

COUNCIL MEETING
MONDAY 15 MAY 2023

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	ACKNOWLEDGEMENT OF COUNTRY	3
2.	APOLOGIES.....	3
3.	DECLARATIONS OF INTERESTS OF COUNCILLORS OR CLOSE ASSOCIATE.....	3
4.	OMNIBUS ITEMS	4
4.1	CONFIRMATION OF MINUTES	4
4.2	MAYOR’S COMMUNICATION	4
4.3	COUNCIL WORKSHOPS	4
4.4.	TABLING OF PETITIONS.....	5
4.5	REPORTS FROM OUTSIDE BODIES	6
	• REPORTS FROM SINGLE AND JOINT AUTHORITIES	6
	• REPORTS FROM COUNCIL AND SPECIAL COMMITTEES AND OTHER REPRESENTATIVE .. BODIES.....	6
4.6	WEEKLY BRIEFING REPORTS.....	7
5.	PUBLIC QUESTION TIME.....	8
5.1	PUBLIC QUESTIONS ON NOTICE	8
5.2	ANSWERS TO QUESTIONS ON NOTICE.....	8
5.3	ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	8
5.4	QUESTIONS WITHOUT NOTICE	8
6.	DEPUTATIONS BY MEMBERS OF THE PUBLIC	9
7	PLANNING AUTHORITY MATTERS	
7.1	DEVELOPMENT APPLICATION PDPLANPMTD-2022/031357 – 8 LAMB PLACE, CAMBRIDGE – TWO SERVICE INDUSTRY(MOTOR REPAIRS AND SERVICING) BUILDINGS AND SIGNAGE	11
7.2	DEVELOPMENT APPLICATION PDPLANPMTD-2022/031767 – 39 CAMBRIDGE ROAD, BELLERIVE (WITH ACCESS VIA 2 PERCY STREET AND 1-7 CLARENCE STREET, BELLERIVE) – DEMOLITION AND MIXED USE BUILDING (10 MULTIPLE DWELLINGS AND COMMERCIAL SPACE).....	41
7.3	DEVELOPMENT APPLICATION PDPLANPMTD-2023/034665 – 1/38 FREDERICK HENRY PARADE, CREMORNE - CHANGE OF USE TO SHORT TERM ACCOMMODATION.....	99
7.4	DEVELOPMENT APPLICATION PDPLANPMTD-2022/032466 – 2A RINGWOOD ROAD, LAUDERDALE AND 450 SOUTH ARM ROAD, LAUDERDALE - 13 MULTIPLE DWELLINGS, 9 VISITOR ACCOMMODATION UNITS, OFFICES, PILATES STUDIO AND BREWERY AND CAFÉ	117

8. REPORTS OF OFFICERS**8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS - NIL ITEMS****8.2 ASSET MANAGEMENT - NIL ITEMS****8.3 FINANCIAL MANAGEMENT - NIL ITEMS****8.4 GOVERNANCE****8.4.1 APPOINTMENT OF COUNCILLORS TO COUNCIL SPECIAL COMMITTEES160****9. MOTIONS ON NOTICE****9.1 NOTICE OF MOTION - COUNCILLOR RITCHIE
COUNCILLOR LEAVE OF ABSENCE PROVISIONS167****10. COUNCILLORS' QUESTION TIME176**
10.1 QUESTIONS ON NOTICE.....176
10.2 ANSWERS TO QUESTIONS ON NOTICE.....176
10.3 ANSWERS TO QUESTIONS WITHOUT NOTICE – PREVIOUS COUNCIL MEETING.....176
10.4 QUESTIONS WITHOUT NOTICE183**11. CLOSED MEETING184****11.1 APPLICATIONS FOR LEAVE OF ABSENCE****11.2 T1421-21 BEACH STREET, BELLERIVE – STORMWATER UPGRADE****11.3 FUNDING SUPPORT REQUEST.**

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:

“Before proceeding, I pay my respects to the Mumirimina people as the traditional and original custodians of the lands on which we meet, and I acknowledge the continuing connection of the Tasmanian Aboriginal people to the skies, land and waterways.

I 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

Cr Goyne (Leave of Absence)

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 24 April 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
Warrane Urban Regeneration Project Budget	1 May
Presentation – Draft Local Area Plan for Seven Mile Beach Budget Finalisation Committee Appointments Confidential Update – Tender Response Pass Road Upgrade	8 May

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

March Quarterly Report 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 24 April and 1 and 8 May 2023 have been circulated to Councillors.

RECOMMENDATION:

That the information contained in the Weekly Briefing Reports of 24 April and 1 and 8 May 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.

Nil.

5.2 ANSWERS TO QUESTIONS ON NOTICE

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

Nil.

5.3 ANSWERS TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

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-2022/031357 – 8 LAMB PLACE, CAMBRIDGE – TWO SERVICE INDUSTRY(MOTOR REPAIRS AND SERVICING) BUILDINGS AND SIGNAGE**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for two service industry (Motor repairs and Servicing) buildings and Signage at 8 Lamb Place, Cambridge.

RELATION TO PLANNING PROVISIONS

The land is zoned Light Industrial and subject to the Parking and Sustainable Transport Code, Road and Railway Assets Code, Flood-Prone Hazard Areas Code, Signs Code and Safeguarding of Airports Code 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 with the applicant's agreement to 17 May 2023.

CONSULTATION

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

- Overshadowing;
- Visual impact;
- Potential future development on subject site;
- Construction risk to existing sound attenuation wall;
- Overall height of building;
- Noise;
- Use of proposed development; and
- Open space zone development restrictions.

RECOMMENDATION:

A. That the Development Application for two service industry (Motor Repairs and Servicing) buildings and signage at 8 Lamb Place, Cambridge (Cl Ref PDPLANPMTD-2022/031357) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. GEN AP2 – STAGING.

3. GEN S1 – SIGN CONSENT.
4. ENG A5 – SEALED CAR PARKING.
5. ENG M1 – DESIGN DA.
6. ENG S1 – INFRASTRUCTURE REPAIR.
7. Hours of operation and commercial vehicle movements, (including loading and unloading and garbage removal), with the exception of occasional emergency towing vehicles must be within the hours of:
Monday – Saturday 7am to 9pm; and
Sunday and public holidays 8am to 9pm.
8. Commercial vehicle movements outside operating hours must be limited to emergency towing vehicles only with no repairs undertaken outside the prescribed operating hours.
9. The development must meet all required Conditions of Approval specified by TasWater notice dated 10 February 2023 (TWDA 2022/01621 - CCC).

ADVICE

- a. Based on the information provided, the use/development is not likely to adversely affect TasNetworks' operations. It is recommended that the developer contact TasNetworks on 1300 137 008 if they have any questions regarding any upgrade, they may require to their electricity supply due to this development.
 - b. Advice from a Building Surveyor will be required to be sought in relation to any building permit requirements that may apply under the Building Act 2016 and the Directors Determinations for excavation works associated with future development.
- 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

Approval was granted on 22 December 1994 for a motor repair garage on the subject site under planning permit D-1994/273. Further approval was granted on 10 June 2004 for extensions to the existing motor repair shop under permit reference D-2004/163.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned Light Industrial 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 5.6 – Compliance with Applicable Standards;
 - Clause 6.10 – Determining Applications;
 - Clause 18.0 – Light Industrial Zone;
 - Clause C1.0 – Signs Code;
 - Clause C2.0 – Parking and Sustainable Transport Code;
 - Clause C3.10 – Road and Railway Assets Code;
 - Clause C12.0 – Flood-Prone Areas Hazard Code; and
 - Clause C16.0 – Safeguarding of 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 an irregular shaped industrial lot located to the western cul-de-sac end of Lamb Place. The 4120m² lot is generally flat and slopes gently towards the southern boundary. The site currently contains a motor repairs workshop with frontage and access obtained from Lamb Place.

The property is surrounded by light industrial developments to the north, east and south, and three residential properties to the west that are dual zoned General Residential towards the frontage and Open space to the rear.

The Open Space zoning to the rear provides a 16m buffer between the residential properties and the industrial developments. Please see zoning map included in Attachment 4.

3.2. The Proposal

The proposal is for two service industry (Motor Repairs and Servicing) buildings and signage to the west and south side of the existing service industry building. The development is to be staged, with service industry building one forming the first stage and servicing industry building 2 constructed as part of Stage 2. As shown in Attachment 2.

The proposal forms an extension of the existing use of the site as a “Service Industry”, which is a permitted use in the zone.

The proposal provides for 18 car parking spaces which complies with the on-site parking requirements prescribed under clause C2.5.1 A1 of the Parking and Sustainable Transport Code.

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 site is subject to the Flood-Prone Areas Hazard Code. However, the proposed development would be located out of the flood-prone areas hazard overlay, therefore the proposal does not trigger an assessment under the Flood-Prone Areas Hazard Code.

The Safeguarding of Airports Code is not applicable to the development as the proposed buildings have a height below the 70AHD height limit applicable to this site.

The proposal meets the Scheme's applicable Acceptable Solutions of the Light Industrial Zone, Signs Code, Road and Railway Assets Code and Parking and Sustainable Transport Code, with the exception of the following.

Light Industrial Zone

- **Clause 18.3.1 A1 Hours of operation of use** – the proposal would involve occasional emergency towing vehicles entering the site out of prescribed operating hours.

The application must be considered pursuant to Performance Criteria P1 of Clause 18.3.1 as follows.

Clause	Performance Criteria	Assessment
18.4.2 P2	<i>“Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation or Utilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</i>	See assessment below.
	<i>(a) the timing, duration or extent of vehicle movements; and</i>	The hours of operation for the proposed use would be mainly restricted to the stipulated hours under the acceptable solutions, except for the occasional emergency towing services occurring outside of the stipulated hours of operation. However, activities will be limited to towing services only with no maintenance and repairs occurring outside the prescribed time.
	<i>(b) noise, lighting or other emissions.”</i>	As mentioned above, vehicular movement outside the prescribed hours would be limited to emergency towing vehicles entering the site with repairs to be carried out within the stipulated hours of operation. The proposed development is not considered to cause an unreasonable loss of amenity to adjoining residential properties to the west, as the discretion sought relates to the occasional tow truck entering the site with no repairs carried out outside of operating hours.

		<p>Additionally, the existence of the 3.6m height sound attenuation wall separating the subject site and the residential properties to the west, together with the 16m open space buffer located on these adjoining residential properties further mitigates detrimental impact to amenity of the residential properties to the west of the subject site.</p> <p>The 3.6m high noise attenuation wall was constructed as part of the combined rezoning and subdivision application which created the General Residential zoned properties to the west of the subject site. The sound attenuation wall was required to be constructed in accordance with the stipulations contained within subdivision permit SD-2008/29 and subsequent Part 5 agreement to ensure emissions from light industrial activities conducted on the Light Industrial zoned properties are minimised. The Part 5 agreement also sets out specific construction requirements to the effect that any habitable buildings constructed on the residential lots are to incorporate sound attenuation measures necessary to achieve a noise level of below 63db(A) with any of the dwellings.</p> <p>In light of the above, it is considered the proposal complies with the performance criteria and there is adequate noise mitigation measures in place to ensure residential amenity is not unreasonably compromised.</p>
--	--	---

Light Industrial Zone

- **Clause 18.3.1 A3 Commercial vehicle movements** – the proposal would involve occasional emergency towing vehicles entering the site out of prescribed operating hours.

The application must be considered pursuant to the Performance Criteria P3 of Clause 18.3.1 as follows.

Clause	Performance Criteria	Assessment
18.3.1 P3	<i>“Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, on a site within 50m of a General Residential Zone, Inner Residential Zone, Low Density Residential Zone, or Rural Living Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</i>	See assessment below:
	<i>(a) the time and duration of commercial vehicle movements;</i>	<p>Commercial vehicle movements would be restricted to the hours of operation mentioned above, which are within the prescribed hours under the Acceptable Solutions. However, due to the nature of use, there will be occasional vehicle movements conducted outside operational hours with emergency tow trucks bringing in vehicles in need of repairs.</p> <p>The applicant has advised that activities outside operating hours will be limited to vehicle drop off only, which will take a maximum 30 minutes to complete, and the tow trucks will exit the site immediately. The occurrences are anticipated to be a maximum of two per month with no maintenance and repairs of cars done outside the prescribed time.</p>

		The out of hours activities would therefore be occasional and a condition is recommended to limit the out of hours activities to an occasional basis only.
	<i>(b) the number and frequency of commercial vehicle movements;</i>	As mentioned above, vehicular movement outside of the prescribed operating hours will be limited to occasional emergency tow trucks dropping off damaged vehicles in need of repairs. The intensity of vehicular movement outside the prescribed hours would be low. The occurrences are anticipated to be a maximum of two per month, and this is not expected to cause unreasonable loss of amenity to the residential use within proximity of the site. Accordingly, it is considered the proposal complies with the performance criteria.
	<i>(c) the size of commercial vehicles involved;</i>	The commercial vehicles associated with the proposed use would be tow trucks bringing in vehicles in need of repairs. However, the occasional truck entering the site after hours is expected given the nature of the use and this is not anticipated to result in loss of residential amenity through vehicular noise and light intrusion.
	<i>(d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise;</i>	Council's development engineer has reviewed the proposal and is satisfied the site provides for adequate vehicular manoeuvring arrangements. The tow trucks will access the site for drop off only, which is anticipated to take a maximum of 30 minutes, with vehicles able to exit in a forward direction, minimising the use of reversing beepers. On this basis, the proposal is not anticipated to cause unreasonable noise impact to adjacent residential uses.

		The proposal is assessed as complying with the performance criterion.
	(e) <i>any noise mitigation measures between the vehicle movement areas and the residential area; and</i>	The existence of a 3.6m sound attenuation wall along the boundary shared with the residential properties to the west provides and the 16m open space buffer is deemed sufficient to protect the residential properties from adverse impact of the industrial use.
	(f) <i>potential conflicts with other traffic.”</i>	As mentioned above, commercial vehicle movements will be during normal operating hours with the variable occurring once or twice a month. The volume of traffic in the area is anticipated to be low after the normal operating hours and therefore the potential to cause conflict within the road network is minimal. Accordingly, the proposal is deemed to comply with the performance criteria.

Light Industrial Zone

- **Clause 18.4.5 A1 Landscaping** – the proposal does not provide landscaping to a depth not less than 5.5m.

The application must be considered pursuant to the Performance Criteria P1 of Clause 18.4.5 as follows.

Clause	Performance Criteria	Assessment
18.4.5 P1	<i>“If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to:</i>	See assessment below.
	(a) <i>the width of the setback;</i>	The proposed buildings would be setback approximately 59.2m and 61.8m from the primary frontage behind the existing building.

	<i>(b) the width of the frontage;</i>	<p>The property frontage has a width of 13m to Lamb Place with much of the frontage taken up by an industrial width access and parking spaces servicing the existing approved uses on the site.</p> <p>This therefore makes it difficult to achieve the required landscaping buffer width. However, landscaping has been provided to the frontage under a previous permit and the proposed development does not include any changes to the existing frontage and landscaping arrangements.</p>
	<i>(c) the topography of the site;</i>	<p>The site is generally flat, and the topography does not present any specific restrictions to the landscape.</p>
	<i>(d) existing vegetation on the site;</i>	<p>Landscaping is provided on both sides of the access to the site to a depth of 3.9m and a length of 6.5m. The existing landscaping is to be retained and the proposed development would be located behind the existing building with no changes to the frontage and existing landscaping.</p> <p>It is noted that any revision to the existing landscaping arrangement to achieve compliance with the acceptable solution would impact on the existing car parking and access arrangements for the existing approved uses on the site. It is further noted, the existing landscaping in place is in accordance with the existing approved landscape plans and no further improvements to these areas are deemed necessary.</p>

	<i>(e) the location, type and growth of the proposed vegetation; and</i>	As mentioned above, the proposed buildings would be located behind the existing building line and the existing vegetation is to be retained.
	<i>(f) any relevant local area objectives contained within the relevant Local Provisions Schedule.”</i>	There are no relevant Local Area Objectives.

Signs Code

- **Clause C1.6.1 A1 Design and siting of signs** – the proposed wall sign to Service Industry building 1 would have an area of 4.8m², which is more than the 4.5m² maximum area under the Acceptable Solutions.

The application must be considered pursuant to Performance Criteria P1.1 of Clause C1.6.1 as follows.

Clause	Performance Criteria	Assessment
C1.6.1 P1.1	<i>“A sign must:</i>	See assessment below.
	<i>(a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and</i>	The signage is located in an applicable zone for the signage type and therefore complies with the performance criterion.
	<i>(b) be compatible with the streetscape or landscape, having regard to:</i> <i>(i) the size and dimensions of the sign;</i>	The proposed signage takes an internal location within the site as it is setback approximately 59.2m from the frontage and has an area of 4.8m ² as opposed to the 4.5m ² maximum allowable under the acceptable solutions. The difference in area of 0.3m ² is considered reasonable for an effective signage regime providing a clear identification of the business, taking into consideration the size of the site and would not dominate the building or streetscape.
	<i>(iii) the amenity of surrounding properties;</i>	The site adjoins light industrial lots to the north and south and residential use to the west. The signage would not be visible from the residential lots to the west, as it faces north towards the property frontage.

		On this basis, the signage is not considered to result in adverse impact on the streetscape to the amenity of surrounding properties.
	<i>(iv) the repetition of messages or information;</i>	The proposed signage relays different messages and will provide for business identification in a manner that would not result in visual clutter or loss of amenity to the adjoining properties.
	<i>(v) the number and density of signs on the site and on adjacent properties; and</i>	The proposal provides for one wall sign for each proposed service industry building, and the proposed signage would be wholly contained within the site and as mentioned above, the signage provides a source of identification for the business activities on-site in a manner which will not result in visual clutter.
	<i>(vi) the impact on the safe and efficient movement of vehicles and pedestrians.”</i>	Based on the above assessment, it is considered that the proposed signage would not impact on the safe and efficient movement of vehicles and pedestrians.

5. REPRESENTATION ISSUES

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

5.1. Overshadowing

Concern was raised that the proposal would cause an unreasonable loss of amenity in relation to overshadowing of private open space and habitable rooms associated with dwellings on adjoining properties due to non-compliance with clause 18.4.1 A2 and 18.4.2 A2 of the Light Industrial Zone relating to building height and setbacks.

- **Comment**

The proposed Service Industry buildings would have a maximum height of 6.0m which is less than the maximum allowable height of 10m stipulated under the Acceptable solutions of Clause 18.4.1 A1 of the Light Industrial Zone. In relation to setbacks, clause 18.4.1 A2 does not apply as the proposed development is not within 10m of the General Residential zoned land on the adjoining residential properties (due to the separation provided by the Open Space zoning). Therefore, there is no scope to consider this impact under the Scheme.

5.2. Visual Impact

Concerns were raised that the proposed Service Industry building 1, located to the western side of the subject site, will cause an unreasonable visual impact due to its height and close proximity to the side boundary with residential developments.

- **Comment**

As mentioned above, the proposal is considered to comply with the applicable acceptable solutions of clause 18.4.1 and clause 18.4.2 of the Light Industrial Zone relating to height and setbacks. Therefore, Council has no head of power to impose a landscaping condition requiring screening along the western side boundary or request for a reduction to the building height because the proposal is not relying on the performance criterion. It is also questionable whether the adjoining residential properties would benefit from landscaping given the presence of a 3.6m high sound attenuation wall along the boundary. This issue therefore is not of determining weight.

5.3. Potential Future Development on Subject Site

Concern was raised in relation to the potential future development within the area to the west of the site which is within the flood hazard overlay as indicated on the advertised plans.

- **Comment**

The proposal is for two Service Industry buildings on the subject site, as shown on the advertised plans, no buildings are proposed within the area in question as part of this application. It is therefore not appropriate to speculate on the potential impact of any future development. Any planning application for further development of the site will be assessed on its merits in accordance with the applicable Scheme requirements.

5.4. Construction Impacts

Concern was raised in relation to the potential risks associated with construction in close proximity to the existing sound attenuation wall, with the representors citing previous incidents causing damage to the sound attenuation wall. Further concern was raised that any more damage may cause the wall to fail, posing safety issues to the users of the adjoining properties, as the Hebel wall is within proximity of their private open spaces.

- **Comment**

The *Building Act 2016* deals with impacts on adjacent properties and any repairs required in the event of damage. The Planning Authority has no power to control or intervene in relation to alleged construction impacts. However, Council's Building Team have indicated that the owners will require a Building Surveyor to determine any requirements under the *Building Act 2016* and the Director's Determinations for a Certificate of Likely Compliance and Form 6 Notice of Protection Work. The Form 6 Notice of Protection Work will address the protection of adjoining properties or existing structures from damages incurred because of construction works.

Any neighbour who is concerned that their property may be impacted by construction works would be best engaging a structural engineer or suitably qualified person to prepare a report on their building, so that if any damages are incurred, appropriate evidence is obtained should civil action be undertaken.

Advice has been included in the permit alerting the applicant to these requirements.

5.5. Overall Height of Building

Concern was raised that the advertised plans did not take into account the fall of the land and the overall height of the buildings would be more than the 6m as shown on the advertised plans.

- **Comment**

The site is generally flat as shown by the contour levels and confirmed upon a site inspection. The plans indicate the overall height of the building as 5.5m for Service Industry building 1 and 6m for Service Industry building 2, which the applicant has confirmed as accurate. The Scheme allows for a maximum height of 10m under the applicable Acceptable Solutions of Clause 18.4.1 A1 and the proposed development is well below the stipulated maximum height. This issue therefore does not have any determining weight for this application.

5.6. Noise

Concern was raised that the proposed development would create conflict for the existing residential land use in relation to noise generation from increased vehicular movement and proposed operations on the subject site.

- **Comment**

The issues regarding noise have been addressed in the assessment of the applicable standards of the Light Industrial Zone, above. The residential lots to the west contain a 16m open space zoned buffer and a 3.6m sound attenuation fence. These measures are deemed sufficient to protect the residential properties from the adverse impact of the adjacent industrial uses. It is further noted that these residential properties affected by the Open Space zoning are subject to specific construction standards for habitable rooms, in that any habitable buildings constructed on the residential lots must incorporate sound attenuation measures necessary to achieve a noise level of below 63db(A).

These measures were introduced at the subdivision stage in anticipation of the industrial use on the adjacent lots.

The proposal also complies with the acceptable solutions of Clause C3.5.1 A1.4 of the Road and Railway Assets Code, as the use of the existing crossover will not increase by more than 40 vehicle movements per day.

On this basis, it is considered that the tests of these standards are met by the proposal.

5.7. Open Space Zone Development Restrictions

Concern was raised regarding the development restrictions within the Open Space Zone to the rear of the residential developments to the west of the subject site.

- **Comment**

The construction restrictions relating to buildings within the Open Space Zone on the residential lots relate to the covenants and Part 5 agreement set out as part of the subdivision approval, which created the residential lots in question and formed part of the Certificate of Title for the residential lots to the west. These covenants are outside of the Residential Zone, which the owners would have been aware of at time of purchase. These restrictions are necessary to ensure that the residential amenity is maintained within the adjacent properties. This issue therefore does not have any determining weight for this application.

6. EXTERNAL REFERRALS

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

The proposal was also referred to TasNetworks, who provided advice that the proposal is unlikely to adversely affect TasNetworks operations.

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

The proposal is consistent with the Council's adopted Strategic Plan and any other relevant Council policy.

9. CONCLUSION



The proposal is for the construction of two Service Industry buildings on the subject site providing general maintenance and servicing of vehicles. The proposed development is considered to comply with the applicable standards of the Scheme and is recommended for approval with reasonable and relevant conditions and advice.

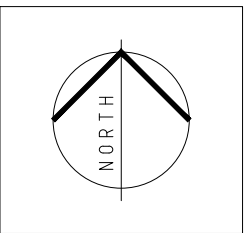
Attachments: 1. Location Plan (1)
2. Proposal Plan (8)
3. Site Photo (2)
4. Zoning Map (1)

Robyn Olsen
ACTING MANAGER CITY PLANNING

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>4/04/2023</p> <p>1:2257</p>	
---	--	--------------------------------	---



Project:
PROPOSED SERVICE INDUSTRY BUILDINGS
at No. 8 LAMB PLACE
CAMBRIDGE, 7005
for AGING WELL PTY LTD

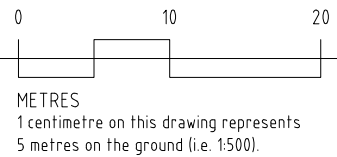
Drawing: **EXISTING SITE PLAN**



SCALE: 1:500 @ A2	DWG. No.: 5531 A02
DRAWN: DA	DATE: 13.04.23

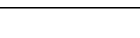
153 Davey Street Hobart
Tasmania 7000
Phone: (03) 6223 6740
Email: admin@designeast.com.au
Web: www.designeast.com.au
Accreditation No.: CC191 O

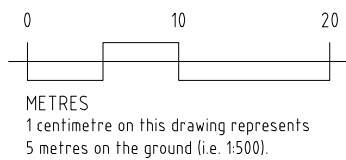
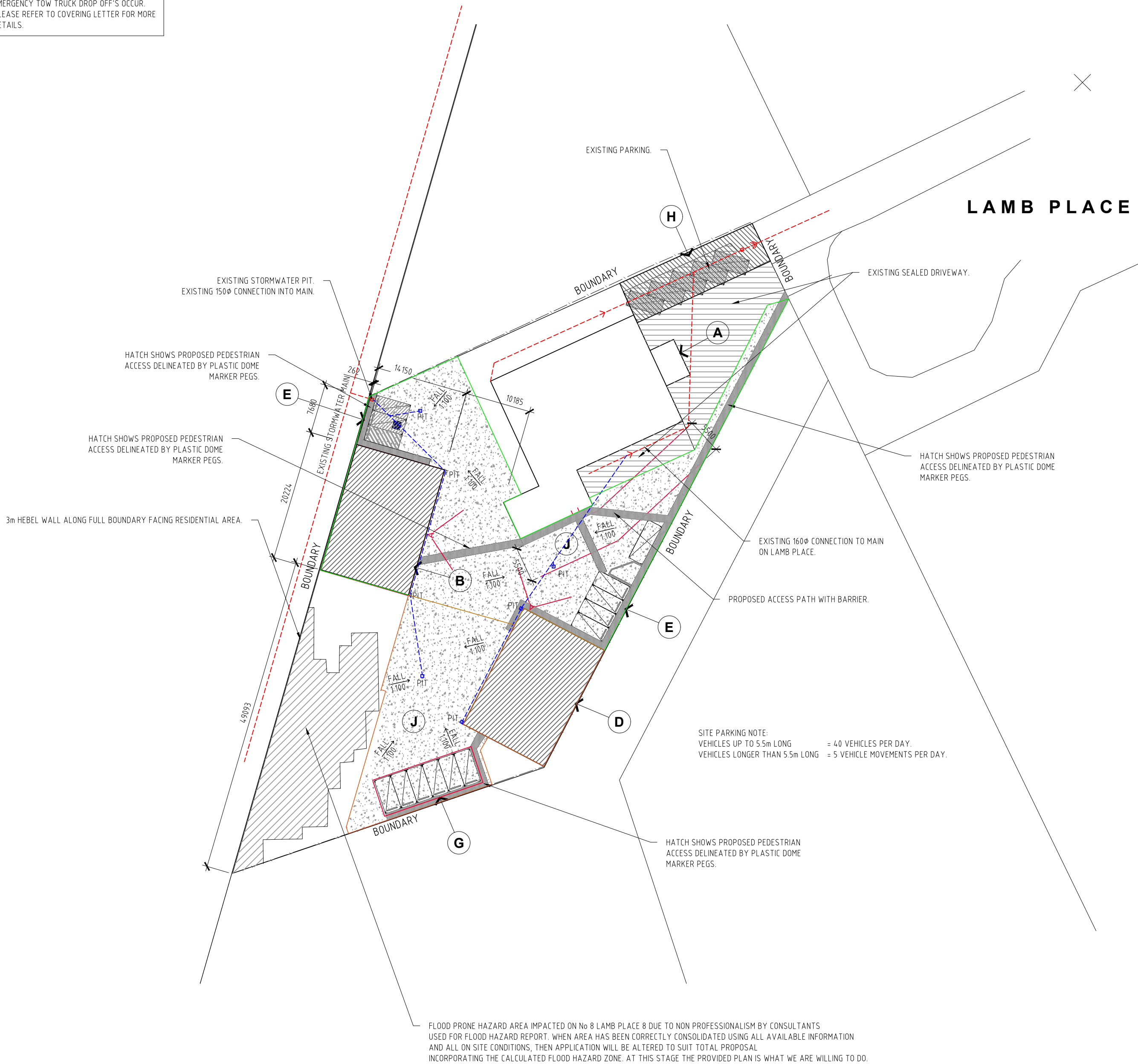
The site plan illustrates the layout of the Schorta Bodyworks property. Key features include:

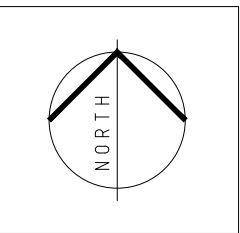
- Property Boundaries:** Multiple areas are labeled "BOUNDARY" with dashed red lines indicating the limits of the property.
- Flood-Prone Hazard Area:** A hatched area on the left side of the plan is identified as a "FLOOD PRONE HAZARD AREA".
- Existing Infrastructure:**
 - EXISTING STORMWATER MAIN:** A dashed red line with arrows indicating flow direction.
 - EXISTING STORMWATER PIT:** A small circular feature near the top left.
 - EXISTING 150" CONNECTION INTO MAIN:** A line connecting the pit to the main.
 - EXISTING PARKING:** An area labeled "A" near the top center.
 - EXISTING SIGN "SCHORTA BODYWORKS":** A sign located near the center of the property.
 - EXISTING SEALED DRIVEWAY:** A driveway located on the right side of the property.
- Adjacent Property:** The area to the right is labeled "LAMB PLACE".
- Internal Features:** A hatched area in the center is labeled "H", and a blue-outlined area is labeled "B".



PROPOSED STAGED WORKS	
MARK	DESCRIPTION
	STAGE 1 WAREHOUSE AND SEALED DRIVEWAY.
	STAGE 2 WAREHOUSE AND SEALED DRIVEWAY.

PROPOSED PLUMBING LEGEND	
MARK	DESCRIPTION
	DIRECTIONAL (AWAY FROM RESIDENTIAL AREA) EXTERNAL LIGHTING USED WHEN EMERGENCY TOW TRUCK DROP OFF'S OCCUR. PLEASE REFER TO COVERING LETTER FOR MORE DETAILS.





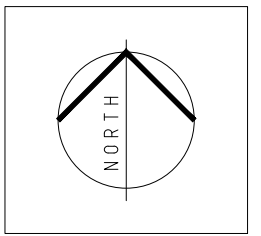
Project: **PROPOSED SERVICE INDUSTRY BUILDINGS**
at No. 8 LAMB PLACE
CAMBRIDGE, 7005
for AGING WELL PTY LTD

Drawing: **SUN SHADOW DIAGRAMS**

SCALE:	1:500 @ A2	DWG. No.:	5531 A04
DRAWN:	DA	DATE:	13.04.23

153 Davey Street Hobart
Tasmania 7000
Phone: (03) 6223 6740
Email: admin@designeast.com.au
Web: www.designeast.com.au
Accreditation No.: CC191 O



[illegible]

Project:
PROPOSED SERVICE INDUSTRY BUILDINGS
at No. 8 LAMB PLACE
CAMBRIDGE, 7005
for AGING WELL PTY LTD

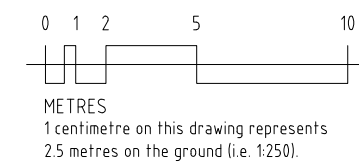
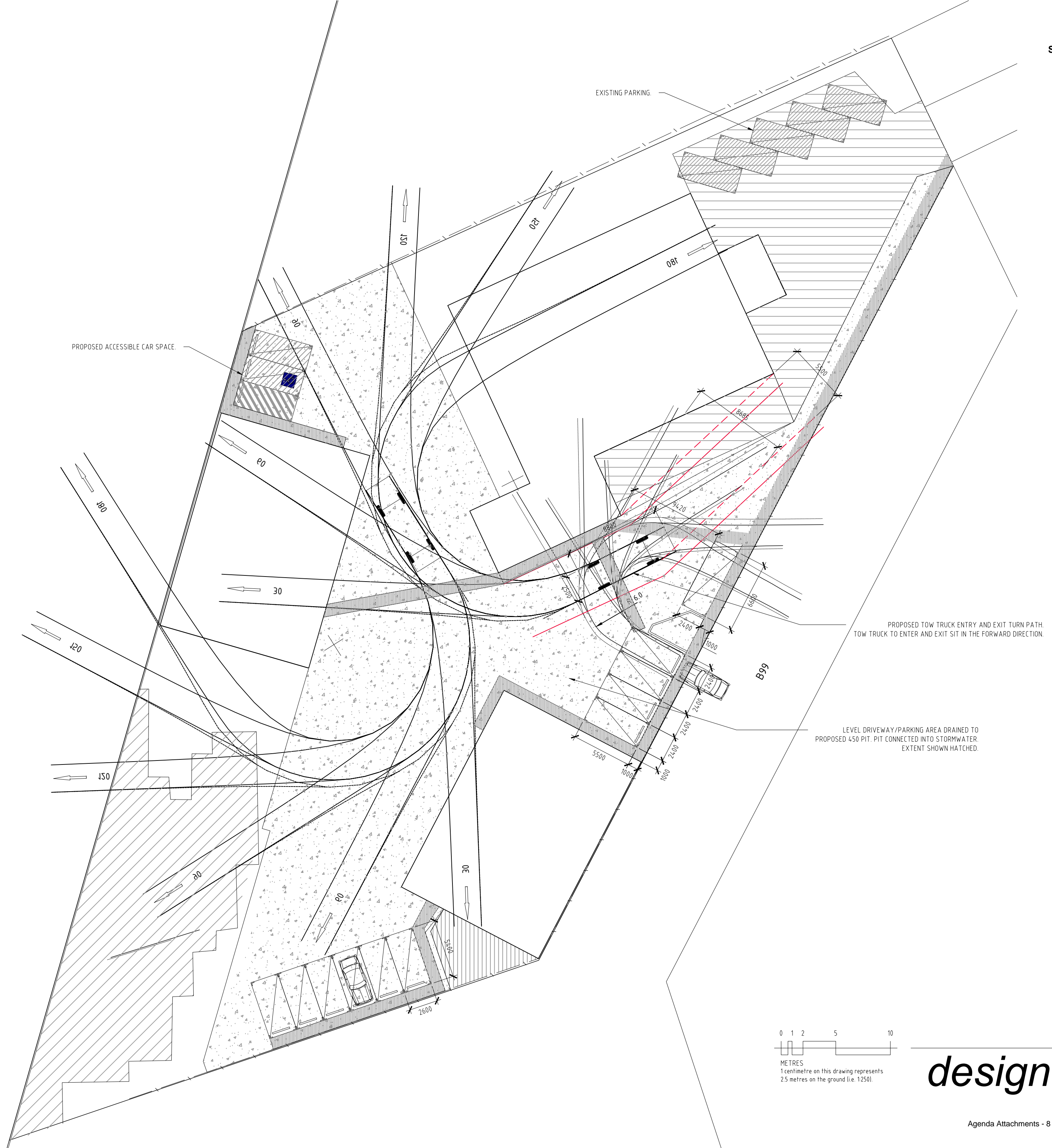
PROPOSED SITE TRAFFIC PLAN



SCALE: 1:250 @ A2	DWG. No.: 5531 A05
DRAWN: DA	DATE: 13.04.23

153 Davey Street Hobart
Tasmania 7000
Phone: (03) 6223 6740
Email: admin@designeast.com.au
Web: www.designeast.com.au
Accreditation No.: CC191 O

○ EAST

building design and interior architecture






LEGEND	
MARK	DESCRIPTION
	150mm CONCRETE TILT UP PANEL.
	90mm STUDWORK WALL (internal wall).

PROPOSED SERVICE INDUSTRY BUILDING 01

PROPOSED FLOOR AREA = ± 287 sqm.

KEY

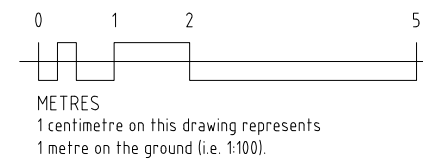
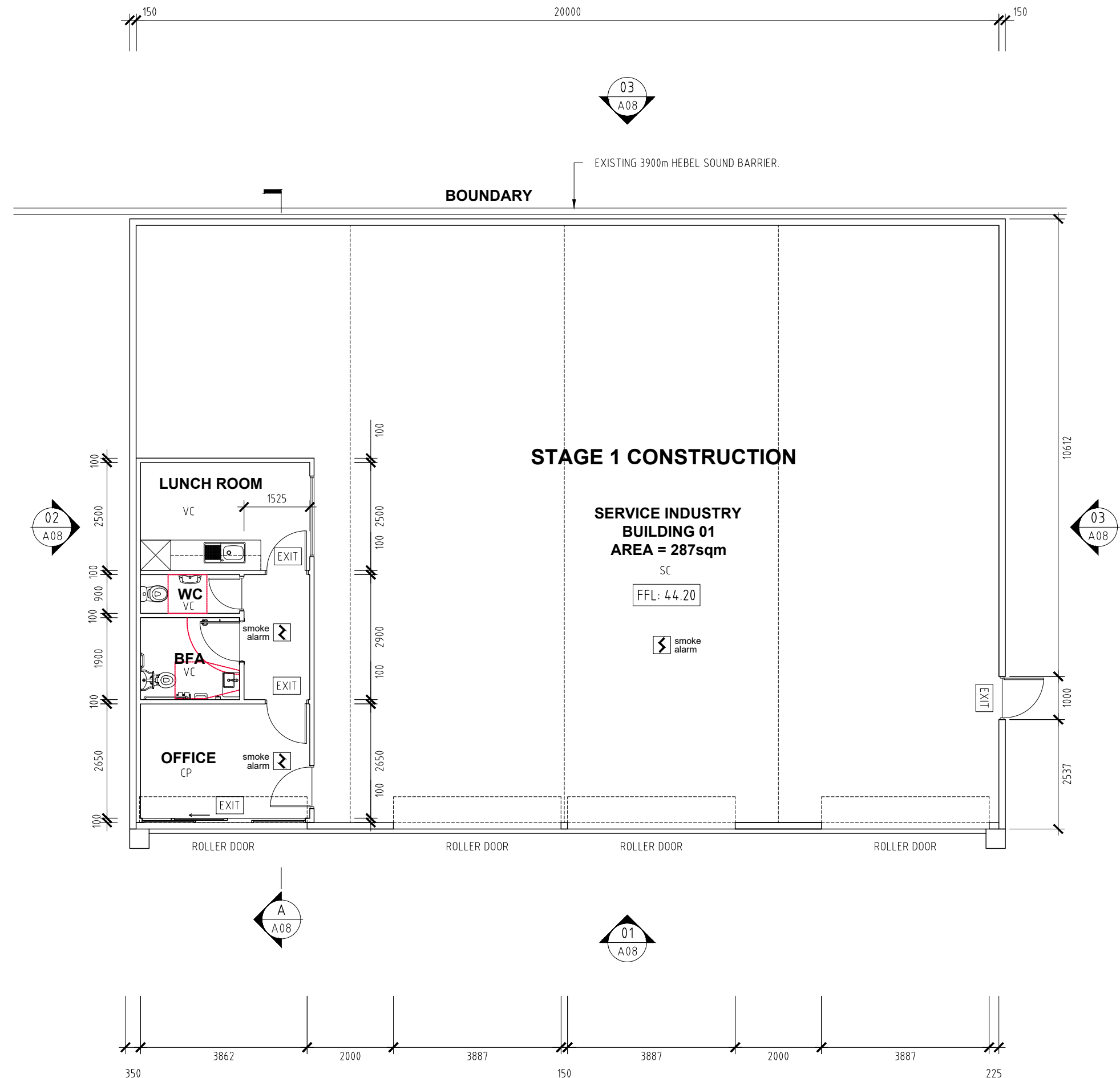
MARK	DESCRIPTION
	PHOTOELECTRIC SMOKE ALARM (HARD WIRED) TO COMPLY WITH BCA 3.7.2 & AS 3786 (must be interconnected where there is more than one alarm). EMERGENCY LIGHTING TO BE CONSIDERED.
	PROPOSED ILLUMINATED EXIT SIGN TO COMPLY WITH AS 2293.1 AND PART 4.4 OF THE B.C.A.
	PROPOSED 450 TRAFFICABLE PIT

SETOUT NOTES

1. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE DRAWINGS.
2. ALL LEVELS, DATUMS & DIMENSIONS SHALL BE VERIFIED ON-SITE BEFORE COMMENCING ANY WORK OR SHOP DRAWINGS. ANY ANOMALIES ARE TO BE DIRECTED TO THE DESIGNER.

FLOOR FINISHES

MARK	DESCRIPTION
SC	PAINT FINISH / SEALED CONCRETE
CP	CARPET COVERED FLOORS
VC	VINYL COVER FLOORING

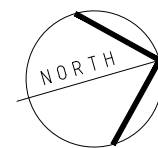


design ○

building design and interior architecture

SHEET No. 06 OF 09

A.	DEVELOPMENT APPLICATION 2 x WAREHOUSE	13.04.23	
REV.	DESCRIPTION	DATE	





Project:
PROPOSED SERVICE INDUSTRY BUILDINGS
at No. 8 LAMB PLACE
CAMBRIDGE, 7005
for AGING WELL PTY LTD

Drawing: **PROPOSED BUILDING 01 FLOOR PLAN**

SCALE: 1:100 @ A2	DWG. No.: 5531 A06
DRAWN: DA	DATE: 13.04.23

153 Davey Street Hobart
Tasmania 7000
Phone: (03) 6223 6740
Email: admin@designeast.com.au
Web: www.designeast.com.au
Accreditation No.: CC191




EAST

LEGEND	
MARK	DESCRIPTION
	150mm CONCRETE TILT UP PANEL.
	90mm STUDWORK WALL (internal wall).

PROPOSED SERVICE INDUSTRY BUILDING 02

PROPOSED FLOOR AREA = ± 287 sqm.

KEY

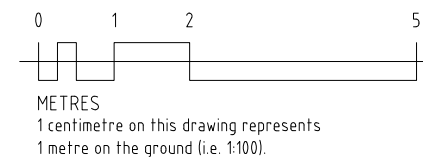
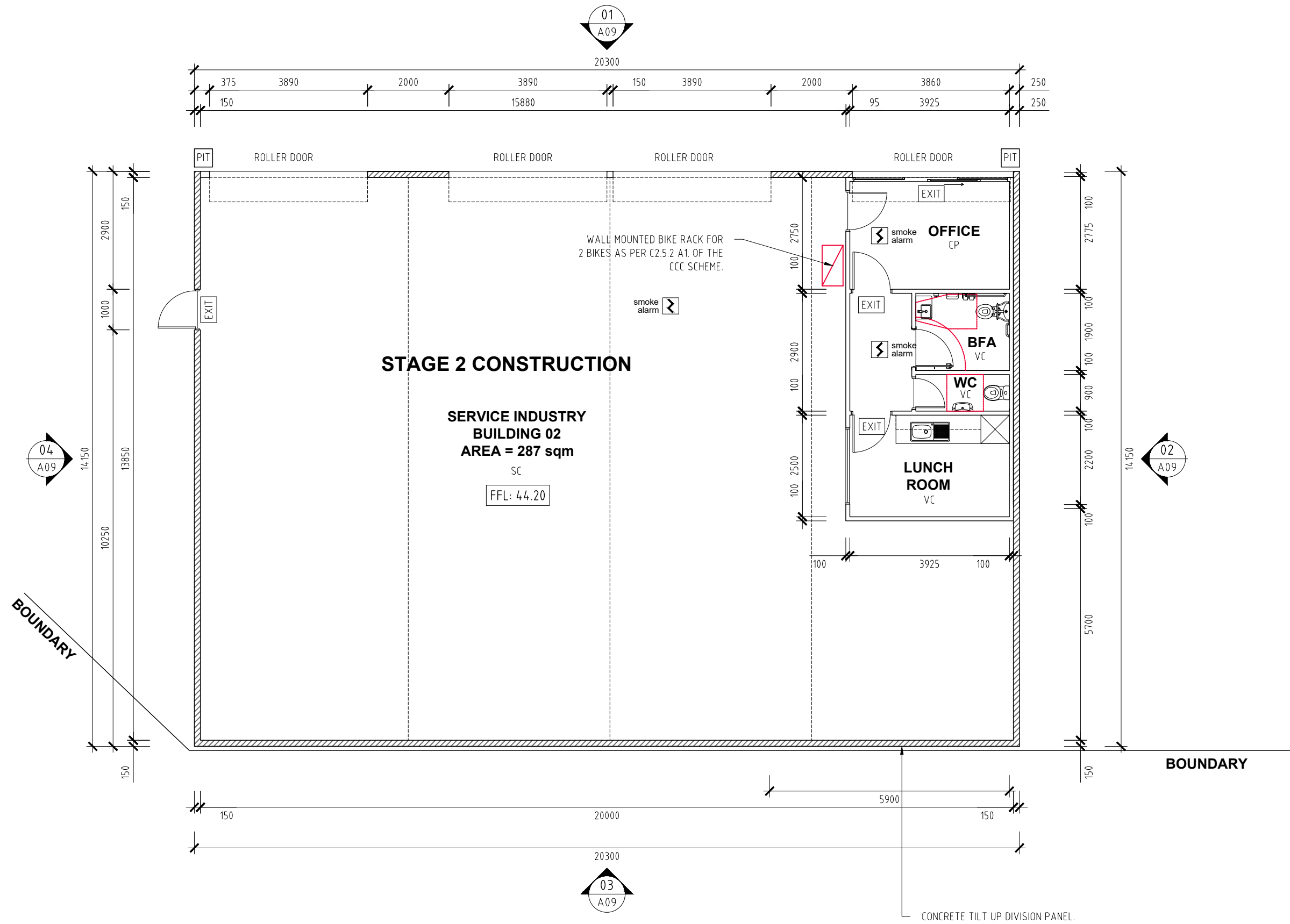
MARK	DESCRIPTION
 smoke alarm	PHOTOELECTRIC SMOKE ALARM (HARD WIRED) TO COMPLY WITH BCA 3.7.2 & AS 3786 (must be interconnected where there is more than one alarm).
	EMERGENCY LIGHTING TO BE CONSIDERED.
 EXIT	PROPOSED ILLUMINATED EXIT SIGN TO COMPLY WITH AS 2293.1 AND PART E4 OF THE B.C.A.
	PROPOSED 450 TRAFFICABLE PIT

SETOUT NOTES

1. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE DRAWINGS.
2. ALL LEVELS, DATUMS & DIMENSIONS SHALL BE VERIFIED ON-SITE BEFORE COMMENCING ANY WORK OR SHOP DRAWINGS. ANY ANOMALIES ARE TO BE DIRECTED TO THE DESIGNER.

FLOOR FINISHES

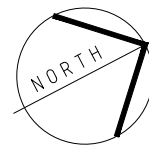
MARK	DESCRIPTION
SC	PAINT FINISH / SEALED CONCRETE
CP	CARPET COVERED FLOORS
VC	VINYL COVER FLOORING



design ○

building design and interior architecture

	A.	DEVELOPMENT APPLICATION 2 x WAREHOUSE		13.04.23
	REV.	DESCRIPTION		DATE



Project:
PROPOSED SERVICE INDUSTRY BUILDINGS
at No. 8 LAMB PLACE
CAMBRIDGE, 7005
for AGING WELL PTY LTD

Drawing: **PROPOSED BUILDING 02 FLOOR PLAN**

SCALE: 1:100 @ A2	DWG. No.: 5531 A07
DRAWN: DA	DATE: 13.04.23

153 Davey Street Hobart
Tasmania 7000
Phone: (03) 6223 6740
Email: admin@designeast.com.au
Web: www.designeast.com.au
Accreditation No.: CC19

EAST

3 5 01 EAST ELEVATION 01
A04 ---

02
A04

A
A06

03
A04

04
A04

EXTERNAL FINISHES

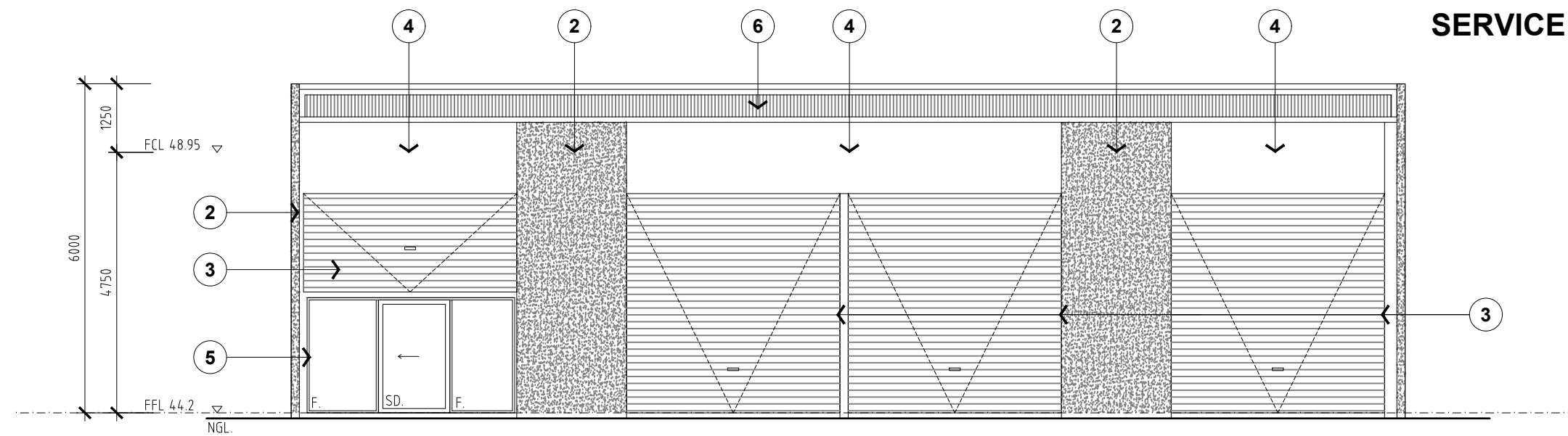
- 1 EXISTING HEBEL WALL @ 3900m ±.
- 2 PROPOSED 150mm CONCRETE TILT UP PANEL.
- 3 PROPOSED ROLLER SECURITY DOOR.
- 4 PROPOSED F.C. CLADDING.
- 5 PROPOSED GLAZED WINDOW AND SLIDING DOOR.
- 6 PROPOSED TRIMDEK @ 3° PITCH.
- 7 PROPOSED SIGN LOCATION 1200 x 4000 ±
STEEL BACKED VINYL WRAPPED.

LEGEND

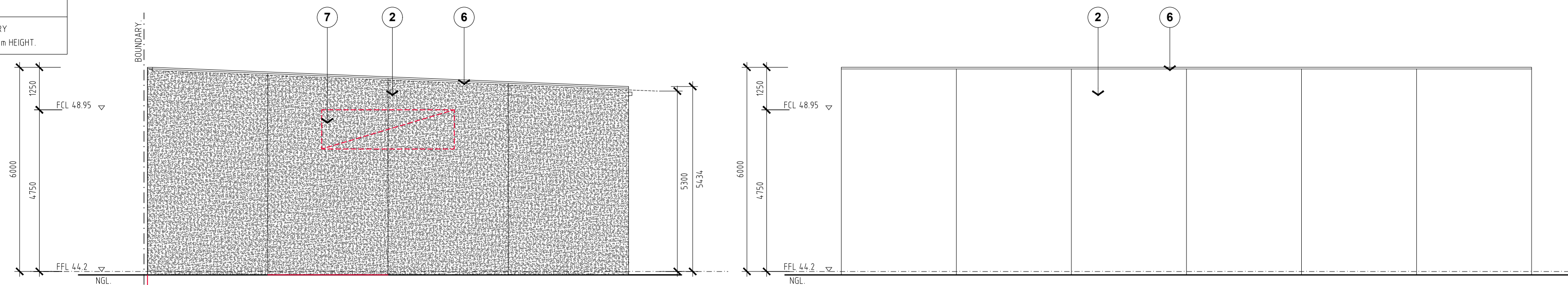
- ex. - EXISTING WINDOW / DOOR.
- F. - FIXED WINDOW.
- A. - AWNING WINDOW.
- G. - GLAZED HINGED DOOR.
- S. - SLIDING WINDOW.

PROPOSED HEIGHT NOTE
PREVIOUS PROPOSAL INDICATED 6m SERVICE INDUSTRY BUILDING HEIGHT. THE CURRENT PROPOSAL IS FOR 5.5m HEIGHT.

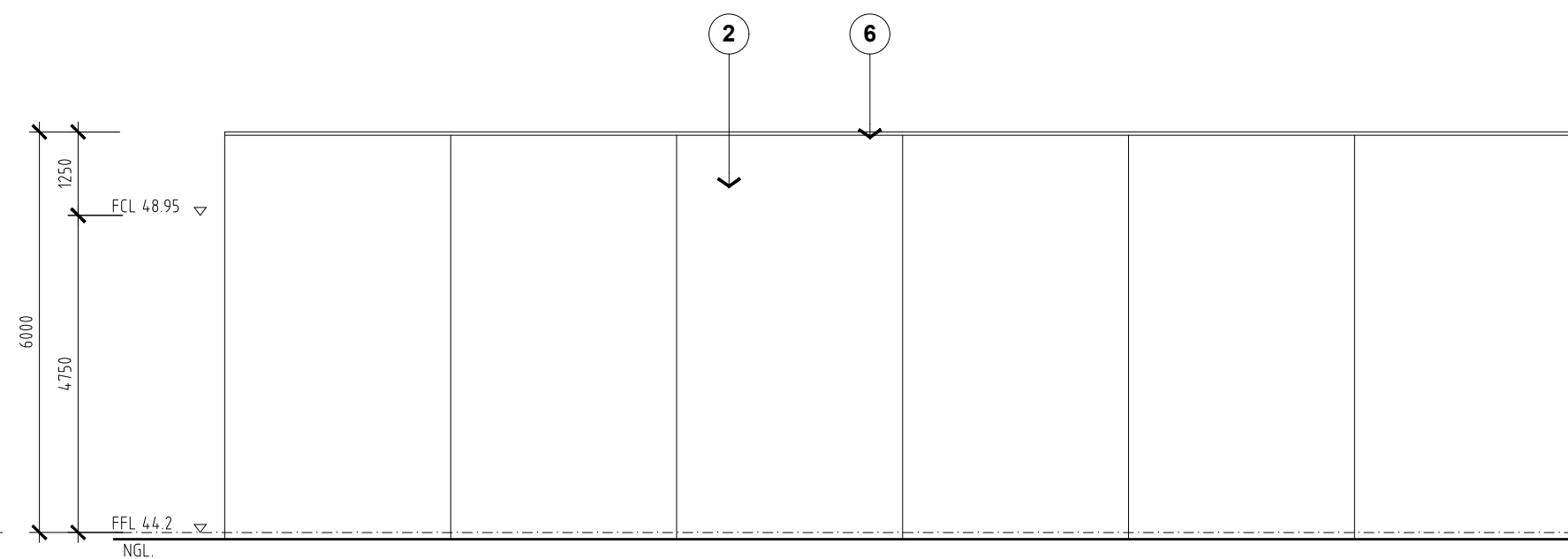
PREVIOUS PROPOSAL INDICATED 6m SERVICE INDUSTRY BUILDING HEIGHT. THE CURRENT PROPOSAL IS FOR 5.5m HEIGHT.



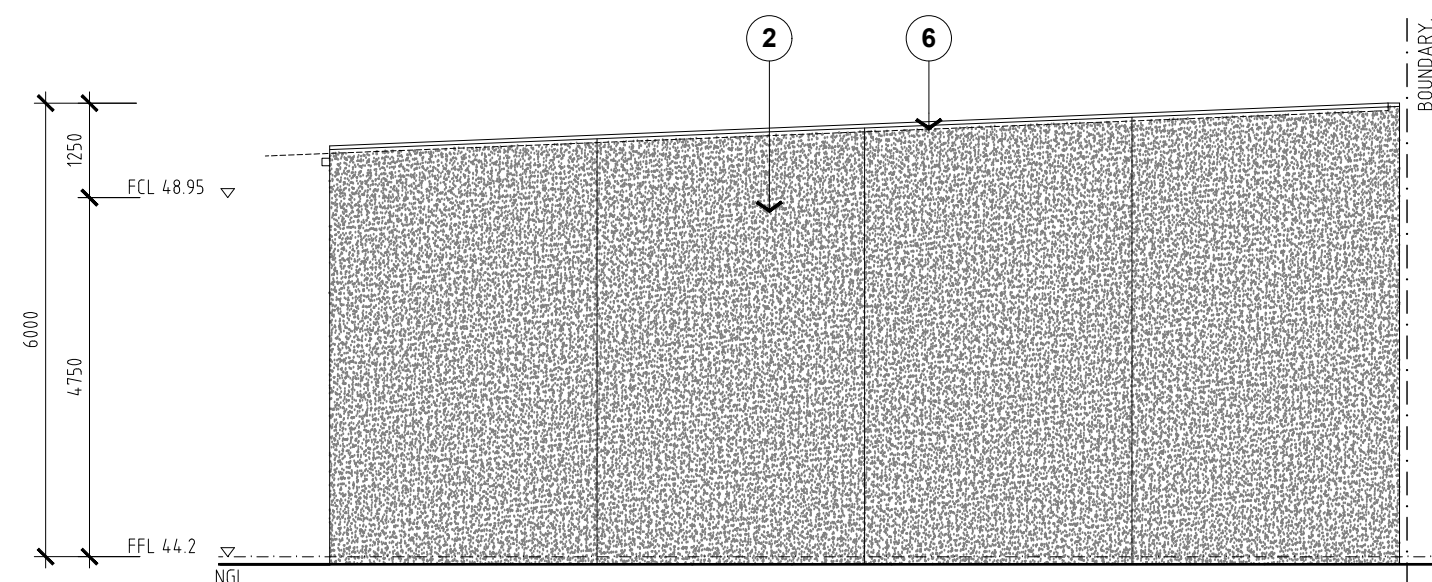
01 NORTH WEST ELEVATION 01
A05 ---



NORTH EAST ELEVATION 02



02 SOUTH EAST ELEVATION 03
A05 ---



SOUTH WEST ELEVATION 04

SHEET No. 09 OF 09

A.	DEVELOPMENT APPLICATION 2 x WAREHOUSE	13.04.23	DATE

Project: PROPOSED SERVICE INDUSTRY BUILDINGS at No. 8 LAMB PLACE CAMBRIDGE, 7005 for AGING WELL PTY LTD	Drawing: BUILDING 02 ELEVATIONS
--	---

SCALE: 1:100 @ A2	DWG. No.: 5531 A09
DRAWN: DA	DATE: 13.04.23

153 Davey Street Hobart
Tasmania 7000
Phone: (03) 6223 6740
Email: admin@designeast.com.au
Web: www.designeast.com.au
Accreditation No.: CC191 O

EAST
design

building design and interior architecture

Attachment 3



Photo 1: Site viewed from Lamb Place.



Photo 2: Site viewed from the southern side boundary

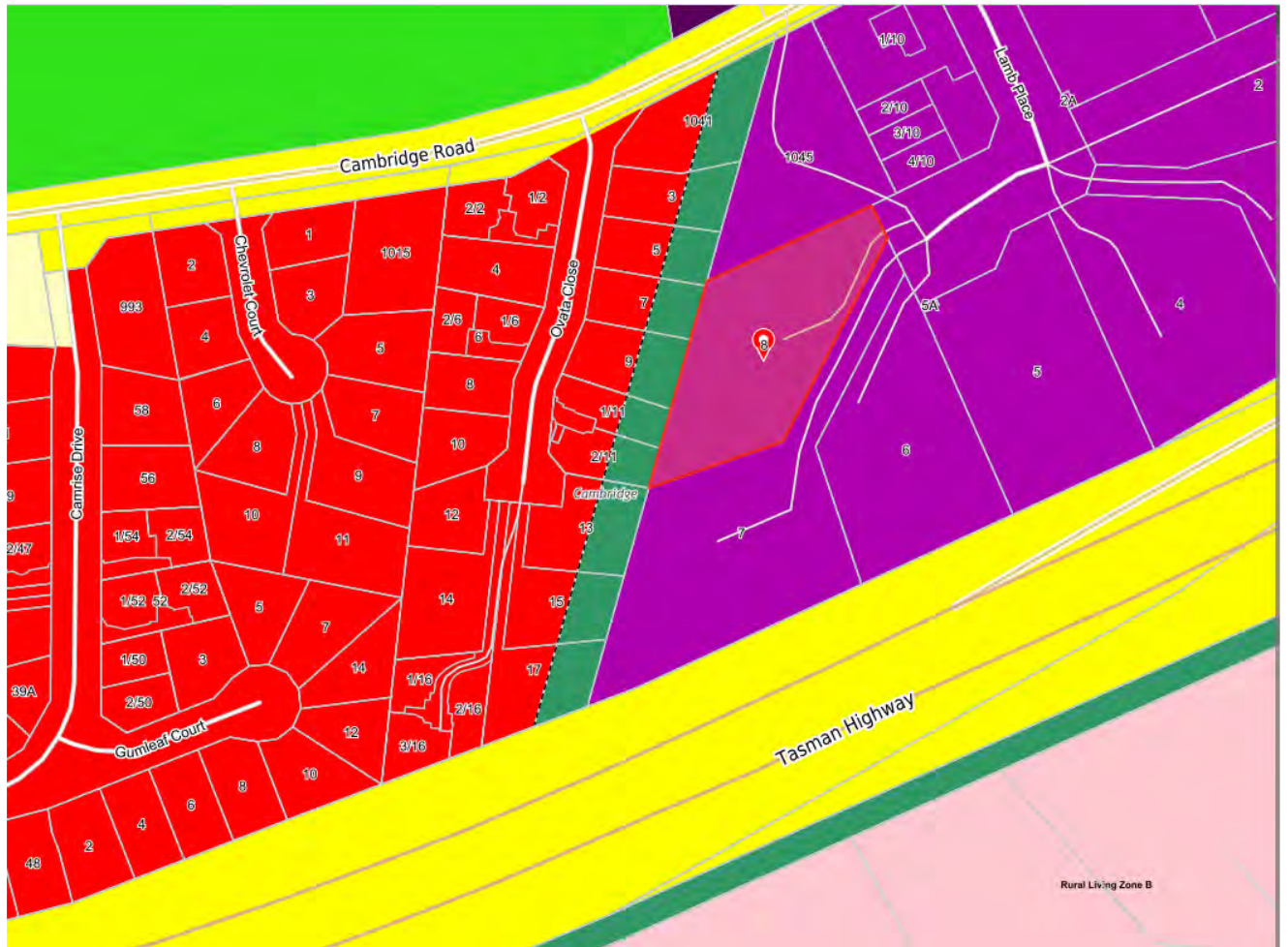


Photo 3: Site viewed from the rear property boundary.



Photo 4: Site viewed from the eastern side facing the rear property boundary towards the existing residential developments.

Attachment 4
ZONING MAP - 8 LAMB PLACE, CAMBRIDGE



7.2 DEVELOPMENT APPLICATION PDPLANPMTD-2022/031767 – 39 CAMBRIDGE ROAD, BELLERIVE (WITH ACCESS VIA 2 PERCY STREET AND 1-7 CLARENCE STREET, BELLERIVE) - DEMOLITION AND MIXED USE BUILDING (10 MULTIPLE DWELLINGS AND COMMERCIAL SPACE)**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Demolition and Mixed Use Building (10 Multiple Dwellings and Commercial Space) at 39 Cambridge Road, Bellerive (with access via 2 Percy Street and 1-7 Clarence Street, Bellerive).

RELATION TO PLANNING PROVISIONS

The land is zoned General Business and subject to the Parking and Sustainable Transport Code, the Safeguarding of Airports Code and the Bellerive Specific Area Plan 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 expired on 28 April 2023, but which the applicant agreed to extend to 19 May 2023.

CONSULTATION

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

- Height;
- Loss of views;
- Parking;
- Design;
- Adverse traffic impact;
- Area character;
- Overlooking and loss of privacy; and
- Urban drainage.

RECOMMENDATION:

- A. That the Development Application for Demolition and Mixed Use Building (10 Multiple Dwellings and Commercial Space) at 39 Cambridge Road, Bellerive (with access via 2 Percy Street and 1-7 Clarence Street, Bellerive) (CI Ref PDPLANPMTD-2022/031767) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.

2. Amended plans showing the location and detailed design of the public art elements must be submitted to and approved by Council’s Manager City Planning prior to the commencement of the works or the issue of a building permit whichever is earlier.

The preferred public art contribution could take the form of bespoke designed public furniture situated in the ground plane entry court; painted or mosaic murals on the east elevation and integrated bespoke lighting elements or glass canopy treatments in the ground plane entry court.

Council’s Manager City Planning will have regard to any assessment of the detailed plans undertaken by Council's Public Art Panel.

When approved, the plans will form part of the permit.

3. The approved public art elements must be completed and installed to the satisfaction of Council’s Manager City Planning prior to the issue of a Certificate of Completion or a Certificate of Occupancy, whichever is the earlier.

4. GEN F5 – PART 5 AGREEMENT

After “following” insert “conditions for the implementation and maintenance of the Public Art”.

5. The ground floor commercial space is approved for Offices in the Business and Professional Services Use Class. Future changes of use may require further approval from the Planning Authority and should not be undertaken without such approval.

6. GEN AM4 – CONSTRUCTION HOURS.

7. GEN AM5 – TRADING HOURS

After “hours” insert

Monday – Saturday 7.00am to 9.00pm; and
Sunday and Public Holidays 8.00am to 9.00pm

8. LAND 1B – LANDSCAPE PLAN (NON-STAGED MULTIPLE DWELLINGS)

After “prior to commencement of works” insert “or issue of a building permit whichever comes first”; and

The landscape plan must be to a standard scale, provide the designers contact details and be legible when reproduced at A3.

The landscape plan must clearly document the following:

- a north point;
- existing property information such as boundary lines;
- existing contours, relevant finished floor levels and any proposed rearrangement to ground levels;

- areas of proposed landscape hard work treatments such as paths, buildings, bicycle parking spaces, retaining walls, planter boxes edging and fencing (if any);
- areas of proposed landscape soft work treatments including garden beds and lawns;
- proposed planting design with locations of individual plants at intended spacing and clearly identified species (use of symbols with a legend or direct labelling of plants preferred);
- a table listing selected species botanical names, mature height, mature width, pot size and total quantities;
- details of proposed irrigation system;
- details of proposed drainage system; and
- estimate of cost for the installation of landscape works.

All landscaping works must be completed and verified as being completed, by Council, prior to the issue of a Certificate of Completion or a Certificate of Occupancy, whichever comes first.

All landscape works must be maintained:

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

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

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

9. LAND 3 – LANDSCAPE BOND (COMMERCIAL).

10. GEN C1 – ON-SITE CAR PARKING
Before "car" insert "13".

After "works" insert "or issue of a building permit whichever is the earlier" and "delete" "In relation to the endorsed plan the parking and/or manoeuvring for car parking spaces [describe] require modification".

11. GEN C2 – CASH-IN-LIEU
After "A cash contribution of" insert "\$120,000" and after "be provided in-lieu of the" insert "12 car parking spaces".

12. GEN VA – BICYCLE STORAGE

After “Parking facilities for a minimum of” insert “3 bicycles are to be provided in the Cambridge Road forecourt”.

After “location and design” insert “in accordance with *Australian Standard AS 2890.3-2015 Parking facilities -Part 3: Bicycle parking*”.

13. ENG M3 – GARBAGE FACILITIES

After “prior to” insert “issue of a building permit”.

14. A plan for the management of construction must be submitted and approved by Council’s Group Manager Engineering Services prior to the issue of a Building or Plumbing Permit. The plan must outline the proposed demolition and construction practices in relation to:

- proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on-site);
- proposed hours of construction (noting Condition 6 above);
- access and parking during construction;
- proposed screening of the site including for pedestrian safety and identification of vehicular access points during work; and
- procedures for washing down vehicles, to prevent soil and debris being carried onto the street.

Once approved, the plan forms part of this permit and all works and construction activities at the site must be in accordance with the approved plan.

15. ENG M1 – DESIGNS DA.

16. The development must meet all required Conditions of Approval specified by TasWater notice dated 07/03/2023 (TWDA 2022/01716-CCC).

ADVICE

- a. Notice of proposed protection work Form 6, should be considered as part of the building certification for the adjoining properties.
- b. Council, as a Stormwater Authority, formed a view that the proposed development will intensify the stormwater discharge from the property, and hence requires approval under the *Urban Drainage Act 2013* and the stormwater is to be designed as per Council’s Stormwater Management Procedure for new development (Stormwater-Management-Procedure-for-New-Development (1).pdf). This requirement will be assessed as part of engineering plans assessment.

If you would like to discuss what is required to meet Council’s requirements in regard to stormwater, please contact Council’s Development Engineers on 6217 9500.

- c. Based on the information provided, the development is likely to adversely affect TasNetworks' operations. As with any multiple use development, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to this development. To understand what these requirements may entail, it is recommended that the proponent contacts TasNetworks Early Engagement team at early.engagement@tasnetworks.com.au at their earliest convenience.

- d. **ADVICE 19 – STREET NUMBERING.**

As a consequence of the development, the street numbering allocated to each unit will be as set out as follows:

Building Area	Number
Ground floor – Office Space (Business and Professional Services Use Class)	G1/39 Cambridge Road
Level 1 – the Office Space (Business and Professional Services Use Class)	101/39 Cambridge Road
Level 2 – 4 dwellings	201-204/39 Cambridge Road
Level 3 – 4 dwellings	301-304/39 Cambridge Road
Level 4 – 2 dwellings	401-402/39 Cambridge Road

Noting that:

- no specific addresses applied for the car parking area apart from level 1 if an emergency vehicle were required;
- residential areas will be assigned hotel style addressing as stated upon the approved plans

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

ASSOCIATED REPORT

1. BACKGROUND

Several approvals have been issued for the site, including a staged mixed-use development comprising two apartments and four commercial tenancies (D-2012/407), approved on 13 March 2013 and amended in July 2014, August 2015 and May 2019. It is noted that the building approval lapsed on 16 December 2020 and could not be extended, hence no further work could be undertaken.

Council has received numerous public inquiries/complaints in relation to the partially developed site and its adverse visual impact on the streetscape of this key site within the Bellerive precinct.

A preliminary planning assessment was requested for a development substantially consistent with the application that is the subject of this report. The applicant was advised that a discretionary planning application would be required, and highlighting scheme car parking requirements, potential cash-in-lieu provisions in accordance with the Council Parking Plan, the requirement for Council landowner consent with respect to access via 2 Percy Street, and key provisions of the Bellerive Specific Area Plan, including potential requirement for public art contribution.

2. STATUTORY IMPLICATIONS

- 2.1.** The land is zoned General Business under the Scheme.
- 2.2.** The proposal is discretionary because it does not meet the Acceptable Solutions under the Scheme.
- 2.3.** The relevant parts of the Planning Scheme are:
 - Section 5.6 – Compliance with Applicable Standards;
 - Section 6.10 – Determining Applications;
 - Section 15 – General Business Zone;
 - Section 26.0 – Utilities Zone;
 - Section C2.0 – Parking and Sustainable Transport Code;
 - Section C3.0 – Road and Railway Assets Code;
 - Section C14.0 – Potentially Contaminated Land Code;
 - Section C16.0 – Safeguarding of Airports Code; and
 - Section CLA-S17.0 – Bellerive Specific Area plan.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site comprises several lots, with the main area of land to be developed included in the corner lot to the south-east of the Cambridge Road and Clarence Street intersection. This lot has an area of 623m² and is generally square in shape, with the exception of the north-west corner, which is curved to accommodate the left-hand turning lane from Clarence Street into Cambridge Road.

The adjoining land at 1-7 Clarence Street and the Council owned land at 2 Percy Street provide access to the 39 Cambridge Road lot via rights of carriageway (ROWs). The site also includes two adjoining road reserve lots (administered by Council) where associated minor utilities works will be undertaken.

The land slopes from the north-east corner to the west and south-west corners of the lot with an average slope of 1 in 12; and is partially developed with buildings (vacant commercial building) and foundations of the incomplete works previously approved (refer background above).

East of the subject site is an established mixed-use development comprising commercial tenancies at ground floor and residential uses at levels 2 and 3. The laneway on the common property of 1-7 Clarence Street located to the east of the subject site provides pedestrian access to the parking spaces associated with 1-7 Clarence Street and the public car parking spaces at 2 Percy Street.

To the south, the proposed development adjoins the existing double storey commercial building of Bellerive Quay (31 and 31A Cambridge Road).

To the west of Cambridge Road existing established single and double storey commercial premises predominate. To the north of Clarence Street established single storey dwellings with front yards dominated by concreted, off street parking areas are the norm.

The site is located within the spatial extent of the City Heart project area.

3.2. The Proposal

The proposal is for a mixed-use development, including:

- 410m² ground floor commercial space with pedestrian access from Cambridge Road. The ground floor also provides a forecourt area, including three bicycle parking spaces, to the commercial space entry, and pedestrian access to the Level 1 commercial space, and residential levels via both stairs and a lift.
- Level 1 – includes 42.14m² commercial space and 13 car parking spaces, and the vehicle access from 1-7 Clarence and 2 Percy Streets. The residential car parking spaces are provided with dedicated storage areas including two bicycle parking facilities for each apartment.
- Level 2 – includes four 2-bedroom apartments, three of which have northern orientation and one with a western orientation;
- Level 3 – includes four 2-bedroom apartments, three of which have northern orientation and one with a western orientation; and
- Level 4 – includes two 3-bedroom apartments, one oriented to the north and north-west, and the other oriented to the west.

Access to the apartments is provided via a central lobby on each floor.

Associated works include the demolition of all existing buildings and structures on the site, as well as upgrades to the existing services infrastructure.

Landscaping is proposed in Cambridge Road forecourt and in planter boxes along the Clarence Street frontages as well as on the street frontage edges of each apartment balcony.

The applicant is also proposing a cash-in-lieu car parking contribution of \$120,000 to offset the commercial car parking spaces not being provided. The proposal also includes the provision of public art as part of the development.

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 does not require an assessment against the Safeguarding of Airports Code as the development height is below the Obstacle Limitation Surface (OLS) height of 147m, and it is located outside the airport noise attenuation area.

It is noted that 2 Percy Street is identified as being subject to the Potentially Contaminated Land Code; however, as no works are proposed on the 2 Percy Street access, the code does not apply to this proposal.

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Business Zone, Utilities Zone, Parking and Sustainable Transport Code, Road and Railway Asset Code, and Bellerive Specific Area Plan with the exception of the following.

General Business Zone

- **Clause 15.4.1 Building height** – the proposal will have a maximum height of 16.7m, which exceeds the 12m Acceptable Solution A1 building height.

The proposed variation must be considered pursuant to the Performance Criteria P1 of *Clause 15.4.1 Building height* as follows.

Clause	Performance Criteria	Assessment
15.4.1 P1	<i>“Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</i>	<p>It is noted that the Performance Criteria includes terms with defined meaning in the Scheme as follows:</p> <p><i>Streetscape = means the visual quality of a street depicted by road width, street planting, characteristics and features, public utilities constructed within the road reserve, the setback of buildings and structures from the property boundaries, the quality, scale, bulk and design of buildings and structures fronting the road reserve.</i></p>

		<p><i>For the purposes of determining streetscape for a particular site, the above matters are relevant when viewed from either side of the same street within 100m of each side boundary of the site, unless for a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule, where the extent of the streetscape may be determined by the relevant precinct provisions.</i></p> <p><i>Adjacent = means near to and includes adjoining.</i></p> <p>The proposed building height of 16.7m is considered compatible with the streetscape and character of development existing on established properties in the area because:</p> <p>(a) <i>the topography of the site;</i></p> <p>(b) <i>the height, bulk and form of existing buildings on the site and adjacent properties;</i></p> <p>(c) <i>the bulk and form of existing buildings;</i></p>
		<p>The land at 39 Cambridge Road slopes down to the south-west, so that the Clarence Street frontage is at level 1 of the building and the Cambridge Road frontage is at ground level. The overall result is that the elevated south-east sections of the building visually recede from the frontage;</p> <p>the existing buildings on the site are to be demolished.</p> <p>Nearby buildings with similar height and bulk include 1-7 Clarence Street, and 31 Cambridge Road, which in effect “bookend” the subject site.</p>

		<p>The proposed development includes similar design techniques to these established properties, including different external finishes, varying building facade features, and setback of upper levels to provide articulation to the bulk and form of the building.</p>
	<p>(d) <i>the apparent height when viewed from the adjoining road and public places; and</i></p>	<p>As shown by the proposal plan photomontages, the apparent height when viewed from adjoining roads and public places, is compatible with these nearby structures. The spatial separation provided by the “laneway” to the east, and the widths of Clarence Street and Cambridge Road create visual separation to nearby buildings and residential areas, thereby minimising the visual bulk of the proposed development.</p>
	<p>(e) <i>any overshadowing of public places.”</i></p>	<p>On the shortest day of the year, namely 21 June, the development will result in some overshadowing of the eastern side of Cambridge Road, for approximately two hours (between 9am and 11am). In the afternoon between 1pm and 3pm there is some overshadowing of the Percy Street public carpark, which is considered acceptable given the intended use of this area. It is noted that the proposal includes a courtyard in the north-west corner of the lot that will be accessible to the public. This area will receive sunlight from 10am to 3pm and is considered to positively contribute to the streetscape and amenity of the area. There is no overshadowing on the residential zone which is located to the north of Clarence Street.</p>

		In conclusion, it is considered that the proposed building height is compatible with the streetscape and does not cause an unreasonable loss of amenity to adjoining residential zones and the discretion can be supported on these grounds.
--	--	--

- **Clause 15.4.2 Setbacks** – the proposed building is not built to the frontage at ground level, and it is setback less than the adjoining buildings on 1-7 Clarence Street, and 31-31A Cambridge Road and does not comply with Acceptable Solution A1 (a) or (b).

The proposed variation must be considered pursuant to the Performance Criteria P1 of *Clause 15.4.2 Setbacks* as follows.

Clause	Performance Criteria	Assessment
15.4.2 P1	<p><i>“Buildings must have a setback from a frontage that is compatible with the streetscape and minimises opportunities for crime and anti-social behaviour, having regard to:</i></p> <p><i>(a) providing small variations in building alignment to break up long façades;</i></p> <p><i>(b) providing variations in building alignment appropriate to provide a forecourt or space for public use, such as outdoor dining or landscaping;</i></p> <p><i>(c) the avoidance of concealment spaces;</i></p>	<p>The proposed development has frontages onto Clarence Street and Cambridge Road that are considered compatible with the streetscape, and minimise opportunities for crime and anti-social behaviour because:</p> <p>The building steps back along the 20m Clarence Street frontage responding to the lot shape, with garden beds in the space between the building and lot boundary, to provide visual interest and a pleasant streetscape.</p> <p>The ground level entry forecourt, in the north-west corner is considered an appropriate variation in building alignment for public use, including bicycle parking facilities.</p> <p>There are no concealment spaces.</p>

	<p>(d) <i>the ability to achieve passive surveillance; and</i></p> <p>(e) <i>the availability of lighting.”</i></p>	<p>Passive surveillance of the street at ground level is achieved by the “hit and miss” brick wall between the on-site residential carpark and Clarence Street, and the commercial space windows along Cambridge Road. The residential balconies on upper levels provide additional passive surveillance opportunities.</p> <p>The site is on a prominent road intersection with existing street lighting. The proposal includes after hours security lighting.</p> <p>In conclusion, the proposal is considered compatible with the streetscape; as there are no adjoining residential zones, and the design minimises opportunities for crime and anti-social behaviour, hence the discretion can be supported on that basis.</p>
--	---	---

- **Clause 15.4.3 Design** – the proposal does not comply with Acceptable Solution A2 (b) (i) as the Clarence Street ground level façade has no windows or doorways facing the frontage.

The proposed variation must be considered pursuant to the Performance Criteria P2 of *Clause 15.4.3 Design* as follows.

Clause	Performance Criteria	Assessment
15.4.3 P2	<p><i>“New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</i></p> <p>(a) <i>how the main pedestrian access to the building addresses the street or other public places;</i></p>	<p>The new building facades are considered compatible with the streetscape, because:</p> <p>The main pedestrian entry to the building is via the Cambridge Road façade.</p>

		<p>Namely the entry forecourt in the north-west corner for access to the ground floor commercial spaces; and the dedicated stair and lift entry for the upper levels at the southern extent of that frontage.</p>
	<p>(b) <i>windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</i></p> <p>(c) <i>architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</i></p>	<p>The Cambridge Road frontage is provided with glazing to over 40% of the ground level façade and presents as a typical “shopfront” enabling passive surveillance of the public spaces. The Clarence Street frontage does not provide any pedestrian access to the site but does create visual interest by the design of the wall in a “hit and miss” design that creates a subtle pattern on the wall and still enables passive surveillance to Clarence Street from the residential carpark of the development.</p>
	<p>(d) <i>installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</i></p>	<p>The proposal does not include any security shutters or grilles. The “hit and miss” wall on the Clarence Street frontage is considered an appropriate design to provide security to the residential car parking area, while providing visual interest and passive surveillance opportunities.</p>
	<p>(e) <i>the need for provision of awnings over a public footpath.”</i></p>	<p>There are no awnings proposed.</p> <p>In conclusion, the proposal is considered to provide building facades that promote and maintain high levels of pedestrian interaction, amenity and safety and are compatible with the streetscape and can be supported on that basis.</p>

C2.0 Parking and Sustainable Transport Code

- Clause C2.5.1 Car Parking numbers** – the proposal is located within the General Business zone where the Clarence Car Parking Plan (the parking plan) applies. In accordance with the parking plan the proposal is calculated to require twenty residential spaces and ten commercial spaces, a total of thirty spaces. However, the design only provides thirteen residential spaces and no commercial spaces leading to a shortfall of seven residential spaces and ten commercial spaces, or an overall shortfall of seventeen spaces. In accordance with the parking plan the applicant proposes a cash-in-lieu payment of \$120,000 for ten commercial spaces and two residential spaces. Therefore, the proposal is considered to comply with the Acceptable Solution A1 (a) for the commercial spaces, as the shortfall of ten commercial spaces is fully offset by the cash-in-lieu payment; but this is not the case for the residential space requirement, which results in a shortfall of five parking spaces for residential use.

The proposed residential car parking variation must therefore be considered pursuant to Performance Criteria P1.2 of *Clause C2.5.1 Car parking numbers* as follows.

Clause	Performance Criteria	Assessment
C2.5.1 P1.2	<p><i>“The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</i></p> <p><i>(a) the nature and intensity of the use and car parking required;</i></p> <p><i>(b) the size of the dwelling and the number of bedrooms; and</i></p>	<p>It is considered that the proposal meets the reasonable needs of the residential use because:</p> <p>The ten residential apartments are provided with thirteen on-site car parking spaces;</p> <p>Each dwelling is provided with at least one dedicated car parking space. Specifically, each of the two-bedroom apartments are provided with one dedicated space, while each of the three-bedroom apartments are provided with two dedicated spaces.</p>

	<p>(c) <i>the pattern of parking in the surrounding area.”</i></p>	<p>The allocation of the thirteenth residential parking space on Level 1, will be at the discretion of any future body corporate.</p> <p>The pattern of parking in the surrounding area reflects the mixed uses in the area. Namely, a combination of on-site car parking, on-street car parking, and parking in public carpark areas.</p> <p>Furthermore, it is noted that the site is within 150m of public transport (Metro Bus Stops); within 250m of the Derwent Ferry terminal, and within 260m of foreshore bicycle tracks. The site location is therefore considered supportive of active transport options for residents.</p> <p>Council’s Development Engineer has reviewed the proposal and advised that given the proximity to public and active transport options, and the availability of on-street car parking after hours; the proposed number of on-site residential car parking spaces is considered appropriate to meet the needs of the residential use and can be supported on that basis.</p>
--	--	---

- Clause C2.5.3 Motorcycle parking numbers** – in accordance with the parking plan the proposal generates a demand for 30 parking spaces, which triggers one motorcycle requirement as per Table C2.4. No motorcycle spaces are proposed.

The proposed variation must be considered pursuant to Performance Criteria P1 of *Clause C2.5.3 Motorcycle parking numbers* as follows.

Clause	Performance Criteria	Assessment
C2.5.3 P1	<i>“Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:</i>	The proposal does not specifically identify a dedicated motorcycle parking space for either the commercial or residential uses. Nevertheless, the proposal is considered reasonable because:
	<i>(a) the nature of the proposed use and development;</i>	The proposal only provides dedicated on-site parking for the residential uses, including areas associated with each residential space, that would be capable of accommodating a motorcycle, if required.
	<i>(b) the topography of the site;</i>	The car parking spaces are provided within the building and the site topography is not considered relevant to this criterion.
	<i>(c) the location of existing buildings on the site;</i>	The existing buildings will be demolished and hence are not relevant to this assessment.
	<i>(d) any constraints imposed by existing development; and</i>	Access to the building carpark is via boom gates and security devices, so that only residents will be able to access the on-site parking facilities.
	<i>(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.”</i>	Council’s development engineer has reviewed the proposal and considers that given the availability of public car parking spaces in the vicinity; the likely needs of the commercial uses, and the opportunity for residents to store motorcycles on-site, the lack of one dedicated on-site motorcycle parking space is considered appropriate and can be supported on that basis.

- **Clause C2.6.5 Pedestrian access** – the proposal does not provide dedicated 1m wide pedestrian paths for all on-site car parking spaces that are signed and line marked, and therefore does not comply with Acceptable Solution A1.1 (a) and (b).

The proposed variation must be considered pursuant to the Performance Criteria P1 of *Clause C2.6.5 Pedestrian access* as follows.

Clause	Performance Criteria	Assessment
C2.6.5 P1	<p><i>“Safe and convenient pedestrian access must be provided within parking areas, having regard to:</i></p> <p><i>(a) the characteristics of the site;</i></p> <p><i>(b) the nature of the use;</i></p> <p><i>(c) the number of parking spaces;</i></p> <p><i>(d) the frequency of vehicle movements;</i></p> <p><i>(e) the needs of persons with a disability;</i></p> <p><i>(f) the location and number of footpath crossings;</i></p>	<p>The proposal is considered to provide safe and convenient pedestrian access within parking areas, because:</p> <p>Access to the car parking spaces will be controlled and limited to residents or occupants of the site;</p> <p>The vehicles will be for residential uses only, that is, no commercial vehicles will be using the car parking area on level 1.</p> <p>Thirteen (Class 1 A – residential) spaces are provided on level 1.</p> <p>The peak traffic generation projected for the carpark is five vehicles per hour.</p> <p>The proposal does not include the provision of all ability car parking spaces. The all-ability car parking space requirements are determined by the National Construction Code (NCC) 2022 of Australia.</p> <p>The carpark design does not provide any pedestrian access from outside the building. Residents will access the carpark via the lift or stairs in the south-west of level 1.</p>

		<p>As there is good visibility of vehicles entering or leaving the carpark from this area, no footpath crossings are proposed.</p>
	<p>(g) <i>vehicle and pedestrian traffic safety;</i></p>	<p>The driveway and vehicle manoeuvring areas on level 1 will be shared areas. Given the low-speed environment, and limited access arrangements, it is considered that an acceptable safe environment for vehicles and pedestrians is provided.</p>
	<p>(h) <i>the location of any access ways or parking aisles; and</i></p>	<p>The vehicle access is provided via the restricted access ROW via 1-7 Clarence Street. The northern entry wall to the carpark is angled at 45 degrees to provide appropriate sight lines to pedestrians using the laneway between the subject site and 1-7 Clarence Street. Internally to the site, the access is located central to the car parking spaces which are positioned at 90 degrees on either side; and</p>
	<p>(i) <i>any protective devices proposed for pedestrian safety."</i></p>	<p>No protective pedestrian devices are proposed.</p> <p>Council's Development Engineer has reviewed the design and considers that given the nature of the use, projected traffic volumes, low speed environment and sight lines provided by the design and layout, the pedestrian access within parking areas is provided in a safe and convenient manner and can be supported on that basis.</p>

- Clause C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone** – the proposal provides twenty bicycle parking spaces within the residential carpark, namely two per dwelling, and three spaces near the entry court to the building on Cambridge Road. The residential use on the site does not in fact require the provision of any bicycle parking and the commercial use only requires one bicycle space. However, as spaces are proposed, this assessment relates to all bicycle spaces provided on-site, which are likely to be used by future customers, residents, and visitors to the site. The plans submitted indicate that for the three bicycle parking spaces in the forecourt, the dimensions, and area accessibility are compliant with Acceptable Solution A2 (a) and (b) respectively. However, the plans do not clearly show a rail or hoop to lock a bicycle, therefore Acceptable Solution A2 (c) is not met; whereas the residential spaces are provided as vertical fixture on the wall and hence do not comply with the Acceptable Solution A2 (a).

The proposed variation must be considered pursuant to the Performance Criteria P2 of Clause C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone as follows.

Clause	Performance Criteria	Assessment
C2.6.7 P2	<p><i>“Bicycle parking spaces and access must be convenient, safe, secure and efficient to use, having regard to:</i></p> <p><i>(a) the characteristics of the site;</i></p> <p><i>(b) the space available;</i></p>	<p>The bicycle parking spaces and accesses are considered to be convenient, safe, secure and efficient to use, because:</p> <p>The provided bicycle parking spaces cater for the residential use on level 1 and visitors to the site via the spaces in the forecourt.</p> <p>The residential parking spaces are located within secure storage areas associated with each residence’s allocated car parking space. The forecourt provides three spaces.</p>

	<p>(c) <i>the safety of cyclists; and</i></p> <p>(d) <i>the provisions of Australian Standard AS 2890.3-2015 Parking facilities - Part 3: Bicycle parking.”</i></p>	<p>Access to the site provides for good sight lines for pedestrians and vehicles.</p> <p>A planning permit condition is included to require compliance with the Australian Standard with regards to providing security devices for the three bicycle spaces in the forecourt.</p> <p>Accordingly, it is considered that with the inclusion of permit conditions, the proposal provides safe, secure and convenient bicycle parking within the General Business Zone and can be supported on that basis.</p>
--	---	---

C3.0 Road and Railway Assets Code

- Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction** – the proposal is calculated to increase the vehicle movements at the Percy Street carpark access by fifty vehicle movements per day. This exceeds amounts in Table C3.1 by ten vehicle movements per day and therefore Acceptable Solution A1.4 (a) is not met.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or junctions as follows.

Clause	Performance Criteria	Assessment
C3.5.1 P1	<i>“Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</i>	The projected traffic to and from the site after development is considered to minimise any adverse effects on the safety of the vehicle crossing and the safety and efficiency of the road network, because:

	<p>(a) <i>any increase in traffic caused by the use;</i></p> <p>(b) <i>the nature of the traffic generated by the use;</i></p> <p>(c) <i>the nature of the road;</i></p> <p>(d) <i>the speed limit and traffic flow of the road;</i></p> <p>(e) <i>any alternative access to a road;</i></p> <p>(f) <i>the need for the use;</i></p> <p>(g) <i>any traffic impact assessment; and</i></p> <p>(h) <i>any advice received from the rail or road authority.”</i></p>	<p>The site is not currently in use, and therefore the projected increases in vehicle movements from the development is the entire projected fifty vehicle movements per day.</p> <p>The traffic is residential in nature.</p> <p>The site access connects to Percy Street, a local road administered by Clarence City Council and the ROW leading to the subject site is part of the carpark circulation area.</p> <p>The speed limit of Percy Street is 40km/hr and designated as a “Shopping Zone” and the Percy Street carpark circulation space being a low-speed environment;</p> <p>There is no alternative access to a road.</p> <p>The access is required to enable residents of the development to access the site.</p> <p>A Traffic Impact Assessment (TIA) was provided by the applicant, which concluded that there were no significant adverse road safety impacts identified (p16 of the TIA).</p> <p>Council’s development engineer reviewed the proposal and TIA and is satisfied that at the access, given the low-speed traffic environment, and the network’s capacity to cater for such a development, the proposal will provide for ease of access and egress to the site, therefore meeting the tests of this performance criterion.</p>
--	---	---

		In conclusion, the proposal minimises any adverse impacts on the safety and efficiency of the road network and can be supported on that basis.
--	--	--

CLA-S17.0 Bellerive Specific Area Plan

- **Clause CLA-S17.7.1 Setback and street presentation** – the proposal has a variable setback on Cambridge Road, ranging from 0m to 6m in the building forecourt area, which is greater than the 0m setback specified by Acceptable Solution A1 (a).

The proposed variation must be considered pursuant to the Performance Criteria P1 (a) of *Clause CLA-S17.7.1 Setback and street presentation* as follows.

Clause	Performance Criteria	Assessment
CLA-S17.7.1 P1	<p><i>“Buildings must positively contribute to the amenity of streetscapes having regard to:</i></p> <p><i>(a) in Cambridge Road:</i></p> <p><i>(i) whether the setback is compatible with the setback of adjoining buildings, by generally maintaining a continuous building line if evident in the streetscape;</i></p> <p><i>(ii) the provision of a forecourt space adequate for appropriate public use, such as outdoor dining, public art or landscaping.”</i></p>	<p>The proposed development is considered to positively contribute to the amenity of the streetscape, because:</p> <p>The Cambridge Road frontage: setback ranges from less than 0.5m at the south to more than 5m at the forecourt area. The adjoining building to the south, namely the Bellerive Quay building, has setbacks ranging from less than 0.5m to 1.8m. Hence, the proposal design is considered to generally maintain a continuous building line in the streetscape;</p> <p>The proposed forecourt in the north-west area of the site, provides adequate space for public art and landscaping.</p> <p>In conclusion, the proposal is considered to achieve the clause objective and can be supported on that basis.</p>

- **Clause CLA-S17.7.2 Design and urban form** – the proposal does not comply with Acceptable Solution A1 (a) and (c) as the “hit and miss” brick wall on the Clarence Street frontage has no windows or doorways, and extends for more than 30% of the frontage length.

The proposed variation must be considered pursuant to the Performance Criteria P1 of *Clause CLA-S17.7.2 Design and urban form* as follows.

Clause	Performance Criteria	Assessment
CLA-S17.7.2 P1	<p><i>“All frontage façades must interact with the streetscape and must not be inwardly focused, having regard to:</i></p> <p><i>(a) how the building addresses the street or other public places;</i></p> <p><i>(b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</i></p> <p><i>(c) architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces;</i></p>	<p>The proposal is considered to provide frontages that interact with the streetscape and is not inwardly focused, because:</p> <p>The building facades face Clarence Street and Cambridge Road. It is noted that although the laneway between the subject site and 1-7 Clarence Street is used by the public, this area is not considered a public place as it is not owned or administered by a public agency or the Crown.</p> <p>Windows and the forecourt provide visual interest on the Cambridge Road frontage, while the design of the “hit and miss” brick wall in conjunction with the garden beds and landscaping provide visual interest along Clarence Street. These respective ground floor designs in addition to the street facing residential balconies of the upper storeys, provide for passive surveillance of public spaces.</p> <p>The proposal details show a variety of external materials, including brick, timber, and metal cladding to visually break up the frontage facades of the building.</p>

		<p>Concept designs for potential public art in the forecourt area, such as mosaic treatments of the floor or lower walls, furniture or vertical plane lighting, were provided in the proposal plans. A planning permit condition for detailed designs is proposed to ensure appropriate art work is provided as part of the proposal.</p>
	<p>(d) <i>installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical; and</i></p>	<p>None proposed.</p>
	<p>(e) <i>for ground floor car parking areas, suitable architectural detail and articulation of the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces and to offer appropriate passive surveillance of the street and the car parking area.”</i></p>	<p>The ground floor Clarence Street façade is in effect the Level 1 on-site residential car parking area. Therefore, the proposed hit and miss brick wall¹ in conjunction with the vertical timber features and planter boxes is considered to positively contribute to the street scape.</p> <p>In conclusion, the maximum potential use of floor space is achieved, resulting in a consolidated and accessible activity centre, and the proposal can be supported on that basis.</p>

¹ As shown in the proposal plan cover page Artist’s impression, this term is used to describe the offset brick pattern, creating ‘gaps’ in the wall in a regular pattern.

- **Clause CLA-S17.7.3 Landscaping** – the proposal building façade on the Clarence Street frontage has a stepped setback that ranges from 0m to 1.9m, which exceeds the maximum setback of 1m specified in Acceptable Solution A1 (b); and the boundary faces a residential zone on the opposite side of the road thereby not complying with Acceptable Solution A1 (c).

The proposed variation must be considered pursuant to the Performance Criteria P1 of *Clause CLA-S17.7.3 Landscaping* as follows.

Clause	Performance Criteria	Assessment
CLA-S17.7.3 P1	<p><i>“Landscaping must enhance the appearance of the development and complement the streetscape, having regard to:</i></p> <p><i>(a) a range of plant height and forms used to create diversity, interest and amenity;</i></p> <p><i>(b) avoiding concealed entrapment spaces; and</i></p> <p><i>(c) the local area objectives for the area.”</i></p>	<p>The proposed landscaping is considered to enhance the appearance of the development and complements the streetscape, because:</p> <p>The proposal plans indicate that a range of plant heights and forms will be used in the planter boxes with one larger tree specimen in the forecourt area. A landscaping condition is proposed to ensure the plant species selected will provide appropriate levels of interest and amenity.</p> <p>The spaces between the frontages and the property boundary are not sufficiently deep or large in area to provide concealed entrapment spaces.</p> <p>The proposal is considered aligned to the Bellerive Village activity centre Local Area objectives CLA-S17.3.1.1 because:</p> <p>(a) the proposal provides for high quality urban spaces, incorporating good urban design, streetscape enhancement and public art;</p>

		<p>(b) retains the traditional strip shopping centre function along Cambridge Road by providing frontages that maximise opportunities for engaging with passing pedestrians;</p> <p>(c) not applicable;</p> <p>(d) the building is designed to interact with the street; and</p> <p>(e) residential car parking is provided internally with access from the rear and therefore car parking areas do not dominate street frontages.</p> <p>In conclusion, the proposal incorporates safe and attractive landscaping treatments that enhance the appearance of the site and are consistent with streetscape improvements undertaken in the area and can be supported on that basis.</p>
--	--	---

- Clause CLA-S17.7.4 Public Art** – the proposal is considered a major development as the project budget of \$6.8million is greater than the \$1million criterion and therefore public art is required. This provision has no Acceptable Solution A1.

The proposed variation must be considered pursuant to the Performance Criteria P1 of *Clause CLA-S17.7.4 Public art* as follows.

Clause	Performance Criteria	Assessment
CLA-S17.7.4 P1	<p><i>“That a major development contributes to the amenity of the site and nearby public places by the installation of public art works having regard to:</i></p> <p><i>(a) the proximity of the proposed public art works to the major development and a public place;</i></p>	<p>The development is considered to contribute to the amenity of the site and nearby public spaces by the installation of public art works, because:</p> <p>Public art works are envisioned for the forecourt and Cambridge Road frontage of the site.</p>

	<p>(b) <i>the size, scale and design of the proposed major development;</i></p> <p>(c) <i>the design of the proposed public art works, including their intended enhancement of the streetscape, or the cultural, environmental or built values of the location;</i></p> <p>(d) <i>the visibility and accessibility of the proposed public art works to the public; and</i></p> <p>(e) <i>the need for public art and any existing public art on or near the site.”</i></p>	<p>A permit condition is included for detailed public art designs for approval by Council’s Manager City Planning, with input from Council’s Cultural Development Coordinator.</p> <p>The concept proposal includes options for forecourt floor treatments, street furniture, and wall mosaic or lighting options.</p> <p>The proposed artworks’ location in the forecourt area will provide for their visibility and accessibility to the public.</p> <p>The development is located on a prominent site, and forms part of the entrance to the Bellerive shopping strip. It is appropriate that suitably designed and scaled public art is located in this location.</p> <p>Council’s Cultural Development Coordinator has reviewed the concept plan and considers that it aligns with Council’s Public Art guidelines and criteria. The proposed planning permit conditions for detailed designs, implementation and maintenance arrangements ensure that the public art will align with Council’s Public Art Policy, in so far as it applies to the Scheme.</p> <p>Accordingly, the proposal is considered to contribute to the amenity of the site and nearby public spaces and can be supported on that basis.</p>
--	--	---

5. REPRESENTATION ISSUES

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

5.1. Height

Six of the representors raised concerns with the proposed height of 16.7m on the basis that this was higher than the adjoining building on 1-7 Clarence Street, did not follow the slope of the site, would dominate the area, and is not compliant with the acceptable solution of 12m.

- **Comment**

As previously discussed in this report, the proposal meets the requirements of the Scheme in relation to height, as articulated in the performance criteria of *Clause 15.4.1 Building height* and can be supported on that basis.

5.2. Loss of Views

Three of the representors were concerned that the proposal would result in a loss of existing views to Mount Wellington experienced from their properties or generally from homes along Clarence Street.

- **Comment**

The scheme has no specific provisions relating to the retention of views for existing properties adjacent to the proposed development. Therefore, this issue is not of determining weight.

5.3. Parking

The shortfall of on-site car parking was raised as an issue by five of the representors, on the basis that the area was short of parking now and an expectation that future occupants would use public transport or bikes was unrealistic. Three of these representors were also opposed to Council accepting cash-in-lieu to offset for the car parking shortfall.

- **Comment**

Council's Development Engineer is satisfied that the proposal provides sufficient on-site car parking for the residential component. As previously discussed, the commercial car parking demand is being offset by a cash contribution in accordance with Council's car parking plan and the reduced number of residential car parking spaces satisfy performance criteria P1.2 of *Clause C2.5.1 Car parking numbers*.

It is further noted that Council is undertaking a project to install parking sensors in its car parking areas in Bellerive and Rosny Park, to improve parking demand and enforcement data gathering. Additionally, the City Heart Master Plan includes considerations for additional car parking provision in both Bellerive and Rosny Park, which will provide additional guidance for parking management within the city's commercial precincts, including Bellerive.

5.4. Area Character

Three of the representors were concerned that the proposal was not in keeping with the village feel of Bellerive, and that its height and bulk would dominate the area just as the existing Bellerive Quay (31 and 31A Cambridge Road) and 1-7 Clarence Street development already do.

- **Comment**

The proposed development is a No Permit Required (commercial element) and Permitted Use (residential element) within the zone. The site is not in a heritage precinct. As previously discussed in this report, the proposal meets the requirements of the Scheme in relation to the Bellerive Specific Area Plan, as articulated in the performance criteria of *Clause CLA-S17.7.1 Setback and street presentation*, *Clause CLA-S17.7.2 Design and urban form*, *Clause CLA-S17.7.3 Landscaping* and *Clause CLA-S17.7.4 Public Art*, and is considered to be aligned with the Bellerive Village Activity Centre Local Area Objectives and the proposal can be supported on that basis.

5.5. Design

Three of the representors were concerned with the proposal's design on the basis that the Clarence Street setback was inadequate, the design was bulky, dark with an ugly colour scheme, and that the inclusion of windows on the southern elevation would preclude the owners of the adjoining land at 31 and 31A Cambridge Road to developing their lot up to the boundary.

- **Comment**

Clause 15.4.3 Design prescribes the building façade requirements; the proposal is compliant with acceptable solution A1. As previously discussed in this report, the proposal meets the requirements of the Bellerive Specific Area Plan in relation to design, as articulated in the performance criteria of *Clause CLA-S17.7.4 Design and urban form* and can be supported on that basis.

There are no provisions in the Scheme that would preclude the adjoining land at 31 and 31A Cambridge Road from being developed to the lot boundary. The windows on the southern elevation of the proposed development are part of the design to minimise the visual bulk of the proposal and provide natural light into bedrooms. It is noted that the windows are set back approximately 1m from the southern boundary, so that a light well would be created in the event of development on the adjoining lot. This issue is therefore not of determining weight.

5.6. Adverse Traffic Impacts

Concern was raised by two representors that the proposal would create an unreasonable impact on the existing traffic in the area, specifically at the pedestrian crossing at the corner of Cambridge Road and Clarence Street, and Percy Street which was described as bottle neck due to other recently approved developments.

- **Comment**

As previously discussed in this report, the proposal meets the requirements of the Scheme in relation to traffic generation, as articulated in the performance criteria P1 of *Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction* and can be supported on that basis.

Council's Development Engineer observed that while the issues raised are not directly related to the pedestrian crossing/access issue at the road network (i.e., Percy Street), Council acknowledges some existing issues at the junction of Clarence Street and Cambridge Road. Council has a capital works plan which is currently in the detailed design stage, to address the issues with existing Clarence Street and Cambridge Road junction safety.

5.7. Overlooking and Loss of Privacy

One representor was concerned that the commercial spaces and apartments would directly overlook their living and bedroom areas of their home.

- **Comment**

Clause 16.4.1 Building height provisions acceptable solution A2 references a 10m setback from a General Residential Zone. It is noted that the residential zone on the northern side of Clarence Street is setback approximately 17m from the frontage of the subject site and therefore the actual development distance is considered to not cause an unreasonable loss of amenity to adjoining residential zones. Furthermore, the General Business Zone Use Standards only relate to hours of operation, lighting and commercial vehicle movements, and do not specifically relate to overlooking or loss of privacy. The Bellerive Specific Area Plan does not have any Use Standard provisions. Accordingly, this issue is not of determining weight.

5.8. Noise

One representor was concerned by noise that could issue from the site if there was a future change of use to food services or hospitality businesses rather than offices. Also, that the open spaces of apartments on level four was sufficiently large to hold noisy parties that would generate unreasonable noise.

- **Comment**

Clause 15.3.1 All uses prescribes the requirements of the Scheme in relation to hours of operation, external lighting, and commercial vehicle uses on a site within 50m of a General Residential Zone or Inner Residential Zone, and the proposal is compliant with the acceptable solutions. Given the site is located within an urban area, noise associated with vehicle movements and use of the site is to be expected. Any change of use to the commercial area of the development would be subject to further assessment against the Scheme provisions.

In any event, noise is not a relevant consideration under the Scheme and is separately controlled by the *Environmental Management and Pollution Control Act 1994*, or a policing matter, should there be a perceived nuisance.

5.9. Urban Drainage

One representor was concerned that the proposal will be located over existing water and sewer pipes and the building itself would block natural land overflow along the boundary with 31 Cambridge Road and lead to problems if the infrastructure was not properly maintained.

- **Comment**

Council's Development Engineer advises that the proposed development will not impact on flooding potential, if any with 31 Cambridge Road, as the proposal includes on-site stormwater detention for the additional run off from the development. Furthermore, Council's Development Engineer is satisfied that the existing network has capacity to receive the overflow discharges into the existing stormwater pit at the corner of Clarence Street and Cambridge Road.

No 39 Cambridge Road is not within a flood-prone area and the scheme does not include any specific provisions relating to stormwater management. That said, advice alerting the proponent to the requirement to comply with Council's Stormwater Management Procedure for new development is included. This issue is therefore not of determining weight.

6. EXTERNAL REFERRALS

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

The proposal was referred to TasNetworks, who has provided advice to be included on the planning permit if granted.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

8.1. There are no inconsistencies with Council's adopted Strategic Plan or any other relevant Council policy.

8.2. Developer contributions are required to comply with the following Council policies:

- Clarence Car Parking Plan; and
- Public Art Policy 2013, in so far as it relates to the *Tasmanian Planning Scheme Clarence*.

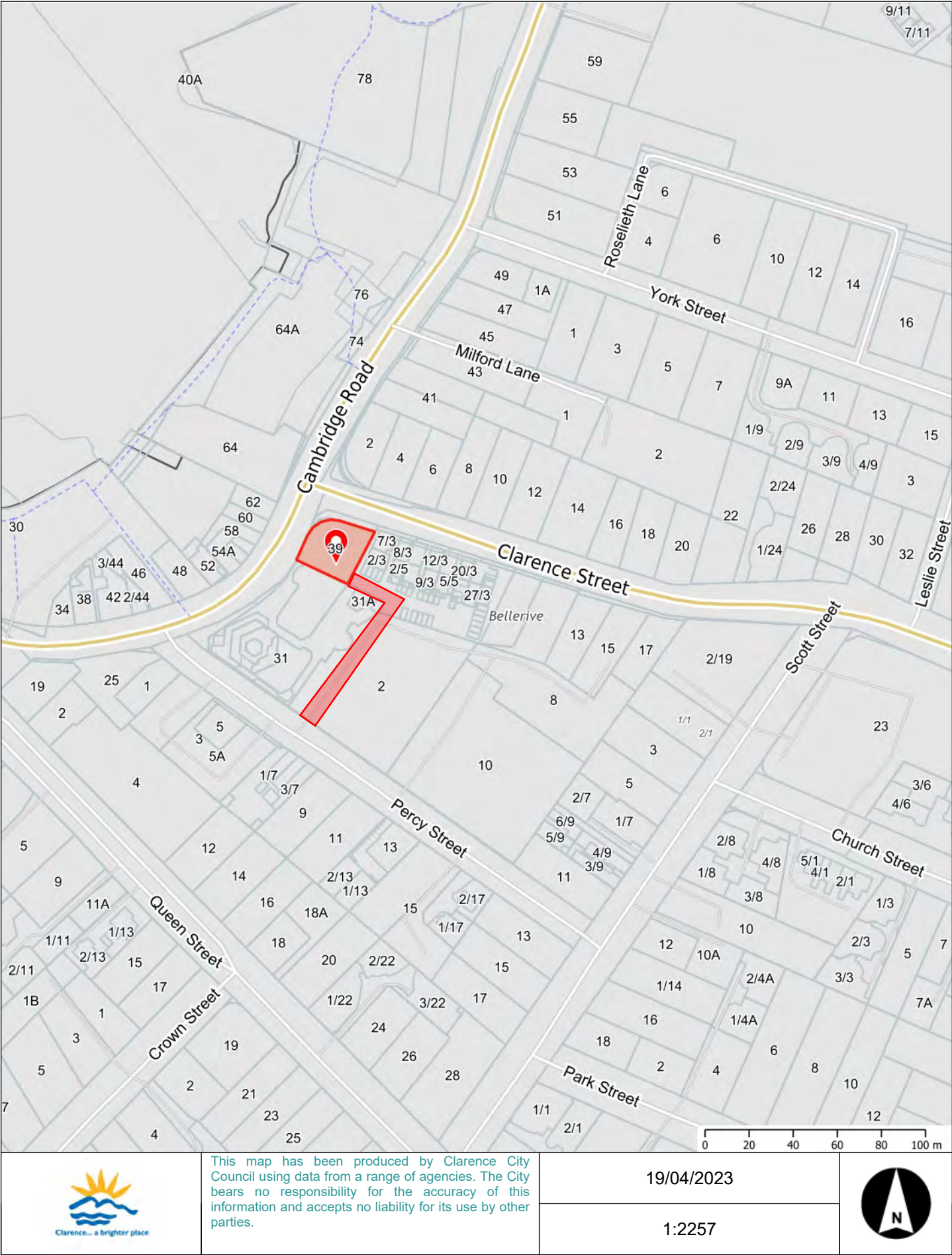
9. CONCLUSION

The proposal is recommended for approval subject to conditions including conditions to minimise the potential for adverse impacts on residential amenity during the construction process.

Attachments: 1. Location Plan (1)
2. Proposal Plan (20)
3. Site Photos (1)

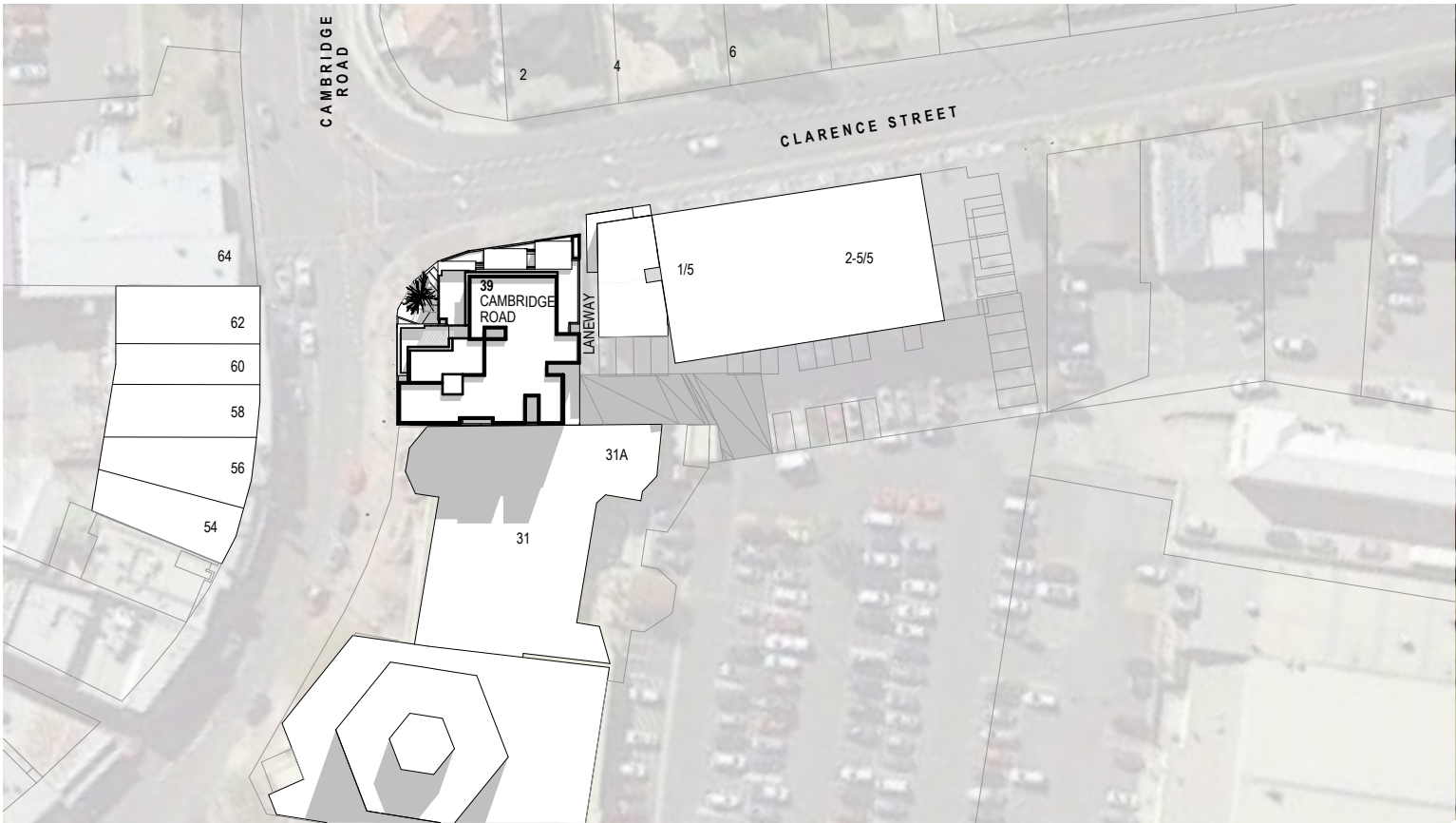
Robyn Olsen
ACTING MANAGER CITY PLANNING

Attachment 1





ARTIST'S IMPRESSION - CORNER OF CAMBRIDGE ROAD AND CLARENCE STREET



LOCATION PLAN 1:1000

MULTI-RES DEVELOPMENT

39 CAMBRIDGE ROAD

DEVELOPMENT APPLICATION 07/2022

SITE INFORMATION		
PROJECT DETAILS		
OWNER / CLIENT	Creese Management Pty Ltd	
PROJECT ADDRESS	39 Cambridge Road Bellerive Tasmania	
LAND TITLE REF. NO. (CERTIFICATE FOLIO AND VOLUME)	23965/4	
TOTAL FLOOR AREA	Site	622.5m ²
	New Floor Area (residential & commercial)	1535.9m ²
	New Floor Area (carparking)	400.6m ²
	New External Area (decks)	196.3m ²
	New GF External Area	154.9m ²

ARCHITECTURAL			
	DRAWING No.	DESCRIPTION	REV
DEVELOPMENT APPLICATION			
	DA00	COVER PAGE	3
	DA01	SITE PLAN	02
	DA02	GROUND FLOOR PLAN	04
	DA03	LEVEL 1 FLOOR PLAN	04
	DA04	LEVEL 2 FLOOR PLAN	02
	DA05	LEVEL 3 FLOOR PLAN	02
	DA06	LEVEL 4 FLOOR PLAN	02
	DA07	ROOF PLAN	02
	DA08	SECTION A	02
	DA09	SECTION B	02
	DA10	NORTH ELEVATION	02
	DA11	EAST ELEVATION	3
	DA12	SOUTH ELEVATION	02
	DA13	WEST ELEVATION	02
	DA14	STREET ELEVATION	03
	DA15	3D VISUALISATIONS 01	02
	DA16	3D VISUALISATIONS 02	02
	DA17	3D VISUALISATIONS 03	02
	DA18	3D VISUALISATIONS 04	02
	DA19	SHADOW DIAGRAM 01	02
	DA20	SHADOW DIAGRAM 02	02
	DA21	SHADOW DIAGRAM 03	02
	DA22	SHADOW DIAGRAM 04	02
	DA23	MATERIALS & FINISHES PALETTE	02
	DA24	DEMOLITION PLAN	3

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 6726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania

For
Creese Management Pty Ltd

DRAWING

DRAWING NAME
COVER PAGE

DRAWING NO
21095_DA00

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

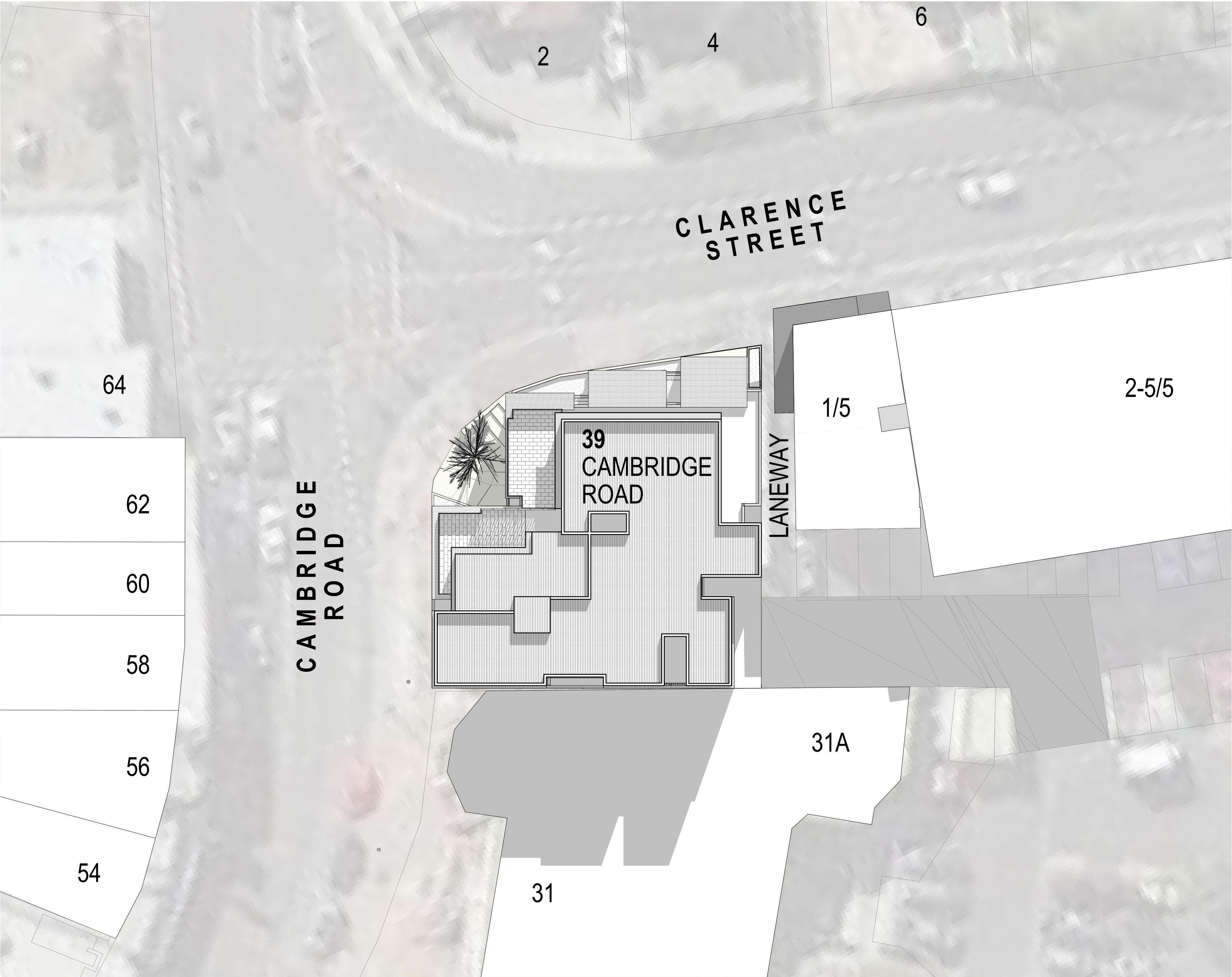
ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117_DA RFL.pln

DRAWING ISSUE

**DEVELOPMENT
APPLICATION**

REVISIONS		
REV	DESCRIPTION	DATE
3	DA RFI	21/12/2022
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022



SITE PLAN 1
1:200

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSKALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For
Creese Management Pty Ltd

DRAWING

DRAWING NAME
SITE PLAN

DRAWING NO
21095_DA01

REVISION
02

NORTH

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pln

DRAWING ISSUE

DEVELOPMENT
APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

LANDSCAPE LEGEND

Planting strategy

Ground Floor courtyard statement tree and deep soil planters - Mixed native and hardy plantings with height and texture variations.

First Floor deep soil planter adjacent entry to walkway - Low-lying mixed native and hardy plantings.

Second & Third Floor raised planter boxes as balcony edges - Mixed hardy and climber plantings.

Fourth Floor raised planter box screened garden - Low lying mixed native and hardy plantings.

- 1

TYPE: Small shrubs/grasses
HEIGHT: 0.2m - 0.4m
LOCATION: GF / 1F / 4F
- 2

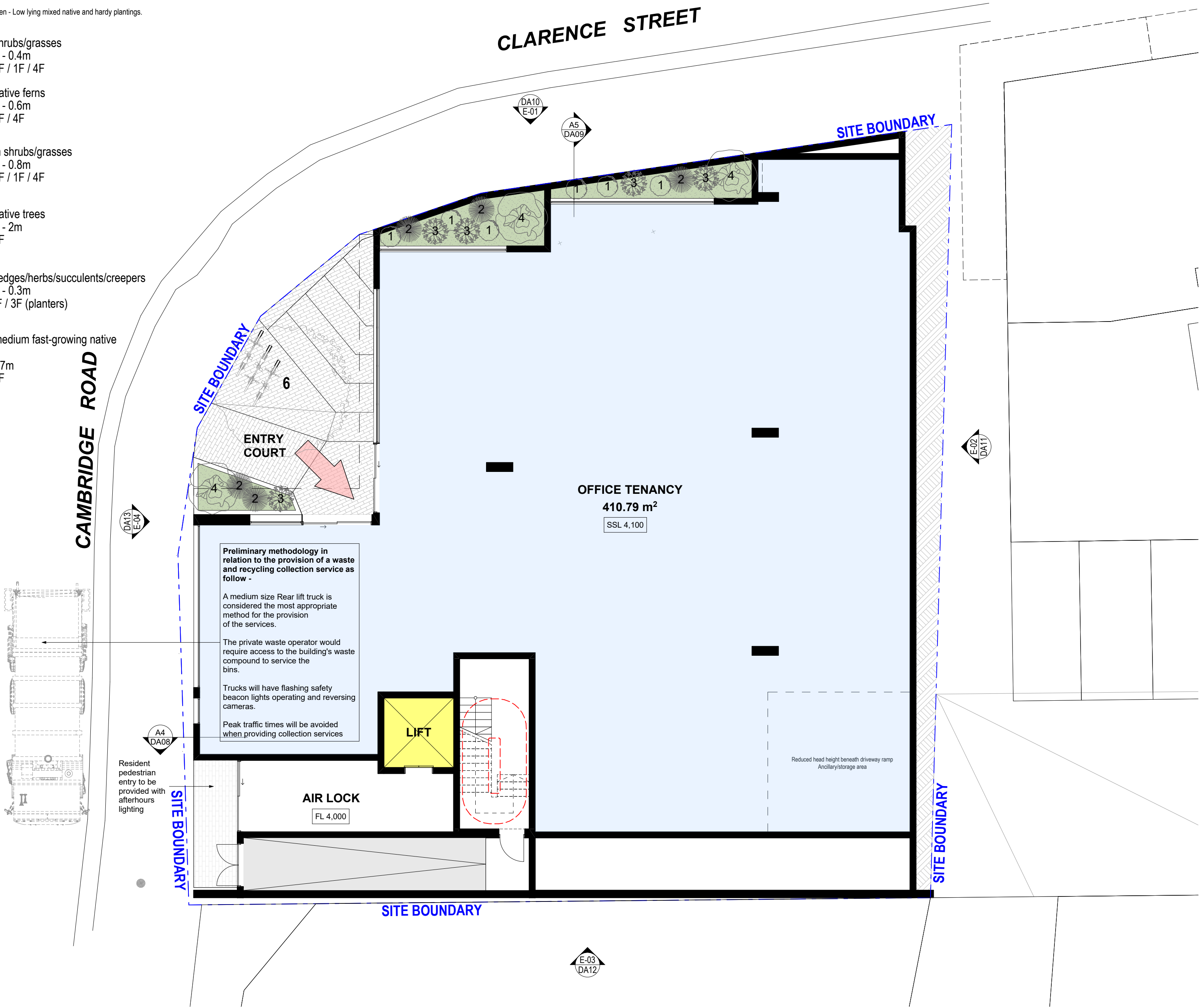
TYPE: Small native ferns
HEIGHT: 0.4m - 0.6m
LOCATION: GF / 4F
- 3

TYPE: Medium shrubs/grasses
HEIGHT: 0.5m - 0.8m
LOCATION: GF / 1F / 4F
- 4

TYPE: Small native trees
HEIGHT: 1.3m - 2m
LOCATION: GF
- 5

TYPE: Short hedges/herbs/succulents/creepers
HEIGHT: 0.1m - 0.3m
LOCATION: 2F / 3F (planters)
- 6

TYPE: Small-medium fast-growing native evergreen tree
HEIGHT: 5m - 7m
LOCATION: GF



DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development

39 Cambridge Road Bellerive Tasmania

For

Creese Management Pty Ltd

DRAWING

DRAWING NAME

DRAWING NO

GROUND FLOOR PLAN

21095_DA02

REVISION

04

NORTH

Scale 1:100

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pln

DRAWING ISSUE

DEVELOPMENT APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
04	DA RFI - WMP & Public Art	14/02/2023
3	DA RFI	21/12/2022
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

GROUND FLOOR PLAN

Scale 1:100

PROPOSED RESIDENTIAL WASTE SOLUTION

Site Layout: Refer Architectural Layout Plan

Collection Type: Private collection service to collect all waste streams

Collection Location: From the Street Frontage, off Cambridge Road

Shared bin store In a dedicated shared bin store at Level 1

Residential	Proposed Shared Bin Solution		
	No. of Bins	Bin Size	Collection Frequency
General Waste (landfill)	1	660L	Once weekly
Co-mingled Recycling	1	660L	Once weekly

PROPOSED COMMERCIAL WASTE SOLUTION

Tenancy/space Area
Office 680m²

Site Layout: Refer Architectural Layout Plan

Collection Type: Private collection service to collect all waste streams.

Collection Location: From the Street Frontage, off Cambridge Road

Bin Store Location: Within the tenancy

Commercial	Proposed solution		
	No. of Bins	Bin Size	Collection Frequency
Garbage	2	240L	Once weekly
Co-mingled Recycling	1	240L	Once weekly

LANDSCAPE LEGEND

- 1

TYPE: Small shrubs/grasses
HEIGHT: 0.2m - 0.4m
LOCATION: GF / 1F / 4F
- 2

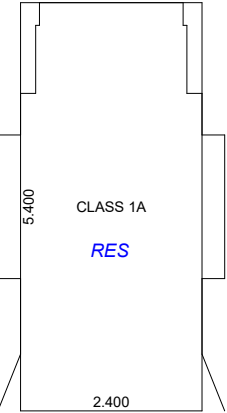
TYPE: Small native ferns
HEIGHT: 0.4m - 0.6m
LOCATION: GF / 4F
- 3

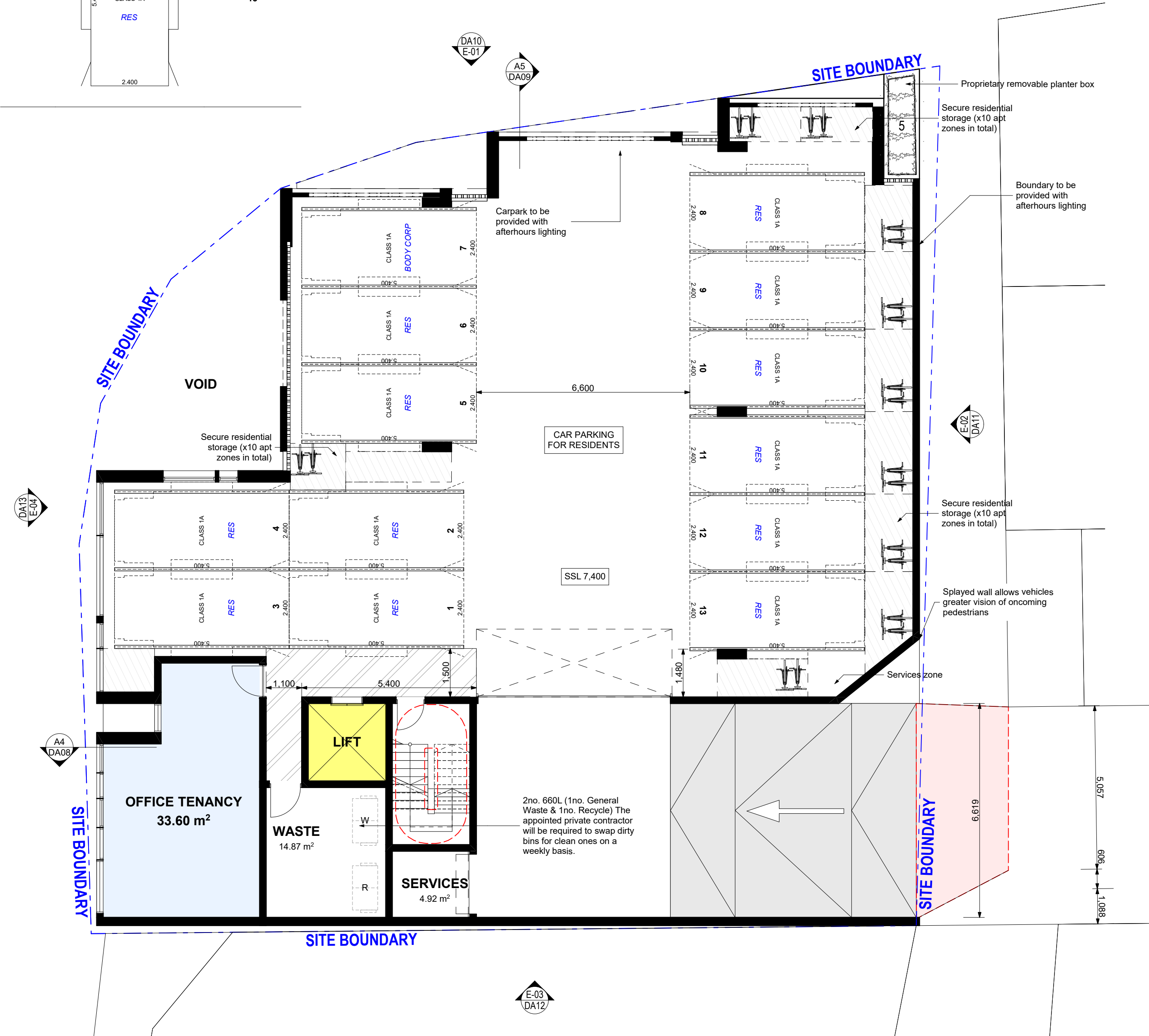
TYPE: Medium shrubs/grasses
HEIGHT: 0.5m - 0.8m
LOCATION: GF / 1F / 4F
- 4

TYPE: Small native trees
HEIGHT: 1.3m - 2m
LOCATION: GF
- 5

TYPE: Short hedges/herbs/succulents/creepers
HEIGHT: 0.1m - 0.3m
LOCATION: 2F / 3F (planters)
- 6

TYPE: Small-medium fast-growing native evergreen tree
HEIGHT: 5m - 7m
LOCATION: GF

SCHEDULE OF CAR PARKING SPACES - TYPE		
TYPE	LEGEND	QUANTITY
RES		13



LEVEL 1 FLOOR PLAN
1:100

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania

For

Creese Management Pty Ltd

DRAWING

DRAWING NAME
LEVEL 1 FLOOR PLAN

DRAWING NO
21095_DA03

REVISION
04

Scale 1:100
0 1 2 3 4 5m

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFI.pln

DRAWING ISSUE

DEVELOPMENT
APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
04	DA RFI - WMP & Public Art	14/02/2023
3	DA RFI	21/12/2022
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

LANDSCAPE LEGEND

- 1

TYPE: Small shrubs/grasses
HEIGHT: 0.2m - 0.4m
LOCATION: GF / 1F / 4F
- 2

TYPE: Small native ferns
HEIGHT: 0.4m - 0.6m
LOCATION: GF / 4F
- 3

TYPE: Medium shrubs/grasses
HEIGHT: 0.5m - 0.8m
LOCATION: GF / 1F / 4F
- 4

TYPE: Small native trees
HEIGHT: 1.3m - 2m
LOCATION: GF
- 5

TYPE: Short hedges/herbs/succulents/creepers
HEIGHT: 0.1m - 0.3m
LOCATION: 2F / 3F (planters)
- 6

TYPE: Small-medium fast-growing native evergreen tree
HEIGHT: 5m - 7m
LOCATION: GF

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME

LEVEL 2 FLOOR PLAN

DRAWING NO

21095_DA04

REVISION

02

NORTH

Scale 1:100

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117_DA RFL.pln

DRAWING ISSUE

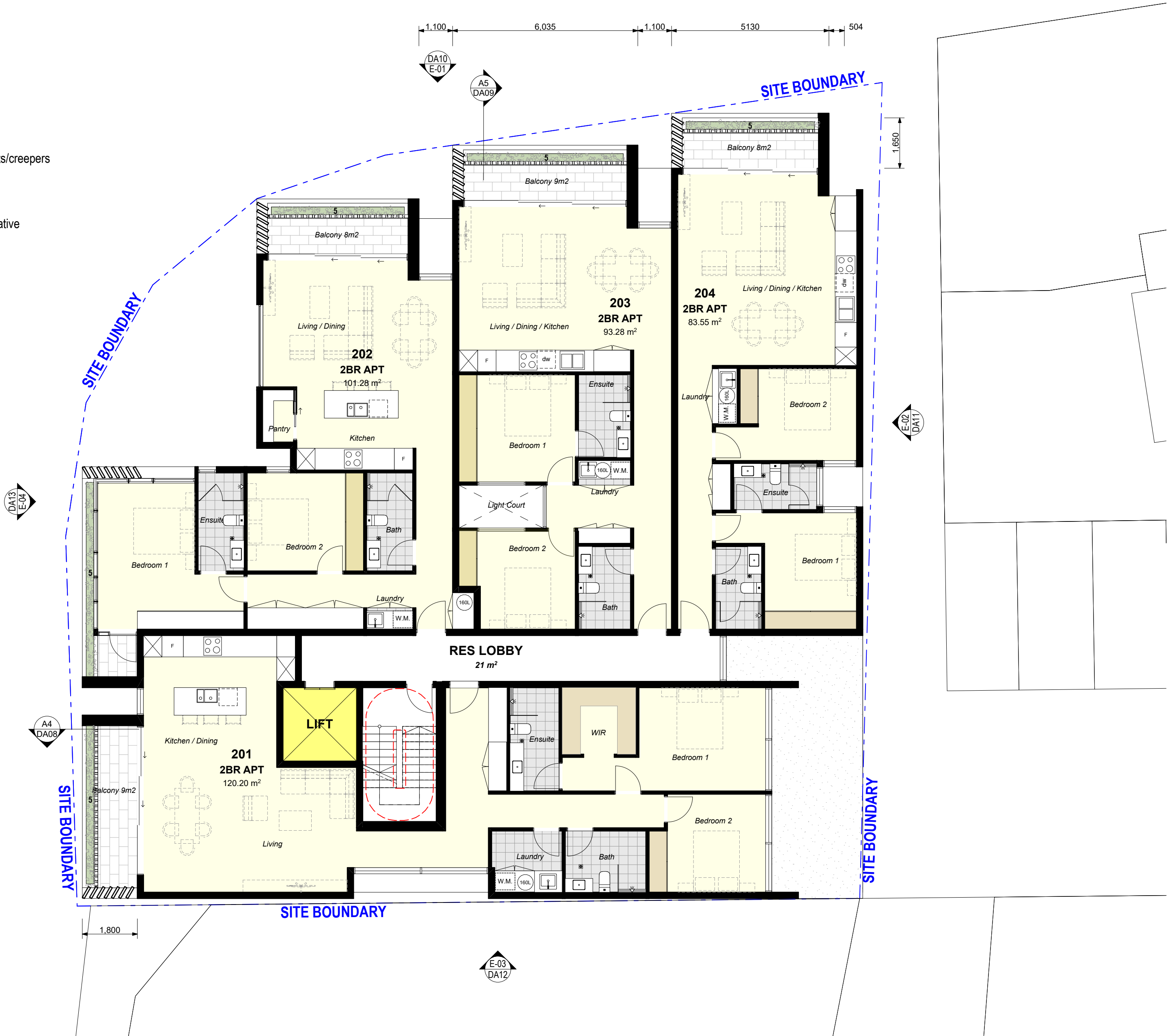
DEVELOPMENT APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

CAMBRIDGE ROAD

CLARENCE STREET



LEVEL 2 FLOOR PLAN

Scale 1:100

LANDSCAPE LEGEND

- 1

TYPE: Small shrubs/grasses
HEIGHT: 0.2m - 0.4m
LOCATION: GF / 1F / 4F
- 2

TYPE: Small native ferns
HEIGHT: 0.4m - 0.6m
LOCATION: GF / 4F
- 3

TYPE: Medium shrubs/grasses
HEIGHT: 0.5m - 0.8m
LOCATION: GF / 1F / 4F
- 4

TYPE: Small native trees
HEIGHT: 1.3m - 2m
LOCATION: GF
- 5

TYPE: Short hedges/herbs/succulents/creepers
HEIGHT: 0.1m - 0.3m
LOCATION: 2F / 3F (planters)
- 6

TYPE: Small-medium fast-growing native evergreen tree
HEIGHT: 5m - 7m
LOCATION: GF

CAMBRIDGE ROAD

CLARENCE STREET



DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBANE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME

LEVEL 3 FLOOR PLAN

DRAWING NO

21095_DA05

REVISION

02

NORTH

Scale 1:100
0 1 2 3 4 5m

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117_DA RFL.pln

DRAWING ISSUE

DEVELOPMENT APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

LEVEL 3 FLOOR PLAN

Scale 1:100



LANDSCAPE LEGEND

- 1

TYPE: Small shrubs/grasses
HEIGHT: 0.2m - 0.4m
LOCATION: GF / 1F / 4F
- 2

TYPE: Small native ferns
HEIGHT: 0.4m - 0.6m
LOCATION: GF / 4F
- 3

TYPE: Medium shrubs/grasses
HEIGHT: 0.5m - 0.8m
LOCATION: GF / 1F / 4F
- 4

TYPE: Small native trees
HEIGHT: 1.3m - 2m
LOCATION: GF
- 5

TYPE: Short hedges/herbs/succulents/creepers
HEIGHT: 0.1m - 0.3m
LOCATION: 2F / 3F (planters)
- 6

TYPE: Small-medium fast-growing native evergreen tree
HEIGHT: 5m - 7m
LOCATION: GF

CAMBRIDGE ROAD

CLARENCE STREET



DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBANE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME

LEVEL 4 FLOOR PLAN

DRAWING NO

21095_DA06

REVISION

02

NORTH

Scale 1:100

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117_DA RFL.pln

DRAWING ISSUE

DEVELOPMENT APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

LEVEL 4 FLOOR PLAN

Scale 1:100

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME	DRAWING NO
ROOF PLAN	21095_DA07

REVISION
02

Scale 1:100

NORTH

PLOT DATE : 15/02/2023	ACCREDITED DESIGNER :HL
DRAWN : YT	ACCREDITED NUMBER : 68222066
CHECKED : HL	
CAD REF : P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pn	

DRAWING ISSUE

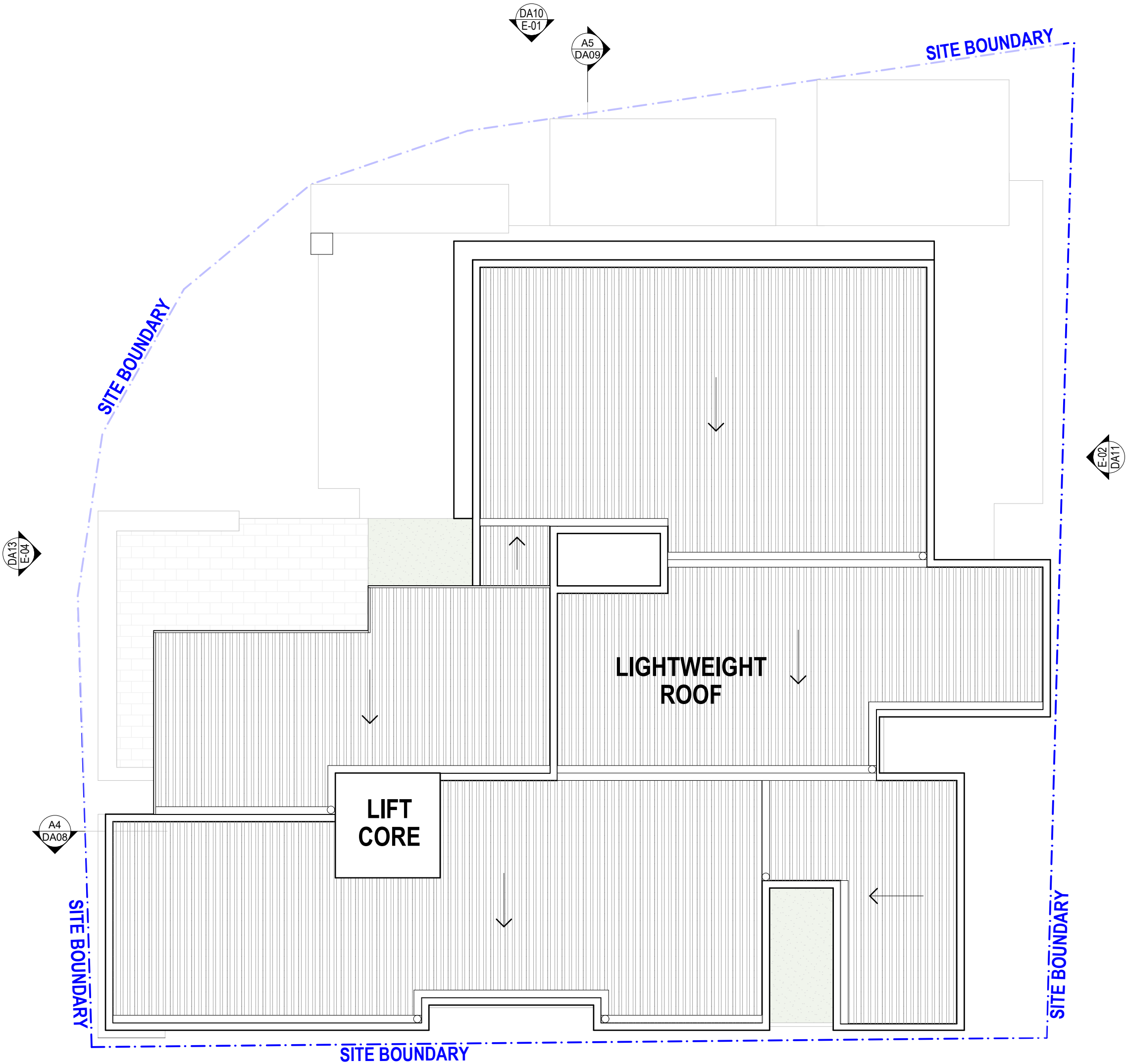
DEVELOPMENT
APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

ROOF PLAN

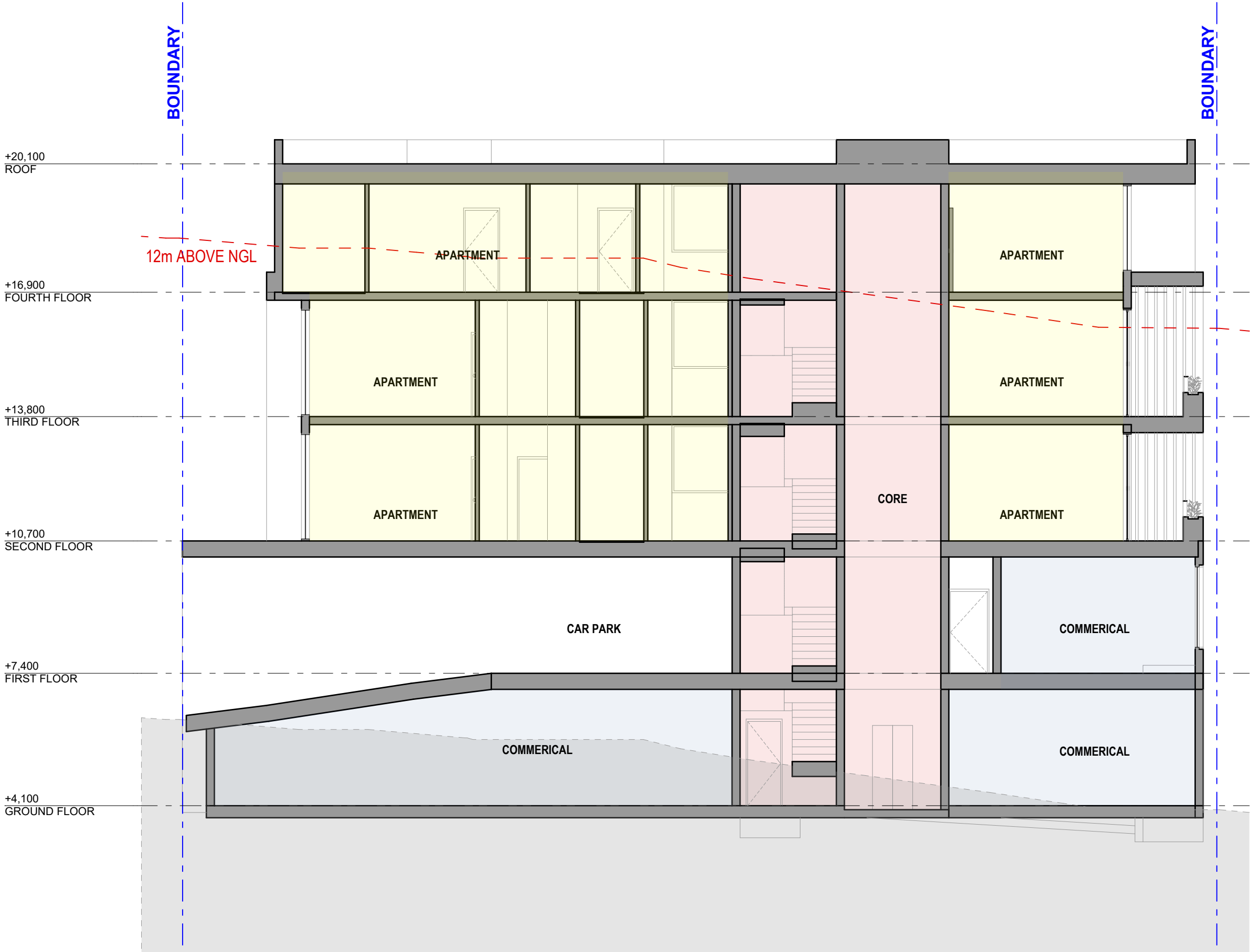
Scale 1:100



DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND



Section A
1:100



12M ABOVE NATURAL GROUND LEVEL



12M ABOVE NATURAL GROUND LEVEL

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development

39 Cambridge Road Bellerive Tasmania

For

Creese Management Pty Ltd

DRAWING

DRAWING NAME

SECTION A

DRAWING NO

21095_DA08

REVISION

02

Scale 1:100
0 1 2 3 4 5m

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL
ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066
CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pln

DRAWING ISSUE

**DEVELOPMENT
APPLICATION**

REVISIONS

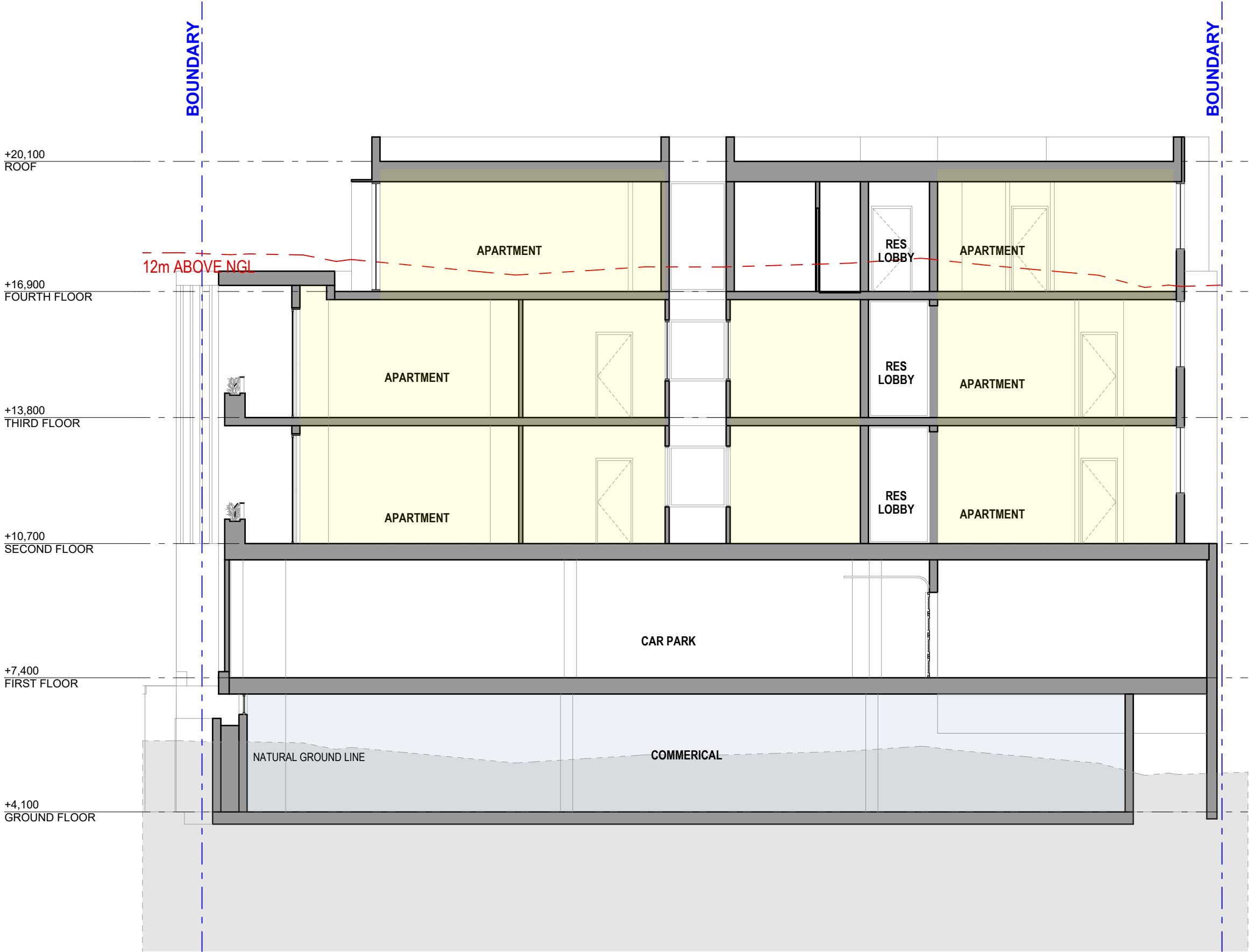
REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022



DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND



Section B
1:100



12M ABOVE NATURAL GROUND LEVEL



12M ABOVE NATURAL GROUND LEVEL

JAWSARCHITECTS

HOBART
THE ORDANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME DRAWING NO
SECTION B 21095_DA09

REVISION

02

Scale 1:100 0 1 2 3 4 5m

PLOT DATE : 15/02/2023 ACCREDITED DESIGNER :HL
DRAWN : YT ACCREDITED NUMBER : 68222066
CHECKED : HL
CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pln

DRAWING ISSUE

**DEVELOPMENT
APPLICATION**

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022





North Elevation E-01
1:100

EXTERNAL MATERIAL KEY



GL
Powdercoated aluminium
window system - grey



PL
Modular Raised Planter
Box system



SH-B
Powdercoated Aluminium
Vertical Sun Shade - Mid
to dark grey



SH-W
Powdercoated Aluminium
Vertical Sun Shade - Light
grey



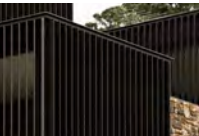
MAS-L
Light coloured masonry



MAS-D
Dark coloured masonry



BRK
Facebrick - Hit & miss



SCN
Metal/Timber screen



MC
Mid-grey metal standing
seam cladding



GB
Glass balustrade

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE :
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.

PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBANE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME DRAWING NO

NORTH ELEVATION 21095_DA10

REVISION

02

Scale 1:100 0 1 2 3 4 5m

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pln

DRAWING ISSUE

DEVELOPMENT APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022



East Elevation E-02
1:100



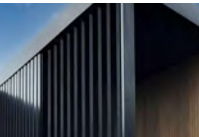
EXTERNAL MATERIAL KEY



GL
Powdercoated aluminium
window system - grey



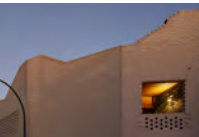
PL
Modular Raised Planter
Box system



SH-B
Powdercoated Aluminium
Vertical Sun Shade - Mid
to dark grey



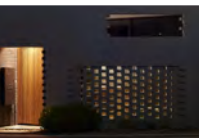
SH-W
Powdercoated Aluminium
Vertical Sun Shade - Light
grey



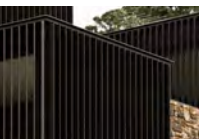
MAS-L
Light coloured masonry



MAS-D
Dark coloured masonry



BRK
Facebrick - Hit & miss



SCN
Metal/Timber screen



MC
Mid-grey metal standing
seam cladding



GB
Glass balustrade

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE :
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.

PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBANE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania

For

Creese Management Pty Ltd

DRAWING

DRAWING NAME

DRAWING NO

EAST ELEVATION

21095_DA11

REVISION

3

Scale 1:100
0 1 2 3 4 5m

PLOT DATE : 15/02/2023

ACCREDITED DESIGNER :HL

DRAWN : YT

ACCREDITED NUMBER : 68222064

CHECKED : HL

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFI.pln

DRAWING ISSUE

**DEVELOPMENT
APPLICATION**

REVISIONS

REV	DESCRIPTION	DATE
3	DA RFI	21/12/2022
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022





South Elevation E-03
1:100

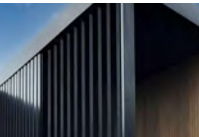
EXTERNAL MATERIAL KEY



GL
Powdercoated aluminium
window system - grey



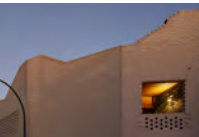
PL
Modular Raised Planter
Box system



SH-B
Powdercoated Aluminium
Vertical Sun Shade - Mid
to dark grey



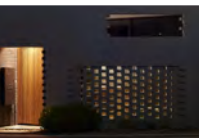
SH-W
Powdercoated Aluminium
Vertical Sun Shade - Light
grey



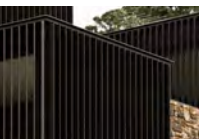
MAS-L
Light coloured masonry



MAS-D
Dark coloured masonry



BRK
Facebrick - Hit & miss



SCN
Metal/Timber screen



MC
Mid-grey metal standing
seam cladding



GB
Glass balustrade

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE :
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDINANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBANE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME DRAWING NO

SOUTH ELEVATION 21095_DA12

REVISION

02

Scale 1:100 0 1 2 3 4 5m

PLOT DATE : 15/02/2023 ACCREDITED DESIGNER :HL
DRAWN : YT ACCREDITED NUMBER : 68222064
CHECKED : HL
CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFI.pln

DRAWING ISSUE

DEVELOPMENT APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022



West Elevation E-04
1:100

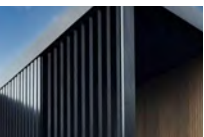
EXTERNAL MATERIAL KEY



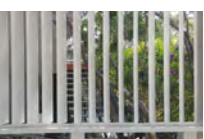
GL
Powdercoated aluminium
window system - grey



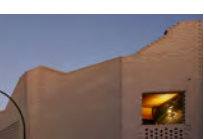
PL
Modular Raised Planter
Box system



SH-B
Powdercoated Aluminium
Vertical Sun Shade - Mid
to dark grey



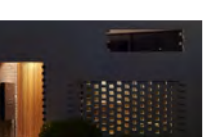
SH-W
Powdercoated Aluminium
Vertical Sun Shade - Light
grey



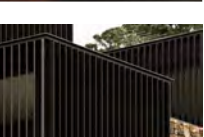
MAS-L
Light coloured masonry



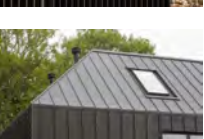
MAS-D
Dark coloured masonry



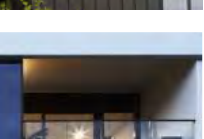
BRK
Facebrick - Hit & miss



SCN
Metal/Timber screen



MC
Mid-grey metal standing
seam cladding



GB
Glass balustrade

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE :
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME DRAWING NO

WEST ELEVATION 21095_DA13

REVISION

02

Scale 1:100 0 1 2 3 4 5m

PLOT DATE : 15/02/2023 ACCREDITED DESIGNER :HL
DRAWN : YT ACCREDITED NUMBER : 68222066
CHECKED : HL
CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pln

DRAWING ISSUE

**DEVELOPMENT
APPLICATION**

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

JAWSARCHITECTS

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

39 Cambridge Road Bellerive Tasmania

For

Creese Management Pty Ltd

DRAWING NAME

DRAWING NAME

DRAWING NO

21095_DA14

REVISION

03

NORTH

Scale 1:100

A horizontal number line with arrows at both ends. It has major tick marks labeled 0, 1, 2, 3, 4, and 5. There are also minor tick marks between the major ones, representing tenths of a unit.

PLOT DATE : 15/02/2023

DRAWN : YT

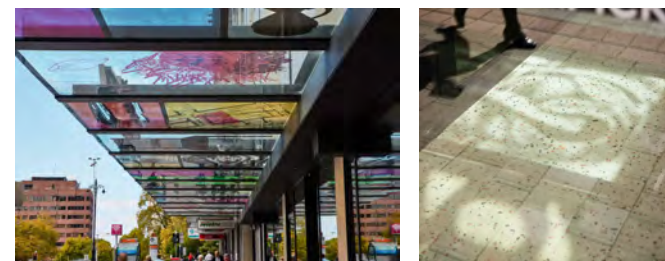
CAD REF :

P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFI.pln

DEVELOPMENT APPLICATION

REVISIONS

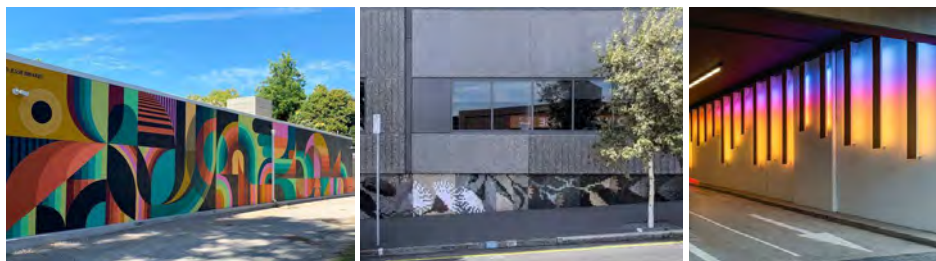
REV	DESCRIPTION	DATE
03	DA RFI - WMP & Public Art	14/02/2023
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022



**PUBLIC ARTWORK OPPORTUNITY-
GROUND PLANE / FURNITURE**



- PUBLIC ARTWORK OPPORTUNITY - VERTICAL / WALL PLANE / LIGHTING



DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSKALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND



JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For
Creese Management Pty Ltd

DRAWING

DRAWING NAME
3D VISUALISATIONS

DRAWING NO
21095_DA15

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pln

DRAWING ISSUE

DEVELOPMENT
APPLICATION

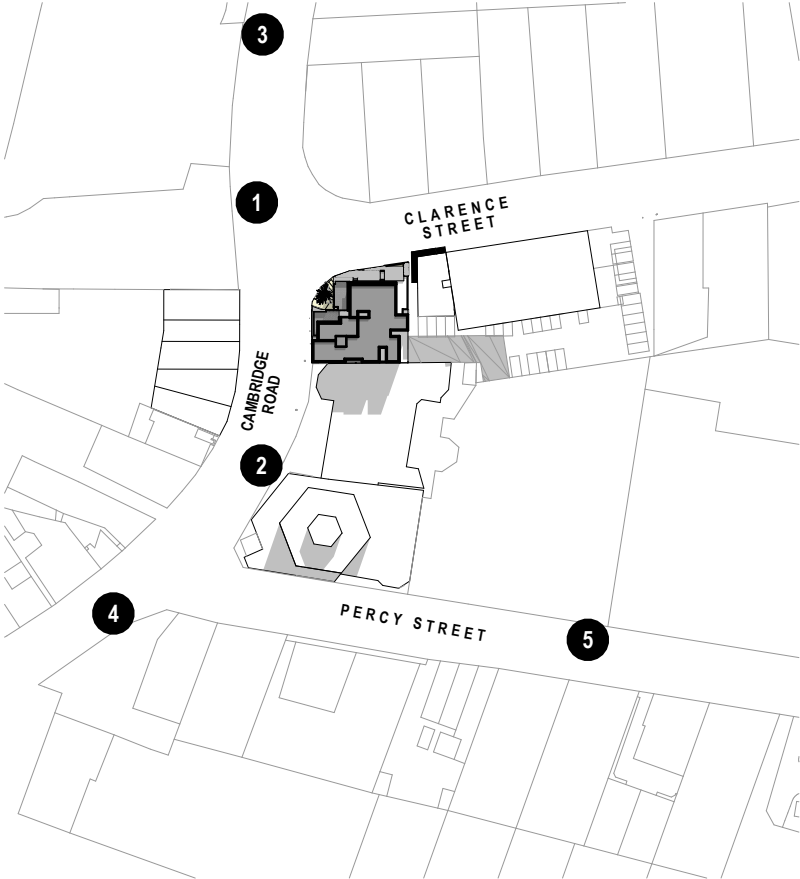
REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022



ARTIST IMPRESSION - CORNER CAMBRIDGE ROAD AND CLARENCE STREET

1



KEY PLAN 1:2000

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development

39 Cambridge Road Bellerive Tasmania

For

Creese Management Pty Ltd

DRAWING

DRAWING NAME
3D VISUALISATIONS

DRAWING NO
21095_DA16

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pn

DRAWING ISSUE

DEVELOPMENT APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

2

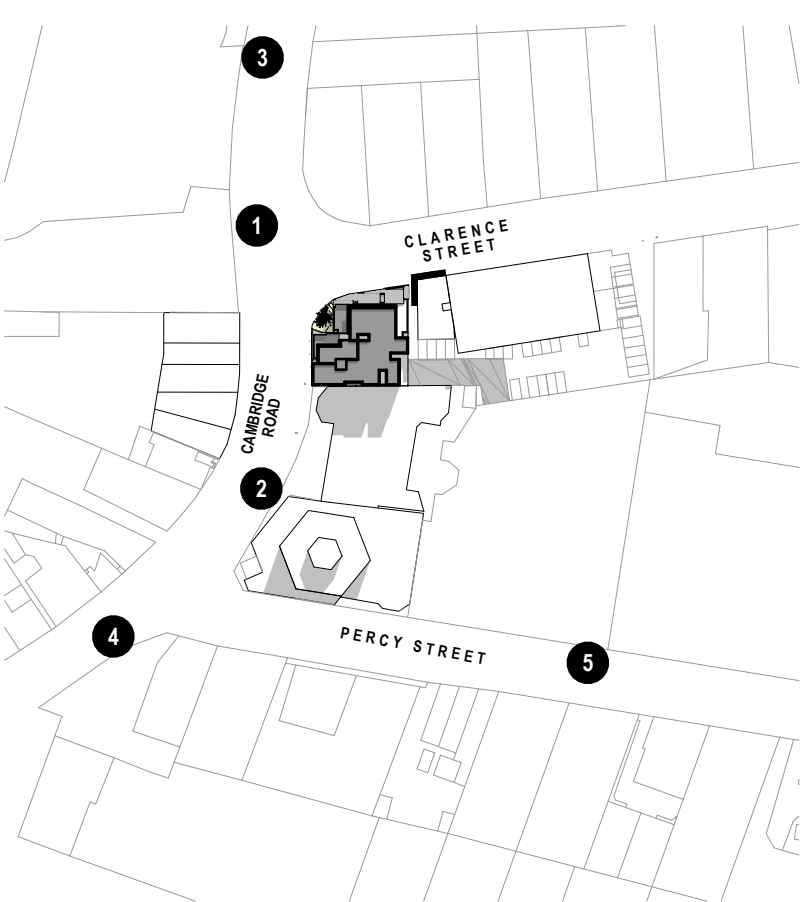


ARTIST IMPRESSION - CORNER CAMBRIDGE ROAD AND PERCY STREET



ARTIST IMPRESSION - CORNER OF CAMBRIDGE ROAD AND MILFORD LANE

3



KEY PLAN 1:2000

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For
Creese Management Pty Ltd

DRAWING

DRAWING NAME	DRAWING NO
3D VISUALISATIONS	21095_DA17

PLOT DATE : 15/02/2023	ACCREDITED DESIGNER : HL
DRAWN : YT	ACCREDITED NUMBER : 68222066
CHECKED : HL	
CAD REF : P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117_DA RFL.pln	

DRAWING ISSUE

DEVELOPMENT APPLICATION

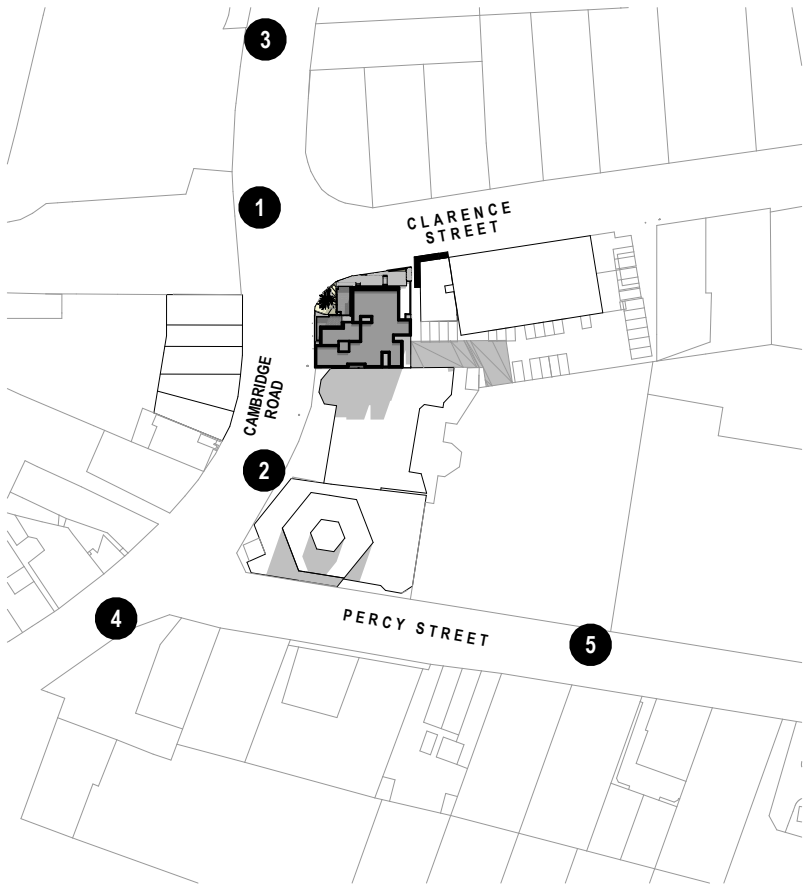
REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

4



ARTIST IMPRESSION - CORNER OF CAMBRIDGE ROAD AND QUEEN STREET



KEY PLAN 1:2000



ARTIST IMPRESSION - PERCY STREET NEAR CARPARK BEHIND 31 CAMBRIDGE ROAD

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSCALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME	DRAWING NO
3D VISUALISATIONS	21095_DA18

PLOT DATE : 15/02/2023	ACCREDITED DESIGNER :HL
DRAWN : YT	ACCREDITED NUMBER : 68222066
CHECKED : HL	
CAD REF : P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFL.pln	

DRAWING ISSUE

DEVELOPMENT
APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
02	Development Application	29/09/2022
01	DEVELOPMENT APPLICATION DRAFT	28/09/2022

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. JAWS SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

NOTE:
INFORMATION OF OTHER SERVICES INDICATED ON PLAN ARE INDICATIVE ONLY FOR GENERAL COORDINATION. FINAL LOCATION OF ALL FITTINGS & FIXTURES ARE TO BE COORDINATED AND VERIFIED BY THE CONTRACTOR ONSITE.
PRINT IN FULL COLOUR ONLY. COLOUR USED TO IDENTIFY (WHERE APPLICABLE) CRITICAL DETAILS OF THE DESIGN. NO RESPONSIBILITY OF ANY KIND WILL BE ACCEPTED IN CASE BLACK AND WHITE OR GREYSKALE PRINT OUTS ARE USED INSTEAD.

DRAWING LEGEND

- TO BE DEMOLISHED
- WALLS TO BE DEMOLISHED

JAWSARCHITECTS

HOBART
THE ORDNANCE STORE
21 CASTRAY ESPLANADE
BATTERY POINT TAS 7004

LAUNCESTON
HOLYMAN HOUSE
LEVEL 2, 52-54 BRISBNE STREET
LAUNCESTON TAS 7250

JACOB ALLOM WADE PTY LTD
ABN 92 009 559 479

TELEPHONE 03 6223 4366
FAX 03 6223 5726
jaws@jawsarchitects.com
www.jawsarchitects.com

PROJECT

39 Cambridge Road Development
39 Cambridge Road Bellerive Tasmania
For

Creese Management Pty Ltd

DRAWING

DRAWING NAME

21095_DA24

DEMOLITION PLAN

REVISION

3

Scale 1:100

012345m

NORTH

PLOT DATE : 15/02/2023
DRAWN : YT
CHECKED : HL

ACCREDITED DESIGNER :HL
ACCREDITED NUMBER : 68222066

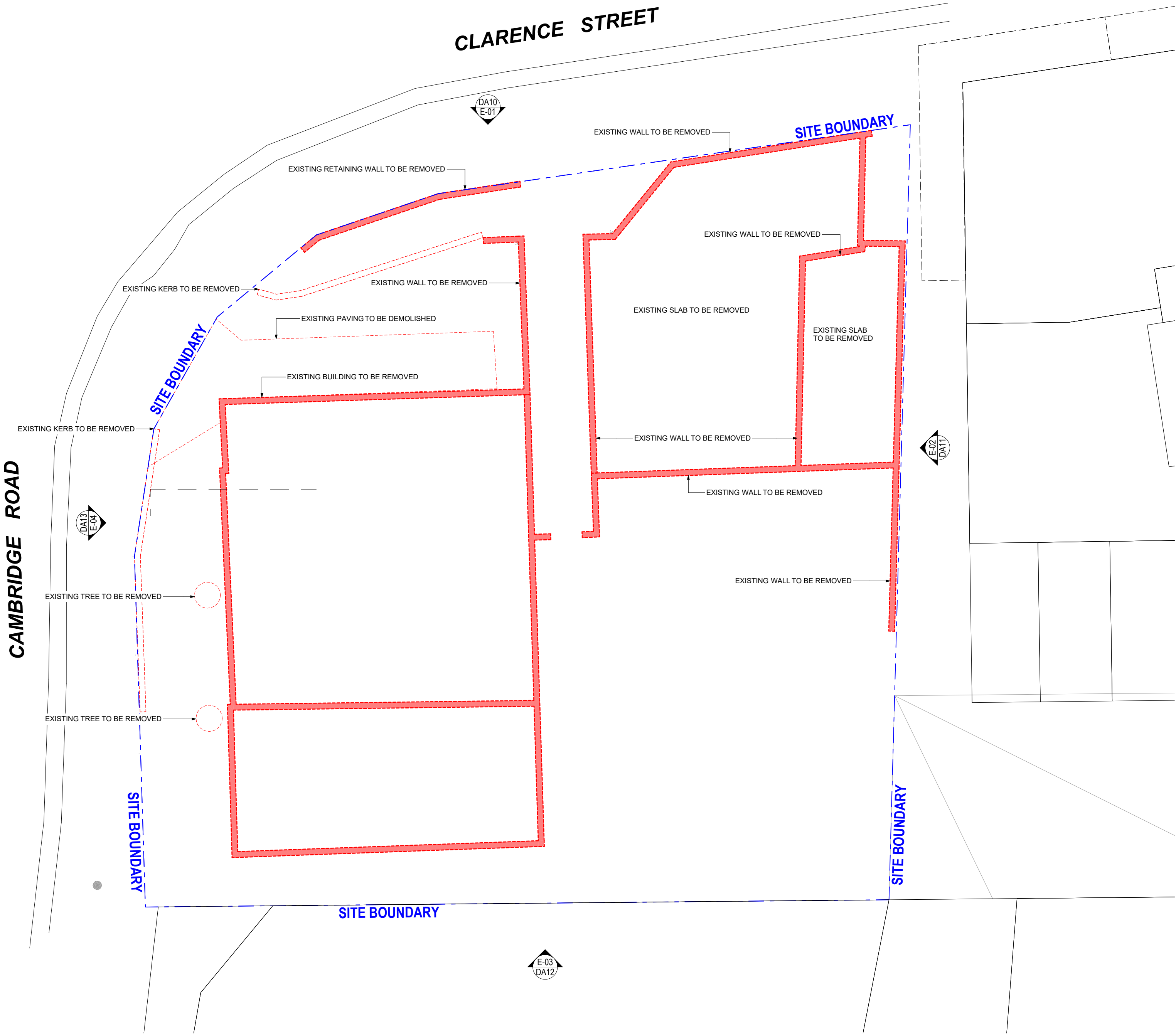
CAD REF :
P:\21095 39 Cambridge Rd MRES\14.0 DRAWINGS\14.1 Current\221117__DA RFI.pln

DRAWING ISSUE

DEVELOPMENT
APPLICATION

REVISIONS

REV	DESCRIPTION	DATE
3	DA RFI	21/12/2022



Attachment 3



Subject site Clarence Street frontage viewed from north-east



Subject site – viewed from north-west



Subject site -Cambridge Road frontage viewed from south-west

**7.3 DEVELOPMENT APPLICATION PDPLANPMTD-2023/034665 – 1/38
FREDERICK HENRY PARADE, CREMORNE - CHANGE OF USE TO SHORT
TERM ACCOMMODATION****EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for a Change of Use to Short Term Accommodation at 1/38 Frederick Henry Parade, Cremorne.

RELATION TO PLANNING PROVISIONS

The land is zoned Low Density Residential and subject to the Parking and Sustainable Transport Code 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 extended with the applicant's agreement to 17 May 2023.

CONSULTATION

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

- Parking Impact;
- Amenity of the Area;
- Noise; and
- Beach Access.

RECOMMENDATION:

- A. That the Development Application for Change of Use to Short Term Accommodation at 1/38 Frederick Henry Parade, Cremorne (Cl Ref PDPLANPMTD-2023/034665) be approved subject to the following conditions and advice.
1. GEN AP1 – ENDORSED PLANS.
 2. GEN S1 – SIGN CONSENT.
 3. The maximum occupancy of the visitor accommodation use must not exceed twelve persons at any given time.

ADVICE:

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

If this form cannot be completed, please seek advice from a registered Building Surveyor to determine if a Building Application is required for the 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**

The development of the site for four multiple dwellings (including demolition of the existing dwelling) was approved on 15 February 2019 under planning permit D-2018/579, as per the direction of the Resource Management and Planning Appeal Tribunal which varied Council's decision to refuse the proposed development.

The subject site was created through the adhesion of 36 and 38 Fredrick Henry Parade Cremorne, reference PDADHESION-2021/017831, with the resultant address being 38 Fredrick Henry Parade Cremorne.

Approval was granted for the four lot strata at 38 Fredrick Henry Parade Cremorne, as per PDSTRATAAP-2022/032303.

2. STATUTORY IMPLICATIONS

2.1. The land is zoned Low Density 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 5.6 – Compliance with Applicable Standards;
- Clause 6.10 – Determining Applications;

- Clause 10.0 – Low Density Residential Zone;
- Clause C2.0 – Parking and Sustainable Transport Code;
- Clause C7.0 – Natural Assets Code;
- Clause C10.0 – Coastal Erosion Hazard Code; and
- Clause C16.0 – Safeguarding of 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 is located in the established coastal neighbourhood of Cremorne, and forms part of a four-lot stratum title development with four multiple dwellings that are each three-storeys. The property is located between Fredrick Henry Parade and Cremorne Beach, which is zoned Open Space. A public walkway providing access to Cremorne Beach from Fredrick Henry Parade adjoins the site’s northern boundary.

3.2. The Proposal

The proposal is for a change of use of one of the existing multiple dwellings to Visitor Accommodation.

The subject dwelling 1/38 Fredrick Henry Parade is part of a four lot strata. The accommodation is provided over three floors inclusive of a garage as the lower ground floor and contains three bedrooms.

The existing double garage would be made available for visitor parking.

The applicant has advised that the maximum number of guests would be six persons.

No business identification 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 site is subject to the Natural Assets Code as it is within the waterway and coastal protection area. However, the proposal is for a change of use and does not involve any works or structures, therefore does not trigger an assessment under the Natural Assets Code.

The site is subject to the Coastal Erosion Hazard Code as it is within the medium coastal erosion hazard band. However, as the proposed visitor accommodation is to accommodate less than 12 guests, and as a result the visitor accommodation is not considered a vulnerable use, therefore the Coastal Erosion Hazard Code is not applicable to this application.

The proposal is exempt from the Safeguarding of the Airport Code because the use is not within the airport obstacle limitation area specified for the site as stated under Clause C16.2.1(b).

The proposal meets the Scheme's relevant Acceptable Solutions of the Low-Density Residential Zone and Parking and Sustainable Transport Codes with the exception of the following.

Low Density Residential Zone

- **Clause 10.3.2 A1 relating to gross floor area** – the proposed visitor accommodation would have a gross floor area of 286.54m² (excluding external decks and terraces) which exceeds the maximum gross area of 200m² prescribed by the Acceptable Solution.

The proposed variation must be considered pursuant to the Performance Criteria P1 of Clause 10.3.2 as follows.

Clause	Performance Criteria	Assessment
10.3.2	<i>“P1 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>	The proposal is for the change of use of an existing residential apartment to visitor accommodation, with no physical alterations proposed to the existing building to facilitate the change of use. Therefore, there will be no change to the current privacy levels for the adjoining properties.

	<i>(b) any likely increase in noise to adjoining properties;</i>	<p>The applicant provided a written submission confirming that the subject property will not accommodate more than six guests at any time. The change of use is comparable to a residential use with noise outputs likely to remain consistent with a residential dwelling.</p> <p>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 <i>Environmental Management and Pollution Control Act 1994</i> (EMPCA) or by the police.</p>
	<i>(c) the scale of the use and its compatibility with the surrounding character and uses within the area;</i>	<p>As mentioned above, the proposal does not involve any physical changes to the existing dwelling and the applicant also confirmed that the apartment would host no more than six guests at any 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 area.</p>
	<i>(d) retaining the primary residential function of an area;</i>	<p>The proposal will introduce a visitor accommodation use into the area, which is a Permitted use within the Low Density 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 Low Density Residential Zone.</p>

	<i>(e) the impact on the safety and efficiency of the local road network; and</i>	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 because 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. The proposal is assessed as satisfying the performance criteria and complies with the standard.

Low Density Residential Zone

- **Clause 10.3.2 A2 relating to visitor accommodation use within a strata scheme** – the proposed visitor accommodation is for a strata lot that is part of a strata scheme where three other strata lots within that strata scheme are used for residential use (multiple dwelling).

The proposed variation must be considered pursuant to the Performance Criteria P2 of Clause 10.3.2 as follows.

Clause	Performance Criteria	Assessment
10.3.2	<i>“P2 Visitor Accommodation within a strata scheme must not cause an unreasonable loss of residential amenity to long term residents occupying other strata lots within the strata scheme, having regard to:</i>	See assessment below.

	<i>(a) the privacy of residents;</i>	The proposal is for the conversion of an existing multiple dwelling to visitor accommodation, with no physical alterations proposed to the existing dwelling to facilitate the change of use. Therefore, there will be no change to the current privacy for the adjoining properties from the windows, decks or raised areas that are greater than 1m from natural ground level.
	<i>(b) any likely increase in noise;</i>	<p>The change of use is in effect a residential use in terms of noise outputs that are expected to remain comparable to the former residential use as a multiple dwelling. The occupancy rate and noise levels may be reduced when compared with the building's current use as a dwelling because the building is unlikely to have a 100% occupancy rate.</p> <p>Furthermore, any impacts upon residential amenity in the neighbouring zone due to noise or other emissions would be dealt with under the EMPCA. While not a relevant consideration for the Planning Authority, the management of the visitor accommodation could impose amenity controls through booking requirements which would further mitigate amenity issues.</p>
	<i>(c) the residential function of the strata scheme;</i>	The proposed use is for short to medium term accommodation, that would be of a similar scale and intensity to the current residential use. Therefore, the proposed use would be appropriate within the surrounding residential setting.

		<p>The proposal will introduce a visitor accommodation use into an area that is primarily developed with residential use.</p> <p>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 Low Density Residential Zone.</p>
	<i>(d) the location and layout of the strata lots;</i>	<p>The strata lots are provided with frontage to Fredrick Henry Parade. The strata lots are accessed via a shared driveway located in the centre of the frontage. The location and layout of the strata lots readily facilitates the conversion to visitor accommodation without unreasonably impacting the other strata lots.</p>
	<i>(e) the extent and nature of any other non-residential uses; and</i>	<p>The other three apartments in the strata scheme are used for residential purposes only.</p>
	<i>(f) any impact on shared access and common property.”</i>	<p>The use of the land for visitor accommodation would generate comparable traffic movements to the former use as a multiple dwelling, and it is noted the parking requirement is the same rate as the current approved use as a multiple dwelling.</p> <p>In the interests of minimising conflict between visitors and residents of the other strata lots, it is considered reasonable to require the parking for the proposed visitor accommodation to be clearly signed to ensure the parking is readily identifiable to guests.</p>

		<p>Based on the above, the expected parking demand and supply of parking provided on-site will ensure the safety and efficiency of the shared access, and local road network is not reduced.</p> <p>The application satisfies the performance criteria and complies with the standard.</p>
--	--	--

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. Parking Impact

Concern was raised that the guests, being unfamiliar with the area, may park their cars on the street or gravelled area adjacent to the frontage, which is part of the road environment creating potential safety issues to road users. Further concern was raised that the visitor accommodation would aggravate the already limited on-street parking availability.

- **Comment**

The proposal maintains the existing on-site spaces which exceeds the Scheme requirements of one parking space per self-contained accommodation unit. The proposal therefore complies with the Acceptable Solutions of the Parking and Sustainable Transport Code. Accordingly, this matter does not have determining weight.

5.2. Amenity of the Area

Concern was raised that the proposed visitor accommodation would further saturate and degrade the residential amenity and character of the area.

- **Comment**

There are no external changes to the existing building. The proposal also provides three on-site parking spaces, which is more than required under the Scheme. In addition, the applicant has indicated that there will be a maximum of six guests, and there is no anticipation of noticeable vehicle movement changes associated with the property.

The occupancy rate and noise levels may be reduced as compared with the building's current use as a dwelling because the building is unlikely to have a 100% occupancy rate.

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

5.3. Noise

Concern was raised that the visitor accommodation would aggravate noise issues.

- **Comment**

As discussed in the assessment of clause 10.3.2 P2 (b) above, the change of use is in effect of a similar nature to the existing residential use with noise outputs likely to remain comparable to the existing residential use as multiple dwellings. Accordingly, this matter does not have determining weight.

5.4. Beach Access

Concern was raised that guests may not utilise the official beach track located along the north boundary, and instead create tracks in the dune adjacent to the property resulting in negative impacts to the natural coastal landscape.

- **Comment**

The public beach track is located along the northern boundary of 38 Frederick Henry Parade and is clearly accessible from Frederick Henry Parade and Cremorne Beach. As pictured in Image 2 of Attachment 3, dense scrub is located along the rear boundary of the subject site, preventing direct access from the rear of the unit to Cremorne Beach, whereas the public beach track is clear and accessible. The behaviour of users is unlikely to change with the change of use to Visitor Accommodation and is not a planning consideration. Accordingly, this matter does not have determining weight.

6. EXTERNAL REFERRALS

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

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan or any other relevant Council policy.

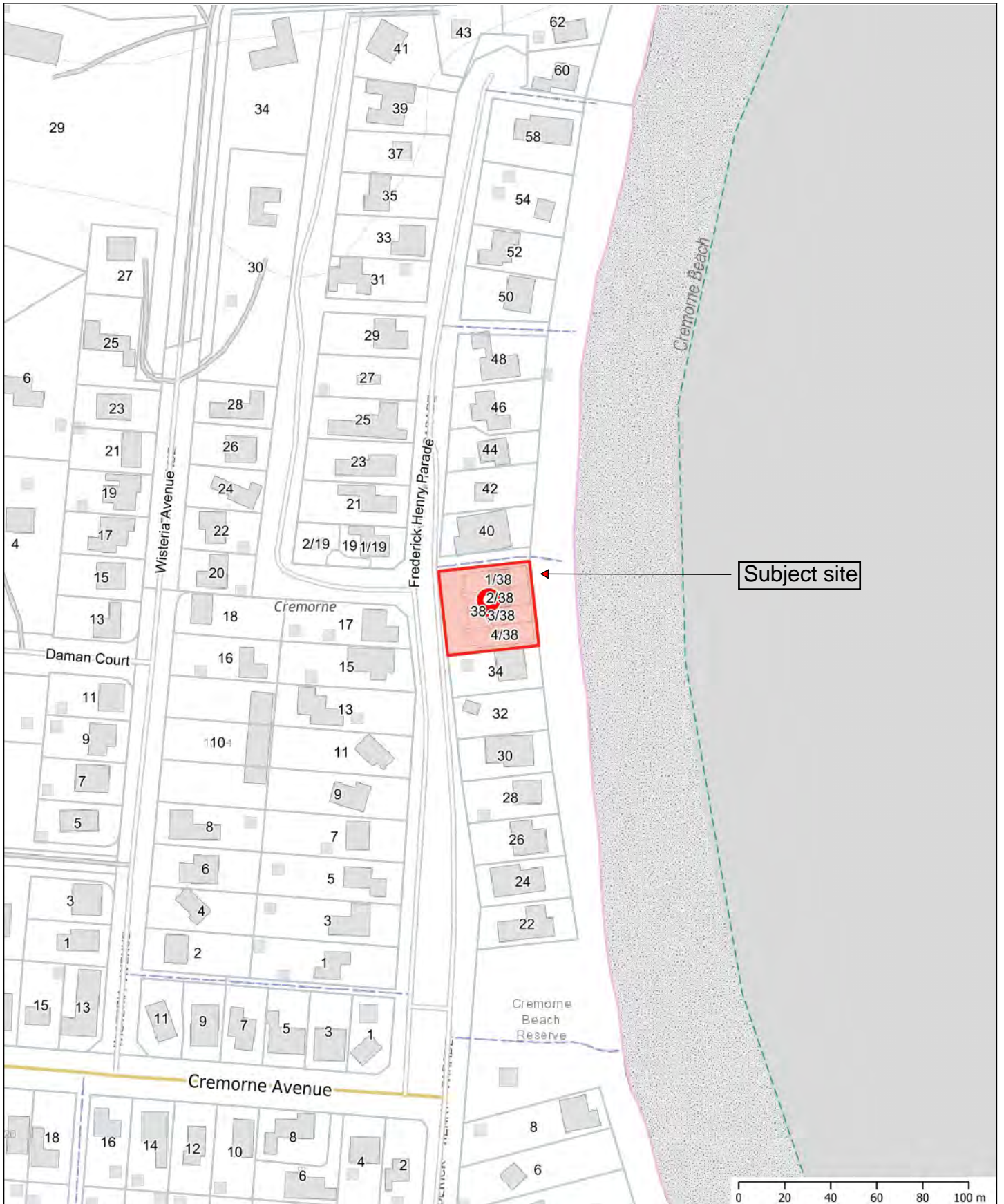
9. CONCLUSION



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.

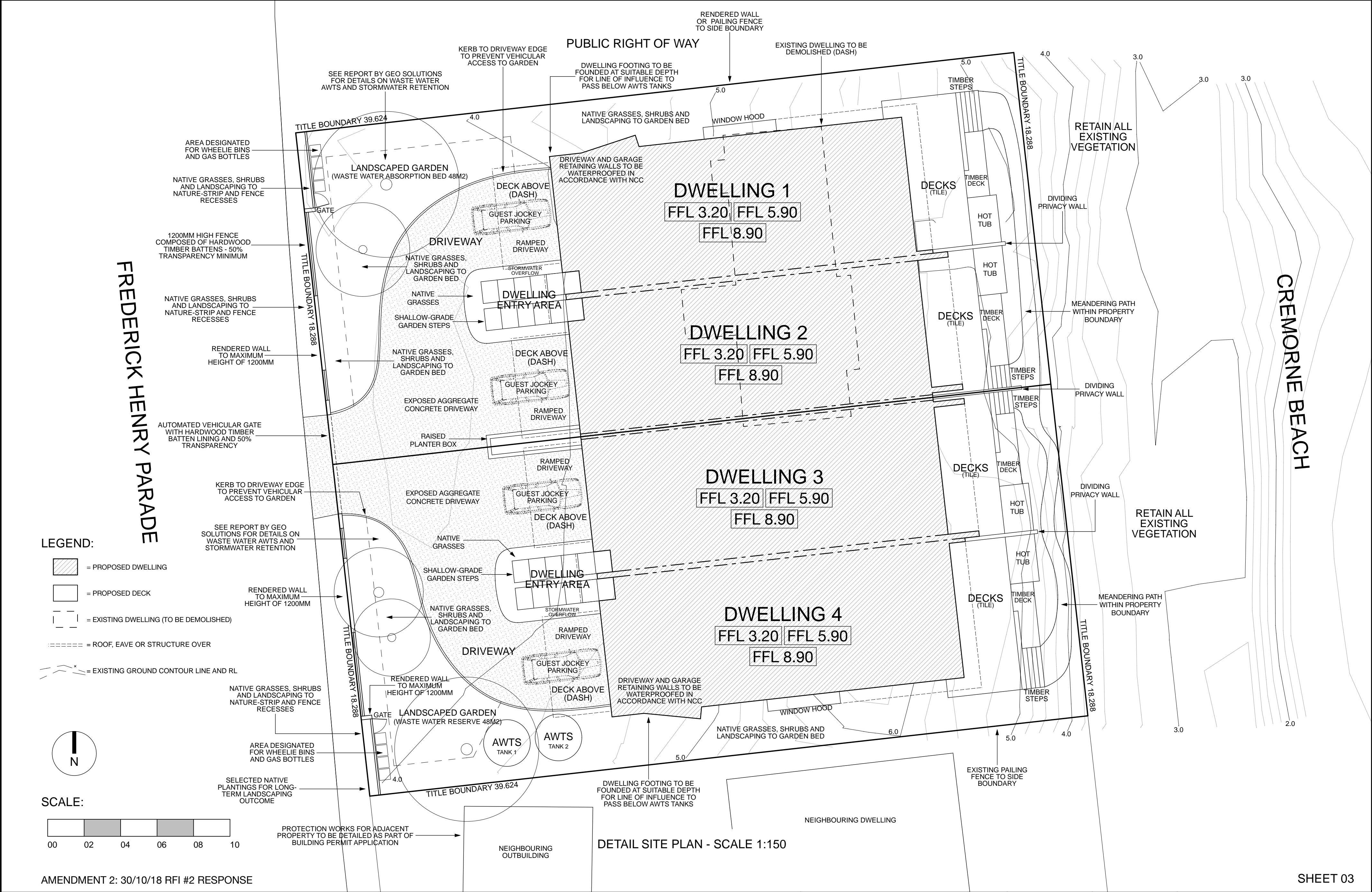
Attachments: 1. Location Plan (1)
2. Proposal Plan (4)
3. Site Photo (1)

Robyn Olsen
ACTING MANAGER CITY PLANNING

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>3/05/2023</p> <p>1:2257</p>	
---	--	--------------------------------	---



PROPOSED DEMOLITION AND NEW DWELLINGS
36-38 FREDERICK HENRY PARADE, CREMORNE

DETAIL SITE PLAN

Drawn XW CC:1660

Scale - 1:150 (A2)

Date: OCT 2018

Checked

DW+A

PO Box 4564, Bathurst Street
Hobart, TAS 7000
P: 0362 348777 F: 0362 348988
info@dwadesign.com.au

AMENDMENT 2: 30/10/18 RFI #2 RESPONSE

SHEET 03

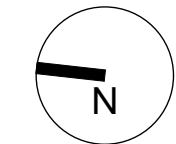
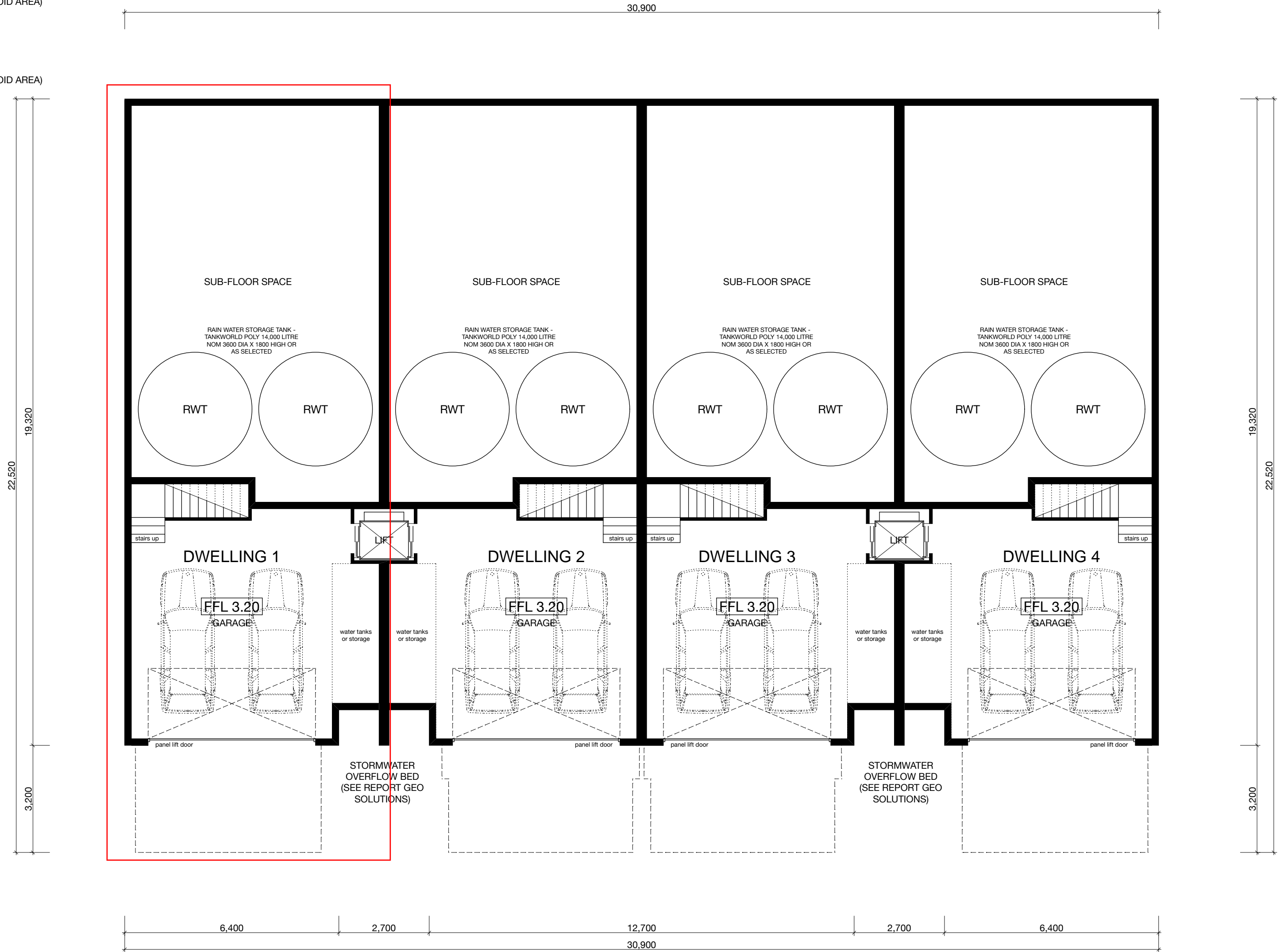
AREAS:

DWELLING 1 & 4 AREAS:
PROPOSED LOWER LEVEL GARAGE = 57.80M2
PROPOSED GROUND FLOOR LIVING = 149.15M2
PROPOSED GROUND FLOOR DECKS/TERRACES = 53.34M2
PROPOSED FIRST FLOOR LIVING = 137.39M2 (INCLUDING VOID AREA)
PROPOSED FIRST FLOOR DECK = 7.53M2

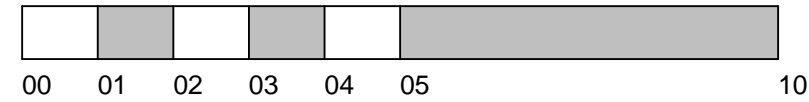
DWELLING 2 & 3 AREAS:
PROPOSED LOWER LEVEL GARAGE = 57.40M2
PROPOSED GROUND FLOOR LIVING = 147.33M2
PROPOSED GROUND FLOOR DECKS/TERRACES = 51.94M2
PROPOSED FIRST FLOOR LIVING = 138.59M2 (INCLUDING VOID AREA)
PROPOSED FIRST FLOOR DECK = 5.02M2

EXISTING DWELLING TO BE DEMOLISHED = 103.24M2
EXISTING OUTBUILDINGS TO BE DEMOLISHED = 17.77M2

SITE AREA (LOT 161/54550) = 724.6M2M2
SITE AREA (LOT 162/54550) = 724.6M2M2
TOTAL SITE AREA = 1,449.2M2



SCALE:



LOWER GROUND FLOOR PLANS

AMENDMENT 2: 30/10/18 RFI #2 RESPONSE

SHEET 04

PROPOSED DEMOLITION AND NEW DWELLINGS
36-38 FREDERICK HENRY PARADE, CREMORNE

FLOOR PLANS

Drawn XW CC:1660

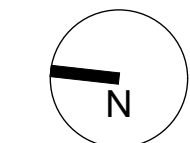
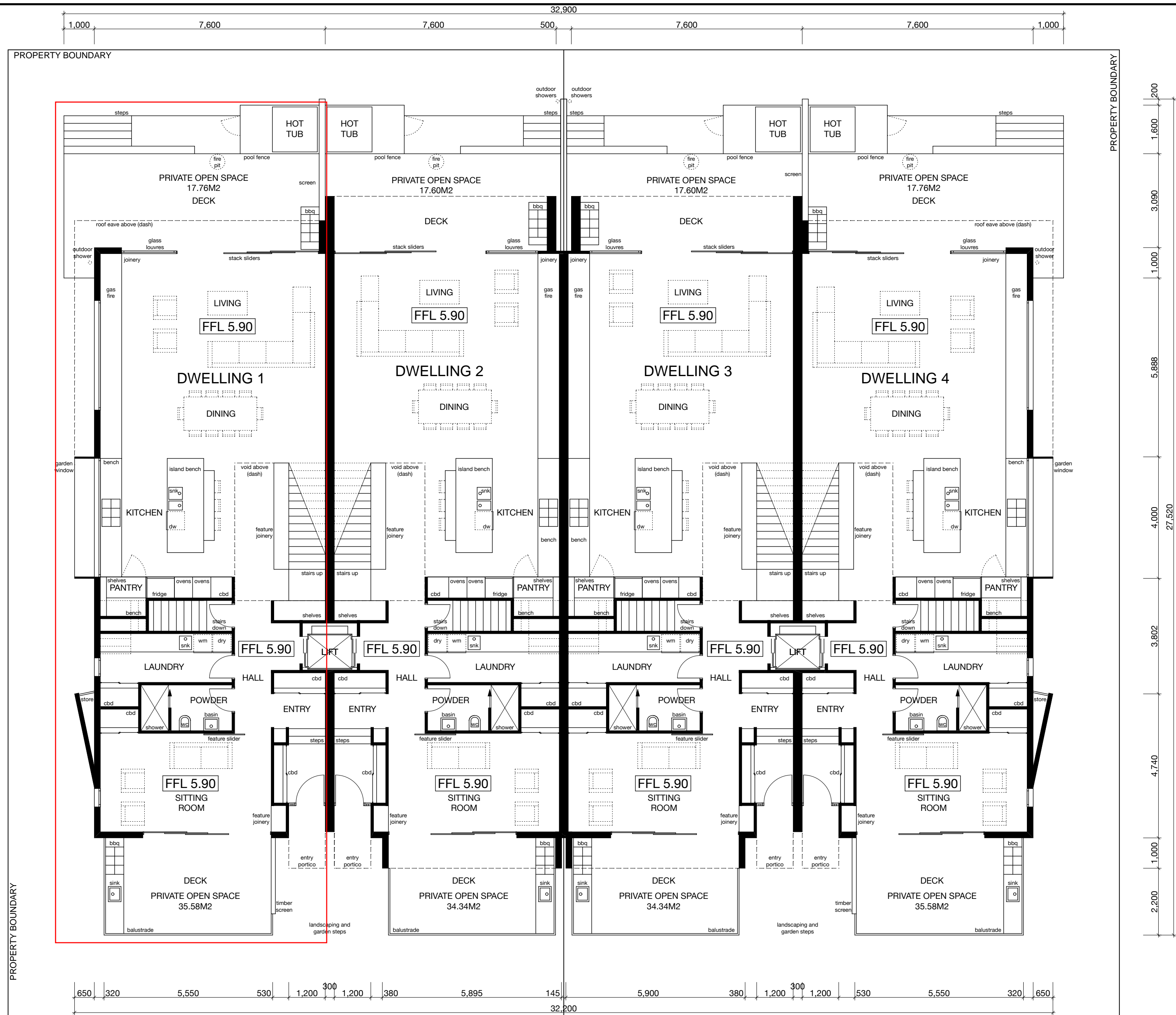
Scale - 1:100 (A2)

Date: OCT 2018

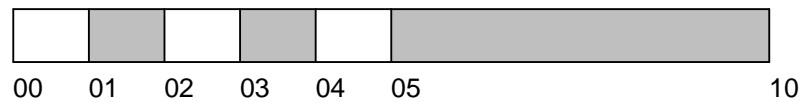
Checked



PO Box 4564, Bathurst Street
Hobart, TAS 7000
P: 0362 348777 F: 0362 348988
info@dwadesign.com.au



SCALE:



GROUND FLOOR PLANS

AMENDMENT 2: 30/10/18 RFI #2 RESPONSE

SHEET 05

PROPOSED DEMOLITION AND NEW DWELLINGS
36-38 FREDERICK HENRY PARADE, CREMORNE

FLOOR PLANS

Drawn XW CC:1660

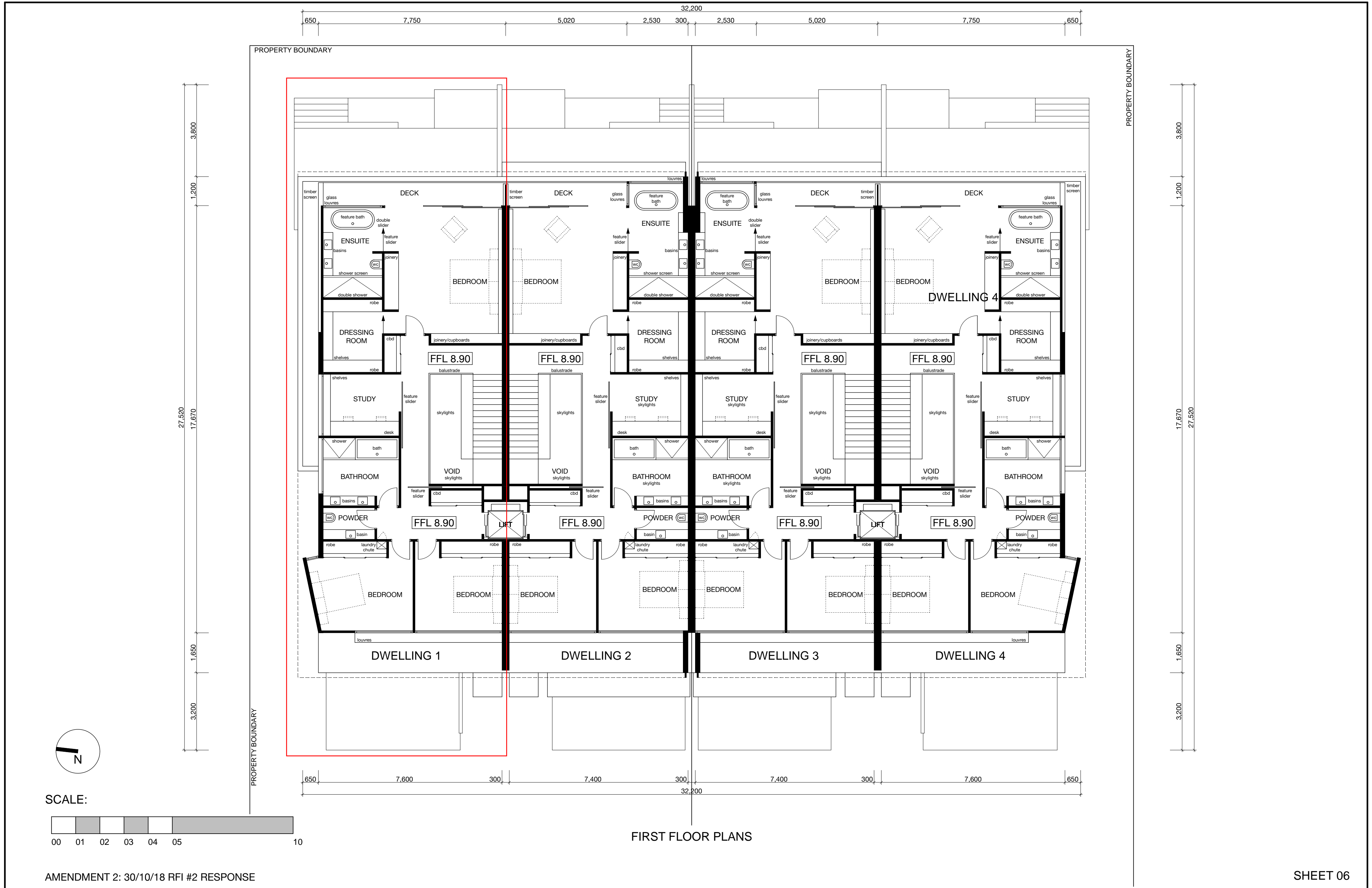
Scale - 1:100 (A2)

Date: OCT 2018

Checked



PO Box 4564, Bathurst Street
Hobart, TAS 7000
P: 0362 348777 F: 0362 348988
info@dwadesign.com.au



AMENDMENT 2: 30/10/18 RFI #2 RESPONSE

SHEET 06

PROPOSED DEMOLITION AND NEW DWELLINGS
36-38 FREDERICK HENRY PARADE, CREMORNE

FLOOR PLANS

Drawn XW CC:1660

Scale - 1:100 (A2)

Date: OCT 2018

Checked

DW+A

PO Box 4564, Bathurst Street
Hobart, TAS 7000
P: 0362 348777 F: 0362 348988
info@dwadesign.com.au

Attachment 3

Site Photos – 1/38 Frederick Henry Parade, Cremorne



Image 1: The subject site when viewed from Frederick Henry Parade (Unit 1 at far left)



Image 2: The subject site when viewed from Cremorne Beach. Public beach track located to the far right.

7.4 DEVELOPMENT APPLICATION PDPLANPMTD-2022/032466 – 2A RINGWOOD ROAD, LAUDERDALE AND 450 SOUTH ARM ROAD, LAUDERDALE - 13 MULTIPLE DWELLINGS, 9 VISITOR ACCOMMODATION UNITS, OFFICES, PILATES STUDIO AND BREWERY AND CAFÉ**EXECUTIVE SUMMARY****PURPOSE**

The purpose of this report is to consider the application made for 13 Multiple Dwellings, 9 Visitor Accommodation Units, Offices, Pilates Studio and Brewery and Café at 2A Ringwood Road, Lauderdale and 450 South Arm Road, Lauderdale.

RELATION TO PLANNING PROVISIONS

The land is within the General Business Zone and subject to the Parking and Sustainable Transport Code, the Road and Railway Assets Code, the Coastal Inundation Hazard Code, the Flood-Prone Hazard Areas Code, the Safeguarding of Airports Code and the Lauderdale Neighbourhood Centre Specific Area Plan 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 was to expire on 10 May 2023. The applicant agreed to extend the statutory timeframe to 17 May 2023.

CONSULTATION

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

- Traffic impact;
- Pedestrian safety; and
- Use and arrangement of right-of-way

RECOMMENDATION:

A. That the Development Application for 13 Multiple Dwellings, 9 Visitor Accommodation Units, Offices, Pilates Studio and Brewery and Café at 2A Ringwood Road, Lauderdale and 450 South Arm Road, Lauderdale (CI Ref PDPLANPMTD-2022/032466) be approved subject to the following conditions and advice.

1. GEN AP1 – ENDORSED PLANS.
2. No signage is approved as part of the application.

3. The ground floor commercial space is approved for four Offices in the Business and Professional Services Use Class and a Pilates Studio in the Sports and Recreation Use Class. Future changes of use may require further approval from the Planning Authority and should not be undertaken without such approval.
4. Any mechanical plant and other servicing infrastructure must be contained within the building roof and screened from the street and other public places.
5. GEN AM5 – TRADING HOURS
Trading hours must be within the following hours:
Monday - Saturday 7am to 9pm;
Sunday 8am to 9pm; and
Public Holidays 8am to 9pm.
6. LAND 1A – LANDSCAPE PLAN.
7. LAND 3 – LANDSCAPING BOND (COMMERCIAL).
8. GEN C1 – ON-SITE CAR PARKING (a total of 79).
9. GEN V8 – BICYCLE STORAGE (A total of 12).
10. ENG A1 – NEW CROSSOVER (TSD-R09).
11. ENG A5 – SEALED CAR PARKING.
12. ENG M1 – DESIGNS DA.
13. ENG M3 – GARBAGE FACILITIES.
14. ENG M5 – EROSION CONTROL.
15. ENG M6 – CONSTRUCTION FENCING.
16. ENG R2 – URBAN ROAD.
17. A plan for the management of construction must be submitted and approved by Council's Group Manager Engineering Services prior to the issue of a Building or Plumbing Permit. The plan must outline the proposed demolition and construction practices in relation to:
 - proposed hours of work (including volume and timing of heavy vehicles entering and leaving the site, and works undertaken on-site);
 - Proposed hours of construction;
 - Access and Parking during construction;
 - Proposed screening of the site including for pedestrian safety and identification of vehicular access points during work; and

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

Once approved, the plan forms part of this permit and all works and construction activities at the site must be in accordance with the approved plan.

18. The development must meet all required Conditions of Approval specified by TasWater notice dated 13 April 2023 (TWDA 2022-01891-CCC).

ADVICE

- a. ADVICE 1 – PERMIT EXPIRY ADVICE.
- b. ADVICE 14 – BUILDING ADVICE.
- c. ADVICE 5 – FOOD SPECIFICATIONS ADVICE.
- d. ADVICE 6 – FOOD REGISTRATION ADVICE.
- e. Council, as a Stormwater authority, formed a view that the proposed development will intensify the stormwater discharge from the property, hence requires approval under the *Urban Drainage Act 2013* and the stormwater is to be designed in accordance with Council's Stormwater Management Procedure for new development (Stormwater-Management-Procedure-for-New-Development (1).pdf). This requirement will be assessed as part of engineering plans assessment .

If you would like to discuss what is required to meet Council's requirements in regard to stormwater, please contact Council's Development Engineers on 6217 9500.

- f. Based on the information provided, the development is not likely to adversely affect TasNetworks' operations.

As with any multiple dwellings/mixed use premises, consideration should be given to the electrical infrastructure works that will be required to ensure a supply of electricity can be provided to this development. To understand what these requirements may entail, it is recommended the proponent contact TasNetworks Early Engagement team at early.engagement@tasnetworks.com.au

- g. The subject land is within the Coastal Inundation Hazard Area. It is likely that reports will be required as part of a building application in accordance with the Directors Determinations for the relevant hazard. If coastal protection works are required to mitigate hazards as a result of these reports, planning approval may be required. It would be advisable to consult a Building Surveyor at an early stage to discuss the requirements for obtaining a Certificate of Likely Compliance and whether additional reports are required to support an application.
- 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

Several approvals have been issued for the site, including a Mixed-Use development for supermarket, retail shops, car parking access and landscaping (D-2013/26). This application was approved prior to a two-lot subdivision approval (SD-2015/5), which created 2A Ringwood Road, separating it from 450 South Arm Road. A Right-of-Way was included on the title for 450 South Arm Road, benefitting 2A Ringwood Road.

Land filling on the site was approved (D-2018/168) on 19 March 2019. Fill works were completed in January 2023.

A preliminary planning assessment for a development substantially consistent with the application that is the subject of this report, was undertaken in November 2022.

Landowner consent was provided for access and works within the Council owned road reserve. The works included the provision of eight public car parking spaces, which are exempt under *clause 4.2.4 road works* of the Scheme and are not required to be assessed against the Scheme provisions.

2. STATUTORY IMPLICATIONS

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

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

2.3. The relevant parts of the Planning Scheme are:

- Clause 5.6 – Compliance with Applicable Standards;
- Clause 6.10 – Determining Applications;
- Clause 15 – General Business Zone;
- Clause C2.0 – Parking and Sustainable Transport Code;
- Clause C3.0 – Road and Railway Assets Code;
- Clause C11.0 – Coastal Inundation Hazard Code;
- Clause 12.0 – Flood-Prone Areas Hazard Code;
- Clause C16.0 – Safeguarding of Airports Code; and
- Clause CLA-S2.0 – Lauderdale Neighbourhood Specific Area Plan.

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

3. PROPOSAL IN DETAIL

3.1. The Site

The site comprises two lots, with the main area of land being 2A Ringwood Road. This lot is a square 9285m² lot, with a 93m frontage to the north-west of Ringwood Road in Lauderdale.

The site of 450 South Arm Road is also included as part of the application, to provide site access in the form of a right-of-carriageway (ROW). The site includes the adjoining road reserve along Ringwood Road (administered by Council) where associated minor utility works will be undertaken.

The land is essentially flat and currently vacant, aside from some construction materials that appear to be stored on-site. The site is subject to the Parking and Sustainable Transport Code, the Road and Railways Assets Code, the Flood-Prone Hazard Areas Code, the Coastal Inundation Hazard Code, the Safeguarding of Airports Code and the Lauderdale Neighbourhood Specific Area Plan.

The site is adjoined by a dwelling to the north, Ringwood Road to the east, a garden centre to the south and a vacant site to the west.

3.2. The Proposal

The proposal is for a Mixed-Use development, comprising of:

The Construction of:

- Eight residential Dwellings (housed in four duplexes), each with three bedrooms, a ground floor single garage and additional car parking space. The duplexes are located within the rear northern corner of the site and are accessed from the northern crossover, continuing along the northern boundary or via a one-way internal access running through the centre of the site.
- A mixed-use building space with four ground floor Offices (Business and Professional Services), a Pilates Studio (Sports and Recreation) and five double storey, two bedroom Apartments.
- Nine two-bedroom Visitor Accommodation units. The units are centrally located within the site.
- A Café (Food Services). The café has two levels of dining spaces.
- A Brewery (Resource Processing) with adjoining function spaces. The Brewery and dining spaces are located on the ground floor, with a mezzanine level acting as a function space.

Seventy-nine parking spaces are proposed on-site in several locations. Parking spaces can be accessed via two crossovers. Eighteen bicycle spaces are proposed, adjacent to the mixed-use building. Additionally, eight public car parking spaces are proposed in the road reserve.

A central oval and additional landscaping is proposed throughout the site.

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.

Compliance with Zone and Codes

The proposal does not require an assessment against the Safeguarding of Airports Code as the proposed development height is below the Obstacle Surface Layer (OSL) height of 147m, and it is located outside the airport noise attenuation area.

Works proposed within the road reserve are exempt under *clause 4.2.4 road works* of the Scheme, therefore an assessment against C12.0 Flood-Prone Areas Hazard Code is not required.

The proposal meets the Scheme’s relevant Acceptable Solutions of the General Business Zone, the Parking and Sustainable Transport Code, the Road and Railway Asset Code, the Flood-Prone Areas Hazard Code, the Coastal Inundation Code and the Lauderdale Neighbourhood Specific Area Plan with the exception of the following.

General Business Zone

- **Clause 15.3.2 – Discretionary Uses** – the proposed use of a Brewery (Resource Processing) and Pilates Studio (Sports and Recreation) are discretionary uses under the Use Table.

The proposal must be considered pursuant to the Performance Criteria P1 and P2 of *Clause 15.3.2 Discretionary uses* as follows.

Clause	Performance Criteria	Assessment
15.3.2 – P1	“A use listed as <i>Discretionary</i> must:	The proposal is assessed as complying with the performance criteria, given:
	<p>(a) <i>not cause an unreasonable loss of amenity to properties in adjoining residential zones; and</i></p> <p>(b) <i>be of an intensity that respects the character of the area.</i></p>	<p>The proposed discretionary uses of “Resource Processing” and “Sports and Recreation” on the site are assessed as not causing an unreasonable loss of amenity to adjoining residential properties, noting that the proposed discretionary uses are located as far away from the shared boundary to the neighbouring residential site as possible.</p> <p>The proposed discretionary uses are expected to enhance the character of the area, by providing professionally designed development at a reasonable level of site intensification.</p>

15.3.2 – P2	<p><i>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</i></p> <p><i>(a) the characteristics of the site;</i></p>	<p>The proposed discretionary uses do not compromise or distort the activity centre hierarchy, having regard to:</p> <p>The site is large and flat, with easy access opportunities, which allows for appropriate intensification.</p>
	<p><i>(b) the need to encourage activity at pedestrian levels;</i></p>	<p>Commercial areas of Lauderdale have been identified as a strong candidate for future growth, and the high standard design allows for pedestrian friendly and connected ground level activity.</p>
	<p><i>(c) the size and scale of the proposed use;</i></p>	<p>The size and scale of the proposed use is taken to be reasonable within the context of the site. The proposal does not result in an over development of the site, with significant space allocated to open space. The discretionary uses on the site only make up a minor portion of the development.</p>
	<p><i>(d) the functions of the activity centre and the surrounding activity centres; and</i></p>	<p>Given the surrounding activity centre services the surrounding residential part of Lauderdale, the proposed use is compatible with this purpose.</p>
	<p><i>(e) the extent that the proposed use impacts on other activity centres.”</i></p>	<p>The proposed use will enhance the function of the surrounding activity centres, by providing uses which do not directly compete with existing and established uses.</p>

Car Parking and Sustainable Transport Code

- Clause C2.5.1 – Car Parking Numbers** – the proposal requires 94 parking spaces to meet the relevant acceptable solution under the Parking and Sustainable Transport Code. However, the proposal falls short of this, providing 79.

The proposal must be considered pursuant to the Performance Criteria P1.1 of Clause C2.5.1 as follows.

Clause	Performance Criteria	Assessment
C2.5.1 – P1.1 and P1.2	<p><i>“P1.1</i></p> <p><i>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</i></p> <p><i>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</i></p>	<p>P1.1</p> <p>The proposal is assessed as complying with the performance criteria, noting:</p> <p>Currently there is little on-street parking spaces available proximate to the site. However, the developer has proposed eight additional on-street parking spaces along the Ringwood Road frontage of the site. While these spaces are for public use, people visiting the site will also be able to utilise these parking spaces.</p>
	<p><i>(b) the ability of multiple users to share spaces because of:</i></p> <p><i>i. variations in car parking demand over time; or</i></p> <p><i>ii. efficiencies gained by consolidation of car parking spaces;</i></p>	<p>The proposed uses on-site, excluding residential, will be accessed at differing times during the day. The brewery and café, in particular, are likely to be able to share usage of the parking spaces, as they have differing peak operating times. If the brewery and café share car parking spaces, the required number of parking spaces would reduce from 94 to 78, and the proposed number provided is 79.</p>
	<p><i>(c) the availability and frequency of public transport within reasonable walking distance of the site;</i></p>	<p>Public transport is easily accessed from the site, with bus stops located along South Arm Road, within 200m of the subject site.</p>

	<i>(d) the availability and frequency of other transport alternatives;</i>	The subject site is located proximate to a well-established residential area, with many of the commercial and retail uses likely to be accessed by residents who could access the site by walking or bike riding. The site can also be easily accessed by alternative transport options, such as taxi or ride share services.
	<i>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</i>	The site has no major site constraints, which are likely to hinder parking.
	<i>(f) the availability, accessibility and safety of on street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</i>	There is not a significant number of established retail and commercial uses within the surrounding area, and therefore the indented on-street parking which is being provided by the developer will be able to be utilised by visitors to the site.
	<i>(g) the effect on streetscape; and</i>	The proposed parking layout on-site is well articulated and visually buffered by landscaping. There will be no significant adverse impacts to the streetscape.
	<i>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development."</i>	<p>A Traffic Impact Assessment (TIA) was provided as part of the application, determining that the predicted parking demands of the site would be 78. Seventy-nine parking spaces are proposed on-site, with an additional eight public parking spaces proposed off-site.</p> <p>Council's Development Engineer has reviewed the proposal and advised that given the proximity to public and active transport options, as well as the shared usage of parking options through diverse operating hours, the proposed number of on-site car parking spaces is considered appropriate to meet the needs of the proposed use and development.</p>

- **C2.6.5 – Pedestrian Access** – the proposal requires more than 10 parking spaces, which also triggers the provision of pedestrian access. While the pedestrian footpath is 1m wide, it is not separated from the access ways or parking aisles by 2.5m or protective devices in all instances.

The proposal must be considered pursuant to the Performance Criteria P1 of Clause C2.6.5 as follows.

Clause	Performance Criteria	Assessment
C2.6.5 – P1	<i>“Safe and convenient pedestrian access must be provided within parking areas, having regard to:</i>	The proposed pedestrian access is deemed to provide safe and convenient pedestrian access, given:
	<i>(a) the characteristics of the site;</i>	The site is flat, which enables unobstructed sight lines.
	<i>(b) the nature of the use;</i>	The proposed mixed use of the site will encourage a high pedestrian usage. The parking layout is easily delineable and landscaping, in many places, provides clear physical buffers between car parking spaces and pedestrian access.
	<i>(c) the number of parking spaces;</i>	The number of parking spaces has been assessed as complying with the performance criteria under the assessment section of clause C2.5.1 - P1.1 and is deemed to satisfy the requirements of the Parking and Sustainable Transport Code.
	<i>(d) the frequency of vehicle movements;</i>	Given there is limited interaction between the pedestrian walkways and vehicle accessways, the frequency of vehicle movements should not impact on pedestrian safety.
	<i>(e) the needs of persons with a disability;</i>	Car parking spaces for use by persons with a disability are provided with appropriate access to activity uses.

	(f) <i>the location and number of footpath crossings;</i>	Pedestrian pathways and crossings are clearly defined through ground material.
	(g) <i>vehicle and pedestrian traffic safety;</i>	Vehicle movement running through the centre of the site are restricted to a one-way passage, which enable greater levels of pedestrian safety on-site.
	(h) <i>the location of any access ways or parking aisles; and</i>	As previously mentioned, the location of the pedestrian walkways is located adjacent to the building and separated from main vehicle passageways.
	(i) <i>any protective devices proposed for pedestrian safety.”</i>	The TIA has stated that the internal speed limit will be 10km/h, which will further ensure pedestrian safety.

Road and Railway Assets Code

- **Clause C3.5.1 – Traffic Generation at a Vehicle Crossing, Level Crossing or New Junction** – the proposal will increase vehicle movements by more than 20% and therefore cannot meet the acceptable solution.

The proposal must be considered pursuant to the Performance Criteria P1 of Clause C3.5.1 as follows.

Clause	Performance Criteria	Assessment
C3.5.1 – P1	<p><i>“Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</i></p> <p>(a) <i>any increase in traffic caused by the use;</i></p>	<p>Vehicular traffic to and from the site is assessed as minimising any adverse effects on the safety of the junction, having regard to:</p> <p>The TIA provided with the application, predicted a maximum of 94 additional vehicle movements to the site, during the morning peak hour.</p>

	<i>(b) the nature of the traffic generated by the use;</i>	A majority of the vehicular movements are likely to be smaller vehicles under 5.5m, with a small number of delivery vehicles also accessing the site. The type of generated traffic movements associated with the proposal is considered to be compatible with the current vehicles using the surrounding network.
	<i>(c) the nature of the road;</i>	Ringwood Road functions as a collector road within the surrounding network and is capable of absorbing the increase in traffic movements generated by the development. Specifically, with the road alignment offering straight sight lines and no notable vertical grade, drivers will be able to enter and exit the site with ease and a high level of road safety.
	<i>(d) the speed limit and traffic flow of the road;</i>	Despite the increase in generated vehicle movements from the site, Ringwood Road will not experience any unreasonable deterioration in the level of service for current uses. The speed limit of 60km/h will remain the same.
	<i>(e) any alternative access to a road;</i>	There is no alternative site access other than that to and from Ringwood Road. The proposed access layout is considered to be the most practical.
	<i>(f) the need for the use;</i>	The proposal offers a unique mixed-use development, which does not compete or distort the current commercial character of the area. The proposal will provide a high level of commercial opportunity and additional housing for the surrounding area.

	(g) <i>any traffic impact assessment; and</i>	The TIA provided was supportive of the proposal and concluded the traffic movements were not unreasonable. The TIA did not put forward any reason as to why the proposal should not proceed.
	(h) <i>any advice received from the rail or road authority.”</i>	Council’s Development Engineer reviewed the proposal and TIA, and is satisfied that the access, given the low-speed traffic environment, and the network’s capacity to cater for such a development, will provide for ease of access and egress to the site, and therefore meets the tests of this performance criterion.

Coastal Inundation Hazard Code

- **Clause C11.5.4. – Critical Use, Hazardous Use or Vulnerable Use –**
the proposed visitor accommodation use is assessed as a vulnerable use, given the use can accommodate more than 12 guests. The standard has no acceptable solution.

The proposal must be considered pursuant to the Performance Criteria P4 of Clause C11.5.4 as follows.

Clause	Performance Criteria	Assessment
C11.5.4 – P4	<i>“In addition to the requirements in clause C11.5.4 P1.2, a vulnerable use in a coastal inundation hazard area must be protected from coastal inundation in a 1% annual exceedance probability coastal inundation event in 2100, having regard to:</i>	<p>The proposal is assessed as complying with the performance criteria, given:</p> <p>The site has been previously filled (refer to Permit D-2018/168) to an appropriate level to mitigate the impacts of inundation and coastal hazards.</p>

	<p>(a) <i>the ability and capability of people in a coastal inundation event who may live, work or visit the site, to:</i></p> <ul style="list-style-type: none"> i. <i>protect themselves;</i> ii. <i>evacuate in an emergency; and</i> iii. <i>understand and respond to instructions in the event of an emergency;</i> 	<p>As mentioned above, any potential risk has been mitigated through previous fill works, which raised the existing ground level, and the proposed finished floor levels of the habitable buildings will be at 3.20 AHD, which is the acceptable level to achieve immunity from any flood event in Ralphs Bay.</p>
	<p>(b) <i>any emergency evacuation plan;</i></p>	<p>The risk has been mitigated effectively and so does not require an emergency evacuation plan. However, this matter will be further dealt with during the building stage, for which the applicant will provide a coastal inundation report.</p>
	<p>(c) <i>the level of risk for emergency personnel involved in evacuation and rescue tasks;</i></p>	<p>As above.</p>
	<p>(d) <i>the advice contained in a coastal inundation hazard report; and</i></p>	<p>A Coastal Inundation Hazard report was not required at the planning assessment stage as the site has been previously assessed and any risk mitigated through fill work.</p>
	<p>(e) <i>any advice from a State authority, regulated entity or a council.”</i></p>	<p>Council’s Engineers are satisfied that the proposed development can achieve and maintain a tolerable risk and would not cause or contribute to coastal inundation on the site, on adjacent land and any public infrastructure.</p>

Coastal Inundation Hazard Code

- **Clause C11.6.1 – Buildings and Works, Excluding Coastal Protection Works, within a Coastal Inundation Hazard Area** – There is no acceptable solution and therefore the buildings and works cannot comply with A1.

The Proposal must be considered pursuant to the Performance Criteria P1.1 and P1.2 of Clause C11.6.1 as follows.

Clause	Performance Criteria	Assessment
C11.6.1 – P1.1 and P1.2	<i>“P1.1</i> <i>Buildings and works, excluding coastal protection works, within a coastal inundation hazard area must have a tolerable risk, having regard to:</i>	The applicable proposed buildings and works within the coastal inundation hazard area are assessed as having a tolerable risk, given:
	<i>(a) whether any increase in the level of risk from coastal inundation requires any specific hazard reduction or protection measures;</i>	The site has been previously filled (refer to Permit D-2018/168) to an appropriate level to mitigate the impacts of inundation and coastal hazards.
	<i>(b) any advice from a State authority, regulated entity or a council; and</i>	The site is considered to maintain a tolerable risk from a 1% annual exceedance probability of coastal inundation event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.
	<i>(c) the advice contained in a coastal inundation hazard report.</i>	A Coastal Inundation Hazard Report was not required, as Council Engineers had sufficient information to assess the likely impact.
	<i>P1.2</i> <i>A coastal inundation hazard report also demonstrates that the building or works:</i>	The site was inspected on 16 February 2023 by GES Geo-Environmental Solutions, to ensure the fill material was suitable and placed in an adequate manner. The fill was deemed to be acceptable as non-structural fill for elevating the RL of the site.
	<i>(a) do not cause or contribute to coastal inundation on the site, on adjacent land or public infrastructure; and</i>	
	<i>(d) can achieve and maintain a tolerable risk from a 1% annual exceedance probability coastal inundation event in 2100 for the.”</i>	As mentioned above, the site is considered to maintain a tolerable risk from a 1% annual exceedance probability of coastal inundation event in 2100 for the intended life of the use without requiring any specific hazard reduction or protection measures.

Lauderdale Neighbourhood Centre Specific Area Plan

- **Clause S2.7.1 – Urban Design** – there is no acceptable solution and therefore the proposal cannot comply with A1.

The proposal must be considered pursuant to the Performance Criteria P1 of Clause CLA-S2.7.1 as follows.

Clause	Performance Criteria	Assessment
CLA-S2.7.1 P1	<i>“Development:</i>	The proposed development complies with the performance criteria, given:
	<i>(a) should complement and contribute to the specific character of the Lauderdale Neighbourhood Centre and the coastal setting of Ralphs Bay generally, by incorporating high quality built form as well as design detail;</i>	The development offers a complimentary design outcome and contribution to the specific character of the Lauderdale Neighbourhood Centre, through offering high-level built form, while simultaneously respecting the coastal setting of Ralphs Bay. The design does not result in an overdevelopment of the site and the provision of landscaping and open space acts as a buffer to the built form.
	<i>(b) should consolidate the diverse functions of the Lauderdale Neighbourhood Centre into clearly articulated and organised site management; and</i>	The form and function of the site does not compromise or cause conflict with the existing uses within the Lauderdale Neighbourhood Centre. The site organisation and management results in an easy to navigate the site, with the commercial uses accessible from the frontage.
	<i>(c) within the Lauderdale Neighbourhood Centre should address measures for protection from the impacts of coastal hazards and climate change.”</i>	Protections from the impacts of coastal hazards and climate change have been addressed on the site through land filling works, previously assessed as D-2018/168. The proposed oval and permeable areas further enable reasonable drainage and runoff.

Lauderdale Neighbourhood Centre Specific Area Plan

- **Clause S2.7.2 – Building Design** – there is no acceptable solution and therefore the proposal cannot comply with A1.

The Proposal must be considered pursuant to the Performance Criteria P1 of Clause CLA-S2.7.2 Building Design as follows.

Clause	Performance Criteria	Assessment
S2.7.2 – P1	<i>“Buildings:</i>	The proposed building design complies with the performance criteria, given:
	<p>(a) <i>should be restricted to a 2 storey maximum height limit in order to preserve the low-rise character of the Lauderdale Activity Centre;</i></p> <p>(b) <i>should positively contribute to the streetscape through their visual appearance, including façade treatment, and be appropriate for the building’s mass and bulk;</i></p>	<p>While a small portion of the site proposes a three-storey design outcome, the roof design minimises the scale of bulk. The entire proposal meets the maximum building height required in the zone. The proposed bulk is further offset by varying building heights throughout the site, which enables compatibility with the low-rise character of the Lauderdale Activity Centre.</p> <p>The proposal will positively contribute to the streetscape through its high-level of visual appearance. The proposal offers well-articulated window fenestration and material variation. The facade treatment encourages human interaction and by nature passive surveillance. The mass and bulk of the built form is reasonable within the context of the site. Varying building heights and form allow for adequate separation and an appropriate development appearance.</p>

	<i>(c) adjacent to residential uses should address significant amenity loss to the residences by applying design techniques to reduce visual and noise impacts in particular;</i>	The northern boundary, which adjoins a residential lot is bordered by an accessway. Visual impacts are likely to be minimal. The shared boundary is further buffered through the provision of open space and landscaping on the subject site, which will help to mitigate further noise and visual impacts.
	<i>(d) entries should address street and public space frontages and should be clearly visible; and</i>	The site frontage has two vehicle entry points and ample space for pedestrian access. The entries are easy to delineate through the provision of obvious ground materials and landscaping, which clearly borders the access.
	<i>(e) should incorporate suitable weather protection for pedestrians and entry to the premises.”</i>	The design elements have incorporated suitable weather protection features by including overhanging eaves.

Lauderdale Neighbourhood Centre Specific Area Plan

- **Clause S2.7.3 – Parking and Access** – there is no acceptable solution and therefore the proposal cannot comply with A1.

The proposal must be considered pursuant to the Performance Criteria P1 of Clause CLA-S2.7.3 as follows.

Clause	Performance Criteria	Assessment
S2.7.3 – P1	<p><i>“Development provides for a safe, convenient and integrated access and parking system, having regard to:</i></p> <p><i>(a) car parking and loading areas being consolidated towards frontages to South Arm Road with provision for linkage between adjacent sites consistent with the Commercial Precinct – Setbacks / Parking Strategy shown in Figure CLA-S2.1;</i></p>	<p>The development provides for a safe, convenient and integrated access and parking system, given:</p> <p>The site does not have a frontage to South Arm Road. Egress from the site (zoned General Business) is on to Ringwood Road, with connection to the local transport network.</p>

	<p>(b) <i>limiting access movements:</i></p> <p>i. <i>into the General Business Zone from South Arm Road to be left turn only; and</i></p> <p>ii. <i>out of the General Business Zone to be on to Ringwood Road.”</i></p>	<p>The proposed parking layout is well thought out to provide for a safe, convenient and integrated access, providing spaces adjacent to each use’s building.</p>
--	---	---

Lauderdale Neighbourhood Centre Specific Area Plan

- **Clause S2.7.4 – Landscaping** – there is no acceptable solution and therefore the proposal cannot comply with A1.

The proposal must be considered pursuant to the Performance Criteria P1 of Clause CLA-S2.7.4 as follows.

Clause	Performance Criteria	Assessment
S2.7.4 – P1	“(a) <i>High quality hard and soft landscaping is provided to complement and enhance the appearance of the development; landscape treatments should be designed to improve the visual impact of large hardstand areas and to enhance access to the site; and</i>	<p>The proposal complies with the performance criteria, given:</p> <p>Landscaping is provided throughout the site to enhance the overall appearance of the development and soften the look of hardstand areas.</p>
	(b) <i>appropriate flora selections should be compatible with endemic species and the coastal microclimate;</i>	<p>Flora has been specifically selected to be suitably appropriate and compatible with the unique character of Lauderdale.</p>
	(c) <i>landscape treatments should be designed to improve the visual impact of large hardstand areas and to enhance access to the site; and</i>	<p>The landscaping is located near parking hardstand areas to act as a visual and physical buffer.</p>

	(d) <i>public art works are encouraged to be incorporated into the Lauderdale Neighbourhood Centre.</i>	Public art is not proposed as part of the application. However, ample space within the centre of the site would allow for provision in the future and the applicant has expressed their interest in later providing it.
--	---	---

5. REPRESENTATION ISSUES

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

5.1. Adverse Traffic Impacts

Concern was raised by all four representors that the proposal would create an unreasonable impact on the existing traffic in the area. More specifically, concerns regarding the possibility of further congestion in the area, creating more dangerous road conditions.

- **Comment**

As previously discussed in this report, the proposal meets the requirements of the Scheme in relation to traffic generation, as articulated in the performance criteria P1 of *Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction* and can be supported on that basis.

The TIA, which was provided and ultimately supported by Council's Development Engineers, found that a moderate level of additional traffic would be generated as part of the proposed use and further concluded that Ringwood Road, as a collector road, had the capacity to absorb the additional traffic demands created.

5.2. Pedestrian Safety

Three representors raised concerns about pedestrian safety around the subject site, specifically the safety of school children attending Lauderdale Primary School. Representors seemed most concerned about school children potentially being hit by vehicles entering and exiting the site, given many children utilise the walkway located along the Ringwood Road frontage of the site.

Representors seemed further alarmed that the TIA did not address pedestrian movements generated from the school.

- **Comment**

As previously discussed in this report, pedestrian safety on the subject site has been well considered and the layout provides a high level of pedestrian safety. The Parking and Sustainable Transport Code does not consider pedestrian safety off-site.

However, the proposal was assessed against the performance criteria under clause C3.5.1 – P1 of the Road and Railway Assets code, which calls for traffic movements to “*minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network.*” As part of the application a TIA was provided, which was supported by Council’s Engineers. The TIA found, that due to the extended sight lines for drivers and level terrain, vehicles entering and exiting the site would be able to do so in a safe and efficient manner.

A 3m pedestrian walkway is proposed along the frontage of the site to be used by pedestrians for safe and efficient access along the site frontage. The walkway will additionally connect pedestrians with surrounding walkways and bike lanes, including the shared accessway along South Arm Road.

It is taken that the pedestrian movements generated through the school were not considered as part of the TIA, due to the school site being located approximately 300m from the subject site, while also not sharing a frontage or boundary with the subject site.

5.3. Right-of-Way Arrangement

Two representors raised concerns about the right-of-way (ROW) arrangement. The representors felt that little to no consultation was carried out with the landowners burdened with the ROW, and the vehicle movements generated by the proposal on the neighbouring business at 450 South Arm Road would be adverse.

- **Comment**

The subject site has a legal right-of-way noted on the title, for access over the adjoining property at 450 South Arm Road, and therefore, as this is a legal matter for which Council is not party, the matter is to be resolved between affected property owners. Nevertheless, as part of the application process, the applicant must provide a copy of Title for all sites which form part of the application. This was provided by the applicant. Additionally, the applicant signed a declaration claiming that they have informed all relevant landowners of their development plans.

The TIA addressed the usage of the ROW, which will be utilised for access by both vehicles from 450 South Arm Road and the subject site. Manoeuvring and access to the road is available from either the ROW or the access on the northern boundary of the subject site, and vehicles coming from the proposed uses do not rely on travelling through the site at 450 South Arm Road, other than that area which is the ROW.

6. EXTERNAL REFERRALS

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

The proposal was referred to TasNetworks, who have provided advice to be included on the planning permit if granted.

7. STATE POLICIES AND ACT OBJECTIVES

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

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

8. COUNCIL STRATEGIC PLAN/POLICY IMPLICATIONS

There are no inconsistencies with Council's adopted Strategic Plan or any other relevant Council policy.

9. CONCLUSION

The proposal is recommended for approval subject to conditions including conditions to minimise the potential for adverse impacts on residential amenity during the construction process.

Attachments: 1. Location Plan (1)
2. Proposal Plan (12)
3. Site Photo (2)

Robyn Olsen
ACTING MANAGER CITY PLANNING

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

Attachment 1



PINNACLE

Attachment 2



2a Ringwood Road, Lauderdale

Owner(s) or Clients	Lyden Developments Pty Ltd
Building Classification	TBC
Designer	Jason Nickerson CC6073Y
Total Floor Area	2,764.35m ²
Alpine Area	N/A
Other Hazards	Costal Inundation, Safeguarding of Airports Code

Title Reference	171507/2
Zoning	General Business
Land Size	9286m ²
Design Wind Speed	TBA
Soil Classification	TBA
Climate Zone	7
Corrosion Environment	Moderate
Bushfire Attack Level (BAL)	Low

ID	Sheet Name	Issue
A0.01	Site Plan	DA.02
A0.02	Brewery / Cafe	DA.02
A0.03	Brewery / Cafe Elevations	DA.02
A0.04	Office's / Apartments	DA.02
A0.05	Office's / Apartments Elevations	DA.02
A0.06	Short Stay Accommodation	DA.02
A0.07	Duplex Apartments	DA.02
A0.08	Shadow Diagrams 21st June	DA.02
C.01	Parking	DA.02
L.01	Landscaping Plan	DA.02
L.02	Landscaping Details	DA.02

Legend

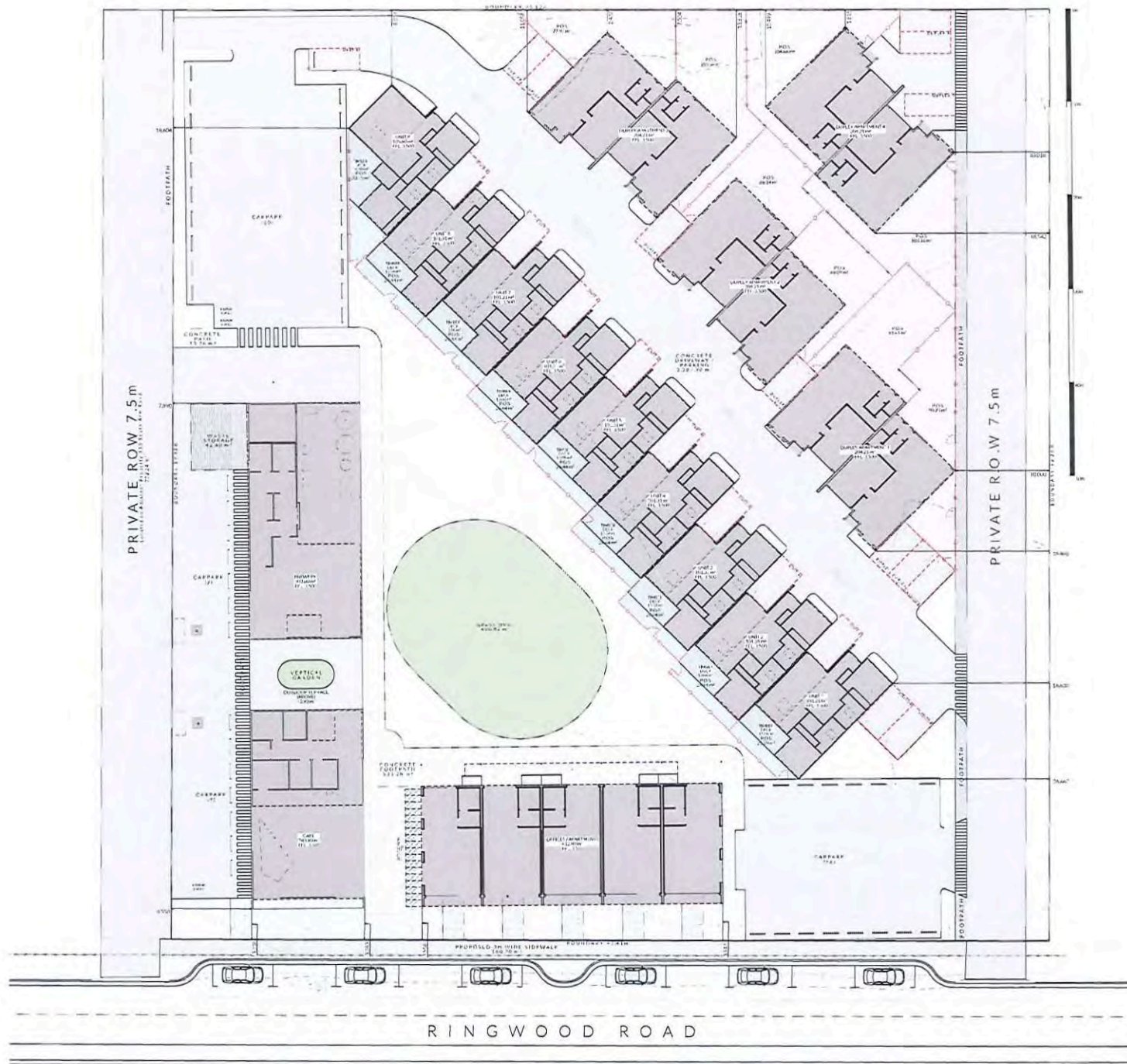
- Electrical Connection
- Electrical Turbidity
- Sewer Connection
- Stormwater Connection
- Telstra Connection
- Telstra Pit
- Water Meter
- Water Stop Valve
- Solar Belland Lighting
- Spotlight with Sensor

Note

All driveway pits and grate drains to be Class B

Stormwater pits are indicative. Location may vary depending on site conditions.

Ground to fall away from building in all directions in compliance with AS2970 & N.C.C. 3.1.3.2



Site Areas

Site Area	9286 m ²
Commercial Building Area	1,034.23 m ²
Residential Building Area	1,733.12 m ²
Total Building Area	2,767.35 m ²
Total Site Coverage	29.80%
Additional Impervious Surfaces	4,115.19 m ²
Total Impervious Surfaces	6,882.54 m ²
Total Impervious Coverage	74.11%

PINNACLE

PINNACLE DRAWING & DESIGN
7/3 Albion Way, Cambridge 3170
02 6248 4214
admin@pinnacleddesign.com.au
www.pinnacleddesign.com.au

Site Plan

Revised:
Approved By:

DA02
JRM

Scale:
1:300
Pg. No:
A0.01

of A2

Proposal: Commercial Development
Client: Lyden Developments Pty Ltd
Address: 2a Ringwood Road, Lauderdale

Date: 02/12/22
Drawn By: SM
Job No: 040-2021
Engineer: TNA
Building Surveyor: TDA

Issue Date:
04/01 13/11/22
04/02 09/12/22

Description:
Planning
Council



This is a site plan of the proposed development. It is not a final plan and should not be used for construction without the approval of the Council. The plan is subject to change without notice. The Council is not responsible for any errors or omissions in this plan. The plan is provided for information only. The Council is not responsible for any errors or omissions in this plan. The plan is provided for information only.



Agenda Attachments - 2a Ringwood Road, Lauderdale Pinnacles



PINNACLE

PROJECT LOCATION
73 Northview, Centoria 120
01424-414
ARCHITECT
ARCHITECT
ARCHITECT

PROJECT NAME
Brewery/Cafe
DATE
2023

SCALE
1:100

PROJECT LOCATION
73 Northview, Centoria 120
01424-414
ARCHITECT
ARCHITECT
ARCHITECT

DATE
03/11/23
DRAWN BY
J.B.J.
CHECKED BY
J.B.J.

PROJECT NAME
Brewery/Cafe
DATE
2023



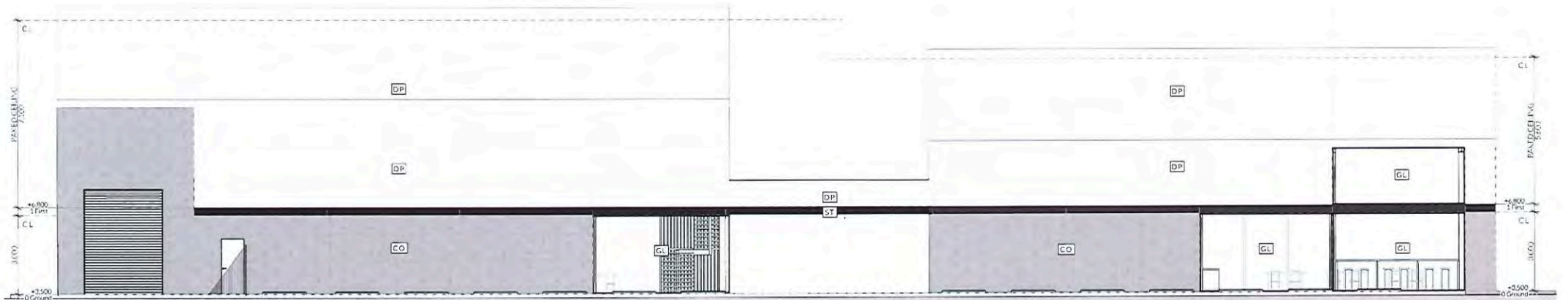
PROJECT LOCATION
73 Northview, Centoria 120
01424-414
ARCHITECT
ARCHITECT
ARCHITECT

Ground Floor

1:100

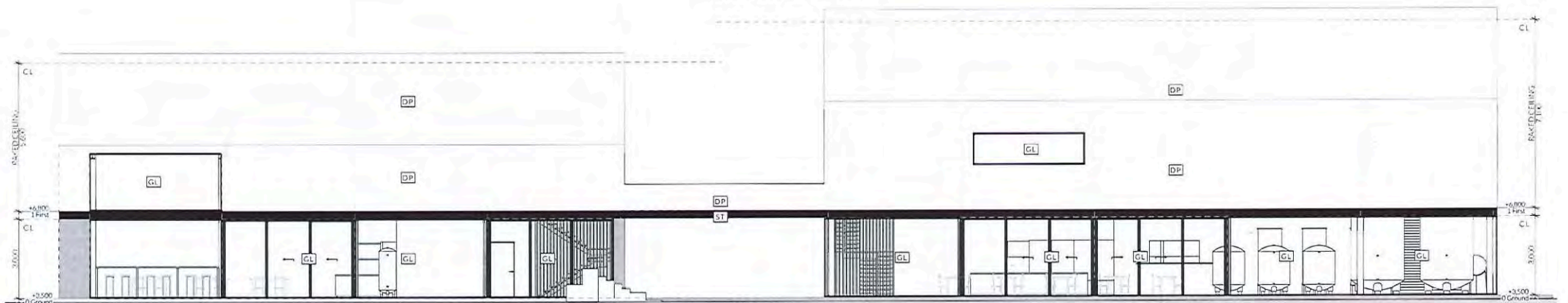
Mezzanine

1:100



North East Elevation

1:100



South West Elevation

1:100



South East Elevation

1:100

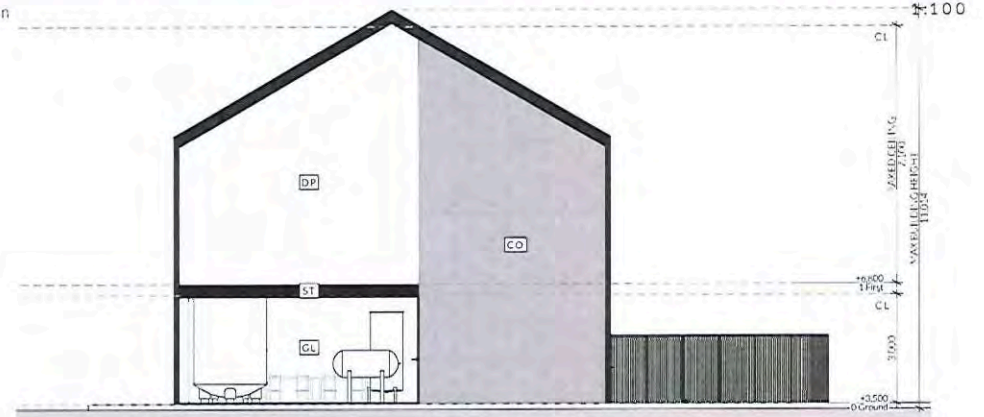
Brewery / Cafe Elevations

Scale:
1:100
Pc No:
A0.03

@ A2

Proposal: Commercial Development
Client: Lydon Developments Pty Ltd
Address: 2a Ringwood Road, Laverdale

FINISH SCHEDULE	
DP	DANPAL FROSTED WHITE OR EQUIVALENT
CO	OFF FORM CONCRETE - LIGHT GREY
GL	GLAZED ASSEMBLY - BLACK FRAME
ST	STEEL - BLACK



North West Elevation

1:100

PINNACLE

PINNACLE DRAFTING & DESIGN
7/9 Alameda Way, Camberidge 7170
02 6240 4235
admin@pinnacle drafting.com.au
www.pinnacledrafting.com.au

Revised:
Approved by:

DA02

JR4

Date: 02/11/22
Drawn by: JSM
Job No: DA0-0001
Engineer: TWA
Building Surveyor: TDA

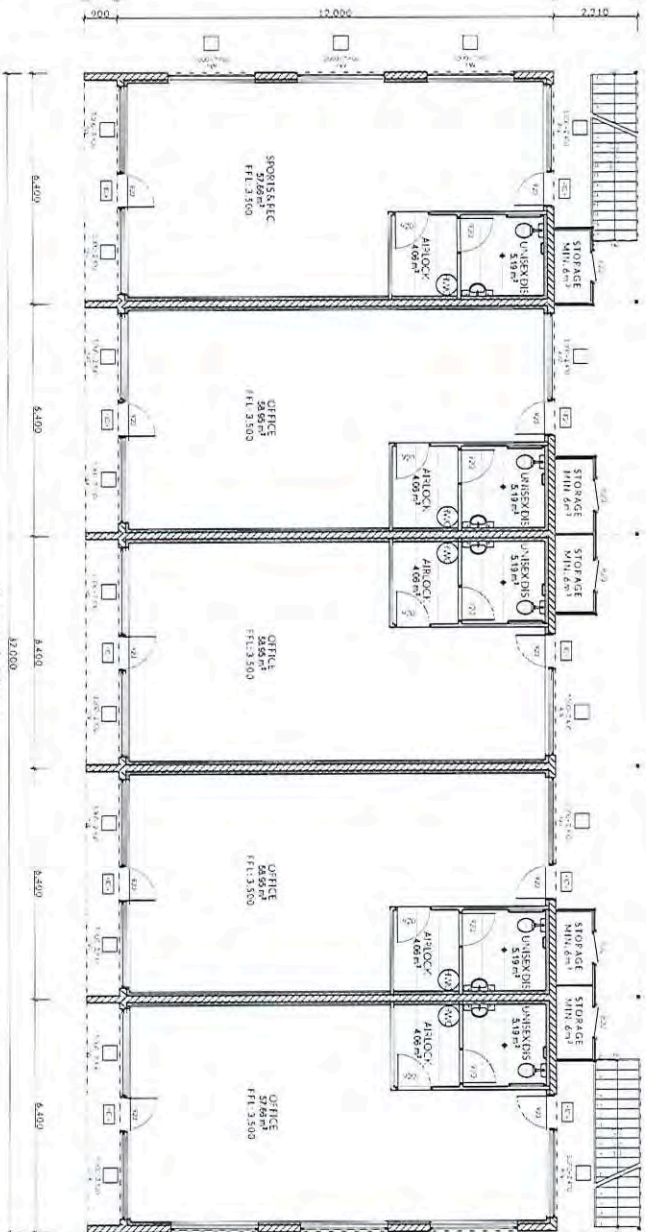
Issue Date
Issued: 11/11/22
DA02 09/11/22

Description
Parking Plan
Council Ref



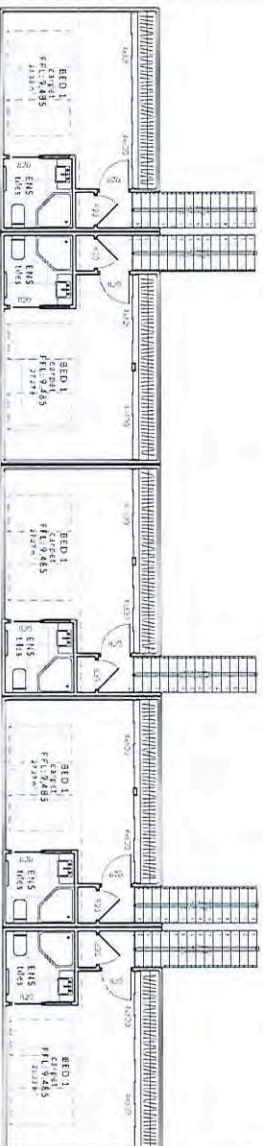
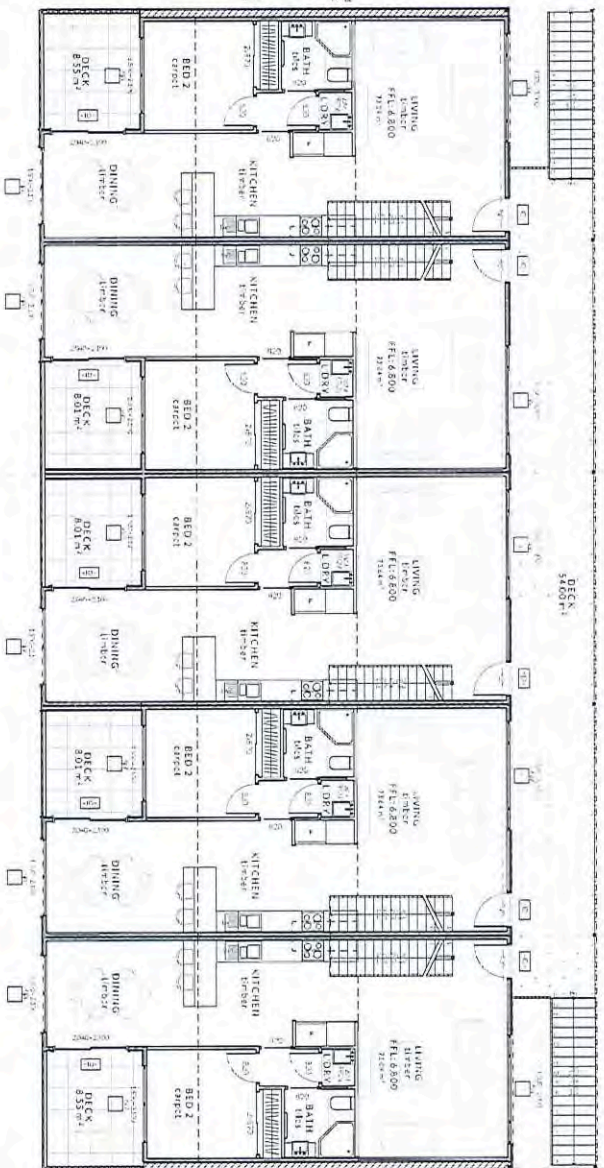
For use as a reference only. This drawing is the property of Pinnacle Drafting & Design Pty Ltd. It is not to be used for any other purpose without the written consent of Pinnacle Drafting & Design Pty Ltd. The user of this drawing is responsible for ensuring that it is used in accordance with the relevant building codes and standards. The user of this drawing is also responsible for ensuring that it is used in accordance with the relevant building codes and standards. The user of this drawing is also responsible for ensuring that it is used in accordance with the relevant building codes and standards.

Agenda Attachments - 2a Ringwood Road, Laverdale



Noise Mitigation

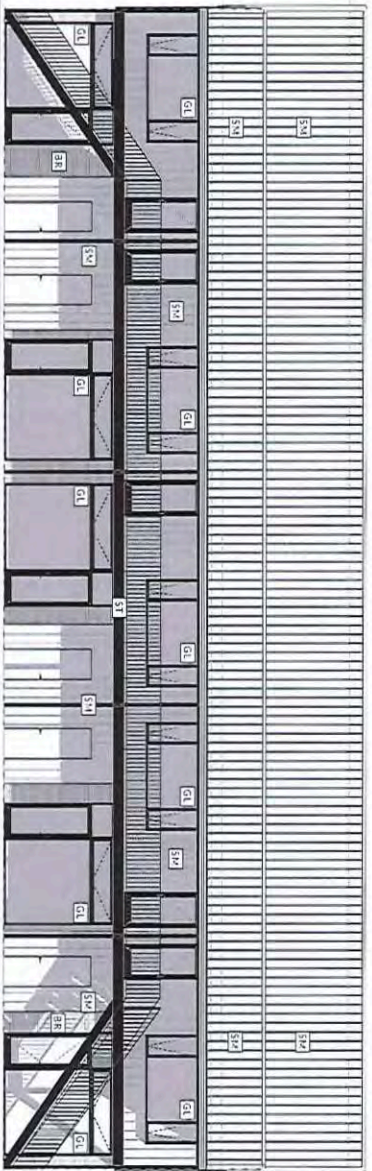
The following will be designed to meet the standards as set out in ASIOS 2018 in regards to no sex, religion levels for commercial and residential purposes. The approved construction occurrence will provide a secure design solution to meet these new demands.





South East Elevation

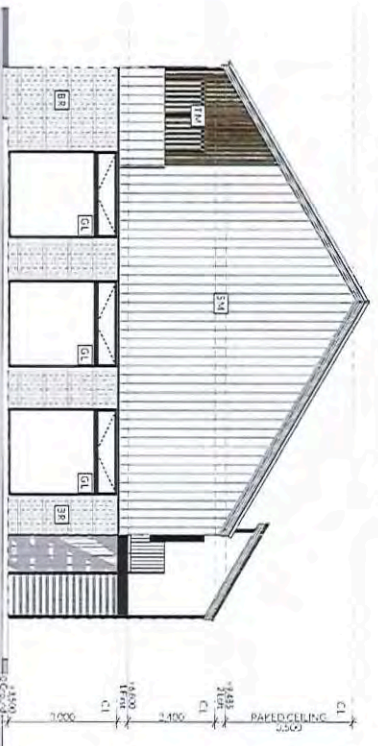
1:100



North West Elevation

1:100

FINISH SCHEDULE	
SM	COLOURED STEEL - SURF/PINT OR EQUIVALENT
BR	PAVE BRICK - AUSTRAL ACCESS ASH OR EQUIVALENT
GL	GLAZED ASSEMBLY - BLACK FRAME
ST	STEEL - BLACK
TN	SPOTTED GUM OR EQUIVALENT TIMBER LOOK COMPOSITE
SL	VIEWSCREEN LIGHT



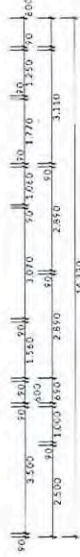
North East Elevation

1:100

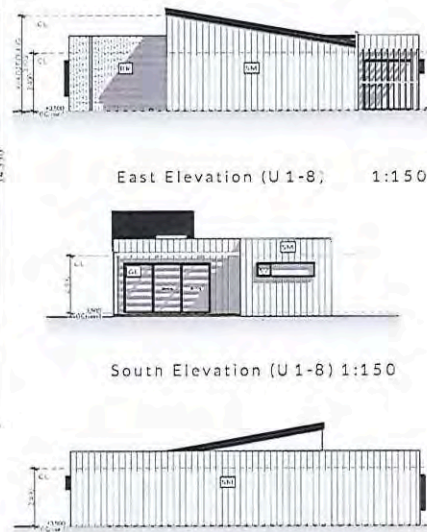


South West Elevation

1:100



1:100



1:150



1:100



1:150

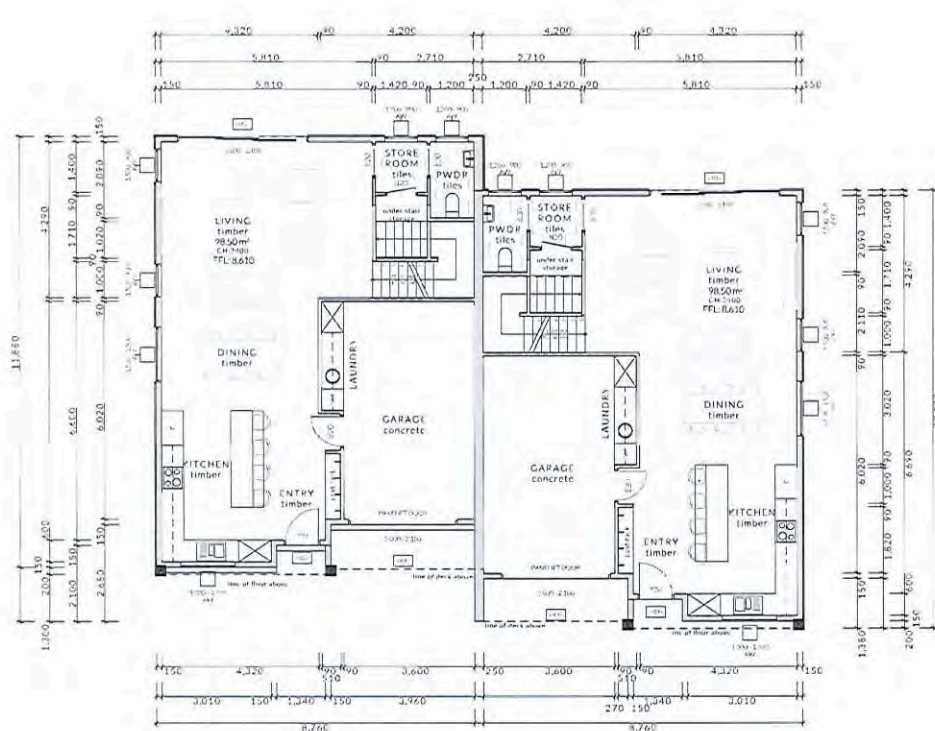


FINISH SCHEDULE

SM COLORBOND STEEL - SURFIMIST, OR EQUIVALENT	BR FACE BRICK - AUSTRAL ACCESS ASH, OR EQUIVALENT	GL GLAZED ASSEMBLY - BLACK FRAME	TM SPOTTED GUM OR EQUIVALENT TIMBER LOOF COMPOSITE
---	---	---	--

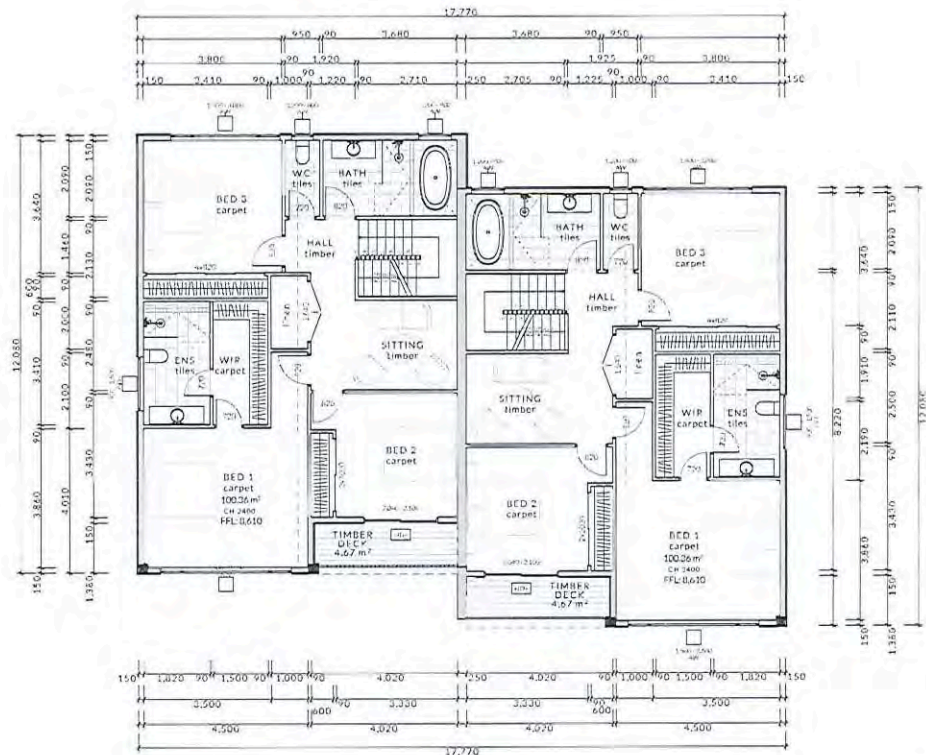
1:150





Lower Floor

1:100



Lower Floor

1:100



South Elevation

1:150

West Elevation

1:150

FINISH SCHEDULE			
SM	COLORBOND STEEL - SURFMASTER OR EQUIVALENT	BR	FACE BRICK - AUSTRAL ACCESS ASH OR EQUIVALENT
GL	GLAZED ASSEMBLY - BLACK FRAME	TM	SPOTTED GUM OR EQUIVALENT TIMBER LOOK COMPOSITE



North Elevation

1:150

East Elevation

1:150

PINNACLE

PINNACLE DRAFTING & DESIGN
700 Belmont Way, Camberidge 3170
08 9240 4218
admin@pinnacle-drafting.com.au
www.pinnacle-drafting.com.au

Duplex Apartments

Revised: DA02
Approved by: JSH

Scale:
1:100, 1:150
P/N: A0.07

Project: Commercial Development
Client: Lyden Developments Pty Ltd
Address: 2a Ringwood Road, Lavenderdale

Date: 02/15/22
Drawn by: JSM
Ink No: 060-0021
Engineer: TWA
Building Surveyor: TDA

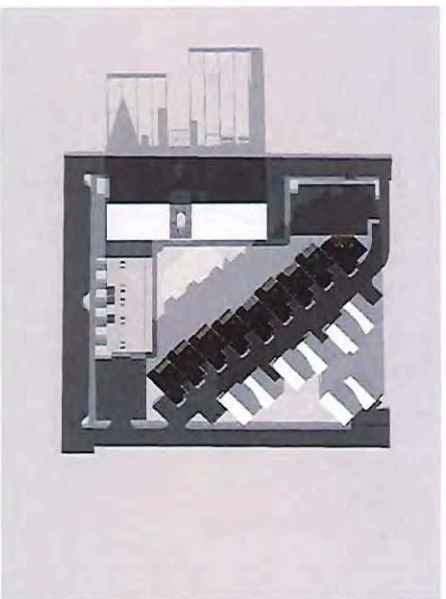
Issue Date:
DA02 04/15/22

Description:
Rearyard Driveway

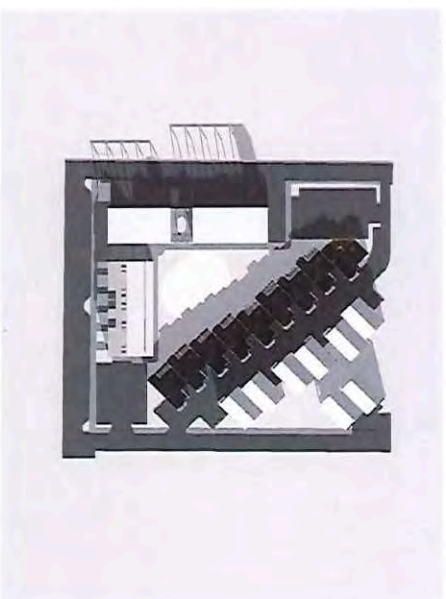


NOT FOR CONSTRUCTION
This document is the property of Pinnacle Drafting & Design Pty Ltd. It is to be used for the project and site only. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without prior written permission from Pinnacle Drafting & Design Pty Ltd. The user of this document is advised that it is not to be used for any other purpose than the one for which it was prepared. The user of this document is advised that it is not to be used for any other purpose than the one for which it was prepared. The user of this document is advised that it is not to be used for any other purpose than the one for which it was prepared.

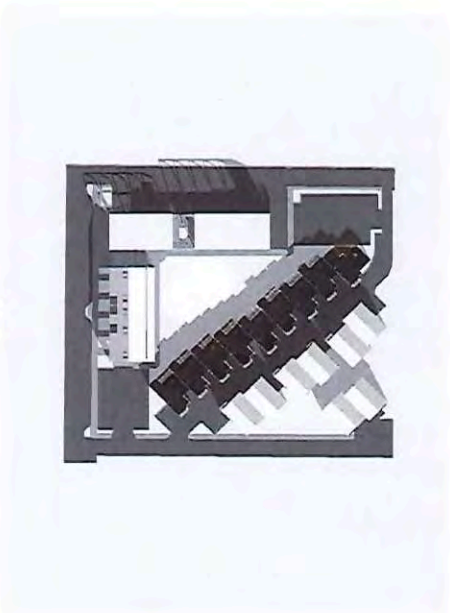




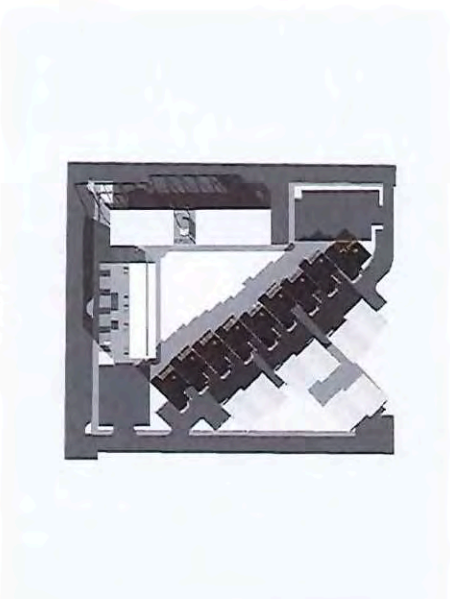
9am



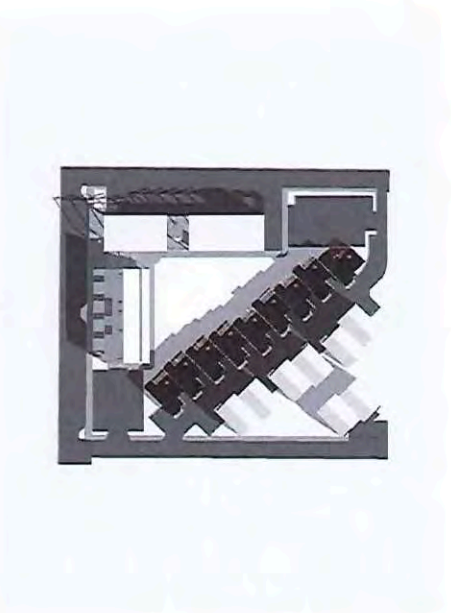
10am



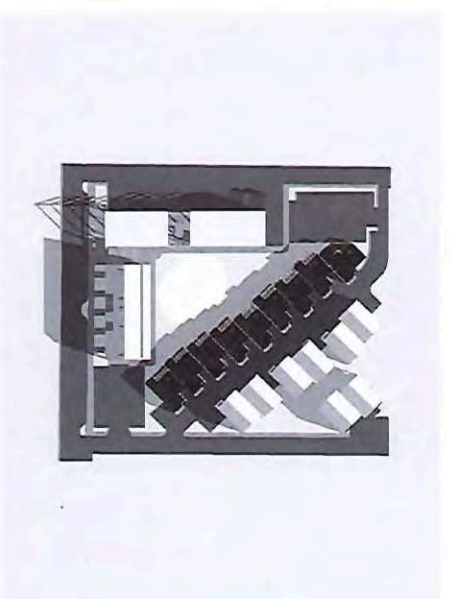
11am



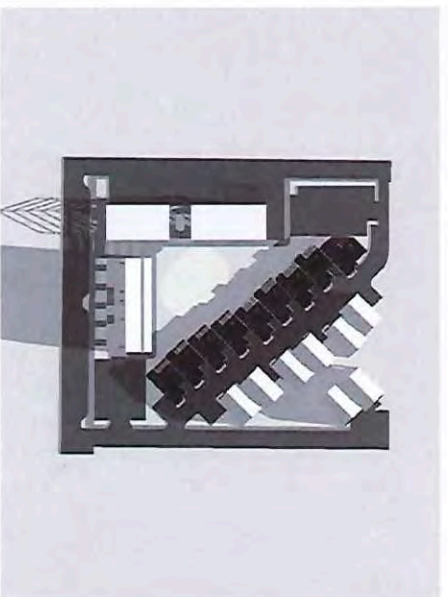
12pm



1pm



2pm



3pm

Legend

- 1.2m to 2.1m Paving Fence
- Large Tree (Approx Height 6m)
- Small Tree (Approx Height 4m)
- Large Shrub (Approx Height 3m)
- Small Shrub (Approx Height 1.5m)
- Perennial (Approx Height 0.5m)
- Grasses (Approx Height 0.5m)
- Feature Stone
- Stump Sealing
- Feature Stone Bench
- Gravel Area
- Mulched Garden Bed
- Seeded Lawn

Small to Medium Shrubs

Rhaphia spinosa 'Silver Border' (Creeping Saltbush)
Attractive silver foliage, suitable for coastal sites and low retention

Anigozanthus 'Big Red' and 'Landscape Orange' (Kangaroo paw)
Strappy leaves with showy distinctive flowers rising high above main foliage

Correa alba 'Star Showers' (White Correa)
Tough and attractive low growing spreader that flowers from spring right through into autumn

Acacia cognata 'Sunlight' (Silver wattle)
Woody, compact form with dense green foliage

Westringia fruticosa 'Funky Chunky' (Coastal Rosemary)
Compact form with white starry flowers in Spring and Summer

Banksia marginata 'Mini Marg' (Dwarf Banksia)
Tough and adaptable. A naturally rounded form with shallower, less invasive roots.

Correa reflexa 'Federation Belle' (Native Fuchsia)
Hardy and quick growing with pink and green feature flowers. Drought and frost tolerant.

Philotheca myoporoides 'Profusion' (Wax Flower)
Charming, hardy plant with fragrant foliage and long flowering period.

Prostanthera pauciflora 'Gallieria' (Mint bush)
Dense shrub with small leaves and a huge profusion of white flowers in spring

Callistemon serotinus 'Rocky Rambler' (Red Bottlebrush)
Dwarf form with prolific flowering which attracts small birds and butterflies.

Note

Plants have been selected to be drought tolerant and low maintenance once established, it is recommended that a dripper system or similar be put into place until established. Plant locations are indicative and may be altered where suitable growing conditions cannot be met. Garden areas to be mulched with 75mm cover of selected mulch and plants are to be fertilised 6 monthly or where required until established. Garden edges are to be timber staked or brick. Plantings that are unsuccessful will be replaced where required.

Grasses and Groundcovers

Poa labillardierei (Tussock Grass)

Poa sieberiana (Blue Tussock Grass)

Carposchiza rufus (Native Pigface)

Xerochrysum bracteatum (Golden Everlasting Daisy)

Craspedioides (Billy Buttons)

Schoenia nitida ssp. *subulifolia* (Showy Everlasting Daisy)

Lomandra longifolia 'Tania' (Mat Rush)

Ticinia nodosa (Knobby Club Rush)

Large Shrubs

Callistemon 'Gawler Hybrid' (Red Bottlebrush)
Drought and frost tolerant, large red blooms, bird attractant

Dodonaea viscosa 'Mr Green Sheen' (Hop bush)
Upright habit with glossy green leaves and distinctive red winged seed pods

Ozothamnus rosmarinifolius 'Silver Jubilee' (Rice flower)
Column shaped, drought resistant plant with silvery foliage heads of creamy flowers in summer

Pomadouria aetala 'Dwarf' (Native Dogwood)
Grey green leaves with pronounced veins and tiny flowers

Westringia fruticosa 'Zena' (Native Rosemary)
Drought and frost tolerant. Compact, rounded form with tiny green leaves and attractive blooms

Trees

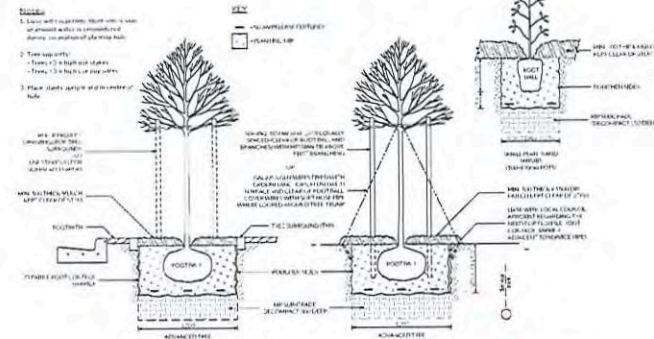
Banksia integrifolia (Coastal Banksia)
Lemon yellow flowers from Autumn to Spring, drought and frost tolerant.

Callitris oblonga (South Oak pine)
Native pine with dense green foliage, upright habit.

Eucalyptus perennans (Spinning Gum)
Known for its glaucous, disc shaped leaves which encircle the stem.

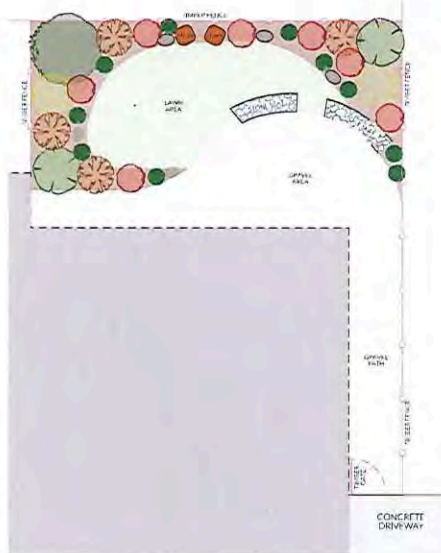
Eucalyptus viminalis (Rhodes Pepperment Gum)
Silvery, blue-green leaves and attractive flower buds.

Kunzea ambigua (Tick bush)
Masses of small, creamy white and hoary scented flowers, tiny leaves.

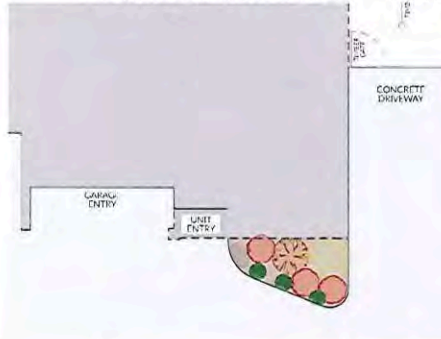


Legend

- 1.2m to 2.1m Paling Fence
- Large Tree (Approx Height 6m)
- Small Tree (Approx Height 4m)
- Large Shrubs (Approx Height 3m)
- Small Shrubs (Approx Height 1.5m)
- Perennial (Approx Height 0.5m)
- Grasses (Approx Height 0.5m)
- Feature Stone
- Stump Seating
- Feature Stone Bench
- Gravel Area
- Mulched Garden Bed
- Seeded Lawn



Duplex Rear Garden (TYP.) 1:100



Duplex Front Garden (TYP.) 1:100

Small to Medium Shrubs

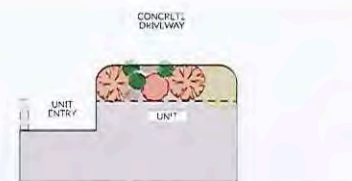
- Rhaphidophora spinescens* 'Silver Border' (Creeping Saltbush)
Attractive silver foliage, suitable for coastal sites and the reticent.
- Anigozanthus* 'Big Red' and 'Landscape Orange' (Kangaroo paw)
Strappy leaves with showy distinctive flowers rising high above main foliage.
- Correa alba* 'Star Showers' (White Correa)
Tough yet attractive low growing spreader that flowers from spring right through into autumn.
- Acacia cognata* 'LimeLight' (River wattle)
Vigorous, compact form with dense green foliage.
- Westringia fruticosa* 'Tinky Chunky' (Coastal Rosemary)
Compact form with white starry flowers in Spring and Summer.
- Banksia marginata* 'Mini Marg' (Dwarf Banksia)
Tough and adaptable. A naturally rounded form with shallow, less imbricate leaves.
- Correa reflexa* 'Federation Belle' (Native Fuchsia)
Hardy and quick growing with pink and green feature flowers. Drought and frost tolerant.
- Philotheca myrsinoides* 'Profusion' (Wax Flower)
Charming, hardy plant with fragrant foliage and long flowering period.
- Prostanthera percinata* 'Dallierina' (Mint bush)
Dense shrub with small leaves and a huge profusion of white flowers in spring.
- Callistemon pearsonii* 'Rackey Rambler' (Red Bottlebrush)
Dwarf form with prolific flowering which attracts small birds and butterflies.

Large Shrubs

- Callistemon 'Gawler Hybrid'* (Red Bottlebrush)
Drought and heat tolerant, large red blooms, bird attraction.
- Dodonaea viscosa* 'Mr Green Sheen' (Hop bush)
Upright habit with glossy green leaves and distinctive red winged seed pods.
- Ozothamnus rosmarinifolius* 'Silver Jubilee' (Rice flower)
Column shaped, drought resistant plant with silvery foliage heads of creamy flowers in summer.
- Ipomadenia apetala* 'Dwarf' (Native Dogwood)
Grey green leaves with pronounced veins and tiny flowers.
- Westringia fruticosa* 'Zena' (Native Rosemary)
Drought and frost tolerant. Compact, rounded form with tiny green leaves and attractive blooms.

Grasses

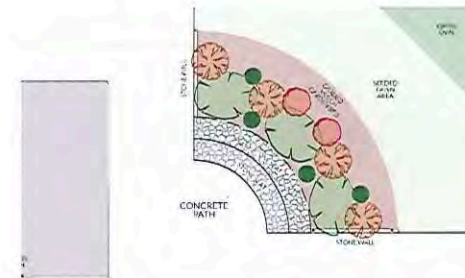
- Banksia integrifolia* (Coastal Banksia)
Large yellow flowers from Autumn to Spring, drought and frost tolerant.
- Callitris oblonga* (South Euc pine)
Native pine with dense green foliage, upright habit.
- Eucalyptus perreniana* (Spinning Gum)
Known for its glaucous, disc shaped leaves which encase the stem.
- Eucalyptus rindonii* (Rindon Peppermint Gum)
Silvery, blue-green leaves and attractive flower buds.
- Kunzea ambigua* (Tice bush)
Masses of small, creamy white and honey scented flowers, tiny leaves.
- Grasses and Groundcovers**
- Poa labillardieri* (Tussock Grass)
- Poa sieberiana* (Blue Tussock Grass)
- Carpeobrotus rousii* (Native Pigface)
- Xerochrysum bracteatum* (Golden Everlasting Daisy)
- Craspedea globosa* (Billy Buttons)
- Schoemia filifolia* ssp. *subulifolia* (Shoey Everlasting Daisy)
- Lomandra longipallia* 'Tanika' (Mat Rush)
- Ficinia nodosa* (Knobby Club Rush)



Unit Front Garden (TYP.) 1:100



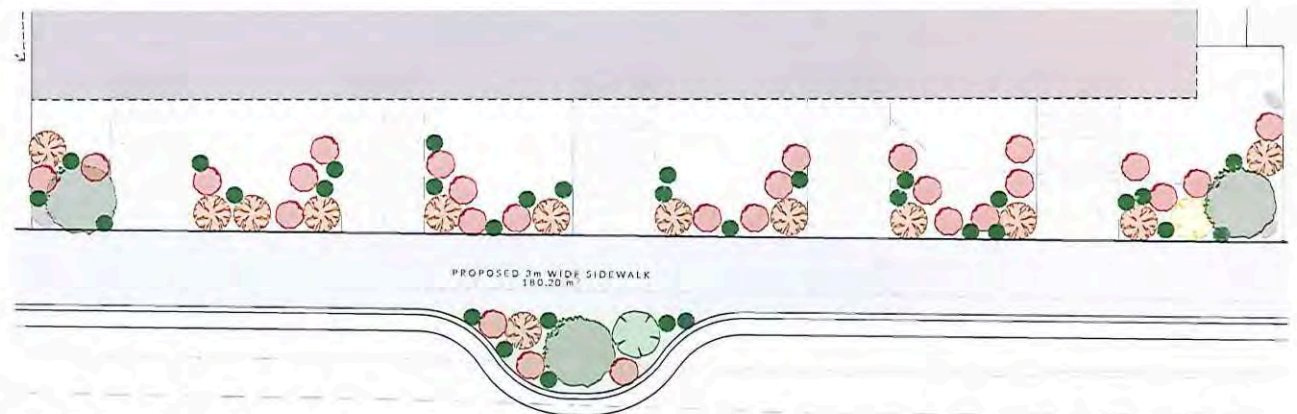
Unit Rear Garden (TYP.) 1:100



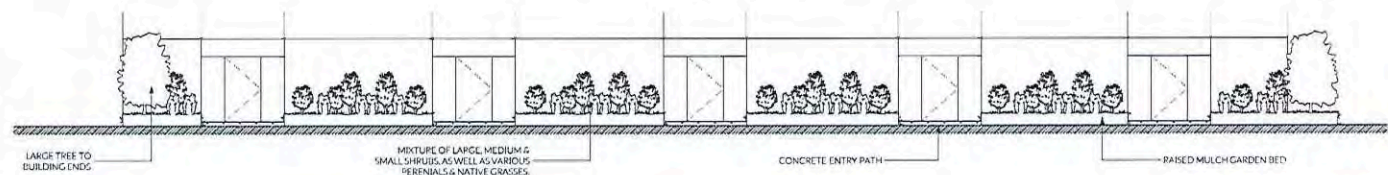
Feature Stone Seat Arrangement 1:100



Feature Stone Seat Section 1:100



Apartment Entry Garden 1:100



Apartment Entry Garden Section 1:100

PINNACLE

PINNACLE DRAFTING & DESIGN
770 Abernethy Way, Camberton 7170
02 6240 4214
admin@pinnacle-drafting.com.au
www.pinnacle-drafting.com.au

Landscaping Details

Revision: DA02
Approved by: JRH

Scale:
1:100
A2
L02

Proposal: Commercial Development
Client: Lydon Developments Pty Ltd
Address: 2a Ringwood Road, Lauderdale

Date: 09/11/22
Drawn by: JSM
Johns: 060-2621
Engineer: TNA
Building Supervisor: TBN

Issue Date:
Dm-01 11/11/22
Dm-02 01/12/22

Description:
Paving Plan
Council 111



This document is the property of Pinnacle Drafting & Design Pty Ltd. It is to be used for the project for which it was prepared and is not to be used for any other purpose without the written consent of Pinnacle Drafting & Design Pty Ltd. It is to be kept secure and not to be released to any third party without the written consent of Pinnacle Drafting & Design Pty Ltd. It is to be destroyed when no longer required for the project for which it was prepared.

Agenda Attachments - 2a Ringwood Road, Lauderdale

Attachment 3



Photo 1: Site viewed from Ringwood Road.



Photo 2: Site viewed from Ringwood Road.



Photo 3: Site viewed from end of right of way over 450 South Arm Road(rear of Harmony Garden Centre)

8. REPORTS OF OFFICERS

8.1 DETERMINATION ON PETITIONS TABLED AT PREVIOUS COUNCIL MEETINGS

Nil Items.

8.2 ASSET MANAGEMENT

Nil Items.

8.3 FINANCIAL MANAGEMENT

Nil Items.

8.4 GOVERNANCE**8.4.1 APPOINTMENT OF COUNCILLORS TO COUNCIL SPECIAL COMMITTEES****EXECUTIVE SUMMARY****PURPOSE**

Following recent review of the structure and operations of Council's special committees, appointments are now sought for Council's nominated representative on Council's special (advisory) committees and standing working groups.

RELATION TO EXISTING POLICY/PLANS

Council's Strategic Plan 2021 - 2031 is relevant.

LEGISLATIVE REQUIREMENTS

Special Committees are established under Sections 23 and 24 of the *Local Government Act* 1993.

CONSULTATION

Consultation has been undertaken with councillors.

FINANCIAL IMPLICATIONS

There will be minor financial implications in establishing a revised committee structure, limited to communication arrangements in seeking expressions of interest for committee positions and internal resourcing requirements.

RECOMMENDATION:

- A. That Council approves the following schedule of nominations for the new Special (Advisory) Committees and Standing Working Groups:

ADVISORY COMMITTEE/ STANDING WORKING GROUP	APPOINTMENT REQUIRED	NOMINATIONS RECEIVED
Active Living Advisory Committee	Chairperson Committee Members (2)	Chairperson Cr Ritchie Committee Members Cr Walker Cr Goyne

ADVISORY COMMITTEE/ STANDING WORKING GROUP	APPOINTMENT REQUIRED	NOMINATIONS RECEIVED
Community Wellbeing Advisory Committee	Chairperson Committee Members (2)	Chairperson Cr Chong Committee Members Cr Walker Cr Darko
Youth Working Group	Chairperson Group Member	Chairperson Cr Ritchie Group Member Cr Goyne
LGBTQI+ Working Group	Chairperson Group Member	Chairperson Cr Darko Group Member Cr Kennedy
Clarence Positive Ageing Working Group	Chairperson Group Member	Chairperson Cr Walker Group Member Cr Ritchie
Cultural Creative Advisory Committee	Chairperson Committee Members (2)	Chairperson Cr Kennedy Committee Members Cr Warren Cr Chong
City Development Advisory Committee	Chairperson (Mayor) Committee Members (2)	Chairperson (Mayor) Committee Member Cr Hulme Committee Member Cr Kennedy

ADVISORY COMMITTEE/ STANDING WORKING GROUP	APPOINTMENT REQUIRED	NOMINATIONS RECEIVED
Disability Access and Inclusion Working Group	Chairperson Group Member	Chairperson Cr Hulme Group Member Cr Warren
Tracks and Trails Working Group	Chairperson Group Member	Chairperson Cr James Group Member Cr Goyne
Bicycle Advisory Working Group	Chairperson Group Member	Chairperson Cr Hunter Group Member Cr Darko
Sustainability Advisory Committee	Chairperson Committee Members (2)	Chairperson Cr Hunter Committee Members Cr Warren Cr Mulder

B. That Council endorses Cr Chong's nomination to the Cycling South Committee.

ASSOCIATED REPORT

1. BACKGROUND

Council at its meeting of 24 April 2023 adopted a revised structure for its Special Committees. The new structure established five special (advisory) committees in accordance with Sections 23 and 24 of *the Local Government Act 1993* to support the achievement of Council's strategic purpose, mission and vision.

2. REPORT IN DETAIL

2.1. In July 2022, a Council workshop was conducted for initial consideration of the review of Council special committees. This was followed by consultation with each of the current committees to obtain feedback on the proposed structure.

2.2. The aim of the review was:

- to improve alignment of planning, resources and delivery where goals and objectives have connections across key strategies
- to consider a flexible system of working groups to support special committees
- for committees to have a “view” across each strategy area, providing a stronger voice and alignment with Council’s strategies
- to provide direction through revised constitutions, clear purpose and standardised templates
- to continue to build community capacity and develop strong partnerships
- to enable committees to continue to provide input at a strategic level where impact may be maximised, and
- to optimise resourcing.

2.3. Council at its meeting of 24 April 2023 adopted a revised structure for its Special Committees. The new structure established five Advisory Committees and six Standing Working Groups (reporting to a nominated advisory committee).

The Advisory Committees and Standing Working Groups are:

- Active Living Advisory Committee
- Community Wellbeing Advisory Committee
 - Youth Working Group
 - LGBTQI+ Working Group
 - Clarence Positive Ageing Working Group
- Cultural Creative Advisory Committee
- City Development Advisory Committee
 - Disability Access and Inclusion Working Group
 - Tracks and Trails Working Group
 - Bicycle Advisory Working Group
- Sustainability Advisory Committee

- 2.4.** In accordance with the revised Constitutions adopted at the meeting on 24 April 2023, nominations were sought for appointment of Chairperson and Councillor Representatives of each Advisory Committee and Standing Working Group. The nominations were discussed at a council workshop on 8 May 2023.
- 2.5.** It has been previous practice, that the method for appointment be by resolution of Council for those committees which received the same number of nominations as positions to be filled. If the number of nominations received exceeded the number of available positions, these are marked for a ballot to be conducted as part of the appointment process. There are no appointments requiring a ballot, which is reflected in the recommendation.
- 2.6.** At its meeting of 24 April 2023, Council confirmed its continued participation in the Cycling South Committee. A nomination for this committee is listed for endorsement at Recommendation B.

3. CONSULTATION

3.1. Community Consultation

Not applicable.

3.2. State/Local Government Protocol

Nil.

3.3. Other

Nominations were discussed at a recent Council workshop.

3.4. Further Community Consultation

Not applicable.

4. STRATEGIC PLAN/POLICY IMPLICATIONS

4.1. Council's Strategic Plan 2021-2031 under the Strategic goal area "*A people friendly city*":

"1.7 Supporting our community to build capacity and resilience."

"1.8 Recognising the significant impact volunteer involvement has on achieving our strategic goals and the delivery of our services and initiatives."

4.2. Council's Strategic Plan 2021-2031 under the Strategic goal area "*Governance and Leadership*":

"5.1 Responding to the changing needs of the community through leadership, advocacy and best practice governance."

"5.3 Continuing to focus on providing transparency in our decision-making processes."

"5.4 Communicating with our community about what we do."

5. EXTERNAL IMPACTS

There will be impacts associated with transition from the current structure to the revised structure. Foreseeable impacts include:

- Increased administration and organisation to facilitate transition to revised structure. Impacts will be managed by a nominated Executive Leadership Team member for the relevant committee to minimise disruption and to ensure provision of appropriate transition support.
The Manager People and Organisational Development will facilitate training and induction requirements.
- Potential for perceived reduction in community participation.
Committees have been consulted as part of this review, will require ongoing consultation as changes are implemented.
Vacant committee positions, following initial expressions of interest from existing members, will be advertised externally.

6. RISK AND LEGAL IMPLICATIONS

6.1. The establishment and operation of special committees is governed by section 24 of the *Local Government Act 1993*. Council may:

- establish, on such terms and for such purposes as it thinks fit, special committees
- appoint such persons as it thinks appropriate to special committees, and
- determine the procedures related to special committees.

6.2. The constitutions for the new advisory committees were approved by Council at its meeting on 24 April 2023.

7. FINANCIAL IMPLICATIONS

Costs associated with implementing objectives outlined in the strategy will form part of annual plan and budget considerations each year.

8. ANY OTHER ISSUES

Nil.

9. CONCLUSION

Council has established five Advisory Committees and six standing Working Groups to support the achievement of Council's strategic purpose, mission, and vision. These committees make a significant contribution to Council and the community. Approval is sought for appointment of councillor representatives to each advisory committee and standing working group.

Attachments Nil

Ian Nelson
CHIEF EXECUTIVE OFFICER

9. MOTIONS ON NOTICE**9.1 NOTICE OF MOTION - COUNCILLOR RITCHIE
COUNCILLOR LEAVE OF ABSENCE PROVISIONS**

In accordance with Notice given, Cr Ritchie intends to move the following motion:

“That Council:

- A. Recognises that the current process for requests for leave of absence by councillors is inappropriate as it does not reflect the rights and responsibilities applicable in contemporary work environments.
- B. Authorises the Chief Executive Officer to write to the Minister for Local Government on behalf of Council to request the Tasmanian Government to introduce updated regulations as soon as practicable to provide for the following:
 - i. That a councillor be able to advise the relevant council of a leave of absence ‘as of right’, subject to conditions being met (as set out below).
 - ii. A councillor’s request for leave may be for a cumulative period of up to three months in any 12-month period in ordinary circumstances or up to six months in any 12-month period should a councillor or their spouse or domestic partner—
 - (a) become the natural parent of a child (including any period during pregnancy); or
 - (b) adopt a child under the age of 16 years— and the councillor has responsibilities for the care of the child during that period.
 - iii. Any application for extended leave that is greater than three or six months, whichever is applicable, must be supported by evidence that would satisfy a reasonable person that the absence is reasonable in the circumstances, and be approved by the relevant council.
 - iv. Should a council have concerns regarding a councillor leave of absence, (other than for parental leave), by an absolute majority decision, a council may refer any request for leave of absence to the Minister for Local Government / Director of Local Government for review and determination.
- C. Authorise the Chief Executive Officer to write to the Local Government Association of Tasmania (LGAT) and request that the motion be placed on the agenda for the next LGAT General Meeting seeking support of other councils for Recommendations A and B.”

**NOTICE OF MOTION - COUNCILLOR RITCHIE
COUNCILLOR LEAVE OF ABSENCE PROVISIONS /contd...****EXPLANATORY NOTES**

The current arrangements for the requesting, granting or refusal of leave for councillors serving on Tasmanian local councils does not reflect the appropriate balance of rights and responsibilities expected in contemporary work environments.

For example, The Fair Work Act provides that an employee's request for annual leave can only be refused by an employer if the refusal is reasonable. There is no such consideration or protection for councillors under the current regulations covering local government in Tasmania.

With the exception of Victoria, where a Council must approve all reasonable requests for leave, all other jurisdictions in Australia also fail to adequately address the issue of requests for leave (see Attachment 1). A councillor should be able to expect reasonable requests for leave are granted as a matter of right.

In an environment where those assessing leave applications are also elected members of the Council, it is even more important the application process for leave is built upon clearly demonstrated rights and responsibilities that are consistent with the provisions that apply to all other contemporary workplaces.

Councillor A Ritchie
DEPUTY MAYOR

CHIEF EXECUTIVE OFFICER'S COMMENTS

Regulation 39 of the Local Government (Meeting Procedures) Regulations 2015 provides [emphasis added]:

- “(1) *If a councillor wishes to take a leave of absence in respect of one or more meetings, the councillor, or the chairperson on behalf of the councillor, **may request** that leave of absence.*
- (2) *At a meeting–*
 - (a) *the council **may grant** a request for a leave of absence from one or more of its meetings or one or more council committee meetings, or both; and*
 - (b) *a council committee may grant a request for a leave of absence from one or more of its meetings.*

**NOTICE OF MOTION - COUNCILLOR RITCHIE
COUNCILLOR LEAVE OF ABSENCE PROVISIONS /contd...**

- (3) *A leave of absence may not be granted retrospectively.*
- (4) *The purpose of the leave of absence and the period involved are to be recorded in the minutes.”*

For employees subject to the Fair Work Act, the entitlement to various types of leave is subject to reasonableness tests. For example, annual leave cannot be unreasonably refused and personal leave is subject to evidence requirements (evidence that would satisfy a reasonable person).

There are no tests of reasonableness contained within the regulations covering leave of absence applications made by councillors.

LEAVE PROVISIONS BY STATE/TERRITORY

ACT

The ACT does not operate a separate system of local government and has a number of voluntary, not-for-profit community councils that serve the interests of citizens within their boundaries.

New South Wales

- Local Government Act 1993
- Section 234

When does a vacancy occur in a civic office?

- (1) A civic office becomes vacant if the holder—
- a. dies, or
 - b. resigns the office by writing addressed to the general manager, or
 - c. is disqualified from holding civic office, or
 - d. is absent from 3 consecutive ordinary meetings of the council (unless the holder is absent because he or she has been suspended from office under this Act or because the council has been suspended under this Act or as a consequence of a compliance order under section 438HA) without—
 - (i) prior leave of the council, or
 - (ii) leave granted by the council at any of the meetings concerned, or
 - e. becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
 - f. becomes a mentally incapacitated person, or
 - g. is dismissed from civic office, or
 - g1. in the case of the office of a councillor, is elected as mayor by the electors, or
 - h. ceases to hold the office for any other reason.

Northern Territory

- Local Government Act 2019
- Division 3 Terms and conditions of membership
- Section 47 – Disqualification

- (1) A person is disqualified from office as a member of a council if the person:
- a. holds a judicial office; or
 - b. is bankrupt; or
 - c. is sentenced to a term of imprisonment of 12 months or more for an offence against the law of the Commonwealth or of a State or Territory in the circumstances specified in subsection (3); or
 - d. is a staff member of the council; or
 - e. is a staff member of the local government subsidiary of which the council is a constituent council of the local government subsidiary; or

- f. is indebted to the council and fails to discharge the debt within 6 months after the debt becomes due and payable in accordance with the regulations; or
- g. is certified mentally unfit to carry out the functions of a member; or
- h. is disqualified from managing a corporation under the Corporations Act 2001 or the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth); or
- i. is disqualified under section 40 of the Associations Act 2003 from being an officer of an incorporated association; or
- j. is a member of the Commonwealth House of Representatives or the Senate; or
- k. is determined by NTCAT to be unfit to be a member under section 133; or
- l. for the period mentioned in that subsection – is incapable of holding a local government office under section 89(3) of the Criminal Code; or
- m. ceases to be enrolled as an elector in respect of a place of residence within the area; or
- n. ceases to have a principal place of residence within the area; or
- o. is absent, without permission of the council in accordance with the regulations, from 2 consecutive ordinary meetings of the council.

Queensland

- Local Government Act 2009
 - Section 162 – When a Councillor’s Office Becomes Vacant
- (1) A councillor’s office becomes vacant if the councillor—
- (a) ceases to be qualified to be a councillor under division 1; or
 - (b) is found, on a judicial review, to be ineligible to continue to be a councillor; or
 - (c) does not comply with section 169; or
 - (d) ceases to be a councillor under section 172; or
 - (e) is absent from 2 or more consecutive ordinary meetings of the local government over a period of at least 2 months, unless the councillor is absent—
 - (i) in compliance with an order made by the conduct tribunal, the local government or the chairperson of a meeting of the local government or a committee of the local government; or
 - (ii) with the local government’s leave; or
 - (iii) while the councillor is suspended under section 122, 123 or 175K; or
 - (f) resigns as a councillor by signed notice of resignation given to the chief executive officer; or
 - (g) dies; or
 - (h) becomes a local government employee.
- (2) A *local government employee* does not include—
- (a) a person employed under a federally funded community development project for Aborigines or Torres Strait Islanders; or
 - (b) a person prescribed under a regulation

South Australia

- Local Government Act 1999
- Section 54 – Casual Vacancies

Subject to this section, the office of a member of a council becomes vacant if the member—

- a. dies; or
- b. resigns by notice in writing to the chief executive officer; or
- c. is removed from office by the Governor on the ground of incapacity to carry out official duties satisfactorily; or
- d. is removed from office by the council on the ground that he or she has been absent, without leave of the council, from three or more consecutive ordinary meetings of the council; or
- e. becomes a member of an Australian Parliament; or
- f. is declared bankrupt or applies for the benefit of a law for the relief of insolvent debtors; or
- g. fails to submit a return under Part 14 of the Local Government (Elections) Act 1999 before the expiration of one month from the end of the period allowed under that Act for the submission of the return; or
- h. is convicted of an indictable offence punishable by imprisonment; or
- i. becomes an employee of the council; or
- j. is disqualified from office by an order of a court or SACAT under this Act

Tasmania

- Local Government (Meeting Procedures) Regulations 2015, r.39
- 39. Leave of absence

- (1) If a councillor wishes to take a leave of absence in respect of one or more meetings, the councillor, or the chairperson on behalf of the councillor, may request that leave of absence.
- (2) At a meeting –
 - a. the council may grant a request for a leave of absence from one or more of its meetings or one or more council committee meetings, or both; and
 - b. a council committee may grant a request for a leave of absence from one or more of its meetings.
- (3) A leave of absence may not be granted retrospectively.
- (4) The purpose of the leave of absence and the period involved are to be recorded in the minutes.

Victoria

- Local Government Act 2020
 - Section 35 - Councillor ceasing to hold office
- (1) A Councillor ceases to hold the office of Councillor and the office of the Councillor becomes vacant if the Councillor—
 - a. ceases to be qualified to be a Councillor; or
 - b. dies; or
 - c. resigns in writing delivered to the Chief Executive Officer; or
 - d. is ousted from office; or (e) subject to this section, is absent from Council meetings for a period of 4 consecutive months without leave obtained from the Council.
 - (2) For the purposes of subsection (1)(a), a Councillor who would cease to have a qualification as an enrolled voter under section 34(1)(c) on a particular day if a voters' roll for the Council were prepared on that particular day, ceases to hold the office of Councillor at the expiration of the period of 50 days after that particular day if the Councillor has not obtained another entitlement to be on the voters' roll for the Council.
 - (3) For the purposes of subsection (2), a Councillor is considered to have ceased to have a qualification as an enrolled voter under section 34(1)(c) if—
 - a. their only entitlement to be enrolled on the voters' roll for the Council is as a resident under section 241; and
 - b. their principal place of residence is no longer located within the municipal district of the Council.
 - (4) The Council must grant any reasonable request for leave for the purposes of subsection (1)(e).
 - (5) A Councillor is not to be taken to be absent from a Council meeting—
 - a. while any proceeding for ouster from office of the Councillor is pending; or
 - b. while the Councillor is suspended from office.
 - (6) A Councillor is not to be taken to be absent from Council meetings during the period of 6 months after the Councillor or their spouse or domestic partner—
 - a. becomes the natural parent of a child; or
 - b. adopts a child under the age of 16 years— and the Councillor has responsibilities for the care of the child during that period.
 - (7) A person who has resigned as a Councillor cannot revoke the resignation after it has been delivered to the Chief Executive Officer.

Western Australia

- Local Government Act 1995
 - Part 2 – Constitution of Local Government
 - Section 2.25 - Disqualification for failure to attend meetings
- (1) A council may, by resolution, grant leave of absence, to a member.
 - (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
 - (3A) Leave is not to be granted in respect of —
 - (a) a meeting that has concluded; or
 - (b) the part of a meeting before the granting of leave.
 - (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
 - (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2 month period.
 - (5A) If a council holds 3 or more ordinary meetings within a 2 month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.
 - (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —
 - (a) if no meeting of the council at which a quorum is present is actually held on that day; or
 - (b) if the non-attendance occurs —
 - i. while the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5); or
 - ii. while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - iiia while the member is suspended under section 5.117(1)(a)(iv) or Part 8; or
 - iii. while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.
 - (6) A member who before the commencement of the Local Government Amendment Act 2009 section 5 was granted leave during an ordinary meeting of the council from which the member was absent is to be taken to have first obtained leave for the remainder of that meeting.

FairWork Statements

For all periods of sick and carer's leave or compassionate leave, an employee must give their employer notice of the taking of the leave. The notice must be given to the employer as soon as practicable (which may be at a time after the leave has started), and must advise the employer of the period, or expected period, of the leave.

An employee needs to request to take annual leave before going on leave. The process for requesting annual leave is often set out in an award or registered agreement, company policy or contract of employment.

An employer can only refuse an employee's request for annual leave if the refusal is reasonable.

An employer is entitled to request evidence that would substantiate the reason for leave. A failure to provide notice or, if required, evidence that would satisfy a reasonable person to substantiate the reasons for the leave, means the employee is not entitled to the leave.

An award or agreement may include terms relating to the kind of evidence that an employee must provide in order to be entitled to paid sick and carer's leave, unpaid carer's leave or compassionate leave. For example, an employer may request that the employee provides a medical certificate.

An employer or an employee can only cancel approved annual leave if the cancellation isn't unreasonable.

10. COUNCILLORS' 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

1. I refer to numerous reports that residents are being informed that potholes in various areas cannot be fixed until the water table reduces due to the absence of fall or the lack of adequate sub-service drainage of the streets. Can you assure the community that the reconstruction of Pass Road will not suffer from our inability to manage our stormwater responsibilities?

ANSWER

(Mr Graham) In relation to Pass Road the question is related to our capital works program and we will be coming to council at a forthcoming workshop involving land acquisition and capital funding so I do not believe it is necessarily at risk of proceeding in relation to the stormwater issues in that road corridor.

The Pass Road reconstruction project involves improved roadside drainage and larger culverts for directing runoff water to the Clarence Plains Rivulet. Improving the overall drainage and lifting the road surface level with a greater depth of road pavement material will assist in the road reconstruction works being able to be successfully completed.

2. Speaking of Pass Road yet another large pothole has appeared some two weeks ago and has yet to be repaired. Since most of the potholes on this road are caused by heavy vehicles travelling on a sponge why hasn't the load limit been reduced?

ANSWER

Pass Road has been identified as being overdue for pavement reconstruction based on asset lifecycle. There is no evidence that the deterioration of the road pavement is related to heavy vehicle traffic. Traffic survey data for Pass Road (from December 2019) recorded a total 4000 vehicles per day, with 5.4% heavy vehicles (or 215 heavy vehicles per day) which is lower than expected on this type of semi-urban connector road. For information, the general expectation is that the proportion of commercial vehicles on urban arterial roads be approximately 10% of all traffic and rural highways are expected to carry approximately 15-25% commercial vehicles.

Given the advanced stage of planning and design for road reconstruction on Pass Road and the agreed maintenance regime to address the road condition it was not considered necessary or appropriate to implement a temporary load limit on Pass Road at this time. An inspection of Pass Road was undertaken the day after the council meeting and any new potholes had been addressed.

Cr Hulme

1. I understand that there are areas of the city where maintenance work is required on council land that borders State Government land so for example you have a highway with a road reserve and council maintains an area beyond that with say a walking track. I was wondering if there is any kind of program or arrangement where council and the State Government pools their resources to ensure that maintenance work such as mowing road verges in those areas, for example, gets done together to produce economies of scale rather than having one party mowing up to the boundary of the other and then having that separately maintained?

ANSWER

(Mr Graham) I do not believe we have a partnership at the moment to undertake this. It is governed by the Roads and Jetties Act and different staff's interpretations and years of agreements in terms of which areas are covered. The Department of State Growth is reviewing all its road and highway legislation at the moment. We have made submissions as a lot of other councils have and attended forums in February to put our points of view regarding disparities in various highway legislation but I presume further information will be provided by the Department of State Growth after they have reviewed all the legislation.

As further comment, there are presently no arrangements in relation to pooled or shared resources for maintenance of roadside verges. An agreement coordinated prior to 2010 designates defined areas with road verge maintenance. The Department of State Growth has an external contract for managing State Highway verges. Council has a level of service for managing roadside verges council maintained roadways.

2. My question arises from something that occurred during this meeting and it is something you may wish to take on notice and have a closer look at. The practice when I was on council previously when an amendment was moved if it was not acceptable to the mover and therefore incorporated into the motion, a seconder would be sought and the amendment would then be fully debated then if carried it would be included into the substantive motion. Now my understanding is that there have not been any recent changes to the meeting procedures so I wonder if that could be looked at as to whether procedures have changed or has there been a different interpretation of procedures and may be some clarification on what the procedure is?

ANSWER

(Mayor) Cr Hulme be assured I will investigate this fully over the next few days and I will come back to you and all colleagues with a detailed answer. I will review the recording from tonight as well. I will also take advice but please know that I made a decision that I believe to be in the best interest of this council and the correct call from the chair. If I have erred I will apologise but as I say I will review and I will come back to you in the coming days.

Additional information from the Mayor:

I have now had the opportunity to thoroughly review Cr Hulme's question and have also sought advice from Officers.

In my view, the long-held practice of this Council expecting the mover of an amendment to seek the approval of both the mover and seconder, is the tidiest way to deal with amendments. However, this is not necessary.

In my view, moving an amendment motion – unless previously circulated with plenty of time – does not afford Councillors the opportunity to properly consider the amendment and any consequences that may flow. This may give rise to the charge of Council making “policy on the run”.

Nevertheless, Cr Hulme was correct in his interpretation of the process associated with moving an amendment.

In situations where an amendment is moved and seconded, it becomes the motion before the Chair and can be debated and is then put to the vote. If it is carried, “the amendment becomes the motion” and this is again put to the vote.

I note that Cr Hulme, when asked if he wished to put his amendment, declined, and did not seek a seconder.

Specifically, in regard to Cr Hulme's proposed motion:

The recommendation to formally endorse the letter to the Minister for Planning was reflecting an action that had already taken place and was seeking formal endorsement of that.

The proposed additional wording in Recommendation A was contained in the letter which was attached to the Associated Report as referenced in the recommendation, so somewhat superfluous.

In relation to Part B of Cr Hulme's amendment, it could be argued that this was introducing material that was not relevant to the matter at hand, as the report and recommendation were directly related to the letter sent to the Minister, not reconsidering a previously adopted position of Council.

However, in my opinion, it could not successfully be argued as "discussing a resolved matter", as that is only in relation to discussion at the same meeting.

Even so, I do believe that to debate this part of the motion, Council would first have to revoke Council's previous decision in regard to the Skylands UGB matter. Which, on the numbers, I believe would have failed.

On this basis, I would have ruled Part B of Cr Hulme's Amendment to have been out of order.

To ensure consistency, Council will adopt the following procedure for Amendments to Motions:

1. **The adopted practice to seek agreement of the mover and seconder to make amendments to a motion:**
 - This is only recommended for minor wording, grammatical changes etc.
 - Although not covered by Regulations or Policy, it is quite an efficient way to manage minor changes. It is referred to in *Guide for Meetings and Organisations, N.E. Renton*: "If an amendment is acceptable to the mover of the motion before the Chair, he may, by leave of the meeting, alter his motion accordingly".
2. **A Councillor who has not moved or seconded the original motion can move an amendment motion:**
 - Once moved and seconded this then becomes the motion before the meeting and is debated in the usual way.
 - This can be done by choice of the Councillor seeking an amendment or if the agreement of the mover and seconder of the original motion is not granted. This is covered by Regulation 17 of the Local Government (Meeting Procedures) Regulations 2015:
 - (1) At a meeting, a councillor who did not move or second a motion (the original motion) may move a motion to amend the original motion.
 - (2) A councillor is not to move a motion to amend another motion while a previous motion to amend that other motion is before the meeting.
 - (3) If a motion to amend another motion is resolved in the affirmative, that other motion, as amended is then the motion before the meeting.
 - (4) The chairperson may refuse to accept more than 2 motions to amend another motion.

3. Procedure for Amendment Motions

1. The Amendment is moved and seconded
2. The Amendment motion can be debated.
3. The Amendment motion is put to the vote.
4. If the Amendment motion is resolved in the affirmative, the original motion, as amended, is the motion before the meeting. There is no return to debate the original motion.
5. The Amendment becomes the motion and is again put to the vote as the motion before the meeting.

I trust this clarifies my position on this matter and the way future amendment motions will be considered by Council.

Cr James

1. My question is in regard to Pipeclay Esplanade. In the previous council we had before us a consultant's report advising on a number of ways in which work could be done on the gravel section of Pipeclay Esplanade as far as a rebuild, remedial action and also some costings. There were 4 criteria in relation to that so my question is where are we with that and is it proposed to come to council for further discussion on this and for council to consider one of the four options that were suggested by that consultant at that time?

ANSWER

(Mr Graham) The future decision or options on the road will be considered by council through the local coastal management plans. We are still waiting for Water Research Laboratory to provide us with a draft copy. I will make enquiries so I can inform council of the likely timing of us receiving that report and then come to a forthcoming council workshop.

(Further information) Water Research Laboratory have committed to presenting the draft Pipe Clay Lagoon Coastal Hazard Adaption Plan to officers in May 2023. This matter has been tentatively identified for workshop in June or July 2023.

2. When at Bellerive Beach recently I noticed that the area that has been fenced off adjacent to the play park equipment is still inundated and it is very boggy and so on and it has been like that for a number of months. Could you advise council as to whether or not another retention pit is to be installed in that lower section adjacent to the playground fence or as to whether there is going to be some other work done to alleviate that inundation problem that has been ongoing for many months now?

ANSWER

(Further information) The fenced off area is in place to protect new grass seed during its establishment period. The new seed has been planted to remediate the area after recent works by Council to address the inundation problems.

Council's works crew recently extended the stormwater infrastructure at Bellerive Beach Park to deal with the intermittent ponding of water on the high side of the outdoor gym. The works included installation of new pipework and stormwater pits and the re-grading of the grassed areas to improve surface drainage. New grass seed was planted over the disturbed area and has been fenced while it establishes.

Cr Walker

My question is in regard to the Geilston Bay play park which is a popular park in our municipality. It doesn't currently have a drinking fountain, we are making provision for a drinking fountain in the upcoming budget which is great. I am just asking that this might be an opportunity to look at what is some of the best practice for drinking fountains that are also good for dog walkers as well. I know we have a form of that at ANZAC Park but it is not without some issues so I am rhetorically wondering if it is possible that we look at using best practice in this space starting with Geilston Bay, and the works rolling it out?

ANSWER

(Further information) Council tries to follow best-practice in relation to the provision of park and public infrastructure, including both new capital infrastructure and the renewal of existing end of life infrastructure. Infrastructure renewals are generally programmed based on when existing infrastructure reaches the end of its functional life.

The drinking fountain at ANZAC Park was installed in 2010 and has a functional life of 20 years. Recent water supply problems have been resolved and the fountain is now fully operational. While the Anzac Park drinking fountain represented best-practice at the time of its installation, officers acknowledge it does not currently meet the expectations of all users, given it is in an off-lead dog exercise area and does not have the same features for dogs as other drinking stations installed in recent years. Officers are therefore considering it for potential early replacement. However, councillors will appreciate there are limited budget funds currently approved for the installation of new or upgraded drinking stations, and a consequent need to properly consider the equitable distribution of these facilities across our entire open space network (including to areas that currently do not have drinking fountains installed at all, as is the case with Geilston Bay).

A decision will be made on whether to replace and upgrade the ANZAC Park drinking station in the coming weeks and communicated to councillors and users of ANZAC Park.

Cr Goyne

1. Has council received correspondence from the Tasmanian Government about Lauderdale Primary School intersection and any possible works that have been happening? It has been a constant issue that has been flagged with me as a death waiting to happen and having witnessed many near misses there myself I just was wondering if we had an update and when this is going to occur?

ANSWER

(Mr Graham) My understanding is that it is part of the Rokeby Road upgrade. They (Department of State Growth) are looking at the section from Pass Road through to Oakdowns Parade and they are also looking at improving the intersection of the highway and Acton Road. I think they are looking at doing some community consultation in the forthcoming months but we don't believe that there is work expected to commence until probably 2025-26 financial year, there is considerable design work to be undertaken.

2. My question relates to the Tangara Trail network. I received correspondence this week from another horse rider who was involved in an incident with a cyclist and this is one of many. I am currently collating some incident reports in relation to that to bring to council before we have a serious injury. I was just wondering when it was decided that the Tangara Trail network would become a multi-user trail network and what education council put forward for the community and if any extra education is planned for that area particularly any possible regulations we have around users wearing earbuds? It seems to be a huge problem even people running into my own 700 kilogram horse because "they didn't see it".

Is there any way that council can manage users not being aware of their surroundings because of distraction?

ANSWER

(Further information) The Tangara Trail network was originally created in 1985 following advocacy from the horse riding community, particularly around the Sandford and Acton areas. This was done by formally recognising 40km of unnamed or informal tracks on public land, rights of way and public open space areas and adding horse riding as an official permitted use.

Though created to provide space for horse riding, the trail has always been intended as a shared pathway, available for use by walkers and cyclists, while recognising that it is heavily used by people riding horses.

Council recognised around 10 years ago that the increase in popularity of mountain biking in Tasmania has led to more trail riders on the network. Around this time, Council installed the first ‘Share the Trail’ signs at key entry points, including Delphis Drive, Mortimer Bay Reserve carpark, Silver Peppermint Track at Paroa Court and Rifle Range Road parking area. The signs identify that both bike riders and walkers need to give way to horses. Code of Conduct signs have also been installed at car parking areas at Mortimer Bay Reserve and Delphis Drive. Examples of both signs are below.

Further signage is planned for installation over the next 12 months and beyond. Council staff have been working with the Tangara Recreational Trails Inc committee to develop signage with better graphics and clearer messaging (including photos of horses and bike riders). Tangara Recreational Trails Inc also received a \$1,000 grant in 2022 to promote sharing the trail, which they are working on in cooperation with Council officers.



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 T1421-21 BEACH STREET, BELLERIVE – STORMWATER UPGRADE

11.3 FUNDING SUPPORT REQUEST

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:

- commercial information of a confidential nature that, if disclosed, is likely to prejudice the commercial position of the person who supplied it;
- contracts and tenders for the supply of goods and services;
- applications by Councillors for a Leave of Absence.

Note: The decision to move into Closed Meeting requires an absolute majority of Council.

The content of reports and details of the Council decisions in respect to items listed in “Closed Meeting” are to be kept “confidential” and are not to be communicated, reproduced or published unless authorised by the Council.

PROCEDURAL MOTION

“That the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting room”.