

COUNCIL MEETING
MONDAY 6 FEBRUARY 2023

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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. ACKNOWLEDGEMENT OF COUNTRY

The Mayor will:

- make the following statement:

“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”.

- invite those present to pause for a moment of quiet reflection and respect before commencing the council meeting.
- advise the Meeting and members of the public that Council Meetings, not including Closed Meeting, are livestreamed, audio-visually recorded and published to Council’s website. The meeting is not protected by privilege. A link to the Agenda is available via Council’s website.

2. APOLOGIES**3. DECLARATIONS OF INTERESTS OF COUNCILLORS OR CLOSE ASSOCIATE**

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2015 and Council’s adopted Code of Conduct, the Mayor requests Councillors 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.

4. OMNIBUS ITEMS**4.1 CONFIRMATION OF MINUTES****RECOMMENDATION:**

That the Minutes of the Council Meeting held on 23 January 2023 (adjourned meeting 16 January 2023), as circulated, be taken as read and confirmed.

4.2 MAYOR'S COMMUNICATION**4.3 COUNCIL WORKSHOPS**

In addition to the Councillor'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

Committee Structure

Future of Local Government Review

Code of Conduct Review

Confidential Briefing – Kangaroo Bay Boulevard and Rosny Hill

Cottage School Footway Closure

30 January

RECOMMENDATION:

That Council notes the workshops conducted.

4.4. TABLING OF PETITIONS

(Note: Petitions received by Councillors are to be forwarded to the Chief Executive Officer 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.

4.5 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.

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**
Representative: Cr James Walker

Quarterly Reports

September and December Quarterly Reports pending

Representative Reporting

- **TASWATER CORPORATION**
- **GREATER HOBART COMMITTEE**

REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE BODIES

4.6 WEEKLY BRIEFING REPORTS

The Weekly Briefing Reports of 16, 23 and 30 January 2023 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 16, 23 and 30 January 2023 be noted.

5. 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 a Councillor 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.

5.1 PUBLIC QUESTIONS ON NOTICE

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

Questions on notice and their answers will be included in the minutes.

Mr Victor Marsh of Bellerive has given notice of the following question:

KANGAROO BAY

“How does the recently elected Mayor’s pre-election platform of continuing to fight for the return of Kangaroo Bay to public hands, differ from the views of the aldermen accused of using ‘tactics reminiscent of Nazi Germany’s Joseph Goebbels’ when opposing development at the 9/2/21 meeting”?

5.2 ANSWERS TO QUESTIONS ON NOTICE

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

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

The Acting Chief Executive Officer provides the following answers to Questions taken on Notice from members of the public at previous Council Meetings.

At Council's Meeting of 23 January Mr Michael Figg of Lauderdale asked the following question.

COUNCIL IMPROVEMENTS

I would like to congratulate the council on the improvements made so far that has been great to see. Just a couple of things from our point of view and brought up by Cr Warren there are a lot of things that we do not see such as if you make an amendment but we don't see what the amendments are and then you talked about a letter that we do not see, so just to make things a little bit better for us to understand if we can either have in the minutes or provided if you have got motion changes in the agenda for us up here would be great or even on the screen that would be a great improvement for us and possibly for people watching on line so that we can understand things a bit better?

ANSWER

We are investigating the possible technical solutions for implementing a range of improvements to help with visibility of council business including tabled documents and amended motions. However, this will not always be possible to be done in real time, particularly when amendments are proposed during the meeting by elected members.

At Council's Meeting of 23 January Mr Victor Marsh of Bellerive asked the following question.

BLUNDSTONE ARENA

The residents of Bellerive have had enough of the false alarm that goes off at Blundstone arena at any old time of day or night for up to half an hour at a time blaring all over Bellerive saying, "this is an emergency; evacuate now". It has been going on for nearly ten years. After a recent big bash match the alarm went off as it does, the fire brigade rocked up as they do, turned off the alarm and by the time they got back to the station the alarm went off again. It is very comforting to know though that the alarm does not go off during an event. My question is, when is the Clarence City Council as the landlord going to do something about the noise nuisance? Just can't keep pretend that this isn't happening.

ANSWER

Council has contacted the venue operator and raised the concerns. The operator has identified that a faulty sensor was the cause of the event on 25 January 2023 and that this particular issue has been fixed.

A meeting has been arranged at the venue in early February to discuss the issue. Subject to the outcome of this investigation, council will then determine if any additional action is required, or any directions to be made.

5.4 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.

6. DEPUTATIONS BY MEMBERS OF THE PUBLIC

(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)

7 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:

7.1 DEVELOPMENT APPLICATION PDPLANPMTD-2022/032618 – 30 BALAMARA STREET, BELLERIVE - CHANGE OF USE TO VISITOR ACCOMMODATION**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Change of Use to Visitor Accommodation at 30 Balamara Street, Bellerive.

RELATION TO PLANNING PROVISIONS

The land is zoned General Residential and subject to the Parking and Sustainable Transport and Safeguarding of Airports Codes under the *Tasmanian Planning Scheme - Clarence (the Scheme)*. In accordance with the Scheme the proposal is a Discretionary development.

LEGISLATIVE REQUIREMENTS

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

Council is required to exercise a discretion within the statutory 42-day period which has been extended to 9 February 2023 with the agreement of the applicant.

CONSULTATION

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

- Traffic Impact;
- Amenity of the area;
- Condition of property; and
- Property devaluation.

RECOMMENDATION:

A. That the Development Application for Change of Use to Visitor Accommodation at 30 Balamara Street, Bellerive (CI Ref PDPLANPMTD-2022/032618) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN S1 – SIGN CONSENT.
3. The building is approved as one visitor accommodation occupancy in its entirety and must not be used for multiple visitor accommodation occupancies without the further approval of Council.

ADVICE

A Building Self-Assessment Form must be submitted for the Short- or Medium-Term Visitor Accommodation. Form can be found at: https://planningreform.tas.gov.au/__data/assets/pdf_file/0009/441495/Visitor-Accommodation-Standard-Application-Package-1-August-2018.pdf.

If this form cannot be completed, advice must be sought from a Building Surveyor to determine if a Building Application is required for Change of Use.

- 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:

- Clause 7.5 – Compliance with Applicable Standards;
- Clause 8.10 – Determining Applications;
- Clause 10 – General Residential Zone;
- Clause C2.0 – Parking and Sustainable Transport Codes; and
- Clause C16.0 – Safeguarding of the Airports 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 669m² residential allotment that supports a large two storey single dwelling in an established neighbourhood at Bellerive. The property is located on the high side of Balamara Street with access via a moderate sloping driveway from Balamara Street.

There are three parking spaces on the site with one space located within the garage, another space located directly in front of the garage and a third one contained within the driveway to the front of the dwelling.

3.2. The Proposal

The proposal is for a change of use of the existing dwelling to Visitor Accommodation. The accommodation is provided over two floors and contains three bedrooms.

The applicant advised that they intend to rent out the accommodation only as a single booking.

The existing garage and uncovered parking areas would be made available for visitor parking.

No signage is proposed as part of the application.

4. PLANNING ASSESSMENT

4.1. Compliance with Applicable Standards Section 5.6

“5.6.1 A use or development must comply with each applicable standard in the State Planning Provisions and the Local Provisions Schedules.”

4.2. Determining Applications Section 6.10

“6.10.1 In determining an application for any permit for use or development the planning authority must, in addition to the matters required by section 51(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 section 57(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.

4.3. General Provisions

The Scheme contains a range of General Provisions relating to specific circumstances not controlled through the application of Zone, Code or Specific Area Plan provisions.

There are no General Provisions relevant to the assessment of this proposal.

4.4. Compliance with Zone and Codes

The proposal is exempt from the Safeguarding of the Airport Code as the use is not within the airport noise exposure area as stated under Clause C16.2.1(a).

The proposal is for Visitor Accommodation which is listed as a Permitted use in the General Residential Zone.

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

General Residential Zone

- **Clause 8.3.2 A1** – the proposed visitor accommodation would have a gross floor area of 288m² which exceeds the maximum gross floor area of 200m² prescribed by the Acceptable Solutions.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause 8.3.2 as follows.

Clause	Performance Criteria	Assessment
8.3.2 P1	<i>“Visitor Accommodation must be compatible with the character and use of the area and not cause an unreasonable loss of residential amenity, having regard to:</i>	See Assessment below.
	<i>(a) the privacy of adjoining properties;</i>	<p>The proposal is for the conversion of the existing single dwelling to visitor accommodation with no physical alterations proposed to the existing buildings to facilitate the change of use. Therefore, there will be no change to the current privacy for the adjoining properties from the windows or decks.</p> <p>The dwelling, as currently constructed would comply with the Scheme standard relating to privacy, in that the upper-level windows are setback more than 3m from the side boundaries to minimise overlooking onto the adjoining properties.</p> <p>The proposal does not involve any physical changes to the existing dwelling it would therefore not compromise residential amenity of adjoining properties through overlooking.</p>
	<i>(b) any likely increase in noise to adjoining properties;</i>	The applicant provided a written submission confirming that the subject property will be booked out as one booking at a time in its entirety and not as multiple visitor accommodation occupancies. The change of use is in effect a residential use with noise outputs likely to remain comparable to a single dwelling.

		As with any other residential use, in the event of any unreasonable impacts upon residential amenity due to noise, the matter would be dealt with under the Environmental Management and Pollution Control Act (EMPCA) 1994 or by the police.
	(c) <i>the scale of the use and its compatibility with the surrounding character and uses within the area;</i>	As mentioned above, the proposal does not involve any physical changes to the existing dwelling and the applicant also confirmed that the dwelling would be used as a single booking at a time. The proposed use, therefore, would be of a similar scale and intensity to the current residential use. Therefore, the use would be compatible with the surrounding residential setting.
	(d) <i>retaining the primary residential function of an area;</i>	The proposal will introduce a visitor accommodation use into an area which is a Permitted use within the General Residential Zone. While the primary function of the area can be described as residential, the introduction of visitor accommodation will not displace the overall residential function and underlying intent of the General Residential Zone applied to the area.
	(e) <i>the impact on the safety and efficiency of the local road network; and</i>	Council's Development Engineers have no concerns regarding the proposal and any potential impacts on safety and efficiency of the local road network, in that the use of the land for visitor accommodation would generate comparable traffic movements to the former use as a single dwelling and that the proposal provides adequate on-site parking.

		The Parking and Sustainable Transport Code requires one car parking space for the proposed use, whereas the proposal provides for three on-site car parking spaces. This should ensure that the safety and efficiency of the local road network is not reduced as the site will provide adequate off -street parking.
	<i>any impact on the owners and users rights-of-way.”</i>	The site is not burdened with any relevant encumbrances or rights-of-way.

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. Traffic Impact

Concern was raised that the guests would park their cars on the street and that there is limited availability of street parking, particularly in the vicinity of the subject site and the safety of road users due to an increase in cars parked on the street.

- **Comment**

With three car spaces, the proposal exceeds the Scheme Acceptable Solution requirement for one on-site carpark. Accordingly, this matter does not have determining weight.

5.2. Amenity of the Area

Concern was raised that the proposed visitor accommodation has the potential to affect the quality of life of the neighbourhood in relation to noise, scale, intensity and increased vehicle movements. Furthermore, the frequency of visitors coming and going from the property must be taken into account.

- **Comment**

As discussed in the above assessment section of this report, the proposed use is considered to not have an unreasonable impact on the surrounding amenity in relation to noise, vehicles, scale and intensity.

Furthermore, there would be no external changes to the existing building, and it will continue to present as a dwelling. The proposal also provides adequate on-site parking as required under the Scheme. In addition, as the dwelling will be subject to single bookings, there is no anticipation of noticeable vehicle movement changes associated with the property.

On this basis, it is considered that the proposal would not have an unreasonable impact on residential amenity.

5.3. Condition of the Property

Concern was raised that the property is in poor condition and the associated gardens are left unkept and that the proposal will further degrade the appearance of the property.

- **Comment**

These issues have no determining weight under the Scheme nevertheless, the appearance of the property can be reasonably expected to be enhanced by the proposal as the presentation of the building will be under scrutiny by guests.

However, upon inspection of the subject site, the gardens appear reasonably maintained and presentable and do not have any adverse impacts on safety, usability of the gardens and aesthetic look of the property.

5.4. Loss of Value

Concern was raised that the proposed development will have an adverse impact upon the value of properties in the surrounding area.

- **Comment**

There is no evidence that the proposed use of the site as visitor accommodation will devalue the property or any other properties within the area. In any event, impact on valuations is not a planning consideration and has no determining weight under the Scheme.

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 2021-2031 or any other relevant Council policy.

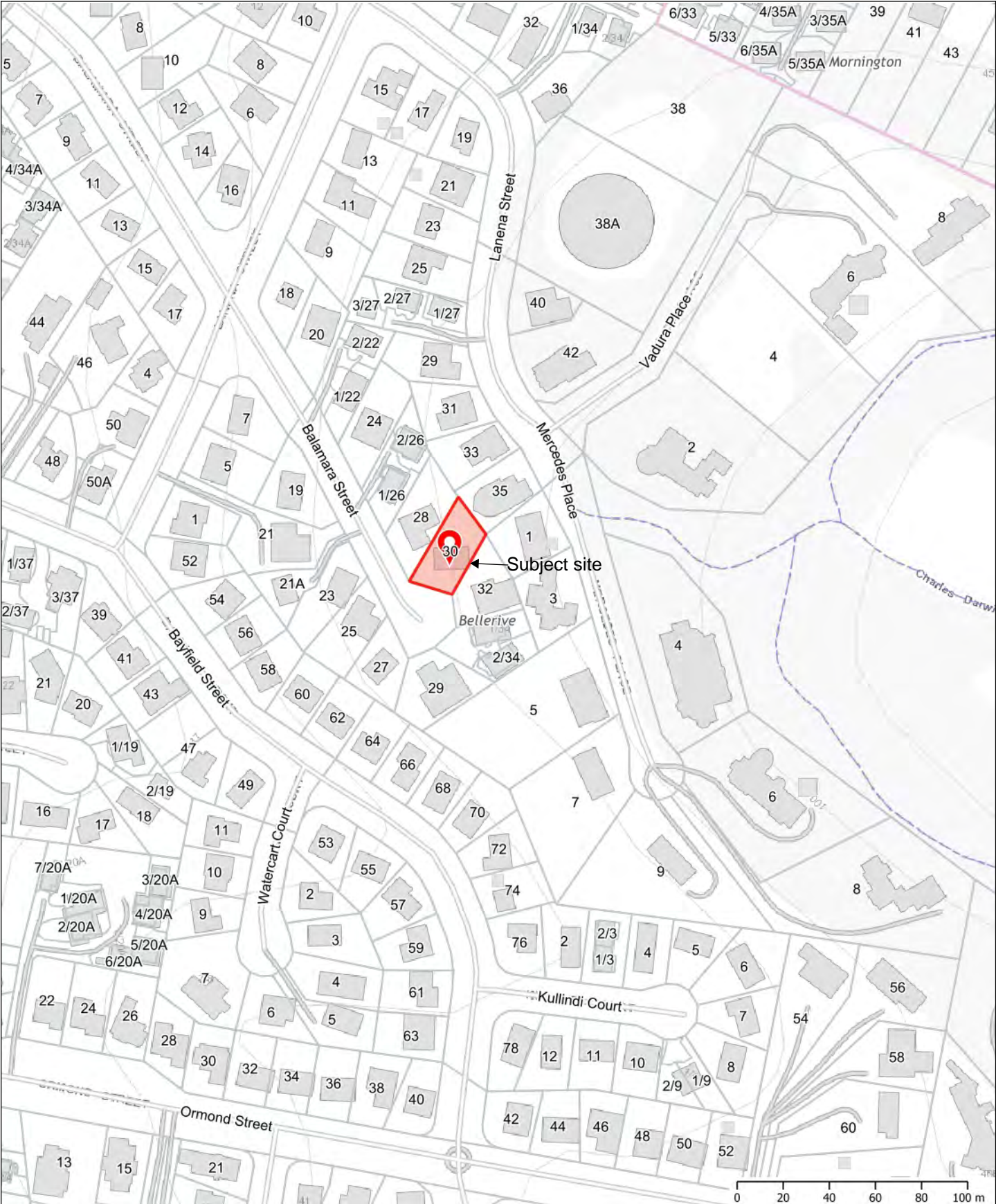
9. CONCLUSION



The proposal is considered to comply with all relevant acceptable solutions and performance criteria of the Scheme and is accordingly recommended for approval subject to conditions.

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

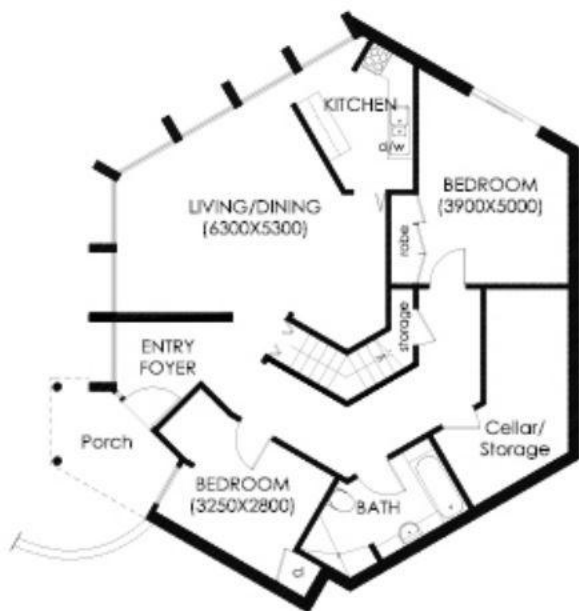
Ross Lovell
MANAGER CITY PLANNING

Attachment 1
LOCATION PLAN - 30 BALAMARA STREET, BELLERIVE



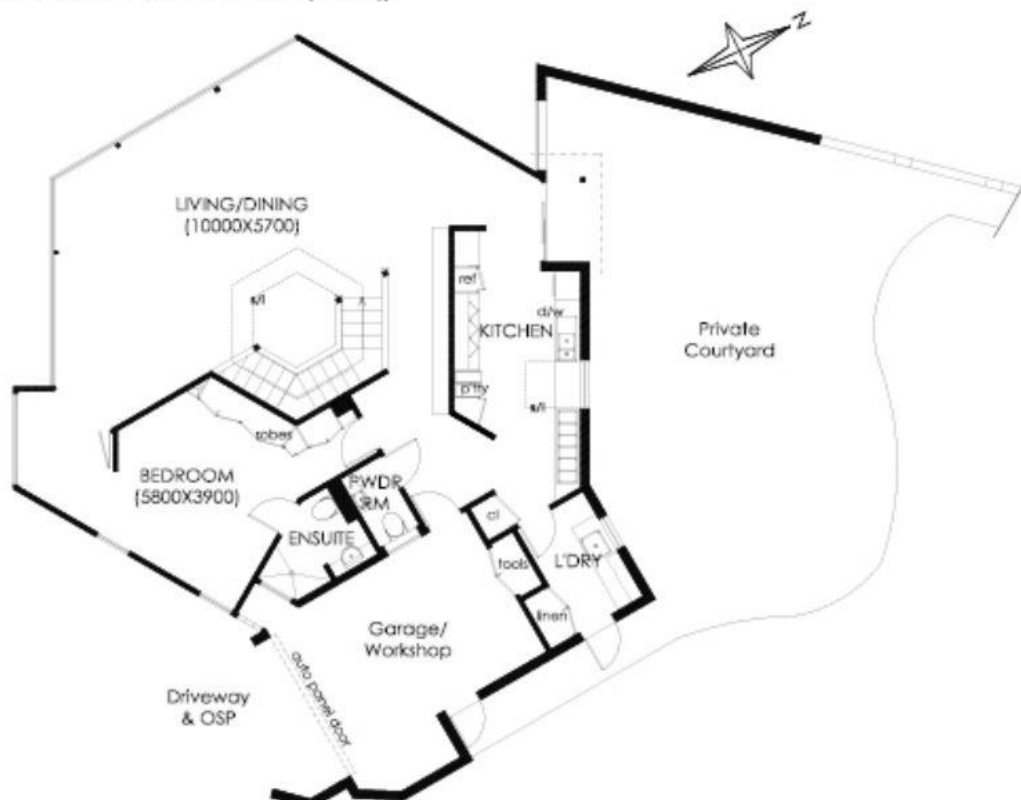
 Clarence... a brighter place	This map has been produced by Clarence City Council using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties.	23/01/2023	
		1:2257	

Attachment 2
 BELLERIVE
 30 Balamara Street
 Total House Area: 288m² (31sq)



LOWER GROUND FLOOR

House Area: 254m²
 Garage/Workshop: 24m²
 Cellar/Storage: 10m²
 Private Courtyard: 83m²
 Total Usable Area: 371m²



GROUND FLOOR



Attachment 3



Photo 1: Site viewed from Balamara Street(primary frontage).



Photo 2: Site viewed from the rear.

7.2 SECTION 40T COMBINED SCHEME AMENDMENT APPLICATION – PROPOSED REZONING AND 7 LOT SUBDIVISION (PDPSPAMEND – 2021/019004) – 30 HOLLAND COURT, HOWRAH**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a combined Section 40T application under the Land Use Planning and Approvals Act 1993 (LUPAA) for a planning scheme amendment and 7 lot subdivision. The proposed scheme amendment involves rezoning the site (1.56 ha) from “Community Purpose” zone to “General Residential” and “Open Space”. Proposed Lot 8 will contain the existing church building that is to be retained.

RELATION TO PLANNING PROVISIONS

The land is zoned Community Purpose under the Tasmanian Planning Scheme – Clarence (the Scheme). It is also subject to the Bushfire-prone Areas, Flood-prone Areas, Landslip Hazard, Natural Assets, Road and Railway Assets and Safeguarding of Airports Codes.

The proposed subdivision is currently Prohibited under the Scheme.

Section 37 of the Land Use Planning and Approvals Act 1993 (LUPAA) provides for Council to consider a request to amend a Local Provision Schedule (LPS).

Section 40T of the Land Use Planning and Approvals Act 1993 (LUPAA) provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.

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.

CONSULTATION

Applications made under Section 40T under LUPAA are not formally open for public comment until after Council has agreed to certify the Amendment and it has been publicly advertised. Draft Permit conditions would also be advertised for public comment as part of the public consultation process for the combined amendment and subdivision of the site.

FINANCIAL IMPLICATIONS

No significant implications.

RECOMMENDATION:

- A. That pursuant to Section 40D (a)(i) of the Land Use Planning and Approvals Act 1993, Council agrees to prepare Amendment PDPSPAMEND-2021-019004 to the Clarence Local Provisions Schedule to rezone 30 Holland Court, Howrah to General Residential and Open Space.
- B. That having decided to prepare the amendment, the Council certifies pursuant to Section 40F(2)(b) of the Land Use Planning and Approvals Act 1993 that the draft amendment meets the Land Use Planning and Approvals Act 1993 subject to the following modifications:
- remove the Open Space zone in the north-east part of the site; and
 - rezone the portion of the site containing the pedestrian walkway to Utilities.
- C. That pursuant to Section 40G of the Land Use Planning and Approvals Act 1993, Council places the amendment and permit on public exhibition for a period of 28 days.
- D. That pursuant to Section 40Y of the Land Use Planning and Approvals Act 1993, Council agrees to grant a permit for a 7-lot subdivision at 30 Holland Court, Howrah subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN AP3 – AMENDED PLANS showing the following changes:
 - deletion of the POS Lot 100;
 - reconfiguration of the lot layout to incorporate Lot 100 into Lot 1;
 - the POS Lot 101 to extend further along the southern boundary towards 5 Mayfair Court for approximately 20m in length; and
 - a 10m wide Public right-of-way along the eastern boundary of the site and connecting through the site from the cul-de-sac to the pedestrian walkway on the South Arm Highway.
 3. GEN POS 4 – POS CONTRIBUTION [3.7%].
 4. GEN – PART 5 Agreement -
 - Combined Lots 1 and 100 the Eucalyptus Ovata trees identified in the Natural Values Assessment, North Barker, 6 January 2023, must not be removed without prior consent of Council; and
 - Lots 1 and 2 dwelling must be designed with a minimum Rw on the western, northern and eastern facades in accordance with the Noise Impact Assessment (NVC, 21 December 2022).
 5. PROP 3 – TRANSFER.

6. ENG A1 – NEW CROSSOVER [TSD-R09 (Urban)].
 7. ENG M2 – DESIGNS SD [include additional dot point “pedestrian networks and connections”].
 8. NON-STANDARD ENGINEERING CONDITION – Prior to the sealing of the Final Plan, a trail connecting the cul-de-sac to the pedestrian walkway on the South Arm Highway and the Kunyah Reserve must be constructed to the satisfaction of Council’s Manager Environment and Recreation.
 9. Prior to the sealing of the Final Plan, an acoustic fence with a minimum height of 2m and finished with anti-graffiti paint must be constructed along the northern boundary of Lots 1 and 2 in accordance with the recommendations of the Noise Impact Assessment (NVC, 21 December 2022). A plan of the fence must be submitted to and approved by Council’s Manager City Planning prior to its construction.
 10. ENG M4 – POS ACCESS.
 11. ENG M5 – EROSION CONTROL.
 12. ENG M7 – WEED MANAGEMENT PLAN.
 13. ENG M8A – SERVICE EASEMENTS.
 14. ENG R2 – URBAN ROAD.
 15. ENG R5 – ROAD EXTENSION.
 16. ENG S1 – INFRASTRUCTURE REPAIR.
 17. ENG S4 – STORMWATER CONNECTION.
 18. ENG S5 – STORMWATER PRINCIPLES.
 19. ENG 3A – STORMWATER PRINCIPLES FOR SUBDIVISION.
 20. ENG S10 – UNDERGROUND SERVICES.
 21. ENG S2 – SERVICES.
 22. The development must meet all required Conditions of Approval specified by TasWater notice dated 17 May 2021 [TWDA 2021/00779-CCC].
- E. That the details and conclusions included in the Associated Report be recorded as the reasons for Council’s decision in respect of this matter.

SECTION 40T COMBINED SCHEME AMENDMENT APPLICATION – PROPOSED REZONING AND 7 LOT SUBDIVISION (PDPSPAMEND – 2021/019004) – 30 HOLLAND COURT, HOWRAH /contd...

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** At the time of the 2015 Clarence Interim Planning Scheme (CIPS), all of the subject land known as 30 Holland Court was zoned Community Purpose.
- 1.2.** The zoning conversion from CIPS to the current Scheme was generally on a “like for like” basis. Accordingly, the subject site is currently zoned Community Purpose.

2. STATUTORY IMPLICATIONS

- 2.1.** The site is zoned Community Purpose under the Tasmanian Planning Scheme – Clarence and is subject to the Parking and Sustainable Transport, Road and Railway Assets, Bushfire Prone Areas, Flood-Prone Areas, Landslip Hazards and Safeguarding of Airports Codes.
- 2.2.** The proposed subdivision is currently prohibited under the Scheme. Consequently, a Planning Scheme Amendment would be needed before an application could be entertained.
- 2.3.** Section 37 of LUPAA provides for the lodging of an application for a permit which would not be allowed if the planning scheme were not amended as requested.
- 2.4.** The proposal is submitted under Section 40T of LUPAA and seeking a combined planning scheme amendment and planning permit for a 7-lot subdivision.

- 2.5.** If certified, the application will then be advertised for public comment and subject to further review on the basis of any representations received by Council, prior to it being forwarded to the TPC for final consideration. In addition, should it be considered appropriate, Council has the power to direct that the amendment be modified to ensure compliance with Section 34 of LUPAA.
- 2.6.** The Commission may hold a hearing to consider the amendment and subdivision permit. If the amendment is approved, the Commission may confirm the planning permit, reject it, or add, modify or delete any condition of the permit and may also grant a permit if Council decided to reject the application for the subdivision permit.
- 2.7.** The relevant parts of the Planning Scheme are:
- Section 6.10 – Determining Applications;
 - Section 6.11 – Conditions and Restrictions on a Permit;
 - Section 8.0 – General Residential Zone;
 - Section 27.0 – Community Purpose Zone;
 - Section 29.0 – Open Space Zone;
 - Section C2.0 – Parking and Sustainable Transport Code;
 - Section C3.0 – Road and Railway Assets Code;
 - Section C7.0 – Natural Asset Code;
 - Section C12.0 – Flood-prone Hazards Areas Code
 - Section C13.0 – Bushfire Prone Areas Code;
 - Section C15.0 – Landslip Hazards Code; and
 - Section C16.0 – Safeguarding of Airports Code.

3. PROPOSAL IN DETAIL

The applicant has requested that the site be rezoned to General Residential and Open Space to facilitate a residential subdivision of land surplus to the requirements of the church. The application includes the following documents:

- Planning Report (Johnstone McGee & Gandy Pty Ltd (JMG) Engineers and Planners, December 2022);
- Subdivision Plan (Rogerson & Birch, 12 August 2022);
- Bushfire Hazard Management Plan (JMG, 7 December 2022);
- Noise Impact Assessment (NVC, 21 December 2022);
- Concept Services Report (JMG, May 2021);
- Civil Drawings (JMG, 21 Sep 2022);
- Geological Report (GES, 01 March 2022); and
- Natural Values Assessment (North Barker Ecosystems Services, 6 January 2023).

3.1. The Site and Surrounds

The site is located at 30 Holland Court, Howrah (CT 35660/1) and has an area of 1.52ha. The site currently contains a church building and associated car parking and landscaping. While the area around the church building is generally cleared and landscaped there is remnant native vegetation located in the southern and western area of the site.

The subject site is surrounded by General Residential zoned land to the east and west, Low Density Residential to the south-east and south-west, Landscape Conservation to the south, and Utilities to the north. The area is generally residential in character and is adjacent to the South Arm Highway and pedestrian walkway which is located along the northern boundary. Adjoining the southern boundary is Council owned public open space, Kunyah Reserve.

The property to the east at 38 Buckingham Drive currently contains a single dwelling but has a current permit for a 30-lot residential subdivision PDPLANPMTD-2021/017703 (Attachment 4). The subdivision was approved in stages with the engineering works being completed for the first stage which created a “super lot”. The remaining two stages facilitate the construction of a road and the transfer of public open space lot which borders the subject site. Works on the second stage have not yet commenced.

Stage 2 of this permit requires the transfer of the Public Open Space lot which provides a pedestrian link from the subdivision road to the South Arm Highway and the Kunyah Reserve.

The site adjoins the South Arm Highway and pedestrian walkway to the north. A small section of the walkway is located within the subject site which was identified when the site was surveyed. An internal driveway located approximately 20m from the cul-de-sac provides an informal public access from Holland Court to the walkway along the highway (see Attachment 2).

3.2. The Amendment

It is proposed to amend the Scheme in the following manner.

Rezoning

It is proposed to rezone the land at 30 Holland Court (1.562ha) from Community Purpose zone to part General Residential zone and part Open Space zone.

The rezoned land will immediately adjoin existing “General Residential” zoned land to the east and west as well as “Low Density Residential” and Conservation Management land to the south. Permitted uses in the Community Purpose Zone include education, public halls, offices for community organisations, sports and recreation and emergency services, while No Permit Required uses include passive recreation and natural and cultural values management. The applicant has stated that the land area is in excess of that required for the existing church use and they wish to dispose of part of it.

The scheme amendment will primarily facilitate infill residential development within an existing serviced area. By rezoning to “General Residential”, some uses which were originally “Permitted” will become “Discretionary” and some previously “Discretionary” uses will come with new qualifications or become prohibited. The existing church building is to remain on the site and will become a discretionary use in the zone which simply means that if alterations or additions should be required, these works may require a discretionary permit.

After discussions with officers, the application was modified to include the portion of the public walkway located within the site to the north-west area of public open space.

3.3. Modified Amendment

Should Council agree to prepare an amendment, Section 40F(2)(b) of LUPAA provides that if Council considers that the proposal does not meet the requirements of Section 34 of LUPAA, then the amendment must be modified so that it meets the requirements.

The proposed rezoning will apply to the entire site and will result in the majority of the site being zoned General Residential which will then be subject to the development and subdivision standards of each relevant zone. The alternative zoning is for the current Community Purpose Zone to remain in place. For the reasons discussed in this report, the rezoning of the majority of the land to General Residential is considered appropriate as it will facilitate further residential development infill opportunities consistent with the adjacent density. Increased density will enhance land use efficiencies in terms of servicing and consolidation.

However, the location of the Public Open Space zone in the north-west corner of the site is not considered appropriate in this location as it is not required for community recreational uses for the municipality given the proximity of the site to the nearby Kunyah Reserve. This was proposed by the applicant as a means to both provide a pedestrian link to the pedestrian walkway to the south, and to protect some of the threatened Black Gums present on-site.

For the reasons outlined in the report below, it is not considered appropriate to take public open space in this location.

Therefore, it is recommended that the draft amendment be modified to remove the Open Space zone proposed in the north-west corner of the site with the environmental values identified being protected through controls on the subdivision permit.

The Subdivision

The applicant also seeks a permit for a 7-lot subdivision which will result in seven new residential lots, 1 balance lot (Lot 8) containing the existing church and associated car parking area and landscaping, two Public Open Space Lots of 200m² (Lot 101) and 574m² (Lot 100), and a Road lot of 859m².

The cul-de-sac at the end of Holland Court is proposed to be extended to provide frontage to all proposed lots.

Public Open Space Lot 101 is proposed as a link to the Kuynah Reserve to the approved (but not yet provided) public open space on the adjoining 38 Buckingham Drive. Lot 100 is provided as a means to provide pedestrian access to the walkway along the South Arm Highway and to protect the black gums located on this lot. The public open space lot was amended through discussions with council officers to include the strip of land that contains the public walkway.

An assessment of the subdivision against the relevant zone and code standards is included in Section 4.2 of this report.

4. PLANNING ASSESSMENT

An amendment to the Local Provision Schedule (LPS) must satisfy the requirements of Section 34 of LUPAA and must also be consistent with the zone and code application guidelines pursuant to Section 8A of LUPAA. Each of the zones proposed has been assessed against the relevant guidelines to determine whether they are appropriate and to ensure that the proposal achieves the zone purpose to the greatest extent possible.

4.1. Rezoning

Section 34(2) of LUPAA requires a relevant planning instrument to meet all the following criteria.

- (a) Contains all the provisions that the SPP's specify must be contained in the LPS;**

The draft amendment seeks to rezone the site from Community Purpose to General Residential and Open Space.

The application of the General Residential Zone is considered appropriate and has been in accordance with the relevant zone application guidelines as follows.

Zone Application Guidelines	Comment
General Residential Zone GRZ 1 The General Residential Zone should be applied to the main urban residential areas within each municipal area which: <ul style="list-style-type: none"> (a) are not targeted for higher densities (see Inner Residential Zone); and (b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system. 	The land is not targeted for higher density given its distance from municipal activity centres; and it can be connected to a reticulated water supply and sewerage system.
GRZ 2 The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if: <ul style="list-style-type: none"> (a) within the General Residential Zone in an interim planning scheme; (b) within an equivalent zone under a section 29 planning scheme; or 	The land is not identified as “future urban”.

<p>(c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and</p> <p>(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system, Note: The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.</p> <p>GRZ 3 The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.</p>	<p>The land has some environmental constraints, however as discussed in more detail further in this report, it is considered that these can be managed through permit conditions and should not prevent the application of the General Residential zone.</p>
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The application of the Open Space Zone in relation to the south-east corner of the site is considered appropriate and has been applied in accordance with the guidelines as:

Zone Application Guidelines	Comment
<p>Open Space Zone</p> <p>OSZ 1 The Open Space Zone should be applied to land that provides, or is intended to provide, for the open space needs of the community, including land identified for:</p> <p>(a) passive recreational opportunities; or</p> <p>(b) natural or landscape amenity within an urban setting.</p> <p>OSZ 3 The Open Space Zone should generally only be applied to public land but may be applied to privately owned land if it has been strategically identified for open space purposes.</p>	<p>The land will provide a link from the adjoining property at 38 Buckingham Drive to the Kunyah Reserve which will provide for a community benefit.</p> <p>The general area of the site has been identified in Council's <i>Tracks and Trails Action Plan 2015 – 2020</i> as a potential pedestrian link from the South Arm Highway to the Kunyah Reserve.</p>

However, the Public Open Space lot in the north-west part of the site is not considered to be in accordance with the guidelines for the reasons set out below.

Zone Application Guidelines	Comment
<p>Open Space Zone:</p> <p>OSZ 1 The Open Space Zone should be applied to land that provides, or is intended to provide, for the open space needs of the community, including land identified for:</p> <p>(a) passive recreational opportunities; or</p> <p>(b) natural or landscape.</p> <p>OSZ 4 The Open Space Zone should not be applied to land:</p> <p>(a) with significant natural values (see Environmental Management Zone); or</p> <p>(b) with, or intended for, formal recreational facilities, such as sporting grounds, golf courses, racecourses or major sporting facilities (see Recreation Zone).</p>	<p>This site has not been identified as being required for public open space in any of Council's strategies. In addition, the walkway proposed to be zoned Public Open Space is part of the pedestrian walkway located within the South Arm Highway road reservation and it would be more appropriate to zone this portion of the site Utilities as it forms part of the South Arm Highway road reservation owned by the Department of State Growth.</p> <p>If the identified natural values are considered to be significant then this zoning should not be applied and an alternative zoning, such as Environmental Management Zone should be considered. In this case, the alternative zoning would have limited environmental value, given that only up to three of the threatened Black Gums that would be retained within the Public Open Space lot.</p>

	For these reasons, it is considered more appropriate for majority of the site to be zoned General Residential and the subdivision permit to contain conditions to ensure that these trees are retained via a Part 5 Agreement.
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The application of the Utilities Zone for the portion of the walkway identified as being located within the site is appropriate and applied in accordance with the guidelines as follow:

Zone Application Guidelines	Comment
Utilities Zone: UZ 1 The Utilities Zone should be applied to land that is used, or intended to be used, for major utilities infrastructure, including: <ul style="list-style-type: none"> (a) category 1, 2, 3, 4 and 5 roads as defined in the Tasmanian State Road Hierarchy published by the Tasmanian Department of State Growth; (b) any listed major local roads; (c) future road corridors for major local and all State roads; (d) energy production facilities, such as power stations, and major electricity substation facilities; (e) waste water treatment plants; or (f) rail corridors. 	The walkway forms part of the Category 3 road infrastructure as defined in the <i>Tasmanian State Road Hierarchy</i> . It is a valuable pedestrian link to allow safe access separated from vehicles.

It is considered that the proposal complies with Section 34(2) provided that the amendment is modified as discussed above.

(b) Is in accordance with Section 32;

This section identifies the technical aspects of the LPS such as the inclusion of zone maps and overlay, and what additional local provisions can be included, if permitted to do so, to add to or over-ride the SPPs. This draft amendment is in accordance with Section 32.

In this case, no local provisions are proposed. The zone maps are proposed to be updated with the modifications to the zoning as recommended.

(c) Furthers the objectives in schedule 1 of LUPAA;

Assessment of the amendment against the Schedule 1 objectives is provided in the following table.

Part 1 Objectives	Comment
(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and	The amendment enables the efficient use of land by including land within the Urban Growth Boundary under a General Residential Zone. The site is fully serviced and adjoins a large Council reserve to the south. Permit conditions can be applied to retain vegetation values on the site.
(b) to provide for the fair, orderly and sustainable use and development of air, land and water; and	<p>The proposed rezoning is considered to promote sustainable and orderly development through the more efficient use of underutilised, serviced, urban land.</p> <p>The site is located within the established suburb of Howrah and has good road access, as well as being serviced with mains sewer and water infrastructure. The site is able to be serviced with water and any direct impacts on water quality can be managed by imposing permit conditions to manage water quality during development and promote consistency with the <i>State Policy on Water Quality Management 1997</i>.</p> <p>While the Natural Values Report identifies the presence of threatened species on the site it is considered that these impacts can be managed through subdivision permit conditions.</p>
(c) to encourage public involvement in resource management and planning; and	If the amendment is certified, the application will be advertised for public comment. Any representations received will be considered by Council. Council is required to report on any representations to the Tasmanian Planning Commission, which in turn may hold public hearings into representations.
(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and	By increasing opportunities for housing, the proposal will, in turn, bring in new residents to support local business and services, and provide employment during construction and therefore have a positive economic outcome.

(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.	The proposal has been considered by TasWater, who indicated no objection to the amendment or the planning permit application (subject to conditions). The proposal will have no impact on the State Government responsibilities.
Part 2 objectives	Comment
(a) to require sound strategic planning and co-ordinated action by State and local government; and	The proposal is consistent with the Southern Tasmania Regional Land Use Strategy. The site is within the Urban Growth Boundary and is serviced by existing services and infrastructure. Providing for infill development, the proposal will also be consistent with the “30-year Greater Hobart Plan”.
(b) 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; and	The amendment applies SPP zones to ensure appropriate land management and development control.
(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and	The site is serviced by reticulated water and sewer infrastructure. The impacts on the environmental values have been considered by the Natural Values Assessment and can inform future planning decisions on subdivision and development. Social and economic benefits will result from providing additional residential land within an existing urban area, close to shopping educational, recreational and employment opportunities.
(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and	The rezoning of the land will facilitate increased housing options within the urban area and is considered to align with land use management policies at a State, regional and local level.
(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and	The proposal is a combined planning scheme amendment and planning permit application. The proposal was referred to TasWater, who indicated it had no objection to the amendment, and supported the granting of the planning permit application subject to conditions.

(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and	The development of the site will directly provide a pleasant, efficient and safe environment for living by providing additional serviced, well-located, and accessible land for residential uses.
(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and	There are no known or listed historical, scientific, aesthetic, architectural or special cultural values on the site.
(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and	The existing infrastructure network is sufficient to service the future subdivision of the land and will not negatively impact public infrastructure.
(i) to provide a planning framework which fully considers land capability.	The site is located within an existing urban area and has previously been developed for use as a church. The land capability can be considered as part of the subdivision and development assessments.

(d) Is consistent with each State Policy;

Assessment of the amendment against the relevant State Policies is provided in the following table.

State Policy	Comment
State Policy on Water Quality Management 1997.	The proposed zoning will allow for suitable stormwater treatment to be incorporated in future development as required by the planning scheme. Such measures will ensure the long-term quality of stormwater runoff is efficiently managed to protect water quality as such the proposal does not conflict with this Policy.
State Coastal Policy 1996. The key principles of the policy are: <ul style="list-style-type: none"> Natural and Cultural values of the coast shall be protected. The coast shall be used and developed in sustainable manner 	The subject land is located within 1km of the coast (890m) however, given its location within an existing residential area the proposal does not conflict with this policy.

<ul style="list-style-type: none"> Integrated management and protection of the coastal zone is a shared responsibility. 	
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(da) Satisfies the relevant criteria in relation to the TPPs;

The Tasmanian Planning Policies have not been implemented.

(e) As far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;

The regional land use strategy for Clarence is the Southern Tasmanian Regional Land Use Policy 2010-2035 (STRLUS). Comments against the relevant STRLUS strategies are provided below.

STRLUS Strategies	Comment
<p>Biodiversity and Geodiversity 1.1 Manage and protect significant native vegetation at the earliest possible stage of the land use planning process.</p> <p>Biodiversity and Geodiversity 2.1 Avoid the clearance of threatened vegetation communities except:</p> <p>a. where the long-term social and economic benefit arising from the use and development facilitated by the clearance outweigh the environmental benefit of retention; and</p> <p>b. where the clearance will not significantly detract from the conservation of that native vegetation community.</p>	<p>The rezoning will result in the clearance of remnant vegetation. The Natural Values Report has identified that the highest conservation values are concentrated in the north-west part of the site proposed to be zoned Public Open Space. The northern area of the site is not covered by the Natural Assets Code and the applicant has proposed that the zoning of this area of the site to Public Open Space will ensure the retention of the threatened species and provide a pedestrian connection from Holland Court to the pedestrian walkway adjacent to the South Arm Highway. However, Council's Manager Environment and Recreation considers that this area of land is not required for public open space. Instead, a pedestrian link should be provided to enable linkages from the South Arm Highway pedestrian walkway to the north of the site, through to the nearby Kuynah reserve, as shown on Attachment 8.</p> <p>The Natural Values Assessment describes the existing vegetation as degraded and, particularly in the north-west part of the site, substantially modified.</p>

	<p>The site contains nine black gums (<i>Eucalyptus Ovata</i>) which can provide a foraging resource for the endangered swift parrot, however, there are no trees supporting hollows likely to be used by this species for nesting. The report is limited as it does not include conclusions as to whether the black gums are necessary to be retained for the conservation of the native vegetation community, however, does acknowledge that mechanisms can be put in place as part of the subdivision to ensure their protection.</p> <p>Retention of the Black Gums could be ensured through a Part 5 Agreement. The recommended draft conditions include a permit condition to this effect.</p> <p>The vegetation community in Lots 3 – 7 is not a priority vegetation and therefore removal of this for construction of dwellings and bushfire protection does not have a significant impact on the conservation of the native vegetation community.</p>
<p>Minimising the risk of loss of life and property from bushfire</p> <p>1.1 Provide for the management and mitigation of bushfire risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by the identification and protection (in perpetuity) of buffer distances or through the design and layout of lots.</p> <p>1.2 Ensure subdivision road layout designs provide for safe exit points in areas subject to bushfire hazard.</p> <p>1.3 Allow clearance of vegetation in areas adjacent to dwellings existing at the time that planning schemes based on this Strategy come into effect, in order to implement bushfire management plans.</p>	<p>The subdivision is accompanied by a Bushfire Hazard Management plan in accordance with the requirements of the Bushfire Prone Areas Code and each lot proposed in the future subdivision is capable of providing a building area and vegetation clearance within each lot.</p>

<p>Where such vegetation is subject to a biodiversity code, the extent of clearing allowable is to be the minimum necessary to provide adequate bushfire hazard protection.</p> <p>1.4 Include provisions in planning schemes for use and development in bushfire prone areas based upon best practice bushfire risk mitigation and management.</p> <p>1.5 Allow new development (at either the rezoning or development application stage) in bushfire prone areas only where any necessary vegetation clearance for bushfire risk reduction is in accordance with the policies on biodiversity and native vegetation.</p>	
<p>Recreation & Open Space</p> <p>1 Plan for an integrated open space and recreation system that responds to existing and emerging needs in the community and contributes to social inclusion, community connectivity, community health and wellbeing, amenity, environmental sustainability and the economy.</p> <p>1.5 Provide for residential areas, open spaces and other community destinations that are well connected with a network of high-quality walking and cycling routes.</p>	<p>As discussed above, the public open space proposed in the north-west part of the site is not considered appropriate. However, given the site's proximity to the Kunyah Reserve, there is an opportunity to provide a pedestrian link through from the South Arm Highway to the reserve in accordance with Council's Tracks and Trails Action Plan 2015-2020. The link can be provided as a right-of-way from the new cul-de-sac termination.</p>

<p>1.6 Subdivision and development is to have regard to the principles outlined in “Healthy by Design: A Guide to Planning and Designing Environments for Active Living in Tasmania”.</p>	
<p>Social Infrastructure</p> <p>1.2 Match location and delivery of social infrastructure with the needs of the community and, where relevant, in sequence with residential land release.</p> <p>1.4 Identify and protect sites for social infrastructure, particularly in high social dependency areas, targeted urban growth areas (both infill and greenfield) and in identified Activity Centres.</p>	<p>The area is surplus to the current needs of the church and will facilitate infill housing in an existing residential area. The site has not been identified in an area required for the provision of social infrastructure.</p>
<p>Physical Infrastructure</p> <p>1 Maximise the efficiency of existing physical infrastructure.</p> <p>1.1 Preference growth that utilise under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of greater Hobart.</p>	<p>The site is located within an existing residential area and can be connected to existing infrastructure. The proposal was referred to TasNetworks and TasWater, who indicated no objection to the rezoning.</p> <p>The proposal is located within the Urban Growth Boundary and is consistent with STRLUS and the “30 Year Greater Hobart Plan”.</p>
<p>Land Use and Transport Integration</p> <p>1.1 Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.</p>	<p>The proposal constitutes infill development located adjacent to the South Arm Highway which has access to existing public transport routes.</p>

<p>Settlement and Residential Development</p> <p>1 Provide a sustainable and compact network of settlements with Greater Hobart at its core, that is capable of meeting projected demand.</p> <p>1.5 Ensure land zoned residential is developed at a minimum of 15 dwellings per hectare (net density).</p> <p>2 Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability.</p> <p>2.1 Ensure residential growth for Greater Hobart occurs through 50% infill development and 50% greenfield development.</p> <p>2.7 Distribute residential infill growth across the existing urban areas for the 25-year planning period as follows: [Clarence LGA 15% (1987 dwelling)].</p>	<p>The amendment provides for new residential development opportunities within the Urban Growth Boundary and will assist Clarence to reach its infill development targets at an appropriate density level.</p>
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- (f) has regard to the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates;**

The municipal strategic plan is the City of Clarence Strategic Plan 2021–2031. The proposal is considered generally consistent with the overarching vision of a vibrant, prosperous and sustainable city; however, the public open space should be modified. This is discussed in more detail in Section 5 which assesses the subdivision proposal.

- (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates;

There are no LPS's in effect in the neighbouring municipalities.

- (h) has regard to the safety requirements set out in the standards prescribed under the Gas Safety Act 2019.

The site is not located within the vicinity of the gas secondary distributor.

4.2. SUBDIVISION

Should the amendment and associated subdivision be approved as recommended, the individual lots would be subject to the provisions of the General Residential, Open Space and Utilities Zones respectively.

Zones

The proposed subdivision meets all relevant Acceptable Solutions of the zones with the exception of the following.

- **General Residential Zone** - Clause 8.6.2 A1 (Roads) as the proposal includes an extension to Holland Court.

Performance Criteria	Proposal
P1 The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians, and cyclists, having regard to:	
(a) any road network plan adopted by the council;	There is no adopted road network plan.
(b) the existing and proposed road hierarchy;	The proposed road layout forms an extension to the previously approved Holland Court. The road design and provision of a new cul-de-sac provides adequate turning provision at the end of the extension.

	<p>Engineering detail has been provided with the application demonstrating that the road has also been designed to conform to current council standards.</p> <p>The proposed road hierarchy remains unchanged and consistent with the existing road layout and is deemed to not result in a significant change in traffic movement or intensity.</p> <p>The proposal will not result in the creation of an arterial or collector road.</p>
(c) the need for connecting roads and pedestrian and cycling paths, to common boundaries with adjoining land, to facilitate future subdivision potential;	<p>The location of the existing church on the site prevents a road connection to the adjoining property at 38 Buckingham Drive until such time the church building is demolished.</p> <p>Given that the current approval on 38 Buckingham Drive does not provide for a future road connection the more likely outcome would be that if Lot 8 was subdivided, a connecting road would not be provided, however it would enable pedestrian connection to this site.</p>
(d) Maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks;	<p>The proposed road has been designed as an extension of the existing road. While cul-de-sac design should generally be avoided when creating connected and accessible neighborhoods, in this case there is no potential for any connections to other roads or subdivisions.</p> <p>Proposed Lot 101 will provide a pedestrian link from the approved public open space lot on 38 Buckingham Drive, through to the adjacent reserve. As discussed above, a public right-of-way from Holland Court is recommended to ensure pedestrian connectivity to public open space and pedestrian corridors.</p>
(e) Minimising the travel distance between key destinations such as shops and services and public transport routes;	<p>The proposal is for an extension to an existing road and will not have a noticeable impact on travel distances.</p>
(f) access to public transport;	<p>The conditions recommended will ensure that pedestrian access to public transport is facilitated.</p>
(g) the efficient and safe movement of pedestrians, cyclists and public transport;	<p>The proposed road represents an extension of the existing Holland Court cul-de-sac and will provide for a direct link to the pedestrian walkway and cycleway along South Arm Road to Holland Court and also to the Kunyah Reserve.</p>

(h) the need to provide bicycle infrastructure on new arterial and collector roads in accordance with the <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i> ;	Holland Court is not an arterial road collector road therefore this standard is not applicable.
(i) the topography of the site; and	The topography of the site does not prevent the construction of Holland Court in accordance with the relevant Australian Standards and will provide for satisfactory level of access and safety for users.
(j) the future subdivision potential of any balance lots on adjoining or adjacent land.	The only adjoining property that has subdivision potential is 38 Buckingham Drive which has previously obtained subdivision approval. As discussed previously, works for Stage 1 of this permit have commenced.

Codes

The proposal complies with all relevant Acceptable Solutions of the above Codes with the exception of the following.

- **Road and Railway Attenuation Code** – Clause 3.7.1 A1 (Subdivision for sensitive uses within a road or railway attenuation area) as proposed
Lots 1 and 2 are intended for sensitive uses within the South Arm Highway attenuation overlay.

Performance Criteria	Proposal
P1 - A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:	
(a) The topography of the site.	The site is adjacent to the South Arm Highway and is impacted by traffic noise. The topography of the site does not have any effect on traffic noise.
(b) Any buffers created by natural or other features.	There are no natural buffers or features present to minimise the impact of traffic noise, vibration, light and air-emissions from the South Arm Highway.

(c) The location of existing or proposed buildings on the site.	<p>The location of existing Church building on-site is not considered a sensitive use and exempt from the Code. The Noise Impact Assessment has assessed the location of a future dwelling on Lots 1 and 2 and concluded that predicted noise levels for the lot adjoining the highway would be 50dBA at night and 59dBA during the day, which exceeds the accepted levels which are:</p> <ul style="list-style-type: none"> • outdoor (daytime) 55dBA; • outdoor (night time) 45 dBA; • indoor (day and night time) 40dBA. <p>The report concludes that the noise from the highway can be mitigated by the construction of a noise barrier along the northern boundary of the site. An agreement on the titles can require future dwellings to be designed appropriately. Permit conditions to this effect are recommended.</p>
(d) The frequency of use of the rail network.	Not applicable – the subject site is not within proximity of any rail network.
(e) the speed limit and traffic volume of the road.	The South Arm Highway has 80km/h speed limited road that has significant traffic volumes. There may be no conflict here, as there is no direct vehicle access.
(f) any noise, vibration, light and air emissions from the rail network or road.	As above.
(g) the nature of the road.	The South Arm Highway is an arterial road with a high traffic volume, as discussed above. This is relevant to the noise impacts discussed above.
(h) the nature of the intended uses.	The proposed vacant lots are intended to be developed for residential purposes. Conditions can be imposed to ensure impacts are minimised.
(i) the layout of the subdivision.	The layout of the subdivision is constrained by the existing road connection to Holland Court. It is considered that providing the mitigation measures are implemented for those lots adjoining the highway, the layout is considered acceptable.
(j) the need for the subdivision.	The subdivision provides for infill housing in existing residential area that is consistent with the objectives of STRLUS and the “30 Year Greater Hobart Plan”, which encourage infill housing.
(k) any traffic impact assessment.	A Traffic Impact Assessment has not been provided as Council’s Engineer was satisfied that Holland Court was capable of supporting the increased traffic generated by the proposal.
(l) any mitigating measures proposed.	The location of the proposed building envelopes (specifically Lots 1 and 2) will adjoin the road reservation and be less than 30m, with a clear line of sight, from the four-lane arterial road.

	<p>The Noise Impact Assessment examined the impact on future residential amenity of lots adjacent to the road reservation, being Lots 100, 1 and 2 on the proposed subdivision plan.</p> <p>The report concludes that the noise from the highway can be mitigated by the construction of a noise barrier along the northern boundary of the site, and covenants on titles to ensure future dwellings are designed appropriately. Permit conditions to this effect are recommended.</p> <p>It is noted that the recommendation to include an acoustic fence along the northern boundary of Lots 1 and 2 is consistent with the permit conditions of the approved subdivision on 38 Buckingham Drive.</p>
(m) any recommendations from a suitably qualified person for mitigation of noise.	See (c) above.
(n) any advice received from the rail or road authority.	<p>The application was referred to the Department of State Growth (DSG) and the following relevant advice has been provided:</p> <p><i>“It is noted that the proposal will increase the density of sensitive uses in the vicinity of the South Arm Highway which is a major arterial road in Tasmania and a key part of the State’s transport network. It is recognised that people who live close to trunk, regional and arterial roads are more likely than others to experience amenity impacts associated with traffic noise.</i></p> <p><i>In accordance with the Tasmanian State Road Traffic Noise Management Guidelines (October 2015), State Roads advises that the Department will not consider providing noise mitigation where traffic noise impacts are a result of land use changes, such as rezoning, that bring sensitive developments (e.g. houses) closer to an existing road.”</i></p> <p>It is recommended that the permit include conditions requiring the applicant to provide an acoustic fence along the northern boundary to ensure that the amenity of the future lot owners is not detrimentally impacted.</p>

- **Natural Assets Code - Clause 7.7.2 A1 (Subdivision within a priority vegetation area)** as proposed Lots 3-7 in the plan of subdivision are located within a priority vegetation area.

Performance Criteria	Proposal
<p>P1.1 - Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <p>(a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person.</p>	<p>The existing use (place of worship) is located on proposed Lot 8. Lot 8 on the Plan of Subdivision is not located within the priority vegetation overlay and does not require any clearing of vegetation to provide bushfire protection.</p>
<p>(b) subdivision for the construction of a single dwelling or an associated outbuilding.</p>	<p>The subdivision proposes to create an additional seven residential lots, intended to provide for the construction of residential dwellings.</p>
<p>(c) subdivision in the General Residential Zone or Low-Density Residential Zone.</p>	<p>The combined scheme amendment and subdivision application is to rezone the subject site from Community Purpose to General Residential and therefore complies with this standard.</p>
<p>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design.</p>	<p>As discussed above, the proposal for rezoning is considered to provide social and economic benefits and provided that the subdivision is modified in accordance with the recommendations, is considered appropriate.</p>
<p>(e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p>	<p>The Natural Values Assessment identifies the vegetation on Lots 3 – 7 covered by the Natural Assets Code as <i>Eucalyptus viminalis</i> grassy forest and woodland and does not include the threatened vegetation, threatened fauna habitat or threatened flora, all of which occur outside the area of the site covered by the Code.</p> <p>The vegetation community in Lots 3 – 7 is not a priority vegetation and therefore is not critical for the survival of this vegetation community, particularly given its proximity to the large area of reserve to the south.</p>

(f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.	As above.
P1.2 - Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:	
(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards;	As discussed above, Lots 3 – 7 do not contain priority vegetation therefore this standard is not applicable.
(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;	As above.
(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;	As above.
(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;	As above.
(e) any on-site biodiversity offsets; and	As above.
(f) any existing cleared areas on the site.	As above.

- **Landslip Hazard Code** - Clause 15.7.1 (Subdivision within a landslip hazard area) as the proposed subdivision results in the Lots 3-7 being within the landslip hazard area.

Performance Criteria	Proposal
<p>P1 - Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or development that cannot achieve a tolerable risk from landslip, having regard to:</p> <p>(a) any increase in risk from a landslip for adjacent land;</p>	<p>The report provided by GES, (1 March 2021) concludes that due to the soil structure on the site, there is no risk of mass slope instability for residential development. Council's Engineer is satisfied that the subdivision will not pose a significant risk from landslip and accepted the recommendations in the report.</p>
<p>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</p>	<p>No public infrastructure has been identified to be with the landslip hazard overlay.</p>
<p>(c) the need to minimise future remediation works;</p>	<p>The supplied Planning Report and associated Geotechnical Report do not identify that future remediation works would be required.</p>
<p>(d) any loss or substantial compromise, by a landslip, of access to the lot on or off site;</p>	<p>Proposed individual access points to the lots and the extension to Holland Court are not located within the Landslip Hazard Area.</p>
<p>(e) the need to locate building areas outside the landslip hazard area;</p>	<p>The supplied Geotechnical Report states that the desktop investigation has identified no serious impediments to the proposed development.</p>
<p>(f) any advice from a State authority, regulated entity or a council; and</p>	<p>No relevant State authority or Council advice has been provided or included with application.</p>
<p>(g) the advice contained in a landslip hazard report.</p>	<p>A desktop geotechnical report has been provided that states "no serious impediments to the proposed development were identified during the desktop investigations."</p>

Compliance with Strategy and Policy

Council's Strategic Plan is supported by a number of Council policies including the Public Open Space Policy 2013 (POS). The primary purpose of Council's Public Open Space Policy (2013) is to ensure the delivery of adequate and appropriate POS to serve the needs of the existing and future population in Clarence.

The policy is used to assist Council to exercise its discretion and provide a framework to deliver a consistent approach to the consideration of POS, or alternatively the payment of cash-in-lieu of it.

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

- Clarence Tracks and Trails Strategy 2012;
- Tracks and Trails Action Plan 2015-2020;
- Positive Ageing Plan 2012-2016;
- Clarence Coast and Bushland Strategy August 2011;
- Community Health and Wellbeing Plan 2013-2018;
- Draft Sport and Active Recreation Strategy 2013-2037; and
- Community Wellbeing Strategy 2022-2032.

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

The subject site is proposed to be zoned General Residential within an establishing urban environment. Upon completion it will form an extension of an existing urban area and will be afforded the highest level of access to both local and regional recreational opportunities. It is considered that the development resulting from an approval of this application will, or is likely to, increase residential density creating further demand on open space requirements.

Two public open space lots are proposed, Lot 100 which is located in the north-western corner of the site and provides a link to the South Arm Highway, and Lot 101 which provides a link through from the approved Public Open Space lot on 38 Buckingham Drive to the Kunyah Reserve.

Clarence's Tracks and Trails Action Plan 2015 – 2020 identifies the missing links in the Trails Register which is indicative of desired track corridors on privately owned land. The register prioritises the desired links into the following:

- Priority 1 – links which complete missing links in existing trails, generally on public land;
- Priority 2 – a new trail that provides a strategic link or completes gaps in existing trails; and
- Priority 3 – a new trail in remote areas.

In this case, the link from the Howrah-Rokeby Cycleway to the Kunyah Bushland Reserve is identified as Priority 2, as it will connect the existing pedestrian walkway along the South Arm Highway to the Kunyah Reserve. Public Open Space for this purpose will be provided once Stage 2 of the approved subdivision at 38 Buckingham Drive commences.

Despite the subdivision approval being in place for this Public Open Space, there is no guarantee that Council will obtain this link and therefore it is considered appropriate to require a link from the site to the Kunyah Reserve at the southern boundary.

Rather than requiring additional land as part of this subdivision, it is proposed that a Public Right-of-Way be created along the eastern boundary of the site and from the cul-de-sac to the pedestrian walkway adjacent to the South Arm Highway. This will ensure pedestrian connectivity to the reserve and walkway until such time that the public open space is provided on 38 Buckingham Drive.

In relation to Lot 100, this lot was proposed by the applicant to enable the protection of the threatened black gums (*Eucalytus Ovata*) and to provide a pedestrian link to the South Arm Highway walkway. However, there are only two trees suitable for providing foraging habitat in the Public Open Space lot which provides minimal protection of this threatened vegetation community. Council's Manager Environment and Recreation considers that this area is not required for Public Open Space. Accordingly, it is recommended that Lot 100 is not designated as Public Open Space and instead zoned General Residential and included within a residential lot. It is recommended that a condition requiring a Part 5 Agreement on Lots 1, 2, and 8 be included which will ensure the protection of the Back Gums.

It is also recommended that the boundary of Lot 101 be extended along the southern boundary towards 5 Mayfair Court to provide for easier grade access to the reserve.

As Council does not support the provision of Public Open Space in Lot 100, the amount of land taken for public open space is only calculated for Lot 101 which would represent 1.3% of the site area. Therefore, the remaining 3.7% can be taken as cash-in-lieu.

While Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMP) provides for a maximum of up to 5% of the value the entire site to be taken as cash-in-lieu of POS, it is considered appropriate to limit the contribution only to each additional lot created (Lots 1 - 7), representing the increased demand for POS generated by the proposal and not the entire site.

5. CONSULTATION

Applications for planning scheme amendments are not formally open for public comment until after Council has resolved to initiate and certify the Amendment. Should this be the case, the draft amendment and associated draft permit (if supported) will be publicly exhibited in accordance with the statutory requirements.

6. EXTERNAL REFERRALS

The proposal was referred to TasWater, who advised they do not object to the proposed amendment to the Tasmanian Planning Scheme – Clarence as mentioned above and have no formal comments for the Tasmanian Planning Commission in relation to this matter and do not require to be notified of nor attend any subsequent hearings.

TasWater have provided conditions that must form part of an approved subdivision Permit.

7. COUNCIL COMMITTEE RECOMMENDATIONS

The proposal was not specifically referred to any Council committees. However, the preliminary design for the subdivision was discussed with Council's Tracks and Trails Committee who provided assistance in the final design of the public open space connections.

Should the Council agree to prepare and certify the amendment any committee comments or recommendations received during the public exhibition period may be considered as part of Council's Section 40K report.

8. CONCLUSION

The proposed subdivision is currently prohibited under the provisions of the Scheme. For this reason, the applicant has lodged an application under Section 40T of LUPAA, which provides for the concurrent consideration of a Planning Scheme Amendment and associated Development Application for a use/development that would otherwise be prohibited.

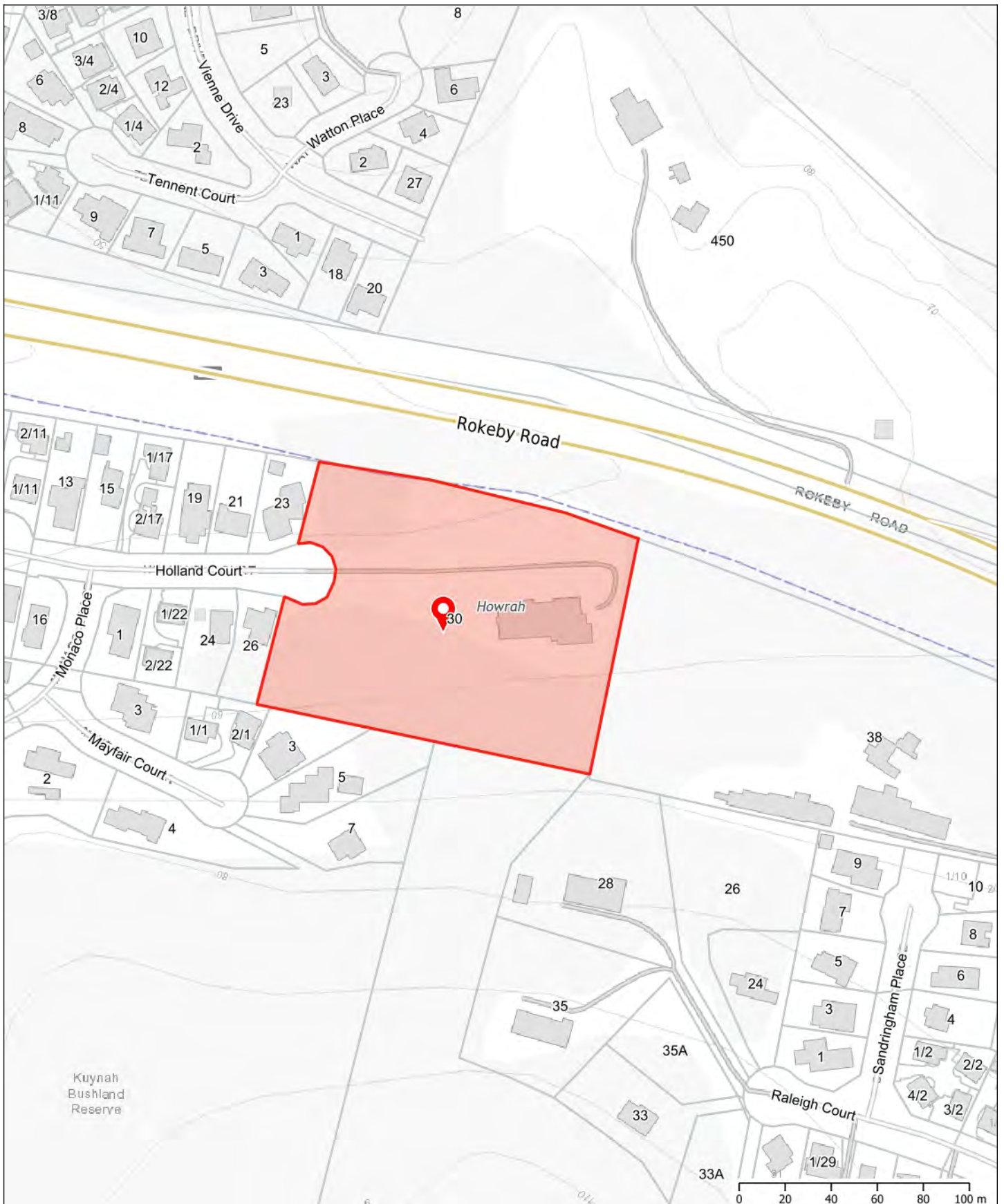
For the reasons detailed within the body of this report it is considered that the proposed rezoning amendment is consistent with the STRLUS and meets the relevant provisions of LUPAA subject to modifications. Accordingly, it is recommended that Council initiates and certifies the draft amendment. It is also recommended that the proposed subdivision be approved subject to appropriate conditions.



- Attachments:
1. Location Plan (1)
 2. Aerial Photograph (1)
 3. Proposed rezoning plan (1)
 4. Proposed subdivision Plan (1)
 5. Approved subdivision plan on 38 Buckingham Drive (1)
 6. Noise Impact Assessment (8)
 7. Natural Values Assessment (41)
 8. Site plan showing recommended modifications (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



	<p>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.</p>	<p>30/01/2023</p> <p>1:2257</p>	
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Attachment 2

Aerial photo of proposed site



Figure 1 - Subject Site - 30 Holland Court

Attachment 3

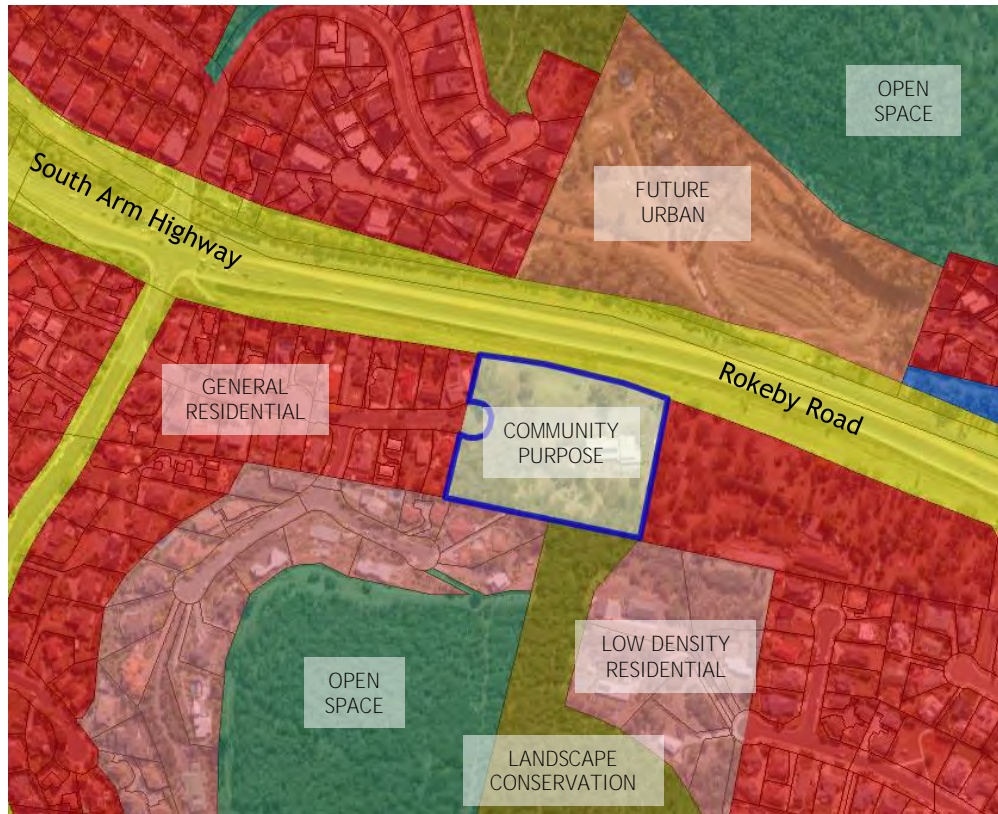


Figure 4 - Current Zoning (source: LISTmap 10.05.22)

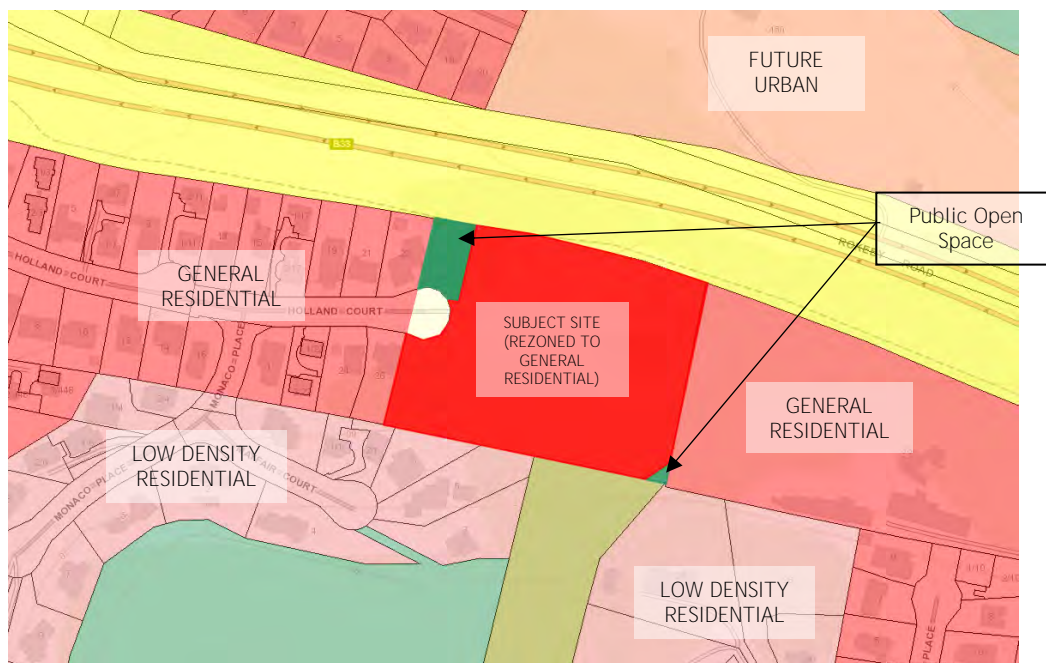
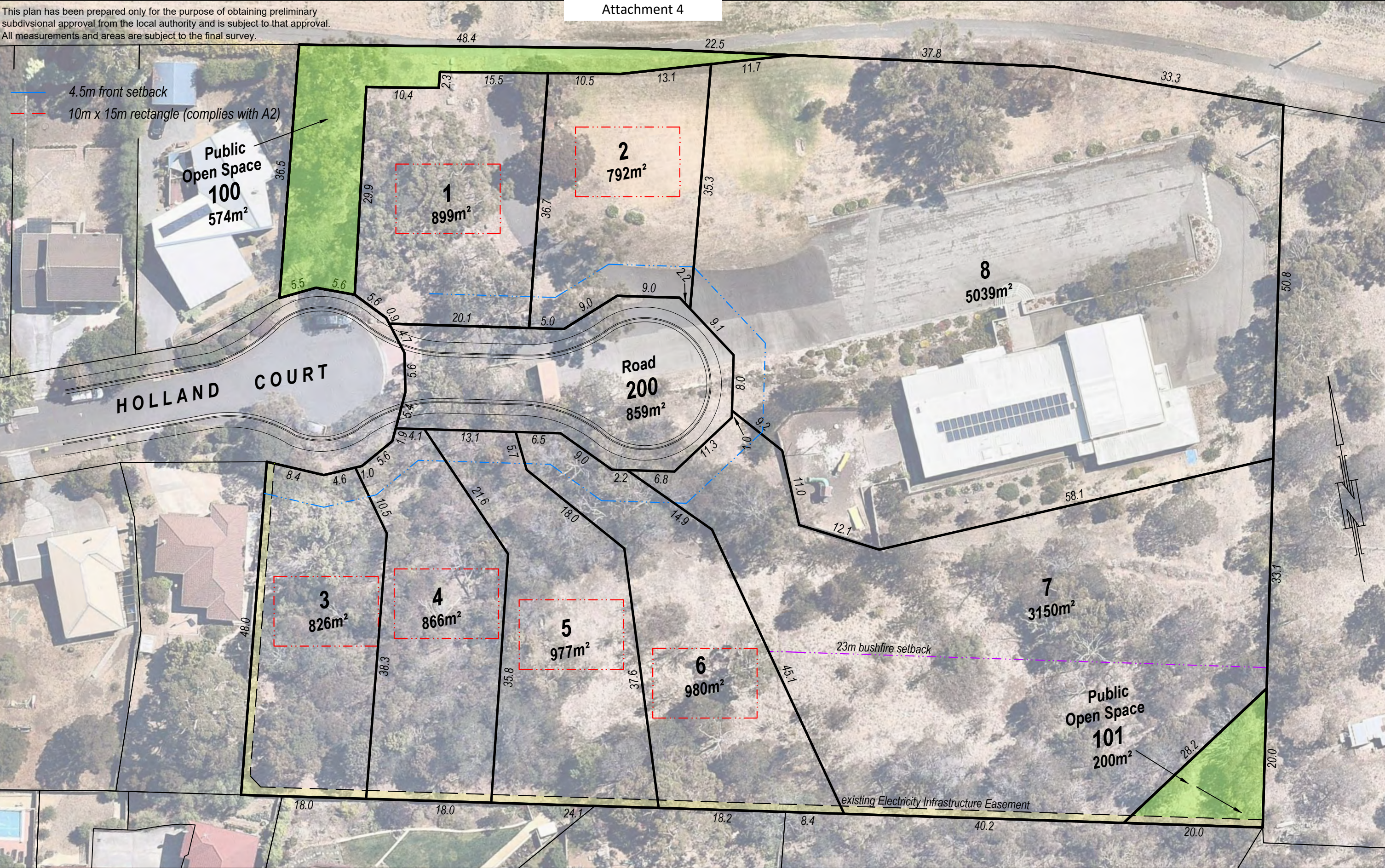


Figure 5 - Proposed Zoning of 'Subject Site' to General Residential

This plan has been prepared only for the purpose of obtaining preliminary subdivisional approval from the local authority and is subject to that approval. All measurements and areas are subject to the final survey.

Attachment 4



		AB	15-11-21	AB
				AB
				AB
				AB
J	P.O.S changes (council RFI)	AB	12-8-22	AB
REV	see previous plans for details of all revisions AMENDMENTS	DRAWN	DATE	APPR.



UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com

OWNER:
TITLE REFERENCE:
LOCATION:

CHURCHES OF CHRIST
C.T.35660/1
30 HOLLAND COURT
HOWRAH

Proposed Subdivision

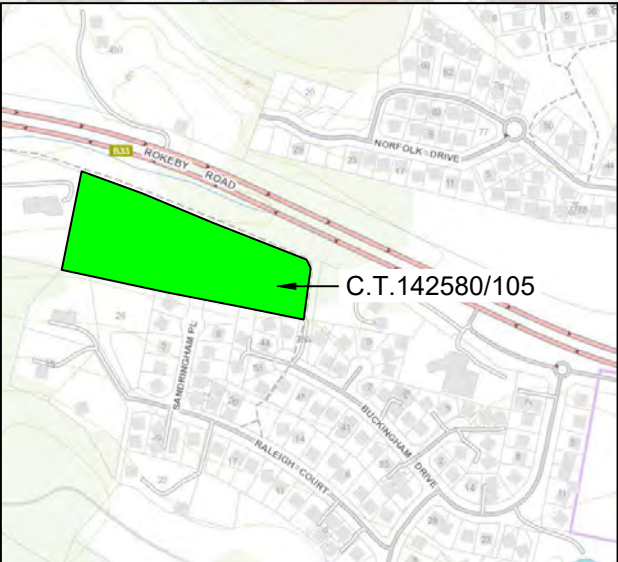
Date: 12-8-2022	Reference: HOWCC01 12572-05
Scale: 1:500 (A3)	Municipality: CLARENCE

Development Standards for Subdivision

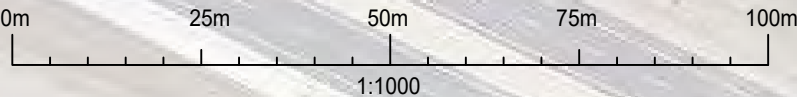
10.6. General Residential

- A1- Lot sizes comply.
- A2- Complies.
- A3- Not all the frontages comply with A3. It does satisfy P3.
- A4- Complies. No internal lots.
- A5- Does not comply. Complies with P5.

TABLE OF AVERAGE SLOPE FOR LOTS					
LOT No.	SLOPE	LOT No.	SLOPE	LOT No.	SLOPE
1	8.3	11	9.7	21	6.8
2	7.9	12	11.0	22	6.6
3	7.9	13	12.1	23	6.2
4	7.9	14	11.4	24	5.9
5	7.9	15	9.1	25	5.5
6	8.0	16	8.5	26	5.4
7	8.2	17	10.0	27	6.9
8	9.0	18	9.9	28	7.9
9	9.5	19	7.5	29	8.7
10	9.8	20	7.4	30	8.5



LOCATION PLAN



PUBLIC OPEN SPACE
200
1206m²



**CITY OF CLARENCE
PLANNING APPROVAL**

DEVELOPMENT PERMIT NO: PDPLANPMTD-
DATED: 21/6/2021

NOTE: A separate building and plumbing approval may be
required **BEFORE** the commencement of any building works.

This Plan satisfies Condition 2 of the Permit

Plan Approved Date: 30/12/2021

Proposed Staging

Stage 1 - "Super Lot" containing all lots within Stage 2

- Stage 2 - Lots 8 - 17 & 200 - 201
- Stage 3 - Lots 2 - 7 & Lots 18 - 23
- Stage 4 - Lot 1 & Lots 24 - 30

This plan has been prepared only for the purpose of obtaining preliminary
subdivisional approval from the local authority and is subject to that approval.

All measurements and areas are subject to the final survey.

Base image by TASMMap (www.tasmap.tas.gov.au), © State of Tasmania
Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania



UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com

OWNER: CLARENCE CITY COUNCIL
NIGEL DAVID INNES

TITLE REFERENCE: C.T.142580/105 C.T.133933/2

LOCATION: 38 & 38A BUCKINGHAM DRIVE
HOWRAH

Proposed Subdivision	
Date: 14-12-2021	Reference: INNEN01 11380-04
Scale: 1:1000 (A3)	Municipality: CLARENCE



JMG Engineers & Planners
117 Harrington Street
Hobart, TAS

21 December 2022

Ref: 6318_01

Attention: Katrina Hill

30 HOLLAND COURT — NOISE IMPACT ASSESSMENT

A subdivision is proposed for 30 Holland Court, Howrah, to comprise nominally 8 lots. As the development is within 50m of Rokeby Road, it is within the road and railway attenuation area under the Tasmanian Planning Scheme, and thus requires a traffic noise assessment to determine its suitability for residential use. This letter presents such an assessment, conducted by NVC in December 2022.

1. BACKGROUND

The proposed site (white outline) is a large lot currently comprising the Howrah Church of Christ at its eastern end, with vegetation on the western portion. The land is zoned Community Purpose (white overlay in Figure 1.1), with General Residential zoning (red overlay) to the site's east and west, and Low Density Residential zoning to the south and south-east (pink overlay).

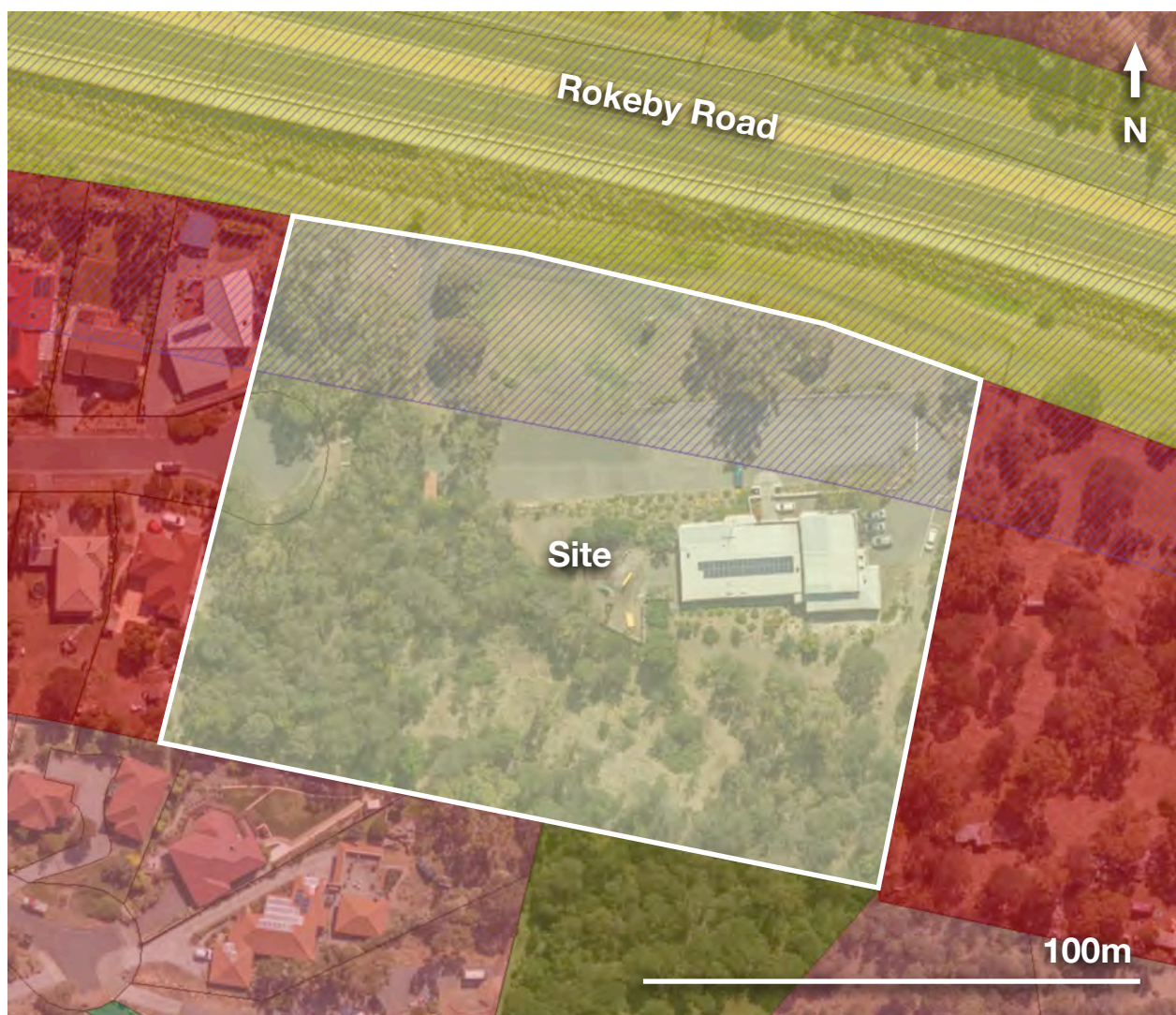


FIGURE 1.1: SITE AND SURROUNDING AREA

To the north of site is Rokeby Road, an 80km/h speed limited road that sees significant traffic volume. The associated Utilities zone is shown by the yellow overlay, with the purple hatching denoting the road and railway attenuation area.

Figure 1.2, below, shows the proposed development, comprising 7 residential lots with a balance lot (lot 8) to the site's north-east, with the existing church to remain.

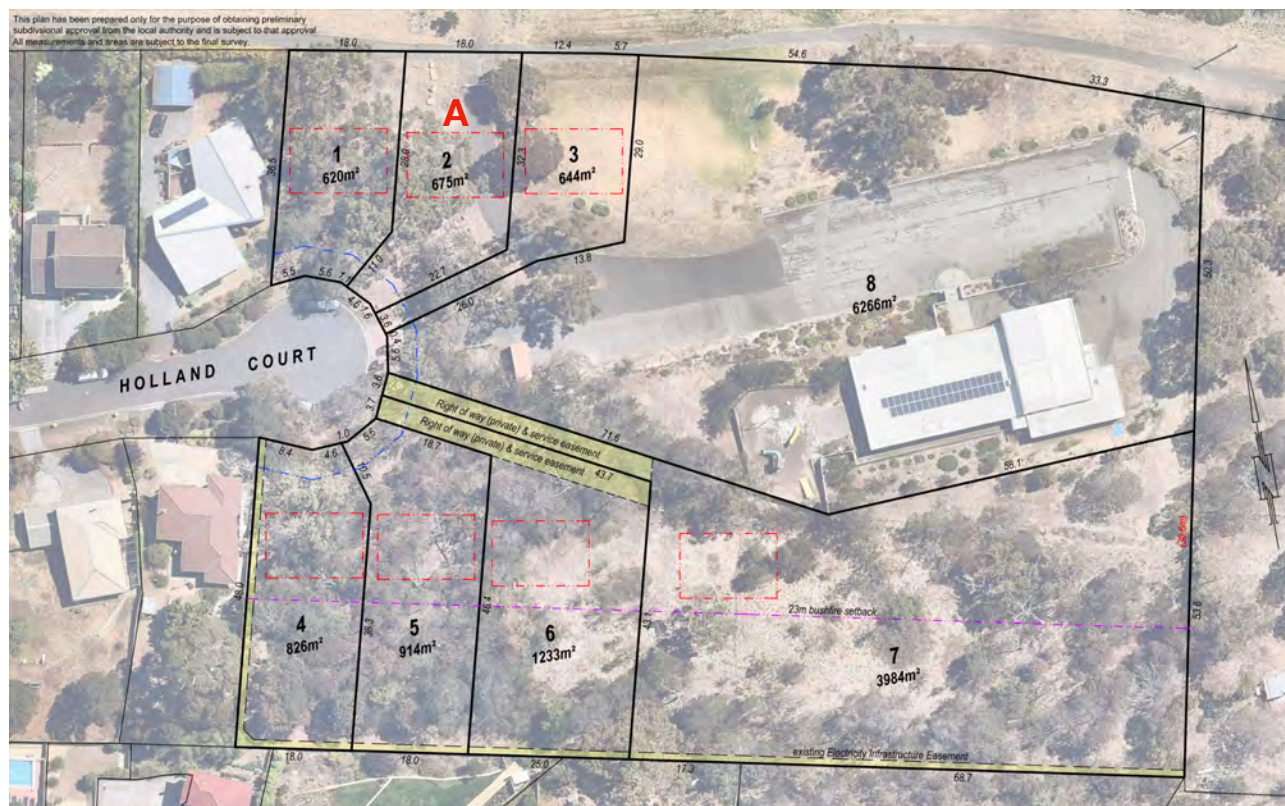


FIGURE 1.2: PROPOSED DEVELOPMENT

2. NOISE MEASUREMENTS

Noise measurements were conducted on an adjacent lot, to the east of site (38 Buckingham Drive, Howrah), over a 2 week period in September 2020, to quantify the existing traffic noise levels. The results of those measurements are summarised in Table 2.1 and Figure 2.1.

The sound level meter was located nominally 32m from the road verge for the measurements, with direct line of sight to the roadway. The microphone was at a similar or slightly higher height than the road surface, and thus fully exposed to traffic noise.

TABLE 2.1: EXISTING NOISE LEVELS

Time	Sound Pressure Level, dBA			
	L10	L90	Leq	L10 _{18hr}
Day, 0600 - 2200 hrs	64	52	61	66
Night, 2200 - 0600 hrs	55	39	52	

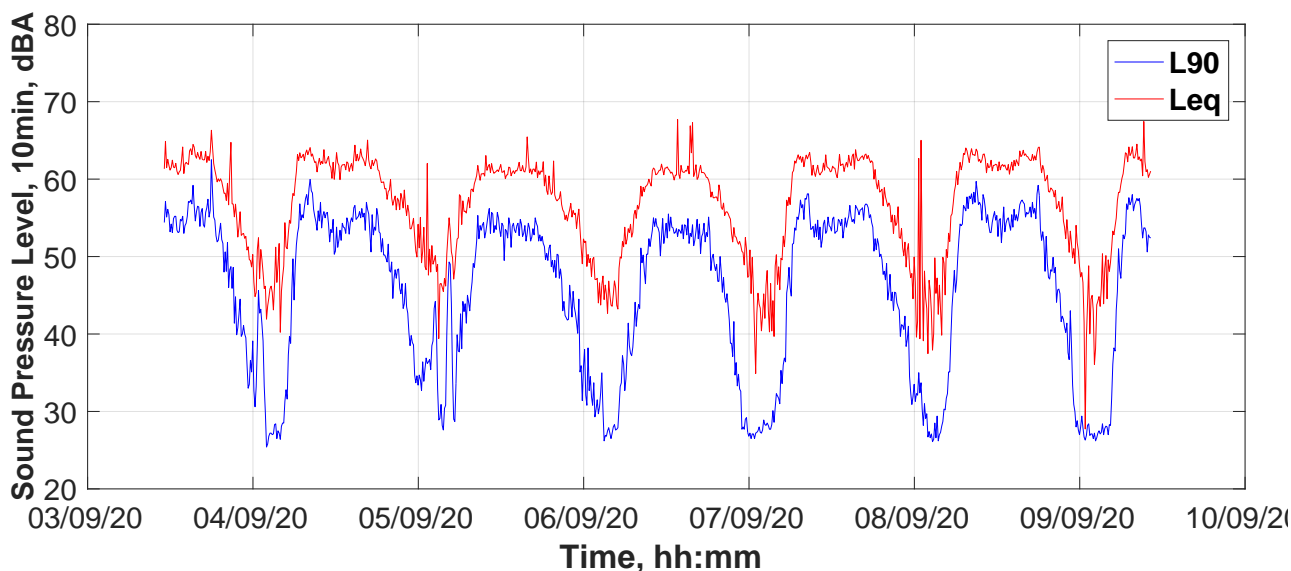


FIGURE 2.1: NOISE TREND - 38 BUCKINGHAM DRIVE

3. CRITERIA

Section C3.0 of the Tasmanian Planning Scheme - Clarence contains criteria for ‘*subdivision for sensitive uses within a road or railway attenuation area*’. With regards to noise for such a development, clause C3.7.1, reproduced below, is relevant.

Objective: To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.	
Acceptable Solutions A1 A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.	Performance Criteria P1 A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to: <ul style="list-style-type: none"> (a) the topography of the site; (b) any buffers created by natural or other features; (c) the location of existing or proposed buildings on the site; (d) the frequency of use of the rail network; (e) the speed limit and traffic volume of the road; (f) any noise, vibration, light and air emissions from the rail network or road; (g) the nature of the road; (h) the nature of the intended uses; (i) the layout of the subdivision; (j) the need for the subdivision; (k) any traffic impact assessment; (l) any mitigating measures proposed; (m) any recommendations from a suitably qualified person for mitigation of noise; and (n) any advice received from the rail or road authority.

For lots within the attenuation area (lots 1 to 3), the Acceptable Solution is not satisfied, and thus the Performance Criteria (C3.7.1-P1) must be addressed.

In Table 1 of the Noise EPP¹, a list of Acoustic Environmental Indicator levels are given for which the environmental values specified in the Noise EPP “...*will be protected for the majority of the human population where the acoustic environment indicator levels are not exceeded*...” A section of that table is reproduced here in Table 3.1.

¹ Tasmanian Environmental Protection Policy (Noise) 2009 (the Noise EPP)

TABLE 3.1: ACOUSTIC ENVIRONMENTAL INDICATOR LEVELS - TAS. EPP

Specific Environment	Critical Health Effect	LAeq dBA	Time hrs	LAmix dBA
Outdoor living area	Serious annoyance, daytime and evening	55	16	-
	Moderate annoyance, daytime and evening	50	16	-
Outside bedrooms	Sleep disturbance, window open (outdoor values)	45	8	60

Given the data in Table 3.1, to preserve the future outdoor amenity of residential dwellings constructed on lots 1 to 3, a day time criterion of 55 dBA and a night time criterion of 45 dBA are deemed appropriate.

To ensure internal levels are sufficiently low, Australian Standard *AS3671:1989 Road Traffic Noise Intrusion - Building Siting and Construction* is referenced, which provides a method to determine what building construction is appropriate to protect the indoor amenity of the dwelling. The output from the standard is the sound isolation performance requirements of various building elements, stated as an Rw value.

In applying AS3671, the appropriate indoor ambient noise level must be specified, with AS2107² used as reference for this. For houses or apartments near major roads, the recommended internal ambient noise levels are specified as:

Living areas (day time)	35 – 45 dBA Leq
Sleeping areas (night time)	35 – 40 dBA Leq

Indoor noise levels of 40 dBA are then deemed appropriate for both day and night time periods for the various internal spaces of the dwellings.

Therefore, the adopted criteria, with which to satisfy C3.7.1-P1 is as follows:

Outdoor (day time)	55 dBA
Outdoor (night time)	45 dBA
Indoor (day and night time)	40 dBA

² AS/NZS 2107:2016 *Acoustics - Recommended design sound levels and reverberation times for building interiors*, Standards Australia, 2016.

4. NOISE PREDICTIONS

*iNoise*³ software has been used to construct an acoustic software model of the existing site and surroundings. The model implements the ISO9613 algorithms for environmental noise propagation. The predictions account for geometric divergence, topographical screening, atmospheric absorption, and ground absorption. The following comments are relevant to the model:

- The model was calibrated using the measured traffic noise level at 38 Buckingham Drive. The modelled predictions are within 0.5 dB of the measured data.
- Vehicle flows have been taken from a DSG traffic counter just west of the subdivision, deployed in May 2019. The flow data is summarised as:

Day time, one direction	624 vehicles/hr
Night time average flow, one direction	86 vehicles/hr
Average vehicle speed	70 km/h
Percentage heavy vehicles	8%

- Traffic on subsidiary roads has not been modelled, as this assessment is specific to the noise impact Rokeby Road will have on the proposed development.
- The ground has been assumed to have a ground factor of 0.4 (60% reflective) throughout the model.
- All barriers are modelled with a reflection factor of 0.8 (80% reflective).
- As per the Tasmanian Noise Measurement Procedures Manual, noise levels across the area are predicted at 1.2m above ground level.
- No proposed dwellings are included in the modelling.
- Noise levels are predicted at location A (see Figure 1.2) to provide a general representation of the noise levels at a possible future dwelling.

TABLE 4.1: SUMMARY OF PREDICTED NOISE LEVELS

	Sound Pressure Level, dBA	
	Day	Night
Location A	59	50

³ iNoise V2022.1 Pro, DGMR Software

5. RECOMMENDATIONS

The following mitigation measures are recommended to ensure the residential amenity of future residents is not impacted by noise from Rokeby Road:

- A barrier be constructed along the entire northern boundary of lots 1 to 3. The barrier requires the following specifications:
 - A minimum surface mass of 15kg/m². Examples of appropriate construction include 20mm thick ship-lapped timber, 12mm fixed cement sheet, or commercial noise barrier products.
 - A minimum height of 2m.
 - No gaps, including between the barrier and the ground.
- A façade construction with a minimum of Rw 30 on western, northern and eastern facing façades of future dwellings. Examples of such construction include:
 - 4mm float / 12mm air gap / 4mm float double glazing.
 - 90mm stud walls, internally lined with 10mm fixed plasterboard, and wall cavities filled with bulk insulation.
- Locate some outdoor habitable space on the southern side of any dwellings, such that the dwellings provide screening of the space from Rokeby Road.

6. ASSESSMENT

It is noted that only lots 1 to 3 are within the road and railway attenuation area, and thus this assessment and the associated recommendations and results are only relevant to those lots.

As seen by Table 4.1, predicted noise levels in the absence of a noise barrier are in exceedance of the day and night outdoor levels specified in section 3 by 4 and 5 dB respectively, and thus mitigation is required to demonstrate compliance. The recommended mitigation is a combination of a barrier, to provide screening, and facade construction requirements sufficient to ensure the internal levels are acceptable.

Following the implementation of the recommendations in section 5, the predicted external noise levels are 56dBA and 47dBA for the day and night respectively. The external levels are approximately 1-2dB over the criterion stated in section 3, and thus are deemed to be on the limit of acceptability for habitable outdoor space. It is noted that these levels are unlikely to be perceptibly different from the criteria of 55 and 45 dBA, and the proposed barrier requirements are at the limit of what is deemed practically feasible.

As stated in section 5, it is then recommended that some outdoor habitable space be located on the southern side of any future dwellings to provide additional screening from Rokeby Road.

Internal noise levels are predicted to comply with the criterion outlined in section 3 provided a façade with minimum Rw 30 is used, with section 5 providing examples of suitable construction.

Provided these recommendations are actioned, both external and internal areas are deemed to provide appropriate residential amenity regarding noise levels.

Therefore, following the implementation of the recommendations in section 5:

The proposed development at 30 Holland Court, Howrah, is deemed to satisfy clause C3.7.1 of the Tasmanian Planning Scheme - Clarence.

Should you have any queries, please do not hesitate to contact me directly.

Kind regards,



Bill Butler



Jaye Parry

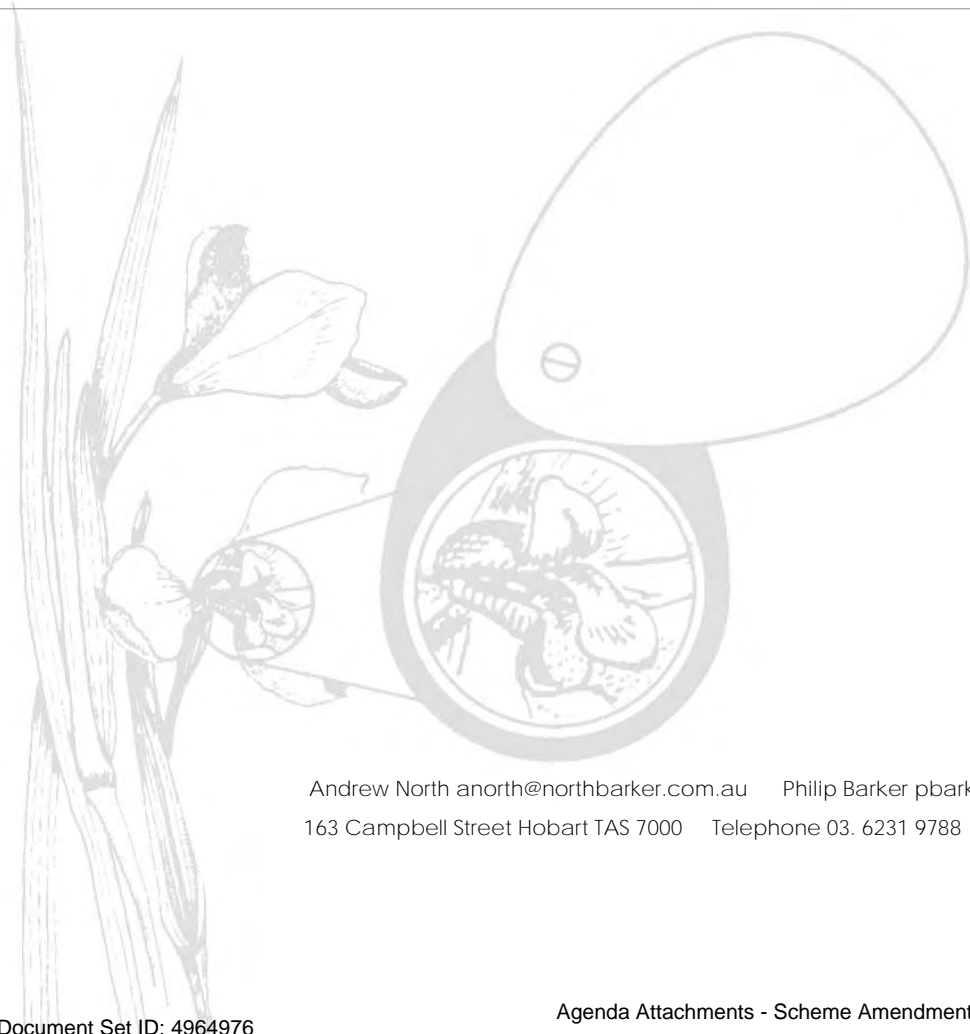


30 Holland Court,
Howrah
Rezoning and Subdivision

Natural Values Assessment

06 January 2023

For JMG
JMG026

A faint, light green background illustration. On the left, there is a tall, thin plant with long, narrow leaves and a small flower. To the right of the plant is a large, light green magnifying glass. The lens of the magnifying glass is focused on a small, detailed illustration of a plant with several leaves and a small flower, which is similar in style to the one on the left.

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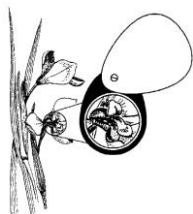
Client Contact: Matthew Clark, Katrina Hill JMG

Field Assessment: Andrew North

Report and mapping: Andrew North

File Control

Version	Date	Author / Comment
First Draft 0.1	15/05/2020	Andrew North
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Address	30 Holland Court, Howrah, TAS 7018
PID	7276202
Volume/Folio	35660/1

Tasmanian Planning Scheme	
Rezoning	8 General Residential
Current Zone	27 Community Purpose
Applicable Overlays	Priority Vegetation Area Relevant Code – Natural Assets
	Bushfire Prone Area Relevant Code – Bushfire E1
	Flood-prone Area Relevant Code – Flood-prone Hazard Areas Code
	Landslip Hazard Area - low Relevant Code – Landslip Hazard Code
Proposal	Subdivision to 8 lots, 2 parcels of public open space and road (extension to Holland Court)
Threatened flora	Cut leaf New Holland daisy – <i>Vittadinia muelleri</i> – Lot 1 <i>Rare Threatened Species Protection Act 1995</i>
Impact	<i>V. muelleri</i> - approx 20 plants (Lot 1)
Threatened fauna and habitat	9 x <i>Eucalyptus ovata</i> - black gums > 40cm DBH Foraging habitat for swift parrot
Impact	Lot 1 – 2 trees
Threatened vegetation	<i>E. ovata</i> dry forest (DOV) – 1111 sqm (0.1 ha) <i>Threatened Nature Conservation Act 2002</i>
Impact	Lot 1 – 675 sqm
	Lot 2 – 20 sqm
	Road – 20 sqm
	POS – 400 sqm
Native vegetation	<i>E. viminalis</i> dry forest (DVG) – 5140sqm
Impact	Lots 3-8 & Road – 495 sqm
	POS – 200 sqm

Natural Assets Code E27	<p>The Priority Vegetation Area extends over parts of Lots 3-7 and marginally in Lot 8. It does not include threatened vegetation, threatened fauna habitat or threatened flora all of which occur outside the PVA.</p> <p>Conforms to P1.1 (c) Subdivision in General Residential Zone.</p> <p>Partially conforms to P1.2 with adequate controls</p>
EPBC Act	No significant impact to MNES
TSP Act	A permit to take required for <i>Vittadinia muelleri</i>
NCA Act	No permit to take product of wildlife required
Weed Management Act	<p>Declared weeds present in project area including:</p> <p>Zone A</p> <ul style="list-style-type: none"> • Patersons curse - A significant infestation in Lots 5-7 • White weed - Lot 1 <p>Zone B –</p> <ul style="list-style-type: none"> • Blackberry • Boneseed • Slender thistle • African boxthorn

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1 INTRODUCTION

1.1 Background

30 Holland Court is zoned as Community Purpose (Zone 27) under the Tasmanian Planning Scheme. The proponents propose to rezone the land to General Residential (Zone 8) to allow a subdivision of part of the land to form seven new residential lots, Public Open Space, Road Reserve as an extension to Holland Court and the balance that would retain the existing Church of Christ building. (Figure 1)

This report provides ecological assessment of the property and considers implications for the Natural Assets Code of the Tasmanian Planning Scheme to inform the appropriateness of the proposal.

1.2 Study area

The study area is in Howrah in south-eastern Tasmania (Figure 2). It is in the Tasmanian South East bioregion¹ in the Clarence City Council and is approximately 1.52ha in extent. The site is currently zoned as Community Purpose and is subject to the Natural Assets Code (E27) under the Tasmanian Planning Scheme.

The site is at 50-70 m above sea level and is located on the lower slopes of an unnamed drainage line immediately south of Rokeby Road.

Approximately a third of the site is developed with a church, car park and managed lawn. There are also the remnants of an abandoned vegetable garden.

There are remnants of native vegetation, albeit in a modified and degraded state which are connected by a narrow sliver of bushland to extensive native forested areas on the upper slopes of Rokeby Hills to the south.

The geology is Permian siltstone and sandstone to the north, with Jurassic dolerite to the south.

¹ IBRA 7 (2012)

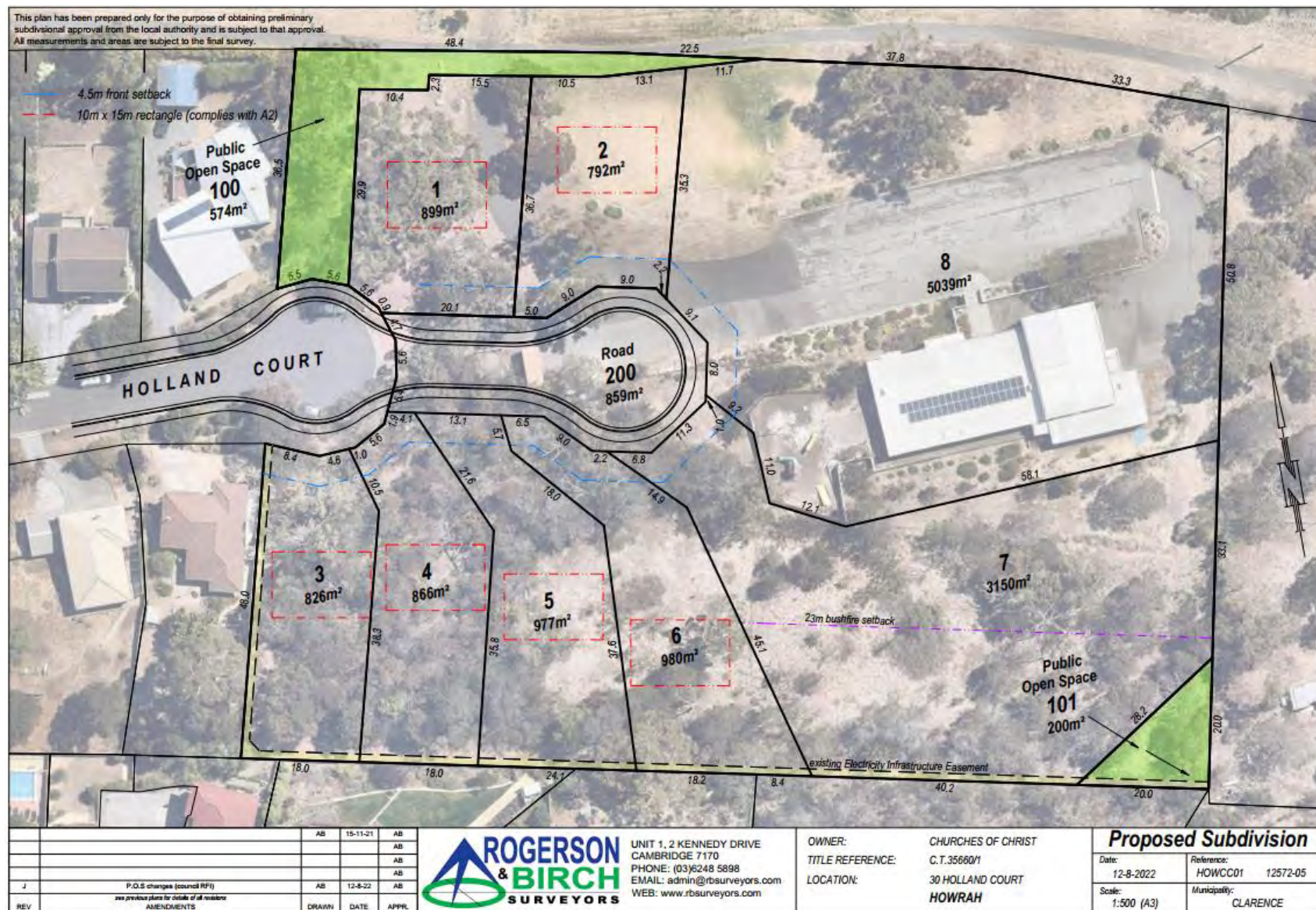


Figure 1: 30 Holland Court subdivision proposal

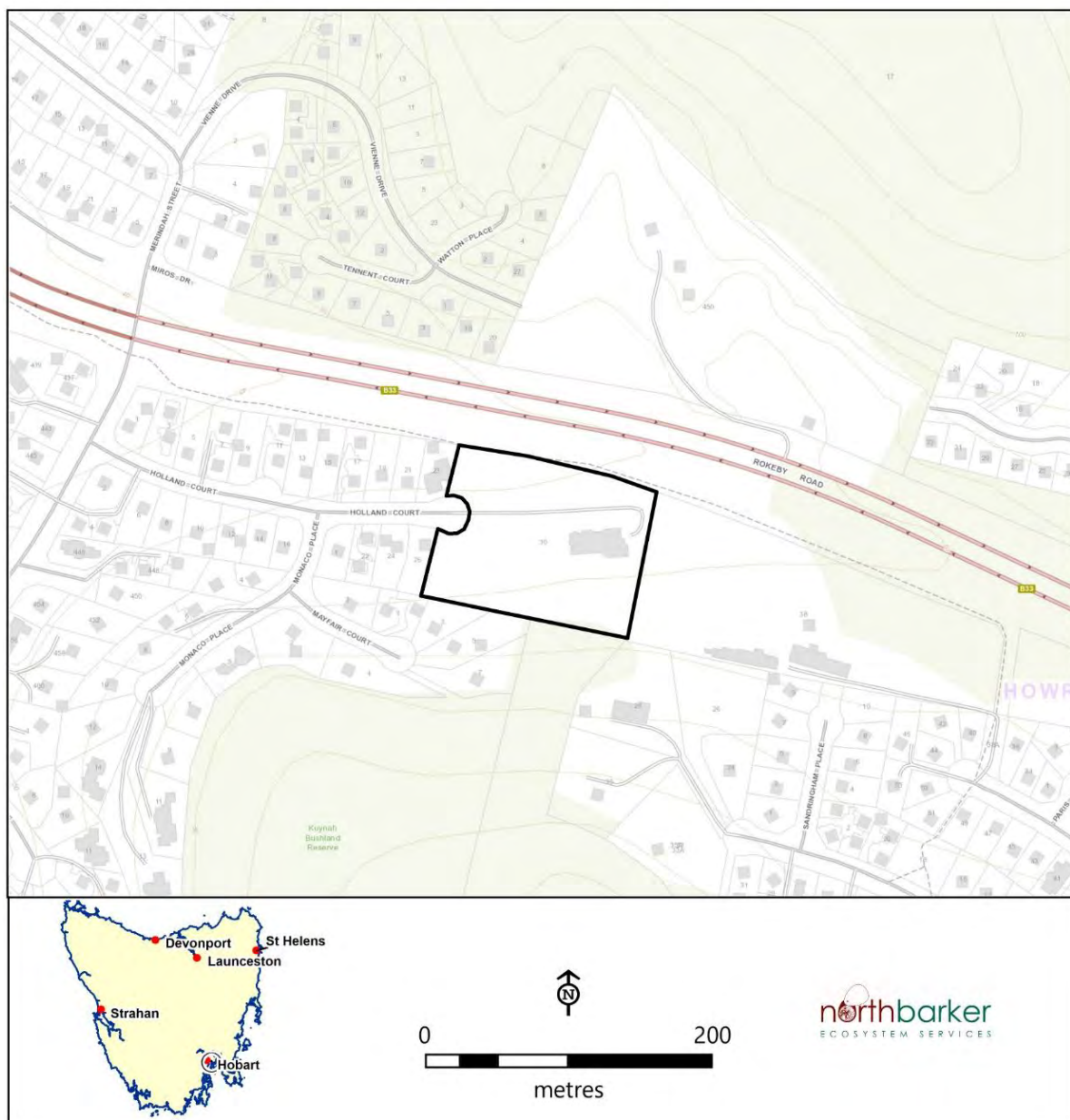


Figure 2: 30 Holland Court Location

2 METHODS

The following sources were used for biological records for the region:

- TASVEG version 4.0 digital layer²,
- Natural Values Atlas (NVA) - all threatened species records within 5 km of the study area and threatened fauna considered possible to occur in suitable habitat³,
- EPBCA Matters of National Environmental Significance database - a 5 km buffer was used to search for potential values⁴.

² DPIPWE (2020)

³ DPIPWE Natural Values Atlas Report (2020) report #: nvr_3_29-Jan-2020

⁴ Commonwealth of Australia, EPBC Protected Matters Search Tool Report (2020) report #: PMST_L297YT

2.1 Botanical Survey

This assessment was undertaken in accordance with the 'Guidelines for Natural Values Surveys – Terrestrial Development Proposals'⁵. The survey was conducted over 2 visits in May 2020.

Native vegetation is mapped in accordance with units defined in TASVEG 4⁶. Vascular plants were recorded in accordance with the current census of Tasmanian plants⁷. The site was mapped using a meandering area search technique⁸. Particular attention was given to habitats suitable for threatened species under the Tasmanian *Threatened Species Protection Act 1995* (TSPA) and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA), and to 'declared' weeds under the Tasmanian *Weed Management Act 1999* (WMA)⁹.

2.2 Fauna survey

The survey was carried out in accordance with DPIPWE's 'Guidelines for Natural Values Surveys – Terrestrial Development Proposals'¹⁰.

The study area was searched for the potential presence, habitat, and sign (e.g. scats, tracks, nests), threatened fauna concurrently with the botanical survey.

2.3 Limitations

Due to various limitations (e.g. variations in species presence and detectability), no biological survey can guarantee that all species will be recorded during a single visit. The field survey was undertaken in summer, so seasonal and ephemeral species/habitat may have been overlooked or are seasonally absent, including summer flowering species or winter ponds. However, we are confident the surveys sufficiently captured community level diversity. We compensate for survey limitations in part by considering all listed threatened species from data from the Tasmanian *Natural Values Atlas* (NVA) and Commonwealth's *EPBCA Protected Matters Search Tool* (MNES)¹¹. These data include records of all threatened species known to occur, or with the potential to occur, up to 5 km from the study area.

3 RESULTS - BIOLOGICAL VALUES

A full inventory of all vascular plant species recorded on site is included in Appendix A.

A total of 73 species were recorded including (39 native and 34 introduced).

3.1 Vegetation communities

TASVEGv4.0 identifies the vast majority of the site as non-native (FUR – Urban Areas) with *E. viminalis* grassy forest (DVG) just extending across the southern boundary.

Our assessment has identified a much more extensive area of DVG plus a small patch of *E. ovata* forest (DOV) (Figure 3).

DOV is listed as a threatened community under the Tasmanian *Nature Conservation Act 2002*.

The northern portion of the site supporting DOV has been maintained in a low fuel state (Plate 1). It retains the canopy but has a cleared understorey. The ground surface is predominantly

⁵ DPIPWE (2015)

⁶ Kitchener and Harris (2013)

⁷ de Salas and Baker (2019)

⁸ Goff *et al.* (1982)

⁹ Tasmanian State Government 1995; Commonwealth of Australia 1999; Tasmanian State Government 1999

¹⁰ DPIPWE (2015)

¹¹ DPIPWE Natural Values Atlas Report (2021) report #: nvr_2_9-March-2021

made up of grasses, native and exotic, with various prostrate native herbs persisting in the layer.

The southern DVG includes a denser secondary shrub layer and understorey although the latter is generally sparse due to shading from the shrubs, notably black wattle *Acacia mearnsii*, drooping sheoak *Allocasuarina verticillata* and hop bush *Dodonaea viscosa*. It also includes a range of native sedges, grasses and herbs.



Plate 1: POS - *Eucalyptus ovata* forest and swift parrot foraging habitat



Plate 2: Understorey of *E. viminalis* forest DVG - Lot 3



Plate 3: Cleared land with remnant *E. viminalis* – Lots 5 & 6

3.2 Threatened Plants

One species of threatened flora listed on the Tasmanian *Threatened Species Protection Act 1995* are present (Figure 3).

- Cut leaf new holland daisy *Vittadinia muelleri*

20 small plants are scattered over a small area close to the turning circle of the cul-de-sac. These are predominantly in Lot 1 although a small number may extend into the adjacent POS.

Vittadinia muelleri is not uncommon in Clarence. There are records of 15 separate observations within 500m of the study area and 158 within 5km. Some of these include very large numbers of plants measured in the thousands. The population at this site is not significant when considered in that context.

Twelve other species of threatened flora have been recorded within 500 m and over 40 within 5 km. These are reviewed in Appendix B. Of these all but nine are considered to have no likelihood of occurrence, due to habitat requirements being absent from site. Of those with low potential to occur the likelihood of their being overlooked or the site providing significant habitat for these species is extremely remote.

3.3 Threatened Fauna Habitat

There are nine black gums (*Eucalyptus ovata*) with trunk diameters (DBH) greater than 40 cm with the largest trees occurring in the large balance lot with DBH of 60 cm.

These provide a potential foraging resource for the endangered nectivorous swift parrot (*Lathamus discolor*). There are no trees supporting hollows likely to be utilised by this species for nesting.

Sixteen other species of threatened fauna have been recorded within 500 m and over 50 within 5 km. These are reviewed in Appendix C. Of these most are considered to have no likelihood of occurrence, due to habitat requirements being absent from site. Of those with low potential to occur the likelihood of their being overlooked or the site providing significant habitat for these species is extremely remote.

One other species is considered to have a moderate likelihood of occurrence. The eastern barred bandicoot *Perameles gunnii* favours the mixed complex of open grassy areas for foraging with vegetated shelter.

The eastern barred bandicoot is not listed under State legislation (TSPA). Its inclusion on the EPBC listing is due to its extreme rarity on mainland Australia where it has suffered predation to European foxes. Bandicoots are not uncommon in urban bushlands around Greater Hobart. Animals may stray onto the property and may also utilise cover in the upper slopes.

There are just two records from within 500 m, the last in 1985. The impact to this species resulting from the proposed subdivision is not significant.



Plate 4: Threatened flora *Vittadinia muelleri* on Lot 1

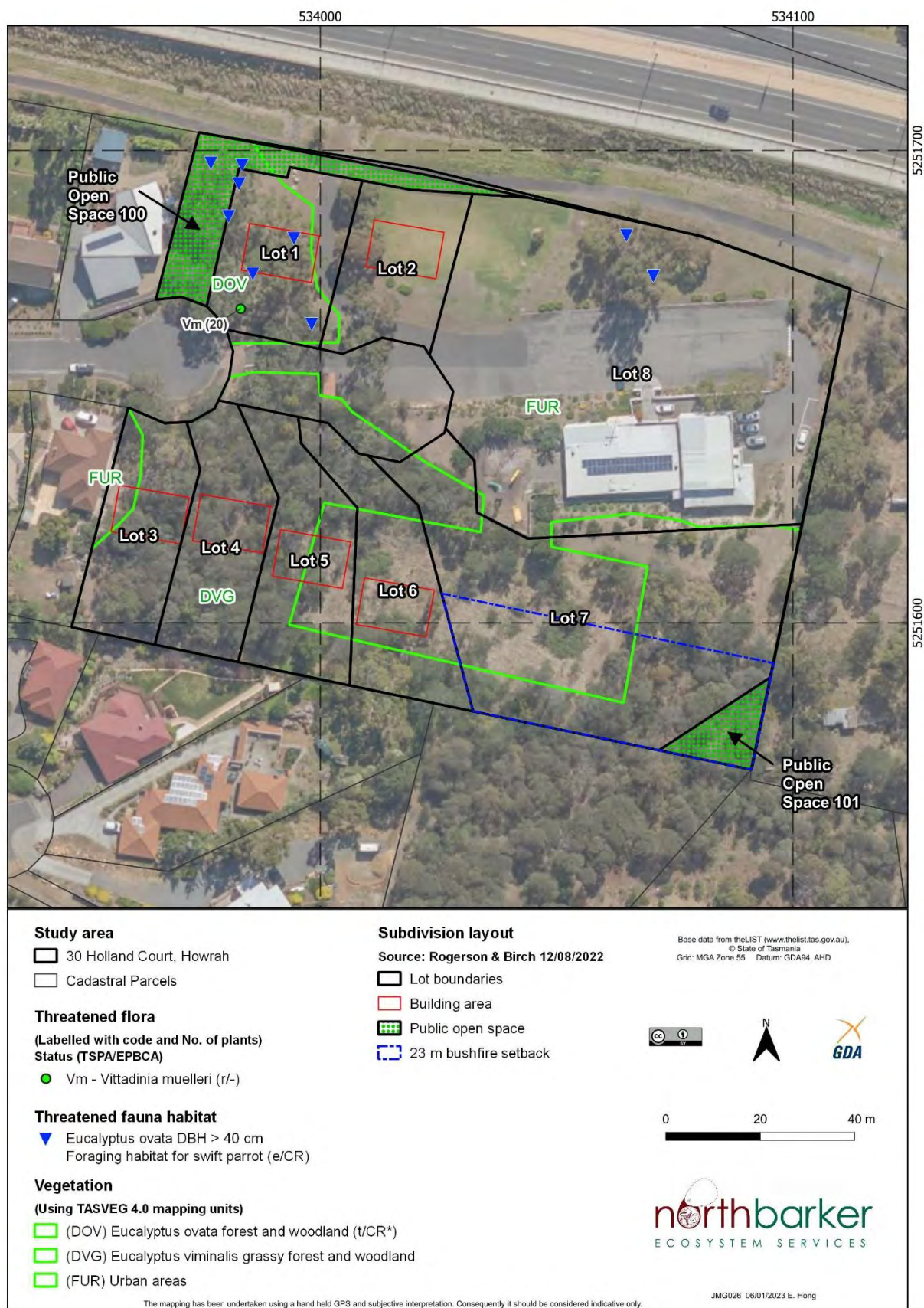


Figure 3: Natural Values

3.4 Declared weeds

Six species of declared weeds listed under the Tasmanian *Weed management Act 1999* were recorded (Figure 4).

- African boxthorn *Lycium ferocissimum*

Occasional plant in edge of cleared land in DVG.

- Boneseed *Chrysanthemoides monilifera*

Scattered in bushland site. Most plants are seedlings and young plants. There is likely to be a significant seed bank in disturbed sections.

- Blackberry *Rubus fruticosus* agg.

Several dense patches throughout

- Slender thistle *Carduus pycnocephalus*

Seedlings in disturbed areas in DVG including one extensive patch.

- Patersons curse *Echium plantagineum*

One very dense infestation in old garden area surrounded by DVG. This is the most significant weed infestation on site.

- White weed *Lepidium draba*

Localised to grassland in POS.

The statutory weed management plans for these species identify Clarence as Zone A for Patersons curse and white weed for which the principal management objective is 'eradication'. It is listed as a Zone B for all others where the objective is 'control'.



Plate 5: Zone A weed: Paterson curse plant



Plate 6: Zone A weed: Paterson curse infestation Lots 6 & 7



Plate 7: Zone A weed : white weed *Lepidium draba* POS



Plate 8: Zone B weed blackberry *Rubus fruticosus* agg.



Plate 9: Zone B weed slender thistle *Carduus pycnocephalus*



Plate 10: Zone B weed: boneseed *Chrysanthemoides monilifera*

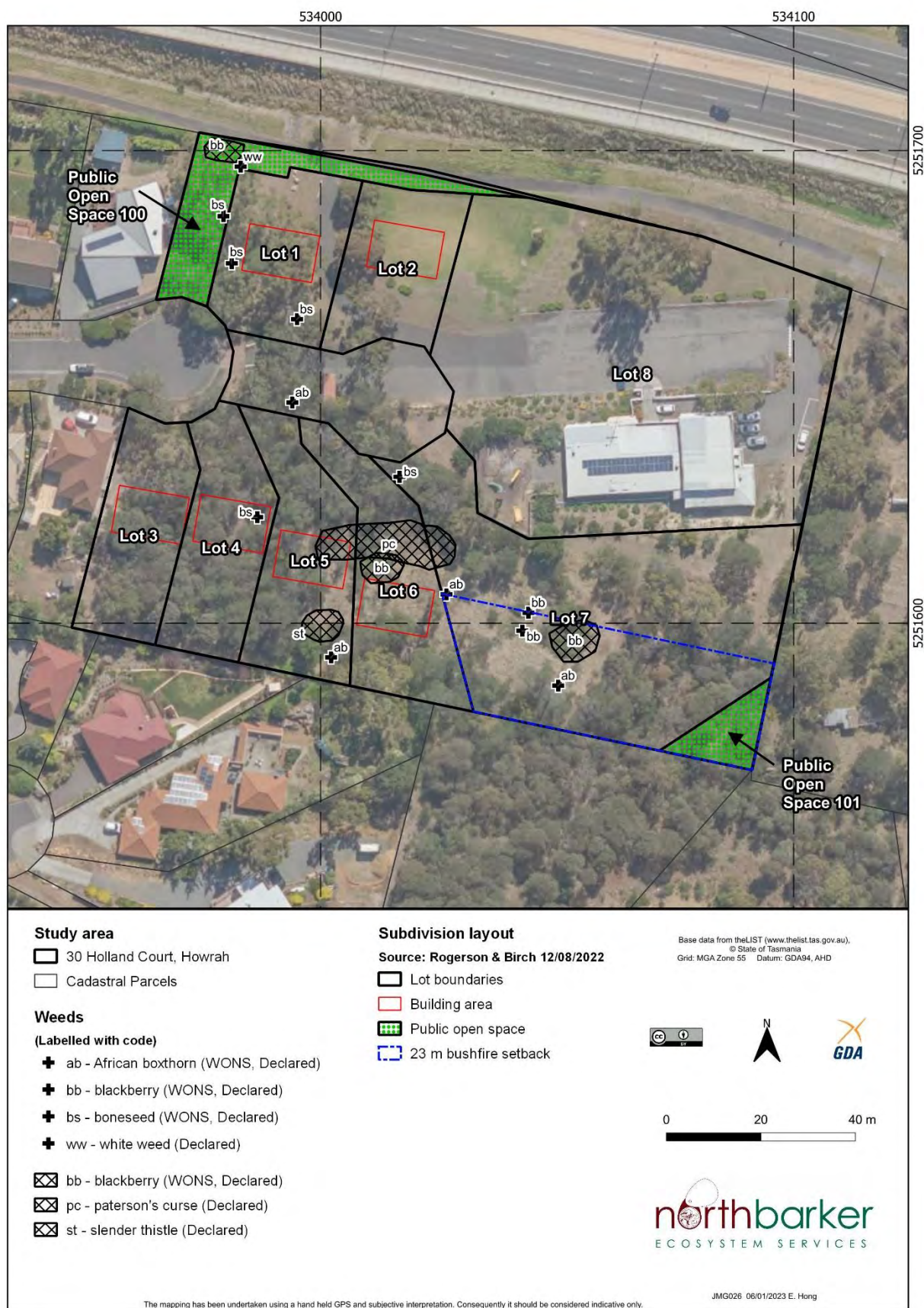


Figure 4: Weeds

4 IMPACT ASSESSMENT and MITIGATION

It is anticipated that the proposal will result in the loss of several habitat trees in Lot 1, although there may be opportunity to retain the trees close or on the boundary of the POS. Such an outcome is evident from the retention of occasional trees on residential lots to the west.

Limited potential for retention of vegetation is likely elsewhere other than large trees on Lot 8.

4.1 Vegetation communities

The high priority vegetation community *Eucalyptus ovata* forest (DOV) is confined to a small patch centred around Lot 1 and adjoining POS. This is highly modified through mowing of understorey but could potentially be retained in the POS.

The vegetation community in Lots 3-7 is not a priority vegetation. The *E. viminalis* grassy forest (DVG) is generally in moderate to poor condition. The central part of it was cleared and established as a vegetable garden resulting in the introduction of weeds that have spread into the surrounding bushland.

4.2 Threatened plants

One threatened plant species is present on Lot 1 where a localised patch of 20 or so plants of cut leaf new holland daisy (*Vittadinia muelleri*) were recorded. It should be expected that the persistence of these plants is very unlikely with anticipated intensification of use following the establishment of a residence and likely gardens.

4.3 Threatened fauna habitat

Black gums (*Eucalyptus ovata*) provide a potential foraging resource for the endangered swift parrot. There are seven *E. ovata* clustered in and around Lot 1. At least three are within the Lot are likely to be lost. One is in POS and three are on the boundary. These could be retained and ideally would be within the POS. The locations of these trees would need to be more accurately surveyed to determine which side of the boundary they occur. Two additional trees occur in the Balance (Lot 8) that need not be impacted.

4.4 Mitigation

There are limited opportunities to apply mitigation measures. Any trees within the POS can be retained subject to Council compliance. Controls could be placed through permit conditions or Part 5 Agreement to require retention of select habitat trees on Lots 1 and 8.

Any development approval would benefit from a weed management plan that:

- Treats all occurrences of declared weeds prior to works.
- Ensures best practice construction hygiene is practiced to prevent the spread of weed propagules in contaminated soil. This should involve cleaning all machinery before leaving the works area, as well as not bringing dirty machinery into the site.
- Follows up weed control implemented 6-12 months after works to treat any individuals that have colonised/recolonised the area.
- Includes provision to eradicate the **Paterson's curse** from Lots 5-7.

5 LEGISLATIVE REQUIREMENTS

5.1 Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*

The EPBCA is structured for self-assessment; the proponent must determine whether or not the project is likely to have a significant impact on a matter of national environmental significance (MNES) such as a listed threatened species or community. If this is likely then the Department

of Environment and Energy may consider the proposed activity is a 'controlled action' which would require approval from the Commonwealth Minister.

Habitat for one MNES - the critically endangered swift parrot will be impacted should any *E. ovata* trees be removed as is expected. However, the scale of loss is not likely to constitute a significant impact.

5.2 Tasmanian *Threatened Species Protection Act 1995*

A permit to take plants of the cut-leaf New Holland daisy (*Vittadinia muelleri*) from Lot 1 will be required. Considering the proximity to Holland Court there is potential risk of impact during civil works so the permit should be sought prior to the commencement of these activities.

5.3 Tasmanian *Nature Conservation Act 2002*

Threatened vegetation communities are listed under Schedule 3A on the NCA.

E. ovata forest (DOV) is listed as a threatened community.

The NCA does not regulate impacts to these communities but informs relevant criteria in the Natural Assets Code of the Tasmanian Planning Scheme (refer 5.5).

5.4 Tasmanian *Weed Management Act 1999*

Clarence is a Zone B municipality for four of the species of declared weed observed on site (blackberry, African boxthorn, slender thistle and boneseed). According to the provisions of the *Weed Management Act 1999*, Zone B municipalities are those which host widespread infestations where control and prevention of spread is the principle aim.

Clarence is Zone A for patersons curse and white weed for which the principle aim is eradication.

The *Clarence Weed Management Strategy*¹² provides a process and set of priorities for managing weeds throughout Clarence. This reflects the management priorities of the Weed Management Act. The Strategic Management objective 4 specifically relates to "strengthening assessment of weeds under the planning scheme" whereby permit conditions include measures to fund and implement weed management in alignment with the priorities of the Strategy.

¹² Clarence City Council 2016

5.5 Tasmanian Planning Scheme

The proposed rezoning has significant implications for the regulation of priority vegetation. Under the Tasmanian Planning Scheme the Natural Assets Code applies within the Community Purpose Zone for development. However for the General Residential Zone it only applies for subdivision (C7.2(c)xii).

It is therefore important to appreciate that the implications for future development need to be considered at the subdivision stage.

The application of the Natural Assets Code is severely constrained for 30 Holland Court by way that the priority vegetation overlay only covers small proportion of the property (Figure 4) completely missing the three types of priority vegetation that occur on the property.

A literal interpretation of the Natural Assets Code would therefore mean it does not apply to impacts to priority vegetation on the property thus failing to meet the Code Purpose. Considering the application is for a rezoning there would be good sense in having the overlay amended to capture all of the property to ensure it responds appropriately to the priority vegetation (threatened vegetation, threatened fauna habitat and threatened flora) that is present.

The following consideration of the Development Standards for Subdivision(C7.7) is based on the assumption that it is all within a priority vegetation area.

Natural C7.7.2 - Subdivision within a priority vegetation area

A1 – The Acceptable Solution - None of the criteria apply

P1.1 – Following rezoning to General residential clause (c) is met.

P1.2 Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to all of the following:

(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards.

(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;

(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;

Adverse impact to threatened vegetation (DOV) is partly minimised through provision of POS100 which captures xx sq m representing xx %. The greatest loss of threatened vegetation is a result of Lot 1

Adverse Impact to threatened flora is not minimised with a very likely loss of *V. muelleri* which is located within Lt 1 and possibly the road extension. NB the population is barely viable at this site.

Adverse impact to Threatened fauna habitat (black gums) is partially minimised by capturing at least 2 trees in POS.

To further minimise adverse impacts the POS100 would need to be extended into much of Lot 1.

(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;

Mitigation could be achieved through controls to retain *E. ovata* trees in Lot 1 on POS/Lot 1 boundary and on Lot 8.

Weed management across the site will reduce risk of weed spread associated with intensification of activities on site but also reduce the threat weed pose ot retained vegetation on site and also to vegetation on adjoining reserve to the south.

(e) any on-site biodiversity offsets.

Opportunities for biodiversity offsets on site are limited. Some limited on-site biodiversity offset could be achieved through the establishment of strict management controls that would ensure any priority vegetation within the POS is managed and protected.

(f) any existing cleared areas on the site.

The consideration of this clause is really only applicable when dealing with large lots where building envelopes could be located in areas already cleared allowing the retention of priority vegetation within the surrounding land. This is not applicable at the scale of lot sizes created by the subdivision.



Figure 5: Priority Vegetation

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Appendix A: Vascular Plant Species List

30 Holland Court, Howrah

Status codes:

ORIGIN

i - introduced

d - declared weed WM Act

en - endemic to Tasmania

t - within Australia, occurs only in Tas.

NATIONAL SCHEDULE

EPBC Act 1999

CR - critically endangered

EN - endangered

VU - vulnerable

STATE SCHEDULE

TSP Act 1995

e - endangered

v - vulnerable

r - rare

Sites:

1 DVG - E. viminalis dry forest - E533990, N5251620

2 DOV Eucalyptus ovata dry forest - E533980, N5251680

4/05/2020 Andrew J. North

11/05/2020 Andrew J. North

Site	Name	Common name	Status
DICOTYLEDONAE			
AIZOACEAE			
1	<i>Carpobrotus rossii</i>	native pigface	
1	<i>Mesembryanthemum cordifolium</i>	heartleaf iceplant	i
ASTERACEAE			
1	<i>Carduus pycnocephalus</i>	slender thistle	d
2	<i>Cassinia aculeata</i> subsp. <i>aculeata</i>	dollybush	
2	<i>Chrysanthemoides monilifera</i> subsp. <i>monilifera</i>	boneseed	d
2	<i>Chrysocephalum apiculatum</i>	common everlasting	
1	<i>Cirsium vulgare</i>	spear thistle	i
1 2	<i>Cotula australis</i>	southern buttons	
1 2	<i>Dimorphotheca fruticosa</i>	trailing daisy	i
1	<i>Leontodon saxatilis</i>	hairy hawkbit	i
2	<i>Senecio glomeratus</i>	shortfruit purple fireweed	
1	<i>Silybum marianum</i>	variegated thistle	i
1	<i>Sonchus asper</i>	prickly sowthistle	i
2	<i>Sonchus oleraceus</i>	common sowthistle	i
2	<i>Taraxacum officinale</i>	common dandelion	i
2	<i>Vittadinia muelleri</i>	narrowleaf new-holland-daisy	r
BORAGINACEAE			
1 2	<i>Cynoglossum suaveolens</i>	sweet houndstongue	
1	<i>Echium plantagineum</i>	patersons curse	d
BRASSICACEAE			
1	<i>Hirschfeldia incana</i>	hoary mustard	i
1	<i>Lepidium didymum</i>	lesser swinecress	i
2	<i>Lepidium draba</i>	hoary cress	d
2	<i>Lepidium pseudotasmanicum</i>	shade peppergrass	
CARYOPHYLLACEAE			
1	<i>Polycarpon tetraphyllum</i>	fourleaf allseed	i
1	<i>Stellaria media</i>	garden chickweed	i
CASUARINACEAE			
1 2	<i>Allocasuarina verticillata</i>	drooping sheoak	
CHENOPODIACEAE			
1 2	<i>Einadia nutans</i> subsp. <i>nutans</i>	climbing saltbush	
CRASSULACEAE			
1	<i>Crassula</i> sp.		i
ERICACEAE			
2	<i>Astroloma humifusum</i>	native cranberry	
1	<i>Lissanthe strigosa</i> subsp. <i>subulata</i>	peachberry heath	

EUPHORBIACEAE			
1	<i>Euphorbia peplus</i>	petty spurge	i
FABACEAE			
2	<i>Acacia howittii</i>	howitt's wattle	i
1 2	<i>Acacia mearnsii</i>	black wattle	
2	<i>Pultenaea pedunculata</i>	matted bushpea	
1	<i>Vicia tetrasperma</i>	smooth vetch	i
FUMARIACEAE			
1	<i>Fumaria sp.</i>	fumitory	i
GERANIACEAE			
1	<i>Erodium cicutarium</i>	common heronsbill	i
HEMEROCALLIDACEAE			
1 2	<i>Dianella revoluta</i>	spreading flaxlily	
LINACEAE			
2	<i>Linum marginale</i>	native flax	
MALVACEAE			
1	<i>Malva sp.</i>	mallow	i
MYRTACEAE			
1	<i>Eucalyptus amygdalina</i>	black peppermint	en
1 2	<i>Eucalyptus ovata var. ovata</i>	black gum	
1	<i>Eucalyptus viminalis subsp. viminalis</i>	white gum	
OXALIDACEAE			
1	<i>Oxalis perennans</i>	grassland woodsorrel	
PITTOSPORACEAE			
1	<i>Billardiera heterophylla</i>	bluebell creeper	i
1	<i>Bursaria spinosa subsp. spinosa</i>	prickly box	
2	<i>Pittosporum undulatum</i>	sweet pittosporum	i
1	<i>Pittosporum undulatum subsp. undulatum</i>	sweet pittosporum	i
PLANTAGINACEAE			
2	<i>Plantago lanceolata</i>	ribwort plantain	i
RHAMNACEAE			
1	<i>Pomaderris pilifera</i>	hairy dogwood	
ROSACEAE			
1 2	<i>Acaena echinata</i>	spiny sheeps burr	
1	<i>Rosa rubiginosa</i>	sweet briar	i
1 2	<i>Rubus fruticosus</i>	blackberry	d
RUBIACEAE			
2	<i>Galium gaudichaudii</i>	rough bedstraw	
SANTALACEAE			
1 2	<i>Exocarpos cupressiformis</i>	common native-cherry	
SAPINDACEAE			
1 2	<i>Dodonaea viscosa subsp. spatulata</i>	broadleaf hopbush	
SOLANACEAE			
1 2	<i>Lycium ferocissimum</i>	african boxthorn	d
1	<i>Solanum nigrum</i>	blackberry nightshade	i
URTICACEAE			
1	<i>Urtica incisa</i>	scrub nettle	
MONOCOTYLEDONAE			
ASPARAGACEAE			
1 2	<i>Lomandra longifolia</i>	sagg	

CYPERACEAE		
2	<i>Carex breviculmis</i>	shortstem sedge
1	<i>Lepidosperma curtisiae</i>	little sword sedge
JUNCACEAE		
1	<i>Juncus pallidus</i>	pale rush
POACEAE		
1	<i>Anthosachne scabra</i>	rough wheatgrass
2	<i>Austrostipa flavescens</i>	yellow speargrass
1	<i>Austrostipa mollis</i>	soft speargrass
1	<i>Austrostipa sp.</i>	speargrass
1	<i>Dactylis glomerata</i>	cocksfoot
1 2	<i>Ehrharta erecta</i>	panic veldtgrass
2	<i>Poa rodwayi</i>	velvet tussockgrass
2	<i>Rytidosperma caespitosum</i>	common wallabygrass
1	<i>Rytidosperma sp.</i>	wallabygrass
1	<i>Themeda triandra</i>	kangaroo grass

Appendix B: Flora species of conservation significance known to occur within a 5 km radius of the study area¹³

Species	Status TSPA / EPBCA ¹⁴	Potential to occur in study area	Observations and preferred habitat
Known from within 500 m			
<i>Asperula scoparia</i> subsp. <i>scoparia</i> prickly woodruff	Rare/ -	Low	<i>Asperula scoparia</i> subsp. <i>scoparia</i> is widespread in Tasmania and is mainly found in native grasslands and grassy forests, often on fertile substrates such as dolerite-derived soils. Forested sites are usually dominated by <i>Eucalyptus globulus</i> and <i>E. viminalis</i> (lower elevations) and <i>E. delegatensis</i> (higher elevations).
<i>Atriplex suberecta</i> sprawling saltbush	Vulnerable/ -	None	<i>Atriplex suberecta</i> occurs in a wide range of habitats on most soil types, including saline areas, but is most commonly found in disturbed areas.
<i>Austrostipa bigeniculata</i> doublejointed speargrass	Rare/ -	Low	<i>Austrostipa bigeniculata</i> is found mainly in the south-east and Midlands in open woodlands and grasslands on fertile soils, where it is often associated with <i>Austrostipa nodosa</i> .
<i>Austrostipa blackii</i> crested speargrass	Rare/ -	None	The habitat of <i>Austrostipa blackii</i> is poorly understood because of confusion with other species. In its "pure" form (i.e. long coma), <i>A. blackii</i> is a species of very near-coastal sites such as the margins of saline lagoons, creek outfalls and vegetated dunes. Further inland, where it seems to grade into other species, it occurs in open grassy woodlands.
<i>Bolboschoenus caldwellii</i> sea clubssedge	Rare/ -	None	<i>Bolboschoenus caldwellii</i> is widespread in shallow, standing, sometimes brackish water, rooted in heavy black mud.
<i>Caladenia filamentosa</i> daddy longlegs	Rare / -	None	<i>Caladenia filamentosa</i> occurs in lowland heathy and sedgy eucalypt forest and woodland on sandy soils and finer grained sediments such as mudstones.
<i>Dianella amoena</i> grassland flaxlily	Rare / ENDANGERED	None	<i>Dianella amoena</i> occurs mainly in the northern and southern Midlands, where it grows in native grasslands and grassy woodlands.
<i>Eucalyptus risdonii</i> risdon peppermint	Rare / -	None	<i>Eucalyptus risdonii</i> is restricted to the greater Hobart area (particularly the Meehan Range), with an outlying population at Mangalore and on South Arm. It occurs on mudstone, with an altitudinal range from near sea level to 150 m above sea level. It can occur as a dominant in low open forest with a sparse understorey on dry, insolated ridgelines and slopes (e.g. with a north-west aspect), and individuals can extend into other forest types typically dominated by <i>E. tenuiramis</i> or <i>E. amygdalina</i> (but occasionally by other species) on less exposed sites.

¹³ DPIPWE Natural Values Atlas Report (2021) report #: nvr_2_9-March-2021¹⁴ Tasmanian Threatened Species Protection Act 1995 and Commonwealth Environmental Protection and Biodiversity Conservation Act 1999

Species	Status TSPA / EPBCA ¹⁴	Potential to occur in study area	Observations and preferred habitat
<i>Scleranthus fasciculatus</i> spreading knawel	Vulnerable/ -	Low	<i>Scleranthus fasciculatus</i> is only recorded from a few locations in the Midlands and south-east. The vegetation at most of the sites is Poa grassland/grassy woodland. <i>Scleranthus fasciculatus</i> appears to need gaps between the tussock spaces for its survival and both fire and stock grazing maintain the openness it requires. Often found in areas protected from grazing such as in the shelter of fallen trees and branches.
<i>Senecio squarrosus</i> leafy fireweed	Rare / -	Low	<i>Senecio squarrosus</i> occurs in a wide variety of habitats. One form occurs predominantly in lowland damp tussock grasslands. The more widespread and common form occurs mainly in dry forests (often grassy) but extends to wet forests and other vegetation types.
<i>Sirophysalis trinodis</i> three-node seaweed	Rare / -	None	Marine environments
<i>Stenopetalum lineare</i> narrow threadpetal	Endangered/ -	None	The prime habitat for <i>Stenopetalum lineare</i> appears to be grass-covered low dunes but it also extends to scrub-covered dunes (coast wattle) and there is one inland site on a rocky outcrop in dry sclerophyll forest.
<i>Vittadinia muelleri</i> narrowleaf new-holland-daisy	Rare / -	Present	<i>Vittadinia muelleri</i> occurs in dry native grasslands and grassy woodlands particularly in open areas with lighter grass cover and patches of bare ground such as rock plates. It freely colonises disturbed sites such as roadside cuttings. It is widely dispersed through the Midlands and South East.
Known from within 5 km and not listed above			
<i>Acacia ulicifolia</i> Juniper wattle	Rare/-	None	<i>Acacia ulicifolia</i> is found in sandy coastal heaths and open heathy forest and woodland in the north and east of Tasmania. Populations are often sparsely distributed and most sites are near-coastal but it can occasionally extend inland (up to 30 km).
<i>Austroparmelina whinrayi</i> lichen	Rare / -	None	Foliose lichen known from very few sites in scrub and woodland dispersed around coastal Tasmania
<i>Caladenia caudata</i> tailed spider-orchid	Vulnerable/ VULNERABLE	Low	<i>Caladenia caudata</i> has highly variable habitat, which includes the central north: <i>Eucalyptus obliqua</i> heathy forest on low undulating hills; the north-east: <i>E. globulus</i> grassy/heathy coastal forest, <i>E. amygdalina</i> heathy woodland and forest, <i>Allocasuarina</i> woodland; and the south-east: <i>E. amygdalina</i> forest and woodland on sandstone, coastal <i>E. viminalis</i> forest on deep sands. Substrates vary from dolerite to sandstone to granite, with soils ranging from deep windblown sands, sands derived from sandstone and well-developed clay loams developed from dolerite. A high degree of insolation is typical of many sites
<i>Calocephalus citreus</i> lemon beautyheads	Rare / -	None	<i>Calocephalus citreus</i> inhabits disturbed dry grasslands and is found from a few locations in the south-east of the State.

Species	Status TSPA / EPBCA ¹⁴	Potential to occur in study area	Observations and preferred habitat
<i>Carex longebrachiata</i> drooping sedge	Rare / -	None	<i>Carex longebrachiata</i> grows along riverbanks, in rough grassland and pastures, in damp drainage depressions and on moist slopes amongst forest, often dominated by <i>Eucalyptus viminalis</i> , <i>E. ovata</i> or <i>E. rodwayi</i> .
<i>Comesperma defoliatum</i> leafless milkwort	Rare / -	None	The habitat of <i>Comesperma defoliatum</i> includes wet heathland/sedgeland, buttongrass moorland, coastal low scrub and on the crests of dunes. It has also been recorded from flat alkaline pans. The predominant substrates include peat, quartzite and sand.
<i>Cotula vulgaris</i> var. <i>australasica</i> slender buttons	Rare / -	None	<i>Cotula vulgaris</i> var. <i>australasica</i> habitat includes saline herbfields, rocky coastal outcrops, and wet or brackish swamps.
<i>Cuscuta tasmanica</i> golden dodder	Rare / -	None	<i>Cuscuta tasmanica</i> is known from saline areas and brackish marshes often, but not exclusively, on plants of <i>Wilsonia backhousei</i> (narrowleaf wilsonia).
<i>Damasonium minus</i> starfruit	Rare / -	None	<i>Damasonium minus</i> occupies swampy habitat and farm dams and prefers slow-flowing or stationary water.
<i>Eryngium ovium</i> blue devil	Vulnerable/ -	None	<i>Eryngium ovium</i> occurs in a range of lowland vegetation types most often on fertile heavy clay soils derived from dolerite. Vegetation types include open grasslands usually dominated by <i>Themeda triandra</i> (kangaroo grass), grassy forests and woodlands on slopes, ridges and broad flats, and also roadside verges (representing remnant populations).
<i>Eucalyptus morrisbyi</i> morrisbys gum	Endangered/ ENDANGERED	None	<i>Eucalyptus morrisbyi</i> occurs in coastal, dry sclerophyll woodland on gentle to hilly slopes with poor drainage. It tends to be restricted to gullies that offer some relief in this drought-prone, low rainfall area. It is associated with poor soils. The Calverts Hill subpopulation and associated remnant stands occurring on recent sands overlying dolerite and the Risdon subpopulation on Permian mudstone.
<i>Eutaxia microphylla</i> spiny bushpea	Rare / -	None	On Flinders Island, <i>Eutaxia microphylla</i> mainly occurs in windswept coastal heathland on calcarenite. On mainland Tasmania, the species usually occurs in low open coastal shrubbery and on cliff edges (various substrates). The local record is of a historic collection – 1931 from Cambridge
<i>Haloragis heterophylla</i> variable raspwort	Rare / -	Low	<i>Haloragis heterophylla</i> occurs in poorly-drained sites (sometimes only marginally so), which are often associated with grasslands and grassy woodlands with a high component of <i>Themeda triandra</i> (kangaroo grass). It also occurs in grassy/sedgy <i>Eucalyptus ovata</i> forest and woodland, shrubby creek lines, and broad sedgy/grassy flats, wet pasture and margins of farm dams.
<i>Hyalosperma demissum</i> moss sunray	Endangered/ -	None	<i>Hyalosperma demissum</i> grows on rock pavements or shallow sandy soils in some of Tasmania's driest regions, and also in scalded patches in <i>Eucalyptus amygdalina</i> heathy/grassy woodland. The underlying substrate is mostly Jurassic dolerite, with occasional occurrences on

Species	Status TSPA / EPBCA ¹⁴	Potential to occur in study area	Observations and preferred habitat
			Triassic sandstone and also Cainozoic sediments with a laterite lag. The elevation range of recorded sites in Tasmania is 30-470 m above sea level, with an annual rainfall range of less than 600 mm.
<i>Isolepis stellata</i> star clubsedge	Rare / -	None	<i>Isolepis stellata</i> has been recorded from near-coastal areas in the State's north and east, and also in the Northern Midlands near Conara. Habitat includes the margins of sedgy wetlands, wet soaks and seasonally inundated heathy sedgeland; the altitude of recorded sites in Tasmania ranges from close to sea level to elevations of 240 m above sea level.
<i>Lachnagrostis robusta</i> tall blowgrass	Rare / -	None	<i>Lachnagrostis robusta</i> occurs in saline situations such as the margins of coastal and inland saline lagoons.
<i>Lepidium hyssopifolium</i> soft peppergrass	Endangered/ ENDANGERED	Low	The native habitat of <i>Lepidium hyssopifolium</i> is the growth suppression zone beneath large trees in grassy woodlands and grasslands (e.g. over-mature black wattles and isolated eucalypts in rough pasture). <i>Lepidium hyssopifolium</i> is now found primarily under large exotic trees on roadsides and home yards on farms. It occurs in the eastern part of Tasmania between sea-level to 500 metres above sea level in dry, warm and fertile areas on flat ground on weakly acid to alkaline soils derived from a range of rock types. It can also occur on frequently slashed grassy/weedy roadside verges where shade trees are absent.
<i>Lepilaena patentifolia</i> spreading watermat	Rare / -	None	<i>Lepilaena patentifolia</i> occurs in coastal lagoons, creeks, inlets and estuaries and brackish inland lagoons.
<i>Lepilaena preissii</i> slender watermat	Rare / -	None	<i>Lepilaena preissii</i> occurs in fresh and brackish lagoons, and estuaries.
<i>Limonium australe</i> var. <i>australe</i> yellow sea-lavender	Rare / -	None	<i>Limonium australe</i> var. <i>australe</i> occurs in succulent or graminoid saltmarsh close to the high water mark, typically near small brackish streams.
<i>Lobelia pratioides</i> poison lobelia	Vulnerable/ -	None	<i>Lobelia pratioides</i> occurs in seasonally inundated to waterlogged soils at the margins of swamps, wetlands and drainage lines, and also in damp depressions within grassland and grassy woodland.
<i>Olearia hookeri</i> crimsontip daisybush	Rare / -	None	<i>Olearia hookeri</i> is found on dry hills around Hobart in the State's south and also along the central east coast. It grows within eucalypt woodlands with a mixed grassy-shrubby understorey, favouring north-north-westerly slopes on mudstone (except for an atypical occurrence on dolerite at Templestowe flats near Seymour). In the south of the State the habitat is dominated by <i>Eucalyptus amygdalina</i> , <i>Eucalyptus risdonii</i> or <i>Eucalyptus tenuiramis</i> ; in the central east near Mt Peter the habitat is dominated by <i>Eucalyptus sieberi</i> over a very sparse understorey.

Species	Status TSPA / EPBCA ¹⁴	Potential to occur in study area	Observations and preferred habitat
<i>Poa mollis</i> soft tussockgrass	Rare / -	None	<i>Poa mollis</i> is relatively widespread in the eastern half of the State, in dry sclerophyll forest and woodland (often dominated by <i>Eucalyptus amygdalina</i> , <i>E. viminalis</i> or <i>Allocasuarina verticillata</i>). Sites are often steep and rocky (e.g. Cataract Gorge).
<i>Pterostylis wapstrarum</i> fleshy greenhood	Endangered/ CRITICALLY ENDANGERED	None	<i>Pterostylis wapstrarum</i> is restricted to the Midlands and south-east of Tasmania where it occurs in native grassland and possibly grassy woodland. It has been reported from basalt soils.
<i>Ranunculus pumilio</i> var. <i>pumilio</i> ferny buttercup	Rare / -	None	<i>Ranunculus pumilio</i> var. <i>pumilio</i> occurs mostly in wet places (e.g. broad floodplains of permanent creeks, "wet pastures") from sea level to altitudes of 800-900 m above sea level.
<i>Ruppia megacarpa</i> largefruit seatassel	Rare / -	None	<i>Ruppia megacarpa</i> occurs in estuaries and lagoons along the east and south-east coasts, and brackish lagoons in the Midlands; there is also an historic record from the Tamar estuary in the States' north.
<i>Ruppia tuberosa</i> tuberous seatassel	Rare / -	None	<i>Ruppia tuberosa</i> has been recorded from the State's south-east at Ralphs Bay and Blackman Bay, where it grows in holes and channels in saltmarshes.
<i>Scleranthus diander</i> tufted knawel	Vulnerable/ -	None	<i>Scleranthus diander</i> is found from the Central Midlands area to Hobart with most of the records from the Ross and Tunbridge areas. This species inhabits grassy woodland and is associated with dolerite and basalt substrates. Local record is dubious - unsubstantiated observation from Mt Rumney
<i>Stuckenia pectinata</i> fennel pondweed	Rare / -	None	<i>Stuckenia pectinata</i> is found in fresh to brackish/saline waters in rivers, estuaries and inland lakes. It forms dense stands or mats, particularly in slow-flowing or static water. The species grows in water of various depth.
<i>Teucrium corymbosum</i> forest germander	Rare / -	Low	<i>Teucrium corymbosum</i> occurs in a wide range of habitats from rocky steep slopes in dry sclerophyll forest and <i>Allocasuarina</i> (sheoak) woodland, riparian flats and forest.
<i>Thelymitra bracteata</i> leafy sun-orchid	Endangered/ -	None	<i>Thelymitra bracteata</i> occurs in open grassy and heathy forest/woodland on mudstone and sandstone. At Rosny Hill site, <i>Thelymitra bracteata</i> is most abundant on the top of the hill on open ground with dense exotic grasses and sparse in a remnant patch of native grass close to <i>Allocasuarina verticillata</i> woodland. At Conningham, the species occurs in a canopy gap created by a rough track amongst heathy <i>Eucalyptus amygdalina</i> forest on Triassic sandstone.
<i>Triglochin minutissima</i> tiny arrowgrass	Rare / -	None	<i>Triglochin minutissima</i> inhabits fresh or brackish mudflats or margins of swamps in lowland, mostly coastal areas.
<i>Velleia paradoxa</i> spur velleia	Vulnerable/ -	Low	<i>Velleia paradoxa</i> is known from the Hobart and Launceston areas, and the Midlands and the Derwent Valley, where it occurs in grassy woodlands or grasslands on dry sites. It has been recorded up to 550 m above sea level at sites with an annual rainfall range of 450-750 mm.

Species	Status TSPA / EPBCA ¹⁴	Potential to occur in study area	Observations and preferred habitat
<i>Vittadinia cuneata</i> var. <i>cuneata</i> fuzzy new-holland-daisy	Rare / -	Low	<i>Vittadinia cuneata</i> var. <i>cuneata</i> occurs in native grassland and grassy woodland on fertile soils, typically overlying basalt. It is confined to the Derwent Valley, Central Midlands and central East Coast on areas of lowest rainfall in Tasmania.
<i>Vittadinia gracilis</i> woolly new-holland-daisy	Rare / -	Low	<i>Vittadinia gracilis</i> occurs in dry grassy habitats, often in relatively degraded grasslands and grassy woodlands. It has been found to occur in low- rainfall areas, on a range of substrates.
<i>Wilsonia rotundifolia</i> roundleaf wilsonia	Rare / -	None	<i>Wilsonia rotundifolia</i> is found in coastal and inland saltmarshes in the eastern part of the State.
<i>Xerochrysum palustre</i> swamp everlasting	- (v pending)/ VULNERABLE	None	<i>Xerochrysum palustre</i> has a scattered distribution with populations in the north-east, east coast, Central Highlands and Midlands, all below about 700 m elevation. It occurs in wetlands, grassy to sedgy wet heathlands and extends to associated heathy <i>Eucalyptus ovata</i> woodlands. Sites are usually inundated for part of the year.

Appendix C: Fauna species of conservation significance previously recorded, or which may potentially occur, within 5 km of the study area¹⁵

Species	Status ¹⁶ TSPA/EPBCA	Potential to occur in study area	Observations and preferred habitat ¹⁷
Known from 500 m			
MAMMALS			
<i>Eubalaena australis</i> Southern right whale	Endangered/ ENDANGERED	None	Marine species
<i>Megaptera novaeangliae</i> Humpback whale	Endangered/ VULNERABLE	None	Marine species
<i>Mirounga leonina subsp. Macquariensis</i> Southern elephant seal	Endangered/ VULNERABLE	None	Marine species
<i>Perameles gunnii gunnii</i> Eastern-barred bandicoot	-/VULNERABLE	Moderate	Inhabits grassy woodlands, native grasslands, and mosaics of pasture and shrubby ground cover favouring open grassy areas for foraging with thick vegetation cover for shelter and nesting. It has a widely dispersed range with concentrations in SE, NE and NW Tasmania and some areas of the State from where it is absent or in very low densities. It extends into the urban fringe where it can survive in large gardens and bushland reserves. It favours a mosaic of open grassy areas for foraging and thick vegetation cover for shelter and nesting.
<i>Pteropus poliocephalus</i> Grey-headed flying-fox	-/VULNERABLE	None	Vagrant
BIRDS			
<i>Accipiter novaehollandiae</i> Grey goshawk	Endangered/ -	Low	Inhabits large tracts of wet forest and swamp forest, particularly patches with closed canopies above an open understorey, but with dense stands of prey habitat nearby. Mature trees provide the best nesting sites. Most nests have been recorded from blackwoods and occasional myrtle beech.
<i>Aquila audax fleayi</i> Wedge-tailed eagle	Endangered/ ENDANGERED	Low	Wedge-tailed eagles nest in a range of old growth native forests and the species is dependent on forest for nesting. Territories can contain up to five alternate nests usually close to each other but

¹⁵ DPIPWE Natural Values Atlas Report (2021) report #: nvr_2_9-March-2021

¹⁶ Tasmanian *Threatened Species Protection Act 1995* and Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999*, which includes ROKAMBA, JAMBA, CAMBA and Migratory species.

¹⁷ Bryant & Jackson 1999

Species	Status ¹⁶ TSPA/EPBCA	Potential to occur in study area	Observations and preferred habitat ¹⁷
			may be up to 1 km apart where habitat is locally restricted. Wedge-tailed eagles prey and scavenge on a wide variety of fauna including fish, reptiles, birds and mammals.
<i>Haliaeetus leucogaster</i> White-bellied Sea Eagle	Vulnerable/-	Low	Requires large trees for nesting and is sensitive to disturbance during the breeding season. Occurs in coastal habitats and large inland waterways.
<i>Lathamus discolor</i> Swift parrot	Endangered/ CRITICALLY ENDANGERED	Moderate	The Swift Parrot spends its winter in south-eastern mainland Australian before migrating to Tasmania in late winter/early spring to breed. During the breeding season, nectar from Tasmanian blue gum (<i>Eucalyptus globulus</i>) and black gum (<i>Eucalyptus ovata</i>) flowers is the primary food source for the species. These eucalypts are patchily distributed and their flowering patterns are erratic and unpredictable, often leading to only a small proportion of Swift Parrot habitat being available for breeding in any one year. Swift Parrots breed in tree hollows in mature eucalypts within foraging range of a flower source.
<i>Podiceps cristatus</i> Great crested grebe	Vulnerable/-	None	The Great Crested Grebe inhabits wetlands, deep lakes, rivers and swamps and prefers a combination of open water and dense reedbeds. This species is relatively rare in Tasmania but can have minor irruptions and periods of regular sightings in some areas.
<i>Thinornis rubricollis</i> Hooded Plover	-/VULNERABLE	None	Widely distributed in Tasmania. Inhabits sandy ocean beaches. Nests on or near beaches, with nests located on flat beaches above the high tide mark, on stony terraces adjacent to beaches, or on the sides of sparsely vegetated dunes.
<i>Tyto novaehollandiae</i> Tasmanian masked owl	Endangered/ VULNERABLE	None	Found in a range of habitats which contain some mature hollow-bearing forest, usually below 600 m altitude. This includes native forests and woodlands as well as agricultural areas with a mosaic of native vegetation and pasture. Significant habitat is limited to large eucalypts within dry eucalypt forest in the core range.
AMPHIBIAN			
<i>Litoria raniformis</i> Green and gold frog	Vulnerable/ VULNERABLE	None	In Tasmania is found in lowland areas, primarily coastal. They require permanent or temporary water bodies for survival and tend to inhabit ones containing emergent plants such as <i>Triglochin procera</i> or species of <i>Juncus</i> or sedge. They are rarely seen in open water and spend most of their time in vegetation at the water's edges. They depend upon permanent fresh water for breeding, which occurs in Spring and Summer. The green and gold frog is not known to occur in the very low fertility habitats to be found in wetlands associated with the western moorland of quartzite derivation. They generally prefer more fertile habitats
REPTILE			
<i>Caretta caretta</i> Loggerhead turtle	Endangered/ ENDANGERED	None	Marine species.
FISH			

Species	Status ¹⁶ TSPA/EPBCA	Potential to occur in study area	Observations and preferred habitat ¹⁷
<i>Brachionichtys hirsustus</i> Spotted handfish	Endangered/ CRITICALLY ENDANGERED	None	The Spotted Handfish is found in parts of the Derwent Estuary, as well as Frederick Henry, Ralphs and North West Bays. They occur in a limited number of colonies on soft substrates often in shallow depressions or near rocks or other projections. Found at depths of 2 to 30 m. Spawning from Sep-Oct.
<i>Seriolella brama</i> Blue Warehou	-/Conservation Dependent	None	Known from Australian and New Zealand Waters. Occurs at depths between 3 and 550 m, though is more abundant in waters shallower than 200 m.
GASTROPOD			
<i>Gazameda gunnii</i> Gunn's Screwshell	Vulnerable/-	None	Lives subtidally and offshore on sand. Widespread in Tasmanian waters but only locally common as a beached shell.
Potential to occur based on habitat mapping only			
MAMMALS			
<i>Dasyurus maculatus maculatus</i> Spotted-tailed quoll	Rare /VULNERABLE	Very low	This naturally rare forest-dweller most commonly inhabits rainforest, wet forest and blackwood swamp forest. It forages and hunts on farmland and pasture, travelling up to 20 km at night, and shelters in logs, rocks or thick vegetation. Important habitat includes large patches of forest containing adequate denning sites and high densities of mammalian prey.
<i>Dasyurus viverrinus</i> Eastern quoll	-/ENDANGERED	Very low	This species was previously widespread in mainland south-eastern Australia, but is now restricted to Tasmania. Records from the Tasmanian Natural Values Atlas indicate that the eastern quoll occurs in most parts of Tasmania, but is recorded infrequently in the wetter western third of the state. The species' distribution is positively associated with areas of low rainfall and cold winter minimum temperatures. Within this distribution, it is found in a range of vegetation types including open grassland (including farmland), tussock grassland, grassy woodland, dry eucalypt forest, coastal scrub and alpine heathland, but is typically absent from large tracts of wet eucalypt forest and rainforest.
<i>Sarcophilus harissii</i> Tasmanian devil	Endangered/ ENDANGERED	Very low	The Tasmanian devil occupies a wide range of habitats across Tasmania and exploits landscapes with a mosaic of pasture and forest with elevated prey densities and is attracted to roadkill hotspots with concentrated scavenging resource. Populations have declined substantially since the first observations of the infectious cancer Devil Facial Tumour Disease (DFTD). DFTD has now spread across much of Tasmania. The reduced population is also likely to be more sensitive to additional threats such as death by roadkill, competition with cats and foxes, and loss or disturbance of areas surrounding traditional dens where young are raised. The protection of breeding opportunities is particularly important for the species due to the mortalities from demographic pressures.
BIRDS			
<i>Pardalotus quadragintus</i> Forty-spotted pardalote	Endangered/ ENDANGERED	Very low	The forty-spotted pardalote is endemic to Tasmania and occurs in only a few small areas within the State. It is relatively restricted to dry grassy forest and woodland along the east coast containing

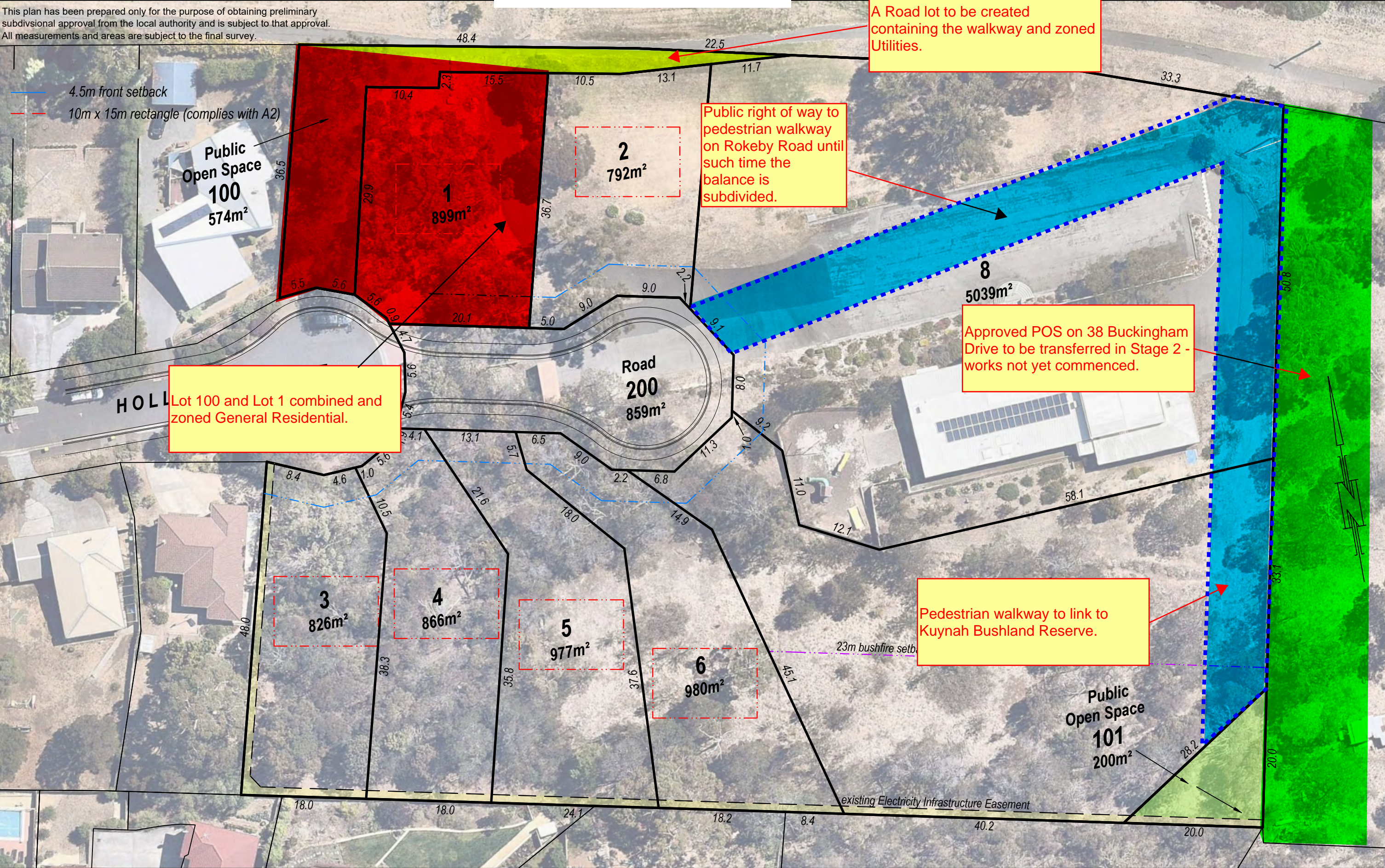
Species	Status ¹⁶ TSPA/EPBCA	Potential to occur in study area	Observations and preferred habitat ¹⁷
			mature white gum (<i>Eucalyptus viminalis</i>). [1] Cooper and Clemens et al. (2012); Reid and Park (2003)
REPTILES			
<i>Pseudemonia pagenstecheri</i> Tussock skink	Vulnerable/-	None	A ground-dwelling lizard, occurring in grassland and grassy woodland habitats at a range of elevations. Records in Tasmania a few disconnected patches of habitat from Midlands, inland Cradle Coast, and eastern Bass Strait islands.
FISH			
<i>Prototroctes maraena</i> Australian Grayling	Vulnerable/ VULNERABLE	None	In Tasmania, the diadromous Australian Grayling has been found in northern, eastern, and western rivers. Little is known of the population size. The major threat to the species is the construction of barriers than prevent adult fish moving upstream and juveniles downstream.
INVERTEBRATES			
<i>Antipodia chaostola</i> Chaostola skipper	Endangered/ ENDANGERED	None	The Chaostola skipper is restricted to dry forest and woodland supporting sedges of the <i>Gahnia</i> genus, and occurs in isolated populations in south-eastern and eastern Tasmania
<i>Chrysolarentia decisaria</i> Tunbridge looper moth	Endangered/-	None	Saltmarsh species
Known from 5 km			
MAMMALS			
<i>Arctocephalus forsteri</i> Long-nosed fur seal	Rare /-	None	Marine species
<i>Arctocephalus tropicalis</i> Subantarctic Fur Seal	Endangered/ VULNERABLE	None	Marine species
BIRDS			
<i>Botaurus poiciloptilus</i> Australasian bittern	-/ENDANGERED	None	Australasian bitterns are a highly cryptic species, utilising wetlands and lakes with a dense cover of vegetation. Whilst once common on Tasmania's north/east coasts, the numbers of Australasian bitterns in the state during the last two decades have declined significantly in both their range and numbers due to habitat loss and extended periods of dryness
<i>Calidris canutus</i> Red knot	-/ENDANGERED	None	Coastal species
<i>Calidris ferruginea</i> Curlew sandpiper	-/CRITICALLY ENDANGERED	None	The curlew sandpiper was once a common visitor to Tasmania, but their numbers have declined significantly since the 1950's. It frequents intertidal mudflats in sheltered coastal areas, with the most important sites for them in Tasmanian centred on the north and east coast of Tasmania. However, they are also occasionally recorded inland, along the open edges of ephemeral and permanent lakes and other water bodies.

Species	Status ¹⁶ TSPA/EPBCA	Potential to occur in study area	Observations and preferred habitat ¹⁷
<i>Charadrius leschenaultia</i> Greater sand plover	-/VULNERABLE	None	Coastal species
<i>Hirundapus caudacutus</i> White-throated needletail	-/VULNERABLE	None	The white-throated needletail is a migratory species, breeding in central and north-eastern Asia in Siberia, Mongolia, northern-eastern China and northern Japan. It migrates south through eastern China, Korea and Japan spending its non-breeding season in eastern and south-eastern Australia including Tasmania. This species is almost exclusively aerial, occurring over most types of habitat with a preference to wooded areas, open forests, heathland and rainforests.
<i>Limosa lapponica</i> subsp. <i>Baueri</i> Western Alaskan bar- tailed godwit	-/VULNERABLE	None	Coastal species
<i>Numenius madagascariensis</i> Eastern curlew	Endangered/ CRITICALLY ENDANGERED	None	Much like the curlew sandpiper, the eastern curlew was once a common visitor to Tasmania, but their numbers have declined significantly since the 1950's. It frequents intertidal mudflats in sheltered coastal areas, with the most important sites for them in Tasmanian centred on the north and east coast of Tasmania. However, they are also occasionally recorded inland, along the open edges of ephemeral and permanent lakes and other water bodies.
<i>Pterodroma lessonii</i> White-headed Petrel	Vulnerable/-	None	The White-headed petrel breeds in colonies on subantarctic islands including Australia's Macquarie Island. They are a pelagic species foraging between the subantarctic and Antarctic convergence zones. At sea this species is mostly solitary.
<i>Sterna nereis nereis</i> Fairy Tern	Vulnerable/ VULNERABLE	None	The fairy tern nests on sheltered sandy beaches, spits and banks above the high tide line and below vegetation. It has been found in a variety of habitats including offshore, estuarine or lacustrine (lake) islands, wetlands and coastlines. The bird roosts on beaches at night.
<i>Tyto novaehollandiae castanops</i> Tasmanian masked owl	Endangered/ VULNERABLE	Very low	Found in a range of habitats which contain some mature hollow-bearing forest, usually below 600 m altitude. This includes native forests and woodlands as well as agricultural areas with a mosaic of native vegetation and pasture. Significant habitat is limited to large eucalypts within dry eucalypt forest in the core range.
REPTILE			
<i>Pseudemonia pagenstecheri</i> Tussock skink	Vulnerable/-	None	A ground-dwelling lizard, occurring in grassland and grassy woodland habitats at a range of elevations. Records in Tasmania a few disconnected patches of habitat from Midlands, inland Cradle Coast, and eastern Bass Strait islands.
AMPHIBIAN			
<i>Litoria raniformis</i> Green and gold frog	Vulnerable/ VULNERABLE	None	In Tasmania is found in lowland areas, primarily coastal. They require permanent or temporary water bodies for survival and tend to inhabit ones containing emergent plants such as <i>Triglochin procera</i> or species of <i>Juncus</i> or sedge. They are rarely seen in open water and spend most of their time in vegetation at the water's edges. They depend upon permanent fresh water for breeding,

Species	Status ¹⁶ TSPA/EPBCA	Potential to occur in study area	Observations and preferred habitat ¹⁷
			which occurs in Spring and Summer. The green and gold frog is not known to occur in the very low fertility habitats to be found in wetlands associated with the western moorland of quartzite derivation. They generally prefer more fertile habitats
INVERTEBRATES			
<i>Amelora acoustica</i> Chevron looper moth	Vulnerable/-	None	Obligate saltmarsh species
<i>Dasybela achroa</i> Saltmarsh looper moth	Vulnerable/-	None	Obligate saltmarsh species
<i>Parvulastra vivipara</i> Live-bearing seastar	Vulnerable / VULNERABLE	None	Confined to rocky substrates on the upper littoral zone on low energy shores in south east Tasmania. Range from just below the highwater mark to 1.2m at high water. Recorded under both dolerite and sandstone rocks on gently sloping shores.
<i>Theclinesthes serpentata</i> subsp. <i>lavara</i> Chequered Blue	Rare/-	None	Coastal environments with larval foodplant coastal saltbush – <i>Rhagodia candolleana</i> and species of <i>Atriplex</i> .
Potential to occur in 5km based on habitat mapping only			
MAMMAL			
BIRD			
<i>Ceyx azures diemenensis</i> Tasmanian azure kingfisher	Endangered/ ENDANGERED	None	The azure kingfisher is found along rivers in the south, west, north and northwest of Tasmania with outlying occurrences in the northeast, east, centre and Bass Strait islands. This species occurs in the forested margins of major river systems where it perches on branches overhanging rivers waiting for prey items such as small fish, insects and freshwater crayfish to come down the river.
FISH			
<i>Thymichthys politus</i> Red Handfish	Endangered/ CRITICALLY ENDANGERED	None	
INVERTEBRATES			
<i>Antipodia chaostola</i> subsp. <i>Leucophaea</i> Chaostola skipper	Endangered/ ENDANGERED	None	The Chaostola skipper is restricted to dry forest and woodland supporting sedges of the <i>Gahnia</i> genus, and occurs in isolated populations in south-eastern and eastern Tasmania
<i>Orphninostrichia maculata</i> Caddis fly (wedge river)	Rare/-	None	Aquatic habitats.

Species	Status ¹⁶ TSPA/EPBCA	Potential to occur in study area	Observations and preferred habitat ¹⁷
<i>Lissotes menalcas</i> Mount Mangana stag beetle	Vulnerable/-	None	This occurs in south east Tasmania including parts of the Wellington range, South Bruny and the Forester and Tasman Peninsulas. Confined to wet forest with large logs although much of potential habitat is unoccupied.
<i>Pseudalmenus chlorinda</i> <i>myrsilus</i> Tasmanian hairstreak (butterfly)	Rare/-	Low	Dry forest and woodland associated with species of wattle including <i>A. dealbata</i> and <i>A. mearnsii</i> . Confined to occasional sites in south east Tasmania. Habitat is present although scarcity of records suggest presence is very unlikely.
GASTROPOD			
Ammonite Pinwheel Snail <i>Discocharopa vicens</i>	Endangered/ CRITICALLY ENDANGERED	None	This snail has been recorded from the following seven locations in the Hobart metropolitan area: Mount Wellington, Mount Nelson, The Domain, Hillgrove, Grasstree Hill, South Hobart and Austins Ferry. Species is thought to be extinct from Mt Nelson. Habitat of the species includes dry and wet eucalypt forests below 400 m in altitude. To date the species has only been found under dolerite rocks.

This plan has been prepared only for the purpose of obtaining preliminary subdivisional approval from the local authority and is subject to that approval. All measurements and areas are subject to the final survey.



		AB	15-11-21	AB
				AB
				AB
				AB
J	P.O.S changes (council RFI)	AB	12-8-22	AB
REV	see previous plans for details of all revisions AMENDMENTS	DRAWN	DATE	APPR.



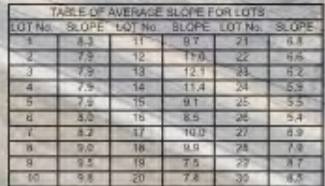
UNIT 1, 2 KENNEDY DRIVE
CAMBRIDGE 7170
PHONE: (03)6248 5898
EMAIL: admin@rbsurveyors.com
WEB: www.rbsurveyors.com

OWNER:
TITLE REFERENCE:
LOCATION:

CHURCHES OF CHRIST
C.T.35660/1
30 HOLLAND COURT
HOWRAH

Proposed Subdivision

Date: 12-8-2022	Reference: HOWCC01 12572-05
Scale: 1:500 (A3)	Municipality: CLARENCE



8. REPORTS OF OFFICERS

8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil.

8.2 ASSET MANAGEMENT**8.2.1 DRAFT VICTORIA ESPLANADE AND QUEEN STREET MASTER PLAN – COMMUNITY CONSULTATION****EXECUTIVE SUMMARY****PURPOSE**

To seek approval to consult with the community on the draft Victoria Esplanade and Queen Street Master Plan.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021-2031 is relevant.

LEGISLATIVE REQUIREMENTS

Section 20 of the Local Government Act 1993 describes the role of councils:

- to provide for the health, safety and welfare of the community,
- to represent the interests of the community, and
- to provide for the peace, order and good government of the municipal area.

CONSULTATION

Community and stakeholder consultation was undertaken as part of the development of the draft master plan. The previous council was consulted at four separate council workshops, most recently on 20 June 2022. Two facilitated workshops have been held with a project reference group made up of local residents, business operators and other stakeholders.

FINANCIAL IMPLICATIONS

Consultation costs will be accommodated within the current approved budget.

RECOMMENDATION:

That Council:

- A. Approve the release of the draft Victoria Esplanade and Queen Street Master Plan for community consultation at the same time as the next stage of consultation on the City Heart Project.
- B. Authorise the Chief Executive Officer to coordinate community consultation to obtain feedback on the draft master plan and to report the consultation outcomes to a future workshop.

**DRAFT VICTORIA ESPLANADE AND QUEEN STREET MASTER PLAN –
COMMUNITY CONSULTATION /contd...**

ASSOCIATED REPORT**1. BACKGROUND**

1.1. At its 8 April 2019 Council Meeting, via a Notice of Motion, Council approved a review of the Victoria Esplanade and Kangaroo Bluff Landscape Plan 2013 and put on-hold all interim works until the review and public consultation were complete. The resolution required the review to be concluded by the end of 2019.

1.2. The Notice of Motion noted the need for the review of the 2013 Landscape Plan was driven by:

- Increased patronage by local and visiting communities,
- Population growth in Clarence and Greater Hobart,
- Proposed developments at Kangaroo Bay, Bellerive Pier; and
- Proposed ferry service from Bellerive.

1.3. At its 2 December 2019 meeting, council noted the feedback from the community consultation in respect to the Victoria Esplanade and Kangaroo Bluff Landscape Plan 2013 and adopted:

“That Council:

- A. Acknowledges the outcomes of the community consultation and requests that the General Manager develop a revised Landscape Plan for the Victoria Esplanade and Kangaroo Bluff area, to be presented to a future Council Workshop prior to further public consultation.*
- B. Resolves not to undertake any significant works on the Victoria Esplanade/Kangaroo Bluff area until the revised Landscape Plan is adopted by Council.*
- C. Authorises the General Manager to write to residents in the Victoria Esplanade/Kangaroo Bluff area and to the Bellerive Bluff Landcare and Coast Care Group to advise of this decision.”*

- 1.4. Council allocated funds in its 2020-2021 Annual Operating Plan for the preparation of a master plan for Victoria Esplanade and Queen Street in Bellerive. The objective of the master plan was to deliver an improved landscape and streetscape design for the area that creates a place of significance, and celebrates the location providing accessible, inclusive and functional spaces for the community.

2. REPORT IN DETAIL

- 2.1. The draft Victoria Esplanade and Queen Street Master Plan is Attachment 1. The master plan provides a vision for Victoria Esplanade, which runs around the Bellerive headland, and Queen Street in Bellerive.

It has been driven by community aspirations to aesthetically improve open space areas around the Victoria Esplanade foreshore area to provide a welcoming place which celebrates its location and provides for safe and equitable access to the area for everyone.

2.2. Development of Draft Master Plan

Through a tender process Council engaged consultants Inspiring Place to design the master plan. Design work commenced in January 2021. A half-day narrative workshop was held with community members in March 2021 to help inform preliminary concept designs. The workshop identified a strong connection and passion for the area, concerns for its future and some ideas for further improvements. The workshop also gave designers an insight into how the area is used by the community, including key data about the high number of visitors with trail count data showing 65,550 walkers and bike riders using the Clarence Foreshore Trail around Kangaroo Bluff (within the project area) between May and August 2020.

- 2.3.** Three Councillor workshops were also held with the previous Council, most recently on 20 June 2022 at which the draft master plan was presented and discussed. Council encouraged that the draft master plan be considered by the Project Reference Group (PRG) before coming back to Council for approval to consult with the community.

The PRG consists of community members, local business operators, other stakeholders and council officers and has held a number of workshops with Inspiring Place to discuss master plan issues and initiatives.

2.4. Master Plan Features

The draft master plan aims to realise the community's vision, which was identified during initial consultation:

“Victoria Esplanade will be a welcoming place for all people, offering a landscape of diverse experiences in celebration of its location.”

- 2.5.** It divides the area around Victoria Esplanade and Queen Street into 11 different precincts and creates a continuous and appropriately sized shared link for pedestrians and cyclists along the entire Esplanade and Queen Street. The plans also highlight opportunities for quiet spaces, gathering places and engagement with the water's edge as well as improvements to the amenity of the street through the addition of street trees and park furniture and ideas about reinforcing the natural values of the area through constructed elements.

2.6. Key Elements Envisaged in the Master Plan Include

- Widening the main promenade around the Esplanade to 3m and delivering significant improvements to the land and streetscapes to improve the amenity and experience for users.
- Upgrading and improvement to the surrounds of the existing Regatta pavilion on the Esplanade including a terraced foreshore gathering space with access to the water;

- Closing the road around the bluff to vehicle traffic and creating a car free zone for pedestrians and cyclists;
- Improving the intersections at Queen Street/Derwent Street/Victoria Esplanade near Bellerive Beach Park, with raised pedestrian crossings, planting and promenade widening; and
- Redesigning the Queen Street/Petchey Street/Cambridge Road intersection in Bellerive Village to improve connectivity for cyclists and pedestrians from Queen Street to the Pier and to increase safety of vehicle movements.

2.7. The preliminary cost estimate for all the work required to enact the master plan is approximately \$13.2 million, as of November 2021 (refer to the cost estimate in Attachment 6 to the draft master plan). That estimate is likely to have increased since it was prepared, given the significant nationwide increase in construction costs that has occurred over the intervening time period.

2.8. It is important to note the master plan is a visionary document, which represents a strategic, long-term vision for the area. Further design and planning work will be required to bring the vision to reality, which will occur over an extended time-period (likely over 10 years), and subject to funding being approved in future budgets. An implementation plan with updated costings, proposed staging and specific projects will be prepared as part of the final master plan. These projects will go through detailed design and further local engagement.

2.9. Interaction with City Heart Project

Council's City Heart Project commenced after the project for the Victoria Esplanade and Queen Street Master Plan was underway.

2.10. City Heart seeks to shape a more liveable and vibrant city centre for Clarence, by bringing together Rosny Park, Kangaroo Bay, Bellerive village, Rosny Parkland, Sheoak Point, Charles Hand Reserve and parts of Warrane into a connected and walkable activity hub with attractive destinations to visit and enjoy.

- 2.11.** The end part of Cambridge Road through Bellerive Village, including the Bellerive Pier and the ferry terminal, is a key activity centre for the central Clarence precinct and is included in the project areas for both City Heart and Victoria Esplanade and Queen Street master plan projects.

While the master plan's primary focus is on improving open space areas and streetscapes, the scope of the City Heart project goes further, and is also concerned with placemaking and economic activation as a key part of the larger principal activity centre of Clarence.

- 2.12.** Given the overlap in project areas, and the similar goals and objectives of both projects, the two project teams have been working collaboratively to ensure the outcomes and designs proposed for Bellerive Village align with each other, and preferably have a common design for any changes to streetscapes and infrastructure. This has been made easier by Inspiring Place being the design lead for both projects. Inspiring Place has also engaged the same planning consultants on both briefs.

- 2.13.** It is envisaged concept designs for City Heart will be shared with the community and stakeholders during March 2023. Community consultation for the Victoria Esplanade and Queen Street Master Plan will be timed to coincide with this, and engagement plans coordinated between the respective project teams to ensure they provide consistent information and messaging and are able to leverage off one another to increase engagement.

- 2.14.** The timing of consultation on the Victoria Esplanade and Queen Street Master Plan and the City Heart Project is appropriate considering the success of the trial ferry service and the announcement to make this service permanent. Feedback on the projects will allow Council to consider the interest on future infrastructure.

3. CONSULTATION

3.1. Community Consultation Undertaken

A follow-up Community consultation on the 2013 Landscape Master Plan was undertaken in 2019. This identified the need to consider a wider perspective of area for the master plan. A half-day narrative workshop was held with community members and other stakeholders in March 2021 to articulate the community's vision for the area. This informed the initial master plan design concepts.

3.2. State/Local Government Protocol

Relevant State Government agencies will be invited to provide feedback and submissions on the master plan as part of the community and stakeholder engagement process.

3.3. Other

Councillors were briefed on the development and progress of the master plan at workshops on 15 June, 4 October and 18 October 2021. Councillors were presented with the current draft master plan at a further workshop on 20 June 2022.

While feedback received at the workshop was generally positive, councillors identified the following potential issues that required further consideration before the master plan was released for community consultation:

- the ferry terminal at Bellerive Pier and its impact on parking and traffic in and around Bellerive Village;
- potential future changes to the ferry terminal as the Derwent Ferry Service expands;
- the proposed permanent closure of the section of Victoria Esplanade around Bellerive Bluff (in front of the Fort);
- whether there were any opportunities for public private partnership;
- impacts on existing trees along Queen Street, Bellerive;
- changes to street routing and directions;

- the overall cost of the project, and
- loss of car parking spaces.

Councillors at the Workshop on 20 June 2022 requested the draft master plan be tested with the Project Reference Group (PRG) prior to going out for community consultation. The PRG held a workshop on 31 August 2022 at the Howrah Community Centre, which was attended by 10 local residents, business operators, other stakeholders, as well as council officers and representatives from Inspiring Place.

While the feedback from the PRG workshop attendees was positive, there was considerable discussion around the impacts on traffic and parking, including that the master plan did not directly address increased car parking for people using the Bellerive Ferry (which is currently a concern for some local residents). It is likely similar feedback will be received during public consultation. Council is continuing to monitor local parking impacts following implementation of the ferry service. This will also be considered as part of the City Heart project.

3.4. Further Community Consultation

Community consultation activities will be planned to coincide with and complement those for City Heart. Officers will develop a community engagement plan in cooperation with the City Heart project team which ensures the connection between the two projects is clearly articulated and which will aim to increase engagement from the community on both master plans.

- **Consultation Plan**
Council will prepare a Community Engagement Plan to work in alignment with the City Heart project.
- **Consultation Aim**
To seek feedback from the community on the draft Victoria Esplanade and Queen Street Master Plan.

- **Communication Engagement Tools**

In accordance with Clause 8 of the Community Engagement Policy 2020, activities are likely to include pop-up stalls along the Victoria Esplanade pathway and at other key locations such as Bellerive Beach. Comments and submissions will also be invited through the Your Say Clarence community engagement platform and Council's communications and marketing team will be engaged to help build awareness and publicity around the consultation.

- **Consultation Timing**

It is expected the community engagement activities will begin from March 2023 and run for between four and six weeks.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2021-2031 within the Strategic Goal Area *A Well-Planned Liveable City* contains the following Strategies:

- "2.5 *Providing and prioritising a safe, reliable, and accessible pedestrian network....*
- 2.10 *Ensuring quality civic architecture which is responsive to place and adaptable for the needs of the community....*
- 2.15 *Ensuring neighbourhoods have pleasant streetscapes and access to recreational spaces and appropriate neighbourhood facilities..."*

5. EXTERNAL IMPACTS

The master plan remains in draft format and will not have any significant external impacts until a final version is adopted and implemented. A consultation and engagement plan will be prepared to guide conversations with the community about the potential impacts of the master plan if it were implemented in the future.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

Consultation costs will be accommodated within the current approved budget.

8. ANY OTHER UNIQUE ISSUES

The draft master plan is a visionary document, which represents a strategic, long-term vision for the area. Further design and planning work will be required to bring the vision to reality, which will occur over an extended time-period (likely over 10 years). By adopting a master plan, it provides council officers with direction on design initiatives and the potential to seek other forms of funding which arise at times. The implementation will be undertaken in stages, subject to funding being approved in future budgets. These projects will go through detailed design and further local engagement.

9. CONCLUSION

The draft Victoria Esplanade and Queen Street Master Plan is ready for community consultation. The concepts and designs captured in the master plan have been informed by input from the community and the draft master plan has been tested with a project reference group comprised of local residents and business operators.

A consultation and engagement plan will be prepared in cooperation with consultation for City Heart, with activities timed to take place concurrently and complement each other.

A summary of the results of community consultation will be provided to a future council workshop.

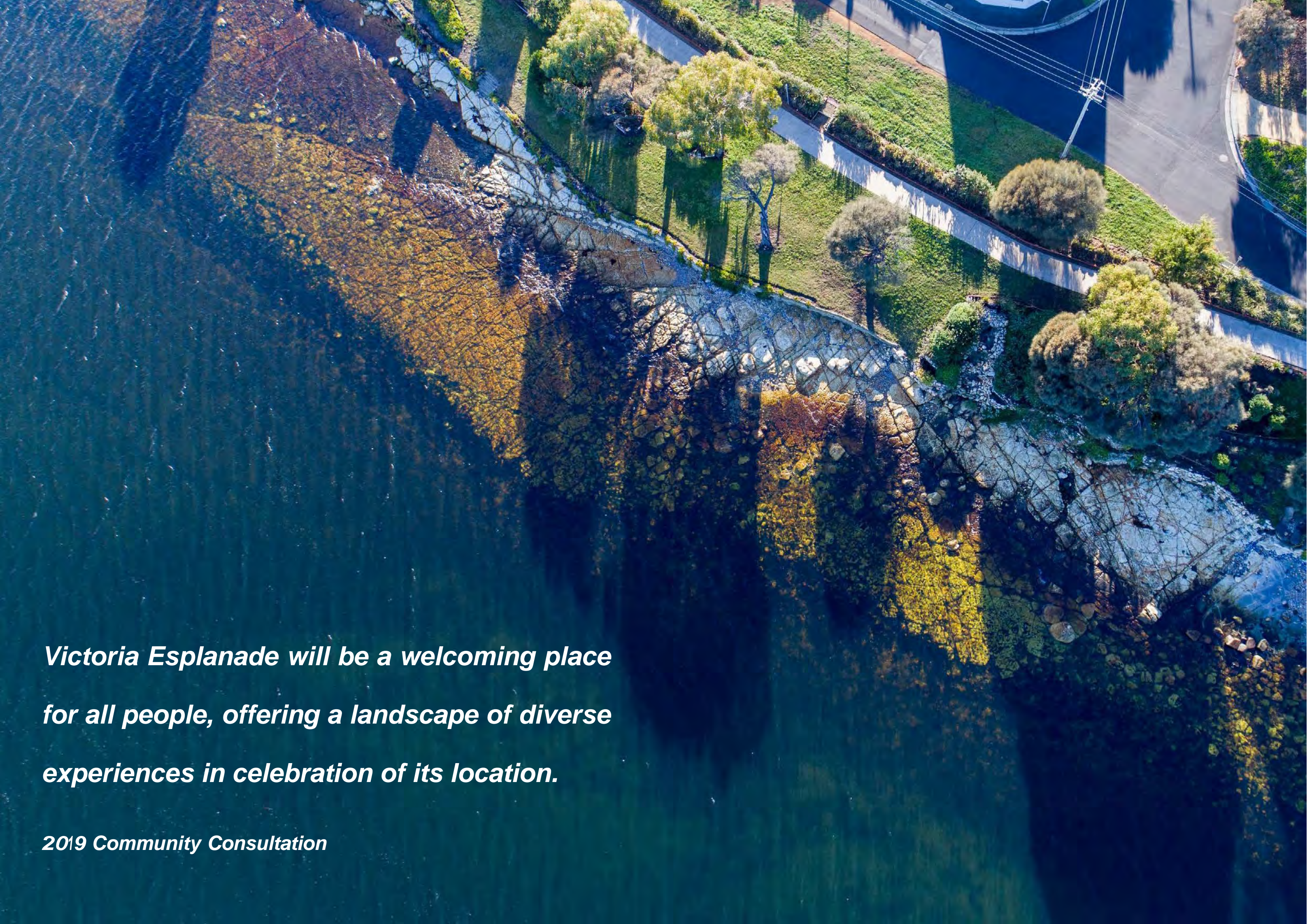
Attachments: 1. Draft Victoria Esplanade and Queen Street Master Plan (48)

Ross Graham
GROUP MANAGER ENGINEERING SERVICES

Victoria Esplanade & Queen Street

Draft Master Plan



An aerial photograph showing a coastal landscape. In the foreground, a dark blue body of water reflects the sky. A stone wall runs diagonally across the middle ground, separating the water from a green area with trees and shrubs. The wall is made of large, light-colored stones. To the right of the wall, there are several trees, some with green foliage and others with yellow or orange leaves. In the background, a paved road or path curves along the coastline, with a utility pole and wires visible. The overall scene is bright and sunny, with strong shadows cast by the trees and the wall.

*Victoria Esplanade will be a welcoming place
for all people, offering a landscape of diverse
experiences in celebration of its location.*

2019 Community Consultation

***We acknowledge and respect the palawa/
pakana peoples of lutruwita (Tasmania) and the
Aboriginal and Torres Strait Islander Peoples
across Australia as the traditional custodians of
our shared lands, waters and seas.***

Prepared for Clarence City Council by,



Futago Irene Inc. JMG Engineers Howarth Fisher Exsto Management

Document Control:

DATE	REVISION	NOTES
10 JUNE 2022	DRAFT MASTERPLAN	

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Project: 21-06

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- 4 Background
- 6 Community Views and Issues
- 7 Vision and Guiding Principles for the Waterfront
- 9 Master Plan

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Context

Attachment 2
Challenges

Attachment 3
Guiding Principles

Attachment 4
Precedents/ Look and Feel



Background

Victoria Esplanade which rims the Bellerive headland is a culturally rich location on the foreshore of the Derwent River - the shelter of Kangaroo Bay, the sandy Bellerive beaches, the large cliffs of Bellerive Bluff and vistas of water and distant landforms from the foreshore promenade combine to create a perfect setting for community use and enjoyment.

Clarence City Council has recognised the pivotal importance of the precinct to the success of its branding as a well planned, prosperous, creative and environmentally responsible place to live.

Having grown as a focal point for the daily life of the community, the Bellerive foreshore is treasured by locals and visitors, requiring a considered and visionary plan to support safe and equitable access to the area, foster opportunities to pause and reflect on the setting, to excite the imagination, improve the quality of the streetscape and enhance the local ecology.

Clarence City Council has commissioned this Master Plan, encompassing Victoria Esplanade and Queen Street to address these challenges.

The purpose of the Master Plan is to deliver an inspired precinct for Clarence City Council and the region by identifying projects that are visionary in scope and timeframe as well as immediate and commonplace. Both kinds of projects are necessary – the visionary to spur imagination, the smaller to inspire enthusiasm for needed change. The easy and immediate wins will provide incentive for the continuous investment that is needed.

To paraphrase the project brief, the Master Plan is to meet the objectives for Victoria Esplanade + Queen Street to be:

- › accessible to all people;
- › comfortable and inviting, encouraging use and social engagement;
- › diverse in its range of activities and social spaces of the place, inspired in its built form and amenity of a quality that is commensurate with the setting;
- › visually cohesive;
- › a safe space to move through with clear circulation patterns and good connections; and
- › a place that is shared by pedestrians, cyclists and vehicles with public transport options.

The Master Plan is;

- › inspired by the community’s views expressed in a 2019 survey and in 2021 Narrative Workshop as part of the current project;
- › guided by a comprehensive review of Council’s Strategic Plan (2021-2031) and its Cultural Precinct Plan (2019), Bike Action Plan (2013), and Access and Inclusion Toolkit; and
- › underpinned by the findings of site investigations by the range of professionals on the study team.

The Master Plan is in three parts:

- › this introduction which sets the stage for the project;
- › the vision, principles and key elements that the Master Plan addresses: and
- › the master plans that diagrammatically show the proposals for each of the precincts along the Esplanade and Queen Street.

These sections are supported by a review of the context for the project (Attachment 1), a summation of some of the challenges that the Master Plan has confronted (Attachment 2), an expansion on the guiding principles for the project (Attachment 3) and precedent imagery of the look and feel expected for the project (Attachment 4).

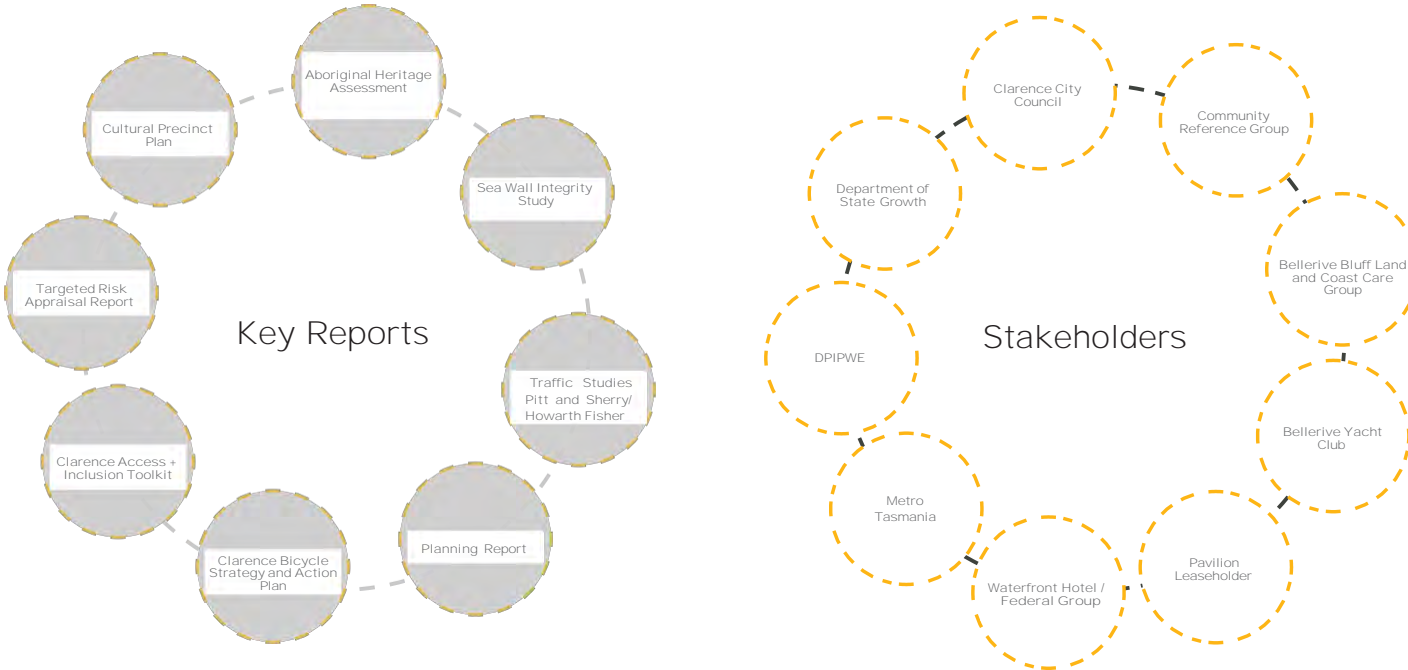
The Victoria Esplanade and Queen Street Master Plan is a framework for action and on-going decision making.

Importantly, the *Victoria Esplanade and Queen Street Master Plan* will position the city to develop as the great place to live, work, grow and play that it seeks to be.

Strategic Goal Areas

A PEOPLE FRIENDLY CITY	A WELL-PLANNED LIVEABLE CITY	A PROSPEROUS AND CREATIVE CITY	AN ENVIRONMENTALLY RESPONSIBLE CITY
Clarence values diversity and encourages equity, inclusiveness and accessibility. We aspire to create high quality public places for all people to live actively, engage socially and enhance our health and wellbeing.	Clarence will be a well-planned liveable city with services and infrastructure to meet current and future needs of our growing and vibrant community.	Clarence encourages creativity, innovation and enterprise and will develop the local economy by enabling opportunities for all people.	Clarence is environmentally responsible, valuing and protecting the natural environment for a sustainable and liveable future.

Clarence City Council Strategic Plan 2021-2031



Inputs to the Master Plan



The study area for the project and its precincts



Community Views and Use

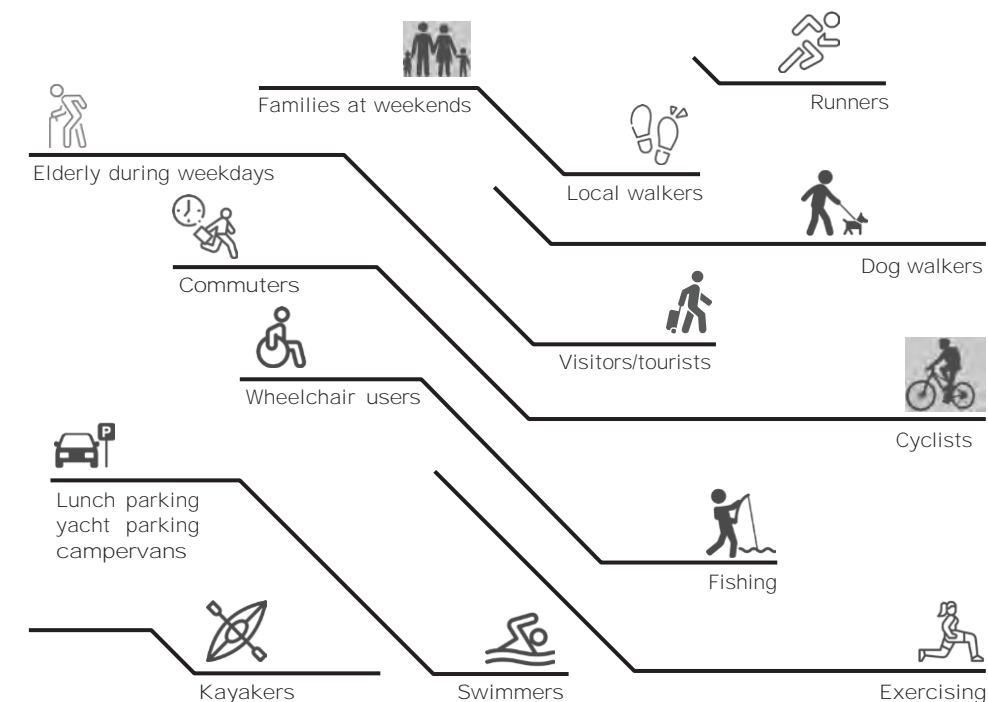


During the course of the project, 15 participants from businesses, community groups, individuals and council representatives participated in a half-day workshop which identified their passion for the place, their concerns for its future and some of their ideas for further improvements. Key data also emerged that provided an insight to the uses to which the Esplanade + Queen Street are put and the high numbers of people that frequent the place in any one month.

Narrative Workshop Findings 24th March 2021

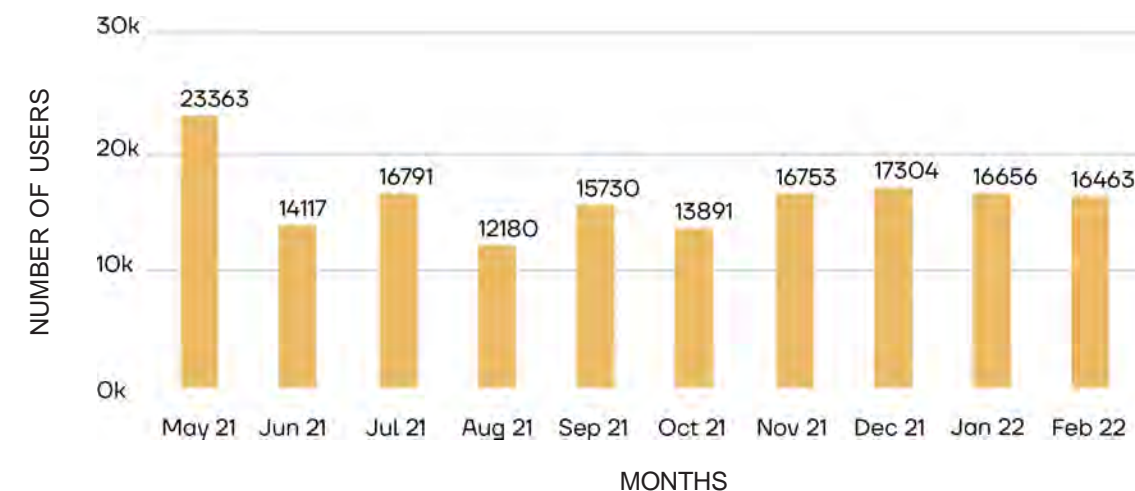
What makes the place different?	Identity
Connectivity	<ul style="list-style-type: none"> Proximity to foreshore The presence of the boardwalk Unique in Clarence and Greater Hobart precinct Represents as a popular trail network Existing foreshore trail is well connected to the surrounding through different modes (pedestrian/cyclists). Along with the physical connection there is a strong visual connection making the place accessible to beautiful views of Hobart waterfront, Battery Point, Sandy Bay, dolphins and the mountains as a scenic backdrop The esplanade drive is scenic and hence is a popular tourist route Promote waterways connectivity and attract locals/visitors/tourists from Hobart to Bellerive.
Usage and User Groups	<ul style="list-style-type: none"> Events happening quite often within the area Currently majority of the user group consists of elderly people however during the school holidays, more kids are seen. While over the weekends lots of families use the foreshore There are mostly kids rather than teenagers seen on the foreshore The work from home culture after COVID has made a significant impact on the way the foreshore is used and the types of users Not just the locals but people from different places visit the foreshore. Where do they start? They start at the coffee shop and end back at the same place People walk down to the foreshore and enjoy having lunch. While some prefer the view sitting in the car itself (includes people with disabled mobility) Great number of people are seen during the Hobart Regatta fireworks The foreshore presents a good place for exercise
Character and History	<ul style="list-style-type: none"> Beautiful heritage houses and landscape on the foreshore adds to the place's value (charm that any other foreshore may not have) The Aboriginal heritage presents a connected landscape and is a part of the continual area Middens/preserved area/sensitive/ significance
Physical Landscape Elements	<ul style="list-style-type: none"> Play of tides- going down closer to the water is an enjoyable experience and water sometimes fills up to the edge Sea breeze stops at the tip of the bluff The presence of oyster and mussel shells Being the first bay, makes it different and thus should be protected The existing native trees including the Sheoaks are worth preserving and celebrating

Regular User Groups



Kangaroo Bluff Monthly Trail Use

Recent trail count data from 2020 on the Clarence Foreshore Trail (walkers and bike riders).





Vision and Guiding Principles

Vision

The Council have adopted a vision for Clarence to be:

A vibrant, prosperous and sustainable city.

To achieve this vision, the various precincts of the City including Victoria Esplanade + Queen Street must rise to this challenge.

To be 'vibrant', the Esplanade and adjacent streets must offer memorable and personal experiences in a creatively designed environment. To be 'prosperous', the Esplanade and its surrounds must engage and educate users, encouraging them to build community and participate in the daily life of the place. To be 'sustainable' the place must address social goals for equitable access and safety and environmental goals for a healthy ecology.

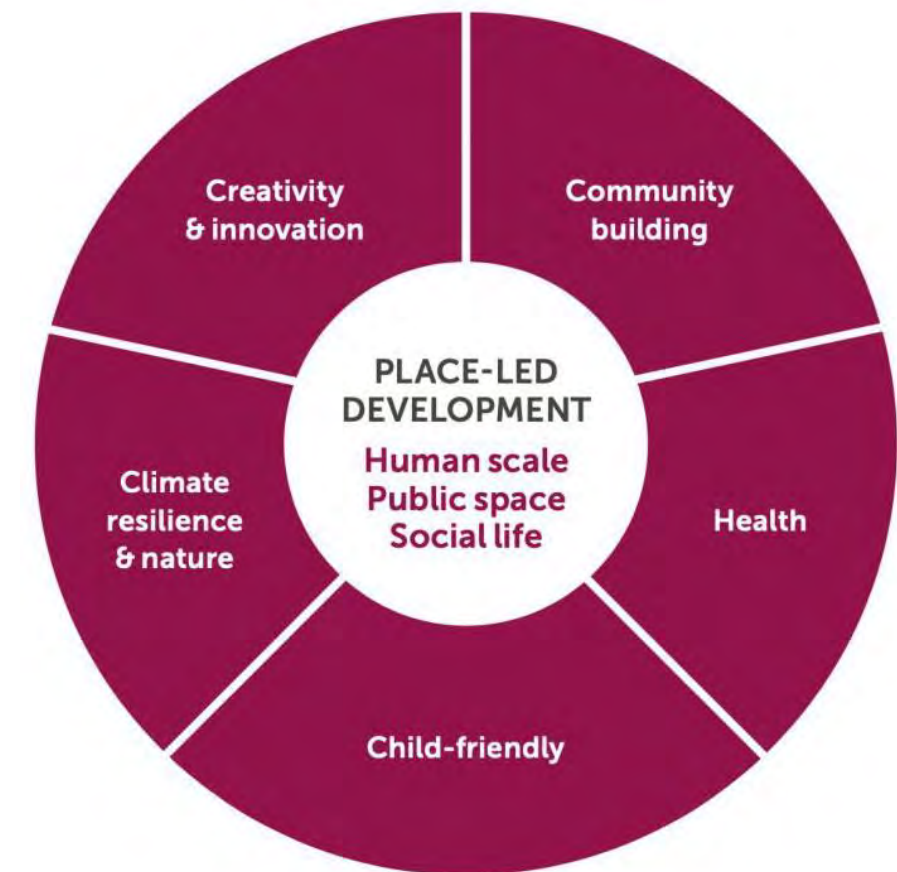
Aesthetics matter but so too do the facilities and activities that are on offer and the way they meet the needs of people for human scaled, public open spaces grounded in the unique qualities of the Esplanade foreshore. When the 'experience' of the place is addressed, Victoria Esplanade and its surrounds will become a distinctive place where great memories are

These sentiments are echoed by community members who participated in the framing of their vision for Victoria Esplanade + Queen Street to be linked to Bellerive Beach, the Village and Arena, aiming to balance walking, riding, parking on an inviting streetscape.

The goal of the Master Plan, then, is to develop substantive plans for 'physical place' improvements to Victoria Esplanade and Queen Street to create the welcoming place of diverse experiences that the community desire.

The **community's** vision

Victoria Esplanade will be a welcoming place for all people, offering a landscape of diverse experiences in celebration of its location.



The concepts for place-led development in this diagram, closely match the aspirations of the community for Victoria Esplanade



Vision and Guiding Principles



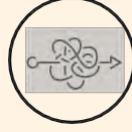

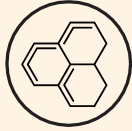
To achieve the vision for the Esplanade, the Master Plan has been guided by five broad principles that arise from conversations with the community and Council about their expectations for the proposals made herein. These are:

- › activate the edge by ensuring safe and equitable access throughout the area;
- › create opportunities for people to pause, gather and take in the beauty of the setting;
- › celebrate the role of the foreshore in the life of the community and excite people to come and use it;
- › create living streets that integrate ‘green and social infrastructure’ with the grey infrastructure of pavements and engineering solutions; and
- › add to the environmental services throughout the study by constructing ecological moments that encourage improved environmental outcomes.

The figure at the right, outlines the key elements that underpin each principle and that provide the rationale for making recommendations. In time, these same principles and concepts will assist Council in its prioritisation of management actions and the assessment of development proposals.

Attachment 3 expands on each of these key elements and why they are important to the success of the Master Plan, and how they can be achieved.



Guiding Principle	Key Elements
<p>Activate the edge by ensuring safe and equitable access throughout the area</p> 	<ul style="list-style-type: none">› Make pedestrian paths safe, comfortable and inviting by creating wider shared footpath and selective planting.› Ensure all abilities access to amenities and along the length of the foreshore promenade› Prioritise people not cars (address road conditions, rationalise car parking and, explore ways to reduce its impact on the experience of the foreshore› Formalise and improve safety for people between parking, landscape and the foreshore› Provide a range of opportunities to ‘touch the water’
<p>Create opportunities for people to pause and gather to take in the beauty of the setting;</p> 	<ul style="list-style-type: none">› Provide opportunities to stop, rest, absorb and enjoy the broader landscape› Create a variety of differently scaled gathering spaces along the length of the foreshore to encourage a range of uses› Improve the amenity, quality and positioning of park furniture and facilities along the Esplanade and in Queen Street› Improve connection to water› Opportunities for future connection to fort historic site
<p>Celebrate the role of the foreshore in the life of the community and excite people to come and use it</p> 	<ul style="list-style-type: none">› Celebrate the waterfront edge, allowing interaction with the water› Enliven the links to the waterfront› Tell the story of place through contemporary interpretation mediums› Create playful and energetic spaces› Consider creative opportunities for events
<p>Create living streets that integrate ‘green and social infrastructure’ with the grey infrastructure of pavements and engineering solutions</p> 	<ul style="list-style-type: none">› Create shared zone networks prioritising wide footpaths and safe cycleways› Develop a coherent way-finding and signage strategy› Diversify street edges to provide opportunities to engage with others and support events.› Create a range of elements for shade and shelter› Improve after hours lighting for safety whilst minimising disturbance to wildlife + nearby homes
<p>Add to the environmental services throughout the study by constructing ecological moments that encourage improved environmental outcomes</p> 	<ul style="list-style-type: none">› Integrate opportunities for coastal ecology to inhabit new edges› Overlap blue and green infrastructure through water sensitive urban design (WSUD) to improve stormwater quality and create habitat› Mix lower, mid and upper-storey species to improve ecological diversity



Master Plans

The goal of the Master Plan is to establish a long-term direction for ‘physical place’ improvements to Victoria Esplanade and Queen Street to enhance their contribution to the civic life of the City and to ensure that the quality of the experience of the place is commensurate with the rich natural and cultural values of its location.

For the purposes of illustration, the study area for the Master Plan has been divided into 11 precincts;

- › Cambridge Road
- › Pier / Victoria Esplanade
- › The Pavilion
- › North Point
- › South Point
- › The Bluff East
- › The Bluff Central
- › The Bluff West
- › Victoria Esplanade/ Queen Street
- › South Queen Street
- › North Queen Street

The precinct plans that follow use site planning and design as tools to illustrate conceptual ideas that address the principles supporting the vision for the place. Importantly, the plans address improvements to the foreshore and streets aimed at activating the Esplanade and Queen Street for the local community and a growing numbers of visitors drawn to this special location.

Consistent across all of the precincts is the recommendation to create a continuous and

appropriately sized shared link for pedestrians and cyclists along the length of the Esplanade and Queen Street. The plans also highlight opportunities for quiet spaces, gathering places and engagement with the water’s edge as well as improvements to the amenity of the street through rationalisation of parking, the addition of street trees and park furniture and ideas about reinforcing the natural values of the area through constructed elements.

It should be understood that the plans are aspirational, representing a strategic, long-term vision for the area based on the guiding principles and key elements that support these principles. Further design is required along with community input, investment and related development if the plans are to be successful in achieving their aims.

This Master Plan will provide guide for the future development along Victoria Esplanade + Queen Street with works to be developed, funded and staged over a 5-10 year period.

We know that multiple benefits arise from the use and development of public spaces that go beyond return on investment to include benefits to health and well-being, social equity and environmental sustainability. Importantly, the Master Plan strategies will help reveal the story of the place in an inspirational and authentic manner.



Precincts - Big Moves

Map 01: Cambridge Road/Pier

- › improved circulation for pedestrians and vehicles, designated drop off/pick up area, seating and pedestrian lighting at the ferry and safety improvements around access crossings and the bottle shop
- › terraced water access to stop and pause with ecological enhancements
- › landscape enhancements to Cambridge Rd including street trees and WSUD
- › redesign of Queen St/Petchey St/Cambridge Road intersection to create fluid connectivity for cyclists/ pedestrians from Queen Street to the Pier and to increase safety of vehicle movements

Map 02: Pier/ Victoria Esplanade

- › bus stop formalised to Metro standards including shelter, seating and lighting with all abilities access to promenade
- › formalised car parking to meet Australian Standards with connectivity to foreshore
- › widening of the foreshore trail to 3m

Map 03: The Pavilion

- › terraced foreshore gathering space with access to the water and ecological enhancements
- › parking rearranged to create all abilities access from street level to the foreshore with terraced landscape treatments
- › outdoor gathering space at the street edge as forecourt to the pavilion
- › enhanced connection from street to the ‘starter’s pavilion
- › widening of the foreshore trail to 3m

Map 04: North Point

- › new gathering space with seating and interpretation (small event activation)
- › street parking formalised to Australian Standards
- › widening of the promenade to 3m

Map 05: South Point

- › street parking formalised to Australian Standards
- › widening of the foreshore trail to 3m
- › repair and extend former boat ramp for the launching of kayaks

- › raised table at Abbott Street and line markings to direct traffic away from the Esplanade (closed beyond)
- › access to residences at 30/31 Victoria Esplanade

Map 06: The Bluff (West, Central and East)

- › Esplanade closed around the Bluff to create car free zone for the comfort and safety of pedestrians and cyclists (note: removable bollards for emergency access and events)
- › lookout developed opposite the entry to the historic site
- › minimum width access trails off promenade to meander through the bush and reach the shoreline below
- › seawall repair per WCCPL 2021 Geotechnical Report
- › Gunning to King Streets one-way to east to allow widening of promenade and landscape improvements with turning head at King Street to accommodate garbage trucks and others
- › King Street to Chapman Street closed to traffic to create comfortable safe space for pedestrians and cyclists

Map 07: Victoria Esplanade/ Queen Street

- › Chapman Street to Queen Street one-way to west with kerbside pick up/drop off and parking to Australian standards and widened promenade and breakout space with seating and shelter (tie improvements to Bellerive Beach Master Plan)
- › street intersection improvements at Queen Street/ Derwent Street/Victoria Esplanade with raised pedestrian crossings, planting, promenade widening and fluid connection for commuter cyclists from foreshore to Queen Street

Map 08: South Queen Street

- › 3m wide shared cycle footpath on the south continuous from Beach to Petchey Street
- › streetscape enhancements including street tree plantings and WSUD plantings
- › raised table at Scott Street with mini roundabout for safe pedestrian crossing and speed management

Map 09: North Queen Street

- › 3m wide shared cycle footpath on the south side continuous from Beach to Petchey Street
- › streetscape enhancements including street tree plantings and WSUD plantings
- › raised crossing at Crown Street



Master Plan Overview

KEY

Queen Street is a key link in the active transit network to and from the ferry. The western side of the street path has been broadened, in response, to provide a 3m wide shared bi-directional pedestrian / cycle way directly connected to the foreshore cycleway at Bellerive Beach and via crossing at Petchey Street and Cambridge Road to the ferry terminal.

Realignment of the Petchey Street/ Cambridge Road intersection including raised tables and pedestrian crossings establishes safe movement of pedestrians and cyclists to the foreshore and improves pedestrian access to war memorial.

Revised parking layout improves pedestrian access to the ferry and foreshore while providing all abilities access, drop-off/ pick up and slowed flow of vehicles. Opportunity for car park to become temporary event/ market space.

Raised table prioritizes pedestrian and slows traffic at this busy location.

WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and to provide habitat.















Street tree plantings for amenity and to slow vehicle speeds.

Terraced edge providing opportunities to engage with the foreshore.

Privately owned ferry wharf to be developed by DSG dependent on the success of ferry use.

Bellerive Village (Petchey Street to Clarence Street) to be developed in separate project to due high level of infrastructure and community interaction.

LEGEND

-  Existing trees
-  Proposed advanced trees
-  Existing planting area
-  Proposed planting area
-  Dark sky compliant car park lighting
-  Dark sky compliant pedestrian lighting
-  Exposed aggregate concrete
-  Raised table
-  Bus stop
-  Directional sign (Refer attachment 02)
-  Public art 'vista' (Refer attachment 02)
-  Map sign (Refer attachment 02)
-  Interpretation (Refer attachment 02)
-  War memorial

Artist's Impression Viewpoint

Joins Map 02



Joins Map 11



Activate the Edge



Pause and Gather



Create Living Streets

Map 01: Cambridge Road/ Pier Precinct MP

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inspiring
place



Scale 1:750 @A3



Cambridge Road/ Pier Precinct **Artist's** Impression 01

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Cambridge Road/ Pier Precinct **Artist's** Impression 02

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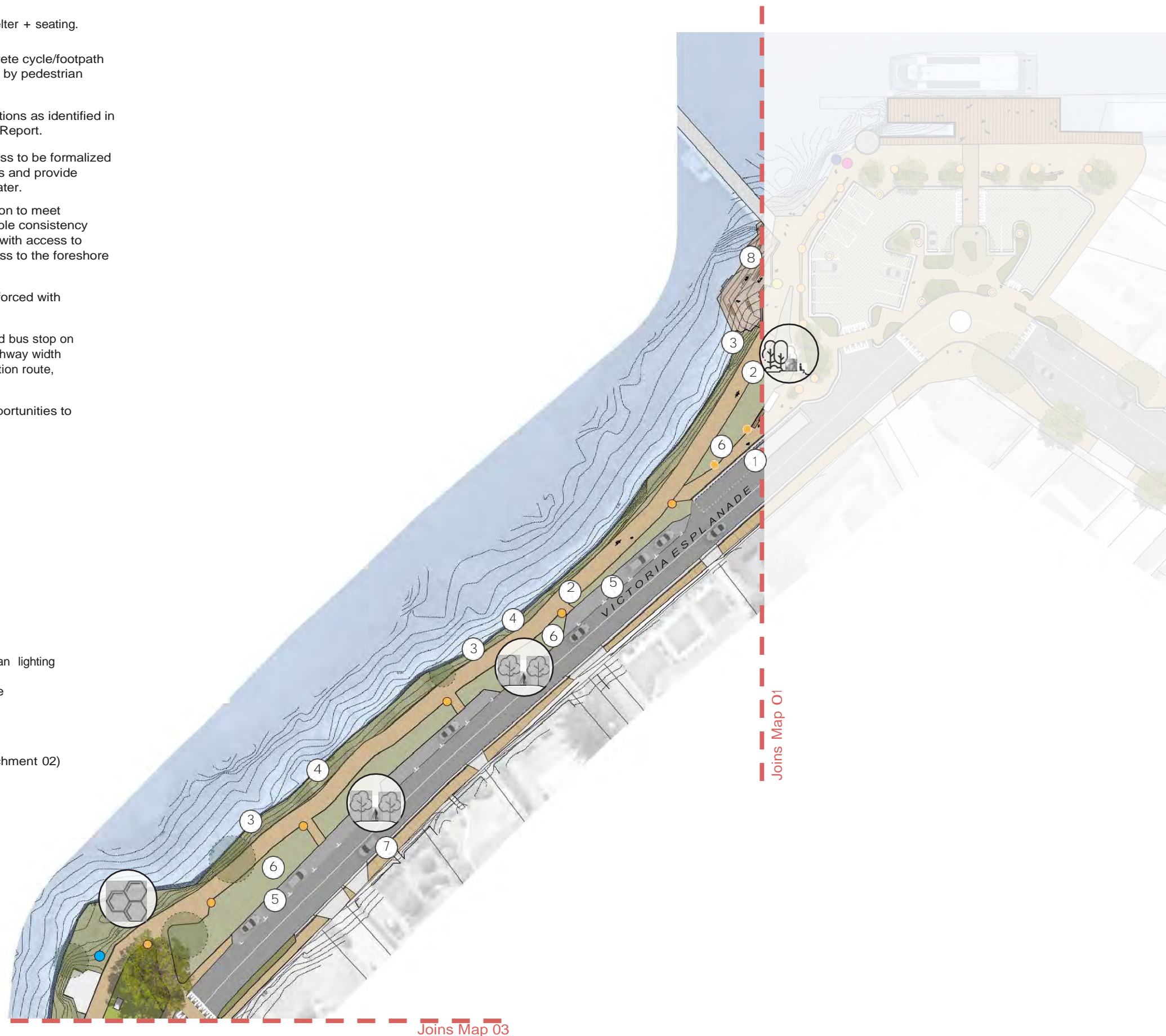


KEY

- ① New bus transit bay with shelter + seating.
- ② Widen existing shared concrete cycle/footpath to 3m. Junctions highlighted by pedestrian scaled lighting.
- ③ Seawall repaired in key locations as identified in WCCPL 2021 Geotechnical Report.
- ④ Existing foreshore stair access to be formalized to meet Australian Standards and provide opportunities to touch the water.
- ⑤ Existing parking rationalization to meet Australian Standards to enable consistency of provision of parking bays with access to pathway network. Safe access to the foreshore promenade.
- ⑥ Foreshore revegetation reinforced with additional vegetation.
- ⑦ Formalize existing parking and bus stop on northern side maintained. Pathway width retained as secondary circulation route, resurfaced as required.
- ⑧ Terraced edge providing opportunities to engage with the foreshore.

LEGEND

- Existing trees
- Proposed advanced trees
- Existing planting area
- Proposed planting area
- Grassed area
- Dark sky compliant pedestrian lighting
- Exposed aggregate concrete
- RT Raised table
- Directional sign (Refer attachment 02)



Activate the Edge



Create Living Streets



Construct Ecology

Map 02: Pier / Victoria Esplanade Precinct MP

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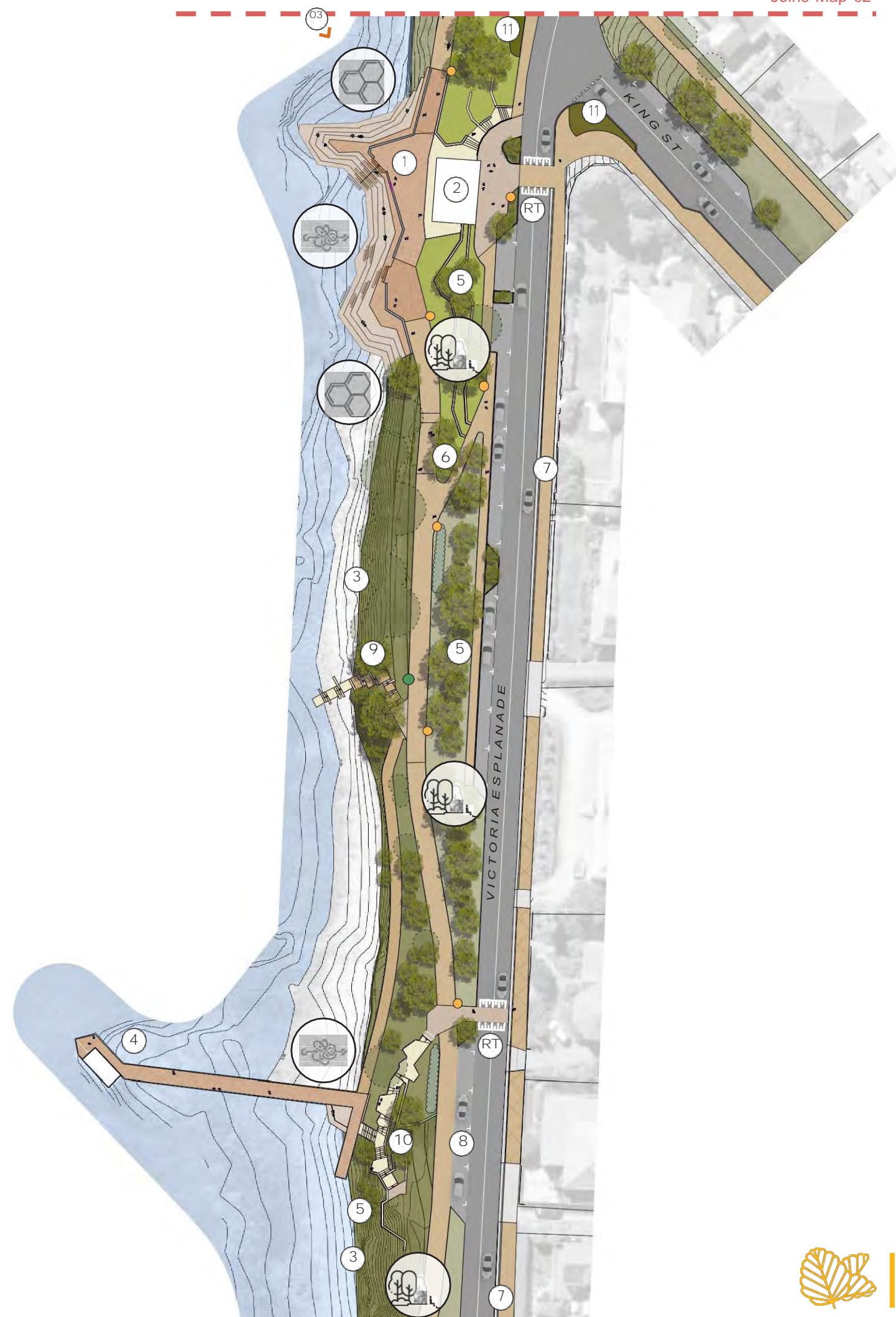
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KEY

- ① Feature plaza and coastline terrace seating to provide multi-level engagement with foreshore and existing small sandy beach.
- ② Future private cafe with proposed outdoor seating, foreshore access, safe street crossing with upgraded public toilets underneath.
- ③ Seawall repaired in key locations as identified in WCCPL 2021 Geotechnical Report.
- ④ Crown owned pier in need of repair. Opportunity to be rebuilt wider for public access dependent on State Government.
- ⑤ Existing foreshore revegetation reinforced with additional vegetation.
- ⑥ Widened foreshore trail realigned to allow all abilities access from coast plaza to street level. Existing car park shifted to street level.
- ⑦ Existing parking conditions on eastern roadside maintained with no change to road centerline. Pathway width retained as secondary circulation, resurfaced as required.
- ⑧ Existing parking rationalization to meet Australian Standards to enable consistency of provision of parking bays with access to pathway network.
- ⑨ Create new access to rocky foreshore platform.
- ⑩ New linkage to foreshore and starters pavilion.
- ⑪ WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and provide habitat.

LEGEND

- Existing trees
 - Proposed advanced trees
 - Existing planting area
 - Proposed planting area
 - Grassed area
 - Revegetation area
 - Dark sky compliant pedestrian lighting
 - Exposed aggregate concrete
 - RT Raised table
 - Breadcrumb / Marker (Refer attachment 02)
- Artist's Impression Viewpoint



Activate the Edge



Celebrate and Excite



Construct Ecology

Map 03: Pavilion Precinct MP

Victoria Esplanade, Bellerive TAS | Draft For Review

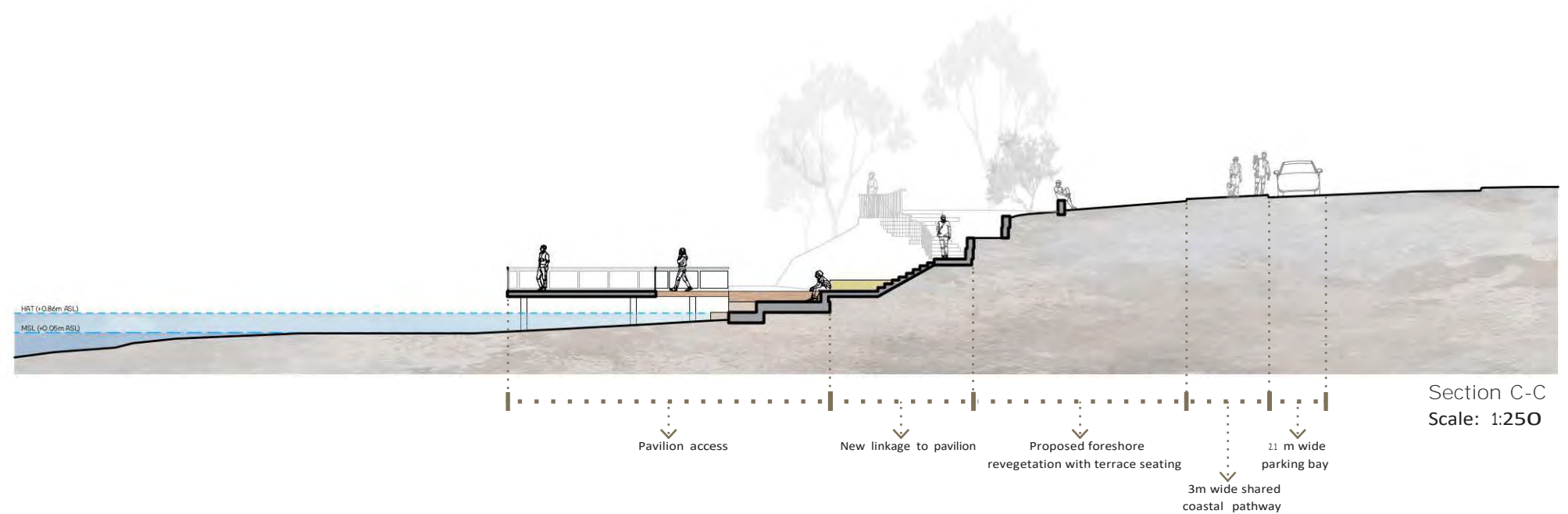
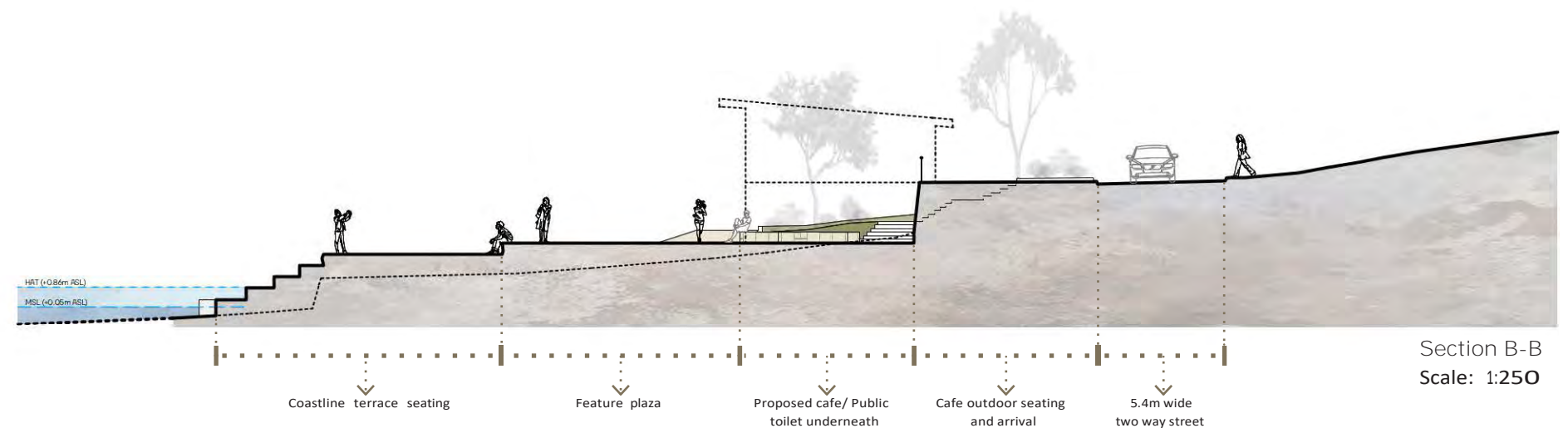
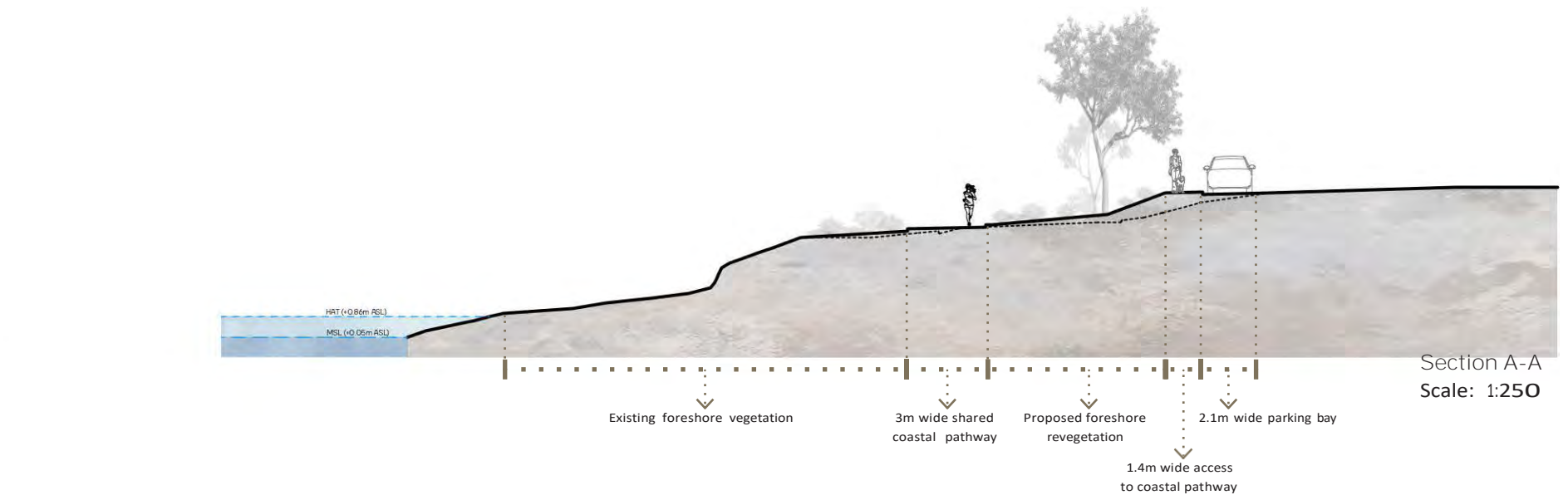
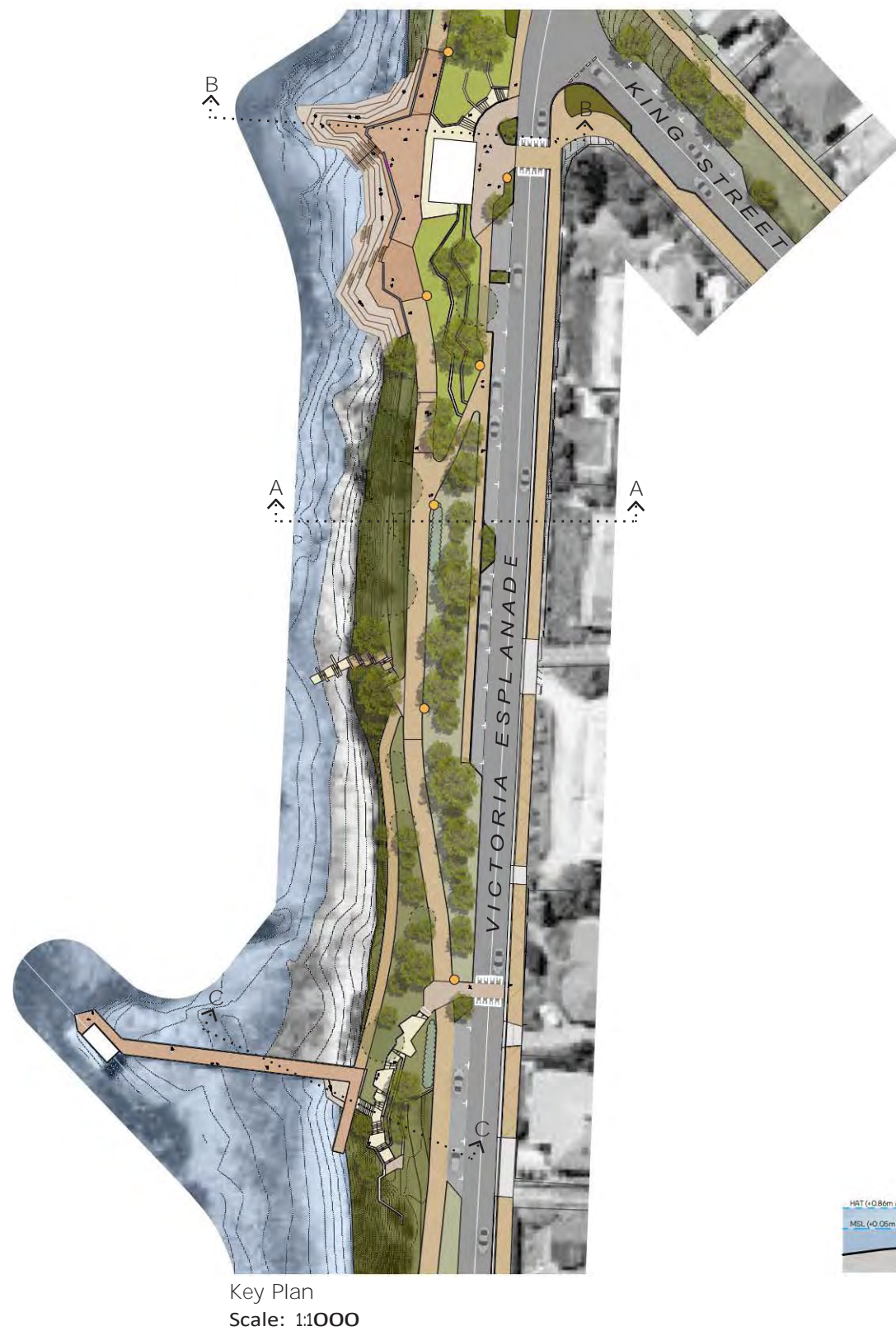
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inspiring
place



Scale 1:750 @A3



Proposed Pavilion Precinct Sections

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inspiring
place



Scale 1:250 @A3



Pavilion Precinct **Artist's** Impression 03

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KEY

- ① Foreshore trail broadened to a 3m wide shared concrete pavement. Re-aligned at key locations to accommodate open space adjacent to coastline.
- ② Opportunity for public art 'vista' and Indigenous landscape narrative.
- ③ Remediated sections of path to become grassed open space with islands of endemic vegetation.
- ④ WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and provide habitat.
- ⑤ Foreshore revegetation reinforced with additional vegetation in support of the Coast Care group's good efforts.
- ⑥ Seawall repaired in key locations as identified in WCCPL 2021 Geotechnical Report.
- ⑦ Existing parking conditions on western roadside formalized.
- ⑧ Existing parking rationalization to meet Australian Standards to enable consistency of provision of parking bays with access to pathway network.

LEGEND

- Existing trees
- Proposed advanced trees
- Existing planting area
- Proposed planting area
- Grassed area
- Revegetation area
- Dark sky compliant pedestrian lighting
- Exposed aggregate concrete
- RT Raised table
- Breadcrumb / Marker (Refer attachment 02)
- Public art 'vista' (Refer attachment 02)



Activate the Edge



Celebrate and Excite



Construct Ecology

Map 04: North Point Precinct MP

Victoria Esplanade, Bellerive TAS | Draft For Review

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inspiring
place



Scale 1:750 @A3

KEY

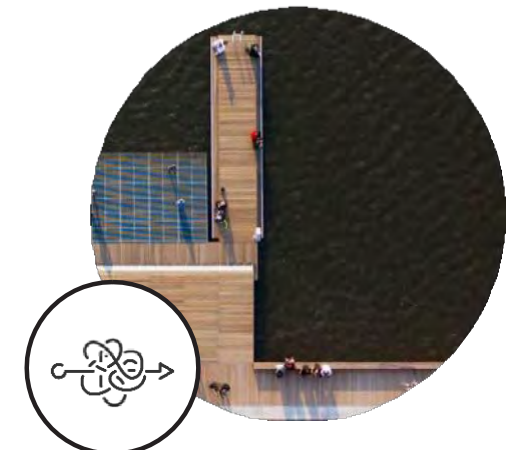
- ① Foreshore trail broadened to become a 3m wide shared concrete pavement.
- ② Opportunity for ramp to be repaired and converted for a kayak launch point.
- ③ Grassed 'lay down' area for kayak /launching with potential for wash down services.
- ④ WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and provide habitat.
- ⑤ Foreshore revegetation reinforced with additional vegetation.
- ⑥ Seawall repaired in key locations as identified in WCCPL 2021 Geotechnical Report.
- ⑦ Existing parking conditions on eastern roadside maintained with no change to road centerline. Footpath width retained as secondary circulation route, resurfaced as required.
- ⑧ Existing parking rationalization to meet Australian Standards to enable consistency of provision of parking bays with access to pathway network.
- ⑨ Raised table to direct through traffic to Abbott Street in support of road closure around the Bluff.

LEGEND

- Existing trees
- Proposed advanced trees
- Existing planting area
- Proposed planting area
- Grassed area
- Revegetation area
- Dark sky compliant pedestrian lighting
- Exposed aggregate concrete
- Private/ Emergency access threshold
- RT Raised table
- Directional sign (Refer attachment 02)
- Breadcrumb / Marker (Refer attachment 02)



Activate the Edge



Celebrate and Excite



Create Living Streets

Map 05: South Point Precinct MP

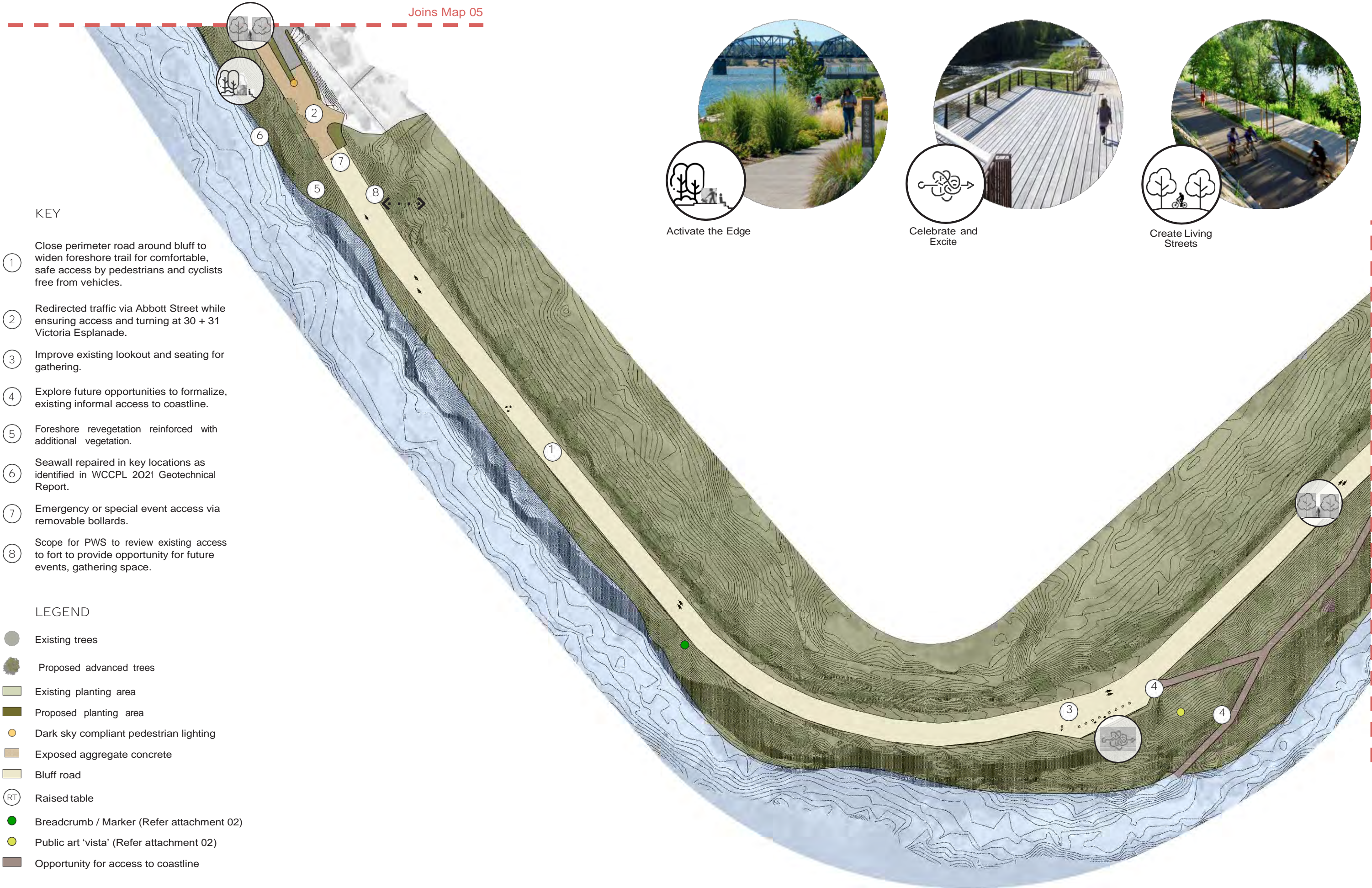
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PREPARED FOR CLARENCE CITY COUNCIL



inspiring
place



Scale 1:750 @A3



Map 06: Bluff West Precinct MP

Victoria Esplanade, Bellerive TAS | Draft For Review

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KEY

- ① Close perimeter road around bluff to widen foreshore trail for comfortable, safe access by pedestrians and cyclists free from vehicles.
- ② Emergency or special event access via removable bollards.
- ③ Explore future opportunities to formalize, existing informal access to coastline.
- ④ Opportunity for sculptural interpretation to communicate Indigenous and landscape narratives along existing secondary coastal trail loops with seating.
- ⑤ WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and provide habitat.
- ⑥ Existing parking rationalization to meet Australian Standards to enable consistency of provision of parking bays with access to pathway network.
- ⑦ Existing steel cable road edges replaced with raised planted strips, foreshore trail widened to 3m.
- ⑧ Victoria Esplanade one way traveling east to King Street allows widening of foreshore trail and street edge landscaping.

LEGEND

- Existing trees
- Proposed advanced trees
- Existing planting area
- Proposed planting area
- Dark sky compliant pedestrian lighting
- Exposed aggregate concrete
- Bluff road
- Private/ Emergency access threshold
- RT Raised table
- Interpretation (Refer attachment 02)
- Breadcrumb / Marker (Refer attachment 02)



Activate the Edge



Celebrate and Excite



Create Living Streets

Map 07: Bluff Central Precinct MP

Victoria Esplanade, Bellerive TAS | Draft For Review
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KEY

- 1 Foreshore trail broadened to become a 3m wide shared concrete pavement.
- 2 Narrow pathway section between King and Chapman Streets. Opportunity to close traffic and widen promenade to enhance the experience of the foreshore.
- 3 Proposed turning circle / turning head option for King Street.
- 4 WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and provide habitat.
- 5 Defined new 3m wide foreshore trail link through Beach Precinct.
- 6 Creation of tiered seawall to address surge erosion and enable foreshore access.
- 7 One directional traffic movement shifted to East - West direction to allow safe beach side drop-off.
- 8 Indicative terrace engagement with foreshore with shelter and seating. To be resolved via Bellerive Beach Park Master Plan.
- 9 Proposed feature beach side shade structure. Opportunity to have power and light connections for events.

LEGEND

- Existing trees
- Proposed advanced trees
- Existing planting area
- Proposed planting area
- Dark sky compliant pedestrian lighting
- Exposed aggregate concrete
- RT Raised table
- Directional sign (Refer attachment 02)
- Breadcrumb / Marker (Refer attachment 02)



Activate the Edge



Pause and Gather



Celebrate and Excite

Map 08: Bluff East Precinct MP

Victoria Esplanade, Bellerive TAS | Draft For Review
PREPARED FOR CLARENCE CITY COUNCIL

KEY

- ① Proposed feature beach side shade structure. Opportunity to have power and light connections for events.
- ② One directional traffic movement shifted to East - West direction to allow safe beach side drop-off.
- ③ Redirect vehicle traffic into Chapman street to allow safe shared pedestrian/ cycle connection around a wider promenade with seating and landscaping.
- ④ WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and provide habitat.
- ⑤ Defined new 3m wide foreshore trail link through to Beach Precinct.
- ⑥ Creation of tiered seawall to address surge erosion.
- ⑦ Proposed narrowing of access and raised table to prioritize safe pedestrian and cyclist crossing as key link within commute to ferry.
- ⑧ Indicative terrace engagement with foreshore. To be resolved in Bellerive Beach Park Master Plan.

LEGEND

- Existing trees
- Proposed advanced trees
- Existing planting area
- Proposed planting area
- Dark sky compliant pedestrian lighting
- Exposed aggregate concrete
- RT Raised table
- Map sign (Refer attachment 02)
- Breadcrumb / Marker (Refer attachment 02)
- Area to be resolved in Bellerive Beach Park Master Plan
- ▲ Artist's Impression Viewpoint



Activate the Edge



Pause and Gather



Celebrate and Excite

Map 09: Victoria Esplanade / Queen Street Precinct MP

Victoria Esplanade, Bellerive TAS | Draft For Review
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inspiring
place



Scale 1:750 @A3



Victoria Esplanade / Queen Street Precinct **Artist's** Impression 04

Victoria Esplanade, Bellerive TAS | Draft For Review | NTS
PREPARED FOR CLARENCE CITY COUNCIL



KEY

Queen Street is a key link in active transit network to and from the ferry. The western side of the street path has been broadened to provide a 3m wide shared bi-directional pedestrian / cycle way connecting ferry/ Bellerive Village to Blundstone Arena, Bellerive Beach and foreshore trail.

Existing roundabout to be a raised table to give priority to pedestrian and cyclists for commuting, recreation and Blundstone Arena events.










Extend raised table for Scott Street bus route.

WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and provide habitat.

Proposed median street tree plantings for amenity and to slow vehicle speeds.

New kerb bulbing to provide visual amenity and shading benefits of heat island effect.

LEGEND

-  Existing trees
-  Proposed advanced trees
-  Existing planting area
-  Proposed planting area
-  Grassed area
-  Revegetation area
-  Exposed aggregate concrete
-  Raised table
-  Breadcrumb / Marker (Refer attachment 02)



Activate the Edge



Create Living Streets



Construct Ecology

Map 10: South Queen Street Precinct MP

Victoria Esplanade, Bellerive TAS | Draft For Review

PREPARED FOR CLARENCE CITY COUNCIL



**inspiring
place**



Scale 1:750 @A3

KEY

Queen Street is a key link in active transit network to and from the ferry. The western side of the street path has been broadened, in response, to provide a 3m wide shared bi-directional pedestrian / cycle way directly connected to the foreshore cycleway at Bellerive beach and via crossing Petchey street and Cambridge road to the ferry terminal.

- ① Proposal for raised table crossing with alignment of Cottage School and Percy Street Carpark link.
- ③ Raised table crossing to prioritize pedestrian and cyclist safety at street intersections.
- ④ WSUD opportunities to assist in slowing, absorbing and filtering hard surface runoff and provide habitat.
- ⑤ Proposed street tree plantings to existing central median for amenity and to slow vehicle speeds.
- ⑥ Raised table prioritizes pedestrian, cyclist over vehicle traffic at this busy location.

LEGEND

- Existing trees
- Proposed advanced trees
- Existing planting area
- Proposed planting area
- Exposed aggregate concrete
- RT Raised table
- Directional sign (Refer attachment 02)
- Breadcrumb / Marker (Refer attachment 02)

Activate the Edge

Create Living Streets

Construct Ecology

Map 11: North Queen Street Precinct MP

Victoria Esplanade, Bellerive TAS | Draft For Review

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inspiring
place



Scale 1:750 @A3

Attachment 1 /
Context

Respond to the **site's** unique characteristics

Diagram 1: Topography and broad sight lines



Key:

- Red dashed line with arrow: Broad sightlines
- Yellow circle: Viewing nodes

Diagram 2: Climate



Key:

- Orange dotted line with arrow: Morning sea breeze
- Blue dotted line with arrow: Afternoon sea breeze
- Purple dashed line with arrow: Winter solstice sunpath
- Red dashed line with arrow: Summer solstice sunpath

The Victoria Esplanade site is located on the coastal edge of the Bellerive Bluff headland. The Esplanade hosts prominent viewing opportunities westward toward Mt Wellington/ kunanyi, the greater Hobart city beneath and along the length of the Derwent Estuary (Refer Diagram 1). The Esplanade site shares a maritime climate with the rest of Tasmania. The site's micro-climate is influenced by exposure to strong winds. In summer, early morning winds are from the north-west and in the afternoons there are often southerly sea breezes. Cold winter winds come from the southwest. Nonetheless, with proper protection from the elements, the climate in sections of the Esplanade is conducive to year-round outdoor use (Refer Diagram 2). Rainfall is relatively evenly distributed through the year as for the rest of the region. Stormwater is dispersed through existing drainage network with opportunities for further surface runoff capture and filtering.

Appreciate the **site's** local conditions



Future Coastal Refugia Areas
Much of the site is surrounded by sea walls to resist erosion and gradual coastal refugia as the green 'Compatible Zone' demonstrates in Diagram 3. Design for future structures needs to address expected sea level rise and consider opportunities for coastal habitat along with asset protection.

Derwent Estuary Heights
Mean Sea Level (1972) - AHD 0.00
Highest recorded tide height (1988) - AHD 1.35
Estimated Max Sea Level and Storm Surge (2100) - AHD 2.25

Diagram 3: Topography



Key:

- Yellow area: Case by Case Consideration Zone (LIDAR)
- Green area: Compatible Zone (LIDAR)
- Blue line: Ridgeline
- Blue arrow: Indicative waterflow off ridgeline

Unearth the **site's** formation



The site is strongly influenced by its bedrock geology which is explored at various locations along the foreshore. The Master Plan is an opportunity to express the quality of the bed rock geology that underlies the site.

Diagram 4: Geology



- Key:
- Glaciomarine- interbedded with siltstone
 - Dolerite
 - Modern shore face, aeolian dune sand
 - Man disturbed ground - man made deposits

Explore **site's** ecology: Flora



NOTE: The Victoria Esplanade environment has benefited greatly from the work of Coast Care Group in establishing and maintaining the Indigenous vegetation of the foreshore.

Diagram 5: Flora



Despite modification the site hosts a broad range of native flora and fauna. The Master Plan is an opportunity to reinforce the habitat value of the coast for a range of species.

Existing vegetation

Tas Veg community code – FUR (Urban Areas). Plant species found on the site include:

- Ubiquitous native trees and shrubs including *Allocasuarina verticillata* (drooping sheoak) and *Rhagodia candolleana ssp. candolleana* (salt bush). These are likely remnants of Tas Veg community NAV (*Allocasuarina verticillata* forest) as recorded on adjacent headlands.
- Multiple herbaceous weed species recorded in the area including: *Solanum marginatum* (White-edged nightshade) and *Nassella neesiana* (Chilean needlegrass)
- Ornamental plantings including Australian native trees and shrubs including *Eucalyptus* sp. and introduced feature planting such as *Schinus molle* (Peppercorn)

Threatened flora

Vittadinia muelleri (Narrowleaf new-holland-daisy)

Non-threatened flora of conservation significance

- Lepidium pseudotasmanicum* (Shade peppercress)
- Dillwynia cinerascens* (Grey parrotpea)
- Oxalis radicata* (Stoutroot woodsorrel)
- Ozothamnus reflexus* (Columnar everlastingbush)

Tas Management Act Weeds

- Nassella neesiana* (Chilean needlegrass)
- Solanum marginatum* (White-edged nightshade)
- Priority Weeds
- Anredera cordifolia* (Madeira vine)
- Solanum marginatum* (White-edged nightshade)

- Key:
- Observed flora and vegetation extent

Explore the **site's** ecology: Fauna



NOTE: The Victoria Esplanade environment has benefited greatly from the work of Coast Care Group in establishing and maintaining the Indigenous vegetation of the foreshore.

Diagram 6: Habitat



Threatened fauna

Brachionichthys hirsutus (Spotted handfish)

Eubalaena australis (Southern right whale)

Haliaeetus leucogaster (White-bellied sea-eagle)

Lathamus discolor (Swift parrot)

Megaptera novaeangliae (Humpback whale)

Threatened fauna based on range boundaries

Dasyurus maculatus subsp. maculatus (Spotted-tail quoll)

Litoria raniformis (Green and gold frog)

Prototroctes maraena (Australian grayling)

Antipodia chaostola (Chaostola skipper)

Pseudemoia pagenstecheri (Tussock skink)

Tyto novaehollandiae subsp. castanops (Tasmanian masked owl)

Pardalotus quadragintus (Forty-spotted pardalote)

Sarcophilus harrisii (Tasmanian devil)

Accipiter novaehollandiae (Grey goahawk)

Aquila audax subsp. fleayi (Tasmanian wedge-tailed eagle)

Sasyurus viverrinus (Eastern quoll)

Perameles gunnii (Eastern barred bandicoot)

Raptor nests and sightings:

Haliaeetus leucogaster (white-bellied sea-eagle)

Raptor nests and sightings based on range boundaries:

Aquila audax subsp. fleayi (Tasmanian wedge-tailed eagle)

Accipiter novaehollandiae (Grey goahawk)

Non-threatened fauna of conservation significance:

Parvotettix domesticus (Common camel cricket)

Platycercus eximius subsp. diemenensis (Eastern rosella)

Omegophora armilla (Ringed Toadfish)

Key:

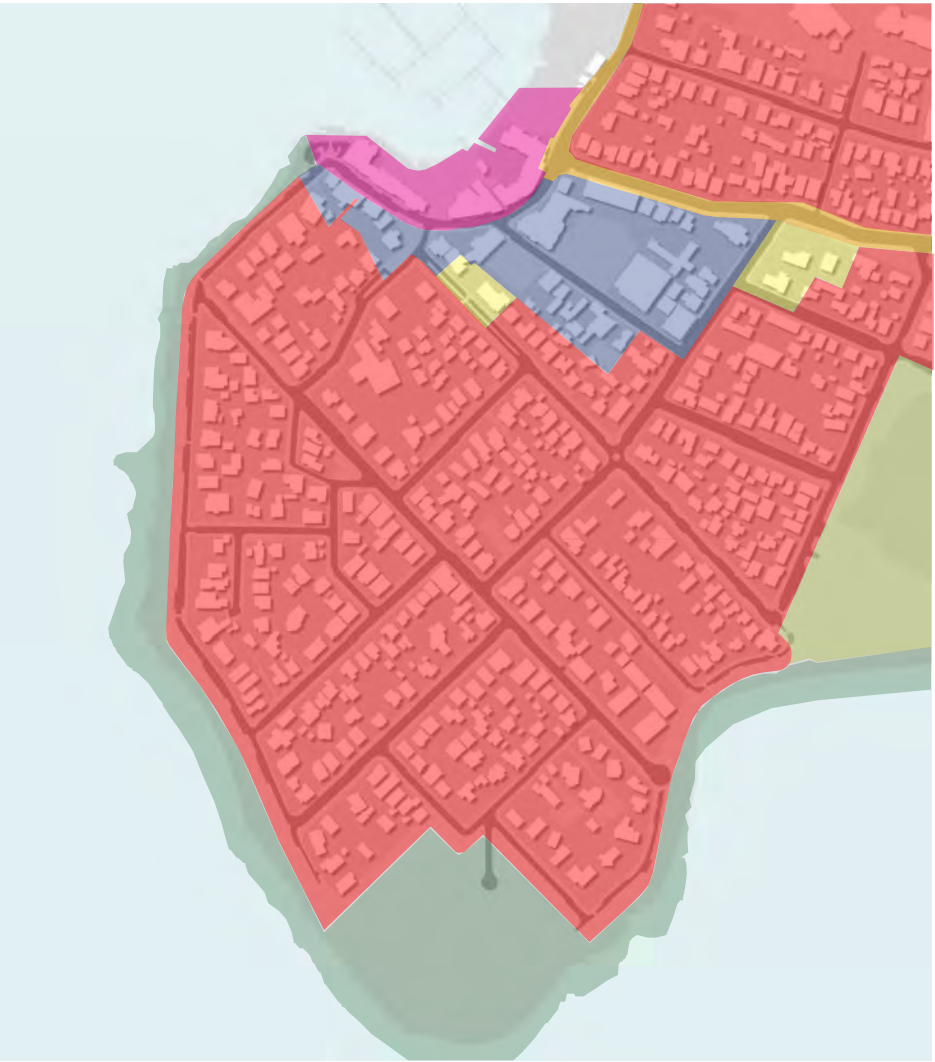
- Marine habitat
- Foreshore habitat
- Vegetation habitat
- Handfish habitat/ monitoring area

Understand the **site's** zoning



The study area zoning is appropriate to the land uses of the study area. The Master Plan is an opportunity to respond to the significant areas of open space zoning while enhancing the quality of residential zoned areas adjacent to it.

Diagram 7: Planning Zones



Key:

- Community purpose zone
- General Business zone
- Open space zone
- Particular purpose zone
- Recreation zone
- Residential zone
- Utilities zone

Appreciate the existing movement patterns



There is currently a range of pedestrian, cycle and vehicle movement patterns with multiple safety concerns. The Master Plan is an opportunity to resolve conflicts between these modes and enhance the safety and experience of all users.

Diagram 8:

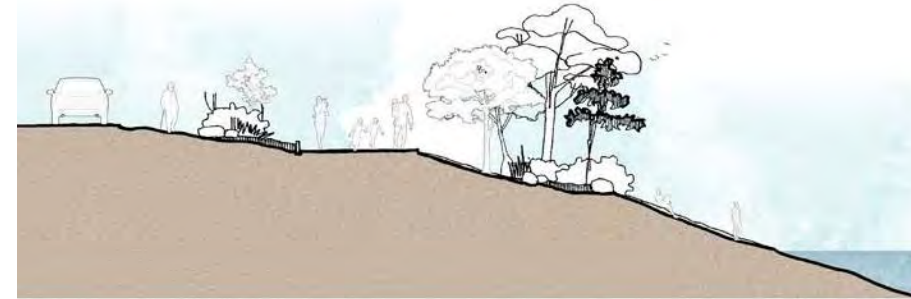


- Key:
- <---> Vehicular movement
 - Shared movement (Pedestrian + cyclist)
 - Pedestrian movement
 - - - One way road

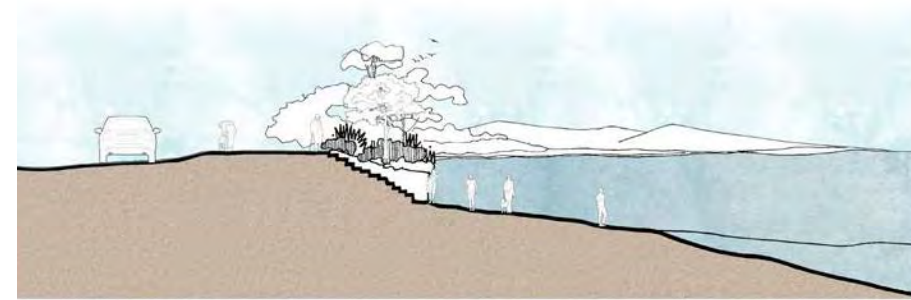
Acknowledge the edge conditions



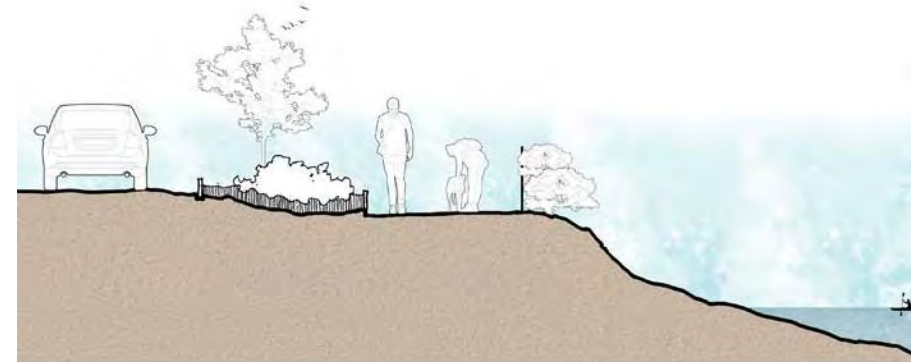
Edge 01: Typical Bluff section



Edge 02: Edge condition between Thomas and Dillon street



Edge 03: Edge condition between Bluff and beach



Edge 04: Edge condition at the start of the Darwin trail

The foreshore presents a variety of edge conditions between the street and coastline with the promenade squeezed between parked cars and steep edges to the water below. There are multiple opportunities to improve pedestrian navigation, engagement with the waterfront and to foster ecological conditions.

Understand the existing signage

Signage through the study area is varied in numbers, type, size + The Master Plan is an opportunity to rationalise the number + location of installation in support of any wayfinding + messaging.

EXISTING SIGNAGE
The existing signage along the Victoria Esplanade precincts covered by this project have a variety of design styles, materiality, construction methods and visibility. Some signage has become unreadable and overgrown over time. In some locations it is simply visual clutter rather than being useful in way-finding or telling a story.

The location audit resulted in the classification of signage into the following categories.

WAYFINDING
Including Clarence City Council wayfinding/directional signage

DIRECTIONAL
Including any sign offering directions, such as the Kangaroo Bluff 1.5 km.

REGULATORY
Includes all regulatory signage such as No Smoking, Dogs on lead and Foreshore Rules etc.

INTERPRETATION
Includes interpretation panels supplied by community groups and as part of the Darwin Trail.

POLE FLAGS
These refer to the banner/flag poles in the Cambridge Road Precinct.

OPPORTUNITIES
These locations have been sited for potential further development with signage from the other signage categories or to celebrate the scenic views.

OTHER
This category includes a variety of miscellaneous signage and infrastructure such as, seating with plaques, murals.

WAYFINDING



REGULATORY



DIRECTIONAL



INTERPRETATION



OPPORTUNITIES



OTHER



Attachment 2 / Challenges

Challenge 1

Make accessible and amenable



Wedged between a perimeter road and an abrupt, informal sea wall, the pedestrian coastal network surrounding the Bellerive headland is hampered by the topography, vehicular priority and restricted space.

The key challenge is to create equitable access to, along, and from the foreshore whilst providing a high quality experience for the community and its visitors.

Diagram 1:



- Existing pathways are typically too narrow for shared use.
- Embankments along length of coastal parkland limit accessibility between road, pathway network and coastline.
- Poorly articulated existing road edges lead to inefficient parking and potential for conflict with pedestrians and cyclists.
- Narrow path adjacent to road along Bluff precinct has, at times, resulted in cyclists and pedestrians selecting to use the road instead.
- Immediacy of raised garden bed edging to tracks limits safe manoeuvrability for passing users.

Key:

- Narrow 'shared' path
- Steep slope
- Unsafe overlap of users
- Unsafe edging

Challenge 2

Reinvigorate aging infrastructure



Over many years of active engagement with the coastline, various infrastructure elements have been installed to support the broad range of activities. Naturally, the condition of infrastructure has aged with use and the constant exposure to the elements. The challenge is to balance resources and prioritise which to recondition robustly and which to re-imagine.

Diagram 2:



- A Ferry carpark, pier front and shelters aging and not suited for increased ferry activity.
- B Deteriorating decking on pocket lookout north of pavilion.
- C Pavilion building and amenities currently in derelict state with adjacent landscape stairs in poor condition.
- D Starters pavilion and pier, owned by Crown, in poor structural state with aged narrow decking and legacy singular open handrail (see image above).
- E Decommissioned boat ramp, too short at low tide for kayaks to be launched.
- F Existing narrow beach shelters perform limited role in shading and amenity.

Key:

- Aging infrastructure

Challenge 3

Create an equitable and engaging foreshore access



Access points from the promenade to the water's edge are limited in numbers and variable in the quality of their treatment. More and improved opportunities to touch the water are required to take advantage of the stunning foreshore location of the Esplanade.

Challenge 4

Rationalise visitor amenity



The existing foreshore pathway is flanked by a diverse range of informally positioned amenity items including signage, bins, and seating, which while necessary detract from the experience of the promenade because of their randomness and spread. The Master Plan is an opportunity to develop a considered approach to the distribution of these elements.

Diagram 3:



- Foreshore access typically informal narrow staircases with limited variety in width and safe access to coastline.
- Historic informal channels indicate local access points for light weight water craft - separated from path by abrupt short stonework sea wall + steep stairs.
- Steep terrain surrounding the Bluff is navigated by anglers to reach a popular Bluff rock shelf fishing.
- Bellerive Beach access is limited on far western end and hampered by terrain and erosion risks.

- Key:
- ← Difficult foreshore access
 - • • Artificial channel
 - • • Pier / Jetty
 - • • Decommissioned boat ramp

Diagram 4:



- Current amenity buildings and cafes flank either end of the Victoria Esplanade foreshore walk, leaving a large gap in servicing overall visitation and thus limiting the length of stay.
- The decomissioned toilets and cafe pavilion is in poor condition yet provides an opportunity to extend amenity, if reinvigorated.
- Placement and selection of bins and seating is informal, eclectic and detracts from the high quality experience the promenade could provide.
- Water stations are limited in number and separate from current activity nodes.
- There is limited opportunity for visiting families to engage with the coastline for informal play.

- Key:
- Existing amenity buildings
 - Existing cafe
 - Decommissioned amenity building
 - Bins
 - Seating
 - Water station
 - Bellerive beach playground
 - 500m walking radius from toilets

Challenge 5

Address coastal erosion and habitat



Diagram 5:



With rising sea levels and higher storm surge activity projected, consideration needs to be made to future-proof the coastal fringe and determine the balance between opportunities for intertidal habitat to retreat whilst protecting existing valuable infrastructure.

- Current sea wall in varying states of condition. Report commissioned for geotech to determine specific condition summary.
- Sea wall material transition from concrete to placed cut stone as coastline passes from urban to natural conditions. Strategy required to determine is pattern is followed for new works.
- Lack of opportunities for intertidal ecology to establish new habitat against existing northern sea wall edges.
- Assessment of natural coastline required for bluff region to determine if further intervention is required to protect sections of road and path network.

Key:

- Concrete composite wall
- Sandstone wall
- Stone + concrete wall
- Natural coastline

Challenge 6

Provide wayfinding/ public art/ interpretation

This is an overarching recommendation for the types, proposed locations and number of signs, interpretation and public art opportunities.

Note: nominated locations are overarching recommendation, not a detail recommendation of exactly where it should go.

Before any work commences a detailed audit of existing signage and interpretation should be done in consultation with existing stakeholders. Where possible signs should be removed to reduce visual clutter, or if content is relevant, consider incorporating into the new style.



MAP SIGN

An overview sign that illustrates points of interest and features to explore. The sign might also include a small amount of interpretive information. Locates the person (you are here) gives indicative distances eg for runners / walkers.



LOCATION SIGN

For places like the 'Pavilion' and the 'Pier' that might become known as destinations, this will help people find their way, if someone says, let's meet at the Pavilion cafe for example.



DIRECTIONAL SIGN

Located at key nodes this type of sign provides directional info, pointing to key features / public toilets etc.



BREADCRUMB/ MARKER

A small sign type that acts as reassurance you're on the right path. These might be combined with interpretation.



PUBLIC ART/ INTERPRETATION

Opportunities for engaging public art or interpretation that enhances user experience by referencing relevant themes. Pieces that are sculptural and visually appealing will become an 'instagrammable' icons for the precinct.

-WELCOME/ GATEWAY

For Located at the Pier precinct to create a welcome visual statement and mark the 'entry' to the pedestrian friendly circuit. This along with the map signs will catch the eye of people nearby, signaling that there's something to explore.

-VISTA

Create an opportunity to stop and admire the view. The piece might be abstract or have interpretive values.



INTERPRETATION

Thematic interpretation that steers away from standard 'text on a panel' engages those who want to learn more about the area. With careful placement and consideration these can also act as breadcrumbs guiding people along the way.

Attachment 3 / Guiding Principles

Guiding principle 1

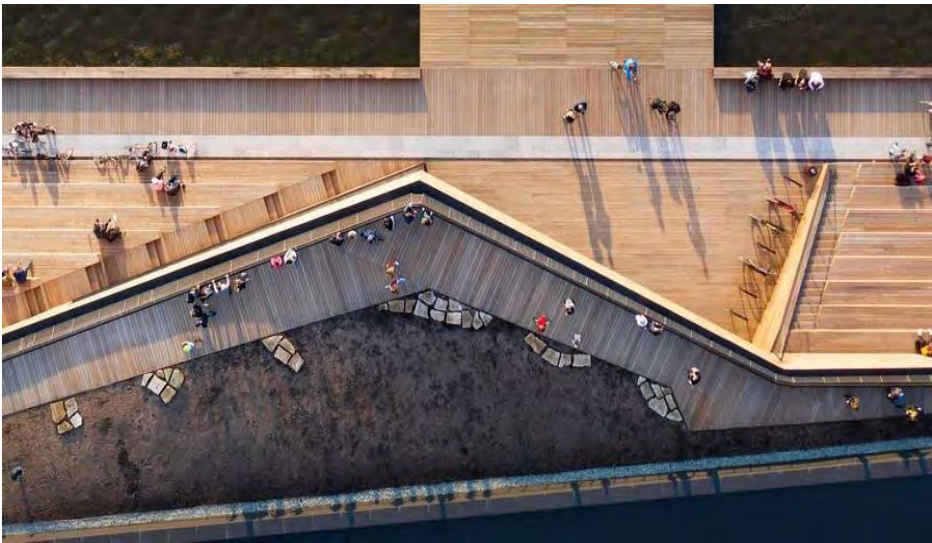
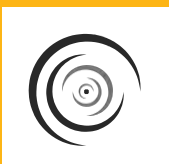
Activate the Edge



Over the past 50 years, cities around the world have begun the process of removing industry, roads and parking away from their foreshores to create vibrant public open spaces. Whilst vehicle access and parking have been retained, the priority should be to create safe movement for pedestrians and cyclists through the provision of more generous and inviting path networks and access to the **water's** edge.

Guiding principle 2

Pause and Gather



The foreshore is more than a movement corridor, it is a place where the story of its natural and cultural values can be told. To do so, people want to be able to step out of the passing parade and stop in a comfortable space. There, they can pause and gather to take in the magnificent setting at the edge of the Derwent and share their own stories with each other. By providing spaces that have varying size and potential use the promenade will become destination as well as a thoroughfare.

Diagram 1: Edge improvements



- Give priority to people not cars through the creation of a continuous 3m wide shared walkway along the length of the Esplanade and on Queen Street.
- Ensure all abilities access throughout the study area.
- Rationalize car parking parallel to the street to increase the available area for use by people.
- Provide formed edges to the street to give people safe access out of their cars and onto the foreshore promenade.
- Create safe, high quality access ways onto the **water's** edge where people can **touch the water's edge**.
- Stabilize receding/collapsing shoreline areas.
- Provide quality park furniture to support visitation and use of the area.

Key:

3m wide shared path to length of Victoria Esplanade

Road edge improvement to create living streets

No vehicular access

Diagram 2: Pause and gather locations



- Create inviting settings of varying sizes and materials to inspire people to creatively respond to how they might be used for events and activities.
- Provide high quality park furniture and shelter within the spaces that are created.
- Continue to maintain and expand the excellent vegetation management work that has been done by the local Coast Care group.
- Support activation of the Pavilion precinct through upgrading of the spaces around it (access, seating, gathering and contact with the water) and within in it (i.e. public toilets).

Key:

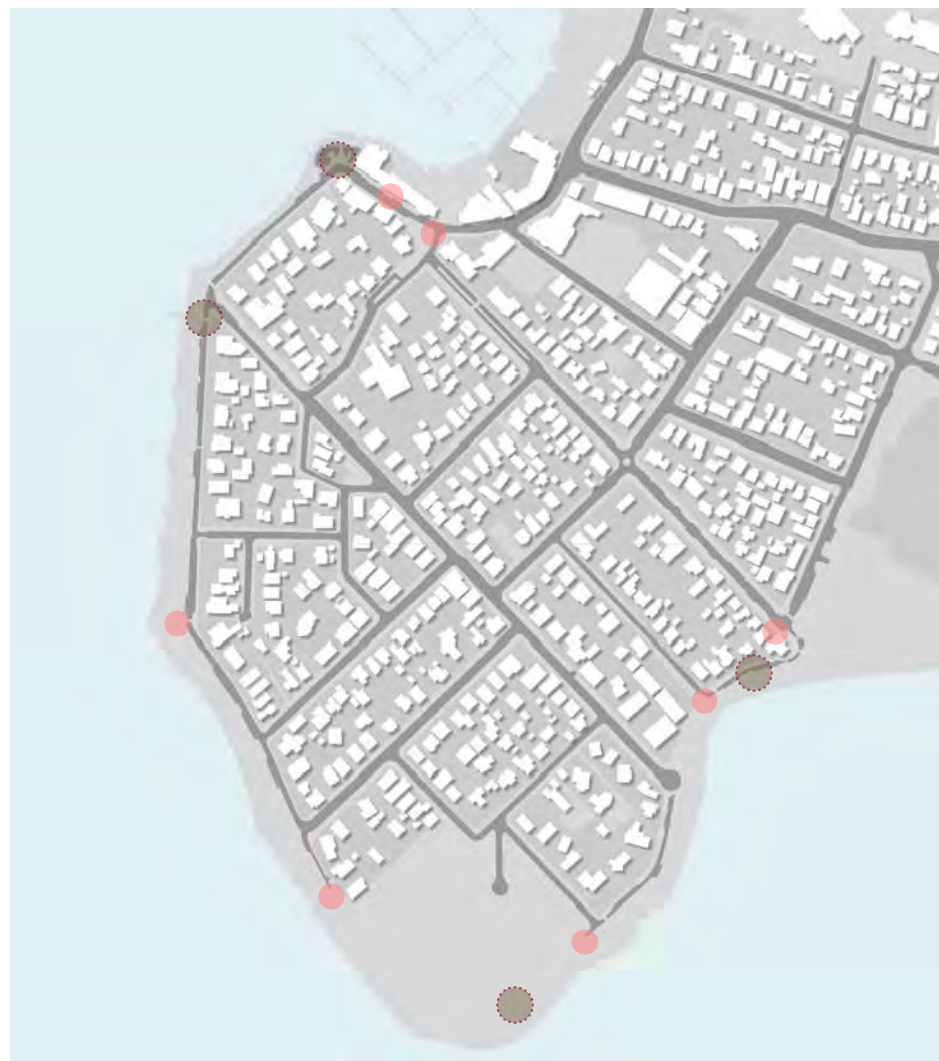
Places to pause

Foreshore engagement opportunities

Guiding principle 3 Celebrate and Excite



Opportunities abound for taking the next steps beyond basic infrastructure improvements to create new interventions that lift the experience of the foreshore beyond the ordinary.



- Revitalize aging infrastructure to expand opportunities for use and enjoyment of the foreshore.
- Create contemporary facilities that go beyond the ordinary and extend the imagination for how a wharf, a path, a lookout or a gathering space might look.
- Introduce public art that draws inspiration for the location.
- Develop interpretive installations that tell the story of the natural and cultural values of the place.
- Introduce small, playful elements to engage with younger users.
- Support the use of the foreshore for events tailored to the scale and location of waterfront.

Key:

- Opportunities for significant new community infrastructure to excite the imagination
- Revitalized public spaces

Guiding principle 4 Create Living Streets



Streets should be more than a roadway with a couple of footpaths either side. Instead, streets should be alive with people and landscapes, with safe surfaces, well lit, clear to navigate and sheltered from the elements. When this occurs, the street becomes more than a corridor it morphs into an avenue, a boulevard or a parade - a place for people.

Diagram 4: Proposed street types



Key:

- Shared street
- Pedestrian street

Guiding principle 5

Construct Ecology



The city is a shared space- shared between people and a diverse range of plants and animals. The Master Plan offers the opportunity to reinforce the ecosystem services being provided by the local ecology. Infrastructure can be made to multi-task, meeting its functional requirements as well as having environmental benefits such as creating oxygen, cleansing water, sequestering CO2, controlling dust and providing habitat for urban adapted fauna.

Diagram 5: Constructed ecology opportunities



- Integrate habitat features into foreshore infrastructure to support marine as well as terrestrial fauna.
- Introduce opportunities for water sensitive design to help manage water quality and flow and to create habitat for native plants and animals to thrive.
- Continue to maintain and expand on the excellent vegetation management work that has been done by the Coast Care group in using locally indigenous plant species for ornamental and ecological purposes.
- **Adopt 'dark sky' lighting principles** throughout all areas in support of better environmental outcomes including reduced impacts on wildlife and human health.

Key:

- Street trees along Queen Street
- Constructed ecology
- WSUD locations

Attachment 4 / Precedents / Look and Feel

Precedents/ Look + Feel

Urban Elements

STRATEGY

Implement a consistent design approach to Victoria Esplanade and Queen Street including shelter, furniture, lighting and landscaping. Envision a suite of durable, yet attractive furniture and improvements that will create a unified look along the foreshore. To create a positive image of Victoria Esplanade as a safe, beautiful and active place enabling people to explore, connect and revisit.

BENEFITS

- Supports public awareness of Victoria Esplanade as one unified public space.
- Sets a high design standard for elements that are practical to maintain.
- Improves the facilities and general amenity of Victoria Esplanade.
- Develops at key locations to support activation of the site.

RECOMMENDATIONS: FURNITURE

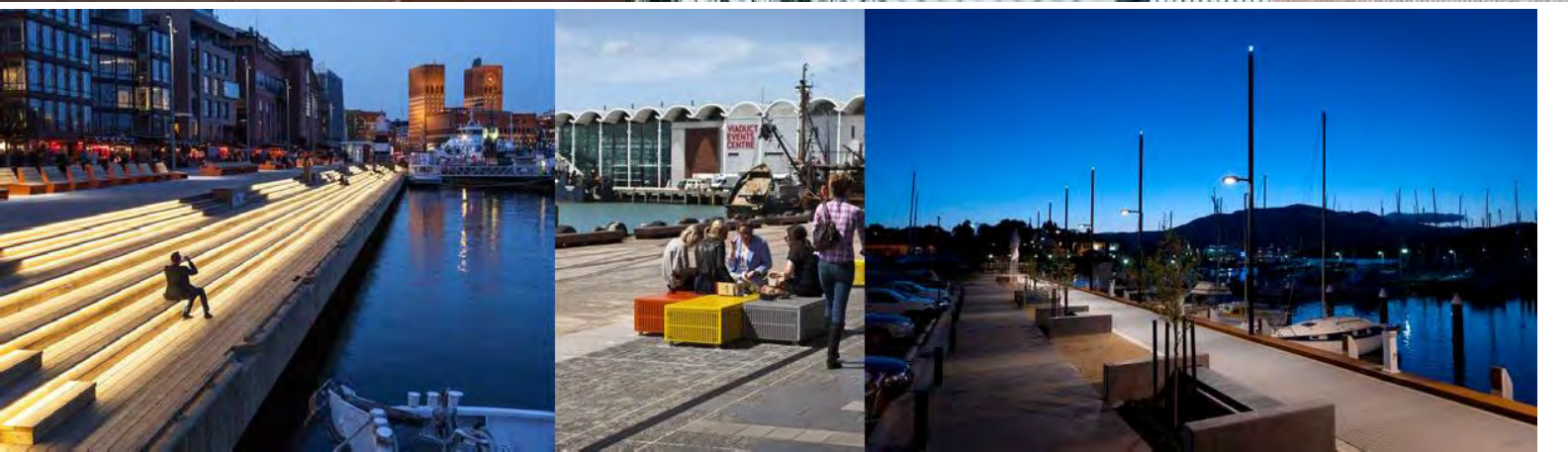
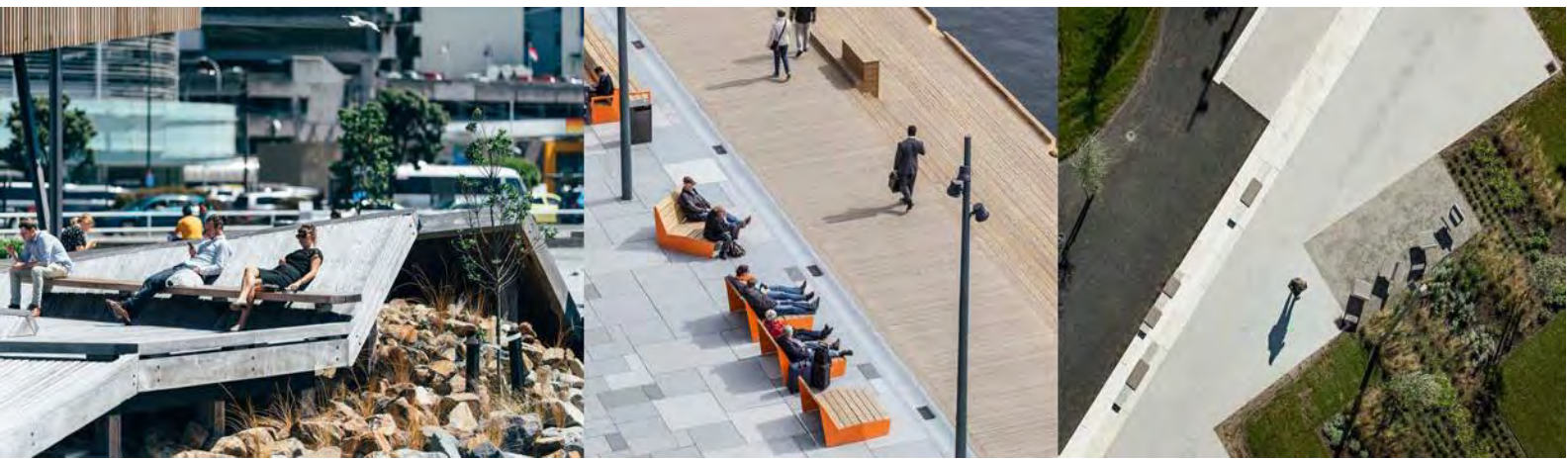
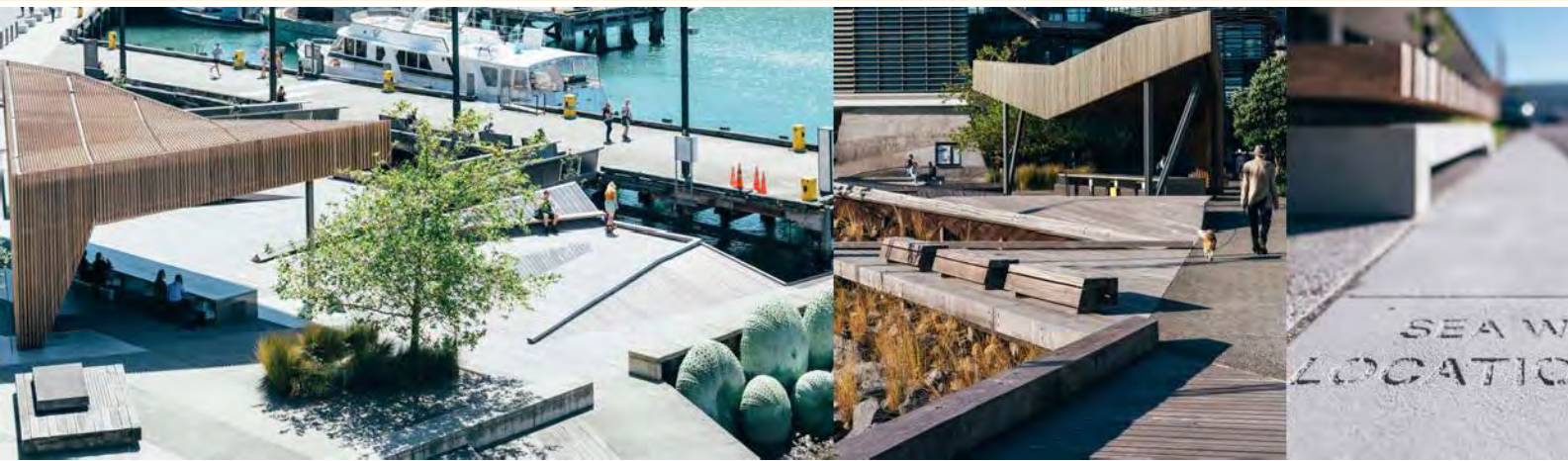
- Identify a custom suite of park furniture for uniform application across Victoria Esplanade and assess where furniture should be sited.
- Design furniture for its utilitarian values and of a subdued form.
- Examine variables in selecting furniture including durability, maintenance, origin, cost and design quality. The important thing is the consistency of application across the study area and ideally the replacement of existing furniture is completed as a single task rather than over an extended period of time.
- Focus on contemporary solutions that incorporate characteristics from the place.
- Authentically respond to the unique qualities of the foreshore.

RECOMMENDATIONS: MATERIAL

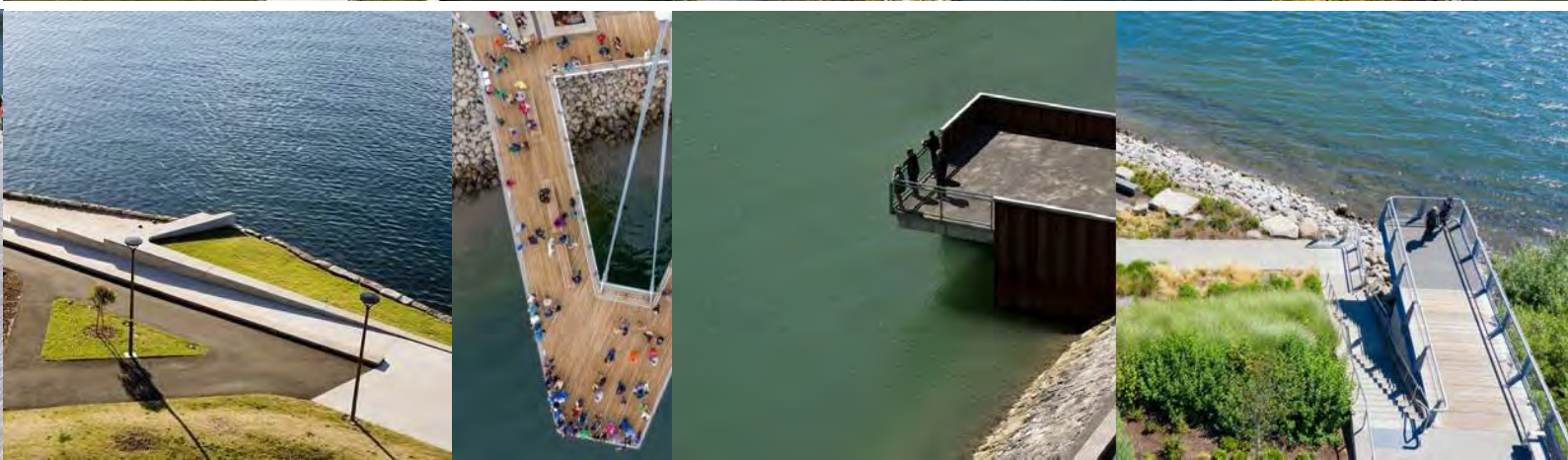
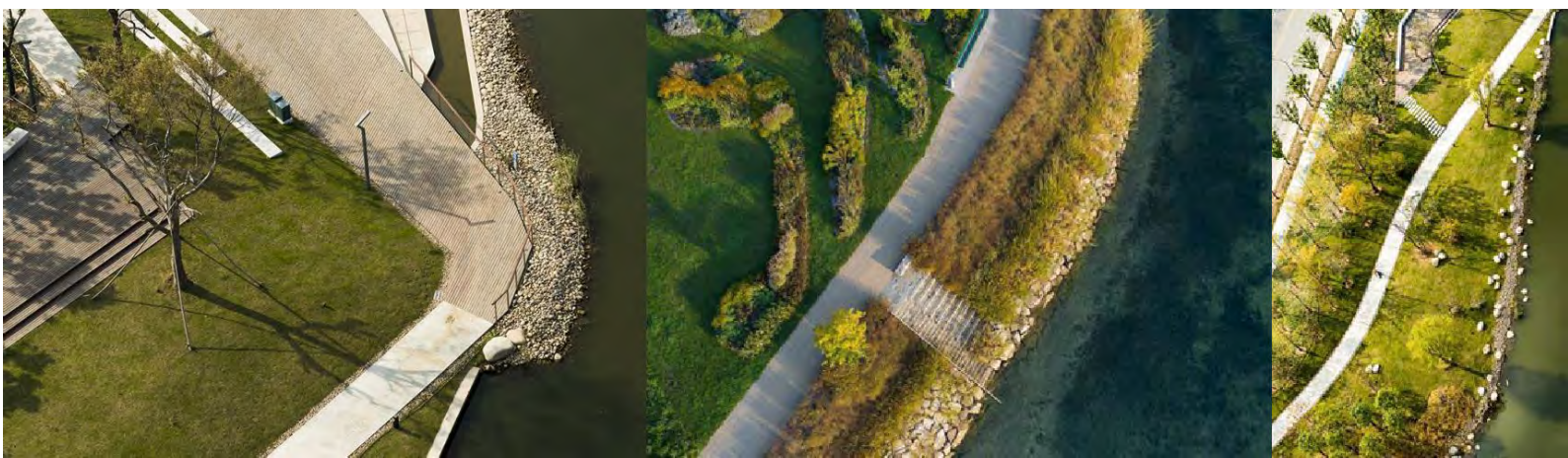
High quality design of the foreshore and the elements in the streetscape are essential components of the success of the project. The Master Plan shows the street + footpath realignment and application of new pavements combine to make a more pedestrian accessible environment and unified setting.



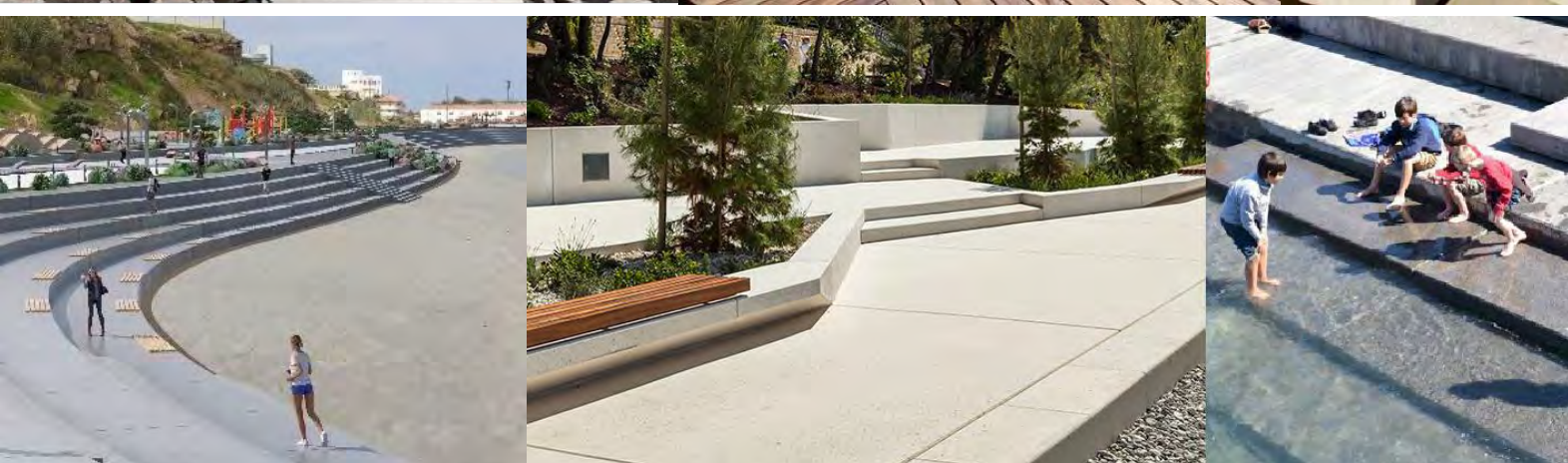
Precedents/ Look + Feel
Pier precinct



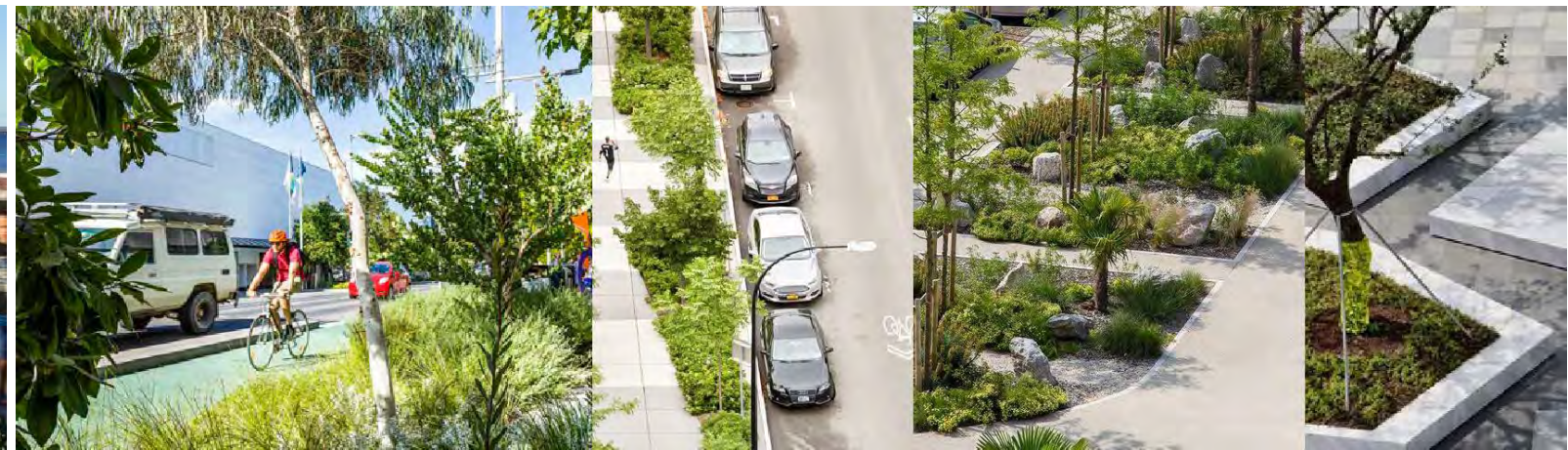
Precedents/ Look + Feel
Pavilion precinct



Precedents/ Look + Feel
Beach precinct



Precedents/ Look + Feel
Queen Street precinct



Precedents/ Look + Feel

Material and colour palette

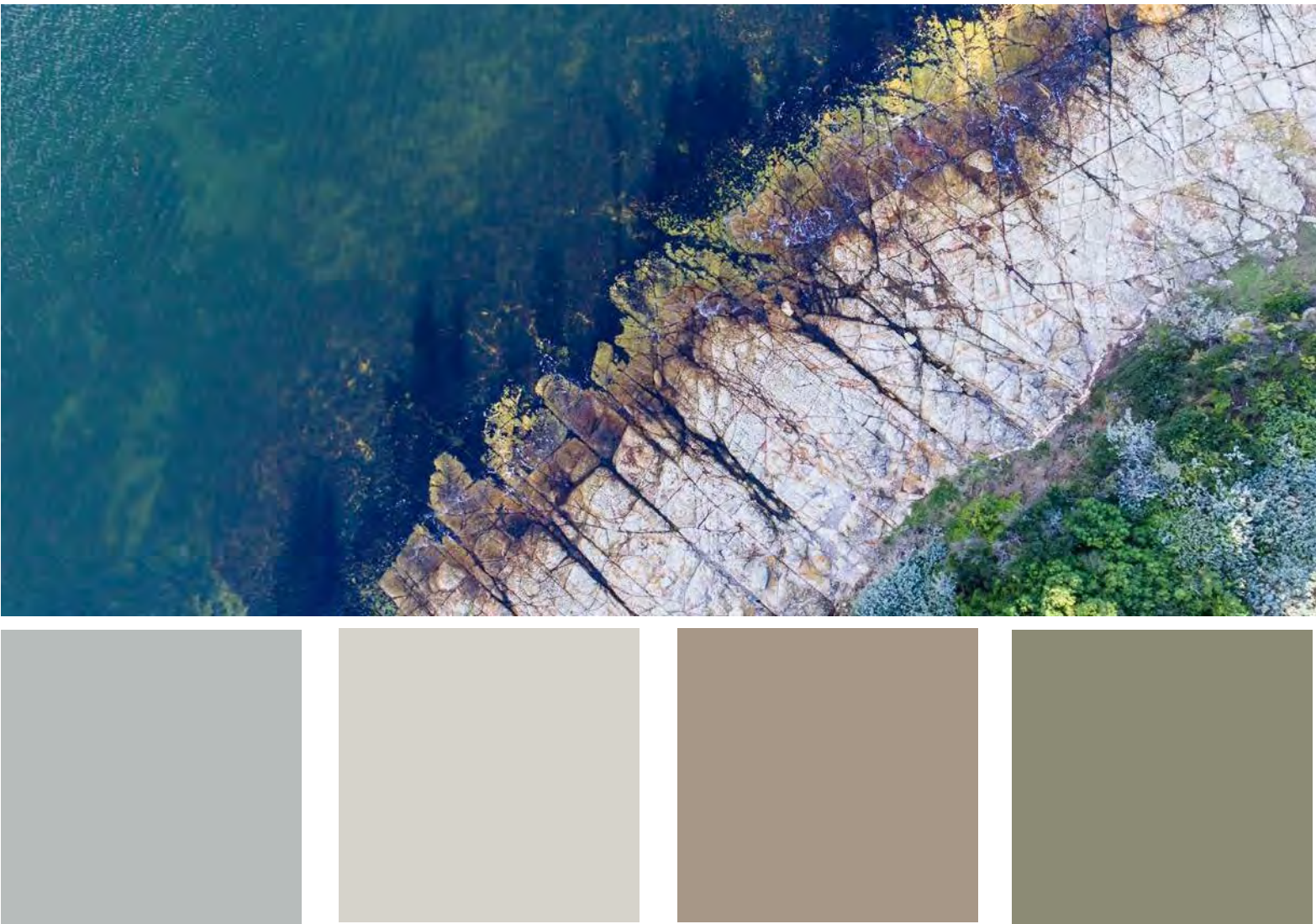
The design respects the fragility of the marine environment and recognises its natural and cultural values.

Local materials are suggested to reflect the qualities of the regional setting and to ensure compatibilty with any marine conditions.

Use of such materials will have a minimal impact on the foreshore environment and provide a more natural experience to the visitors.



Locally sourced materials



Neutral colour palette derived from coastal setting

Precedents/ Look + Feel

Wayfinding

There's an opportunity to streamline necessary information, and reduce unnecessary visual information to allow the views and nature to be the hero.



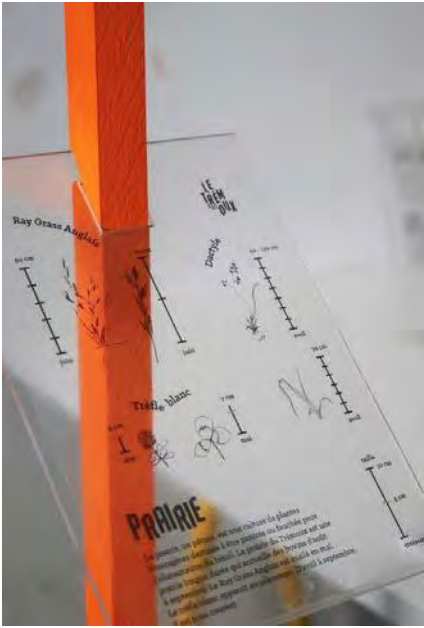
Joao Gomes Da Silva, Location: Lisboa, Portugal



Signage at pedestrian height, discrete colour palette and form recede, Vancouver Waterfront



Considered scale and transparency



Wayfinding can be integrated into other built infrastructure



Precedents/ Look + Feel

Wayfinding

Considered interpretation or public art can lead people to discover places, history and stories. We're interested in seeing how we can create a new, layered experience.



Above and right: Catherine Griffiths, Wellington waterfront, NZ



Above and below: Battery Point Sculpture Trail Futago, Judith Abell, Chris Viney

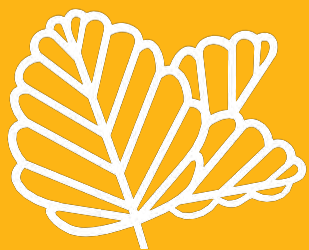


Sandblasted text in seating **doesn't** shout, allows discovery up close



Minimal sculpture. A framing device, creating instagrammable moments





**inspiring
place**

Jerry de Gryse
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Project: 21-06

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE**8.4.1 NATURAL RESOURCE MANAGEMENT COMMITTEE – LAND AND COASTCARE GRANTS****EXECUTIVE SUMMARY****PURPOSE**

To consider the Natural Resource Management Committee's recommendations for the allocation of financial assistance in respect of the 2022/2023 round of Landcare and Coastcare Grants.

RELATION TO EXISTING POLICY/PLANS

Consistent with Council's Strategic Plan 2021-2031, Community Grants Policy and social strategies and plans including the Active Lifestyle Strategy, Youth Plan, Cultural Arts Plan, Age Friendly Clarence Plan, Community Health and Wellbeing Plan, Access and Inclusion Plan, Cultural History Plan, Community Participation Policy, Clarence Events Plan, Community Safety Plan, Reserve Activity Plans and Recreation Strategies.

LEGISLATIVE REQUIREMENTS

Nil.

CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There is an annual budget of \$40,000 for the Landcare and Coastcare Grants.

RECOMMENDATION:

That Council approves the distribution of financial grants totalling \$31,872.08 to community groups and organisations, as detailed in the attachment to the Associated Report.

ASSOCIATED REPORT**1. BACKGROUND**

Council allocated \$40,000.00 in the 2022/2023 Annual Operating Plan Budget for Landcare and Coastcare Grants. The funding round for the annual Landcare and Coastcare Grants closed on 3 October 2022.

2. REPORT IN DETAIL

2.1. The 2022/2023 Landcare and Coastcare Grant round was advertised in the Eastern Shore Sun and on Council's website and Facebook page. A notification was sent by email to all known contacts of non-profit groups.

2.2. Applications for the annual round of the Landcare and Coastcare Grants closed on 03 October 2022 and a total of eight applications was received totalling \$31,872.08.

2.3. Below are the groups and individual funding requested:

• Bellerive Bluff Coastcare	\$4,507.86
• Limekiln Coastcare	\$4,000.00
• Glebe Hill Landcare in partnership with Howrah Primary School	\$4,979.00
• Pipe Clay Coastcare	\$5,232.20
• Mt. Rumney Landcare	\$5,280.00
• Rosny / Montagu Bay Landcare and Coastcare	\$2,595.00
• Tranmere Clarence Plains Land and Coastcare Inc. (TCPLACI)	\$4,280.00
• One Community Together Landcare	\$998.02

Refer to **Attachment 1** for detailed project information.

2.4. The criteria used to evaluate the projects were:

- Group has the current capacity to manage and achieve their project;
- Group has the potential future capacity to maintain outcomes;
- Project will increase the skills, knowledge, and capacity of the group;
- Project has significant conservation outcomes;
- Project application represents fair value through in-kind support;
- Project has the potential to enable the implementation of other beneficial projects or create significant awareness of natural values and their management issues;

- Project activities have links with an approved reserve activity plan, management plan, or relevant strategy;
- Submitted complete application form.

2.5. The Natural Resource Management Committee consisting of Council Officers and community members reviewed all applications in accordance with the evaluation criteria and recommended all eight projects be funded for the nominated amounts.

3. CONSULTATION

3.1. Community Consultation Undertaken

No consultation was undertaken; however, the grant was advertised as set out at paragraph 2.1 above.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nil.

3.4. Further Community Consultation

No further community consultation will be undertaken.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. The Landcare and Coastcare Grants aim to support community care groups and schools for amounts of up to \$5,000 for one-off activities or projects that meet the grant assessment criteria.

4.2. The Grants Program is a strategic investment tool, assisting the community to meet and respond to Council's priorities and vision as outlined in the Strategic Plan 2021-2031. It enables Council to contribute to the community by:

- Supporting local groups and school communities to build on existing capacity and progress their health and wellbeing;

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

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Nil.

7. FINANCIAL IMPLICATIONS

A budget of \$40,000.00 has been approved for the 2022/23 budget year; \$159.84 was used for advertising. Eight applications are recommended for funding totalling \$31,872.08. The remaining budget funds will be carried forward to next financial year.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

The Natural Resource Management Committee has assessed eight received Landcare and Coastcare Grant applications, and all have been recommended to Council for approval for the amounts indicated as per the attached schedule.

Attachments: 1. Natural Resource Management Landcare and Coastcare Grants December 2022 Assessment Schedule (4)

Ross Graham
GROUP MANAGER ENGINEERING SERVICES

Attachment 1 - Natural Resource Management Landcare and Coastcare Grants

December 2022 Assessments

Applicant:	Bellerive Bluff Coastcare
Project:	Victoria Esplanade foreshore improvements
Funds Requested:	\$ 4,507.86
Project Description:	Engaging a contractor to maintain embankments which are too steep for the group to manage safely. In addition, there is a section of gravel pathway which is washed out and requires maintenance and stone paving installed into the path by a contractor. Lastly the group will be undertaking additional planting and mulching to improve existing revegetated beds.
Comments:	Meets the criteria and is consistent with the draft Victoria Esplanade Landscape Plan.
Recommendation	The application should be supported, and the group are very capable and spend consistent time along the foreshore weekly.

Applicant:	Limekiln Coastcare
Project:	Derwent Estuary foreshore weeding
Funds Requested:	\$ 4,000.00
Project Description:	The group propose to hire a contractor to spray environmental and declared weeds, brush cut and prune away from track.
Comments:	Possible to leave dead branches for habitat? Quote from contractor does not include pricing for herbicide.
Recommendation	Approve, and explore opportunity to incorporate work into Council crew maintenance program into the future.

Applicant:	Glebe Hill Landcare and Howrah Primary School
Project:	Bandicoot Bunker Project
Funds Requested:	\$ 4,979.00
Project Description:	Extension to existing bandicoot bunker through infill and continuation of native vegetation in partnership with the school. This has been a successful project previously undertaken by both groups. It has enabled the school to participate in caring for and learning from their local environment.
Comments:	Typo in budget spreadsheet. Mulch should be 100m3
Recommendation	Recommended for approval.

Applicant:	Pipe Clay Coastcare
Project:	Community coastal awareness and revegetation
Funds Requested:	\$ 5,232.20
Project Description:	The group is proposing to continue the maintenance, mulching and planting of existing revegetation areas in accordance with the Pipeclay Lagoon Reserve Activity Plan. In addition, they propose to have a plant give away, and BBQ with the community to promote native plants and coastal management.
Comments:	First aid provision (\$60) to be removed - Council will fund this as it does for all groups. Remove carry bags (\$30) from the grant application as it does not fit within the criteria. \$232.20 over the grant amount.
Recommendation	Approve the grant for \$5000. The group have their own small funds to pay for excess on some items which do not fit grant criteria.

Applicant:	Mt. Rumney Landcare
Project:	Centauri – Canopus Bushland Reserve Conservation
Funds Requested:	\$ 5,280.00
Project Description:	As part of the implementation of the Reserve Activity Plan, the group proposes to undertake a flora and fauna survey, and an interpretative walk. The Mt Rumney area is recognised by the Tas Fire Service and Hobart Fire Management Area Committee as high bushfire risk. The group proposes to run a Traditional Fire Workshop following on from other successful education session run by the Tas Fire Service.
Comments:	\$280.00 over the allocated \$5,000 however this additional allocation can be covered as the grant program is undersubscribed and it fits the grant criteria.
Recommendation	This application is recommended for approval.

Applicant:	Rosny / Montagu Bay Landcare and Coastcare
Project:	Rosny Hill and Rosny Foreshore Reserve Weed Management and Revegetation
Funds Requested:	\$ 2,595.00
Project Description:	Rosny Hill Nature Recreation Area - Contractor to remove century plant and spray buffalo grass. Mulching will be undertaken by volunteers to extend current garden bed, along with further planting. Rosny Montagu Bay Coastal Reserve - Additional revegetation and plant maintenance. Purchase of weed puller and pine bark.
Comments:	\$10,400 in kind support in volunteer hours
Recommendation	Supported, in accordance with Reserve Activity Plans for both reserves.

Applicant:	Tranmere Clarence Plains Land and Coastcare Inc. (TCPLACI)
Project:	Revegetation of Tranmere Coastal Reserve, Rokeby Hills Bushland Reserve and Clarence Plains
Funds Requested:	\$ 4,280.00
Project Description:	General maintenance of sites, purchase of tools, plants, and mulch. Printing of leaflets about the group to inform the community. Purchase, installation, and maintenance of nesting boxes
Comments:	This group have sound capacity to undertake this work and it equates to \$24,000 of in-kind contribution.
Recommendation:	The proposed weeding, revegetation and mulching is contributing towards the implementation of the Reserve Activity Plans for all three reserves and is recommended for approval.

Applicant:	One Community Together Landcare
Project:	Clarence Plains Greening Program
Funds Requested:	\$ 998.02
Project Description:	Establishing/maintaining new/current garden beds, further development of existing bush tucker garden in partnership with Clarendon Vale Primary School
Comments:	Excellent value as the in-kind contribution for the project equates to \$13,360. Aligns with the Clarence Plains Master Plan
Recommendation	Recommended for approval

8.4.2 REVIEW OF COUNCIL CODE OF CONDUCT**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the review of Council's Code of Conduct in accordance with the *Local Government Act, 1993*.

RELATION TO EXISTING POLICY/PLANS

Council has previously adopted the Model Code of Conduct as its Code of Conduct. The Model Code of Conduct was revised and updated via an Order dated 7 December 2018, and came into effect on 26 December 2018. At its meeting of 25 February 2019, Council adopted the updated Model Code of Conduct. At a meeting on 25 July 2022 Council also adopted a Councillors' Statement of Expectations which is relevant.

LEGISLATIVE REQUIREMENTS

Section 28T of the *Local Government Act, 1993* requires Council to adopt the model Code of Conduct, either with or without any variations permitted under the Act.

Section 28T(7) requires a Council to, within three months of an ordinary election, review its Code of Conduct.

CONSULTATION

The matter was discussed at Council's Workshop on 30 January 2023.

FINANCIAL IMPLICATIONS

There are no financial implications.

RECOMMENDATION:

That Council continues to adopt the Model Code of Conduct and Councillors' Statement of Expectations and notes that the Future of Local Government Review will review the Model Code of Conduct.

ASSOCIATED REPORT**1. BACKGROUND**

1.1. Council's initial Code of Conduct was adopted by Council at its Meeting on 26 June 2006. The Code was revised in 2008, 2010, 2014 and 2016. The Model Code of Conduct was revised and updated via an Order dated 7 December 2018 and came into effect on 26 December 2018. At its meeting of 25 February 2019, Council adopted the updated Model Code of Conduct.

- 1.2.** Section 28T(7) of the *Local Government Act, 1993* (“the Act”) places a requirement on all Councils to review their Code of Conduct within three months of an ordinary election.

2. REPORT IN DETAIL

- 2.1.** The Act provides for a local government code of conduct framework for all councils. The purpose of the Code of Conduct is to provide a standard for councillor conduct and provide a mechanism for complaints and resolution.
- 2.2.** The Local Government (Model Code of Conduct) Order 2016 sets out the Model Code of Conduct which Council has previously adopted without variation.
- 2.3.** Council has sought advice from the Office of Local Government on what is required for the review, noting that the Future of Local Government Review will include a review of the current Model Code of Conduct. The advice is that Council is still required to review its Code of Conduct, but it is sufficient to note that Council will continue to adopt the Model Code of Conduct and await the outcome of the Future of Local Government Review.
- 2.4.** It is noted that Council has adopted the Model Code of Conduct without variation since its inception in 2016 and it is practicable to continue to adopt it until it is reviewed through the Future of Local Government Review.
- 2.5.** Given the existence of the Councillors’ Statement of Expectations it is considered prudent to adopt this in its current form alongside the Model Code of Conduct.

3. CONSULTATION

- 3.1. Community Consultation Undertaken**
Not required.

3.2. State/Local Government Protocol

Council has obtained advice from the Local Government Division that it is sufficient for Council to continue to adopt the Model Code of Conduct and await the outcome of the Future of Local Government Review.

3.3. Other

Nil.

3.4. Further Community Consultation

Not required.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Nil.

5. EXTERNAL IMPACTS

Nil.

6. RISK AND LEGAL IMPLICATIONS

Council is required to undertake a review of its Code of Conduct within three months of an ordinary election. Council's last election was held in November 2022.

7. FINANCIAL IMPLICATIONS

There are no financial implications.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. The intention of this report is to satisfy this statutory timeframe and obligation for Council to review its Code of Conduct within three months of an ordinary election.

- 9.2.** It is noted that the Future of Local Government Review will include a review of the Model Code of Conduct and Council will await the outcome of that review.

Attachments: 1. Clarence City Council Code of Conduct (4)
2. Councillors' Statement of Expectations (3)

Callan Paske
ACTING CHIEF EXECUTIVE OFFICER



CLARENCE CITY COUNCIL

Code of Conduct

PART 1 - Decision making

1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
2. A councillor must make decisions free from personal bias or prejudgement.
3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

PART 2 - Conflict of interest that are not pecuniary

1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A councillor must act openly and honestly in the public interest.
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.

6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
 - (a) declare the conflict of interest and the nature of the interest before discussion of the matter begins; and
 - (b) act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.
7. This Part does not apply in relation to a pecuniary interest.

PART 3 - Use of Office

1. The actions of a councillor must not bring the Council or the office of councillor into disrepute.
2. A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.
3. In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

PART 4 - Use of resources

1. A councillor must use Council resources appropriately in the course of his or her public duties.
2. A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.
3. A councillor must not allow the misuse of Council resources by any other person or body.
4.

PART 5 - Use of information

1.
2. A councillor must only access or use Council information needed to perform his or her role and not for personal reasons or non-official purposes.
3.
4. A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

PART 6 - Gifts and benefits

1. A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances and is not in contravention of any relevant legislation.
2. A councillor must avoid situations in which a reasonable person would consider that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.
3.
4.
5.
6.
7.
8.

PART 7 - Relationships with community, councillors and Council employees

1. A councillor –
 - (a) must treat all persons fairly; and
 - (b) must not cause any reasonable person offence or embarrassment; and
 - (c) must not bully or harass any person.
2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.

3.
4. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.
5. A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council.

PART 8 - Representation

1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.
2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.
4. A councillor must clearly indicate when he or she is putting forward his or her personal views.
5. A councillor's personal views must not be expressed publicly in such a way as to undermine the decisions of the Council or bring the Council into disrepute.
6. A councillor must show respect when expressing personal views publicly.
7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.
8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

PART 9 - Variation of Code of Conduct

1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act.

COUNCILLORS' STATEMENT OF EXPECTATIONS

1. PURPOSE

As part of council's good governance program and earning the highest level of confidence in our elected members from our community, council has endorsed this document as a complementary document to support achievement of the standards of conduct and behaviour required by the Code of Conduct approved in accordance with the *Local Government Act 1993* (Tas). This document also assists council to meet obligations under the *Work Health and Safety Act 2012*.

2. APPLICATION

This document applies to the conduct and behaviour of elected members towards each other, other council employees and community members, while performing the functions and exercising their powers of office with the council.

3. ELECTED MEMBER RESPONSIBILITIES

Elected members are obliged to uphold the law and actively contribute to a healthy working environment for colleagues, council employees and our community by adhering to high standards of behaviour whenever and wherever they may be undertaking their duties.

4. INAPPROPRIATE CONDUCT / UNREASONABLE BEHAVIOUR

While a range of behaviour and conduct are precluded by legislation, there is also behaviour that falls below misconduct but is still unreasonable, including:

- rude, loud, or insensitive remarks
- swearing, shouting, name-calling or generally ranting out loud about something
- repeatedly raising the same issue, and not letting go despite the matter being addressed
- continually making jokes about a person, or singling out one person for remarks more often than others in a group
- personal attacks, threats and intimidation
- deliberate exclusion, and
- deliberately withholding information from someone where that information is essential to their ability to perform their work effectively.

The standard of behaviour expected and to be adhered to is measured by how it is perceived by others not how it is intended. That is, inappropriate conduct / unreasonable behaviour is conduct or behaviour that a reasonable person, having regard to all the circumstances, believes or expects would be inappropriate within a workplace or work setting.

5. IMPACT OF INAPPROPRIATE CONDUCT / UNREASONABLE BEHAVIOUR

Inappropriate conduct and unreasonable behaviour has both physical and mental health impacts, including poor morale, stress, damage to reputation and disengagement.

Developing a culture where inappropriate conduct and unreasonable behaviour is not tolerated provides an environment which builds trust and confidence. In such an environment elected members, staff and our community feel safe to contribute openly and to challenge each other without fear of being embarrassed or marginalised; engendering respectful and meaningful communications.

6. ELECTED MEMBER BEHAVIOURS

Elected members will:

- Treat all people with dignity and respect.
- Recognise their individual role in contributing to and maintaining a respectful and positive culture.
- Ensure their behaviour is appropriate at all times in accordance with council's values.
- Maintain a professional and safe work environment free from unacceptable conduct.
- Take reasonable and proportionate measures to prevent and/or resolve unacceptable conduct as early as possible in a respectful and courteous way.
- Not make or cause to make a vexatious, false or frivolous complaint.
- Report any unacceptable conduct.
- Maintain confidentiality regarding any complaint raised in accordance with this Statement of Expectations, unless given explicit permission by the individual bringing the complaint or they are legally obliged to provide information to appropriate authorities.

Examples in practice

- Take responsibility for being positive role models
- Not talk over the top of another speaker
- Be present in communications, listen to understand
- Ensure everyone has the opportunity to be heard
- Not embarrass someone if they make a mistake, or ask a question

7. ISSUES RESOLUTION

The Mayor is responsible for addressing issues of inappropriate conduct and unreasonable behaviour in accordance with council's adopted Councillor Issues Resolutions Procedure.

The General Manager remains the person principally responsible for council's obligations as a Person Conducting a Business or Undertaking under the *Work Health and Safety Act 2012* (Tas).

8. APPROVAL

COUNCIL APPROVAL DATE	25 July 2022
REVIEW	Every 4 years following each council election
RESPONSIBLE POSITION	Mayor
ECM REFERENCE	ECM_4852228_v3

8.4.3 CLOSURE OF PUBLIC FOOTWAY – 4 QUEEN STREET, BELLERIVE**EXECUTIVE SUMMARY****PURPOSE**

To consider the closure of the public footway through the land at 4 Queen Street, Bellerive owned by the Cottage School Incorporated (“the School”).

RELATION TO EXISTING POLICY/PLANS

Council’s Strategic Plan 2021-2031 states a key objective is to value the physical, mental and social wellbeing of our community.

LEGISLATIVE REQUIREMENTS

The *Land Use Planning and Approvals Act, 1993* and the *Local Government (Highways) Act, 1982* are applicable.

CONSULTATION

Consultation will occur with the community via the closure of public footway process in accordance with the *Local Government (Highways) Act, 1982*.

FINANCIAL IMPLICATIONS

The recommendation has no direct implications on Council’s Annual Operating Plan.

RECOMMENDATION:

- A. That the Chief Executive Officer be authorised to commence the procedures set out in the *Local Government (Highways) Act, 1982* to advise of Council’s intention to close the public footway.
- B. That once the procedures have been completed to close the public footway and there are no objections to the closure of the public footway, that the Chief Executive Officer be authorised to remove the Part 5 Agreement registered on the title to 4 Queen Street, Bellerive in accordance of the *Land Use Planning and Approvals Act, 1993*.
- C. That the Cottage School Incorporated be advised that it is responsible for all costs associated with the removal of the Part 5 Agreement.
- D. That, if objections are received in relation to Council’s intention to close the public footway, the objection is to be referred to the Magistrates Court (Administrative Appeals Division) and councillors to be advised in writing of the objection.

NB: A decision to close the public footway requires an absolute majority of Council.

CLOSURE OF PUBLIC FOOTWAY – 4 QUEEN STREET, BELLERIVE /contd...

ASSOCIATED REPORT**1. BACKGROUND**

- 1.1.** The School has requested Council close the public footway within its property at 4 Queen Street, Bellerive due to concerns that its continued existence within school grounds is a child safety risk and seriously risks compliance by the School with its child safety obligations.
- 1.2.** The public footway was created in 2002 to preserve pedestrian access from Queen Street to the Percy Street carpark when Council sold 6 Queen Street, Bellerive to the School. The public footway was formalised through registration of a Part 5 Agreement on the title to the property.
- 1.3.** To formally close the public footway, Council is required to undertake the highway closure process outlined in section 14 of the *Local Government (Highways) Act, 1982* and remove the Part 5 Agreement from the title of 4 Queen Street, Bellerive.

2. REPORT IN DETAIL

- 2.1.** In 2002, Council approved the sale of 6 Queen Street, Bellerive to the School subject to the creation of a public footway notation on the property title for 6 Queen Street, Bellerive. Simultaneously with the sale of 6 Queen Street, Bellerive the public footway was formalised through a Part 5 Agreement with the School and registered on the title to 6 Queen Street, Bellerive.
- 2.2.** The Part 5 Agreement required the School to maintain the public footway to Council's standard and to ensure that members of the public had lawful, unrestricted access to the footway at all times.

- 2.3.** In 2004, the titles for 4, 6, 8 and 10 Queen Street, Bellerive were adhered pursuant to section 110 of the *Local Government (Building and Miscellaneous Provisions) Act, 1993* and the property owned by the School became known as 4 Queen Street, Bellerive.
- 2.4.** In 2004, Council allowed the School to erect a gate at the start and end of the footway on the terms that the gate is not locked, it continues to allow disabled access, it will be locked in the open position outside school hours and will include signage stating that it is an entrance to a public footway.
- 2.5.** During COVID-19 restrictions in 2020, Council permitted the School to erect further signage at the entrance points of the public footway advising that public access was closed during school hours due to COVID-19 restrictions.
- 2.6.** There is no record of any objections being received regarding the School erecting a gate at the start and end of the public footway or the further restrictions regarding access during COVID-19 restrictions.
- 2.7.** Over the last two years, the School has raised concerns regarding public use of the footway. The existence of the footway means that members of the public can walk through the school grounds at any time without notice to the School.
- 2.8.** The footway divides the School's playground into two sections which results in the risk that students running from one playground area into another will collide with a footway user. The footway is very narrow, and users of the footway are in close proximity to the play equipment and children using the playground.
- 2.9.** The existence of the public footway is contrary to the School's child safety legal obligations in caring for students and in providing a safe learning environment for the students in their care. The School would like the discretion to be able to lock the public footway as it deems necessary eg lock the gates during school hours or restrict use of the footway to School invitees only.

2.10. The public footway is also no longer considered to be necessary due to the existence of other footpaths in the immediate vicinity of the public footway providing access to Percy Street.

2.11. The closure of the public footway requires a formal road closure process to be completed by Council in accordance with section 14(1) of the *Local Government (Highways) Act, 1982*. Section 14(1) provides that:

“(1) If, in the opinion of the corporation, a local highway or part of a local highway should be diverted or closed for the public benefit, in the interests of public safety or because of lack of use, it may –

(a) if it is satisfied, in the case of a diversion of a highway, that standard requirements, if applicable, have been complied with; and

(b) not less than 28 days after a written notice of its intention to do so –

(i) has been served on each of the owners and occupiers affected;

(ii) has been served on the Transport Commission;

(iii) has been displayed in a prominent position at each end of the highway; and

(iv) has been published twice in separate issues of a local newspaper circulating in the municipality in which the highway is situated –

close or divert the highway in respect of all traffic or particular types of traffic or subject to the reservation of a footpath or some other highway that may be used only for limited purposes.”

2.12. Council officers will advertise its intention to close the footway by advertising in “The Mercury” on two occasions, placing a notice at both ends of the footway and placing a notice on the Council website. Council is also required to serve notice on the Transport Commission. Interested persons can object to the closure of the footway within 28 days of the notice. An objection must be referred to the Magistrates Court (Administrative Appeals Division) for determination.

2.13. If there are no objections to the closure of the public footway, Council will also be required to remove the Part 5 agreement on the title of 4 Queen Street, Bellerive. The *Land Use Planning and Approvals Act 1993* section 74(3) provides that a Part 5 Agreement can be ended by agreement between the planning authority and all persons bound by that Part 5 Agreement. As the only party bound by the Part 5 Agreement is the School, Council can agree to remove the Part 5 Agreement.

3. CONSULTATION

3.1. Community Consultation Undertaken

The public will be notified of Council's intention to close the public footway through advertisement in "The Mercury", Council's website and notice on the public footway.

3.2. State/Local Government Protocol

Council is required to serve notice of its intention to close the footway on the Transport Commission.

3.3. Other

Nil.

3.4. Further Community Consultation

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

Council's Strategic Plan 2021-2031 states a key objective is to value the physical, mental and social wellbeing of our community.

5. EXTERNAL IMPACTS

The closure of the public footway will have an impact on persons who currently use the public footway as a short cut to access between Queen Street and Percy Street. There are established footpaths in the area which allow access between Queen Street and Percy Street.

6. RISK AND LEGAL IMPLICATIONS

The School has advised Council officers that the existence of the public footway exposes the School to a risk of breaching their child safety legal obligations.

7. FINANCIAL IMPLICATIONS

The recommendation has no direct implications on Council's Annual Operating Plan.

8. ANY OTHER UNIQUE ISSUES

Nil.

9. CONCLUSION

9.1. The Cottage School has raised concerns with Council officers that the public footway which runs through its property at 4 Queen Street, Bellerive presents a risk to the School and its students by allowing members of the public to walk through the school grounds at any time without notice to the School.

9.2. The public footway is no longer considered necessary by Council and the formal closure process under the *Local Government (Highways) Act, 1982* is recommended.

9.3. Public access through the School should be regulated by the school and the removal of the Part 5 Agreement registered on the title is recommended.

Attachments: 1. Site Plan showing the Public Footway (1)
2. Photos showing Location of the Footway (3)

Callan Paske
ACTING CHIEF EXECUTIVE OFFICER

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.

25/01/2023

1:1129



ATTACHMENT 2



View of public footway from Percy Street carpark



View showing one side of the playground divided by the public footway



View of public footway from Queen Street showing narrow width of footway

9. MOTIONS ON NOTICE

Nil

10. COUNCILLOR'S QUESTION TIME

A Councillor may ask a question with or without notice at Council Meetings. No debate is permitted on any questions or answers.

10.1 QUESTIONS ON NOTICE

(Seven days before an ordinary Meeting, a Councillor may give written notice to the Chief Executive Officer of a question in respect of which the Councillor seeks an answer at the meeting).

Nil.

10.2 ANSWERS TO QUESTIONS ON NOTICE

Nil.

10.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING

Cr Mulder (19 December)

Additional response regarding the part of the question asked by Councillor Mulder at Council's meeting of 19 December 2022 relating to alleged sale of alcohol.

Question

The Friday before last, AFL Tasmania conducted operations at council owned facilities at Wentworth Park. One of the long-term tenants of this particular area, Clarence Zebras, had actually booked through council, as I'm informed, the venue for their AGM but were unable to conduct their meeting due to the presence of AFL Tasmania, who are not a tenant of that particular room.

My questions are, did AFL Tasmania actually book these rooms, was their use of these rooms lawful and was the sale of alcohol legal?

ANSWER

The sale of alcohol at council facilities such as the Wentworth Park Clubrooms is legal if the permit holder has a liquor licence. Council has confirmed with AFL Tasmania that it held a valid liquor licence at the time this event took place.

Cr Warren

1. Further to a question asked earlier regarding extending the permit for Rosny Hill and this is by way of a question from a constituent, at what stage do we decide that something is important enough to come back to council to make that decision about an extension or that it can be made by a planning officer. The feeling in the community was that this is important enough that council should be making the decision. How do we make that distinction?

ANSWER

(Mr Lovell) The council has provided delegated powers to the officers to deal with certain matters that are procedural in nature through to permits of various kinds. It has done so in the knowledge that any application falling into those categories will be dealt with under delegation. There is no provision in the delegation that would give any direction to what type of items that should notwithstanding be referred to council or another body. Without any distinction other than that of the delegation itself which just specifies the nature of particular matters we deal with there is no guidance for me to send any particular item to council or to guess which ones should go to council. I am governed by the delegation so it would be a matter for council to decide whether to change that delegation.

Question contd

Would it be possible for a council decision for any future extensions to come back to us for review?

ANSWER

It is within councils' power to remove or modify the relevant delegation. Should council consider doing so, it is suggested that the following matters are relevant to that decision:

- Whether the delegation is withdrawn in full or part and if in part, what the appropriate triggers should be for selecting the relevant decision-making process.
 - The Land Use Planning and Approvals Act 1993 provides that a planning permit may be granted two extensions of time, equating to six years and council currently deals with around 40 to 50 per year.
 - An application for an extension of time is not advertised and the assessment is not an opportunity to reassess the original application. The Act does not specify matters to be taken into consideration, however it is generally regarded that there should be a consideration of the reasons why a permit has not been commenced and whether additional time is appropriate, having regard to factors such as the reasons for the delay (for example: the scale of the project, financing or contractual arrangements, economic climate, or other unforeseen impacts - such as a pandemic, or impacts on any new adopted planning strategy).
 - Whether a new process alters the level of certainty and whether that may have reputational or economic development implications to be addressed.
 - Whether there are resource implications for the council.
2. In response to a query from a constituent which is a frequent occurrence on this particular issue, I recall may be last year possibly the year before we were doing a business case on FOGO and can I ask where we are up to on that please?

ANSWER

(Mr Graham) We have not progressed that further at this stage, but it is likely that it will be one of the items to be discussed for the 2023-24 budget.

Cr James

1. With regard to the 1 Gordon Street, Richmond proposal which you exercised your delegation to approve do you seek in writing from the applicant to say that they are refusing to grant an extension of time or is it done verbally over the phone?

ANSWER

(Mr Lovell) We normally ask verbally over the phone and particularly when it is an urgent matter, and it is the only way we can reach someone. We cannot compel them to respond in writing, we do also use emails. Our preference is to do it in writing but sometimes circumstances of urgency mean that we accept a verbal declaration that they are not prepared to agree to the extension. I am unaware of the method we used on this occasion.

2. In relation to the Niche Structure Plan on the Tranmere peninsula my understanding is that there is an urban growth boundary matter that sits within that plan that basically says categorically that no development is to occur over the 70m contour level. Given that there is another project in the pipeline with Skylands can we mix and match or can we discard or basically start afresh given that council did spend \$80,000 on the structure plan?

ANSWER

(Mr Lovell) The Niche project has approximately 50% of the amount still in the budget to complete the project. It was put on hold by council at a workshop when the Skylands proposal came up. The purpose of that deferral was to wait and see what the outcome of the Skylands project would be and then to resume the Niche work from there. As the project is incomplete, in the event that any changes were required as a result of any decision council might make on that Skylands proposal there is scope to alter the brief or change the direction of the study accordingly.

Cr Hulme

A number of people raised the issue of parking for the Bellerive ferry service with me during the election and also after it, so I have submitted an elected members' request about what options if any are being explored. The response I received was that it was not considered to be a park and ride service and that passengers were encouraged to walk, cycle or be dropped off or connect via public transport. That is obviously the intention with the service, but I am interested to know how well that matches the practicalities and the realities of what has happened. Has there been any investigation into whether the service has had an impact on parking in the area and to what extent?

ANSWER

(Mr Graham) From recollection we presented some information to council at a workshop in August and then made some changes to parking restrictions in the area. Our Principal Engineer had been undertaking a survey of parking for an entire year and so had good relative data. I can reproduce that information and provide to council.

The information has now been provided through a separate Memo to council.

Cr Mulder

1. Regarding on-going drainage issues in Wellington Street Richmond much of which results from the large vegetable farm and its huge water usage accelerated by the approved Richmond Green subdivision. My question is, will this overflow and inadequate stormwater drainage be addressed when the Richmond Green subdivision has been completed and how?

ANSWER

Further information (Mr Graham) The approved subdivision includes stormwater infrastructure to allow stormwater runoff from the catchment east of Prossers Road catchment to flow through to the Wellington Street open drain. Some further low flows may occur through the Wellington Street open drain after the subdivision is complete, due to the subdivision having greater impervious area than the previous open land.

2. At the last meeting the CEO advised that commitments made during elections are not prejudgments and therefore do not raise conflict of interest issues. On a related matter would a conflict of interest arise where a person has made a contribution to a councillor's election campaign?

ANSWER

Whether a conflict of interest may arise needs to be assessed by a councillor on a case-by-case basis.

Councillors are required to notify of gifts and/or donations, including political donations, exceeding the value of \$50 by notifying the Chief Executive Officer.

10.4 QUESTIONS WITHOUT NOTICE

A Councillor may ask a Question without Notice of the Chairman or another Councillor or the Chief Executive Officer. 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, a Councillor or the Chief Executive Officer may decline to answer a question without notice.

11. 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.

11.1 APPLICATIONS FOR LEAVE OF ABSENCE

11.2 PROPERTY MATTER - BELLERIVE

11.3 LEGAL MATTER

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:

- proposals to acquire land or an interest in land or for the disposal of land;
- applications by Councillors for a Leave of Absence; and
- matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;

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”.