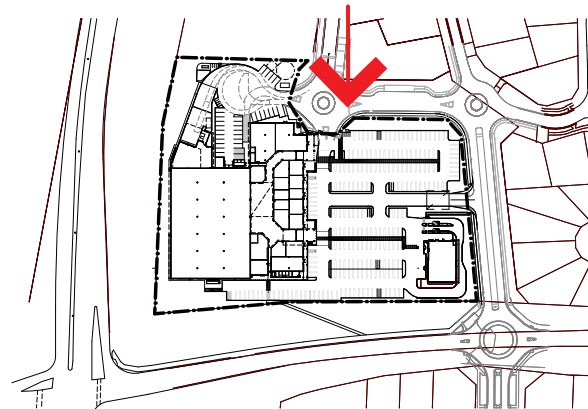
2.6b CAR PARKING

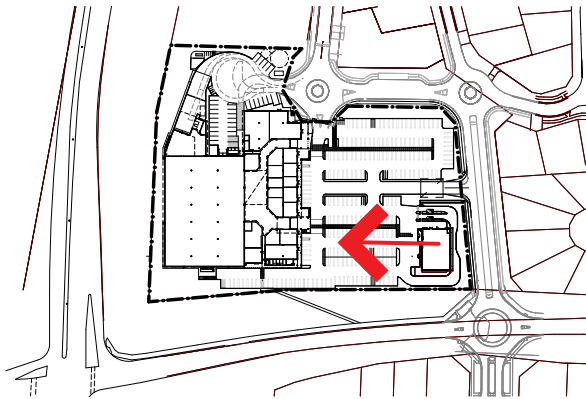
CAR PARKS	256
ACCESSIBLE CAR PARKS	6
TOTAL	262
MOTORBIKE	13
BICYCLE (CLASS 1 OR 2)	12
BICYCLE (CLASS 3)	17
TROLLEY BAYS	5















1.



Roof sheeting / Capping / Rainwater Hoods


- Colorbond "Monument"

- and Surf mist
2.



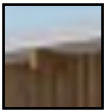
Metal wall cladding

- Colorbond "Monument"
3.




Soffits

- Dulux "Lexicon"
4.

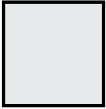


Feature timber look rafters
5.



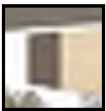
Steel beams & columns

- Colorbond "Monument"
6.




Painted fibre cement 1

- Dulux "Lexicon"
7.




Feature Pattern tilt up concrete panels
8.



Face Brick

Austral Bowral Blue

Austral Gertrudis Brown
9.



Aluminium Feature Screen

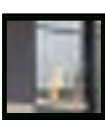
Dulux "Vivid White", "Deskau", "Blue Steel", "Domino"

10.



Aluminium screen to service deck

Black
11.



Shopfronts & skylights

- Clear glazing



EAST LOW ELEVATION



EAST HIGH ELEVATION

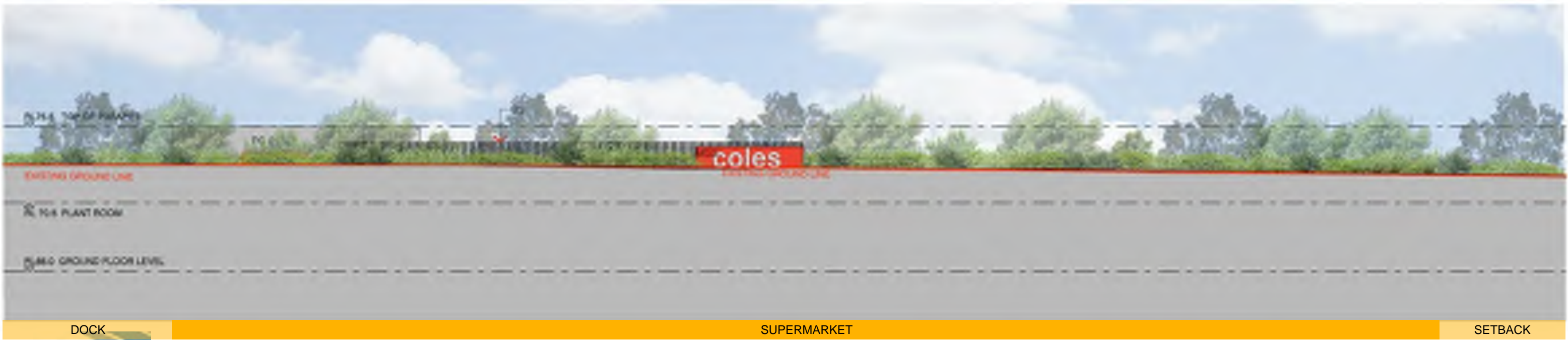


2.14 NORTH ELEVATION





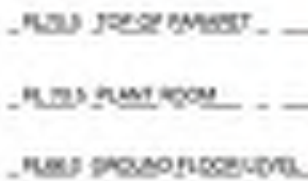
SOUTH LOW ELEVATION



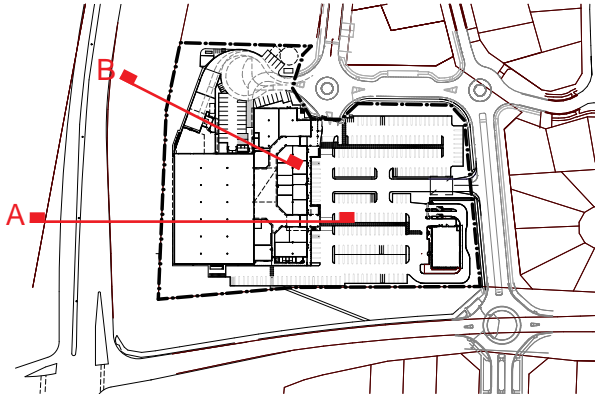
SOUTH HIGH ELEVATION

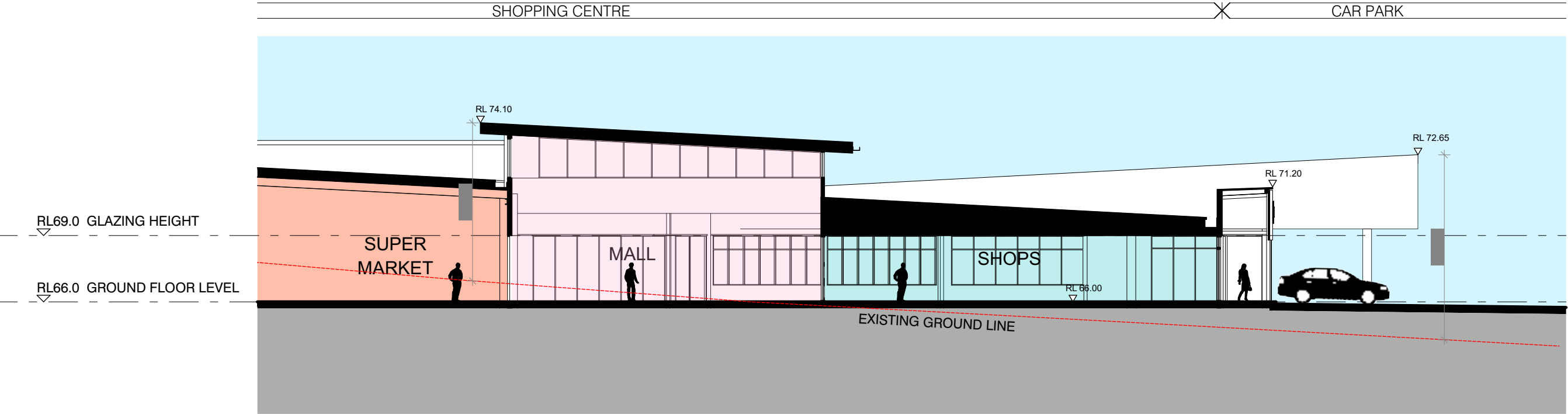


SECTION A

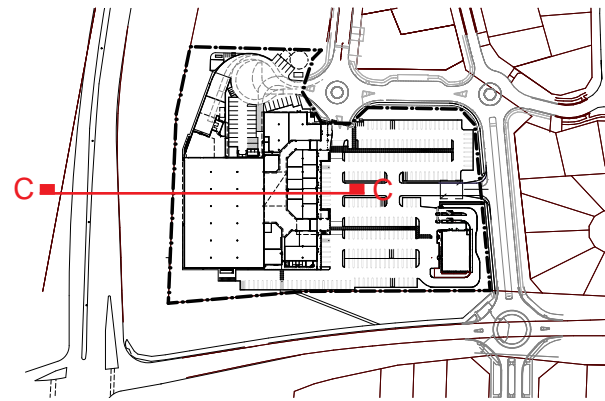


SECTION B



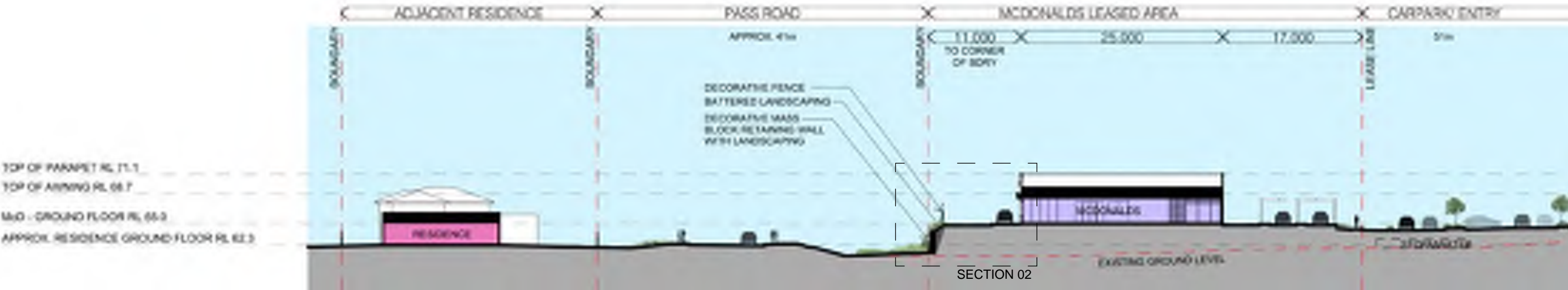


SECTION C

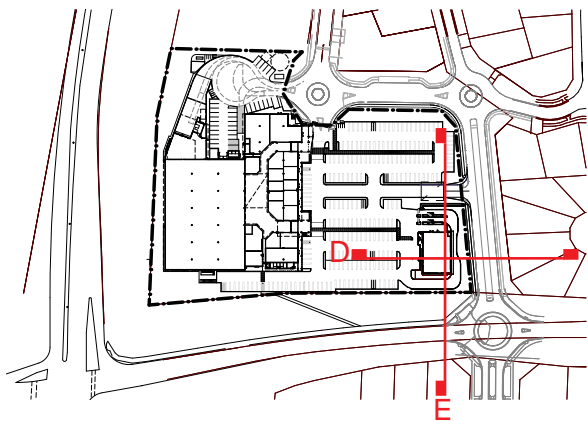




SECTION D



SECTION E

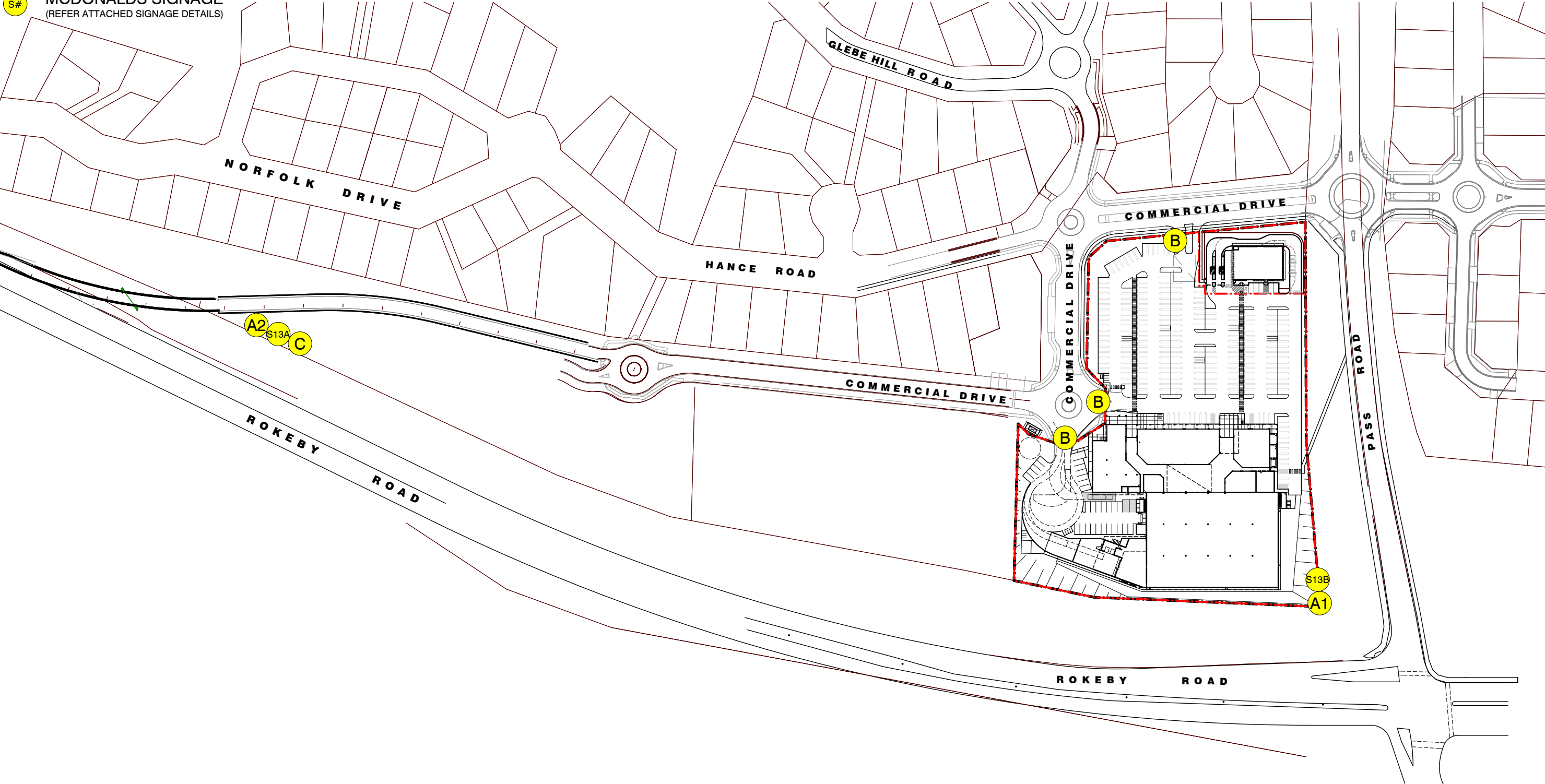


3.0

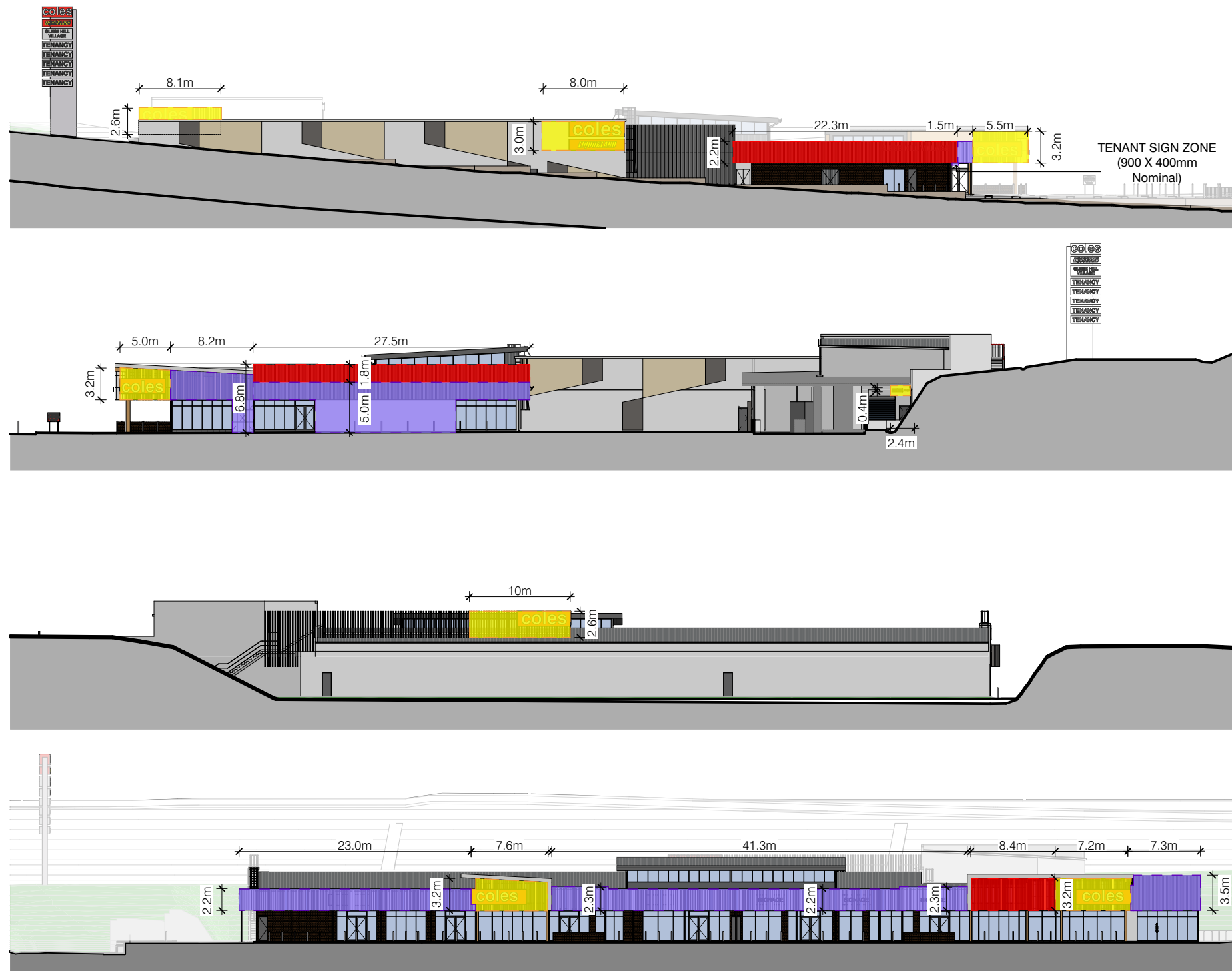
PROPOSED SIGNAGE



- A** SHOPPING CENTRE
ENTRY SIGNAGE
- B** DIRECTIONAL SIGNAGE
- C** TEMPORARY SIGN FOR
LEASING
- S#** MCDONALDS SIGNAGE
(REFER ATTACHED SIGNAGE DETAILS)

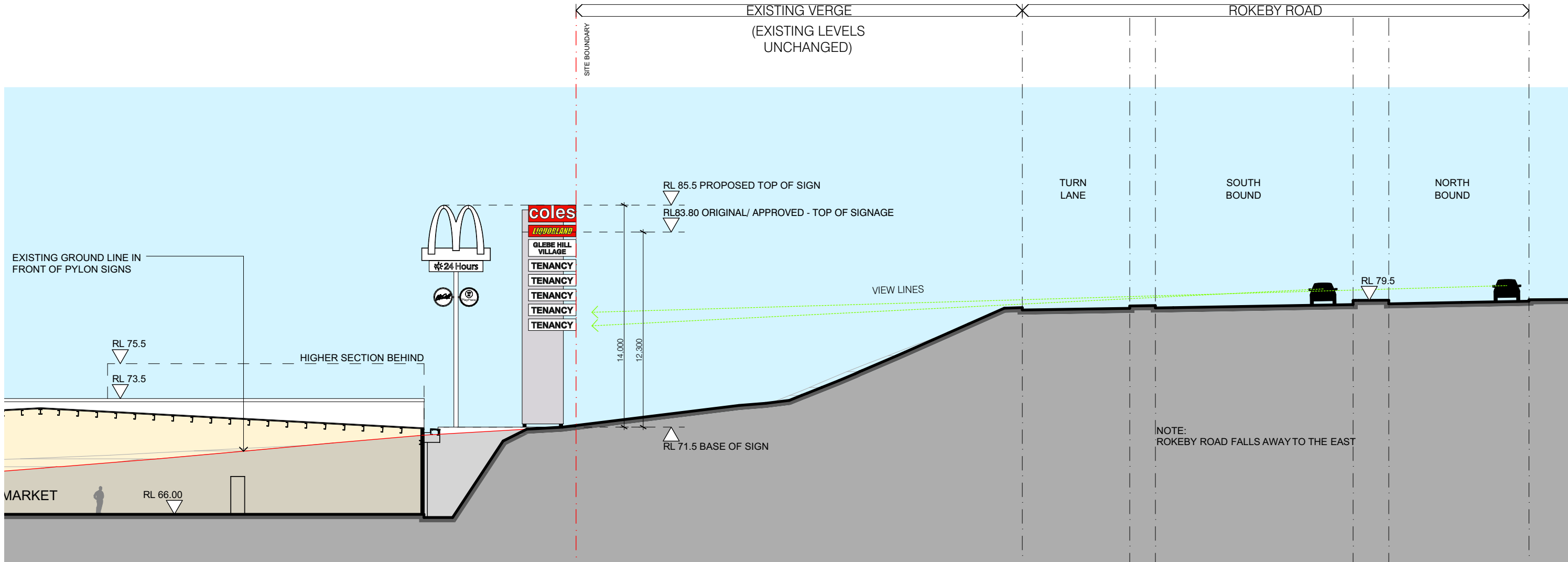
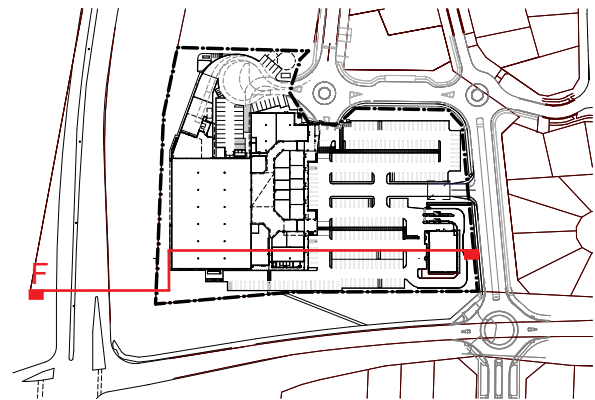


3.2 TOTAL DISPLAY AREA OF SIGNAGES



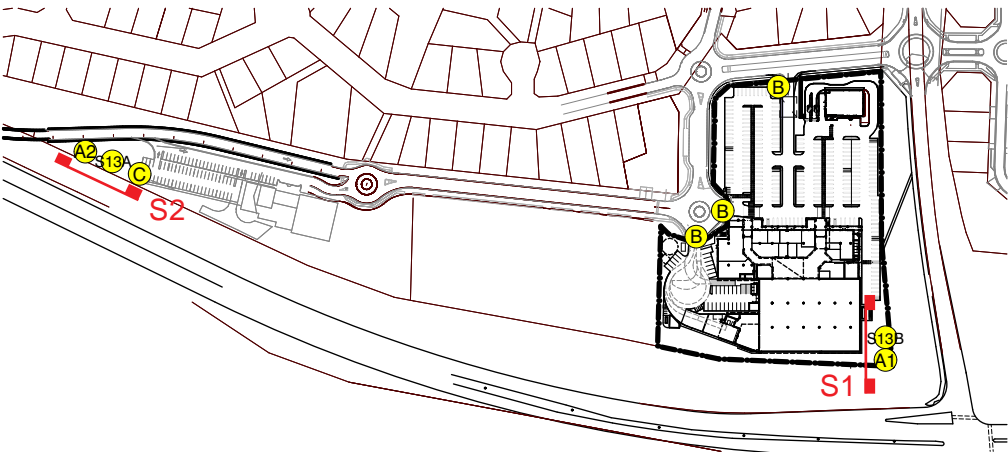
- MAJOR SUPERMARKET SIGNAGE ZONE
- CENTRE SIGNAGE ZONE
- TENANT SIGNAGE ZONE

3.3 SIGNAGE SIGHT LINE SECTION

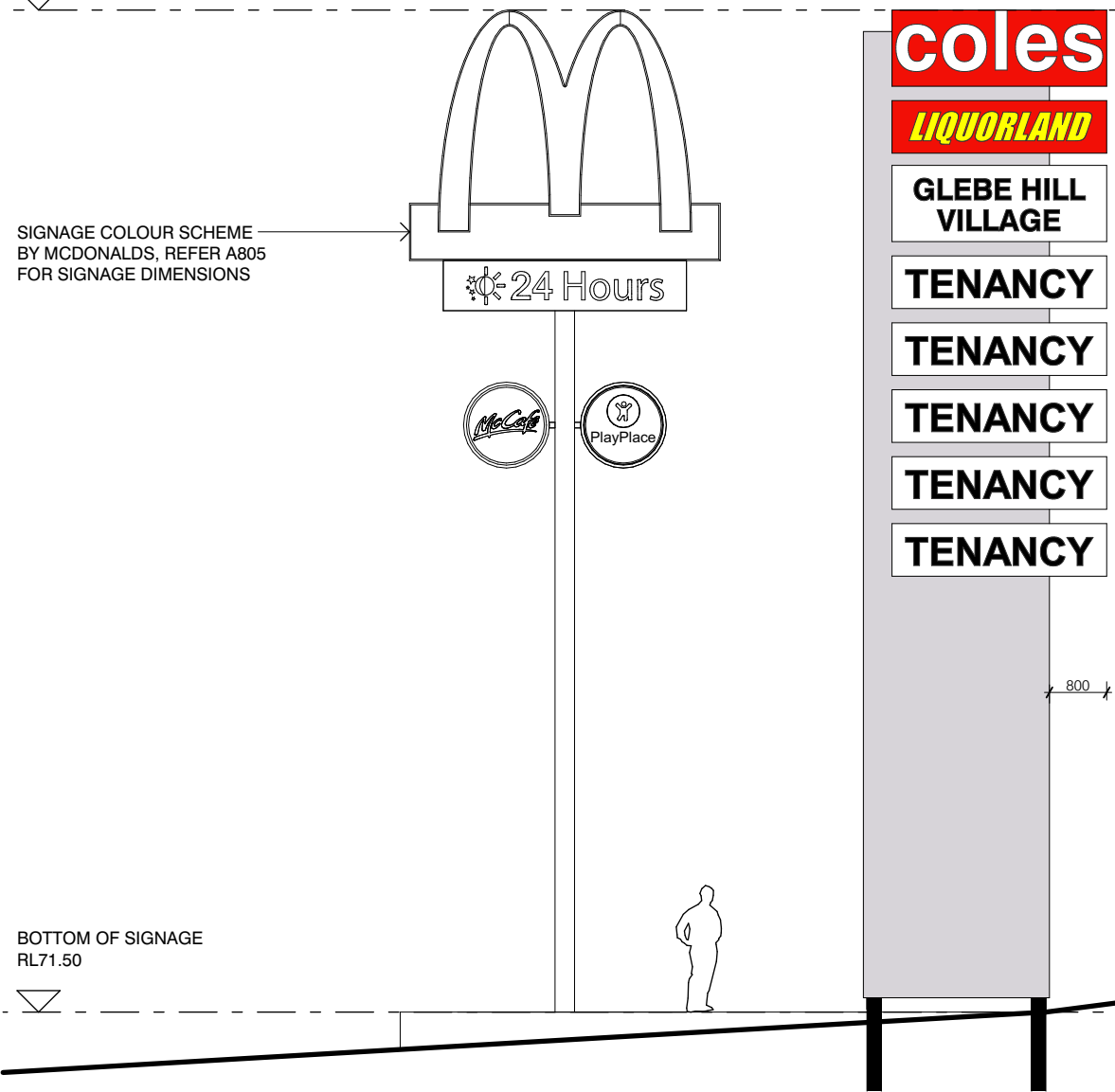
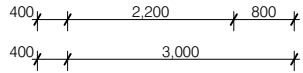


1:250

3.4 SIGNAGE PYLONS



PROPOSED - TOP OF SIGNAGE
RL85.50



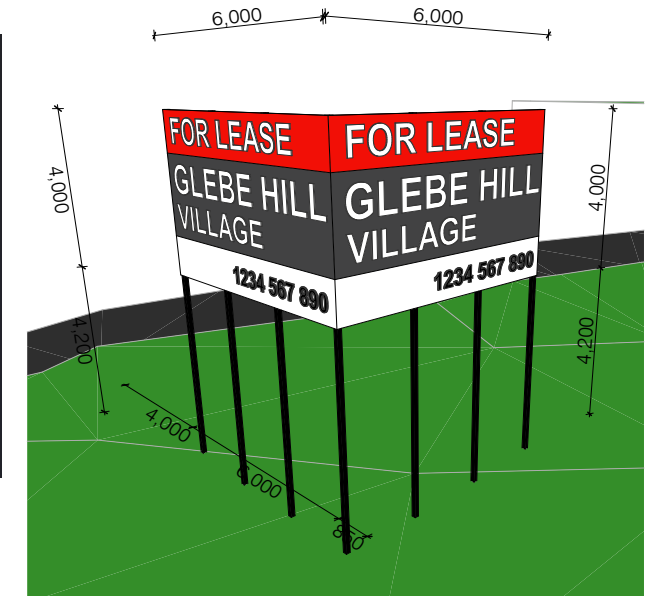
SIGNAGE COLOUR SCHEME
BY MCDONALDS. REFER A805
FOR SIGNAGE DIMENSIONS

BOTTOM OF SIGNAGE
RL71.50

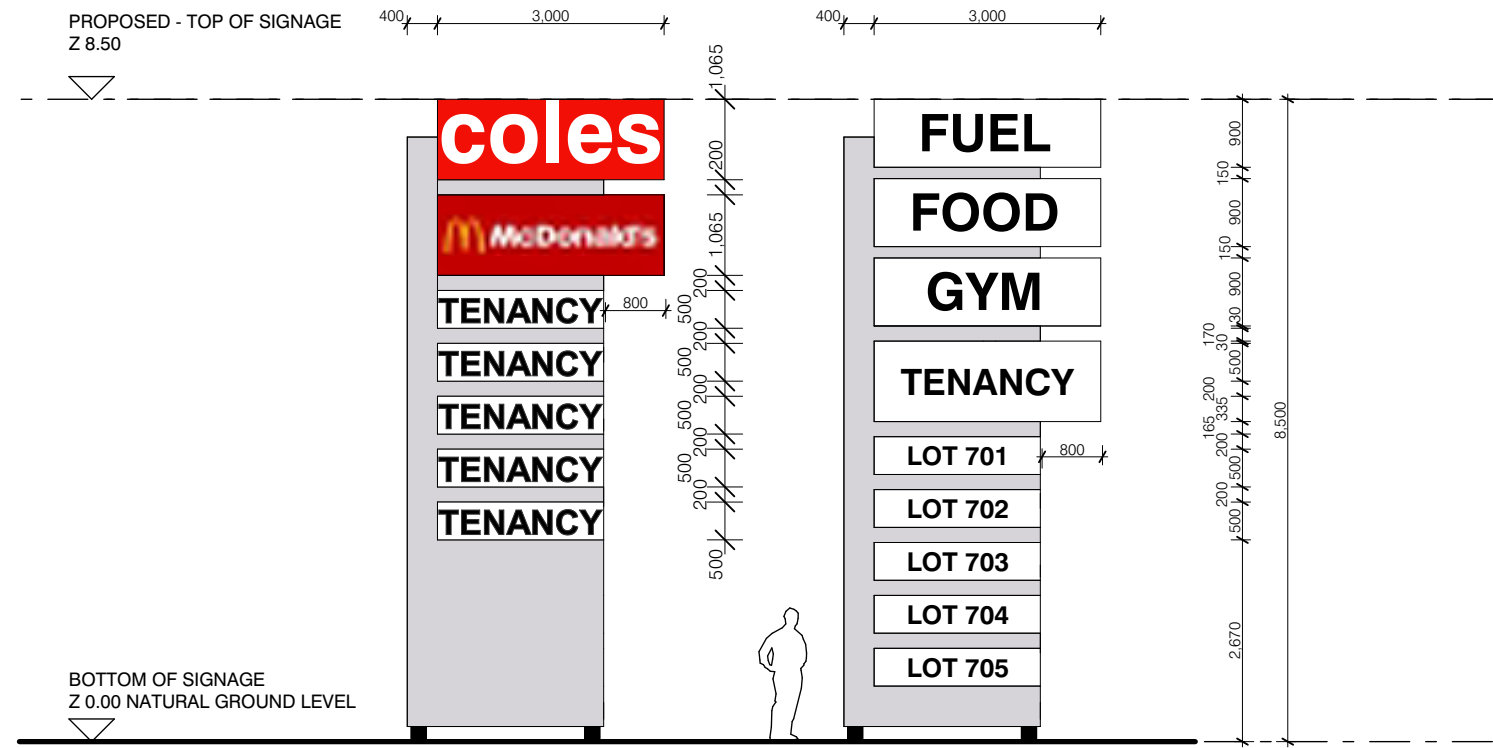
SIGN A1 & S13B
1:100



B 0.9m x 1.2m DIRECTIONAL SIGNAGE



C 2 of 4m x 6m TEMPORARY SIGN FOR LEASING
IN A V CONFIGURATION FACING ROKEBY ROAD
(TEXT AND COLOURS FOR EXAMPLE ONLY)



PROPOSED - TOP OF SIGNAGE
Z 8.50

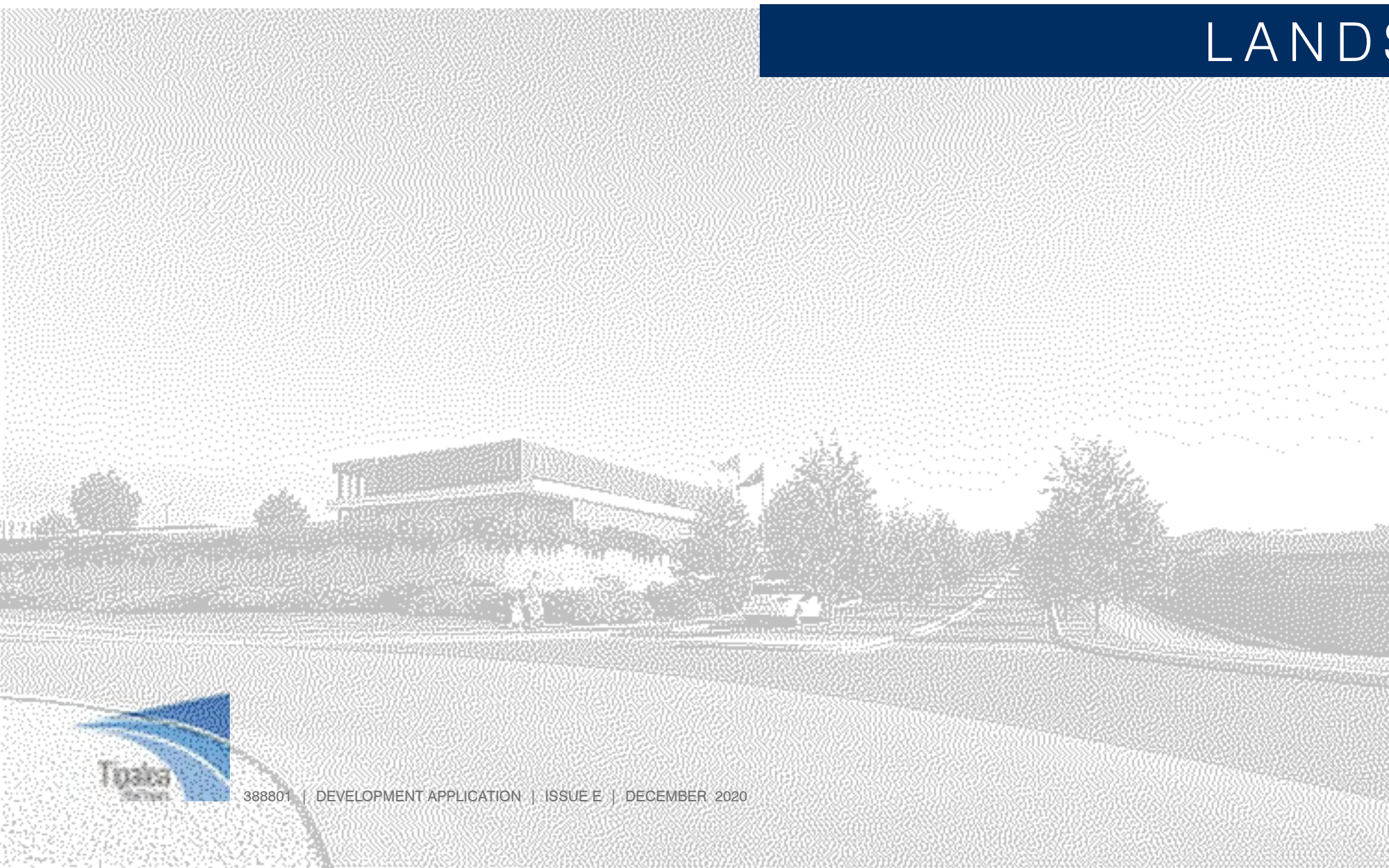
BOTTOM OF SIGNAGE
Z 0.00 NATURAL GROUND LEVEL

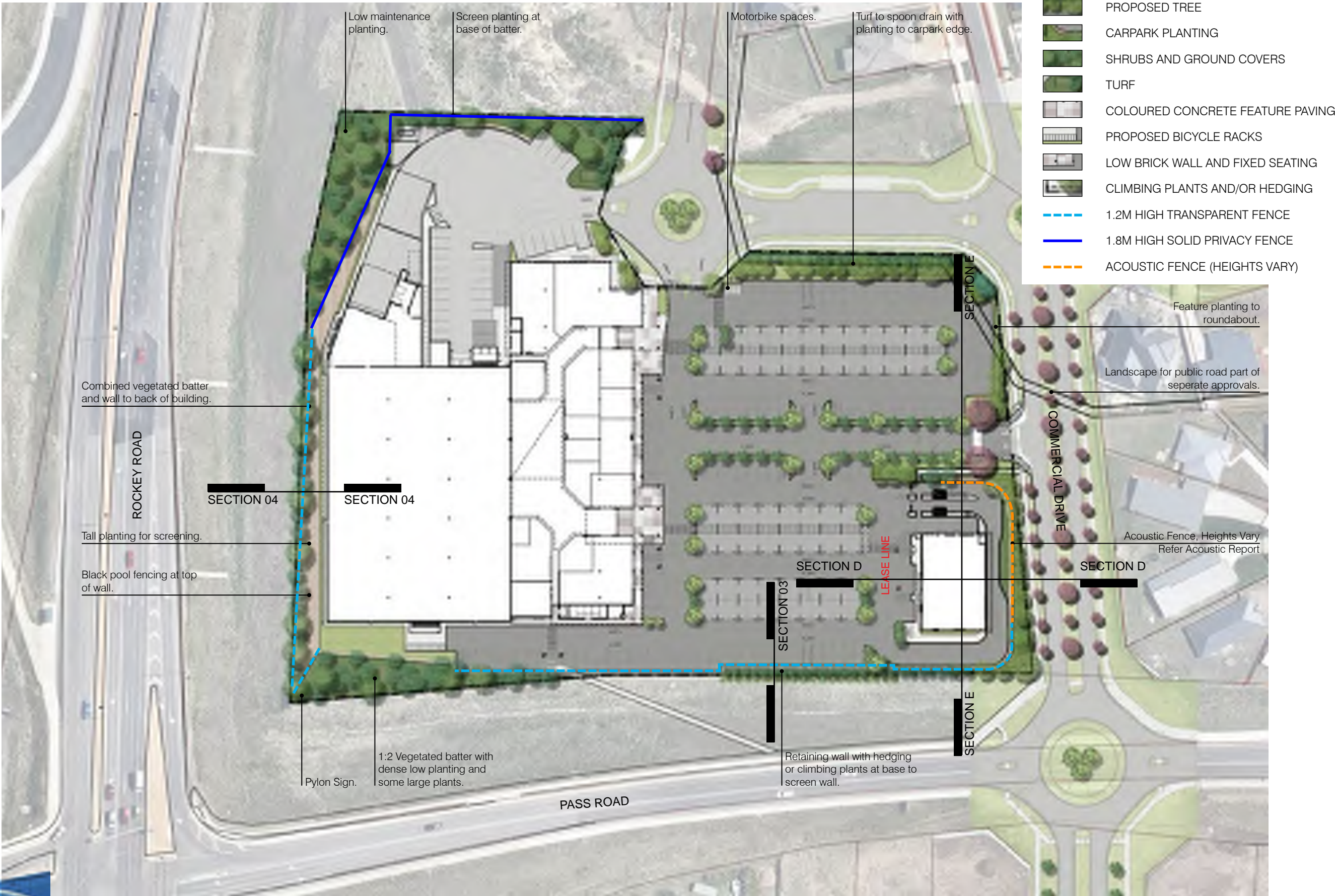
SIGN A2 & S13A
1:100

SIGNAGE ORIENTATION VARIES - REFER SIGNAGE PLAN FOR LOCATIONS

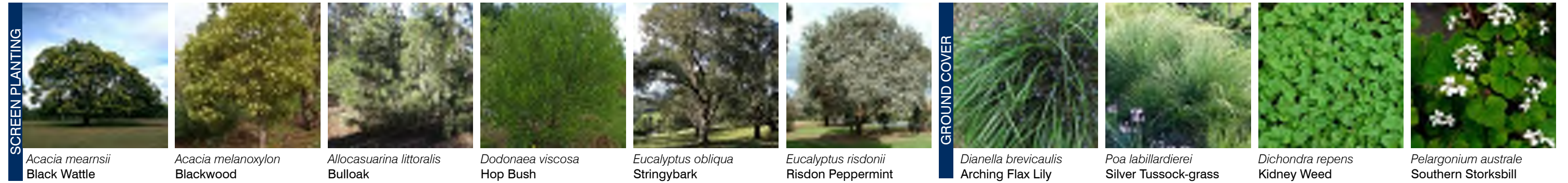
4.0

LANDSCAPE DESIGN INTENT

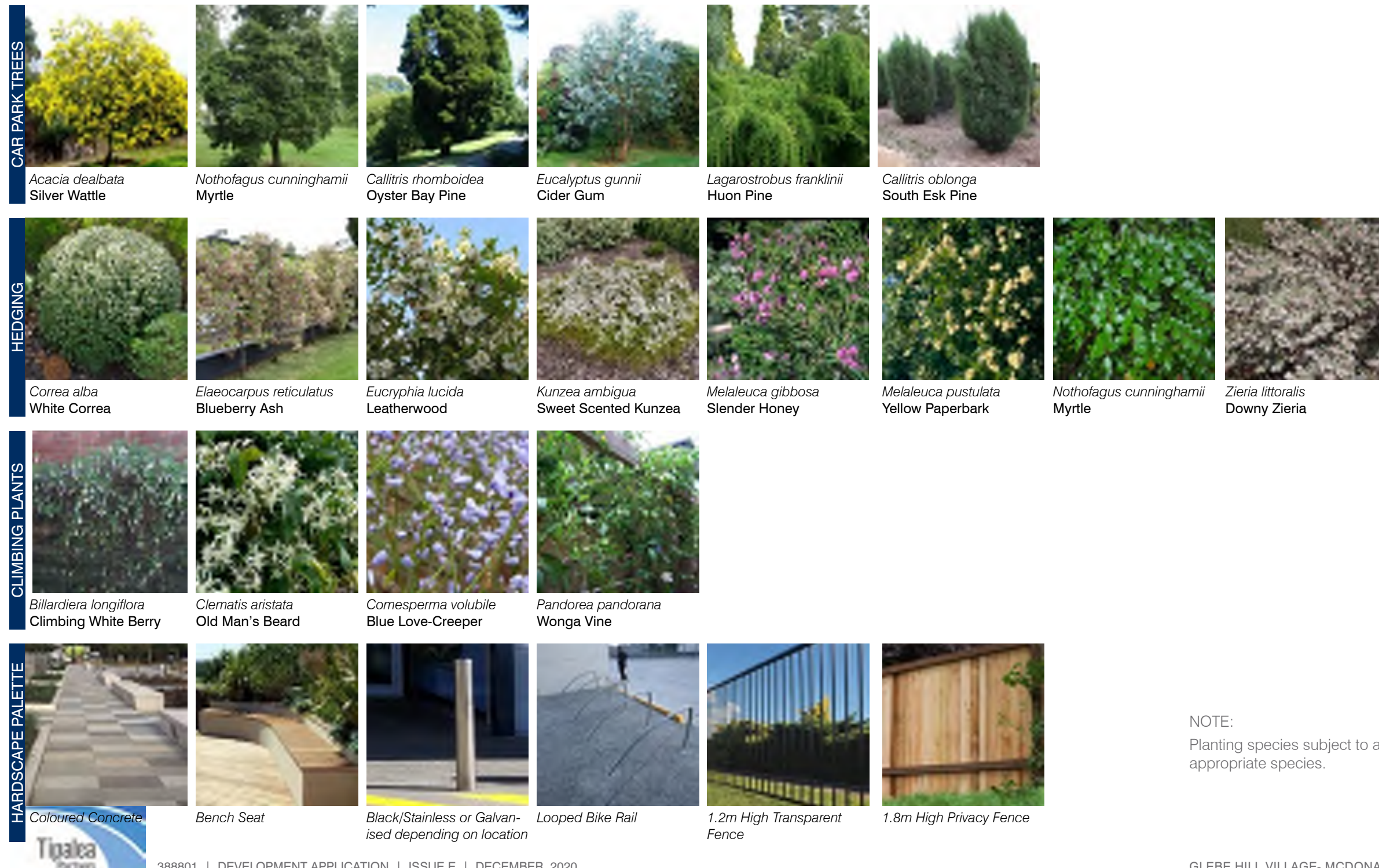




Screen Planting



Internal Landscape Palette

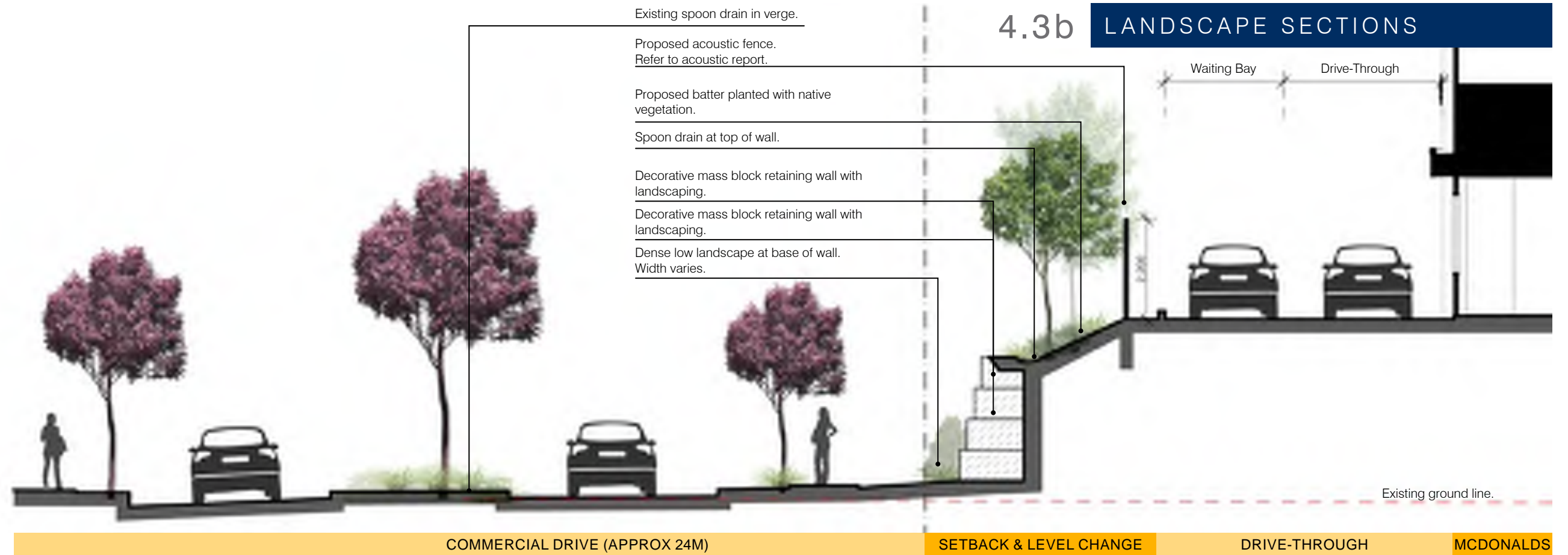


NOTE:

Planting species subject to availability and can be substituted with similar appropriate species.

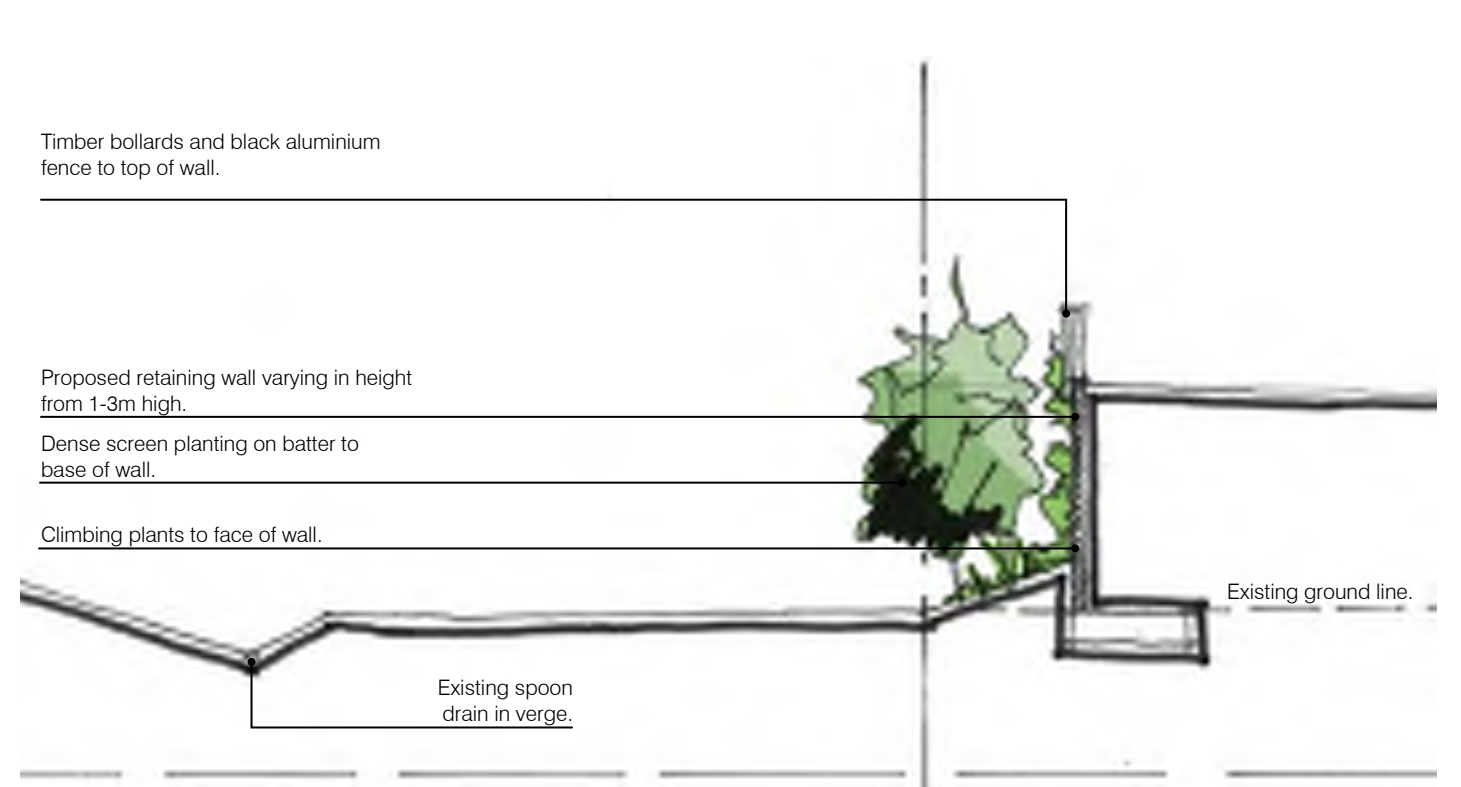
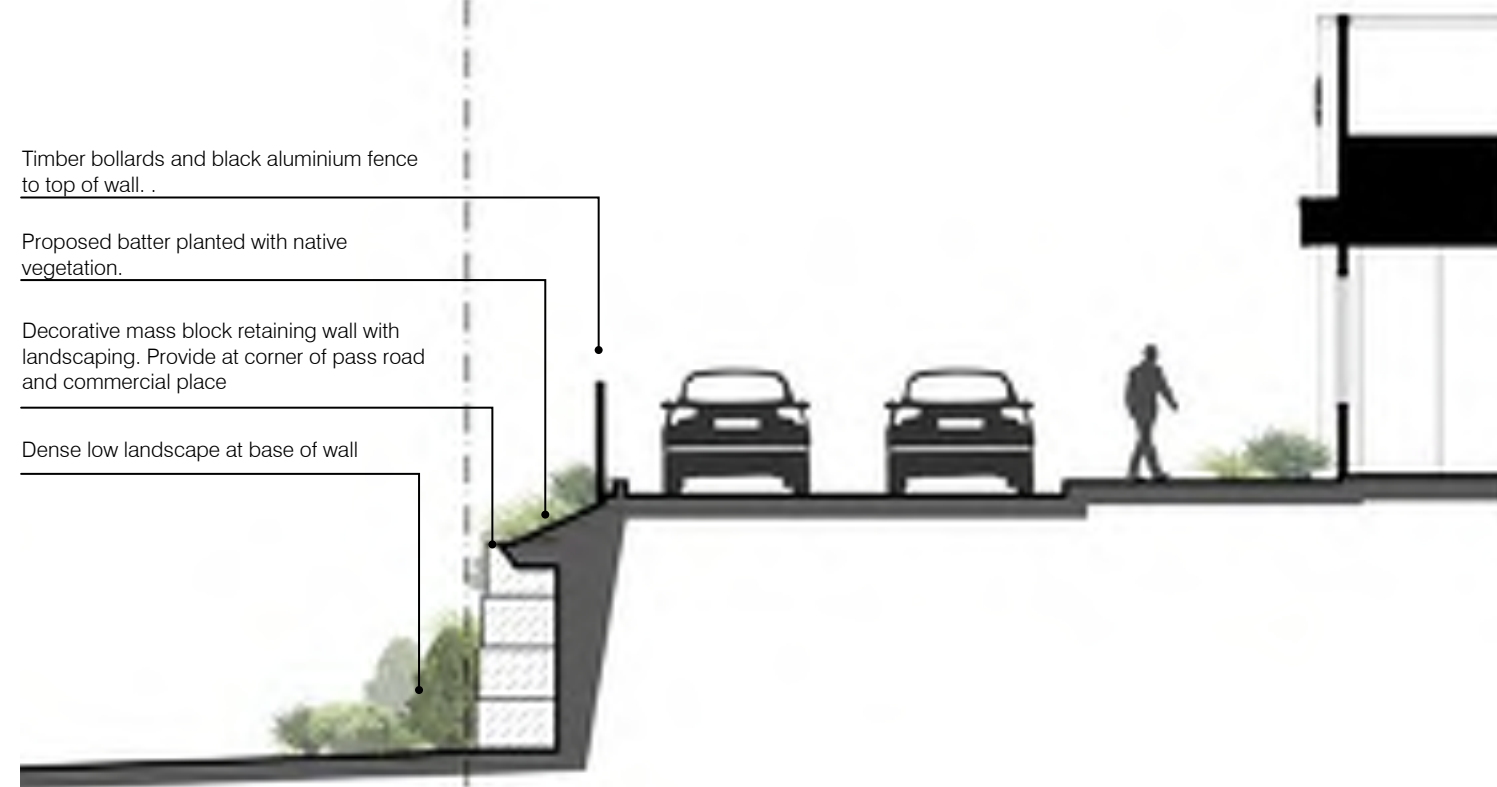
4.3b

LANDSCAPE SECTIONS



1:100

LANDSCAPE SECTION DETAIL - 01



POSSIBLE ROAD VERGE

SETBACK
AND LEVEL
CHANGE

DRIVE THROUGH / WAITING BAY

WALKWAY

MCDONALDS

EXISTING PASS ROAD VERGE (22M)

2M-2.5M
(VARIES)

CARPARK

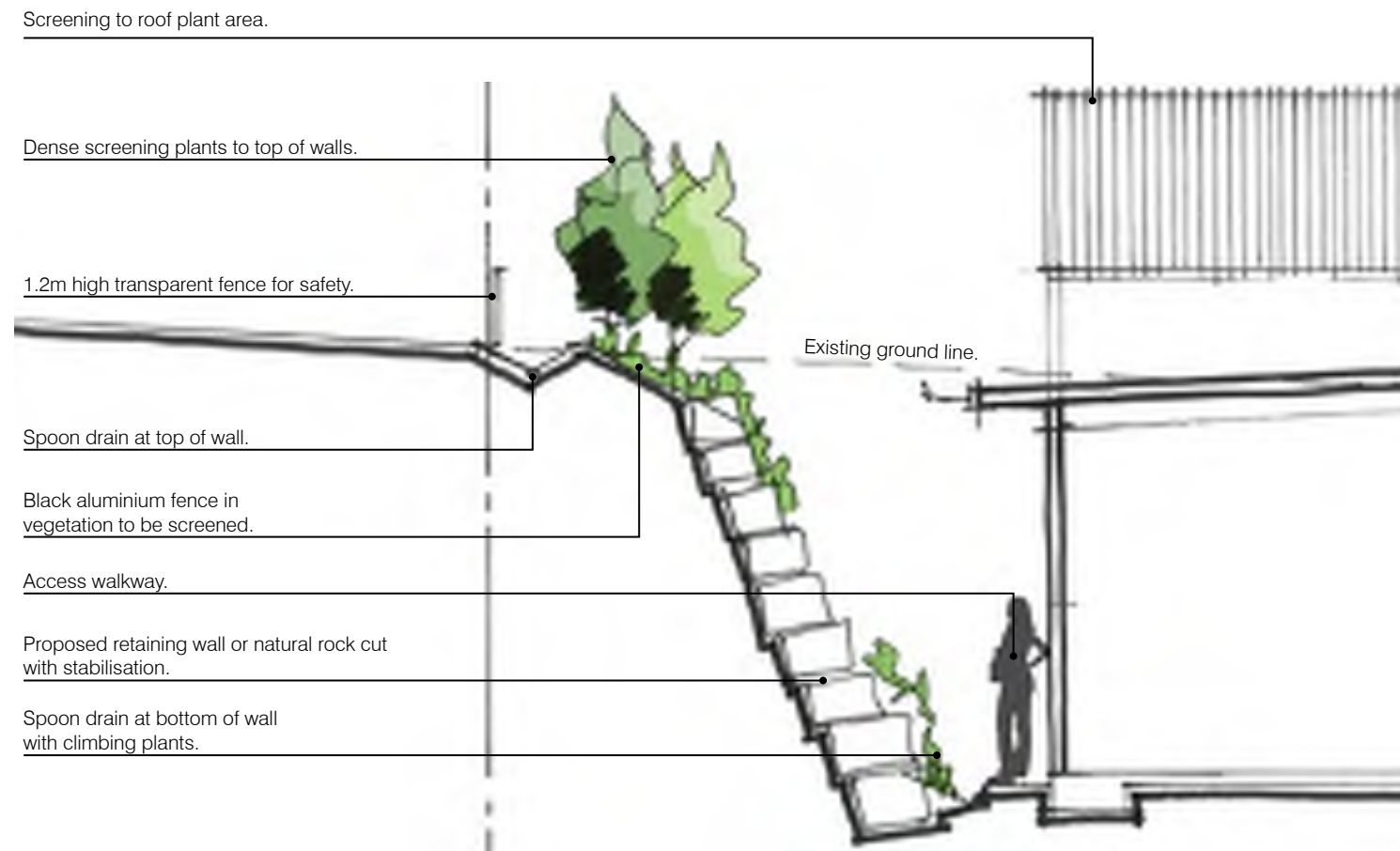
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LANDSCAPE SECTION DETAIL - 02

1:100

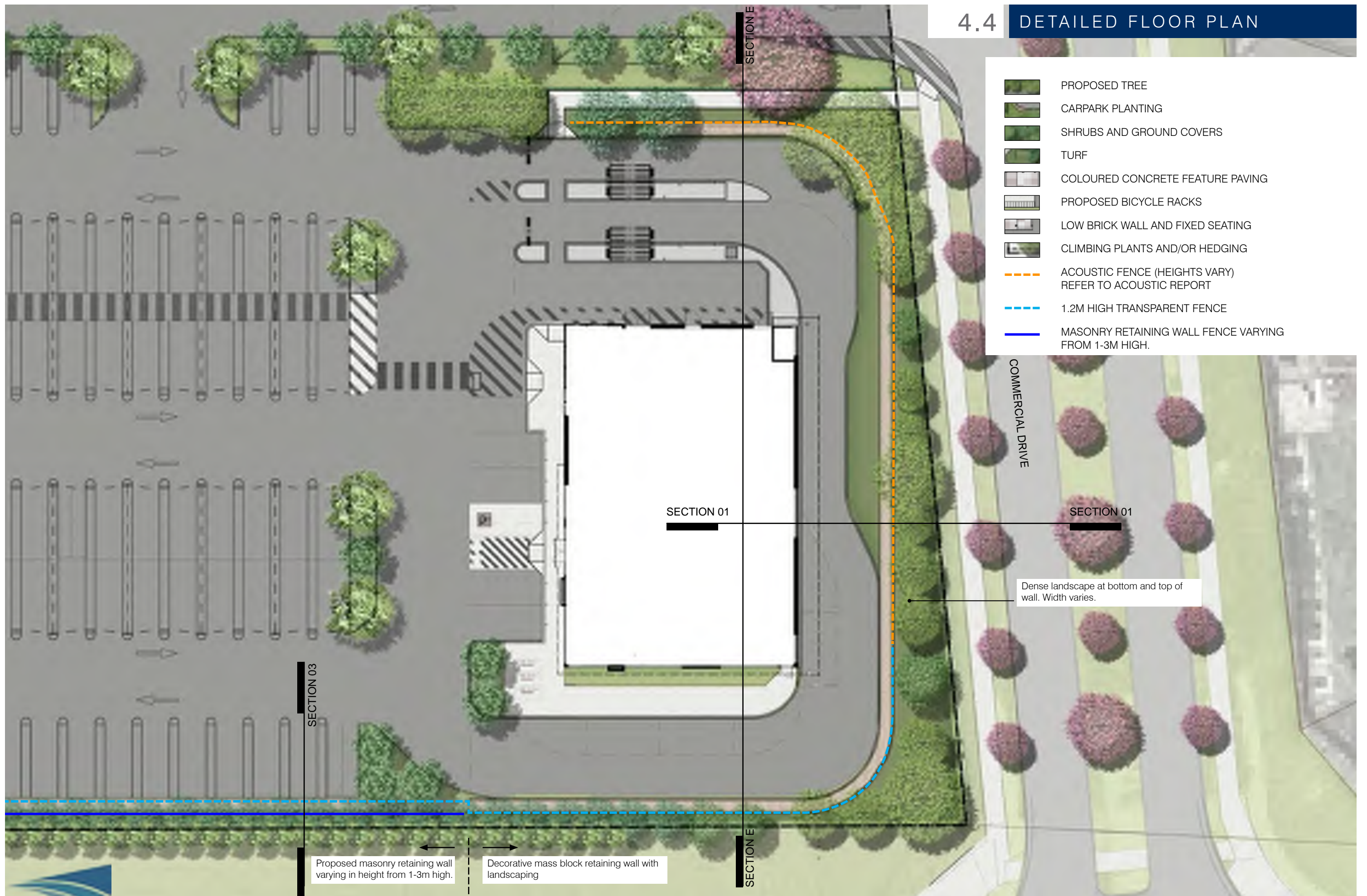
LANDSCAPE SECTION DETAIL - 03





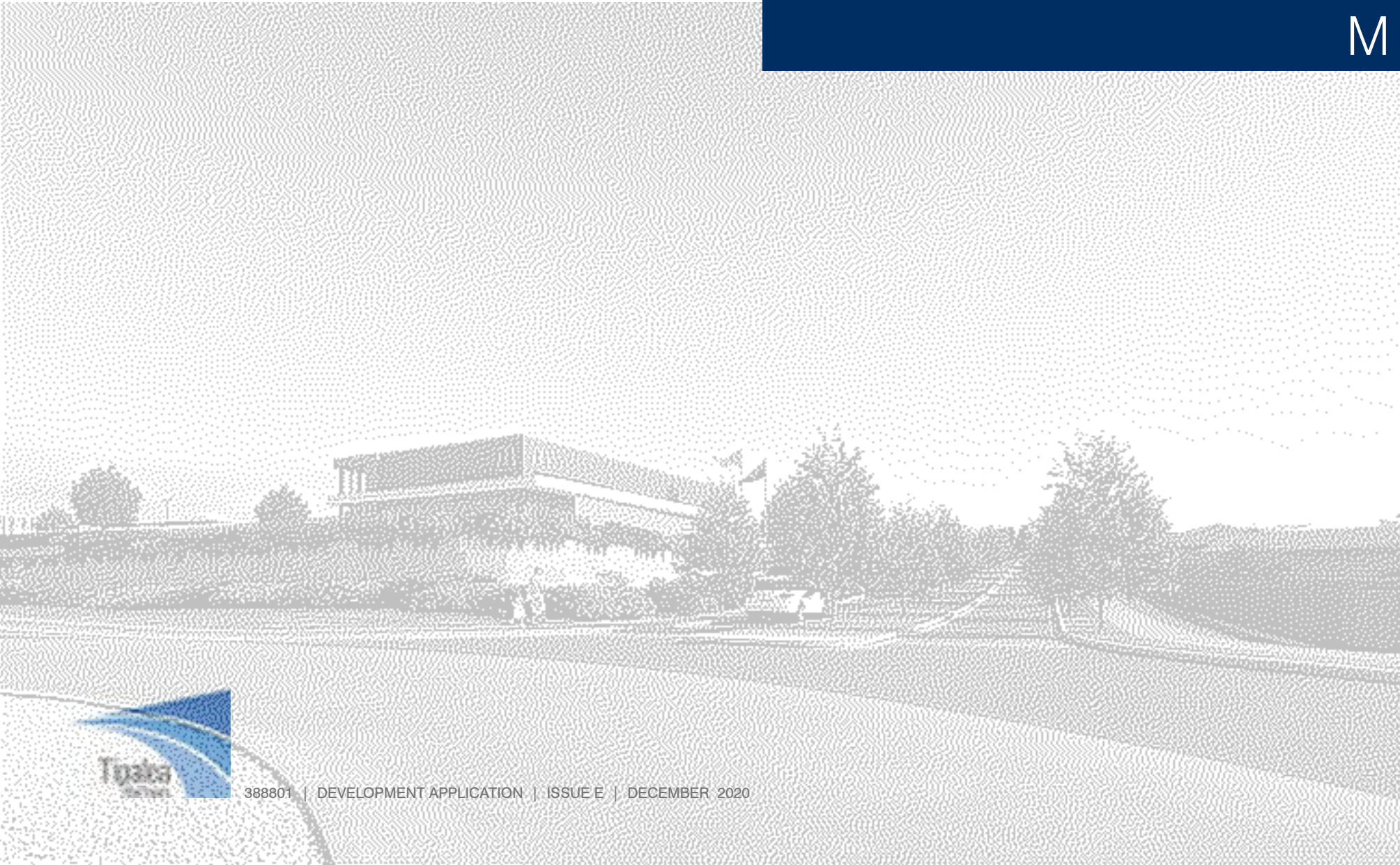
1:100
LANDSCAPE SECTION DETAIL - 04

4.4 DETAILED FLOOR PLAN



5.0c

MCDONALDS DRAWINGS



PROPOSED McDONALD'S OPERATION AT:

CNR PASS ROAD & ROKEBY ROAD
HOWRAH
TAS 7019

STAGE:

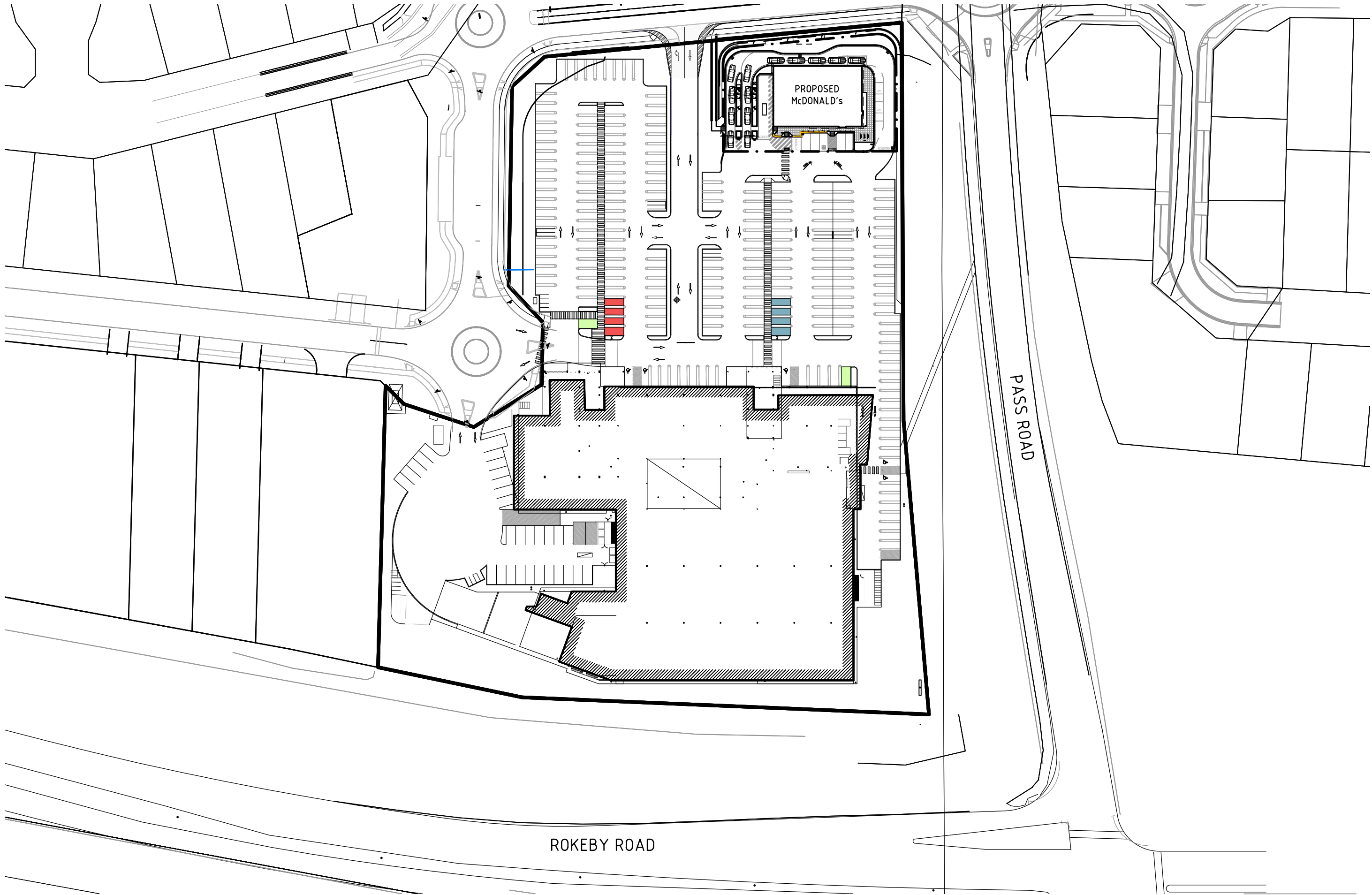
DA ISSUE

AMENDMENT: B

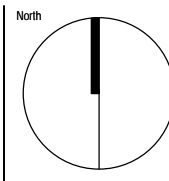


McDonald's Australia Limited
ABN. 43 008 496 928
☎ 02 9875 6666
✉ devgroup-aust@au.mcd.com






Revisions				General Notes				Drawing Notes						
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.										
B	DA ISSUE		13.11.20	SH	GM									
A	PRELIMINARY ISSUE		11.03.20	SH	GM									
Issue Description				Date	Chk	Int								



Client

 McDonald's Australia Limited
ABN: 43 008 496 928
TEL: (02) 9875 6666
devgroup-aust@au.mcd.com

Project Manager



Architect

 AIN 34 001 405 436
38 Willoughby Road Crows Nest NSW 2065
TEL: (02) 9490 9600 FAX: (02) 94381224

Consultants

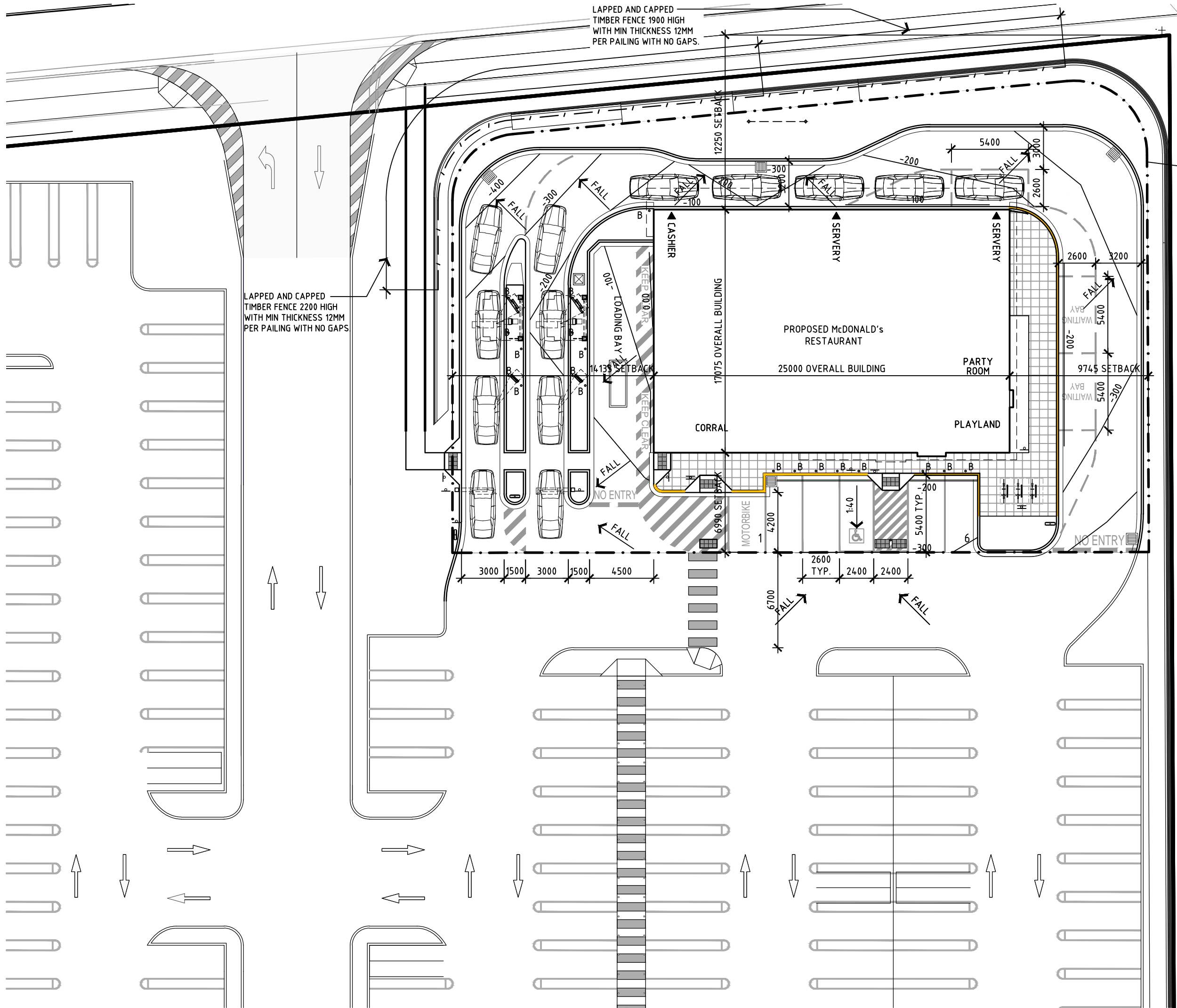
Project

McDONALD'S GLEBE HILL

Location

CNR PASS ROAD & ROKEBY ROAD
HOWRAH - TAS 7019

DA ISSUE		
NOT FOR USE DURING CONSTRUCTION		
Scale	Series	
1:1000	BIO_MOD 425	
Drawing		
OVERALL SITE PLAN		
Project Number	Drawing Number	Issue
190330	A041	B



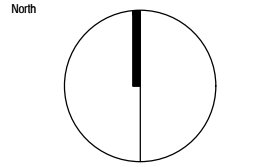
- ### NOTES
1. SITE AREA = 1518 SQ.M.
BUILDING GFA = 427.68 SQ.M.
 2. PARKING: 4 X 2600 X 5400 CAR SPACES.
1 X 2600 X 4200 CAR SPACE.(MOTORBIKE).
1 X 2400 X 5400 ACCESSIBLE SPACE WITH
1 X 2400 X 5400 CLEAR ADJACENT SPACE.
 3. 13 CARS IN DRIVE THRU QUEUE.
1 X 2600 X 5400 SERVERY BAY (3rd WINDOW).
2 X 2600 X 5400 WAITING BAY(S).
1 X LOADING BAY.

- ### LEGEND
- B • BOLLARD.
 - VEHICLE DETECTOR LOOP.

General Notes

Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.

Revisions			
Issue Description	Date	Chk	Int
D DA ISSUE	13.11.20	PR	GM
C ACOUSTIC FENCE ADDED	02.10.20	PR	SH
B PRELIMINARY ISSUE	02.04.20	PR	GM
A PRELIMINARY ISSUE	11.03.20	PR	GM



Client

McDonald's Australia Limited
ABN: 43 008 496 928
02 9875 6666
devgroup-aust@au.mcd.com

Project Manager

NDG

Architect

Richmond + Ross
38 Willoughby Road, Crows Nest, NSW 2065
TEL: (02) 9490 9600 FAX: (02) 94381224
Consultants

Project

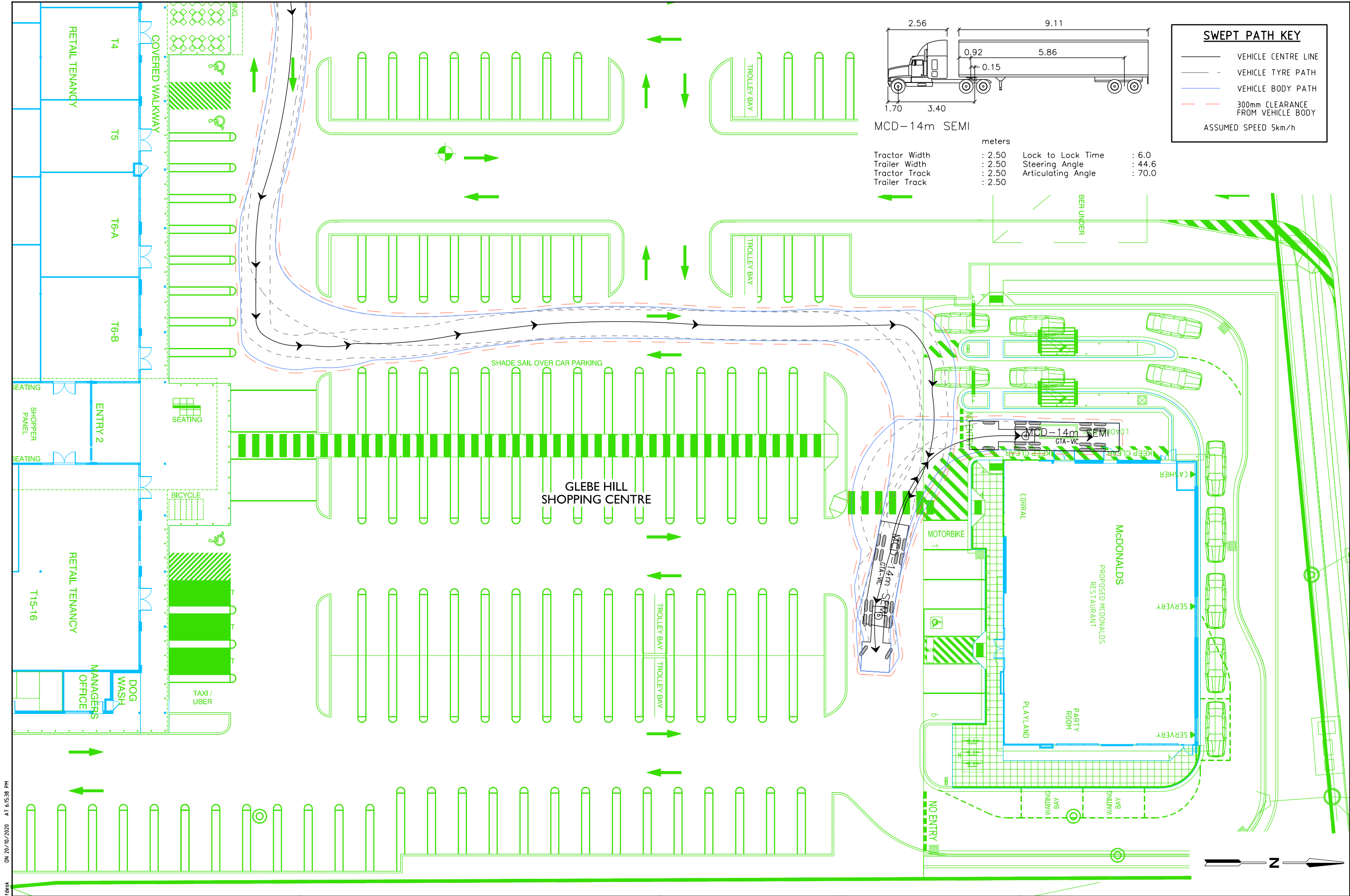
McDONALD'S GLEBE HILL

Location

CNR PASS ROAD & ROKEBY ROAD
HOWRAH - TAS 7019

DA ISSUE
NOT FOR USE DURING CONSTRUCTION

Scale	Series	
1:250	BIO_MOD 425	
Drawing		
SITE PLAN		
Project Number	Drawing Number	Issue
190330	A062	D



ON 20/10/2020 AT 6:15:38 PM
PLOTTED BY : draftinghotdesk



Melbourne 03 9851 9600
Sydney 02 8448 1800
Brisbane 07 3113 5000
Adelaide 08 8334 3600
Perth 08 6169 1000

PRELIMINARY PLAN
FOR DISCUSSION PURPOSES
ONLY SUBJECT TO CHANGE
WITHOUT NOTIFICATION

WARNING
BEWARE OF UNDERGROUND SERVICES
THE LOCATIONS OF UNDERGROUND SERVICES ARE
APPROXIMATE ONLY AND THEIR EXACT POSITION
SHOULD BE PROVEN ON SITE. NO GUARANTEE IS
GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

DESIGNED
D. HUYNH

APPROVED BY
C. GREENLAND

DESIGN CHECK
C. GREENLAND

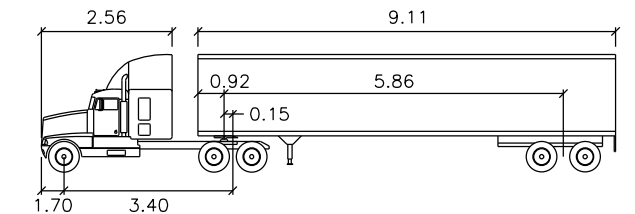
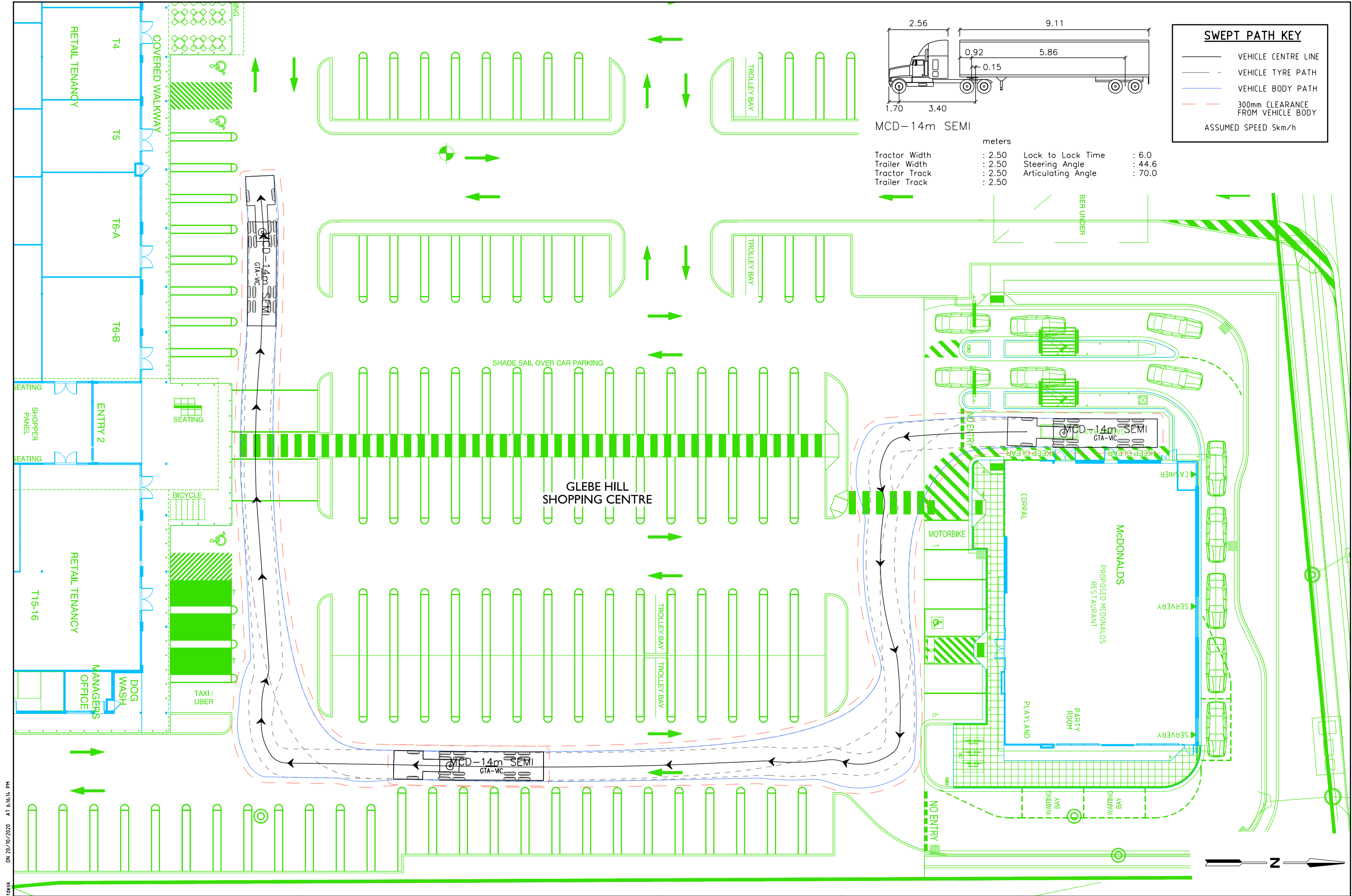
DATE ISSUED
20 OCTOBER 2020

SCALE
A3

1:300

CAD FILE NO.
V196990-AT01-P5.dgn

PROPOSED MIXED-USE SHOPPING CENTRE
GLEBE HILL SHOPPING CENTRE
LOT 802 HANCE ROAD, HOWRAH
SWEPT PATH ASSESSMENT
DRAWING NO. V196990-AT01-01



MCD-14m SEMI

Tractor Width	: 2.50	Lock to Lock Time	: 6.0
Trailer Width	: 2.50	Steering Angle	: 44.6
Tractor Track	: 2.50	Articulating Angle	: 70.0
Trailer Track	: 2.50		

SWEPT PATH KEY

- VEHICLE CENTRE LINE
- VEHICLE TYRE PATH
- VEHICLE BODY PATH
- 300mm CLEARANCE FROM VEHICLE BODY
- ASSUMED SPEED 5km/h

ON 20/10/2020 AT 6:16:14 PM
PLOTTED BY : drafting/ha/desktop

GTA consultants
www.gta.com.au

Melbourne 03 9851 9600
Sydney 02 8448 1800
Brisbane 07 3113 5000
Adelaide 08 8334 3600
Perth 08 6169 1000

PRELIMINARY PLAN
FOR DISCUSSION PURPOSES
ONLY SUBJECT TO CHANGE
WITHOUT NOTIFICATION

WARNING
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GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

DESIGNED
D. HUYNH

DESIGN CHECK
C. GREENLAND

APPROVED BY
C. GREENLAND

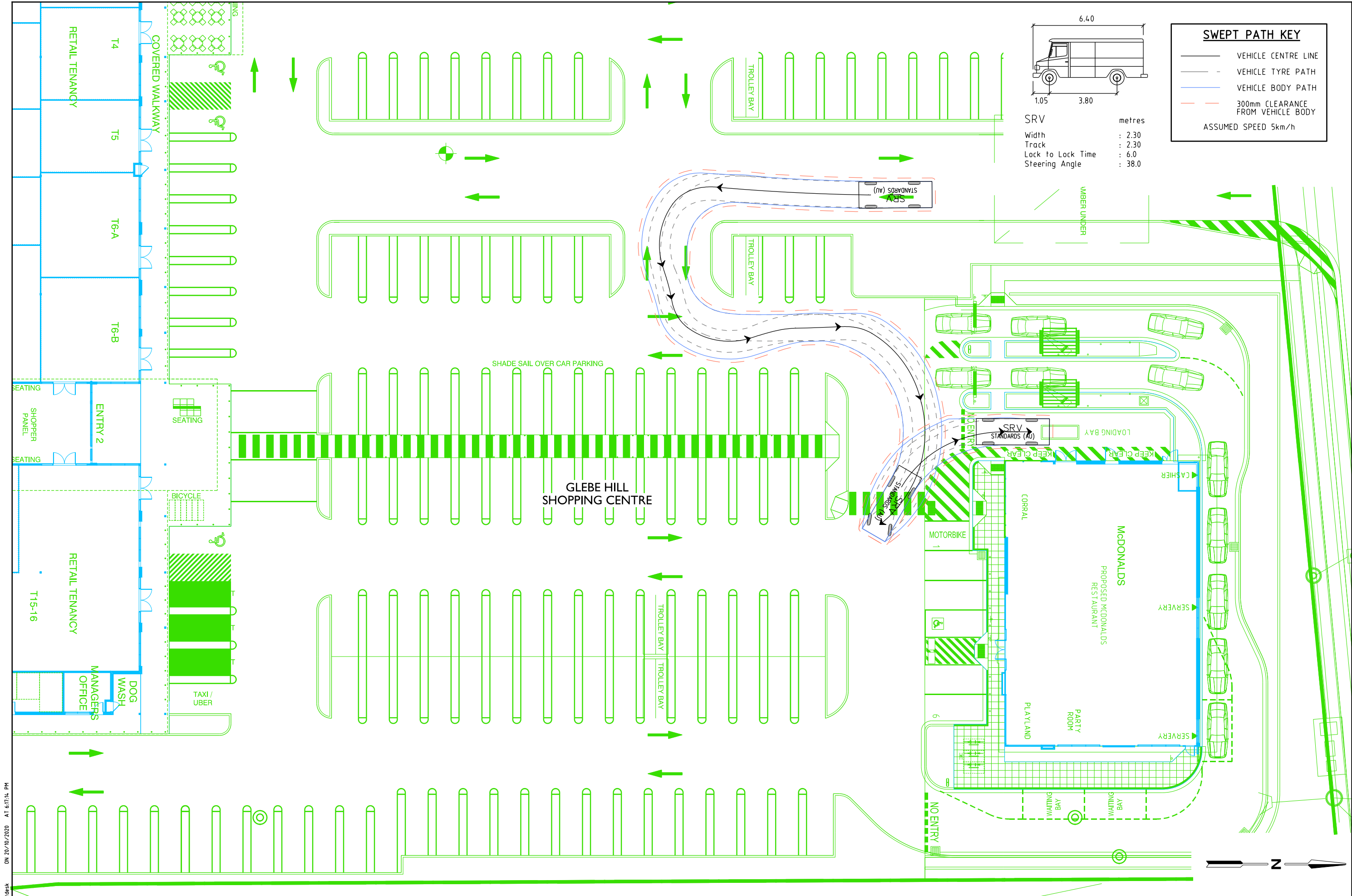
DATE ISSUED
20 OCTOBER 2020

SCALE
A3

1:300

CAD FILE NO.
V196990-AT01-P5.dgn

PROPOSED MIXED-USE SHOPPING CENTRE
GLEBE HILL SHOPPING CENTRE
LOT 802 HANCE ROAD, HOWRAH
SWEPT PATH ASSESSMENT
DRAWING NO. V196990-AT01-02



ON 20/10/2020 AT 6:11:14 PM
PLOTTED BY : draftinghotdesk



Melbourne 03 9851 9600
Sydney 02 8448 1800
Brisbane 07 3113 5000
Adelaide 08 8334 3600
Perth 08 6169 1000

PRELIMINARY PLAN
FOR DISCUSSION PURPOSES
ONLY SUBJECT TO CHANGE
WITHOUT NOTIFICATION

WARNING
BEWARE OF UNDERGROUND SERVICES
THE LOCATIONS OF UNDERGROUND SERVICES ARE
APPROXIMATE ONLY AND THEIR EXACT POSITION
SHOULD BE PROVEN ON SITE. NO GUARANTEE IS
GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

DESIGNED
D. HUYNH

APPROVED BY
C. GREENLAND

DESIGN CHECK
C. GREENLAND

DATE ISSUED
20 OCTOBER 2020

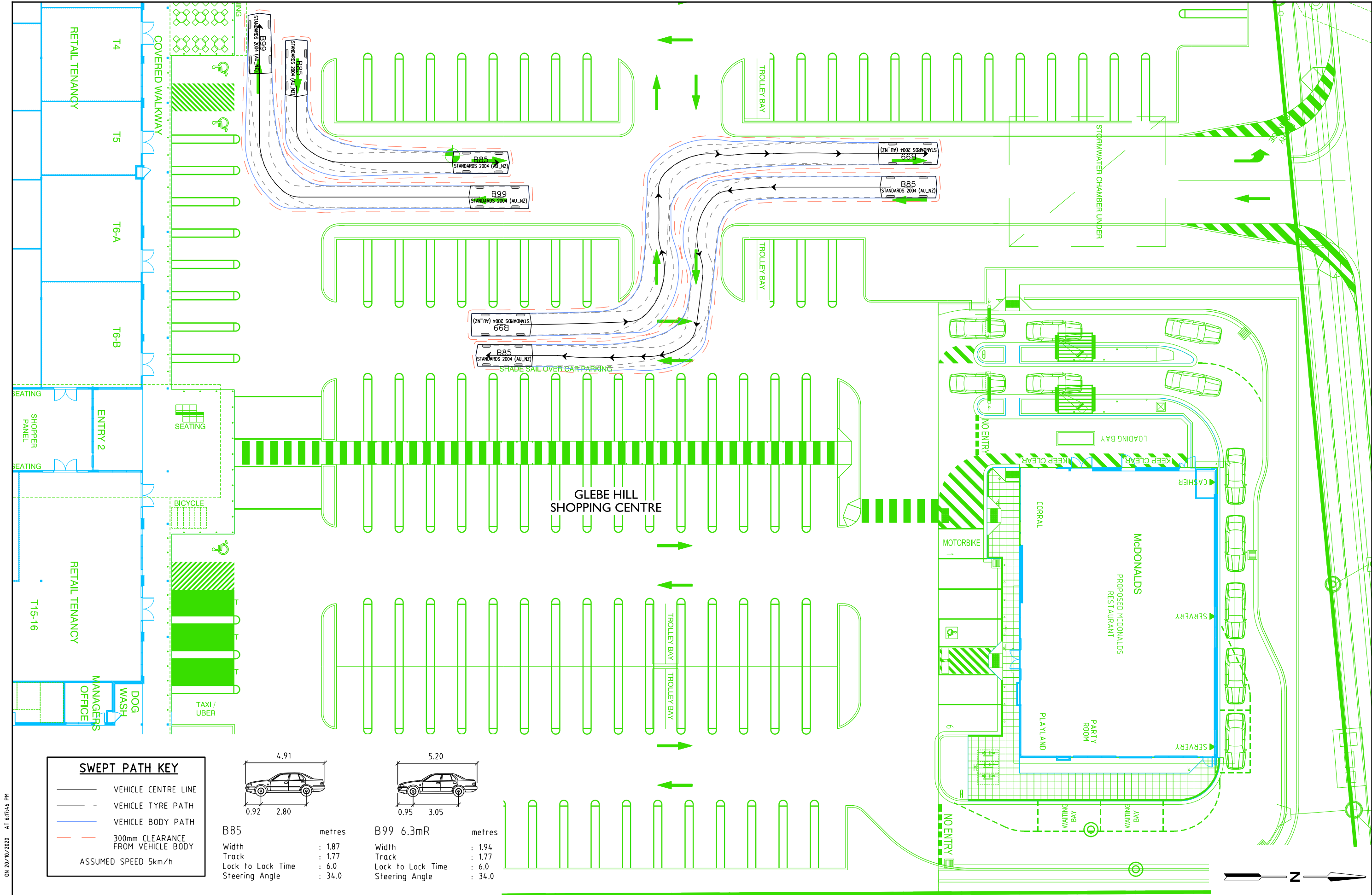
SCALE
A3

1:300

CAD FILE NO.
V196990-AT01-P5.dgn

PROPOSED MIXED-USE SHOPPING CENTRE
GLEBE HILL SHOPPING CENTRE
LOT 802 HANCE ROAD, HOWRAH
SWEPT PATH ASSESSMENT
DRAWING NO. V196990-AT01-04

ISSUE P4



ON 20/10/2020 AT 6:17:46 PM
PLOTTED BY : drafting\halden

SWEPT PATH KEY	
	VEHICLE CENTRE LINE
	VEHICLE TYRE PATH
	VEHICLE BODY PATH
	300mm CLEARANCE FROM VEHICLE BODY
ASSUMED SPEED 5km/h	

B85	
Width	: 1.87
Track	: 1.77
Lock to Lock Time	: 6.0
Steering Angle	: 34.0

B99 6.3mR	
Width	: 1.94
Track	: 1.77
Lock to Lock Time	: 6.0
Steering Angle	: 34.0



Melbourne 03 9851 9600
Sydney 02 8448 1800
Brisbane 07 3113 5000
Adelaide 08 8334 3600
Perth 08 6169 1000

PRELIMINARY PLAN
FOR DISCUSSION PURPOSES
ONLY SUBJECT TO CHANGE
WITHOUT NOTIFICATION

WARNING
BEWARE OF UNDERGROUND SERVICES
THE LOCATIONS OF UNDERGROUND SERVICES ARE
APPROXIMATE ONLY AND THEIR EXACT POSITION
SHOULD BE PROVEN ON SITE. NO GUARANTEE IS
GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

DESIGNED
D. HUYNH

APPROVED BY
C. GREENLAND

DESIGN CHECK
C. GREENLAND

DATE ISSUED
20 OCTOBER 2020

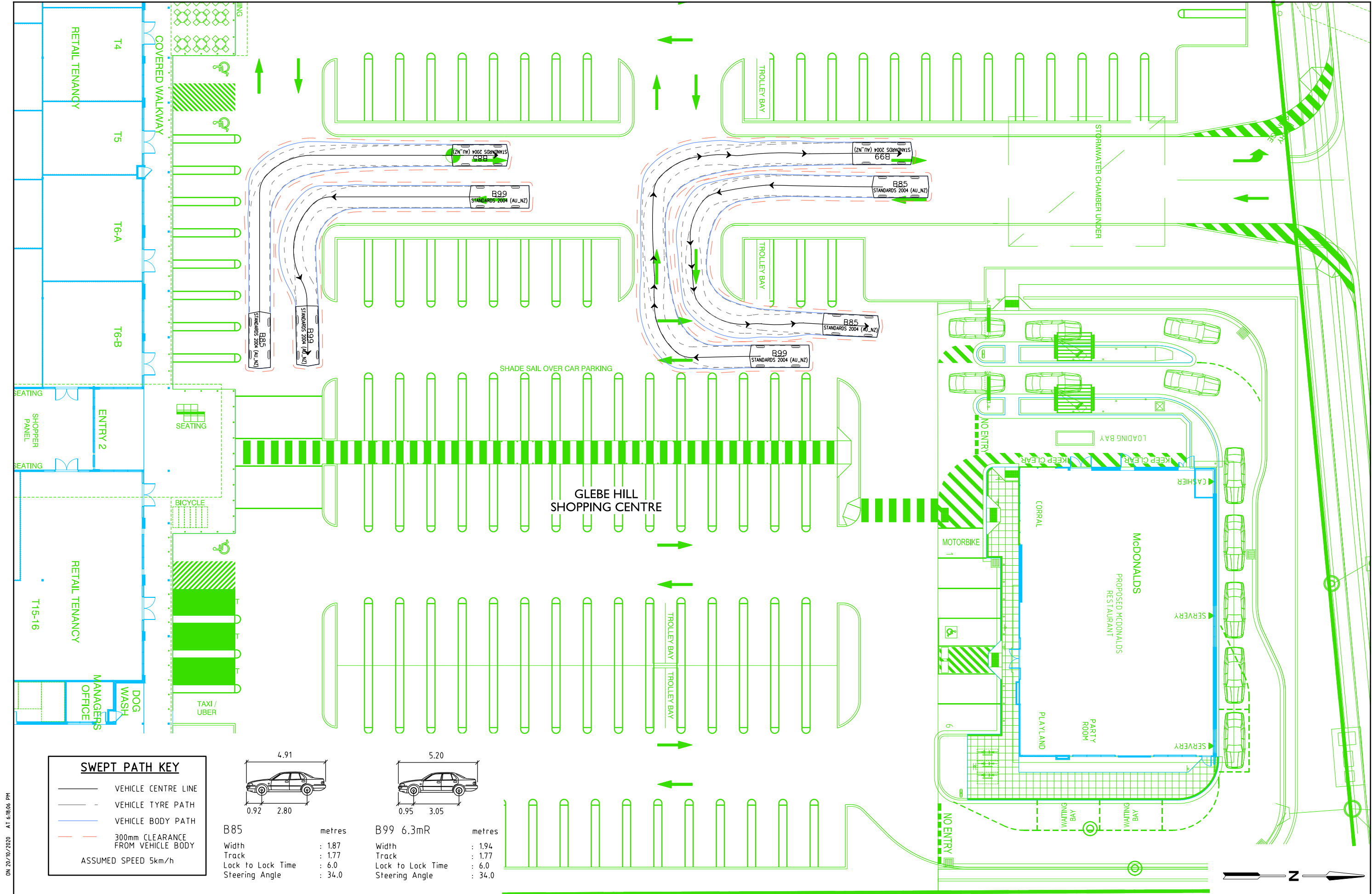
SCALE
A3

1:300

CAD FILE NO.
V196990-AT01-P5.dgn

PROPOSED MIXED-USE SHOPPING CENTRE
GLEBE HILL SHOPPING CENTRE
LOT 802 HANCE ROAD, HOWRAH
SWEPT PATH ASSESSMENT
DRAWING NO. V196990-AT01-05

ISSUE P4

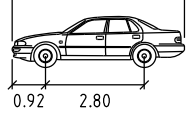
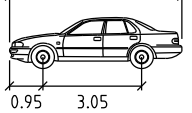


ON 20/10/2020 AT 6:18:06 PM
PLOTTED BY : drafting\halden

SWEPT PATH KEY

- VEHICLE CENTRE LINE
- - VEHICLE TYRE PATH
- VEHICLE BODY PATH
- - 300mm CLEARANCE FROM VEHICLE BODY

ASSUMED SPEED 5km/h

 B85	metres	 B99 6.3mR	metres
	Width		: 1.87
	Track		: 1.77
	Lock to Lock Time		: 6.0
	Steering Angle		: 34.0



GTA consultants
www.gta.com.au

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Adelaide 08 8334 3600
Perth 08 6169 1000

PRELIMINARY PLAN

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DESIGNED
D. HUYNH

APPROVED BY
C. GREENLAND

DESIGN CHECK
C. GREENLAND

DATE ISSUED
20 OCTOBER 2020

SCALE
A3



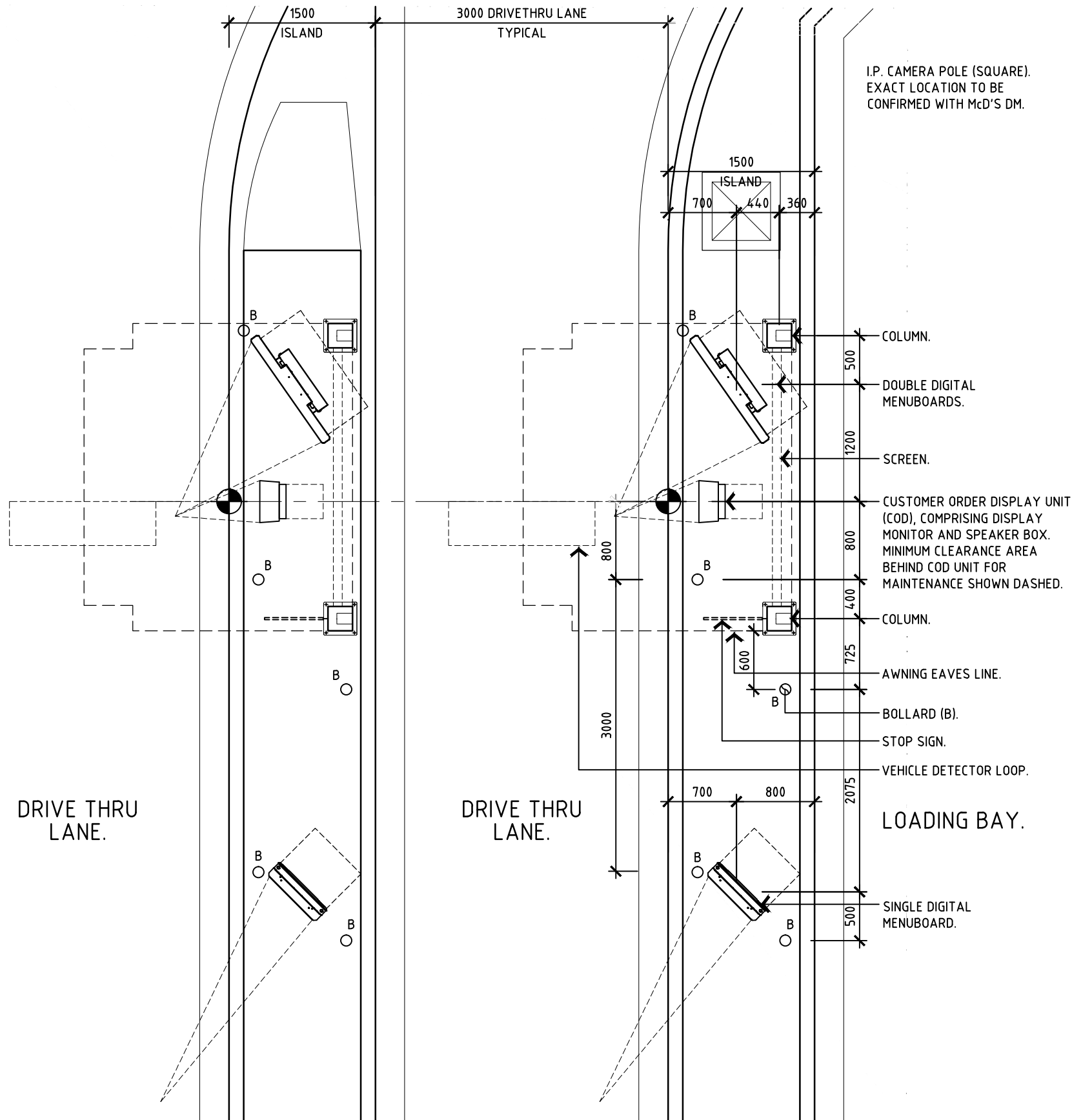
1:300

CAD FILE NO.
V196990-AT01-P5.dgn

PROPOSED MIXED-USE SHOPPING CENTRE
GLEBE HILL SHOPPING CENTRE
LOT 802 HANCE ROAD, HOWRAH
SWEPT PATH ASSESSMENT

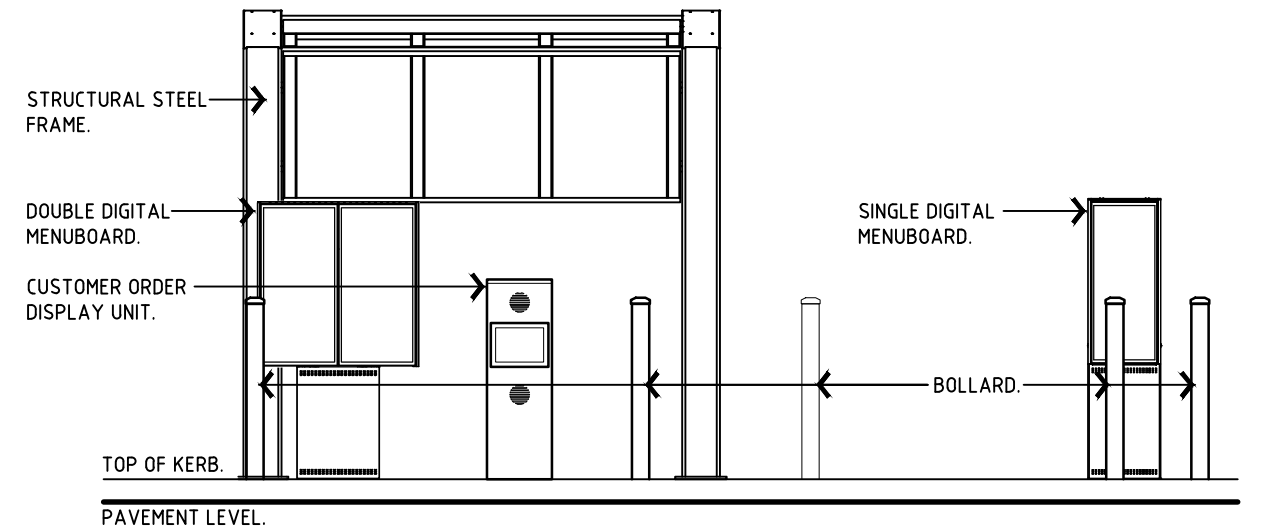
DRAWING NO. V196990-AT01-06

ISSUE P4



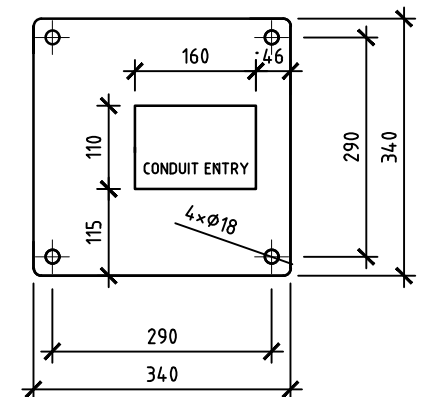
COD UNIT WITH AWNING (PLAN)

SCALE 1:50

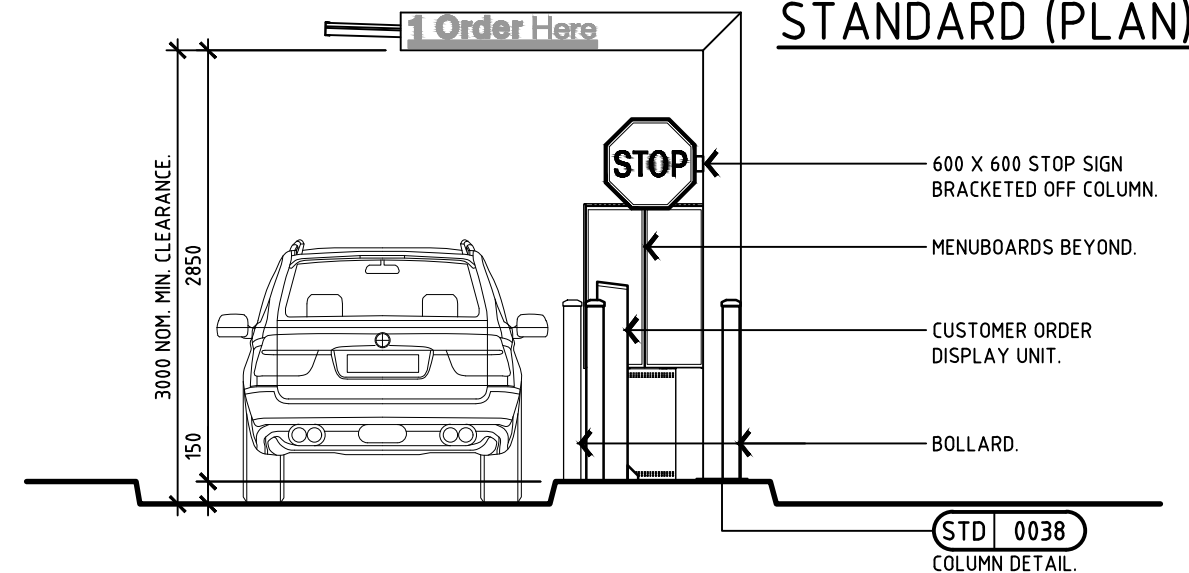


COD UNIT WITH AWNING (FRONT ELEVATION)

SCALE 1:50



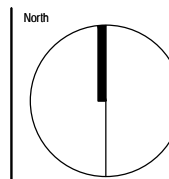
BASE PLATE STANDARD (PLAN)



COD UNIT WITH AWNING (APPROACH SIDE ELEVATION)

SCALE 1:50

Revisions	General Notes	Drawing Notes
B DA ISSUE	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacture. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	
A PRELIMINARY ISSUE		
Issue Description	Date Chk Int	

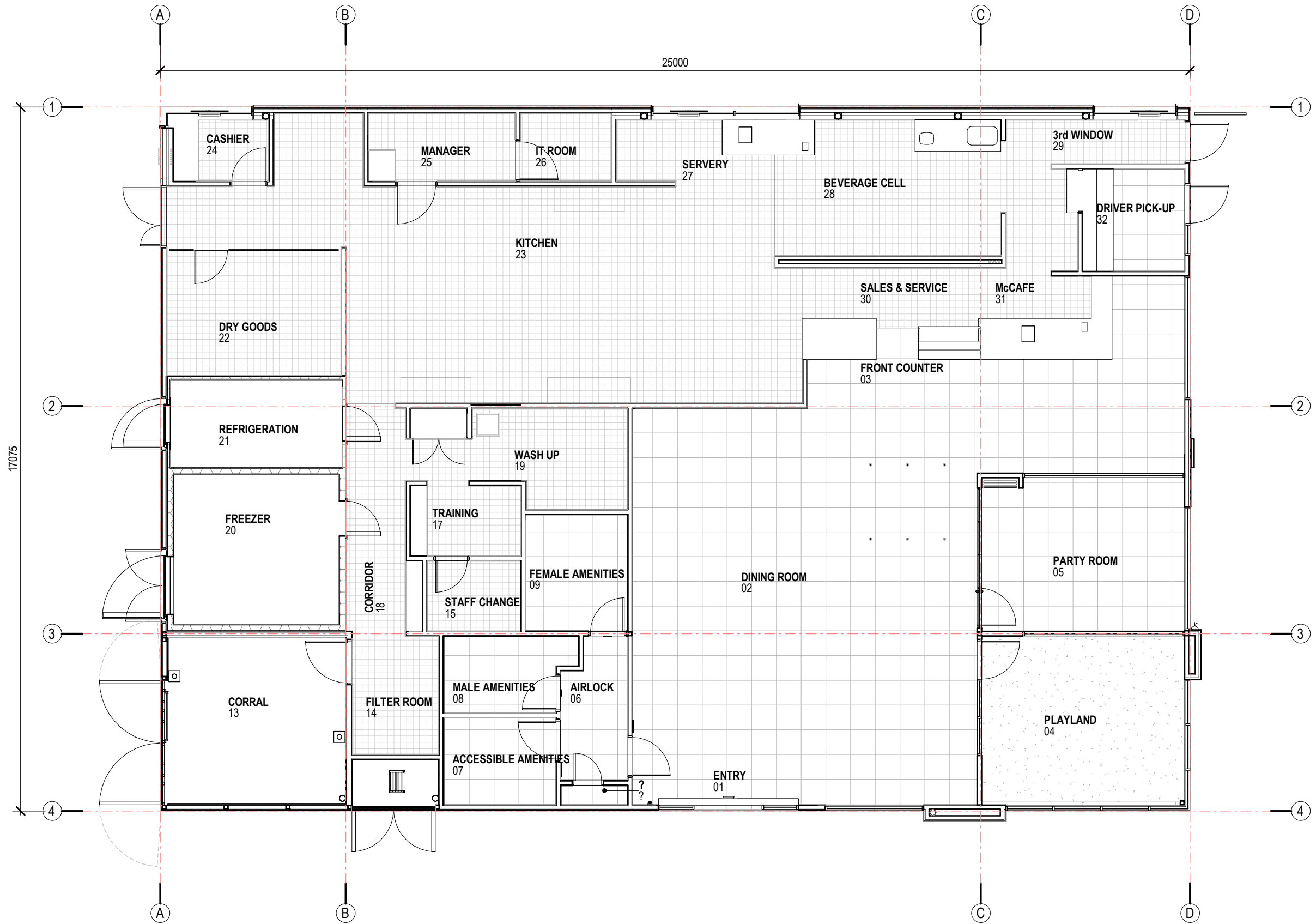


Client	McDonald's Australia Limited ABN: 43 008 496 928 02 9875 6666 devgroup-aust@au.mcd.com
Project Manager	NEG

Architect	Richmond + Ross 38 Willoughby Road Crows Nest TEL: (02) 9490 9600 Consultants
ABN: 34 001 485 436	NSW 2065 FAX: (02) 94381224

Project	McDONALD'S GLEBE HILL
Location	CNR PASS ROAD & ROKEBY ROAD HOWRAH - TAS 7019

DA ISSUE		
NOT FOR USE DURING CONSTRUCTION		
Scale	Series	
1:50		
Drawing		
COD UNIT DETAILS		
Project Number	Drawing Number	Issue
190330	A082	B



Revisions			General Notes			Drawing Notes		
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A	PRELIMINARY ISSUE	11.03.20	PR	GM				
	Issue Description	Date	Chk	Int				

Client
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Project Manager


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38 Willoughby Road Crows Nest NSW 2065
TEL: (02) 9490 9600 FAX: (02) 94381224
Consultants

Project
McDONALDS GLEBE HILL

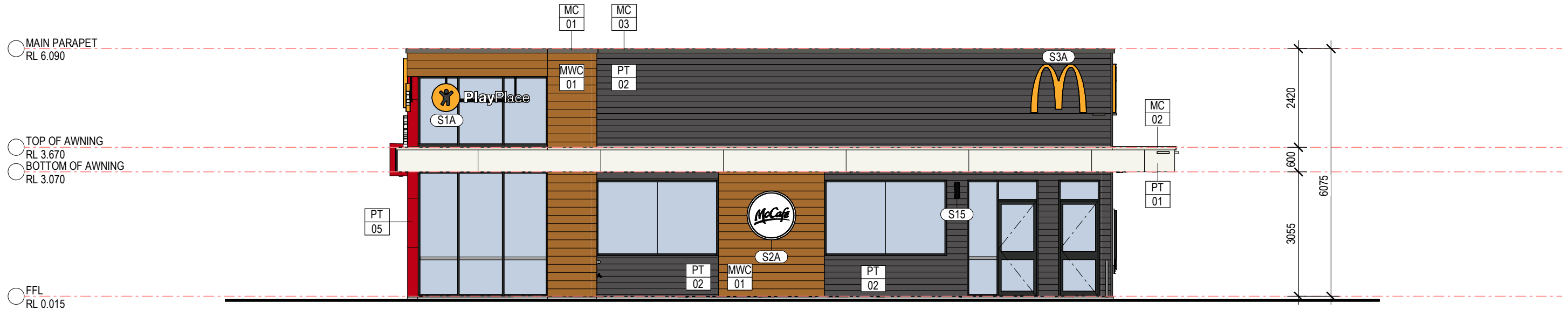
Location
CNR PASS ROAD & ROKEBY ROAD
HOWRA
TAS 7019

DA ISSUE
NOT TO BE USED DURING CONSTRUCTION

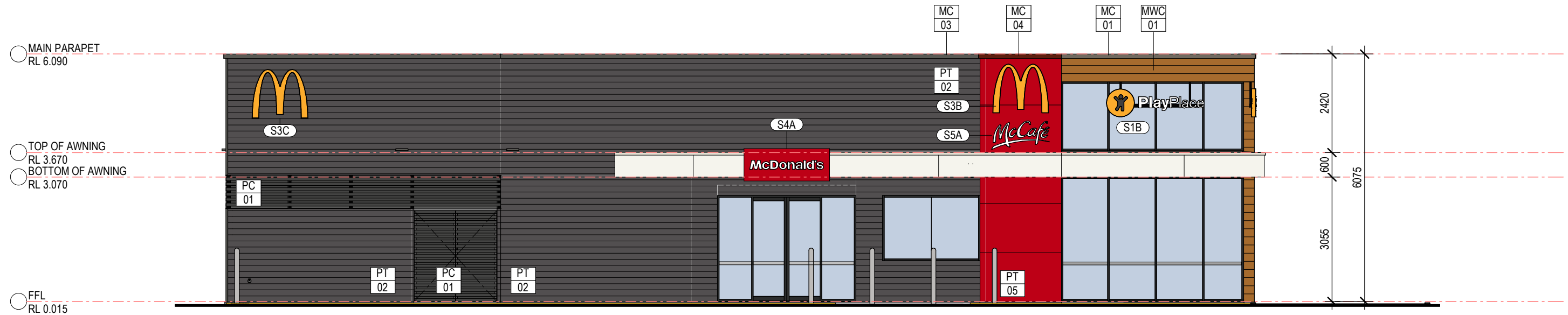
Scale 1:100 @ A3
Series BIO_MOD 425

Drawing
PROPOSED FLOOR PLAN

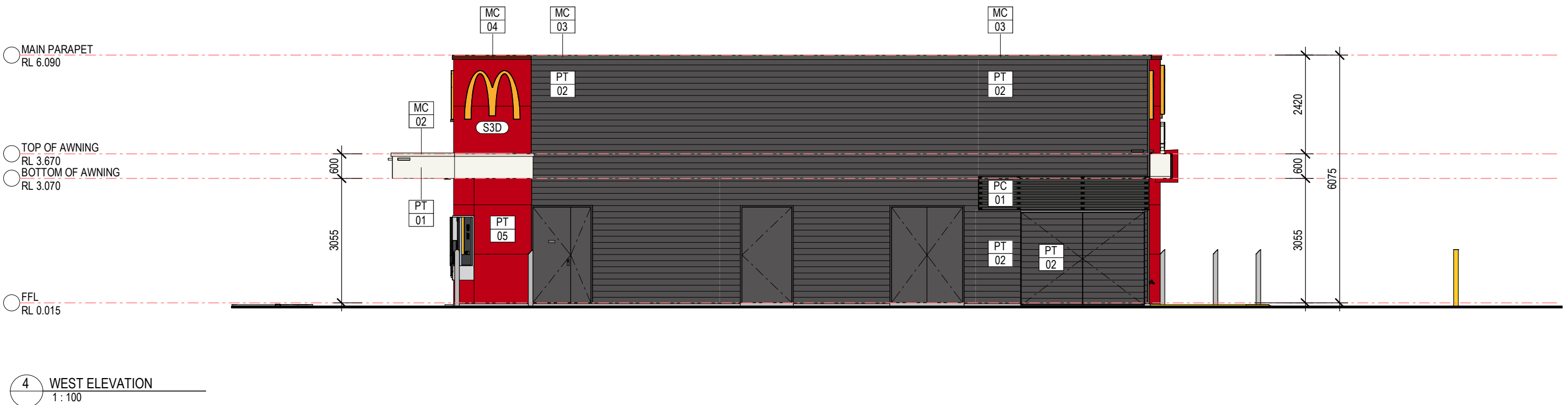
Project Number 190330
Drawing Number A101
Issue B



1 EAST ELEVATION
1:100

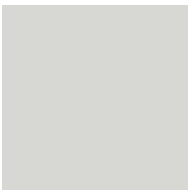

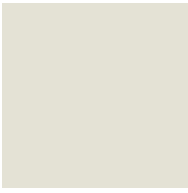
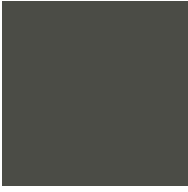


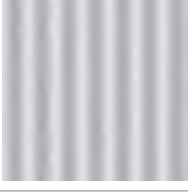



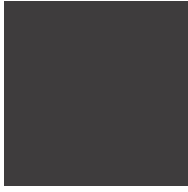
2 SOUTH ELEVATION
1:100



DA ISSUE
NOT TO BE USED DURING CONSTRUCTION

Scale	Series
1 : 100 @ A3	BIO_MOD 425
Drawing	
NORTH & WEST ELEVATIONS	
Project Number	Drawing Number
190330	A202
	B

EXTERNAL FINISHES SCHEDULE						
CODE	No.	AREA	DESCRIPTION	MANUFACTURER	COLOUR	IMAGE
AN	01	ALUMINIUM WINDOWS & DOOR FRAMES. REFER NOTE 1.	PREFABRICATED ALUMINIUM FRAMING	CAPRAL	NATURAL FINISH CLEAR ANODISED	
MC	01	PARAPET CAPPING	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	JASPER	
MC	02	PARAPET CAPPING	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	SURFMIST	
MC	03	PARAPET CAPPING	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	WOODLAND GREY	
MC	04	PARAPET CAPPING	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	MANOR RED	
MWC	01	PLAYPLACE & PARAPETS	TIMBER LOOK ALUMINIUM CLADDING SYSTEM USING KNOTWOOD 200mm CLADDING PROFILE	KNOTWOOD	LIGHT OAK	
MWC	02	ROOF WELL (INTERNAL PARAPET LINING)	CUSTOM ORB CORRUGATED STEEL RIVET FIXED VERTICALLY TO FRAMES	LYSAGHT	ZINCALUME	
MWC	03	ROOF WELL (PLAYPLACE WALL LINING)	CUSTOM ORB CORRUGATED STEEL RIVET FIXED VERTICALLY TO FRAMES	LYSAGHT	WOODLAND GREY	

EXTERNAL FINISHES SCHEDULE						
CODE	No.	AREA	DESCRIPTION	MANUFACTURER	COLOUR	IMAGE
PC	01	CORRAL BATTENS & ROOF ACCESS, ELEC. ROOM DOORS	POWDERCOAT FINISH	DULUX DURALLOY	MONUMENT SATIN (COLORBOND)	
PC	02	ALUMINIUM WINDOWS & DOOR FRAMES. REFER NOTE 1.	POWDERCOAT FINISH	DULUX DURALLOY	BLACK SATIN (NIGHT SKY) 19268	
PT	01	FASCIAS (RIBBON)	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	VIVID WHITE PW1H9	
PT	02	MAIN BUILDING WALLS	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	WAYWARD GREY PG1G8	
PT	05	BLADE WALL & DRIVETHRU WINDOWS	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	McDONALDS RED RGB Value: R189 G0 B22.	
STN	01	DRIVETHRU WINDOW SILL & SURROUND	RECONSTITUTED STONE. REFER TO DECOR DOCUMENTS	REFER DECOR	REFER DECOR	

Revisions			General Notes			Drawing Notes		
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B	DA ISSUE	13.11.20	PR	GM				
A	PRELIMINARY ISSUE	11.03.20	PR	GM				
Issue Description		Date	Chk	Int				

Client		Project		DA ISSUE	
		McDONALDS GLEBE HILL		NOT TO BE USED DURING CONSTRUCTION	
Project Manager		Location		Scale	
		CNR PASS ROAD & ROKEBY ROAD		1 : 100 @ A3	
		HOWRA		Drawing	
		TAS 7019		FINISHES SCHEDULE	
				Project Number Drawing Number Issue	
				190330 A205 B	

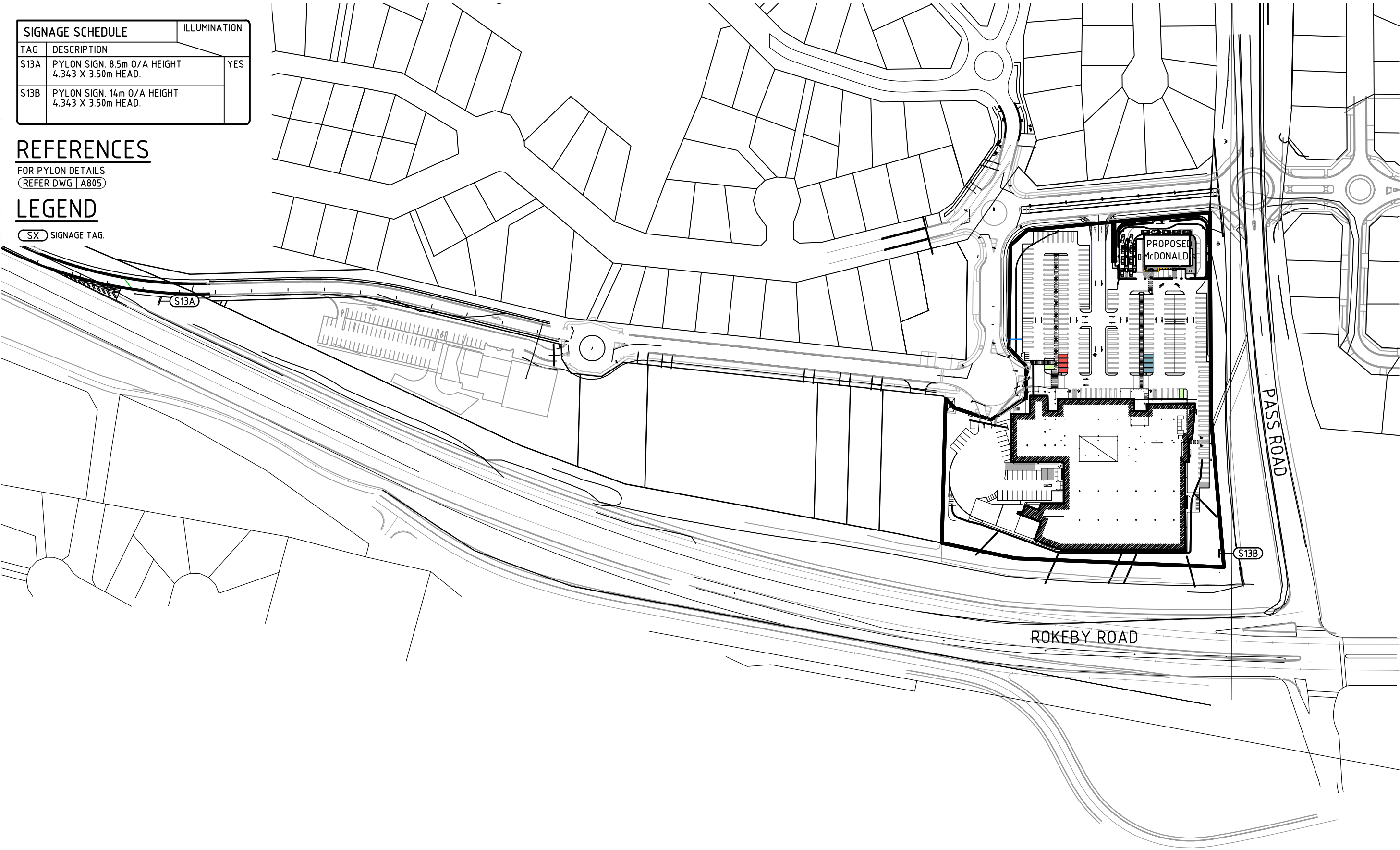
SIGNAGE SCHEDULE		ILLUMINATION
TAG	DESCRIPTION	
S13A	PYLON SIGN. 8.5m O/A HEIGHT 4.343 X 3.50m HEAD.	YES
S13B	PYLON SIGN. 14m O/A HEIGHT 4.343 X 3.50m HEAD.	

REFERENCES

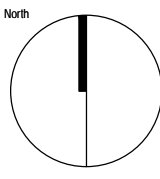
FOR PYLON DETAILS
(REFER DWG | A805)

LEGEND

(SX) SIGNAGE TAG.



Revisions		General Notes		Drawing Notes
B	DA ISSUE	13.11.20	SH GM	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.
A	PRELIMINARY ISSUE	11.03.20	SH GM	
Issue Description		Date	Chk Int	



Client

 McDonald's Australia Limited
ABN: 43 008 496 928
☎ 02 9875 6666
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Project Manager



Architect

 ABN 34 001 485 436

38 Willoughby Road Crows Nest NSW 2065
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Consultants

Project

McDONALD'S GLEBE HILL

Location
CNR PASS ROAD & ROKEBY ROAD
HOWRAH - TAS 7019

DA ISSUE		
NOT FOR USE DURING CONSTRUCTION		
Scale	Series	
1:2000	BIO_MOD 425	
Drawing		
OVERALL SITE SIGNAGE		
Project Number	Drawing Number	Issue
190330	A801.1	B

SIGNAGE SCHEDULE		ILLUMINATION
TAG	DESCRIPTION	
S1A, S1B	PLAY PLACE SIGN. LOGO & LETTERING FIXED TO HANGING FRAME.	YES
S2A	WALL SIGN. Ø1200 BUTTON SIGN. WORDING: "McCAFE" FIXED TO WALL.	
S3A, S3B, S3C, S3D, S3E	WALL SIGN. 1.371 X 1.200m HIGH "M" LOGO FIXED TO WALL/BLADE.	
S4A	ENTRY CLIP. 2.100 X 0.750m HIGH NON-ILLUMINATED FASCIA WITH LED ILLUMINATED LETTERING: "McDONALDS"	
S5A	WALL SIGN. 1.420 X 0.70m HIGH. WORDING: "McCAFE" FIXED TO BLADE.	
S6A, S6B	HEIGHT CLEARANCE GANTRY.	
S7A, S7B	SINGLE DIGITAL PRESELL MENUBOARD	
S7C, S7D	DOUBLE DIGITAL MENUBOARD.	
S8A	DIRECTIONAL SIGN. 0.7 X 2.3m HIGH. DOUBLE SIDED. WORDING: "THANKYOU / NO ENTRY".	
S8B	DIRECTIONAL SIGN. 0.7 X 2.3m HIGH. DOUBLE SIDED. WORDING: "DRIVE THRU" / "DRIVE-THRU".	
S8C	DIRECTIONAL SIGN. 0.7 X 2.3m HIGH. SINGLE SIDED. WORDING: "DRIVE THRU" & "ANY LANE, ANY TIME".	
S9A, S9B	STOP SIGN AS SPECIFIED.	NO
S9C	ACCESSIBLE PARKING AS SPECIFIED.	
S9D, S9E, S9F	NO PEDESTRIAN ACCESS SIGN AS SPECIFIED.	
S9G	BIKE RACK AS SPECIFIED (DOUBLE SIDED WHERE SHOWN).	
S9H, S9I, S9J, S9K, S9L, S9M	PEDESTRIAN WARNING SIGN AS SPECIFIED.	
S9M	SPEED SIGN (10km/hr) AS SPECIFIED. SHARED ZONE.	
S10A, S10B	WORDING: "1. ORDER HERE". REFER DWG. A082.	
S11A, S11B, S11C	INFORMATION SIGNS WORDING: "2. PAY HERE" / "3. PICK UP HERE" / "4. PICK UP HERE".	
S12	FLAGPOLES AND BANNER.	
S14	WARNING SIGN FOR CONFINED SPACES AS SPECIFIED. 0.45 X 0.30m. LOCATION AND NUMBER OF SIGNS SHALL BE DETERMINED BY THE McDONALD'S DEVELOPMENT MANAGER TO SUIT SITE SPECIFIC REQUIREMENTS.	NO
S15	"McDELIVERY" BLADE SIGN 0.40 X 0.40m SIGNBOX FIXED TO WALL.	YES

REFERENCES

FOR SIGNAGE DETAILS

REFER DWG A805

REFER DWG A806

REFER DWG A807

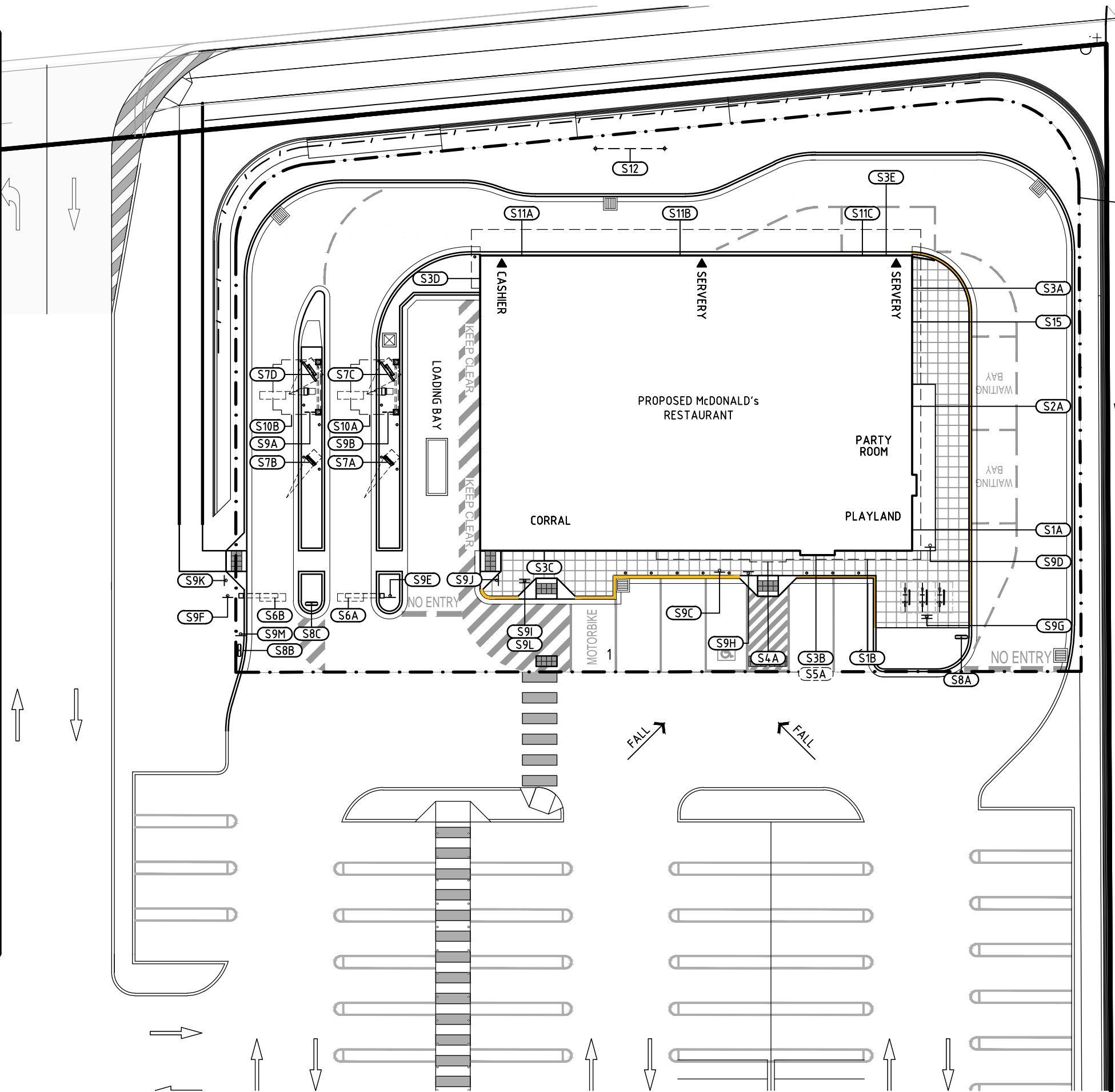
FOR BUILDING ELEVATIONS

REFER DWG A201

REFER DWG A202

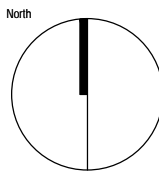
LEGEND

(SX) SIGNAGE TAG.



Revisions	General Notes	Drawing Notes
D DA ISSUE	13.11.20 PR GM	
C ACOUSTIC FENCE ADDED	02.10.20 PR SH	
B PRELIMINARY ISSUE	02.04.20 PR GM	
A PRELIMINARY ISSUE	11.03.20 PR GM	
Issue Description	Date Chk Int	

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TEL: (02) 9490 9600
Consultants

Project
McDONALD'S GLEBE HILL

Location
CNR PASS ROAD & ROKEBY ROAD
HOWRAH - TAS 7019

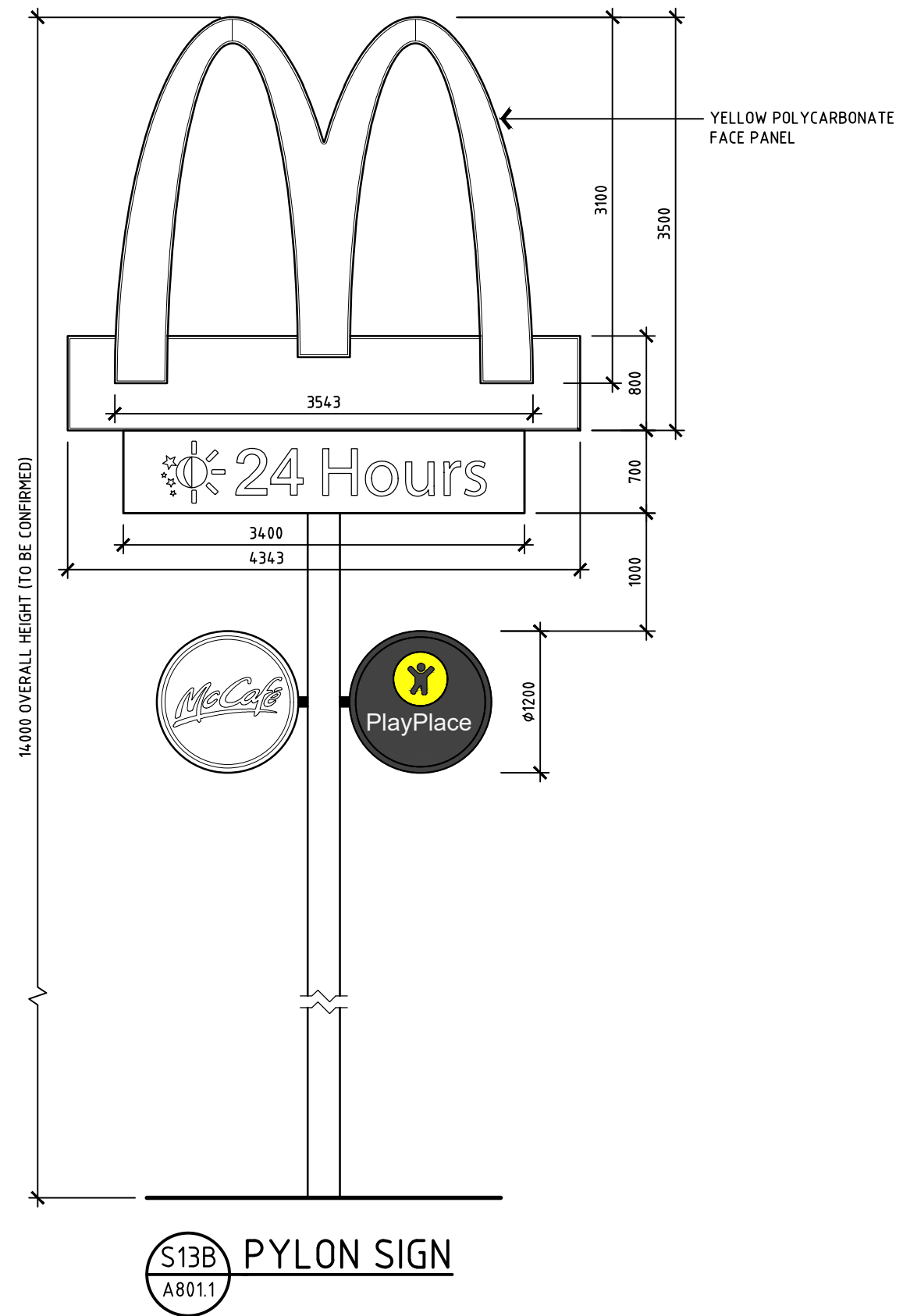
DA ISSUE

NOT FOR USE DURING CONSTRUCTION

Scale 1:250
Series BIO_MOD 425

Drawing
SITE SIGNAGE PLAN

Project Number 190330
Drawing Number A801.2
Issue D



S1 HANGING SIGN
 YELLOW LOGO WITH INDIVIDUAL POLYCARBONATE
 LETTERING FIXED TO FRAME. INTERNALLY ILLUMINATED.
 WHITE LETTERS.

S2 WALL SIGN
 FABRICATED METAL BUTTON SIGN.
 OPAL FACES WITH BLACK VINYL
 GRAPHICS. LED ILLUMINATION.

WALL/BLADE SIGN YELLOW FLAT FACE POLYCARBONATE LOGO, INTERNALLY ILLUMINATED. YELLOW LOGO ON SOLID RED BACKGROUND.

S4 ENTRY CLIP
LED ILLUMINATED WORDMARK ONLY.
RED CLIP TO BE CONSTRUCTED BY THE
BUILDER.

S15 A801 WALL SIGN FABRICATED METAL BUTTON SIGN. OPAL FACES WITH BLACK VINYL GRAPHICS. YELLOW 'M'. LED ILLUMINATION.

S5 BLADE SIGN

A801 INDIVIDUAL HALO ILLUMINATED
REVERSE PAN FABRICATED
ALUMINIUM CHANNEL LETTERS.
BRUSHED ALUMINIUM FINISH.

Diagram illustrating the front view of the COD unit with dimensions and installation details:

- HOLDING DOWN BOLTS SHALL BE DRILLED IN TYPE SUPPLIED AND INSTALLED BY THE COD CONTRACTOR AFTER FOOTING IS POURED BY BUILDER.**
- REFER ELECTRICAL DETAILS FOR CONDUIT SPECIFICATIONS.**
- 1 X 32 DIA CONDUIT RUNNING TO VEHICLE DETECTOR LOOP BY BUILDER. THIS CONDUIT CAN BE OMITTED IF A DETECTOR LOOP IS BEING SAWCUT INTO AN EXISTING PAVEMENT, AND THE SAWCUT CAN BE RUN DIRECTLY TO THE BASE OF THE COD UNIT (COD UNIT FOOTING MUST BUTT HARD AGAINST BACK OF KERB).**
- FRONT OF COD UNIT.**

S7 DIGITAL MENUBOARDS
A801

S8 DIRECTIONAL SIGN
A801

ALTERNATIVE WORDING

(ALL IN TITLE CASE):
"DRIVE THRU",
"WELCOME",
"NO ENTRY",
"THANK YOU",
"ANY LANE, ANY TIME"

Revisions				General Notes	Drawing Notes
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B	DA ISSUE	13.11.20	SH GM		
A	PRELIMINARY ISSUE	11.03.20	SH GM		
Issue Description		Date	Chk	Int	

North

Client
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 ABN. 43 008 496 928
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 ✉ devgroup-aust@au.mcd.com

Project Manager

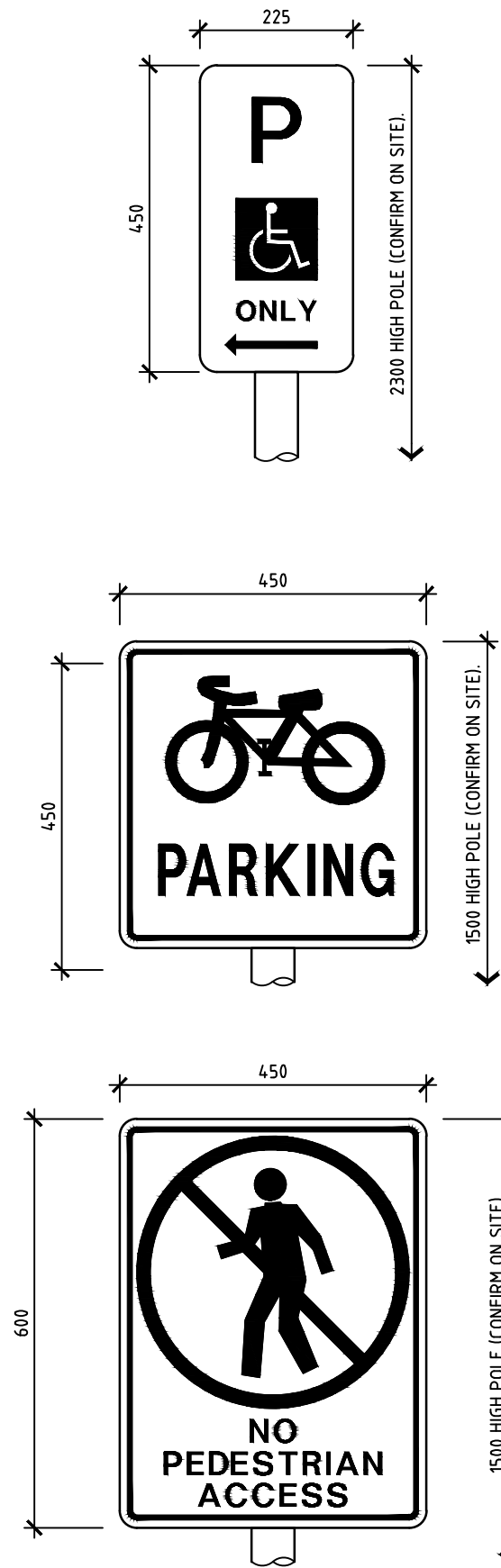

Architect ABN 34 001 485 436
Richmond + Ross
 38 Willoughby Road Crows Nest NSW 2061
 TEL: (02) 9490 9600 FAX: (02) 94381224
 Consultants

Project
McDONALD'S GLEBE HILL

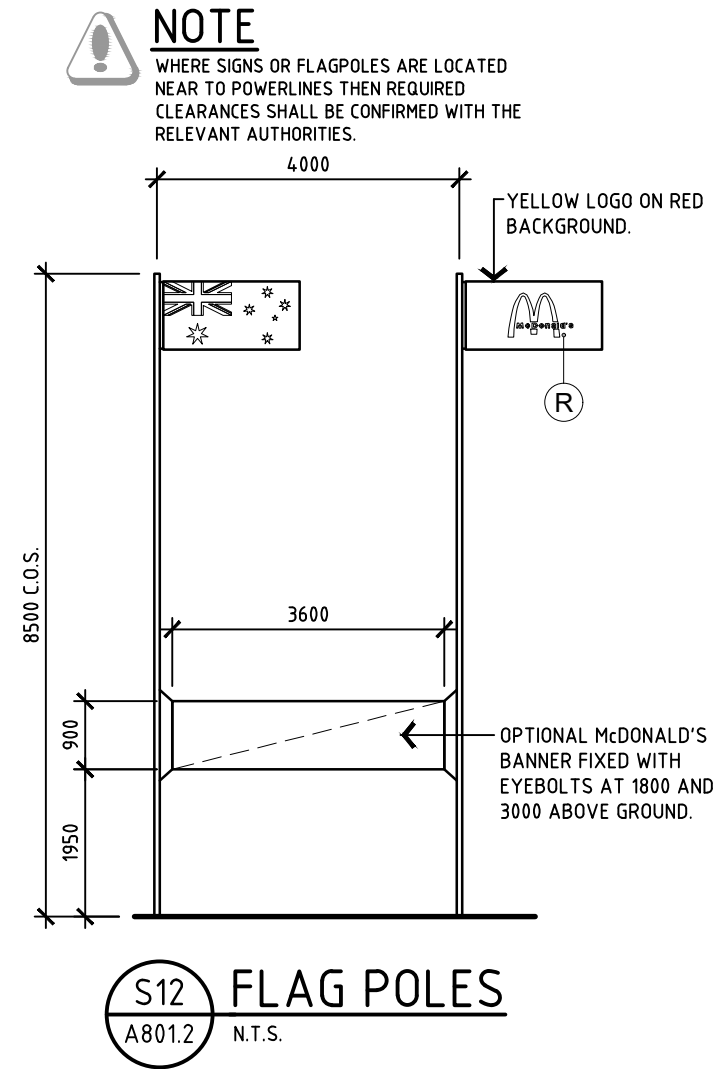
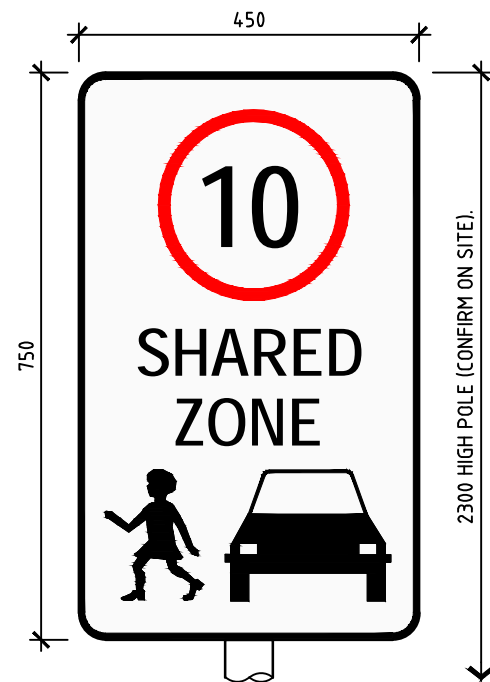
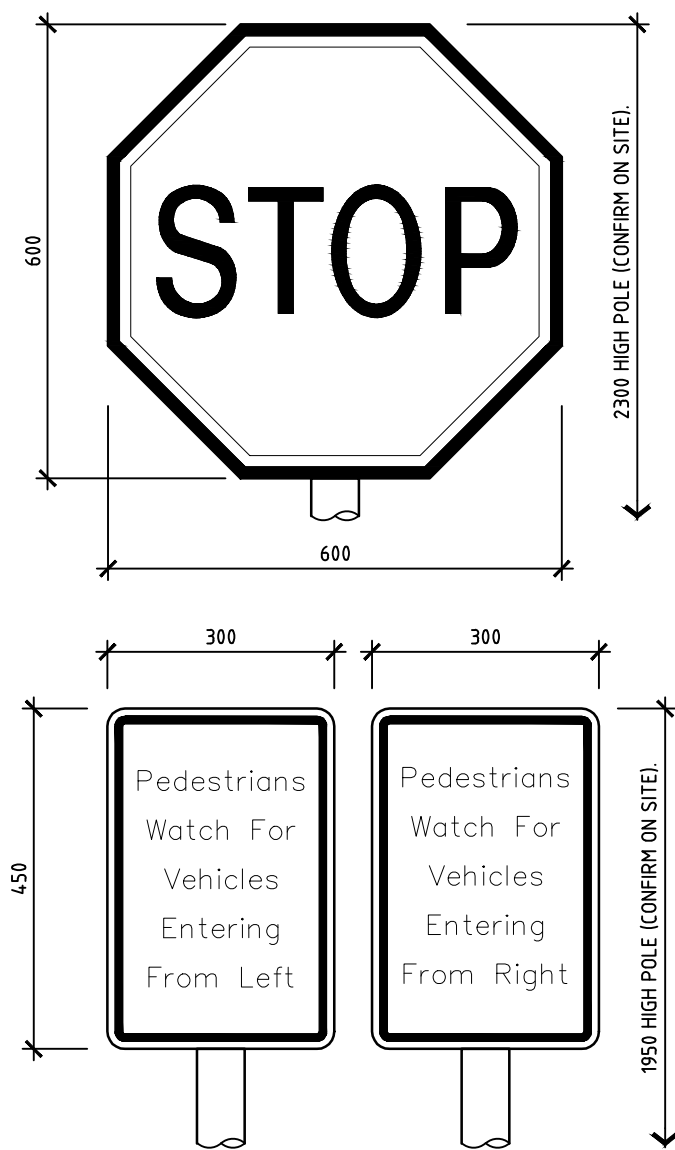
Location
CNR PASS ROAD & ROKEBY ROAD
HOWRAH - TAS 7019

DA ISSUE
NOT FOR USE DURING CONSTRUCTION

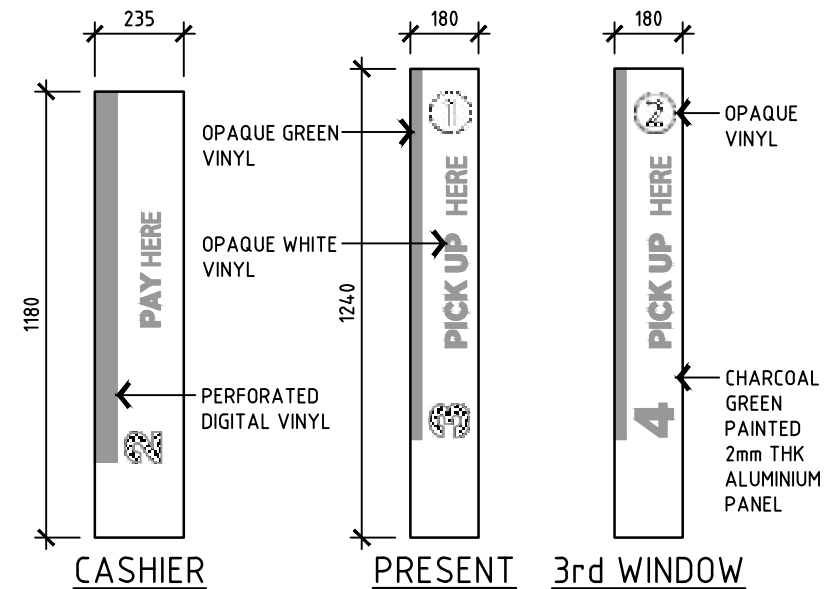
Scale	Series	
1:50 U.N.O.		
Drawing		
SIGNAGE DETAILS		
Project Number	Drawing Number	Issue
190330	A806	B



S9 CAR PARK SIGNAGE
A801.2 NON-ILLUMINATED ALUMINIUM REFLECTIVE SIGN ON GALVANISED STEEL POLE TYPICAL.



S12 FLAG POLES
A801.2 N.T.S.

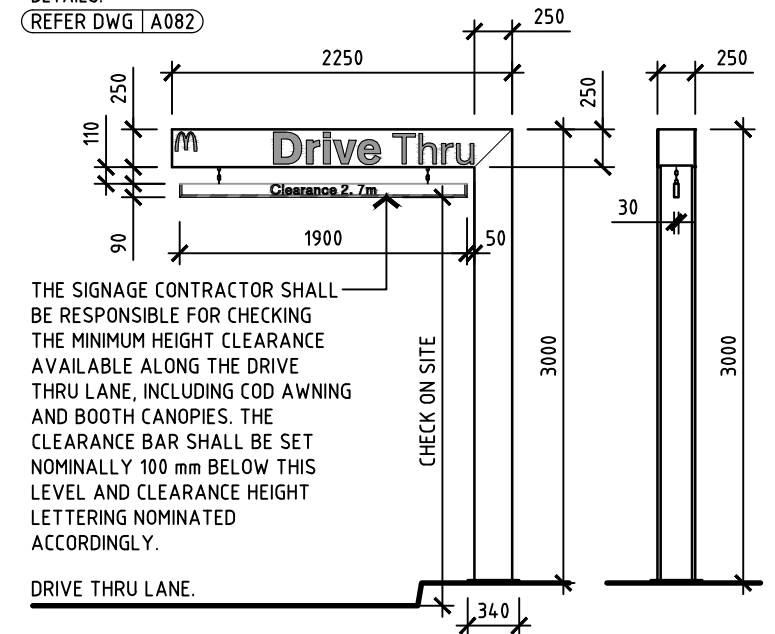


S11 WALL SIGN
A801.2 N.T.S.

NOTES

1. DEPENDING ON LOCATION WITHIN SITE, S9 SIGNAGE SHOULD BE SET A MINIMUM OF 2m ABOVE TOP OF KERB TO PREVENT OBSTRUCTION TO OCCASIONAL PEDESTRIANS, OR TO REDUCE INTERFERENCE FROM PARKED VEHICLES. IF THIS DOESN'T APPLY, SIGNAGE HEIGHTS SHALL BE SET AS NOTED.

2. SIGN S10 IS DETAILED WITH THE COD UNIT DETAILS.
(REFER DWG | A082)



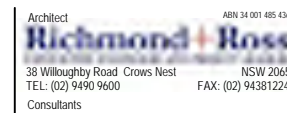
S6 HEIGHT CLEARANCE GANTRY
A801.2 N.T.S.

REFERENCES

FOR CARPARK SIGNAGE
(REFER SPEC | 23.E.8)

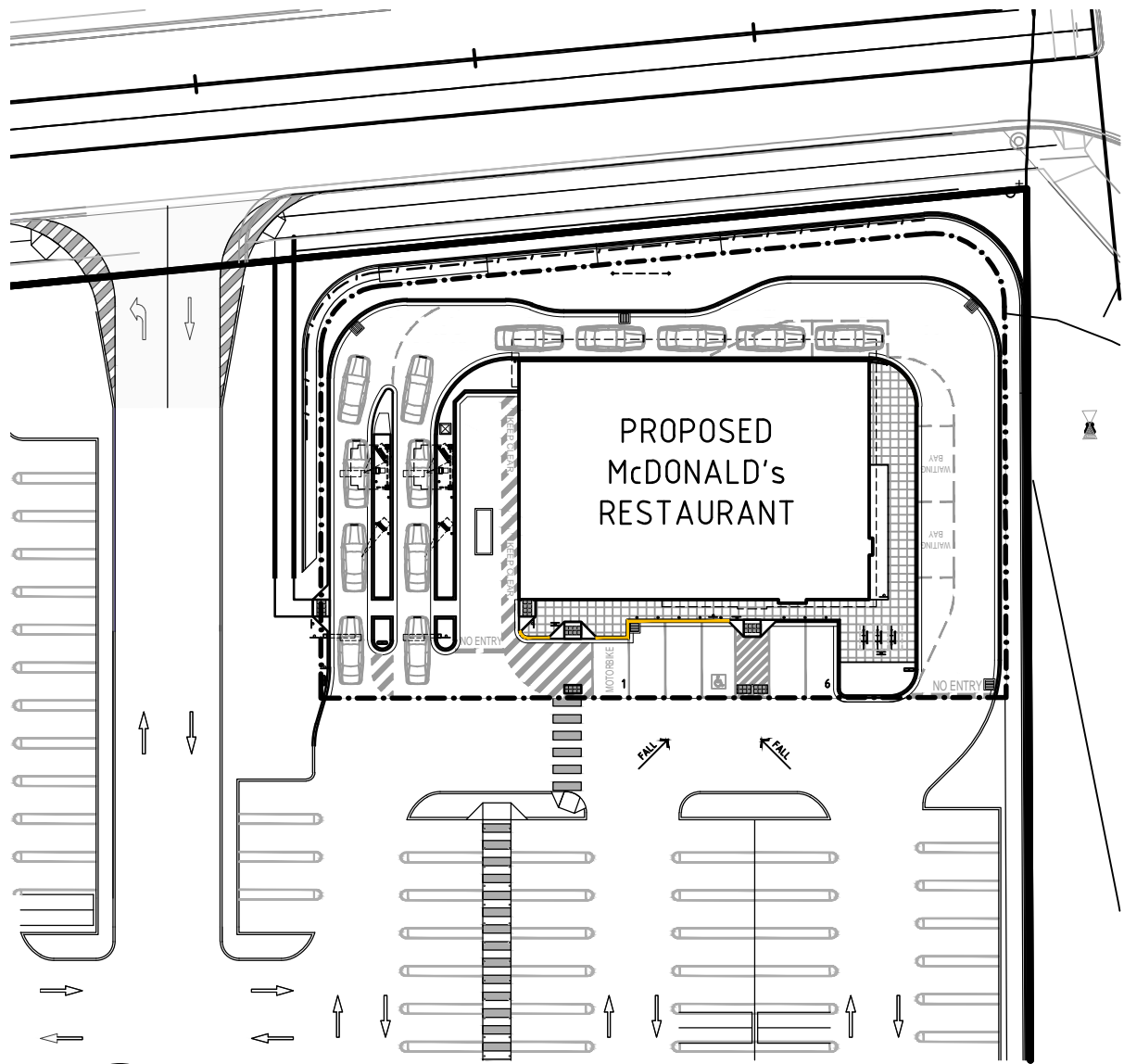
Revisions	General Notes	Drawing Notes
B DA ISSUE	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	
A PRELIMINARY ISSUE		
Issue Description	Date Chk Int	

North



Project: McDONALD'S GLEBE HILL
Location: CNR PASS ROAD & ROKEBY ROAD, HOWRAH - TAS 7019

DA ISSUE NOT FOR USE DURING CONSTRUCTION		
Scale	Series	
1:10 U.N.O.		
Drawing	SIGNAGE DETAILS	
Project Number	Drawing Number	Issue
190330	A807	B



01 SITE PLAN
SCALE 1:500



02 SIDE ELEVATION
SCALE 1:200



03 FRONT ELEVATION
SCALE 1:200

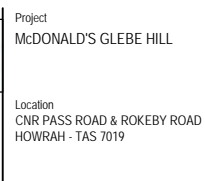
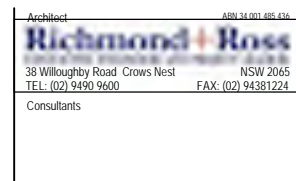
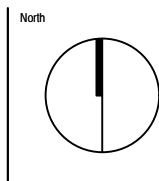


04 REAR ELEVATION
SCALE 1:200

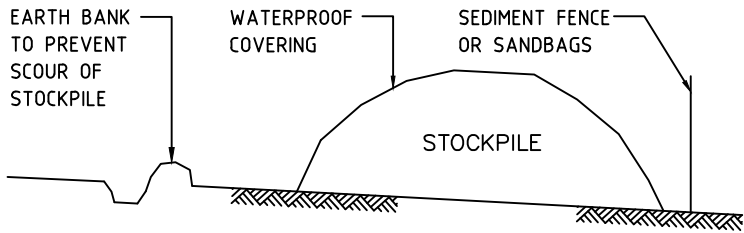


05 DRIVE-THRU ELEVATION
SCALE 1:200

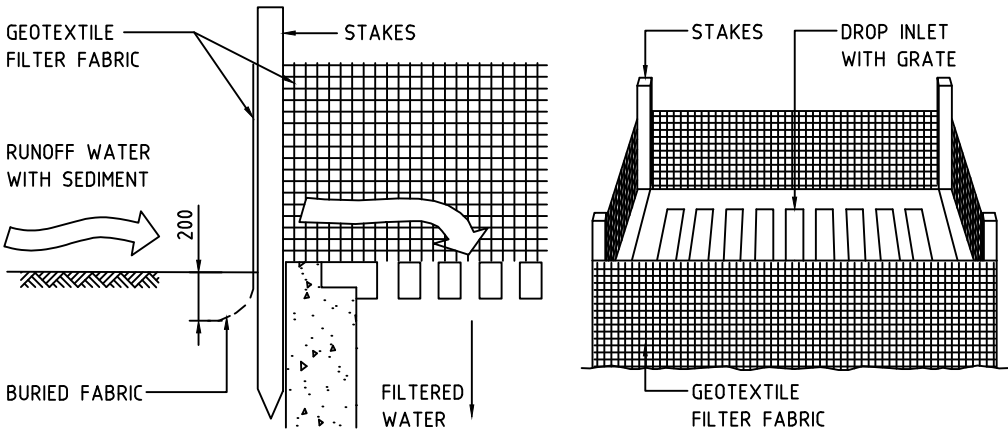
Revisions	General Notes	Drawing Notes
B DA ISSUE	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturers. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	
A PRELIMINARY ISSUE		
Issue Description	Date Chk Int	



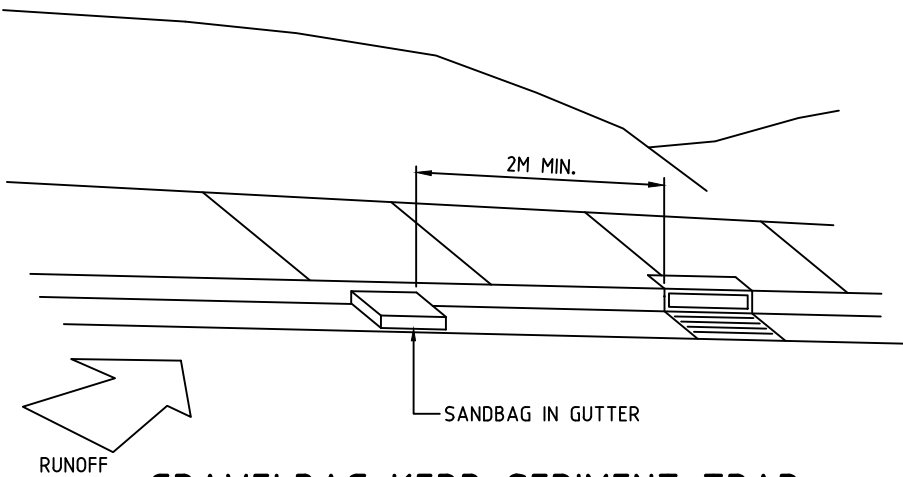
DA ISSUE NOT FOR USE DURING CONSTRUCTION		
Scale	Series	
AS NOTED	REMODEL	
Drawing		
NOTIFICATION PLAN		
Project Number	Drawing Number	Issue
190330	NP01	B



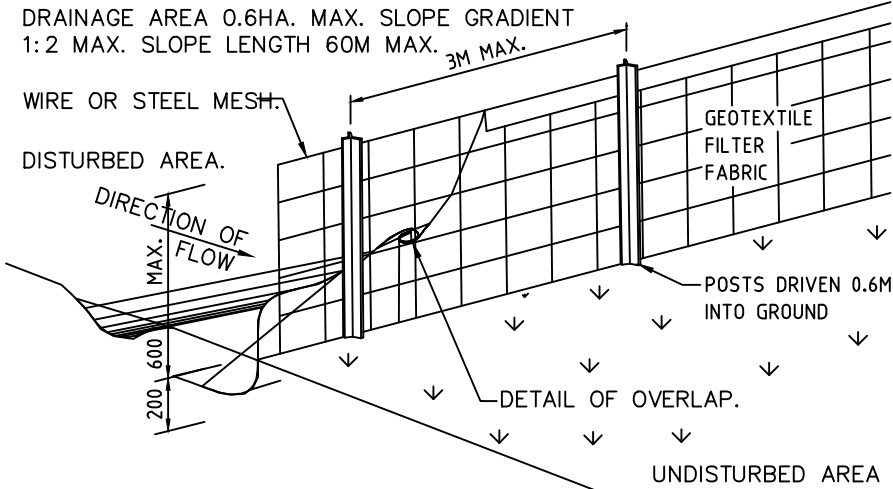
BUILDING MATERIAL STOCKPILES
NTS



**SEDIMENT TRAP TO
STORMWATER SUMP**
NTS



GRAVELBAG KERB SEDIMENT TRAP
NTS



SEDIMENT FENCE
NTS

EROSION AND SEDIMENTATION CONTROL NOTES

1. BUILDER SHALL PROVIDE SEDIMENT FENCING MATERIAL DURING CONSTRUCTION TO THE LOW SIDE OF WORK. TIE SEDIMENT FENCING MATERIAL TO CYCLONE WIRE SECURITY FENCE. SEDIMENT CONTROL FABRIC SHALL BE AN APPROVED MATERIAL (EG: HUMES PROPEX SILT STOP) STANDING 300MIN. ABOVE GROUND AND EXTENDING 200 BELOW GROUND.
2. EXISTING DRAINS LOCATED WITHIN THE SITE SHALL ALSO BE ISOLATED BY SEDIMENT FENCING MATERIAL.
3. NO PARKING OR STOCKPILING OF MATERIALS IS PERMITTED ON THE LOWER SIDE OF THE SEDIMENT FENCE.
4. GRASS VERGES SHALL BE MAINTAINED AS MUCH AS PRACTICAL TO PROVIDE A BUFFER ZONE TO THE CONSTRUCTION AREA.

WASTE MANAGEMENT NOTES

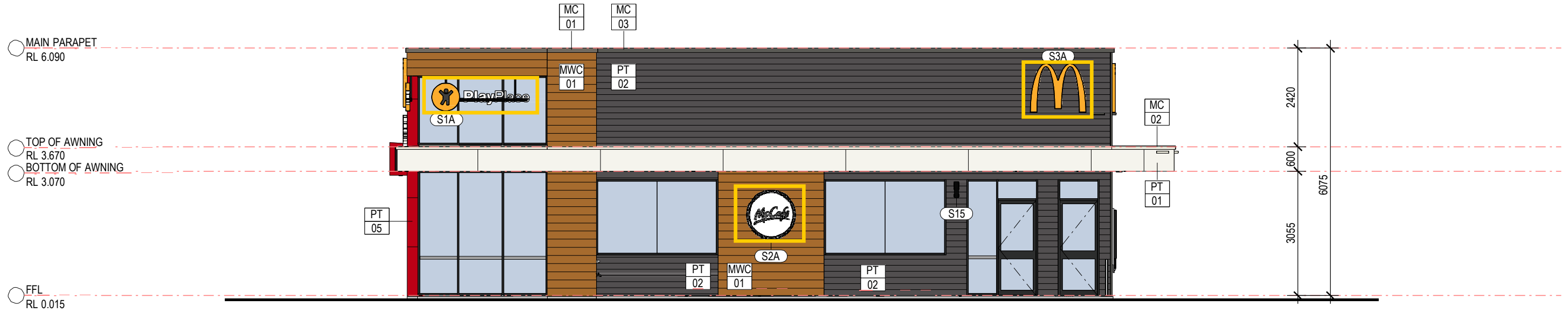
1. BUILDER TO USE LOCAL WASTE MANAGEMENT RECYCLING FACILITIES AND REGISTERED LAND FILL LOCATIONS FOR EXCAVATED MATERIALS AND BUILDING WASTE MATERIAL.

Revisions	General Notes	Drawing Notes
B DA ISSUE A PRELIMINARY ISSUE Issue Description	13.11.20 SH GM 11.03.20 SH GM Date Chk Int Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	

North	Client
	McDonald's Australia Limited ABN: 43 008 496 928 02 9875 6666 devgroup-aust@au.mcd.com
	Project Manager NDG

Architect	Project
Richmond + Row 38 Willoughby Road Crows Nest NSW 2065 TEL: (02) 9490 9600 FAX: (02) 94381224	MCDONALD'S GLEBE HILL
Consultants	Location CNR PASS ROAD & ROKEBY ROAD HOWRAH - TAS 7019

DA ISSUE NOT FOR USE DURING CONSTRUCTION		
Scale NTS	Series REMODEL	
Drawing SEDIMENTATION CONTROL DETAILS		
Project Number 190330	Drawing Number SED1	Issue B

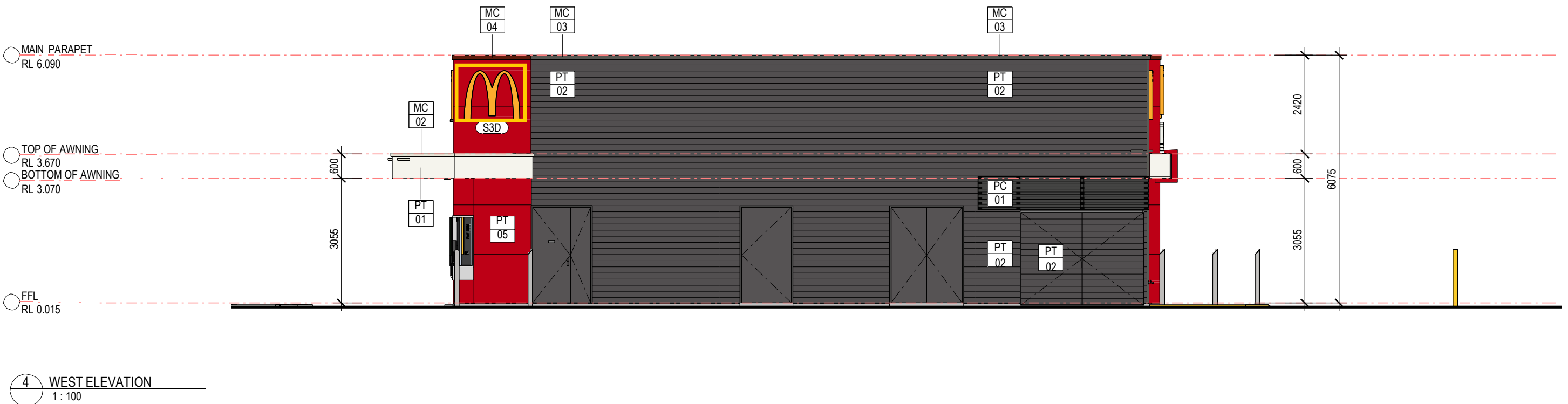
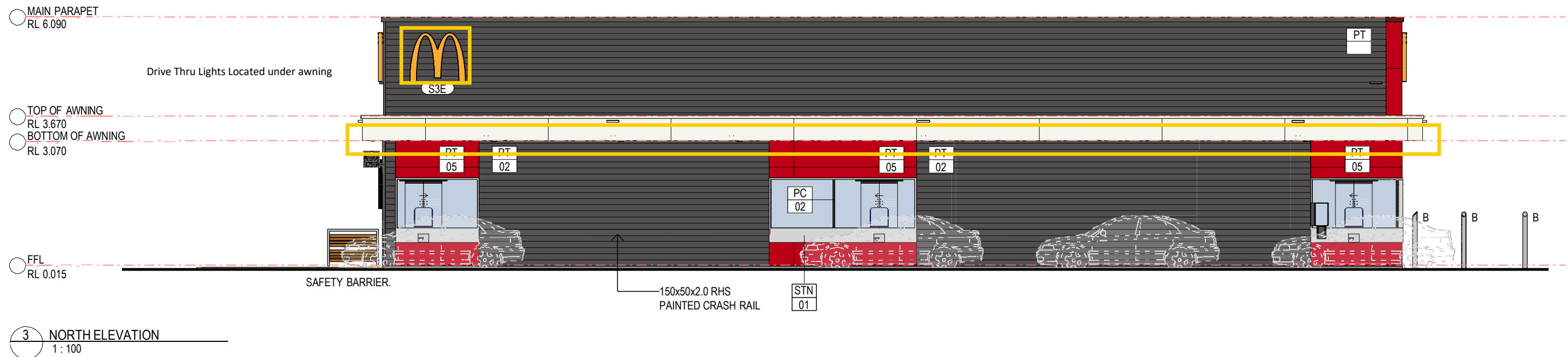


1 EAST ELEVATION
1:100



2 SOUTH ELEVATION
1:100

Revisions	General Notes	Drawing Notes
B DA ISSUE A PRELIMINARY ISSUE Issue Description	13.11.20 PR GM 11.03.20 PR GM Date Chk Int Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.	



Revisions		General Notes		Drawing Notes	
B	DA ISSUE	13.11.20	PR GM	1. REFER TO MASTER LEGENDS ON DA021, FINISHES LEGENDS ON DA205. SIGNAGE PLAN ON DA801	
A	PRELIMINARY ISSUE	11.03.20	PR GM		
Issue Description		Date	Chk Int		

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Project

McDONALDS GLEBE HILL

Location

CNR PASS ROAD & ROKEBY ROAD
HOWRA
TAS 7019

DA ISSUE		
NOT TO BE USED DURING CONSTRUCTION		
Scale	Series	
1 : 100 @ A3	BIO_MOD 425	
Drawing		
NORTH & WEST ELEVATIONS		
Project Number	Drawing Number	Issue
190330	A202	B

SIGNAGE SCHEDULE		ILLUMINATION
TAG	DESCRIPTION	
S1A, S1B	PLAY PLACE SIGN. LOGO & LETTERING FIXED TO HANGING FRAME.	YES
S2A	WALL SIGN. Ø1200 BUTTON SIGN. WORDING: "McCAFE" FIXED TO WALL.	
S3A, S3B, S3C, S3D, S3E	WALL SIGN. 1.371 X 1.200m HIGH "M" LOGO FIXED TO WALL/BLADE.	
S4A	ENTRY CLIP. 2.100 X 0.750m HIGH NON-ILLUMINATED FASCIA WITH LED ILLUMINATED LETTERING: "McDONALDS"	
S5A	WALL SIGN. 1.420 X 0.70m HIGH. WORDING: "McCAFE" FIXED TO BLADE.	
S6A, S6B	HEIGHT CLEARANCE GENTRY.	
S7A, S7B	SINGLE DIGITAL PRESELL MENUBOARD.	
S7C, S7D	DOUBLE DIGITAL MENUBOARD.	
S8A	DIRECTIONAL SIGN. 0.7 X 2.3m HIGH. DOUBLE SIDED. WORDING: "THANKYOU / NO ENTRY".	
S8B	DIRECTIONAL SIGN. 0.7 X 2.3m HIGH. DOUBLE SIDED. WORDING: "DRIVE THRU" / "DRIVE-THRU".	
S8C	DIRECTIONAL SIGN. 0.7 X 2.3m HIGH. SINGLE SIDED. WORDING: "DRIVE THRU" & "ANY LANE, ANY TIME".	
S9A, S9B	STOP SIGN AS SPECIFIED.	NO
S9C	ACCESSIBLE PARKING AS SPECIFIED.	
S9D, S9E, S9F	NO PEDESTRIAN ACCESS SIGN AS SPECIFIED.	
S9G	BIKE RACK AS SPECIFIED (DOUBLE SIDED WHERE SHOWN).	
S9H, S9I, S9J, S9K, S9L	PEDESTRIAN WARNING SIGN AS SPECIFIED.	
S9M	SPEED SIGN (10km/hr) AS SPECIFIED. SHARED ZONE.	
S10A, S10B	WORDING: "1. ORDER HERE". REFER DWG. A082.	
S11A, S11B, S11C	INFORMATION SIGNS. WORDING: "2. PAY HERE" / "3. PICK UP HERE" / "4. PICK UP HERE".	
S12	FLAGPOLES AND BANNER.	
S14	WARNING SIGN FOR CONFINED SPACES AS SPECIFIED. 0.45 X 0.30m. LOCATION AND NUMBER OF SIGNS SHALL BE DETERMINED BY THE McDONALD'S DEVELOPMENT MANAGER TO SUIT SITE SPECIFIC REQUIREMENTS.	NO
S15	"McDELIVERY" BLADE SIGN 0.40 X 0.40m SIGNBOX FIXED TO WALL.	YES

REFERENCES

FOR SIGNAGE DETAILS

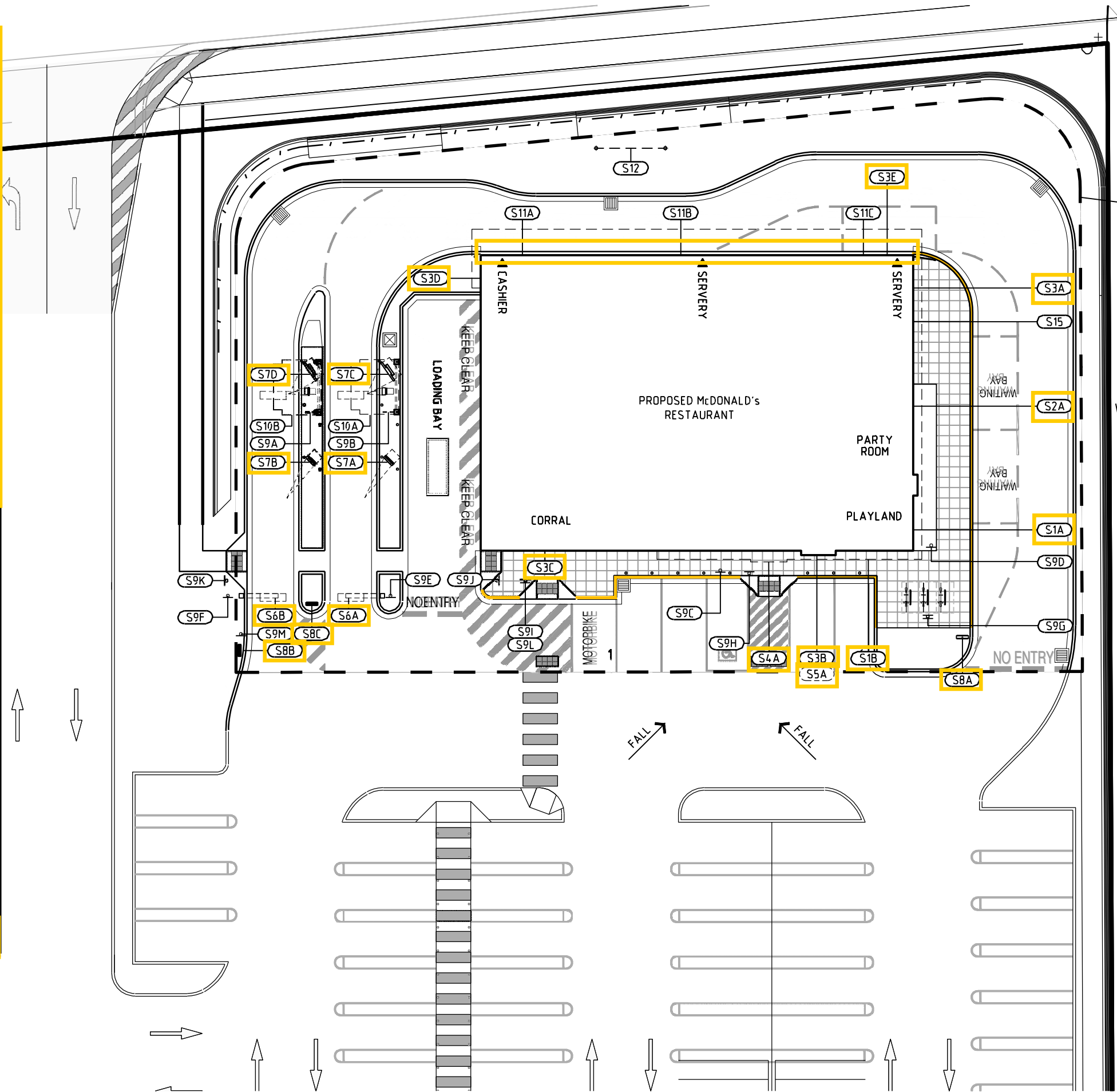
REFER DWG A805
REFER DWG A806
REFER DWG A807

FOR BUILDING ELEVATIONS

REFER DWG A201
REFER DWG A202

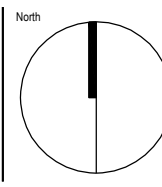
LEGEND

(SX) SIGNAGE TAG.



Revisions	General Notes	Drawing Notes
D DA ISSUE	13.11.20 PR GM	
B ACUSTIC FENCE ADDED	02.10.20 PR SH	
C PRELIMINARY ISSUE	02.04.20 PR GM	
A PRELIMINARY ISSUE	11.03.20 PR GM	
Issue Description	Date Chk Int	

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Client
McDonald's Australia Limited
ABN 43 008 496 928
02 9875 6666
devgroup-aust@au.mcd.com

Project Manager
NEDGI
NATIONAL DEVELOPMENT GROUP

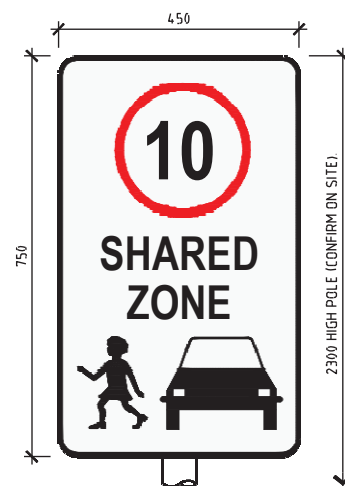
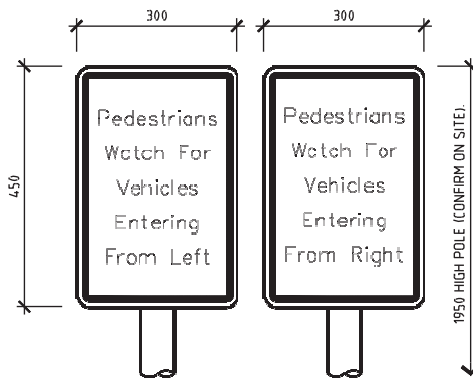
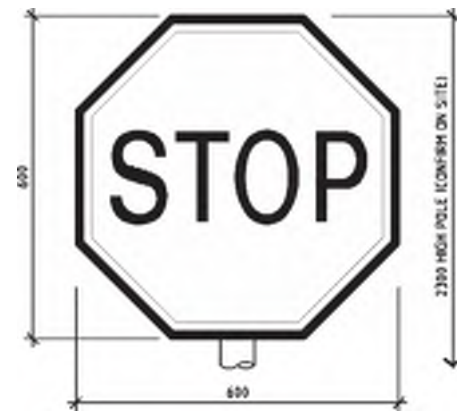
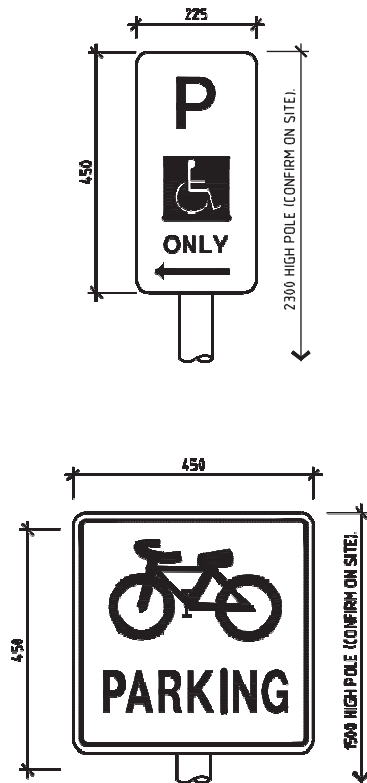
Architect
Richmond+Ross
38 Willoughby Road Crows Nest
TEL: (02) 9490 9600
FAX: (02) 9438 1224

Project
McDONALD'S GLEBE HILL
Location
CNR PASS ROAD & ROKEBY ROAD
HOWRAH - TAS 7019

DA ISSUE

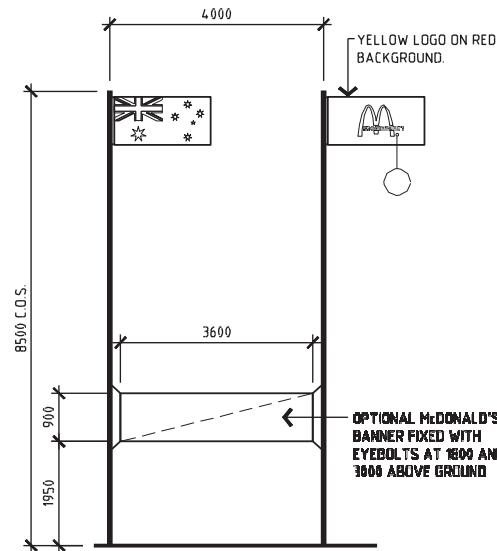
NOT FOR USE DURING CONSTRUCTION

Scale	Series	
1:250	BIO_MOD 425	
Drawing		
SITE SIGNAGE PLAN		
Project Number	Drawing Number	Issue
190330	A801.2	D

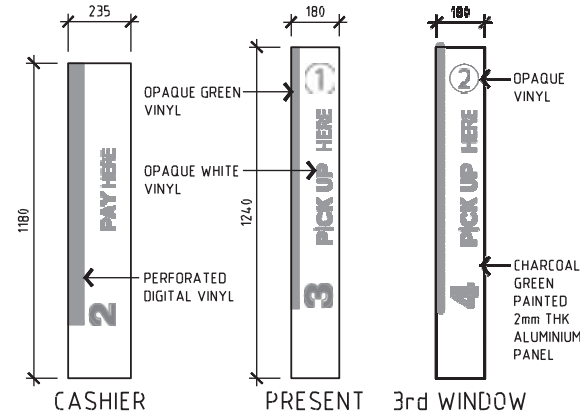


NOTE

WHERE SIGNS OR FLAGPOLES ARE LOCATED NEAR TO POWERLINES THEN REQUIRED CLEARANCES SHALL BE CONFIRMED WITH THE RELEVANT AUTHORITIES.



S12 FLAG POLES
A801.2 N.T.S.

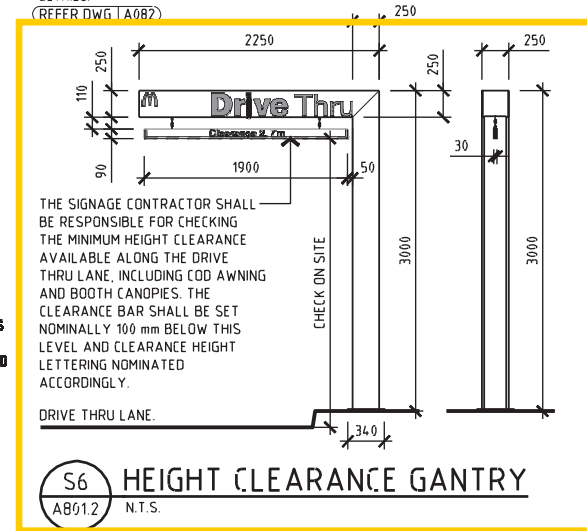


S11 WALL SIGN
A801.2 N.T.S.

NOTES

1. DEPENDING ON LOCATION WITHIN SITE, S9 SIGNAGE SHOULD BE SET A MINIMUM OF 2m ABOVE TOP OF KERB TO PREVENT OBSTRUCTION TO OCCASIONAL PEDESTRIANS, OR TO REDUCE INTERFERENCE FROM PARKED VEHICLES. IF THIS DOESN'T APPLY, SIGNAGE HEIGHTS SHALL BE SET AS NOTED.

2. SIGN S10 IS DETAILED WITH THE COD UNIT DETAILS.
(REFER DWG | A082)



S6 HEIGHT CLEARANCE GANTRY
A801.2 N.T.S.

REFERENCES

FOR CARPARK SIGNAGE
(REFER SPEC | 23.E.8)

Revisions	General Notes	Drawing Notes
DA ISSUE A PRELIMINARY ISSUE	13.11.20 SH GM 11.03.20 SH GM	Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencement of work.

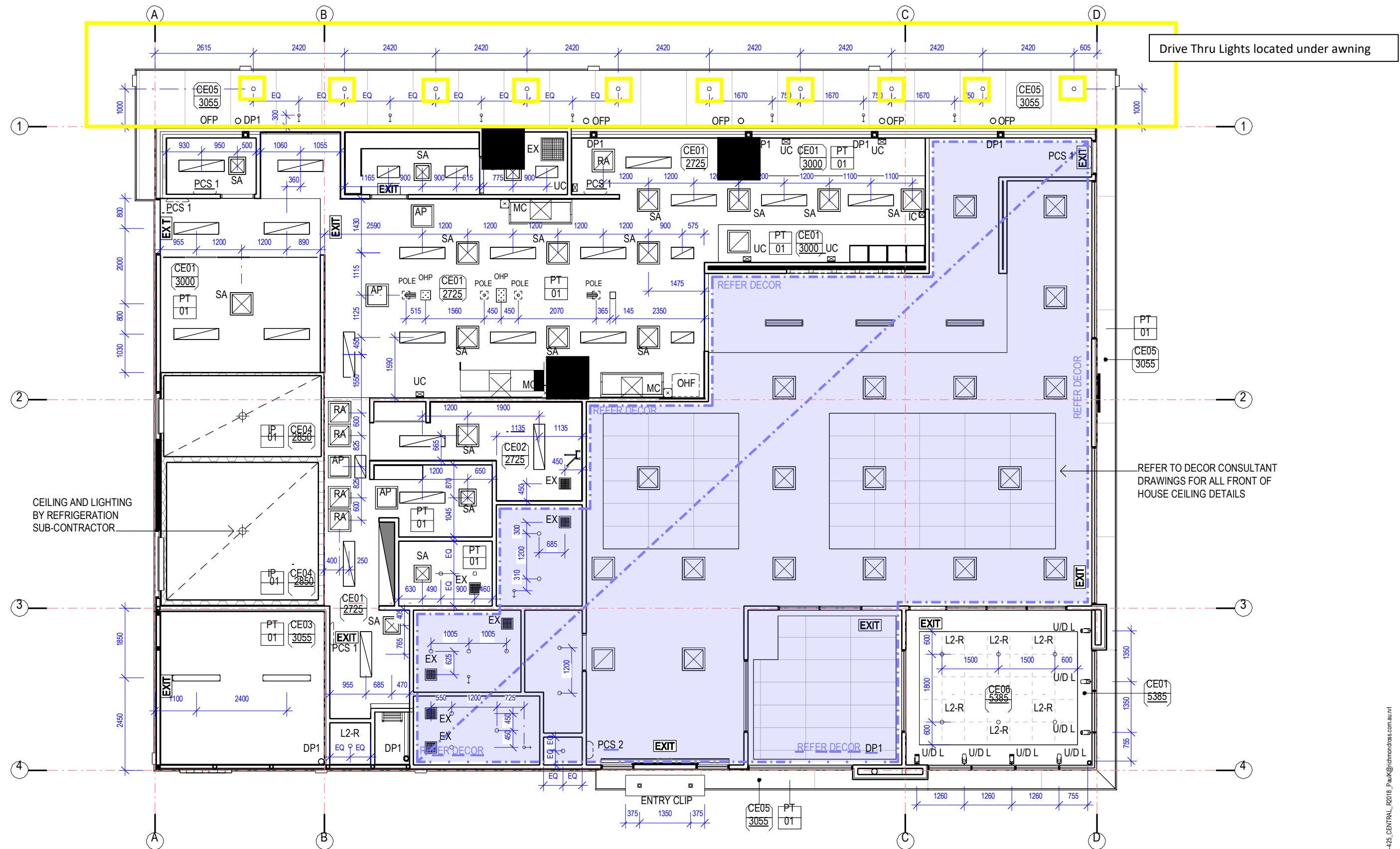
Date Chk Int

North



Client
McDonald's Australia Limited
ABN: 43 008 496 928
W 02 9875 6666
m.devgroup-south@mc.com

Scale	Series
1:10 U.N.O.	
Drawing	Signage Details
Project Number	Drawing Number Issue
	commencing work



Revisions
Issue Description
Date
Chk
Int

General Notes

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Drawing Notes

1. REFER TO MASTER LEGEND ON A021, ROOF PLAN ON A102, CEILING SCHEDULE ON A182 AND ROOM LAYOUT SHEETS.

2. ALL DIMENSIONS TO WALLS ARE TO THE FINISH FACE.

3. ALL CEILING ACCESS PANELS SHALL BE LABELLED WITH WARNING SIGNAGE FOR CONFINED SPACES AS PER S14 ON A805. SIGNAGE MUST BE FIXED TO THE INSIDE FACE OF THE ACCESS PANEL IN AN ORIENTATION THAT CAN BE READ WHEN THE PANEL IS HINGED OPEN.

4. CCTV (SECURITY) CAMERAS SHALL BE PROVIDED IN THE STORE & CARPARK AS REQUIRED. REFER TO SITE PLANS.

5. FOR SETOUT OF KITCHEN DUCTS, CHASES & OVERHEAD POWER, REFER TO RL26.

6. COORDINATE VIDEO MONITOR INSTALLATION TO ENSURE ABOVE-CEILING WORKS ARE INSTALLED BEFORE CEILING LINING IS FIXED IN PLACE.

7. REFER TO DECOR CONSULTANTS DOCUMENTS FOR FRONT OF HOUSE CEILING ELEMENTS & LIGHTING LAYOUT



Architect

<Company>
<Address>
<Telephone>
<Website>

Consultants

Project

MCDONALDS STANDARD DOCUMENTS

Location

ENTER ADDRESS
VIA PROJECT INFORMATION

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale
1:100 @ A3

Series
BIO MOD

Drawing
REFLECTED CEILING PLAN

Project Number
19

Drawing Number
A181

Issue
-

30 PASS ROAD, ROKEBY



Photo 1: Site of proposed development, aerial view.

ATTACHMENT 3



Photo 2: Access road to site of proposed development, looking northwest from Pass Road.



Photo 3: Site of proposed development, looking south.



Photo 4: Site of proposed development, looking southwest.

11.4 CUSTOMER SERVICE

Nil Items.

11.5 ASSET MANAGEMENT

Nil Items.

11.6 FINANCIAL MANAGEMENT

Nil Items.

11.7 GOVERNANCE**11.7.1 QUARTERLY REPORT TO 31 DECEMBER 2020****EXECUTIVE SUMMARY****PURPOSE**

To consider the General Manager's Quarterly Report covering the period 1 October 2020 to 31 December 2020.

RELATION TO EXISTING POLICY/PLANS

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

LEGISLATIVE REQUIREMENTS

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

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

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

RECOMMENDATION

That the Quarterly Report to 31 December 2020 be received.

ASSOCIATED REPORT

The Quarterly Report to 31 December 2020 has been provided under separate cover.

Ian Nelson
GENERAL MANAGER

11.7.2 CITY OF HOBART - REQUEST TO AMEND THE URBAN GROWTH BOUNDARY AT 66 SUMMERHILL ROAD, WEST HOBART**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider a referral from the City of Hobart seeking Council's endorsement for an amendment to the Southern Tasmanian Regional Land Use Strategy (STRLUS) to extend the Urban Growth Boundary (UGB) to include the balance portion of the land at 66 Summerhill Road, West Hobart.

RELATION TO PLANNING PROVISIONS

The land at 66 Summerhill Road, West Hobart is currently zoned General Residential, Environmental Management and Environmental Living under the Hobart Interim Planning Scheme 2015.

The STRLUS UGB plan shows that the General Residential zoned portion of the land is currently within the UGB and the balance is outside of it.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

The Minister for Planning has requested that the City of Hobart seek endorsement from all councils within the southern region for a proposal to extend the UGB, to include the balance portion of the land at 66 Summerhill Road, West Hobart.

RECOMMENDATION:

- A. That the Minister for Planning be advised that:
1. Council supports the request to extend the Southern Tasmanian Regional Land Use Strategy's Urban Growth Boundary to include the balance portion of the land at 66 Summerhill Road, West Hobart.
 2. Council is concerned that continued ad hoc expansion of the urban growth boundary at the fringes has potential to prejudice the implementation of established settlement strategies and accordingly, wishes to reiterate its previous requests for an urgent review of the Regional Strategy.
- B. That the details and conclusions included in the Associated Report be recorded as the reasons for Council's decision in respect of this matter.

CITY OF HOBART - REQUEST TO AMEND THE URBAN GROWTH BOUNDARY AT 66 SUMMERHILL ROAD, WEST HOBART /contd...

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1** At its meeting on 19 October 2020, the City of Hobart planning authority resolved to initiate planning scheme amendment PSA-18-2. The draft amendment is comprised of rezoning a portion of the land at 66 Summerhill Road, West Hobart from General Residential, Environmental Management and Environmental Living to Low Density Residential and modification of the Biodiversity Protection Overlay. A copy of the instrument of certification and draft amendment is included in the attachments.
- 1.2** A portion of the subject site is outside of the UGB. Accordingly, as part of its decision to initiate PSA-18-2, the planning authority resolved to request the Minister for Planning to amend the STRLUS by extending the UGB to include the area to be rezoned.
- 1.3** The City of Hobart advised that the Minister for Planning requested that they seek endorsement from all councils within the southern region for the proposal to extend the UGB to include the balance portion of the land at 66 Summerhill Road, West Hobart.

2. STATUTORY IMPLICATIONS

- 2.1.** Under Section 30C(3) of LUPAA the Minister for Planning may declare a regional land use strategy.
- 2.2.** Section 30C(4) specifies that the Minister must keep all regional land use strategies under regular and periodic review. There is no formal statutory process for individuals or planning authorities to apply to amend the STRLUS.

2.3. Section 30O(1) of LUPAA (for Interim Schemes) and S.34 - LPS Criteria (for the future Tasmanian Planning Scheme), requires that planning schemes (and any amendments to an existing planning scheme) to be, as far as practicable, consistent with the relevant regional land use strategy.

2.4. Pursuant to Section 32(ea) [and 30O(1)] of LUPAA, before certifying and publicly exhibiting a draft planning scheme amendment the planning authority needs to be satisfied that the draft amendment is consistent with the relevant regional land use strategy.

A portion of the subject site is outside of the UGB. For this reason, as part of its decision to initiate and certify PSA-18-2, the planning authority also resolved to request the Minister for Planning to amend the STRLUS by extending the UGB to include the area to be rezoned.

2.5. Pursuant to Section 30O(1) of LUPAA, the Tasmanian Planning Commission (TPC) must be satisfied that a draft planning scheme amendment is consistent with the relevant regional land use strategy before approving an amendment. Similar legislative requirements apply to all future LPS', and amendments to LPS' that will be in place under the Tasmanian Planning Scheme.

Accordingly, the TPC would be unable to approve the proposed rezoning amendment unless the UGB is amended as requested prior to determination.

3. REVIEWING AND AMENDING THE REGIONAL LAND USE STRATEGIES

3.1. Despite LUPAA specifying that the Minister must keep all regional land use strategies under regular and periodic review [S.30C(4)], with the exception of several relatively minor ad hoc changes to the UGB, a thorough review of the STRLUS has not yet commenced.

3.2. There is no formal statutory mechanism for either individuals or planning authorities to apply to amend a regional land use strategy.

3.3. In recognition of the above the Minister for Planning has initiated two different methods to facilitate urban expansion beyond the current UGB:

- The Department of Justice's Planning Policy Unit (PPU) Information Sheet RLUS 1; and
- A proposed draft amendment to the STRLUS that introduces a new policy enabling the consideration of proposals for urban zoning beyond the UGB in limited circumstances without requiring an amendment to the STRLUS. This was considered at council's meeting of 9 February 2021.

Each of these processes have been described in detail in previous Council reports.

3.4. The City of Hobart has submitted that the proposal is consistent with the PPU's Information Sheet RLUS 1.

4. THE SITE

The subject site is 66 Summerhill Road, West Hobart a 1.3ha lot located on the fringe of the existing residential development in West Hobart adjoining the City of Hobart's Knocklofty Reserve approximately 2.3km from the Hobart GPO. A Location Plan is included in the attachments.

5. THE PROPOSAL

5.1. The Amendment

A 1358m² portion of the site is currently zoned General Residential and proposed to remain that way. The 1.16ha balance is currently zoned General Residential, Environmental Management and Environmental Living and is proposed to be rezoned to Low Density Residential.

It is also proposed to extend the Biodiversity Protection Area Overlay across the entire area to be rezoned, in order to recognise the existing vegetation and a large, hollow-bearing white gum.

A detailed description of the proposal is included on pages 5 and 6 of the City of Hobart's City Planning Meeting Agenda Report dated 19 October 2021 (attached). It is requested that the Minister for Planning amend the STRLUS by expanding the UGB by approximately 0.8ha to include the entire site.

6. PLANNING ASSESSMENT

6.1. The Amendment

While the processing of the proposed amendment is a matter for the City of Hobart, it is noted the rezoning is unable to be approved by the TPC without the UGB being amended.

6.2. STRLUS

The STRLUS' primary objective is to provide a framework for the delivery of an integrated sustainable settlement across the region. The strategic directions, policies and actions provide certainty to the broader community, infrastructure providers and governments assisting to inform medium and long-term investment decisions.

The STRLUS prescribes an UGB and is one of the most important tools in land use planning for ensuring the rational and efficient growth of the region.

There is no formal statutory process for individuals or planning authorities to apply to amend the STRLUS. There have been no substantial changes to the UGB since it was declared and only five relatively minor amendments in Clarence, Hobart and Sorell.

The proposal to amend the UGB and associated zoning change will result in a larger area of land available for residential purposes without significantly increasing the development potential in terms of number of permitted dwellings or lots. The proposal will provide the opportunity for the land to be subdivided into three to four lots.

In this context it is considered that the scale of the requested adjustment to the UGB will have no impact on the greater settlement strategy while being consistent with the relevant STRLUS policies.

7. CONSULTATION

The form of any consultation is a matter for the Minister of Planning.

8. STRATEGIC PLAN/POLICY IMPLICATIONS

The most significant strategic considerations relating to the potential expansion of the UGB are the strategies within the STRLUS and in particular, those that relate to metropolitan settlement strategy discussed above.

The State Policies are:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997; and
- Tasmanian State Coastal Policy 1996.

The relevant considerations under each of these policies must be considered on a case by case basis and in this instance a matter for both the City of Hobart and the TPC.

9. CONCLUSION

The STRLUS is in need of urgent review. As an interim measure prior to a comprehensive review the Minister for Planning has introduced a pathway to enable amendments to the SRLUS to be considered in the form of the PPU's Information Sheet RLUS 1. Additionally, a second method is currently being considered.

In this instance it is considered the requested expansion to the UGB is:

- of a scale and location that will not comprise the established settlement strategy;
- consistent with the broader STRLUS strategies;
- consistent with the relevant elements of the PPU's Information Sheet RLUS 1; and
- consistent with criteria associated with the Minister's draft amendments to STRLUS.

Accordingly, it is recommended that Council provide its support for of the City of Hobart's requested amendment to the UGB at 66 Summerhill Road, West Hobart.

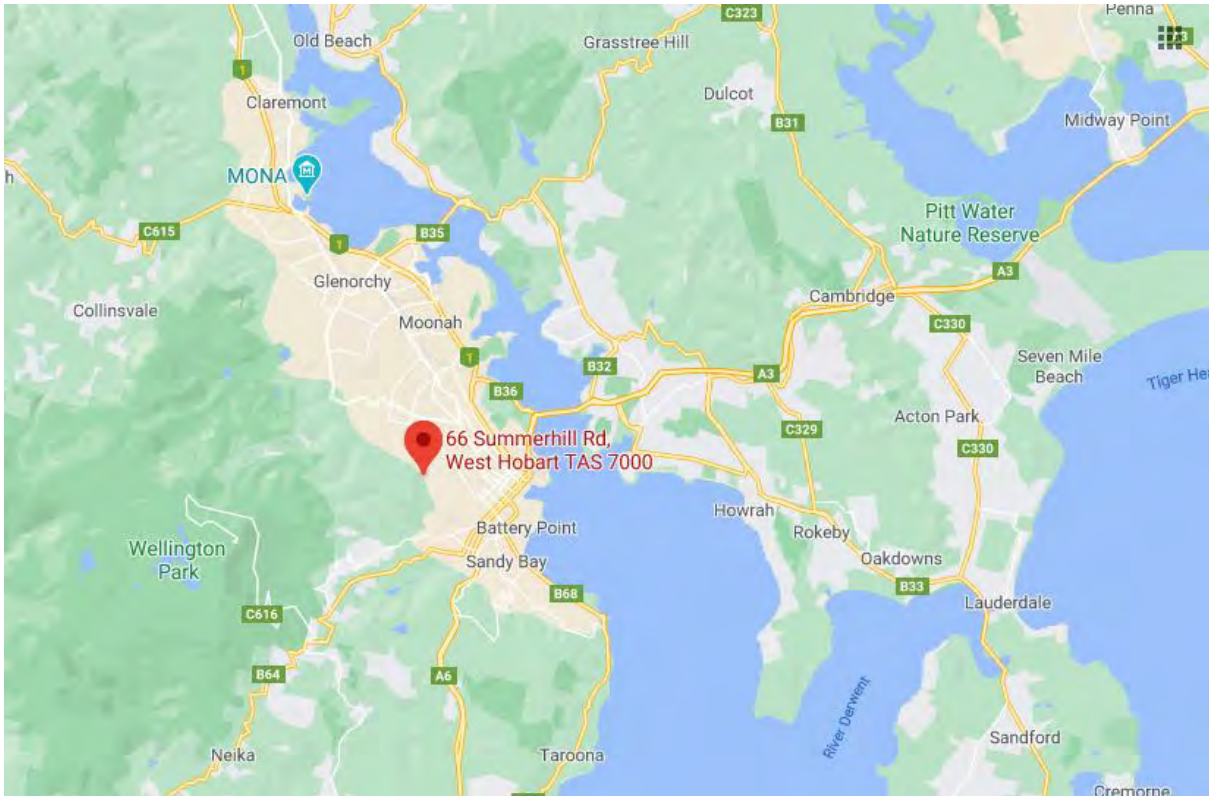
Notwithstanding, the culminative impacts of continued ad hoc expansion of the UGB at the fringes has potential to prejudice the implementation of established settlement strategies and it is therefore timely to remind the Minister of Councils' desire for an urgent review.

- Attachments:
1. Location Plan [Greater Hobart and Hobart CBD] (1)
 2. Location Plan [STRLUS UGB – Map 10 Extract] (1)
 3. Certified Draft Amendment (2)
 4. City of Hobarts City Planning Meeting Agenda Report dated 19 October 2020 (23)

Ian Nelson
GENERAL MANAGER

Attachment 1

Location Plan - 66 Summerhill Road, West Hobart (Greater Hobart)



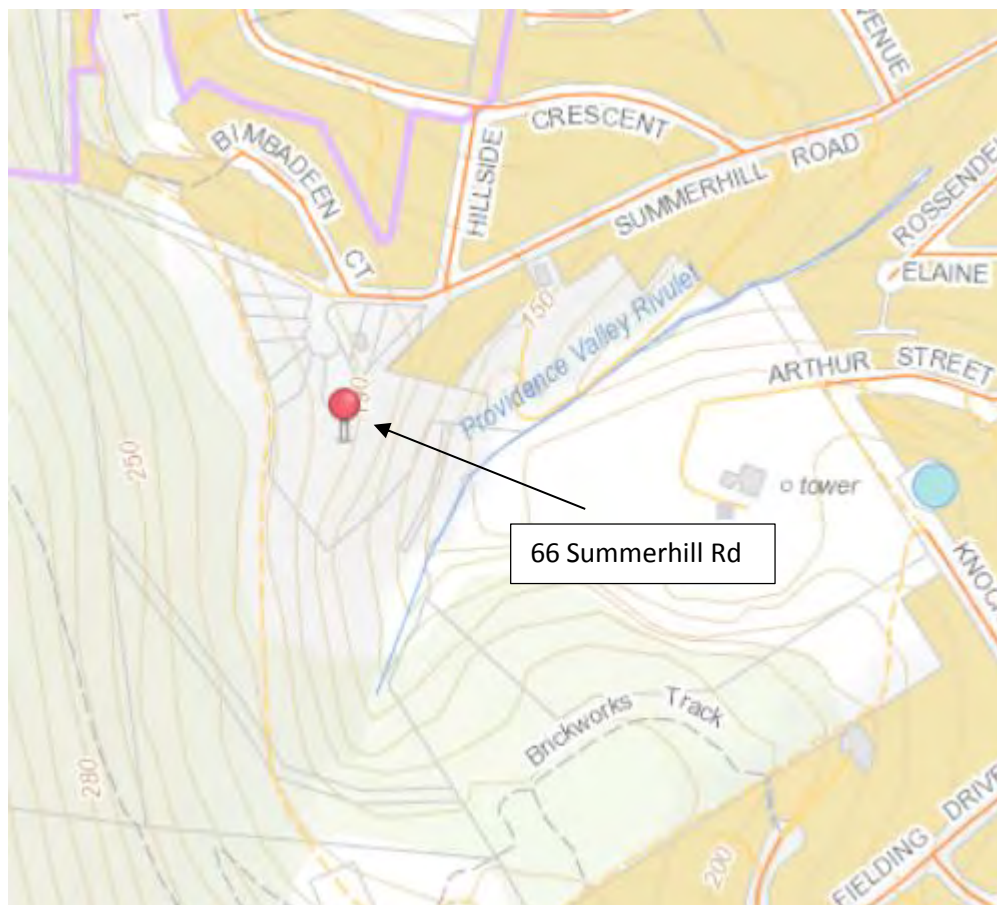
Location Plan - 66 Summerhill Road, West Hobart (Hobart CBD)



Source: Google Maps (<https://www.google.com/maps/> 20 Jan 2021)

Attachment 2

Southern Tasmanian Regional Land Use Strategy – Urban Growth Boundary (Map 10 Extract)

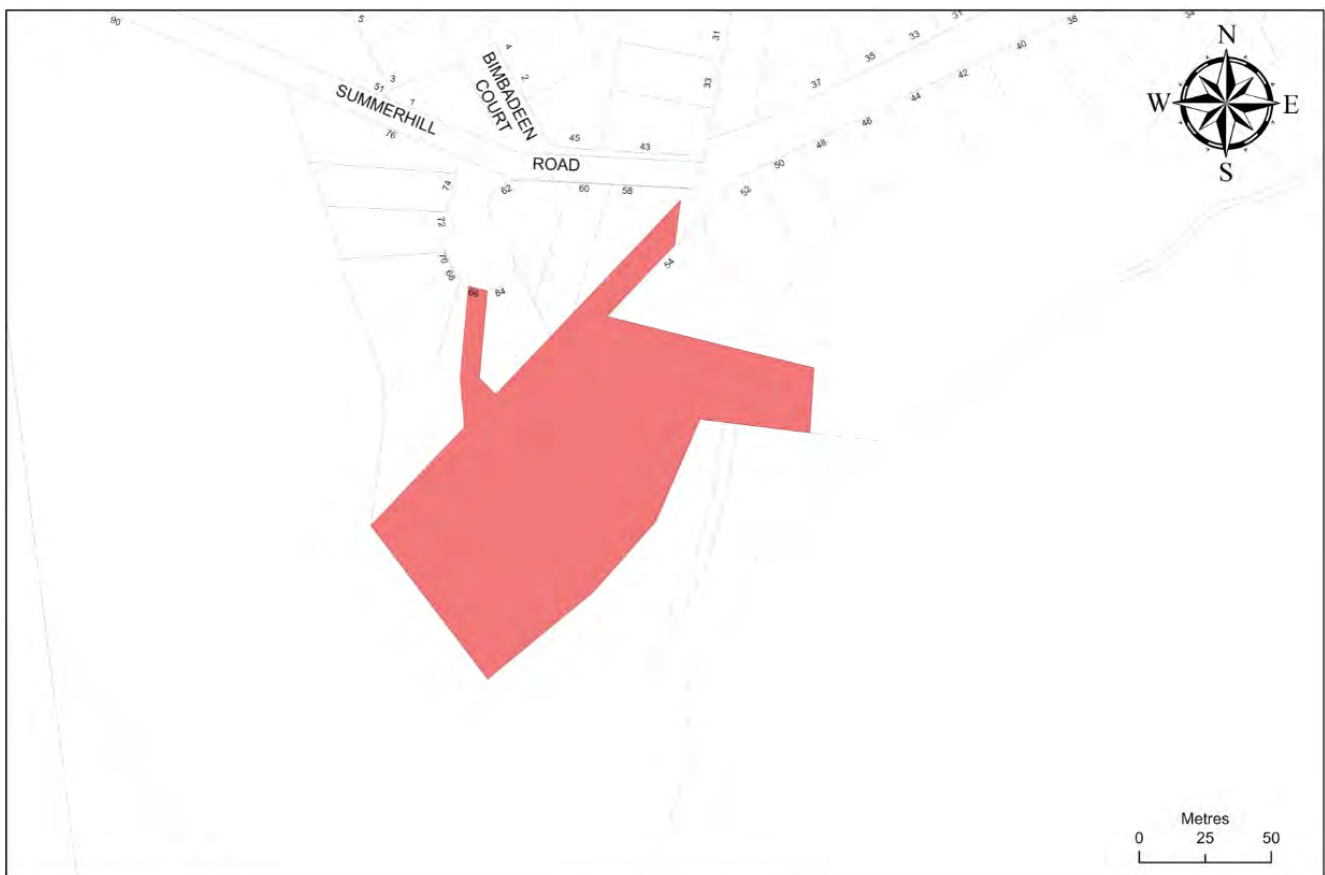


Source: The List (<https://maps.thelist.tas.gov.au/> 21 Jan 2021)

AMENDMENTS TO THE PLANNING SCHEME ZONING AND OVERLAY MAPS

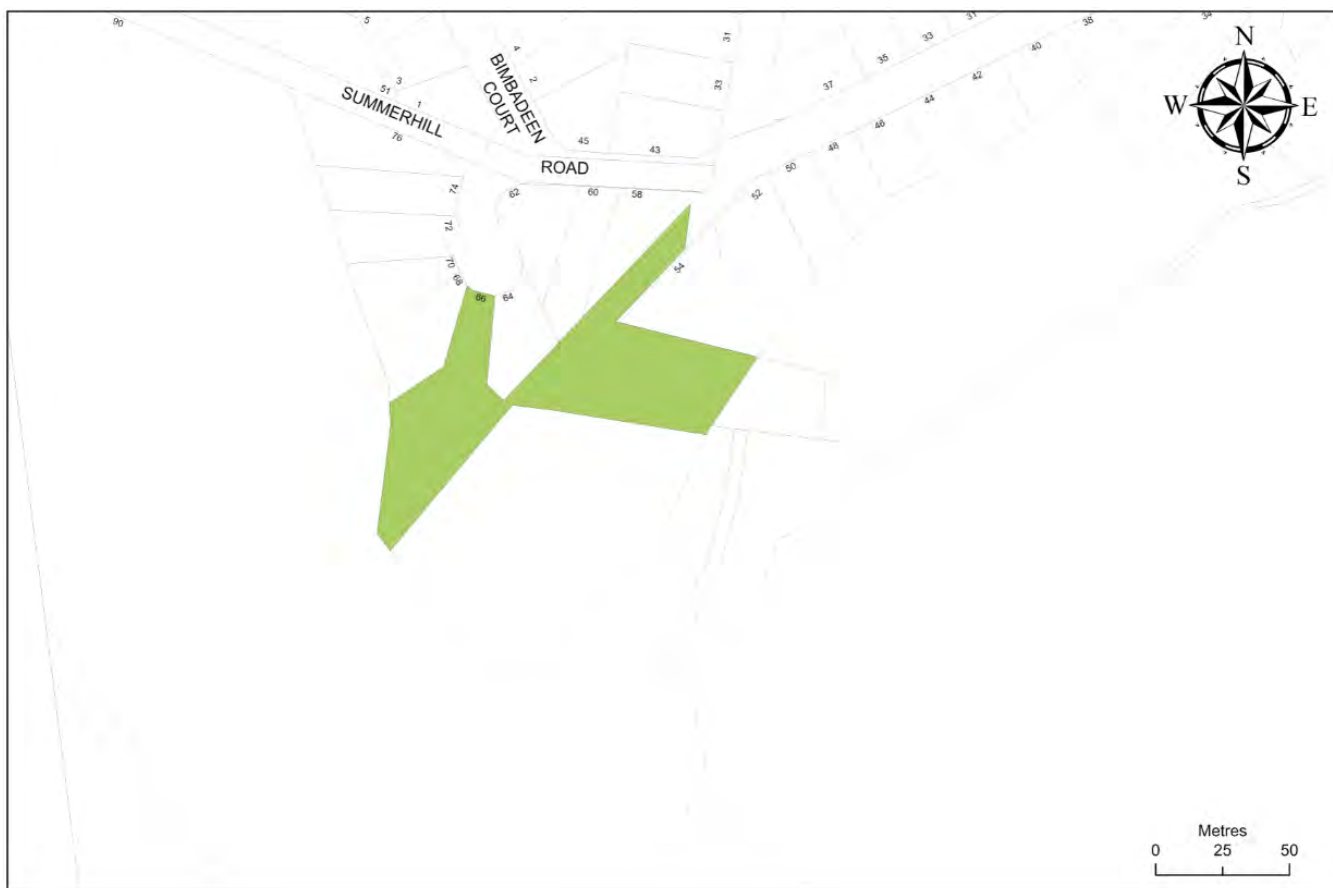
Amendment PSA-18-2-1

Amend the zoning map by rezoning the land indicated at 66 Summerhill Road West Hobart (CT 178330/1) from the Environmental Management Zone, Environmental Living Zone and General Residential Zone to the Low Density Residential Zone.



Amendment PSA-18-2-2

Amend the overlay map by extending the Biodiversity Protection Area Overlay over the land indicated, resulting in this overlay applying to the entire title at 66 Summerhill Road (CT 178330/1).



**REPORT TITLE: AMENDMENT PSA-18-2 - HOBART INTERIM
PLANNING SCHEME 2015 - 66 SUMMERHILL ROAD
REZONING**

REPORT PROVIDED BY: Development Planner
Director City Planning

1. Report Purpose and Community Benefit

- 1.1. The purpose of this report is to consider an application under the former provisions of the *Land Use Planning and Approvals Act 1993* (LUPAA), from ERA Planning on behalf of Newdegate Nominees Pty Ltd, to amend the *Hobart Interim Planning Scheme 2015* (HIPS 2015) by rezoning the property at 66 Summerhill Road to Low Density Residential from Environmental Management, Environmental Living and General Residential. The amendment is described in the applicant's rezoning plan and accompanying submission in **Attachments A and B**.
- 1.2. The Biodiversity Protection Area overlay is also proposed to be extended across the entire area rezoned to Low Density Residential.
- 1.3. As requested by the applicant, this report also recommends the initiation of an amendment to the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) to amend the Urban Growth Boundary (UGB) to allow for the rezoning to occur.
- 1.4. The proposal benefits the community by ensuring that land is appropriately zoned and that use and development is undertaken in a fair and orderly manner.

2. Report Summary

- 2.1. The proposal is to rezone 66 Summerhill Road (title reference: CT 178330/1) to Low Density Residential. The site is currently zoned General Residential, Environmental Management and Environmental Living.
- 2.2. The proposed rezoning plan is provided as **Attachment A**.
- 2.3. The applicant's supporting documentation relating to the rezoning is provided as **Attachment B**.
- 2.4. The site is located on the fringe of existing residential development at the end of Summerhill Road in West Hobart, and adjoins the City-owned Knocklofty Reserve.
- 2.5. The land is generally east facing and partly vegetated. The dominant vegetation type is *Eucalyptus globulus* dry forest and woodland, although it is significantly weed infested.

- 2.6. The subject site comprises part of the balance lot of a previous subdivision for 9 lots plus balance at 66 Summerhill Road (PLN-16-1296).
- 2.7. Council purchased some of this balance lot following the subdivision to formalise existing informal use of the area by the public and provide a strategic link between the southern and northern parts of Knocklofty Reserve.
- 2.8. Submitted documentation demonstrates that the land subject to the rezoning is capable of being developed to a density commensurate with the Low Density Residential Zone.
- 2.9. In order for the rezoning to occur, the Urban Growth Boundary (UGB) of the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) will need to be extended.
- 2.10. The applicant has also requested that Council initiate an amendment to the STRLUS. Justification for this change is provided as **Attachment C**.
- 2.11. It is considered that both the proposed rezoning and the amendment to the STRLUS are capable of meeting the requirements of LUPAA for the following reasons:
 - 2.11.1. The land is not considered to be suitable for retention under the Environmental Management Zone given it does not contain high conservation value vegetation;
 - 2.11.2. The Low Density Residential Zone provides for a transition in residential density between the adjacent General Residential Zone and neighbouring Council-owned Knocklofty Reserve;
 - 2.11.3. The development potential following the rezoning is not significantly different in terms of number of permitted dwellings compared to the existing situation;
 - 2.11.4. The rezoning is not considered to increase potential for land use conflicts considering surrounding land uses and the likely location and number of future dwellings.
- 2.12. It is recommended that the Biodiversity Protection Area Overlay should be extended across the entire rezoned area, in order to consider existing vegetation at the development stage and to protect a significantly old, large, hollow-bearing white gum.
- 2.13. The proposed amendment is recommended for initiation, and it is recommended that a letter be sent to the Minister for Planning to request a STRLUS amendment to extend the UGB.

3. Recommendation

That:

- 1. Pursuant to Section 34(1) (a) of the former provisions of the Land Use Planning and Approvals Act 1993, the Council resolve to initiate an amendment to the Hobart Interim Planning Scheme 2015 to rezone the property at 66 Summerhill Road to Low Density Residential from General Residential, Environmental Living and Environmental Management, as indicated in the rezoning plan provided in Attachment A, and to extend the Biodiversity Protection Area Overlay over the entire area rezoned to Low Density Residential.***
- 2. Pursuant to Section 35 of the former provisions of the Land Use Planning and Approvals Act 1993, the Council certify that the amendment to the Hobart Interim Planning Scheme 2015 PSA-18-2 meets the requirements of Section 32 of the former provisions of the Land Use Planning and Approvals Act 1993 and authorise the General Manager and the Deputy General Manager to sign the Instrument of Certification (Attachment E).***
- 3. Pursuant to Section 38 of the former provisions of the Land Use Planning and Approvals Act 1993, the Council place Amendment PSA-18-2 to the Hobart Interim Planning Scheme 2015 on public exhibition for a 28 day period following certification.***
- 4. Council resolve to request the Minister for Planning to amend to the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) to extend the Urban Growth Boundary to include the area of 66 Summerhill Road to be rezoned Low Density Residential.***

4. Background

- 4.1. The land subject to the rezoning comprises part of the balance lot of a previous subdivision at 66 Summerhill Road (PLN-16-1296). This subdivision was for 9 lots plus balance.
- 4.2. Council purchased some of the balance lot following the subdivision to formalise existing informal use of the area by the public and provide a strategic link between the southern and northern parts of Knocklofty Reserve. The remainder of the balance lot is the subject of this application.
- 4.3. The ownership of the subject site has changed since the amendment request was submitted.
- 4.4. Since submission, a parcel of land acquired through an adverse possession claim has been adhered to the title for 66 Summerhill Road, and forms part of the proposal.
- 4.5. There is no application for subdivision or development as part of this amendment, although an indicative subdivision and servicing plan has been submitted to demonstrate a possible scenario.

Existing situation

- 4.6. The site is located on the fringe of existing residential development at the end of Summerhill Road in West Hobart, and adjoins the City-owned Knocklofty Reserve (see Figure 1).
- 4.7. The land is generally east facing and partly vegetated. The dominant vegetation type is *Eucalyptus globulus* dry forest and woodland, although it is significantly weed infested.
- 4.8. The site is currently partly zoned General Residential, Environmental Living and Environmental Management.
- 4.9. It is noted that the zoning maps of the Council's GIS overlays (see Figure 1) align differently with the underlying property boundaries compared to the State Government's LISTmap property boundaries (see Figure 2).
- 4.10. Advice from the Tasmanian Planning Commission (TPC) GIS unit is that this is due to adjustments made to the LISTmap cadastre to align property boundaries more closely with zone boundaries, although there does not appear to have been any formal amendments to the zoning maps to reflect this. It is recommended that the TPC formally resolve this mapping inconsistency.



Figure 1: Subject site showing existing zoning (Council GIS)



Figure 2: Subject site showing existing zoning (LISTmap)

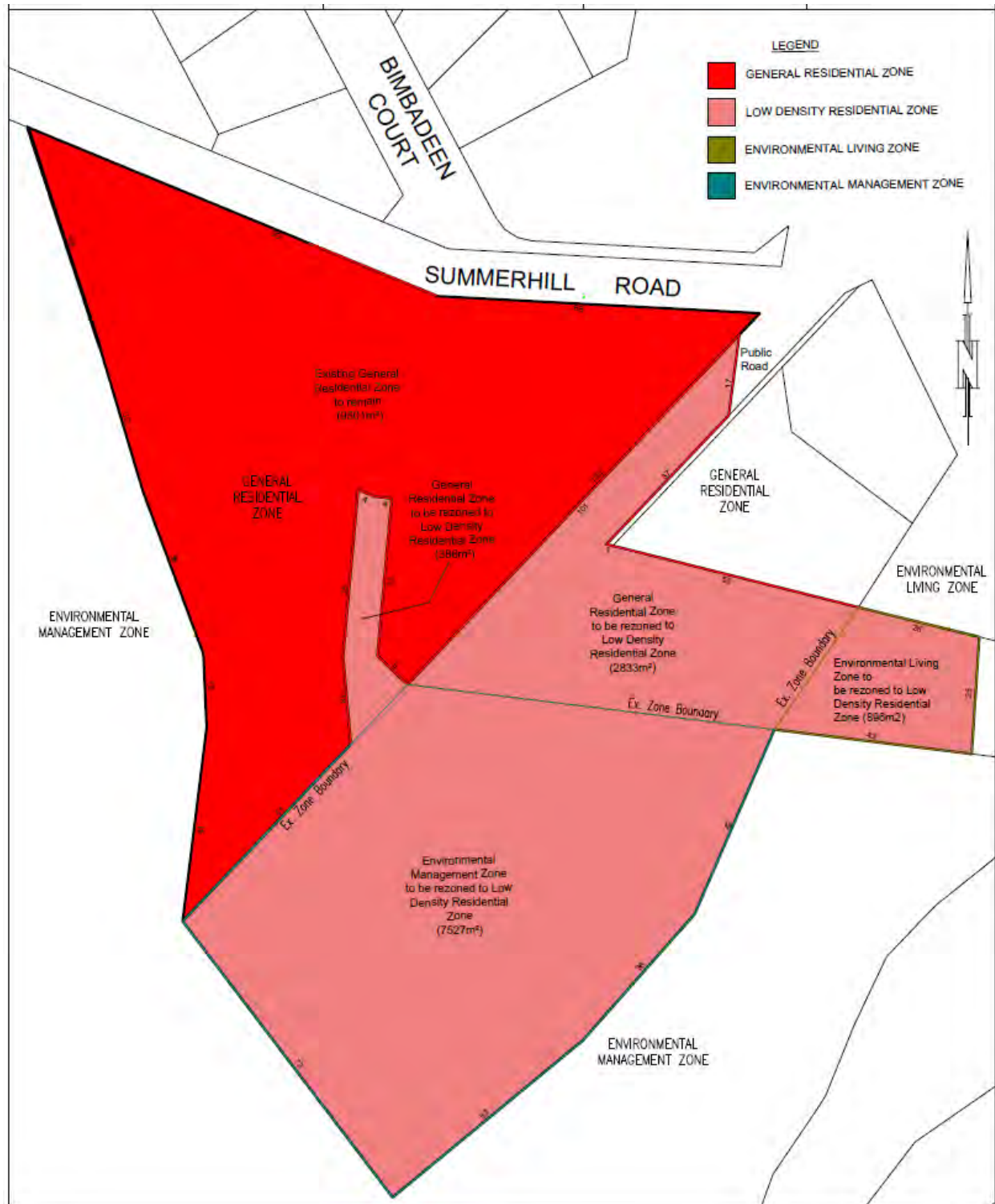


Figure 3: Proposed rezoning of subject site

Planning Scheme Provisions

- 4.11. The Zone Purpose Statements of the Environmental Management Zone are:

To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value or with a significant likelihood of risk from a natural hazard.

To only allow for complementary use or development where consistent with any strategies for protection and management.

To facilitate passive recreation opportunities which are consistent with the protection of natural values in bushland and foreshore areas.

To recognise and protect highly significant natural values on private land.

To protect natural values in un-developed areas of the coast.

- 4.12. Allowable uses under the Environmental Management Zone are generally limited to those that have a public benefit. Permitted uses are generally only those compatible with a reserve management plan. Use and development standards under this zone are primarily focussed towards protecting vegetation and landscape values.

- 4.13. The Zone Purpose Statements of the Environmental Living Zone are:

To provide for residential use or development in areas where existing natural and landscape values are to be retained. This may include areas not suitable or needed for resource development or agriculture and characterised by native vegetation cover, and where services are limited and residential amenity may be impacted on by nearby or adjacent rural activities.

To ensure development is reflective and responsive to the natural or landscape values of the land.

To provide for the management and protection of natural and landscape values, including skylines and ridgelines.

To protect the privacy and seclusion that residents of this zone enjoy

To provide for limited community, tourism and recreational uses that do not impact on natural values or residential amenity.

To encourage passive recreational opportunities through the inclusion of pedestrian, cycling and horse trail linkages.

- 4.14. Allowable uses under the Environmental Living Zone are generally focussed towards residential or recreation uses, as well as some discretionary community uses. Use and development standards are

primarily focussed towards retaining residential amenity and natural values.

4.15. The Zone Purpose Statements of the General Residential Zone are:

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

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

To provide for the efficient utilisation of services.

To encourage residential development that respects the neighbourhood character.

To provide a high standards of residential amenity.

To allow commercial uses which provide services for the needs of residents of a neighbourhood and do not displace an existing residential use or adversely affect their amenity particularly through noise, traffic generation and movement, and the impact of demand for on-street parking.

4.16. Allowable uses under the General Residential Zone are focussed towards residential uses, with some commercial uses (primarily in existing commercial buildings) that serve the local community. Use and development standards are generally focussed towards achieving residential amenity, allowing for suburban level of density.

4.17. The Zone Purpose Statements of the Low Density Residential Zone are:

To provide for residential use or development on larger lots in residential areas where there are infrastructure or environmental constraints that limit development.

To provide for non-residential uses that are compatible with residential amenity.

To encourage residential development that respects the neighbourhood character.

To provide a high standard of residential amenity.

To ensure that development respects the natural and conservation values of the land and is designed to mitigate any visual impacts of development on public views.

4.18. Allowable uses under the Low Density Residential Zone are generally focussed towards residential uses, with a limited number of other

community-focussed uses. The only allowable commercial use is Domestic animal breeding, boarding or training, with discretion.

- 4.19. Use and development standards under the Low Density Residential Zone are generally focussed towards achieving residential amenity, at a lower density level than for general urban areas.

Tasmanian Planning Scheme

- 4.20. The Environmental Management, General Residential and Low Density Residential zones under the Tasmanian Planning Scheme (TPS) are substantially similar to the equivalent zones under the HIPS 2015. There is no equivalent 'Environmental Living' zone.
- 4.21. Some differences in the Low Density Residential Zone under the TPS compared to the HIPS 2015 include that a slightly wider range of discretionary non-residential uses are allowable. In addition, the site area per dwelling for multiple dwellings is set at the same area as the minimum lot size for serviced lots (1500m²), and there is no maximum permitted lot size. The absolute minimum lot size is 1200m².
- 4.22. Under the HIPS 2015, the site area per dwelling requirement under the Low Density Residential Zone is greater than the minimum lot size (1500m² and 1000m² respectively), and there is a maximum lot size of 2,500m². There is no discretion to approve lots either below the minimum or above the maximum permitted lot sizes unless for open space purposes.

5. Proposal and Implementation

- 5.1. The proposal is to amend the *Hobart Interim Planning Scheme 2015* (HIPS 2015) zoning maps by rezoning part of the property at 66 Summerhill Road to Low Density Residential from Environmental Management, Environmental Living and General Residential.
- 5.2. The proposal is also to submit a request to the Minister of Planning to amend the STRLUS by extending the UGB to include the rezoned area.

Justification – Applicant's Submission

- 5.3. The applicant considers that the requested rezoning amendment is justified for the following reasons:
 - 5.3.1. The subject site is capable of being serviced by sewer and water infrastructure.
 - 5.3.2. A natural values report indicates that the conservation value of the vegetation community on the site is significantly diminished due to substantial weed infestation. Many of the large trees on the site can be retained even following subdivision.

- 5.3.3. It is considered that following the proposed rezoning, three lots and a balance could be provided. This would provide for a transition of density from the General Residential Zone through to Environmental Management and Environmental Living zoned land, reflecting orderly development and reducing bushfire clearance and vegetation maintenance on non-residentially zoned land.
- 5.3.4. The proposal includes an element of 'back-zoning' from General Residential to Low Density Residential, and therefore the change in overall development potential will not be significantly altered.
- 5.3.5. The proposed rezoning removes split zoning of the site and provides for a more logical and systematic pattern of residential development reflective of site constraints.
- 5.3.6. The proposed rezoning and development potential will not have an unreasonable impact on visual landscape values. The land is at a similar or lower contour level compared to adjoining land that is already developed, and the vegetated ridgeline will remain.
- 5.3.7. The site is highly modified already and the area that is suitable for development is substantially cleared of vegetation.
- 5.3.8. While part of the site is subject to the Landslide Hazard Area Overlay, building envelopes can be accommodated outside of these areas. A submitted landslide risk management report concludes the risk posed on the site is low, instability and erosion from vegetation removal is low and acceptable, and expected development should not have a significant effect on land stability on the site or neighbouring properties.
- 5.3.9. A submitted Bushfire Hazard Management Plan (BHMP) indicates that hazard management areas based on BAL-19 construction could be contained within the lot boundaries for a four lot subdivision with building envelopes close to the northern lot boundary.
- 5.3.10. The proposal is consistent with the STRLUS in that:
- Future lot sizes are such that house sites and associated bushfire hazard management areas can be adequately accommodated within the lot boundaries, minimising the impact on broader vegetation values and managing bushfire risk;
 - Adequate land area will be provided to enable a future subdivision that incorporates house sites outside of landslide hazard risk areas;

- An area of the original site has been provided to Council to formalise walking tracks and links to Knocklofty Reserve;
- The rezoning presents a logical transition in the pattern of development and the existing potential of the site;
- the proposal does not represent residential growth but rather an alternative layout for residential development that is more sustainable and responsive to site characteristics;
- the application of the Low Density Residential Zone is reflective of the constraints of the site;

5.3.11. The proposal is consistent with the Objectives of the Resource Management and Planning System, in particular that it:

- Promotes sustainable development given it minimises impacts on bushland while allowing for appropriate residential development;
- Provides for the fair, orderly and sustainable use and development of land given it enables a transition of density without further impacting on significant vegetation or landscape values;
- Encourages public involvement through a public exhibition process;
- Facilitates economic development in that it contributes to the provision of housing and maximises use of infrastructure and services;
- Promotes the sharing of responsibility between government, community and industry by way of the rezoning process;
- Represents sound strategic planning as it is a logical and orderly expansion of a residential area at an appropriate density, removing split-zoning of sites;
- Does not affect the established system of planning instruments, allowing future development of the land to be considered against the planning scheme;
- Considers effects on the environment and social and economic impacts as environmental values on the land can be managed appropriately;
- Contributes to a pleasant, efficient and safe working, living and recreational environment in that it allows of a transition of land between established residential areas and Knocklofty Reserve;

- Conserves places of aesthetic interest as it retains the existing contour line beyond which the existing development pattern does not currently extend.
 - Does not impact on the coordination of public and other facilities and infrastructure.
- 5.3.12. The proposal does not contravene the *State Policy on Water Quality Management 1997* as the planning scheme provisions will ensure use and development is undertaken in accordance with the policy.
- 5.3.13. There are unlikely to be any potential land use conflicts as the proposal provides for an orderly graduation of lot sizes and sustainable utilisation of land that is otherwise constrained.
- 5.3.14. The size and configuration of potential lots means development opportunities will be limited on the site, and therefore the regional impact of the proposal is negligible.
- 5.4. In relation to the amendment to the STRLUS to extend the UGB, the applicant considers the request is justified for the following reasons:
- 5.4.1. The STRLUS was declared 9 years ago, and has had little review since.
- 5.4.2. Maintaining a forward rolling supply of residential land is critical to orderly land release that does not have adverse effects on affordability of housing supply.
- 5.4.3. The UGB was originally intended to be a 'management' tool to control orderly release of new land, not a 'restrictive' tool requiring all land to be converted and used for urban purposes before more is released.
- 5.4.4. The UGB was developed through a relatively inexact process that took into account the best available data on capacity of infrastructure, values, hazards, existing zoning and proposed zoning amendments. There were some constraints associated with this data, and with the dwelling forecast and dwelling yield analysis conducted.
- 5.4.5. Originally the UGB was not intended to be read at a cadastral level and the map was notated to reflect the indicative nature of the line, which was anticipated to adjust taking into account local investigations into values, hazards and other constraints.
- 5.4.6. In 2013 the UGB was changed from a 'fuzzy' line to a 'black and white line', at the behest of some councils in order to provide for easier application. This has caused an unreasonable degree of regulatory burden on proposed small

scale land releases around the UGB such as the one proposed for this amendment.

- 5.4.7. Population increase in greater Hobart since the STRLUS was prepared has been greater than predicted, and 2019 predictions from the Department of Treasury and Finance confirms greater increases into the future than accounted for under the STRLUS.
- 5.4.8. The rezoning at 66 Summerhill Road would facilitate potentially 3 additional lots suited to single dwellings in a well serviced and located area. This is only 0.01% of the dwelling demand underlying the UGB which is negligible and has no effect on the overall attainment of the residential and settlement policies within the STRLUS.

Justification - Comment

- 5.5. The applicant has submitted some valid reasons in support of the rezoning.
- 5.6. As the land has been assessed to not contain vegetation that is of high conservation value, and the potential hazards are manageable, retention of the site within the Environmental Management Zone is not warranted.
- 5.7. It is not considered that the land reflects the Zone Purpose Statements of the Environmental Management Zone, particularly:

To provide for the protection, conservation and management of areas with significant ecological, scientific, cultural or aesthetic value or with a significant likelihood of risk from a natural hazard.
- 5.8. The area of the original site that did have conservation and recreation value has now been transferred to City of Hobart ownership.
- 5.9. It is considered that the Low Density Residential Zone is a reasonable alternative zone for the remainder of the site, including the portion currently zoned General Residential which includes site constraints, such as landslide hazard areas, that will likely limit potential development density.
- 5.10. The replacement of the small section zoned Environmental Living is appropriate as the vegetation community is compromised and it is unlikely any housing will be developed in this area. The indicative subdivision plan suggests this area will likely remain part of a large balance lot that does not have further subdivision potential. The Low Density Residential Zone with a Biodiversity Protection Area Overlay will still allow consideration of any hazards and values in this section of land if further development were to be proposed.
- 5.11. The Low Density Residential Zone will recognise existing site constraints and limit high density development in the area. Future

development on the site is considered to be capable of meeting the zone purpose statements of the Low Density Residential Zone.

- 5.12. The zone provides for a transition in density between the General Residential Zone and adjoining Environmental Living and Environmental Management zoned areas.
- 5.13. In terms of development potential, the difference in the number of lots or developments theoretically possible is not significant.
- 5.14. Under the current zoning, there is the theoretical capacity for 5-6 permitted dwellings on the site (0 on the Environmental Management zoned land and 5-6 on the General Residential/Environmental Living zoned land).
- 5.15. If the site were to be rezoned as proposed, under the HIPS 2015, the Low Density Residential Zone could theoretically yield up to 11 lots or 7 multiple dwellings (minimum lot size of 1000m², minimum land per multiple dwelling of 1500m²). It is noted however that, in terms of subdivision, available frontage to a road is restricted and therefore the maximum number of lots would not be achievable.
- 5.16. The draft Hobart Local Provisions Schedule (LPS) currently proposes that the areas of this site currently zoned Environmental Living or Environmental Management be zoned Rural Living C. This zone has a minimum permitted lot size of 5 hectares.
- 5.17. Under the LPS, the multiple split zoning of the site would continue. Removal of the site's split zoning as proposed by the amendment will be a positive outcome as it consolidates development potential and simplifies assessments.
- 5.18. Under the draft LPS as currently zoned, the development potential would theoretically allow for approximately 6-7 permitted dwellings (1 on the Rural Living C zoned portion of land, 5-6 on the General Residential zoned portion of land.) If the site were to be rezoned as proposed when the LPS is approved, the development potential would be approximately 7 lots or 7 multiple dwellings.
- 5.19. The number of lots or dwellings that could be practically realised on the site following rezoning is highly likely to be lower than the maximum theoretical number due to access constraints, servicing constraints, natural hazards and gradient.
- 5.20. The applicant has provided an indicative subdivision plan that shows three additional lots plus balance. This is considered to be a more realistic potential, assuming servicing for each potential dwelling can be achieved.
- 5.21. Essentially, the rezoning will result in a larger area of land available for residential purposes, but not a significantly greater number of permitted dwellings or lots, compared to the existing situation.

- 5.22. Avoiding zoning privately owned land as Environmental Management is consistent with the established strategic direction favoured under the Tasmanian Planning Scheme.
- 5.23. It is agreed that the development of additional houses in the northern section of the site will not have a significant adverse impact from a visual point of view, given the existing line of development, the recently approved subdivision, the primarily cleared nature of the building areas, and the small number of possible dwellings.
- 5.24. The proposal was referred to relevant Council officers. Comments are provided below:

Open Space and Recreation

- 5.24.1. There does not appear to be any clearing for bushfire protection required on Council land outside the indicative new blocks.
- 5.24.2. Almost all trees could be retained on the new lots, and there would be some reduction in the area covered by gorse. Ongoing gorse control to provide a buffer for the reserve is highly desirable.
- 5.24.3. Pedestrian access between the existing cul-de-sac and Knocklofty Reserve is desirable in the subsequent subdivision;
- 5.24.4. The rezoning proposal is supported in principle.

Stormwater

- 5.24.5. The indicative subdivision plan shows 4 building areas clustered to the north of the site to allow access, servicing, avoid landslide areas and minimise bushfire clearing.
- 5.24.6. Both the Northern and Southern tributaries of Providence Rivulet have identified capacity issues, as does the public stormwater system in Hillside Crescent. Flow maintenance would be required for future subdivision/development, including for the proposed zone's acceptable density. This would likely be conditioned on any subdivision permit as a Part 5 agreement.
- 5.24.7. The submitted concept servicing plan shows only a very small area of the indicative Lots could drain via gravity. Some lots (particularly 'lot 11' and the balance lot) of the indicative subdivision would struggle to get through LG(BMP) or the planning scheme provisions relating to services for subdivision (HIPS 2015 Clause 12.5.4) if not submitted simultaneously with house plans as the building area (considered as the ground surface) could not drain by gravity. Onsite disposal would not be supported due to the steepness and landslip risk, and

Council does not accept pumped drainage disposal for subdivisions.

- 5.24.8. There are, however, possible alternative servicing layouts (for example mains below the building area roughly following 186m contour but above the landslide zone, subject to geotechnical advice, rather than confined to access strips). The majority of the rezoned area is not able to be developed - the building areas must be clustered along the northern boundary, as indicated in the concept subdivision layout.
- 5.24.9. The fire trail to the west of the site has previously concentrated water, causing issues over the site. As part of the Council contract to purchase land, it was proposed to redirect some of these flows to above Bimbadeen Court. The remaining section would sheet flow to Providence Rivulet. If these works have been carried out, the proposed land will be largely unaffected. If it has not, this is still unlikely to be an issue given the likely building areas.
- 5.24.10. The new outcome for maximum acceptable developed area following the rezoning is difficult to judge, but theoretically stays fairly consistent (1924m² of existing General Residential land could yield 5 multiple dwellings with 75% impervious surfaces. Approx. 11,000m² of Low Density Residential land could yield 7 dwellings).
- 5.24.11. In reality, however, it would be difficult to develop the current General Residential zoned lot to this density given the site constraints. The proposed rezoning will therefore slightly increase the practicable development potential of the land.
- 5.24.12. In summary, the rezoning is supported, noting:
- Only a small area of the proposed rezoned land is able to be serviced by future public stormwater, and Council would not support the development of the unserviced land. Future subdivision/development would require extensive stormwater design.
 - Future subdivision/development would require flow management/detention.
 - Whilst development suited to the proposed zone could occur, the indicative subdivision would face some challenges in its current form.

Development Engineering

- 5.24.13. There are concerns that the recently constructed cul-de-sac head on Summerhill Road is insufficiently sized to allow fire

trucks to turn around. As such, a sign was installed as part of that subdivision which prohibits fire trucks to enter the cul-de-sac. Inability for fire trucks to access the Fire Hydrant would mean the Bushfire Hazard Management Plan (BHMP) does not adequately cover fire protection.

- 5.24.14. Despite these concerns, however, the Tasmania Fire Service (TFS) have provided some advice that indicates they consider access to the cul-de-sac fire hydrant as viable and adequate for appliance manoeuvring. However, the TFS do have concerns regarding all building areas being within 120m unobstructed hose lay of the hydrant, and do not believe the BHMP adequately addresses this issue and proposes an adequate solution. An updated BHMP will need to be provided at subdivision stage to demonstrate an adequate water access solution can be achieved
- 5.24.15. Notwithstanding the TFS advice relating to access, a suggestion to improve ease of access to the Fire Hydrant is to connect the shared driveway servicing indicative lots 10 and 11. From review of JMG Concept Servicing Plan C100 it appears this may be possible (with alterations to driveway gradients requiring review) with realignment permitting a fire truck to drive through from one shared driveway to the other.

Environmental Planning

- 5.24.16. A full report by Council's Environmental Development Planner is provided as **Attachment D**.
- 5.24.17. Generally, it is concluded that the site can reasonably accommodate development consistent with the proposed zone (Low Density Residential).
- 5.24.18. It is noted that some design alterations may need to be made to the indicative subdivision plan to meet bushfire hazard management requirements. A Bushfire Hazard Management Plan prepared for a subsequent subdivision will need to resolve the issue of adequate hose-lay distance to each building site to ensure compliance with the Bushfire Prone Areas Code.
- 5.24.19. It is recommended that as part of the rezoning the Biodiversity Protection Area should be extended to cover all areas of the site that were previously not covered by this overlay. This will help to protect a particular very large white gum which may represent the most significant value on the lot from a conservation perspective for its age, size and habitat potential (including hollows). Protection of this tree and other existing vegetation that is outside of the current extent of the

Biodiversity Protection Area is considered to go a considerable way in offsetting the impact of any future development of the land.

- 5.25. In relation to the request to amend the UGB under the STRLUS, it is considered that this is a reasonable request given the minor nature of the extension, and the suitability of the site to be used for low density residential purposes.
- 5.26. An information sheet (RLUS 1) was issued by the Planning Policy Unit (Department of Justice) to provide guidance on amending regional land use strategies.
- 5.27. Under the RLUS 1, amendments to strategies must include justification on how the change being sought:
- (a) *Further the Schedule 1 objectives of LUPAA;*
 - (b) *Is in accordance with State Policies made under section 11 of the State Policies and Project Act 1993;*
 - (c) *Is consistent with the Tasmanian Planning Policies, once they are made; and*
 - (d) *Meets the overarching strategic directions and related policies in the regional land use strategy.*
- 5.28. Further justification is required for those amendments that relate to the development of greenfield sites, including impacts on natural values, risks from hazards, impacts on road networks, impacts on adjoining land use and consideration of agricultural values.
- 5.29. It is considered that each of the above issues have been adequately covered in this report in relation to the proposed rezoning.
- 5.30. The RLUS 1 strongly recommends that proposed amendments are accompanied by an endorsement from other planning authorities in the relevant region, and that State Service agencies, State authorities and infrastructure providers are consulted. However, given the minor nature of this proposal and the unlikely event of any impact on other planning authorities, this is considered unnecessary at this stage. TasWater will be notified during the exhibition process if the amendment is initiated, as per usual process.
- 5.31. The RLUS 1 specifically requests the following information where a modification to the Urban Growth Boundary is sought:
- (a) *Justification for any additional land being required beyond that already provided for under the existing regional land use strategy. This analysis should include the current population growth projections prepared by the Department of Treasury and Finance;*

- (b) Analysis and justification of the potential dwelling yield for the proposed additional area of land;*
 - (c) Analysis of land consumption (i.e. land taken up for development) since the regional land use strategy was declared;*
 - (d) Justification for any additional land being located in the proposed area, considering the suitability of the area in terms of access to existing physical infrastructure, public transport, and activity centres that provide social services, retail and employment opportunities;*
 - (e) Consideration of appropriate sequencing of land release within the local area and region;*
 - (f) Consideration of any targets for infill development required by the regional land use strategy;*
 - (g) Potential for land use conflicts with use and development on adjacent land that might arise from the proposed amendment.*
- 5.32. The applicant has submitted a response to these requirements (see **attachment C**). The position of the applicant generally is that the minor nature of the extension and the low potentially dwelling yield means detailed analysis against many of the RLUS 1 requirements are unnecessary.
- 5.33. It is considered that this is a reasonable position, and the Planning Policy Unit under the Department of Justice has confirmed that in this instance the documentation provided is sufficient to advance the request to amend the STRLUS.
- 5.34. The proposal to amend the Urban Growth Boundary under the STRLUS is supported.

6. Strategic Planning and Policy Considerations

- 6.1. The proposed amendment is consistent with the objectives of the Capital City Strategic Plan 2019-29, in particular with the following outcomes:
- 6.1.1. Hobart keeps a strong sense of place and identity, even as the city changes;
 - 6.1.2. Hobart's cityscape reflects the heritage, culture and natural environment that make it special;
 - 6.1.3. In City decision-making, we consider how different aspects of Hobart life connect and contribute to sense of place;
 - 6.1.4. The natural environment is part of the city and biodiversity is preserved, secure and flourishing;

6.1.5. Development enhances Hobart's unique identity, human scale and built heritage;

6.1.6. Community involvement and an understanding of future needs help guide changes to Hobart's built environment.

7. Financial Implications

7.1. Funding Source and Impact on Current Year Operating Result

7.1.1. None.

7.2. Impact on Future Years' Financial Result

7.2.1. None.

7.3. Asset Related Implications

7.3.1. None.

8. Legal, Risk and Legislative Considerations

8.1. The *Land Use Planning and Approvals Act 1993* (LUPAA) requires that planning scheme amendments must seek to further the Objectives of Schedule 1 of the Act and be prepared in accordance with the State Policies.

8.2. The Objectives of LUPAA require use and development to occur in a fair, orderly and sustainable manner and for the planning process to facilitate economic development in accordance with the other Schedule 1 Objectives.

8.3. It is considered that the proposed amendment meets the Objectives of LUPAA, in particular it:

8.3.1. Does not unreasonably compromise natural resources or ecological processes and encourages serviced land with easy access to public infrastructure to be effectively utilised;

8.3.2. Is a fair, orderly and sustainable use of the site as it does not adversely impact on environmental values, and provides for economic development through increased housing provision in close proximity to the city;

8.3.3. Assists sound strategic planning by not prejudicing the achievement of the relevant zone objectives or the STRLUS objectives;

8.3.4. Is consistent with the objective to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;

- 8.3.5. Provides greater flexibility to address changes in local, environmental, social and economic circumstances;
 - 8.3.6. Allows for more efficient use of existing infrastructure and facilities;
 - 8.3.7. Considers the provision of a pleasant, efficient and safe environment for residents and visitors to Hobart;
 - 8.3.8. Considers the capability of the zone and allowable uses that are likely to have minimal land use conflict with surrounding uses.
- 8.4. The only State Policy relevant to the proposed rezoning is the State Policy on Water Quality Management 1997. As the HIPS 2015 includes provisions that ensure use and development is undertaken in accordance with the policy, it is considered that the rezoning and future development on the site will not contravene this policy.
- 8.5. S32(e) of the former provisions of LUPAA requires that planning scheme amendments must, as far as practicable, avoid the potential for land use conflicts with use and development permissible under the planning scheme applying to the adjacent area. This amendment is considered to be appropriate in the context of adjoining land use. It provides for a transition in residential density, and the area of the site that is capable of containing dwellings is concentrated close to the existing General Residential Zone boundary. The site is not adjacent to any areas controlled by a different planning scheme.
- 8.6. S32(f) of the former provisions of LUPAA requires that planning scheme amendments must have regard to the impact that use and development permissible under the amendment will have on the use and development of the region as an entity in environmental, economic and social terms. The proposed amendment is relatively minor in nature, and will not have any significant impact on use or development at a regional level. The proposal is not considered to impact negatively on environmental values of the site, given the extent and condition of vegetation on the site. Supporting use of appropriate city fringe land for housing supports economic development, housing choice, and accessibility to transport and services for future residents.
- 8.7. S300 of LUPAA requires that an amendment to an interim planning scheme is as far as practicable consistent with the regional land use strategy. It is considered that this amendment is consistent with the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS), in particular that it:
- 8.7.1. Manages significant native vegetation at the earliest possible stage of the land use planning process by considering the conservation value of the site, and extending the Biodiversity Protection Area Overlay to include some currently unprotected

vegetation (particularly a very old and large white gum with hollows) – in accordance with policy BNV 1;

- 8.7.2. Adequately manages the risk from natural hazards from bushfire and land instability, in accordance with policies MRH 1 and MRH 3;
 - 8.7.3. Maximises the efficiency of existing physical infrastructure, in accordance with policy PI 1;
 - 8.7.4. Gives preference to urban expansion in close physical proximity to existing transport corridors and higher order Activity Centres, in accordance with policy LUTI 1;
 - 8.7.5. Provides a sustainable and compact pattern of residential development, only utilising the Low Density Residential Zone where it is necessary to manage land constraints in accordance with policy SRD 1 and SRD 2.
- 8.8. It is noted that consistency with the UGB of the STRLUS is dependent on the Minister's determination of the concurrent application to amend the STRLUS.

9. Environmental Considerations

- 9.1. The proposed amendment has been considered in terms of its impact on the environmental values of the site. The documentation submitted indicates the proposed rezoning will not have an unreasonable environmental impact, and this has been supported by Council's Environmental Development Planner.

10. Social and Customer Considerations

- 10.1. The proposal is not considered to have any negative impact on social inclusion.

11. Marketing and Media

- 11.1. There are no marketing or branding implications of this amendment.

12. Community and Stakeholder Engagement

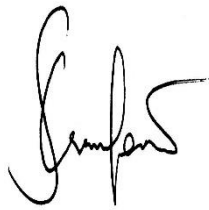
- 12.1. The Council has requested that reports which recommend the initiation of planning scheme amendments address the need to conduct a public meeting or forum to explain the proposed amendments and also outline the explanatory information to be made available. These are addressed below:
 - 12.1.1. It is not considered that a public forum is necessary to explain the proposed amendment to the public as it is relatively simple and self-explanatory.

- 12.1.2. The following information will be made available on the website:
a copy of this report, a copy of the formal amendment document and the applicant's submission.

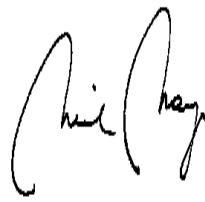
13. Delegation

- 13.1. Delegation rests with the Council.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.








Sarah Crawford
DEVELOPMENT PLANNER



Neil Noye
DIRECTOR CITY PLANNING

Date: 13 October 2020
File Reference: F20/97691; PSA-18-2

Attachment A: Rezoning Plan ↓ 
Attachment B: Rezoning Supporting Documentation ↓ 
Attachment C: STRLUS Amendment Justification ↓ 
Attachment D: Environmental Development Planner Assessment ↓ 
Attachment E: Instrument of Certification ↓ 

12. ALDERMEN'S QUESTION TIME

An Alderman may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

12.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, an Alderman may give written notice to the General Manager of a question in respect of which the Alderman seeks an answer at the meeting).

Ald Warren has given notice of the following question:

FERRY TERMINAL OPTIONS - CLARENCE

Given the recent discussion in the media on the upcoming Ferry trial, could the General Manager please update Council and ratepayers on the status of ferry terminal options in Clarence with particular reference to the suitability of the following existing structures:

- The site of the original ferry terminal at Kangaroo Bay, currently owned by Chambroad and referred to in stakeholder consultations meetings in 2018 with Metro Tasmania as the intended ferry wharf site;
- The boardwalk currently under construction;
- The existing ferry wharf on Victoria Esplanade;
- Any other plans such as a floating ferry wharf at another location.

Could the General Manager also update Council and ratepayers on any discussions about provision of parking for prospective passengers or measures that might be taken to avoid suburban streets becoming the preferred parking solution?

12.2 ANSWERS TO QUESTIONS ON NOTICE

12.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Ald Warren

In relation to the charity bin next to the Unicorn Opportunity Shop in Lindisfarne, the bin hasn't been used since last year and the manager of the shop who is about to take over is happy for that bin to be removed. I've had complaints from the community about dumping, so my question is what assistance can council provide in helping to have that bin removed in consultation with the manager and would it be possible to replace it with perhaps a bench and perhaps some minor landscaping to discourage people who are creatures of habit from continuing to dump stuff in that location?

ANSWER

A work order has been issued and the charity bin has been removed.

Ald James

1. According to the Local Government Act of 1993 Section 22(4) a General Manager

is to (a) keep a register of any delegations and (b) make the register available for inspection at a public office. At what public office is our General Manager's Delegation Register available and how can it be inspected by members of the public?

ANSWER

The delegation register is kept in this office and it can be inspected by appointment.

2. I refer to Chambroad Australia's summary of meeting notes of Wednesday, 3 February 2021 which was circulated earlier this evening. On the reverse side page it said that "the significant outgoing negative impact of the COVID-19 pandemic across the global tourism and hospitality market is expected to result in a surplus of skilled hospitality personnel globally and therefore a declining demand for training and education for an uncertain period of time. A combination of those factors has resulted in UTAS unable to identify a viable commercial path to commit to the Kangaroo Bay project". Now my question is given that as it seems as though highly unlikely for them to commit to the project under the terms of the SDA is it possible that it would have to advertise for another education provider in order to fulfil the conditions of the SDA as a hospitality and hotel complex?

ANSWER

(Mayor) They don't have to advertise but if they want the project to proceed, they have to find another education provider. It doesn't have to be UTAS.

Question contd

Does council have to be advised or is that something that the SDA basically as part of their decision making process?

ANSWER

My recollection is that the SDA doesn't provide a specific education provider, but I will confirm that.

(Further advice) – the SDA does not provide for a specific education provider.

Ald Blomeley

1. Mr Mayor, in late December, I was contacted by Howrah residents regarding the need to address long grass on the South Arm Highway between the Mornington and Shoreline roundabouts.

As we know, this stretch of Highway is owned and maintained by the Department of State Growth and I'd like to thank Mr Graham for his assistance in bringing this matter to the attention of DSG, who contacted me and arranged a works order for this to be addressed.

In late January the work occurred, however, the finished work was far from satisfactory.

One resident wrote to me: *"In my disbelief, I watched the gentlemen look at the length of grass and literally move on"*.

Mr Mayor, this resident is the parent of young children and has concerns about fire and snakes.

I contacted DSG's Maintenance Services South a week ago and have yet to receive a response.

Mr Mayor, would it please be possible for Council to add its weight to this matter by writing to DSG requesting that the long grass along this stretch of road be adequately mowed?

ANSWER

(Further advice) Council officers have written to DSG to ask for the long grass to be addressed

2. Mr Mayor, on the 30th of January, the City of Launceston presented the Key to the City to champion cyclist Richie Porte.

Has the City of Clarence ever presented the "Key to the City"?

ANSWER

On 31 August 1992, Council adopted a Civic Awards Policy which provided a three-tier recognition award system including Freedom of the City; Freeman of the City; and Key to the City.

In regard to the Key to the City element the policy allows the award to be granted "at the discretion of the Aldermen of the City of Clarence to any person who significantly distinguishes himself/herself in any sphere of activity".

At its meeting of 14 September 1992, Council granted a Key to the City to Stephen Hawkins and gave recognition to the other two local athletes who represented Australia at the Barcelona Olympics.

A copy of the policy can be provided to Aldermen via the Weekly Briefing Report.

(Further advice) The policy was provided to Aldermen in the Weekly Briefing Report dated February 2021.

Ald von Bertouch.

1. Will Council be involved in the roll out of the COVID-19 vaccinations?

ANSWER

Council is likely to be involved in the last two phases. The State Government will commence their roll out in the last week of this month and the first 2 phases will be handled by the State and Commonwealth because they deal with emergency workers, border control and aged care and disability care workers. I do not have the exact timing of that at this stage.

2. If so, will they be linked or separate to the regular flu vaccinations?

ANSWER

They will be separate to the regular flu vaccinations because there is a requirement to have a two week gap between receiving a flu vaccination and a COVID-19 vaccination.

Ald Edmunds

I noted a couple of Mondays ago Kingborough Council had set up a process for public to attend their meetings. I just wondered if we have a plan or a strategy or a timeline around when that can potentially happen and what protocols we would need to have in place?

ANSWER

I am not aware that there has been any change in the distancing requirements and room number requirement and that has been our limiting factor within this chamber. The only way that we would be able to have the public back in a council meeting would be to find a larger room and the best location for that is Bellerive Oval and that comes at some cost. At the moment we do not have a plan in place for the public to attend but we are continually monitoring the situation.

Ald Ewington

I note of late there has been a lot of stickers placed around the community on posts and rubbish bins and things like that. I just want to confirm that there must be a council by-law and is that against a by-law and what are the penalties for people putting stickers all over the council property - bus stops and signs and those sort of things?

ANSWER

As I recall Ald Blomeley asked a similar question last year. I can provide you with that response if that assists.

Question contd

Can we do something to remind people that it is inappropriate. There seems to be more than there has been at any other time.

ANSWER

(Mayor) We will have a look at the response first. We may have already addressed that last year. It needs policing if it's becoming that obvious.

(Further advice) Council works crews are instructed to remove inappropriate stickers where possible in the ordinary course of their duties.

Ald Mulder

Harking back to Kangaroo Bay during debate I foreshadowed a motion in relation to the buy back option. I am just wondering procedurally whether you will accept that?

ANSWER

(Mayor) I am wondering whether the General Manager might be able to raise that in his discussions with Chambroad under part E of the decision which authorises the General Manager to separately write to Chambroad to negotiate non contractual conditions.

Question contd

I am under advice from the General Manager Mr Mayor that council has to make the

request in council as well or is that covered by “all things necessary”?

ANSWER

I believe that you are referring to the release of the contract. Parties to the contract obviously are council and Chambroad. My view would be that I would need an instruction from council in order to take that step because it is a fairly significant step.

(Mayor) Can we put that on notice for the next council meeting?

(Ald Mulder) Yes, Mr Mayor but I may have to extinguish one of my own motions on notice as we are only allowed to move one at a time

(Mayor) I will discuss the matter with Ald Mulder at a later time.

Ald Chong

Is there a process when a development application is lodged to ensure that the applicant owns or leases the premises that they are submitting the D/A for? I have recently been made aware of an advertised D/A where the applicant whilst currently negotiating the purchase does not own or lease the property at the moment and it has caused a lot of distress to the owners having a D/A for a premises that they currently own

ANSWER

The legislation does not require the applicant to own the land it only requires the applicant to notify the owner that they are making the application.

12.4 QUESTIONS WITHOUT NOTICE

An Alderman may ask a Question without Notice of the Chairman or another Alderman or the General Manager. Note: the Chairman may refuse to accept a Question without Notice if it does not relate to the activities of the Council. A person who is asked a Question without Notice may decline to answer the question.

Questions without notice and their answers will be recorded in the following Agenda.

The Chairman may refuse to accept a question if it does not relate to Council’s activities.

The Chairman may require a question without notice to be put in writing. The Chairman, an Alderman or the General Manager may decline to answer a question without notice.

13. CLOSED MEETING

Regulation 15 of the Local Government (Meetings Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

13.1 APPLICATIONS FOR LEAVE OF ABSENCE

13.2 TENDER T1358-20 – BELLERIVE BEACH PARK – SHARED CYCLE PATH CONSTRUCTION

These reports have been listed in the Closed Meeting section of the Council agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulation 2015 as the detail covered in the report relates to:

- contracts and tenders for the supply of goods and services;
- applications by Aldermen for a Leave of Absence.

Note: The decision to move into Closed Meeting requires an absolute majority of Council.

The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.

PROCEDURAL MOTION

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.